CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FIRST LEGISLATIVE DAY

FIRST CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, January 8, 1951

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

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

PRAYER

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

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

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

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

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

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

CERTIFICATE FROM SECRETARY OF STATE

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

STATE OF CALIFORNIA
OFFICE OF THE SECRETARY OF STATE, SACRAMENTO

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

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

Members of the Assembly-elect

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

Members of the Assembly-elect—Continued

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

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

(SEAL)

FRANK M. JORDAN, Secretary of State

ROLL CALL BY COUNTIES

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

MEMBERS SWORN IN

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

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

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

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

ANNOUNCEMENT

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

RESOLUTIONS

The following resolution was offered:

By Mr. Dickey:

House Resolution No. 1

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

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

Resolution read.

Mr. Dickey moved the adoption of the resolution.

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

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

NOES—None

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

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

APPOINTMENT OF COMMITTEES ON ESCORT

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

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

OATH OF OFFICE ADMINISTERED

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

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

Speaker Presiding

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

LOYALTY OATH ADMINISTERED

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

PLEDGE OF ALLEGIANCE TO THE FLAG

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

RESOLUTIONS

The following resolutions were offered:

By Mr. Lyon:

House Resolution No. 2

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

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

Request for Unanimous Consent

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

Resolution read, and adopted unanimously.

Appointment of Select Committee

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

By Mr. Maloney:

House Resolution No. 3

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

Request for Unanimous Consent

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

Resolution read, and adopted unanimously.

Appointment of Select Committee

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

By Mr. Hollibaugh:

House Resolution No. 4

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

Request for Unanimous Consent

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

Resolution read, and adopted unanimously.

Appointment of Select Committee

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

By Mr. Dickey:

House Resolution No. 5

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

Request for Unanimous Consent

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

Resolution read, and adopted unanimously.

By Mr. Evans:

House Resolution No. 6

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

Request for Unanimous Consent

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

Resolution read.

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

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

NOES—None.

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

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

By Mr. Dickey:

House Resolution No. 7

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

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

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

Request for Unanimous Consent

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

Resolution read.

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

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

NOES—None.

By Mr. Beck:

House Resolution No. 8

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

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

Request for Unanimous Consent

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

Resolution read.

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

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

NOES—None.

By Mr. Berry:

House Resolution No. 9

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

Request for Unanimous Consent

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

Resolution read, and adopted unanimously.

By Mr. Collier:

House Resolution No. 10

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

Request for Unanimous Consent

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

Resolution read, and adopted.

By Mr. Crowley:

House Resolution No. 11

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

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

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

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

Resolution read, and ordered on file.

By Mr. Doyle:

House Resolution No. 12

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

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

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

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

By Mr. Dickey:

House Resolution No. 13

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

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

Resolution read, and ordered referred to the Committee on Rules

By Mr. Dickey:

House Resolution No. 14

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

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

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

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

By Mr Dickey:

House Resolution No. 15

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

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

COMMITTEE FROM THE SENATE

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

ANNOUNCEMENT OF STANDING COMMITTEE APPOINTMENTS

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

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

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

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

INITIATIVE MEASURES

By the Chief Clerk:

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

By the Chief Clerk:

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

COMMUNICATIONS

By the Chief Clerk:

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

By the Chief Clerk:

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

By the Chief Clerk:

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

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

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

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

Sincerely,

FRANK M. JORDAN, Secretary of State

Above transmitted correspondence ordered referred to the Committee on Judiciary.

REPORT OF SELECT COMMITTEE

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

RESOLUTIONS

The following resolution was offered:

By Mr. Dickey:

House Resolution No. 16

Relative to the continuance of the Assembly Legislative Process Committee

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

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

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

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

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

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

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

Request for Unanimous Consent

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

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

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

NOES—None.

REPORTS OF SELECT COMMITTEES

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

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

INTRODUCTIONS

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

APPOINTMENT OF SELECT COMMITTEE

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

ARRIVAL OF MEMBERS OF THE SENATE ANNOUNCED

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

RECESS

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

IN JOINT CONVENTION

ASSEMBLY CHAMBER, SACRAMENTO
Monday, January 8, 1951

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

INTRODUCTION OF THE ATTORNEY GENERAL

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

INTRODUCTION OF PRESIDENT PRO TEMPORE OF THE SENATE

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

SENATE ROLL CALL

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

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

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

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

ASSEMBLY ROLL CALL

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

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

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

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

REGULAR ORDER OF BUSINESS

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

Of the Constitution (Article V);

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

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

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

ANNOUNCEMENT

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

APPOINTMENT OF JOINT COMMITTEE ON ESCORT

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

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

ANNOUNCEMENT

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

REPORT OF JOINT COMMITTEE ON ESCORT

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

OATH OF OFFICE ADMINISTERED TO GOVERNOR

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

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

PRESENTATION OF THE GOVERNOR

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

ADDRESS BY THE GOVERNOR

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

MESSAGE OF GOVERNOR EARL WARREN

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Civil Defense

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

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

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

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

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

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

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

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

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

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

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

Highway Patrol Reserve

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

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

Rainy Day Fund

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

Veterans Benefits

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

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

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

Child Care Centers

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

Labor Relations

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

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

Political and Economic Equality

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

Workmen's Compensation—Unemployment Insurance

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

Agricultural Labor

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

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

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

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

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

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

Water

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

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

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

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

Rain-making

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

Smog

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

Social Welfare

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

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

Aid to Permanently Disabled

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

Uniform Support of Dependents Law

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

Care of the Senile

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

Mentally Ill in County Hospitals

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

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

Alcoholic Clinics

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

Health Insurance

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

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

Education

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

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

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

Youth

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

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

Crime

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

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

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

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

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

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

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

Governmental Reorganization

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

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

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

Tax Commission

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

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

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

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

Planning

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

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

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

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

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

EARL WARREN

OATH OF OFFICE ADMINISTERED TO LIEUTENANT GOVERNOR

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

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

INTRODUCTION OF LIEUTENANT GOVERNOR

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

ADDRESS BY LIEUTENANT GOVERNOR

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

ADDRESS BY LIEUTENANT GOVERNOR GOODWIN J. KNIGHT

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

PRESENTATION OF UNITED STATES AND BEAR FLAGS TO GOVERNOR

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

MEMBERS OF THE GOVERNOR'S FAMILY ESCORTED FROM THE ROSTRUM

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

ADJOURNMENT OF JOINT CONVENTION

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

IN ASSEMBLY

At 2.23 p.m., the Assembly reconvened.

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

Chief Clerk Arthur A. Ohnimus at the desk.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 8, 1950

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

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

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

COMMUNICATIONS

By the Chief Clerk:

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

By the Chief Clerk:

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

By the Chief Clerk:

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

By the Chief Clerk:

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

By the Chief Clerk:

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

By the Chief Clerk:

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

Letter of Transmittal

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

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

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

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

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

Above transmitted report ordered referred to the Committee on Judiciary.

By the Chief Clerk:

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

By the Chief Clerk:

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

By the Chief Clerk:

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

By the Chief Clerk:

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

Letter of Transmittal

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

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

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

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

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

Very truly yours,

C. H. PURCELL
Director of Public Works

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

By the Chief Clerk:

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

Letter of Transmittal

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

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

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

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

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

Additional copies of the report are available on request.

Very truly yours,

JOHN F. FISHER, Secretary

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

By the Chief Clerk:

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

ASSEMBLY, CALIFORNIA LEGISLATURE
November 1, 1950

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

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

With kind personal regards, I am
Sincerely,

SAM L. COLLINS, Speaker

By the Chief Clerk:

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

ASSEMBLY, CALIFORNIA LEGISLATURE
November 9, 1950

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

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

With kind personal regards, I am
Sincerely,

SAM L. COLLINS, Speaker

By the Chief Clerk:

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

ASSEMBLY, CALIFORNIA LEGISLATURE
November 9, 1950

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

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

With kind personal regards, I am
Sincerely,

SAM L COLLINS, Speaker

By the Chief Clerk:

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

ASSEMBLY, CALIFORNIA LEGISLATURE
November 30, 1950

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

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

Kind personal regards.
Sincerely,

SAM L. COLLINS, Speaker

By Speaker Collins:

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

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

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

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

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

With grateful heart and thanks, I am

Gratefully,

REV. JOSEPH E. McLAUGHLIN

By the Chief Clerk:

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

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

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

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

Sincerely yours,

RALPH J. BUNCHE

By the Chief Clerk:

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

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

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

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

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

Sincerely yours,

FRANK PACE, JR.
Secretary of the Army

By the Chief Clerk:

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

TREASURY DEPARTMENT
WASHINGTON, November 13, 1950

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

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

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

Very sincerely yours,

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

By the Chief Clerk:

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

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

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

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

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

Sincerely yours,

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

By the Chief Clerk:

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

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

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

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

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

Sincerely,

SORY SMITH
Brigadier General, USAF
Director of Public Relations

By the Chief Clerk:

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

NEW YORK 19, NEW YORK, November 11, 1950

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

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

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

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

Sincerely yours,

FLORENCE CHADWICK

By the Chief Clerk:

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

Letter of Transmittal

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

Assembly, California Legislature
State Capitol
Sacramento 14, California

ATTENTION: Assemblymen H. Allen Smith
Glenard P. Lipscomb

GENTLEMEN.

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

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

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

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

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

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

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

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

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

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

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

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

Most respectfully,

R. E. MITTELSTAEDT, President

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

By the Chief Clerk:

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

By the Chief Clerk:

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

Letter of Transmittal

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

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

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

Sincerely yours,

J. S. SEYBOLD, Colonel, CE
Division Engineer

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

By the Chief Clerk:

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

By the Chief Clerk:

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

Letter of Transmittal

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

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

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

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

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

Very truly yours,

C. H. PURCELL, Director of Public Works

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

By the Chief Clerk:

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

Letter of Transmittal

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

Subject: House Resolution No. 77

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

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

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

Sincerely yours,

EARL P HANSON, Acting Chief
Division of Beaches and Parks

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

PETITIONS

By the Chief Clerk:

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

ANNOUNCEMENT OF COMMITTEE MEETINGS

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

Today, at 4 p.m.—

Rules.

ANNOUNCEMENT

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

GUESTS EXTENDED COURTESIES OF ASSEMBLY

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

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

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

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

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

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

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

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

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

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

ADJOURNMENT

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

SAM L. COLLINS, Speaker

GERALDINE B HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SECOND LEGISLATIVE DAY

SECOND CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, January 9, 1951

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

ROLL CALL

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

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

Quorum present.

PRAYER

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

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

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

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

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

—AMEN.

READING OF THE JOURNAL DISPENSED WITH

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

LEAVES OF ABSENCE FOR THE DAY

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

Mr. Doyle, on motion of Mr. Klocksiem.

Mr. Tomlinson, on motion of Mr. Klocksiem.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 9, 1951

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

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

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

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolutions were read:

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

Referred to Committee on Rules.

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

Referred to Committee on Rules.

ANNOUNCEMENT

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

COMMUNICATIONS

By Speaker Sam L. Collins:

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

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

Members of the Assembly
Sacramento, California

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

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

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

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

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

Sincerely yours,

FLORA MAUDE WILL

By Speaker Sam L. Collins:

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

Letter of Transmittal

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

The Honorable Sam L. Collins
Speaker of the Assembly

Pursuant to the provisions of Section 6028.3 of the Penal Code, I have the honor, in behalf of the State Board of Corrections, to transmit the Final Report of the Special Crime Study Commission on Organized Crime.

Respectfully,

RICHARD A. McGEE, Director of Corrections

Above transmitted report ordered filed with the Secretary of State.

By Speaker Sam L. Collins:

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

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

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

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

Approved for Press Card

Radio station KXOA—Hal Laffoon, Earle Russell

Sincerely,

EARL C. BEHRENS, President

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

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

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

Approved for Press Cards

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

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

Sincerely,

EARL C. BEHRENS, President

By the Chief Clerk:

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

Letter of Transmittal

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

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

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

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

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

Very truly yours,

C. H. PURCELL, Director of Public Works

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

By Speaker Sam L. Collins:

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

Letter of Transmittal

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

To the Assembly of the State of California

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

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

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

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

Respectfully submitted,

STATE LANDS COMMISSION
DIVISION OF STATE LANDS
By A P IRELAND

ANNOUNCEMENT

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

RESOLUTIONS

The following resolution was offered:

By Mr. McCollister:

House Resolution No. 17

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

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

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

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

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

Resolution read, and ordered referred to the Committee on Rules

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

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

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

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

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

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

Referred to Committee on Judiciary.

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

Referred to Committee on Judiciary.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Education.

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

Referred to Committee on Education.

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

Referred to Committee on Rules.

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

Referred to Committee on Judiciary.

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

Referred to Committee on Agriculture.

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

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

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Governmental Efficiency and Economy.

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

Referred to Committee on Judiciary.

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

Referred to Committee on Governmental Efficiency and Economy.

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

Referred to Committee on Finance and Insurance.

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

Referred to Committee on Elections and Reapportionment

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

Referred to Committee on Municipal and County Government.

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

Referred to Committee on Public Health.

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

Referred to Committee on Finance and Insurance.

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

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

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

Referred to Committee on Municipal and County Government.

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

Referred to Committee on Revenue and Taxation.

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

Referred to Committee on Civil Service and State Personnel.

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

Referred to Committee on Education.

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

Referred to Committee on Governmental Efficiency and Economy.

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

Referred to Committee on Agriculture.

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

Referred to Committee on Public Utilities and Corporations.

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

Referred to Committee on Finance and Insurance.

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

Referred to Committee on Municipal and County Government.

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

Referred to Committee on Governmental Efficiency and Economy.

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

Referred to Committee on Rules.

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

Referred to Committee on Municipal and County Government.

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

Referred to Committee on Education.

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

Referred to Committee on Education.

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

Referred to Committee on Ways and Means.

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

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

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

Referred to Committee on Crime and Correction.

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

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

Referred to Committee on Civil Service and State Personnel.

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

Referred to Committee on Military Affairs.

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

Referred to Committee on Governmental Efficiency and Economy.

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

Referred to Committee on Governmental Efficiency and Economy.

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

Referred to Committee on Judiciary.

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

Referred to Committee on Ways and Means.

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

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

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

Referred to Committee on Governmental Efficiency and Economy

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

Referred to Committee on Constitutional Amendments.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Elections and Reapportionment

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

Referred to Committee on Governmental Efficiency and Economy.

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

Referred to Committee on Revenue and Taxation.

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

Referred to Committee on Military Affairs.

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

Referred to Committee on Public Utilities and Corporations.

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

Referred to Committee on Transportation and Commerce.

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

Referred to Committee on Fish and Game.

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

Referred to Committee on Agriculture.

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

Referred to Committee on Fish and Game.

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

Referred to Committee on Finance and Insurance.

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

Referred to Committee on Public Health.

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

Referred to Committee on Finance and Insurance.

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

Referred to Committee on Public Utilities and Corporations.

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

Referred to Committee on Education.

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

Referred to Committee on Agriculture.

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

Referred to Committee on Judiciary.

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

Referred to Committee on Municipal and County Government.

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

Referred to Committee on Municipal and County Government

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

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

Referred to Committee on Municipal and County Government.

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

Referred to Committee on Judiciary.

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

Referred to Committee on Municipal and County Government.

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

Referred to Committee on Constitutional Amendments.

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

Referred to Committee on Military Affairs.

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

Referred to Committee on Military Affairs.

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

Referred to Committee on Military Affairs.

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

Referred to Committee on Military Affairs.

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

Referred to Committee on Military Affairs.

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

Referred to Committee on Military Affairs.

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

Referred to Committee on Military Affairs.

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

Referred to Committee on Military Affairs.

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

Referred to Committee on Military Affairs.

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

Referred to Committee on Military Affairs.

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

Referred to Committee on Military Affairs.

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

Referred to Committee on Military Affairs.

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

Referred to Committee on Military Affairs.

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

Referred to Committee on Transportation and Commerce.

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

Referred to Committee on Transportation and Commerce.

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

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

Referred to Committee on Transportation and Commerce.

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

Referred to Committee on Transportation and Commerce.

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

Referred to Committee on Transportation and Commerce.

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

Referred to Committee on Transportation and Commerce.

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

Referred to Committee on Transportation and Commerce.

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

Referred to Committee on Transportation and Commerce.

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

Referred to Committee on Transportation and Commerce.

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

Referred to Committee on Transportation and Commerce.

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

Referred to Committee on Fish and Game.

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

Referred to Committee on Fish and Game.

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

Referred to Committee on Agriculture

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

Referred to Committee on Judiciary.

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

Referred to Committee on Judiciary.

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

Referred to Committee on Finance and Insurance.

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

Referred to Committee on Finance and Insurance

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

Referred to Committee on Judiciary.

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

Referred to Committee on Municipal and County Government.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Education.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Crime and Correction.

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

Referred to Committee on Social Welfare.

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

Referred to Committee on Municipal and County Government

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

Referred to Committee on Military Affairs.

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

Referred to Committee on Military Affairs.

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

Referred to Committee on Industrial Relations.

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

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

Referred to Committee on Public Utilities and Corporations.

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

Referred to Committee on Public Utilities and Corporations.

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

Referred to Committee on Judiciary.

Assembly Bill No. 108: By Mr. Lindsay—An act to add Section 28.5 to the Fish and Game Code, relating to the sale of fish by the Fish and Game Commission.

Referred to Committee on Fish and Game.

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

Referred to Committee on Fish and Game.

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

Referred to Committee on Municipal and County Government

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

Referred to Committee on Municipal and County Government.

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

Referred to Committee on Municipal and County Government.

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

Referred to Committee on Municipal and County Government

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

Referred to Committee on Municipal and County Government.

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

Referred to Committee on Municipal and County Government.

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

Referred to Committee on Municipal and County Government.

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

Referred to Committee on Municipal and County Government.

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

Referred to Committee on Municipal and County Government.

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

Referred to Committee on Municipal and County Government.

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

Referred to Committee on Municipal and County Government.

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

Referred to Committee on Revenue and Taxation.

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

Referred to Committee on Transportation and Commerce

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

Referred to Committee on Education.

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

Referred to Committee on Municipal and County Government.

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

Referred to Committee on Ways and Means.

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

Referred to Committee on Ways and Means.

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

Referred to Committee on Ways and Means.

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

Referred to Committee on Ways and Means.

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

Referred to Committee on Ways and Means.

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

Referred to Committee on Rules

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

Referred to Committee on Ways and Means.

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

Referred to Committee on Ways and Means

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

Referred to Committee on Ways and Means

ANNOUNCEMENT

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

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

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

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

Referred to Committee on Education.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Governmental Efficiency and Economy.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Municipal and County Government.

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

Referred to Committee on Judiciary.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Judiciary.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Elections and Reapportionment

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Education.

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

Referred to Committee on Education.

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

Referred to Committee on Education.

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

Referred to Committee on Education.

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

Referred to Committee on Education.

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

Referred to Committee on Transportation and Commerce.

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

Referred to Committee on Revenue and Taxation.

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

Referred to Committee on Finance and Insurance.

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

Referred to Committee on Judiciary.

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

Referred to Committee on Judiciary.

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

Referred to Committee on Social Welfare.

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

Referred to Committee on Social Welfare.

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

Referred to Committee on Transportation and Commerce

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

Referred to Committee on Municipal and County Government.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Elections and Reapportionment

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

Referred to Committee on Municipal and County Government.

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

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

Referred to Committee on Municipal and County Government.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Fish and Game.

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

Referred to Committee on Fish and Game.

CONSIDERATION OF HOUSE RESOLUTION NO. 11

By Mr. Crowley:

House Resolution No. 11

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

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

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

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

Resolution read.

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

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

NOES—None.

RESOLUTIONS

The following resolution was offered:

By Mr. Dickey:

House Resolution No. 18

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

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

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

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

Request for Unanimous Consent

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

Resolution read.

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

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

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

NOES—None.

ANNOUNCEMENT

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

RECESS

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

REASSEMBLED

At 2 p.m., the Assembly reconvened.

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

Chief Clerk Arthur A. Ohnimus at the desk.

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

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

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

Referred to Committee on Transportation and Commerce.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Fish and Game.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Judiciary.

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

Referred to Committee on Finance and Insurance.

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

Referred to Committee on Judiciary.

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

Referred to Committee on Judiciary.

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

Referred to Committee on Judiciary.

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

Referred to Committee on Judiciary.

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

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

Referred to Committee on Judiciary.

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

Referred to Committee on Judiciary.

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

Referred to Committee on Judiciary.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Education.

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

Referred to Committee on Education.

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

Referred to Committee on Governmental Efficiency and Economy.

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

Referred to Committee on Governmental Efficiency and Economy.

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

Referred to Committee on Governmental Efficiency and Economy.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Elections and Reapportionment.

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

Referred to Committee on Governmental Efficiency and Economy.

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

Referred to Committee on Judiciary.

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

Referred to Committee on Agriculture.

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

Referred to Committee on Judiciary.

ANNOUNCEMENT

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

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

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

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

Referred to Committee on Rules.

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

Referred to Committee on Rules.

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

Referred to Committee on Rules.

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

Referred to Committee on Rules.

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

Referred to Committee on Rules.

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

Referred to Committee on Constitutional Amendments.

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

Referred to Committee on Constitutional Amendments.

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

Referred to Committee on Constitutional Amendments.

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

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 7: By Mr. McCollister—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section $1\frac{1}{4}$ of Article XIII, relating to exemptions of property on account of military service.

Referred to Committee on Constitutional Amendments.

RESOLUTIONS

The following resolutions were offered:

By Messrs. Lowrey, Lindsay, and Sherwin:

House Resolution No. 19

Relative to the continuance of the Assembly Committee on Public Lands

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

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

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

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

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

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

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

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

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

House Resolution No. 20

Relating to privileges of the floor of the Assembly

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

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

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

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

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

House Resolution No. 21

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

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

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

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

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

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

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

By Messrs. Fleury, Maloney, and Moss:

House Resolution No. 22

Relating to adjournment in respect to the memory of Jess Hession

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

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

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

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

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

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

By Mr. Dolwig:

House Resolution No. 23

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

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

PERMANENT STANDING RULES OF THE ASSEMBLY FOR THE 1951 REGULAR SESSION

SECTION 1

LEGISLATIVE ORGANIZATION

Assignment of Desks to Members

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

Hours of Meeting

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

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

RULES

Adoption of Standing Rules

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

Suspension of Rules

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

Amending Standing Rules

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

Temporary Rules

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

Parliamentary Rules

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

STANDING COMMITTEES

Standing Committees

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

A. LEGISLATURE:

Two committees to consider legislative organization, functions and procedure:

Committee on Rules

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

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

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

Committee on Legislative Procedure

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

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

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

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

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

1. Rules.
2. Legislative Procedure.
3. Conservation, Planning, and Public Works.
4. Fish and Game.
5. Governmental Efficiency and Economy.
6. Revenue and Taxation.
7. Ways and Means.
8. Education.
9. ~~Crime and Correction~~ *Boards and Commissions*.
~~10. Public Morals~~

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

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

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

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

Motions to Change Membership or Numbers of Standing Committees

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

SECTION 2

HOUSE FUNCTIONS

Duties of Assembly Officers

Duties of the Speaker

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

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

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

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

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

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

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

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

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

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

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

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

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

Duties of the Speaker pro Tempore

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

Duties of the Chief Clerk

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Duties of the Sergeant-at-Arms

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

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

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

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

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

(e) To execute all commands of the Speaker.

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

Duties of the Chief Assistant Sergeant-at-Arms

13.5. The Chief Assistant Sergeant-at-Arms shall have the powers and perform the duties of the Sergeant-at-Arms during his absence.

Printing

Authority for Printing

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

Printing Style, Form, and Amount to Be Printed

15. Unless otherwise restricted by law or by Assembly rule, the style and form of all printing, the quality of paper to be used, the number of copies to be printed of each order, and the number of copies to be delivered to each member shall be decided by the Chief Clerk and approved by the

Speaker or the Chairman of the Committee on Rules. All requests by members for additional copies of bills, documents, or other printed matter shall be referred to the Committee on Rules.

Printing Assembly History

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

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

Printing of Maps

17. Maps or charts accompanying documents other than bills shall not be printed without special authority from the Assembly by a majority vote of its entire elected membership.

Miscellaneous

Admission to Assembly Chamber

18 Persons admitted to the Assembly Chamber, other than members and attaches, shall not be permitted to stand in the Lobby in the rear of the Assembly Chamber while the Assembly is in session, but shall be required to occupy the seats provided for them.

Use of Assembly Chamber

19. The Assembly Chamber shall not be used for any public or private business other than legislative matters during the sessions of the Legislature, except by consent of a majority of the entire elected membership of the Assembly.

Persons Admitted to Floor of the Assembly

20. No person other than members, officers, attaches, employees of the Legislature, former Members of the Legislature, and accredited members of the press shall be admitted to the floor of the Assembly during any session of the Assembly; provided, that a guest of any member shall be admitted upon presentation of a guest card of said member countersigned by the Speaker, such guest card being valid only on the legislative day for which it was issued.

All guests shall be seated only in the chairs in back of the rail in the rear of the Assembly Chamber and shall not be permitted to sit at the desks of the members nor stand in the rear of the Chamber while the Assembly is in session. No person other than an accredited newspaper representative shall be permitted to sit at the press desks. A special section in the Balcony shall be reserved for those holding guest cards; provided, that none of the above-mentioned persons in this rule shall engage in influencing the passage or defeat of legislation in the Assembly Chamber.

SPECIAL ASSEMBLY COMMITTEE ON LEGISLATIVE REPRESENTATION *

21. In addition to any other committee provided for by these Rules, there shall be a committee to be known as and called the Special Assembly Committee on Legislative Representation, which is hereby declared to be a continuing body authorized to act both during and between sessions of the Legislature.

The committee shall have the rights, powers and duties prescribed in Section 9909 of the Government Code, specifically including but not limited to the authority to grant certificates of registration as legislative advocates, and all the rights and powers of legislative investigating committees as provided by the Joint Rules of the Senate and Assembly.

The committee shall study and analyze all facts relating to legislative representation and the regulation thereof, and shall report thereon to the Legislature at each general session and from time to time as the committee deems necessary, including in the reports its recommendations for appropriate legislation.

The committee shall consist of five Members of the Assembly appointed by the Speaker thereof at each general session of the Legislature. The chairman shall be appointed by the Speaker.

Any vacancy occurring between general sessions shall be filled by the Speaker and the members appointed shall hold over until their successors are legally selected.

The committee is specifically authorized to appoint the Legislative Auditor as executive secretary of this committee to act without compensation.

Smoking in Assembly Chamber

22. Smoking may be prohibited temporarily during any session of Assembly by a majority vote of the members present.

Fees for Witnesses

23. Each witness summoned to appear before the Assembly or any of its committees shall receive the sum of ten dollars ($10) for each day such witness shall be required to appear and the sum of five and one-half cents ($0 05½) for each mile he shall travel in coming to and going from the place of examination.

Press Privileges

24. Newspaper correspondents desiring Assembly press cards and privileges shall make written application to the Speaker. The Assembly by a majority vote of the members present may revoke any press card.

The Speaker shall assign the Assembly press desks to accredited newspaper representatives authenticated by the Standing Committee of the Capitol Correspondents' Association; also the necessary rooms for the exclusive use of such accredited press representatives.

* Old Rule 21 deleted

SECTION 3

LEGISLATIVE PROCEDURE

Speaker to Call Assembly to Order

25. The Speaker, or in his absence the Speaker pro Tempore, shall, at the hour appointed for meeting, call the Assembly to order. In the absence of both the Speaker and the Speaker pro Tempore, the Chief Clerk, or his assistant, shall call the Assembly to order, whereupon a temporary chairman shall be elected from among the members to preside.

The functions of the temporary chairman shall terminate upon return of the Speaker or Speaker pro Tempore.

Roll Call and Quorum

26. Before proceeding with the business of the Assembly, the roll of the members shall be called, and the names of those present shall be entered in the Journal. A majority of all the members elected to the Assembly shall constitute a quorum.

Order of Business

27. The order of business of the Assembly shall be as follows:

1. Roll Call
2. Prayer by the Chaplain
3. Reading of the Previous Day's Journal
4. Presentation of Petitions
5. Introduction and Reference of Bills
6. Reports of Committees
7. Second Reading of Bills
8. Messages from the Governor
9. Messages from the Senate
10. Motions and Resolutions
11. Business on the Daily File
12. Announcements
13. Adjournment

Pledging Allegiance to the Flag

28. On each Monday morning during the session, following the prayer by the Chaplain, the Members of the Assembly and its officers, attaches, and employees present in the Assembly Chamber shall pledge their allegiance to the Flag of the United States of America.

Reading, Correcting, and Approving Journals

29. a. The reading of the Journal of the previous day may be dispensed with on motion by a majority of the members present.

b. All Journals of the Assembly shall be corrected by the Minute Clerk and delivered by him to the Chief Clerk within seven calendar days from the date of such Journal. Such corrected Journals may thereafter be approved by a majority vote of the members present.

c. A motion to correct any day's Journal shall be in order prior to the approval by the Assembly of such day's Journal. The approval of the Journal shall require a majority vote of the members present.

Presentation of Petitions

30. Whenever petitions, memorials, or other papers are presented by a member, a brief statement of the contents thereof may be made

verbally by the introducer. Petitions are not debatable and shall be filed, or be referred to a committee as the Speaker shall determine. Mention of receipt of such presentation and its disposition shall be entered on the Journal.

Upon receipt of a petition for the impeachment of any person subject to impeachment by the Legislature, the Speaker shall, without comment or debate, forthwith refer such petition to committee.

Messages From the Governor

31. Messages from the Governor shall be delivered to the Chief Clerk or an assistant, and shall be read and ordered printed on the Journal unless otherwise ordered by a recorded vote of two-thirds of the elected membership.

Messages From the Senate

32. Messages from the Senate shall be delivered to the Chief Clerk or an assistant, and shall be read and ordered printed on the Journal. The Speaker shall forthwith refer to the proper committee all Senate bills accompanying such messages, which reference shall be entered in the Journal. Assembly bills which have been passed without amendment by the Senate shall be ordered to enrollment.

Assembly bills amended by the Senate shall be ordered placed upon the unfinished business file.

Bills

Bills Defined

33. Whenever the word "bill" is used in these Rules, it shall include constitutional amendments, concurrent and joint resolutions, except as otherwise specifically provided.

Introduction and Reference of Bills

34. Each bill shall be signed by the member, or each of the members, who is an author of the bill before it is introduced. If any bill is introduced which does not contain the signature of such author or co-author, the same, on motion of the member whose name appears thereon without such signature, shall be stricken from the file by a recorded vote of a majority of the elected membership. In each legislative session, on the first day when bills are introduced under "Introduction and Reference of Bills," the roll shall be called from A to Z and then back from Z to A, and as each member's name is called, he may introduce one bill, constitutional amendment, concurrent or joint resolution.

After these two roll calls, any member desiring to introduce bills, constitutional amendments, concurrent and joint resolutions may at any time during a session send the same to the Clerk's desk.

When received at the Clerk's desk it shall, under the proper order of business, be numbered, read the first time, referred to a standing committee, be printed, and a copy placed upon the desk of each member.

All bills, constitutional amendments, concurrent and joint resolutions introduced before the standing committees of the Assembly are appointed, shall be referred to committees, references to take effect when the committees shall be appointed.

Reference of Bills to Committee

35. Immediately following its first reading, the Speaker shall refer each bill to a committee, unless upon a motion the Assembly, by a majority vote of its entire elected membership, shall refer it to some other committee. Such motion to refer a bill shall not be debatable. Should several different committees be proposed, preference shall be given as follows:

1. Committee of the Whole.
2. Standing Committee.
3. Special Committee.

Examining of Bills by Legislative Counsel Bureau

36. After introduction, all bills shall be delivered to the Legislative Counsel for the purpose of determining if the bill is in the proper form as prescribed by law or Assembly rule.

If, in the opinion of the Legislative Counsel, any correction made by him under the authority of this rule should in any manner be construed to be a change in the bill other than a change in form, he shall obtain the consent of the author of the bill before making such change.

Immediately upon the completion of the check of the bills referred to the Legislative Counsel in accordance with the provisions of this rule, he shall deliver the bills to the State Printer. Under no circumstances shall the Legislative Counsel retain in his possession any bills referred to him under the provisions of this rule for any period longer than two legislative days.

Introduction of Bills After Constitutional Recess

37. Any member requesting permission to introduce a bill, except a resolution or constitutional amendment, after the constitutional recess shall send such request together with the bill to the Clerk's desk, and it shall be referred by the Speaker to the Committee on Legislative Procedure. The committee shall ascertain if the granting of such request will exceed the limitations as set forth in Section 2 of Article IV of the Constitution, and if it will not, shall report back on the same legislative day each bill so referred to it. The adoption of the report of the committee granting permission to introduce any bill shall require an affirmative recorded vote of three-fourths of all members elected to the Assembly.

During the portion of the session prior to the constitutional recess and after the end of the second week following the convening of the session, no Member of the Assembly shall introduce any bill, other than the Budget Bill, at the request of or on behalf of any state officer, department, board, bureau, or commission, without first obtaining permission to do so. Any member who desires to introduce such a bill after the end of the second week of the session shall send it to the Clerk's desk, accompanied by a written request for permission to introduce it. The bill may be introduced only after the adoption of a motion by the Assembly that permission be granted to the member to do so. The adoption of such a motion shall require an affirmative recorded vote of two-thirds of all members elected to the Assembly.

Standing Committee Functions

Standing Committee Rules

38. The Rules of the Assembly shall govern the conduct of all committee meetings. Each committee may adopt, by a majority vote of its entire membership, such additional rules as it may deem necessary for the conduct of any business referred to such committee.

A majority of the committee members present may order a call of the committee.

Meetings of Standing Committees

39. All standing committees shall meet at the hour and the place provided by schedule, unless otherwise ordered by the Assembly. No committee shall meet during any session of the Assembly without first obtaining permission from the Assembly.

Every scheduled committee meeting shall be open to the public, unless the committee, by a majority vote of its entire membership, shall order an executive session.

Committee Quorum

40. A majority of the membership of any standing committee shall constitute a quorum for the transaction of its business, including the adoption of any amendments to any bill. At least a majority of all members constituting such committee shall be required to report a bill out of committee.

Bills Reported Back to Assembly

41. All committees shall act upon bills referred to them as soon as practicable, and when acted upon each bill shall be reported back to the Assembly forthwith, and the chairman of each committee is charged with the observance of this rule.

Reports of Committees

42. Reports of standing and special committees shall be delivered to the Chief Clerk or an assistant, and shall be read and ordered printed in the Journal unless otherwise ordered by the Speaker or a majority vote of the members present.

Signing Bills Out of Committee

43. No bill shall be signed out of committee unless the committee has failed to hold a meeting on two consecutive scheduled dates, or having so met, has failed to have a quorum present for the transaction of business.

Committee of the Whole

44. The Assembly may resolve itself into a Committee of the Whole at any time by a majority vote of the members present While sitting as such committee, persons other than members may address the committee. The Speaker of the Assembly, or any member named by the Speaker, shall preside as Chairman of the Committee of the Whole

A motion that the Committee of the Whole "do now rise and report back to the Assembly," shall always be in order, and shall be decided without debate. All actions of the Committee of the Whole shall be reported to the Assembly by the chairman, but shall not be entered in the Journal except upon motion and a majority vote of the members present.

Committee on Ways and Means

45. The Committee on Ways and Means shall consider all bills to appropriate money, other than the contingent expenses of the Assembly.

Committee Expenditures

46. No member or committee shall be permitted to incur any expense without first receiving the consent of the Assembly, except that the Chairman of the Committee on Ways and Means shall be allowed his actual expenses for the performance of any duties of his office during the constitutional recess.

Reports of Interim Committees

47. All interim committees, unless otherwise authorized, shall report to the next succeeding Legislature on or before the fortieth day after the convening thereof.

Effect of Adoption of These Rules

47.5. The adoption of the Standing Rules of ~~the 1950 Regular~~ *a budget* session shall not be construed as modifying or rescinding the Permanent Standing Rules of the Assembly for the ~~1949 Regular~~ *preceding general* session, nor as affecting in any way the status or powers of the interim committees created by those Rules.

Passage of Bills

Daily File

48. There shall be printed an Assembly Daily File for each legislative day following the constitutional recess, or at any time prior thereto when ordered by the Speaker. The Committee on Rules shall have charge of the Daily File of the Assembly. The following listing shall constitute the order of the Daily File:

1. Special Orders of the Day
2. Second Reading, Assembly Bills
3. Second Reading, Senate Bills
4. Unfinished Business
5. Third Reading, Assembly Bills
6. Third Reading, Senate Bills

All bills on the Daily File shall be called for consideration in the order of their listing, unless otherwise ordered by unanimous consent or an affirmative vote of two-thirds of the members present.

Inactive File

48.5. Whenever a bill has been passed twice on third reading file, it shall forthwith be placed upon a special file to be known as the inactive file. When a bill has been placed on the inactive file, it may be returned to the third reading file by a request of the author; but the bill shall then be placed at the foot of the third reading file.

Record of Bills

49. The Chief Clerk shall cause to be kept a permanent record of every action taken by the Assembly on every bill, and the date of such action. Every such action and the date thereof shall also be endorsed upon such bill.

Second Reading of Bills

50. All bills shall be read the second time in the order of their appearance upon the second reading file. Upon second reading, Assembly bills reported without amendments shall be ordered engrossed, and Senate bills reported without amendments shall be ordered to third reading.

Committee Amendments

51. Committee amendments reported with bills shall be considered upon their second reading and such amendments may be adopted by a majority vote of the members present. Assembly bills so amended shall be ordered reprinted and engrossed, and Senate bills so amended shall be ordered reprinted and to third reading.

Amendments From the Floor

52. Any member may move to amend a bill during its second or third reading and such motion to amend may be adopted by a majority vote of the members present.

Before debate an extra copy of the proposed amendment must be delivered to the Clerk's desk and made available to the author of the bill. Bills so amended on second reading shall be treated the same as committee amendments Any bill so amended upon second or third reading shall be reprinted and re-engrossed. The Chief Clerk shall order printed not to exceed 1,000 copies of all amended bills.

Consideration of Constitutional Amendments, Concurrent and Joint Resolutions

53. Constitutional amendments, concurrent and joint resolutions may be amended by a majority of the members present and shall be treated the same as bills, except that they shall be read but once. The ayes and noes shall not be called upon the adoption of concurrent resolutions, except those presenting charter amendments or authorizing expenditures of money, unless regularly demanded or required by statute or by the Constitution.

Bills Transmitted to the Senate

54. Upon the final passage of any bill if no notice of motion to reconsider such bill be given, the Speaker shall order the bill transmitted to the Senate under signature of the Chief Clerk. Senate bills refused passage shall forthwith be returned to the Senate under similar signature.

Bills Considered During Last Seven Days

55. No Assembly bill shall be passed by the Assembly within seven calendar days previous to the time set for adjournment *sine die* of the Legislature, except upon recommendation of the Speaker and permission to consider and vote on such bill being granted by a recorded vote of three-fourths of the entire elected membership of the Assembly.

Bills Considered During Period Prior to Final Adjournment

55.5. See Joint Rule 23 for provisions governing bills considered during this period.

Concurrence in Senate Amendments

56. It shall require the same affirmative recorded vote to concur in any Senate amendment to an Assembly bill as the vote required by the Constitution for the passage of such bill. It shall require an affirmative

recorded vote of two-thirds of the entire elected membership of the Assembly to concur in any Senate amendment to an Assembly bill which contains an item or items of appropriation subject to reduction or elimination under the provisions of Section 34a of Article IV of the Constitution. The vote on concurrence shall be deemed the vote upon final passage of such bill. When Senate amendments to an Assembly bill are concurred in, the bill shall be forthwith ordered enrolled, and the Chief Clerk shall notify the Senate of such concurrence.

Nonconcurrence in Senate Amendments

57. If the Assembly refuse to concur in Senate amendments to an Assembly bill, and when notified that the Senate has refused to concur in Assembly amendments to a Senate bill, the Speaker shall appoint a Committee of Three (3) on Conference, and the Chief Clerk shall immediately notify the Senate of the action taken by the Assembly and request the appointment of a like committee.

Committee on Conference

58. The Speaker, in appointing a Committee on Conference, shall select two members from those voting with the majority on the point about which the difference has arisen, and the other member from the minority, in the event there is a minority vote.

59. The Chairman of the Senate Committee on Conference for the same bill shall arrange the time and place of meeting of such committee. It shall require an affirmative vote of not less than two of the Assembly members and two of the Senate members constituting the Committee on Conference to agree upon a report, and the report shall be submitted to both the Senate and the Assembly. Such report is not subject to amendment, and if either house refuses to adopt such report, the conferees shall be discharged and other conferees appointed. No member who has served on a Committee on Conference shall be appointed a member of another Committee on Conference on the same bill. The presentation and consideration of any report of a Committee on Conference shall always be in order, except during a roll call or when a member has the floor. It shall require the same affirmative recorded vote to adopt any conference report as required by the Constitution upon the final passage of the bill affected by such report. It shall require an affirmative recorded vote of two-thirds of the entire elected membership of the Assembly to adopt any conference report affecting any Assembly bill which contains an item or items of appropriation which are subject to reduction or elimination under the provisions of Section 34a of Article IV of the Constitution.

The vote on concurrence or upon the adoption of such conference report by the Assembly shall be deemed the vote upon final passage of such bill.

Engrossing and Enrolling Bills

60. The Engrossing and Enrolling Clerk shall engross and enroll all bills which shall come to his hands for such purposes, in compliance with the provisions of Section 9503 of the Government Code, and in the order of time in which the same shall be acted upon by the Assembly.

Enrollment

61. After final passage by both houses, any Assembly bill not amended by the Senate shall be forthwith ordered by the Speaker to be enrolled, as provided in Section 9508 and 9509 of the Government Code The Committee on Legislative Procedure shall report both the day and the hour each enrolled bill is presented to the Governor, which report shall be entered in the Journal.

SECTION 4

PARLIAMENTARY PROCEDURE

Motions and Questions

Precedence of Motions During Debate

62. When a question is under debate or before the Assembly, no motions shall be received but the following, which shall take precedence in the order named:

First—To adjourn;
Second—To recess to a time certain;
Third——To lay on the table;
Fourth—For the previous question;
Fifth—To set as a special order;
Sixth—To postpone indefinitely;
Seventh—To refer or re-refer;
Eighth—To amend.

Questions of Order Decided Without Debate

63. All incidental questions of order, arising after a motion is made for any of the questions named in Rule 62 and pending such motion, shall be decided by the Speaker without debate, whether on appeal or otherwise.

Appeal From Decision of the Speaker

64. Any member may appeal from a decision of the Speaker without waiting for recognition by the Speaker, even though another member has the floor. No appeal is in order when another is pending, or when other business has been transacted by the Assembly prior to the appeal being taken.

Upon the appeal being seconded, the Speaker may give his reasons for the decision, and the member taking the appeal may give his reasons for making his appeal, and the Speaker shall forthwith put this question to the Assembly: "Shall the decision of the Speaker be sustained?"

An appeal cannot be amended and yields only to a motion to recess or adjourn, to lay on the table, or a question of personal privilege. If an appeal be laid on the table, such action shall have no effect on the pending question.

An appeal cannot be debated when relating to indecorum, transgression of Rules, or priority of business. A majority vote of the members present shall decide any appeal.

Speaker Explains Order of Business

65. The Speaker may, on his own motion or upon the motion of any Member of the Assembly, explain the order of business when the motion pending before the Assembly is not debatable. Such explanation is not to consume more than two minutes.

To Adjourn

66. A motion to adjourn is not debatable and cannot be amended, and is always in order, except (a) when another member has the floor; (b) when the Assembly is voting; (c) during a call of the Assembly. The name of any member moving an adjournment and also the hour at which the motion was made and adjournment taken shall be entered in the Journal. A motion to adjourn must be adopted by a majority vote of the members present.

When a motion to adjourn is made and seconded, it shall be in order for the Speaker, before putting the question, to permit any member to state to the Assembly any fact relating to the condition of the business of the Assembly which would seem to render it improper or inadvisable to adjourn. A statement shall not occupy more than two minutes and shall not be debatable.

To Recess to a Time Certain

67. A motion to recess to a time certain shall be treated the same as a motion to adjourn, except that such motion is debatable when no business is before the Assembly, and can be amended as to the time and duration of the recess. It yields only to a motion to adjourn.

To Lay on the Table

68. A motion to lay on the table is not debatable and cannot be amended.

A motion to table a bill, constitutional amendment, concurrent or joint resolution requires a majority vote of the entire elected membership.

Any motion to lay on the table, if carried by a majority vote of the entire elected membership, carries with it the main question and everything that adheres to it; provided, however, that a motion to lay an amendment on the table, if adopted, does not carry with it a bill, constitutional amendment, concurrent, joint, or House resolution.

A motion to lay an amendment on the table may be adopted by a majority vote of the members present.

The Previous Question

69. The previous question shall be put only when demanded by five members, and in this form: "Shall the question be now put?" And its effect, when sustained by a majority of the members present, shall be to put an end to all debate and bring the House to a vote only on the question then pending; except that the proponent of the matter pending shall be allowed not to exceed five minutes to close the debate.

Motion to Set Special Order

70. A motion to set any matter before the Assembly as a special order of business must be adopted by a two-thirds vote of the members elected. It is debatable only as to the propriety of setting the main question as a special order of business, and may be amended only as to the time.

Motion to Postpone to a Time Certain

71. A motion to postpone to a time certain shall be deemed and treated as a motion to set as a special order.

Motion to Postpone Indefinitely

72. When a motion is made to postpone indefinitely any bill, motion, or amendment, it opens the main question to debate. Should the motion to postpone indefinitely prevail by a majority vote of the entire elected membership, the main question shall not be acted upon again during the session.

Motion to Amend

73. A motion to amend may itself be amended, but no "amendment to an amendment" can be amended. A motion to amend is debatable, except where the main question to be amended is not debatable. Any motion to amend may be adopted by a majority vote of the members present.

A motion to amend having been decided in the negative, shall not again be in order on the same day, or at the same stage of proceeding. A motion to amend by striking out certain words having been decided in the negative, shall not preclude a motion to amend by adding words, or a motion to amend by striking out and inserting words; but in no case shall a further amendment be substantially the same as the one rejected.

Subject to the above provisions of this rule, a motion to amend is in order during the second or third reading of any bill

A motion to lay an amendment on the table may be adopted by a majority vote of the members present, as provided in Rule 68.

Amendment to Be Germane

74. No amendment to any bill, whether reported by a committee or offered by a member, shall be in order when such amendment relates to a different subject, or is intended to accomplish a different purpose, or requires a title essentially different from the original title of any bill

No amendment shall be in order which adds or deletes the name of a member as an author or co-author, or which changes the original number of any bill.

Substitute Motion

75. A motion to substitute shall be deemed and treated as a motion to amend.

Motions in Writing

76. Upon request of the Speaker all motions shall be reduced to writing and shall be read by the Speaker before the same are acted upon.

Constitution of Motions

77. No motion, whether oral or written, shall be adopted until the same shall be seconded and distinctly stated to the Assembly by the Speaker.

Division of Questions

78. Any member may call for a division of the question, and the Speaker shall order the question divided if it comprehend propositions in substance so distinct that, one being taken away, a substantive proposition shall remain for the decision of the Assembly.

Withdrawal of Motions

79. After a motion is stated by the Speaker, or a bill, resolution, or petition read by the Clerk, it shall be deemed to be in the possession of the Assembly.

Motion to Be Germane

80. No motion or proposition on a subject different from that under consideration shall be admitted as an amendment.

Motion to Withdraw and Recall Bills

81. A motion to withdraw a bill or resolution from committee, or to re-refer a bill or resolution from one committee to another committee may be made during the regular order of business. A motion to re-refer shall only be debatable as to the propriety of such reference, and shall require a recorded vote of the majority of the elected members.

No bill or resolution shall be withdrawn from committee and placed upon the file except upon two days' notice thereof and except by a recorded vote of a majority of the elected members.

Bills Stricken From the File

82. A motion to strike from the file any bill or House resolution requires a majority vote of the entire elected membership. Such bill shall not be acted upon again during the session.

Motion to Rescind Action and Expunge Record

83. Previous to the approval of the Journal by the Assembly, any action may be rescinded and its record ordered expunged by an affirmative recorded vote sufficient to take such action originally; except that no action shall be rescinded and the record expunged by a vote less than a majority of the entire elected membership. No motion to rescind the action and expunge the record shall be made twice on the same proposition.

Whenever any action of the Assembly is rescinded and its record ordered expunged, the record of the action expunged shall not appear in any form whatsoever, but the record of the proceedings on the motion to rescind and expunge shall appear in the Assembly Journal as and when printed.

Reconsideration of Vote

84. Notice of a motion to reconsider on the next legislative day, the vote whereby any bill, constitutional amendment, concurrent or joint resolution was passed or refused passage, must be given on the same day such vote to be so reconsidered was taken.

A notice of motion to reconsider a vote must be given by a member voting on the bill, constitutional amendment, concurrent or joint resolution, and shall take precedence over all motions, except a motion to adjourn. Upon such notice of motion being given, the bill, constitutional amendment, concurrent or joint resolution shall forthwith be placed upon the unfinished business file, and no further action shall be taken prior to the next legislative day. When a notice of a motion to reconsider has once been made, the same shall be considered to be the property of the Assembly.

Any member voting on any motion, amendment, concurrence, Assembly resolution or proposition other than a bill, constitutional amendment, concurrent or joint resolution, may give notice of reconsideration of the vote whereby the same was passed or refused passage on the same day such vote to be reconsidered was taken, which notice shall suspend all further consideration until the next legislative day; provided, however, that a motion to reconsider on the same day the notice was given shall take precedence over and above such notice and upon demand of any member must be put to an immediate vote. A motion to reconsider any proposition other than a bill, constitutional amendment, concurrent or joint resolution shall require an affirmative recorded vote of a majority of the entire elected membership.

No notice of motion for reconsideration shall be in order on the day preceding the last day for consideration of Assembly or Senate bills in the Assembly. No motion to reconsider shall be adopted except upon an affirmative recorded vote of a majority of the entire elected membership, except that it shall require a two-thirds vote of the entire elected membership to reconsider the vote on any matter originally requiring a two-thirds vote for its passage or adoption.

When reconsideration is granted, the bill shall resume its exact position before the Assembly previous to its being voted upon.

Call of Assembly

85. After the roll has been called, and prior to the announcement of the vote, any member may move a call of the Assembly. A majority of the members present may order a call of the Assembly, and the Speaker shall immediately order the Sergeant-at-Arms to lock all doors and shall direct the Clerk to prepare a list of absentees as disclosed by the last roll call, which list of absentees shall be furnished to the Sergeant-at-Arms and printed in the Journal. Thereupon no members shall be permitted to leave the Assembly Chamber except by written permission of the Speaker, and no person shall be permitted to enter except such member as is taken into custody as herein provided, or Senators, officers, attaches, or employees of the Legislature in the official performance of their duties.

Those members who are found to be absent, and for whom no leaves of absence have been granted, shall be forthwith taken into custody wherever found by the Sergeant-at-Arms or his assistants or any person designated by the Sergeant-at-Arms, including members of the California Highway Patrol, the State Police, and Sheriffs or their deputies, and brought to the Assembly Chamber. No recess or adjournment shall be taken during a call of the Assembly. During such call, the Assembly may consider and transact any matter of business by unanimous consent. No call of the Assembly shall be ordered on any matter while the Assembly is already under call. A call of the Assembly may be dispensed with at any time upon a majority vote of the members present, at which time the completion of the roll call pending when the call of the Assembly was ordered shall become the immediate order of business before the Assembly.

Resolutions

86. The adoption of any resolution authorizing the expenditure of money shall require an affirmative recorded vote of a majority of all members elected to the Assembly. All House resolutions shall be numbered and shall be referred to the appropriate committee by the Speaker.

Motions and Resolutions

87. Any motion or resolution not otherwise provided for under the Rules shall be placed before the Assembly only under this order of business. Unless otherwise provided by law or Assembly rule, any motion or resolution may be adopted by a majority vote of the members present.

Adjournment

88. Adjournment for the constitutional recess or adjournment *sine die* shall be ordered by concurrent resolution. The resolution for adjournment *sine die* shall be adopted by the Assembly not less than seven days before the date set therein for such adjournment.

Members' Decorum and Privileges

Order in Speaking to Questions

89. When a member desires to address the Assembly, he shall rise from his seat and respectfully address himself to "Mr. Speaker." Upon being recognized, he may speak, confining himself to the question under consideration. When two or more members rise at the same time, the Speaker shall designate the member who is entitled to the floor.

No member shall speak more than once during the consideration of any one question on the same day and at the same stage of proceeding, except that the author of a bill or resolution or the mover of a question shall have the right to open and close the debate thereon. No member shall be allowed to speak more than 10 minutes to open and five minutes to close the debate thereon, and no member other than the author or the mover of the question shall be allowed to speak more than five minutes thereon. No member shall yield to any other member the time for which he is entitled to speak on any matter.

Leave of Absence

90. No member shall absent himself from attendance at any session of the Assembly without leave of the Assembly, and no member shall obtain such leave of absence or be excused for nonattendance, except by a two-thirds vote of all members elected to the Assembly, or by unanimous consent.

Personal Privilege

91. Any member may rise to explain a matter personal to himself and shall forthwith be recognized by the Speaker, but shall not discuss a question in such explanation. Such matters of personal privilege yield only to a motion to recess or adjournment.

Objection to Reading of Any Paper

92. Any member upon recognition by the Speaker may object to the reading of any paper before the Assembly. After such objection, the question of reading shall be determined without debate by a majority vote of the members present, upon a brief statement of its substance by the Speaker.

Members Called to Order for Transgressing Rules

93. a. If any member transgresses the Rules of the Assembly, the Speaker shall, or any member may, call the offending member to order. The member so called to order shall immediately take his seat, until the Speaker without debate, shall have determined whether he is in order or not. Such decision by the Speaker shall be subject to an appeal to the Assembly.

b. If any member be called to order for offensive words spoken in debate, the person calling him to order shall state to the Assembly the words to which exception is taken. No member shall be held to answer, or be subject to censure by the Assembly, for language used in debate, if other business shall have been transacted by the Assembly prior to exception being taken to the words spoken.

Members Voting

94. Every member in the Assembly Chamber when a roll call is required shall record his vote openly and without debate, unless the Assembly shall, by a majority vote of the members present, excuse him.

The name of any member who refuses to vote as required by this rule, after being requested by the Speaker to do so, shall be entered in the Journal of the Assembly, together with a statement that he was present and did so refuse to vote. Any member who refuses so to vote may, if he so desires, and immediately after the announcement of the vote, submit a written explanation of his failure to vote and have such explanation printed in the Journal, provided no such explanation shall exceed 50 words in length.

In addition to the entry of his name in the Journal, any member who refuses so to vote when required, and who has not been excused from doing so, may, immediately after the announcement of the vote, in the discretion of the Speaker or upon demand of any member, be summoned to appear before the bar of the Assembly for public censure by the Speaker or by any member designated by the Speaker. Censure of a member as provided by this rule shall not constitute a bar to proceedings for his expulsion from the Assembly pursuant to Section 9 of Article IV of the Constitution.

A member may submit a written explanation of his vote on any bill or House resolution, and have such explanation printed in the Journal immediately following such vote, provided no such explanation shall exceed 50 words in length.

Ayes and Noes

95. The ayes and noes shall be recorded by the electrical voting system on the final passage of all bills, or by viva voce when demanded by three members or when ordered by the Speaker, and on any other question when called for by three members or ordered by the Speaker, the names of which members shall be entered in the Journal.

Voting Not to Be Interrupted

96. When once begun, voting shall not be interrupted, except that before the vote is announced, any member may have the total pending vote flashed on the visible vote recorder. Prior to the announcement of

the vote the Speaker shall inquire if all members have voted. Any member may move a call of the Assembly after the completion of the roll and prior to the final recording, but no member shall be allowed to change his vote, or have his vote recorded after the vote is announced.

Members at Clerk's Desk

97. No member or other person shall be allowed at the Clerk's desk while the ayes and noes are being recorded or the votes counted.

Tie Vote

98. In case of an equal division, or tie vote, the question shall be lost.

"Two-thirds of the Entire Elected Membership" Defined

99. Wherever the words or figures, "two-thirds of the entire elected membership" appear in any rule, it shall mean 54 votes.

100. Pursuant to the powers vested in the Assembly Committee on Rules or the Assembly Legislative Process Committee, and during such times as the Assembly is not in session, the committee is authorized and directed to incur and pay such expenses of the Assembly not otherwise provided for as the committee determines are reasonably necessary, including repair, alteration, improvement and equipping of the Assembly Chamber and the offices provided for the Assembly in the State Capitol.

Resolution read, and ordered held at the desk.

By Mr. Hahn:

House Resolution No. 24

Relative to televising university athletic contests

WHEREAS, The University of California is supported by public funds; and

WHEREAS, The people of the State, who provide such funds, are justifiably proud of the university and of the part they play in supporting it; and

WHEREAS, The people are therefore keenly interested in the athletic program of the university, and justifiably regard its athletic teams as representatives of not only the university, but also the people of this State; and

WHEREAS, This feeling has caused large numbers of citizens of this State to make substantial investments in television sets in order that they might follow more closely the athletic contests in which the university participates; and

WHEREAS, It appears that the Pacific Coast Conference, of which the university is a member, is considering the adoption of a rule which will prohibit the televising of athletic contests participated in by its members; and

WHEREAS, Such rule, if adopted, would deprive the citizens of this State who have invested in television sets and who are unable to secure tickets or to attend such contests, of the right to follow the activities of the teams of the university which they support; now, therefore, be it

Resolved by the Assembly of the State of California, That the Regents of the University of California be, and they are hereby requested, to take such action as is necessary to insure that the athletic teams of the university will not participate in any contest which may not, under the terms of any rule, contract or agreement, be televised; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to transmit copies of this resolution to each member of the Board of Regents of the University of California, to the President of the University and to the Associated Students of the University of California.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Maloney:

House Resolution No. 25

Relating to the preparation of the Legislative Digest and Interim Subject List

***Resolved by the Assembly of the State of California*, That the Legislative Counsel is hereby directed to prepare a Legislative Digest and Interim Subject List of all bills, constitutional amendments, and resolutions introduced in the January portion of the 1951 Regular Session of the Legislature; and be it further**

Resolved, That copies of said publications be mailed to the Members of the Legislature as soon as possible after the printing thereof; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby instructed to cause to be printed, not to exceed 2,500 copies of the Legislative Digest and Interim Subject List for the 1951 Regular Session, or of each if they be published separately, the cost thereof to be payable from the legislative printing appropriation.

Resolution read, and ordered referred to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 235: By Mr. Silliman—An act to amend Sections 812.4, 812.6, 814, 828.6, 828.7, 829.35, and 829.4 of the Agricultural Code, relating to containers for lettuce and carrots.

Referred to Committee on Agriculture.

RESOLUTIONS

The following resolution was offered:

By Mr. McCollister:

House Resolution No. 26

Relative to directing the Committee on Social Welfare to study the problem of support of needy children by stepfathers

Resolved by the Assembly of the State of California, That the Standing Committee on Social Welfare is directed to study the possibility and feasibility of imposing upon stepfathers an obligation to support their stepchildren in cases where such stepchildren are in receipt of aid to needy children, or are likely to become in need of aid to needy children.

Resolution read, and ordered referred to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 236: By Mr. McCollister—An act to repeal Section 1507 of the Welfare and Institutions Code, relating to needy children.

Referred to Committee on Social Welfare.

Assembly Bill No. 237: By Mr. McCollister—An act to amend Section 118 of the Welfare and Institutions Code, relating to aid to needy children, in respect to confidential information.

Referred to Committee on Social Welfare.

Assembly Bill No. 238: By Mr. McCollister—An act to add Section 1531 to the Welfare and Institutions Code, relating to aid to needy children.

Referred to Committee on Social Welfare.

Assembly Bill No. 239: By Mr. McCollister—An act to add Section 1552.1 to the Welfare and Institutions Code, relating to the payment of aid to needy children.

Referred to Committee on Social Welfare.

Assembly Bill No. 240: By Mr. McCollister—An act to amend Sections 1510, 1511, and 1512 of the Welfare and Institutions Code, relating to aid to needy children, in respect to the amount of aid granted.

Referred to Committee on Social Welfare.

Assembly Bill No. 241: By Mr. McCollister—An act to amend Section 1500 of the Welfare and Institutions Code, relating to aid to needy children.

Referred to Committee on Social Welfare.

Assembly Bill No. 242: By Mr. Smith—An act to add Section 1529 to the Probate Code, relating to guardian and ward.

Referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 9, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 15

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file

ASSEMBLY CHAMBER, SACRAMENTO, January 9, 1951

MR SPEAKER: Your Committee on Rules, to which was referred.

House Resolution No. 13

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended

DICKEY, Chairman

Above reported resolution ordered on file

ASSEMBLY CHAMBER, SACRAMENTO, January 9, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 12

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolution ordered on file.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 243: By Mr. Stanley—An act to amend Section 27285 of the Government Code, relating to the recording of documents.

Referred to Committee on Judiciary.

Assembly Bill No. 244: By Mr. Stanley—An act to amend Section 27287 of the Government Code, relating to the recordation of instruments.

Referred to Committee on Judiciary.

Assembly Bill No. 245: By Mr. Fleury—An act to amend Section 4656.4 of the Revenue and Taxation Code, relating to the distribution of property taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 246: By Mr. Fleury—An act to repeal Section 4338, Chapter 1 (consisting of Sections 4651 to 4663, inclusive) of Part 8 of Division 1, and Section 4670, and to add Chapters 1, 1a, 1b, and 1c (consisting of Sections 4651 to 4657.6, inclusive) to Part 8 of Division 1, of the Revenue and Taxation Code, relating to the distribution of property taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 247: By Mr. Fleury—An act to amend Sections 4653.8, 4656.8, and 4657 of the Revenue and Taxation Code, relating to the distribution of property taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 248: By Messrs. Coats and Hagen—An act to add Section 13.7 to the Construction and Employment Act, relating to allocations to counties for repair, restoration or repair and restoration of public works, making an appropriation, and declaring the urgency hereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 249: By Messrs. Geddes and Dolwig—An act to amend Sections 64, 67, 70, 75, 79, and 97 of the Unemployment Insurance Act, relating to a System of Unemployment and Disability Insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 250: By Messrs. Geddes and Dolwig—An act to amend Sections 6, 24, 27, 37, 39, 45, 45.5, 45.6, 45.7, 45.8, 45.10, 45.11, and 46.1 of the Unemployment Insurance Act, relating to a System of Unemployment and Disability Insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 251: By Messrs. Geddes and Dolwig—An act to amend Sections 151.1, 201, 207, 302, 303, 307, and 311 of the Unemployment Insurance Act, relating to a System of Unemployment and Disability Insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 252: By Mr. Morris—An act to add Section 6.5 to the Business and Professions Code, relating to examination preference for disabled veterans.

Referred to Committee on Military Affairs.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal:

CAPITOL CORRESPONDENTS ASSOCIATION OF CALIFORNIA
STATE CAPITOL, SACRAMENTO, January 6, 1951

Hon. Sam L. Collins, Speaker
The Assembly, Assembly Chamber

DEAR SIR: In compliance with Assembly Rule 24 and Joint Rule 32, the Standing Committee of the Capitol Correspondents Association has examined applications for authentication as accredited press representatives and makes the following recommendation:

Approved for Press Card

Daily People's World—Steve Murdock

Sincerely,

EARL C. BEHRENS, President

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today, at 3 p.m.—

Elections and Reapportionment, in Room 426.

Tomorrow, Wednesday, January 10th, at 10 a.m.—

Rules.

FIRST PRELIMINARY REPORT

by the

Assembly Interim Committee on Social Welfare

ON THE CHILD CARE CENTER PROGRAM

Members of the Committee
KATHRYN T. NIEHOUSE, *Chairman*
ERNEST C. CROWLEY, *Vice Chairman*
JOHN B. COOKE
HAROLD K. LEVERING
GLENARD P. LIPSCOMB

NEWTON R. HOLCOMB, *Executive Secretary*

California Legislature
January, 1951

CHILD CARE CENTERS

OUTLINE OF REPORT

Letter of Transmittal

I. Findings and Recommendations

II. Child Care Centers Report
- A. Foreword
- B. Description of Program
- C. Need for Child Care Centers
- D. The Means Test
- E. Parent Fees
- F. General Information

III. Public Hearings and Committee Study

LETTER OF TRANSMITTAL

ASSEMBLY INTERIM COMMITTEE ON SOCIAL WELFARE
December 13, 1950

The Honorable Sam L. Collins, Speaker of the Assembly, and
The Honorable Members of the Assembly
California Legislature, Sacramento 14, Cal.

GENTLEMEN: Attached is the report of this committee covering the child care center program, prepared in accordance with House Resolution No. 71, 1950, Second Extraordinary Session.

In this report the committee makes a number of recommendations concerning the child care centers program, including the following basic ones:

1. That legislation be enacted to establish the program on a more permanent basis for the biennium 1951-53;
2. That appropriations be provided to enable continuation of the present program at approximately its current capacity.

Present laws provide for the termination of state support for the child care center program on February 15, 1951. Consistent with the other recommendations of this committee, we are recommending urgency legislation to continue the program between February 15th and July 1st, 1951.

Immediate action is required to extend the program beyond February 15th. The law requires that 30 days notice be given parents of the closing of centers. Early and positive legislative action will avoid a complete disruption of the program and give assurances to the parents using the centers of the continuation of these services.

Respectfully submitted,

KATHRYN T. NIEHOUSE, *Chairman*
Assembly Interim Committee on Social Welfare

CHILD CARE CENTERS

I. FINDINGS AND RECOMMENDATIONS

1. Need for Child Care Centers

Child care centers exist primarily because of the need for mothers to work, either as the sole support of their families or to augment other family income. They serve a dual purpose—to provide for the proper care and supervision of children while parents are working, and to enable families to remain self-supporting by freeing the parent of supervision of children during usual working hours.

In the one-parent families, the mother or other parent must work in order to support the family. The only alternative many of these families may have is to rely upon assistance available under the social welfare programs.

Families in which there are both parents are frequently self-supporting only if both parents can work. The combination of lack of occupational skills and resultant low earnings and high costs of living make it necessary that both parents take employment In other families, illness of one parent necessitates full-time work of the other

The needs of industry are frequently such that it is in the public interest that mothers be employed. This was evidenced particularly during the war-time manpower shortages and is normally present in seasonal agricultural labor requirements.

Child care facilities available through nonprofit organizations, or operated on a profit basis, cannot meet the needs of families of the State While there are a number of nurseries and other centers operated by private organizations with good standards of care and relatively low fees because of the subsidization of these centers by Community Chest funds, religious organizations, etc., they cannot begin to meet the total community need. These centers have waiting lists of their own even though the enrollment in the public centers exceeds that of these privately operated centers.

Other types of child care facilities that may meet proper standards for the protection of the children are not available to lower income families because of the cost of care or do not provide care over sufficient hours of the day to enable working parents to utilize them.

Recommendation

1 That publicly supported child care centers be continued, to meet the needs of children and their parents in all sections of the State.

2. That urgency legislation be enacted to extend the present program through making a supplemental appropriation to cover its costs from February 15 to June 30, 1951.

2. Is Continued State Financing Justified?

A determination as to whether continued state financing is justified needs evaluation of the relative possibilities of meeting known needs through the financial support of the local units of government or from other sources.

A number of school district and county representatives testified to the committee that they could not finance operation of the centers

from local tax sources and would not be in a position to carry the centers on after February 15, 1951, if the State discontinued its financial support.

Representatives of certain community welfare councils testified that no plans were being made by community chest supported agencies for taking over the program should state financing be terminated.

Whether or not local governments are financially able to carry this program on is not within the province of this committee to determine. There may be demonstrated here an unwillingness as well as an inability to meet the needs on a local basis.

It is our opinion that the county governments or the school districts or both would not continue most of the centers on a locally financed basis despite the demonstration of need. Being concerned with the welfare of the families involved and the implications to the State as a whole of inadequate care of these young children, the committee necessarily favors continuation of state financial support to insure continued operation of the centers.

Should state support be discontinued, it may be that many of the families now using the centers will become applicants for public assistance. Should a large number of these families be forced to do so, the State and the counties (and primarily the State) would pay a large portion of the current costs of the day care center program through increased social welfare expenditures. Simultaneously the State would lose tax revenues involved in the present income of these families.

Recommendation

That state financial support for the child care center program be retained on a basis to enable continued operation of existing centers.

Local governmental units (counties and school districts) should be encouraged to supplement state funds available to them in order to meet the needs for expansion of centers on a local basis.

3. Eligibility for Use of Child Care Centers

The primary purpose of the child care centers has been to provide a means for low-income parents to continue to support their families by enabling them to use well-operated facilities for caring for children during working hours. The special consideration provided certain groups such as veterans, teachers, and nurses has been based upon other than the economic needs of families.

The primary eligibility test should be based on economic circumstances. Special treatment of certain groups or families not in the lower income groups should be considered only upon a clear showing of the justification for governmental subsidy to such families.

The present means test provides a rough measure of the financial ability of families to provide suitable day care for their children. It is deficient in certain respects, particularly in that it has not been adjusted for changes in purchasing power. It is not realistic in measuring the relative income needs of the very small families, or in the requirements of the smaller numbered one- and two-parent families with the same number of persons in the family unit.

Any fixed income limits are necessarily arbitrary and are designed to fit the majority of families only. Actual need is better measured by a complete analysis of family circumstances, including the unusual

requirements that some families have, and the establishment of the means test on the basis of the needs of the individual families. However, this process requires considerable skilled personnel to evaluate family situations and to arrive at minimum budgets for individual families. While this might be more equitable, and a better means of measuring eligibility on the basis of individual family requirements, it must be weighed against the facility and relative simplicity administratively of a fixed schedule of earnings, with perhaps some provision for special consideration in hardship cases. For the great majority of families, the objectives of the program can be realized through using fixed income limitations if these have a sound basis and are flexible in terms of changing costs of living.

A more equitable method would be through determining eligibility on the basis of ability to pay through a fee schedule directly related to cost of living standards for various sized families. This would require considerable study to reconcile variations in present basic living cost studies such as those represented by the U. S. Bureau of Labor Statistics City Worker's Family Budget, the Heller Committee budget studies in the San Francisco area, and the Haynes Foundation studies in the Los Angeles area, and to arrive at an acceptable basic standard for state-wide application. It would also introduce a number of administrative complications, particularly in gearing the fee schedule to the basic income standards so that the fees would represent that amount of income considered in exceess of actual family living requirements.

Under this method, eligibility would be determined by the fee the family was able to pay. When this equaled total cost of care, it would be presumed that the family could make arrangements for such care outside the state program. It would have the advantage of establishing fees on an ability to pay basis, with direct correlation between fees, income, and living requirements as determined by the standards established. It would remove the present arbitrary limits on income which are not necessarily a good measure as to family needs for child care services.

However, intensive study of family living requirements as well as the basis for establishing such a progressive fee schedule and its cost effects on total parent participation would be required before specific recommendations for such a method could be made. In the meantime it is feasible to use the present basic eligibility factors, adjusted to remove fundamental defects.

The Legislature has established the amount of $225 for a one-parent family and $275 for a two-parent family as the income levels representing presumptive economic need for child care services. This applies to the smaller families. For the larger ones, the yardstick of $60 per person has been established. Thus the present means test schedule is as follows:

	One-parent family	*Two-parent family*
2 persons	$225	----
3 persons	225	$275
4 persons	240	275
5 persons	300	300
6 persons	360	360

The schedule is not based upon actual income requirements of various sized families. No distinction is made in the needs of two and three person one-parent families and the three and four person two-parent

families. Only $15 is allowed for the fourth person in the one-parent family, and $25 for the fifth person in the two-parent family although $60 per person is allowed above those numbers.

The schedule was established in 1947. Adjusted to 1950 living cost changes (July) the amount of $225 should be raised to $245 and the $275 amount to $300.

The "means test" figures represent the upper-income limits for the various sized families for purposes of determining eligibility. They have been established separate and apart from the fee schedules themselves. They do, however, reflect a determination of the income level considered necessary to provide for a basic standard of living.

Since the purchasing power of the dollar has changed since these limits were established, the amounts should be adjusted to conform to current living costs.

The limits should be made more realistic by establishing them for the smallest sized family concerned and adjusting for additional family members. The two-member, one-parent family is the smallest unit. The $225 already established, adjusted to living cost changes, would provide a practical base for determining eligibility.

Adjustments for additional family members are now based on a $60 amount, applicable however, only to larger families. Such studies as those of the Bureau of Labor Statistics show that this basis for adjustment for additional family members is not sound. The city worker's budget established for Los Angeles and San Francisco were based on families of four persons, with one wage-earner. The guide determined by the Bureau of Labor Statistics for adjusting for various sized families was to apply 65 percent for the two-person family; 84 percent for the three-member family; and 114 percent for the five-member family, based on the standard four-member family for which the budget was established.

After adjusting the city worker budgets for Los Angeles and San Francisco to 1950 prices, and applying the percentages indicated for various sized families, the difference in income requirements between the families is approximately as follows:

For third person in family	$55
For fourth person in family	45
For fifth person in family	40
Additional members in family	40

Using the $225 amount already established by the Legislature as a base, it is possible to work out a new simplified schedule for the purpose of eligibility, taking into account cost of living changes and numbers of persons in the family, as follows:

Number persons in family	*Income limit*
2	$245
3	300
4	345
5	385

This would provide a more realistic maximum limit on income as a condition of eligibility for use of the centers. It could be applied to all families, both two-parent and one-parent.

Comparison of these schedules with the present means test limits is as follows:

	One-parent families		*Two-parent families*	
No. persons	*Present*	*Adjusted*	*Present*	*Adjusted*
2	$225	$245	--	--
3	225	300	$275	$300
4	240	345	275	345
5	300	385	300	385

The incomes represented by the adjusted schedule would be maximums for purpose of eligibility. Section 19607 of the code establishes the policy of the Legislature that the child care centers shall be made available first to those who have the greatest financial need. Thus the administrative agencies would be required to apply priorities in acceptance of applications so that the lower income families would have first opportunity to use the centers.

"Take-home" vs. Gross Income

Several witnesses recommended that the income limitations be based on take-home pay rather than gross pay since the actual take-home pay is what the family has for living expenses. This would be feasible if the program were administered on the basis of careful budgeting of family requirements, involving a social work investigation. However, it would complicate determination of eligibility, increasing administrative costs of the program, because of the difficulties in determining take-home pay in many instances. While deductions for taxes and social security are readily identifiable from pay envelopes, other expenses incident to the obtaining of income may be difficult to determine.

Recommendation

1. That the present basis for determining eligibility of families for use of the centers be adjusted to recognize cost of living changes since 1947, and to provide a direct relationship between the maximum income limitations and the number of persons in the family in the manner outlined in this report, gross income being used to determine eligibility.

4. Exemptions From Income Means Test

Exemptions of certain groups of parents from the means test have been established either on the basis of occupational shortages in certain selected professions or to enable veterans with families to take full advantage of those benefits enabling them to secure special instruction or training.

These exemptions necessarily involve some discrimination. For example teachers and nurses are excepted from the income test, but parents in other professions are not. They also account for some criticism of the program on the basis that selected groups of parents are favored.

All parents should have equal access to the centers without respect to occupation or other special status. The primary purpose of the centers is to enable low income families to continue being self-supporting through employment of the sole parent, or both parents.

A. Student Veterans' Exemption From Means Test

The purpose of the present provisions for exempting student veterans from the means test is to enable them to take advantage of the educational opportunities offered them by the government in recognition of their military services.

Under present law or regulations no minimum limitations are placed upon the period of attendance at school or other types of training involved. The intent would appear to be that full-time attendance is the basis for justification of exemption from the means test. It is possible, however, for veterans to qualify under the exemption from the means test by attending school for very short periods of time and having full-time employment.

The exemption covers the student veteran only so long as attendance at school or participation in an approved training program is covered by the applicable national and state laws. The period for securing benefits under the Servicemen's Readjustment Act might expire before the veteran had actually completed the course of study for which such benefits were authorized. It would seem reasonable to permit continuation of such education under the exemption from the means test until the course of study engaged in under the Servicemen's Readjustment Act were completed, with perhaps a time limit of one year.

At present about 48 percent of student veteran families could qualify under the means test. Under the proposed adjustment of the maximum income limits, approximately 75 percent of these student veteran families could qualify without special exemption.

B. Registered Nurses

There was no testimony before the committee relative to the exemption from the income test applicable to registered nurses. The bulletin of the State Department of Education concerning eligibility for use of the centers does not establish any criteria or guidance for determination of conditions under which services of registered nurses are to be considered "necessary."

Incomes in 64 percent of the one-parent, and about 34 percent of the two-parent families exempted from the means test because the applicant parent is a registered nurse would be within the present means test limit. Those proportions would increase under adjustments of the means test recommended in this report.

The committee does not believe that there are conditions that make it desirable to single out registered nurses as an occupational group for which special concessions should be made in a permanent child care center program. It is recognized, however, that the unsettled international situation and increasing demands of the armed forces for nurses may result in emergencies such as those prevailing during World War II.

C. Teachers

While there was testimony before the committee to the effect that a shortage of qualified teachers continues, it was also indicated that shortages are primarily in the rural areas and that salary competition between the school districts of the State may have some bearing on shortages of teachers in certain areas It is noted that 13,409 emergency credentials were issued in the 1949-1950 Fiscal Year

About one-third of the teacher one-parent families could qualify for use of the centers under the present income means test. Only 22 percent of the two-parent families could meet the income limitations. Even under the recommended adjustment of the means test the effect of placing teachers on the same basis as other occupational groups, and subject to the means test, would be to render ineligible the majority of those in two-parent families and about one-fourth of the one-parent families.

D. Parents Employed in Agricultural Emergencies

In actual practice, the necessity of providing child care facilities for parents employed to meet an emergency arising from the necessity of harvesting or processing crops does not appear to have arisen. At any event none of the factual data obtained by the committee indicates the actual operation of this particular exemption from the income test.

There are, however, demonstrations of need for child care centers in rural areas on a seasonal basis, primarily for protection of the children of agricultural workers.

Unless centers were already established in the particular areas affected, it is difficult to conceive of action being taken to establish on short notice centers to meet emergency situations. The centers that are operating in cities in agricultural counties are, like the others, enrolled to capacity.

There appears to be a real need for establishment of centers in rural areas and particularly in relation to periods of seasonal peak employment. However, there is not available data as to the exact areas of need or the numbers of children who might be involved if centers were established.

Without closing down or curtailing existing centers, the needs of agricultural areas cannot be recognized. If rural areas are to have an opportunity to participate in the program, it must be expanded to meet the needs of those areas.

In certain respects some experimentation would be necessary, to determine the actual needs of rural areas as well as the types or location of centers that should be established. There is little precedent for this type of program although there has been some experience with it in New York State under which the growers provide the buildings and the state pays 85 percent and the growers 15 percent of the cost of operation. Parent fees are 25 cents a day for the first child and 20 cents for additional children using the centers.

Because of the limited information available, which can be obtained only through actual experience with the program, it is not feasible to attempt to make specific recommendations as to the establishment and conduct of rural centers.

E. Families of Service Personnel

A new need has arisen in recent months because of the international situation. Fathers are being drafted or returned to active duty with the armed forces and the mothers in these service families are forced to secure employment to supplement family allowances.

In administration of the means test, the base pay, plus allowances, plus subsistence of service personnel is considered income. However, all of this income is not available to the family for its support.

Testimony before the committee has shown that many of these families' applications for use of the centers are being rejected because the mothers' wages added to the total income of the parent in service causes gross income to exceed the means test.

The committee is particularly sympathetic to the needs of these families. However, it must be recognized that the capacity of the child care center program is limited and that the establishment of additional groups exempted from the means test will increase demands for service in a program that is not currently meeting the existing demand.

Part of the problem of these families can be alleviated through adoption of the suggested revised ceiling on income on the basis of size of family and through counting as family income only that portion of the pay and allowances of the serviceman as can be reasonably expected to be available for support of the family.

F. Persons Employed in Defense Activities

The committee has repeatedly been requested to consider the needs of parents engaged in defense work. Some of these parents have been using the centers but incomes have increased beyond the eligibility limits due to longer hours of work or other factors. The increasing demand for employment of women has intensified the requests for child care center services.

This is the type of problem that was met during the war by the child care center program supported by federal funds under the Lanham Act. With the presently established centers already at capacity and with waiting lists, the needs of defense industry cannot be met without considerable expansion of the child care center program.

Since such defense industry needs are normally concentrated in particular areas, it may be that the answer to this problem is one that can be found through local community action.

There is no question that such families require child care center services such as are offered through the public program. However it is impossible to determine for how long a period this special need may exist. To meet the problem through the present program would require a considerably increased appropriation and undoubtedly special appropriation for the construction of additional physical facilities for the centers.

Technical eligibility for use of the centers could be accomplished for this group by raising the income limits. However any such action would need to be applicable to all other families.

Exemption from the means test for families engaged in defense work would be difficult to administer and would create additional demand for use of centers that the centers cannot meet without a greatly expanded appropriation. The determination of essentiality of industrial activity would create especially difficult administrative problems.

Recommendations

1. That exemptions from the means test for teachers and nurses be terminated, the income limitations to be adjusted upward as suggested in this report to provide a more realistic basis for application to all families.

2. That exemptions be continued for student veterans; and,

(a) That veterans receiving instruction under the Federal Servicemen's Readjustment Act of 1944, or under Article 2, Chapter 6, Division

of Military and Veterans Code of California, continue to be exempt from the means test only so long as such instruction is received on not less than a one-half time basis.

3. That no exemptions from the means test be provided on the basis of employment in so-called defense or war work.

Should requirements of the national preparedness program create labor shortages necessitating the recruitment of women on a scale comparable to that of World War II, it is possible that the Federal Government will establish a special program to make child care centers available as an inducement to employment in war industry. There is no need for legislative action at this time anticipating such a development. Appropriate action can be taken at a later date if necessary.

5. Parent Fees

Since the basic purpose of the program is to provide low-cost care facilities for children of working parents in the lower income groups, fee schedules should be based upon an ability-to-pay principle. The State is making available to certain families low-cost day care facilities for their children It is also subsidizing most of these families by providing this care at less than cost.

In general, it seems that the present fee schedule is somewhat high for the very low income families and not high enough for other income groups. Fees for lower income groups should be established at a minimum figure and progressively increased as sharply as possible with increased family income.

Fees for extended day care are lower than for nursery care for the same sized families with equal income, although in most instances families are not paying full cost of extended day care. The difference in fees reflects the difference in services, the extended day care group being provided care for less than half a day. However, despite the difference in services, to reduce the state subsidy involved, such rates should be raised insofar as is practicable so that these families pay a larger portion of the cost of care.

It is not practical that a fee schedule be established by law. Provisions in the present law providing that fees be based upon the ability of families to pay is sufficient. It is preferable that the administrative agency work out the details of an equitable fee system and have authority to adjust fees with changing conditions, to improve the schedule, or to meet budgetary requirements.

Approximately 30 percent of the total cost of operation of the centers in the 1949-50 Fiscal Year was borne by parent fees.

Recommendation

1. That the State Department of Education revise the present fee schedule for the purpose of increasing fees so that they reflect more closely ability-to-pay;

2. That fees charged for extended-day-care services should equal nursery center fees up to a point where the family pays full cost.

3. That the Legislature establish a policy that at least one-third of the total cost of the program be borne by parent fees.

6. Capacity of Program

Most persons testifying before the committee not only emphasized current need for the centers but recommended that actions be taken to make more families eligible for their use. Under the present appropriations, the capacity of the centers does not meet need and there is a large waiting list. Requests for establishment of centers in many communities have been denied because of inability to expand the program due to the appropriation limits.

Elimination of the exemptions granted teachers and nurses, as recommended by the committee would provide some relief.

The committee recognizes that there is a need justifying expansion of the program, both in those communities where centers are now operating and in other areas of the State where no centers have been established.

However, the needs in terms of this program must be weighed by the Legislature with the constantly increasing demands upon the State Treasury for other important public services. While recognizing an unmet need in this program and the positive social and economic values that are involved in it, the committee also recognizes that these needs must be considered in relation to those of other public functions.

Since many of the centers are already operating at capacity, an expansion of enrollment would undoubtedly necessitate capital expenditures to provide the housing and equipment necessary for the centers. With the population pressures on the schools and a large construction program under way to meet normal education needs, child care centers functioning on school property could not be expected to expand into other school facilities which are already overcrowded.

With these considerations in mind, the committee believes that the soundest approach at this time is to attempt to maintain enrollment at the existing levels even though it does not meet total need.

However, there should be maximum encouragement to the counties and school districts to provide their own funds, to supplement those of the State, to expand the capacity of the centers to meet local needs under the standards of eligibility established for the state program.

Recommendations

1. That an appropriation be made for the year to June 30, 1952, of an amount roughly equivalent to that for the 1948-1949 Fiscal Year, this appropriation to be considered as an amount, when added to parent fees, to provide a basic state-wide child care center program.

2. That the counties or the school districts or both be encouraged to provide funds to supplement those allocated by the State in order to better meet local needs.

7. Administrative Responsibility

Judged by testimony before the committee, the present arrangement for administration and supervision through the State Department of Education apparently meets with the approval of those using the centers and of the persons involved in their operation.

It was recommended to the committee that supervision be by the Department of Social Welfare. Administration of the program through the welfare departments would appear to raise a number of complications. Also the welfare departments themselves are overloaded with their regular functions and do not appear to be in a position to take over an additional responsibility such as would be involved in supervising the child care centers program.

Recommendation

That there be no change in the method of administering or operating responsibilities for the child care centers program.

Approved:

KATHRYN T. NIEHOUSE, *Chairman*
ERNEST C. CROWLEY, *Vice Chairman*
JOHN B. COOKE
*HAROLD K. LEVERING
*GLENARD P. LIPSCOMB

II. CHILD CARE CENTERS REPORT

(Report of Executive Secretary to Committee)

Foreword

Under existing legislation, the State will cease financial support of the child care centers on February 15, 1951. Unless there is new legislation it will be optional with the school districts or the counties to provide, either jointly or severally, for the continuance of the centers after February 15, 1951.

House Resolution No. 71, Second Extraordinary Session, 1950, provided that the Assembly Interim Committee on Social Welfare study problems of the social welfare and child care centers program and make recommendations to the Assembly at the Regular Session of 1951. Study of the child care centers program was thus only a portion of the total activity of the committee.

The committee has concerned itself primarily with the social and economic needs for the child care centers, how those needs may best be met, and with certain aspects of the eligibility requirements and the fee schedules established for the program. It has not attempted a detailed analysis of administration of the program, including cost factors, personnel, facilities, or quality of the program from either an educational or custodial point of view.

Three public hearings were held in larger population centers. Data presented by the operating agency have been analyzed. The committee is particularly indebted to Dr. Jessie Coles, Department of Home Economics, University of California, who made available the data she compiled in her study of a large sample of families using the centers in October, 1949, and who prepared a number of special tables at the request of the committee.

* I do not think there should be any exemptions whatsoever from the means test.

B. Description of Program

The present child care center program is partially an outgrowth of World War II. With federal aid such centers were established during the war with the dual purpose of attracting women into war work and to protect children against neglect when parents were working.

When the Federal Government withdrew support after the war, the State continued the program—beginning March 1, 1946. It has since continued on a year to year basis.

In July, 1947, an income "means test" and fee system based upon a sliding scale related to family income and size of family were introduced. The use of the centers was thus limited primarily to lower income families, exceptions being made in cases of working teachers, registered nurses, veterans attending school, and in agricultural emergencies.

Senate Bill No. 13, enacted April 27, 1950, limited use of state funds for the centers until February 15, 1951. The bill provided:

> "It is hereby declared by the Legislature * * * that such wartime emergency is rapidly disappearing so that the state support for child care centers will no longer be necessary after February 15, 1951."

It recognized probable continued need for such centers, stating:

> "* * * while in some communities there is still a need for child care centers, such need is a matter of local rather than state interest and therefore should be supported by the counties or the local school districts after February 15, 1951."

Children of working parents receive care and supervision during usual working hours. Children may be enrolled only if parents are employed, or are mentally or physically unable to assume responsibility for their care.

Eligible children (except those from certain classes of families) are confined to those from families where total income of the parents does not exceed $225 per month where one parent is working, or $275 per month where both the parents in the two-parent families ar employed, or where income is not greater than $60 per family member per month.

Seventy-nine (79%) percent of the 11,640 families using the centers in October, 1949, were those eligible on an income "means-test" basis. The other twenty-one (21%) percent represented specific groups exempted by law from the income test although not necessarily earning income in excess of that for families to which the means test applies.

Exception from income requirements is made for veterans attending school under the G.I. Bill, public school teachers and registered nurses where it is determined their services are necessary, and persons employed to meet an emergency arising from the necessity of harvesting or processing crops.

Centers are operated by the school districts under standards established by the Department of Education. Costs of operation are separate and apart from funds derived from district taxes or apportioned to districts for support of schools. Costs are met through apportionment of state appropriations and from fees collected from the parents.

Three types of centers are conducted—nursery for ages two to five; extended day care for before and after school care of school-age children; and combinations of the two. Opening and closing times are established to meet the needs of parents using the centers. Centers are on a five- or six-day week basis, dependent upon needs in individual areas. No night centers are now operated

Centers are concentrated in the urban areas, ninety (90%) percent of the enrollment being in the Counties of Los Angeles, Alameda, San Francisco, San Diego, and Contra Costa.

As of June 30, 1950, 293 centers were operated in 54 school districts in 22 counties. Average enrollment was 12,593 children during the fiscal year ended June 30, 1950. Peak enrollment during the year was 13,645. There were 2,273 parent applications reported on the waiting list as of November, 1949.

Fees are established on a sliding scale basis geared to the earnings and sizes of families For the last fiscal year, parent fees cover 31.51 percent of the total cost with the state subsidy of the centers equal to 68½ percent of the cost.

Total cost of providing care for the nursery-aged child was almost double that of the children in the extended day care centers. The cost of care for the child age two to five years was about $61 per month and for the older children about $33 per month.

Families Using the Centers

(NOTE: Statistics used herein are based upon the survey covering a random sample of 1,360 families of the total of 11,640 as of October, 1949, conducted by Dr. Jessie V. Coles, Department of Home Economics, University of California.)

Approximately 56 percent of the families using the centers are one-parent families and 44 percent are families in which both parents are working or one is incapacitated.

Total families, October, 1949—11,548

	1949	*1947*
One parent in home	54.6%	43.8%
Relative other than parent	1.5	1.0
Two parents in home	43.9	55.2

Of these families with children in the centers in October, 1949:

56.4 percent had children in nursery centers only;

31.0 percent had children in extended day care centers only;

12.6 percent had children in both types of centers.

Approximately two-thirds of the families had a single child in the centers. This was a smaller proportion than in 1947.

Percent of total families	*1949*	*1947*
1 child in centers	67.1	78.4
2 children in centers	27.8	19.2
3 children in centers	4.3	2.2
4 children in centers	.7	.2
5 children in centers	.1	.0

The average sized family was found to be 3.42 persons. Seventy-five percent of these families had two to four members (2 persons, 12.8 percent; 3 persons, 33.0 percent; 4 persons, 29.2 percent; 5 persons, 12.9 percent).

The medium income of families for Northern and Southern California was reported as:

	Northern California	*Southern California*	*All California*
One-parent family	$190	$175	$180
Two-parent family	270	260	265
All families	200	200	200

Income distribution of all families using the centers in October, 1949, was as follows:

Total monthly income	*All families*	*1-parent families*	*2-parent families*
To $199	45.1%	66.6%	18.3%
$200–224	16.0	20.5	10.4
$225–274	18.8	9.8	29 9
$275–324	10.8	2 7	21.0
$325–374	4.0	.3	8 7
$375–424	2.1	.1	4.6
$425–474	1.5	.0	3 2
$475–Over	1.7	.0	3.9

About twenty-one percent (21%) of the total families are those in which the applicant parent is a nurse, teacher, or student-veteran exempt from the income means test established in the law. The proportion of these groups is the heaviest in the two-parent families, accounting for about a third of this group. The great bulk of student-veteran families are in this category.

In the one-parent families those with incomes above $324, and in the two-parent families above $375, are primarily families of nurses, teachers, or student-veterans.

Seventy-nine (79%) percent of all families using the centers are those whose eligibility is determined on the basis of family income, taking into account size of family in the larger family groups.

Student veteran families	10.6 percent
Teacher families	6.1 percent
Nurse families	4 3 percent
All others	79 percent

One-parent Families

Children of families in which there is only one parent are eligible for enrollment if the family income is not more than $225 per month, or in the cases of larger families equal to $60 per person in the family, or because the parent is in one of the excepted groups (nurses, teachers, student veterans).

In practically all of these families the mother is the sole support. Divorce or separation accounted for the breakup of the family unit in eighty (80%) percent of the cases, death in twelve (12%) percent. It was indicated by the study conducted at the University of California that less than thirty (30%) percent of the divorced fathers are contributing toward support of the family.

Including the families exempt from the income means test, many of these one-parent families are in an extremely low income class. Twenty-five (25%) percent had incomes of less than $150 per month, and sixty-seven (67%) percent incomes under $200. Eighty-seven (87%) percent of these families had incomes of less than $225, the basic limitation for eligibility for use of the centers.

Forty-six (46%) percent of the two-member one-parent families had incomes of less than $175 per month and seventy-one (71%) percent of less than $200. Fifty (50%) percent of the three member families had incomes of less than $175 a month, and seventy-one (71%) percent of less than $200.

Two-parent Families

Approximately 3,200 families, excluding those of teachers, nurses, and student veterans, using the centers have two parents in the home. In a small percentage one parent is incapacitated from employment. In the great majority both parents are employed to support the family.

The income limitation of $275 for determining eligibility for use of the centers applies to the three- and four-member families. Families with five or more members may have income equal to $60 per family member and be eligible for use of the centers.

Thirty-one (31%) percent of the three-member, and twenty-two (22%) percent of the four-member families had incomes of less than $200 a month while thirty-two (32%) percent of the five-member families fell in this low income group.

Median income for all two-parent families for October, 1949, was reported as follows:

	Northern California	*Southern California*	*All California*
Mother's earnings	$125	$120	$120
Father's earnings	140	140	140
Total family earnings	270	260	265

The above income figures include the earnings of teachers and nurses whose incomes run higher than other families in the total group.

Teachers' Families

Teachers whose employment is found to be necessary due to occupational shortages may utilize the centers for their children without regard to family income. They represent about six (6%) percent of all families using the centers, and include both one- and two-parent families.

Although exempt from the means test, a large proportion of the teachers in the one-parent group and many in the two-parent group would be eligible to use the centers on an income basis. Sixty-eight and seven-tenths percent of the teacher families had incomes in excess of the means test (40 percent of one-parent and 78 3 percent of two-parent families).

The total number of teacher families using the centers is approximately 700, based upon 6.1 percent of the total of the 11,640 families with children enrolled in October, 1949.

Registered Nurses' Families

These families are eligible to use the centers without income restrictions if it is found that the services of the nurse are necessary. They make up 4 3 percent of the total families, or about 500 families in October, 1949.

A large proportion of the registered nurses who were the sole parent in the family had incomes within the means test range, and many two-parent families in which there were registered nurses could have been eligible under the means test. Fifty-two and six-tenths percent of nurses' families had incomes in excess of the means test level. (Thirty-six percent one-parent and 65.6 percent two-parent families.)

Veterans' Families

The great majority of student veteran families are those with two parents, the veteran attending school and the mother being employed to help support the family. The study shows 4.2 percent of these families in the very low income group of less than $125 a month. These families included those in which the mother was incapacitated or a student, or in which a grandmother served in the role of female parent.

The means test is not applicable to this group. There are over 1,200 such families, 10.6 of the total as of October, 1949. Forty-seven and seven-tenths percent of these families could qualify under the means test.

Children in the Centers

Over half of the children are in the nursery age group, two to five years old. Only a small number, about 2½ percent of the total, are in the older age group, 10 to 16 years.

Age distribution of children in the centers as of October, 1949, was approximately as follows:

	Number	*Percent*
2 to 3 years	1,807	13.2
3 to 4 years	2,752	20.1
4 to 5 years	2,793	20.4
Total under 5 years	7,352	53.7
5 to 10 years	5,982	43.7
10 to 16 years	356	2.6
Total 5 to 16 years	6,338	46.3

Total children, 13,690.

In the two years, 1947 to 1949, the proportion of the nursery aged children dropped from 58.8 percent to 53.7 percent figure. There was an increase from 38.9 percent to 43.7 percent in the five to ten-year-old group and a slight increase in the older group of children.

About 82 percent of the younger children (two to five years) were in the centers eight or more hours per day. Over 20 percent of them attended for 10 or more hours a day.

Location of Centers, Enrollment and Waiting Lists for Years 1947-1948, 1948-1949, 1949-1950

State totals	*Number of districts*	*Number of centers*	*Average total enrollment*	*Waiting list eligible families November 1st*
June 30, 1948	52	293	12,034	2,881
June 30, 1949	52	288	12,728	2,238
June 30, 1950	54	288	12,486	I.N.A.

Source: State Department of Education

Location of Centers and Enrollment by Counties 1949-1950

County	*Number of districts*	*Number of centers*	*Average total enrollment*	*Percent of total state enrollment*
Alameda	5	30	1,762	14.11
Contra Costa	4	11	730	5.85
Fresno	1	4	207	1.66
Humboldt	1	1	76	0.61
Los Angeles	20	163	6,497	52 03
Marin	1	1	74	0 59
Monterey	2	2	67	0.54
Napa	1	1	23	0.18
Riverside	1	1	42	0.34
Sacramento	1	1	78	0.62
San Bernardino	1	1	29	0.23
San Diego	2	23	852	6.82
San Francisco	2	29	1,292	10.35

Location of Centers and Enrollment by Counties—Continued
1949-1950

County	*Number of districts*	*Number of centers*	*Average total enrollment*	*Percent of total state enrollment*
San Joaquin	2	4	128	1.03
San Luis Obispo	1	1	34	0.27
San Mateo	3	3	173	1 39
Santa Barbara	1	2	90	0.72
Santa Clara	1	2	77	0.62
Santa Cruz	1	1	45	0.36
Solano	1	5	135	1.08
Tulare	1	1	41	0.33
Ventura	1	1	34	0.27
Recapitulation	54	288	12,486	100.00

Source: State Department of Education

Unit Costs per Child—Costs Borne by State and by Parent Fees and Other Income
For Years 1947-1948, 1948-1949, 1949-1950

	Unit cost per child	*Cost borne by State*	*Percent total*	*Cost borne by fees, etc.*	*Percent total*
1947-1948					
Nursery centers	$723 84	$516.60	71.37	$207.24	28.63
Extended day care	405.95	254.41	62.67	151.54	37.33
Combination centers	614.20	426.99	69 52	187.21	30.48
Total, all centers	615.75	427.70	69.46	188.05	30.54
1948-1949					
Nursery centers	$739.70	$522.08	70.58	$217.62	29.42
Extended day care	397.18	230.97	58.15	166.21	41.85
Combination centers	607 09	421.65	69.45	185.44	30.55
Total, all centers	615.33	420 28	68.30	195.05	31.70
1949-1950					
Nursery centers	$769.84	$555 03	72.10	$214 81	27.90
Extended day care	416.79	250 90	60.20	165 89	39.80
Combination centers	651.97	461.46	70.78	190.51	29.22
Total, all centers	646.22	451.05	69.80	195.17	30.20

Source: State Department of Education

Classification of Expenditures—1947-1948, 1948-1949, 1949-1950
(Percent of Total Expenditures by Classification)

Classification	*1947-1948*		*1948-1949*		*1949-1950*	
	Amount	*Percent*	*Amount*	*Percent*	*Amount*	*Percent*
Administration.					$291,609.80	3.65
Salaries, Other	$311,973.75	4.29	$323,495.90	4.15	26,183.23	.33
Instruction:						
Salaries	4,121,254 17	56.62	4,480,305.98	57.53	4,532,774.92	56.79
Other	71,033.12	.98	57,102 09	.74	119,256.00	1.49
Operation	804,734 87	11.06	889,688.24	11.42	959,963 64	12 03
Maintenance	182,725.57	2.51	176,187.02	2.26	207,044.21	2.59
Auxiliary:						
Food	1,000,599.73	13.75	1,021,532.77	13.12	1,014,168.15	12.71
Salaries					648,084.51	8.12
Health—salaries	737,614 32	10 13	791,641.21	10 16	120,995.57	1.52
Health—other					12,552 51	.16
Other					2,497.54	.03
Fixed Charges.						
Rent	13,390.97	.18	15,946 97	.21	16,640.33	.21
Other	34,983.27	.48	31,656.60	.41	29,331.18	.37
Current Expense	$7,278,309.77	100.00	$7,787,556.78	100 00	$7,981,101.59	100.00
Capital outlay	131,989.97	1.78	44,323.21	.57	87,631.19	1.09
Total Expenditures	$7,410,299.74	101.78	$7,831,879.99	100.57	$8,068,732.78	101.09

Source: State Department of Education

C. Need for Child Care Centers

There appears to be general agreement that some public program for providing child care facilities at low cost to families in which parents are employed is needed. If the requests for such services constitute a proof of need, there is evidence to support the need through the record of enrollment, parent waiting lists, and unmet requests for the establishment of additional centers.

During the war years, need for the centers was based primarily upon the labor requirements of war industries although there was also recognition of the social desirability of providing proper care facilities for children of working parents.

Enrollment in the centers reached a peak in May, 1945, just prior to the cessation of hostilities with Japan. There was a rapid decline in enrollment from 25,566 children in May, 1945, to 14,685 by November of that year. For the past three years, average monthly enrollment has been relatively stable, varying from 12,000 to 12,750 children. In these latter years the centers have been filled to the capacity permitted by the support from state appropriations and parent fees.

This enrollment in the past few years has not been associated with labor emergencies such as characterized the war years. However, in the past six months, there has been an increased demand for child care services from parents entering war industry or because of dislocation of family life due to the fathers entering the armed services.

Continued need, apart from wartime or defense emergency considerations, is recognized in existing legislation although recent legislative action assumes that such needs are local in character not justifying statewide financial support.

Centers have been operating in 22 counties. However, enrollment has been concentrated in the larger population centers. In these areas there have been waiting lists of parents seeking to enroll their children and meeting the eligibility requirements but unable to secure services because of the capacity enrollments in the centers. However, need has not been confined to these large population areas and there is evidence of demand for centers in other areas of the State.

Since 1947 many districts have requested information from the Department of Education pertaining to the establishment of child care centers. Because new centers cannot be opened if they would result in the termination or contraction of centers already in operation, these requests could not be granted.

Need for the establishment of centers has been generally recognized in agricultural areas, particularly in connection with seasonal employment problems.

Privately operated centers have not been able to meet the need. In fact, recognized community centers operated by private agencies themselves have waiting lists. These centers are frequently subsidized by community chests or by religious or other groups and offer care at relatively low cost. Fees in those private centers operated by individuals or organizations on a self-sustaining basis have been reported to be too high for the group of families served by the public centers, or hours of operation are such that persons employed on a full day basis are unable to utilize these centers.

Types of Needs to Be Met

There are a variety of reasons, both economic and social, why children need low-cost day care facilities. The most obvious, or course, is the need of the mother who is the sole support of the family to have available child care facilities in which she can leave her children with confidence and assurance that they will receive adequate supervision and care.

Many of these working mothers are faced with the alternatives of providing for their families through employment or relying upon welfare assistance for a minimum level of family maintenance. If they are to remain economically independent they must secure suitable care and supervision of their children at low cost.

There are many two-parent families in the lower income levels. These families affected by the high cost of living, labor market fluctuations, low earnings due to the lack of occupational skills, and a variety of other reasons require the income of both parents to maintain the family. Earnings levels of such families, even with both parents employed, are insufficient to enable them to pay the full cost of day care for their children in private nurseries even if such services were available to them on a basis of hours of operation meeting their needs.

Other families may have short-term or temporary economic problems, or problems of family adjustment, which make it desirable to utilize low-cost child care centers. The costs of serious illnesses may make it necessary that both parents work to meet debts. A family crisis such as created by death or separation may require temporary facilities for the care of the children until required family adjustments can be made.

Some parents will continue employment even though proper facilities for supervision and care of children are not available. The problem presented is in relation to the needs of their children rather than that of the parents. The use of child care centers providing good supervision and a sound program has social values to the community because of its concern for the welfare of children whose parents may not demonstrate sufficient responsibility or concern.

The needs of industry, or shortages in certain professional occupations, have been recognized in the past as justification for child care centers. This was the basis of the wartime program. It is recognized in the existing program which exempts nurses and teachers from the means test if their services are considered necessary, and exempts persons needed in emergencies for the harvesting and processing of crops.

Seasonal concentration of farm families in rural areas creates particular problems since both parents normally work in the fields and frequently inadequate provision is made for care and supervision of young children during working hours.

The veterans of World War II attending school under the benefits of the G.I. Bill constitute a special problem. If those veterans with families are to be able to take advantage of their opportunities for education low-cost child care facilities are a necessity.

Since the start of the Korean war, fathers have been drafted into the armed services or recalled to active duty leaving families that need incomes greater than provided under the family allotments for service personnel. Mothers in many of these families must secure employment to maintain the family and to protect equities in homes contracted for before the father was called into service.

How great these needs are, and the extent to which they cannot be met other than through publicly supported child care centers cannot be determined or estimated in numbers of children at any given time. The relative stability of enrollment at the capacity permitted by funds available for operation of the centers and the existence of a large waiting list of families is demonstration of normal needs. It may be argued that some families currently using the centers may not have sufficient need to justify their subsidization by public funds. However this group would be relatively small and would be more than offset by those families demonstrating need but unable to utilize the centers because of enrollment limitations.

However the situation has changed rapidly in recent months due to the national preparedness program creating demands in addition to the many unmet needs in the State not directly associated with accelerated employment in war industry or expansion of the armed forces.

Unmet Needs

The present program does not meet existing needs. Centers already established have not been able to accommodate families seeking to use them because of the limited budgets for administration and operation of the centers and limitations of facilities. Only a small portion of families in the rural areas are being served although there is evidence of considerable need for such services. The present program makes no provision for acceptance of children on the basis of social or emotional needs, eligibility being limited to economic considerations, or for recognition of hardship situations of families whose income level may be above the means test.

Although a waiting list of families has been a standard condition in areas where centers are established, the need for expansion of enrollment has become particularly pressing since the start of the Korean war. Many applications are being rejected because centers have been filled to capacity. Some centers, already having waiting lists and experiencing an increase in applications could accommodate more children in existing physical facilities provided funds were available for meeting the additional costs of staff for supervision and general conduct of the program.

A new problem has arisen in recent months directly as a result of the national preparedness program, and illustrates a changing character in need for use of the centers. Many parents already utilizing the centers have had incomes increased because of longer work hours or other factors in industry. This has resulted in making them ineligible under the means test. Many other applicants entering war industry have been turned away on an income basis. The total income from earnings of mothers and their allotments from servicemen husbands has necessitated rejection of applications on an income basis.

The director of child care services in San Diego reported the following, covering the period from the start of the Korean war to September 15, 1950:

137 wives of military personnel applying for employment ineligible for child care services because of income;

134 other mothers applying for defense work ineligible because of income;

143 mothers in other than defense work ineligible because of income;
150 families with parents employed in defense work who may be required to drop children from centers because of increased earnings due to overtime and salary raises;
63 children could be added without increase in staffing or other costs except for food.

A survey of the Bay Area conducted by the Nursery School Association of Northern California in early September, 1950, revealed the following:

Alameda: Turning down four to five applications daily although space to accommodate 350 to 400 more children. Enrollment limited to 185 because of appropriations available.

Oakland: Could increase enrollment by 300 children with additional funds for operation. Fees too high for parents needed in seasonal cannery work. During July-August rejected average of 10 applications daily because of earnings above means test level.

Martinez: Forty applications rejected in August because of income, eight of them from families of service personnel. Could accommodate 35 more children in existing facilities with increased budget.

Redwood City: Turned down 72 applications in August because of earnings. Six children dropped from centers because of salary increase of parents. Waiting list of 31 families.

San Francisco: Waiting list of 339 families. Three hundred forty applications rejected during July-August and 27 enrollees dropped because of family incomes.

Richmond: Twenty-five children dropped during August because of increased family income. Thirty-five applications from families with fathers in armed services rejected account of earnings. One hundred six applications from parents employed in defense work rejected in August. Two hundred additional children could be cared for within existing facilities.

The need in areas of high seasonal employment is to facilitate employment as well as for protection of the children of parents employed in agriculture and food processing.

Rural areas in which there is need for child care services have not been given recognition under the program. Such recognition is not possible under the present law since no new centers can be opened with state funds if they would jeopardize the existing centers.

The primary problem in rural areas appears to be seasonal in nature which would necessitate a somewhat different type of program than now exists in urban centers. In planning programs it presents other problems since the total need for child care centers in such areas has not been determined.

Peak seasonal population in labor camps in the six counties of Fresno, Kern, Kings, Madera, Merced, and Tulare has been estimated at 49,500. This does not include those living in other centers of population during seasonal agricultural peaks. Past studies indicate that 26 percent of the members of migrant families were under 14 years of age. Among this group there would thus be a large number of very young children requiring care and supervision while parents are engaged in agricultural work.

In many rural counties there are no child care centers established under the state program.

The section dealing with the problems of children of migrant families at the Governor's Conference on Children and Youth, held in Sacramento, September 18 and 19, 1950, recommended as follows:

"Child care centers for rural areas should be established close to the parents' place of work or residence. These day care centers are considered vital because of the protection given children of pre-school age from the numerous hazards to which the child may be exposed while the parents are working. Extended day care centers are needed as well as those for pre-school children. Supervised day care centers provide the child with an opportunity to develop more fully a healthy personality and social integration."

While this committee did not hold public hearings in rural areas, there was considerable testimony on the need for child care centers presented to the San Joaquin Valley Agricultural Labor Resources Committee during the course of its study.

In a report to the Agricultural Labor Resources Committee the Tulare Board of Supervisors stated:

"Due to economic pressure, the mother in the agricultural family has been forced to join her husband in the role of breadwinner; therefore the children of agricultural workers are often given inadequate care. It is a common sight to see pre-school age children left in the automobile while their parents toil in the fields. School age children remain at home to mind the younger children. Practically the only alternate plan for the mother would be to avail herself of the offer of a kindly neighbor who watches the children along with numerous others. These homes are mostly substandard and overcrowded. They are seldom licensed as foster homes since the individuals are unaware that this is necessary. There is a great need in the county for child care centers."

Before the same committee, the Kern County Department of Public Health recommended that consideration be given to establishing day nurseries in that county during seasonal employment periods in order to reduce the accident and illness rate of babies and young children taken into the fields by parents.

Recognition of the desirability of a broader type of child care center services has been emphasized, particularly by agencies concerned with child welfare and family service programs. At the Governor's Conference on Children and Youth, September, 1950, the section concerned with Care of Children Away from Home recommended:

"Day care in child care centers has educational, social, and health facets grouped together in one institution, designed to meet a specific need of employed mothers and to help maintain family unity. This program needs expansion on a permanent basis, since the employment of women is an expanding factor in our economy. The criteria of eligibility to use the centers should be the individual need of the

child and his family rather than the family's income bracket. Casework services should be accessible to those children and families who may need these services. The primary responsibility for financial support of the child care centers rests with the State, and administration should remain with the Department of Education, with social and health services readily available."

D. The Means Test

Section 19601.6 of the Education Code established the "means test" which limits eligibility for use of the centers to families within certain fixed income ranges, with the exception of the groups specifically exempted from the means test (veterans, teachers, nurses, etc.)

The section provides that no child shall be admitted to a child care center if the total monthly income from all sources of the child's immediate family:

(a) Where both parents are working exceeds two hundred seventy-five ($275) dollars, or

(b) Where but one parent * * * is the sole wage earner * * * exceeds two hundred twenty-five ($225) dollars.

Provided, however, that if the monthly income of the family divided by the total number of persons to be supported therefrom does not exceed sixty ($60) dollars then the child may still be admitted to the center even though total family income exceeds the amounts established in (a) and (b) above.

The law also provides that the total monthly income figure may be exceeded in any month or months of the year if it is believed the average monthly income for the year would not exceed the maximum.

Veterans of World War II attending school or receiving instruction under the Servicemen's Readjustment Act of 1944 during the years 1947 to 1951, or under Article 2, Chapter 6, Division 4 of the Military and Veterans Code, and the other parent in the family, if any, are exempt from the income limitations.

Also exempt are teachers and nurses whose services "are necessary as a teacher in a public school or as a registered nurse" and parents who are employed to meet an emergency arising from the necessity of harvesting or processing crops.

In the course of the hearings conducted by the committee, there was a great deal of criticism of the present income means test, along the following lines:

1. Income limitations should be based on a "take-home" pay basis rather than on gross income;
2. The schedule of incomes now established by law is outdated in view of cost of living changes since it was established in July, 1947;
3. Requirements of war industry, particularly the return to a longer work-week, have resulted in increased earnings for some families using the centers making them ineligible under the means test;
4. No provisions are made for exceptions to meet hardship situations;

5. Wives of service personnel are ineligible to use the centers because incomes when added to allotments and base pay exceed the means test yet such mothers must work to support their families;
6. Increasing numbers of women have been called back into war employment since the Korean War started, but are ineligible to use the centers because of the means test.

Establishment by law of a fixed amount of income as a condition of eligibility is necessarily arbitrary and particularly so where no provision is made for exceptions or for adjustment of the income ceiling by the administrative agency. The virtue of setting such specific limits by law is in administrative expediency since it greatly simplifies the process of determining basic eligibility. However such limits are not flexible and while they may be established to meet the majority of situations do not take into account varying requirements of families of the same size, and can be altered to meet changing price conditions only by amendatory legislation.

The present fee schedule is set up on a family basis and recognizes the greater income requirements of the different sized families for only the larger ones. The family with one parent and one child is subject to the same income limitations as that of a parent and two children although the needs of the latter family are greater. The same is true of the three- and four-member families where there are two working parents. The Department of Education has ruled that the family with both parents, one of whom is not employed due to physical disability, is subject to the same income limitations as the one-parent family although the requirements of two-parent families are obviously greater.

Since the present schedule was established, living costs have risen sharply. The present schedule adjusted to cost of living changes for June, 1950, for San Francisco, and July, 1950, for Los Angeles is as follows:

Schedule	*Adjusted to June-July, 1950, living costs*	
	Los Angeles	*San Francisco*
One-parent—$225	$243	$245
Two-parent—$275	$297	$299

The method of determining eligibility on the basis of income is relatively simple and there are a minimum of complications for the administrative agencies.

The purpose of a means test is to reserve the use of the child care centers to those families most in need of such services and unable to otherwise afford proper day care of children. However, the present means test does not necessarily meet that objective in actual application, and there are a number of defects.

1. The schedule is rigid and cannot be adjusted for changes in actual living costs except through legislative action. The present schedule is already out-moded and should be adjusted upward to provide the same measure of total family requirements as established in July, 1947.

2. The schedule does not distinguish between the varying requirements of different sized families in the smaller family groups. The U. S Bureau of Labor Statistics estimates the total requirements of a two-person family is 65 percent of that for a four-person family, and for a three-person family as about 84 percent of that for a four-person family.

Under the present means test the two- and three-member one-parent families are subject to the same income limitations and the three- and four-member two-parent families are under the same means test. For the one-parent families, the current schedule raises the means test limit $15 for the fourth member of the family but $60 for each person above four in the family. In the two-parent families the limit is raised $25 for the fifth member, and $60 for each additional person above five.

3. Eligibility for use of the centers is measured by current income only and there is no attempt to measure other resources that a family may have, such as bank deposits, savings bonds, value of property holdings, contributions of other relatives in the household, etc. Thus, it is a means test only in the limited sense of measuring income and not total wealth of the family.

4. Family requirements vary for many reasons. Families with the same composition do not necessarily have the same income requirements for support. There are variations in cost of living between areas in the State as well as for families in the same locality. But more important, some families have needs that are not common to many others. In those families in which there is illness or there have been major misfortunes, income needs may be substantially greater than for the average family of the same size to maintain an equal standard of living. Under the fixed income schedule there is no method for considering the special needs of such families.

Representatives of parent organizations testifying before the committee were particularly critical of the present income means test schedule. They recommended its adjustment to "take home pay" and cost of living changes. On the other hand, they pointed out to the committee that they would be opposed to a social work investigation to determine actual budgeted requirements of the family as part of the eligibility determination.

Administration of the Means Test

The Department of Education has provided guidance to the school districts in administration of the means test through bulletins. It is pointed out that "income" encompasses "income of any type or nature, whether earned by labor or otherwise." Gross pay, before deductions, is the governing factor in computing the total income.

For self-employed persons, income is determined on the basis of net profit "after deducting all expenses from total sales or gross income." Earnings of this group may be averaged over a period of a year.

The department has ruled that where there are two parents in the home, one of whom is physically or mentally unable to help support the family or care for the child, the limitation of $225 applicable to the one-parent family must be used.

Child Care Center Bulletin 22, of February 20, 1950, states as follows:

> "All applicants must be treated uniformly in ascertaining eligibility. Proper application of the five steps listed herein should clearly and plainly disclose the eligibility or ineligibility of applicants. An ineligible applicant should not be admitted, regardless of extenuating circumstances. To permit this would not only circumvent the law but might be the cause for nonadmittance of an eligible applicant."

A uniform application form is recommended by the State Department of Education. In addition to the identifying information concerning children, marital status, veteran status, etc., this application solicits the following information for both the father and mother:

Name and address of employer.
Type of position.
Average gross monthly income.
If separated or divorced, how much support is received from the father?
Any other income?

The application is signed by the parent who in doing so agrees to report any change in status.

The director of the child care program for San Francisco testified to the committee that in processing applications, statements concerning earnings are checked with prevailing wage rate data. If through this process, or as a result of the interview, questions arise as to the accuracy of the application contact is made with the employers to verify earnings. Applications are rechecked every six months and at the time of any reported changes in employment. For self-employed persons they are checked every three months.

A University of California study conducted through questionnaires sent directly to the parents using the centers, covered a random sample of 1,353 of the 11,548 families using the centers in October, 1949. Income data obtained through that study is based upon what the parents reported in completing the qustionnaires. The study questionnaire solicited the following information concerning earnings and income:

34–36 If father or stepfather is working, what were his earnings for the last four weeks or the past month?
37–39 If mother or stepmother is working, what were her earnings for the past four weeks or the past month?
40–42 What was the total family income from all sources the last four weeks or past month?

The following tables show for the one-parent and two-parent families the percentage of families reporting income within the means test limits for the various sized families. These data exclude the teachers, nurses, and veterans who are exempt from the income means test limits.

Distribution of One-parent, Nonexempt Families, According to Number Persons in Family and Average Maximum Income
(Applicable Means Test Level Underlined)

	Number of persons supported					
Income class	*2*	*3*	*4*	*5*	*6*	*7*
	percent	*percent*	*percent*	*percent*	*percent*	*percent*
$225 and less	97.3	96 9	89.6	71.0	87.5	50.0
$226 to $240	1.0	1.5	1 9	12.9	--	--
$241 to $300	1.7	0.8	8.5	16.1	12.5	50.0
$301 to $360	--	0.8	--	--	--	--
$361 to $420	--	--	--	--	--	--
More than $420	--	--	--	--	--	--
Total	100.0	100.0	100.0	100.0	100.0	100.0
Percent over average maximum monthly income	2.7	3.1	8.5	--	--	--

Distribution of Two-parent, Nonexempt Families, According to Number of Persons in Family and Average Maximum Income
(Applicable Means Test Level Underlined)

	Number of persons supported				
Income class	*3*	*4*	*5*	*6*	*7*
	percent	*percent*	*percent*	*percent*	*percent*
$275 and less	85.2	81 0	69.0	69.2	46.6
$276 to $300	3.7	2.6	24.1	3.9	6.7
$301 to $360	8.3	5.8	3.5	25.0	26.7
$361 to $420	1.9	0.6	1.7	1.9	20.0
More than $420	0.9	--	1.7	--	--
Total	100 0	100.0	100 0	100.0	100.0
Percent over average maximum monthly income	14.8	9.0	6.9	1.9	--

For all one- and two-parent families, subject to the means test, approximately 5.5 percent reported incomes in October, 1949, above the average monthly maximum income established by the means test. Since in application of the means test, income is based on average gross income, the above does not reflect a 5 percent error in administration of the means test. Earnings reported are for October, 1949, whereas average monthly income may be different because of periods of unemployment or seasonal variations in income.

E. Parent Fees

Parent fees based upon ability to pay as measured by gross income are provided for by law. A uniform schedule of fees has been established for application throughout the State providing for a sliding scale of fees related both to family income and the number of persons in families.

The fee schedule is apparently designed both as a rough measure of ability to pay and to establish rates related to the difference in services and costs between the nursery and extended day centers.

Fees start from a minimum of 60 cents per week for the lowest income families with six or more members and are graduated up to $14.50 per week for the two member highest income families utilizing the nursery level centers.

Ability to pay is measured through a schedule of fees progressively larger as income increases and progressively smaller as the number of persons in the family increases.

Recognition of services provided is through establishment of a lower fee schedule for the extended day care centers, the per child cost of which is about half of the nursery level centers, and through somewhat lower fees for those centers operating on a five-day basis instead of the normal six days per week.

The following fee schedule has been in effect since July, 1950, for the centers operating six days per week:

Weekly Fee Schedules for Parents
(Nursery Level—Extended-day Vacation Schedule)
(Effective July 3, 1950)

Family income	*Number in family* 2	3	4	5	6 or more
$100 or less	$1.60	$1.35	$1.10	$0.85	$0.60
$101 to $150	2.75	2.50	2.25	1.75	1.25
$151 to $200	4.00	3.75	3.50	3.00	2.75
$201 to $225	5.00	4.50	4.25	4.00	3.75
$226 to $275	6.00	5.50	5.00	4.50	4.00
$276 to $325	7.25	6.75	6.25	5.50	4.75
$326 to $375	8.75	8.25	7.75	7.25	6.50
$376 to $425	10.50	10.00	9.50	8.75	8.00
$426 to $475	12.00	11.50	11.00	10.50	9.75
$476 to $525	14.00	13.50	13.00	12.00	10.50
$526 and over	14.50	14.00	13.50	12.50	11.00

Extended Day Care Level (School Schedule)

Family income	*Number in family* 2	3	4	5	6 or more
$100 or less	$1.60	$1.35	$1.10	$0.85	$0.60
$101 to $150	2.25	2.00	1.75	1.50	1.25
$151 to $200	2.75	2.50	2.25	1.75	1.50
$201 to $225	3.00	2.75	2.50	2.00	1.75
$226 to $275	3.25	3.00	2.75	2.50	2.00
$276 to $325	4.25	4.00	3.75	3.50	3.25
$326 to $375	4.75	4.50	4.25	4.00	3.75
$376 to $425	5.25	5.00	4.75	4.50	4.25
$426 to $475	5.75	5.50	5.25	5.00	4.50
$476 to $525	6.50	6.25	6.00	5.75	5.25
$526 and over	7.50	7.00	6.50	6.00	5.50

* * * EXCEPTIONS TO "MEANS TEST" A veteran attending school or receiving instruction under the Servicemen's Readjustment Act of 1944, or under Article 2, Chapter 6, Division 4 of Military and Veterans Code, a registered nurse; a teacher in a public school, or to meet an emergency arising from the necessity of harvesting or processing crops. Families of five or more who do not exceed an average monthly income of $60 per member.

Under this schedule only the two-member families (one parent) having incomes over $525 a month are paying full cost of care. The extremely low income families ($100 or less) pay a minimum fee which in the case of the two-member family would amount to $6.88 per month for both nursery and extended day care levels.

Fees have been increased over the 1947 level in order to provide for greater parent participation in costs in view of limited state appropriations available.

The distribution of all families in accordance with fee paid per week for each child in the centers for October, 1949, as determined by the University of California study was as follows:

Distribution of Families According to Fee Paid per Week for Each Child in Centers

Fee per week	*Nursery centers*	*Extended day care*	*All centers*
Under $1.50	5.3	7.2	6.1
$1.50-$3.00	27.8	52.1	37.5
$3.00-$4.50	30.2	22.2	27.0
$4.50-$6.00	27.1	15.3	22.4
Over $6.00	9.6	3.2	7.0
Median	$3.90	$2.70	$3.30
	4.20	3.00	3.60

Converted to the monthly cost to the parents the above weekly fee units would be equal to:

$1.50 weekly equal to $6.45 monthly
3.00 weekly equal to 12.90 monthly
4.50 weekly equal to 19.35 monthly
6.00 weekly equal to 25.80 monthly

Only a small percentage of families pay full cost of care in either the nursery or extended day care programs. About 15 percent of those using the nursery centers pay over one-half the cost of care, and approximately 35 percent pay more than half cost in the extended day care centers, in which total cost of care is about half of the nursery level.

While the fee schedule is intended to measure ability to pay, based on family income and numbers in the family, the $50 income intervals established do not provide a close relationship between presumed family income requirements and fees paid. The family with income of $275 per month will pay the same fee as the same-sized family with income of $226, although the one has greater ability to pay.

Although families using the extended day care centers pay a greater share of total cost than for the nursery centers, the actual expenditure for this service is lower than for the family with the same income using the nursery center. The two-person family at the $225 level pays a weekly fee of $5 for nursery care but only $3 for the extended day care service.

It appears that fees can be graduated upward more sharply as income increases. Under the present schedule, families in the higher income ranges, while paying more in fees, do not pay in proportion to the difference between actual income and the figure used for the income means test limit.

If the fee schedule is intended to reflect ability to pay, consideration should be given to a better equalization of fees for extended day care centers with those for the nursery centers, up to full cost of care, as well as sharper upward graduation of fees as income increases so that the state subsidy to these "higher income" families can be decreased.

It is recognized, however, that fees charged do have a direct relationship with parent willingness to use the centers and must be kept at a reasonable level for the purposes of providing suitable care for children of working parents and encouraging families to be self-sufficient. For example, the "Technical Staff Report to the Joint Committee on Preschool and Primary Training," January 17, 1947 (page 55), describes the following effects of an increase in fees:

> "The result of increased fee rate increases has been a withdrawal of those who cannot afford to pay the rate. Various alternatives have been taken. Some have stopped work, others have gone on relief or applied for aid to dependent children, others have left the children to run the streets. Other families have left the younger children in the centers but have withdrawn the older children. Vacancies thus made have been taken by families on the waiting list who are more able to pay the higher rates."

It is the contention of some persons that if the fee schedule for the extended day care program were equalized with that for nursery care, many families would withdraw school-age children from the centers and let them roam the streets or provide makeshift arrangements which might lead to problems of juvenile delinquency since these children would be without proper supervision before and after school hours while parents are working.

In the course of its hearings, the committee received little comment and no criticism of the present fees charged. Although it appears that the fees charged the very low income families are high in relation to

ability to pay, it seems that these families are willing to make the sacrifices necessary to secure child care center services. The very low income families must budget a larger proportion of their income for child care services than the higher income families.

A special budget study covering ninety (90) one-parent families in San Francisco, conducted by the child care center staff for that city, showed that the average monthly income for these families was $190.03 and that eleven (11%) percent was budgeted for child care center fees, at an average of $21.10 per month.

F. General Information

Federal Aid for Child Care Centers

With acceleration of the defense program since June, 1950, the possibility of the Federal Government again providing financial aid to states and localities for conduct of child care centers programs has been considered. Needs directly related to the expanding armed forces and increased production of military equipment have been demonstrated in recent months and have increased the pressures on the centers which were already operating at capacity enrollment before the start of the Korean war.

The committee forwarded a resolution to the representatives of the State of California in the national Congress to solicit their aid in securing federal legislation to reactivate the Lanham Act or otherwise provide for federal financial assistance in establishing and operating child care centers.

Copies of the following resolution were forwarded to each of the Senators and Representatives from California in the U. S. Congress on August 30, 1950:

"Resolution of the Assembly Interim Committee on Social Welfare, Relative to Federal Support for Child Care Centers

WHEREAS, The State of California established child care centers early in 1943 in conformity with the federal Lanham Act to help meet the emergencies created by the employment of women in industry as a direct result of the war; and although the Federal Government withdrew support from the child care centers on February 28, 1946, the State of California has found that the conditions created by the war have necessitated continuation of these child care centers, particularly in those areas in which war activity was concentrated and in which there was great influx of war workers and settlement of veterans following the war; and

WHEREAS, The State of California now supports some 293 centers providing day care for over 12,500 children, over 90 percent of whom reside in those areas in which wartime activity was concentrated and which will feel the greatest impact from current military and defense activities in the Pacific area, namely San Diego, Los Angeles, Alameda, San Francisco, and Contra Costa Counties; and

WHEREAS, Existing child care centers are utilized by veterans of World War II now attending school, families of personnel in the armed services, families of disabled veterans whose requirements make it necessary to supplement allowances and pensions by the employment of mothers, other working mothers who are the sole support of their families, and two-parent families whose support requires the employment of both parents due in large measure to the high cost of living and inability of low-income families to afford the cost of private child care facilities; and

WHEREAS, Because of inability of the State to provide sufficient funds to accommodate all children in need of low-cost day care facilities, there has continued for some time a waiting list of families eligible on a means-test basis to use the centers which are now taxed to capacity, and recent international developments have increased the need for such day care facilities to provide services and care for children of service personnel, including those being inducted or recalled into service, and of mothers called back to work by aircraft factories and other defense or war plants; and

WHEREAS, Employment of women in war industries, because of relatively high wage rates and long working hours, will cause disqualification of such families under the means test governing eligibility for use of child care centers thus creating problems in the recruitment of workers for such industries and the provision of adequate care for children of working mothers; and

WHEREAS, Current and prospective needs for tax-supported day care center facilities are a direct result of past and present military and defense activities centering in certain areas of the State of California and have been influenced by the large population growth attributable to immigration of war workers and the settlement of veterans of World War II in these areas; and

WHEREAS, Rapidly increased expenditures for necessary state services as a result of wartime and postwar problems threatened to cause deficits in state financing which prevents the expansion of the child care center program to meet existing and potentially increasing needs and may endanger the continuation of the child care centers already operated unless federal financial assistance is secured; now, therefore, be it

Resolved by the Assembly Interim Committee on Social Welfare, That each member of the House of Representatives and of the Senate of the United States elected from the State of California be requested to introduce legislation and take such other action as is necessary to secure federal financial participation in the child care program similar to that provided under the Lanham Act during the past war; and be it further

Resolved, That copies of this resolution be transmitted to each Representative and Senator from California in the Congress of the United States."

The possibility of the revival of the federal aid program should be kept in mind, and any legislation affecting this program should be so designed that federal aid can be utilized should it become available if the war situation becomes more acute and manpower shortages such as experienced in World War II become a problem.

Other Public Child Care Programs

Public child care programs have been continued in many communities throughout the Country since withdrawal of federal funds in February, 1946. California has carried on the most extensive program. However, the States of Washington and Massachusetts provide financial support of centers, and a public program is operative in the District of Columbia. The following is summarized from a report on "Status of Day Care Programs for Children" by the U. S. Children's Bureau, dated October 31, 1950:

Washington

A $250,000 biennial appropriation was made for support of nursery centers in 1949. The State contributes 75 cents a day per child. It is reported that the all day care nursery centers cost approximately $2 per day per child to operate. Parent fees are from $1.25 to $1.50 per child per day. State funds are allocated through the State Department of Public Instruction to the local school districts for operation of the centers.

Massachusetts

Under the Extended School Services Act, 1946, local school committees are authorized to operate child care centers for children from 3 to 14 years of age. The State Department of Education has over-all responsibility, but administration is by the local school departments.

Centers are limited to children of mothers who are employed and whose employment is determined by the school committees to be essential to the welfare of their families. Initial funds for the centers are appropriated by the local authorities with the State reimbursing up to 40 percent of the cost of salaries of personnel, with a maximum reimbursement per center of $2,500 a year, and an over-all limit of $15,000 for any one town or city.

Mothers pay a weekly fee of $3 to $4 per week, this being established by law as the minimum and maximum limits.

District of Columbia

Children from 2 to 11 years of age are served in six centers established under congressional appropriation to the district board of public welfare.

The parent must be employed. Gross income limits established are:

2 member family_____ $3,200 gross per annum
3 member family_____ $3,500 gross per annum
4 member family, or larger____ $3,800 gross per annum, which is the absolute maximum

A priority list is established by the public welfare board, providing for serving lower income families first and giving single income families preference over double income families. Children between 3 and 10 years are given preference over two-year-old children or children over 10 years of age.

Average cost per child per week was reported as $10 for the Fiscal Year 1948-49. Parent fees ranged from a low of $2 to a high of $7 for one child in nursery school, and $2 to $6.50 for one child of school age. For the second and third children using the centers, from $1 to $1.50 per week was added to the fees. Fees are in accordance with ability to pay determined by income and the number of dependents.

New York State

In 1949 state funds were appropriated to the State Youth Commission for maintenance of day care centers in migrant labor camps. These camps were operated by the State Federation of Growers' and Processors Association under contract with the Youth Commission. This program served babies under two years of age; preschool children two to five years of age; and school age children from 6 to 14. The program operated from the end of June through October. Permits for operation of each project are issued by the Department of Social Welfare.

New York City

The City Department of Welfare allocates public funds to nonprofit agencies for operation of centers. In 1949 these centers cared for over 3,250 children from three to five years of age, and 1,300 children in the 6 to 12 year group. There were over 2,000 children on the waiting list for admission.

Purpose of the program is to provide day care for children who, because of the employment of their mothers, or because of some special situation in their families, cannot have adequate care during the day in their own homes. The individual child's need for day care as well as the parents' inability to pay for the total cost of this care determines eligibility to receive such care.

A financial investigation is conducted and desirability of use of the centers for the individual child evaluated. A minimum fee of $1 for children not having lunch in the centers and $1.50 for those served lunch is charged. Fees range from $1.50 to $15.50 per week for the preschool children.

In determining the fee, the difference between a family's income and its budgeted expense is determined. Any surplus of income over expenses is considered in determining the fee. The fee is 50 percent of the margin up to margins of $15 and 75 percent of the amount above the $15 margin. At the point where the family could afford to pay the maximum fee, the family becomes ineligible.

Sixty-nine percent of the families pay the minimum fee. Total public contribution is 84 percent of the cost and parent fees and private agency contributions account for the remaining 16 percent.

More than 50 percent of the children using the centers are of families in which the mother is the major or sole support of the family.

Detroit

The city council appropriated $120,000 for operation of six centers from July 1, 1949, to June 30, 1950. The program is operated through the Department of Public Welfare.

Priorities for admission of children are as follows: (1) one-parent homes where parent is sole or main support; (2) homes where chronic illness interferes with the child's normal activities; (3) families where both parents are working and can be considered "hardship" cases.

The weekly per capita costs reported for the quarter ending June 30, 1949, were: nursery school, $22; kindergarten age group, $19; school-age group, $16.

Parent fees range from $5 per week to full cost.

Philadelphia

This program, financed by the city, is under supervision of the Board of Public Education. During 1948, 12 centers were operated caring for 1,650 children. Eligibility is based on the employment of the mother, but hardship cases in which illness or other home conditions warrant enrollment of the child are recognized.

Fees are based on income and size of family, ranging from $2 to $9 per week for one child.

III. PUBLIC HEARINGS AND COMMITTEE STUDY

The committee received testimony concerning the child care center program during several public hearings and through correspondence with certain interested groups. It also reviewed recent studies of the program as well as considered recommendations made by individuals and groups independent of the hearings conducted by the committee.

Public hearings on child care centers were held in San Diego, August 9th; San Francisco, September 7th; and Los Angeles, October 17th. Advance publicity of these hearings was carried in the local press and public participation encouraged. The committee also notified organizations and groups felt to be interested in testifying and having knowledge of the program of the arrangements for the public hearings.

Without exception those testifying before the committee emphasized continued need for a child care center program, although there was some difference of opinion as to how that need should be met.

In general, most of those appearing before the committee:

1. Recommended that the centers be established on a permanent basis;

2. Recommended adjustment in the eligibility requirements, either in modifying the present means test or broadening coverage of the program to include certain types of families now ineligible because of the means test;

3. Favored administration of the program through the school districts, under supervision of the Department of Education, as at present; and

4. Suggested continued state financial participation in the operation of the centers.

The exception to the general attitude of the groups participating was the position of the representatives of the Catholic Church. While emphasizing that need for the program continues, they urged administration by local authorities with licensing of centers by the Department of Social Welfare, and financing on a local basis insofar as possible. They expressed agreement with the continued need for centers but recommended that the program be conducted on a local basis without supervision through the Department of Education and presumably a minimum of state financial participation.

Considerable testimony, most of it in the form of prepared statements, was taken by the committee and carefully analyzed and evaluated as a basis for portions of this report. Summaries of testimony given are attached.

In addition, the committee solicited the views of community organizations such as local welfare councils and certain state-wide groups that have in the past evidenced particular interest in child welfare programs.

Since the committee was unable to schedule hearings in rural areas, it has been particularly interested in testimony presented to the San Joaquin Valley Agricultural Labor Resources Committee and reflected in the minutes of the public hearings held by that committee. Among the organizations represented in those hearings, the following testified as to the need for child care centers in the San Joaquin Valley:

Fresno County Schools ---------- (June 20, 1950)
California Farm Research and
Legislative Committee ---------- (June 21, 1950)
Fresno County Farm Bureau ---------- (June 21, 1950)
Kern County Department of
Public Health ---------- (Report dated July 26, 1950)
Kern County Schools ---------- (August 1, 1950)
Tulare County Board of
Supervisors ---------- (Report August 2, 1950)
Tulare County Welfare
Department ---------- (Report August 2, 1950)
Tulare County Superintendent of
Schools ---------- (Report August 2, 1950)

Recommendations concerning child care centers were made in five of the sections of the Governor's Conference on Child and Youth, held in Sacramento, September 18 and 19, 1950. Approximately 2,500 persons

interested in the problems of children and youth from all sections of the State, participated in this conference.

The section on "Care of Children Away From Home" recommended expansion of the child care center program on a permanent basis and that eligibility be determined on the basis of individual need of the child and the family rather than upon family income. It felt that primary responsibility for financial support of the program rests with the State, and that administration should remain with the Department of Education, with social and health services readily available.

The section on "Problems of Children of Migrant Families" recommended establishment of centers in rural areas, accessible to parents' place of work or residence.

SUMMARY REPORT OF PUBLIC HEARINGS

San Diego, August 9, 1950

Mrs. Florence E. Rhodes—American Red Cross

Need for centers continues. If children deprived of centers, many would immediately become eligible for aid to needy children. Should remain under administration of Department of Education. Department of Social Welfare would have to set up administrative staff and make provisions for buildings and equipment. Board of Education better equipped to evaluate abilities of professional staff and understand needs of small child.

Eligibility standards have not changed since 1947. Advisable to restudy standards in relation to changes in living costs and incomes.

Opposed to county and Board of Education participation in financing on basis of their ability to do so. Favors 60 percent state—40 percent family support.

Stressed need of service personnel. Many servicemen do not earn sufficient to support family. Reservists called to active duty may have legitimate obligations (such as on homes, appliances, cars) necessitating wives to work to protect equity.

Emphasized possibility of manpower mobilization as further reason for continuing centers beyond February 15, 1951.

Mr John M. Cranston, representing Family and Welfare Division, Community Welfare Council of San Diego

Mr. Cranston appeared as a representative of a special committee that had investigated the need for child care centers in San Diego and explained that its recommendations were approved by the welfare council.

In early 1950 the committee recommended that the centers be continued in their present form, including the method of appropriation from state funds rather than local levy.

The committee favored administration by the Department of Education. Centers should be limited in use to needy families, but eligibility should be based upon net take-home pay rather than gross earnings as at present. Some allowance should be made for increased cost of living since 1936.

In response to questioning, Mr. Cranston felt that it would be difficult to establish criteria for determining hardship cases. He stated that the recommendation for continuing administration in the Department of

Education was based upon their experience and available facilities and their being better equipped to meet educational needs of children. He felt that half of the families would be eligible for aid to needy children assistance if the centers were discontinued and parents forced to quit work. He stated that as far as he knew no plans were being formulated for local community action in the event that the present program is not extended beyond February 15, 1951, by the Legislature.

Mrs. Edith Warren Quinn, Commissioner, Fifth Area Member, Child Welfare Commission, Department of California, American Legion

Stated that the American Legion has for some time favored continuation of child care centers. Read Resolution 120 of the 1949 Department Convention commending the Governor and the Legislature for action in continuing child care centers.

There are "thousands" of veterans widows with small children who receive pensions insufficient for family needs and families with disabled veterans in which mothers must work and are unable to afford private day nursery care.

Stressed economy of operating centers rather than provide assistance to families and aspect of prevention of juvenile delinquency by providing after-school supervision of children of working parents.

In response to a suggestion by a committee member that federal financial assistance be sought, such as through the Lanham Act, stated that she would place a resolution before the American Legion Convention meeting in Sacramento beginning August 13th.

Mrs. Nancy E. Wessell, an individual

Mrs. Wessell stated that her testimony was based upon a study in which she participated for the PTA but that she was representing only herself and not the PTA.

She estimated that half of the families using the centers would be on relief if the centers were not available, and emphasized the value of helping persons to help themselves. She felt that the centers represented a considerable savings to the State over relief expenditures that would be incurred if the centers were not available, but stated that even if there were no savings she would advocate continuation of the centers.

Recommended that the program be made permanent for ease in administration and greater economy. Felt that the need will always continue.

Suggested elimination of special veteran provision feeling that most could qualify under the needs test anyhow. Stated no further need for exemption of teachers from means test and suggested question of nurses exemption be investigated. Emphasized that it is a welfare program, not an educational one and cautioned against enlarging program on an educational basis, avoiding removing children from their homes except through economic necessity.

Questioned present method of determining eligibility and felt that welfare departments would be better equipped to screen applicants on referral from the schools.

Prefers present financial arrangement due to present burden on counties, and their reliance upon property taxes, but suggested a possible one-third state, one-third county welfare, and one-third parent fee arrangement. Advocated making provision for hardship cases, citing a situation in which a family burdened with medical and hospital debts was denied use of centers on the basis of their current income status.

Suggested a permanent and flexible means test, keyed to the cost of living index, with the welfare departments determining hardship cases.

Recommended more uniform costs of operations, referring to different teacher-pupil ratios in counties and variation in teachers salaries. Suggested a state uniform minimum for number of teachers to children and for salaries, with counties permitted to make up difference between minimum and what the county wished to establish.

Suggested that appropriation be based upon average daily attendance for the previous year, or upon the registration.

In response to a question from the committee as to advisability of seeking federal aid for the centers, Mrs Wessell stated she would be opposed to asking for federal assistance.

Mrs. Worrell, League of Women Voters

Mrs. Worrell outlined the policy of the League of Women Voters that it is a public responsibility to make child care centers available and that these should be integrated with the Public School System. The league favors administration by the school districts under the supervision of the State Department of Education. Financing suggested was on a basis of parent fees and sharing of costs by the State, county, and school districts.

Mrs. Worrell stated that the league favors the continuation of the centers and that they have always supported the program.

Mrs. Paula D Hamm, First Vice Chairman, California Parents Association for Child Care

Mrs. Hamm explained that she is the delegate for San Diego for the association.

She emphasized the desirability of an investment in helping families be independent rather than dependent upon welfare assistance and stated that there will always be a need for helping low income families. She stressed the social values of helping families as an economic unit and of the care provided children in the centers.

Maintained that the program meets a specific and serious need in an acceptable manner and that the need was not a war emergency need but one that has existed for some time.

Favored the program under the State Department of Education on the basis that it was primarily educational rather than custodial; that it is more economically administered than under a welfare department because of available plant facilities and staffing in the educational department.

Believes it would be impossible for local agencies to handle the program. Cannot be subsidized through the community chest because of present load of chest agencies and would be a burden on local taxpayers if county financed.

Recommended be continued on a permanent basis and supported by state appropriation and parent fees, and continued under the Department of Education.

Recommended that change in cost of living be considered and adjustment made in income brackets accordingly.

Referred to problems of mothers whose husbands are in armed services and allotment insufficient for family support; to women being recalled by aircraft plants whose earnings will exceed wage limitations established for eligibility for use of centers; and to women who must return to work because of high living costs and who have need of centers even though family earnings may exceed the established limits.

Recommended income scale be set up to $300 maximum for single parent families and $400 maximum for two-parent families. Suggested that if the upper limits are raised fees from parents will increase since parent percentage of support increases with income under the fee schedule.

During questioning Mrs. Hamm stated that fees of private centers run from $20 to $25 per week and that these centers are usually open only from 8 to 4 or 9 to 5.

She stated there are many hardship cases in which persons support relatives or are burdened by cost of illness but cannot utilize centers because of the rigid income schedule.

Opposed removing teachers exemption.

Mr. Frank M. Wright, Associate Superintendent of Public Instruction, and Mr. John R. Weber, Supervisor of Child Care Centers, Department of Education

Mr. Wright submitted a prepared statement including a detailed fact sheet. He testified that the department believes a definite need continues for child care services and that the interests of parents and children are better served when the parent assumes a fair share of the cost of care rather than to place the family on relief. He emphasized that the schools are best able to operate the centers through use of buildings, facilities, administrative personnel and other services available.

If the program should continue, it should receive sufficient financial support to enable the operating units to carry out the law. School districts have been compelled to reduce operating costs largely at the expense of personnel who have had to forego regular salary increments available to other school employees.

In discussion with the committee, Mr. Wright stated that there continues to be a shortage of teachers but had no comment on whether or not the existing exemption for teachers and nurses should be continued.

He favored a rigid means test without discretion or flexibility. He stated that the program should be expanded to cover the existing waiting list.

Mr. LeRoy E. Goodbody, an individual

Mr. Goodbody recommended that the program be on a local level rather than on a state-wide basis and that legislation be permissive rather than mandatory. He felt that the program had no place in the school department and that it was primarily a custodial program.

Reverend Father Byrnes representing Catholic hierarchy and welfare directors of California, Catholic Church

Opposed centers as permanent part of school system. Should be administered through Department of Social Welfare on a basis of licensing. Local needs should determine the program.

Stated centers were based on a wartime need not now existing and referred to unemployment problem.

Opposed to any program making it possible to place all children in state operated nurseries, regardless of need.

Felt that need is only in about six counties and is thus so localized that there is a real question whether it should be state supported.

Eligibility requirements should recognize principle that it is in the best interests of children that the mother have the opportunity to care for them at home whenever possible.

Stated there is evidence that some promoters of day care centers aim at development into compulsory public nursery schools.

Maintained that a public school system should attempt no more than it can efficiently staff, administer and finance. Stated that a state program requires as much money as a local one and derives revenue from the same source—taxes.

Concluded testimony as follows: "The public day care program should be operated in communities where a need is demonstrated. It should have the same state control by the Department of Social Welfare as private day care centers. The local administration should be independent of the Public School System."

San Francisco, September 7, 1950

Dr. Herbert Clish, Superintendent, Board of Education, San Francisco

The Board of Education has not taken formal action concerning the future status of the program, but its members feel there continues a need but that the cost of the centers is too great for the school district to finance. The district is not interested in financing the centers, but is willing to continue to operate them with state financing.

Dr. Clish suggested the following changes in the program:

1. Priority for children whose fathers have entered the armed forces without regard to income limitations;
2. Continue exemptions for veterans attending school until they complete their education even though time involved in the program under the G.I. Bill of Rights may expire before then.

In answer to a question from Mr. Levering, Dr. Clish stated that the school district has made no plans contemplating termination of state financing of the centers on February 15, 1951.

Doctor Clish submitted for the record a copy of a memorandum dated August 10, 1950, to Mrs. Therese Mahler, director, child care centers, concerning eligibility of children of fathers called into military service.

Mr. Donald Cleary, Legislative Representative, City and County of San Francisco

Mr. Cleary stated that the board of supervisors has always supported the centers and is preparing a resolution to that effect. He suggested that consideration be given in determining the maximum income for eligibility purposes to the 15 percent increase in cost of living.

In answer to a question from Mr. Levering, Mr. Cleary stated that the county considers financing of the centers to be a state concern. He said the board of supervisors has made no provision for financing them.

Mr. Lawrence Arnstein, Executive Director, San Francisco Social Hygiene Association

Mr. Arnstein read a prepared statement recommending continuation of the present program under the State Department of Education, with modifications to meet the present national emergency. The following points were brought out:

Thirteen thousand children from 11,640 families are served under the program;

A waiting list of from 2,500 to 3,500 proves the need for continuation of centers and even expansion to meet the need;

The program is essential in preventing delinquency in children and maintaining self-respect of families not wishing to go on relief rolls;

Provision for families of only one-half the total number under the relief program would cost $7,750,000 a year against present costs of about $5,000,000;

Mothers whose husbands are called into military service must take employment to supplement limited allowances for dependents;

Employment trends show an increasing demand for women in defense work;

Family purchasing power is shrinking under cost of living increases making it necessary for mothers in many two-parent families to work, and some modification in the income ceiling is necessary;

Studies show that earnings of families using the centers represent a $28,000,000 annual contribution to the economy;

The centers help to strengthen and preserve family life.

Mr. Alec Sheriff, Legal Aid Society

Mr. Sheriff maintained that day care of children is a state-wide problem and that it should be considered on that basis rather than burdening local communities with the cost of the program. He felt that unless the State continues the program the centers will not be carried on.

Rev. James M. Murray, Catholic Church

Father Murray read a statement prepared by Rt. Rev. Msgr. Flanagan, Catholic Social Service, and Rev. James Brown, Superintendent of Schools, Archdiocese of San Francisco on "The Social Value of Child Care Centers," proposing the following:

a. That in each instance there be a real and demonstrated need;
b. That a reasonable means test be required for admission;
c. That centers be administered by local authority;
d. That centers be financed by local authority insofar as possible;
e. That the program be under social welfare auspices as it is basically a social program to meet a social need.

Mrs. Rose Lee Clements, Chairman, Child Care Parents Association

Identifying herself as a working mother, due to illness of her husband, Mrs. Clements emphasized continued need for the centers. To support her contention of need, she brought out the following points:

1. There is a waiting list;

2. The well administered services of the center are a suitable solution to the problems of working mothers concerning care and supervision of children;

3. Cost-of-living wage raises have operated to exclude two-parent families who formerly used the centers and continue to need them:

4. More and more mothers in two-parent families are being forced to work because of high living costs. The definition of eligibility based on figures of almost five years ago is not realistic today. Wages that have risen with living costs exclude many families now;

5. Children of working parents need the type of care and supervision provided by the centers;

6. The Crime Study Commission on Juvenile Justice recommended in 1949, that the child care centers be continued because of economic necessity of mothers working;

7. The State should encourage people to be independent and the centers make it possible for families to avoid becoming dependent.

She stated that the "means test" is no longer realistic. Earnings of wives of men in the armed forces when added to allotments excludes them from the program and mothers working in defense industries on a longer work week may no longer be eligible. She estimated that in San Francisco 100 working mothers had been excluded or refused admittance to the program because allotments as servicemen's wives brought income above the defined level. She asked for a new definition of eligibility, especially to meet needs of servicemen's families and families involved in defense work.

Mrs. Fern Baptie, Chairman, Child Care Parents Association of San Francisco

Mrs. Baptie favored continuation of the program under administration of the Department of Education believing there would be better assurance of good standards of care than under local programs.

Mr. Charles Scully, California State Federation of Labor

Speaking on both child care centers and general social welfare matters, Mr. Scully presented a prepared statement pointing out that the federation has consistently supported state aid for child care centers. He suggested that action be taken at the special session of September, 1950, to extend the program to June 30, 1951, to allow the 1951 Regular Session more time to consider legislation for the centers.

Mrs. C. A. Chichester, Family Division, Community Welfare Council, Oakland

Stated that the community welfare council has supported and will continue to support the program on its present basis.

Mrs. Elizabeth Case, Legislative Committee, Nursery School Association of Northern California

Presented a statement covering a survey of changed conditions in child care centers made in September, 1950. Pointed out that most centers have as many children enrolled as budgets permit and that since the apppropriation was made the Korean situation has increased the need. Gave data on conditions in Pittsburg, Alameda, Oakland, Martinez, Redwood City, San Francisco, and Richmond showing a large number of applications being currently rejected because centers are operating at capacity.

Recommendations:

1. Extension of program to June 30, 1951, with further consideration in January for a two-year program at a minimum;
2. Change means test to meet existing conditions (increased costs of living and six-day work week);
3. Exempt from means test families of those in military service or war industries;
4. Substantially increase state allotment to enable increased enrollment involved in above recommendations.

She expressed the opinion that justification continues for exemption of nurses and of teachers in the outlying areas.

Mrs. Theresa S. Mahler, Director, Child Care Program, San Francisco

Presented factual data in a prepared statement covering capacity and enrollment, characteristics of families, and requests for services for the past two months in San Francisco. Pointed out that in the two months requests were rejected for 340 families with income over the ceilings and 46 in which the fathers were called into military service.

Also presented a statement of availability of alternative child care services in San Francisco. Five community chest day nurseries report capacity or over-capacity enrollment with the two largest having waiting lists of 200 and 300. Costs range from $55 to $70 per month.

Mrs. Mahler explained that statements of applicants are checked with prevailing wage rate data and where questions arise as to the accuracy of the application, contact is made with employers. Applications are rechecked every six months and at the time of reported changes in employment. They are checked every three months for self-employed persons.

She stated that adequate housing facilities for centers is one of the major problems in San Francisco.

Mrs Rhoda Kellog, Golden Gate Kindergarten Association

Filed a detailed statement covering distinctions between nursery schools and custodial care centers, including recommendations for programming, etc. Recommended a high educational level of operation of centers but that until more children can be accommodated on an educational basis that attendance be limited to certain catagories. Children whose mothers are sole support should be admitted without social investigation. Children of two-parent families should be admitted only upon certification of a social agency or of a review committee of the schools.

Recommended greater number of centers to better meet needs of parents. Stated that centers operated for less than 60 children are "wastefully costly" to run. Suggests broadening use to "educational children" determined on a basis of social need.

Stated that is a permanent problem in an industrial urban society. Recommended that greater stress be given to education in the centers and that local districts assume more responsibility. Suggested legislation permitting the districts and counties to spend money for child care in addition to use of state funds.

Mrs. Frances Shaskan, San Francisco Council of Women Shoppers

Discussed budgets for working mothers with dependent children. Felt that the present means test is inadequate for the single parent or the two-parent families.

Miss Woodward, Family and Childrens Division, San Francisco Council of Social Agencies

Made a brief statement to substantiate the statements of other witnesses concerning the need of working mothers for the child care center program.

California Conference of Social Welfare

Submitted by mail a copy of Resolution IX, adopted 1950, reaffirming support "of a permanent child care center program."

Los Angeles, October 17, 1950

Mrs. Betty L. Bachman, Legislative Chairman, California Parents' Association for Child Care

Four basic recommendations were presented:

1. Centers be established on a permanent basis;
2. Eligibility for use of centers be liberalized;
3. Administrative supervision by the State Department of Education be continued;
4. The State Government should carry primary financial responsibility.

In elaboration of these recommendations, the following points were made:

1. Women permanently in the class of single-parent family head are able to maintain family unity and their status as self-reliant persons. They contribute substantially to the economy of the State. There is expanding employment of women with more women working now than during the last war and with more and more women being drawn into the labor market. Since women must work, there must be available adequate care and supervision of children and the child care centers are the best means found so far.

Uncertainty of legislative authorization has delayed the establishment of adequate standards for training and performance of teachers.

Adequate planning of program cannot be made where continuance of the program is uncertain.

The need is permanent and demand for services is expanding. The program cannot meet the demand.

2. The cost of living has risen since establishment of the present "means test." The number of rejected parent applications is increasing, primarily on the basis of income under the "means test." Wives of men in active military service are being denied use of the centers although their need is urgent, because of the means test. The same situation applies to mothers working in national-defense industries.

A more flexible eligibility rule should be established to provide for "hardship" situations. Suggested formation of local official committees to review hardship cases and administrators given authority to waive certain eligibility requirements on recommendation of committees.

3. A change of administrative supervision to a department other than education would result in additional costs. To reproduce present housing would cost a minimum of nearly $10,000,000. Additional administrative and supervisory personnel would be required.

Young children should be supervised by skilled teachers.

There is a "public nonsympathetic appraisal" of a social welfare client that should not be applied to children in this program. Every effort should be made to encourage independence of the families. Supervision by a department other than Education would encourage dependency of the families involved. It is normal for the development of children to be supervised by the Department of Education.

4. Education and care of children of the State is a concern of the State Government and not merely a local concern. The program should be integrated at the state level with the existing educational system so that a realistic support formula can be derived. The base for local taxes is rigid and limitation of taxation in most school districts has already been reached. For school districts could raise the funds to continue the program.

In a supplemental statement the association presented the following factual material in relation to recent developments in the program:

During September in Los Angeles more than 400 servicemen's children were turned away because of the means test. This is equivalent to 10 percent of the average enrollment.

Seven hundred eighty-nine other applications were denied in September because family income was above the "means test" limits. Of these 123 families were in defense industries and 666 in other industrial work.

Although large numbers are being turned away, present enrollment in Los Angeles averaging 4,066 is 518 less than the preceding year average. This is because appropriations have been inadequate although these 518 children could be cared for in existing space if administrative appropriations permitted. (In response to questioning by the committee, Miss Bachman suggested that the upper income level for the "means test" be raised to $325 for a two-parent family.)

Mrs. Rosalie Blau, Public Relations-Legislation Chairman, Association for Nursery Education; Southern California

Submitted a prepared statement with recommendations that:

1. Child care centers be continued under state support;
2. Department of Education continue to supervise the program;
3. The means test be reviewed for possibility of raising the income level;
4. Evaluation of the success of the program and its needs and values to the community be made so that a permanent program can be established.

Emphasized contribution of centers to strengthening and supplementing the home. Stated that some 100,000 children and their families have used this program. Felt that the broader base of revenues resources at the state level makes continued state support more desirable than local, and that under state support the program could continue without interruption.

Stated that 933 children were rejected in Los Angeles City September because of the restrictive income limits.

Pointed out that many teachers in the field of early childhood education and parent education have gone into elementary school because of the insecurity of the child care center program.

In response to questioning, Mrs. Blau stated that the majority of private centers are filled and have long waiting lists. She stated costs in private centers vary according to the personnel practices and programs offered but would run from about $60 to $75 per month for a five-day week, and less hours per day than the public centers. She stated that the private centers generally discourage enrollment of two-year-olds.

Bellflower Public Schools, Board of Trustees

The board was not represented at the hearing, but submitted to the committee under date of October 3, 1950, the following statement concerning financing of the centers:

> "Mr. Krause moved that since in the Bellflower School District the taxable wealth per child is much lower than the state average, since the Bellflower School District is already exceeding the normal maximum tax rate for school operation by 35 cents for each $100 of taxable valuation, and since all expected income for the district is earmarked for essential expenditures in the regular educational program, therefore, the Board of Trustees of the Bellflower School District expresses its present intention to terminate child care center activities on February 15, 1951, in the event state financing is not available. The motion was seconded by Mr. Reeves, and it was passed unanimously."

Ruth P. Koshuk, Director, Child Care Centers, Bellflower Public Schools

Mrs. Koshuk presented a prepared statement concerning the effect of the center program on the development of the children, stating that economic need alone would not justify continuance of the program if it were established that the children's development was being hampered or

family relationships weakened. She submitted a number of condensed case histories of children using the Bellflower centers to demonstrate the value of the program in child and family development and relationships.

Rosalind G. Bates, Legislative Chairman, California Business Womens Council

Mrs. Bates informed the committee that a study of the effects of the program on the children is being conducted in three Los Angeles schools, was not yet complete, and would be reported to the committee when completed. She emphasized the value of the centers in the prevention of juvenile delinquency and in preserving the home.

She stated that the extended day care center program was equally as important as the nursery centers.

In her statement she suggested broadening of the public school program to accommodate children from two years of age and up for all families that might wish to utilize such an educational program.

Mrs. Charles D. Wood, Chairman, Child Care Centers Committee, Welfare Council of Metropolitan Los Angeles

Mrs. Wood read a prepared statement concerning support of the council of the child care centers program and its value in maintaining family unity and contributing to normal development of young children. Continued need of the program was emphasized and it was pointed out that nine communities, six of them semirural, have requested establishment of centers in the past year. Preliminary inquiry indicated that local school districts in the areas of greatest need recognize the demand but are not able to meet it with a locally financed program.

The volume of requests for day care for children has increased from an average of 154 per month in 1947 to 212 per month in 1950. Waiting lists, lack of centers geographically convenient to some areas, and eligibility requirements which do not account for living costs increases make it impossible to meet the demand.

As an example of the limitations of the present eligibility requirements, a case of a veteran with two children was cited. The wife has tuberculosis requiring hospitalization. Heavy medical expense has allowed less money for care of the children than the average family eligible for child care services would have but the children are ineligible because gross income is over the allowed amount.

Earnings of parents using centers in the state were estimated at 28 million dollars annually.

Recommended that case work services be accessible to children and families using the centers; that primary responsibility for financial support rest with the State; and that administration remain with the Department of Education, with social and health services available.

In its statement, the council pointed out that: "Traditionally the State has accepted responsibility for children with special needs. With the direct effect of California's mobility of population upon every area it should be recognized that it is equally bad for a child to be uncared for in any county and that the problem cannot be viewed as one which is regional or strictly urban in scope."

A. J. Stoddard, Superintendent, Los Angeles City Schools

An official statement of the Los Angeles City Board of Education on the child care center program was presented. This statement, dated October 9, 1950, states that: "It is the unanimous opinion * * * that the operation of child care centers should continue to be financed by other means than a local tax on property." * * * and "We therefore believe that your honorable committee should recommend to the 1951 Regular Session of the California Legislature that the continuance of child care centers be contingent upon state support and without a local tax on property. This would involve repealing that portion of Section 19613.6 of the Education Code which permits a school district to levy a tax beyond the present legal maximnum rates to support child care centers."

In discussion with committee members, Mr. Stoddard made a personal suggestion concerning financing of the program emphasizing that he was not speaking for the Board of Education but as an individual, as follows:

1. Approximately a third of the cost could be borne by the parents using the centers;
2. Local school districts could pay the same amount of education of the child in the centers as for the elementary child, receiving ADA reimbursement from the State as it does for other children;
3. That the remainder of the costs be borne by the State.

In elaboration of this method he pointed out that there are three general areas of expense involved. The "feeding services" could be covered by parent fees and should not be a burden on local taxation. Custody services are primarily a State responsibility and should be covered by State funds The educational services are a legitimate responsibility of the local school districts and these costs would be covered under the ADA system proposed.

Mr. Stoddard felt that this formula, bringing in the three parties to the program, would have advantages in maintaining local interest in the program including local pressures to improve and strengthen the program.

In answer to a question as to what would be done if the Legislature fails to appropriate funds for the program, Mr. Stoddard said that no provision has been made in the present budgets and could not be done until the budgets for the period beginning next July 1st. He said the Board of Education would be opposed even if it could raise the tax levy. He also expressed the feeling that if the program were financed entirely on a local basis local pressures would be exerted to expand the program to a point beyond which might be desirable. He stated that he was not in favor of local financing.

Mrs. A. B. Tibby, Superintendent, Compton City Schools

Mrs. Tibby presented a prepared statement in which it was stated that if state support of the program is terminated "the child care centers in this district will have to close. Because of its financial status, the district is unable to maintain and operate them as its own expense."

She presented the following as evidence of need for the centers:

Total families using the service	302
Of the 202 families with two parents, one is:	
Disabled	32
In military service	16
G. I. student	41
Teacher	22
Nurse	7

She stated that the present means test is proving a hardship for servicemen since the family income usually exceeds the maximum allowable. Mrs. Tibbey presented a supplementary statement concerning fee schedules and ability of parents to pay them. It was stated that most parents recognize the quality of the service and are willing to make sacrifices in order to pay the fee charged. They adjust the family budget to meet the fee even though in many instances this may be a real hardship. "When a family finds that they are unable to continue paying the fee, they withdraw from the service and no formal protest is made."

"Analysis of present fee schedules discloses that the percent of monthly wage required to pay each nursery school fee is between 8 percent and 10 percent of the gross income for families who are not exempt from the means test. Those who are exempt pay a relatively higher percent. This amount, especially if there is more than one child, is frequently deemed to be excessive."

It was stated that the use of gross income for basing the fee rate is unrealistic in relation to the amount available for family living expenses since "in many instances" take home pay is less than 80 percent of gross. "Basing the weekly fee on the current gross and not on the annual gross average does not recognize the hardship encountered because of seasonal occupation, slack working periods, unemployment, or illness. Living expenses continue and debts are incurred which must be met whether or not employed."

Dr. M. Evan Morgan, Santa Monica City Schools

Presented the prepared statement of the Santa Monica City Board of Education, dated September 26, 1950, stating that child care centers "are not and should not be a part of the educational system" but a "welfare function." For convenience of administration the centers "probably should be identified with and administered by the schools at the local level; but the cost of such administration should not be a charge upon school funds." The board stated that it has no funds to administer the centers and should state support be withdrawn would close them.

In answer to a question from the committee, Dr. Morgan indicated that he believed the school board could agree to the proposal by Dr. Stoddard of the Los Angeles city schools.

Mrs. Lowell Bigelow, League of Women Voters of California

Mrs. Bigelow presented the following prepared statement on behalf of the league:

"The League of Women Voters believes there should be adequate care of the children whose normal home guidance and supervision is curtailed by the mother's employment or because the responsibility for

the child reposes in one person. It is a public responsibility to make these facilities available wherever necessary. The league believes the early years of a child's life belong primarily in the home, except where there is only one parent and she must work, or where it is necessary for both parents to be employed. Furthermore, we believe in enabling legislation to allow school districts to establish child care programs, with standards on a par with other educational services offered in plant facilities, personnel and program. Further legislation and administration of a child care program should allow for an adjustment of the ceiling of the means test to conform with the purchasing power of the dollar.

"The League of Women Voters of California was instrumental in passing the first child care legislation in 1942 for the protection of children working parents, and in 1947 the league supported a bill for a continuing child care program in the Department of Education, because a temporary program will not attract and hold well-qualified staff. The child needs superior teachers, adequate health and sanitation facilities We believe these facilities are most easily available, and at less expense to the taxpayer, within the school system than elsewhere."

In discussion with committee members, Mrs. Bigelow stated that she felt the program should be larger and that there is a particular need for expansion of the program to rural areas for the use of agricultural workers.

Miss Susan Adams, Los Angeles Central Labor Council, A. F. of L.

Presented a prepared statement of the position of the A. F. of L, which "wholeheartedly urges the continuation of the child care center program under state administration and supervision, and as a program of the Department of Education, but on an expanded and permanent basis."

Pointed out that without the centers many parents would be forced to leave employment to go on relief rolls "thus adding to the burden of taxpayers while depriving our State of useful productive work and the benefit of the income therefrom." Urged that the program be on a permanent basis to meet a "permanent and growing need, since the entrance of women into the labor market is a continuing and expanding factor in our economy."

Requested that the program be expanded "to meet the *growing* needs of our State" and referred to needs of the economy to produce for defense as well as for domestic consumption, necessitating recruitment of increasing numbers of women into industry and to the induction of fathers into the armed forces, requiring mothers to seek employment

Recommended that the income limits of the "means test" be liberalized with respect to the income maximum; that the program provide for inclusion of children of servicemen and mothers whose employment is in essential defense industry or service; that it continue to be state-supported and state supervised within the Department of Education.

Urged the establishment of rural mobile units to serve the children of agricultural workers, stating "particularly do the young children of California's seasonal agricultural workers need proper daytime supervision—a need which at present is not being properly met"

Albert T. Lunceford, Greater Los Angeles C. I. O. Council

Read a prepared statement. "C. I. O. feels that it is very important that the present child care centers program be not only maintained but expanded in view of the increasing national emergency."

Recommended that the program remain under supervision of the State Department of Education, and that the centers remain a state financed program and not become a local responsibility.

"We feel that the centers should be permanent and not temporary. While the need for centers is especially acute during a national emergency, there always exists a need on the part of a large number of women who are the sole or primary support of their families These independent and self-supporting women must not be forgotten."

With reference to the means test, stated it "must be liberalized if the centers are to continue to serve the purposes for which they were set up. We have many cases, for example, who cannot qualify under the present means test, yet cost of private nursery school care is so fantastically high as to make it utterly out of reach and, too, in many localities there are no private nurseries at any price."

Requested consideration be given to the needs of families where husbands are called into service or women go to work in defense plants and that such families "ought to be eligible for child care center services by virtue of their position."

California Congress of Parents and Teachers, Inc.

The chairman read into the record a portion of a letter of October 11, 1950, from Mrs. Edward T. Walker, President, California Congress of Parents and Teachers, Inc., as follows:

> "At our September state board meeting, our legislative advocate was authorized that if child care center continuation was considered at the special session of the Legislature, our policy would be that child care centers be continued only on a temporary basis with state support, with the means test, and under the administration of the public schools. Of course, we would also agree to permit certain occupational exemptions."

Mrs. Kenneth R. Barrick, Child Progress, Inc , Altadena, California

Presented a prepared statement supporting the child care centers program, requesting that it be established on a permanent basis and "to allow a healthy expansion of the program to provide for the present and future needs of the children of the State of California."

Emphasized the value of the program for the benefit of the child rather than the working mother as such.

Spoke on the "tremendous need for the establishment of child care centers in rural areas where it is well known that many children suffer from lack of supervision, care and character development."

Stated "For services to be restricted to those who are termed 'needy' on a basis of eligibility by low income defeats the entire purpose of the program. The centers should be available, on an optional basis, to all children who require services, whether it be for reasons of financial stress, lack of any other care, psychological adjustment or character development."

Recommended temporary legislation in January, 1951, to continue the present program beyond the termination date until June 30, 1951, together with amendment of the present law to include the children of servicemen and defense workers and an adequate appropriation to cover the program until June 30, 1951.

Recommended that in March, 1951, legislation be enacted to this effect:

> "That a permanent child care centers program be established, as an educational program operated and administered by the California State Department of Education and the local boards of education; that the centers be made available, on an optional basis, to all children who require services; that the centers be allowed to expand on a state-wide basis as they are requested in the individual communities, especially that centers be established in the rural areas, including mobile units for children of California's seasonal agricultural workers; and that the child care centers appropriation be written into the budget of the State of California."

In elaboration of testimony during discussion with committee members, Mrs. Barrick made the suggestion that a certain amount of funds appropriated be limited to use in rural areas as the need for centers is proved. She also stated that she did not believe in the means test as a basis for eligibility but that the centers should be open to all children who have a need for them.

Mr. Walter Tatum, Child Care Supervisor, San Diego

Mr. Tatum spoke briefly on various phases of the program. He felt that the means test should be raised and that if it were, the fees charged might be higher. He indicated agreement with the suggestions by Dr. Stoddard of the Los Angeles schools for financing the program through parent fees—school districts—state appropriations. In connection with possible federal aid, he suggested that it might be feasible to secure federal aid for necessary buildings and equipment rather than for administrative costs.

John R. Weber, Supervisor of Child Care, State Department of Education

Mr. Weber spoke briefly, advising the committee that a survey is being made in all school districts as of December 1, 1950, and that then data can be provided the committee on waiting lists in individual centers.

In connection with the problem of families of service personnel, he stated that reports indicate that 99 percent of these families are ineligible for use of the centers under the means test.

He suggested that funds over and above the present appropriation might be frozen for use in rural areas.

Msgr. Raymond O'Flaherty, Catholic Welfare Director, Archdiocese of Los Angeles

Msgr. O'Flaherty was unable to remain to testify personally but submitted a written statement to the committee, stating the following beliefs:

1. Day care of children is basically a social problem and should be dealt with by social agencies. Supervision of the centers should be through the State Department of Social Welfare.

2. Day care should be provided only when there is a genuine necessity for the care of a child outside its own home. A reasonable means test should be maintained as part of the program.

3. Centers should be set up and financed locally when at all possible. State sponsorship and financing should be provided only when local communities are unable to operate needed programs, and then only so long as is genuinely necessary.

4. Because of the heavy load upon the school system, schools should not be called upon to expand programs by the addition of child care center responsibility, nor should limited local and state funds be diverted to finance a program which is custodial rather than educational.

Manhattan Beach Schools

Submitted a letter dated October 3, 1950, stating: "No definite plans have been made concerning the continuing of the child care center in Manhattan Beach beyond (sic) February 15, 1951." This letter, from the secretary to the board of trustees, stated that some members of the board had unofficially indicated "that due to limited funds, and the fact that the child care center does not serve too large a segment of the total population, that it might not be feasible to continue the center beyond February 15, 1951."

Glendale Unified School District

Submitted a letter dated October 10, 1950, stating: "After giving consideration to this, the members of our board instructed me to advise you that they are not ready at this time to commit themselves as to future action regarding the centers."

Mrs. John W. Barling, 16902 S. Hobart, Gardena, California

Submitted a letter to the hearing stating that she is a serviceman's wife and had been informed she was ineligible for use of the centers. Stated as follows:

> "* * * for I cannot feed and clothe my children on the government allotment, therefore, I must work. I am willing to pay a sufficient amount to keep him there, as he gets such wonderful care and loves it so." (The son had been in the center two months prior to determination of ineligibility.)

Raphael Konigsberg, Los Angeles

Submitted a telegram to the hearing: "Urge that child care centers be made a permanent state program."

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Speaker Sam L. Collins and Mr. Stanley, the usual courtesies of the Assembly for this day were unanimously extended to Glen McCloud of Anaheim.

On request of Mr. Smith, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Glenard P. Lipscomb of Los Angeles.

On request of Mr. Elliott, the usual courtesies of the Assembly for this day were unanimously extended to Henry Brandon and Leon Klein of Los Angeles.

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to H. O. Williams, George Gasper, and William Peterson of Quincy, L. C. De Armand of Portola, and Roy Barkstrom of Oroville.

On request of Mr. Coats, the usual courtesies of the Assembly for this day were unanimously extended to Arthur D. Osborn, teacher of the Biggs Union High School of Biggs, and the following pupils: Eldon Lundberg, Homer Lundberg, Robert Lantsberger, Linda Harris, Velma Phinney, Barbara Hawley, Joan Gustafson, Lois Hastain, Rita Hickey, Margene Norall, and Frances Adams.

ADJOURNMENT

At 2.38 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 11 a.m., Wednesday, January 10, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

THIRD LEGISLATIVE DAY

THIRD CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, January 10, 1951

The Assembly met at 11 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—80.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Most Gracious God, our Heavenly Father: We bow in reverence before Thee, the Giver of every good and perfect gift. We humbly confess our sins with the assurance that as far as the East is from the West, so far wilt Thou remove our transgressions from us. In the days of turmoil and confusion we look unto Thee for strength and guidance Help us think clearly, speak gently, and act bravely in every hour of crisis.

"Our fathers' God, to Thee,
Author of liberty,
To Thee we sing;
Long may our land be bright
With freedom's holy light;
Protect us by Thy might,
Great God, our King."—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Shaw, further reading of the Journal of the previous legislative day was dispensed with.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

Letter of Transmittal

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
SACRAMENTO, January 3, 1951

RE: House Resolution No. 77—1950 First Extraordinary Session

Hon Arthur A Ohnimus
Chief Clerk of the Assembly
State Capitol, Sacramento, California

DEAR MR OHNIMUS: By House Resolution No. 77 the Department of Public Works, Division of Highways, was requested to make a survey to establish the most feasible location for a state highway route from State Highway Route 2 in the vicinity of Reseda Boulevard to State Highway Route 60 in the vicinity of Santa Monica and Sunset Boulevard, and to report thereon to the Assembly not later than January 15, 1951.

There are attached six copies of a report which has been prepared in accordance with the request contained in the resolution.

Very truly yours,

C H. PURCELL, Director of Public Works

Above transmitted six copies of report ordered referred to the Committee on Conservation, Planning, and Public Works

By Speaker Sam L Collins:

A communication from John Green, 665 Spruce Street, Los Angeles, relative to a religious and political matter, was received, and ordered referred to the Committee on Rules.

RESOLUTIONS

The following resolution was offered:

By Mr. Waters:

House Resolution No. 27

Relative to the continuance of the Assembly Interim Committee on Elections and Reapportionment

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Elections and Reapportionment created by House Resolution No. 197 of the 1949 Regular Session is continued as an Assembly committee at this regular session, with the membership, insofar as its members are now Members of the Assembly, and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment, with authority to file its final report not later than the date of adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly, and of the Standing Rules of the Assembly as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to this committee and its members.

4. The unexpended balance of the money heretofore made available to the committee continued by this resolution shall continue to be available for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under this resolution, to be disbursed in the manner heretofore provided.

Resolution read, and ordered referred to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 253: By Mr. Levering—An act to add Section 1523.5 to the Welfare and Institutions Code, relating to aid to needy children.

Referred to Committee on Social Welfare.

Assembly Bill No. 254: By Mr. Levering—An act to amend Section 1520 of the Welfare and Institutions Code, relating to aid to needy children in respect to real property qualifications for aid.

Referred to Committee on Social Welfare.

Assembly Bill No. 255: By Mr. Levering—An act to amend Sections 2223 and 2223.5 of the Welfare and Institutions Code, relating to recovery of old age security aid received in violation of the law.

Referred to Committee on Judiciary.

Assembly Bill No. 256: By Mr. Levering—An act to amend Sections 1001, 1011, and 1024 of the Probate Code, and to add Section 2231 to the Welfare and Institutions Code, relating to distribution of estates, to provide for certificates of clearance from the county welfare director as to the estates of decedents 65 years of age or over.

Referred to Committee on Judiciary.

Assembly Bill No. 257: By Mr. Sherwin—An act making an appropriation in augmentation of the appropriation contained in Item 79.5 of the Budget Act of 1950, for administration and support of child care centers, to take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 258: By Mr. Sherwin—An act making an appropriation to carry out the provisions of the California Disaster Act for the relief and alleviation of a state of extreme emergency, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 259: By Mr. Sherwin—An act making an appropriation to reimburse the Emergency Fund, Item 277, Budget Act of 1950, to take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 260: By Mr. Lyon—An act to amend Section 6.11 of the Alcoholic Beverage Control Act, relating to organizations, associations and clubs, and providing for the issuance of on-sale general licenses thereto.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 261: By Mr. Maloney—An act to add Section 122.5 to the Labor Code, relating to medical assistance of the Industrial Accident Commission under the Workmen's Compensation Act.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 262: By Mr. Maloney—An act to amend Section 3204 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 263: By Mr. Maloney—An act to amend Sections 4452, 4453, and 4656 of the California Labor Code dealing with workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 264: By Mr. Maloney—An act to amend Section 4650 and Section 4652 of the California Labor Code dealing with workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 265: By Mr. Maloney—An act to amend Section 4650 of the California Labor Code dealing with workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 266: By Mr. Maloney—An act to amend Section 4656 of the California Labor Code dealing with workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 267: By Mr. Maloney—An act to repeal Section 4702 and to add Section 4702 of the California Labor Code dealing with workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 268: By Mr. Maloney—An act to amend Section 4702 of the California Labor Code dealing with workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 269: By Messrs. Smith, Babbage, Beck, Lipscomb, Brown, Grant, and Levering—An act to add Section 1106 to the Labor Code, relating to political activities.

Referred to Committee on Industrial Relations.

Assembly Bill No. 270: By Messrs. Babbage and Stanley—An act to amend Section 602 of the Welfare and Institutions Code, relating to compensation and expenses of the Probation Committee.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 271: By Messrs. Babbage and Stanley—An act to amend Sections 631, 632, 633, 635, and 637 of the Welfare and Institutions Code, relating to the appointment and removal of probation officers, assistant probation officers and deputy probation officers.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 272: By Messrs. Babbage and Stanley—An act to amend Sections 664, 665, and 666 of the Welfare and Institutions Code, relating to the appointment and removal of juvenile hall superintendents, matrons and employees, and duties of the probation officer.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 273: By Messrs. Babbage and Stanley—An act to amend Section 960 of the Welfare and Institutions Code, relating to the establishment and maintenance of schools in detention homes and juvenile homes and camps.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 274: By Mr. Beck—An act to amend Section 4903 of the California Labor Code dealing with workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 275: By Mr. Beck—An act to amend Section 5405 and Section 5406 of the California Labor Code dealing with workmen's compensation

Referred to Committee on Finance and Insurance.

Assembly Bill No. 276: By Mr. Beck—An act to amend Section 5406 of the California Labor Code dealing with workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 277: By Mr. Beck—An act to amend Section 5410 of the California Labor Code dealing with workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 278: By Mr. Beck—An act to amend Section 5804 of the California Labor Code dealing with workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 279: By Mr. Beck—An act to repeal Section 5804 of the California Labor Code dealing with workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 280: By Messrs. Moss and Fleury—An act to amend Sections 18021, 18023, and 18025 of the Government Code, relating to civil service.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 281: By Messrs. Fleury and Moss—An act to amend Section 5801 of the California Labor Code, dealing with workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 282: By Mr. Stewart—An act to add Sections 9518.1 and 9522.18 to the Business and Professions Code, relating to dry cleaning.

Referred to Committee on Public Health.

Assembly Bill No. 283: By Mr. Stewart—An act to add Section 9540.6 to the Business and Professions Code, relating to the issuance of licenses by the State Board of Dry Cleaners.

Referred to Committee on Public Health.

Assembly Bill No. 284: By Mr. Stewart—An act to add Section 9540.7 to the Business and Professions Code, relating to the issuance of licenses by the State Board of Dry Cleaners.

Referred to Committee on Public Health.

Assembly Bill No. 285: By Mr. Stewart—An act to add Section 9540.8 to the Business and Professions Code, relating to disciplinary action by the State Board of Dry Cleaners.

Referred to Committee on Public Health.

Assembly Bill No. 286: By Mr. Stewart—An act to add Section 9550.1 to the Business and Professions Code, relating to the issuance of registration certificates by the State Board of Dry Cleaners.

Referred to Committee on Public Health.

Assembly Bill No. 287: By Mr. Stewart—An act to add Sections 9510.1 and 9598.5 to the Business and Professions Code, relating to advertising in the dry cleaning industry.

Referred to Committee on Public Health.

Assembly Bill No. 288: By Mr. Stewart—An act to add Section 9594.9 to the Business and Professions Code, relating to disciplinary action by the State Board of Dry Cleaners.

Referred to Committee on Public Health.

Assembly Bill No. 289: By Mr. Stewart—An act to add Sections 9594.1, 9594.2, 9594.3, 9594.4, 9594.5, 9594.6, 9594.7, 9594.75, 9594.8, and 9594.85 to the Business and Professions Code, relating to dry cleaning.

Referred to Committee on Public Health.

Assembly Bill No. 290: By Mr. Stewart—An act to add Sections 9540.5, 9540.51, 9540.52, 9540.53, 9540.54, and 9540.55 to the Business and Professions Code, relating to the issuance of licenses by the State Board of Dry Cleaners.

Referred to Committee on Public Health.

Assembly Bill No. 291: By Mr. Tomlinson—An act to amend Section 19437 of the Education Code, relating to civic centers.

Referred to Committee on Education.

Assembly Bill No. 292: By Mr. Dunn—An act to add Section 985.4 to the Military and Veterans Code, relating to farm and home purchases by veterans.

Referred to Committee on Military Affairs.

Assembly Bill No. 293: By Mr. Dunn—An act to add Sections 20176 and 20177 to the Education Code, relating to the establishment as part of the University of California of a State Laboratory for the Diagnosis of Disease in Livestock and Poultry.

Referred to Committee on Agriculture.

Assembly Bill No. 294: By Mr. Brown—An act to add Section 604.14 to the Vehicle Code, relating to ambulances.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 295: By Mr. Brown—An act to add Section 626.5 to the Agricultural Code, relating to products prepared from goat milk.

Referred to Committee on Agriculture.

Assembly Bill No. 296: By Mr. Brown—An act to amend Section 2248 of the Health and Safety Code, relating to compensation and expenses of board members.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 297: By Mr. Brown—An act to amend Section 650.6 of the Vehicle Code, relating to special restrictions on lamps.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 298: By Mr. Brown—An act to amend Section 2206 of the Health and Safety Code, relating to mosquito abatement districts.

Referred to Committee on Public Health.

Assembly Bill No. 299: By Mr. Brown—An act to amend Section 2206 of the Health and Safety Code, relating to mosquito abatement districts.

Referred to Committee on Public Health.

Assembly Bill No. 300: By Mr. Crowley—An act relating to the financing, construction, maintenance and operation of sanitary sewerage and storm drainage systems for the cities of Fairfield and Suisun City, creating the Fairfield-Suisun Sewer District and prescribing its boundaries, change of boundaries, organization, operation, management, financing and powers, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 301: By Mr. Stanley—An act to establish the line of ordinary high tide in Newport Bay, in the County of Orange, California, in conformity with a certain grant of the State of California,

granting tidelands and submerged lands bordering in and upon Newport Bay to the County of Orange.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 302: By Messrs. Hahn, Rosenthal, and Morris —An act to add Chapter 20 to Division 3 of the Business and Professions Code, relating to the regulation and licensing of shorthand reporters.

Referred to Committee on Judiciary.

Assembly Bill No. 303: By Mr. Hahn—An act to amend Section 29747 of the Government Code, relating to records of the county auditor.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 304: By Mr. Hahn—An act to amend Section 4790 of the Health and Safety Code, relating to signatures on county sanitation district bonds and interest coupons.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 305: By Messrs. Levering, Morris, and Hahn— An act to add Section 172b to the Penal Code, relating to selling, giving away, or exposing intoxicating liquors for sale in the vicinity of the University of California at Los Angeles, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Crime and Correction.

Assembly Bill No. 306: By Mr. Butters—An act to amend and renumber Section 4571 of the Elections Code, relating to election campaigns.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 307: By Mr. Butters—An act to amend Sections 5560 and 7072 of the Elections Code, relating to election offenses.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 308: By Mr. Butters—An act to amend Sections 5505 and 5508, and to repeal Section 5562 of the Elections Code, relating to the conduct of elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 309: By Mr. Butters—An act to amend Sections 1708 and 1709 of the Elections Code, relating to municipal initiative elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 310: By Mr. Butters—An act to amend Section 681, and to repeal Sections 664, 665, 668, 668.5, 669, 670, 671, 672, 672.5, 673, 674, and 677 of, the Elections Code, relating to election officers.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 311: By Mr. Geddes—An act to add Section 1648.4 to, and to amend Section 1676 of the Insurance Code, relating to insurance agents' licenses.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 312: By Messrs. Lanterman, Stanley, Burke, and McGee—An act to amend Section 2 of an act entitled "Metropolitan Water District Act," relating to participation in metropolitan water districts by county waterworks districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 313: By Messrs. Lanterman, Stanley, Burke, and McGee—An act to amend Section 1 and Section 14½ of an act entitled "County Waterworks District Act," relating to waterworks districts, and to add Sections 6.1 and 2.1 thereto, relating to establishment of zones within county waterworks districts.

Referred to Committee on Municipal and County Government.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 9, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 5
Senate Concurrent Resolution No. 6

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolutions were read:

Senate Concurrent Resolution No. 5—Relative to approving a certain amendment to the charter of the City of San Diego, a municipal corporation in the County of San Diego, State of California, voted for and ratified by the qualified electors of said city at the municipal special election held therein on the seventh day of November, 1950.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 6—Relative to approving a certain amendment to the charter of the County of San Diego, State of California, submitted to, voted for, and ratified by the qualified electors of said county at a general election held therein on November 7, 1950.

Referred to Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 314: By Messrs. Lanterman, Stanley, Burke, and McGee—An act to amend Sections 2, 8.2, 9, and 9.4 of an act entitled "Metropolitan Water District Act," relating to participation in metropolitan water districts by county waterworks districts

Referred to Committee on Municipal and County Government.

Assembly Bill No. 315: By Mr. Belotti—An act to add Section 5006.2 to the Public Resources Code, relating to state payments to counties in lieu of taxes on land acquired for state parks

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 316: By Mr. Belotti—An act to add Section 810.6 to the Fish and Game Code, relating to the bag limit on clams taken from Humboldt Bay.

Referred to Committee on Fish and Game.

Assembly Bill No. 317: By Mr. Belotti—An act relating to a highway construction and improvement program, county and state, including cooperation with the Federal Government in furtherance of the purposes of the Federal-Aid Highway Act of 1950 and the expenditure of federal-aid money, and making an appropriation for the purposes of this act.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 318: By Mr. Belotti—An act to add Section 506 to the Fish and Game Code, relating to the creation of a junior fishing reserve in part of Fish and Game District 1½, and declaring the urgency thereof.

Referred to Committee on Fish and Game.

Assembly Bill No. 319: By Mr. Belotti—An act to add Sections 5003.1, 5006.3, and 5157.4 to the Public Resources Code, relating to the powers and duties of the State Park Commission, the Department of Natural Resources, and counties in connection with public recreation areas and facilities.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 320: By Mr. Belotti—An act making an appropriation to the Emergency Fund specified in Item 277 of the Budget Act of 1950, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 321: By Messrs. Belotti and Chapel—An act to add Section 790.1 to the Fish and Game Code, relating to the possession and sale of crabs and crab meat.

Referred to Committee on Fish and Game.

Assembly Bill No. 322: By Messrs. Doyle and Geddes—An act to add Section 678.5 to the Vehicle Code, relating to equipment of vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 323: By Messrs. Geddes, Morris, Condon, Lanterman, Lipscomb, McGee, and Meyers—An act to amend Section 25603 of the Corporations Code, relating to advertising under the provisions of the Corporate Securities Law.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 324: By Messrs. Geddes, Morris, Condon, Lanterman, Lipscomb, McGee, and Meyers—An act to amend Section 25806 of the Corporations Code, relating to the renewal of investment counsels' certificates under the provisions of the Corporate Securities Law.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 325: By Messrs. Geddes, Morris, Condon, Lanterman, Lipscomb, McGee, and Meyers—An act to amend Section 8 of the Personal Property Brokers Act, relating to the issuance of licenses

Referred to Committee on Finance and Insurance.

Assembly Bill No. 326: By Messrs. Geddes, Morris, Condon, Lanterman, Lipscomb, McGee, and Meyers—An act to amend Sections 7 and 12 of the California Small Loan Act, relating to the issuance, suspension or revocation of licenses.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 327: By Messrs. Geddes, Morris, Condon, Lanterman, Lipscomb, McGee, and Meyers—An act to amend Section 21.1 of the Personal Property Brokers Act, relating to the issuance of desist and refrain orders.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 328: By Messrs. Geddes, Morris, Condon, Lanterman, Lipscomb, McGee, and Meyers—An act to amend Section 13 of the Personal Property Brokers Act, relating to the suspension or revocation of licenses.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 329: By Messrs. Geddes, Morris, Condon, Lanterman, Lipscomb, McGee, and Meyers—An act to amend Section 20.1 of the California Small Loan Act, relating to the issuance of desist and refrain orders.

Referred to Committee on Finance and Insurance.

RATIFICATION OF ACTION TAKEN BY THE CAPITOL CORRESPONDENTS ASSOCIATION BY UNANIMOUS CONSENT

The following communications were read:

CAPITOL CORRESPONDENTS ASSOCIATION OF CALIFORNIA
STATE CAPITOL, SACRAMENTO, January 7, 1951

Hon. Sam L. Collins, Speaker
The Assembly, Assembly Chamber

DEAR SIR: In compliance with Assembly Rule 24 and Joint Rule 32, the Standing Committee of the Capitol Correspondents Association has examined application for authentication as accredited press representative and makes the following recommendation:

Approved for Press Card

Radio station KXOA—Hal Laffoon, Earle Russell

Sincerely,

EARL C. BEHRENS, President

CAPITOL CORRESPONDENTS ASSOCIATION OF CALIFORNIA
STATE CAPITAL, SACRAMENTO, January 6, 1951

Hon. Sam L. Collins, Speaker
The Assembly, Assembly Chamber

DEAR SIR: In compliance with Assembly Rule 24 and Joint Rule 32, the Standing Committee of the Capitol Correspondents Association has examined applications for authentication as accredited press representatives and makes the following recommendation:

Approved for Press Cards

Associated Press—Morrie Landsberg, Wayne Harbert, Joseph J. Lipper, William H. Allen, Richard D. Bieser, Edward A. Olsen, Roger Barr, Al Barton, Carol Ann Carlsen.
Capitol News Service—Henry C MacArthur, Norris C. Mills.
International News Service—Neil Shaw, Frederic J. Rupp.
Fresno Bee and Modesto Bee—James McClatchy.
Los Angeles Daily News—Leslie E. Claypool.
Los Angeles Examiner—Carl Greenberg.
Los Angeles Mirror—James Bassett.
Los Angeles Times—Chester G. Hanson.
McClatchy Broadcasting Company—Tony Koester, Victor Blanks.
Oakland Tribune—Don Thomas.
Radio Station KROY—Henry Thornley, Clyde F. Coombs, William J. Radcliff, Gene Desimone.
Sacramento Bee—Herbert L. Phillips, Richard Rodda, Thomas Arden, Robert M. Blanchard, S. J. Archibald, Walter P. Jones, Myron V. Depew, George E. Helmer, Hamilton Hintz, Rudy Hickey, Alfred E. Lyons, Robert Handsaker.
San Francisco Chronicle—Earl C. Behrens.
San Francisco Call-Bulletin—C. Lyn Fox.
San Francisco Examiner—Royal W. Jimerson, A. J. Welter.
San Francisco News—Mary Ellen Leary.
United Press—Lloyd Lapham, James C. Anderson, Walter Barkdull, Edward Dolan, John Fothergill, Charles Fredericks, J. F. McLaughlin, Wayne Sargent.
San Diego Union and Evening Tribune, and *Southern California Associated Newspapers, Inc.*—Richard C. Bergholz.
Sacramento Union—J. L. Rosenberg, E. E. Nichols, Norman Deuel, Joseph Benetti.

Sincerely,

EARL C. BEHRENS, President

By unanimous consent, the Assembly ratified the above action taken by the Capitol Correspondents Association of California.

RATIFICATION OF ACTION TAKEN BY THE CAPITOL CORRESPONDENTS ASSOCIATION UNANIMOUSLY REFUSED

The following communication was read:

CAPITOL CORRESPONDENTS ASSOCIATION OF CALIFORNIA
STATE CAPITOL, SACRAMENTO, January 6, 1951

Hon. Sam L. Collins, Speaker
The Assembly, Assembly Chamber

DEAR SIR: In compliance with Assembly Rule 24 and Joint Rule 32, the Standing Committee of the Capitol Correspondents Association has examined applications for authentication as accredited press representatives and makes the following recommendation:

Approved for Press Card

Daily People's World—Steve Murdock

Sincerely,

EARL C. BEHRENS, President

By unanimous consent, the Assembly unanimously refused ratification of the above action taken by the Capitol Correspondents Association of California.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 330: By Messrs. Geddes, Doyle, Condon, Lanterman, Lipscomb, McGee, Meyers, and Morris—An act to add Section 13.1 to the Escrow Act and Section 17415 to the Financial Code, relating to powers and duties of the Commissioner of Corporations in connection with escrow companies.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 331: By Messrs. Geddes, Doyle, Condon, Lanterman, Lipscomb, McGee, Meyers, and Morris—An act to amend Section 5 of the Escrow Act and Section 17209 of the Financial Code, relating to financial responsibility of escrow companies.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 332: By Messrs. Geddes, Doyle, Condon, Lanterman, Lipscomb, McGee, Meyers, and Morris—An act to add Section 16.1 to the Escrow Act and Section 17416 to the Financial Code, relating to the issuance of desist and refrain orders by the Commissioner of Corporations.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 333: By Messrs. Geddes, Doyle, Condon, Lanterman, Lipscomb, McGee, Meyers, and Morris—An act to amend Section 13 of the Escrow Act, and Sections 17407 and 17408 of the Financial Code, relating to penalty for failure to file reports required by law, and payment of costs of investigations, inspections or examinations of escrow companies.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 334: By Messrs. Geddes, Doyle, Condon, Lanterman, Lipscomb, McGee, Meyers, and Morris—An act to amend Section 6 of the Check Sellers and Cashers Act, relating to liquid assets.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 335: By Messrs. Geddes, Doyle, Condon, Lanterman, Lipscomb, McGee, Meyers, and Morris—An act to add Section 19.1 to the Check Sellers and Cashers Act, relating to the issuance of desist and refrain orders.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 336: By Messrs. Geddes, Doyle, Condon, Lanterman, Lipscomb, McGee, Meyers, and Morris—An act to add Section 16.1 to the Check Sellers and Cashers Act, relating to advertising.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 337: By Messrs. Geddes, Doyle, Condon, Lanterman, Lipscomb, McGee, Meyers, and Morris—An act to amend Sections 4 and 9 of the Check Sellers and Cashers Act, relating to types of business licensed under said act.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 338: By Messrs. Geddes, Doyle, Condon, Lanterman, Lipscomb, McGee, Meyers, and Morris—An act to add Section 7.1 to the Check Sellers and Cashers Act, relating to fidelity bonds.

Referred to Committee on Finance and Insurance.

ANNOUNCEMENT

Speaker Sam L. Collins announced that Mr. Moore, of the California Western States Life Insurance Company, will be in the Assembly Chamber on Thursday morning, January 11th, at 10 a.m., and will stay until 11 a.m., for the purpose of discussing with interested members facts relative to their participation in the State Retirement System benefits.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 339: By Messrs. Geddes, Doyle, Condon, Lanterman, Lipscomb, McGee, Meyers, and Morris—An act to amend Section 16 of the Industrial Loan Act, relating to the publication of financial information.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 340: By Mr. Hansen—An act creating a district to be called "Kings River Conservation District"; providing for its organization, operation, maintenance and government, for the inclusion of lands therein and the exclusion of lands therefrom; providing for the acquisition, construction, maintenance and operation of works and property for the purposes of the district, including the storage, conservation, distribution and sale of water, the development, distribution and sale of electric power, the drainage, reclamation and protection of land and prescribing and defining the powers, duties, purposes and responsibilities of said district.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 341: By Mr. Caldecott—An act to add Section 886 to the Welfare and Institutions Code, relating to a ward of the juvenile court residing in a county other than the county of his residence.

Referred to Committee on Judiciary.

Assembly Bill No. 342: By Messrs. Lipscomb, Levering, Geddes, Morris, Dolwig, Doyle, Maloney, and Smith—An act to regulate sales of motor vehicles, and for that purpose to add Chapter 1a to the Business and Professions Code and to amend Section 2982 of the Civil Code.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 343: By Messrs. Caldecott, Stewart, Dolwig, Fleury, and Lincoln—An act to add Chapter 3.5 comprising Sections 5615 to 5686 inclusive, to Division 3 of the Business and Professions Code, relating to landscape architects, providing for the regulating and licensing thereof, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 344: By Messrs. Connolly, Lipscomb, Smith, and Rumford—An act to add Article 9 to Chapter 2, Part 1, Division 1, of the Health and Safety Code, relating to cancer and other chronic diseases, providing for a chronic disease program and establishing the Advisory Chronic Disease Council.

Referred to Committee on Public Health.

Assembly Bill No. 345: By Messrs. Connolly, Lipscomb, Smith, and Rumford—An act to provide an appropriation for the chronic disease program of the State Department of Public Health.

Referred to Committee on Public Health.

Assembly Concurrent Resolution No. 7: By Mr. Dickey—Relative to the continuance of joint committees.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 8: By Mr. Belotti—Relative to the survey and analysis of a plan to expedite the completion of the projected modern Highway System of the State through federal loans secured by highway revenue.

Referred to Committee on Rules.

Assembly Bill No. 346: By Messrs. Geddes, Lipscomb, and Levering—An act to amend Section 1431 of the Probate Code, relating to compromise of disputed claims of minors.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 347: By Messrs. Geddes, Lipscomb, and Levering—An act to amend an act entitled "An act to provide for the rights, powers, privileges, exemptions and immunities of federal savings and loan associations, incorporated under the provisions of the Home Owners' Loan Act of 1933, which are doing business in the State of California, and for the rights, powers, privileges, exemptions and immunities of the holders of shares of share accounts issued by any such association," approved June 13, 1939, as amended, by amending Sections 2, 3, and 4 thereof, relating to shares and share accounts of federal savings and loan associations.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 348: By Messrs. Geddes, Lipscomb, and Levering—An act to amend the Building and Loan Association Act by amending Section 1.01 thereof, relating to definitions, Section 1.03 thereof, relating to agents, agencies, salesmen, collectors and branches, Section 2 05 thereof, relating to changes of name, Section 2.07 thereof, relating to branches, Section 7.06 thereof, relating to assessments to restore impaired capital, Section 8.03 thereof, relating to minors and married women, Section 8.04 thereof, relating to joint tenants, Section 8.05 thereof, relating to trustees and guardians, Section 9.02 thereof, relating to investments, Section 9.17 thereof, relating to forbidden loans and penalties therefor, Section 10.03a thereof, relating to federal insurance reserve account, Section 13 13 thereof, relating to powers of the Building

and Loan Commissioner upon taking possession of an association, and Section 13.16 thereof, relating to powers of such commissioner upon liquidation; and adding to said act four new sections, to be numbered, respectively, Section 2.11, relating to change of location, Section 8.14, relating to adverse claims, Section 11 06, relating to the office of an agent, salesman or collector, and Section 12.13, relating to activities limited to the principal office or branch of an association.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 349: By Messrs. Moss and Coats—An act to amend the title and Sections 3 and 5 of an act entitled "An act to appropriate the sum of $24,000 to be used in construction, renewal, and repair of works for restraining, impounding and control of debris resulting from mining operations and other causes along the Yuba River, to provide for the manner of expending such appropriation, to create the Yuba River Debris Control Fund, and to provide for the deposit in said fund of any unexpended balances of previous appropriations made for this purpose," being Chapter 686, Statutes of 1935, approved July 16, 1935, relating to construction, renewal, and repair of works for restraining, impounding and control of debris resulting from mining operations and other causes along the Yuba River.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

Assembly Bill No. 350: By Mr. Coats—An act to add Section 4650.1 to the Labor Code, dealing with workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 351: By Mr. Coats—An act to amend Section 5800 of the Labor Code, relating to findings and award of the Industrial Accident Commission under the Workmen's Compensation Act.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 352: By Mrs. Niehouse, Messrs. Burkhalter, Cooke, Crowley, Levering, and Lipscomb—An act to amend Section 1550 of the Welfare and Institutions Code, relating to aid to needy children, in respect to applications therefor.

Referred to Committee on Social Welfare.

Assembly Bill No. 353: By Mrs. Niehouse—An act to amend Sections 2190 and 3091.5 of the Welfare and Institutions Code, relating to the destruction of records of needy persons.

Referred to Committee on Social Welfare.

Assembly Bill No. 354: By Mrs. Niehouse—An act to add Section 2181.05 to the Welfare and Institutions Code, relating to old age security, in respect to statements required concerning the granting of aid.

Referred to Committee on Social Welfare.

Assembly Bill No. 355: By Mrs. Niehouse, Messrs. Burkhalter, Cooke, Levering, and Lipscomb—An act to add Section 7.1 to the Welfare and Institutions Code, relating to powers and duties of boards of supervisors in matters of public assistance.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 356: By Mrs. Niehouse, Messrs. Burkhalter, Cooke, Levering, and Lipscomb—An act to amend Section 1521 of the Welfare and Institutions Code, relating to aid to needy children, in respect to personal property qualifications therefor.

Referred to Committee on Social Welfare.

Assembly Bill No. 357: By Mrs. Niehouse—An act to add Section 6006.1 to the Revenue and Taxation Code, relating to the taxation of the privilege of selling and of storing, using or otherwise consuming tangible personal property.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 358: By Mrs. Niehouse—An act to add Section 9952 to the Revenue and Taxation Code, relating to the motor vehicle transportation license tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 359: By Mr. Levering, Mrs. Niehouse, Messrs. Burkhalter, Cooke, Crowley, and Lipscomb—An act to add Section 1551.5 to the Welfare and Institutions Code, relating to aid to needy children.

Referred to Committee on Social Welfare.

Assembly Bill No. 360: By Messrs. Cooke, Burkhalter, Crowley, Levering, and Lipscomb—An act to amend Sections 2021, 2160, 2187, and 2200 of the Welfare and Institutions Code, relating to old age security, in respect to county residence.

Referred to Committee on Social Welfare.

Assembly Bill No. 361: By Mr. Levering, Mrs. Niehouse, Messrs. Burkhalter, Crowley, and Lipscomb—An act to add Section 2160.9 to the Welfare and Institutions Code, relating to old age security, in respect to recipients who have removed from the State of California.

Referred to Committee on Social Welfare.

Assembly Bill No. 362: By Messrs. Cooke, Burkhalter, Crowley, Levering, and Lipscomb—An act to amend Section 1520 of the Welfare and Institutions Code, relating to aid to needy children in respect to real property qualifications for aid.

Referred to Committee on Social Welfare.

Assembly Bill No. 363: By Messrs. Crowley, Cooke, Mrs. Niehouse, Messrs. Burkhalter, Levering, and Lipscomb—An act to add Section 1523.1 to the Welfare and Institutions Code, relating to aid to needy children.

Referred to Committee on Social Welfare.

Assembly Bill No. 364: By Mr. Rosenthal—An act to amend Sections 19601, 19608, 19613, and 19613.7, and to repeal Sections 19613.5 and 19617 of the Education Code, relating to child care centers, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 365: By Mr. Rosenthal—An act to amend Section 1203.11 of the Penal Code, relating to probation officers' reports.

Referred to Committee on Judiciary.

Assembly Bill No. 366: By Mr. Rosenthal—An act amending Section 643 of the Welfare and Institutions Code, relating to probation officers' annual reports

Referred to Committee on Judiciary.

Assembly Bill No. 367: By Mr. Rosenthal—An act to amend Section 826.5 of the Welfare and Institutions Code, relating to alternative procedure in misdemeanor cases with respect to the orders of juvenile court referees.

Referred to Committee on Judiciary.

Assembly Bill No. 368: By Mr. Luckel—An act to amend Section 10203 of the Insurance Code relating to group insurance policies.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 369: By Mr. Luckel—An act to add Section 81 to the Labor Code, relating to Deputy Labor Commissioners.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 370: By Mr. George D. Collins—An act to add Section 360.5 to the Code of Civil Procedure, relating to statutes of limitations.

Referred to Committee on Judiciary.

Assembly Bill No. 371: By Messrs. Davis and Lindsay—An act to add Section 492 to the Government Code, relating to assembly districts.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 372: By Messrs. Davis and Lindsay—An act to add Section 471 to the Government Code, relating to congressional districts.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 373: By Mr. Dunn—An act to amend Section 3208 of the California Labor Code dealing with workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 374: By Mr. Dunn—An act to amend Section 3208 of the California Labor Code dealing with workmen's compensation.

Referred to Committee on Finance and Insurance.

RESOLUTIONS

The following resolution was offered:

By Mr. Dickey:

House Resolution No. 28

Relative to the continuance of Assembly interim committees

Resolved by the Assembly of the State of California, As follows:

1. Each committee previously created by the Assembly of California and in existence on January 7, 1951, except the Assembly Legislative Process Committee which was continued as an interim committee by House Resolution No. 16, adopted

January 8, 1951, is continued as an Assembly committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session. Vacancies occurring or existing in the membership of each committee shall be filled by the appointing power.

2. Each such committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment, with authority to file its final report not later than the date of adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly, as soon as such rules are adopted at this session or amended from time to time, become applicable to each committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to each such committee and the members thereof

4. The unexpended balance of the money heretofore made available to each such committee continued by this resolution shall continue to be available for the expenses of the committee to which it was heretofore available and the members thereof and for any charges, expenses, or claims each such committee may incur under this resolution, to be disbursed in the manner heretofore provided

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 28, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—72

NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 10, 1951

Mr. Speaker: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 7

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 7, at this time, without reference to file, that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 7

Assembly Concurrent Resolution No. 7—Relative to the continuance of joint committees.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering,

Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—72.
NOES—None.

Resolution ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 375: By Mr. Dunn—An act to amend Section 54 of the California Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 376: By Mr. Dunn—An act to amend Section 7 of the California Unemployment Insurance Act, dealing with unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 377: By Mr. Dunn—An act to amend Section 7 of the California Unemployment Insurance Act, dealing with unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 378: By Mr. Dunn—An act to amend Section 7 of the California Unemployment Insurance Act, dealing with unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 379: By Mr. Dunn—An act to add Section 54.1 to the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 380: By Mr. Dunn—An act to repeal Article 3, comprising Sections 400 to 459, inclusive, of Chapter 2, Division 1 of, and to add Article 3, comprising Sections 400 to 409, inclusive, to Chapter 2, Division 1 of, the Education Code, relating to the county superintendents of schools

Referred to Committee on Education.

Assembly Bill No. 381: By Mr. Stanley—An act to amend Section 11 of an act entitled "An act to restrict the running of dogs at large; to protect livestock from depredation of dogs; to provide for the issuance of dog license tags by counties, and the disposition of funds received as fees therefor; making the violation of the provisions of this act a misdemeanor and providing penalties therefor, and providing for the collection of damages by owners of livestock injured by dogs," (Chapter 757, Statutes of 1921), approved June 3, 1921, relating to the protection of livestock, including rabbits.

Referred to Committee on Agriculture.

Assembly Bill No. 382: By Mr. Lindsay—An act to add Section 506 to the Fish and Game Code, relating to game fish.

Referred to Committee on Fish and Game.

Assembly Bill No. 383: By Mr. Dickey—An act to add Section 1130 to the Probate Code, relating to vouchers filed by trustees.

Referred to Committee on Judiciary.

Assembly Bill No. 384: By Mr. Dickey—An act to add Section 31648.1 to the Government Code, relating to the retirement of county employees and officers and attaches of the superior court.

Referred to Committee on Judiciary.

CONSIDERATION OF HOUSE RESOLUTION NO. 13

By Mr. Dickey:

House Resolution No. 13

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to purchase eighty-one (81) sets of the latest edition of Deering's Codes of the State of California.

Resolved further, That the Chief Clerk of the Assembly be and he is hereby directed to deliver one (1) complete set of the codes to each Member of the Assembly, and one (1) complete set of the codes to the Chief Clerk of the Assembly.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

Strike out all of the text of House Resolution No. 13 as it appears on page 10 of the Assembly Journal of January 8, 1951, page 10, and insert

"*Resolved by the Assembly of the State of California*, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to purchase eighty-one (81) sets of the latest edition of Deering's Codes of the State of California consisting of thirty-two (32) volumes including the 1949 Pocket Supplements; and be it further

Resolved, That the Chief Clerk of the Assembly be and he is hereby directed to deliver one (1) complete set of the codes, including the 1949 Pocket Supplements, to each Member of the Assembly, and one (1) complete set of the codes, including the 1949 Pocket Supplements, to the Chief Clerk of the Assembly."

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—71.

NOES—None.

Consideration of House Resolution No. 13, as Amended

By Mr. Dickey:

House Resolution No. 13

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to purchase eighty-one (81) sets of the latest edition of Deering's Codes of the State of California consisting of thirty-two (32) volumes including the 1949 Pocket Supplements; and be it further

Resolved, That the Chief Clerk of the Assembly be and he is hereby directed to deliver one (1) complete set of the codes, including the 1949 Pocket Supplements, to each Member of the Assembly, and one (1) complete set of the codes, including the 1949 Pocket Supplements, to the Chief Clerk of the Assembly.

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—71

NOES—None.

CONSIDERATION OF HOUSE RESOLUTION NO. 12

By Mr. Doyle:

House Resolution No. 12

Resolved by the Assembly of the State of California, That the Chief Clerk be authorized to receive from the Members of the Assembly a mailing list of all bills, resolutions, and Histories; to be directed to libraries, chambers of commerce, and other public centers, and to individuals, for general inspection. This list is to be limited to 10 names each, and shall be forwarded to the Legislative Bill Room for regular mailing. No member shall include on the list any state department or employee thereof except state colleges and universities. The Chief Clerk is further authorized to place accredited newspaper representatives on the regular mailing list as well as the Attorney General, Legislative Counsel Bureau, and the Governor's Office. That in addition to the above, the Chief Clerk shall forward to the Legislative Bill Room for regular mailing, five copies of said bills, resolutions and Histories to be mailed to the State Commander of the American Legion, or to such parties as he shall name; and be it further

Resolved, That no additional mailing list shall be allowed or authorized, unless the sum of _____ ($_____) each is paid therefor, to the State Printer, and which sum shall be credited to legislative printing and accounted for to the Legislature; and be it further

Resolved, That the total number of bills to be printed in no event, unless otherwise authorized, shall be over two thousand five hundred (2,500).

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

Strike out all of the text of House Resolution No 12, as printed on page 10 of the Assembly Journal of January 8, 1951, and insert

"*Resolved by the Assembly of the State of California*, That the Chief Clerk be authorized to receive from the Members of the Assembly a mailing list of all bills, resolutions, and Histories; to be directed to libraries, chambers of commerce, and other public centers, and to individuals, for general inspection. This list is to be limited to five names each, except that each member shall be entitled to provide 10 additional names to whom only the Weekly Histories shall be furnished. This list shall be forwarded to the Legislative Bill Room for regular mailing. No member shall include on the list any state department or employee thereof except state colleges and universities. The Chief Clerk is further authorized to place accredited newspaper representatives on the regular mailing list, as well as the Attorney General, Legislative Counsel Bureau and the Governor's Office. That in addition to the above, the Chief Clerk shall forward to the Legislative Bill Room for regular mailing, one copy of said bills, resolutions and Histories to be mailed to the State Commander of the American Legion, or to such parties as he shall name; and be it further

Resolved, That no additional mailing list shall be allowed or authorized unless the sum of one hundred fifty dollars ($150) each is paid therefor, to the State Printer, and which sum shall be credited to legislative printing and accounted for to the Legislature; and be it further

Resolved, That the total number of bills to be printed in no event, unless otherwise authorized, shall be over two thousand five hundred (2,500)."

Amendment read, and adopted.

Consideration of House Resolution No. 12, as Amended

By Mr. Doyle:

House Resolution No. 12

Resolved by the Assembly of the State of California, That the Chief Clerk be authorized to receive from the Members of the Assembly a mailing list of all bills, resolutions, and Histories; to be directed to libraries, chambers of commerce, and other public centers, and to individuals, for general inspection. This list is to be limited to five names each, except that each member shall be entitled to provide 10 additional names to whom only the Weekly Histories shall be furnished. This list shall be forwarded to the Legislative Bill Room for regular mailing. No member shall include on the list any state department or employee thereof except state colleges and universities. The Chief Clerk is further authorized to place accredited newspaper representatives on the regular mailing list, as well as the Attorney General, Legislative Counsel Bureau and the Governor's Office. That in addition to the above, the Chief Clerk shall forward to the Legislative Bill Room for regular mailing, one copy of said bills, resolutions and Histories to be mailed to the State Commander of the American Legion, or to such parties as he shall name; and be it further

Resolved, That no additional mailing list shall be allowed or authorized unless the sum of one hundred fifty dollars ($150) each is paid therefor, to the State Printer, and which sum shall be credited to legislative printing and accounted for to the Legislature; and be it further

Resolved, That the total number of bills to be printed in no event, unless otherwise authorized, shall be over two thousand five hundred (2,500).

Resolution read, as amended, and adopted.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 10, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 17
House Resolution No. 22
House Resolution No. 25

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 17

By Mr. McCollister:

House Resolution No. 17

Relating to an investigation and report concerning the advisability of resetting the boundaries of Mount Tamalpais Game Refuge

WHEREAS, The population in the area constituting Fish and Game District 2B (Mount Tamalpais Game Refuge) has increased tremendously in the past decade; and

WHEREAS, Due to the increase in the population and other factors, including a possible overabundance of deer and other animals, it may be necessary or desirable to reconstitute the district; now, therefore, be it

Resolved by the Assembly of the State of California, That the Fish and Game Commission be and it is hereby requested to investigate, and consider the advisability of redefining the boundaries of Fish and Game District 2B, including in its investigation the expanding growth of population within the district, the possible overabundance of animal life therein, the number of cities therein, and other factors deemed pertinent by the commission, and to report thereon to the Assembly not later than April 15, 1951, including in its report recommendations for any legislation deemed necessary or desirable; and be it further

Resolved, That the Chief Clerk of the Assembly be and he is hereby directed to transmit a copy of this resolution to the Fish and Game Commission.

Resolution read, and adopted.

CONSIDERATION OF HOUSE RESOLUTION NO. 25

By Mr. Maloney:

House Resolution No. 25

Relating to the preparation of the Legislative Digest and Interim Subject List

Resolved by the Assembly of the State of California, That the Legislative Counsel is hereby directed to prepare a Legislative Digest and Interim Subject List of all bills, constitutional amendments, and resolutions introduced in the January portion of the 1951 Regular Session of the Legislature; and be it further

Resolved, That copies of said publications be mailed to the Members of the Legislature as soon as possible after the printing thereof; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby instructed to cause to be printed, not to exceed 2,500 copies of the Legislative Digest and Interim Subject List for the 1951 Regular Session, or of each if they be published separately, the cost thereof to be payable from the legislative printing appropriation.

Resolution read, and adopted unanimously.

CONSIDERATION OF HOUSE RESOLUTION NO. 22

By Messrs. Fleury, Maloney, and Moss:

House Resolution No. 22

Relating to adjournment in respect to the memory of Jess Hession

WHEREAS, The Members of the Legislature were profoundly shocked to learn of the death of Jess Hession in his home at San Mateo on December 12, 1950; and

WHEREAS, Jess had served the State of California for 20 years as Deputy Attorney General, and Deputy Director of Finance, and while performing his public functions, had devoted much of his spare time to the civic and fraternal life of the community, accumulating a vast host of friends both within and without state service, all of whom unite with the Members of the Legislature in mourning the loss of a dear personal friend; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly express their sorrow at the death of this man who had served this State so well and been a close personal friend to so many; and be it further

Resolved, That the Chief Clerk of the Assembly transmit suitably prepared copies of this resolution as an expression of the Assembly of California to his surviving wife, Mrs. Mabel Hession and to his sons Dennis Hession and Jess Hession, Jr.; and be it further

Resolved, That when this Assembly this day adjourns, it do so out of respect to the memory of Jess Hession.

Resolution read, and adopted unanimously.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 10, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Assembly Concurrent Resolution No. 2
Assembly Concurrent Resolution No. 6

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, January 10, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No. 1

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 1, at this time; without reference to file.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 1

Assembly Joint Resolution No. 1—Relative to aid to our enemy.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

On page 1, line 22, of the printed measure, after "over", stirke out "40,000", and insert "50,000".

Amendment read, and adopted.

Resolution ordered reprinted, and engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 10, 1951

MR. SPEAKER: Your Committee on Rules recommends the adoption of the following amendments to the proposed Standing Rules of the Assembly:

Amendment No. 1

Strike out Rule 12.5, and insert

"12.5. Pursuant to subdivision (d) of Section 9900, Government Code, as amended, the Legislative Auditor is hereby designated as the person embraced by the definition of "Clerk" set forth in that section."

Amendment No. 2

Strike out Rule 45, and insert

"45. The Committee on Ways and Means shall consider all bills to appropriate money, other than the contingent expenses of the Assembly. Any bill which would require the expenditure of additional state moneys in any manner, including any bill which creates any additional state agency or office, or adds any functions, duties, or responsibilities to an existing agency or office, shall be referred to the Ways and Means Committee before being placed on third reading"

DICKEY, Chairman

Report read.

CONSIDERATION OF HOUSE RESOLUTION NO. 23

By Mr. Dolwig:

House Resolution No. 23—Relative to the adoption of the Permanent Standing Rules of the Assembly for the 1951 Regular Session.

Resolution read.

Consideration of Amendments

Amendments recommended by Committee on Rules read.

Division of the Question

Mr. Dolwig asked for a division of the question.

Consideration of Amendment No. 1

Amendment No. 1

Strike out Rule 12.5, and insert

"12.5. Pursuant to subdivision (d) of Section 9900, Government Code, as amended, the Legislative Auditor is hereby designated as the person embraced by the definition of "Clerk" set forth in that section."

Amendment read, and adopted.

Consideration of Amendment No. 2

Amendment No. 2

Strike out Rule 45, and insert

"45. The Committee on Ways and Means shall consider all bills to appropriate money, other than the contingent expenses of the Assembly. Any bill which would require the expenditure of additional state moneys in any manner, including any bill which creates any additional state agency or office, or adds any functions, duties, or responsibilities to an existing agency or office, shall be referred to the Ways and Means Committee before being placed on third reading."

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Babbage, Berry, Burke, Butters, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Crowley, Dickey, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McGee, Meyers, Morris, Moss, Niehouse, Porter, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Mr. Speaker—50.

NOES—Beck, Brady, Brown, Burkhalter, Coats, George D. Collins, Condon, Davis, Dills, Elliott, Evans, Geddes, Hagen, Hawkins, Henderson, Kilpatrick, Klocksiem, McCollister, McFall, Munnell, Parker, Rosenthal, Rumford, Shaw, and Thomas—25.

Consideration of House Resolution No. 23, as Amended

By Mr. Dolwig:

House Resolution No. 23

Relative to the adoption of the Permanent Standing Rules of the Assembly for the 1951 Regular Session

Resolved by the Assembly of the State of California, That the following be, and same are, hereby adopted as the Permanent Standing Rules of the Assembly for the 1951 Regular Session.

PERMANENT STANDING RULES OF THE ASSEMBLY FOR THE 1951 REGULAR SESSION

SECTION 1

LEGISLATIVE ORGANIZATION

Assignment of Desks to Members

1. Members shall be assigned to desks by the Chief of the Bureau of Buildings and Grounds, subject to change by the Committee on Rules, and, as far as possible, he shall conform to the requests of members, giving due consideration to their seniority in point of service in the Assembly.

Hours of Meeting

2. The session of Assembly, prior to the constitutional recess, shall be daily, beginning at 10 o'clock a.m. (Sundays excepted), unless otherwise ordered by a majority vote of the members present.

Following the constitutional recess, the Assembly shall meet promptly at 9.30 o'clock a.m., daily (Sundays excepted), unless otherwise ordered by a majority vote of the members present.

RULES

Adoption of Standing Rules

3. The adoption of the Standing Rules shall require an affirmative recorded vote of a majority of the entire elected membership. When once adopted, such Standing Rules shall remain in effect, unless suspended or amended as provided in these Rules.

Suspension of Rules

4. Any standing rule of the Assembly may be suspended temporarily by a vote of two-thirds of the members present; provided, that such temporary suspension shall apply only to the matter under immediate consideration, and in no case shall it extend beyond an adjournment.

Amending Standing Rules

5. No standing rule of the Assembly shall be amended except by an affirmative recorded vote of a majority of the entire elected membership of the Assembly, and one day's notice must be given on the motion thereof.

Temporary Rules

6. The Committee on Rules may at any time report a temporary rule. Upon adoption by an affirmative recorded vote of two-thirds of the entire elected membership of the Assembly, such temporary rule shall have the effect, for the time being, of a standing rule. If such temporary rule shall be in conflict with a standing rule, it shall supersede such standing rule only for the time being.

Parliamentary Rules

7. In all cases not provided for by the Constitution, by the Assembly Rules, or by the Joint Rules of the Senate and Assembly, the authority shall be Mason's Manual of Legislative Procedure.

STANDING COMMITTEES

Standing Committees

8. For their convenient functioning and in furtherance of the thorough consideration of all bills on a given subject, the several standing committees of the Assembly are respectively grouped into the following categories:

A. LEGISLATURE:

Two committees to consider legislative organization, functions and procedure:

Committee on Rules

There is a Committee on Rules, No. 1, which shall act as an executive committee of the House having the following powers:

To recommend the appointment of all attaches and employees of the Assembly not otherwise provided for by statute. It shall have authority to suspend, with or without pay, any such attache or employee for incompetency or dereliction of duty, pending final action by the Assembly.

The Committee on Rules shall for the purpose of Joint Rule No. 2 be deemed to be the Rules Committee of the Assembly.

Committee on Legislative Procedure

There is a Committee on Legislative Procedure, No. 2, which shall have and exercise the following powers:

To be the Committee on Engrossment and Enrollment within the meaning of the Joint Rules. It shall be the duty of the Committee on Legislative Procedure to compare all bills, ordered or considered engrossed by the Assembly, with the engrossed copies thereof; and, before they pass out of the possession of the Assembly, see that the engrossed bill is a true copy of the original, with such amendments as may have been made thereto; and said committee shall see that all engrossed bills are reported back in the order in which they were ordered engrossed. The report of the Committee on Legislative Procedure shall be in order at any time.

To consider and report on bills introduced after the constitutional recess,

To assist the Speaker, upon his request, in recommending the reference of bills to the appropriate standing committee.

Twenty-three standing committees of the Assembly are hereby created, upon the several subjects, and numbered respectively, as follows:

1. Rules.
2. Legislative Procedure.
3. Conservation, Planning, and Public Works.
4. Fish and Game.
5. Governmental Efficiency and Economy.
6. Revenue and Taxation.
7. Ways and Means.
8. Education.
9. Boards and Commissions.
10. Public Health.
11. Social Welfare.
12. Civil Service and State Personnel.
13. Military Affairs.
14. Municipal and County Government.
15. Elections and Reapportionment
16. Judiciary.
17. Constitutional Amendments.
18. Agriculture.
19. Public Utilities and Corporations.
20. Manufacturing, Oil, and Mining Industry.
21. Industrial Relations.
22. Finance and Insurance.
23. Transportation and Commerce.

Prior to the assignment of members to serve on the several standing committees, the Speaker shall consider the preferences of the members with regard to committee assignments, while keeping in view the practical necessity of making assignments so that members will not serve on more than one committee which meets at the same time, and the Speaker thereafter shall determine the number and members to serve on each standing committee. Upon publication in the Journal of the number of members on each standing committee, no further change in the number of members of the committee shall be made otherwise than by a majority vote of the elected membership of the Assembly.

No Member of the Assembly shall be a member of more than three standing committees except that upon appointment by the Speaker or the approval of the House a member may serve on four committees

There shall be published weekly in the Assembly Weekly History during each session of the Legislature a chart showing the Rational Organization of the Standing Committees of the Assembly and showing Chairman and Vice Chairman, Number of Members, Time of Meeting, Room Number, Total Number of Measures, "referred" and "action pending," and a meeting schedule for each day of the week.

Motions to Change Membership or Numbers of Standing Committees

9. A motion proposing to increase or diminish the membership of a standing committee or the number of standing committees, shall not be considered until the same shall have been referred to and approved by the Committee on Rules.

SECTION 2

HOUSE FUNCTIONS

Duties of Assembly Officers

Duties of the Speaker

10. The Speaker shall possess the powers and perform the duties prescribed:

(a) To preserve order and decorum; he may speak to points of order in preference to the other members, rising from his chair for that purpose.

(b) To decide all questions of order subject to appeal to the Assembly by any member. On every appeal, he shall have the right to assign his reason for his decision.

(c) To have general direction over the Assembly Chamber and rooms set aside for the use of the Assembly, including the rooms for use by members as private offices.

(d) To name any member to perform the duties of the Speaker, but such substitutions shall not extend beyond adjournment.

(e) To appoint the membership of all standing and special committees, and their respective chairmen and vice chairmen.

(f) To propose a schedule of meetings of standing committees.

(g) To have general control and direction over the Journals, papers, and bills of the Assembly.

(h) To act as Chairman of the Committee of the Whole.

(i) To order the Lobby and Gallery cleared whenever he shall deem it necessary.

(j) To assign desks to properly accredited newspaper representatives.

(k) To authenticate by his signature, when necessary, or when required by law, all bills, memorials, resolutions, orders, proceedings, writs, warrants. and subpenas issued by order of the Assembly.

(*l*) The Speaker shall be ex officio member of all Assembly, joint, and interim committees with all of the rights and privileges of such membership, except the right to vote. In counting a quorum of any such committees, the Speaker shall not be counted as a member.

Duties of the Speaker pro Tempore

11. The Speaker pro Tempore shall have the powers and perform the duties of the Speaker during his absence.

Duties of the Chief Clerk

12. The duties of the Chief Clerk shall be as follows:

(a) To have charge of and supervise all clerical business and printing of the Assembly.

(b) To see that the Journals, other publications, and records of the Assembly are properly kept.

(c) To refuse to permit any records or papers to be taken from the desk or out of his custody, except upon duly signed receipts from persons authorized.

(d) To read or allow his assistants to read from the desk only such matters as the Speaker of the Assembly shall direct.

(e) To have general supervision over all clerks, attaches, and employees, and to be responsible for their official acts and their performance of and regular attendance upon their duties.

(f) To suspend temporarily any clerk, attache, or employee for incompetency or dereliction of duty, pending action by the Committee on Rules.

(g) To perform all other duties pertaining to his office as prescribed by law or Assembly rule.

(h) Before the commencement of any regular session of the Legislature the Chief Clerk of the Assembly shall mail to each member a blank form on which the member may indicate his committee preferences. Accompanying such blank shall be mailed a stamped envelope addressed to the Chief Clerk of the Assembly for returning such form. After their receipt, all such communications shall be delivered to the Chairman of the Interim Committee on Legislative Organization, if such a committee has been created, who shall deliver them to the Speaker immediately upon the organization of the Assembly.

(i) To certify to the Controller, pay rolls of members and attaches.

(j) To certify all requisitions upon the Controller for the payment of bills incurred by the Assembly.

(k) To order and sign for all documents and printing, subject to approval by the Speaker or the Chairman of the Committee on Rules.

12.5. Pursuant to subdivision (d) of Section 9900, Government Code, as amended, the Legislative Auditor is hereby designated as the person embraced by the definition of "Clerk" set forth in that section.

Duties of the Sergeant-at-Arms

13. The duties of the Sergeant-at-Arms shall be as follows:

(a) To attend the Assembly during its session, preserve order, announce all official messengers, and serve all processes issued by authority of the Assembly and directed by the Speaker; he shall receive his actual expenses for himself or for an assistant when executing any such process.

(b) To see that no person is admitted to the Assembly Chamber except in accordance with the provisions of these Rules.

(c) To have general supervision over the Assistant Sergeants-at-Arms and be responsible for their official acts and their performance of and regular attendance upon their duties.

(d) To suspend temporarily any Assistant Sergeant-at-Arms for incompetency or dereliction of duty, pending action by the Committee on Rules.

(e) To execute all commands of the Speaker.

(f) To perform all other duties pertaining to his office as prescribed by law or Assembly rule.

Duties of the Chief Assistant Sergeant-at-Arms

13.5. The Chief Assistant Sergeant-at-Arms shall have the powers and perform the duties of the Sergeant-at-Arms during his absence.

Printing

Authority for Printing

14. The State Printer shall not charge any printing or other work to the Assembly other than provided by law or Assembly rule, except upon a written order signed by the Chief Clerk of the Assembly and countersigned by the Chairman of the Committee on Rules or by the Speaker, and delivered to him prior to beginning such printing or work. All invoices for printing furnished the Assembly shall be itemized and rendered by the State Printer within 30 days after completion of said printing. When necessary, the Chief Clerk may order certain printed matter completed in advance of its regular order by the issuance of a rush order.

Printing Style, Form and Amount to Be Printed

15. Unless otherwise restricted by law or by Assembly rule, the style and form of all printing, the quality of paper to be used, the number of copies to be printed of each order, and the number of copies to be delivered to each member shall be decided by the Chief Clerk and approved by the Speaker or the Chairman of the Committee on Rules. All requests by members for additional copies of bills, documents, or other printed matter shall be referred to the Committee on Rules.

Printing Assembly History

16. The Chief Clerk shall cause to be compiled and printed during the constitutional recess a Legislative Handbook and a Semi-Final Assembly History, together with an index, setting forth a complete History showing all actions on bills, constitutional amendments, concurrent, joint, and House resolutions prior to the constitutional recess.

During the remainder of the session, the Chief Clerk shall cause to be printed and placed upon each member's desk prior to convening on Monday of each week, a complete History showing all actions taken upon each measure up to and including the legislative day preceding its issuance. For each legislative day intervening between the issuance of such Weekly History, there shall be printed a Daily Supplemental History showing only actions taken upon any measure since the issuance of the preceding Weekly History.

Printing of Maps

17. Maps or charts accompanying documents other than bills shall not be printed without special authority from the Assembly by a majority vote of its entire elected membership.

Miscellaneous

Admission to Assembly Chamber

18. Persons admitted to the Assembly Chamber, other than members and attaches, shall not be permitted to stand in the Lobby in the rear of the Assembly Chamber while the Assembly is in session, but shall be required to occupy the seats provided for them.

Use of Assembly Chamber

19. The Assembly Chamber shall not be used for any public or private business other than legislative matters during the sessions of the Legislature, except by consent of a majority of the entire elected membership of the Assembly.

Persons Admitted to Floor of the Assembly

20. No person other than members, officers, attaches, employees of the Legislature, former Members of the Legislature, and accredited members of the press shall be admitted to the floor of the Assembly during any session of the Assembly; provided, that a guest of any member shall be admitted upon presentation of a guest card of said member countersigned by the Speaker, such guest card being valid only on the legislative day for which it was issued.

All guests shall be seated only in the chairs in back of the rail in the rear of the Assembly Chamber and shall not be permitted to sit at the desks of the members nor stand in the rear of the Chamber while the Assembly is in session. No person other than an accredited newspaper representative shall be permitted to sit at the press desks. A special section in the Balcony shall be reserved for those holding guest cards; provided, that none of the above-mentioned persons in this rule shall engage in influencing the passage or defeat of legislation in the Assembly Chamber.

Special Assembly Committee on Legislative Representation

21. In addition to any other committee provided for by these Rules, there shall be a committee to be known as and called the Special Assembly Committee on Legislative Representation, which is hereby declared to be a continuing body authorized to act both during and between sessions of the Legislature.

The committee shall have the rights, powers and duties prescribed in Section 9909 of the Government Code, specifically including but not limited to the authority to grant certificates of registration as legislative advocates, and all the rights and powers of legislative investigating committees as provided by the Joint Rules of the Senate and Assembly.

The committee shall study and analyze all facts relating to legislative representation and the regulation thereof, and shall report thereon to the Legislature at each general session and from time to time as the committee deems necessary, including in the reports its recommendations for appropriate legislation.

The committee shall consist of five Members of the Assembly appointed by the Speaker thereof at each general session of the Legislature. The chairman shall be appointed by the Speaker.

Any vacancy occurring between general sessions shall be filled by the Speaker and the members appointed shall hold over until their successors are legally selected.

The committee is specifically authorized to appoint the Legislative Auditor as executive secretary of this committee to act without compensation.

Smoking in Assembly Chamber

22. Smoking may be prohibited temporarily during any session of Assembly by a majority vote of the members present.

Fees for Witnesses

23. Each witness summoned to appear before the Assembly or any of its committees shall receive the sum of ten dollars ($10) for each day such witness shall be required to appear and the sum of five and one-half cents ($0.05½) for each mile he shall travel in coming to and going from the place of examination.

Press Privileges

24. Newspaper correspondents desiring Assembly press cards and privileges shall make written application to the Speaker. The Assembly by a majority vote of the members present may revoke any press card.

The Speaker shall assign the Assembly press desks to accredited newspaper representatives authenticated by the Standing Committee of the Capitol Correspondents' Association; also the necessary rooms for the exclusive use of such accredited press representatives.

SECTION 3
LEGISLATIVE PROCEDURE

Speaker to Call Assembly to Order

25. The Speaker, or in his absence the Speaker pro Tempore, shall, at the hour appointed for meeting, call the Assembly to order. In the absence of both the Speaker and the Speaker pro Tempore, the Chief Clerk, or his assistant, shall call the Assembly to order, whereupon a temporary chairman shall be elected from among the members to preside.

The functions of the temporary chairman shall terminate upon return of the Speaker or Speaker pro Tempore.

Roll Call and Quorum

26. Before proceeding with the business of the Assembly, the roll of the members shall be called, and the names of those present shall be entered in the Journal. A majority of all the members elected to the Assembly shall constitute a quorum.

Order of Business

27. The order of business of the Assembly shall be as follows:

1. Roll Call
2. Prayer by the Chaplain
3. Reading of the Previous Day's Journal
4. Presentation of Petitions
5. Introduction and Reference of Bills
6. Reports of Committees
7. Second Reading of Bills
8. Messages from the Governor
9. Messages from the Senate
10. Motions and Resolutions
11. Business on the Daily File
12. Announcements
13. Adjournment

Pledging Allegiance to the Flag

28. On each Monday morning during the session, following the prayer by the Chaplain, the Members of the Assembly and its officers,

attaches, and employees present in the Assembly Chamber shall pledge their allegiance to the Flag of the United States of America.

Reading, Correcting and Approving Journals

29. a. The reading of the Journal of the previous day may be dispensed with on motion by a majority of the members present.

b. All Journals of the Assembly shall be corrected by the Minute Clerk and delivered by him to the Chief Clerk within seven calendar days from the date of such Journal. Such corrected Journals may thereafter be approved by a majority vote of the members present.

c. A motion to correct any day's Journal shall be in order prior to the approval by the Assembly of such day's Journal. The approval of the Journal shall require a majority vote of the members present.

Presentation of Petitions

30. Whenever petitions, memorials, or other papers are presented by a member, a brief statement of the contents thereof may be made verbally by the introducer. Petitions are not debatable and shall be filed, or be referred to a committee as the Speaker shall determine. Mention of receipt of such presentation and its disposition shall be entered on the Journal.

Upon receipt of a petition for the impeachment of any person subject to impeachment by the Legislature, the Speaker shall, without comment or debate, forthwith refer such petition to committee.

Messages From the Governor

31. Messages from the Governor shall be delivered to the Chief Clerk or an assistant, and shall be read and ordered printed on the Journal unless otherwise ordered by a recorded vote of two-thirds of the elected membership.

Messages From the Senate

32. Messages from the Senate shall be delivered to the Chief Clerk or an assistant, and shall be read and ordered printed on the Journal. The Speaker shall forthwith refer to the proper committee all Senate bills accompanying such messages, which reference shall be entered in the Journal. Assembly bills which have been passed without amendment by the Senate shall be ordered to enrollment.

Assembly bills amended by the Senate shall be ordered placed upon the unfinished business file.

Bills

Bills Defined

33. Whenever the word "bill" is used in these Rules, it shall include constitutional amendments, concurrent and joint resolutions, except as otherwise specifically provided.

Introduction and Reference of Bills

34. Each bill shall be signed by the member, or each of the members, who is an author of the bill before it is introduced. If any bill is introduced which does not contain the signature of such author or co-author, the same, on motion of the member whose name appears thereon without such signature, shall be stricken from the file by a recorded vote of a majority of the elected membership. In each legislative session, on the first day when bills are introduced under "Introduction and Reference

of Bills,'' the roll shall be called from A to Z and then back from Z to A, and as each member's name is called, he may introduce one bill, constitutional amendment, concurrent or joint resolution.

After these two roll calls, any member desiring to introduce bills, constitutional amendments, concurrent and joint resolutions may at any time during a session send the same to the Clerk's desk.

When received at the Clerk's desk it shall, under the proper order of business, be numbered, read the first time, referred to a standing committee, be printed, and a copy placed upon the desk of each member.

All bills, constitutional amendments, concurrent and joint resolutions introduced before the standing committees of the Assembly are appointed, shall be referred to committees, references to take effect when the committees shall be appointed.

Reference of Bills to Committee

35. Immediately following its first reading, the Speaker shall refer each bill to a committee, unless upon a motion the Assembly, by a majority vote of its entire elected membership, shall refer it to some other committee. Such motion to refer a bill shall not be debatable. Should several different committees be proposed, preference shall be given as follows:

1. Committee of the Whole.
2. Standing Committee.
3. Special Committee.

Examining of Bills by Legislative Counsel Bureau

36. After introduction, all bills shall be delivered to the Legislative Counsel for the purpose of determining if the bill is in the proper form as prescribed by law or Assembly rule.

If, in the opinion of the Legislative Counsel, any correction made by him under the authority of this rule should in any manner be construed to be a change in the bill other than a change in form, he shall obtain the consent of the author of the bill before making such change.

Immediately upon the completion of the check of the bills referred to the Legislative Counsel in accordance with the provisions of this rule, he shall deliver the bills to the State Printer. Under no circumstances shall the Legislative Counsel retain in his possession any bills referred to him under the provisions of this rule for any period longer than two legislative days.

Introduction of Bills After Constitutional Recess

37. Any member requesting permission to introduce a bill, except a resolution or constitutional amendment, after the constitutional recess shall send such request together with the bill to the Clerk's desk, and it shall be referred by the Speaker to the Committee on Legislative Procedure. The committee shall ascertain if the granting of such request will exceed the limitations as set forth in Section 2 of Article IV of the Constitution, and if it will not, shall report back on the same legislative day each bill so referred to it. The adoption of the report of the committee granting permission to introduce any bill shall require an affirmative recorded vote of three-fourths of all members elected to the Assembly.

During the portion of the session prior to the constitutional recess and after the end of the second week following the convening of the session, no Member of the Assembly shall introduce any bill, other than the Budget Bill, at the request of or on behalf of any state officer, department, board, bureau, or commission, without first obtaining permission to do so. Any member who desires to introduce such a bill after the end of the second week of the session shall send it to the clerk's desk, accompanied by a written request for permission to introduce it. The bill may be introduced only after the adoption of a motion by the Assembly that permission be granted to the member to do so. The adoption of such a motion shall require an affirmative recorded vote of two-thirds of all members elected to the Assembly.

Standing Committee Functions

Standing Committee Rules

38. The Rules of the Assembly shall govern the conduct of all committee meetings. Each committee may adopt, by a majority vote of its entire membership, such additional rules as it may deem necessary for the conduct of any business referred to such committee.

A majority of the committee members present may order a call of the committee.

Meetings of Standing Committees

39. All standing committees shall meet at the hour and the place provided by schedule, unless otherwise ordered by the Assembly. No committee shall meet during any session of the Assembly without first obtaining permission from the Assembly.

Every scheduled committee meeting shall be open to the public, unless the committee, by a majority vote of its entire membership, shall order an executive session.

Committee Quorum

40. A majority of the membership of any standing committee shall constitute a quorum for the transaction of its business, including the adoption of any amendments to any bill. At least a majority of all members constituting such committee shall be required to report a bill out of committee.

Bills Reported Back to Assembly

41. All committees shall act upon bills referred to them as soon as practicable, and when acted upon each bill shall be reported back to the Assembly forthwith, and the chairman of each committee is charged with the observance of this rule.

Reports of Committees

42. Reports of standing and special committees shall be delivered to the Chief Clerk or an assistant, and shall be read and ordered printed in the Journal unless otherwise ordered by the Speaker or a majority vote of the members present.

Signing Bills Out of Committee

43. No bill shall be signed out of committee unless the committee has failed to hold a meeting on two consecutive scheduled dates, or having so met, has failed to have a quorum present for the transaction of business.

Committee of the Whole

44. The Assembly may resolve itself into a Committee of the Whole at any time by a majority vote of the members present. While sitting as such committee, persons other than members may address the committee. The Speaker of the Assembly, or any member named by the Speaker, shall preside as Chairman of the Committee of the Whole.

A motion that the Committee of the Whole "do now rise and report back to the Assembly," shall always be in order, and shall be decided without debate. All actions of the Committee of the Whole shall be reported to the Assembly by the chairman, but shall not be entered in the Journal except upon motion and a majority vote of the members present.

Committee on Ways and Means

45. The Committee on Ways and Means shall consider all bills to appropriate money, other than the contingent expenses of the Assembly. Any bill which would require the expenditure of additional state moneys in any manner, including any bill which creates any additional state agency or office, or adds any functions, duties, or responsibilities to an existing agency or office, shall be referred to the Ways and Means Committee before being placed on third reading.

Committee Expenditures

46. No member or committee shall be permitted to incur any expense without first receiving the consent of the Assembly, except that the Chairman of the Committee on Ways and Means shall be allowed his actual expenses for the performance of any duties of his office during the constitutional recess.

Reports of Interim Committees

47. All interim committees, unless otherwise authorized, shall report to the next succeeding Legislature on or before the fortieth day after the convening thereof.

Effect of Adoption of These Rules

47.5. The adoption of the Standing Rules of a budget session shall not be construed as modifying or rescinding the Permanent Standing Rules of the Assembly for the preceding general session, nor as affecting in any way the status or powers of the interim committees created by those Rules.

Passage of Bills

Daily File

48. There shall be printed an Assembly Daily File for each legislative day following the constitutional recess, or at any time prior thereto when ordered by the Speaker. The Committee on Rules shall have charge of the Daily File of the Assembly. The following listing shall constitute the order of the Daily File:

1. Special Orders of the Day
2. Second Reading, Assembly Bills
3. Second Reading, Senate Bills
4. Unfinished Business
5. Third Reading, Assembly Bills
6. Third Reading, Senate Bills

All bills on the Daily File shall be called for consideration in the order of their listing, unless otherwise ordered by unanimous consent or an affirmative vote of two-thirds of the members present.

Inactive File

48.5. Whenever a bill has been passed twice on third reading file, it shall forthwith be placed upon a special file to be known as the inactive file. When a bill has been placed on the inactive file, it may be returned to the third reading file by a request of the author; but the bill shall then be placed at the foot of the third reading file.

Record of Bills

49. The Chief Clerk shall cause to be kept a permanent record of every action taken by the Assembly on every bill, and the date of such action. Every such action and the date thereof shall also be endorsed upon such bill.

Second Reading of Bills

50. All bills shall be read the second time in the order of their appearance upon the second reading file. Upon second reading, Assembly bills reported without amendments shall be ordered engrossed, and Senate bills reported without amendments shall be ordered to third reading.

Committee Amendments

51. Committee amendments reported with bills shall be considered upon their second reading and such amendments may be adopted by a majority vote of the members present. Assembly bills so amended shall be ordered reprinted and engrossed, and Senate bills so amended shall be ordered reprinted and to third reading.

Amendments From the Floor

52. Any member may move to amend a bill during its second or third reading and such motion to amend may be adopted by a majority vote of the members present.

Before debate an extra copy of the proposed amendment must be delivered to the Clerk's desk and made available to the author of the bill. Bills so amended on second reading shall be treated the same as committee amendments. Any bill so amended upon second or third reading shall be reprinted and re-engrossed. The Chief Clerk shall order printed not to exceed 1,000 copies of all amended bills.

Consideration of Constitutional Amendments, Concurrent and Joint Resolutions

53 Constitutional amendments, concurrent and joint resolutions may be amended by a majority of the members present and shall be treated the same as bills, except that they shall be read but once. The ayes and noes shall not be called upon the adoption of concurrent resolutions, except those presenting charter amendments or authorizing expenditures of money, unless regularly demanded or required by statute or by the Constitution.

Bills Transmitted to the Senate

54. Upon the final passage of any bill if no notice of motion to reconsider such bill be given, the Speaker shall order the bill transmitted to the Senate under signature of the Chief Clerk. Senate bills refused passage shall forthwith be returned to the Senate under similar signature.

Bills Considered During Last Seven Days

55. No Assembly bill shall be passed by the Assembly within seven calendar days previous to the time set for adjournment *sine die* of the Legislature, except upon recommendation of the Speaker and permission to consider and vote on such bill being granted by a recorded vote of three-fourths of the entire elected membership of the Assembly.

Bills Considered During Period Prior to Final Adjournment

55.5. See Joint Rule 23 for provisions governing bills considered during this period.

Concurrence in Senate Amendments

56. It shall require the same affirmative recorded vote to concur in any Senate amendment to an Assembly bill as the vote required by the Constitution for the passage of such bill. It shall require an affirmative recorded vote of two-thirds of the entire elected membership of the Assembly to concur in any Senate amendment to an Assembly bill which contains an item or items of appropriation subject to reduction or elimination under the provisions of Section 34a of Article IV of the Constitution. The vote on concurrence shall be deemed the vote upon final passage of such bill. When Senate amendments to an Assembly bill are concurred in, the bill shall be forthwith ordered enrolled, and the Chief Clerk shall notify the Senate of such concurrence.

Nonconcurrence in Senate Amendments

57. If the Assembly refuse to concur in Senate amendments to an Assembly bill, and when notified that the Senate has refused to concur in Assembly amendments to a Senate bill, the Speaker shall appoint a Committee of Three (3) on Conference, and the Chief Clerk shall immediately notify the Senate of the action taken by the Assembly and request the appointment of a like committee.

Committee on Conference

58. The Speaker, in appointing a Committee on Conference, shall select two members from those voting with the majority on the point about which the difference has arisen, and the other member from the minority, in the event there is a minority vote.

59. The Chairman of the Senate Committee on Conference for the same bill shall arrange the time and place of meeting of such committee It shall require an affirmative vote of not less than two of the Assembly members and two of the Senate members constituting the Committee on Conference to agree upon a report, and the report shall be submitted to both the Senate and the Assembly. Such report is not subject to amendment, and if either house refuses to adopt such report, the conferees shall be discharged and other conferees appointed. No member who has served on a Committee on Conference shall be appointed a member of another Committee on Conference on the same bill. The presentation and consideration of any report of a Committee on Conference shall always be in order, except during a roll call or when a member has the floor. It shall require the same affirmative recorded vote to adopt any conference report as required by the Constitution upon the final passage of the bill affected by such report It shall require an affirmative recorded vote of two-thirds

of the entire elected membership of the Assembly to adopt any conference report affecting any Assembly bill which contains an item or items of appropriation which are subject to reduction or elimination under the provisions of Section 34a of Article IV of the Constitution.

The vote on concurrence or upon the adoption of such conference report by the Assembly shall be deemed the vote upon final passage of such bill.

Engrossing and Enrolling Bills

60. The Engrossing and Enrolling Clerk shall engross and enroll all bills which shall come to his hands for such purposes, in compliance with the provisions of Section 9503 of the Government Code, and in the order of time in which the same shall be acted upon by the Assembly.

Enrollment

61. After final passage by both houses, any Assembly bill not amended by the Senate shall be forthwith ordered by the Speaker to be enrolled, as provided in Sections 9508 and 9509 of the Government Code. The Committee on Legislative Procedure shall report both the day and the hour each enrolled bill is presented to the Governor, which report shall be entered in the Journal

SECTION 4

PARLIAMENTARY PROCEDURE

Motions and Questions

Precedence of Motions During Debate

62. When a question is under debate or before the Assembly, no motions shall be received but the following, which shall take precedence in the order named.

First—To adjourn;
Second—To recess to a time certain;
Third—To lay on the table;
Fourth—For the previous question;
Fifth—To set as a special order;
Sixth—To postpone indefinitely;
Seventh—To refer or re-refer;
Eighth—To amend

Questions of Order Decided Without Debate

63. All incidental questions of order, arising after a motion is made for any of the questions named in Rule 62 and pending such motion, shall be decided by the Speaker without debate, whether on appeal or otherwise.

Appeal From Decision of the Speaker

64. Any member may appeal from a decision of the Speaker without waiting for recognition by the Speaker, even though another member has the floor. No appeal is in order when another is pending, or when other business has been transacted by the Assembly prior to the appeal being taken.

Upon the appeal being seconded, the Speaker may give his reasons for the decision, and the member taking the appeal may give his reasons for making his appeal, and the Speaker shall forthwith put this question to the Assembly: "Shall the decision of the Speaker be sustained?"

An appeal cannot be amended and yields only to a motion to recess or adjourn, to lay on the table, or a question of personal privilege. If an appeal be laid on the table, such action shall have no effect on the pending question.

An appeal cannot be debated when relating to indecorum, transgression of Rules, or priority of business. A majority vote of the members present shall decide any appeal.

Speaker Explains Order of Business

65. The Speaker may, on his own motion or upon the motion of any Member of the Assembly, explain the order of business when the motion pending before the Assembly is not debatable. Such explanation is not to consume more than two minutes.

To Adjourn

66. A motion to adjourn is not debatable and cannot be amended, and is always in order, except (a) when another member has the floor; (b) when the Assembly is voting; (c) during a call of the Assembly. The name of any member moving an adjournment and also the hour at which the motion was made and adjournment taken shall be entered in the Journal. A motion to adjourn must be adopted by a majority vote of the members present.

When a motion to adjourn is made and seconded, it shall be in order for the Speaker, before putting the question, to permit any member to state to the Assembly any fact relating to the condition of the business of the Assembly which would seem to render it improper or inadvisable to adjourn. A statement shall not occupy more than two minutes and shall not be debatable.

To Recess to a Time Certain

67. A motion to recess to a time certain shall be treated the same as a motion to adjourn, except that such motion is debatable when no business is before the Assembly, and can be amended as to the time and duration of the recess. It yields only to a motion to adjourn.

To Lay on the Table

68. A motion to lay on the table is not debatable and cannot be amended.

A motion to table a bill, constitutional amendment, concurrent or joint resolution requires a majority vote of the entire elected membership.

Any motion to lay on the table, if carried by a majority vote of the entire elected membership, carries with it the main question and everything that adheres to it; provided, however, that a motion to lay an amendment on the table, if adopted, does not carry with it a bill, constitutional amendment, concurrent, joint, or House resolution.

A motion to lay an amendment on the table may be adopted by a majority vote of the members present.

The Previous Question

69. The previous question shall be put only when demanded by five members, and in this form: "Shall the question be now put?" And its effect, when sustained by a majority of the members present, shall be to

put an end to all debate and bring the House to a vote only on the question then pending, except that the proponent of the matter pending shall be allowed not to exceed five minutes to close the debate.

Motion to Set Special Order

70. A motion to set any matter before the Assembly as a special order of business must be adopted by a two-thirds vote of the members elected. It is debatable only as to the propriety of setting the main question as a special order of business, and may be amended only as to the time.

Motion to Postpone to a Time Certain

71. A motion to postpone to a time certain shall be deemed and treated as a motion to set as a special order.

Motion to Postpone Indefinitely

72. When a motion is made to postpone indefinitely any bill, motion, or amendment, it opens the main question to debate. Should the motion to postpone indefinitely prevail by a majority vote of the entire elected membership, the main question shall not be acted upon again during the session.

Motion to Amend

73. A motion to amend may itself be amended, but no "amendment to an amendment" can be amended. A motion to amend is debatable, except where the main question to be amended is not debatable. Any motion to amend may be adopted by a majority vote of the members present.

A motion to amend having been decided in the negative, shall not again be in order on the same day, or at the same stage of proceeding. A motion to amend by striking out certain words having been decided in the negative, shall not preclude a motion to amend by adding words, or a motion to amend by striking out and inserting words; but in no case shall a further amendment be substantially the same as the one rejected.

Subject to the above provisions of this rule, a motion to amend is in order during the second or third reading of any bill.

A motion to lay an amendment on the table may be adopted by a majority vote of the members present, as provided in Rule 68.

Amendment to Be Germane

74. No amendment to any bill, whether reported by a committee or offered by a member, shall be in order when such amendment relates to a different subject, or is intended to accomplish a different purpose, or requires a title essentially different from the original title of any bill.

No amendment shall be in order which adds or deletes the name of a member as an author or co-author, or which changes the original number of any bill.

Substitute Motion

75. A motion to substitute shall be deemed and treated as a motion to amend.

Motions in Writing

76. Upon request of the Speaker all motions shall be reduced to writing and shall be read by the Speaker before the same are acted upon.

Constitution of Motions

77. No motion, whether oral or written, shall be adopted until the same shall be seconded and distinctly stated to the Assembly by the Speaker.

Division of Questions

78. Any member may call for a division of the question, and the Speaker shall order the question divided if it comprehend propositions in substance so distinct that, one being taken away, a substantive proposition shall remain for the decision of the Assembly.

Withdrawal of Motions

79. After a motion is stated by the Speaker, or a bill, resolution, or petition read by the Clerk, it shall be deemed to be in the possession of the Assembly.

Motion to Be Germane

80. No motion or proposition on a subject different from that under consideration shall be admitted as an amendment

Motion to Withdraw and Recall Bills

81 A motion to withdraw a bill or resolution from committee, or to re-refer a bill or resolution from one committee to another committee may be made during the regular order of business. A motion to re-refer shall only be debatable as to the propriety of such reference, and shall require a recorded vote of a majority of the elected members.

No bill or resolution shall be withdrawn from committee and placed upon the file except upon two days' notice thereof and except by a recorded vote of a majority of the elected members.

Bills Stricken From File

82. A motion to strike from the file any bill or House resolution requires a majority vote of the entire elected membership. Such bill shall not be acted upon again during the session.

Motion to Rescind Action and Expunge Record

83. Previous to the approval of the Journal by the Assembly, any action may be rescinded and its record ordered expunged by an affirmative recorded vote sufficient to take such action originally; except that no action shall be rescinded and the record expunged by a vote less than a majority of the entire elected membership. No motion to rescind the action and expunge the record shall be made twice on the same proposition.

Whenever any action of the Assembly is rescinded and its record ordered expunged, the record of the action expunged shall not appear in any form whatsoever, but the record of the proceedings on the motion to rescind and expunge shall appear in the Assembly Journal as and when printed.

Reconsideration of Vote

84. Notice of a motion to reconsider on the next legislative day, the vote whereby any bill, constitutional amendment, concurrent or joint resolution was passed or refused passage, must be given on the same day such vote to be so reconsidered was taken.

A notice of motion to reconsider a vote must be given by a member voting on the bill, constitutional amendment, concurrent or joint resolution, and shall take precedence over all motions, except a motion to adjourn. Upon such notice of motion being given, the bill, constitutional amendment, concurrent or joint resolution shall forthwith be placed upon the unfinished business file, and no further action shall be taken prior to the next legislative day. When a notice of a motion to reconsider has once been made, the same shall be considered to be the property of the Assembly.

Any member voting on any motion, amendment, concurrence, Assembly resolution or proposition other than a bill, constitutional amendment, concurrent or joint resolution, may give notice of reconsideration of the vote whereby the same was passed or refused passage on the same day such vote to be reconsidered was taken, which notice shall suspend all further consideration until the next legislative day; provided, however, that a motion to reconsider on the same day the notice was given shall take precedence over and above such notice and upon demand of any member must be put to an immediate vote A motion to reconsider any proposition other than a bill, constitutional amendment, concurrent or joint resolution shall require an affirmative recorded vote of a majority of the entire elected membership.

No notice of motion for reconsideration shall be in order on the day preceding the last day for consideration of Assembly or Senate bills in the Assembly. No motion to reconsider shall be adopted except upon an affirmative recorded vote of a majority of the entire elected membership, except that it shall require a two-thirds vote of the entire elected membership to reconsider the vote on any matter originally requiring a two-thirds vote for its passage or adoption.

When reconsideration is granted, the bill shall resume its exact position before the Assembly previous to its being voted upon.

Call of Assembly

85. After the roll has been called, and prior to the announcement of the vote, any member may move a call of the Assembly A majority of the members present may order a call of the Assembly, and the Speaker shall immediately order the Sergeant-at-Arms to lock all doors and shall direct the Clerk to prepare a list of absentees as disclosed by the last roll call, which list of absentees shall be furnished to the Sergeant-at-Arms and printed in the Journal. Thereupon no members shall be permitted to leave the Assembly Chamber except by written permission of the Speaker, and no person shall be permitted to enter except such member as is taken into custody as herein provided, or Senators, officers, attaches, or employees of the Legislature in the official performance of their duties.

Those members who are found to be absent, and for whom no leaves of absence have been granted, shall be forthwith taken into custody wherever found by the Sergeant-at-Arms or his assistants or any person designated by the Sergeant-at-Arms, including members of the California Highway Patrol, the State Police, and Sheriffs or their deputies, and brought to the Assembly Chamber. No recess or adjournment shall be taken during a call of the Assembly. During such call, the Assembly may consider and transact any matter of business by unanimous consent. No

call of the Assembly shall be ordered on any matter while the Assembly is already under call. A call of the Assembly may be dispensed with at any time upon a majority vote of the members present, at which time the completion of the roll call pending when the call of the Assembly was ordered shall become the immediate order of business before the Assembly.

Resolutions

86. The adoption of any resolution authorizing the expenditure of money shall require an affirmative recorded vote of a majority of all members elected to the Assembly. All House resolutions shall be numbered and shall be referred to the appropriate committee by the Speaker.

Motions and Resolutions

87. Any motion or resolution not otherwise provided for under the Rules shall be placed before the Assembly only under this order of business Unless otherwise provided by law or Assembly rule, any motion or resolution may be adopted by a majority vote of the members present.

Adjournment

88. Adjournment for the constitutional recess or adjournment *sine die* shall be ordered by concurrent resolution. The resolution for adjournment *sine die* shall be adopted by the Assembly not less than seven days before the date set therein for such adjournment.

Members' Decorum and Privileges

Order in Speaking to Questions

89. When a member desires to address the Assembly, he shall rise from his seat and respectfully address himself to "Mr Speaker." Upon being recognized, he may speak, confining himself to the question under consideration. When two or more members rise at the same time, the Speaker shall designate the member who is entitled to the floor.

No member shall speak more than once during the consideration of any one question on the same day and at the same stage of proceeding, except that the author of a bill or resolution or the mover of a question shall have the right to open and close the debate thereon. No member shall be allowed to speak more than 10 minutes to open and five minutes to close the debate thereon, and no member other than the author or the mover of the question shall be allowed to speak more than five minutes thereon. No member shall yield to any other member the time for which he is entitled to speak on any matter.

Leave of Absence

90. No member shall absent himself from attendance at any session of the Assembly without leave of the Assembly, and no member shall obtain such leave of absence or be excused for nonattendance, except by a two-thirds vote of all members elected to the Assembly, or by unanimous consent.

Personal Privilege

91. Any member may rise to explain a matter personal to himself and shall forthwith be recognized by the Speaker, but shall not discuss a question in such explanation. Such matters of personal privilege yield only to a motion to recess or adjournment.

Objection to Reading of Any Paper

92 Any member upon recognition by the Speaker may object to the reading of any paper before the Assembly. After such objection, the question of reading shall be determined without debate by a majority vote of the members present, upon a brief statement of its substance by the Speaker.

Members Called to Order for Transgressing Rules

93. a. If any member transgresses the Rules of the Assembly, the Speaker shall, or any member may, call the offending member to order. The member so called to order shall immediately take his seat, until the Speaker without debate, shall have determined whether he is in order or not. Such decision by the Speaker shall be subject to an appeal to the Assembly.

b. If any member be called to order for offensive words spoken in debate, the person calling him to order shall state to the Assembly the words to which exception is taken. No member shall be held to answer, or be subject to censure by the Assembly, for language used in debate, if other business shall have been transacted by the Assembly prior to exception being taken to the words spoken.

Members Voting

94. Every member in the Assembly Chamber when a roll call is required shall record his vote openly and without debate, unless the Assembly shall, by a majority vote of the members present, excuse him.

The name of any member who refuses to vote as required by this rule, after being requested by the Speaker to do so, shall be entered in the Journal of the Assembly, together with a statement that he was present and did so refuse to vote. Any member who refuses so to vote may, if he so desires, and immediately after the announcement of the vote, submit a written explanation of his failure to vote and have such explanation printed in the Journal, provided no such explanation shall exceed 50 words in length.

In addition to the entry of his name in the Journal, any member who refuses so to vote when required, and who has not been excused from doing so, may, immediately after the announcement of the vote, in the discretion of the Speaker or upon demand of any member, be summoned to appear before the bar of the Assembly for public censure by the Speaker or by any member designated by the Speaker. Censure of a member as provided by this rule shall not constitute a bar to proceedings for his expulsion from the Assembly pursuant to Section 9 of Article IV of the Constitution.

A member may submit a written explanation of his vote on any bill or House resolution, and have such explanation printed in the Journal immediately following such vote, provided no such explanation shall exceed 50 words in length.

Ayes and Noes

95. The ayes and noes shall be recorded by the electrical voting system on the final passage of all bills, or by viva voce when demanded by three members or when ordered by the Speaker, and on any other question when called for by three members or ordered by the Speaker, the names of which members shall be entered in the Journal.

Voting Not to Be Interrupted

96. When once begun, voting shall not be interrupted, except that before the vote is announced, any member may have the total pending vote flashed on the visible vote recorder. Prior to the announcement of the vote the Speaker shall inquire if all members have voted. Any member may move a call of the Assembly after the completion of the roll and prior to the final recording, but no member shall be allowed to change his vote, or have his vote recorded after the vote is announced.

Members at Clerk's Desk

97. No member or other person shall be allowed at the Clerk's desk while the ayes and noes are being recorded or the votes counted.

Tie Vote

98. In case of an equal division, or tie vote, the question shall be lost.

"Two-thirds of the Entire Elected Membership" Defined

99. Wherever the words or figures, "two-thirds of the entire elected membership" appear in any rule, it shall mean 54 votes.

100. Pursuant to the powers vested in the Assembly Committee on Rules or the Assembly Legislative Process Committee, and during such times as the Assembly is not in session, the committee is authorized and directed to incur and pay such expenses of the Assembly not otherwise provided for as the committee determines are reasonably necessary, including repair, alteration, improvement and equipping of the Assembly Chamber and the offices provided for the Assembly in the State Capitol.

Resolution read, as amended.

Division of the Question

Mr. Hinckley asked for a division of the question, and that line numbered 9, in Rule 8, be voted upon separately.

Division of the Question
Consideration of House Resolution No. 23, as Amended, Except for Line Numbered 9 in Rule 8

Resolution read, with exception deleted.

The roll was called, and the resolution, as amended, adopted by the following vote without the inclusion of line numbered 9 in Rule 8.

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—77.

NOES—None.

Consideration of Line Numbered 9 in Rule 8 of Resolution No. 23

9. Boards and Commissions

The roll was called, and the above portion of the Standing Rules adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering,

Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—64.

NOES—Burke, Collier, George D. Collins, Fleury, Hahn, Hinckley, Kirkwood, and Lowrey—8.

Final Consideration of House Resolution No. 23, as Amended

The roll was called, and the resolution relative to the Standing Rules adopted, as amended, by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—75.

NOES—George D. Collins—1.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 385: By Messrs. Rumford and Connolly—An act to add Section 29015 to, and to amend Section 29020 of, the Health and Safety Code, relating to dangerous drugs and to hypnotic drugs

Referred to Committee on Public Health.

Assembly Bill No. 386: By Messrs. Connolly, Hahn, and Geddes—An act to amend Section 6366 of the Revenue and Taxation Code, relating to exemptions of aircraft from the sales and use tax

Referred to Committee on Revenue and Taxation

Assembly Bill No. 387: By Mr. Geddes—An act to add Section 214.5 to the Revenue and Taxation Code, relating to exemption from property taxes

Referred to Committee on Revenue and Taxation

Assembly Bill No. 388: By Mr. Connolly—An act to amend Section 674 of the Code of Civil Procedure, relating to judgment liens.

Referred to Committee on Judiciary.

Assembly Bill No. 389: By Messrs. Evans, Grant, Dickey, and Stewart—An act to amend Section 51 of the Public Utilities Act and Section 851 of the Public Utilities Code, relating to public utilities

Referred to Committee on Public Utilities and Corporations

Assembly Bill No. 390: By Mr. Sherwin—An act making an appropriation in augmentation of the appropriation in Item 278 of the Budget Act of 1950, for Salary Increase Fund, to take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 391: By Mr. Condon—An act to amend Section 57 of the California Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 392: By Mr. Condon—An act to amend Section 1 and Section 57 of the California Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 393: By Mr. Condon—An act to amend Section 1 of the California Unemployment Insurance Act, dealing with unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 394: By Mr. Condon—An act to amend Section 13 of the California Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 395: By Mr. Condon—An act to add Section 38 1 to the California Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 396: By Mr. Condon—An act to repeal Sections 39, 39 1, 40, 41, 41.1, 41.2, 41 3, 41 5, 42, and 47 of the California Unemployment Insurance Act, relating to unemployment insurance

Referred to Committee on Finance and Insurance.

Assembly Bill No. 397: By Mr. Condon—An act to repeal Section 39.1 of the California Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance

Assembly Bill No. 398: By Mr. Condon—An act to amend Section 56 of the California Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 399: By Mr. Condon—An act to amend Section 58 of the California Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 400: By Mr. Condon—An act to amend Section 58 of the California Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 401: By Messrs. Gaffney, George D. Collins, and Berry—An act to amend Section 4553 of the Labor Code, relating to workmen's compensation benefits for injuries sustained from serious and wilful misconduct.

Referred to Committee on Industrial Relations.

Assembly Bill No. 402: By Messrs. Gaffney, George D. Collins, and Berry—An act to amend Section 4553 of the Labor Code, relating to workmen's compensation benefits for injuries sustained by serious and wilful misconduct.

Referred to Committee on Industrial Relations.

Assembly Bill No. 403: By Messrs. Gaffney, George D. Collins, and Berry—An act to add Section 4664 to the Labor Code, relating to workmen's compensation benefits for workers with dependents.

Referred to Committee on Industrial Relations

Assembly Bill No. 404: By Messrs. Gaffney, George D. Collins, and Berry—An act to amend Section 4553 of the Labor Code, relating to workmen's compensation benefits for injuries sustained from serious and wilful misconduct.

Referred to Committee on Industrial Relations

Assembly Bill No. 405: By Messrs. Gaffney, George D. Collins, and Berry—An act to amend Section 4751 of the Labor Code, relating to subsequent injuries payments under workmen's compensation.

Referred to Committee on Industrial Relations

Assembly Bill No. 406: By Mr. Evans—An act requiring the installation and maintenance of windshield wipers and heating and defrosting equipment on all streetcars and motor coaches; and providing penalties for its violation.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 407: By Mr. Doyle—An act to amend Section 7315 of the Business and Professions Code dealing with cosmetology.

Referred to Committee on Public Health.

Assembly Bill No. 408: By Mr. Doyle—An act to repeal Section 1647.5 of the Labor Code, relating to employment agencies

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 409: By Mr. Rosenthal—An act to add Section 1631 1 to the Labor Code, relating to employment agencies.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 410: By Mr. Rosenthal—An act to amend Section 1630 1 of the Labor Code, relating to employment agencies.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 411: By Mr. Rosenthal—An act to repeal Chapter 1 of Part 6 of Division 2 of the Labor Code, and to add Section 1550 to the Labor Code, relating to private employment agencies.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 412: By Mr Rosenthal—An act to add Section 1682 to the Labor Code, relating to state employment bureaus.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 413: By Mr. Evans—An act to add Section 1141 to the Labor Code, relating to discrimination in employment.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 414: By Mr. Henderson—An act to amend Section 4605 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 415: By Mr. Henderson—An act to amend Sections 4600 and 4601 of, and to repeal Sections 4602 and 4603 of, the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 416: By Mr. Henderson—An act to amend Section 4600 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

RESOLUTIONS

The following resolution was offered:

By Mr. Thomas:

House Resolution No. 29

Relative to the creation of the Assembly Interim Committee on the Borough Form of City Government

WHEREAS, The great influx of people into this State has caused large increases in population of the metropolitan areas of this State; and

WHEREAS, This has resulted in the development of many separate communities within the metropolitan areas but removed from the centers of such areas, each with its own needs and problems; and

WHEREAS, Other great metropolitan areas such as New York and London, in order to meet the special problems caused by this development of separate communities, have seen fit to establish therein the borough form of city government; and

WHEREAS, The borough form of city government might well aid in the solution of these special problems in the metropolitan areas of this State; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on the Borough Form of City Government is hereby created and authorized and directed to ascertain, study, and analyze all facts relating to the feasibility of the borough form of city government, including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the report its recommendations for appropriate legislation.

2. The committee shall consist of five Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties, and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice-chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The committee, or any subcommittee thereof when so authorized by the committee, is authorized to leave the State and to meet and act at any place within the United States in connection with the investigation committed to it.

7. The sum of five thousand dollars ($5,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it

may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read, and ordered referred to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 417: By Mr. Waters—An act to amend Sections 8530, 8550, 8602, 8625, 8642, and 8645 of the Elections Code, relating to election contests.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 418: By Mr. Brown—An act to amend Sections 154 and 6500 of the Welfare and Institutions Code, relating to state hospitals for the care and treatment of the insane, the mentally ill, and the mentally disordered.

Referred to Committee on Public Health.

ANNOUNCEMENT OF COMMITTEE APPOINTMENTS

Speaker Sam L. Collins announced the appointment of members to membership on the Standing Committees as follows:

AGRICULTURE—Clarke (Chairman), Cooke (Vice Chairman), Babbage, Belotti, Brown, Butters, Cloyed, Davis, Erwin, Gubser, Hagen, Hansen, Henderson, Kelly, Lindsay, Lowrey, McCollister, McFall, Porter, Shaw, and Silliman.

CIVIL SERVICE AND STATE PERSONNEL—Caldecott (Chairman), Fleury (Vice Chairman), George D. Collins, Connolly, Klocksiem, Meyers, Moss, and Rumford

CONSERVATION, PLANNING, AND PUBLIC WORKS—Silliman (Chairman), Lindsay (Vice Chairman), Clarke, Hagen, Hansen, Lincoln, Lowrey, Luckel, and McMillan.

CONSTITUTIONAL AMENDMENTS—Crowley (Chairman), Maloney (Vice Chairman), Belotti, Brown, Dickey, Lyon, and Rosenthal.

BOARDS AND COMMISSIONS—McMillan (Chairman), Lincoln (Vice Chairman), Condon, Doyle, Kilpatrick, Maloney, and McCollister.

EDUCATION—Dunn (Chairman), Beck (Vice Chairman), Babbage, Burkhalter, Caldecott, Chapel, Collier, Condon, Gaffney, Geddes, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, McFall, McGee, Moss, Niehouse, Parker, Porter, and Tomlinson.

ELECTIONS AND REAPPORTIONMENT—Waters (Chairman), Butters (Vice Chairman), Berry, Burke, Burkhalter, Coats, Conrad, George D. Collins, Davis, Dickey, Dolwig, Hahn, Hawkins, Hinckley, Lyon, Stanley, Sherwin, and Tomlinson

FINANCE AND INSURANCE—Geddes (Chairman), Dolwig (Vice Chairman), Beck, Dunn, Grunsky, Kelly, Lanterman, Levering, Lipscomb, Lyon, Maloney, Meyers, Morris, Rosenthal, and Smith

FISH AND GAME—Erwin (Chairman), Thomas (Vice Chairman), Butters, Burkhalter, Davis, Doyle, Hahn, Hinckley, Lindsay, Luckel, and Stanley.

GOVERNMENTAL EFFICIENCY AND ECONOMY—Stewart (Chairman), Hinckley (Vice Chairman), Brown, Conrad, Evans, Grunsky, Gubser, Lanterman, Levering, Lincoln, Lipscomb, McCarthy, McFall, McGee, McMillan, Moss, Munnell, Rumford, Sherwin, Thomas, and Waters.

INDUSTRIAL RELATIONS—Levering (Chairman), Gaffney (Vice Chairman), Berry, Collier, Condon, Elliott, Henderson, Hollibaugh, Kirkwood, and Parker.

JUDICIARY—Brown (Chairman), Rosenthal (Vice Chairman), Babbage, Beck, Brady, Caldecott, Coats, George D. Collins, Connolly, Crowley, Dickey, Dolwig, Fleury, Grunsky, McCarthy, McFall, McGee, Munnell, Shaw, Smith, and Tomlinson

LEGISLATIVE PROCEDURE—Burke (Chairman), Grunsky (Vice Chairman), and Elliott.

MANUFACTURING, OIL, AND MINING INDUSTRY—Morris (Chairman), Porter (Vice Chairman), Brady, Davis, Dunn, Grant, Henderson, Hollibaugh, Kelly, Kilpatrick, and Lyon.

MILITARY AFFAIRS—McCollister (Chairman), Grant (Vice Chairman), Coats, Cooke, Dills, Niehouse, Stanley, and Stewart.

MUNICIPAL AND COUNTY GOVERNMENT—Stanley (Chairman), Hahn (Vice Chairman), Burke, Coats, Hollibaugh, Klocksiem, Lanterman, Rumford, and Stewart.

PUBLIC HEALTH—Connolly (Chairman), Smith (Vice Chairman), Dills, Grant, Lipscomb, Rumford, and Shaw.

PUBLIC UTILITIES AND CORPORATIONS—Evans (Chairman), Brady (Vice Chairman), Berry, Burke, Burkhalter, Dickey, Dills, Grant, Hagen, Hawkins, Luckel, McGee, Morris, and Stewart.

REVENUE AND TAXATION—Hollibaugh (Chairman), Dills (Vice Chairman), Chapel, Cloyed, Doyle, Evans, Geddes, Gubser, Hahn, Hansen, Hawkins, McCarthy, Morris, Rosenthal, Sherwin, and Thomas.

RULES—Dickey (Chairman), Doyle (Vice Chairman), Crowley, Dolwig, Dunn, Evans, Geddes, Hollibaugh, Lyon, McCollister, McMillan, Maloney, and Waters.

SOCIAL WELFARE—Niehouse (Chairman), Kilpatrick (Vice Chairman), Condon, Cooke, Elliott, Kirkwood, Klocksiem, and Lanterman.

TRANSPORTATION AND COMMERCE—Luckel (Chairman), Berry (Vice Chairman), Belotti, Chapel, Lindsay, Meyers, and Parker

WAYS AND MEANS—Sherwin (Chairman), Lowrey (Vice Chairman), Babbage, Butters, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Conrad, Crowley, Erwin, Fleury, Gaffney, Hagen, Hinckley, Kilpatrick, Kirkwood, Klocksiem, Lipscomb, McCarthy, Meyers, Moss, Munnell, Porter, Silliman, Tomlinson, and Waters.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Joint Resolution No. 2: By Messrs. Maloney, Thomas, Porter, Brady, Gaffney, Berry, George D. Collins, Condon, Connolly, Crowley, McCarthy, and Meyers—Relative to the allocation of funds for shipbuilding to Pacific Coast facilities.

Referred to Committee on Rules.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal:

Letter of Transmittal

STATE OF CALIFORNIA
STATE FIRE MARSHAL
SACRAMENTO, January 8, 1951

Hon. Sam L. Collins
Speaker of the Assembly
State Capitol, Sacramento, California

DEAR SIR: Pursuant to Assembly Concurrent Resolution No. 91, I am submitting herewith a report of my findings on a study of facts relating to the storage, use, and handling of liquefied petroleum gas in California.

It is my recommendation that state laws, regulations, and their administration be strengthened by adoption of one of the two plans proposed in the attached report

in order that fire and explosion hazards, resulting from careless use of this product, may be reduced to the minimum.

In view of present-day conditions, it is my recommendation that Plan No. 1 (shown on page 9 of the report) be followed, but that in future years, when conditions warrant, Plan No 1 be expanded to include the major features of Plan No. 2.

Respectfully submitted,

JOE R. YOCKERS, State Fire Marshal

Above mentioned report ordered referred to the Committee on Manufacturing, Oil, and Mining Industry.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED IN JOURNAL

Speaker Sam L. Collins asked for, and was granted, unanimous consent that the following letter of transmittal and Report of the Assembly Interim Committee on State-Federal Cooperation in the Discovery, Production, Transportation, Refining, and Use of Petroleum (H. R. 195, 1949 Session) be ordered printed in the Journal in 10 point type.

REPORT OF THE CALIFORNIA STATE ASSEMBLY COMMITTEE ON "STATE-FEDERAL COOPERATION IN THE DISCOVERY, PRODUCTION, TRANSPORTATION, REFINING, AND USE OF PETROLEUM"

Created by Assembly House Resolution No. 195, June 28, 1949

MEMBERS OF THE COMMITTEE

CARL FLETCHER, Chairman — FRANCIS DUNN, JR.
JAMES G. CRICHTON — SAM L. COLLINS
JONATHAN J. HOLLIBAUGH

LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE
December 31, 1950

Hon. Sam L. Collins, Speaker of the Assembly
State Capitol Building, Sacramento, California

DEAR SPEAKER COLLINS: Attached hereto is the Report of the California State Assembly Committee On State-Federal Cooperation in the Discovery, Production, Transportation, Refining, and Use of Petroleum created by House Resolution No. 195—1949 Session.

Respectfully submitted,

CARL FLETCHER, Chairman

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Report of the California State Assembly Committee on "State-Federal Cooperation in the Discovery, Production, Transportation, Refining, and Use of Petroleum"

1. TEXT OF THE RESOLUTION CREATING COMMITTEE

The text of the resolution creating the Assembly Committee of the California State Legislature on State-Federal Cooperation in the Discovery, Production, Transportation, Refining, and Use of Petroleum follows:

House Resolution No. 195

Relative to the creation of the Assembly Committee on State-Federal Cooperation in the Discovery, Production, Transportation, Refining, and Use of Petroleum.

WHEREAS, An Assembly interim committee on the subject of this resolution was first created in 1943, and committees thereon have subsequently been created, and

WHEREAS, There is a continuing need for legislative investigation, study, and fact-finding in this field, now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Committee on State-Federal Cooperation in the Discovery, Production, Transportation, Refining, and Use of Petroleum Oil and Its Products is hereby created and authorized and directed to ascertain, study, and analyze all facts relating to

(a) The subject (within the scope of legislative regulation and control) of attaining maximum efficiency and minimum waste at all the various phases of the discovery, production, transportation, refining, and use of oil, gas, and other hydrocarbon substances, including production thereof from lands owned by the State, public agencies, and political subdivisions, cooperating therein to the fullest extent in every way with federal agencies; and

(b) The title of the State of California and its grantees in and to the tide, submerged and reclaimed lands lying within its borders and adjacent to its seacoast, the use, administration, and management thereof by the State and its grantees, any attacks by federal officials relating thereto, litigation with reference thereto, and legislation pending in Congress affecting such title, and any and all matters relating thereto or connected therewith or which affect the interests of the State therein; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the report its recommendations for appropriate legislation.

2. The committee shall consist of the Speaker of the Assembly and four Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during the session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly, and of the Standing Rules of the Assembly, as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it seems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(c) To cooperate with and secure the cooperation of county, city, city and county, other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To meet at the State Capitol or at any other place in this State or within the United States

(f) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of fifteen thousand dollars ($15,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the

expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES (* * *)—51.
NOES (* * *)— 4.

—*The Assembly Journal*, June 28, 1949

2. PERSONNEL OF THE COMMITTEE

Pursuant to the resolution creating the committee, the committee was established with the following membership:

Hon CARL FLETCHER, Chairman, Long Beach, California
Hon. SAM L. COLLINS, Fullerton, California
Hon. JAMES G. CRICHTON, Fresno, California
Hon. FRANCIS DUNN, JR., Oakland, California
Hon. JONATHAN J. HOLLIBAUGH, Huntington Park, California

3. STATUS OF THE TIDE AND SUBMERGED LANDS

After more than 100 years of undisputed possession and ownership, both inland and coastal, of all lands beneath navigable waters within our boundaries, executive agencies of the Federal Government have made attempts to take such lands and the Supreme Court of the United States has rendered an opinion against California. The Supreme Court, however, refused to find ownership of such lands in the Federal Government and limited its decision strictly to the declaration of paramount federal powers over the submerged lands for national defense, commerce, and international affairs.

The Supreme Court specifically refused to include "proprietorship" or "ownership" in its decree in favor of the government, thereby leaving the entire question of ownership of such lands for future litigation or action by the Congress. The whole question of ownership and division of state and federal powers as to the disputed lands is a legislative matter, the Supreme Court held, using the following words:

> "We have said the constitutional power of Congress in this respect is without limitation * * *. Thus neither the courts nor the executive agencies could proceed contrary to an act of Congress in this *congressional area* of national powers."

The members of this committee call attention to the fact that a majority of both houses of Congress have indicated their support of state ownership legislation each time that the subject has been voted upon and the Committees on the Judiciary of the United States Senate and House of Representatives, in reporting favorably on S. 1988 in the Eightieth Congress, recognized the historic rights and traditional equities of the several states by incorporating the following language in their joint report:

> "* * * We consider it against the public interest for the Federal Government to commence a series of vexatious lawsuits against the sovereign states to recover submerged lands within the boundaries of the states, traditionally looked upon as the property of the

states under a century of pronouncements by the Supreme Court reflecting its belief that the states owned these lands." (p. 10)

"* * * The committee is of the opinion that not only will the public interest be best served by confirming the rights of the states but that common justice and equity require such action." (p. 16)

Legislative action in favor of California's position has been supported continuously for several years by the National Association of Attorneys General, the Governors' Conference, the Council of State Governments, National Association of Port Authorities, National Water Conservation Association, American Title Association, United States Conference of Mayors, and many other national organizations.

The committee recommends that the California Legislature continue to urge the adoption by the Congress of an act recognizing that ownership of lands beneath navigable waters within the State shall continue to be vested in the State, subject only to the paramount rights of the Federal Government in a national emergency, in commerce, and in national defense, the exercise of which shall never of itself vest any proprietary interest in such lands in the Federal Government; but recognizing the rights of the Federal Government to take any such property necessary for national defense by priority purchase or due process of law.

We recommend that the Legislature vigorously oppose any agreements between private interests and federal agencies under which equity and relief would be given private interests without giving the same full and complete equity to the State and its political subdivisions, and oppose any proposed legislation which will permit the Department of Interior or any other federal agency to lease, to private interests, lands beneath navigable waters within the original boundaries of the State.

In order that the Legislature may have a picture of the problem confronting the State clearly in mind, it would be well to give a brief history of what has transpired to this time. The problem has two facets: (a) The litigation facet. (b) the legislative facet.

California's ownership of the submerged lands within its boundaries, which extend three miles seaward from its coast line was recognized by the entire Federal Government for nearly a century. During this time the Federal Government purchased from the State or its grantees many parcels of these lands for its use. Others it condemned, paying just compensation therefor in accordance with the requirements of the Fifth Amendment to the United States Constitution In numerous instances the State or its grantees have, in a spirit of helpful cooperation, by gift deed conveyed parcels of these lands to the Federal Government, but the Government has always required a formal conveyance to it before any of its funds were expended upon any such lands.

Some time after the turn of the century, interest developed in the exploration for oil and other hydrocarbon substances in offshore, submerged lands along certain portions of our coast Eventually offshore wells were drilled under leases from the State and oil and gas were discovered and produced. Later it became known that these resources or products were drained from reservoirs of oil and gas lying beneath the offshore submerged lands belonging to the State by wells drilled and produced by the owners of onshore or upland areas under which lay the same pools or reservoirs as those underlying the state-owned submerged

lands. Provisions of law were enacted by the California Legislature permitting the State to lease its submerged lands for the drilling of wells and the production of oil and gas therefrom in those cases where these lands were being drained or there was a threat of drainage from onshore vertical wells. Leases were made, under loyalty provisions satisfactory to the State, wells were drilled and oil and gas in substantial quantities were produced therefrom, resulting in a noteworthy development of our natural resources.

California and its lessees pioneered in the field of exploration, discovery, and production of oil in submerged coastal lands. The process of slant-drilling, or whipstocking, which was largely responsible for successful operations, was in fact invented in our State, and it was here that it passed through the difficult stages of experimentation to a perfected technique in the drilling of oil wells. It was this, in a large measure, which made possible the great contribution made to this Nation of the recovery of vast reservoirs of these important resources underlying submerged coastal lands.

However, possibly it was inevitable that when the time came that California's pioneering efforts in this field bore fruit, there were those who began to look with jealous eyes upon the success which had resulted, and to seek methods of "muscling in" or "taking over"—to employ language of the street. Inasmuch as lessees of the State were lawfully in possession under state law and satisfactorily performing the obligations of their leases, rather than attempt the old-fashioned role of claim jumper to oust the State's lessees they apparently decided to try and by-pass the State of California, and so they filed application for leases with the Department of the Interior of the Federal Government upon the same lands which had already been leased by the State and from which oil was being produced and the State was receiving substantial revenues. These applications, however, did not meet with the desired action at the hands of the Department of the Interior. The Federal Government recognized ownership in the State of California. In answer to a letter addressed to him by one of these covetous applicants for a lease on an area of submerged lands in California, the then Secretary of the Interior, Harold L. Ickes, made the following reply to the applicant.

> "Title to the soil under the ocean within the three-mile limit is in the State of California and the land may not be appropriated except by authority of the State."

A number of years later, however, Secretary Ickes made an about face, and at his instance the Federal Government commenced an action in the United States Supreme Court, as a court of original jurisdiction, in which it sought to establish federal ownership of all submerged lands within the boundaries of this State. On June 23, 1947, the United States Supreme Court announced that California was not the owner of these lands, it declined to hold that the United States was the owner, and set up a new doctrine of so-called "paramount rights." In this manner, the Federal Government virtually took over, by what some have termed a process of "legalized seizure," the coastal submerged lands of California which exceed 3,000 square miles in area, all of which lie within its constitutional boundaries.

Almost immediately following the announcement of the Supreme Court's decision, and several months prior to the order and decree, conferences were held in Washington, D. C., by representatives of both parties to discuss what course should be taken in respect to the operation of the existing leases in California submerged lands and other matters. It was agreed that operations under the existing leases should continue for the period of one year and that new leases could be made by the State Lands Commission with the approval of the Secretary of the Interior, all revenues to the State to be impounded in a special fund pending final disposition by the Supreme Court or Congressional action. This stipulation was renewed for an additional year on July 28, 1948, and again on August 2, 1949, without change. On August 21st of this year a revised and extended stipulation was entered into and made effective to October 1, 1951. This gave the Secretary of the Interior added authority, particularly to require the State to call for bids for new leases and to require the drilling of new wells when requested by the Secretary. The State is also required under the revised stipulation to pay the rentals and royalties received from its leases after October 1, 1950, to the United States quarterly, the United States agreeing to segregate and hold the moneys so paid in a special fund The State shall continue to hold in a special fund all rentals and royalties received between June 23, 1947, and September 30, 1950, inclusive. The State Lands Commission may expend not to exceed $12,000 per month from the latter fund to defray its expenses in administering the law respecting operations under such leases and the Secretary of the Interior may use not to exceed $50,000 per annum of the funds paid by the State after September 30, 1950, to reimburse the Geological Survey and other agencies of the Department of the Interior for their expenses after that date.

In January of 1948, the Federal Government filed a motion in the Supreme Court to establish the lines of demarcation of three segments along the California Coast They carefully selected three areas where oil was being produced and urged that these lines (and only these) be drawn at once in the way they had drawn them upon a sketch which accompanied their motion. They drew the line for their first segment from Point Conception to Point Hueneme by hugging the ordinary low water mark for the entire distance. This segment was to take care of the Elwood and other fields in Santa Barbara County and those in Ventura County. They drew their lines for the second segment on the line described in the stipulation describing San Pedro Bay, limiting it to a line from Point Fermin to a point just outside the Rainbow Pier in Long Beach (this line being over a mile inside the breakwater). From the latter point they drew their line right up to the ordinary low water mark down as far as the entrance to Newport Bay. It is important to bear in mind also that they want these lines fixed and established at the low water mark *as it existed on September 9, 1850,* regardless of any accretions, whether natural or artificial, since that date.

In the City of Long Beach there are almost five miles of beautiful beach lying southeasterly from her Rainbow Pier which are placed entirely in jeopardy. This beach, of course, is now further seaward than it was in 1850. In the Santa Monica Bay area there are over seven miles of beach which, during the past few years, has been widened several

hundred feet by the placement there of excess sand from the excavation at the side of the new Hyperion Sewage Treatment Plant of the City of Los Angeles Such examples could be multiplied.

There is now impounded in our State Treasury the sum of 27 million dollars, the release of which depends upon either favorable action, as to a portion of it, by the United States Supreme Court, or the restoration of ownership to all of it by the Congress. Out of this sum presently impounded some 19 million dollars would, under out state law, be immediately made available for the development of our state parks and beaches, and that, in addition, other substantial sums would go to other needful uses, including a substantial sum which would be released to the educational fund of veterans' dependents.

It is the belief of this committee that in positive and permanent action by the Congress lies the only real and satisfactory solution to this problem. The committee recommends that the Legislature urge the Congress of the United States to adopt legislation which will establish and confirm in every one of the states within the Nation the fee title to all lands lying beneath navigable waters within their respective boundaries including the resources thereof—whether the state be coastal, entirely inland or bordering upon the Great Lakes, and whether the waters be those of the sea, or of stream, river, or lake.

It is not too much to say that with united effort, both vigorous and untiring, such righteous legislation can be made law. As early as the Seventy-ninth Session of Congress in 1947, legislation was urged, and has since been constantly urged before the Congress, in the effort to restore these lands to California, as well as to definitely establish the title of every state in the Nation to all lands beneath navigable waters within its boundaries. In 1947, such a bill was passed by the House of Congress, only to be vetoed by President Truman too late in the session for it to be brought up before the Congress in an effort to pass it over his veto. In 1948, a similar bill was passed by the House of Representatives by a vote of almost 10 to 1, 257 to 29 to be exact. In 1949, the states again pursued their efforts in Congress to have this question settled once and for all by restoring to and confirming in the states the ownership of and title to these lands. These bills were referred to the Judiciary Committee of the House and the Committee on Interior and Insular Affairs of the Senate Inasmuch as the hearings were not concluded until just prior to adjournment no vote was taken in either house on their passage.

We must now look to the Eighty-third Congress. The last bill of the states introduced in the Senate bore the sponsoring names of *20* Senators from states spanning the entire Nation. More could have been obtained. In the House there was *not one* such bill introduced for the states, but *over 20*. This can be done again. There is little doubt of such a bill's passing the House by a very impressive vote. In the Senate favorable action can be anticipated.

The State of California has firmly committed itself to the policy of bringing about the restoration and confirmation of its rights in and title to all submerged lands beneath navigable waters within its boundaries, including the resources thereof. Our Governor has appeared before Congressional committees on numerous occasions in support of this policy and effort. His activities in this cause date back more than a decade, to

the time when he was Attorney General of this State. The State Lands Commission, the membership of which consists of the Lieutenant Governor, the State Controller and the Director of Finance, has uninterruptedly exerted its effort in this fight. Every Attorney General California has had since the turn of the century has fought for the rights of this State to the ownership of its submerged lands to the limits of its boundaries The California Legislature has three times in as many years adopted joint resolutions declaring that, "it is in the public interest and in the futherance of justice that title and ownership of the lands beneath navigable waters within the boundaries of the states be restored to and confirmed in these states by the Congress of the United States" and called upon the Congress to recognize, confirm, and establish title to such lands in the states. The most recent resolution is set forth as Chapter 17 of the Statutes of 1950. Furthermore, the Legislature of this State in Chapter 65, Statutes of 1949, in giving greater precision to the boundary of the State of California as defined in Article XXI of the Constitution, declared in Sections 170, 171, and 172 of the Government Code that our boundary "runs and has in the past run three English nautical miles oceanward of lines drawn along the outer sides of the outermost of the islands, reefs and rocks along and adjacent to the mainland and across intervening waters."

California's positive and vigorous stand and untiring efforts is not without support from other sources. Compelling evidence that the states are not to be regarded as urging claims which are either unfair or unjustified is found in the impressive expressions of outstanding official bodies nation-wide in scope Such official bodies, which enjoy the highest standing throughout the Nation, include: (1) The Conference of Governors, composed of the Governors of the 48 states; (2) the National Association of State Land Officials; (3) the American Association of Port Authorities; (4) the National Institute of Municipal Law Officers; (5) the Council of State Governments; (6) the Conference of Mayors; (7) the National Association of Attorneys General; (8) the National Association of Secretaries of State; (9) the National Reclamation Association; (10) the National Water Conservation Conference; (11) the American Bar Association; and (12) the American Title Association.

Every one of these official bodies has gone on record, not once but on numerous occasions, firmly insisting that the Congress restore to and recognize and confirm in the states title to all lands beneath the navigable waters within their boundaries, as well as all natural resources contained therein.

The official stand taken by these national bodies must be recognized as reflecting the study and deliberation of some of the best thought in the Nation, and as being founded upon the basic principles of plain justice as well as upon fundamental rights vouchsafed to the states and the people thereof by the Federal Constitution itself.

4. PERCENTAGE DEPLETION

National Security and the General Welfare

It is necessary that California continue the search for new oil fields for the replenishment of current production and to build up an adequate reserve capacity for national emergencies. In order that capital will be risked in the search for oil, an adequate incentive must be provided. In

the absence of such incentive, exploration will cease and new oil fields will not be found. This is doubly important here in California where 90 percent of all energy consumed is provided by petroleum products. On a national scale the oil industry accounts for 3 percent of the national income but produces approximately 7 percent of all federal, state and local taxes, which amounts to $1.67 tax on every barrel of crude oil produced, this indicates the oil industry is paying far more than its just share. Taxes cannot be added to an already over-burdened industry without impairment of its efficiency and an increase in the cost of products to the vast consuming public here in the west.

A subject of special concern to the oil industry is a provision in the Internal Revenue Code which grants to the producers of oil and natural gas a deduction in computing their federal income tax liability which is commonly referred to as percentage depletion.

Under the law as it has existed since 1926, producers of oil and natural gas have been allowed to reduce their taxable income derived from the production of these raw materials to the extent of 27½ percent before applying the normal corporate income tax rates to such income.

While certain groups contend that the oil industry has an unfair tax advantage through this tax provision and various attempts have been made to get Congress to reduce or eliminate percentage depletion, this allowance has a just place in our tax structure and is of tremendous importance to the Nation's economy and military defense.

What Is Percentage Depletion?

The Sixteenth Amendment gave Congress the power to tax incomes, but the return of capital is tax free. The profit realized on the sale of a capital asset may be taxed, but that part of the selling price which represents the investment in the asset is a return of capital and may not be taxed. This allowance is the case of a physical asset such as a refinery is called "depreciation," while in the case of a natural resource as an oil or gas well is known as "depletion"

It was during the first World War that Congress recognized the need for creating an incentive for discovering new oil and gas reserves by permitting the discoverer of such to base a depletion deduction on the actual fair market value of the property within 30 days of discovery. Discovery depletion was limited to 50 percent of the net income from the property in 1924. The methods then used proved to be so complicated that in 1926 Congress sought a workable substitute. Upon statistics developed by the Treasury Department, the Senate recommended that 30 percent of gross income be allowed, but a compromise between this figure and 25 percent proposed by the House of Representatives resulted in the present depletion rate of 27½ percent. This allows at least 72½ cents out of each dollar of crude oil sales representing gross income, after deducting all operating expenses, overhead costs and depreciation of equipment, to be subject to federal income tax. This simple method of determining depletion has provided a fair and just return of capital value to the oil producer.

Incentives Required in a Hazardous Industry

Of all the basic industries in our Nation the oil and gas producing industry is the most hazardous. Hundreds of millions of dollars are spent annually to locate possible oil and gas producing areas, and in spite of

this tremendous effort and expense, four out of every five exploratory wells are dry holes. Of all wells drilled in both proven and unproven territory, only 40 percent are profitable. In order to attract risk capital, these profitable wells must pay for the cost of the dry holes. This huge expenditure for exploration may not be deducted as an expense, but it is a capital investment recoverable through depletion if oil is discovered, or as a loss if no production is obtained. The cost of a dry hole may be taken as a deduction in determining income tax liability, but this is no advantage unless there is income with which to offset the deduction. And even if there is income, what profit is there in spending a dollar on a dry hole to save 50 cents in taxes? As presently constituted, the 27½ cents out of every dollar received from the sale of oil produced, but limited to 50 cents out of each dollar of net profit after deducting all producing expenses and depreciation of equipment, must repay the producer not only for the cost of the particular well from which the oil is obtained but also for the cost of his exploration work and dry holes.

Taxation of Capital Gains

Our Income Tax Laws have always differentiated between capital gains and ordinary income and profits. The profits on oil or gas property is a capital gain For example, the cost of discovering an oil field may be $350,000, while the value of the property is $1,000,00. If this property is held over six months and sold, the capital gains tax of 25 percent applies, and even if it is sold before six months have passed, a special provision of the law provides the surtax on the gain would be limited to 30 percent. Thus it is seen that a tax advantage accrues if the property is sold. There is no logical reason why the owner should suffer a tax disadvantage by retaining and operating the property. Depletion allows him to deduct 27½ percent of the gross income and pay regular tax rates on the balance.

Exploration for oil has been intensified and production kept up to demands only because of the present depletion rate of 27½ percent allowed by Congress It is the recommendation of this committee that California's United States Senators and Congressmen urge its continuation.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 3 p.m.—

Elections and Reapportionment, in Room 426.

At 8 p m.—

Education (subject: Assembly Bill No. 21), in Room 432.

Tomorrow, Thursday, January 11th, at 10 a.m.—

Rules.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Speaker Sam L. Collins, the usual courtesies of the Assembly for this day were unanimously extended to Mrs Marjorie Benedict of Berkeley and Mrs. Jean Fuller of Los Angeles.

On request of Mr. McCollister, the usual courtesies of the Assembly for this day were unanimously extended to T. Fred Bagshaw and George Whitely of San Rafael.

On request of Mr. Stewart, the usual courtesies of the Assembly for this day were unanimously extended to C. Lewis Edwards of Pasadena.

On request of Mr. Meyers, the usual courtesies of the Assembly for this day were unanimously extended to Patrick J. McMurray of San Francisco.

On request of Messrs. Dickey, Caldecott, Dunn, Sherwin, Rumford, and Lincoln, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Abbott, teacher of the Oakland High School, and the following pupils: Velma Phillips, Suzanne Poulton, Chuck Pusey, Shirley Rounds, Don Renner, Sandra Robinson, Jane Royce, Jenny Rucker, Don Scott, Sandra Shecht, Jane Stanley, Betty Stinson, Bill Stomberg, Andrew Tillman, Beverly Wagler, Rhea Wilcox, Phyllis Williams, Carolyn Wilson, Skipper Gervais, Kay Gracey, Carol Horwitz, Janice Johnson, Helen Joseph, Nancy Kaplan, Herb Kennedy, Peggy Lang, Joy Lotz, Marvin May, Don Anderson, Marilyn Ballard, Richard Berger, Doug Boyd, Betty Brown, Gayle Carson, Dorran Childer, Doris Dysart, Herb Ellenburg, and Anne Everett.

On request of Mr. Brady and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Victoria J. Anderson, director, and the following members of the Rochambeau Center of San Francisco: Mrs. Wyatt, Mrs. Kritch, Miss Carpenter, Mrs Jescina, Mrs. Adams, Mrs. Miller, Mrs. Benjamin, Vickie Anderson, Leta Jordan, Mrs. Gilbert, Mrs Bertrand, Mrs. Blomgren, Mrs. Rankin, Mrs Christie, Mrs. Campbell, Mrs. Richars, Mrs. Lincoln, Mrs Bernhardt, Mrs. Yancy, Mrs. Wise, Mrs. Fansler, Mrs. Gluson, Mrs. Carrie Barker, Miss Martha Law, Mrs. Myrtle Weatherby, Mrs. Levin, Mrs. Dierson, Mrs. Libby Sabey, and Mrs. Asplund.

On request of Mrs. Niehouse, and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Lillian A. Johnson of San Diego.

ADJOURNMENT

At 1.12 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 11 a.m., Thursday, January 11, 1951, out of respect to the memory of the late Jess Hession of Sacramento.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FOURTH LEGISLATIVE DAY

FOURTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, January 11, 1951

The Assembly met at 11 a.m.

Hon Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagan, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—80

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Eternal God, who has neither dawn nor evening, yet sendest us alternate mercies of night and day, there is no light but Thine

May we walk while it is yet day, in the steps of Him who, with fewest hours, finished Thy divinest work

"Lord God of hosts, whose mighty hand
Dominion holds on sea and land,
In peace and war Thy will we see
Shaping the larger liberty;
Nations may rise and nations fall,
Thy changeless purpose rules them all."

We seek Thy help, in Jesus name—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Henderson, further reading of the Journal of the previous legislative day was dispensed with.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal:

January 10, 1951

Action of the Assembly Committee on Public Education

It was moved by Mr. Porter, seconded by Mr. Collier, the committee adopt the following rule:

In the event there are not sufficient votes cast to take positive action on the disposition of a bill presented to the committee on the request of a member of the committee the roll call will be held open until the committee adjourns its meeting

Motion carried unanimously.
Twenty members present.

DUNN, Chairman

RE-REFERENCE OF ASSEMBLY BILLS

By order of Speaker Sam L. Collins, Assembly Bills Nos. 32, 99, and 305, which were previously referred to the Committee on Crime and Correction, were ordered deemed referred to the Committee on Boards and Commissions.

APPOINTMENT OF MEMBER TO COMMITTEE ON JUDICIARY ORDERED NOTED IN CORRECTED JOURNAL

Speaker Sam L Collins asked for, and was granted, unanimous consent that the Assembly Journal for Wednesday, January 10th, page 209, be corrected to show that Mr. Shaw was appointed a member of the Committee on Judiciary.

Speaker Pro Tempore Presiding

At 11 06 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, January 10, 1951

MR SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No 21

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

DUNN, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 2
Assembly Concurrent Resolution No. 6
Assembly Joint Resolution No. 1

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolutions ordered on file for adoption.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 419: By Mr. Silliman—An act to amend Section 7056, Public Resources Code, relating to oil, gas and mineral leases by counties and other public or quasi public corporations, bodies or agencies.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

Assembly Bill No. 420: By Mr. Silliman—An act to amend Section 3454 of the Political Code and to add Section 50933 to the Water Code, relating to reclamation districts.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 421: By Mr. Erwin—An act to amend Section 18852 of the Education Code, relating to school supplies and equipment.

Referred to Committee on Education.

Assembly Bill No. 422: By Messrs. Maloney, Brady, Connolly, Gaffney, Berry, George D. Collins, McCarthy, and Meyers—An act to amend Section 6a of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts

Referred to Committee on Judiciary.

Assembly Bill No. 423: By Messrs. Maloney, Brady, Connolly, Meyers, Berry, George D. Collins, Gaffney, and McCarthy—An act to add Section 6c to an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Referred to Committee on Judiciary.

Assembly Bill No. 424: By Messrs. Maloney, Brady, Gaffney, Meyers, and Berry—An act to amend Section 6 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Referred to Committee on Judiciary.

Assembly Bill No. 425: By Mr Sherwin—An act to add Section 225q to the Civil Code, relating to the adoption of children.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 426: By Mr. Sherwin—An act to amend Sections 1622 and 2302 of the Welfare and Institutions Code, relating to boarding homes, to make costs for boarding home inspection payable on a fiscal year basis.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 427: By Messrs Burkhalter, Cooke, and McMillan—An act to add Section 24531 to the Education Code, relating to fire protection in schools.

Referred to Committee on Education.

Assembly Bill No. 428: By Mr. Evans—An act to repeal Chapter 7 of Division 3 of and to add Chapter 7 of Division 3, comprising Sections 6700 to 6799 inclusive, to the Business and Professions Code, relating to professional engineers.

Referred to Committee on Judiciary.

Assembly Bill No. 429: By Mr. Evans—An act to repeal Chapter 7 of Division 3 of and to add Chapter 7 of Division 3, comprising Sections 6700 to 6799 inclusive, to the Business and Professions Code, relating to professional engineers.

Referred to Committee on Judiciary.

Assembly Bill No. 430: By Mr. Evans—An act to amend Chapter 3, Division 3, Section 6797 of the Business and Professions Code.

Referred to Committee on Judiciary.

Assembly Bill No. 431: By Mr. Evans—An act to amend Division 9, Chapter 3, Article 3, Section 18199 of the Education Code.

Referred to Committee on Judiciary.

Assembly Bill No. 432: By Mr. Evans—An act to repeal Chapter 7 of Division 3 of, and to add Chapter 7 of Division 3, comprising Sections 6700 to 6799 inclusive, to the Business and Professions Code, relating to professional engineers.

Referred to Committee on Judiciary.

Assembly Bill No. 433: By Mr. Evans—An act to repeal Chapter 7 of Division 3 of, and to add Chapter 7 of Division 3, comprising Sections 6700 to 6799 inclusive, to the Business and Professions Code, relating to professional engineers.

Referred to Committee on Judiciary.

Assembly Bill No. 434: By Mr. Sherwin—An act to repeal Section 18431.1 of, and to add Section 19405 to the Revenue and Taxation Code, relating to personal income taxes, and providing for the imposition of criminal penalties on persons filing false returns.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 435: By Mr. Sherwin—An act to amend Section 17014 of the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 436: By Mr. Sherwin—An act to amend Sections 19082 and 19083 of, and to repeal Section 19084 of, the Revenue and Taxation Code, relating to personal income taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 437: By Mr. Sherwin—An act to amend Sections 17313, 17315, 17318.2, 17711, 17721, 17782, 17817.1, and 18132 of, and to add Sections 17109, 17110, 17161.1, 17301.1, 17315.5, 17318 6 to, and to add Article 2.5, consisting of Sections 17691, 17692, 17693, 17694, 17695, 17696, 17697, and 17698, and Article 3.5, consisting of Sections 17731, 17732 and 17733, to Chapter 6, Part 10 of Division 2 of, and to add Section 17784.6 to, and to add Article 1 5, consisting of Sections 18121, 18122, 18122.1, 18122 2, 18122.3, 18122.4, 18122.5, 18122.6, 18122.7, 18122.8, 18123, 18123.1, 18123.2, 18123.3, and 18123.4 to Chapter 8, Part 10 of Division 2 of, and to add Sections 18132.1, 18132.2, 18132.3, 18132.4, 18132.5, 18132 6, 18132.7, 18132.8, 18132.9, 18132.10, 18132.11, and 18132.12 to, the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 438: By Mr. Sherwin—An act to amend Section 24121h of, and to add Section 23702 to, and to amend and renumber Section 25121c-(1) of, and to add Article 2, consisting of Sections 23731, 23731a, 23731b, 23732, 23732a, 23732b, 23732c, 23732d, 23732e, 23732f, 23732g, 23732h, 23733, 23734, 23735, 23735a, 23735b, 23735c, 23736, 23736.1, 23736 2, 23736.3, 23736.4, and 23737 to Chapter 4 of Part 11 of Division 2 to, and to add Article 3, consisting of Sections 23771 and 23772 to Chapter 4 of Part 11 of Division 2 to, and to add Sections 23881g, 24121k.5, 24121o.1, 24121q, and 24201g to, the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 439: By Mr. Sherwin—An act to amend Section 23038 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 440: By Mr. Sherwin—An act to amend Sections 24121a, 24121g, 24201d, 25203c, 25292, 25295, and 25401 of, and to add Sections 24201d 1, 24201d.2, 25122, and 25295a to, and to repeal Section 24122 of, Part 11 of Division 2 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 441: By Mr. Sherwin—An act to amend Sections 26102, 26103, and 26103a of the Revenue and Taxation Code, relating to taxation of banks, corporations, Massachusetts trusts and associations.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 442: By Mr. Sherwin—An act to amend Section 25961 of, and to add Section 25962 to the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing for the imposition of criminal penalties upon persons wilfully filing false returns for such organizations.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 443: By Mr. Crowley—An act to amend Section 3047.2 of the Welfare and Institutions Code, relating to aid to the needy blind, with respect to personal property qualifications.

Referred to Committee on Social Welfare.

Assembly Bill No. 444: By Mr. Crowley—An act to amend Sections 3025, 3084, and 3087.1 of the Welfare and Institutions Code, relating to aid to the needy blind.

Referred to Committee on Social Welfare.

Assembly Bill No. 445: By Mr. Crowley—An act to amend Sections 3003 and 3402 of the Welfare and Institutions Code, relating to aid to the blind.

Referred to Committee on Social Welfare.

Assembly Bill No. 446: By Mr. Crowley—An act to amend Section 2 of an act entitled "An act relating to the construction, installation, equipping, stocking and operation of vending stands in public buildings of the State, counties, cities and counties, and cities, and providing for their operation by licensed blind persons," approved May 29, 1945, relating to the construction, installation, and operation of vending stands and vending machines in public buildings.

Referred to Committee on Social Welfare.

Assembly Bill No. 447: By Mr. Crowley—An act to amend Section 7 of an act entitled "An act relating to the construction, installation, equipping, stocking, and operation of vending stands in public buildings of the State, counties, cities and counties, and cities, and providing for their operation by licensed blind persons," approved May 29, 1945, relating to vending stands in public educational institutions.

Referred to Committee on Social Welfare.

Assembly Bill No. 448: By Mr. Crowley—An act to add Article 3.5, comprising Sections 190 to 194, to Chapter 1 of Division 1 of the Education Code, relating to vocational rehabilitation to establish a Section of Services for the Blind in the Bureau of Vocational Rehabilitation, and making an appropriation.

Referred to Committee on Social Welfare.

Assembly Bill No. 449: By Mr. Crowley—An act to amend Sections 3079 5, 3025, and 3087.1 of the Welfare and Institutions Code, relating to public assistance.

Referred to Committee on Social Welfare.

Assembly Bill No. 450: By Mr. Crowley—An act to amend Sections 3079.5, 3025, 3087.1, 3420, and 3480 of the Welfare and Institutions Code, relating to public assistance.

Referred to Committee on Social Welfare.

Assembly Bill No. 451: By Mr. Crowley—An act to amend Sections 3079.5, 3420, and 3480 of the Welfare and Institutions Code, relating to public assistance.

Referred to Committee on Social Welfare.

Assembly Bill No. 452: By Mr. Crowley—An act to amend Sections 3420, 3472, and 3480 of the Welfare and Institutions Code, relating to aid to partially self-supporting blind residents.

Referred to Committee on Social Welfare.

Assembly Bill No. 453: By Mr. Crowley—An act to amend Section 20975 of the Education Code, relating to visiting teachers for blind children.

Referred to Committee on Social Welfare.

Assembly Bill No. 454: By Mr. Condon—An act to amend Section 737g of the Political Code and Section 79 7 of the Code of Civil Procedure, relating to the salaries of superior court judges.

Referred to Committee on Judiciary.

Assembly Bill No. 455: By Mr. Condon—An act to amend Section 66c of the Code of Civil Procedure, relating to the number of judges of the Superior Court in the County of Contra Costa, and providing for the appointment of two additional judges and for compensation.

Referred to Committee on Judiciary.

Assembly Bill No. 456: By Mr. Erwin—An act to amend Sections 1230, 1250, and 1340.5 of the Fish and Game Code, relating to predatory and protected mammals.

Referred to Committee on Fish and Game.

Assembly Bill No. 457: By Mr. Erwin—An act to amend Sections 221, 234, 235, 236, and 240 of, and to repeal Sections 234.5, 243, 246, and 247 of, the Agricultural Code, relating to bovine tuberculosis.

Referred to Committee on Public Health.

Assembly Bill No. 458: By Mr. Grunsky—An act to amend Section 737ii of the Political Code, and Section 79 35 of the Code of Civil Procedure, relating to superior judges' salaries.

Referred to Committee on Judiciary.

Assembly Bill No. 459: By Mr. Grunsky—An act to amend Section 445 of the Education Code, relating to county school superintendents' salaries in counties of the forty-fifth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 460: By Mr. Grunsky—An act to amend Section 28145 of the Government Code, relating to compensation for public service in counties of the forty-fifth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 461: By Mr. Grunsky—An act to amend Section 737rr of the Political Code, and 79 44 of the Code of Civil Procedure, relating to superior judges' salaries.

Referred to Committee on Judiciary

Assembly Bill No. 462: By Mr. Grunsky—An act to amend Section 426 of the Education Code, relating to county school superintendents' salaries in counties of the twenty-sixth class

Referred to Committee on Municipal and County Government.

Assembly Bill No. 463: By Mr. Grunsky—An act to amend Section 28126 of the Government Code, relating to compensation for public service in counties of the twenty-sixth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 464: By Mr. Grunsky—An act to amend Section 303 of the Probate Code, relating to disqualification of judges.

Referred to Committee on Judiciary.

Assembly Bill No. 465: By Mr. Grunsky—An act to amend Section 108 of the Civil Code, relating to divorce.

Referred to Committee on Judiciary

Assembly Bill No. 466: By Mr. Grunsky—An act to amend Section 630 of the Probate Code, relating to summary probate proceedings.

Referred to Committee on Judiciary.

Assembly Bill No. 467: By Mr. Grunsky—An act to amend Sections 20344 and 20344.1 of the Education Code, relating to the support of the public schools

Referred to Committee on Education.

Assembly Bill No. 468: By Mr. Grunsky—An act to add Section 58.1 to the Unemployment Insurance Act, relating to eligibility for benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 469: By Messrs. Sherwin and Connolly—An act to add Section 24202 to the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachuestts trusts and associations and providing for the disallowance of deductions to taxpayers deriving income from certain illegal activities.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 470: By Messrs. Sherwin and Connolly—An act to add Section 17358 to the Revenue and Taxation Code, relating to

the taxation of persons, trusts and estates, and providing for the disallowance of deductions to taxpayers deriving income from certain illegal activities.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 471: By Messrs. Fleury and Moss—An act to amend Section 21201 of the Government Code, relating to the California State Employees Retirement System.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 472: By Messrs. Fleury and Moss—An act to amend Section 18104.5 of the Government Code.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 473: By Messrs. Fleury and Moss—An act to amend Section 6861 of the Harbors and Navigation Code, relating to grants of franchises and leases by river port districts.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 474: By Messrs. Fleury and Moss—An act to amend Section 6862 of the Harbors and Navigation Code, relating to contracts of river port districts.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 475: By Mr. Fleury—An act to amend Section 689b of the Code of Civil Procedure, relating to executions.

Referred to Committee on Judiciary.

Assembly Bill No. 476: By Mr. Fleury—An act to amend Section 690.24 of the Code of Civil Procedure, relating to execution upon motor vehicles and house trailers.

Referred to Committee on Judiciary.

Assembly Bill No. 477: By Mr. Fleury—An act to amend Section 89 of the Code of Civil Procedure, relating to jurisdiction of municipal courts.

Referred to Committee on Judiciary.

Assembly Bill No. 478: By Mr. Morris—An act to add Section 25369.5 to the Government Code, relating to the powers of boards of supervisors.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 479: By Mr. Beck—An act to repeal Section 170.5 of and to add Section 170 5 to the Code of Civil Procedure, relating to disqualification of judges.

Referred to Committee on Judiciary.

Assembly Bill No. 480: By Messrs. Lipscomb and Smith—An act to amend Section 54 of the Unemployment Insurance Act, relating to unemployment insurance

Referred to Committee on Finance and Insurance.

Assembly Bill No. 481: By Messrs. Lipscomb and Smith—An act to amend Section 57 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 482: By Messrs. Smith and Lipscomb—An act to amend Section 423 of the Probate Code, relating to the administration of estates of decedents.

Referred to Committee on Judiciary.

Assembly Bill No. 483: By Mr. Hawkins—An act making an appropriation for the purpose of increasing salaries of state employees.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 484: By Mr. Hawkins—An act to add Section 216 to the Revenue and Taxation Code, relating to the exemption of household and personal effects from property taxation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 485: By Messrs. Cooke and Burkhalter—An act to add Section 301 to the Labor Code, relating to deductions from wages.

Referred to Committee on Industrial Relations.

Assembly Bill No. 486: By Mr. Cooke—An act to add Section 2751 to the Labor Code, relating to minimum wages.

Referred to Committee on Industrial Relations.

Assembly Bill No. 487: By Mr. Caldecott—An act to repeal Section 8.5 of the Civil Defense Act of 1950, relating to civil defense.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 488: By Mr. Caldecott—An act to amend Section 439 of the Code of Civil Procedure, relating to pleadings in civil actions.

Referred to Committee on Judiciary.

Assembly Bill No. 489: By Mr. Tomlinson—An act to amend Section 14658 of, and to add Section 14661 to, the Health and Safety Code, relating to fire protection districts in one or more counties.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 490: By Mr. Coats—An act to amend Section 23151 of the Government Code, relating to the boundaries of Sutter County.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 491: By Messrs. Fleury, Moss, McCollister, Berry, Burkhalter, Caldecott, Chapel, Cooke, Davis, Dickey, Gaffney, Grant, Kelly, Lindsay, Meyers, and Porter—An act making an appropriation for the purpose of increasing salaries of state employees, to take effect immediately.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 492: By Messrs. Connolly, Grunsky, Brown, Smith, Babbage, Dolwig, and Tomlinson—An act to add Chapter 4, comprising Sections 4400 to 4405, inclusive, to Part 8 of Division 1 of Title 1 of the Corporations Code, relating to corporations, and providing for the effectuation of plans of reorganization under any applicable statute of the United States.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 493: By Messrs. George D. Collins, Condon, Gaffney, Coats, and Elliott—An act relative to creating a Department of Commerce in the State Government, defining its powers, duties and functions.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 494: By Mr. Coats—An act to add Section 5011 to the Elections Code, relating to offenses against candidates

Referred to Committee on Elections and Reapportionment.

Assembly Joint Resolution No. 3: By Messrs. Grant, Thomas, Porter, Klocksiem, Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Mrs. Niehouse, Messrs. Parker, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—Relative to the tidelands and submerged lands adjacent to the coastal states.

Referred to Committee on Rules.

Assembly Joint Resolution No. 4: By Messrs. Grant, Thomas, Porter, Klocksiem, Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Mrs. Niehouse, Messrs. Parker, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters—Relative to lands beneath the navigable waters adjacent to the coasts of coastal states.

Referred to Committee on Rules.

Assembly Constitutional Amendment No. 8: By Mr. Waters—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 1½ to Article II thereof, relating to suffrage.

Referred to Committee on Constitutional Amendments

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND SECOND PRELIMINARY REPORT BE PRINTED IN JOURNAL

Mrs. Niehouse asked for, and was granted, unanimous consent that a letter of transmittal and a Second Preliminary Report of the Assembly Interim Committee on Social Welfare (H. R. No. 71, 1950, Second Extraordinary Session) on the Social Welfare Program be ordered printed in the Journal; and that the report be printed in 10 point type.

(Above mentioned letter and report will appear prior to the motion to adjourn.)

MESSAGES FROM THE GOVERNOR

The Budget Message of the Governor was received.

Motion That Reading of Budget Message Be Dispensed With

Mr. Waters moved that reading of the Budget Message be dispensed with.

Mr. Stewart seconded the motion.

Motion carried.

BUDGET MESSAGE BY GOVERNOR EARL WARREN
1951-1952 BUDGET

To the Senate and Assembly of the State Legislature of California:

In conformity with Section 34 of Article IV of the Constitution, I submit herewith the Budget for the State of California for the fiscal year ending June 30, 1952.

This budget, in view of the national emergency, has been held to bare essentials. It calls for no additional taxes. It proposes a reduction in total expenditures despite substantial increases in fixed charges. The total expenditures for the 1951-52 Fiscal Year are estimated at $1,016,883,002, which is $75,828,248 less than the revised estimates * for the current, 1950-51, year.

No New Taxes

I am glad to present to you another budget which is within our present means and which requires neither new revenue measures nor increases in tax rates.

Revenues have been estimated on a middle ground, conservative basis. Yields from the principal sources, taxes measured by sales and income, obviously vary with the volume of business activity, corporation and personal income, and wage rates and prices. Our estimates are on the assumption that there will be a continued expansion of the Nation's economy as the defense program proceeds, but that runaway inflation will be prevented.

Expenditures Curtailed Wherever Possible

As you know, a large part of our state budget is not subject to executive or even legislative control. Outlays for the Public School System and welfare programs are determined by continuing legislation. As school attendance and welfare case loads increase, expenditures increase automatically. Expenditures for highways are determined by the amount of special revenues for that purpose.

Much of the remainder of the budget inevitably increases as the State's population continues to grow. Wage and price advances add to our costs, too, as in all enterprises.

Despite these difficulties we have cut budget requests wherever possible and have especially curtailed the outlays which would take manpower and materials needed for national defense. Particularly is this true of capital outlays, as will be seen from an examination of that section of the budget.

Three Sections: State Operations, Capital Outlay, and Local Assistance

The budget again is presented in three sections, each largely independent of the others: State Operations, Capital Outlay, and Local Assistance.

State Operations

Few expansions of services are proposed under State Operations. Provision is made for heavier work loads where they were clearly demonstrated. A lump sum is

* See reconciliation page A-48 with the total as submitted in the 1950-51 Budget

recommended for augmenting the individual budgets for price increases which have occurred since July, 1950, with a moderate allowance for highly probable further advances Similarly, a lump sum is included for salary increases.

As you have observed from the annual report of the Personnel Board the salaries of state employees have lagged behind those paid by other employers. The last general increase in state pay was in October, 1948. You have wisely adopted in the civil service law the policy of paying state employees at rates equivalent to those of comparable employment in private industry and other public jurisdictions The Personnel Board has found from its studies that on a conservative basis a general increase of one step (approximately 5 percent) is required now to bring the pay in the state service up to the present level of other employment. Accordingly provision is made in a special item in this budget for the recommended one-step increase to be effective January 1, 1951. The Personnel Board report further points out the strong likelihood, if present trends continue, of the need for an additional one-step advance in the coming fiscal year, and allowance is made in this budget for such an adjustment should conditions requiring it materialize.

Principal Items

You will find detailed explanations of the expenditures proposed for each department and institution. Let me direct your attention especially to some of the more important items

Civil Defense. The new Office of Civil Defense will require $1,738,953 in 1951-52 to continue for a full year the civil defense program authorized during the September special session. This is for the planning, coordinating and training work to be performed at the state level in line with the national plan for civil defense There is also the need for a moderate augmentation of the amount, which was on a purely estimated basis, appropriated for the current fiscal year. Recent national legislation will provide financing in part of equipment and other outlays for civil defense operations in possible target areas. The amount which the State may be required to make available for any such extraordinary outlays cannot be determined until Congress makes appropriations and federal policies are clarified If extraordinary expenditures, capital or otherwise, are required, I will communicate both the needs and my views on financing them to you.

At the September special session you made the $75,000,000 so-called "Rainy Day Fund" available for emergency disaster relief until June 30, 1951. I recommend that you continue this emergency measure in force for an additional year.

Corrections: A moderate increase is required for the Department of Corrections to put into operation the much needed new inmate quarters at Soledad, Chino, and Terminal Island—permitting considerable relief from the badly overcrowded conditions at San Quentin.

Education: Provision is made for heavier enrollments, possible because of added facilities, at the state colleges and at the School for the Deaf. A small increase is allowed also for added work load in the State Superintendent's office. Allowance is made too for expansion in vocational rehabilitation work

University of California: The University of California will require an increase of approximately $1,400,000 in spite of a drop in enrollment, for two main reasons: (1) most of the veterans have completed their university work, with a consequent drop in revenues from the United States Veterans Administration; (2) new graduate schools principally in Los Angeles, which were authorized in recent years, are coming into operation, requiring substantial additional outlays for faculty and other costs

Highway Patrol: I am recommending a further step towards an adequate manning of our Highway Patrol A study of our traffic patrol requirements indicates that the uniformed personnel of 1,364 should be increased by more than 900 men. This budget recommends 100 additional patrolmen with the required complements of supervisory and clerical personnel. I would have recommended a larger number under normal conditions, but I believe this smaller increment represents the number of qualified men who can be recruited and trained during this coming year.

Mental Hygiene: In spite of shortages in facilities and personnel, good progress is being made in improving the care and treatment of the mentally ill. A further step in an orderly program of improvements in standards is proposed in this budget. Our aim is to restore the greatest possible number of patients to normal lives in the shortest possible time. This is not only a matter of reducing human suffering; it is good sound economy.

Military Affairs: Our State Militia is in a period of uncertainty. About half the California National Guard has been called to active federal service and we are in the process of recruiting the State Defense and Security Corps to serve the home front in its absence. The recruiting expenses for the corps will continue during the coming fiscal year. The remaining half of the National Guard is still under state jurisdiction It is more costly to maintain a militia which is half National Guard and half State Defense and Security Corps than if it were wholly one or the other Perhaps Washington will clarify the situation before you have completed your consideration of the budget. Some reduction should be possible if the remainder of the National Guard is called out and we need provide only for the Defense and Security Corps.

Capital Outlay

The postwar building program is nearing completion By the end of next year more than $400,000,000 in construction work will have been finished or under contract since 1946.

Even with this accomplishment we still have a heavy backlog of building requirements. The $400,000,000 program barely met the lag in construction which occurred during the depression and World War II It made little headway in meeting the new needs resulting from the tremendous increase in the State's population.

A careful survey shows that we should, were it not for the defense emergency, undertake urgently needed outlays next year amounting to over $85,000,000 The greater part of this must give way to the mobilization for defense I am recommending major construction outlays for 1951-52 of $24,318,000 which represents the imperative projects which cannot possibly be deferred I feel certain federal authorities will approve these projects even in this period, when defense requirements have priority over all but the most urgent essentials.

I wish to call your attention especially to two important items First are more facilities for the mentally defective We cannot longer continue adding to waiting lists and aggravating the tragedy of inadequate provision for the mentally defective children. Second is the provision for increased capacity in our Youth Authority schools Here again a delay means continuing an intolerable situation, with delinquent youths who need proper care and rehabilitation being either held in jails or allowed to get into further trouble You will find the other items in the recommendations also to be of very great urgency

The survey indicates needs amounting to more than $300,000,000 which should be met in the next five years. We must add to the capacities of our hospitals and correctional institutions. The present greatly increased grade school attendance will in a very few years mean similar increases in university and college enrollments These represent the largest requirements Needs for other facilities expand also as the State grows.

While all but emergency projects must be deferred until more settled times, the State's fiscal affairs will not be on a firm basis until a definite means of financing capital outlay needs is provided The State of California cannot ignore the requirements for keeping up its physical plant any more than can an industrial enterprise We must have an orderly means of financing replacements of worn out structures and construction of additions demanded by increased population I recommend the creation of a committee to make a careful study of this problem with the objective of a sound, long-term plan.

Local Assistance

Again the expenditures for local assistance comprise more than half the total budget and are made up almost entirely of fixed charges over which neither the Legislature nor the Executive has control. State support of the public schools, the largest item of local assistance, will require more than $220,000,000 under existing law for the budget year.

Provision is made in the budget for continuing child care centers through the current year and the 1951-52 Fiscal Year. I am sure the need to carry on this activity is now clearly apparent in view of our manpower shortages and the much greater need for employing women in defense work.

Substantial increases will be required for aid to the aged, to the blind, and to needy children, as you will see from the analysis. The crippled children program has also increased because of more complete state-wide participation at the county level.

Flood Damage

The State Engineer is making a survey of the damage to local public works caused by the recent heavy floods in Northern and Central California. Some funds are already available for state assistance in repairing the flood damage Fortunately in 1946 we set aside a special reserve for flood control work A part of this money, which is not immediately required for the longer term flood control projects, can be made available to assist the local units in repairing the damage. I recommend that $2,000,000 of this reserve be earmarked as an Emergency Fund for flood damage repair.

A Balanced Budget

As will be seen from Schedule I, after providing for the estimated expenditures for purposes now authorized, there will remain as of June 30, 1952, an unbudgeted surplus in the General Fund estimated at $20,736,277.

I am again recommending your favorable action on a program of aid to the needy totally and permanently disabled in conformity with a recent amendment to the Federal Social Security Act which makes federal grants available for this purpose. The great majority of states have already taken steps to participate in this program. Certainly no group of needy persons requires our help more than those with such complete and permanent handicaps This broadening of the Federal Social Security Law affords both an opportunity for a more adequate program of aid to this group of needy persons and a

means of assisting counties through federal and state sharing of the cost A carefully prepared bill with strict eligibility requirements will be presented for your consideration For the portion of the 1951-52 Fiscal Year during which it would be operative it is estimated the State's share of costs would be $6,122,000

There will be sufficient resources in the General Fund to finance the following recommendations which I have made in the message delivered to you Monday.

Place school apportionments on a current basis and increase support for transportation; assist counties to provide facilities for senile patients, for maintenance of clinics for alcoholics and for psychiatric hospitals: "smog" research; administrative expenses of Commissions on Economic and Political Equality, Organized Crime, Taxes, and Reorganization of Government, and a Planning Agency

Any substantial additional expenditures for new services or for increased subventions will require additional taxes. I know you are as conscious as I am of the present heavy tax burden and of the impending further increases in federal taxes. True, our basic general state tax rates have not been increased for many years. Actually state taxes take a smaller portion of our people's income today than they did 10 years ago * In 1940 the average Californian paid $5 29 in state taxes for each $100 of income. In 1950, state taxes took $5 11 from each $100 of income. Nevertheless we at the state level must consider the burden imposed at the federal and local levels The time has long since passed when any one unit of government could go its own way with no regard for what other units were doing in respect to the same body of taxpayers

A comprehensive re-examination of our state and local tax structures is imperative if we are to arrive at the soundest and most equitable means of meeting the needs of both the state and local governments Such a study, together with the work of a Commission on Reorganization of the State Government to provide the most effective reorganization and improvements of administrative operations, offers the best assurance of giving our people the greatest possible returns for their tax dollars

In this budget, revenues have been estimated on a realistic basis, anticipating moderate further inflation Drastic controls might shrink them below the estimates, and cause us to draw on the Revenue Deficiency Fund If controls fail, however, and much greater inflation occurs, revenues would exceed our estimates, but we should not authorize permanent new expanded expenditures on the hope of temporarily inflated revenues. To do so is to invite financial disaster when we revert to normal levels of income

It should be a matter of extreme urgency indeed, clearly vital to the state welfare, which would impel adding new state taxes at this time

Respectfully submitted,

EARL WARREN, Governor

Governor's Budget accompanying the above message ordered filed with the Secretary of State.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 495: By Mr. Luckel and Mrs. Niehouse—An act to amend Section 428 of the Fish and Game Code, relating to fishing licenses.

Referred to Committee on Fish and Game.

Assembly Bill No. 496: By Mr. Luckel—An act to amend Section 736 of the Fish and Game Code, relating to fish.

Referred to Committee on Fish and Game.

Assembly Bill No. 497: By Mr. Luckel—An act to add Section 429.6 to the Fish and Game Code, relating to the issuance of sporting fishing licenses.

Referred to Committee on Fish and Game.

Assembly Bill No. 498: By Mr. Luckel—An act to amend Sections 1065 and 1071, and to repeal Section 1068, of the Fish and Game Code, relating to the packing and reduction of fish.

Referred to Committee on Fish and Game.

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* See table at page A-24.

Assembly Bill No. 499: By Mr. Luckel—An act to amend Section 990 of the Fish and Game Code, relating to commercial fishing licenses.

Referred to Committee on Fish and Game.

Assembly Bill No. 500: By Mr. Sherwin—An act making appropriations for the support of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, to take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 501: By Messrs. Moss and Fleury—An act to add Section 7.6 to the California Unemployment Insurance Act, relating to unemployment insurance, and making an appropriation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 502: By Messrs. Moss, Lindsay, Davis, Lowrey, Clarke, and Cooke—An act to amend Section 531 of the Agricultural Code, relating to conveyances transporting milk or cream.

Referred to Committee on Agriculture.

Assembly Bill No. 503: By Mr. Moss—An act to add Section 597g to the Penal Code, defining the crime of poling of horses and prescribing the penalty for such crime.

Referred to Committee on Judiciary.

Assembly Bill No. 504: By Messrs. Tomlinson, Cooke, and Hinckley—An act to amend Section 28.6 of, and to add Section 34.6 to, the Agricultural Code, relating to the registration of root or top stock of fruit and nut trees.

Referred to Committee on Agriculture.

Assembly Bill No. 505: By Mr. Condon—An act to amend Section 5405 of the Labor Code, relating to compensation proceedings under workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 506: By Mr. Condon—An act to amend Section 4656 of the Labor Code, relating to computation of compensation under workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 507: By Mr. Condon—An act to add Section 5815 to the Labor Code, relating to the payment of workmen's compensation awards.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 508: By Mr. Condon—An act to amend Section 4460 of the Labor Code, relating to computation of compensation under workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 509: By Mr. Condon—An act to amend Section 4453 and to repeal Section 4452 of the Labor Code, relating to computation of compensation under workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 510: By Mr. Condon—An act to amend Section 4903 of the Labor Code, relating to compensation claims under workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 511: By Mr. Condon—An act to amend Section 6506 of the Labor Code, relating to workmen's safety.

Referred to Committee on Industrial Relations.

Assembly Bill No. 512: By Mr. Condon—An act to amend Sections 4600, 4601, 4602, 4603, 4604, and 4605 of, and to add 4606 to, the Labor Code, relating to medical and hospital treatment under workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 513: By Mr. Condon—An act to amend Section 4702 of the Labor Code, relating to death benefits under workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 514: By Messrs. Condon and George D. Collins—An act to amend Section 4903 of, and to add Section 4903.1 to the Labor Code, relating to workmen's compensation awards.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 515: By Messrs. Geddes, Kelly, Dunn, and Doyle —An act to amend Section 11738 of the Insurance Code, relating to participating workmen's compensation insurance policies and refunds thereunder.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 516: By Messrs. Geddes, Kelly, Dunn, and Doyle —An act to amend Sections 700.01, 700.05, 1582, 1594, 12360, and 12441 of the Insurance Code, relating to insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 517: By Messrs. Geddes, Kelly, Dunn, and Doyle —An act to add Section 751.1 to, and to amend Section 763 of, the Insurance Code, relating to rebates.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 518: By Messrs. Geddes, Kelly, Dunn, and Doyle —An act to amend Sections 922.1, 922.2, and 1591, to renumber and amend Section 922.5 and to repeal Sections 922 3 and 922.4 of, and to add Sections 922.3, 922.4, 922.5, 922.6, 922.7, and 922.8 to, the Insurance Code, relating to insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 519: By Messrs. Geddes, Kelly, Dunn, and Doyle —An act to add Sections 1373 1 and 1373 2 to the Insurance Code, relating to insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 520: By Messrs. Geddes, Kelly, Dunn, and Doyle —An act to amend Sections 10492 and 10493 of the Insurance Code, relating to benefit and relief associations.

Referred to Committee on Finance and Insurance

Assembly Bill No. 521: By Messrs. Geddes, Kelly, Dunn, and Doyle —An act to amend Sections 1153 and 1153 5 of the Insurance Code, relating to insurance.

Referred to Committee on Finance and Insurance

Assembly Bill No. 522: By Messrs. Geddes, Kelly, Dunn, and Doyle —An act to amend Section 1730 of, and to add Section 1734 to, the Insurance Code, relating to insurance and bail licensees

Referred to Committee on Judiciary.

Assembly Bill No. 523: By Messrs. Geddes, Kelly, Dunn, and Doyle —An act to add Section 1101.1 to, and to amend Section 1106 of, the Insurance Code, relating to insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 524: By Messrs. Geddes, Kelly, Dunn, and Doyle —An act to amend Sections 10270, 10270 4, 10271, 10292, 10381, 10382, 10390, and 10400 of the Insurance Code; to add Sections 10273, 10274, 10275, 10309, 10329, 10359, 10369.50, 10381.5, and 10383 to said code; and to add Articles 3a, comprising Sections 10320 to 10328, inclusive, 4a, comprising Sections 10350 to 10350.12, inclusive, and 5a, comprising Sections 10369 1 to 10369.12, inclusive, to Chapter 4, Part 2, Division 2 of said code, relating to disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 525: By Mr. Connolly—An act to add Article 5, comprising Sections 16485 to 16490, inclusive, to Chapter 3 of Part 2 of Division 4 of Title 2 of the Government Code, relating to interfund sales and transfers of bond investments

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 526: By Mr. Fleury—An act to amend Section 5073 of the Public Resources Code, relating to the California Riding and Hiking Trails Advisory Committee, to change the membership of the committee from six to seven.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 527: By Messrs. Fleury and Moss—An act to amend Section 20205, relating to the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 528: By Mr. McCarthy—An act to add Section 176 to the Revenue and Taxation Code, relating to property taxation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 529: By Mr. McCarthy—An act to amend Section 327 of the Revenue and Taxation Code, relating to property taxation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 530: By Mr. McCarthy—An act to amend Sections 14307, 14308, and 14309 of the Revenue and Taxation Code, relating to inheritance tax liens.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 531: By Mr. McCarthy—An act to amend Section 16062 of the Revenue and Taxation Code, relating to gift tax liens

Referred to Committee on Revenue and Taxation

Assembly Bill No. 532: By Mr. McCarthy—An act to amend Section 3950 of the Revenue and Taxation Code, relating to actions to determine adverse claims to or clouds upon tax-sold or tax-deeded property purchased from the State.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 533: By Mr. McCarthy—An act to amend Section 2189 of the Revenue and Taxation Code, relating to the lien on real property of taxes on personal property.

Referred to Committee on Judiciary.

Assembly Bill No. 534: By Messrs. Condon and McCollister—An act making an appropriation for the surveys, plans, estimates of cost, specifications and other engineering expenses for the construction of a toll bridge or other toll highway crossing of the Bay of San Francisco from the County of Marin to the County of Contra Costa, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 535: By Messrs. Condon and McCollister—An act amending Section 30354 of the Streets and Highways Code, to except a bridge or other highway crossing between the County of Marin and the County of Contra Costa from the limitations of Sections 30350 and 30351.

Referred to Committee on Transportation and Commerce.

RESOLUTIONS

The following resolutions were offered:

By Mr. Waters:

House Resolution No. 30

Relative to making funds available for the expenses of the Assembly Standing Committee on Elections and Reapportionment

Resolved by the Assembly of the State of California, That the sum of _____ dollars ($_____) from the Contingent Fund of the Assembly for the expenses of the Assembly Standing Committee on Elections and Reapportionment for the expenses of the committee and its members and for any charges, expenses or claims it may incur in connection with Assembly election contest matters that have been or may be referred

to it by the Assembly, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Waters.

House Resolution No. 31

Relative to contests as to the qualifications, elections, and returns of Members of the Assembly

Resolved by the Assembly of the State of California, as follows:

1. Whenever a statement of contest, petition or other communication relating to the qualifications, election, or returns of any Member of the Assembly is received by the Assembly, the Speaker shall refer it to the Committee on Elections and Reapportionment. If that committee determines that the facts alleged therein are sufficient to merit investigation, it shall hold such hearings and conduct such investigations of the facts as it deems necessary. In so doing, the committee shall be governed by the Rules and shall be vested with and exercise the powers contained in this resolution

2 Notwithstanding the filing of the statement of contest, the contestee may take his oath as Member of the Assembly, upon presentation of a certificate of election valid and regular upon its face.

The swearing in of the contestee shall be without prejudice to the rights of the contestant

3. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to this committee and its members.

4. In addition to the foregoing powers, the committee is authorized to appoint one or more persons as commissioners to conduct investigations on its behalf, including the examination, counting and canvassing of election ballots pursuant to Section 7236 of the Elections Code, and to certify under oath to the committee, or to a subcommittee, the facts so ascertained by the commissioner.

5. The committee is authorized to act during this session of the Legislature, including any recess, but not after final adjournment.

6. The committee and its commissioner or commissioners, except as in these rules otherwise provided, shall be governed as to procedure and the introduction of evidence by the law applicable to the trial of civil actions in superior courts. The contestant is the plaintiff, the contestee, the defendant.

7. In addition to facts certified by a commissioner as provided in paragraph 4, the committee may take such other evidence as it deems material.

8. In addition to witnesses that are called or subpenaed on behalf of the committee, the chairman shall issue subpenas to compel the attendance of witnesses or the production of evidence, or both upon the request of either party if the chairman deems that the evidence so proposed to be obtained is relevant and necessary to determine the contest

9 At the trial of the contest, both parties may appear in *propria persona*, or by counsel, or both.

10. Each witness shall be examined in the following order

(a) By the party calling him
(b) By the opposite party on cross-examination.
(c) By the party calling him on redirect examination.
(d) By the opposite party on recross-examination.
(e) By the chairman of the committee.
(f) By any member of the committee
(g) By either party as directed by the chairman of the committee.

11. All motions or objections to evidence made by the parties or their counsel, shall be addressed to the chairman, and shall be decided by him. Any decision of the chairman may be overruled by a majority of the other members of the committee.

12. Before any witness gives his testimony the chairman shall administer to him the same oath as that administered to witnesses at hearings by legislative investigating committees.

13. No witness may refuse to testify as to which party to the contest he voted for if his testimony is material and it has been shown to the satisfaction of the committee that such witness voted having no legal right to do so.

14 The chairman of the committee is authorized to provide for a stenographic report of the proceedings.

15. All witnesses for either party subpenaed and actually in attendance at the trial of such contest, and all other witnesses, the attendance of which by certificate of the chairman of the committee, appeared necessary in the judgment of the parties requesting their attendance, shall be entitled to receive for each day so in attendance and while en route to attend, the sum of five dollars ($5) per day, together with actual railroad fare of the witness from his place of residence to the place where the hearing is held and return, and pullman fare when required. In the event any such witness travels other than by railroad, such witness shall be entitled to receive as mileage the equivalent of the railroad fare and pullman fare when required.

16. At the conclusion of the testimony, the parties may submit the case on oral argument, or written briefs, or both, as determined by the chairman of the committee.

17. The committee shall report in writing its findings and conclusions to the Assembly. If the committee is not unanimous, a minority report may be submitted with the report of the majority.

18. Upon submission of the report or reports provided for in paragraph 17, at the first meeting of the Assembly at which a quorum is present, such report or reports shall be accepted or rejected by a majority vote of all the Members of the Assembly entitled to vote thereon.

19. Neither the contestee nor contestant, shall vote or be counted in determining the presence of a quorum, in the adoption or rejection of the report or reports of the committee.

Resolution read, and ordered held at desk.

Point of Order

Mr. Geddes arose to the following point of order: That Mr. Waters promised to delay the consideration of House Resolution No. 31 and that all questions pertaining to House Resolution No. 31 are out of order as there is nothing before the House.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 536: By Mr. Stewart—An act to repeal Section 12169 of the Government Code, relating to official seals of state officers.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 537: By Mr. Meyers—An act to amend Section 2928 of the Labor Code, relating to employment relations.

Referred to Committee on Industrial Relations.

Assembly Bill No. 538: By Mr. Meyers—An act to add Section 5410.1 to the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 539: By Mr. Brown—An act to repeal Section 6362 of the Business and Professions Code, relating to the furnishing of state reports and statutes to law libraries by the Secretary of State.

Referred to Committee on Judiciary.

Assembly Bill No. 540: By Mr. Erwin—An act to amend Sections 493 and 494 of, and to add Section 449 to, the Agricultural Code, relating to qualifications of persons regularly engaged in the enforcement of laws, rules, regulations and ordinances pertaining to milk and milk products.

Referred to Committee on Agriculture.

Assembly Bill No. 541: By Mr. Gaffney—An act to amend Section 6506 of the Labor Code, relating to workmen's safety.

Referred to Committee on Industrial Relations.

Assembly Bill No. 542: By Mr. Gaffney—An act to amend Section 3077 of the Labor Code, dealing with the Apprenticeship Labor Standards Act.

Referred to Committee on Industrial Relations.

Assembly Bill No. 543: By Mr. Gaffney—An act to add Section 6404.1 to the Labor Code, dealing with safety devices and safeguards.

Referred to Committee on Industrial Relations

Assembly Bill No. 544: By Mr. Gaffney—An act to add Section 6616 to the Labor Code, relating to requiring supervisors to be furnished with applicable orders of the Division of Industrial Safety.

Referred to Committee on Industrial Relations

Assembly Bill No. 545: By Mr. Gaffney—An act to amend Section 6604 of the Labor Code, relating to workmen's safety.

Referred to Committee on Industrial Relations.

Assembly Bill No. 546: By Messrs. Gaffney and Rumford—An act to add Section 1777 6 to the Labor Code, dealing with apprenticeship

Referred to Committee on Industrial Relations

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred

Senate Concurrent Resolution No. 1
Senate Concurrent Resolution No. 2
Senate Concurrent Resolution No. 5
Senate Concurrent Resolution No. 6

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

REQUEST FOR UNANIMOUS CONSENT

Mr. Dickey asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 1, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 1

Senate Concurrent Resolution No. 1—Relative to the creation of a Special Joint Committee to Study the Anti-Cross Filing Initiative Measure.

Resolution read, and adopted unanimously.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Dickey asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 2, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 2

Senate Concurrent Resolution No. 2—Relative to the creation of a Special Joint Committee to Study the Old Age Assistance Initiative Measure.

Resolution read, and adopted unanimously.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mrs. Niehouse asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 5, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 5

Senate Concurrent Resolution No. 5—Relative to approving a certain amendment to the charter of the City of San Diego, a municipal corporation in the County of San Diego, State of California, voted for and ratified by the qualified electors of said city at the municipal special election held therein on the seventh day of November, 1950.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—77.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mrs. Niehouse asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 6, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 6

Senate Concurrent Resolution No. 6—Relative to approving a certain amendment to the charter of the County of San Diego, State of California, submitted to, voted for, and ratified by the qualified electors of said county at a general election held therein on November 7, 1950.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy,

McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—77.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST THAT CHIEF CLERK BE INSTRUCTED TO AUTHORIZE PRINTING OF 3,000 BOOKLETS

Mr. Dickey asked for consent that the Chief Clerk be instructed to authorize the printing of 3,000 booklets listing the names of the Members of the California Legislature for the Nineteen Fifty-One Regular Session and of the State and Congressional Officers for 1951.

The roll was called, and the request granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—77.

NOES—None.

FURTHER CONSIDERATION OF HOUSE RESOLUTION NO. 31

By Mr. Waters:

House Resolution No. 31

Relative to contests as to the qualifications, elections, and returns of Members of the Assembly

Resolved by the Assembly of the State of California, As follows.

1. Whenever a statement of contest, petition or other communication relating to the qualifications, election, or returns of any Member of the Assembly is received by the Assembly, the Speaker shall refer it to the Committee on Elections and Reapportionment. If that committee determines that the facts alleged therein are sufficient to merit investigation, it shall hold such hearings and conduct such investigation of the facts as it deems necessary. In so doing, the committee shall be governed by the rules and shall be vested with and exercise the powers contained in this resolution.

2. Notwithstanding the filing of the statement of contest, the contestee may take his oath as Member of the Assembly, upon presentation of a certificate of election valid and regular upon its face.

The swearing in of the contestee shall be without prejudice to the rights of the contestant.

3. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to this committee and its members.

4. In addition to the foregoing powers, the committee is authorized to appoint one or more persons as commissioners to conduct investigations on its behalf, including the examination, counting and canvassing of election ballots pursuant to Section 7236 of the Elections Code, and to certify under oath to the committee, or to a subcommittee, the facts so ascertained by the commissioner

5. The committee is authorized to act during this session of the Legislature, including any recess, but not after final adjournment.

6. The committee and its commissioner or commissioners, except as in these rules otherwise provided, shall be governed as to procedure and the introduction of evidence by the law applicable to the trial of civil actions in superior courts. The contestant is the plaintiff, the contestee, the defendant

7. In addition to facts certified by a commissioner as provided in paragraph 4, the committee may take such other evidence as it deems material

8. In addition to witnesses that are called or subpenaed on behalf of the committee, the chairman shall issue subpenas to compel the attendance of witnesses or the production of evidence, or both upon the request of either party if the chairman deems that the evidence as proposed to be obtained is relevant and necessary to determine the contest.

9. At the trial of the contest, both parties may appear in *propria persona*, or by counsel, or both.

10. Each witness shall be examined in the following order:

(a) By the party calling him.
(b) By the opposite party on cross-examination.
(c) By the party calling him on redirect examination.
(d) By the opposite party on recross-examination.
(e) By the chairman of the committee.
(f) By any member of the committee.
(g) By either party as directed by the chairman of the committee.

11. All motions or objections to evidence made by the parties or their counsel, shall be addressed to the chairman, and shall be decided by him. Any decision of the chairman may be overruled by a majority of the other members of the committee.

12. Before any witness gives his testimony the chairman shall administer to him the same oath as that administered to witnesses at hearings by legislative investigating committees.

13. No witness may refuse to testify as to which party to the contest he voted for if his testimony is material and it has been shown to the satisfaction of the committee that such witness voted having no legal right to do so.

14. The chairman of the committee is authorized to provide for a stenographic report of the proceedings.

15. All witnesses for either party subpenaed and actually in attendance at the trial of such contest, and all other witnesses, the attendance of which by certificate of the chairman of the committee, appeared necessary in the judgment of the parties requesting their attendance, shall be entitled to receive for each day so in attendance and while en route to attend, the sum of five dollars ($5) per day, together with actual railroad fare of the witness from his place of residence to the place where the hearing is held and return, and pullman fare when required. In the event any such witness travels other than by railroad, such witness shall be entitled to receive as mileage the equivalent of the railroad fare and pullman fare when required.

16. At the conclusion of the testimony, the parties may submit the case on oral argument, or written briefs, or both, as determined by the chairman of the committee.

17. The committee shall report in writing its findings and conclusions to the Assembly. If the committee is not unanimous, a minority report may be submitted with the report of the majority.

18 Upon submission of the report or reports provided for in paragraph 17, at the first meeting of the Assembly at which a quorum is present, such report or reports shall be accepted or rejected by a majority vote of all the Members of the Assembly entitled to vote thereon.

19. Neither the contestee nor contestant, shall vote or be counted in determining the presence of a quorum, in the adoption or rejection of the report or reports of the committee.

Resolution read, and ordered referred to the Committee on Rules

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1951

MR SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 3

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

QUESTION OF PERSONAL PRIVILEGE

Mr. Henderson arose to a question of personal privilege.

STATEMENT BY MR. HENDERSON

The Governor in his message to the Legislature called for unity. All real Americans wish unity With the present world crisis we need unity more than ever before

I came to the Legislature with a certificate of election to the Assembly from the Thirty-fourth District. I have been seated as a member and am participating in the

deliberations of this body. My efforts are being crippled by my recently defeated opponent and his supporters. They ask a recount.

I have faith in Les Brown, the Fresno County Clerk, and I have faith in the honesty and ability of the many persons who were on the election boards. I do not believe that preference for one candidate or one party would interfere in their duties as election board members.

Therefore, to exonerate the many good persons who counted the ballots in the general election in the Thirty-fourth Assembly District, I ask for the united cooperation of the many persons who supported me in my campaign and also of those who voted for my opponent. In order to implement the work of the Committee on Elections and Reapportionment I do hereby join with those opposing me in support of a recount

Let us proceed with a recount. Let's count all the votes in the district. Let it be honest and fair.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 11.54 a.m., Mr. Geddes asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Finance and Insurance in the Cloak Room at 11.55 a.m. Subject: Assembly Bill No. 17

REQUEST FOR UNANIMOUS CONSENT THAT MESSRS. SID WEINSTOCK AND JOHN R. MALONEY BE INCLUDED IN MEETING

Mr. Geddes asked for, and was granted, unanimous consent that Messrs. Sid Weinstock and John R. Maloney be permitted to attend the special meeting of the Committee on Finance and Insurance.

Hon. Laughlin E. Waters Presiding

At 11.56 a.m., Hon. Laughlin E. Waters, Member of the Assembly from the Fifty-eighth District, presiding

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time.

Assembly Bill No. 547: By Mr. Butters—An act to amend Section 421 of the Education Code, relating to counties of the twenty-first class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 548: By Mr. Butters—An act to amend Section 28121 of the Government Code, relating to counties of the twenty-first class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 549: By Mr. Stewart—An act to amend Sections 35147, 35148, 35149, and 35150 of the Government Code, relating to annexation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 550: By Mr. Stewart—An act to amend Section 194 of the Streets and Highways Code and to amend Section 11005 of the Revenue and Taxation Code, relating to the population of cities.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 551: By Messrs. Gaffney and Crowley—An act to amend Section 16091 of the Education Code, relating to readers for blind persons in universities, colleges, and state colleges.

Referred to Committee on Education

Assembly Bill No. 552: By Messrs. Gaffney and Crowley—An act to amend Section 3051 of the Welfare and Institutions Code, relating to operations to prevent blindness or to restore vision to applicants for or recipients of aid to the blind.

Referred to Committee on Public Health.

Assembly Bill No. 553: By Mr. Lindsay—An act to add Section 1233 to the Fish and Game Code, relating to taking coons at night.

Referred to Committee on Fish and Game.

Assembly Bill No. 554: By Mr. Lindsay—An act to amend Section 21002 of the Government Code, relating to the State Employees' Retirement System in respect to state employment of persons who have attained the age of compulsory retirement.

Referred to Committee on Finance and Insurance

Assembly Concurrent Resolution No. 9: By Messrs. Butters, Brown, Cooke, Clarke, Erwin, Lowrey, and Stanley—Relative to the creation of the Joint Committee on Water Problems.

Referred to Committee on Rules.

Assembly Bill No. 555: By Mr. Crowley—An act to amend Sections 31905, 32022, 32036, 32050, 32055, and 32056, and to repeal Sections 32036, 32051, and 32062, of the Government Code, relating to retirement benefits of members of the county peace officers' retirement system.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 556: By Mr. Silliman—An act to amend Section 673 of the Agricultural Code, relating to reports of imitation milk products and oleomargarine.

Referred to Committee on Agriculture.

Assembly Bill No. 557: By Mr. Silliman—An act to amend Section 682 of the Agricultural Code, relating to licenses for testers, samplers, weighers, and pasteurizers.

Referred to Committee on Agriculture.

Assembly Bill No. 558: By Messrs Waters and Maloney—An act to amend Sections 18301 and 18302 of, and to add Sections 17784.4, 18168, and 18301.1 to, and to repeal Section 18304.1 of, the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 559: By Messrs. Waters and Maloney—An act to amend Sections 17003, 17010, 17019.7, 17058, 17059, 17102.2, 17136, 17191, 17214, 17302, 17304, 17306, 17309, 17310, 17313, 17314, 17316, 17318.4, 17318.7, 17320.5, 17322.5, 17322.9, 17322.11, 17324.2, 17324.3, 17327, 17330.1, 17330.3, 17332, 17333, 17335, 17336, 17347, 17348, 17350, 17351, 17381, 17501, 17503, 17504, 17506, 17508, 17514, 17521, 17531, 17532, 17536, 17556, 17558, 17559, 17560.9, 17565, 17569, 17672, 17685, 17687, 17725, 17743.1, 17755, 17981, 17982, 18103, 18104, 18174, 18175, 18201, 18202, 18203, 18205, 18206, 18401, 18405, 18406, 18431, 18433, 18434, 18451, 18452, 18453, 18470, 18471, 18472, 18474, 18475, 18478, 18479, 18552, 18554, 18581, 18582, 18583, 18585, 18590, 18592, 18593, 18594, 18595, 18596, 18597, 18600, 18641, 18642, 18643, 18645, 18646, 18647, 18648, 18649, 18650, 18652, 18653, 18681, 18682, 18683, 18686, 18689, 18690, 18691, 18691.1, 18802, 18805, 18806, 18807, 18808, 18809, 18810, 18831, 18832, 18834, 18835, 18861, 18865, 18881, 18884, 18885, 18906, 18908, 18931, 18932, 19051, 19053, 19053.3, 19056, 19057, 19058, 19059, 19060, 19061, 19061.1, 19062, 19062.1, 19062.2, 19062.3, 19062.4, 19062.5, 19062.6, 19062.7, 19071, 19082, 19083, 19084, 19085, 19086, 19087, 19088, 19089, 19091, 19092, 19111, 19113, 19131, 19132, 19251, 19252, 19253, 19254, 19255, 19256, 19258, 19259, 19260, 19281, 19282, 19286, 19288, 19351, 19401, 19402, 19403, and 19451, of the Revenue and Taxation Code, relating to personal income taxes.

Referred to Committee on Revenue and Taxation

Assembly Bill No. 560: By Messrs. Waters and Maloney—An act to amend Section 23332 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act take effect immediately.

Referred to Committee on Revenue and Taxation

Assembly Bill No. 561: By Messrs. Waters and Maloney—An act to amend Section 26132 of the Revenue and Taxation Code, relating to taxation of banks, corporations, Massachusetts trusts and associations.

Referred to Committee on Revenue and Taxation

Assembly Bill No. 562: By Messrs. Waters and Maloney—An act to amend Section 26105 of the Revenue and Taxation Code, relating to taxation of banks, corporations, Massachusetts trusts and associations.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 563: By Messrs. Waters and Maloney—An act to amend Sections 23701 and 23701a of, and to renumber Sections 23701b, 23701c, 23701d, 23701e, 23701f, and 23701h of, and to add Sections 23701b, 23701f, 23701i, 23701j, and 23701*l* to, and to repeal Article 2 of Chapter 4, consisting of Sections 23731, 23731a, 23731b, 23731c, 23731d, and 23731e of Part 11 of Division 2 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 564: By Messrs. Waters and Maloney—An act to add Section 26163 to the Revenue and Taxation Code, relating to taxation of banks, corporations, Massachusetts trusts and associations.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 565: By Mr. Waters—An act to amend the title of Article 2 of Chapter 10 of, and to repeal Section 25431 of, and to add Sections 25432 and 25673 to, the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 566: By Messrs. Waters and Maloney—An act to amend Sections 17125.5, 17163.5, 17257, 17331, 17333, 17342, 17343, 17344, 17346, 17347, 17348, 17349, 17349.5, 17350, 18172.3, 18211, and 18213 to the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 567: By Messrs. Waters and Maloney—An act to add Sections 18586.3 and 19053.8 to the Revenue and Taxation Code, relating to personal income tax, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation

Assembly Bill No. 568: By Mr. Waters—An act to add Section 18933 to the Revenue and Taxation Code, relating to personal income taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 569: By Messrs. Waters and Maloney—An act to amend Sections 18807 and 18808 of the Revenue and Taxation Code, relating to personal income taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 570: By Messrs. Waters and Maloney—An act to repeal Article 3 of Chapter 10, Part 10 of Division 2, consisting of Sections 18451, 18452, 18453, and 18454 of, and to add Article 3 of Chapter 10, Part 10 of Division 2, consisting of Section 18451 to, and to amend Section 18581 of, and to add Section 18586.2 to, the Revenue and Taxation Code, relating to personal income taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 571: By Messrs. Waters and Maloney—An act to amend Sections 17003, 17013, 17521, 18405, 18431, 18554, 18584, 18590, 18687, 18689, 18802, 19086, 19254, 19451, and 19452 of, and to add Sections 17012.5 and 17522 to, the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 572: By Messrs. Waters and Maloney—An act to amend Section 23253 of the Revenue and Taxation Code, relating to

the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 573: By Messrs. Waters and Maloney—An act to amend Sections 23004, 23031, 23035, 23114, 23185, 23185b, 23186a, 23225, 23226, 23301, 23302, 23305, 23305a, 23334, 23363, 23364, 23562, 23562a, 23562b, 23881d, 23881e, 24121d, 24121f, 24121h, 24121i, 24121k, 24121o, 24123, 24124, 24151a, 24151b, 24151d, 24151e, 24151f, 24181c, 24181e, 24181f, 24201d, 24301, 24303, 24303a, 24303b, 24304, 25031f-(1), 25035, 25038, 25042, 25071b, 25071(i), 25071m, 25101c, 25201, 25202, 25203, 25203a, 25203c, 25203c-(1), 25203d, 25203e, 25231, 25232a, 25232b, 25232d, 25261, 25261d, 25291, 25292, 25295, 25401, 25402, 25403, 25404, 25431, 25552a, 25553, 25555, 25555a, 25661, 25662, 25663a, 25664, 25666, 25667, 25668, 25669, 25672, 25702, 25731, 25731a, 25732, 25761, 25761a, 25761b, 25781, 25801, 25901, 25901c, 25902, 25931, 25932, 25933, 25961, 26071, 26073, 26073a, 26075, 26076, 26077, 26078, 26080, 26102, 26103, 26103a, 26104, 26105, 26106, 26107, 26131, 26131a, 26132, 26133, 26134, 26161, 26162, 26191, 26221, 26222, 26251, 26252, 26253, 26281, 26282, 26311, 26422, 26423, 26424, 26425, 26451, 26453c, 26454, 26481, and 26481a of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 574: By Messrs. Waters and Maloney—An act to add Sections 23222a, 24121k 1, and 25295a to, and to amend Sections 23222, 24121k, 25101a, 25295, 25662, and 25701 of, Part 11 of Division 2 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 575: By Messrs. Waters and Maloney—An act to amend Sections 23185b, 23911e, 24121f, 24181, 25031f, 25031f-(1), 25031h, 25031i, 25032, 25033, 25071e, 25071f, 25071(i), 25071l, 25071m, 25071n, 25071q, 25071r-(1), 25101b, 25201, 25232a, 25261a, 25261d, 25667, 25668, 25670, 25672, 25781, 25901, 25934, 26073a, 26073b, and 26451 of, and to amend and renumber Sections 25202, 25203a, 25203c-(1), and 25203e of, and to repeal Sections 23152 and 23502 of, the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 576: By Messrs. Waters and Maloney—An act to add Section 23852b to the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 577: By Messrs. Waters and Maloney—An act to amend Sections 23102, 23112, 23186, 23222, 23251, 24121a, 24121k, 24121n, 24121p-1, 24121p-3, 24121p-4, 24121p-5, 24124, 24201b, 25101a,

25121a, 25121c, 25431, 25662, 25701, 25761, 25781, 25932, and 26080 of, and to amend and renumber Sections 25203 and 25203d of, and to add Sections 25663, 25701a, 26080.1, 2680.2, and 26080.3 to, Part 11, Division 2 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 578: By Messrs. Waters and Maloney—An act to amend Sections 23004, 23031, 23041, 23184, 23301, 23363, 23562, 23851, 23851a, 23852a, 23881b, 24121c, 24301, 24303, 25071s, 25232b, 25232c, 25232d, 25261, 25403, 25664, 25666, 25702, 25731a, 25901a, 25901c, 26078, 26104, 26131, 26422, 26423, 26424 of, and to renumber and amend Section 25203b of, and to add Sections 23043, 23854, 23854.1, 25101d to, and to repeal Sections 24302 and 26131a of, the Revenue and Taxation Code, relating to taxation of banks, corporations, associations and Massachusetts trusts, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 579: By Messrs. Waters and Maloney—An act to amend Section 23305a of the Revenue and Taxation Code, relating to taxation of banks, corporations, Massachusetts trusts and associations.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 580: By Messrs. Waters and Maloney—An act to amend Section 23153 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 581: By Messrs. Brown, Rosenthal, Beck, Fleury, Babbage, Connolly, Crowley, McCarthy, McFall, and Smith—An act to add Chapter 1.5 to Part 1, Division 4, Title 2 of the Government Code; to add Section 16025 to said code; to amend Sections 16021, 16022, 16023, 16041, 16042, 16043, 16044, 16045, 16050, 16051 and 16053 of said code; and to repeal Section 16052 of said code; relating to the liability of the State for its negligence, and claims and actions against the State for the recovery of such liability.

Referred to Committee on Judiciary.

Assembly Bill No. 582: By Mr. Erwin—An act to amend Section 707.5 of the Agricultural Code, relating to delinquent license fees under the Milk and Milk Products Act of 1947.

Referred to Committee on Agriculture.

Assembly Bill No. 583: By Mr. Erwin—An act to amend Sections 509 and 510 of the Agricultural Code, relating to market milk inspection.

Referred to Committee on Agriculture.

Assembly Bill No. 584: By Messrs. Lyon, Rosenthal, Waters, Smith, Dills, Erwin, Hawkins, McGee, Munnell, Stewart, and Thomas—An act to amend Section 737s of the Political Code, relating to the salary of judges of the superior court.

Referred to Committee on Judiciary.

Assembly Bill No. 585: By Mr. Lowrey—An act to amend Sections 1300.12, 1300.13, 1300.15, 1300.16, 1300.17, 1300.18, and 1300.19 of the Agricultural Code, relating to administration of the California Marketing Act of 1937 and the enforcement of marketing orders thereunder, declaring the urgency thereof to take effect immediately.

Referred to Committee on Agriculture.

Assembly Bill No. 586: By Mr. Lowrey—An act to amend Sections 274, 275, and 285.3 of the Agricultural Code, relating to apiary inspection and equipment brands.

Referred to Committee on Agriculture.

Assembly Bill No. 587: By Mr. Lowrey—An act to amend Section 318.3 of the Agricultural Code, relating to meat inspection, marks, and labels.

Referred to Committee on Agriculture.

Assembly Concurrent Resolution No. 10: By Messrs. George D. Collins, Connolly, Brady, Gaffney, Berry, Maloney, McCarthy, and Meyers—Relative to approving amendments to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at a general election held therein on the seventh day of November, 1950.

Referred to Committee on Rules.

RESOLUTIONS

The following resolution was offered:

By Messrs. Hahn, Burke, Morris, and Grant:

House Resolution No. 32

Relative to thanking the Sacramento Council of Churches for the Pre-Legislative Communion Service held for the benefit of the Legislature on January 8, 1951, at the Westminster Presbyterian Church

WHEREAS, On January 8, 1951, at 11 a.m., a Pre-Legislative Communion Service was held for the benefit of the Legislature by the Sacramento Council of Churches at the Westminster Presbyterian Church in Sacramento, California; and

WHEREAS, The Members of this Assembly attending this Communion Service were greatly benefited by this spiritual guidance offered and wish to show their appreciation; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly of the State of California do hereby extend their thanks to the Sacramento Council of Churches for said Pre-Legislative Communion Service; and, be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the Sacramento Council of Churches.

Resolution read, and ordered referred to the Committee on Rules.

Hon. Robert I. McCarthy Presiding

At 12.12 p.m., Hon. Robert I. McCarthy, Member of the Assembly from the Twenty-fifth District, presiding.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 588: By Messrs. Brown and McFall—An act to be known as the Uniform Commercial Code, relating to certain commercial transactions in or regarding personal property, including fixtures, and contracts and other documents concerning them, including sales, commercial paper, foreign remittances, letters of credit, bank deposits and collections, other certain miscellaneous banking transactions, investment securities, bills of lading, warehouse receipts, other documents of title, and various types of financing security; providing for public notice to third parties in certain circumstances; regulating procedure, evidence and damages in certain court actions involving such transactions, contracts or documents; to make uniform the law with respect thereto; and repealing inconsistent legislation

Referred to Committee on Judiciary.

Assembly Bill No. 589: By Mrs. Niehouse—An act to amend Section 9 3 of the Municipal Court Act of 1925, relating to the constitution of the court and to compensation of officials.

Referred to Committee on Judiciary.

Assembly Bill No. 590: By Mrs. Niehouse—An act to amend Sections 7330, 7373, and 7382 of the Business and Professions Code, relating to hairdressers, cosmeticians, and cosmetologists.

Referred to Committee on Public Health

Assembly Bill No. 591: By Mrs. Niehouse—An act to amend Section 9.5 of the Municipal Court Act of 1925, relating to compensation of officials of the municipal court.

Referred to Committee on Judiciary.

Assembly Bill No. 592: By Mr. Clarke—An act to amend Section 28124 of the Government Code, relating to compensation for public services in counties of the twenty-fourth class.

Referred to Committee on Municipal and County Government

Assembly Bill No. 593: By Mr Clarke—An act to amend Section 28136 of the Government Code, relating to compensation for public services in counties of the thirty-sixth class.

Referred to Committee on Municipal and County Government.

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred

Assembly Bill No. 17

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

GEDDES, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 17—An act to amend Section 10291.5 of the Insurance Code, relating to disability insurance policies, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 17

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Dolwig:

Resolved, That Assembly Bill No. 17 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—65.

NOES—None

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF ASSEMBLY BILL NO. 17

Assembly Bill No. 17—An act to amend Section 10291.5 of the Insurance Code, relating to disability insurance policies, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson Hinckley, Hollibaugh, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—71.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—71.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 31

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 594: By Mr. Clarke—An act to amend Section 424 of the Education Code, relating to compensation of the county superintendent of schools in counties of the twenty-fourth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 595: By Mr. Clarke (By Request)—An act to amend Section 43068 of the Government Code, relating to taxes of cities of the sixth class.

Referred to Committee on Revenue and Taxation

Assembly Bill No. 596: By Mr. Clarke (By Request)—An act to amend Section 1700 of the Streets and Highways Code, relating to county highways.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 597: By Mr. Clarke (By Request)—An act to amend Section 1680 of the Streets and Highways Code, relating to county aid to cities in the construction and maintenance of streets.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 598: By Mr. Clarke (By Request)—An act to amend Section 7049 of the Business and Professions Code, relating to contractors.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 599: By Mr. Clarke—An act to amend Sections 787.5, 795, and 796.1 of the Agricultural Code, relating to fruit and vegetable standardization.

Referred to Committee on Agriculture.

Assembly Bill No. 600: By Mr. Clarke—An act to amend Section 100 of the Agricultural Code, relating to plant quarantine and pest control definitions.

Referred to Committee on Agriculture.

Assembly Bill No. 601: By Mr. Clarke—An act to amend Sections 160.1 and 160.6 of, and to add Sections 160.15, 160.16, and 160.65 to, the Agricultural Code, relating to agricultural pest control business.

Referred to Committee on Agriculture.

Assembly Bill No. 602: By Mr. Clarke—An act to add Section 200.5 to the Agricultural Code, relating to inclusion of poultry within the animal quarantine provisions of the Agricultural Code, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Agriculture.

Assembly Bill No. 603: By Mr. Clarke—An act to amend Section 1083.1, 1083.3, 1083.5, and 1089 of the Agricultural Code, relating to commercial feeding stuffs.

Referred to Committee on Agriculture.

Assembly Bill No. 604: By Mr. Brown—An act to amend Section 17 of the Municipal and Justice Court Act of 1949, relating to sessions of municipal courts.

Referred to Committee on Judiciary.

Assembly Bill No. 605: By Mr. Brown—An act to amend Sections 403.5 and 765 of the Vehicle Code, relating to violations of the Vehicle Code in order to comply with regulations promulgated under Civil Defense Act of 1950, or the California Disaster Act.

Referred to Committee on Judiciary.

Assembly Bill No. 606: By Mr. Brown—An act to amend Section 1714.5 of the Civil Code, relating to liability of one who owns or maintains any building or premises designated as a shelter from enemy attacks, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Judiciary.

Assembly Bill No. 607: By Mr. Brown—An act to repeal the Automobile Parking District Act of 1941 and to repeal an act entitled "An act to provide for the formation of, government of, issuance of bonds by and assessment in motor vehicle parking districts," approved July 12, 1941, relating to automobile and vehicle parking districts.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 608: By Mr Stewart—An act to provide for the disposition of the unexpended balance of moneys in the Third San Francisco Seawall Fund.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 609: By Mr. Stewart—An act to provide for the reversion to the General Fund of any unexpended balance in the

Sacramento and San Joaquin Drainage District General Administrative Assessment No. 1 Fund.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 610: By Mr. Stewart—An act to provide for the disposition of the unexpended balance of moneys in the State Park Fund of 1927.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 611: By Mr. Stewart—An act to provide for the transfer to the School Land Fund of the unexpended balance remaining on deposit in the School Land Deposit Fund, and making an appropriation.

Referred to Committee on Education.

Assembly Bill No. 612: By Mr. Stewart—An act to provide for the disposition of the unexpended balance of moneys in the California State Building Fund of 1925.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 613: By Mr. Stewart—An act to add Section 12463.2 to, and to repeal Section 12461.5 of, the Government Code, relating to the duties of the Controller.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 614: By Mr. Stewart—An act to abolish the War Bond Fund, to transfer to the Special Deposit Fund the unexpended balance remaining therein, and to appropriate such amount from the Special Deposit Fund for expenditure for the same purposes for which such amount is available for expenditure from the War Bond Fund immediately preceding such transfer.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 615: By Mr. Stewart—An act to amend Section 17242 of the Government Code, relating to reimbursement warrants

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 616: By Mr. Stewart—An act to amend Section 2 of an act entitled "An act to make an appropriation to provide housing and equipment for the education of cerebral palsied children," approved July 25, 1949, relating to audit of expenditures from such appropriation.

Referred to Committee on Education.

Assembly Bill No. 617: By Mr. Stewart—An act to amend Sections 950 and 951 of the Probate Code, relating to preferred labor claims for wages.

Referred to Committee on Industrial Relations.

Assembly Bill No. 618: By Mr. Stewart—An act to amend Sections 1204 and 1206 of the Code of Civil Procedure, relating to claims and liens for labor.

Referred to Committee on Judiciary.

Assembly Bill No. 619: By Mr. Kilpatrick, Mrs. Niehouse, and Mr. Cooke—An act to amend Section 6359 of the Revenue and Taxation Code, relating to exemptions from the sales and use taxes

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 620: By Messrs. Kilpatrick, Munnell, Burke, Mrs. Niehouse, Messrs. Burkhalter, Cooke, and Meyers—An act to add Section 162.5 to the Vehicle Code, relating to publicly owned vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 621: By Messrs. Kilpatrick, Hagen, Burke, Mrs. Niehouse, Messrs Cooke, Meyers, and Munnell—An act to repeal Section 144 and to amend Section 1558 of the Penal Code, relating to the return of fugitives from justice.

Referred to Committee on Judiciary.

Assembly Bill No. 622: By Messrs. Kilpatrick, Burke, Mrs. Niehouse, Messrs. Cooke, Meyers, and Munnell—An act to amend Sections 145 and 825 of the Penal Code, relating to the taking of persons arrested before a magistrate.

Referred to Committee on Judiciary.

Assembly Bill No. 623: By Messrs. Kilpatrick, Burke, Mrs. Niehouse, Messrs. Meyers, Cooke, and Munnell—An act to add Section 147.5 to the Penal Code, relating to mistreatment of persons in the custody or under the care of officers.

Referred to Committee on Judiciary.

Assembly Bill No. 624: By Messrs. Kilpatrick, Burke, Mrs. Niehouse, Messrs. Meyers, Cooke, and Munnell—An act to amend Section 7546 of the Business and Professions Code, relating to actions on the bonds of licensed private detectives.

Referred to Committee on Judiciary.

Assembly Constitutional Amendment No. 9: By Messrs. Levering, Beck, Porter, Munnell, Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Meyers, Morris, Moss, Mrs. Niehouse, Messrs. Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, and Waters—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 3 of Article XX, relating to oaths of office.

Referred to Committee on Constitutional Amendments.

RESOLUTIONS

The following resolution was offered:

By Mr. Elliott:

House Resolution No. 33

Relative to memorializing Congress regarding compensation for draftees or selectees for national defense

WHEREAS, A distinguished American general is reputed to have expressed the recommendation that draftees into military service or selective training service for the defense of the Nation receive little or no payment for these services in the Armed Forces or in a military preparedness program; and

WHEREAS, While the Assembly of the State of California holds this eminent general in the highest esteem as one of our great military leaders of World War II and an important figure in the present world crisis, it is in complete disagreement with this proposal of his because it feels it is unsound and unjust; and

WHEREAS, This proposal not to pay draftees, or to give them a smaller pay than they now receive, would have a detrimental affect on the morale of new young members of the Armed Forces and might lessen the efficiency of national defense as well as be unfair to the person brought into the service of his Country; and

WHEREAS, The draftee or selectee should, in the opinion of this body, receive compensation for his service in the Armed Forces in accordance with the present policy of making such compensation as fair and generous as the Nation's financial conditions permit; now, therefore, be it

Resolved by the Assembly of the State of California, That this Assembly hereby expresses its disapproval of this proposal and respectfully memorializes the Congress of the United States to continue the policy of providing compensation for persons in the Armed Forces, whether draftees or volunteers, which is as fair and generous as financial conditions of the Nation permit and to maintain the same pay rates for all draftees and selectees regardless of age; and be it further

Resolved, That copies of this resolution be transmitted by the Chief Clerk of the Assembly to the honorable Members of the United States Senate from California and to the honorable Members of the House of Representatives from the State of California.

Resolution read, and ordered referred to the Committee on Rules.

RESIGNATION OF MEMBER FROM STANDING COMMITTEE

Speaker Sam L. Collins announced the resignation of Mr. Shaw from membership on the Committee on Education

APPOINTMENT TO COMMITTEE ON EDUCATION

Speaker Sam L. Collins announced the appointment of Mr. Moss to membership on the Committee on Education, vice Mr. Shaw, resigned.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today, at 3 p.m.—

Ways and Means.

Tomorrow, Friday, January 12th, at 9.30 a.m.—

Rules.

Next Monday, January 15th, at 8 p.m.—

Finance and Insurance. Subject: Assembly Bill No. 51, in Room 432.

Next Wednesday, January 17th, at 8 p.m —

Municipal and County Government, in Room 426.

THE SOCIAL WELFARE PROGRAM

Second Preliminary Report of the

Assembly Interim Committee on Social Welfare
to the
California Legislature

KATHRYN T. NIEHOUSE, *Chairman*
ERNEST C. CROWLEY, *Vice Chairman*
JOHN B. COOKE
HAROLD K. LEVERING
GLENARD P. LIPSCOMB

January, 1951

REPORT ON THE SOCIAL WELFARE PROGRAM

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LETTER OF TRANSMITTAL

ASSEMBLY INTERIM COMMITTEE ON SOCIAL WELFARE
January 11, 1951

The Honorable Speaker and Members of the Assembly
California Legislature
Sacramento 14, California

GENTLEMEN: Pursuant to the directive of House Resolution No. 71, Second Extraordinary Session, 1950, the committee has reviewed the major phases of the social welfare program.

In conduct of its work, the committee held public hearings and engaged in study and research through its staff. Since the committee was organized in May, 1950, there has been a limited period of time in which to study all phases of the program. The committee also conducted studies of the child care centers program which restricted the time it could give to the social welfare program. The committee was limited in its staff facilities by the appropriation, making it impossible to conduct detailed studies and particularly to examine and evaluate administrative methods.

Public hearings were held in San Diego, San Francisco, and Los Angeles. All organizations believed to be actively interested in the social welfare program were specifically invited to appear before the committee and general community notice of such public hearings was made through the press well in advance of each hearing.

In connection with these hearings, the committee wishes to note that the County Supervisors' Association of California, which organization has been especially active in legislative matters concerning the social welfare program, was specifically invited to present testimony at each of the public hearings but failed to do so. In response to the invitation to appear before the committee at the final hearing in Los Angeles to present its views concerning the aid to needy children program, the association notified the chairman that because of studies being conducted it was not prepared to appear. However, two days prior to this hearing, the association did make a full presentation concerning the aid to needy children program before a Senate interim committee.

The committee was particularly impressed by the lack of basic operating data from which detailed analysis of the actual operations of the programs could be made. To some extent, in relation to the aid to needy children program, some such data was secured through special studies by the Department of Social Welfare and used by the staff. However, there appears a lack of the kind of basic research into program operations and their administration necessary not only for legislative analysis but for continuing evaluation by the administrative agencies themselves.

This lack of sufficient basic operating data has been a distinct handicap in analyzing the operations of the various programs. It undoubtedly is as great a handicap to the administrative agencies in developing programs and policies and in interpreting trends and developments to the Legislature and the community at large.

Because of the limitations of time and facilities, the staff has made a general approach to the total social welfare program with more intensive

analysis of certain features. As will be illustrated in this report, a complete and searching analysis into all phases of operations of the programs and their administration should be made.

In view of the widespread interest in the aid to needy children program, special attention is given it in this report.

Insofar as has been possible, the staff report is specific. However, because of the complex nature of the total social welfare program, the absence of sufficient data for careful analysis, and the inability of the staff to examine administrative methods and practices within the counties as well as the state department, certain portions of the report are necessarily general. Where the staff has been unable to make specific analysis, it attempts to identify problems and makes suggestions for administrative consideration or for follow-up through continuing study and evaluation by the Legislature through its appropriate committees.

Should the Legislature re-establish this interim committee, the attached could be considered in form of a preliminary report and an outline of the program of the committee for the biennium.

The committee wishes to note that despite its very limited examination and analysis of operating procedures, in the course of its work it was instrumental in securing financial savings far in excess of the costs of the committee study. In one instance, corrective action was taken by the administrative agency which should save in one month approximately five times the total expenses of the committee for the whole period of its existence.

Respectfully submitted,

KATHRYN T. NIEHOUSE, *Chairman*
Assembly Interim Committee on Social Welfare

RECOMMENDATIONS
of the
ASSEMBLY INTERIM COMMITTEE ON SOCIAL WELFARE
Concerning
THE CALIFORNIA SOCIAL WELFARE PROGRAM

I. Aid to Needy Children

Basic corrective actions that should be taken are in the administrative area. Legislative changes should be confined to correction of defects revealed in the law through the limited experience since passage of the 1949 amendments, and designed primarily to facilitate better administration.

A. LEGISLATION

1. *Support of Dependents*

There should be enacted a law consistent with the Uniform Reciprocal Enforcement of Support Act drafted by the National Conference of Commissioners on Uniform State Laws and approved by the American Bar Association. Such laws are now in effect in several states to provide for the reciprocal enforcement of support through both criminal and civil law in those cases where the parent resides outside the State. Such a law will improve enforcement of parental duties to support and alleviate to some extent the problems involved through desertion of families by fathers.

More vigorous enforcement of support laws should be taken through the offices of the district attorneys relative to those parents in the State who default on their obligations for support. This might be accomplished by amendment of the law to provide that district attorneys shall report to the appropriate welfare department disposition or status of cases referred within 60 days of such referral.

2. Restrictive Payments

The A. N. C. law should expressly provide that assistance may be granted in forms other than cash to families determined to be unable to properly handle cash, in accordance with rules and regulations promulgated by the State Department of Social Welfare.

3. County Residence

Eliminate those provisions in the law that require determination of county residence for purposes of ascertaining the source of funds for payment of assistance in individual cases.

Amend Section 1527 of the code to provide that the county in which the recipient resides or is physically present shall provide medical care, eliminating the expensive procedures for intercounty negotiation covering medical care costs furnished through county medical and hospital facilities.

4. *Real Property*

Amend Section 1520 to provide that real property retained shall be property in use by the applicant or recipient, and to enable the State Department of Social Welfare to establish reasonable limitations on the total value of property which may be encumbered.

5. Personal Property

Amend Section 1521 to provide for the evaluation of personal property in addition to "cash and securities" so that such forms of personal

property as automobiles, jewelry, etc., may be evaluated. Provide that the State Department of Social Welfare shall define personal property and establish regulations for its evaluation for purposes of this section.

6. Time Limit for Processing Applications

Amend Section 1550 to reduce the maximum time for processing applications from 90 days to 60 days after date of application so as to minimize loss of federal funds and speed up the processing of applications.

B. ADMINISTRATIVE ACTIONS

1. Application Processing

Analysis should be made of the routine processing and checking of applications to determine its effectiveness throughout the State and to eliminate nonproductive functions that increase administrative costs and delay action. Greater uniformity should be secured in the use of basic procedures and forms and in the time factors involved in processing applications.

2. Employment

The state department should re-examine its policies concerning the employment of mothers and "emancipated children" to the end that a more positive policy to encourage employment and accounting for income of employed family members may be developed.

3. Support by Parents

The state department should re-examine its policies concerning actions to be taken where parents default on their responsibilities for support of families to provide more specific guidance and supervision to the county departments in dealing with these problems, including the evaluation of the administration of these policies so that better methods may be developed to secure support from parents short of actual legal prosecution.

State regulations concerning support by step-parents should be revised to provide more specific guidance to the county departments in securing such support regardless of the legal factors involved. Consideration should be given to the evaluation of the total resources of the family irrespective of the legal status of individual members as a basis for determining whether or not the family is in need and the extent of that need.

4. Standards of Assistance

The state department should establish uniform and specific standards for the determination of circumstances justifying allowances for special needs and should establish cost controls for such items. Through research the actual application of such policies should be tested and there be achieved greater uniformity of treatment of needy families throughout the State.

5. Staffing

As part of its responsibility for supervising administration of the A. N. C. program, the state department should regularly analyze and evaluate the adequacy of staffing and use of staff by the county departments to determine effectiveness of application of policies in determining need, reinvestigating cases, evaluating resources, and other factors that affect the costs of providing assistance and services to needy families.

II. Old Age Security

A. LEGISLATION

1. County Residence

Delete those provisions of Sections 2021, 2187-89 of the code which provide additional appropriations to the counties for purposes of aiding county nonresidents so that aid for all aged persons qualified for old age security is financed on a uniform basis and to eliminate the costly processes of determining county residence.

2. Persons Residing Out of the State

Aged recipients who have left the State to reside in another state should be removed from the old age security rolls when they have resided in the other state sufficient time to qualify for old age assistance under the laws of that state.

B. ADMINISTRATIVE ACTION

The present system permitting retention of income to meet excess needs creates inequalities between those with and without other income. To determine how to remedy this situation for consideration for long-term legislation, the State Department of Social Welfare should conduct detailed studies of the actual application of the present law. These should include a study to determine all unmet needs, the cost of providing excess need allowances, and the extent to which present flat-grant allowances may be in excess of actual need. Based on such studies the department should make recommendations to the Legislature so that it may determine whether persons without income should be granted additional aid to meet excess needs; or whether those with income should have such income deducted to secure equality of aid; or whether the present flat-grant method of assistance should be modified or revised so that assistance is based on individual need.

III. General

A. LEGISLATION

1. Duties of Boards of Supervisors

There should be enacted in the general provisions of the code legislation providing that the boards of supervisors may delegate powers and duties. This would enable the boards to delegate to county welfare directors approval of applications and thus reduce delay in acting on applications.

B. LEGISLATIVE STUDIES

1. Administration

There should be conducted a complete survey of all aspects of administration of the social welfare program. The interim committee assigned this responsibility should be provided with sufficient appropriation so that it may employ qualified and experienced technical and other staff necessary to conduct a detailed study and should have a two-year period for such study. Particular attention should be given the following:

a. Basic administrative responsibilities and authority. This involves the primary question of state administration or state supervision with county administration.

b. Methods of achieving greater uniformity in practice in administration of the program in all parts of the State.

c. Evaluation of efficiency and effectiveness at all levels of administration with specific recommendations for administrative action to

simplify the work process and eliminate unproductive procedures and functions;

d. Quantitative and qualitative evaluation of staffing and use of staff, including supervision and administrative planning and direction of the work program;

e. Methods of carrying on operating and program research and reporting.

It would be understood, of course, that in the conduct of such studies the administrative agencies would work closely with the committee staff and that corrective action within the authority of the administrative agencies be taken as rapidly as possible in the course of the studies.

2. Program Analysis

Analysis of the individual programs should be continued on a basis more detailed and specific than possible for this report. In this connection the administrative agencies should be expected to conduct the bulk of the basic research for use of the committee.

3. Reorganization and Simplification of Code

Study should be given to methods for simplifying and reorganizing the present Welfare Code. Insofar as practicable, basic code provisions relating to administration, determining need, appeals, etc., should be consolidated in a single section applicable to all programs. This study should include recommendations for amendment of laws applicable to individual programs to achieve as much uniformity and consistency as possible between programs.

4. Financing Assistance Programs

All factors in the present state-county financial arrangement should be studied to simplify financial processes; evaluating the pros and cons of total state financing or continuation of state-county financing; and arriving at a satisfactory and more uniform base for financing all programs if the state-county method is retained; and the best methods of appropriating funds for social welfare purposes.

The foregoing studies can best be accomplished by an interim committee assisted by a citizens advisory committee as a coordinated study.

C. ADMINISTRATIVE ACTION

Special emphasis should be given by the State Department of Social Welfare to administrative and program research. This should include administrative analysis into all phases of operations; evaluation through program research of the effectiveness of policies and their application; establishment of administrative and cost controls to strengthen and make more uniform the operation of the program in all areas of the State; research into family characteristics and economic and social problems as a basis for developing plans for legislative consideration to improve the public assistance laws; research into causes of dependency and determination of possible solutions; and methods of reporting and interpretation.

Approved: KATHRYN T. NIEHOUSE, *Chairman*
ERNEST C. CROWLEY, *Vice Chairman*
JOHN B. COOKE
HAROLD K. LEVERING
GLENARD P. LIPSCOMB

December 11, 1950

REPORT TO ASSEMBLY INTERIM COMMITTEE ON SOCIAL WELFARE

on

SOCIAL WELFARE PROGRAM

By

NEWTON R. HOLCOMB, *Executive Secretary*

Sacramento, California, December 1, 1950

I. MEMORANDUM OF TRANSMITTAL

To: Chairman and Members
Assembly Interim Committee on Social Welfare

From: Newton R. Holcomb, Executive Secretary

Subject: REPORT ON SOCIAL WELFARE PROGRAM

Attached is my report covering analysis of the social welfare program.

There are a number of limitations involved in preparing a report such as this:

1. The length of time afforded for study and the facilities available have been extremely limited. Considerable time has been devoted to the child care center study, thus limiting attention that could be given to social welfare.

2. Administrative agencies have not developed sufficiently their research and reporting so that there is incomplete data available for analysis and evaluation.

3. To meet time limits, it has been necessary to use available data through September, 1950, only. There are indications of certain significant trends due to the stepped up military preparedness program that will not be revealed until data for later months is available. Also the September, 1950, data does not reflect the substantial influence of the Social Security Act amendments, effective October 1st. The state department has been unable to furnish data to evaluate the effects of the revised relatives contribution scale in the O. A. S. program by the time required for this report.

4. It has been impossible to make a detailed evaluation of the area of administration which is of extreme importance in testing policies in application as well as effectiveness in carrying out the basic standards for eligibility and amount of assistance established in the program.

5. Neither has it been possible to consider tax revenue and other obligations of government at the county and state levels in relation to the portion of public assistance costs that each might properly bear. The actual source of funds is of secondary importance in evaluating the effectiveness and adequacy of a public assistance program, but in working out solutions to administrative problems presented and relating the programs to the budgets of the state and county governments, such is important.

What stands out most prominently in the California public assistance program is that there are widely different standards established for identifying and meeting the requirements of various classes of needy persons and that the manner in which this is done is made difficult by a division of administrative responsibility that complicates an already complex administrative task, and adds to costs of the program as well as makes it exceedingly difficult to assess accountability.

These general conclusions are inherent in this limited report:

1. A better balanced assistance program can be achieved, with little or no additional cost:

(a) Costs in certain programs for specific groups of persons can be reduced while continuing to provide a decent and adequate standard of care, and

(b) Assistance can be provided all individuals within these specific programs on a more equitable basis.

This can be done through

(a) Adjustment of certain features of programs that permit of allowances not justified by objective standards of need;

(b) Administrative action to provide for more definite and accurate determination of need, and control of costs in relation to certain types of needs;

(c) Establishment of state-wide standards for application to needy persons now provided aid under 58 variable programs.

2. Certain aspects of existing programs giving rise to abuses attributable to a small portion of recipients can be improved through

(a) Minor amendments in law,

(b) Improvement in administration.

In doing so there should be avoided arbitrary restrictions having no relationship to actual existence of economic need and incompatible with the basic purposes of the public assistance programs.

3. Continuing and intensive study needs to be given to administrative problems and the improvement of the administrative process in all particulars, and especially with relation to:

(a) The influence of administration on actual costs of assistance such as related to accuracy of determination of need, prompt removal of ineligible persons from the rolls, and services to assist persons to utilize their own resources and become self-sufficient;

(b) Reduction in administrative costs and improving services to individuals through establishment of more uniform methods and procedures, simplification of procedure, work planning and supervision of staff, and elimination of unproductive functions;

(c) Greater administrative control to continuously evaluate the effectiveness of policies in their application; as a means toward policy formulation and modification; to evaluate basic legal and administrative factors, etc.;

(d) Administrative and program research to provide a more complete and correlated body of information for analysis so that there may be continuous progress in the administration of assistance and in the identification and treatment of causes of dependency.

Involved in this study of administrative problems is the fundamental question of delegation of authority and responsibility by the Legislature to the state department and the respective counties.

4. Study of the basic problems of dependency and determination of the most effective means of dealing with these problems, including:

(a) Development and modification of the assistance programs to best meet economic need;
(b) Evaluation of preventive and protective social services programs;
(c) Other means of combatting problems of dependency or preventing or minimizing its occurrence.

These studies should be undertaken to provide a sound basis for determining long-range public programming and planning to meet the steadily increasing problems that have been reflected in the growth of public assistance programs over the past two decades.

II. INTRODUCTION

Since the end of World War II there has been a substantial increase in costs of public assistance programs in California as well as throughout the Nation. There has developed growing concern over the costs of these programs as well as recognition of the need for improving them to meet economic need and provide necessary services to people.

Essentially these trends in the public assistance programs are a reflection of basic socio-economic problems. To a lesser extent, they reflect public policy in providing for needy persons and the determination made as to how adequate that care should be.

Increased costs are due to the greater number of persons relying upon public aid and the higher cost per case. Numbers of persons assisted is influenced by employment conditions, population changes, and a great many other factors in our total economy as well as by public acceptance of responsibility for providing for people as demonstrated in the laws. Costs per case reflect the need for providing more dollars to meet increased living costs as well as the determination made as to what standard of living should be provided for needy individuals.

The steadily increasing numbers of persons securing public aid, and resulting increased costs, do not in themselves reflect deficiencies in the public assistance programs. While the reaction of certain groups is to condemn the program and seek to restrict costs by arbitrary eligibility requirements and lowering the standards of aid, this approach ignores the basic problems that contribute to these increased costs.

There must be real concern over these increasing costs This concern must also be weighed against the consequences of failing to provide adequately for those in need. No solution has been reached as to what we can afford or what we cannot afford for public welfare. Part of our problem is that the public assistance programs are carrying a burden that was not contemplated when the modern public welfare programs were established. The major concern should be to determine the reasons for this and to attack basic causes of dependency as well as to examine administration of the programs themselves.

The American public has accepted a responsibility for meeting the minimum needs of those who are incapable of fully supporting themselves. However, we do not have unlimited capacity for doing so without endangering other essential services of government such as education, public health, rehabilitation and employment services, and other public welfare functions which in themselves influence dependency. We cannot afford, without injury to these other essential functions of government and to the basic responsibilities of individuals, to meet requirements on a basis that exceeds a minimum for maintaining persons on a decent and adequate basis. We can afford to meet the minimum needs of all persons who are incapable of fully supporting themselves, and we can better afford this if we seriously attack the basic problems of need, as well as administer the public assistance programs as economically and efficiently as possible consistent with their basic purposes.

The principal factor affecting public welfare case loads is economic opportunity as measured by employment and unemployment. This is illustrated by the great numbers of persons who received various forms of public aid in the depression of the 1930's. When more employment became available and particularly with the beginnings of the defense program in 1940 and 1941, relief loads declined rapidly. Peak employment conditions of the World War II period were accompanied by low points in welfare loads, particularly in family cases.

Population change has a direct influence on public assistance loads. The gross change in population experienced in California in recent years would in itself account for an increased welfare load if the proportion of needy to total population remained the same. Changing character of population in terms of the proportion of aged or of children to the total influences individual programs.

There are many other causes of economic dependency, such as ill health, disability, accidents, emotional instability; limited employable skills; exclusion from the labor market because of race, color, or age; death of the family breadwinner; and increased costs of living which may cause marginal income families to become in need or reduce contributions of relatives.

The overwhelming majority of people in need are in that condition because of factors over which they have little or no control. Few persons need public assistance because of their own wilfull conduct, and few prefer such assistance to being self-supporting and maintaining. This fact was demonstrated during the war when large numbers left the welfare rolls as employment became available and is again reflected in recent trends, particularly in the general relief program, following improvement of employment conditions in the latter half of 1950.

Welfare loads are also influenced by standards of eligibility and the methods of administration of the program. Technical eligibility requirements such as restricted the aid to needy children program prior to October 1, 1949, may keep down total numbers assisted under particular programs irrespective of the volume of economic need. Liberal legal definitions, such as those relating to property and income that persons may retain and be considered in need, will result in greater numbers receiving aid. The actual standards of assistance themselves, being measurements of what are considered basic minimum requirements, may

influence the total number of eligible persons. The effectiveness with which legal and administrative standards are applied in individual cases, including the determination of resources, influence welfare case loads and total costs Legislative and administrative practices can create attitudes of dependency which increase welfare loads and costs.

Evaluation of welfare trends requires that they be related to basic socio-economic changes that have direct relationship to the total number of persons in need. These are the primary factors and their solution lies outside the public assistance program itself. But there are certain actions that can be taken within the program to minimize costs.

The basic approach to the total problem is through limiting the need for public assistance by reducing dependency. A United States Senate Committee [1] studying problems of economic security, recently pointed out that one-third (⅓) of all families and individuals in the Country had money incomes of less than $2,000 in 1948. For urban areas, the major classifications of these low income persons were· (1) women head of families; (2) aged persons; (3) persons with little skill or education; and (4) disabled persons. These are the same groups that make up the greater portion of the welfare loads.

That committee outlined the following essentials for meeting the problem:

1. Good employment opportunities, including those for persons with limited productivity;
2. Equal opportunity to all to improve and use their own capacities;
3. Breaking the vicious circle process under which poverty and dependency tend to perpetuate themselves, with particular emphasis on educational deficiencies and lack of occupational skills;

These solutions require broad community action and are not within the power or authority of public welfare agencies themselves to correct. The basic responsibility of the welfare departments is to provide financial aid and services when they are needed. It is this responsibility that is the primary concern in preparing this report, which attempts to analyze the present programs in terms of their effectiveness in meeting primary objectives and the extent to which they can be strengthened and improved in doing so.

Fundamentally, the public assistance program is based on the acceptance by the community of its responsibility for providing financial aid and services to those who for one reason or another are unable to maintain themselves. It is not an end in itself, but a means for alleviating suffering and hardship and for helping people to help themselves regain independence and self-sufficiency The basic elements of a sound public assistance program include the following:

1. Persons in economic need should be assisted on the basis of that need and without regard to other factors which have no relationship to the economic need itself;

2 Financial assistance should be based upon standards designed to measure actual need and to provide help on a basis that bears a sound relationship to the costs of minimum but adequate living;

[1] "Low Income Families and Economic Security" Report of the subcommittee on low-income families Joint Committee on the Economic Report Document 146, Eighty-first Congress, Second Session

3. Aid should be granted on a basis that is equitable to all persons in need, and in such form as to preserve self-reliance and self-respect;

4. There should be maximum use of the resources of individuals to help themselves, including use of all types of community resources and agencies available;

5. Emphasis should be placed on providing the services that will help people solve problems causing their need or to rehabilitate them for productive effort and self-sufficiency;

6. Protective services should be provided for children, the aged, and other persons who require such services;

7. There should be continuing research into problems resulting in dependency and into actual application of policies and procedures for administering the program so that preventive programs may be developed and policies and procedures tested in application and adjusted to meet changing conditions.

The California public assistance program does not measure up fully to the foregoing standards. Its development over the years has been on a piecemeal basis and in reality is a series of different programs designed for specific groups of people. Adjustments that have been made in the past have frequently been confined to these separate groups of people rather than on a basis of a total integrated social welfare program for all of the people of the State.

As a result the total program is full of contradictions. Some groups of needy people are treated on a basis that is very liberal in contrast with other states. Others are treated on a basis that would be considered extremely restrictive in many states. Certain persons over age 65 are provided only very limited help because of citizenship or residence factors while others are granted adequate assistance. For technical reasons, children in certain families (aid to needy children) are provided with help on a basis of uniform basic standards while those in other families are helped on a basis varying with the policies of the individual counties of their legal residence.

Administration in California is extremely complicated by the division of responsibility between the state department and the counties. There are not uniform standards of administration and attainment of effective and efficient administration on a state-wide basis is made exceedingly difficult. Neither has there been developed the type of research and analysis through which program operations can be carefully evaluated and interpreted or which can be useful in development of prevention programs.

The basic factor in administering a public assistance program is to determine when need exists and at what level or standard of living the need is to be met.

Varying standards are established by law for the different groups of persons assisted under the categories of assistance established in California. In certain instances the basis for determining when need exists may be considered very liberal. In others it is very restrictive.

The common concept of a needy person is one who does not have sufficient resources or income to support himself even over a relatively short period of time.

Eligibility for assistance is based upon the measurement of the individual applicant against whatever standard of need has been established. In California program it is also based upon other factors relative to the age, citizenship, residence, etc., of the persons applying for assistance.

Many of the problems that have arisen recently are but a natural development following adjustment of the economy following the last war. The wartime reduction in welfare cases was due primarily to extraordinary economic factors inherent in a wartime economy. There are current indications that a similar trend may accompany the present complicated international situation. Such will take pressures off the program through the reduction in cost. The lessening of these pressures should not result in ignoring the basic problems that will again assert themselves but should be used as a means for objective evaluation and strengthening of the program to meet possible future needs.

For the present it would seem advisable to concentrate on securing a better balanced program and for lessening the differences that exist in the separate programs for various groups of needy persons. Strengths existing in individual programs should be retained. Technical or administrative faults that may cause these programs to be liberal in the sense that they do not properly measure need and thus cause unwarranted expenditure of public assistance funds can be corrected. Discrimination toward certain groups of needy persons should be removed to provide a balanced integrated program for meeting the needs of all persons on a more equitable basis. Varying standards applicable to different groups of needy persons need to be modified or eliminated so that the total program can better meet its basic objectives.

Simultaneously greater emphasis should be given to research, both in terms of identifying and evaluating basic causes of dependency and in administrative analysis to improve the processes of determining need, to evaluate standards of assistance and their application, and to streamline operational methods to provide better services and reduce administrative costs.

In this process, there needs to be careful integration of the California public assistance programs with the basic national social security program. Particular emphasis needs to be placed upon relationships of public assistance in California to the national old age and survivors insurance program. A fundamental question is presented as to whether it is advisable for this State to establish its programs on a relatively self-sufficient basis, or whether public assistance is to be considered as a residual form of help to those not protected or receiving insufficient protection against economic need under the national insurance program.

III. PUBLIC ASSISTANCE COSTS

Despite the relatively rapid increase in welfare cases the past few years, the number of cases as of June 30, 1950, was substantially lower than the total relief load of 1940 even though there had been a spectacular growth in the population of the State. The following table shows the more significant trends in welfare cases during that period. In 1940 there was an accelleration of employment due to the defense program. The wartime employment peak was reached in 1945.

In 1940 the bulk of the relief load was being carried under the emergency relief program administered by the State Relief Administration. These cases were those in which there were employable members of the family. This program was discontinued as development of the defense program made it no longer necessary.

Trends, June, 1940-1950

Recipients	*June 1940*	*June 1945*	*June 1948*	*June 1949*	*June 1950*
Old age security	141,792	157,876	188,267	245,294	266,837
Blind (A. N. B. and A. P. S. B.)	7,161	5,414	7,404	8,483	9,810
Aid to needy children (total children)	42,359	19,177	42,357	59,273	123,428
General relief (persons)	71,170	19,780	66,579	89,604	84,943
Emergency relief (S. R. A.) persons	[a] 366,472	--	--	--	--
Total persons	628,954	202,247	304,607	402,654	485,018
Families					
A. N. C.	14,974	6,552	16,449	24,160	50,116
General relief	[a] 13,604	3,159	13,328	18,264	15,707
S. R. A. emergency relief	[a] 82,108	--	--	--	--
Total families	110,686	9,711	29,777	42,424	65,823
Single persons					
General relief	[a] 23,791	7,866	15,740	18,096	24,806
S. R. A. emergency relief	[a] 28,179	--	--	--	--
Total single persons	[a] 51,970	7,866	15,740	18,096	24,806

[a] March, 1940

Despite manpower shortages during the war and greater availability of employment to aged persons, the old age security cases were relatively constant during the war period. Caseloads in all other programs showed marked declines.

Since the end of the war the total number of blind persons receiving aid has increased to a point substantially above the 1940 level. However, family cases and those of single persons receiving general relief in June, 1950, were substantially below the 1940 relief levels.

In September, 1950, over $27,700,000 was expended for assistance, this representing an increase of approximately $3,300,000 over September, 1949. Sixty-nine percent of these 1950 costs were for the Old Age Security program as compared with 23 percent for aid to needy children, 5 percent for general relief, and 3 percent for aid to the needy blind.

Expenditures for Assistance, September, 1950, 1949

Program	*Sept., 1950*	*Sept., 1949*
O. A. S.	$19,140,729	$18,379,897
A. N. B.	825,561	734,143
A. B. S. B.	53,453	44,938
A. N. C.	6,324,323	3,292,083
G. R.	1,388,458	1,991,496
	$27,732,524	$24,442,557

The one-year trend in persons aided by programs reveals a spectacular increase in the aid to needy children program and a substantial reduction in the general relief program. This reduction in general relief was confined to family cases, single person cases having risen during the year. This reflects the transfer of general relief families to the aid to

needy children program beginning in October, 1949, as well as improved employment conditions experienced over several months prior to September, 1950. The fact that the general relief single person load did not respond materially to employment conditions indicates that it is made up primarily of unemployable single persons.

Trend in Recipients by Program, September, 1949-September, 1950

Program	*Sept., 1949*	*Sept., 1950*	*Net change*
Old age security	259,876	270,562	+10,686
Aid to needy blind	8,916	9,980	+1,064
Aid to partially self-supporting blind	530	629	+99
Aid to needy children, persons	95,228[a]	198,095[a]	+102,867[a]
General relief, persons	91,525	55,969	—35,756
Total	456,075	535,235	+79,160

[a] Number persons. A N C estimated Actual count of persons not available

Trend in General Relief Cases, September, 1949, to September, 1950

	Sept., 1949	*Sept., 1950*	*Net change*
Family cases	73,439	33,001	—40,438
Single person cases	18,086	22,968	+3,882

Estimated Trend in Total Children, Aid to Needy Children and General Relief

Aid to needy children	63,624	132,878	+69,254
General relief, children [a]	35,711	14,553	—21,158
Total children [a]	99,335	147,431	+48,096

[a] General relief children estimated on basis of number families Actual count not available

The general trend in public welfare expenditures throughout the Country is illustrated by a tabulation of expenditures per inhabitant for the various programs for the fiscal years ended June 30, 1948 and 1949:

United States	*1948*	*1949*	*Percent increase*
All programs	$10.80	$13.06	20.9
Old age assistance	7.07	8.43	19 2
Aid dependent children	2.22	2.77	24.8
Aid to blind	.26	30	15.4
General assistance	1.25	1 56	24.8

Source Social Security Bulletin, May, 1950

Comparison of California with other states in which the expenditure per inhabitant for public assistance was $15 or more for the Fiscal Year 1949 shows that during that year California was relatively high in old age security and low in aid to needy children costs per inhabitant:

Expenditures per Inhabitant, Fiscal Year Ended June 30, 1949

State	*Total*	*Old age assistance*	*Aid to dep. children*	*Aid to blind*	*General assistance*
Colorado	$39.76	$33.71	$3.91	$ .21	$1.93
Oklahoma	33.12	25.81	6.21	.69	.41
Louisiana	31.83	23.42	5.01	.30	3 10
Washington	28.23	19.08	5 12	24	3.79
California	20 50	15 31	2 52	.73	1.94
Missouri	20 22	15.04	3 51	.30	1 37
Massachusetts	19 30	13.77	3 06	.19	2.28
Utah	16.74	8.64	5.93	.18	1 99
Florida	16.56	11.73	3.91	59	33
Montana	15.68	10 98	3 20	.48	1.02

Source Social Security Bulletin, May, 1950

Increased costs in recent years have been met primarily from state and federal funds with county financial participation being relatively constant and representing a progressively smaller share in the total expenditures.

Total assistance expenditures in 1949-1950 were 222 million greater than in 1941-1942. The old age security program accounted for about 70 percent of these increased costs.

Total public assistance payments by source of funds for fiscal years, as indicated:

(Excludes WPA and other federal emergency programs 1941-1942)

Fiscal year	*Federal*	*State*	*County*	*Total*
1941–1942	$39,120,619	$22,876,373	$30,091,879	$92,088,871
1943–1944	39,620,275	47,340,349	16,623,688	103,584,308
1945–1946	40,194,375	49,117,664	20,772,075	110,084,114
1947–1948	59,467,471	71,392,794	32,609,260	163,469,525
1948–1949	79,181,608	107,000,359	32,975,372	219,157,339
1949–1950	107,819,064	165,447,314	40,687,537	313,953,915

Assistance, Expenditures by Program

Fiscal year	*Old age security*	*Aid to needy blind*	*Aid to partially self-supporting blind*	*Aid to needy children*	*General relief*
39–40	$57,501,239	$3,956,533	—	$8,755,490	$9,561,033[1]
41–42	69,181,797	3,922,949	152,627	9,922,486	8,908,011
43–44	88,646,360	3,429,042	137,495	6,924,285	4,447,130
45–46	90,898,411	3,528,879	204,631	8,437,031	7,015,161
47–48	123,224,052	5,434,261	382,566	19,382,549	15,045,897
48–49	163,293,210	7,286,925	479,039	29,798.805	20,197,819
49–50	225,367,932	9,182,143	553,219	53,504,614	25,346,787

[1] Expenditures of $38,089,093 through State Relief Administration not included

Costs per Case

Responding to legislative changes and to cost of living increase, average payments per case have increased substantially over those prevailing in 1945 except for the general relief family category. Comparison of costs between various periods has certain limitations since average payments reflect actual grants made and do not measure total requirements as determined by administrative or legislative policy.

The great difference between average costs for general relief and aid to needy children families may be due to several factors. The general relief families may have more outside resources to apply against total need, necessitating smaller payments to meet total requirements. There are no uniform assistance standards for general relief cases, and in many instances it is indicated that only emergency help may be given. A much higher proportion of these cases may be receiving assistance for only part of the month although they are included in determining the total average.

Because of general economic conditions, more resources outside of the assistance payment may be available to families, such as through part-time earnings or help from relatives, in one year than in another.

Average Payments per Case—Month of June

	1945	*1948*	*1949*	*1950*
Old age security	$47.31	$57.09	$70 55	$70.68
Aid to needy blind	47.71	72.41	82.41	82.47
Aid to needy children				
Families	81.20	109.94	113 70	110.63
Children in bd. homes and institutions	34.31	44.72	52.36	54.03
General Relief				
Families	60.06	65.01	66.25	63.75
Single persons	27.87	32.78	33.72	35.89

The trend in average payments for aid to needy children more nearly reflects adjustment of assistance payments because of cost of living changes than do those in other programs. In both the aged and blind programs the Legislature has established a minimum-maximum payment amount which is not directly related to assistance standards such as developed for the aid to needy children program.

Average payments for the general relief program cannot be evaluated, either in the trend shown in the program or with other programs because of the great variation in policy in the 58 counties. These averages do not necessarily reflect true monthly averages because of the relatively high incidence of very short-term assistance cases and it is probable that the true monthly average would be higher than is shown by the data available.

IV. AID TO NEEDY CHILDREN

A. INTRODUCTION

The spectacular growth during the past year and a half in case loads and total costs has focused public attention on the aid to needy children program.

Critics of this program have pointed to the rapid increase in the cases since passage of Assembly Bill No. 40 by the 1949 Legislature (effective October 1, 1949) which amended Section 1500 of the Welfare and Institutions Code, redefining "needy child" for purposes of eligibility for aid under the program. These critics have referred to "liberalization" of the law and have alleged too liberal interpretation of it by the Social Welfare Board.

From September, 1949, to September, 1950, the number of children receiving help through this program more than doubled. The trend is shown by the following table:

	September, 1949	*September, 1950*	*Percent change*
Total children	63,624	133,384	+109
Total families	26,337	54,348	+114
Children in families	58,277	124,397	+114
Children in boarding homes and institutions	5,347	8,481	+59
Total expenditures	$3,292,083	$6,324,393	+93
Expenditure for families	3,002,212	5,867,173	+96
Expenditure for children in boarding homes and institutions	289,871	457,438	+58
Average grant, family	113.99	107.96	—5.5
Average grant, children in boarding homes and institutions	54.21	53.91	—.8

The principal reason for this increase is that the law was amended in 1949 to make its coverage substantially similar to the federal aid to dependent children program, California being one of the last states to adopt the basic eligibility requirements of the federal act.

These legislative changes had the effect of classifying an additional group of needy families under this particular program. Many families receiving aid under county general relief programs thus became eligible for aid under the A. N. C. program instead of the general relief programs. Much of the increase in case load was thus a transfer of cases from one category of public assistance to another.

This effect should not be surprising, as can be illustrated from the following extracts from reports of the Department of Social Welfare for biennial periods ending June 30, 1940, and June 30, 1946:

"Roughly estimated, from 240,000 to 290,000 children under 18 years of age were in families receiving some form of public assistance or federal security wage at the close of the last fiscal year. It may be stated with some confidence that one out of seven, or one out of eight children under 18 years of age were at the relief level. These numbers give some indication of the extent to which adequate financial care for children is a problem in California." (Department of Social Welfare Biennial Report, July 1, 1938, to June 30, 1940, page 34.)

"Thus, there remains a large group of needy children who are ineligible under the state law and whose care rests entirely on the counties. If the state definitions were broadened to include all children covered under the Social Security Act, the state and federal funds available for these children would assist the counties and result in a more uniform and adequate standard of care for children" (Department of Social Welfare Biennial Report, July 1, 1944, to June 30, 1946, page 33.)

In interpreting recent trends in the A. N. C. program, it is thus necessary to recognize two facts. The number of families receiving this form of assistance was increasing steadily prior to the effective date of the 1949 amendments and had there been no amendment in the law there would have continued an increase in the number of families and children assisted under the program. Secondly, a large portion of the increase that has been experienced since October 1, 1949, has been due to a transfer of cases, because of technical eligibility, from the county general relief loads to the aid to needy children program.

Because of the change in technical eligibility requirements, comparison between the number of A. N. C. cases, or the proportion of the children in the population receiving assistance under this program, before and after the 1949 amendments is only of general significance.

For similar reasons, comparison of case loads in California, or proportion of children aided, with those of other states has extremely limited value. Such comparisons are of little meaning unless they are evaluated in relation to the differences in legal definitions as well as economic variations and different administrative practices between states.

The trends in the A. N. C. program since passage of Assembly Bill No. 40 have been distorted because of the transfer of cases from general relief making it difficult to arrive at specific conclusions as to what the normal trend in the program would have been. It is noted, however, that the rate of increase in cases fell off considerably in the third quarter of 1950, and it can be expected that the increase in cases would level off during the fourth quarter and with continued good employment conditions possibly even decrease. However, actual statistics for the full fourth quarter are not available for this report.

There also has been a radical change in the number of families receiving general relief under the county indigent aid programs. The number of these families declined from 18,864 in September, 1949, to 9,640 in September, 1950.

In both the aid to needy children and general relief programs, the numbers of families being aided was increasing steadily before the passage of Assembly Bill No. 40. This was due to the changes in our total economy following the war. It was a national as well as state trend. Unemployment and population changes were principal factors.

There are close relationships between the general relief family cases and the A. N. C. program. A large proportion of the present A. N. C. load is made up of cases that were on general relief or were potentially general relief cases prior to Assembly Bill No. 40. Most of the cases currently classified into the A. N. C. program are first provided assistance under general relief because of delays in determining technical eligibility for A. N. C.

Comparisons are limited by incomplete information as to composition of the general relief family case load and the basic reasons why families must seek public assistance. It is not known just what proportion of general relief families are those in which there are adults only. Because of the transfer of cases between the programs, there may be some duplication of count in statistics for given months. Eligibility requirements and administrative standards for the general relief program vary considerably between counties, there being no uniform base for determining eligibility or for the standards of assistance. However for general comparative purposes, the trends in both programs have significance.

Variations between counties, due to economic factors as well as differences in availability of county general relief aid, and the effects of the revised A. N. C. program, are demonstrated by the following comparisons for the 12 largest counties:

Aid to Needy Children and General Relief Family Cases
Total Change in Case Load, September, 1950, Over September, 1949
for the 12 Largest Counties

County	*Percent change, A. N. C. families*	*Percent change, general relief families*	*Percent change all A. N. C. and general relief families*
Alameda	+140.6	—82 9	—1.2
Contra Costa	+147.4	—77.8	+8.8
Fresno	+124.2	—70.3	+64.2
Kern	+112.8	—73.3	+37.2
Los Angeles	+96.9	—76.7	—9.7
Sacramento	+149.7	—78.8	+44.8
San Bernardino	+88.2	—65.0	+23.1
San Diego	+105.2	—76.0	—2.5
San Francisco	+155.0	—83 5	—26.2
San Joaquin	+171.2	—71.1	+59.6
Santa Clara	+88.5	—73 8	—4 6
Tulare	+83.9	—48.2	+47 9

Aid to needy children families have increased steadily for a period of years and showed a more rapid increase for the six months just preceding the effective date of the 1949 legislative changes. Begininng with October, 1949, they increased at an extremely rapid rate due to transfer of cases from general relief.

The total increase of 40.7 percent in families aided under both programs for the year ending September, 1950, was actually less than the 53.4 percent change in the preceding year. A comparison of total cases

in these programs for the months of September for 1948, 1949, and 1950 is as follows:

	General relief families	*A. N. C. families*	*Total general relief and A. N. C. families*
September, 1948	11,835	17,622	29,457
September, 1949	18,864	26,337	45,201
September, 1950	9,224	54,348	63,572
Net change			
September, 1948, to September, 1949	+7,029	+8,715	+15,744
Net change			
September, 1949, to September, 1950	—9,640	+28,011	+18,371

The general relief program is more sensitive to employment changes than the A. N. C. program because of the technical eligibility factors. General relief family cases have shown definite seasonal changes, reaching a peak in the spring and a low point in early fall. However the total family cases has increased at a steady rate for a considerable period to a peak coinciding with the high unemployment of the spring of 1950. This peak would have been much higher except for the broadening of the eligibility base for A. N. C. The case load has fallen off rapidly in recent months due to improved employment conditions, but would currently be at a much higher figure if the A. N. C. program had not been broadened in 1949.

This broader eligibility base in the A. N. C. program makes it more sensitive to economic change than prior to the 1949 amendments. Now that the bulk transfer of general relief cases has been completed, monthly and quarterly trends in new applications, cases approved, and cases discontinued should have closer relationship to changes in employment conditions, and population changes than heretofore.

The rate of increase in cases under the A. N. C. program for the two-year period ending September 30, 1950, is illustrated by the following figures showing monthly averages for quarterly periods. These figures show the increased rate of applications through September 30, 1949, the very sharp increase for the next six months (this being the period during which there were large transfers of cases already on the general relief rolls), and a gradual decline in the monthly applications since April 1, 1950:

Average Monthly Applications Received, Applications Granted, Applications Pending, and Cases Discontinued, by Calendar Quarters, October, 1948, to September, 1950

	Applications received	*Applications granted*	*Applications pending*	*Cases discontinued*
1948				
4th Quarter	1,259	936	2,856	387
1949				
1st Quarter	1,732	1,003	3,672	308
2d Quarter	1,555	1,279	3,709	401
3d Quarter	2,851	1,236	5,013	498
4th Quarter	4,672	3,142	9,921	575
1950				
1st Quarter	4,582	3,352	10,811	619
2d Quarter	3,543	3,579	7,999	1,055
3d Quarter	2,997	3,036	5,262	1,674

The number of cases discontinued represented over 3 percent of the total case load in the third quarter of 1950 as compared with 1½ percent of the total cases in the fourth quarter of 1948. This illustrates the changing character of the program and its sensitivity to economic changes.

The second and third quarters of 1950 were periods in which there was substantial improvement in general employment conditions. During these periods the average cases discontinued per month showed particularly sharp increases.

It should also be noted that for a period of a year there was a particularly heavy load of pending applications, illustrating one of the administrative problems involved in the program since the changes made by the 1949 Legislature.

Recent increase in the A. N. C. case load in California is not a situation unique to this State. Nationally the aid to dependent children case load decreased substantially during the war as a result of wartime employment opportunities. As reconversion to a peacetime economy took place, the numbers of these dependent families steadily increased. This has been the experience in California although the last years' increase has been more spectacular here than in most states because of the amendment of the law providing for technical changes in eligibility, resulting in the statistical transfer of a great many general relief families to the A. N. C. rolls.

Aid to needy children case loads and costs are directly affected by legislative changes, economic, social, and population changes. Family dependency is directly affected by employment and unemployment; by cost of living changes; by the rate of divorce, desertion, separation, illegitimacy and other social problems affecting family life; and by population change, particularly in relation to numbers of children in the total population.

The basic purpose of the program is to provide minimum security for children in their own homes. It is designed to maintain family life and to provide to needy children deprived of parental care or support the opportunity to live and develop into maturity in a setting that will help them become responsible, contributing members to society

Total families and children assisted, and the costs of aid to them, must be matters of concern. However the basic causes of dependency are products of our total economy and cannot be directly influenced by the aid to needy children program. Recognition and attention to these problems is extremely important, but must be taken separately and apart from the A. N. C. program itself.

Analysis of the aid to needy children program should be based primarily upon whether it provides for realistic measurement of economic need, how effectively that need is met, the extent to which community and family resources are used to assist persons to remain or become self-sufficient, and how economically the program is administered to insure maximum economy while providing for adequate help to fulfill its objectives.

The 1949 amendments have resulted in bringing under this program, with relative uniformity of standards of help, a large group of children who otherwise would be provided assistance through county general relief programs of varying adequacy. It thus provides more equitable treatment and help to these children regardless of the county of their residence in the State. To this extent it has provided greater assurance to these children and their families that the basic public purpose for which the program was established will be carried out.

There still remain many needy families with children who do not have the protection of this program because of its technical requirement that economic need be recognized only where the child is deprived of care or support because of the death, other absence or incapacity of the parent.

There should be considerable research and study into the reasons why families are in want as a basis for preventive or corrective action to minimize economic need. This is the soundest method for reducing public assistance costs—because people are not in need of such help. At this time, however, there is extremely little information available for analysis of the basic problems evidenced by the increasing number of needy families. Likewise there is little information available of the actual administration of this particular program through which a sound evaluation can be made of its soundness in operation to meet the objectives of the program.

The staff has concerned itself primarily with how the program can be better designed and administered to meet the needs that exist in as economical a manner as possible. It recognizes the lack of sufficient data for detailed evaluation, and in many respects its conclusions must be necessarily general because of absence of adequate program research by the operating agencies.

With the basic objective of the program in mind, the staff has sought to evaluate the effectiveness with which these purposes are carried out through administration and the extent to which changes in the law or in its administration can be made to better achieve the objectives with maximum economy to the taxpayer.

The establishment of laws or regulations that deprive needy families of aid on the basis of arbitrary factors that have no direct relationships to economic need will not solve the problems presented. However improvements can be made in administration of the program that will enable it to better fulfill its basic purposes.

B. ELIGIBILITY DETERMINATION

1. General

Finding that a family is eligible for assistance involves several factors, legal and administrative. The laws establish a number of specific conditions that must be met, such as age, residence, death, absence or incapacity of the parent, and limitations upon personal and real property holdings.

To test eligibility of a family on the basis of need, as well as applying technical legal requirements, it is necessary to administratively define need and to investigate and evaluate the circumstances of the applicant family to determine whether it is entitled to aid under these standards.

The State Department of Social Welfare is responsible for establishing the standards, or measurement of need, within limits established by the Legislature, and for setting down the minimum requirements to be met by the counties in securing and evaluating evidence of eligibility for aid.

County welfare departments are responsible for investigating need and determining initial and continuing eligibility, and for providing auxiliary services to families involved.

There are three major areas for consideration in evaluating eligibility requirements:

1. The law as set forth in the Welfare and Institutions Code, and regulations and procedures for implementing the law;

2. Standards established by the State Department of Social Welfare for determining need; and

3. Effectiveness of the county welfare departments in applying the state standards in making the actual determination of need in the individual cases and in providing services that may make it possible for the family to overcome the problems causing economic need.

These three factors cannot be isolated one from the other. The extent to which legal requirements are effective is dependent upon the manner in which they are placed into effect. State rules and regulations should be evaluated with respect to their actual implementation at the county level.

Determination of eligibility may be considered in two principal phases. There are the findings of fact concerning technical eligibility such as determination of age, residence, absence of the parent and incapacity, to meet requirements set out in law. The second phase is the evaluation of resources and requirements of the family to determine whether economic need exists and if so, the amount of assistance to meet that need. These determinations must be made continuously to ascertain whether a family receiving assistance continues eligible or whether circumstances have changed warranting adjustment of the assistance plan. This is the function of administration and may be of greater importance than actual legal framework.

Evaluation of administration of the program is particularly difficult because of the division of administrative responsibility between the state department and the 58 counties The committee has not had the resources to make extensive studies of administration of the eligibility requirements in the various counties. Since there has been insufficient program research at both the state and county level upon which a detailed analysis of administration can be based, the findings of the committee must be somewhat general in nature.

Some critics of the program have contended that state regulations are unrealistic and too liberal, thus causing costs to be excessive. In supporting their case, they frequently cite abuses of the program which are fundamentally problems of administration at the county level. While criticizing the state department for these administrative breakdowns, they also contend that the state department should not exercise as much control over the program as they do under the present law.

The inconsistencies in these arguments point up the difficulty in evaluating the program in operation and determining responsibility and accountability. This is particularly so because of the variation in administrative practice among the counties which in itself may indicate that the state department has not exercised sufficient supervision over the operations of the program and the effectuation and implementation of the policies that it is responsible for formulating.

In its general statement on the problem of determination of eligibility, the state department states in its manual (Sec. C-200):

> "Effective administration of the A. N. C. program depends upon a thorough and accurate determination of eligibility followed

by periodic redetermination of continuing eligibility. Determination of eligibility is the process of gathering evidence of the circumstances of the child for whom application is made as related to the conditions of eligibility established for the program, the evaluation of the adequacy and competency of the evidence, and the arrival at a decision as to eligibility, continuing eligibility, or ineligibility. It includes the accumulation and recording of evidence to substantiate the applicant's statement on the application that he believes the child to be eligible. On the basis of the evidence assembled by the applicant and the county, the county shall make the determination or decision as to eligibility or ineligibility."

Effective administration of the A. N. C. program is also dependent upon a skillful exploration of potential as well as available resources of the family, analysis of the basic causes of dependency, and assistance and encouragement to the family in working on these basic causes to remove dependency and so restore the family to self-sufficiency.

Under a mothers-pension type program, such as existed prior to October, 1949, emphasis upon technical factors of eligibility was much more meaningful than now under a program that is sensitive to social and economic factors in the community. The fact that there is a relatively high turnover of cases is indication that the causes of dependency are frequently temporary and that there are many short-term cases included in the program. In recognition of this changing character of the A. N. C. program, greater emphasis should be placed on assisting families to overcome dependency problems and thus hasten the process of their becoming independent and self-directing.

The primary importance of administration is emphasized by the Welfare Director of San Diego County who in a letter to the committee stated as follows:

"As one of those who has administered aid to needy children in this State for many years I believe that Assembly Bill No. 40 and the present aid to needy children law, as such, is very good and is a tremendous improvement over the old aid to needy children law. Our trouble with it to date in every county in California is the fact that it is not yet realized that this new law has made the aid to needy children problem a fast-moving relief program instead of the former 'mother's pension'."

* * * * * * *

"* * * the troubles which counties are having with the present aid to needy children law are directly related to the number of persons employed on administrative staffs. Those counties which carry low caseloads and are able to continue frequent home visits show far less than average increases in caseload and expense. Other counties which expect to carry large caseloads per social worker, as in the old days, are the ones in which caseload and therefore expenditures seems out of control."

2. Investigation of Applications

a. Soures of Evidence

One of the frequent criticisms of the State Social Welfare Board by the county administrative agencies involves the policy that the applicant shall be considered the primary source of evidence in determining eligibility for aid to needy children aid.

This criticism implies that because of state policy, the counties are hampered in making complete and accurate determination of eligibility. It appears intended to place upon the state department responsibility for failures that may exist in making sound determination of need and other eligibility factors.

The State Department Manual (Sec. C-202) states as follows:

> "The applicant shall be the primary source of evidence. Usually he will be able to state his circumstances and those of the child, as related to eligibility, in such a way that will leave no doubt as to eligibility. In those instances in which the applicant is unable to give definite, clear, and complete information which leaves no doubt, or in which evidence other than the applicant's statement is required, the applicant usually has or can secure additional evidence to substantiate his statements. Such evidence in the applicant's possession of which he is able to secure shall be used whenever available."

This policy places the burden of proof on the applicant. It also implies that in most instances the applicant is able to provide full evidence of eligibility and that the applicant's statement can usually be accepted as accurate. However, it recognizes that this is not always the case and provides that while the applicant should be considered the primary source of evidence, doubt will exist in some situations requiring independent gathering or checking of evidence.

In Section C-200 of the manual, it is provided that, "All reasonable sources of evidence shall be diligently examined, and all doubtful or conflicting evidence carefully evaluated, before assistance is denied."

"Since it is the county's responsibility to make an accurate determination of eligibility to assure that a child's needs are met and public funds are properly spent, the basis for the determination, that is, all evidence on which the determination is based, shall be fully recorded * * *."

Throughout the state policy the basic responsibility of the county welfare departments for the determination of fact as to eligibility is stressed. There does not appear to be any conflict between the principle that the applicant be considered the primary source of evidence and the responsibility of the counties for accurate determination of all points of eligibility. There is no rule or regulation that restricts the counties from checking other sources for determination of eligibility, except that the confidential nature of the application shall be protected. In fact some counties appear to go to extreme lengths in routine clearances to determine property holdings, bank accounts, etc., as part of the regular investigating process.

The policy of the state board concerning use of the applicant as the primary source of evidence is not unique to California. It is a common

practice throughout the Nation. It is a means of keeping administrative costs in control and minimizing the time required to process applications. It is based upon the fact that the great majority of people are honest and are able to present their situations accurately. At the same time it recognizes that in the interview process doubt will frequently arise, and in such situations other means of investigation and determination of the facts should be utilized.

Any other policy would appear to be unsound and to involve an unwarranted expenditure of administrative funds in making routine checks and clearances not justified by the results attained. Skilled interviewers can detect situations that indicate the need for further investigation in practically all cases. Those few situations in which they may not, usually will be detected at the time of the home visit by the social worker assigned to the case.

It would appear that intelligent and effective administration would require that the applicant be considered the primary source of evidence and that as much of the burden of proof as possible be placed on the applicant. Not only does this simplify and reduce administrative cost, but it places a responsibility on the applicant that has positive values to him and to the program as a whole.

Certainly it is not proper to allege that the state department makes it difficult or impossible for the counties to accurately determine eligibility when the state department has clearly assigned them this basic responsibility and has not restricted them in making whatever investigations they see fit in individual cases. In fact analysis should be made of the cost factors in some of the routine processing and checking of applications at the county level to determine whether these are justified in terms of the results attained.

b. Processing Applications

Unecessary routines not only increase administrative costs but frequently result in the loss of federal funds. A very large proportion of A. N. C. cases are first taken on the county general relief rolls and retained there during the investigation process. They are transferred over to the A. N. C. program when the formalities of determining eligibility are completed.

Under the law (Sec. 1550) a 90-day limit is provided for processing A. N. C. cases. Assistance under the program begins with the first of the month in which the application is approved.

Persons making application for aid are in most cases in destitute circumstances at that time. It is necessary, however, to determine that the technical requirements for classification under the A. N. C. program are met before paying assistance through that program. However in most instances sufficient information is available at the time of the interview to make a presumption of technical eligibility.

Practice in many counties appears to be that a complete and detailed investigation of all eligibility factors must be performed before classifying the case under the A. N. C. program. Thus the cases are first placed on general relief while the investigation is being carried out. Assistance is granted, but on a general relief basis and entirely from county funds.

The process is further delayed by the necessity of securing formal approval of the boards of supervisors on all cases, even though this is a routine procedure in the larger counties with little or no actual scrutiny of the lists by the boards.

The result is that there is a substantial loss of federal funds because of delays in classifying the cases under the A. N. C. program.

A study of a portion of the absent father cases revealed that three-fourths of these cases had been carried under the general relief program prior to their classification as A. N. C. cases. In four cases selected at random in one county, it was found that general relief had been paid for an average of two months before the families were placed on the A. N. C. rolls. There was no question of need in these cases at the time of application. However, extensive routine investigations were made before they were submitted to the board of supervisors for approval.

There should be no reason why the time limit for approval or rejection of applications could not be set at 60 days rather than 90. This would speed up the processing of applications, be of help to the needy recipients, and insure more federal financial participation in these cases.

Procedures can be established to minimize the loss of federal funds by prompt classification of cases under A N. C. where evidence in the initial interview gives a clear presumption of technical eligibility. If continued investigation shows that a small proportion of such cases are not technically eligible, adjustments can be made in claiming federal and state funds for this small group. Such a procedure would insure that the State and counties were receiving maximum federal funds available for cases that are obviously in need and for which the counties, and frequently the State, are providing assistance in any event.

During August, 1950, the average cost per family case was distributed to federal $31.13, State $49.37, county $24. During that month 3,108 families were granted A. N. C. assistance. Studies indicate that approximately 75 percent of A. N. C. cases are given general relief before transferred to A. N. C.

If it were conservatively estimated that only one-half of these 75 percent of cases were on general relief pending completion of processing of A. N. C. applications for technical eligibility and could have been classified under A. N. C. one month earlier, there would have been a loss of $37,110 in federal funds for the one month alone.

The requirements that formal approval of all cases be made by the board of supervisors should be modified. In the larger counties, the boards do not review the cases or take any action except the formal approval of the lists as submitted. Yet this process may delay approval under the A. N. C. program for from two to three weeks.

C. RESOURCES

1. General

Resources of welfare applicants or recipients are of wide variety, including such things as available cash; negotiable securities; pensions and allotments; earnings from employment; equities in property; valuable personal effects which can be turned into cash; free rent; goods in-kind, such as home-grown produce; help from relatives either in the

form of cash or goods, such as clothing or payment of certain expenses. There are also many potential resources, particularly employability of a family member.

These resources are of great importance both in terms of actual cost of aid and in their potential utilization for self-maintenance or partial support of the family.

The actual cost of providing assistance can be reduced if the volume of resources of applicants accounted for is increased. These resources when evaluated are deducted from the total family requirements in determining the actual payment to be made. By using potential resources constructively a family may be helped to self-sufficiency thus enabling the termination of assistance to the family.

The importance of accurate and complete determination of resources and fully accounting for them cannot be overemphasized. It is part of the administration of assistance that needs constant evaluation and emphasis so that there is maximum utilization of the resources that families have, with a consequent reduction of the cost of aiding those families.

Little information is available as to what types of resources are being accounted for, their value, and the proportion of the case load affected. Neither is there available data concerning resources that can be analyzed to determine effectiveness of administration of this phase of the program, including comparative data between counties.

A study of 494 absent father cases indicated that these families had average resources of $8.40 that were deducted in determining the actual amount of aid paid. This at least illustrates the importance of resources from a cost point of view since $8 40 average deduction for 54,000 cases would represent $453,600 a month that need not be paid from tax funds to provide for the needs of these families. Any increase in the value of resources or in accounting for resources that are present but not evaluated will result in lowering the costs of the program.

State regulations provide that "All income and resources available for the support of the child shall be determined and related to total needs to establish that a child is 'needy'. Potential income and resources shall be explored and developed so that they can be made available and related to needs."

The state manual contains a lengthy description of various types of resources and methods of evaluating certain resources for purposes of determining value. The extent to which these state regulations are effective in actual administrative practice has yet to be determined.

To determine how effectively state policies are being carried out, there should be considerable research and evaluation of the actual application of these policies by the county administrative agencies. As part of its supervisory role, and as a means of insuring that costs of the program are kept to a minimum, the State has a responsibility for continuous evaluation of all phases of the determination and accounting for resources in administration of the program.

Since little emphasis has been given to this from the point of view of actual administration, it is likely that study and evaluation of the program in operation will reveal possibilities of decreasing assistance costs through increasing the value of resources that may be deducted from

total requirements in determining assistance costs. In fact it is quite possible that material savings in funds can be realized through continuous emphasis of the need for careful and thorough exploration of resources and accurate accounting for them in determining assistance payments.

From data now available, it is impossible to determine how effectively resources are being determined and accounted for. It is an important function of the supervisory authority to make such determinations to assure itself that policies are being properly carried out and to enable it to evaluate existing policies and make them more effective.

2. Real Property Resources

Under Section 1520 of the code, a child or family may be eligible for assistance if they meet all other tests, even though they possess real property with a combined assessed value, less all encumbrances of record, of not more than $3,000.

In its regulations, the State provides that property owned in other states, or in foreign countries, shall be included in determining the total assessed value of all property.

Neither in the law or the state department regulations is there consideration of the use made of the property except that if income is derived it is considered in determining the net assistance payment to the recipient.

Property exemptions in public assistance programs are generally to enable families to retain that property needed and utilized for living purposes. They protect the family against being forced to dispose of property of nominal value which is needed for normal requirements of the family.

There would seem to be few justifiable reasons for permitting families to retain property not in use for normal living requirements or producing income to provide partial self-maintenance. Certainly no hardship arises if property not actually in use is disposed of, the family utilizing the proceeds for living requirements in lieu of public assistance.

Little information is available concerning property holdings of A. N. C. recipients. What data are available from a limited survey of "absent fathers" cases indicates that only a very small percentage of families have real property of substantial value. The following data were reported in the study of absent father cases conducted by the Social Welfare Department in August, 1950:

Assessed value of real property	
None	447 Cases
$1-499.99	16
$500-999.99	11
$1,000-1,999.99	10
$2,000-2,999.99	5
Not reported	5
Totals	494

Amount of encumbrances on real property	
None	458 Cases
$1-$999.99	6
$1,000-1,999.99	3
$2,000-2,999.99	7
$3,000-3,999.99	6
$4,000-4,999.99	0
$5,000-5,999.99	1
$6,000-6,999.99	3
$7,000-7,999.99	3
$8,000-8,999.99	1
$9,000-over	2
Not reported	4
Totals	494

Even though few families might hold property not actually in use, the law and/or regulations should limit property exemptions to that property which is in use and needed by the family.

Where the family may have property holdings not actually used for living requirements, a flexible rule to provide for evaluating the advantages and disadvantages of retaining such property should be in effect. Even though income may be derived from such property, it might be advisable from the public point of view to require that the family dispose of the property and use the proceeds for maintenance.

Provision in the law deducting encumbrances in determining total value based on the assesment raises questions. The purpose of a limitation on assessed value is to provide some measure of what is considered a reasonable maximum value of property holdings that should be permitted a family receiving public aid. It would be possible to hold considerable property, with encumbrances, in some instances. In actual operation, certain families are allowed funds in lieu of rent to pay off such encumbrances Thus they accumulate equities in property while receiving assistance In other situations where equities have been established, failure to consider encumbrances might result in loss of the equity and create hardship.

In this situation it would appear desirable to enable the administrative agency to establish policies for determination of the limits on assesed value so that the total property holdings can be kept within amounts considered reasonable for lower income families.

3. Personal Property

Under Section 1521 of the code, cash and securities can be retained to a value not exceeding $600. Actual cash holdings by A. N. C. families appears to be rare and indications are that the great majority of these families have little or no resources at the time of application. This is evidenced by the large percentage of such cases assisted under the county indigent relief programs before final determination of eligibility for A. N C. It is also demonstrated by the following record of cash and securities owned by families in the limited number of "absent father" cases surveyed by the Social Welfare Department in August, 1950:

Cash and Securities Owned

Total cases in survey	494		
None	434		
$1 to $25	21	$100 to $200	10
$25 to $50	4	$200 to $300	8
$50 to $100	15	$300 and over	2

Personal property is defined as "cash and securities." It is permissible under the regulations to retain certain types of income as personal property, limited of course to the total ceiling of $600.

Property such as automobiles is not evaluated and no mention is made of the determination of need for a car or of limitations on value of cars if possessed. The law (Section 1521) refers only to "cash or securities" in providing the personal property exemption. It does not restrict the administrative agency from establishing policy covering treatment of other forms of personal property of value including both its utilization to meet needs of the family and ceiling values on such personal property.

There is public criticism because assistance recipients retain cars of more than nominal value. Regardless of the justification of such criticism or whether such situations actually exist in any appreciable number,

it does seem that assistance policies should provide for the evaluation and limitation on such property.

Personal property might be more broadly defined than "cash and securities" both in the law and in regulations. The administrative agency, in the absence of a strict and detailed definition by law, could provide for restricting holdings of such types of personal property of value as automobiles, jewelry, or other items in excess of commonly considered needs of individuals.

In many situations it is justifiable that cars be retained due to transportation difficulties, health problems, etc. However, limits on the value of such cars should be established, and the determination of whether or not they be retained defined in terms of the need for these by the individual families. Automobiles of excessive value or not a necessity to recipients, jewelry of exceptional value, etc, might well be converted to cash for use for family maintenance before assistance from public funds is granted.

4. Income Resources

Identification and accounting for all types of income resources is one of the most important aspects in administration of public assistance The value of these resources, taken into account in determining the actual assistance payment, is an important factor in over-all costs. The development and use of resources is a positive means of having families help themselves, and of encouraging them to become self-maintaining Good administration requires a thorough exploration of available resources, evaluation of potential resources, and encouragement to the family to utilize all of its resources for its maintenance The thoroughness and skill with which this is done reflects not only in the cost per case and the total number of cases on the rolls, but is an instrument for avoiding creation of attitudes of dependency in recipients and for helping them to help themselves.

a. Employment of Mothers

It is the intent of the A. N. C. program that the mother be able to remain at home and provide the care needed by her children. Departmental policy states "The mother shall not be required to work to provide partial or full support for her children."

Mothers with older children in school may be perfectly able and willing to work to provide partial or full support for their families without endangering the welfare of the children, if encouraged to do so Such self-support should be encouraged so long as such employment is not detrimental to the welfare of the children. Departmental policy might well recognize that there are situations where it is perfectly proper and desirable for the mother to work and thus provide positive leadership and guidance to the county departments in identifying such situations.

In some instances other relatives are in the home who could provide care and supervision for the children while the mother was at work Where such exists, efforts should be made to encourage the mother to work if she is able This is not prevented by state regulations or state policy. However, the state policy is stated in negative form and as such may discourage county social workers from dealing positively with such cases.

b. Employment of Children

(1) Earnings of "Emancipated" Minors. State regulations provide that "earnings of a minor child shall be considered income to the family budget unit unless the child is emancipated." This emancipation is achieved by a relinquishment by the parent to the child of the right of controlling him and receiving his earnings. A child not living under the parental roof is considered to be emancipated if he is using his earnings for his own support.

Since the child, whether emancipated or not, is part of the family unit, his earnings can be considered a possible resource for the family. Soliciting contributions to the family from earnings of minor children should be handled with discretion. However, it is proper to encourage family responsibility by children and such is in keeping with the principles of the program of strengthening family relationships.

This emphasis on the legal "emancipation" of the child, and thus on his lack of liability for helping the family may be a negative approach. There are indications that the fact that a child is "emancipated" is accepted by many county social workers as a final determination without effort to ascertain whether the child can and is willing to contribute to support of the family.

If the child is living at home, he is expected to pay the cost of his food and a pro-rated share of common expenses, such as rent, utilities, and household operation expenses. Such amounts are deducted from the total family budget. However, positive efforts should be made to secure voluntary contributions to the total family maintenance where the child is able to do so.

(2) Other Children. Little attention is given to the possibility of minor children contributing to the support of families through part or full-time employment. Where such children are able to work in suitable employment and without interference with schooling, they should be encouraged to do so.

Since the earnings of minor children (unless emancipated) are taken into account in determining assistance payments to the family, a problem of incentives for such children to work arises. If total earnings are accounted for and deducted from the assistance payment that otherwise would be made to the family, incentive to work will frequently be killed.

This poses a particularly difficult problem. Federal requirements relative to equal treatment of needs of all recipients may make it impossible to permit automatic retention of a specific portion of earnings by such children. However, incentives are possible through permitting retention of certain earnings as expenses incidental to employment, and these are provided for satisfactorily in state regulations, to cover such items as extra food and clothing requirements and educational funds.

D. SPECIAL PROBLEMS

1. The Absent Father Problem

Of all issues involved in the A. N. C. program, the one concerning the absent father has evoked the most discussion and criticism. Much of the public attack on the present A. N. C. program has revolved around this particular problem.

Since 1949 legislative changes in technical eligibility for classification of needy families under the A. N. C. program removed the requirement of three years absence of the father, many critics interpret the spectacular increase in the A. N. C. case load to this particular factor.

Without doubt the absence of the father because of desertion, separation or divorce has become one of the major problems in the dependency of families. Approximately half of the aid to dependent children families throughout the Nation are on the relief rolls because of the absence of the father for reasons other than death. It is the primary factor in dependency of California A. N. C. families.

In considering this problem objectively it is necessary to bear in mind that the purpose of the program is to help children who are deprived of parental support and care and in so doing to maintain and strengthen the family. The granting of financial assistance in itself does not fulfill the objective. There must also be efforts to reunite the family where this is possible.

Broken homes are the product of many influences in our social economy. Desertions and separations and divorces occurred before there was an aid to needy children program. These have increased because of the dislocation of family life and the general impact on our whole social life of war and and changes in social values accompanying developments of the past decades.

The public assistance program in itself does not cause these disruptions in family life. In itself it cannot solve the basic problems that create these social calamities. However, it can provide some basis of security for the children who are the innocent victims of broken homes and can be an instrument through which some of the damage can be repaired and families reunited or placed upon a sounder footing so that they can regain independence and self-direction.

While in some instances the public assistance program has been indicted as causing or contributing to family dislocation, it cannot be properly charged with this responsibility. Rather the total community, including our schools, churches, social agencies, press, and all of the other social forces, must assume responsibility.

Deprivation of parental support or care is only one of the factors that makes families eligible for public aid. It is a technical eligibility factor separate from the fundamental one of need. Actual financial need must exist and deprivation of parental support in itself does not make any family or child eligible for A. N. C. assistance. In fact the great majority of these "absent father" families would be eligible for relief under the county general relief programs. Their inclusion in the A. N. C. program is a technical classification which is advantageous to the State in view of federal financial aid available as well as the better standard of care than is generally provided under the county general relief programs.

There has been considerable criticism of the 1949 legislation (Assembly Bill No. 40) because it removed the time limit of three years absence in determining eligibility for A. N. C. The elapsed period of absence of the father has little bearing in determining whether a family is in economic need. If the family is needy, it makes little difference whether the father has been absent one month, one year, or three years. Restrictions denying eligibility for A. N. C. assistance on the basis of the length

of time the father is absent will not solve the problem of providing for needy families.

The major problems presented are how to avoid collusion between parents for the purpose of securing public aid fraudulently and steps to be taken to make fathers (or mothers) assume and carry the responsibility for caring for their children. It is recognized that enforcement of parental obligations is a difficult thing, and particularly so when the parent who abandons completely breaks off all ties with the family. It is generally agreed that there should be penalties for the abandoning parent—although making these effective is another problem. However, in establishing penalties, they should not be visited upon the children by denying aid to the family because of the act of the parent, particularly in establishing fixed time limits for absences before economic need can be recognized.

A better understanding of the problems involved can be secured through review of a survey of absent father cases recently completed by the Social Welfare Department. A 30 percent random sample study was made of all absent father cases where absence was less than one year prior to application and in which A. N. C. applications were approved in the three-month period December, 1949, to February, 1950. The total cases in the sample was 494. Total approved A. N. C. applications involving fathers absent for less than one year during the three-months period was 1,645, representing 16 7 percent of all A. N C. applications approved during that period.

This survey covered only those families in which the fathers had been absent less than one year prior to application for aid. This is a particularly important group since proposals are being made for establishment of period of six months or one year as arbitrary requirements before eligibility for A. N. C. can be considered

The survey was conducted by the staff of the Social Welfare Department who read the actual case records involved in each of the counties

Of this group of A. N C. families, it was found that 374 or 76 percent had received county general relief prior to being determined eligible for aid to needy children aid. One hundred seventy-three (173) of these families received general relief during the period their A. N. C. applications were being investigated. The other 201 were receiving general relief prior to making application for A. N. C., and for the following periods:

One month, or less	34
Two months	41
Three to six months	70
Six months to one year	56

Major sources of support of these families for the twelve months preceding absence of the father was shown as follows:

Earnings of father	251
Other income of father	8
Earnings of both parents	49
Earnings of mother	64
By relatives or friends	55
General relief	33
Unknown and other	34

These absent fathers were classified in terms of the circumstances in the absence, as follows:

	Number	*Percent*
Unmarried parents	123	25
Desertion by father	132	27
Separation	107	21
Divorce	70	14
Penal institution	62	13

Of the cases in which the length of absence was recorded in the case record, 63 percent had been absent less than three months prior to application. The breakdown of the 451 cases where length of absence was recorded was:

Under three months	284
Three to six months	79
Six months to one year	88

Most of these families were border-line economically and when the father deserted there was little available to tide the family over.

Regulations of the state department provide that continued absence of the parent from the home implies a clear disassociation of one or both parents from the normal family relationships. These absences are classified as follows:

1. Divorced and living apart;
2. Separated—legally or by bona fide agreement;
3. One or both parents deserted;
4. Marriage annulled;
5. Parents not married and not maintaining home together;
6. Parent confined to a penal or correctional institution.

The responsibility is placed upon the county welfare department to determine that there is actually continued absence of the parent.

Persons conducting the case review determined that 373 of the cases (exclusive of fathers in penal institutions) involved clear-cut disassociation of the parent, that 26 were not clear-cut and that 34 were questionable. Thus, they raised questions as to effectiveness of the county welfare departments in determining continued absence of approximately 14 percent of the cases involved in the study.

Since it is expected that action will be taken to determine the whereabouts of the absent parent and to secure support of the family, it is important to examine data from the study on these points. Almost 50 percent of the absent parents involved were in the State. Less than 20 percent were making any contributions to the families.

Whereabouts of absent parent		*Contributions of parent*	
Unknown	192	None	390
Community	122	Own initiative	39
County	66	Court order	38
State	57	County request	12
Out of state	57	Other	4
		Unknown	11

Seventy of the families included in the study were receiving A. N. C because of absence of the father due to divorce. In divorce cases support of the family is considered by the court. Yet only 38 fathers were contributing on the basis of court orders. Presumably inadequate provision

for support was made by the courts or the courts were unable to enforce their own orders of support.

In about twenty-four percent (24%) of the cases, the mother had taken legal action against the absent father. While only 93 of the fathers were known to be contributing, legal action had been taken in 204 of the cases:

No legal action taken	264
By mother, before application	113
By mother, after application	6
By county, before application	53
By county, after application	28
Other legal action	4
Unknown	26

One thousand forty-four children were involved in these 494 cases of absent fathers and the total persons considered in determining the assistance grants, including mothers, was 1,649. The average need per family was determined as $116 22 as of May, 1950, although the average grant paid was $108.82; the difference representing other income available to these families.

The records show that in 434 of the 494 cases the families had no cash or securities at time of application. Forty families had less than $100; 10 between $100 and $200; nine from $200 to $300; and one family had $526 in cash resources.

Typical of the unstable basis upon which many of these families were founded are the following comments relative to absence of the father as recorded in a small random sample of the schedules from two of the largest counties:

1. Forced marriage—never established home together—whereabouts of father unknown.
2. Father jailed, divorce secured. Partial support of family by mother.
3. Father returned to legal wife after separation and unable to contribute to illegitimate child as unemployed.
4. Father accustomed to desert family, not interested in children.
5. Long history of marital discord. Father unstable, alcoholic.
6. Irregular support by husband (15 jobs in 3 years). Spends money on self only. Separation forced by wife.
7. Father went to Nevada to seek work, unheard of since—alcoholic.
8. Father's identity unknown.
9. Never lived together—fathers whereabouts unknown.
10. Father in state prison.
11. Father disappeared in June, 1949, when learning of pregnancy of mother.
12. Whereabouts of father unknown. Children removed by police department from "unfit home."
13. Father disappeared—embezzlement from employer.
14. Unmarried parents, whereabouts of father unknown.
15. Alcoholic history—nonsupport—unhappy home. Father sought reconciliation, then left home. Father immature.
16. Common-law marriage. Father arrested for wife beating. Father unemployed, seeking reconciliation.

It is noted that in approximately 15 percent of the cases, the family relationship is classified as "casual." One hundred twenty-three absences of unmarried parents were reported with 72 classified as "casual." This latter figure represents those cases in which the father and mother did not maintain a home and a child was born out of wedlock. The remainder of the unmarried cases would be considered as common law relationships in which the parents did live together.

There has been some criticism of aid to these unmarried mothers and their children on the basis that the State is encouraging immorality and illegitimacy. Of course, children have been born out of wedlock for a long time, and long before modern public welfare programs were established. This represents a social problem that cannot be charged to the public welfare program. However, the A. N. C. program does provide positive protection to the mother, the child, and the State, through providing assistance to this group.

The committee received testimony from representatives of organizations primarily concerned with the problems of these unmarried mothers, including those of the Catholic Church and the Salvation Army. These representatives emphasized the social and economic values of aid to this group of mothers and made the particular point that such aid does not contribute to immorality.

Actually the basic problem presented by these situations is through securing recognition of responsibility by the father. Punishment of the mother and the child through denial of assistance or removal of the child from the mother can serve no useful social purpose, and most certainly will offer no solution to the basic problems involved.

Breakup of the family does not appear to have any close relationships to the length of the marital union and occurs in long-time marriages as well as in those of short duration, as indicated by the following table showing the length of the marital union prior to the current absence of the husband:

Unknown	12	3 to 4 years	46
Casual	72	4 to 5 years	31
Under 1 year	25	5 to 10 years	100
1 to 2 years	35	10 years and over	130
2 to 3 years	43		

Neither does state residence appear to be a particular factor in this situation as indicated by the following record of state residence of the absent fathers in the 494 cases surveyed:

None	2	5 to 10 years	104
Under 1 year	1	10 to 20 years	65
1 to 2 years	9	20 years and over	79
2 to 3 years	18	Unknown	181
3 to 5 years	35		

These cases studied, while limited to applications for A. N. C. approved during the three-month period from families in which the father had been absent one year or less, may be considered typical of all absent father cases on the A. N. C. rolls. Many of those covered in the survey are probably no longer on the assistance rolls as the persons evaluating these cases considered 114 or 23 percent of them to be short-time

assistance cases. Others have been added since the survey was made, since divorces, separations, and desertions are constantly occurring and resulting in economic hardship for families.

In testimony before the committee in September, 1950, the State Director of Social Welfare estimated that the duration of absence of these fathers was as follows:

Less than six months	20%
Six months to one year	12%
One year to three years	30%
Over three years	38%

A survey made by the Los Angeles County Department of Charities covering 9,565 A. N. C. cases active in August, 1950, and in which applications were accepted on and after September 1, 1949, shows the following primary causes of dependency:

Deserting fathers	975—10%
Absent parent (death, incarceration, deportation, divorce, separation)	2,409—25%
Incapacitation of parent	1,197—12%
Unmarried mother	723— 8%
Cessation of employment	1,282—13%
Caretaker need in the home	610— 7%
Insufficient income	2,369—25%

In its report of this survey, the county makes the following statements concerning the deserting fathers:

"Many statements have been made to the effect that the 'deserting father' is the primary cause of dependency in the increased case load in A. N. C. A careful study of all cases added since the new law, proves this is not the case and that other reasons are the cause of most applications for assistance.

"A careful analysis of the above mentioned percentages, brings to light the fact that only 7 percent of the total number of cases opened since September 1, 1949, could be clearly called desertion cases, which desertion had taken place in less than a three-year period. Of this group, two types of desertions undoubtedly occur: (1) representing the far greater number, were bona fide completed desertions at the time they occurred with no expectation of a return and subject to proof of this condition; (2) a very small group, infinitesimal in fact, comprised desertions that could be properly classed as collusion cases.

"To change a good law on a showing as meager as this would, in the opinion of the officials of the County of Los Angeles, represent very discriminatory legislation.

"Further evaluating the time the deserting fathers have been absent, establishes that most of them have been absent for more than three years. Proposals will be made to you to reduce the waiting period to six months. Should this be done, it will be meaningless. Such arguments can only be considered as 'The tail wagging the dog'."

The purpose of the A. N. C. program is to meet situations in which there is family breakdown in order that the children may be adequately provided for and have an opportunity for education and social participation so that they may grow into responsible adulthood. Its purpose is also

to preserve and strengthen family life by enabling the mother to care for her children and providing a basic minimum security for the family. It can be and is used in reuniting families, both through its economic aid and the social services that must necessarily accompany financial assistance for effective administration of the program.

However, the problems presented by desertion of the father, and to some extent by divorce and separation, can be minimized, thus reducing the costs of the A. N. C. program and providing a sounder basis of protection for the families and serving the social purpose of maintaining family responsibility.

A three-way attack on this problem is necessary. More preventive work is possible so that family breakdowns may be avoided. Legal machinery needs to be strengthened so that parental responsibilities may be better enforced for the protection of society as a whole. Improved administration of the public assistance program can, in particular, minimize the problems that are involved.

(a) Community Responsibilities for Prevention

Basically, the total community must bear responsibility for the greater proportion of family breakdowns. Much of the family discord, problems of immaturity and irresponsibility of individuals, etc., are products of our total society. The "mistakes" that result in unstable marriages, illegitimacy, immorality, and irresponsibility are largely the product of their environments. These problems need to be approached through education, religion, law enforcement, and social agencies and other community organizations, and by individual members of the community in their role as parents

Where families are on an unstable foundation, skilled social services rendered in the early stages and before the breakdown of the family may save the situation and strengthen the family. Early detection of such situations and providing necessary services, particularly through private social agencies, makes for prevention of dependency through family breakdown.

(b) Legal Action

While there is clear legal responsibility of the father, there are a number of problems involved in enforcement and application of the law.

It has been repeatedly brought to the attention of the committee that the district attorneys are reluctant to act on absent father cases referred to them by the social welfare agencies This lack of enforcement makes the present law meaningless and results in the State assuming a burden of care that certain financially able parents should carry.

Where fathers cross state lines, there is no compulsion that can be brought to bear to make them assume responsibility for their children This can be corrected to some extent by enactment of a uniform support law similar to those passed by many other states and providing for reciprocal action with other states in controlling this problem.

In situations of divorce, courts needs to give careful attention not only to making adequate provisions for support of families but for enforcing such support orders The enforcement of these orders is a primary responsibility of the courts Assistance is being granted to many families

because the parent under court order is defaulting on his payments. The solution is not to reduce or terminate assistance, thus inflicting hardship on the family, but to secure enforcement of the court order or its modification if its terms cannot be carried out.

Provisions of the present aid to needy children law should be continued without establishment of arbitrary restrictions as to length of absence of the parent. Assistance to these families should be based upon current economic need without distinction as to how long the parent may have been absent.

(c) Administrative Action

The primary function of the administrative agencies should be in accurate determination of economic need; eliminating situations in which there may be attempted fraud or collusion between parents; in locating absent parents and securing initiation of voluntary or legal actions to have them assume responsibility where able; and through providing social services to the families receiving assistance as a basis of helping them to overcome the problems of dependency and become self-sufficient.

There is criticism of the administration of this program, some of it valid. The State Social Welfare Board has the basic responsibility for establishing the policies and the counties for implementing those policies. Improvement at both levels in what is a difficult administrative relationship is indicated.

State regulations concerning the absent father are rather general and leave to the counties the primary responsibility for administration of this aspect of the program, with little specific guidance from the State as to how this administrative responsibility shall be carried out.

State regulations provide that in determining deprivation of parental support or care, "legal action against an absent parent or action to locate an absent parent or to establish paternity of a child of unmarried parents is not required," on the basis that such actions "might result in permanent severance of family relationships" rather than to strengthen family ties.

Emphasis is of course on protection of the child. This in many situations is thoroughly justified. However, the determination of when not to take action to locate an absent parent, to establish paternity, or to take legal action requires a high degree of judgment and careful analysis of the prospective injury to family relationships or to the child and should be used with extreme caution, particularly in a situation where state funds are being used for support of the child because of a default of parental obligations.

The policy—or its affect in application—may be somewhat modified by other regulations providing that the county make referral to the proper legal agency for obtaining financial support from the absent parent "unless the county determines that such action would be unproductive or would jeopardize the welfare of the child." This leaves the determination in the hands of the county with little guidance from the state agency as to application of its policy by definition of what is considered action that would jeopardize the welfare of the child.

It is optional with the counties as to how aggressive they will be in enforcing support of putative fathers. Such action is not necessary where the county determines that such efforts would be contrary to the best interest of the families or children involved, including those of the putative father other than involved in the assistance case.

In some quarters there has been considerable criticism of the state board implying that it is at fault for existence of loose administration of the A. N. C. program. At the same time it is criticized by these same parties for interfering in the administrative prerogatives of the counties. Actually the State is at fault for not sufficiently supervising the administration of the program at the county level, and for not establishing more specific regulations for the purpose of handling the absent father situations.

Basic administrative responsibility has been left in the hands of the counties. Most of the administrative weaknesses must then be the responsibility of the individual counties. If there is fraud and collusion, the correction of this condition is a primary responsibility of the individual county welfare departments.

It was noted in the survey schedules covering the sample of absent father cases that in many instances the information recorded in the record by the county workers was inadequate for determination as to the alleged desertion or its causes and in some instances showed little or no effort to contact the absent fathers. In several instances there was information in the record placing doubt as to whether the father was actually out of the home or whether there was desertion in fact but with little evidence of follow-up investigation.

A primary problem in administration is lack of sufficient staff to maintain contact with A. N. C. families in many of the counties. Even with sufficient staff it will not be possible to detect all situations of collusion; however, they can be kept at an absolute minimum. But in situations where case workers are responsible for over 100 A. N. C. families, and in some instances as many as 145 cases, it is physically impossible for the workers to maintain frequent enough contact with the families or to provide corollary services that might correct the basic causes of dependency.

If the A. N. C. program, and particularly the difficult absent father cases, is to be effectively and economically administered it is necessary that sufficient staff with adequate training be available in each of the counties and that sound administrative planning be carried out. In some instances, particularly where there are questions as to the actual absence of the father from the home, or his ability to contribute to the family, frequent contact by the case worker is essential This can be accomplished through good work planning and supervision, provided a reasonable total case load is assigned to the worker.

There is no easy or complete answer to this absent father problem, particularly for those cases involving desertion. However, the problem can be minimized considerably by more effective administration. Under the present delegation of responsibilities for administration, the primary problem is to effectuate better management and administrative method at the county level.

2. The Unborn Child

State regulations define "child" as including "the unborn child if pregnancy has been verified by a physician's oral or written statement." This apparently has caused criticism in certain quarters, although it has been standard practice throughout the country and is recognized in regulations covering federal participation in the aid to needy children program.

In terms of numbers, this is an extremely minor factor in the A. N. C. program. A survey as of August 1, 1950, conducted by the state department through the county welfare departments revealed only 468 such cases. In 253 of these the mother had other children so would have qualified for A. N. C. on the basis of these children rather than the unborn child.

Costwise, this is also a very minor factor. Actually, the basic assistance grant provided is for the mother. Some additional allowance may be made for food because of a pregnancy diet recommended by a physician. The county welfare departments are authorized to provide funds for a layette for the unborn child and such necessary furniture as a crib.

The average grant in August, 1950, for the pregnant mother without other children was $61.90 and for the mother with other children $108.12 which cost figures are consistent with grants to other families.

There is, of course, a real financial advantage to the counties in having these cases classified under the A. N. C. program since the needy mother would generally be eligible for general relief assistance if this were not the case By classifying them under the A. N. C. program, federal funds are available on behalf of the unborn child, and the state participates in the cost of providing assistance to these needy mothers.

There are positive social values in providing for these mothers under the A. N. C. program Where the father dies, is incapacitated, or deserts the mother faced with the problem of pregnancy as well as loss of income from the father is assisted and relieved of anxieties attendant to the loss of income when she herself could not support herself and family. For the unmarried mother, the provision of this assistance relieves the considerable pressures as to arrangements for the disposal or adoption of the baby, helps her in adjusting to the problem of unmarried motherhood and her future responsibilities, and assures that she will have an adequate diet and care.

This is a minor aspect of the A. N. C. program and one that does have very positive values. This provision for assistance under the A. N. C program has been strongly supported by church groups and social agencies concerned with the problem of unmarried mothers and illegitimate children These agencies believe that protection is best provided through the A. N. C. program because of the residence requirements and other restrictions under the general relief program that would discriminate against many of these mothers at the time of their most urgent need.

3. Stepfathers

One of the factors for determining whether a needy child may receive assistance under the aid to needy children category is the deprivation of parental support or care. The word "parent" has been determined to mean "either the mother or the father, natural or adoptive, whether married or unmarried."

The presence of a stepfather in the home does not disqualify the child as being "deprived of parental support or care." Until October 1, 1950, where a stepmother was in the home the child was considered deprived of parental support or care. However, by state regulation this was terminated and where the natural father and a stepmother are in the home the children are no longer considered deprived of parental support or care.

Stepparents have no legal responsibility for the support of the stepchildren even though able to do so. State regulations state: "However, inclusion of the stepfather in the county's planning with the family may increase his interest in giving needed care and guidance to his stepchild. He may also, voluntarily, provide partial support if he is able." The stepfather is responsible for support of the mother even though he may be unwilling or unable to contribute to the financial support of the stepchildren.

The unwillingness of some financially able stepfathers to support their stepchildren has given rise to considerable criticism of the A. N. C. program. In such instances public aid may be granted on behalf of the stepchildren even though the stepfather has sufficient income for support of the entire family.

Approximately 8 percent of the total A. N. C. families involve a stepfather. A study conducted by the State Department of Social Welfare as of August, 1950, covering a 10 percent sample of all stepfather cases indicated that about eighty-one percent (81%) of these stepfathers are employed. Ten percent (10%) were classified as unemployed and nine percent (9%) as unemployable.

If the stepfather was considered to have the same status as the natural father, over ninety percent (90%) of these families would have been technically ineligible under the A. N. C. program. However, the study shows that the great majority of these families were determined to be in financial need. The extent to which such need would have been alleviated under the county general relief programs cannot be determined because of the great variation in eligibility requirements in those programs.

Review of the schedules completed by the county social workers in conduct of the survey reveals that in most instances the payments to children in these families was considerably below the average payment to other A. N. C. families and that in the great majority of situations the case worker did not believe that the stepfather could increase his help to the stepchildren.

In practically all cases the stepfather was providing at least partial support in the form of housing and utilities to the dependent children eligible under the A. N. C. program. In many instances these stepfathers were making additional contributions to these children.

Data reported in the survey showed that the employed stepfathers were generally in a low income class, had irregular earnings, or were faced with the problem of supporting very large families on small incomes.

A review of the schedules submitted by Los Angeles County showed that in the opinion of the social workers eleven percent (11%) of these employed stepfathers could increase their support of the stepchildren. In a few instances it was reported that the stepfathers had refused such support even though they were financially able.

It is obvious from a review of the data available that only a small percentage of these stepfathers have deliberately refused to provide for their stepchildren. It appears that in some other situations income was such that the stepfather might have provided for the total family if A. N. C. assistance had not been available. However, the extent to which such would be possible could not be determined conclusively from the survey schedules and in most of these instances the case workers indicated that additional support by the stepfather was not possible. But the level of earnings and size of family in many of these cases were such as to raise doubt as to the evaluation of the worker if A. N. C. aid had not been available.

While in the great majority of the stepfather cases the evidence indicates inability to fully support the stepchildren, there is a sufficient volume of cases in which an increase in support by the stepfather should be possible to warrant special attention to this situation. A few cases might be cited in which the stepfather has fallen back on his legal lack of responsibility and has flatly refused to support.

It appears that administratively a greater volume of support by stepfathers should be possible. The language of the state department regulations concerning this is somewhat negative. This seems reflected in a number of the survey schedules on which the case workers noted that no determination of the ability of the stepfather to support had been made.

A positive policy providing that in all stepfather cases specific efforts be made by the county welfare departments to secure support by the stepfather should, if fully implemented, decrease the number of these A. N. C. cases. Even though such parents may not be legally responsible, many stepparents do assume full responsibility for their families. A positive approach by the county case workers, through contact and discussion with the stepfather and encouragement to him to assume his full moral responsibilities where he is financially able to do so might alleviate this problem to some extent.

However, there would still exist cases in which stepparents would use their lack of responsibility under the Civil Code and the technical eligibility requirements of the A. N. C. law to avoid their moral responsibilities. This is a loop-hole which should be plugged even though it may involve only a relatively small number of families. In determining whether aid is to be given, and the amount of such aid, the resources of the entire family and not legal status of the individual members should be considered and utilized insofar as is possible.

E. STANDARDS OF ASSISTANCE AND CASE COSTS

Assistance standards represent the determination of what should be the minimum level of living for a family in terms of its ability to obtain the basic essentials. It directly influences the number of cases eligible for assistance as well as the costs per case aided.

In determination of need, the assistance standard is the basic measure. When applied to a given family, it represents what is considered to be the minimum income requirements for family maintenance. If the

actual income and resources of the family do not equal the total requirements as set forth in the standards, the family is determined to be in need.

The actual amount of assistance granted the family is based upon the standards so that cost per case is a direct reflection of the application of the cost standards less deductions made because of family resources. The actual payment is thus determined primarily on the basis of the standard that has been accepted by the Social Welfare Department as representing a minimum adequate level of living.

The State Social Welfare Department is responsible in law for determining "minimum standards of adequate care" and these standards are binding upon the counties. (Section 1511, Welfare and Institutions Code.) The department has carried out this responsibility insofar as basic consumption items commonly needed are concerned. It has generally defined items of special need which may be required by certain families due to unusual requirements, but has left it to the counties to make specific determination of when these items should be furnished and the establishment of cost controls over such special items.

The responsibility of the state department is limited, however, by other provisions of law which establish maximums for appropriations and the State share in costs. Thus the law establishes a ceiling on state participation equivalent to $48 for the first child and $24 for each additional child. Section 1511 of the code provides that "there shall be paid the sum of seventy-two dollars ($72) per month, or so much thereof as is necessary for the adequate care of the child, or if there is more than one such needy child in the same home, the sum of seventy-two dollars ($72) for one such needy child and thirty-six dollars ($36) for each of the other needy children." However the law expressly provides that the counties may in their discretion exceed the maximum from county funds

In effect there is a ceiling on payments equivalent to the amounts listed in Section 1511 of the code, plus the federal financial participation in these cases under the federal aid to dependent children program, which may however be exceeded at the option of the individual counties.

1. The Standards in Effect

Standards established by the state department represent the evaluation of a great many persons based upon long study of the actual minimum living requirements of individuals and families. They have been based upon determination of what consumption items are needed by all persons, the content of each of these items in terms of individual elements that need be provided, with pricing of items conducted periodically.

Schedules have been established which represent the prices of these items in 11 regional areas of the States. These schedules are mandatory upon the counties which are required to establish the budgets for individual recipient families on the basis of costs represented by the schedules.

A uniform schedule of allowances is established for the so-called basic items, related to varying needs of individual members of the family based on age, sex, and other characteristics.

a. Schedule of Basic Items

This schedule establishes the cost of providing for food, clothing, personal needs, recreation, housing, utilities, household operation, and education and incidentals for each member of the family.

(1) Food Cost schedules are based upon actual pricing of food items selected because of their nutritional qualities and availability to provide a balanced diet. The items and quantities of each upon which the schedule is based were selected upon advice of home economists of the University of California and other specialists as conforming to California consumption patterns rather than the national food plan issued by the U. S. Department of Agriculture.

Separate schedules are provided to meet the varying needs of different age and sex groups, and cost schedules are applied to the families in terms of their composition. Thus two families of equal size might be given different allowances for food based upon the needs of the individual members.

The schedule is uniform for individuals of the same sex and age in all family groups except that a ten percent (10%) additional allowance is made for the families with one or two persons.

(2) Clothing. Cost schedules are based upon lists of clothing requirements to cover replacements for various classes of persons in the family. They are adjusted in terms of the items considered necessary for climatic differences in various areas of the State. They are based upon determination of what clothing items are required and their durability in years. The annual replacement cost is calculated on the basis of durability and this is reflected in the monthly allowance to permit purchase of necessary clothing. Items selected are of relatively low cost such as for an employed man, an overcoat with a unit price of $25.13 and shoes of $4.84, or a coat for an older girl at $15 20 intended to last two years.

(3) Personal Needs. These allowances, provided in varying amounts depending upon the age and sex of the family members, are to cover soap, toothbrushes, shaving supplies, medicine chest supplies, etc.

(4) Recreation. A nominal amount ranging from $2 for adults and older children to 50 cents for younger children is provided for, the cost schedule being applied for each member in the family.

(5) Housing. Allowances for housing are based on the actual amount paid subject to a ceiling which varies between counties in relation to the actual rents paid. The ceiling represents the rental covering 90 percent of the cases in the county. This is a variable item, ranging from zero due to free rent up to the ceiling and in many instances above the ceiling on the basis of county determination of special need for an allowance above the limit established in state policy.

Where recipients own or are purchasing their own home, monthly amounts are allowed to cover the average cost of taxes, fire insurance, upkeep and minor repairs, plus the amount to cover interest and principal payments where the house is being purchased. These payments are limited to the rent ceiling established for the county but may be exceeded upon finding of special neeed by the county department

(6) Utilities. Allowances have been established for various types of utilities based on costs in individual counties. The cost schedule is set up on the basis of the number of persons in the family, allowances varying as the number of individuals requires.

(7) Household Operation. Cost schedules are based upon a determination of monthly replacement costs for such items as linens, cleaning supplies, emergency medical incidentals, and general household articles. The actual family allowance is dependent upon the number of persons in the family.

(8) Education and Incidentals. A specific cost schedule for monthly allowances based upon the number of persons in the family is established to cover incidental items. These also vary between counties with a basic amount established for one person and the amount for the family increased by 25 cents per person.

In addition to the basic items for which fixed costs schedules are established, allowances may be made where the following "special need" items on determination by the county of necessity

Food: For special diets as recommended by physician.

Clothing: Cost of initially outfitting family, if needed and clothing for a child's first year.

Housing: Rents paid in excess of ceilings if it is determined other suitable housing is not available, or special health or social problems necessitate better housing. Cost of major repairs ($10 or more) if necessary to minimize deterioration and maintain safe, healthful housing; or payments on home in excess of the rent ceiling if factors above-noted are considered to exist.

Utilities: Amounts in excess of ceilings, on an as paid basis, where a utility is used for several purposes; illness requires; inefficient equipment requires; or utility rates are higher than other portions of county.

Household Operation: In excess of fixed amount where initial supplies are necessary.

Telephone: If the county finds the service necessary to the family welfare.

Transportation: Amount deemed necessary by county.

Insurance: Where insurance policies are carried on children or parents, actual amount of premiums up to a total of $4 a month for the family.

Medical and Dental Care: Upon determination by a physician or dentist unless care needed is available without cost.

Debts: Payments on obligations incurred prior to application for A. N. C. if required to maintain an item of current necessity.

Major Replacements and Repairs: If needed for the continued well-being of the family.

Special Needs: Based on county decision. Such as laundry service, homemaker service, tuition to trade schools, etc.

Illustrative of the actual cost standards in effect (March, 1950) and showing differences in prices for various areas of the State is the following

summary of application of the cost schedule to a family of four (Mother, boy 14 yrs., girl 11 yrs., boy 7 yrs.):

Food, clothing, personal needs, recreation	*San Diego*	*Los Angeles*	*San Francisco*	*Sacramento*
Mother	$27.04	$27.46	$28.55	$28.85
Boy 14	29.49	29.74	31.53	31.65
Girl 11	23.95	24.12	25.19	25.56
Boy 7	21.04	20.77	21.90	21.95
Subtotal, individual items	$101.67	$101.94	$107.17	$108.01
Household operation and utilities	15.04	14.89	16.53	19.57
Rent (at ceiling)	40.00	45.00	45.00	50.00
Total of basic items	$156.71	$161.83	$168.70	$177.58

The same quantity and quality of each of the items is provided for all budgets. However differences in prices account for variation in total allowances between areas.

These figures do not represent actual payment to families, or even to families with the above composition. For example, the majority of families in Sacramento are paying rents between $19 and $39 a month, although the ceiling figure is $50. Many families have free rent and thus are not given an allowance for rent. Or other items may be furnished from other sources and thus not provided for in the actual payment.

These figures do represent the total requirements, for a family of the composition given, which the Social Welfare Department believes will provide minimum adequate living. Actual payments would be based on the standards but reduced by the amount of rent below the ceiling, provision of items from other sources, or by income or other cash resources available for use by the family.

b. Appropriateness of Standard

There has been some criticism that the standards under the A. N. C. program are too high and provide more than is necessary to many of these families. Whether or not assistance standards are considered high, proper, or low may be dependent upon the point of view of the person evaluating them.

These standards are the product of many years study and evaluation by experts in nutrition and home economics. They are widely accepted and used, not only in the social welfare program but by other agencies of government and by many private social agencies.

The committee does not feel that it is in a position to make a detailed evaluation of the standards, and such would require considerable study and assistance of persons expert in this field. Such a study would necessarily include analysis of the effects of lower standards, and particularly so for diet, on the health and well being of the children and their parents.

An item by item review of the actual standards does not provide a basis for questioning the appropriateness of the standards. There are, however, a number of observations that may be made in relation to them.

Food standards are the greatest single cost item in the total. It has been suggested to the committee that adoption of the "Moderate Cost

Food Plan" issued by the U. S. Department of Agriculture would reduce these costs by eleven percent (11%) over the present cost schedule for food.

An emergency maintenance standard meeting nationally recommended dietary allowances can be established at lower cost than the food schedule used in the A. N. C. program. However, this diet would allow considerably less choice and might not have the acceptability and palatability desired. It is contended by home economists that families cannot continue on this type of diet schedule for long periods without impairment of their health.

Adjustment of the food schedule, and lowering the costs through variation of the items upon which the schedule is based, would need careful study, particularly in relation to possible long-term affects on health of the families. Such a schedule might be appropriate for short-term assistance families, including a large portion of the families commonly known under the general relief program.

Large-sized families are frequently considered able to purchase food items more economically than smaller ones and on that basis there is often suggested that the allowances for food for these families be scaled down on a percentage basis. The Heller Committee budget report of September, 1949, contends that it is not valid to make such reductions and claims that the result achieved is in inadequate diets. It concluded that a family of from 6 to 10 persons would achieve a total savings of only three-tenths of 1 percent due to purchase of food in larger quantities.

Suggestions have also been made for establishment of different cost standards for various racial groups on the basis that diet patterns of some of these groups enable them to get along with less money for food. This has not been substantiated and the opinion of home economists who have studied this matter is that there is actually little difference in cost of food because of varying racial diet patterns.

Clothing allowance for a San Francisco family of four (mother, boy 14, girl 11, boy 11) would be $21.71 a month. It is intended to provide for the minimum needs in low-priced clothing for the family. While this allowance appears to be a reasonable minimum, it may be possible to achieve reduction in cost.

Under the present A. N. C. program there is a substantial portion of relatively short-term cases. These families may already be supplied with the more expensive clothing items, such as outer garments, and might be able to get along adequately on a lower clothing allowance.

General support for the present standards of assistance is indicated by the fact that the county welfare departments found it desirable to supplement the payments provided in the limitations of the state formula in 7,825 A. N. C. cases in August, 1950. Average supplementation in all A. N. C. cases was $5.03 per case, and $34.49 in the cases which were supplemented.

Comparison of the standards applied to a family in which there are the husband and wife and two children (boy 13 and girl 8), using the Sacramento cost schedule for March, 1950, against the moderate cost budget developed by the U. S. Bureau of Labor Statistics for a San Francisco family of the same composition, indicates that the A. N. C. standard is not a liberal one.

If the Department of Labor moderate cost budget for a San Francisco family of four is adjusted to exclude taxes, life insurance, union dues, etc., which a welfare recipient would not be obligated for, the March, 1950, figure would be approximately $266. Using a rental figure of $35 a month, the A. N. C. basic budget (without special need items) would be approximately $176, or $90 a month less than the moderate cost budget.

3. Special Need Items

Little control over the determination of circumstances justifying the granting of special need items has been exercised by the State. Neither the state department nor the great majority of the counties have set up specific standards as to when such needs should be recognized or over the cost of the items that might be provided.

There is no information available as to the extent to which special needs are found to exist and particularly of the cost of these items.

Evidently practices vary widely between the counties as to when such needs will be recognized and as to control of costs

This is an area of administration that needs particular attention. If there is to be equitable treatment of people, uniform standards should be established to govern the determination of circumstances justifying allowances for special needs not covered in the basic budget. If cost control is to be exercised in the program, there need to be set definite limits on the amounts that may be included in budgets to cover special needs.

The more common special needs are recognized in state policy and the assistance standards provide a general statement concerning them. The state department has also issued a guide to the counties covering items of household equipment, but this is a guide only and need not be observed in practice. The State has actually left it to the counties to establish ther own standards, and very few of the counties have done so. This is evidence of poor administrative practice and lack of attention to cost control at both the state and county levels.

Absence of standards and of administrative control, and exercise of poor judgment in individual situations, has resulted in considerable community criticism. It is probable that most of the criticism of liberality of A. N C. payments can be traced directly to poor management by the county departments in controlling the authorization of funds for purchase of special need items. On the other hand, certain counties have apparently refused to recognize any special needs and are subject to criticism for failure to take into account the actual need of individual families.

Because the administrative agencies have paid little attention to this problem and have no reliable data on a state-wide basis as to actual practice and costs, it is impossible to accurately evaluate the extent to which special needs are being met or the part that these needs represent in the total costs of the program.

Indications from examination of 288 survey schedules out of a total of 494 covering absent father cases prepared in August, 1950, are that approximately $3.37 of the average payment per family cases is attributable to special needs. The average monthly cost of those cases having special needs was indicated as $15.17 from this limited sample.

The limited data available revealed great variations between counties in considering special needs, ranging from zero to forty-three (43%) percent of the cases reviewed. This indicates that some counties are too restrictive and fail to recognize the urgent special needs that exist and that others are too liberal in granting additional assistance for meeting such needs.

In 64 or 22 percent of the 288 cases, special needs were allowed. In order of frequency, the following types of items were considered on a special needs basis:

Rent in excess of ceiling in standards	22
Household appliances	11
Telephone	9
Furniture	8
Medical and dental care	8
Ice	6
Insurance (specific standard provided in state regulations)	4

Other types of items represented were layettes for babies; utilities in excess of state standards; child care; housekeeper services; laundry; and transportation.

In only a few of the schedules reviewed was there sufficient data to determine actual total cost of some items for which monthly payments were allowed in the assistance payments. However, these indicate the need for establishment of definite standards and cost controls.

Granting allowances for special need items are justified and recognition of such needs is necessary. However, there should be greater control over these allowances than now provided. As part of its responsibility to supervise the program and establish standards of assistance, the state department should develop specific policy instructions outlining the circumstances under which such items may be allowed and providing methods for controlling the cost of items in individual cases Discretion of the individual case worker as to when to make such allowances, and of the amount to be provided, should be limited insofar as is feasible.

Definite instructions as to circumstances justifying such grants, and establishing cost limits on them, have been established in other states and are a practicable and necessary control. They are needed to insure uniformity of treatment of persons as well as to control costs in individual situations. They should be accompanied by supervisory review and special approval in situations where relatively large sums of money may be involved.

This is part of good administration. It is also part of good administration to conduct necessary research to determine how such policies are being applied and the actual costs of meeting special needs not covered under the assistance standards for basic consumption items.

2. Cost per Case; or Average Payment

Average costs or payment per family represents the total cost of assistance divided by the number of families, or is more commonly stated as average cost per eligible child by dividing the total expenditure by the number of children in family cases. In using such average cost figures it must be recognized that these are averages and that the actual payments in individual cases show great variation.

The average payment reflects a number of factors:

1. The basic standard of assistance, or the determination made as to the adequacy of living to be permitted welfare recipients;

2. The extent to which resources are available to these families and accounted for in the determination of the actual payments;

3. Accuracy of the administrative agencies in applying the quantity-cost requirements schedules and deductions for income resources, resources in kind, etc., in arriving at the net need of the family;

4. Policies of the administrative agencies (counties) in granting special needs, including both the determination of the circumstances justifying allowances for special needs and the limitations placed on the value of such items to be provided;

5. Average size of families, which may vary from time to time, and vary between areas;

6. Policies of the administrative agencies (counties) in supplementing the maximum grants provided for in Section 1511 of the code.

There is considerable variation in practice among the counties in administration of the standards and determination of need. These are reflected to some extent in the variation in average payments between counties. However, even with absolute uniformity in administrative practice, variations between sections of the State would exist.

These variations under uniform administrative practice would result from differences in costs between various areas of the State as well as the variations in economic conditions affecting the resources that may be available to the families. Where employment conditions are particularly good, family members may have greater earnings to apply to total needs or relatives are better able to contribute partially to support.

a. Recent Trends in Costs

Average costs per family have shown a steady decrease since July, 1949. The average costs for September, 1950, do not reflect the increased costs of living since June of that year, and cost schedules being used were still based on March, 1950, living costs. Part of the change in average costs undoubtedly reflects stricter policies by the various county agencies in the supplementation of grants from county funds or in the providing of special needs items. As total costs increased because of the increase in the number of persons aided, some counties restricted participation from other county funds.

The trend in average costs is illustrated by the following table showing average payments per child; average per family; average per child in family cases; and the average per child in boarding homes and institutions:

	Dec., 1947	*July, 1948*	*Dec., 1948*	*July, 1949*	*Dec, 1949*	*Sept, 1950*
All eligible children	44.74	47 68	49.26	50.98	50.39	47 59
Families	105.57	109.94	111.53	112 97	115 37	107.95
Children in families only	44.77	47.88	49.20	50.78	50 20	47.16
Children in boarding homes and institutions	44.52	45 91	49 79	52 96	52 75	53.94

The average sized family in September, 1950, was approximately 3.4 persons. At an average payment of $107.95 per family, the average assistance per person in family cases was approximately $31.80 per month.

Grants to families vary with the number of individuals in the family unit since the assistance payments are based upon the total needs of the family which vary with the number of persons to be clothed, fed, and housed.

Comparison of the actual average payment made by various sized families as represented by the number of children eligible for A. N. C. assistance against the actual maximum grant that could be made under Section 1511 of the law shows that actual payments are considerably below the ceilings imposed in law. The figure for "maximum grant" represents the total amount that could be provided an individual family under the formula of $72 for the first child and $48 for succeeding children in the same family provided in Section 1511 of the code plus the federal funds available under the Social Security Act prior to October 1, 1950.

Statutory Maximum Grants and Average Grants by Numbers of Eligible Children in Families—August, 1950

Number of eligible children in family	*Total cases*	*Percent total*	*Maximum grant*	*Average grant August, 1950*	*County supplemented aid included in average grant*
Total	53,693	100	----	$109.53	$5.03
One	20,067	37.4	$88.50	76.39	9.27
Two	15,155	28.2	136.50	101.42	4.06
Three	9,169	17 1	184 50	128.32	2.06
Four	4,856	9.0	232.50	153.73	.56
Five	2,389	4.5	280.50	180 28	.23
Six	1,151	2.1	328.50	210 98	----
Seven	501	.9	376 50	236.70	.54
Eight	215	.4	424 50	221.56	----
Nine	128	.2	472.50	258.37	----
Ten	36	1	520.50	248.72	----
Eleven	26	1	586.50	280.11	----

The maximum grant possible was raised $16.50 as of October 1st because of modification of the federal matching formula permitting federal financial participation in the payments to the care-taker in addition to the eligible children.

It will be noted that the counties supplemented from other county funds the payments to many families because the ceiling imposed under Section 1511 of the code did not make it possible to meet determined need. This was particularly true in the families with one to three children. The increase in the federal funds available for matching payments to the caretaker would eliminate to a great extent this county supplementation since the maximum for participation was raised $16.50 through the additional federal money available October 1st.

In August the counties expended $269,907 of other county funds in 7,825 of these cases because they determined that needs of the families exceeded the maximums imposed under the code. Of this amount, approximately sixty-nine percent (69%) was for families in which there was only one eligible child and twenty-three percent (23%) where there were two such children. For the cases that were supplemented, $34.49 in county funds in addition to the normal county share as provided in Section 1511 of the code were expended per case.

b. Variation in Costs Between Counties

There is wide variation in costs per case between the counties. As is true of most other aspects of the A. N. C. program, there is little factual data available as a basis for analysis of these differences.

These variations may be the result of a number of factors. Differences in economic conditions, particularly differences in resources available to families; rental and utility cost variations; differences in the size of families; and policies concerning county supplementation will affect average payments.

So too will variations in administration between the counties have considerable bearing on costs such as the accuracy in application of the assistance standards; thoroughness of determining and accounting for resources of all types; and policies regarding granting of special needs;

These differences in average cost are illustrated by the following table in which the 12 major counties are ranked in order of the average number of eligible children in families, data being for August, 1950:

County	*Average children per family*	*Average payment per family*	*Average payment per eligible child*
Alameda	2.07	96.89	46.77
San Francisco	2.15	102 77	47.85
Los Angeles	2.16	112.97	52.26
San Diego	2.18	96.72	44.35
Contra Costa	2.24	102.51	45.76
State average	2.29	109.53	47 87
Santa Clara	2.38	118.94	49.89
Sacramento	2 39	108 18	45 21
Tulare	2.43	111.32	45 71
San Joaquin	2.47	106.13	44.13
San Bernardino	2.56	111.04	43.40
Kern	2.57	114 36	44.57
Fresno	2.60	119.75	45 16

The three counties of San Francisco, Los Angeles, and San Diego had approximately the same number of eligible children per family. There was a $16 difference in average payments between San Diego and Los Angeles. San Francisco with a considerably higher standard cost schedule than Los Angeles was paying on the average approximately $10 less per family.

Los Angeles paid out considerably more per child in supplemental county funds than either of the other counties, and San Francisco was particularly conservative in such expenditures. Thus some of this difference is reflected in the policy of the individual counties in meeting total need of families despite limitations of state participation in the grants. Some of the difference is undoubtedly determined by other administrative practices.

3. High Payment Cases

Cases in which families receive relatively high grants attract community attention and result in criticism of the program as well as proposals for the establishment of arbitrary restrictions on the size of payments.

In evaluating such cases it is necessary to take account of the fact that in some families there are many persons to feed, clothe, and house and that necessarily, if the needs of each of these family members are to be met, the payment will be relatively high.

It also must be recognized that the granting of special need items, particularly major items of considerable cost, will cause the payment for a family in a given month to be much higher than the normal assistance grant made to the family.

Large families (those with four or more children) represented 17.3 percent of the total families receiving A. N. C. assistance in August, 1950.

Distribution of Families by Number of Eligible Children
August, 1950

One child	37.4%
One and two children	65.6
One to three children	82 7
One to four children	91.7
Five children or more	8 3

In 3.4 percent of the total families there were from 7 to 11 children.

In August, 1950, 6.4 percent of the family payments were $200 or over. This compares with 7.4 percent of $200 or more in September, 1949.

Distribution of Payments per Family

	September, 1949	*August, 1950*
Under $100	46.0%	49.5%
$100 to $199	46.6	44 1
200 to 299	7.1	6 1
300 and over	.3	.3

Of the 109 families receiving payments of $300 or more in September, 1949 (0 3 percent total families) ninety percent (90%) were families in which there were six or more children. Provision of special need items by the county departments was illustrated for smaller-sized families.

Number of Cases in September, 1949, Receiving Payment of $300 or More, by Number of Eligible Children in Families

Children	*2*	*3*	*4*	*5*	*6*	*7*	*8*	*9*	*10 or more*
Cases	4	1	2	5	19	15	28	17	18

A special study conducted by the State Department of Social Welfare in August, 1950, covered a thirty percent (30%) sample of cases in which the total family needs were determined at $250 or more. These cases were selected on the basis of need, including special needs, and do not represent those in which the actual payment was $250 or more since in some of the families surveyed income deducted would bring the actual payment below the need figure.

There were 832 cases of the total case load of 53,693 families in which total need was reported at $250 or more. The thirty percent (30%) sample revealed the following facts concerning this group of families.

Average individuals in the family budget unit was 8 2 persons.
Average number of children per family was 6.6.
Average need in all cases was $285.52 per case.
This represented an average of $34.88 per person.
Actual payments averaged $263.44 per case or $32.18 per person.
Average special needs in these cases was $15.76.

Twenty-three percent of these families had other income which was deducted in determining the payment. This averaged $22.12 per family.

a. Ceilings on Payments

In recent months there has been discussion of the advisability of attempting to control costs of the A. N. C. program through establishing by law maximums to limit payments to individual families. Two types of ceilings on payments have been suggested:

1. An arbitrary limit on the amount of monthly assistance that could be paid in any case; or

2. A maximum on payments in individual cases related to community wage levels, such as through a determination of what the parent would be able to earn if employed.

Ceilings are now operative because of the limitations imposed in Section 1511 of the code on payments by the State and counties on behalf of individual children. However, the counties are authorized to exceed these ceilings by use of other county funds, and they have done so in a large proportion of the smaller member family cases.

(1) Fixed Limit on Payments. The major objection to establishment of arbitrary limits on payments is that they ignore the basic principle of meeting need. Either they do not recognize the greater needs because of variation in size of family, or do not permit meeting special needs in individual cases, which needs may be equally as important as the basic needs and especially so where health factors are involved.

They also discriminate between families in measuring total need. The family that is fortunate enough to have some income would be less affected by the ceiling and through the combination of income and assistance grants would be able to meet its total requirements whereas a family in similar circumstances but having no income might not be able to meet its total needs through a ceiling restriction on the assistance payment.

A danger involved in the establishment of maximums is that sometimes the maximum tends to become the minimum. This might be particularly true in California because of the philosophy of the old age security program. There might well be a tendency to permit recipients to retain income to meet special needs or to find special needs if the total need were below the maximum. If such occurred, the end result might be to raise costs of the program.

(2) Ceilings Based on Community Wage Rates or Earnings Capacity. Such ceilings would impose administrative problems of exceptional difficulty, and would not be necessarily valid in a needs program.

One of the major problems would be determination of the prevailing wage rates in each community, at least for unskilled labor classifications. Even though such were determined, establishment of a ceiling on the assistance payment equivalent to the community wage pattern would not have a direct relationship to need. This type of ceiling would penalize the larger sized families since wage rates are based upon the supply and demand of labor and not upon the economic requirements of the family.

It would seem almost impossible, and certainly subject to great inaccuracy, to attempt to make findings on the basis of what a person might earn if the person were employed. Many A. N. C. mothers have had no recent employment history or normal occupation other than housewife. Children who have never been in the labor market would

present a particular problem. The disabled father might have had good earning capacity before his incapacity, but who is to determine that in relation to his handicapped status?

Such a device would lead to widespread subjective determinations of what types of employment individuals might be able to engage in by persons with little or no experience or skill to qualify them to make such evaluations.

Ceilings are essentially a device for controlling over-all costs. If such is necessary, it is better to have all families share proportionately in whatever reduction is necessary because funds for adequate assistance are not available. This also is much simpler administratively and is the most equitable manner in which reductions in over-all costs can be made.

It is probable that much of the criticism leading to suggestions for ceilings is based upon a relatively few cases. The large family does present particular problems because of the total cost of providing basic maintenance for its members. Where families misuse the assistance payment, this is due to faulty management which can be corrected administratively. The use of poor judgment and evidence of faulty administration in relation to granting of special need items can also be controlled administratively.

The only sound basis for administration of assistance is to recognize the differences in need between families, either because of their size or because of existing special problems such as are provided for under the special need classifications.

The soundest way to control over-all costs is through good standards and good administration, including emphasis on accounting for the resources that families might have. If such methods cannot solve the problems posed by insufficient total funds to meet the minimum requirements of all persons, then a uniform reduction affecting all recipients is the most equitable and simplest method of reducing total cost to meet appropriation limitations.

4. Costs of Children in Boarding Homes and Institutions

In September, 1950, 8,481 A. N. C. children were in boarding homes and institutions at an average cost of $54.21 per child. Children in institutions and foster homes are not included in the federal aid to dependent children program and the total cost of their care is borne exclusively from state and local sources.

The maximum payment provided for in the A. N C. law for children in institutions is $36, divided by state, $24, and county, $12. Counties thus are required to provide substantial supplementation to meet the actual costs of institutional care.

Considerable variation in cost per child is illustrated by a comparison of costs for the larger counties of the State, costs per child in August, 1950, showing a range from $40.38 in the Los Angeles juvenile court to $65 78 in San Diego County

Children in Boarding Homes and Institutions
Average Cost per Child—August, 1950

County *State average—$53*	*Average cost*
Alameda	$55.55
Contra Costa	56.39
Fresno	45 04
Kern	43.63
Los Angeles	51.52
Los Angeles Juvenile Court	40.38
Sacramento	52 52
San Bernardino	44 21
San Diego	65.78
San Francisco Juvenile Court	62.31
San Joaquin	43 76
Santa Clara	53.13

Adjustment of the maximum payment is necessary to recognize actual cost of care of these children. This would relieve the counties of the burden of substantial supplementation in addition to their regular $12 share per child. It might be achieved through an appropriation of a fixed amount per child rather than on the present formula of $72 for the first child and $36 for succeeding children in a family which method does not fit the institutional care program.

State-wide data on the average payment per child for those in foster family groups and those in boarding homes is not available.

F. SPECIFIC ADMINISTRATIVE PROBLEMS

Similar to other phases of the A. N. C. program, there is too little information available as a basis for making a careful evaluation of administration at both the state and county levels. However, in the course of its inquiry into the program, the committee was able to identify a number of administrative problems needing solution and correction. Many of these are indicated in the discussion of determinations of eligibility and standards of assistance

It is obvious that the administrative processes would be particularly cumbersome in a program established on the basis of the A. N. C. one Division of responsibility between the counties and the State makes it exceedingly difficult, if not impossible, to establish accountability Financial arrangements between the federal-state-county governments involve extensive reporting processes to establish liabilities of each. Administrative independence of the counties from the state department has made it difficult to collect a body of data for research purposes, and even some elementary data such as on staffing and work loads at the county levels are not available at any central point. The present division of administrative responsibility is a costly arrangement However, it appears susceptible of simplification and improvement

1. State Supervision

As illustrated in previous discussion, state regulations are confined primarily to interpretation of law and the mechanical procedures for operation of the program. There has been insufficient supervision by the State of the actual administration of the program in the counties. Certain important areas have not yet been defined by the State, such as with respect to allowances for special needs or treatment of certain types of resources.

The state department has not conducted sufficient research into operations of the program at the county level and as a result does not have available basic materials for evaluating administration and determining the effectiveness of application of the policies that it formulates. It has little information on specific cost factors involved in the program. It knows generally that there is wide variation in administrative effectiveness among county departments but has not brought specific data together in form that can be acted upon to improve administration

The state department has demonstrated a reluctance to actively supervise the program. It has been constantly pressured by the counties and their resistance has resulted in a policy of establishing only a minimum of supervision and policy formulation at the state level. However, the state agency is responsible for expenditure of the greater share of funds and as such should assume a more active role in supervision of all phases of administration of the program.

2. Abuses: Mismanagement Cases

Because an assistance program deals with people, there will always be abuses. Some of these come to community attention and are exaggerated all out of proportion. They are a primary problem of administration and public relations. They represent a problem of community relations all out of proportion to the funds that might be involved

The great majority of persons are well able to manage their own affairs. Some are not Those on assistance are little different than others in the community except that their funds come from the State on a basis of their need.

Certain individuals are irresponsible and for various reasons cannot properly manage their affairs Where that person is the head of a family, this poor management may cause suffering to the children. The occasional welfare recipient who upon receipt of his check spends a portion of it at the local bar is depriving himself and his family of essentials of life. This is the type of situation that causes the greatest community criticism of the administration of public assistance.

Under federal regulations, to qualify for federal funds, the State must grant assistance in cash. It is not possible to control the expenditures of the recipients, as to just what he should buy and how much, and be eligible to secure federal money for that case.

Intelligent administration and community relations recognize the fact that it is sometimes better to forego the receipt of federal funds where it is demonstrated that an individual misuses public funds granted him. It also recognizes that the family must be protected against the irresponsibility of the payee.

In response to a request from the state department, the counties reported on so-called mismanagement cases receiving A. N. C. as of August, 1950. The 287 cases reported represented about one-half of 1 percent of the total case load. This is verification that the problem is a small one in terms of numbers of families involved. The schedules completed indicated considerable difference of opinion as to what constitutes mismanagement and many of them involved social problems in the family normally not considered in determining whether or not restrictions need to be placed on the form of assistance granted. However, it is probable that not all mismanagement cases were reported, particularly

since in most instances the reporting was based upon memory of case workers of specific cases in their loads and in not all situations would the mismanagement have come directly to the attention of the welfare agency.

Most of the cases reported involved situations such as these: assistance money was used for personal nonessentials; there was failure to pay grocery or rent bills, funds being used for other purposes; a portion of the assistance money was used for purchase of liquor; children were neglected and funds were not properly used for their maintenance; emotional problems of the parent made her irresponsible or unable to plan wisely in the use of funds; the mother was mentally retarded and unable to properly use assistance funds for the care of the family.

Since the commonly cited solution to this problem is to remove the family from the cash assistance rolls and to place them on an "in kind" payment basis with control over at least the major expenditures such as for food, shelter, and clothing, it is interesting to note the solutions suggested by the individual case workers dealing with the families involved to the problems presented.

In only a minority of situations did the case worker offer the "in kind" payment as the solution to the problem. The most common solution suggested was that more case work services be given these families to assist them with the basic problems involved, including more frequent contact with the families and providing to them services to help them in planning and managing.

Other solutions suggested indicated that the basic problem stemmed from emotional problems in the home or from instability or immaturity of the parents, such as: removal of the children from the home; psychiatric services to the mother; or institutionalizing the mother because of a mentally retarded condition.

Among other solutions offered instead of the "in kind" payment were better housing for the family, training for employment of various members; medical services for purposes of rehabilitation for employment; encouragement of the mother or older children to secure work; and services of home economists in assisting with budgetary planning.

It was indicated in some of the schedules that the major problem was insufficient staff or too rapid turnover of staff to provide the kind of services that these problem families needed. It was pointed out that workers carrying over 100 families cases did not have the time to work with the families that needed special services.

State policy, based upon an Attorney General's opinion, specifies that payments to recipients may not be restricted without exception. For the county offices to restrict payment, they must forego the receipt of state funds for that particular A. N. C. case.

This policy does not seem realistic or intelligent. There are very few cases involved, but it is important to the welfare of other members of the families involved and to confidence of the community in administration of the program, to control these situations.

It is recognized because of the complications of administration involved in the state-county relationship, and certain elements of mutual distrust in that relationship, that the State may be reluctant to give the counties a free hand in making unrestricted payments. However the State

has authority to set up minimum standards and should be able to define situations in which restricted payments are justified to avoid any abuse in administration.

These mismanagement cases offer a special type of problem, but differ considerably in the solutions that might be given. Many of these families will respond to good case work administration and through the services offered become able to satisfactorily manage their own affairs.

Others, because of acute emotional problems, alcoholism, basic irresponsibility, or for other reasons, can be given only limited help to manage their own affairs. In these situations consideration needs to be given to protection of the children from the irresponsibility of the parent as well as protection to the taxpayers in assuring that assistance funds are utilized for the purposes intended.

3. County Residence

A child born in the State or who otherwise has one year's physical presence or whose parents have resided in the State one year prior to application may be eligible for A. N. C. aid if meeting other eligibility requirements.

In addition, the law establishes certain county residence requirements which do not affect entitlement of the child for aid but relate to the distribution of the costs of such aid.

If a child does not have residence in any county at the time of application, but does have state residence, the State reimburses the county granting aid for the normal share of the county participation until the child does secure county residence.

If application is filed in a county other than the one in which the child does have residence, the State reimburses the county receiving the application and paying aid up to a maximum of 180 days. In the meantime arrangements are made for the county of residence to reimburse the other county for the amount of aid granted.

These requirements of county residence are administratively expensive. State residence is the primary factor in determining eligibility. However, because of the county residence features, the additional step of proving county residence is made.

Some delay in processing cases may be attributed to this necessity for determining county residence.

Where the recipient moves to another county and gains residence there, case transfer is necessary and usually involves complete duplication of the record. It has been reported that in some instances the counties make up extra copies of forms used in processing cases against the possibility that the case may later have to be transferred to another county.

A number of bookkeeping and financial transactions are involved, particularly where the State is required to reimburse the county for the full amount of aid granted because the child does not have residence in that particular county.

No data are available as to the volume of cases involved. However it is quite possible that transfers between counties would in the long run tend to balance out.

The elaborate and costly administrative processes for determining county residence have no bearing on whether or not the child shall be

granted aid. They serve only the purpose of charging costs against the State or other counties.

If an administrative analysis of costs of these procedures could be made, it probably would be found that the total costs of proving residence, of negotiating between counties, and of handling the financial transactions at the state level are a burden that could not be justified to the individual counties that might be most concerned. At any event, since the State pays two-thirds of the cost and the counties only one-third, elimination of this county residence requirement would not bear heavily on any individual county. However, it would simplify and speed up administration, and would enable savings in administrative costs.

Machinery for transfer of cases between counties would continue to be required. This can be established by administrative regulation, providing the criteria for determination of when the case should be transferred, and costs assumed by another county, based upon intent of the recipient to reside in that county.

4. Staffing

Availability of the proper numbers of staff with training and skill is extremely important in limiting the number of cases and in determination of the payment per case. Adequate expenditures for administration can net real savings in total costs. Most appropriating bodies are reluctant to increase funds for administration, failing to recognize the close relationship between good administration and lower costs in the over-all program.

Case workers in many counties are given a number of cases considerably in excess of what they can handle effectively. This overload results in poor initial investigation; in inability to maintain close enough contact with families; in inability to assist persons in developing resources to help themselves; and in failure to detect promptly changes in circumstances so that cases can be closed at the right time.

Inadequacies of staff reflect themselves in many ways, but it can be certain that assistance costs are higher than they need be because of this primary defect in administration. If a worker is assigned 100 to 145 A. N. C. cases, as is done in some areas, it is certain that the following will result:

The county case load will be higher than it need be because the workers do not have the time to thoroughly explore eligibility; cannot maintain contact with families to ascertain changing circumstances; do not determine resources available that might be utilized to reduce the assistance payments; do not close cases quickly enough; and cannot work with families to help them to help themselves to become self-sufficient.

Supervisors and workers in one county office, in informal discussion, indicated the following results of inadequate staffing:

1. They felt that there were some ineligible cases receiving assistance because of insufficient time of workers to follow through;

2. They were concerned that they were encouraging dependency because of inability to work with families;

3. They felt needs investigations were inadequate and did not cover the family circumstances thoroughly;

4. They knew that some cases were being carried beyond the time necessary because of inability to get around to make reinvestigations.

5. Reinvestigation and Follow-up on Cases

Wide variation between counties in the effectiveness of maintaining contact with assistance families is evidenced. This may be due to understaffing in some counties or to poor work planning.

The Federal Government and the state department have established a mandatory requirement that each case be reinvestigated at least once a year. This is a minimum requirement. The reinvestigation is for the purpose of reviewing eligibility and determination of the amount of assistance.

Data for August, 1950, showed that approximately four and one-half percent (4½%) of such annual eligibility reviews were overdue. This was not a substantial number for the State as a whole, however, in certain of the larger counties the proportion of overdue eligibility investigations was as high as twenty percent (20%).

Most families should be visited more than than once a year, and many should be visited quite frequently. However, this cannot be done unless adequate staffing is provided and there is good administrative direction so that selectivity in planning out of office time is carried out.

6. Delegation of Authority by Boards of Supervisors

State regulations (Manual Section 145) require that after a determination on an application has been made a "recommendation shall be made to the board of supervisors that assistance shall be granted or denied," including the amount and beginning date of assistance if the recommendation is for granting aid. These regulations (Manual Section 155) require that the boards of supervisors grant or deny applications at the first meeting for consideration subsequent to receipt of the recommendations.

The A. N. C. law does not refer specifically to the boards of supervisors, but to the counties. It would seem possible then for boards of supervisors to delegate authority to their county welfare departments to process applications, including the approval or denial of assistance, without necessity of referring all such cases to the board. However, since the law (Section 1550) requires that counties investigate all applications in the manner and on forms prescribed by the state department, the simplification of this process of disposing of applications requires a change in regulations of the state department.

Since boards of supervisors have direct administrative control and supervision over the county departments, and since the boards may establish county welfare boards to assist them in the administration of the assistance program, the formalities required by state regulations appear to be unnecessary and administratively inadvisable.

The requirement that lists of applications, with recommendations for action, go to the boards of supervisors may delay the actual determination of a case by as much as three weeks. Indications are that in most counties the boards can give only the most generalized scrutiny to such lists and that in most instances rarely question cases listed. In the meantime considerable administrative time and expense is involved and recipients who are in urgent need suffer through such delays or must be cared for through the issuance of emergency general relief orders.

7. Research

There is inadequate knowledge at both the state and county levels of what is happening within the A. N. C. program. Through research, policy and procedure must be constantly tested. The administrative agency must be thoroughly aware of changing conditions within its assistance program, and of community factors contributing to these changes if assistance is to be administered adequately.

In some counties there appears to be a total unawareness and lack of appreciation of the values of research as part of the administrative process.

8. Procedures

One reviewing the mechanics of the A. N. C. program is impressed with the exceedingly complicated procedures in determining eligibility and the distribution of costs between the State and counties. Much of this is inherent in the state-county financial relationship. Substantial simplification of procedures, with resultant savings in administrative costs, would seem to be readily possible. The extent to which it could be effective depends upon the problems of state-county administrative arrangement.

V. OLD AGE SECURITY

The old age security program presents a number of particular problems, not only because of the character and size of the group involved, but because of the basic pension or flat-grant concept of aid practiced in California.

The Legislature has established a maximum payment per recipient of $75 a month. This also operates as a minimum except that income or other resources of the payee not used for "excess needs" are deducted from $75 in determining amount of the grant. The actual average payment in September, 1950, was $70.74.

Total payments to recipients under the program was $19,140,729 in September, 1950, or approximately 69 percent of the total assistance payments made to all types of welfare recipients that month.

While many persons conceive of this as a pension program, it is not actually that. Neither is it strictly a needs program in the sense that payments are based on cost of basic consumption items determined by quantity-quality standards such as under the aid to needy children program and most public assistance programs for aged and other groups throughout the Country, and as visualized under the Federal Social Security Act.

The law establishes the amount of payment for an aged person as $75 less the amount of any regular income he may have However, it also provides that if his "needs" exceed $75 and he has income, he may retain part or all of that income to meet these excess needs. But the actual old age security payment may not exceed $75 a month.

To meet the requirements of the Federal Social Security Act, and thus qualify for the substantial federal financial aid available, the State has established certain standards intended to represent the basic consumption requirements of all aged persons and their cost; the type of special needs some may have because of individual circumstances and the conditions under which these may be recognized; and methods for

evaluating and determining income resources. These standards are not strictly objective measurements of need, but are influenced by the requirement in the law that $75 is the basic amount that shall be provided.

Public assistance payments are generally considered to represent the difference between what a person has (income and resources) and what he requires. This difference represents the actual need of the person or the amount of the assistance payment. The total requirements against which this need is measured represents the judgment or determination of the law or administrative agency as to what level of living should be provided as a basic minimum for all persons in the community.

Under the old age security law, the responsibility of the State Department of Social Welfare is to determine how income and resources will be evaluated and accounted for and to define the excess needs against which such income might be applied. Because of federal requirements it is also necessary that the department define the basic standards of need in terms of what consumption items can be provided and their value, to insure uniformity of treatment for all recipients in the State.

A. BASIC ASSISTANCE STANDARD

The department has determined that all aged persons require food, shelter, clothing, transportation, utilities, household maintenance expenses, and personal and incidental items and has established values for each of these basic requirements. The actual values established for the items are such as to exactly total $75, the basic amount the law specifies should be provided each aged person qualifying under the program.

A schedule of basic standards has been issued as follows:

Food	$28.50
Household maintenance and replacement	4.50
Clothing	6.20
Transportation	4.50
Incidentals	10.00
Shelter	15.00
Utilities	6.30
Total	$75.00

These cost standards are somewhat higher than applied under the aid to needy children program. For items exclusive of shelter, utilities, and transportation, the basic requirement for a moderately active man under the A. N. C. program (based on the San Francisco schedule for March, 1950) would be $38.06 as compared with $49.20 for the aged recipient. Transportation allowances are provided in the A. N. C. program only on a basis of special demonstrated need for them.

The major differences in the cost standards for the basic items other than shelter, utilities, and transportation, are in those for food ($28.50 O. A. S., $24.47 A. N. C.) and in the allowances for personal needs and incidentals ($10 O. A. S., $3.48 A. N. C.).

The O. A. S. food budget is determined in the same manner as in the A. N. C. program, but adjusted by adding 30 percent. For a single

individual under the A. N. C. schedule, the adjustment would be 10 percent. This 30 percent adjustment is intended to cover increased food costs of single persons and permit meeting low-cost special diets or different food habits of aged persons.

Incidentals covered by the $10 allowance would cover medicine chest supplies as well as such personal needs as haircuts, shaving supplies, tooth paste, newspapers, tobacco, etc.

The rental allowance of $15 does not recognize regional variations in shelter costs and is an arbitrary figure that may be too low or too high in individual cases. Excess rent could be covered by income, if present. Where recipients live rent free, deductions are made from payments on the basis of values assigned to different grades of living accommodations, but not in excess of $15 although in many cases less than that amount.

A flat allowance for utilities does not recognize regional cost differences or the availability of certain types of utilities. In those areas where kerosene or butane must be used as fuel for cooking and heating, the requirements will be greater than the allowance. In other areas actual cost of utilities would be less than the amounts allowed

B. EXCESS NEED STANDARD

In addition to the basic requirements, certain types of special needs are defined. These definitions recognize that certain persons because of individual circumstances do have special needs that are not common to all persons and which cannot be met through the allowances provided for the basic consumption items.

Because of the maximum payment established by the law, it is not possible to provide all recipients with money to meet their special neeeds as defined by the department, but where these individuals do have income resources such special needs may be taken into consideration in determining the actual amount of the assistance payment.

The state department has defined these excess need items and in many instances has established specific values or limitations on costs for them, as follows:

Food—Special diets in such amounts "as needed," restaurant meals, $21.40 above basic food allowance.

Shelter—Amount as needed above the $15 basic allowance.

Utilities—As needed but not to exceed $11.50 above the basic allowance.

Replacement of worn-out household equipment—Actual cost of replacement based on minimum prices.

Board and room—Amount required in excess of $55, roughly equivalent to basic allowances for food, household maintenance, shelter, and utilities.

Clothing replacements—Cost of replacement of necessary clothing destroyed by flood, fire, etc.

Transportation—Not to exceed $10.50 above the basic $4.50 allowance.

Rest home expenses—Up to a maximum of $145 above the $55 board and room allowance.

Medical treatment—As needed.

Medication—Amount as needed.
Nursing service—When required up to a maximum of $145.
Other medical care needs—As required.
Housekeeper services—Amount as required.
Laundry—Maximum of $5 a month when recipient does not have facilities or health requires use of commercial laundry.
Telephone—Maximum of $4 a month, where required by health or isolation.

The circumstances under which these various excess need items may be considered for allowance are defined by the state department although they leave to the social worker considerable discretion in determining justification for making the allowance.

In practical application, the amount of outside income of the recipient operates as a limit on the excess need allowances. If the person has no income, there are no special needs considered under the state program. If he does have income, the allowances for excess needs cannot exceed the amount of that income. It seems clear that where there is income present, emphasis is upon locating special needs to permit the recipient to retain as much of this other income as possible, thus minimizing deductions from the $75 base in determining the actual payment.

C. INCOME RESOURCES

Identification and evaluation of income resources are important in determining the actual amount of payment, and of course in applying the excess need standard. State regulations establish detailed standards for accounting for income of various forms. It is the opinion of the state department that the county offices are careful in evaluating these resources and accounting for them in determining the amount of actual payment.

Approximately 49 percent of the aged recipients are considered to have income resources. Of those who do have income, the average value was approximately $17.90 a month, prior to October 1, 1950. This amount was increased beginning in October because of the liberalized old age and survivors insurance program. (The average after October is estimated as about $20.55 per case.)

About half of the income accounted for was applied to meet excess needs and the remainder deducted in determining actual payments, thus representing savings in costs of the program.

Application of these income resources to excess needs and to deductions from the basic grant may be illustrated as follows:

Basic grant established by Legislature	$75.00
Average estimated income per case (December, 1949)	8.70
Difference	66.30
Income applied to meet special needs	4.44
Actual average payment per case (September, 1950)	70.74
Income actually deducted in making grants	4.26

Since the amount of income was increased by the old age and survivors insurance program, effective October, 1950, theoretically an additional estimated $2.65 might be deducted from the grants representing a total saving of $717,000 based on the 270,562 cases receiving

assistance in September, 1950. However, an indeterminate part of this increased income will be applied to meet excess needs.

Included in the income group are those recipients who own their own homes and are charged nominal sums for "use and occupancy" value. These persons may have no actual cash income, but the use of their own homes is considered a resource for which certain deductions may be made in determining the actual payment. In effect this use and occupancy value is deducted from the $15 allowed for shelter, the balance of the amount being considered to meet such expenses as taxes, insurance, minor upkeep, etc., on the home.

Amount of income for the 48.6 percent with income, including the use and occupancy value resources, was distributed approximately as follows in December, 1949:

Under $10	50 percent
$11 to $20	22 percent
$21 to $30	16 percent
$31 to $40	5 percent
$41 to $50	3 percent
Over $50	4 percent

Seventy-seven percent of those with income under $10 represented recipients owning their own homes and credited with use and occupancy value.

In dollar value, income from old age and survivors insurance payments represented almost 45 percent of total income recorded, exclusive of use and occupancy value, in December, 1949. This becomes a much larger proportion beginning October, 1950, since these payments were increased roughly 77 percent by the 1950 amendments to the Social Security Act.

Principal sources of income, with estimated total monthly amounts involved as of December, 1949, were as follows:

Old age and survivors insurance benefits	$963,000
Contributions from relatives	449,000
Pensions and annuities	304,000
Income from real property	151,000
Earnings	121,000
All forms of income other than use and occupancy value—Total	2,156,700

Approximately 27 percent of the total recipients have some form of income other than use and occupancy value of their own homes. Seventeen percent of the total case load receive old age and survivors insurance payments.

D. APPLICATION OF THE STANDARDS

In terms of meeting the actual needs of the individual, there are a number of inequities and discrepancies in application of the flat-grant of $75, with income deductions and excess need allowances. There is unequal treatment of the actual needs of those aged who must rely upon the old age security program for their maintenance.

The case load may be divided almost equally between those with some form of income resources and those without. Presumably the actual needs of these two groups of aged persons would be similar. However, in the one instance the absolute maximum funds available for maintenance is the $75 maximum amount. In the other, through the combination of the flat-grant and use of income to meet excess needs, the total funds available to the individuals is greater. But even in this latter group there is not equality, since the amount of income limits the excess need allowances and some thus have more total funds for use than others.

Judged from the point of view of total cost or in relationship with aid granted other groups of needy persons, such as families with dependent children, it is a liberal and thus relatively expensive program. Emphasis is on maintaining the basic standard of $75 payment and minimizing deductions because of income. This results in a higher average cost per case than might result from a program based on accurately measuring need.

1. Standard for Basic Needs

This standard is obviously geared to equal the $75 amount established by the Legislature. There are two items, shelter and utilities, involving costs that vary considerably between recipients. If the values for these items were established on a standard cost schedule basis, such as in the A. N. C. program, they would vary between localities and the shelter item would be on an as paid basis except for limitation by amounts. However, it is not possible to establish the standards on an objective cost basis because of the flat-grant principle laid down by the Legislature.

Additional deviations from the normal concept of establishing standards to measure need, are involved in the method of treating situations in which basic consumption items may be provided to recipients from other sources.

Almost 25 percent of the aged recipients are living with relatives and friends other than with spouse only. It would normally be expected that these individuals are furnished free rent and utilities, and perhaps other items involved in the standards such as household maintenance items, and that accordingly the value of these items as established in the schedule would be deducted in determining the payment since these items are not needed but are resources furnished the recipient outside the program.

State regulations provide for evaluation of such free rent and utilities, but are so written as to more or less encourage finding that the recipient is actually paying for such services. Under normal circumstances it can be expected that few persons would be charging aged relatives for such household expenses in the absence of state funds made available under a pension-type program.

Even where it is determined that free rent is available to the recipient, there is not an automatic deduction of the $15 allowed for this item of expense. State regulations provide that the type of housing accommodations shall be evaluated in relation to comparable rents in the community and adequacy of housing, with varying values established ranging from $5 to $15. Thus if it is not considered that the shelter provided is substandard, $5 is deducted from the rent allowance to represent the value of this free rent resources. If it is considered "intermediate" the

value placed would be $10. If considered standard the deduction equals the $15 allowed for payment of shelter by the standard.

On the other hand many recipients will have to pay more than $15 a month for shelter. If they have no outside income to apply against this increased cost as an excess need, the difference between the $15 theoretically allowed for rent and the actual cost of accommodations must be made up out of other portions of the $75 allowance. Since the utility item appears high for many of these recipients, this excess might be applied to rent or amounts taken from such other items as personal incidentals, clothing, transportation or perhaps food to make up the difference between actual cost and amount allowed for shelter.

2. Excess Need Standards

The enumerated excess need items are available only to those who have income except insofar as there is room in the basic standard for meeting a portion of such needs identified as permitting allowances for excess needs.

There is very little information available as to just what excess needs are being met or what the true special needs of the aged group are. These special needs are not evaluated unless the person has income, and then generally only to the extent that the income available can cover the cost. The Department of Social Welfare has not made recent studies as to the extent to which specific items are being recognized and the cost of providing for these special needs.

It is generally considered that the various types of health and medical care needs account for the great majority of special needs. It should be noted that while persons without income may not receive any recognition for such needs under the program, they are furnished free medical care services through the county governments. The costs of providing such services are not reflected in the costs of the O. A. S. program.

Of those recipients who have income, including the use and occupancy value income, 70 percent are considered to have excess needs. Of those who do not have income, only one-fourth of 1 percent receive any special need allowances, these being through supplemental county funds and exclusive of free medical care provided. For the total case load, about 35 percent are allowed excess need items.

There appears to be a direct relationship between amount of income and a finding that excess needs exist. In the group with income of less than $10, which is made up in large part of those with use and occupancy value of their own homes only, 39 percent are considered as having special needs. In the $11 to $20 income group, 57 percent are allowed excess needs and in the $21 to $30 group, 72 percent. In the higher income groups, the proportion allowed excess needs was over 90 percent.

Where there is income it appears that emphasis is placed on determining that excess needs do exist so that part or all of the income may be retained by the recipient.

The importance, from a cost point of view, of these excess need allowances is illustrated by the fact that for the month of September, 1950, the allowances for special needs were equivalent to approximately $1,200,000.

E. GENERAL COMMENT

A flat-grant or pension type program such as established has the virtue of guaranteeing to aged persons a certain basic standard of living—$75, or $75 plus income. It is not, however, an equitable or economical method of meeting the actual requirements of needy aged persons.

Persons needs differ because their circumstances differ. A minimum-maximum type of payment cannot satisfactorily meet actual need. If actual requirements of needy persons are to be met, the amount of the payment to specific individuals will vary considerably because their resources vary and their special needs are different. Under the present program some aged recipients undoubtedly continue in need although receiving the maximum payment. Others may receive more than they actually require because of the concept of a minimum payment and retention of income.

The Legislature has established a general standard that aged persons should have available the equivalent of the purchasing power of $75 to meet their requirements. It is possible to maintain that standard and yet administer a program that has closer relationship to actual needs of individuals. This would require abandonment of the flat-grant or minimum-maximum payment concept and substitution of full accounting for all resources and recognition of special needs in all cases, with probable reduction in total cost of the program.

Without reducing the general standard that has been determined should be provided aged recipients, a true needs program recognizing the varying needs of individuals can be established along the following lines:

1. Minimum standards for determining need and assistance payments would be based upon a standard of living equivalent to the purchasing power of $75, the actual amount to be adjusted with changing living costs. Basic consumption items would be defined and values placed upon them through objective determination of actual quantity-quality requirements, currently priced. The total value of such items would equal $75, but might include more items than now covered in the basic standards thus limiting to that extent the special needs items.

2. There would be established specific and detailed standards governing the circumstances under which special need items not covered in the basic standard might be allowed, with values or limits of cost, on individual items. These would be applied on the basis of the actual need of the individual, and not his income status.

3. All income or resources, including the value of consumption items provided from other sources, would be evaluated and deducted from the value of total requirements in determining the actual payment.

It has not been possible to conduct the studies that are required to determine the cost factors inherent in the present method of administering old age security. Detailed study of all of the factors brought out in this general analysis are necessary to determine how there can be established a sounder program for aged assistance. The high cost of the present program coupled with the obvious inequities in meeting the needs of all aged recipients are ample justification for extensive study of all features of the program.

A complete and detailed evaluation of the present standards of assistance for both basic and excess needs, and evaluation of methods for determining and accounting for resources should be made. This should be done in relation to the basic purposes of meeting the actual requirements of all aged individuals as economically as possible, yet providing a sound and adequate standard of care.

F. SPECIFIC ELIGIBILITY REQUIREMENTS

1. Citizenship

Noncitizens, regardless of the length of residence in the Country or the State, are ineligible for old age security. Citizenship is not a qualification in any of the other assistance programs.

Needy aged noncitizens are provided for in the county general relief programs. The actual numbers involved is not known as there are no statewide figures. However, the San Diego County Welfare Director estimated that there were 100 such individuals being provided assistance by that county under the general relief program because of their technical ineligibility for old age security.

There would be little, if any, additional cost by transfer of such general relief cases to the old age security program, and particularly not if the program were administered on a needs rather than flat-grant basis. Since federal funds would be available for such persons under the old age security program, these would make up for the difference in payment between a general relief standard and the more adequate payments provided under the old age security program.

2. Residence Requirements

The law specifies California residence for five of the past nine years, and one year continuous residence prior to filing application, as one of the eligibility requirements. Because of the relative liberality of the California program as compared with most other states, this residence requirement is defended on the basis that it prevents or discourages individuals from migrating to California for the purpose of securing assistance.

Those aged persons who do not have the residence requirements for old age security, but who do have sufficient residence to qualify for county general relief, will be provided for under the general relief programs if in need.

There is no state-wide data on the number of general relief recipients denied old age security solely on the basis of residence requirements. Similarly to the noncitizens, their transfer to the old age security program would probably involve no more state and county funds than are now being expended by the counties for their care under the general relief program.

Many people do not believe that aged individuals will migrate for the purpose of securing more favorable public assistance grants. Most of them have close personal and family ties that they are unwilling to break, particularly in their declining years, by moving to another state.

Others feel strongly that to reduce or eliminate residence requirements would cause an influx of elderly people to California for the sole purpose of securing old age security, thus increasing the already heavy

tax burden of caring for the aged, and some persons attribute the present large number of O. A. S. cases partially to in-migration because of the relatively favorable program in California.

3. Institutional Inmates

There is a large group of aged persons who because of senility or other chronic infirmities are more or less permanent resident of public medical institutions or homes or who are cared for in such institutions for extended periods of time.

Under the old age security law, these persons are not eligible for assistance except for a period of two months for those recipients entering such institutions. Cost of their care is borne by the counties or other public agencies, and for some of the group partially by subventions paid under authority of the old age security law to the counties

For purposes of securing federal funds under the old age assistance program of the Social Security Act, these persons can now be classified under the old age security program. The amendments of 1950 to the Social Security Act makes this possible, but requires amendment to the California code to take advantage of these federal funds.

There are two groups of aged persons involved. Those who were on the O. A. S. rolls at time of admission to the public institutions and those who while never on the rolls could qualify on a needs basis, having entered the institutions before making application under the O. A. S. program.

In the case of O. A. S. recipients entering such institutions, the O. A. S. payments may be continued for a period of two months. After that time, O. A. S. is terminated but the State pays to county institutions a subvention of $35.20 per person. For those who had never been classified under the program, there is no provision for financial participation under the old age security program.

Amendment to the law to provide for payment of assistance to or on behalf of eligible persons in public medical institutions (except those in mental and tubercular hospitals) would bring into the State $30 per month of federal funds for each of these persons. This classification of such persons under the O. A. S. program would not increase the cost of their care, but would shift a portion of that cost from local taxpayers to the Federal Government.

The primary beneficiaries of such amendment would be the county governments since they are paying for care of most of these persons and would be enabled to charge them for a portion of the cost of care through the O. A. S. payment. State costs would be approximately the same for the group now covered by subventions. State costs would be increased for the group not covered by the present subvention.

Principal effect of such an amendment would be a redistribution of costs. Such an amendment was proposed at the special session in September, 1950, but failed of passage. At that time it was estimated for the nine months period October 1, 1950, to June 30, 1951, the amendment would have decreased county costs by $1,704,000, and increased state costs by $1,015,000. There would have been an estimated net decrease to California taxpayers of almost $700,000, based on an average of 4,500 such institutional inmates being covered under the old age security law.

4. Real Property

A recipient may hold real property with county assessed value, less encumbrances, of not more than $3,500. Such property not used as a home must be utilized to meet the needs of the recipient, such as through producing income.

Approximately one-third of the O. A S. recipients have real property and of that group 92 percent have homes. Some 15 percent of the recipients own real property other than homes, and in about half of these cases this other real property is the only property owned.

The approximate distribution of recipients owning real property, by assessed value of that property is as follows:

Assessed value under $500	27 percent
Assessed from $500 to $990	33 percent
Assessed from $1,000 to $1,990	34 percent
Assessed from $2,000 to $2,990	5 percent
Assessed $3,000 or over	1 percent

Twenty percent of those owning real property have encumbrances on the property, these in many cases being in amounts in excess of the assessed value.

Encumbrances under $1,000	39 percent
Encumbrances of $1,000 to $1,999	26 percent
Encumbrances of $2,000 to $2,999	16 percent
Encumbrances of $3,000 and over	19 percent

In approximately 6 percent of the cases, individuals holding real property had encumbrances on it of over $5,000 and in some instances running as high as $10,000.

G. RESPONSIBILITY OF RELATIVES

Section 2181 of the code requires that the boards of supervisors determine the ability of responsible relatives to contribute to the support of applicants for old age security. The maximum degree of liability of such relatives is established by a "Relatives' Contribution Scale." In "unusual" cases, the board of supervisors may establish the contribution amount at less than the scale.

Section 2224 requires that the board of supervisors send a form to each "spouse or adult child pecuniarily able to contribute" within the State to determine whether the relative is contributing and will continue to contribute. This form is to be completed by the relative as a sworn statement.

The granting of assistance is not contingent upon the filing of the forms or the determination of liability of the relative. Action taken is against the relative and the applicant for assistance is thus not penalized.

In state legislation throughout the Country, there have been four general approaches to the question of responsibility of relatives to support their aged parents:

1. No requirement either by statute or administrative method;
2. Specific laws requiring contributions;

3. Reliance upon provisions of the general laws requiring children to support their parents;
4. No legal provision, but inducement through administration for relatives to give voluntary support.

Because of the wide diversity of laws, general economic and social conditions, and administration between the states it is not possible to apply the experience of other states to the California old age security program. Neither is there any clear trend in state legislation concerning this problem.

The question of statutory responsibility requiring children to support their elders has been prominent in legislative discussion in California for years. There has been gradual liberalization of the laws pertaining to relative support and for a short period such provisions were not in existence and the administrative agency restricted in soliciting such contributions.

In the special session of 1950 amendments were made liberalizing the contribution scale to eliminate required contributions from a relatively large group of persons in the lower income groups.

1. Recent California Experience

A study conducted by the Department of Social Welfare in 1944 showed that over 55 percent of relatives contributing to the support of aged parents were not actually liable under the contributions scale then in effect.

Contributions made in 1944 by those relatives who were liable under the scale were actually 32 percent greater than required by law.

Of 21,400 contributing relatives, 11,900 or 55.6 percent were not liable under the contributions scale. At least 2,100 were contributing in excess of their established liability; 1,800 with established liability were making no contributions.

Only 1.38 percent of relatives requested to file statements were referred to district attorneys. Of a total of 3,250 cases referred, only 38 were taken to court.

The 1944 study indicates that relatives financially able are willing to contribute to the support of aged parents on a voluntary basis. It also indicates that in administration there was a tendency to exempt responsible relatives from contributing or a reluctance to take legal action against them.

Article XXV removed the relative responsibility provisions and restricted the welfare departments in soliciting relatives for contributions.

The Social Welfare Department reports that 13.1 percent of the O. A. S. recipients in December, 1948, were receiving contributions from relatives. The proportion of cases receiving contributions dropped to 8 percent by June, 1949, and 7 percent by January, 1950.

This experience indicates a reduction in the proportion of recipients receiving contributions, but is not conclusive when considering other factors involved. Had the relative responsibility change been the only change in the program, the experience would be a valid test. However, the amount of the grant was increased and other liberalizations made. Since approximately one-third of the recipients receiving contributions

in December, 1948, were receiving them in amounts of $10 for less per month, it is possible that the increase in the grant had as much or more to do with the reduction than the change in the relative responsibility law itself.

The average contribution increased from $17.22 in 1948 to $18.96 in 1949. This may be due to the elimination of small contributors. The annual amount of contributions for 1948 was $5,124,000 and dropped to $4,528,000 in 1949. This indicates that the removal of the relative responsibility provisions resulted in decreased contributions since the case load increased 30 percent during that time.

Senate Bill No. 3 of the 1950 Special Session liberalized the scale for determining liability and the minimum income level was raised to a point that would have eliminated the group contributing $10 or less in December, 1948.

It is difficult, if not impossible, to accurately determine the effects that the law, or the absence of one, actually has on welfare costs. Such factors as attitudes of individuals, the adequacy of assistance payments, changes in living costs and the economic situation of relatives, administrative efforts to develop resources, all influence relative contributions. In California, the pension concept in the old-age program must certainly have much to do with the attitude of relatives and the aged recipients themselves.

2. The Contribution Scale

The scale is essentially a guide. Data available indicates that it is not enforced in all situations. If it is conceived of as a guide, and exemptions are made on the basis of family circumstances, some of the effect of and objections to specific legal requirements are removed.

It is possible that the scale itself contributes to less contributions. Any scale is drawn on a fairly arbitrary basis in attempting to measure money income required for family maintenance. It is probable that many persons exempted by the scale are financially able to contribute at least small amounts. They are relieved by law of making contributions, and some may assume that this relieves them of moral obligations as well. Nevertheless the 1944 study shows that many relatives do contribute even though not legally liable which strengthens the argument that the effectiveness of statutory requirement is overestimated.

It is possible also that the establishment of the scale in the law would have the effect of limiting contributions of some relatives to the amount established by law. The 1944 experience indicates that many relatives exceeded the legal liability amount in their contributions, however.

3. Inducements to Contribute

The method of administering the flat-grant assistance program may provide specific inducements to relatives to contribute to meet special needs. Since in the O. A. S. program the $75 grant is considered a base, emphasis appears to be on finding special needs over and above the base so that the recipients may retain part or all income outside the assistance payment. This provides an inducement to relatives to contribute to provide "extras" for the parent. It also has the effect of reducing the savings to the State from relative contributions.

4. Influence to Case Load

The relative responsibility factor cannot be isolated as to its potential effect on the case load. It is the judgment of many that elimination of legal requirements would cause additional persons to apply for assistance and that the present law is actually a deterrent in many cases.

The present contributions scale has been liberalized to the point where it is doubtful that potential recipients are holding back from applying for assistance because of the legal responsibility provision. Unless there were intense problems of family relationship, the major deterrent would normally be unwillingness of an aged person to impose hardship on his relatives. The contributions scale, both in its construction and the ability of the boards of supervisors to make exceptions from it, would minimize such hardship situations.

5. Influence on Average Payment

To the extent that the contributions are deducted from the basic grant of $75, the average payments are reduced and savings in costs to the State accomplished. The emphasis on finding "special needs" and applying income to them, cuts down on these potential savings.

Since a large portion of those contributing are not required to do so by law, the contributions would continue without the statutory requirement. To the extent that they are contributing only to meet "special needs" or provide "extras" the contributions have little influence on costs to the State.

To the extent that the existence of the scale causes public welfare workers to ignore the possibilities of contributions or provides to relatives the impression that they are relieved of all responsibility, the legal provisions might actually provide for less savings in total costs.

6. Relative Contributions as a Resource

It is the practice in some areas, where there are no specific legal requirements such as in California, to explore with applicants and their relatives the possibility of voluntary contributions. This is effective to the extent to which the agency emphasizes the development of resources for its recipients. If done on a sound basis, some of the undesirable consequences of statutory requirements (where family relationships are strained; where hardship would be created) are eliminated. Whether or not equal contributions could be secured through the voluntary method, and with encouragement and follow-up by the agency, is in the area of guesswork. In such situations the case worker is guided by a scale not unlike the one in the California law in determining the advisability of contacting relatives to secure their voluntary support.

7. Procedural Problems

The Department of Social Welfare has estimated the cost of administration of the relative responsibility provisions as 10 percent of costs of local administration. This is admittedly a rough estimate. It would amount to about $1,026,000 for the Fiscal Year 1950-1951.

The 1944 study indicated that about 70 percent of O A. S. recipients had one or more relatives in the State. There were 278,500 such relatives or 1.7 per case. On this basis, it could be assumed that about 450,000 relatives would be involved now.

Under the present law each of these 450,000 relatives must be contacted annually.

The requirements of a sworn statement raises problems because of the inconvenience to the relative involved in securing notary services. The department is attempting to minimize this through a preliminary inquiry form, which need not be sworn to. However where liability is indicated an additional form must be executed by the relative, this one being the sworn statement.

This procedure, set up by the law, is of questionable value. However it may be argued that enforcement of the law requires such an elaborate mechanism since income and circumstances of families do change.

8. Another Approach

Consideration might be given to deleting from the law the present provisions regarding relative responsibility and substituting therefore a general provision to the effect that in determining eligibility and the amount of assistance to be granted to an individual the department shall evaluate all readily available and potential resources for support of the individual, including the ability of relatives to assist in his support but shall consider such resources in determining eligibility or amount of assistance only to the extent that they are actually available.

This would place relative responsibility on an administrative basis. For administration, the department would be required to establish regulations governing the use of relatives as a resource, including guides in the form of contribution scales for use of the case worker.

It would place the relative responsibility factor on a voluntary rather than compulsory basis.

H. PROPERTY LIENS

Much if not all of the controversy over relative responsibility for support of aged persons would be eliminated or rendered meaningless if there were provided liens on property of recipients of old age security. Such liens are now prohibited by the State Constitution. However they are worthy of discussion in this report.

A great deal of the objection to liens on property of aged recipients is due either to misunderstanding of their effect, or because of experience with unduly harsh lien provisions which tended to restrict recipients in the management and control of their property while living. Some of the objection is purely emotional.

Liens in old age assistance programs are common features in many states and there has been generally good experience in administration of reasonable lien provisions. The justification for such liens is on the following basis:

1. The recipient is entitled to public assistance as a matter of right, if he is in need, and is able to rely upon such aid during his declining years;

2. Such real property as he possesses and which is used for his current needs, remains his during the period of his lifetime and that of a surviving spouse or dependent child;

3. When such property is no longer required by the recipient or his dependents, it should revert to the State which has supported the recipient rather than be inherited by relatives who have not assumed responsibility for support;

4. Through establishment of the lien, the recipient has the knowledge that he is not actually dependent upon charity but is exchanging his interest in property at the time of his death for assistance during his lifetime.

5. A choice is given to relatives in line of inheritance as to whether they wish to support the recipient or have their interests in the property taken over by the State in consideration for the use of public funds for supporting the aged person in need.

6. The State recovers part or all of its expenditure in aiding the recipient and thus decreases the total costs to the taxpayers in providing for needy aged persons.

A simple and adequate type of lien provision can be established by requiring as a condition to granting assistance to persons who own or have an interest in real property, that such persons enter into an agreement that all grants of old age assistance will constitute a lien against the interests in such real property and shall remain a lien until satisfied.

Such liens would take priority over any other liens subsequently acquired except tax liens. In estates, claims for funeral expenses in limited amounts, expenses of last illness, costs of administration, and allowance for the widow and children for a limited period following death would also have priority over the lien.

The lien would not be enforced while a home was being occupied by the recipient or by his surviving spouse or minor child or any physically or mentally handicapped child of the recipient. However it would be enforceable as a claim against the estate if admitted to probate by an interested party other than the State.

The lien could be discharged by the recipient, his heirs, or personal representatives at any time by paying to the State the amount represented by assistance payments.

Such liens would not be prejudicial to the interests of the recipient and he would have full control and management of his property during his lifetime. It is recognized that for many aged, their homes provide their most tangible link with the past and offer a basis for maintaining a sense of independence as well as social and emotional security and community status. These values need not be interfered with through a lien program under which he would be exchanging his interest in the property for the security provided him through regular monthly assistance payments.

Twenty percent of the recipients holding real property have encumbrances on that property. In effect, through the assistance payment, they are building up an equity by discharging the encumbrances that will be left to heirs upon death in the absence of a lien provision in the law.

I. INITIATIVE MEASURES TO BE PRESENTED TO THE LEGISLATURE

In October, 1950, it was announced that sufficient signatures had been secured for presentation of an initiative sponsored by the California Institute of Social Welfare to the Legislature at the 1951 Regular Session. If not approved by the Legislature, the measure will automatically go on the ballot at the next regular election.

This initiative proposes a number of substantial changes in the old age security program, these being the following:

1. State administration and state financing of the program.

2. Removal of the relative responsibility provisions of the law and restricting the administrative agency from making "any demand upon any person to contribute to the support * * *."

3. Continues present provisions for amount of security at $75 when added to income and with provision for meeting special needs from income, but in an amount not to exceed $75.

4. Provides for adjustment in the amount of the basic standard of $75 by a formula requiring adjustment of 50 cents for each full point increase in the cost of living, using March 15, 1950 as a base. Any decrease that would bring the basic amount below $75 is to be ignored as is any increase in the cost of living greater than 50 points. A 50-point increase would require an adjustment of $25, thus making the total security $100, which would be the limit under the formula.

5. Aid in addition to that provided for in the basic standard would be given for health and medical needs, but not to exceed $25 per month. This would be for medical and dental care by practitioners chosen by the recipients, nursing care, and medicines, drugs, hearing aids, optical supplies, appliances, etc., as prescribed by a practitioner.

This additional aid would not apply where income of the recipient has not been taken into account in determining the assistance grant (use of income for special needs).

6. Actual funeral expenses up to a maximum of $150 would be paid if there are no other specific provisions for such expenses such as through burial or other insurance.

7. The personal property exemption would be raised to $1,500, less encumbrances. Motor vehicles of moderate value used for essential transportation would be excluded in determining the amount of personal property.

8. No restriction would be placed on the value of real property, but the exemption of such property would apply only to that occupied as a home or otherwise being used for current or future identifiable needs of the recipient.

9. Establish entitlement to necessary medical and hospital care from the county in which the recipient is living, without regard to county residence. Counties would be authorized to demand payment for such care from the county of residence.

The initiative states that it is its purpose "to make old age security available to the needy aged of the State in such manner that all needs of such eligible applicant and recipient shall be met, without discrimination between those who have income or resources insufficient to meet their full needs and those who are without any other income or resources whatever, in conformity with the requirements of the Constitution of the State of California and of the Federal Social Security."

In another section (Section 12) it provides that the state department shall provide for the care of needy aged "to the end that they shall receive suitable care and that there shall be throughout the State a uniform standard of records and methods of treatment of aged persons based upon their individual needs and circumstances."

In connection with additional aid for health services (Section 7) it is provided that such additional aid will not apply where these services are met from income taken into account in determining the amount of the grant "nor to any health services or other items included in the monthly budget of a recipient whose needs exceed the maximum amount of security to which he is entitled under Section 2020 and whose grant of security is determined on the basis of his excess need."

These three sections would indicate that aid is to be given on the basis of individual need in all cases. However the provisions of Section 6 amending Sections 2020 of the code, would not permit of recognition of excess needs unless the recipient has income. There are no other provisions in the initiative that would make it possible to meet the individual needs referred to, over and above what can be met by the $75 basic grant, except through application of income to such needs or in the case of the additional aid for health services.

Insofar as the recipients without outside income are concerned, the language cited is inconsistent with the actual provisions of the initiative. There would be no method provided for meeting their excess needs, except for health services, just as there is no such method in the present law.

The initiative would make no change in the residence or citizenship requirements of the present law.

If the initiative should be passed, either by the Legislature or at a general election, it would make it impossible to take advantage of recent changes in the Federal Social Security Act permitting classification of inmates of public institutions under the old age security program. There are distinct financial advantages, particularly to the counties, in amending the old age security law to permit classification of the substantial number of aged inmates of county hospitals and homes under the program as is discussed elsewhere in this report.

The sponsors of the initiative have pointed out that the provisions to provide for additional aid for health services has been taken from the Washington State law. In the State of Washington a broad program of health services was established, applicable to other categories as well as the aged recipients of that state.

For the year ending March, 1950, this health service cost an average of $7 42 per month per person on the assistance rolls (including children, and general relief persons as well as the aged). Since aged persons would normally require more health services, particularly of the character outlined in the initiative, than other groups in the population, the cost per person for an aged group should be considerably higher than for the total assistance group.

At present there is no basis for estimating what the costs of this additional aid for health services would be for old age security recipients in California. Costs could be determined only after actual experience with purchasing such services and would be influenced by the extent to which recipients took advantage of such services, fees charged by practitioners, and the type of appliances purchased by the recipients.

It would appear that the special needs for health and medical services would be removed by the initiative from administrative control except insofar as the $25 monthly limitation applied. Entitlement would be automatic for the recipient and there would be no basis for establishing regulations and standards for determining circumstances under which

such needs could be allowed or for controlling the cost of such services and goods.

On the whole, the effect of the initiative measure would be to liberalize to a minor extent the personal and real property exemptions; to adjust aid payments with changes in living costs; and to increase the assistance costs through providing specific additional allowances for health and medical services. It would make for a substantial change in administration of the program by re-establishing state administration and would reduce county costs by providing for total financing of the program from state and federal funds.

The initiative would not change the present flat-grant method of providing assistance and would not in effect guarantee equal treatment to all aged recipients on the basis of their needs since allowance for special needs, other than health services, would still be dependent upon the recipient having income to apply to such needs. However it can be presumed that the predominate special needs that cannot be met within the present flat-grant are for health and medical services and to this extent the establishment of additional allowances for this purpose would serve to meet most of the special needs of all of the aged recipients.

J. CONCLUSION

The old age security program is not a thing separate and apart. It needs to be considered in its relationships to other social and economic programs, including the general problems of an aging population.

This general evaluation is limited to certain specific features involved in the administration of the law that establishes a combination pension-needs program. It indicates that the needs of elderly people can be met on a more equitable basis than is now true, and that probably the total costs can be reduced without lowering the basic standard of living to be afforded those aged persons who are deprived of other means of support.

California, in common with the rest of the Country, has and will continue to experience an increase in its aged population, not only in their numbers but in their ratio to the total population. Unless there is found some better solution than now exists to increase the opportunities of elderly people for self-support and to provide other means for giving them basic economic security in old age, the burden on the remainder of the population for providing for the aged will increase.

A report of the U. S. Senate Committee on Labor and Public Welfare, August 29, 1950 (Report No. 2456, Calendar No. 2462, Eighty-first Congress, Second Session), illustrates the problem in quoting from a statement from testimony of Dr. Howard A. Rusk, Associate Editor of the New York Times, as follows:

"It has been said by students in the field that if we do not do something about utilizing our individuals over 65 in our economy, if we do not do something about providing more opportunities for the disabled to be trained and to take their part in our economy, and the same for the chronically ill, that by 1980 for every able-bodied worker in the labor force there will be one in this category on each laborer's back."

There are several problems posed. One is how best to provide economic security for those unable to be self-sufficient in old age. Another is determining means for making the best possible use of the human resources of the older group in the population. There is a third problem

of meeting the social and personal needs of elderly persons aside from their economic requirements.

The present old age security program does provide a measure of economic security to most aged persons who have attained the calendar age of 65. In doing so, it provides more generously for some than for others in relation to their actual total living requirements. It does not attempt to meet the needs of the aged individual under 65 and these persons, together with noncitizens and those with short residence, must rely upon the variable and in comparison substandard general relief programs for subsistence.

Because so much emphasis is placed on "Old Age Pensions" in public concept and administration, when in reality the program is not a strict pension program, there is more emphasis on legal or technical entitlement than on need and a tendency to consider the program as an end in itself.

It would appear more constructive to consider this program as a needs program, supplementing other forms of social and economic action to provide for aged persons and with the hope that through continued development of these other forms of action the need for this supplemental or residual aid would gradually lessen. It is in that direction that lies sound security for persons in their declining years.

As a first step, the law should be amended and so administered that the determination of eligibility and amount of assistance is based upon the needs of the individual applicant, such as outlined previously in this report. If in this process, the general relief program can be standardized and the level of aid increased to a point of uniform adequacy, there would be developed an integrated public assistance program attuned to the needs of all classes of people in the State.

Primary reliance for the support of elderly people who have left gainful employment should be upon the old age and survivors insurance system and other private and public retirement and annuity programs. Such programs have developed considerably in recent years and emphasis should be placed on broadening and strengthening them to make them more adequate rather than upon a state pension program for those aged persons who are in need because of inadequate protection from other forms of economic security. The assistance program would supplement inadequate pensions or meet the needs of those who for one reason or another cannot have the protection of such programs.

Much needs to be done to assure to elderly individuals opportunities to remain in or secure gainful employment. The individual himself will be better off and would prefer to continue work. The employed worker will be at least partially self-supporting rather than wholly dependent on income produced by others, and his contribution to the total national output will help raise the general level of living for all.

This is a problem of industry and labor as well as of government. Discriminatory employment policies, failure to make work adjustments for older workers, and forced retirement all contribute to economic insecurity of older people, which is not justified by the demonstrated skills and productive capacity of older workers.

Attention needs to be focused upon health problems, living arrangements, education, community participation, vocational rehabilitation, and other measures for improving the well-being of the aged and to enable

them to continue as active, productive, and contributing members of society.

It is only through attention to the total needs of the aged population and recognition of the changing social and economic conditions that have created problems that will continue to increase unless attacked, that a sound public policy for meeting the needs of elderly persons can be evolved. Unless these things are done there will be increasing pressures on the public assistance program.

VI. GENERAL RELIEF OR INDIGENT AID

Since there are actually 58 different general relief programs varying in basic eligibility requirements, standards of aid, and administration, they can be evaluated only on a very general basis.

Aided are those needy persons and families who for one reason or another cannot meet the technical eligibility requirements of the other assistance programs which are financed on a federal-state-county basis. Included in the indigent aid relief rolls are persons 65 years and over and dependent children not eligible for help under the old age security or aid to needy children programs for technical reasons. Included also are the chronically ill and disabled as well as those temporarily in need because of unemployment or as a result of temporary illness or for other similar reasons.

While these programs might be considered as a "catch-all" for those needy who cannot qualify under the state-wide categorical programs, they do not necessarily provide relief to all of these needy persons. In particular, the county residence requirements (usually three years) may render many needy persons ineligible for even indigent aid except perhaps on an emergency basis.

Persons who do receive general relief are normally aided on a basis considered much less adequate than under the other assistance programs, due either to unwillingness or inability of individual counties to finance the program on a level that would permit a higher standard of aid, or to other localized policies. The fact that no federal or state funds are available to meet a portion of the costs requires that the total financial load fall upon the individual county governments.

In relation to the special assistance programs established for specific categories of needy, the indigent aid programs are generally inadequate and restrictive. The manner in which aid is given is frequently in considerable contrast with provisions made for those needy who can qualify for old age security, aid to the needy blind, or aid to needy children.

Frequently there are fine technical lines distinguishing between the persons receiving indigent aid and those helped under other programs. While it is commonly felt that general relief programs are designed primarily for employable persons, policies in many counties restrict eligibility to the unemployable or provide only emergency or seasonal relief to employables. The high proportion of unemployables, or limited employables, is reflected in the relatively stable single-person case load which has not shown the seasonal variations or responsiveness to changed employment conditions that has been true of family cases.

There are many aged persons, either not having yet attained the calendar age of 65 or barred from O. A. S. help because of citizenship or

residence requirements, on the general relief rolls. The chronically ill and disabled must likewise fall back on general relief for subsistence because of the absence of a specific state-wide program for them. So, too, in family situations, children may be dependent and families in need even though the parent is not incapacitated or absent from the home as required for classification under the aid to needy children program.

Unemployment does have a direct impact on the general relief load and accounts for the rather sharp upward and downward trends in cases aided. There is a direct relationship between general relief case loads and seasonal employment conditions, this being particularly true of those counties with a rural economy. It also accounts for a general rise in the average monthly general relief cases over a period of years which trend was recently reversed with acceleration of employment due to the defense preparedness program.

Illustrative of the composition of general relief cases is the following data included in an analysis of the Contra Costa County case load during March, 1950, which month is generally a peak load month at which time the proportion of employables would be greater than during other periods of the year due to seasonal unemployment.[1]

Total general relief cases	1,609
Total family cases	1,131
Total single-person cases	478

	Family cases	*Single-person cases*
Fully employable	736	6
Partially employable	62	25
Physically unemployable	158	322
Socially unemployable	177	125

Forty-six and one-tenth percent of the total cases were considered as unemployable and described in the report as the "hard core" of the relief load. This percentage was during a month in which the proportion of employables could be considered to be at a seasonal peak.

The general relief program has shown definite seasonal trends, but until recent months the total cases were gradually increasing since the end of the war. March is normally the peak month of the year, and in September case loads are generally lowest because of seasonal employment factors. The following table shows the trend in the program over recent years:

General Relief Cases, Average Grants, and Total Expenditures for Months Indicated

Month	*Total cases*	*Total persons*	*Families*	*Average grants* *Family cases*	*One-person cases*	*Total expenditures*
December, 1947	24,970	54,977	10,700	$64.36	$33.10	$1,160,938
December, 1948	32,229	74,878	14,673	68.00	34.42	1,602,074
March, 1949	43,151	112,879	22,463	66.40	33.25	2,179,508
July, 1949	35,951	89,029	18,457	65.91	34 03	1,811,694
September, 1949	36,950	91,525	18,864	71.89	34 13	1,991,496
December, 1949	40,082	96,920	19,680	65 10	34.77	1,990,577
March, 1950	57,060	145,755	29,857	57 37	34.36	2,409,982
July, 1950	37,741	75,501	13,440	64 13	35 19	1,717,019
September, 1950	32,192	55,969	9,224	60 20	36 27	1,388,458

The sharp reduction in family cases between March, 1950, and September, 1950, is attributable to both the improved employment condi-

[1] Contra Costa County Survey of County General Assistance Program, California Taxpayers Association, June, 1950.

tions and to the fact that many family cases that would be under the general relief category prior to October, 1949, are now classified under the aid to needy children program. The general relief family case loads from December, 1949, on would have been substantially greater if the eligibility base for the aid to needy children program had not been broadened.

It will be noted that the one-person cases increased steadily to a peak of 27,203 in March, 1950, and that they have not declined from that point in anywhere near the proportion of the family cases. This may illustrate that improved employment conditions were responsible for only part of the drop in family cases (transfers to aid to needy children accounting for the remainder) and that there are a smaller proportion of employable persons on the general relief single-person case load.

The table also reveals rather sharp fluctuation in the average grant per family whereas there has been relative stability and a progressive increase in average payment per single-member case.

The responsiveness of the general relief program to economic conditions appears to have a direct relationship to policies of providing such help in the individual counties. Such policies appear to be less restrictive in terms of eligibility and more liberal in relation to assistance grants in periods of relatively good economic conditions when general relief loads are lowest. As the financial pressures of increasing case loads arise, there is a tendency in many counties to make the programs more restrictive and to reduce assistance grants in order to keep total costs down. Thus, there is a process of constant adjustment in eligibility requirements and standards of assistance, providing less help when economic conditions in the locality increase the need for help. Local financial ability tends to be lowest where needs are greatest. Poorer counties are unable to provide for the same measure of adequacy in assistance to the needy as the more prosperous ones. Those counties faced with heavy off-season unemployment may experience greater proportionate welfare problems than others.

The result of this great variety of programs in which different eligibility tests and standards of assistance apply is that people with similar needs are treated unequally throughout the State. Especially is there evident inequality of treatment between those protected under the federal-state-county categorical programs and those relying upon general relief for financial help.

Over the past, through the establishment of special categorical programs certain groups of persons have been transferred from the county indigent aid to state-wide assistance programs designed for specific groups. In turn these categorical programs have themselves been gradually liberalized, while most general relief programs have not, making for considerable contrast in aid provided.

When in 1949 the aid to needy children eligibility provisions were broadened, a large number of families that formerly would have been subject to county general relief became eligible for the more adequate assistance under the state-wide program. If a special category for the permanently and totally disabled is established to take advantage of federal funds available for this group, another segment of the general relief load will be transferred over to a program operating under uniform

standards throughout the State. Elimination of the residence and citizenship requirements under old age security would transfer over another large block of general relief recipients.

The piecemeal transfer of all groups of needy individuals from general relief to state-wide programs geared to the limitations placed in the Social Security Act for federal financial participation would still leave in the indigent aid program a large block of unemployable persons such as the chronically ill and temporily disabled and would not solve the basic problem although relieving the counties of financial pressures that tend to cause restrictive eligibility determination and relatively low assistance grants.

A basic need is to secure some uniformity in the general relief program so that needy persons throughout the State may receive equal protection and to provide it on a basis of adequacy that has closer relationship to the assistance standards in the state-wide programs. The essential criteria for determination of eligibility should be economic need and the relief afforded should be adequate to relieve such need on a basis consistent with requirements for standards of decency and health.

This can be accomplished through activation of legislation already in being, with the State sharing in the costs of the program and establishing basic policies and supervision to provide for uniform treatment of persons in need.

General relief does present some separate problems because of the characteristics of the individuals or families involved. While a large portion of those receiving such aid are in circumstances very similar to those individuals and families aided under the categorical programs, a general relief program normally involves many persons who may be fully employable or more nearly so than would be true of those qualified for aid under other programs.

No data are available as to the characteristics of the general relief recipients. However, in view of the restrictive eligibility policies and in light of experience in other states, it can be safely assumed that the great proportion of those receiving general relief in periods of normal employment and business activity are persons who are either temporarily or permanently disabled or otherwise unable to work. During periods of high unemployment, including seasonal unemployment, the percentage of employables on the general relief rolls will increase.

The fact that some employables are in need does not alter the basic considerations for the manner in which economic need should be met, but does call for certain techniques in administration through application of a work test as part of the eligibility determination. This employability is a resource to the individual that should be used for self-maintenance, if the employment to do so is available. If no employment is actually available, and economic need exists, the individual or family is entitled to the same consideration as other needy persons.

Data available showing actual average cost per case, or per person, is misleading and cannot be compared with average costs in other programs as evidence of the difference in standards applied to general relief and other programs. This is because many general relief cases may receive assistance for only very short periods of time, less than a month, and because in most instances where employable persons are involved average resources will be greater than found in other programs.

Because of the greater portion of employables and temporarily unemployable persons normally found on general relief rolls, there also are usually differences in total need as compared with persons or families totally unemployable. In most cases, these general relief persons will be in need of assistance for shorter periods of time and will have more accumulated resources available to partially support themselves. In states where the same standards of assistance are applied to general relief cases as to those under the aid to dependent children category, it is found that the average payments for general relief are lower because of these greater resources available.

Other than the emphasis that must be given to determination of employability and availability of work, the differing resources available to these family cases, and a normally higher turnover of cases because of relative short-time eligibility, general relief presents no different problems than other programs for the administrative agencies, except in periods of acute economic distress. In those periods in which there is large-scale unemployment, special programs may be required because of the large volume of employable persons unable to find gainful work.

The Relief Act of 1945

This act has been in effect since September 15, 1945, providing for state financial participation in the general relief program. While reserving actual administration to the counties, it provides for state supervision, with standards for determining eligibility and the amount of assistance to be established by the State.

The act is not operative, its provisions being suspended until there is a finding of the occurrence of an economic emergency by the Senate and Assembly and the Governor.

It provides for state participation in direct and administrative costs on the basis of a formula which becomes operative when county expenditures for general relief exceed eight one-hundredths of 1 percent of the total assessed valuation of property subject to county taxation. State participation is graduated upward from 80 percent to 95 percent, dependent upon the rate of county expenditure in relation to assessed property valuation.

Assembly Bill No. 62, 1950 First Extraordinary Session, sought to activate the Relief Act by repealing Section 28 which suspends its operations until finding of the economic emergency, and to amend it in certain particulars including changing the financing formula to a straight 80 percent state, 20 percent county sharing formula not dependent upon the relationship of county expenditures to assessed property values.

The Relief Act of 1945 provides that the department shall by rule and regulation establish standards of eligibility for uniform application throughout the State. It would also fix maximum and minimum relief budgets for each county, the boards of supervisors being enabled to establish their own policies within the ranges of the minimum and maximum budgets.

The law provides that all budgets and standards "shall be based upon need and minimum budgets shall be sufficient to maintain the recipient and his dependents in accordance with minimum living requirements" as set forth in a very general way as "compatible with decency and health."

The purpose of minimum and maximum budgets is not clear. There should be a presumption that any budget established would be on the basis of a minimum "compatible with decency and health" and there does not seem to be any need for attempting to establish two types of budgets since it is generally not intended that relief budgets exceed the amounts necessary for "decency and health."

This very general standard places upon the department the actual responsibility for determining the standards of assistance. However, this responsibility will be affected by whatever appropriation might be made. In effect, the Legislature itself assumes responsibility for determining the standard of care through the making of the appropriation, since the amount of funds made available limit the discretion of the administrative agency in the establishment of standards.

Both the Relief Act and Assembly Bill No. 62 provided that if recipients were not residents of the specific county, but of the State, that the total cost of care be paid by the State. Such provisions only complicate administration, making it necessary to determine county residence in all cases and involve special financial and reporting transactions. Since under the bill the State would be taking over the greater portion of county general relief costs, the imposition of a county residence requirement would not seem justified in terms of whatever protection it might be considered to offer a particular county. It would, however, increase the costs of administration although not affecting the total cost to the taxpayers as a whole of paying the aid to the recipient.

Should the Relief Act of 1945 be activated through the finding of an emergency, or through passage of legislation such as provided by Assembly Bill No. 62, there is raised the question of the method of financing the program and the basis upon which appropriations will be made

To our knowledge there is not available data upon which a sound determination of probable cost per case under a state-wide program can be made. Although the Relief Act has been on the statute books for many years, no studies have been made by the Department of Social Welfare of standards of assistance in the counties and potential cost factors in a state-wide program. Whatever figure might be proposed at this time would be a guess, and the extent to which it could be considered an "intelligent" or "educated" guess is questionable because of the absence of detailed information and evaluation of the programs in operation. Three methods of appropriation are possible:

1. Closed Appropriation. Such a lump-sum appropriation would be based on total estimated persons to be assisted times the estimated cost of assistance per case. In making such an appropriation the Legislature would satisfy itself of the reasonableness of the estimate of the number of persons to require aid and in effect set a standard for aid by appropriating a specific sum to meet the needs of those persons.

Estimates of potential case loads are hazardous, particularly in a general relief program sensitive to changing economic conditions. Should they prove too low, the administrative agency must either reduce the standard of care for all or incur a deficit, or both. Should they prove to be too high, the administrative agency has the opportunity of increasing the standard of care or of carrying a surplus in the appropriation.

The major advantage in the closed appropriation is that the Legislature knows definitely what it has budgeted for this purpose. It is possible to set up a contingency appropriation for use in the event that the case load estimates prove too conservative, or subsequent appropriations may be made in special or annual session to cover such deficits.

This type of appropriation places a specific responsibility on the administrative agency to carefully define and administer eligibility requirements to minimize the number of persons entitled to aid, which influence is not directly felt in an open-end appropriation.

It also enables the Legislature to leave with the administrative agency greater discretion in establishing standards, making that agency accountable for administering the program within the funds appropriated.

2. Open-end Appropriations. Such appropriations are on the basis of a certain amount of money for each case found eligible for aid. It provides maximum protection to the administrative agency since it is assured of funds for each case approved and the Legislature accepts full responsibility for setting the maximum standard of aid.

In the A. N. C. program the Legislature has by appropriation set a ceiling on individual family payments based upon the number of children. This has its limitations since the appropriation base discriminates against the smaller sized families, and has necessitated supplementation with county funds to meet the needs of these families.

In proposing legislation for the disabled category at the Third Extraordinary Session, 1950, the Department of Social Welfare proposed that the appropriation be on the basis of an average cost per case, thus placing upon itself the responsibility of administering the program so that the total costs for all cases would not exceed the average amount or limitation established by the Legislature. This method provides flexibility in meeting the needs of individuals with varying circumstances.

Certain problems are presented in the general relief category. Both family and single person cases must be considered. Normally the requirements of a person living alone will be greater than for the member of a family because in the latter case certain costs of maintaining the household are pro rated over all members. The appropriation (regardless of which method is used) must thus recognize the varying costs of family and single person cases and their proportion to the total load.

No specific suggestions are made at this time for the method of appropriation or the cost per case basis to be used. These are matters in which the administrative agencies should participate directly and upon which they should furnish data and justification to the appropriate legislative committees.

Cost Implications

Some indication of the effect of the proposed state-county sharing in costs proposed under Assembly Bill No. 62 can be shown by use of actual costs of the program for the Fiscal Years 1948-49 and 1949-1950.

	Actual expenditures	*80% state share*	*20% county share*
1948-49	$22,254,643	$17,803,716	$4,450,827
1949-50	27,586,973	22,069,578	5,516,395

The county taxpayers paid the total cost during the years. If the formula proposed by Assembly Bill No. 62 had been in operation, the State would have assumed four-fifths of the costs of assistance.

It seems safe to assume that total costs per case will increase under a state-wide program with uniform standards of eligibility and assistance grants. The more restrictive eligibility requirements of some counties would not be applied under state regulations and cost standards based upon requirements for "health and decency" would certainly raise the average cost per case. These are matters that need to be considered in determining the basis for appropriation for a uniform general relief program and upon which the State Department of Social Welfare will need to provide specific data and estimates.

It needs to be recognized that if the State is to assume the major role of financing the program, it should also assume direct supervision of the program, in relation to establishing the standards of eligibility and standards of assistance as well as evaluation of the manner in which these standards are administered by the counties.

VII. ADOPTION PROGRAM

The staff has not made a specific study of the adoption program. In the spring of 1950 a state-wide Citizens Committee on Adoption of Children in California, supported by two private foundations, was organized to conduct a two-year study of all phases of the adoption program in California. This committee has associated with it 11 county adoption committees which are participating in the studies.

The work of the state-wide citizens committee is outlined in the following letter from the chairman of that committee, dated November 10, 1950, in response to an inquiry as to the scope of the work of the citizens committee:

"At the present time the Citizens Adoption Committee is in the process of studying through its state body, as well as through the 11 county committees associated with it, the various problems related to placement of children for adoption and the different points of view and criticisms relating to the present adoption practices in this State—all in an effort to determine what the state-wide community of California considers to be, and will support as, a sound adoption program.

"The Citizens Adoption Committee is certain that there are no simple answers to the complicated problems that are involved in the placement of children for adoption. There are many factors to be weighed and balanced. The interests of three different groups, the child, its natural parents, and its adoptive parents, must be served, and the necessary services to meet the needs of children and their parents must be created.

"The work of our committee has been divided into four parts:

"(1) We are in the process of gathering facts in a number of areas throughout the State relating to the charge that is often heard that there are many children now in foster care away from home who could be adopted readily. When this portion of our study is completed we shall be in a position to make recommendations upon which a sound program can be developed to meet the needs of these children away from home. We shall know how many of these children may be in a position to be considered for adoption, and what additional services it may be necessary to provide to serve these children.

"(2) We are making a survey of the program and facilities for the care of unmarried mothers in the different areas throughout the State,

since so many of the children who are adopted are given up by unmarried mothers, to determine the adequacy or inadequacy of such programs, facilities and services. Your committee has already heard testimony from our Los Angeles County committee supporting the care for the unmarried mother and her child under the provisions of the aid to needy children program.

"(3) The committee is considering adoption agency practices in an effort to evaluate the protections and services offered through adoption agencies, and to explore popular criticisms of agency methods and proceedings. We are cognizant of the fact that the 1947 Legislature enacted into law provisions which made it possible for counties to establish public supported adoption agencies. Since that time 11 public adoption agencies have been created as part of the welfare departments, and, in addition, privately supported adoption agencies have increased from two to six in number. Most of these agencies have only now begun to work. While there is not enough material to fully evaluate the services of these new agencies, it is already quite evident that the creation of these new agencies alone has opened the way to offer greater protection and are to a greater number of children, as well as parents who are seeking to give up or take on parental responsibility.

"(4) The committee is also considering independent adoptions to gather facts necessary to evaluate the protections or lack of protections which are presently provided when individuals arrange for the placement of children without the aid of adoption agency services. Our committee is aware that in the recent war and postwar years independent adoptions rapidly increased because adoption agency facilities were not available in sufficient quantity. Many of these independent adoptions have been and are being arranged by individuals operating outside the present law, which prohibits the placement of children for adoption by other than agencies licensed by the State Department of Social Welfare. There is substantial evidence of the human tragedies that result from hasty, ill-planned adoptions where these individual arrangements lack the proper safeguards which agencies are able to provide. In this connection it is interesting to note that 23 percent of these independent adoption petitions are either dismissed prior to hearing in court or are recommended for denial by the State Department of Social Welfare, which would seem to indicate that something is basically and fundamentally lacking in the present practices concerning independent adoptions.

"It is entirely possible that our committee, upon the conclusion of its work some months hence, may have positive legislative recommendations in some or all of the areas above set forth. However, it is felt that our present over-all adoption statutes are fundamentally and basically sound, and that the greatest need at this time is the developement of an understanding and evaluation on the part of the citizens of the State of our existing laws in the light of the protections provided, facilities established, and services created thereunder. In the absence of such understanding and evaluation, amendments to the present adoption law which create an illusion of affording greater protection to one or more of the parties involved in an adoption might in fact jeopardize the whole framework of laws and the pattern of services and facilities created as a result of years of experience.

"We feel, therefore, that legislative consideration of any major or fundamental changes in our existing adoption laws should be deferred until the completion of a comprehensive study and review of all aspects of our present adoption program, practices and procedures, such as is planned by our committee. Upon the completion of such study it is hoped that a state-wide community understanding will have been created which will not only support but demand such legislative changes as may be necessary to the development of a sound and adequate adoption program in this State.

"Our committee will be prepared to present its findings and recommendations at the conclusion of its study, and will be happy to meet with members of your committee at any time to jointly consider the problems in this field and their possible solution."

A complete and comprehensive analysis of all facets of the complicated problems that are involved in adoptions is in process and the results of the work of these citizens groups should be available before consideration is given to legislation that would materially affect the present adoption laws and their administration.

This is a matter that should be a subject for later study by the appropriate interim committee, utilizing to the fullest extent the work being carried out by the state-wide and county citizen committees.

VIII. ADMINISTRATION

It has not been possible to conduct a specific study of administration of the social welfare program at the state and county levels. An intensive and detailed study of the many administrative problems is needed. A number of observations can be made to illustrate problems involved, some of which are brought out in other sections of this report.

Sound administration is as important as sound legislation. The best welfare legislation is fully effective only to the extent that its administration is effective. The manner in which day to day operations are executed at every level, from the policy and supervisory functions to the contact with applicants and recipients, has considerable influence on the over-all effectiveness of public assistance laws and the total costs of providing aid to needy persons.

Any activity that deals primarily with people presents complex administrative problems, and particularly so a public welfare program. Administration of these programs is further complicated by the participation of the three levels of government, federal, state, and county, and by the manner in which the laws in California have been developed.

Analysis of administration of the California social welfare program must cover not only the basic framework through which the programs are conducted, including the areas of responsibility delegated by the Legislature to the State and the counties. It must also include a comprehensive analysis of the effectiveness with which these duties and responsibilities are being carried out; qualitative and quantitative evaluation of performance at all organizational levels; and study of the administrative machinery and the procedures for accomplishing the work as a basis for determining how it can be more effectively and efficiently conducted.

A. GENERAL AREAS OF RESPONSIBILITY

The Federal Social Security Act requires as a condition for receiving federal funds that those assistance programs in which the Federal Government directly participates be in effect in all political subdivisions of a state. There must be a single state agency to either administer the plan or to supervise its administration.

California has adopted the system of state supervision with actual administration by the counties. Thus there is given the State Department of Social Welfare the duty to establish policies, rules and regulations as necessary to carry out the statutes and to require compliance with them. The county governments are responsible for actual administration, being bound by the policies laid down at the state level but otherwise not responsible to the state department.

Effectiveness of this method of administration has been questioned and debated at length. It presents some exceptionally difficult operating problems, and particularly so when the planning or policy making agency has only limited control over the actual execution of policy. It presents other problems in attempting to fix responsibility or accountability for operation of the programs.

There appears to be considerable variation in the quality of administration between the 58 counties. These variations make it impossible to achieve uniform application of state-wide policies throughout the State.

Much of the energy and time of the state department appears to be taken up in negotiation or outright argument with the county governments, collectively or individually, with respect to initiation of policy or its application.

This split responsibility makes it exceptionally difficult to achieve sound and progressive administration. While policy formation is a function of the state department, it has in a practical sense only limited control over and supervision of the execution of that policy.

B. LEGISLATIVE PROBLEMS

Other than the basic problem of administrative responsibility and authority as set forth in the laws, the provisions of the code are of such detail that in many respects they themselves complicate the administrative process. Other sections pertaining to certain eligibility factors contribute to high administrative costs that may not be warranted by results attained.

It has been the practice of the Legislature to write organizational structure as well as procedural detail into the laws. For example, the code (Section 111) designates the administrative divisions to be established in the state department. Some of these detailed provisions are undoubtedly designed to correct situation that have arisen in the past, but a question may be raised as to whether the proper manner for making such correction is through the statutes themselves or through the administrative arm of the government, if necessary under legislative initiative.

There are a number of specific requirements in the code that have the effect of increasing administrative costs, for example:

1. The procedures established for determining liability of responsible relatives appear to be costly. If such procedures were not fixed in law, it is probable that the same or better results could be attained with much less administrative costs.

2. Determination of county residence is required even though this is not an eligibility factor. Such residence is used to determine whether the counties shall pay a share of cost of assistance, or whether the full cost is to be borne by the State. Determination of residence is a time-consuming and costly process, and the financial procedures necessitated by the different method of meeting total cost are also expensive. In view of the general formulae for sharing costs between the State and counties, and the cost of determining residence, this whole procedure appears of doubtful value.

3. Requirements, such as established in the old age security program, make it necessary to determine citizenship in all cases. This again is a costly administrative process.

4. Code provisions and state department regulations requiring board of supervisors approval of all applications is another questionable procedure. In addition to the administrative costs involved, this procedure actually delays the processing of applications and payment of assistance. In many instances it involves a loss of federal funds. In most cases board approval is an automatic process, based on the recommendation of the county welfare director. Since the county welfare director is responsible to the board, it would be as effective to authorize the boards to delegate approval of cases to their county directors and thus simplify the administrative process and speed up approval of applications.

C. STATE SUPERVISION

In many respects, state supervision appears to have been weak although there have been evidences of strengthening state administrative organization in recent months.

The many deviations in application of state policies at the county administrative level have caused the Federal Government to criticize the state department for failure to fully assume its supervisory functions.

There has not been detailed evaluation of the application of policy, and the state department does not have sufficient knowledge of the actual workings of the program at the county level.

Research, particularly in testing and evaluating operating problems and revealing variations in practice at the county administrative level, has been deficient.

D. COUNTY ADMINISTRATION

Since there are 58 separate county administrative organizations they present a great variety of problems. Administrative costs are borne by the counties, and state supervisory authority is limited to those factors that directly affect the application of state policy.

One of the basic requirements of the Federal and State Governments, is that each active assistance case (other than general relief) be reinvestigated annually. These reinvestigations are extremely important from a cost point of view since they test continuing eligibility as well as changes in circumstances that might affect the amount of payment.

Variation in compliance with regulations and effectiveness in administration are shown by the following analysis for a recent month of these overdue eligibility reviews:

Old Age Security—Twenty-one counties had over ten percent (10%) of reviews overdue. The range was from 1 percent to 54

percent. Many of these reinvestigations were overdue for as long as six months.

Aid to Needy Children—Fifteen counties had over 10 percent of cases overdue for reinvestigation. Fourteen had over 20 percent and one had over 50 percent overdue.

Aid to Needy Blind—Twenty-five counties had over 10 percent overdue. Eight counties were overdue on eligibility reinvestigation for 10 percent of the case load in all three of the programs.

This is strictly an administrative problem and was characterized by the federal security agency recently as the most serious problem in connection with administration of the eligibility provisions of the programs.

Staffing is a key factor in public assistance administration, both in terms of quality and quantity of staff. There is a direct relationship between adequacy of staff, if well directed and supervised, and total costs since staffing affects the quality of investigation of need, both initially and continuing, and the determination of resources and providing help to persons to become self-sufficient.

However, there is no adequate data readily available as to the average work loads carried by case workers in the various counties, although it is known that these loads vary considerably.

It has also been noted that there are many questionable procedures practiced which affect administrative costs and the use of staff for more productive effort.

In one county with a relatively low ratio of cases per worker, home visits in connection with new A. N. C. applications are frequently delayed three or four weeks. In this county each worker is out in the field only one day per week. This obviously reflects extremely poor use of personnel.

In many counties delay in action on new applications is due to routines which not only delay action but greatly increase administrative costs. In some offices it is the practice to routinely conduct property searches or bank clearances on all cases. The paper work and staff time, not only of the welfare office but of the county clerk and the banks, is considerable. Administrative analysis and determination of the results of such routine procedures would undoubtedly indicate that it is an extremely expensive process.

E. NEED FOR PROCEDURAL ANALYSIS AND CONTROL

Because of the great diversity of administration and the independent development of procedures and forms in all jurisdictions as well as the apparently complicated processes included in financial transactions, there is need for intensive administrative analysis. The purpose of this analysis should be to establish more uniform practices with maximum simplification of procedures so as to reduce operating costs and free staff for more productive functions.

Similar analysis of administrative policy and its implementation is needed. There appears to be need for detailed attention to reducing costs through work simplification and examination of procedures and regulations from a cost accounting viewpoint.

As an example, in the course of examination of certain case records it was noted that the actual assistance payments to the recipients were in even dollars. It was found that general practice under the A. N. C. program, except for five counties, was to round off the payment to the next highest dollar. This practice was questioned and brought to the attention of the state department which subsequently issued instructions that aid payments should be in exact amounts rather than being made at the next higher whole dollar amount.

In all A. N. C. cases in 53 counties, and in the 35 percent of all aged and blind cases where the flat-grant is not in effect, this minor change in policy should reduce costs $50,000 a month and probably more.

It is pointed out to illustrate the importance of careful analysis and scrutiny of all administrative policy and procedure with a view toward reducing costs.

In this report it is also pointed out that California is losing federal funds by delays in processing applications by county offices. This again illustrates the need for review of procedure so that costs to state and county taxpayers can be reduced.

While this report is critical of administration of the program at both the state and county levels, in fairness it should be pointed out that in recent months there have been many evidences of progress, especially at the state level. The basic administrative problems are of long standing, and corrective action cannot be accomplished quickly. There has been in process an administrative reorganization of the state department and re-examination of many policies and practices that should substantially improve the administrative and supervisory processes when they become fully effective.

The state director has been receptive to suggestions for improving administration of the programs. He has demonstrated a willingness to secure objective criticism and findings of administrative deficiencies and a desire to secure correction and strengthen operations.

F. RESTATEMENT OF LAWS

Code sections pertaining to each of the individual programs have been developed to provide detailed requirements and processes for the individual programs. There are many factors common to all programs that could be made uniform and placed in one portion of the code rather than having them repeated with perhaps minor variations in wording, in the separate sections.

A simplification and reorganization of the code would facilitate the work of the administrative agencies as well as clarify the laws. Greater uniformity in basic legal provisions such as those pertaining to administration, determination of residence, fraud, resources, appeals, etc., can be achieved and these basic requirements for all programs organized into one section of the code.

Simplification and recodification of the public assistance laws should be undertaken as early as possible. Insofar as practicable, provisions for all programs should be uniform with specific legislation for the individual programs being confined to those matters in which the character of the group involved or other circumstances makes it necessary to establish different legal requirements or standards.

SUMMARY OF PUBLIC HEARINGS ON SOCIAL WELFARE PROGRAM

SAN DIEGO—AUGUST 9, 1950

Mr. Charles Schottland, Director, State Department of Social Welfare

Mr. Schottland explained that he did not have a prepared statement and appeared for the purpose of outlining the general social welfare picture and some plans of the department.

He referred to certain items of noncontroversial legislation which the department plans to propose:

1. To provide authority to destroy obsolete records since no such authority now exists because of Article 27.

2. Simplification of procedure concerning responsible relatives to eliminate notarized statements where relatives are not liable for support.

3. Delegation of responsibility by boards of supervisors for approval of assistance cases to avoid excessive delays in processing approved cases for payment.

Mr. Schottland stated that California is now largest of all states in public welfare expenditures. Expenditures are now close to thirty million dollars a month; nineteen million for old age security, six million for aid to needy children, two million for general relief, eight hundred thousand for aid to blind, plus administrative and service costs.

He reviewed plans for administrative reorganization, including establishment of five decentralized regional offices, three of which have been approved by the Division of Finance. Working relationships with the counties have been analyzed and the department is decentralizing as much as possible to reduce expensive procedures that have been in effect. Auditing and accounting operations are being combined in a Division of Financial Administration. He referred to a handicap in establishing administrative organization because of the detailed requirements of the law.

Old Age Security—There has been a decrease in applications over the past year. Applications for the month of June of each year were 1948, 4,181; 1949, 8,442; 1950, 3,629. He explained this decrease as due to the fact that the number of persons receiving assistance per 1,000 over 65 years is now greater although California is not above the national average; and the influx of persons into the State has receded.

Blind—This has not changed substantially in the past two years.

Aid to needy children—There has been a sharp rise in numbers of persons receiving aid and in costs. Applications rose from 3,639 in June, 1949, to 8,201 in June, 1950. Expenditures have doubled for the same period. This increase was attributed to the liberalized law passed in 1949, to population trends, and to the unemployment trend He stated that 30 to 31 children per 1,000 children under 16 are receiving assistance in California against a national average of 33 per 1,000

Mr. Schottland expressed a belief that the facts on this program have not been clearly presented and stated that his department is doing research to obtain the facts. He referred to the pressures on the counties because of increasing costs and the fact that there is nothing much that can be done about costs for the aged and because general relief costs are relatively small, persons wanting to protest the increasing welfare costs

have found the A. N. C. program the easiest to attack. He asked that judgment be reserved until the facts are ascertained.

Commenting on claims that liberalization of regulations by the state board are responsible for increased costs, he pointed out that the law was liberalized and that the board could not be expected to take a position of passing restrictive regulations in the face of legislative action liberalizing the program. He also pointed out that the counties transferred a large volume of general relief cases over to the A. N. C. program and that general relief costs have not gone up.

Other factors outlined were the sharp slump in employment starting in October, 1949, A. N. C. being closely related to unemployment; and the expiration of benefits for a large number of veterans under the veterans re-employment benefits program, also coinciding with the liberalization of the law.

Mr. Schottland stated that the amount of payment per family has dropped to an average of $110.63 in June, 1950.

HR-6000—He outlined major provisions of federal legislation expected to pass Congress soon liberalizing the Social Security Act. A state could provide exemption up to $50 in income of blind persons, this already being provided in California law. Payments under the old age and survivors insurance program would be increased materially, resulting in larger deductions from the grants of old age security recipients. He estimated savings to the State of $4,500,000 because of the liberalization of the old age and survivors insurance program.

Provision permitting federal matching of funds for inmates of public medical care institutions will require legislation in California to take advantage of the additional federal money.

The Federal Government would reimburse the State an additional $16.50 for the caretaker in the A. N. C. families.

A new category of permanently disabled persons is provided for which will require state legislation if California is to take advantage of federal funds to be available. He estimated that this might affect one-third (⅓) of the general relief cases now financed by the counties. The bill would provide federal aid up to $30 per case.

Mr. Julius Rainwater, Director, San Diego County Department of Public Welfare

Mr. Rainwater submitted a written statement. He spoke primarily to the following points:

1. Old Age Security—Out-of-state Payments. A limit should be placed on the length of time a recipient should be permitted to reside in another state and secure assistance from California. He suggested the limit be the length of time required to obtain residence in the other state. At present he said intent must be coupled with physical presence to establish such residence for purposes of the California program.

2. Citizenship, Old Age Security. He pointed out that citizenship is not a requirement for other forms of aid and that the counties must carry long-term residents on the general relief rolls because of this restriction in the aged program. He said this requirement increases administrative costs because of the need to check citizenship of applicants. He estimated 100 such cases are on the San Diego County general relief load.

3. Legislation or regulation to permit restrictions on payments to incompetent persons, alcoholics, etc.

4. Responsible Relatives. Recommended complete removal from law. Stated amount of money received because of the law is nil and that the law is useless. Referred to a survey in the Oceanside office showing of 1,020 relatives contacted only about 2 percent made a contribution under the law. Stated the amount realized by this law does not cover administrative costs of securing it but creates considerable ill will.

5. Aid to Needy Children. Spoke favorably of present law. Stated the problem is administrative and that more staff is required because it is a "fast-moving program," and that there must be vast improvement in county administration.

In response to questions concerning fraud, Mr. Rainwater indicated that the laws might be tightened up and that there is not uniform treatment of such cases by the district attorneys.

Mr. William P. Mayer, Assistant Director, San Diego County Department of Public Welfare

Mr. Mayer stated that more support is needed from district attorneys in taking action against fathers who desert their families. He also recommended strengthening of the laws relating to the licensing of boarding homes for the aged and children. He stated that some homes are mistreating aged persons but that no positive action can be taken against them. He explained that where there are questions of jurisdiction, as to whether a home is a school or an institution for care of children, the home will claim to be a school at one time and an institution at another as a subterfuge to avoid the licensing authority. He also stated that there is lack of cooperation from the licensing agency in the revoking of licenses.

Mrs. Carol Doolittle, Supervisor, Child Welfare Division, San Diego County Department of Public Welfare

Mrs. Doolittle spoke of the problem of providing care for mentally deficient children because of lack of institutional facilities. She was particularly critical of the foster home program under the Department of Mental Hygiene, stating that the department is not staffed to do an adequate job of finding and supervising homes. She felt that one of the answers to the inadequate institutional facilities was a strong foster home program.

Mrs. Doolittle stated there is a list of 130 applications for admission to Pacific Colony Home pending in the county. Fifty-nine such children are known to the Public Welfare Department, 45 of them receiving financial aid and another 14 receiving services only. Sixteen of these children have had applications filed with Pacific Colony Home.

In a supplementary written statement, Mrs. Doolittle stated that 33 of the children known to her department are in their own homes and that 13 of these are creating definite problems in relation to the health of the mother or other children or are not receiving adequate care. In 14 other cases, there is a question of the potential effect on the normal children in those homes. Four others are creating problems in the community and probably should have institutional care.

Mrs. Doolittle suggested the committee work with the State-Wide Committee on Adoptions. She questioned the adequacy of county staffs

to carry out the adoption program, stating they were receiving a higher percentage of children to place.

Mrs. Jane Carnegie, Supervising Social Worker, Rural Unit, San Diego County Welfare Department

Mrs. Carnegie outlined certain problems of providing medical care for persons living in rural areas. She said some of these people were as far as 150 miles from clinics and that no mobile dental clinic was provided in the county.

Mr. Lawrence Pohle, Welfare Counsellor, California Institute of Social Welfare

Mr. Pohle emphasized the need for protection of children and meeting their needs regardless of the acts of parents.

In reference to the old age security program, he advocated repeal of the citizenship requirements which he stated inflicts hardships. He recommended modification of residence requirements so that long-term residents of the State could return and within a year gain their state residence for assistance purposes. He also advocated repeal of the responsible relatives law. In this connection he pointed out that the children of the recipients are actually paying for their parents pensions anyhow.

Mr. Pohle suggested amendment of Section 2165 of the code relating to real property of the husband and wife, to provide for a separation of such property if it can be proven that it had been the spouses for many years and the spouse had a legal claim to it.

Mr. Douglas D. McElfresh, California Optometric Association

Mr. McElfresh outlined a cooperative program with the Junior Red Cross, Lions Club, and community welfare office, under which optometrists are volunteering services and materials for visual correction and glasses for needy children.

Mrs. Mary E. Wessell, an Individual

Mrs. Wessell read a prepared statement to the committee, covering the aid to needy children program.

She recommended action be taken to make stepfathers responsible for support of stepchildren, at least to half of their income. She felt that some stepfathers might be claiming stepchildren as dependents for income tax purposes, although not supporting them, and that welfare records should be available to tax collection agencies for checking.

In connection with real property under which property with assessed value of $3,000 or less is exempt, she pointed out that encumbrances on such property are deducted from the assessed valuation in applying the $3,000 limit. She felt this encouraged families to go into debt or to borrow on property to purchase luxuries.

She referred to women living in common-law relationships or mothers of illegitimate children, suggesting that such women should not have custody of their children.

She referred to other possible abuses, such as persons working nights or connivance between husband and wife whereby the husband would be represented as being absent from the home, and asked that these abuses be investigated. (In questioning Mrs. Wessell was asked to submit names to the committee so that actual cases could be investigated and stated she knew of two cases and would furnish these names to the chairman.)

Mrs. Wessell recommended that desertion be made a federal offense and adequate punishment be provided for fraud.

She also recommended that one-half cent of the sales tax be returned to the counties.

San Diego Taxpayers' Association—Letter to Committee

The association was not represented at the hearing but submitted on August 8th a letter to the chairman with attachments of letters to the Board of Public Welfare of San Diego, dated March 22, 1950, and letters to the board of supervisors dated May 9 and August 3, 1950.

In its letter the association expressed the belief that welfare programs had gone beyond the concept of "amounts which will carry the recipients over difficult periods" for those in "genuine need." Suggestions set forth in the materials submitted were as follows:

Old Age Security—Questioning legality of payments to recipients living outside the State.

General Relief, County—Stricter standards for eligibility and amount of payment; ceilings on amounts granted to families; reduction of all payments by 5 or 10 percent; review of all regulations to reduce discretion in individual cases; more frequent pricing of commodities and immediate adjustments accordingly; development of employment techniques and practices to reduce load; inventory of all cases to determine extent to which are covering expensive commitments of recipients; re-evaluation of philosophy to determine if it is promoting dependency rather than rehabilitation.

Aid to Needy Children—Review county practices in determination of eligibility for aid in effort to reduce number of cases.

Finances—Referred to "failure of the State Legislature to remove at least a part of the burden of the aged and blind programs from the shoulders of the counties." Recommended county budget be cut, including welfare costs (particularly general relief) to avoid increase in "already * * * excessively high property taxes." Stated county's assessed valuation per capita of $816 compares with state-wide average of $1,233, placing San Diego County fifty-fourth among the 58 counties in ability to pay.

California Congress of Parents and Teachers, Inc.

The chairman read a letter dated July 28, 1950, from Mrs. Edward T. Walker, president, stating in part:

"We are, however, interested in the aid given to needy children on public assistance and in the child care program. We would stress the importance of caring adequately for needy children. The board of managers has a special committee working now on the study of aid to needy children."

SAN FRANCISCO—SEPTEMBER 7, 1950

Charles Schottland, Director, State Department of Social Welfare

Aid to Needy Children Program. State Social Welfare Board feels that criticism of this program is not justified and that the impression that the rules and regulations for its administration are responsible

for the increase in costs of the program is incorrect. Emphasized the following points:

Average payments today are less than before the 1949 amendments; and the average per person in July 1950 was $31.71.

The dependency rate in California, for children under 18 per thousand such children, is below the national average now estimated at 34 or 35 for California and 35 or 36 for the Country as a whole.

From 1940 to 1948 the caseload in California increased only 1 percent against a national increase of 45 percent. There are now 127,000 children cared for and the increase in case load was rapid just prior to the 1949 amendments to the law. If the trend at that time were projected the case load today would be over 85,000 children

Reasons for the increase were attributed to the 51 percent increase in population for 1940 to 1950; increased marriages and births per 1,000 population; and increase of children under 18 from 1940 to 1948 of 70 percent; and increased unemployment after October, 1949.

Concerning the absent father problem, Mr. Schottland pointed out that 60 to 90 days are required for determination of eligibility of individual cases so that short absences of fathers are not a factor. He said one-third such fathers have been absent for three years or over, 30 percent absent from one to three years, 12 percent from six months to a year, and 20 percent less than six months.

Sixty-two percent of the new cases in the first calendar quarter after the 1949 amendments became effective were those transferred from the county general relief rolls. He said California does not show the increase in general relief cases common to the rest of the Country.

In answer to a question from Mr. Crowley, Schottland stated that the referral of all desertion cases to district attorneys is automatic but that the district attorneys are loath to prosecute.

HR-6000. Mr. Schottland outlined plans in relation to new legislation to take advantage of the revised Social Security Act.

The increase in old age and survivors insurance payments of 77 percent for about 70 percent of old age security recipients will enable the State to decrease grants representing a savings for the nine months beginning in October of $4,150,000 for the State and $690,000 for the counties.

The increased O. A. S. I. payments will also enable a $900,000 savings in the aid to needy children program ($570,000 State; $330,000 county).

No actual change in administration of the A. N. C. program is needed to realize savings to the State and counties through increased federal funds for the parent with whom the child is living. This is estimated at $4,200,000 for the State and $2,400,000 for the counties in savings for the nine months. However new legislation is needed to include the caretaker in the authorization for payment.

Legislation is needed to permit payments to persons residing in public institutions which will mean considerable savings to the counties. He estimated that for the nine months this would cost $4,000,000 of which $1,990,000 would be State and $331,000 county funds. However, the counties could charge these recipients for hospital care now rendered free.

Mr. Crowley raised a question as to the need for legislation to protect the recipients against the counties charging the full amount of their aid payments.

He stated that legislation similar to that in effect for the aged and blind will be introduced to cover the new permanently disabled group. He estimated that 28,000 disabled would be on the rolls by June 30, 1951. For Los Angeles County it is estimated that 7,000 persons now under the county indigent aid program or in county hospitals would be eligible.

The proposal for the disabled program would be based upon an average payment rather than a flat-grant system. He referred to the Connecticut welfare program in which 8 percent of payments are over $100 but the average is only $52 for all cases under a needs budget system.

In answer to questions from Mr. Lipscomb as to whether it might be advisable to defer legislation until further study, Mr. Schottland stated that the only way to determine what is involved is to operate such a program and that the law could be amended in the regular session next January. He estimates that the program would cost $14,000,000 for the nine months of which $8,000,000 would be state and county funds.

Mr. Schottland referred to medical problems involved in the disabled program and stated plans are to establish an advisory committee of seven persons, primarily physicians, to assist in working out these problems. Plans also provide for a review board to approve county eligibility determinations.

Robert Carlson, Sonoma County Taxpayers' Association

Mr. Carlson read a prepared statement containing the following criticism of the welfare programs:

1. A. N. C., absent fathers: Present program eases conscience of fathers who abandon families. One full year should elapse before child aid is given, in meantime if there is obvious destitution other types of aid could be granted.

2. A. N. C., stepfathers: Present legislation tends to weaken the ties of matrimony and encourage moral laxity.

3. Grants should be limited by a ceiling, particularly as they cover household appliances. Need for some household items being purchased should be questioned.

4. Aid should be granted "in kind" as much as possible rather than in cash. Referred to complaints of landlords that recipients sometimes fail to pay rents.

5. To have disabled and permanently incapacitated persons placed on welfare rolls "is an extension of social theories beyond their legitimate scope." Believes present legislation can cover needs of this group and indicated belief that plan is to provide more assistance than to meet basic needs of such persons on the basis of "comforting" disabled persons.

In discussion with committee members, Mr. Carlson indicated that old age security recipients are "riding around in cars" and that there is considerable abuse of the welfare programs. Mrs. Niehouse and Mr. Cooke requested that he submit names of individuals involved, including those who have defaulted on rental payments.

Alden C. Fensel, Director, Tax Department, California State Chamber of Commerce

Mr. Fensel read a prepared statement concerning the proposed program for totally and permanently disabled persons. He pointed out that no state has had such a program and that experience is totally lacking. He felt that proponents of the program have underestimated the numbers and costs and felt that when federal money restrictions are relieved at the end of this fiscal year and an "open pocket" appropriation is in effect for 1951-1952, the number of cases will jump to 100,000. He estimated total costs at that time as eighty-five million dollars of which the state burden would be forty-two and the county share seven million.

The board of directors of the state chamber recommends referral of the problem to an interim committee for report to the 1951 General Session.

In answer to questions, Mr. Fensel stated he was not opposed to the program but wished it studied first.

Charles Scully, California State Federation of Labor

Mr. Scully read a prepared statement in which the following recommendations are made:

1. Public assistance programs for the aged, blind, dependent children, and permanently and totally disabled persons should be state financed and adminstered.

2. The relative responsibility clause in the aged and blind programs should be eliminated.

3. The aid to needy children program should be continued intact.

4. A state program for aid to permanently and totally disabled needy should be enacted.

5. The Relief Act of 1945, providing for state aid in the county indigent aid program, should be invoked whenever unemployment warrants.

Mr. Levering questioned Mr. Scully regarding costs of the program proposed and methods of financing it. Mr. Scully stated that he would submit to the committee estimated costs of the programs proposed. He also outlined a general tax program which he stated has been proposed to another legislative committee.

Mrs. Martha Scarlett, Travelers Aid Society, Oakland

Mrs. Scarlett referred to the problem of nonresidents ineligible for county indigent aid and who present problems for the private agencies. She referred particularly to state residents who do not have county residence and the differential in the amount of assistance under the indigent aid programs and under other welfare programs. She recommended that this problem be given study.

Mr. Roy L. Driggers, Child Welfare Committee, American Legion

Referred briefly to the so-called California Academies Bill and requested support of Senate Bill No. 1176, particularly in setting up financial provisions.

California Conference of Social Work

The conference submitted a letter dated August 31st to which was attached resolutions adopted by the conference in 1949 and 1950 as follows:

Resolution VIII—Supporting H.R. 6000 to liberalize the Federal Social Security Act.

Resolution VI—Recommending a state commission be created to make a thorough review of the public welfare program; such commission including legislators, members of executive branch of government, and lay and professional citizens.

Resolution III—Opposing the initiative constitutional amendment to legalize and license gambling.

Resolution IX—Recommending establishment of psychopathic facilities and programs within county hospitals on a mandatory basis with supplementation of state funds where needed.

Director, Public Welfare Department, City and County of San Francisco

Mr. Ronald T. Born wrote the committee on August 29th that he would be unable to attend the hearing due to travel east and that he would submit a written statement at a later date.

LOS ANGELES—OCTOBER 18, 1950

Mr. William A. Barr, Department of Charities, Bureau of Public Assistance, County of Los Angeles

Mr. Barr presented a statement prepared by the superintendent of charities concerning the aid to needy children program, which included a number of conclusions based upon a survey of all aid to needy children cases in the county.

It was stated that there are two principal errors in the A. N. C. program:

1. The government in aiding children is accepting the complete responsibility for the children, whereas the basic philosophy should be aid to the family as such, recognizing parental responsibility;
2. The program encourages families to become dependent and to rely upon public funds for subsistence.

It was pointed out that less than 2 percent of children under the program are full orphans, thus 98 percent being children in homes of relatives. It was stated that interpretation by the state department indicates a belief that the child is the responsibility of the State and rules and regulations governing such aid are directed toward the child.

It was claimed that the state plan grants regularly an amount of money in excess of the actual needs of families for necessities and that the total grant is based on items of expenditure "beyond the needs demonstrated and/or, in many instances, beyond the ability of the responsible individual, namely, the parents, to earn when they are not on relief."

The statement placed existence of present conflict regarding the program upon administrative rules and not upon the law itself. "The present law is a sound and workable one that conforms with the federal statute and the programs of most other states."

It was pointed out that "the A. N. C. case load would have continued at a very sharp upward trend if the curve of intake had been plotted in the same ratio that existed prior to October, 1949, to the extent that at least half of the increase would have been realized. It further has been determined that 84 percent of the 'new applications' would have been in need and would have qualified for county general relief; another 10 percent would have qualified excepting for the lack of three years self-supporting residence."

In commenting on Assembly Bill No. 40, amending the A. N. C. law and effective October, 1949, the statement says: "This is indicative that there was a need for the changes made and that the Legislature was not at fault when it passed Assembly Bill No. 40 since it was based on a sound social philosophy."

The following conclusions were presented:

1. Administrative rules and regulations should be tightened.

It was claimed that state regulations make it no longer a requirement that verification of the applicant's statement be obtained. In discussion with the committee, Mr. Barr agreed that such regulations do not prohibit investigation and verification of statements, however.

It was pointed out that "Loose and incomplete determination of eligibility tends to encourage fraud and collusion for the purpose of receiving aid," and that determination of real need must take into account any unused available resources and that "determination of technical eligibility is not sufficient."

2. Individual Family Budgets Must Be Reduced. "Aid should be given only on the basis of actual needs, related to local standards. *This is not the case in the A. N. C. budget.*" It was suggested that it is incorrect to provide specific amounts of food, clothing, recreation, etc., "regardless of the cultural background of his family, his health condition, or the living pattern in his neighborhood."

It was claimed that the A. N. C. budgets in many cases provide a standard of living far in excess of that of the family when self-supporting; that they are frequently in excess of standards of self-supporting families; and are in many cases not related to the actual needs of the families.

It was concluded that "a complete and healthful diet can be provided in the A. N. C. budgets with 11 percent reduction in cost." This was based upon the standards provided for general relief families by the county.

"The excessive budgetary allowances, therefore, can be considered the most out standing defect in the entire A. N. C. program."

3. Incentives for Children to Work. Requirements that all net earnings of a working child be applied to the family budget "does not provide an incentive to secure work." It was pointed out that under its general relief program the county permits children to keep a certain amount of money for their own needs, "But at the same time requires an understanding of their family responsibility by token payment back into the family budget."

4. Parents should be urged to work wherever possible.

5. Eligibility in "stepfather" cases should be based on need rather than legal lack of financial responsibility.

It was pointed out that Los Angeles County has 1,998 "stepfather" cases on its A. N. C. rolls and that Section 209 of the Civil Code relieves the stepfather of responsibility for support of the wife's children by a former husband.

6. Certain Payments Should Be Controlled. Where recipients have misapplied assistance funds, "aid-in-kind" as a control over management of funds is not possible without loss of federal and state and federal reimbursement were criticized. It was brought out in discussion that state regulations are based upon an opinion of the Attorney General holding that the law forbids restriction on payments to A. N. C. families.

7. Eligibility requirements should be definite and statements subject to verification.

8. The fiscal budget should be based on estimates of the case load rather than the present "open end" budget system.

It was suggested that funds be allocated to counties on the basis of proportionate use of moneys in the past or on the basis of population and a rigid control be maintained at these case loads.

9. The intent of the law should be conservatively administered instead of liberally construed.

Mr. Barr stated that the present law (as amended by Assembly Bill No. 40) needs no revision. In the prepared statement it is pointed out that children who have become eligible through the changes of 1949 "in almost all instances previously were needy, though the prior 'classification system' prevented their qualifying for A. N. C."

"Previously A. N. C. relieved only chronic long term deprivation. Children without resources are needy at the time they are deprived of parental support whether through death, incapacity or separation. A separation of parents may be as final and complete in one day as in one year. Today, A. N. C. can meet emergencies when they occur without arbitrary time restrictions."

It was pointed out that the deserting father has not been the primary cause of dependency in the increased case load in A. N. C., and the following analysis of causes of dependency of cases in Los Angeles County was furnished:

Deserting fathers	10%
Absent parent (death, incarceration, divorce, separation)	25%
Incapacity of parent	12%
Unmarried mother	8%
Termination of employment	13%
Caretaker needed in the home	7%
Insufficient income	25%

Only 7 percent of the total cases opened since September 1, 1949 could be clearly called desertion cases, "a very small group, infinitesimal in fact, comprised desertions that could be properly classed as collusion cases."

"Further evaluating the time the deserting fathers have been absent, establishes that most of them have been absent for more than three years. Proposals will be made to you to reduce the waiting period to six months. Should this be done, it will be meaningless. Such arguments can only be considered as 'the tail wagging the dog.' "

The statement was concluded as follows: "The Legislature was not at fault when it passed Assembly Bill No. 40. Quite to the contrary. Arguments can be put forward to show that great social gains have been made by the simple expedient of passing this piece of progressive legislation for the benefit of children and mothers who are actually in need and many benefits can be provided to have been gained by the counties."

Mr. James Garfield, Los Angeles County Club of Adult Blind

Presented a request that the White Cane Law of 1935 be amended by deleting the words "wholly or partially blind" and replacing them with the term "legally blind" to prevent the use of white canes by persons who are not in fact blind.

The committee unanimously adopted a motion to refer the recommendation to the Joint Committee on Adult Blind for consideration.

Citizens' Adoption Committee of Los Angeles County

The committee was represented by four persons who presented prepared statements concerning unmarried mothers and unborn children in relation to assistance available under the aid to needy children program.

Mr. J. Howard Zieman, Attorney

Emphasized that availability of help for unmarried mothers is crucial "for the mother and her child because upon the granting of assistance when it is needed depends the future of the unmarried mother and her unborn child." He pointed out that private social agencies are unable to meet the demands for financial assistance and that general relief restricts assistance to persons with three years residence in the State and one year in the county. He pointed out that many unmarried mothers move from their home counties to avoid social stigma. He supported present provisions of the aid to needy children program assisting unmarried mothers and recognizing the unborn child.

Sister Mary Winifred, Superintendent, St. Anne's Maternity Home

Reviewed problems encountered in helping unmarried mothers and social stigmas attached to "illegitimate" children. "Don't ever, ever think that an unmarried mother is immoral or unfit for society until you know all the facts," she stated.

Expressed the belief that A. N. C. assistance has strengthened the mother and child relationship after birth and is a definite weapon against the black-market and abortion mills. Also stated that "under A. N. C. rather than general relief, the natural mother is helped to meet social and emotional pressures by going to another community in the State, if she wishes."

Emphasized that "this aid definitely does not contribute to immorality."

Major Helen Smeeton, Superintendent, Booth Memorial Hospital

Discussed Salvation Army work with young unmarried mothers. Stated that if financial assistance is not available to unmarried mothers "in desperation they, many times, take the wrong step." Pointed out that under the county general relief programs three years state and one year county residence was required, whereas under A. N. C. assistance can be given with one year of state residence, thus "making it possible for her to leave the county of her residence, and save her social status in the home town."

Mrs. Faustina Johnson, Chairman, Unmarried Mothers Auxiliary of the Twelve Big Sisters, Los Angeles

Pointed out the help that A. N. C. provides unmarried mothers. "As a taxpayer, it seems sensible to me to provide an adequate diet for a mother and her unborn baby rather than pay out higher taxes later for victims of malnutrition and tuberculosis." The high cost of the law enforcement agencies and our criminal institutions is a heavier burden than the preventive work of A. N. C. is to the taxpayers. The small cost of A. N. C. brings high returns to the young, unmarried mothers who are rehabilitated and to society in the long run."

California Institute of Social Welfare, Los Angeles

Mr. John Henderson, Executive Secretary: Presented statements concerning costs of old age assistance, old age and survivors' insurance payments, and other fiscal data as a basis for testimony concerning a proposed modification of the old age security program.

Mr. Henderson reviewed the state budget provisions for the old age security program, pointing out that claims of reduced expenditures by proponents of Proposition 2 have failed to materialize and stating that "practically all savings made by the State has been made possible by the tax burden pushed back upon the counties." He stated that the State continues to collect a 3 percent sales tax "which was raised from 2.5 percent with the excuse that this increase was necessary to meet state fiscal requirements under Proposition 4."

Committee members challenged the statement concerning the 3 percent tax pointing out that the increased tax rate was automatic in that legislation reducing the rate expired without other legislation.

Data concerning the old age and survivors' insurance payments in California presented showed that 216,744 beneficiaries received such payments in January, 1950, at a monthly rate of $4,742,930. Since such benefits were recently increased, the effect will be to reduce the costs of the old age security program.

Also presented was data concerning taxes, showing an "all time high per capita figure of $395 compared with a total per capita tax bill of $109 in 1940, and $389 in 1945."

A statement on government debt showed that California citizens owe $26.20 state debt and $112.50 local government debt.

Copies of the "National Welfare Advocate" for September, 1950, were presented with reference to an article on purchasing power showing value of the dollar in June, 1950, as 59 cents compared to 1935-39 dollar and the purchasing power of the current "pension" as equivalent to $44.25 based on 1935-39 purchasing power.

Another statement on institutional inmates, points out that past increases in pensions have not kept pace with the cost of living that the costs of providing for inmates of state institutions has increased greater than the percentage increase in pensions.

Mr. George McLain, Chairman: Presented copies of the initiative measure to be presented to the Legislature and explanatory material. Stated that the initiative measure conforms to the Federal Social Security Act. The formulae for adjustment of pensions on the basis of cost of living increases was adapted from the Illinois public assistance laws. Health and funeral expenses are provided for. Medical care features are taken from the Washington State law.

Mr. McLain presented a statement concerning administration of assistance program throughout the Country, pointing out that 15 states and two territories have full state administration; with five additional states having almost completed the transition from county to state administration.

Dr. Donald Howard, President, California Conference of Social Work

Spoke concerning the aid to needy children, disabled, and general assistance programs. Emphasized that the conference has supported the A. N. C. program; has urged that the State take advantage of recent federal legislation, including establishment of a disability category; and has recommended a state-county general relief program.

Concerning A. N. C., Dr. Howard referred to the newness of the present program and the need for a trial period before evaluation. He especially urged that the gains under the program be considered while eliminating the abuses that may be involved and that there be determination of the actual extent of abuses with care in setting up regulations to control a small group that may be responsible for abuses without working hardship on greater numbers.

He referred to the problem of low income families not receiving assistance and suggested that such families might be supplemented on a family allowance plan.

In connection with desertions, he pointed out that the early period is often when help is needed most while family readjustments are being made. He stated that A. N. C. is no more responsible for desertions than other factors.

Concerning the disabled persons, Dr. Howard urged that California take advantage of the federal aid now available to this category of persons.

He stated that the delay in state financial participation and establishment of standards in the general relief program is the weakest link in the California Social Welfare program and urged that a state-county general assistance program be effectuated.

Mrs. Ruth Speigel, American Association of Social Workers

Explaining that membership of the association was over 600 in the Los Angeles area, she made the following comments:

General Relief: More adequate financing and equity between counties is needed. Weak spot in the total social welfare program. State participation is needed in this program to strengthen it and remove variations between counties.

Disabled Persons: Recommended enactment of legislation to take advantage of federal legislation for this group of persons who present problems of long-term dependency and special needs.

Aid to Needy Children: No limitations should be made in present program without careful study. Budgets established, particularly in view of rising costs of living, do not provide a luxury standard. Since the purpose of the program is to keep mothers at home with children and it is not a short-term program like general relief, standards of assistance need to be more adequate than might be provided under general relief. Desertions reflect unstable marriages. Abuses involved can be corrected through good staff in sufficient numbers.

She presented to the committee a statement on public assistance in California formulated and endorsed by the American Associations of Social Workers, Group Workers, Medical Social Workers, and Psychiatric Social Workers, which recommends the following:

1. State administration of old age security, aid to the blind, and aid to needy children;
2. State supervision of locally administered general assistance;
3. The ultimate integration into a single system of all forms of public assistance;
4. Establishment of local boards and committees to serve as interpreters and counselors to the administration and public;
5. That compulsory features of laws and rulings concerning family responsibility (excluding parental responsibility for a minor child) be eliminated with respect to eligibility for public assistance; in effect removal of the present provisions for responsibility of relatives with emphasis on voluntary contributions through administrative policies and actions.

Mr. C. W. Pfeiffer, Executive Secretary, Welfare Council of Metropolitan Los Angeles

Made a brief statement advocating establishment of an assistance program to provide for disabled persons.

Charles Schottland, Director, State Department of Social Welfare

Discussed with the committee several aspects of the aid to needy children program pointing out that detailed testimony was recently given to a Senate committee and that material used in that testimony is now being written up and will be submitted to this committee.

Referring to the unborn child question, Mr. Schottland said there are only 468 such children, and in 258 of these cases the family was already on A. N. C. by virtue of other children.

In connection with the so-called mismanagement cases, he said the counties were recently requested to report all such cases and listed only 287, of which 74 were in Los Angeles County.

In discussion regarding use of welfare funds for purchase of luxury items, Mr. Schottland stated that where such purchases are detected a reanalysis of eligibility of the family might be made at the county level.

He pointed out, in connection with criticism of the program, that much of this is a question of administration and that some counties are not making required eligibility reviews, and have refused to add staff necessary to maintain contact with families.

Mr. Schottland made the following recommendations for improvement of the A. N. C. program:

1. Amend the law to permit control of payments where families are determined to be unable to manage their own affairs;
2. Make stepparents responsible for support of stepchildren;
3. Mandate the district attorneys to take specific action on cases of deserting fathers;
4. Establish the uniform support of dependents law;
5. Pass a uniform transfer of dependents act;
6. Confine real property exemptions to cover only property utilized for the needs of the recipient, similarly to that working in the present aged and blind laws;

7. Work out the problem of appropriate ratios of financing between the counties and the State;
8. Provide by regulation that in all cases involving voluntary desertion eligibility of the family be reinvestigated every three months;
9. Consider the possibility of a three-month waiting period for cases involving voluntary separation of the supporting parent.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Dolwig, the usual courtesies of the Assembly for this day were unanimously extended to James Fensee of San Mateo.

On request of Mr. Sherwin, the usual courtesies of the Assembly for this day were unanimously extended to Jesse J. Murphy of San Francisco.

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to H. L. Rumble, C. J. Rumble, and Orville Bowman, Modesto; D. D. Landes, New Carlisle, Ohio; and Arlin Garber, Tip City, Ohio.

ADJOURNMENT

At 12.30 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Friday, January 12, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FIFTH LEGISLATIVE DAY

FIFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, January 12, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus, at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Beck, Belotti, Berry, Brady, Brown, Burke, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—77.

Quorum present.

Names of Members of Committee on Rules Added to Morning Roll Call by Unanimous Consent

By unanimous consent, Speaker Sam L. Collins ordered the names of the following members of the Committee on Rules, now meeting, placed upon the morning roll call: Messrs. Crowley, Dickey, Dolwig, Doyle, Dunn, Evans, Geddes, Hollibaugh, Lyon, Maloney, McCollister, McMillan, and Waters.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

O God, most Holy, Wise and Powerful, Creator, Preserver and Governor of all Thy creatures, keep us this day in health of body and mind, in purity of heart and cheerfulness of spirit, with charity in our hearts toward all mankind. Thou hast bidden us to walk humbly with Thee, to act justly with others and to seek peace with our fellow men.

"Dear Lord and Father of mankind,
Forgive our feverish ways;
Reclothe us in our rightful mind,
In purer lives Thy service find,
In deeper reverence, praise"—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Parker, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Burkhalter, on motion of Mr. Cooke.

Mr. Babbage, on motion of Mr. Smith.

Mr. Silliman, on motion of Mr. Hansen.

ANNOUNCEMENT

Speaker Sam L. Collins announced that Mr. Sterling W. Nelson, official of the United Air Lines, has made arrangements for a United Air Lines plane to leave Sacramento for Los Angeles every Friday evening, commencing tonight, for the accommodation of Members of the Legislature. This plane will stop at both the Burbank and International Airports upon request, and will return the members of the legislative crowd to Sacramento, by special plane, every Sunday evening. For reservations, contact Mr. Nelson at the United Air Lines office at the Hotel Senator.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 12, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 3

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, January 12, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 21
Assembly Bill No. 31

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bills ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 21—An act to add Section 19620 to the Education Code, relating to the support of child care centers and making an appropriation therefor and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 31—An act making an appropriation of the unexpended balance of money appropriated by Item 245.1 of the Budget Act of 1950, to the Department of Public Works, and specifying the use therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

APPOINTMENTS TO SPECIAL COMMITTEES ANNOUNCED

Speaker Sam L. Collins announced the appointment of the following members to membership on the Special Joint Committee to Study the Old Age Assistance Initiative Measure:

Messrs. Hahn, Kilpatrick, Mrs. Niehouse, Messrs. Cooke, Kirkwood, Elliott, and Lanterman.

Speaker Sam L. Collins announced the appointment of the following members to membership on the Special Joint Committee to Study the Anticross-Filing Initiative Measure:

Messrs. Hinckley, McCollister, Hollibaugh, Stanley, Doyle, Dills, and Thomas.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 625: By Mr. Doyle—An act to add Section 101.5 to the Labor Code, relating to filing fees.

Referred to Committee on Judiciary.

Assembly Bill No. 626: By Mr. Levering—An act to add Chapter 5.6, comprising Sections 2600 to 2632, inclusive, to Division 2 of the Business and Professions Code, relating to the practice of physical therapy.

Referred to Committee on Public Health.

Assembly Bill No. 627: By Mr. Levering—An act to amend Section 3107 of the Government Code, relating to an oath or affirmation of allegiance for civil defense workers and public employees, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Judiciary.

Assembly Bill No. 628: By Mr. Erwin—An act to amend Section 806 of the Fish and Game Code, relating to shellfish.

Referred to Committee on Fish and Game.

Assembly Bill No. 629: By Mr. Erwin—An act assenting to the provisions of the act of Congress entitled "An act to provide that the United States shall aid the states in fish restoration and management projects, and for other purposes," approved August 9, 1950.

Referred to Committee on Fish and Game.

Assembly Bill No. 630: By Mr. Erwin—An act to amend Section 432.6 of the Fish and Game Code, relating to licenses.

Referred to Committee on Fish and Game.

Assembly Bill No. 631: By Mr. Sherwin—An act to add Section 306.5 to the Unemployment Insurance Act authorizing the investment of funds in the Unemployment Compensation Disability Fund in the construction and equipment of buildings, offices and facilities for the primary use of the Department of Employment.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 632: By Mr. Sherwin—An act to add Section 2.5 to the Judges' Retirement Fund Act, relating to the state contributions to the Judges' Retirement Fund.

Referred to Committee on Judiciary.

Assembly Bill No. 633: By Mr. Hinckley—An act to add Article 7.5, comprising Sections 1200 to 1206, inclusive, to Chapter 1, Division 4, Title 1, of the Government Code, and to repeal Sections 31203, 31204, 31205, 31206, 31207, and 31208 of said code, relating to retirement rights of persons successively employed by two or more public agencies.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 634: By Mr. Stewart—An act to amend Section 45.5 of the Community Redevelopment Act, relating to community redevelopment and the powers of public bodies in connection therewith.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 635: By Mr. Stewart—An act to amend Section 1501a of the Probate Code, relating to preference of wage claims

Referred to Committee on Judiciary.

Assembly Bill No. 636: By Mr. Evans—An act to add Section 31765 to the Government Code, relating to the retirement of county employees.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 637: By Mr. Evans—An act to amend Section 31462 of the Government Code, relating to the retirement of county employees.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 638: By Mr. Evans—An act to add Section 31652.1 to the Government Code, relating to the retirement of county employees.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 639: By Mr. Evans—An act to amend Section 31560 of, and to add Section 31641.5 to, the Government Code, relating to retirement of county employees.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 640: By Mr. Evans—An act to add Section 31784 to the Government Code, relating to the retirement of county employees.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 641: By Mr. Evans—An act to amend Section 31627 of, and to add Sections 31469.5, 31557.5, and 31585.5 to, the Government Code, relating to retirement of county employees.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 642: By Mr Evans—An act to amend Sections 31676.1, 31676.2, and 31676.4 of, and to add Section 31676.55 to, the Government Code, relating to the retirement of county employees.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 643: By Mr. Evans—An act to amend Section 92 of the Labor Code, relating to the powers of the Labor Commissioner.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 644: By Mr. Evans—An act to amend Section 1201 of the Code of Civil Procedure, relating to the waiver or impairment of claims or liens.

Referred to Committee on Judiciary.

Assembly Bill No. 645: By Mr. Cooke—An act to amend Sections 1178 and 1179 of the Military and Veterans Code, relating to memorial districts.

Referred to Committee on Military Affairs.

Assembly Bill No. 646: By Mr. Hahn—An act to amend Sections 298, 307, and 502 of the Vehicle Code, relating to suspension and revocation of drivers' licenses.

Referred to Committee on Judiciary.

Assembly Bill No. 647: By Messrs. Hansen, Kelly, and Cloyed—An act adding Article 14 to Division 8, Chapter 7 of, the Business and Professions Code, consisting of Sections 20990 to 21002, inclusive, defining rerefined oil and rerefiners, providing for the licensing of rerefiners, setting forth the powers of the Division of Weights and Measures of the Department of Agriculture and providing minimum specifications for rerefined oil.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

Assembly Bill No. 648: By Mrs. Niehouse—An act to amend Section 201 of the Unemployment Insurance Act, relating to disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 649: By Mrs. Niehouse—An act to amend Section 201 of the Unemployment Insurance Act, relating to disability Insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 650: By Mr. Coats—An act to amend Section 1184 of the Fish and Game Code, relating to the use of domestically reared game birds for dog training or field trial purposes.

Referred to Committee on Fish and Game

Assembly Bill No. 651: By Messrs. Moss and Fleury—An act to amend Sections 18801 and 19052 and to repeal Sections 18802.5 and 19052.5 of the Government Code, relating to the state civil service.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 652: By Messrs. Fleury and Moss—An act to amend Section 139.31 of the Vehicle Code, relating to shooting practice and instruction in the use of firearms.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 653: By Messrs. Fleury and Moss—An act to add Section 220.1 to the Vehicle Code, relating to false reports of thefts of vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 654: By Messrs. Brown and Stanley—An act to repeal Section 8352 of, and to add Section 8352 to, the Revenue and Taxation Code, and to amend Section 8 of an act entitled "An act to amend Section 8352 of, and to add Sections 8354 to 8358, inclusive, to, the Revenue and Taxation Code, relating to aviation and airports and the financing thereof, including revenue from taxes on motor vehicle fuel," approved July 29, 1949, relating to appropriation of the money in the Motor Vehicle Fuel Fund, and providing for the period of operation of the code provisions relative thereto.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 655: By Mr. Brady—An act to amend Section 1771 of the Labor Code, relating to public works and public agencies.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 656: By Mr. Brady—An act to amend Sections 13081, 13086, 13087, 13089, 13092, 13093, and 13094 of, to repeal Sections 13082, 13083, 13084, and 13085 of the Education Code, relating to teachers' tenure.

Referred to Committee on Education.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Concurrent Resolution No. 2—Relative to approving certain amendments to the charter of the City of Long Beach, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the seventh day of November, 1950.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Davis, Dills, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Kelly, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, McCarthy, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—56.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 3—Relative to approving four certain amendments to the charter of the City of Burbank, State of California, ratified by the electors of said city at a special municipal election held therein on the seventh day of November, 1950.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Butters, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dills, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lipscomb, Luckel, Maloney, McCarthy, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—53.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 6

Mr. Maloney asked for, and was granted, unanimous consent that he be permitted to take up Assembly Concurrent Resolution No. 6, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 6

Assembly Concurrent Resolution No. 6—Relative to the selection of the Legislative Counsel of California.

Resolution read, and adopted unanimously.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY JOINT RESOLUTION NO. 1

Mr. Maloney asked for, and was granted, unanimous consent that he be permitted to take up Assembly Joint Resolution No. 1, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 1

Assembly Joint Resolution No. 1—Relative to aid to our enemy.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Butters, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—65.

NOES—None.

Resolution ordered transmitted to the Senate.

ANNOUNCEMENT

Speaker Sam L. Collins announced that all Members of the Assembly are invited to a stag dinner by "Scotty," maitre d'hotel of the Chuck Wagon Restaurant, next Wednesday evening, January 17th, at the Chuck Wagon. If your attendance is possible, please so state to Miss Kay Johnson, Secretary to the Speaker.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 657: By Mr. Brown—An act to amend Section 10.2 of the Parking Law of 1949, relating to off-street parking facilities

Referred to Committee on Municipal and County Government

Assembly Bill No. 658: By Mr. Brown—An act to amend and renumber Section 1714.5 of the Civil Code, relating to negligence as a matter of law, and defenses for acts or omissions in complying with orders or proclamations of military and civil authorities.

Referred to Committee on Judiciary.

Assembly Bill No. 659: By Mr. Brown—An act to amend Section 27 of the Probate Code, relating to those who may take by will.

Referred to Committee on Judiciary.

Assembly Bill No. 660: By Mr. Luckel—An act to add Section 3928.1 to, and to amend Section 3946 of, the Elections Code, relating to direct primary ballots.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 661: By Mr. Luckel—An act to add Section 9483 to the Elections Code, relating to municipal elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 662: By Messrs. Luckel, Cloyed, and Mrs. Niehouse—An act to add Section 18196.5 to the Education Code, relating to school building construction.

Referred to Committee on Education.

Assembly Bill No. 663: By Messrs. Gaffney and Berry—An act to amend Section 96 of the Labor Code, relating to assignment of claims.

Referred to Committee on Judiciary.

Assembly Bill No. 664: By Messrs. Rosenthal, Evans, and Morris—An act to amend Section 453 of the Vehicle Code, relating to the applicability of the provisions of said code to public employees and publicly owned motor vehicles and other equipment during the installation, removal, repair or maintenance of traffic signs, signals or other traffic control devices.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 665: By Messrs. Rosenthal and Morris—An act to amend Section 588 of the Vehicle Code, relating to additional parking regulations.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 666: By Mr. Rosenthal—An act to add Section 272 to the Labor Code, relating to security for wages.

Referred to Committee on Industrial Relations.

Assembly Bill No. 667: By Mrs. Niehouse—An act to repeal Sections 3474 and 3474.1 of the Welfare and Institutions Code, relating to aid to partially self-supporting blind residents, to repeal the provisions for relatives' responsibility.

Referred to Committee on Social Welfare.

Assembly Bill No. 668: By Mrs. Niehouse—An act to amend Sections 3420, 3472, and 3480 of the Welfare and Institutions Code, relating to aid to partially self-supporting blind residents.

Referred to Committee on Social Welfare.

Assembly Bill No. 669: By Mrs. Niehouse—An act to amend Sections 3025, 3084, and 3087.1 of the Welfare and Institutions Code, relating to aid to the needy blind, to increase the maximum grant of aid to $95 per month.

Referred to Committee on Social Welfare.

Assembly Bill No. 670: By Mrs. Niehouse—An act to repeal Sections 3088 and 3088.1 of the Welfare and Institutions Code, relating to aid to the needy blind, to repeal the provisions relating to relatives' responsibility.

Referred to Committee on Social Welfare.

Assembly Bill No. 671: By Mrs. Niehouse—An act to amend Section 395 of the Military and Veterans Code, relating to absence of public officers and employees on Military or Naval duty, and compensation and salary during absence on Military or Naval leave.

Referred to Committee on Military Affairs.

Assembly Bill No. 672: By Mrs. Niehouse—An act to amend Section 16482 of the Education Code, relating to the testing of the sight and hearing of public school pupils.

Referred to Committee on Education.

Assembly Bill No. 673: By Mr. Rosenthal—An act to amend Section 817 of the Penal Code, relating to peace officers.

Referred to Committee on Judiciary.

Assembly Bill No. 674: By Messrs. Moss, Brown, and Coats—An act to add Section 31.5 to the Public Utilities Act and Article 7, comprising Sections 871 and 872, to Chapter 4, Part 1, Division 1 of the Public Utilities Code, relating to regulation of public utilities.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 675: By Mr. Morris—An act to amend Section 13 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 676: By Mr. Morris—An act to amend Section 67 of the Unemployment Insurance Act of the State of California, relating to notices of benefit claims.

Referred to Committee on Industrial Relations.

Assembly Bill No. 677: By Mr. George D. Collins—An act to amend Section 2206 of the Elections Code, relating to elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 678: By Mr. George D. Collins—An act to amend Section 655 of the Elections Code, relating to elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 679: By Mr. George D. Collins—An act to amend Section 3809 of the Elections Code, relating to elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 680: By Mr. George D. Collins—An act to amend Section 120 of the Elections Code, relating to elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 681: By Mr. Condon—An act to add Section 97.5 to the Labor Code, relating to civil actions for wages.

Referred to Committee on Judiciary.

Assembly Bill No. 682: By Messrs. Fleury and Moss—An act to amend Section 20831 of the Government Code, relating to the State Employees' Retirement System in respect to credit for prior service.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 683: By Mr. McCollister—An act to amend Section 420 of the Education Code, relating to county school superintendents' salaries in counties of the twentieth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 684: By Mr. McCollister—An act to amend Section 422 of the Education Code, relating to county school superintendents' salaries in counties of the twenty-second class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 685: By Mr. McCollister—An act to amend Section 970 of the Fish and Game Code, relating to crab traps.

Referred to Committee on Fish and Game.

Assembly Bill No. 686: By Messrs. McCollister, Porter, and Thomas—An act to add Sections 13055 and 13056 to the Health and Safety Code, relating to fire equipment.

Referred to Committee on Public Health.

Assembly Bill No. 687: By Mr. McCollister—An act to amend Sections 18939 and 19200 of, and add Sections 18544 and 18545 to, the Government Code, relating to duration appointments and continuous examinations in the state civil service, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Civil Service and State Personnel.

Motion to Place Rush Order on Printing of Assembly Bill No. 687

Mr. McCollister moved that a rush order be placed upon the printing of Assembly Bill No. 687.

Motion carried.

Assembly Bill No. 688: By Messrs. Berry, Gaffney, and Meyers—An act to amend Section 209 of the Unemployment Insurance Act, relating to disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 689: By Messrs. Berry, Gaffney, George D. Collins, and Meyers—An act to amend Section 57 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 690: By Messrs. Berry, Gaffney, George D. Collins, and Meyers—An act to amend Section 57 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

REQUEST FOR UNANIMOUS CONSENT THAT PRELIMINARY REPORTS BE PRINTED IN JOURNAL

Mr. McCollister asked for, and was granted, unanimous consent that a Preliminary Report of the Assembly Interim Committee on Interstate Cooperation be ordered printed in the Assembly Journal in 10-point type.

(Above report will appear prior to the motion to adjourn.)

Mr. McCollister asked for, and was granted, unanimous consent that a Preliminary Report of the Assembly Interim Committee on Military Affairs be ordered printed in the Assembly Journal in 10-point type.

(Above report will appear prior to the motion to adjourn)

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 691: By Messrs. Berry, Gaffney, and George D. Collins—An act to amend Section 57 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 692: By Messrs. Berry, Gaffney, George D. Collins, and Meyers—An act to amend Section 209 of the Unemployment Insurance Act, relating to disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 693: By Mr. Thomas—An act to add Section 685 to the Vehicle Code, relating to equipment of vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 694: By Mr. Lyon—An act to amend Section 6422 of the Streets and Highways Code, relating to the issuance of bonds to represent special assessments

Referred to Committee on Municipal and County Government

Assembly Bill No. 695: By Mr. Lyon—An act to amend Section 43628 of the Government Code, relating to the disposition of the proceeds of bonds.

Referred to Committee on Municipal and County Government

Assembly Bill No. 696: By Mr. Lyon—An act to amend Section 5024 of the Streets and Highways Code, relating to the definition of incidental expenses as used in the Improvement Act of 1911

Referred to Committee on Municipal and County Government.

Assembly Bill No. 697: By Messrs Belotti, Chapel, Condon, and Parker—An act to amend Section 2006 of the Streets and Highways Code, relating to the appointment of a Road Commissioner.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 698: By Mr. Belotti—An act to amend Section 650.6 of the Vehicle Code, relating to equipment of vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 699: By Mr. Belotti—An act to amend Section 650.5 of the Vehicle Code, relating to equipment of vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 700: By Mr. Belotti—An act to amend Section 439 of the Vehicle Code, relating to reporting of vehicles known or suspected to have been abandoned or unlawfully stored.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 701: By Mr. Belotti—An act to add Section 46 1 to, and amend Section 51 of, the Vehicle Code, relating to definitions of vehicles and equipment.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 702: By Mr. Belotti—An act to add Section 685 to the Vehicle Code, relating to tire chains and the required use thereof.

Referred to Committee on Transportation and Commerce.

APPOINTMENT OF MEMBERS TO COMMITTEE ON MUNICIPAL AND COUNTY GOVERNMENT ORDERED NOTED IN CORRECTED JOURNAL

Speaker Sam L. Collins asked for, and was granted, unanimous consent that the Assembly Journal for Wednesday, January 10th, page 209, be corrected to show that Messrs. Hollibaugh and Burke were appointed members of the Committee on Municipal and County Government.

Speaker Pro Tempore Presiding

At 10.56 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)

CONSIDERATION OF HOUSE RESOLUTION NO. 31

By Mr. Waters:

House Resolution No. 31

Relative to contests as to the qualifications, elections, and returns of Members of the Assembly

Resolved by the Assembly of the State of California, As follows.

1. Whenever a statement of contest, petition or other communication relating to the qualifications, election, or returns of any Member of the Assembly is received by the Assembly, the Speaker shall refer it to the Committee on Elections and Reapportionment. If that committee determines that the facts alleged therein are sufficient to merit investigation, it shall hold such hearings and conduct such investigation of the facts as it deems necessary. In so doing, the committee shall be governed by the rules and shall be vested with and exercise the powers contained in this resolution.

2. Notwithstanding the filing of the statement of contest, the contestee may take his oath as Member of the Assembly, upon presentation of a certificate of election valid and regular upon its face.

The swearing in of the contestee shall be without prejudice to the rights of the contestant.

3. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to this committee and its members.

4. In addition to the foregoing powers, the committee is authorized to appoint one or more persons as commissioners to conduct investigations on its behalf, including the examination, counting and canvassing of election ballots pursuant to Section 7236 of the Elections Code, and to certify under oath to the committee, or to a subcommittee, the facts so ascertained by the commissioner.

5. The committee is authorized to act during this session of the Legislature, including any recess, but not after final adjournment.

6. The committee and its commissioner or commissioners, except as in these rules otherwise provided, shall be governed as to procedure and the introduction of evidence by the law applicable to the trial of civil actions in superior courts. The contestant is the plaintiff, the contestee, the defendant.

7. In addition to facts certified by a commissioner as provided in paragraph 4, the committee may take such other evidence as it deems material.

8. In addition to witnesses that are called or subpenaed on behalf of the committee, the chairman shall issue subpenas to compel the attendance of witnesses or the production of evidence, or both upon the request of either party if the chairman deems that the evidence so proposed to be obtained is relevant and necessary to determine the contest.

9. At the trial of the contest, both parties may appear in *propria persona*, or by counsel, or both.

10. Each witness shall be examined in the following order:

(a) By the party calling him.
(b) By the opposite party on cross-examination.
(c) By the party calling him on redirect examination.
(d) By the opposite party on recross-examination.
(e) By the chairman of the committee.
(f) By any member of the committee.
(g) By either party as directed by the chairman of the committee.

11. All motions or objections to evidence made by the parties or their counsel, shall be addressed to the chairman, and shall be decided by him. Any decision of the chairman may be overruled by a majority of the other members of the committee.

12. Before any witness gives his testimony the chairman shall administer to him the same oath as that administered to witnesses at hearings by legislative investigating committees.

13. No witness may refuse to testify as to which party to the contest he voted for if his testimony is material and it has been shown to the satisfaction of the committee that such witness voted having no legal right to do so.

14. The chairman of the committee is authorized to provide for a stenographic report of the proceedings.

15. All witnesses for either party subpenaed and actually in attendance at the trial of such contest, and all other witnesses, the attendance of which by certificate of the chairman of the committee, appeared necessary in the judgment of the parties requesting their attendance, shall be entitled to receive for each day so in attendance and while en route to attend, the sum of five dollars ($5) per day, together with actual railroad fare of the witness from his place of residence to the place where the hearing is held and return, and pullman fare when required. In the event any such witness travels other than by railroad, such witness shall be entitled to receive as mileage the equivalent of the railroad fare and pullman fare when required.

16. At the conclusion of the testimony, the parties may submit the case on oral argument, or written briefs, or both, as determined by the chairman of the committee.

17. The committee shall report in writing its findings and conclusions to the Assembly. If the committee is not unanimous, a minority report may be submitted with the report of the majority.

18. Upon submission of the report or reports provided for in paragraph 17, at the first meeting of the Assembly at which a quorum is present, such report or reports shall be accepted or rejected by a majority vote of all the Members of the Assembly entitled to vote thereon.

19. Neither the contestee nor contestant, shall vote or be counted in determining the presence of a quorum, in the adoption or rejection of the report or reports of the committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Butters, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—65.

NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 12, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 21
Assembly Bill No. 31

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

RESOLUTIONS

The following resolution was offered:

By Mr. Dickey:

House Resolution No. 34

MR. SPEAKER: Your Committee on Rules respectfully begs to report that it has carefully considered the application for the position of Assistant Clerk and desires to submit the following resolution:

Resolved, That the following named person be and he is hereby appointed to the position hereinafter set forth as provided by law, with the compensation set opposite his name, payable weekly, and the Controller is hereby directed to draw his warrant in favor of this person in the said amount and the Treasurer is hereby directed to pay the same.

Commencing Thursday, January 11, 1951	*Per day*
Robert W. Crown, *Assistant Clerk*	$12.00

Resolved, That the compensation of the above named attache shall be on a seven-day week basis.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 34, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Holhbaugh, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—67.

NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 12, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Bill No. 130

Has had the same under consideration, and reports the same back with the recommendation: Be re-referred to Committee on Ways and Means.

DICKEY, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, January 12, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 5

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, January 12, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 32

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 12, 1951

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 10

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 10—Relative to Joint Rules of the Senate and Assembly.

Referred to Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 703: By Mr. McCarthy—An act to amend Section 202 of the Unemployment Insurance Act, relating to disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 704: By Mr. McCarthy—An act to amend Section 203 of the Unemployment Insurance Act, relating to disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 705: By Mr. McCarthy—An act to amend Section 203 of the Unemployment Insurance Act, relating to disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 706: By Mr. McCarthy—An act to amend Section 153 of the Unemployment Insurance Act, relating to disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 707: By Mr. Maloney—An act to add Section 1.7 to the Judges' Retirement Act, relating to retirement of judges for service.

Referred to Committee on Judiciary.

Assembly Bill No. 708: By Messrs Munnell and Brown—An act to amend Section 824 of the Code of Civil Procedure, relating to publication of notice of execution sales of vessels.

Referred to Committee on Judiciary.

Assembly Bill No. 709: By Messrs Munnell and Brown—An act to amend Section 1271 of the Code of Civil Procedure, relating to escheats

Referred to Committee on Judiciary.

Assembly Bill No. 710: By Messrs. Munnell and Brown—An act to amend Section 548 of the Probate Code, relating to executors and administrators.

Referred to Committee on Judiciary.

Assembly Bill No. 711: By Messrs. Munnell and Brown—An act to amend Section 413 of the Code of Civil Procedure, relating to service of summons.

Referred to Committee on Judiciary.

Assembly Bill No. 712: By Messrs. Munnell and Brown—An act to amend Section 261 of the Probate Code, relating to notices in estates of missing persons.

Referred to Committee on Judiciary.

Assembly Bill No. 713: By Messrs. Munnell and Brown—An act to amend Section 189 of the Code of Civil Procedure, relating to publication of notice of intention to destroy records

Referred to Committee on Judiciary.

Assembly Bill No. 714: By Messrs. Munnell and Brown—An act to amend Section 1277 of the Code of Civil Procedure, relating to publication of order to show cause in relation to change of names.

Referred to Committee on Judiciary.

Assembly Bill No. 715: By Messrs. Munnell and Brown—An act to amend Section 750 of the Code of Civil Procedure, relating to publication of summons in actions to determine conflicting claims to real property.

Referred to Committee on Judiciary.

Assembly Bill No. 716: By Messrs. Munnell and Brown—An act to amend Section 757 of the Code of Civil Procedure, relating to publication of summons on absent or unknown parties in actions for partition of property.

Referred to Committee on Judiciary.

Assembly Bill No. 717: By Messrs. Munnell and Brown—An act to amend Section 1274.5 of the Code of Civil Procedure, relating to publication of notice and compiled report of abandoned property.

Referred to Committee on Judiciary.

Assembly Bill No. 718: By Messrs. Munnell and Brown—An act to amend Section 1269 of the Code of Civil Procedure, relating to publication of order to show cause in relation to an action to declare property escheated to the State.

Referred to Committee on Judiciary.

Assembly Bill No. 719: By Messrs. Munnell and Brown—An act to amend Sections 2466 and 2469.1 of the Civil Code, relating to publication of certificates of doing business under a fictitious name and cessation of doing business under a fictitious name.

Referred to Committee on Judiciary.

Assembly Bill No. 720: By Messrs. Munnell and Brown—An act to amend Section 1812 of the Code of Civil Procedure, relating to publication of notice of intention to become a sole trader

Referred to Committee on Judiciary.

Assembly Bill No. 721: By Messrs. Munnell and Brown—An act to amend Section 521 of the Probate Code, relating to executors and administrators.

Referred to Committee on Judiciary.

Assembly Bill No. 722: By Messrs. Munnell and Brown—An act to amend Section 283 of the Probate Code, relating to notices in estates of missing persons.

Referred to Committee on Judiciary.

Assembly Bill No. 723: By Messrs. Munnell and Brown—An act to amend Section 780 of the Probate Code, relating to sale of real property in estates.

Referred to Committee on Judiciary.

Assembly Bill No. 724: By Messrs. Munnell and Brown—An act to amend Section 762 of the Code of Civil Procedure, relating to service of notice to lien holders in actions for the partition of property

Referred to Committee on Judiciary.

Assembly Bill No. 725: By Messrs Munnell and Brown—An act to amend Section 692 of the Code of Civil Procedure, relating to sales of property.

Referred to Committee on Judiciary.

Assembly Bill No. 726: By Messrs. Munnell and Brown—An act to amend Section 851 of the Probate Code, relating to notices in administration of estates.

Referred to Committee on Judiciary.

Assembly Bill No. 727: By Messrs. Munnell and Brown—An act to add Section 6066 to the Government Code, relating to publication of notices.

Referred to Committee on Judiciary.

Assembly Bill No. 728: By Messrs. Munnell and Brown—An act act to amend Section 1201 of the Probate Code, relating to notices in the administration of estates.

Referred to Committee on Judiciary.

Assembly Bill No. 729: By Mr. McCarthy—An act to amend Section 203 of the Unemployment Insurance Act, relating to disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 730: By Mr. Lyon—An act to add Chapter 3.5, consisting of Sections 139.80 to 139.83, inclusive, to Division 2A of the Vehicle Code, relating to the California Highway Patrol Commission.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 731: By Messrs. Brown, Caldecott, Connolly, Fleury, Brady, George D. Collins, McCarthy, McGee, Rosenthal, Smith, Tomlinson, McFall, and Munnell—An act to amend Sections 671, 689, 777, 778, 781, 782, 783, 784, 784a, 785, 786, 789, 791, 792, 794, 795, 802, 806, 813, 814, 815, 816, 826, 827, 828, 829, 949, 950, 953, 954, 955, 957, 958, 959, 960, 961, 963, 964, 966, 967, 968, 969, 969c, 970, 971, 976, 977, 979, 980, 983, 988, 989, 990, 1004, 1005, 1007, 1008, 1009, 1010, 1012, 1016, 1017, 1019, 1021, 1022, 1023, 1024, 1025, 1033, 1043, 1053, 1057, 1059, 1093, 1095, 1099, 1100, 1119, 1127, 1130, 1135, 1136, 1138, 1150, 1151, 1155, 1157, 1158, 1159, 1160, 1164, 1165, 1180, 1181, 1185, 1186, 1187, 1191, 1193, 1195, 1196, 1197, 1198, 1199, 1205, 1207, 1213, 1235, 1237, 1238, 1243,

1262, 1326, 1382, 1385, 1387, 1427, 1428, 1429, 1447, 1449, 1458, 1461, 1466, and 1468 and the headings of Title 3, Chapter 3 of Title 3, Title 4, Title 5, Chapter 2 of Title 5, Title 6, Chapter 2 of Title 6, Chapter 3 of Title 6, Chapter 4 of Title 7, Title 9, Chapter 8 of Title 10, Title 11, and of Chapter 1 of Title 11, of Part 2 of the Penal Code, to renumber the headings of Chapters 2 and 3 of Title 4 of Part 2 of said code and to repeal the heading of Title 2, Part 2 and Sections 809, 810, 811, 812, 818, Chapter 1, consisting of Sections 888 to 890, inclusive, of Title 4, Part 2, Sections 1011, 1144, 1247e, 1426, 1426.1, 1428.1, 1428.2, 1428.3, 1430, 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1446, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1459, 1460, 1461a, and 1467, of said code, and to add Sections 690 and 691, a new Title 2, consisting of Sections 737 to 740, inclusive, to Part 2 of said code, and Sections 777a, 973, and 1167 to said code, relating to proceedings in criminal cases.

Referred to Committee on Judiciary.

Assembly Bill No. 732: By Messrs. Stanley and Lanterman—An act to amend Sections 14½ and 14¾ of the County Waterworks District Act, relating to the annexation of territory to county waterworks districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 733: By Messrs. Stanley, Brown, McMillan, Hinckley, and Waters—An act to amend Sections 8352, 8354, and 8355 of, and to repeal Sections 8356, 8357 and 8358 of the Revenue and Taxation Code, and to add Section 28 to the State Aeronautics Commission Act, relating to aviation and airports and the financing thereof, including revenue from taxes on motor vehicle fuel.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 734: By Messrs. Stanley, Brown, McMillan, Hinckley, and Waters—An act to provide for the registration of aircraft by the State, the collection of registration fees therefor and the disposition of such registration fees

Referred to Committee on Municipal and County Government.

Assembly Bill No. 735: By Messrs. Stanley, Brown, McMillan, Hinckley, and Waters—An act to add Part 6.5 to Division 2 of the Revenue Code, relating to licensing aircraft, creating the Aircraft License Fee Fund and making an appropriation of the moneys therein.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 736: By Messrs. Tomlinson, Cooke, Hinckley, Stanley, Beck, Butters, Cloyed, Erwin, Geddes, Hagen, Hansen, Kelly, and Lanterman—An act making an appropriation to the University of California for the development of means for mass rearing of parasites for the control of red scale on citrus trees.

Referred to Committee on Agriculture.

Assembly Bill No. 737: By Messrs. Tomlinson, Cooke, Hinckley, Stanley, Beck, Butters, Cloyed, Erwin, Geddes, Hagen, Hansen, Kelly, and Lanterman—An act making an appropriation to the University of California for the development of means for mass rearing of parasites for the control of red scale on citrus trees, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Agriculture.

Assembly Bill No. 738: By Mr. Dunn—An act to amend Sections 7012 and 7109.3 of the Education Code, relating to the support of the Public School System, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 739: By Mr. Dunn—An act to amend Section 19091 of the Education Code, relating to the Public School System.

Referred to Committee on Education.

ANNOUNCEMENT

Mr. Geddes announced that he is holding an anti-coersion bill at his desk and that any member desiring to be a co-author may come to his desk and affix his signature to the bill.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 740: By Mr. Dunn—An act to amend Section 13032 of the Education Code, relating to the Public School System.

Referred to Committee on Education.

Assembly Bill No. 741: By Mr. Dunn—An act to repeal Section 13043 of the Education Code, relating to the Public School System.

Referred to Committee on Education.

Assembly Bill No. 742: By Mr. Evans—An act to amend Section 31679 of the Government Code, relating to retirement systems.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 743: By Mr. Shaw—An act to amend Section 737jj of the Political Code, and Section 79.36 of the Code of Civil Procedure, relating to superior judges' salaries.

Referred to Committee on Judiciary.

Assembly Bill No. 744: By Mr. George D Collins—An act to amend Section 3358.5 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 745: By Messrs. George D. Collins and Gaffney —An act to amend Section 3352 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 746: By Messrs. George D. Collins and Gaffney —An act to amend Section 3352 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 747: By Messrs. Grant, Porter, and Klocksiem —An act to amend Section 5243 of the Streets and Highways Code, relating to local improvement proceedings.

Referred to Committee on Transportation and Commerce.

Assembly Constitutional Amendment No. 10: By Mr. Doyle—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 4 of Article IV thereof, relating to qualifications of Members of the Legislature.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 11: By Mr. Dickey—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 14.9 to Article XIII of the Constitution, relating to the retirement of firemen, and providing for the financing thereof from taxes imposed upon fire insurers.

Referred to Committee on Constitutional Amendments.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 12, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 17

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 12, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 2
Assembly Concurrent Resolution No. 3
Assembly Concurrent Resolution No. 6

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolutions ordered enrolled.

CONSIDERATION OF HOUSE RESOLUTION NO. 32

By Mr. Hahn:

House Resolution No. 32

Relative to thanking the Sacramento Council of Churches for the Pre-Legislative Communion Service held for the benefit of the Legislature on January 8, 1951 at the Westminster Presbyterian Church

WHEREAS, On January 8, 1951, at 11 a.m., a Pre-Legislative Communion Service was held for the benefit of the Legislature by the Sacramento Council of Churches at the Westminster Presbyterian Church in Sacramento, California; and

WHEREAS, The Members of this Assembly attending this Communion Service were greatly benefitted by this spiritual guidance offered and wish to show their appreciation; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly of the State of California do hereby extend their thanks to the Sacramento Council of Churches for said Pre-Legislative Communion Service; and, be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the Sacramento Council of Churches.

Resolution read, and adopted.

MOTION THAT FIVE ADDITIONAL COPIES OF BUDGET BE DISTRIBUTED TO EACH MEMBER

Mr Dickey moved that five additional copies of the budget be distributed to each member.

Mr. Doyle seconded the motion.

Motion carried.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 748: By Mr. Thomas—An act to amend Section 20 of the Fish and Game Code, relating to fish and game, and the administration of the laws pertaining thereto.

Referred to Committee on Fish and Game.

Assembly Bill No. 749: By Mr. Beck—An act to add Section 8215 to the Government Code, relating to notary publics in state service.

Referred to Committee on Judiciary.

RESOLUTIONS

The following resolution was offered:

By Mr. Brady:

House Resolution No. 35

Relative to a study of Youth Guidance Centers

WHEREAS, The people of the State are vitally concerned in the welfare and proper training of the youth of the State; and

WHEREAS, A controversy now exists as to the efficiency and adequacy of the Youth Guidance Center in the City and County of San Francisco, and as to the care and treatment of the juveniles therein; and

WHEREAS, It is necessary that the Assembly be fully informed on these matters in order that it may intelligently determine what, if any, state legislation is necessary or desirable; and

WHEREAS, It appears that this subject falls within the scope of the duties imposed on the Assembly Interim Committee on Crime and Correction; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Crime and Correction (created by House Resolution No. 243 of the 1949 General Session and continued by House Resolution No. 28, 1951 General Session) and any successor thereto created at this session, is hereby authorized and directed to study and investigate all facts relating to the care of juveniles in the Youth Guidance Center in San Francisco, the adequacy and efficiency of said Youth Guidance Center, and particularly the relationship between the present controversy and the recent statutory changes in the powers and duties of the Director of said Youth Care Center. The committee and its successor is also authorized and directed to study the operation, effect, administration enforcement and needed revision of any and all laws in any way bearing upon or relating to said subject, and to report to the Assembly on or before March 15, 1950, including in its report its recommendations for appropriate legislation

Resolution read, and ordered referred to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 750: By Mr. Lindsay—An act to add Section 432 to the Fish and Game Code, relating to licenses.

Referred to Committee on Fish and Game

Assembly Bill No. 751: By Mr. Lindsay—An act to amend Section 496 of the Fish and Game Code, relating to fish.

Referred to Committee on Fish and Game.

Assembly Bill No. 752: By Mr. George D. Collins—An act to amend Section 3352 of the California Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 753: By Messrs. Fleury and Moss—An act to amend Section 512 of the Vehicle Code, relating to speed on highways where persons are at work.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 754: By Messrs. Fleury and Moss—An act to amend Sections 125 and 126 of the Streets and Highways Code, relating to the closing and restricting of the use of state highways.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 755: By Messrs Fleury and Moss—An act to add Section 111.5 to the Streets and Highways Code, relating to the adoption of city streets as a part of the State Highway System.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 756: By Mr. Kelly—An act to amend Section 261b of the Code of Civil Procedure as added by Chapter 1039 of the Statutes of 1943, and to add Section 260 to said code, relating to court commissioners.

Referred to Committee on Judiciary.

Assembly Bill No. 757: By Mr. Kelly—An act to amend Section 204a of the Code of Civil Procedure, relating to jury commissioners

Referred to Committee on Judiciary.

Assembly Bill No. 758: By Mr. Lindsay—An act to amend Section 7.6 of the Unemployment Insurance Act, relating to unemployment and disability insurance and the coverage of public employees thereunder.

Referred to Committee on Finance and Insurance.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 12, 1951

MR SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 5

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

ANNOUNCEMENTS

Speaker pro Tempore Maloney announced that the members are to be commended for their efforts to be on time at sessions during this opening week, and urged continued prompt attendance in the morning and that all members remain, each day, until adjournment.

Mr. Dickey announced that if all members will conscientiously remain at work on Friday that Speaker Sam L Collins, and President pro Tempore of the Senate, Senator Powers, will endeavor to avoid holding legislative sessions on Saturdays, but warned that without full cooperation on the part of all members Saturday sessions will be necessary.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

(COPY)

SACRAMENTO 2, CALIFORNIA

Mr Arthur A Ohnimus
Chief Clerk of the Assembly
State Capitol, Sacramento, California

DEAR MR. OHNIMUS: During the Third Extra Session of 1950 the following legislation was enacted, which contained duration clauses limiting its effective period. Each law will expire on the ninety-first day after the 1951 Regular Session of the Legislature The first author of each of the laws has been notified of this fact.

A B No 15, Chapter 12—

Subject	*Clause*	*Authors*
"War voters"	91st day after 1951 session	Conrad, Stanley, Beck, Levering, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Crichton, Dickey, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Porter, Price, Reagan, Rumford, Sherwin, Smith, Stewart, Tomlinson, Thomas, Thompson, and Waters

A. B. No. 37, Chapter 6—

State employees attaining compulsory retirement age, retention or reinstatement	Duration or 91st day after 1951 session, whichever first occurs	Lindsay, Lowrey, Sherwin, Erwin, Moss, and Weber

A. B. No 52, Chapter 3—

"Civil Defense Act of 1950"	91st day after 1951 session	Caldecott, Conrad, Babbage, Levering, Brady, Maloney, McCollister, and Stewart

A B No. 60, Chapter 33—

Female employees' hours and working conditions	Duration or 91st day after 1951 session, whichever first occurs	Levering, Reagan, Morris, Babbage, Burke, Butters, Cloyed, Collier, Connolly, Dolwig, Doyle, Erwin, Grant, Hahn, Hansen, Hinckley, Hollibaugh, Lipscomb, Luckel, Price, and Smith

Very truly yours,

RALPH N KLEPS, Legislative Counsel
By CHAS W. JOHNSON, Chief Deputy

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Next Monday, January 15th, at 8 p.m.—

Finance and Insurance. Subject: Assembly Bill No. 51, in Room 432.

Next Tuesday, January 16th—

At 2 p.m.

Agriculture, in Room 432.

At 3 p.m.

Tidelands and Transbay Crossings.

Next Wednesday, January 17th, at 3 p.m —

Governmental Efficiency and Economy, in Room 436.

PRELIMINARY REPORT ASSEMBLY INTERIM COMMITTEE ON INTERSTATE COOPERATION

January 12, 1951

DEAR MR. SPEAKER: Pursuant to the authorities and duties imposed upon your Interim Committee on Interstate Cooperation, as set forth in House Resolution 216 of the 1949 Regular Session, your committee herewith submits its preliminary report. We have functioned as an integral part of the California Commission on Interstate Cooperation whose membership, as you know, is composed of five constitutional state officers, five Senators, and five Assemblymen, under the guidance of Lieutenant Governor Goodwin Knight as Commission Chairman. This commission was established in 1939 (Cal. Stats. 1939, Chapt. 376) wherein California became a participating member of the Council of State Governments, now found in Title 2, Division 1 of the Government Code (Secs. 8000-8011).

FIELD OF ACTIVITY OF THE COMMITTEE

The primary function of the California Assembly Interim Committee on Interstate Cooperation in conjunction with the Senate Interim Committee on Interstate Cooperation and the California Commission on Interstate Cooperation is to furnish a means whereby California can join with the 47 other states now having like committees and commissions in dealing with interstate problems not coming within the purview of federal jurisdiction, and which are so broad in scope as not to lend themselves to as effectual solutions if dealt with by the states individually. These involve: Interstate compacts contemplated by Article I, Section 10 of the Constitution of the United States, the adoption of uniform and model legislation by the various states, promotion of regional programs beneficial to the states within the area, and reciprocal administrative acts or agreements. Participation in, and acting upon, such matters are among the goals which this committee seeks to accomplish in order to develop interstate unity among the states. In addition, this committee has aided in promoting a clearer understanding of many federal-state problems.

CHRONOLOGICAL RECORD OF INTERSTATE CONFERENCES

The committee, in addition to regular meetings within California, participated in 24 interstate conferences during the past biennium. Some idea of the importance and variety of interstate problems considered is indicated by the group of conferences:

August 23, 24, 1949—Al Tahoe, California
California-Nevada Committee on Lake Tahoe Problems

September 29, 30, 1949—Chicago, Illinois
Conference on State Government Reorganization

October 3-5, 1949—Portland, Oregon
Western Regional Conference of the Council of State Governments

October 12-13, 1949—Washington, D. C.
Meeting of the Drafting Committee of the Council of State Governments

October 27-28, 1949—Chicago, Illinois
Legislative Service Conference

November 9, 1949—San Francisco, California
Western Interstate Committee on Agriculture

December 9, 1949—Chicago, Illinois
Annual Meeting of Board of Managers of the Council of State Governments

January 30-31, 1950—Long Beach, California
Western Interstate Committee on Institutional Care

February 17-18, 1950—Salt Lake City, Utah
Western Interstate Committee on Highway Policy Problems

March 7, 1950—Sacramento, California
California-Nevada Committee on Lake Tahoe Problems

March 10, 1950—Denver, Colorado
Technical Advisory Committee on Regional Higher Education in the West

April 28-29, 1950—Salt Lake City, Utah
Technical Advisory Committee on Regional Higher Education in the West

July 7-8, 1950—San Francisco, California
Western Interstate Committee on Highway Policy Problems

July 28, 1950—San Francisco, California
Technical Advisory Committee on Regional Higher Education in the West

July 29, 1950—San Francisco, California
Legal Committee on Regional Higher Education in the West

September 11-12, 1950—Brockway, California
California-Nevada Committee on Lake Tahoe Problems

September 28-30, 1950—Washington, D. C.
Legislative Service Conference

October 19-20, 1950—Washington, D. C.
Meeting of Drafting Committee of the Council of State Governments

October 21, 1950—Santa Fe, New Mexico
Western Interstate Committee on Highway Policy Problems
Western Interstate Committee on Agriculture

October 22, 1950—Santa Fe, New Mexico
Western Interstate Committee on Institutional Care
October 23-24, 1950—Santa Fe, New Mexico
Western Regional Conference of the Council of State Governments
December 6, 1950—Chicago, Illinois
Annual Meeting of Board of Managers of the Council of State Governments
December 7-9, 1950—Chicago, Illinois
Tenth General Assembly of the States

ACTIVITIES OF THE CALIFORNIA ASSEMBLY INTERIM COMMITTEE ON INTERSTATE COOPERATION

Western Highways

The Western Interstate Committee on Highway Policy Problems was established at the direction of the Western Regional Conference of the Council of State Governments in Portland, in 1949 It is composed of two members from each state, usually one legislator and one highway official. California is represented by Senator Randolph Collier and Hon. Charles Purcell, Director of Public Works

The committee has been extremely active from its initial meeting in Salt Lake City in February, 1950. Representative Ralph T. Moore of Oregon was elected chairman. Discussion at that meeting led to agreement for proposed legislative action on a number of significant highway problems.

In discussing the problems of highway finance, members of the committee agreed that the major problem in making allocations of highway tax burdens was the lack of reliable information upon which such allocations may be based. A great deal of research has been done in this field, but much yet remains to be accomplished. It was proposed that the states of the western region cooperatively undertake a long-term program of research which would help provide answers to the more pressing questions of highway costs The Council of State Governments was directed to make preliminary studies along these lines to determine the feasibility and scope of such a program.

The committee's second meeting was held in San Francisco in July, 1950. At that time the committee carefully reviewed the proposed legislative action agreed upon at its first meeting. After considerable discussion of the proposed regional research program the committee voted to call upon the Institute of Transportation and Traffic Engineering of the University of California "to determine the areas in which research is necessary to set up a proper allocation of highway costs and to prepare a prospectus of the necessary research methods and costs for presentation to this committee." A subcommittee consisting of Senator Collier, Senator Paul Patterson of Oregon, and Representative Julia Hansen of Washington was appointed to work with the institute on this matter. Mr. J. W. Vickrey of the California Highway Department, Mr. R. H. Baldock of the Oregon Highway Department, and Mr. W. A. Bugge of the Washington Highway Department were named as consultants to the subcommittee.

Thereafter, the subcommittee, in cooperation with the Institute of Transportation and Traffic Engineering prepared a research outline, as directed. At the same time, the Stanford Research Institute of Stanford University was called upon to prepare a similar outline with respect to the over-all economic aspects of the problem. This research program was then presented to the entire committee at its third meeting in Santa Fe, New Mexico, in October, 1950. The report of the subcommittee was adopted in its entirety by the committee, and in turn presented to the Regional Conference of the Council of State Governments as a part of the committee's suggested program of legislative action for 1951, along with the other proposals previously agreed upon. In addition to the proposed research plan, the following legislative proposals make up the committee program:

(A) Adoption of statutes providing that courts be given discretionary power to suspend licenses of first offender drunken drivers for periods up to one year, and to provide mandatory suspension of licenses of second offenders.

(B) Adoption of legislation providing that traffic violators under 18 be tried in regular courts, rather than in juvenile courts It was suggested that in most states this recommendation could be put into effect by an amendment to the jurisdictional section of the Juvenile Court Act, such as "providing, however, in the case of traffic code violations, the court of original jurisdiction shall retain it."

(C) Adoption of legislation requiring that records of convictions of major traffic violators be forwarded to their state of origin

(D) Adoption of highway markings by every state which will conform to one of the alternatives fixed in the Manual of Uniform Traffic Control Devices adopted by the American Association of State Highway Officials

(E) Adoption of legislation providing that state highway officials have exclusive jurisdiction over all traffic control signs and devices on state highways.

(F) Adoption of legislation insuring the protection of state highways from subsequent encroachment, by the exercise of appropriate state powers, including the right of limitation of access to such highways

(G) Adoption of standard sizes and weights as recommended by the Western Association of State Highway Officials and refusal to increase sizes and weights until studies now under way are completed.

(H) Establishment of state safety councils by the 11 western states, with the cooperation and help of the National Safety Council.

(I) Exchange of important highway legislation introduced in the 1951 sessions among the 11 western states—utilizing the Western Office of the Council of State Governments as a clearing house for this purpose.

Regardless of the limitations in the various state statutes, there are extensive violations in gross overloading of trucks. It is claimed that these violations relate to a small percentage of truck owners but, whether this be true of not, the fact remains that over-loading causes material damage to our existing highways and these illegal truck operations are destroying the large investment California has in the highway system. The result is that a disproportionate part of our available highway revenue is being used for maintenance, leaving insufficient funds for badly needed new construction.

Agriculture

The Western Interstate Committee on Agriculture was established at the direction of the Regional Conference of the Council of State Governments in San Francisco in 1947. Each state is represented on the committee by the Director of Agriculture and a member of the Commission on Interstate Cooperation. Accordingly, Mr. A. A Brock, Director of the Department of Agriculture, and Assemblyman John F. Thompson were appointed to represent California.

The committee met in San Francisco on November 9, 1949, and in Santa Fe, New Mexico, on October 21, 1950. A wide variety of matters vital to the welfare of the agricultural industry of the western states received consideration by the committee in the past biennium. Among these were: Market enforcement legislation to prevent improper operation of commission merchants, prosecution of a vigorous cooperative program for eradication of foot and mouth disease by the Federal Government in Mexico, land classification programs, cooperative efforts by state, federal, and territorial agencies to combat Oriental fruit fly, transportation rates, and excise taxes on transportation charges which placed long hauls from the western area at a distinct disadvantage, uniform legislation regulating pest control operators and materials, regulation of experiments in artificial rainfall, methods of implementing state participation in the market service features of the Hope-Flanagan Act, federal-state cooperation in control of poisonous and noxious weeds with particular reference to federally owned and controlled land, and study of the United Nations Food and Agricultural Organization's proposed plant convention.

The following recommendations were made by the Western Interstate Committee on Agriculture to the Western Regional Conference of the Council of State Governments:

(I) (a) Research and development work in artificial rainmaking be encouraged.

(b) Legislation be adopted, if necessary, to provide for the registration with a proper state agency of (1) persons or organizations engaged in the business of operating artificial nucleation equipment, with provision for information on areas of operation, and, (2) of persons or organizations selling equipment and supplies for artificial nucleation or possessing equipment and supplies used in connection therewith

(II) The committee recommends that the states give consideration to the enactment of the uniform state law suggested by the Council of State Governments governing the custom application of pesticides (insecticides, herbicides, fungicides and rodenticides) with such modifications as may be pertinent to the particular conditions existing in each state.

(III) Because of the need for improved marketing services in behalf of the agricultural products of the West, the committee recommends that the legislatures of the several states take cognizance of the availability of cooperative marketing services programs under the Hope-Flanagan Agricultural Marketing Research Law (P L. 733—79th Congress), whereby matching funds provided by the states can be utilized, under state departments of agriculture or markets, to develop improved techniques and services to aid in the marketing of farm products.

(IV) Since the newly introduced weed *Halogeton glomeratus* and other poisonous plants have killed thousands of head of sheep and cattle, and since the several western states are developing programs for the suppression of such weeds, and since a major portion of the infestation is on federally controlled land, and since *Halogeton glomeratus* is also host of the beet leaf hopper which transmits the destructive curly-top disease of many important commercial crops, the committee recommends that Congress be requested to enact H.R. 9578 (Baring), or similar legislation in order that cooperation from the Federal Government may be forthcoming for the control of poisonous and other weeds growing on lands subject to federal jurisdiction.

The committee recommends immediate action by the respective states to control *Halogeton glomeratus* through: (1) Vesting authority in and giving direction to appropriate state agencies to effectuate research, education and control; and (2) The coordination of activities directed to the suppression of *Halogeton* by the utilization of the services of official, community and private agencies through committees or otherwise; and (3) The immediate initiation and vigorous development of range management, livestock management and weed control programs utilizing information now available; and (4) Adequate appropriations to proper state and county agencies for research, education and control.

(V) Be it recommended by the Western Interstate Committee on Agriculture, meeting at Santa Fe, New Mexico, October 21st, 1950, that the following recommendation of the National Plant Board be approved:

"WHEREAS, The United Nations Food and Agriculture Organization has drafted an international plant protection convention and has proposed a world reporting service concerning the incidence of plant pests and diseases, with reports about such pests being released on a world-wide basis through the F. A. O.; and

"WHEREAS, It is proposed that the United States participate in this convention which offers a medium for international cooperation and investigation of plant pests; and

"WHEREAS, Such cooperation would be very helpful to the United States in providing information about plant pests in foreign countries and in promoting international goodwill and understanding; now, therefore, be it

"*Recommended, by the National Plant Board in session at New York City, New York, September 25-27, 1950,* That the United States actively participate in this international convention as presently conceived, provided it does not restrict the authority now vested in the Secretary of Agriculture under the provisions of the Plant Quarantine Act of 1912 as amended, to take immediate and independent action to protect the agriculture of the United States; and be it further

"*Recommended,* That the National Plant Board requests the Secretary of Agriculture to inform the National Plant Board of any proposed changes in the present draft or any future amendments that may be proposed; and be it further

"*Recommended,* That copies of this resolution be sent to the Secretary of Agriculture, the Chief of the Bureau of Entomology and Plant Quarantine, U. S. D. A., and to all regional plant boards."

Institutional Care

The Western Interstate Committee on Institutional Care was created at the direction of the Regional Conference of the Council of State Governments in Salt Lake City in 1946. It is made up of one official appointed by the chairman of each state Commission on Interstate Cooperation of the 11 Western States. Assemblyman Vincent Thomas was appointed to fill the vacancy created by the resignation of Assemblyman Ralph C. Dills. Meetings were held in Long Beach, California, in January, 1950, and in Santa Fe, New Mexico, in October, 1950.

The committee has sought ways and means of avoiding and eliminating duplication of institutional facilities in the region. A four-state compact involving Idaho, Nevada, Utah, and Wyoming is presently under consideration with a view to providing better educational facilities for the deaf and blind students of these states. The plan contemplates that the present school for the deaf and blind located at Ogden, Utah, will become a school solely for the blind students of the four states, and that the present school for the deaf and blind located at Gooding, Idaho, will serve as a school solely for the deaf students of the four states.

Steps have been taken at the instance of this committee to provide sharing of penal facilities for women prisoners. California, in 1949, enacted legislation which will permit the taking of women prisoners from other states on a tuition basis when such facilities become available. Oregon, Idaho, and Nevada have passed legislation permitting women prisoners to be housed in California when possible.

A number of other projects are in progress or have been completed. The committee has done a great deal to promote the use of sight saving books in public schools to permit pupils with partial sight to continue in the public schools. Consultation with the California School for the Blind at Berkeley has resulted in an agreement by that school to take the doubly handicapped children of the region. The school has also consented to make available to other states on a cost basis, the services of various faculty members for the purpose of holding preschool clinics for parents of blind children. Home training courses for spastics which are used extensively in Montana have been made available to all the states of the region The committee is also studying the problem of handling the advanced training of deaf students who require vocational training beyond the level to be found in the home state. In addition, the committee has been studying the best means of helping the states on general problems common to all institutions, such as: the exchange of institutional building plans, the establishment of regional wage scales for comparable positions, the adoption of reciprocal action in the field of retirement for special educators and institution heads, and the dissemination of important safety information among institutions.

The following recommendations were presented by the committee to the Regional Conference of the Council of State Governments in Santa Fe, New Mexico, on October 24, 1950:

(1) The committee, having studied the proposed compact for a four-state School for the Blind, including the States of Idaho, Nevada, Wyoming, and Utah, and a four-state school for the deaf for the same states, decided to refer the two compacts to the Western Regional Conference of the Council of State Governments without recommendation

and urged that the four states concerned give the compacts their individual consideration.

(2) The committee, having received an offer from the California School for the Blind to train teachers of parents of pre-school blind children, urges the use of such facilities by the 11 western states and the establishment of pre-school clinics where possible.

Lake Tahoe Problems

The California-Nevada Committee on Lake Tahoe Problems was created in 1949 at the suggestion of officials of both states. Two members from each state were appointed by the chairman of the respective Commissions on Interstate Cooperation. California is represented by Senator Jesse Mayo and Assemblyman Richard McCollister.

Meetings were held in August, 1949, at Al Tahoe, California; in March, 1950, at Sacramento; and in September, 1950, at Brockway, California. The large increase in population of the Lake Tahoe Area in recent years has created many new problems of administering public services. It is apparent that these problems are complicated by the fact that the area is divided by the California-Nevada State Boundary. The committee has attempted to facilitate cooperation by administrative agencies across state lines and to suggest legislation as necessary to solve these problems.

For example, the efforts of the committee have brought about an increased measure of cooperation between the highway departments in snow removal. The fish and game departments are working together on the problem of restocking the lake with fish. Legislation has been prepared to institute a system of reciprocal fishing licenses permitting fishermen to fish anywhere on the lake. (See Appendix I.) Measures have been instituted to aid local authorities in rodent control work. Efforts will be made by Nevada members to secure adoption in 1951 of the Uniform Fresh Pursuit Act, thus improving police protection in the region. The committee is continuing its study of fire protection problems.

The tremendous increase in population, together with the seasonal nature of much of that population poses expensive problems in sanitation control. Some sanitation districts have already been established, but at present no specific statutory authority exists authorizing such districts to contract across state lines. Amending legislation has been prepared for that purpose.

The full report of the California-Nevada Committee on Lake Tahoe Problems, together with its suggested legislation and amendments is attached hereto as Appendix I of this report.

Uniform Laws

The 1949 Session of the California Legislature amended the statute creating the California Commission on Interstate Cooperation to provide that the State Chairman of the Commissioners on Uniform State Laws should be an ex officio member of the Commission on Interstate Cooperation (Calif. Govt. Code, Sec. 8004.5.) Accordingly, Mr. Martin J. Dinkelspiel of San Francisco became a member of the commission upon approval of the amending act by the Governor.

The National Conference of Commissioners on Uniform State Laws is the oldest interstate body in existence, having drafted its first uniform act, the Negotiable Instruments Law, in 1896. Since that time, the conference has drafted a total of 112 acts, many of which have been adopted by the 11 western states. The Assembly Interim Committee on Interstate Cooperation have been instrumental in securing the passage of a number of these acts.

The National Conference of Commissioners on Uniform State Laws is presently engaged in drafting the Uniform Commercial Code, a project which has been in preparation since 1940. This proposed act is designed to replace and revise a considerable portion of the commercial law of the states, including a number of older uniform laws, previously prepared by the conference, and to bring the commercial law in line with modern business practices. It is hoped that the Uniform Commercial Code will be in final form in time to be introduced in the legislatures in 1953. In the meantime, however, it will be introduced into a number of states in 1951 merely for the purpose of submitting it for study by interim committees. To this end, the California Commissioners on Uniform State Laws have held one hearing, in May, 1950, which was attended by representatives of various commercial and banking interests, as well as members of the Assembly Interim Committee on Interstate Cooperation.

In addition to the Uniform Commercial Code, the following listed Uniform Acts will be introduced into the 1951 Session of the California Legislature by the Commissioners on Uniform State Laws, and the California Commission on Interstate Cooperation: Prenatal Blood Test Act; Probate of Foreign Wills Act; Reciprocal Enforcement of Support Act; Trustees Accounting Act; Photographic Copies as Evidence Act; Enforcement of Foreign Judgments Act; Ancilliary Administration of Estates Act; and Transfer of Dependents Act

Regional Higher Education

The Western Governors' Conference, at its meeting in Salt Lake City, in November, 1949, strongly endorsed the principle of closer interstate cooperation in certain fields of higher education, including medicine, dentistry, public health education, and veterinary medicine.

Governor Earl Warren, Chairman of the Conference, appointed a committee to study the problems involved and to formulate recommendations for the next meeting of the Western Governors' Conference. Membership of the Special Committee on Regional Education in the West consisted of Governors Lee Knouse of Colorado, A. G. Crane of Wyoming, Thomas J Mabry of New Mexico, C. A. Robins of Idaho, and Arthur B Langlie of Washington

At the recommendation of the Committee of Governors, A Technical Advisory Committee of two representatives from each of the 12 western states and the Territories of Alaska and Hawaii was appointed, and first met in Salt Lake City on April 28, 1950. Special subcommittees on medicine, dentistry, public health education and veterinary medicine were established at that time to advise concerning the collection of appropriate data on which the Technical Advisory Committee could base its recommendations to the governors. Representing California on this Technical Advisory Committee were Dr Edward S Rogers, Dean of the

School of Public Health, University of California, and Dr. George Hart, College of Veterinary Medicine, Davis, California; and Dr. C. B. Hutchison, Dean of the College of Agriculture, University of California, Berkeley.

The Special Committee of Governors also recommended the appointment of a Legal Committee to consider the methods of implementing the program to be developed by the Technical Advisory Committee. Mr. Thomas Westphal, Jr., Deputy Attorney General represented California on this committee.

The Technical Advisory Committee held meetings in Salt Lake City on April 28, 1950 and in San Francisco on July 28, 1950. Following the latter meeting, on July 29th, the Legal Committee assembled and began work on drafting an interstate compact to carry out the recommendations of the Technical Advisory Committee. This work was completed at a meeting of the Legal Committee in Denver on September 22, 1950. The resulting compact was presented to the Western Governors' Conference at its meeting in Denver on November 10th and 11th. The Governors expressed their approval and agreed to recommend it to their respective legislatures in 1951.

The plan contemplates the establishment of an Interstate Commission to act as a clearing house. Qualified students from participating states and territories will be placed, by the commission, in institutions offering adequate professional and graduate educational opportunities. The commission would be authorized to enter into contracts with various schools in the region offering professional and graduate education. Such contracts would provide that the schools would accept a certain number of qualified students, in return for which the schools would be paid on a specified cost per student per year basis. The commission would also contract with such states and territories in the region who desire to purchase such educational services The net effect is to permit the smaller states which do not have such educational facilities to purchase the services for qualified students, without the necessity of building and maintaining their own schools. The proposed compact will be found in Appendix II

Legislative Service Conference

The Legislative Service Conference was organized in 1948 to provide interstate cooperation for legislative service agencies. This, in turn, leads to more effective service to the legislatures and aids in improving legislative processes and procedures. Its membership consists of legislators who are officers of legislative service agencies, legislative librarians and reference officials, legislative research officials, statutory and code revisors, and legislative drafting officials of the states and territories. California has been represented by the Legislative Counsel. The 1949 meeting was held October 27-28 in Chicago, and the 1950 meeting on September 28-30 in Washington, D. C.

The conference has covered a wide range of topics at these meetings. The 1950 meeting was held in the Library of Congress, and members were able to gain a closer insight into the workings of the legislative

research functions of that organization. Round-table discussions permit exchange of views and experiences. Among the subjects which have received attention from the conference are: Legislative aids, budgets, codification and drafting, library services, distribution of bills and reports, functions of legislative councils, and assistance with the appropriation function.

Conference on State Governmental Reorganization

Representatives of state and territorial reorganization agencies met in Chicago on September 29-30, 1949. Revival of interest in governmental practices and procedures has been stirred by expanding costs of government, increased demands for public services, overlapping and duplication of functions and many other factors. During 1949, 20 states and two territories authorized studies of their governmental organization and operation.

Three principal questions were considered by the conference:

1) How should the state government survey be organized and conducted?

2) What generally accepted principles of state government organization might be embodied in the survey agency's recommendations?

3) What fact-finding, research, and information distribution services can be undertaken centrally by the council of State Governments to assist all of the state survey groups?

This conference achieved a great deal in developing the thinking of interested officials on all phases of governmental reorganization. Included in the agenda were discussions of the objectives of reorganization, selection of any agency and methods of carrying out the necessary research, scope of the study, and means of selling reorganization plans to the public and legislature for enactment.

Pacific Coast Fisheries

The Assembly Interim Committee on Interstate Cooperation calls attention to the continuing cooperative work with regard to the important Pacific marine fisheries among the States of California, Oregon, and Washington, working through the Pacific Marine Fisheries Commission. This agency was sponsored by the Commissions on Interstate Cooperation of the three states, leading to the formation of a compact for the purpose of joint operation.

Among the studies and recommendations which have been made by the commission in the past year are those concerning: Salmon fisheries, otter trawl fisheries, soupfin shark, tuna, sardines, and sablefish. In addition, work has been done looking toward revision of the International Halibut Treaty. Considerable work has been done on drafting a Convention for the Extension of Port Privileges to Fishing Vessels in Alaska and British Columbia. Representatives of the commission have taken part in preparation of treaties relating to tuna fisheries with Mexico and Costa Rica.

Changes in California regulations which have been made in cooperation with the Pacific States Marine Fisheries Commission or at the suggestion of the commission are:

1) The Pacific Marine Fisheries Compact has been continued indefinitely.

2) State boundaries have been changed to include islands, and intervening waters, and trawl areas have been clarified to conform with this change.

3) A uniform crab season has been established, November 15th to July 31st.

4) Alternate troll salmon regulations recommended by the commission have been adopted.

5) Repeal of prohibition against landing shark livers without carcasses.

6) Establishment of a 4½ minimum mesh limit for otter trawl gear.

7) Repeal of sales tax on fishing boats.

APPENDIX 1

REPORT OF CALIFORNIA-NEVADA COMMITTEE ON LAKE TAHOE PROBLEMS

After considerable study, the California-Nevada Committee on Lake Tahoe Problems has come to the conclusion that for the present, at least, the administrative problems of the Lake Tahoe area can best be handled by closer cooperation between the States of California and Nevada and among the various local governmental agencies concerned, aided where necessary by federal representatives performing pertinent functions in the area.

In this connection, the committee suggests that legislation be enacted to facilitate such cooperation across the state boundary in the area. It is felt that particular attention should be directed to the problems of fire protection and sanitation.

Fire Protection

Both states have legislation authorizing the creation of fire protection districts, and the issuance by such districts of bonds to pay for equipment and supplies. Such bonds are payable from taxes. Consequently, the problem is not to provide the machinery of fire protection so much as the means of pooling resources and equipment to meet major emergencies around Lake Tahoe. In this instance, however, the situation is complicated by the problem of working out some method of permitting equipment and personnel of one district to cross over the state line and operate in another state when necessary.

California presently has statutory authority for cooperation among various local governmental units, and it is probable that with the exception of a minor amendment, no further legislative enactments will be required in California. The "Joint Exercise of Powers Act" found in the California Government Code, Sections 6500 et seq., provides that any public agencies may agree to exercise their common powers jointly.

The California Attorney General has held that this act, for example, permits fire protection districts in Santa Barbara County to enter into mutual aid fire protection agreements with the County of Ventura. (14 A G. 75, Op. Nr. 49-35). The act makes no reference to contracting across state lines. Therefore, in order to clarify this point, Section 6502 might be amended to read as follows:

"6502. Public agencies may agree to exercise powers jointly. If authorized by their legislative or other governing bodies, two or more public agencies by agreement may jointly exercise any power common to the contracting parties, *even though one or more of the contracting agencies may be located outside this State.*"

It would, of course, be highly desirable, perhaps necessary, that where one of the contracting parties is located in another state, the adjoining state should have legislation of a substantially similar character. Therefore, the California-Nevada Committee on Lake Tahoe Problems recommends the passage by the Nevada Legislature in 1951 of the same statute or one substantially similar thereto See *Appendix I.*

Sanitation

Passage of an act such as that suggested above, by the State of Nevada, and the amendment of the California statute would also seem to facilitate closer cooperation in the field of sanitation It will be observed that the Joint Exercise of Powers Act provides in Section 6502 for the joint exercise of "any power common to the two contracting parties." Consequently, it seems clear that the act should also cover this situation.

The Nevada "Water and Sewer Revenue Bond Law of 1949" (Statutes of Nevada, 1949, Chapter 129) provides in Section 4(2) that any municipality is given power:

"To operate and maintain any undertaking for its own use and for the use of public and private consumers, and users within and without the territorial boundaries of the municipality."

Section 3 of the same act defines "municipality" as:

"* * * any city, unincorporated city or town, county, county sewer and/or water improvement district, or any sewage and/or water and/or garbage disposal district."

The comparable California law is entitled "Sanitation, Sewer, and Water Bond Law of 1941" found in the 1949 Supplement to the Government Code, Section 54300 et seq Section 54342 of the California act corresponds to Section 4(2) of the Nevada act quoted above. The term "local agency" in the California act corresponds generally with "municipality" in the Nevada act. It includes the following: City, county, city and county, municipal utility district, public utility district, sanitary district, county sanitary district, sanitation district, or any municipal or public corporation or district which is authorized to acquire, construct, own or operate a sanitation system or sewer system or both.

It does not seem likely that a sanitation district in one of the states would extend its own lines into another state in order to sell its services to individual consumers. However, by means of the legislation under consideration here, it would be possible for a district in one state having certain sanitation or sewage facilities, to contract to sell a certain proportion of its capacity to a district in another state. Thus the second district would construct and maintain its own lines, while connecting with the lines of the first district. Consequently, the committee believes that the above recommendations will go far toward extending the excellent cooperation which already exists among local government agencies in the Lake Tahoe area.

Criminal Jurisdiction

It is an accepted doctrine of constitutional law that the Federal Government possesses only those powers which are granted to it by the United States Constitution. All other powers are reserved to the states. Nothing in the Federal Constitution denies to the states the power to exercise police powers over waters within their boundaries, and therefore they may impose such regulatory measures as may be necessary. The regulation of hunting and fishing provides an example of the use of police powers of the states over such waters The only restriction on such power is that it must not conflict with federal legislation, for the Federal Government may also exercise certain jurisdiction over navigable waters within the State by virtue of its power to regulate interstate and foreign commerce, and to regulate navigable waters of the United States. The criminal jurisdiction of the Federal Government as it relates to the waters of Lake Tahoe is defined by the Motor Boat Act of 1940, 46 U. S. C. A. 526(1), 526(m).

As pointed out, the States of California and Nevada have a concurrent power in this regard. California has enacted legislation in Sections 267 and 268 of the Harbors and Navigation Code in the use of such power. See *Appendix II*. These sections clearly give local authorities the power to make and enforce such regulations as may be necessary to govern the operation of power boats on the waters of Lake Tahoe. Such regulations have not as yet been drawn up. However, regulations would not be particularly meaningful in the absence of similar action by Nevada authorities.

At present, Nevada has no legislation which would permit local authorities to enact such regulations. The committee therefore recommends that the Nevada Legislature enact provisions comparable to Sections 267 and 268 of the California Harbors and Navigation Code in order to provide local officials with sufficient power to regulate the operation of boats on Lake Tahoe.

Uniform Fresh Pursuit Act

In order to improve police protection in the Lake Tahoe area, as well as along the entire California-Nevada Boundary, the committee recommends the passage by the Nevada Legislature of the Uniform Fresh Pursuit Act.

This act, drafted by the National Conference of Commissioners on Uniform State Laws, permits a police officer of one state when in fresh pursuit of a criminal to continue across the state line if necessary, to apprehend the offender. This act is already in force in California.

Fishing Licenses

A considerable degree of cooperation presently exists between the Fish and Game Commissions of the respective states, particularly in regard to steps being taken to re-stock the lake with fish. In addition however, it is felt that the licensing and policing of fishing on the lake would be greatly simplified if some arrangement could be made for reciprocal licensing. Thus, a fisherman purchasing a license in California would be entitled to fish in all parts of the lake without the necessity of also purchasing a Nevada license and vice versa.

Therefore, the committee recommends that the Legislatures of Nevada and California enact measures permitting the Fish and Game Commissioners of the two states to set up such a system. The details of the arrangement would be left to the commissions to work out by negotiation. A suggested bill for this purpose will be found in *Appendix III*.

General Comment

The committee heard from local residents and representatives of each of the levels of government on pertinent problems. It found that: (1) On current and potential water supply, much had been worked out by the State Engineers of both states. (2) In connection with suppression of field rodents harboring diseases transmissible to humans, state, federal and local agricultural, health and wildlife agencies well understood the problem, which resulted in effective efforts. (3) There was a real consciousness on the advisability of adequate use of zoning authority in anticipation of population increase, both seasonal and permanent.

Appendix I

California Government Code S. 6500 et seq. Joint Exercise of Powers

6500. What "Public Agencies" include. As used in this article, "public agency includes the Federal Government or any federal department or agency, the State or any state department or agency, a county, city, public corporation, or public district.

6501. Agreements without approval of Department of Finance or Director of Finance not authorized. This article does not authorize any state officer, board, commission, department, or other state agency or institution to make any agreement without the approval of the Department of Finance or the Director of Finance if such approval is required by law.

6502. Public agencies may agree to exercise powers jointly. If authorized by their legislative or other governing bodies, two or more public agencies by agreement may jointly exercise any power common to the contracting parties.

6503. Purpose, power to be exercised, and method to be stated. The agreements shall state the purpose of the agreement or the power to be exercised. They shall provide for the method by which the purpose will be accomplished or the manner in which the power will be exercised.

6504. Contributions or payments from public funds may be provided for: Payments and disbursements. The parties to the agreement may provide that (a) contributions from the treasuries may be made for the purpose set forth in the agreement or (b) payments of public funds may be made to defray the cost of such purpose. The funds may be paid to and disbursed by the agency agreed upon.

6505. Accountability of funds: Reports of receipts and disbursements. The agreement shall provide for strict accountability of all funds and report of all receipts and disbursements.

6506. Agency to administer or execute agreement: What to be. The agency provided by the agreement to administer or execute the agreement may be one of the parties to the agreement or a commission or board constituted pursuant to the agreement.

6507. Same: Agency is separate entity from parties to agreement. For the purposes of this article, the agency is an entity separate from the parties to the agreement.

6508. Same: Possession and exercise of common power. The agency shall possess the common power specified in the agreement and may exercise it in the manner or according to the method provided in the agreement.

6509. Same: Restrictions upon manner of exercise Such power is subject to the restrictions upon the manner of exercising the power of one of the contracting parties, which party shall be designated by the agreement.

6510. Continuation of agreement: Provision for method of rescission or termination. The agreement may be continued for a definite term or until rescinded or terminated. The agreement may provide for the method by which it may be rescinded or terminated by any party.

6511. Provision for disposition, division, or distribution of property acquired. The agreement shall provide for the disposition, division, or distribution of any property acquired as the result of the joint exercise of powers.

6512 Provision for return of surplus moneys. The agreement shall provide that after the completion of its purpose, any surplus money on hand shall be returned in proportion to the contributions made.

6513. Privileges, immunities, exemptions, and benefits applicable to officers, agents or employees of public agents to apply in performance of functions and duties extraterritorially All of the privileges and immunities from liability, exemptions from laws, ordinances and rules, all pension, relief, disability, workmen's compensation, and other benefits which apply to the activity of officers, agents or employees of any such public agency when performing their respective functions within the territorial limis of their respective public agencies, shall apply to them to the same degree and extent while engaged in the performance of any of their functions and duties extraterritorially under the provisions of this article.

Appendix II

Harbors and Navigation Code of the State of California

267. Operation of power boat at more than five nautical miles per hour in certain areas prohibited: Application of section. Every owner, operator, or person in command of any power boat, is guilty of a misdemeanor who operates it or permits it to be operated at a speed in excess of five nautical miles per hour in any of the following areas:

(a) Within 100 feet of any person who is engaged in the act of bathing.

(b) Within 200 feet of any:

(1) Beach frequented by bathers.

(2) Swimming float, diving platform, or life line.

(3) Way or landing float to which boats are made fast or which is used for the embarkation or discharge of passengers.

The provisions of this section shall apply to all waters which are in fact navigable regardless of whether they are declared navigable by this code. (Added by Stats 1949, Ch. 566, Sec. 2.)

268. Restrictions concerning power boats by counties and cities: Permits for motorboat races: Application of section. Counties or cities may make further restrictions concerning the navigation and operation of power boats, and may grant permits to bona fide yacht clubs or civil organizations to conduct motorboat races over courses established, marked, and patrolled by authority of the United States Coast Guard, city harbor master, or other officer having authority over the waters on which a race is proposed to be conducted and on such days and between such hours as may be approved by the officer

The provisions of this section shall apply to all waters which are in fact navigable regardless of whether they are declared navigable by this code. (Added by Stats. 1949, Ch 566, Sec. 2.)

Appendix III

SECTION 1. The State Board of Fish and Game Commissioners is hereby authorized and directed to enter into negotiations with the State Fish and Game Commissioners of the State of _____, and with such local agencies in that State as may be necessary, to permit persons fishing in the waters of Lake Tahoe to do so when licensed by either the State of California or the State of Nevada, upon such conditions as may be agreed upon.

SEC. 2. When the said Board of Fish and Game Commissioners succeeds in concluding an agreement which, in the exclusive judgment of the said board, is satisfactory, then, and in that event, persons holding a valid fishing license from either the State of California or the State of Nevada, are hereby authorized to fish in the waters of Lake Tahoe upon such terms and upon the fulfillment of such conditions as may be provided in the said agreement.

SEC. 3. Such agreement shall pertain only to the waters enclosed within the shoreline of Lake Tahoe, and shall in no way affect the licensing requirements for fishing in streams tributary to or flowing from Lake Tahoe.

APPENDIX 2

WESTERN REGIONAL HIGHER EDUCATION COMPACT

Article I

WHEREAS, The future of this Nation and of the Western States is dependent upon the quality of the education of its youth; and

WHEREAS, Many of the Western States individually do not have sufficient numbers of potential students to warrant the establishment and maintenance within their borders of adequate facilities in all of the essential fields of technical, professional, and graduate training, nor do

all of the states have the financial ability to furnish within their borders institutions capable of providing acceptable standards of training in all of the fields mentioned above; and

WHEREAS, It is believed that the Western States, or groups of such states within the region, cooperatively can provide acceptable and efficient educational facilities to meet the needs of the region and of the students thereof; now, therefore,

The States of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming, and the Territories of Alaska and Hawaii, Do hereby covenant and agree as follows:

Article II

Each of the compacting states and territories pledges to each of the other compacting states and territories faithful cooperation in carrying out all the purposes of this compact.

Article III

The compacting states and territories hereby create the Western Interstate Commission for Higher Education, hereinafter called the commission. Said commission shall be a body corporate of each compacting state and territory and an agency thereof. The commission shall have all the powers and duties set forth herein, including the power to sue and be sued, and such additional powers as may be conferred upon it by subsequent action of the respective legislatures of the compacting states and territories.

Article IV

The commission shall consist of three resident members from each compacting state or territory. At all times one commissioner from each compacting state or territory shall be an educator engaged in the field of higher education in the state or territory from which he is appointed.

The commissioners from each state and territory shall be appointed by the governor thereof as provided by law in such state or territory. Any commissioner may be removed or suspended from office as provided by the law of the state or territory from which he shall have been appointed.

The terms of each commissioner shall be four years; provided however that the first three commissioners shall be appointed as follows: one for two years, one for three years, and one for four years. Each commissioner shall hold office until his successor shall be appointed and qualified. If any office becomes vacant for any reason, the governor shall appoint a commissioner to fill the office for the remainder of the unexpired term.

Article V

Any business transacted at any meeting of the commission must be by affirmative vote of a majority of the whole number of compacting states and territories.

One or more commissioners from a majority of the compacting states and territories shall constitute a quorum for the transaction of business.

Each compacting state and territory represented at any meeting of the commission is entitled to one vote.

Article VI

The commission shall elect from its number a chairman and a vice chairman, and may appoint, and at its pleasure dismiss or remove, such officers, agents, and employees as may be required to carry out the purpose of this compact; and shall fix and determine their duties, qualifications and compensation, having due regard for the importance of the responsibilities involved.

The commissioners shall serve without compensation, but shall be reimbursed for their actual and necessary expenses from the funds of the commission.

Article VII

The commission shall adopt a seal and by-laws and shall adopt and promulgate rules and regulations for its management and control.

The commission may elect such committees as it deems necessary for the carrying out of its functions.

The commission shall establish and maintain an office within one of the compacting states for the transaction of its business and may meet at any time, but in any event must meet at least once a year. The chairman may call such additional meetings and upon the request of a majority of the commissioners of three or more compacting states or territories shall call additional meetings.

The commission shall submit a budget to the governor of each compacting state and territory at such time and for such period as may be required

The commission shall, after negotiations with interested institutions, determine the cost of providing the facilities for graduate and professional education for use in its contractual agreements throughout the region.

On or before the fifteenth day of January of each year, the commission shall submit to the governors and legislatures of the compacting states and territories a report of its activities for the preceding calendar year.

The commission shall keep accurate books of account, showing in full its receipts and disbursements, and said books of account shall be open at any reasonable time for inspection by the governor of any compacting state or territory or his designated representative. The commission shall not be subject to the audit and accounting procedure of any of the compacting states or territories. The commission shall provide for an independent annual audit.

Article VIII

It shall be the duty of the commission to enter into such contractual agreements with any institutions in the region offering graduate or professional education and with any of the compacting states or territories as may be required in the judgment of the commission to provide adequate services and facilities of graduate and professional education for the citizens of the respective compacting states or territories. The commission shall first endeavor to provide adequate services and facilities in the fields of dentistry, medicine, public health, and veterinary medicine, and may undertake similar activities in other professional and graduate fields.

For this purpose the commission may enter into contractual agreements—

(a) With the governing authority of any educational institution in the region, or with any compacting state or territory, to provide such graduate or professional educational services upon terms and conditions to be agreed upon between contracting parties, and

(b) With the governing authority of any educational institution in the region or with any compacting state or territory to assist in the placement of graduate or professional students in educational institutions in the region providing the desired services and facilities, upon such terms and conditions as the commission may prescribe.

It shall be the duty of the commission to undertake studies of needs for professional and graduate educational facilities in the region, the resources for meeting such needs, and the long-range effects of the compact on higher education; and from time to time prepare comprehensive reports on such research for presentation to the Western Governors' Conference and to the legislatures of the compacting states and territories. In conducting such studies, the commission may confer with any national or regional planning body which may be established. The commission shall draft and recommend to the governors of the various compacting states and territories, uniform legislation dealing with problems of higher education in the region.

For the purposes of this compact the word "region" shall be construed to mean the geographical limits of the several compacting states and territories.

Article IX

The operating costs of the commission shall be apportioned equally among the compacting states and territories.

Article X

This compact shall become operative and binding immediately as to those states and territories adopting it whenever five or more of the States or Territories of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, Wyoming, Alaska, and Hawaii have duly adopted it prior to July 1, 1953. This compact shall become effective as to any additional states or territories adopting thereafter at the time of such adoption.

Article XI

This compact may be terminated at any time by consent of a majority of the compacting states or territories. Consent shall be manifested by passage and signature in the usual manner of legislation expressing such consent by the legislature and governor of such terminating state. Any state or territory may at any time withdraw from this compact by means of appropriate legislation to that end. Such withdrawal shall not become effective until two years after written notice thereof by the governor of the withdrawing state or territory accompanied by a certified copy of the requisite legislative action is received by the commission. Such withdrawal shall not relieve the withdrawing state or territory from its obligations hereunder accruing prior to the effective date of withdrawal.

The withdrawing state or territory may rescind its action of withdrawal at any time within the two year period. Thereafter, the withdrawing state or territory may be reinstated by application to and the approval by a majority vote of the commission.

Article XII

If any compacting state or territory shall at any time default in the performance of any of its obligations assumed or imposed in accordance with the provisions of this compact, all rights, privileges and benefits conferred by this compact or agreements hereunder, shall be suspended from the effective date of such default as fixed by the commission.

Unless such default shall be remedied within a period of two years following the effective date of such default, this compact may be terminated with respect to such defaulting state or territory by affirmative vote of three-fourths of the other member states or territories.

Any such defaulting state may be reinstated by: (a) performing all acts and obligations upon which it has heretofore defaulted, and (b) application to and the approval by a majority vote of the commission.

CONCLUSION

Your interim committee concurs in the recommendations of the regional committees as set forth herein. These recommendations follow the main conclusions and recommendations of the full California Commission on Interstate Cooperation.

Bills to accomplish the necessary legislative changes are being introduced simultaneously in the Assembly.

Respectfully submitted,

HON. RICHARD H. McCOLLISTER, Chairman
HON. JAMES G. CRICHTON
HON. JOHN W. EVANS
HON. VINCENT THOMAS
HON. JOHN F. THOMPSON

PRELIMINARY REPORT

ASSEMBLY INTERIM COMMITTEE ON MILITARY AFFAIRS

January 12, 1951

DEAR MR. SPEAKER: Pursuant to the authorities and duties imposed upon your Interim Committee on Military and Veterans Affairs, as set forth in House Resolution No. 217 of the 1949 Regular Session, your committee herewith submits its preliminary report. Those interested will notice that our main efforts were expended on an analysis of the need and necessity of the construction of new armories for the housing of those units of the National Guard assigned to our State. In this report we are also giving a brief resumé of the traffic usual to our subject matter and an outline of the activities in which our committee members have engaged as liaison officers between the State Government and the

various veteran organizations. We also report to you on a hearing we held following announcement of the Korean hostilities with reference to the civilian defense organization in California.

IN GENERAL

Your committee has served the public and members thereof who are California veterans in handling the volume of correspondence equal to a request per day for farm and home purchase loans, civil service credits, and the various benefits to which our veterans are entitled. We have done this in the regular course of business, feeling that this traffic is the type of service expected of our committee. Comparatively speaking, these services are of a minor nature and no attempt is made herewith to submit the personal circumstances and details surrounding each veteran asking our assistance It is sufficient to report that each case was serviced, and the corresponding veteran was aided through our contact with the officials of the State Government, and in those cases where a hearing became necessary the veterans were scheduled before our public meetings. We can report to you that our service in this connection was 100 percent satisfactory and that the Legislature as a whole should take credit for the work done. Those wishing data on individual cases may make specific inquiry from our chairman.

CIVILIAN DEFENSE

It is well recognized that the participation of this Nation in the war in Korea brought us to a military consciousness, and, in keeping with the time, your Committee on Military Affairs hastily assembled a meeting of the civilian defense authorities and a full hearing was undertaken in Sacramento during the first week of August, 1950. Our leading witness was Mr. Burton Washburn, Secretary of the California State Disaster Council, and our hearing was overwhelmingly patronized by representatives of local governments, including the Association of District Attorneys, League of California Cities, American Legion, Veterans of Foreign Wars, Disabled American Veterans, Association of County Supervisors, the Peace Officials Association, the Association of California Fire Chiefs and other units interested in civilian defense. Our meeting was also officially attended by officers of the Army coming from the Sixth Army Headquarters at the San Francisco Presidio, and the official message of these officers was the stark statement that the Army considered civilian defense to be a domestic matter.

A full transcript of this meeting is available for those interested, but in this report your committee does not feel it necessary to relate the discussions in detail since the developments along this line have now taken on a federal pattern, and, as set forth at a subsequent meeting of the 11 western states which was attended by members of your committee at Santa Fe, New Mexico, in October, 1950, cooperation between the Federal Government and the various states is being accomplished.

We wish you to know that your committee felt completely satisfied with the manuals of training and planning prepared by the State Disaster Council. It was obvious in August, 1950, that California was well ahead of the other states in the Union in the matter of civilian defense

activities. Furthermore, during our special session in September, 1950, we enacted the model Civilian Defense Laws recommended by the National Security Resources Board.

There are two remaining problems of great magnitude.

1. Enlistment of the interest of the man-of-the-street type of civilian defense workers in keeping with the plans already formulated.

2. Matters of financial agreements between the various levels of government for the payment of expenses and capital outlay necessary to give this state an adequate civilian defense program.

The mutual aid agreements between municipalities and counties have been well executed in the planning stage. Likewise, the exchange of interstate mutual aid agreements has been well accomplished. We are in the position of having an excellent plan, but no working population in the movement; nor do we have yet a working arrangement for finances.

Your committee does not herewith attempt to prescribe or recommend the necessary financial arrangement since, as this report is being written, the Federal Congress is in the process of making a large appropriation for civilian defense and various meetings are in progress between cities, counties, and the State, for the determination of the proper proportion of expenditures. Also, your committee anticipates that Governor Warren will propose amendments and appropriations in support of the civilian defense program.

Our own bills in support of uniformity of identification for workers, and a matching basis for financial expenditures between the various levels of government, are being introduced concurrently with this report.

NATIONAL GUARD ARMORIES

As stated in the opening portion of this report, the main undertaking of your Interim Committee has been to examine the need and necessity for the expenditure of state funds in the furtherance of the National Guard Armory program. For this purpose we employed Mr. Lynn S. Coe, a most experienced investigator who has done work for this committee for several years past. Mr. Coe was detailed to scrutinize the circumstances in every community where the Adjutant General has suggested a need of an armory, and we feel that his insight of circumstances at each location, as reported herewith, will be of immeasurable benefit to the entire Legislature in their determination and allocation of state funds.

You all know that the National Guard is raised, trained, officered, and housed by the State. However, it is equipped, paid, and supervised by the Departments of Army and Air Force. The California responsibility consists of:

40th Infantry Division
49th Infantry Division
61st Fighter Wing
62nd Fighter Wing
112th A.A.A. (Anti Aircraft) Brigade
114th A.A.A. Brigade
First Provisional Brigade
State Headquarters and Headquarters Detachment

There are 362 units now activated and located in the various cities and towns throughout our State, with the exception of those belonging to the 40th Infantry Division (Southern California) which was, in September of 1950, called into active federal service The remaining units are still our responsibility and they suffer the handicap of inadequate housing (armories) to the extent that the Federal Government will not authorize the assignment of ordnance, mobile equipment, practice armament, and in some cases even uniforms, because our locations have no facilities for storage. This actually leaves our National Guard in a pathetic condition, and demonstrates that it is most essential for us to proceed with the construction of armory facilities.

It will be recalled that in a move of would-be economy approximately one-half of our armory program was eliminated during the 1949 Session of the Legislature, leaving our State with some 40 or 50 required armories without funds for their construction. Therefore, your committee instructed Mr. Coe to examine 45 communities in keeping with the armory proposals of the Adjutant General. A paragraph on the condition of each community examined now follows in this report·

ALHAMBRA (Hq. & Hq. Company, 3d Bn., 223d Infantry Regiment)

The present facilities are housing five units of the National Guard, with a total strength of approximately 600 men and officers. The building is totally inadequate and perhaps the most crowded condition found in the entire inspection Strong rooms for the storage of ordnance and weapons are entirely inadequate and with very poor security. Several break-ins have occurred with the loss of small arms and a machine gun. The men have no inside area for assembly. Class rooms are totally inadequate because of size, and an outside area poorly lighted is the only drill area available. This building is the administration building of an old abandoned airport and was the only available location in the City of Alhambra. From a rental standpoint alone, it would seem good business that this armory be constructed. The State is paying a rental of $500 per month on this location. Community interest in the National Guard is excellent. A site has been offered of approximately five acres and is now in the process of acquisition. Required motor vehicles have not been issued, due to the lack of a motor pool. (UNDER CONSTRUCTION. APPROPRIATION APPROVED AT BUDGET SESSION, MARCH, 1950)

ANAHEIM AND FULLERTON (Co. K and Co. M, 224th Infantry Regiment)

It has been proposed, due to the close proximity of these two cities, that an armory be constructed for joint occupancy of the Anaheim and Fullerton units. Both units have been recruited to nearly authorized strength, and present facilities are entirely inadequate. These are heavy weapons companies and much of the equipment necessary for their training program has not been issued due to the lack of storage facilities. These two units have a strength of 278 enlisted men and five officers. At the present time the rentals covering the two locations total $325 per month. Here again it would seem, considering the rental paid and the lack of facilities, only good policy for the State to construct its own building. Armory would be located on a site already granted. Required motor vehicles have not been issued due to lack of motor pool.

BAKERSFIELD (Hq. & Hq. Co., 3d Bn., 185th Infantry Regiment)

Two units and battalion headquarters of the 185th Regiment are now quartered in an old county fair building, and while assembly and drill space is adequate, supply and strong rooms do not meet Federal requirements, and there have already been three break-ins with a loss of equipment and arms. The training program is hampered because of the lack of proper weapons and equipment for training purposes. The building is of a very temporary nature, with no heat, and stands on the old county fair grounds which is being abandoned. It is proposed that all buildings on this site be removed immediately after the 1950 Kern County Fair, which means that these two units will be left without any quarters in which to carry on their program. The community interest is excellent and a site has been granted on the new fair grounds which will be constructed south of the city, and arrangements have been made whereby the fair would participate in the construction of the armory building, making it possible to construct a much larger building than proposed by the Adjutant General, and allowing its use as an exhibit building during the time of the fair only. Inasmuch as this is at a time of the year when it is possible to conduct training programs outside, it would in no way interfere with the program of the National Guard units. Required motor vehicles have not been issued due to the lack of a motor pool. Its present strength is 157 enlisted men and 16 officers. (UNDER CONSTRUCTION. APPROPRIATION APPROVED AT BUDGET SESSION, MARCH, 1950.)

BARSTOW (Hq. & Hq. Co. & Service & Medical Detachment Co., and 140th Headquarters Tank Battalion)

This unit is now meeting in the high school building. Quarters are inadequate and pressure is being brought to bear by the school board for their removal, due to the fact that the increase in school registration requires the use of these facilities. At the present time the strength is 16 officers and 91 men, which will be increased by the transfer of units to this armory as soon as the armory is constructed. At the present time a rental of $250 a month is being paid to the school board for these facilities which are inadequate and holding up reorganization of the forces in this area

BRAWLEY (111th Armored Cavalry Regiment—Light)

This unit is now meeting in the American Legion Memorial Building with an orderly room, strong room, and supply room adequate for the present strength of 45 enlisted men and one officer. This unit is one of the last to be activated and is growing. A class room is available within the Legion Building, but drill must be carried on in an outside area which is floodlighted poorly. No motor pool is available so the unit has not been able to draw the motor equipment to which it is entitled and should have. With its present strength, facilities are perhaps adequate for the time being, but, as they approach their authorized strength, they will be totally inadequate. An outright grant of sufficient property for armory construction has been offered to the State and will be forwarded to the Department of Finance for approval.

BANNING AND BEAUMONT (Co. H, 224th Infantry Regiment)

It has been proposed that an armory be constructed in Banning to serve the community surrounding and including Beaumont. At the present time they are housed on the second floor of a store building, and while they have an assembly room, it is very small and inadequate. Class rooms are not available. Supply and strong rooms are inadequate. No lockers and shower rooms. No heating facilities for main area and at the time the inspection was made, weather conditions were such that temperature in the main assembly room was too cold for use. Community interest in this unit is high and the City of Banning has purchased an ample site approximately two miles from Banning in the direction of Beaumont, which would place the armory near the center of its area. As an instance of interest shown in the National Guard, some of their men travel as far as 60 miles to attend drills. There is no vehicle pool and such equipment as they have has been issued only through a relaxation of rules by the Federal Government. Their present strength is 99 men and three officers.

CALEXICO (Co. C, 111th Armored Cavalry Regiment—Light)

This unit is at present housed in the American Legion Building which is an old residence. It is totally inadequate with no facilities for lockers, showers, etc., and very inadequate supply and strong rooms. This unit, in order to carry on a proper training program, should have sufficient motor equipment and light tanks, half tracks, etc., which it is impossible to issue, due to the lack of a motor pool which would meet federal requirements. About all the present location provides is a classroom, orderly room, and, as mentioned, supply and strong rooms which would seem not to meet even minimum requirements. Enlistment in this area has been seriously hampered by the lack of training facilities and adequate armory space. During World War II it was necessary to maintain this company of the State Guard on active duty for the protection of the irrigation project, etc. Situated as it is on the border across from Mexicali, a city of approximately 85,000 people, it seems to be one of the most important of all we have to consider from the standpoint of the location of an armory. The City of Calexico has offered an outright grant of property, with the appraised valuation of $13,000 to the State for armory purposes. This site is well situated and would provide ample space for armory construction, motor pool (sufficient to house vehicles ordinarily assigned to this type of unit) and sufficient outside area for training purposes. It is situated adjacent to a very fine rifle range, permission for the use of which has been granted to the unit. It is the belief of your investigator that construction of an armory at this point is a must, both from a psychological standpoint, as well as tactical. Community interest, as well as the morale of the personnel of this unit, is excellent. The present strength is five officers and 59 men. (UNDER CONSTRUCTION. APPROPRIATION APPROVED AT BUDGET SESSION, MARCH, 1950.)

CONCORD-MARTINEZ (49th Quartermaster Company)

This unit is at present being housed in a club building on the outskirts of Concord where there are no locker rooms, and inadequate supply and strong rooms do not permit issuance of full quota of equipment. This unit is at nearly authorized strength and when the building was acquired for armory purposes some time ago, it was, perhaps, ample for the strength at that time. It now has a strength of 121 men and 10 officers, which makes the building totally inadequate to care for this number. Being a unit of this nature, most of its equipment is motorized, comprising two and a half ton trucks and smaller vehicles which at the present are parked in an unpoliced yard, contrary to federal regulations, where entry can be had by practically everyone; and when your investigator visited the place it was a veritable mud hole and impossible for proper maintenance of these vehicles. The entire community, with a population of some 25,000 people to draw from, is solidly behind this unit and were instrumental in having it removed from the City of Martinez, where very little interest was apparent. They have gone so far as to offer to the State a site of a little over three acres, which is an ideal location near the center of the city, and have changed their program to extend this facility to the site that has been offered as an outright grant to the State for this armory construction. At present a rental of $97 per month is being paid for the inadequate premises now being occupied. Present strength of the outfit is nine officers and 118 men. (UNDER CONSTRUCTION. APPROPRIATION APPROVED AT BUDGET SESSION, MARCH, 1950.)

EL MONTE AND ROSEMEAD (Heavy Tank Co., 223d Infantry Regiment)

At present this company is housed in one end of a small municipal building in El Monte with only an orderly room and very inadequate supply and strong room, neither of which meet minimum federal requirements. Being a heavy tank company, any training program depends upon the issuance to the outfit of this type of equipment which so far has been denied them due to the lack of proper motor pool. Community interest in this organization is excellent. Its present strength is 93 men and three officers. With proper facilities there is no question but that it would meet its authorized strength in a very short time. Conditions in this case certainly warrant the construction of a state-owned building.

ESCONDIDO AND SAN MARCOS (Battery D, 140th A. A. A. A. W. Bn.)

At the present time this unit is being quartered in the American Legion Building where supply room and strong room are inadequate. No locker room or such facilities are available. The drill area is very small and the use of the street is the only possibility of an outside area. It has been necessary to borrow equipment from Vista, California, a distance of some twelve miles, in order to have anything available on drill nights. This necessitates picking up same and returning same on drill evenings, due to the fact there is no available motor pool. The community interest in this unit is the very highest found on this entire inspection. The unit itself has had a very fine influence on the youth of Escondido, and has proven to have the great effect of curbing juvenile delinquency. The present building was constructed by volunteer labor, is approximately three stories high, with no steel reinforcements in the brick walls—pilasters are set on hollow tile and the building has been considered so unsafe as to have been condemned for further use. The unit

here has been allowed to use it by the city pending condemnation, but we do not believe that the State should permit the use of this building by the National Guard organization because of its unsafe nature. An outright grant of ample acreage for construction of an armory and all other facilities has been offered and is now in the process of acceptance by the Department of Finance. Approximate value of this property is $5,750. Present strength consists of 66 men and three officers.

FAIRFAX-SAN RAFAEL-SAN ANSELMO (Co. D, 579th Engr. Comb. Bn.)

This unit has sufficient drill space at present in the Fairfax Pavilion. Storage and office space is very limited, with no provision or possible solution to the problem of storing heavy type equipment which is necessary in the training program of an engineer unit As a result, the progress of a growing unit, which has received considerable support from all communities in Marin County, has been greatly retarded. Land has been set aside for armory purposes on an outright grant basis and is now pending in the office of the Adjutant General. The vulnerability of Marin County in case of disaster, both domestic and national, is a vital factor in the consideration of an armory at this point. The present strength of this unit is four officers and 60 men.

FONTANA AND RIALTO (Co. A, 224th Infantry Regiment)

The present facilities provide for only an office, approximately 8 by 10, which serves as an orderly room. A strong room is provided approximately 150 yards from the office which is adequate for the storage of ordnance and small weapons, but lacks sufficient space for storage of supplies, clothing, and such. Classroom available in Legion Hall when not being used for other purposes. Outdoor area available but not lighted, making it very difficult to carry on any comprehensive training program. A land grant has been offered to the State and is now in the process of completion.

GLENDALE (Co. B and Co. C, 223d Infantry)

At the present time two companies of the 223d Infantry are meeting in Glendale and it is planned that this eventually be made a battalion headquarters, housing some four or five units. The facilities now consist of a small building which is partitioned down the middle and provides for a combination supply and ordnance store room, and a small orderly room, or office. All training programs must be carried on out of doors as there is no shelter for the men in bad weather. Permission has been granted for use of classrooms in a nearby school. This is perhaps one of the worst cases for lack of facilities found during this inspection. The morale of the troops is excellent and surprising, in view of the lack of facilities. Most of the improvements which have been made in the building have been paid for by the officers of the unit. The outer area, which is used for drill, is not paved or gravelled, and in case of wet weather the men are forced to get out there in the mud because, unless drill is held federal pay for that drill period is denied. The only motor equipment which has been issued these units is a jeep used jointly by the two companies. The City of Glendale has offered a site on Colorado Street ample for all purposes, and I believe that a fair estimate of its value will be

approximately $50,000. We believe in this case that an armory is absolutely necessary if we are to continue this organization. UNDER CONSTRUCTION. APPROPRIATION APPROVED AT BUDGET SESSION, MARCH, 1950.)

GARDENA (Bat. C, 720th A. A. A. Gun Bn.)

This unit is now being housed in an old garage building with temporary type construction. While they have done everything possible to make this building more usable, the type of construction makes it impossible for it to conform to even minimum federal requirements as far as the storage of ordnance, etc., is concerned. An outdoor area is available and they are at present using a motor pool across the street which does not meet federal requirements due to the fact that entry is had by the public generally. This type of an organization uses some of the most valuable equipment issued to any of our Armed Forces, consisting of radar, radio, and all types of communication, as well as heavy weapons. It would seem of utmost importance that such units as these have at all times, for protection in an emergency, the weapons and equipment they are to use at such time—which is impossible under the present conditions. At the present time they are paying a rental of $150 per month for these inadequate quarters which provides no heat, and during the recent cold spell it was almost impossible to hold classes or drill. The building is of such small size that when the equipment which they have is stored inside, it leaves very little room for maintenance work and instruction in their use. The community interest is very high and the City of Gardena has offered a lease which is under consideration by the Department of Finance, with a valuation of $13,000. The present strength of the unit is two officers and 65 men.

INDIO (Co. A, 111th Armored Cavalry Regiment—Light)

At present this unit is being housed in a portion of an exhibit building on the Riverside County Fairgrounds. The building floor is used for drill purposes but storage for quartermaster supplies and ordnance does not meet federal specifications, so that the issuance of equipment is very limited. This is another case of a light tank company which is unable to draw tanks and such equipment to carry on its training program. An outright grant of property adequate for armory construction has been offered to the State and will be forwarded to the Department of Finance for approval.

LODI (Bat. C, 164th F. A. Bn.)

This unit is housed in an armory constructed by the City of Lodi for National Guard purposes and the facilities are ample with the exception of storage of motor vehicles. A large drill area is available, part of which has cement floor, so that heavy weapons can be brought into this area for instruction purposes. We believe it to be the intent of the Adjutant General to purchase this site which, undoubtedly, can be purchased to advantage, and with some additions and improvements would make it one of the finest single unit armories in the State. There is no heating for the drill area, and on the night that your investigator visited this unit the cold was so severe that the men were wearing overcoats in their drill. Believe it to be the intent of the Adjutant General, after this site is purchased, that a location for an ample motor pool will be included,

and it is their intention to provide the facilities that are lacking. It is impossible to make these changes at the present time because of the fact that the State does not own the property. Strength of the unit is 74 men and four officers. (PURCHASED. APPROPRIATION APPROVED AT BUDGET SESSION IN MARCH, 1950.)

LOS ANGELES (6th Combat Engineers—Colored)

At the present time this group is being housed in the main armory on Exposition Boulevard, which is so crowded as to make any comprehensive training program for this unit absolutely impossible. The present strength of these units is 38 officers and 365 men. This situation is one of the most serious that your investigator found, to a great extent because by the lack of locker rooms, supply, and strong rooms, there has been considerable loss of clothing and small equipment. Men have been issued uniforms and are unable to change clothing in the armory and there have been occasions of misuse of uniforms, together with the loss of them, due to the fact that they wear them home and it is impossible to keep a complete check on them. A great deal of difficulty has been experienced in obtaining a site for this proposed armory and it is the understanding of your investigator that at the present time the City of Los Angeles is considering a grant of sufficient acreage to construct this armory. We believe that the officers have done a magnificent job in public relations. The duties of this type of organization consist of building and repair of roads, preparations of sites, such as airports, airfields, etc. They should have intensive instruction on equipment such as tractors, graders, bull dozers, and such, which is an impossibility under present conditions. They require an adequate armory, together with sufficient space outside for training on this type of equipment. At the present time the only training possible is during the summer encampment. These men should all be supplied with locker rooms and adequate strong rooms for storage of small arms, etc., and supply rooms where all field clothing and such can be under the custody of a regular caretaker provided by the Federal Government at no expense to the State of California. Please bear in mind, though, that the responsibility for the security of all this equipment rests entirely with the State of California. We believe that all effort should be made to get the grant from the City of Los Angeles for sufficient acreage to construct this armory at the very earliest possible time. (UNDER CONSTRUCTION. APPROPRIATION APPROVED AT BUDGET SESSION, MARCH, 1950.)

MONTEREY, SEASIDE & PACIFIC GROVE (Co. A, 149th Heavy Tank Bn.)

This unit is being housed on the Presidio of Monterey, federal property, and has ample office space, supply space with a strong room that does meet the minimum requirements for storage of small arms and such, but does not provide for storage of replacement parts and such which are required in a unit of this type. A heavy tank company requires various types of equipment, such as radio and other types of communication equipment which are lacking in this case. The assembly room, or drill room, is very inadequate as it is impossible to hold a formation in the space they have. Being a tank organization, they should have sufficient outdoor training facilities to enable them to practice on this type of equipment—which is impossible under the present conditions. The area where their tanks are stored is very limited and does not permit them

to hold classes of instruction in their use. The location is not conducive to enlistment—being on a Federal military reservation—because the use of the quarters is limited to drill nights only except to officers. This unit was visited on a drill night and the morale of all of the personnel seemed to be excellent There is no doubt that with an armory away from the Presidio of Monterey, the enlistment program—as well as the training—would be greatly improved. The strength of the unit is five officers and 68 men.

MARYSVILLE (Co. F, 184th Inf. Regiment)

This unit is meeting at present in the Marysville Memorial Auditorium where adequate drill space is available, but facilities for storage and strong rooms and offices are entirely inadequate. There is no motor pool possible at this location which seriously hampers the training program. The unit has no assurance that its program will not be interfered with by other interests. The strength of this unit is three officers and 74 men. Rental of $150 a month is being paid for this space. A site has been offered by deed to the Adjutant General and is being processed at the present time. No appraisal value available.

MENLO PARK-PALO ALTO (Bat. D, 149th A. A. A. A. W. Bn.)

This unit is one of the more recent activated and is showing good progress in its enlistment program. At the present time it is being housed in the recreation building of an old army hospital center. This unit, like all of its kind, requires training on widely diversified types of equipment, such as radio, radar and all communications equipment, as well as heavy weapons. The present drill area is adequate for drill but not for instruction work on the type of equipment this kind of an organization uses. They have been issued none of this equipment, but have had to morrow from the Redwood City Armory anything they require, and return it the same night. Some improvements are being made in this building, such as providing strong rooms which are proving adequate, and supply rooms, as well as offices. The lack of a motor pool is the main difficulty they are experiencing, and this is hampering their training program most of all. At the present time a rental of $150 a month is being paid for this building and the City of Menlo Park has been making the improvements mentioned. The city has offered the State an outright deed to property sufficient for armory purposes, and this is now in the hands of the Adjutant General and will be forwarded shortly to the Department of Finance for approval. The present strength of the outfit is 35 enlisted men and four officers.

MOUNTAIN VIEW (Bat. B, 637th F. A. Bn.)

At the present time this unit is being housed in the American Legion Club House. Facilities such as supply room, office, strong room, etc., are wholly insufficient. No possibility of motor pool—consequently, here you have the story of a field artillery battalion being without weapons for training purposes. Community interest is high in this organization and they have offered the State an outright grant of sufficient property for armory construction at an estimated value of $5,000, which is now in the hands of the Department of Finance for approval. Present strength is three officers and 72 men.

NORWALK (Bat. D, 682d A. A. A. A. W. Bn.)

This unit is now being housed on the outskirts of the City of Norwalk on what happens to be an old dairy building and which is not of sufficient size to permit anything but outside drill and the area for that purpose would of necessity have to be in an open field. There are adequate storage facilities and office room, but everything else is lacking. This is another case of a unit with a great deal of equipment from radar to artillery not being issued, and consequently their training program is seriously hampered. At the present time a rental of $125 a month is being paid for this building which is wholly inadequate. A site has been offered the State for lease and is now pending in the office of the Adjutant General for further study. The present strength of this company is three officers and 36 men.

OAKDALE (Co. F, 111th Armored Cavalry Regiment—Light)

This unit now has exclusive use of a small commercial building which is not of sufficient size for drill purposes. They have a very small area with very limited space for the storage of property which does not meet federal requirements. What motor vehicles have been issued them must be stored within the building and removed for each drill period. This unit is one of the last to be activated and it has a fine record of equipment. The community interest is of the very highest as has been shown by the intrest of the various veteran organizations, Chamber of Commerce, and other civic groups. They have offered the State sufficient property for armory construction on a lease basis which is now being held by the Adjutant General for further study as to suitability and other details. The present strength is five officers and 66 men.

PASO ROBLES (Co. C, 149th Heavy Tank Bn.)

This unit is now meeting in the American Legion Hall, with office, supply room, etc., in the basement of the building, and sufficient space for classrooms are available in the building but there is no drill area Being a heavy tank company, a proper training program requires that they be issued the tanks and weapons which they will use in active service. This being impossible because of the lack of a motor pool, their program of instruction is seriously hampered. They have been issued one light tank which is being housed in a yard of the manufacturing plant adjacent to their quarters, but the only time they can use it for instruction is on time other than the regular drill nights and dependent upon the interest of the men. This is such that they are spending Sundays at work on maintenance and instruction, but this does not make for an efficient training program. Community interest seems to be excellent and the morale of the personnel very good. A site has been submitted to the Adjutant General for approval on a long lease basis and is being held pending further study The present strength is four officers and 64 men.

RED BLUFF (Hq. & Hq. Co., 2d Bn., 111th Armored Cavalry—Light)

These units are occupying a building of a very temporary type, formerly a small exhibit building on the Tehama County Fairgrounds. The building's supply and ordnance rooms are inadequate but the units have made the best possible use of what was available. The offices are adequate but the drill area is filled with motor equipment and this must

be removed to provide any training area whatsoever. At the time the inspection was made the weather was such that the quality of the building was demonstrated by a leaking roof and water all over the floors, and it was so cold that it was impossible to hold classes or any kind of drill. Again, here is an example of a unit, or units, which should be equipped with light tanks, half tracks, and other equipment, being without an adequate motor pool for storage, and hampered in their training program by the absolute lack of this type of equipment. The motor vehicles which they have been issued are trucks and jeeps. This inspection was made in the company of the commanding officer, Col. Moor, and Senator Sutton from Maxwell and Assemblyman Lowrey from Rumsey, whom I am quite sure agreed with your investigator as to the need for a permanent armory building at that point. A site will be available on the present fairgrounds, but the location has not yet been determined. The present strength is 11 officers and 47 men.

RIVERSIDE (Hq. & Hq. Co., 2d Bn., 224th Inf. Regiment)

These units are now housed in the basement of the Civic Auditorium Building and while offices are adequate, supply and strong room facilities are not The assembly hall is in the basement and will not permit of any drill, due to the supporting columns that break up the floor area to such an extent as to make maneuvering impossible. Due to the fact that the auditorium upstairs is in use for folk dances and other activities, the noise occasioned by these activities make the holding of classes out of the question with any degree of efficiency. There is a move on foot to move these units into the present city school department offices in the old high school. If this is done, it may eliminate the immediate necessity for armory construction, but at best it would only be a postponement because of the type of building they contemplate using. It will be only a question of time until this building will be dismantled and any move to occupy it will be of a temporary nature. It will, however, provide adequate office and classrooms and supply and strong rooms can be built at small cost. Provided the city does not make a public parking area out of the ground surrounding this building an adequate motor pool could be had. The City of Riverside is intensely interested in this National Guard program and in acquiring a new armory. They have provided a site and offered a lease which is pending in the office of the Adjutant General. The present strength of the units housed in Riverside is 11 officers and 182 men.

SACRAMENTO

This proposed armory is to be constructed on state-owned property now used by the National Guard at 28th and C Streets, Sacramento. The units at present at this location are the State Headquarters Detachment and the Ambulance Co. of the 26th Medical Battalion. Battery A of the 636th Field Artillery is now being temporarily housed at North Sacramento The site has been developed considerably through the use of federal funds as a motor repair shop and warehouse where maintenance supplies and such are being housed for use throughout the entire State. The present buildings are entirely inadequate, providing only office space, with no drill area, locker or shower facilities, and a very inadequate class room. The site is an excellent one and the construction of this armory will complete this installation. The present strength of the troops

quartered in these very limited facilities consist of 113 enlisted men and 51 officers. When completed, and with the removal from North Sacramento of Battery A, the man power at this location will be increased by at least another 100 men and officers. The present armory at Sacramento is housing five units of the 184th Infantry Regiment and is filled to capacity. It was originally constructed to accommodate less strength than is now being accommodated there

SAN BRUNO AND MILLBRAE (Bat. B, 149th A. A. A. A. W. Bn.)

At the present time this unit is meeting in the old recreation center of the San Bruno Navy Base, which is entirely adequate from the standpoint of drill area, offices, supply room and strong room. The difficulty with this situation is that it stands on the grounds of the old Mills Estate and may be returned to private ownership at any time Negotiations are now in progress to affect this return, which would mean that the unit would be without quarters when this happens. It is not an advantageous site, because entry to the grounds and armory can only be had by telephoning up to the building, which is some quarter of a mile from the entrance, and persons wishing to enter the armory must be escorted by personnel from this company. This condition is certainly not conducive to enlistment, or one which would promote community interest. The public is barred from all drill sessions and such, and it is impossible to hold an open house to acquaint the public with the activities of the National Guard. During certain months of the year it is so cold as to be very difficult to hold drill sessions. There is a central heating plant located outside the armory which is not being kept in operation by the Navy. Consequently, no heat is available. A site has been offered by grant deed and is now in the hands of the Adjutant General Four officers and 98 men comprise the present strength.

SANTA ANA (Hq. and Hq. Co., 3d Bn., 224th Infantry Regiment)

These units are now using the facilities located in the community center. Reasonable locker and supply room space is available and being used, but no recreation room nor assembly space is available. All drills are performed outside the building. One unit is using an old air force mess hall, which has been altered to provide a minimum of storage space, locker and class room space. Here, too, drill is performed out of doors. In both cases the facilities are inadequate for the storage of property required for use of the unit at its present strength. There is at present no motor pool and it has been proposed to lease a small adjoining area for the temporary storage of vehicles, provided funds may be obtained to properly finance this area. Community interest in the National Guard is excellent in Santa Ana, and the morale of the forces is evidenced by the splendid recruiting record made by these units. They are now paying a rental of approximately $200 a month and have a strength of 10 officers and 220 men. Their training program will be greatly assisted by the construction of an armory. (IN THIS LOCATION, AND IN CERTAIN OTHERS, TERMS OF THE LEASE OF THE ARMORY REQUIRE THAT THE STATE MUST BEGIN CONSTRUCTION OF THE ARMORY WITHIN ONE YEAR.)

SANTA CRUZ (Co. F, 159th Infantry)

This unit has very nearly reached its authorized strength and present facilities are entirely inadequate. They are being housed at the present time in a temporary type building formerly used as a corporation garage of galvanized sheet construction There is not sufficient area for drill and they are required to use the streets in front of the building for that purpose. They have set up several flood lights—also they do have some lighting. The supply room is madequate and can only be used for storing clothing and such equipment. All small arms and ordnance equipment is at present stored in the strong room of the Police Department, which is approximately one-half mile from the armory. Equipment must be picked up before each drill night and returned to the Police Department the same evening. Consequently, their training program is considerably hampered and unsatisfactory The morale of the forces is excellent. The community interest in National Guard affairs is excellent. Considerable acreage of over one hundred acres was granted to the State years ago for armory purposes. This is now in the hands of the State and available for construction at any time. A two-unit type B armory has been proposed as this community will well support a second unit, which will be activated as soon as armory is constructed. The strength is 123 men and five officers. Rental of $75 per month is being paid for the present facilities and the City of Santa Cruz is giving them the use of their strong room gratis.

SANTA CLARA (Bat. C, 637th F. A. Bn.)

This unit is now being housed in the private club building at the corner of Lafayette and Lewis Streets in Santa Clara. Office and supply rooms are located in the basement of this club building and are inadequate. Class room use is made of a small room on the upper floor and all drill work must be done outside. There is no motor pool and consequently this unit has none of the weapons it is supposed to be equipped and trained with. There is a small outside area available for drill but no lighting which makes it of little use. Located as it is near Santa Clara University, it will always have a source of manpower and we believe that with a new armory its efficiency and strength would be greatly enhanced. At the present time there is no definite offer of any site, but the matter is being worked on and undoubtedly one will be acquired in the near future. The present strength of this unit is four officers and 51 men. For the totally inadequate quarters they are now occupying, they pay a total of $125 a month.

SAN DIEGO (Co. C and Co. D, 1402 Engineer Bn., of 6th Combat Engineers—Colored)

It was proposed that an armory be constructed for these two units, but since that time they have been moved to the downtown armory which houses the Headquarters and Headquarters Battery of the 114th A. A A Brigade, where they are most adequately quartered for the present, and your investigator believes that this part of the program can be eliminated for the present.

SAN DIEGO (Headquarters and Headquarters Battalion of the 251st A. A. A. Group, 746th A. A. A. Battalion Headquarters, 140th A. A. A. Headquarters, and Batteries A and B of the 140th A. A. A.)

These units are all being housed at present on Federal property at Ft. Rosecrans. It is proposed that a type J armory be constructed to house these units as present site may be turned over to the Navy by the Army at any time. The present site is approximately a mile from any transportation. The buildings are of a very temporary type and the cost of maintenance and repairs has been excessive. Inasmuch as the area is all militarily regulated, entry is difficult. There is no covered shelter for any of the equipment, radar and otherwise that these units are—or should be—equipped with. All facilities are of such a temporary nature that their training program has been seriously hampered by the lack of adequate armories. Several sites have been considered for the construction of an armory and the City of San Diego has assured the Adjutant General that a satisfactory site will be provided. It only remains for a selection to be made. The community interest in and about San Diego in the National Guard is extremely high, there being in this San Diego area and tributaries approximately 1,800 troops in the various units. Your investigator urges that construction of this armory be no longer postponed.

SANTA MONICA (Headquarters and Headquarters Battery—144th Field Artillery Bn.)

The present facilities are most inadequate for the proper training program of these units. No other building in the City of Santa Monica is available that would be adequate. This is an artillery organization which requires issuance of heavy weapons, small arms, and such, with considerable motor equipment, none of which is available at the present site. Efforts are being made to secure a suitable site. A little over a year ago a site was offered by the City of Santa Monica and withdrawn when no appropriation was made during the last session to provide them with an armory. Efforts are being made to obtain approval on a site now being under consideration on a long term lease basis. Due to the high rental of $350 per month now being paid for the present inadequate facilities, it is highly important that this armory be constructed. The present strength is 23 officers and 352 men.

SIERRA MADRE (Heavy Mortar Company—223d Infantry)

Now being housed in the basement of the very small city hall. Present facilities provide only for a small classroom, a very inadequate supply room, and a strong room which does not permit the issuance of the type of weapons that this unit uses. The classroom is used by a number of other organizations, so that no property of any kind may be left there, and no extra class work or gatherings can be held. Consequently, their training program is devoted entirely to theory and very little of the practical. Even small weapons, rifles, carbines, and side arms have not been issued them, due to the lack of adequate security. This organization is also to be trained in communications and radio, but have not received any of this type of equipment for the same reason. No motor vehicles have been issued due to lack of any space for storage. The city has issued an outright grant to the State of California for a site of approximately four acres, with an appraised value of $20,000 for armory construction. The present strength of the unit is four officers and

82 enlisted men. This unit has the support of all community organizations and has cemented its relations with the community by performing service to the community on various occasions. The morale and interest of the men and officers is excellent The community interest is likewise.

SUSANVILLE AND WESTWOOD (Co. D, 111th Armored Cavalry Regiment—Light)

Here, again, is an instance of a light tank company with no storage facilities for the equipment they are supposed to be trained for and use in their operations. They are housed in the Lassen County Fair Grounds Exhibit Building which is adequate as far as drill floor is concerned, but naturally does not permit any tanks or motorized equipment of any of the type to be used in their classes. Locker rooms and strong rooms and supply rooms are totally inadequate. During the time of preparation for the fair, during the time of the fair, and during removal of exhibits after the fair, this is not available for use by this unit. The present strength is 46 men and four officers.

TORRANCE AND LOMITA (Co. A, 578th Engineer Battalion)

The present quarters are in an old shed near the city ball park. The building is so old it is rapidly disintegrating. No heat is provided and the city is very anxious to move the Guard out of this location so that they may tear down these buldings. The motor pool is located in the city bus yard, approximately two miles from the armory. Your investigator could find no part of this facility that was in any way adequate from the standpoint of supply rooms, locker rooms, strong rooms, or assembly rooms. As a matter of fact, all work is required to be out in the open. Even the ball park, during the summer months, is not available because it is used for recreational purposes. An extreme fire hazard exists. The City of Torrance has deeded a site on an outright grant to the State at an appraised valuation of over $5,000. The need for armory facilities in this locality are most urgent The strength of the unit is two officers and 80 men.

TULARE (Co. E, 185th Infantry Regiment)

This unit is now housed in an old exhibit building on the Tulare County Fair Grounds. This is on property owned by the Chamber of Commerce and leased to the agricultural district for fairgrounds The drill hall is inadequate but does permit of some formations. Office is fairly adequate, but the supply room which is located at some distance from the assembly hall is an old refrigerator car which does provide security but not much of anything else It is wholly inadequate for the protection of such weapons as should be issued to an infantry company. The Chamber of Commerce asked the agricultural district to release certain of this property back to them so that they may in turn lease same to the State for armory construction. Several other sites are being considered and no doubt will be consummated in the near future The strength of this unit is four officers and 103 men

UKIAH (Co. B, 579th Engineer Combat Battalion)

This unit is now occupying a small portion of the City Hall which is entirely inadequate from the standpoint of both storage space and drill floor. The Adjutant General has endeavored to negotiate a satisfactory lease with the city on this property so that they might alter the

arrangement and improve the limited facilities, but has been unable to do so. Consequently, conditions remain as when first acquired. This unit was one of the later units to be activated and has shown a nice growth, and considerable community interest has been evident. A unit of this type needs considerable area in which to function properly and a site has been offered. At the present time a lease is pending in the Office of the Adjutant General, and is being held for further study. Present strength of this unit is three officers and 50 men.

VALLEJO (Batteries C and D, 951st A. A. A. A. W. Bn.)

These units are now quartered in an old temporary naval barracks on the property of the Naval Reserve Training Headquarters. The building is of a very temporary nature and it was constructed on filled ground. It is evident that the pilings never reached solid foundation, as the buildings are settling at various places, to the point where it appears ready to collapse at any time. No adequate drill area, supply rooms, or strong rooms. Here again the units which should be equipped with radar, radio, and all communications equipment are unable to receive them due to the lack of storage facilities. No heavy weapons for the same reason—and again their training is confined almost entirely to theory with little of the practical practice possible. In this case also, the fire hazard is extreme. What motor vehicles have been issued—in most cases, 2½ ton trucks and jeeps—are required to be stored outside, with no protection. They are constantly being drained of their gasoline, and other bits of equipment are removed, due to the lack of any security on the site. They have numerous break-ins with the loss of clothing, tires, equipment and such. We consider this condition one of the most acute in the State. The present strength of the two units is 10 officers and 129 enlisted men. The monthly rental is $150 for the building. (UNDER CONSTRUCTION. APPROPRIATION APPROVED AT BUDGET SESSION, MARCH, 1950)

VENTURA (Bat. B, 981st Field Artillery Battalion)

This unit is at present being housed at Seaside Park in Ventura in a small building which permits of no drill inside the building, but does provide limited facilities for storage and office space. The area adjacent is ample for outside drill, but the motor pool does not permit the issuance of heavy weapons. The success of their training program is dependent upon these weapons being issued for their training purpose. Community interest in the unit is excellent. There is no doubt that enlistment and morale would be greatly improved by the construction of the proposed armory in Ventura The present strength of this unit is four officers and 93 men. A proposed site to be leased to the State is pending in the office of the Adjutant General at this time.

VICTORVILLE (Co. A, 140th Heavy Tank Battalion)

This unit uses the American Legion Hall on drill night only. It is inadequate for drill purposes, but is suitable for use as a classroom. Storage facilities are practically nonexistent. Heavy equipment is being stored at the Victorville Air Force Base, at a considerable distance from the assembly hall, which works an undue hardship on their training program. This is one of the latest units to be activated and has shown a nice

rate of increase in enlistment, but its training program is seriously hampered by the extreme lack of facilities. The present strength of this unit is five officers and 61 men. Efforts are being made to find a suitable site for an armory and no doubt same will be found in the very near future. $100 per month rental is being paid in Victorville for the very inadequate facilities.

WALNUT CREEK (Co. C, 159th Infantry Regiment)

At present this unit is using the basement of the American Legion Hall in Walnut Creek, which is entirely inadequate, there being only accommodations for a small office, supply, and strong rooms. They are unable to use the upstairs for an assembly room, consequently have only the use of a small dining room downstairs, which is adequate for classroom purposes only. Even the outside area is limited. They have only been issued one truck, due to the lack of facilities for housing motor vehicles. Again, this training program is considerably hampered by the lack of any adequate facilities. This unit draws from a fast growing area and community interest and the morale of the personnel of the unit are excellent. The City of Walnut Creek has offered an outright grant of sufficient area for armory construction at an appraised valuation of $61,000. The present strength of the unit is six officers and 92 men.

WATSONVILLE (Co. B, 149th Heavy Tank Battalion)

This unit is now being quartered at the Watsonville Municipal Airport, approximately three miles from the center of the City of Watsonville. Facilities consist of a small office, with a loan occasionally of a room suitable for a classroom, and a vehicle storage of sufficient size to store three tanks; but it does not permit due to the cramped quarters, of any class work being done in this area where instruction could be given on this equipment; nor does it permit any maintenance work at the present time. There is no heat provided except a small electric heater in the office. A supply room and strong room is located in another building quite a distance from the office. The supply room is fairly adequate, but the strong room does not come up to federal specifications. There is considerable need also for the storage of parts for tanks and motors, which is entirely inadequate. Small arms are being stored in the strong room. The unit, in order to acquire all its training program, has devoted many Sundays to tactical problems. In spite of the lack of facilities, morale is excellent and the community interest in the unit is extremely high. The Chamber of Commerce has been very active in acquiring a site, and expect in a very short time to work out an agreement with the fair officials for an adequate space on the County Fair Grounds which will be excellent from the standpoint of being centrally located within the area from which it draws its strength, and will also provide for sufficient area for maneuvering of this type of equipment There is an extreme need for an armory in this location. The present strength of the unit is four officers and 58 men, which will be greatly increased when satisfactory facilities are furnished.

YREKA (Co. L, 184th Infantry Regiment)

The company is at present housed on the second floor of the grandstand of the County Fair Building, and there is nothing in the way of drill area, offices, or storage for supplies or ordnance or small arms. No heat, and during the cold months of the year it is practically impossible

to carry out any training program. Community interest has been awakened in this locality and the continuance of this support is assured. For these very inadequate facilities, the State is now paying $150 a month rental, and it is felt that in providing an armory for this location, enlistments will be encouraged and the training program will be carried on successfully. The present strength of this unit is three officers and 66 enlisted men At present a site has been selected and a lease is pending in the Office of the Adjutant General.

LEASES

Armory Sites Leased or Proposed to Be Leased to the State

There is submitted below a list of armory sites which have been:

(1) *leased* to the State (marked by an asterisk)

(2) as to which a lease is pending before the Department of Finance for approval (marked with a cross)

(3) as to which a lease is pending in this office and held in suspense pending further study (unmarked).

The estimated value is indicated where the information is available to this office.

Site	*Estimated value*	*Site*	*Estimated value*
Alhambra		x Monterey	$7,500
Anaheim		x Mount Shasta	4,500
* Atascadero	$5,000	x Napa	9,000
Auburn		Norwalk	
Bakersfield		Oakdale	
Banning		* Ontario	17,500
Bellflower		* Orange	10,000
x Burbank	37,500	* Oxnard	16,000
Chico		Pasadena	
Compton Airport		Paso Robles	
* Corona	22,500	Patterson	
x Coronado (purchased bldg)	8,500	Placerville	
* Culver City	32,000	* Redlands	14,000
Del Paso Heights		x Roseville	3,000
El Monte		Riverside	
Eureka		Salinas	
Fairfax		* San Bernardino	18,500
Fontana		San Diego	
Fresno		Santa Ana	
Fullerton		Santa Monica	
x Gardena	13,000	Stockton	
Glendale		* Sunnyvale	9,600
* Hayward	15,500	Susanville	
* Highland Park	22,500	Tulare	
x Hemet	16,000	Ukiah	
Jackson		Ventura	
King City		* Vista	7,750
Los Angeles (6th Engr)		Woodland	
Madera		Yreka	
* Monrovia	21,000		

Total estimated value of sites marked (*) or (x) $322,850.00

a. Total of 51 sites have been offered or conveyed by *Deed*.

b. Total of 59 sites have been offered or conveyed by *Lease*.

c. A grand total of 110 sites have been offered or accepted by the State.

DEEDS

Estimated Value of Armory Sites Conveyed to the State by Deed

There is submitted below a list of armory sites either conveyed to the State, or as to which a conveyance is pending before the Department of Finance for approval, together with the estimated value of each site. Those marked by * have been finally conveyed by *deed* to the State. The remaining sites have been submitted by a deed and the sites *are* pending in the Department of Finance for approval.

Site	*Estimated value*	*Site*	*Estimated value*
* Arcadia	$14,000	* Montebello	$15,000
* Azusa	17,250	Mountain View	4,900
Calexico	13,000	* National City	9,500
* Colton	2,200	* North Sacramento	10,500
Columbia Airport	5,000	* Pittsburg	6,600
* Compton	19,000	* Redwood City	12,500
Concord	10,000	* Reedley	7,700
Delano	2,500	Richmond	25,000
* El Cajon	7,600	* San Mateo	10,000
El Centro	12,000	Santa Maria	4,200
Escondido	5,750	* Santa Rosa	18,000
* Hanford	7,400	Sierra Madre	20,000
* Healdsburg	6,500	Torrance	5,200
* Long Beach	47,774	* Visalia	6,400
* Hope St, Los Angeles	500,000	Walnut Creek	6,100
* Lynwood	6,000	* Willows	6,200
* Manhattan Beach	11,000		
* Merced	9,400	Total estimated value	$876,174
* Modesto	12,000		

The following sites have been offered by *deed*, but have not yet been approved by the Department of Finance. The value of these sites cannot as yet be estimated.

Brawley
Barstow
Berkeley
Ft. Funston
Imperial
Indio
Marysville
Menlo Park
Nevada City
San Fernando
San Bruno
San Francisco
San Jose
South Gate
Vallejo
Watsonville

COMMENTS

Your committee believes that the special value of this report lies in its comparison with the current 1951-1952 Budget now before the Legislature, in which requests are made for the following armories:

Priority No	Project	Armory Type	Armory Units	Construction	Equipment	Total
1	San Diego ____ (a)	J	8	$595,000	$40,000	$635,000
2	Red Bluff ____ (a)	C	1	122,000	5,000	127,000
3	Delano ____ (b)	A	1	122,000	5,000	127,000
4	Gardena ____ (a)	A	1	122,000	5,000	127,000
5	Fairfax ____ (a)	A	1	122,000	5,000	127,000
6	Monterey ____ (a)	A	1	122,000	5,000	127,000
7	Santa Cruz ____ (a)	B	2	142,500	10,000	152,500
8	San Francisco __ (c)	H	5	352,000	25,000	377,000
9	Sacramento ____ (d)	E	4	236,000	20,000	256,000
10	Walnut Creek __ (a)	A	1	122,000	5,000	127,000
11	Placerville ____ (b)	A	1	122,000	5,000	127,000
12	Norwalk ____ (a)	A	1	122,000	5,000	127,000
13	Susanville ____ (a)	A	1	122,000	5,000	127,000
14	San Bruno ____ (a)	B	2	142,500	10,000	152,500
15	Brawley ____ (a)	A	1	122,000	5,000	127,000
16	Tulare ____ (a)	A	1	122,000	5,000	127,000
17	Oakdale ____ (a)	A	1	122,000	5,000	127,000
18	Mountain View__ (a)	A	1	122,000	5,000	127,000
19	Indio ____ (a)	A	1	122,000	5,000	127,000
20	Oroville ____ (b)	A	1	122,000	5,000	127,000
21	Paso Robles ____ (a)	A	1	122,000	5,000	127,000
22	Marysville ____ (a)	A	1	122,000	5,000	127,000
23	Long Beach ____ To complete 10,000 sq. ft. deleted from plans Original appropriation, Item 372 9q, Chapt. 700/49 $400,000 (partial cost)			127,200	–	127,200
24	San Francisco—Existing Armory Install additional toilet facilities, team locker rooms and class rooms. The armory is capable of supporting public functions of 5,000 to 6,000 persons. Existing toilet facilities are poorly placed and insufficient for large groups.			50,000	–	50,000
25	Los Angeles—Existing Armory— 700 Exposition Blvd.____ To correct existing conditions in the basement area by providing solid partitions of cement blocks and removal of wood and wire mesh partitions now in existence further reducing an existing fire hazard, and to improve lighting where required.			11,000	–	11,000
26	Lodi—Existing Armory____ Purchased armory requires certain deferred maintenance primarily correcting structural deficiencies and repair and improvement of sanitary facilities, such as toilets, showers, etc.			30,000	–	30,000
	Preparation of plans and supervision of construction to be constructed from federal funds____			50,000	–	50,000
				$3,810,200	$190,000	$4,000,200

(a) Replace unsatisfactory leased facility in line with Sec. 3.4, Chapt. 2/50.
(b) Replace unsatisfactory leased facility.
(c) Replace unsatisfactory licensed facility and relieve congestion in existing armory.
(d) Replace unsatisfactory state-owned facility—State Hqtrs, Hqtrs Det and 59th Band, and licensed facility, Btry A, 636th FA.

You will note that Adjutant General Curtis D. O'Sullivan has not requested a capital outlay for the construction of an armory in the Southern California area heretofore occupied by the 40th Division. This is because of the induction of this force in the federal service, and because the auxiliary forces, known as the new Defense and Security Corps (Home Guard or State Guard) will be adequately housed in all the temporary facilities previously acquired for the use of the National Guard. The budgetary request for new armories, and the resulting priority in the matter of such construction, is based on General O'Sullivan's plan to house the 49th Division (Northern California) and subsequently give a higher priority to new armory construction in Southern California when the 40th Division is returned to our charge.

Your committee agrees with this decision as made by the Adjutant General, since it would be financially impossible to undertake an overall expenditure sufficient to supply an armory for every desirable location.

Your committee believes that your Adjutant General and his staff is giving the State a most efficient administration, and has spent such moneys as have been allocated in a most judicious manner. The construction of these armories has been standardized, and savings have been effected to the point that armories are being constructed in the State of California for the sum of less than $7 per foot, as compared to a national average of some $16 per foot—and a building well planned for all needs is being provided. Should this program be curtailed, it is very possible that our national defense may suffer beyond reparation.

RECOMMENDATIONS

1. In view of the present military and international situation it is obvious that the State of California occupies a prime position in support of our defenses and, further, our new Defense and Security Corps, now replacing the National Guard, is in its infancy and will undoubtedly need legislative assistance. Also, it will be acknowledged that the traffic in veterans affairs will continuously be on the increase. Furthermore, our State can suffer a disaster or otherwise be called upon to contribute to the defense of our Nation beyond the limits of our expectations. Therefore, without hesitancy, we recommend that the support of an Interim Committee on Military Affairs be undertaken and continued in the future by the present Legislature.

2. Obviously also, one of the most far reaching domestic programs to be supported by our State through its Legislature in the coming years will be a system of civilian defense. While this subject ties into the above recommendation as to its future success, we nevertheless recommend that all Members of the Legislature support the bills being concurrently introduced by this committee and by the Governor on this subject, including the appropriations therefor, even though same be beyond the reaches of the State's current income.

3. Your committee most emphatically urges the unanimous approval of the armory construction program, as set forth in this report and in the new budget now being considered by this Legislature.

Respectfully submitted.

Assemblyman RICHARD H. McCOLLISTER, Chairman
Assemblyman VERNE W. HOFFMAN
Assemblyman ROBERT I. McCARTHY
Assemblyman EARL W. STANLEY
Assemblyman SAMUEL WM. YORTY

LYNN S. COE, Investigator

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Meyers, the usual courtesies of the Assembly for this day were unanimously extended to James Mahoney of Sacramento.

ADJOURNMENT

At 11.32 a.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 11 a m., Monday, January 15, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SIXTH LEGISLATIVE DAY

EIGHTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, January 15, 1951

The Assembly met at 11 a m.
Hon. Sam L. Collins, Speaker of the Assembly, presiding
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—78

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

O God, our Heavenly Father, Thou art the Way, the Truth, and the Life. Give those insights needed for the responsibilities of this day and hour

May we be guided to discern the true from the false, the evil from the good, and taught to walk in paths of wisdom and integrity.

"Prayer is the soul's sincere desire,
Uttered or unexpressed—
The motion of a hidden fire,
That kindles in the breast.

O Thou by whom we come to God
The Life, the Truth, the Way!
The path of prayer Thyself hast trod;
Lord, teach us how to pray"

—AMEN

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Munnell, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. McFall, on motion of Mr. Gubser.

Mr. Meyers, on motion of Mr. Gubser.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly then gave the pledge of allegiance to the Flag.

PETITIONS

By Speaker Sam L. Collins:

A petition from citizens and voters of California, relative to a request that legislation be introduced requiring the insurance of automotive vehicles against property damage, and public liability as a condition precedent to licensing the same to be driven over the streets and highways of this State, was received, and ordered referred to the Committee on Finance and Insurance.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following resolution was received, read, and ordered printed in the Journal:

Resolution

THE BAKERSFIELD JUNIOR CHAMBER OF COMMERCE
BAKERSFIELD, CALIFORNIA

Greater Bakersfield Junior Chamber of Commerce

WHEREAS, The Greater Bakersfield Junior Chamber of Commerce has devoted its time and energy toward the establishment of positive programs for the welfare of our youth in this community and is especially concerned with those programs for the exceptional child whose needs are not being met by existing programs; and

WHEREAS, The Greater Bakersfield Junior Chamber of Commerce recognizes the immediate need for the establishment and operation by the State of California of the 24-hour schools created by the Legislature of 1947 in the law known as "California Academies Act," under which said schools were established for homeless and dependent children; and

WHEREAS, It is now necessary to obtain funds through appropriation for the building and operation of the same, as provided in said act; now, therefore, be it

Resolved, by the Greater Bakersfield Junior Chamber of Commerce in meeting assembled in Bakersfield, That we strongly urge the Governor of the State of California to incorporate in his budget to be submitted to the current session of the Legislature, and the Members of the California State Legislature make, in this session an adequate appropriation to assure the early commencement, completion and operation of the said schools as contemplated by the terms of the "California Academies Act;" be it further

Resolved, That copies of this resolution be forwarded to the Honorable Earl Warren, Governor of the State of California, Honorable Goodwin J. Knight, Lieutenant Governor and President of the Senate, Honorable James L. Dean, State Director of Finance, Honorable Roy E. Simpson, State Director of Education, President pro Tempore of the State Senate, and Speaker of the State Assembly, with the request that the same be printed in the respective Journals, and that copies be given to the press for publication.

The above resolution was unanimously adopted by the Greater Bakersfield Junior Chamber of Commerce at its meeting held in Bakersfield December 11, 1950.

(Signed) DWIGHT H. JONES, D. O., President

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

Letter of Transmittal

CITY AND COUNTY OF SAN FRANCISCO, DEPARTMENT OF PUBLIC WORKS
OFFICE OF THE DIRECTOR OF PUBLIC WORKS
SAN FRANCISCO, CALIFORNIA, January 10, 1951

PROPOSED GRADE SEPARATIONS, PARK-PRESIDIO BOULEVARD

The Chief Clerk of the Assembly
State Capitol
Sacramento, California

Through Mr. T. A. Brooks
Chief Administrative Officer

DEAR SIR: Pursuant to House Resolution No. 24 adopted by the Assembly on September 26, 1950, I am submitting herewith a brief report prepared by the Bureau of Engineering of this department on a preliminary engineering survey of a proposal to provide grade separations at the points in San Francisco where Geary Boulevard and Fulton Street now cross Park-Presidio Boulevard, which is a portion of State Highway No. 56.

Engineers of this department have conferred with the staff of the District IV office of the State Division of Highways and have reached substantial agreement on all of the main aspects of this proposal. It is my understanding that the Division of Highways is submitting a separate report on the matter.

I have conferred with the Director of Civilian Defense for the City and County of San Francisco and he has authorized me to say that this report, so far as it applies to civilian defense, is in conformance with his ideas on the subject

Very truly yours,

SHERMAN P. DUCKEL, Director
Department of Public Works

CC: Don Cleary, City Engineer, Division of Highways, District Office

Above transmitted report ordered referred to the Committee on Transportation and Commerce.

By Speaker Sam L. Collins:

A magazine, Boletim De Higiene Mental, from Hospital Psiquiátrico de Juqueri, Franco Da Rocha, Estado de São Paulo, Brasil, relative to Mental Hygiene, was received, and ordered referred to the Committee on Public Health.

By the Chief Clerk:

A communication from Mack H. Brown of Richmond, relative to injuries received in the Henry J. Kaiser shipyard at Richmond, was received, and ordered referred to the Committee on Public Health.

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

Letter of Transmittal

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
SACRAMENTO, January 12, 1951

RE: House Resolution No. 24

Hon Arthur A. Ohnimus
Chief Clerk of the Assembly
State Capitol, Sacramento, California

DEAR MR OHNIMUS: In accordance with the request contained in House Resolution No. 24 by Mr. Brady, adopted by the Assembly September 26, 1950, a preliminary engineering survey was made and a report compiled by the Division of

Highways relative to grade separations of Fulton Street and Geary Boulevard with Park Presidio Boulevard, State Highway Route 56, in the City of San Francisco. Six copies of the report are enclosed for your information

Very truly yours,

C. H. PURCELL, Director of Public Works

Enclosures

Above transmitted six copies of report ordered referred to the Committee on Transportation and Commerce.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 12, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 1

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Joint Resolution No. 1—Relative to Central Arizona Project.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 11, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 7
Senate Concurrent Resolution No. 8
Senate Concurrent Resolution No. 9

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolutions were read:

Senate Concurrent Resolution No. 7—Relative to approving an amendment to the charter of the City of Santa Rosa, a municipal corporation in the County of Sonoma, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the seventh day of November, 1950.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 8—Relative to approving a certain amendment to the charter of the City of Oakland, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the seventh day of November, 1950.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 9—Relative to approving amendments to the charter of the City of Piedmont, a municipal corporation in the County of Alameda, State of California, voted for and ratified

by the qualified electors of said city at a special municipal election held therein on the seventh day of November, 1950.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 2—Approving certain amendments to the charter of the City of Long Beach, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the seventh day of November, 1950;

Assembly Concurrent Resolution No. 3—Approving four certain amendments to the charter of the City of Burbank, State of California, ratified by the electors of said city at a special municipal election held therein on the seventh day of November, 1950;

Assembly Concurrent Resolution No. 6—Relative to the selection of the Legislative Counsel of California;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the fifteenth day of January, 1951, at 11 a m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 17—An act to amend Section 10291 5 of the Insurance Code relating to disability insurance policies, declaring the urgency thereof, to take effect immediately;

And reports that the same has been correctly enrolled, and presented to the Governor on the fifteenth day of January, 1951, at 11 a m.

BURKE, Chairman

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 759: By Mr. Maloney—An act to amend Section 20392 of the Education Code, relating to dismissal of state college employees.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 760: By Messrs. Gaffney, Moss, Fleury, and Maloney—An act to amend Section 18021 of the Government Code, relating to overtime for state employees.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 761: By Messrs. Gaffney, Moss, Fleury, and Maloney—An act to amend Section 18021 of the Government Code, relating to overtime for state employees.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 762: By Mr. Lyon—An act to amend Section 1 of an act entitled "An act relating to fees to be paid to the Railroad Commission by railroad corporations, express corporations, freight forwarders, persons, or corporations operating vessels, and persons or corporations owning or operating motor vehicles in the transportation of property for hire upon the public highways under the jurisdiction of the Railroad Commission of the State of California, providing for the

collection thereof by the Railroad Commission, and providing penalties for the violation of this act," approved July 16, 1935, relating to fees payable by such persons, corporations and forwarders.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 763: By Mr. Hollibaugh—An act to amend Sections 45007, 45008, and 45080 of, and to add Section 45083 to, the Government Code, relating to municipal personnel, merit and civil service systems, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 764: By Mr. Crowley—An act to add Sections 30.5 and 30.6 to, and to amend Sections 2541, 2574, 2576, 2702, 2703, 2705, 2747, 2753, 2791, 2792, 2793, 2794, 2796, 2797, 2894, 3920, 3921, 3924, 3925, 3926, 3930, 3946, 7966, 8720, 8721, and 8722, and to repeal Section 2838 of the Elections Code, relating to elections and providing that state legislative offices shall be nonpartisan offices.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 765: By Mr. Crowley—An act to amend Sections 28123, 28132, and 28151 of the Government Code, relating to compensation for public services in counties.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 766: By Mr. Crowley—An act to amend Sections 737q, 737bb, and 737vv of the Political Code, relating to superior judges' salaries.

Referred to Committee on Judiciary.

Assembly Bill No. 767: By Mr. Crowley—An act to amend Sections 26725, 26726, 26730, 26732, 26735, 26736, 26737, 26738, 26741 of the Government Code, relating to fees.

Referred to Committee on Judiciary.

Assembly Bill No. 768: By Mr. Crowley—An act to amend Section 6103 of the Government Code, relating to fees for official services.

Referred to Committee on Judiciary.

Assembly Bill No. 769: By Mr. Crowley—An act to amend Section 694 of the Code of Civil Procedure, relating to supplementary proceedings.

Referred to Committee on Judiciary.

Assembly Bill No. 770: By Mr. Crowley—An act to amend Section 689b of the Code of Civil Procedure, relating to supplementary proceedings.

Referred to Committee on Judiciary.

Assembly Bill No. 771: By Mr. Crowley—An act to amend Section 688 of the Code of Civil Procedure, relating to supplementary proceedings.

Referred to Committee on Judiciary.

Assembly Bill No. 772: By Mr. Crowley—An act to amend Section 682 of the Code of Civil Procedure, relating to writs of execution

Referred to Committee on Judiciary.

Assembly Bill No. 773: By Mr. Crowley—An act to amend Section 538 of the Code of Civil Procedure, relating to affidavit for attachment.

Referred to Committee on Judiciary.

Assembly Bill No. 774: By Mr. Crowley—An act to amend Section 517 of the Code of Civil Procedure, relating to the jurisdiction and venue of the small claims court

Referred to Committee on Judiciary.

Assembly Bill No. 775: By Mr. Crowley—An act to amend Section 139.44 of the Vehicle Code, relating to the service of warrants by members of the California Highway Patrol.

Referred to Committee on Judiciary.

Assembly Bill No. 776: By Mr. Crowley—An act to amend Section 542 of the Code of Civil Procedure, relating to manner in which property attached.

Referred to Committee on Judiciary.

Assembly Bill No. 777—By Mr Sherwin (By Request)—An act to repeal Sections 640, 641 and 645 of, and to add Sections 640 and 641 to, and to amend Section 646 of, the Probate Code, relating to probate proceedings.

Referred to Committee on Judiciary

Assembly Bill No. 778: By Messrs. Dills, Morris, Porter, Hahn, Belotti, Burke, Burkhalter, Chapel, Clarke, Cloyed, George D. Collins, Doyle, Elliott, Evans, Grant, Gubser, Hagen, Kilpatrick, Lindsay, and McMillan—An act to add Section 649 to the Penal Code, relating to automobile racing.

Referred to Committee on Judiciary.

Assembly Bill No. 779: By Mr. Levering—An act to add Section 923.5 to the Labor Code, relating to the status of professional employees.

Referred to Committee on Industrial Relations.

Assembly Bill No. 780: By Mr. Sam L. Collins—An act to amend Sections 1290 and 1291 of the Military and Veterans Code, relating to setting apart a room in Sacramento to be used by organizations of veterans of all wars for the care and storage of their books and papers.

Referred to Committee on Military Affairs.

Assembly Bill No. 781: By Mr. Babbage—An act to amend Section 737gg of the Political Code, relating to superior judges' salaries.

Referred to Committee on Judiciary.

Assembly Bill No. 782: By Mr. Babbage—An act to amend Section 19a of the Penal Code, relating to paroles.

Referred to Committee on Judiciary.

Assembly Bill No. 783: By Mr. Babbage—An act making an appropriation for the construction and equipment of a National Guard Armory at Riverside

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 784: By Messrs Chapel, Thomas, Belotti, Dills, Grant, Klocksiem, Lanterman, Lipscomb, McMillan, and Stanley—An act making an appropriation to the Department of Public Works to be expended in the prevention of further salt water intrusion into the water bearing aquifers of West Coast Basin, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 785: By Messrs. Gubser and Kirkwood—An act to add Section 110 to the Vehicle Code, relating to the Department of Motor Vehicles

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 786: By Messrs. Gubser and Kirkwood—An act to add Section 111 to the Vehicle Code, relating to the Department of Motor Vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 787: By Mr. Hagen—An act to amend Section 413 of the Education Code, relating to county school superintendents' salaries in counties of the thirteenth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 788: By Mr. George D. Collins—An act to amend Section 5501 of the Elections Code, relating to elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 789: By Mr. Geddes—An act to amend Section 11580 of the Insurance Code, relating to liability insurance policies.

Referred to Committee on Finance and Insurance

Assembly Bill No. 790: By Mr. George D. Collins—An act to amend Section 4534 of the Elections Code, relating to elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 791: By Mr. Lyon—An act making an appropriation to pay the claim of Daniel D. Frohman against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 792: By Mr. Lyon—An act to amend Section 217 of the Vehicle Code, relating to the registration of vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 793: By Mr. Lyon—An act to amend Section 120 of the Agricultural Code, relating to nursery license fees and renewal penalties.

Referred to Committee on Agriculture.

Assembly Bill No. 794: By Mr. George D. Collins—An act to amend Section 950 of the Elections Code, relating to elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 795: By Mr. Stewart—An act to add Section 11374 to the Government Code, relating to regulations and the scope and validity of regulations adopted by state agencies.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 796: By Mr. Stewart—An act to amend Section 11513 of the Government Code, relating to administrative adjudication.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 797: By Messrs. Munnell, Babbage, Geddes, and Doyle—An act making an appropriation for the construction of buildings and improvements at the proposed State School for the Deaf, Southern California

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 798: By Mr. Elliott—An act to amend Section 53 of the Unemployment Insurance Act, relating to benefit payments.

Referred to Committee on Industrial Relations.

Assembly Bill No. 799: By Mr. Elliott—An act to amend Section 7 of and to add Section 7.4 to the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance

Assembly Bill No. 800: By Mr. Geddes—An act to amend Section 1664 of the Insurance Code, relating to insurance agents, brokers and solicitors.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 801: By Messrs. Moss and Fleury—An act to amend Section 35134 of the Government Code, relating to annexation proceedings

Referred to Committee on Municipal and County Government.

Assembly Bill No. 802: By Mr. Moss—An act to add Sections 29 and 30 to the Education Code, relating to electors

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 803: By Messrs. Lipscomb and Connolly—An act to amend Section 203 of the Welfare and Institutions Code, relating to establishment and operation of county hospitals

Referred to Committee on Public Health.

Assembly Bill No. 804: By Mr. Dickey—An act to amend Section 53250 of the Government Code, relating to firemen's vacations.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 805: By Mr. Dickey—An act to amend Section 31555 of the Government Code, relating to the retirement of officers and attaches of municipal and justice courts.

Referred to Committee on Judiciary

Assembly Bill No. 806: By Mr. Smith—An act to amend Section 2980 of the Civil Code, relating to the recording of conditional sales contracts and leases of livestock, animate chattels, mining equipment and machinery, and bailment or feeder agreements and rights and remedies in connection therewith.

Referred to Committee on Judiciary.

Assembly Bill No. 807: By Mr. Hinckley—An act to amend Section 784 of the Agricultural Code, relating to fruit, nut, and vegetable standardization.

Referred to Committee on Agriculture.

Assembly Bill No. 808: By Mr. Condon—An act to add Section 11d to the Municipal Court Act of 1925, relating to municipal courts.

Referred to Committee on Judiciary

Assembly Bill No. 809: By Mr. Condon—An act to repeal Article 13 of Chapter 3, Part 3, Division 4, Title 3 of the Government Code, relating to the retirement of county employees.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 810: By Mr. Shaw—An act to amend Section 601 of the Code of Civil Procedure, relating to challenges to jurors.

Referred to Committee on Judiciary.

Assembly Bill No. 811: By Mr. Burke—An act to amend Section 36509 of the Government Code, relating to cities of the sixth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 812: By Messrs. Lyon and Caldecott—An act to add Section 26153 to the Government Code, relating to the powers of boards of supervisors.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 813: By Mrs. Niehouse—An act to amend Sections 7302, 7303, 7342, 7343, 7376, 7397, 7442 of, and to repeal Section 7344 of, and to add Sections 7339, 7344, 7345, 7346, 7347, 7393.1, and 7394.1 to, the Business and Professions Code, relating to the practice, regulation, and licensing of cosmetologists, hairdressers, and electrologists.

Referred to Committee on Public Health

Assembly Bill No. 814: By Mrs. Niehouse, Messrs. Cloyed, and Luckel—An act to add Section 9483 to the Elections Code, relating to municipal elections.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 815: By Mrs. Niehouse, Messrs. Burkhalter, Cooke, Crowley, Levering, and Lipscomb—An act to amend Sections 1526 and 1527 of the Welfare and Institutions Code, relating to aid to needy children, in respect to the responsibility of counties for aid and care of needy children

Referred to Committee on Social Welfare.

Assembly Bill No. 816: By Mrs. Niehouse and Mr. Cloyed—An act to amend Section 2203 of the Education Code, relating to the traveling expenses of representatives of governing boards of school districts

Referred to Committee on Municipal and County Government.

Assembly Bill No. 817: By Messrs. Geddes, Condon, Waters, Morris, Burkhalter, Dolwig, Doyle, Dunn, Elliott, Evans, Hahn, Hansen, Lanterman, Levering, Luckel, McGee, McMillan, Meyers, Mrs. Niehouse, Messrs. Sherwin, Stanley, and Stewart—An act to add Section 768 to the Insurance Code, in relation to prohibiting the designation of particular insurance agents or brokers by persons, firms and corporations loaning money on the security of personal and real property.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 818: By Mr. Maloney—An act to amend Section 637.5 of the Agricultural Code, relating to milk products.

Referred to Committee on Agriculture.

Assembly Bill No. 819: By Mr. McCollister—An act to add Section 18236 to the Education Code, relating to use of school buildings.

Referred to Committee on Education.

Assembly Bill No. 820: By Messrs. Maloney and Levering—An act to amend Section 3041 of the Elections Code, relating to independent nominations.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 821: By Messrs. McCollister and Doyle—An act to amend Section 980 of the Military and Veterans Code, relating to the definition of "veteran" for the purposes of veterans' benefits.

Referred to Committee on Military Affairs.

Assembly Bill No. 822: By Messrs. McCollister and Doyle—An act to amend Section 988.3 of the Military and Veterans Code, relating to advances of money to the Department of Veterans Affairs by the State Department of Finance.

Referred to Committee on Military Affairs.

Assembly Bill No. 823: By Messrs. McCollister and Doyle—An act to amend Section 890 of the Military and Veterans Code, relating to educational assistance for dependents of veterans.

Referred to Committee on Military Affairs.

Assembly Bill No. 824: By Messrs. McCollister and Doyle—An act to amend Sections 502, 502.1, 502 2, 511.5, 512, 513, and 515 and to repeal Sections 502.1, 512.1, 513, 515, and 518.1 of the Military and Veterans Code, relating to the appointment, expenses, pay, control, jurisdiction and active duty of officers in the California Cadet Corps, service of members of California Defense and Security Corps with California Cadet Corps, uniforms for California Cadet Corps and target practice and training of California Cadet Corps.

Referred to Committee on Military Affairs.

Assembly Bill No. 825: By Messrs. McCollister and Doyle—An act to amend Sections 102, 103, 146, 170, 188, 215, 254, 260, 262, 320, 321, 340, 394, 450, 451, 452, 457, 459, 461, 463, 464, 465, 550, 644, 644.1, 647, 648 and to add Section 213 of the Military and Veterans Code, and to amend Section 37392 of the Government Code, relating to the call of the Militia to active service, federal service, the reduction of noncommissioned officers, the discharge of personnel, pay and allowances, disability benefits, courts-martial jurisdiction and procedure, disciplinary action and punishment, the admission to bail, Uniform Code of Military Justice, courts-martial process, confinement of minors, competitive exercises, discrimination against members of the National Guard, service awards, correction of orders and directives, emergency purchases and services, membership in the California Defense and Security Corps, reversion to state control, leasing of land for military purposes.

Referred to Committee on Military Affairs.

Assembly Bill No. 826: By Mr. Geddes—An act to amend Sections 25150, 25151, and 25152 of the Corporations Code, relating to the Corporate Securities Law.

Referred to Committee on Judiciary.

Assembly Bill No. 827: By Mr. Geddes—An act to add Section 20345.5 to the Education Code, relating to membership in, and the payment of fees of, student body organizations established in state colleges.

Referred to Committee on Education.

Assembly Bill No. 828: By Messrs. Clarke, Hansen, Lowrey, Brown, Butters, Coats, Gubser, Hagen, Henderson, and Parker—An act making an appropriation to the Regents of the University of California for the purpose of searching for, collecting and rearing natural enemies (parasites) of Western Grape Skeletonizer.

Referred to Committee on Agriculture.

Assembly Bill No. 829: By Messrs. Clarke, Hansen, Hagen, Lowrey, Brown, Butters, Coats, Gubser, Henderson, and Parker—An act making an appropriation to the Regents of the University of California

for the purpose of collecting, and conducting research work on, the beet leafhopper and the natural enemies thereof.

Referred to Committee on Agriculture.

Assembly Bill No. 830: By Mr. Porter—An act to amend Section 1303 of the Education Code, relating to terms of office of school superintendents and deputy and assistant superintendents.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 831: By Messrs. Porter, Dills, Smith, and Rumford—An act to amend the title to Chapter 5, and Articles 3 and 5 of Chapter 5, of Part 3 of Division 8 of the Health and Safety Code; and to amend Sections 8701, 8704, 8712, 8714, 8725, 8726, 8727, 8728, 8729, 8730, 8731, 8732, 8733.5, 8735, 8736, 8737, 8738, 8739, 8740, 8741, 8742, 8743, 8744, 8750, 8775, and 8780, of said code, relating to private cemeteries.

Referred to Committee on Public Health.

Assembly Bill No. 832: By Messrs. Smith, Dills, Porter, and Rumford—An act to amend Section 2261 of the Civil Code, relating to the investment of funds.

Referred to Committee on Judiciary.

Assembly Bill No. 833: By Messrs. Dills, Porter, Smith, and Rumford—An act to amend Section 8738 of the Health and Safety Code, relating to cemeteries.

Referred to Committee on Public Health.

Assembly Bill No. 834: By Mr. Stanley—An act to authorize the exchange of certain lands surrounding upper Newport Bay.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 835: By Messrs. Stanley, Dunn, Geddes, Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Butters, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliot, Erwin, Evans, Fleury, Gaffney, Grant, Hahn, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Mrs Niehouse, Messrs. Parker, Porter, Rosenthal, Rumford, Sherwin, Smith, Stewart, Thomas, Tomlinson, and Waters—An act to amend Section 10202 of, and to add Sections 5153.6, 7106, 7107, 10205, 10206, 10207, 10208, 10209, and 10210 to, the Education Code, all relating to automobile driver training in the public schools.

Referred to Committee on Education

Assembly Bill No. 836: By Messrs. Stanley, Lanterman, Levering, Geddes, Babbage, Sam L Collins, McCollister, and Chapel—An act to amend the title of the Municipal Water District Act of 1911, and to amend Sections 2, 3, 4, 5, 6, 7, 8, 9, 12, 13, 14, 15, 18, 19, 22, 23, 24, 25, 26, 27, 28, 29, and 32 of, to amend and renumber Sections 6a, 27a, 27b, and 27c of, to repeal Sections 4a, 4b, 20, 31, and 34 of, and to add Sections

12.1, 12.2, 13.1, 20, 21, 27 1, 27.2, 27 3, and 27.7 to, the Municipal Water District Act of 1911, relating to municipal water districts, declaring the urgency thereof, to take immediate effect.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 837: By Mr. Stanley—An act to amend Section 8205 of the Government Code, relating to notary public.

Referred to Committee on Judiciary.

Assembly Bill No. 838: By Mr. Stanley—An act to amend Section 1719 of, and to add Section 9709 to, the Elections Code, relating to municipal elections.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 839: By Mr Stanley—An act to amend Section 37904 of the Government Code, relating to city public works contracts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 840: By Messrs. Klocksiem, Grant, Lanterman, Levering, McGee, and Shaw—An act to amend Section 4730 of the Health and Safety Code, relating to county sanitation districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 841: By Mr. Hagen—An act to add Section 2000 to the Government Code, dealing with the filing of claims against the State, district, county, city, or city and county.

Referred to Committee on Judiciary

Assembly Bill No. 842: By Mr. Coats—An act to amend Section 28138 of the Government Code, relating to compensation for public services in counties of the thirty-eighth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 843: By Mr. Coats—An act to amend Section 28127 of the Government Code, relating to compensation for public service in counties of the twenty-seventh class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 844: By Mr. Coats—An act to amend Section 28139 of the Government Code, relating to the compensation for public service in counties of the thirty-ninth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 845: By Mr. Thomas—An act to add Section 7146 to the Business and Professions Code, relating to contractors.

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 846: By Mr. Luckel—An act to amend Section 59.5 of the Alcoholic Beverage Control Act, relating to hours of sale.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 847: By Mr. Luckel—An act to add Sections 7.1 and 10.1 to the Alcoholic Beverage Control Act, relating to licenses for the sale of alcoholic beverages.

Referred to Committee on Boards and Commissions

Assembly Bill No. 848: By Mr. Luckel—An act to amend Sections 867 and 868 of the Fish and Game Code, relating to nets for particular varieties of fish.

Referred to Committee on Fish and Game

Assembly Bill No. 849: By Messrs Levering, Babbage, Grant, Burke, Caldecott, Cloyed, Connolly, Grunsky, Hahn, Hansen, Kelly, and Luckel—An act to amend Sections 4, 6, and 11 of the Defense Production Act, relating to employment and working conditions of female employees.

Referred to Committee on Industrial Relations.

Assembly Bill No. 850: By Messrs. Rosenthal and Brown—An act to amend Section 10675 and to repeal Section 10679 of the Health and Safety Code, relating to offenses in connection with the registration of births, deaths, and marriages

Referred to Committee on Public Health.

Assembly Bill No. 851: By Messrs. Rosenthal and Brown—An act to add Sections 1629.5 and 1632 to the Welfare and Institutions Code, relating to the reception, care, and placement of children, and prohibiting the advertising of unauthorized services in connection therewith.

Referred to Committee on Judiciary

Assembly Bill No. 852: By Messrs. Rosenthal and Brown—An act to amend Section 701 of the Welfare and Institutions Code, relating to minors who should be declared free from parental custody and control

Referred to Committee on Judiciary.

Assembly Bill No. 853: By Messrs. Rosenthal and Brown—An act to amend Section 1500 of the Welfare and Institutions Code, and to add Section 1500.5 thereto, relating to aid to needy children in respect to children in the custody of licensed adoption, home-finding or child-placing agencies

Referred to Committee on Judiciary.

Assembly Bill No. 854: By Messrs. Rosenthal and Brown—An act to amend Sections 204 and 2500 of the Welfare and Institutions Code, relating to protection, care, and assistance to women during and following pregnancy.

Referred to Committee on Judiciary

Assembly Bill No. 855: By Messrs. Rosenthal and Brown—An act to amend Section 226 of the Civil Code, relating to adoption of children

Referred to Committee on Judiciary.

Assembly Bill No. 856: By Messrs. Rosenthal and Brown—An act to amend Sections 224, 224p, 226a, 226b, and 227b of the Civil Code, and to add Sections 226c, 227d, and 227e thereto, relating to the adoption of children.

Referred to Committee on Judiciary.

Assembly Bill No. 857: By Messrs. Rosenthal and Brown—An act to amend Section 224 of the Civil Code, relating to the adoption of children.

Referred to Committee on Judiciary.

Assembly Bill No. 858: By Messrs. Rosenthal and Brown—An act to amend Section 257 of the Probate Code, relating to adopted children.

Referred to Committee on Judiciary.

Assembly Bill No. 859: By Messrs. Rosenthal and Brown—An act to amend Section 702 of the Welfare and Institutions Code, relating to contributing to the delinquency of a minor.

Referred to Committee on Judiciary.

Assembly Bill No. 860: By Mr. Thomas—An act to amend Sections 5312, 5324, and 5325 of the Business and Professions Code, relating to outdoor advertising.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 861: By Mr. Thomas—An act to amend Sections 353, 458, and 507 of the Streets and Highways Code, relating to state highway routes.

Referred to Committee on Transportation and Commerce.

REQUEST FOR UNANIMOUS CONSENT THAT OPINION OF LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Mr. Waters asked for, and was granted, unanimous consent that the following opinion of the Legislative Counsel, relative to passage of bills prior to the constitutional recess, be ordered printed in the Journal in 10-point type:

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, January 12, 1951

Hon. Laughlin E. Waters
Assembly Chamber

PASSAGE OF BILLS PRIOR TO CONSTITUTIONAL RECESS No. 4124

DEAR MR. WATERS: You have asked us whether the houses of the Legislature may pass any type of bill prior to the constitutional recess required by Section 2 of Article 4 of the State Constitution or whether the power to pass bills is restricted to urgency measures.

It is our opinion that the Legislature has full power to pass any type of bill prior to the constitutional recess.

There is nothing in the Constitution of this State that restricts the power of the Legislature to pass bills of any type prior to the constitutional recess. The Constitution does restrict the number of bills that may be introduced after the constitutional recess and as a result most bills are introduced during the January portion of the session, but there is no legal reason why the houses cannot pass any type of bill prior to the recess if they desire to do so.

The only restriction on the enactment of bills which should be borne in mind is the requirement in Section 34 of Article 4 that until the Budget Bill has been finally enacted, neither house shall place upon the final passage any other appropriation bill, except the emergency bills recommended by the Governor, or appropriations for the salaries, mileage and expenses of the Senate and Assembly. This restriction applies, of course, both before and after the constitutional recess.

We note that an opinion of this office on the same subject and expressing the same conclusions was printed in the Assembly Journal for January 15, 1943, on page 243.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By LAWRENCE G. ALLYN, Deputy

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT OF THE LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Mr. Dills asked for, and was granted, unanimous consent that a letter of transmittal and Report of the Legislative Counsel on Needed Revision of the Statutes be ordered printed in the Journal, and that the report be printed in 10-point type.

(Above mentioned letter of transmittal and report will appear prior to the motion to adjourn)

REQUEST FOR UNANIMOUS CONSENT THAT REPORT BE PRINTED AS A SEPARATE DOCUMENT AND THAT 500 ADDITIONAL COPIES BE PRINTED

Mr. Dills asked for, and was granted, unanimous consent that the above mentioned letter of transmittal and report be ordered printed as a separate document, and that 500 additional copies be ordered printed

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 862: By Mr Hansen—An act to amend Section 26150 of the Government Code and Sections 22173, 22174, and 22176 of the Education Code, relating to county free libraries.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 863: By Mr Hansen—An act to amend Section 28105 of the Government Code, relating to compensation for public services in counties of the fifth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 864: By Mr. Hansen—An act to amend Section 737j of the Political Code and Section 79.10 of the Code of Civil Procedure, relating to superior judges' salaries.

Referred to Committee on Judiciary.

Assembly Bill No. 865: By Mr. Caldecott—An act to amend Section 44 of the Public Utilities Act, approved April 23, 1915, relating to public utilities.

Referred to Committee on Judiciary.

Assembly Bill No. 866: By Mr Caldecott—An act to amend Sections 1184, 1184d, and 1184e of the Code of Civil Procedure, relating to mechanics liens.

Referred to Committee on Judiciary.

Assembly Bill No. 867: By Mr. Coats—An act to add Section 3577 to the Education Code, relating to the Public School System, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 868: By Messrs Grant and McCollister—An act to amend Section 19333 of the Government Code, relating to authorizing absences from veterans' homes.

Referred to Committee on Military Affairs.

Assembly Joint Resolution No. 5: By Mr. Thomas—Relative to memorializing the President of the United States in relation to the fishing rights of Japanese nationals in the coastal fisheries of the United States.

Referred to Committee on Rules

Assembly Joint Resolution No. 6: By Mr. Lindsay—Relative to memorializing Congress to appropriate money for the conversion of United States Highway Route 40 into a four-lane divided highway.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 11: By Mr. Gubser—Relative to approving an amendment to the charter of the City of San Jose, a municipal corporation in the County of Santa Clara, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the seventh day of November, 1950.

Referred to Committee on Rules.

Assembly Constitutional Amendment No. 12: By Mr. Stanley—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 2 of Article IV thereof, relating to the Legislature.

Referred to Committee on Constitutional Amendments

Assembly Bill No. 869: By Messrs Tomlinson, Babbage, Kelly, Kirkwood, Levering, Lowrey, and Moss—An act to add Article 2.5 to Chapter 10 of Division 3 of the Education Code, relating to the collections and apportionment of a County School District Equalization Fund.

Referred to Committee on Education.

Assembly Bill No. 870: By Mr. Hawkins—An act to amend Sections 19601, 19608, 19613, and 19613.7, and to repeal Sections 19601.6, 19613.5, and 19617 of the Education Code, relating to child care centers, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

ANNOUNCEMENT

Mr. Dickey announced a proposed change in the Standing Rules, and urged the members to read House Resolution No. 36 as it will presently appear in the Journal.

RESOLUTIONS

The following resolution was offered:

By Mr. Hollibaugh:

House Resolution No. 36

Relative to adding Rule No. 41.5 to the Permanent Standing Rules of the Assembly relating to committee amendments

Resolved by the Assembly of the State of California. That Rule No. 41.5 is added to the Permanent Standing Rules of the Assembly, to read:

41.5. In furtherance of the thorough consideration of all bills on a given subject by the appropriate standing committee, whenever a standing committee reports a bill back to the Assembly with a recommendation that amendments be adopted, the report shall also recommend that the bill be re-referred to the appropriate standing committee if the amendments relate to a subject that is properly a matter for consideration by such other standing committee. If the recommended amendments are adopted, the bill shall then be re-referred to the appropriate committee for further consideration.

The provisions of this rule do not apply to amendments recommended by the Committee of the Whole or to amendments from the floor that are adopted as provided in Rule 52.

Resolution read, and ordered referred to the Committee on Rules.

MOTION TO USE ASSEMBLY CHAMBER

Mr. Dickey moved that the Committee on Rules be permitted to grant permission to the California Newspaper Publishers Association to use the Assembly Chamber on February 9th, 10th, and 11th for the purpose of holding its sixty-third annual convention

Mr. Doyle seconded the motion

Motion carried.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND FINAL INTERIM FACT-FINDING COMMITTEE REPORT BE PRINTED IN JOURNAL

Mr. Geddes asked for, and was granted, unanimous consent that a letter of transmittal and the Final Report of the Assembly Interim Fact-Finding Committee on Highways, Streets, and Bridges (created by House Resolution No. 281) be ordered printed in the Journal, and that the report be ordered printed in 10 point type.

(Above mentioned letter of transmittal and report will appear prior to the motion to adjourn.)

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED IN JOURNAL AND AS SEPARATE DOCUMENT

Mr. Dills asked for, and was granted, unanimous consent that a letter of transmittal and Final Report of the Assembly Interim Committee on Cemetery, Mausoleum, Crematorium and Similar Associations be ordered printed in the Journal, in 10-point type, and that 500 copies of said letter of transmittal and report be printed as a separate document.

(Above mentioned letter of transmittal and final report will appear prior to the motion to adjourn.)

APPOINTMENT OF MEMBERS TO COMMITTEE ON WAYS AND MEANS ORDERED NOTED IN CORRECTED JOURNAL

Speaker Sam L. Collins asked for, and was granted, unanimous consent that the Assembly Journal for Wednesday, January 10th, page 209, be corrected to show that Messrs. Meyers and Klocksiem were appointed members of the Committee on Ways and Means.

RESOLUTIONS

The following resolutions were offered:

By Mr. Condon:

House Resolution No. 37

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to purchase eighty-one (81) sets of the latest edition of the California Administrative Code.

Resolved further, That the Chief Clerk of the Assembly be and he is hereby directed to deliver one complete set of the code to each Member of the Assembly, and one complete set of the code to the Chief Clerk of the Assembly

Resolution read, and ordered referred to the Committee on Rules

By Messrs. Fleury and Moss:

House Resolution No. 38

Relative to the March of Dimes Campaign

WHEREAS, We are inescapably, as citizens of a civilized society, interested in securing maximum opportunity for all disabled persons to be physically and economically restored to maximum effectiveness; and

WHEREAS, Infantile paralysis continues to take a larger toll of American life and health each year, with a record epidemic of more than 47,000 cases in 1949 and over 30,000 new cases in 1950; and

WHEREAS, The National Fundation for Infantile Paralysis has coordinated the efforts of all segments of science and society in a fight against this disease for the past 12 years, with the result that much needless crippling and loss of life has been avoided through intelligent and timely financial and medical assistance to the individual patient who needs, but could not otherwise sustain himself in care; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly commend the National Foundation for Infantile Paralysis for its humanitarian purposes and function, and endorse its supporting activity, the 1951 March of Dimes; and be it further

Resolved, That we collectively and individually pledge our support to the continuation and furtherance of this work toward the objective of freeing our society from the scourge of infantile paralysis and the reclamation of those unfortunate victims of the disease who must have help in their struggle against its ravages.

Resolution read, and ordered referred to the Committee on Rules.

By Messrs. Maloney, Sam L. Collins, and Fleury:

House Resolution No. 39

Relative to the March of Dimes

WHEREAS, Today, January 15, 1951, starts the annual drive for the March of Dimes, with all contributions to be used for the purpose of giving needed care to the victims of infantile paralysis; and

WHEREAS, To help prevent this dreadful crippling disease from taking its toll, and to help nurse those who still need care, The National Infantile Paralysis Foundation is asking everyone to contribute as many dimes as he possibly can to assist in this worthy cause; now, therefore, be it

Resolved, That the Assembly of the State of California in regular session assembled, does hereby request the people of California to generously support the polio drive by way of their contributions to the March of Dimes.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 39, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

ANNOUNCEMENTS

Mr. Maloney announced that former Assemblyman Alfred W. Robertson, of Santa Barbara, is ill, and urged all Members of the Assembly to write individual letters expressing best wishes for his rapid recovery.

Mr. Maloney announced that a former Assembly Page, Charlie "Red" Irwin is at present in the Oak Knoll Hospital in Oakland, Ward 42-B, as a victim of the war in Korea. "Red," popular Page in the Sessions of 1945 to 1947, has had to have both legs amputated, many blood transfusions, and has suffered bullet wounds in his thighs. Mr. Maloney called on him on behalf of the Members of the Assembly, and expressed sincere regrets that Charlie Irwin has experienced such a grave misfortune, and urged all members and attaches to write personal letters to him at once.

RESOLUTIONS

The following resolution was offered:

By Messrs. Waters and Morris:

House Resolution No. 40

Re W. H. (Bud) Lollier

WHEREAS, It was with a deep feeling of regret that the Members of the Assembly learned of the illness of W. H. (Bud) Lollier, who for many years has worked with us and whom we have learned to love and respect because of his many fine qualities; and

WHEREAS, As the 1951 Session convened on January 8th, for the first time since "Bud" Lollier became a legislative representative his presence was noticeably missed by those who were associated with him, and by his many friends who not only include the Legislators, but his admirers in all walks of life, who amiably assemble when a session of the Legislature convenes; and

WHEREAS, It is with happiness and joy that word has been received from Bud's home in Los Angeles that the serious major operation which confined him to a hospital bed for many weeks, has proved successful, and that Bud is now well on the road to complete recovery; now, therefore, be it

Resolved, That the Members of the Assembly of the State of California, regularly assembled this twelfth day of January, 1951, extend to W. H. (Bud) Lollier our sincere best wishes for a complete and speedy recovery, and pray that before this session ends the members may have the pleasure of seeing and greeting Bud as hale, hearty and strong as he was on his first visit to the Legislature; and be it further

Resolved, That a suitable copy of this resolution be forwarded to W. H. Bud Lollier.

Resolution read, and ordered referred to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 871: By Mr. Silliman—An act to amend Section 20357 of the Education Code and add Section 20358 of said code, relating to student housing facilities at state colleges.

Referred to Committee on Education.

Assembly Bill No. 872: By Mr. Silliman—An act making an appropriation for the support of the California State Polytechnic College.

Referred to Committee on Education.

Assembly Bill No. 873: By Mr. Silliman—An act to amend Section 19626 of the Business and Professions Code, relating to the Fair and Exposition Fund and providing for regulating the appropriation and expenditure of money in said fund.

Referred to Committee on Agriculture.

Assembly Bill No. 874: By Mr. Silliman—An act to amend Section 20651 of the Education Code, relating to the California Polytechnic School.

Referred to Committee on Education.

Assembly Bill No. 875: By Mr. Silliman—An act making an appropriation for permanent improvements at the California State Polytechnic College.

Referred to Committee on Education.

Assembly Bill No. 876: By Mr. Silliman—An act making an appropriation for the construction of dormitories at the California State Polytechnic College.

Referred to Committee on Education.

Assembly Bill No. 877: By Mr. Waters—An act to amend Sections 11100 and 11101 of the Elections Code, relating to municipal elections

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 878: By Messrs. Waters and Conrad—An act to add Section 13539 to the Government Code, relating to the size of reports.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 879: By Mr. Waters—An act to add Sections 31627.1, 31629, 31671.1, 31765, and 31784 to, and to amend Sections 31527, 31552, 31591, 31602, 31628, 31642, 31649, 31652, and 31700 of, and to repeal Section 31560 and Article 13, consisting of Sections 31800, 31801, 31802, 31803, 31804, and 31805, of Chapter 3, of Part 3, of Division 4 of Title 3 of, the Government Code, relating to retirement of county employees.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 880: By Mr. Waters—An act to add Section 31765 to the Government Code, relating to retirement of county employees.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 881: By Mr. Waters—An act to add Section 1101.1 to the Insurance Code and to amend Section 1106 of such code, relating to brokerage commissions on reinsurance, and penalties therefor.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 882: By Mr. Waters—An act to add Section 22.5 and 23.5 to the Insurance Code, relating to the definition of insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 883: By Mr. Waters: An act to amend Section 1031 of the Insurance Code, relating to mutual debts or credits in liquidating proceedings.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 884: By Mr. Waters—An act to amend Section 1730 of, and to add Section 1734 to the Insurance Code, relating to receipt and holding of fiduciary funds by insurance and bail licensees.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 885: By Mr. Waters—An act to amend Sections 922.1, 922.2 and 1591, to renumber and amend Section 922.5 and to repeal Sections 922.3 and 922.4 of, and to add Sections 922.3, 922.4, 922.5, 922.6, 922 7, and 922.8 to, the Insurance Code, relating to financial statements of insurers

Referred to Committee on Finance and Insurance

Assembly Bill No. 886: By Messrs. Burkhalter and McMillan—An act to amend Sections 867 and 868 of the Fish and Game Code, relating to yellowtail, barracuda, and white sea bass.

Referred to Committee on Fish and Game

Assembly Bill No. 887: By Messrs. Burkhalter and McMillan—An act to add Section 492.2 to the Fish and Game Code, relating to anchovies

Referred to Committee on Fish and Game.

Assembly Bill No. 888: By Messrs. Morris and Levering—An act to amend Section 13161 of the Government Code, relating to the display of flags over public buildings.

Referred to Committee on Military Affairs.

Assembly Bill No. 889: By Mr. Morris—An act to amend Section 550 of the Military and Veterans Code, relating to the California Defense and Security Corps.

Referred to Committee on Military Affairs.

Assembly Bill No. 890: By Mr. Morris—An act to amend Sections 76, 77, 78, 78.1, 79, and 83 of the Unemployment Insurance Act, relating to the Appeals Board.

Referred to Committee on Finance and Insurance.

RECESS

At 12.09 p.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 891: By Mr. Morris—An act to add Sections 6386 and 6404 to the Revenue and Taxation Code, relating to exemptions from sales and use taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 892: By Mr. Morris—An act to add Sections 6381.1 and 6404 to the Revenue and Taxation Code, relating to the exemption of cities, counties and school districts from sales and use taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 893: By Messrs. Morris and Rosenthal—An act to call a special election to be consolidated with the direct primary election of 1952 and to provide for the submission to the electors of the State at such consolidated election an amendment to the Constitution of the State, proposed by the Legislature at the 1951 Regular Session, relating to the right to vote.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 894: By Messrs. Dickey, Lincoln, Rumford, Caldecott, and Sherwin—An act to amend Section 737a of the Political Code and Section 79.1 of the Code of Civil Procedure, relating to superior judges' salaries.

Referred to Committee on Judiciary.

Assembly Bill No. 895: By Mr. Burkhalter—An act to add Sections 8527.5, 8527.6, and 8527.7 to, and Article 5.5, comprising Sections 8595 to 8601, inclusive, to Chapter 14 of Division 3 of, the Business and Professions Code, relating to structural pest control.

Referred to Committee on Agriculture.

Assembly Bill No. 896: By Mr. Burkhalter—An act to amend Sections 8525, 8635, 8636, 8642, 8643, 8644, 8645, 8646, and 8648 of, and to add Sections 8613, 8614, 8615, 8616, 8617, and 8618 to, the Business and Professions Code, relating to structural pest control.

Referred to Committee on Agriculture.

Assembly Bill No. 897: By Mr. Hansen—An act to amend Section 405 of the Education Code, relating to county school superintendents' salaries in counties of the fifth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 898: By Messrs. Geddes and Dolwig—An act to amend Sections 1356, 1357, 1359, 1362, 1363, 1364, 1366, 1367, and 3396 of the Banking Code, to add Section 1371, and to renumber and amend 1371, relating to investments by savings banks, securing of information pertinent to the qualification of bonds of political subdivisions by the superintendent from officials of such political subdivisions, and to the making of representations that securities are a legal investment for savings banks

Referred to Committee on Finance and Insurance.

Assembly Bill No. 899: By Mr. Brown—An act to add Section 6357.2 to the Education Code, relating to school district taxes levied for the purposes of community recreation.

Referred to the Committee on Revenue and Taxation.

Assembly Bill No. 900: By Mr. Brown—An act to add Section 10206 to the Education Code, relating to insurance against liability arising from courses in driver education and training.

Referred to Committee on Education.

Assembly Bill No. 901: By Messrs. Fleury and Brown—An act to amend Sections 6087 and 6100 of the Business and Professions Code, relating to discipline of attorneys.

Referred to Committee on Judiciary.

Assembly Bill No. 902: By Messrs. Fleury and Brown—An act to amend Section 117r of the Code of Civil Procedure, relating to small claims.

Referred to Committee on Judiciary.

Assembly Bill No. 903: By Messrs. Fleury and Brown—An act to amend Section 214 of the Code of Civil Procedure, relating to juries.

Referred to Committee on Judiciary.

Assembly Bill No. 904: By Messrs. Fleury and Brown—An act to add Section 684.1 to the Code of Civil Procedure, relating to the enforcement of judgments.

Referred to Committee on Judiciary.

Assembly Bill No. 905: By Messrs. Fleury and Brown—An act to amend Section 2055 of the Code of Civil Procedure, relating to examination of witnesses.

Referred to Committee on Judiciary.

Assembly Bill No. 906: By Mrs Niehouse—An act to amend Section 51a of the Public Utility District Act of 1921, relating to annexation

of unincorporated contiguous territory so as to authorize annexation of territory whether contiguous or not.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 907: By Mrs. Niehouse—An act to amend Section 45 of the Public Utility District Act of 1921, relating to debts in excess of limits being void except in cases where district finances waterworks by bond issue paying indebtedness out of revenues, by authorizing district to issue such bonds and to pledge revenues of such waterworks to payment thereof.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 908: By Mrs. Niehouse—An act to add Section 30.03 to the Public Utility District Act of 1921, authorizing public utility districts to accept loans and contributions from the State of California.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 909: By Mrs. Niehouse—An act to add Section 30.02 to the Public Utility District Act of 1921, authorizing public utility districts to cooperate and contract with and to borrow or procure money from the United States.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 910: By Mrs. Niehouse—An act to add Section 30.01 to the Public Utility District Act of 1921, authorizing the formation and operation of improvement districts.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 911: By Mr. Geddes—An act to amend Sections 115, 5001, 5301, 5302, 5309, 5310, 5800, 5900, 5901, 5902, 5903, 5904, 5905, 5909, 5910, and 5952 of the Labor Code; to repeal Sections 5313, 5314, 5906, 5907, 5908, and 5950 of said code and add new Sections 5314, 5906, 5907, 5908, and 5950 to said code; to repeal Section 5315 of said code; and to amend the titles of Division 4, Part 4, Chapter 7 and Division 4, Part 4, Chapter 7, Article 1 of said code, all relating to workmen's compensation.

Referred to Committee on Industrial Relations.

Assembly Bill No. 912: By Mr. Geddes—An act to amend Section 11789 of the Insurance Code, relating to the State Compensation Insurance Fund.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 913: By Messrs. Geddes and Dunn—An act to amend Section 11792 of the Insurance Code, relating to the Revolving Fund of the State Compensation Insurance Fund.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 914: By Messrs. Geddes, Dunn, Burke, and Doyle—An act to amend Section 717.1 of the Code of Civil Procedure, relating to supplementary proceedings.

Referred to Committee on Judiciary.

Assembly Bill No. 915: By Mr. Hollibaugh—An act to revise the system by which revenues are collected for the support of the public streets and highways of the State, and, for that purpose, to amend Sections 130, 140, 140.3, 141, 143, 159, 160, 164, 164.5, 164.7, 182.1, 371, 372, 372.3, 372.5, 373, 376, 378, and 384 of, and to add Sections 38.2, 50.2, 140 5, 155.5, 372.1, 372.2, and 373.3 to, the Vehicle Code; and to repeal Section 9654 of, to amend Sections 8651, 9606.7, 9651, 10755, 10756, 10757, 10851, 10854, and 10856 of, and to add Section 9654 to, the Revenue and Taxation Code.

Referred to Committee on Revenue and Taxation.

ANNOUNCEMENT

Mr. Brown announced the reasons why the bills being introduced on the creation of new municipal courts under the Inferior Court Reorganization Plan are skeleton bills; suggested that anyone having questions relative to this matter direct those questions to Mr. Norton, his secretary; and that he will co-author each of said bills as Chairman of the Assembly Committee on Judiciary.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 916: By Messrs. Hollibaugh, Hahn, Munnell, Porter, Chapel, Evans, and Rosenthal—An act to amend Section 205 of the Unemployment Insurance Act, relating to disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 917: By Messrs Hollibaugh, Hahn, Munnell, Porter, Chapel, Evans, and Rosenthal—An act to amend Section 205 of the Unemployment Insurance Act, relating to disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 918: By Messrs. Hollibaugh, Hahn, Munnell, Porter, Chapel, Evans, and Rosenthal—An act to amend Section 205 of the Unemployment Insurance Act, relating to disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 919: By Messrs. Hollibaugh, Hahn, Munnell, Porter, Chapel, Evans, and Rosenthal—An act to amend Section 205 of the Unemployment Insurance Act, relating to disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 920: By Messrs Hollibaugh, Hahn, Munnell, Porter, Chapel, Evans, and Rosenthal—An act to repeal Sections 75 and 76 and to amend Section 83 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 921: By Messrs. Hollibaugh, Hahn, Munnell, Porter, Chapel, Evans, and Rosenthal—An act to amend Section 83 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 922: By Messrs. Hollibaugh, Hahn, Munnell, Rosenthal, Chapel, and Evans—An act to repeal Section 75 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 923: By Messrs. Hollibaugh, Hahn, Munnell, Rosenthal, Chapel, and Evans—An act to repeal Section 61 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance

Assembly Bill No. 924: By Mr. Davis—An act to amend Section 25150 of the Government Code, relating to board of supervisors.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 925: By Messrs. Davis, Belotti, and Chapel—An act to add Section 482.5 to the Fish and Game Code, relating to obstructions in streams.

Referred to Committee on Fish and Game.

Assembly Bill No. 926: By Mr Davis—An act to amend Section 330 of the Fish and Game Code, relating to the acquisition and administration of refuges, game farms, preserves, and public shooting grounds.

Referred to Committee on Fish and Game.

Assembly Bill No. 927: By Mr. Maloney—An act to amend Section 30608 of the Streets and Highways Code, relating to reimbursement of the State Highway Fund of expenditures appertaining to the highway approaches to the San Francisco-Oakland Bay Bridge.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 928: By Messrs. Rosenthal, Hahn, Smith, Munnell, Evans, and Waters—An act to amend Section 261.5 of the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties, of 2,000,000 population or more.

Referred to Committee on Judiciary

Assembly Bill No. 929: By Messrs. Rosenthal, Hahn, Smith, Munnell, Evans, and Waters—An act to amend Section 204h of the Code of Civil Procedure, relating to the performance of commissioner's duties by judges' secretary, assistant secretary and clerks.

Referred to Committee on Judiciary.

Assembly Bill No. 930: By Messrs Rosenthal, Hahn, Smith, Munnell, Evans, and Waters—An act to amend Section 261a of the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties, of 900,000 population or more.

Referred to Committee on Judiciary.

Assembly Bill No. 931: By Messrs. Rosenthal, Hahn, Munnell, Evans, and Waters—An act to amend Section 1744 of the Code of Civil Procedure, relating to attaches of the conciliation court in counties of 900,000 population or more.

Referred to Committee on Judiciary.

Assembly Bill No. 932: By Messrs. Rosenthal and Munnell—An act to amend Section 151 of the Unemployment Insurance Act, relating to disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 933: By Messrs. Rosenthal and Munnell—An act to amend Section 151 of the Unemployment Insurance Act, relating to disability insurance.

Referred to Committee on Finance and Insurance

Assembly Bill No. 934: By Messrs. Rosenthal and Munnell—An act to amend Sections 150 and 152 of the Unemployment Insurance Act, relating to disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 935: By Messrs. Rosenthal and Munnell—An act to add Section 39 2 to the Unemployment Insurance Act, relating to unemployment insurance

Referred to Committee on Finance and Insurance.

Assembly Bill No. 936: By Mr. Erwin—An act to add Section 610.8 to the Fish and Game Code, relating to golden trout.

Referred to Committee on Fish and Game.

Assembly Bill No. 937: By Mr. Kelly—An act to repeal Sections 2 and 3 of the act entitled "An act relating to institutions under the jurisdiction of the Department of Corrections, making an appropriation to be expended pursuant to the Property Acquisition Act for the acquisition of a new site for the California Institution for Women, authorizing the Director of Corrections to transfer the California Institution for Women from its present location near Tehachapi to the new site, and authorizing the disposition of the Tehachapi property.", approved July 2, 1947, relating to institutions under the jurisdiction of the Department of Corrections, to provide for transfer of property acquired under the said act to the Department of _____, and revoking authority for transfer of the California Institution for Women.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 938: By Mr. Silliman—An act to authorize the exchange by the State Park Commission with the Forest Service, United States Department of Agriculture, of certain lands in the Pfeiffer Big Sur State Park for lands of at least equal value adjacent to said state park.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 939: By Mr. Butters—An act to amend Section 31 of the Vehicle Code, relating to vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 940: By Mr. Butters—An act to amend Section 485 of the Vehicle Code, relating to drivers of vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 941: By Mr. Butters—An act to amend Section 102 of the Water Code, relating to water.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 942: By Mr. Butters—An act to amend Section 103 of the Water Code, relating to water.

Referred to Committee on Agriculture.

Assembly Bill No. 943: By Mr. Butters—An act to amend Sections 26075 and 26076 of the Water Code, relating to assessments by irrigation districts.

Referred to Committee on Agriculture.

Assembly Bill No. 944: By Mr. Butters—An act to amend Section 1157 of the Fish and Game Code, relating to game birds and mammals.

Referred to Committee on Fish and Game.

Assembly Bill No. 945: By Mr. Butters—An act to amend Section 954 of the Fish and Game Code, relating to nets.

Referred to Committee on Fish and Game.

Assembly Bill No. 946: By Mrs. Niehouse, Messrs. Luckel, and Cloyed—An act to add Section 13409 to the Education Code, relating to teachers' institute.

Referred to Committee on Education.

Assembly Bill No. 947: By Mr. Levering—An act to add Article 3.5 comprising Sections 1020 to 1023, inclusive, to Part 3, Division 2 of the Labor Code, relating to labor organizations.

Referred to Committee on Industrial Relations.

Assembly Bill No. 948: By Mr. Levering—An act to amend Section 13 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 949: By Messrs. Kilpatrick, Hagen, Condon, Rosenthal, Burke, and Munnell—An act to add Section 209.5 to the Penal Code, relating to kidnapping.

Referred to Committee on Judiciary.

Assembly Bill No. 950: By Messrs. Kilpatrick, Condon, Hagen, Rosenthal, Burke, Munnell, and Mrs. Niehouse—An act to amend Section 1018 of the Penal Code, relating to pleadings and proceedings after indictment.

Referred to Committee on Judiciary

Assembly Bill No. 951: By Mr. Rumford—An act to amend Sections 4030, 4032, and 4040 of, and to add Section 4034 to, the Business and Professions Code, relating to pharmacy.

Referred to Committee on Public Health.

Assembly Bill No. 952: By Mr. Rumford—An act to amend Section 29026 of the Health and Safety Code, relating to hypnotic drugs

Referred to Committee on Public Health.

Assembly Bill No. 953: By Mr. Rumford—An act to amend Section 4256 of the Business and Professions Code, relating to fees charged by the California State Board of Pharmacy.

Referred to Committee on Public Health.

Assembly Bill No. 954: By Mr. Stewart—An act to add Section 1987.5 to the Code of Civil Procedure, relating to subpenas.

Referred to Committee on Judiciary.

Assembly Bill No. 955: By Mr. Stewart—An act to amend Sections 84, 137, 137.5, 138, 139, 140, 141, 146, and 169 of, and to add Sections 137.1, 137.2, and 137.3 to, and to repeal Section 147 of, the Civil Code, relating to personal relations.

Referred to Committee on Judiciary.

Assembly Bill No. 956: By Mr. Luckel—An act to amend Section 200 of the Labor Code, relating to the definition of the terms "wages," "labor," and "discharge," as used in Article 1, Chapter 1, Part 1, Division 2 of the Labor Code.

Referred to Committee on Industrial Relations.

Assembly Bill No. 957: By Mr. Luckel—An act to amend Section 11041 of the Government Code, relating to legal services for the Division of Labor Law Enforcement.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 958: By Mr. Burkhalter—An act to amend Section 1900 of the Labor Code, relating to public agencies

Referred to Committee on Municipal and County Government.

Assembly Bill No. 959: By Messrs. Lindsay, Moss, Hansen, and Coats—An act to add Section 13.9 to the Construction and Employment Act, providing for allocations to counties for the purpose of said act, making an appropriation, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 960: By Messrs. Lindsay, Moss, Hansen, and Coats—An act to amend Section 1 of an act entitled "An act making an appropriation to the Emergency Fund specified in Item 278 of the Budget Act of 1949, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, and declaring the urgency thereof, to take effect immediately," approved June 9, 1949, relating to repair and restoration of

property damaged or destroyed by storms and floods, declaring the urgency thereof to take effect immediately.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 961: By Messrs. Caldecott, Brown, Rosenthal, Smith, Babbage, Fleury, and Moss—An act to amend Section 640 of, and to add Section 640.1 to, the Penal Code, relating to the detection or interception of telegraphic and telephonic communications.

Referred to Committee on Judiciary.

Assembly Concurrent Resolution No. 12: By Mr. Lindsay—Relative to the completion of a freeway on United States Highway Route 40.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 13: By Mr. Stewart—Approving a certain amendment to the charter of the City of Pasadena, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the seventh day of November, 1950.

Referred to Committee on Rules.

Assembly Bill No. 962: By Messrs. Smith, Rosenthal, Grant, Brown, and McGee—An act to amend Section 4300*l* of the Political Code and Section 32 of the Municipal Court Act of 1925, relating to municipal court fees.

Referred to Committee on Judiciary.

Assembly Bill No. 963: By Mr. Dills—An act to add Section 5854 to the Streets and Highways Code, and Section 4887.5 to the Health and Safety Code, relating to sewer maintenance districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 964: By Mr. Dills—An act to amend Section 5837 of the Streets and Highways Code, relating to county maintenance districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 965: By Mr. Burke—An act to amend Section 5828.1 of the Streets and Highways Code, relating to county maintenance districts.

Referred to Committee on Municipal and County Government.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 15, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 7

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 15, 1951

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No 14

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 14—Relative to adjournment of the Legislature for the constitutional recess, and to the reassembling of the Legislature after said recess, and fixing the date for said adjournment and said reassembling.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 15, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 16
Senate Bill No. 17
Senate Bill No 18

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 16—An act making an appropriation in augmentation of Item 5 of the Budget Act of 1950, for payment of the expenses of Members of the Senate necessarily incurred by them while attending a session of the Legislature, to take effect immediately.

Referred to Committee on Rules.

Senate Bill No. 17—An act making an appropriation for mileage of the Members and officers of the Senate, to take effect immediately.

Referred to Committee on Rules

Senate Bill No. 18—An act to amend Section 3466a of the Political code and Section 51681 of the Water Code, relating to reclamation districts.

Referred to Committee on Rules

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1951

MR SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 30

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolution ordered on file

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

Letter of Transmittal

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
SACRAMENTO, January 12, 1951

RE: S. C. R. 6, 1950 REGULAR SESSION

Hon. Arthur A. Ohnimus
Chief Clerk of the Assembly
State Capitol, Sacramento, California

DEAR MR. OHNIMUS: By Senate Concurrent Resolution No. 6, introduced by Mr. Donnelly and Mr. Hatfield, the Department of Public Works through the Division of Highways was requested to investigate the feasibility of constructing an expressway between Los Angeles and San Francisco to be financed by the issuance of revenue bonds to be paid by the collection of tolls for the use of the highway.

Such an investigation has been made by the Division of Highways in cooperation with the U. S. Bureau of Public Roads. A copy of the report which has been prepared as a result of this study is enclosed. Additional copies will be furnished at an early date.

Very truly yours,

C. H. PURCELL, Director of Public Works

Enclosure

Above transmitted copy of report ordered referred to the Committee on Conservation, Planning, and Public Works.

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 2.30 p.m., Mr. Lyon asked for, and was granted, unanimous consent that he and Messrs. George D. Collins, Conrad, Hawkins, and Stanley be excused, for the purpose of holding a meeting of the Subcommittee on Elections and Reapportionment to consider contested elections, at this time, in Room 426.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 966: By Messrs. Grant and Thomas—An act to add Chapter 4, comprising Sections 591 to 737, inclusive, to Division 3 of the Harbors and Navigation Code, relating to inspection, licensing and registration of vessels, and making an appropriation.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 967: By Mr. Thomas—An act to amend Sections 7055, 7056, 7057, 7058, and 7059 of the Business and Professions Code, relating to contractors.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 968: By Messrs. Fleury and Moss—An act to amend Sections 461, 464, and 464.5 of the Agricultural Code, relating to the serving and sale of market milk.

Referred to Committee on Agriculture.

Assembly Bill No. 969: By Mr. Brown—An act to add Section 8215 to the Government Code, relating to notaries public.

Referred to Committee on Judiciary.

Assembly Bill No. 970: By Mr. Condon—An act to add Section 3212.7 to the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

CONSIDERATION OF DAILY FILE
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 21—An act to add Section 19620 to the Education Code, relating to the support of child care centers and making an appropriation therefor and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 21:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, January 15, 1951

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

Assembly Bill No. 21, "An act to add Section 19620 to the Education Code, relating to the support of child care centers and making an appropriation therefor and declaring the urgency thereof, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

Approval of this measure at this time is necessary to the continuance of child care centers after February 15, 1951.

I therefore recommend consideration of Assembly Bill No. 21 as an emergency measure.

Respectfully submitted,

EARL WARREN, Governor

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—Babbage, Butters, and Lowrey—3

Request for Unanimous Consent That Their Names Be Placed Upon Roll Call on Urgency Clause to Assembly Bill No. 21

Messrs. Elliott, Hawkins, George D. Collins, and Burkhalter asked for, and were granted, unanimous consent that their names be placed upon the roll call on the urgency clause to Assembly Bill No. 21, and that they be recorded as voting "Aye."

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury,

Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—72.

NOES—Babbage, Butters, and Lowrey—3

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 30

Mr. Waters asked for, and was granted, unanimous consent that he be permitted to take up House Resolution No. 30, out of order, at this time.

CONSIDERATION OF HOUSE RESOLUTION NO. 30

By Mr. Waters:

House Resolution No. 30

Relative to making funds available for the expenses of the Assembly Standing Committee on Elections and Reapportionment

Resolved by the Assembly of the State of California, That the sum of _____ dollars ($_____) from the Contingent Fund of the Assembly for the expenses of the Assembly Standing Committee on Elections and Reapportionment for the expenses of the committee and its members and for any charges, expenses or claims it may incur in connection with Assembly election contest matters that have been or may be referred to it by the Assembly, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In the measure, as printed in the Assembly Journal of January 11, 1951, on page 239, line 1, after "sum of", insert "five thousand".

Amendment No. 2

In the measure, as printed in the Assembly Journal of January 11, 1951, on page 239, line 2, after "dollars", insert "($5,000)".

Amendment No. 3

In the measure, as printed in the Assembly Journal of January 11, 1951, on page 240, after the last paragraph, insert

"When the contest involves a recount, the contestant is, in the first instance, liable for the expenses of the recount. He shall pay or advance each day to the committee, subcommittee, or commissioner conducting the recount such sums as the committee, subcommittee or commissioner finds necessary to pay all expenses as will have accrued by the end of the day. Such sums shall be part of the costs. From such sums the clerical assistants necessary for the recount shall be paid. Otherwise, each party is primarily liable for the payment of costs created by himself to the witnesses or other persons entitled thereto."

Amendments read, and adopted.

Consideration of House Resolution No. 30, as Amended

By Mr. Waters:

House Resolution No. 30

Relative to making funds available for the expenses of the Assembly Standing Committee on Elections and Reapportionment

Resolved by the Assembly of the State of California, That the sum of five thousand dollars ($5,000) from the Contingent Fund of the Assembly for the expenses of the Assembly Standing Committee on Elections and Reapportionment for the

expenses of the committee and its members and for any charges, expenses or claims it may incur in connection with Assembly election contest matters that have been or may be referred to it by the Assembly, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

When the contest involves a recount, the contestant is, in the first instance, liable for the expenses of the recount He shall pay or advance each day to the committee, subcommittee, or commissioner conducting the recount such sums as the committee, subcommittee or commissioner finds necessary to pay all expenses as will have accrued by the end of the day Such sums shall be part of the costs. From such sums the clerical assistants necessary for the recount shall be paid. Otherwise, each party is primarily liable for the payment of costs created by himself to the witnesses or other persons entitled thereto.

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Butters, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, Waters, and Mr. Speaker—66.

NOES—None.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 31, on motion of Mr. McCollister.

Assembly Concurrent Resolution No. 5, on motion of Mr. McCollister.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 15, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 1

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No. 2

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred.

Senate Joint Resolution No 1

Has had the same under consideration, and reports the same back with the recommendation · Be adopted

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred

House Resolution No. 40

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1951

MR SPEAKER: Your Committee on Rules, to which were referred:

Senate Concurrent Resolution No 7
Senate Concurrent Resolution No. 8
Senate Concurrent Resolution No. 9

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

REQUEST FOR UNANIMOUS CONSENT

Mr. McCollister asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 7, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 7

Senate Concurrent Resolution No. 7—Relative to approving an amendment to the Charter of the City of Santa Rosa, a municipal corporation in the County of Sonoma, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the seventh day of November, 1950.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Butters, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Waters, and Mr. Speaker—62.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT PRELIMINARY REPORT OF ASSEMBLY INTERIM COMMITTEE ON FINANCE AND INSURANCE BE PRINTED IN JOURNAL

Mr. Geddes asked for, and was granted, unanimous consent that a Preliminary Report of the Assembly Interim Committee on Finance and Insurance be ordered printed in the Journal in 10-point type.

(Above mentioned report will appear prior to the motion to adjourn.)

ANNOUNCEMENTS

Speaker Sam L. Collins announced, on behalf of Mr. Stanley, a Republican breakfast meeting, and Caucus, tomorrow morning, Tuesday, January 16th, at 7.30 a.m., at the Hotel Sacramento.

Mr. Beck announced a Democratic luncheon meeting, and Caucus, tomorrow noon, Tuesday, January 16th, upon recess, at the Hotel Sacramento.

PARLIAMENTARY INQUIRY

Mr. Dunn asked for a ruling from the Speaker as to the final date on which final Assembly interim committee reports are due.

Ruling by Speaker

Speaker Sam L. Collins ruled that because of the adoption of House Resolution No 28, authorizing a change in date for the filing of final reports, the final date for the filing of Assembly interim committee reports will not be as originally stipulated, but will be as of the date of adjournment sine die.

COMMUNICATIONS

By the Chief Clerk:

A communication and a resolution from Richard Graves, Executive Director of the League of California Cities, relative to state participation in the civil defense program, were received, and ordered referred to the Committee on Governmental Efficiency and Economy.

ANNOUNCEMENT

Speaker Sam L. Collins announced that, in the continuance of interim committees created by resolutions which provided that the membership should be the same as the membership of the corresponding standing committee, the newly appointed standing committee will constitute the membership of the interim committee.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 971: By Mr. Davis—An act to repeal Sections 241 and 242 of, and to add Sections 241 and 242 to, the Code of Civil Procedure, relating to grand jurors.

Referred to Committee on Judiciary.

Assembly Bill No. 972: By Messrs. Porter, Mrs. Niehouse, Messrs. Luckel, Cooke, Chapel, Condon, Dolwig, Gubser, Hagen, and Porter—An act to add Article 3 to Chapter 17, Part 2, Division 3, Title 4 of the Government Code, relating to the population of cities.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 973: By Mr. Maloney—An act to amend Sections 3501, 3502, and 3503 of, and to add Sections 4703.1 to 4703.6, inclusive, to, the Labor Code, relating to death benefits in workmen's compensation cases.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 974: By Mr. Maloney—An act to add Section 4557 to the Labor Code, and to amend Section 11661 of the Insurance Code, relating to additional workmen's compensation for minors.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 975: By Mr. Maloney—An act to amend Sections 4600, 5411, 5412, 5904, and 5950 of the Labor Code, relating to workmen's compensation, including the subjects of injuries and procedure before the Industrial Accident Commission.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 976: By Mr. Maloney—An act to amend Sections 51, 53, and 60 of the Labor Code, relating to the general powers and duties of the Department and Director of Industrial Relations.

Referred to Committee on Industrial Relations.

Assembly Bill No. 977: By Mr. Maloney—An act to add Section 3715 to the Labor Code, relating to workmen's compensation awards against uninsured employers.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 978: By Mr. Maloney—An act to add Section 3760 to the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 979: By Mr. Maloney—An act to amend Section 3710 of, to add Sections 3710.1 and 3710.2 to, and to repeal Section 3714 of, the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 980: By Mr. Maloney—An act to amend Section 6410 of the Labor Code, relating to the failure to report injuries and the penalty therefor.

Referred to Committee on Industrial Relations.

Assembly Bill No. 981: By Mr. Maloney—An act to amend Sections 4318 and 4368 of the Labor Code, relating to burial expenses for civilian defense and disaster workers.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 982: By Messrs. Lanterman, Burke, and Munnell—An act to add Sections 34303.5 and 35002 to the Government Code, relating to cities.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 983: By Messrs. Lanterman, Burke, and Munnell—An act to amend the title of and to add Section 10 to "An act to establish county boundary commissions to pass upon the boundaries proposed for taxing districts and to repeal Chapter 1025 of the Statutes of 1939," approved July 15, 1949, relating to the boundaries of cities and of taxing districts.

Referred to Committee on Municipal and County Government.

Assembly Constitutional Amendment No. 13: By Messrs. Morris and Rosenthal—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 1 of Article II thereof, relating to the right to vote.

Referred to Committee on Constitutional Amendments.

RESOLUTIONS

The following resolution was offered:

By Mr. Geddes:

House Resolution No. 41

Relative to the augmentation of funds of the Assembly Interim Committee on Finance and Insurance

WHEREAS, Recent events have demonstrated the need for the Assembly Interim Committee on Finance and Insurance to conduct hearings on the subject of allegedly fraudulent operation of medical and health associations; and bills presently referred to the standing Committee on Finance and Insurance; and

WHEREAS, The funds presently available to the committee are insufficient to meet the expenses necessary for the conduct of such hearings; now, therefore, be it

Resolved by the Assembly of the State of California, That in additon to any sum heretofore made available to the Assembly Interim Committee on Finance and Insurance, created by House Resolution No. 239 of the 1949 Regular Session and continued in existence by House Resolution No. 28 of the 1951 Regular Session, the sum of three thousand dollars ($3,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under House Resolution No. 28 of this session, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 984: By Mr. Burkhalter—An act to add Part 2.5, comprising Sections 18600 to 18950, inclusive, to Division 13 of the Health and Safety Code, relating to auto and trailer parks.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 985: By Mr. Burkhalter—An act to amend Section 18100 of Division 13, Part 2 of the Health and Safety Code, relating to auto courts and resorts, auto and trailer parks

Referred to Committee on Governmental Efficiency and Economy.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced the following committees would hold meetings:

Today—

At 1.45 p.m.—
Rules.

At 3 p.m.—
Ways and Means.

At 7.30 p.m.—
Joint Committee to Study Old Age Assistance Initiative Measure, in Room 415.

Tomorrow, Tuesday, January 16th—

At 9 a.m.—

Subcommittee on Rules (Subject: Consideration of amendments to Rules), in Room 319.

At 10 a.m.—

Rules, in Room 319.

Joint Committee to Study Crossfiling Initiative Measure, in Room 414

At 8 p.m.—

Fish and Game (Organizational Meeting)

LETTER OF TRANSMITTAL

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 14, CALIFORNIA, January 15, 1951

Hon. Sam L. Collins
Speaker of the Assembly
Assembly Chamber

DEAR SPEAKER COLLINS: I am pleased to transmit herewith a copy of the 1951 Report of the Legislative Counsel on Needed Revision of the Statutes.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel

REPORT OF THE LEGISLATIVE COUNSEL ON NEEDED REVISION OF THE STATUTES

To the Senate and Assembly of the State of California:

The Legislative Counsel is required by Government Code, Section 10242, to "advise the Legislature from time to time as to needed revision of the statutes," and to present a "statement calling attention to laws which have been repealed by implication or which have been declared unconstitutional by the courts but which have not been expressly repealed." Following practice inaugurated by Hon. Fred B. Wood, I am submitting herewith the current report which includes those suggestions for corrective and clarifying amendments which will better express the legislative intent. These matters have been accumulated in our files during the biennium, from suggestions which have come from members of the staff, public officials and members of the public.

No bills are being submitted to you at this time. Many of the suggestions for clarification included in this report can be provided for during the course of the present session by those interested in the particular statutes involved If Members of the Legislature desire to have bills prepared for them in order to make any of the suggested corrections, this office will gladly do so.

1. GENERAL SUGGESTIONS

The effect on our statute law of the 1950 Federal Census should be carefully considered by those concerned with local government. The classification of counties, contained in Government Code, Section 28020, will be inconsistent with the actual facts revealed in the census. If this section is amended, however, to reflect the actual facts, great care must be taken in order that other provisions relating to county officers will no be inadvertently affected. (*See* Gov. Code, Secs. 28101 *et seq.*, relating to salaries of county officers; Education Code, Secs. 400 *et seq.*, relating to county superintendents of schools; Welfare and Institutions Code, Secs. 574 *et seq.*, relating to referees in juvenile court matters.) In some instances, provisions are made in the statutes for compensation of officers based upon *actual* population, rather than that set forth in the Government Code classification. (*See* Code of Civ. Proc., Sec. 204a, relating to jury commissioners.) Such provisions will require modification in order that the change in actual population reflected in the census will not produce inadvertent changes in the law relating to such officers.

Much of the Political Code has already been repealed, and its provisions transferred into other codes. The remainder is scheduled by the Code Commission for repeal at this session of the Legislature. Many sections of the Political Code are still referred to in the statutes of the State, however, and these references should be corrected to refer to the proper statutory provisions. Examples are found in Code of Civil Procedure, Section 261 (b); Education Code, Sections 175 and 176; and in Welfare and Institutions Code, Section 109. There are undoubtedly many other such references to be corrected.

2. PARTICULAR SUGGESTIONS

Agricultural Code

Secs.

736.3 (Item 51-1)—Subdivision (a)(4) of this section refers to former Penal Code, Sec. 654a, which is now contained in Bus. & Prof. Code, Secs. 17500 *et. seq.*, relating to false advertising.

799 (Item 51-2)—There is an error in the spelling of the word "Kahalili" in this section. The correct spelling is used in Sec. 802 of the code, that is, "Khalili."

Business and Professions Code

9041 (Item 51-3)—This section and several following it are temporary provisions inserted into the law at the time of the creation of the Board of Social Work Examiners. Most, if not all, of these provisions are obsolete and should be repealed.

19480 (Item 51-4)—This section, and a number of others following it, were affected by Stats. 1950 (1st Extra Sess.), Chap. 21, which was intended to provide for the possibility that the Supreme Court might declare the Horse Racing Act unconstitutional. Since the court sustained the constitutionality of the Status in *Southern California Jockey Club, Inc.* vs. *Calif. Horse Racing Board*, (1950) 36 Adv. Cal. Rep. 107, it would be desirable to repeal Chapter 21.

Civil Code

Secs.

60, 69 (Item 51-5)—These sections of the code, relating to intermarriage between white persons and persons of certain other racial groups, were held unconstitutional in *Perez* vs. *Sharp*, (1948) 32 C.2d 711, 198 P 2d 17, by the Supreme Court of California.

557-566 (Item 51-6)—These sections of the code, relating to homestead corporations, were listed as obsolete in the 1909 Report of the Code Commissioners, p. 86. Repeal was recommended at that time.

Code of Civil Procedure

261b (Item 51-7)—This code section contains numerous references to Section 4300a of the Political Code which was repealed in 1947. The references should be corrected to refer to Gov. Code, Secs. 26820 *et seq.* In addition, there are two sections bearing this code section number, one of which should be renumbered. Finally, the section should be clarified in order to show its relationship to special statutes such as Labor Code, Sec. 101, exempting particular state agencies from the payment of fees. (See *Div. of Labor Law Enforcement* vs. *Moroney,* (1946) 28 C. 2d 344, 170 P. 2d 3.)

1268 (Item 51-8)—In the last line of paragraph 5 of this section the court is given power to render an "appropriated" judgment. This should be corrected to read "appropriate."

Education Code

175-176 (Item 51-9)—This section refers to sections of the Political Code which were repealed in 1945, and which became Secs. 11180, *et seq.,* of the Government Code.

4663 (Item 51-10)—This section provides for the filing of a petition by a majority of the "heads of families" residing in the district. This section was overlooked in 1943 when such phrases were changed to a "majority of the qualified electors." (*See* Stats. 1943, Chap. 696.)

6904 (Item 51-11)—There are two sections in the code bearing this number, the second having been added by Chap 74, Stats. 1950 (1st Extra Sess.).

7011-7020 (Item 51-12)—This article, added by Stats. 1950 (1st Extra Sess.), Chap. 74, contains erroneous cross-references. Where "7034" is used, the reference should be "7016"; and where "7037" is used, the reference should be "7019."

7109-7109.10 (Item 51-13)—This article, added by Stats. 1950 (1st Extra Sess.), Chap. 74, contains erroneous cross-references which resulted from the fact that the section numbers were taken from the original form of Assembly Bill No. 65 of that session.

19432 (Item 51-14)—This section was declared unconstitutional by the California Supreme Court in *Danskin* vs. *San Diego Unified School District*, (1946) 28 C. 2d 536, 171 P. 2d 885.

Government Code

Secs.

9020 (Item 51-15)—This section is inconsistent with Article IV, Sec. 2(a) of the Constitution (adopted November 8, 1949), which provides that the budget sessions shall commence at 12 noon "on the first Monday in March." The provision in this section ("on the first Monday after the first day of March") should be amended to conform to the constitutional provision.

9300 (Item 51-16)—This section, which provides for compensation of Members of the Legislature at the rate of $1,200 per year is obsolete, in view of the provisions for compensation at the rate of $300 per month contained in Article IV, Sec. 2(b) of the Constitution (adopted November 8, 1949).

9906 1 (Item 51-17)—There are two sections bearing this number, added separately by Chaps. 66 and 67 of the Stats. of 1950 (1st Extra. Sess.).

26529 (Item 51-18)—In the codification of this section in 1947 an error was made in limiting its provisions to county counsels appointed pursuant to state law ("pursuant to Chapter 12 of this part"), thus eliminating those county counsels appointed pursuant to charter provisions from the coverage of the section.

28153 (Item 51-19)—In subdivision (a) of this section the word "for" should be corrected to read "four."

37618, 37658, 37659 (Item 51-20)—These sections contain an erroneous reference to "Article 1, Chapter 5, Division 4" of the Government Code. The correct reference is "Article 1, *Chapter 4,* Division 4."

Insurance Code

1020 (Item 51-21)—The first "or" in subdivision (d) of this section should be changed to "of."

9060 (Item 51-22)—The reference in this section to Sec. 384 should be deleted since Sec. 384 was repealed in 1941.

10115 (Item 51-23)—The word "and" should be "or" in the following clause relating to the death of the insured: "dies on or after the date of the application, on or after the date of the medical examination, if any, *and* on or after any date specially requested in the application for the policy to take effect, whichever is later * * *."

10651 (Item 51-24)—This section should be repealed; it has ceased to have any meaning since the repeal of Sec. 10650 in 1941.

10880 (Item 51-25)—There are two sections bearing this number. The one added by Stats. 1935, Chap. 283, should have been numbered "10780" and is usually printed at that point in the code.

Health and Safety Code

4765 (Item 51-26)—This section, relating to county sanitary districts, was intended to carry the number "4765." That number is used in the title of Stats. 1949, Chap. 1018, and in the second section of the bill. The inadvertent use of "4675" before the text of the section should be corrected.

Secs.

18455.5 (Item 51-27)—In subdivision (c) of this section the word "line" should be "live."

Labor Code

1131-1136 (Item 51-28)—These sections were declared unconstitutional by the California Supreme Court in *In re Blandy,* (1947) 30 C. 2d 643, 184 P. 2d 892.

1596 (Item 51-29)—This section refers to Section 3664aa of the Political Code, which was repealed in 1935, and to Section 50¼ of the Public Utilities Act, which will be repealed if the Legislature adopts the recommended Public Utilities Code at this session. These erroneous cross-references should be corrected.

2102 (Item 51-30)—This section contains an erroneous cross-reference to "Article 3 of Chapter 1 of Part 9." It should refer to "Article *4*," relating to labor camps.

2411 (Item 51-31)—This section contains the clause "subject to the provisions of this act." The reference should be "subject to the provisions of this *article*," which is Article 4 (mentioned above) relating to labor camps

5300 (Item 51-32)—The reference in this section to the jurisdiction of the Industrial Accident Commission includes "Division 5," which relates to industrial safety This reference has been inaccurate since 1945 when the commission was relieved of responsibility in this field. (*See* Stats. 1945, Chap. 1431.)

Penal Code

1127 (Item 51-33)—This statute uses the word "may" with reference to a judge's duty to instruct the jury on the law. In *People* vs *Bender* (1945), 27 C. 2d 164, 176, 163 P. 2d 2, the court held that the duty was mandatory and that the statute should be read as though it said "must." It would be desirable to make the statute clearly state that the duty is mandatory.

2040 (Item 51-34)—There are two sections bearing this number. The one added by Stats. 1944 (Third Extra. Sess.) Chap. 2, should be renumbered to eliminate the duplication.

4700 (Item 51-35)—In this section dealing with costs incurred by a county where a prisoner in a state prison is tried for escape or attempted escape, the following language was inadvertently omitted when the section was enacted in 1941: "while away from the prison, the transportation of the prisoner to and from the prison, the costs of appeal,". The language should have been included in the list of items for which the counties are entitled to reimbursement.

Public Resources Code

5156 (Item 51-36)—Subdivisions (b) and (c) of this section were impliedly repealed by the enactment of the Collier-Burns Act of 1947, which precludes the use of highway subventions for public parks by the counties. (*See* Stats. 1947 (First Extra. Sess.), Chap. 11.)

Revenue and Taxation Code

Secs.

10755 (Item 51-37)—In the phrase "the fee imposed *by* this part of the year," the word "by" should read "for "

Streets and Highways Code

740.4 (Item 51-38)—This section contains a double-barrelled reference to the Planning Act (Stats. 1929, Chap. 838) and the Conservation and Planning Act (Stats. 1947, Chap. 807). In view of the fact that the former was repealed in 1947, and that the latter is scheduled for codification into the Government Code at this session of the Legislature, this reference should be corrected. (*See* Code Commission preprint, proposed Gov. Code, Sec. 65250.)

Welfare and Institutions Code

109 (Item 51-39)—This section contains a reference to Political Code provisions which were repealed in 1945 and which became Gov. Code, Secs 11180 et seq.

960 (Item 51-40)—The reference to "Article 5 of Chapter 1" in this section should read "Chapter 2." There is no Chapter 1.

2615 (Item 51-41)—This section was declared unconstitutional by the Supreme Court of the United States in *Edwards* vs. *California,* (1942) 314 U. S. 160, 62 S. Ct. 164.

PRELIMINARY REPORT OF THE ASSEMBLY INTERIM COMMITTEE ON FINANCE AND INSURANCE

HOUSE RESOLUTION NO. 239

ASSEMBLY CHAMBER, SACRAMENTO, CALIFORNIA, January 15, 1951

To: Hon. Sam L. Collins
Speaker of the Assembly

DEAR MR. SPEAKER: On behalf of the Assembly Interim Committee on Finance and Insurance I hand you the within report.

On March 27, 1950, at the First Extraordinary Session, there was introduced House Resolution No. 23, relative to specific directives to the Assembly Interim Committee on Finance and Insurance. Without repeating the entire text of the resolution here it should be noted that the subject matter of particular bills was referred to this committee for study. These bills had been introduced in the First Extraordinary Session of 1950, and related to unemployment insurance, unemployment disability insurance and workmen's compensation and were enumerated as follows: Assembly Bills Nos. 56, 57, 58, 59, 66, 75, 76, 78, 79, 85, 86, 87, 88, 90, 91, and 94; and it was stated that: "* * * The Assembly would be in a position to better evaluate the above mentioned proposed legislation if it had before it the data accumulated and reported upon by the Assembly Interim Committee on Finance and Insurance together with transcripts of testimony bearing on the matters under consideration and the recommendations of the committee * * *." On March 1, 1950, the above referred to resolution was adopted with an amendment specifying

that the Assembly Interim Committee on Finance and Insurance would report on the above matters not later than January 15, 1951.

In order to conform with the directive as to the date this token report is made:

Your committee noticed for hearing and heard arguments for and against the bills referred to exactly the same as if they had been bills before the standing committee with the exception that we had asked for and received written testimony from proponents and opponents and, also, from the Department of Employment, an estimate of cost factors involved and other relevant data. These matters and oral testimony appears in the transcript of the hearings of this committee held in Sacramento November 16 and 17, 1950, and properly belong in the section of this committee's final report devoted to these subjects.

However we would have prepared the particular section of the final report to be presented on this, the required date, had it not been for the fact that after our preliminary manuscript for the report had been gone over, corrected, annotated, and the tabulations and statistical matter carefully checked and the manuscript otherwise prepared for publication, we received notice from the Department of Employment that it desired to file with this committee a revision of the statistical material previously furnished, together with new material. This additional material was received by the chairman here in Sacramento on the opening date of the current session.

Manifestly, in the week's time intervening, it has not been possible for us to correlate and take into consideration and evaluate all of the changes involved. It may be that much of the testimony previously adduced must be either stricken from the committee's report or the witnesses given a chance to revise their statements.

Also it should be noted that during the course of the hearings of November 16 and 17, 1950, certain bills were made the subject of conferences by several parties in order to endeavor to arrive at some basis on which both sides could agree. These parties have notified this committee of having met but have not yet reported to it the details of any recommendations mutually satisfactory to the parties.

For these reasons we beg leave to submit this token report and include these matters in this committee's final report soon to be made.

Respectfully submitted,

Assembly Interim Committee on Finance and Insurance
By ERNEST R. GEDDES, Chairman
JULIAN BECK
BERNARD BRADY
ROBERT L. CONDON
RICHARD J. DOLWIG
THOMAS J. DOYLE
DONALD L. GRUNSKY
HAROLD K. LEVERING
GLENARD P. LIPSCOMB
THOMAS A. MALONEY
FRANCIS DUNN, JR.
G. DELBERT MORRIS

LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE
INTERIM COMMITTEE, HIGHWAYS, STREETS, AND BRIDGES
December 29, 1950

Hon. Sam L. Collins
Speaker of the Assembly
Assembly Chamber, Sacramento, California

DEAR MR. SPEAKER: Your Committee on Highways, Streets, and Bridges created by H. R. 281, takes pleasure in handing you the accompanying report.

We appreciate the opportunity given us to further legislation concerning the problems of highways, streets, and bridges. It will be noted, however, that there were other committees duplicating a great many, if not all, of the functions originally assigned to this committee, and which were much better financed. Therefore, we left to them the determination of what recommendations should be made relative to traffic studies and solutions for traffic congestion, rapid transit, underpasses and overpasses, and such matters which are closely related to highway problems. We are confident that their forthcoming reports will not leave the Legislature uninformed on these subjects.

Respectfully submitted,

GLENN M. ANDERSON
ERNEST K. GEDDES
G. DELBERT MORRIS
FRANCIS DUNN, JR.

FINAL REPORT OF THE ASSEMBLY FACT-FINDING COMMITTEE ON HIGHWAYS, STREETS AND BRIDGES—NO. 246

(A. J. July 1, 1949, pp. 5331-5333)

The scope of the committee's field of investigation, under House Resolution No 281, as outlined in a letter from the office of the Legislative Counsel, dated October 14, 1949, includes:

"A complete analysis of all the problems involved in the planning and construction of highways, streets and bridges in California, including:

The opening of under-developed areas to economic opportunity, and
The provision of proper transportation to meet changing conditions.

A study to determine whether funds expended on construction and maintenance of the highway system have been equitably levied on property or business in relation to benefits or upon users in direct proportion to their use.

Information is needed on:

The annual cost of roads and streets, and the fair apportionment of these costs among the users thereof, and for that purpose data is needed on:

Total mileage of roads and streets;
Capital investment therein;

Total sum which should be collected annually to maintain, replace and modernize such roads and streets, and
The proper amount which should be paid annually by users of public thoroughfares to meet the annual cost of such roads and streets.

Information is also needed on:

The present status of the highway system;
Deficiencies therein as to present demands;
Schedule of improvements necessary for future demands;
Schedule of maintenance necessary to keep the capital investment up to standards,
Schedule of improvements necessary to develop areas that should be opened up;
Special problems relating to highways;
The financing and administration of the highway system, including
Alternate plans to those heretofore proposed for financing a highway construction program in order to reduce the burden of taxation on motorists for the next decade;
The interrelationship between the state and local governments and the state and federal governments in relation to this subject;
The control of highway traffic in interest of safety, taking into consideration present needs and future needs for a period of at least ten years.

In addition, the committee is specifically authorized and directed to study all facts relating to:

The cost of constructing, maintaining, and improving public highways, streets and bridges in the State;
The need and cost of bringing these facilities up to acceptable standards;
The cost of so maintaining them;
The need and cost of expanding the highway system to meet:
Travel demands;
Changing economic and industrial conditions;
Opening up of undeveloped areas;
The present and future use of the highway system;
The proper allocation of cost and burden of construction and maintenance in proportion to benefits to users and property as determined by engineering studies.

The committee is also authorized and directed to ascertain, study, and analyze all facts relative to the operation, effect, administration, enforcement, and needed revision of any and all laws relating to the subject of the resolution and report such to the Legislature, including the committee's recommendations for legislation.
An investigation to inquire into the proposed location of freeways would be clearly within the scope of this resolution."

Committee members are: Glenn M. Anderson, Chairman; Ernest R. Geddes, Vice Chairman; Sam L. Collins; Francis Dunn, Jr.; G. Delbert Morris. Secretary, Belle Mishkin.

The first meeting of the committee was held in the Assembly Office in Los Angeles on October 17, 1949, at which rules of procedure were adopted providing, among other things, that three members of the committee shall constitute a quorum; in the presence of a quorum, a majority may take action in any matter; the chairman shall have the authority to appoint subcommittees consisting of one or two members.

One of the general problems proposed for investigation was the accounting for rent income from real property purchased for rights of way for new highways and leased to tenants pending the commencement of construction of the new highway. This question was presented to Controller Thomas H. Kuchel, and in a letter dated January 10, 1950, he replied, in part:

> "The Legislature in 1939 took recognition of this problem and, in Section 104.6 of the Streets and Highways Code, authorized the Department of Public Works to lease such property, and provided for the deposit of the rent income in the State Highway Fund. Two or three years ago, some question arose as to the proper manner of handling these receipts in the budget of the Department of Public Works At our request, a conference was called at which were representatives of the Attorney General's office, the Department of Finance, the Division of Highways, and my office. Following a complete discussion of the entire problem, it was decided that a bill should be submitted to the 1949 Legislature authorizing such revenues to be used in counties, as a cost offset against the right-of-way acquisition, in the areas from which the rent was received. This legislation was adopted and became Chapter 123 of the 1949 Statutes, and reads as follows:
>
> > 'Section 104.65 is added to the Streets and Highways Code to read:
> >
> > 104.65 Income heretofore or hereafter received from rentals under Section 104.6 shall be credited to the budgetary item from which the property was acquired '
>
> The obvious purpose of such legislation is to prevent the use of rental income secured in one county from being expended in another county.
>
> Under the present law, the State makes no attempt to compensate agencies of local government for their loss of tax revenue while the real property is being used in this proprietary fashion. * * *
>
> During the last three completed fiscal years, rentals from highway property which have been deposited in the State Highway Fund, are as follows:
>
> | | |
> |---|---|
> | 1948-49 | $752,072.04 |
> | 1947-48 | 952,339.66 |
> | 1946-47 | 387,591.59" |

On November 17, 1949, Assemblymen Glenn M. Anderson and Ernest R. Geddes, acting as a subcommittee, held a hearing in the County Board of Supervisors' Chambers in Ventura County Court House. This was done at the instigation of Assemblyman John B. Cooke, who requested that specific attention be given to the problems of State Highway 118, where it goes through Santa Susana Pass.

The meeting opened with a report from Mrs. Richard E. Eby, Chairman of the Citizens Committee of Pomona, and Vice President of the then newly formed Community Protective League of California. Mrs. Eby presented a brief giving the background of the Community Protective League of California, which is composed of representatives from the communities of Encinitas, Carlsbad, Pomona, Ontario, Santa Rosa, Santa Cruz, West Fresno, West Sacramento, Auburn, Livingston, Petaluma, Catate, Oceanside and Redding, and other groups throughout the State who, in her words, "object to the lack of consideration given by the Department of Public Works to the rights and wishes of citizens, and its manner of operating without due regard to protest or proper hearings." Mrs. Eby, on behalf of the league, offered to assume the task of briefing complaints from all groups within its organization, for presentation to this committee in a state-wide hearing, or in a series of hearings.

The meeting was then turned over to the chairmanship of Assemblyman Cooke.

Among those who spoke were Mr. Marion S. Walker, President of the Ventura Chamber of Commerce, who read a statement concerning traffic conditions on Highway 399, Star Route 138, citing the increase in traffic congestion over the past year and the need for relief, particularly in straightening curves and widening the route. Mr. Art Sherwood, also representing the Ventura Chamber of Commerce, supported Mr. Walker's statement.

Mr. Lawrence E. Olson, City Manager of Ventura, discussed putting in an alternate route on U. S. 399, Ventura to Ojai, along the levee.

Mr. Les Price, Chairman of the Board of Supervisors, stated that Ventura County had never received any funds from the $\frac{3}{8}$ cent allocation under the Collier-Burns Highway Act. Upon request by the chairman of this committee for an explanation from the State Controller, a letter dated January 10, 1950, was received from Mr. Kuchel, reading in part as follows:

> "The second subject about which you inquired was the report that Ventura County had not received any funds from the $\frac{3}{8}$ cent allocation under the Collier-Burns Highway Act. I am attaching a schedule showing the payments to that county from the $\frac{3}{8}$ cent portion of these taxes, from the inception of the Collier-Burns Highway Act to date. This does not include the payment to be made late this month. Ventura County has received $69,035.77 as its share of the $\frac{3}{8}$ cent money, in addition to $739,475.64 under other sections of the Collier-Burns Highway Act.
>
> Under the apportionment formula in the Collier-Burns Act there are 16 counties, of which Ventura is one, that do not share in the apportionment of funds under Section 2114 of the Streets and Highways Code, which is the major portion of the $\frac{3}{8}$ cent money. This is for the reason that in these 16 counties, the mileage in the county highway system is such that under the other apportionment sections in the Collier-Burns Highway Act, they receive at least $300 annually for each mile of highway in their county system."

Mr. Mark Cessna, District Engineer, reported that the Highway Division would make a study of the entire traffic situation around Ventura, and that within six months a complete report would be available.

Turning to the matter of Highway 118 over Santa Susana Pass, Mr. Jeske, Chairman of the Santa Susana Citizens' Committee, presented a preliminary statement concerning the many hazards to traffic on this road due to narrowness, sharp curves, blind corners, etc. The highway is heavily traveled by trucks going to oil fields and a great deal of produce from Simi Valley is hauled over it. There is real danger for a school bus which uses the road. Thirty-five thousand dollars had been allotted by the Highway Commission for taking out some of the curves

The committee inspected the proposed route along the levee on U. S. 399, and also drove over Santa Susana Pass, making an on-the-spot inspection of the curves and bridges under consideration. In the afternoon a hearing was held at Susana Knolls Park, attended by about 150 citizens, at which there was further discussion of the proposed program for widening bridges. Those designated to be widened were Brown Barranca, Mejico Creek, Happy Canyon, Top Canyon, Arroyo Simi and B Creek. About $70,000 was allocated for this purpose. Mrs. Riefstahl, Mrs. R. M. Wright, Jr., Mrs Harry Glover and other residents of Santa Susana indicated their desire to have the road improved, one of the reasons being the possibility of encouraging a public transportation system to operate a bus service over the Pass. It was pointed out, however, that lack of potential business and not the condition of the road was the factor involved.

On November 21, 1949, a hearing was held in El Monte City Hall, Assemblymen Anderson and Geddes constituting a subcommittee. At the request of Mr. Anderson, Mr. Geddes assumed chairmanship of the meeting, inasmuch as the subject of this meeting was a continuation of the problem presented to the 1947 Interim Committee, of which Assemblyman Geddes was chairman, wherein a very detailed presentation was made by the City of El Monte through the city engineer, city manager, chamber of commerce and other groups, all of which were unanimous in support of a plan to depress the length of the Ramona Freeway as it went through the major portion of the City of El Monte, putting the Pacific Electric tracks in the middle, allowing cross streets in downtown El Monte to cross at grade, in opposition to a plan for right of way and construction as proposed by the State. A point of controversy was the additional cost of construction, and how to get rid of water seeping into the open ditch.

The City of El Monte has made no change in its position, and until and unless a better solution can be found, it is standing on its original position. Meanwhile, city planning and business development is at a standstill.

Mr. Reese, Assistant District Engineer, stated the El Monte plan involved changing Pacific Electric tracks, for which the Division of Highways had no authority to allocate funds

It was agreed that this committee would recommend to the Division of Highways that further consideration be given to the problem, to the end that a compromise be reached whereby the project could go ahead.

In Pomona, the State proposed a right of way through the city which was originally accepted by the city council but since rescinded by that body. Action was undertaken by the Citizens Committee, which resulted in an initiative ordinance being passed, which gave permission to the city council to accept a proposal from the State for routing within

a certain specified area. Since that time the entire matter is stalemated, and the question arose as to whether an ordinance which is passed by initiative or by the Pomona City Council is a valid ordinance, as far as the construction of highways throughout the State is concerned. This matter was referred to the Legislative Counsel, who stated his opinion to be that such an ordinance can only be tested by court action.

Appearing at the meeting were Mrs. Eby, Mr. Howard, and Morris O'Connor, representing the Citizens Committee; also Mr. Harris and Mr. Marshall, citizens of Pomona.

The subcommittee recommended that the Highway Commission give a full hearing to the matter, with this committee sitting in on the discussion.*

On November 22, 1949, a meeting was held in the County Board of Supervisors' Chambers at Riverside. Present were Assemblymen Glenn M Anderson and Ernest R Geddes, constituting a subcommittee. Present also were members of the Riverside County Board of Supervisors—Mr. Gilmore, Chairman, and Supervisors Hill, Slape, Jones and Mayflower; also Assemblyman Babbage, Senator Dilworth, former Assemblyman Boyd, Howard Hayes, Chairman of Highway Committee of the Chamber of Commerce, Mr. Bordwell, President of the County Chamber of Commerce, and Mr Baxter, co-chairman of the City Chamber of Commerce; Mr. Gillis of the Controller's Office, and Mr. Keith of the Highway Division. General satisfaction was expressed with the working of the Collier-Burns Act

The freeway situation in the Pomona area is affecting through traffic from Riverside to metropolitan Los Angeles, and the people of that district are equally eager that the Pomona stalemate be overcome.

Following the meeting, the committee held a hearing on the case of Mr Bert Ballinger and Miss Marie Ballinger, who have a grievance because of what they consider discriminatory and unjust action on the part of the Division of Highways in connection with acquiring some property belonging to the Ballingers located in Rosemead It was Mr. Geddes' opinion that the committee could do nothing in this case unless the Ballingers were prepared to take legal action against the various members of the Division of Highways.

On January 18, 1950, a meeting was held in Sacramento, the purpose of which was to try to secure answers from the various state department offices to some of the questions brought to the attention of this committee. Members of the committee attending this meeting were Assemblymen Anderson, Geddes, and Dunn. Eighteen persons in all were present.

Mr. Floyd Clouse, Chief of the Division of Accounting in the State Controller's Office, explained at length the methods used in apportioning

* Since the above minutes were written and the manuscript for this report prepared for submission, the Pomona situation has been settled by agreement between the State Highway Commission and the City Council of the City of Pomona Pursuant to request made by the Pomona City Council, members of the Highway Commission and representative engineers appeared at a public meeting held in the high school of that city, and explained the proposed new routing, in which some consideration had been given to representations made previously, that there were not enough underpasses and overpasses of the proposed freeway The new plans showed several additional such structures to have been added The route proposed was approximately the same as that which had caused the efforts of the Citizens Committee to force the route in another direction as outlined in presentations of that organization before previous committees and before the State Highway Commission, and made the subject matter of a bill which failed to pass in the Senate at the 1949 Session

It is reported that although not all parties are happy with the final solution of the Pomona stalemate, that the matter is at an end and now the community is generally united in asking for rapid construction of the section of the Ramona Freeway involved.

gas funds to the counties under the 1-cent formula which has been in existence for many years, and under the new Collier-Burns formula. He compared the Counties of Ventura and Riverside, explaining why Ventura County did not share in the first distribution of the ¾-cent money, for the reason that, having only 604 miles of maintained county highway, at the rate of $300 per mile it already had received out of the 1-cent tax more than the arbitrary minimum. Fifteen other counties in the State are in this category. These are, generally speaking, metropolitan areas having comparatively low mileage and high motor vehicle registration.

Riverside County, on the other hand, has 2,622 miles of maintained county roads. Under the 1-cent money, plus the arbitrary minimum of $7,500, they received roughly $129,600. This is about $67,000 less than the amount they are entitled to on the basis of 2,622 miles at $300 per mile; consequently they share in the first distribution of the ¾-cent money.

Others who spoke were Mr. A. Alan Post, Legislative Auditor; W. E. Pringle, Deputy Legislative Counsel; Mr. E. R. Higgins, Controller, Department of Public Works; H. C. McCarty, Office Engineer, Department of Public Works.

At the request of Assemblyman Richard J Dolwig, a meeting was held in the City Hall in San Mateo on January 19, 1950. Members of the committee present were Assemblymen Anderson, Geddes, and Dunn, and at Mr. Anderson's request, Assemblyman Dolwig acted as chairman of the meeting.

Mr. Dolwig turned over to the committee resolutions adopted by the City Councils of Redwood City, Belmont, South San Francisco, Burlingame, San Mateo, and Millbrae, urging action to secure emergency funds for the extension of the Bayshore Freeway in San Mateo County

Those who appeared and spoke before the committee were: Daniel J. Creeden, Mayor of San Mateo; Francis Raymond, Chairman of the San Mateo Traffic Safety Commission; John Kemp, Councilman of San Carlos; Howard Brode, City Manager of San Carlos; Martin Dinkelspiel, commuter and resident of San Mateo County; Paul A. McCarthy, City Attorney of the City of Belmont; Alvin S Hatch, Acting Chairman of the Board of Supervisors; Thomas L. Hickey, South San Francisco; Supervisor Edward R. McDonald, Fifth District, Santa Clara County; Mrs. Bessie B. Hayes, Executive Secretary, San Mateo County Traffic Safety Commission; Paul Jones, Redwood City, delegated by American Legion Post 105 to attend meeting. (Mr. Jones also represents the Redwood City Planning Commission.) Glenn Jain, City Engineer, Redwood City; Arnold C. Johnson, Veterans of Foreign Wars, San Mateo; Mrs. H M Casey, President, Women's Club, San Mateo; Mrs. Elsa S. McGinn, San Mateo Planning Commission; Robert O'Brien, Chief of Police, San Mateo; Major Joseph G Bye, U S Army, Retired; Ernest Stelter, private citizen, member of E. Palo Alto Lions; V. W. Booker, District Engineer, District 4, Division of Highways.

The purpose of the meeting, as stated by Mr. Dolwig, was to assemble facts relative to Bayshore Freeway. At present time the freeway ends at the northern limits of South San Francisco and in San Mateo. Within that area it is a six-lane freeway. At terminus at both ends it narrows down into a four-lane highway, creating a bottleneck, increasing traffic accidents and causing difficulty in the flow of traffic. According to the Highway Department, the work at either end will not be completed until

1954-55 or some time later, and it is urgent that something be done to hasten completion of work—either by revising the Collier-Burns Act, or in some other manner obtaining emergency funds to complete the work.

The testimony emphasized freeway locations at Third Avenue in San Mateo, where traffic comes to a full stop, and the Brisbane intersection at the north end of San Mateo County as being points of extremely dangerous traffic congestion. An overpass or clover leaf at Third Avenue would help considerably.

RECOMMENDATION OF THE COMMITTEE

MR. SPEAKER: It is the recommendation of the majority of the members of this committee that the Division of Highways give further consideration to the proposals made by the City of El Monte, whereby the Ramona Freeway, in traversing that city, would do so in a depressed channel. We feel that this recommendation is important, since settlement of the routing controversy in Pomona leaves the El Monte situation one of the few remaining obstacles to the completion of plans for the routing of the Ramona Freeway.

LETTER OF TRANSMITTAL

ASSEMBLY CHAMBER, STATE CAPITOL
SACRAMENTO, CALIFORNIA, January 15, 1951

Hon. Sam L. Collins,
Speaker of the Assembly,
Sacramento, California.

MR. SPEAKER: Your Assembly Committee on Cemetery, Mausoleum, Crematorium and Similar Associations, created by House Resolution No. 258, herewith submits a report of its investigations and findings.

Respectfully submitted,

CLAYTON A. DILLS, Chairman
H. ALLEN SMITH, Vice Chairman
CARL FLETCHER, Member
WILLIAM BYRON RUMFORD, Member
CARLEY V. PORTER, Member

FINAL REPORT OF ASSEMBLY INTERIM COMMITTEE ON CEMETERY, MAUSOLEUM, CREMATORIUM AND SIMILAR ASSOCIATIONS

TEXT OF RESOLUTION CREATING COMMITTEE

The text of the resolution creating the Assembly Interim Committee on Cemetery, Mausoleum, Crematorium and Similar Associations follows:

House Resolution No. 258

Relating to the creation of the Assembly Investigating Committee on Cemetery, Mausoleum, Crematorium and Similar Associations

WHEREAS, The Assembly has been informed that a need exists for new and additional legislation concerning the associations named in the title hereof; and

WHEREAS, Such organizations are quasi-public corporations and their activities affect the health, welfare and safety of the citizens of the State; and

WHEREAS, It is necessary that the Assembly be fully informed on all facts relating to such organizations in order that it may intelligently legislate thereon, now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1 The Assembly Investigating Committee on Cemetery, Mausoleum, Crematorium and Similar Associations is hereby created and authorized and directed to ascertain, study and analyze all facts and laws in any way bearing upon or relating to the subject of this resolution and the recitals thereof, including, but not limited to, the investment and management of perpetual care funds of such associations, and to report thereon to the Assembly, including in its reports its recommendations for appropriate legislation

2 The committee shall consist of five Members of the Assembly appointed by the Speaker thereof The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3 The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members

5 The committee has the following additional powers and duties.

(a) To select a vice chairman from its membership

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

(f) To employ auditors and other technical and clerical assistance

6 The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Pursuant to the provisions of the resolution, the Speaker appointed as Chairman the Honorable Clayton A. Dills, and as members, the Honorable Carl Fletcher, Honorable William Byron Rumford, Honorable H. Allen Smith, and Honorable A. W. Way. On November 8, 1949, Assemblyman Way was elected to the Senate, and this vacancy was filled by the appointment of Honorable Carley V. Porter.

During the course of its inquiries, the committee confined its activities to a general investigation of the following:

1. Rules and Regulations and Memorials;
2. General Condition of Cemeteries;
3. "Endowment Care" instead of "Perpetual Care";
4. Increase of Minimum Deposit to Perpetual Care Fund;
5. Inviolable and Irreducible Nature of Funds;
6. Types of Investments;
7. Misuse of "Perpetual Care" Funds;
8. Documents Furnished Purchaser;
9. New State Cemetery Board.

The committee also sent out a comprehensive questionnaire consisting of 39 questions covering the subject of perpetual care to some 800 cemeteries, mausoleums, and crematories. There were 347 responses Approximately 250 questionnaires were returned marked, "No such

address" or "Address unknown," and the balance of approximately 203 did not answer at all. The committee concluded that these were small cemeteries or family burial grounds used by the early settlers of which there are no records of burials or location maps, nor are any trust funds set up for maintaining care of them. There are between 125 and 150 privately-owned cemeteries that come under the regulatory provisions of the Health and Safety Code and under the jurisdiction of the State Cemetery Board set up by the 1949 Legislature. There are some 200 publicly-owned cemeteries owned either by the various cities, counties or public cemetery districts.

As a result of our hearings, and our questionnaire, the following conclusions were arrived at:

(1) Rules and Regulations and Memorials

The various chapters of the Health and Safety Code, each providing a system of regulation for a particular profession or business, are well drafted.

Division VIII of the Health and Safety Code covers generally the rules and regulations of cemeteries, mausoleums and columbariums.

Sections 8300 and 8302 of the Health and Safety Code authorize a cemetery corporation to make, adopt, amend, add to, revise, or modify and enforce its own rules and regulations for the use, care, control, management, restriction, and protection of all or any part of its cemetery; also, it may regulate the uniformity, class, kind of all markers, monuments and other structures within the cemetery and its subdivisions. By case law these rules must be reasonable and uniformly applied.

The power to make rules and regulations is in line with each particular profession or business regulated under the Health and Safety Code and the Business and Professions Code. Each one has many detailed regulations encompassing the entire field of professional or business activity of the particular group.

We find that there is a conflict between cemetery organizations and monument men. The problem primarily arises from the fact that the modern trend is to have cemetery areas with tablets or memorials flat with the lawn rather than the old type of large monuments. This is a problem that cannot be solved by legislation because it is purely economic. It is up to each interment property to adopt and enforce equitably its own rules and regulations as provided under the present statutes.

Changes have occurred in styles of memorialization. The flat marker plan is fast replacing the old style monuments. The real conflict between cemeteries and monument men is based upon the change in styles of memorialization. Certain complaints were made by the monument men with reference to a few of the cemeteries, but we believe that the answer to these complaints does not lie in further legislation, and accordingly, this committee has no legislation to recommend on this problem.

(2) General Condition of Cemeteries

The provisions of Section 8736 of the Health and Safety Code state that the perpetual care fund and all payments or contributions to it are thereby expressly permitted as and for charitable and eleemosynary purposes Perpetual care is a provision for the discharge of a duty due from the persons contributing to the persons interred and to be interred in the cemetery, and a provision for the benefit and protection of the public by

preserving and keeping cemeteries from becoming unkept and places of reproach and desolation in the communities in which they are situated.

With reference to complaints received during the interim, and by the Public Health Committee during the 1949 Session of the Legislature, in regard to the unkept and unsightly conditions in various cemeteries, the committee visited those cemeteries mentioned in the complaints—also many others not mentioned—and made note of their condition.

Because of the lack of time and funds, the committee was compelled to make a spot check. There was cause for complaint about many of the cemeteries, especially those of 10 acres or less. Many were very unsightly and unkept. Some were in a deplorable condition, having fallen markers and monuments, broken fences, walks and graves covered with weeds, and half-burned wooden markers. Other bad conditions, such as the lack of a burial list for identification and no maps showing the location of graves, were evident. Such conditions in these old nonprofit small graveyards have come about by the failure to set up an adequate trust fund and the lack of income because they seldom make an interment. They have made no pretense to the public that they are giving care. These small graveyards are now infrequently used. Only an occasional burial is made. They are largely historical when compared under modern operation. In the country areas they have been or are being taken over by public cemetery districts and are tax supported.

The larger cemeteries, which handle the overwhelming bulk of interments in populated areas, were in very good condition. Those that had adopted the memorial park idea of park-like lawns, walks, and driveways, were a place of beauty and culture and a credit to the cemetery business.

(3) "Endowment Care" Instead of "Perpetual Care"

There was considerable discussion about the use of the term "perpetual care." We believe that the term "perpetual care" is not sufficiently descriptive and that it should be mandatory to use the term "endowment care" as provided in the act setting up the State Cemetery Board, adopted in 1949.

An "endowment care" fund is a trust fund composed of the deposits made by the purchasers of memorial property into said fund and is not a part of the purchase price. The fund, as a trust fund, by the very nature of things, cannot be perpetual. Through inflation and increasing costs of maintenance, with a possibility of loss of principal through poor investments the term "endowment care" is more descriptive. The word "perpetual" conveys the idea that the cemetery will be maintained and cared for forever. Every thinking person knows there is no such thing as perpetuity. The public would be more truthfully informed if the word "endowment" were used. We find that this is the thinking in other states.

It is our recommendation that the law be changed so that throughout both the Business and Professions Code and the Health and Safety Code the word "endowment" would be substituted for the word "perpetual." Properties that do not live up to the "endowment care" standards should be labeled "non-care cemeteries."

(4) Increase of Minimum Deposit to Care Fund

Under the present law the minimum amounts required to be set up in the care fund are as follows

"A perpetual care cemetery is one which shall hereafter deposit in its perpetual care fund out of the initial sale not less than the following amounts for plots sold or disposed of:

(a) Twenty-five cents a square foot for each grave;

(b) Five dollars for each niche;

(c) Fifteen dollars for each crypt; provided, however, that in the event there shall be located upon any one property or contiguous properties, a mausoleum or mausoleums containing in the aggregate six thousand crypts under the actual ownership of one cemetery authority; and provided also, that there shall have been deposited in said perpetual care fund mentioned in this code, a sum equal to ten dollars from the initial sale or disposal of each crypt theretofore sold or disposed of, including perpetual care funds accumulated prior to the passage of this code, then and thereafter such perpetual care cemetery shall be required to deposit in the perpetual care fund mentioned in this code, not less than the sum of ten dollars for each crypt thereafter sold or disposed of" (Sec. 8738, H. & S. C.)

This section was adopted in 1939.

After studying the answers received from the cemeteries on this same question, it was found that approximately 26 percent were charging the minimum of 25 cents per square foot while 74 percent were charging from 35 cents to $2.25 per square foot.

The cemeteries using a percentage basis charged from a minimum of 10 percent of the cost of the graves or plots to a maximum of 70 percent (which is required by law where alleyways in old cemeteries are abandoned and replatted into graves).

Those cemeteries answering the question as to the amount charged and set aside for crypts and niches had prices ranging from a specific amount of $5 to $15 per niche or, on a percentage basis, ranging from a minimum of 5 percent to a maximum of 33⅓ percent. Their charges on crypts ranged from $15 to $75.

In answer to the question, "Should the minimum amounts required by law be increased?", approximately 48 percent favored an increase, 30 percent against an increase and 22 percent of no opinion

In reviewing the reasons for increased amounts, the committee observed that the income derived from the "perpetual care" fund was inadequate to provide proper care for many of the cemeteries. Because of increased operational costs, as well as lower interest rates, the minimum amount today should be doubled except for niches which is now proportionately high, and we so recommend .

We further believe that the State Cemetery Board should make a careful study of cemetery costs and should recommend to successive legislatures any further changes to keep these minimum requirements in line with inflational developments.

One of the great dangers to the public is to start a new interment property without adequate provision for "endowment care." If the project should fail in the early years, the use to which the land is put cannot be changed. The result is an uncared for weed patch because

there cannot, under the present minimum requirements, be enough principal to provide for care For example, a small mausoleum with 250 crypts would mean a fund of only $3,750 with an annual income of less than $200. This is not enough to employ hardly any help. The solution for the future is to require new cemetery projects to make an initial deposit of $25,000 in the care fund. In this way plot purchasers will be protected and the community in turn will not suffer the ill-fated results of an unkept bankrupt cemetery.

(5) Inviolable and Irreducible Nature of Funds

Information received by the committee disclosed that in the past Section 8726 of the Health and Safety Code had been violated and there were reasons to believe that at the present time this section of the code was still being violated. Section 8726 states that the principal of all funds for "perpetual care" shall forever remain irreducible and inviolable and shall be maintained separate and distinct from all other funds.

In examination of the answers to Question No. 38 of the questionnaire, "Between September 19, 1939, and September 1, 1949, has the principal of the perpetual care fund ever at any time been reduced? If so, what was the cause for the reduction? Has it been replaced? If so, how?", it was noted that a few funds had been reduced within the past 10 years. The cause for the reduction may well have been due to an unfortunate but not necessarily improper investment. There is no provision under the code for replacement of perpetual care fund losses, therefor no replacement was made.

In order to create a reserve from which principal losses may be replaced, it is our recommendation that the law be amended making a specific provision to permit those serving as custodians of the "endowment care" funds to set aside a reasonable percentage of the income from invested funds. Even United States Government bonds might be bought and later sold under circumstances where the proceeds would be less than the amortized book value. In the absence of any provision permitting the trustees to create and maintain such a reserve the eventual shrinking of the principal funds cannot be avoided. It is axiomatic that capital gains cannot be expected without accepting the risk of capital losses. As indicated above, capital losses may be suffered on investments made solely for the purpose of producing income.

(6) Types of Investments

In considering the types of investments allowed under the code, the committee made a thorough study of Section 8751 of the Health and Safety Code which authorizes the following investments:

(a) Bonds of the United States or this State, or of any county, city and county, or city in this State;

(b) Bonds legal for investment for savings banks in this State;

(c) First mortgages or first trust deeds on improved real estate;

(d) Income producing improved real estate in any city or city and county in this State;

(e) Investment certificates in any building and loan association organized, existing and doing business under the laws of this State;

(f) Investments of the type enumerated for domestic incorporated insurers in Article 3, Chapter 2, Part 2, of Division 1 of the Insurance Code of this State;

(g) By deposit in a bank which is insured by the Federal Deposit Insurance Corporation;

(h) Shares of a duly chartered and insured Federal Savings and Loan Association.

In comparing the answers received as to the types of investments made by the organizations within the provisions of Section 8751, it was observed that better than 98 percent of the cemetery organizations were within the law and the types of investments made were well secured.

It was also observed that in virtually all cases the disposition of the income earned from these investments and the reinvestment of the principal of the funds was satisfactory and well within the provisions of Section 8727 which provides that the principal of all funds for perpetual care shall be invested from time to time, reinvested, and kept invested and the income earned shall be used solely for the general care, maintenance and embellishment of the cemetery, and shall be applied in such manner as the cemetery authority may from time to time determine to be for the best interest of the cemetery.

We have also concluded that the limitations in Section 8751 of the Health and Safety Code, specifying the type of investments for "endowment care" funds, work a hardship on cemeteries and those that invest their trust funds. Cemetery trust funds are different from almost any other type of trust. They need not be liquid for the principal is never needed, such as in a bank or insurance company. What is required is a safe, long-term investment with a good investment return. Income and the increase in value is what is necessary, for this is used for the maintenance of the sold areas of the cemetery. In order to better ride through any inflationary period the opportunity should be presented to these trustees to make different investments.

The Legislature in 1943 recognized the problem and as to trusts and trust funds generally adopted the "prudent man rule." This rule for the manner of investment of trust funds is set forth in Section 2261 of the California Civil Code.

We believe that cemetery trustees, even more than other trustees, should be permitted a latitude of investment, under state law, so as to protect that principal of the fund from depletion through inflation. Economists predict another period of continued inflation and we believe that now is the time to change the law and make the "prudent man rule" apply not only to bank and other trusts but to cemetery trust funds as well. We recommend this change, now that the State Cemetery Board is set up to properly supervise investments.

(7) Misuse of "Perpetual Care" Funds

The committee took particular cognizance of the charges involving the misuse of "perpetual care" funds, which is in violation of Section 8360 of the Health and Safety Code. Section 8360 provides that no director or officer of any cemetery authority shall directly or indirectly, for himself or as the partner or agent of others, borrow any funds of the corporation or association, nor may he become an indorser or surety for loans to others, nor in any manner be an obligor for money borrowed of or loaned by the corporation or association, nor shall a corporation of which a director or an officer is a stockholder, or in which either of them is in any manner interested, borrow any of the funds of the corporation or association.

After careful examination of the statements of the "perpetual care" funds furnished by the cemeteries, it was noted that such activities are confined to but one or two.

At public hearings, the committee found that every single association present openly and forcefully expressed its opposition and condemnation of such practices However, in the past, the lack of enforcement powers—other than the right to expel from association membership—has encouraged this practice. In the future, the State Cemetery Board will supervise and guard against any law violations.

(8) Documents Furnished Purchaser—Posting of Maps, Signs, Filing of Written Report

In the questionnaire, the committee asked for a copy of the types of documents delivered to a purchaser of interment property. In response to this question many types of documents were received, such as the agreement of sale, sales contract, contract for purchase and sale of property, interment order, sales receipt, certificate of ownership and perpetual care and the deed of property.

These documents were well drawn and binding on both the purchaser and the seller, subject to change as provided by the rules and regulations adopted by the cemetery authority.

In regard to the posting of maps, Section 8550, Article 3 of the Health and Safety Code provides that every cemetery authority, from time to time as its property may be required for interment purposes, shall:

(a) In case of land, survey and subdivide it into sections, blocks, plots, avenues, walks or other subdivisions; make a good and substantial map or plat showing the sections, plots, avenues, walks or other subdivisions, with descriptive names or numbers;

(b) In case of a mausoleum, or crematory and columbarium, it shall make a good and substantial map or plat on which shall be delineated the sections, halls, rooms, corridors, elevations, and other divisions, with descriptive names or numbers.

In addition to the small cemeteries which were found to be lax in the posting of maps showing the location of interments, a few of the larger cemeteries, which are subject to the provisions of Section 8550, were in violation of said section.

Violation of Section 8741 was evident in a very small minority of the cemeteries contacted by members of the committee. This section provides that each "perpetual care" cemetery shall post in a conspicuous place in the office or offices where sales are conducted and in a conspicuous place at or near the entrance of the cemetery or its administration building and readily accessible to the public, a legible sign which shall contain the following information in the order and manner set forth below:

(a) A heading containing the words "perpetual care"—which shall appear in a minimum of 48-point black type;

(b) This is a "perpetual care" interment property;

(c) Names of officers and directors of the cemetery authority and persons entrusted with the investment of the "perpetual care" fund.

In some cases, signs were not posted or accessible to the public containing the words "perpetual care." In others, the names of officers and directors of the cemetery authority or persons entrusted with the investment of the "perpetual care" fund were not accessible to the public at the office of the cemetery. It might be explained that the few violations of this section were in small properties and no longer very active.

Further investigation showed that the lists of names were in possession of either a director of the cemetery authority or a trustee of the "perpetual care" fund at an address other than the cemetery office.

The failure to file a written report in the office of the cemetery, in compliance with Section 8742, was noted in a few of the cemeteries. Section 8742 provides that each "perpetual care" cemetery shall file in its office a written report which shall contain:

(a) Amount of principal of the "perpetual care" fund;

(b) Total amount invested in bonds, securities or other investments authorized by law and the total amount of cash on hand not invested which shall actually show the financial condition of the trust;

(c) Number of square feet of grave space and number of crypts and niches under perpetual care, prior to and subsequent to the enactment of this section, each separately set forth.

These written reports were also found in the possession of a member or director of the cemetery corporation or a trustee of the "perpetual care" fund at an address other than the office of the cemetery. Here again, the exceptions were small, relatively inactive cemeteries.

For the future, the State Cemetery Board has the obligation to enforce the provisions above quoted.

(9) New State Cemetery Board

Since House Resolution No. 258 was adopted, the legislation setting up the State Cemetery Board has become effective. The board has been set up and has been functioning for some time. Opinions voiced during hearings held by the committee made it apparent that the creation of the Cemetery Board was a satisfactory solution for the enforcement of the law as provided under Division 8 of the Health and Safety Code.

The board has employed an executive secretary who is also a certified public accountant. As fast as time will permit, a complete analysis is being made of the investments of all the cemeteries that come under the provisions of the act. This board is starting out to do an exceptionally fine job. The appointees are conscientious. Thus, we believe that there is no need at this time for further legislation regulating cemeteries.

In order to assist the State Cemetery Board in its work, we have turned over our files to it. When the recommendations herein made are implemented by legislation, we feel that the obligations and duties of the committee have been met and fulfilled.

Respectfully submitted,

CLAYTON A. DILLS, Chairman
H. ALLEN SMITH, Vice Chairman
CARL FLETCHER
WILLIAM BYRON RUMFORD
CARLEY V. PORTER

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Connolly, the usual courtesies of the Assembly for this day were unanimously extended to Japanese Congressional Agricultural Mission, including the following members of the House of Representatives: Kotaro Mori, Minoru Sakamoto, Tokuro Adachi, Raizo Matsuno, Kazumi Kobayashi, Ryoji Inoue, and Kazuo Ichihashi; House of Councillors, including: Kazuo Kitamura, Soji Okada, Yoshio Kusumi, Hajime Miyoshi, and Mikitaro Matsuno; and Lieut.-Col Elwood F. Saxer; Herbert Dalton, Watsonville; Garrett Rollofs, U. S. Department of Agriculture; and Mark B Williamson of Tokyo.

On request of Mr. Grunsky, the usual courtesies of the Assembly for this day were unanimously extended to Paul J. Hudner and Jacob M Leonard, former Assemblymen, of Hollister.

On request of Mr. Shaw, the usual courtesies of the Assembly for this day were unanimously extended to Ray Kemper of San Bernardino.

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. R E. Little of Oakland, and Mr. Glenn Drake of Yreka.

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to Voy McMath of Modesto.

ADJOURNMENT

At 3.03 p.m., on motion of Mr Dickey, the Speaker declared the Assembly adjourned until 11 a.m , Tuesday, January 16, 1951.

SAM L. COLLINS, Speaker

GERALDINE B HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SEVENTH LEGISLATIVE DAY

NINTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, January 16, 1951

The Assembly met at 11 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—77

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

O Father of All, Who art Wisdom, and Beauty, and Goodness, whose Spirit ever strives in the souls of men, grant to us the gift of Thy presence. May we be reminded of Thee by the beauty of this day. Create in us, O God, a clean heart and renew a willing spirit within us.

"Spirit of God, descend upon my heart;
Wean it from earth; through all its pulses move;
Stoop to my weakness, mighty as Thou art,
And make me love Thee as I ought to love."

—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Belotti, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Berry, on motion of Mr. Parker.
Mr. Cooke, on motion of Mr. Parker.
Mr. McFall, by unanimous consent.

NAMES OF MEMBERS OF COMMITTEE ON RULES ADDED TO MORNING ROLL CALL BY UNANIMOUS CONSENT

By unanimous consent, Speaker Sam L. Collins ordered the names of the following members of the Committee on Rules placed upon the morning roll call: Messrs. Crowley, Dickey, Dolwig, Dunn, Geddes, Lyon, Maloney, McMillan, Waters, and Condon.

NAMES OF MEMBERS OF COMMITTEE TO STUDY ANTICROSS-FILING INITIATIVE MEASURE ADDED TO MORNING ROLL CALL BY UNANIMOUS CONSENT

By unanimous consent, Speaker Sam L. Collins ordered the names of the following members of the Special Joint Committee to Study the Anticross-filing Initiative Measure, now holding a meeting, placed upon the morning roll call: Messrs. Hinckley, McCollister, Hollibaugh, Stanley, Doyle, Dills, and Thomas.

COMMITTEE APPOINTMENTS ANNOUNCED

Speaker Sam L. Collins announced the appointment of Mr. Clarke, vice Mr. Crichton, resigned; and Mr. Dills, vice Mr. Thompson, resigned; to membership on the Joint Interim Committee on Interstate Cooperation.

Speaker Sam L. Collins announced the appointment of Mr. Kirkwood to membership on the Joint Interim Committee on Water Problems, vice Mr. Weber, resigned.

Speaker Sam L. Collins announced the appointment of himself to membership on the Joint Interim Committee on Agriculture and Livestock Problems, vice Mr. Hoffman, resigned.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

Letter of Transmittal

CALIFORNIA STATE PERSONNEL BOARD
SACRAMENTO, January 15, 1951

Mr. Arthur Ohnimus, Chief Clerk
The State Assembly
Sacramento, California

DEAR MR. OHNIMUS: Attached are 81 copies of the State Personnel Board's Report to the Governor and the Legislature. Please distribute to the Members of the Assembly.

Very truly yours,

JOHN F. FISHER, Executive Officer

(Enclosures)

Above transmitted copies of report ordered distributed to the Members of the Assembly.

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

Letter of Transmittal

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
SACRAMENTO, January 15, 1951

RE: Senate Concurrent Resolution No. 6, 1950 Regular Session

Hon. Arthur A. Ohnimus
Chief Clerk of the Assembly
State Capitol, Sacramento, California

DEAR MR. OHNIMUS. On January 12, 1951, I forwarded to you one copy of the report prepared by the Division of Highways in cooperation with the U. S. Bureau of Public Roads, relative to the feasibility of constructing an expressway between Los Angeles and San Francisco to be financed by the issuance of revenue bonds to be paid by the collection of tolls for use of the highway.

Forwarded herewith are five additional copies of this report.

Very truly yours,

C. H. PURCELL, Director of Public Works

(Enclosures)

Above transmitted five copies of report ordered referred to the Committee on Conservation, Planning, and Public Works.

By Speaker Sam L. Collins:

A communication from Sue Amack, D.C., of Pomona, relative to expressing opposition to a certain proposed pension plan, was received, and ordered referred to the Committee on Social Welfare.

By Speaker Sam L. Collins:

A communication from Sam S. Shapira of Los Angeles, relative to pension plans, was received, and ordered referred to the Committee on Social Welfare

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal:

ROLLIN L. MCNITT, ATTORNEY AT LAW
824 OCCIDENTAL LIFE BUILDING, 1151 SOUTH BROADWAY
LOS ANGELES, CALIFORNIA, January 15, 1951

AIR MAIL SPECIAL DELIVERY

Hon. Sam L. Collins
Speaker, State Assembly
State Capitol, Sacramento, California

DEAR MR. SPEAKER: The writer represents ELDON JAMES MARKWORT, who was a candidate on both the Democratic and Republican ballots at the June, 1950 Primary Election, for the office of Member of the State Assembly, 64th District Patrick D. McGee received the highest number of votes on both tickets. Mr. Markwort thereafter filed a *CANDIDATE'S CONTEST*, under the provisions of Sections 8600, et seq., of the Elections Code, the basis of the contest was that said Patrick D. McGee was and would be ineligible for the office of Member of the Assembly in the State of California, in that he was not a citizen and inhabitant of the State of California three years next before November 7, 1950, as required by Article IV, Section 4, of the Constitution of the State of California This matter was filed in the Superior Court of the State of California, appealed to the District Court of Appeal, and recently transferred to and heard in the Supreme Court of the State of California.

On January 10, 1951, the Supreme Court of the State of California, in a written opinion filed on that date, held that the Legislature was the exclusive judge "of the qualifications, elections, and returns of its members" under Article IV, Section 7, of the California Constitution. The Supreme Court also held that the Courts of this State were without jurisdiction even to determine a Candidate's Contest at a primary election, so far as a candidate for membership in the State Assembly is concerned.

Accordingly, on behalf of Eldon James Markwort, there is filed herewith a copy of the Affidavit of Contest, as it was originally filed in the Superior Court of the State of California, in and for the County of Los Angeles,

Page 2,

on June 27, 1950. You are asked to consider this AFFIDAVIT OF CONTEST as a basis of a contest before the Legislature of the eligibility of PATRICK D. McGEE as a member of the Legislature from the 54th Assembly District.

Your attention is particularly called to Paragraph VI of the Affidavit of Contest, wherein the grounds of contest are stated, as have been stated hereinabove, and which are hereby repeated, as follows:

> "That ELDON JAMES MARKWORT, Contestant, contests the nomination of said PATRICK D McGEE, Contestee, on both the Democratic and Republican tickets at said Primary Election and, for ground of contest, avers that said McGEE was and is still ineligible to the office of Member of Assembly in the State of California, in that he has not and will not have been a citizen and inhabitant of the State of California three years next before November 7, 1950, as required by Art IV., Sec. 4, of the Constitution of the State of California

I respectfully urge, on behalf of Mr. Markwort, that you refer this matter to the appropriate committee of the legislature, and that appropriate proceedings be initiated to determine the eligibility of PATRICK D. McGEE to be a member of the legislature.

We will provide the evidence which we believe shows that Mr. McGee did not become a bona fide resident of the State of California prior to March 10, 1948.

Respectfully yours

ROLLIN L. McNITT

RLM VM

Above transmitted affidavit ordered referred to the Committee on Elections and Reapportionment.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 38

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 38—An act making an appropriation for the purpose of increasing salaries of state employees, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 18, of the printed bill, after the period, insert "None of the money appropriated by this act shall be available for expenditure to pay retroactive salary increases to any state officers or employees who have been separated from state service prior to January 1, 1951, except officers and employees who have been separated by retirement, officers and employees who have been separated by resignation for the purpose of entering the service of the Armed Forces of the United States or of this State, and officers and employees on military leave."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 986: By Mr. Waters—An act to add Section 459.6 to the Vehicle Code, relating to jurisdiction of the State Department of Public Works over boundary line streets and highways and vehicles using the same.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 987: By Mr. Maloney—An act to add Section 212 to the Health and Safety Code, relating to the powers and duties of the State Department of Public Health, in respect to standards for public medical institutions.

Referred to Committee on Public Health.

Assembly Bill No. 988: By Mr. Maloney—An act making an appropriation for support of the Department of Social Welfare.

Referred to Committee on Ways and Means.

Assembly Bill No. 989: By Mr. Levering—An act to prohibit the picketing of residences.

Referred to Committee on Industrial Relations.

Assembly Bill No. 990: By Mr. Levering—An act to add Section 10494.6 to the Insurance Code, relating to disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 991: By Mr. Levering—An act to amend Section 10494.5 of the Insurance Code, relating to disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 992: By Mr. Levering—An act to amend Sections 450 and 451 of, and to add Section 452.1 to the Unemployment Insurance Act, relating to unemployment disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 993: By Mr. Levering—An act to amend Section 13 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 994: By Messrs. Grant, Porter, Rosenthal, Levering, Burke, and Smith—An act for the organization and establishment of municipal courts in counties of the first class.

Referred to Committee on Judiciary.

Assembly Bill No. 995: By Messrs. Grant, Rosenthal, Levering, Porter, Burke, and Smith—An act for the organization and establishment of municipal courts in counties of the first class.

Referred to Committee on Judiciary.

Assembly Bill No. 996: By Messrs. Grant, Porter, Rosenthal, Levering, Burke, and Smith—An act providing for the organization of municipal courts in counties or cities and counties of the first class

Referred to Committee on Judiciary.

Assembly Bill No. 997: By Messrs Grant, Rosenthal, Levering, Smith, and Burke—An act to provide for the government, procedure, and jurisdiction of municipal and justice courts

Referred to Committee on Judiciary.

Assembly Bill No. 998: By Messrs. Grant, Rosenthal, Levering, Smith, and Burke—An act to provide for the government, procedure, and jurisdiction of municipal and justice courts.

Referred to Committee on Judiciary.

Assembly Bill No. 999: By Messrs. Grant, Rosenthal, Levering, Smith, and Burke—An act to amend Section 10 of the Municipal and Justice Court Act of 1949, relating to municipal and justice courts.

Referred to Committee on Judiciary.

Assembly Bill No. 1000: By Messrs. Grant, Porter, Rosenthal, Levering, Burke, and Smith—An act to amend Section 13 of the Municipal and Justice Court Act of 1949, relating to municipal and justice courts.

Referred to Committee on Judiciary.

Assembly Bill No. 1001: By Messrs. Grant, Rosenthal, Levering, Smith, and Burke—An act to amend Section 25 of the Municipal and Justice Court Act of 1949, relating to municipal and justice courts.

Referred to Committee on Judiciary.

Assembly Bill No. 1002: By Messrs. Grant, Rosenthal, Levering, Smith, and Burke—An act to amend Section 34 of the Municipal and Justice Court Act of 1949, relating to municipal and justice courts.

Referred to Committee on Judiciary.

Assembly Bill No. 1003: By Messrs. Grant, Rosenthal, Levering, Smith, and Burke—An act to amend Section 89 of the Code of Civil Procedure, relating to jurisdiction of municipal courts.

Referred to Committee on Judiciary.

Assembly Bill No. 1004: By Messrs. Grant, Klocksiem, Porter, Rosenthal, Dills, Rumford, and Thomas—An act to add Section 18053.5 to the Education Code and to repeal Section 18059 of that code, relating to the purchase of materials or supplies by school districts during periods of war.

Referred to Committee on Education.

Assembly Bill No. 1005: By Messrs. Grant, Chapel, Butters, Caldecott, Erwin, Grunsky, Gubser, Kelly, Kirkwood, Lincoln, Lindsay, Maloney, and Silliman—An act to amend Section 2540 of the Elections Code, relating to parties qualified to participate in a primary election.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1006: By Mr. Grant—An act to amend Section 665 of, and to add Section 666 to, the Vehicle Code, relating to the inspection of vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1007: By Mr. Luckel—An act to amend Section 175 of the Vehicle Code, relating to signatures required when transferring title or interest in a vehicle.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1008: By Mr. Luckel—An act to amend Section 176 of the Vehicle Code, relating to dating, endorsing, and delivering of certificates of ownership to motor vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1009: By Mr. Luckel—An act to amend Section 179 of the Vehicle Code, relating to the transfer and renewal of licenses for vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1010: By Mr. Luckel—An act to amend Section 248 of the Vehicle Code, relating to automobile wreckers.

Referred to Committee on Transportation and Commerce

Assembly Bill No. 1011: By Mr. Luckel—An act to amend Section 380 of the Vehicle Code, relating to fees to be paid for transfer of title or interest in a vehicle.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1012: By Mr. Luckel—An act to amend Section 383.1 of the Vehicle Code, relating to refunds of registration fees.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1013: By Mr. Luckel—An act to add Section 210.1 to the Vehicle Code, relating to registration on nonresident vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1014: By Mr. Luckel—An act to amend Section 320 of the Vehicle Code, relating to records.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1015: By Mr. Luckel—An act to amend Section 419 of the Vehicle Code, relating to financial responsibility.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1016: By Mr. Luckel—An act to add Sections 261.1 and 744.1 to the Vehicle Code, relating to drivers' licenses.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1017: By Mr. Stewart—An act to repeal Articles 4 and 6 of Chapter 3, Part 2, Division 3, Title 2 of the Government Code, and to add a new Article 6 to said chapter, relating to the state archives and the State Record Depository.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1018: By Mr. Sam L. Collins—An act to add Section 3928.1 to, and to amend Section 3946 of, the Elections Code, relating to direct primary ballots

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1019: By Mr. Porter—An act to direct the establishment of a judicial district consisting of the City of Compton and certain area contiguous to said city, providing for the number of judges, clerks, and attaches therefor and setting their compensation.

Referred to Committee on Judiciary.

Assembly Bill No. 1020: By Mr. Tomlinson—An act to amend Sections 667.1 and 960 of the Welfare and Institutions Code, and to add Section 961 of said code, all relating to the establishment and maintenance of public schools

Referred to Committee on Education.

Assembly Bill No. 1021: By Mr. Tomlinson—An act to amend Section 459 of the Vehicle Code, relating to the powers of local authorities respecting highways and the use thereof.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1022: By Mr. Coats—An act to amend Section 72 of the Public Utilities Act and Section 2101 of the Public Utilities Code, relating to enforcement of provisions of the Constitution and statutes of the State affecting public utilities.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 1023: By Mr. Coats—An act to amend Sections 1300.8 and 1300.9 of the Agricultural Code, relating to processors of farm products.

Referred to Committee on Agriculture.

Assembly Bill No. 1024: By Messrs. Fleury and Moss—An act to amend Sections 31521 and 31595 of the Government Code, relating to county retirement systems

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1025: By Mr. Hawkins—An act to add Section 19334 to the Government Code, relating to leaves of absence for state employees.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1026: By Mr. Hawkins—An act to amend Section 16257 of the Education Code, relating to transportation of school pupils.

Referred to Committee on Education.

Assembly Bill No. 1027: By Mr. Hawkins—An act to add Section 1631.5 to the Labor Code, relating to fees charged by employment agencies

Referred to Committee on Industrial Relations.

Assembly Bill No. 1028: By Mr. Lindsay—An act to amend Section 332 of the Fish and Game Code, relating to wilderness and wild areas

Referred to Committee on Fish and Game

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 11.15 a.m., Mr Caldecott asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Civil Service and State Personnel in the Cloak Room, at 11.16 a.m. Subject: Assembly Bill No. 687

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 832

Mr. Smith asked for, and was granted, unanimous consent that Assembly Bill No. 832 be withdrawn from the Committee on Judiciary, and be re-referred to the Committee on Public Health

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 1029: By Messrs. Rosenthal, Munnell, and Brown—An act to amend Section 3024 of the Penal Code, relating to term of imprisonment.

Referred to Committee on Judiciary.

Assembly Bill No. 1030: By Mr. Burke—An act to amend Sections 5750.5 and 5708 of the Welfare and Institutions Code, relating to records of patients in private mental institutions.

Referred to Committee on Public Health.

Assembly Bill No. 1031: By Mr. Lipscomb—An act authorizing the investment of moneys derived from rentals, royalties, and other payments received by the State from lessees of tide and submerged lands lying along the Coast of California and impounded in the Special Deposit Fund in the State Treasury pursuant to stipulations between the State of California and the United States of America; providing for the disposition of interest earned or other increment derived from such investments; making an appropriation; and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

Assembly Bill No. 1032: By Mr. Lipscomb—An act to amend Section 9550 of the Business and Professions Code, relating to operator in charge of cleaning, dyeing, spotting, and pressing establishments and schools.

Referred to Committee on Public Health.

Assembly Bill No. 1033: By Mr. Lipscomb—An act to amend Sections 17090 and 17091 of, and to add Section 17096 to, the Government Code, and to amend Section 141 of the Welfare and Institutions Code, relating to the issuance of duplicate warrants by the State Controller.

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 1034: By Mr. Lipscomb—An act to amend Section 9545 of the Business and Professions Code, relating to the expiration of license.

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 1035: By Messrs. Connolly, Smith, Lipscomb, Rumford, and Grant—An act to repeal Sections 10101, 10102, 10103, 10106, 10107, 10108, 10109, 10110, 10176, 10180, 10181, 10182, 10200, 10375, and 10579, to renumber and amend Sections 10104 and 10105, to amend Sections 10100, 10112, 10113, 10118, 10119, 10175, 10179, 10552, 10576, 10577, 10578, and 10630, and to add Sections 10121, 10200, 10278.5, 10375, and 10554, to the Health and Safety Code, relating to vital statistics and the registration of births, deaths, and marriages.

Referred to Committee on Public Health

Assembly Bill No. 1036: By Messrs. Connolly, Smith, Lipscomb, Rumford, and Grant—An act to amend Sections 1102 and 1140 of the Health and Safety Code, relating to state aid for local health administration.

Referred to Committee on Public Health.

Assembly Bill No. 1037: By Messrs. Connolly, Smith, Lipscomb, Rumford, and Grant—An act to amend Sections 10525, 10528, 10529, and 10532 of the Health and Safety Code, Sections 69a and 73 of the Civil Code, and Section 27252 of the Government Code and to repeal Sections 27241 and 27242 of the Government Code, relating to the registration and indexing of marriages

Referred to Committee on Public Health

Assembly Bill No. 1038: By Messrs. Connolly, Smith, Lipscomb, Rumford, and Grant—An act to repeal Section 7413, to amend Section 7405, and to add Section 7413 to the Health and Safety Code, relating to burial permits.

Referred to Committee on Public Health.

Assembly Bill No. 1039: By Mr. Connolly—An act to repeal Section 955.5 of the Fish and Game Code, relating to the use of trawl nets.

Referred to Committee on Fish and Game.

Assembly Bill No. 1040: By Mr. Connolly—An act to repeal Section 954 of the Fish and Game Code, relating to the use of trawls and dragnets.

Referred to Committee on Fish and Game.

Assembly Bill No. 1041: By Mr. Connolly—An act to add Section 725.5 to the Fish and Game Code, relating to sturgeon.

Referred to Committee on Fish and Game.

Assembly Bill No. 1042: By Mr. Connolly—An act to amend Section 725 of the Fish and Game Code, relating to sturgeon.

Referred to Committee on Fish and Game

Assembly Bill No. 1043: By Messrs. McGee and Brown—An act to add Section 1193 3 to the Code of Civil Procedure, relating to mechanics' liens.

Referred to Committee on Judiciary.

Assembly Bill No. 1044: By Messrs. McGee and Brown—An act to add Section 1203 2 to the Code of Civil Procedure, relating to affidavits of posting.

Referred to Committee on Judiciary.

Assembly Bill No. 1045: By Messrs. McGee and Brown—An act to add Section 1188.2 to the Code of Civil Procedure, relating to priority of mechanics' liens.

Referred to Committee on Judiciary.

Assembly Bill No. 1046: By Messrs McGee and Brown—An act to add Section 1195.2 to the Code of Civil Procedure, relating to the time of completion of works of improvement.

Referred to Committee on Judiciary.

Assembly Bill No. 1047: By Messrs McGee and Brown—An act to add Section 1188.3 to the Code of Civil Procedure, relating to the time of commencement of works of improvement.

Referred to Committee on Judiciary.

Assembly Bill No. 1048: By Messrs. McGee and Brown—An act to add Section 1188.4 to the Code of Civil Procedure, relating to the time of commencement of works of improvement.

Referred to Committee on Judiciary.

Assembly Bill No. 1049: By Messrs. McGee and Brown—An act to add Section 1193.2 to the Code of Civil Procedure, relating to mechanics' liens.

Referred to Committee on Judiciary.

Assembly Bill No. 1050: By Messrs. McGee and Brown—An act to add Section 1190.2 to the Code of Civil Procedure, relating to mechanics' liens.

Referred to Committee on Judiciary.

Assembly Bill No. 1051: By Messrs. McGee and Brown—An act to add Article 1, comprising Sections 1181, 1182, 1183.1, 1184.1, 1185.1, 1186 1, 1187.1, 1188.1, and 1189 1, Article 2, comprising Sections 1190.1, 1191.1, and 1192.1, Article 3, comprising Sections 1193.1, 1194 1, and 1195 1, and Article 4, comprising Sections 1196.1, 1197.1, 1198.1, 1199.1, 1200, 1200.1, 1201.1, and 1202.1, to Chapter 2, Title 4, Part 3 of the Code of Civil Procedure; to add Section 1208.1 to said code; to repeal Sections 1183, 1184, 1184a, 1184b, 1184c, 1184d, 1184e, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1191a, 1191b, 1192, 1193, 1194, 1195, 1196, 1197, 1198,

1199, 1201, 1202, and 1203 of said code; and to add Section 5463 to the Health and Safety Code; to consolidate and clarify the law relating to mechanics' liens.

Referred to Committee on Judiciary.

Assembly Bill No. 1052: By Messrs McGee and Brown—An act to amend Section 11616 of the Business and Professions Code, relating to the dedication of streets, and the abandonment of an offer of dedication of said streets.

Referred to Committee on Judiciary.

Assembly Constitutional Amendment No. 14: By Mr. Elliott—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 2 of Article IV thereof, relating to the Legislature.

Referred to Committee on Constitutional Amendments.

Assembly Bill No. 1053: By Mr. Parker—An act to add Section 2419.7 to the Labor Code, relating to sanitary conditions on construction sites.

Referred to Committee on Public Health.

Assembly Bill No. 1054: By Mr. Silliman—An act to add Chapter 1.5 to Part 2, Division 5 of the Health and Safety Code, relating to garbage and refuse disposal districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1055: By Messrs. Moss and Fleury—An act to amend Section 18954 of the Government Code.

Referred to Committee on Civil Service and State Personnel

Assembly Bill No. 1056: By Messrs Moss, Fleury, and Erwin—An act to add Section 18021.5 to the Government Code, relating to overtime for state employees

Referred to Committee on Civil Service and State Personnel

Assembly Bill No. 1057: By Messrs Moss and Fleury—An act to add Article 5, consisting of Section 21150, to Chapter 8 of Part 3 of Division 4 of the Government Code, relating to the temporary employment of persons retired under the State Retirement System.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1058: By Messrs Moss and Fleury—An act to amend Section 19259 of the Government Code, relating to employees who have completed 25 or more years of state service.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1059: By Messrs. Moss, Fleury, and Lindsay—An act to establish a Capitol Planning Commission, prescribing its organization, powers and duties, transferring to the commission certain functions of the Department of Finance, and making an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1060: By Messrs. Moss, Lindsay, Hansen, Hagen, Cloyed, Condon, and Fleury—An act to add Part 11, comprising Sections 15800 to 15826, inclusive, to Division 3, Title 2 of the Government Code, relating to the creation of a State Public Works Authority as a body corporate and politic with power to construct, improve, and operate projects, and to lease them and to fix and collect fees, rentals, and charges for the use thereof; and authorizing and regulating the issuance of revenue bonds by the authority, and providing for the payment of the bonds and the rights of the holders of the bonds, and granting the right of eminent domain; and increasing the powers and duties of the Division of Architecture, Department of Public Works; and providing that no debt of the State shall be incurred in the exercise of any of the powers granted under this act; and making an appropriation to the authority to pay expenses incident to its formation

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1061: By Messrs Moss, Lindsay, Hansen, Hagen, Cloyed, Condon, Fleury, Lincoln, and Stanley—An act to add Part 10, comprising Sections 15700 to 15726, inclusive, to Division 3, Title 2 of the Government Code, relating to the creation of a State Public Works Authority as a body corporate and politic with power to construct, improve, and operate projects, and to lease them and to fix and collect fees, rentals, and charges for the use thereof; and authorizing counties, cities, districts, and other public agencies to enter into contracts to lease; and authorizing and regulating the issuance of revenue bonds by the authority and providing for the payment of the bonds, and the rights of the holders of the bonds; and granting the right of eminent domain, and increasing the powers and duties of the Division of Architecture, Department of Public Works; and providing that no debt of the State shall be incurred in the exercise of any of the powers granted under this act; and making an appropriation to the authority to pay expenses incident to its formation.

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 1062: By Mrs. Niehouse—An act to amend Sections 1801, 1802, and 1803 of the Education Code, relating to election of school trustees

Referred to Committee on Education

Assembly Bill No. 1063: By Mr. McCarthy—An act to add Section 7032 to Chapter 9, Division 3 of the Business and Professions Code, relating to the regulation of contractors

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 1064: By Mr McCarthy—An act to amend Section 141 of the Streets and Highways Code, relating to the powers of the Department of Public Works.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1065: By Messrs. Chapel, Rosenthal, Porter, McGee, Lipscomb, and Smith—An act to amend Section 7693 of the Business and Professions Code, relating to advertising by funeral directors and embalmers.

Referred to Committee on Public Health.

Assembly Bill No. 1066: By Mr. George D. Collins—An act to add Section 349.5 to the Code of Civil Procedure, relating to actions against governmental agencies.

Referred to Committee on Judiciary.

Assembly Bill No. 1067: By Mr. McCarthy—An act to amend Sections 9750, 9751, and 9757 of the Elections Code, relating to elections in fifth and sixth class cities.

Referred to Committee on Elections and Reapportionment.

RESOLUTIONS

The following resolution was offered:

By Messrs. Kilpatrick, Burke, Hagen, Meyers, and Mrs. Niehouse:

House Resolution No. 42

Relative to augmenting the funds of the Assembly Interim Committee on Crime and Correction

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available, the sum of five thousand dollars ($5,000) or as much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the Assembly Interim Committee on Crime and Correction (created by House Resolution No. 243, 1949 Regular Session) and its members and for any charges, expenses or claims incurred under said resolution or under House Resolution No. 297, 1949 Regular Session, or House Resolution No. 28, 1951 Regular Session, to be paid from said Contingent Fund and disbursed after certification by the chairman of the committee, upon warrants drawn by the State Controller on the State Treasurer; and be it further

Resolved, That in addition to any other subjects which the committee may investigate or report upon, it may also investigate and report upon the use, acquisition, possession, sale or importation of narcotics and other habit-forming drugs as a criminal problem.

Resolution read, and ordered referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 1—Relating to aid to our enemy;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the sixteenth day of January, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 7—Relative to the continuance of joint committees;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the sixteenth day of January, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 2

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 1068: By Mr. Beck—An act to add Sections 9193 to 9196, inclusive, to the Education Code, relating to incidental fees in classes for adults.

Referred to Committee on Education.

Assembly Bill No. 1069: By Messrs. Conrad and Beck—An act to amend Section 1 of an act entitled "An act to add Sections 48, 49, 50, 51, 132.6, 293.5, 296.5, 5901.5, 5904.5, 5931.6, 5932.5, 5935.5, 5936.5, 7801.5, and 7842.5 to the Elections Code, relating to elections, declaring the urgency thereof, to take effect immediately," approved October 4, 1950, relating to elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1070: By Messrs. Lindsay, Lowrey, Hansen, and Sherwin—An act to add Section 1383 to the Water Code, relating to appropriation of water.

Referred to Committee on Agriculture.

Assembly Bill No. 1071: By Messrs. Davis, Moss, and Coats—An act to add Sections $2\frac{1}{8}$, $13\frac{1}{8}$, and $50\frac{1}{8}$ to the Public Utilities Act, relating to public utilities.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 1072: By Mr. Davis—An act making an appropriation for the repair and restoration of county roads damaged or destroyed by storms or floods, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1073: By Mr. Davis—An act to amend Section 10971 of the Insurance Code, relating to fraternal benefit societies.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1074: By Mr. Davis—An act to add Section 49.5 to the Fish and Game Code, relating to closure of extreme fire hazard areas to hunting and fishing.

Referred to Committee on Fish and Game.

Assembly Bill No. 1075: By Messrs. Munnell, Lanterman, Burke, Rosenthal, Evans, Hollibaugh, Kilpatrick, and Thomas—An act to add

Section 14551 to the Health and Safety Code, relating to fire protection districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1076: By Messrs. Munnell, Lanterman, Burke, Rosenthal, Evans, Hollibaugh, Kilpatrick, and Thomas—An act to amend Section 35311 of the Government Code, relating to the annexation of territory.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1077: By Mr. Caldecott—An act to amend Section 20924 of the Education Code, relating to field workers at the California School for the Blind.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1078: By Mr Caldecott—An act to add Section 18101.5 to the Government Code, relating to sick leave of state employees.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1079: By Messrs. Caldecott, Rumford, Dunn, and Dickey—An act to add Sections 31627 1, 31629, and 31671.1, to, and to amend Sections 31527, 31591, 31602, 31628, 31642, 31649, 31652, and 31700 of, and to repeal Section 31560 and Article 13 consisting of Sections 31800, 31801, 31802, 31803, 31804, and 31805, of Chapter 3 of Part 3 of Division 4 of Title 3 of, the Government Code, relating to retirement of county employees.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1080: By Mr. Caldecott—An act to add Sections 31469.1, 31470.1, and 31557.1 to, and Articles 6.5, 8.5, 10 5, and 12.5 to Chapter 3, Part 3, Division 4, Title 3 of, the Government Code, relating to the retirement of county employees

Referred to Committee on Municipal and County Government

Assembly Bill No. 1081: By Mr. Morris—An act to amend Section 690.7 of the Code of Civil Procedure, relating to property exempt from execution.

Referred to Committee on Judiciary.

Assembly Bill No. 1082: By Mr. Morris—An act to add Section 30.5 to the Elections Code, relating to special elections

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1083: By Mr Davis—An act to add Section 66u to the Code of Civil Procedure, relating to the number of Judges of the Superior Court in the County of Shasta, and providing for the appointment of an additional judge and for compensation.

Referred to Committee on Judiciary.

Assembly Bill No. 1084: By Mr. Brown—An act to add Section 21386 to the Water Code, relating to the duties of the board of directors

of irrigation districts, in respect to coverage of employees for social security purposes.

Referred to Committee on Agriculture

Assembly Bill No. 1085: By Mr. Brown—An act to amend Section 16075 of the Education Code, relating to elementary or secondary school fraternities.

Referred to Committee on Education.

Assembly Bill No. 1086: By Messrs Brown, Rosenthal, Tomlinson, Caldecott, and Connolly—An act to amend Section 26 of, to add Section 363 to, and to add Article 5, comprising Sections 365 to 365.9, inclusive, to Chapter 1, Division 3 of the Probate Code, relating to the probate of foreign wills.

Referred to Committee on Judiciary.

Assembly Bill No. 1087: By Messrs. Brown, Rosenthal, Tomlinson, Caldecott, and Connolly—An act to add Chapter 7, comprising Sections 830 to 847, inclusive, to Title 10, Part 2 of, and to amend Section 1913 of, the Code of Civil Procedure, relating to enforcement of foreign judgments.

Referred to Committee on Judiciary

Assembly Bill No. 1088: By Messrs. Brown, Rosenthal, Tomlinson, Caldecott, and Connolly—An act to amend Section 362 of, and to add Chapter 4a, comprising Sections 455 to 455.14, inclusive, to Division 3 of, the Probate Code, relating to ancillary administration of estates

Referred to Committee on Judiciary.

Assembly Bill No. 1089: By Messrs. Brown, Rosenthal, Tomlinson, Caldecott, and Connolly—An act to add Article 6, comprising Sections 1953i to 1953*l*, inclusive, to Chapter 3 of Title 2, Part 4 of the Code of Civil Procedure, relating to the use of photographic copies of business and public records as evidence in judicial and administrative proceedings.

Referred to Committee on Judiciary.

Assembly Bill No. 1090: By Messrs. Brown, Rosenthal, Tomlinson, Caldecott, and Connolly—An act to add Chapter 4, comprising Sections 2700 to 2702, inclusive, to Division 4 of the Welfare and Institutions Code, relating to reciprocal agreements for the interstate transportation and the support of poor and indigent persons.

Referred to Committee on Social Welfare.

Assembly Bill No. 1091: By Messrs. Brown, Rosenthal, Tomlinson, Caldecott, and Connolly—An act to add Title 11, comprising Sections 1300 to 1332, inclusive, to Part 3 of the Code of Civil Procedure, providing a uniform civil and criminal procedure for enforcement of the duties of support.

Referred to Committee on Judiciary.

Assembly Bill No. 1092: By Messrs. Brown, Rosenthal, Tomlinson, Caldecott, and Connolly—An act to add Chapter 3, comprising Sections 2290 to 2290.27, inclusive, to Title 8, Part 4, Division 3 of the Civil Code, to add Sections 1120.5 and 1130 to, and to amend Section 1121 of, the Probate Code, relating to inventories and to intermediate, final, and distribution accountings by trustees.

Referred to Committee on Judiciary.

Assembly Bill No. 1093: By Messrs. Brown, Rosenthal, Tomlinson, Caldecott, and Connolly—An act to amend Section 10407 of the Government Code, relating to the Commission on Uniform State Laws and making an appropriation therefor.

Referred to Committee on Judiciary.

Assembly Bill No. 1094: By Mr. Erwin—An act to add Section 19301.1 to the Education Code, relating to cafeterias in public schools.

Referred to Committee on Education.

Assembly Bill No. 1095: By Mr. Davis—An act to amend Section 19622 of the Business and Professions Code, relating to the disposition of state revenues derived from the regulation and licensing of horse racing, horse racing meetings, and wagering on the results thereof.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1096: By Mr. Davis—An act to repeal Sections 2 and 3 of an act entitled "An act relating to the Sixth District Agricultural Association, making an appropriation for the acquisition of land and the construction of facilities for the purposes of said association, and regulating the use of housing facilities under the control of said association," approved July 17, 1947.

Referred to Committee on Agriculture.

Assembly Bill No. 1097: By Messrs. Grant and Klocksiem—An act to amend Sections 18523, 18801, and 19052 of the Government Code, and to repeal Sections 18523.5, 18802.5, and 19052.5 to said code, relating to classes and grades in the state civil service.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1098: By Mr. Smith—An act to amend Section 14549 of the Health and Safety Code, relating to fire protection districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1099: By Mr. Geddes—An act to amend Section 6 of the California Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1100: By Mr. Geddes—An act to amend Section 403 of the Unemployment Insurance Act, relating to Unemployment Trust Fund.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1101: By Mr. Geddes—An act to amend Section 72 of the Unemployment Insurance Act, relating to appeals.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1102: By Mr. Geddes—An act to amend Section 68 of the California Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance

Assembly Bill No. 1103: By Mr. Geddes—An act to amend Section 58 of the Unemployment Insurance Act, relating to disqualification for benefits.

Referred to Committee on Finance and Insurance

Assembly Bill No. 1104: By Mr. Geddes—An act to amend Section 39 of the Unemployment Insurance Act, relating to employer's contributions.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1105: By Mr Dickey—An act making an appropriation for the contingent expenses of the Assembly, including expenses of committees, to take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 1106: By Mr. Dunn—An act to amend Section 7044 of the Business and Professions Code, relating to the licensing of contractors.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1107: By Mr. Dunn—An act to amend Section 1303 of the Education Code, relating to superintendents of schools.

Referred to Committee on Education.

RESOLUTIONS

The following resolution was offered:

By Messrs. Brady, Maloney, Gaffney, George D. Collins, Connolly, McCarthy, Berry, and Meyers:

House Resolution No. 43

Relative to the death of Honorable Louis F Erb, former Assemblyman of the Twenty-eighth Assembly District, San Francisco, and to the adjournment of the Assembly of the State Legislature in respect to the memory of former Assemblyman, Honorable Louis F Erb

WHEREAS, The Members of the Assembly of the State of California have learned with profound sorrow of the recent death of the Honorable Louis F. Erb of San Francisco, California, on December 12, 1950; and

WHEREAS Louis F. Erb represented the City and County of San Francisco in the Assembly of the State Legislature in 1923 and 1925, serving the Twenty-eighth Assembly District, the Richmond-Park Presidio District of San Francisco; and

WHEREAS, During his term of office Louis F. Erb took an active and effective part in the work of the Assembly, performing distinguished services for the citizens of his district and the people of the whole State of California as a leader in the State Legislature; and

WHEREAS, Subsequent to his service as a Member of the Assembly, Louis F Erb served for many years as Minute Clerk in the Assembly, rendering invaluable services to the Members of the Assembly; and

WHEREAS, For the last 18 years Louis F. Erb has served as Deputy Registrar of Contractors in the Contractors' State License Board; and

WHEREAS, The Native Sons of the Golden West was graced with his presence as presiding chairman of a long list of public balls, first as a member of old Alcalde Parlor, then El Dorado Parlor, and finally, since 1943, Stanford Parlor; and

WHEREAS, The Past President's Assembly of the Native Sons of the Golden West saw fit to install him as Governor General, in which position he brought further renown to the order as well as greater acclaim and respect to himself; and

WHEREAS, The Benevolent and Protective Order of Elks, San Francisco Lodge No. 3, and the Richmond Lodge No. 375, F. and A. M. likewise respected and honored this excellent Representative of the Park Presidio-Richmond District in the Assembly of the State Legislature; and

WHEREAS, Louis F. Erb has devoted his life to public service, has served the people of the State of California faithfully and efficiently throughout the years and is mourned by his beloved family, the citizens of the State of California, and his fraternal associates; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly of the State of California mourn the passing of the Honorable Louis F. Erb, and desire by this resolution to pay tribute to his excellent qualities and to convey to the members of the bereaved family their sympathy in this great loss; and be it further

Resolved, That when the Assembly this day adjourns, it do so out of respect to the memory of the Honorable Louis F. Erb; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to have prepared suitably engrossed copies of this resolution and is instructed to transmit them to the members of the bereaved family, Mrs. Mathilda Ubhaus, Charles H. Erb, Lloyd Ubhaus, Charles A. Erb, Robert T. Erb, Mrs. Charles Lienau, and Dr. Charles L. Schuler.

Resolution read, and ordered referred to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 1108: By Messrs. Rumford and Connolly—An act to amend Section 20703 of the Health and Safety Code, relating to poisons.

Referred to Committee on Public Health.

Assembly Bill No. 1109: By Messrs. Rumford, Connolly, Morris, Grant, Lanterman, Levering, Lipscomb, and Smith—An act to amend Sections 26209, 26233, 26235, 26252, 26253, 26272, 26273, 26274, 26275, 26360, of, and to add Sections 26202.5, 26202.7, 26286.5, 26286.6, 26293.5, 26305, to and to repeal Sections 26251, 26271, of the Health and Safety Code, relating to adulterating, misbranding, and advertising of drugs and devices.

Referred to Committee on Public Health.

Assembly Bill No. 1110: By Messrs. Rumford, Connolly, Dills, Kirkwood, Lipscomb, and Smith—An act to amend Sections 7066, 7067, and 7059 of the Welfare and Institutions Code, relating to defective and psychopathic delinquents and providing for their parole or return to court from state institutions.

Referred to Committee on Judiciary.

Assembly Bill No. 1111: By Messrs. Munnell, Lanterman, Rosenthal, Thomas, Evans, and Kilpatrick—An act adding Sections 35002, 35003, 35004, 35005, 35158, 35214, and 35235 to, and amending Section 35101 of, the Government Code, relating to the annexation of territory to municipal corporations.

Referred to Committee on Municipal and County Government.

CONSIDERATION OF DAILY FILE

CONSIDERATION OF HOUSE RESOLUTION NO. 40

By Messrs. Waters and Morris:

House Resolution No. 40—Re W. H. (Bud) Lollier.

Resolution read.

Request for Unanimous Consent That Names of All Members Present Be Placed Upon House Resolution No. 40 as Co-authors

Mr. Waters asked for, and was granted, unanimous consent that the names of all members present be placed upon House Resolution No. 40, as co-authors.

The roll was called, and the following members responded when their names were called:

Babbage, Beck, Belotti, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

By Messrs. Waters, Morris, Babbage, Beck, Belotti, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Sam L. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McGee, McMillan, Meyers, Munnell, Mrs. Niehouse, Messrs. Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, and Tomlinson:

House Resolution No. 40

Re: W. H. (Bud) Lollier

WHEREAS, It was with a deep feeling of regret that the Members of the Assembly learned of the illness of W. H. (Bud) Lollier, who for many years has worked with us and whom we have learned to love and respect because of his many fine qualities

WHEREAS, As the 1951 Session convened on January 8th, for the first time since "Bud" Lollier became a legislative representative his presence was noticeably missed by those who were associated with him, and by his many friends who not only include the legislators, but his admirers in all walks of life, who amiably assemble when a session of the Legislature convenes; and

WHEREAS, It is with happiness and joy that word has been received from Bud's home in Los Angeles that the serious major operation which confined him to a hospital bed for many weeks, has proved successful, and that Bud is now well on the road to complete recovery, now, therefore, be it

Resolved, That the Members of the Assembly of the State of California, regularly assembled this twelfth day of January, 1951, extend to W. H. (Bud) Lollier our sincere best wishes for a complete and speedy recovery, and pray that before this session ends the members may have the pleasure of seeing and greeting Bud as hale, hearty and strong as he was on his first visit to the Legislature; and be it further

Resolved, That a suitable copy of this resolution be forwarded to W. B. Bud Lollier.

Resolution read, and adopted unanimously.

ANNOUNCEMENTS

Mr. Dickey announced, on behalf of Mr. Beck, a Democratic luncheon meeting, and Caucus, at the Hotel Sacramento, upon recess.

Mr. Clarke announced that the Committee on Agriculture will meet today, upon adjournment, instead of at 2 p m., as previously scheduled.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 11.44 a.m., Mr. Geddes asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Finance and Insurance, in Room 432, upon adjournment.

RECESS

At 11.45 a m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Civil Service and State Personnel

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1951

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which was referred:

Assembly Bill No. 687

Has had the same under consideration, and reports the same back with the recommendation: Do pass

CALDECOTT, Chairman

Above reported bill ordered to second reading

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 687—An act to amend Sections 18939 and 19200 of, and add Sections 18544 and 18545 to, the Government Code, relating to duration appointments and continuous examinations in the state civil service, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 1112: By Mr. Stanley—An act to add Section 37392.1 to the Government Code, relating to the power of cities, public corporations, and public districts to lease or grant rights of use in sewage disposal facilities, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1113: By Mr. Levering—An act to add Chapter 9, comprising Sections 1150 to 1156, inclusive, to Part 3, Division 2, of the Labor Code, relating to coercive labor practices in connection with the printing, publication, or distribution of newspapers.

Referred to Committee on Industrial Relations.

Assembly Bill No. 1114: By Mr. Kelly—An act to amend the heading of Article 1 of Chapter 8 of Division 3, and Sections 5901, 5902, 5903, 5904, and 5905 of the Education Code, and to add Section 5906 to said code, all relating to cash funds of school districts.

Referred to Committee on Education.

Assembly Constitutional Amendment No. 15: By Mr. Elliott—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 22a to Article XII thereof, relating to the Public Utilities Commission.

Referred to Committee on Constitutional Amendments.

Assembly Bill No. 1115: By Mr. Kelly—An act to amend Chapter 8 of Division 10 of the Education Code, relating to establishing 24-hour schools to be known as California Academies for dependent, neglected, and homeless children who require special care and supervision, and providing for the government and administration thereof.

Referred to Committee on Education.

Assembly Bill No. 1116: By Mr. Davis—An act to amend Section 2416 of the Labor Code, relating to bedding at labor camps.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1117: By Mr. Davis—An act to amend Section 923 of the Labor Code, relating to collective bargaining.

Referred to Committee on Industrial Relations.

Assembly Bill No. 1118: By Mr. Dolwig—An act to amend Section 73700 of the Political Code and Section 79.41 of the Code of Civil Procedure, relating to superior judges' salaries.

Referred to Committee on Judiciary.

Assembly Bill No. 1119: By Mr. Dolwig—An act to amend Section 66f of the Code of Civil Procedure, relating to Superior Court Judges in the County of San Mateo.

Referred to Committee on Judiciary.

Assembly Bill No. 1120: By Mr. Morris—An act to amend Section 1824 of the Code of Civil Procedure, relating to the definition of proof.

Referred to Committee on Judiciary.

Assembly Bill No. 1121: By Messrs. Brown and Caldecott—An act to amend Sections 309, 1713, 3630, 3671, 3800, 4103, 4110, 4113, 4603, 4619, 5204, 6502, 9304, and 9305 of the Corporations Code; to add Section 3802 thereto; to repeal Section 9700 thereof; and to re-entitle Article 5 of said code, all relating to corporations.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 1122: By Mr. Lyon—An act to amend Section 699.5 of the Military and Veterans Code, relating to the powers and duties of the Veterans' Welfare Board in aiding veterans in connection with veterans' rights, privileges, and preferences.

Referred to Committee on Military Affairs

CONSIDERATION OF DAILY FILE (RESUMED)

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 2

Assembly Joint Resolution No. 2—Relative to the allocation of funds for shipbuilding to Pacific Coast facilities.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Brady, Brown, Burke, Butters, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Linsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Morris, Moss, Munnell, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, and Tomlinson—58.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 2.17 p.m., Mr. Lyon asked for, and was granted, unanimous consent to hold a special meeting of the Subcommittee on Elections and Reapportionment, in Room 426, at 2 18 p.m. Subject: Contested elections.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1951

MR. SPEAKER Your Committee on Rules, to which was referred:

House Resolution No. 24

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolution ordered on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 24

By Mr. Hahn:

House Resolution No. 24

Relative to televising university athletic contests

WHEREAS, The University of California is supported by public funds; and

WHEREAS, The people of the State, who provide such funds, are justifiably proud of the university and of the part they play in supporting it; and

WHEREAS, The people are therefore keenly interested in the athletic program of the university, and justifiably regard its athletic teams as representatives of not only the university, but also the people of this State; and

WHEREAS, This feeling has caused large numbers of citizens of this State to make substantial investments in television sets in order that they might follow more closely the athletic contests in which the university participates; and

WHEREAS, It appears that the Pacific Coast Conference, of which the university is a member, is considering the adoption of a rule which will prohibit the televising of athletic contests participated in by its members; and

WHEREAS, Such rule, if adopted, would deprive the citizens of this State who have invested in television sets and who are unable to secure tickets or to attend such

contests, of the right to follow the activities of the teams of the university which they support; now, therefore, be it

Resolved by the Assembly of the State of California, That the Regents of the University of California be, and they are hereby requested, to take such action as is necessary to insure that the athletic teams of the university will not participate in any contest which may not, under the terms of any rule, contract or agreement, be televised; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to transmit copies of this resolution to each member of the Board of Regents of the University of California, to the President of the University and to the Associated Students of the University of California.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

Strike out all of the text of House Resolution No. 24, as printed on page 96 of the Assembly Journal of January 9, 1951, and insert

"WHEREAS, It appears that the Pacific Coast Conference has adopted a rule which will prohibit the televising of intercollegiate athletic contests participated in by its members; and

WHEREAS, Such a rule, as adopted, deprives the citizens of the State of California who have invested in television sets and who are unable to secure tickets or to attend such contests, opportunity of following the activities of the various teams on the Pacific Coast; and

WHEREAS, It is the feeling of a large number of citizens of the State of California who have developed a great interest in the following of intercollegiate athletic contests through television this last year that the banning of television will deprive them of much needed recreation and enjoyment; and

WHEREAS, It is only through television that many disabled veterans and servicemen and patients confined in hospitals are able to fully enjoy these events; now, therefore, be it

Resolved by the Assembly of the State of California, That the members of the Pacific Coast Conference reconsider and modify its action of banning television of intercollegiate athletic contests by recognizing the great public interest and demand for an opportunity to see intercollegiate athletic contests by television since many of its citizens are deprived of the opportunity of witnessing these contests because tickets are not available or geographical distances prevent attendance; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to each officer of the Pacific Coast Conference and to the athletic directors of each university represented in the Pacific Coast Conference."

Amendment read, and adopted.

Consideration of House Resolution No. 24, as Amended

By Mr. Hahn:

House Resolution No. 24

Relative to televising university athletic contests

WHEREAS, It appears that the Pacific Coast Conference has adopted a rule which will prohibit the televising of intercollegiate athletic contests participated in by its members; and

WHEREAS, Such a rule, as adopted, deprives the citizens of the State of California who have invested in television sets and who are unable to secure tickets or to attend such contests, opportunity of following the activities of the various teams on the Pacific Coast; and

WHEREAS, It is the feeling of a large number of citizens of the State of California who have developed a great interest in the following of intercollegiate athletic contests through television this last year that the banning of television will deprive them of much needed recreation and enjoyment; and

WHEREAS, It is only through television that many disabled veterans and servicemen and patients confined in hospitals are able to fully enjoy these events; now, therefore, be it

Resolved by the Assembly of the State of California, That the members of the Pacific Coast Conference reconsider and modify its action of banning television of intercollegiate athletic contests by recognizing the great public interest and demand for an opportunity to see intercollegiate athletic contests by television since many of

its citizens are deprived of the opportunity of witnessing these contests because tickets are not available or geographical distances prevent attendance; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to each officer of the Pacific Coast Conference and to the athletic directors of each university represented in the Pacific Coast Conference.

Resolution read, as amended.

Roll Call Demanded

Messrs. Babbage, Dolwig, and Brady demanded a roll call.

The roll was called, and House Resolution No. 24 adopted by the following vote:

AYES—Belotti, Brady, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Collier, Crowley, Dickey, Dolwig, Elliott, Geddes, Gubser, Hahn, Hansen, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McGee, Morris, Munnell, Niehouse, Porter, Silliman, Smith, Tomlinson, and Waters—39.

NOES—Babbage, Connolly, Doyle, Dunn, Fleury, and McCarthy—6.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1951

MR SPEAKER. Your Committee on Rules, to which were referred:

Senate Bill No 16
Senate Bill No. 17
Senate Bill No. 18

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DICKEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 41

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1951

MR SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 10

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Senate Joint Resolution No. 1—Relative to Central Arizona Project.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McGee, McMillan, Meyers, Morris, Moss, Munnell, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Thomas, and Waters—55.

NOES—None.

Resolution ordered transmitted to the Senate.

Senate Concurrent Resolution No. 8—Relative to approving a certain amendment to the charter of the City of Oakland, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the seventh day of November, 1950.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Crowley, Dickey, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, and Thomas—55

NOES—None.

Resolution ordered transmitted to the Senate.

Senate Concurrent Resolution No. 9—Relative to approving amendments to the charter of the City of Piedmont, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the seventh day of November, 1950.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Crowley, Dickey, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Thomas, and Waters—58.

NOES—None.

Resolution ordered transmitted to the Senate.

Hon. Richard J. Dolwig Presiding

At 2.35 p.m., Hon. Richard J. Dolwig, Member of the Assembly from the Twenty-seventh District, presiding.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Dickey:

Resolved, That Senate Bill No. 16 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hollibaugh, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, and Thomas—59.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 16

Senate Bill No. 16—An act making an appropriation in augmentation of Item 5 of the Budget Act of 1950, for payment of the expenses of Members of the Senate necessarily incurred by them while attending a session of the Legislature, to take effect immediately.

Bill read second time.

Senate Bill No. 16—An act making an appropriation in augmentation of Item 5 of the Budget Act of 1950, for payment of the expenses of Members of the Senate necessarily incurred by them while attending a session of the Legislature, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Myers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, and Thomas—64.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Dickey:

Resolved, That Senate Bill No. 17 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, and Thomas—61.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended

CONSIDERATION OF SENATE BILL NO. 17

Senate Bill No. 17—An act making an appropriation for mileage of the members and officers of the Senate, to take effect immediately.

Bill read second time.

Senate Bill No. 17—An act making an appropriation for mileage of the members and officers of the Senate, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Sillman, Smith, and Thomas—64.

NOES—None

Bill ordered transmitted to the Senate.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 18—An act to amend Section 3466a of the Political Code and Section 51681 of the Water Code, relating to reclamation districts

Bill read second time, and ordered to third reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 1123: By Mr. Tomlinson—An act to amend Section 5006 of the Education Code, relating to bonding school district employees.

Referred to Committee on Education.

Assembly Bill No. 1124: By Mr. Tomlinson—An act to amend Sections 131.5 and 133 of the Civil Code, relating to interlocutory and final judgments of divorce.

Referred to Committee on Judiciary.

Assembly Bill No. 1125: By Mr. Lindsay—An act to add Chapter 6 to Part 3 of Division 4 of Title 3 of the Government Code, relating to the retirement, with retirement allowances, of county supervisors.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1126: By Mr. Brady—An act to amend Sections 1 and 3 of an act entitled "An act relating to fees to be paid to the Railroad Commission by railroad corporations, express corporations, freight forwarders, persons, or corporations operating vessels, and persons or corporations owning or operating motor vehicles in the transportation of property for hire upon the public highways under the jurisdiction of the Railroad Commission of the State of California, providing for the collection thereof by the Railroad Commission, and providing penalties for the violation of this act," approved July 16, 1935, relating to fees payable by such persons and corporations for deposit in the Railroad Commission Transportation Rate Fund.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 1127: By Mr. Levering—An act to amend Section 41.1 of the Unemployment Insurance Act, relating to protest and review of charges to employers' reserve account

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1128: By Mr. Levering—An act to amend Sections 69, 70, 72, 76, 77, and 83 of, to repeal Sections 78, 78.1, and 79 of, and to add Sections 78, 78 1, and 79 to the Unemployment Insurance Act, relating to appeals.

Referred to Committee on Finance and Insurance

Assembly Bill No. 1129: By Mr. Levering—An act to amend Sections 69, 70, 72, 76, 77, and 83 of, to repeal Sections 78, 78 1, and 79 of, and to add Sections 78, 78.1, and 79 to the Unemployment Insurance Act, relating to appeals.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1130: By Mr. Levering—An act to amend Section 311 of the Unemployment Insurance Act, relating to disability insurance appeals.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1131: By Mr. Levering—An act to amend Sections 41.1, 41.5, 45.5, 45.9, and 45 11 of the Unemployment Insurance Act, relating to unemployment insurance and appeals procedure thereunder.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1132: By Mr. Levering—An act to amend Section 57 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1133: By Mr. Levering—An act to amend Section 6 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance

Assembly Bill No. 1134: By Mr. Levering—An act to amend Section 56 of the Unemployment Insurance Act, relating to eligibility for benefits

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1135: By Mr. Levering—An act to amend Section 9.2 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance

Assembly Bill No. 1136: By Mr. Levering—An act to amend Section 56 and to repeal Section 58 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1137: By Mr. Levering—An act to amend Section 39.1 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1138: By Mr. Levering—An act to add Section 44.1 to the Unemployment Insurance Act, relating to unemployment insurance and employee contributions to same.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1139: By Mr. Levering—An act to amend Sections 39, 39.1, and 41.1 of the Unemployment Insurance Act, relating to employer contributions.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1140: By Mr. Levering—An act to amend Sections 57 and 58 of the Unemployment Insurance Act, relating to eligibility for benefits thereunder.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1141: By Mr. Levering—An act to add Sections 57.3 and 57.6 to the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1142: By Messrs. Connolly and Rumford—An act to add Section 674.5 to the Agricultural Code, relating to the labeling of milk products other than butter, cheese, and ice cream.

Referred to Committee Agriculture

Assembly Bill No. 1143: By Messrs. Connolly and Rumford—An act to repeal Section 28483 of and to add Section 28483 to, the Health and Safety Code, relating to packing of olive oil and distribution records of olive oil processors.

Referred to Committee Agriculture.

Assembly Bill No. 1144: By Messrs. Connolly and Rumford—An act to amend Sections 28007 and 28010, of the Health and Safety Code, relating to retail outlets dealing in uninspected and inspected horse meat.

Referred to Committee on Public Health.

Assembly Bill No. 1145: By Messrs. Connolly and Rumford—An act to amend Section 26472, 26519, 26580, 26617, 26621, and to add Section 26518.5, 26530, and to repeal Section 26622 of the Health and Safety Code, relating to adulterations of meat, inspection of foods, records of food manufacture and disclosing of official information by inspectors; also relating to quarantining of adulterated, misbranded, or falsely advertised foods.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 1146: By Messrs. Connolly and Rumford—An act to amend the title of Article 2 and to add Articles 3 and 4 to Chapter 5.5 of Division 21 of the Health and Safety Code, relating to low-acid frozen foods.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 1147: By Messrs. Connolly and Rumford—An act to amend Sections 28282, 28294, 28312, 28314 and add Sections 28282.5, 28292, 28326, 28327 to the Health and Safety Code, relating to sanitation in food processing plants and packaging of and return of bakery products.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 1148: By Messrs. Connolly and Rumford—An act to amend Sections 28230, 28250, and 28251 and to repeal Section 28190 of the Health and Safety Code to control the return of all bakery products and making provisions for enforcement of the Bakery Act by city and county health departments.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 1149: By Mr. Waters—An act to amend Sections 6728 and 6757 of, and to add Sections 6701.5 and 6742.5 to, the Elections Code, relating to elections conducted under the punch card voting system.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1150: By Mr. Dills—An act to regulate the rental of housing accommodations, establishing a Temporary State Housing Rent Commission, setting forth its powers and duties, and making an appropriation therefor

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1151: By Messrs. Porter, Dunn, and Hollibaugh —An act to add Section 13236 to the Education Code, relating to teachers.

Referred to Committee on Education.

Assembly Bill No. 1152: By Mr Condon—An act to create a flood control district to be called Contra Costa County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, harbors, public highways, life and property from damage or destruction from such waters; to prevent the waste of water or the diminution of the water supply in, or the exportation of water from said district, and to import water into said district and to obtain, retain and reclaim drainage, storm, flood and other waters and to save and conserve all or any of such waters for beneficial use in said district; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district; to define the powers of said district and its officers, including the power to engage in recreational activities incidental to and in connection with said purposes.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1153: By Mr. Coats—An act to amend Sections 11460 and 11463 of the Water Code, relating to use of water.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1154: By Mr. Porter—An act to add Section 1.5 to an act entitled, "An act providing for the division of counties into judicial districts and for the determination of the population of said districts, and repealing Sections 27800, 27801, 27802, and 27803 of the Government Code," approved July 27, 1949, relating to judicial districts.

Referred to Committee on Judiciary

Assembly Bill No. 1155: By Messrs. Babbage, Stanley, and Shaw—An act to add Section 60 to the State Water Resources Act of 1945, relating to flood control, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1156: By Mr. Babbage—An act to add Section 20986 to the Government Code, relating to compulsory retirement of members of the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1157: By Mr. Babbage—An act to amend Section 27322 of, and to add Section 50026 to, the Government Code, relating to the recording of instruments, ordinances, and regulations.

Referred to Committee on Judiciary.

Assembly Bill No. 1158: By Messrs. Dickey, Dunn, Rumford, Caldecott, and Lincoln—An act to add Section 269b to the Code of Civil Procedure, relating to official reports of the Superior Court in and for the State of California.

Referred to Committee on Judiciary.

Assembly Bill No. 1159: By Messrs. Brown and Rosenthal—An act to add Section 1870.1 to the Code of Civil Procedure, relating to the admissibility of a plea of guilty to a public offense as evidence in a civil action.

Referred to Committee on Judiciary.

Assembly Bill No. 1160: By Messrs. Brown, Rosenthal, and Caldecott—An act to add Section 789 to the Probate Code, relating to the sale of real property.

Referred to Committee on Judiciary.

Assembly Bill No. 1161: By Messrs. Brown and Rosenthal—An act to amend Section 755 of the Vehicle Code, relating to the admissibility of a plea of guilty or record of conviction for a violation of the Vehicle Code as evidence in a civil action.

Referred to Committee on Judiciary.

Assembly Bill No. 1162: By Messrs. Brown, Rosenthal, and Caldecott—An act to amend Section 1203.10 of the Penal Code, relating to probation reports.

Referred to Committee on Judiciary.

Assembly Bill No. 1163: By Messrs. Brown, Rosenthal, and Caldecott—An act to amend Section 1027 of the Penal Code, relating to commitment for observation of defendants pleading not guilty by reason of insanity

Referred to Committee on Judiciary.

Assembly Bill No. 1164: By Messrs. Brown, Rosenthal, and Caldecott—An act to amend Section 987a of the Penal Code, relating to the compensation of counsel appointed to defend persons charged with crime.

Referred to Committee on Judiciary.

Assembly Bill No. 1165: By Messrs. Brown, Rosenthal, and Caldecott—An act to amend Section 241 of the Code of Civil Procedure, relating to the impaneling of grand juries.

Referred to Committee on Judiciary.

Assembly Bill No. 1166: By Messrs. Brown, Rosenthal, and Caldecott—An act to provide for the compilation, publication and distribution of state laws relating to publishing and publications, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1167: By Messrs. Brown, Rosenthal, and Caldecott—An act to amend Section 537 of the Code of Civil Procedure, relating to attachments

Referred to Committee on Judiciary.

Assembly Bill No. 1168: By Messrs. Brown and Rosenthal—An act to amend Section 906 of the Penal Code, relating to grand juries, providing for continuous establishment thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1169: By Messrs. Brown, Rosenthal, and Caldecott—An act to add Section 18.5 to the Code of Civil Procedure, relating to the signing of documents.

Referred to Committee on Judiciary.

Assembly Bill No. 1170: By Messrs. Brown, Rosenthal, and Caldecott—An act to amend Section 1201 of the Probate Code, relating to notices in the administration of estates.

Referred to Committee on Judiciary.

Assembly Bill No. 1171: By Messrs. Brown, Rosenthal, and Caldecott—An act to amend Section 780 of the Probate Code, relating to sale of real property in estates.

Referred to Committee on Judiciary.

Assembly Bill No. 1172: By Messrs. Brown and Rosenthal—An act to add Section 969bb to the Penal Code, relating to proof of prior convictions.

Referred to Committee on Judiciary.

Assembly Bill No. 1173: By Messrs. Brown, Rosenthal, and Caldecott—An act to amend Sections 950 and 951 of the Penal Code, relating to the contents and form of the indictment or information.

Referred to Committee on Judiciary.

Assembly Bill No. 1174: By Messrs. Brown, Rosenthal, and Caldecott—An act to amend Section 203 of the Penal Code, relating to the crime of mayhem.

Referred to Committee on Judiciary.

Assembly Bill No. 1175: By Messrs. Brown, Rosenthal, and Caldecott—An act to add Section 2577 to the Welfare and Institutions Code, relating to residence of parolees for hospitalization purposes.

Referred to Committee on Judiciary.

Assembly Bill No. 1176: By Messrs. Brown and Rosenthal—An act to amend Sections 668, 3024, and 3045 of the Penal Code, relating to pleading and proof of prior convictions.

Referred to Committee on Judiciary.

Assembly Bill No. 1177: By Messrs. Brown, Rosenthal, and Caldecott—An act to add Section 1190.1 to the Civil Code, relating to the acknowledgment of instruments.

Referred to Committee on Judiciary.

Assembly Bill No. 1178: By Messrs. Brown, Rosenthal, and Caldecott—An act to amend Sections 296.2 and 296.4 of, and to add Sections 296.41 and 296.42 to, the Probate Code, relating to the estates of deceased persons and the determination of simultaneous death.

Referred to Committee on Judiciary.

Assembly Bill No. 1179: By Messrs. Brown, Rosenthal, and Caldecott—An act to amend Sections 587 and 1515 of the Probate Code, relating to the dedication or conveyance of real property or interests therein of the estates of decedents and of wards.

Referred to Committee on Judiciary.

Assembly Bill No. 1180: By Messrs. Brown, Rosenthal, and Caldecott—An act to amend Sections 18661, 18662, 18671, 18672, 18674, and 18675 of the Education Code, relating to the sale, lease, dedication, grant, quitclaim and conveyance of real property of school districts.

Referred to Committee on Education.

Assembly Bill No. 1181: By Messrs. Brown and Rosenthal—An act to amend Section 1246.1 of the Code of Civil Procedure, relating to the condemnation of property involving two or more estates or interests in separate ownership.

Referred to Committee on Judiciary.

Assembly Bill No. 1182: By Mr. Brown—An act to add Section 2853 to the Civil Code, relating to notice of accrued claims against a licensee or permittee under bond.

Referred to Committee on Judiciary.

Assembly Bill No. 1183: By Mr. Brown—An act to add Section 19 to the Agricultural Code, relating to claims against bonded licensees.

Referred to Committee on Agriculture.

Assembly Bill No. 1184: By Messrs. Brown and Caldecott—An act to amend Section 1300.13 of the Agricultural Code, relating to marketing agreements.

Referred to Committee on Agriculture.

Assembly Bill No. 1185: By Mr. Brown—An act to amend Sections 690.3 and 690.7 of the Code of Civil Procedure, relating to property exempt from execution and attachment.

Referred to Committee on Judiciary.

Assembly Bill No. 1186: By Messrs. Brown and Caldecott—An act to amend Section 428 of the Vehicle Code, relating to liens on vehicles.

Referred to Committee on Judiciary.

Assembly Bill No. 1187: By Mr. Brown—An act to add Sections 447, 448, 449, 450, 451, and 452 to the Penal Code, and to repeal Sections 447a, 448a, 449a. 600, and 600.5 thereof, relating to the burning of property.

Referred to Committee on Judiciary.

Assembly Bill No. 1188: By Mr. Brown—An act to provide for notification of release from custody of persons convicted of arson.

Referred to Committee on Judiciary.

Assembly Bill No. 1189: By Messrs. Brown, Rosenthal, and Caldecott—An act to amend Section 13 of the Municipal Court Act of 1949, relating to judges, officers, and attaches of the municipal and justice courts.

Referred to Committee on Judiciary.

Assembly Bill No. 1190: By Messrs. Brown, Rosenthal, and Caldecott—An act to amend Section 34 of the Municipal Court Act of 1949, relating to judges, officers, and attaches of the municipal and justice courts.

Referred to Committee on Judiciary.

Assembly Bill No. 1191: By Messrs. Brown and Rosenthal—An act to amend Section 10 of the Municipal Court Act of 1949, relating to judges, officers, and attaches of the municipal and justice courts.

Referred to Committee on Judiciary.

Assembly Bill No. 1192: By Messrs. Brown, Rosenthal, and Caldecott—An act to repeal Section 89 of the Code of Civil Procedure as

amended by Statutes of 1949, Chapter 1286 and as amended by Statutes of 1949, Chapter 1519, and to add Section 89 to the Code of Civil Procedure, relating to municipal courts.

Referred to Committee on Judiciary

Assembly Bill No. 1193: By Messrs. Brown and Caldecott—An act to amend Section 36 of the Municipal and Justice Court Act of 1949, relating to municipal and justice courts.

Referred to Committee on Judiciary.

Assembly Bill No. 1194: By Messrs. Brown and Caldecott—An act to amend Section 29 of the Municipal and Justice Court Act of 1949, relating to municipal and justice courts.

Referred to Committee on Judiciary.

Assembly Bill No. 1195: By Messrs. Brown, Rosenthal, and Caldecott—An act to amend Section 25 of the Municipal Court Act of 1949, relating to judges, officers, and attaches of the municipal and justice courts.

Referred to Committee on Judiciary

Assembly Bill No. 1196: By Messrs. Brown and Caldecott—An act to amend Section 77a of the Code of Civil Procedure, relating to appeals to superior courts.

Referred to Committee on Judiciary.

Assembly Bill No. 1197: By Messrs. Brown and Caldecott—An act to amend Section 13 of the Municipal and Justice Court Act of 1949, relating to municipal and justice courts.

Referred to Committee on Judiciary.

Assembly Bill No. 1198: By Messrs. Hansen and Clarke—An act to amend Section 803.5 of the Agricultural Code, relating to nectarine standards, declaring the urgency thereof and providing that this act shall take effect immediately.

Referred to Committee on Agriculture.

Assembly Bill No. 1199: By Mr. Caldecott—An act to add Sections 31114 and 31115 to the Government Code and to add Article 6, comprising Sections 45200, 45201, and 45210 to Chapter 1, Division 5, Title 4 of the Government Code, relating to city and county civil service.

Referred to Committee on Judiciary.

Assembly Bill No. 1200: By Messrs Caldecott and Connolly—An act to add Section 5402.5 to, and to amend Section 5406 of, the Welfare and Institutions Code, relating to the support and parole of persons committed or confined to branches of county jails for inebriety.

Referred to Committee on Judiciary.

Assembly Bill No. 1201: By Messrs. Caldecott, Brown, and George D. Collins—An act to amend Section 1506 of the Penal Code, relating to appeals in habeas corpus cases.

Referred to Committee on Judiciary.

Assembly Bill No. 1202: By Messrs. Caldecott and Brown—An act to amend Section 1335 of the Penal Code, relating to conditional examination of witnesses.

Referred to Committee on Judiciary.

Assembly Bill No. 1203: By Messrs. Caldecott and Brown—An act to repeal Section 496 and to amend and renumber Section 496bb of the Penal Code, relating to buying, receiving, concealing, or withholding stolen property, and prescribing penalties for violation of the provisions thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1204: By Messrs. Connolly, Maloney, Rumford, Caldecott, and Lipscomb—An act to repeal Chapter 5, consisting of Sections 7100 to 7111, of Part 4 of Division 6 of the Welfare and Institutions Code and to add Chapter 5, consisting of Sections 7100 to 7110, to Part 4 of Division 6 of the Welfare and Institutions Code, relating to the establishment and maintenance of two state research centers for alcoholism, providing for the admission of persons thereto and the release of persons therefrom, providing for the powers and duties of the Department of Mental Hygiene in respect thereto, and making an appropriation therefor.

Referred to Committee on Public Health.

Assembly Bill No. 1205: By Mr. McMillan—An act to add Sections 222.3 and 224.5 to, and to amend Section 225 of, the Labor Code, relating to wage deductions.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1206: By Mr. McMillan—An act to add Section 5326 to the Business and Professions Code, relating to outdoor advertising license fees.

Referred to Committee on Judiciary.

Assembly Bill No. 1207: By Mr. McMillan—An act to repeal Part 6 of the Unemployment Insurance Act, relating to disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1208: By Mr. McMillan—An act to amend Section 450 of the California Unemployment Insurance Act, relating to disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1209: By Mr. McMillan—An act to amend Section 451 of the California Unemployment Insurance Act, relating to disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1210: By Mr. Connolly—An act to amend Sections 2210, 2211, and 2216 of the Business and Professions Code, relating to qualifications for the practice of medicine.

Referred to Committee on Public Health.

Assembly Constitutional Amendment No. 16: By Messrs. Lincoln, Rumford, Caldecott, Rosenthal, Dills, Gaffney, Grant, and Lindsay—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Sections 3, 4, and 5 of Article IV of the Constitution of said State, relating to the term of office of Members of the Assembly and Senate.

Referred to Committee on Constitutional Amendments.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 687

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ANNOUNCEMENTS

Mr. Maloney announced that he is holding a bill at his desk relating to the permanently and totalled disabled, and that all who desire to be co-authors may come to his desk and affix their signatures.

Mr. Dickey announced that Mr. Dalton, of the California-Western States Life Insurance Company, will be available (room to be announced later) on Wednesday and Thursday mornings, January 17th and 18th, at 10 a.m., and will remain all day, each day, for the purpose of discussing with interested members facts relative to their participation in the California State Employees' Association group hospital, surgical and medical benefits and the group term and group ordinary life insurance programs that are offered at reduced rates, without physical examination.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 1211: By Mr. Connolly—An act to repeal Sections 2289 and 2293 of, and to amend Sections 2135, 2169, and 2287 of, the Business and Professions Code, relating to practitioners of the healing arts.

Referred to Committee on Public Health.

Assembly Bill No. 1212: By Mr. Connolly—An act to amend Section 2147.5 of the Business and Professions Code, relating to internes and resident physicians in hospitals.

Referred to Committee on Public Health.

Assembly Bill No. 1213: By Mr. Connolly—An act to add Section 276 to the Penal Code, relating to abortions.

Referred to Committee on Judiciary.

Assembly Bill No. 1214: By Mr. Connolly—An act to amend Section 2319 of the Business and Professions Code, relating to reciprocity applicants for a physician's and surgeon's certificate

Referred to Committee on Public Health.

Assembly Bill No. 1215: By Mr. McCarthy—An act to add Articles 3 and 4 to Chapter 5, Division 5, Title 1, of the Government Code, relating to the termination of contracts for public work because of national emergencies which cause a stoppage of construction or work thereon, and to prescribe procedure, the adjustment and payment of compensation, and to provide a method for settlement of disputes in connection therewith.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1216: By Mr. Maloney, Mrs. Niehouse, Messrs. Hinckley, Gaffney, Belotti, Burkhalter, Caldecott, Crowley, Dickey, Hawkins, Hollibaugh, Kilpatrick, Kirkwood, Lincoln, Meyers, Moss, Parker, Porter, and Rumford—An act to add Part 2, comprising Chapter 1, Sections 4000 to 4192, inclusive, to Division 5 of the Welfare and Institutions Code, to amend Sections 7.5, 103.5, 104 6, 114.5, 118 2, 119 5, 124, 145, 145 1, and 145.4 thereof, and to amend Section 29802 of the Government Code, relating to a program of aid to the needy permanently and totally disabled in accordance with Title XIV of the Federal Social Security Act, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1217: By Messrs Munnell, Rosenthal, Hollibaugh, and Kilpatrick—An act to amend Section 1599 of the Education Code, relating to the disposition of, and payment for, school district property located in territory taken from a school district and annexed to another school district.

Referred to Committee on Education

RESOLUTIONS

The following resolution was offered:

By Mr Burkhalter:

House Resolution No. 44

Relative to the creation of the Assembly Interim Committee on Domestic Relations

WHEREAS, The family unit is the basic foundation of our civilization and the continuance and progress of our democratic way of life depends upon its preservation and protection of the family unit; and

WHEREAS, The laws of this State dealing with domestic relations have never been adequately studied and analyzed as a whole, but have been revised and added to from time to time without evaluating their relationship to our modern social structure, and

WHEREAS, There exists a great need for a thorough study and analysis of the laws of this State pertaining to or affecting domestic relations, in order that facts may be obtained and correlated as a basis for future legislation; and

WHEREAS, Such a study and analysis of all facts relating to this subject can best be made by a fact-finding committee of the Legislature; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Domestic Relations is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the subject of this resolution and all facts included and in any way related to the subjects mentioned in the recital hereof, including but not limited to, marriage, divorce, separation, community and separate property, children and the custody and support thereof, and other related subjects affecting domestic relations, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation

2. The committee shall consist of five Members of the House appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of _____ dollars ($_____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 1218: By Mr. Doyle—An act to amend Section 18711 of the Business and Professions Code, relating to boxing and wrestling.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1219: By Mr. Fleury—An act to add Section 17746.1 to the Revenue and Taxation Code, relating to state taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1220: By Mr. Coats—An act to add Section 3577 to the Education Code, relating to the Public School System, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Motion to Place Rush Order on Printing of Assembly Bill No. 1220

Mr. Coats moved that a rush order be placed upon the printing of Assembly Bill No. 1220.

Motion carried.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

Letter of Transmittal

STATE OF CALIFORNIA
STATE WATER RESOURCES BOARD
SACRAMENTO, CALIFORNIA, January 15, 1951

Hon. Arthur A. Ohnimus
Chief Clerk of the Assembly
Assembly Chamber, State Capitol, Sacramento, California

DEAR MR. OHNIMUS: At the direction of the State Water Resources Board there is transmitted to your honorable body a copy of a Report on Activities of the State Water Resources Board for the period January 1, 1948 to July 1, 1950.

Very truly yours,

A. D. EDMONSTON, Secretary

Above transmitted report ordered referred to the Committee on Conservation, Planning, and Public Works.

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

Letter of Transmittal

STATE OF CALIFORNIA
STATE WATER RESOURCES BOARD
SACRAMENTO, CALIFORNIA, January 15, 1951

Hon. Arthur A. Ohnimus
Chief Clerk of the Assembly
Assembly Chamber, State Capitol, Sacramento, California

DEAR MR. OHNIMUS: I have the honor of transmitting herewith Resolution No 96 of the State Water Resources Board dated December 1, 1950, adopting "Report on San Lucas Project in Salinas River Basin, Monterey County, November, 1950," copy of which accompanies the resolution.

Very truly yours,

A D. EDMONSTON, Secretary

Above transmitted resolution and report ordered referred to the Committee on Conservation, Planning, and Public Works.

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal:

LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE
COMMITTEE ON MANUFACTURING, OIL, AND MINING INDUSTRY
SACRAMENTO, January 15, 1951

Hon. Sam L. Collins,
Speaker of the Assembly
State Capitol, Sacramento, California

DEAR SAM: In accordance with the request contained in the Assembly Concurrent Resolution No 91, relative to Liquefied Petroleum Gas, the State Fire Marshal has this day delivered the attached report to the Committee on Manufacturing, Oil, and Mining Industry.

It is requested that this report be printed in the Assembly Journal for the information of the Members of the Assembly.

Sincerely yours,

G. DELBERT MORRIS, Chairman,
Committee on Manufacturing, Oil,
and Mining Industry

Above transmitted report ordered printed in the Journal in 10-point type as follows:

REPORT OF STATE FIRE MARSHAL RELATIVE TO LIQUEFIED PETROLEUM GAS

STATE OF CALIFORNIA
STATE FIRE MARSHAL

LIQUEFIED PETROLEUM GAS REPORT TO LEGISLATURE

Assembly Concurrent Resolution No. 91, relating to liquefied petroleum gas, was passed by the 1949 General Session of the Legislature. This resolution provided "that the State Fire Marshal with the advice of the State Fire Advisory Board be hereby empowered and directed to ascertain, study, and analyze all of the facts relating to the storage, use, and handling of liquefied petroleum gas; he shall, after consultation with representatives of the liquefied petroleum gas industry and the fire service of California, prepare an outline of the safety standards deemed necessary to afford a reasonable degree of public safety together with his recommendations for the enforcement and administration thereof. He shall also submit estimates on the cost of administering the regulations and an equitable plan of financing, and shall report his findings and recommendations to the Legislature not later than the fifteenth day of the 1951 Regular Session of the Legislature."

INTRODUCTION

Liquefied petroleum gas is a product of petroleum which normally is in a gaseous state but which may be liquefied by applied pressure in varying degrees depending upon the type of gas. There are three principal gases that are commonly referred to by the term "liquefied petroleum gas" or "LP-Gas" as it will be later referred to in this report. They are listed in Table 1 below together with their heat values in British thermal units and the vapor pressure in pounds per square inch necessary to maintain the gas in a liquid state.

Table No. 1—Liquefied Petroleum Gases

Product	*Heat Value (In B.T.U. Per Pound of Gas)*	*Vapor Pressure (Absolute at 100° F.)*
Normal Butane	21,300	52.0
Isobutane	21,300	73.5
Propane	21,600	189.5

There are several other gases that fall under the title of LP-Gas but they are not in common use in the domestic or commercial field in California.

In order to obtain operating pressures satisfactory for seasonal use, the industry follows a practice of blending the various LP-Gas products so that the most desirable vapor pressure may be provided.

The value of LP-Gas to our California economy may be measured by the increasing demand for the product. In 1944 it was estimated that 106,880,000 gallons of LP-Gas were consumed in California; in 1949 it was estimated that 244,480,000 gallons were consumed. This would indicate an increase in consumption of approximately 129 percent in five years.

LP-Gas provides a practical source of fuel for domestic, commercial, industrial, and agricultural heat and power; its use as a motor vehicle fuel is increasing rapidly. It is roughly estimated that there are more than 485,000 commercial and domestic users of LP-Gas in California and between 350,000 and 400,000 (or about 80 percent) are domestic users. Approximately 10 percent of the people in California depend upon this product for domestic fuel and, for the most part, these users are located in the rural areas beyond the reach of utility piped gas. This fact has made the safety problem more complex in that these rural areas generally do not have local safety ordinances or enforcement personnel to properly govern the storage, handling, transportation, distribution, and use of LP-Gas As a result, a great many inferior systems have been installed.

In 1934 the State Industrial Accident Commission, with the cooperation of the LP-Gas industry, prepared and adopted industrial safety orders governing the storage, handling, and transportation of LP-Gas; but since these orders are prepared and adopted under employee's safety laws, they are not applicable to owner-operated transportation or distribution concerns nor to consumer installations where there are no employees. The industrial safety orders have been very effective in reducing the fire and explosion hazard where they apply, but their limited scope and the lack of local ordinances and regulations have left the greater portion of LP-Gas installations free from safety regulations.

The Division of Industrial Safety has developed and has in operation an effective program for controlling the manufacture of LP-Gas pressure vessels, tanks, and containers. Because of their close contact with pressure vessel manufacturers, it would be unwise to make any change in the method of regulating the manufacture of LP-Gas vessels, tanks, or containers.

INSURANCE

At the time this study was ordered, the LP-Gas industry was facing a desperate liability insurance problem. Nearly all of the American insurance underwriters were refusing to write the risk on distributors of LP-Gas and premium rates of foreign insurance underwriters were so high that they had a strangling effect upon the industry. Early in 1949 liability insurance premium rates on LP-Gas dealers were reported to be, with but few exceptions, 4½ percent of the gross business of the distributor; but, for no apparent reason, American insurance underwriters have again entered the field of competition and some LP-Gas distributors now report they can obtain liability insurance for as low as 1½ percent and 2 percent of gross receipts.

SCOPE OF STUDY

During the past two years, the State Fire Marshal, with the aid of the State Fire Advisory Board and a small representative industry committee, has conducted an extensive study of the LP-Gas safety problem in an effort to find a practical solution. This study was made along the following lines:

(a) Copies of all state laws in the United States, dealing with the LP-Gas safety problem were obtained and the approach was carefully studied. Thirty-nine states were found to have statutes dealing with LP-Gas problems; but there is a decided lack of uniformity and, like California, many states do not regulate domestic consumer installations; others that have domestic consumer regulations report they do not have adequate personnel to properly discharge their responsibility.

The following outline presents a condensed compilation of special features in laws and regulations of other states dealing with the LP-Gas safety problems:

Number of states that	
Regulate storage, transportation, distribution, or use of LP-Gas	39
Have specific laws dealing with LP-Gas	20
Regulate LP-Gas by means of broad administrative authority	19
Require bonding of dealers	9
Require liability insurance	5
Require products insurance	4
Require operators to pass examinations	5
Prohibit filling unapproved cylinders	4
Prohibit serving unapproved systems	4
Require licensing of appliance dealers	6
Require equipment installer to be licensed	6
Require licensing of bottle exchange dealer	6
Require licensing of bulk distributor	6
Have equipment and appliance standards established by law	1
Have equipment and appliance standards established by rules	29
Have equipment and appliance standards established by both law and rules	3
Have regulations covering consumer appliances	8
Make inspection charge	6
Administer LP-Gas regulations under the state fire marshal	21
Administer LP-Gas regulations under a state agency other than the state fire marshal	18

(b) A questionnaire was distributed to California city and county fire officials concerning their fire and explosion experience with LP-Gas during the period of July 1, 1946, to July 1, 1949. One hundred twenty fire officials reported their experience for the three-year period. A study of these reports seemed to indicate that from a statistical standpoint, the final conclusions would not materially differ if every city and county fire official had reported. Some facts disclosed by the 120 questionnaires returned are as follows:

1. Of the 120 fire departments reporting, 77 indicated no fires or explosions had occurred in their districts as a result of LP-Gas

during the three-year period; the remaining 43 departments reported 218 fires and explosions which resulted in an estimated $1,060,872.00 fire loss. This would indicate an average of $4,866.39 per incident.

2. There were 218 fires or explosions attributed to LP-Gas.

3. Seventeen deaths and 70 injuries resulted from the 218 LP-Gas fires or explosions reported. This would indicate that for each 12.8 fires or explosions one death occurred and for each 3.1 fires or explosions one person was injured.

4. Ninety-five of the 120 departments reporting indicated that they believed special state legislation was necessary to deal with the LP-Gas safety problem; 17 reported they did not believe such legislation was necessary, and eight did not answer the question.

5. Forty-four departments reported that they deemed local enforcement adequate; whereas 53 felt local ordinances were inadequate. This difference of opinion is in all probability due to the fact that some cities have ordinances while others do not.

NOTE: The reporting departments mentioned above do not include the cities of San Francisco and Los Angeles. LP-Gas is not in general domestic use in the larger cities and their inclusion in the statistics would produce an unbalanced statistical report.

(c) Efforts were made to determine the quantity of LP-Gas used in the State of California. While authentic data are unavailable on this subject, we were able to gather from various sources information on which to base a close estimate. The following estimates are based on the Bureau of Mines' reports for five western states: California, Oregon, Washington, Nevada, and Arizona

Year	*Total Gallons 5 Western States*	*California Gallonage Consumption*
1944	167,000,000	106,880,000
1945	187,000,000	119,680,000
1946	237,000,000	151,680,000
1947	294,000,000	188,160,000
1948	382,000,000	244,480,000

It is estimated that California's consumption is 64 percent of the total LP-Gas consumed in the five western states.

In 1948 the United States Bureau of Mines indicated the following percentage consumption of LP-Gas in the United States:

Domestic and Commercial	53.8%
Gas Manufacturing	8.7%
Industrial Plants	7.8%
Synthetic Rubber	8.3%
Chemical Plants	17.9%
Internal Combustion Engines	3.4%
All Others	0.1%

HAZARDS OF THE PRODUCT

The hazards of this product may be viewed from three different angles. First, the fire and explosion hazard; second, the health hazard; and third, the industrial employee hazard.

From a fire and explosion hazard standpoint, the problem is similar to that of ordinary illuminating gas except that it is heavier than air and tends to travel near the surface of the ground and collect in any depressions; whereas, the illuminating gas, being lighter than air, tends to rise and disperse itself. Its hazards are similar to those of gasoline vapors from a standpoint of ignition and explosive mixture range. The fact that it requires pressure to hold it in a liquid state likewise has an effect upon the fire and explosion hazard.

The health hazard of the product is primarily that the gas cannot be readily detected unless an odorant is added and, therefore, presents an asphyxiation hazard. The carbon monoxide hazard of LP-Gas-fired appliances is not materially different from that of the ordinary illuminating gas.

The industrial employee hazards are a combination of the above-mentioned fire and health hazards.

Generally LP-Gas, like any other highly flammable liquid or gaseous substance, is considered to be a hazardous product. The hazards can, however, be reduced to a reasonably safe point by the use of proper equipment, appliances and safety devices; and by adhering to common safety practices.

The two most common causes of LP-Gas fires and explosions are:

1. Inferior or faulty equipment, fixtures and appliances, or the improper assembly thereof by inexperienced persons.

2. Carelessness or lack of experience and knowledge in servicing and refilling LP-Gas systems.

Equipment and appliances for storage, handling, and consumption of LP-Gas have developed rapidly during the past fifteen years; and where modern equipment and appliances are used and are properly assembled, the hazard of this product is very little different from that of ordinary illuminating gas.

DEVELOPING LP-GAS HEALTH AND SAFETY STANDARDS

Both the industry and the fire service have expressed a feeling that safety standards having to do with LP-Gas equipment, fixtures and appliances should be established by administrative authority and not by fixed statutes. Both have expressed a feeling that LP-Gas health and safety standards should be established by a board, commission, or at least a legally established advisory committee consisting of representatives from industries and both state and local health and safety officials.

Any intelligent approach to the LP-Gas safety problem must be viewed from several different angles, as follows:

First, they should adequately cover every hazardous phase of the LP-Gas problem, so that no dangerous or hazardous condition or practice would be exempt.

Second, all LP-Gas equipment, fixture, appliance and safety device design standards should follow nationally recognized standards.

Third, the standards should be sufficiently flexible administratively to permit their practical application.

Fourth, they should cover hazards created to adjacent property.

It is not deemed advisable to write into this report the extensive technical details of LP-Gas safety standards, but it is recommended that the

following nationally recognized standards be used as a basis in establishing any state-wide health and safety regulations:

(a) "National Board of Fire Underwriters Pamphlet No. 58," governing the design, installation and construction of containers and pertinent equipment for the storage and handling of liquefied petroleum gas. (October 1950 Edition.)

(b) "National Board of Fire Underwriters Pamphlet No. 59." Standards for liquefied petroleum gases at utility gas plants. (March 1949 Edition.)

(c) "Liquified Petroleum Gas Association." Recommended good practice rules for liquified petroleum gas piping and appliance installations in buildings. (LPGA No. 1 dated December 1950.)

Obviously, if special legislation is to be introduced for the purpose of minimizing the fire, explosion and health hazards of this product, such legislation must include provisions to deal with dangerous existing facilities, otherwise it would not be effective. The statutes should provide that the regulations shall apply to both new and existing systems but exceptions will be necessary to intelligently deal with existing installations.

ADMINISTRATION AND ENFORCEMENT

Because of the vast number of LP-Gas installations in the State of California, administration and enforcement of any effective safety program will be a sizable job. Laws and regulations are only as good as they are administered and enforced, and the effectiveness of any state law dealing with the LP-Gas safety problem will depend to a great extent upon the administration and enforcement provisions contained within the act.

Because of the highly technical nature of the LP-Gas safety problem, inspection and enforcement of the safety standards will require skilled and qualified personnel. The State cannot look to local officials for any great amount of assistance in the enforcement of State LP-Gas Safety Laws, for the reason that approximately 80 percent of the LP-Gas systems in California are domestic systems and, for the most part, are located outside of corporate cities.

The State may expect assistance from the industry in administering the laws, but this assistance would necessarily be limited. Some of the industry representatives feel that if state laws were enacted and standards were established they could aid materially in policing their own industry, but experience has indicated that self-policing programs are not too effective unless they are augmented by adequate enforcement officials.

The following administration and enforcement plans are offered as possible solutions to the LP-Gas safety problem:

Plan No. 1

That the present authority of the Division of Industrial Safety be expanded by a special statute to provide them with authority to establish safety standards and to regulate the storage, handling, transportation and use of LP-Gas, including commercial, industrial and domestic uses; that their 1951-52 Budget be augmented by a special item for the development of the necessary safety standards,

and that following the completion thereof, their enforcement personnel be augmented to a point where, with the assistance of the industry itself, they could properly administer the State's LP-Gas health and safety regulations.

The provisions of the State Labor Code provide for the payment of special inspection fees on all pressure vessels, including LP-Gas tanks and containers, and if these fees were augmented by a special license or registration fee on all commercial and industrial distributors of LP-Gas and LP-Gas appliances, sufficient funds could be made available to administer the regulations.

It is estimated that to conduct the necessary research, develop the standards and hold public hearings would require approximately one year, and it is estimated that the cost of such research and study would amount to about $10,000. In view of this time element, provisions of the special act having to do with licensing, registration and enforcement of the act should not become effective until the beginning of the fiscal year following enactment of the law.

Plan No. 2

That there be created by special legislation a division or bureau with a board or commission having full authority and responsibility to administer the LP-Gas health and safety laws and regulations on the state level. The legislation should provide for:

(a) Registration and licensing of LP-Gas distributors, equipment and appliance dealers, transport vehicles, and equipment and appliance installation concerns.

(b) The development and adoption of minimum LP-Gas health and safety standards governing all phases of industrial, commercial and domestic storage, handling, transportation, distribution and use of LP-Gas.

(c) Reports by equipment and appliance dealers on all new LP-Gas system installations and reports by all LP-Gas retail dealers on the location and condition of systems serviced by them. Such reports to be on standard forms prepared by the administrative agency.

(d) The condemnation of dangerous equipment, appliances and systems after an investigation by the administrative agency and a prohibition against servicing such systems until dangerous conditions are corrected.

(e) An adequate staff to make inspections of inferior existing systems reported to the agency and to make spot checks on new installations.

This plan would contemplate maximum use of the industry in a self-policing program and should vest local officials with authority to enforce the safety standards in their respective areas.

Either of the two plans outlined above would materially reduce the fire and explosion hazard in connection with the use of LP-Gas. Since the Division of Industrial Safety in the Department of Industrial Relations has jurisdiction over the manufacture, distribution and use of pressure vessels and has authority to enforce safety orders in places of

employment, Plan No. 1 would seem to be the most logical and economical Likewise, the industry representatives who were consulted on this problem have expressed a feeling that Plan No. 1 would be the most acceptable to them since Plan No. 2 would be more costly and would in all probability require a special gallonage tax on LP-Gas in order to finance the special division or agency.

The industry believes that Plan No 1 should be given a trial, and if at a later date a special division or bureau was deemed necessary, additional legislation could be submitted to further develop the safety program.

Respectfully submitted,

JOE R. YOCKERS, State Fire Marshal

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today upon adjournment—

Tidelands and Transbay Crossings, in Room 426.
Agriculture, in Room 432.
Finance and Insurance, fourth floor.

Tomorrow, Wednesday, January 17th, at 10 a.m.—

Rules, in Room 319.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Silliman, the usual courtesies of the Assembly for this day were unanimously extended to C. C Blalock, Frank Calhoun, Charles Conroy, James E. Gaston, E. M. Johnson, and V. H. Roman of San Francisco.

On request of Mr. Gubser, the usual courtesies of the Assembly for this day were unanimously extended to Col. John H. Brimberry, U. S. A. of San Jose, Mrs. Charles Gubser of Santa Clara, and T. A. Minardi of San Jose.

On request of Mr. Parker, the usual courtesies of the Assembly for this day were unanimously extended to Floyd Klinger and Steve Fedi of Stockton, and Mario Tambarini of San Diego.

On request of the Los Angeles County Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Jack Massion of Los Angeles, former Assemblyman.

On request of Mr. McCarthy, the usual courtesies of the Assembly for this day were unanimously extended to former Assemblyman and Mrs. Thomas A. Mitchell and Miss Ruth Mitchell of San Francisco.

On request of Mr. Dolwig, the usual courtesies of the Assembly for this day were unanimously extended to Roy Archibald, teacher of the San Mateo Junior College, and the following pupils: Sharon Ritchie, John Williams, Kenneth Miller, Ron Masi, and Phillip Murphy.

ADJOURNMENT

At 3 03 p.m , on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 11 a.m , Wednesday, January 17, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

EIGHTH LEGISLATIVE DAY

TENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, January 17, 1951

The Assembly met at 11 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Brady, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—78.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Our Father in Heaven, our Strength and our Redeemer, Grant Thy guidance for the duties of this day. Bless and protect those who serve in the Armed Forces, and grant wisdom to all who stand in places of leadership and responsibility, in State and Nation.

"Lord of all nations, thus to Thee
Our Country we commend;
Be Thou her refuge and her trust,
Her everlasting Friend."

We ask it all through Jesus Christ our Lord.

—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. McFall, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Berry, on motion of Mr. George D. Collins

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Brown, on motion of Mr. Caldecott.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal:

CAPITOL CORRESPONDENTS ASSOCIATION OF CALIFORNIA
STATE CAPITOL, SACRAMENTO, January 17, 1951

Hon. Sam L. Collins, Speaker
The Assembly Chamber
Sacramento, California

DEAR MR. SPEAKER: In compliance with Assembly Rule 24 and Joint Rule 32, the Standing Committee of the Capitol Correspondents Association has examined application for authentication as accredited press representative and recommends the following action:

Approved for Press Card

Radio Station KCRA—Jack Matranga, Dick Wood.

Sincerely,

EARL C. BEHRENS, President

RATIFICATION OF ACTION TAKEN BY THE CAPITOL CORRESPONDENTS ASSOCIATION BY UNANIMOUS CONSENT

By unanimous consent, the Assembly ratified the above action taken by the Capitol Correspondents Association of California.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA, SACRAMENTO, January 15, 1951

TO: *Hon. Sam L. Collins*
Speaker of the Assembly
State Capitol, Sacramento, California

FROM: *Secretary of State*

Our Archives Department has advised me that occasionally Members of the Assembly clear out their files and destroy certain material which sometimes includes reports of committee hearings, etc. We have found that in this material there are documents which are very valuable to the Archives

I will appreciate it if you will request the members to contact this office before destroying any of this material so that it may be screened for valuable material.

FRANK M. JORDAN, Secretary of State

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILLS NOS. 1145, 1146, 1147, AND 1148, BY UNANIMOUS CONSENT

By unanimous consent, Speaker Sam L. Collins ordered Assembly Bills Nos. 1145, 1146, 1147, and 1148 withdrawn from the Committee on Public Utilities and Corporations, and re-referred to the Committee on Public Health

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1128 BE PLACED IN OFFICE OF LEGISLATIVE COUNSEL FOR CORRECTION

Mr. Levering asked for, and was granted, unanimous consent that Assembly Bill No. 1128 be placed in the office of the Legislative Counsel for correction

SUBCOMMITTEE APPOINTMENT ANNOUNCED

Mr. Waters announced the appointment of Messrs. Dolwig, Sherwin, Berry, Davis, and Butters to membership on the Subcommittee on Elections and Reapportionment to consider facts relative to the contested election of Mr. McGee

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 43

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No. 3

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 504

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CLARKE, Chairman

Above reported bill ordered to second reading.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No. 51

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bill ordered to second reading

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1951

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 49
Assembly Bill No. 556
Assembly Bill No. 557
Assembly Bill No. 582
Assembly Bill No. 583
Assembly Bill No. 600
Assembly Bill No. 603

Has had the same under consideration, and reports the same back with the recommendation: Do pass

CLARKE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred Assembly Bill No. 602

Has had the same under consideration, and reports the same back with the recommendation Do pass, and be re-referred to Committee on Ways and Means.

CLARKE, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined: Assembly Concurrent Resolution No. 10

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined: Assembly Bill No. 38

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred: House Resolution No. 14
House Resolution No. 37

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolutions ordered on file.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 1221: By Mr. Lyon (By Request)—An act to add Chapter 10, consisting of Sections 4500 to 4628, inclusive, to Division 2 of the Business and Professions Code, to amend Section 101 of the Business and Professions Code and Section 11501 of the Government Code, relating to the regulation and licensure of practical nurses, and administration thereof, and making an appropriation.

Referred to Committee on Public Health.

Assembly Bill No. 1222: By Mr. Stewart—An act to amend Section 6736 of the Business and Professions Code, relating to the practice of civil engineering.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1223: By Mr Stewart—An act to add Section 91.6 to the Agricultural Code, relating to the powers and duties of district agricultural associations.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1224: By Mr. Stewart—An act to amend Section 9025 of, and to add Section 9019 to, the Business and Professions Code, relating to social workers.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1225: By Mr. Stewart—An act to amend Section 9005 of the Business and Professions Code, relating to social workers.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1226: By Mr. Stewart—An act to amend Sections 9501, 9508, 9509, 9510, and 9513 of, and to add Sections 9522.1, 9522.2, 9522.3, 9522.4, 9522.5, 9522.6, 9522.7, 9522.8, 9522.9, 9522.10, 9522.11, 9522.12, 9522.13, 9522.14, 9522.15, 9522.16, and 9522.17 to, the Business and Professions Code, relating to dry cleaning.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1227: By Mr. Stewart—An act to amend Sections 9036 and 9039 of the Business and Professions Code, relating to the fees of social workers.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1228: By Mr. Stewart—An act to amend Sections 9541 and 9542 of the Business and Professions Code, relating to licensing by the State Board of Dry Cleaners.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1229: By Mr. Stewart—An act to amend Section 9550 of the Business and Professions Code, relating to certificates of registration issued by the State Board of Dry Cleaners.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1230: By Mr. Stewart—An act to amend Sections 9563 and 9566 of the Business and Professions Code, relating to minimum prices in the dry cleaning industry.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1231: By Mr. Stewart—An act to amend Section 9580 of the Business and Professions Code, relating to fees collected by the State Board of Dry Cleaners.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1232: By Mr. Stewart—An act to add Section 9598 to the Business and Professions Code, relating to the State Board of Dry Cleaners.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1233: By Mr. Stewart—An act to amend Section 9594 of the Business and Professions Code, relating to licenses and registration certificates of the State Board of Dry Cleaners.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1234: By Mr. Stewart—An act to amend Sections 8525, 8568, 8635, 8641, 8642, 8644, and 8651 of the Business and Professions Code, relating to structural pest control.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1235: By Mr. Stewart—An act to amend Section 8624 of the Business and Professions Code, relating to structural pest control.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1236: By Mr. Stewart—An act to amend Section 9511 of the Business and Professions Code, relating to dry cleaning.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1237: By Mr. Stewart—An act to amend Section 9512 of the Business and Professions Code, relating to regulation by the State Board of Dry Cleaners.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1238: By Mr. Stewart—An act to amend Section 9533 of the Business and Professions Code, relating to the State Board of Dry Cleaners.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1239: By Mr Stewart—An act to amend Section 9540 of the Business and Professions Code, relating to regulation by the State Board of Dry Cleaners.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1240: By Mr. Stewart—An act to amend Section 7442 of the Business and Professions Code, relating to the practice of cosmetology and the fees therefor

Referred to Committee on Public Health.

Assembly Bill No. 1241: By Mr Stewart—An act to amend Sections 18532, 18537 18803 18903, 18950, 19054, 19100, 19120, 19503, 19570, 19572, 19575, 19582, and to repeal Sections 18598 and 18599 of the Government Code, relating to state employment and disciplinary proceedings

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1242: By Messrs. Stewart, Brown, and Waters—An act to amend Section 2235 of the Corporations Code, relating to cumulative voting for directors of corporations.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1243: By Mr. Stewart—An act to add Section 18105 to, and to amend Sections 18050, 18051, 18052, and 18100 of, the Government Code, relating to vacation and sick leave for state employees

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1244: By Mr. Stewart—An act to repeal Sections 18150, 18151, 18152, 18153, 18154, 18155, 18156, 18157, and 18158 of the Government Code, relating to an obsolete oath requirement for state employees.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1245: By Mr. Stewart—An act to amend Sections 18021, 18573, 18854, 18859, and 19538 of the Government Code, relating to salaries of state employees.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1246: By Messrs. Stewart, Brown, and Waters—An act to amend Section 3480 of the Political Code, relating to reclamation districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1247: By Mr. Sherwin—An act making an appropriation to the California Office of Civil Defense, to take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 1248: By Mr. Sam L. Collins—An act to amend Section 19539 of the Business and Professions Code, relating to harness horse racing.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 1249: By Mr Fleury—An act to amend Sections 14376.3 and 14610 of the State Teachers' Retirement Law, relating to other employment by members of the State Teachers' Retirement System.

Referred to Committee on Education.

Assembly Bill No. 1250: By Messrs Lindsay, Hansen, Moss, Cloyed, and Kirkwood—An act to repeal the Conservation and Planning Act and Title 7 of the Government Code, and to add Title 7 to the Government Code, relating to conservation, planning, and zoning.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1251: By Mr. Levering—An act to amend Sections 101 and 102 of the Welfare and Institutions Code, relating to the State Social Welfare Board, to increase the membership of the board to nine persons.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1252: By Mr. Levering—An act to amend Section 39.1 of the Unemployment Insurance Act, relating to benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1253: By Mr. Levering—An act to amend Section 57 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1254: By Mr. Fleury—An act to amend Sections 6060, 6060.6 and 6060.7 of the Business and Professions Code, relating to requirements for admission to practice law.

Referred to Committee on Judiciary.

Assembly Bill No. 1255: By Messrs. Fleury and Moss—An act to amend Sections 5517 and 5518 of the Welfare and Institutions Code, relating to sexual psychopaths and providing for their return to court from state hospitals.

Referred to Committee on Judiciary.

Assembly Bill No. 1256: By Messrs. Fleury and Moss—An act to amend Sections 20024, 20025.2, 20105, 20107, 20165, 20208, 20303, 20304, 20393, 20523, 20524, 20602, 20602.5, 20602.7, 20603, 20603.1, 20603.2, 20606, 20607, 20607.5, 20611, 20652, 20654, 20654.6, 20654.9, 20655, 20656, 20754, 20863, 20890, 20921.1, 20922, 21023, 21028, 21204, 21250, 21300, 21331, 21360, 21361, 21362, 21453 of the Government Code, to amend and renumber Section 21262 thereof (as added by Chapter 1498 of the Statutes of 1949), to repeal Sections 20654.7 and 21030 thereof, and to add Sections 20609.2, 20655.1, 21257.2, and 21365.1 thereto, relating to the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1257: By Messrs. Fleury and Moss—An act to amend Section 20750.1 of the Government Code, relating to the state contribution to the State Employees' Retirement Fund in respect to state miscellaneous members of the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1258: By Messrs. Fleury and Moss—An act to add Article 4.5, comprising Sections 20215 to 20226, inclusive, to Chapter 2 of Part 3, Division 5, Title 2 of the Government Code, relating to the State Employees' Retirement System, authorizing the investment of the funds of such system in real property, and prescribing the limitations upon such investments.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1259: By Messrs. Fleury and Moss—An act to add Section 20338 to the Government Code, relating to the State Employees' Retirement System in respect to state college extension service teachers.

Referred to Committee on Education.

Assembly Bill No. 1260: By Messrs. Fleury and Moss—An act to amend Section 20750.4 of the Government Code, relating to the state contribution to the State Employees' Retirement Fund in respect to warden members of the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1261: By Messrs. Fleury and Moss—An act to amend Section 20750.3 of the Government Code, relating to the state contribution to the State Employees' Retirement Fund in respect to forestry members of the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1262: By Messrs. Fleury and Moss—An act to amend Section 20750.2 of the Government Code, relating to the state contribution to the State Employees' Retirement Fund in respect to state patrol members of the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1263: By Messrs. Fleury and Moss—An act to add Section 20130.2 to the Government Code and to amend Sections 20037, 20230, 20564, and 20867 thereof, relating to the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1264: By Mr. Lindsay—An act to amend Section 2893 of the Education Code, relating to the annexation of school districts.

Referred to Committee on Education.

Assembly Bill No. 1265: By Mr. Lindsay—An act to amend the heading of Article 5 of Chapter 1, Part 3, Division 11, and Section 21188, of the Water Code, relating to deputies and employees of irrigation districts.

Referred to Committee on Agriculture.

Assembly Bill No. 1266: By Mr. Lindsay—An act to amend Section 26881 of the Water Code, relating to irrigation districts.

Referred to Committee on Agriculture.

Assembly Bill No. 1267: By Mr. Lindsay—An act to add Section 21190 to the Water Code, relating to deputies and employees of irrigation districts.

Referred to Committee on Agriculture.

Assembly Bill No. 1268: By Mr. Belotti—An act to amend Section 378 of the Vehicle Code, relating to delinquent fees of vehicle registration.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1269: By Mr. Belotti—An act to amend Section 132 of the Vehicle Code, relating to granting or refusing applications for registration and transfers of title of vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1270: By Mr. Belotti—An act to add Section 151.1 to the Vehicle Code, relating to registration of vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1271: By Mr. Belotti—An act to amend Sections 420, 421, 422, 422 3. and 422 5 of the Vehicle Code, relating to financial responsibility.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1272: By Mr. Belotti—An act to amend Section 177 of the Vehicle Code, relating to notices of sales by vehicle dealers.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1273: By Mr. Belotti—An act to amend Section 429 of the Vehicle Code, relating to the redemption of certain vehicles sold under lien sales.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1274: By Mr. Belotti—An act to amend Section 423 of the Vehicle Code, relating to financial responsibility.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1275: By Mr. Caldecott—An act to amend Section 1855 of the Code of Civil Procedure, relating to the proving of the contents of lost or destroyed writings by use of photographic copies thereof.

Referred to Committee on Judiciary

Assembly Bill No. 1276: By Mr. Caldecott—An act to amend Section 1430 of the Probate Code, relating to estates of minors.

Referred to Committee on Judiciary.

Assembly Bill No. 1277: By Mr. Caldecott—An act to amend Section 103½ of the Code of Civil Procedure, relating to justice's clerks in cities and towns.

Referred to Committee on Judiciary.

Assembly Bill No. 1278: By Mr Caldecott—An act to amend Sections 19533, 19533.2, 19534, 19535, 19536, 19537, and 19397 of, to add Section 19533.3 to, and repeal Section 19533.1 of, the Government Code, relating to layoff or demotion in the state civil service.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1279: By Messrs Maloney and Beck—An act to amend Sections 5081, 5082, 5084, and 5086 of, and to add Section 5066.1 to, the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 1280: By Mr. Dunn—An act to repeal Part 4 of Division 2 of the Revenue and Taxation Code, relating to the motor vehicle transportation license tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1281: By Mr. Lyon—An act to add Section 231 to the Elections Code, relating to registration of voters.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1282: By Messrs. Dills, Burkhalter, and Morris —An act to amend the title to Chapter 3, Part 2, Division 2, and Sections 51, 120, 422, 640, and 643.1 of the Military and Veterans Code, relating to the militia.

Referred to Committee on Military Affairs.

Assembly Bill No. 1283: By Mr. Davis—An act to restrict the running of cats at large, for the protection of insectivorous birds; making the violation of this act a misdemeanor and providing the penalty therefor.

Referred to Committee on Judiciary.

Assembly Bill No. 1284: By Mr. Davis—An act to add Section 705.5 to the Vehicle Code, relating to transportation of saw logs.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1285: By Mr. Davis—An act to add Section 60 to, and to amend Section 710 of, the Vehicle Code, relating to equipment of vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1286: By Mr. Davis—An act to amend Section 7651 of, and to repeal Sections 7453, 7454, 7455, and 7456 and Article 4, comprising Section 7916, of Chapter 6 of Part 2 of Division 2 of, the Revenue and Taxation Code, relating to returns and bonds under the Motor Vehicle Fuel License Tax Law.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1287: By Messrs. Dolwig and Geddes—An act to amend Section 58 of the Unemployment Insurance Act, relating to eligibility for benefits thereunder.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1288: By Mr Grant—An act to amend Section 20801 of Chapter 7 of Division 8 of the Business and Professions Code, relating to petroleum.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

Assembly Bill No. 1289: By Mr. Grant—An act to amend Section 20800 of Chapter 7 of Division 8 of the Business and Professions Code, relating to petroleum.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

Assembly Bill No. 1290: By Messrs. Grant and Klocksiem—An act to amend Section 18051 of the Education Code, relating to the letting of contracts by school districts.

Referred to Committee on Education.

Assembly Bill No. 1291: By Messrs. Grant and Klocksiem—An act to amend Section 5901 of the Education Code, relating to school district emergency cash funds.

Referred to Committee on Education.

Assembly Bill No. 1292: By Mr. Waters—An act to add Section 28021.5 to the Government Code, relating to the classification of counties.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1293: By Mr. Waters—An act to add Section 189.7 to the Code of Civil Procedure, relating to destruction of court and other public records.

Referred to Committee on Judiciary.

Assembly Bill No. 1294: By Mr. Waters—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1295: By Mr. Waters—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1296: By Mr. Kelly—An act to repeal Sections 2 and 3 of the act entitled "An act relating to institutions under the jurisdiction of the Department of Corrections, making an appropriation to be expended pursuant to the Property Acquisition Act for the acquisition of a new site for the California Institution for Women, authorizing the Director of Corrections to transfer the California Institution for Women from its present location near Tehachapi to the new site, and authorizing the disposition of the Tehachapi property," approved July 2, 1947, relating to institutions under the jurisdiction of the Department of Corrections, to provide for use of property acquired under the said act by the Department of Corrections as a penal institution for men, and revoking authority for transfer of the California Institution for Women.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1297: By Mr Kelly—An act to amend Section 737o of the Political Code and Section 79.15 of the Code of Civil Procedure, relating to salaries of Judges of the Superior Court in Kern County.

Referred to Committee on Judiciary.

Assembly Bill No. 1298: By Mr. Kelly—An act to amend Section 409 of the Education Code, relating to the salary and credential of county superintendents of schools.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1299: By Mr. Luckel—An act to amend Section 195 of the Vehicle Code, relating to chattel mortgages on vehicles.

Referred to Committee on Judiciary.

Assembly Bill No. 1300: By Mr. Luckel—An act to add Section 220.1 to the Vehicle Code, relating to false reports of thefts of vehicles.

Referred to Committee on Judiciary.

Assembly Bill No. 1301: By Mr. Luckel—An act to amend Section 44 of the Vehicle Code, relating to authorized emergency vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1302: By Mr. Luckel—An act to amend Sections 697, 699, and 701 of the Vehicle Code, relating to height and length, loads and towing of vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1303: By Mr. Luckel—An act to add Section 739.3 to, and to amend Sections 741 and 755 of, the Vehicle Code, relating to procedure after arrest.

Referred to Committee on Judiciary.

Assembly Bill No. 1304: By Mr. Burkhalter—An act to amend Sections 20100 and 20101 of the Government Code, relating to the State Retirement System.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1305: By Messrs. Burkhalter, Davis, Cooke, Dills, and Kilpatrick—An act to amend Section 690 of the Elections Code, relating to compensation of members of precinct boards.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1306: By Messrs. Burkhalter and Lindsay—An act to amend Sections 1261 and 1262 of the Fish and Game Code, relating to archery hunting licenses.

Referred to Committee on Fish and Game.

Assembly Bill No. 1307: By Messrs. Burkhalter, Davis, Lindsay, and Erwin—An act to amend Section 37.2 of the Fish and Game Code, relating to bounties.

Referred to Committee on Fish and Game.

Assembly Bill No. 1308: By Mr. McCarthy—An act to amend Section 4 of the Public Utilities Act, relating to the appointment of an attorney at law to act as attorney for the Public Utilities Commission, prescribing his authority and duties and prescribing and fixing the compensation to be paid to said attorney for services rendered by him.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1309: By Mr. McCarthy—An act to amend Section 10 of the Public Utilities Act relating to the commissioners, officers, and employees of the Public Utilities Commission, their qualifications and salaries.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1310: By Mr. Smith—An act to amend Section 1714 of, and to add Section 3333.1 to the Civil Code, relating to responsibility for negligence.

Referred to Committee on Judiciary.

Assembly Bill No. 1311: By Mr. Davis—An act to add Part 7 to Division 5 of the Labor Code, relating to safety in forest products industries.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1312: By Mr. Elliott—An act to amend Section 2505 of the Welfare and Institutions Code, relating to work performed by recipients of general relief.

Referred to Committee on Social Welfare.

Assembly Bill No. 1313: By Mr. Elliott—An act to alleviate conditions caused by the presence in this State of large numbers of persons in the Armed Forces by providing recreational facilities therefor, and to make an appropriation.

Referred to Committee on Military Affairs.

Assembly Bill No. 1314: By Mr. Hollibaugh—An act to amend Sections 14345 and 14347 of the Revenue and Taxation Code, relating to the withholding of moneys and property belonging to a decedent.

Referred to Committee on Judiciary.

Assembly Bill No. 1315: By Messrs. Geddes, Stewart, Lanterman, Morris, Burke, Burkhalter, Collier, Doyle, Grant, Klocksiem, and McMillan—An act to amend and renumber Section 25561 of the Government Code added to said code by an act entitled "An act to add Section 4041.5a to the Political Code and Section 25561 to the Government Code, relating to the power of the board of supervisors to provide operas and other entertainment," approved July 10, 1947, relating to powers of boards of supervisors.

Referred to Committee on Municipal and County Government.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 457

Mr. Connolly moved that Assembly Bill No. 457 be withdrawn from the Committee on Public Health, and be re-referred to the Committee on Agriculture.

Motion carried.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 1316: By Messrs. Geddes and Dunn—An act to amend Sections 10752 and 11005 of the Revenue and Taxation Code, relating to motor vehicle license tax.

Referred to Committee on Revenue and Taxation

Assembly Bill No. 1317: By Mr. Crowley—An act to amend Sections 16430 and 16434 of the Education Code, relating to school safety patrols.

Referred to Committee on Education.

Assembly Bill No. 1318: By Mr. Crowley—An act to add Section 222.6 to the Labor Code, relating to wages

Referred to Committee on Industrial Relations.

Assembly Bill No. 1319: By Messrs. Belotti and Brown—An act providing for the constitution of municipal courts in districts in Humboldt County, and prescribing the number and compensation of the judges, officers, and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1320: By Messrs. Belotti and Brown—An act providing for the constitution of municipal courts in districts in Mendocino County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1321: By Messrs. Belotti and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Eureka, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1322: By Messrs. Belotti and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Ukiah, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1323: By Messrs. Coats and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Oroville, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1324: By Messrs. Coats and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Chico, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1325: By Messrs. Coats and Brown—An act providing for the constitution of municipal courts in districts in Butte County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1326: By Messrs. Crowley and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Vallejo, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1327: By Messrs. Crowley and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Napa, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary

Assembly Bill No. 1328: By Messrs. Crowley and Brown—An act providing for the constitution of municipal courts in districts in Solano County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1329: By Messrs. Crowley and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Fairfield, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1330: By Messrs Crowley and Brown—An act providing for the constitution of municipal courts in districts in Napa County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1331: By Messrs. Lindsay and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Auburn, and prescribing the number and compensation of the judges, officers and attaches thereof

Referred to Committee on Judiciary.

Assembly Bill No. 1332: By Messrs. Lindsay and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Roseville, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary

Assembly Bill No. 1333: By Messrs. Lindsay and Brown—An act providing for the constitution of municipal courts in districts in Placer County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1334: By Messrs. McCollister and Brown—An act providing for the constitution of municipal courts in districts in Sonoma County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1335: By Messrs. McCollister and Brown—An act providing for the constitution of the municipal court in a district embracing the City of San Rafael, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1336: By Messrs. McCollister and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Sausalito, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1337: By Messrs. McCollister and Brown—An act providing for the constitution of the municipal court in a district embracing the Town of San Anselmo, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1338: By Messrs. McCollister and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Mill Valley, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1339: By Messrs. McCollister and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Santa Rosa, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1340: By Messrs. McCollister and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Petaluma, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1341: By Messrs. McCollister and Brown—An act providing for the constitution of municipal courts in districts in Marin County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1342: By Messrs. Fleury, Moss, and Brown—An act providing for the constitution of the municipal court in a district embracing the City of North Sacramento, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1343: By Messrs. Moss, Fleury, and Brown—An act providing for the constitution of municipal courts in districts in Sacramento County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1344: By Messrs. Moss, Fleury, and Brown—An act providing for the constitution of the municipal court in a distrtict embracing the City of Sacramento, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1345: By Messrs. Condon and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Richmond, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1346: By Messrs. Condon and Brown—An act providing for the constitution of municipal courts in districts in Contra Costa County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1347: By Messrs. Condon and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Walnut Creek, and prescribing the number and compensation to the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1348: By Messrs. Condon and Brown—An act providing for the constitution of the municipal court in a district embracing the City of San Pablo, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1349: By Messrs. Condon and Brown—An act providing for the constitution of the municipal court in a district embracing the City of El Cerrito, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1350: By Messrs. Condon and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Martinez, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1351: By Messrs. Condon and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Concord, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1352: By Messrs. Condon and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Antioch, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1353: By Messrs. Condon and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Pittsburg, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1354: By Messrs. Parker and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Stockton, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1355: By Messrs. Dunn and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Hayward, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1356: By Messrs. Dickey, Dunn, Caldecott, Rumford, Brown, Lincoln, and Sherwin—An act providing for the constitution of municipal courts in districts in Alameda County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1357: By Messrs. Dickey, Dunn, and Brown—An act providing for the constitution of the municipal court in a district embracing the City of San Leandro, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1358: By Messrs. Dickey, Caldecott, Rumford, Lincoln, Brown, Dunn, and Sherwin—An act providing for the constitution of the municipal court in a district embracing the City of Oakland, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1359: By Messrs Dickey and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Alameda, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1360: By Messrs. Caldecott, Rumford, and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Berkeley, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1361: By Messrs Maloney, Connolly, Meyers, Brown, and George D. Collins—An act providing for the constitution of the municipal court in the City and County of San Francisco, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1362: By Messrs. Dolwig and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Burlingame, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1363: By Messrs. Dolwig and Brown—An act providing for the constitution of the municipal court in a district embracing the City of San Bruno, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1364: By Messrs. Dolwig and Brown—An act providing for the constitution of municipal courts in districts in San Mateo, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1365: By Messrs. Dolwig and Brown—An act providing for the constitution of the municipal court in a district embracing the City of San Mateo, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1366: By Messrs. Dolwig and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Redwood City, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1367: By Messrs. Dolwig and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Daly City, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1368: By Messrs. Dolwig and Brown—An act providing for the constitution of the municipal court in a district embracing the City of South San Francisco, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1369: By Messrs. Kirkwood and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Palo Alto, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1370: By Messrs. Kirkwood and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Sunnyvale, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1371: By Messrs. Kirkwood and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Mountain View, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1372: By Messrs. Kirkwood, Gubser, and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Santa Clara, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1373: By Messrs. Gubser and Brown—An act providing for the constitution of the municipal court in a district embracing the City of San Jose, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1374: By Messrs. Gubser and Brown—An act providing for the constitution of the municipal court in a district embracing the Town of Los Gatos, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1375: By Messrs. Gubser, Kirkwood, and Brown—An act providing for the constitution of municipal courts in districts in Santa Clara County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1376: By Mr. Brown—An act providing for the constitution of municipal courts in districts in Stanislaus County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1377: By Mr. Brown—An act providing for the constitution of the municipal court in a district embracing the City of Modesto, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1378: By Mr. Brown—An act providing for the constitution of the municipal court in a district embracing the City of Turlock, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1379: By Messrs. Clarke and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Merced, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1380: By Messrs. Clarke and Brown—An act providing for the constitution of municipal courts in districts in Merced County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1381: By Messrs. Grunsky and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Watsonville, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1382: By Messrs. Grunsky and Brown—An act providing for the constitution of the municipal courts in districts in Santa Cruz County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1383: By Messrs. Grunsky and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Santa Cruz, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1384: By Messrs. Silliman and Brown—An act providing for the constitution of the municipal court in a district embracing the City of San Luis Obispo, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1385: By Messrs. Silliman and Brown—An act providing for the constitution of municipal courts in districts in Monterey County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1386: By Messrs. Silliman and Brown—An act providing for the constitution of municipal courts in districts in San Luis Obispo County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1387: By Messrs. Silliman and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Pacific Grove, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1388: By Messrs. Silliman and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Carmel, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1389: By Messrs. Silliman and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Salinas, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1390: By Messrs. Silliman and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Monterey, and prescribing the number and compensation of the judges, officers and attaches thereof

Referred to Committee on Judiciary.

Assembly Bill No. 1391: By Messrs. Hansen, Henderson, and Brown—An act providing for the constitution of municipal courts in districts in Fresno County, and prescribing the number and compensation of the judges, officers and attaches thereof

Referred to Committee on Judiciary.

Assembly Bill No. 1392: By Messrs. Hansen, Henderson, and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Fresno, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1393: By Messrs. Hagen and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Hanford, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1394: By Messrs. Hagen and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Visalia, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1395: By Messrs. Hagen and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Tulare, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1396: By Messrs. Hagen and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Porterville, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1397: By Messrs. Hagen and Brown—An act providing for the constitution of municipal courts in districts in Kings County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1398: By Messrs. Hagen and Brown—An act providing for the constitution of municipal courts in districts in Tulare County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1399: By Messrs. Tomlinson and Brown—An act providing for the constitution of municipal courts in districts in Santa Barbara County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1400: By Messrs. Tomlinson and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Santa Barbara, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1401: By Messrs. Cooke and Brown—An act providing for the constitution of municipal courts in districts in Ventura County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1402: By Messrs. Cooke and Brown—An act providing for the constitution of the municipal court in a district embracing the City of San Buenaventura, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1403: By Messrs. Cooke and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Oxnard, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1404: By Messrs. Cooke and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Santa Paula, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1405: By Messrs. Kelly and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Bakersfield, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1406: By Messrs. Kelly and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Taft, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1407: By Messrs. Kelly and Brown—An act providing for the constitution of municipal courts in districts in Kern County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1408: By Messrs. Rosenthal and Brown—An act providing for the constitution of municipal courts in Los Angeles County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1409: By Messrs. Rosenthal and Brown—An act providing for the constitution of municipal courts in Los Angeles County and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1410: By Messrs. Rosenthal and Brown—An act providing for the constitution of municipal courts in Los Angeles County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1411: By Messrs. Rosenthal and Brown—An act providing for the constitution of municipal courts in districts in Los Angeles County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1412: By Messrs. Rosenthal and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Los Angeles, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1413: By Messrs. Rosenthal and Brown—An act providing for the constitution of the municipal court in a district embrac the Town of Garvey, Los Angeles County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judicia y.

Assembly Bill No. 1414: By Messrs Rosenthal and Brown—An act providing for the constitution of the municipal court in a district embracembracing the City of Maywood, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judicia y.

Assembly Bill No. 1415: By Messrs. Rosenthal and Brown—An act providing for the constitution of the municipal court in a district embracing the Town of East Los Angeles, Los Angeles County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judicia y.

Assembly Bill No. 1416: By Messrs. Burke, Beck, and Brown—An act providing for the constitution of the municipal court in a district embracing the City of San Fernando, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1417: By Messrs. Burkhalter and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Burbank, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1418: By Messrs. Smith and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Glendale, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1419: By Messrs. Chapel and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Inglewood, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1420: By Messrs. Chapel and Brown—An act providing for the constitution of the municipal court in a district embracing the City of El Segundo, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1421: By Messrs. Chapel and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Hawthorne, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1422: By Messrs. Chapel and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Redondo Beach, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1423: By Messrs. Chapel and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Manhattan Beach, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1424: By Messrs. Chapel and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Hermosa Beach, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1425: By Mr. Stewart—An act providing for providing for the constitution of the municipal court in a district embracing the City of Pasadena, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1426: By Messrs. Lanterman and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Sierra Madre, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1427: By Messrs. Geddes and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Azusa, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1428: By Messrs Geddes and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Claremont, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1429: By Messrs. Geddes and Brown—An act providing for the constitution of the municipal court in a district embracing the City of La Verne, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1430: By Messrs. Geddes and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Glendora, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1431: By Messrs. Geddes and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Arcadia, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1432: By Messrs. Geddes and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Monrovia and prescribing the number and compensation of the judges, officers and attaches thereof

Referred to Committee on Judiciary.

Assembly Bill No. 1433: By Messrs Geddes and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Pomona, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1434: By Messrs. Erwin and Brown—An act providing for the constitution of the municipal court in a district embracing the Town of Temple City, Los Angeles County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1435: By Messrs. Erwin and Brown—An act providing for the constitution of the municipal court in a district embracing the Town of Rosemead, Los Angeles County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1436: By Messrs. Erwin, Brown, and Porter—An act providing for the constitution of the municipal court in a district embracing the City of Whittier, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1437: By Messrs. Erwin and Brown—An act providing for the constitution of the municipal court in a district embracing the City of El Monte, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1438: By Messrs. Erwin and Brown—An act providing for the constitution of the municipal court in a district embracing the City of West Covina, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1439: By Messrs. Erwin and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Covina, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1440: By Messrs. Munnell, Brown, and Rosenthal—An act providing for the constitution of the municipal court in a district embracing the Town of Belvedere, Los Angeles County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1441: By Messrs. Munnell, Brown, and Rosenthal—An act providing for the constitution of the municipal court in a district embracing the Town of Belvedere Gardens, Los Angeles County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1442: By Messrs. Hollibaugh and Brown—An act providing for the constitution of the municipal court in a district embracing the town of Bell Gardens, Los Angeles County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1443: By Messrs. Hollibaugh and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Huntington Park, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1444: By Messrs. Hollibaugh and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Bell, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1445: By Messrs. Hollibaugh, Brown and Porter—An act providing for the constitution of the municipal court in a district embracing the City of Vernon, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1446: By Messrs. Burke and Brown—An act providing for the constitution of the municipal court in a district embracing the City of San Gabriel, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1447: By Messrs. Burke and Brown—An act providing for the constitution of the municipal court in a district embracing the City of South Pasadena, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1448: By Messrs Burke and Brown—An act providing for the constitution of the municipal court in a district embracing the City of San Marino, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1449: By Messrs. Burke and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Monterey Park, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1450: By Messrs. Burke and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Alhambra, and prescribing the number and compensation of the judges, officers and attaches.

Referred to Committee on Judiciary.

Assembly Bill No. 1451: By Messrs. Burke and Brown—An act providing for the constitution of the municipal court in a district embracing the Town of Wilmar, Los Angeles County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary

Assembly Bill No. 1452: By Messrs Levering and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Santa Monica, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1453: By Messrs. McMillan and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Culver City, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1454: By Messrs Dills and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Gardena, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1455: By Messrs. Thomas, Brown, and Porter—An act providing for the constitution of the municipal court in a district embracing the City of Torrance, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1456: By Messrs. Thomas and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Palos Verdes Estates, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1457: By Messrs. Porter, Brown, and Rosenthal—An act providing for the constitution of the municipal court in a district embracing the Town of Belleflower, Los Angeles County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1458: By Messrs. Porter, Brown, and Rosenthan—An act providing for the constitution of the municipal court in a district embracing the City of South Gate, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1459: By Messrs. Porter and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Lynwood, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1460: By Messrs. Porter and Brown—An act providing for the constitution of the municipal court in a district embracing the Town of Downey, Los Angeles County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1461: By Messrs. Porter and Brown—An act providing for the constitution of the municipal court in a district embracing the Town of Artesia, Los Angeles County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1462: By Messrs. Porter and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Compton, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1463: By Messrs. Grant, Klocksiem, and Brown—An act providing for the constitution of the municipal court in a district embracing the Town of Lakewood Village, Los Angeles County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1464: By Messrs. Grant, Klocksiem, Brown, and Porter—An act providing for the constitution of the municipal court in a district embracing the City of Long Beach, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1465: By Messrs. Grant, Klocksiem, Brown, and Porter—An act providing for the constitution of the municipal court in a district embracing the City of Signal Hill, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1466: By Messrs. Shaw and Brown—An act providing for the constitution of the municipal court in a district embracing the City of San Bernardino, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1467: By Messrs. Shaw and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Ontario, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1468: By Messrs. Shaw and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Upland, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1469: By Messrs. Shaw and Brown—An act providing for the constitution of municipal courts in districts in San Bernardino County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1470: By Messrs. Sam L. Collins, Stanley, and Brown—An act providing for the constitution of municipal courts in districts in Orange County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1471: By Messrs. Sam L. Collins, Stanley, and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Seal Beach, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1472: By Messrs. Sam L. Collins, Stanley, and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Santa Ana, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1473: By Messrs Sam L. Collins, Stanley, and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Anaheim, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1474: By Messrs. Sam L. Collins, Stanley, and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Fullerton, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1475: By Messrs. Sam L. Collins, Stanley, and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Orange, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1476: By Messrs. Sam L. Collins, Stanley, and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Huntington Beach, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1477: By Messrs. Babbage and Brown—An act providing for the constitution of municipal courts in districts in Riverside County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1478: By Messrs. Babbage and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Riverside, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1479: By Messrs. Butters and Brown—An act providing for the constitution of municipal courts in districts in Imperial County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1480: By Messrs. Butters and Brown—An act providing for the constitution of the municipal court in a district embracing the City of El Centro, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1481: By Mrs. Niehouse and Mr. Brown—An act providing for the constitution of the municipal court in a district embracing the City of San Diego, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1482: By Messrs. Cloyed and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Escondido, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1483: By Messrs. Cloyed and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Oceanside, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1484: By Messrs. Cloyed and Brown—An act providing for the constitution of municipal courts in districts in San Diego County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1485: By Messrs. Cloyed and Brown—An act providing for the constitution of the municipal court in a district embracing the City of National City, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1486: By Messrs. Cloyed and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Chula Vista, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1487: By Messrs. Cloyed and Brown—An act providing for the constitution of the municipal court in a district embracing the City of El Cajon, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1488: By Messrs. Cloyed and Brown—An act providing for the constitution of the municipal court in a district embracing the City of La Mesa, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1489: By Messrs. George D. Collins, Caldecott, and Brady—An act to amend Section 11 of the Deadly Weapons Control Law, relating to the sale at retail of firearms capable of being concealed upon the person.

Referred to Committee on Judiciary.

Assembly Bill No. 1490: By Messrs. George D. Collins, Caldecott, and Brady—An act to amend Section 8 of the Deadly Weapons Control Law, relating to the issuance of licenses to carry concealed pistols, revolvers and other firearms.

Referred to Committee on Judiciary.

Assembly Bill No. 1491: By Mr. Silliman—An act to amend Sections 154, 6500, and 7000 of the Welfare and Institutions Code and to amend and renumber Section 6500.3 to be Section 7000.5 thereof and to amend the heading of Chapter 3 of Part 4 of Division 6 thereof, relating to state institutions under the jurisdiction of the Department of Mental Hygiene.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1492: By Messrs. Doyle, Erwin, and Butters—An act to amend Section 1015.5 of the Fish and Game Code, relating to fish, and providing for a privilege tax in relation thereto.

Referred to Committee on Fish and Game

Assembly Bill No. 1493: By Messrs. Kilpatrick, Burke, Burkhalter, George D. Collins, and Meyers—An act to add Section 1045 to the Penal Code, relating to evidence in criminal proceedings.

Referred to Committee on Judiciary.

Assembly Constitutional Amendment No. 17: By Messrs. Thomas, Doyle, Burkhalter, Rosenthal, Dills, Elliott, Hawkins, and McMillan—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Article XXVIII, relating to the establishment and government of boroughs in cities and cities and counties.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 18: By Mr. Stewart—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding to Article XIII thereof a new section to be numbered 19, relating to the proceeds of taxes levied on property in a redevelopment project under the Community Redevelopment Act.

Referred to Committee on Constitutional Amendments.

ANNOUNCEMENTS

Speaker Sam L Collins announced that Mrs. Dolly Smith, Secretary to the Chief Clerk, is ill with influenza, and expressed, on behalf of the Members of the Assembly, best wishes for her immediate recovery.

Speaker Sam. L. Collins announced that Joseph E. Burke, brother of Assemblyman Burke, passed away last evening in Lafayette, Louisiana, and expressed condolences to Mr. Burke on behalf of the Members of the Assembly.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 1494: By Mr. Elliott—An act to add Section 27472 to the Government Code, relating to deceased persons.

Referred to Committee on Judiciary.

Assembly Bill No. 1495: By Messrs. Burke and Rosenthal—An act to add Section 1035 to the Code of Civil Procedure, relating to costs.

Referred to Committee on Judiciary.

Assembly Bill No. 1496: By Mr. McFall—An act to amend Section 737mm of the Political Code and Section 79 39 of the Code of Civil Procedure, relating to superior judges' salaries.

Referred to Committee on Judiciary.

Assembly Bill No. 1497: By Messrs. Smith and Erwin—An act making an appropriation for the drug and oil plant project at California Polytechnic School.

Referred to Committee on Agriculture.

Assembly Bill No. 1498: By Mr. Levering—An act to amend Section 6 of the Unemployment Insurance Act, relating to unemployment and disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1499: By Messrs Moss and Fleury—An act to add Section 11152.1 to the Government Code, relating to nomenclature in state departments.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1500: By Mr. Morris—An act to amend Sections 160 and 161 of the Welfare and Institutions Code, relating to the return of mental patients to the states of their residence.

Referred to Committee on Social Welfare.

Assembly Bill No. 1501: By Mr. Babbage—An act to amend Section 14084 of the Health and Safety Code, relating to fire protection districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1502: By Mr. Babbage—An act to amend Section 836 of the Penal Code, relating to arrests by peace officers.

Referred to Committee on Judiciary.

ANNOUNCEMENTS

Mr. Beck announced that he is holding a Control Bill at his desk which relates to the state-wide registration of Communists, as being recommended by the Subcommittee on Communism, Un-American Activities, and Sabotage, and that anyone desiring to be a co-author may come to his desk, and affix his name to the bill.

Mr. Geddes announced that he is holding a request bill at his desk, written in response to a petition from hundreds of people, asking for enactment of compulsory insurance, and that anyone desiring to be a co-author on said bill may come to his desk, and affix his signature.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 1503: By Mr. Babbage—An act to add Section 43.5(b) to the Penal Code, relating to liability of peace officers making arrests.

Referred to Committee on Judiciary.

Assembly Bill No. 1504: By Messrs. Rumford and Connolly—An act to add Chapter 2.5 consisting of Sections 5300 to 5302 to Part 1 of Division 6 of and to add Section 5250.5 to the Welfare and Institutions

Code, relating to the care and treatment of epileptic persons in state institutions under the jurisdiction of the Department of Mental Hygiene.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1505: By Mr. Rumford—An act to amend Section 11166.12 of the Health and Safety Code, relating to narcotic prescriptions.

Referred to Committee on Public Health.

Assembly Bill No. 1506: By Mr. Kilpatrick—An act restricting the use of assumed or fictitious names.

Referred to Committee on Judiciary.

REQUEST FOR UNANIMOUS CONSENT TO USE ASSEMBLY CHAMBER

Mrs. Niehouse asked for, and was granted, unanimous consent that the Committee on the Study of the Old Age Assistance Initiative Measure be permitted to use the Assembly Chamber on Thursday, January 18th, at 8 p.m., for the purpose of holding a public hearing on this matter.

RECESS

At 11.53 a.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 1507: By Messrs. Dickey, Crowley, Doyle, Dills, Dolwig, Hollibaugh, McCollister, Silliman, and Smith—An act to add Chapter 9.1 to Division 3 of the Business and Professions Code, relating to the regulation and licensing of water well drillers.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1508: By Messrs. Dickey, Crowley, Doyle, Dills, Dolwig, Hollibaugh, McCollister, Silliman, and Smith—An act to amend Section 7053 of the Business and Professions Code, relating to the regulation of contractors, and exemption therefrom.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1509: By Messrs. Dickey, Crowley, Doyle, Dills, Dolwig, Hollibaugh, McCollister, Silliman, and Smith—An act to add Section 7075.5 to Chapter 7 of Division 4 of the Water Code, relating to water wells.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1510: By Messrs. Dickey, Crowley, Doyle, Dills, Dolwig, Hollibaugh, McCollister, Silliman, and Smith—An act to amend Section 7048 of the Business and Professions Code, relating to contractors.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1511: By Messrs. Dickey, Crowley, Doyle, Dills, Dolwig, Hollibaugh, McCollister, Silliman, and Smith—An act to add Section 7027 to, and to amend Section 7049 of, the Business and Professions Code, relating to the construction of water wells.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1512: By Messrs Dickey, Crowley, Doyle, Dills, Dolwig, Hollibaugh, McCollister, Silliman, and Smith—An act to add Section 7076.1 to the Water Code, relating to water wells.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1513: By Messrs. Dickey, Crowley, Doyle, Dills, Dolwig, Hollibaugh, McCollister, Silliman, and Smith—An act to amend Section 7076 of the Water Code, relating to water wells.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1514: By Messrs. Dickey, Crowley, Doyle, Dills, Dolwig, Hollibaugh, McCollister, Silliman, and Smith—An act to add Section 7075.3 to Chapter 7, Division 4 of the Water Code, relating to water wells.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1515: By Messrs. Dickey, Crowley, Doyle, Dills, Dolwig, Hollibaugh, McCollister, Silliman, and Smith—An act to add Section 276 to the Water Code, relating to quality of underground waters, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1516: By Messrs. Dickey, Crowley, Doyle, Dills, Dolwig, Hollibaugh, McCollister, Silliman, and Smith—An act to add Sections 13052.1 and 13052.2 to the Water Code, relating to the control of water pollution.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1517: By Messrs Dickey, Crowley, Doyle, Dills, Dolwig, Hollibaugh, McCollister, Silliman, and Smith—An act to amend Sections 13020, 13052, 13054, and 13064 of the Water Code, relating to the control of water pollution.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1518: By Messrs. Dickey, Crowley, Doyle, Dills, Dolwig, Hollibaugh, McCollister, Silliman, and Smith—An act to add Section 3 5 to an act entitled "An act providing for loans to municipalities and districts for sewerage and storm drainage facilities, prescribing the conditions under which such loans shall be made, creating the State Water Pollution Control Fund, and making an appropriation," approved July 28, 1949, relating to loans to municipalities and districts for sewerage and storm drainage facilities.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1519: By Messrs. Dickey, Crowley, Doyle, Dills, Dolwig, McCollister, Silliman, and Smith—An act making an appropriation to be expended in making loans to municipalities and districts for sewerage and storm drainage facilities.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1520: By Mr. McCarthy—An act to add Sections 2842 5 and 2842.6 to the Elections Code, relating to county central committees.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1521: By Mr. Geddes—An act to amend Section 1672 of the Insurance Code, relating to the issuance of licenses to act an insurance brokers or agents to nonresidents.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1522: By Mr. Geddes—An act to amend Section 11 of the Unemployment Insurance Act, relating to a System of Unemployment and Disability Insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1523: By Mr. Geddes—An act to amend Sections 202 and 12264 of the Revenue and Taxation Code, relating to the State Compensation Insurance Fund.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1524: By Mr. Geddes (By Request)—An act to add Chapter 12 to Division 2 of the Business and Professions Code, relating to the certification and regulation of psychologists and creating a State Board of Psychologists.

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 1525: By Messrs. Burkhalter, Brady, Evans, Munnell, and Rosenthal—An act to add Sections 2162 to the Civil Code, relating to telephone messages.

Referred to Committee on Judiciary.

Assembly Bill No. 1526: By Mr. Stewart—An act to add Section 8652 to the Business and Professions Code, relating to the discipline of licensees of the Structural Pest Control Board.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1527: By Mr. Lindsay—An act relating to the use and occupation of real property lying within the lines of public improvements adopted as precised plans under the Conservation and Planning Act, restricting the use of property within such lines, and prescribing the powers and duties of certain public officers in connection therewith.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1528: By Messrs. Gubser and Kirkwood—An act to repeal Sections 6654, 5105.5, and 5105.6 of the Welfare and Institutions Code, relating to reports by district attorneys and orders of committing courts concerning the financial ability of persons committed to state hospitals or their relatives to pay the cost of care, maintenance or transportation.

Referred to Committee on Social Welfare.

Assembly Bill No. 1529: By Messrs. Gubser and Kirkwood—An act to amend Section 5050 3 of, and to add Sections 6604 and 6604.1 to, the Welfare and Institutions Code, relating to emergency admission to institutions of persons who are believed to be mentally ill and to require immediate care and treatment.

Referred to Committee on Social Welfare.

Assembly Bill No. 1530: By Messrs. Gubser and Kirkwood—An act amending Sections 5050, 5050.1, 5050.2, and 5050.5 of the Welfare and Institutions Code, relating to procedure for examination of the mental health of a person alleged to be mentally ill and to court orders concerning such procedures.

Referred to Committee on Social Welfare.

Assembly Bill No. 1531: By Messrs. Gubser and Kirkwood—An act to amend Sections 6726 and 7012.5 of the Welfare and Institutions Code and to amend and renumber Section 5701 5 thereof to be Section 6726 5, relating to private family care homes and the support of mental patients therein, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Social Welfare.

Assembly Bill No. 1532: By Messrs. Gubser and Kirkwood—An act to amend Section 5701 of and to add Section 5701.3 to the Welfare and Institutions Code, relating to private mental institutions and private family care homes, and providing for their license fees and regulation.

Referred to Committee on Social Welfare.

Assembly Bill No. 1533: By Messrs. Gubser and Kirkwood—An act to amend Sections 5050.8 and 5125 of the Welfare and Institutions Code, relating to court procedures and court orders in determining the mental health of a person alleged or found to be mentally ill.

Referred to Committee on Social Welfare.

Assembly Bill No. 1534: By Messrs. Gubser and Kirkwood—An act to amend Section 2175 of the Business and Professions Code, relating to persons authorized to practice medicine and surgery in institutions under the jurisdiction of the Department of Mental Hygiene.

Referred to Committee on Social Welfare.

Assembly Bill No. 1535: By Messrs. Gubser and Kirkwood—An act to amend Section 6660.5 of the Welfare and Institutions Code, relating to the safekeeping of the property of patients of the Department of Mental Hygiene.

Referred to Committee on Social Welfare.

Assembly Bill No. 1536: By Mr. Shaw—An act to create an Advisory Council on Affairs of the Handicapped.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1537: By Mr. George D. Collins—An act to add Sections 964 to 972, inclusive, and Sections 972.1, 972.2, and 972.3 to the Code of Civil Procedure, relating to appeals to the Supreme Court and district court of appeals.

Referred to Committee on Judiciary.

Assembly Bill No. 1538: By Mr. Lincoln—An act to amend Section 7031 of the Business and Professions Code, relating to the regulation of contractors.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1539: By Mr. Dickey—An act to amend Sections 1, 2, 3, and 5 of, and to add Sections 3.5 and 4 5 to, an act entitled "An act providing for loans to municipalities and districts for sewerage and storm drainage facilities, prescribing the conditions under which such loans shall be made, creating the State Water Pollution Control Fund, and making an appropriation," approved July 28, 1949, relating to loans to, and purchase of bonds of, municipalities and districts for sewerage and storm drainage facilities.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1540: By Mr. Dickey—An act to amend Section 2500 of the Water Code, relating to determination of water rights.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1541: By Messrs. Connolly, Lipscomb, and Lincoln—An act to repeal Chapter 3, comprising Sections 1200 to 1304, inclusive, of Division 2 of the Business and Professions Code, and to add Chapter 3, comprising Sections 1200 to 1322, inclusive, to Division 2 of said code, relating to the regulation of clinical laboratories, clinical laboratory technologists, clinical laboratory technicians, and clinical laboratory technician trainees, and making an appropriation.

Referred to Committee on Public Health.

Assembly Bill No. 1542: By Mr. McCarthy—An act to amend Section 1325 of the Penal Code, relating to immunity of witnesses from criminal prosecution.

Referred to Committee on Judiciary.

Assembly Bill No. 1543: By Mr. McCarthy—An act to amend Section 879 of the Fish and Game Code, relating to nets.

Referred to Committee on Fish and Game.

Assembly Bill No. 1544: By Mr. Lipscomb—An act to amend Sections 5081 and 5083 of the Business and Professions Code, relating to the practice of accountancy.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1545: By Mr. Lipscomb—An act to amend Section 5053 of the Business and Professions Code, relating to the State Board of Accountancy.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1546: By Mr. Condon—An act to add Section 171c to the Civil Code, relating to the management and control of community property.

Referred to Committee on Judiciary.

Assembly Bill No. 1547: By Mr. Condon—An act to add Section 124.5 to the Elections Code, relating to registration of voters.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1548: By Mr. Condon—An act to amend Section 92 of the Agricultural Code, relating to agricultural fairs.

Referred to Committee on Agriculture.

Assembly Bill No. 1549: By Mr. Condon—An act to amend Section 19622 and to repeal Section 19626.5 of the Business and Professions Code, relating to the disposition of state revenues derived from the regulation and licensing of horse racing, horse racing meetings, and wagering on the results thereof.

Referred to Committee on Agriculture.

Assembly Bill No. 1550: By Mr. Condon—An act to amend Section 860 of the Fish and Game Code, relating to salmon.

Referred to Committee on Fish and Game.

Assembly Bill No. 1551: By Mr. Condon—An act to add Sections 860.2, 880.2, and 903.2 to the Fish and Game Code, relating to commercial fishing.

Referred to Committee on Fish and Game.

Assembly Bill No. 1552: By Mr. Condon—An act to add Section 4 to the General Provisions of the Fish and Game Code, relating to the state policy on restrictions on fishing.

Referred to Committee on Fish and Game.

Assembly Bill No. 1553: By Mr. Condon—An act to add Sections 860.1, 880.1, and 903 1 to the Fish and Game Code, relating to commercial fishing.

Referred to Committee on Fish and Game.

Assembly Bill No. 1554: By Mr. Condon—An act to add Sections 866, 880 5, and 903.5 to the Fish and Game Code, relating to commercial fishing.

Referred to Committee on Fish and Game.

Assembly Bill No. 1555: By Mr. Condon—An act to amend Section 725 of the Fish and Game Code, relating to sturgeon.

Referred to Committee on Fish and Game.

Assembly Bill No. 1556: By Mr McCollister—An act to amend Section 986 5 of the Military and Veterans Code, relating to farm and home purchases by veterans.

Referred to Committee on Military Affairs.

Assembly Bill No. 1557: By Mr. Dunn—An act to amend Section 1 of "An act to define motor transportation broker; to provide for the regulation, supervision and licensing thereof, and to provide for the enforcement of said act and penalties for the violation thereof," approved July 16, 1935, relating to motor transportation brokers.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1558: By Mr. Dunn—An act to amend Section 2 of the Highway Carriers' Act, relating to the transportation of property for compensation over the public highways.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1559: By Mr. Dunn—An act to amend Section 7¼ of the City Carriers' Act, relating to the transportation of property for compensation over the public streets and highways.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1560: By Messrs. Dunn and McCollister—An act to add Section 5050.3 to the Education Code, relating to state school building aid.

Referred to Committee on Education.

Assembly Bill No. 1561: By Mr. Dunn—An act to add Section 5050 3 to the Education Code, relating to state school building aid.

Referred to Committee on Education.

Assembly Bill No. 1562: By Messrs. Geddes and Dunn—An act to amend Section 13842 of, and to add Section 13842.1 to, the Education Code, relating to the minimum annual salaries of persons employed by school districts in positions requiring certification qualifications.

Referred to Committee on Education.

Assembly Bill No. 1563: By Messrs. Smith and Lipscomb—An act to provide for the installation of grade separation crossings in the County of Los Angeles, and making an appropriation therefor.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1564: By Messrs. McCarthy and Gaffney—An act to repeal Section 208 of the Unemployment Insurance Act, relating to disability insurance.

Referred to Committee on Finance and Insurance.

APPOINTMENTS ANNOUNCED

Speaker Sam L. Collins announced the appointment of Messrs. Dolwig, Chairman, Belotti, Smith, Rosenthal, and Brady to membership on the Special Committee on Legislative Representation, pursuant to the provisions of Chapter 8, Part 1, Division 2, of Title 2, Section 9909 of the Government Code, which became effective July 15, 1950, and Rule No. 21 of the 1951 Standing Rules.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 3

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

CONSIDERATION OF DAILY FILE
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 38—An act making an appropriation for purpose of increasing salaries of state employees, to take effect immediately.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 38:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, January 17, 1951

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

Assembly Bill No. 38, "An act making an appropriation for the purpose of increasing salaries of state employees, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill

This measure makes an appropriation from the General Fund of $3,679,652 and an estimated appropriation of $939,154 from special funds to provide a one-step salary increase for state employees effective January 1, 1951. This increase has been recommended by the State Personnel Board as being equitable and justified because of increased costs of living.

I therefore recommend consideration of Assembly Bill No. 38 as an emergency measure.

Respectfully submitted,

EARL WARREN, Governor

Motion to Amend

Messrs. Fleury and Moss moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 2, of the printed bill, strike out "three million six"; strike out all of line 3; and in line 4, strike out "($3,079,652)", and insert "seven million eighty-seven thousand sixty-five dollars ($7,087,065)".

Amendment read.

Demand for Previous Question

Messrs. Hinckley, Conrad, Collier, Silliman, and McCollister demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendment offered by Messrs. Fleury and Moss to Assembly Bill No. 38.

Roll Call Demanded

Messrs. Fleury, Moss, and McFall demanded a roll call.

The roll was called, and the amendment adopted by the following vote:

AYES—Beck, Belotti, Brady, Burkhalter, Caldecott, Chapel, Clarke, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Fleury, Gaffney, Gubser, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, and Thomas—47.

NOES—Babbage, Burke, Butters, Cloyed, Collier, Connolly, Conrad, Erwin, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, McCarthy, McGee, Morris, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—30.

Bill ordered reprinted, and re-engrossed.

Assembly Concurrent Resolution No. 10—Relative to approving amendments to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at a general election held therein on the seventh day of November, 1950.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Brady, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT OPINIONS FROM LEGISLATIVE COUNSEL BE PRINTED IN THE JOURNAL

Mr. Waters asked for, and was granted, unanimous consent that opinions of the Legislative Counsel, relative to Election Contests—No. 3986; Contested Election of Assembly Member—No. 3701; Power of Assembly With Respect to Elections and Qualifications of Members—No. 3704; and Contest of Election of Member of Assembly—No. 3842, be ordered printed in the Journal in 10-point type, as follows:

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, January 11, 1951

Hon. Laughlin E. Waters
Assembly Chamber

ELECTION CONTESTS—No. 3986

DEAR MR. WATERS: You have asked us to examine the papers filed in the contest of the election for the seat for the Eleventh Assembly District and to advise you whether or not they state sufficient grounds for the contest.

There is no specification in the Constitution or in the statutes as to what constitutes a ground for a contest before the Legislature.

The Constitution provides that "Each house shall choose its officers and judge the qualifications, elections, and returns of its members." (Sec. 7, Art. IV, Calif. Const.) The Constitution further provides that "Each house shall determine the rule of its proceeding * * *" (Sec. 9, Art. IV, Calif. Const.)

There are no other provisions in the Constitution which operate to limit the generality of the provisions above referred to.

Each house, therefore, is the sole judge of the sufficiency of the grounds of any contest brought before it. Its discretion is not subject to control by action of the Judicial or Executive Branches of the government.

There is, therefore, no legal yardstick against which the grounds stated may be measured in order to determine their sufficiency.

We do not think that it would be appropriate to apply the same tests as are prescribed by statute for contests conducted in the courts. In the first place no statute previously enacted could bind the present House in the exercise of its constitutional prerogatives. In the second place, contests conducted pursuant to statute must follow strictly the statutory requirements (*Freshour* vs. *Howard*, 142 Cal. 501) whereas in a contest before the House there are no prescribed grounds or procedure.

If, however, the House should, in its discretion, desire to proceed by analogy from the statutory procedure there appears to be no statutory ground which covers the situation exactly but there is one which, by extension, could be adapted to it.

We will assume for the purposes of the following discussions that all of the facts represented by the petitioner are found by the House to be true.

The essence of the petitioners representations is that certain pamphlets were altered so as to indicate that a certain organization sponsored

the candidacy of the person declared elected, whereas in fact the organization sponsored the candidacy of the petitioner. There is no representation that the person declared elected circulated the altered pamphlets or caused them to be circulated. It is represented, however, that such person was informed of the facts and made no public statement concerning the alteration nor any repudiation of the actions of the persons responsible therefor but continued to accept the benefits of the fraudulent representations.

This does not quite make out a case under the code provisions hereinafter discussed but the House could, in its discretion, draw something of an analogy from it.

Under Section 8511 of the Elections Code one of the grounds for contesting a general election is that the defendant (the contestee) has committed an offense against the elective franchise as defined in Chapter 3 of Division 7 of the code.

That chapter includes Section 5005 which reads:

> "5005. Every person is guilty of a misdemeanor who intentionally writes, prints, posts, or distributes, or causes to be written, printed, posted, or distributed, any circular, pamphlet, letter, or poster which is designed or intended to injure or defeat any candidate for nomination or election to any public office by reflecting upon his personal character or political action, unless there appears upon the circular, pamphlet, letter, or poster, in a conspicuous place, either:
>
> "(a) The name of the chairman and secretary or the names of two officers at least of the political or other organization issuing it.
>
> "(b) The name and residence, with the street and number thereof, if any, of some voter of this State, who is responsible therefor."

The circulation of the altered pamphlet could be considered as coming within the purview of this section because the pamphlet *as altered* did not comply with subdivisions (a) or (b). The names shown in the pamphlet were of those who were responsible for it in its original form. As altered it became a different document and there is nothing to show who was responsible for the document.

The code section applies to any person who does the things mentioned or causes them to be done. All that is represented is that the person declared elected stood by while the things were being done and took whatever benefits resulted. This is not quite the same thing but the House, in its discretion, could determine that such passive acquiescence in the wrongdoing was equivalent to actual participation.

The code section provides that the writing must be designed or intended to injure or defeat the candidate by reflecting on his personal character or "political action." Any reflection on the petitioner's personal character appears somewhat remote. What constitutes a reflection upon "his political action" is somewhat obscure. If the House pursues the analogy it could interpret the provision as it saw fit.

The House could take the view that the implication from the altered pamphlet was that petitioner originally had the support of the organization in question, as evidenced by the printing of his name on the original

pamphlets, and that after such printing he had lost such support, as evidenced by the alterations. It could infer that such putative loss of support resulted from some political action which affronted the organization.

As pointed out above the analogy is far from perfect. However, the House need not proceed by analogy and if it chooses to do so it can draw any analogy it chooses, regardless of how exact or remote it may be.

There seems to be no question whatever that the power of the House to judge the qualifications and election of its members is one which is to be exercised by it solely at its discretion. Only yesterday, January 10, 1951, the Supreme Court of California reiterated this principle in the case entitled "In the Matter of the Contest of the Nomination of Patrick D. McGee."

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By JOSEPH W. PAULUCCI, Deputy

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, January 6, 1951

Hon. Laughlin E. Waters
Assembly Chamber

CONTESTED ELECTION OF ASSEMBLY MEMBER—No. 3701

DEAR MR. WATERS: Pursuant to your request we enclose a memorandum regarding contested elections of Members of the Assembly.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By LAWRENCE G. ALLYN, Deputy

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, January 6, 1951

PROCEDURE BY THE ASSEMBLY TO DETERMINE ELECTION CONTEST

Section 7 of Article IV of the Constitution provides in part that each house shall be judge of the qualifications, elections, and returns of its members, and Section 9 of Article IV provides that each house shall determine the rules of its proceeding.

In view of these constitutional provisions the question whether a person holding a certificate of election as a Member of the Assembly is entitled to a seat in that body and the manner in which that question is to be determined by the body is left entirely to the will of the House as expressed by the actions of a majority thereof.

The provisions of the Government Code relating to the manner of organization of the Assembly are, we believe, merely directory and do not control the actions of the Assembly once the members have qualified by taking their oaths of office. Also the legislative precedents established heretofore serve only as guideposts and are not binding as to future actions.

The right to a seat in the Assembly of a person holding a certificate of election as a member may be challenged in any manner in which a

question may be brought to vote by that body under the rules of parliamentary procedure. When such situations have arisen in the past it has been the practice to adopt special rules for consideration of the question.

The latest election contest in either house was in the Senate in 1937. The proposed rules governing the trial of the contest appear commencing on page 16 of the Senate Journal for January 4, 1937. Briefly, the rules provided for the appointment of a committee to take testimony and prescribed the procedure to be followed by the committee, and for a report of the findings and conclusions of the committee to the house. This report was then to be adopted or rejected by the house by majority vote and provision was made that the vote of a member whose right to a seat was challenged should not be counted in connection therewith. Provision was made permitting the contestee to take his oath which was declared to be without prejudice to the rights of the contestant.

At that time there were certain provisions in the Political Code regarding contests of election of Members of the Legislature. Those provisions, however, were repealed at the 1937 Session The only relevant statutory provision in the present law appears to be Section 9021 of the Government Code which provides that a certificate of election is prima facie evidence of the right to membership.

See also the memorandum from the Legislative Counsel regarding election contests printed in the 1937 Senate Journal commencing on page 18.

It appears to be the general parliamentary practice as well as the practice in the houses in California to permit the contestee to take the oath of office regardless of whether he may later be determined not entitled to a seat. However, this also is a matter to be determined by the House. Further, even though the House refused to permit the contestee to take the oath in its presence this would not prevent him from taking it elsewhere before any authorized officer.

While the precedents support the practice of permitting the contestee to take the oath and thereafter to sit and act as a member and to vote on all matters except those pertaining to the contest, we think it is entirely within the discretion of the House to what extent it may elect to restrict the powers of the contestee prior to determination of the contest. We believe the House could go so far as to exclude the contestee from the floor entirely until the contest is determined if it should adopt a motion to that effect.

RALPH N KLEPS, Legislative Counsel
By LAWRENCE G. ALLYN, Deputy

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, January 7, 1951

Hon. Laughlin E. Waters
Assembly Chamber

POWER OF ASSEMBLY WITH RESPECT TO ELECTIONS AND QUALIFICATIONS OF MEMBERS—No. 3704

DEAR MR. WATERS: You have asked us to inform you as to the circumstances under which the Assembly may refuse to seat a member.

Section 7 of Article IV of the Constitution provides that each house shall "judge of the qualifications, elections, and returns of its members." This provision vests each house with the exclusive power to determine these matters. (*Allen* vs. *Lelande,* 164 Cal. 56).

It is impossible in the time allotted to us to give a comprehensive answer as to all the cases which have, or properly may, present facts sufficient to justify the exercise by a legislative body of its exclusive power to refuse to seat, or to expel, a member.

What constitutes ground for removal or suspension or refusal to seat a Member of the Assembly in any given case is for that body to decide. It is not a matter for inquiry on the part of the Judicial Department and judicial decisions do not furnish a guide. In deciding such a question it is the practice of a legislative body to consider what cases and under what circumstances the same or other legislative bodies have acted.

The case of *French* vs. *Senate,* 146 Cal. 604, reveals that the Senate had exercised its power to expel a member where it found that the member had accepted bribes to influence his vote.

While not revealing legislative action, the case of *Allen* vs. *Lelande,* 164 Cal. 56, indicates the belief of the Judiciary that the Assembly should determine election contests based on the claim that a member did not meet the requirements of Section 7 of Article IV of the Constitution which provides the member must have resided in the district one year next before his election.

Any case where it is alleged that the member's conduct has disqualified him from holding public office by virtue of a provision of the Constitution (*see,* for example, Art. IV, Sec. 35; Art. IV, Sec. 19) or by virtue of any statute (*see,* for example, Government Code Sections 1021, 1023) would be a case in which the Assembly could properly consider exercising its exclusive power to judge its members.

Numerous instances have arisen in the House of Representatives of the United States Congress wherein the right of a member to a seat, because of matters relating to elections, has been considered.

Random examples are contests on the ground: That the member elected had shown disloyalty by wearing the Confederate Army uniform (Hinds, *Precedents of the House of Representatives,* Vol. 1, Sec. 335); that the election was invalid because of violence in connection with the elections, *same,* Vol. 1, Sec. 329, 331); that the member was below the

age prescribed by the Constitution (*same,* Vol. 1, Sec. 418); that the member elect did not meet the residence requirements of the Constitution (*same,* Vol. 1, Sec. 432, 438); that the member held an inconsistent office (*same,* Vol. 1, Sec. 506); that election irregularities, including votes cast by disqualified persons were present in the election of the member (*same,* Vol. 2, Sec. 859); that there was fraud in the election return (*same,* Vol. 2, Sec. 860).

For briefs of numerous other contested election cases considered by the House, *see* Hinds, *Precedents of the House of Representatives,* Vol. 1, Sec. 309-755; Vol. 2, Sec. 845-1135.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By A. C. MORRISON, Deputy

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, January 9, 1951

Hon. Laughlin E. Waters
Assembly Chamber

Contest of Election of Member of Assembly—No. 3842

DEAR MR. WATERS: You have asked whether there is any time limitation upon presentation of a petition relating to the propriety of the seating of a Member of the Assembly and as to the power of the Assembly to act on such a petition.

It is our opinion that there is no limitation upon the power of the Assembly to receive such a petition and to act upon it if it elects to do so.

The power of the Assembly to determine the election and qualification of its own members is vested in that body by the Constitution without limitation or restriction. We find nothing in the Constitution that purports to limit the time within which that body may act to determine this question.

While we have not been able, in the time available to do any extended research, we have found a statement in 49 *American Jurisprudence* at pages 251 and 252 that the power of a house to judge of the election and qualifications of its members is not exhausted when once it has been exercised and a member admitted to his seat; it is, on the contrary, a continuous power, and runs through the entire term. At any time, and at all times during the term of office, each house is empowered to pass on the present qualifications of its own members (citing *State* vs. *Gilmore,* 20 Kansas 551 27 Am. Rep. 189). We believe this to be a correct statement of the law.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By LAWRENCE G. ALLYN, Deputy

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 687—An act to amend Sections 18939 and 19200 of, and add Sections 18544 and 18545 to, the Government Code, relating to duration appointments and continuous examinations in the state civil service, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Brady, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Brady, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 3.07 p.m., Mr. Tomlinson asked for, and was granted, unanimous consent to hold a special meeting of the Subcommittee on Elections and Reapportionment in Room 319, at this time.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 10

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolution ordered on file.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE CONCURRENT RESOLUTION NO. 10, AS AMENDED IN SENATE, BE PRINTED IN JOURNAL

Mr. Dickey asked for, and was granted, unanimous consent that Senate Concurrent Resolution No. 10, as amended in the Senate, be ordered printed in the Journal as follows:

AMENDED IN SENATE JANUARY 11, 1951

Senate Concurrent Resolution No. 10

Introduced by Senator Powers

January 10, 1951

WITHOUT REFERENCE TO COMMITTEE

Senate Concurrent Resolution No. 10—Relative to Joint Rules of the Senate and Assembly ~~committees and committee meetings~~.

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the following Rules be adopted as the Joint Rules of the Senate and Assembly for the 1951 Regular Session of the California Legislature.

JOINT RULES OF THE SENATE AND ASSEMBLY COMMITTEES AND COMMITTEE MEETINGS

COMMITTEES AND COMMITTEE MEETINGS

Standing Committees

1. Each house shall appoint such standing committees as the business of the house may require, the committees, the number of members and the manner of selection to be determined by the Rules of each house.

Joint Committees

2 The Rules Committees of each house shall constitute the Joint Standing Committee on Joint Rules of the Senate and the Assembly.

Joint Meeting of Committees

3. Whenever any bill has been referred by the Senate to one of its committees, and the same or a like bill has been referred by the Assembly to one of its committees, the chairmen

of the respective committees, when in their judgment the interests of legislation or the expedition of business will be better served thereby, shall arrange for a joint meeting of their committes for the consideration of such bill.

Effect of Adoption of Joint Rules

3.5. The adoption of the Joint Rules for any budget session or extraordinary session shall not be construed as modifying or rescinding the Joint Rules of the Senate and Assembly for any previous session, nor as affecting in any way the status or powers of the interim committees created by those rules.

BILLS AND RESOLUTIONS

Definition of Word Bill

4. Whenever the word "bill" is used in these Rules, it shall include constitutional amendments, concurrent and joint resolutions.

Concurrent and Joint Resolutions

5. Concurrent resolutions relate to matters to be treated by both houses of the Legislature.

Joint resolutions are those which relate to matters connected with the Federal Government.

Resolutions Treated as Bills

6. Constitutional amendments, concurrent and joint resolutions shall be treated in all respects as bills; except that they shall be given only one formal reading in each house and that they shall not be deemed bills within the meaning of Section 2 of Article IV of the Constitution, and shall not be referred to the Committee on Introduction of Bills, and shall not require a vote to authorize their introduction, and except as provided in Rule 24 As in the case of bills, they shall be engrossed in the house in which they originate before being voted upon.

PREPARATION AND INTRODUCTION OF BILLS

Title of Bill

7. The title of every bill introduced shall convey an accurate idea of the contents of the bill and shall be indicative of the scope of the act and the object to be accomplished. In amending a code section, the mere reference to the section by number shall not be deemed sufficient.

Division of Bill Into Sections

8. A bill amending more than one section of an existing law shall contain a separate section for each section amended.

Bills which are not amendatory of existing laws shall be divided into short sections, where this can be done without destroying the sense of any particular section, to the end that future amendments may be made without the necessity of setting forth and repeating sections of unnecessary length.

Restrictions as to Amendments

9. A substitute or amendment must relate to the same subject as the original bill, constitutional amendment or resolution under consideration.

Changes in Existing Law to Be Marked by Author

10. In a bill amending a code section or a general law, any new matter shall be underlined and any matter to be omitted shall be in type bearing a horizontal line through the center and commonly known as "strikeout" type. When printed the new matter shall be printed in italics, and the matter to be omitted shall be printed in "strikeout" type.

In any amendment to a bill which sets out for the first time a section being amended, any new matter to be added and any matter to be omitted shall be indicated by the author and shall be printed in the same manner as though the section as amended were a part of the original bill and was being printed for the first time.

Printing of Amendments

11. All bills amended by either house shall be immediately reprinted; in the case new matter is added by the amendment such new matter shall be printed in italics in the printed bill, and in the case of matter being omitted, the matter to be omitted shall be printed in strikeout type. When a bill is amended in either house, the first or previous markings shall be omitted.

Printing and Distribution of Bills—
Manner of Printing Bills

12. The State Printer shall observe the following directions in printing all bills, constitutional amendments, concurrent and joint resolutions:

(a) The body of such bills shall be printed in solid unspaced form in 10-point roman type so that the same type shall be used both before and after enrollment. Concurrent resolutions approving city or county charters or amendments thereto may be set in smaller type.

(b) All titles of bills shall be set in italics, statute form and the length of the lines used in the titles shall not exceed that of the body of the bill.

(c) The lines of all printed bills shall be numbered by page and not by sections, and amendments shall be identified by reference to title, page and line only.

Distribution of Legislative Publications

13. All requests for mailing or distribution of bills and legislative publications shall be filed with the Secretary of the Senate or the Chief Clerk of the Assembly. Each Member of the Senate and Assembly shall be permitted to submit a list of 10 libraries, chambers of commerce or individuals. The Secretary of the Senate and the Chief Clerk of the Assembly shall order a sufficient number of bills and legislative publications to supply this list together with such number as may be necessary for legislative requirements.

Except as hereinabove provided, no complete list of bills shall be delivered except upon payment therefor of the sum of seventy-five dollars ($75) at a General Session or twenty-five dollars ($25) at a Budget Session, nor shall more than two copies of bills or other legislative publications be distributed free to any person, office or organization except to Members of the Legislature, the Secretary of the Senate and the Chief Clerk of the Assembly for the proper functioning of their respective houses; the Legislative Counsel Bureau; Attorney General's Office; Secretary of State's Office; Controller's Office; Governor's Office; the Clerk of the Supreme Court; the clerk of the district court of appeal for each district; the Judicial Council; the State Library; the Library of Congress and to libraries of the University of California at Berkeley and at Los Angeles; and accredited members of the press. The State Printer shall fix the cost of such bills and publications, including postage, and such moneys as may be received by him shall, after deducting the cost of handling and mailing, be remitted on the first day of each month, one-half each to the Secretary of the Senate and the Chief Clerk of the Assembly for credit to legislative printing Legislative publications heretofore distributed through the Bureau of Documents shall be distributed through the Bill Room. Unless otherwise provided for, the total number of each bill to be printed shall be not more than 2,500.

OTHER LEGISLATIVE PRINTING

Printing of the Daily Journal

14. The State Printer shall print in such quantity as directed by the Secretary of the Senate and the Chief Clerk of the Assembly, copies of the Journal of each day's proceedings of each house. At the end of the session he shall also print, as directed by the Secretary of the Senate and the Chief Clerk

of the Assembly a sufficient number of copies properly paged after being corrected and indexed by the Secretary of the Senate and the Chief Clerk of the Assembly, to bind in book form as the Journal of the respective houses of the Legislature.

What Shall Be Printed in the Journal

15. The following shall always be printed in the Journal of each house:

(a) Messages from the Governor and messages from the other house, and the titles of all bills, joint and concurrent resolutions and constitutional amendments when introduced in, offered to, or acted upon by the house.

(b) Every vote taken in the house, and a statement of the contents of each petition, memorial or paper presented to the house.

(c) A true and accurate account of the proceedings of the house, when not acting as a Committee of the Whole.

Printing of the Daily File

16. A daily File of bills ready for consideration shall be printed each legislative day for each house.

The material to be printed in the File and the form and arrangement shall be determined by the respective houses.

Printing of History

17. Each house shall cause to be printed once each week, during the session, a complete History of all bills, constitutional amendments, concurrent, joint and house resolutions originating in or acted upon by the respective houses A regular form shall be prescribed by the Secretary of the Senate and the Chief Clerk of the Assembly. Such History shall show the action taken upon each measure up to and including the legislative day preceding its issuance. For each legislative day intervening there shall be printed a Supplementary History showing the action taken upon any measure since the issuance of the complete History.

Immediately following the adjournment for the constitutional recess, the History shall be compiled and printed to date of recess by the Secretary of the Senate and the Chief Clerk of the Assembly.

Authority for Printing Orders

18. The State Printer shall not print for use of either house nor charge to legislative printing any matter other than provided by law or by the Rules, except upon a written order signed by the Secretary of the Senate or the Chief Clerk of the Assembly. The Secretary of the Senate and the Chief Clerk of the Assembly may, when necessity requires it, order certain matter

printed in advance of the regular order, by the issuance of a rush order.

The Secretary of the Senate and the Chief Clerk of the Assembly are hereby authorized and directed between sessions to order and distribute for the members stationery and legislative publications for which there is a demand, and, subject to the Rules of their respective houses, to approve the bills covering such orders. All bills for printing must be presented by the State Printer within 30 days after the completion of said printing.

RECORD OF BILLS

Secretary and Chief Clerk to Keep Records

19. The Secretary of the Senate and the Chief Clerk of the Assembly shall keep a complete and accurate record of every action taken by the Senate and Assembly on every bill.

Secretary and Chief Clerk Shall Endorse Bills

20. The Secretary of the Senate and the Chief Clerk of the Assembly shall endorse on every original or engrossed bill a statement of any action taken by the Senate or Assembly concerning such bill.

ACTION IN ONE HOUSE ON BILL TRANSMITTED FROM THE OTHER

After a Bill Has Been Passed by the Senate or Assembly

21. When a bill has been passed by either house it shall be transmitted promptly to the other unless a motion to reconsider or a notice of motion to reconsider has been made or it is held pursuant to some rule or order of the house.

The procedure of referring bills to committees shall be determined by the respective houses.

Messages to Be in Writing Under Proper Signatures

22. Notice of the action of either house to the other shall be in writing and under the signature of the Secretary of the Senate or the Chief Clerk of the Assembly from which such message is to be conveyed. A receipt shall be taken from the officer to whom such message is delivered.

PASSAGE AND ENROLLING OF BILLS

Passage of Bills Preceding Final Adjournment

23. No Senate bill shall be passed by the Senate and no Assembly bill shall be passed by the Assembly within 10 days

prior to the adjournment sine die of the two houses of the Legislature at a general session or within one day prior to the adjournment sine die of the two houses of the Legislature at a budget session, unless permission to vote on such bill shall be granted by a three-fourths vote of the house of its origin after being recommended by the Committee on Rules (if it be a Senate bill) or by the Speaker of the Assembly (if it be an Assembly bill).

Enrollment of Bill After Passage

24 After a bill has passed both houses it shall be printed in enrolled form, omitting symbols indicating amendments, and shall be compared by the Engrossing and Enrolling Clerk and the proper committee of the house where it originated to determine that it is in the form approved by the houses. The enrolled bill shall thereupon be signed by the presiding officers of both houses and the Secretary of the Senate and Chief Clerk of the Assembly and presented without delay to the Governor. The committee shall report the time of presentation of the bill to the Governor to the house and the record shall be entered in the Journal. After enrollment and signature by the officers of the Legislature, constitutional amendments, concurrent and joint resolutions shall be filed without delay in the office of the Secretary of State and the time of filing shall be reported to the house and the record entered in the Journal.

AMENDMENTS AND CONFERENCES

Amendments to Amended Bills Must Be Attached

25. Whenever a bill or resolution which shall have been passed in one house shall be amended in the other, it shall immediately be reprinted as amended by the house making such amendment or amendments. Such amendment or amendments shall be attached to the bill or resolution so amended, and endorsed "adopted" and such amendment or amendments, if concurred in by the house in which such bill or resolution originated, shall be endorsed "concurred in," and such endorsement shall be signed by the Secretary or Assistant Secretary of the Senate, or the Chief Clerk or Assistant Clerk of the Assembly as the case may be; provided, however, that an amendment to the title of a bill adopted after the passage of such bill shall not necessitate reprinting, but such amendment must be concurred in by the house in which such bill originated.

To Concur or Refuse to Concur in Amendments

26. In case the Senate amend and pass an Assembly bill, or the Assembly amend and pass a Senate bill, the Senate (if it be a Senate bill) or the Assembly (if it be an Assembly bill)

must either "concur" or "refuse to concur" in the amendments. If the Senate concur (if it be a Senate bill), or the Assembly concur (if it be an Assembly bill), the Secretary or Chief Clerk shall notify the house making the amendments and the bill shall be ordered to enrollment.

Concurring in Amendments Adding Urgency Section

27. When a bill which has been passed in one house is amended in the other by the addition of a section providing that the act shall take effect immediately as an urgency measure, and is returned to the house in which it originated for concurrence in the amendment or amendments thereto, the procedure and vote thereon shall be as follows:

The presiding officer shall first direct that the urgency section be read and put to a vote. If two-thirds of the members elected to the house vote in the affirmative the presiding officer shall then direct that the question of whether the house shall concur in the amendment or amendments shall be put to a vote. If two-thirds of all the members elected to the house vote in the affirmative, concurrence in the amendments shall be effective.

If the affirmative vote on either of such questions is less than two-thirds of all the members elected to such house, the effect is a refusal to concur in the amendment or amendments, and the procedure thereupon shall be as provided in Joint Rule No. 28.

When Senate or Assembly Refuse to Concur

28. If the Senate or the Assembly refuse to concur in the amendments, the Committee on Rules (if it be a Senate bill) or the Speaker of the Assembly (if it be an Assembly bill) shall appoint a Committee of Three (3) on Conference and the Secretary or the Chief Clerk shall immediately notify the other house of the action taken and request the appointment of a like committee. Two of the members comprising such committee from each house shall be selected from those voting with the majority on the point about which the difference has arisen, and the other member from each house of such committee shall be selected from the minority, in the event there is a minority vote The first Senator named on the Conference Committee shall act as chairman of the committee from the Senate, and the first Assemblyman named on such committee shall act as chairman of the committee from the Assembly and the chairman thus selected shall arrange the time and place of all meetings and prepare or direct the preparation of reports. The Committee on Conference shall report to both the Senate and the Assembly.

Report of Committee on Conference

29. The report of the Committee on Conference shall not be subject to amendment, and if either house refuse to adopt such report the conferees may be discharged and other conferees

appointed; provided, however, that no more than three different Conference Committees shall be appointed on any one bill.

It shall require the affirmative vote of not less than four of the members constituting the committee to agree upon a report. No member who has served on a Committee on Conference shall be appointed a member of another Committee on Conference on the same bill.

When Conference Committee Report Is in Order

30. The presentation of the report of a Committee on Conference shall always be in order, except when a question of order or a motion to adjourn is pending, or during roll call, and, when received, the question of proceeding to the consideration of the report, if raised, shall be immediately passed upon, and shall be determined without debate.

MISCELLANEOUS PROVISIONS

Authority When Rules Do Not Govern

31. All relations between the houses which are not covered by these Rules shall be governed by Mason's Manual.

Press Rules

32. (a) Persons desiring privileges of accredited press representatives shall make application to the Speaker of the Assembly, as required by Rule 94 of Assembly Rules, and to the Committee on Rules of the Senate, as required by Rule 13 of Senate Rules; and shall state in writing the names of the daily newspapers or news associations by which they are employed, and what other occupation or employment they may have, if any; and they shall further declare that they are not employed, directly or indirectly, to assist in the prosecution of the legislative business of any person, corporation or association, and will not become so employed while retaining the privileges of accredited press representatives.

(b) The applications required by the above rule shall be authenticated in a manner that shall be satisfactory to the standing committee of the Capitol Correspondents Association which shall see that occupation of seats and desks in the Senate and the Assembly chambers is confined to bona fide correspondents of reputable standing in their business, who represent daily newspapers requiring a daily file of legislative news, or who represent news associations requiring daily telegraphic or radio service on legislative news. It shall be the duty of the standing committee at their discretion, to report violation of accredited press privileges to the Speaker of the Assembly, or to the Senate Committee on Rules, and pending action thereon the offending correspondent may be suspended by the standing committee.

(c) Persons engaged in other occupations whose chief attention is not given to newspaper correspondence or to newspaper associations requiring telegraphic service shall not be entitled to the privileges accorded accredited press representatives; and the press list in the Handbook of the California Legislature and the Senate and Assembly Histories shall be a list only of persons authenticated by the standing committee of correspondents.

(d) The press seats and desks in the Senate and Assembly Chambers shall be under the control of the standing committee of correspondents, subject to the approval and supervision of the Speaker of the Assembly and the Senate Committee on Rules. Press cards shall be issued by the President of the Senate and the Speaker of the Assembly only to correspondents properly accredited in accordance with the provisions of this rule.

(e) One or more rooms shall be assigned for the exclusive use of correspondents during the legislative session, which rooms shall be known as the Press Room. The Press Room shall be under the control of the Chief of the Bureau of Buildings and Grounds; provided, that all rules and regulations shall be approved by the Senate Committee on Rules and the Speaker of the Assembly.

Dispensing With Joint Rules

33. No joint rule shall be dispensed with except by a vote of two-thirds of each house; and Joint Rule No. 23 can be dispensed with only in the manner provided for in said joint rule. If either house shall violate a joint rule a question of order may be raised in the other house and decided in the same manner as in the case of the violation of the Rules of such house; and if it shall be decided that the Joint Rules have been violated, the bill involving such violations shall be returned to the house in which it originated, and such disputed matter be considered in like manner as in Conference Committee.

Opinions of Legislative Counsel

34. Whenever the Legislative Counsel issues an opinion to any person other than the first named author analyzing the constitutionality, operation or effect of a pending bill or other legislative measure, he is authorized and instructed to deliver two copies of the opinion to the first named author as promptly as feasible after the delivery of the original opinion and also to deliver a copy to any other author of the bill or measure who so requests.

Expense of Members

35. As provided in Section 23b of Article IV of the Constitution, each Member of the Legislature is allowed and reimbursed as the expenses necessarily incurred by him while attending regular and special and extraordinary sessions of the

Legislature (including any recess of three days or less) an allowance authorized for other elected state officers at the time the expense is incurred.

Expense allowances for Members of the Senate and Assembly shall be approved and certified to the Controller by the Secretary of the Senate or the Chief Clerk of the Assembly respectively, weekly or as otherwise directed by either house, and a copy of the certificates shall be printed in Journals of the respective houses. Upon certification by the Secretary or the Chief Clerk the Controller shall draw his warrants in payment of the allowances to the respective members.

Investigating Committees

36. In order to expedite the work of the Legislature either house, or both houses jointly, may by resolution or statute provide for the appointment of committees to ascertain facts and to make recommendations as to any subject within the scope of legislative regulation or control.

The resolution providing for the appointment of a committee shall state the purpose of the committee, and the scope of the subject concerning which it is to act and may authorize it to act either during sessions of the Legislature or, when such authorization may lawfully be made, after final adjournment.

In the exercise of the power granted by this rule, each committee may appoint a secretary and adopt and amend such rules governing its procedure (including the fixing of its own quorum and the number of votes necessary to take action on any matter) as may appear necessary and proper to carry out the powers granted and duties imposed under this rule. It may employ such clerical, legal and technical assistants as may appear necessary.

Each such committee is authorized and empowered to summon and subpena witnesses, require the production of papers, books, accounts, reports, documents, records and papers of every kind and description, to issue subpenas and to take all necessary means to compel the attendance of witnesses and to procure testimony, oral and documentary.

Each member of such committees is authorized and empowered to administer oaths, and all of the provisions of Chapter 4, Part 1, Division 2, Title 2 of the Government Code, relating to the attendance and examination of witnesses before the Legislature and the committees thereof, shall apply to such committees.

The Sergeant-at-Arms of the Senate or Assembly, or such other person as may be designated by the chairman of the committee, shall serve any and all subpenas, orders and other process that may be issued by the committee, when directed to do so by the chairman or by a majority of the membership of the committee.

Every department, commission, board, agency, officer and employee of the State Government, including the Legislative

Counsel and the Attorney General and their subordinates, and of every political subdivision, county, city, or public district of or in this State, shall give and furnish to these committees and to their subcommittees upon request such information, records and documents as the committees deem necessary or proper for the achievement of the purposes for which each such committee was created.

Each such committee may meet at any time during the period in which it is authorized to act, even though the Legislature is in session, either, at the State Capitol or at any other place in the State of California, in public or executive session, and do any and all things necessary or convenient to enable it to exercise the powers and perform the duties herein granted to it or to accomplish the objects and purposes of the resolution creating it. Each such committee may expend such money as may be made available to it for such purpose; but no committee shall incur any indebtedness unless money shall have been first made available therefor.

Members shall not be entitled to any salary because of membership on any such committee but shall be allowed mileage at the rate of seven cents ($0 07) per mile each way incurred in connection with their services upon the committee and actual and necessary expenses for living accommodations and meals incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals, an allowance of fifteen dollars ($15) per day. No expenses for accommodations or meals or any allowance in lieu thereof shall be allowed for a day when the member is entitled to reimbursement for expenses under Joint Rule No. 35. The chairman of each committee shall audit and approve the expense claims of the members of the committee and shall certify the amount approved to the Controller, and the Controller shall draw his warrants upon the certification of the chairman.

The chairman of any such committee may appoint subcommittees and chairman thereof for the purpose of more expeditiously handling and considering matters referred to it. and such subcommittees and the chairman thereof shall have all the powers and authority herein conferred upon the committee and its chairman The chairman of such subcommittee shall audit the expense claims of the members of such subcommittees and other claims and the expenses incurred by it and shall certify the amount thereof to the chairman of the committee who shall, if he approves the same, certify the amount thereof to the Controller, and the Controller shall draw his warrant therefor upon such certification, and the Treasurer shall pay the same. Whenever such committee or any subcommittee thereof is authorized to leave the State of California in the performance of its duties, then such committee or subcommittee shall, while out of the State, have the same authority as if it were acting and functioning within the State, and the members thereof shall be entitled to receive the same expense allowances as if the committee were functioning within the State.

Notwithstanding any provision of this rule, if the standing rules of either house require that expense claims of members of committees be audited or approved, after approval of the committee chairman, by another agency of either house, the Controller shall draw his warrants only upon the certification of such other agency.

Except salary claims of employees clearly subject to federal withheld tax and the requirement as to loyalty oaths, claims presented for services or pursuant to contract shall refer to the agreement, the terms of which shall be made available to the Controller.

36 1. Unless otherwise provided by respective House ~~or committee~~ rule or resolution, employees of legislative committees shall, when entitled to traveling expenses, be entitled to allowances in lieu of actual expenses for hotel accommodations, breakfast, lunch, and dinner, at the rates fixed by the Board of Control from time to time in limitation of reimbursement of expenses of state employees generally.

Legislative Budget Committee

37. In addition to any other committee provided for by these rules, there shall be a joint committee to be known and called the Legislative Budget Committee, which is hereby declared to be a continuing body.

It shall be the duty of the committee to ascertain facts and make recommendations to the Legislature and to the houses thereof concerning the State Budget, the revenues and expenditures of the State, and of the organization and functions of the State, its departments, subdivisions and agencies, with a view of reducing the cost of the State Government, and securing greater efficiency and economy.

The committee shall consist of five Members of the Senate and five Members of the Assembly. The Senate members of the committee shall be the President pro Tempore of the Senate and four members appointed by the Committee on Rules. The Assembly members of the committee shall consist of the Speaker and four other Members of the Assembly appointed by the Speaker. The committee shall select its own chairman.

Any vacancies occurring between general sessions, in the Senate membership of the Legislative Budget Committee, shall be filled by the Senate Committee on Rules, and the Senators appointed shall hold over until their successors are regularly selected. For the purposes of this provision, a vacancy shall be deemed to exist as to a Senator whose term is expiring whenever he is not re-elected at the general election.

Any vacancy occurring at any time in the Assembly membership of the committee shall be filled by appointment by the Speaker.

The committee shall have the authority to make rules to govern its own proceedings and its employees. It may also create subcommittees from its membership, assigning to its subcommittees any study, inquiry, investigation or hearing which the

committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and may exercise all the powers conferred upon the committee, limited only by the expressed terms of any rule or resolution of the committee defining the powers and duties of the subcommittee. Such powers may be withdrawn or terminated at any time by the committee.

The Legislative Budget Committee may render services to any investigating committee of the Legislature pursuant to contract between the Legislative Budget Committee and the committee for which the services are to be performed. The contract may provide for payment to the Legislative Budget Committee of the cost of such services from the funds appropriated to the contracting investigating committee. All legislative investigating committees are authorized to enter such contracts with the Legislative Budget Committee. Money received by the Legislative Budget Committee pursuant to any such agreement shall be in augmentation of the current appropriation for the support of the Legislative Budget Committee.

The provisions of Joint Rule 36 above shall apply to the Legislative Budget Committee, and it shall have all the authority provided in such rule or in Article IV, Section 37, of the Constitution.

The committee shall have authority to appoint a Legislative Auditor, to fix his compensation and to prescribe his duties, and to appoint such other clerical and technical employees as may appear necessary. The duties of the Legislative Auditor shall be as follows:

(1) To ascertain the facts and make recommendations to the Budget Committee and under their direction to the committees of the Legislature concerning:

(a) State Budget.

(b) Revenues and expenditures of the State.

(c) The organization and functions of the State, its departments, subdivisions and agencies.

(2) To assist the Senate Finance Committee and the Assembly Ways and Means Committee in consideration of the budget and all bills carrying express or implied appropriations and all legislation affecting state departments and their efficiency; to appear before any other legislative committee, and to assist any other legislative committees upon instruction by the Legislative Budget Committee.

(3) To provide all legislative committees and Members of the Legislature with information obtained under the direction of the Legislative Budget Committee.

(4) To maintain a record of all work performed by the Legislative Auditor under the direction of the Legislative Budget Committee and to keep and make available all documents, data and reports submitted to him by any Senate, Assembly or joint committee. The committee may meet either during sessions of the Legislature, any recess thereof, or after final adjournment, and may meet or conduct business at any place within the State of California.

The members of the committee shall serve without compensation but shall be entitled to actual and necessary expenses including expenses for living accommodations and meals incurred in connection with their services on the committee, or in lieu of such expenses for accommodations and meals they shall be entitled to the same allowance as members of other committees authorized to function after adjournment. The chairman of the committee, or in the event of his inability to act, the vice chairman shall audit and approve the expenses of members of the committee or salaries of the employees, and all other expenses incurred in connection with the performance of its duties by the committee, and the chairman shall certify the amount approved to the Controller, and the Controller shall draw his warrants upon the certification of the chairman, and the Treasurer shall pay the same to the chairman of the committee to be disbursed by him.

On and after the commencement of a succeeding general session those members of the committee who continue to be Members of the Senate and Assembly, respectively, continue as members of the committee until their successors are appointed, and the committee continues with all its powers, duties, authority, records, papers, personnel and staff, and all funds theretofore made available for its use.

Upon the conclusion of its work, any Assembly, Senate, or joint committee (other than a standing committee) shall deliver to the Legislative Auditor for use and custody, available to the Members of the Legislature, all documents, data, reports and other materials that have come into the possession of such committee and which are not included within the final report of such committee to the Assembly, Senate, or the Legislature, as the case may be.

The Legislative Auditor with the consent of the committee shall make available to such members or committees any records, documents or other data under his control or shall secure and provide any information falling within the scope of his employment or which concerns the administration of the government of the State of California. But, except as hereinabove provided, neither the Legislative Auditor or any employee of the committee shall reveal to any person not a member of or employed by the committee the contents or nature of any matter or the author of any request, except with the permission of the committee or legislator making such request, or under the express direction of the Legislative Budget Committee.

The Legislative Auditor upon the receipt of a request from any committee or Member of the Legislature, shall at once secure the consent of the committee without disclosing the nature of the request or the name of the requestor to provide the requesting committee or legislator with the service or information requested, and thereupon shall notify the requestor or committee or legislator that he is authorized to provide the information, and shall inform the committee or legislator the approximate date when this information will be available. Should there be

any material delay he shall subsequently communicate this fact to the requestor. In the event the committee refuses such authorization, he shall inform such requestor forthwith.

Adjournment

38. Adjournment for the constitutional recess and adjournment sine die shall be made only by concurrent resolution.

Designating Legislative Sessions

39. Hereafter all regular sessions of the Legislature shall be designated by the year in which held, and all extraordinary sessions shall be designated in numerical order by the year in which convened.

40. The Joint Committee in Inter-House Cooperation is hereby created. It shall be the duty of the committee to ascertain facts and make recommendations to the Legislature and to the houses thereof, concerning the relationship between the two houses and procedures calculated to expedite the affairs of the Legislature by improving that relationship.

Any matter of business of either house, the transaction of which would affect the interests of the other house, may be referred to the committee for action if the Legislature is in session, and shall be referred to the committee for action if the Legislature is not in session.

The committee has a continuing existence and may meet, act, and conduct its business at any place within the State, during sessions of the Legislature or any recess thereof, and in the interim period between sessions.

The committee shall consist of five Members of the Senate and five Members of the Assembly. The Senate membership shall consist of the President pro Tempore of the Senate, and four members appointed by the Committee on Rules. The Assembly members of the committee shall consist of the Speaker, the Chairman of the Assembly Committee on Rules and the three other Members of the Assembly appointed by the Speaker. The committee shall select its own chairman.

Any vacancies occurring between sessions in the Senate membership of the committee shall be filled by the Senate Committee on Rules. Vacancies occurring in the Assembly membership shall be filled by appointment by the Speaker.

The committee shall have authority to make rules to govern its own proceedings. It may also create subcommittees from its membership and assign to such subcommittees any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold.

The provisions of Joint Rule 36 shall apply to the committee, and it shall have all the authority provided in such rule or in Article IV, Section 37 of the Constitution.

O

REQUEST FOR UNANIMOUS CONSENT THAT PROPOSED AMENDMENTS TO SENATE CONCURRENT RESOLUTION NO. 10 BE PRINTED IN JOURNAL

Mr. Dickey asked for, and was granted, unanimous consent that the proposed Rules Committee amendments to Senate Concurrent Resolution No. 10 be ordered printed in the Journal, as follows:

PROPOSED BY THE COMMITTEE ON RULES

AMENDMENTS TO SENATE CONCURRENT RESOLUTION NO. 10, AS AMENDED IN SENATE JANUARY 11, 1951

Amendment No. 1

On page 1, lines 6 and 7, of the printed measure, as amended in the Senate on January 11, 1951, strike out "committees and committee meetings".

Amendment No. 2

On page 4, line 12, of said measure, after "Assembly.", insert "Except as otherwise provided by either the Assembly or Senate.".

Amendment No. 3

On page 4, line 12, of said measure, strike out "Each", and insert "each".

Amendment No. 4

On page 4, line 14, of said measure, strike out "libraries, chambers of commerce", and insert "organizations".

Amendment No. 5

On page 11, of said measure, strike out all of lines 4 through 11, inclusive.

Amendment No. 6

On page 12, line 21, of said measure, after "rate of", strike out "seven cents ($0.07)", and insert "ten cents ($0.10)".

Amendment No. 7

On page 13, line 12, of said measure, after "House", insert "or committee".

Amendment No. 8

On page 13, line 18, of said measure, after "generally", insert ", provided that if an allowance for hotel accommodations, breakfast, lunch and dinner is made by a committee at a rate in excess of those fixed by the Board of Control the chairman of the committee shall notify the Controller of that fact in writing"

Amendment No. 9

On page 13, of said measure, after line 46, insert

"Any vacancies occuring between general sessions, in the Assembly membership of the Legislative Budget Committee, shall be filled by the Speaker of the Assembly, and the Members of the Assembly appointed shall hold over until their successors are regularly selected For the purposes of this provision, a vacancy shall be deemed to exist as to a Member of the Assembly whose term is expiring whenever he is not re-elected at the general election."

Amendment No. 10

On page 16, of said measure, between lines 15 and 16, insert

"Joint Committee on Interhouse Cooperation"

Amendment No. 11

On page 16, line 16, of said measure, strike out "in", and insert "on".

Amendment No. 12

On page 16, line 4, of said measure, insert

"37.5. In addition to the duties hereinabove prescribed the Legislative Auditor is directed, so long as he is designated to be "Clerk" or "Secretary" pursuant to Section 9900(d) of the Government Code, to assign one or more members of his staff to carry out the filing duties imposed by Sections 9900 through 9907 of the Government Code, but he shall undertake no duties which are not specifically authorized by the Joint Rules, by contracts entered into pursuant to such rules, or by direction of the Legislative Budget Committee."

REQUEST FOR UNANIMOUS CONSENT THAT SENATE CONCURRENT RESOLUTION NO. 10 WITH PROPOSED AMENDMENTS BE PRINTED IN JOURNAL

Mr Dickey asked for, and was granted, unanimous consent that Senate Concurrent Resolution No. 10, which relates to the Joint Standing Rules, be ordered printed in the Journal showing proposed Assembly Rules Committee amendments, as follows:

PROPOSED ASSEMBLY RULES COMMITTEE AMENDMENTS SHOWN IN STRIKEOUT AND ITALICS TYPE

PROPOSED ASSEMBLY AMENDMENTS
AMENDED IN SENATE JANUARY 11, 1951

Senate Concurrent Resolution No. 10

Introduced by Senator Powers

January 10, 1951

WITHOUT REFERENCE TO COMMITTEE

Senate Concurrent Resolution No. 10—Relative to Joint Rules of the Senate and Assembly.

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the following Rules be adopted as the Joint Rules of the Senate and Assembly for the 1951 Regular Session of the California Legislature.

JOINT RULES OF THE SENATE AND ASSEMBLY ~~COMMITTEES AND COMMITTEE MEETINGS~~

COMMITTEES AND COMMITTEE MEETINGS

Standing Committees

1. Each house shall appoint such standing committees as the business of the house may require, the committees, the number of members and the manner of selection to be determined by the Rules of each house.

Joint Committees

2. The Rules Committees of each house shall constitute the Joint Standing Committee on Joint Rules of the Senate and the Assembly.

Joint Meeting of Committees

3. Whenever any bill has been referred by the Senate to one of its committees, and the same or a like bill has been referred by the Assembly to one of its committees, the chairmen

of the respective committees, when in their judgment the interests of legislation or the expedition of business will be better served thereby, shall arrange for a joint meeting of their committees for the consideration of such bill.

Effect of Adoption of Joint Rules

3.5. The adoption of the Joint Rules for any budget session or extraordinary session shall not be construed as modifying or rescinding the Joint Rules of the Senate and Assembly for any previous session, nor as affecting in any way the status or powers of the interim committees created by those rules.

BILLS AND RESOLUTIONS

Definition of Word Bill

4. Whenever the word "bill" is used in these Rules, it shall include constitutional amendments, concurrent and joint resolutions.

Concurrent and Joint Resolutions

5. Concurrent resolutions relate to matters to be treated by both houses of the Legislature.

Joint resolutions are those which relate to matters connected with the Federal Government.

Resolutions Treated as Bills

6. Constitutional amendments, concurrent and joint resolutions shall be treated in all respects as bills; except that they shall be given only one formal reading in each house and that they shall not be deemed bills within the meaning of Section 2 of Article IV of the Constitution, and shall not be referred to the Committee on Introduction of Bills, and shall not require a vote to authorize their introduction, and except as provided in Rule 24. As in the case of bills, they shall be engrossed in the house in which they originate before being voted upon.

PREPARATION AND INTRODUCTION OF BILLS

Title of Bill

7. The title of every bill introduced shall convey an accurate idea of the contents of the bill and shall be indicative of the scope of the act and the object to be accomplished. In amending a code section, the mere reference to the section by number shall not be deemed sufficient.

Division of Bill Into Sections

8. A bill amending more than one section of an existing law shall contain a separate section for each section amended.

Bills which are not amendatory of existing laws shall be divided into short sections, where this can be done without destroying the sense of any particular section, to the end that future amendments may be made without the necessity of setting forth and repeating sections of unnecessary length.

Restrictions as to Amendments

9. A substitute or amendment must relate to the same subject as the original bill, constitutional amendment or resolution under consideration.

Changes in Existing Law to Be Marked by Author

10. In a bill amending a code section or a general law, any new matter shall be underlined and any matter to be omitted shall be in type bearing a horizontal line through the center and commonly known as "strikeout" type. When printed the new matter shall be printed in italics, and the matter to be omitted shall be printed in "strikeout" type.

In any amendment to a bill which sets out for the first time a section being amended, any new matter to be added and any matter to be omitted shall be indicated by the author and shall be printed in the same manner as though the section as amended were a part of the original bill and was being printed for the first time.

Printing of Amendments

11. All bills amended by either house shall be immediately reprinted; in the case new matter is added by the amendment such new matter shall be printed in italics in the printed bill, and in the case of matter being omitted, the matter to be omitted shall be printed in strikeout type. When a bill is amended in either house, the first or previous markings shall be omitted.

Printing and Distribution of Bills—
Manner of Printing Bills

12 The State Printer shall observe the following directions in printing all bills, constitutional amendments, concurrent and joint resolutions:

(a) The body of such bills shall be printed in solid unspaced form in 10-point roman type so that the same type shall be used both before and after enrollment Concurrent resolutions approving city or county charters or amendments thereto may be set in smaller type.

(b) All titles of bills shall be set in italics, statute form and the length of the lines used in the titles shall not exceed that of the body of the bill.

(c). The lines of all printed bills shall be numbered by page and not by sections, and amendments shall be identified by reference to title, page and line only.

Distribution of Legislative Publications

13. All requests for mailing or distribution of bills and legislative publications shall be filed with the Secretary of the Senate or the Chief Clerk of the Assembly. *Except as otherwise provided by either the Assembly or Senate* ~~Each~~ *each* Member of the Senate and Assembly shall be permitted to submit a list of 10 ~~libraries, chambers of commerce~~ *organizations* or individuals. The Secretary of the Senate and the Chief Clerk of the Assembly shall order a sufficient number of bills and legislative publications to supply this list together with such number as may be necessary for legislative requirements.

Except as hereinabove provided, no complete list of bills shall be delivered except upon payment therefor of the sum of seventy-five dollars ($75) at a General Session or twenty-five dollars ($25) at a Budget Session, nor shall more than two copies of bills or other legislative publications be distributed free to any person, office or organization except to Members of the Legislature, the Secretary of the Senate and the Chief Clerk of the Assembly for the proper functioning of their respective houses; the Legislative Counsel Bureau; Attorney General's Office; Secretary of State's Office; Controller's Office; Governor's Office; the Clerk of the Supreme Court; the clerk of the district court of appeal for each district; the Judicial Council; the State Library; the Library of Congress and to libraries of the University of California at Berkeley and at Los Angeles; and accredited members of the press. The State Printer shall fix the cost of such bills and publications, including postage, and such moneys as may be received by him shall, after deducting the cost of handling and mailing, be remitted on the first day of each month, one-half each to the Secretary of the Senate and the Chief Clerk of the Assembly for credit to legislative printing. Legislative publications heretofore distributed through the Bureau of Documents shall be distributed through the Bill Room. Unless otherwise provided for, the total number of each bill to be printed shall be not more than 2,500.

OTHER LEGISLATIVE PRINTING

Printing of the Daily Journal

14. The State Printer shall print in such quantity as directed by the Secretary of the Senate and the Chief Clerk of the Assembly, copies of the Journal of each day's proceedings of each house. At the end of the session he shall also print, as directed by the Secretary of the Senate and the Chief Clerk

of the Assembly a sufficient number of copies properly paged after being corrected and indexed by the Secretary of the Senate and the Chief Clerk of the Assembly, to bind in book form as the Journal of the respective houses of the Legislature.

What Shall Be Printed in the Journal

15. The following shall always be printed in the Journal of each house:

(a) Messages from the Governor and messages from the other house, and the titles of all bills, joint and concurrent resolutions and constitutional amendments when introduced in, offered to, or acted upon by the house.

(b) Every vote taken in the house, and a statement of the contents of each petition, memorial or paper presented to the house.

(c) A true and accurate account of the proceedings of the house, when not acting as a Committee of the Whole.

Printing of the Daily File

16. A daily File of bills ready for consideration shall be printed each legislative day for each house.

The material to be printed in the File and the form and arrangement shall be determined by the respective houses.

Printing of History

17. Each house shall cause to be printed once each week, during the session, a complete History of all bills, constitutional amendments, concurrent, joint and house resolutions originating in or acted upon by the respective houses. A regular form shall be prescribed by the Secretary of the Senate and the Chief Clerk of the Assembly. Such History shall show the action taken upon each measure up to and including the legislative day preceding its issuance. For each legislative day intervening there shall be printed a Supplementary History showing the action taken upon any measure since the issuance of the complete History.

Immediately following the adjournment for the constitutional recess, the History shall be compiled and printed to date of recess by the Secretary of the Senate and the Chief Clerk of the Assembly.

Authority for Printing Orders

18. The State Printer shall not print for use of either house nor charge to legislative printing any matter other than provided by law or by the Rules, except upon a written order signed by the Secretary of the Senate or the Chief Clerk of the Assembly. The Secretary of the Senate and the Chief Clerk of the Assembly may, when necessity requires it, order certain matter

printed in advance of the regular order, by the issuance of a rush order.

The Secretary of the Senate and the Chief Clerk of the Assembly are hereby authorized and directed between sessions to order and distribute for the members stationery and legislative publications for which there is a demand, and, subject to the Rules of their respective houses, to approve the bills covering such orders. All bills for printing must be presented by the State Printer within 30 days after the completion of said printing.

RECORD OF BILLS

Secretary and Chief Clerk to Keep Records

19. The Secretary of the Senate and the Chief Clerk of the Assembly shall keep a complete and accurate record of every action taken by the Senate and Assembly on every bill.

Secretary and Chief Clerk Shall Endorse Bills

20. The Secretary of the Senate and the Chief Clerk of the Assembly shall endorse on every original or engrossed bill a statement of any action taken by the Senate or Assembly concerning such bill.

ACTION IN ONE HOUSE ON BILL TRANSMITTED FROM THE OTHER

After a Bill Has Been Passed by the Senate or Assembly

21. When a bill has been passed by either house it shall be transmitted promptly to the other unless a motion to reconsider or a notice of motion to reconsider has been made or it is held pursuant to some rule or order of the house.

The procedure of referring bills to committees shall be determined by the respective houses.

Messages to Be in Writing Under Proper Signatures

22. Notice of the action of either house to the other shall be in writing and under the signature of the Secretary of the Senate or the Chief Clerk of the Assembly from which such message is to be conveyed. A receipt shall be taken from the officer to whom such message is delivered.

PASSAGE AND ENROLLING OF BILLS

Passage of Bills Preceding Final Adjournment

23. No Senate bill shall be passed by the Senate and no Assembly bill shall be passed by the Assembly within 10 days

prior to the adjournment sine die of the two houses of the Legislature at a general session or within one day prior to the adjournment sine die of the two houses of the Legislature at a budget session, unless permission to vote on such bill shall be granted by a three-fourths vote of the house of its origin after being recommended by the Committee on Rules (if it be a Senate bill) or by the Speaker of the Assembly (if it be an Assembly bill).

Enrollment of Bill After Passage

24. After a bill has passed both houses it shall be printed in enrolled form, omitting symbols indicating amendments, and shall be compared by the Engrossing and Enrolling Clerk and the proper committee of the house where it originated to determine that it is in the form approved by the houses. The enrolled bill shall thereupon be signed by the presiding officers of both houses and the Secretary of the Senate and Chief Clerk of the Assembly and presented without delay to the Governor. The committee shall report the time of presentation of the bill to the Governor to the house and the record shall be entered in the Journal. After enrollment and signature by the officers of the Legislature, constitutional amendments, concurrent and joint resolutions shall be filed without delay in the office of the Secretary of State and the time of filing shall be reported to the house and the record entered in the Journal.

AMENDMENTS AND CONFERENCES

Amendments to Amended Bills Must Be Attached

25. Whenever a bill or resolution which shall have been passed in one house shall be amended in the other, it shall immediately be reprinted as amended by the house making such amendment or amendments Such amendment or amendments shall be attached to the bill or resolution so amended, and endorsed "adopted" and such amendment or amendments, if concurred in by the house in which such bill or resolution originated, shall be endorsed "concurred in," and such endorsement shall be signed by the Secretary or Assistant Secretary of the Senate, or the Chief Clerk or Assistant Clerk of the Assembly as the case may be; provided, however, that an amendment to the title of a bill adopted after the passage of such bill shall not necessitate reprinting, but such amendment must be concurred in by the house in which such bill originated.

To Concur or Refuse to Concur in Amendments

26. In case the Senate amend and pass an Assembly bill, or the Assembly amend and pass a Senate bill, the Senate (if it be a Senate bill) or the Assembly (if it be an Assembly bill)

must either "concur" or "refuse to concur" in the amendments. If the Senate concur (if it be a Senate bill), or the Assembly concur (if it be an Assembly bill), the Secretary or Chief Clerk shall notify the house making the amendments and the bill shall be ordered to enrollment.

Concurring in Amendments Adding Urgency Section

27. When a bill which has been passed in one house is amended in the other by the addition of a section providing that the act shall take effect immediately as an urgency measure, and is returned to the house in which it originated for concurrence in the amendment or amendments thereto, the procedure and vote thereon shall be as follows:

The presiding officer shall first direct that the urgency section be read and put to a vote. If two-thirds of the members elected to the house vote in the affirmative the presiding officer shall then direct that the question of whether the house shall concur in the amendment or amendments shall be put to a vote. If two-thirds of all the members elected to the house vote in the affirmative, concurrence in the amendments shall be effective.

If the affirmative vote on either of such questions is less than two-thirds of all the members elected to such house, the effect is a refusal to concur in the amendment or amendments, and the procedure thereupon shall be as provided in Joint Rule No. 28.

When Senate or Assembly Refuse to Concur

28. If the Senate or the Assembly refuse to concur in the amendments, the Committee on Rules (if it be a Senate bill) or the Speaker of the Assembly (if it be an Assembly bill) shall appoint a Committee of Three (3) on Conference and the Secretary or the Chief Clerk shall immediately notify the other house of the action taken and request the appointment of a like committee. Two of the members comprising such committee from each house shall be selected from those voting with the majority on the point about which the difference has arisen, and the other member from each house of such committee shall be selected from the minority, in the event there is a minority vote. The first Senator named on the Conference Committee shall act as chairman of the committee from the Senate, and the first Assemblyman named on such committee shall act as chairman of the committee from the Assembly and the chairman thus selected shall arrange the time and place of all meetings and prepare or direct the preparation of reports. The Committee on Conference shall report to both the Senate and the Assembly.

Report of Committee on Conference

29. The report of the Committee on Conference shall not be subject to amendment, and if either house refuse to adopt such report the conferees may be discharged and other conferees

appointed; provided, however, that no more than three different Conference Committees shall be appointed on any one bill.

It shall require the affirmative vote of not less than four of the members constituting the committee to agree upon a report. No member who has served on a Committee on Conference shall be appointed a member of another Committee on Conference on the same bill.

When Conference Committee Report Is in Order

30. The presentation of the report of a Committee on Conference shall always be in order, except when a question of order or a motion to adjourn is pending, or during roll call, and, when received, the question of proceeding to the consideration of the report, if raised, shall be immediately passed upon, and shall be determined without debate.

MISCELLANEOUS PROVISIONS

Authority When Rules Do Not Govern

31. All relations between the houses which are not covered by these Rules shall be governed by Mason's Manual.

Press Rules

32. (a) Persons desiring privileges of accredited press representatives shall make application to the Speaker of the Assembly, as required by Rule 94 of Assembly Rules, and to the Committee on Rules of the Senate, as required by Rule 13 of Senate Rules; and shall state in writing the names of the daily newspapers or news associations by which they are employed, and what other occupation or employment they may have, if any; and they shall further declare that they are not employed, directly or indirectly, to assist in the prosecution of the legislative business of any person, corporation or association, and will not become so employed while retaining the privileges of accredited press representatives.

(b) The applications required by the above rule shall be authenticated in a manner that shall be satisfactory to the standing committee of the Capitol Correspondents Association which shall see that occupation of seats and desks in the Senate and the Assembly chambers is confined to bona fide correspondents of reputable standing in their business, who represent daily newspapers requiring a daily file of legislative news, or who represent news associations requiring daily telegraphic or radio service on legislative news. It shall be the duty of the standing committee at their discretion, to report violation of accredited press privileges to the Speaker of the Assembly, or to the Senate Committee on Rules, and pending action thereon the offending correspondent may be suspended by the standing committee.

(c) Persons engaged in other occupations whose chief attention is not given to newspaper correspondence or to newspaper associations requiring telegraphic service shall not be entitled to the privileges accorded accredited press representatives; and the press list in the Handbook of the California Legislature and the Senate and Assembly Histories shall be a list only of persons authenticated by the standing committee of correspondents.

(d) The press seats and desks in the Senate and Assembly Chambers shall be under the control of the standing committee of correspondents, subject to the approval and supervision of the Speaker of the Assembly and the Senate Committee on Rules. Press cards shall be issued by the President of the Senate and the Speaker of the Assembly only to correspondents properly accredited in accordance with the provisions of this rule.

(e) One or more rooms shall be assigned for the exclusive use of correspondents during the legislative session, which rooms shall be known as the Press Room. The Press Room shall be under the control of the Chief of the Bureau of Buildings and Grounds; provided, that all rules and regulations shall be approved by the Senate Committee on Rules and the Speaker of the Assembly.

Dispensing With Joint Rules

33. No joint rule shall be dispensed with except by a vote of two-thirds of each house; and Joint Rule No. 23 can be dispensed with only in the manner provided for in said joint rule. If either house shall violate a joint rule a question of order may be raised in the other house and decided in the same manner as in the case of the violation of the Rules of such house; and if it shall be decided that the Joint Rules have been violated, the bill involving such violations shall be returned to the house in which it originated, and such disputed matter be considered in like manner as in Conference Committee.

Opinions of Legislative Counsel

34. Whenever the Legislative Counsel issues an opinion to any person other than the first named author analyzing the constitutionality, operation or effect of a pending bill or other legislative measure, he is authorized and instructed to deliver two copies of the opinion to the first named author as promptly as feasible after the delivery of the original opinion and also to deliver a copy to any other author of the bill or measure who so requests.

Expense of Members

35. As provided in Section 23b of Article IV of the Constitution, each Member of the Legislature is allowed and reimbursed as the expenses necessarily incurred by him while attending regular and special and extraordinary sessions of the

Legislature (including any recess of three days or less) an allowance authorized for other elected state officers at the time the expense is incurred.

~~Expense allowances for Members of the Senate and Assembly shall be approved and certified to the Controller by the Secretary of the Senate or the Chief Clerk of the Assembly respectively, weekly or as otherwise directed by either house, and a copy of the certificates shall be printed in Journals of the respective houses. Upon certification by the Secretary or the Chief Clerk the Controller shall draw his warrants in payment of the allowances to the respective members.~~

Investigating Committees

36. In order to expedite the work of the Legislature either house, or both houses jointly, may by resolution or statute provide for the appointment of committees to ascertain facts and to make recommendations as to any subject within the scope of legislative regulation or control.

The resolution providing for the appointment of a committee shall state the purpose of the committee, and the scope of the subject concerning which it is to act and may authorize it to act either during sessions of the Legislature or, when such authorization may lawfully be made, after final adjournment.

In the exercise of the power granted by this rule, each committee may appoint a secretary and adopt and amend such rules governing its procedure (including the fixing of its own quorum and the number of votes necessary to take action on any matter) as may appear necessary and proper to carry out the powers granted and duties imposed under this rule. It may employ such clerical, legal and technical assistants as may appear necessary.

Each such committee is authorized and empowered to summon and subpena witnesses, require the production of papers, books, accounts, reports, documents, records and papers of every kind and description, to issue subpenas and to take all necessary means to compel the attendance of witnesses and to procure testimony, oral and documentary.

Each member of such committees is authorized and empowered to administer oaths, and all of the provisions of Chapter 4, Part 1, Division 2, Title 2 of the Government Code, relating to the attendance and examination of witnesses before the Legislature and the committees thereof, shall apply to such committees.

The Sergeant-at-Arms of the Senate or Assembly, or such other person as may be designated by the chairman of the committee, shall serve any and all subpenas, orders and other process that may be issued by the committee, when directed to do so by the chairman or by a majority of the membership of the committee.

Every department, commission, board, agency, officer and employee of the State Government, including the Legislative

Counsel and the Attorney General and their subordinates, and of every political subdivision, county, city, or public district of or in this State, shall give and furnish to these committees and to their subcommittees upon request such information, records and documents as the committees deem necessary or proper for the achievement of the purposes for which each such committee was created.

Each such committee may meet at any time during the period in which it is authorized to act, even though the Legislature is in session, either, at the State Capitol or at any other place in the State of California, in public or executive session, and do any and all things necessary or convenient to enable it to exercise the powers and perform the duties herein granted to it or to accomplish the objects and purposes of the resolution creating it. Each such committee may expend such money as may be made available to it for such purpose; but no committee shall incur any indebtedness unless money shall have been first made available therefor.

Members shall not be entitled to any salary because of membership on any such committee but shall be allowed mileage at the rate of ~~seven cents ($0.07)~~ *ten cents ($0.10)* per mile each way incurred in connection with their services upon the committee and actual and necessary expenses for living accommodations and meals incurred in connection with their services upon the committee, or in lieu of such expenses for accommodations and meals, an allowance of fifteen dollars ($15) per day. No expenses for accommodations or meals or any allowance in lieu thereof shall be allowed for a day when the member is entitled to reimbursement for expenses under Joint Rule No. 35. The chairman of each committee shall audit and approve the expense claims of the members of the committee and shall certify the amount approved to the Controller, and the Controller shall draw his warrants upon the certification of the chairman.

The chairman of any such committee may appoint subcommittees and chairman thereof for the purpose of more expeditiously handling and considering matters referred to it, and such subcommittees and the chairman thereof shall have all the powers and authority herein conferred upon the committee and its chairman The chairman of such subcommittee shall audit the expense claims of the members of such subcommittees and other claims and the expenses incurred by it and shall certify the amount thereof to the chairman of the committee who shall, if he approves the same, certify the amount thereof to the Controller, and the Controller shall draw his warrant therefor upon such certification, and the Treasurer shall pay the same. Whenever such committee or any subcommittee thereof is authorized to leave the State of California in the performance of its duties, then such committee or subcommittee shall, while out of the State, have the same authority as if it were acting and functioning within the State, and the members thereof shall be

entitled to receive the same expense allowances as if the committee were functioning within the State.

Notwithstanding any provision of this rule, if the standing rules of either house require that expense claims of members of committees be audited or approved, after approval of the committee chairman, by another agency of either house, the Controller shall draw his warrants only upon the certification of such other agency.

Except salary claims of employees clearly subject to federal withheld tax and the requirement as to loyalty oaths, claims presented for services or pursuant to contract shall refer to the agreement, the terms of which shall be made available to the Controller.

36 1. Unless otherwise provided by respective House *or committee* rule or resolution, employees of legislative committees shall, when entitled to traveling expenses, be entitled to allowances in lieu of actual expenses for hotel accommodations, breakfast, lunch, and dinner, at the rates fixed by the Board of Control from time to time in limitation of reimbursement of expenses of state employees generally, *provided that if an allowance for hotel accommodations, breakfast, lunch and dinner is made by a committee at a rate in excess of those fixed by the Board of Control the chairman of the committee shall notify the Controller of that fact in writing*.

Legislative Budget Committee

37. In addition to any other committee provided for by these rules, there shall be a joint committee to be known and called the Legislative Budget Committee, which is hereby declared to be a continuing body.

It shall be the duty of the committee to ascertain facts and make recommendations to the Legislature and to the houses thereof concerning the State Budget, the revenues and expenditures of the State, and of the organization and functions of the State, its departments, subdivisions and agencies, with a view of reducing the cost of the State Government, and securing greater efficiency and economy.

The committee shall consist of five Members of the Senate and five Members of the Assembly. The Senate members of the committee shall be the President pro Tempore of the Senate and four members appointed by the Committee on Rules. The Assembly members of the committee shall consist of the Speaker and four other Members of the Assembly appointed by the Speaker. The committee shall select its own chairman.

Any vacancies occurring between general sessions, in the Senate membership of the Legislative Budget Committee, shall be filled by the Senate Committee on Rules, and the Senators appointed shall hold over until their successors are regularly selected. For the purposes of this provision, a vacancy shall be deemed to exist as to a Senator whose term is expiring whenever he is not re-elected at the general election.

Any vacancies occuring between general sessions, in the Assembly membership of the Legislative Budget Committee, shall be filled by the Speaker of the Assembly, and the Members of the Assembly appointed shall hold over until their successors are regularly selected. For the purposes of this provision, a vacancy shall be deemed to exist as to a Member of the Assembly whose term is expiring whenever he is not re-elected at the general election.

Any vacancy occurring at any time in the Assembly membership of the committee shall be filled by appointment by the Speaker.

The committee shall have the authority to make rules to govern its own proceedings and its employees. It may also create subcommittees from its membership, assigning to its subcommittees any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and may exercise all the powers conferred upon the committee, limited only by the expressed terms of any rule or resolution of the committee defining the powers and duties of the subcommittee. Such powers may be withdrawn or terminated at any time by the committee.

The Legislative Budget Committee may render services to any investigating committee of the Legislature pursuant to contract between the Legislative Budget Committee and the committee for which the services are to be performed. The contract may provide for payment to the Legislative Budget Committee of the cost of such services from the funds appropriated to the contracting investigating committee. All legislative investigating committees are authorized to enter such contracts with the Legislative Budget Committee. Money received by the Legislative Budget Committee pursuant to any such agreement shall be in augmentation of the current appropriation for the support of the Legislative Budget Committee.

The provisions of Joint Rule 36 above shall apply to the Legislative Budget Committee, and it shall have all the authority provided in such rule or in Article IV, Section 37, of the Constitution.

The committee shall have authority to appoint a Legislative Auditor, to fix his compensation and to prescribe his duties, and to appoint such other clerical and technical employees as may appear necessary. The duties of the Legislative Auditor shall be as follows:

(1) To ascertain the facts and make recommendations to the Budget Committee and under their direction to the committees of the Legislature concerning:

(a) State Budget.

(b) Revenues and expenditures of the State.

(c) The organization and functions of the State, its departments, subdivisions and agencies.

(2) To assist the Senate Finance Committee and the Assembly Ways and Means Committee in consideration of the

budget and all bills carrying express or implied appropriations and all legislation affecting state departments and their efficiency; to appear before any other legislative committee, and to assist any other legislative committees upon instruction by the Legislative Budget Committee.

(3) To provide all legislative committees and Members of the Legislature with information obtained under the direction of the Legislative Budget Committee.

(4) To maintain a record of all work performed by the Legislative Auditor under the direction of the Legislative Budget Committee and to keep and make available all documents, data and reports submitted to him by any Senate, Assembly or joint committee. The committee may meet either during sessions of the Legislature, any recess thereof, or after final adjournment, and may meet or conduct business at any place within the State of California.

The members of the committee shall serve without compensation but shall be entitled to actual and necessary expenses including expenses for living accommodations and meals incurred in connection with their services on the committee, or in lieu of such expenses for accommodations and meals they shall be entitled to the same allowance as members of other committees authorized to function after adjournment. The chairman of the committee, or in the event of his inability to act, the vice chairman shall audit and approve the expenses of members of the committee or salaries of the employees, and all other expenses incurred in connection with the performance of its duties by the committee, and the chairman shall certify the amount approved to the Controller, and the Controller shall draw his warrants upon the certification of the chairman, and the Treasurer shall pay the same to the chairman of the committee to be disbursed by him.

On and after the commencement of a succeeding general session those members of the committee who continue to be Members of the Senate and Assembly, respectively, continue as members of the committee until their successors are appointed, and the committee continues with all its powers, duties, authority, records, papers, personnel and staff, and all funds theretofore made available for its use.

Upon the conclusion of its work, any Assembly, Senate, or joint committee (other than a standing committee) shall deliver to the Legislative Auditor for use and custody, available to the Members of the Legislature, all documents, data, reports and other materials that have come into the possession of such committee and which are not included within the final report of such committee to the Assembly, Senate, or the Legislature, as the case may be.

The Legislative Auditor with the consent of the committee shall make available to such members or committees any records, documents or other data under his control or shall secure and provide any information falling within the scope of his employment or which concerns the administration of the government

of the State of California. But, except as hereinabove provided, neither the Legislative Auditor or any employee of the committee shall reveal to any person not a member of or employed by the committee the contents or nature of any matter or the author of any request, except with the permission of the committee or legislator making such request, or under the express direction of the Legislative Budget Committee.

The Legislative Auditor upon the receipt of a request from any committee or Member of the Legislature, shall at once secure the consent of the committee without disclosing the nature of the request or the name of the requestor to provide the requesting committee or legislator with the service or information requested, and thereupon shall notify the requestor or committee or legislator that he is authorized to provide the information, and shall inform the committee or legislator the approximate date when this information will be available. Should there be any material delay he shall subsequently communicate this fact to the requestor. In the event the committee refuses such authorization, he shall inform such requestor forthwith.

37.5. In addition to the duties hereinabove prescribed the Legislative Auditor is directed, so long as he is designated to be "clerk" or "secretary" pursuant to Section 9900(d) of the Government Code, to assign one or more members of his staff to carry out the filing duties imposed by Sections 9900 through 9907 of the Government Code, but he shall undertake no duties which are not specifically authorized by the joint rules, by contracts entered into pursuant to such rules, or by direction of the Legislative Budget Committee.

Adjournment

38. Adjournment for the constitutional recess and adjournment sine die shall be made only by concurrent resolution.

Designating Legislative Sessions

39. Hereafter all regular sessions of the Legislature shall be designated by the year in which held, and all extraordinary sessions shall be designated in numerical order by the year in which convened.

Joint Committee on Inter-House Cooperation

40. The Joint Committee ~~in~~ *on* Inter-House Cooperation is hereby created. It shall be the duty of the committee to ascertain facts and make recommendations to the Legislature and to the houses thereof, concerning the relationship between the two houses and procedures calculated to expedite the affairs of the Legislature by improving that relationship.

Any matter of business of either house, the transaction of which would affect the interests of the other house, may be

referred to the committee for action if the Legislature is in session, and shall be referred to the committee for action if the Legislature is not in session.

The committee has a continuing existence and may meet, act, and conduct its business at any place within the State, during sessions of the Legislature or any recess thereof, and in the interim period between sessions.

The committee shall consist of five Members of the Senate and five Members of the Assembly. The Senate membership shall consist of the President pro Tempore of the Senate, and four members appointed by the Committee on Rules. The Assembly members of the committee shall consist of the Speaker, the Chairman of the Assembly Committee on Rules and the three other Members of the Assembly appointed by the Speaker. The committee shall select its own chairman.

Any vacancies occurring between sessions in the Senate membership of the committee shall be filled by the Senate Committee on Rules. Vacancies occurring in the Assembly membership shall be filled by appointment by the Speaker.

The committee shall have authority to make rules to govern its own proceedings. It may also create subcommittees from its membership and assign to such subcommittees any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold.

The provisions of Joint Rule 36 shall apply to the committee, and it shall have all the authority provided in such rule or in Article IV, Section 37 of the Constitution.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 1565: By Messrs. Porter and Erwin—An act to amend Section 2980 of the Civil Code, relating to the recording of conditional sales contracts of animate chattels and of mining machinery, and to add Section 2980.5 to the Civil Code, relating to the recording of conditional sales contracts and feeding agreements covering livestock and animate chattels.

Referred to Committee on Judiciary.

Assembly Bill No. 1566: By Mr. Porter—An act to amend Section 7403 of the Education Code, to repeal Section 7409 of said code, and to add Section 7461.5 to said code, relating to the authorization and issuance of bonds of school districts.

Referred to Committee on Education.

Assembly Bill No. 1567: By Messrs. Porter and Dills—An act to add Section 112.5 to the Education Code, relating to the teaching of trades and crafts.

Referred to Committee on Education.

Assembly Bill No. 1568: By Mr. Grant—An act to add Section 20020.5 to the Government Code, relating to the State Employees' Retirement System in respect to law enforcement personnel of juvenile bureaus of contracting agencies.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1569: By Mr. Grant—An act to amend Section 50 of the Public Utilities Act, relating to certificates of public convenience and necessity.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 1570: By Messrs. Grant and Klocksiem—An act to provide for the formation of districts within municipalities for the acquisition and improvement of public parking places for the parking of motor vehicles, and the isuance and sale of bonds to pay the costs of such acquisition and improvement and payable, in whole or in part, from revenues from such parking places and from revenues from parking meters on the public streets.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1571: By Messrs. Rosenthal, Condon, Kilpatrick, Porter, Elliott, McMillan, and Munnell—An act establishing a Labor Relations Board to promote equality of bargaining power between employer and employee and to diminish the causes of industrial disputes by encouraging collective bargaining, and making an appropriation

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1572: By Mr. Hinckley—An act to repeal Section 6413 of the Labor Code and to add Section 6413 to the Labor Code, relating to workmen's safety

Referred to Committee on Industrial Relations.

Assembly Bill No. 1573: By Messrs. Beck, Babbage, Smith, Levering, Conrad, Dills, and Doyle—An act relating to the registration of members of Communist organizations and regulating the activities of registrants.

Referred to Committee on Judiciary.

Assembly Bill No. 1574: By Mr. McCarthy—An act to repeal Sections 9752 and 9753 of, and to add Section 9752 to, the Elections Code, relating to sample ballots and polling place cards.

Referred to Committee on Elections and Reapportionment

Assembly Bill No. 1575: By Mr. McCarthy—An act to amend Section 9751 of the Elections Code, relating to the form of notice of election.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1576: By Messrs. Porter and Grant—An act to amend Section 1801 of the Education Code, relating to the System of Public Education.

Referred to Committee on Education.

Assembly Bill No. 1577: By Mr. Porter—An act to repeal Section 13582 and to amend Section 13583 of the California Education Code, relating to probationary employees.

Referred to Committee on Education

Assembly Bill No. 1578: By Mr. Lyon—An act to amend Section 29020 of the Health and Safety Code, relating to the furnishing of dangerous drugs.

Referred to Committee on Public Health.

Assembly Bill No. 1579: By Mr. Lyon—An act to amend Section 4032 of the Business and Professions Code, relating to the sale of drugs, chemicals and medicines.

Referred to Committee on Public Health.

Assembly Bill No. 1580: By Mr. Lyon—An act to amend Section 4162 of the Business and Professions Code, relating to the sale of hypodermic syringes and needles.

Referred to Committee on Public Health.

Assembly Bill No. 1581: By Mr. Lyon—An act to amend Section 20759 of, and to add Section 20765 to the Health and Safety Code, relating to the sale of poisons.

Referred to Committee on Public Health.

Assembly Bill No. 1582: By Mr. Maloney—An act to add Section 7 1 to the Alcoholic Beverage Control Act, relating to issuance of licenses.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 1583: By Mr. Dickey—An act to amend Section 27 of an act entitled "An act making an appropriation for allocation to cities, counties, and cities and counties to develop a postwar public works program comprising the preparation of surveys and plans and specifications for proposed public works and the acquisition of rights of way and sites for major streets, roads, bridges, sewerage and other public facilities, and providing the procedure for making such allocations," approved June 20, 1944, relating to postwar public works programs, and making an appropriation.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1584: By Mr. Dickey—An act to amend Section 26 of the Construction and Employment Act, relating to the State Allocation Board and to allocation of state funds to local agencies for the construction of public works, and making an appropriation.

Referred to Committee on Conservation, Planning, and Public Works.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 3.12 p.m., Mr. Dunn asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Education in the Post Office, at this time. Subject: Assembly Bill No. 1220.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 1585: By Messrs. Geddes and George D. Collins (By Request)—An act to provide for the securing of payment by owners of private automobiles of damages for injuries to persons or property caused by the negligence of such owners, or their agents, by requiring insurance, a surety bond, or a deposit of securities; and to prescribe penalties for violations of this act.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1586: By Mr. Porter—An act to add Section 14122.1 to the Education Code, relating to school district merit systems for noncertificated employees, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 1587: By Mr. Porter—An act to amend Sections 14112, 14122, 14122.5, 14127, 14131, and 14135 1 of the Education Code, relating to school district merit systems for noncertificated employees.

Referred to Committee on Education.

Assembly Bill No. 1588: By Mr. Porter—An act to amend Section 18707, and to repeal Section 18706, of the Education Code, relating to the sale of property and materials to pupils by school districts.

Referred to Committee on Education.

Assembly Bill No. 1589: By Mr. Porter—An act to amend Section 18852 of the Education Code, relating to the purchase of school district apparatus and supplies.

Referred to Committee on Education.

Assembly Bill No. 1590: By Mr. Porter—An act to amend Section 2209 of the Education Code, relating to the expenses of members of school district governing boards.

Referred to Committee on Education.

Assembly Bill No. 1591: By Mr. Porter—An act to amend Section 14376.2 of the Education Code, relating to members of the State Teachers' Retirement System.

Referred to Committee on Education.

Assembly Bill No. 1592: By Mr. Porter—An act to amend Section 16272 of the Education Code, relating to school busses.

Referred to Committee on Education.

Assembly Bill No. 1593: By Mr. Porter—An act to add Section 479 to the Vehicle Code, relating to crosswalks.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1594: By Mr. Porter—An act to add Section 2208.1 to the Education Code, relating to the expenditure of school district funds.

Referred to Committee on Education.

Assembly Bill No. 1595: By Mr. Porter—An act to amend Sections 5901 to 5905, inclusive, and the heading of Article 1, Chapter 8, Division 3, of the Education Code, relating to school district funds.

Referred to Committee on Education.

Assembly Bill No. 1596: By Messrs. Erwin, Butters, and Tomlinson—An act to provide for additional branch offices of the Department of Motor Vehicles and making an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1597: By Mr. Dickey—An act to amend Section 6060 of the Business and Professions Code, relating to admission to practice law.

Referred to Committee on Judiciary.

Assembly Bill No. 1598: By Mr. Dickey—An act to amend Section 6060.5 to the Business and Professions Code, relating to bar examinations of veterans.

Referred to Committee on Judiciary.

Assembly Bill No. 1599: By Mr. Dickey—An act to add Section 6060.1 to the Business and Professions Code to prescribe the qualifications for membership in the California Committee of Bar Examiners.

Referred to Committee on Judiciary.

Assembly Bill No. 1600: By Mr. Dickey—An act to repeal Section 6060.6 of the Business and Professions Code and to add a new section numbered 6060.6 thereto to provide for the admission to the practice of the law of persons performing duty in the armed services.

Referred to Committee on Judiciary.

Assembly Bill No. 1601: By Mr. Dickey—An act to repeal Sections 6060, 6060.5, 6060.6, 6060.7, and 6061 of the Business and Professions Code and to add a new Section 6060 thereto, relating to the accreditation of law schools and qualification for admission to practice law.

Referred to Committee on Judiciary.

Assembly Bill No. 1602: By Mr. Dickey—An act to repeal Sections 6060, 6060.5, 6060.6, 6060.7, and 6061 of the Business and Professions Code and to add a new Section 6060 thereto, relating to the accreditation of law schools and qualification for admission to practice law.

Referred to Committee on Judiciary.

Assembly Bill No. 1603: By Mr. Waters—An act to amend Section 1 of an act entitled "An act to add Sections 48, 49, 50, 51, 132 6, 293.5, 296.5, 5901.5, 5904.5, 5931.6, 5932.5, 5935.5, 5936.5, 7801.5, and 7842.5 to the Elections Code, relating to elections, declaring the urgency thereof, to take effect immediately," approved October 4, 1950, relating to elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1604: By Mr. Davis—An act to add Sections 2⅝, 13⅛, and 50⅛ to the Public Utilities Act, relating to public utilities, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 1605: By Mr. Porter—An act to add Section 11545 to the Business and Professions Code, relating to sewage facilities.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1606: By Messrs. Rumford, Dunn, and Lincoln—An act to add Section 370 to the Education Code, relating to employees of county superintendents of schools.

Referred to Committee on Education.

Assembly Bill No. 1607: By Mr. Rumford—An act to add Section 2600.1, to repeal and add Sections 3920, 3921, and 3946, to amend Section 5801, and to repeal Sections 2674, 2742, 2794, and 2795, of the Elections Code, relating to the direct primary.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1608: By Mr. Lindsay—An act to add Chapter 1.5, comprising Articles 1 and 2, to Part 2, Division 2, Title 2, of the Government Code, relating to the Legislature, providing for research aids thereto, creating the Legislative Research Bureau, the Legislative Research Council, the Senate and Assembly Committees on Legislative Organization, and the Joint Committee on Organization and Program, and prescribing their powers and duties.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1609: By Mr. Grant—An act to amend Section 25100 of the Corporations Code, relating to securities exempt from the application of the Corporate Securities Law, and providing for the exemption of securities the issuance of which has been authorized by the Federal Power Commission.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1610: By Mr. Clarke—An act to add Section 18.1 to the State Resources Act of 1945, relating to flood control.

Referred to Committee on Conservation, Planning, and Public Works

Assembly Bill No. 1611: By Mr. Clarke—An act to add Section 3 to an act entitled "An act relating to the application, acceptance and use of funds or assets of the California Rural Rehabilitation Corporation from the trustee thereof" (Chapter 414, Statutes 1949), relating to the purposes for which funds may be used.

Referred to Committee on Agriculture.

Assembly Bill No. 1612: By Mr Lindsay—An act to add Section 451 1 to the Vehicle Code, relating to vehicular traffic.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1613: By Messrs. Gubser, Lindsay, Lowrey, Belotti, Clarke, Hansen, and Kirkwood—An act to add Section 372.4 to the Vehicle Code, relating to vehicle registration fees.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1614: By Mr. Crowley—An act to add Section 471 to the Government Code, relating to the division of the State into districts for the election of Legislative Representatives.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1615: By Mr. Crowley—An act to add Section 492 to the Government Code, relating to the division of the State into districts for the election of Legislative Representatives

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1616: By Mr. Crowley—An act to amend Sections 633, 641, and 662 of the Welfare and Institutions Code, relating to institutions in which delinquent and other juveniles are housed, and to the powers and duties of probation officers and probation committees in connection therewith.

Referred to Committee on Judiciary.

Assembly Joint Resolution No. 7: By Messrs. Lowrey, Lindsay, and Sherwin—Relative to acquisition of land by the United States

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1951

MR. SPEAKER: Your Committee on Education, to which was referred: Assembly Bill No. 1220

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bill ordered to second reading.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 8 p.m.—

Municipal and County Government.

Upon adjournment—

Conservation, Planning, and Public Works, in Room 319.

Governmental Efficiency and Economy, in Room 435.

Tidelands and Transbay Crossing in Room 426. Subject: Grade Separation.

Tomorrow, Thursday, January 18th, at 10 a.m.—

Rules, in Room 319.

It was announced that the following committee would hold no meeting:

Today—

Finance and Insurance.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Maloney, the usual courtesies of the Assembly for this day were unanimously extended to B. F. Feigenbaum of San Francisco.

On request of Mr. Brady, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Alice Edwards Green of San Francisco.

On request of Mr. Maloney and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Edward Gaffney and Margaret Mary of San Francisco.

On request of Mr. Cooke, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Leonard W. Butler of Oxnard.

On request of Mr. Babbage, the usual courtesies of the Assembly for this day were unanimously extended to Albert Cage of Riverside.

On request of Messrs. Moss and Fleury, the usual courtesties of the Assembly for this day were unanimously extended to Jack W. Davis, teacher of the Sutter Union School, Mrs. R. W. Bybee, guest, and the following pupils: Philip Henricks, Edgar Abernathy, Lawrence Wood, Ben Arocan, Ronnie Alvernaz, Martyn Rosa, Harry Huff, Robert Perry, John King, Peter Yoshikawa, Yoshito Yamado, Edna Masukara, Marian Yoshikawa, Jean Bybee, JoAnn Kimura, Patricia Taylor, Adelaide Jones, Arlene Arocan, Ellen Gover, Grace Takeucki, Patsy Kimura, Dolores Azevedo, and Pat Laurin.

On request of Messrs. Moss and Fleury, the usual courtesies of the Assembly for this day were unanimously extended to M. A. Bernoff, teacher of the Sacramento Junior College, and the following pupils: Don Brinkley, Dale Rain, Fred Von Fluee, Charley Staats, Dean Albright, Angelo Ponterio, Royal Brown, Quinn Dorval, Ruth Etzold, Marjorie Wright, Robert Watkins, Marvin Weber, Vincent P. Amoruso, Alvin A. Miller, and Frederica Maxwell.

On request of Mr. Henderson, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Dorothy Aley of Fresno.

On request of Mr. Babbage, the usual courtesies of the Assembly for this day were unanimously extended to Pete Pendelton of Coachella and Rex Johnson of Indio.

On request of Mr. Lowrey, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. John Fiack of Ord.

On request of Mr. Rumford, the usual courtesies of the Assembly for this day were unanimously extended to Milton I. Griese, senior advisor of the Emery High School of Emeryville, and the following pupils: Maxine Banks, Verna Cooper, Lois Dunster, Joan Garcia, Wanda Graham, Patricia Miller, Vivian Rodoni, Margaret Soares, Clarence Steen, Naomi Holder, Marion Howes, Barbara Kieser, Aileen Landman, Pat McInerny, Edith Mitchell, Adela Pena, Virginia Rangel, Claire Simmons, Vendetta Torix, Yvonne Van Hulle, Bobby June Yates, Loretta Norton, Wayne Haner, and James Blevins.

On request of Mr. Kelly, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Viola Rose and John Ross of Bakersfield.

On request of Mr. Rumford, the usual courtesies of the Assembly for this day were unanimously extended to D. G. Gibson of Berkeley, and Mrs. Nettie Jackson of Oakland.

On request of Mr. Gaffney and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Marion Connolly of San Francisco and Mrs. Betty Dolwig of South San Francisco.

On request of Messrs. Moss and Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Harold Schilling and Mrs. Criswell, teachers of the Courtland Joint Union High School, Bates Joint Union School, and the following pupils: William Baber, Ray Batten, Bobby Burch, Barbara Callaway, Jean Cole, Mary Jane Collier, Billy Cortopassi, Gloria Diaz, Frances Dolinski, Mary Dominiquez, Ted Fukushima, Cruz Garcia, Sharon Gentner, Virginia Gibson, Kenneth Grimes, Jennie Kunkel, Robert Lasseter, Tressa Lee, Jay Long, Mercedes

Luna, Luis Macias, Grace McCutcheon, Danny Medina, Johnny Oropesa, Phyllis Parry, Crystal Peterson, Marshall Pylman, Marina Rojo, Robert Rufenacht, Robert Schmidt, George Smith, Thomas Stubbs, Connie Tolman, Tina Vigil, Joseph Werlinger, Robert White, Norman Wong, Ben Yabu, Jane Hemly, Dolores Herzog, Nova Hobbs, June Houston, Melvin Johnson, and Clyde King.

ADJOURNMENT

At 3.20 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 11 a.m., Thursday, January 18, 1951, out of respect to the memory of the late Joseph E. Burke of Lafayette, Louisiana.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

NINTH LEGISLATIVE DAY

ELEVENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, January 18, 1951

The Assembly met at 11 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lispcomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—79

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A Kircher:

Almighty and Eternal God, With whom one day is as a thousand years and a thousand years as one day, help us to

"So live, that when our summons comes to join
The innumerable caravan that moves
To that mysterious realm where each shall take
His chamber in the silent halls of death,
We go, not like the quarry slave at night
Scourged to his dungeon, but sustained and soothed
By an unfaltering trust."

So create within us clean hearts and renew within us right spirits, that our lives and service may be fitted for eternity.

In our Redeemer's name

—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Chapel, further reading of the Journal of the previous legislative day was dispensed with.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE
SACRAMENTO, January 8, 1951

To the Honorable Members of the Assembly
State of California
Sacramento, California

GENTLEMEN: Pursuant to the provisions of Section 1774 of the Government Code, which provides that within 10 days after the meeting of the Legislature the Governor must transmit to it a list of all appointments made by him in accordance with that section, I have the honor to transmit to you herewith a list of all appointments so made.

Respectfully,

EARL WARREN, Governor

DR. JACOBUS TEN BROEK, a resident of Berkeley, Associate Professor at the University of California, President and a founder of the National Federation of the Blind, was appointed April 28, 1950, as member of the Social Welfare Board, vice Gordon X. Richmond, resigned.

J. EUGENE MCATEER, a resident of San Francisco, veteran of World War II, was appointed May 15, 1950, as member of the California Veterans Board, vice Daniel Judson Callaghan, Jr., resigned.

LEWIS K. GOUGH, a resident of Pasadena, veteran of World War II, Department Commander, the American Legion of the State of California, 1949-1950, was appointed May 15, 1950, as member of the California Veterans Board, vice Ernest R. Orfila, deceased.

W. P. FULLER BRAWNER, a resident of San Francisco, business executive, member of the Board of State Harbor Commissioners for San Francisco Harbor since July 6, 1949, was reappointed May 18, 1950.

CARL F. WENTE, a resident of San Francisco, bank executive, President of the Duck Hunter's Association of California, was appointed September 6, 1950, as member of the Fish and Game Commission, vice Edwin L. Carty, resigned.

WILLIAM C. JONES, a resident of Whittier, President of Whittier College, was appointed September 8, 1950, as member of the Board of Trustees, Norwalk State Hospital, vice Dr. Glenn Myers, deceased.

CLARENCE W. PETERSON, a resident of Tracy, owner and operator of a creamery, was appointed October 23, 1950, as member of the Board of Trustees, Stockton State Hospital, vice Harvey F. Mathews, deceased.

WALTER MELVILLE ROBERTSON, Major General of U. S. Army (retired), a resident of San Francisco, Commander of the 2d Division, World War II, former Deputy Commander of the Sixth Army at the Presidio of San Francisco, was appointed October 2, 1950, as Director of Civil Defense.

JOHN R. MALONEY, a resident of San Francisco, Chief Assistant Insurance Commissioner since 1948, was appointed January 1, 1951, as Insurance Commissioner, vice Wallace Downey, resigned.

PETER E. MITCHELL, a resident of Sacramento, member of the California Unemployment Insurance Appeals Board and a member of the California Employment Stabilization Commission since November 12, 1948, was reappointed January 2, 1951.

JUSTUS F CRAEMER, a resident of Orange, publisher, a member of the State Public Utilities Commission since January 1, 1939, was reappointed January 2, 1951.

OLLIE F. SNEDIGAR, a resident of Oakland, Alameda County Probation Officer, was appointed August 28, 1950, as member of the Board of Corrections. (Mr. Snedigar could not qualify since he is precluded by the charter of Alameda County, Section 66, from accepting the appointment).

ISSAC PACHT, a resident of Beverly Hills, former Judge of the Superior Court of the County of Los Angeles, a former President of the Board of Prison Directors, was appointed August 28, 1950, as member of the Board of Corrections. (Resigned).

COMMUNICATIONS

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal:

COUNTY OF LOS ANGELES
BOARD OF SUPERVISORS
LOS ANGELES, January 11, 1951

Hon Sam L Collins
Speaker of the Assembly
State Capitol Building
Sacramento, California

DEAR SIR: I enclose herewith certified copy of a resolution which was adopted by the Board of Supervisors of the County of Los Angeles on January 9, 1951, requesting the State Legislature to enact urgency legislation providing for a Highway Patrol Reserve Corps.

Yours very truly,

RAY E LEE, Chief Clerk

Above transmitted resolution ordered printed in the Journal as follows:

COUNTY OF LOS ANGELES
BOARD OF SUPERVISORS, Los Angeles

Resolution

Introduced by Supervisor Leonard J Roach, Tuesday, January 9, 1951

The board met in regular session. Present: Supervisors Roger W. Jessup, Chairman, presiding; Herbert C. Legg, Leonard J. Roach, John Anson Ford, and Raymond V. Darby; and Harold J. Ostly, Clerk, by Ray E. Lee, Deputy Clerk.

IN RE CIVILIAN DEFENSE: RESOLUTION REQUESTING STATE LEGISLATURE TO ENACT URGENCY LEGISLATION PROVIDING FOR A HIGHWAY PATROL RESERVE CORPS

On motion of Supervisor Roach, unanimously carried, it is ordered that the following resolution be and the same is hereby adopted:

WHEREAS, The State of California, due to its location and also due to the heavy concentration of the defense industries herein, is particularly vulnerable to disaster in any world-wide war in which this Country may become involved; and

WHEREAS, By reason thereof it has become necessary to reactivate the Civil Defense Program in this State in view of the extreme gravity of the world political situation; and

WHEREAS, In the implementation of any civil defense program it is advisable that the State have at its command for use in an emergency a Reserve of Highway Patrolmen trained and qualified to augment the officers of the State Highway Patrol; now, therefore, be it

Resolved by the Board of Supervisors of the County of Los Angeles, That the State Legislature be and it is hereby respectfully requested to enact as an urgency measure a law or laws providing for a Highway Patrol Reserve Corps such as is recommended by the Department of California Highway Patrol; further be it

Resolved, That copies of this resolution be mailed to the presiding officers of the Senate and Assembly and to each of the Los Angeles County Delegation.

I hereby certify that the foregoing is a full, true and correct copy of a resolution which was adopted by the Board of Supervisors of the County of Los Angeles, State of California, on January 9, 1951, and entered in the minutes of said board.

HAROLD J. OSTLY, County Clerk of the County of Los Angeles, State of California, and ex officio Clerk of the Board of Supervisors of said County.
By RAY E. LEE, Deputy Clerk

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

Letter of Transmittal

STATE OF CALIFORNIA
STATE WATER RESOURCES BOARD
PUBLIC WORKS BUILDING, SACRAMENTO, CALIFORNIA, January 15, 1951

Honorable Arthur A. Ohnimus
Chief Clerk of the Assembly
Assembly Chamber, State Capitol, Sacramento, California

DEAR MR. OHNIMUS: At the direction of the State Water Resources Board there is transmitted herewith a copy of a report of the State Water Resources Board respecting reallocation of funds as required by Section 11 of the Flood Control Act of 1946.

Very truly yours,

A. D. EDMONSTON, Secretary

Above transmitted report ordered referred to the Committee on Conservation, Planning, and Public Works.

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal:

PRO AMERICA, CALIFORNIA CHAPTER
NATIONAL ORGANIZATION OF WOMEN, INC.
LOS ANGELES, CALIFORNIA, January 16, 1951

Honorable Sam Collins
Speaker of Assembly
State Capitol, Sacramento, California

DEAR SIR: The Board of Directors of California Chapter of Pro America has instructed me to send to you their stand on child care centers which is attached hereto.

Yours sincerely,

CECIL LOGAN
Mrs. Dudley Logan, President
California Chapter Pro America

Above transmitted data ordered printed in the Journal as follows:

Child Care Centers

The Board of Directors of the California Chapter of Pro America makes the following statement and recommendations to the California Legislature with regard to child care centers:

1. We recognize and endorse private enterprise and we believe wherever possible private child care centers should be encouraged
2. Public child care centers should be continued on a temporary basis.
3. Permissive legislation should be enacted to permit local school districts to decide whether they want child care centers in their districts and that such districts as approve them should bear a proportional part of the cost.
4. Means test must be strictly enforced. Parents able to pay not qualifying under the means test, who enter children in public child care centers should pay entire cost.
5. Special privileges above the means test should be strictly reserved for children of persons in active service and disabled veterans.
6 The investigation of ability to pay should take place at three month's intervals, and the statements should be made under sworn affidavit.

APPOINTMENTS TO INTERIM COMMITTEE

Speaker Sam L. Collins announced the appointment of Mr. Morris, Chairman, vice Mr. Fletcher, resigned; and Mr. Porter, vice Mr. Crichton, resigned; to membership on the Assembly Interim Committee on State-Federal Cooperation in the Discovery of Petroleum, Oil and Its Products, etc.

REPORTS OF STANDING COMMITTEES

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred.

Assembly Bill No. 26
Assembly Bill No. 142
Assembly Bill No. 694
Assembly Bill No. 695
Assembly Bill No. 696

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred.

Assembly Bill No. 28

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

STANLEY, Chairman

Above reported bill ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 12
Assembly Bill No. 40
Assembly Bill No. 43

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bills ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1951

MR. SPEAKER. Your Committee on Legislative Procedure has examined.

Assembly Bill No. 38

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 10
Assembly Bill No. 35

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STEWART, Chairman

Above reported bills ordered to second reading.

RESOLUTIONS

The following resolution was offered:

By Mr. Grant:

House Resolution No. 45

Relating to a Fishermen's Wharf at Long Beach Harbor

WHEREAS, It has come to the attention of this Assembly that the Long Beach Board of Harbor Commissioners are planning to build a Fishermen's Wharf center at Pierpoint Landing; and

WHEREAS, The center which is planned will be a recreation and fishing mecca to the inhabitants of Southern California and to the Southland tourist, housing restaurants, sporting supply and curio shops; and

WHEREAS, The people of Long Beach have always been alert to make such civic improvements as will add to the prestige of the glorious Golden State; now, therefore, be it

Resolved by the Assembly of the State of California, That this Assembly does hereby heartily and highly commend the City of Long Beach and the Long Beach Board of Harbor Commissioners for their outstanding planning and ceaseless efforts to effect improvements; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the Mayor of the City of Long Beach and to each of the members of the Long Beach Board of Harbor Commissioners.

Resolution read, and ordered referred to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 1617: By Mr. Erwin—An act to amend Section 2804 of the Streets and Highways Code, relating to special assessment proceedings for financing the cost of local improvements.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1618: By Mr. Fleury—An act to amend Sections 625, 640, 645, 660, and 675.5 of the Vehicle Code, relating to equipment of vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1619: By Mr. Fleury—An act to amend Sections 673 and 676 of the Vehicle Code, relating to equipment of vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1620: By Mr. Fleury—An act to repeal and add Section 637 to the Vehicle Code, relating to equipment of vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1621: By Mr. Fleury—An act to add Section 718 to the Vehicle Code, relating to penalties for violation of weight restrictions.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1622: By Mr. Fleury—An act to amend Sections 736, 737, 738, 739, and 743.6 of the Vehicle Code, relating to arrests for any violation of the Vehicle Code.

Referred to Committee on Judiciary.

Assembly Bill No. 1623: By Mr. Fleury—An act to amend Sections 20921, 20922, 21253, 21258, 21296, 21298, 21361, 21362, 21367.5 of, and to add Sections 21258 1, 21298.5, and 21367.7 to, the Government Code, relating to the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1624: By Mr. Fleury—An act to amend Sections 21296 and 21298 of the Government Code, and to add Section 21298.5 thereto, relating to the State Employees' Retirement System in respect to disability retirement pensions.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1625: By Mr. Fleury—An act to add Section 20600.5 to the Government Code, relating to the State Employees' Retirement System in respect to members' rates of contributions, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1626: By Mr. Fleury—An act to amend Section 21258 of and to add Section 21258 1 to the Government Code, relating to the State Employees' Retirement System in respect to minimum service retirement allowances of members.

Referred to Committee on Civil Service and State Personnel

Assembly Bill No. 1627: By Mr. Fleury—An act to amend Section 21253 of the Government Code, relating to the State Employees' Retirement System in respect to prior service pensions of state and local miscellaneous members.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1628: By Mr. Fleury—An act to amend Section 21362 of the Government Code, relating to the State Employees' Retirement System in respect to installment payment of benefits.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1629: By Mr. Fleury—An act to amend Section 21367.5 of and to add Section 21367.7 to the Government Code, relating to the State Employees' Retirement System in respect to the benefit payable upon the death of a retired person while receiving a retirement allowance therefrom

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1630: By Mr. Fleury—An act to amend Section 20921 and 20922 of the Government Code, relating to the State Employees' Retirement System in respect to state service credit for federal service.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1631: By Mr. Fleury—An act to amend Section 21361 of the Government Code, relating to the State Employees' Retirement System in respect to the basic death benefit.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1632: By Mr. Fleury—An act to amend Section 632 of the Code of Civil Procedure, relating to court procedure.

Referred to Committee on Agriculture.

Assembly Bill No. 1633: By Mr. Fleury—An act to amend Section 53040 of the Water Code, relating to reclamation districts.

Referred to Committee on Agriculture.

Assembly Bill No. 1634: By Mr. Fleury—An act to amend Section 51444 of the Water Code, relating to reclamation districts

Referred to Committee on Agriculture.

Assembly Bill No. 1635: By Mr. Fleury—An act to amend Sections 50101 and 50110 of the Water Code, relating to reclamation districts.

Referred to Committee on Agriculture.

Assembly Bill No. 1636: By Mr. Fleury—An act to amend Section 52170 of the Water Code, relating to reclamation districts.

Referred to Committee on Agriculture.

Assembly Bill No. 1637: By Mr. Sam L. Collins—An act to validate the organization, boundaries, governing officers or boards, acts, proceedings, elections, and bonds of public bodies as herein defined.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1638: By Mr. McCollister—An act to add Section 32131 to the Health and Safety Code, relating to the powers of local hospital districts.

Referred to Committee on Public Health.

Assembly Bill No. 1639: By Messrs. Caldecott, Lowrey, Levering, and Tomlinson—An act to amend Section 4.37 of the University of California Dormitory Revenue Bond Act of 1947, relating to legal investments of revenue bonds issued under said act, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1640: By Messrs. Caldecott, Kirkwood, Mrs. Niehouse, Messrs. Gubser, and Hansen—An act to amend Section 20583 of the Education Code, relating to revenue bonds issued under the State College Revenue Act of 1947 as legal investments.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1641: By Mr. Caldecott—An act to amend Section 17 of the Municipal and Justice Court Act of 1949, relating to municipal court sessions.

Referred to Committee on Judiciary.

Assembly Bill No. 1642: By Mr. Caldecott—An act to add Section 217.1 to the Motor Vehicle Code, relating to foreign vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1643: By Mr. Caldecott—An act to add Article 4 to Chapter 4 of Division 10 of the Education Code, relating to the education of deaf children.

Referred to Committee on Education.

Assembly Bill No. 1644: By Mr. Caldecott—An act to authorize the Governor to execute for, on behalf of, and in the name of the State of California, a compact or agreement entitled, "Interstate Civil Defense and Disaster Compact."

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1645: By Messrs. Brown, McCollister, Caldecott, Coats, Cooke, Dills, Fleury, Gubser, and McGee—An act to amend Section 252 of the Revenue and Taxation Code, relating to the filing of claims for veterans' property tax exemption.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1646: By Messrs. Brown, McCollister, Fleury, Caldecott, Coats, Cooke, Dills, Gubser, and McGee—An act to amend Section 205 of the Revenue and Taxation Code, relating to the veterans' exemption, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1647: By Mr. Brown—An act to amend Section 206 of the Revenue and Taxation Code, relating to property taxes and the exemption of personal property of churches.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1648: By Mr. Brown—An act to amend Section 2902 of the Revenue and Taxation Code, relating to property taxes and the collection of unsecured taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1649: By Mr Brown—An act to amend Section 441 of the Revenue and Taxation Code, relating to property taxes and the filing of property statements.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1650: By Mr. Brown—An act to amend Sections 322 and 328 of the Revenue and Taxation Code, relating to the description of property for assessment.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1651: By Mr. Brown—An act to amend Section 31676.9 of the Government Code, relating to the retirement of public employees.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1652: By Mr. Brown—An act to add Sections 1274.3a and 1465.1 to the Code of Civil Procedure, relating to abandoned property.

Referred to Committee on Judiciary.

Assembly Bill No. 1653: By Mr. Brown—An act to amend Sections 180.7 and 198 of the Vehicle Code, relating to chattel mortgages on vehicles.

Referred to Committee on Judiciary.

Assembly Bill No. 1654: By Mr. Brown—An act to amend Section 538 of the Code of Civil Procedure, relating to attachments.

Referred to Committee on Judiciary.

Assembly Bill No. 1655: By Mr. Brown—An act to amend Section 542 of the Code of Civil Procedure, relating to the manner in which property is attached.

Referred to Committee on Judiciary.

Assembly Bill No. 1656: By Mr. Brown—An act to amend Section 517 of the Code of Civil Procedure, relating to claim and delivery of personal property and the steps to be followed in obtaining possession of such property in a building or enclosure.

Referred to Committee on Judiciary.

Assembly Bill No. 1657: By Mr. Brown—An act to amend Section 139.44 of the Vehicle Code, relating to the service of warrants by members of the California Highway Patrol and the payment of the expense thereof from the Motor Vehicle License Fee Fund.

Referred to Committee on Judiciary.

Assembly Bill No. 1658: By Mr. Brown—An act to amend Section 1463 of the Penal Code, relating to fines and forfeitures.

Referred to Committee on Judiciary.

Assembly Bill No. 1659: By Mr. Brown—An act to amend Sections 26725, 26726, 26730, 26732, 26735, 26736, 26737, 26738, and 26741 of the Government Code, relating to fees.

Referred to Committee on Judiciary.

Assembly Bill No. 1660: By Mr. Brown—An act to amend Section 694 of the Code of Civil Procedure, relating to sales of real and personal property under execution.

Referred to Committee on Judiciary.

Assembly Bill No. 1661: By Mr. Brown—An act to amend Section 688 of the Code of Civil Procedure, relating to property subject to execution.

Referred to Committee on Judiciary.

Assembly Bill No. 1662: By Mr. Brown—An act to amend Section 689b of the Code of Civil Procedure, relating to deposit and payment of debt and interest.

Referred to Committee on Judiciary.

Assembly Bill No. 1663: By Mr. Brown—An act to amend Section 6103 of the Government Code, relating to fees.

Referred to Committee on Judiciary.

Assembly Bill No. 1664: By Mr. Brown—An act to amend Section 682 of the Code of Civil Procedure, relating to issuance of writ of execution.

Referred to Committee on Judiciary.

Assembly Bill No. 1665: By Mrs. Niehouse and Mr. Erwin—An act to provide for the acquisition of Buena Vista Lagoon Wild Fowl Refuge and Recreational Park by the State and making an appropriation therefor.

Referred to Committee on Fish and Game.

Assembly Bill No. 1666: By Mr. Erwin—An act to repeal Section 32401 and to amend Section 32441 of the Water Code, relating to county water districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1667: By Mr. Erwin—An act to add Sections 31047, 31048, and 31049 to the Water Code, relating to county water districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1668: By Mr. Erwin—An act to amend Sections 30507 and 30508 of the Water Code, relating to county water districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1669: By Mr. Grunsky—An act to add Chapter 12 (comprising Sections 28700 to 28724, inclusive) to Division 21 of the Health and Safety Code, relating to the regulation of the premises and operations of plants for the preparation and storage of frozen foods, and the licensing of the personnel thereof.

Referred to Committee on Public Health.

Assembly Bill No. 1670: By Mr. Grunsky—An act to amend Section 55.65 of the Alcoholic Beverage Control Act, relating to the sale of wine, the posting of prices and the making and filing of fair trade contracts in relation thereto, and governing the giving of discounts in connection with the sale of wine.

Referred to Committee on Boards and Commissions.

Assembly Concurrent Resolution No. 14: By Mr. Kirkwood—Relative to commending the city council and governmental agencies of the City of Sunnyvale and other cooperating agencies throughout the County of Santa Clara, for their splendid conduct during a recent emergency.

Referred to Committee on Rules.

Assembly Constitutional Amendment No. 19: By Mr. Brown—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Section 8 of Article XIII of said Constitution, relating to property tax returns.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 20: By Mr. Brown—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Section 3 of Article XIII of said Constitution, relating to description of property for assessment.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 21: By Messrs. Burkhalter, Davis, Kilpatrick, Henderson, Munnell, and Thomas—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 22 of Article XII thereof, relating to the Public Utilities Commission, and providing for the election of the members thereof.

Referred to Committee on Constitutional Amendments

Assembly Bill No. 1671: By Mr. Grunsky—An act to amend Sections 736 and 736a of the Political Code, relating to the salaries of Justices of the Supreme Court and of the district courts of appeal.

Referred to Committee on Judiciary.

Assembly Bill No. 1672: By Mr. Grunsky—An act to amend Section 10202 of the Insurance Code, relating to group life insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1673: By Mr. Grunsky—An act to amend Section 10202.8 of the Insurance Code, relating to group life insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1674: By Mr. Grunsky—An act to amend Section 10203 of the Insurance Code, relating to group life insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1675: By Mr. Grunsky—An act to amend Section 10203.4 of the Insurance Code, relating to group life insurance.

Referred to Committee on Finance and Insurance.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 142—An act to add Section 5 1 to the Metropolitan Water District Act, relating to the powers of metropolitan water districts, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 1676: By Mr. Grunsky—An act to add Section 10203.8 to the Insurance Code, relating to group life insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1677: By Mr. Grunsky—An act to amend Section 10206 of the Insurance Code, relating to group life insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1678: By Mr. Grunsky—An act to amend Section 1240 of the Insurance Code, relating to investments.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1679: By Mr. Grunsky—An act to amend Section 10270.5 of the Insurance Code, relating to group disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1680: By Mr. Grunsky—An act to amend Section 53200 of the Government Code, relating to group insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1681: By Mr. Grunsky—An act to add Section 1127a to the Penal Code, relating to instructions to the jury as to extenuating facts or circumstances in a criminal murder trial.

Referred to Committee on Judiciary.

Assembly Bill No. 1682: By Mr. Grunsky—An act to amend Section 942 of the Insurance Code, relating to the liability of the State of California for the custody and safe return of securities.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1683: By Mr. Grunsky—An act to add Sections 6064.1 and 6106.1 to the Business and Professions Code, relating to admission and discipline of attorneys.

Referred to Committee on Judiciary.

Assembly Bill No. 1684: By Mr. Grunsky—An act to amend Section 7056 of the Business and Professions Code, relating to general engineering contractors.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1685: By Messrs. Babbage and Butters—An act to add Section 471 to the Government Code, relating to the division of the State into districts for the election of Legislative Representatives.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1686: By Mr. Babbage—An act to amend Section 1463 of the Penal Code, relating to fines and forfeitures.

Referred to Committee on Judiciary.

Assembly Bill No. 1687: By Mr. Babbage—An act to add Section 7144.1 to the Education Code, relating to school districts constituting component parts of school districts.

Referred to Committee on Education.

Assembly Bill No. 1688: By Mrs. Niehouse—An act to add Section 2006 5 to the Welfare and Institutions Code, relating to aid to the aged.

Referred to Committee on Social Welfare.

Assembly Bill No. 1689: By Messrs. Kirkwood, Hansen, Gubser, Caldecott, Cloyed, Collier, George D. Collins, Connolly, Conrad, Gaffney, Maloney, McCarthy, Meyers, Mrs. Niehouse, Messrs. Stewart, and Waters—An act to add Chapter 2, consisting of Sections 6100 to 6106

to Part 3 of Division 6 of the Welfare and Institutions Code, relating to state grants-in-aid to counties for the care and treatment in county hospitals of persons suffering from mental illness, mental disease, or mental disorder, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1690: By Messrs. Kirkwood and Gubser—An act to add Chapter 3.4 consisting of Sections 6605 to 6605.6 to Part 4 of Division 6 of the Welfare and Institutions Code, relating to temporary admission to state hospitals of persons who are believed to be mentally ill and providing for their release within ninety (90) days after admission.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1691: By Mr. Kirkwood—An act to add Section 6357.2 to the Education Code, relating to school district tax rates.

Referred to Committee on Education.

Assembly Bill No. 1692: By Mr. Kirkwood—An act to add Section 14008 to the Education Code, relating to the employment of educational consultants by school districts.

Referred to Committee on Education.

Assembly Bill No. 1693: By Mr. Kirkwood—An act to amend Section 24201 of the Education Code, relating to corporations for establishing, conducting, and maintaining colleges or seminaries of learning.

Referred to Committee on Education.

Assembly Bill No. 1694: By Mr. Kirkwood—An act to amend Section 202 of the Education Code, relating to the distribution of surplus property of the Federal Government by the State Educational Agency for Surplus Property.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1695: By Mr. Kirkwood—An act to add Section 20344.3 to the Education Code, relating to the performance of services for the Federal Government by schools and colleges under the jurisdiction of the Department of Education.

Referred to Committee on Education.

Assembly Bill No. 1696: By Mr Kirkwood—An act to amend Section 1652 of the Education Code and to repeal Section 1653 of said code, relating to the jurisdiction of county superintendents of schools over school districts lying in more than one county.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1697: By Mr. Kirkwood—An act to amend Section 13275 of the Education Code, relating to annual reports of high school principals.

Referred to Committee on Education.

Assembly Bill No. 1698: By Messrs. Kirkwood, Geddes, Gubser, and Sillman—An act to amend Section 6810 of the Business and Professions Code, relating to the registration of professional engineers.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1699: By Messrs. Kirkwood, Geddes, Gubser, and Sillman—An act to amend Section 6799 of the Business and Professions Code, relating to the registration of professional engineers.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1700: By Mr. Kirkwood—An act to add Sections 7051 1 and 7091.1 to the Education Code, relating to a System of Public Instruction.

Referred to Committee on Education.

Assembly Bill No. 1701: By Mr. Kirkwood—An act to amend Section 533 of the Vehicle Code, relating to school busses

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1702: By Mr. Kirkwood—An act to add Section 2142 to the Welfare and Institutions Code, relating to old age security, in respect to services rendered in the administration of old age security.

Referred to Committee on Social Welfare.

Assembly Bill No. 1703: By Mr. Kirkwood—An act to amend Sections 53672 and 53673 of the Government Code, relating to the deposit of public moneys with banks.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1704: By Mr. Morris—An act to add Section 53250.5 to the Government Code, relating to firemen.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Joint Resolution No. 8: By Messrs. McGee and Munnell—Relative to a moratorium on federal income tax payments for persons in the armed forces.

Referred to Committee on Rules.

Assembly Bill No. 1705: By Messrs. Moss and Fleury—An act to amend Section 2802 of the Education Code, relating to the formation of union elementary school districts.

Referred to Committee on Education.

Assembly Bill No. 1706: By Messrs. Moss and Fleury—An act to amend Section 3591 of the Education Code, relating to the organization of high school districts in elementary or union elementary school districts.

Referred to Committee on Education.

Assembly Bill No. 1707: By Messrs. Moss and Fleury—An act to amend Section 3661 of the Education Code, relating to the uniting of elementary school districts to form union or joint union high school districts.

Referred to Committee on Education.

Assembly Bill No. 1708: By Messrs. Moss and Fleury—An act to amend Section 3462 of the Education Code, relating to the organization of high school districts.

Referred to Committee on Education.

Assembly Bill No. 1709: By Messrs. Moss and Fleury—An act to amend Section 1647 of the Revenue and Taxation Code, relating to taxation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1710: By Messrs. Moss and Fleury—An act to amend Sections 3720, 3721, 3724, 3793.5, and 3808 of the Revenue and Taxation Code, relating to taxation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1711: By Messrs. Moss and Fleury—An act to amend Sections 2921.5 and 2922 of the Revenue and Taxation Code, relating to taxation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1712: By Mr. Levering—An act to add Chapter 1.5, comprising Sections 930 and 931, to Part 3 of Division 2 of the Labor Code, relating to employment rights of persons not members of labor organizations

Referred to Committee on Industrial Relations.

Assembly Bill No. 1713: By Mr. Levering—An act to amend Section 53 of the Unemployment Insurance Act, relating to unemployment and disability insurance benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1714: By Mr. Levering—An act to amend Section 39 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1715: By Mr. Levering—An act to amend Section 58 of the Unemployment Insurance Act, relating to disqualification for benefits.

Referred to Committee on Industrial Relations.

Assembly Bill No. 1716: By Mr. Levering—An act to repeal Section 13 of, and to add a new Section 13 to the Unemployment Insurance Act, relating to the definition of suitable employment.

Referred to Committee on Industrial Relations.

Assembly Bill No. 1717: By Mr. Levering—An act to amend Section 13 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Industrial Relations.

Assembly Bill No. 1718: By Mr. Kelly—An act to amend Section 10071 of the Education Code, relating to courses in forestry and conservation in the public schools.

Referred to Committee on Education.

Assembly Bill No. 1719: By Mr. Grant—An act to add Sections 9.1, 27.1, and 27.2 to the Vehicle Parking District Act of 1943, relating to the formation and financing of vehicle parking districts, the use for parking places of lands already owned by the city, and the redemption of bonds issued under said act.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1720: By Mr. Elliott—An act to provide for the incorporation and government of metropolitan rapid transit districts; prescribing the powers thereof; providing for the public ownership and operation of a transportation system in metropolitan areas; the construction thereof; and relating to rail transportation in metropolitan areas.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 1721: By Mr. Stanley—An act to amend Section 28111 of the Government Code, relating to compensation for public service in counties of the eleventh class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1722: By Mr. Stanley—An act to add Section 20358 to the Education Code, relating to the purchase of insurance in connection with driver training classes.

Referred to Committee on Education.

Assembly Bill No. 1723: By Mr. Stanley—An act to repeal an act entitled "District Investigation Act of 1933" and relating to the organization of special tax and assessment districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1724: By Mr. Waters—An act to amend Section 12001 of the Government Code, relating to the Governors' Office

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1725: By Mr. Waters—An act to establish a Commission on Governmental Organization, prescribing its powers, duties and functions and making an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1726: By Mr. McGee—An act to add Sections 13560 and 13085.1 to the Education Code, relating to certificated employees of school districts.

Referred to Committee on Education.

Assembly Bill No. 1727: By Mr. Morris—An act to amend Section 41.5 of the Unemployment Insurance Act, relating to transfer of employers' reserve accounts.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1728: By Mr. Hansen—An act to add Section 75 to the Code of Civil Procedure, relating to superior courts.

Referred to Committee on Judiciary.

Assembly Bill No. 1729: By Mr. Hinckley—An act to amend Sections 6407 and 6408 of the Labor Code, relating to workmen's safety.

Referred to Committee on Industrial Relations.

Assembly Bill No. 1730: By Messrs. Butters, Erwin, Clarke, Cooke, Kirkwood, and Stanley—An act to amend the Flood Control Fund Act of 1946 (Chapter 142, Stats 1st Extra Session 1946), as amended, by amending Sections 1, 3, 4, and 6 thereof, relating to state assistance on flood control projects.

Referred to Committee on Agriculture.

Assembly Bill No. 1731: By Messrs. Butters, Erwin, Clarke, Cooke, Kirkwood, and Stanley—An act to amend the State Water Resources Act of 1945 (Chapter 1514, Stats. 1945), as amended, by amending Sections 18 and 20 thereof, relating to state assistance on flood control projects.

Referred to Committee on Agriculture.

Assembly Bill No. 1732: By Messrs. Butters, Cooke, Kirkwood, and Stanley—An act to amend Sections 10501, 10503, and 10504 of the Water Code, relating to priority of applications to appropriate water filed by the Department of Finance.

Referred to Committee on Agriculture.

Assembly Bill No. 1733: By Mr. Butters—An act to amend Section 3000 of the Elections Code, relating to independent nominations.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1734: By Mr. Butters—An act to add Sections 21386 and 21387 to the Water Code, relating to irrigation districts.

Referred to Committee on Agriculture.

Assembly Bill No. 1735: By Mr. Butters—An act to amend Section 26078 of the Water Code, relating to irrigation districts.

Referred to Committee on Agriculture.

Assembly Bill No. 1736: By Mr. Butters—An act to amend Section 21120 of the Water Code, relating to irrigation districts.

Referred to Committee on Agriculture.

Assembly Bill No. 1737: By Mr. Butters—An act to amend Section 26915 of the Water Code, relative to irrigation districts.

Referred to Committee on Agriculture.

Assembly Bill No. 1738: By Messrs. Fleury and Moss—An act to add Section 2211 to the Education Code, relating to the joint use and maintenance of school buildings and other school facilities by contiguous and coterminous school districts.

Referred to Committee on Education.

Assembly Bill No. 1739: By Mr. Gubser—An act to amend the title of Article 2, Chapter 1, Part 1, Division 14 of the Health and Safety Code, and to amend Sections 20034, 20036, 20061, 20062, and 20065 of the Health and Safety Code, and to repeal Sections 20035 and 20037 of the Health and Safety Code, and to add Article 2.5 to Chapter 1, Part 1, Division 14 of the Health and Safety Code, relating to police protection districts in unincorporated towns.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1740: By Mr. Gubser—An act to amend Section 1509 7 of the Elections Code, relating to measures submitted to the electors.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1741: By Mr. Geddes—An act making an appropriation to pay the claim of Herbert Herzenberg against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 1742: By Messrs. Connolly and Maloney—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1743: By Messrs. Connolly and Maloney—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1744: By Mr. Sherwin—An act to amend Section 667 of the Elections Code, relating to precinct boards.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1745: By Mr. Sherwin— an act to amend Sections 370, 371, 373, and 373.5 of the Elections Code, relating to indices of registration

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1746: By Mr. Sherwin—An act to amend Section 668 of the Elections Code, relating to precinct boards

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1747: By Mr. Condon—An act to add Section 53.95 to the Alcoholic Beverage Control Act, relating to the contents of wine labels, and to require labels on bottled wine.

Referred to Committee on Boards and Commissions

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No. 4

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Assembly Concurrent Resolution No. 11
Assembly Concurrent Resolution No. 13

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered engrossed.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 1748: By Mr. Condon—An act to amend Section 6.11 of the Alcoholic Beverage Control Act, relating to organizations, associations and clubs, and providing for the issuance of on-sale general licenses thereto.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 1749: By Messrs. George D. Collins, Brady, Gaffney, Meyers, Berry, Connolly, Maloney, and McCarthy—An act to amend Section 60 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1750: By Messrs. George D. Collins, Brady, Gaffney, Meyers, Connolly, Maloney, and McCarthy—An act to amend Section 633 of the Welfare and Institutions Code, relating to the management and control of the internal affairs of the detention home.

Referred to Committee on Municipal and County Government.

Assembly Constitutional Amendment No. 22: By Messrs. Rosenthal, Munnell, Hahn, Morris, Dolwig, Hawkins, and Rumford—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding to Article IV thereof a new section to be numbered 3a, relating to legislative officers.

Referred to Committee on Constitutional Amendments.

Assembly Bill No. 1751: By Messrs. George D. Collins, Brady, Gaffney, Connolly, Maloney, McCarthy, and Meyers—An act to amend Section 641 of the Welfare and Institutions Code, relating to the management of the detention home.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1752: By Messrs. George D. Collins, Brady, Gaffney, Meyers, Berry, Connolly, Maloney, and McCarthy—An act to amend Section 1908 of the Harbors and Navigation Code, relating to contracts for fire boat services and payment for services of firemen.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1753: By Mr. George D. Collins—An act to add Section 5614.1 to the Streets and Highways Code, relating to repairs and liability for defective sidewalks.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1754: By Messrs. Chapel, Porter, Thomas, Hawkins, Dunn, Hahn, Morris, and Rosenthal—An act to add Section 454.3 to the Vehicle Code and to amend Sections 475, 476, and 640 thereof, relating to exemptions of funeral processions from obeying traffic signs and signals and authorizing the commissioning of motorcycle officer escorts and the use of red lights.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1755: By Mr. Rosenthal—An act to amend Section 381 of the Insurance Code, relating to insurance policies.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1756: By Messrs. Rumford and Hawkins—An act to add Section 54.1 to the Civil Code, relating to admission to schools.

Referred to Committee on Judiciary.

Assembly Bill No. 1757: By Mr. Lincoln—An act to repeal Section 11004.5 of the Revenue and Taxation Code and Section 139.44 of the Vehicle Code, relating to the service of warrants by members of the California Highway Patrol and the payment of the expense thereof from the Motor Vehicle License Fee Fund.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1758: By Mr. Lincoln—An act to amend Section 25450 of the Government Code, relating to powers of boards of supervisors.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1759: By Messrs. Lowrey and Brown—An act providing for the constitution of municipal courts in districts in Yolo County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1760: By Messrs. Lowrey and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Woodland, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

ANNOUNCEMENT

Speaker Sam L. Collins announced that, for the fourth time today, he has referred bills to standing committees which are being sponsored by the same state department, with the same subject matter involved, but authored by four different Assemblymen. He urged, most emphatically, that Members of the Assembly prevail upon all state departments to eliminate this useless and costly procedure, and to select just one Assemblyman to present a bill after it has been checked for duplications.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced. and read the first time:

Assembly Bill No. 1761: By Messrs. Hinckley and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Colton, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1762: By Messrs. Hinckley and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Redlands, and prescribing the number and compensation of the judges, officers and attaches thereof

Referred to Committee on Judiciary.

Assembly Bill No. 1763: By Messrs. Porter and Brown—An act providing for the constitution of the municipal court in a district embracing the Town of Norwalk, Los Angeles County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1764: By Messrs. McFall, Parker, and Brown—An act providing for the constitution of municipal courts in districts in San Joaquin County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1765: By Messrs. Hollibaugh and Brown—An act providing for the constitution of the municipal court in a district embracing the Town of Walnut Park, Los Angeles County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1766: By Messrs. Lyon and Doyle—An act to add Division 2b, comprising Sections 139 70 to 139 75, inclusive, to, and to amend Section 760 of, the Vehicle Code, relating to the traffic safety authority.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1767: By Messrs. Lyon and Brown—An act providing for the constitution of the municipal court in a district embracing the City of Beverly Hills, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1768: By Messrs. Brown, Rosenthal, and Munnell—An act to add Section 44 to the Municipal and Justice Court Act of 1949, relating to courts.

Referred to Committee on Judiciary.

Assembly Bill No. 1769: By Messrs. Brown, Rosenthal, and Munnell—An act to add Section 45 to the Municipal and Justice Court Act of 1949, relating to courts

Referred to Committee on Judiciary.

Assembly Bill No. 1770: By Messrs Brown, Rosenthal, and Munnell—An act to amend Section 89 of the Code of Civil Procedure, relating to jurisdiction of municipal courts.

Referred to Committee on Judiciary.

Assembly Bill No. 1771: By Messrs Brown, Rosenthal, and Munnell—An act to amend Sections 97, 150, 230, 325, 337, 384a, 597f, 599a, 682, 726, 808, 817, 859, 889, 890, 1143, 1203.02, 1203.1, 1203.12, 1278, 1298, 1309, 1327, 1382, 1391, 1426, 1427, 1428, 1431, 1432, 1432.1, 1438, 1458, 1459, 1461a, 1466, 1488, 1529, 2623, 4022, 1269b, and 1426a of the Penal Code; to amend the headings of Title 11 of Part 2 and of Chapter 1 of Title 11 of Part 2 of the Penal Code; and to repeal Section 1461 of the Penal Code; all relating to courts of justice, various officers thereof, and judicial districts.

Referred to Committee on Judiciary.

Assembly Bill No. 1772: By Messrs. Brown, Rosenthal, and Munnell—An act to amend Sections 203, 204, 204a, 206, 226, 227, 230, 231, 233, 248, and 250 of the Code of Civil Procedure, relating to jurors.

Referred to Committee on Judiciary.

Assembly Bill No. 1773: By Messrs. Brown, Rosenthal, and Munnell—An act to amend Sections 103a, 105, 105.5, 105a, 108, 108a, 109, 113, 113a, 113b, 115, 116, 116a, and 116b, and to repeal Sections 99, 100, 101, 102, 102a, 102b, 103, 103c, 103d, 103g, 103h, 103i, 103j, 103k, 103*l*, 103m, 103n, 103½, 103¾, 104, 107, 110, 110a, 111, 113c, and 113d of the Code of Civil Procedure, relating to justice courts.

Referred to Committee on Judiciary.

Assembly Bill No. 1774: By Messrs. Brown, Rosenthal, and Munnell—An act to amend Section 1425 of the Penal Code, relating to municipal and justice courts

Referred to Committee on Judiciary.

Assembly Bill No. 1775: By Messrs. Brown, Rosenthal, and Munnell—An act to amend Section 4 of "An act providing for the division

of counties into judicial districts and for the determination of the population of said districts, and repealing Sections 27800, 27801, 27802, and 27803 of the Government Code" approved July 27, 1949, relating to judicial districts.

Referred to Committee on Judiciary.

Assembly Bill No. 1776: By Messrs. Brown, Rosenthal, and Munnell—An act to amend Section 1 of "An act providing for the division of counties into judicial districts and for the determination of the population of said districts, and repealing Sections 27800, 27801, 27802, and 27803 of the Government Code" approved July 27, 1949, relating to judicial districts.

Referred to Committee on Judiciary.

Assembly Bill No. 1777: By Messrs. Brown, Rosenthal, and Munnell—An act to add Section 43 to the Municipal and Justice Court Act of 1949, relating to courts.

Referred to Committee on Judiciary.

Assembly Bill No. 1778: By Messrs. Brown, Rosenthal, and Munnell—An act to add Section 42 to the Municipal and Justice Court Act of 1949, relating to courts.

Referred to Committee on Judiciary.

Assembly Bill No. 1779: By Messrs. Brown, Rosenthal, and Munnell—An act to add Section 41 to the Municipal and Justice Court Act of 1949, relating to courts.

Referred to Committee on Judiciary.

Assembly Bill No. 1780: By Messrs Brown, Rosenthal, and Munnell—An act to add Section 46 to the Municipal and Justice Court Act of 1949, relating to courts

Referred to Committee on Judiciary.

Assembly Bill No. 1781: By Messrs. Brown, Rosenthal, and Munnell—An act to add Section 47 to the Municipal and Justice Court Act of 1949, relating to courts.

Referred to Committee on Judiciary

Assembly Bill No. 1782: By Messrs Brown, Rosenthal, and Munnell—An act to amend Section 144 of the Code of Civil Procedure, relating to courtrooms.

Referred to Committee on Judiciary.

Assembly Bill No. 1783: By Messrs. Brown, Rosenthal, and Munnell—An act to amend Section 6 of the Judges' Retirement Act, relating to assignment of retired judges.

Referred to Committee on Judiciary.

Assembly Bill No. 1784: By Messrs. Brown, Rosenthal, and Munnell—An act to amend Section 755 of the Political Code and Section 58.6 of the Code of Civil Procedure, relating to the salary of the Clerk of the Supreme Court and ex officio Secretary of the Judicial Council.

Referred to Committee on Judiciary.

Assembly Bill No. 1785: By Messrs. Brown, Rosenthal, and Munnell—An act to amend Sections 1063, 1090, 1091, 1195, 1223, 1224, 1457, 1458, 1505, 1530, 1531, 1532, 1651, 1750, 1953.5, 3060, 6100, 6108, 6109, 23360, 23420, 23422, 23427, 24001, 24007, 24051, 24052, 24055, 24057, 24101, 24150, 24200, 24204, 24350, 24351, 24353, 25200, 25300, 25304, 26520, 26524, 26665, 26806, 26823, 26824, 27082, 27531, 27557, 27820, 27822, 27824, 28105, 28109, 28111, 28113, 28114, 28118, 28120, 28121, 28125, 28128, 28129, 28130, 28131, 28134, 28136, 28140, 28146, 28152, 28154, 29040, 29140, 29320, 29603, 29605, 29610, 31001, 31200, 31201, 31469, 31555, 31980, 31984, 32050.5, 34856, 36501, 36505, 36523, 36601, 36602, and 53679 of the Government Code; to amend the headings of Article 4 of Chapter 3 of Division 1 of Title 3 and of Part 4 of Division 2 of Title 3 of the Government Code; to repeal the headings of Chapters 1 and 2 of Part 4 of Division 2 of Title 3 of the Government Code; to repeal Chapter 5 of Part 3 of Division 3 of Title 4 of the Government Code; to repeal Sections 34709, 35739, and 35845 of the Government Code; all relating to courts of justice, judicial districts, and various officers and employees thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1786: By Messrs. Brown, Rosenthal, and Munnell—An act to amend Sections 17, 73e, 77b, 82, 83, 84, 85, 117, 117a, 117b, 117c, 117d, 117e, 117g, 117h, 117ha, 117i, 117j, 117*l*, 117m, 117o, 117p, 117r, 131.3, 134, 139, 142, 147, 149a, 150, 151, 152, 153, 166, 170, 170a, 171, 172, 188, 189, 274c, 372, 406, 407, 408, 410, 412, 413, 422, 426, 437, 437b, 437c, 446, 465, 472, 472a, 477, 480, 481, 482, 483, 492, 493, 494, 495, 496, 498, 499, 500, 503, 515, 520, 538, 539, 540, 545, 548, 554, 555, 556, 573, 581, 581b, 581d, 585, 594, 596, 600, 607a, 628, 631, 632, 638, 639, 640, 641, 644, 664, 667a, 668, 674, 675, 681a, 682, 688.1, 683, 689, 692, 714, 715, 717, 717.1, 718, 719, 720, 721, 722, 973, 974, 975, 977, 978, 978a, 979, 981, 982, 990, 997, 1000, 1003, 1005, 1006, 1008, 1011, 1015, 1030, 1031, 1032, 1032.5, 1032.6, 1033, 1033.7, 1054, 1054.1, 1054a, 1068, 1085, 1103, 1134, 1135, 1144, 1146, 1148, 1149, 1151, 1166a, 1168, 1169, 1176, 1208.5, 1211, 1212, 1213, 1214, 1215, 1217, 1218, 1220, 1221, 1222, 1995, 2024, 2037, and 2038 of the Code of Civil Procedure; to amend the headings of Chapter 5 of Title 1 of Part 1, of Article 3 of Chapter 5 of Title 1 of Part 1, and of Chapter 3 of Title 13 of Part 2 of the Code of Civil Procedure; to repeal the heading of Article 4 of Chapter 5 of Title 1 of Part 1 of the Code of Civil Procedure; to repeal Chapter 6 of Title 1 of Part 1 of the Code of Civil Procedure; and to renumber Chapter 7 of Title 1 of Part 1 of the Code of Civil Procedure to be Chapter 6; all relating to courts of justice, various officers connected therewith, and judicial districts.

Referred to Committee on Judiciary.

Assembly Bill No. 1787: By Mr. Morris—An act to add Article 10, comprising Sections 7146 and 7147, to Chapter 9, Division 3 of the Business and Professions Code, relating to the licensing of construction salesmen.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1788: By Messrs. Burke and Geddes—An act to repeal Article 2 of Chapter 4 of Division 4 of Title 4 of the Government Code, relating to the authorization and issuance of bonds of cities.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1789: By Messrs. Burke and Geddes—An act to amend Sections 5025, 5119, 5125, 5180, 5182, 5190, 5194, 5195, 5266, 5294, 5295, 5296, 5303, 5342, 5343, 5366, 5372, 5391, 5392, 6463, 6464 of, to add Section 5302.5 to, and to repeal Section 5193 of, the Streets and Highways Code, relating to the Improvement Act of 1911 and public works and improvements thereunder.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1790: By Mr. Stewart—An act to repeal Section 263 and to amend Sections 256 and 257 of the Health and Safety Code, and to provide for the reversion to the General Fund of the unexpended balance of the Physically Defectives' Revolving Fund, relating to physically handicapped children.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1791: By Messrs. Stewart and Waters—An act adding Chapter 7 to Division 20 of the Health and Safety Code providing for research on the public health aspects of air pollution, and making an appropriation.

Referred to Committee on Public Health.

Assembly Bill No. 1792: By Messrs. Maloney, Connolly, Gaffney, Meyers, and Berry—An act to amend Section 261e of the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties, having a population between 600,000 and 900,000.

Referred to Committee on Judiciary

Assembly Bill No. 1793: By Messrs Maloney, Connolly, Gaffney, Meyers, Berry, Brady, and George D Collins—An act to amend Section 204e of the Code of Civil Procedure, relating to the duties and compensation of the secretary and jury commissioner of the superior court, and assistants

Referred to Committee on Judiciary

Assembly Bill No. 1794: By Mr. George D. Collins—An act to amend Section 11586 of the Elections Code, relating to elections

Referred to Committee on Elections and Reapportionment

Assembly Bill No. 1795: By Mr. George D. Collins—An act to amend Section 10554 of the Elections Code, relating to elections.

Referred to Committee on Elections and Reapportionment

Assembly Bill No. 1796: By Mr. George D. Collins—An act to amend Section 9752 of the Elections Code, relating to elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1797: By Mr. George D. Collins—An act to amend Section 8100 of the Elections Code, relating to elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1798: By Mr. George D. Collins—An act to amend Section 1600 of the Elections Code, relating to elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1799: By Messrs. Geddes and Rosenthal—An act to amend Section 602 of the Revenue and Taxation Code, relating to description of property for property taxation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1800: By Messrs. Geddes and Rosenthal—An act to amend Section 602 of the Revenue and Taxation Code, relating to description of property for property taxation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1801: By Messrs. Stewart and McCarthy—An act to amend Section 7031 of the Business and Professions Code, relating to licensing of contractors.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1802: By Mr. Stewart—An act to amend Section 12302 of the Government Code, relating to salaries of State Treasurer's assistants.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1803: By Mr. Porter—An act to amend Section 19210 of the Streets and Highways Code, relating to highway lighting districts.

Referred to Committee on Municipal and County Government.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Coats:

Resolved, That Assembly Bill No. 1220 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provisions of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr Speaker—69.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF ASSEMBLY BILL NO. 1220

Assembly Bill No. 1220—An act to add Section 3577 to the Education Code, relating to the Public School System, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined Assembly Bill No. 1220

And reports the same correctly engrossed

BURKE, Chairman

Above reported bill ordered to third read.

THIRD READING OF ASSEMBLY BILL NO. 1220

Assembly Bill No. 1220—An act to add Section 3577 to the Education Code, relating to the Public School System, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Butters, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Waters—67.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Butters, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Waters—67.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1951

MR, SPEAKER: Your Committee on Legislative Procedure has examined: Assembly Bill No 142

And reports the same correctly engrossed

BURKE, Chairman

Above reported bill ordered to third reading.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Waters:

Resolved, That Assembly Bill No. 142 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—68

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF ASSEMBLY BILL NO. 142

Assembly Bill No. 142—An act to add Section 5.1 to the Metropolitan Water District Act, relating to the powers of metropolitan water districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—70

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—70

NOES—None.

Bill ordered transmitted to the Senate.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 742

Mr. Evans moved that Assembly Bill No. 742 be withdrawn from the Committee on Civil Service and State Personnel, and be re-referred to the Committee on Municipal and County Government.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 49—An act to amend Section 795.1 of the Agricultural Code, relating to oranges.

Bill read second time, and ordered engrossed.

Assembly Bill No. 556—An act to amend Section 673 of the Agricultural Code, relating to reports of imitation milk products and oleomargarine.

Bill read second time, and ordered engrossed.

Assembly Bill No. 557—An act to amend Section 682 of the Agricultural Code, relating to licenses for testers, samplers, weighers, and pasteurizers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 582—An act to amend Section 707.5 of the Agricultural Code, relating to delinquent license fees under the Milk and Milk Products Act of 1947.

Bill read second time, and ordered engrossed.

Assembly Bill No. 583—An act to amend Sections 509 and 510 of the Agricultural Code, relating to market milk inspection.

Bill read second time, and ordered engrossed.

Assembly Bill No. 600—An act to amend Section 100 of the Agricultural Code, relating to plant quarantine and pest control definitions.

Bill read second time, and ordered engrossed.

Assembly Bill No. 603—An act to amend Section 1083.1, 1083.3, 1083.5, and 1089 of the Agricultural Code, relating to commercial feeding stuffs.

Bill read second time, and ordered engrossed.

Assembly Bill No. 51—An act to amend Sections 7 and 11 of the Unemployment Insurance Act, relating to a System of Unemployment and Disability Insurance, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed

Assembly Bill No. 504—An act to amend Section 28.6 of, and to add Section 34.6 to, the Agricultural Code, relating to the registration of root or top stock of fruit and nut trees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "registration", and insert "identification".

Amendment No. 2

On page 1, line 5, of the printed bill, strike out "registration", and insert "identification".

Amendment No. 3

On page 1, line 9, of the printed bill, strike out "registration", and insert "identification".

Amendment No. 4

On page 2, line 13, of the printed bill, strike out "a", and insert "an identification".

Amendment No. 5

On page 2, line 14, of the printed bill, strike out "recording", and insert "record"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 51

And reports the same correctly engrossed

BURKE, Chairman

Above reported bill ordered to third reading.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Geddes:

Resolved, That Assembly Bill No. 51 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—71.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF ASSEMBLY BILL NO. 51

Assembly Bill No. 51—An act to amend Sections 7 and 11 of the Unemployment Insurance Act, relating to a System of Unemployment and Disability Insurance, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, and Mr. Speaker—67.

NOES—Butters, Collier, Hinckley, Levering, Smith, and Tomlinson—6.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, and Mr. Speaker—67.

NOES—Butters, Collier, Hinckley, Levering, Smith, and Tomlinson—6.

Bill ordered transmitted to the Senate.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 35—An act to amend Section 1596.1 of the Education Code, relating to school sites.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 2 of the title of the printed bill, before the period, insert ", declaring the urgency thereof, to take effect immediately."

Amendment No. 2

On page 1, line 8, of said bill, after "exclude", insert "such".

Amendment No. 3

On page 1, line 13, of said bill, before the period, insert ", and the buildings and improvements thereon shall remain the property of such district".

Amendment No. 4

On page 1, of said bill, after line 13, insert

"SEC 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are.

Under the existing law if there is located in unincorporated territory annexed to a city a school building which was constructed and maintained at the expense of a school district which does not include the territory within the boundaries of the city, such school building will become a part of the city school district In many cases the city school district would be unable to raise funds to maintain the school building. In order to assure adequate provision for the continued maintenance of such schools which serve areas greater than the area within the boundaries of such cities, and thus preserve the much needed existing institutions of education, it is necessary that this act take effect immediately."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1950

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 248

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 18, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Joint Resolution No. 2

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

RECESS

At 12.19 p.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 1804: By Mr. Evans—An act to amend the title and Sections 1, 2, and 3 of Statutes 1935, Chapter 683, as amended, commonly referred to as the Transportation Rate Fund Act, relating to fees assessed against transportation agencies carrying property for compensation to raise funds for the purpose of administering and enforcing the Highways Carriers' Act and the Motor Transportation Brokers' Act and certain provisions of the Public Utilities Act.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1805: By Messrs. Burkhalter, Morris, and Dills —An act to add Sections 550.1, 551.5, 552.1, and 552.2 to the Military and Veterans Code, relating to California defense and security.

Referred to Committee on Military Affairs.

Assembly Bill No. 1806: By Messrs. Burkhalter and McCollister—An act to add Section 1100 to the Agricultural Code, relating to eggs.

Referred to Committee on Agriculture.

Assembly Bill No. 1807: By Mr. Burkhalter—An act to add Section 10347 to the Insurance Code, relating to disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1808: By Mr. Burkhalter—An act making an appropriation to the Department of Natural Resources, Division of Beaches and Parks, for fencing the Amastoy Rancho.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1809: By Mr. Lindsay—An act to repeal the Conservation and Planning Act and Title 7 of the Government Code, and

to add Title 7 to the Government Code, relating to conservation, planning, and zoning.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1810: By Messrs. George D. Collins, Brady, Gaffney, Berry, Connolly, Maloney, McCarthy, and Meyers—An act to amend Section 29(c) of the "Community Redevelopment Act," relating to employees benefits.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1811: By Messrs. George D. Collins, Meyers, Gaffney, Maloney, and McCarthy—An act to add Section 37394 to the Government Code, relating to the leasing of property for off-street parking purposes, declaring the urgency thereof, to take effect immediately

Referred to Committee on Municipal and County Government

Assembly Bill No. 1812: By Mr Caldecott—An act to add Section 16009 to the Government Code, relating to claims against the State, and providing a procedure for the United States Government to reach net amounts owing by the State to debtors of the United States.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1813: By Mr. Caldecott—An act to add Section 12419 5 to the Government Code, relating to claims against the State and the duties of the State Controller.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1814: By Mr. Dunn—An act to add Section 8651 1 to the Revenue and Taxation Code, relating to state taxes

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1815: By Mr. Dunn—An act to amend Section 372 of the Vehicle Code and to repeal Sections 372.3, 372.5, 373, and 373.5 of said code, relating to vehicle registration fees.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1816: By Mr. Maloney—An act to amend Section 151 of the Business and Professions Code, relating to the Department of Professional and Vocational Standards.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1817: By Mr. Maloney—An act to amend Section 7011 of the Business and Professions Code, relating to contractors

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1818: By Mr. Brown—An act to revise and consolidate the law relating to the receipt, custody, investment, management, disposal, and escheat of various classes of unclaimed property to the possession of which the State is, or may become entitled, by repealing Titles 8 and 8A of Part 3 of the Code of Civil Procedure, Sections 3163, 3164, 3165, 3166, and 3167 of the Banking Code, Sections 3163, 3164,

3165, 3166, and 3167 of the Financial Code, and an act entitled "An act providing for the dissolution and winding up of savings banks, trust companies, and banks of deposit, and providing for the disposition of all funds deposited therein and not claimed within five years after such banks have ceased to do business, or after the commencement of proceedings to dissolve," approved March 31, 1891, (Chapter 190, Statutes of 1891), amending and renumbering Section 3168 of the Banking Code, Section 3168 of the Financial Code, and the headings of Titles 9 and 10 of Part 3 of the Code of Civil Procedure, amending Section 13470 of the Government Code, Section 870, 3121, 3150, and 3162 of the Banking Code, Sections 870, 3121, 3150, 3162, and 9073 of the Financial Code, Section 13.16c of the Building and Loan Association Act, Sections 231, 739, 1064, and 1148 of the Probate Code, Section 5061 of the Penal Code, and Sections 166 and 1015 of the Welfare and Institutions Code, and adding Title 10 to Part 3 of the Code of Civil Procedure, Sections 5062, 5063, 5064, 5065, and 5066 to the Penal Code, and Sections 166.1, 166.2, 166.3, 166.4, 166.5, 1016, 1017, 1018, 1019, and 1020 to the Welfare and Institutions Code, and making an appropriation.

Referred to Committee on Judiciary.

Assembly Bill No. 1819: By Messrs. McFall and Brown—An act to amend Section 1241 of the Civil Code, relating to homesteads.

Referred to Committee on Judiciary

Assembly Bill No. 1820: By Messrs McFall and Brown—An act to amend Section 1263 of the Civil Code, relating to homesteads

Referred to Committee on Judiciary.

Assembly Bill No. 1821: By Messrs. McFall and Brown—An act to amend Sections 296.2 and 296.4 of, and to add Sections 296.41 and 296.42 to, the Probate Code, relating to the estates of deceased persons and the determination of simultaneous death

Referred to Committee on Judiciary.

Assembly Bill No. 1822: By Messrs. McFall and Brown—An act to add Section 1190.1 to the Civil Code, relating to the acknowledgment of instruments.

Referred to Committee on Judiciary

Assembly Bill No. 1823: By Messrs. McFall and Brown—An act to amend Section 1245.3 of the Code of Civil Procedure, relating to proceedings in eminent domain

Referred to Committee on Judiciary.

Assembly Bill No. 1824: By Messrs. McFall and Brown—An act to amend Section 2924c of the Civil Code, relating to mortgages and deeds of trust.

Referred to Committee on Judiciary.

Assembly Bill No. 1825: By Messrs. McFall and Brown—An act to amend Sections 1242, 1243, and 1265 of the Civil Code and Sections 660 and 663 of the Probate Code, relating to homesteads

Referred to Committee on Judiciary

Assembly Bill No. 1826: By Messrs. McFall and Brown—An act to add Section 1116 to the Civil Code, relating to conditions subsequent in grants and protection of mortgages and deeds of trust made for value and in good faith.

Referred to Committee on Judiciary.

Assembly Bill No. 1827: By Messrs. McFall and Brown—An act to amend Sections 801.3 and 801.9 of the Code of Civil Procedure, relating to the determination of interests in and liens on real property.

Referred to Committee on Judiciary.

Assembly Bill No. 1828: By Mr. Grant—An act to amend Section 4707 of the Labor Code, relating to workmen's compensation benefits

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1829: By Mr. Evans—An act to add Section 170 to the Vehicle Code, relating to special identification plates.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1830: By Mr. Evans—An act to amend Sections 11610, 11612, 11614, 11619, 11622 and to repeal Sections 11620 and 11621 of the Health and Safety Code, relating to the unlawful transportation, keeping, depositing, concealment and possession of narcotics in vehicles.

Referred to Committee on Public Health.

Assembly Bill No. 1831: By Mr. Brown—An act to amend Section 739 of the Probate Code, relating to the disposition of claims against estates of deceased persons which are unpaid because the claimant cannot be found.

Referred to Committee on Judiciary.

Assembly Bill No. 1832: By Mr. Brown—An act to amend Section 1274.10a of the Code of Civil Procedure, relating to abandoned property or escheated property.

Referred to Committee on Judiciary.

Assembly Bill No. 1833: By Mr. Brown—An act to amend Section 1272a of the Code of Civil Procedure, relating to the procedure for the recovery of property in the possession of the State, to which claimants are entitled.

Referred to Committee on Judiciary.

Assembly Bill No. 1834: By Mr. Brown—An act to amend Section 1027 of the Probate Code, relating to the distribution of estates and notice to the State Controller.

Referred to Committee on Judiciary.

Assembly Bill No. 1835: By Mr. Brown—An act to amend Section 5061 of, and to add Sections 5062, 5063, 5064, 5065, and 5066 to, the Penal Code; to amend Sections 166 and 1015 of, and to add Sections 166.1, 166.2, 166.3, 166.4, 166.5, 1016, 1017, 1018, 1019, and 1020 to, the

Welfare and Institutions Code, relating to the disposition of unclaimed property of deceased, discharged, escaped or paroled prisoners and inmates of state institutions subject to the jurisdiction of the Director of Corrections, Department of Mental Hygiene, and Youth Authority.

Referred to Committee on Judiciary.

Assembly Bill No. 1836: By Mr. Brown—An act to amend Sections 1274c and 1445 of the Code of Civil Procedure, relating to the disposition of property left by deceased persons.

Referred to Committee on Judiciary.

Assembly Bill No. 1837: By Mr. Rosenthal—An act to add Section 19355 to the Health and Safety Code, relating to the occupancy of trailer coaches.

Referred to Committee on Public Health.

Assembly Bill No. 1838: By Messrs. George D. Collins, Brady, Gaffney, Meyers, Berry, Connolly, and McCarthy—An act to amend Section 662 of the Welfare and Institutions Code, to provide that in counties with more than 500,000 population and less than 2,000,000 population the juvenile hall shall be under the management and control of the chief executive officer of the county or similar officer designated by the legislative body.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1839: By Mr. Dolwig—An act to amend Sections 542, 689b, 690.24, and 690.26 of the Code of Civil Procedure, relating to supplementary proceedings.

Referred to Committee on Judiciary.

Assembly Bill No. 1840: By Mr Dolwig—An act to amend Sections 4850, 4851, 4852, 4853, and 4854 of the Labor Code, relating to special payments to city policemen and city firemen.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1841: By Mr. Dolwig—An act to amend Section 4850 of the Labor Code, relating to leave of absence with pay in lieu of disability payments.

Referred to Committee on Municipal and County Government

Assembly Bill No. 1842: By Mr. Dolwig—An act to add Section 73.3 to the Streets and Highways Code, relating to the relinquishment of highways or portions thereof to local authorities.

Referred to Committee on Transportation and Commerce

Assembly Bill No. 1843: By Mr. Dolwig—An act to add Section 24412 to the Education Code, relating to the liability of school districts for injuries arising out of the organization, promotion or conducting of community recreation programs or activities.

Referred to Committee on Education.

Assembly Bill No. 1844: By Mr. Hollibaugh—An act to add Sections 982.1, 4986.5, and 4986.6 to the Revenue and Taxation Code, and to add Section 1028 to the Probate Code, relating to the taxation of property which has escheated or been distributed to the State.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1845: By Mr. Lindsay—An act to amend Section 75 of the Streets and Highways Code, relating to highway planning.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1846: By Mr. Lindsay—An act to amend Sections 38707 and 38708 of the Government Code, relating to the establishment of zoning commissions in cities

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1847: By Mr Lindsay—An act to add Section 11005.6 to the Government Code, relating to acquisition of real property by state agencies, and providing for referral of proposed acquisitions to local planning agencies and for approval thereof by the State Public Works Board.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1848: By Mr. Lindsay—An act to add Section 60 to the State Water Resources Act of 1945, relative to the financing of water projects by issuance of bonds payable solely from the revenues thereof.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1849: By Mr Lindsay—An act to amend Section 3 of the Wildlife Conservation Act of 1947 (Chapter 1325, Statutes of 1947), relating to the acquisition of land for the purposes of said act and the powers of the State Public Works Board in relation thereto.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1850: By Mr Lindsay—An act to amend Sections 551, 553, 560.1, and 562 of, and to repeal Section 561 of, the Vehicle Code, relating to traffic rules

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1851: By Mr. Lindsay—An act to amend Section 525.1 of the Vehicle Code, relating to the operation of motor vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1852: By Mr. Lindsay—An act to amend Section 585 of, and to add Section 585.5 to, the Vehicle Code, relating to authority of officers.

Referred to Committee on Judiciary.

Assembly Bill No. 1853: By Mr Lindsay—An act to amend Section 680 of the Vehicle Code, relating to inspection of vehicles and equipment.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1854: By Mr. Lindsay—An act to add Section 737.5 to the Vehicle Code, relating to nonresident drivers of foreign motor vehicles, and providing a procedure which may be followed after the arrest of such drivers.

Referred to Committee on Judiciary.

Assembly Bill No. 1855: By Mr. Fleury—An act to amend Section 678 of the Vehicle Code, relating to tire equipment.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1856: By Messrs Silliman, Brown, and Hagen—An act to amend Sections 154, 6500, and 7000 of the Welfare and Institutions Code and to amend and renumber Section 6500.3 to be Section 7000.5 thereof and to amend the heading of Chapter 3 of Part 4 of Division 6 thereof, relating to state institutions under the jurisdiction of the Department of Mental Hygiene.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1857: By Mr. Maloney—An act to amend Section 20383 of the Education Code, and to add Section 20383.5 to said code, relating to leaves of absence of state college employees.

Referred to Committee on Education.

Assembly Bill No. 1858: By Messrs Connolly and Maloney—An act to amend Section 2261 of the Civil Code, relating to the investment of funds.

Referred to Committee on Judiciary.

Assembly Bill No. 1859: By Messrs. Lipscomb and Smith—An act to amend Sections 5058 and 5105 1 of, and to add Section 5103 1 to, the Education Code, relating to state school building aid

Referred to Committee on Education

Assembly Bill No. 1860: By Messrs. Lipscomb and Smith—An act to amend Section 5103 of the Education Code, relating to state school building aid.

Referred to Committee on Education.

Assembly Bill No. 1861: By Mr. Grunsky—An act to amend Section 1260 of the Military and Veterans Code, relating to definitions of veterans' associations for purposes of public buildings, parks, and centers therefor

Referred to Committee on Military Affairs

Assembly Bill No. 1862: By Mr. Grunsky—An act to add Section 18616 to the Education Code, relating to leases of school district property to veterans' associations.

Referred to Committee on Military Affairs.

Assembly Bill No. 1863: By Messrs. Grunsky and Collier—An act to add Sections 7311 and 7312 to the Revenue and Taxation Code, and to add Chapter 2 5, comprising Sections 7665 to 7674, inclusive, to Part 2

of Division 2 of said code, relating to the imposition of a motor vehicle fuel tax upon the user, storer, keeper, retainer or consumer, providing for the collection thereof through producers, distributors or brokers of motor vehicle fuel, and providing that this act shall take effect immediately.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

Assembly Bill No. 1864: By Mr. Stanley—An act to amend Section 37100 of the Government Code, relating to the powers of cities.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1865: By Mr. Stanley—An act to amend Section 37113 of the Government Code, relating to the powers of cities.

Referred to Committee on Municipal and County Government.

Assembly Joint Resolution No. 9: By Mr. Doyle—Relative to memorializing the Congress of the United States in relation to the qualifications of Members of the House of Representatives.

Referred to Committee on Rules.

Assembly Joint Resolution No. 10: By Messrs. Gaffney, Maloney, McCollister, McCarthy, George D. Collins, and Crowley—Relative to reactivation of the Defense Highway Act of 1941.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 4

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

CONSIDERATION OF DAILY FILE (RESUMED)

CONSIDERATION OF HOUSE RESOLUTION NO. 14

By Mr. Dickey:

House Resolution No. 14

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to purchase 81 sets of the latest edition of the Larmac Index to California Laws, at _____ plus sales tax per set; and be it further

Resolved, That the Chief Clerk of the Assembly be and he is hereby directed to deliver one (1) copy of the Larmac Index to each Member of the Assembly, and one (1) copy to the Chief Clerk; and be it further

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant in favor of the Recorder in a sum not to exceed _____ dollars in payment of 81 sets of the latest edition of the Larmac Index.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In the first paragraph, line 2, of the resolution, as printed in the Assembly Journal of January 8, 1951, page 11, after "purchase", strike out "81", and insert "13".

Amendment No. 2

In the first paragraph, line 3, of said measure, after "at", insert "seventeen dollars and fifty cents ($17.50)."

Amendment No. 3

In the second paragraph, line 2, of said measure, after "each", insert "new".

Amendment No. 4

In the second paragrah, lines 2 and 3, of said measure, after "Assembly", strike out ", and one (1) copy to the Chief Clerk".

Amendment No. 5

In the last paragraph of said measure, second line, after "exceed", insert "two hundred fifty dollars ($250) ; strike out "dollars" at the end of the line; and, in the last line of said paragraph, strike out "81", and insert "13".

Amendments read, and adopted.

Consideration of House Resolution No. 14, as Amended

By Mr. Dickey:

House Resolution No. 14

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to purchase 13 sets of the latest edition of the Larmac Index to California Laws, at seventeen dollars and fifty cents ($17.50) plus sales tax per set; and be it further

Resolved, That the Chief Clerk of the Assembly be and he is hereby directed to deliver one (1) copy of the Larmac Index to each new Member of the Assembly; and be it further

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant in favor of the Recorder in a sum not to exceed two hundred fifty dollars ($250) in payment of 13 sets of the latest edition of the Larmac Index

Resolution read, as amended.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Davis moved a call of the Assembly.

Motion carried. Time, 2.10 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Beck, Belotti, Brown, Butters, Caldecott, Coats, Collier, Condon, Conrad, Cooke, Dills, Dunn, Evans, Fleury, Hinckley, Kilpatrick, Lowrey, Luckel, Lyon, McMillan, Niehouse, Porter, Rosenthal, Silliman, Thomas, and Waters—26.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Doyle asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

JOINT INTERIM COMMITTEE APPOINTMENTS ANNOUNCED

Speaker Sam L. Collins announced the appointment of Mr. Hansen, vice Mr. Thompson; and Mr. Cloyed, vice Mr. Lewis; to membership on the Joint Interim Committee on Soil Conservation.

REQUEST FOR UNANIMOUS CONSENT THAT NAME BE PLACED UPON ROLL CALL ON URGENCY CLAUSE TO ASSEMBLY BILL NO. 51

Mr. Brady asked for, and was granted, unanimous consent that his name be placed upon the roll call on the urgency clause to Assembly Bill No. 51, and that he be recorded as voting "Aye."

ANNOUNCEMENT

Speaker Sam L. Collins announced that, in his opinion, the members are starting a very bad precedent to grant unanimous consent to any member to record his name and vote upon a roll call, when a long duration of time has elapsed since roll call action was taken

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 1866: By Mr Sam L. Collins—An act to amend Section 19433 of the Business and Professions Code, relating to horse racing.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 1867: By Mr. Lincoln—An act to amend Section 4102 of the Government Code, relating to subletting and subcontracting.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1868: By Mr. Babbage—An act to amend Section 4530 of the Penal Code, relating to escapes.

Referred to Committee on Judiciary.

Assembly Bill No. 1869: By Mr. Babbage—An act to amend Section 1191 of the Penal Code, relating to judgments

Referred to Committee on Judiciary.

Assembly Bill No. 1870: By Messrs. Burkhalter, Evans, and McMillan—An act to amend Section 20840 of the Business and Professions Code, relating to the sale of gasoline or other motor vehicle fuel.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

Assembly Bill No. 1871: By Mr. Stanley—An act to amend Section 6407 of the Health and Safety Code, relating to sanitary districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1872: By Mr. Stanley—An act to amend Section 18 of the County Waterworks District Act, relating to the government of the district.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1873: By Messrs. Gaffney, George D. Collins, McCarthy, Connolly, Berry, Brady, Maloney, and Meyers—An act to add Section 24205.3 to the Education Code, relating to the conferring of degrees by schools and colleges

Referred to Committee on Education.

Assembly Bill No. 1874: By Messrs. Gaffney, George D. Collins, and Berry—An act to amend Sections 1475, 1476, 1477, 1478, 1479, and 1480, of the Labor Code, relating to the powers and duties of the Commission of Housing.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1875: By Messrs. Gaffney, George D. Collins, McCollister, Crowley, and Berry—An act to add Chapter 6 to Division 7 of Title 1 of the Government Code, relating to border information bureaus.

Referred to Committee on Governmental Efficiency and Economy.

RESOLUTIONS

The following resolution was offered:

By Messrs. Gaffney and Maloney.

House Resolution No. 46

Relative to adjournment in memory of Alexander Watchman

WHEREAS, It is with profound regret that the Members of the Legislature have learned of the passing of Alexander "Sandy" Watchman on January 14, 1951; and

WHEREAS, Alexander Watchman has for the greater portion of his life devoted himself untiringly to the problems of the workingman; and

WHEREAS, Alexander Watchman has been a member of the United Carpenters since May 2, 1910, and a member of the San Francisco Carpenters' Local 2164 since 1931, and has served as Financial Secretary and Business Representative of that local, and as President of the San Francisco Building Trade Council from 1937 until 1941, and has served with the California Federation of Labor until 1941, and

WHEREAS, From 1941 until his passing Alexander Watchman has served as a member of the California Industrial Accident Commission, and has, during such service, sought to have the State Workmen's Compensation Laws administered fairly and impartially and has worked diligently to have them liberalized; and

WHEREAS, It can be truly said of Alexander Watchman that he faithfully served his fellow men and his Country; now therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly hereby express their deep sorrow at the passing of Alexander Watchman and most sincere sympathy for his widow and family; and be it further

Resolved, That when the Assembly shall this day adjourn it do so in respect to the memory of Alexander Watchman; and be it further

Resolved, That the Chief Clerk of the Assembly be and is hereby directed to transmit suitably prepared copies of this resolution to Mrs. Alexander Watchman, the widow of Alexander Watchman, and to Maud Switzler, his daughter, Beryl Emory, his granddaughter, and to the San Francisco Building and Construction Trades Council

Resolution read, and ordered referred to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 15: By Messrs. Gaffney, McCollister, Berry, and Crowley—Relative to State Information Bureaus.

Referred to Committee on Rules.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 38—An act making an appropriation for purpose of increasing salaries of state employees, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Hawkins moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on January 17, 1951, between lines 11 and 12, insert

"SEC. 2.5. It is the intent of the Legislature in enacting this act that employees now receiving compensation not in excess of three hundred dollars ($300) per month shall be given first consideration."

Amendment read.

Demand for Previous Question

Messrs. Lyon, Lindsay, Silliman, Hansen, and Caldecott demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendment offered by Mr. Hawkins to Assembly Bill No. 38.

Roll Call Demanded

Messrs. Hawkins, Elliott, and Cooke demanded a roll call.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Brady, Burkhalter, Coats, George D. Collins, Condon, Cooke, Crowley, Dunn, Elliott, Evans, Geddes, Hahn, Hawkins, Hinckley, Hollibaugh, Lincoln, Lowrey, Niehouse, Porter, Rumford, and Thomas—21.

NOES—Babbage, Beck, Belotti, Berry, Brown, Burke, Butters, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Davis, Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Tomlinson—52.

Demand for Previous Question

Messrs. Silliman, Kirkwood, Parker, Gubser, and Clarke demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 38.

Point of Order

Mr. Kirkwood arose to the following point of order: That Mr. Sherwin has exceeded his time.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Motion That Mr. Sherwin Be Allowed Five Additional Minutes

Mr. Grunsky moved that Mr. Sherwin be allowed five additional minutes for the purpose of answering questions.

Motion died for lack of a second.

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hawkins, Henderson, Hinckley, Kelly, Lincoln, Lindsay,

Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, and Thomas—57.

NOES—Babbage, Burke, Butters, Collier, Conrad, Erwin, Hahn, Hansen, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, McGee, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Mr. Speaker—21.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 14

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended

DICKEY, Chairman

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 14, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 14

Senate Concurrent Resolution No. 14—Relative to adjournment of the Legislature for the constitutional recess, and to the reassembling of the Legislature after said recess, and fixing the date for said adjournment and said reassembling.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

On page 1, line 9, of the printed measure, after "at", strike out "8", and insert "10".

Amendment No. 2

On page 1, line 9, of said measure, after "the", strike out "twentieth", and insert "twenty-third".

Amendments read, and adopted.

Consideration of Senate Concurrent Resolution No. 14, as Amended

Senate Concurrent Resolution No. 14—Relative to adjournment of the Legislature for the constitutional recess, and to the reassembling of the Legislature after said recess, and fixing the date for said adjournment and said reassembling.

WHEREAS, Section 2 of Article IV of the Constitution of this State requires that, after the Legislature has been in session for a period of not exceeding 30 days a recess must be taken by both houses for a period of not less than 30 days; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring, That the 1951 Regular Session of the Legislature of the State of California shall adjourn for said recess at ~~8~~ *10* o'clock p.m. on the ~~twentieth~~ *twenty-third* day of January, 1951, and shall reassemble at 12 o'clock m. on March 12, 1951.

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, and Mr. Speaker—71.

NOES—Cooke and Crowley—2

Resolution ordered transmitted to the Senate.

CONSIDERATION OF HOUSE RESOLUTION NO. 41

By Mr. Geddes:

House Resolution No. 41

Relative to the augmentation of funds of the Assembly Interim Committee on Finance and Insurance

WHEREAS, Recent events have demonstrated the need for the Assembly Interim Committee on Finance and Insurance to conduct hearings on the subject of allegedly fraudulent operation of medical and health associations and bills presently referred to the Standing Committee on Finance and Insurance; and

WHEREAS, The funds presently available to the committee are insufficient to meet the expenses necessary for the conduct of such hearings; now, therefore, be it

Resolved by the Assembly of the State of California, That in addition to any sum heretofore made available to the Assembly Interim Committee on Finance and Insurance, created by House Resolution No. 239 of the 1949 Regular Session and continued in existence by House Resolution No. 28 of the 1951 Regular Session, the sum of three thousand dollars ($3,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under House Resolution No. 28 of this session, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, and Stanley—63.

NOES—None.

CONSIDERATION OF HOUSE RESOLUTION NO. 43

House Resolution No. 43

Relative to the death of Hon. Louis F. Erb, former Assemblyman of the Twenty-eighth Assembly District, San Francisco, and to the adjournment of the Assembly of the State Legislature in respect to the memory of former Assemblyman, Hon. Louis F. Erb

WHEREAS, The Members of the Assembly of the State of California have learned with profound sorrow of the recent death of the Honorable Louis F. Erb of San Francisco, California, on December 12, 1950; and

WHEREAS, Louis F. Erb represented the City and County of San Francisco in the Assembly of the State Legislature in 1923 and 1925, serving the Twenty-eighth Assembly District, the Richmond-Park Presidio District of San Francisco; and

WHEREAS, During his term of office Louis F. Erb took an active and effective part in the work of the Assembly, performing distinguished services for the citizens of his district and the people of the whole State of California as a leader in the State Legislature; and

WHEREAS, Subsequent to his service as a Member of the Assembly, Louis F. Erb served for many years as Minute Clerk in the Assembly, rendering invaluable services to the Members of the Assembly; and

WHEREAS, For the last 18 years Louis F. Erb has served as Deputy Registrar of Contractors in the Contractors' State License Board; and

WHEREAS, The Native Sons of the Golden West was graced with his presence as presiding chairman of a long list of public balls, first as a member of old Alcalde Parlor, then El Dorado Parlor, and finally since 1943 Stanford Parlor; and

WHEREAS, The Past Presidents' Assembly of the Native Sons of the Golden West saw fit to install him as Governor General in which position he brought further reknown to the order as well as greater acclaim and respect to himself; and

WHEREAS, The Benevolent and Protective Order of Elks, San Francisco Lodge No 3, and the Richmond Lodge No 375, F and A. M likewise respected and honored this excellent Representative of the Park Presidio-Richmond District in the Assembly of the State Legislature; and

WHEREAS, Louis F. Erb has devoted his life to public service, has served the people of the State of California faithfully and efficiently throughout the years and is mourned by his beloved family, the citizens of the State of California, and his fraternal associates; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly of the State of California mourn the passing of the Hon. Louis F. Erb, and desire by this resolution to pay tribute to his excellent qualities and to convey to the members of the bereaved family their sympathy in this great loss; and be it further

Resolved, That when the Assembly this day adjourns, it do so out of respect to the memory of the Hon. Louis F Erb; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to have prepared suitably engrossed copies of this resolution and is instructed to transmit them to the members of the bereaved family, Mrs. Mathilda Ubhaus, Charles H. Erb, Lloyd Ubhaus, Charles A. Erb, Robert T. Erb, Mrs. Charles Lienau, and Dr. Charles Schuler.

Resolution read, and adopted unanimously by a rising vote.

CONSIDERATION OF HOUSE RESOLUTION NO. 37

By Mr. Condon:

House Resolution No. 37

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to purchase eighty-one (81) sets of the latest edition of the California Administrative Code.

Resolved further, That the Chief Clerk of the Assembly be and he is hereby directed to deliver one complete set of the code to each Member of the Assembly, and one complete set of the code to the Chief Clerk of the Assembly

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In House Resolution No. 37, as printed on page 462 of the Assembly Journal for January 15, 1951, strike out the two resolved clauses, and insert

"*Resolved by the Assembly of the State of California*, That each Member of the Assembly may request in writing to the Chief Clerk of the Assembly the purchase of not more than four titles of the California Administrative Code.

Resolved further, That the Chief Clerk of the Assembly be and he is hereby directed to purchase and deliver to each Member of the Assembly the titles of the California Administrative Code requested, and to purchase and deliver, as published, the register and inserts necessary to keep those titles up to date for a period of one year, as provided herein"

Amendment read.

House Resolution No. 37 ordered passed on file.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 1876: By Messrs. Rosenthal and Evans—An act to add Section 2173.5 to the Business and Professions Code, relating to the qualifications for a physician's and surgeon's certificate.

Referred to Committee on Public Health.

Assembly Bill No. 1877: By Mr. Hollibaugh—An act to amend Sections 43610, 43627, and 43628 of the Government Code, relating to the authorization and issuance of bonds of cities.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1878: By Mr. Stewart—An act relating to revenues from tide and submerged lands, including provisions to establish a Special Deposit Fund in the State Treasury for the deposit of revenues from tide and submerged lands, providing for the transfer thereof, and making an appropriation, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Ways and Means.

Motion to Place Rush Order on Printing of Assembly Bill No. 1878

Mr. Stewart moved that a rush order be placed upon the printing of Assembly Bill No. 1878.

Motion carried.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined
Assembly Concurrent Resolution No. 11
Assembly Concurrent Resolution No. 13
And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 49	Assembly Bill No. 557
Assembly Bill No. 556	Assembly Bill No. 582

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS

Senate Bill No. 18—An act to amend Section 3466a of the Political Code and Section 51681 of the Water Code, relating to reclamation districts.

Bill read third time.

Urgency Clause

Urgency clause read.

Point of Order

Mr. Brady arose to the following point of order: That copies of the bill under discussion are not on the desks of the members, and that the matter is not properly before the House until they are.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken, and ordered the Sergeant-at-Arms to immediately place copies of said bill upon the desks of the members.

Demand for Previous Question

Messrs. Hollibaugh, Dunn, Conrad, Silliman, and Lindsay demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the urgency clause to Senate Bill No. 18.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Butters, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Dickey, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stewart, Thomas, and Mr. Speaker—60

NOES—Burkhalter, Dunn, Elliott, Geddes, Henderson, and Klocksiem—6.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Butters, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Dickey, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stewart, Thomas, and Mr. Speaker—60.

NOES—Burkhalter, Dunn, Elliott, Geddes, Henderson, and Klocksiem—6

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Constitutional Amendment No. 23: By Messrs. Brown, Rosenthal, and Beck—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding to Article VI thereof a new section to be numbered 27, relating to the retirement of judges.

Referred to Committee on Constitutional Amendments.

Assembly Bill No. 1879: By Mr. Stewart—An act to repeal Chapter 7 of Division 3 of and to add Chapter 7 of Division 3, comprising Sections 6700 to 6799 inclusive, to the Business and Professions Code, relating to professional engineers.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1880: By Mr. McCarthy—An act to add Section 1508 to the Welfare and Institutions Code, relating to aid to needy children and failure to report the return of an absent parent.

Referred to Committee on Social Welfare.

Assembly Bill No. 1881: By Mr. McCarthy—An act to amend Section 1500 of the Welfare and Institutions Code, relating to needy children.

Referred to Committee on Social Welfare.

Assembly Bill No. 1882: By Mr. McCarthy—An act to add Section 7123 to the Business and Professions Code, relating to the regulation of contractors.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1883: By Mr. McMillan—An act to amend Sections 8354, 8355, 8356, and 8357 of the Revenue and Taxation Code and to repeal Section 8 of an act entitled "An act to amend Section 8352 of, and to add Sections 8354 to 8358, inclusive, to, the Revenue and Taxation Code, relating to aviation and airports and the financing thereof, including revenue from taxes on motor vehicle fuel," approved July 29, 1949, relating to the tax on motor vehicle fuel.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1884: By Mr. McMillan—An act to add Section 786.1 to the Fish and Game Code, relating to lobsters.

Referred to Committee on Fish and Game.

Assembly Bill No. 1885: By Mr. McMillan—An act to amend Sections 1624 and 1631 of, and to add Section 1633.5 to the Labor Code, relating to collection agencies.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1886: By Mr. Meyers—An act to amend Section 271 of the Banking Code, relating to assessments upon national banks by the Superintendent of Banks.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1887: By Mr. Meyers—An act to amend Section 3370 of the Banking Code, relating to loans to corporations in which an officer is an officer, stockholder or director.

Referred to Committee on Finance and Insurance.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON HOUSE RESOLUTION NO. 14

At 3.35 p.m., on motion of Mr. Dickey, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and House Resolution No. 14 adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 1888: By Mr. Meyers—An act to amend Section 753 of the Banking Code, relating to investments in bank premises.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1889: By Mr. Meyers—An act making an appropriation for payment of overtime by employees of the Department of Employment.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1890: By Mr. Meyers—An act to repeal Section 232 of the Banking Code, relating to the taking of the constitutional oath of office by deputies and examiners.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1891: By Mr. Kelly—An act to amend Sections 8723, 18461, and 18478 of, and to add Sections 18153, 18402.1, 18431, 18481 to, and to repeal Sections 18479 and 18480 of, the Education Code, all relating to sites for public schools.

Referred to Committee on Education.

Assembly Bill No. 1892: By Mr. Kelly—An act to amend Sections 1593, 2561, and 2802 of the Education Code, relating to the formation of school districts.

Referred to Committee on Education.

Assembly Bill No. 1893: By Mr. Waters—An act to add Section 5620.5 to the Elections Code, relating to grounds for challenge.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1894: By Mr. McGee—An act to amend Sections 867 and 868 of the Fish and Game Code, relating to the yellowtail, barracuda and white sea bass.

Referred to Committee on Fish and Game.

Assembly Bill No. 1895: By Messrs. McGee, Fleury, and Dolwig—An act to amend Section 487 of the Penal Code, relating to grand theft.

Referred to Committee on Judiciary.

Assembly Bill No. 1896: By Mr. Condon—An act to add Section 865.1 to the Penal Code, relating to criminal procedure, in respect to testimony of defendant at preliminary examinations.

Referred to Committee on Judiciary.

Assembly Bill No. 1897: By Mr. Parker—An act to add Section 402 to the Penal Code, relating to electrified fences.

Referred to Committee on Judiciary.

Assembly Bill No. 1898: By Mr. Babbage—An act making an appropriation to pay the claim of B. C. Jost.

Referred to Committee on Ways and Means.

Assembly Bill No. 1899: By Mr. Lindsay—An act to add Section 146 to the Streets and Highways Code, relating to planning of service roads as parts of freeways.

Referred to Committee on Conservation, Planning, and Public Works.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 600
Assembly Bill No. 603

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

MEMBER EXCUSED

At 3.40 p.m., Mr. Dickey asked for, and was granted, unanimous consent that Mr. Kilpatrick be excused, for the balance of the legislative day, and desired to waive his per diem.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

Memorandum From Legislative Counsel

A. B. 1652, by Mr. Brown

An act to add Sections 1274 3a and 1465.1 to the Code of Civil Procedure, relating to abandoned property.

Mr. Arthur A. Ohnimus
Chief Clerk of the Assembly

This is to advise you that the Legislative Counsel Bureau has, pursuant to the authority vested in it by Assembly Standing Rule No. 36, changed the title of A. B. 1652 to read as above.

RALPH N. KLEPS, Legislative Counsel
By J. GOULD, Deputy

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 18, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 10

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 8 p.m.—

Revenue and Taxation, in Room 435.

Upon adjournment—

Ways and Means.

Legislative Representatives, in Room 305.

Tomorrow, Friday, January 19—

At 10 a.m.—

Rules, in Room 319.

Subcommittee on Elections and Reapportionment relative to the McGee matter.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Messrs. McCollister and Thomas, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Andrew Zankich of Bodega Bay.

On request of Mr. Smith, the usual courtesies of the Assembly for this day were unanimously extended to C. Don Field of Glendale, former Assemblyman.

On request of Messrs. Silliman and Conrad, the usual courtesies of the Assembly for this day were unanimously extended to A. Ronald Button of Hollywood.

On request of Mr. Cloyed, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Del Dixon of National City.

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to Col. Howard Freeman, Major Oscar Treland, and Major Harry Horton of El Centro.

On request of Mr. Belotti, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. A. E. Johnson of Ft. Bragg.

On request of Messrs. Moss and Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Wesley Peters, Den Mother of Den 4, Pack 3036, and the following Cub Scouts, students at Crocker School, Sacramento: Max Gray, Robert MacCullough, Timothy Cole, Dick Rhodes, Kenneth McGilvray, Jr., Kenneth Peters, James Yeager, Gene Cobleigh, and Roy Peters, Boy Scout.

On request of Mr. Meyers, the usual courtesies of the Assembly for this day were unanimously extended to Stanley Wilson of San Francisco.

On request of Mr. Rosenthal, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Blanche Bauman of Los Angeles, and Mrs. Jackie Fisher of Sacramento.

ADJOURNMENT

At 3.43 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned, until 11 a.m., Friday, January 19, 1951, out of respect to the memory of the late Louis F. Erb of San Francisco.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

TENTH LEGISLATIVE DAY

TWELFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, January 19, 1951

The Assembly met at 11 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Our Father, which art in Heaven,
Hallowed be Thy name.

Direct us in the duties of this day with unfailing loyalty toward the high purposes and holy destiny of our calling. Help us to recognize the vastness of our responsibilities, the depth of our privileges, and the infinitude of our rewards.

"White Captain of my soul, lead on;
I follow Thee, come dark or dawn.
Only vouchsafe three things I crave;
Where terror stalks, help me be brave!
Where righteous ones can scarce endure
The siren call, help me be pure!
Where vows grow dim, and men dare do
What once they scorned, help me be true."

—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Gubser, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Rumford, on motion of Mr. Evans.
Mr. McMillan, on motion of Mr. Evans.
Mr. Babbage, on motion of Mr. Evans.
Mr. Parker, on motion of Mr. Evans.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Bill No. 35
Assembly Bill No 504
And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Bill No. 583
And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 18, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:
Senate Concurrent Resolution No. 18

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 18—Relative to making additional funds available to the Legislative Budget Committee, established by Senate Concurrent Resolution No. 7 (Res. Ch. 75, 1949).

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 121
Assembly Bill No. 440
Assembly Bill No. 559
Assembly Bill No. 573
Assembly Bill No. 577

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1951

MR. SPEAKER. Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 566
Assembly Bill No. 575

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 1900: By Mr. Sam L. Collins—An act making an appropriation to pay the claim of Charles E. Cooper against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 1901: By Messrs. Klocksiem and McGee—An act to add Section 2508 to the Welfare and Institutions Code, relating to work relief projects for persons receiving county aid and relief to indigents.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1902: By Mr Maloney—An act to add Part 10 to Division 3 of Title 2 of the Government Code, creating a Commission on Political and Economic Equality, and making an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1903: By Mr. Maloney—An act to amend Section 8 of an act entitled "An act to provide for the acquisition of temporary and emergency housing facilities for veterans and families of servicemen by joint action of the state and local agencies, providing for the operation of such facilities, making an appropriation, and declaring the urgency thereof, to take effect immediately," approved February 15, 1946, as amended, extending the period of availability of moneys appropriated therefor.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1904: By Mr. Gubser—An act to add Section 1104.2 to the Agricultural Code, relating to eggs.

Referred to Committee on Agriculture.

Assembly Bill No. 1905: By Mr. Sam L. Collins—An act to amend Section 54 of the Fish and Game Code, relating to game management areas.

Referred to Committee on Fish and Game.

Assembly Bill No. 1906: By Mr. Fleury—An act to amend Section 5511 of, and to add Section 5512.5 to, the Welfare and Institutions Code, relating to right to jury trial of persons committed as sexual psychopaths.

Referred to Committee on Judiciary.

Assembly Bill No. 1907: By Messrs. Erwin, Hinckley, and Butters—An act to add Article 3 to Chapter 1 of Part 1 of Division 4 of the Fish and Game Code, relating to reciprocal licenses.

Referred to Committee on Fish and Game.

Assembly Bill No. 1908: By Messrs. Erwin, Hinckley, and Butters—An act to provide for a compact between the State of California and the State of Arizona in relation to fish and game and to provide for reciprocal hunting and fishing licenses and privileges for the residents of said states.

Referred to Committee on Fish and Game.

Assembly Bill No. 1909: By Mr. Levering—An act to repeal Section 1507 of the Welfare and Institutions Code, relating to aid to needy children.

Referred to Committee on Social Welfare.

Assembly Bill No. 1910: By Mr. Levering—An act to repeal Sections 1507, 2003, 3001, and 3401 of the Welfare and Institutions Code, relating to aid to the needy.

Referred to Committee on Social Welfare.

Assembly Bill No. 1911: By Mr. Kelly—An act to add Section 502.5 to the Vehicle Code, relating to the impounding of vehicles of persons convicted of driving while under the influence of intoxicating liquor.

Referred to Committee on Judiciary.

Assembly Bill No. 1912: By Messrs. Fleury and Moss—An act to amend Section 20130 of the Government Code, relating to rates of contributions of members.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1913: By Messrs. Moss and Fleury—An act to amend Sections 11020 and 11021 of the Government Code, relating to operation of state offices on Saturdays.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1914: By Mr. Sherwin—An act to amend Section 1722 of the Welfare and Institutions Code, relating to the salary of members of the Youth Authority.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1915: By Mr. Sherwin—An act to amend Section 5076 of the Penal Code, relating to the compensation of members of the Adult Authority.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Concurrent Resolution No. 16: By Messrs. McMillan and Lyon—Relative to extending good wishes for a speedy recovery to Ida R. Koverman.

Referred to Committee on Rules.

Assembly Joint Resolution No. 11: By Messrs. Lanterman and Stewart—Relative to materials and equipment necessary for air pollution control.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 17: By Messrs. Kilpatrick, Burke, Burkhalter, Cooke, and Munnell—Relative to urging equal opportunity in public employment for qualified physically handicapped citizens of the State.

Referred to Committee on Rules.

Assembly Bill No. 1916: By Mr. McCollister—An act to add Sections 31026, 31027, 31028, and 31029 to the Water Code, relating to county water districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1917: By Mr. Geddes—An act to amend the Building and Loan Association Act by amending Section 9 10 thereof, relating to loans upon real property.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1918: By Mr. Geddes—An act to amend the Building and Loan Association Act by amending Section 6 01 thereof, relating to withdrawals.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1919: By Mr Geddes—An act to amend the Building and Loan Association Act by amending Section 12.01 thereof, relating to restrictions on building and loan business.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1920: By Mr. Geddes—An act to amend the Personal Property Brokers Act, relating to the taking and using of chattel mortgages.

Referred to Committee on Finance and Insurance

Assembly Bill No. 1921: By Messrs. Butters, Geddes, Erwin, Clarke, Babbage, Brown, and Cloyed—An act to add Article 4, comprising Sections 17390 to 17394, inclusive, to Chapter 4, Part 10, Division 2, of the Revenue and Taxation Code, relating to the personal income tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1922: By Messrs. Butters, Brown, Clarke, Babbage, and Cloyed—An act to amend Section 17305 of the Revenue and Taxation Code, relating to income taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1923: By Mr. Waters—An act to amend Sections 1402, 1404, and 11001 of the Elections Code, relating to the form of initiative referendum and recall petitions.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1924: By Mr. Waters—An act to amend Sections 1402, 1404, and 11001 of the Elections Code, relating to the form of initiative, referendum, and recall petitions.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1925: By Mr. Condon—An act to establish a judicial district consisting of Townships 3 and 4 in Contra Costa County.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1926: By Mr. Condon—An act to add Section 471 to the Government Code, relating to the division of the State into districts for the election of Legislative Representatives.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1927: By Mr. Condon—An act to add Sections 492 and 493 to the Government Code, relating to the division of the State into districts for the election of Legislative Representatives.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1928: By Mr. Doyle—An act to amend Section 20606 of, and to add Sections 20019.1, 20019.2, 20461.1, 20606.1, and 20608.1 to, the Government Code, relating to the State Employees' Retirement System, in respect to members who are local motor coach operators.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1929: By Mr. Hahn—An act to add Section 14637 1 to the Education Code, relating to payment of State Teachers' Retirement System benefits.

Referred to Committee on Education.

Assembly Bill No. 1930: By Mr. Burkhalter—An act to add Chapter 7, comprising Section 997.9, to Division 4 of the Military and Veterans Code, relating to conferring veteran benefits on merchant seamen and members of the United States Maritime Service.

Referred to Committee on Military Affairs.

Assembly Bill No. 1931: By Mr. Coats—An act to add Section 5003.1 to the Public Resources Code, relating to the establishment and maintenance of roadside parks by the State Park Commission, and making an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1932: By Mr. Coats—An act to add Section 5003.2 to the Public Resources Code, relating to the establishment and maintenance of river parks by the State Park Commission, and making an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1933: By Mr. Evans—An act to amend Sections 14293 and 25452 of the Government Code, relating to public works.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1934: By Messrs. Henderson and Coats—An act creating a State Commerce Commission, prescribing its powers and duties and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1935: By Mr. Beck—An act to add Section 492 to the Government Code, relating to the division of the State into districts for the election of Legislative Representatives.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1936: By Mr. Beck—An act to add Section 471 to the Government Code, relating to the division of the State into districts for the election of Legislative Representatives.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1937: By Mr. Beck—An act to amend Section 5032 of the Education Code, relating to state school building aid.

Referred to Committee on Education.

Assembly Bill No. 1938: By Mr. Beck—An act to amend Section 1952 of the Code of Civil Procedure, relating to destruction of exhibits and depositions.

Referred to Committee on Judiciary.

Assembly Bill No. 1939: By Mr. Brown—An act to add Sections 11007.5 and 11030.5 to the Government Code, relating to travel on state business.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1940: By Messrs. Brown, Rosenthal, and Munnell—An act to amend Sections 392, 393, 395, 396, 396a, 396b, and 399 of the Code of Civil Procedure, relating to place of trial of civil actions.

Referred to Committee on Judiciary.

Assembly Bill No. 1941: By Messrs. Brown, Rosenthal, and Munnell—An act to add Section 196 2 to the Code of Civil Procedure, relating to the fees and mileage of jurors.

Referred to Committee on Judiciary.

Assembly Bill No. 1942: By Messrs. Brown, Rosenthal, and Munnell—An act to amend Chapter 662 of the Statutes of 1927, as amended, by adding thereunto Section 1.1, relating to mileage of superior court judges traveling on assignment

Referred to Committee on Judiciary.

Assembly Bill No. 1943: By Messrs. Brown, Rosenthal, and Munnell—An act to amend Chapter 662 of the Statutes of 1927, as amended, by adding thereunto Section 1.1, relating to mileage of superior court judges traveling on assignment.

Referred to Committee on Judiciary.

Assembly Bill No. 1944: By Messrs. Brown, Rosenthal, and Munnell—An act to add Section 736c to the Political Code, relating to salaries of judges of the superior courts.

Referred to Committee on Judiciary.

Assembly Bill No. 1945: By Messrs. Brown and Rosenthal—An act to amend Sections 736 and 736a of the Political Code, relating to the salaries of the Justices of the Supreme Court.

Referred to Committee on Judiciary.

Assembly Bill No. 1946: By Messrs. Brown, Dills, Rosenthal, and Rumford—An act to amend Section 53 of the California Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1947: By Mr. Brown—An act to amend Sections 44 and 44.1 of the Vehicle Code, relating to authorized emergency vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1948: By Mr. Brown—An act to amend Section 1203b of the Penal Code and Section 826.5 of the Welfare and Institutions Code, relating to court procedures with respect to misdemeanors committed by minors and to probation.

Referred to Committee on Judiciary.

Assembly Bill No. 1949: By Mr. Brown—An act to amend Section 1851 of the Insurance Code, relating to rates and rating and other organizations.

Referred to Committee on Finance and Insurance

Assembly Bill No. 1950: By Messrs. Elliott and George D. Collins—An act to repeal Chapter 8, comprising Sections 3100 to 3109, inclusive, of Division 4, Title 1 of the Government Code, relating to an oath or affirmation of allegiance for civil defense workers and public employees.

Referred to Committee on Judiciary.

Assembly Bill No. 1951: By Mr. Crowley—An act to add Section 170 to the Vehicle Code, relating to special identification plates.

Referred to Committee on Transportation and Commerce.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No. 7

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Assembly Concurrent Resolution No. 4
Assembly Concurrent Resolution No. 16

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 18

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 1952: By Mr. Moss—An act to add Section 171c to the Civil Code, relating to the management and control of community property.

Referred to Committee on Judiciary.

Assembly Bill No. 1953: By Messrs. Moss, Fleury, and Stanley—An act making an appropriation for the education of mentally handicapped minors.

Referred to Committee on Social Welfare.

Assembly Bill No. 1954: By Messrs. Moss, Fleury, and Stanley—An act to add Chapter 12 to Division 4 of the Education Code, relating to mentally handicapped minors.

Referred to Committee on Social Welfare.

Assembly Bill No. 1955: By Mr. Morris—An act to amend Section 694 of the Vehicle Code, relating to the size, weight, and loading of vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1956: By Mr. Morris—An act to amend Sections 450, 450.1 and 451 of the Unemployment Insurance Act, relating to voluntary plans of disability benefits

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1957: By Mr. Morris—An act to amend Section 10202 of the Insurance Code, relating to group life insurance.

Referred to Committee on Finance and Insurance.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred
Assembly Bill No. 602
Assembly Bill No. 1878

Has had the same under consideration, and reports the same back with the recommendation: Do pass

SHERWIN, Chairman

Above reported bills ordered to second reading

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 602—An act to add Section 200 5 to the Agricultural Code, relating to inclusion of poultry within the animal quarantine provisions of the Agricultural Code, declaring the urgency of this act, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1878—An act relating to revenues from tide and submerged lands, including provisions to establish a Special Deposit Fund in the State Treasury for the deposit of revenues from tide and submerged lands, providing for the transfer thereof, and making an appropriation, declaring the urgency thereof, to take effect immediately

Bill read second time, and ordered engrossed

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 12—An act to amend Section 10204 of the Government Code, relating to the salary of the Legislative Counsel

Bill read second time, and ordered engrossed

Assembly Bill No. 40—An act to amend Section 13926 of the Government Code, relating to awards made by the State Board of Control.

Bill read second time, and ordered engrossed.

Assembly Bill No. 43—An act to amend Section 13145 of the Government Code, relating to refunds by state agencies

Bill read second time, and ordered engrossed.

Assembly Bill No. 26—An act to amend Section 31679 of the Government Code, relating to the members of the County Employees' Retirement System.

Bill read second time, and ordered engrossed.

Assembly Bill No. 694—An act to amend Section 6422 of the Streets and Highways Code, relating to the issuance of bonds to represent special assessments.

Bill read second time, and ordered engrossed.

Assembly Bill No. 695—An act to amend Section 43628 of the Government Code, relating to the disposition of the proceeds of bonds.

Bill read second time, and ordered engrossed.

Assembly Bill No. 696—An act to amend Section 5024 of the Streets and Highways Code, relating to the definition of incidental expenses as used in the Improvement Act of 1911.

Bill read second time, and ordered engrossed.

Assembly Bill No. 10—An act to add Section 9906.6 to the Government Code, relating to the solicitation of funds from persons receiving aid from the State.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 3, of the printed bill, after "person", insert ", other than a recipient of aid under the Welfare and Institutions Code,".

Amendment No. 2

On page 1, lines 3 and 4, of said bill, strike out "receives or is in any manner concerned in soliciting or receiving", and insert "who causes another or employs any other to solicit".

Amendment No. 3

On page 1, line 10, of said bill, strike out "felony", and insert "misdemeanor, except that upon a second or subsequent conviction of an offense under this section such person is guilty of a felony.

Each and every act committed in violation of this section is a separate and distinct offense"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 28—An act making an appropriation to the Emergency Fund specified in Item 277 of the Budget Act of 1950, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, lines 1 and 2, of the printed bill, strike out "Flood Control Fund of 1946", and insert "General Fund".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 248—An act to add Section 13.7 to the Construction and Employment Act, relating to allocations to counties for repair, restoration or repair and restoration of public works, making an appropriation, and declaring the urgency hereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 4, of the printed bill, after "county", insert "to which this section applies".

Amendment No. 2

On page 1 of said bill, strike out line 8, and insert "or destroyed, subsequent to November 1, 1950, by storm or flood or flood conditions or".

Amendment No. 3

On page 1, line 10, of said bill, strike out "such storm or flood", and insert "storm or flood conditions".

Amendment No. 4

On page 1, line 15, of said bill, strike out "1949-1950", and insert "1950-1951".

Amendment No. 5

On page 2 of said bill, strike out lines 7 and 8, and insert "tion "

Amendment No. 6

On page 2, line 15, of said bill, after "completion", insert "; provided that this limitation shall not apply as to any amount in excess of that which would require matching funds from the county in excess of 0020 of its net total assessed valuation of property subject to local taxation for the Fiscal Year 1950-1951."

Amendment No. 7

On page 2 of said bill, between lines 20 and 21, insert

"The provisions of this section shall apply only to a county in regard to which

(1) The total cost, as estimated and determined by the board, of projects eligible for allocations under this section exceeds fifty thousand dollars ($50,000), and

(2) The total assessed valuation of property subject to local taxation for the Fiscal Year 1950-1951 does not exceed thirty million dollars ($30,000,000)."

Amendment No. 8

On page 2, line 21, of said bill, strike out "three million dollars ($3,000,000)", and insert "three hundred and eighty thousand dollars ($380,000)".

Amendment No. 9

On page 2, line 23, of said bill, strike out "General", and insert "Postwar Unemployment and Construction".

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

MOTION THAT JOURNAL BE CORRECTED TO SHOW MR. KILPATRICK WAIVED HIS PER DIEM

Mr. Dickey moved that the Assembly Journal for Thursday, January 18th, be corrected to show that Mr. Kilpatrick, who was excused for illness, was excused because of personal business elsewhere, and desired to waive his per diem

Mr. Doyle seconded the motion.

Motion carried.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 1958: By Mr. Fleury—An act to amend Section 3 of an act entitled "An act relating to institutions under the jurisdiction of the Department of Corrections, making an appropriation to be expended pursuant to the Property Acquisition Act for the acquisition of a new site for the California Institution for Women, authorizing the Director of Corrections to transfer the California Institution for Women from its present location near Tehachapi to the new site, and

authorizing the disposition of the Tehachapi property," approved July 2, 1947, relating to institutions under the jurisdiction of the Department of Corrections.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1959: By Mr. Fleury—An act to amend Section 20016 of the Government Code, relating to the State Employees' Retirement System in respect to prison members thereof.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1960: By Messrs. Stewart and Burke—An act to amend Sections 4740, 4741, 4742, 4744, 4745, 4748, 4760, 4761, and 4843 of the Health and Safety Code, relating to county sanitation districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1961: By Messrs. Porter, Evans, and Hollibaugh—an act to amend Section 6509 of the Business and Professions Code, relating to the inspection of barber shops and barber colleges.

Referred to Committee on Public Health.

Assembly Bill No. 1962: By Messrs. Munnell, Kilpatrick, and Rosenthal—An act to amend Sections 32 and 32½ of the Public Utilities Act, relating to rates for the transportation of property by carriers for hire.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 1963: By Messrs. Munnell, Kilpatrick, and Rosenthal—An act to amend Section 10 of the Highway Carriers' Act, relating to rates of common carriers and other carriers.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 1964: By Mr. Hawkins—An act to amend Section 2173 of the Business and Professions Code, relating to admission of applicants to medical examinations.

Referred to Committee on Public Health.

Assembly Bill No. 1965: By Mr. Hawkins—An act to amend Sections 9359 and 9359.1 of the Government Code, relating to the retirement of legislators.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1966: By Mr. Hawkins—An act to amend Sections 9359 and 9359.1 of the Government Code, relating to the retirement of legislators.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1967: By Mr. Hawkins—An act to amend Section 428 of the Fish and Game Code, relating to fishing licenses.

Referred to Committee on Fish and Game.

Assembly Bill No. 1968: By Mr. Hawkins—An act to add certain administrative provisions to the Revenue and Taxation Code, relating to state revenues and taxes and the administration thereof.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1969: By Mr. Meyers—An act to authorize the improvement of certain streets abutting the campus of the San Francisco State College.

Referred to Committee on Municipal and County Government.

Assembly Constitutional Amendment No. 24: By Mr. Beck—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding to Article IV thereof, a new section to be numbered 6 5, relating to the number of members of the Senate.

Referred to Committee on Constitutional Amendments.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 46

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file.

RECESS

At 11.35 a.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

MEMBER EXCUSED

At 2.01 p.m, Mr. Stewart asked for, and was granted, unanimous consent that Mr. Conrad be excused for the balance of the legislative day, because of legislative business elsewhere.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 602

Assembly Bill No. 1878

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 19, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 21

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, January 19, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 488

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

Senate Bill No. 488—An act to add Section 13115 to the Government Code, relating to acquisition of easements and rights as an incident to the construction of state buildings and other structures, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 19, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 327

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

Senate Bill No. 327—An act to add Sections $2\frac{7}{8}$, $13\frac{1}{8}$, and $50\frac{1}{8}$ to the Public Utilities Act, relating to public utilities, declaring the urgency of this act to take effect immediately.

Referred to Committee on Public Utilities and Corporations.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 19, 1951

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 4

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 4—Relative to the appointment of the State Controller as accounting officer for the Legislature for tax and other purposes.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 18, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 11

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 11—Relative to the continuance of the Joint Legislative Committee on Community Redevelopment and Housing Problems with particular reference to legislation supplementary to federal legislation.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 18, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 21

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read.

Senate Concurrent Resolution No. 21—Relative to the character and the achievements of the Honorable Bradford S. Crittenden.

Referred to Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 1970: By Messrs. Lyon, Levering, and Waters—An act to amend Section 713 of the Vehicle Code, relating to the powers of local authorities with respect to state highways.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1971: By Mr. Dolwig—An act to amend Sections 1b, 1c, and 2b of, to add Sections 2d and 5b to, and to repeal Section 1e of, the Municipal Improvement Act of 1913, relating to special assessment proceedings, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1972: By Mr. Dolwig—An act to add Article 5.5, comprising Sections 4805 and 4806, to Chapter 3 of Part 3 of Division 5 of the Health and Safety Code, relating to bonds of territory annexed to a county sanitation district, and declaring the urgency of this act, to take effect immediately.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1973: By Mr. Dolwig—An act to amend Section 4845.22 of the Health and Safety Code, relating to withdrawal of territory from a county sanitation district, and declaring the urgency of this act, to take effect immediately.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1974: By Mr. Dolwig—An act to repeal Sections 4770 and 6540 of the Health and Safety Code, relating to assessment proceedings by county sanitation districts and sanitary districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1975: By Mr. Dolwig—An act to add Sections 49.1 and 49.2 to an act entitled "An act to provide for the formation, government and control of overflow districts," approved May 1, 1911, relating to taxation by boards of trustees of overflow districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1976: By Mr. Dolwig—An act to add Sections 44.1 and 44.2 to the "Drainage District Act of 1903," relating to taxation by boards of directors of drainage districts

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1977: By Mr. Dolwig—An act to amend Section 6494 of the Health and Safety Code, relating to election of sanitary district assessors.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1978: By Mr. Dolwig—An act to amend Section 6880 of the Health and Safety Code, relating to annexation of territory to a sanitary district without an election.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1979: By Mr. Dolwig—An act to amend Section 6580 of the Health and Safety Code, relating to date of election of officers of sanitary districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1980: By Mr. Dolwig—An act to amend Sections 3202, 4053, 5705, 5708, 5709 of the Labor Code, relating to workmen's compensation insurance, and evidence in proceedings concerning benefits thereunder.

Referred to Committee on Industrial Relations.

Assembly Bill No. 1981: By Mr. Dolwig—An act to amend Section 43 of the Public Utilities Act, relating to public utilities.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 1982: By Messrs. Rosenthal and Munnell—An act to amend Section 26529 of the Government Code, relating to duties of the county counsel.

Referred to Committee on Judiciary.

Assembly Bill No. 1983: By Messrs Rosenthal, Munnell, Brady, Sam L. Collins, Connolly, Dickey, and Dolwig—An act to amend Section 271 of, and to add Section 271.3 to the Vehicle Code, relating to negligent operators of motor vehicles.

Referred to Committee on Judiciary.

Assembly Bill No. 1984: By Mr. Dunn—An act to provide for the Public School System and the raising of revenue therefor, and for that purpose to repeal Chapters 2 and 15 of Division 3 of the Education Code, to repeal Article 1 of Chapter 16 of Division 3 of said code, to repeal Section 6851.1 of said code, to amend Section 6841 of said code, to add Chapters 2 and 15 to Division 3 of said code, to add Article 1 to Chapter 16 of Division 3 of said code, to add Sections 6711.5 and 6905 to said code, and to add Part 12, comprising Sections 27000 to 28179, inclusive, to the Revenue and Taxation Code, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1985: By Messrs. Dunn, Geddes, and Porter—An act to repeal Chapters 2 and 15 of Division 3 of the Education Code, to repeal Article 1 of Chapter 16 of Division 3 of said code, to repeal Section 6851.1 of said code, to amend Section 6841 of said code, to add Chapters 2 and 15 to Division 3 of said code, to add Article 1 to Chapter 16 of Division 3 of said code, and to add Sections 6711.5 and 6905 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 1986: By Messrs. Dunn, Geddes, and Porter—An act to amend Sections 7021, 7061, 7075, 7085, and 7165 of the Education Code, relating to basic state aid for school districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 1987: By Messrs. Dunn, Geddes, Porter, and Kirkwood—An act to repeal Sections 6711.5 and 6905 of the Education Code, and to add Section 6905 to said code, relating to the apportionment of the State School Fund, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 1988: By Messrs. Dunn, Geddes, Porter, and Kirkwood—An act to repeal Chapters 12, 13, and 14 of Division 3 of the Education Code; to repeal Articles 2 and 3 of Chapter 16 of Division 3 of said code; to repeal Sections 9614, 9615, 9642, 16486, and 16486a of said code; to repeal Sections 671 and 671.1 of the Welfare and Institutions Code; and to add Chapters 12, 13, and 14 to Division 3 of the Education Code; to add Articles 2 and 3 to Chapter 16 of Division 3 of said code; and to add Sections 8704 and 8761 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 1989: By Mr. Lyon—An act to amend Section 6487 of the Revenue and Taxation Code, relating to sales and use taxes, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1990: By Mr. Lyon—An act to amend Sections 6005, 6070, 6702, 6777, and 7056 of the Revenue and Taxation Code, relating to sales and use taxes, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1991: By Mr. Lyon—An act to amend Sections 30 and 31 of the Revenue and Taxation Code, relating to the enforcement in this State of tax liabilities of other states and political subdivisions thereof and the collection in other states of taxes due this State and political subdivisions thereof.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1992: By Mr. Lyon—An act to amend Sections 9854 and 10406 of the Revenue and Taxation Code, relating to the motor vehicle transportation license tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1993: By Mr. Lyon—An act to repeal Sections 7354, 7653, and 7654 of the Revenue and Taxation Code, relating to the motor vehicle fuel storage tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1994: By Mr. Lyon—An act to amend Sections 9154 and 9255 of the Revenue and Taxation Code, relating to the use fuel tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1995: By Mr. Lyon—An act to add Article 1.5 to Chapter 4, Part 9, Division 1 of the Revenue and Taxation Code, relating to the cancellation of assessments on state-assessed property.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1996: By Mr. Lyon—An act to amend Section 54900 of the Government Code, relating to the filing of a statement of a change in boundaries or the creation of a city or district.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1997: By Mr. Cloyed and Mrs. Niehouse—An act to amend Section 417.1 of the Vehicle Code, relating to the privilege of operating a motor vehicle.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1998: By Mr. Cloyed and Mrs. Niehouse—An act to amend Section 307 of the Vehicle Code, relating to drivers' licenses.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1999: By Mr. Cloyed—An act to amend Sections 353.10, 351.9, 357.1, and 357 2 of, and to add Sections 352 and 358 to, the Agricultural Code, relating to animals, including provisions relative to slaughter, hides, inspection, and meat thereof.

Referred to Committee on Agriculture.

Assembly Bill No. 2000: By Mr. Cloyed—An act to add Section 4793.1 to the Health and Safety Code, relating to the proceeds of the sale of bonds of a county sanitation district.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2001: By Mr. Cloyed—An act to amend Section 22280 of, and add Section 22281.1 to, the Water Code, relating to charges in irrigation districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2002: By Mr. Cloyed—An act to add Section 73g of the Code of Civil Procedure, relating to superior courts.

Referred to Committee on Judiciary.

Assembly Bill No. 2003: By Mr. Levering—An act to amend Sections 6855, 6858, 6861, 6862, 6863, 6875, 6876, 6877, 6878, 6881, 6885, 6886, 6891, 6906, 6908, 6913, 6914, 6915, 6921, 6922, 6923, 6925, 6931, 6948, and 6956, and to repeal Sections 6938, 6941, 6942, 6943, and 6944 of the Business and Professions Code, and to add thereto Section 6859, all relating to the licensing and regulation of collection agencies.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2004: By Messrs. Burkhalter, Doyle, Lindsay, and Erwin—An act to amend Section 1250 of the Fish and Game Code, relating to deer.

Referred to Committee on Fish and Game.

Assembly Bill No. 2005: By Mr. Sherwin—An act to add Chapter 4 to Part 4 of Division 3 of Title 2 of the Government Code, relating to state-owned motor vehicles, and prescribing the powers and duties of the Department of Finance, the State Personnel Board and the State Board of Control with respect thereto

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2006: By Mr. Dolwig—An act to amend Section 4702 of the Labor Code, relating to death benefits under workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2007: By Mr. Dolwig—An act to add Article 7.6 to Chapter 9, Division 3 of the Business and Professions Code, relating to contractors and their workmen's compensation insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2008: By Mr. Dolwig—An act to add Section 11656.6 to the Insurance Code, relating to workmen's compensation insurance for contractors.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2009: By Mr. Dolwig—An act to amend Section 10291.5 of the Insurance Code, relating to disability insurance policies.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2010: By Messrs. Shaw and McFall—An act to add Sections 253.1 and 253.2 to the Revenue and Taxation Code, relating to property taxation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2011: By Mr. Dolwig—An act to add Chapter 5.6, comprising Sections 2600 to 2640, inclusive, to Division 2 of the Business and Professions Code, and to amend Section 11501 of the Government Code, relating to the practice of physical therapy, schools of physical therapy, and the registration of physical therapists, creating the Board of Physical Therapy Examiners and declaring the powers and duties of such board and prescribing penalties for violations hereof.

Referred to Committee on Public Health.

Assembly Bill No. 2012: By Mr. Hagen—An act to amend Sections 516 and 715 of the Vehicle Code, relating to speed and weight limitations on bridges and other elevated structures and tubes and tunnels constituting a part of a highway.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2013: By Mr. McCarthy—An act to add Section 451.1 to the Unemployment Insurance Act, relating to disability payments.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2014: By Mr. Connolly—An act to add Section 736.12a to the Agricultural Code, relating to minimum prices for milk.

Referred to Committee on Agriculture.

Assembly Bill No. 2015: By Messrs. Connolly, Caldecott, Lincoln, Grant, Chapel, Dills, Evans, Hinckley, and Rosenthal—An act to add Sections 2733.5 and 2750.5 to the Business and Professions Code, relating to the practice of the profession of nursing, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Public Health.

Assembly Bill No. 2016: By Mr. Smith (By Request)—An act to amend Section 1187 of the Code of Civil Procedure, relating to mechanics' liens.

Referred to Committee on Judiciary.

Assembly Bill No. 2017: By Mr. Smith (By Request)—An act to amend Section 1186 of the Code of Civil Procedure, relating to the priority and effect of mechanics' liens and relating to bonds for benefit of mechanics.

Referred to Committee on Judiciary.

Assembly Bill No. 2018: By Mr. Smith (By Request)—An act to amend Sections 1184, 1184a and 1184b of the Code of Civil Procedure, relating to mechanics' liens, providing for notice of claim of lien to persons other than owner of property in which lien exists, providing for

withholding of payments due a contractor, providing for distribution of sums so withheld, and providing for action to enforce liens.

Referred to Committee on Judiciary.

Assembly Bill No. 2019: By Mr. Lindsay—An act to amend Section 25150 of the Government Code, relating to proceedings of boards of supervisors.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2020: By Mr. Lindsay—An act to add Article 5 to Chapter 2 of Division 9 of the Public Resources Code, relating to loans to individuals for soil conservation purposes, providing for the issuance of revenue bonds for such purpose and making an appropriation.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2021: By Mr. Lindsay—An act to add Chapter 4 comprising Sections 10500 to 10526, inclusive, to Part 2 of Division 2 of Title 2 of the Government Code, relating to the Legislative Library and providing for the appointment of a Librarian responsible to a legislative committee.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2022: By Mr. Lindsay—An act to repeal Division 9 of, and to add Division 9 to, the Public Resources Code, relating to soil conservation, prescribing the duties and functions of the State Soil Conservation Commission, and regulating the organization, operations, finances, and functions of soil conservation districts and providing for the discontinuance or change in boundaries of such districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2023: By Mr. George D. Collins—An act to amend Sections 108, 148, 160, and 181 of, and to add Sections 158.5, 158.6, 224, 239.5, 239.6, and Division 4a to, the Vehicle Code; to amend Sections 100, 108, 110, 1371, 1390, 10511, 11551, 11580, 11600, 11602, 11604, and 12054 of, and to add Section 108.5 to, the Insurance Code, and to add Chapter 1.5 and Chapter 1.6 to Part 3, Division 2, of the Insurance Code; relating to the establishment and creation of a complete system of motor vehicle accident compensation for the protection of persons injured or the dependents of persons killed by reason of the operation of motor vehicles on the highways of this State; compulsory insurance against the liability created by this act; the regulation of motor vehicle accident insurers; the abrogation, in certain cases of the right of action for damages arising out of the operation of motor vehicles; and the making of an appropriation for the purposes of this act.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2024: By Messrs. George D. Collins, Berry, Gaffney, and Meyers—An act to repeal Section 700 of the Welfare and Institutions Code, relating to the minors who are subject to the jurisdiction of the juvenile court.

Referred to Committee on Judiciary.

Assembly Bill No. 2025: By Messrs. George D. Collins, Berry, Brady, Connolly, Gaffney, Maloney, McCarthy, and Meyers—An act to repeal Section 660 of the Welfare and Institutions Code, relating to juvenile halls.

Referred to Committee on Social Welfare.

Assembly Bill No. 2026: By Messrs. George D. Collins, Gaffney, Berry, Brady, Maloney, McCarthy, and Meyers—An act to amend Section 625a of the Penal Code, relating to the unlawful interference with fire-alarm apparatus and false alarms, providing punishment therefor.

Referred to Committee on Judiciary.

Assembly Bill No. 2027: By Messrs. George D. Collins and Berry—An act to add Section 203a to the Civil Code, relating to parents' liability for torts of minor children.

Referred to Committee on Judiciary.

Assembly Bill No. 2028: By Messrs. George D. Collins, Berry, Brady, Connolly, Gaffney, Maloney, McCarthy, and Meyers—An act to add Sections 3055, 3055a, 3055b, 3055c, 3055d, and 3055e to the Civil Code to provide for liens in favor of public hospitals in this State upon all causes of action for damages accruing to an injured person therein or to the legal representatives of such person for the reasonable charges for hospital care, treatment and maintenance necessitated by the injuries giving rise to such causes of action.

Referred to Committee on Judiciary.

Assembly Constitutional Amendment No. 25: By Mr. Lindsay—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 31e to Article IV thereof, relating to loans for soil conservation.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 26: By Messrs. George D. Collins, Gaffney, Meyers, Berry, Connolly, Maloney, and McCarthy—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 14 of Article I thereof, relating to eminent domain.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 27: By Messrs. George D. Collins, Gaffney, Meyers, Berry, Connolly, Maloney, and McCarthy—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 9 to Article XI thereof, relating to the control of cities and cities and counties over municipal affairs.

Referred to Committee on Constitutional Amendments.

Assembly Joint Resolution No. 12: By Messrs. Lindsay and Lowrey—Relative to memorializing the Congress of the United States not to permit the condemnation of land for recreational purposes.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 18: By Mr. Lowrey—Relative to the expenditure of state highway funds.

Referred to Committee on Rules.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

Letter of Transmittal

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
SACRAMENTO, January 19, 1951

Hon. Arthur A. Ohnimus
Chief Clerk of the Assembly
Assembly Chamber, State Capitol, Sacramento, California

DEAR MR. OHNIMUS: Transmitted herewith are five copies of a Report to the Department of Public Works, dated January, 1951, respecting the feasibility of financing and construction, under provisions of the California Toll Bridge Authority Act, a toll highway crossing between the County of Marin and the County of Contra Costa. The investigations and studies upon which the report is based were conducted, and the report was prepared by, the Division of San Francisco Bay Toll Crossings, pursuant to the appropriation provided by Item 245.1 of the Budget Act of 1950.

Copies of the report will be furnished to the Members of the Assembly for their information.

Yours very truly,

C. H. PURCELL, Director of Public Works

One copy of above five transmitted copies of reports ordered referred to the Committee on Conservation, Planning, and Public Works.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2029: By Messrs. George D. Collins, Elliott, and Thomas—An act to create and provide for a Prepaid Health Service System for the people of the State of California, and making an appropriation therefor.

Referred to Committee on Public Health.

Assembly Bill No. 2030: By Mr. Caldecott—An act providing that the State of California may enter into a compact with the States of Arizona, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington and Wyoming, and the Territories of Alaska and Hawaii, or any one or more of them, to promote western regional cooperation in higher education.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2031: By Mr. Caldecott—An act to add Chapter 6, comprising Sections 450 to 453, inclusive, to Division 1 of the Business and Professions Code, relating to the practice of certain professions during periods of emergency, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Public Health.

Assembly Bill No. 2032: By Mr. Caldecott—An act to repeal Section 5883 and to amend Sections 5901, 5902, 5910, 5911, 5930, and 5931 of the Elections Code, relating to absentee voting.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2033: By Mr. Caldecott—An act to amend Sections 34856 and 34857 of, and to add Sections 37209 and 40803.5 to, the Government Code, relating to cities of the sixth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2034: By Mr. Caldecott—An act to provide for the establishment, organization, government and powers of multiple service districts and authorizing such districts to levy taxes.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2035: By Mr. Caldecott—An act to amend Section 6051 of the Revenue and Taxation Code, relating to the state sales and use tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2036: By Mr. Caldecott—An act to amend Section 16100 of the Business and Professions Code, relating to business licensing by counties.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2037: By Mr. Porter—An act to amend Section 6624 of the Welfare and Institutions Code, relating to sterilization of patients in state hospitals or state homes under the jurisdiction of the Department of Mental Hygiene.

Referred to Committee on Judiciary.

RESOLUTIONS

The following resolutions were offered:

By Mr. Dickey:

House Resolution No. 47

Resolved by the Assembly of the State of California, That the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly in favor of Arthur A. Ohnimus, Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, for the sum of two hundred fifty dollars ($250), said amount being for the payment of postage, telegraphing, expressage, and incidental expenses of the Chief Clerk's Office.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 47, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None.

By Mr. Dickey:

House Resolution No. 48

WHEREAS, During the constitutional recess, the services of the officers, attaches, and employees of the Assembly will not be required, with certain exceptions; and

WHEREAS, It will be necessary for the Chief Clerk of the Assembly to conduct the business of the Assembly and to perform the duties provided by law, the Standing Rules of the Assembly and resolutions adopted by the Assembly; and

WHEREAS, There is considerable exacting detail pertaining to this session of the Legislature to be given attention, and a great amount of correspondence to be answered, and it will be necessary to carefully check the History and the Journal in order that all references of bills may be accurately shown; now, therefore, be it

Resolved, That Arthur A. Ohnimus, Chief Clerk of the Assembly, is hereby directed to take charge of arranging and preparing books, bills, and all other records of the Assembly and filing with the Secretary of State such papers as ought to be filed in that office as provided by law and the indexing of the Semi-Final Calendar, which the State Printer is hereby directed to index under the supervision of the Chief Clerk of the Assembly, and the said Chief Clerk is hereby directed to correct, compile, and otherwise prepare the Journal of the Assembly for the 1951 Session of the Legislature, and to correct and perfect the records of the Assembly so that they may be properly filed after the sine die adjournment of the Assembly, and to compile and prepare and cause to have printed a Semi-Final Calendar of Legislative Business for the 1951 Session of the Legislature, said Calendar to contain titles of all measures introduced and their authors, the number of bills that have become law, and the number of resolutions that have been filed with the Secretary of State, and those bills that have been read the second time, and any and such information as will provide a history of the session's business and a guide for the information of subsequent sessions of the Legislature.

When the Semi-Final History is printed, Arthur A. Ohnimus, Chief Clerk of the Assembly, is directed to forward one copy of this book to each Member of the Assembly and to each public library of the State which may apply for some; and be it further

Resolved, That the Chief Clerk is hereby authorized to employ such help as may be necessary to complete the aforesaid work of the Assembly and the same shall be compensated at a comparable rate paid during the time the Legislature is in session; provided, however, that no compensation shall be allowed except for services actually performed and the Chief Clerk is hereby directed to keep an accurate attendance record of all attaches so employed and certified by him to the State Controller as being entitled to compensation; and be it further

Resolved, That the State Controller is hereby authorized and directed to pay weekly compensation in such amounts and to such persons as may be certified to him by the Chief Clerk as being entitled to the same, and such sums shall be payable from the unexpended balance of the fund provided for the pay of officers and attaches of the Assembly.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 48, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Morris, Moss, Munnell, Nichouse, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None.

MOTION TO APPROVE JOURNALS

Mr. Dickey moved that the Assembly Journals for Monday, January 8, 1951; Tuesday, January 9, 1951; Wednesday, January 10, 1951; Thursday, January 11, 1951; Friday, January 12, 1951; Monday, January 15, 1951; Tuesday, January 16, 1951; Wednesday, January 17, 1951; Thursday, January 18, 1951; and Friday, January 19, 1951, be approved as corrected by the Minute Clerk.

The roll was called, and the motion carried by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None.

ANNOUNCEMENT

Mr. Kirkwood announced that he is holding a bill at his desk relative to school assistance (transportation and growth) and that anyone desiring to place his name upon the bill as a co-author may come to his desk, and affix his signature to the bill.

CONSIDERATION OF HOUSE RESOLUTION NO. 15

By Mr. Dickey:

House Resolution No. 15

Resolved, That the Chief Clerk of the Assembly be and he is hereby ordered and directed to prepare, during the constitutional recess, for use of the Members of the Legislature, a complete and comprehensive Legislative Manual or Handbook of the size and style uniform with similar publications of previous sessions, same to contain list of state officers, members and officers of both houses of the Legislature, list of committees and Rules of both houses and Joint Rules, together with indexes to the same, sessions of the California Legislature, record of legislation, the last primary and general election vote, and such other information as he may deem useful, to be printed and distributed pursuant to the statutory requirements, and the Chief Clerk is hereby empowered to employ such expert assistants, indexers, etc., as he may find necessary, and the State Controller is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly in the sum not to exceed one thousand dollars ($1,000) to pay for such services, and the State Controller is authorized and directed to pay weekly compensation in such amounts and to such persons as may be certified to him by the Chief Clerk as being entitled to the same, and the State Treasurer is hereby ordered and directed to pay the same, and the Chief Clerk of the Assembly is further directed to furnish the Controller with vouchers for all expenditures made by him in pursuance of the work set forth above during the said constitutional recess, and to furnish vouchers to the State Controller for any other moneys expended by him pursuant to the terms of this resolution, and the State Controller is hereby directed to draw his warrant for the payment of such bills as may be incurred by the Chief Clerk in carrying out the purposes of this resolution.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 7

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 4

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1878

Mr. Waters asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1878, out of order, as it presents a case of urgency, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1878

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Waters:

Resolved, That Assembly Bill No. 1878 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Butters, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—67.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Assembly Bill No. 1878—An act relating to revenues from tide and submerged lands, including provisions to establish a special deposit fund in the State Treasury for the deposit of revenues from tide and submerged lands, providing for the transfer thereof, and making an appropriation, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 1878:

STATE OF CALIFORNIA

GOVERNOR'S OFFICE, SACRAMENTO, January 19, 1951

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

Assembly Bill No. 1878, "An act relating to revenues from tide and submerged lands, including provisions to establish a special deposit fund in the State Treasury for the deposit of revenues from tide and submerged lands, providing for the transfer thereof, and making an appropriation, declaring the urgency thereof, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill

Approval of this measure at this time is necessary to continue uninterrupted development and production of oil and gas from the tide and submerged lands along the Coast of California until final adjudication of the issues now pending in the United States Supreme Court in the case of *United States* vs *California*.

I therefore recommend consideration of Assembly Bill 1878 as an emergency measure.

Respectfully submitted,

EARL WARREN, Governor

The question being on the adoption of the urgency clause to Assembly Bill No. 1878.

Motion for Committee of the Whole

Mr. Lowrey moved that the Assembly resolve itself into a Committee of the Whole for the purpose of permitting the State Controller Hon. Thomas H. Kuchel, to give information relative to Assembly Bill No. 1878.

Motion carried.

IN COMMITTEE OF THE WHOLE

Speaker Sam L Collins presiding.

Assembly Bill No 1878 considered.

Motion That Committee Do Now Arise, and Report Back to the Assembly

Mr. Geddes moved that the committee do now arise, and report back to the Assembly.

Point of Order

Mr. Beck arose to the following point of order: That the motion by Mr. Geddes is not in order because Mr. Geddes spoke on the bill prior to making his motion.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Motion That Committee Do Now Arise, and Report Back to the Assembly

Mr. Collier moved that the committee do now arise, and report back to the Assembly.

Mr Doyle seconded the motion.

Motion carried.

IN ASSEMBLY

Speaker Sam L. Collins presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORT OF COMMITTEE OF THE WHOLE

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1951

GENTLEMEN: Your Committee of the Whole has considered Assembly Bill No 1878.

SAM L. COLLINS, Chairman

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 1878

The question being on the adoption of the urgency clause to Assembly Bill No. 1878.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67

NOES—Dills, Evans, and Hollibaugh—3.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—Dills, Evans, and Hollibaugh—3.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 21

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 21, out of order, at this time.

UNFINISHED BUSINESS (BY UNANIMOUS CONSENT) CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 21

Assembly Bill No. 21—An act to add Section 19620 to the Education Code, relating to the support of child care centers and making an appropriation therefor and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 21?

Amendment No. 1

On page 1, line 5, of the printed bill, strike out ", and the", and strike out all of lines 6 and 7; and insert a period

Amendment No. 2

On page 1 of said bill, between lines 7 and 8, insert

"SEC. 2 The unexpended and unencumbered balance of any money appropriated by Item 79.5 of the Budget Act of 1950 shall be available to and including June 30, 1951."

Amendment No. 3

On page 1, line 8, of said bill, strike out "2", and insert "3".

Amendment No. 4

On page 1, line 10, of said bill, after "($1,800,000)" insert ", in augmentation of Item 79.5 of the Budget Act of 1950".

Amendment No. 5

On page 1, line 11, of said bill, strike out "supervision,".

Amendment No. 6

On page 1, line 13, of said bill, after "inclusive", insert a period and strike out ", of which not more than fourteen"; strike out all of lines 14 through 21, inclusive

Amendment No. 7

On page 1, line 22, of said bill, strike out "3", and insert "4".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 21 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—71.

NOES—None.

Assembly Bill No. 21 ordered enrolled.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 19, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 1220

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 4

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up Assembly Concurrent Resolution No. 4, out of order, at this time.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 4

Assembly Concurrent Resolution No. 4—Relative to the creation of the Joint Legislative Committee on the Golden Gate Bridge and Highway District.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Belotti, Berry, Brown, Burke, Burkhalter, Butters, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Gaffney, Geddes, Grant, Hagen, Hansen, Hawkins, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Munnell, Niehouse, Porter, Rosenthal, Shaw, Stanley, Stewart, Thomas, and Tomlinson—50

NOES—Erwin, Gubser, Hahn, Kirkwood, Lipscomb, and Smith—6.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Joint Resolution No. 3—Relative to the tidelands and submerged lands adjacent to the coastal states.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood,

Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Meyers, Morris, Munnell, Niehouse, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

NOES—George D. Collins—1.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY JOINT RESOLUTION NO. 4

Mr. Grant asked for, and was granted, unanimous consent that he be permitted to take up Assembly Joint Resolution No. 4, out of order, at this time.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 4

Assembly Joint Resolution No. 4—Relative to lands beneath the navigable waters adjacent to the coasts of coastal states.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Meyers, Morris, Munnell, Niehouse, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

NOES—George D. Collins—1.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 35

Mr. Munnell asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 35, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 35

Assembly Bill No. 35—An act to amend Section 1596.1 of the Education Code, relating to school sites.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Munnell, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—62.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Munnell, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND PRELIMINARY REPORT BE PRINTED IN THE JOURNAL

Mr. Lowrey asked for, and was granted, unanimous consent that a letter of transmittal and a Preliminary Report of the Assembly Interim Committee on Public Lands be ordered printed in the Journal, and that the report be ordered printed in 10-point type.

(Letter of transmittal and preliminary report will appear prior to the motion to adjourn)

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 11

Mr. Gubser asked for, and was granted, unanimous consent that he be permitted to take up Assembly Concurrent Resolution No. 11, out of order, at this time.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 11

Assembly Concurrent Resolution No. 11—Relative to approving an amendment to the charter of the City of San Jose, a municipal corporation in the County of Santa Clara, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the seventh day of November, 1950.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Porter, Rosenthal, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—64.

NOES—None.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Concurrent Resolution No. 13—Approving a certain amendment to the charter of the City of Pasadena, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the seventh day of November, 1950.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—67.

NOES—None.

Resolution ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Senate Concurrent Resolution No. 4
Senate Concurrent Resolution No. 21

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 21

Mr. McFall asked for, and was granted, unanimous consent that he be permitted to take up Senate Concurrent Resolution No. 21, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 21

Senate Concurrent Resolution No. 21—Relative to the character and the achievements of the Honorable Bradford S. Crittenden.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

Resolution ordered transmitted to the Senate.

MOTION THAT REMARKS BY MR. McFALL RELATIVE TO SENATE CONCURRENT RESOLUTION NO. 21 BE PRINTED IN JOURNAL

Mr. Doyle moved that the remarks by Mr McFall, relative to Senate Concurrent Resolution No 21, be ordered printed in the Journal.

Mr. Meyers seconded the motion.

Motion carried.

Remarks by Mr. McFall Relative to Senate Concurrent Resolution No. 21

Mr. Speaker and Members of the Assembly: It is my honor and privilege to represent the district represented by the Honorable Bradford S Crittenden during the first 10 years of his 30 years in the Legislature. The people of my district and San Joaquin County are deeply appreciative of the exceptional public service rendered to them and to the entire State during his career In their name I move the adoption of *this resolution recognizing and commending the high character and achievements of* Senator Bradford S. Crittenden.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 4

Mr. Dickey asked for, and was granted, unanimous consent that he be permitted to take up Senate Concurrent Resolution No. 4, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 4

Senate Concurrent Resolution No. 4—Relative to the appointment of the State Controller as accounting officer for the Legislature for tax and other purposes.

Resolution read.

The roll was called and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—68.

NOES—None.

Resolution ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2038: By Messrs. Berry and Gaffney—An act to amend Section 802 of the Fish and Game Code, relating to abalones.

Referred to Committee on Fish and Game.

Assembly Bill No. 2039: By Messrs. Gubser and Kirkwood—An act to amend Section 6610.3 of, and to add Section 6612 to, the Welfare and Institutions Code, relating to the admission of persons believed to be mentally ill into mental institutions by application of a local health officer.

Referred to Committee on Social Welfare.

Assembly Bill No. 2040: By Mr. Tomlinson—An act to amend Section 1027 of the Penal Code and Sections 5504 and 5507 of the Welfare and Institutions Code, relating to the appointment of alienists or psychiatrists and providing for the payment of fees for services of medical staff members of state hospitals.

Referred to Committee on Public Health.

Assembly Bill No. 2041: By Messrs. Geddes, Chapel, Doyle, and Erwin—An act to amend Sections 3.1, 3.2, and 3.3, and to add Sections 3.4, 3.5, and 3.6 to the Los Angeles County Flood Control Act, relating to the establishment of zones within the district.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2042: By Messrs. Geddes, Chapel, Doyle, and Erwin—An act to amend Section 15 of the Los Angeles County Flood Control Act, relating to the duties of the purchasing agent of the district.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2043: By Mr. Davis—An act to amend Section 10 of, to repeal Sections 13 and 1420 of, and to add Section 13 to, the Fish and Game Code, relating to the enforcement and administration of

the laws relating to fish and game, relieving the Fish and Game Commission of the administration of the Division of Fish and Game, Department of Natural Resources.

Referred to Committee on Fish and Game.

Assembly Bill No. 2044: By Mr. Davis—An act to add Section 1160 to the Fish and Game Code, relating to property damage by hunters.

Referred to Committee on Fish and Game.

Assembly Bill No. 2045: By Mr. Davis—An act to amend Section 1417 of the Fish and Game Code, relating to penalties for violation of said code.

Referred to Committee on Fish and Game.

Assembly Bill No. 2046: By Mr. Davis—An act to add Section 1162 to the Fish and Game Code, relating to possession of firearms on highways or other public ways.

Referred to Committee on Judiciary.

Assembly Bill No. 2047: By Mr. Davis—An act to add Section 1164 to the Fish and Game Code, relating to shooting of human beings.

Referred to Committee on Judiciary.

Assembly Bill No. 2048: By Mr. Davis—An act to add Section 1161 to the Fish and Game Code, relating to hunting while intoxicated.

Referred to Committee on Fish and Game.

Assembly Bill No. 2049: By Mr. Davis—An act to add Section 1152.1 to the Fish and Game Code, relating to unlawful use of vehicles in hunting.

Referred to Committee on Fish and Game.

Assembly Bill No. 2050: By Mr. Davis—An act to add Section 465.4 to the Vehicle Code, relating to signs at deer crossings.

Referred to Committee on Fish and Game.

Assembly Bill No. 2051: By Mr. Davis—An act to add Section 1152.2 to the Fish and Game Code, relating to forfeiture of vehicles and equipment used in violating provisions of said code.

Referred to Committee on Judiciary.

Assembly Bill No. 2052: By Mr. Davis—An act to amend Section 1151 of the Fish and Game Code, relating to the use of lights.

Referred to Committee on Fish and Game.

Assembly Bill No. 2053: By Mr. Davis—An act to add Section 157.5 to the Vehicle Code, relating to license plates.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2054: By Messrs. Kilpatrick and Munnell—An act to amend Section 7106 of the Welfare and Institutions Code and to repeal Sections 7107, 7108, and 7109 of the Welfare and Institutions Code, relating to chronic inebriates.

Referred to Committee on Social Welfare.

Assembly Bill No. 2055: By Messrs. Kilpatrick, Rosenthal, and Munnell—An act to amend Section 740.5 of the Welfare and Institutions Code, relating to the cost of care during mental health observation of wards of the juvenile court.

Referred to Committee on Social Welfare.

Assembly Bill No. 2056: By Messrs. Kilpatrick, Rosenthal, and Munnell—An act to amend Sections 5260 and 7012 of the Welfare and Institutions Code and to repeal Sections 5262.6, 7009, 7010, 7011, and 7015 of the Welfare and Institutions Code, relating to feeble-minded persons and other incompetents not insane.

Referred to Committee on Social Welfare.

Assembly Bill No. 2057: By Messrs. Kilpatrick, Rosenthal, and Munnell—An act to amend Section 5356 of the Welfare aid Institutions Code and to repeal Sections 5356.1 and 5356.2 of the Welfare and Institutions Code, relating to narcotics addicts.

Referred to Committee on Social Welfare.

Assembly Bill No. 2058: By Messrs. Kilpatrick, Rosenthal, and Munnell—An act to amend Section 7060 of the Welfare and Institutions Code and to repeal Sections 7062, 7063, and 7064 of the Welfare and Institutions Code, relating to defective of psychopathic delinquents.

Referred to Committee on Social Welfare.

Assembly Bill No. 2059: By Messrs. Kilpatrick, Rosenthal, and Munnell—An act to amend Sections 869 and 869.5 of the Welfare and Institutions Code and to repeal Section 1201 of the Welfare and Institutions Code, relating to support of persons within the jurisdiction of the Youth Authority and the Juvenile Court, and institutions therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2060: By Mr. McCollister—An act creating a commission to be known as the California State Advertising and Publicity Commission, providing for the membership thereof, defining its powers and duties, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2061: By Messrs. Kirkwood, Dunn, Doyle, Gaffney, Berry, Coats, Davis, Erwin, Fleury, Grant, Kelly, Klocksiem, Lincoln, Luckel, Moss, and Porter—An act to continue in effect Sections 1, 2, 3, 4, 6, 7, 8, 8.5, 8.6, and 9 of an act entitled "An act to repeal Section 10 of an act entitled "An act to repeal Chapters 2, 3, 4, 12, 13, 13.5, 13.6, 14, 15, 15.5, 16, and 16.5 of the Education Code; to add Chapters 2, 12, 13, 14, 15, and 16 to said code; to amend Section 8761 of said code; and to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately," approved May 28, 1947 (Chapter 401, Statutes of 1947), to provide for the continuance in effect of an act entitled "An act to amend Section 10 of an act entitled 'An act to repeal Chapters 2, 3, 4, 12, 13, 13.5, 13.6, 14, 15, 15.5, 16, and 16.5 of the Education Code; to add Chapters 2, 12, 13, 14, 15, and 16 to said code; to amend Section 8761 of said code; and

to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately,' approved May 28, 1947 (Chapter 401, Statutes of 1947); to repeal Sections 6713, 7039, 7052, 7064, 7068, 7117, 7126, 7128, and 7147 of the Education Code; to repeal Article 4 of Chapter 13, and Article 6 of Chapter 14, of Division 3 of said code; to add Article 4 to Chapter 13, Article 6 to Chapter 14, and Articles 1 and 13.5 to Chapter 15, of Division 3 of said code; to add Sections 5157, 7126, 7132, and 7151 to said code; to amend the headings of Articles 1 and 13 of Chapter 15 of Division 3 of said code; and to amend Sections 5152, 5153, 5156, 6703, 6714, 6812, 7002, 7012, 7023, 7032, 7033, 7034, 7035, 7036, 7037, 7038, 7041, 7061, 7062, 7063, 7067, 7081, 7091, 7092, 7094, 7095, 7101, 7103, 7111, 7112, 7113, 7114, 7115, 7116, 7121, 7122, 7124, 7130, 7146, 7146.1, 7148, 7149, 7150, 7208, 7231, and 9645 of said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately," approved July 20, 1949 (Chapter 1017, Statutes of 1949) except Section 1 thereof; to repeal Sections 6714 and 7094 of the Education Code; to add Sections 5153.3 and 6904 to said code; and to amend Sections 7091, 7092, 7095, 7113, 7116, and 6951 of said code, to repeal Articles 2 and 3 of Chapter 15, Division 3 of said code and to add Articles 2 and 11.6 to Chapter 15, Division 3 of said code, all relating to the Public School System," approved May 5, 1950 (Chapter 74, Statutes 1950 First Extraordinary Session); to repeal Sections 2.5, 5, 10, 11.5, 12, and 13 of said act; to repeal Sections 5153.3 and 7091 of the Education Code; to repeal Articles 2 and 3 of Chapter 15 of Division 3 of said code; to add Sections 5153.3 and 7091 to said code; and to add Articles 2 and 11.6 to Chapter 15 of Division 3 of said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 2062: By Messrs. Kirkwood and Dunn—An act to amend Sections 753, 2001, 2002, 2004, and 2005 of; to amend and renumber Sections 755, 756, 758, 759, 760, 1831, 1832, 1833, 1834, 1835, 1839, 1840, 1841, 1842, and 1843 of; to add Section 2006 to; and to repeal Sections 754, 757, 1836, 1837, 1904, 1905, 1906, 1907, and 1908 of the Revenue and Taxation Code, relating to property taxation and the allocation of state funds; declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2063: By Messrs. Kirkwood and Lincoln—An act to repeal Article 2 of Chapter 1, Title 7 of the Government Code, and to add Article 2, Chapter 1, Title 7 to the Government Code, relating to conservation and planning.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2064: By Messrs. Kirkwood and Tomlinson—An act to add Article 5 to Chapter 3, Part 1, Division 1 of the Health and Safety Code, relating to the care of chronically ill and infirm aged persons.

Referred to Committee on Social Welfare.

Assembly Bill No. 2065: By Mr. Kirkwood—An act to amend Sections 6301, 6302, 6334, and 6356 of, and to add Section 6301 5 to, the Education Code, relating to school district budgets.

Referred to Committee on Education.

Assembly Bill No. 2066: By Mr. Dills (By Request)—An act to add Section 52.5 to the Civil Code of the State of California, relating to admissions to hospitals.

Referred to Committee on Public Health.

Assembly Bill No. 2067: By Mr. Cooke—An act to add Sections 1511.1, 2020 1, and 3080 01 to the Welfare and Institutions Code, relating to public assistance, in respect to the income of applicants or recipients.

Referred to Committee on Social Welfare.

Assembly Bill No. 2068: By Mr. Davis—An act to add Section 1163 to the Fish and Game Code, relating to shooting near dwellings.

Referred to Committee on Fish and Game.

Assembly Bill No. 2069: By Messrs. Collier, Levering, Grant, Klocksiem, and Clarke—An act to add Division 8 comprising Sections 9000 to 9018, inclusive, to the Welfare and Institutions Code, relating to regulation of solicitation for charitable contributions.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2070: By Mr. Thomas—An act to amend Section 1065 of the Fish and Game Code, relating to sardines.

Referred to Committee on Fish and Game.

Assembly Bill No. 2071: By Mr. Thomas—An act to amend Section 845 of the Fish and Game Code, relating to nets.

Referred to Committee on Fish and Game.

Assembly Bill No. 2072: By Mr. Thomas—An act to repeal Section 929 of the Fish and Game Code, relating to the use of nets in Fish and Game District 118.5.

Referred to Committee on Fish and Game.

Assembly Bill No. 2073: By Mr. Thomas—An act to amend Section 1065 of the Fish and Game Code, relating to sardines.

Referred to Committee on Fish and Game.

Assembly Bill No. 2074: By Messrs. Fleury and Moss—An act to amend Section 26 of the Construction and Employment Act, relating to the allocation of state funds to local agencies for the construction of public works.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2075: By Mr. McCollister—An act to amend Sections 20890 and 20894.5 of the Government Code, and Sections 14449 and 14495.2 of the Education Code, relating to Public Retirement System

in respect to absence of members in military service and contributions therefor.

Referred to Committee on Military Affairs.

Assembly Bill No. 2076: By Messrs. Burkhalter, Beck, and Klocksiem—An act to regulate and license watchmakers, and to create a State Board of Examiners in Watchmaking, prescribing the powers and duties thereof.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2077: By Mr. Burkhalter—An act to amend Section 1900 of the Labor Code, relating to public agencies.

Referred to Committee on Industrial Relations.

Assembly Bill No. 2078: By Mr. Dunn—An act to amend Section 209 of the Unemployment Insurance Act, relating to benefits during hospitalization.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2079: By Messrs. Fleury, Moss, Brown, and Caldecott—An act to amend Sections 13776, 13777, 13778, 13779, and 13780 of, and to add Sections 13782 and 13783 to, Chapter 8, Part 3, Division 3, Title 2, of the Government Code, relating to social security coverage for employees of public agencies, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2080: By Mr. Waters—An act to add Section 4644 to the Education Code, relating to unified school districts.

Referred to Committee on Education.

Assembly Bill No. 2081: By Mr. Waters—An act to amend Section 1648 3 of the Insurance Code, relating to insurance brokers' licenses.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2082: By Mr. Luckel and Mrs. Niehouse—An act to add Section 1142 to the Revenue and Taxation Code, relating to the taxation of vessels.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2083: By Mr. Rosenthal (By Request)—An act to add Sections 578 2, 760, 761, 762, 763, and 764 to the Welfare and Institutions Code, relating to jurisdiction of the juvenile court and providing for traffic referees to hear cases involving the violation of any provision of the Vehicle Code constituting a misdemeanor by a minor.

Referred to Committee on Judiciary.

Assembly Bill No. 2084: By Mr. Luckel—An act to amend Section 420 of the Fish and Game Code, relating to sporting fishing licenses.

Referred to Committee on Fish and Game.

Assembly Bill No. 2085: By Messrs. Fleury and Moss—An act to amend Section 6028.1 of the Penal Code, relating to special crime study commissions.

Referred to Committee on Judiciary.

Assembly Bill No. 2086: By Messrs. Grant, Kirkwood, Lipscomb, Mrs. Niehouse, Messrs Belotti, Berry, Butters, Coats, Connolly, Fleury, Gaffney, Geddes, Henderson, Hollibaugh, Kelly, Klocksiem, Maloney, McCarthy, McGee, Meyers, and Porter—An act to amend Sections 12202 and 12203 of, and to add Section 8052 to, the Education Code, relating to practice teaching for students enrolled in teacher training curricula of teacher education institutions.

Referred to Committee on Education.

Assembly Bill No. 2087: By Mr. Evans—An act to add Section 3¼ to the Highway Carriers Act, regulating the for-hire use of public highways.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2088: By Messrs. Morris, Hahn, and Levering—An act to add Article 10, comprising Sections 10191 to 10195, inclusive, to Chapter 1 of Division 5 of the Education Code, relating to the reading of the Bible in public schools.

Referred to Committee on Education.

Assembly Bill No. 2089: By Mr. Rosenthal—An act to add Article 8 to Chapter 2, Part 2, Division 4 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2090: By Messrs. Rosenthal, Munnell, and McGee—An act to add Section 41.4 to an act entitled "An act prescribing the regulation, government, procedure and jurisdiction of the municipal and justice courts, and providing for the election and appointment of the judges, officers and attaches of such courts, their terms of office, qualifications and compensation," approved July 27, 1949, relating to commissioners.

Referred to Committee on Judiciary.

Assembly Bill No. 2091: By Messrs. Rosenthal, Munnell, and McGee—An act to add Section 41 3 to an act entitled "An act prescribing the regulation, government, procedure and jurisdiction of the municipal and justice courts, and providing for the election and appointment of the judges, officers and attaches of such courts, their terms of office, qualifications and compensation," approved July 27, 1949, relating to attaches in municipal courts in judicial districts of the first and one-half class.

Referred to Committee on Judiciary.

Assembly Bill No. 2092: By Messrs. Rosenthal, Munnell, and McGee—An act to add Section 41.5 to an act entitled "An act prescribing the regulation, government, procedure and jurisdiction of the

municipal and justice courts, and providing for the election and appointment of the judges, officers and attaches of such courts, their terms of office, qualifications and compensation," approved July 27, 1949, relating to secretary and jury commissioner.

Referred to Committee on Judiciary.

Assembly Bill No. 2093: By Messrs. Rosenthal and Munnell—An act to add Section 41.2 to an act entitled "An act prescribing the regulation, government, procedure and jurisdiction of the municipal and justice courts, and providing for the election and appointment of the judges, officers and attaches of such courts, their terms of office, qualifications and compensation," approved July 27, 1949, relating to attaches in municipal courts in judicial districts of the first and one-half class.

Referred to Committee on Judiciary.

Assembly Bill No. 2094: By Messrs. Rosenthal and Munnell—An act to add Section 41 to an act entitled "An act prescribing the regulation, government, procedure and jurisdiction of the municipal and justice courts, and providing for the election and appointment of the judges, officers and attaches of such courts, their terms of office, qualifications and compensation," approved July 27, 1949, relating to classification of judicial districts of the first and one-half class.

Referred to Committee on Judiciary.

Assembly Bill No. 2095: By Messrs. Rosenthal and Munnell—An act to amend Section 7f of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to traffic commissioner.

Referred to Committee on Judiciary.

Assembly Bill No. 2096: By Messrs. Rosenthal and Munnell—An act to amend Section 7e of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to secretary and jury commissioner.

Referred to Committee on Judiciary.

Assembly Bill No. 2097: By Messrs. Rosenthal and Munnell—An act to amend Section 7c of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to commissioners.

Referred to Committee on Judiciary.

Assembly Bill No. 2098: By Messrs. Rosenthal and Munnell—An act to amend Section 117m of the Code of Civil Procedure, relating to the issuance of abstracts of judgment in small claims courts.

Referred to Committee on Judiciary.

Assembly Bill No. 2099: By Messrs. Rosenthal and Munnell—An act to amend Section 117j of the Code of Civil Procedure, relating to appeals from judgments in small claims courts.

Referred to Committee on Judiciary.

Assembly Bill No. 2100: By Messrs. Rosenthal and Munnell—An act to add a new section numbered 25a to, and to amend Section 25 of, an act entitled, "An act prescribing the regulation, government, procedure and jurisdiction of the municipal and justice courts, and providing for the election and appointment of the judges, officers and attaches of such courts, their terms of office, qualifications and compensation," approved July 27, 1949, establishing and providing for a Municipal Court Fund for municipal courts in cities of the first and one-half class, and providing for the charges to be made against such fund, the provision of facilities for such courts and division of certain net revenues derived from fines, penalties, forfeitures and fees of such court, and superseding any provisions of law inconsistent therewith.

Referred to Committee on Judiciary.

Assembly Bill No. 2101: By Messrs Rosenthal and Munnell—An act to amend Section 117g of the Code of Civil Procedure, relating to judgments against one or more defendants, the action to proceed against other defendants, in small claims courts.

Referred to Committee on Judiciary.

Assembly Bill No. 2102: By Messrs. Rosenthal and Munnell—An act to amend Section 117d of the Code of Civil Procedure, relating to time for appearance and notice thereof to defendant.

Referred to Committee on Judiciary.

Assembly Bill No. 2103: By Messrs. Rosenthal and Munnell—An act to amend Section 1031 of the Code of Civil Procedure, relating to costs in municipal and justices' courts where the prevailing party recovers less than the sum of one hundred dollars ($100) principal and interest.

Referred to Committee on Judiciary.

Assembly Bill No. 2104: By Messrs. Rosenthal and Munnell—An act to add Section 41 1 to an act entitled "An act prescribing the regulation, government, procedure and jurisdiction of the municipal and justice courts, and providing for the election and appointment of the judges, officers and attaches of such courts, their terms of office, qualifications and compensation," approved July 27, 1949, relating to judges and attaches in municipal courts of judicial districts of the first and one-half class.

Referred to Committee on Judiciary.

Assembly Bill No. 2105: By Messrs. Rosenthal, McGee, and Munnell—An act to add Section 41 1 to an act entitled "An act prescribing the regulation, government, procedure and jurisdiction of the municipal and justice courts, and providing for the election and appointment of the judges, officers and attaches of such courts, their terms of office, qualifications and compensation," approved July 27, 1949, relating to judges and attaches in municipal courts of judicial districts of the first and one-half class.

Referred to Committee on Judiciary.

Assembly Bill No. 2106: By Messrs. Rosenthal, McGee, and Munnell—An act to add Section 21 1 to an act entitled "An act prescribing the regulation, government, procedure and jurisdiction of the municipal and justice courts, and providing for the election and appointment of the judges, officers and attaches of such courts, their terms of office, qualifications and compensation," approved July 27, 1949, relating to judges and attaches in municipal courts of judicial districts of the first and one-half class.

Referred to Committee on Judiciary.

Assembly Bill No. 2107: By Messrs. Rosenthal, McGee, and Munnell—An act to amend Section 7 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to judges and attaches in municipal courts of cities of the first and one-half class.

Referred to Committee on Judiciary.

Assembly Bill No. 2108: By Messrs Rosenthal, McGee, and Munnell—An act to amend Section 7 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to judges and attaches in municipal courts of cities of the first and one-half class.

Referred to Committee on Judiciary

Assembly Bill No. 2109: By Messrs. Rosenthal, McGee, and Munnell—An act to amend Section 7a of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to attaches in municipal courts in cities of the first and one-half class.

Referred to Committee on Judiciary.

Assembly Bill No. 2110: By Messrs. Rosenthal, Beck, McGee, and Munnell—An act to amend Section 7 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to judges and attaches in municipal courts of cities of the first and one-half class.

Referred to Committee on Judiciary.

Assembly Bill No. 2111: By Messrs. Rosenthal, Beck, Munnell, and McGee—An act to amend Section 7b of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to attaches in municipal courts in cities of the first and one-half class.

Referred to Committee on Judiciary.

Assembly Bill No. 2112: By Messrs. Rosenthal, Beck, Munnell, and McGee—An act to add a new section numbered 22a to, and to amend Section 22 of, an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, establishing and providing for a Municipal Court Fund for municipal courts in cities of the first and one-half class, and providing for the charges to be made against said fund, the provision of facilities for such courts and division of certain net revenues derived from fines, penalties, forfeitures and fees of such court, superseding provisions of law inconsistent therewith.

Referred to Committee on Judiciary.

Assembly Bill No. 2113: By Messrs. Rosenthal, Munnell, and McGee—An act to amend Section 869 of the Penal Code, relating to the preparation of daily transcripts and the costs thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 2114: By Messrs. Rosenthal, Munnell, and McGee—An act to add Section 41.6 to an act entitled "An act prescribing the regulation, government, procedure and jurisdiction of the municipal and justice courts, and providing for the election and appointement of the judges, officers and attaches of such courts, their terms of office, qualifications and compensation," approved July 27, 1949, relating to traffic commissioner.

Referred to Committee on Judiciary.

Assembly Bill No. 2115: By Messrs. Rosenthal and Beck—An act to amend Section 89 of the Code of Civil Procedure, relating to jurisdiction of municipal courts.

Referred to Committee on Judiciary.

Assembly Bill No. 2116: By Messrs. Rosenthal, Munnell, and McGee—An act to amend Section 1462 of the Penal Code, relating to criminal jurisdiction of infants.

Referred to Committee on Judiciary.

Assembly Bill No. 2117: By Messrs. Rosenthal, Munnell, and McGee—An act to amend Section 1462 of the Penal Code, relating to criminal jurisdiction of insane persons.

Referred to Committee on Judiciary.

Assembly Bill No. 2118: By Messrs. Rosenthal, Munnell, and McGee—An act to add Section 31a to an act entitled "An act prescribing the regulation, government, procedure and jurisdiction of the municipal and justice courts, and providing for the election and appointment of the judges, officers and attaches of such courts, their terms of office, qualifications and compensation," approved July 27, 1949, relating to traveling expenses of assigned judges.

Referred to Committee on Judiciary.

Assembly Bill No. 2119: By Messrs. Klocksiem, Grant, Dunn, Shaw, Collier, Hahn, Lipscomb, and McGee—An act to add Chapter 7 to Division 12 of the Education Code, relating to loans for deserving students, and making an appropriation therefor.

Referred to Committee on Education.

Assembly Bill No. 2120: By Messrs. Lipscomb, Waters, McCarthy, Connolly, Hahn, Rosenthal, and Smith—An act to add Chapter 3, comprising Sections 15700 to 15725, inclusive, to Part 9, Division 3, Title 2 of the Government Code, relating to payment of interest on money deposited with the State to secure obligations under tax laws and authorizing the investment of such money.

Referred to Committee on Revenue and Taxation

RESOLUTIONS

The following resolution was offered:

By Mr. Davis:

House Resolution No. 49

Expressing condolences on the passing of James H. McClelland

WHEREAS, It is with regret that the Members of the Assembly have learned of the passing on August 10, 1950, of James H. McClelland, Lassen County Supervisor; and

WHEREAS, James H. McClelland was a prominent rancher in Lassen County, a supervisor for that county for the past 24 years, and one of the organizers and a Director of the Lassen Production Credit Association, and has taken an active part in the Lassen County Livestock Show from its beginning; and

WHEREAS, James H. McClelland has a long and splendid record of civic activity in Lassen County; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly hereby express their deep sorrow at the passing of James H McClelland and most sincere sympathy for his bereaved widow and family; and be it further

Resolved, That when the Assembly shall this day adjourn, it do so in respect to the memory of James H. McClelland; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to Mrs. James H McClelland, his widow, and to Pierce McClelland of Standish, Bernard McClelland of Susanville, and Mrs Merlyn Mulroney of Susanville, his children.

Resolution read, and ordered referred to the Committee on Rules.

ANNOUNCEMENT

Speaker Sam L. Collins announced, as a reminder, that after today no Member of the Assembly may introduce a departmental bill. He announced, also, that departments were notified by him as early as last October, and at later dates, that all departmental bills had to be ready for introduction during the first two weeks of the session.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2121: By Messrs. Lipscomb, Waters, McCarthy, Connolly, Hahn, Rosenthal, and Smith—An act to amend Section 6701 of, and to add Sections 6703, 6704, and 6705 to, the Revenue and Taxation Code, relating to security for payment of obligations under the Sales and Use Tax Law, and to provide for certain exceptions in the application of these security requirements.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2122: By Mr. Hansen—An act to amend Section 260.1 of the Agricultural Code, relating to bovine brucellosis control.

Referred to Committee on Agriculture.

Assembly Bill No. 2123: By Mr. Hansen—An act to amend Sections 735.1 and 735.4 of the Agricultural Code, relating to fluid milk and fluid cream.

Referred to Committee on Agriculture.

Assembly Bill No. 2124: By Mr. Hansen—An act to amend Sections 654 and 655 of Article 7 of the Agricultural Code, relating to imitation milk and imitation cream.

Referred to Committee on Agriculture.

Assembly Bill No. 2125: By Mr. Hansen—An act to add Sections 262 and 263 to the Agricultural Code, relating to bovine brucellosis.

Referred to Committee on Agriculture.

Assembly Bill No. 2126: By Mr. Kilpatrick—An act to add Chapter 5.5, comprising Sections 7150 to 7158, inclusive, to Part 4 of Division 6 of the Welfare and Institutions Code, relating to the establishment and maintenance of two state hospitals for inebriates and the regulation thereof, and to make an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2127: By Mr. Gubser—An act to add Section 657 to the Agricultural Code, relating to imitation milk and imitation cream.

Referred to Committee on Agriculture.

Assembly Bill No. 2128: By Mr. Gubser—An act to add Section 644.2 to the Agricultural Code, relating to colored oleomargerine.

Referred to Committee on Agriculture.

Assembly Bill No. 2129: By Mr. Morris—An act to amend Sections 20013 and 20014 of, and to add Sections 20017.7, 21020.7, 21290.7, 21292.7, and 21363.7 to, the Government Code, relating to the State Employees' Retirement System, in respect to certain law enforcement personnel of the Department of Justice.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2130: By Mrs. Niehouse, Messrs. Luckel, and Cloyed—An act to add Sections 14745 and 14684 to the Education Code, relating to the termination of local district retirement systems in districts having an average daily attendance of less than 70,000 pupils and providing for the transfer of the funds of the teachers in such systems to the State Teachers' Retirement System.

Referred to Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 12
Assembly Bill No. 26
Assembly Bill No. 40
Assembly Bill No. 43
Assembly Bill No. 694
Assembly Bill No. 695
Assembly Bill No. 696

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 28

And reports the same correctly engrossed

BURKE, Chairman

Above reported bill ordered to third reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2131: By Mr. Brown—An act to amend Sections 1 and 1.5 of, and to add Sections 1.1, 1.2, 1.3, and 1.4 to, the Judges' Retirement Act, and to amend Section 2 of, and to add Sections 4.7 and 7.5 to, the Judges' Retirement Fund Act, relating to the State System for the Retirement of Judges and Justices.

Referred to Committee on Judiciary.

Assembly Bill No. 2132: By Mr. Brown—An act to amend Section 29610 of, and to add Section 29619 to, the Government Code, to add

Section 728 to the Political Code, and to add Section 39.7 to the Code of Civil Procedure, relating to the conferences of judges called by the Chairman of the Judicial Council.

Referred to Committee on Judiciary.

Assembly Bill No. 2133: By Mr. Stewart—An act to amend Sections 5600 and 5604 of the Business and Professions Code, relating to the practice of architecture.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2134: By Mr. Stewart—An act to amend Section 5550 of the Business and Professions Code, relating to the qualifications of architects.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Constitutional Amendment No. 28: By Mr. Brown—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding to Article VI thereof a new section to be numbered 27, relating to the retirement of judges.

Referred to Committee on Constitutional Amendments.

PRELIMINARY REPORT OF THE ASSEMBLY INTERIM COMMITTEE ON PUBLIC LANDS

LETTER OF TRANSMITTAL

December 15, 1950

Speaker of the Assembly
California Legislature
Sacramento, California

Pursuant to House Resolution No. 121, passed at the 1949 Regular Session of the California Legislature, the Assembly Committee on Public Lands herewith submits a brief initial report covering its findings and recommendations.

In view of the similar work carried on by the Senate Committee on Public Lands headed by Senator Edwin J. Regan, the committee worked in close cooperation with the committee to avoid, if possible, a duplication of effort.

The committee attended two hearings held jointly with the Senate Committee on Public Lands, one in Sacramento and one in Los Angeles, and other hearings in Alturas and Roseville.

Grateful acknowledgement is made of the many federal, state, and local officials and private organizations who so generously provided factual information.

Respectfully submitted,

LLOYD W. LOWREY, Chairman
MARVIN SHERWIN
FRANCIS C. LINDSAY

STATEMENT OF EXPENDITURES

Total funds available from Assembly Contingent Fund under H. R. 121 of 1949 Regular Session		$3,000.00
Additional funds made available		None
Expenditures:		
To committee members:		
For per diem	$300.00	
For mileage	$126.00	
		$426.00
To committee employees:		
For salary	$1,400.00	
For per diem	$121.50	
For mileage	$115.78	
		$1,637.28
To office expenses		None
Total expenditures as of January 10, 1951		$2,063.28
Balance available as of January 10, 1951		$936.72

STATE PROPRIETARY LANDS

As a beginning, an attempt was made to inventory the state proprietary lands The method used was to procure from agencies of the State a list of the lands under their jurisdiction and compare and reconcile it with the records of the Land Sales and Records Section, Division of State Lands. Five agencies were checked in this manner. It was found, that in those agencies maintaining what were considered by the committee's consultant as good records, a reconciliation was not possible.

We do believe the records of the Land Sales and Records Section of the Division of State Lands to be accurate as to lands owned by the State in fee at this date However, as the information recorded is, for the most part, taken from the original deed alone as it passes through this office and the fact that these deeds or decrees of condemnation alone do not always contain information regarding the acreage, cost to the State and valuation, a statistical inventory as to total acreage and value of property owned by the State at this time is an impossibility. Whether these records will remain correct in the future depends entirely on the routing of information on land transactions through this section. Failure to reconcile departmental land records with those of the Division of State Lands was usually due to lack of information on land exchanges between state agencies and disposals of land without the knowledge of that office In two instances agencies claimed land for which the Division of State Lands could find no record.

The difficulty of gathering records of state proprietary lands from the agencies was for the most part due to the different manner or form of real property accountability exercised in each department. This one fact, we believe, should be ample proof of the need of a state-wide property accountability system of forms and reports It is also strongly felt that a loose-leaf manual of procedures with respect to all public land

(except tax-deeded and highway land) transactions, such as acquisition, disposal, exchange between departments, leasing or renting in or out, routing of correspondence and recordation, should be set up, and that control of all these functions be placed in a division of the State Government. This question requires further study to arrive at a sound solution and it is the committee's intent to do so if continued by the Legislature.

It was noted with some concern that the original deeds upon transmittal to the Secretary of State for filing are sometimes held in the archive section for periods up to nine months before they are filed. A discussion of this problem with the Archivist revealed that it was due to a shortage of help of which he stated the Secretary of State was aware. It is recommended a study of the work load, procedures, and personnel of this section of the Secretary of State's Office be made by the Business Management Section of the Division of Budgets and Accounts of the Department of Finance to determine the corrective measures and procedures to follow to remedy this situation

With respect to the management and use of state proprietary land and school lands, it was found that of the five agencies studied, three did not have a surplus or excess property disposal plan or recurring survey of a nature to reveal surplus or excess real property that might be returned to private ownership. The lack of such plans indicates need for further study of all other agencies in this respect by the committee. We believe each department exercising jurisdiction over proprietary lands should make such a survey biannually, and then follow up with the necessary action to return those properties or portions of properties found in excess of foreseeable use to private ownership and the tax rolls at the earliest opportunity. It was noted that in most cases of trespassing on school lands of the State, the matter is brought to the attention of the Division of State Lands by cooperative outside sources. It is recognized that the division does not have the personnel to police the variously located parcels of school lands in the State Each report of trespass is investigated and claims for rental or damages are pressed if conditions warrant. It is further understood that considerable recovery of moneys due the State may be expected in the form of leases, etc., from users of the inland water tide and submerged lands, and navigable rivers and sloughs such as San Francisco Bay, Humboldt Bay and the Sacramento-San Joaquin Delta. This matter, too, will be the subject of further study.

The authorization under the Public Resources Code *that* permits the State Land Commission to operate and make sales to individuals of state school lands in accordance with the rules and regulations of the commission and at a price fixed by the commission results in a situation that leaves personnel of that division open to criticism in the consummation of sales where no bids are requested but negotiations are held with the buyer alone.

This is particularly so when the individual who makes the appraisal also handles most of the negotiating and in addition makes recommendations to the commission with respect to the sale.

It would appear on the surface, that to relieve and protect the personnel of the division from any criticism, it might be well to have all

land appraisals made by another state agency. This question will receive additional study by the committee if it is continued.

In order to reduce the removal of additional lands from the tax rolls for recreational purposes, we have been assured that, if the United States Forest Service is approached by state officials, long term leases may be obtained on recreational areas within the national forests for development and administration by the State.

TAX-DEEDED LANDS

The management and use of tax-deeded lands were spot checked and it appeared that the Division of Tax-Deeded Lands of the Controller's Office is doing a satisfactory job within their personnel limitations as determined from inspection of the Sacramento office and the field offices at Los Angeles and Ventura. The redemption and return of delinquent properties to the tax rolls prior to deed to the State is one of the functions of this office, and this they are able to do in the majority of cases by proper notification of the property owner. Failing this, an effort is made to interest the adjoining property owner to make application for sale at public auction or lease the property. From this point onward, the return of the property to the tax rolls is the responsibility of the local tax collector. Because of the large number of parcels involved, control with respect to trespassers on unimproved tax-deeded property considering the small number of personnel administering this property, is in the same position as the Division of State Lands with respect to school lands. Personnel of the Tax-Deeded Land Division maintain contact and cooperation with the local county tax officials. Tax-deeded lands have been on the decline for at least seven years as demonstrated by the reduction of rentals of improved tax-deeded property in Los Angeles County. This year there are but eight rentals while at one time there were over four hundred such rentals.

From a state-wide questionnaire to the tax collectors of the 58 counties, sufficient replies were received to indicate that certain counties are making determined efforts to return tax-deeded properties to the rolls through tax collector initiated public auctions, using news stories and mailing lists to promote and stimulate interest while others await applications to prompt sales. It is realized that in some instances the actions or restrictions placed by the county boards of supervisors on tax collectors in the form of minimum bids and refusal to approve sales hinder the return of some of these properties to the rolls and that is their prerogative. The ultimate responsibility for the return of tax-deeded property to the rolls rests with the local county officials, and they are the recipients of the benefits derived therefrom. We recommend that such officials diligently pursue the matter of initiating sales and promoting interest in such sales to the ultimate end that more property is returned to the tax rolls. It is further recommended, that if an improvement in the situation regarding tax collector initiated sales is not found in one or two years' time, that consideration be given to legislation requiring each county to hold at least one public auction of the tax-deeded properties each year.

This division has a manual of procedure with respect to handling of repetitive transactions by the field agents, but a need was seen for a manual of office procedure for use by the clerical staff of the field branches as these clerical personnel must be unsupervised during the agent's absence in the field and consequently need a guide to refer to.

HIGHWAY LANDS

The public lands under jurisdiction of the Division of Highways were examined from the management, use an inventory viewpoint.

The inventory was dropped almost immediately as the time and services of individuals involved would be too costly to serve any purpose. An estimate received of the number of acres occupied by the highways of the State based on the linear miles (about 14,000), with an average right-of-way width of 100 feet, was 170,000 acres.

The administration as to records, titles, and disposals of excess property appeared satisfactory from a spot check made at the Los Angeles and San Luis Obispo Rights of Way Offices. The detailed manual prepared by the Rights of Way Section of the Division of Highways in 1950 is a well-planned manual of procedures with respect to all types of land transactions of the Rights of Way Section. Our only suggestion at this time would be that the manual should have been printed in loose leaf form to permit ease of correction without necessity of reprinting the entire manual.

FEDERAL LANDS

Federal ownership in the State of California has increased from 41,759,984 acres in 1938 to 47,005,789 in 1947 from the most reliable and recent figures we would find. This increase was due to acquisitions by the Defense Department, Federal Housing Authority, U. S. Forest Service, Bureau of Reclamation, National Park Service, Soil Conservation Service, and others. Many county officials have expressed concern over the reduction of the tax base by removal from private ownership by purchase, condemnation, or exchange of large areas. The County of Del Norte with 35 percent of its total area under private ownership is especially hard pressed in relation to sufficient tax returns from that land to support and operate its schools (Appendix A). Inyo County with only 4.32 percent of her lands remaining in private ownership, and in a similar position with respect to her schools, demonstrates the ultimate impact that may be expected without some curb on acquisitions by public agencies. The map or plat prepared by Inyo County (Appendix B) in color and reproduced here in black and white is startingly effective in its presentation and if the committee is continued, we plan to obtain a similar plat or map showing public ownership from each of the remaining 57 counties. This reduction of the tax base and the hardships caused thereby are particularly true when the services provided by county governments must be increased, without reimbursement, to carry out their responsibilities that follow with the increase in population, both permanent and transient. These added costs must be borne by the remaining land holders (see Appendices C and E). The Federal Government now

owns 46 percent of the total area of the State. The State's own holdings are estimated to be about 3.5 percent. This situation is similar to that in each of the eleven western states in which the Federal Government has large holdings (see Appendix F).

The Federal Government, through its agencies, is continuing to acquire more property through condemnation, purchases, and exchanges Criticism of the federal agencies on the subject of both acquisition, management and use policies have been heard by this committee.

With respect to management, the protests heard from the sheep raisers and cattlemen regarding the limitations placed on the number of head of stock that may be grazed on ranges administered by the U. S. Forest Service by grazing permit have been numerous. It was pointed out by them that these limitations are considered to be a major factor in the over-all reduction of the numbers of sheep and cattle raised in this State.

With respect to acquisitions, the property owner's right to question the reasoning behind the determination that his entire property should be condemned when he can see no obvious need by the government for the whole parcel even though he is willing to waive severance damages to retain a small portion of his original holding has been disregarded This has occurred in land acquisitions above the "take line" established around storage pools of dams, such as Folsom Dam Another question that arises is the proper use of land after acquisition This applies in those cases of acquiring acreages for wildlife reserves that have been used for the production of foodstuffs and the acquisition of other agriculture lands for military bases and then not using all such lands for that purpose (see Appendix D). The latter two policies result in threefold damages to the state economics—first, the removal of land from the tax rolls, and second, the removal of agricultural lands from that use, and third, the unestimated loss of the foodstuffs those lands would produce for the State and Nation. Such policies are questionable at all times but especially so during this period of national emergency. In each of the above circumstances the rights of the individual land holder has been disregarded once the decision to acquire has been made by federal officials. He has no recourse to law to question the decision with respect to the reasoning behind it as to the amount of land to be taken, or the use to which it may be finally put, but must be satisfied with the condemnation suit which follows and determines the public use intended and the value which he shall receive for his property. We hold that these citizens in such circumstances should be guaranteed recourse to law.

Forest exchanges account for a proportion of the increase in federally owned lands. These exchanges affect the tax bases of the county governments by the Forest Service exchanging value of stumpage in national forests for a corresponding value in acreage of suitable land, adjacent to or within the boundaries of national forests, belonging to or acquired for that purpose by private individuals (see Appendix E). These exchanges, we were informed, have been consummated only with the approval of the officials of the county concerned since April 1, 1943.

We hold that the State Government should be required by law to take an active protective interest in her citizen's rights by requiring a public hearing by the State on the occasion of each acquisition by the State to give each citizen affected an opportunity to voice his approval or disapproval and his basis therefor and then intercede in behalf of those who may have just cause for complaint. More important, a federal law guaranteeing similar hearings be held, with proper notification of state officials and interested parties, prior to all acquisitions by any agency of the Federal Government is considered necessary.

Because the 11 western states with large percentages of federally owned properties, ranging from 35 percent to 84 percent of their total areas, (see Appendix G) must have common problems with respect to federal ownership which have been stated herein, we recommend that committees of the legislative bodies of those states should meet jointly so as to give the necessary added weight by agreement on those questions related to "in lieu tax payments" or other just reimbursement and such other corrective measures that they may feel necessary to correct some of the abuses and harmful effects of federal ownership. After such agreement and further approval by the legislative bodies of their respective states, they could then approach the National Congress in a body with a united purpose. We feel this concerted action would carry enough weight to gain the relief that is so necessary.

We are, at present, making the plan and laying the groundwork, as necessary, to bring about this proposed joint meeting.

APPENDIX A

Excerpts From the Remarks of Mr. Charles A. Thunen, Del Norte County Representative at Joint Hearing on October 27, 1950, at Sacramento

"I'd like to present a few figures to show the financial distress of Del Norte County due to loss of tax base by lands being sold to the state and federal government. I have a map here which shows in the shaded area state and federal lands; the white area is private property, which is assessed—that is very close to 35 percent. About 65 percent of the land is in the hands of the state and federal government."

"Now, the total value of the county, including land, improvements and personal property, in 1931-32 was $11,187,831 In that year the total general county tax was two hundred seventy-nine thirty-eight dollars and eighty-eight cents; and the amount for schools was thirty-two thousand, ninety-five dollars and seventy-five cents, slightly above 10 percent. I'm trying to develop a picture and show the problems of the schools in Del Norte County because its a very pressing problem and of course I'm vitally interested in schools.

The next year the general tax in Del Norte County was $190,490.35, the school tax was $17,193. When I say school tax I mean the tax for all the schools in the county, the high school and all the elementary schools. For 10 or 12 years the amount for the general county business and schools ran roughly the same, the amounts for schools running around 10-15 percent.

Now, to go back to the loss in value, I repeat again that in 1931-32 the land alone was assessed at $9,881,005. By 1942-43 this valuation had

dropped to $3,545,920, representing a difference of $6,336,085. That loss was due to the sale of timber to the State and Federal Government. Since then, as pointed out, the $3,545,000 has increased to $5,714,335. Now this is just the land alone, and that increase is due to increase in values, not to new land—we haven't received any new land, we've lost more. Assuming that the $6,000,000 worth increase in value at the same rate, and it is the choice land of the county and no doubt would appreciate, in that ratio it would now be worth more than the total assessed valuation of the county, which today is $9,010,194. Now, that's not the land alone, that's the total including improvements and personal property.

I'd like to read the amount of taxes for the schools for the past five years. Beginning in 1947-48 the total was $93,699 07; '48-49, $121,127; 1949-50, $141,959.01; 1950-51, $164,590. For the past five years the amount for schools is substantially above half the total for the county. And for the year 1950-51 the $164,590 is not sufficient for the schools—its that figure because all the schools have reached their legal maximum tax rate, some of them have gone over by election. If the schools had what it, what they needed to run, that figure would be still larger. I think these figures show conclusively that the real property in Del Norte County cannot continue to support the schools and local government, its impossible Now, we're going to have to find another source of money in order to keep on running the schools, even without building new buildings or making improvements which are necessary. Now, I think that the State should pay money in lieu of taxes to localities where state parks are located, and I think they should do that, of course, in Del Norte County. I also think the Federal Government should pay money in lieu of taxes where federal land is located. And it seems to me that if the State would realize that and do so it would be a strong argument for the Federal Government following suit. And I believe if the State could pass such a law and do that, that laws could be passed so that if further land is taken off the state tax rolls, it would have to be done so with the understanding that the agency, federal or state, would pay money to the locality in lieu of taxes. Now that is the proposition from Del Norte County."

APPENDIX B

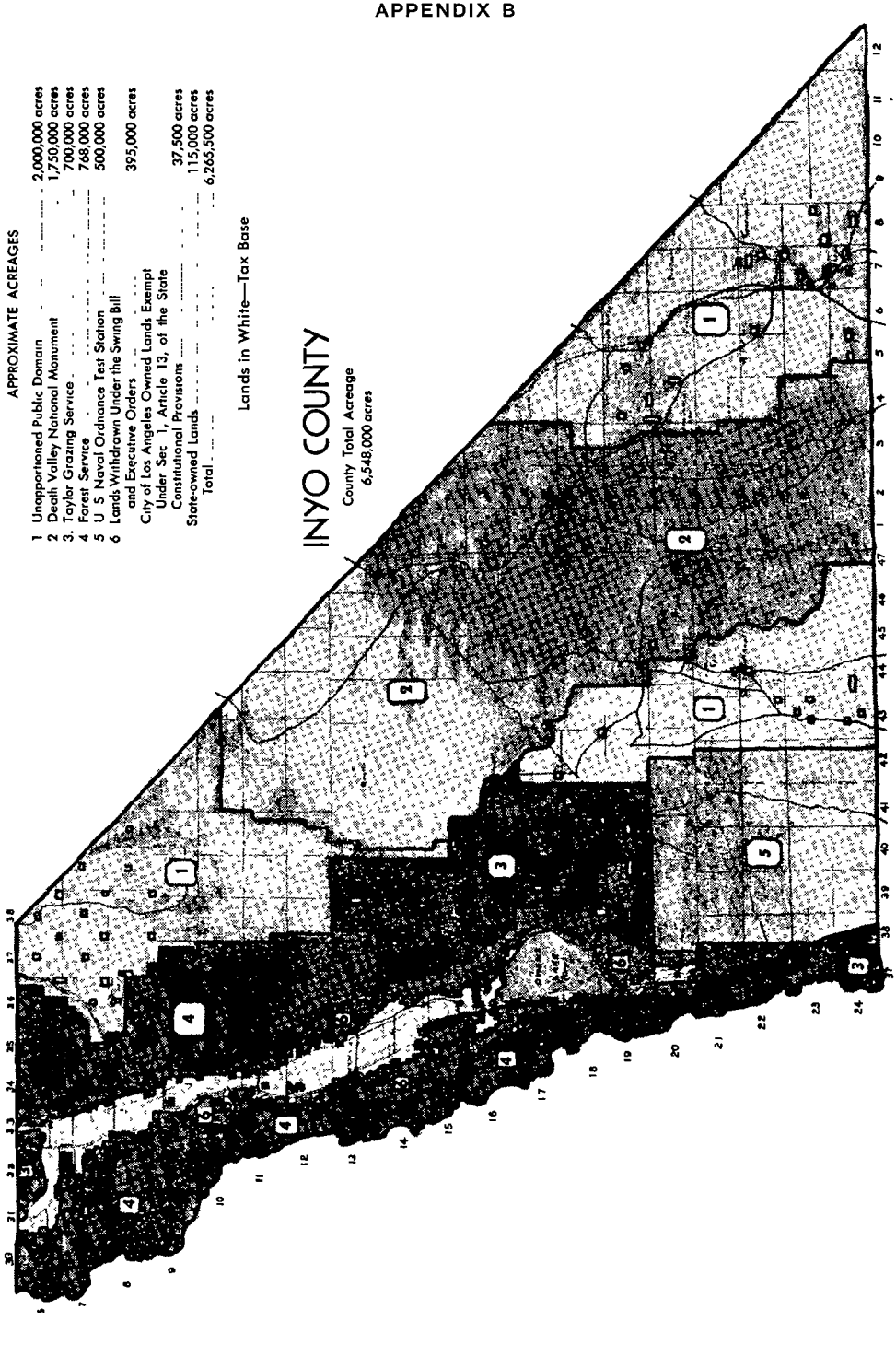
INYO COUNTY
County Total Acreage
6,548,000 acres
Lands in White—Tax Base
APPROXIMATE ACREAGES
1 Unapportioned Public Domain — 2,000,000 acres
2 Death Valley National Monument — 1,750,000 acres
3. Taylor Grazing Service — 700,000 acres
4 Forest Service — 768,000 acres
5 U S Naval Ordnance Test Station — 500,000 acres
6 Lands Withdrawn Under the Swing Bill and Executive Orders — 395,000 acres
City of Los Angeles Owned Lands Exempt Under Sec 1, Article 13, of the State Constitutional Provisions — 37,500 acres
State-owned Lands — 115,000 acres
Total — 6,265,500 acres

APPENDIX B

Excerpts From the Remarks of Mr. Stewart R. Cox, Assessor and Tax Collector of Inyo County at the Joint Hearing in Los Angeles on December 4, 1950

"During recent years the report on the amount of tax exempt lands in Inyo County has been variously reported as from 69 percent to 85 percent. And as we do not entirely agree with these figures I have prepared this plat of Inyo County as visual evidence of the way we are affected by public ownerships of lands.

The tan section (2) in the center there is the Death Valley National Monument, and was withdrawn some years ago, and the extent of that is 1,750,000 acres.

The violet color (1) there is unapportioned public domain and represents 2,000,000 acres.

The dark brown (3) is lands administered under the Taylor Grazing Act and amounts to about 700,000 acres. Actually it is around 1,200,000 but there is some of that which is included in other things of which I am going to talk about.

The green (4) is the Forest Service and that is 768,000 acres.

The blue (5) is the most recent acquisition by the government and represents the land withdrawn for the U. S. Naval Ordnance Test Station at Inyo-Kern. That is 500,000 acres.

The yellow is the Owens Lake, the acreage I'm not certain about; but it is administered by the State.

The red (6) which borders the white are lands which were withdrawn under the Swing Bill, I believe it was 1931, and subsequent Executive Orders. That is in the neighborhood of 395,000 acres.

Now, the red (6)—that borders the white, is lands withdrawn for the benefit of the City of Los Angeles and the protection of their water flow to Los Angeles.

The white (7) represents the lands that we assess and you see them spotted here and there. This map is not exactly correct because I didn't have the time to plot all the state sections, etc., in there. But the state sections amount to 115,000 acres. We assess 255,600, tax-deeded lands 26,900. Now in that white area, which is all we assess, the City of Los Angeles owns some 37,500 acres which are exempt under the provisions of Section I, Article 13, of the State Constitution.

Those little black dots are lands that were recently acquired to the Indian Service and represents some of the very finest land that we have in the county.

Now it is easy to see by that how Inyo County is restricted from any possible broadening of its tax base with the possible exception of the discovery of oil in the county which, according to oil men, is quite remote The City of Los Angeles has—we have them assessed with 191,651 acres, and of that, of course, none of it can possibly be returned to what we call private ownership, because, of course, they can't afford to turn it loose without water."

"Two hundred fifty-four thousand, three hundred sixty-one acres is our total assessed value So actually we have 62,700 acres upon which we can expect expansion. As you know, any improvements that are built by the City of Los Angeles after the acquisition of the land is not taxable.

And that is our picture. You can see that our school rates are all up to the maximum and have been for quite some time.

The withdrawn land there, the red, is for the most part, pretty fair land and it has been withdrawn from all types of entry and we have had some trouble with miners who wish to mine nonmetallics in the region and they are for the most part stopped from doing it in that area.

In the blue, the upper 12 miles, I think, or 18 miles has been moved back three miles recently to allow people to go in there and mine pumice, etc., I've not been notified of that, but it's an actual fact.

We have another problem that's beginning to show its face and that is on the left hand corner in the Forest Service, if you get close to that map, you'll see that we have dozens and dozens of creeks coming down from the mountains and recently the State has been interested in the sanitation of this area. The State, that is, the Forest Service rather, cannot take care of the sanitation problems that arise, the government, so far, has not done anything about it, so if it's up to the county to patrol hundreds of miles of creeks and place the sanitary facilities in there to take care of approximately 1,000,000 tourists a year, it's going to pose quite a problem to our county."

95.68 percent of this county is publicly owned.

APPENDIX C

Statement of J. H. Hanks, Assessor of Kern County, to the California Legislature Senate Interim Committee and Assembly Committee on Public Lands at a Joint Hearing Held in Los Angeles, California, on December 5, 1950

The Kern County area consists of approximately 5,121,920 acres, of which 1,416,300 acres or 27.65 percent are owned or controlled by the Federal or State Governments and therefore are exempt from taxation by the county. This is an increase of approximately 108,000 acres or 2.65 percent since a survey was made in July of 1947. While this increase may appear to be insignificant, may it be emphasized that this increase has occurred even though the Federal Government has turned back to the county several areas used for airfields during World War II: Gardner Field, Taft; Minter Field, Lerdo; and auxiliary fields. Also no attempt was made to include land deeded to the State after taxes became delinquent. There are additional specific problems concerning government-owned or controlled land in Kern County which I would like to cite as follows:

A. Delano Area

1. The transfer of land and existing improvements from the Reconstruction Finance Corporation to the United States of America, such as the short wave radio station located in Section 16, Township 25, Range 25, near Delano, operated for the United States State Department, by the Columbia Broadcasting Company, which resulted in the removal of this property from the assessment rolls and the loss of $115,830 in assessed valuation.

2. The Alpaugh Irrigation District owns 1,708 acres of land in the Pondham School District in Townships 25 S. and 26 S., Range 23 E., M. D. B. M., from which they annually pump 18,000 acre-feet more than the water used on the land for irrigation This 18,000

acre-feet of excess water is delivered by canal to other lands of the district in and around Alpaugh in Tulare County. In 1947 the State Legislature passed an act permitting an irrigation district to annex land not contiguous to the district by a mere vote of the board of directors. As a result, the noncontinguous land in Kern County was voted into the district by the directors of the Alpaugh Irrigation District and the Pondham School District lost a minimum of $70,000 in assessed valuation. It is hard to understand how and why such a district is allowed to annex land without either consulting or notifying the officials of the county concerned. The Pondham School District can ill afford to lose this valuation and is in danger of losing even more value as a result of the lowering of the water table on lands surrounding the area in Kern County from which the Alpaugh Irrigation District is pumping water. The original wells flowed and now pump from 120 to 150 feet Over a period of years the continued removal of an excessive amount of water for use on land of poorer quality in another county cannot have any other effect than the lowering of the value of the land in Kern County due to lack of water or increased pumping costs.

B. Naval Petroleum Reserves

1. While there are two Naval Petroleum Reserves in Kern County, only Naval Petroleum Reserve No. 1, Elk Hills, is of immediate consequence due to the fact that it is entirely government controlled. Naval Petroleum Reserve No. 2, Buena Vista Hills, is leased by private operators and Kern County derives revenue from mineral rights thereon.

The Elk Hills Reserve consists of 43,815 acres as shown on the map in Township 30, Range 23; Township 30, Range 24; Township 31, Range 23; and Township 31, Range 24. In 1948 the Department of Interior proposed to enlarge the reserve by some 6,800 acres, of which 4,320 acres are privately owned as shown in pink on the map.

The county furnishes many services to the Elk Hills area in that it maintains radio cars, deputies, and constables in the communities surrounding the reserve who in time of emergency assist in patrolling this property. The county fire department is of such a caliber that the Navy found that it would not be necessary to maintain a full scale fire protection system since they considered the coverage afforded by the county adequate, even during war years. There is a minimum of 29 miles of county maintained road giving access to the reserve from Taft, Buttonwillow, McKittrick and Bakersfield. The average maintenance cost is $600 per mile per year depending upon the terrain. In addition, county equipment is available and has been used by the Navy on roads within the reserve. Little flood control work is done in the reserve which results in considerable damage to county roads when there are heavy rains. These roads must be repaired so that access to the reserve is not blocked to fire, police, or first-aid equipment.

An added burden is placed upon all services rendered by the county due to the fact that additional families must be accommodated as a result of the personnel which operates and maintains the Naval Petroleum Reserve.

C. Muroc Air Base

1. Several hundred thousand acres are included in Muroc Air Base and further acquisition is now under way. In this district, according to the present agreement between the Federal and State Governments, the State has relinquished jurisdiction and this land has been removed from the county tax rolls, including improvements and personal property. An extensive housing project is included in the land taken for the base and a sever load is placed on the private owners in this district to support increased enrollment in schools, maintenance of roads, protection to property and persons, and general county government costs.

D. Inyokern Naval Ordnance Testing Station

1. Inyokern Naval Ordnance Testing Station resembles Muroc Air Base except full rights have not been relinquished by the State and personal property of civilian personnel living at the station is assessed. However, the loss of several hundred thousand acres of land in a normally impoverished area has placed an extremely heavy tax load on the private owners.

E. State-owned Lands

1. The State of California owns school land and tax deeded land in various areas throughout Kern County. In the desert region private owners are able to lease this land for a very nominal rental, which rental is much less than the taxes they would pay on similar land at present tax rates even though the assessments are at a minimum. This condition is aggravated by the withdrawal of lands, such as was cited in C. and D. preceding.

F. Federal Lands

1. The Taylor Grazing Act makes it more economical for cattle and sheep men to graze livestock, at a per head rental, than to own similar land on which they must pay taxes.

2 Grazing land in the national forests creates the same problem as the Taylor Grazing Act.

3. The Department of Interior through the Central Valley Project has acquired land for the Friant-Kern Canal causing a loss of several thousand dollars in assessments.

4. The United States Army Engineers have acquired several thousand acres of land and the townsites of Isabella and Kernville to construct the Isabella Dam and impound the flood waters of the Kern River. This has resulted in a serious loss of valuation to the Kernville and South Fork Union School Districts.

In conclusion, it is readily apparent that where a majority of the land is government owned or controlled a heavier load is carried by private property owners as they must support county activities which benefit the residents and installations in the exempt areas as well. If the revenue derived from federal and stated owned lands were turned over to the county for maintenance of county government and schools in the distressed areas, the tax load on private owners would be eased and there would be greater incentive for the development of these areas by private owners.

Respectfully submitted,

J. H. HANKS
Assessor, Kern County

APPENDIX D

Testimony for Joint Hearing of the Senate and Assembly Interim Committees on Public Lands, Los Angeles, California, December 4, 1950

My name is Paul Aurignac. I am a farmer by occupation, raising primarily cattle and grain at my home near San Ardo in Monterey County. I am a member of the Wild Game and Public Lands Use Committee of the California Farm Bureau Federation, and on that committee I represent the Central California Coastal Counties of San Mateo, Santa Clara, Santa Cruz, San Benito, Monterey, and San Luis Obispo.

Our committee has cooperated with sportsmens' groups and state and federal agencies, and one of our main purposes is to seek a better use of public lands in the State of California Much public land is not now used to its full effectiveness. For example, although steps are being taken to acquire a 12,000 tract in the San Joaquin Valley for a game management area and public hunting grounds, it is the belief of our committee that the land that has already been acquired by the State Wildlife Conservation Board and the U. S. Fish and Wildlife Service is ample to provide resting grounds for the Pacific Coast Waterfowl Flyway. The land previously acquired by these agencies could be more fully developed to provide a maximum of feed and shelter.

We urge more effective use of public lands for the reason that whenever a government agency, whether it be county, state, or federal, acquires privately owned lands, they become tax free and therefore deplete the taxable resources of the county in which the acquisitions are made.

To illustrate this loss of tax revenue, take the case of Monterey County. Since 1939, approximately 175,000 acres were acquired by the United States Government in the County of Monterey with an assessed valuation of roughly $2,000,000. It is estimated that the tax revenue lost for the current year alone amounts to approximately $75,000. This is verified by Exhibit "A" which is attached.

Therefore, in keeping with the policy of the California Farm Bureau Federation established in 1948 at their annual meeting, and reaffirmed by our committee, we oppose in general the acquisition and retention of productive agricultural and range lands by any government, except during emergencies or in unusual cases, feeling that suitable nonproductive lands are most usually available.

We request the return of such lands, now held by the Federal Government, to private ownership and operation with as little delay as possible whenever it will not jeopardize our national defense. We have a flagrant case in Monterey County of the Federal Government acquiring and holding productive agricultural land during the last war, despite the fact that during negotiations for transfer of title to the land, it was represented that upon cessation of hostilities, the land would be restored to farming use and preference would, of course, be given to former owners. We submit in evidence of this case a letter marked Exhibit "B" from the B. F. Porter Estate which we believe is self-explanatory. We do believe that the major portion of that land could be returned to its previous owner without impeding the administration and functions of Camp Roberts.

At the present time the State of California and the Federal Government own nearly one-third of Monterey County's 2,200,000 acres; taking the State of California as a whole, 52 percent of the total area of 100,000,000 acres are under title to the State and Federal Governments. Each acquisition by these bodies means tax-free areas for them and higher taxes for the balance of us. For how long is further acquisition of private lands to go on unrestrained?

To conclude, we feel (1) that further prospective acquisitions of private lands by the Federal, State, or county Governments should be first taken up with local civic groups and then with the community in general; and (2) we request the Interim Committees on Public Lands to do all in their power to assist in securing the release of government owned lands to private ownership whenever it will not jeopardize the national defense.

I wish to thank the joint committees for granting me the privilege of making a presentation today.

PAUL AURIGNAC
San Ardo, California

December 4, 1950

Exhibit "A"

MONTEREY COUNTY, STATE OF CALIFORNIA
WALTER R. TAVERNETTI, ASSESSOR
SALINAS, CALIFORNIA, November 28, 1950

Monterey County Farm Bureau
126 Lincoln Street
Salinas, California

GENTLEMEN: The following is a compilation of the property acquired by the United States Government in the County of Monterey since 1939 and by virtue of such ownership, this property has been removed from the tax rolls. Also included in this compilation is an estimate of the loss in tax revenue to the county and other special districts with the exception of city taxes.

Site	Acreage	Assessed value land only	Tax rate	Tax revenue
Hunter Liggett Reservation	149,746	$1,497,460	$3 61	$54,058.30
Camp Roberts (Portion in Monterey County)	17,808	126,600	3.10	3,924.60
Additions to Fort Ord	14,460	300,000	3 87	11,610.00
Naval Base, City of Monterey **	--	46,250	3 89	1,799.12
Naval Base, Salinas River	360	24,500	4.24	1,038 80
Salinas Air Base Add'n	50	15,000	4 02	603 00
Guayule Lands	180	20,000	4.28	856.00
Del Monte General Line School **	470	47,000	3.93	1,847.10
		$2,076,810		$75,736 92

** Property also lies inside limits of City of Monterey City taxes not included

The above figures represent the amount of tax revenue that would have been derived from this property for the fiscal tax year 1950-51.

Yours very truly,

(s) Walter R. Tavernetti

WRT/s

WALTER R. TAVERNETTI
Assessor for Monterey County

Exhibit "B"

(COPY)

B. F. PORTER ESTATE, A CORPORATION
58 SUTTER STREET, SAN FRANCISCO 4, November 29, 1950

Mr. R. S. McCandliss, Executive Secretary
Monterey County Farm Bureau
126 Lincoln Avenue
Salinas, California

DEAR MR. MCCANDLISS: Answering your letter of November 27 regarding our experience in a case where the U. S. Government has acquired land and not returned it to farmers, be advised that the Government acquired something over 8,000 acres under lease the early stages of the last war.

This property is known as the East Garrison of Camp Roberts, separated from Camp Roberts by a highway, a railroad, and the Salinas River. After leasing for a year or more, it was decided by the Government that they should acquire fee title to the land and, after considerable negotiations, they purchased at a very low figure something over 6,000 acres from this company. Of this tract, some 400 to 500 acres were improved by construction of barracks, machine shops, parade grounds, etc.

At all times during negotiations, it was represented that upon cessation of hostilities, the land would be restored to farming use and preference would, of course, be given to former owners. While the improved area would be of no value to the former owner, we have made long and continued attempts to re-acquire the remaining area, but have not met with success. It is our sincere belief that the Government does not need

this area, considering enormous acreage in Camp Roberts proper and Hunter Liggett. It is a fact that during the past war very little use was made of the land acquired from us, with the exception of the improved or cantonment area.

I trust this is the information you desire.

Yours very truly,

(s) PORTER SESNON

Porter Sesnon
bmh

APPENDIX E

Statement by Mrs. Margaret K. Sylva to the California Senate and Assembly Interim Committee on Public Lands, November, 1950

This statement is for the purpose of presenting to the committee certain facts relative to the aspects of land ownership on the economics of Tuolumne County.

The statement is presented in four parts, namely (1) those factors relative to lands owned or controlled by the Federal Government; (2) those factors relative to lands owned or controlled by the State Government; (3) those factors dealing with lands owned or controlled by counties and cities; and (4) those factors relative to lands owned or controlled by other political subdivision of the State of California.

1. Lands of the Federal Government

The Federal Government owns or controls a total of approximately 1,087,000 acres of land within Tuolumne County, which represent 74.7 percent of the total of 1,456,000 acres of all lands within the county. Of the total Federal Government lands, the U. S. Forest Service controls 619,541 acres or approximately 42.6 percent of the entire area of the county, the National Park Service controls 441,410 acres or approximately 30.3 percent of the area of the entire county and the Bureau of Land Management 26,110 acres or 1.8 percent of the area of the entire county.

There is no direct tax income from these lands; however, there are various factors which contribute to the income and welfare of the county from these lands.

With respect to the lands controlled by the U. S. Forest Service, the following direct and indirect benefits can be pointed out, as resulting from the operations of the U. S. Forest Service in the county for the year 1949.

Payments by U. S. Forest Service in lieu of taxes	$100,732.14
Taxes paid by owners of 675 summer homes, resorts and other improvements on U. S. Forest Service lands, approximately	23,525.00
Taxes paid by owners of water permits, dams, transmission lines and like improvements on U. S. Forest Service lands, approximately	36,283.00

This made a total of $160,540 in direct income from the lands under U. S. Forest Service control. These returns amount to approximately $0.16 an acre for in lieu taxes and a total of $0.26 an acre from the lands under the control of the U. S. Forest Service.

Other indirect benefits and expenditures from the lands under the control of the U. S. Forest Service may be noted as follows:

(1) Amount paid to U. S. Forest Service employees (50) during fiscal year 1949 ---------- $337,917.00
(2) Expenditures by the U. S. Forest Service for materials and supplies purchased from 102 different local merchants during the fiscal year 1949------- $59,503.89

The activity of the U. S. Forest Service has resulted in the following other indirect benefits to the county.

(A) 705 miles of public road maintained by the U. S. Forest Service at a yearly cost of approximately--- $35,000.00
(B) 742 miles of public track maintained by the U. S. Forest Service at a yearly cost of approximately--- $10,000.00

The three year average expenditures for fire suppression work in the county for the period July 1, 1947 to June 30, 1950 has been $219,-482.00.

The U. S. Forest Service, through the Bureau of Public Road has expended to date on the Sonora Pass Highway $1,203,543.00.

Other factors which may be pointed out with reference to the operation of the U. S. Forest Service are as follows:

There are numerous mining claims on U. S. Forest Service lands which are unassessed. In one instance there are 144 mining and building stone claims by one individual, some of which have buildings and other improvements situated on them. Some of these claims have been sold to persons who have purchased them for use as home sites. As these claims are not on the county assessment rolls there is no revenue to the county.

Prior to 1938 it was the practice to exchange cutover lands for stumpage. During the period 1907 to 1938 there were 26 such transactions in Tuolumne County involving a total of 70,236 acres, the majority of which involved the West Side Lumber Company of Tuolumne City with 36,466 acres and the Pickering Lumber Company (formerly Standard Lumber Company) of Standard with 16,374 acres, the remaining 17,396 acres involved transactions with various individuals in exchange of less than 1,000 acres. There have been no such exchanges since 1938.

There are also certain recreational developments on U. S. Forest Service lands, which are pertinent to the economics of land use in homes, resorts, motels, lunch rooms, service stations, stores, parking stations and similar improvements on U. S. Forest Service land along State Highway No. 108 between the City of Sonora and the top of Sonora Pass on that highway. From a compilation of data on these activities made by the

"Sonora Pass Vacationland," an organization representing the commercial properties operating in this area, the following statistics are available:

The development of this area in the past 20 years has resulted in a current estimated assessed valuation of approximately $3,742,385, which is approximately 20 percent of the assessed valuation of the county. Approximately 90 percent of the patrons of this area are out of county visitors and cabin owners. The annual pay roll amounts to about $265,000 with an average employment of about 204. The estimated gross yearly income of these businesses for the last three years has been approximately $1,000,000 and the owners of these businesses have returned to the county an average of about $180,000 in taxes for the last three years.

In any discussion of returns to the county from various sources, the services rendered by the county must be considered. The services rendered by the county in the case of the U. S. Forest Service lands are limited primarily to police protection, school services and some road maintenance.

A school has been maintained at Pinecrest during the past year to provide for an enrollment of 12 pupils. This school was maintained as a branch of the Columbia Elementary School District System.

The county maintains approximately one mile of highway leading from State Highway 108 into Pinecrest Resort and is also assuming maintenance of approximately four miles of newly constructed highway to a new recreational area. This highway was constructed as a timber access road and has recently been surfaced at a cost of approximately $65,000 paid from moneys earmarked for that purpose from the county's share of stumpage fees from the area, in the last three years.

The improvements in this newly created recreational area estimated to represent an initial investment of $200,000 which has not to date been placed on the county assessment roll.

As a comparison of the returns to the county from the operation of United States Forest Service lands as noted above, the March 22, 1948 news letter of the California Supervisor's Association reported that the average annual loss of tax revenue from lands under United States Forest Service control would amount to approximately $269,000.

Some of the larger taxpayers in Tuolumne County as of June 30, 1950, are:

(1) Pickering Lumber Company paid a total of $76,613.94 based on an assessed valuation of $983,863.74 broken down as follows: Timberland, $27,613.74; improvements, $346,250; and personal property, $610,000.06.

(2) West Side Lumber Company paid a total of $30,684.95 on a total assessed valuation of $500,958.56 broken down as follows: Timberland, $7,678.56; improvements, $112,950; and personal property, $380,330.06.

The evaluation in both cases for timberlands were based on cut-over lands at $4 an acre, virgin timber at $28 an acre and big trees of no commercial value at $75 an acre.

(3) The Pacific Gas and Electric Company paid a total of $321,-800.91 in taxes on its various holdings in Tuolumne County.

With respect to the lands in Tuolumne County controlled by the National Park Service, the following factors may be presented:

The land with the Yosemite National Forest comprises about 30.3 percent of the area of the entire county.

There is no timber cutting or cattle grazing allowed within the park boundary and consequently there is no revenue or in lieu payments from those sources or in the case of the lands under control of the U. S. Forest Service.

The return to the county from the recreational development in the park is small as the distance and type of highway serving the park and Yosemite Valley through Tuolumne County preclude any large amount of travel to and from those areas and therefore limits the benefits from tourist or recreational development.

Within the last 30 years, some 11,000 acres of land of Tuolumne County timberland previously owned by a private corporation, the Yosemite Lumber Company, was purchased by the Rockefeller Foundation which in turn gave it to the National Park Service for inclusion in Yosemite National Park, thus removing the land from the tax roll of the county.

With respect to the land controlled under the Bureau of Land Management, there is no evidence at hand either as to returns or costs to the county from operation of these lands.

2. Lands of the State of California

The lands of the State of California consist of the Columbia State Park under the control of State Division of Parks and Beaches. The purpose of these holdings is to create an historic site representing a typical early California community The town of Columbia with its business district, the old Fallon Hotel and grounds, the old elementary school and grounds was selected to be developed as a state park to be the "Williamsburg of the West."

The assessed valuation of the area now included in the park was approximately $30,000 at the time of the removal of the lands from the tax rolls in 1948. The present assessed value when the recent readjustments of the value of comparable lands is considered, would be approximately 10 percent higher.

The water system previously serving the park area and adjacent area was privately owned and has been purchased by the State, thus removing these properties from the county assessment roll. This system together with a sewer system now under construction by the State will serve the area both inside and outside of the park with no revenue or return to the county.

The highway, roads and streets serving the park and adjacent area are all at the present time being maintained by the county, although it is understood that the State does contemplate taking over and maintaining the two miles of highway linking the park with the present State Highway No. 49.

It is also understood that plans are under preparation and consideration to enlarge the park boundary with further loss to the county of assessed valuation.

It is understood that the present leases of the properties in the part are on a yearly basis with compensation varying with the general conditions of the property. The residents of the area in the park were presumed to have preferential use of their former properties, however, apparently some of the contracts provide for vacation when buildings are remodeled.

The school serving the park area is maintained by the county without direct support from the area within the park. Other county services such as fire protection, a lighting district and law enforcement are furnished by the county with no direct tax revenue from the park area.

There is a grave question whether or not the loss to the county from direct taxes can be offset by any improvement in the adjacent assessed valuation due to services provided by the State, namely sewer and water or any great return to the county on account of increased tourist travel

The proposed extension of the Calaveras Big Trees State Park to include the South Grove of Big Trees would deprive the county of revenue without corresponding return.

The estimated loss from stumpage revenue would be in the order of magnitude of $1,000,000. In addition to this loss of revenue, the proposed park extension, although lying within Tuolumne County, would not be accessible to the peoples of the county, nor would any revenue accrue to the county from tourist attraction for the same reason.

The only remedy for the making of this area available would be the construction of about eight miles of costly road construction to reach the area and additional expensive road construction to cover the area and access to the present Big Trees Park.

The loss would not be limited to the stumpage loss but would include occupational and business losses in the eventual processing of these timber lands.

3. Lands of Cities and Counties

The lands in Tuolumne County in this category are the lands owned by the City and County of San Francisco. Since purchase of these lands and improvements by the city, they have remained on the assessment roll at a very nominal value. In the Fiscal Year 1940-41 the county assessor with the advice and approval of the State Board of Equalization made a reassessment of the lands and properties in which the assessed valuation was about doubled. The city protested this reassessment and as a result of litigation, negotiations and conferences between the parties involved, an equitable formula was worked out to provide a method of assessing such lands and improvements.

The formula took into account the following factors:

a. The natural properties of the land for impounding of water.

b. The state of the soil.

c. Area of reservoir.

It was further agreed that the water rights previously not included on the tax rolls should be placed on the rolls. The resulting valuations were as follows:

Water rights at Hetch-Hetchy, Eleanor and Cherry Valley $145,285.

Hetch-Hetchy Reservoir Site—550 acres at $195 an acre.

Lake Eleanor Reservoir Site—700 acres at $95 an acre.

Hetch-Hetchy Dam Site—$225 an acre.

Eleanor Dam Site—$125 an acre.

In addition to the above, the reservoir site at Priests and Early Intake and miscellaneous properties at Mather which are used as recreation sites and also various rights of way for pipe and power lines are included on the assessment roll.

The total assessed valuation of all properties of the City and County of San Francisco amounted to $395.765 of which $256,480 was on real property and $145,285 was on water rights.

There is a limited revenue from the taxes on the personal properties of the residents of the Town of Moccasin situated on City and County of San Francisco property. The average assessment is between $50 and $100 for each of about 40 households.

The school facilities at Moccasin were built by and are maintained by the City of San Francisco. The city also furnishes the light and heat for the buildings. The teacher's salary is paid from regular county school funds, however the entire income for school purposes from the Moccasin School District amounted to only $615.27 for the year 1949-50. which income together with state average daily attendance funds must pay all other expenses of the school. As the enrollment averages about 17 pupils, the state average daily attendance aid is quite small.

There is also an average attendance of seven or eight high school pupils from the Moccasin area, who attend Sonora Union High at Sonora. The costs of the school services to these high school pupils including a daily travel of about 40 miles is paid from county funds.

There is some intangible benefit to the county from local purchases by the residents of the area and from the local purchase of the municipalities concerned. These municipal purchases are minor as the bulk of such purchases are made through the regular purchasing procedure of the city

4. Lands Owned or Controlled by Other Political Subdivisions

The lands include the lands and improvements owned and controlled by the Oakdale and South San Joaquin Irrigation Districts acting jointly and the Turlock and Modesto Irrigation Districts acting jointly.

The lands and properties owned by the Oakdale and South San Joaquin Irrigation Districts are situated on and adjacent to the Stanislaus River in Tuolumne County and includes water rights, Melones Dam and Reservoir sites, Tullock Dam and Reservoir site, together with certain canals and ditches with appurtenant rights of way.

The acreage of land involved is 1,009.09 acres. The water rights involved are Melones Dam water rights and water rights at Tulloch

Diversion. The canals are the two diversion canals leading from Tulloch Diversion.

The 1949-50 evaluation of these lands were as follows:

615.11 acres at $100.00 an acre as reservoir site; 393 98 acres at $6.06 an acre as now flooded land; and the total evaluation for all land, water rights and improvements was about $233,051.19.

The above lands were on this tax roll prior to purchase by the irrigation districts. Upon purchase by the districts the lands were removed from the tax roll. In 1914 legislation allowed the taxation of all lands and improvements which had been on the rolls at the time of purchase. The above values represent the lands and improvements in this category.

In 1921 pursuant to judicial decision, these lands and improvements were again removed from the tax roll. In 1946 pursuant to a decision by the Supreme Court, the 1921 decision was reversed and these lands and improvements were again placed on the roll but the taxes levied pursuant thereto for 1947-48 were paid under protest by the districts on the grounds that the lands were included within the boundary of the district and therefore were not assessable in accordance with legislation which became effective October, 1947, and have not paid any taxes since on the same grounds. The districts have filed an action to recover the payments made for the year 1947-48.

The County of Tuolumne without any tax reimbursement furnishes roads, schools, police and other regular county government services to the properties and the residents living thereon

There is no planned recreational development on any of the lands or facilities owned or controlled by the districts which either directly or indirectly returns any revenue or income to the county government or business within the county. The boating and fishing which is done at Melones Reservoir is not planned and there are no facilities for such recreation, also due to the necessary fluctuation of the water surface in the reservoir, such facilities would be expensive and difficult to maintain.

The land and properties owned or controlled by the Turlock and Modesto Irrigation Districts are situated on and adjacent to the Tuolumne River in Tuolumne County and include water rights, Don Pedro Dam and Reservoir, Don Pedro Power Plant and electric transmission lines leading from the power plant.

The acreage of land involved is 3302.29 acres. The water rights involved is the right at Don Pedro for irrigation and power purposes.

The 1949-50 evaluation of these lands were as follows:

2133.75 acres at $100.00 an acre for reservoir site; 1168.54 acres at $7.50 an acre for nonflooded land; and the total assessed valuation for all lands, water rights and improvements was about $238,933.93.

The same situation as to school and other county services exists except that the school attendance is much larger and also there are five

or more high school students from this area who require transportation to Sonora.

The Turlock and Modesto Districts own and operate a power plant and main transmission line within the county for which no tax revenue is obtained In the case of the Oakdale and South San Joaquin Irrigation Districts the power plant and line are owned and controlled by the Pacific Gas and Electric Company from which tax revenues are obtained.

The basis of the assessed valuations given above was the same formula as was adopted for the assessment of City and County of San Francisco lands and improvements as noted previously in this statement.

From the above data, it is apparent that there is a great difference in the manner and extent of benefits and payments thereof as related to lands under public ownership in the county.

These differences should be reconciled and an economic structure provided for such lands which would result in an equitable and uniform balance being established between benefits and revenue with due regard to both tangible and intangible results.

APPENDIX F

The Impact of Federally Owned Tax-exempt Real Properties on Local Government

By: ERNEST H. HODGE, Chairman, Federal Real Property Committee, National Association of County Officials, and County Supervisor of Tuolumne County, California

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(Statement filed with the California Joint Senate and Assembly Interim Committees on Public Lands, at a Hearing in Sacramento, California, on October 27, 1950)

The grossly inequitable situation resulting from tax exemption of federally-owned properties has been recognized by the California Legislature for a considerable number of years. The problem has been given intensive study by the Committees on State and Local Taxation, and on March 25, 1947, Assembly Joint Resolution No. 29 was adopted, memorializing Congress to relieve California's taxation problem created by "the presence in the State of vast amounts of federally-owned tax-exempt real property." On May 2, 1947, Senate Resolution No. 79, introduced by Senator Hulse, was adopted, in which attention was drawn to the fact that 47 percent of all the lands in the 11 Western States is owned by the Federal Government, and that such large accumulations of real property in California and the other 10 Western States has been destructive to the fiscal structure of local government. The resolution recommended that the Federal Government assume its financial responsibilities in relation to local government by enacting legislation to provide that local government be reimbursed in amounts equivalent to taxes lost by virtue of acquisition by the Federal Government.

These properties were described as game reserves, forest reserves, public parks, public monuments, federal buildings for governmental

purposes, expanding military facilities, property acquired and used in a proprietary sense, and lands remaining in the public domain

For the past six years various bills have been introduced at every session of Congress, having for their objective the passage of remedial legislation. Despite the strenuous efforts of many friends of local government, the House Public Lands Committee has not approved any of these bills, basing their refusal mainly on the contention that until the Federal Government has made a complete inventory of all federal real property in the several states, there is no way of determining how much the proposed "in lieu" payments will cost.

It should be noted that the list of properties enumerated by the California memorial to Congress included rural properties as well as metropolitan holdings, and in this connection, we wish to point out a new danger that has arisen recently. The Federal Bureau of the Budget has undertaken a study of the problem with a view of introducing an Administration Bill From all indications, this proposed bill will provide "in lieu" payments on federal property *acquired after 1937, only.*

Such a bill, if enacted would fall far short of solving the problem. For instance, it would leave counties overburdened with national parks and forest entirely out of the picture, and it must not be forgotten that these communities have suffered longest from federal tax exemption. Federal bureau heads contend that these public land areas have never been a part of the local tax base, and that local economy was never predicated on tax revenues from such areas, and that consequently, local government has suffered no loss. These arguments are selfish, unsound and diametrically opposed to the great American principle of "Liberty and JUSTICE to ALL." We must not ignore the fact that in accordance with that principle so frequently expressed in pledging allegiance to the Flag, all the political subdivisions of these United States were created on an equal basis, and that among the inalienable rights accorded them was the privilege and opportunity of expanding their tax bases until all the lands within their respective borders had gone on the local tax rolls, thus forming a substantial revenue for the perpetuation of their local governments.

With the abrupt abandonment of the original public land policy and the consequent withdrawal of vast areas in the West from settlement, the people of those regions were robbed of an historic birthright. The rank discrimination perpetrated at that time can only be remedied and atoned for by granting an adequate "in lieu" payment annually to those communities suffering from a preponderance of federal tax-exempt holdings.

It is our earnest plea that this honorable joint committee will recommend to the California State Legislature that a strong delegation of State Legislators be sent to Washington at the time hearings are being held by the House Public Lands Committee, with definite instructions to urge said committee to carefully consider the present plight of the Nation's rural and mountain counties in approving legislation to provide payments in lieu of taxes on federally-owned real property, giving fullest

consideration to the proposed list of properties subject to such payments contained in H. R. 7478 (copy attached) The special urgent situation of counties in which forest lands are located should be emphasized.

It is further suggested that the Federal Bureau of the Budget be requested to amend their proposed Administration Bill so as to include within its remedial provisions all federally-owned tax-exempt real property, *regardless of the time or manner of acquisition.*

APPENDIX G

Eleven Western States
Percentage of Total Area Under Federal Ownership

State	*Percent*
Nevada	84.71
Utah	71.33
Arizona	69.43
Idaho	64.69
Oregon	52.72
Wyoming	51.61
California	45.74
New Mexico	45.62
Colorado	37.35
Montana	36.54
Washington	34.99

Taken from a Report of the Committee on Public Lands of the House of Representatives, dated November 15, 1949, Serial No. 22.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 7.30 p.m.
Joint Committee to Study Old Age Assistance Initiative Measure, on fourth floor.

Upon Adjournment—
Subcommittee on Ways and Means, in Room 426. Subject: Assembly Bill No. 28.

Next Monday, January 22d—

At Recess or adjournment.
Public Utilities and Corporations.

At 9 a.m.
Rules, in Room 319.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. McCollister, the usual courtesies of the Assembly for this day were unanimously extended to John G. Terry, instructor, Tamalpais School for Boys, San Rafael, and the following pupils: John Bradley, Alex Bryant, Ted Graupner, Larry Gates, Gary Mulkey, Ross Christiansen, Ken Gabriel, and Robert Borden.

On request of Mr. Kelley, the usual courtesies of the Assembly for this day were unanimously extended to Jim Howard of Earlimart, and J. O. Reavis of Delano.

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to Miss Margaret Cracchiolo, Joseph Cracchiolo, and Martin Cracchiolo of Moberly, Missouri, and Fred Cracchiolo of Sacramento.

On request of Mr Condon, the usual courtesies of the Assembly for this day were unanimously extended to Arthur Brooks of Los Angeles and Mrs. Fay Philip of Sacramento.

On request of Mr. Doyle, the usual courtesies of the Assembly for this day were unanimously extended to Former Senator T. H. De Lap of Richmond.

On request of Mr. Hansen, the usual courtesies of the Assembly for this day were unanimously extended to Judge Strother P. Walton of Fresno

On request of Mr. Kilpatrick, the usual courtesies of the Assembly for this day were unanimously extended to Jim Jolly of San Francisco and Charles W. Thomas of Sacramento.

ADJOURNMENT

At 4.17 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a m , Monday, January 22, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

ELEVENTH LEGISLATIVE DAY

FIFTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, January 22, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—78.

Quorum present.

Request for Unanimous Consent That Names of Members in Meeting of Committee on Rules Be Placed Upon the Morning Roll Call

Mr. Stewart asked for, and was granted, unanimous consent that the names of the members of the Committee on Rules, now holding a meeting, be placed upon the morning roll call as follows: Messrs. Crowley, Dickey, Dolwig, Doyle, Dunn, Geddes, Hollibaugh, Lyon, Maloney, McCollister, McMillan, Waters, and Kilpatrick.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

January 22, 1950

Almighty God, Our Father in Heaven, Awaken us to Thy holy presence "If I take the wings of the morning and dwell in the uttermost parts of the sea, there shall Thy hand lead me, and Thy right hand shall hold me." We especially pray for the

member of our own Assembly who has met with such a tragic accident and bereavement We pray that Thy healing hands of mercy may rest upon him.

"We share our mutual woes,
Our mutual burdens bear,
And often for each other flows
Thy sympathizing tear."

We ask it in the name of Christ, the Great Physician.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Erwin, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Butters, on motion of Mr. Hansen.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Henderson, on motion of Mr. Hansen.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly then gave the pledge of allegiance to the Flag.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal:

CALIFORNIA BUSINESS WOMEN'S COUNCIL, January 22, 1951

Mr. Sam L. Collins, Speaker of the Assembly
State Capitol Building
Sacramento, California

DEAR MR. COLLINS: This letter is to ask you to announce that the California Business Women's Council banquet is being held at the Hotel Senator, tonight at 6 30 p m., *that all Assemblymen who have not accepted and who wish to be present,* please contact Ruth M. Sutton, public stenographer at the Hotel Senator, by noon today, if possible.

The California Business Women's Council is not to be confused with the Business and Professional Womens' luncheon being held at noon today. This is entirely a separate organization.

Very truly yours,

RUTH B. HUGHES, President

P. S. Those present in the Assembly this morning are:

Ruth Hughes of Rosemead, President, California Business Women's Council.
Rosalind Goodrich Bates—Los Angeles—President of International Federation of Women Lawyers.
Mildred Hutchison—San Francisco—Past President of California Associated Schools of Cosmetology
Marie Jeannerette—Pasadena, Vice President—National Association of Legal Secretaries.
Ruth M. Sutton—Sacramento—Past President Hotel Greeters Ass'n.
Dolly Lee Butler—Los Angeles—President, Southern California Women Lawyers.
Marie Dinuzzo—Los Angeles—Past President, Women Peace Officers Association of California.
Irene Doup—Los Angeles—Recording Secretary, Home Service Ass'n.
Elsie Brown—Los Angeles—2d Vice President, Los Angeles Business Womens' Council.
Ethel Winters—Sacramento—President, Sacramento Cosmotologist Association.
Hazel Kellans—Los Angeles.
Lillian Blank—Los Angeles.
Rowena Cornet—Riverside.

MOTION TO PLACE RUSH ORDER ON PRINTING OF ASSEMBLY BILLS NOS. 1742, 1743, AND 1637

Mr. Connolly moved that a rush order be placed upon the printing of Assembly Bills Nos. 1742, 1743, and 1637, which have been previously introduced, but are not yet printed.

Motion carried.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1951

MR SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 10—Approving amendments to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at a general election held therein on the seventh day of November, 1950;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twenty-second day of January, 1951, at 9 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 248

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT THAT PERMISSION BE GRANTED TO SIGN NAME OF MEMBER WHO IS ILL TO BILLS

Speaker Sam L. Collins asked for, and was granted, unanimous consent that permission be granted him to sign the name of Mr. Butters to the bills which he is authoring, because Mr. Butters is ill, and unable to sign his own bills.

REQUEST FOR UNANIMOUS CONSENT THAT SERGEANT-AT-ARMS BE PERMITTED TO OPEN DESK OF MR. BUTTERS

Speaker Sam L. Collins asked for, and was granted, unanimous consent that the Sergeant-at-Arms be permitted to open the desk of Mr. Butters to look for bills which he may have desired to sponsor.

ANNOUNCEMENT

Speaker Sam L. Collins announced that he has discussed with the Legislative Counsel the desirability of eliminating obsolete and unnecessary language from the laws, and is introducing a long series of bills, technical in nature, which will all be referred to the Committee on Judiciary for the purpose of achieving this objective.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 2135: By Messrs. Maloney, George D. Collins, Gaffney, Berry, McCarthy, and Meyers—An act to amend Sections 1732, 1732.6, 1732.7, and 1733 of the Harbors and Navigation Code, relating to

officers and employees of the Board of State Harbor Commissioners for San Francisco Harbor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2136: By Messrs. Maloney, Brady, Gaffney, Berry, Connolly, McCarthy, and Meyers—An act to amend Section 16024 of the Government Code, relating to the automatic denial of claims against the State of California where the liability of the State is insured.

Referred to Committee on Judiciary.

Assembly Bill No. 2137: By Messrs. Maloney, Brady, Gaffney, Berry, George D. Collins, Connolly, McCarthy, and Meyers—An act to declare that certain land situated in the City and County of San Francisco is no longer necessary for navigation, commerce, fisheries or street uses, and authorizing the Board of State Harbor Commissioners for San Francisco Harbor to sell or exchange such lands.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2138: By Messrs. Maloney, Brady, Gaffney, Berry, Connolly, McCarthy, and Meyers—An act to amend Section 1732.6 of the Harbors and Navigation Code, relating to the salary of the Port Manager for San Francisco Harbor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2139: By Messrs. Maloney, George D. Collins, Gaffney, Berry, Brady, Connolly, McCarthy, and Meyers—An act to amend Sections 1770, 1971 1, 1990, and 3137 and to add Section 2077 and to repeal Section 1780 of the Harbors and Navigation Code, relating to the San Francisco Harbor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2140: By Messrs. Maloney, Brady, Gaffney, Berry, George D. Collins, Connolly, and McCarthy—An act creating the San Francisco Harbor Finance Board and prescribing its duties; providing for the issuance and sale of revenue bonds by the Board of State Harbor Commissioners, subject to the approval of the San Francisco Harbor Finance Board as obligations of the Board of State Harbor Commissioners for San Francisco Harbor, payable from the revenues of said Board of State Harbor Commissioners for San Francisco Harbor, and prescribing the duties of state officers in respect to such bonds; defining the duties of said Board of State Harbor Commissioners for San Francisco Harbor, in respect to said bonds and the performance of public works from the proceeds thereof; authorizing the creation of a Fund for the Improvement of San Francisco Harbor by the construction of wharves, piers, sea walls, State Railroad, spurs, betterments and appurtenances and necessary dredging and filling in connection therewith; providing for the purposes for which the proceeds of said bonds may be expended; providing for the incidents, security, terms, conditions, maturity, interest, denominations, form, registration, and transfer and interchange of such bonds; providing for the payment of the interest and principal of such bonds, and for their call before maturity and the conditions upon which such calls may be made; providing for the replacement of lost, destroyed, or mutilated bonds or coupons; exempting such bonds from certain taxes, and authorizing the

investment of banks, trusts, and public funds in said bonds; providing for the rights and remedies of the holders of such bonds; providing for the issuance of refunding bonds and providing for the creation of designated funds.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2141: By Mr. Dills—An act to amend Section 4818 of the Health and Safety Code, relating to county sanitation districts.

Referred to Committee on Public Health.

Assembly Bill No. 2142: By Mr. Stewart—An act to add Section 1228 to, and Chapter 6, comprising Sections 6600 to 6607, inclusive, to Division 7, Title 1 of, the Government Code, and to repeal an act entitled "An act forbidding the employment of the inmates of state institutions in the manufacture, or production of articles, for the use of state officers, or the officers and employees of state institutions," approved March 19, 1903, and an act entitled "An act relating to certain funds and property of inmates of state homes, reformatories, hospitals, prisons and other institutions and the expenditure thereof," approved May 31, 1929, relating to the employment and property of inmates of state institutions.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2143: By Mr. Sam L. Collins—An act to amend by renumbering Section 4675 of the Health and Safety Code, relating to sanitary districts.

Referred to Committee on Judiciary.

Assembly Bill No. 2144: By Mr. Sam L. Collins—An act to amend and renumber Section 10880 of the Insurance Code, relating to conversion to mutual legal reserve.

Referred to Committee on Judiciary.

Assembly Bill No. 2145: By Mr. Sam L. Collins—An act to repeal Section 10651 of the Insurance Code, relating to associations.

Referred to Committee on Judiciary.

Assembly Bill No. 2146: By Mr. Sam L. Collins—An act to repeal Section 2615 of the Welfare and Institutions Code, relating to bringing nonresident indigent persons into the State.

Referred to Committee on Judiciary.

Assembly Bill No. 2147: By Mr. Sam L. Collins—An act to amend Section 960 of the Welfare and Institutions Code, relating to public schools in juvenile homes or camps.

Referred to Committee on Judiciary.

Assembly Bill No. 2148: By Mr. Sam L. Collins—An act to amend Section 109 of the Welfare and Institutions Code, relating to the State Department of Social Welfare.

Referred to Committee on Judiciary.

Assembly Bill No. 2149: By Mr. Sam L. Collins—An act to amend Section 740.4 of the Streets and Highways Code, relating to mapped highways.

Referred to Committee on Judiciary.

Assembly Bill No. 2150: By Mr. Sam L. Collins—An act to amend Section 10755 of the Revenue and Taxation Code, relating to vehicle fees.

Referred to Committee on Judiciary.

Assembly Bill No. 2151: By Mr. Sam L. Collins—An act to amend Section 5156 of the Public Resources Code, relating to the expenditure of funds.

Referred to Committee on Judiciary.

Assembly Bill No. 2152: By Mr. Sam L. Collins—An act to amend Section 4700 of the Penal Code, relating to the expenses of trial of prisoners.

Referred to Committee on Judiciary.

Assembly Bill No. 2153: By Mr. Sam L. Collins—An act to amend and renumber Section 2040 of the Penal Code (as added thereto by Chapter 2 of the Statutes of the Third Extra Session of the Fifty-fifth Legislature) to be Section 2049, relating to the Department of Corrections.

Referred to Committee on Judiciary.

Assembly Bill No. 2154: By Mr. Sam L .Collins—An act to amend Section 1127 of the Penal Code, relating to instructions to the jury.

Referred to Committee on Judiciary.

Assembly Bill No. 2155: By Mr. Sam L. Collins—An act to amend Section 5300 of the Labor Code, relating to compensation proceedings.

Referred to Committee on Judiciary.

Assembly Bill No. 2156: By Mr. Sam L. Collins—An act to amend Section 2411 of the Labor Code, relating to public labor camps.

Referred to Committee on Judiciary.

Assembly Bill No. 2157: By Mr. Sam L. Collins—An act to amend Section 2102 of the Labor Code, relating to public labor camps.

Referred to Committee on Judiciary.

Assembly Bill No. 2158: By Mr. Sam L. Collins—An act to amend Section 1596 of the Labor Code, relating to employment agencies.

Referred to Committee on Judiciary.

Assembly Bill No. 2159: By Mr. Sam L. Collins—An act to amend Section 18455.5 of the Health and Safety Code, relating to building specifications.

Referred to Committee on Judiciary.

Assembly Bill No. 2160: By Mr. Sam L. Collins—An act to repeal Chapter 21 of the 1950 First Extraordinary Session, relating to horse race meetings.

Referred to Committee on Judiciary.

Assembly Bill No. 2161: By Mr. Sam L. Collins—An act to repeal Article 4 of Chapter 17, Division 3 of the Business and Professions Code, relating to temporary registration of social workers.

Referred to Committee on Judiciary.

Assembly Bill No. 2162: By Mr. Sam L. Collins—An act to amend Section 799 of the Agricultural Code, relating to standards for grapes.

Referred to Committee on Judiciary.

Assembly Bill No. 2163: By Mr. Sam L. Collins—An act to amend Section 736.3 of the Agricultural Code, relating to marketing plans.

Referred to Committee on Judiciary.

Assembly Bill No. 2164: By Mr. Sam L. Collins—An act to add Section 10115 to the Insurance Code, relating to life insurance policies.

Referred to Committee on Judiciary.

Assembly Bill No. 2165: By Mr. Sam L. Collins—An act to amend Section 9060 of the Insurance Code, relating to exemptions.

Referred to Committee on Judiciary.

Assembly Bill No. 2166: By Mr. Sam L. Collins—An act to amend Section 1020 of the Insurance Code, relating to insolvency and delinquency proceedings.

Referred to Committee on Judiciary.

Assembly Bill No. 2167: By Mr. Sam L. Collins—An act to amend Sections 37618, 37658, and 37659 of the Government Code, relating to bond issues.

Referred to Committee on Judiciary.

Assembly Bill No. 2168: By Mr. Sam L. Collins—An act to amend Section 28153 of the Government Code, relating to compensation for public service in counties of the fifty-third class.

Referred to Committee on Judiciary.

Assembly Bill No. 2169: By Mr. Sam L. Collins—An act to amend Section 26529 of the Government Code, relating to appointment of county counsels.

Referred to Committee on Judiciary.

Assembly Bill No. 2170: By Mr. Sam L. Collins—An act to amend and renumber Section 9906.1 of the Government Code, relating to influencing the legislative process.

Referred to Committee on Judiciary.

Assembly Bill No. 2171: By Mr. Sam L. Collins—An act to amend Section 9300 of the Government Code, relating to compensation of Members of the Legislature.

Referred to Committee on Judiciary.

Assembly Bill No. 2172: By Mr. Sam L. Collins—An act to amend Section 9020 of the Government Code, relating to sessions of the Legislature.

Referred to Committee on Judiciary.

Assembly Bill No. 2173: By Mr. Sam L. Collins—An act to repeal Section 19432 of the Education Code, relating to the use of civic center or school property by subversive groups.

Referred to Committee on Judiciary.

Assembly Bill No. 2174: By Mr. Sam L. Collins—An act to amend Sections 7014, 7015, and 7020 of the Education Code, relating to apportionment of school funds.

Referred to Committee on Judiciary.

Assembly Bill No. 2175: By Mr. Sam L. Collins—An act to amend and renumber Section 6904 of the Education Code, relating to average daily attendance in school districts.

Referred to Committee on Judiciary.

Assembly Bill No. 2176: By Mr. Sam L. Collins—An act to amend Section 4663 of the Education Code, relating to annexation of school districts.

Referred to Committee on Judiciary.

Assembly Bill No. 2177: By Mr. Sam L. Collins—An act to amend Sections 175 and 176 of the Education Code, relating to the powers of the Department of Education.

Referred to Committee on Judiciary.

Assembly Bill No. 2178: By Mr. Sam L. Collins—An act to amend Section 1268 of the Code of Civil Procedure, relating to escheat of property.

Referred to Committee on Judiciary.

Assembly Bill No. 2179: By Mr. Sam L. Collins—An act to renumber and amend Section 261b of the Code of Civil Procedure, relating to fees for phonographic reporters.

Referred to Committee on Judiciary.

Assembly Bill No. 2180: By Mr. Sam L. Collins—An act to repeal Title 9, Part 4, Division 1, comprising Sections 557 to 566, of the Civil Code, relating to homestead corporations.

Referred to Committee on Judiciary.

Assembly Bill No. 2181: By Mr. George D. Collins—An act to repeal Sections 1131-1136, inclusive, of the Labor Code, relating to "hot cargo" and the "secondary boycott."

Referred to Committee on Judiciary.

Assembly Bill No. 2182: By Mr. George D. Collins—An act to repeal Section 60, and to amend Section 69, of the Civil Code, relating to marriage.

Referred to Committee on Judiciary.

Assembly Bill No. 2183: By Mr. Butters—An act to provide for a new state park, and making an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2184: By Mr. Butters—An act to provide for a new state park, and making an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2185: By Mr. Butters—An act to amend Section 332 of the Fish and Game Code, relating to wilderness and recreational areas.

Referred to Committee on Fish and Game.

Assembly Bill No. 2186: By Mr. Butters—An act to amend Section 3 of the Wildlife Conservation Act of 1947, relating to recreational areas.

Referred to Committee on Fish and Game.

Assembly Bill No. 2187: By Mr. Dills—An act to add Section 2316 6 to the Business and Professions Code, relating to the practice of the healing arts.

Referred to Committee on Public Health.

Assembly Bill No. 2188: By Mr. Beck—An act to add Section 207 to the Education Code, relating to registration and licensing of private schools.

Referred to Committee on Education.

Assembly Bill No. 2189: By Mr. Beck—An act to amend Section 8751 of the Health and Safety Code, relating to investment of perpetual care funds.

Referred to Committee on Public Health.

Assembly Bill No. 2190: By Mr. Beck—An act to add Chapter 7 to Title 6 of the Government Code, relating to urban districts, providing for the organization, operation and government of such districts, and defining their powers and duties.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2191: By Mr. Beck—An act to add Section 35304.5 to the Government Code, relating to the annexation by cities of uninhabited territory.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2192: By Mr. Beck—An act to amend Sections 9.02 and 12.09 of the Building and Loan Association Act, and to amend Sections 6702 and 6704 of the Financial Code, relating to investments of building and loan associations.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2193: By Mr. Beck—An act making an appropriation to the Department of Public Works for payment of the State's share of costs of construction of a grade separation crossing in the County of Los Angeles.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2194: By Mr. Beck—An act making an appropriation to the Department of Public Works for payment of the State's share of costs of construction of a grade separation crossing in the County of Los Angeles.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2195: By Mr. Beck—An act to add Chapter 7 to Division 20 of the Health and Safety Code, relating to hog farms.

Referred to Committee on Agriculture.

Assembly Bill No. 2196: By Mr. Levering—An act to amend Sections 2160.7 and 3044.1 of the Welfare and Institutions Code, relating to state reimbursement to counties for the cost of institutional care of certain aged and certain blind persons.

Referred to Committee on Social Welfare.

Assembly Bill No. 2197: By Mr. Levering—An act to add Sections 1563, 2189.1, 3094, and 3483 to the Welfare and Institutions Code, relating to federal, state, and county participation in the cost of excess public assistance.

Referred to Committee on Social Welfare.

Assembly Bill No. 2198: By Mr. Levering—An act to add Sections 21292 1 and 21292.2 to the Government Code, relating to the State Employees' Retirement System in respect to the disability retirement allowances of patrol members.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2199: By Mr. Elliott—An act to provide for the revision of the Constitution of this State, including the election of delegates to the convention, the proceedings, powers, duties, and matters incidental to the convention, the submission of the revised Constitution to the people and matters incidental thereto, and making an appropriation therefor.

Referred to Committee on Constitutional Amendments.

Assembly Bill No. 2200: By Mr. Elliott—An act to amend Section 53 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2201: By Mr. Elliott—An act to add Section 2160.3 of the Welfare and Institutions Code, relating to aid to the aged in respect to the minimum age of eligibility therefor.

Referred to Committee on Social Welfare.

Assembly Bill No. 2202: By Mr. Elliott—An act to amend Sections 2020 and 2025 of the Welfare and Institutions Code, relating to aid to the aged in respect to the amount thereof.

Referred to Committee on Social Welfare.

Assembly Bill No. 2203: By Mr. Elliott—An act to amend Sections 2011, 2160, and 2181, and to repeal Sections 2181.01, 2224, 3088, 3088.1, 3474, and 3474.1 of the Welfare and Institutions Code, relating to public assistance, including aged aid, aid to the needy blind and aid to the partially self-supporting blind, in respect to the liability of responsible relatives of recipients thereof.

Referred to Committee on Social Welfare.

Assembly Bill No. 2204: By Mr. Elliott—An act to amend Section 2160 of the Welfare and Institutions Code, relating to aid to the aged in respect to the eligibility of aliens therefor.

Referred to Committee on Social Welfare.

Assembly Bill No. 2205: By Mr. Thomas—An act to add Section 32 to an act entitled "An act to provide for the organization and conduct of nonprofit cooperative associations to engage in the marketing, handling, and distribution of fish and fishery products," approved June 10, 1933 (Chapter 815, Statutes of 1933), relating to bringing corporations under the provisions of said act.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2206: By Mr. Thomas—An act to amend Section 845 of the Fish and Game Code, relating to nets

Referred to Committee on Fish and Game.

Assembly Bill No. 2207: By Mr. Thomas—An act to amend Section 20 of the Municipal Court Act of 1925, relating to municipal courts.

Referred to Committee on Judiciary.

Assembly Bill No. 2208: By Mr. Thomas—An act to amend Section 736 of the Fish and Game Code, relating to the taking of fish.

Referred to Committee on Fish and Game.

Assembly Bill No. 2209: By Messrs. Porter and Grant—An act to add Section 228.5 to the Civil Code, relating to the rights of grandparents in respect to children in the custody of persons other than their natural parents under court order.

Referred to Committee on Judiciary.

Assembly Bill No. 2210: By Mr. Porter—An act to amend Section 633 of the Agricultural Code, relating to cultured buttermilk.

Referred to Committee on Agriculture.

Assembly Bill No. 2211: By Mr. Tomlinson—An act to amend Sections 8 and 11 of, and to add Section 11.1 to, the District Investigation Act of 1933, relating to districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2212: By Mr Tomlinson—An act to add Section 1429.5 to the Penal Code, relating to criminal proceedings.

Referred to Committee on Judiciary.

Assembly Bill No. 2213: By Mr. Grant—An act to add Section 1012 to the Public Utilities Act, relating to the location or routes of street railroads and public utility lines outside the boundaries of any city or city and county.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2214: By Mr. Stanley—An act to amend Section 458 of the Street and Highway Code, relating to state highways.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2215: By Messrs. Fleury and Moss—An act to add Article 5 to Chapter 3, Division 1 of the Streets and Highways Code, relating to roadside parks in conjunction with the State Highway System.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2216: By Messrs. Fleury and Moss—An act to amend Sections 737hh of the Political Code and 79.34 of the Code of Civil Procedure, relating to superior judges' salaries.

Referred to Committee on Judiciary.

Assembly Bill No. 2217: By Messrs. Fleury and Moss—An act to add Section 21263 to the Government Code, relating to retirement allowances of local safety members of the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2218: By Messrs. Fleury and Moss—An act to add Section 14074.5 to the Health and Safety Code, relating to the powers and duties of boards of fire commissioners of fire protection districts, in respect to civil service

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2219: By Messrs. Fleury and Moss—An act to amend the title of Division 2 of Title 1 of the Government Code, and to add Chapter 3 to such division, relating to the state map, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2220: By Mr. Conrad—An act to amend Section 5932 of the Elections Code and to repeal Sections 5882 and 7791.5, and Article 3a of Chapter 5 of Division 8 of said code, relating to absent voting.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2221: By Mr. Conrad (By Request)—An act to amend Section 18734 of the Business and Professions Code, relating to contestants in boxing contests, or sparring or wrestling matches.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2222: By Mr. Conrad (By Request)—An act to amend Section 18734 of the Business and Professions Code, relating to contestants in boxing contests, or sparring or wrestling matches.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2223: By Mr. Conrad (By Request)—An act to amend Section 18734 of the Business and Professions Code, relating to contestants in boxing contests, or sparring or wrestling matches.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2224: By Mr. Porter—An act to add Sections 1306.1 and 1306.2 to the Education Code, relating to contracts of employment of superintendents of school districts.

Referred to Committee on Education.

Assembly Bill No. 2225: By Mr. Sherwin—An act to amend Section 6716 of the Business and Professions Code, relating to rosters of registered civil engineers.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2226: By Mr. Sherwin—An act to amend Sections 11382.5, 11409.5, and 26803.5 of the Government Code, and to add Section 6360.5 to the Business and Professions Code, relating to the California Administrative Code and the California Administrative Register.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2227: By Mr. Sherwin—An act to add Article 3.5, comprising Section 11615, to Chapter 1, Part 3, Division 2, of the Insurance Code, and to amend Section 704, of said code, relating to insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2228: By Mr. Condon—An act to provide for the promotion and advertising of the California walnut and making an appropriation.

Referred to Committee on Agriculture.

Assembly Bill No. 2229: By Mr. Condon—An act to amend Sections 30 and 89 of the Community Redevelopment Act, relating to community redevelopment.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2230: By Mr. Condon—An act to add Section 32131 to the Health and Safety Code, relating to hospital districts.

Referred to Committee on Public Health.

Assembly Bill No. 2231: By Mr. Kirkwood—An act to amend Section 10053 of, and to add Section 10056 to, the Education Code, relating to the Public School System.

Referred to Committee on Education.

Assembly Constitutional Amendment No. 29: By Mr. Levering—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 1½ of Article XIII thereof, relating to taxation.

Referred to Committee on Constitutional Amendments.

Assembly Bill No. 2232: By Mr. Kirkwood—An act to amend Section 2502 of, and to add Section 2502.1 to, the Education Code, relating to the change of school district boundaries.

Referred to Committee on Education.

Assembly Bill No. 2233: By Mr. Kirkwood—An act to add Section 20 to the Welfare and Institutions Code, relating to assessed valuation of property.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2234: By Mr. Kirkwood—An act to add Section 25 to the Water Code, relating to assessed valuation of property.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2235: By Mr. Kirkwood—An act to add Section 30 to the Streets and Highways Code, relating to assessed valuation of property.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2236: By Mr. Kirkwood—An act to add Section 29 to the Revenue and Taxation Code, relating to assessed valuation of property.

Referred to Committee on Revenue and Taxation.

ANNOUNCEMENT

Speaker Sam L. Collins announced that the Legislative Counsel has advised him that the work of his office and staff is completed, and that all bills, as of today, are ready for presentation.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2237: By Mr. Kirkwood—An act to add Section 19 to the Public Resources Code, relating to assessed valuation of property.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2238: By Mr. Kirkwood—An act to add Section 19 to the Military and Veterans Code, relating to assessed valuation of property.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2239: By Mr. Kirkwood—An act to add Section 25 to the Health and Safety Code, relating to assessed valuation of property.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2240: By Mr. Kirkwood—An act to add Section 26 to the Harbors and Navigation Code, relating to assessed valuation of property.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2241: By Mr. Kirkwood—An act to add Section 24 to the Government Code, relating to assessed valuation of property.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2242: By Mr. Kirkwood—An act to add Section 29 to the Education Code, relating to assessed valuation of property.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2243: By Mr. Kirkwood—An act to add Section 19 to the Agricultural Code, relating to assessed valuation of property.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2244: By Mr. Cloyed—An act making an appropriation for the relocation of Highway No. 395 over Hodges Reservoir lands.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2245: By Mr. Cloyed—An act to amend Sections 805 and 806 of the Health and Safety Code, relating to regulations of plumbing.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2246: By Mr. Cloyed—An act providing for surveys, plans, estimates of costs, and preliminary engineering, for a toll tube or other toll highway crossing across the Bay of San Diego from the City of San Diego to the City of Coronado, and making an appropriation therefor.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2247: By Mr. Cloyed—An act to amend Sections 30004, 30005, 30006, 30008, 30100, and 30101 of the Streets and Highways Code, relating to toll bridges, subways, tunnels, tubes, ferries and highways.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2248: By Mr. Cloyed—An act to amend Sections 9355.1 and 9359 of the Government Code, relating to the Legislator's Retirement System.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2249: By Mr. Burke—An act to add Section 6360 to the Education Code, relating to school district taxes.

Referred to Committee on Education.

Assembly Bill No. 2250: By Mr. Burke—An act to amend Section 467 of the Streets and Highways Code, relating to the State Highway System.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2251: By Messrs. Rumford, Hawkins, Condon, Evans, George D. Collins, Dills, Dunn, Elliott, Parker, and Rosenthal—An act relating to prevention and elimination of practices of discrimination in employment and otherwise against persons because of race, creed, color, national origin, or ancestry, creating a State Commission on Fair Employment Practices, defining its functions, powers and duties, providing for the appointment and compensation of its officers and employees and making an appropriation for the purposes of this act.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2252: By Mr. Rumford—An act to amend Sections 29001, 29007, 29014, 29020, and 29021 of, and to add Sections 29003.5 and 29003.6 to, the Health and Safety Code, relating to dangerous drugs.

Referred to Committee on Public Health.

Assembly Bill No. 2253: By Mr. Crowley—An act to add Sections 17955 and 17956 to the Revenue and Taxation Code, relating to the personal income tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2254: By Mr. Crowley—An act to amend Section 20945 of the Education Code, relating to California School for the Blind.

Referred to Committee on Education.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 121—An act to amend Section 10786 of the Revenue and Taxation Code and to amend Section 374 of the Vehicle Code, relating to exemptions of vehicles from certain fees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 440—An act to amend Sections 24121a, 24121g, 24201d, 25203c, 25292, 25295, and 25401 of, and to add Sections 24201d.1, 24201d 2, 25122, and 25295a to, and to repeal Section 24122 of, Part 11 of Division 2 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act shall take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 559—An act to amend Sections 17003, 17010, 17019 7, 17058, 17059, 17102.2, 17136, 17191, 17214, 17302, 17304, 17306, 17309, 17310, 17313, 17314, 17316, 17318 4, 17318.7, 17320.5, 17322.5, 17322.9, 17322.11, 17324.2, 17324.3, 17327, 17330.1, 17330.3, 17332, 17333, 17335, 17336, 17347, 17348, 17350, 17351, 17381, 17501, 17503, 17504,

17506, 17508, 17514, 17521, 17531, 17532, 17536, 17556, 17558, 17559, 17560.9, 17565, 17569, 17672, 17685, 17687, 17725, 17743.1, 17755, 17981, 17982, 18103, 18104, 18174, 18175, 18201, 18202, 18203, 18205, 18206, 18401, 18405, 18406, 18431, 18433, 18434, 18451, 18452, 18453, 18470, 18471, 18472, 18474, 18475, 18478, 18479, 18552, 18554, 18581, 18582, 18583, 18585, 18590, 18592, 18593, 18594, 18595, 18596, 18597, 18600, 18641, 18642, 18643, 18645, 18646, 18647, 18648, 18649, 18650, 18652, 18653, 18681, 18682, 18683, 18686, 18689, 18690, 18691, 18691.1, 18802, 18805, 18806, 18807, 18808, 18809, 18810, 18831, 18832, 18834, 18835, 18861, 18865, 18881, 18884, 18885, 18906, 18908, 18931, 18932, 19051, 19053, 19053 3, 19056, 19057, 19058, 19059, 19060, 19061, 19061.1, 19062, 19062.1, 19062.2, 19062.3, 19062.4, 19062.5, 19062.6, 19062.7, 19071, 19082, 19083, 19084, 19085, 19086, 19087, 19088, 19089, 19091, 19092, 19111, 19113, 19131, 19132, 19151, 19252, 19253, 19254, 19255, 19256, 19258, 19259, 19260, 19281, 19282, 19286, 19288, 19351, 19401, 19402, 19403, and 19451, of the Revenue and Taxation Code, relating to personal income taxes.

Bill read second time, and ordered engrossed.

Assembly Bill No. 573—An act to amend Sections 23004, 23031, 23035, 23114, 23185, 23185b, 23186a, 23225, 23226, 23301, 23302, 23305, 23305a, 23334, 23363, 23364, 23562, 23562a, 23562b, 23881d, 23881e, 24121d, 24121f, 24121h, 24121i, 24121k, 24121o, 24123, 24124, 24151a, 24151b, 24151d, 24151e, 24151f, 24181c, 24181e, 24181f, 24201d, 24301, 24303, 24303a, 24303b 24304, 25031f-(1), 25035, 25038, 25042, 25071b, 25071(i), 25071m, 25101c, 25201, 25202, 25203, 25203a, 25203c, 25203c-(1), 25203d, 25203e, 25231, 25232a, 25232b, 25232d, 25261, 25261d, 25291, 25292, 25295, 25401, 25402, 25403, 25404, 25431, 25552a, 25553, 25555, 25555a, 25661, 25662, 25663a, 25664, 25666, 25667, 25668, 25669, 25672, 25702, 25731, 15731a, 25732, 25761, 25761a, 25761b, 25781, 25801, 25901, 25901c, 25902, 25931, 25932, 25933, 25961, 26071, 26073, 26073a, 26075, 26076, 26077, 26078, 26080, 26102, 26103, 26103a, 26104, 26105, 26106, 26107, 26131, 26131a, 26132, 26133, 26134, 26161, 26162, 26191, 26221, 26222, 26251, 26252, 26253, 26281, 26282, 26311, 26422, 26423, 26424, 26425, 26451, 26453c, 26454, 26481, and 26481a of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 577—An act to amend Sections 23102, 23112, 23186, 23222, 23251, 24121a, 24121k, 24121n, 24121p-1, 24121p-3, 24121p-4, 24121p-5, 24124, 24201b, 25101a, 25121a, 25121c, 25431, 25662, 25701, 25761, 25781, 25932, and 26080 of, and to amend and renumber Sections 25203 and 25203d of, and to add Sections 25663, 25701a, 26080.1, 26080.2, and 26080.3 to, Part 11, Division 2 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act shall take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 566—An act to amend Sections 17125.5, 17163.5, 17257, 17331, 17333, 17342, 17343, 17344, 17346, 17347, 17348, 17349, 17349.5, 17350, 18172.3, 18211, and 18213 to the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, after "Sections", insert "17015".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 5 of the printed bill, after line 35 and before line 36, insert

"SEC 17.5 Section 17015 of the Revenue and Taxation Code is amended to read:

17015. *Every individual who spends in the aggregate more than nine months* of the taxable year within this State [or maintains a permanent place of abode within this State] shall be presumed to be a resident The presumption may be overcome by satisfactory evidence that the individual is in the State for a temporary or transitory purpose."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 575—An act to amend Sections 23185b, 23911e, 24121f, 24181, 25031f, 25031f-(1), 25031h, 25031i, 25032, 25033, 25071e, 25071f, 25071(i), 25071*l*, 25071m, 25071n, 25071q, 25071r-(1), 25101b, 25201, 25232a, 25261a, 25261d, 25667, 25668, 25670, 25672, 25781, 25901, 25934, 26073a, 26073b, and 26451 of, and to amend and renumber Sections 25202, 25203a, 25203e-(1), and 25203e of, and to repeal Sections 23152 and 23502 of, the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 12, line 23, of the printed bill, after "within", strike out "three", and insert "four".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND PRELIMINARY REPORT BE PRINTED IN THE JOURNAL

Mr. Kilpatrick asked for, and was granted, unanimous consent that a letter of transmittal and a Preliminary Report of the Assembly Interim Committee on Crime and Correction, Relative to Work Opportunities for Prison Inmates, be ordered printed in the Journal in 10-point type.

(Above letter of transmittal and report will appear prior to the motion to adjourn.)

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS

Assembly Joint Resolution No. 2—Relative to the allocation of funds for shipbuilding to Pacific Coast facilities.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Joint Resolution No. 2?

Amendment No. 1

In line 20 of the printed resolution, after "Bay area", strike out "and", and insert a comma; and after "Harbor", insert "and San Diego Bay area".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Joint Resolution No. 2 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Luckel, Maloney, McCarthy, McCollister, McFall, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—61.

NOES—None.

Assembly Joint Resolution No. 2 ordered enrolled.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 18, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 23

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 23—Relative to the passing of the Honorable A. P. Conant.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 22, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 11
Assembly Concurrent Resolution No. 13

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolutions ordered enrolled.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2255: By Mr. Crowley—An act to amend Sections 2011, 2160, and 2181, and to repeal Sections 2181.01, 2224, 3088,

3088.1, 3474, and 3474.1 of the Welfare and Institutions Code, relating to public assistance, including aged aid, aid to the needy blind and aid to the partially self-supporting blind, in respect to the liability of responsible relatives of recipients thereof.

Referred to Committee on Social Welfare.

Assembly Bill No. 2256: By Mr. Crowley—An act to add Section 4 to the act entitled "An act prohibiting the use of certain canes, except by blind persons, providing protection against accident to such persons, and providing penalties for violation hereof," approved April 30, 1935, relating to the use of white canes by blind persons.

Referred to Committee on Social Welfare.

Assembly Concurrent Resolution No. 19: By Messrs. Dunn and Sam L. Collins—Relative to congratulating Lloyd Lapham.

Request for Unanimous Consent

Mr. Dunn asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 19, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 19

Assembly Concurrent Resolution No. 19—Congratulating Lloyd Lapham.

Resolution read.

Request for Unanimous Consent That Names of All Members Present Be Placed Upon Assembly Concurrent Resolution No. 19 as Co-authors

Mr. Dunn asked for, and was granted, unanimous consent that the names of all members present be placed upon Assembly Concurrent Resolution No. 19, as co-authors.

The roll was called, and the following responded when their names were called:

Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Luckel, Maloney, McCarthy, McCollister, McGee, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Thomas, Tomlinson, and Mr. Speaker—63.

Assembly Concurrent Resolution No. 19: By Messrs. Dunn, Sam L. Collins, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Luckel, Maloney, McCarthy,

McCollister, McGee, Morris, Moss, Munnell, Mrs. Niehouse, Messrs. Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Thomas, and Tomlinson, relative to congratulating Lloyd Lapham.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Luckel, Maloney, McCarthy, McCollister, McGee, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Thomas, Tomlinson, and Mr. Speaker—63.

NOES—None.

Resolution ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1951

MR SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 49

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Assembly Joint Resolution No. 8

Assembly Joint Resolution No. 10

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 14

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 22, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Concurrent Resolution No. 14

J. A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, January 22, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 172

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

Senate Bill No. 172—An act to add Section 14276 to the Government Code, relative to state contracts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Concurrent Resolution No. 20: By Mr. Lindsay—Relative to creating the Joint Legislative Committee on Organization and Program.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 21: By Mr. McMillan—Relative to approving certain amendments to the charter of the City of Culver City, County of Los Angeles, State of California, voted for and ratified by the electors of said City of Culver City at a special municipal election held therein on the seventh day of November, 1950.

Referred to Committee on Rules.

Assembly Bill No. 2257: By Mr. Kelly—An act to amend Section 61 of the Alcoholic Beverage Control Act, relating to possession of alcoholic beverage.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2258: By Mr. Kelly—An act to amend Section 818 of the Agricultural Code, relating to standards for potatoes.

Referred to Committee on Agriculture.

Assembly Bill No. 2259: By Mr. Lindsay—An act making an appropriation to pay the claim against the State of the Nevada County Soil Conservation District.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2260: By Mr. Lindsay—An act relating to regional public works districts, including the definition, formation, operation, maintenance, powers, duties, officers, employees, merger, consolidation, alteration, and dissolution thereof.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2261: By Mr. Lindsay—An act to amend Section 44 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2262: By Mr. Lindsay—An act to add Chapter 1 to Title 7 of the Government Code, relating to conservation and planning.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2263: By Mr. Lindsay—An act to add Section 1239.5 to the Code of Civil Procedure, relating to eminent domain and the use of property acquired pursuant to eminent domain proceedings by the state and public agencies.

Referred to Committee on Judiciary.

Assembly Bill No. 2264: By Mr. Lindsay—An act making an appropriation for the support of the State Conservation and Planning Board during the 1951-1952 Fiscal Year.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2265: By Mr. Lindsay—An act adding Sections 68 and 69 to the Conservation and Planning Act, relating to building restrictions, and the powers and duties of planning commissions and zoning commissions in connection therewith.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2266: By Mr. Lindsay—An act authorizing the issuance of bonds for state highways.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2267: By Mr. Lindsay—An act to amend Section 1429 of the Penal Code, relating to the entering of pleas by a defendant.

Referred to Committee on Judiciary.

Assembly Bill No. 2268: By Mr. Hansen—An act to add Section 1225 to the Government Code, relating to the deposit of public funds.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2269: By Mr. Geddes—An act to amend Section 11736 of, and to add Section 11655.5 to the Insurance Code, relating to workmen's compensation insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2270: By Mr. Geddes—An act to add Section 52 5 to the Vehicle Parking District Act of 1943, relating to the acquisition, maintenance and operation of parking facilities.

Referred to Committee on Municipal and County Government.

Assembly Constitutional Amendment No. 30: By Mr. Elliott—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 1d to Article IV thereof, relating to the Legislature.

Referred to Committee on Constitutional Amendments.

Assembly Bill No. 2271: By Messrs. McCarthy and George D. Collins—An act to amend Section 815a of the Penal Code, relating to arrest and bail.

Referred to Committee on Judiciary.

Assembly Bill No. 2272: By Messrs. McCarthy and George D. Collins—An act to amend Section 739 of the Vehicle Code, relating to arrest and notice to appear in court.

Referred to Committee on Judiciary.

Assembly Bill No. 2273: By Mr. Lindsay—An act to amend Section 19627 of the Business and Professions Code, relating to the state revenue derived from horse racing licenses.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2274: By Mr. Lanterman—An act to add Section 9.05 to the Metropolitan Water District Act, relating to annexation.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2275: By Messrs. Lanterman and Munnell—An act to add Chapter 7 to Title 6 of the Government Code, relating to urban districts, providing for the organization, operation and government of such districts, and defining their powers and duties.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2276: By Mr. Lanterman—An act to add Section 9.06 to the Metropolitan Water District Act, relating to annexation.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2277: By Mr. Davis—An act to repeal Sections 1270 and 1272 of, and to add Sections 1270, 1271, 1272, 1273, and 1274, to the Fish and Game Code, relating to deer.

Referred to Committee on Fish and Game.

Assembly Bill No. 2278: By Messrs. Davis and Moss—An act to add Section 92.1 to the Agricultural Code, relating to agricultural fairs.

Referred to Committee on Agriculture.

Assembly Bill No. 2279: By Mr. Davis—An act to add Section 547 to the Streets and Highways Code, relating to the State Highway System.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2280: By Mr. Davis—An act to amend Section 28140 of the Government Code, relating to the compensation of officers, jurors and witnesses in counties of the fortieth class.

Referred to Committee on Judiciary.

Assembly Bill No. 2281: By Mr. Davis—An act to amend Section 28130 of the Government Code, relating to compensation for public services in counties of the thirtieth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2282: By Mr. Davis—An act to amend Section 28131 of the Government Code, relating to compensation for public services in counties of the thirty-first class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2283: By Mr. Davis—An act to amend Section 28140 of the Government Code, relating to compensation for public services in counties of the fortieth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2284: By Mr Davis—An act to amend Section 28144 of the Government Code, relating to compensation for public services in counties of the forty-fourth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2285: By Mr. Davis—An act to amend Section 28149 of the Government Code, relating to compensation for public services in counties of the forty-ninth class

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2286: By Mr. Davis—An act to amend Section 28155 of the Government Code, relating to compensation for public services in counties of the fifty-fifth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2287: By Mr. Davis—An act to amend Section 28156 of the Government Code, relating to the compensation of county officers in counties of the fifty-sixth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2288: By Mr. Davis—An act to amend Section 737r of the Political Code, relating to the compensation of Superior Judges in and for the County of Lassen.

Referred to Committee on Judiciary.

Assembly Bill No. 2289: By Mr. Davis—An act to amend Section 737tt of the Political Code, relating to the compensation of Superior Judges in and for the County of Sierra.

Referred to Committee on Judiciary.

Assembly Bill No. 2290: By Mr. Davis—An act to amend Section 737y of the Political Code, relating to the compensation of Superior Judges in and for the County of Modoc.

Referred to Committee on Judiciary.

Assembly Bill No. 2291: By Mr. Davis—An act to amend Section 737ff of the Political Code, relating to the salary of the Judge of the Superior Court in the County of Plumas.

Referred to Committee on Judiciary.

Assembly Bill No. 2292: By Mr. Davis—An act to amend Section 737ss of the Political Code, relating to the compensation of Superior Judges in and for the County of Shasta.

Referred to Committee on Judiciary.

Assembly Bill No. 2293: By Mr Davis—An act to amend Section 737aaa of the Political Code, relating to the compensation of Superior Judges in and for the County of Trinity.

Referred to Committee on Judiciary.

Assembly Bill No. 2294: By Mr. Davis—An act to amend Section 737uu of the Political Code, relating to the salary of Superior Judges in and for the County of Siskiyou.

Referred to Committee on Judiciary.

Assembly Bill No. 2295: By Messrs. Moss and Fleury—An act to add Section 1005.6 to the Government Code, relating to payment of overtime to state employees.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2296: By Messrs. Hawkins and Elliott—An act to add Chapter 2 to Part 6 of Division 3 of Title 2 of the Government Code, relating to the State School for Criminal Law Enforcement.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2297: By Mr. Hawkins—An act to amend Sections 1511 and 2809 of the Elections Code, relating to platforms of political parties.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2298: By Mr. Brown—An act to amend Section 737xx of the Political Code, relating to salaries of superior court judges.

Referred to Committee on Judiciary.

Assembly Bill No. 2299: By Mr. Brown—An act to amend Section 28116 of the Government Code, relating to compensation for public service in counties of the sixteenth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2300: By Mr. Brown—An act to amend Section 767 of the Political Code and Section 59.1 of the Code of Civil Procedure, relating to officers and employees of the Supreme Court and of the district courts of appeal.

Referred to Committee on Judiciary.

Assembly Bill No. 2301: By Mr. Brown—An act to amend Section 28037 of the Government Code, relating to the classification of counties.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2302: By Mr. Brown—An act to amend Section 374 of the Vehicle Code, relating to exemptions from registration fees.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2303: By Mr. Brown—An act to amend Section 1238 of the Code of Civil Procedure, relating to the exercise of the right of eminent domain.

Referred to Committee on Judiciary.

Assembly Bill No. 2304: By Mr. Dickey—An act to amend Section 103½ of the Code of Civil Procedure, relating to clerks in justices' courts.

Referred to Committee on Judiciary.

Assembly Bill No. 2305: By Mr. Beck—An act to add Section 481 to the Government Code, relating to Members of the Senate.

Referred to Committee on Constitutional Amendments.

Assembly Bill No. 2306: By Mr. Geddes—An act to amend Section 2 of an act entitled "An act to provide for the salaries and expenses of the Building and Loan Commissioner, his attorney, deputies, examiners, accountants, appraisers and other assistants; to provide for the disposition of moneys in the 'Building and Loan Inspection Fund' created by Chapter 354 of the Statutes of 1911, as amended; and of moneys collected under the Building and Loan Association Act; and otherwise relating to the Building and Loan Commissioner, his assistants and employees, and to the regulation of building and loan associations," approved June 12, 1931, and to amend Section 5201 of the Financial Code, relating to the Building and Loan Commissioner.

Referred to Committee on Finance and Insurance.

RESOLUTIONS

The following resolutions were offered:

By Messrs Lindsay, Dunn, and Dolwig:

House Resolution No. 50

Relative to the creation of the Assembly Interim Committee on Interstate Highways

WHEREAS, It is necessary that we develop as fully as possible our Interstate Highway System since this system constitutes an integral part of our defense preparation; and

WHEREAS, Our Interstate Highway System constitutes an important part of our transportation system and its continued development is necessary for the promotion of trade and commerce; and

WHEREAS, In particular, U. S. Highways 40 and 50 constitute an essential artery of our Interstate Highway System; and

WHEREAS, Complete information should be available to the Assembly with regard to the development of our Interstate System of Highways as it affects this State, now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Interstate Highways is hereby created and authorized and directed to ascertain, study and analyze all facts relating to our Interstate Highway System as it affects this State, including U. S. Highways 40 and 50, and including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of three Members of the Assembly appointed by the Speaker thereof. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the thirtieth legislative day of that session

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members

5 The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The committee is authorized to meet in the State Capitol, or at any other place within this State or within the United States, and to expend the funds made available to it by this resolution for charges, expenses, or claims incurred or expended for traveling, living or other expenses within or outside the limits of the State of California

7. The sum of two thousand five hundred dollars ($2,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules

By Mr. Sam L. Collins:

House Resolution No. 51

Relative to initiative measures presented to the Legislature

WHEREAS, Section 1 of Article IV of the Constitution of the State of California provides that, when an initiative petition proposing a law is presented to the Legislature, the law so proposed must be either enacted or rejected without change or amendment by the Legislature within 40 days from the time it is received by the Legislature; and

WHEREAS, Such measures are required to be presented to the Legislature as soon as it convenes and organizes in general session which ordinarily is the first day of the session; and

WHEREAS, The Constitution also provides that the Legislature may meet in general session for not more than 30 days and thereupon must recess for not less than 30 days; and

WHEREAS, If the 40 day period within which the Legislature may act is the first 40 calendar days after the receipt of the measure including the days within the mandatory recess the time within which the Legislature may act would be drastically reduced because the Legislature may not constitutionally be in session more than 30 days prior to the recess, and it was, in fact, in session for only 15 days prior to the constitutional recess of the 1951 General Session; and

WHEREAS, At the time the constitutional amendment relating to initiative measures was proposed to the people the sessions of the Legislature were continuous and no recess was required to be taken and under such conditions the Legislature would have had 40 full calendar days within which it could act upon initiative measures presented to it; and

WHEREAS, The constitutional amendment providing for the bifurcated session and the mandatory recess was proposed later than the constitutional amendment relating to initiative measures and both proposals were adopted at the same election; and

WHEREAS, There is nothing to indicate an actual and deliberate intent on the part of the people in adopting the provision for the bifurcated session to reduce the period within which the Legislature may act upon initiative measures presented to it; and

WHEREAS, It has proved impossible for the Legislature adequately to consider and act upon the important measures presented to it at its 1951 General Session prior to the constitutional recess and had it attempted to take hasty action upon such measures the results might have been improvident; and

WHEREAS, It is essential to the proper functioning of a legislative body that action should be taken only after due deliberation and consideration of all of the aspects of a matter coming before it, and any limitation on the time within which it must act should be construed to allow as much time as possible for the legislative process to function in a normal manner; and

WHEREAS, The constitutional provision in question is susceptible to the construction that the 40 day period is to be calculated as the first 40 days during which the Legislature is in actual session excluding the period of the mandatory recess; now, therefore, be it

Resolved by the Assembly of the State of California, That this Assembly hereby asserts and claims the right to act on any initiative measure presented to it during the full period of 40 days while the Legislature is in actual session after the receipt by it of such measure, excluding from such 40 day period the days of the mandatory constitutional recess.

Resolution read, and ordered referred to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2307: By Mr. Geddes—An act to amend Section 209 of the Unemployment Insurance Act, relating to disability benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2308: By Mrs. Niehouse—An act to amend Section 7303 of the Business and Professions Code, relating to the State Board of Cosmetology.

Referred to Committee on Public Health.

Assembly Bill No. 2309: By Mrs. Niehouse—An act to amend Section 7372 of the Business and Professions Code, relating to the licensing of hairdressers, cosmeticians or cosmetologists.

Referred to Committee on Public Health.

Assembly Bill No. 2310: By Mrs. Niehouse—An act to amend Section 14071 of the Education Code, relating to leaves of absence for noncertificated employees.

Referred to Committee on Education.

Assembly Bill No. 2311: By Mrs. Niehouse—An act to amend Section 9607 1 of the Education Code, relating to contracts for education of physically handicapped minors.

Referred to Committee on Education.

Assembly Bill No. 2312: By Mrs. Niehouse—An act to amend Section 8503 of the Education Code, relating to age of pupils for admission to first grade.

Referred to Committee on Education.

Assembly Bill No. 2313: By Mrs. Niehouse—An act to amend Section 8404 of the Education Code, relating to age of pupils for admission to kindergarten

Referred to Committee on Education.

Assembly Bill No. 2314: By Mrs. Niehouse—An act to amend Section 1501 of the Education Code, relating to contracts for service by county superintendent of schools.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2315: By Mrs. Niehouse—An act to amend Section 9601 2 of the Education Code, relating to contracts for education of physically handicapped minors.

Referred to Committee on Education.

Assembly Bill No. 2316: By Messrs. McCollister, Dills, and Thomas—An act providing that the State of California enter into a compact with the 11 Western States and the Territories of Alaska and Hawaii,

each or all, to promote the better cooperation in higher education in certain professional sciences, and to create the Western Interstate Commission for Higher Education; providing for the members of such commission for the State of California; providing for the administration of the provisions of said compact and the participation of this State therein; and making an appropriation.

Referred to Committee on Education.

Assembly Bill No. 2317: By Mr. McCollister—An act providing for the reversion of certain unused funds appropriated for expenditure by the Department of Public Works.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2318: By Messrs. McCollister, Dills, and Thomas—An act to add Article 3 to Chapter 1, Part 1, Division 4 of the Fish and Game Code, relating to a means of providing reciprocity in the issuance of sport fishing licenses.

Referred to Committee on Fish and Game.

Assembly Bill No. 2319: By Messrs. McCollister, Thomas, and Dills—An act to add Section 441 to the Fish and Game Code, authorizing reciprocity between California and Arizona in the issuance of sporting fishing licenses.

Referred to Committee on Fish and Game.

Assembly Bill No. 2320: By Messrs. McCollister, Thomas, and Dills—An act to amend Sections 6500 and 6502 of the Government Code, relating to the joint exercise of powers by public agencies.

Referred to Committee on Fish and Game.

Assembly Bill No. 2321: By Messrs. McCollister, Thomas, and Dills—An act authorizing reciprocal agreements between this State and adjoining states, relating to reciprocity in the use of sporting fishing licenses.

Referred to Committee on Fish and Game.

Assembly Bill No. 2322: By Mr. McCollister—An act to add Section 181.5 to the Vehicle Code, relating to transfers of title or interest in or to vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2323: By Mr. McCollister—An act to repeal Sections 241 and 242 of, and to add Sections 241 and 242 to, the Code of Civil Procedure, relating to grand jurors.

Referred to Committee on Judiciary.

Assembly Bill No. 2324: By Mr. McCollister—An act to amend Sections 737u of the Political Code and 79.21 of the Code of Civil Procedure, relating to superior court judges' salaries.

Referred to Committee on Judiciary.

Assembly Bill No. 2325: By Mr. McCollister—An act creating a commission to be known as the California State Advertising and Publicity Commission, providing for the membership thereof, defining its powers and duties, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2326: By Mr. McCollister—An act to protect the health, safety and welfare of the people of the State of California; defining terms used in this act; prescribing regulations for the practice of massage and the conduct of massage establishments; providing for the creation of a Board of Masseurs and defining the powers and duties of such board; providing for the inspection of all massage establishments and schools and requiring the registration of all who practice or teach massage; appropriating the proceeds thereof to accomplish the purposes of this act; and providing penalties for the violation of any provisions of this act.

Referred to Committee on Public Health.

Assembly Bill No. 2327: By Mr. McGee—An act to amend Section 214 of the Revenue and Taxation Code, relating to exemptions from property taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2328: By Mr. McGee—An act to add Sections 159.1, 159.2, and 159.3 to the Revenue and Taxation Code, relating to property taxation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2329: By Messrs. Porter, Rosenthal, Grant, Hahn, and Munnell—An act to amend Section 61.2 of, and to add Sections 61.3, 61.4, 61.5, and 61.6 to the Alcoholic Beverage Control Act, relating to the sale of alcoholic beverages and providing for proof, upon demand, that persons to whom such beverages are served or sold are over the age of 21 years.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2330: By Messrs. Conrad and Kirkwood—An act to amend Sections 19601, 19601.6, 19608, 19613, and 19613.7 of, to add Sections 19601.7, 19601.8, and 19607.1 to, and to repeal Sections 19601 5, 19613 5, and 19617 of, the Education Code, relating to child care centers, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 2331: By Mr. Dills—An act to regulate the use of X-rays and X-ray appliances in connection with the diagnosis and treatment of human ailments.

Referred to Committee on Public Health.

Assembly Bill No. 2332: By Mr. McCarthy—An act to amend Section 12a of the Code of Civil Procedure, relating to computation of time as to holidays.

Referred to Committee on Judiciary.

Assembly Bill No. 2333: By Mr. McCarthy—An act to amend Sections 1764 and 1769 of the Code of Civil Procedure, relating to conciliation.

Referred to Committee on Judiciary.

Assembly Bill No. 2334: By Mr. McCarthy—An act to amend Section 1057 of the Code of Civil Procedure, relating to affidavits of sureties.

Referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 15

Has had the same under consideration, and reports the same back with the recommendation: Be re-referred to Committee on Ways and Means.

DICKEY, Chairman

Above reported resolution ordered re-referred to the Committee on Ways and Means.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 21—An act to add Section 19620 to the Education Code, relating to the support of child care centers and making an appropriation therefor and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1220—An act to add Section 3577 to the Education Code, relating to the Public School System, declaring the urgency thereof, to take effect immediately;

And reports the same have been correctly enrolled, and presented to the Governor on the twenty-second day of January, 1951, at 11 a.m.

BURKE, Chairman

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2335: By Mr. McMillan—An act to provide for a tax on operators of cigar, cigarette, and tobacco vending machines.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2336: By Mr. McMillan—An act to add Sections 704.1 and 1731.1 to the Insurance Code, relating to false advertising regarding health, hospital, or medical insurance.

Referred to Committee on Public Health.

Assembly Bill No. 2337: By Mr. McMillan—An act to add Section 1816 to the Insurance Code, relating to bail.

Referred to Committee on Judiciary.

Assembly Bill No. 2338: By Mr. McMillan—An act to prohibit the sale of tobacco and tobacco products near schools.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2339: By Mr. McMillan—An act to add Section 308b to the Penal Code, relating to cigarette vending machines.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2340: By Mr. McMillan—An act to add Section 17536 to the Business and Professions Code, relating to the advertising of auction sales.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2341: By Mr. Tomlinson—An act to amend Section 84 of the Civil Code, relating to award of custody of children of annulled marriage.

Referred to Committee on Judiciary.

Assembly Bill No. 2342: By Mr. Tomlinson—An act to add Section 88 to the Civil Code, relating to restoration of name in action to annul or void marriage.

Referred to Committee on Judiciary.

Assembly Bill No. 2343: By Messrs. Kilpatrick and Munnell—An act to add Section 145 to the Welfare and Institutions Code, relating to public assistance, to provide for increase of assistance payments upon increase in costs of living.

Referred to Committee on Social Welfare.

Assembly Bill No. 2344: By Messrs. Kilpatrick, Burkhalter, and Cooke—An act to amend Section 1620 of the Welfare and Institutions Code, relating to the licensing of persons, associations, or corporations accepting the care and custody of minors.

Referred to Committee on Social Welfare.

Assembly Bill No. 2345: By Mr. Stanley—An act to add Section 4730.5 to the Health and Safety Code, relating to county sanitation districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2346: By Mr. Fleury—An act to amend Section 526 of the Agricultural Code, relating to milk products plant.

Referred to Committee on Agriculture.

Assembly Bill No. 2347: By Mr. Fleury—An act to amend Sections 50013, 50101, 50110, 50152, 50332, 50401, 50600, 50601, 50602, 50603, 50609, 50631, 50654, 50657, 50659, 50700, 50730, 50731, 50901, 50951, 50953, 50954, 50958, 51324, 51337, 51338, 51339, 51340, 51341, 51346, 51347, 51348, 51349, 51360, 51362, 51364, 51365, 51424, 51480, 51513, 51601, 51661, 51850, 52223, 52224, 52302, 53072, and 53092 and to add Sections 50014, 51332.1, 51332.2 and to repeal Section 50733, relating to reclamation districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2348: By Mr. Fleury—An act to add Section 28367 to the Health and Safety Code, relating to canneries.

Referred to Committee on Public Health.

Assembly Bill No. 2349: By Mr. Fleury—An act to amend Sections 16409, 16900, 16905, 16906, 17459, 17462, 17463, and adding Sections 16907, 16908, 16909, and 16910 of Division 13, Part 1, of the Health and Safety Code, relating to health and safety requirements for housing.

Referred to Committee on Public Health.

Assembly Bill No. 2350: By Mr. Fleury—An act to add Article 3.5 to Chapter 4 of Part 2, Division 13 of the Health and Safety Code, repealing Section 18470, and adding Sections 18470.1 to 18470.5 inclusive to said code, relating to health and safety requirements in transient occupancy spaces of auto courts and motels.

Referred to Committee on Public Health.

Assembly Bill No. 2351: By Mr. Shaw—An act to amend Section 1151 of the Agricultural Code, relating to the marketing of agricultural products.

Referred to Committee on Agriculture.

Assembly Bill No. 2352: By Mr. Shaw—An act to amend Section 28108 of the Government Code, relating to compensation for public service in counties of the eighth class, including fees for phonographic reporters.

Referred to Committee on Judiciary.

Assembly Bill No. 2353: By Mr. Shaw—An act to add Section 28021.5 to the Government Code, relating to the classification of counties

Referred to Committe on Municipal and County Government.

Assembly Bill No. 2354: By Mr. Shaw—An act to add Section 754 to the Agricultural Code, relating to the standardization of agricultural products.

Referred to Committee on Agriculture.

Assembly Bill No. 2355: By Mr. Shaw—An act to add Section 450.5 to the Agricultural Code, relating to milk and dairy products.

Referred to Committee on Agriculture.

Assembly Bill No. 2356: By Mr. Shaw—An act to amend Section 301 of the Agricultural Code, relating to animals.

Referred to Committee on Agriculture.

Assembly Bill No. 2357: By Mr. Shaw—An act to amend Section 20 of the Agricultural Code, relating to the administration of the law governing plant and animal industry and the products thereof.

Referred to Committee on Agriculture.

Assembly Bill No. 2358: By Mr. Shaw—An act making an appropriation to fairs.

Referred to Committee on Agriculture.

Assembly Bill No. 2359: By Mr. Shaw—An act to amend Section 6 of the Agricultural Code, relating to agriculture

Referred to Committee on Agriculture.

Assembly Bill No. 2360: By Mr. Shaw—An act to add Section 61 to The State Water Resources Act of 1945, relating to flood control projects.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2361: By Mr. Shaw—An act to amend Section 5047 of the Welfare and Institutions Code, relating to the procedure and examination of the mental health of a person alleged to be mentally ill, in respect to the liability of persons filing petitions for such examination.

Referred to Committee on Social Welfare.

Assembly Bill No. 2362: By Mr. Shaw—An act to amend Section 261b, as added by Chapter 1031 of the Statutes of 1943, of the Code of Civil Procedure, relating to reporters for superior courts.

Referred to Committee on Judiciary.

Assembly Bill No. 2363: By Messrs. Brown and Shaw—An act to add Sections 715.1 and 715.2 to the Civil Code, and to amend Sections 716 and 773 of said code, and to repeal Sections 715 and 772 of said code, relating to the rules against remoteness in vesting and against suspension of the power of alienation.

Referred to Committee on Judiciary.

Assembly Bill No. 2364: By Messrs. Brown and Shaw—An act to add Section 225q to the Civil Code, relating to adoptions.

Referred to Committee on Judiciary.

Assembly Bill No. 2365: By Messrs Brown and Shaw—An act to amend Section 225p of the Civil Code, relating to adoptions

Referred to Committee on Judiciary.

Assembly Bill No. 2366: By Mr. Shaw—An act creating an Anti-Totalitarian Civil Liberties Defense Commission, and prescribing its powers and duties.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2367: By Messrs. Smith and Brown—An act to amend Sections 285, 286, 288a, and 264 of the Penal Code, relating to sex crimes.

Referred to Committee on Judiciary.

Assembly Bill No. 2368: By Messrs. Smith, Burkhalter, and Beck—An act to add Section 531 to the Streets and Highways Code, relating to the State Highway System.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2369: By Messrs. Smith and Lipscomb—An act making an appropriation to the Department of Public Works for payment of the State's share of costs of construction of a grade separation crossing in the County of Los Angeles.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2370: By Messrs. Smith, Lipscomb, and Rumford—An act to amend an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by the electors November 7, 1922, by amending Section 10 thereof, and adding Section 10.5 thereto, relating to the practice of chiropractic, said amendment to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution.

Referred to Committee on Public Health.

Assembly Bill No. 2371: By Messrs. Smith, Lipscomb, and Rumford—An act to amend Sections 26270 and 26271 of the Health and Safety Code, and to amend Section 17500.1 of, and to add Sections 17500.2 and 17533.6 to, the Business and Professions Code, relating to false advertising.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2372: By Messrs. Kirkwood and Coats—An act to add Article 5 to Chapter 1, Division 1 of the Education Code, relating to the Public School System.

Referred to Committee on Education.

Assembly Bill No. 2373: By Messrs. Kirkwood and Coats—An act to add Section 18596 to the Government Code, relating to state civil service.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2374: By Messrs. Burkhalter and Beck—An act to add Section 532 to the Streets and Highways Code, relating to the State Highway System.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2375: By Messrs. Burkhalter, Beck, and Conrad—An act to amend Section 459 of the Streets and Highways Code, relating to state highway routes.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2376: By Mr. Burkhalter—An act to add Section 2607 to the Public Resources Code, relating to surface mining.

Referred to Committee on Manufacturing, Oil, and Mining Industry

Assembly Bill No. 2377: By Mr. Burkhalter—An act making an appropriation to the Department of Public Works for payment of the State's share of costs of construction of a grade separation crossing in the County of Los Angeles.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2378: By Mr. Burkhalter (By Request)—An act to amend Section 330.24 of the Civil Code to enable mutual water companies to sell water to any public agency and under certain circumstances to other mutual water companies and other persons and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2379: By Mr. Burkhalter (By Request)—An act to amend Sections 49, 72, and 74 of the Conservation and Planning Act, and to amend Sections 65252, 65253, 65254, 65301, 65331, and 65332 of the Government Code, relating to planning commissions.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2380: By Mr. Maloney—An act to repeal Section 954 of the Fish and Game Code, relating to crabs.

Referred to Committee on Fish and Game.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL BE PRINTED IN THE JOURNAL

Mr. Stanley asked for, and was granted, unanimous consent that the following letter of transmittal be ordered printed in the Journal in 10-point type:

LETTER OF TRANSMITTAL

JOINT COMMITTEE ON WATER PROBLEMS
CALIFORNIA LEGISLATURE, January 22, 1951

To the Members of the Legislature
State of California
1951 Regular Session

Pursuant to Senate Concurrent Resolution No. 66, 1949 Session, your Joint Committee of the Senate and Assembly, herewith submits its Final Report to the Legislature on Water Problems of the State of California.

Respectfully yours,

GEO. R. BUTTERS
Assemblyman Geo. R. Butters, Chairman
Joint Committee on Water Problems
Vice, Senator Bradford S. Crittenden

Above mentioned Final Report has been previously printed as a separate document. Copy which accompanied above letter of transmittal ordered filed with the Secretary of State.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED IN JOURNAL

Mr. Stanley asked for, and was granted, unanimous consent that a letter of transmittal and a Preliminary Report of the Assembly Interim Committee on Aviation be ordered printed in the Journal in 10-point type.

(Above letter of transmittal and report will appear prior to the motion to adjourn.)

REQUEST FOR UNANIMOUS CONSENT THAT REPORT BE PRINTED AS SEPARATE DOCUMENT AND 500 ADDITIONAL COPIES BE PRINTED

Mr. Stanley asked for, and was granted, unanimous consent that the above mentioned Preliminary Report of the Assembly Interim Committee on Aviation be printed as a separate document, in 10-point type, and that 500 additional copies be printed.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2381: By Mr. Maloney—An act to amend Sections 19484 and 19538 of, and to add Sections 19485.5 and 19597.5 to, the Business and Professions Code, relating to horse racing.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2382: By Mr. Maloney—An act to amend Section 17003, and to add Article 4.5 to Chapter 5, Division 8, of the Education Code, relating to the attendance of pupils and the arrest of truants.

Referred to Committee on Education.

Assembly Bill No. 2383: By Mr. Maloney—An act making an appropriation to pay the claim of the Comptroller of the Department of Employment against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 2384: By Mr. Maloney—An act to amend Section 4300f of the Political Code and Section 196 of the Code of Civil Procedure, relating to jurors' fees in superior and municipal courts.

Referred to Committee on Judiciary.

Assembly Bill No. 2385: By Mr. Burkhalter—An act making an appropriation to the Department of Public Works for payment of the State's share of costs of construction of a grade separation crossing in the County of Los Angeles.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2386: By Mr. Geddes—An act to establish a Financial Code, relating to the organization, regulation, and supervision of financial institutions and financial transactions, and matters incidental thereto, consolidating and revising the law relating thereto,and repealing certain sections, acts, and parts of acts specified therein.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2387: By Mr. Geddes—An act to add Article 1.5 to Chapter 17, Division 1, of the Financial Code, relating to the liability of stockholders in California state banks, and to provide for the enforcement and collection of such liability, and to repeal an act entitled "An act to define the liability of stockholders in California state banks and to provide for the enforcement and collection of that liability by the Superintendent of Banks of the State of California," (Chapter 196 of the Statutes of 1931).

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2388: By Mr. Geddes—An act to add Article 4.5 to Chapter 5, Division 1 of the Financial Code, relating to banks having no capital stock and prescribing a procedure for the issuance of such stock and the determination of the interests in the stock, and to repeal Sections 29 and 29a of the Bank Act (Chapter 76 of the Statutes of 1909).

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2389: By Mr. Geddes—An act to add Sections 274 and 275 to the Financial Code, relating to the State Banking Fund and the Revolving Fund in the State Banking Department.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2390: By Mr. Geddes—An act to add Section 3166 to the Financial Code, relating to the payment ofclaims to trust property or money deposited with the State Treasurer.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2391: By Mr. Geddes—An act to amend Section 500 of the Financial Code, relating to banking.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2392: By Mr. Geddes—An act to amend Section 1764 of the Financial Code, relating to banking.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2393: By Mr. Geddes—An act to amend Section 3360 of the Financial Code, relating to banking

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2394: By Mr. Geddes—An act to amend Section 5064 of the Financial Code, relating to building and loan associations.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2395: By Mr. Geddes—An act to amend Section 5351 of the Financial Code, relating to building and loan associations.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2396: By Mr. Geddes—An act to amend Section 8114 of the Financial Code, relating to building and loan associations.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2397: By Mr. Geddes—An act to amend Section 12204 of the Financial Code, relating to check sellers and cashers.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2398: By Mr. Geddes—An act to amend Section 14550 of the Financial Code, relating to credit unions.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2399: By Mr. Geddes—An act to amend Section 17004 of the Financial Code, relating to escrow agents.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2400: By Mr. Geddes—An act to amend Section 18209 of the Financial Code, relating to the regulation of loans and lenders.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2401: By Mr. Geddes—An act to amend Section 22211 of the Financial Code, relating to the regulation of loans and lenders.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2402: By Mr. Geddes—An act to amend Section 24413 of the Financial Code, relating to the regulation of loans and lenders.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2403: By Mr. Geddes—An act to amend Section 27002 of the Financial Code, relating to insured loans or advances of credit.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2404: By Mr. Conrad (By Request)—An act to amend Section 20880 of the Business and Professions Code, relating to sales of petroleum products.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

Assembly Bill No. 2405: By Mr. Waters (By Request)—An act to amend Section 20867 of the Government Code, relating to the State Employees' Retirement Law.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2406: By Messrs. Smith and Lipscomb—An act making an appropriation to the Department of Public Works for payment of the State's share of costs of construction of a grade separation crossing in the County of Los Angeles.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2407: By Mr. Waters—An act to amend Section 19437 of the Business and Professions Code, relating to the regulation of horse racing.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2408: By Mr. Waters—An act to amend Section 5620 of the Elections Code, relating to challenges.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2409: By Mr. Waters—An act to amend Section 110 of the Revenue and Taxation Code, relating to property taxation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2410: By Mr. Waters—An act to amend Section 986 of the Revenue and Taxation Code, relating to property taxation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2411: By Mr. Waters—An act to amend Section 987 of the Revenue and Taxation Code, relating to property taxation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2412: By Mr. Waters—An act to amend Section 28230 of the Health and Safety Code, relating to bread and its preparation.

Referred to Committee on Public Health.

Assembly Bill No. 2413: By Mr. Waters—An act to amend Section 337a of the Penal Code, relating to bookmaking.

Referred to Committee on Judiciary.

Assembly Bill No. 2414: By Mr. Waters—An act to amend Section 19563 of the Business and Professions Code, relating to the regulation of horse racing.

Referred to Committee on Boards and Commissions

Assembly Bill No. 2415: By Mr. Waters—An act to add Chapter 3.5 to Division 10 of the Elections Code, relating to contests of elections for the office of Member of the Senate or the Assembly.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2416: By Mr. Waters—An act to amend Sections 3803 and 3807 of the Revenue and Taxation Code, relating to the termination of the right of redemption of tax-deeded property sold to taxing agencies.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2417: By Mr. Waters—An act to amend Sections 2619, 2801, 2803, 2804, 3511, 3706, 3708.5, 3710, 3718, 3719, and to add Section 2705.5 to the Revenue and Taxation Code, relating to tax-sold and tax-deeded property, including the time of delinquency of real estate taxes, the payment of taxes on a portion of an assessment and the minimum bid on a sale of tax-deeded property.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2418: By Mr. Waters—An act to validate certain acts of taxing agencies and revenue districts and of their officers, relating to the taxation of property.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2419: By Mr. Waters—An act to add Section 768 to the Insurance Code, relating to the designation of particular insurance agents or brokers by persons, firms, and corporations loaning money on the security of personal and real property.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2420: By Mr. Waters—An act to amend Section 19511 of the Business and Professions Code, relating to the regulation of horse racing.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2421: By Mr. Waters—An act to amend Section 19431 of the Business and Professions Code, relating to the regulation of horse racing.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2422: By Mr. Waters—An act to amend Section 19435 of the Business and Professions Code, relating to the regulation of horse racing.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2423: By Mr. Luckel and Mrs. Niehouse (By Request)—An act to amend Sections 714.5, 717, 717.5, 867, and 868 of the Fish and Game Code, relating to fish.

Referred to Committee on Fish and Game.

Assembly Bill No. 2424: By Mr. Luckel (By Request)—An act, to to be known as the State Armed Services Act, adding Sections 161a, 301, 302, 303, 304, 305, and 306 to the Military and Veterans Code, relating to the Armed Services of the State.

Referred to Committee on Military Affairs.

Assembly Bill No. 2425: By Mr. Luckel (By Request)—An act to add Section 18196.5 to the Education Code, relating to school building construction.

Referred to Committee on Education.

Assembly Bill No. 2426: By Mr. Rosenthal—An act to add Section 16750.5 to the Business and Professions Code, relating to the institution of proceedings against combination in restraint of trade.

Referred to Committee on Judiciary.

Assembly Bill No. 2427: By Mr. Rosenthal—An act to amend Section 17043 of the Business and Professions Code, relating to unfair trade practices.

Referred to Committee on Judiciary.

Assembly Bill No. 2428: By Mr. Rosenthal—An act to amend Section 17070 of the Business and Professions Code, relating to the enjoining of unfair trade practices and the recovery of damages therefor.

Referred to Committee on Judiciary.

Assembly Bill No. 2429: By Mr. Rosenthal—An act to amend Section 17072 of the Business and Professions Code, relating to evidence in unfair practice actions.

Referred to Committee on Judiciary.

Assembly Bill No. 2430: By Mr. Hawkins—An act to amend Sections 3709 and 3944 of the Elections Code, relating to the direct primary.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2431: By Mr. Hawkins—An act to amend Sections 1708 and 1709 of the Elections Code, relating to municipal elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2432: By Mr. Hawkins—An act to amend Section 1613 of the Elections Code, relating to county and township elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2433: By Mr. Hawkins—An act to repeal Sections 664, 665, 668, 668.5, 669, 670, 671, 672, 672.5, 673, 674, and 677, and to amend Section 681, of the Elections Code, relating to election officers.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2434: By Mr. Conrad—An act to amend Section 7964.5 of the Elections Code, relating to canvass and return of results at primaries.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2435: By Mr. Conrad—An act to amend Section 9050 of the Elections Code, relating to local, special, or consolidated elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2436: By Mr. Conrad—An act to amend Section 7072 of the Elections Code, relating to canvass at the precincts.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2437: By Mr. Conrad—An act to amend Sections 11108 and 11120 of the Elections Code, relating to municipal officers.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2438: By Mr. Conrad—An act to amend Sections 9750, 9751, and 9757 of the Elections Code, relating to elections in fifth and sixth class cities.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2439: By Mr. Conrad—An act to amend Sections 5505, 5508, 5560, and 5565, and to repeal Section 5562, of the Elections Code, relating to the conduct of elections.

Referred to Committee on Elections and Reapportionment

Assembly Bill No. 2440: By Mr. Levering—An act to add Section 6485.5 to the Revenue and Taxation Code, relating to sales and use taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2441: By Mr. Levering—An act to amend Section 3 of the Fish and Game Code, relating to fish and game.

Referred to Committee on Fish and Game.

Assembly Bill No. 2442: By Mr. Chapel—An act to amend Section 2454, and to repeal Sections 2455, 2456, 2457, 2458, and 2459, of the Elections Code, relating to county central committees in counties containing more than 20 assembly districts.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2443: By Mr. Chapel—An act to amend Sections 2897 and 2898 of the Elections Code, relating to names on ballots.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2444: By Mr. Chapel—An act to amend Section 3150 of the Elections Code, relating to independent nominations.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2445: By Mr. Chapel—An act to amend Section 3824 of the Elections Code, relating to forms of ballots.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2446: By Mr. Chapel—An act to amend Section 3924 of the Elections Code, relating to direct primary ballots.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2447: By Messrs. Davis and Kelly—An act to add Section 963.3 to the Agricultural Code, relating to seed testing and certification, and making an appropriation.

Referred to Committee on Agriculture.

Assembly Bill No. 2448: By Messrs. Stewart and Lincoln—An act to repeal Sections 5536 and 5537 of, and to add Sections 5503, 5536, 5537, and 5542 to, the Business and Professions Code, relating to the practice of architecture.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2449: By Mr. Belotti—An act to authorize the exchange by the State Park Commission of lands in Del Norte County deeded to the State in addition to Mill Creek State Park for lands along Smith River adjacent to existing state park.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2450: By Messrs. Hinckley and Shaw—An act to amend Section 1873 of the Civil Code, relating to unclaimed property.

Referred to Committee on Judiciary.

Assembly Bill No. 2451: By Mr Lyon—An act to add Chapter 20 to Division 3 of the Business and Professions Code, relating to auctioneers.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2452: By Mr. Lyon—An act to repeal Part 4, comprising Sections 9601 to 10501, inclusive, of Division 2 of the Revenue and Taxation Code, and to add Part 4, comprising Sections 9601 to 9824, inclusive, to Division 2 of the Revenue and Taxation Code, relating to state taxes, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2453: By Mr. Lyon—An act to amend Section 1295 of the Penal Code, relating to bail and deposits instead of bail.

Referred to Committee on Judiciary.

Assembly Bill No. 2454: By Mr. Lyon—An act to amend Sections 1305 and 1306 of the Penal Code, relating to bail.

Referred to Committee on Judiciary.

Assembly Bill No. 2455: By Mr. Lyon—An act to amend Section 1647 of the Labor Code, relating to employment agencies.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2456: By Mr. Lyon—An act to repeal Section 1142, to amend Section 1143(a) and to add Sections 1142, 1142.1, 1142.2, 1142.3, and 1142.4 to the Agricultural Code, relating to processing of eggs and egg products, eggs shipped into California both from within the United States and from outside the United States; also relating to the inspection and certificates of egg products shipped into California.

Referred to Committee on Agriculture.

Assembly Bill No. 2457: By Mr. Lyon—An act to repeal Chapter 2 of Division 5 of Title 1 of the Government Code, relating to contracts for public works and the subletting of contracts or subcontracting of portions of such works.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2458: By Mr. Lyon—An act to amend Section 1295 of the Penal Code, relating to bail and deposits instead of bail

Referred to Committee on Judiciary.

Assembly Bill No. 2459: By Mr. Lyon—An act to add Section 1238.3 to the Code of Civil Procedure, relating to the exercise of the right of eminent domain by nonprofit hospitals.

Referred to Committee on Judiciary.

Assembly Bill No. 2460: By Mr. McCarthy—An act to add Section 48 to the Elections Code, relating to circulators of petitions.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2461: By Mr. McCarthy—An act to add Section 2598 to Article 4 of Chapter 2 of Division 5 of the Elections Code, relating to the printing of candidates names on primary ballots.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2462: By Mr. McCarthy—An act to amend Sections 3043 and 3084 of the Elections Code, relating to independent nominations.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2463: By Mr. Morris—An act to add Section 597.5 to the Penal Code, relating to the earcropping of dogs.

Referred to Committee on Judiciary.

Assembly Bill No. 2464: By Mr. Morris—An act to add Section 604.14 to the Vehicle Code, relating to ambulance drivers.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2465: By Mr. Morris—An act to amend Section 19533 of the Government Code, relating to layoff of state civil service employees, with respect to veterans' preference.

Referred to Committee on Military Affairs.

Assembly Bill No. 2466: By Mr. Morris—An act to amend Section 18901 of the Government Code, and to add Section 19394.5 thereto, relating to the State and service, providing for the retention of veterans' names on employment lists therefor, and for appointments of persons absent in military service.

Referred to Committee on Military Affairs.

Assembly Bill No. 2467: By Mr. Morris—An act to amend Section 18973 of the Government Code, relating to the preference of veterans and widows of veterans in examinations for the state civil service.

Referred to Committee on Military Affairs.

Assembly Bill No. 2468: By Mr. Morris—An act to repeal Chapter 3, of Division 7 of Part 2, comprising Sections 16900 to 16905, inclusive, of the Business and Professions Code, relating to fair trade contracts.

Referred to Committee on Judiciary.

Assembly Bill No. 2469: By Mr. Morris—An act to amend Section 39.1 of the Unemployment Insurance Act, relating to benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2470: By Mr. Morris—An act to amend Section 57 of the Unemployment Insurance Act, relating to unemployment insurance benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2471: By Mr. Morris—An act to add Section 647.1 to the Penal Code, relating to vagrancy.

Referred to Committee on Judiciary.

Assembly Bill No. 2472: By Mr. Morris—An act to add Section 4302.5 to the Government Code, relating to public purchases of duplicating machines and supplies therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2473: By Mr. Morris—An act to add Article 3 to Chapter 3 of Division 12 of the Elections Code, relating to the election of judicial officers.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2474: By Messrs. Burkhalter, Beck, Levering, McMillan, and Thomas—An act to make an appropriation for the improvement of certain streets in Los Angeles County.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2475: By Messrs. Burkhalter, Beck, Levering, McMillan, and Thomas—An act to add Section 550 to the Streets and Highways Code, relating to the State Highways System.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2476: By Mr. Burkhalter—An act to amend Sections 54 and 55 of, and to add Sections 51.5 and 51.6 to, the Fish and Game Code, relating to game management.

Referred to Committee on Fish and Game.

Assembly Bill No. 2477: By Mr. Burkhalter—An act to amend Section 59 of the Fish and Game Code, relating to game management.

Referred to Committee on Fish and Game.

Assembly Bill No. 2478: By Mr. Burkhalter—An act to repeal Chapter 3 of Division 2 of the Business and Professions Code and to add Chapter 3 to such division, relating to clinical laboratories.

Referred to Committee on Public Health.

Assembly Bill No. 2479: By Mr. Stewart—An act to amend Section 19538 of, and to add Sections 19538.1, 19538.2, and 19485 5 to the Business and Professions Code, relating to horse racing.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2480: By Mr. Hollibaugh—An act to provide for city street and county road crossings over railroad rights of way.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2481: By Mr. Hollibaugh—An act to add Section 5013.5 to the Public Resources Code, relating to historical sites.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2482: By Messrs. Davis, Geddes, Grant, Porter, and Erwin—An act to amend Section 80 of the Agricultural Code, relating to agricultural districts.

Referred to Committee on Agriculture.

Assembly Bill No. 2483: By Messrs. Davis, Moss, Evans, and Hinckley—An act to amend Section 5154 of the Public Resources Code, relating to county fair property and the use thereof.

Referred to Committee on Agriculture.

Assembly Bill No. 2484: By Messrs. Davis, Moss, Evans, and Hinckley—An act to add Section 92.1 to the Agricultural Code, relating to district and county agricultural fairs.

Referred to Committee on Agriculture.

Assembly Constitutional Amendment No. 31: By Messrs. Kirkwood and Coats—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Section 2 of Article IX of said Constitution, relating to education.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 32: By Mr. Hahn—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by Assembly Constitutional Amendment No. _____. A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 14 of Article VI thereof, relating to attaches of the superior courts.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 33: By Mr. Lyon—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 21 to Article XI, relating to regulation and taxation by cities, counties, and cities and counties, in fields occupied by the State.

Referred to Committee on Constitutional Amendments.

Assembly Joint Resolution No. 13: By Mr. Maloney—Relative to tolls on the San Francisco-Oakland Bay Bridge.

Referred to Committee on Transportation and Commerce.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 22, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 16

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 16—Relative to dangerous grades on State Highway 101 from San Francisco to the Oregon border.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 22, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 24
Senate Bill No. 25
Senate Bill No. 120

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 24—An act making an appropriation for construction, improvements, and equipment of an office building in the City of Sacramento for the State Department of California Highway Patrol, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Ways and Means.

Senate Bill No. 25—An act making an appropriation for construction, improvements, and equipment of an office building in the City of Sacramento for the State Department of Motor Vehicles, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Ways and Means.

Senate Bill No. 120—An act making an appropriation to the Emergency Fund specified in Item 277 of the Budget Act of 1950, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor.

Referred to Committee on Ways and Means.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 22, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 687

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered enrolled.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Constitutional Amendment No. 34: By Messrs. Lincoln, Maloney, and Rosenthal—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by an amendment to the first paragraph of Section 1, and to Sections 3, 4, 5, 6, 17, 19, and 27 of, and to add Section 38 to Article IV, relating to the Legislature.

Referred to Committee on Constitutional Amendments.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 28 re-referred to the Committee on Ways and Means.

Assembly Bill No. 248 re-referred to the Committee on Municipal and County Government.

RECESS

At 11.30 a.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1951

MR SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 42

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolution ordered on file.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 121

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2485: By Mr. Rosenthal—An act to add Chapter 8, comprising Sections 170 to 176, inclusive, to Division 1 of the Labor Code, relating to the creation of the Advisory Council on Affairs of the Handicapped and prescribing its powers and duties.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2486: By Mr. Rosenthal—An act to add Section 6369 to the Revenue and Taxation Code, relating to exemptions from the sales and use taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2487: By Mr. Rosenthal—An act to add Section 12607.5 to the Business and Professions Code, relating to designated weight of baled wiping rags.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2488: By Mr. Rosenthal—An act to add Section 6405.5 to the Labor Code, relating to safety in employment.

Referred to Committee on Industrial Relations.

Assembly Bill No. 2489: By Mr. Rosenthal—An act to add Chapter 2.5, comprising Sections 5350 to 5423, inclusive, to Division 3 of the Business and Professions Code, relating to the regulation and licensing of ambulance operators.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2490: By Mr. Conrad—An act to amend Section 370 of the Elections Code, relating to the index to affidavits of registration.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2491: By Messrs. Rosenthal and Dolwig—An act to add Section 603a to, and to amend Section 601 of, the Code of Civil Procedure, relating to judicial proceedings.

Referred to Committee on Judiciary.

Assembly Bill No. 2492: By Mr. Rosenthal—An act to amend Section 5047 of the Welfare and Institutions Code, relating to petitions for the examination of persons believed to be mentally ill, and providing for the exemption from liability of certain persons for filing such petitions.

Referred to Committee on Judiciary.

Assembly Bill No. 2493: By Mr. Babbage—An act to amend Section 3892 of the Education Code, relating to the Public School System of the State of California.

Referred to Committee on Education.

Assembly Bill No. 2494: By Mr. Babbage—An act to amend Section 1832 of the Education Code, relating to the Public School System of the State of California.

Referred to Committee on Education.

Assembly Bill No. 2495: By Mr. Babbage—An act to amend Section 7122 of the Education Code, relating to the Public School System of the State of California.

Referred to Committee on Education.

Assembly Bill No. 2496: By Mr. Maloney—An act to repeal Chapter 10 of, and to add Chapter 10 to, Part 2 of Division 2 of the Insurance Code, relating to fraternal benefit societies.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2497: By Mr. Gubser—An act to add Chapter 2 to Division 8 of the Military and Veterans Code, relating to veterans' aid.

Referred to Committee on Military Affairs.

Assembly Bill No. 2498: By Messrs. Gubser and Kirkwood—An act to amend Section 1240 of the Code of Civil Procedure, relating to eminent domain and declaring the urgency thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 2499: By Messrs. Gubser and Kirkwood—An act to amend Sections 1503, 1503.2, and 2533 of, and to add Section 1599.1 to, the Education Code, relating to the Public School System.

Referred to Committee on Education.

Assembly Bill No. 2500: By Mr. Gubser (By Request)—An act to amend Section 1503 of the Labor Code, relating to the licensing of employment agencies

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2501: By Messrs. Dolwig and Geddes—An act to amend Sections 53 and 54 of the Unemployment Insurance Act, relating to minimum wages in base period and weekly benefit amounts payable under said act.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2502: By Messrs. Dolwig, and Geddes—An act to add Section 52.6 to the Unemployment Insurance Act, relating to the computation and payment of benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2503: By Mr. Dolwig—An act to amend Sec-Section 10203 of the Insurance Code, relating to group insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2504: By Mr. Dolwig—An act to amend Sections 5951 and 5952 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2505: By Mr. Dolwig—An act to amend Section 6624 of the Welfare and Institutions Code, relating to sexual sterilization.

Referred to Committee on Judiciary.

Assembly Bill No. 2506: By Mr. Dolwig—An act to amend Section 29191 of the Government Code, relating to district budgets, and declaring the urgency of this act, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2507: By Mr. Dolwig—An act to add Section 31026 to the Water Code, relating to powers of county water districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2508: By Mr. Dolwig—An act to add Section 12a to the County Waterworks District Act, relating to the powers of the governing boards of county waterworks districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2509: By Mr. Dolwig—An act to add Section 30.3 to the Public Utility District Act, relating to powers of public utility districts.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2510: By Messrs. Dolwig, Geddes, Rosenthal, and Sherwin—An act to amend Section 8510 of, and to add Section 8606 to, the Elections Code, relating to election contests.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2511: By Mr. Dolwig—An act to provide for the construction of grade separations, providing for the issuance of bonds therefor and making an appropriation for the payment thereof.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2512: By Mr. Dolwig—An act to amend Section 2616 of the Code of Civil Procedure, as added by Chapter 1031 of the Statutes of 1943, relating to phonographic reporters.

Referred to Committee on Judiciary.

Assembly Bill No. 2513: By Mr. Dolwig—An act to amend Sections 402 and 422.5 of the Vehicle Code, relating to civil liability and financial responsibility of owners and operators of vehicles.

Referred to Committee on Judiciary.

Assembly Bill No. 2514: By Mr. Dolwig—An act to develop public recreating, and providing the procedure for allocation of funds to cities, counties, cities and counties, recreation districts and school districts, creating the Recreation Fund and prescribing the powers and duties of the State Allocation Board, the Controller, and the Director of Finance under this act.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2515: By Mr. Rosenthal—An act to amend Section 2654 of the Labor Code, relating to industrial homework.

Referred to Committee on Industrial Relations.

Assembly Bill No. 2516: By Messrs. Geddes, Maloney, Dunn, Mrs. Niehouse, Messrs. Hansen, Hawkins, Rosenthal, and Sherwin—An act to add Section 15104 to the Financial Code and to add Section 23.6 to "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to credit unions.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2517: By Messrs. Geddes, Maloney, Dunn, Mrs. Niehouse, Messrs. Hansen, Hawkins, Rosenthal, and Sherwin—An act to add Section 2 6 to, and to amend Sections 3, and 15.3 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, and to add Section 14203 to, and to amend Sections 14805, 14804, and 14254 of the Financial Code, relating to credit unions.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2518: By Messrs. Geddes, Maloney, Dunn, Mrs. Niehouse, Messrs. Hansen, Hawkins, Rosenthal, and Sherwin—An act to amend Section 15811 of the Financial Code, and Section 23.4 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to taking possession of and liquidating credit unions.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2519: By Messrs. Geddes, Maloney, Dunn, Mrs. Niehouse, Messrs. Hansen, Hawkins, Rosenthal, and Sherwin—An act to amend Section 23 of an act entitled "An act defining credit unions,

providing for their incorporation, powers, management and supervision," approved March 31, 1927, and Section 16000 of the Financial Code, relating to credit unions and the fees payable by them.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2520: By Messrs. Geddes, Maloney, Dunn, Mrs. Niehouse, Messrs. Hansen, Hawkins, Rosenthal, and Sherwin—An act to amend Section 14254 of the Financial Code, and Section 15.3 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to the issuance of a certificate to carry on business as a credit union.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2521: By Messrs. Geddes, Maloney, Dunn, Mrs. Niehouse, Messrs. Hansen, Hawkins, Rosenthal, and Sherwin—An act to amend Section 7 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, and Section 15150 of the Financial Code, relating to credit unions and their required reserves.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2522: By Messrs. Geddes, Maloney, Dunn, Mrs. Niehouse, Messrs. Hansen, Hawkins, Rosenthal, and Sherwin—An act to amend Section 14852 of the Financial Code and Section 4 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to the corporate powers of credit unions.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2523: By Mr. Levering—An act to amend Section 451 of the Unemployment Insurance Act, relating to unemployment disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2524: By Mr. Levering—An act to amend Section 457 of the Unemployment Insurance Act, relating to unemployment disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2525: By Messrs. Sherwin, Morris, Doyle, Chapel, Cloyed, Evans, Geddes, Gubser, Hahn, Hansen, Hawkins, Kirkwood, Lipscomb, McCarthy, Rosenthal, Stanley, and Thomas—An act to provide for a Commission for the Investigation and Study of State and Local Taxation, defining its powers and duties, and making an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2526: By Messrs. Moss and Fleury—An act to amend Section 351 of the Municipal Utility District Act, relating to municipal utility districts.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2527: By Mr. Grant—An act to add Section 6060.6 to the Business and Professions Code, relating to admission to the practice of law.

Referred to Committee on Judiciary.

Assembly Bill No. 2528: By Mrs. Niehouse and Mr. Cloyed—An act to amend Sections 12512 and 12550 of the Water Code, pertaining to the Colorado River Board.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2529: By Mrs. Niehouse and Mr. Cloyed—An act to amend Section 11 and to add Section 11.1 to the County Water Authority Act, Chapter 545, Statutes of 1943 as amended, relating to county water authorities.

Referred to Committee on Municipal and County Government.

Assembly Constitutional Amendment No. 35: By Messrs. Dolwig, Geddes, Rosenthal, and Sherwin—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 7 of Article IV, relating to the powers of each house of the Legislature in respect to its members.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 36: By Mr. Dolwig—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 16 to Article XVI thereof, relating to the issuance of bonds to provide for the construction of grade separations.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 37: By Messrs. McFall and Brown—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 16 of Article V thereof, relating to the order of succession to the office of Governor

Referred to Committee on Constitutional Amendments.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Senate Bill No. 172
Senate Bill No. 488

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

STEWART, Chairman

Above reported bills ordered to second reading.

RESOLUTIONS

The following resolutions were offered:

By Mr. Rosenthal:

House Resolution No. 52

Relative to the creation of the Assembly Interim Committee on Fire Hazards and Prevention

WHEREAS, The loss of life and damage to property resulting from disastrous fires and explosions in private dwellings, commercial buildings, and industrial properties continue to occur at a shocking rate; and

WHEREAS, Necessary up-to-date statutory safeguards can be enacted only if the Legislature is apprised of the latest information concerning the origins and causes of fires and the current fire prevention methods; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Fire Hazards and Prevention is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the subject of this resolution as expressed in the recitals thereof, including but not limited to facts concerning the origins, causes and methods of prevention of fires and explosions in hotels, apartment houses, manufacturing plants, and other buildings, establishments and facilities, and any proposed plans, methods or systems for fireproofing buildings, plants and property and combating or preventing the spread of fires, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5 The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution

6. The sum of five thousand dollars ($5,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Cloyed:

House Resolution No. 53

Relative to the eightieth birthday of the Honorable Charles W Stream

WHEREAS, The Honorable Charles W. Stream was first elected to this Assembly from the Eightieth Assembly District in 1932 and represented that district in this house for seven consecutive terms, and

WHEREAS, The Honorable Charles W. Stream brought to this Assembly a wide knowledge of practical affairs and a keen mind capable of penetrating into the heart of any proposal to discover its virtue or defects; and

WHEREAS, His never failing sense of humor and his ready wit endeared the Honorable Charles W. Stream to all of his colleagues, while his profound human wisdom, common sense and natural judgment so won their respect that he came to be called "the Sage of Chula Vista"; and

WHEREAS, The Honorable Charles W. Stream will on February 4th celebrate his eightieth birthday; now, therefore, be it

Resolved by the Assembly of the State of California, That this Assembly hereby sends its greetings to the Sage of Chula Vista, its best wishes for many more happy birthdays, and its hope that his well-earned retirement will be both pleasant and prolonged; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to the Honorable Charles W. Stream.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Davis:

House Resolution No. 54

Relative to Fred M Wolford, late Supervisor of Siskiyou County

WHEREAS, The Members of this Assembly have learned with great sorrow of the passing of Fred M Wolford, Supervisor of Siskiyou County; and

WHEREAS, Fred M. Wolford was the son of the late John M and Margaret C Wolford, pioneer settlers of Scott Valley; and

WHEREAS, Fred M. Wolford was born at the family ranch on the Etna-Callahan Road on May 17, 1886, grew to manhood in that district, and with his wife, Evelyn, made their home at the family ranch; and

WHEREAS, Fred M Wolford was a Director of the California Cattlemen's Association from his district for many years, and won the respect and admiration of his fellow citizens for his efforts in behalf of Siskiyou County as a supervisor, as a rancher, and as a citizen; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly deeply regret the passing of Fred M. Wolford and the loss to the people of Siskiyou County and of this State of his fine and devoted public service, and extend deepest sympathy to his widow, Mrs. Evelyn Wolford; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Mrs. Evelyn Wolford.

Resolution read, and ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 911 FROM COMMITTEE AND RE-REFER

Mr. Geddes asked for, and was granted, unanimous consent that Assembly Bill No. 911 be withdrawn from the Committee on Industrial Relations, and be re-referred to the Committee on Finance and Insurance.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 14

Mr. Kirkwood asked for, and was granted, unanimous consent that he be permitted to take up Assembly Concurrent Resolution No. 14, out of order, at this time.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 14

Assembly Concurrent Resolution No. 14—Relative to commending the city council and governmental agencies of the City of Sunnyvale and other cooperating agencies throughout the County of Santa Clara, for their splendid conduct during a recent emergency.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Geddes,

Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—67.

NOES—None.

Resolution ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 18, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted

Senate Concurrent Resolution No. 20

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 20—Relative to approving an amendment to the charter of the City of Napa, a municipal corporation in the County of Napa, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the first day of May, 1950.

Referred to Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2530: By Messrs. Davis, Moss, and Evans—An act to add Section 94.7 to the Agricultural Code, relating to fairs and expositions.

Referred to Committee on Agriculture.

Assembly Bill No. 2531: By Mr. Davis—An act to add Section 548 to the Streets and Highways Code, relating to the State Highway System, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2532: By Mr. Davis—An act to add Section 548 to the Streets and Highways Code, relating to the State Highway System.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2533: By Messrs. Davis and Parker—An act to add Section 6907.5 to the Labor Code, relating to the operation of locomotives.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2534: By Messrs. Davis and Parker—An act to add Section 37.5 to the Public Utilities Act, relating to abandoning or decreasing service by railroad corporations.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2535: By Messrs. Davis and Parker—An act to add Section 7001 to the Labor Code, prohibiting the use of certain types of cabooses, and providing penalties therefor.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2536: By Messrs. Davis and Parker—An act to add Section 6.3 to the Alcoholic Beverage Control Act, relating to licenses for sale of alcoholic beverages on trains.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2537: By Messrs. Davis, Lindsay, and Parker—An act to amend Section 204 of the Labor Code, relating to time of payment of wages.

Referred to Committee on Industrial Relations.

Assembly Bill No. 2538: By Messrs. Davis, Lindsay, and Parker—An act to amend Section 7000 of the Labor Code, relating to cabooses on trains.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2539: By Messrs. Davis, Lindsay, and Parker—An act to amend Sections 6901 and 6903 of the Labor Code, relating to train crews.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2540: By Messrs. Davis, Lindsay, and Parker—An act to add Section 6957 to the Labor Code, relating to railroad safety devices

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2541: By Messrs. Davis, Lindsay, and Parker—An act to add Section 37.5 to the Public Utilities Act, relating to abandoning or decreasing service by railroad corporations.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2542: By Messrs. Davis, Lindsay, and Parker—An act to amend Section 2¾ of the Public Utilities Act and to amend Section 213 of, and to repeal Section 215 of, the Public Utilities Code, relating to highway common carriers.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2543: By Messrs. Davis, Lindsay, and Parker—An act to amend Section 1 of the Highway Carriers' Act and to amend Section 3517 of, and to repeal Section 3516 of, the Public Utilities Code, relating to highway carriers.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2544: By Messrs. McCarthy, and Lincoln—An act making an appropriation to the Regents of the University of California for the augmentation and expansion of the teaching program of the Colleges of Engineering in the field of construction engineering.

Referred to Committee on Education.

Assembly Bill No. 2545: By Mr. Porter—An act to amend Section 736.10 of the Agricultural Code, relating to minimum wholesale and retail prices for fluid milk and fluid cream.

Referred to Committee on Agriculture.

Assembly Bill No. 2546: By Mr. Porter—An act to amend Section 736.11 of the Agricultural Code, relating to stabilization and marketing of fluid milk and fluid cream

Referred to Committee on Agriculture.

Assembly Bill No. 2547: By Messrs. Hagen and Hansen—An act to add Division 3.5 to the Labor Code, creating the California Agricultural Labor Resources Board, prescribing its powers and duties and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2548: By Messrs. Hansen and Hagen—An act to amend Section 19150 of, and to add Section 19150.5 to, the Health and Safety Code, relating to the protection of buildings against earthquakes.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2549: By Mr. Smith—An act to add Section 7644 to and to amend Section 7643 of the Business and Professions Code of the State of California, relating to funeral directors and embalmers.

Referred to Committee on Public Health.

Assembly Bill No. 2550: By Mr. Smith—An act to add Section 7634 to and to amend Section 7617 of the Business and Professions Code of the State of California, relating to funeral directors and embalmers.

Referred to Committee on Public Health.

Assembly Bill No. 2551: By Mr. Smith—An act to add Sections 7625.1 and 7708 to and to amend Sections 7606 and 7625 of the Business and Professions Code of the State of California, relating to funeral directors and embalmers.

Referred to Committee on Public Health.

Assembly Bill No. 2552: By Mr. Smith—An act to add Sections 7633 and 7720 and to amend Section 7616 of the Business and Professions Code of the State of California, relating to funeral directors and embalmers.

Referred to Committee on Public Health.

Assembly Bill No. 2553: By Mr. Dolwig—An act to add Section 4742 5 to the Health and Safety Code, relating to the powers of a county sanitation district, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2554: By Mr. Dolwig—An act to add Section 29.1 to an act entitled "An act to provide for the formation, government and control of overflow districts," approved May 1, 1911, relating to powers of the board of trustees of overflow districts, and declaring the urgency of this act, to take effect immediately.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2555: By Mr. Dolwig—An act to add Section 5473 to the Health and Safety Code, relating to surveys for sanitary sewerage and storm drainage works and improvements.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2556: By Mr. Levering—An act to amend Sections 1503 and 1511 of, to add Sections 1501 5, 1511.5, 1520.2, 1521.3, 1521 6, 1524.5, 1527 5, 1530, and 1550 5 to, and to repeal Section 1507 of, the Welfare and Institutions Code, relating to aid to needy children.

Referred to Committee on Social Welfare.

Assembly Bill No. 2557: By Mr. Levering—An act making an appropriation to the Contingency Fund of the Board of Medical Examiners relating to the Physical Therapists Practice Act

Referred to Committee on Public Health.

Assembly Bill No. 2558: By Mr. Levering—An act to add Section 2509 to the Welfare and Institutions Code, relating to relief and aid administered by the counties.

Referred to Committee on Social Welfare.

Assembly Bill No. 2559: By Mr. Levering—An act to add Section 110.5 to the Welfare and Institutions Code, relating to the annual budgets and expenditures of the State Department of Social Welfare.

Referred to Committee on Social Welfare

Assembly Bill No. 2560: By Mr. Levering—An act to amend Section 451 of the Unemployment Insurance Act, relating to a System of Unemployment Compensation Disability Insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2561: By Mr. Levering—An act to add Section 459.1 to the Unemployment Insurance Act, relating to a System of Unemployment Compensation Disability Benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2562: By Mr Levering—An act to amend Section 207 of the Unemployment Insurance Act, relating to a System of Unemployment Compensation Disability Insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2563: By Mr. Levering—An act to amend Sections 205 and 252 of the Unemployment Insurance Act, relating to a System of Unemployment Compensation Disability Benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2564: By Mr. Levering—An act to amend Section 10270 of the Insurance Code, relating to disability insurance policies.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2565: By Mr. Levering—An act to add Section 209.1 to the Unemployment Insurance Act, relating to a System of Unemployment Compensation Disability Benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2566: By Messrs. Lipscomb and Fleury—An act to add Section 18860 to the Government Code, relating to compensation of auditors employed in state service.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2567: By Mr. Lipscomb—An act to add Section 30 to the Education Code, relating to the definition of the words "certificated employee" as used in said code

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 2568: By Mr Lipscomb—An act to amend Section 14495.2 of the Education Code, relating to contributions by the State to the retirement of certificated employees in the Armed Forces

Referred to Committee on Military Affairs.

Assembly Bill No. 2569: By Mr. Lipscomb—An act to add Section 13657 to the Education Code, relating to the rights of certificated employees.

Referred to Committee on Education

Assembly Bill No. 2570: By Mr. Lipscomb—An act to amend Section 13653 of the Education Code, relating to the rights of terminated probationary employees

Referred to Committee on Education.

Assembly Bill No. 2571: By Mr. Lipscomb—An act to amend Sections 13204.1 and 14495.1 of the Education Code, relating to certificated employees in military service.

Referred to Committee on Education.

Assembly Bill No. 2572: By Mr. McFall—An act to amend Section 737 of the Motor Vehicle Code, relating to procedure after arrest for a violation of said code

Referred to Committee on Judiciary.

Assembly Bill No. 2573: By Mr. McFall—An act to amend Section 20045 of the Water Code, relating to certification of bond issues.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2574: By Mr. McFall—An act to amend Section 21658 of the Water Code, relating to nominating petitions, their form and time for filing for elections in irrigation districts.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2575: By Mr. McFall—An act to amend Section 21802 of the Water Code, relating to elections in irrigation districts.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2576: By Mr. McFall—An act to amend Section 20045 of, and to add Section 20045.1 to, the Water Code, relating to certification of bond issues.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2577: By Mr. McFall—An act to amend Section 20045 of the Water Code, relating to certification of bond issues.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2578: By Mr. McFall—An act to amend Section 1359 of the Banking Code, relating to investment of funds.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2579: By Mr. McFall—An act to amend Section 723 of the Fish and Game Code, relating to catfish.

Referred to Committee on Fish and Game.

Assembly Bill No. 2580: By Messrs. McFall and Brown—An act to add Section 1585 to the Military and Veterans Code, relating to emergency suspension of the Statute of Limitations and extension of the time for doing acts required by law or contract.

Referred to Committee on Judiciary.

Assembly Bill No. 2581: By Messrs. McFall and Brown—An act to amend Section 4 of an act entitled "An act to provide for the establishment and quieting of title to real property in case of the loss or destruction of public records," approved June 16, 1906 (Chapter 59, Statutes of 1906 First Extraordinary Session), relating to the establishment and quieting of title to real property in case of the loss or destruction of public records.

Referred to Committee on Judiciary.

Assembly Bill No. 2582: By Messrs. McFall and Brown—An act to amend Section 50111 of the Government Code, relating to damaged records and documents.

Referred to Committee on Judiciary.

Assembly Bill No. 2583: By Messrs. McFall and Brown—An act to add Chapter 15 to the Code of Civil Procedure, relating to war emergency adjustment proceedings and individual moratorium orders.

Referred to Committee on Judiciary.

Assembly Bill No. 2584: By Messrs. McFall and Brown—An act to amend the title and Sections 1, 2, and 3 of an act entitled "An act relating to the restoration of court records which have been lost, injured or destroyed by conflagration or other public calamity," approved June 16, 1906 (Chapter 55, Statutes of 1906 First Extraordinary Session), relating to restoration of court records.

Referred to Committee on Judiciary.

Assembly Bill No. 2585: By Messrs. McFall and Brown—An act to amend the title and Section 1 of an act entitled "An act providing for the disposition of actions and proceedings in which bills of exceptions and statements on motion for a new trial have been lost or destroyed by conflagration or other public calamity," approved March 23, 1907 (Chapter 537, Statutes of 1907), relating to lost or destroyed court records.

Referred to Committee on Judiciary.

Assembly Bill No. 2586: By Mr. Rosenthal—An act to amend Section 817 of the Penal Code, relating to the definition of peace officers.

Referred to Committee on Judiciary.

Assembly Bill No. 2587: By Mr. Rosenthal—An act to add Section 3333.5 to the Civil Code, relating to the diminution or apportionment of damages and the defense of contributory negligence.

Referred to Committee on Judiciary.

Assembly Bill No. 2588: By Mr. Rosenthal—An act to add Section 1714.1 to the Civil Code, relating to contributory negligence.

Referred to Committee on Judiciary.

Assembly Bill No. 2589: By Mr. Lincoln—An act to amend Sections 1075 and 2006 of the Streets and Highways Code, relating to the methods of performing highway and primary road work by counties.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2590: By Mr. Evans—An act making an appropriation to assist in defraying the expenses of a public nature incident to the holding of the National Convention of the Veterans of Foreign Wars in Los Angeles in 1952.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2591: By Mr. Evans—An act to add Sections 7432 and 7433 to the Business and Professions Code, relating to regulation of the practice of cosmetology.

Referred to Committee on Public Health.

Assembly Bill No. 2592: By Mr. Evans—An act to amend Sections 1, 3, 7, and 14½ of, to add Section 3¼ to, and to repeal Section 14¾ of, the Highway Carriers' Act, relating to highway carriers.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2593: By Mr. Evans—An act to repeal an act entitled "An act relating to fees to be paid to the Railroad Commission by railroad corporations, express corporation, freight forwarders, persons or corporations operating vessels, and persons or corporations owning or operating motor vehicles in the transportation of property for hire upon the public highways under the jurisdiction of the Railroad Commission of the State of California, providing for the collection thereof by the Railroad Commission, and providing penalties for the violation of this act," approved July 16, 1935, and to repeal Sections 5001 to 5011, inclusive, of the Public Utilities Code, relating to the fees payable by persons and corporations under the jurisdiction of the Public Utilities Commission.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2594: By Mr. Waters—An act to add Section 3928.1 to, and to amend Section 3946 of, the Elections Code, relating to direct primary ballots.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2595: By Messrs. Waters, Rosenthal, Beck, Maloney, McCarthy, and Sherwin—An act to amend Section 13002 of the Government Code, relating to the salary of the Director of Finance.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2596: By Messrs. Waters, Rosenthal, Beck, Maloney, McCarthy, and Sherwin—An act to amend Section 14002 of the Government Code, relating to the salary of the Director of Public Works.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2597: By Messrs. Waters and Rosenthal—An act to amend Section 261 of the Code of Civil Procedure, relating to court commissioners of the superior court in counties, or cities and counties, having a population of 2,000,000 inhabitants and over.

Referred to Committee on Judiciary.

Assembly Bill No. 2598: By Mr. Waters—An act to add Section 2058 to the Banking Code, relating to the purchase of all of the stock of a bank or trust company by another bank or trust company.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2599: By Mr. Stewart—An act to amend Section 6 of the Metropolitan Water District Act, relating to the government and management of metropolitan water districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2600: By Mr Lipscomb—An act to amend the heading of Part 2, Division 13, to amend Sections 18109, 18200, 18302, 18303 and to add 18300.1, 18300.5, 18301 5, 18302.6 and to repeal Sections 18300 and 18301 of Part 2, Division 13 of the State Housing Code, relating to auto courts and motels.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2601: By Mr. Cooke—An act to amend Section 7044 of the Business and Professions Code, relating to the licensing of contractors.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2602: By Mr. George D. Collins—An act to add Section 789.1 to the Fish and Game Code, relating to crabs.

Referred to Committee on Fish and Game.

Assembly Bill No. 2603: By Messrs. George D. Collins and McCarthy—An act to amend Sections 985.5, 986.3, and 986.5 of the Military and Veterans Code, relating to veterans' farm and home purchases

Referred to Committee on Military Affairs.

Assembly Bill No. 2604: By Mr. George D. Collins—An act to add Section 4652 to the Elections Code, relating to campaign expenditures for a candidate without authorization.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2605: By Messrs. George D. Collins, Hagen, Brown, Caldecott, Babbage, Berry, Brady, Coats, Condon, Connolly, Crowley, Dickey, Dolwig, Fleury, Gaffney, Grunsky, McCarthy, McFall, McGee, McMillan, Munnell, Rosenthal, Sherwin, Smith, Tomlinson, and Waters—An act to amend Section 758 of the Political Code and Section 61.6 of the Code of Civil Procedure, relating to salaries of the clerks of each of the district courts of appeal.

Referred to Committee on Judiciary.

Assembly Bill No. 2606: By Messrs. George D. Collins and Coats—An act to add Section 5005.5 to the Elections Code, relating to election campaigns.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2607: By Messrs. George D. Collins, Gaffney, Brady, Berry, and Maloney—An act to amend Section 690 of the Elections Code, relating to compensation of members of precinct boards.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2608: By Mr. George D. Collins—An act to safeguard the tenure of teachers, the job security of other public employees, and the business and professional security of public licensees, registrants, or certificated persons.

Referred to Committee on Governmental Efficiency and Economy.

REQUEST FOR UNANIMOUS CONSENT THAT 500 ADDITIONAL COPIES OF ASSEMBLY BILL NO. 2386 BE PRINTED

Mr. Geddes asked for, and was granted, unanimous consent that 500 additional copies of Assembly Bill No. 2386 be ordered printed.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 14

And reports the same correctly engrossed

BURKE, Chairman

Above reported resolution ordered on file for adoption.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 12—An act to amend Section 10204 of the Government Code, relating to the salary of the Legislative Counsel.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bellotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 18

Mr. Sherwin asked for, and was granted, unanimous consent that he be permitted to take up Senate Concurrent Resolution No. 18, out of order, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 18

Senate Concurrent Resolution No. 18—Relative to making additional funds available to the Legislative Budget Committee, established by Senate Concurrent Resolution No. 7 (Res. Ch. 75, 1949).

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—70.

NOES—None.

Resolution ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2609: By Mr. George D. Collins—An act relating to the tenure of teachers.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2610: By Mr. George D. Collins—An act requiring public employees to take the constitutional oath.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2611: By Mr. George D. Collins—An act to add Section 9.5 to an act entitled "An act relating to the rights, powers, and disabilities of aliens and of certain companies, associations, and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holdings to facilitate the enforcement of this act, prescribing penalties for violation of the provisions hereof, and repealing all acts and parts of acts inconsistent or in conflict herewith," approved as an initiative measure by the electors on November 2, 1920, relating to the ownership, use, and enjoyment of real property or of rights or interests therein.

Referred to Committee on Judiciary.

Assembly Bill No. 2612: By Mr Levering—An act to amend Section 11870 of the Insurance Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2613: By Mr Connolly—An act to amend Section 5710 of the Health and Safety Code, relating to joint municipal sewage disposal districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2614: By Mr. Connolly—An act to amend Section 5790.20 of the Health and Safety Code, relating to joint municipal sewage disposal districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2615: By Mr. Connolly—An act to add Chapter 9, comprising Sections 5700 to 5830.08, inclusive, to Part 3, Division 5 of the Health and Safety Code and to repeal the Joint Municipal Sewage Disposal District Act (Chapter 322 of the Statutes of 1941), relating to the organization, government, and powers of joint municipal sewerage disposal districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2616: By Messrs. Chapel, Levering, Lanterman, Grant, Belotti, Hagen, McGee, Morris, Smith, and Stanley—An act to add Chapter 7, comprising Sections 12901 to 12906, inclusive, to Division 7 of the Education Code, relating to the loyalty of public school superintendents, teachers, and employees.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2617: By Mr. Condon—An act to amend Section 53647 of the Government Code, relating to payment of interest into general fund of local agency.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2618: By Mr. Davis—An act to add Article 4 to Chapter 3 of Division 1 of the Agricultural Code, relating to agricultural fairs.

Referred to Committee on Agriculture.

Assembly Bill No. 2619: By Messrs. Stanley, Brown, Waters, Chapel, Hinckley, and McMillan—An act to amend Section 26020 of the Government Code, relating to the financing of airports by counties.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2620: By Mr. Stanley—An act to amend Section 27289 of the Government Code, relating to the recording of documents.

Referred to Committee on Judiciary.

Assembly Bill No. 2621: By Mr. Stanley—An act to repeal an act entitled "An act providing for the incorporation of public utility districts by municipalities and unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 27, 1915.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2622: By Mr. Stanley—An act to repeal an act entitled "An act to provide for the incorporation and organization of public utility districts, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts," approved June 5, 1913.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2623: By Mr. Davis—An act to add Section 39.7 to the Fish and Game Code, relating to the powers of the Fish and Game Commission.

Referred to Committee on Fish and Game.

Assembly Bill No. 2624: By Messrs. Caldecott, Rosenthal, Tomlinson, Moss, and Grunsky—An act to add Section 736d to the Political Code and Section 78.2 to the Code of Civil Procedure and to repeal Sections 737a to 737fff, inclusive, of the Political Code and Section 79.1 to

79.58, inclusive, of the Code of Civil Procedure, relating to superior courts and the judges thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 2625: By Messrs. Caldecott, Rosenthal, Tomlinson, and Moss—An act to amend Sections 736 and 736a of the Political Code and Sections 41 and 61 of the Code of Civil Procedure, relating to the salaries of Justices of the Supreme Court and of the district courts of appeal.

Referred to Committee on Judiciary.

Assembly Bill No. 2626: By Messrs. Caldecott, Rosenthal, Tomlinson, and Moss—An act to amend Section 736b of the Political Code and Section 79 of the Code of Civil Procedure, relating to judges of the superior court.

Referred to Committee on Judiciary.

Assembly Bill No. 2627: By Mr. Caldecott—An act to add Section 6f to the Municipal Court Act of 1925, relating to the judges of the municipal courts.

Referred to Committee on Judiciary.

Assembly Bill No. 2628: By Mr. Caldecott—An act to add Chapter 10.5 to Part 3, Division 2, Title 3 of the Government Code, relating to the county medical examiner.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2629: By Messrs. Caldecott and Sherwin—An act to amend Sections 25051, 25320, 25321, 25520, and 25521 of the Streets and Highways Code, and to add Sections 130.1 and 130.2 to said code, relating to joint highway districts and the construction of state highways.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2630: By Mr. Caldecott—An act making an appropriation to the Vocational Education Fund for peace officers' training program and reserve and/or auxiliary peace officers' training, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2631: By Mr. Caldecott—An act to add Section 9166 to the Education Code, relating to instructors for peace officers' training programs and reserve and/or auxiliary peace officers' training programs, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2632: By Messrs. Waters and Tomlinson—An act to amend Section 7207 of the Elections Code, relating to disposition of supplies by the county clerk.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2633: By Messrs. Waters and Tomlinson—An act to amend Section 5503 of the Elections Code, relating to material furnished to polls.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2634: By Messrs. Waters and Tomlinson—An act to amend Section 5553 of the Elections Code, relating to preliminary procedure at the polls.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2635: By Messrs. Waters and Tomlinson—An act to amend Section 5809 of the Elections Code, relating to voting at primary elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2636: By Messrs. Waters and Tomlinson—An act to amend Section 7101, and to repeal Section 7102, of the Elections Code, relating to return of supplies to the county clerk.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2637: By Messrs. Burke, Geddes, Hahn, and Morris—An act to add Section 2186.2 to the Welfare and Institutions Code, relating to the costs of administration of aid to the aged, aid to needy blind, aid to needy children, and aid to the partially self-supporting blind and making an appropriation therefor.

Referred to Committee on Social Welfare.

Assembly Bill No. 2638: By Mr. Maloney—An act to add Section 7001.1 to the Business and Professions Code, dealing with the administration of the Contractors' State License Board.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2639: By Mr. Maloney—An act to add Chapter 4 to Division 3 of the Labor Code consisting of Sections 3092, 3093, 3094, 3095, 3096, and 3097, dealing with certification of welders.

Referred to Committee on Industrial Relations.

Assembly Bill No. 2640: By Mr. Evans—An act to amend Sections 105 and 106 of the Revenue and Taxation Code, relating to the definitions of improvements and personal property.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2641: By Messrs. Stanley, Brown, Waters, Chapel, Hinckley, and McMillan—An act to add Section 4.5 to the "State Aeronautics Commission Act," relating to the powers and duties of the commission with respect to civil defense.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2642: By Messrs. Geddes, Doyle, Burke, Collier, and Erwin—An act to amend Section 1463 of the Penal Code, and to amend Section 771 of the Vehicle Code, relating to fines and forfeitures.

Referred to Committee on Judiciary.

ANNOUNCEMENT

Speaker Sam L. Collins announced, on behalf of Mr. Stanley, a breakfast meeting and Republican Caucus, tomorrow morning, Tuesday, January 23d, at 7.30 a.m., at the Hotel Sacramento.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal:

Letter of Transmittal

CALIFORNIA LEGISLATURE, ASSEMBLY, January 22, 1951

The Honorable Speaker and
Members of the Assembly
California Legislature
Sacramento 14, California

GENTLEMEN: As Chairman of the Subcommittee appointed by Assemblyman Jonathan Hollibaugh for the purpose of studying the Borough System of Government of Metropolitan Areas, as directed by House Resolution No. 23 of the 1950 Budget Session which was passed and adopted by the Assembly on March 20, 1950, I am submitting herewith a progress report on the subject matter prescribed by said resolution.

I trust that the report will be of great value and interest to you and will be helpful in answering many of the complex questions dealing with the Borough System of Government.

Respectfully submitted,

VINCENT THOMAS, Chairman
Assembly Subcommittee of the
Assembly Interim Committee on
State and Local Taxation

Above mentioned report has been previously printed, and is available to members.

RESOLUTIONS

The following resolution was offered:

By Mr. Dickey:

House Resolution No. 55

Resolved by the Assembly of the State of California, That the Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly in favor of the Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, in the amount of two thousand dollars ($2,000), said amount being for the purchase of postage stamps to be used by Members of the Assembly for official mail; and be it further

Resolved, That the Chief Clerk be and he is hereby directed to purchase postage stamps in such amounts and denominations, not exceeding two thousand dollars ($2,000), in the aggregate, as shall be necessary for the use of the Members of the Assembly for official mail; and be it further

Resolved, That the amount of stamps requisitioned by any one Member of the Assembly for official mail shall not exceed the sum of twenty-five dollars ($25).

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 55, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly,

Kilpatrick, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2643: By Messrs. Lanterman and Stanley (By Request)—An act to repeal Section 5501 and to amend Sections 5536 and 5537 of the Business and Professions Code, relating to the practice of architecture.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2644: By Messrs. Lanterman and Stanley (By Request)—An act to add Section 6743 to the Business and Professions Code, relating to the practice of civil engineering.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2645: By Mr. Hollibaugh (By Request)—An act to add Section 4807 to the Revenue and Taxation Code, relating to cancellation and refund of taxes on certain personal property.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2646: By Mr. Grunsky—An act to amend Section 7013 of the Business and Professions Code, relating to the regulation of contractors.

Referred to Committee on Judiciary.

Assembly Bill No. 2647: By Mr. Grunsky—An act to amend Sections 963 and 983 of the Code of Civil Procedure, relating to appeals.

Referred to Committee on Judiciary.

Assembly Bill No. 2648: By Mr. Grunsky—An act to amend Section 386 of the Code of Civil Procedure, relating to interpleader.

Referred to Committee on Judiciary.

Assembly Bill No. 2649: By Mr. Grunsky—An act to amend Section 55 of the Unemployment Insurance Act, relating to benefit payments.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2650: By Mr. Grunsky—An act to amend Section 58 of the Unemployment Insurance Act, relating to disqualification for benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2651: By Mr. Grunsky—An act to amend Section 58 of the Unemployment Insurance Act, relating to disqualification for benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2652: By Mr. Grunsky—An act to amend Section 58 of the Unemployment Insurance Act, relating to disqualification for benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2653: By Mr. Grunsky—An act to add Section 58(e) to the Unemployment Insurance Act, relating to disqualification.

Referred to Committee on Finance and Insurance

Assembly Bill No. 2654: By Mr. Grunsky—An act to amend Section 56 of the Unemployment Insurance Act, relating to eligibility for benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2655: By Mr. Grunsky—An act to add Section 57.6 to the Unemployment Insurance Act, relating to eligibility for benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2656: By Mr. Grunsky—An act to add Section 310 to the Unemployment Insurance Act, relating to unemployment disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2657: By Mr. Grunsky—An act to amend Section 2261 of the Civil Code, relating to the investment of funds.

Referred to Committee on Judiciary.

Assembly Bill No. 2658: By Mr. Morris (By Request)—An act to amend Sections 9606, 9607, 9625, 9626, 9652, 9655, 9656, 9683, 9767, 9768, 10055, to add Sections 9659, 9660, 9661, 9662, 9663, 9664, 9665, 9666, 9667, 9668, 9669, and to repeal Sections 9716, 10074 and Article 2, Chapter 2, Part 3, Division 8 of the Business and Professions Code of the State of California, relating to private cemeteries.

Referred to Committee on Public Health.

Assembly Bill No. 2659: By Messrs. Berry and Gaffney—An act to add Section 7065.1 to the Business and Professions Code, dealing with licensing of contractors.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2660: By Mr. Erwin—An act to amend Sections 787.5, 795, 795.5, 796, 796.1, 796.2, and 796.5 of the Agricultural Code, relating to marking of fruit, nut, and vegetable containers and to citrus fruit standardization.

Referred to Committee on Agriculture.

Assembly Bill No. 2661: By Messrs. Gaffney and George D. Collins—An act to add Sections 414.5 and 423.5 to the Vehicle Code, relating to financial security following accidents or judgments.

Referred to Committee on Judiciary.

RESOLUTIONS

The following resolution was offered:

By Mr. Evans:

House Resolution No. 56

Relative to the augmentation of funds of the Assembly Interim Committee on Public Utilities and Corporations

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available to the Assembly Interim Committee on Public Utilities and Corporations (created by House Resolution No. 264, 1949 Regular Session), the sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 10

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Senate Concurrent Resolution No. 10, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 10

Senate Concurrent Resolution No. 10—Relative to Joint Rules of the Senate and Assembly committees and committee meetings.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

On page 1, lines 6 and 7, of the printed measure, as amended in the Senate on January 11, 1951, strike out "committees and committee meetings".

Amendment No. 2

On page 4, line 12, of said measure, after "Assembly", insert "Except as otherwise provided by either the Assembly or Senate,".

Amendment No. 3

On page 4, line 12, of said measure, strike out "Each", and insert "each".

Amendment No. 4

On page 4, line 14, of said measure, strike out "libraries, chambers of commerce", and insert "organizations".

Amendment No. 5

On page 11 of said measure, strike out all of lines 4 through 11, inclusive.

Amendment No. 6

On page 12, line 21, of said measure, after "rate of", strike out "seven cents ($0.07)", and insert "ten cents ($0.10)".

Amendment No. 7

On page 13, line 12, of said measure, after "House", insert "or committee".

Amendment No. 8

On page 13, line 18, of said measure, after "generally", insert ", provided that if an allowance for hotel accommodations, breakfast, lunch and dinner is made by a committee at a rate in excess of those fixed by the Board of Control the chairman of the committee shall notify the Controller of that fact in writing".

Amendment No. 9

On page 13, of said measure, after line 46, insert

"Any vacancies occurring between general sessions, in the Assembly membership of the Legislature Budget Committee, shall be filled by the Speaker of the Assembly, and the Members of the Assembly appointed shall hold over until their successors are regularly selected. For the purposes of this provision, a vacancy shall be deemed to exist as to a Member of the Assembly whose term is expiring whenever he is not re-elected at the general election."

Amendment No. 10

On page 16, of said measure, between lines 15 and 16, insert

"Joint Committee on Interhouse Cooperation".

Amendment No. 11

On page 16, line 16, of said measure, strike out "in", and insert "on".

Amendment No. 12

On page 16, line 4, of said measure, insert

"37.5. In addition to the duties hereinabove prescribed the Legislative Auditor is directed, so long as he is designated to be "clerk" or "secretary" pursuant to Section 9900(d) of the Government Code, to assign one or more members of his staff to carry out the filing duties imposed by Sections 9900 through 9907 of the Government Code, but he shall undertake no duties which are not specifically authorized by the Joint Rules, by contracts entered into pursuant to such rules, or by direction of the Legislative Budget Committee."

Amendments read, and adopted.

Consideration of Further Amendments

Motion to Amend

Mr. Dolwig moved the adoption of the following amendments:

Amendment No. 13

In Senate Concurrent Resolution No. 10, as amended in the Senate on January 11, 1951, on page 4, line 22, strike out "seventy-five dollars ($75)", and insert "one hundred fifty dollars ($150)".

Amendment No. 14

In Senate Concurrent Resolution No. 10, as amended in the Senate on January 11, 1951, on page 11, after line 11, insert

"Expense allowances for Members of the Senate and Assembly shall be approved and certified to the Controller by the Secretary of the Senate or the Chief Clerk of the Assembly respectively, weekly or as otherwise directed by either house, and upon certification by the Secretary or the Chief Clerk the Controller shall draw his warrants in payment of the allowances to the respective members."

Amendment No. 15

In Senate Concurrent Resolution No. 10, as amended in the Senate on January 11, 1951, on page 9, line 29, strike out "94", and insert "24".

Amendments read, and adopted.

Request for Unanimous Consent

Mr. Dolwig asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 10, as amended, at this time, without reference to print or file.

Consideration of Senate Concurrent Resolution No. 10, as Amended

Senate Concurrent Resolution No. 10—Relative to Joint Rules of the Senate and Assembly.

Resolution read as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury,

Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

Resolution ordered reprinted, and transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 16

And reports the same correctly engrossed.

BURKE, Chairman

Request for Unanimous Consent to Take Up Assembly Concurrent Resolution No. 16

Mr. McMillan asked for, and was granted, unanimous consent that he be permitted to take up Assembly Concurrent Resolution No. 16, out of order, at this time.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 16

Assembly Concurrent Resolution No. 16—Relative to extending good wishes for a speedy recovery to Ida R. Koverman.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—70.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 37

Mr. Condon asked for, and was granted, unanimous consent that he be permitted to take up House Resolution No. 37, out of order, at this time.

CONSIDERATION OF HOUSE RESOLUTION NO. 37

By Mr. Condon:

House Resolution No. 37

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to purchase eighty-one (81) sets of the latest edition of the California Administrative Code.

Resolved further, That the Chief Clerk of the Assembly be and he is hereby directed to deliver one complete set of the code to each Member of the Assembly, and one complete set of the code to the Chief Clerk of the Assembly

Resolution read.

Motion to Amend

Mr. Condon moved the adoption of the following amendment:

Amendment No. 1

In House Resolution No 37, as printed on page 462 of the Assembly Journal for January 15, 1951, strike out the two "resolved" clauses, and insert

"*Resolved by the Assembly of the State of California*, That each Member of the Assembly may request in writing to the Legislative Process Committee of the Assembly the purchase of not more than four titles of the California Administrative Code.

Resolved further, That the Legislative Process Committee of the Assembly be and it is hereby directed to purchase and deliver to each Member of the Assembly the titles of the California Administrative Code requested, and to purchase and deliver, as published, the register and inserts necessary to keep those titles up to date for a period of one year, as provided herein."

Amendment read, and adopted.

Consideration of House Resolution No. 37, as Amended

By Mr. Condon:

House Resolution No. 37

Resolved by the Assembly of the State of California, That each Member of the Assembly may request in writing to the Legislative Process Committee of the Assembly the purchase of not more than four titles of the California Administrative Code.

Resolved further, That the Legislative Process Committee of the Assembly be and it is hereby directed to purchase and deliver to each Member of the Assembly the titles of the California Administrative Code requested, and to purchase and deliver, as published, the register and inserts necessary to keep those titles up to date for a period of one year, as provided herein

Resolution read, as amended, and adopted.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1951

MR SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 20

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Request for Unanimous Consent

Mr. Crowley asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 20, at this time, without reference to file

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 20

Senate Concurrent Resolution No. 20—Relative to approving an amendment to the charter of the City of Napa, a municipal corporation in the County of Napa, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the first day of May, 1950.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—72.

NOES—None.

Resolution ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Messrs. Evans and Lyon:

House Resolution No. 57

Relative to the retirement of Senator Swing

WHEREAS, After 27 years of distinguished service in the Senate, Senator Ralph E. Swing has retired from service with the Legislature; and

WHEREAS, Senator Swing has devoted much of his life in service to the people of San Bernardino County and to the State of California; and

WHEREAS, The Members of the Legislature and the people of the State have profited greatly by Senator Swing's keen insight of legislative problems; and

WHEREAS, Senator Swing has long been recognized as one of the ablest leaders in the Legislature; and

WHEREAS, The Members of the Legislature have learned to respect Senator Swing as an able statesman and a true friend; and

WHEREAS, The Members of the Legislature will sorely miss their able colleague; now, therefore, be it

Resolved by the Assembly of the State of California, That Honorable Ralph E. Swing be commended for the contribution that he has made to the people of the State of California and be extended the best wishes of the Members of the Assembly with the sincere hope that he will enjoy health and happiness in the years to come; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to prepare and transmit a suitably prepared copy of this resolution to Honorable Ralph E. Swing.

Resolution read, and ordered referred to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2662: By Messrs. Lincoln, Collier, Morris, and Condon—An act to repeal Article 19 of, and to add Articles 19, 20, and 21 to, the Community Redevelopment Act, relating to community redevelopment.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2663: By Mr. Chapel—An act to amend Section 515 of the Vehicle Code, relating to speed limits per vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2664: By Mr. Connolly—An act to amend Sections 3017 and 3019 of the Civil Code, and to add a new section numbered 3030, relating to the assignment of accounts receivable and giving notice thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 2665: By Mr. Connolly—An act to amend Section 5699 of the Elections Code, relating to casting of ballots

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2666: By Mr. Connolly—An act to add Section 26.5 to the Penal Code, relating to the insanity of an accused.

Referred to Committee on Judiciary.

Assembly Bill No. 2667: By Mr. Connolly—An act to amend Sections 5301 and 5312 of the Labor Code, and to repeal Sections 5313, 5314, and 5315 thereof, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2668: By Mr. Connolly—An act to add Section 29015 to the Health and Safety Code, relating to dangerous drugs.

Referred to Committee on Public Health.

Assembly Bill No. 2669: By Mr. Connolly—An act to amend Section 17502 of the Business and Professions Code, relating to false advertising offenses and exceptions therefrom.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2670: By Mr. Connolly—An act to amend Sections 115, 5301, 5310, 5313, 5709, 5800, 5900, 5903, and 5906 of, to add Section 5800.1 to, and to repeal Sections 5309, 5314, 5315, and 5800.5 of, the Labor Code, relating to the Industrial Accident Commission, its powers and proceedings.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2671: By Mr. Connolly—An act to add Section 29 to the Revenue and Taxation Code, relating to tax compromises.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2672: By Mr. Connolly—An act to add Section 2013 to the Business and Professions Code, relating to the definition of the words "diagnose" and "diagnosis."

Referred to Committee on Public Health.

Assembly Bill No. 2673: By Mr. Connolly—An act to amend Section 2141 of the Business and Professions Code, relating to the practice of the healing arts.

Referred to Committee on Public Health.

Assembly Bill No. 2674: By Mr. Connolly—An act to amend Section 2142 of the Business and Professions Code, relating to violations under the chapter on medicine and surgery.

Referred to Committee on Public Health.

Assembly Bill No. 2675: By Mr. Connolly—An act to amend Sections 2191 and 2192 of the Business and Professions Code, relating to qualification for admittance to examination.

Referred to Committee on Public Health.

Assembly Bill No. 2676: By Mr. Connolly—An act to amend Section 2385 of the Business and Professions Code, relating to the grounds for denial, suspension or revocation of certificates issued under the chapter on medicine of the Business and Professions Code.

Referred to Committee on Public Health.

Assembly Bill No. 2677: By Mr. Connolly—An act to amend Section 2288 of the Business and Professions Code, relating to subjects of examination for a physician's and surgeon's certificate.

Referred to Committee on Public Health.

Assembly Bill No. 2678: By Mr. Connolly—An act to amend Section 2435 of the Business and Professions Code, relating to the practice of the healing arts.

Referred to Committee on Public Health.

Assembly Bill No. 2679: By Mr. Connolly—An act to amend Section 2193 of the Business and Professions Code, relating to applicants for a physician's and surgeon's certificate.

Referred to Committee on Public Health.

Assembly Bill No. 2680: By Mr. Connolly—An act to amend Section 737.11 of the Agricultural Code and to add paragraph (b) to Section 737.11 of said code, relating to the purchase of fluid milk and fluid cream.

Referred to Committee on Agriculture.

Assembly Bill No. 2681: By Mr. Connolly—An act to add Section 644.2 to the Agricultural Code, relating to colored oleomargarine.

Referred to Committee on Agriculture.

Assembly Bill No. 2682: By Messrs. Burkhalter, Elliott, and Kilpatrick—An act to add Chapter 13 to Division 3 of the Business and Professions Code, relating to the regulation of off-street parking.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2683: By Messrs. Burkhalter, Elliott, Grant, and Kilpatrick—An act to provide for the regulation of off-street parking.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2684: By Messrs. Burkhalter, Elliott, Grant, and Kilpatrick—An act to provide for the regulation of operators of parking lots.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2685: By Messrs. Burkhalter, Elliott, and Grant—An act to limit fire hazards at lots operated for parking of automobiles and to require attendants at such lots during hours of operation.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2686: By Messrs. Burkhalter, Elliott, Grant, and Kilpatrick—An act to add Section 12215 to the Business and Professions Code, relating to county sealers of weights and measures.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2687: By Messrs. Burkhalter, Elliott, Grant, and Kilpatrick—An act relating to the regulation of off-street parking facilities.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2688: By Messrs. Burkhalter, Elliott, Grant, and Kilpatrick—An act relating to the operation of off-street parking facilities.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2689: By Messrs. Burkhalter, Elliott, Grant, and Kilpatrick—An act relating to the charges of operators of off-street parking facilities.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2690: By Mr. Connolly—An act to repeal and add Section 63 to the California Water District Act, relating to revenue bonds of districts organized under said act, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2691: By Mr. Crowley—An act to amend Section 705 of the Motor Vehicle Code, relating to load restrictions.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2692: By Messrs. Lindsay and Hansen—An act to amend Sections 1261 and 1262 of the Fish and Game Code, relating to archery hunting licenses.

Referred to Committee on Fish and Game

Assembly Bill No. 2693: By Messrs. Geddes, Doyle, Morris, Levering, Beck, Dolwig, and Lipscomb—An act to add Section 435 to the Penal Code, relating to health insurance.

Referred to Committee on Judiciary.

Assembly Bill No. 2694: By Mr. Connolly—An act to amend Section 2383 of the Business and Professions Code, relating to unprofessional conduct.

Referred to Committee on Public Health.

Assembly Bill No. 2695: By Mr. Collier—An act to add Section 118.1 to the Welfare and Institutions Code, relating to public assistance in respect to compilation or possession of lists of recipients thereof.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2696: By Mr. Crowley—An act making an appropriation to the State Department of Education for major construction, improvement, and repair, California School for the Deaf.

Referred to Committee on Education.

Assembly Constitutional Amendment No. 38: By Messrs. Lincoln, Collier, Morris, and Condon—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding to Article XVI thereof a new section to be numbered 16, relating to the issuance of bonds to provide loans to counties, cities and counties and cities planning or participating in community redevelopment.

Referred to Committee on Constitutional Amendments.

Assembly Bill No. 2697: By Messrs. Gaffney and Maloney—An act to add Section 18652 to the Business and Professions Code, relating to boxing and wrestling.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2698: By Mr. Crowley—An act to add Section 20778 to the Education Code, relating to the California School for the Deaf, in respect to the position of field agent and family counselor.

Referred to Committee on Education.

Assembly Bill No. 2699: By Mr. Crowley—An act to add Section 20776 to the Education Code, relating to the California School for the Deaf, in respect to the position of clinical psychologist.

Referred to Committee on Education.

Assembly Bill No. 2700: By Mr. Crowley—An act to add Section 20777 to the Education Code, relating to the California School for the Deaf, in respect to the position of supervisor of physical education.

Referred to Committee on Education.

Assembly Bill No. 2701: By Mr. Crowley—An act to add Section 20775 to the Education Code, relating to the California School for the Deaf, in respect to the establishment of a clinic and training course for parents and their deaf children.

Referred to Committee on Education

Assembly Bill No. 2702: By Messrs. Rumford and Lincoln—An act to add Section 25371 to the Government Code, relating to the leasing of county real property.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2703: By Messrs. Rumford, Lincoln, and Dunn—An act to add Section 25508 to the Government Code, relating to county purchasing agents.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2704: By Messrs. Fleury and Moss—An act to add Section 30 to the American River Flood Control District Act, relating to the acquisition of additional flood control works for operation, repair, and maintenance and the assessment of property benefited by those works.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2705: By Messrs. Fleury and Moss—An act to amend Section 6103.5 of the Government Code, relating to filing fees.

Referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 8
Assembly Joint Resolution No. 10

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolutions ordered on file for adoption.

REQUEST FOR UNANIMOUS CONSENT

Mr. McGee asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 8, at this time, without reference to file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 8

Assembly Joint Resolution No. 8—Relative to a moratorium on federal income tax payments for persons in the Armed Forces.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Clarke, Cloyed, Collier, Condon, Connolly, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kilpatrick, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—58.

NOES—Cooke and Grunsky—2.

Resolution ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2706: By Messrs. Dickey, Doyle, Crowley, McCollister, Dolwig, Silliman, and Smith—An act to add Section 17.1 to the State Water Resources Act of 1945, authorizing the State Water Resources Board to contract with public and private organizations and persons for research work relative to the production and control of rainfall by artificial means, and making an appropriation therefor.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2707: By Mr. Dickey—An act to add Section 11011 to the Government Code, relating to agreements between state agencies and the United States.

Referred to Committee on Public Health.

Assembly Bill No. 2708: By Messrs. Dickey, Doyle, Crowley, McCollister, Dills, Dolwig, Silliman, and Smith—An act to add Section 2356 to the Labor Code, relating to air pollution.

Referred to Committee on Public Health.

Assembly Bill No. 2709: By Messrs. Dickey, Doyle, Crowley, McCollister, Dills, Dolwig, and Silliman—An act to add Section 24268.5 to the Health and Safety Code, relating to air pollution control districts.

Referred to Committee on Public Health.

Assembly Bill No. 2710: By Messrs. Dickey, Doyle, Crowley, McCollister, Dills, Dolwig, Silliman, and Smith—An act to add Article 2.5, comprising Sections 24236, 24237, and 24238 to Chapter 2, Division 20 of the Health and Safety Code, relating to an Advisory Committee for Air Pollution Control Districts.

Referred to Committee on Public Health.

Assembly Bill No. 2711: By Messrs. Dickey, Doyle, Crowley, McCollister, Dills, Dolwig, Silliman, and Smith—An act to amend Section 24269 of the Health and Safety Code, relating to reports to air pollution control officers.

Referred to Committee on Public Health.

Assembly Bill No. 2712: By Mr Dickey—An act to add Sections 6 and 7 to an act entitled "An act providing for loans to municipalities and districts for sewerage and storm drainage facilities, prescribing the conditions under which such loans shall be made, creating the State Water Pollution Control Fund, and making an appropriation," approved July 28, 1949, relating to protection of quality of underground waters.

Referred to Committee on Public Health.

Assembly Bill No. 2713: By Messrs. Dickey, Doyle, Crowley, McCollister, Dills, Dolwig, Silliman, and Smith—An act to add Chapter 1.5 to Division 20 of the Health and Safety Code, relating to air pollution.

Referred to Committee on Public Health

Assembly Bill No. 2714: By Mr. Connolly—An act to amend Section 17026 of the Business and Professions Code, relating to the definition of "cost" as defined in the Unfair Trade Practices Act.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2715: By Mr. Sherwin—An act to provide for the reimbursement of State Employees' Retirement System contributions.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2716: By Mr. Sherwin—An act to add Section 19629 to the Business and Professions Code, relating to allocation of revenues received from horse racing.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2717: By Mr. Sherwin—An act to add Section 6515 to the Welfare and Institutions Code, relating to purchase of oleomargarine for state institutions.

Referred to Committee on Agriculture.

Assembly Bill No. 2718: By Mr. Sherwin—An act to amend Section 11044 of the Government Code, relating to charges for services against agencies supported other than from the General Fund.

Referred to Committee on Judiciary.

Assembly Bill No. 2719: By Messrs. Burkhalter, Elliott, and Kilpatrick—An act to regulate the parking of vehicles by the operators of off-street parking facilities.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2720: By Mr. Burkhalter—An act to add Section 8 to "An act to provide for forest practices which will promote the maximum sustained productivity of the forest lands of California," (Statutes of 1945, Chapter 85), relating to the burning of slashings after logging operations.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2721: By Mr. Burkhalter—An act to add Section 9 to "An act to provide for forest practices which will promote the maximum sustained productivity of the forest lands of California," (Statutes of 1945, Chapter 85), relating to reforestation of cut-over lands.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2722: By Messrs. Rosenthal and Brown—An act to add Sections 36.3 and 36.6 to the Municipal and Justice Court Act of 1949, relating to judges of justice courts.

Referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No 53
House Resolution No. 54

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file.

REQUEST FOR UNANIMOUS CONSENT

Mr. Gaffney asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 10, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 10

Assembly Joint Resolution No. 10—Relative to reactivation of the Defense Highway Act of 1941.

Resolution read.

Request for Unanimous Consent to Rescind Action on Assembly Joint Resolution No. 10

Mr. Kirkwood asked for, and was granted, unanimous consent to rescind the action whereby the Assembly, granted unanimous consent to consider Assembly Joint Resolution No. 10.

Assembly Joint Resolution No. 10 ordered placed on file.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 440	Assembly Bill No. 573
Assembly Bill No. 559	Assembly Bill No. 577

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 22: By Mr. Erwin—Relative to Mrs. Edna May Butters and Assemblyman George R. Butters.

Request for Unanimous Consent

Mr. Erwin asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 22, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 22

Assembly Concurrent Resolution No. 22—Relative to Mrs. Edna May Butters and Assemblyman George R. Butters.

Resolution read.

Request for Unanimous Consent That Names of All Members Present Be Placed Upon Assembly Concurrent Resolution No. 22 as Co-authors

Mr. Doyle asked for, and was granted, unanimous consent that the names of all members present be placed upon Assembly Concurrent Resolution No. 22, as co-authors.

The roll was called, and the following responded when their names were called:

YEA—Babbage, Beck Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76.

Assembly Concurrent Resolution No. 22: By Messrs. Erwin, Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen Hahn,

Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Mrs. Niehouse, Messrs. Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Sam L. Collins—Relative to Mrs. Edna May Butters and Assemblyman George R. Butters.

Resolution read, and adopted unanimously.

Resolution ordered transmitted to the Senate.

QUESTION OF PERSONAL PRIVILEGE

Mr. Thomas arose to a question of personal privilege.

ANNOUNCEMENTS

Mr. Maloney announced that he had received a letter from the father of "Red" Irwin, a former Assembly Page boy who is in Oak Knoll Hospital in Oakland, a victim of amputations in the Korean War. Said letter expressed appreciation, on behalf of "Red," for the good wishes recently extended to him by Members of the Assembly.

Mr. Dunn, who recently visited Charles Irwin in the hospital, gave a progress report on his condition.

Speaker Sam L. Collins announced the hope that all members, whenever in the vicinity of Oak Knoll Hospital, will visit Charles Irwin and give him needed encouragement.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2723: By Messrs. McFall and Brown—An act to amend Sections 1186 and 1191 of, and to add Sections 1186.1 and 1186.2, the Code of Civil Procedure, relating to mechanics' liens.

Referred to Committee on Judiciary.

Assembly Bill No. 2724: By Mr. Brown—An act to amend Sections 3301, 3305, 6403, 6405, 6406, 6407, 6409, 6500, 6501, and 6502 of the Corporations Code, to add Sections 3301 5, 3301 6, 3301 7, 3301 8, 6403 5, and 6403.6 thereto, and to repeal Section 6410 thereof, all relating to corporations.

Referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No 327	Assembly Bill No. 332
Assembly Bill No. 329	Assembly Bill No. 335

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

GEDDES, Chairman

Above reported bills ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 327—An act to amend Section 21.1 of the Personal Property Brokers Act, relating to the issuance of desist and refrain orders

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance.

Amendment No. 1

On page 1, line 10, of the printed bill, after "act", insert "without a license from the commissioner".

Amendment read, and adopted

Bill ordered reprinted, and engrossed.

Assembly Bill No. 329—An act to amend Section 20.1 of the California Small Loan Act, relating to the issuance of desist and refrain orders.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 10, of the printed bill, after the first "act", insert "without a license from the commissioner".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 332—An act to add Section 16.1 to the Escrow Act and Section 17416 to the Financial Code, relating to the issuance of desist and refrain orders by the Commissioner of Corporations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 5, of the printed bill, after "act", insert "without a license from the commissioner".

Amendment No. 2

On page 1, line 10, of the printed bill, strike out "60", and insert "30".

Amendment No. 3

On page 1, line 16, of the printed bill, after "division", insert "without a license from the commissioner".

Amendment No. 4

On page 1, line 21, of the printed bill, strike out "60", and insert "30".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 335—An act to add Section 19.1 to the Check Sellers and Cashers Act, relating to the issuance of desist and refrain orders.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1 of the printed bill, after line 8, insert: "If, after such an order is made, a request for a hearing is filed in writing and no hearing is held within 30 days thereafter, such order shall be deemed to have been rescinded."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today upon adjournment—

Agriculture (Subcommittee). Subject: Fair Bills, in Room 426.
Public Utilities and Corporations, in Room 432.
Ways and Means.

Tomorrow, Tuesday, January 23d, at 9.30 a.m.—

Rules, in Room 319.

LETTER OF TRANSMITTAL

ASSEMBLY INTERIM COMMITTEE ON CRIME AND CORRECTION
ASSEMBLY CHAMBER, STATE CAPITOL
SACRAMENTO, January 22, 1951

Hon. Sam L. Collins
Speaker of the Assembly
Sacramento, California

HONORABLE SIR: Pursuant to House Resolution No. 243 of the 1949 Regular Session and House Resolution No. 28 of the 1951 Regular Session, regularly adopted, we, the undersigned members of the Assembly Interim Committee on Crime and Correction respectfully submit the accompanying preliminary report

This report deals with ways and means of providing economies in operation and expansion of our prison plant, and to more fully provide for the constant increase in our prison population.

Our capital outlay for prison facilities annually is a heavy burden upon the General Fund of our State Treasury, yet only a portion of the need is met.

It is believed that with more judicious use of prison labor, millions of dollars could be saved, or over-crowding and other anti-social conditions could be eliminated within present appropriations, in addition to work rehabilitation qualities so much desired.

Very truly yours,

VERNON KILPATRICK, Chairman
MONTIVEL A. BURKE, Vice Chairman
KATHRYN T. NIEHOUSE
HARLAN HAGEN
CHARLES W. MEYERS

PRELIMINARY REPORT OF THE ASSEMBLY INTERIM COMMITTEE ON CRIME AND CORRECTION

Relative to

WORK OPPORTUNITIES FOR PRISON INMATES

Adhering to the two-fold desire for economy and provision for further rehabilitation projects for our prison inmates, your committee has pursued diligently the subject of prison construction from the use of adobe and salvaging of waste materials. We believe the following information is worthy of your earnest consideration.

The problem of additional and useful work opportunities for the men and women confined in correctional institutions has many ramifications, and is subject to several special limitations. Work opportunities which are suitable for people in such surroundings must be adapted to the skills or lack of skills of the persons within these institutions, or must require only skills which can be easily taught with the institution's facilities. In the second place, such work opportunities must, of necessity, utilize inexpensive and easily available raw materials. In the third place, work opportunities should result in products which can be consumed within the institutions where they are produced or by other state or public institutions, or which are not highly competitive commercially and, consequently, do not represent any distribution or marketing problem. In the fourth place, work opportunities for institutionalized persons must be of such a nature that they do not require expensive capital outlays in tools, machinery, or in stocks of materials or in expensive housing and storage facilities. These requirements, of course, sharply reduce the number of practical opportunities which can be discovered. However, a very considerable number remain. A few of them are already being utilized by state correctional institutions in various degrees.

It is not out of place in this study to repeatedly point out the importance of employment to persons confined in various state institutions and to point out the benefits which accrue to the State in keeping such persons employed. It must constantly be kept in mind that the benefits of employment to the institution in the form of savings in the costs of institutional operation are of secondary importance to the institution and to the State as a whole.

The primary value of work opportunities for persons in correctional institutions is in its contribution to the rehabilitation of the individual who, in a great number of instances, will be released from the institutions at some future date. Useful work increases the skills and well-being of the inmates. It gives them opportunities to earn a stake of value to them at the time of their release or to assist in the support of their dependents, and it sharply reduces the chances of their being recommitted to the institution or to another institution at a future date. Every dollar spent in accomplishing rehabilitation saves many dollars in later police and court costs.

WORK OPPORTUNITIES IN THE FIELD OF CONSTRUCTION

Our correctional institutions are constantly expanding and in need of expansion to keep pace with California's rapid growth in population. Consequently, they are all in need of a comprehensive long-range building program. Present figures indicate that five years from now the population of our correctional institutions will have increased about 20 percent. More than 40 percent of the present population is housed in temporary or emergency structures. Basic to the development of long-range master plans must be a program which aims to exploit all of the resources of the institutions for work opportunity contributing to rehabilitation. Fairly complete plot plans of our correctional institutions showing the location of present and future buildings are already in existance. These are excellent as far as they go, but they need to be integrated into other prison programs with administration and with rehabilitation. A long-range master plan is basically a study of all of the opportunities that affect the active administration of the institutions and of the rehabilitation of the persons confined therein. This implies that the architectural construction program must be integrated with administrative and rehabilitation programs, and all must find expression in the master plan.

Even a quick look indicates that there are a great many work opportunities for persons confined in correctional institutions to participate in a construction program for expanding the facilities of the institutions. The use of inmate labor, however, raises many questions of importance, not the least important of which is the "competitiveness" of such labor with free labor in the building trades. The possible lack of essential skills in the inmate labor and the difficulties which arise when inmate labor and free labor must work side by side are also problems.

A study of the plans for institution development as they have been so far projected indicate that a relatively small emphasis has been placed upon the opportunities for using inmate labor. Construction has followed more or less conventional lines. It is here suggested that a material inexpensive and abundant and adequately suited to utilizing relatively unskilled labor should be investigated and used as often as possible. This is the use of what is commonly called "adobe" in California. Adobe, either in the form of bricks or formed earth "Pise," is ancient and still practical material for wall construction. While earth walls are generally called "adobe walls" in California, the soil which is called adobe by the soil specialist is generally unsuitable, because it shrinks too much in drying. Competent engineers and architects inform us that strong, durable earth walls may be made from *any good loam soil,* and there are very few areas in the State without suitable material.

We are informed that there are three methods with several variations employed in the construction of earth walls. One popular method is to set up forms similar to concrete forms. The moist earth is tamped firmly into them. This work differs from pouring concrete, however, as the earth walls are built up in six-inch courses. In the second method, the moist earth is tamped into brick forms and the bricks, which are usually quite large (4″ x 12″ x 18″ is a common size), are dried and later laid into the walls preferably with earth or "adobe" mortar: The third form of construction is rarely used today, but was in common usage

in California 80 to 100 years ago. It is a combination of adobe and stone, and gives a wall which combines the best features of adobe and masonry construction. This wall is ideally adapted to be laid with unskilled labor, and the stone used can be mine or quarry waste of split cobble stones or any stone which has two fairly flat faces. The method employed is to set in adobe mortar, and on suitable foundation, parallel rows of stones with flat faces outward representing the outside and inside of the wall to be built and filling the space between them with adobe mortar and then placing a second row of stones on top and repeating the process until the wall is built to the desired height.

Windows, door casings, etc., of any material can be used in conjunction with the three methods of construction mentioned above. Earth walls are said to be very strong and capable of bearing any type of roof construction that may be desired. Adobe walls also have excellent thermal and hydroscopic properties generally resulting in a cool structure in the summer and easily heated building for winter use.

Walls can be built of adobe by any of the three methods to 20 feet in height making two-story buildings practical. Twenty foot walls would generally be 24 inches in thickness or wider at the base. There are hundreds of examples of all three types of construction in California. Some of them have stood 80 to 100 years and have been built without the benefit of any of the engineering know-how that is available to us today. Many examples, dating from Gold Rush Days, of the third method of construction can be seen in the Mother Lode Country indicating the unusual stability of the material and method in the face of very adverse conditions.

Adobe wall construction is suitable and practical for many institutional buildings one and two stories high. It can be used for buildings to house inmates and for administrative facilities, and it is particularly adapted for the use of all types of out-buildings, shops, tool houses, farm buildings, and, possibly, for much of the housing for resident employees of the institutions.

The use of adobe walls is increasing in California. Many modern architects are finding opportunity to employ earth walls. It is not an "inexpensive" or cheap type of construction save where low cost labor is available, but for construction projects to use inmate labor it is ideal. In conventional types of construction, approximately one-half of the total cost is labor cost, the rest going for materials. When earth walls are employed, the labor cost may rise to as much as 70 percent of the total cost, only 30 percent being expended for materials.

The following publications indicate the range of the present use of adobe in construction and give essential construction data.

Government Bulletins

Adobe Construction
J. D. Long, University of California Bulletin 472

Adobe for Farm Buildings
U. S. Department of Agriculture Farmers Bulletin 1720

Rammed Earth Walls for Farm Buildings
U. S. Department of Agriculture Farmers Bulletin 1500

Adobe as a Building Material for the Plains
Colorado Agricultural College Bulletin 174

Rammed Earth Walls for Farm Buildings
South Dakota Agricultural Experiment Station Bulletin 277
Earth Brick Construction
Educational Division of U. S. Office of Indian Affairs

Books and Other Bulletins

Adobe
Ramirez and Ramirez, Architects
Build Your Own Adobe
Paul Aller
Post Adobe
Hugh W. Comstock
How to Build a California Adobe
Mark Raymond Harrington
Modern Pisé Building
Karl Johan Ellington
Houses of Earth
Annabel Lee
Terracrete
Francis McDonald
The Rammed Earth House
Anthony French Merrill
Building in Cob, Pisé, and Stabilized Earth
Clough Williams-Ellis

In the field of construction, attention should be given also to the uses of earth concrete. Most soils just below the top humus strata are suitable for earth concrete. Suitability of soil can easily be tested for hardness and durability by making up small samples using various ratios of cement mixed with the soil. Earth concrete can be used in the construction of swimming pools, reservoirs, canals, storage facilities, and, in general, for any use in which the concrete is not subject to bearing heavy or concentrated loads. Some experience with this material has already been acquired by the Department of Corrections and by the Division of Beaches and Parks of the Department of Natural Resource.

The need for the rapid expansion of construction programs for our institutions is indicated in the adult institutions which at present are housing more than 40 percent of the inmates in temporary facilities. Other correctional institutions are similarly overcrowded. By the studied use of the maximum amount of inmate labor it is obvious that the construction program can be advanced much more rapidly than is possible if we must wait on the greater appropriations which are necessary for construction along present methods.

OPPORTUNITIES IN THE FIELD OF WASTE UTILIZATION

There appear to be a very considerable field for the use of inmate labor in the reclamation of industrial wastes. There has been so far only a very superficial investigation into the possibilities in this field. It appears worthy of intensive exploration.

Manufacturing is very much on the increase in the West and opportunities of reclaiming industrial wastes consequently will increase with

the increases in industrial activity. Only one example needs to be given to indicate possibilities.

A large manufacturer of instruments for aeronautical uses loses approximately 2,000 small parts, many of which are made of special metals. In general, when any of these small special parts are dropped on the floor by workmen in assembling their products, it has been found impractical to pick them up by high-priced labor employed. Consequently, they go out with the sweepings on the floor from which they can generally be easily screened. They estimate that they lose seven or eight thousand dollars worth of parts in a year. Of course, one such industrial firm is not enough to make a project, but there are probably 10 or 15 other firms in California which have a similar problem. If this waste material were to be assembled and sorted by inmate labor, it would result in the recovery of very many valuable metallic parts which could be, in many instances, sold back to the industrial firms where they were originally lost, or as scrap metal they could be melted into specification ingots, or as materials useful to inmate arts and craft projects They could, in many instances, be utilized in other institutional industries.

Due to the high price and specialization of American labor, we have always put our scrap iron and steel back in the blast furnace in mixed batches. If the various specification steels containing chrome, tungsten, and other special alloys could be sorted into separate batches for reclamation, it would result in large savings The huge quantities of scrap metal that were shipped to Japan during the 1930's was very carefully sorted by the Japanese before it was re-melted.

In addition to the opportunities which may arise in the reclamation of metallic wastes, there is also the possibility of projects in the re-use of cellulose and other plastic materials. Despite the fact that one-third of our paper and rag wastes are re-used, there are still large opportunities and demands for the re-use of paper and similar products

The difficult problem in the salvaging of all of these wastes is the problem which arises in accumulating sufficient quantities at a convenient place to make a reclamation project worth while. However, these are not unsurmountable problems in many instances.

OPPORTUNITIES IN THE FIELD OF COMMUNITY SERVICES

We are already using institutional labor to perform many community services, of which probably the most important is the use being made of prison inmates in forestry camps. Cities and counties are also entering this field with jail inmates Its field of expansion is, however, almost unlimited. The typical project is generally one which would not be undertaken due to lack of sufficient available funds to complete the project with free labor. Almost every city and county has an undeveloped park or playground area which requires grading, tree planting, construction of walks, benches, and other facilities. Almost every community has a roadside beautification project or a tree planting project. Inmate labor can often be used in connection with erosion control and flood control, as well as fireproofing of roadsides. The control of insect pests and other projects connected with public health can also be considered.

Of course, these are projects which must be carried on outside of institutional walls and consequently are of use only with inmates who do

not need to be subjected to total security. A survey of the needs of communities within reasonable range of each institution should reveal that there are many special cooperative projects possible and that work parties could be organized with inmate labor.

LETTER OF TRANSMITTAL

CALIFORNIA STATE LEGISLATURE
SACRAMENTO, CALIFORNIA, January 22, 1951

Hon. Sam L. Collins, Speaker of the Assembly
State Capitol, Sacramento, California

The Assembly Interim Committee on Aviation herewith submits its preliminary report.

The committee was created by House Resolution No. 291 of the 1949 Regular Session. The resolution directed the committee to study:

"(a) The regulation and taxation of aircraft;

"(b) The location, establishment, construction, improvement and financing of landing facilities;

"(c) The responsibilities and activities of the California Aeronautics Commission;

"(d) The continuation of the study of zoning in relation to airports, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation."

Under the directions contained in the resolution, the Speaker appointed the following Members of the Assembly to serve on the committee: Earl W. Stanley, Balboa Island, Chairman; Ralph M. Brown, Modesto; Sam L. Collins, Fullerton; Lester A. McMillan, Los Angeles, and Laughlin E. Waters, Los Angeles.

Late in the session Mr. Collins resigned and appointed L. Stewart Hinckley of Redlands to the vacancy.

The committee held four public hearings in the City of Sacramento during February of 1950; another in Sacramento in September of that year, and one in Los Angeles last November 20th. Many witnesses were called to testify on the matters the committee was directed to study. In addition, the committee held a number of informal conferences.

The committee wishes to express its appreciation to all persons who appeared before it for their helpful assistance and cooperation.

Respectfully submitted,

EARL W. STANLEY, *Chairman*
RALPH M. BROWN
L. STEWART HINCKLEY
LESTER A. McMILLAN
LAUGHLIN E. WATERS

PRELIMINARY REPORT OF ASSEMBLY INTERIM COMMITTEE ON AVIATION

GENERAL STATEMENT

Private aviation in California, a State particularly fitted for development of air travel, faces a crisis. While the number of private airplanes in the State has increased steadily and rapidly, the usefulness of each plane has diminished in recent years. The utility of a private aircraft is best measured by the number of airports in the State—and Nation—the availability and suitability of landing areas, and the number of airports in California has been decreasing steadily in congested areas.

Records of the Civil Aeronautics Authority show there were only 961 private aircraft in California in 1930. By 1941, there were 1,650 and then private aviation was virtually stopped by the war. But within a year after the end of the war there were 7,200 private aircraft in California. In another two years there were more than 10,000 and last year the State had more than 12,000 private aircraft.

Meanwhile, airports were vanishing. One measure of the rate of attrition is the fact that in 1939 there were 57 airports in Los Angeles County. In 1940, there were 33, and several of those are expected to disappear in 1951. The same thing has happened in the San Francisco area. Owners of private planes find little advantage in flying, over driving, to San Francisco for all but the longest trips, because of the time taken to get into the city from the nearest airports.

Witnesses before the committee brought out three main problems entering into the disappearance of established airports, and accounting for the failure to establish new airports in needed locations. The problems were:

Taxation—Private airports necessarily are located close to cities. With California's rapid growth, cities have reached out to surround many airports. With this development has come higher taxes on private airports. Airport owners feel they should be granted some tax relief, especially since the major part of an airport area is taken up by unproductive runways and taxiways. At the same time, airport owners are required to let anyone land on the runways. As one airport owner put it, "there are no private airports."

Several remedies have been suggested. It has been proposed that the runway portion of private airports be "dedicated" to the local government in the same manner as streets in a subdivision. Another proposal was to have the airport owner deed the runways to the local government. A third was to set up airport operation as a nonprofit business, to obtain tax exemption. All the proposals apparently have defects that make them difficult if not impossible to put into effect.

A more recent suggestion, and one that appears most promising, is to have private airports designated public utilities.

Glide Path Encroachment—Another consequence of the growth around airports is impairment of the "glide path" of airplanes landing at the fields or taking off from them. Courts have ruled that owners of property abutting airports have rights to the space above the land at least up to the 500-foot minimum level set by the Civil Aeronautics

Administration for air travel. The use of a procedure of "inverse condemnation" has been suggested as a remedy, although it has difficulties, and its constitutionality is questioned.

State Airport Program—California, unlike many other states, has not aided financially in the establishment of airports. The only money so far contributed to the construction of public airports in the State has come from the Federal Government and from local governments. As a result, California has lagged in the development of airports that have a state-wide, rather than a local, importance. Gaps exist in the airport network in dangerous terrain, where the local government has neither the money nor the interest to develop landing strips. Sites near recreational areas that would draw substantial air travel have remained undeveloped. And private fields have vanished in metropolitan areas and no public airports have been established to replace them.

A suggestion has been made for a modest start on a State-wide System of Airports—as opposed to a patchwork of local fields. Since October 1, 1949, unclaimed gas tax refunds on aviation gasoline have been distributed among cities and counties for capital investment in airports. The plan has not resulted in the construction of any new airports. And the committee has received testimony that the money distributed hasn't always been used specifically for airport improvement.

The proposal is that the unclaimed gas tax refunds amounting to $250,000 to $300,000 annually, be held for allocation to specific airport projects. The California Aeronautics Commission estimates that the first 10 on a list of 45 airports it believes should be built by 1955 could be financed, with local and federal help, with the first year's receipts.

Of the other testimony taken by the committee, most striking were statements on taxation of aircraft, and on the growing use of the airplane in agriculture.

As previous committees have pointed out, taxation of aircraft is not uniform in the various counties, and there appears to be substantial evasion of taxes by aircraft owners A logical proposal is for a state license "in lieu" of local property taxation. Such a tax would follow the theory of the "in lieu" tax on automobiles. A related problem is that of state registration of airplanes. State registration is said to be "virtually" a must if private airplanes are to operate in time of emergency or war.

Estimates that 3,000,000 acres of land in California were treated or seeded from the air in 1950 show the importance of the airplane to the State's agricultural economy. Yet, farm operators testified that California was not doing as much as other states in promoting the use of the airplane in farming or in carrying on research in agricultural aviation as several other states. "Flying Farmers" representatives said they would not object to increased taxes on their operation if that would mean better airport facilities. It should be pointed out that the Legislature last year adopted a concurrent resolution asking the University of California for "the early initiation and implementation of a thorough and coordinated program of research and experimentation in all phases of agricultural aviation."

In December, a national state of emergency was proclaimed, bringing the immediate future of private aviation into doubt Private flyers feel

that they can, under proper regulations, perform a service in time of emergency. Even if actual hostilities break out, they feel they can help with relief and rescue missions. In October, the California Aeronautics Commission proposed a "Civil Defense Plan for Civil Aviation" to accomplish these purposes which has preliminary approval of Military and Air Force authorities.

UNIFORM TAXATION OF AIRCRAFT

Aircraft owners have complained to legislative committees for several years that taxation of their craft varies among counties, that assessment often is arbitrary and evasion is substantial.

For instance, the results of a survey made for the California Aeronautics Commission were reported to the Assembly Interim Committee on Aviation appointed at the 1949 Session of the Legislature. The survey covered 21 counties, all that kept records sufficient for an accurate check. The figures obtained indicated that more than 3,000 aircraft of the 10,500 registered with the Civil Aeronautics Administration as based in California were escaping taxation. The survey also showed that 10 different methods of assessment were used by the various county assessors.

The present committee received similar testimony. Airport owners told of the concentration of aircraft in counties where the assessment is known to be low, on assessment day, March 15th. Virtually every person who testified on this point agreed that a tax levied and collected at the state level would be more equitable.

Hand in hand with a System of Uniform State Taxation of Aircraft would go state registration of aircraft. The only register of ownership of aircraft now is kept in Washington by the Civil Aeronautics Administration. Obviously, a State Tax System that did not depend on an up-to-date record of ownership would suffer from many of the same defects as local taxation does now. Also, there have been complaints to the committee of the time consumed in getting information on aircraft ownership from Washington.

Twenty-four other states, including many of the most populous, now require state registration of airplanes. The principal arguments brought before the committee against state registration in California were duplication and possible excessive cost. The argument against duplication of registration by Federal and State Governments can hardly be maintained in time of emergency. A complete roster of the private airplanes in the State, available at the state level, is necessary for civilian defense purposes, and in fact now is being compiled by the California Aeronautics Commission. The administrative costs should not be appreciably more than the $1 per car required for state registration of automobiles. Either the Department of Motor Vehicles or the State Board of Equalization could effectively handle the registration and assessment and collection of taxes. It has been suggested that a system of assessment similar to that used by the Department of Motor Vehicles for the assessment of the motor vehicle "in lieu" tax be applied to private airplanes.

The taxes collected on airplanes also could be returned to the cities or counties where they are based in much the same manner as the automobile "in lieu" tax.

The case for state registration and taxation of airplanes was stated by the staff of the California Aeronautics Commission at the committee's November 20th hearing, as follows:

Registration

At the present time all aircraft ownership records are maintained by the Civil Aeronautics Administration in Washington, D. C., and all liens on aircraft and aircraft engines are supposed to be recorded there. The federal aircraft certificates are issued to the owner of record and remain in effect until a change in ownership occurs. Certificates do not show liens or mortgages and an expensive and time-consuming search is required to clear titles.

At the present time all states require federal aircraft certificates (licenses) but 24 states go further and require either a state license or state registration of federal licenses. Several states require state license fees in lieu of local personal property taxes (Washington, Michigan, Minnesota, and others).

Arguments favoring state registration of aircraft include:

(a) Local recordation of liens, mortgages, etc.

(b) Enforcement of Financial Responsibility Laws.

(c) Collection of aircraft taxes at state level in the interest of uniformity and complete coverage.

(d) Aid in enforcement through availability of more accurate, up-to-date ownership records.

(e) Availability of aircraft records for control of aircraft operations as in Civil Defense Program.

The principal argument against state registration is "duplication." This is not a valid argument in view of the advantages to be gained from local recordation of ownership.

Taxation

Continued dissatisfaction with present personal property taxes on aircraft has resulted in recurring requests for assistance from commission staff personnel. An illustration of such an instance, utilizing actual figures, is outlined below:

Assessor's estimate of market valuation of 22 aircraft	$18,000.00
Book value of 21 aircraft, shown on company records	12,970.00
Commission estimate of market valuation of 21 aircraft	9,850.00

The discrepancy between the number of aircraft shown on the assessment rolls and considered by the commission and on company records results from county assessment of four aircraft which had been sold or otherwise disposed of before the date of assessment. Three aircraft absent from the base were not included in the tax statement, nor were they assessed in other areas. Thirty-three percent of the number of aircraft actually owned were, therefore, taxed in error or not taxed at all. Further complications resulted when the owner received his tax statement after the assessment roll had been closed and after the Board of Equalization of the county had completed hearings.

Efforts to adjust the obvious discrepancies in this particular situation will probably be successful. Thus far, reductions in assessed valuations have been allowed on all aircraft considered,

with Commission estimates of market valuations accepted by both the operator and the assessor as fair valuations. The aircraft owner has stated, however, that he intends to locate in a county or state where "reasonable" valuations are being made, fly his equipment in on the assessment date, and pay the tax in that location rather than become involved in a similar situation next year. Such "gentlemen's agreements" have already been worked out between several large operators and county assessors, and this practice will become even more widespread as aircraft not now taxed are included on tax rolls.

Previous committees have had evidence of a wide disparity in evaluation of aircraft by the several county assessors and of an estimated 25 percent of aircraft which escape taxation altogether.

We have the experience of automobile taxation of a few years ago as an example of unsuccessful handling of highly mobile personal property at county level. The present system of in lieu licensing of automobiles is a vast improvement over the old system. Similar benefits to the aviation industry would undoubtedly occur.

Assembly Bill No. 2204 by Mr. McMillan passed the Assembly in 1949 but died in the Senate Committee on Revenue and Taxation. It sought to correct present inequities and evasions. Its principal point of contention was the basis for distribution of receipts back to the several counties. The counties object quite naturally to the earmarking of their tax funds.

Yet here is a method whereby funds derived directly from aircraft users (in lieu license fees) may be earmarked for airport development and whereby those counties which do nothing to aid in the airport system of the State may be forced to take a more active part in the program.

Conclusion

It would appear that Assembly Bill No. 2204 with necessary modifications should be reintroduced in the 1951 Session and a definite effort made to provide this additional aid to airport financing. State-wide, the amount of taxes on aircraft would approximate $400,000 annually, which amount would aid the airport program materially.

Typical of comments by men prominent in the private aircraft business was testimony by Mr. Forrest Farini of the Flying Farmers organization, and by Mr. H. W. Livermore, President of the California Aviation Trades Association.

MR. FARINI testified as follows:

"And now, I missed the first item on the Regulation and Taxation of Aircraft. That is very important to us. I might cite specific examples. In citing this, I am not recommending whether we should accept an in lieu tax the same as automobiles or not I am just leaving up to your opinion and judgment, but I do know that the inequities among counties handling our airplane tax problem is getting to be quite a racket. In my own particular case, one county had me listed for my airplane, had the tax at $51 37. In the adjoining county—I reside within about two miles of the line—that county

sent me a bill for $71 on the same aircraft. I called the assessor on the phone and asked him if he would please release me from his tax rolls because the property he claimed I was owing the tax on was hangared and kept in my own business place in the adjoining county. 'Well,' he said, 'unless you can show you have paid the tax in one county' said I would have to pay it in his county; which I couldn't understand. I finally told him in plain English that I thought he was all wet and demanding something not proper; and then in a few days I got another statement, got three statements, and then at the end of the year it was finally turned over to the District Attorney for collection. Well, I had paid my taxes in the other county so ignored it I heard nothing further from it.

I know of another man who owns property in three different counties. He has checked around and found the place where the tax rate is the lowest, and that is where the plane is on March 1st.

I happen to have a strip at my home and around the end of February or March 1st my strip is practically a parking lot rather than a flying field.

MR. MCMILLAN: That is the county where the assessment was at $51 rather than at $73?

A. Yes.

THE CHAIRMAN: Isn't that primarily due to the fact that all counties don't use the same yardstick in assessing and that there should be a standard valuation, a more scientific approach to the assessment?

A. That is right; that would solve the problem. Then there are a lot of counties that feel that aircraft is something that they feel they shouldn't be expected to pay taxes on it because there is no possibility of that money getting into the aircraft fund; so they don't want to pay it.

I know one field, very inaccessible, and around that time of the year he is just loaded with airplanes and there is no tax collected.''

MR. LIVERMORE's testimony was:

''That Number 1, that 'Taxation of Aircraft' has gotten to be a serious matter. Like all taxes, they haven't been coming down. I have a case in my airport which is rather to the point. A man who has been a pilot and flying practically continuously since 1930, which you would call an old-time pilot—in 1946, he bought a Taylorcraft new, and last year, 1949, well it is three years old. He, by the way, isn't one of the silk stocking pilots; he runs a goat dairy farm for a living, and his tax on that craft was $149, and all the pleading and going to the tax assessor and collector's offices availed him nothing.

MR. BISHOP: What would you say would be the market value of that?

A. About $600; may be five now. I have a ship I bought from North American, next to the last North American to go out, at $7750, in the early part of 1947, and the tax on that last year was $156. You see there is nothing equitable about that. My tax on that is almost as low as the tax on his $2350 plane that is three years old

THE CHAIRMAN: Have you run into the problem of different counties placing a different assessed valuation on similar craft?

A. Yes. In Los Angeles County, they really shove it into you."

The committee concludes it is no more reasonable to expect the aircraft industry (as an industry) to build and maintain airports than it is to expect the automobile manufacturing industry to build and maintain highways.

The user should pay those costs over a wide base, as is the case in the State Highway System, but the cost of each unit of the Airport System cannot always be recovered by the users of that unit any more than the cost of each mile of the State Highway System can be recovered from each user of that particular mile. They must be averaged out. Hence, all revenue derived directly from aviation should be applied to the completion of a state-wide system

DEVELOPMENT OF A STATE-WIDE SYSTEM OF AIRPORTS

Generally the aircraft industry must look to government for the further development of landing fields. Private airports have a necessary and logical place in a State-wide System of Landing Places, and the committee has recommendations aimed at helping private airports stay in business. But the long term trend, especially in a rapidly growing State, is against the maintenance of the present number of private airports. let alone the development of new ones.

The principle of government aid to transportation industries is not new. From the time of federal land grants to railroads down to today's huge highway programs, government has recognized the development of transportation as having a public interest. The cities and counties of California recognized the need before the State Government did. Until 1949, the State gave no direct aid to airport construction, leaving the field to the Federal and local Government. One result has been the growth of airports of increasing size and complexity in the metropolitan areas. They are geared to commercial aviation and have outgrown private aircraft There has been no sponsorship for airports clearly needed for intrastate flying.

California's State Government started taking an interest in airport development in 1949 when unclaimed gasoline tax refunds on aviation fuel were segregated. The money has been turned over to cities and counties owning airports for capital improvement. The law setting up this fund, incidentally, expires unless renewed at this session.

The committee believes this segregation of refunds should continue. But it recommends that the money be held at the state level for allocation to specific airport projects fitting into an adequate state network. It has been pointed out to the committee that no new airport has been sarted as a result of the program. And the statement has been made that none will be as long as the money is divided among all the airport-owning local governments of the State.

One difficulty is the small amount of money that any single local government gets. In the first 12 months the law was in force, $312,597.17 was distributed. The shares ranged from approximately $135 received by the City of Hayward, to $26,375 received by the County of Los Angeles.

Apportionment of Unrefunded MVF Tax on Aviation Gasoline to Counties and Airport-owning Cities Therein
October 1, 1949, Through September 30, 1950

	Total Allocation Under Formula			*Division Between County and Cities*	
	Oct.-Dec., 1949	*Jan.-Mar., 1950*	*Total 12 Months*	*To County*	*To Cities Owning Airports*
Alameda	$1,880.74	$8,916.17	$10,796.91	$5,398.46	$5,398.45
Alpine	698.08	1,107.51	1,805.59	1,805.59	
Amador	705.01	1,153.31	1,858.32	1,858.32	
Butte	889.80	2,373.37	3,263.17	1,631.59	1,631.58
Calaveras	747.17	1,431.69	2,178.86	2,178.86	
Colusa	762.41	1,432 21	2,294.62	2,294.62	
Contra Costa	934.83	2,670 69	3,605.52	1,802.77	1,802.75
Del Norte	736.65	1,362,14	2,098.79	2,098.79	
El Dorado	833.25	2,000.01	2,833.26	1,416.64	1,416.62
Fresno	1,630.71	7,265.38	8,896.09	4,448.05	4,448.04
Glenn	784.42	1,677.60	2,462.02	2,462.02	
Humboldt	1,090.03	3,695.40	4,785.43	2,392.72	2,392.71
Imperial	1,210.03	4,487.71	5,697.74	2,848.88	2,848 86
Inyo	1,650.89	7,398.59	9,049.48	9,049.48	
Kern	1,747 04	8,033.36	9,780.40	9,780.40	
Kings	844.30	2,072.96	2,917.26	1,458.63	1,458.63
Lake	775.59	1,619.26	2,394.85	2,394.85	
Lassen	1,128 65	3,950.40	5.079.05	2,539.53	2,539.52
Los Angeles	7,398.98	45,351.21	52,750.19	26,375.10	26.375.09
Madera	892.53	2,391.38	3,283.91	1,641.96	1,641.95
Marin	806.35	1,822.35	2,628.70	2,268.70	
Mariposa	783.08	1,668.79	2,451.87	2,451.87	
Mendocino	1,038.05	3,352.23	4,390 28	2,195.15	2,195.13
Merced	929.83	2,637.67	3,567.50	1,783.76	1,783.74
Modoc	1,066.51	3,540.14	4,606.65	2,303.33	2,303.32
Mono	942 60	2,721.96	3,664.56	3,664.56	
Monterey	1,123.00	3,913.09	5,036.09	2,518.05	2,518.04
Napa	769.17	1,576 86	2,346.03	2,346.03	
Nevada	767.29	1,564.49	2,331.78	1,165.90	1,165.88
Orange	1,002.13	3,115.05	4,117.18	2.058.60	2,058.58
Placer	840.01	2,044.58	2,884 59	1,442.30	1,442.29
Plumas	911.00	2,513.36	3,424.36	3,424.36	
Riverside	1,587.53	6,980.20	8,567.73	4,283.87	4,283.86
Sacramento	1,113.58	3,850.97	4,964.55	2,482.28	2,482.27
San Benito	790.04	1,714.75	2,504.79	1,252.40	1,252.39
San Bernardino	2,999.28	16,301.45	19,300.73	9,650.37	9,650.36
San Diego	1,715.70	7,826.55	9,542.25	4,771.13	4,771.12
San Francisco	2,084 81	10,263.61	12,348.42	12,348 42	
San Joaquin	1,073.39	3,585.56	4,658.95	2,329.48	2,329.47
San Luis Obispo	1,032.34	3,314.55	4,346.89	2,173.45	2,173 44
San Mateo	934.87	2,670.92	3,605.79	3,605.79	
Santa Barbara	1,059 43	3,493.35	4.552.78	2,276.40	2,276.38
Santa Clara	1,155.49	4,127.59	5,283.08	2,641.55	2,641.53
Santa Cruz	771.78	1,594.15	2,365.93	1,182.97	1,182.96
Shasta	1,074.52	3,593.02	4.667.54	2,333.77	2,333.77
Sierra	727.43	1,301 36	2,028.79	2,028.79	
Siskiyou	1,319 72	5,212.05	6,531.77	3,265.89	3,265.88
Solano	826.93	1,958.31	2.785.24	2,785.24	
Sonoma	942.85	2,723.67	3,666 52	3,666.52	
Stanislaus	947.48	2,754.28	3,701.76	1,850.88	1,850.88
Sutter	728.30	1,307.05	2,035.35	2,035.35	
Tehama	954.55	2,800.85	3,755.40	1,877.71	1,877.69
Trinity	951.68	2,782.00	3,733.68	3,733.68	
Tulare	1,352.24	5,426 70	6,778.94	3,389.47	3,389.47
Tuolumne	878.65	2,299.73	3,178.38	3,178.38	
Ventura	969.87	2,902.08	3,871.95	3,871.95	
Yolo	790.27	1,716.17	2,506.44	2,506.44	
Yuba	727.92	1,304.55	2,032.47	1,016.24	1,016.23
TOTALS	$67,830.78	$244,766,39	$312,597.17	$200,398.29	$112,198.88

Apportionment of Unrefunded MVF Tax on Aviation Gasoline to Airport-owning Cities—October, 1949, to September, 1950

County / *City*	*Allocations by cities* Oct.-Dec. 1949	Jan.-Mar. 1950	*Totals for 12 months* * To cities	To cities by counties
Alameda				
Hayward	$23.66	$112.18	$135.84	
Oakland	916.71	4,345.90	5,262.61	$5,398.45
Butte				
Chico	$301.10	$803.11	$1,104.21	
Oroville	143.80	383.57	527.37	$1,631.58
Contra Costa				
Martinez	$467.41	$1,335 34	$1,802.75	$1,802.75
El Dorado				
Placerville	$416.62	$1,000.00	$1,416.62	$1,416.62
Fresno				
Coalinga	$47.87	$212.50	$260 37	
Fresno	767.48	3,420.19	4,187.67	$4,448.04
Humboldt				
Eureka	$545.01	$1,847.70	$2,392.71	$2,392.71
Imperial				
Brawley	$374.47	$1,388 84	$1,763.31	
Calexico	173.05	641.79	814.84	
Calipatria	57.49	213.22	270.71	$2,848 86
Kings				
Hanford	$348.73	$856.22	$1,204 95	
Lemoore	73.42	180.26	253.68	$1,458.63
Lassen				
Susanville	$564.32	$1,975 20	$2,539.52	$2,539.52
Los Angeles				
Hawthorne	$24.33	$149.34	$173.67	
Long Beach	415.25	2,545.18	2,960.43	
Los Angeles	3,113.71	19,084 94	22,198.65	
Santa Monica	116.16	712 00	828.16	
Torrance	30.04	184.14	214.18	$26,375.09
Madera				
Madera	$446.26	$1,195.69	$1,641.95	$1.641.95
Mendocino				
Ukiah	$386.22	$1,247.25	$1,633.47	
Willits	132.80	428.86	561.66	$2,195.13
Merced				
Dos Palos	$31.84	$90 33	$122.17	
Los Banos	84.49	239.68	324.17	
Merced	348.58	988.82	1,337.40	$1,783.74
Modoc				
Alturas	$533.25	$1,770.07	$2,303 32	$2,303.32
Monterey				
King City	$82.01	$285 76	$367.77	
Salinas	479.49	1,670.78	2,150 27	$2,518.04
Nevada				
Nevada City	$383 64	$782 24	$1,165 88	$1,165.88
Orange				
Fullerton	$501.06	$1,557.52	$2,058.58	$2,058 58

* No surplus available for distribution in third and fourth quarters April-September, 1950.

Apportionment of Unrefunded MVF Tax on Aviation Gasoline to Airport-owning Cities—October, 1949, to September, 1950—Continued

County / *City*	*Allocations by cities* Oct.-Dec. 1949	Jan.-Mar 1950	*Totals for 12 months* * To cities	To cities by counties
Placer				
Auburn	$281.47	$685.10	$966.57	
Lincoln	138.53	337.19	475.72	$1,442.29
Riverside				
Banning	$380.91	$1,674.84	$2,055.75	
Palm Springs	412.85	1,815.26	2,228.11	$4,283.86
Sacramento				
Sacramento	$556.79	$1,925.48	$2,482.27	$2,482.27
San Benito				
Hollister	$395.02	$857.37	$1,252.39	$1,252.39
San Bernardino				
Needles	$304.91	$1,657.24	$1,962 15	
Ontario	1,194.73	6,493.48	7,688.21	$9,650.36
San Diego				
San Diego	$857.85	$3,913.27	$4,771.12	$4,771 12
San Joaquin				
Stockton	$487.41	$1,628.15	$2,115.56	
Tracy	49.28	164.63	213.91	$2,329.47
San Luis Obispo				
Paso Robles	$516.17	$1,657.27	$2,173.44	$2,173 44
Santa Barbara				
Santa Barbara	$419.31	$1,382 64	$1,801 95	
Santa Maria	110.40	364.03	474 43	$2,276.38
Santa Clara				
Palo Alto	$120.81	$431.56	$552 37	
San Jose	456.93	1,632.23	2,089 16	$2,641 53
Santa Cruz				
Watsonville	$385.89	$797.07	$1,182.96	$1,182 96
Shasta				
Redding	$537.26	$1,796 51	$2,333.77	$2,333.77
Siskiyou				
Montague	$659.86	$2,606.02	$3,265.88	$3,265.88
Stanislaus				
Modesto	$355 45	$1,033.74	$1,389 19	
Turlock	118.29	343.40	461.69	$1,850.88
Tehama				
Corning	$113.19	$332.11	$445 30	
Red Bluff	364.08	1,068 31	1,432.39	$1,877.69
Tulare				
Porterville	$151.12	$606 39	$757 51	
Tulare	268.18	1,076 15	1,344.33	
Visalia	256.82	1,030.81	1,287.63	$3,389.47
Yuba				
Marysville	$363.96	$652.27	$1,016.23	$1,016.23
Total apportionment to airport-owning cities	$22,587.74	$89,611 14	$112,198.88	$112,198.88

* No surplus available for distribution in third and fourth quarters April-September, 1950.

Not only has the money been dissipated into shares usually not large enough to do any lasting good, but the committee heard complaints that the spirit, if not the letter of the legislative act, has been violated. The law specifies that the money be used for capital improvements at airports. One witness asserted one local government used its share to replace hangar doors. Other witnesses said a number of localities placed the money in their airport funds, but reduced the amount put into the fund from other sources by an equal amount.

A statement to the committee by the staff of the California Aeronautics Commission also pointed out that the funds are not matched with federal airport funds, as would be possible if expended on specific airport projects under proper state control. "The amount could be more than doubled in effectiveness in this manner," the statement said, and continued:

"The amounts distributed to the cities and counties have been used largely to offset capital expenditures already budgeted, or to make minor improvements to existing airports. So far as is known, no new airports have resulted from this form of state aid. The allocations are being dissipated without substantial gain to the State.

"The method of distribution of funds under this act is impractical for several reasons, among them:

"(a) There is no state control over expenditures

"(b) Allocation bears no relationship to airport need.

"(c) Contingent upon ownership rather than desire to own.

"(d) Amounts are relatively insignificant individually.

"(e) Allocation wholly unfair to some counties.

"Another source of airport funds derived solely from aviation is the sales tax on aviation gasoline applied only if refund is claimed. For the first 12 months of segregation of aviation MVF taxes, this amounted to $369,027.27.

"There is ample justification for state assistance in the federal aid airport program—now extended to 1958. The states readily participate in the federal aid highway programs and all other similar federal subventures. We have indicated where $500,000 per year is being derived solely from the aviation industry. In all fairness it should be applied to an airport construction program."

The Aeronautics Commission also has prepared a "California Airport Study" recommending the construction of a state-wide system of 45 airports by 1955, when it is estimated California will have some 19,000 private aircraft. The program should provide at least a tentative basis for allocation of the unrefunded gasoline tax money. Of the program, the study says:

"The 1955 program which will fulfill most of California's airport needs, will cost about $14,800,000, of which $7,300,000 will most probably be contributed by the Federal Government under provisions of the Federal Airport Act of 1946, leaving a state and local share of $7,300,000. This expenditure of state, county and/or city funds for airports appears to be reasonable and equitable when compared to state expenditures for other forms of transportation.

Highway capital expenditure by the State alone for construction, reconstruction, and improvements, *less* federal reimbursements, for the fiscal year ended June, 1949, amounts to $18.05 per year for each licensed motor vehicle operator. This airport program proposed the capital expenditure of $19.89 per licensed pilot per year for a period of five years on the same basis."

The statement adds significantly:

"Privately owned airports, with some exceptions, are not considered for the reason that there is no assurance that any of these will be in existence at any time in the future."

The 1955 program proposed follows:

Tentative Selection—High Priority Airport Projects of State-wide Importance—45 Sites—September 1, 1950

Priority	Airport	County	CAA Class Present	CAA Class Proposed	Principal Justification	Estimated Costs Total	Sponsor's Share Federal	Sponsor's Share State	Sponsor's Share County
1	State Fair	Sacramento	0	3	State Fair	$87,000	$43,500	$43,500	
2	Lake Tahoe	El Dorado	0	1	Emergency, Recreation	115,000	62,260	52,740	
3	Wawona	Mariposa	0	2	Recreation, Emergency	97,000	52,500	44,500	
4	Death Valley	Inyo	2	4	Carrier, Recreation	150,000	81,200	34,400	34,400
5	Calexico	Imperial	0	5	Carrier 1955—Port of Entry	217,000	105,000	56,000	56,000
6	Gorman Emergency	Los Angeles	0	2	Emergency, Forest Patrol	28,000	13,700	14,300	
7	Siskiyou Emergency	Shasta	0	2	Emergency	19,000	9,400	9,600	
8	Blue Canyon Emg	Placer	1	2	Emergency	12,000	6,350	5,650	
9	Bridgeport	Mono	1	2	Recr, Emg, Non-sch, Carrier	92,000	49,800	21,100	21,100
10	East Bay	Alameda-Contra Costa	0	3	Non-scheduled, Freight	2,500,000	1,250,000	625,000	625,000
11	San Gabriel	Los Angeles	0	5	Carrier	40,000	20,000	10,000	10,000
12	Oceanside	San Diego	0	3	Carrier	99,000	49,500	24,750	24,750 *
13	Brewer Island	San Mateo	0	2	Non-scheduled	175,000	87,500	43,750	43,750
14	Islais Creek	San Francisco	0	1	Non-scheduled	750,000	375,000	187,500	187,500 *
15	Capistrano	Orange	0	2	Non-scheduled, Recreation	20,000	10,000	5,000	5,000
16	Salyer	Trinity	0	2	Fire Patrol, Recr, Emg	35,000	17,500	17,500	
17	Truckee	Nevada	0	3	Emergency, Recreation	77,000	38,500	19,250	19,250
18	Big Bear	San Bernardino	1(P)	2	Non-sch, Recr, Forest Patrol	5,000	2,500	2,500	
19	Cuyamaca	San Diego	0	1	Recreation, Emergency	32,000	16,000	16,000	
20	Idylwild	Riverside	0	1	Recreation, Emergency	30,000	15,000	15,000	
21	Weed	Siskiyou	0	3	Emergency, Carrier	70,000	35,000	17,500	17,500
22	Kelseyville	Lake	0	3	Carrier	70,000	35,000	17,500	17,500
23	Greenbrae	Marin	0	1	Non-scheduled, Carrier	125,000	62,500	31,250	31,250
24	Susanville	Lassen	1	3	Carrier	75,000	37,500	18,750	18,750 *
25	Arvin	Kern	0	3	Agricultural, Freight	95,000	47,500	23,750	23,750
26	Bodega	Sonoma	S-1	1	Emergency, Recreation	34,000	17,000	8,500	8,500
27	Usal-Kenny	Mendocino	0	1	Emg, Recr, Forest Patrol	31,000	15,500	15,500	
28	Patrolia	Humboldt	0	1	Emergency, Forest Patrol	25,000	12,500	12,500	
29	Orick	Humboldt	0	1	Emergency, Forest Patrol	25,000	12,500	12,500	
30	Klamath	Del Norte	1(P)	2	Emg, Recr, Forest Patrol	28,000	14,000	7,000	7,000
31	Westwood	Lassen	1	2	Emergency, Recreation	15,000	7,500	3,750	3,750
32	Three Rivers	Tulare	1	1	Recreation, Emergency	16,000	8,000	4,000	4,000
33	Morro Bay	San Luis Obispo	1(P)	2	Emg, Recr, Non-scheduled	28,000	14,000	14,000	
34	Crestline	San Bernardino	0	2	Emg, Recr, Forest Patrol	25,000	12,500	6,250	6,250
35	Lone Pine	Inyo	1	2	Recreation, Emergency	35,000	17,500	8,750	8,750
36	Long Valley	Mono	1	2	Recreation, Forest Patrol	27,000	13,500	6,750	6,750
37	Castaic	Los Angeles	0	2	Emergency, Non-scheduled	55,000	27,500	27,500	
38	Stewarts Point	Sonoma	0	1	Resorts, Non-scheduled	31,000	15,500	15,500	
39	Gaviota	Santa Barbara	0	2	Emg, Recr, Non-scheduled	25,000	12,500	12,500	
40	Bolinas	Marin	0	1	Recreation, Emergency	35,000	17,500	8,750	8,750
41	Beckwourth	Plumas	1	3	Carrier	65,000	32,500	16,250	16,250
42	Pt Arena	Mendocino	0	2	Emg, Recr, Forest Patrol	35,000	17,500	17,500	
43	Hanford	Kings	1	3	Carrier	52,000	26,000	13,000	13,000 *
44	Auburn	Placer	2	3	Carrier	79,000	39,500	19,750	19,750 *
45	Barstow	San Bernardino	1(P)	1	Carrier, Non-scheduled	3,000	1,500	750	750
						$5,684,000	$2,857,210	$1,587,790	$1,239,000

(* Partial city sponsorship suggested if available)

Prepared by California Aeronautics Commission, 817 Tenth Street, Sacramento, California

THE AIRPLANE IN AGRICULTURE

The airplane is becoming just as important a farm tool in California as the tractor. This fact was brought home to the committee impressively by farm delegations. And farmers who are using airplanes in their operations now believe that use of planes is still in an early stage. They compare it with the state the automobile industry had reached in 1912.

California has about 8,000,000 acres of land under cultivation. In 1947, 600,000 of those acres were treated or planted by airplane. The next year, 850,000 acres were treated by air; in 1949, over 2,000,000; and this year more than 3,000,000. This year, the airplane will be used over fully a half of California's farm acreage if unrestricted flying is permitted.

Cultivation of one important farm crop, rice, has been almost entirely converted to an air operation in California. Farmers told the committee that 95 percent of the rice in California is planted or treated by air. Many rice farmers cover their acreage three times by airplane in one season—seeding, fertilizing, and applying weed killers. A fourth operation has recently been added, application of a special drying agent to dry the rice on the stalk.

The airplane may be the tool with which to reclaim many thousands of acres of brush land in the foothill areas for pasture or cultivation. Chemicals have been developed that apparently will do the job at a cost that appears to make the method worthwhile. One witness told the committee that effective brush control would increase the value of the land from a dollar or two an acre to $25 or $30.

The farm groups testifying before the committee united in asking for more research by the University of California on agricultural uses of airplanes Research on insecticides and the so-called "weed killers" is going forward rapidly. What is sought is study of the techniques of application of these agents by air, and of any special effects resulting from their application by air. The effect of weather conditions on air application is a field in itself. The university conducted a field experiment this year in controlled brush burning. The only experimentation in air treatment of brushland so far has been done by farmers as individuals or groups.

"Technical knowledge has been available to the aircraft companies for their type of work, and to the Army for its, but in the agricultural field there has been very little technical ability applied," one witness told the committee.

Several witnesses complained that California was behind other states in research in agricultural aviation. Illinois, Texas, and Oklahoma were mentioned as states leading California in this respect. In Texas an airplane especially fitted for treatment of farm land is being designed at a state college.

The case for more research in the field was stated in a resolution adopted by the Board of Directors of the Farm Bureau Federation, as follows:

> "The use of aircraft in California agriculture is expanding yearly. Major present and potential uses include the application of insecticides for insect and disease control and herbicides for weed

control, the application of fertilizers, defoliants and hormones, the seeding of grains and grasses, and the emergency feeding of livestock. Other uses of significance to farm people include locating and controlling fires and the air transport of high quality perishables.

"Because this phase of agricultural endeavor is relatively new, not a great deal is known with respect to such matters as the most effective types of planes for various agricultural purposes, the factors influencing the safe use of various materials, the most efficient dispensing equipment for various purposes, the physical forms in which various materials may be most efficiently used, and a host of other matters.

"There are many private organizations doing some research along some of these lines or which would be willing to contribute or collaborate with a coordinating effort.

"It is therefore recommended that the College of Agriculture of the University of California give consideration to undertaking the responsibility for planning, coordinating, and carrying out research relative to the use of aircraft in agriculture, and in disseminating information among those groups and individuals who are involved in this phase of agricultural endeavors."

Farm groups, including the Farm Bureau Federation, also have urged the retention by the University of the College Airport at the Davis Campus, and its expansion as a center for research in agricultural aviation. Farmers also have an equal if not greater interest in the development of a regional system of small airports, both in rural areas and in metropolitan areas where the large commercial airports are virtually inaccessible to the private flyer.

Representatives of the Flying Farmers, Inc., expressed themselves as willing to pay the same tax on gasoline as paid by the automobile owners, if that would result in expansion of airport facilities. Many asked for the development of economical landing strips beside highways.

Both houses of the Legislature in 1950 approved a concurrent resolution asking the University of California to enter into a program of research in agricultural aviation. The resolution also asked for development of the University Airport. Approval of a similar resolution this year might re-emphasize the Legislature's interest. A further and more effective step would be provision of funds for such a program.

The 1950 resolution follows:

WHEREAS, The practicability and the potentialities of the use of the aircraft as a tool of agriculture has been demonstrated by many agencies, both public and private; and

WHEREAS, The major present and potential uses of the aircraft in agriculture include the application of insecticides for insect and disease control and herbicides for weed control, the application of fertilizers, defoliants and hormones, the seeding of grains and grasses, and the emergency feeding of livestock; and

WHEREAS, Statistics from the State Department of Agriculture show that over 600,000 acres of crops were treated by aircraft for pests

and diseases in 1947, over 850,000 acres in 1948, and over 2,000,000 acres in 1949, thus indicating the phenomenal increase in the use of aircraft in agriculture; and

WHEREAS, The Joint Legislative Committee on Agriculture and Livestock Problems after hearings and investigations of all phases of agricultural aviation over a period of more than two years has recommended the establishment of a coordinated program of research and experimentation in all phases of agricultural aviation; and

WHEREAS, The University of California now owns and operates the University Airport at the University of California at Davis, and has the proper facilities at the College of Agriculture to carry on experiments in agricultural aviation; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature of the State of California hereby urges and recommends to the Board of Regents of the University of California and to President Robert Gordon Sproul and Doctor Claude B. Hutchison, Dean of the College of Agriculture, the early initiation and implementation of a thorough and coordinated program of research and experimentation in all phases of agricultural aviation; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the Board of Regents of the University of California, to President Robert Gordon Sproul, and to Doctor Claude B. Hutchison.

CIVIL DEFENSE PLAN

The California Aeronautics Commission and its staff are to be commended for taking the lead in preparing a civil defense plan for owners and operators of private planes in California. With the outbreak of World War II, civil aviation came to a standstill in California with the exception of regularly scheduled airlines. Under the plan proposed by the commission, civil aviation may continue in the State, and can play an important part in civilian defense. The preliminary stage of the plan already is being put into effect by the commission staff.

The staff worked with the Sixth Region of the Civil Aeronautics Administration, with an industry-wide advisory group and with representatives of the Army, Navy, and Air Force defense establishments in the area in preparing the plan. It has the tacit approval of those agencies.

"Our plan is specific," a statement of the commission staff to the committee said, "in that it places responsibility for doing the necessary things and taking the necessary action to meet requirements of the military establishment on the West Coast. We believe that through its adoption we can prevent the arbitrary grounding of all aircraft in this area and make the potential of civil aviation available to the defense effort and disaster relief planners."

Technicians have pointed out the tremendous waste of a valuable transportation medium that would result from the grounding or removing of California's 10,000 civil aircraft. In emergency, radio-equipped aircraft could be used by civilian defense officials for the observation so necessary to action. They could be used in traffic control in emergency, spotting bottlenecks and helping in the efficient routing of traffic.

Above all, they could be used for relief and rescue missions. Recently the necessity for importing doctors as quickly as possible from inland states, in event California was the object of an atom bomb strike, has been emphasized. Other technicians and workers would have to be rushed to the stricken area, as would supplies. Railroads can be cut, and highways also may be rendered useless by a damage at any point along their length.

But emergency landings and takeoffs of small aircraft can be accomplished from reasonably level strips of less than 1,000 feet in length. It has been calculated that 2,000 small airplanes, only a fifth of those now in California, could bring 5,000 needed personnel to a stricken area from 100 to 150 miles distance within an hour. The same number could evacuate a similar group of persons from an area under attack. Two thousand small aircraft could bring in from inland stockpiles 1,000,000 pounds of medical supplies, surgical instruments, bandages, blankets, and other material in a matter of hours.

It is possible that the private aircraft could play the similar role in an attack on California to that played by small boats in the Dunkirk rescue mission in World War II.

If there is no attack on California, removal of civil aircraft would deprive owners of planes of a $25,000,000 investment It also would halt the operation of flying schools in the state who also have a $25,000,000 investment.

The State Aeronautics Commission's plan is designed to meet the objections to civilian flights in war time by setting up a chain of communication that will allow military and civil authorities to know where each plane is at any given time. It is interesting to note that regulations issued by the Federal Civil Aeronautics Administration recently follow almost exactly the plan proposed by the state agency.

PRESERVATION OF EXISTING AIRPORTS

FRESNO, Dec. 29—An irate old farmer today forced the Civil Aeronautics Authority to order a partial shutdown of Fresno's bustling municipal airport—Hammer Field. At noon today Marshall Pipes, 70 year old farmer, moved a 40 foot high water tower a quarter-mile across his farm and smack up against the main runway's end—"out of pure spite," city officials said.

Because of the farmer's tower, the CAA banned all night or instrument landings at Hammer Field, shutting it down for 12 hours daily and for all 24 hours in bad weather. The ban affects 12 daily flights by Trans World Airlines and United Airlines, plus dozens of other civil and military flights. It will disrupt airmail service to 200,000 people in the Fresno area.

Last night the CAA wired Farmer Pipes a plea to move his tower, the Fresno Postmaster threatened action for delaying the mails, and City Attorney C. M. Izias vowed to take him into court. "It's just plain cussedness," said Attorney Ozias, "he's got 40 acres alongside Hammer Field and he claims that the airport's presence prevents him from subdividing his land. So he moved that tower over to force us to buy him out or pay him $20,000 damages, which he's claimed. That tower is a menace to aircraft and to human

lives. But the city isn't going to hand over a lot of money just for Mr. Pipe's pleasure. We're going to have to fight this out. I'll probably sue for an injunction tomorrow."

Pipes has hired three attorneys for his fight against the air age. One of them, Irving T. Atten, shrugged off the fuss. "That tower wasn't moved just for spite," he said. "Mr. Pipes just wanted to move it, that's all. It's just a little tower," he said. "Of course, if the city wants to, it could always buy Mr. Pipe's property and take the tower down." In the meantime Pipe's dreams tonight were undisturbed by the roar of passing planes. Hammer Field, Fresno multimillion dollar municipal pride, was as quite as a grave. Not a plane came in.

The above news dispatch, printed in the *San Francisco Chronicle* last month, shows graphically one of the problems in maintaining the airports California already has. Whatever the rights in the individual situation, it would seem that the State has an interest in preservation and expansion of an Airport System. But courts have held that property owners have the right to air space above their property at least to a height of 500 feet.

While the courts hold that a property owner has not a right to air space for an indefinite height above his land, he does have a right up to the lower limit of navigable air space And that does not include safe glide paths for planes coming into airports.

In 1946, in the case of *United States* vs. *Causby and Wife* the United States Supreme Court said:

> The navigable airspace which Congress has placed in the public domain is "airspace above the minimum safe altitudes of flight prescribed by the Civil Aeronautics Authority." If that agency prescribed 83 feet as the minimum safe altitude, then we would have presented the question of the validity of the regulation. But nothing of the sort has been done. The path of the glide governs the method of operating—of landing or taking off. The altitude required for that operation is not the minimum safe altitude of flight which is the downward reach of the navigable airspace. The minimum prescribed by the authority is 500 feet during the day and 1,000 feet at night for air carriers * * *. The Civil Aeronautics Authority has, of course, the power to prescribe air traffic rules. But Congress has defined navigable airspace only in terms of one of them—the minimum safe altitudes of flight.
>
> "We have said that the airspace is a public highway. Yet it is obvious that if the landowner is to have full enjoyment of the land, he must have exclusive control of the immediate reaches of the enveloping atmosphere. Otherwise buildings could not be erected, trees could not be planted, and even fences could not be run."

Zoning under present laws apparently is not the answer, either. Suits by owners of property adjoining an airport still may be filed to abate the airport as a nuisance, and adjoining property owners still may build structures interfering with glide paths. Curiously, air approaches may not be protected by zoning an area for airport use, but the same

result can be achieved by zoning limits for the height of buildings in an area, without mentioning the purpose of safeguarding glide paths.

One solution for public airports, although it may be an expensive one, is the purchase of surrounding lands and their resale with air easements.

For private airports, in addition to the problem of preserving approaches, is added the problem of taxation, aggravated by increasing land values. A statement to the committee by the California Aeronautics Commission declared:

> "There can be no permanence in privately-owned commercial airports and no dependence placed on their availability in the future * * * The odds are strictly against private airport ownership and operation because of excessive tax burdens, mounting real estate values, insurance costs, and most important, the recurring liability to nuisance and abatement suits. These factors render it impossible to maintain an airport offering free landing facilities to the public merely to provide a place to carry on an allied business."

A number of solutions have been proposed. Some of them would be listed as:

1. Create a subdivision of the airport property and dedicate the runways and taxiways as "public ways".
2. Deed the landing area to a political subdivision with a reversion to the original owner if not maintained as an airport, original owner retaining all rights on adjoining property.
3. Provide tax relief to privately-owned airports which serve a public need.
4. Provide, if necessary by law, that commercial airports which serve the airport needs of a community and the flying public may be owned by a non-profit corporation under rigid controls and thereby be exempted from taxation.
5. Outright purchase of the entire airport by a political subdivision.

Each of the solutions has its defects. The proposal for dedication of runways as public ways was given exhaustive study at Los Angeles County. A "guinea pig" project involving the Central Airport was set up. But the owner, Mr. E. J. Kidwell, testified before the committee that the owners' interests and the county's interests were irreconciliable. He said the final proposal was to make a public way of a strip 350 feet wide through his airport, while his unproductive property totaled 52 acres. He indicated the saving would not be worthwhile.

Mr. Kidwell also criticized the second proposal, to deed the landing area to the political subdivision, on grounds the airport operator would be hampered in developing the property. Also, the city or other political subdivision would have no return for its expense in maintaining the landing area.

Outright tax exemption would be unpopular and in these days of heavy tax burdens the trend should be away from tax exemptions, rather than toward granting new ones. Mandatory public purchase of airports hardly would be feasible to enforce. But public ownership eventually will become imperative if privately-owned airports continue to disappear.

This situation emphasizes the futility of allowing private airports to go out of business, only to be replaced anyway by public ones.

It is suggested that further legal study be made of the ramifications of non-profit operation of airports which have a public purpose. That approach has been used in other states for the continued operation of municipal airports where the city no longer desired to remain as the operator. It should be determined whether there would be a similar advantage in the case of private airports.

RECOMMENDATIONS

The committee recommends:

1. That the segregation of uncollected motor vehicle fuel tax refunds by the Controller be continued. That the Controller be directed to hold such unrefunded money subject to appropriation by the Legislature. That the Legislature declare its intention to apply the funds to the construction, in cooperation with Federal and local Governments, of a State-wide System of Airports.

2. That the Legislature substitute an "in lieu" tax for the present ad valorem tax as it applies to airplanes other aircraft flying in interstate or foreign commerce or by scheduled airlines; that the Legislature set a schedule of values of aircraft for taxation purposes based on original purchase price decreased by a scale of percentages depending on the age of the aircraft, that the tax be collected by the Department of Motor Vehicles; that the Controller disburse the funds collected among cities and counties and the cities and counties be directed to use the money solely for aviation purposes.

3 That the owner of each private aircraft be required to register with the Department of Motor Vehicles the certificate of registration issued to him by the Civil Aeronautics Administration of the Federal Government; that a small fee be charged by the department for such registration.

4. That the Attorney General be requested to make a thorough legal study of the use of the method of inverse condemnation as a means of protecting the approaches of airports in California.

5. That the Regents of the University of California be urged to formulate an adequate program of research into the agricultural uses of aircraft, and to submit a plan for such program and its estimated cost to the Legislature. Such a program should include studies of the application of insecticides, herbicides, fertilizers, grains, and grasses, and the emergency feeding of livestock by airplane.

6. That the present program of flight indoctrination carried on by the State Department of Education be maintained and expanded.

EARL W. STANLEY
RALPH M. BROWN
L. STEWART HINCKLEY
LESTER A. McMILLAN
LAUGHLIN E. WATERS

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Miss Dorothy Donahoe of Bakersfield, Dr. Dorothy Patterson of Sacramento, and Mrs. Katherine Adams Stoll of Los Angeles.

On request of Mr McCarthy, the usual courtesies of the Assembly for this day were unanimously extended to Francis Wallace and Malvean Wright of San Francisco.

On request of Mr Hahn, the usual courtesies of the Assembly for this day were unanimously extended to Dr. Louis T. Talbot of Los Angeles.

On request of Messrs. Porter and Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Jim Kosababian of Artesia.

On request of The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Rosalind Goodrich Bates, Marie Dinuzzo, Irene Doup, Elsie Brown, Hazel Kellans, Lillian Blank, Dolly Lee Butler of Los Angeles; Ruth Hughes Rosemenad, Mildred Hutchinson, San Francisco; Marie Jeannerette, Pasadena; Ethel Winters, Ruth Sutton, Sacramento; and Rowena Cornet, Riverside.

On request of Mr. Waters, the usual courtesies of the Assembly for this day were unanimously extended to German Governmental Affairs Training Group from University of Southern California under State Department Sponsorship. Group under direction of Dr. W. L. Hindman, head of Department of Political Science, U. S. C., and the following pupils: Walter Böhm, Fredrich Drewes, Ewald Herden, Hermann Lahr, Werner Kelm, Georg Ohnesorg, Wolfgans Rutschke, Erika Roemer, Klaus Unverzagt, Hans Muencks, and Georg Muenchmeier.

On request of Mr. Evans and the Los Angeles delegation, the usual courtesies of the Assembly for this day were unanimously extended to Marty Schwartz of Los Angeles.

On request of Mr. Caldecott, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Park Hancher of Berkeley.

On request of Mr. Shaw, the usual courtesies of the Assembly for this day were unanimously extended to Evelyn Atwood of Glendale, Marie Nolan of Whittier, Ellen C. Neilan of Alhambra, and Gloria Sodres of Sacramento.

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to Roy Harwood, Milford; Frank Evans, Chilcoat; George Conant, Portola; and Rudolph Ramelli, Vinton.

On request of Mr. Belotti, the usual courtesies of the Assembly for this day were unanimously extended to Ruth W. Fuller of Fort Bragg.

On request of Mr. Lowrey, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Dewitt C. Gardner of Pittsville, Massachusetts.

ADJOURNMENT

At 3.45 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned, until 10 a.m., Tuesday, January 23, 1951, out of respect to the memory of the late Mrs. Edna May Butters, wife of Assemblyman George R. Butters of Brawley.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

TWELFTH LEGISLATIVE DAY

SIXTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, January 23, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—79.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Heavenly Father, In whom we live and move and have our being, we humbly pray that we may be guided by Thee in all the cares and occupations of our daily lives.

We seek Thy guidance for the deliberations of this Assembly and Thy providential care while we are separated one from the other.

We pray for the President of the United States, the Governor of our Commonwealth, the presiding officer of this Assembly and all who serve in places of great responsibility.

We pray for our fellow member, hospitalized through accident, that his recovery may be blessed of Thee. We pray for all who serve in our Armed Forces. We pray for Thy presence and Thy peace.

"O Lord our God, Thy mighty hand hath made our Country free;
From all her broad and happy land, may worship rise to Thee."

—AMEN.

REQUEST FOR UNANIMOUS CONSENT THAT MEMBERS ATTENDING MEETING OF SUBCOMMITTEE ON ELECTIONS AND REAPPORTIONMENT BE PLACED UPON MORNING ROLL CALL

Mr. Connolly asked for, and was granted, unanimous consent that members attending the Subcommittee on Elections and Reapportionment, in Room 426, be ordered placed upon the morning roll call as follows: Messrs. Burke, Burkhalter, Coats, Hinckley, Parker, and Tomlinson.

REQUEST FOR UNANIMOUS CONSENT THAT MEMBERS ATTENDING MEETING OF COMMITTEE ON RULES BE PLACED UPON MORNING ROLL CALL

Mr. Connolly asked for, and was granted, unanimous consent that members attending a meeting of the Committe on Rules be placed upon the morning roll call as follows: Messrs. Crowley, Dickey, Dolwig, Doyle, Dunn, Evans, Geddes, Hollibaugh, Lyon, Maloney, McCollister, McMillan, and Waters.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Shaw, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Butters, on motion of Mr. Erwin.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 22, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 4.

J A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 22, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 22.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 22—Relative to commending the city council and governmental agencies of the City of Sunnyvale and other cooperating agencies throughout the County of Santa Clara, for their splendid conduct during a recent emergency.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 22, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 35.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND FINAL REPORT BE PRINTED IN THE JOURNAL

Mr. Connolly asked for, and was granted, unanimous consent that a letter of transmittal and the Final Report of the Assembly Interim Committee on Public Health be ordered printed in the Journal in 10-point type.

(Above letter of transmittal and final report will appear prior to the motion to adjourn.)

REQUEST FOR UNANIMOUS CONSENT THAT FINAL REPORT BE PRINTED AS SEPARATE DOCUMENT, AND THAT 500 ADDITIONAL COPIES BE PRINTED

Mr. Connolly asked for, and was granted, unanimous consent that the above mentioned final report be printed as a separate document, and that 500 additional copies be ordered printed.

RESOLUTIONS

The following resolution was offered:

By Mr. Gaffney:

House Resolution No. 58

Resolved, That the Chief Clerk of the Assembly be and he is hereby authorized to receipt for any warrants for members, officers, or attaches of the Assembly during the constitutional recess.

Request for Unanimous Consent

Mr. Gaffney asked for, and was granted, unanimous consent to take up House Resolution No. 58, at this time, without reference to committee or file.

Resolution read, and adopted.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 2725: By Mr. Lyon—An act to amend Section 1018 of the Code of Civil Procedure, relating to service of process in actions to enforce tax liability.

Referred to Committee on Judiciary.

Assembly Bill No. 2726: By Mrs. Niehouse—An act to amend Sections 3083 and 3471 of the Welfare and Institutions Code, relating to aid to the blind, in respect to evidence of eligibility for aid.

Referred to Committee on Social Welfare.

Assembly Bill No. 2727: By Mr. Stewart—An act to amend Sections 5, 14, 29, 34, and 35.3, and to repeal Sections 12 and 33 of the Community Redevelopment Act, relating to redevelopment.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2728: By Mr. Levering—An act to amend Sections 150, 201, and 207 of the Unemployment Insurance Act, relating to unemployment disability insurance.

Referred to Committee on Finance and Insurance.

CONSIDERATION OF DAILY FILE
SECOND READING OF SENATE BILLS

Senate Bill No. 172—An act to add Section 14276 to the Government Code, relative to state contracts, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "location", and insert "state institution".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 488—An act to add Section 13115 to the Government Code, relating to acquisition of easements and rights as an incident to the construction of state buildings and other structures, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 17, inclusive, and insert

"13115 Whenever a state building or other state structure is about to be constructed and it is necessary to clear any land, public street or public way of any easement or right of way, or the works of any public utility, which would interfere with the state building or structure, the Director of Finance may enter into an agreement with the owner of the easement or right of way, or public utility, for the relocating or removal of any facilities of such public utility or owner which lie in, on, along, or across such land, public street or public way and for the conveying or quitclaiming to the State of any interest of such utility or owner in such land, public street or public way The cost of such removal or relocation may be paid, with the approval of the State Public Works Board, out of any money available for the construction of the state building or other structure the erection of which necessitates such relocation or removal. Nothing in this section authorizes the relocation or removal at state expense of any public utility works or other facilities which, under the same circumstances, the public utility or owner would be required to relocate or remove at its own expense."

Amendment No. 2

On page 2, line 1, of the printed bill, after "works," insert "or easements or rights of way".

Amendment No. 3

On page 2, line 2, of the printed bill after "the", insert "land.".

Amendment No. 4

On page 2, line 3, of the printed bill, after "works", insert ", easements or rights of way".

Amendment No. 5

On page 2, line 5, of the printed bill, after "works", insert "or easements or rights of way".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2729: By Messrs. Moss and Fleury—An act to amend Section 395 of the Military and Veterans Code, relating to military service in the Armed Forces.

Referred to Committee on Military Affairs.

Assembly Bill No. 2730: By Messrs. Fleury and Moss—An act to amend Section 20630 of the California State Employees' Retirement Law, relating to withdrawal of additional contributions.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2731: By Messrs. Fleury and Moss—An act to repeal Sections 16390, 16391, 16392, 16393, 16394, 16395, and 16396 of the Government Code, relating to the State Payroll Revolving Fund.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2732: By Mr. Thomas—An act to amend Section 1071 of the Fish and Game Code, relating to commercial regulations.

Referred to Committee on Fish and Game.

ANNOUNCEMENT

Speaker Sam L. Collins announced that Mr. Nelson, Executive of the United Airlines, has offered to make arrangements for a special plane to Los Angeles early tomorrow morning if the demand for this service is adequate. All members wishing to avail themselves of this special service are requested to notify, immediately, Miss Kay Johnson, Secretary to the Speaker, so that arrangements for a plane may be completed at once.

CONSIDERATION OF DAILY FILE (RESUMED) CONSIDERATION OF HOUSE RESOLUTION NO. 46

By Messrs. Gaffney and Maloney:

House Resolution No. 46

Relative to adjournment in memory of Alexander Watchman

WHEREAS, It is with profound regret that the Members of the Legislature have learned of the passing of Alexander "Sandy" Watchman on January 14, 1951; and

WHEREAS, Alexander Watchman has for the greater portion of his life devoted himself untiringly to the problems of the workingman; and

WHEREAS, Alexander Watchman has been a member of the United Carpenters since May 2, 1910, and a member of the San Francisco Carpenters' Local 2164 since 1931, and has served as financial secretary and business representative of that local, and as President of the San Francisco Building Trade Council from 1937 until 1941, and has served with the California Federation of Labor until 1941; and

WHEREAS, From 1941 until his passing Alexander Watchman has served as a member of the California Industrial Accident Commission, and has, during such service, sought to have the State Workmen's Compensation Laws administered fairly and impartially and has worked diligently to have them liberalized; and

WHEREAS, It can be truly said of Alexander Watchman that he faithfully served his fellow men and his Country; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly hereby express their deep sorrow at the passing of Alexander Watchman and most sincere sympathy for his widow and family; and be it further

Resolved, That when the Assembly shall this day adjourn, it do so in respect to the memory of Alexander Watchman; and be it further

Resolved, That the Chief Clerk of the Assembly be and is hereby directed to transmit suitably prepared copies of this resolution to Mrs. Alexander Watchman, the widow of Alexander Watchman, and to Maud Switzler, his daughter, Beryl Emory, his granddaughter, and to the San Francisco Building and Construction Trades Council.

Resolution read, and adopted unanimously.

CONSIDERATION OF HOUSE RESOLUTION NO. 49

By Mr. Davis:

House Resolution No. 49

Expressing condolences on the passing of James H. McClelland

WHEREAS, It is with regret that the Members of the Assembly have learned of the passing on August 10, 1950, of James H. McClelland, Lassen County Supervisor; and

WHEREAS, James H. McClelland was a prominent rancher in Lassen County, a supervisor for that county for the past 24 years, and one of the organizers and a Director of the Lassen Production Credit Association, and has taken an active part in the Lassen County Livestock Show from its beginning; and

WHEREAS, James H. McClelland has a long and splendid record of civic activity in Lassen County; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly hereby express their deep sorrow at the passing of James H. McClelland and most sincere sympathy for his bereaved widow and family; and be it further

Resolved, That when the Assembly shall this day adjourn, it do so in respect to the memory of James H. McClelland; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to Mrs. James H. McClelland, his widow, and to Pierce McClelland of Standish, Bernard McClelland of Susanville, and Mrs Merlyn Mulroney of Susanville, his children.

Resolution read, and adopted unanimously.

CONSIDERATION OF HOUSE RESOLUTION NO. 53

By Mr. Cloyed:

House Resolution No. 53

Relative to the eightieth birthday of the Honorable Charles W. Stream

WHEREAS, The Honorable Charles W Stream was first elected to this Assembly from the Eightieth Assembly District in 1932 and represented that district in this house for seven consecutive terms; and

WHEREAS, The Honorable Charles W. Stream brought to this Assembly a wide knowledge of practical affairs and a keen mind capable of penetrating into the heart of any proposal to discover its virtue or defects; and

WHEREAS, His never failing sense of humor and his ready wit endeared the Honorable Charles W Stream to all of his colleagues, while his profound human wisdom, common sense and natural judgment so won their respect that he came to be called "the Sage of Chula Vista"; and

WHEREAS, The Honorable Charles W. Stream will on February 4th celebrate his eightieth birthday, now, therefore, be it

Resolved by the Assembly of the State of California, That this Assembly hereby sends its greetings to the Sage of Chula Vista, its best wishes for many more happy birthdays, and its hope that his well-earned retirement will be both pleasant and prolonged, and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to the Honorable Charles W. Stream.

Resolution read, and adopted unanimously.

CONSIDERATION OF HOUSE RESOLUTION NO. 54

By Mr. Davis:

House Resolution No. 54

Relative to Fred M. Wolford, late Supervisor of Siskiyou County

WHEREAS, The Members of this Assembly have learned with great sorrow of the passing of Fred M. Wolford, Supervisor of Siskiyou County; and

WHEREAS, Fred M. Wolford was the son of the late John M. and Margaret C. Wolford, pioneer settlers of Scott Valley; and

WHEREAS, Fred M. Wolford was born at the family ranch on the Etna-Callahan Road on May 17, 1886, grew to manhood in that district, and with his wife, Evelyn, made their home at the family ranch; and

WHEREAS, Fred M. Wolford was a director of the California Cattlemen's Association from his district for many years, and won the respect and admiration of his fellow citizens for his efforts in behalf of Siskiyou County as a supervisor, as a rancher, and as a citizen; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly deeply regret the passing of Fred M. Wolford and the loss to the people of Siskiyou County and of this State of his fine and devoted public service, and extend deepest sympathy to his widow, Mrs. Evelyn Wolford; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a suitably prepared copy of this resolution to Mrs. Evelyn Wolford

Resolution read, and adopted unanimously.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2733: By Mr. Thomas—An act to amend Section 971 of the Fish and Game Code, relating to traps and diving equipment.

Referred to Committee on Fish and Game.

Assembly Bill No. 2734: By Mr. Thomas—An act to amend Section 450.5 of the Fish and Game Code, relating to diving.

Referred to Committee on Fish and Game.

Assembly Bill No. 2735: By Mr. Thomas—An act to add Section 953.5 to the Fish and Game Code, relating to nets.

Referred to Committee on Fish and Game.

Assembly Bill No. 2736: By Mr. Thomas—An act to amend Section 847 of the Fish and Game Code, relating to nets.

Referred to Committee on Fish and Game.

Assembly Bill No. 2737: By Messrs. Thomas and Gaffney—An act to add Part 5.5 to Division 5 of the Labor Code, relating to safety standards for longshore, stevedore and waterfront warehouse operations.

Referred to Committee on Industrial Relations.

Assembly Bill No. 2738: By Mr. Levering—An act to add Section 4664 to the Labor Code, relating to workman's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2739: By Mr. Levering—An act to amend Sections 3208 and 4663 of the Labor Code, and to add new sections 3600.5 and 3600.6 to said code, all relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2740: By Mr. Henderson—An act to add Article 1.5, comprising Sections 2520 to 2523, inclusive, to Chapter 2 of Division 4 of the Welfare and Institutions Code, relating to the relief of nonresident agricultural workers and their families.

Referred to Committee on Agriculture.

Assembly Bill No. 2741: By Mr. Henderson—An act to add Division 3.5 to Labor Code, creating the California Agricultural Labor Resources Board, prescribing its powers and duties and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2742: By Mr. Connolly—An act to add Section 205.5 to the Welfare and Institutions Code, relating to the establishment and maintenance of alcoholic rehabilitation clinics and making an appropriation therefor.

Referred to Committee on Public Health.

Assembly Bill No. 2743: By Mr. Babbage—An act to provide for leasing adequate facilities and service for the extension, maintenance, and operation of the teletypewriter system of communication by the State Department of Justice, and making an appropriation therefor.

Referred to Committee on Judiciary.

Assembly Bill No. 2744: By Mr. Connolly—An act to add Section 17161.2 to the Revenue and Taxation Code, relating to the personal income tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2745: By Messrs. Rosenthal and Munnell—An act to add Section 472 to the Government Code, relating to congressional districts.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2746: By Messrs. Rosenthal and Munnell—An act to add Section 492 to the Government Code, relating to assembly districts.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2747: By Mr. Smith—An act to amend Section 7.5 of an act entitled "An act to provide for the acquisition of temporary and emergency housing facilities for veterans and families of servicemen by joint action of the State and local agencies, providing for the operation of such facilities, making an appropriation, and declaring the urgency thereof, to take effect immediately," approved February 15, 1946, relating to the operation of temporary and emergency housing facilities for veterans.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2748: By Messrs. Chapel and Thomas—An act to add Section 13.5 to the Municipal and Justice Court Act of 1949, relating to courts.

Referred to Committee on Judiciary.

Assembly Bill No. 2749: By Messrs. Chapel and Thomas—An act to provide for the number of judges in judicial districts in which municipal courts are established.

Referred to Committee on Judiciary.

Assembly Bill No. 2750: By Mr. Connolly—An act to add Section 17688 to the Revenue and Taxation Code, relating to the personal income tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2751: By Mr. Connolly—An act to amend Section 13642 of the Revenue and Taxation Code, relating to inheritance taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2752: By Mr. Munnell—An act to repeal Section 26907 of the Government Code, relating to the destruction of public records.

Referred to Committee on Judiciary.

Assembly Bill No. 2753: By Messrs Shaw and Brown—An act to amend Section 230 of the Penal Code, relating to courts of justice, various officers thereof, and judicial districts.

Referred to Committee on Judiciary.

Assembly Bill No. 2754: By Messrs Shaw and Brown—An act to amend Section 233 of the Code of Civil Procedure, relating to jurors.

Referred to Committee on Judiciary.

Assembly Bill No. 2755: By Messrs. Shaw and Brown—An act to amend Section 115 of the Code of Civil Procedure, relating to justice courts.

Referred to Committee on Judiciary.

Assembly Bill No. 2756: By Messrs. Shaw and Brown—An act to amend Section 70 of the Civil Code, relating to courts of justice, various officers thereof, and judicial districts.

Referred to Committee on Judiciary.

Assembly Bill No. 2757: By Messrs. Shaw and Brown—An act to amend Section 1091 of the Government Code, relating to courts of justice, judicial districts, and various officers and employees thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 2758: By Messrs. Shaw and Brown—An act to amend Section 83 of the Code of Civil Procedure, relating to courts of justice, various officers connected therewith, and judicial districts.

Referred to Committee on Judiciary.

Assembly Bill No. 2759: By Messrs. Shaw and Brown—An act to amend Section 396b of the Code of Civil Procedure, relating to place of trial of civil actions.

Referred to Committee on Judiciary.

Assembly Concurrent Resolution No. 23: By Mr. Condon—Relative to approving amendments to the charter of the City of Richmond, a municipal corporation in the County of Contra Costa, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the seventh day of November, 1950.

Request for Unanimous Consent

Mr. Condon asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No 23, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 23

Assembly Concurrent Resolution No. 23—Relative to approving amendments to the charter of the City of Richmond, a municipal corporation in the County of Contra Costa, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the seventh day of November, 1950.

Resolution read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Condon moved a call of the Assembly.

Motion carried. Time, 10.35 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brady, Burkhalter, Caldecott, Coats, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Evans, Geddes, Hagen, Hinckley, Hollibaugh, Kloeksiem, Lincoln, Lyon, Maloney, McCollister, McMillan, Meyers, Tomlinson, and Waters—24

Further Proceedings Under Call of the Assembly Dispensed With on Assembly Concurrent Resolution No. 23

At 10.45 a.m., on motion of Mr. Condon, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Concurrent Resolution No. 23 adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Kloeksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—71.

NOES—None.

Resolution ordered printed, and transmitted to the Senate.

Motion to Place Rush Order on Printing of Assembly Concurrent Resolution No. 23

Mr. Condon moved that a rush order be placed upon the printing of Assembly Concurrent Resolution No. 23.

Motion carried.

REQUEST FOR UNANIMOUS CONSENT TO USE ASSEMBLY CHAMBER

Mr. Dickey asked for, and was granted, unanimous consent that the Third Annual Y. M. C. A. Youth and Government Model Legislature be

permitted to use the Assembly Chamber on Thursday, Friday and Saturday, February 22, 23, and 24, 1951, for the purpose of holding a statewide convention, unless the Assembly Chamber is needed for a legislative session.

STATEMENT BY HON. SAM L. COLLINS, SPEAKER

The Assembly Journal of January 22, 1951, containing the names, authorizations, and monthly statements of legislative advocates was printed at a cost of $1,500. This contains approximately 150 names of registered advocates. At this rate it costs $10 per advocate. If all of this information is required to be printed monthly while the Legislature is in session, it will require 400 pages per month which will cost $1,200 per month. This will require printing of five Journals, which will be a total of $6,000. Also assuming that a minimum of 200 advocates continued filing monthly statements during the time the Legislature is not in session until they return at the Budget Session in 1952, this will require 3,600 pages to be printed in the Journal at the Budget Session at a cost of approximately $11,000. Therefore, the total cost of one year's operation under the present system would amount to $17,000.

If merely the name of the advocate and whom he is authorized to represent were to be printed in the Journal, it could be done for approximately $150 per year, a total savings of $16,850.

MOTION TO TEMPORARILY SUSPEND RULE NO. 37

Mr. Brown moved that Rule No. 37 be temporarily suspended for the purpose of allowing bills from the office of the Attorney General to be introduced, at this time.

The roll was called, and Rule No. 37 temporarly suspended by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—67.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2760: By Messrs. Belotti, Levering, Berry, Chapel, Clarke, Collier, Connolly, Erwin, Fleury, Gubser, Hansen, Henderson, Kelly, and McFall—An act to add Section 1418 to the Fish and Game Code, relating to giving aid to persons accidentally shot.

Referred to Committee on Judiciary.

Assembly Bill No. 2761: By Mr. Davis—An act to add Sections 10207 5 and 10270 56 to the Insurance Code, relating to group life and disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2762: By Mr. Davis—An act to add Section 924 to the Labor Code to prohibit requiring participation in a hospital insurance plan as a condition of employment.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2763: By Mr. Davis—An act to add Article 4 to Chapter 3 of Division 1 of the Agricultural Code, relating to agricultural fairs.

Referred to Committee on Agriculture.

Assembly Bill No. 2764: By Messrs. Davis and Moss—An act to add Section 87.3 to the Agricultural Code, relating to boards of directors of agricultural fairs.

Referred to Committee on Agriculture.

Assembly Bill No. 2765: By Messrs. Davis and Moss—An act to repeal Sections 19622, 19622.5, 19623, 19624, 19625 and 19626 of, and to add Section 19622 to, the Business and Professions Code, relating to allocation of state money to agricultural fairs.

Referred to Committee on Agriculture.

Assembly Bill No. 2766: By Messrs. Hahn, Grant, Morris, Conrad, Erwin, Luckel, Mrs. Niehouse, Messrs. Porter, Smith, Stanley, Stewart, and Thomas—An act to amend Section 27 of an act entitled "An act making an appropriation for allocation to cities, counties, and cities and counties to develop a postwar public works program comprising the preparation of surveys and plans and specifications for proposed public works and the acquisition of rights-of-way and sites for major streets, roads, bridges, sewerage and other public facilities, and providing the procedure for making such allocations," approved June 20, 1944, relating to postwar public works programs, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2767: By Messrs. Hahn, Grant, Morris, Conrad, Erwin, Luckel, Mrs. Niehouse, Messrs. Porter, Smith, Stanley, Stewart, and Thomas—An act to amend Section 26 of the Construction and Employment Act, relating to allocation of state funds to local agencies for the construction of public works.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2768: By Messrs. Fleury, Coats, and Moss—An act to add Chapter 1.5 (consisting of Sections 20161 to 20164, inclusive) to Division 10 of the Education Code, relating to the McGeorge College of Law, and making an appropriation therefor.

Referred to Committee on Education.

Assembly Bill No. 2769: By Messrs. Fleury and Moss—An act to amend Section 18802 of the Revenue and Taxation Code, relating to the personal income tax.

Referred to Committee on Revenue and Taxation.

RESOLUTIONS

The following resolutions were offered:

By Mr. Dickey:

House Resolution No. 59

WHEREAS, Various Members of the Assembly will desire to have shipped to their various places of residence their bill files and other printed matter for use during the constitutional recess; now, therefore, be it

Resolved, That the Sergeant-at-Arms, Wilkie Ogg, be authorized to procure such boxes, packing, and other material as is necessary for the purpose of shipping same properly packed to said members, and the State Controller is hereby authorized to draw his warrant on the Contingent Fund of the Assembly in favor of Wilkie Ogg, Sergeant-at-Arms, in an amount not to exceed fifteen hundred dollars ($1,500), and the State Treasurer is hereby authorized to pay the same. The Sergeant-at-Arms of the Assembly is further directed to furnish the Controller with vouchers for all expenditures made by him in pursuance of the work set forth above, during the said constitutional recess.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 59, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—64.

NOES—None.

By Mr. Dickey:

House Resolution No. 60

Resolved, That the Controller be and he is hereby authorized to draw his warrant on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is authorized and directed to pay the same:

Bancroft Whitney Company (Codes)	$15,184 26
Department of Finance (Supplies)	437 89

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 60, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—64.

NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Senate Bill No. 24
Senate Bill No. 25
Senate Bill No. 120

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bills ordered to second reading.

Speaker pro Tempore Presiding

At 10.58 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE, SACRAMENTO, January 22, 1951

To the Honorable Members of the Assembly
of the State of California

GENTLEMEN: In accordance with the provisions of Section 1 of Article VII of the Constitution of California, I hereby transmit to you a Report of the Cases of Pardon, and Commutation of Sentence issued by me from March 6, 1950, to January 8, 1951.

Respectfully submitted,

EARL WARREN, Governor

ACTS OF EXECUTIVE CLEMENCY OF CALIFORNIA

Granted for Period March 6, 1950, to January 8, 1951

PARDONS

Granted pursuant to Chapter 3.5, Sections 4852.01 to 4852.2 of the Penal Code, under which persons who have been released from state prison can demonstrate to the superior court of the county of their residence that they have rehabilitated themselves and earned the right to be considered for a pardon.

In each of the following cases the pardon has been granted pursuant to a certificate of rehabilitation issued by the superior court of the county of residence recommending the applicant to the Governor for a pardon.

FRANCISCO AUGVE, San Quentin No. 36562, was convicted of the crime of burglary first degree in San Diego County during June, 1922. He served approximately 1 year and 1 month in prison and approximately 8 months on parole, being discharged therefrom on March 18, 1924. Certificate of rehabilitation issued March 31, 1948, by the Superior Court of Alameda County. Granted January 6, 1951.

WILLIAM FINES AUSTIN, San Quentin No. 61742, was convicted of the crime of assault with a deadly weapon (2 counts) in Los Angeles County during March, 1938. He served 2 years and 2 months in prison and 1 year and 6 months on parole, being discharged therefrom on December 2, 1941. Certificate of rehabilitation issued December 23, 1946, by the Superior Court of the City and County of San Francisco. Granted December 9, 1950.

CLOYDE LYLE BARNHART, San Quentin No. 55736 and Folsom No. 21911, plead guilty to the crime of burglary second degree in Los Angeles County during March, 1934. He served approximately 2 years and 6½ months in prison, being discharged therefrom on October 12, 1936. During September, 1938, Barnhart plead guilty to the crime of burglary second degree and prior (2 counts) in Los Angeles County. He served approximately 2 years and 2 months in prison and approximately 1 year and 5 months on parole, being discharged therefrom on April 9, 1942. Certificate of rehabilitation issued September 29, 1948, by the Superior Court of Los Angeles County. Pardon recommended by a majority of the Justices of the California Supreme Court. Granted December 9, 1950.

LESLIE D. BIRCH, San Quentin No. 51629, plead guilty to the crime of burglary second degree in Solano County during February, 1932. He served 1 year and 6 months in prison and 1 year and 6 months on parole, being discharged therefrom on February 26, 1935. Certificate of rehabilitation issued April 30, 1948, by the Superior Court of Alameda County. Granted January 6, 1951.

A P BRACKLIS, San Quentin No. 34999, was convicted of the crime of embezzlement in Sacramento County during June, 1921 He served approximately 1 year and 1½ months in prison and approximately 10½ months on parole, being discharged therefrom on June 5, 1923. Certificate of rehabilitation issued January 31, 1947, by the Superior Court of Kings County. Pardon recommended by a majority of the Justices of the California Supreme Court. Granted July 3, 1950

DOROTHY ALICE DONEGAN, Tehachapi No. 431, was convicted of the crime of murder second degree in Los Angeles County during December, 1938. She served approximately 3 years and 10½ months in prison and approximately 10½ months on parole, being discharged therefrom on September 8, 1943. Certificate of rehabilitation issued November 27, 1946, by the Superior Court of Los Angeles County. Granted April 7, 1950

JESS Z. FERAN, San Quentin No 66053, plead guilty to the crime of burglary second degree and prior in Ventura County during January, 1941. He served approximately 1 year and 3½ months in prison and approximately 5 years and 1 month on parole, being discharged therefrom on June 24, 1947. Certificate of rehabilitation issued January 14, 1948, by the Superior Court of Los Angeles County. Pardon recommended by a majority of the Justices of the California Supreme Court. Granted December 9, 1950.

FRED FISHER, Folsom No 9934, was convicted of the crime of robbery in Sacramento County during February, 1916 He served approximately 3 years and 8 months in prison and approximately 5½ months on parole, being discharged therefrom on March 29, 1920. Certificate of rehabilitation issued July 12, 1948, by the Superior Court of the City and County of San Francisco Granted January 6, 1951.

STANLEY P. GLEASON, San Quentin No. 41257, plead guilty to the crime of robbery second degree in the City and County of San Francisco during September, 1925. He served two years in prison and 7 years and 5 months on parole, being discharged therefrom on February 16, 1935 Certificate of rehabilitation issued January 18, 1949, by the Superior Court of the City and County of San Francisco. Granted January 6, 1951.

SANTIAGO GONZALES, San Quentin No 47032, plead guilty to the crime of grand theft in Imperial County during May, 1929. He served approximately 1 year and 3¼ months in prison and approximately 1 year and ½ month on parole, being discharged therefrom on September 14, 1931 Certificate of rehabilitation issued June 30, 1948, by the Superior Court of Alameda County. Granted December 9, 1950.

EDWARD HARBOUGH, San Quentin No 49263, plead guilty to the crime of burglary first degree in Los Angeles County during November, 1930. He served 2 years and 8 months in prison and 1 year on parole, being discharged therefrom on July 8, 1934 Certificate of rehabilitation issued June 16, 1948, by the Superior Court of Los Angeles County. Pardon recommended by a majority of the Justices of the California Supreme Court. Granted January 6, 1951.

ELWOOD HOWARD HIGGINS, San Quentin No 57894, plead guilty to the crime of violation of Section 523 of the Penal Code in El Dorado County during July, 1935. He served 2 years and 1 month in prison and 1 year and 6 months on parole, being discharged therefrom on February 25, 1939. Certificate of rehabilitation issued March 18, 1949, by the Superior Court of El Dorado County. Granted January 6, 1951.

LESTER MILTON HOUGHTON, San Quentin No. 59373, was convicted of the crime of violation of Section 600 of the Penal Code in Fresno County during September, 1936 He served approximately 3 years and 5 months in prison and approximately 2 years and 9 months on parole, being discharged therefrom on November 15, 1942. Certificate of rehabilitation issued March 18, 1948, by the Superior Court of Fresno County. Granted April 7, 1950.

BEN KELLER, San Quentin No 68210, was convicted of the crimes of conspiracy to violate Sections 245, 518 and 375, subdivision 4, of the Penal Code (1 count), and violation of Section 375, subdivision 4, of the Penal Code (5 counts) in Los Angeles County during April, 1942. He served approximately 8½ months in prison, being discharged therefrom on December 31, 1942, at which time his sentences were commuted to time served by Governor Culbert L. Olson. Certificate of rehabilitation issued April 24, 1946, by the Superior Court of Los Angeles County Granted April 7, 1950.

GEORGE ERNEST KLEIST, San Quentin No 64953, plead guilty to the crime of bigamy in Los Angeles County during April, 1940. He served 1 year and 7 months in prison and 1 year and 11 months on parole, being discharged therefrom on October 20, 1943 Certificate of rehabilitation issued December 4, 1946, by the Superior Court of Los Angeles County. Granted April 7, 1950.

MEYER M. KROLL, San Quentin Nos. 59391 and 65369, plead guilty to the crime of receiving stolen property in Los Angeles County during September, 1936. He served approximately 2 years and 7 months in prison and approximately 1 year on parole, being discharged therefrom on April 19, 1940 During August, 1940, Kroll plead guilty to the crime of robbery second degree in Los Angeles County. He served

approximately 2 years and 7½ months in prison and approximately 2 years and 4½ months on parole, being discharged therefrom on August 25, 1945. Certificate of rehabilitation issued October 27, 1948, by the Superior Court of Los Angeles County. Pardon recommended by a majority of the Justices of the California Supreme Court Granted December 9, 1950.

WILSON CALVIN LANPHEAR, San Quentin No. 56120, plead guilty to the crime of assault with intent to commit rape in Santa Clara County during May, 1934 He served 1 year and 8 months in prison and 2 years and 6 months on parole, being discharged therefrom on July 26, 1938 Certificate of rehabilitation issued April 1, 1949, by the Superior Court of Santa Clara County Granted December 9, 1950

MANUEL LIEVAS, San Quentin No. 53826, was convicted of the crime of rape in Orange County during March, 1933 He served 7 years and 5 months in prison and 2 years on parole, being discharged therefrom on August 16, 1942. Certificate of rehabilitation issued June 23, 1948, by the Superior Court of Los Angeles County. Granted July 3, 1950.

HAROLD MAY, San Quentin No 54764, was convicted of the crime of burglary second degree and prior in Alameda County during October, 1933 He served approximately 1 year and 9½ months in prison and approximately 1 year and 9½ months on parole, being discharged therefrom on May 6, 1937. Certificate of rehabilitation issued December 30, 1947, by the Superior Court of Alameda County Pardon recommended by a majority of the Justices of the California Supreme Court. Granted December 9, 1950.

FRANCIS E. McCLENNEGAN, San Quentin No 38125, was convicted of the crime of criminal syndicalism in Los Angeles County during July, 1923. He served approximately 1 year and 9½ months in prison and approximately 1 year and 4½ months on parole, being discharged therefrom on September 12, 1926 Certificate of rehabilitation issued February 26, 1947, by the Superior Court of the City and County of San Francisco Granted April 7, 1950.

COLIN McLANE, San Quentin No. 51849, plead guilty to the crime of burglary second degree in San Diego County during March, 1932 He served 2 years and 4 months in prison, being discharged therefrom on July 27, 1934 Certificate of rehabilitation issued September 8, 1948, by the Superior Court of Alameda County. Granted January 6, 1951.

ANTONE MENDOZA, San Quentin No 46579, was convicted of the crime of possession of a still in Alameda County during February, 1929. He served approximately 1 year and 1½ months in prison and approximately 1 year and 2 months on parole, being discharged therefrom on June 8, 1931. Certificate of rehabilitation issued July 23, 1948, by the Superior Court of Alameda County. Granted January 6, 1951

FRANK NORDHOFF, San Quentin No 36899, was convicted of the crime of robbery in Los Angeles County during September, 1922 He served approximately 12 years and 2½ months in prison and approximately 1 year and 11 months on parole, being discharged therefrom on November 18, 1936 Certificate of rehabilitation issued April 2, 1947, by the Superior Court of Alameda County. Granted April 7, 1950

GEORGE PEEBLES, San Quentin No 63784, plead guilty to the crime of robbery first degree in Los Angeles County during July, 1939. He served 2 years and 2 months in prison and 2 years on parole, being discharged therefrom on September 15, 1943. Certificate of rehabilitation issued December 28, 1949, by the Superior Court of Los Angeles County Granted January 3, 1951.

LESLIE I PETERSON, San Quentin No 52783, plead guilty to the crime of burglary second degree and prior in Los Angeles County during September, 1932 He served approximately 2 years and 3½ months in prison and approximately 1 year and 4½ months on parole, being discharged therefrom on April 8, 1936. Certificate of rehabilitation issued December 12, 1947, by the Superior Court of Alameda County. Pardon recommended by a majority of the Justices of the California Supreme Court Granted July 3, 1950.

EDDIE QUINONES, San Quentin No 56629, was convicted of the crime of violation of Section 1, Chapter 339, Statutes of 1923, and prior, in the City and County of San Francisco during September, 1934. He served approximately 3 years and 11¼ months in prison, being discharged therefrom on January 19, 1938. Certificate of rehabilitation issued April 30 1948, by the Superior Court of Marin County. Pardon recommended by a majority of the Justices of the California Supreme Court. Granted December 9, 1950.

ALFRED RICHETTI, San Quentin No 55030, plead guilty to the crime of receiving stolen property in the City and County of San Francisco during November, 1933 He served 1 year and 11 months in prison and 1 year and 8 months on parole, being discharged therefrom on June 24, 1937. Certificate of rehabilitation issued April 8, 1949, by the Superior Court of the City and County of San Francisco Granted January 6, 1951.

LEE W. RODWELL, San Quentin No 60245, plead guilty to the crime of robbery first degree (2 counts) in Los Angeles County during April, 1937. He served approximately 3 years and 4 months in prison and approximately 2 years on parole, being discharged therefrom on August 17, 1942. Certificate of rehabilitation issued April 4, 1950, by the Superior Court of Imperial County. Granted July 3, 1950

RALPH V SAVAGE, San Quentin No. 60349, was convicted of the crimes of bribery and burglary second degree in Los Angeles County during March, 1936 He served approximately 2 years and 1 month in prison and 1 year and 11 months on parole, being discharged therefrom on May 23, 1941. Certificate of rehabilitation issued March 1, 1944, by the Superior Court of Los Angeles County. Granted April 7, 1950.

DONALD C. SAWYER, San Quentin No. 48309 and Folsom No. 18727, plead guilty to the crime of forgery and prior in Los Angeles County during March, 1930. He served approximately 2 years and 3½ months in prison, being released therefrom on July 12, 1932; he served on parole until October 7, 1933, at which time he was returned to state prison as a parole violator with an additional commitment for the crime of forgery (2 counts). He served approximately 3 years and 8 months in prison and approximately 1 year and 1½ months on parole, being discharged therefrom on July 7, 1938. Certificate of rehabilitation issued August 27, 1947, by the Superior Court of Los Angeles County. Pardon recommended by a majority of the Justices of the California Supreme Court. Granted December 9, 1950.

JAMES H. SCHAUER, Folsom No 20239, plead guilty to the crime of burglary second degree and prior in San Bernardino County during March, 1936 He served approximately 5 years and 1½ months in prison, being discharged therefrom on May 8, 1941. Certificate of rehabilitation issued January 15, 1947, by the Superior Court of Los Angeles County. Pardon recommended by a majority of the Justices of the California Supreme Court. Granted April 7, 1950.

CHARLES L THOMPSON, San Quentin No. 50606, plead guilty to the crime of robbery first degree in Los Angeles County during July, 1931. He served approximately 5 years and 9½ months in prison, being discharged therefrom on May 18, 1937. Certificate of rehabilitation issued January 26, 1949, by the Superior Court of Alameda County. Granted January 6, 1951.

MARK OSCAR TORRENCE, San Quentin No. 33692, plead guilty to the crime of burglary second degree in Los Angeles County during April, 1920 He served 1 year in prison and 1 year and 4 months on parole, being discharged therefrom on August 23, 1922. Certificate of rehabilitation issued March 17, 1948, by the Superior Court of Los Angeles County. Granted January 6, 1951.

W. B TURNER, San Quentin No. 62257, plead guilty to the crime of issuing checks without sufficient funds with intent to defraud in Sacramento County during January, 1938. He was granted three years probation, with the condition that he serve seven months in the Sacramento County Industrial Road Camp. Probation was revoked as a result of his having been charged with issuing checks without sufficient funds with intent to defraud during July, 1938 He served 3 years and 3 months in prison, being discharged therefrom on October 21, 1941 Certificate of rehabilitation issued April 23, 1947, by the Superior Court of Alameda County. Granted April 7, 1950.

DEWITT VAN ORSDOL, San Quentin No 33553, was convicted of the crime of burglary first degree in Los Angeles County during March, 1920. He served approximately 1 year and 6 months in prison and approximately 2 years and 1 month on parole, being discharged therefrom on October 10, 1923. Certificate of rehabilitation issued July 8, 1949, by the Superior Court of Los Angeles County. Granted January 6, 1951.

JOHN VIERRA, San Quentin No. 59378, was convicted of the crime of violation of Section 286 of the Penal Code in Contra Costa County during September, 1936. He served 3 years and 7 months in prison, being discharged therefrom on April 15, 1940. Certificate of rehabilitation issued June 25, 1948, by the Superior Court of Alameda County. Granted January 6, 1951.

HENRY WORLEY, San Quentin No. 31340, pleaded guilty to the crime of assault with a deadly weapon in Inyo County during February, 1918 He served 1 year in prison, being discharged therefrom on February 9, 1919. Certificate of rehabilitation issued May 28, 1948, by the Superior Court of Stanislaus County. Granted January 6, 1951.

ERNEST C. YANEZ, San Quentin No 64031, plead guilty to the crime of violation of Section 503 of the Vehicle Code in Los Angeles County during September, 1939. He served approximately 2 years and 6½ months in prison, being discharged therefrom on March 19, 1942 Certificate of rehabilitation issued February 25, 1948, by the Superior Court of Los Angeles County. Granted July 3, 1950.

PARDONS

Granted without reference to Chapter 3 5, Sections 4852 01 to 4852.2 of the Penal Code, after favorable recommendation.

PAUL BARQUERA, also known as JOHN MONTESANO, and RAUL CARRANZA BARQUERA, and PAUL GONZALES, Los Angeles Police Department Number 25969-M-1, plead guilty to the crime of petty theft in Los Angeles County on August 4, 1933. He served sixty days in the Los Angeles City Jail. Paul Barquera is subject to deportation to Mexico. Pardon recommended by the Adult Authority. Granted April 7, 1950.

ANSON CLIFFORD EMPEY, Alameda County Jail No. 11619, plead guilty to the crime of contributing to the delinquency of a minor in Alameda County during February, 1928 He served three months in the Alameda County Jail. Empey has been deported to Canada. Pardon recommended by the Adult Authority. Granted December 9, 1950.

FRED JOHNSON, also known as ALFRED E. WAIGHT, San Quentin No. 35910 and Folsom No. 12033, plead guilty to the crime of burglary second degree in Sacramento County during January, 1922 He served 6 years and 6 months in prison, being discharged therefrom on July 27, 1928. Pardon recommended by a majority of the Justices of the California Supreme Court, J. V. Hicks, Chief of Police, Sacramento, and the Adult Authority Granted December 9, 1950.

ROBERT MINER, San Quentin No. 62805 and Folsom No. 23756, plead guilty to the crimes of robbery second degree, grand theft, and kidnapping in Imperial County during December, 1938. He served approximately 2 years and 1½ months in prison, until February 3, 1941, on which date he escaped He was arrested on February 4, 1941, in Los Angeles County, and returned to Folsom prison to complete his sentence, and all credits earned or to be earned were forfeited on his original term. He served 3 years and 2½ months in prison, being released therefrom on April 17, 1944, on a Special Service Parole, pursuant to Chapter 396, Statutes of 1943. He served approximately 3 years and 5½ months on parole, being discharged therefrom on September 26, 1947. Pardon recommended by Fred Finsley, Chief State Parole Officer, and the Adult Authority. Granted December 9, 1950

ABELARDO NORRIEGA, San Quentin No. 41644, plead guilty to the crime of violation of Section 288 of the Penal Code in San Diego County during January, 1926. He served approximately 9 years and 5½ months in prison and 5 years on parole, being discharged therefrom on July 24, 1940. Pardon recommended by Clifford E. Peterson, former Chief of Police of San Diego, and the Adult Authority. Granted December 9, 1950.

MIGUEL SANTIBANEZ, San Diego County Jail No. 23687, was convicted of the crime of petty theft in San Diego County on August 29, 1927. He served six months in the San Diego County jail Miguel Santibanez is subject to deportation to Mexico. Pardon recommended by the Advisory Pardon Board. Granted July 3, 1950

COMMUTATION OF SENTENCE

LOWELL DAVIS, San Quentin Nos 45799 and 45861, plead guilty to the crimes of murder first degree and robbery first degree in Fresno County during July, 1928, and received a life sentence. He served 13 years and 4½ months in prison or until his release on parole, which was December 15, 1941. Commutation of sentence to time served recommended by James M. Thuesen, District Attorney of Fresno County, Chas R. Barnard, Presiding Justice, District Court of Appeal, Fourth Appellate District, Fresno, who was trial judge in this case; Fred Finsley, Chief State Parole Officer, and the Adult Authority. Commutation of sentence to time served granted July 3, 1950.

ANNOUNCEMENTS

Mr. Rosenthal announced that he is holding a Bonus Bill at his desk, and any member desiring to place his name upon the bill as a co-author may come to his desk now, and affix his signature.

Mr. McCollister announced that he is holding several bills at his desk, relating to bond issues and to loans for home and farm purposes, so that members desiring to be co-authors may come to his desk to sign their names.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 24—An act making an appropriation for construction, improvements, and equipment of an office building in the City of Sacramento for the State Department of California Highway Patrol, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means.

Amendment No. 1

On page 2, line 6, of the printed bill, as amended in the Senate on January 19, 1951, after "building", insert "or such other funds as are available to the State Department of California Highway Patrol for the purpose".

Amendment No. 2

On page 2 of said bill, between lines 6 and 7, insert "Any state agency authorized to invest funds under its control and the State Department of California Highway Patrol are hereby authorized to enter into the above agreement.

Whenever under any general or special statute the Director of Finance is authorized to invest the money in a special fund in the State Treasury, he is hereby authorized to invest the money in any such fund or funds for the purposes of this section. Investments by the Director of Finance under this section shall not exceed seven hundred thousand dollars ($700,000) in the aggregate. Any such investment shall be made pursuant to an agreement between the Director of Finance and the State Department of California Highway Patrol providing for the investment of such funds and the liquidation of the investment with interest at the rate agreed upon between the parties out of rental charges to be paid by the agencies using the building or from other funds available to the State Department of California Highway Patrol for such purpose."

Amendment No. 3

On page 2, line 4, of said bill, strike out "repayment of the sum invested", and insert "liquidation of the investment."

Amendment No. 4

On page 2, line 5, of said bill, after "parties", insert a comma.

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Motion to Place Rush Order on Printing of Senate Bill No. 24

Mr. Sherwin moved that a rush order be placed upon the printing of Senate Bill No. 24.

Motion carried.

Senate Bill No. 25—An act making an appropriation for construction, improvements, and equipment of an office building in the City of Sacramento for the State Department of Motor Vehicles, declaring the urgency thereof, to take effect immediately.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 2, line 7, of the printed bill, as amended in the Senate on January 19, 1951, after "building", insert "or such other funds as are available to the State Department of Motor Vehicles for the purpose."

Amendment No. 2

On page 2 of said bill, between lines 7 and 8, insert "Any state agency authorized to invest funds under its control and the State Department of Motor Vehicles are hereby authorized to enter into the above agreement.

Whenever under any general or special statute the Director of Finance is authorized to invest the money in a special fund in the State Treasury, he is hereby authorized to invest the money in any such fund or funds for the purposes of this section. Investments by the Director of Finance under this section shall not exceed five million five hundred thousand dollars ($5,500,000) in the aggregate. Any such investment shall be made pursuant to an agreement between the Director of Finance and the State Department of Motor Vehicles providing for the investment of such funds and the liquidation of the investment, with interest as the rate agreed upon between the parties, out of rental charges to be paid by the agencies using the building or from other funds available to the State Department of Motor Vehicles for such purpose."

Amendment No. 3

On page 2 of said bill, at the beginning of line 8, insert "SEC. 3."

Amendment No. 4

On page 2, line 23, of said bill, strike out "3", and insert "4".

Amendment No. 5

On page 2, line 4, of said bill, strike out "repayment", and insert "liquidation of the investment,".

Amendment No. 6

On page 2, line 6, of said bill, after "parties", insert a comma.

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Motion to Place Rush Order on Printing of Senate Bill No. 25

Mr. Sherwin moved that a rush order be placed upon the printing of Senate Bill No. 25.

Motion carried.

Senate Bill No. 120—An act making an appropriation to the Emergency Fund specified in Item 277 of the Budget Act of 1950, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 1, of the printed bill, as amended in the Senate on January 19, 1951, strike out "in the", and insert "unappropriated".

Amendment No. 2

On page 1, line 2, of said bill, strike out "remaining".

Amendment No. 3

On page 1, lines 3 and 4, of said bill, strike out "unallocated by the State Allocation Board".

Amendment No. 4

In line 5 of the title of said bill, after "therefor", insert "declaring the urgency thereof, to take effect immediately".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Motion to Place Rush Order on Printing of Senate Bill No. 120

Mr. Sherwin moved that a rush order be placed upon the printing of Senate Bill No. 120.

Motion carried.

REQUEST FOR UNANIMOUS CONSENT THAT LETTERS OF TRANSMITTAL AND REPORTS BE PRINTED IN JOURNAL

Mr. Caldecott asked for, and was granted, unanimous consent that a letter of transmittal and a Final Report on the Salaries of the State Judiciary by the Assembly Interim Committee on Equalization of Salaries, Qualifications and Job Classifications of Public Employees be ordered printed in the Journal in 10-point type; and that a letter of transmittal and a Final Report on Present and Recommended Salaries of State Administrative Officials by the Assembly Interim Committee on Equalization of Salaries, Qualifications and Job Classifications of Public Employees be ordered printed in the Journal in 10-point type.

(Above mentioned letters of transmittal and final reports will appear prior to the motion to adjourn.)

REQUEST FOR UNANIMOUS CONSENT THAT REPORTS BE PRINTED AS A SEPARATE DOCUMENT AND THAT 500 COPIES BE PRINTED

Mr. Caldecott asked for, and was granted, unanimous consent that the two above mentioned reports be printed as a separate document, in 10-point type, and that 500 copies be printed.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2770: By Messrs. Moss and Fleury—An act to amend Section 11b of the Municipal Court Act of 1925, relating to municipal courts in cities of the second and three-eighths class.

Referred to Committee on Judiciary.

Assembly Bill No. 2771: By Messrs. Moss and Fleury—An act to add Section 491 5 to the Government Code, relating to assembly districts.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2772: By Messrs. Fleury and Moss—An act to amend Sections 70 and 70 1 of the Streets and Highways Code, relating to the California Highway Commission.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2773: By Mr. Morris—An act relating to retirement plans and systems for public employees established by political subdivisions of the State and by departments, divisions, or agencies thereof.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2774: By Mr. Morris—An act to amend Section 39 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2775: By Mr. Morris—An act to add Chapter 1.5 to Division 8 of the Business and Professions Code, relating to the sale of personal property at auction.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2776: By Mr. Hansen—An act to amend Section 21189 of the Water Code, relating to contracts of group insurance or a system of group annuities in irrigation districts.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2777: By Mr. Gubser—An act to amend Section 53.6 of, and to add Section 53.7 to the Alcoholic Beverage Control Act, relating to alcoholic beverages.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2778: By Mr. Hahn—An act to add Section 1449.3 to the Education Code, relating to the State Teachers' Retirement System in respect to granting credit to members for time during which they were prevented from teaching by detention as a prisoner of war or internment by the enemy.

Referred to Committee on Education.

Assembly Bill No. 2779: By Mr. Levering—An act to amend Section 1503 of the Welfare and Institutions Code, relating to the object and purpose of aid to needy children.

Referred to Committee on Social Welfare.

Assembly Bill No. 2780: By Mr. Levering—An act to add Section 1511.1 to the Welfare and Institutions Code, relating to aid to needy children and standards of adequate care therefor.

Referred to Committee on Social Welfare.

Assembly Bill No. 2781: By Mr. George D. Collins—An act to amend Section 871 of the Banking Code, relating to dormant accounts.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2782: By Messrs. George D. Collins and Condon—An act to amend Section 3101 of the Government Code, relating to an oath or affirmation of allegiance for civil defense workers and public employees.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2783: By Messrs. George D. Collins, Gaffney, Condon, Berry, and Rumford—An act to add Section 6365 to the Revenue and Taxation Code, relating to exemptions from the sales and use taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2784: By Messrs. George D. Collins and Gaffney—An act to add Section 1193.5 to the Penal Code, relating to the imposition of death sentence.

Referred to Committee on Judiciary.

Assembly Bill No. 2785: By Mr. George D. Collins—An act to amend Section 7523 of the Business and Professions Code, relating to local regulation of street patrol officers.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2786: By Mr. Hollibaugh—An act to amend Section 6451 of the Revenue and Taxation Code relating to sales tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2787: By Mr. Hollibaugh—An act to amend the article heading of Article 2, Chapter 1, Part 6, Division 1, and Sections 3356, 3391, 3396, 3398, and 3403 and to repeal Sections 3392, 3393, 3394, 3395, 3397, 3399, 3400, and 3401, of the Revenue and Taxation Code, relating to real property taxation and the publication of delinquent lists.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2788: By Mr. McGee—An act to add Section 8657 to the Elections Code, relating to contest of primary elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2789: By Mr. McGee—An act to add Section 17021 to the Revenue and Taxation Code, relating to the personal income tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2790: By Mr. McCollister—An act to add Section 6a to the Alcoholic Beverage Control Act relating to sale of beer to instrumentalities of the Armed Forces of the United States maintained on U. S. Government Military or Naval Reservations.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2791: By Mr. Evans—An act to amend Section 31676.7 of the Government Code relating to retirement.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2792: By Mr. Lyon—An act to add Section 790.1 to the Fish and Game Code, relating to the possession and sale of crabs and crab meat.

Referred to Committee on Fish and Game.

Assembly Bill No. 2793: By Mr. Lyon—An act to add Section 6404 to the Revenue and Taxation Code, relating to exemption of livestock from the use tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2794: By Mrs. Niehouse, Messrs. Crowley, and Coats—An act to add Section 9148 to the Education Code, relating to field officers or teachers for the adult blind.

Referred to Committee on Education.

Assembly Bill No. 2795: By Mr. Crowley, Mrs. Niehouse, and Mr. Coats—An act to amend Section 16091 of the Education Code, relating to readers for blind students, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 2796: By Mr. Crowley, Mrs. Niehouse, and Mr. Coats—An act to add Section 3354 to the Welfare and Institutions Code, relating to the sale of raw materials purchased for state institutions for the blind.

Referred to Committee on Social Welfare.

Assembly Bill No. 2797: By Messrs. McGee and McCarthy—An act to amend Section 4663 of the Labor Code, relating to Workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2798: By Messrs. McGee and McCarthy—An act to add Section 5005 to the Labor Code, relating to filing of a release or compromise agreement.

Referred to Committee on Industrial Relations.

Assembly Bill No. 2799: By Mr. McCollister—An act to add Article 5 to Chapter 3, Division 1 of the Streets and Highways Code, relating to roadside parks in conjunction with the State Highway System.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2800: By Mr. McCollister—An act to add Section 19572.5 to the Government Code, relating to state civil service.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2801: By Messrs. Dickey, Rumford, Dunn, Geddes, Caldecott, Lincoln, and Sherwin—An act providing for the allocation of the State's share of funds for the construction of a tube under the estuary between Oakland and Alameda.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2802: By Messrs. Dickey, Rumford, Dunn, Lincoln, Caldecott, and Sherwin—An act to provide for funds for the construction of a tube under the estuary between Oakland and Alameda in the refinancing of the San Francisco-Oakland Bay Bridge.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2803: By Mr. Belotti—An act to amend Section 356 of the Streets and Highways Code, relating to the State Highway System.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2804: By Mr. Belotti—An act to amend Section 315 of the Streets and Highways Code, relating to the State Highway System.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2805: By Messrs. Porter, Thomas, Cooke, McCollister, and Munnell—An act to amend Section 984 of the Military and Veterans Code, relating to purchases of farms and homes by veterans.

Referred to Committee on Military Affairs.

Assembly Bill No. 2806: By Mr. Brown—An act to amend Sections 3, 4, 5, 6, 9, 10, 10.2, 10.3, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 33, 34, 37, 38, 39, 40, 41, 43, 44, 46, 48, 49, 50, 51, 52, 54 and 59 of and to repeal Sections 20, 35, 36, 42, 53, 55, 56 and 57 of the Parking Law of 1949, relating to off-street parking.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2807: By Mr. Brown—An act to amend Section 14290 of the Business and Professions Code, relating to trade-marks.

Referred to Committee on Judiciary.

Assembly Bill No. 2808: By Mr. Lowrey—An act authorizing and directing the Department of Public Works, acting through the State Engineer, to make an investigation of and report on the water supplies of the Putah Creek Cone and adjacent areas in the Counties of Solano and Yolo, and making appropriation therefor.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2809: By Messrs. Lowrey and Cloyed—An act to amend Sections 339.3, 339.4, and 353.10 of the Agricultural Code, relating to fees for cattle brands and brand inspection.

Referred to Committee on Agriculture.

Assembly Bill No. 2810: By Mr. Lowrey—An act to repeal Section 12024.4 of the Business and Professions Code, relating to the sale of poultry, fowl, and rabbits by weight, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Agriculture.

Assembly Bill No. 2811: By Mr. Lowrey—An act to add Article 8 to Chapter 3, Division 9 of the Education Code, relating to school buildings.

Referred to Committee on Education.

Assembly Bill No. 2812: By Mr. Lowrey—An act to add Chapter 4 (comprising Sections 10700 to 10728, inclusive) to Part 2, Division 2, of Title 2 of the Government Code, and to repeal Sections 13293, 13294, 13295, 13296, 13297, 13298, and 13299 of said code, creating the office of Auditor General, prescribing his powers and duties, providing for the auditing and management of the fiscal and business affairs of the State, and providing for the transfer of funds.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2813: By Mr. Maloney—An act to amend the Alcoholic Beverage Control Act, by adding a new section, relating to warranty of price by suppliers.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2814: By Mr. Maloney—An act to amend the Alcoholic Beverage Control Act, by adding a new section, relating to territorial restrictions on distribution of alcoholic beverages.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2815: By Mr. Maloney—An act to amend Section 7.2 of the Alcoholic Beverage Control Act, relating to license transfers and escrows.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2816: By Mr. Maloney—An act to provide for the interchangeable use of single-trip beer cartons and to add Section 53.55 to the Alcoholic Beverage Control Act relating to use of cartons.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2817: By Messrs. Maloney and George D. Collins—An act making an appropriation for the construction of a floral exhibit hall in the City and County of San Francisco.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2818: By Mr. Maloney—An act to amend Section 737LL of the Political Code, relating to salaries of Superior Judges in the City and County of San Francisco.

Referred to Committee on Judiciary.

Assembly Bill No. 2819: By Mr. Lowrey—An act to amend Section 20 of the Fish and Game Code, relating to fish and game, and the administration of the laws pertaining thereto.

Referred to Committee on Fish and Game.

Assembly Bill No. 2820: By Mr. Maloney—An act to amend Section 22 of the Industrial Loan Act and/or Section 18650 of the Financial Code, relating to industrial loan companies and penalties for overcharge.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2821: By Mr. Maloney—An act to amend subdivision sixth of Section 4 of the Industrial Loan Act, relating to industrial loan companies and to correct the reference to general corporate powers.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2822: By Mr. Maloney—An act to amend subdivision fifth of Section 4 of the Industrial Loan Act and/or Section 18405 of the Financial Code, relating to industrial loan companies and to extend the time of maturity on commercial paper financed.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2823: By Mr. Maloney—An act to amend subdivision first of Section 4 of the Industrial Loan Act and/or Subdivisions (a), (b), (c), and (d) of Section 18401, Sections 18663 and 18665 of the Financial Code, relating to industrial loan companies and the power to loan and the installment investment certificates with loans.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2824: By Mr. Lowrey—An act to repeal Section 9808 of the Education Code, relating to the education of mentally retarded minors.

Referred to Committee on Education.

Assembly Bill No. 2825: By Mr. Lowrey—An act to add Section 160.96 to the Agricultural Code, relating to agricultural pest control business and establishing limitation upon bringing of action for loss suffered in connection therewith.

Referred to Committee on Agriculture.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No. 11

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 17

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2826: By Mr. Lowrey—An act to add Section 559 to the Streets and Highways Code, relating to state highway routes.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2827: By Mr. Lowrey—An act to amend Section 28141 of the Government Code, relating to compensation for public service in counties of the forty-first class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2828: By Mr. Lowrey—An act to amend Sec- 28143 of the Government Code, relating to compensation for public services in counties of the forty-third class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2829: By Mr. Lowrey—An act to amend Section 14610 of the Education Code, relating to teachers.

Referred to Committee on Education.

Assembly Bill No. 2830: By Mr. Lowrey—An act to amend Section 372 of the Vehicle Code, relating to vehicle registration fees, to take effect immediately.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2831: By Mr. Lowrey—An act to amend Section 18191 of the Education Code, relating to the construction of school buildings.

Referred to Committee on Education.

Assembly Bill No. 2832: By Mr. Lowrey—An act to add Chapter 2.5, comprising Sections 18120 to 18122, inclusive, to Division 9 of the Education Code, relating to plans for school buildings.

Referred to Committee on Education.

Assembly Bill No. 2833: By Mr. Lowrey—An act making an appropriation for the establishment of a School of Aviation.

Referred to Committee on Education.

Assembly Bill No. 2834: By Messrs. Lowrey, Lindsay, and Sherwin—An act to add Article 2.5, comprising Sections 13120 to 13124, inclusive, to Chapter 2, Part 3, Division 3, Title 2 of the Government Code, relating to sale of real property owned by the State.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2835: By Messrs. Lowrey, Lindsay, and Sherwin—An act to add Section 11011 to the Government Code, relating to lands under the jurisdiction of state agencies.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2836: By Messrs. Lowrey, Lindsay, and Sherwin—An act to amend Section 6219 of, and to add Section 6219.1 to, the Public Resources Code, relating to the index to land owned by the State.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2837: By Messrs. Lindsay and Gubser—An act to repeal an initiative act entitled "An act providing for daylight saving time in the State of California," approved by the electors November 8, 1949, relating to daylight saving time, and to provide for the submission of said repeal to the electors pursuant to Section 1b of Article IV of the State Constitution.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2838: By Mr. Lindsay—An act to add Section 547 to the Streets and Highways Code, relating to the State Highway System.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2839: By Mr. Lindsay—An act to add Section 4126.6 to the Public Resources Code, relating to the closure to entry of lands during the existence of an emergency resulting in an extreme fire hazard from incendiary or other causes, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2840: By Messrs. Doyle and McCollister—An act to amend Section 6535 of the Business and Professions Code, relating to barbers.

Referred to Committee on Public Health.

Assembly Bill No. 2841: By Messrs. Rosenthal and Hawkins—An act providing for the supervision and regulation of the transportation of persons and property for compensation by aircraft between places within the State of California; defining air common carriers and providing for the supervision and regulation thereof by the Public Utilities Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2842: By Mr. Waters—An act to amend Sections 2621 and 2706 of the Revenue and Taxation Code, relating to payment of costs on tax delinquent property.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2843: By Mr. Waters—An act to add Section 203.3 to the Revenue and Taxation Code, relating to property taxation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2844: By Mr. Brown—An act to add Section 15002.5 to the Government Code, and to amend Section 11103 of the Health and Safety Code, relating to the organization of the Department of Justice and its constituent agencies.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2845: By Mr. Brown—An act to amend Section 15003 of the Government Code, relating to the salary of the Deputy Director of the Department of Justice.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2846: By Mr. Brown—An act to provide for a study of procedures affecting apprehension, detection and commitment of mentally ill persons and for the study of criminal procedures in the inferior and superior courts by the Attorney General and making an appropriation therefor.

Referred to Committee on Judiciary.

Assembly Bill No. 2847: By Mr. McMillan—An act to add Sections 308b and 308c to the Penal Code, relating to cigarette vending machines.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2848: By Mr. Rosenthal—An act to add Part 13, comprising Sections 30000 to 30743, inclusive, to the Revenue and Taxation Code, imposing a tax on tobacco and tobacco products, and making an appropriation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2849: By Mr. Lindsay—An act to add Part 13, comprising Sections 30001 to 30473, inclusive, to Division 2 of the Revenue and Taxation Code, imposing a tax on the distribution of tobacco products, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2850: By Mr. Lanterman (By Request)—An act to amend Section 110 of the Revenue and Taxation Code, relating to property taxation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2851: By Mr. Lanterman (By Request)—An act to add Section 988 to the Revenue and Taxation Code, relating to property taxation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2852: By Mr McCarthy—An act to repeal Sections 2189, 2190, and 2191, to amend Section 2192 and to add to Division 1, Part 4 of the Revenue and Taxation Code a new chapter to be numbered 3, all relating to the lien of taxes upon personal property, possessory interests and goods in transit.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2853: By Mr. McCarthy—An act to amend Section 1511 of the Welfare and Institutions Code, relating to aid to needy children.

Referred to Committee on Social Welfare.

Assembly Bill No. 2854: By Mr. Dolwig—An act to add Section 1359.1 to, and to amend Section 1362 of, the Banking Code, relating to investments for savings banks.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2855: By Mr. Dolwig—An act to amend Section 4951 of the Health and Safety Code, relating to revenue bonds.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2856: By Mr. Dolwig—An act to add Article 4 to Chapter 1 of Part 1 of Division 2 of Title 5 of the Government Code, relating to contracts for special services.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2857: By Mr. Dolwig—An act to amend Sections 54307 and 54310 of, and to add Section 54479 to, the Government Code, relating to revenue bonds.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2858: By Mr. Dolwig—An act to amend Section 5471 of, and to add Sections 5474 and 5476 to, the Health and Safety Code, relating to the financing of sanitation and sewerage systems.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2859: By Mr. Dolwig—An act to add Article 9 to Chapter 5 of Part 3 of Division 5 of the Health and Safety Code, relating to revenue bonds

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2860: By Mr. Dolwig—An act to add Article 12 to Chapter 6 of Division 2 of Title 5 of the Government Code, relating to revenue bonds.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2861: By Mr. Dolwig—An act to amend Sections 4786 and 6644 of the Health and Safety Code, relating to bonds of county sanitation and sanitary districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2862: By Mr. Dolwig—An act to amend Sections 19486, 19597, and 19627 of the Business and Professions Code, relating to licensing and regulating horse race meetings, creating the Recreation Fund and making an appropriation thereto.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2863: By Mr. Dolwig—An act to add Sections 2107 and 2108 to the Education Code, relating to boards of education of chartered cities.

Referred to Committee on Education.

Assembly Bill No. 2864: By Mr. Dolwig—An act making an appropriation for a state office building in the City and County of San Francisco.

Referred to Committee on Ways and Means.

Assembly Bill No. 2865: By Mr. Lanterman (By Request)—An act to add Section 989 to the Revenue and Taxation Code, relating to property taxation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2866: By Messrs. Crowley and Maloney—An act to amend Sections 1, 2 and 4 of an act entitled "An act to aid in the prosecution of the war by authorizing housing authorities to develop or administer projects to provide housing for persons engaged in war industries or activities and to cooperate with the Federal Government in making housing available for such persons; to grant certain powers to public bodies," approved May 27, 1943, relating to the classes of tenants eligible to occupy such housing, extending the duration of the powers contained in such act, authorizing the exercise of such powers during periods of national emergency to aid in the national defense, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2867: By Messrs. Crowley and Maloney—An act to authorize cities, counties, housing authorities and other municipal corporations to acquire, operate and dispose of temporary housing projects made available by the Federal Government.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2868: By Mr. Rosenthal—An act to add Sections 9351.4 and 20012.4 to the Government Code, relating to Members of the Congress of the United States in respect to membership in State Retirement Systems.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2869: By Mr. Rosenthal—An act to amend Section 1504 of the Government Code, relating to official bonds of public officers.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2870: By Messrs. Rosenthal and Munnell—An act to amend Section 267 of the Vehicle Code, relating to operators' and chauffeurs' licenses.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2871: By Messrs. Rosenthal and Munnell—An act to amend Section 763 of the Vehicle Code, relating to penalties.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2872: By Messrs. Rosenthal and Munnell—An act to add Section 745 to the Vehicle Code, relating to records of convictions.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2873: By Messrs. Rosenthal and Munnell—An act to amend Section 735 of the Vehicle Code, relating to procedure upon arrest.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2874: By Mr. Rosenthal—An act to amend Section 647a of the Penal Code, relating to vagrancy.

Referred to Committee on Judiciary.

Assembly Bill No. 2875: By Mr. Rosenthal—An act to amend Section 729.5 of the Welfare and Institutions Code, relating to the custody of minors by peace officers or probation officers.

Referred to Committee on Industrial Relations.

Assembly Bill No. 2876: By Mr. Rosenthal—An act to amend Section 61 of the Alcoholic Beverage Control Act, relating to alcoholic beverages.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2877: By Mr. Rosenthal—An act to amend Section 305 of the Vehicle Code, relating to the revocation of licenses of juvenile offenders.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2878: By Mr. Rosenthal—An act to add Section 703 to the Welfare and Institutions Code, to amend Section 1504 of the Penal Code, and to amend Sections 166, 259, and 259a of the Code of Civil Procedure, relating to writs of habeas corpus by or on behalf of minors.

Referred to Committee on Judiciary.

Assembly Bill No. 2879: By Mr. Hawkins—An act to add Section 331.5 to the Penal Code, relating to gaming, and to gambling places.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2880: By Mr. Doyle—An act to add Section 55 8 to the Alcoholic Beverage Control Act, relating to sales of distilled spirits at wholesale and at retail.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 2881: By Messrs. Doyle and Geddes—An act making an appropriation from the State Highway Fund to pay the claim of Paul Manse.

Referred to Committee on Ways and Means.

Assembly Bill No. 2882: By Messrs. Caldecott, Moss, Rosenthal, Tomlinson, Fleury, Kirkwood, and Thomas—An act to add Chapter 6 to Part 1 of Division 3 of Title 2 of the Government Code, to amend Sections 12001, 12100, 12150, 12300, 12302, 12400, 13002, 14002, 15003, 15603, and 18650 of said code, to amend Section 21 of the Agricultural Code, to amend Sections 213 and 230 of the Banking Code, to amend Sections 151, 6512, 7011, 10055, 18626.5, and 19433 of the Business and Professions Code, to amend Section 25301 of the Corporations Code, to amend Sections 141, 144 2, 20924, and 22003 of the Education Code, to amend Sections 213, 230, and 5201 of the Financial Code, to amend Section 1732.6 of the Harbors and Navigation Code, to amend Sections 107.5 and 13101 of the Health and Safety Code, to amend Section 12902 of the Insurance Code, to amend Sections 51, 70.5, 77.5, 80, and 112 of the Labor Code, to amend Section 76 of the Military and Veterans Code, to amend Sections 5051 and 5076 of the Penal Code, to amend Section 3700 of the Political Code, to amend Section 501 of the Public Resources Code, to amend Section 304 of the Public Utilities Code, to amend Section 52 of the Streets and Highways Code, to amend Sections 105, 109, and 139.08 of the Vehicle Code, to amend Sections 130, 152, 1722, and 1723 of the Welfare and Institutions Code, to amend Section 10 of the Public Utilities Act, to amend Section 3 of the State Aeronautics Commission Act, to amend Sections 76 and 77 of the Unemployment Insurance Act, to amend Section 2 of an act entitled "An act to create the Franchise Tax Board, prescribing its powers, duties, jurisdictions, purposes, and functions and abolishing the office of Franchise Tax Commissioner," approved July 25, 1949; to amend Section 2 of an act entitled "An act to provide for the salaries and expenses of the Building and Loan Commissioner, his attorney, deputies, examiners, accountants, appraisers and other assistants; to provide for the disposition of moneys in the 'Building and Loan Inspection Fund' created by Chapter 354 of the Statutes of 1911, as amended; and of moneys collected under the Building and Loan Association Act; and otherwise relating to the Building and Loan Commissioner, his assistants and employees, and to the regulation of building and loan associations," approved June 12, 1931, relating to the salaries of state officers.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2883: By Mr. Caldecott—An act to amend Sections 1510, 1511, and 1512 of the Welfare and Institutions Code, relating to aid to needy children.

Referred to Committee on Social Welfare.

Assembly Bill No. 2884: By Mr. Caldecott—An act to add Section 7720 to the Business and Professions Code, relating to the payment of commissions.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2885: By Mr. Caldecott—An act to add Section 20630.1 to the Government Code, relating to prior service credit of members of the State Employment Retirement System, where service has been performed for a local public agency.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2886: By Messrs. McCollister, Dolwig, Beck, Munnell, Cooke, Crowley, Davis, Gaffney, Henderson, Levering, Moss, Stewart, and Thomas—An act to add Article 5C (First Veterans Bond Act of 1951) to Chapter 6 of Division 4 of the Military and Veterans Code, authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of state bonds, to create a fund to provide farm and home aid for veterans in accordance with the provisions of the Veterans Farm and Home Purchase Act of 1943 and acts amendatory and supplemental thereto; defining the powers and duties of said committee and of the Department of Veterans Affairs and other state officers in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; and providing that this act shall take effect upon the adoption by the people of the State of California of an amendment to the Constitution of the State of California approving, adopting, legalizing, ratifying, validating and making fully and completely effective said First Veterans Bond Act of 1951.

Referred to Committee on Military Affairs.

Assembly Bill No. 2887: By Messrs. McCollister, Dolwig, Beck, Moss, Cooke, Crowley, Davis, Gaffney, Henderson, Levering, Maloney, Munnell, and Stewart—An act to call a special election to be held throughout the State and to be consolidated with the direct primary election or with any other state-wide election held prior to said direct primary and to provide for the submission to the electors of this State at such special election of a constitutional amendment validating and declaring effective the First Veterans Bond Act of 1951, to take effect immediately.

Referred to Committee on Military Affairs.

Assembly Bill No. 2888: By Mr. Evans—An act to add Section 587d to the Penal Code, relating to malicious injuries to railroad property.

Referred to Commitee on Public Utilities and Corporations.

Assembly Bill No. 2889: By Mr. Thomas—An act to amend Sections 668, 668.5, 669, and 673 of, and to repeal Sections 670, 671, 672, 672.5, and 674 of, the Elections Code, relating to the publication of the list of precinct officers and polling places.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2890: By Messrs Thomas and Chapel—An act adding Section 5161 to the Public Resources Code, relating to the use of county parks.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2891: By Messrs. Thomas, Porter, and Chapel—An act to provide for the number of judges in judicial districts in which municipal courts are established.

Referred to Committee on Judiciary.

Assembly Bill No. 2892: By Mr. Dolwig—An act to add Section 1g to the Municipal Improvement Act of 1913, relating to municipal improvements.

Referred to Committee on Municipal and County Government.

Assembly Constitutional Amendment No. 39: By Messrs. Morris, Lincoln, Collier, and Condon—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding to Article XIII thereof a new section to be numbered 19, relating to the proceeds of taxes levied on property in a redevelopment project under the Community Redevelopment Act.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 40: By Messrs. McCollister, Dolwig, Beck, Henderson, Cooke, Crowley, Davis, Gaffney, Levering, Moss, Munnell, Stewart, and Thomas—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 16 to Article XVI thereof, relating to the issuance of bonds to provide farm and home aid for veterans.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 41: By Messrs. Rosenthal, Rumford, Kilpatrick, Munnell, Shaw, Hahn, and Morris—A resolution to proposed to the people of the State of California an amendment to the Constitution of the State, by adding to Article IV thereof a new section to be numbered 31e, relating to bonuses to members of the Armed Forces and providing for a tax on cigarettes and tobacco products to provide funds therefor.

Referred to Committee on Constitutional Amendments.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 368

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

Senate Bill No. 368—An act to amend Section 1 of an act entitled "An act making an appropriation to the Emergency Fund specified in Item 278 of the Budget Act of 1949, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, and declaring the urgency thereof, to take effect immediately," approved June 9, 1949, relating to repair and restoration of property damaged or destroyed by storms and floods, declaring the urgency thereof to take effect immediately.

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Lindsay:

Resolved, That Senate Bill No. 368 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read:

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—61.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 368

Senate Bill No. 368—An act to amend Section 1 of an act entitled "An act making an appropriation to the Emergency Fund specified in Item 278 of the Budget Act of 1949, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, and declaring the urgency thereof, to take effect immediately," approved June 9, 1949, relating to repair and restoration of property damaged or destroyed by storms and floods, declaring the urgency thereof to take effect immediately.

Bill read second time

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—61.

NOES—None.

Senate Bill No. 368—An act to amend Section 1 of an act entitled "An act making an appropriation to the Emergency Fund specified in Item 278 of the Budget Act of 1949, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, and declaring the urgency thereof, to take effect immediately," approved June 9, 1949, relating to repair and restoration of property damaged or destroyed by storms and floods, declaring the urgency thereof to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering,

Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No 1878

J. A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 16.

J. A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1951

MR SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No 51.

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2893: By Messrs. Kilpatrick, Evans, Hollibaugh, Lowrey, Cooke, and Moss—An act to add Section 257.5 to the Penal Code, relating to the circulation of printed or written matter with intent to injure any person.

Referred to Committee on Judiciary.

Assembly Bill No. 2894: By Messrs. McFall and Parker—An act to amend Section 928 of the Health and Safety Code, relating to local health districts.

Referred to Committee on Public Health.

Assembly Bill No. 2895: By Messrs McFall and Parker—An act to add Section 926a to the Health and Safety Code, relating to local health districts.

Referred to Committee on Public Health.

Hon. Arthur H. Connolly Presiding

At 11.29 a.m., Hon. Arthur H. Connolly, Member of the Assembly from the Twenty-first District, presiding.

REQUEST FOR UNANIMOUS CONSENT THAT PRELIMINARY REPORT BE PRINTED AS SEPARATE DOCUMENT AND THAT 2,000 COPIES BE PRINTED

Mr. Dickey asked for, and was granted, unanimous consent that the Preliminary Report of the Assembly Interim Committee on Air and Water Pollution be ordered printed, as a separate document, and that 2,000 copies be printed, with the recommended committee bills attached.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 9.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Joint Resolution No. 9—Relative to the rights of the State of California to tide and submerged lands lying along the Coast of California.

Referred to Committee on Rules.

ANNOUNCEMENT

Mr. Dickey announced, on behalf of Mr. Beck, a Democratic luncheon meeting and Caucus at the Hotel Sacramento, at noon.

RECESS

At 11.32 a.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.
Hon. Sam L. Collins, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 11

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2896: By Messrs. Geddes, Chapel, Doyle, Porter, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, Sam L. Collins, Connolly, Conrad, Cooke, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Gaffney, Grant, Gubser, Hahn, Hawkins,

Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Mrs. Niehouse, Messrs. Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters —An act to amend Section 110 of, and to add Sections 988 and 989 to the Revenue and Taxation Code, relating to the valuation of property for purposes of property taxation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2897: By Mr. Lyon—An act making an appropriation to the Department of Public Works for the acquisition of a right of way.

Referred to Committee on Transportation and Commerce.

MOTION TO TEMPORARILY SUSPEND RULE NO. 37

Mr. Clarke moved that Rule No. 37 be temporarily suspended for the purpose of permitting a bill from the Department of Justice to be introduced, at this time.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—67.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2898: By Mr. Butters—An act to provide for leasing adequate facilities and service for the extension, maintenance, and operation of the teletypewriter system of communication by the State Department of Justice, and to make an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

MOTION TO TEMPORARILY SUSPEND RULE NO. 37

Mr. Lipscomb moved that Rule No. 37 be temporarily suspended for the purpose of permitting a bill from the office of the Controller to be introduced, at this time.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—67.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 2899: By Mr. Lipscomb—An act to amend Section 13290 of the Government Code, relating to the State Accounting System and the fiscal affairs of the State.

Referred to Committee on Governmental Efficiency and Economy.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 3
Senate Joint Resolution No. 4

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Joint Resolution No. 3—Relative to memorializing the President and the Congress of the United States to declare Solano County, State of California, a critical defense area for the purpose of obtaining financing of housing construction.

Referred to Committee on Rules.

Senate Joint Resolution No. 4—Relative to memorializing the President and the Congress of the United States to provide for military access roads to Travis Air Force Base.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 142

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Concurrent Resolution No. 10

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 743

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

Senate Bill No. 743—An act to add Section 762.95 to the Agricultural Code, relating to inspection of canning tomatoes, making an appropriation for the purchase of color-meters for that purpose and providing for the return to the State Treasury of the money so appropriated, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Agriculture.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Joint Resolution No. 3

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

UNFINISHED BUSINESS (BY UNANIMOUS CONSENT) CONSIDERATION OF SENATE AMENDMENTS

Assembly Joint Resolution No. 3—Relative to the tidelands and submerged lands adjacent to the coastal states

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Joint Resolution No 3?

Amendment No. 1

On page 1, line 4, of the printed measure, strike out "1946", and insert "1947".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Joint Resolution No. 3 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Caldecott, Chapel, Cloyed, Collier, George D Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—61.

NOES—None.

Assembly Joint Resolution No. 3 ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 10

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 17

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 11

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 11—Relative to approving an amendment to the charter of the City of San Jose, a municipal corporation in the County of Santa Clara, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the seventh day of November, 1950;

Assembly Concurrent Resolution No. 13—Approving a certain amendment to the charter of the City of Pasadena, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the seventh day of November, 1950;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the twenty-third day of January, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 2—Relative to the allocation of funds for shipbuilding to Pacific Coast facilities;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twenty-third day of January, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 687—An act to amend Sections 18939 and 19200 of, and add Sections 18544 and 18545 to, the Government Code, relating to duration appointments and continuous examinations in the state civil service, declaring the urgency thereof, to take effect immediately;

And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-third day of January, 1951, at 11 a.m.

BURKE, Chairman

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 56
House Resolution No. 57

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolutions ordered on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 57

By Messrs. Evans and Lyon:

House Resolution No. 57

Relative to the retirement of Senator Swing

WHEREAS, After 27 years of distinguished service in the Senate, Senator Ralph E. Swing has retired from service with the Legislature; and

WHEREAS, Senator Swing has devoted much of his life in service to the people of San Bernardino County and to the State of California; and

WHEREAS, The Members of the Legislature and the people of the State have profited greatly by Senator Swing's keen insight of legislative problems; and

WHEREAS, Senator Swing has long been recognized as one of the ablest leaders in the Legislature; and

WHEREAS, The Members of the Legislature have learned to respect Senator Swing as an able statesman and a true friend; and

WHEREAS, The Members of the Legislature will sorely miss their able colleague; now, therefore, be it

Resolved by the Assembly of the State of California, That Honorable Ralph E. Swing be commended for the contribution that he has made to the people of the State of California and be extended the best wishes of the Members of the Assembly with the sincere hope that he will enjoy health and happiness in the years to come; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to prepare and transmit a suitably prepared copy of this resolution to Honorable Ralph E. Swing.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In the last "Resolved" paragraph of the measure as printed in the Assembly Journal of January 22, 1951, page 865, in the last line, after "suitably," strike out "prepared," and insert "engrossed."

Amendment read, and adopted.

Consideration of House Resolution No. 57, as Amended

By Messrs. Evans and Lyon:

House Resolution No. 57

Relative to the retirement of Senator Swing

WHEREAS, After 27 years of distinguished service in the Senate, Senator Ralph E. Swing has retired from service with the Legislature; and

WHEREAS, Senator Swing has devoted much of his life in service to the people of San Bernardino County and to the State of California; and

WHEREAS, The Members of the Legislature and the people of the State have profited greatly by Senator Swing's keen insight of legislative problems; and

WHEREAS, Senator Swing has long been recognized as one of the ablest leaders in the Legislature; and

WHEREAS, The Members of the Legislature have learned to respect Senator Swing as an able statesman and a true friend; and

WHEREAS, The Members of the Legislature will sorely miss their able colleague; now, therefore, be it

Resolved by the Assembly of the State of California, That Honorable Ralph E. Swing be commended for the contribution that he has made to the people of the State of California and be extended the best wishes of the Members of the Assembly with the sincere hope that he will enjoy health and happiness in the years to come; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to prepare and transmit a suitably engrossed copy of this resolution to Honorable Ralph E. Swing.

Resolution read, as amended, and adopted.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2900: By Messrs. Dills and McCollister—An act to amend the title to Chapter 3, Part 2, Division 2, and to amend Sections 51, 120, 422, 550, 562, 565, 640, 643.1 relating to the change of the name of the California Defense and Security Corps to California Guard Reserve and to disability and death benefits for the state military forces.

Referred to Committee on Military Affairs.

Assembly Bill No. 2901: By Mr. Dills—An act to amend an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by electors November 7, 1922,

by adding Section 20 to that act, relating to chiropractic, including the regulation and practice thereof, said amendment to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution.

Referred to Committee on Public Health.

Assembly Bill No. 2902: By Mr. Dills—An act to add Section 1069 to the Fish and Game Code, relating to sardines.

Referred to Committee on Fish and Game.

Assembly Bill No. 2903: By Messrs. Fleury and Moss—An act to amend Sections 2617, 2618, 2619, 2704, 2705, and to add Section 2705.5 to the Revenue and Taxation Code, relating to the time of delinquency of real estate taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2904: By Messrs. Gaffney and George D. Collins—An act to amend Section 14632 of the Education Code, and to add Section 14633 thereto, relating to retirement allowances for teachers retired under the State Teachers' Retirement System.

Referred to Committee on Education.

Assembly Bill No. 2905: By Messrs George D. Collins and Gaffney—An act to amend Section 6302 of the Labor Code, relating to the place of employment.

Referred to Committee on Industrial Relations.

Assembly Bill No. 2906: By Messrs. Gaffney and McCollister—An act to provide for the preparation of a system of directional and site highway markets, and making an appropriation therefor.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2907: By Mr. McFall—An act to add Sections 14259 and 14260 to, to amend Section 14540 of, and to repeal Sections 14541, 14542, 14543, 14544, 14545, 14546 and 14547 of the Health and Safety Code, relating to fire protection districts.

Referred to Committee on Municipal and County Government

Assembly Bill No. 2908: By Mr. McFall—An act to add Chapter 1 5 to Part 2, Division 1 of the Government Code, comprising Sections 35400 to 35402, relating to exclusion of territory from special districts

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2909: By Mr. McFall—An act to amend Sections 39560 and 39566 of, to add Section 39587 to, and to repeal Article 2 of Chapter 13, Part 2, Division 3 of the Government Code, comprising Sections 39520 through 39531, relating to municipal weed abatement.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2910: By Messrs. Maloney, Gaffney, Crowley, Berry, Belotti, George D. Collins, and Meyers—An act to add Section 27179 to the Streets and Highways Code, relating to police protection of bridge and highway district facilities.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2911: By Messrs. Maloney, Gaffney, Brady, McCarthy, Belotti, Berry, George D. Collins, Crowley, and Meyers—An act to amend Sections 27174 and 27177 of the Streets and Highways Code, relating to rules of the board of directors of a bridge and highway district, and the enforcement of such rules.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2912: By Messrs. Maloney, Gaffney, Crowley, Berry, Belotti, George D. Collins, and Meyers—An act amending Section 27020 of the Streets and Highways Code, relating to bridge and highway districts.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2913: By Messrs. Maloney, Gaffney, Crowley, Berry, Belotti, George D. Collins, and Meyers—An act to amend Section 27163 of the Streets and Highways Code, relating to bridge and highway districts.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2914: By Messrs. Maloney, Gaffney, Crowley, Berry, Belotti, George D. Collins, and Meyers—An act to amend Section 27281 of the Streets and Highways Code, relating to toll charges of highway districts.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2915: By Messrs. Maloney, Gaffney, Crowley, Berry, Belotti, George D. Collins, and Meyers—An act to provide for the realignment and reconstruction of State Highway Route 8 and making an appropriation therefor.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2916: By Messrs. Maloney, Gaffney, Crowley, Berry, Belotti, George D. Collins, and Meyers—An act providing for the repayment to counties of all sums advanced by such counties to a bridge and highway district pursuant to the Bridge and Highway District Act.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2917: By Messrs. Maloney, Gaffney, Crowley, Berry, Belotti, George D. Collins, and Meyers—An act to provide for the transfer of title and easement to the highway known as Sausalito

Lateral by the State Highway Commission from Golden Gate Bridge and Highway District, and to provide for the incorporation of such highway in the State Highway System of the State of California.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2918: By Messrs. Maloney, Gaffney, Crowley, Berry, Belotti, George D. Collins, and Meyers—An act to amend Section 302 of the Streets and Highways Code, relating to state highway routes.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2919: By Messrs. Maloney, Gaffney, Crowley, Berry, Belotti, George D. Collins, and Meyers—An act to provide for the construction of a highway between the north end of the Golden Gate Bridge and a point at or near Waldo, in Marin County, and making an appropriation.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2920: By Mr. Clarke—An act to add Section 188.1 to the Streets and Highways Code, relating to the expenditure of state highway funds, declaring the urgency thereof, and providing that this act shall take effect immediately.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2921: By Mr Clarke—An act to repeal Chapter 8, comprising Sections 1131 to 1136, inclusive, of Part 3 of Division 2 of the Labor Code, and to add a new Chapter 8 to Part 3 of Division 2 of that code, comprising Sections 1131 to 1139, relating to labor disputes and the policy of the State with respect to the conduct thereof, prohibiting certain types of activities and contracts in connection therewith, and providing injunctive and other relief for persons injured by violations thereof.

Referred to Committee on Industrial Relations.

Assembly Bill No. 2922: By Mr. Tomlinson—An act to amend Section 418 of the Education Code, relating to compensation of the county superintendent of schools in a county of the eighteenth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2923: By Mr. Morris—An act regulating the use of public highways for commercial purposes for the transportation of property for compensation; defining household goods carriers and permitting them to operate as common carriers on a state-wide basis, subject to regulation as provided herein; specifying the powers of the Public Utilities Commission; prescribing penalties for violations of this act; and repealing parts of acts inconsistent herewith.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2924: By Mr. Grunsky—An act to amend an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board

of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by electors November 7, 1922, by amending Section 1 thereof, relating to the State Board of Chiropractic Examiners, said amendment to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution.

Referred to Committee on Public Health.

Assembly Bill No. 2925: By Mr. Grunsky—An act to amend Section 11730 of the Insurance Code, relating to workmen's compensation insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2926: By Mr. Grunsky—An act to amend Section 11736 of the Insurance Code, relating to workmen's compensation insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2927: By Mr Grunsky—An act to add Section 11736.1 to the Insurance Code, relating to workmen's compensation insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2928: By Mr. Grunsky—An act to amend Section 2503 of the Education Code, relating to change of boundaries of school districts.

Referred to Committee on Education.

Assembly Bill No. 2929: By Mr. Grunsky—An act to amend Section 3691 of the Education Code, relating to the exclusion of school districts from high school districts.

Referred to Committee on Education.

Assembly Bill No. 2930: By Messrs. Grunsky and Porter—An act to amend Sections 4663, 4911, 4911.1, 4912, and 4912.2 of the Education Code, relating to school districts.

Referred to Committee on Education.

Assembly Bill No. 2931: By Mr Lincoln—An act to add Section 1157.1 to the Government Code, relating to public agencies.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2932: By Messrs. Lincoln and Rumford—An act to add Section 1151.1 to the Government Code, relating to deductions from the compensation of employees of public agencies.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2933: By Mr. Geddes—An act to amend Section 1648.3 and Section 1676 of the Insurance Code, relating to insurance production agencies.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2934: By Mr. Geddes (By Request)—An act to add Section 29075 to the Government Code, governing increases in expenditures and tax levies.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2935: By Messrs. Lowrey and Lindsay—An act to add Section 13115 to the Government Code, relating to acquisition of property for state purposes.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2936: By Messrs. Lowrey, Clarke, Hansen, McCollister, and Kelly—An act to add Section 7.4 to the Unemployment Insurance Act, relating to agricultural labor.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2937: By Mr. Lowrey—An act to add Section 533 to the Streets and Highways Code, relating to the State Highway System.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2938: By Mr. Lowrey—An act to amend Section 160.93 of the Agricultural Code, relating to the agricultural pest control business.

Referred to Committee on Agriculture.

Assembly Bill No. 2939: By Mr. Caldecott—An act to amend Section 2421 of the Education Code, relating to school districts.

Referred to Committee on Education.

Assembly Bill No. 2940: By Mr. Stanley—An act to amend Section 38703 of the Government Code, relating to zoning.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2941: By Messrs. George D. Collins, Gaffney, Berry, McCarthy, Connolly, and Meyers—An act to add Section 585.4 to the Vehicle Code, relating to the removal of vehicles parked upon streets or highways by local authorities.

Referred to Committee on Judiciary.

Assembly Bill No. 2942: By Messrs. George D. Collins, Gaffney, Berry, Meyers, Connolly, Maloney, and McCarthy—An act to amend Section 586 of the Vehicle Code, relating to the prohibited places where vehicles may stop, stand or park.

Referred to Committee on Judiciary.

Assembly Bill No. 2943: By Messrs. George D. Collins, Gaffney, Berry, Meyers, Connolly, Maloney, and McCarthy—An act to amend Section 459 of the Vehicle Code, relative to the powers of local authorities to make rules and regulations concerning the regulation of traffic.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2944: By Mr. Kelly—An act to add Section 685 to the Vehicle Code, relating to required equipment for motor trucks.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2945: By Mr. Kelly—An act to add Section 139.62 to the Vehicle Code, relating to the maintenance of uniforms and equipment of members of the California Highway Patrol and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2946: By Mrs. Niehouse and Mr. Cloyed—An act making an appropriation for the purchase of property adjacent to the campus of San Diego State College.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2947: By Messrs. Gubser and Kirkwood—An act to add Section 5050.3 to the Education Code, relating to state school building aid.

Referred to Committee on Education.

Assembly Bill No. 2948: By Mr. Davis—An act to add Section 707 to the Vehicle Code, relating to transportation by vehicle.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2949: By Mr. Davis—An act to add Section 13.5 to the Construction and Employment Act, providing for allocations to counties for the purpose of said act and making appropriation.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2950: By Mr. Davis—An act to add Section 736.3a to the Agricultural Code, relating to prices paid producers for fluid milk and fluid cream.

Referred to Committee on Agriculture

Assembly Bill No. 2951: By Mr. Chapel—An act to add Section 24605 to the Education Code, relating to the public schools.

Referred to Committee on Education

Assembly Bill No. 2952: By Mr. Chapel—An act to add Section 24605 to the Education Code, relating to the public schools.

Referred to Committee on Education

Assembly Bill No. 2953: By Mr. Chapel—An act to add Section 24605 to the Education Code, relating to the public schools

Referred to Committee on Education.

Assembly Bill No. 2954: By Mr. Chapel—An act to add Section 24605 to the Education Code, relating to the distribution of campaign literature and essays in schools.

Referred to Committee on Education.

Assembly Bill No. 2955: By Mr. Connolly—An act to repeal Section 7658 of the Public Utilities Code, relating to issuance of passenger tickets by railroad corporation, rights thereunder and damages in connection therewith.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2956: By Mr. Connolly—An act to repeal Section 7655 of the Public Utilities Code, relating to handling of baggage by railroad corporations and damages in connection therewith.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2957: By Mr. Connolly—An act to repeal Section 7654 of the Public Utilities Code, relating to posting of regulations in railroad passenger cars and responsibility of railroads for damages for injuries.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2958: By Mr. Connolly—An act to repeal Section 7653 of the Public Utilities Code, relating to accommodations for passengers of railroads.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2959: By Mr. Connolly—An act to repeal Section 7652 of the Public Utilities Code, relating to damages for failure of railroads to transport passengers or property

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2960: By Mr. Connolly—An act to repeal Section 7651 of the Public Utilities Code, relating to operation of railroads and sufficiency of their accommodations.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2961: By Mr Connolly—An act to repeal Section 7534 of the Public Utilities Code, relating to quality of rail used in construction of railroads

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2962: By Mr. Connolly—An act to amend Section 7532 of the Public Utilities Code, relating to the construction of railroads and the discontinuance of operation thereof.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2963: By Mr Connolly—An act to amend Section 7528 of the Public Utilities Code, relating to the motive power of railroads.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2964: By Mr. Connolly—An act to amend Section 7527 of the Public Utilities Code, relating to the powers of railroad corporations.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2965: By Mr. Connolly—An act to repeal Section 7510 of the Public Utilities Code, prescribing penalty for violations of Sections 7508 and 7509 thereof and authorizing prosecution of actions.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2966: By Mr. Connolly—An act to repeal Section 7509 of the Public Utilities Code, relating to increase in the rates and fares of railroad corporations.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2967: By Mr. Connolly—An act to amend Section 7508 of the Public Utilities Code, relating to transfer of property of railroad corporations, consent of stockholders and recording and effect of conveyance.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2968: By Mr. Connolly—An act to repeal Section 7507 of the Public Utilities Code, relating to certificate of payment of fixed capital stock of railroad corporations.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2969: By Mr. Connolly—An act to repeal Section 7506 of the Public Utilities Code, relating to the fixing of the capital stock of railroad corporations.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2970: By Mr. Connolly—An act to repeal Section 7505 of the Public Utilities Code, relating to the conversion of bonds of railroad corporations into stock.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2971: By Mr. Connolly—An act to repeal Section 7504 of the Public Utilities Code, defining the crime of assenting to a debt of a railroad company in excess of its available means by an officer, agent or stockholder of such company and prescribing the penalty for such crime.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2972: By Mr. Connolly—An act to repeal Section 7503 of the Public Utilities Code, relating to the borrowing of money by railroad corporations.

Referred to Committee on Public Utilities and Corporations.

NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 327 FROM COMMITTEE

Mr. Davis gave notice that on the second legislative day he would move to withdraw Senate Bill No. 327 from the Committee on Public Utilities and Corporations, and have it placed upon the file.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2973: By Mr. Connolly—An act to repeal Section 7502 of the Public Utilities Code, relating to the transfer of the capital stock of railroad corporations.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2974: By Mr. Connolly—An act to repeal Section 7501 of the Public Utilities Code, relating to election of directors of railroad corporations.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2975: By Mr. Connolly—An act to repeal Sections 566 and 567 of the Penal Code, defining the crime of assenting to a debt of a railroad company in excess of its available means by an officer, agent or stockholder of such company and prescribing the penalty for such crime.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2976: By Mr. Connolly—An act to amend Section 494 of the Civil Code, relating to transfer of property of railroad corporations, consent of stockholders, increase in rates thereof, recovery for violations and authority to prosecute actions.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2977: By Mr. Connolly—An act to repeal Section 491 of the Civil Code, relating to quality of rail use in construction of railroads.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2978: By Mr. Connolly—An act to repeal Section 490 of the Civil Code, relating to issuance of passenger tickets by railroad corporations, rights thereunder and damages in connection therewith.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2979: By Mr. Connolly—An act to repeal Section 489 of the Civil Code, relating to rates and charges for transportation of passengers and freight established by Board of Railroad Commissioners.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2980: By Mr. Connolly—An act to repeal Section 484 of the Civil Code, relating to posting of regulations in railroad passenger cars and responsibility of railroads for damages for injuries.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2981: By Mr. Connolly—An act to repeal Section 483 of the Civil Code, relating to accommodations for passengers of railroads.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2982: By Mr. Connolly—An act to repeal Section 482 of the Civil Code, relating to damages for failure of railroads to transport passengers or property.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2983: By Mr. Connolly—An act to repeal Section 481 of the Civil Code, relating to operation of railroads and sufficiency of their accommodations.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2984: By Mr. Connolly—An act to repeal Section 480 of the Civil Code, relating to annual report to the Secretary of State by railroad corporations.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2985: By Mr. Connolly—An act to repeal Section 479 of the Civil Code, relating to handling of baggage by railroad corporations and damages in connection therewith.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2986: By Mr. Connolly—An act to amend Section 468 of the Civil Code, relating to the construction and discontinuance of operation of railroads.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2987: By Mr. Connolly—An act to amend Section 465a of the Civil Code, relating to motive power of railroads.

Referred to Committee on Public Utilities and Corporations

Assembly Bill No. 2988: By Mr Connolly—An act to amend Section 465 of the Civil Code, relating to the powers of railroad corporations.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2989: By Mr. Connolly—An act to repeal Section 459 of the Civil Code, relating to certificate of payment of fixed capital stock of railroad corporations.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2990: By Mr. Connolly—An act to repeal Section 458 of the Civil Code, relating to the fixing of the capital stock of railroad corporations.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2991: By Mr. Connolly—An act to repeal Section 457 of the Civil Code, relating to the conversion of bonds of railroad corporations into stock.

Referred to Committee on Public Utilities and Corporations

Assembly Bill No. 2992: By Mr. Connolly—An act to repeal Section 456 of the Civil Code, relating to the borrowing of money by railroad corporations.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2993: By Mr. Connolly—An act to repeal Section 455 of the Civil Code, relating to the transfer of the capital stock of railroad corporations.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2994: By Mr. Connolly—An act to repeal Section 454 of the Civil Code, relating to election of directors of railroad corporations.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2995: By Mr. McGee—An act to add Section 987.5 to the Penal Code, relating to indigent defendants.

Referred to Committee on Judiciary.

Assembly Bill No. 2996: By Mr. McGee—An act to provide for the suspension of drivers' licenses.

Referred to Committee on Judiciary.

Assembly Bill No. 2997: By Mr. McGee—An act to authorize the change, modification or correction of judgments in criminal cases

Referred to Committee on Judiciary.

Assembly Bill No. 2998: By Mr. McGee—An act to add Section 261 5 to the Penal Code, relating to the definition of rape.

Referred to Committee on Judiciary.

Assembly Bill No. 2999: By Mr. McGee—An act to amend Section 209 of the Penal Code, relating to kidnapping.

Referred to Committee on Judiciary.

Assembly Bill No. 3000: By Mr. McGee—An act to amend Section 190 of the Penal Code, relating to murder.

Referred to Committee on Judiciary.

Assembly Bill No. 3001: By Mr. McGee—An act, relating to probation.

Referred to Committee on Judiciary.

Assembly Bill No. 3002: By Mr. McGee—An act to amend Section 8 of the Dangerous Weapons' Control Law, relating to deadly weapons.

Referred to Committee on Judiciary.

Assembly Bill No. 3003: By Mr. McGee—An act to add Section 1090 to the Penal Code, relating to jurors.

Referred to Committee on Judiciary.

Assembly Bill No. 3004: By Mr. McGee—An act to add Section 1127a to the Penal Code, relating to criminal proceedings.

Referred to Committee on Judiciary.

Assembly Bill No. 3005: By Mr. McGee—An act to add Section 680 to the Penal Code, relating to the punishment of persons convicted of criminal offenses.

Referred to Committee on Judiciary.

Assembly Bill No. 3006: By Mr. George D. Collins—An act to amend Section 6 of an act entitled "An act to restrict the running of dogs at large; to protect livestock from depredations of dogs; to provide for the issuance of dog license tags by counties, and the disposition of funds received as fees therefor; making the violation of the provisions of this act a misdemeanor and providing penalties therefor, and providing for the collection of damages by owners of livestock injured by dogs,"

approved June 3, 1921 (Chapter 757, Statutes of 1921), relating to the impounding and disposition of dogs running at large.

Referred to Committee on Municipal and County Government

Assembly Bill No. 3007: By Mr. Condon—An act to add Section 7 7 to the Unemployment Insurance Act, relating to definition of covered employees.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 3008: By Mr. Silliman—An act to repeal Section 18954 of the Government Code, relating to state civil service, in respect to promotional examinations in the California Highway Patrol.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3009: By Mr. Silliman—An act to amend Section 18901 of the Government Code, relating to duration of civil service eligible lists.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3010: By Mr. Silliman—An act to amend Section 18950 of the Government Code, relating to state civil service, in respect to promotional eligibility lists.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3011: By Mr. Silliman—An act to amend Section 18853 of the Government Code, relating to state employment, in respect to salaries on per diem or hourly bases.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3012: By Mr. Silliman—An act to amend Section 19058 and to repeal Section 19120 of the Government Code, relating to state civil service, in respect to temporary and emergency appointments.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3013: By Mr. Silliman—An act to amend Section 19533 of the Government Code, relating to state employment, in respect to layoffs.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3014: By Mr. Silliman—An act to amend Sections 18854, 18856, and 18857, and to repeal Section 18859 of the Government Code, relating to state salary ranges.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3015: By Mr. Silliman—An act to amend Section 18850 of the Government Code, relating to the adjustment of salary ranges in state civil service.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3016: By Mr. Silliman—An act to add Section 18657 to the Government Code, relating to state civil service, to provide for a Personnel Council.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3017: By Mr. Silliman—An act to add Section 18007 to the Government Code, relating to state employment, in respect to pay roll procedure.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3018: By Mr. Silliman—An act to amend Section 19502 of the Government Code, relating to state civil service, in respect to separations from service.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3019: By Messrs. Stewart, Erwin, and Chapel —An act making an appropriation to the Sixth District Agricultural Association and providing for its expenditure for the encouragement of floriculture.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3020: By Mr. Connolly—An act to add Section 28322 to the Health and Safety Code, relating to misbranding food in package form.

Referred to Committee on Public Health.

Assembly Bill No. 3021: By Mr. Erwin—An act to amend the Fish and Game Code by adding thereto a new section designated 1204 to aid in relieving waterfowl depredation to agricultural crops by authorizing the issuance of licenses to feed migratory game birds.

Referred to Committee on Fish and Game.

Assembly Concurrent Resolution No. 24: By Mr. Lowrey—Relative to the establishment of a thorough and coordinated program of research and experimentation in all phases of agricultural aviation.

Referred to Committee on Rules.

Assembly Constitutional Amendment No. 42: By Mr. George D. Collins—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by repealing Article XXXIV thereof, relating to low rent housing projects.

Referred to Committee on Constitutional Amendments.

Assembly Bill No. 3022: By Mr. Lipscomb—An act to amend Section 19330 of the Government Code, relating to leaves of absence for civil service employees.

Referred to Committee on Civil Service and State Personnel.

ANNOUNCEMENT

Speaker Sam L. Collins announced that the funeral services for Mrs. Butters, wife of Assemblyman Butters, will be held in Pomona, at the Todd Mortuary, at 1.30 p.m., on next Thursday, January 25th, and urged as many members as possible to be present.

UNANIMOUS CONSENT GRANTED THAT FLORAL SPRAY BE SENT TO FUNERAL SERVICES FOR MRS. BUTTERS

Speaker Sam L. Collins asked for, and was granted, unanimous consent that a floral spray be sent to the funeral services for Mrs. Butters and that the Chief Clerk be instructed to send such spray.

RESOLUTIONS

The following resolution was offered:

By Messrs. George D. Collins, Gaffney, and Cooke:

House Resolution No. 61

Relative to the creation of the Assembly Interim Committee on the Cost of Living

WHEREAS, The United States Bureau of Labor Statistics cost of living index has skyrocketed to new highs in recent weeks, thus reflecting the steeply rising costs which the people of this State must pay for the necessities of life; and

WHEREAS, The higher costs of many commodities appear to be attributable to shortages in supply and the exacting of high profits rather than to the increased costs of labor and new materials; and

WHEREAS, Investigations and studies to determine the basic forces that have sent the cost of living soaring to unprecedented heights are needed to inform the Legislature of the appropriate legislation required; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on the Cost of Living is hereby created and authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon the subjects mentioned in the recitals of this resolution, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the last legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of _____ dollars ($_____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY JOINT RESOLUTION NO. 11

Mr. Lanterman asked for, and was granted, unanimous consent that he be permitted to take up Assembly Joint Resolution No. 11, out of order, at this time.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 11

Assembly Joint Resolution No. 11—Relative to materials and equipment necessary for air pollution control.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Chapel, Clarke, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dills, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—53.

NOES—None.

Resolution ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 24

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 24—Relative to challenging the Assembly to a game of baseball.

Request for Unanimous Consent

Mr. Collier asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 24, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 24

Senate Concurrent Resolution No. 24—Relative to challenging the Assembly to a game of baseball.

Resolution read.

Resolution ordered re-referred to Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 3023: By Mr. Morris—An act to add Section 53253 to the Government Code, relating to firemen.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3024: By Mr. Morris—An act relating to benefits for members of the fire departments of state institutions.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3025: By Mr. Morris—An act to add Section 459.1 to the Unemployment Insurance Act, relating to the jurisdiction of the Appeals Board.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 3026: By Mr. Morris—An act to add Section 6359.6 to the Revenue and Taxation Code, relating to the sales and use taxes and exemptions therefrom, including the declaration of a continuing legislative intent to exempt farm equipment, spray materials, insecticides and fungicides used or employed in the production, processing and marketing of farm crops and livestock.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 3027: By Mr. Morris—An act to provide for the assessment of property for tax purposes

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 3028: By Mr. Morris—An act to repeal Article 7, comprising Sections 4111 to 4113, inclusive, of, and to add a new Article 7, comprising Sections 4111 to 4114, inclusive, to, the Public Utilities Code, relating to city carriers.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 3029: By Mr. Grant—An act to amend Section 4845.28 of the Health and Safety Code, relating to county sanitation districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3030: By Mr. Grant—An act to amend Section 12902 of the Insurance Code, relating to the Insurance Commissioner.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 3031: By Messrs. Rosenthal, Munnell, and Fleury—An act to amend Sections 26721, 26722, 26725, 26728, 26729, 26731, 26733, 26734, 26735, 26736, 26738, 26740, 26741, 26743, and 26746 of the Government Code, relating to the fees of sheriffs and marshals.

Referred to Committee on Judiciary.

Assembly Bill No. 3032: By Mr. Rosenthal—An act to add Section 27645 to the Government Code, relating to the duties of county counsels.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3033: By Mr. Rosenthal—An act to amend Sections 21, 39, and 41 of the Alcoholic Beverage Control Act, relating to administrative procedure of the State Board of Equalization.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 3034: By Messrs. Rosenthal and Munnell—An act to amend Section 30 of the Municipal and Justice Court Act of 1949, relating to salaries of municipal court judges.

Referred to Committee on Judiciary.

Assembly Bill No. 3035: By Mr. Rosenthal—An act to add Section 4011.6 to the Penal Code, relating to the transfer of mentally ill and sexual psychopathic persons from county jails to state hospitals.

Referred to Committee on Judiciary.

Assembly Bill No. 3036: By Mr. Davis—An act to add Section 6731.5 to the Business and Professions Code, relating to highway engineers in the state service.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3037: By Messrs. Hansen and Hagen—An act to add Section 941 to the Agricultural Code, relating to cotton.

Referred to Committee on Agriculture.

Assembly Bill No. 3038: By Mr. Waters—An act to amend Section 1264.3 of the Code of Civil Procedure, relating to eminent domain.

Referred to Committee on Judiciary.

Assembly Bill No. 3039: By Mr. Waters—An act to amend Section 1239 of the Code of Civil Procedure, relating to the taking of property for public use.

Referred to Committee on Judiciary.

Assembly Bill No. 3040: By Mr. Waters—An act to amend Section 1240 of the Code of Civil Procedure, relating to the taking of property by the State under proceedings in eminent domain.

Referred to Committee on Judiciary.

Assembly Bill No. 3041: By Mr. Waters—An act to amend Section 1241 of the Code of Civil Procedure, relating to the taking of property by eminent domain.

Referred to Committee on Judiciary.

Assembly Bill No. 3042: By Mr. Waters—An act to amend Section 1242 of the Code of Civil Procedure, relating to eminent domain.

Referred to Committee on Judiciary.

Assembly Bill No. 3043: By Mr. Waters—An act to amend Section 1245.4 of the Code of Civil Procedure, relating to actions to determine title to property.

Referred to Committee on Judiciary.

Assembly Bill No. 3044: By Mr. Waters—An act to amend Section 1248 of the Code of Civil Procedure, relating to eminent domain.

Referred to Committee on Judiciary.

Assembly Bill No. 3045: By Messrs. Hagen, Hansen, Henderson, Kelly, and Condon—An act to amend Section 1551 of the Labor Code, relating to employment agencies.

Referred to Committee on Industrial Relations.

Assembly Bill No. 3046: By Messrs. Hagen, Hansen, Henderson, Kelly, and Condon—An act to amend Section 1581 of the Labor Code, relating to employment agencies.

Referred to Committee on Industrial Relations.

Assembly Bill No. 3047: By Messrs. Hagen, Hansen, Henderson, Kelly, and Condon—An act to amend Section 1589 of, and to add Sections 1589 1, 1589.2, and 1589.3 to the Labor Code, relating to employment agencies.

Referred to Committee on Industrial Relations.

Assembly Bill No. 3048: By Messrs. Hagen, Hansen, Henderson, Kelly, and Condon—An act to amend Section 205 of the Labor Code, relating to the payment of wages.

Referred to Committee on Industrial Relations.

Assembly Bill No. 3049: By Messrs. Hagen, Hansen, Henderson, Kelly, and Condon—An act to add Sections 1622 1 and 1622.2 to the Labor Code, relating to employment agencies.

Referred to Committee on Industrial Relations.

Assembly Bill No. 3050: By Messrs. Hagen and Condon—An act to add Section 689.1 to the Code of Civil Procedure, relating to execution on personal property.

Referred to Committee on Judiciary.

Assembly Bill No. 3051: By Mr. Hagen—An act to add Sections 2160 1 and 3052 to the Welfare and Institutions Code, relating to eligibility for public assistance, including aid to the aged and aid to the needy blind

Referred to Committee on Social Welfare.

Assembly Bill No. 3052: By Mr. Hagen—An act creating a district to be called "Kings River Conservation District"; providing for its organization, operation, maintenance and government, for the inclusion of lands therein and the exclusion of lands therefrom; providing for the acquisition, construction, maintenance and operation of works and property for the purposes of the district, including the storage, conservation, distribution and sale of water, the development, distribution and sale of electric power, the drainage, reclamation and protection of land and prescribing and defining the powers, duties, purposes and responsibilites of said district.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 3053: By Messrs. Hagen, Hansen, and Kelly—An act to amend Section 118 of the Welfare and Institutions Code, relating to the use of information and records pertaining to public assistance.

Referred to Committee on Social Welfare.

Assembly Bill No. 3054: By Mr. Hagen—An act to add Chapter 6 to Division 7 of the Elections Code, comprising Sections 5400 to 5407, inclusive, relating to the publication of a voters' handbook to be mailed to each registered voter prior to the direct primary and prior to the general election.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 3055: By Mr. Hagen—An act to add Section 1508 to the Welfare and Institutions Code, relating to applicants residing with a stepparent.

Referred to Committee on Social Welfare.

Assembly Bill No. 3056: By Messrs. Hagen and Condon—An act to amend Section 402 of the Vehicle Code, relating to the liability of owners of motor vehicles.

Referred to Committee on Judiciary.

Assembly Bill No. 3057: By Mr. Hagen—An act to amend Sections 2014 and 3079 of the Welfare and Institutions Code, relating to inspection of records and to add Section 1513 to the Welfare and Institutions Code, relating to inspection of records.

Referred to Committee on Social Welfare.

Assembly Bill No. 3058: By Mr. Hagen—An act to add Section 1511 1, relating to supervision of grants of aid to needy children.

Referred to Committee on Social Welfare.

Assembly Bill No. 3059: By Mr. Hagen—An act to amend Section 1525 of the Welfare and Institutions Code, relating to residence requirements for qualification of aid to needy children.

Referred to Committee on Social Welfare.

Assembly Bill No. 3060: By Messrs. Moss and Fleury—An act to add Section 19368.7 to the Government Code, relating to layoff.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 3061: By Mr. Chapel—An act to amend Section 7693 of the Business and Professions Code, and to add Section 310 to the Penal Code, relating to advertising by funeral directors and embalmers and proprietors of cemeteries, crematories and mausoleums.

Referred to Committee on Public Health.

Assembly Bill No. 3062: By Mr. Belotti—An act to add Section 482.5 to the Fish and Game Code, relating to obstructions in streams.

Referred to Committee on Fish and Game.

Assembly Bill No. 3063: By Mr. Belotti—An act to amend Section 16 of the Mendocino County Flood Control and Water Conservation District Act, relating to the Mendocino County Flood Control and Water Conservation District.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3064: By Mr. Belotti (By Request)—An act providing for the acquisition of rights of way for, and the construction and reconstruction of existing public ways as parts of, a System of Strategic State Freeways and Highways therein designated; and providing for the financing of the same through the issuance and sale of state bonds to be known as the California Strategic State Freeway and Highway Bonds; and creating a Strategic State Freeway and Highway Finance Board and prescribing its duties and the duties of the State Controller in respect to said bonds; and making an appropriation from

the General Fund of this State to pay all expenses incurred in the issuance, sale and discharge of said bonds; and to amend Section 7351 of the Revenue and Taxation Code, relating to motor vehicle fuel license tax; and to amend Section 8651 of said code, relating to the motor vehicle use fuel tax, and providing for an additional such fuel license tax and use license tax, both at the rate of 2 cents per gallon to be paid into an Interest and Sinking Fund, and making an appropriation of all moneys in said fund, for the payment of said bonds and interest thereon; and providing for the powers and duties of the State Department of Public Works and the California Highway Commission in connection with said System of Strategic State Freeways and Highways; and to amend Section 186 of the Streets and Highways Code, relating to the moneys available to said department and commission for general administration and for maintenance of state freeways and highways; and to amend Sections 188 and 188.4 of the Streets and Highways Code, relating to the allocation and expenditure of moneys in the State Highway Fund and designating the name by which this act shall be known, and providing that this act shall be and become effective upon the adoption of an amendment to the Constitution of this State approving, adopting, legalizing, validating and making fully and completely effective this act.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3065: By Mr. Elliott—An act to amend Sections 52 and 53 of, and to add Section 54.5 to, the Civil Code, relating to civil rights.

Referred to Committee on Judiciary.

Assembly Bill No. 3066: By Mr. Lindsay—An act making an appropriation to the Division of Forestry, Department of Natural Resources, to provide for special stand-by brush burning fire protection services, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3067: By Mr. Lindsay—An act to add Section 1773 to the Welfare and Institutions Code and Section 5082 to the Penal Code, relating to reimbursement to owners of property damaged by persons escaped from correctional or penal institutions.

Referred to Committee on Judiciary.

Assembly Bill No. 3068: By Mr. Dickey—An act to amend Section 28103 of the Government Code, relating to jurors' fees in counties of the third class.

Referred to Committee on Judiciary.

Assembly Bill No. 3069: By Mr. Dickey—An act to amend Section 5461 of the Health and Safety Code, relating to contamination or pollution of waters.

Referred to Committee on Public Health.

Assembly Bill No. 3070: By Mr. McMillan—An act to amend Section 61 of the Alcoholic Beverage Control Act, relating to the sale and purchase of alcoholic beverages.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 3071: By Mr. McMillan—An act to add Section 38.1 to the Alcoholic Beverage Control Act, relating to distances between licensed premises.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 3072: By Mr. McMillan—An act to add Section 1590 5 to the Labor Code, relating to the regulation of employment agencies.

Referred to Committee on Industrial Relations.

Assembly Bill No. 3073: By Mr. McMillan—An act to add Section 1062.5 to the Fish and Game Code, relating to mackerel.

Referred to Committee on Fish and Game.

Assembly Bill No. 3074: By Mr. Lowrey—An act to add Section 4 to the Fish and Game Code, relating to the taking of private land for public use.

Referred to Committee on Fish and Game.

Assembly Bill No. 3075: By Mr. Waters—An act to add Section 7610 to the Elections Code, relating to canvass of votes for judicial offices.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 3076: By Messrs. Lyon, Maloney, Brown, Caldecott, Sam L. Collins, Crowley, Dolwig, and Stewart—An act to amend Sections 20013, 20604, 21250, 21295, and 21330 of the Government Code, and to add Sections 20014.6, 20017.8, 20017.9, 20602.9, 20602.95, 20603.3, 20750.7, 20803.7, 20950.7, 20980.7, 21020.7, 21210, 21252.4, 21256.3, 21257.2, 21262.1, 21290.7, 21292.7, and 21363.6 thereto, relating to the State Employees' Retirement System in respect to the Alcoholic Beverage Control Act enforcement personnel of the State Board of Equalization.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 3077: By Mr. McGee—An act to add Section 452 to the Penal Code, relating to arson.

Referred to Committee on Judiciary.

Assembly Bill No. 3078: By Messrs. Meyers, Maloney, Gaffney, Condon, Berry, Cooke, Grant, Hahn, Lincoln, McFall, and Rosenthal—An act to amend Section 8 of the Dangerous Weapons Control Law, relating to dangerous weapons.

Referred to Committee on Judiciary.

Assembly Bill No. 3079: By Messrs. Meyers, Hahn, Gaffney, Condon, Berry, Cooke, Grant, Lincoln, McFall, and Rosenthal—An act to add Section 8.7 to the Dangerous Weapons Control Law, relating to dangerous weapons.

Referred to Committee on Judiciary.

Assembly Bill No. 3080: By Mr. Henderson—An act to amend Section 19601.5 of the Education Code, relating to child care centers.

Referred to Committee on Social Welfare.

Assembly Bill No. 3081: By Mr. McMillan—An act to add Chapter 7 to Division 12 of the Education Code, relating to the suspension, licensing, and regulation of private schools.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 3082: By Mr. Kilpatrick—An act to amend an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by electors November 7, 1922, by amending Sections 1, 5, 10, and 15, and to repeal Section 7, and to add Section 7 thereto, relating to the practice and study of chiropractic, said amendment to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution.

Referred to Committee on Public Health.

Assembly Bill No. 3083: By Mr. Dolwig—An act to amend Section 6107 and 27381 of the Government Code, relating to issuance of certified copies of public records to veterans.

Referred to Committee on Military Affairs.

Assembly Bill No. 3084: By Mr. Dolwig—An act to amend Section 200 of the Code of Civil Procedure, relating to exemption from jury duty.

Referred to Committee on Judiciary.

Assembly Bill No. 3085: By Mr. Dolwig—An act to amend Section 204a of the Code of Civil Procedure, relating to jury commissioners.

Referred to Committee on Judiciary.

Assembly Bill No. 3086: By Mr. Dolwig—An act to amend Section 9902 of the Government Code, relating to the regulation of legislative representation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3087: By Mr. Dolwig—An act to amend Section 204c of the Code of Civil Procedure, relating to the duties, powers and expenses of superior court commissioners and their assistants.

Referred to Committee on Judiciary.

Assembly Bill No. 3088: By Mr. Dolwig—An act to amend Section 9906 of the Government Code, relating to the regulation of legislative representation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3089: By Mr. Dolwig—An act to amend Section 9908 of the Government Code, relating to the regulation of legislative representation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3090: By Mr. Dolwig—An act authorizing counties to waive and pledge their share of funds derived from motor vehicle fuel and use taxes; authorizing the State Treasurer to prepare and issue bonds in the amount waived by the counties; and authorizing counties to expend the proceeds raised from the sale of the bonds for the immediate construction or repair of highways.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3091: By Mr. Crowley—An act to suspend those provisions of Article XI, Section 5, of the Constitution, relating to the compensation of county, township and municipal officers, declaring the urgency hereof, to take effect immediately.

Referred to Committee on Constitutional Amendments.

Assembly Bill No. 3092: By Mr. Beck—An act to amend Section 590 of the Fish and Game Code, relating to kelp.

Referred to Committee on Fish and Game.

Assembly Joint Resolution No. 14: By Messrs. Levering and Maloney—Relative to memorializing Congress to take action for protection for civilian injuries or deaths resulting from acts of war.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No. 14

Has had the same under consideration, and reports the same back with the recommendation: Be adopted

DICKEY, Chairman

Request for Unanimous Consent

Mr. Levering asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 14, at this time, without reference to print or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 14

Assembly Joint Resolution No. 14—Relative to memorializing Congress to take action for protection for civilian injuries or deaths resulting from acts of war.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—61.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY JOINT RESOLUTION NO. 7

Mr. Lowrey asked for, and was granted, unanimous consent that he be permitted to take up Assembly Joint Resolution No. 7, out of order, at this time.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 7

Assembly Joint Resolution No. 7—Relative to acquisition of land by the United States.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, and Mr. Speaker—60.

NOES—None.

Resolution ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1951

MR SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 21

Has had the same under consideration, and reports the same back with the recommendation: Be adopted

DICKEY, Chairman

Request for Unanimous Consent

Mr. McMillan asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 21, at this time, without reference to file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 21

Assembly Concurrent Resolution No. 21—Relative to approving certain amendments to the charter of the City of Culver City, County of Los Angeles, State of California, voted for and ratified by the electors of said city of Culver City at a special municipal election held therein on the seventh day of November, 1950.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Clarke, Cloyed, Collier, George D Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Mr Speaker—62.

NOES—None

Resolution ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 3093: By Mr. Beck—An act to repeal Sections 590, 591, 592, 593, 594, 595, and 596 of the Fish and Game Code, relating to kelp.

Referred to Committee on Fish and Game.

Assembly Bill No. 3094: By Mr. Beck—An act to amend Section 57 of the Alcoholic Beverage Control Act, relating to employment of hostesses by licensees.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 3095: By Mr. Beck—An act to amend Section 40 of the Alcoholic Beverage Control Act, relating to alcoholic beverage control.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 3096: By Messrs Hollibaugh, Lyon, Hawkins, Waters, Burke, Burkhalter, Chapel, Collier, Conrad, Dills, Doyle, Elliott, Erwin, Evans, Geddes, Grant, Hahn, Kilpatrick, Klocksiem, Lanterman, Levering, Lipscomb, McGee, McMillan, Morris, Munnell, Porter, Rosenthal, Smith, Stewart, and Thomas—An act to provide for the acquisition of land and improvements in that part of the City of Los Angeles, County of Los Angeles, known as Olvera Street, the Los Angeles Plaza, and the Pico-Garnier block as part of the State Park System and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3097: By Mr. Munnell—An act to amend Section 1596.1 of the Education Code, relating to school sites, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 3098: By Messrs. Geddes, Waters, Chapel, and Stewart—An act to amend Sections 3.1, 3.2, and 3.3, and to add Sections 3.4, 3.5, and 3 6 to the Los Angeles County Flood Control Act, relating to the establishment of zones within the district.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3099: By Mr. Berry—An act to amend Section 697.1 of the Motor Vehicle Code, relating to length of vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 3100: By Mr. Berry—An act to add Section 694a to the Vehicle Code, relating to width of busses.

Referred to Committee on Transportation and Commerce

Assembly Bill No. 3101: By Messrs. Gaffney and Maloney—An act to add Section 7026.5 to the Business and Professions Code, dealing with the Contractors' State License Act

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3102: By Mr Gaffney—An act to amend Section 7049 of the Business and Professions Code, dealing with exemptions under the Contractors' License Act.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3103: By Mr. Gaffney—An act to add Chapter 8, Part 3, Division 13, to the Health and Safety Code.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Constitutional Amendment No. 43: By Mr. Belotti (By Request)—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding a new section to be numbered 15, authorizing issuance and sale of bonds of the State of California in par value of not exceeding $1,000,000,000, proceeds to be paid into a fund for acquisition of rights of way for, and construction and reconstruction of existing public ways as parts of, a System of Strategic State Freeways and Highways; and approving, adopting, legalizing, validating and making fully and completely effective the Strategic State Freeway and Highway Bond Act of 1951, as passed by the Senate and Assembly at the 1951 General Session of the Legislature and approved by the Governor.

Referred to Committee on Constitutional Amendments.

RESOLUTIONS

The following resolutions were offered:

By Mr. Condon:

House Resolution No. 62

WHEREAS, The Attorney General of California is the legal adviser for state agencies and in that capacity prepares and issues official opinions of importance to such agencies and to the legislative body; and

WHEREAS, Such opinions are regularly published and available at the rate of $29 per annual subscription (plus tax) and at the rate of $150 per set (plus tax) for complete sets of the back numbers of the bound volumes; now, therefore, be it

Resolved, That the Clerk of the Assembly be and he is hereby directed to purchase from the publisher of such opinions and for the use of Members of the Assembly a total of 81 subscriptions for the biennium beginning January 1, 1951 at an aggregate cost of $4,698, plus tax; and be it further

Resolved, That the Clerk of the Assembly be and he is hereby directed to purchase from the publisher of such opinions for the use of new Members of the Assembly 13 sets of back numbers of the bound volumes of such opinions at an aggregate cost of $1,950, plus tax.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Dolwig:

House Resolution No. 63

Relating to printing of reports of legislative representatives

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly shall have printed in the Journal of the Assembly on the first and last day of each regular session names of such persons as are registered with the Legislative Auditor as legislative representatives, and the organization they are representing.

Resolution read, and ordered referred to the Committee on Rules.

RECESS

At 3.20 p.m., on motion of Mr. Dickey, the Assembly recessed until 8 p.m.

REASSEMBLED

At 8 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 22

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 25

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 25—Relative to the birthday of General Douglas MacArthur.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1951

MR SPEAKER: Your Committee on Rules, to which were referred:

Senate Joint Resolution No. 9
Senate Joint Resolution No. 3
Senate Joint Resolution No. 4

Has had the same under consideration, and reports the same back with the recommendation: Be adopted

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 63

Has had the same under consideration, and reports the same back with the recommendation. Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 22

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

REQUEST FOR UNANIMOUS CONSENT THAT CHIEF CLERK BE INSTRUCTED TO WRITE LETTER

Mr Condon asked for, and was granted, unanimous consent that the Chief Clerk be instructed to write a letter to General Douglas MacArthur, on behalf of the Members of the Assembly, and extend to him birthday congratulations.

RESOLUTIONS

The following resolutions were offered:

By Mr. Brady:

House Resolution No. 64

Relative to continuation of direct air route travel from Sacramento, California, to Washington, D C, via United Air Lines—and the dismissal by the Civil Aeronautics Board of the Proceeding (DOCKET 3660) which would eliminate the segment of the United Air Lines' direct route between Chicago, Illinois, and Washington, D. C

WHEREAS, Since 1943, by virtue of a certificate of public convenience and necessity granted by the Civil Aeronautics Board, United Air Lines has provided a direct route of air transportation between San Francisco, California, and Washington, D. C ; and

WHEREAS, This has brought Sacramento, the capital of the State of California, in direct route via San Francisco with the capital of the United States of America ; and

WHEREAS, The Civil Aeronautics Board has currently instituted a proceeding to determine whether public convenience and necessity require elimination or suspension of United Air Lines' through service to Washington, D. C ; and

WHEREAS, The elimination of the Chicago-Washington, D. C., segment of the direct route would necessitate a changing of 'planes in Chicago before one could proceed from the West Coast to Washington, D. C. ; and

WHEREAS, The presence of the "Chicago Bottleneck" for years had been constantly discommoding surface travel because of the necessity of changing trains and we should not permit air transport to find itself in the same unfortunate position ; and

WHEREAS, California is the fastest growing state in the Nation and as such has unusual community of interest with the Nation's capital ; and

WHEREAS, The service provided by United Air Lines is of vital importance to the heavily populated and strategic areas which it accommodates, and is particularly necessary, in uncurtailed form, at the present time when international as well as domestic exigencies demand that air transport facilities between the Nation's capital and its defense centers be maintained at a maximum level of efficiency ; and

WHEREAS, *The only direct one-carrier service from Sacramento, capital of California*, to Washington, D. C., capital of the Nation, is along the route now in question ; now, therefore, be it

Resolved, That the Assembly of the State of California does hereby wholeheartedly endorse and support the petition of the United Air Lines to the Civil Aeronautics Board to dismiss the proceeding (DOCKET 3660) which menaces Sacramento's direct air service to Washington, D C. ; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to prepare suitable copies of this resolution and to forward same to the Civil Aeronautics Board, Delos W. Rentzel, Esq., Chairman, to the Chairman of the Congressional Delegation from California, Honorable Cecil R. King, and to the United States Senators from the State of California, Honorable William F. Knowland, and Honorable Richard Nixon

Resolution read, and ordered referred to the Committee on Rules

By Mr. Crowley:

House Resolution No. 65

Relative to the creation of a Fact-Finding Committee on Air and Water Pollution

WHEREAS, The problem of water and air pollution resulting from the disposal of municipal and industrial wastes and from other causes is a subject of vital concern to the entire State of California ; and

WHEREAS, Substantial progress toward solution of this problem by proper legislation has been made out of an investigation and study by an interim committee, and continuation of this progress is essential to the health and welfare of the people ; and

WHEREAS, It is essential that the Legislature be thoroughly informed on the continued progress made toward eventual solution of this problem ; and

WHEREAS, In the interests of the welfare of the public health, agriculture, industry and all others concerned, it is deemed advisable that continued study be given to the subject of this resolution ; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Fact-Finding Committee on Air and Water Pollution is hereby created and authorized and directed to ascertain, study and analyze all facts relating to procedures designed to abate, prevent and control pollution of

a. The atmosphere in the various regions of the State; and

b. The lakes, streams and other surface waters; and

c The underground waters of the State, and

d. The lower reaches of the river systems, and harbor, bay and coastal waters; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution including the reclamation and utilization of waste waters, and any other matter referred to the committee for study by the Legislature, and to report thereon to the Legislature, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of 11 Members of the Assembly appointed by the Speaker thereof. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power. The chairman shall be appointed by the Speaker.

3 The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the next regular general session, with authority to file its final report not later than the last legislative day of the next regular general session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding regular session are incorporated herein and made applicable to this committee and its members

5 The committee or any subcommittee may meet and travel within or outside of this State in pursuing the investigations committed to it.

6. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other persons or agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purpose for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to service subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necesary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

7. The sum of _____ ($_____) or so much thereof as may be necessary is hereby made available from the Contingent Funds of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution to be disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 51

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 26
Senate Joint Resolution No. 6

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolutions were read:

Senate Concurrent Resolution No. 26—Relating to public school apportionment.

Referred to Committee on Rules.

Senate Joint Resolution No. 6—Relative to the All-American Canal Project.

Referred to Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Constitutional Amendment No. 44: By Mr. Gaffney—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 14.2 to Article XVI thereof, relating to the issuance of bonds to provide for the civilian defense.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 45: By Messrs. Gaffney and George D. Collins—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 14.1 to Article XVI thereof, relating to the issuance of bonds to provide an adequate State Highway System.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 46: By Mr. Gaffney—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 14 to Article XVI thereof, relating to the issuance of bonds for school purposes.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 47: By Mr. Cloyed—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 4 to Article XIV thereof, relating to the issuance of bonds to provide for the development of the water resources of the State and to provide aid to cities, counties, cities and counties, districts and other public and municipal corporations and public authorities in the development of water resources of the State.

Referred to Committee on Constitutional Amendments

Assembly Constitutional Amendment No. 48: By Mr. Coats—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 2 of Article IV thereof, relating to the Legislature

Referred to Committee on Constitutional Amendments.

Assembly Bill No. 3104: By Mr. Dolwig—An act to add Section 5300 to the Public Resources Code, relating to recreation.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 3105: By Mr. Levering—An act to amend Sections 8354 and 8355 of the Revenue and Taxation Code, relating to taxes, interest and penalties on fuel used in aircraft, and the refund and allocation thereof.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 3106: By Messrs. Gaffney, George D. Collins, and Maloney—An act relating to a county and state highway construction and improvement program, including cooperation with the United States Government in furtherance of the purposes of the Federal-Aid Highway Act of 1950 and the expenditure of federal-aid money, and making an appropriation for the purposes of this act.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3107: By Mr. Geddes—An act to amend Sections 275, 350, 601, 640, 641, 643, 644, 661, 871, 1223, 1224, 1780, and 3150 of the Banking Code, and to add a new section numbered 954, relating to deposit of moneys in the State Banking Fund, contents of articles of incorporation of banks, approval of by-laws of banks, assessment of bank shares, payment of dividends by banks, giving of notice of dormant accounts, definition of secured obligation, loan limits of banks, licensing of bank representatives, recognition of rights of depositors located in occupied countries, and payment of deposits on liquidation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 3108: By Mr. Geddes—An act to amend Sections 2090, 2095, and 3011 of the Banking Code to add Sections 3013, 3014, and 3015, relating to conversion of state banks into national banking associations, to the transfer of trust assets upon purchase by a national banking association, and to continuance of corporate existence upon conversion, merger or consolidation of state banks and national banking associations.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 3109: By Messrs. Kelly and Dunn—An act to amend Section 6457 of the Education Code, relating to school district taxes.

Referred to Committee on Education.

Assembly Bill No. 3110: By Mr. Burkhalter—An act to add Section 5300.5 to the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 3111: By Mr. Burkhalter—An act to amend Section 261.5 of the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties, of 2,000,000 population or more.

Referred to Committee on Judiciary.

Assembly Bill No. 3112: By Mr. Burkhalter—An act to provide for the incorporation and government of metropolitan rapid transit districts; prescribing the powers thereof; providing for the performance of certain functions relating thereto by public officers; providing for contracts with cities, counties and other public agencies; and relating to transportation in metropolitan areas.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3113: By Mr. Lowrey—An act to add Section 6855 to the Public Resources Code, relating to the preferential right to an oil and gas lease of the owner of lands that have been sold by the State with reservation to the State of the minerals and oil and gas in such lands.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

Assembly Bill No. 3114: By Mr. Munnell—An act making an appropriation to the Forty-eighth District Agricultural Association for construction of a building for fair purposes.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3115: By Mr. Hinckley—An act to add Section 535 to the Streets and Highways Code, relating to the State Highway System.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 3116: By Mr. Maloney—An act to amend Section 14420 of the Government Code, relating to payments on state contracts, declaring the urgency thereof and providing that this act shall take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3117: By Mr. Maloney—An act to add Section 471 to the Government Code, relating to the division of the State into districts for the election of Legislative Representatives

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 3118: By Mr. Maloney—An act to add Section 492 to the Government Code, relating to the division of the State into districts for the election of Legislative Representatives.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 3119: By Mr. Sam L. Collins—An act to amend Section 825 of the Penal Code, relating to the rights of a person arrested and the duties of an officer in respect thereto.

Referred to Committee on Judiciary.

Assembly Bill No. 3120: By Mr. Sam L. Collins—An act to add Section 1102 5 to the Penal Code, relating to evidence.

Referred to Committee on Judiciary.

Assembly Bill No. 3121: By Mr. Maloney—An act to add Section 3.51 to the World Trade Center Authorities Act, relating to the World Trade Center Authority, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3122: By Mr. Maloney—An act to amend Section 1 of an act entitled "An act making an appropriation for the support of the San Francisco World Trade Center Authority and for the purposes of the authority, and providing for the return thereof" approved July 25, 1949, relating to the San Francisco World Trade Center Authority.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3123: By Mr. Coats—An act to better recreational angling in streams with seasonal low water and/or streams with flow depletion due to diversions

Referred to Committee on Fish and Game

Assembly Bill No. 3124: By Mr. Coats—An act to amend Section 10001 of the Water Code, relating to the development of water resources

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 3125: By Mr. Coats—An act to amend Section 14121 of the Government Code, relating to flood control and flood damage

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 3126: By Mr. Coats—An act to amend Section 2 of an act entitled "An act making an appropriation to the Emergency Fund specified in Item 278 of the Budget Act of 1949, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, and declaring the urgency thereof, to take effect immediately," approved June 9, 1949, relating to repair and restoration of property damaged and destroyed by storms or floods.

Referred to Committee on Conservation, Planning, and Public Works

Assembly Bill No. 3127: By Mr. Coats—An act to amend the Construction and Employment Act, relating to construction of public works.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 3128: By Mr. Coats—An act to provide revenues for financing the construction and maintenance of roads, streets and bridges, including state highways, imposing taxes for that purpose and making an appropriation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 3129: By Mr. Coats—An act making an appropriation to the State Department of Public Works for the construction of state highways.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 3130: By Mr. Coats—An act to amend Section 94 of the Streets and Highways Code, relating to contracts for state highways.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 3131: By Mr. Coats—An act to amend Section 507 of the Streets and Highways Code, relating to state highway routes.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 3132: By Mr. Coats—An act to add Section 534 to the Streets and Highways Code, relating to the State Highway System.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 3133: By Mr. Coats—An act to add Section 554 to the Streets and Highways Code, relating to the State Highway System.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 3134: By Mr. Coats—An act to add Section 553 to the Streets and Highways Code, relating to the State Highway System.

Referred to Committee on Conservation, Planning, and Public Works.

REQUEST FOR UNANIMOUS CONSENT THAT NAME BE STRICKEN FROM ASSEMBLY BILL NO. 2525 AS CO-AUTHOR

Mr. Morris asked for unanimous consent that his name be stricken from Assembly Bill No. 2525 as a co-author.

Mr. Kirkwood withheld unanimous consent.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Concurrent Resolution No. 25: By Mr. Kirkwood—Relative to approving a charter of the County of Santa Clara, State of California, voted for and ratified by the qualified electors of said county at the general election held therein on the seventh day of November, 1950.

Referred to Committee on Rules.

Assembly Bill No. 3135: By Mr. Coats—An act to add Section 552 to the Streets and Highways Code, relating to the State Highway System.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 3136: By Mr Coats—An act to add Section 551 to the Streets and Highways Code, relating to the State Highway System.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 3137: By Mr. Coats—An act to add Section 556 to the Streets and Highways Code, relating to the State Highway System.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 3138: By Mr. Coats—An act to add Section 558 to the Streets and Highways Code, relating to the State Highway System.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 3139: By Mr. Coats—An act to add Section 555 to the Streets and Highways Code, relating to the State Highway System.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 3140: By Mr. Coats—An act to add Section 4.5 to an act entitled "An act to provide additional public recreation facilities, authorizing the making of a supplemental survey to determine what lands are suitable for inclusion in the State System of Parks and Beaches pursuant to this act, and making an appropriation for the acquisition of public recreation facilities," approved July 17, 1945, relating to acquisition of parks in Butte County.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3141: By Mr. Coats—An act to add Section 4.4 to an act entitled "An act to provide additional public recreation facilities, authorizing the making of a supplemental survey to determine what lands are suitable for inclusion in the State System of Parks and Beaches pursuant to this act, and making an appropriation for the acquisition of public recreation facilities," approved July 17, 1945, relating to acquisition of parks in Yuba County.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3142: By Mr. Coats—An act to add Section 4 3 to an act entitled "An act to provide additional public recreation facilities, authorizing the making of a supplemental survey to determine what lands are suitable for inclusion in the State System of Parks and

Beaches pursuant to this act, and making an appropriation for the acquisition of public recreation facilities," approved July 17, 1945, relating to acquisition of parks in Sutter County.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3143: By Mr. Coats—An act to provide for a new state park, and making an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3144: By Mr. Coats—An act making an appropriation to the California Aeronautics Commission for carrying out the provisions of Section 6 of the State Aeronautics Commission Act.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3145: By Mr. Coats—An act adding Section 10505.5 to the Water Code, relating to release of priority to, or assignment of, appropriated water.

Referred to Committee on Agriculture.

Assembly Bill No 3146: By Mr. Coats—An act making an appropriation for the support of Chico State College.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3147: By Mr. Coats—An act making an appropriation for the acquisition of land and the construction of buildings for Chico State College.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3148: By Mr. Coats—An act to add Sections 20658 and 20659 to the Education Code, relating to the California State Polytechnic College, and making an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3149: By Mr. Coats—An act to amend Section 4231 of the Education Code, relating to junior college districts.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3150: By Mr. Coats—An act to add Part 7.5 to Division 3 of Title 2 of the Government Code, establishing a State Department of Commerce and prescribing its powers and duties.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3151: By Mr. Coats—An act making an appropriation for the State Department of Commerce.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3152: By Mr. Coats—An act to amend Section 981.2 of the Military and Veterans Code, relating to educational assistance.

Referred to Committee on Military Affairs.

Assembly Bill No. 3153: By Mr. Coats—An act to amend Section 1 of the Sabotage Prevention Act of 1950, relating to sabotage.

Referred to Committee on Judiciary.

Assembly Bill No. 3154: By Mr. Coats—An act to amend Section 35105 of the Corporations Code, relating to subversive activities.

Referred to Committee on Judiciary.

Assembly Bill No. 3155: By Mr. Coats—An act to amend Section 565 of the Military and Veterans Code, relating to security and defense.

Referred to Committee on Military Affairs.

Assembly Bill No. 3156: By Mr. Coats—An act to amend Section 1580 of the Military and Veterans Code, relating to civil defense.

Referred to Committee on Military Affairs.

Assembly Bill No. 3157: By Mr. Coats—An act to add Section 674.5 to the Vehicle Code, relating to equipment on common carrier passenger vehicles.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 3158: By Mr. Coats—An act to amend Section 2 of the Public Utilities Act, relating to definitions.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 3159: By Mr. Coats—An act to amend Section 4802 of the Elections Code, relating to purity of elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 3160: By Mr. Coats—An act to amend Section 737fff of the Political Code and Section 79.58 of the Code of Civil Procedure, relating to the salary of the Judge of the Superior Court in Yuba County.

Referred to Committee on Judiciary.

Assembly Bill No. 3161: By Mr. Coats—An act to amend Section 737d of the Political Code and Section 79.4 of the Code of Civil Procedure, relating to the salary of the Judge of the Superior Court in Butte County.

Referred to Committee on Judiciary.

Assembly Bill No. 3162: By Mr. Coats—An act to amend Section 427 of the Education Code, relating to the salary of the county superintendent of schools of a county of the twenty-seventh class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3163: By Mr. Coats—An act to amend Section 438 of the Education Code, relating to the salary of the county superintendent of schools of a county of the thirty-eighth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3164: By Mr. Coats—An act to amend Section 439 of the Education Code, relating to the salary of the county superintendent of schools of a county of the thirty-ninth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3165: By Mr. Coats—An act to amend Section 67 of the Agricultural Code, relating to agriculture.

Referred to Committee on Agriculture.

Assembly Bill No. 3166: By Mr. Coats—An act to amend Section 2181.01 of the Welfare and Institutions Code, relating to old age security.

Referred to Committee on Social Welfare.

Assembly Bill No. 3167: By Mr. Coats—An act to amend Section 16726 of the Business and Professions Code, relating to combinations in restraint of trade.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3168: By Mr. Coats—An act to add Article 11.6 to Chapter 15 of Division 3 of the Education Code, relating to the Public School System.

Referred to Committee on Education.

Assembly Bill No. 3169: By Mr. Moss—An act to amend Section 706 of the Vehicle Code, relating to weight limits for vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 3170: By Messrs. Kilpatrick, Crowley, and Burkhalter—An act to amend Section 2116 of the Business and Professions Code, relating to investigators for the Board of Medical Examiners.

Referred to Committee on Public Health.

Assembly Bill No. 3171: By Mr. Dills—An act to add Section 247.5 to the Vehicle Code, relating to the wrecking or dismantling of vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 3172: By Mr. Elliott—An act to amend Section 2181.01 of the Welfare and Institutions Code, relating to old age security, in respect to responsibility of relatives.

Referred to Committee on Judiciary.

Assembly Bill No. 3173: By Mr. Morris—An act to amend Section 10151 of the Education Code, relating to compulsory military education.

Referred to Committee on Military Affairs.

Assembly Bill No. 3174: By Mr. Morris—An act to add Sections 3011.1 and 3301.1 to the Public Resources Code, relating to oil and gas, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

Assembly Bill No. 3175: By Messrs. Morris and Sam L. Collins—An act to amend Section 3227 of the Public Resources Code, relating to the statement filed by persons producing oil or gas.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

Assembly Bill No. 3176: By Mr. Henderson—An act to amend Section 2411 of the Labor Code, relating to labor camps.

Referred to Committee on Industrial Relations.

Assembly Bill No. 3177: By Mr. Henderson—An act to amend Section 1394 of the Labor Code, relating to employment of minors.

Referred to Committee on Industrial Relations.

Assembly Bill No. 3178: By Mr. Henderson—An act to amend Section 1588.2 of the Labor Code, relating to labor contractors.

Referred to Committee on Industrial Relations.

Assembly Bill No. 3179: By Mr. Henderson—An act to add Section 6 8 to the Unemployment Insurance Act, relating to unemployment insurance coverage.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 3180: By Mr. Waters—An act to add Section 9.5 to the Metropolitan Water District Act, relating to the terms and conditions of annexation of certain municipalities to metropolitan water districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3181: By Mr. Kirkwood—An act to amend Section 2020 of the Welfare and Institutions Code, to repeal Sections 2020.5, 2025, 2181, 2181.01, and 2224 thereof, and to add Sections 2000.3, 2006 5, 2020.01, 2142, 2186.2, 2223, 2223.5, 2226, 2229, and 2231 thereto, all relating to old age security, providing for increasing the grant, changing the method of computing the grant, state participation in county costs of administration, abolishing relatives' responsibility, collection from estates of deceased recipients for aid fraudulently received, execution of agreements by recipients regarding disposition of property and establishing the right of the State as an unsecured creditor in settlement of estates of deceased recipients.

Referred to Committee on Judiciary.

Assembly Bill No. 3182: By Messrs. Kirkwood and Gubser—An act authorizing the Director of Finance to convey certain property to the University of California.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3183: By Mr. Kirkwood—An act to add Chapter 5.5 to Part 2, Division 1 of the Health and Safety Code, relating to public health.

Referred to Committee on Public Health.

Assembly Bill No. 3184: By Mr. Kirkwood—An act to amend Section 4861 of the Education Code, relating to membership of schools in educational organizations.

Referred to Committee on Education.

Assembly Bill No. 3185: By Mr. Kirkwood—An act to repeal Section 13583 of the Education Code, relating to dismissal of probationary employees.

Referred to Committee on Education.

Assembly Bill No. 3186: By Mr Stewart—An act to amend Section 25301 of the Corporations Code, relating to the compensation of the Commissioner of Corporations.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3187: By Mr. McMillan—An act to add Section 67.2 to the Alcoholic Beverage Control Act, relating to tax-free alcoholic beverages.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 3188: By Mr. Condon—An act to amend Section 4965 of the Education Code, relating to unified school districts.

Referred to Committee on Education.

Assembly Bill No. 3189: By Mr. Condon—An act to amend Section 4343 of the Education Code, relating to school districts.

Referred to Committee on Education.

Assembly Bill No. 3190: By Mr. Condon—An act to amend Section 3866 of the Education Code, relating to school districts.

Referred to Committee on Education.

Assembly Bill No. 3191: By Mr. Condon—An act to amend Section 4668 of the Education Code, relating to school districts.

Referred to Committee on Education.

Assembly Bill No. 3192: By Mr. Condon—An act to amend Section 4714 of the Education Code, relating to school districts.

Referred to Committee on Education.

Assembly Bill No. 3193: By Mr. Condon—An act to amend Section 3671 of the Education Code, relating to school districts.

Referred to Committee on Education.

Assembly Bill No. 3194: By Mr. Condon—An act to add Section 5113 to the Education Code, relating to state school building aid.

Referred to Committee on Education.

Assembly Bill No. 3195: By Mr. Condon—An act to amend Section 1594 of the Education Code, relating to school districts.

Referred to Committee on Education.

Assembly Bill No. 3196: By Mr. Condon—An act to amend Section 3603 of the Education Code, relating to school districts.

Referred to Committee on Education.

Assembly Bill No. 3197: By Mr. Condon—An act relating to political contributions by corporations.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 3198: By Mr. Condon—An act to amend Sections 14479, 14632, and 14635 of the Education Code, relating to the State Teachers' Retirement System.

Referred to Committee on Education.

Assembly Bill No. 3199: By Mr. Condon—An act to amend Sections 14479, 14632, and 14635 of the Education Code, relating to the State Teachers' Retirement System.

Referred to Committee on Education.

Assembly Bill No. 3200: By Messrs. Condon and Hagen—An act to add Section 1714.3 to the Civil Code, relating to liability for torts.

Referred to Committee on Judiciary.

Assembly Bill No. 3201: By Mr. Condon—An act to add Section 10273 to the Insurance Code, relating to group disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 3202: By Messrs. Hagen and Condon—An act to amend Section 209 of the Penal Code, relating to punishment for kidnaping.

Referred to Committee on Judiciary.

Assembly Bill No. 3203: By Mr. Hagen—An act to add Section 1201.1 to the Water Code, relating to prescriptive rights in underground water.

Referred to Committee on Judiciary.

Assembly Bill No. 3204: By Messrs. Hagen, Hansen, Henderson, Kelly, and Condon—An act to add Section 1581.1 to the Labor Code, relating to employment agencies.

Referred to Committee on Industrial Relations.

Assembly Bill No. 3205: By Mr. Hagen—An act to add Section 4850.1 to the Public Resources Code, relating to cutting for lumber Sequoia Gigantea.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 3206: By Messrs. Burkhalter and Kilpatrick—An act to add Chapter 13 to Division 3 of the Business and Professions Code, relating to the regulation of off-street parking.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3207: By Mr. Burke—An act making a reappropriation of funds for the construction of a National Guard Armory in or near Alhambra or in East Los Angeles County.

Referred to Committee on Military Affairs.

Assembly Bill No. 3208: By Mr. Stewart—An act to repeal Sections 1, 2, 3, 4, and 6 of an act entitled "An act providing for the division of counties into judicial districts and for the determination of the population of said districts, and repealing Sections 27800, 27801, 27802, and 27803 of the Government Code," approved July 27, 1949, relating to the division of counties into judicial districts and for the determination of the population of said districts.

Referred to Committee on Judiciary.

Assembly Bill No. 3209: By Mr. Stewart—An act providing for the division of counties into judicial districts and for the determination of the population of said districts.

Referred to Committee on Judiciary.

Assembly Bill No. 3210: By Mr. Stewart—An act to amend the title, and Sections 2, 2.1, 21, 33, and 45.7, and to repeal Section 68 of the Community Redevelopment Act, and to amend Sections 33047, 33048, 33231, and 33885, and to repeal Sections 33480, 33481, 33738, 33739, and 33740 of the Health and Safety Code, relating to the redevelopment of blighted areas.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3211: By Mr. Stewart—An act to amend Section 18650 of the Government Code, relating to salaries of members of the State Personnel Board.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3212: By Mr. Stewart—An act to add Section 34283 to the Health and Safety Code, relating to housing authorities.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3213: By Mr. Stewart—An act to add Chapter 9 to Part 3, Division 13 of the Health and Safety Code, relating to building regulations.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3214: By Messrs. Stewart, Collier, Morris, Hahn, Chapel, Doyle, Elliott, Evans, Hawkins, Hollibaugh, Kilpatrick, Lipscomb, Lyon, McGee, Rosenthal, Smith, and Waters—An act to amend Sections 35116, 35147, 35148, 35149, and 35150 and to repeal Sections 35106, 35107, 35108, and 35109 of the Government Code, relating to annexation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3215: By Messrs. Stewart, Collier, Morris, Hahn, Chapel, Doyle, Elliott, Evans, Hawkins, Hollibaugh, Kilpatrick, Lipscomb, Lyon, McGee, Rosenthal, Smith, and Waters—An act to amend Section 34303 of, and to add Section 34316.5 to, the Government Code, relating to the incorporation of cities.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3216: By Messrs. Stewart, Collier, Morris, Hahn, Chapel, Doyle, Elliott, Evans, Hawkins, Hollibaugh, Kilpatrick, Lipscomb, Lyon, McGee, Rosenthal, Smith, and Waters—An act to amend Section 34302 of the Government Code, relating to the incorporation of cities.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3217: By Messrs. Stewart, Collier, Morris, Hahn, Chapel, Doyle, Elliott, Evans, Hawkins, Hollibaugh, Kilpatrick, Lipscomb, Lyon, McGee, Rosenthal, Smith, and Waters—An act to add Chapter 3.5 to Part 2, Division 2 of the Government Code consisting of Sections 25275-25290, inclusive, relating to urban unincorporated areas.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3218: By Messrs. Sherwin, Stanley, Babbage, Kirkwood, Levering, and McCarthy—An act to repeal Sections 6395 and 6363 of the Revenue and Taxation Code, relating to sales and use taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 3219: By Mr. Sherwin—An act to repeal Article 4 of Chapter 2, Division 9 of the Public Resources Code, relating to soil conservation.

Referred to Committee on Agriculture.

Assembly Bill No. 3220: By Mr. Sherwin—An act to repeal Sections 7101, 7102, 16651, 16652, 19352, 26481, and 26481a of the Revenue and Taxation Code, relating to deposits of revenues from sales taxes, bank and corporation franchise taxes, personal income taxes, and gift taxes, and to provide for refund of revenues erroneously collected from the General Fund.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 3221: By Mr. Sherwin—An act to repeal subsection (c) of Section 115 of the Health and Safety Code, relating to Public Health Fund.

Referred to Committee on Public Health.

Assembly Bill No. 3222: By Mr. Sherwin—An act to repeal Sections 125, 126, and 127 and to amend Section 124 of the Welfare and Institutions Code, relating to the Social Welfare Fund.

Referred to Committee on Social Welfare.

Assembly Bill No. 3223: By Mr. Clarke—An act to promote the sale and transportation of agricultural and other products, to eliminate impediments in connection therewith and state the policy of the State

concerning the same, to provide regulation and relief for farmers and other persons suffering damage therefrom, by repealing Chapter 8 of the Labor Code and adding a new Chapter 8 to that code.

Referred to Committee on Agriculture.

Assembly Bill No. 3224: By Mr. Dills—An act to add Chapter 3.5 of Division 3 to the Business and Professions Code, relating to auctioneers.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3225: By Mr. Davis—An act to add Section 38h to the Alcoholic Beverage Control Act, relating to alcoholic beverages.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 3226: By Mr. Davis—An act to amend Section 737.11 of the Agricultural Code, relating to the purchase of fluid milk and fluid cream.

Referred to Committee on Agriculture

Assembly Bill No. 3227: By Mr. Davis—An act to amend Section 73 of the Agricultural Code, relating to fairs and expositions.

Referred to Committee on Agriculture

Assembly Bill No. 3228: By Mr. Davis—An act to add Section 1243 to the Water Code, relating to water.

Referred to Committee on Agriculture.

Assembly Bill No. 3229: By Mr. Davis—An act to amend Section 50 of the Fish and Game Code, relating to game management area.

Referred to Committee on Fish and Game

Assembly Bill No. 3230: By Messrs. Moss, Kelly, and Kilpatrick—An act to amend Section 10055 of the Business and Professions Code, relating to the salary of the Real Estate Commissioner.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3231: By Mr. Conrad (By Request)—An act to repeal the Los Angeles County Flood Control Act, relating to the Los Angeles Flood Control District

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3232: By Mr. Conrad (By Request)—An act to amend Sections 16, 16a, 16b, 16c, 16d, 16e, 16½, 16¾, and 17 of the Los Angeles County Flood Control Act, relating to the Los Angeles County Flood Control District.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3233: By Mr. Conrad (By Request)—An act to amend Sections 1, 2, 2a, 2b, 2c, 2d, 2e, and 2f of the Los Angeles County Flood Control Act, relating to the Los Angeles County Flood Control District.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3234: By Mr. Conrad (By Request)—An act to amend Sections 3, 3a, 3.1, 3.2, 3.3, 4, 5, and 6 of the Los Angeles County Flood Control Act, relating to the Los Angeles County Flood Control District.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3235: By Mr. Conrad (By Request)—An act to amend Sections 17a, 18, 19, 20, 21, 22, and 23 of the Los Angeles County Flood Control Act, relating to the Los Angeles County Flood Control District.

Referred to Committee on Municipal and County Government.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 38

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

UNFINISHED BUSINESS (BY UNANIMOUS CONSENT)

CONSIDERATION OF SENATE AMENDMENTS (BY UNANIMOUS CONSENT)

Assembly Bill No. 38—An act making an appropriation for the purpose of increasing salaries of state employees, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 38?

Amendment No. 1

On page 1, lines 4 and 5, of the printed bill, as amended, strike out "seven million eighty-seven thousand sixty-five dollars ($7,087,065) and insert "three million six hundred seventy-nine thousand six hundred fifty-two dollars ($3,679,652)".

Senate amendment read.

Point of Order

Mr. Condon arose to the following point of order: That Mr. Fleury has already spoken to the subject, and further remarks from him are not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Point of Order

Mr. Sherwin arose to the following point of order: That Mr. Lowrey has already spoken to the subject, and his present remarks are not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken because Mr. Maloney, instead of Mr. Lowrey, has the floor.

Demand for Previous Question

Messrs. Babbage, Luckel, Grant, Levering, and Lanterman demanded the previous question

Demand for previous question sustained.

The question being on concurrence in Senate amendment to Assembly Bill No. 38.

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 38 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—62.

NOES—Brady, Condon, Crowley, Davis, Elliott, Hawkins, Lowrey, and Rosenthal—8.

Assembly Bill No. 38 ordered enrolled.

Explanation of Vote on Concurrence in Senate Amendments to Assembly Bill No. 38

We voted "No" on concurrence in the Senate amendments to Assembly Bill No. 38 because these amendments reduced the pay increase for state employees from 10 percent to 5 percent. We favor a 10 percent pay increase.

ROBERT L. CONDON
EDWARD. E. ELLIOTT

ANNOUNCEMENT

Mr. Dickey announced that the Credentials Committee of the Senate and Mr. A. Alan Post, the Legislative Auditor, are to be complimented for the forthright way in which they answered questions relating to accusations, proven to be false, which were made today in the Senate by Senator Tenney against employees of the office of the Legislative Auditor.

REQUEST FOR UNANIMOUS CONSENT TO USE ASSEMBLY CHAMBER

Mr. Dickey asked for, and was granted, unanimous consent that the State and Regional Water Pollution Control Boards be permitted to use the Assembly Chamber on Tuesday, February 20, 1951, from 10 a.m. to 4.30 p m , for the purpose of holding a joint meeting, unless it is necessary to use the Assembly Chamber for a legislative session.

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 586

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CLARKE, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 586—An act to amend Sections 274, 275, and 285.3 of the Agricultural Code, relating to apiary inspection and equipment brands.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

On page 2, line 42, of the printed bill, strike out "they", and insert "the lot or shipment".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND SEMI-FINAL REPORT BE PRINTED IN JOURNAL

Mr. Geddes asked for, and was granted, unanimous consent that a letter of transmittal and a Semifinal Report from the Assembly Interim Committee on Finance and Insurance Pertaining to Unemployment Insurance and Problems Related Thereto be ordered printed in the Journal in 10 point type.

(Above mentioned letter of transmittal and semifinal report will appear prior to the motion to adjourn.)

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 737
Assembly Bill No. 828
Assembly Bill No. 233
Assembly Bill No. 829

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

CLARKE, Chairman

Above reported bills ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 235
Assembly Bill No. 587

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bills ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 235—An act to amend Sections 812.4, 812.6, 814, 828.6, 828.7, 829.35, and 829.4 of the Agricultural Code, relating to containers for lettuce and carrots.

Bill read second time, and ordered engrossed.

Assembly Bill No. 587—An act to amend Section 318.3 of the Agricultural Code, relating to meat inspection, marks, and labels.

Bill read second time, and ordered engrossed.

RECOMMENDATION OF THE GOVERNOR

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Senate Bill No. 120:

STATE OF CALIFORNIA
GOVERNOR'S OFFICE, SACRAMENTO, January 22, 1951

To the Honorable Members of the Assembly
Sacramento, California
GENTLEMEN:

Senate Bill No. 120, "An act making an appropriation to the Emergency Fund specified in Item 277 of the Budget Act of 1950, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This measure makes an appropriaion of $2,000,000 out of the Flood Control Fund of 1946 to be used on a matching basis for repair and restoration of property damaged or destroyed by storm or flood.

The amount available for this purpose at present is not sufficient to meet the expenditures which will be required to repair storm and flood damage due to the recent flood conditions in Northern California. It is necessary therefore that this measure become effective at once.

I therefore recommend consideration of Senate Bill No. 120 as an emergency measure.

Respectfuly submitted,

EARL WARREN, Governor

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Sherwin:

Resolved, That Senate Bill No. 120 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—66.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 120

Senate Bill No. 120—An act making an appropriation to the Emergency Fund specified in Item 277 of the Budget Act of 1950, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen,

Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—65.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 3236: By Mr. Conrad (By Request)—An act to amend Sections 7, 8, 9, 10, 11, 12, 13, 13¼, and 13½ of the Los Angeles County Flood Control Act, relating to the Los Angeles County Flood Control District.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3237: By Mr. Conrad (By Request)—An act to amend Section 3 of the Los Angeles County Flood Control Act, relating to the board of supervisors.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3238: By Mr. Conrad (By Request)—An act to amend Sections 13¾, 14, 14½, 15, and 15a of the Los Angeles County Flood Control Act, relating to the Los Angeles County Flood Control District.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3239: By Mr. Chapel—An act to amend Section 31526 of the Government Code, relating to retirement of county employees.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3240: By Mr. Chapel—An act to amend Sections 10051, 10052, 10053, and 10055 of the Education Code, relating to courses of study.

Referred to Committee on Education.

Assembly Bill No. 3241: By Mr. Chapel—An act to provide for the construction of an armory in the City of Inglewood.

Referred to Committee on Military Affairs.

Assembly Bill No. 3242: By Mr. Hinckley—An act to amend Section 1041 of the Education Code, relating to clerks of school district governing board.

Referred to Committee on Education.

Assembly Bill No. 3243: By Mr. Hinckley—An act to amend Section 1041 of the Education Code, relating to clerks of school district governing board.

Referred to Committee on Education.

Assembly Bill No. 3244: By Messrs. Porter, Burke, Burkhalter, Grant, McMillan, Munnell, and Thomas—An act to add Section 92.5 to the Unemployment Insurance Act, relating to public employment offices.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 3245: By Mr. Maloney—An act to amend Section 13116 to the Government Code, relating to the Department of Finance, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 3246: By Mr. Maloney—An act making an appropriation to pay the claim of The Trade Pressroom against the State of California.

Referred to Committee on Ways and Means

Assembly Bill No. 3247: By Mr. Rosenthal—An act to amend Section 51 of the Labor Code, relating to the Director of Industrial Relations.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3248: By Mr. Rosenthal—An act to amend Section 112 of the Labor Code, relating to the Industrial Accident Commission.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3249: By Mr. Rosenthal—An act to add Section 2790 to the Business and Professions Code, relating to nursing schools.

Referred to Committee on Education

Assembly Bill No. 3250: By Mr. Rosenthal—An act to add Section 79.10 to the Civil Code, relating to premarital examinations.

Referred to Committee on Judiciary.

Assembly Bill No. 3251: By Mr. McCarthy—An act to add Section 690.265 to the Code of Civil Procedure, relating to supplementary proceedings.

Referred to Committee on Judiciary.

Assembly Bill No. 3252: By Mr. McCarthy—An act to amend Section 690.11 of the Code of Civil Procedure, relating to supplementary proceedings.

Referred to Committee on Judiciary.

Assembly Bill No. 3253: By Messrs. Rosenthal, Burkhalter, Coats, George D. Collins, Condon, and Moss—An act to add Section 31½ to the Public Utilities Act, relating to owners or holders of the voting capital stock of public utilities subject to the jurisdiction of the Public Utilities Commission; granting to said commission regulatory authority, as specified in said act, over such owners or holders owning or holding 1 percentum or more of the total voting capital stock outstanding of any such public utility; and relating to affiliated interests of such public utilities, defining "affiliated interests," granting to said commission regulatory authority over such affiliated interests, as specified in said act, and authorizing said commission to determine whether or not any corporation, person or other entity is or is not an affiliated interest within the meaning of said act; authorizing and requiring approval or disapproval, in whole or in part, by said commission of contracts, agreements, arrangements and transactions heretofore or hereafter entered into by and between public utilities and such affiliated interests, authorizing said commission to condition its approval or authorization of any such contract, agreement, arrangement or transaction and authorizing said commission to except certain contracts, agreements, arrangements and transactions from the provisions of said act; authorizing said commission to alter, amend, revise or abrogate any contract, agreement, arrangement or transaction, which said commission, theretofore, had approved or authorized; providing that no approval or authorization by said commission shall constitute approval of any matter or thing for the purpose of rate-fixing; "authorizing said commission to prohibit a public utility from making payments of money or from delivering property or any other thing of value pursuant to or from carrying out any of the provisions of any contract, agreement, arrangement or transaction not authorized or approved by said commission"; declaring that the invalidity of any part of said act shall not affect the remaining part thereof; finding and declaring that serious abuses exist in affiliated interests relationships in the public utility industry in California and that such abuses justify the enactment of the within act for the protection of the public interest; declaring said act to be an urgency measure within the provisions and meaning of Article IV of the State Constitution and finding and declaring said act to be necessary for the immediate preservation of the public peace, health and safety and that said act should take effect immediately.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 3254: By Mr Davis—An act to add Section 515 to the Public Resources Code, relating to access to public hunting and fishing grounds.

Referred to Committee on Fish and Game.

Assembly Bill No. 3255: By Messrs. Gaffney and Berry—An act to amend Section 155 of the Vehicle Code, relating to vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 3256: By Messrs. Gaffney and Berry—An act to add Section 670.01 to the Vehicle Code, relating to vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 3257: By Messrs. Gaffney and Berry—An act to add Section 679.1 to the Vehicle Code, relating to motor vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 3258: By Mr. Hollibaugh—An act to amend Section 105 of the Revenue and Taxation Code, relating to property taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 3259: By Mr. Thomas—An act to add Section 1064.5 to the Fish and Game Code, relating to fish.

Referred to Committee on Fish and Game.

Assembly Bill No. 3260: By Mr. Thomas—An act to amend Section 1065 of the Fish and Game Code, relating to sardines.

Referred to Committee on Fish and Game

Assembly Bill No. 3261: By Mr. Thomas—An act to amend Section 5325 of the Business and Professions Code, relating to the regulation of outdoor advertising.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3262: By Mr. Thomas—An act to amend Section 5289 of the Business and Professions Code, relating to the regulations under the provisions of the Outdoor Advertising Act.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3263: By Mr. Erwin—An act to amend Section 1281 of the Fish and Game Code, relating to deer tags.

Referred to Committee on Fish and Game.

Assembly Bill No. 3264: By Mr. Connolly—An act to add Section 492 to the Government Code, relating to the division of the State into districts for the election of Legislative Representatives.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 3265: By Mr. Connolly—An act to add Section 471 to the Government Code, relating to the division of the State into districts for the election of Legislative Representatives.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 3266: By Mr. Gaffney—An act to provide for the issuance of bonds to provide an adequate System of Public Instruction.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3267: By Mr. Gaffney—An act to provide for the issuance of bonds to provide for civil defense.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3268: By Messrs. Gaffney and George D. Collins—An act to provide for the issuance of bonds to provide for an adequate System of Public Highways.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3269: By Mr. Doyle—An act to amend Section 9653 of the Revenue and Taxation Code, relating to taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 3270: By Messrs. Doyle, Stewart, Burkhalter, and Kilpatrick (By request)—An act prescribing the terms upon which licenses may be issued to practitioners of psychology, creating a State Board of Psychological Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent with each and all or any of the provisions contained herein.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3271: By Messrs. Geddes and Levering—An act to add Section 768 to the Insurance Code, in relation to prohibiting the designation of particular insurance agents or brokers by persons, firms and corporations loaning money on the security of personal and real property.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 3272: By Mr. Meyers—An act to add Section 8.5 to the Dangerous Weapons' Control Law, relating to dangerous weapons.

Referred to Committee on Judiciary.

Assembly Bill No. 3273: By Mr. Meyers—An act to amend Section 13108 of the Health and Safety Code, relating to the State Fire Marshal.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3274: By Mr. Meyers—An act to amend Sections 4035, 4037, and 4044 of the Business and Professions Code, relating to the practice of pharmacy and the sale of drugs.

Referred to Committee on Public Health.

Assembly Bill No. 3275: By Mr. Meyers—An act to add Division 13 to the Streets and Highways Code, relating to streets and providing for and requiring uniform systems of street name signs and numbers.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 3276: By Mr. Meyers—An act to add Section 11006 to the Revenue and Taxation Code, relating to vehicle license fee money allocable to cities.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 3277: By Mr. Meyers—An act to create the San Francisco Bay Authority and to transfer all the powers, duties and functions of the Board of State Harbor Commissioners for San Francisco Harbor to the authority.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3278: By Mr. Meyers—An act to amend Section 195 of the Streets and Highways Code, relating to expenditure of gas tax within cities.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 3279: By Messrs. Dolwig and Connolly—An act to add Section 7209 to the Health and Safety Code, relating to bodies of deceased persons.

Referred to Committee on Public Health.

Assembly Bill No. 3280: By Mr. Dolwig—An act to amend Section 44 of the Vehicle Code, relating to authorized emergency vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 3281: By Mr. Stanley—An act to add Sections 16104, 16105, 16106, 16107, and 16108 to the Business and Professions Code, and Sections 29127, 29128, 29129, and 29130 to the Government Code, relating to taxes for county purposes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 3282: By Mr. Stanley—An act to add Sections 29127, 29128, 29129, and 29130 to the Government Code, relating to taxes for county purposes.

Referred to Committee on Revenue and Taxation.

RESOLUTIONS

The following resolution was offered:

By Mr. Dolwig:

House Resolution No. 66

Relative to providing funds for the Special Assembly Committee on Legislative Representation

Resolved by the Assembly of the State of California, That the sum of two thousand five hundred ($2,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the Special Assembly Committee on Legislative Representation (created by Rule 21 of the Permanent Standing Rules of the Assembly for the 1951 Regular Session, adopted by House Resolution No. 23 of the 1951 Regular Session) and its members and for any charges, expenses or claims it may incur under Rule 21 of the Permanent Standing Rules of the Assembly for the 1951 Regular Session, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 3283: By Mr. Condon—An act to amend Section 690.11 of the Code of Civil Procedure, relating to exemptions from execution.

Referred to Committee on Judiciary.

Assembly Bill No. 3284: By Mr. Condon—An act to add Article 5 to Chapter 4 of Title 1 of Part 3 of the Penal Code, comprising Sections 2691 and 2692, relating to the unlawful segregation of prisoners in state prisons on account of race, creed, color or national origin.

Referred to Committee on Judiciary.

Assembly Bill No. 3285: By Mr. Condon—An act to amend Section 652 of the Fish and Game Code, relating to the limit and size of salmon taken by angling.

Referred to Committee on Fish and Game.

Assembly Bill No. 3286: By Mr. Condon—An act declaring state policy in regard to labor disputes, and defining and limiting the jurisdiction of state courts in relation thereto.

Referred to Committee on Judiciary.

Assembly Bill No. 3287: By Mr. Condon—An act to amend Section 69 of the Civil Code and to repeal Section 60 thereof, relating to marriage

Referred to Committee on Judiciary.

Assembly Bill No. 3288: By Mr. Condon—An act to add Section 4606 to the Labor Code, relating to workmen's compensation, in respect to medical treatment.

Referred to Committee on Public Health.

Assembly Bill No. 3289: By Mr. Condon—An act to amend Section 5814 of the Labor Code and to add Section 5815 to said code, relating to penalty for delayed payment of award.

Referred to Committee on Industrial Relations.

Assembly Bill No. 3290: By Mr. Condon—An act to amend Section 30815 of the Water Code, relating to county water districts, in respect to nominations for election to office.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3291: By Mr. Condon—An act to amend Section 30817 of the Water Code, relating to appointments in lieu of election in county water districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3292: By Mr. Meyers—An act to amend Section 667 of the Agricultural Code, relating to oleomargarine.

Referred to Committee on Agriculture.

Assembly Bill No. 3293: By Mr. Meyers—An act to amend Sections 985.5, 986.3, and 986.5 of the Military and Veterans Code, relating to veterans' farm and home purchases.

Referred to Committee on Military Affairs.

Assembly Bill No. 3294: By Mr. Meyers—An act to add Section 675.6 to the Vehicle Code, relating to inspection of escape doors and windows on motor vehicles operated as passenger common carriers.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 3295: By Mr. Meyers—An act to amend Section 370 of the Vehicle Code, relating to registration fees.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 3296: By Mr. Meyers—An act to add Section 588.5 to the Vehicle Code, relating to parking meters.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 3297: By Mr. Meyers—An act to add Section 8.3 to the Dangerous Weapons Control Law, relating to dangerous weapons.

Referred to Committee on Judiciary.

Assembly Bill No. 3298: By Mr. Meyers—An act to add Section 479 to the Vehicle Code, relating to warning signs and lights upon streets which are undergoing construction or repair.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 3299: By Mr. Meyers—An act to add Section 479.5 to the Vehicle Code, relating to warning signs and lights on streets which are undergoing construction or repair.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 3300: By Mr. Meyers—An act to add Section 604.13 to the Vehicle Code, relating to motor vehicles equipped with television.

Referred to Committee on Transportation and Commerce.

Assembly Concurrent Resolution No. 26: By Mr. Moss—Relative to promotional examinations for state civil service.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 27: By Mr. Dunn—Relative to amending the Joint Rules of the Senate and Assembly.

Referred to Committee on Rules.

Assembly Bill No. 3301: By Mr. Burkhalter—An act to add Sections 330.1 and 330.2 to the Penal Code, relating to gaming, and to gambling places.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 3302: By Mr. Morris—An act to amend Section 58 of an act entitled California Unemployment Insurance Act, relating to disqualifications.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 3303: By Mr. Morris—An act to amend Section 67 of the Unemployment Insurance Act, relating to disqualifications.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 3304: By Messrs. Morris and Hahn—An act to amend Section 65 of the Alcoholic Beverage Control Act, relating to punishment for violations by licensees.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 3305: By Mr. Morris—An act to amend the Insurance Code by adding thereto a new section designated 10116, relating to the meaning of the word riot as used in policies of life or disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 3306: By Mr. Morris—An act to amend Section 4704 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Industrial Relations.

Assembly Bill No. 3307: By Mr. Morris—An act to add Section 4708 to the Labor Code, relating to workmen's compensation.

Referred to Committee on Industrial Relations.

Assembly Bill No. 3308: By Mr. Morris—An act to amend Section 4050 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Industrial Relations.

Assembly Bill No. 3309: By Mr. Morris—An act to amend Section 5412 and to repeal Section 5411 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Industrial Relations.

Assembly Bill No. 3310: By Mr. Morris—An act to amend Section 4800 and to repeal Section 4801 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Industrial Relations

Assembly Bill No. 3311: By Mr. Morris—An act to amend Section 5704 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Industrial Relations.

Assembly Bill No. 3312: By Mr. Morris—An act to amend Section 4850 and to repeal Section 4851 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Industrial Relations.

Assembly Bill No. 3313: By Mr. Morris—An act to amend Section 4707 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Industrial Relations.

Assembly Bill No. 3314: By Mr. Morris—An act to repeal Section 4707 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Industrial Relations.

Assembly Bill No. 3315: By Mr. Erwin—An act to add Section 103 to the Labor Code, relating to the jurisdiction of the Division of Labor Law Enforcement.

Referred to Committee on Industrial Relations.

Assembly Bill No. 3316: By Mr. Hagen—An act to amend Section 626 of the Agricultural Code, relating to skim milk.

Referred to Committee on Agriculture.

Assembly Bill No. 3317: By Mr. Hagen—An act to amend Section 125 of the Political Code and Section 15600 of the Government Code, relating to equalization districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3318: By Mr. Evans—An act to amend an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by electors November 7, 1922, by amending Sections 1, 5, 13, and 15 of, and by repealing Sections 7 and 8 thereof, and by adding Sections 7 and 8 thereto, relating to the study and practice of chiropractic, said amendment to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution.

Referred to Committee on Public Health.

Assembly Bill No. 3319: By Mr. Evans—An act to repeal Section 6904 of the Labor Code, relating to safeguards on railroads.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 3320: By Mr. Evans—An act to repeal Section 6906 of the Labor Code, relating to safeguards on railroads.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 3321: By Mr. McCarthy—An act to amend Section 6b of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks, and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Referred to Committee on Judiciary.

Assembly Bill No. 3322: By Mr. McCarthy—An act to amend Section 274 of the Code of Civil Procedure, relating to phonographic reporters.

Referred to Committee on Judiciary.

Assembly Bill No. 3323: By Mr. McCarthy—An act to amend Section 270 of the Code of Civil Procedure, relating to the qualifications of official reporter.

Referred to Committee on Judiciary.

Assembly Bill No. 3324: By Mr. McCarthy—An act to amend Section 271 of the Code of Civil Procedure, relating to the duties of an official reporter.

Referred to Committee on Judiciary.

Assembly Bill No. 3325: By Mr. McCarthy—An act to amend Section 274c of the Code of Civil Procedure, relating to reporters for municipal courts.

Referred to Committee on Judiciary.

Assembly Bill No. 3326: By Mr. McCarthy—An act to add Section 274d to the Code of Civil Procedure, relating to phonographic reporters, and declaring the urgency of this act.

Referred to Committee on Judiciary.

Assembly Bill No. 3327: By Mr. Lyon (By Request)—An act to amend Section 28380 of the Health and Safety Code, relating to the Cannery Inspection Board.

Referred to Committee on Public Health.

Assembly Bill No. 3328: By Mr. Lyon—An act to amend Section 38f of the Alcoholic Beverage Control Act, relating to licenses for the sale of alcoholic beverages.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 3329: By Mr. Lyon—An act to add Section 42 to the Alcoholic Beverage Control Act, relating to licenses for sale of alcoholic beverages.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 3330: By Mr. George D. Collins—An act to add Section 11525.1 to the Business and Professions Code, relating to real estate subdivisions.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3331: By Mr. Brady—An act to add Section 25 to the Government Code, relating to claims against public districts, political subdivisions, public corporations, cities and other public bodies.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3332: By Mr. Brady—An act to add Section 25 to the Water Code, relating to claims against public districts, political subdivisions, public corporations, cities and other public bodies.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3333: By Mr. Brady—An act to add Section 35 to the Code of Civil Procedure, relating to claims against public districts, political subdivisions, public corporations, cities and other public bodies.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3334: By Mr. Brady—An act to add Section 45.13 and 45.14 to the Unemployment Insurance Act, relating to compromises of state taxes.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 3335: By Mr. Brady—An act to add Article 5, comprising Sections 6990 and 6991, to Chapter 7 of Part 1 of Division 2 of the Revenue and Taxation Code, relating to compromises of state taxes.

Referred to Committee on Revenue and Taxation

Assembly Bill No. 3336: By Mr. Brady—An act to amend Sections 372, 375, and 459 of the Vehicle Code, relating to licensing and registration of vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 3337: By Mr. Brady—An act to add Section 161 to the Streets and Highways Code and Section 465.1 to the Vehicle Code, relating to the use of reflectory paint on highways in foggy areas.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 3338: By Mr. Brady—An act to amend Section 832 of the Civil Code, relating to lateral and subjacent support and excavations.

Referred to Committee on Judiciary.

Assembly Bill No. 3339: By Mr. Brady (By Request)—An act to add Section 3342 to the Civil Code, relating to liability for the torts of a minor.

Referred to Committee on Judiciary.

Assembly Bill No. 3340: By Messrs. Dunn and Rumford—An act to add Section 7109.5 to the Elections Code, relating to election supplies and records.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 3341: By Messrs. Dunn and Rumford—An act to amend Section 690 of the Elections Code, relating to the compensation of members of the precinct boards.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 3342: By Messrs. Dunn and Rumford—An act to add Section 5505.5 to the Elections Code, relating to polling places.

Referred to Committee on Elections and Reapportionment

Assembly Bill No. 3343: By Messrs. Dunn, Rumford, Lincoln, Caldecott, Dickey, and Sherwin—An act to add Chapter 7 comprising Sections 6700 to 6704 inclusive to Division 8 of the Elections Code, relating to the conduct of elections to provide for the creation of the county office of Director of Elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 3344: By Messrs. Dunn and Dickey—An act to add Sections 9351.4 and 20012.4 to the Government Code, relating to Members of the Congress of the United States in respect to their continued membership in State Retirement Systems.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 3345: By Mr. Dunn, Mrs. Niehouse, Messrs. Porter, Collier, George D. Collins, Moss, and Rumford—An act to amend Section 5153 of, and to add Chapter 5.5 to Division 12 of the Education Code, relating to the State Rehabilitation Center, providing for the establishment and operation thereof, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3346: By Mr. Dunn—An act to amend Sections 40 and 41.5 of the California Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 3347: By Mr. Dunn—An act to amend Section 18004 of the Education Code, relating to improvement of public streets and places by school boards, the construction of sewers, water pipes, pedestrian walks and tunnels, the acquisition of easements and rights of way for such purposes and appropriating money for such purposes, declaring the urgency of this act and providing that it shall take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3348: By Mr. Dunn—An act to add Section 19.1 to the Alameda County Flood Control and Water Conservation District Act, relating to the application of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 to the Alameda County Flood Control and Water Conservation District Act.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3349: By Mr. Dunn—An act to amend Section 2804 of the Streets and Highways Code, relating to the application of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3350: By Mr. Dunn—An act to amend Sections 9603, 9606, and 9701 of the Revenue and Taxation Code, relating to the motor vehicle transportation license tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 3351: By Mr. Dunn—An act to amend Sections 9603 and 9606 of the Revenue and Taxation Code, relating to the motor vehicle transportation license tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 3352: By Messrs. Collier and Sherwin—An act to amend Sections 9906.1, as added by Chapter 66 of the Statutes of 1950, First Extraordinary Session, and 9906 and 9907, of the Government Code, relating to reports and statements of legislative representatives.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3353: By Mr. Belotti—An act to provide for the acquisition of Fort Humboldt as a state monument, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3354: By Mr. Belotti—An act to provide for establishing and maintaining a museum of natural history, and making an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3355: By Mr. Elliott (By Request)—An act to amend the Educational Code of California relating to the establishment and maintenance of free school lunch rooms in the schools of California.

Referred to Committee on Education.

Assembly Bill No. 3356: By Messrs. Moss, Fleury, and Henderson—An act making an appropriation for the purpose of increasing salaries of state employees, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3357: By Mr. Maloney—An act to amend Section 204e of the Code of Civil Procedure, relating to the duties and compensation of the secretary and jury commissioner of the superior court, and assistants.

Referred to Committee on Judiciary.

Assembly Bill No. 3358: By Mr. Maloney—An act to amend Section 261e of the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties, having a population between 600,000 and 900,000.

Referred to Committee on Judiciary.

Assembly Bill No. 3359: By Mr. Brady—An act to amend Sections 951 and 953 of the Elections Code, relating to primary elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 3360: By Mr. Coats—An act to add Section 471 to the Government Code, relating to congressional districts.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 3361: By Mr. Coats—An act to add Section 492 to the Government Code, relating to assembly districts.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 3362: By Mr. Hawkins—An act relating to hearings on initiatives to the Legislature, and creating a joint legislative committee therefor.

Referred to Committee on Rules.

Assembly Bill No. 3363: By Mr. Waters—An act to amend Section 28021 of the Government Code, relating to classification of counties.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3364: By Mr. Gaffney—An act to amend Section 7332 of the Business and Professions Code, relating to the practice of cosmetology.

Referred to Committee on Public Health.

Assembly Bill No. 3365: By Messrs. Dunn and Rumford—An act to amend Section 2621 of the Elections Code, relating to declaration of candidacy.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 3366: By Mr. Hagen—An act to amend Sections 55.6 and 55.65 of the Alcoholic Beverage Act, relating to the sale of wine.

Referred to Committee on Boards and Commissions.

Assembly Bill No. 3367: By Messrs. Doyle and Erwin—An act to add Section 1078 to the Fish and Game Code, relating to commercial fishing.

Referred to Committee on Fish and Game.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Joint Resolution No. 6

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Request for Unanimous Consent

Mr. Waters asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 6, at this time, without reference to file.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 6

Senate Joint Resolution No. 6—Relative to the All-American Canal Project.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—60.

NOES—None.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF HOUSE RESOLUTION NO. 51

By Mr. Sam L. Collins:

House Resolution No. 51

Relative to initiative measures presented to the Legislature

WHEREAS, Section 1 of Article IV of the Constitution of the State of California provides that, when an initiative petition proposing a law is presented to the Legislature, the law so proposed must be either enacted or rejected without change or amendment by the Legislature within 40 days from the time it is received by the Legislature; and

WHEREAS, Such measures are required to be presented to the Legislature as soon as it convenes and organizes in general session which ordinarily is the first day of the session; and

WHEREAS, The Constitution also provides that the Legislature may meet in general session for not more than 30 days and thereupon must recess for not less than 30 days; and

WHEREAS, If the 40-day period within which the Legislature may act is the first 40 calendar days after the receipt of the measure including the days within the mandatory recess the time within which the Legislature may act would be drastically reduced because the Legislature may not constitutionally be in session more than 30 days prior to the recess, and it was, in fact, in session for only 15 days prior to the constitutional recess of the 1951 General Session; and

WHEREAS, At the time the constitutional amendment relating to initiative measures was proposed to the people the sessions of the Legislature were continuous and no recess was required to be taken and under such conditions the Legislature would have had 40 full calendar days within which it could act upon initiative measures presented to it; and

WHEREAS, The constitutional amendment providing for the bifurcated session and the mandatory recess was proposed later than the constitutional amendment relating to initiative measures and both proposals were adopted at the same election; and

WHEREAS, There is nothing to indicate an actual and deliberate intent on the part of the people in adopting the provision for the bifurcated session to reduce the period within which the Legislature may act upon initiative measures presented to it; and

WHEREAS, It has proved impossible for the Legislature adequately to consider and act upon the important measures presented to it at its 1951 General Session prior to the constitutional recess and had it attempted to take hasty action upon such measures the results might have been improvident; and

WHEREAS, It is essential to the proper functioning of a legislative body that action should be taken only after due deliberation and consideration of all of the aspects of a matter coming before it, and any limitation on the time within which it must act should be construed to allow as much time as possible for the legislative process to function in a normal manner, and

WHEREAS, The constitutional provision in question is susceptible to the construction that the 40 day period is to be calculated as the first 40 days during which the Legislature is in actual session excluding the period of the mandatory recess; now therefore, be it

Resolved by the Assembly of the State of California, That this Assembly hereby asserts and claims the right to act on any initiative measure presented to it during the full period of 40 days while the Legislature is in actual session after the receipt by it of such measure, excluding from such 40 day period the days of the mandatory constitutional recess

Resolution read, and adopted unanimously.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 66

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Request for Unanimous Consent

Mr. Dolwig asked for, and was granted, unanimous consent to take up House Resolution No. 66, at this time, without reference to file.

CONSIDERATION OF HOUSE RESOLUTION NO. 66

By Mr. Dolwig:

House Resolution No. 66

Relative to providing funds for the Special Assembly Committee on Legislative Representation

Resolved by the Assembly of the State of California, That the sum of two thousand five hundred dollars ($2,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the Special Assembly Committee on Legislative Representation (created by Rule 21 of the Permanent Standing Rules of the Assembly for the 1951 Regular Session, adopted by House Resolution No. 23 of the 1951 Regular Session) and its members and for any charges, expenses or claims it may incur under Rule 21 of the Permanent Standing Rules of the Assembly for the 1951 Regular Session, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Cloved, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, and Waters—63.

NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 64

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Request for Unanimous Consent

Mr. Brady asked for, and was granted, unanimous consent to take up House Resolution No. 64, at this time, without reference to file.

CONSIDERATION OF HOUSE RESOLUTION NO. 64

By Mr. Brady:

House Resolution No. 64

Relative to continuation of direct air route travel from Sacramento, California, to Washington, D. C., via United Air Lines—and the dismissal by the Civil Aeronautics Board of the Proceeding (Docket 3660) which would eliminate the segment of the United Air Lines direct route between Chicago, Illinois, and Washington, D. C.

WHEREAS, Since 1943, by virtue of a certificate of public convenience and necessity granted by the Civil Aeronautics Board, United Air Lines has provided a direct route of air transportation between San Francisco, California, and Washington, D. C.; and

WHEREAS, This has brought Sacramento, the capital of the State of California, in direct route via San Francisco with the capital of the United States of America; and

WHEREAS, The Civil Aeronautics Board has currently instituted a proceeding to determine whether public convenience and necessity require elimination or suspension of United Air Lines' through service to Washington, D. C.; and

WHEREAS, The elimination of the Chicago-Washington, D. C., segment of the direct route would necessitate a changing of planes in Chicago before one could proceed from the West Coast to Washington, D. C.; and

WHEREAS, The presence of the "Chicago Bottleneck" for years had been constantly discommoding surface travel because of the necessity of changing trains and we should not permit air transport to find itself in the same unfortunate position; and

WHEREAS, California is the fastest growing state in the Nation and as such has unusual community of interest with the Nation's capital; and

WHEREAS, The service provided by United Air Lines is of vital importance to the heavily populated and strategic areas which it accommodates, and is particularly necessary, in uncurtailed form, at the present time when international as well as domestic exigencies demand that air transport facilities between the Nation's capital and its defense centers be maintained at a maximum level of efficiency; and

WHEREAS, The only direct one-carrier service from Sacramento, capital of California, to Washington, D. C, capital of the Nation, is along the route now in question; now, therefore, be it

Resolved, That the Assembly of the State of California does hereby wholeheartedly endorse and support the petition of United Air Lines to the Civil Aeronautics Board to dismiss the proceeding (Docket 3660) which menaces Sacramento's direct air service to Washington, D. C.; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to prepare suitable copies of this resolution and to forward same to the Civil Aeronautics Board, Delos W. Rentzel, Esq., Chairman, to the Chairman of the Congressional Delegation from California, Honorable Cecil R. King, and to the United States Senators from the State of California, Honorable William F Knowland, and Honorable Richard Nixon.

Resolution read, and adopted unanimously.

RESOLUTIONS

The following resolutions were offered:

By Mr. Dickey:

House Resolution No. 67

Resolved by the Assembly of the State of California, That each and every person heretofore employed by the Assembly is hereby stricken from the list of Assembly attaches, and the names stricken from the pay roll of the Assembly, to take effect upon the completion of work on Tuesday, January 23, 1951, save and except Arthur A. Ohnimus, Chief Clerk, and those who are certified to the Controller by the Chief Clerk.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 67, at this time, without reference to committee or file.

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 63

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up House Resolution No. 63, out of order, at this time.

CONSIDERATION OF HOUSE RESOLUTION NO. 63

By Mr. Dolwig:

House Resolution No. 63

Relating to printing of reports of Legislative Representatives

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly shall have printed in the Journal of the Assembly on the first and last day of each regular session names of such persons as are registered with the Legislative Auditor as legislative representatives, and the organization they are representing.

Resolution read.

Motion to Re-refer House Resolution No. 63

Mr. Condon moved that House Resolution No. 63 be re-referred to the Committee on Rules.

Mr. Collier seconded the motion.

Substitute Motion

Mr. Kirkwood moved that House Resolution No. 63 be re-referred to the Committee on Legislative Representation.

Mr. Collier withdrew his second to the motion by Mr. Condon, and seconded the motion by Mr. Kirkwood.

Motion carried.

House Resolution No. 63 ordered re-referred to the Committee on Legislative Representation.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted.

Assembly Concurrent Resolution No. 21
Assembly Concurrent Resolution No. 23
Assembly Joint Resolution No. 11

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 120

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

REQUEST FOR UNANIMOUS CONSENT THAT STATEMENT RELATIVE TO CERTAIN BILLS BE PRINTED IN JOURNAL

Mr. Dunn asked for, and was granted, unanimous consent that a statement relative to certain bills be ordered printed in the Journal in 10-point type as follows:

STATEMENT SUBMITTED BY MESSRS. DUNN, GEDDES, AND KIRKWOOD IN EXPLANATION OF THE MAJOR PROVISIONS OF A. B. 1984, 1985, 1986, 1987, 1988, 1562, 2061, AND 3109

ASSEMBLY, CALIFORNIA LEGISLATURE, January 23, 1951

It is believed that the following statement will more clearly indicate to the reader the major changes in the Education Code than will a perusal of the actual bills. It also shows where any of these bills contain similar provisions or suggested alternative changes.

Assembly Bill 1984

The bill proposes to place school support on the basis of the *current* average daily attendance rather than on the a d a. for the *preceding* fiscal year; to increase the amounts allowed as basic aid, to raise the foundation programs at all levels, to liberalize allowances for transportation and purchase of school busses and transportation of the physically handicapped, and to revise the method of computing average daily attendance.

Current Support (A. B 1984)

The present plan under which the State reimburses school districts for attendance in the *preceding* year, giving some partial aid for growth would be supplanted by one in which the schools would be paid for the cost of educating the number of pupils *currently* in attendance.

Because of rapid growth many districts now face the problem of educating far more children than they have money for.

Under the terms of A. B. 1984 the initial computation of state aid due each district still would be based on the average daily attendance recorded in the preceding year, but supplemental apportionments would be made not later than February 15th and June 30th for current attendance in excess of that of the preceding year. These apportionments would be based on current attendance reports on December 15th and May 31st.

The above plan would take the place of the existing formula under which some state assistance is given those districts experiencing the most rapid growth and having the least ability to raise money locally. The present graduated scale of aid, which is geared to the assessed wealth of the district and under which the district absorbs only a portion of the burden of growth, would be eliminated.

The State Department of Education estimates that if current levels of state support are retained the proposed plan of reimbursing districts for growth would increase state costs by $11,500,000 per year. However, if the foundation programs are increased in accordance with other provisions of this bill the cost of placing state aid on a current basis would be $14,500,000.

Assembly Bill 2061

(This bill has similar provisions to A. B. 1984 for current reimbursement.)

Basic Aid (A. B. 1984)

This provision calls for an increase in what is known as basic aid, the amount which the State pays all school districts without regard to their ability to raise money from local tax sources. At present basic aid is $90 per year for each unit of average daily attendance. That is the minimum permissible under provisions of the State Constitution. A. B. 1984 would increases the amount to $97.

Assembly Bill 1986

(This bill provides for an increase in basic aid from $90 to $100 instead of to $97 as in A. B. 1984.)

Assembly Bill 1984

Foundation Programs

Foundation programs are the minimum amounts which the State guarantees will be available for the education of each child providing the school district shoulders its share of the cost by levying a specified local tax. If the yield of the local tax when added to the basic aid is less than the foundation program the State gives the district sufficient aid to raise the total to that of the foundation program.

A. B. 1984 proposes to increase not only the foundation program at each level of education, but also to increase the local tax which a district must levy to qualify for state aid.

Elementary

The present foundation program of $148 per child guaranteed with a district tax of 45 cents on each $100 of assessed valuation, would be upped to $185 with a 65-cent tax Special provisions would be made for necessary schools with small enrollments and for districts with extremely low assessed valuation. This change would cost an estimated $30,000,000.

High School

The high school program would be increased from $185 with a 32-cent district tax to $210 with a 40-cent tax. Provision also would be made for the small and the poor high schools. The increased cost is estimated at $2,500,000 a year.

Junior College

The junior college program would be raised from $210 with a 22-cent district tax to $250 with a 25-cent tax at a yearly cost of $1,700,000.

Transportation

Limits state transportation aid to districts to $3 per unit of average daily attendance in all schools and classes instead of the present maximum of $4,700,000 per year. Stricter control of the amounts allocated for current transportation expenses and purchase of school busses is authorized.

Districts unified since July 1, 1948, would be compensated by the State for purchase of busses made necessary by changes in attendance centers (schools) at any time during the first five years of unification instead of only during the first year, under terms of the bill.

The above changes would increase state costs for transportation over 1950-51, by an estimated $700,000 a year.

An allowance of $350 a year in excess of other allowances would be made for the transportation of each pupil of the following categories: Deaf, blind, cerebral palsied and orthopedically handicapped.

Minimum School Year (A. B. 1984)

To encourage more complete use of school facilities and to give longer training to the pupils the bill would increase the minimum school year from 170 days to 175 days and would fix 175 instead of 170 as the divisor in the computation of average daily attendance for purposes of determining state aid.

Assembly Bill 1987

(This bill establishes 175 days as the divisor for computation of average daily attendance in districts maintaining school 175 days or more, *but* retains the existing minimum school year of 170 days; provides that districts operating schools from 170 to 175 days shall use as the divisor the actual number of days school was maintained. This change would cost $1,100,000 a year.)

Improved District Organization (A. B. 1984)

As an incentive to reorganization $5 would be added to the foundation program at each level for unified districts formed after July 1, 1950. This incentive would continue for five years.

Cigarette Tax

The bill calls for a tax of 2 cents on each package of cigarettes, the proceeds to be deposited in the General Fund rather than to be earmarked. The tax would be imposed on the wholesaler and would be administered by the State Board of Equalization. To prevent "Bootlegging" a meter would be used to mark each package on which the tax is paid. No tax would be levied on cigars or tobacco.

Assembly Bill 1985

This bill is identical to A. B. 1984 except that the provisions for a cigarette tax are not included.

Assembly Bill 1988

Re-enacts without material change the existing provisions of the Education Code which expires June 30th for operation of the apportionment program. These provisions are necessary regardless of the amount of state aid fixed by other statutes.

Assembly Bill 2061

This measure continues in effect the existing apportionment law for the support of the public kindergartens, elementary schools, high schools, and junior colleges (Chapters 2, 12, 13, 14, 15, and 16 of Division 3 of the Education Code) exactly as that law existed on January 8, 1951, except in the following major respects:

1. *Transportation Aid to Districts.* Article 2 of Chapter 15 of Division 3 is revised (by repeal and addition) to (a) eliminate the numerous technical errors which appear in the article as enacted by Chapter 74 of Statutes 1950 First Extraordinary Session, (b) permits the Superintendent of Public Instruction to exercise more strict control over the allowance of transportation aid to districts, (c) provide that the maximum amount which may annually be apportioned by the Superintendent of Public Instruction for transportation aid to school districts shall not exceed three dollars ($3) per unit of average daily attendance in all schools and classes instead of the present maximum of $4,700,000 per year. Under Assembly Bill No. 2061, as under the present law, all transportation aid up to an amount equal to two dollars ($2) per unit of the average daily attendance upon which the maximum amount of transportation aid is based, must come out of the $120 per unit of average daily attendance which the Constitution requires to be provided for the support of the public schools, and only the remainder of the maximum

is an additional charge upon the General Fund. It is estimated that the additional maximum cost to the State of this provision for the Fiscal Year 1951-1952 over the maximum amount allowed under the existing law will be approximately $700,000.

Provisions for current reimbursement are similar to provisions in A. B.s Nos. 1984 and 1985.

Assembly Bill 1562

This bill provides for an increase in teacher salaries from the minimum provided by the Constitution of $2,400 to $3,000. It applies only to regularly certificated teachers. It does not apply to those holding emergency credentials.

Assembly Bill 1316

This measure amends Sections 10752 and 11005 of the Revenue and Taxation Code.

The bill increases the license fee for motor vehicles from two (2) percent of the market value to three (3) percent of the market value. It further provides that the receipts of the fee, after deducting, as at present, amounts for the support of the Department of Motor Vehicles and retirement of state highway bonds, shall be apportioned in equal share to counties, cities, and the Auxiliary State School Fund instead of, as at present, equally between cities and counties.

The Auxiliary State School Fund is required to be apportioned annually to the school districts of the State pro rata on the basis of average daily attendance.

The additional revenue which the bill will provide for the support of public schools during 1951-1952 will be between $28,000,000 and $30,000,000, with the cities and counties receiving like amounts. The measure will not decrease the revenue which the cities and counties are entitled to receive under the existing law.

Assembly Bill 3109

Increases the maximum rates of local taxation which school districts may levy without the necessity of first obtaining approval at a special election. The new schedule of maximums would replace those fixed in 1932.

Following are the proposed changes:

Elementary without kindergarten—from 80 cents to $1.50.

Elementary with kindergarten—90 cents to $1.60.

High school—75 cents to $1.35.

Junior college—35 cents to 50 cents.

The schedule for unified districts:

Elementary and high school—from $1.55 to $2.85.

Kindergarten, elementary and high school—$1.65 to $2 95.

Elementary, high school and junior college—$1.90 to $3 35.

Kindergarten, elementary, high school, and junior college—from $2.00 to $3.45.

High school and junior college—$1.10 to $1.85.

Assembly Bill 1562

Increases the minimum salary for fully trained and credentialed teachers from $2,400 a year to $3,000 a year. The constitutional minimum of $2,400 would remain for emergency and provisional teachers.

REQUEST FOR UNANIMOUS CONSENT THAT STATEMENT BE PRINTED AS SEPARATE DOCUMENT AND 2,000 COPIES BE PRINTED

Mr. Dunn asked for, and was granted, unanimous consent that the above statement be printed in 10-point type as a separate document, and that 2,000 copies be ordered printed.

RESOLUTIONS

The following resolution was offered:

By Messrs. Gaffney and Maloney:

House Resolution No. 68

Relating to funds for widening of highways from San Francisco to San Jose

WHEREAS, The Federal Government, under the Federal-Aid Highway Act of 1950, has available funds for use by the states in developing and improving their highway systems; and

WHEREAS, There presently exists an urgent need for the widening of the highways from San Francisco to San Jose because of the military importance of these highways; now, therefore, be it

Resolved by the Assembly of the State of California, That the Director of Public Works is requested to include within any applications for federal funds through the Federal-Aid Highway Act of 1950, a request for funds for the widening of highways from San Francisco to San Jose; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the Director of Public Works.

Resolution read, and ordered referred to the Committee on Rules.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Sherwin:

Resolved, That Senate Bill No. 24 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—64.

NOES—None

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 24

Senate Bill No. 24—An act making an appropriation for construction, improvements, and equipment of an office building in the City of Sacramento for the State Department of California Highway Patrol, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—64.

NOES—None.

Senate Bill No. 24—An act making an appropriation for construction, improvements, and equipment of an office building in the City of Sacramento for the State Department of California Highway Patrol, declaring the urgency thereof, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McFall, McGee, Moss, Munnell, Niehouse, Porter, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—56.

NOES—Geddes, Hollibaugh, Levering, and Luckel—4

Bill ordered transmitted to the Senate.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Sherwin:

Resolved, That Senate Bill No. 25 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—64.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 25

Senate Bill No. 25—An act making an appropriation for construction, improvements, and equipment of an office building in the City of Sacramento for the State Department of Motor Vehicles, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Urgency Clause

Urgency clause read.

Demand for Previous Question

Messrs. Caldecott, Lincoln, Kirkwood, Lindsay, and Conrad demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the urgency clause to Senate Bill No. 25.

Point of Order

Mr. Kirkwood arose to the following point of order: That Mr. Sherwin has exceeded his time.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Motion to Grant Mr. Sherwin Five Additional Minutes

Mr. Hahn moved that five additional minutes be granted Mr. Sherwin for the purpose of debate.

Mr. Doyle seconded the motion.

Motion carried.

The question being on the adoption of the urgency clause to Senate Bill No. 25.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—58.

NOES—Chapel, Dills, Evans, Geddes, Hahn, Hollibaugh, Kilpatrick, Levering, and Morris—9.

Senate Bill No. 25—An act making an appropriation for construction, improvements, and equipment of an office building in the City of Sacramento for the State Department of Motor Vehicles, declaring the urgency thereof, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—58.

NOES—Chapel, Dills, Evans, Geddes, Hahn, Hollibaugh, Kilpatrick, Levering, and Morris—9.

Bill ordered transmitted to the Senate.

COMMITTEE FROM THE SENATE

Senators Donnelly, Sutton, and Brown appeared before the bar of the Assembly, and announced that the Senate had concluded its labors.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Stewart:

Resolved, That Senate Bill No. 488 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Caldecott, Chapel, Clarke, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—64.

NOES—None

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 488

Senate Bill No. 488—An act to add Section 13115 to the Government Code, relating to acquisition of easements and rights as an incident to the construction of state buildings and other structures, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Caldecott, Chapel, Clarke, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—64.

NOES—None

Senate Bill No. 488—An act to add Section 13115 to the Government Code, relating to acquisition of easements and rights as an incident to the construction of state buildings and other structures, declaring the urgency thereof, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Caldecott, Chapel, Clarke, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Stewart:

Resolved, That Senate Bill No. 172 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Caldecott, Chapel, Clarke, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—64.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 172

Senate Bill No. 172—An act to add Section 14276 to the Government Code, relative to state contracts, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—63.

NOES—Chapel, Dills, and Hollibaugh—3.

Senate Bill No. 172—An act to add Section 14276 to the Government Code, relative to state contracts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—63.

NOES—Chapel, Dills, and Hollibaugh—3.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 14

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 7

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT

Mr. Stewart asked for unanimous consent to take up Senate Joint Resolution No. 9, at this time.

Mr. George D. Collins withheld unanimous consent.

Motion to Temporarily Suspend the Rules

Mr. Maloney moved that the Rules be temporarily suspended for the purpose of considering Senate Joint Resolution No. 9, at this time.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Caldecott, Clarke, Cloyed, Collier, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Sherwin, Smith, Stanley, Stewart, Waters, and Mr. Speaker—58.

NOES—Chapel, George D. Collins, and Condon—3.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 9

Senate Joint Resolution No. 9—Relative to the rights of the State of California to tide and submerged lands lying along the Coast of California.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Smith, Stanley, Stewart, Waters, and Mr. Speaker—65

NOES—George D. Collins—1.

Resolution ordered transmitted to the Senate.

ANNOUNCEMENT

Speaker Sam L. Collins announced that each member is to leave instructions in his desk relative to the shipping of his papers, along with his proper mailing address.

RESOLUTIONS

The following resolutions were offered:

By Mr. Waters:

House Resolution No. 69

Resolved, That the Speaker appoint a Committee of Three to wait upon the Governor and inform him that the Assembly is ready to adjourn for the constitutional recess.

Request for Unanimous Consent

Mr. Waters asked for, and was granted, unanimous consent to take up House Resolution No. 69, at this time, without reference to committee or file.

Resolution read, and adopted.

Appointment of Select Committee

Pursuant to the provisions of House Resolution No. 69, Speaker Sam L. Collins announced the appointment of Messrs. Waters, Evans, and Munnell as such Select Committee to wait upon the Governor.

By Mr. Fleury:

House Resolution No. 70

Resolved, That a Committee of Three be appointed by the Speaker to wait upon the Senate and inform that body that the Assembly is ready to adjourn for the constitutional recess, and ask if the Senate has any further communications to make to the Assembly.

Request for Unanimous Consent

Mr. Fleury asked for, and was granted, unanimous consent to take up House Resolution No. 70, at this time, without reference to committee or file.

Resolution read, and adopted.

Appointment of Select Committee

Pursuant to the provisions of House Resolution No. 70, Speaker Sam L. Collins announced the appointment of Messrs. Hollibaugh, McFall, and Fleury as such Select Committee to wait upon the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Concurrent Resolution No. 14

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered to unfinished business file.

UNFINISHED BUSINESS (BY UNANIMOUS CONSENT)
CONSIDERATION OF SENATE AMENDMENTS (BY UNANIMOUS CONSENT)

Assembly Concurrent Resolution No. 14—Relative to commending the city council and governmental agencies of the City of Sunnyvale and other cooperating agencies throughout the County of Santa Clara, for their splendid conduct during a recent emergency.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Concurrent Resolution No. 14?

Amendment No. 1

On page 1, line 2, of the printed measure, strike out "cyclone", and insert "tornado".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Concurrent Resolution No. 14 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen,

Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Niehouse, Porter, Rumford, Sherwin, Smith, Stanley, Stewart, and Mr. Speaker—57.

NOES—None

Assembly Concurrent Resolution No. 14 ordered enrolled.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 23, 1951

MR SPEAKER I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 28

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 28—Relative to John B. (Bing) Maloney.

Request for Unanimous Consent

Mr. Fleury asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 28, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 28

Senate Concurrent Resolution No. 28—Relative to John B. (Bing) Maloney.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Smith, Stanley, Stewart, and Mr. Speaker—65.

NOES—None.

Resolution ordered transmitted to the Senate.

ANNOUNCEMENT

Mr Geddes announced that authors of bills which have been referred to the Committee on Finance and Insurance who desire to submit authors' amendments should do so at the meeting of said committee to be held on March 12, 1951, in room 432, at 8 p.m.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED IN JOURNAL

Mr. Dolwig asked for, and was granted, unanimous consent that a letter of transmittal and the Final Report on Riding and Hiking Trails by the Assembly Interim Committee on State-wide Riding and Hiking Trails Development be ordered printed in the Journal in 10 point type.

(Above letter of transmittal and final report will appear prior to the motion to adjourn.)

REQUEST FOR UNANIMOUS CONSENT THAT REPORT BE PRINTED AS SEPARATE DOCUMENT AND 500 ADDITIONAL COPIES BE PRINTED

Mr. Dolwig asked for, and was granted, unanimous consent that the above report be ordered printed as a separate document in 10 point type, and that 500 copies be printed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 25

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 24

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

REPORTS OF SELECT COMMITTEES

The Select Committee appointed to wait upon the Governor appeared before the bar of the Assembly, and reported it had performed its duties.

The Select Committee appointed to wait upon the Senate appeared before the bar of the Assembly, and reported it had performed its duties.

CONSIDERATION OF HOUSE RESOLUTION NO. 42

By Messrs. Kilpatrick, Burke, Hagen, Meyers, and Mrs. Niehouse:

House Resolution No. 42

Relative to augmenting the funds of the Assembly Interim Committee on Crime and Correction

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available, the sum of five thousand dollars ($5,000) or as much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the Assembly Interim Committee on Crime and Correction (created by House Resolution No. 243, 1949 Regular Session) and its members *and for any charges, expenses or claims incurred under said resolution or under* House Resolution No. 297, 1949 Regular Session, or House Resolution No. 28, 1951 Regular Session, to be paid from said Contingent Fund and disbursed after certification by the chairman of the committee, upon warrants drawn by the State Controller on the State Treasurer; and be it further

Resolved, That in addition to any other subjects which the committee may investigate or report upon, it may also investigate and report upon the use, acquisition, possession, sale or importation of narcotics and other habit-forming drugs as a criminal problem.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

Strike out all of the text of House Resolution No. 42, as it appears on page 522 of the Assembly Journal of January 16, 1951, and insert

"*Resolved by the Assembly of the State of California*, That in addition to any money heretofore made available, the sum of five hundred dollars ($500) or as much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the Assembly Interim Committee on Crime and Correction (created by House Resolution No. 243, 1949 Regular Session) for the purpose of preparing

the committee's final report to the Legislature, to be paid from said Contingent Fund and disbursed after certification by the chairman of the committee, upon warrants drawn by the State Controller on the State Treasurer."

Amendment read, and adopted.

Consideration of House Resolution No. 42, as Amended

By Messrs. Kilpatrick, Burke, Hagen, Meyers, and Mrs. Niehouse:

House Resolution No. 42

Relative to augmenting the funds of the Assembly Interim Committee on Crime and Correction

"*Resolved by the Assembly of the State of California*, That in addition to any money heretofore made available, the sum of five hundred dollars ($500) or as much thereof as may be necessary, is hereby made available from the Contingent Fund of the Assembly for the Assembly Interim Committee on Crime and Correction (created by House Resolution No. 243, 1949 Regular Session) for the purpose of preparing the committee's final report to the Legislature, to be paid from said Contingent Fund and disbursed after certification by the chairman of the committee, upon warrants drawn by the State Controller on the State Treasurer."

Resolution read, as amended.

The roll was called, and House Resolution No. 42 adopted by the following vote:

AYES—Beck, Berry, Brady, Brown, Clarke, Coats, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Gaffney, Geddes, Hagen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Lincoln, Lowrey, Maloney, McCollister, McFall, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Stanley, Stewart, and Thomas—42.

NOES—Babbage, Belotti, Chapel, Cloyed, Collier, Conrad, Erwin, Grant, Gubser, Hahn, Hansen, Hinckley, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Luckel, McCarthy, McGee, Moss, Sherwin, Smith, Tomlinson, and Waters—25.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 11

Senate Concurrent Resolution No. 11—Relative to the continuance of the Joint Legislative Committee on Community Redevelopment and Housing Problems with Particular Reference to Legislation Supplementary to Federal Legislation.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

On page 1, line 10, of the printed measure, as amended in the Senate on January 18, 1951, strike out "those members of the"; strike out lines 11 and 12; and in line 13, strike out "committee", and insert "the Speaker of the Assembly is empowered to appoint five Members of the Assembly and the Rules Committee of the Senate is empowered to appoint five Members of the Senate to said committee".

Amendment No. 2

On page 1, line 27, of said measure, strike out "five thousand dollars ($5,000)", and insert "two thousand dollars ($2,000)".

Amendments read, and adopted.

Resolution ordered reprinted, and on file for adoption.

ANNOUNCEMENT

Mr. Waters announced that the Subcommittee on Elections and Reapportionment, relative to investigating election charges against Mr. Parker, has deliberated all day; and that a motion was made in committee that Mr. Parker be exonerated and hold his seat on the floor of the Assembly; and that the final action of this committee will be publicly announced later.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 3

Senate Joint Resolution No. 3—Relative to memorializing the President and the Congress of the United States to declare Solano County, State of California, a critical defense area for the purpose of obtaining financing of housing construction.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson Hinckley Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—68.

NOES—None.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 4

Senate Joint Resolution No. 4—Relative to memorializing the President and the Congress of the United States to provide for military access roads to Travis Air Force Base.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson Hinckley Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—68.

NOES—None.

Resolution ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 172
Senate Bill No. 488

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

REQUEST FOR UNANIMOUS CONSENT THAT CHIEF CLERK BE INSTRUCTED TO WRITE LETTER TO FRANK SEBASTIAN

Mr. Maloney asked for, and was granted, unanimous consent that the Chief Clerk be instructed to write a letter to Mr. Frank Sebastian, President and Manager of the Hotel Senator, and thank him, on behalf of the Members of the Assembly, for his courtesy in arranging the beautiful legislative party held tonight, and his hospitality as a host.

Upon request of Speaker Sam L. Collins a rising vote of thanks was given Mr. Frank Sebastian.

BEST WISHES EXPRESSED

Mr. Maloney expressed, on behalf of the Members of the Assembly, best wishes to Mr. Meyers who plans to be married on February 3d; to Mr. Conrad who plans to be married on February 10th; and to the daughter of Mr. Evans, who also plans to be married on February 10th.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 235	Assembly Bill No. 335
Assembly Bill No. 327	Assembly Bill No. 566
Assembly Bill No. 329	Assembly Bill No. 575
Assembly Bill No. 332	Assembly Bill No. 587

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 327 re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 329 re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 332 re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 335 re-referred to the Committee on Finance and Insurance.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 586

And reports the same correctly engrossed

BURKE, Chairman

Above reported bill ordered to third reading.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 1.30 p.m.—

Interim Committee on Governmental Reorganizations, in Room 430.

At 1.45 p.m.—

Rules, in Room 319.

Upon recess at noon—

Interim Committee on Elections and Reapportionment, at desk of Mr. Waters.

Revenue and Taxation, in Room 432.

Upon afternoon recess—

Agriculture, in Room 320.

At 7.45 p.m.—
Rules, in Room 319.

It was announced that the following committee would hold no meeting tomorrow night:
Municipal and County Government.

FINAL REPORT TO THE LEGISLATURE BY THE ASSEMBLY INTERIM COMMITTEE ON PUBLIC HEALTH

Members of the Committee

HON. JOHN F. THOMPSON, *Chairman* — HON. ARTHUR H. CONNOLLY, JR., *Vice Chairman*
HON. CLAYTON A. DILLS — HON. AUGUSTUS F HAWKINS
HON. GLENARD P. LIPSCOMB — HON. W. BYRON RUMFORD
HON. H ALLEN SMITH
G. A. SPAULDING, *Executive Secretary*

RESOLUTION CREATING COMMITTEE

By Messrs. Thompson and Connolly:

House Resolution No. 237

Relative to the creation of the Assembly Interim Committee on Public Health

WHEREAS, Experience has shown that, in order to protect and safeguard the public health, there is a continuous need for legislation on numerous subjects; and

WHEREAS, In order to enable it to consider and enact proper legislation relating to public health, it is necessary that the Assembly be fully informed on all facts relating to those matters; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Public Health is hereby created and authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon public health including, but not limited to, the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in its reports its recommendations for appropriate legislation

2. The committee shall consist of seven Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

LETTER OF TRANSMITTAL

Hon. Sam L. Collins
Speaker of the Assembly
California State Legislature

DEAR MR. SPEAKER: Pursuant to House Resolution No. 237 of the 1949 Legislature, your Interim Committee on Public Health was organized and does herewith submit its final report, together with the committee's recommendations and findings.

During the 1949 and 1950 Sessions of the Legislature several bills were referred to this committee for study, i.e., acute alcoholism, dangerous drugs and related subjects, chronic diseases, investigation of certain institutions, physio therapy, the practice of physical therapy, private cemeteries, chiropractors and their methods of practice, regulations of privately owned ambulances, and many other problems.

During the 1950 Session of the Legislature a preliminary report was submitted and some of the findings and recommendations made prior to the 1950 Session were reported on, and will thus be eliminated from this final report.

The committee wishes to acknowledge its appreciation for the cooperation and assistance rendered it by the medical directors and their staffs of the various state institutions; Dr. Wilton L. Halverson, Director of the Department of Public Health, and his assistants; to Dr. Frank Tallman, Director of the Department of Mental Hygiene, and members of his staff; the Members of The State Pharmacy Board; The Board of Chiropractic Examiners; to the District Attorney's Office in San Francisco; to Dr. George Uhl, City Health Officer for the City of Los Angeles; Ben H. Read of the Public Health League of California; J. A. Sullivan of the County Mental Health Department of Los Angeles, and to the many others whose wholehearted cooperation and assistance in gathering the material, made this report possible.

Respectfully submitted,

JOHN F. THOMPSON, Chairman
ARTHUR H. CONNOLLY, JR., Vice Chairman
AUGUSTUS F. HAWKINS
CLAYTON A. DILLS
GLENARD P. LIPSCOMB
W. BYRON RUMFORD
H. ALLEN SMITH

INTRODUCTION

The many phases presented to the Assembly Interim Committee on Public Health on various subjects necessitated the committee holding several meetings from Ukiah to Los Angeles in order that all sections of the State could be properly heard by those interested in the many subjects confronting the committee.

Such subjects as state hospitals, chronic diseases, acute alcoholism, radiotherapy, dangerous drugs, physiotherapy, chiropractors, and many others were requested by those interested in the above subjects.

The committee endeavored in all cases to give both sides of any controversies a fair and impartial hearing.

Because of the need of additional time in order to make a thorough and complete study of some of the important problems, it was a physical impossibility to fully complete these studies and it is the belief of the committee that another Interim Committee on Public Health should be created in order to fully bring to the attention of the Legislature the need for legislation to correct sections in our codes that will benefit and protect the people of the State of California.

The committee has spent many months in research and investigations of all phases of the protection of the health and safety of the people of the State of California, and it is hoped that this report will better enable the Members of the Legislature to pass upon the many bills that will be introduced relative to this important phase of the lives of our citizens.

COMMITTEE MEETINGS

August 5, 1949— Planning for the agenda of committee ---------- San Francisco
September 9, 1949—Committee organization meeting ---------- Sacramento
November 3, 1949—Tre Monte meeting ---------- San Jose
November 7, 1949—Department of Public Health meeting ---------- San Francisco
November 11, 1949—Meeting with physiotherapists and study of Mary E. Burke Foundation ---------- Los Angeles
February 10, 1950—Committee meeting on acute alcoholism ---------- San Francisco
August 1, 1950— Committee visited Mendocino State Hospital ---------- Ukiah
August 2, 1950— Committee visited Sonoma State Hospital ---------- Eldridge
August 3, 1950— Committee visited Napa State Hospital ---------- Napa
October 12, 1950— Committee meeting on chronic diseases ---------- Los Angeles
October 13, 1950— Committee meeting on radiotherapy, dangerous drugs, and acute alcholism ---------- Los Angeles
October 14, 1950— Committee meeting on physiotherapy ---------- Los Angeles
November 17, 1950—Committee meeting on chiropractic treatments (Dr. L. A. Brinkley) ---------- Los Angeles

MENDOCINO STATE HOSPITAL

The Assembly Interim Committee on Public Health met in the Superintendent's Office of the Mendocino State Hospital on August 1, 1950. In addition to the committee members present there was also Mr. A. Edward Nichols, representing the Department of Mental Hygiene.

In the absence of Dr. David B. Williams, Superintendent and Medical Director of the hospital, Dr. Bramkamp, the Assistant Superintendent, received the committee. Chairman Thompson opened the meeting saying in part: "For one thing, I think the members of the Legislature should have a little better idea of what is taking place in the various state institutions regarding their problems, so that when legislation is placed before committees and on the floor of the Legislature, that the members themselves will have a better knowledge of what is going on and what is needed in the way of financial assistance via the budget."

Dr. Bramkamp explained some of the situations such as over-crowded conditions, the maximum security ward, conditioned reflex treatment, sexual psychopaths, psychopathic delinquents, and alcoholics, and suggested a tour of the hospital showing the committee what was taking place and how treatments for the various patients were administered. Before starting on the tour Dr. Bramkamp gave the committee a physical plan of the Mendocino State Hospital. In brief, this is what he said:

"The Mendocino State Hospital was established in 1893. It is located near the village of Talmage, Mendocino County, and is about 120 miles north of San Francisco, which contains the nearest medical and teaching centers.

"At present the total acreage of the institution is 1215. A little more than half of this acreage is devoted to some productive farm operations, such as dairy, hog ranch, poultry farm, orchards, gardens and field crops."

Following is the annual report on farming operations at the Mendocino State Hospital for the period commencing July 1, 1949, to June 30, 1950:

Mendocino State Hospital—Department of Mental Hygiene
Annual Report of Farming Operations for the Period July 1, 1949, to June 30, 1950

	Total value production per analysis	Expenses charged to production: Direct expenditures per statement	Local products consumed per statement	Adjustment of livestock inventories	Total net charge for production	Excess production value over expenses
Farm (field crops)	$19,357 24	$29,681 61	$5,152 32	$3,065 03	$37,898 96	—$18,541 72
Dairy	170,938 19	67,054 10	27,104 86	625.00	94,783.96	76,154 23
Hog ranch	44,619 23	19,938 22	5,465 82	1,867 50	27,271 54	17,347 69
Poultry ranch	40,714 60	29,293 91	2,820 95	953 70	33,068 56	7,646 04
Orchard	7,959 40	2,640 00	58 05	--	2,698 05	5,261 35
Vegetable garden	59,514 96	9,356 82	1,443 15	--	10,799 97	48,714 99
Stable, tractor	9,191 11	6,818.62	1,592 47	--	8,411 09	780 02
Food processing	52,035.32	18,185 01	31,933 87	--	50,118,88	1,916 44
TOTALS	$404,330 05	$182,968 29	$75,571.49	$6,511.23	$265,051 01	$139,279 04

Summary of Production

Total value farm production—as above	$404,330 05	
Less value local products consumed in production	182,968 29	
Net value farm production		$221,361 76

UNIT COSTS

	Dairy	Hog ranch	Poultry ranch
Total Net Charge for Production—as above	$94,783 96	$27,271 54	$33,068 56
Deduct Value Minor Products *—per analysis			
Beef (cow)	3,576 30	--	--
Beef (steer)	--	--	--
Veal	746 05	--	--
Hides, cow	98 20	--	--
Hides, calf	31 14	--	--
Chickens	--	--	3,932 66
Turkeys	--	--	--
Livestock sold	26,704 20	--	--
Hogs sold	--	4,554 99	--
TOTAL VALUE MINOR PRODUCTS	$31,155 89	$4,554 99	$3,932 66
Net charge for milk production	63,628 07	--	--
Total gallons of milk produced *	238,093 8	--	--
Cost per gallon for production	2672	--	--
Net charge for pork production	--	22,716 55	--
Total pounds (dressed) of pork produced *	--	129,639	--
Cost per pound for production	--	1752	--
Net charge for egg production	--	--	29,135 90
Total dozens of eggs produced	--	--	79,410
Cost per dozen for production	--	--	.3669

* "Minor products" should not include products made from the "major" products such as cream, skim milk, butter, ham, bacon, etc., but total production of milk and pork should include total fresh milk and pork produced

Dr. Bramkamp further stated: "Most of the physical plant was built a number of years ago, and many of the buildings are far from modern. The last ward built was a ward for chronic female patients, housing approximately 300 patients. This was completed about 1938.

"The current population is approximately 2,716, of which 1,623 are men and 1,093 are women. The normal capacity of the present buildings is rated at 1,426 men and 971 women. This gives an excess population of 319, of which 197 are men and 122 are women, making a total of 13.3 percent overcrowdedness. The patients are housed in 25 words. A number of these wards have been found inadequate or improper for several reasons, and are due to be replaced. The wards in the main building housing approximately 700 patients provide adequate housing facilities, but because of the fire hazard none but ambulatory patients can be kept in these wards. Two outside male wards, housing 200 patients, and two outside female wards, housing approximately 150 patients, fall in the same category. Under orders of the State Fire Marshal these buildings are also due for replacement.

"The admission ward is fairly modern, and houses 24 female and 25 male patients. This building also contains the surgery, dental offices, laboratory, X-ray department and hydrotherapy department, as well as a few apartments for employees. Although these admission wards are considered adequate for their original purpose, the facilities are now considerably strained for a number of reasons. The more important of these are the following:

"Most of the injured and seriously ill patients of the hospital now have to be cared for on the admission wards, because of the State Fire Marshal's ruling that the sick wards previously used are now in buildings scheduled for a replacement, and cannot contain bed patients. Moreover, the increase in the number of special treatments, such as conditioned

reflex treatment, insulin therapy, electric shock therapy, etc., required beds needed for newly admitted patients, and seriously strain the capacity of these two small wards.

"Another ward deserving special mention is the criminal ward which now houses approximately 300 patients, and is only one of its type in the State. This is a maximum security building which is of fireproof construction, and provides adequately modern housing, although it is considered inadequate in other respects for the carrying out of current psychiatric practices."

The following are excerpts from the Annual Statistical Report submitted by Dr. William to Dr. Frank F. Tallman, Director of the Department of Mental Hygiene:

General

"During the year, in accordance with the policy of the department, there was a considerable increase in active thereapy in a number of fields as will be noted later in the report. This was accomplished despite personnel shortages in several important classifications and was made possible because of the full and enthusiastic cooperation of all the hospital employees, particularly the ward attendants. The fields in which the most marked increase in activity occurred are the following:

Attendants Training Program

Occupational Therapy

School for delinquents on maximum security ward

Research into, and active treatment for sexual psychopathy.

"The insulin ward was continued in operation throughout the year but facilities and personnel did not permit its enlargement. An average of 101 patients were treated during the year.

"The conditioned reflex treatment was also continued and it is proving worthwhile in a considerable percentage of patients.

"More active use was also made of consulting staff and most of the members of our staff have been encouraged to make regular visits to the hospital rather than wait when called for some special problem. These consultations have also been of great assistance in providing informal instruction in their specialties to members of the medical staff. Our inability to obtain the services of a neuro-surgeon made it impossible for us to perform any lobotomy operations Efforts are being made to obtain the services of a qualified neuro-surgeon from San Francisco and it is hoped that we will be able in the future to do a number of lobotomies for those patients for whom this operation is indicated. However, some operations are being performed at the Langley-Porter Clinic in San Francisco.

"Construction continued on four major building projects; the new kitchen and feeding unit, chronic male ward with a capacity of 404, female disturbed ward with a capacity of 90, and female convalescent ward with a capacity of 164. Construction projects planned for the immediate future are an auditorium and library, administration building, hospital and treatment unit added to the present Admission Building. Current plans are to convert the present Ward 10 into a commissary and recreation building. The wrecking of several old and condemned

buildings is also planned as soon as the new wards are made available, which will probably be in the early part of 1951.

"There have been difficulties in filing all of our positions, both in the professional and non-professional categories.

Personnel

"As of June 30, 1950, the following positions were filled as compared with the number of positions authorized in the budget:

	Positions filled	*Positions on budget*
On the medical staff	11	16
On the nursing staff	15	25
In the attendant classification (including charges and supervisor)	372	395
Other Personnel		
Support	37	40
Administration	40	40
Care and welfare (other than staff, nurses and attendants, technician)	12.2	20.5
Maintenance	34	34
Farm	25	27
Extramural care (social welfare)	1	3

"There have been two 80-hour in-service training courses for new attendants of 20 each, and two courses for the older attendants, who have received additional rating on their experience, to a total of approximately 150. Another course for new attendants with a class of about 20 will be started soon.

"Special training in occupational therapy is planned for the current fiscal year. Efforts will be made for attendants to receive credit for hours of training in occupational therapy with a qualified instructor. In cooperation with the health officer of the institution, training is to be given all attendants in food handling and general sanitation.

"As of June 30, 1950, the hospital was not accredited for resident training; however, every effort is being made to comply with the American Medical Association requirements and it is hoped that approval for residents will be obtained in the near future. The institution has been accredited by following:

American Medical Association Registry

American College of Surgeons

California Department of Medical Examiners for Residency

State of California Department of Education two years residency in Psychiatry under Public Law 346.

"During the year staff physicians testified on 97 cases in the Mendocino County Superior Court. The volume of court work is gradually increasing as more patients under court jurisdiction are being received and released. The work of the staff in these cases is a part of their regular duties and at present six physicians are certified to act as medical examiners in the superior court.

Special Medical Therapy

"During the year individual and small group psychotherapy on a regular and active plan was offered primarily to two groups of patients; the alcoholics and sexual psychopaths With the cooperation of the department, an active program for the investigation and treatment of sexual psychopathy was initiated. A well qualified psychiatrist was added to

the staff and the department's plan is to set up additional positions to enable the physician to engage in an active research and treatment program. These positions include one assistant physician, a senior clerk, senior clinical psychologist, and a psychiatric social worker. Despite the lack of the other employees needed for the sexual psychopath program, it is being worked on actively by the physician in charge and it is hoped that personnel will soon be available to permit a rapid expansion. The figures for the patients receiving active psychotherapy are as follows: Alcoholics average over 12 patients twice weekly, with a total of 1,248 sessions. Sexual psychopaths average over 15 patients twice weekly, with a total of 1,560 sessions.

"Electric shock therapy was continued during the year and this form of therapy was often administered as a preliminary to insulin shock therapy, the figures on which are given below:

	Number of patients	*Number of treatments*
Intensive electroshock	469	2,008
Patients completed treatment	79	----
Maintenance electroshock	29	----

There were no deaths during the year directly attributable to electroshock treatment. The percentages of marked improvement and recovery do not differ significantly from those which have been reported in the literature.

"Electronarcosis was not used as an alternative technique during the year.

"The number of insulin shock treatments given during the year are as follows:

	Number of patients	*Number of treatments*
Insulin shock	101	5,626
Percent improved	13%	----
Percent marked improved	11%	----
Percent recovered	16%	----
Deaths due to insulin	----	----

Statistically, there is no significant difference from last year's figures.

"During the year the only treatment given for syphillis of the central nervous system was penicillin, and the number of treatments given are as follows:

Number of patients treated: 54
27 patients received 9,000,000 units, a total of 4,860 injections
23 patients received 15,000,000 units, a total of 6,900 injections
3 patients received 9,000,000 units, a total of 69 injections (fortified penicillin)
1 patient received 10,000,000 units, a total of 199 injections (unfinished course of 15,000,000 units)
Number of patients improved: 25 percent

"Our current plan of treatment does not include malaria in the ordinary case and, at present, we are obtaining the best results with a course of 15,000,000 units of penicillin, usually given in doses of 50,000 units in the soluble form, at intervals of three hours.

"Chromotherapy is not employed regularly at this time.

"During the fiscal year no lobotomies were performed in this hospital.

Routine Medical and Surgical Therapy

"A clinical laboratory was maintained during the year and practically all of the services suited to the needs of the hospital were available. A full-time laboratory technician was on duty during this period. During the year microscopic pathological work was performed by the pathologists at Langley Porter Clinic or the University of California.

"A full-time X-ray technician is also on duty, and in addition to this an electroencephalographic technician is employed full-time. He operates the electrocardiograph and the electroencephalograph and assists in the X-ray department.

"During the year a clinic employing two full-time nurses was maintained in addition to the general surgery where an average of four nurses was employed full time. The activities of these two units are listed below:

Surgery:

A. General Surgery (excluding lobotomy)	
1. Minor operations	42
2. Major operations	13
B. Orthopedic	
1. Major operations	5
2 Minor operations	29
C. Gynecological	
1. Major operations	0
2. Minor operations	2
D. Genito-urinary	
1. Major operations	0
2. Minor operations	4
E. Obstetrical	
1. Major operations	0
2. Minor operations	0
F Legal Sterilization	
1. Major operations	2
2. Minor operations	0

"During the year one full-time dentist was on duty and another full-time dentist was employed December 1, 1949. There were two dental assistants.

"One of the staff physicians with considerable experience in pathology has been designated our pathologist and he performs the post-mortem examinations during the year. There were 112 deaths and 23 autopsies performed, a percentage of 20.5.

"The autopsies are frequently attended by members of the staff and the findings are informally discussed by them.

"The physiotherapy and hydrotherapy are administered by two full-time technicians. They are qualified to give continuous tubs, packs of various kinds, massage and heat treatments, heat cabinet treatments, Sitz baths, Scotch and fan douches. Approximately 3,674 treatments were administered during the year in the hydrotherapy departments.

"Two civil service employees are employed full-time in classification of occupational therapist. Their time is primarily spent in the shops. In addition, three employees not so classified under civil service, are doing full-time work on the wards as occupational therapists. During the year a number of new activities were initiated; among these were finger painting, ceramics, carving in plaster, fly tying, basket weaving, embroidery, crocheting, knitting, and copper work. In addition, patients have been

given material and assistance and are encouraged to make their own dresses on the wards, and during the period from February 15, 1950, to September 25, 1950, after the program was started, 122 dresses were made.

"It is to be especially noted that the above projects are actually carried out on the wards by patients who are in too poor mental condition to go to the regular shops and the attendants actively assist both the therapist and the patient and are carrying out the work. In this way, considerable more occupational therapy is possible because of the constant daily contact of the attendants with the patients

"The following is a list of the number of patients engaged in institution maintenance activities:

	On ward	*Off ward*
Male	639	458
Female	377	110

Patients are employed in the following occupations about the hospital, as part of their treatment, and as an incidental assistance to the maintenance and operation of the hospital:

	Number of patients
Cannery	6
Sewing room	13
Tailor shop	42
Mattress shop	4
Shoe shop	5
Paint shop	4
Carpenter shop	4
Miscellaneous	35

"During the year a full-time employee who was a licensed beauty operator was employed in beauty treatments for the patients. Space had not been found for the installation of a beauty shop but by the end of the fiscal year, space was arranged for, equipment for this purpose was purchased, and a full-time shop started as of July 1, 1950. During the year the services offered by the operator were permanent waves, finger waves, and haircuts. A considerable percentage of the operator's time was spent in instructing the ward attendants in the giving of haircuts; as a result there was a great improvement in the appearance of the patients' hair. During the year the following were given:

Permanents	126
Haircuts	232
Finger waves	166

"There is no employee at the hospital having a civil service status as recreational therapist. However, one employee devotes full time to recreational therapy and another relieves on her days off, so that there is a full-time recreational therapist on duty daily. Recreational therapy is also considered part of the duty of all attendants, doing general ward work, and excellent cooperation has been received.

"The following recreational activities are available to patients:

(a) Ballroom dancing every Saturday afternoon and folk dancing every Monday night in the auditorium.

(b) Daily activities on the wards consist of bingo, community singing and phonograph concerts.

(c) Movies are held every Friday afternoon and Saturday morning in the auditorium Special moving pictures are shown on wards once a

week. Certain wards are shown movies twice a week; all wards see movies at least once a week.

(d) Special dances are held on holidays. During the summer months picnics are held for approximately 1,200 patients. During the summer season softball games are held on Sunday mornings.

(e) Vaudeville shows are held for patients for various occasions. These shows are produced by the patients. The patients also have their own M. S. H. dance orchestra; also a choral group to furnish entertainment for special occasions.

(f) Approximately 300 men and women attend Saturday dances. Approximately 175 men and women attend folk dancing. Approximately 600 men and women attend shows.

(g) Recreational therapy is extended to all wards. Each evening bingo parties are given with candy bars as prizes for the winners. Everyone joins in community singing. Musical quiz games are played. Phonograph record concerts are enjoyed. Refreshments will be served.

Most of the patients are held on the wards at night.

Plans are now in preparation to give one-act skits during these ward evenings.

Ward 12 has their own recreational director who programs activities there. They hold a regular movie once weekly, and special pictures are given during the week, attended by approximately 250. This ward has a choral group, also.

Bingo, cards, checkers, etc., are daily activities.

"No music therapist is available at this hospital but during the year the recreational therapist brought music to the wards fairly regularly. The principal mediums were records and choral group singing. A new portable public address system with attached record player was acquired during the year and was in frequent use both for ward parties and dances.

"Church services are held weekly by the various denominations represented by the patient population. Services are conducted by local ministers, who are paid by the hospital for their assistance. There is no chapel on the grounds, but the hospital auditorium is used for religious services.

Special Programs

"There is no juvenile unit at this hospital. Some juveniles are admitted as patients; these are usually classified as psychopathic delinquents and are nearly adult physically. They are housed with older patients but some special facilities are provided for them such as the school which is described below.

"The School for minors on Ward 12 was reorganized March 28, 1950. John W. Taylor, County Superintendent of Schools, decreed that the Talmage Emergency School on Ward 12 would receive county assistance. To carry out the program, a qualified teacher and supervisor was assigned to the hospital.

"There are 56 patients, 40 under the age of 21; later two additional patients enrolled. Each patient was tested by Tiegs and Clark's progressive achievement tests under the supervision of the hospital clinical psychologist. Mental ages ranged between five and 14 years. The school was divided into three divisions; basic, intermediate, and advanced; classes

according to individual aptitudes. Separate classes in reading, language, and arithmetic were set up in each of the divisions. In addition, special voluntary classes in music, civics, and art were scheduled.

"The physical plant consists of a classroom, specially painted and lighted in a manner conducive to study. Arm chairs, library books, text books, athletic equipment, classroom supplies, visual and auditory aids; the property of Mendocino County schools, were made available by the county superintendent of schools. Books from the county circulating library are available to the patients. Extra classes are held in the day room and dining room when the space is available. Instruction is being given by selected volunteer attendants, who are assisting in teaching and making their lesson plans by the county school representative. The three "R" are being taught by attendants teams, four men being employed part-time, which assure continual coverage of subject matter. Music consists of singing and musical appreciation, taught by a very talented and well-trained attendant Physical training is conducted by another attendant. It consists of volley ball, ping pong, soft ball, and horse shoe tournaments. A special course in civics is designed to assist those patients who are in line to be transferred off the ward Part of the classes are being conducted by a teacher hired by the State.

"School is held five days per week, each week, between 8.45 a. m. and 3 30 p. m , making a 300 minute school day. Two sets of grades, one for academic achievement and the other for citizenship, are given each patient. Patients who qualify academically are eligible to receive an elementary school diploma, issued by the county superintendent of schools of Mendocino County, California.

"Results of the school are encouraging. Recheck tests on outgoing patients show an improvement of between one and three grades of elementary school for the three months period. To date, none of the patients transferred from Ward 12 who attended school have been returned to Ward 12. Plans for further schooling of transferred patients on Ward 15 are in process.

"The alcoholic program described in previous reports was continued during the year. Our current program for alcoholics includes a two-month period of hospitalization in the average case. During this period the patient receives the routine complete physical and psychiatric examinations. Group orientation meetings are held by a social worker who spends a major part of his time with the alcoholics. Therapeutic group meetings are also held later. Active participation of Alcoholics Anonymous meetings are held each week. Patients are urged but not compelled to attend these meetings. The ward physicians are available for individual interviews as needed. Shortly before the patient's release, the conditioned reflex treatment is given on a voluntary basis to those who have been recommended for it by staff conference. The results in those receiving conditioned reflex treatment are as follows:

Admitted to C. R. T. Laboratory	321	
Treatments given	1487	
Patients relapsed	67	(21%)
Patients re-treated	47	

"There was no change in the physical facilities of the maximum security unit during the year. As of June 30, 1950, the ward population was classified as follows:

1026 P. C.	37
1368 P. C.	50
Prison transfers	7
Sexual psychopaths	3
Hold for sheriff	14
Psychopathic delinquents	33
Federal hold	2
Transfers from Sonoma	34
Miscellaneous	58
	238

"Two major population changes occurred during the year; these were the transfer of approximately 70 psychotic prisoners to San Quentin Prison by order of the Governor, and the admission of 62 patients from Sonoma for maximum security. (Some of these later were transferred individually.)

"An active library is maintained for the patients and except for nominal staff supervision, it is entirely operated by patients who satisfactorily perform all the work necessary for the operation of the unit. Small libraries are maintained on some of the wards. The library now has a total of 4,500 volumes; during the year approximately 3,000 volumes were loaned.

"Figures on the medical library are as follows:

Number of medical books	325
Number of medical journals received monthly	14
Number of nursing journals received monthly	3

Outpatient Clinic

"No regularly scheduled outpatient clinic is maintained at the hospital; however, as noted earlier, the psychologist was of considerable assistance to the local schools as well as problem children referred by physicians in this area. The staff physicians also do a certain amount of outpatient work on a rotating basis; usually the cases seen by them are referred by local physicians or are brought in by relatives for consultation and advice.

Research and Publications

"Ordinarily the regular diagnostic staff conferences are devoted to the discussion of the cases at hand, but on an irregular and informal basis, parts of these conferences are often devoted to discussions of matters of general scientific and clinical interest. Usually academic discussions of psychiatric problems are held at separate times. They are held at weekly intervals in the afternoon, and currently semi-monthly seminars are being held in the evenings, under the supervision of the acting clinical director.

"The principal research project currently in progress is that connected with diagnosis, classification, and treatment of sexual psychopaths. As mentioned earlier, the staff to expand this program is not yet available and no report of impressions and findings is possible at this time. The investigation of sexual psychopaths is to be coordinated with a similar project being carried out at Langley Porter Clinic and it is understood that some funds available for this purpose will be diverted to augment the program in this hospital."

During the tour of the hospital Dr. Bramkamp explained that Mendocino State Hospital was one of the smaller state hospitals. He explained that the majority of criminals committeed to state hospitals were sent to Mendocino together with most of the sexual psychopaths from the northern part of the State, Norwalk getting those from the south. He further explained that most of the psychopathic delinquents came from other institutions such as Preston, Lancaster, Sonoma, etc. There are approximately 85 to 100 patients of this kind at all times in the Mendocino State Hospital.

There is a constant population of between 100 and 125 alcoholic patients and there is an average of between 35 and 40 admitted each month. Alcoholics are usually kept for about two months during which time treatments are administered.

Mendocino State Hospital is the principal institution for the criminally insane, of which there is an average of about 300 at all times.

As a conditioned reflex treatment was about to be given, Dr. Bramkamp asked the committee if they would be interested in observing the treatment and its reactions. The committee agreed that it would be very educational and accompanied Dr. Bramkamp to the clinic. Dr. Bramkamp explained the theory of the conditioned reflex which does not get to the fundamental cause of drinking. It is based on Russian experiments on dogs. They found that by gradually exposing them to two stimuli such as ringing a bell and at the same time placing food before them, that they could condition them to the point that when you ring the bell and produce the food, or even without producing the food, the ringing of the bell would produce a salivary condition conducive to eating. In the case of alcoholism they reverse the situation and create an aversion to liquor. An injection is given the patient which causes nausea and vomiting and an aversion to liquor at the same time So over a period of six sessions (treatments), which is an average course, they become so conditioned to this liquor that when they pour it into them it creates such a degree of nausea that if they walk by a saloon and smell liquor they become sick. There is some similarity to antabuse but the patient has to keep taking it right along. That makes them deathly sick and it is not being used here. Langley Porter tried it and had such bad reactions that they discontinued the use of antabuse.

The question was asked what percentage of alcoholics are believed to be permanently cured by this conditioned reflex treatment, and Dr. Bramkamp stated that about 25 percent of those given the treatments returned for further treatment, 25 percent are never heard from again, so it is estimated that approximately 50 percent are recovered by this conditioned reflex treatment.

After an alcoholic patient is released from the hospital and where it is possible to have a social worker follow-up their treatment to help them to re-establish themselves, it has been found to have helped very materially. If a patient was released and left on his own the treatment would be in most cases a wasted effort. These treatments are all voluntary on the part of the patient and no patient is given the conditioned reflex treatment unless he volunteers on his own accord. About 50 percent are individuals from "Skid Row" and many of them come from subnormal

financial environments. A very small percentage of those treated are women. Out of 36 patients in the alcoholic ward at the present time only four are female. The average number of women in the alcoholic ward varies from four to six per month. Out of the 36 alcoholics only eight are receiving the conditioned reflex treatment. Some patients having various ailments such as stomach hemorrhages, hernias, high blood pressure, cirrhosis of the liver, etc., cannot take the treatment.

Commitments from 1942 through 1950 are as follows:

1942	1,353
1943, slightly over	1,000
1944	700
1945	870
1946	1,202
1947	1,373
1948	1,808
1949	2,316
1950, ending June 30th	2,718

It will be noted that during the war years commitments dropped considerably.

These are broken down into two classifications—those alcoholics diagnosed as being alcoholic with and without insanity The "withouts" are in the majority. In 1949 the figure was 1,743 without psychosis and 573 with psychosis

If a patient is financially able to do so he pays the full rate of $60 a month, but if he is unable to pay he is given the treatment just the same. About 25 percent of all patients in state institutions pay anywhere from $20 to $60 a month, which reimburses the State to approximately $3,000,000 a year, while the operating expenses of the hospitals are approximately $30,000,000 a year.

The patient that the committee observed taking this treatment was a young man 34 years old who was about to receive his fifth reconditioned reflex treatment.

Dr. Bramkamp stated: "In applying the psychological considerations to the treatment of alcoholism, the action of certain nauseant drugs is utilized to elicit the unconditioned reflex of nausea and vomiting. The sight, smell and taste of alcoholic beverages when used as the conditioning stimulant will initiate reflex activity at the centers of nausea and vomiting. A distaste is thus created for the conditioned stimilus amounting to a strong and definite aversion to the sight, smell and taste of liquor."

Within the next 25 minutes the patient was given slightly less than a fifth of whiskey (some liquors confiscated by the Board of Equalization are given to the hospital), six bottles of beer (room temperature), and a quantity of gin, rum, wine and water.

The doctor explained that the patient must "bounce this stuff back" and that timing was the biggest item. The technician administering this treatment must get the patient when he is ready to vomit to take a drink at that particular moment, for if he did not, the amount of liquor inside his system might kill him.

After the treatment the doctor explained that the patient would have very little alcohol left in him at the end of the treatment but that he would more than likely be sick from four to six hours afterward.

A patient is given from four to seven of these treatments, usually one a day, depending upon the individual case. The first treatment consists of five or six drinks, the second of four drinks of whiskey and ½ ounce of gin, the third of 12 or 13 drinks, the fifth as many as the patient the committee observed taking the treatment. The total time taken for a conditioned reflex treatment is from 45 days to two months. During the time a patient is confined to the hospital he is visited by Alcoholics Anonymous about twice a week, a social worker holds classes twice a week—a form of group therapy, where each patient has a chance to express himself—all this in addition to the work the doctor does with him. The patients are ordinarily assigned to some light job around the hospital and they observe regular hours daily. Mendocino State Hospital is the only institution using this conditioned reflex.

Dr. Bramkamp explained that at Shadell's in Seattle a patient pays $750 for this same treatment. The patients at Mendocino pay what they are able but not more than $60 a month, and they are able to care for about 10 patients at a time.

In making a tour of the hospital the committee visited the male admission ward and it was explained to the committee that the criminally insane are admitted to the maximum security ward and those patients who are too disturbed go to the disturbed wards. All patients are kept in the receiving ward a few days until it is made sure that they have no contagious diseases, etc. Here they are furnished with state hospital clothes. The receiving ward is a ward of five single rooms and sometimes it is necessary to double the patients up in order to take care of their admission. The daily average admission rate at Mendocino is less than at most state hospitals, receiving from 800 to 1,000 a year. During the month of July there were 70 new patients received, of which 36 were alcoholics. It was brought to the committee's attention that out of the 13,000 admissions in all of the state's mental hospitals, approximately 2,000 were alcoholics. Mendocino is specializing in the treatment of alcoholics and sex psychopaths.

In visiting the dining room it was explained to the committee that the ration for the hospital is set by the Sacramento office and runs about 3,000 calories a day plus vitamin, protein, and carbohydrates in proportion.

The committee was informed that the noon time meal consists of stew, roast beef or roast pork, potatoes and vegetables. The evening meal usually consists of rice, macaroni or a spaghetti dish, and tea. The old and toothless patients who might choke on uncooked food get a soft diet, and ill patients and patients who refuse to eat get special feedings by tube or intravenous. Sedentary and active workers receive somewhat different diets, but in general they are the same. The attendants eat in the dining room adjoining the kitchen and have a little different menu. One of the aims of the department is to equalize it as much as possible. Beans of various types are fed twice a week, with plenty of vegetables and prunes.

Six hundred thousand dollars a year is the ration allowance for the hospital. One-half of that amount was raised on the hospital property. The various institutions trade excess products back and forth such as vegetables, dairy products, and meat. It was brought to the attention of

the committee by Dr. Bramkamp that the hospital has an excellent herd, and that quite often they raise a champion (beef, pork, or mutton) at Mendocino.

The committee inspected the facilities of the various wards, the dining rooms, etc., and found everything to be quite modern and cheerful, with brightly upholstered furniture taking the place of old drab wooden furniture found in the institutional dining rooms of the past.

The committee also visited the staff conference room where the doctors meet regularly and where each patient is brought in individually to talk with the staff. Afterward his case is discussed and diagnosed and treatment recommended.

Dr. Bramkamp stated that Mendocino had a few narcotic addicts, at the present time only six. The treatment for narcotics consists merely of withdrawal plus interviews with the doctors, etc. These patients are kept a minimum of three months. The treatment requires considerable psychology, because the withdrawal is immediate and sometimes the patients get sick. But as a rule the treatment is satisfactory. Instead of being fairly miserable for two or three weeks they are quite sick only four or five days. If they get too sick they are administered a small dose, just a few grains.

The tour continued through the women's ward where is was brought to the committee's attention that there were beautiful painting (water colors) on the walls which had been done by a woman patient. The doctor explained that this patient was in a bad mental condition, but her work was very beautiful. The dining room was painted in soft pastel colors which had replaced the flat walls in all the mental institutions of the State. While in the dining room the noon day meal arrived which consisted of beef stew, carrots, apple sauce, bread and milk.

While on the subject of food and meals, Dr. Bramkamp explained that the food arrived from the main kitchen in large aluminum cans transported all over the premises by a special truck. There being no facilities at all for keeping the food hot, it arrived in luke warm condition, making it rather unpalatable by the time it was dished up and served to the patients. Steam tables have been requested but have not as yet been approved by "Sacramento."

The committee next visited the industrial shop where all sorts of arts and crafts were being conducted by the patients under the guidance of a staff adviser and his assistant. They work about eight hours a day in the shop and here one will find all types of patients. A newspaper—*The Pomo News Weekly*—is published by the patients. A patient interviewed the committee and a copy of the interview as was published in the next weekly paper is as follows:

"The State Assembly Interim Committee on Public Health, headed by its chairman, John F. Thompson, of San Jose, visited M. S. H. last Tuesday for the purpose of getting first-hand information on the needs of the state mental institutions to present them to the next meeting of the Legislature. Other state hospitals to be included on their tour of inspection at this time are Sonoma and Napa. Later, all the hospitals will be visited.

"Other members of the committee making the trip are: George A. Spaulding, Sacramento, Executive Secretary of the committee; Mrs.

Christine B. Harrison, Legislative Secretary of the California State Assembly; August F. Hawkins, Sixty-second Assembly District, Los Angeles; William Byron Rumford, Seventeenth District, Berkeley; William Young, San Jose, Special Investigator for the committee; and A. Edward Nichols, Administrative Adviser, Department of Mental Hygiene.

"The committee were met, and accompanied on their tour of inspection by Dr. R. G. Bramkamp, acting superintendent. The tour included the model dairy, hog ranch, fruit and vegetable farm, industrial shops, wards, new buildings under construction, kitchen and storerooms. The committee were much interested in the conditioned reflex treatment, and the insulin "shock" ward.

"The members took time out from their busy schedule to stop and chat with a number of patients in the wards and in the shops.

"Shortly after Governor Warren took office, he declared his intention of placing California second to none among the states in the treatment and care of the State's mental patients. His broad and comprehensive program of construction and improved equipment, of the California State Hospitals, and the attention focused on the State's mental problem by the Legislature and its committees, and the Department of Mental Hygiene, have gone a long way in recent years toward accomplishing this goal."

There were workers in wood, ceramics, painting (oil and water color), copper and other metal work, and the patients also make various kinds of jewelry and other gift objects. About 32 workers a month use the shop in addition to the occupational therapy carried on in the wards such as sewing, embroidery, etc. The committee feels that they definitely need more room, which will be compensated for in part by the occupational therapy rooms being planned for all the new wards.

The shop has need for an electric kiln to fire the ceramics. There is a gas kiln in the shop which is obviously impracticable for that type of patient to use and which is too dangerous to be used, and therefore has never been put into operation. In the meantime, there are hundreds of completed ceramics taking up space until such time as a kiln is provided for their firing. The completed objects are all for sale and the proceeds go for the patients' amusement fund. Some of the patients are very skillful as wood carvers, and good wood is needed for this purpose. At the present time wood from orange crates is being used for this particular craft, and the copper used in making trays, etc., is copper sheeting which was removed from an old building that had been demolished.

The committee next visited the "disturbed wards." In the women's "disturbed wards" the nurse in charge has been there for 21 years and the committee observed that the patients all seemed to place a great deal of confidence in her. She took a great deal of pride in showing the committee the handiwork of her patients—dresses which they had made for themselves and for each other, as well as other hand work and embroidery. It was brought to the committee's attention that materials for this work were badly needed, and only a small amount was received from outside for individuals interested in assisting these patients. Some of these materials could be of the expendable type for the more disturbed patients whose work is of a negligible character, but it was found there

was a great need for the better material for the patients to embroider so that the articles when finished could be sold. The profits from the sale of these articles could then be used to buy more materials. It was felt, however, that more important than the profit angle was the therapeutic angle—that more material would keep more patients busy—which in turn keeps the patients calmer and happier. Also the committee found that there is a great need for sheet music, song books, etc., as there were several patients in the particular ward visited who could play the piano, but at the present time only one patient in the ward who played for the committee could play by ear, there being no sheet music or music books of any kind in the ward. So for that reason the others who were able to play could not do so.

The committee also found a need for sewing machines as well as pianos and music. (There are 11 women's wards but only three pianos.) Recreational material of all kinds is badly needed so that instead of simply "sitting" they can entertain themselves by playing games or reading. It was suggested by the nurse in charged that possibly some of the service organizations and civic clubs might be inspired to contribute games, books, magazines and prizes.

About 35 out of the 86 women in the ward visited by the committee make their own dresses. There are 1,093 women patients with 300 more or less working on and off. Therefore the need for more equipment as well as personnel for occupational therapy is apparent.

It was brought to the attention of the committee that there was a great need for a canteen for the patients where they could relax over a soda and buy candy and magazines, etc. It would have a definite therapeutic value.

The committee next visited the kitchen where all of the food was prepared for the institution. The original kitchen is still being used, and it is most inadequate There are no facilities for preparing anything but boiled foods, and at meal time the food is distributed in aluminum cans by truck to the various buildings. There are absolutely no facilities for keeping the food hot, so it arrives in varying stages of coolness which makes it most unappetizing. However, a new kitchen is being built and will be ready for occupancy in about three months, and the old kitchen will be abandoned completely. The new kitchen will have large ovens so that the patients and personnel can be served roast meats and other baked dishes Modern electrical equipment of all kinds will be installed—coffee makers, mixers, potato peelers, deep freezers, walk-in coolers, refrigerators, etc. The most important feature of the new kitchen appeared to be the fact that it would do away with the time-honored boiling and stewing of unappetizing meals. The hospital has its own vegetable gardens, a complete dairy to process the milk from its own herds, its own butcher shop, etc.

The maximum security building was next visited by the committee, where the criminally insane are kept. They saw the cell blocks and spoke to some of the patients. They saw the tailor shop where all the men's clothing for the institution is made. The patients (prisoners) work there so it is a form of occupational therapy, but it is also a production scheme Their cutting machine can cut from 200 to 300 garments in 30 minutes.

Jeans, shirts, underwear and slippers are made in the tailor shop. Scraps from the other garments are utilized to make the slippers. Ordinarily they make only garments for their own institution, but occasionally they will accommodate some other state institution; for instance, when the De Witt Hospital needed some restraining jackets the Mendocino Tailor Shop made them for De Witt at cost. The tailor shop definitely needs air conditioning. It was very hot and unpleasantly stuffy. The shop should be enlarged, as there are many available patients that could occupy themselves by working and have so signified their desire.

The committee visited the classroom where the patients may go to school. The instructor stated that he had 56 pupils—40 of them under the age of 21. The county superintendent of school's office is interested in this school and is very cooperative. Many of the students are psychopathic delinquents.

The educational program is divided into three categories: basic, intermediate and advanced; and they are divided into three sections each: reading, language and arithmetic, with a total of nine basic courses. These classes are supplemented with music, drawing, art courses, and a civics class to help the men about ready to go out, teaching them in a simple fashion the responsibilities they will have to meet on the outside as citizens.

The instructor said the hospital had never had any trouble from any who have gone through the school. None have ever come back to the institution

The school runs from day to day all the year around. The county superintendent's office pays the teacher's salary and supplies the text books, supplies, etc It is set up as an emergency school for the county, and as such is supported by county funds. However, in the final analysis, the county is not saddled with the expense because the State reimburses the county. There is also one hospital teacher—a man brought in by the hospital who is a state employee. All other teachers are "attendant teachers." The instructor holds conferences with them and helps them set up their teaching plans. Some classes are very good and do a fine job with the patients—some of whom cannot read or write, and they advance from one to three units in just a few months. Of course they receive a very concentrated course.

The instructor is authorized to give a graduation diploma, which gives no indication that the education was secured at the Mendocino State Hospital. Students range from 14 to 37 years of age.

It was brought to the attention of the committee that with all types of patients in the Mendocino Hospital, they have less mechanical restraint than at any other state hospital.

The next ward to be visited was a women's ward where the women had freedom of action. Most of them were assigned to jobs where they spent the day and came back to the ward to sleep. The beds looked comfortable and had inner-spring mattresses, but it was noticed by the members of the committee that they had no lockers or even a bedside table where they could keep their personal possessions. The result was that all of them carried bags around with them which contained their personal belongings It was explained to the committee that the current budget has $1,500 set aside for individual lockers for each of the new wards now

under construction, and each patient will have a bedside commode which will have one drawer and a small cupboard to hold his belongings.

The committee then inspected the new buildings under construction which should be ready for occupancy some time in November. Six hundred sixty-six new beds will replace the wards to be torn down. Since there are 878 beds in the units to be wrecked that leaves them 212 beds short of what they have now. However, the new receiving hospital will have 163 beds compared to the present receiving hospital which has only 40 beds.

Following is the treatment program for alcoholics at Mendocino State Hospital as prescribed by David B. Williams, M.D., Superintendent and Medical Director, and Gordon McWhirter, Th B., Psychiatric Social Worker:

At Mendocino State Hospital there is a *map* for the care and treatment of the alcoholic patient. For the first time at a state hospital in California the court-committed alcoholic patient has been offered a treatment specifically indicated for creating in the patient physical aversion to alcoholic beverages. This "conditioned aversion treatment" was initiated at Mendocino State Hospital in March, 1948, under the sponsorship and cooperation of the State Department of Mental Hygiene. This effort to lend practical and effective help in the problem of alcoholism has developed into the "Mendocino Alcoholic Program" (M. A. P.).

Alcoholism Is a Sickness. The Mendocino Alcoholic Program is an effort to combine and apply available therapies in an active and aggressive attack on *alcoholism as a sickness.* Through the interest and participation of the patient as well as of the hospital staff something has been started in the way of efficient and effective treatment for both the in-patient and the patient on leave of absence from the hospital More remains to be done to provide adequate treatment, through increased hospital facilities and through research and experiment with new techniques.

Conditioned Aversion Treatment (Cat). The conditioned aversion treatment is not new nor are its limitations unknown. As a therapy, specific in its application and measurable in its results, it has been found, however, to be both a focus point and a stimulus for a program that should combine all resources, medical and social, that may help the patient, his family and the community in tackling together America's No. 4 Health Problem—the problem of alcoholism!

Limitations of "Cat." The conditioned aversion treatment (cat) is not offered as a cure for alcoholism. Excessive drinking is a symptom of other troubles, personal and social, for which no direct cure has been found. "Cat" consists of the physiological conditioning of autonomic bodily reflexes in order to create in the patient an aversion to alcoholic beverages. This "conditioned aversion" helps the patient to extend his period of sobriety—to remain "dry" longer. While he is sober the patient has an opportunity to make use of other helps, other therapies, in an effort to bring about the personal and social adjustments necessary if he is to be able to discontinue his futile effort to drink his way out of his troubles

The Drinker Must be Treated. The problem in the treatment of alcoholism, of course, is the drinker and not the drinking. But the alcoholic patient cannot stop drinking long enough to accept and make use

of the medical and social treatment he needs in order to stop drinking! This condition is only aggravated when the alcoholic patient is punished and threatened as an offender instead of being offered appropriate medical, social and psychotherapeutic help.

A Treatment Program. While the conditioned aversion treatment has been the "spark" for the Mendocino Alcoholic Program it is the *entire treatment program* that must be taken by the patient, and taken back to his community by him, if he is to be helped successfully. The patient who enters the hospital expecting definite and tangible help will find that he is wanted and welcome. He is encouraged not only to "take" treatment but to "give" it by *participating* in the program. The patients have responded to this and increasingly they are taking the M. A. P. idea home with them. Others in the community learn of the treatment program and both new and readmitted patients are found to be more favorably disposed for successful treatment.

"Sobriety Expectancy" Extended. Those patients who have had the conditioned aversion treatment have greatly increased "sobriety expectancies" when they leave the hospital. It is only while the "on leave" patient is dry that the plan of treatment can successfully be carried forward with him by the extra-mural psychiatric social worker.

The Plan of Treatment. To the previous program at the hospital there has been added:

1. The conditioned aversion treatment.
2. Regular Alcoholics Anonymous meetings.
3. Regular group psychotherapy sessions.
4. A beginning recreation program.
5. More intensive follow-up service (in S. F.)

The entire program includes, with the above:

6. Physical, mental and psychiatric examination.
7. Medical and dental care as indicated.
8. Medical conference and consultation.
9. Work assignments.
10. Social service referral of the outgoing patient to the extra-mural worker.

Forever the Good Parent. Perhaps as important as any particular treatment that might be "taken" or "given" is the patient's feeling that M. A. P. is intended for him and can help him; that in M. A. P. he is liked, appreciated and wanted; that because of M. A. P. he may go home but that if he should get sick again he will be helped again; that while he is on leave of absence from the hospital the M. A. P. out-patient worker will help him with his problems and help him to stay well and to earn his hospital discharge.

In short, it is important in M. A. P. that the patient should feel that we are on his side! The M. A. P. effort is to encourage feelings of permissiveness and self-determination in an environment where rules, regulations, and responsibilities are carried out with fairness and reason. For the alcoholic we have always to be the kind and firm good parent!

Follow-up by Extra-mural Workers. When the patient is ready to go home from the hospital M. A. P. goes with him! All patients on leave of absence from the hospital are referred to the psychiatric social workers of the Bureau of Social Work for out-patient follow-up service. Reports

on the patient's personal and social adjustment, and on the services and casework treatment that has been offered to and used by the patient, are made to the hospital at regular intervals. On the basis of these reports the hospital staff is able to communicate with the field worker regarding appropriate follow-up treatment for the patient or regarding the patient's need for readmission to the hospital or for discharge by the hospital.

A Shared Medical-Social Responsibility. The welfare of the out-patient is the concern of both the hospital and the field worker and the movement of a case toward a successful discharge is advanced when doctor and social worker share together with responsibility for the patient's progress. This is especially so in the alcoholic treatment program because these are patients who *are moving,* who *are going somewhere* and who *can be responsive* to personal and social help and to individual and group treatment.

M. A. P. in San Francisco. Feld workers of the Bureau of Social Work make follow-up reports on Mendocino State Hospital out-patients in the areas assigned to particular workers. It has been in San Francisco, however, that, beginning in May, a special effort has been made to offer more intensive social casework help to the M. A. P. out-patients. The extra-mural worker for Mendocino State Hospital patients in San Francisco has worked closely with the hospital's alcoholic treatment program and has become identified with M. A. P. both in San Francisco and at the hospital. This "specialization" has helped to bring community resources into the hospital program and to bring an understanding of the hospital's treatment problems back to the community. In San Francisco, therefore, the alcoholic patient increasingly makes use of the M. A. P. field worker and the entire program, which centers as it should in the patient, is benefited.

The Community in M. A. P.! The out-patient is served in various ways and casework help is offered and received, as at the hospital, according to the patient's need and ability to take and use such help. Effective use has been made by many patients of the State Bureau of Vocational Rehabilitation and of Alcoholics Anonymous. Referrals to other agencies are supplementary to continuous service by the M. A. P. extra-mural caseworker.

The recommendations of the committee pertaining to the Mendocino State Hospital are as follows:

1. Adequate housing.
2. Physicians' offices on wards.
3. More dental work (three need instead of two).
4. Separate service for alcoholics and treatment.
5. Acute treatment center at each hospital.
6. Psychiatric nurse training center.
7. More occupational therapists and therapy.
8. Library building.
9. Canteen and store for patients.
10. Steam tables for delivering food to the various wards and buildings.
11. Electric kiln for baking ceramics.

12. Pianos and various other kinds of musical instruments.
13. Sewing machines.
14. Recreational materials of all kinds.
15. Enlarge tailor shop.

SONOMA STATE HOSPITAL

The Assembly Interim Committee on Public Health met at the Sonoma State Hospital on August 2, 1950, and in addition to the committee members present there were also Senator F. Presley Abshire and Assemblyman Richard H. McCollister, representing Sonoma County.

The following members of the hospital staff also were present: Dr. M. E. Porter, Superintendent and Medical Director; Dr. Daniel Lieberman, Chief of Medical Service; Dr. Charles Ludwig, Clinical Director; Mrs. Arlene Messer, Superintendent of Nurses; and Mr. T. A. Bravos, Business Manager. Mr. A. Edward Nichols represented the Department of Mental Hygiene.

Chairman Thompson opened the meeting by explaining that the visit of the committee was prompted entirely by a sincere interest in the institution, its problems, and its needs. He then turned the meeting over to Assemblyman McCollister who represents the district, since he felt that Mr. McCollister was more familiar with the hospital than anyone else.

Mr. McCollister stated that it was his desire to have the committee make a thorough and complete tour of the hospital, inspecting both the old and the new additions. The new addition he explained will definitely alleviate a great deal of trouble. He also stated that from a general layman's standpoint the only real trouble at the hospital is the inadequacy of space for the population, there being more eligibles for an institution of this kind requiring public care than the facilities of the institution could accommodate.

Mr. McCollister stated that later on in the meeting the committee should inquire of Dr. Porter and his staff how they will stack up when the new units go into operation so that the Members of the Legislature have a yardstick by which to measure the institution's budget requests for capital outlay when they are made.

Dr. Porter presented to the committee copies of two letters received during the past week, one from Richmond and one from Santa Barbara, making application for the admission of children who very obviously belonged in the institution but were not there because of the lack of facilities for them. These letters are as follows:

EDWARD R. GUINAN, M.D., LARS A. PEDERSEN, M.D.
148 BROADWAY, RICHMOND, CALIFORNIA

July 25, 1950

DOCTOR PORTER
Sonoma State Hospital, Sonoma County
Sonoma, California

DEAR DOCTOR PORTER: I know you must be deluged with requests from parents and relatives asking you to admit their children to your hospital. May I add a request of my own?

I am writing at the request of Mr. W_____ B_____, who has written you on a number of occasions. Mr. B_____ has a young son

(records are in the hands of Social Service, T_____ B_____, who has his name on your waiting list. Mrs. B_____ has been caring for the boy at home and two attempts have been made to admit him to a private home but both were unsuccessful. The family is physically and financially able to care for the child at home. Mr. B_____'s plea to have the child taken out of the home as soon as possible is not a question of "dumping" the child but simply a desire to save his wife from further psychic trauma. Mrs. B_____ is highly nervous, a veritable museum of inhibitions and complexes, and at the same time is a devoted mother. She is rapidly becoming a nervous wreck, suffering from insomnia and marked depression. I feel quite certain that if her son could be taken a lot of this would clear up. I know your hospital is overcrowded and I would appreciate any special consideration to this case.

Thanking you in advance for anything you might do, I am

Sincerely,

L. A. PEDERSEN, M.D.

ERNEST D. WAGNER, Judge; D. H. GILMOUR, Official Reporter
CHAMBERS OF THE SUPERIOR COURT
SANTA BARBARA COUNTY, SANTA BARBARA, CALIFORNIA

July 26, 1950

DR. M. E. PORTER, *Director,*
Sonoma State Home, Eldridge, California

DEAR DR. PORTER: I hesitate to bother you with one of our local problems but it has been brought to my attention that the above named infant who is approximately three years of age and the son of Mr. and Mrs. F_____ T_____ C_____ who resides in this city is a definitely feebleminded child, in fact, a Mongolian idiot. Its presence in the family with a younger infant brother has created a most deplorable situation. The mother has recently attempted suicide and although unsuccessful she has repeatedly asserted that the only way out of their family difficulty is for her to kill the child and herself. The husband who has a very modest income has been compelled to remove the children from the home and is hiring someone to be with his wife during his working hours. It is easy to be seen that the case is a real emergency one, and I would appreciate your acceptance of this child as soon as it is humanly possible before some terrific disaster within the family occurs.

Trusting that you appreciate my position in this matter and thanking you for your cooperation, I am

Sincerely yours,

ERNEST D. WAGNER
Judge of the Superior Court

Dr. Porter explained that each member of his staff, including himself, would like to make a statement to the committee pertaining to their individual departments. This was approved by the committee, and Dr. Porter's statement was as follows:

"Sonoma State Home is a training school for the care and training of the mentally handicapped. The institution at the present time has a capacity of 2,500 patients into which 3,300 patients have been crowded so that our percentage of overcrowding has reached 36 percent. To care

for this patient population we have approximately 800 employees of whom 550 are hospital attendants concerned with the direct ward care of our patients.

"The condition of mental handicap from which our patients suffer is one that exists from birth or from an early age and results in failure to develop normally, which is manifested by intellectual impairment and as a result an inability in some instances to make a normal adjustment in the community. It is estimated that two percent of the general population are mentally handicapped but fortunately only 10 percent of this two percent ever require institutional care. While the adjustment of the mentally handicapped is usually adequately handled by the community under certain social conditions resulting from the break-up of the family or the failure of the parent's health it may become necessary to institutionalize such people from time to time. It then becomes the duty of Sonoma State Home to care for and train these individuals so that they can live happier and more normal lives and if at all possible can be returned to the community as useful citizens.

"The condition of mental handicap is frequently manifested at birth so we receive in this institution infants only a few days old as well as children of all ages from birth to death. There are patients in this institution who are 80 years of age. We frequently find that a family will care for a handicapped child for possibly 50 years, at which time both parents are so infirm or die so that there is no one to provide care for the patient. At this point the public agencies then make application for admission of the patients to this institution.

"Approximately half of our population have only a mild to moderate degree of mental handicap and are educatable and trainable so that they can be returned to their families or can become self-supporting in the community under the guidance of one of our social workers. The other half of our population have such severe mental handicap that they cannot live independent lives and require permanent custodial care in the institution. Funds have been provided by the Legislature for placing our patients in family care in the community at the rate of $60 a month. During the war years and the recent post-war years we have been unable to find any substantial quantity of such homes which would help to alleviate our overcrowding.

"Each day's mail brings three or four applications for admission to the institution and since we have no space available as a result of our overcrowding these applications must be placed on our active waiting list, which on the thirtieth of June comprised 395 male applicants and 372 female applicants for a total of 767. No one can appreciate the necessity for the institutionalization of some of these cases until they come face to face with the problem in their own family or in their immediate neighborhood.

"The present building program, which is the first unit of the post-war construction program, consists of eight buildings comprising 880 beds, which are all for replacement of ward buildings that have been condemned by the State Fire Marshal as fire-traps. These new structures, which will be opened this fall, will give us no additional facilities for the housing of patients but merely replace structures already in use. In our

1950-51 budget we have money for six additional ward buildings, comprising 600 beds, which buildings will be ready for occupancy approximately two years from now. Half of these structures must be used for the replacement of other condemned buildings now in use and the other half will give us additional capacity—that is, approximately 300 beds.

"In our 1951-1952 budget request we are asking for 10 ward buildings or a total of 1,000 additional beds, half of which would be for replacement of further condemned buildings now in use and the other half would be additional capacity.

"It is hoped that this request will help us to accommodate a great percentage of the more urgent cases on our waiting list but with the rapid growth of California and our inability to expand our facilities immediately it is not possible to state accurately that our current construction request will solve our problem of space.

"In future budget requests—that is, 1952-53 and in 1953-54, each of these will contain requests for 10 additional buildings, comprising 2,000 beds, in order to completely replace our fire-trap buildings and to give us adequate facilities to correct our overcrowding and to provide for the admission of the applicants on our waiting list."

Dr. Ludwig was then asked to make his statement, which he explained in general would relate to the overcrowdedness of the hospital and the problems thus created. Dr. Ludwig's statement was as follows:

"There are many factors concerned in this complex problem. Some are striking and obvious, others subtle and indirect. Some of the factors particularly apparent to this department are as follows:

"1. With the increase in the number and activity of referring agencies and individuals, more patients are being referred to the institution.

"Active steps to clarify the aims and limitations of institutional care should be disseminated widely among such referring groups. Many problems can be handled more successfully within the community, and there is need for expansion of community facilities. Helping the community to clarify its role in the problem of mentally retarded and handicapped people will materially reduce the need for institutional care.

"2. With the continued improvement in the medical care of our patients, the death rate among the infant and small child population has dropped remarkably. This means that there is an increasing number of such patients within the institution. This greatly limits the admission rate of those infants and young children for whom institutional care is a necessity.

"With the improvement in medical care, patients are able to develop more rapidly and progress to less severely taxed facilities.

"3. There is an inadequate number of well-trained personnel in the medical, social service, and psychology departments. This results in a lack of sufficient follow-up care and reflects itself directly in a low discharge and leave of absence rate.

"With adequate personnel, all patients can be regularly reviewed by a group including the ward physician, social worker, psychologist and ward personnel. The combined skills of such a group markedly increases the leave of absence and discharge rate. This has been well substantiated on those wards which we have been able to so review.

"4. Because of inadequate industrial and special training programs, the abilities of our patients are not completely developed. This again results in a decrease of discharges and leaves of absence, and a higher rate of return from vocational placement.

"With a concentrated expansion of such facilities, patients may be trained to the maximum level that they are able to obtain. This requires personnel, facilities, and time.

"5. Wholly inadequate recreational facilities and personnel give the patient no opportunity to acquire a social acceptance guide to recreational outlets when they leave the institution. This shows itself clearly in patients "going wild" upon leaving an institution where he soon violates social custom and civil law, and must be returned.

"An active recreational program for all levels of patients is as necessary, if not more so, than adequate recreation in the life of the private citizen. This requires personnel, facilities, and time.

"6. The study of the etiology of mental deficiencies is in its infancy. Because so little is known of cause, very little is applied in prevention and cure.

"Although the least tangible of all active attacks on the problem of institutional overcrowding, research is of the most basic importance. Facilities and finances for such basic work have traditionally been lacking. The importance of an active and continuous research program cannot be over-emphasized."

Mr. McCollister asked Dr. Ludwig the following question: "In the treatment of the mentally incompetent person who arrives here, is there any attempt made with all or any of them along the lines of the furniture factory at San Quentin, or is it possible?"

Dr. Ludwig replied: "It is entirely possible, but I do not think it is the answer. I think it is more important to teach a variety of basic mechanical skills—how to handle tools—things that can be spread out among many patients We have our patients doing all kinds of work, and actually our children make far better employees in some categories than a normal person, because their goals are in keeping with their skills. Often they turn their work out as a good job much faster than you and I could—not in terms of a vast commercial shop but as a variety of skills, whatever they may be."

Mr. McCollister asked Dr. Ludwig if a request came through to start a school, whether or not it would be plausible and possible with a mentally deficient—as much as it is with a convict.

Dr. Ludwig's reply was: "Yes, I think so—more so, because their problem is not against society, it is just learning, pure and simple. If we had the facilities to teach them they would get far more out of it, actually, because they would really use it." Dr. Ludwig continued: "It is far more important in any immediate sense to have a lot of little things than a lot of big things. It is far more important sometimes to have a hammer or a chisel with a certain set of patients than a $2,500 machine which turns out book cases by the hour."

Dr. Ludwig stated: "We have three recreational therapists, four occupational therapists with one more additional therapist coming for our 4,500 patients What we need is an active recreational program

going on all the time—nothing lavish in the sense of vast expenditures, just plain ordinary games."

Dr. Porter stated that he had 34 graduate nurses authorized in the budget and 495 hospital attendant positions. He estimates it will take 55 graduate nurses and 656 attendants to do the job that should be done. At the present time Sonoma has only 19 graduate nurses and 400 attendants on the pay roll. Some of these positions became available the first of July and they are in the process at the present time of recruiting.

Dr. Lieberman was next called on by Dr. Porter to make his statement, which was as follows:

"It is not necessary to be a medical doctor or an expert on public health to realize the inherent dangers when groups of people are living in very close contact. An understanding of the basic concept of transmission of contagious disease by ingestion and inhalation is all that need be known. From there the possibilities of spread of contagion are limited only by one's own imagination. History gives us many examples where huge populations of people were leveled by contagious diseases as if by an atomic bomb.

"Let us take as an example an average family of four living in an average home of five or six rooms and notice how remarkably such a simple infection as a common cold can spread throughout this family. Let us take then the condition such as exists now at Sonoma State Home where within the space ordinarily occupied by four people there are 40 people. Multiply the chances of infection ten-fold due to the habitus of our patients, namely their inability to wash, feed, dress themselves or care for their bodily needs. Multiply this product ten-fold by the fact that we are understaffed and in many cases have personnel who are not trained in aseptic medical technique. Multiply this ten-fold by the fact that many of our patients by nature of their organic diseases have very poor natural resistance to infection. Multiply this ten-fold by the fact that essential equipment such as dishwashers for the sterilization of dishes are not on hand. The product of these numbers gives one somewhat of an idea of what is facing the doctor who is concerned with the prevention and treatment of communicable diseases in this institution. Truly, much has been done with the aid of our modern drugs and by hard work to prevent the diseases from running rampant, but lack of all the things mentioned constitutes an impediment almost insurmountable.

"Specifically, the diseases which we have had to combat under these circumstances have been the dysenteries of both the bacillary and amoebic type, and all the contagious diseases common to children. In addition the very severe communicable diseases such as infantile paralysis, meningitis, and diphtheria always lurk as a constant source of worry under the conditions that exist.

"It is felt by the medical staff that alleviation of overcrowding, an adequate number of trained personnel and modern antiseptic equipment would go far in combating the real dangers that we are facing.

"We have all seen families in which tragedy has struck in the form of a newborn baby arriving deformed. The number of our infants who are mongolian idiots, severe spastics with mental deficiency, or other

form of developmental monstrosity, is indeed appalling. It would be very desirable to place these infants in an institution as soon as possible. The longer they remain at home the more attached the parents become to them, and quite often they will lose their entire perspective, neglecting all else in the care of this poor helpless child. We therefore should not only be willing to accept these children in our institutions but should urge their admission, for at the present time medical science is unable to cure these conditions. With this attitude, why is it impossible for us to accept these children? Certainly our files contain hundreds of applications for such as these.

"A brief glance at our present facilities for housing these children will give a quick answer. First, we have an infant nursery in which we place the children who are under one year of age. Up to a very short time ago none of these children were accepted. However, in the past few years a place has been formed for them in the hospital which has been able to accommodate approximately six such patients. Within the past year, due to the pressing demand, we have gradually stolen rooms from our hospital to accommodate these children, until at the present time we have 22. It is necessary to hospitalize these youngsters because they are not physically equipped to withstand the infectious diseases which are constantly with us in overcrowded buildings. The facilities we have now are for from ideal, and in fact would be considered very poor for a nursery, but we still consider it better than having these children at home and imposing a heavy burden on many other lives It is obvious then that a real need exists for an infant nursery. This, I understand, is due to come about within the next two or three years and will probably represent the largest nursery of its kind in the United States.

"For the children over one year of age and up to five or six there are two buildings, one for males and one for females. They are both 100 percent or more overcrowded, with children having to sleep two and three in a crib. In addition, the cribs are shoved so closely together that it is impossible to walk between them. Cribs not only fill the dormitory rooms but overflow into the dining hall and the play areas. Toilet facilities are inadequate. Sterilizing facilities are inadequate. The majority of the personnel is untrained in medical aseptic technique. The same conditions hold true for two other wards housing children between the ages of 6 and 12.

"It is no wonder then that dysentery here is an endemic disease. Nor is it a wonder that when one or two patients catch chickenpox or mumps that it spreads throughout the ward. True, we have been able to treat most of these illnesses with considerable success, and in fact have a cure rate for dysentery well above that reported in other parts of the Nation, but this disease cannot be eradicated without instituting proper public health and sanitary measures which are impossible to execute with this amount of overcrowding.

"Aside from the immediate medical indications for remedying this situation, it would be most desirable to institute a recreational and teaching program for these children which would give them the means to function at their maximum capacity. No matter how we may personally feel about children of this type, it is our duty as professional servants

of the State of California to care for these children of our citizens to the best of our ability and to give them all that is at our command in the way of medical care and treatment."

Mrs. Arlene Messer's statement was as follows:

"The public health in relation to the nursing service and its affects on overcrowding is complex. Mechanical and structural inadequacies combined with a shortage of personnel are the principal contributing factors.

"The use of patient help in the care of our patients results in a breakdown in the establishment of any technique for their adequate care. Attendant training program endeavors to teach attendant personnel nursing procedures and an awareness of public health measures. We have found that there is no such substitute for the quality of supervision given by adequately trained graduate nursing personnel. Graduate nurse supervision and on-the-job instruction are a necessity if classroom teaching is to become meaningful.

"A large proportion of our new admissions are children of from birth to five years of age. These children require much greater nursing care than older ambulatory patients in order that they may develop normally and to learn such simple procedures as to walk and to talk it is necessary that they receive a great deal of individual attention from competent employees. It is, of course, our objective to make each of these youngsters as happy and useful as possible and to this end they must develop as normally as their mental handicap will permit with the final objective of placing them in the community either as self-supporting individuals or in some form of family care.

"Attached is an outline showing the basic minimal personnel to accomplish this goal."

Hours of nursing care per patient per day to give adequate care to our patients at Sonoma State Home.

1. Infants and crib patients	4	hours per day
2 Adult bed patients	2	hours per day
3. Wheelchair and infirm	1	hour per day
4. Low-grade, untidy, destructive	1½	hours per day
5. Working patients	½	hour per day
6 School children—young	1	hour per day
7. School children—older	½	hour per day
8. Tuberculosis patients	2	hours per day
9. Medical and surgical patients	3.2	hours per day

To adequately care for the present population we need		*The present population consists of*	
Graduate nurses	55	Graduate nurses	34
Hospital attendants	656	Hospital attendants	495

It has been agreed that 21 new buildings each housing 100 patients will be needed to care for the future increase in population.

An average of two hours of nursing care per patient per day may be assumed. A large proportion of new admissions will be under 12 years of age therefore the average hours of care is higher.

2,100 patients × 2 hours of nursing care needed per day = 4,200 hours of nursing care needed per day × 7 = 29,400 hours of nursing care needed per week.
40 ÷ 29,400 = 735 employees to give 2 hours of nursing care per patient per day hour week to 2,100 patients.

For adequate supervision and instruction a ratio of one graduate nurse to 10 attendants should be obtained.

MALE WARDS

Units	*Rated capacity*	*Present population*	*Over-population*
UNIT I. Nursery—Children mostly under 12 years of age; all physical types including epileptics; intelligence too low to profit from academic schooling.			
Male infirmary	82	166	84
UNIT II.			
a. Pre-school type. Mostly six years of age and above. Children who will ultimately profit from academic schooling.			
Bane annex	61	63	2
b. School type—those children who are attending school and/or taking vocational training			
Bane cottage	94	95	1
UNIT III. Vocational type not attending school.			
Bentley hall	99	137	38
Bentley annex	66	93	27
Poultry colony	18	20	2
Dairy colony	32	35	3
UNIT IV. The weak and helpless bedridden types, wheelchair cases requiring complete care in dressing, feeding and toilet. Also of low intelligence.			
Male infirmary annex	49	64	15
King cottage	85	114	29
UNIT V. Patients not expected to profit from academic schooling or vocational training but who might profit from habit training.			
Wagner	90	124	34
North	74	123	49
Wright	83	111	28
Thompson	140	186	46
Dunbar	84	159	75
UNIT VI. Epileptics			
Manzanita	66	71	5
UNIT VII. Medical and Surgical—All patients on this unit are carried on some ward population report.			
UNIT VIII. Tuberculosis			
Boys T. B.	30	36	6
UNIT IX. Behavior disorders—Special security buildings. Defective and psychopathic delinquents.			
Goddard	73	60	0
Paxton	84	73	0
Total over-population	1,356	1,741	444

FEMALE WARDS

Units	*Rated capacity*	*Present population*	*Over-population*
UNIT I. Nursery—Children mostly under 12 years of age; all physical types including epileptics; intelligence too low to profit from academic schooling.			
Haven	58	134	76
UNIT II.			
a. Pre-school type. Mostly six years of age and above. Children who will ultimately profit from academic schooling.			
Hill	78	135	57
b School type—those children who are attending school and/or taking vocational training.			
Osborne	78	106	28
UNIT III. Vocational type not attending school			
Lux	13	9	0
Oak Lodge	56	61	5
Hatch	53	76	23

FEMALE WARDS—Continued

Units	*Rated capacity*	*Present population*	*Over-population*
UNIT IV. The weak and helpless bedridden types, wheelchair cases requiring complete care in dressing, feeding and toilet. Also of low intelligence.			
Stoneman annex	53	94	41
Walnut	69	99	30
UNIT V. Patients not expected to profit from academic schooling or vocational training but who might profit from habit training.			
Judah hall	176	259	83
Laurel	68	93	25
Maple	81	134	53
UNIT VI. Epileptics			
Poppe	56	83	27
Slater	80	110	30
UNIT VII. Medical and Surgical—All patients on this unit are carried on some ward population report.			
UNIT VIII. Tuberculosis			
Girls T. B.	17	20	3
Hospital annex	37	33	0
UNIT IX. Behavior disorders—Special security buildings. Defective and psychopathic delinquents.			
McDougall	60	61	1
Total over-population	1,089	1,507	482

Following is the statement by Mr. T. A. Bravos, Business Manager:

"A sound program in the field of modern business administration and institutional planning must be carefully correlated with modern medical and psychiatric therapy requirements. This requires continuous re-evaluation and review of all existing physical facilities and the countless ancillary service departments.

"At Sonoma, we have an institution of approximately 3,300 beds that was planned to accommodate 2,500 people. As a result, many of our facilities that are vital to the proper over-all program have fallen behind our present population with resultant difficulties to the medical staff. Some of this, unfortunately, would have been impossible to avoid. On the other hand, there have been many instances where we have condoned things that would have brought severe censure to a private or nonvoluntary institution.

"I have taken the trouble to innumerate some of these areas. These requirements are taken from the California Administrative Code, Title 17, Public Health, and are published by the Bureau of Hospitals, State Department of Public Health as a guidance to large general hospitals; however, the regulations are highly applicable to our institution.

"1. Gross overcrowding of beds in general ward and hospital facilities.

"2. Inadequate over-all maintenance and upkeep of all buildings.

"3. Sanitation (water supply)—Satisfactory.

"4. Sewage disposal—Meeting minimum requirements.

"5 Garbage disposal—This has been a rather sadly neglected area and as a result, has caused difficulty with insects, flies and resultant dysentery.

"6. Incineration—None existent but in planning construction stage

"7. Food sanitation—Grossly inadequate—no refrigeration.

"8. Dishwashing—Generally unsatisfactory. No physical facilities.

"In some of our wards, general hospital and tubercular hospital we have never had a dishwashing machine One will be installed in our general hospital sometime during this next month and the new tubercular hospital will provide a very modern setup for food preparation and service. The million dollar, central kitchen unit which has been budgeted for this year is, at present, in the active planning stage and has been given top priority in the projects to be completed.

"The areas that have just been noted vary considerably in their degree of effectiveness. Active planning has been instituted to accommodate and improve each of them; however, it will take us time to bring each item to a necessary level. It will enable the institution to meet minimal standards in the physical facilities that have been noted.

"Countless other areas in the general hospital have been neglected, such as central supply, laboratory, pharmacy; however, these areas will be considered in our hospital addition.

"9. Hospital equipment—We are, at present, thoroughly evaluating all of our equipment standards and are working on more sterilizers, stainless steel equipment, etc., that will have longer lasting and more highly effective operating qualities.

"10. Building program—The building program instituted since the end of the war has provided us with several vitally needed ancillary units:

(a) We have a new $500,000 laundry which has been a tremendous boost in the quality and quantity of laundry we are able to provide for our patients.

(b) In addition we are just completing a boiler room which will provide us with more hot water, steam and heat—all vitally necessary to a growing institution.

(c) The seven ward buildings and the 200-bed tubercular hospital will be generally replacement units and enable us to vacate the oldest fire traps and worn out structures on the grounds.

"The attached plan is a brief resume of our capital outlay construction projects for the next five years. Completion of these projects, coupled with an intensive program in minor construction and deferred maintenance, will enable the Sonoma State Home to provide our medical staff with the kind of facilities they must have to carry out a modern medical and psychiatric program.

" 'Attached herewith is a compilation of the capital outlay construction projects envisioned by this institution as of present date, for a five-year period. This resume has taken into account monies appropriated for construction for the 1950-51 Fiscal Year.

'Population figures reflect conclusions that have been agreed upon in past conferences with your office. General thinking has been predicated on the fact that the institution's maximum population should not exceed 5,000. This exact figure is predicated upon an estimated capacity of 4,500 with an allowance of 10 percent for overcrowding. At the present time, including the moves that will be made in the next few months, the institution will still have thirteen (13) buildings which have either been

condemned or will be condemned as a fire hazard or a costly maintenance project. In addition to this, the institution will require sixteen (16) new buildings for additional population. These sixteen (16) buildings, coupled with thirteen (13) replacements will provide the institution with adequate bed space for ultimate assumed population. Present overcrowding is approximately thirty-six (36) percent; in short, we have an institution with a capacity of 2,475 and an actual population of 3,350, which approximates an overcrowding of 36 percent.

'The projects listed below are given in order of their respective priority. Those projects with an asterisk before the number are the ones which will be requested in our 1951-52 Budget.

Major Construction—1951-1956

*1.	Ten (10) ward buildings	$2,900,000
*2.	Crematorium	70,000
*3.	Garage and transportation center	25,000
*4.	Athletic field, including swimming pool, service unit, baseball diamond, bleachers, lights	90,000
*5.	General warehouse building	110,000
*6.	Superintendent's cottage	35,000
*7.	Two physicians' cottages	42,000
*8	Employees' apartment house	180,000
9.	Ten (10) ward buildings	2,900,000
10.	Patients' and employees' store	50,000
11.	Industrial training shop	125,000
12.	New engineering offices and machine shops	100,000
13.	Nine (9) ward buildings	2,610,000
14.	Two physicians' cottages	42,000
15	Security unit for girls—special training	90,000
16.	School addition	90,000
17.	Recreational therapy area—Reynolds Ranch	40,000
18.	Children's unit—pilot study	250,000
19.	Receiving hospital (addition to general hospital)	250,000
20.	Employees' apartment house	180,000
21.	Two physicians' cottages	42,000

Items 1, 8, and 13: The twenty-nine (29) ward buildings that have been requested are, as we have pointed out, partially replacement (13) and partially new (16). They are to relieve our present overcrowding of thirty-six (36) percent and reduce to approximately ten (10) percent and adjust a waiting list that now stands at roughly 600

The list below indicates what buildings would be replaced.

	Building	Bed Capacity		Building	Bed Capacity
1	Poultry and dairy colony	100	8	Male infirmary annex	100
*2	Judah annex	100	9	Haven	100
*3	Judah hall	100	10	Oak Lodge	100
4.	Bentley hall	100	11	Walnut	100
5	Bentley annex	100	12	Slater	100
6.	Laurel	100	13	Surplus—No 2 and No 3 above	100
7	Bane annex	100			

* These two buildings now house over 300 patients and will require three replacement buildings when they are eventually moved

These buildings will be replaced by thirteen new structures in the approximate order indicated; however, because of certain changes which are constantly going on respecting classification, and various problems concerning maintenance, it is probable this list might have to be adjusted

As we pointed out earlier, the sixteen (16) new additional buildings would be new bed space, 100 beds each or a total of 1600 new beds

Commencing with the 1951-52 Budget, we should like to have five buildings replaced and five buildings new of the 10 we have asked for and follow this procedure until we have completed the replacement of old and new additional structures

"Detailed justification for the remaining projects has been submitted to our department.

"In summation, it was felt that the committee would be interested in some general figures governing the operation of this institution for the next fiscal year. Our over-all operating costs will be, exclusive of capital outlay, in excess of $3,000,000, which approximates $2.65 per patient, per day. Our food costs will average around 60 cents per patient, per day.

Drug Costs: Maximum of $10 per year, per patient. Although these figures have been on the increase for the past few years, they still represent a low operational cost when one compares them with other hospitals and other types of care. Increasing our operating costs so that we could return more patients to the community may appear expensive intitially but, in the long run, it represents a terrific saving to the taxpayer and the State because, rather than simply holding people here on a custodial basis, we would be processing them through a therapy program that would enable the majority of them to become self-supporting."

McCollister: How much are you able to recover from family contribution or county participation?

Bravos: We charge the counties $20 per patient. This has been a subject of controversy in legislative and administrative circles for a long time.

McCollister: That is the County of origin?

Bravos: Yes.

Nichols: The law says you can spend up to $40 but we have maintained $20 rate consistently. We do not want to place too great a burden on the counties. The question is whether we should seek to recover the actual costs, abolish it entirely, or should we leave it as it is.

McCollister: You will be lucky to get it left as it is. That does play into your $2.65 figure, does it?

Nichols: No.

McCollister: Over and above the figures you gave us, there is still $2.65 a year per patient?

Nichols: That $2.65 is your actual cost, and this $20 a month goes into the state treasury and is not included in your figures, right. We do not take that as a credit against our appropriation. It goes directly to the State Controller and runs to about one million dollars a year for Pacific Colony and Sonoma.

McCollister: And the family is also directed to make a private contribution?

Nichols: The family pays the county where they have the ability. That is a matter for the County Social Welfare Department to determine.

Bravos: We have a relatively extensive farming program. That is credited to our costs. It goes into our food budget as a credit. That $20 goes straight to the General Fund.

Thompson: That wouldn't enter into your cost per day then?

Bravos: It is not that substantial, to be truthful. This figure doesn't purport to be a perfect cost figure but it does give the committee a rough general idea.

McCollister: If you didn't have this farm arrangement, your percentage would be higher?

Bravos: Right. It doesn't amount to too much in terms of the all over picture.

Porter: Just one final remark. The opinions expressed this morning are those of myself and the staff, and the department is represented by Mr. Nichols. There has been no discussion with Dr. Tallman on this meeting. He has a viewpoint which sees all 12 institutions in his department and if he disagrees, it is based on factors we are not aware of. We have

expressed purely our own opinion. If there are grave differences of opinion, Dr. Tallman will give you better information.

McCollister: This might be embarrassing as many of our citizens serve as trustees, but in simple conversation, are your trustees, assuming they gather once a month—are they essential and of help to you?

Porter: I think the theory is excellent. We have one of the leading citizens of Healdsburg as a trustee, one in Santa Rosa, one in Petaluma, and one in Sonoma. The fact that those people meet here regularly and know what is going on, and then go out into the community and spread the gospel, and put the pressure on you gentlemen, etc., is in theory excellent. There are 12 boards. We happen to have a most excellent, helpful board. I do not think any of them are too potent politicians. They are good average citizens and they play the game squarely. They will do everything to help. They are allowed expenses but no remuneration. They give their services freely and my experience in the last four years is that they are definitely of value, particularly the two members in the little town of Sonoma. How much value they are, for instance, in Petaluma, Santa Rosa or Healdsburg, I have no way of measuring. You probably run into that in your activities more than I would. The theory is excellent and we have an excellent board, and we attempt to keep them informed so that they know what is going on. How far they can take it, we do not know—as to how effective they are is not always apparent.

Abshire: Do you consider them as ambassadors of good will?

Porter: My feelings is they are solid citizens in the smaller communities. They would rally around if you were to take the bread out of our hands. They would have contacts and assist us in getting our program over—not by petty politics. We feel that they are a group to help us with our program by getting community interest and support.

Nichols: It has been a question in the minds of a good many—even in the Legislature—and there was a bill to abolish it. It is a carry-over from an old law in which, at one time, they were given considerable power. This was replaced by centralized authority and they are merely advisory now. It has been my experience that they are not only good pressure agents, but they are public relations representatives in the communities, and render us a good service. They are of no expense to the State excepting the meals they might get when they come here. There is no pay and very few put in any claims for travel. They do give us these two services which I can point to:

1. They can recommend, from their observations of the hospitals from the outsider's standpoint, improvements and suggestions which are too close to our picture. We get that angle from the average citizen on those boards.

2. I know of one specific case where they were of real value. At Agnews we had a complaint about a patient being mistreated who subsequently died. Her daughter made quite an issue of it, and Mrs. Heffner arranged with the trustees to have a hearing, as an impartial board, so as not to give the situation an air of a whitewash. They met and heard testimony from and concerning the employees, and it is those aspects of their service which are of real value to us. They all have to be appointed by the Governor.

Nichols: We also have a sterilization law in this State. It is more active here at Sonoma than anywhere else except Pacific Colony. It is voluntary. The Director of Mental Hygiene secures the consent of relatives on an adult patient. If a minor, the hospital superintendent recommends that sterilization would be wise, and then it is approved by the Director of Mental Hygiene. A patient is never sterilized if there is a protest of any kind from anyone.

Thompson: You suggest the law needs changing?

Porter: We have four or five families where we have a mother and children in institution, or others from the same families, and we will let you see some of our families to show you why we recommend and practice sterilization.

Nichols: Yes, we have three generations of one family being cared for by the State by reason of not being sterilized.

Porter: That is right. They come in gradually over a period of years, and sometimes they go out, but as a result of not being sterilized, these families continue to grow. We think sterilization is of the utmost value.

Nichols: You perhaps recall the Dolwig Bill introduced in the 1949 session. It would have stopped the sterilization program in the State because it would have demanded a court order in each case. We think there is some justification to the demand made by Mr. Dolwig to change the law, particularly so as to improve the procedural aspects, but we certainly do not feel that the policy of the State for over 50 years should be completely abandoned. We think the law is alright as it is, with possibly a change in procedure, and we are at the present reviewing the law in other states in an effort to frame the best possible law which we will then submit to the Legislature, leaving the authority in the supervision of the institutions in those cases where there is consent, and where there is protest, leaving it to the courts to decide.

McCollister: Your suggestion then to the committee is to hold the present law, with procedural changes?

Nichols: Would this committee be interested in having this submitted to it as an interim committee, since it is in the field of public health?

Thompson: It is something we could take notice of.

Following is the sterilization record at the Sonoma State Hospital:

	Males	*Females*
Total as of June 30, 1950:	2,490	3,040
Sterilized during July, 1950:	3	12
	2,493	3,052

Sterilizations over last five years—fiscal years

	Males	*Females*	*Total*
1945-46	101	79	180
1946-47	110	93	203
1947-48	82	82	164
1948-49	103	90	193
1949-50	62	76	138
			878

(Number from January to June 30, 1950, 35 males and 29 females)

The committee then started its tour of the wards and went first to an infant nursery in the main hospital where there were 22 babies under one year of age.

Lieberman: This is in contrast to what you will see in the other wards. We have the feeling that these children will grow up to be a bit less dumb when they grow up than those in the wards.

The first room held the mongoloid type babies and Dr. Lieberman said he thought the time would come when they were going to be able to help those babies. They estimate that three out of every 1,000 babies are born mongoloids, probably caused by a disturbance of the endocrine gland—perhaps pituitary shots will help—no one knows; but Sonoma is going to give the 22 babies in the hospital ward the very best care medically and every way as the basis of a research which will determine whether such care can raise the mental level of mongoloids and make them happier and more useful individuals.

The committee saw spastic children—a nerve condition occasioned they think, before, or at birth. Some spastics are mentally sound and some are not. These children will also be given that extra special care to determine if their condition can be substantially improved.

Also receiving research were the "gargoyle" type of babies (symptoms—large head, short extremities, become blind sometimes, enlarged liver and spleen and curved spine—in general, symptoms of old age). Gargoyles usually live from 9 to 18 years. It is some sort of a metabolic disease.

Spastics usually die around seven years of age. The State has 400 in institutions.

Someone mentioned syphilis and Dr. Lieberman said "syphilis is the biggest false alarm there is."

The committee saw hydro-cephalics and micro-cephalics—overly large and overly small heads, respectively. These babies can live to an adult life, and mongoloid babies have been known to live as old as 60 years. The average age expectancy is 8 to 10 years but the next few years with modern methods and drugs, etc , for the care of these children, will increase their age expectancy.

(Mongoloid children can be recognized by their slanting eyes, they are usually quite double jointed, and there is an unusually large space between the large and second toe). The committee saw one mongoloid who had two thumbs. Dr. Lieberman said very often these babies are recognized as mongoloids at birth and before the mother ever sees them, they are brought to Sonoma. The committee also saw a little girl who had been born without arms and legs and they have not yet determined whether she is mentally defective. Mongoloid babies are ordinarily attractive looking babies and very friendly.

The committee then went into the wards where similar babies were being cared for under the old deplorable conditions—two or three babies in cribs and the cribs so crowded into the room that in some cases it was impossible to walk between them. Dr. Lieberman pointed out the impossibility of preventing the spread of contagious diseases, dysentery, etc., under such conditions. He did say, however, that the conditions were not nearly as bad as they used to be and dysentery was being controlled to a great extent.

With respect to the danger of fire, the committee was told that that particular building could not be classed as a fire trap exactly but that it

would be a matter of carrying out all the patients—and bad as it seemed, it was vastly improved over two years ago.

Some of these babies have epilepsy.

En route from one building to another the committee was told that the campus consisted of 2,000 acres—a great deal of it rather mountainous, and not too much table land.

The committee then visited North Cottage—a dormitory for a varying degree of low type mental patient of younger group. The next building visited was thrown up some years ago as a temporary structure and is a definite fire trap. It is to be torn down as soon as new facilities are ready. This houses 126 young adults of school age who do not possess enough intelligence to go to school. They spend their time sitting on the front steps or in the back yard. There are no facilities for any kind of program for these patients. Dr. Porter said: "If we had a good program all the way along for these boys, some of them would not be as dumb as they now appear. They would have an emotional development with a better adjustment potential. They might be so much better that some mild degree of schooling might be indicated."

The Fire Marshal has condemned 14 of the buildings, eight of which will be replaced by the new dormitories now under construction. The new building to replace the one mentioned above is built to house only 100 patients and there are well over 100 in the present building. They plan on 10 percent overcrowding to start out with.

The present structure for the young adults is so unsafe that if the patients couldn't help themselves in case of fire, it would be difficult to get them out. Dr. Porter said even if they put their very best patients in there it would be unsafe for them.

Elaborating more on the type of patient in that dormitory, Dr. Porter said the patients were of such low mentality they could not keep themselves clean. They soil themselves at night and in the daytime. All are untidy. There is a rubber sheet on every bed. They run them to the bathroom at regular intervals. The population of this ward is bright enough to do bed making, sweep, etc., but nothing else.

The committee then went to Bane Annex where the boys in the younger school age bracket are housed. They are a pretty good potential and live in cheerful surroundings. They have a man attendant who arranges ball games and various kinds of recreation. All new male employees are rotated through this ward.

There are two full-time dentists and a third allowed but not recruited, two dental hygienists, one full-time X-ray technician and another allowed. There is a full laboratory set-up. There is also a full-timed druggist.

The committee returned to the administration building where Dr. Porter had assembled the various "families" mentioned earlier.

There was the Gomez family of three children—16, 12 and 17—two girls and one boy; the Alphonse family with three children. The mother came to the institution in 1925 and has gone home on vacation several times. She is now hoping to go out on parole She was married only once, and her husband is now dead. The girls have been here 10 and 11 years, and have been taught to cook and sew. One has been out on parole. She was out for three years and three months, and returned for dentistry.

The other girl has been here for 10 years and has never been out. The mother and daughter who has been out are sterilized.

Next there were Jessie Kilpatrick and Naomi Mathewson—aunt and niece respectively who had identical characteristics—a pale square face and head and a most unusual growth of hair, pale eyes and absolutely expressionless faces. The doctor said they intended reporting this rare clinical entity

Then there was Julia and Joseph Rodrigues, mother and son. There are also three other children there, two of the girls being on vacation. The mother came to Sonoma on May 23, 1944 and was out for three months at one time. The son who is 16 years old has been there four years, and he attends school.

Next were Helen, Nina, and Henry Enriques. There are two other children of the family living on the outside. The mother used to be at Sonoma; in fact, the mother and a baby were there recently. The mother is now sterilized, and the baby seemed normal but is probably defective.

Porter: We have at the present time 30 or 40 such groupings, and this is one of the bases upon which we ask that the sterilization law be kept in effect. We sometimes receive two or more cases from families where the parents are normal. The cause is unknown but we believe the inheritance comes from generations past.

The committee then visited the locked units, Paxton and Goddard, for psychopathics and defective delinquents. Paxton is for boys 19 and above and Goddard is for the younger boys.

Goddard was visited first.

Porter: This is for boys up to 18 years of age (12 to 18), adolescents. They are either committed through the courts as delinquent children, or various other categories. Some are mentally defective and some are not. The majority are. These are our border line cases—our high grade patients—some of normal intelligence, placed here for the correction of behavior problems. Very few cases were admitted as psychopathic delinquents, five, six or seven perhaps. The rest are children who cannot get along adequately without security. In fact, our doctors feel that the security here is too severe for 80 percent of our patients. It is maintained at this high level for the other 20 percent.

Nichols: Do you get cases here from the Youth Authority for observation?

Porter: Oh yes, but we rarely get more than two per week We never have at one time more than three new children unknown to us here. All of the observation children are here because we have trained personnel in these wards. They have the feeling for this kind of work Hunches can sometimes be more correct than anything else. The juvenile courts also send them here. We have all categories of observation cases, normal children, epileptics on occasion, and every type of observation case for children we have here.

Spaulding: Do you have any particularly outstanding case here?

Porter: Only one. One psychopathic delinquent diagnosed by my conference of a 14 year old boy whose acts were sufficiently violent to indicate that if he were in the outside world he would react in an unsavory way. He is not old enough to go to Mendocino and sit there with the criminals. He came here through the juvenile court. He had attempted

to kill, and for all practical purposes, killed a small child by slitting open her abdomen. The child did not die and the patient was sent here.

I would like to point out what our program at this time is here. We realize that, as I told you, we are having to restrict activities for 80 percent of our cases in order to maintain the security of the entire unit. In the past there has been no way of knowing—or having the staff regularly studying each of these children all the time. Therefore, we had nothing scientific to say whether a child was good or bad except the past record. If you have ever had anything to do with commitment forms, you will know it takes a sense of balance to know what is true and what is put in to influence us to put them here. We are in a position now with the increased staff, having observed them over a period of time, to know which children we can let out between that door and the fence. We give them as much freedom as they can take without blowing. If they are not held back too long, their chances of recovery are better. Even normal people—those in the Army for instance, will require readjustment. We want to teach them some of the finer arts of living so they can appreciate more of the means of entertainment, besides stealing someone's car or socking someone. They didn't have a playground so the children built one. They didn't want anyone to violate their program so they lose their entertainment. We have not given extreme punishments We might take the good group of boys up in the orchard or some other privilege. Eventually we will have a ball team. When we feel they are ready, they will finally go down to an open ward. In the past, children were here from two to five years and went out. Our parole violation rate was incredibly high. So, we are not so much interested in having everything neat and tidy as we are in having something constructive for them to do. They have games between the two wards and on several occasions outside teams have been brought in to play with them. The boys then begin to have the feeling that maybe there is something "out there" for them. In such an environment their bad character begins to stick out like a sore thumb, whereas before you couldn't tell. Now we are building up standards for comparison so that after a two year period we know whether a child has profited or not. We are trying to work out with the Youth Authority and other agencies a much freer exchange.

Much later on it may be possible to work much more individually with the children. We are aware that having a fork and knife to eat with is better than a seven-course meal. My own opinion is that clear cut control environmental therapy is the only obvious solution to this problem, but we only have personnel to sit down with 10 percent of the population. This is the only program we can see any hope for. Further, this unit will outgrow its usefulness pretty soon.

Ludwig: We have other personnel besides the psychiatrists working on these units. Dr. Lieberman works with me and Dr. Frederickson works with the female group. The most important group are the ward attendants They are the go-betweens for the children. We process this ward by means of a team which we mean to extend to all other wards in the institution; a psychiatrist, a social worker, a member of the ward and a medical doctor. Our discharge rate has gone up three or four fold. We want to know he is ready. We have had this in effect since the first of the year, but the beginnings started some time ago.

The committee saw the rooms where the boys do various kinds of craft, but where a great deal more equipment is needed.

Speaking of the cell blocks, one of the doctors said "So far as I am personally concerned, when we have to use those cells because of our own inadequacies of handling the children, we defeat our purpose. When you see a whole block of cells before you with children in them you can be very sure something is wrong with the program. We have had no escapes or any serious difficulty since our recreational activities began. We have about 30 children out for the summer. If they make it for those three months, we will let them try it some more, but if the home situation is bad, they are better off here.

Thompson: Does the county education group help with your educational program?

Porter: No, the educational facilities are strictly Mental Hygiene. The county presents us with certificates, etc. Our teachers are employed by our department and have nothing to do with the county board of education. I know in Mendocino it is part of the county school program, but our teachers are all hired by our department.

In answer to a question by Senator Abshire, Dr. Porter stated that the boys who were now out on probation were called on regularly by a social worker under the Department of Mental Hygiene, and if the probation office was helping, it was on a voluntary basis. Dr. Porter mentioned a boy from Santa Rosa who had committed a minor sex offense. He was not particularly dangerous but because of the feeling engendered, they did not want to send him back to the community from which he had come. So the family moved to another location and they felt it was then safe to send the boy home—followed up regularly of course by the social worker. Dr. Porter said the average stay of the boys in this particular category was about three years. He stated what they were endeavoring to do was to break down the population of this ward to 50.

The dining room at Goddard was very cheerful, having recently had a furniture replacement.

Mention was made of the fact that the few television sets they had were making a tremendous difference in the morale of the boys. They have five or six sets and 33 wards, and their next budget will ask for 10 more sets.

The committee was now in Paxton in a ward of 74 patients all 18 and over. The doctors said they had a real fine personnel man running that unit who has a feeling for the patients. The cells in this unit are used mostly for overflow beds and have been empty longer than ever before because of the interest of the attendants in the patients. This ward has as good discipline or better than any other ward in the institution. There is only one patient in the cell block now.

The doctors said their patients go insane from time to time but when they do they send them to Napa or Mendocino. Temporarily they have to place them in cells.

The boys in this ward play basketball and baseball but are not as active as the younger boys. It is a very mixed ward, with many patients there who do not belong there at all, but they have no intermediate place to put them.

The committee then went through the shoe shop which Dr. Ludwig thought was on its way out. "How many people with an I. Q. of 65 would like to work in a shoe manufacturing company?" he queried. This is a highly specialized kind of thing and this is no place for specialties, he continued, and eventually they hoped to make a change there. This is an example of what they meant by "unwise industrial training."

Mr. Bravos said they knew definitely that the manufacturing of shoes was not wise in an institution like theirs, both from the standpoint of cost and the kind of shoes they get. However, they will probably always have to have a place for the repair of shoes. It costs $4 a pair to make the shoes, and they could buy good shoes for $4.50 to $5.

The committee then went to McDougall Cottage for generally delinquent girls from 14 to 25 years of age. Here the girls did beautiful handwork of various kinds—sewing, crocheting and hooking of rugs, copper work, jewelry, etc. Here they have a television set, a piano and a nice recreation yard. They have only one recreational director for the entire institution, Mr. Massa. Someone stated they did not have as much fire drill as they should. Here there is no accordian wire on the fence, and as a matter of fact, the tremendous security with the men represents not the patients but what the community fears. The patients do not have the hopeless feeling they had before, with increased recreation.

The committee then went to Stoneman Wing, a part of the main building. Here were housed chronic bed patients, severe organic cases, in general the physically incapacitated. Here the patients are cared for by other patients. It was this group of patients who were menaced by the fire in the administration building of a few weeks previous. It is a very distressing ward from every standpoint.

Back in Dr. Porter's office Mr. Nichols wanted to know what could be done about the long waiting lists, outside of new construction, new beds, increased personnel, etc.

Dr. Porter: Last year in the budget, and again this year, the Depart- of Mental Hygiene requested a sum of money to have a pilot project in Los Angeles County probably. This would be to secure personnel and some suitable space in which to teach parents of children on our waiting list to better care for their children at home, a training program for parents who can't get their youngsters institutionalized. One result will be better care for the children and perhaps they will not have to be institutionalized. That is one item. Another thing, a pilot study for Pacific Colony, by having a psychiatrist, social worker, psychologist, and extra attendants, they can screen the patients intensively, treat them intensively, give them more personal attention, and keep figures to see what that does with the discharge rate—how many more go out than in the past without it. Dr. Ludwig has pointed it out beautifully. In the past we did not have personnel to see the patients individually. At the present time we can see certain of them regularly, treat them intensively and have more activities. This has already reduced our population as mentioned. The pilot study at Pacific Colony will prove in figures the value of such a program and will be presented in time for this or the next budget. We will attempt to prove that qualified personnel will get results. That makes room for others to come in and take their place. It will do those two things.

We have about 33 wards but have had time to show you only six, which, however, have hit the high spots of our overcrowding. The overcrowding on the female side is considerably worse than on the male side.

Mr. Thompson: How do you feel about these private institutions for the care of patients for whom you have no room here?

Mr. Porter: Our theory is that a good private sanatorium is an excellent answer if you can afford it. In the Mary Burke case it didn't work out well. The other private institutions around the Bay are strictly limited. Not too much help in taking care of the waiting list. It would appear that private care is too expensive for the average American. It is only the rather well-to-do who can afford it. The average man who spends $200 to $500 a month for this kind of care cannot raise his normal children properly. Therefore, it does appear that the State is going to have to subsidize the State or county to supplement the small fee paid by the parents. Certainly up to this point the California private institutions have not been too helpful and have left the burden strictly up to the state facilities. The counties do not want to touch it at all.

The thing we touched on early this morning—the funds given us for family care—is a great thing. Dr. Tallman has provided us with social workers to intensify it. Placing a child in a good foster home is better by far than institutionalizing him. So far we have not gone very far on this program but we are starting now and will do better. It is difficult to find normal children homes, but with the state program to pay for the care of defective children we hope to be successful in that program. Over in the Sacramento area they have a lot of mental patients in homes there and it is working fine, relieving to some extent the overcrowding of state hospitals. It would seem to me a small valley such as Sonoma Valley, if the orchard business is not too good, should be able to interest a considerable number of people to take children to their homes for $60 a month. This would be a delightful climate in which to set up such a center. In other states they have found little areas where people take care of the state's charges in their homes.

Mr. Nichols: That is called family care, in that children are not turned back to home families because they do not have any, but if we can place them in a private family and pay them for it, it is cheaper for the State to do that than to build additional hospitals.

Mr. Thompson: Will the State adequately supervise this program?

Mr. Nichols: They are investigated frequently.

Mr. Thompson: That was true of the Mary Burke Foundation, wasn't it?

Mr. Nichols: No, that was a private institution, inspected once or twice a year. These family care homes are small homes which have two, three or four patients and they are under the supervision of our social workers. We have a staff of about 60 social workers, increased now by 30 more, covering the whole State to do this kind of supervision.

Mr. Thompson: With 90 social workers, plus $60 a month, isn't that quite an expense to the State?

Mr. Nichols: Well, it has been carefully reviewed and the more we look at it, the more we like it. It is a saving to the taxpayer in not having to build additional hospitals. About 7,000 patients are out on leave now—some of them in this program. If we didn't have the 90 supervisors, we

would have to have two more hospitals, and it costs $10,000,000 to build a hospital.

The recommendations of the committee pertaining to the Sonoma State Hospital are as follows:

Sonoma State Home is a training school for the care and training of the mentally handicapped. It is the duty of the home to provide modern care and training for those mentally handicapped individuals who are in need of the services of such a unit so that they may live happier and normal lives and can be returned to the community as useful citizens whenever possible. To reach this goal there are four fundamental areas that must receive complete support:

1. *Personnel.* There is an insufficient number of well trained personnel on the institution staff which results in an inadequate program for the mentally handicapped and reflects itself directly in a low discharge and leave of absence rate. Increased personnel is necessary in all areas: medical, nursing, social service, rehabilitation therapies and other ancillary groups. This will result in an increased service to the people of the State and will be a true economy in that more patients will be returned to the community to live more self-sufficient lives.

2. *Buildings.* Additional ward buildings are necessary to relieve the overcrowded condition now existing in this institution and to provide care for those patients now on the waiting list. These buildings should be constructed as rapidly as possible in conformance with the program sponsored by the Department of Mental Hygiene and based upon statewide population studies. Existing facilities are unable to accommodate even one more patient.

3. *Material and Supplies.* For the maximum utilization of the personnel and the buildings increased material and supplies are essential.

4. *Research.* The study of the etiology of the mental deficiencies is in its infancy. Little is known, for example, of such conditions as mongolism and cerebral palsy. Although the least tangible of all active attacks on the problem of the mentally handicapped, research is of the most basic importance. Facilities and finances for such basic work have traditionally been lacking. The importance of an active and continuous research program cannot be overemphasized

NAPA STATE HOSPITAL

The Assembly Interim Committee on Public Health met at the Napa State Hospital on August 3, 1950, and in addition to the committee there was also Senator Nathan Coombs, representing Napa County, together with Dr. T. K. Miller, Superintendent and Medical Director of the Napa State Hospital: Dr. Reginald Rood, Assistant Superintendent; Dr. W. A. Oliver, Director of Clinical Services; Delbert J. Bradley, Business Manager; and Mr. A. Edward Nichols, representing the Department of Mental Hygiene.

Dr. Miller thanked the committee for meeting at the hospital and assured the members that he wanted to make their visit just as informative as they could. Dr. Miller, in his opening statement, stated: "Napa is the second oldest institution in California, having been completed in 1875 The old main building was the entire institution at that time,

housing patients, personnel, administration, and everything Stockton is the oldest institution.

"Our aims are treatment, teaching and research. Our particular aim now at this institution is that everyone in the hospital, among the personnel, that is, shall be a therapist. We feel that making everyone in the hospital a therapist is going to do much more for the patient than we did in the past. The hospital attendant spends 24 hours a day with the patient. There is no way to tell which patient is going to respond to treatment and which will not. We must consider every patient as one who is going to get better. So, we give every attendant this "in-service" training, teaching all the personnel in the hospital to be therapists. We use every recognized therapy. In addition to that, we feel that we have to improve the patients' living conditions. In moving out of the old buildings into the new, we moved 100 male patients who were always bed patients. We put 50 in one ward and 50 in another and within a very short time they had all but four patients in one ward out of bed, and all but 12 in the other. This is attributable in large part to more pleasant living surroundings. They are interested in living again. We think that it is very important to make living conditions in hospitals approximate normal living conditions. There are many patients who are not going to get well. They are entitled to live as normally as possible, because, unfortunately, they are individuals who came here through no fault of their own. They have committed no crime. So their living should be as comfortable as possible. In doing this, we have bought pianos out of our benefit fund. Every ward now has a piano. Every ward has occupational therapy, orchestras, sings, dances, and has good times not possible without pianos. We have added a vanity shop for the women to go to, and permanents, shampoos and waves, and other beauty treatments are prescribed as part of their treatment We have found that this is a big boost for these women without any cost to them.

"We have purchased a 16 mm. movie projector and have two or three shows every night, which the patients go to regularly, and then we also bring some shows to the wards for those who are bed-patients.

"We have taken the patients' orchestra to the women's actively disturbed ward where those women listened to the orchestra in the day room, and the next day the attendant called me and said the ward was the quietest it had been in a year. It is all good therapy—a form of psychotherapy.

"We have also bought pool tables for the patients, and television sets We have two sets and have ordered 20. We put one in the men's parole ward for six months where from 40 to 100 patients watched the show every evening We have a problem here that there is not too much for them to do in the evening and many used to go to bed right after dinner. With television they have asked to stay up until 10 or 10.30. They like to watch the wrestling matches especially. Maybe we can get money from the State for all of these things, rather than from the benefit fund.

"One thing we have stressed at this institution is ground privileges for the patients Close to 1,000 patients now have ground privileges. They go to and from work on their own responsibility. We are not a penal institution. Our patients are mentally ill. A good form of treatment is to give them a little more responsibility just before they go home—let them go around unattended—to the canteen, etc We have heard from

relatives such things as this: A doctor in Oakland had a relative here and we realized this person could not get along outside the institution. The doctor said he had been asked to take him home, but as soon as he was moved into the new building he was willing to stay. That reflects in a way the atmosphere we are trying to create. It is through your help and the Legislature as a whole that we are able to do these things. This last Legislature has allowed us more professional personnel. We have 4,000 patients here, and we had no recreational therapists. We had six occupational therapists, a very small number for so many people. You gave us three occupational therapists and supervisors, more doctors and professional people, psychiatrists, etc., to do a better job. We were also able to increase our nursing personnel.

"I would like to just say that of these 4,000 patients we have one unit for children—60 behavior patients sent to us by the juvenile courts for a 60-day observation. Their behavior problems might indicate a mental disturbance which, with early treatment, might prevent them from developing into juvenile delinquents. This unit is in a sense a research ward. We will learn early signs of mental illness, treat them earlier, and prevent them from becoming criminals perhaps. This will start them out with a chance to rehabilitate themselves, and will keep them from becoming an added expense to the State at a later date

"In the last few years we have had consultants, specialists in certain categories, to help us in our treatment of patients Dr. Soto-Hall of San Francisco, an orthopedic man, has been helping us in fracture cases, etc. He brings a team of four or five men with him who work with him all day pinning hips, reducing fractures, and in general, helping immensely. We have other specialists too like eye, ear, nose and throat, T. B., etc., who come once or twice a month.

"We also are supposed to take care of the T. B. mental patients in the northern part of the State. We have one unit of about 240 active and possibly 250 inactive, or arrested, cases here We plan on a new building to take these patients from other institutions They have given us additional equipment for that reason and at the present time we have reduced the incidence in the state hospitals remarkably by taking chest X-rays of all new patients as they come in. The Public Health Department comes out and takes films of the patients and the employees in the hospital.

"We have one new building coming up for a treatment center, and will house the receiving unit and a few wards Buy us some X-ray therapy equipment and if this is concentrated at one institution, it will represent a tremendous saving to the State.

"Dr. Williams at Mendocino called up one day and said: 'We have six eye cases up here—six patients with glaucoma. Will you take them down there?' We can see this institution developing into a specialty hospital for the physical treatment of patients, those requiring X-ray, eye conditions, T. B. and other conditions The patients will get better treatment where we have the equipment to take care of them.

"It has been very gratifying to me in the last few years to get letters from former patients. In fact, when our patients leave the hospital, we write and say we would appreciate hearing from them and would they tell us what helped them most in the hospital, and what would have

helped them more, had we had it. Of course sometimes we receive constructive criticism, but there has been a falling off of complaints relative to the treatment of patients. They have diminished very remarkably due to the fact that we are making everyone treatment conscious in the hospital—teaching them to take an interest in the patient.

"I want to make some comment on our ground privileges. Out of 1,000 patients with ground privileges, we have about 20 or 25 leave each month without permission. They are usually in better mental condition reaching the approximate time when they will leave the hopsital, and they just get overanxious to get out and take off. Only occasionally do we have a dangerous patient getting away. When we do we notify the local sheriff, and the sheriff from the commitment county; and if he is especially dangerous, an all-points bulletin is sent out so everyone in the State is alerted.

"We will develop here residents and internes. We have had for a year now six graduate students from the University of California in psychiatric social work, and two residents every three months from Langley Porter in San Francisco. They spend three months here and at San Quentin, and three in San Francisco hospitals We feel and know that the mental hospitals are an untouched field so far as research is concerned. We have over 30,000 in these institutions We feel that universities and clinics will take advantage of this opportunity to carry on research in institutions. At the present time there is no money for research. The time should come when they will allocate us money to carry it on."

Dr. Wrenshall A. Oliver, a member of the staff of the Napa Hospital, presented the committee with the following reprint written for the American Journal of Psychiatry, Vol. 106, No. 4, October, 1949 Dr. Oliver wrote the article himself and it has received national recognition.

A State Hospital Children's Unit

"As children's units in state hospitals are a relatively new departure in institutional psychiatry, it might be of some interest to survey the experiences of this hospital from the standpoint of past difficulties and future planning. In 1943 a children's unit was established at Camarillo State Hospital for the Southern California area, and later the same year a similar unit was set up here at Napa State Hospital for the northern part of the State. Provision was then made in the Welfare and Institutions Code enabling the juvenile courts and the California Youth Authority to commit children for 90-day observation periods for psychiatric study. In view of the insatiable need for and well-known lack of such facilities in general, the units were soon filled and have had long waiting lists ever since. Considering the complicated nature of psychiatric problems in children, prolonged intramural observation has obvious advantages over the outpatient type of examination and work-up, no matter how expert or complete.

"Admissions to the unit are of three types—the observation commitment mentioned above, superior court commitment where actual psychosis has been diagnosed prior to entry, and the voluntary admission in which the application is signed by the parent or guardian Of all admissions to this unit so far, 57 percent have been from the juvenile

courts, 16 percent from the California Youth Authority, 7 percent mental illness commitments, and 20 percent voluntary admissions. With the exception of the voluntary application, the hospital exercises no selection over admissions, which circumstance, in view of the crowding and long waiting lists, had led to numerous heated discussions among the staff. It would, of course, be nice to accept only cases that would not be troublesome and that present a good prognosis, but the prevailing opinion at present is that no one has the psychiatric omniscience to make such selections, an opinion that has been strengthened by the not infrequent favorable outcome of cases that would certainly have been rejected under the selection system. Another result of this situation has been an informative and interesting experience with a wide range of problems.

"The unit is housed in a cottage-type structure appropriated (but not designed) for the purpose, located on the hospital grounds in close proximity to the other buildings. It consists of two mirror-halves to permit segregation of the sexes, with 26 beds on each side. Most of the beds are in dormitories, with a few in individual rooms, and there is a dining room on each side. Food is brought to the building from a main kitchen, but there are some kitchen facilities on the wards for the preparation of refreshments for parties, etc. There is space for occupational therapy, some office space, and two play halls, one of which is half-filled with beds. A temporary structure apart from the building serves as a schoolroom, and the children have access on a part-time basis to the main hospital's recreation hall for sports and recreational activities. Children of all ages up to 18 are housed in the unit, with the exception of the frankly psychotic, and the severe behavior problems in the 16 to 18 year group, who are housed in certain of the adult wards. The unit is staffed by two psychiatrists, a clinical psychologist, a psychiatric social worker, an occupational therapist, four teachers (one of whom functions as recreational director), and 10 attendants on various shifts. The general atmosphere is permissive, the children are given considerable freedom of the grounds, and there is no segregation of the sexes in the planned social and recreational activities. Diagnoses, plans of treatment, and dispositions are decided by the entire staff in weekly conferences conducted by the clinical director. The work-up consists of the usual medical and psychiatric examination, plus such psychological testing as seems indicated, and reports by the social worker of contacts with members of the family and other social agencies."

"The vagaries of psychiatric diagnosis being what they are, the following figures are no more valuable than other similar ones, but may serve to indicate in a general way the types of problems dealt with. Of some 600 cases handled by the unit since its inception, 30 percent have been classified in the primary behavior disorder group, 12 percent in the neurotic group, 20 percent in the functional psychosis group (93 percent of these were schizophrenic), 15 percent in the psychopathic personality group, and 8 percent as mentally defective. The remaining 15 percent were made up of a variety of conditions such as juvenile paresis, convulsive disorders, chorea, etc."

Problems Encountered

"The first problem is that of physical facilities. It is recognized that these are inadequate, from the standpoint of size, arrangement, and

location. While it is doubtful if any children's psychiatric unit, no matter what size, would ever be large enough to make a dent in the total problem, it is nevertheless within the realm of possibility to visualize housing and staffing two or three times the present bed capacity. We should like also to get away from the ward idea, which too much resembles the old-fashioned orphanage or the average detention home, and approach the cottage type structure housing smaller numbers, and permitting better age-group segregation. Plans have been formulated and funds appropriated for the construction of such a unit, which incidentally will be located away from the main hospital grounds.

"An even more vexing problem has been that of public relations, the word 'public' including the local townspeople, law enforcement agencies, and certain juvenile court authorities, to say nothing of many employees of the hospital itself, who took the traditional attitude that there were bad children who should be securely locked up (somewhere else) and not permitted to disturb the peace. This punitive attitude is of course understandable and is furthered by the permissive therapeutic approach which leads to some escapes and local misdemeanors. It must be said, however, that this difficulty is steadily diminishing, due partly to the effect of time, and partly to extensive efforts to acquaint the public with the purpose of the undertaking. These efforts have resulted in obtaining financial assistance from service groups and the use of community recreational facilities such as nearby 4-H Club camping facilities, and in other ways.

"The staff problem can be summed up in a few words—lack of trained personnel; but it has been a source of pleasant surprise to learn that there is no lack of intelligent interest, and we have obtained some excellent attendants purely by the process of trial and error. Such intelligent interest plus a certain knack (for want of a better term) in the handling of children are very good substitutes for formal training.

"From the purely psychiatric standpoint, we are babes in the woods of the youngest branch of a young science, facing innumerable unsolved questions of etiology, diagnosis, treatment and disposition. It has been said that diagnosis is of secondary importance in dealing with psychiatric problems, especially in children, and with this we agree. But "secondary importance" does not mean no importance at all, and we are not ready to toss overboard years of training in scientific medical discipline. Diagnosis is a good point at which to crystalize thinking, and there is a faint suspicion that our impatience with this situation is a rationalization of ignorance. One needs only to peruse the American Psychiatric Association nomenclature which is mandatory in the California state hospital system, noting particularly the categories primary behavior disorder and psychopathic personality with their long lists of peccadillos, misdemeanors, and felonies Here is diagnosis on a strictly symptomatic level, something which is frowned upon in every other branch of medicine. There is growing dissatisfaction, reflected in recent psychiatric literature, with the whole concept of psychopathy, and one way to change thinking on the subject might be to discard the term altogether. From the semantic standpoint it has acquired for psychiatrists an aura of hopelessness and provokes fear-laden rejection on the part of juvenile authorities and social agencies In many ways the situation is reminiscent

of epilepsy, which is now universally regarded as symptomatic, and the fact that some cases are labeled idiopathic means only that the etiologic factors are unknown and furnish a subject for research. Epilepsy is no longer a visitation of God. While we are not ready to propose a new nomenclature to be added to the many now in existence, we are convinced that the reactions and behavior patterns of children should not be judged and labeled from the standpoint of those of adults, and that diagnosis and treatment should be oriented toward dynamics rather than external manifestations.

"Treatment facilities are those which are more or less standard in any children's psychiatric unit—individual and group psychotherapy, occupational therapy, remedial education, recreation and athletics, correction of contributory physical defects, shock therapy in selected psychotics. The question of which case responds best to which treatment is a matter of accumulating experience and will be the subject of future papers. Some children seem in desperate need of individual therapy, others do better without it. Our experience with juvenile schizophrenics is not encouraging, agreeing with that of others, but the shy, introverted, possibly prepsychotic child does well, encouraging us to feel that psychosis may be prevented. The first real advance in cancer research came with the five-year study, and this must be applied to psychiatry if we are to assess the value of our efforts. The follow-up study is the autopsy table of psychotherapy, revealing mistakes and lighting the way for the future.

"In disposition of cases lies by far the most difficult problem of all. While they are far from perfect, facilities do exist for the defective, the psychotic, and the severely delinquent 'psychopath,' but the bulk of our cases are not in these categories. The treatment program might be summed up as preparation of the child for an adjusted environment to be followed by provision of the adjusted environment; and if their half of the program fails the entire effort breaks down This means continued psychotherapy for the family as well as the child, or the finding of suitable placement in those instances in which the family is out of the picture, as is frequently the case. Outpatient facilities exist in the larger cities but are completely lacking in less populous areas. Placement facilities are also inadequate but to this is added the difficulty of a wide variety of independent social agencies—city, county, state, private, religious, etc., with rigid financial, geographical, and other limitations. We have felt that some centralization of these efforts would result in better utilization.

Summary

"The development and functioning of a state hospital children's psychiatric unit have been sketched. Problems of physical facilities, staffing, and in the diagnosis, treatment, and disposition of cases have been indicated. We would welcome communication from other similar units for the exchange of information and experience."

The request was made of Dr. Oliver that he make a distinction between the psychopathic delinquents in Mendocino and Sonoma and the cases brought to Napa. Dr. Oliver's reply was as follows: "Ours are sent here by the courts, by the Youth Authority, and we also have voluntary admissions for study. They are usually cases in which a behavior disorder is present and in which mental or physical disorder is suspected as a possible cause. We would consider the cases at Mendocino and Sonoma as

failures in which there was insufficient study and treatment early in the course of the disorder. Only a small percentage of children from Napa go to Mendocino and Sonoma. Those that do have usually come to us too late.

"As regards our adult cases, we have felt for a long time that a considerable percent are acute disorders not lasting very long, relatively young individuals, which, if we could treat them intensively, could be restored to normal mental health and return to society without ever getting into a chronic state which so many developed into in past years. The tendency has been for chronic cases to pile up but we hope we are, and think we are, on the right track—that we are preventing this sort of thing. We have set up a special ward for that kind of case in both the men's and women's sections. In the men's ward in the first year they handled 229 cases—about one-fourth to one-third of all male admissions for that year. Of the 229, we were able to discharge at the end of the year's period 135. I mean to say that at the time these figures were compiled 135 had left the hospital, and the average stay was 15 weeks, which is less than four months. A similar group of cases without being treated intensively would have an average hospital stay of seven months That has cut three months off for that particular group. This was a small ward. There are more such cases than we can handle and we want larger facilities for that type, and more personnel and equipment for that purpose. The women's ward had a similar record."

Dr. Oliver then explained some of the activities of the hospital. He takes the patients that are admitted and weeds out the different variety of cases, he taking only for his own observation the mental cases, in order to make up a chart indicating the activities of the hospital. This chart was started in August of 1947 and was to be kept over a period of years in order to observe the trends. The trend is gradually upward in admissions and also upward in leaves of absence.

When a patient is ready to go home he is given a period of home adjustment, and if for any reason the home adjustment period is not satisfactory, the patient may return without the necessity of going through a court commitment again. A vast majority remain at home and are discharged after a certain period on leave of absence.

In June of 1950 there were 99 admissions of mental cases and 53 leaves of absence, and a total of 118 leaves plus discharges The admission rate at the present time is approximately 150 per month on the average, which includes all types of cases. If all patients could be treated intensively, the hospital stay would only be about three to four months. Another important factor is that about one-fourth of the patients are senile, presenting chiefly medical problems, not psychiatric. They require a different type of treatment altogether. They present two problems at once.

Mr. Nichols, representing the Department of Mental Hygiene, stated that Dr. Tallman, the Director of the Department, is deeply concerned over this senile problem, and stated that the department takes care of them because the county from which they are committed cannot take care of them. The Governor, the Department of Social Welfare, and the Department of Public Health are also greatly interested in these cases.

They are a growing and mounting problem and will be given careful consideration at the state level. It has been discussed with the supervisor's association. Because of this serious existing condition the Governor is calling a special conference on September 14th to discuss ways and means of taking care of this senile problem, and the Governor's message presented at the conference together with a preliminary report of the Governor's Conference on Care and Treatment of Senile Patients will be found further on in the report.

Mr. Nichols also stated that many of these cases were pensioners, and as they did not receive their pensions while confined in the institution they were unable to pay for their care while in the hospital. However, under H. R. 6000 recently signed by the President, the provisions include the payment of pensions to these individuals, out of which they will be able to pay the $60 per month charged for their care while confined.

Mr. Nichols also stated that it was not so much the fact that seniles were a load on the state hospitals that the department was concerned with, but the state hospitals are set up for active treatment and these people do not need active treatment. One of the things that is annoying is that when an older person has been sent to an insane hospital, the whole family feels it is in disgrace. Why should they be, when he is only old and physically handicapped? Other arrangements should be made for these persons so that they would not have to be placed in a mental institution such as many counties have, for instance, Rancho Los Amigos in Los Angeles which is not large enough to take care of the number of people who desire admission; and the Laguna Honda Home in San Francisco County which cannot meet the need either.

Dr. Oliver commented on research as follows: "Research requires three things—people to do it, time and money. We have cooperated in several research projects here. Recently there was a joint effort by the University of California, the Langley Porter Clinic and ourselves on the subject of arteriosclerosis. We have a brand new lead on that which has not been published yet. But we devoted time to this by robbing it from something else. We have 19 doctors for 4,000 patients, and that includes Dr. Miller and myself—also Dr. Rood of our administrative staff. When you divide that, you can see the demands put upon the professional staff in all categories. There was another project—a U. C. student who is a Ph.D. doing a research problem on physical therapy for six months. It took a good deal of time to assist her.

"T. B. represents another problem. There are lots of new drugs and treatments but they are expensive to start. Some of these drugs cost us $10 to $12 a dram. So you can see it is expensive and we cannot dip into our appropriation to buy these new drugs so we have to wait until they come down in price before we can start to use them. I would like to see a fund set aside for the use of some of these things so we would not have to be the last ones to use them. Strepto mycin is very important to the treatment of T. B. right now."

Dr. Miller then asked Mr. Bradley, the business manager, to explain to the committee the building needs. He stated as follows: "At the present time, as you probably know, our plant is being almost entirely rebuilt. The main building is going down which held 1200 patients. We

are trying to find out our total need. Two buildings have just been completed which were built for a particular kind of patient—the locked ward patient. Half of them were originally planned for bed cases and are not now working out because we have improved treatments and facilities, and they are now ambulatory patients. We do not have enough capacity for parole patients—not the proper type of facility. We are going to ask for an additional building to take care of that type of patient. We are contemplating at one time a capacity of 7,000 which all agree is entirely too large for a mental hospital; but, nevertheless because there was a capacity problem, it was decided Napa would be that large. But Dr. Tallman is now holding it down. We have approximately a 4,000 capacity here now and it may only go up to 6,000. Our boiler plant will carry that larger institution and we are just now finishing the new kitchen which we hope to move into in two weeks. It will handle up to 8,000 if necessary. That was built with the idea we would have a capacity of 7,000 and we would be able to carry 7,500 patients and the increased personnel to serve them. We have been working out of an old kitchen area built to take care of 3,000 patients. We have been ashamed of it but couldn't do anything about it.

"We have also been asking for an incinerator and we finally have the money for it. We received it from the Legislature two years ago. The Public Works Department designed one and is just ready to start it. We have been burning a certain amount of wet garbage which we couldn't feed to the hogs; and we have had an open fire for the burning of dry garbage. We are very grateful that we will have an incinerator to take care of that."

Dr. Miller: "When I came here the patients were only allowed one bath a week and one change of underclothing. We decided it would be well if they could chance twice a week and bathe every night if possible. From that day to this the laundry has been inadequate. Some patients slept all day long and slept in the night in the same underwear. We are trying to get night clothes so they can change their clothes twice a week. The laundry has been a bottleneck but we have plans to expand it. We have to graduate from what we did for years when they took one bath a week; and when you try to step up the care, you run out of facilities."

Mr. Bradley: "We do not do the laundry here which we could do and should be doing. We have never caught up with our linen needs, but are getting caught up now. We do have some money for a laundry now and hope to get started on that. That is another reason why we want to get final determination of our capacity here. It is foolish to build a laundry beyond our needs. I was also interested in this old age discussion for the same reason. We were contemplating the enlargement of the unit to take care of that type of patient also. They merely need physical care. At the present time we have a small unit which we know as the Coombs Ranch. There is a nice quiet little group up there taking care of themselves. We were planning to expand that if it became a regular state responsibility."

Dr. Miller: "I have never known any institution to overbuild yet. We never have the facilities we need, and have never caught up on our building. From experience in New York, the better and bigger you build them, the more they will send to you. Not so many years ago they sent

patients to us as a last resort. If treatable, they didn't want to send them here. Now it is economically sound to send them here, get them cured and out."

Senator Coombs stated: "There is one value of Napa which neither the people nor the Members of the Legislature realize. They confuse our climate with the valleys and think it is hot here. This is a beautiful cool summer climate—a mild weather climate."

Dr. Miller: "Yes, I have worked in two institutions and would pick this one out as having the best climate."

Dr. Miller continued: "We might just briefly cover the needs of the hospital. The hospital is working on building the patient's food up to standards of employees. Some states now have the same kind of food. We do not but are working on it.

"Another big problem is overcrowding. We have 4 percent over and Agnew has 40 percent overcrowding. It cuts down on the treatment angle. At one time we had beds up and down corridors to rooms, and everyplace else. We have been told we will have to enlarge other hospitals. We have to add 16 new beds in each new building. (In this respect, the State makes the laws but also breaks them.) We are also going to put in a swimming pool at this time, as that is a good therapeutic agent. Palo Alto has one, I know. Back in Connecticut they have a nice pool. It gives patients an opportuntiy to wear off a lot of energy.

"We need money for research.

"We have a new auditorium coming up. That means we can put on a picture show for 1,000 at a time. Many recreations are curtailed in winter months for lack of proper auditorium space.

"There is one thing I do want to mention. We do have about 100 women coming here every week from Marin County, Napa, Solano and Contra Costa who give us lots of help in occupational therapy, taking the patients for rides, downtown shopping, etc. Then too, the service groups sometimes take our patients to ball games, etc. They recently took a group to Oakland.

"You will probably read in papers about escapes from the childrens' unit. They are not psychopathic delinquents. They are children who need help. We tell them that this is not a penal institution. We want to make them feel they are wanted. They are practically in open cottages now.

"They go to school and have other activities. A certain number run away at times but we have found that ordinarily that is good therapy. If a child runs away and finds he is not gaining anything, he will come back and be benefited They find ours is a very liberal program. We want the children to know we want to help them. We had one girl here who completed her school work in the institution and who was given the same examination as the Napa children receive, and she was graded 95 percent. We do not have anything happening in our childrens' unit which does not happen in the public schools in any community. We want to develop a 150 bed unit. We have a long waiting list and would like to accommodate all of them. We are satisfied in our own minds that we are accomplishing something and should make it available to more. We have about 100 children in the hospital and about 60 are in the children's unit. We sometimes take some of the older boys and put them in an older ward.

The judge from Ukiah called us about a 16-year old boy he wanted to do something for and when we told him we would have to put him in an adult unit, he said he didn't want him with the insane patients He came down and looked over our therapy wards and talked with the probation officer, and after that he had no further objection to sending the boy down. I know you do not have much time today but I want to give you an invitation to return at any time and look over what we have here."

Mr. Nichols: "There is another point. In planning for the staff of the new juvenile unit—that is something the Legislature will be asked for—the actual money to build this unit. I know you plan to build it on separated property and that will certainly come up in your budget request—how does that go into your over-all plan for psycho delinquents? How does it work into the plan where you have your other mentally ill patients? How does it fit in?"

Dr. Oliver: "It would be part of the same administrative set-up. These children require personnel of higher rating—social service workers, recreation and occupational therapists, good doctors of psychiatry, psychologists—in general, more specialized personnel rendering a constructive service in saving them from becoming criminals and remaining in state hospitals or jails. These cases are so often mild behavior problems and while the court feels there is something wrong with them, they do not have the facilities in the counties to do an expert job So they are sent here for a brief period of observation and diagnosis and then a recommendation is sent back to the court. Often they do remain here for more than 90 days so the treatment can be continued, and inside of a short time they are pretty well cured. They go back to the juvenile court and the court sends them back home. If we do not feel the therapy here is sufficient, we send them back to the juvenile court and the judge decides what should be done with each individual case, depending on the seriousness of the offense. If mild, they take care of it locally, and if serious, they send them to the Youth Authority. We make a recommendation to the judge and he sometimes recommends commitment to Sonoma. We try to keep away from all feeble minded cases because they belong in Sonoma or Pacific Colony. We can't mix them with this group. We try to limit the cases to behavior problems."

Dr. Miller: "With respect to this children's unit, we made quite a study of the problem and visited five different units throughout the United States Our conclusion is that they are better off in a cottage type residence for about 15 patients, rather than in dormitories. We try to get away from the institutional atmosphere."

Tour

The committee made an inspection of the old and new kitchens. The old kitchen was the original kitchen built for the hospital in about 1875, with stone floors, boiling pots and very little baking facility. Here the outmoded facilities were preparing food for 5,000 people three times a day. As in the other old kitchens visited by the committee, the diet consisted principally of boiled foods, most unappetizing. The food is carried in large cans in trucks to the various buildings.

The old bakery and butcher shop were also visited to give the committee an idea of the comparison between the old facilities and the new

kitchen, bakery, butcher shop, etc., which were to be in use in about two weeks.

The new kitchen, bakery, butcher shop, etc., represents the very latest in equipment of all kinds—tremendous mixers, revolving ovens, walk-in refrigeration, deep freeze lockers, huge steamers for vegetables, slicing and cutting machines, ice cream makers, doughnut machines, and many other modern innovations. The cafeterias were also modern works of art for both employees and patients. (Napa has 900 employees.) The buildings all face west. Nine hundred fifty thousand dollars was the cost for the new kitchen, dining rooms, bakery, butcher shop, etc.

The committee then visited the ward for the acutely disturbed women. Here the surroundings have been made more cheerful recently by the use of colorful chairs, tables, draperies, etc., replacing the drab wards of the past with the long wooden benches, etc. The committee heard disturbed patients, saw patients who had received shock treatments lying in a darkened room in wet sedative packs which produce a relaxing, quieting effect. They were taken into a room where the patients are given quieting baths for an hour or two in 100-degree temperatures.

The doctors pointed out one or two cases where the patients had had prefrontal lobotomy operations, an operation on the brain which reduces emotional pressure. It is used as a last resort for their very worst type of case. Patients must be in the hospital for five years before such an operation is performed, and not until every known treatment has been given is the operation made. Results are very encouraging and they find they can send the patients home in a relatively short time. The patients revert to childhood and have to be re-educated, but they learn quickly.

Dr. Miller pointed out that in this ward, as in all of the new wards, the arrangement is that the doctor has offices right in the ward rather than in the central administration building. That means that he spends 90 percent of his time right in the ward with the patients.

The next stop was one of the new wards being used as a convalescent ward and a ward for the patients who were soon to be discharged. These wards were painted in soft blending pastel colors and furnished with colorful chrome furniture. The beds were all comfortable and covered with bright colored spreads, and there was a bedside table and locker for each patient. The aim now is to make the wards (especially the convalescent and parole wards) approximate as nearly as possible normal living, and Dr. Miller said no finer facilities would be found anywhere in the United States. All of the mistakes of other institutions have been corrected in these new wards. The nurse's desk is arranged so that she has access to and can see into four wards at once. Dr. Miller said the doctors responsible for certain buildings would have an office in the center of the group. Large photo murals adorned the walls of the new wards but the Division of Architecture had decided that there would be no more for reasons of their own. The staff and the committee felt that the murals were most appropriate for the adornment of the day rooms in these new buildings.

Each doctor in these new units is responsible for 436 patients. Many patients were sitting outside who previously were bed patients, many were in wheel chairs, but all of them were vastly improved in health since they had been moved into the cheerful new wards.

The dining rooms for these wards were also very attractive. The state dietician sets up the standards for their meals, but when the new kitchen is finished, they plan to give the patients a choice of their main dish—something they have never had before. Each ward has employes' quarters also where they have lockers and where they can shower and change their clothes. There is also a barber shop in each group of buildings and a dentist, (one dentist to every 1,000 patients) who pulls teeth, makes dentures, etc. There is a visiting room right off each ward and a room for occupational therapy. Each ward also has a diet kitchen for special diets, a treatment room, a clothes room, etc.

Dr. Miller said a hospital the size of Napa should have 52 doctors and 80 therapists.

The canteen was visited next where the patients may buy soft drinks, magazines, candy, cigarettes, etc. This is a non-profit enterprise, with all of the profits going to the patient's benefit fund. All patients with ground privileges are allowed to go to the canteen if they have money to spend. There are three paid employees in the canteen and seven patients.

The Vanity Shop was next on the itinerary. Here the operators were very patient. They only had five operators and would like to have 12. They average 43 patients a day, giving them finger waves, shampoos, manicures, permanents, etc. An employee attendant is in charge, who explained the therapeutic value of the beauty treatments on the patient. Some patients are afraid to have permanents, etc., and in this case they are usually allowed to sit in the beauty shop for a day or two until they are convinced there is nothing to be afraid of and that a treatment will improve their appearance. The morale building value of this particular therapy cannot be overestimated. In the larger wards a patient gets a beauty treatment every third or fourth week; in the smaller wards, every other week, and patients are worked on for special occasions.

The next stop was the Children's Cottage. The committee was taken into a large room which was a combination recreation, conference and sitting room. The building is in two sections with the smaller girls on one side—as young as 5 years old; and the larger girls have an average age of 15. All are of normal intelligence or better. They primarily represent behavior problems—maybe children where the juvenile court judge needs assistance—or they are children showing early signs of mental illness. There are three teachers for this cottage and the girls go to school all the year round. They are taken swimming and they play games and baseball.

While the committee was there, there were several Gray Ladies working with the girls. Their school is a special type of school, giving remedial reading for those who are emotionally disturbed, occupational therapy, various therapeutic activities; and the psychologist sees certain cases several times a week. They are taught group activities like cooking, and the superintendent of nurses is holding a class in home making. One of the teachers is a former athlete and organizes athletic teams, and between them they manage to keep the girls pretty busy.

Dr. Oliver stated: "Every child is thoroughly worked up when he comes in. A complete examination and history, lab work, psychiatric examination, psychological tests (I.Q.), a complete review of former

records. (Some have had studies made in other places). Then we have staff conferences and discuss each case, discuss their physical defects, and determine upon a type of treatment—whether individual or in a group. After two months we hold another conference as to results—getting staff opinions as to the outcome, and whether further treatment is recommended, and if so, should it be here or where. Whether the child needs a foster home is also considered, or whether it should go to a Youth Authority institution, etc. Some are actually psychiatric and they are treated much as we treat similar adult patients. In many ways they are more complicated than adult patients. There is not as much knowledge about child psychiatry. Juvenile court cases are sent on a 90-day basis, but we can keep them for another 90 days if we wish. On some we extend the time to two or three times if we are definitely getting results. We prefer to keep them on until the job is finished.

"The voluntary cases have no particular time limit set on them, and we keep them indefinitely unless the parents insist on taking them out. Sometimes the parents are harder to handle than the children. However, the voluntary admissions are increasing with parents bringing their children in. That is true also of the adults asking to come in.

"Then we have this new public health commitment law for old people which obviates the court procedure. The public health officer examines and determines if the person needs care in an institution, and if he does, and if no one objects, we accept him. If the patient himself says he doesn't want to be here, they won't take him or keep him, so no one can ever say a person was kept here against his will. But the vast majority of adults come to us under court commitment."

The girls in the cottage also have a nice recreation yard, and a cheerful dining room. There are 22 girls in cottage now, with a capacity of 26. The problem girls live in dormitories and the others have rooms.

The recommendations of the committee pertaining to the Napa State Hospital are as follows:

Recommendations

1. Money for research.
2. More money for clothing and linen.
3. Increased food allowance.
4. Replace Ward 21 and P with convalescent words.
5. Replace Coombs Ranch wards (firehazard).
6. Children's unit.
7. Auditorium and recreational center.
8. Increased T. B. C. buildings to care for T. B. C. patients in other hospitals.
9. Training center and housing for affiliate nurses.
10. Therapy shops.
11. Increase professional and ward personnel.
12. Increase equipment for recreational and allied therapies, i e., T. V., vanity shop equipment, etc.
13. Automotive equipment for transportation on grounds for patient details, transfer of patients, mail, drugs and kindred activities.
14. Increase allotment services in specialties

ADDRESS OF GOVERNOR EARL WARREN

PRESENTED AT THE

CONFERENCE ON THE CARE AND TREATMENT OF SENILE PATIENTS

Sacramento, California, September 14, 1950

LADIES AND GENTLEMEN: Today I welcome you to Sacramento and to this important conference on the care and treatment of the senile aged. Of all our State's resources none is so valuable as our people, old and young alike. And as with other resources, much of their potentiality has yet to be developed. There is no group of whom this is more true than our older citizens.

It is our responsibility to see that the aged have the opportunity to lead dignified, productive, and independent lives. We must agree that we are short of this goal.

The facts reveal that older people constitute the most rapidly expanding age group in our population. During July, 1950 it was estimated that there were nearly 900,000 persons 65 years of age or older in California. A large percentage are economically independent and are leaders in our social and business world; but regrettably, nearly half of them are dependent upon public assistance or upon relatives or friends for support.

The problems of older people in our society can be understood clearly only in the light of changes in our ways of living and the increase in our life expectancy. Whereas in 1900 life expectancy was 47 years, by 1950 twenty years had been added.

During this time, other basic changes were taking place. Families formerly living in an environment which was predominantly rural and self-sufficient moved to the cities. At the same time, the size of families decreased, their living quarters contracted, and it became more difficult for them to house and maintain their older members. Our society affords little means of support for retired wage earners, and we have yet to provide adequate social, recreational, and service outlets for our middle-aged and the elderly. Thus, more and more old people are sentenced to inactivity and marginal living.

Retirement from work and the resultant curtailment of income can impose major adjustment problems in their life program. Too, they may suffer the loss of their life partner or the onset of chronic illness, and the decline of their physical and mental functions may reduce their activity, while society's attitude tends to consign them to comparative isolation. Inevitably, the effort to make the adjustment profoundly effects their physical and mental well-being.

Not unlike the younger person, the older person whose need for affection is not satisfied often becomes lonely and depressed; and lack of status may result in feelings of worthlessness. Thus unsatisfied, psychological need may cause a multitude of personality difficulties and physical complaints; and if the need for bodily comfort is not satisfied, the reaction is often pain and irritability. These are facts that any facilities or programs devised to provide more adequate care for the senile must take into account.

There is an immediate and practical issue with which we are confronted today and which justice demands we settle to the best of our

ability. I refer specifically to the nonpsychotic senile patient who finds himself routed from home to general hospital, to psychopathic ward, and finally to a mental institution because no other facilities are available. Such surroundings are at best strange and confusing. Even younger, more flexible people would find such experience frightening and disturbing. We know senile patients certainly need our care and protection. But the question is, is a mental hospital the place for them?

We have only a few hours in which to consider this matter and since the need for action is imperative, I believe that our conference should limit its deliberations to:

a. An analysis of this problem and a review of existing facilities for meeting it.

b. A discussion of facilities which can be devised to provide needed services and how these facilities can be financed.

c. Recommendations for administrative, legislative, and community action.

I recognize that many of your recommendations will hinge upon the adequacy and source of funds. In this connection, certain provisions of H. R. 6000 which has recently become federal law may ultimately prove of help. As you know, provision is made in this law for the Federal Government to share in the cost of payments to recipients of old age security, aid to the blind, and aid to the permanently and totally disabled living in public medical institutions other than those for mental disease or tuberculosis.

The act further provides that to qualify for such payments to individuals in public institutions, there must be created a state authority to establish and maintain standards for such institutions. Plans are now under way to make the proper provisions for California, and to that end I have included this matter in my special call to the Legislature. The State wishes to assume its full share of responsibility and is willing to work cooperatively with local jurisdictions in financing such services.

A study by the State Department of Mental Hygiene of the 220 patients over the age of 60 admitted to our state mental hospitals during June 1950, shows that more than one-third were nonpsychotic and should have been cared for elsewhere than in a mental hospital. The age of 60 was selected since senility may begin at about this period in life. These patients had one or more of the symptoms typical of senility—forgetfulness, confusion, restlessness at night, irritability, and untidiness. Many of them had no symptoms except forgetfulness and confusion and were quiet and easily manageable. In addition to the nonpsychotic, 19.5 percent of the group were considered borderline, with major symptoms such as delusional thinking.

Projecting from the survey, we can say that of the 2,454 patients over 60 admitted to state hospitals during the year ending June 30, 1950, about 1,350 or 55 percent might more properly have been cared for in their own communities, had there been adequate facilities.

Some additional statistics concerning older patients in California state hospitals further accentuate the problem. The rate of first admissions of persons over the age of 60 increased from 106.5 per 100,000 in 1930 to an estimated 147.1 per 100,000 of the aged population in 1950. Patients aged 60 or over constituted 18.2 percent of all first admissions to state hospitals in the year ending June 30, 1940, as compared to 28.9

percent in the year ending June 30, 1949. This percentage dropped in 1950 as the result of a request by the Director of Mental Hygiene to the courts that nonpsychotic senile patients be cared for in local facilities if possible. However, local facilities are overflowing and the admission rate of the patients to state hospitals is rising again.

Many aged patients are suffering from acute or chronic physical illnesses at the time of their admission to state hospitals. It is not unusual for them to die en route to the hospital or shortly after admission. Their mental difficulties frequently seem incidental to their terminal illness. Thus about every sixth patient over the age of 60 admitted to our mental hospitals in the year ending June 30, 1949, died within 45 days after admission, and one of three died within a year.

Older persons form a larger proportion of hospital population than of admissions. In fact, about one-third of all patients in California's mental hospitals are aged 60 or over.

On the other hand we cannot regard all aged patients as incurable. Of the patients aged 60 or over who were admitted to state hospitals in the year ending June 30, 1949, about one in six were back in the community on June 30, 1950, restored to a fairly satisfactory life with their family and friends.

Senile patients are found in our county as well as our state hospitals. A survey by the State Department of Public Health revealed that over 7,000 patients, or 35.5 percent of all patients in the county hospitals of the State are senile.

These facts call for renewed consideration of rehabilitation programs and restorative services for the aged, and should include in addition to plans for general and special hospitals a discussion of various specialized institutions, convalescent nursing homes, and the possibility of home care. We realize that more definitive surveys are needed of the many aged persons suffering the various infirmities due to old age. We must know more of their social and economic circumstances and the needs for specialized types of services and care.

We realize also that the most effective ways to assist the aged are those undertaken before they grow old. Adequate food, housing, and medical care are necessary for everyone's security, but it is equally important that a wholesome, flexible way of life be established in earlier years to prepare for the later ones.

So we are faced with a long-term task; first, to make possible a way of life for all people so that they can remain physically and psychologically healthy as they grow old; and secondly, to help families learn how to live with their older members and handle the problems of aging.

But today at this conference we are primarily faced with the necessity to plan more adequate care for those who are now senile and need our help. Our plans should take into account their physical needs for shelter, food, comfort, and protection from harm, as well as their emotional needs for recreation, companionship, and continued ties with families and friends. We must remember that these senior citizens, each of whom has made a contribution to life, richly deserve to have every consideration during their declining years.

I know that in the hours ahead your deliberations will be most fruitful. I assure you that your recommendations will receive the earnest consideration of both myself and our state departments.

PRELIMINARY REPORT OF THE GOVERNOR'S CONFERENCE ON CARE AND TREATMENT OF SENILE PATIENTS

This conference, to which 116 people were invited, was held in the Senate Chambers of the State Capitol in Sacramento, on September 14, 1950. The conference was called for the purpose of planning more adequate care for senile persons in California.

Governor Warren opened the meeting. He welcomed the members of the conference; presented a general statement of the problem and its implications; and asked that the conference devote itself to defining the problem, determining what facilities can be devised to solve it and how these facilities can be financed, and preparing and voting upon recommendations for action.

Dr. Frank F. Tallman, Director of the Department of Mental Hygiene, then called upon representatives of four agencies especially concerned with providing care for these patients, to report on the problem as they saw it.

Dr. Lester Breslow of the State Department of Public Health reported that over a third of all patients cared for in California's county hospitals, or about 7,000 patients, are senile. Also, about 10 percent of the patients in private nursing homes are senile.

Mr. Louis Kuplan of the State Department of Social Welfare reported that in July, 1950, there were in California nearly 900,000 people aged 65 or over, 30 percent of whom received old age security. Nearly half of the aged population of the State are dependent upon public assistance or upon relatives or friends for support. By 1960 there will probably be about a million and a half people aged 65 or over in California. Since a large proportion of old people, and hence of senile patients, are financially dependent, their care will be an increasing problem for government in years to come.

Mr. Kuplan also briefly summarized provisions of H. R. 6000, which recently became federal law. H. R. 6000 establishes a new class of persons eligible for benefits—permanently and totally disabled, and some senile patients may be eligible for this aid. H. R. 6000 also provides that the Federal Government will participate in payment of old age security, aid to the blind, and aid to the totally and permanently disabled while the recipient is receiving medical care in a public medical institution, unless he has been given the diagnosis of mental illness or tuberculosis. All the implications of this law are not yet clear, but it will have a vital effect upon our planning for senile patients.

Mrs Genevieve Dodge of the Los Angeles County Mental Health Department reported on the county program for senile patients, which is the largest in the State. The senile patients who are brought to the Los Angeles Psychopathic Court are usually far beyond the point of suitability for care in their own homes, and their families have been struggling with the problem for years before seeking help. These patients need not psychiatric care but good food, adequate supervision, and freedom from anxiety There are now over 3,500 senile patients cared for in Los Angeles County under the supervision of the Mental Health Department. The greatest present need is hospital facilities for senile patients who are physically ill. However, the county will need help from the State for any increase of services.

Dr Lawrence Kolb of the Department of Mental Hygiene said that one of the most striking and depressing changes in our cultural pattern during recent years has been the failure to provide care at home for the aged and the tendency in all states to send more aged people to mental hospitals, although all psychiatrists agree that such hospitalization is unsound. Although these patients do not belong in mental hospitals, many improve there because they receive good food and care. More than 15 percent of the patients aged 60 or over who were admitted to the California state hospitals in the year ending June 30, 1949, had been discharged by June 30, 1950. On the other hand, many aged patients admitted to state hospitals die within a few days, and it is evident that these patients were not psychotic but suffering from a terminal illness accompanied by mental symptoms.

A recent survey of patients aged 60 or over who were admitted to state hospitals in June, 1950, indicated that about 55 percent of these patients probably could have been cared for more appropriately elsewhere if adequate facilities existed. More than half of the aged patients now resident in our state hospitals have the diagnosis senile dementia or cerebral arteriosclerosis, and more than half of the patients with these diagnoses could probably be cared for better elsewhere.

As a preliminary to group discussion, Dr. Tallman defined the group of patients properly called senile: Aged persons who have marked loss of memory, are childish, mildly irritable, restless at night, careless in toilet habits, bedridden by the infirmities of old age, and who become troublesome nursing problems because of soiling or difficulty in feeding. Not included are old persons who become markedly delirious or depressed, agitated, destructive, or paranoid and threatening, as these are proper patients for admission to state hospitals.

Dr. Tallman emphasized that the group was to direct itself to consideration of providing more adequate facilities for senile patients, not to preventive measures and gerontology, although these must form part of any complete program for this group. Dr. Tallman then asked that members of the conference present additional data on the problem as they knew it.

A conference member presented additional material on the problem in Los Angeles County. The psychiatric ward at the county hospital, which has a rated capacity of 100 beds, has been overcrowded for five or six years, at times housing 190 patients. A new psychiatric hospital with a rated capacity of 268 beds will be opened in 1951. It is hoped that part of the space can be used for treatment of acute psychiatric illnesses. It is feared that, instead, these facilities will soon be overcrowded because of a heavy influx of senile patients. The county has recently increased its rate of payment for care of patients in private sanitariums, and plans expansion of Rancho Los Amigos, the county facility for care of senile patients However, the county taxpayers cannot continue to assume full responsibility for this extensive and still growing program.

The chairman of the health and hospital committee of the county supervisors' association reported that all of the counties are acutely aware of this problem. All county facilities are overcrowded, especially those for the senile. Only 30 percent of county hospital beds are available for senile

patients, who constitute 36 percent of county hospital patients. County psychopathic wards are sometimes crowded 100 percent beyond capacity.

Many counties now spend 30 cents of the tax dollar for welfare costs. In all but eleven counties, tax rates for 1950-51 have increased by between one and eighty-eight cents. This is a greater average increase than in any previous year, and to a great extent it is due to the county cost of old age security. House Resolution 6000 may help but the counties will also need assistance from the State in capital expenditures for increased facilities and in per-day-patient subsidies.

During the discussion which followed, members of the group brought out general considerations in planning for the aged which reached beyond the assigned task of this conference. It was agreed that adequate planning for senile patients involves community and individual education about the aging process, guidance, consultation services, group work programs, and provision of recreational and vocational resources. Opportunities for group living and continuing usefulness can do much to retard the deterioration of the aged.

Governor Warren said he was sure that all of these matters would be discussed during a subsequent state-wide conference to consider the provision of more adequate services for the aged to be held in the spring of 1951. The special problem of institutional care for the senile was singled out for this conference, because of its urgency and the need for prompt action.

Several discussants stressed the importance of encouraging the family to continue their responsibility for aging members, and urged that no action be taken which might make it easier for families to place this burden upon the community.

Governor Warren felt it was the general will of conference members that our planning for senile patients should foster independence and family unity and keep as many patients as possible out of institutions.

It was pointed out that, rather than trying to "dump" their aged relatives on the community, many families continue to keep senile patients at home at a great emotional cost, especially to small children. If families are to keep their older members at home, they need expert help and guidance from professional people—doctors, psychiatrists, nurses, and social workers—in how to handle problems of the aged without damage to family life. Also, old people themselves would benefit greatly from guidance services.

The group recognized that, allowing for the maximum degree of family responsibility, government still must protect and care for the aged who are alone or whose families cannot care for them. Government must have facilities for these patients, and if the financial burden becomes too heavy for the local community, state resources should be used. Government also is responsible for protecting patients, whose families can pay for care in boarding homes or private institutions, by setting standards for housing and care.

The group agreed that mental hospitals are not the proper facilities for care of these patients. If circumstances permit, the old person is usually happiest in his own home. If placement outside the home is necessary, the choice of facility depends upon the patient's means and his condition.

Licensed boarding homes for the aged offer a comfortable and protected living situation for senile patients with mild symptoms. About 6,000 old people, many of them mildly senile, are now cared for in such homes, and the program might be expanded considerably by active recruitment of homes and careful selection of patients for placement. Private nursing homes, rest homes, and convalescent homes are also suitable for these patients.

Many senile patients are physically ill and need the facilities of a private or public general hospital.

Another large group of senile patients need close supervision so that they will have physical care, protection from the possible dangers of forgetfulness and confusion, and help in caring for their own personal needs. These patients need the kind of care which can be provided by a private nursing home, a private institution licensed for care of the mentally ill, or infirmary facilities attached to a county hospital.

One discussant suggested that we need to work out a flexible program for these patients, which will make it possible to provide each patient with the kind of care he needs promptly and without the necessity to take him through a court procedure and declare him mentally ill as the only way to provide public funds for his care. The removal of such cases from the jurisdiction of the courts would save money and protect the patient and his family from an experience which is often painful and frightening

Representatives of private sanitariums indicated that complicated licensing regulations and rigid application of local zoning ordinances were limiting the possibility of expanding their facilities to offer additional service to these patients.

A number of members of the group felt that even maximum expansion of private facilities would not meet the entire need, since this maximum is limited and the cost of care in these facilities is high. Hence, there is urgent need for expansion of public facilities for institutional care of senile patients.

There was general agreement that elaborate medical institutions are not needed and that cottage-type facilities attached to county hospitals would be less expansive and more home-like and cheerful. Reduction to the minimum of state regulations for construction of such facilities would make it possible for small counties with limited funds to provide more adequately for these senile patients.

General hospitals, both public and private, should be encouraged to establish geriatric and infirmary units so that the senile patient can be given appropriate care and moved within the hospital when his condition requires it.

At this point, the group went on to consideration of how more adequate public institutional facilities for senile patients may be financed, and Dr. Tallman called upon Mr. Charles I. Schottland, Director, Department of Social Welfare, who had just returned from a meeting in Washington on HR 6000, to explain the provisions of this legislation further. He stated that, in order to be eligible for federal funds while cared for in a public medical institution, the aged, blind, or disabled person must be receiving medical rather than merely custodial care. A person is considered "totally and permanently disabled" if he is unable

to perform any kind of work, even ordinary household duties, and if he cannot be cured by any resource now known to medical science. Many senile patients, if not diagnosed as mentally ill, will be eligible for aid under this program.

Use of Hill-Burton funds for construction of hospital facilities for these patients was discussed. It was pointed out that funds cannot be granted for construction of purely custodial or infirmary units, but can be granted for acute units or geriatric units with a definite program of medical treatment.

The group agreed that, in order to provide more adequate care and treatment facilities for senile patients, the counties will need financial help from the State in both construction costs and operating expenses.

The provisions of the Hill-Burton Act and of HR 6000, if these are implemented by the State Legislature, will assist the counties. However, it appears that additional aid from the State will be needed.

In the light of this discussion, four resolutions were framed, presented to the conference, discussed, and adopted unanimously. Governor Warren then thanked the conference members for their contributions and closed the meeting.

The four resolutions follow:

1. We recognize the importance of increasing our cultural understanding of and respect for the process of aging and all that it entails, and we recognize that the ideal environment for taking care of the problems of the aged is the closest attainable to the home environment. To the greatest possible extent, these principles should be applied in meeting the problems of the senile through the development of educational, religious, public welfare, public health, voluntary, and other related services. Beyond this, we recognize that local and individual circumstances may make adequate home care impractical and that the need for developing adequate institutional facilities is acute, both to meet the needs of the senile themselves and to relieve the present burden which these patients place upon the facilities of the mental hospitals and the general hospitals in the State.

(Committee Chairman: E. S. Rogers, M.D.)

2. We resolve that:

a. It is clearly recognized that private family resources and the facilities of private institutions which meet publicly established minimum standards should be utilized to the maximum in the care of senile patients.

b. It is also clearly recognized that additional and more appropriate public facilities are needed to care adequately for these patients.

c. These public facilities should be constructed and operated by the counties and the State under state-established standards.

d. The cost of constructing and operating these public facilities must be shared by the State and the counties on an equitable basis.

(Committee Chairman: Right Reverend Monsignor Thomas J. O'Dwyer.)

3. Since the elderly person presents special treatment problems in a general hospital, we recommend that:

a. All general hospitals in sizable communities establish geriatric units in order that special attention may be given to the treatment of acute illness in elderly patients

b. For the construction of such geriatric units, general hospitals should use federal funds now available on a matching basis.

c. Each county of sufficient size should establish an infirmary unit for the care of the chronically ill, located within easy travel distance by ambulance from a general hospital.

d. State funds should be made available to supplement the cost of the care of acute and chronic patients in the geriatric and infirmary units of general hospitals.

(Committee Chairman: A. E. Bennett, M.D.)

4. This conference strongly urges the State Legislature to enact all necessary legislation to enable the State of California to take full advantage of recently enacted federal legislation (H. R 6000) in the provision of adequate aid and care for senile persons.

(Committee Chairman: Dr. Milton Chernin.)

NATHAN SLOATE
Conference Secretary

September 20, 1950.

CHRONIC DISEASES

Magnitude of the Chronic Disease Problem [1]

Chronic diseases accounted for the deaths of 66,518 persons in California during 1947—more than two-thirds of the total number of persons who died in the State that year. Forty percent (26,108) of the chronic disease deaths occurred among persons under 65 years of age. Cardiovascular diseases and cancer were the leading causes of death.

The number of persons who die each year from the chronic diseases is only a fraction of the total number of persons who suffer from chronic illness. The best available data suggest that in 1947 California had approximately 104,000 persons disabled the entire year by chronic illness and approximately 351,000 disabled for periods ranging from one week to one year. Over two-thirds of these 455,000 persons were less than 65 years of age.

The estimated number of diagnosed cases of cancer during 1947 in California was 50,000; the number of diagnosed cardiovascular cases was several times as large. During the first year of operation (1947) the California disability insurance state plan, covering less than one-third of the State's population, paid disability benefits amounting to more than $7,000,000 for a total of 380,000 weeks of illness due to certain of the chronic diseases. This expenditure, partial compensation for wage loss, did not include the cost of medical care, hospitalization and allied services required for most extended periods of chronic disability.

The cases included in the above estimates are, of course, those which have been diagnosed. Accurate estimates cannot be made of the number

[1] Taken from the Report of the California Chronic Disease Investigation

of undiagnosed cases. There are indications, however, that without being aware of it, as many as 100,000 Californians have heart disease and 70,000 have diabetes.

There are relatively few families not affected by a chronic disease at some time. There is hardly any area in the State that is unaware of the effects of these diseases on the welfare load and on the demands for medical, hospital, nursing and related services.

A significant proportion of disability from chronic diseases might be prevented with present medical knowledge. For example, it is estimated that 30 percent of the patients that now die of cancer could have been cured [2] had they received prompt and adequate treatment when the lesion first was discoverable.

SENATE BILL No. 1424

Introduced by Senator Hugh M. Burns

January 29, 1949

REFERRED TO COMMITTEE ON PUBLIC HEALTH AND SAFETY

An act to add Article 9 to Chapter 2, Part 1, Division 1, of the Health and Safety Code, relating to cancer and other chronic diseases, providing for a chronic disease program and establishing the Advisory Chronic Disease Council.

The people of the State of California do enact as follows:

SECTION 1. Article 9, comprising Sections 425 to 425.5, inclusive, is added to Chapter 2, Part 1, Division 1, of the Health and Safety Code, to read:

Article 9. Cancer and Other Chronic Diseases

425. The term "cancer and other chronic diseases" as used in this article refers to all chronic diseases except tuberculosis and mental diseases.

425.1. The Governor shall appoint an Advisory Chronic Disease Council to advise and consult with the State Department of Public Health in carrying out the chronic disease program provided for in this article. The council shall consist of the State Director of Public Health who shall serve as chairman ex officio and ten (10) members appointed by the Governor from a list of nominees selected jointly by the State Director of Public Health, the Chairman of the Senate Standing Committee on Public Health and Safety, the Chairman of the Assembly Standing Committee on Public Health, and the President of the California Medical Association. The ten (10) appointed members shall include representatives of professional groups concerned with chronic diseases and representatives of the general public. Of the members first

[2] That is, these persons would have survived at least five years without evidence of the disease

appointed, five shall be designated by the Governor to hold office until October 1, 1950, and five shall be designated by the Governor to hold office until October 1, 1951. Members other than the members first appointed shall hold office for terms of two (2) years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed, shall be appointed for the remainder of such term. Council members while serving on business of the council, shall receive no compensation, but shall be entitled to receive actual and necessary travel and subsistence expenses. The council shall meet as frequently as the director deems necessary, but not less than once a year. Upon request by five (5) or more members, the director shall call a meeting of the council.

425.2 The department shall conduct a program directed toward the reduction of deaths and disability from cancer and other chronic diseases. In carrying out this program the department shall:

(a) Collect, analyze and make available statistical information on cancer and other chronic disease morbidity and mortality.

(b) Develop methods and sources for obtaining current data on chronic illness without resorting to universal, regular reporting of individual cases of all chronic diseases.

(c) Expand the tumor registry on a voluntary basis to include all hospitals, clinics, and where practicable, private physicians.

(d) Assist and participate in programs of advanced professional education and training in the field of the chronic diseases.

(e) Encourage local communities to make available adequate facilities and services for the chronically ill; and advise and assist local health agencies in the development of locally administered programs for the prevention and control of cancer and other chronic diseases.

(f) Cooperate with research institutions and professional societies in a survey of research institutions in the State to determine what additional physical facilities are needed for conducting expanded research on the chronic diseases.

(g) Cooperate with all official agencies and all voluntary societies and organizations concerned with the chronic disease, in the development, improvement, and coordination of necessary services and facilities for an effective disease program.

425.3. The department may accept financial or other assistance made available to it by any private, state, federal, or other source, to further the provisions of this article.

425.4. This article does not authorize any form of medical or physical examination, treatment, or control of any person.

425.5. In carrying out the purposes of this article, the department shall submit to the Governor and the Legislature, at each regular session of the Legislature, a full report on chronic disease prevalence, control, prevention, facilities, and care in the State.

SENATE BILL No. 1425

Introduced by Senator Hugh M. Burns

January 29, 1949

REFERRED TO COMMITTEE ON PUBLIC HEALTH AND SAFETY

An act to provide an appropriation for the chronic disease program of the State Department of Public Health.

The people of the State of California do enact as follows:

SECTION 1. Out of any money in the State Treasury not otherwise appropriated, there is hereby appropriated the sum of one hundred thousand dollars ($100,000) to the State Department of Public Health to be expended during the 1949-50 Fiscal Year for the chronic disease program of the State Department of Public Health.

CALIFORNIA LEGISLATURE—1949 REGULAR SESSION

ASSEMBLY BILL **No. 1499**

Introduced by Messrs. Thompson, Connolly, Mrs. Niehouse, Messrs. Huyck, Geddes, and Rumford

January 25, 1949

REFERRED TO COMMITTEE ON PUBLIC HEALTH

An act to add Article 9 to Chapter 2, Part 1, Division 1, of the Health and Safety Code, relating to cancer and other chronic diseases, providing for a chronic disease program and establishing the Advisory Chronic Disease Council.

The people of the State of California do enact as follows:

SECTION 1. Article 9, comprising Sections 430 to 435 inclusive, is added to Chapter 2, Part 1, Division 1, of the Health and Safety Code, to read as follows:

Article 9. Cancer and Other Chronic Diseases

430. The term "cancer and other chronic diseases" as used in this article refers to all chronic diseases except tuberculosis and mental diseases.

431. The Governor shall appoint an Advisory Chronic Disease Council to advise and consult with the State Department of Public Health in carrying out the chronic disease program provided for in this article. The council shall consist of the State Director of Public Health who shall

serve as chairman ex officio and ten (10) members appointed by the Governor from a list of nominees selected jointly by the State Director of Public Health, the Chairman of the Senate Standing Committee on Public Health and Safety, the Chairman of the Assembly Standing Committee on Public Health, and the President of the California Medical Association. The ten (10) appointed members shall include representatives of professional groups concerned with chronic diseases and representatives of the general public. Of the members first appointed, five shall be designated by the Governor to hold office until October 1, 1950, and five shall be designated by the Governor to hold office until October 1, 1951. Members other than the members first appointed shall hold office for terms of two (2) years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed, shall be appointed for the remainder of such term. Council members while serving on business of the council, shall receive no compensation, but shall be entitled to receive actual and necessary travel and subsistence expenses. The council shall meet as frequently as the director deems necessary, but not less than once a year. Upon request by five (5) or more members, the director shall call a meeting of the council.

432. The department shall conduct a program directed toward the reduction of deaths and disability from cancer and other chronic diseases. In carrying out this program the department shall:

(a) Collect, analyze and make available statistical information on cancer and other chronic disease morbidity and mortality.

(b) Develop methods and sources for obtaining current data on chronic illness without resorting to universal, regular reporting of individual cases of all chronic diseases.

(c) Expand the tumor registry on a voluntary basis to include all hospitals, clinics, and where practicable, private physicians.

(d) Assist and participate in programs of advanced professional education and training in the field of the chronic diseases.

(e) Encourage local communities to make available adequate facilities and services for the chronically ill; and advise and assist local health agencies in the development of locally administered programs for the prevention and control of cancer and other chronic diseases.

(f) Cooperate with research institutions and professional societies in a survey of research institutions in the State to determine what additional physical facilities are needed for conducting expanded research on the chronic diseases.

(g) Cooperate with all official agencies and all voluntary societies and organizations concerned with the chronic diseases, in the development, improvement, and coordination of necessary services and facilities for an effective chronic disease program.

433 The department may accept financial or other assistance made available to it by any private, state, federal, or other source, to further the provisions of this article.

434. This article does not authorize any form of medical or physical examination, treatment, or control of any person.

435. In carrying out the purposes of this article, the department shall submit to the Governor and the Legislature, at each regular session of the Legislature, a full report on chronic disease prevalence, control, prevention, facilities, and care in the State.

CALIFORNIA LEGISLATURE—1949 REGULAR SESSION

ASSEMBLY BILL **No. 1500**

Introduced by Messrs. Thompson, Connolly, Mrs. Niehouse, Messrs. Huyck, Geddes, and Rumford

January 25, 1949

REFERRED TO COMMITTEE ON PUBLIC HEALTH

An act to provide an appropriation for the chronic disease program of the State Department of Public Health.

The people of the State of California do enact as follows:

SECTION 1. Out of any money in the State Treasury not otherwise appropriated, there is hereby appropriated the sum of _____ dollars ($_____) to the State Department of Public Health to be expended during the 1949-50 Fiscal Year for the chronic disease program of the State Department of Public Health.

LOS ANGELES MEETING, OCTOBER 12TH, 1950

At the committee's meeting held in Los Angeles on October 12th, 1950, there were discussed many phases of the problems regarding chronic diseases. Senate Bill Nos. 1424 and 1425 together with their companion bills, Assembly Bill Nos. 1499 and 1500 had been introduced in the 1949 Session and were referred to the Interim Committee on Public Health for further study, and the following portion of the report relates to these specific bills.

The first speaker to be heard was Dr. Wilton L. Halverson, Director of the State Department of Public Health. Dr. Halverson explained that Senate Bill Nos. 1424 and 1425 and Assembly Bill Nos. 1499 and 1500 were bills based on recommendations made in the 1949 Report of the California Chronic Disease Investigation, said report having been compiled and printed in accordance with House Resolution No. 58 (1949), by Assemblyman John F. Thompson, Chairman of the Assembly Committee on Public Health.

Dr. Halverson went on to explain that in 1947 the California Disability Insurance State Plan paid disability benefits amounting to more than $7,000,000 for a total of 380,000 weeks of illness due to certain of

the chronic diseases. This expenditure—which is only partial compensation for wage loss—does not include the cost of medical care, hospitalization, and allied services required for most extended periods of disability.

Dr. Halverson continued:

"If public health means the health of the people, we in the State Department of Public Health cannot ignore the diseases among our people which are the chief causes of death, serious illness, and disability.

"Since 1946, under its general statutory authority in the field of public health, the department has been carrying on a limited program of chronic disease investigation, particularly in the field of cancer. For this work, federal cancer control funds, and more recently, federal heart disease control funds have been exclusively used.

"Senate Bill 1424 would provide a program as recommended in the California Chronic Disease Investigation. To finance the chronic disease control activities proposed in S. B. 1424, the department estimates that an annual appropriation of $100,000 would be needed. A start could be made with a smaller amount.

"It is, of course, pertinent to inquire as to what the department would do about the chronic diseases if the proposed legislation is enacted. Our general answer is that the department would, under the direction of the advisory committee, provided in Sec. 425.1, carry out the functions listed in S. B. 1424 as recommended in the California Chronic Disease Investigation.

"First, as noted under Sec. 425.2—a, b, c, the department would gather, compile and make available current information on cancer and other chronic diseases in the State. For example, the department in cooperation with the Cancer Commission of the California Medical Association and with the Association of California Hosptals, is now gathering detailed information on cancer cases from a limited number of hospitals in the State. In this way, current information is being provided on the survival of cancer patients under present methods of diagnosis and treatment. Physicians are greatly interested in data on the survival of cancer patients with specific reference to the effectiveness of different methods of treatment. Current information on other phases of cancer control and on heart disease and the other chronic diseases is needed and could be obtained if the proposed legislation is enacted.

"Secondly, Section 425.2-d, the department would assist and participate in programs of advanced professional education and training in the field of the chronic diseases. To a significant extent progress against the epidemic and other acute communicable diseases has been associated with the development of advanced professional education and training in the prevention, diagnosis, and treatment of such diseases. Similarly, we need to promote and stimulate comparable advanced professional education and training in the newer methods of prevention, diagnosis, and treatment of the chronic diseases. For example, a method has been discovered for the early detection of cancer of certain organs of the body. This method—known as the "cytological technique"—is especially effective in the early detection of the uterus and of the lung, which together make up about 20 percent of all cancer cases. In cooperation with the University of California Medical School, the department has

made available a four months' training course in this new technique for laboratory technicians. Incidentally, there are approximately 15,000 cancer deaths in California each year. It has been estimated that 30 percent of the persons who now die of cancer could be saved if the disease were detected early, and if prompt and adequate treatment were received.

"Thirdly, subsection e, the department would—as it has done in other fields—encourage local communities to make available adequate facilities and services for the chronically ill. It would advise and assist local health agencies in the development of locally administered programs for the prevention and control of cancer and other chronic diseases. To illustrate this function, the department has been working with local health departments, local heart associations, and local medical societies in demonstrating new and relatively inexpensive methods for the early detection of such significant diseases as cancer, heart disease, and diabetes.

"This function—of encouraging, advising, and assisting in the development and maintenance of *locally administered* services and programs—is consistent with the basic policy of the department, the policy of promoting and giving full recognition to local autonomy in the administration and control of local public health services.

"Finally (subsection g), if the proposed legislation were enacted, the department could intensify its cooperative activities with all official agencies and all voluntary societies and organizations working for the development and improvement of necessary services and facilities for an effective chronic disease program for California. Here again the department is on familiar ground. For many years the department has worked closely with all public and private agencies in the State for the control of the epidemic and other acute communicable diseases. Such cooperative work pays large dividends in ensuring an efficient teamwork approach and in avoiding duplication of activities. A cooperative attack on the chronic diseases—with private and public agencies on the same team—offers real promise of success in reducing deaths and disability due to these causes.

"A fundamental feature of the proposed legislation merits special emphasis. S. B. 1424 is aimed at the *prevention* of the chronic diseases and the *prevention* of disability and premature death caused by these diseases. If we apply our present medical and public health knowledge and techniques to the control of the chronic diseases, a significant proportion of disability and premature deaths could be prevented.

"As our population increases and becomes progressively older, we can expect to have an increasing number and proportion of chronically ill persons. Directly and indirectly, our State has already accepted many costly responsibilities relating to the chronically ill in connection with welfare expenditures, medical care and rehabilitation expenditures, and expenditures for the construction of hospital facilities. As time goes on, it is likely that the effects of these diseases will result in increasing demands upon the State Treasury, and of course, increasing costs to the taxpayers.

"Thus, the State of California has a very real and substantial interest in *prevention* of these conditions and the disability which they cause.

"Briefly, chronic disease concerns the heart and the circulatory system, cancer, diabetes, arthritis, rheumatism, etc. Principally we talk about cancer because most of our work has been done in that field. I would like to say that two-thirds of all the deaths we record are deaths from chronic disease and 40 percent are under the age of 65. They are a major factor in serious illness and disability in the state and county hospitals; and our clinics, institutions and rest homes are filled with patients with chronic diseases. The welfare and medical loads which result from these diseases are really tremendous. As I have said, our principal work has been carried out in the field of cancer control. Since 1946 with federal funds and under our general statutory authority, we have carried on a limited program of chronic disease investigation, particularly in the field of cancer, and approximately $184,000 of federal funds have been used, principally in voluntary tumor registrations in some of the hospitals of the State.

"The reason for this is that we wish to secure information as to what happens to people with cancer under all different kinds of treatment. This kind of research is of course of great interest to the doctors also. The technique for the diagnosis of cancer is very complicated and requires considerable training. If our bill was passed, we could use some of the funds alloted us to send technicians to the University of California from our county laboratories and other places where technicians are used. This should be augmented, and I am sure that with the development of this technique and other techniques it will be possible to diagnose cancer and other diseases earlier in the game. About 30 percent of the people who now die of cancer could be saved if given proper treatment early enough.

"The death rate from tuberculosis has been cut in half during the last eight years. In 1942 the death rate in California was 50 and this year it will be about 25. That is an example of what can be done if the private physician, the voluntary agencies, local communities, and state organizations, such as the Department of Public Health, get together to get a job done.

"The fundamental feature of our program in chronic disease is prevention. You can't prevent all chronic diseases, but you can prevent some; and you can prevent a great deal of disability from chronic disease if you just apply yourself to it and apply the present knowledge which is resulting from our research.

"In conclusion, I would like to say that with our increasing population, this load of chronic disease is becoming more and more unbearable and insupportable. We are doing as much as we can in the field of prevention now but with help in the way of appropriation and facilities there can be a real and substantial saving in the number of deaths and cases of disability resulting from these diseases."

Assemblyman Connolly: Dr. Halverson, on this program, did I understand you to say you have it broken down * * *?

Dr Halverson: Yes, we have a breakdown here but there would probably have to be some changes in it. I would just like to say that this $100,000 is an arbitrary figure. We feel that is just about what it would take to activate the program in a reasonably short time. It could be less or more, but this is the breakdown which we had when we talked about it. And, as I say, it is subject to some change.

Proposed Budget for 1949-50—Chronic Disease Service
California Department of Public Health

Chief of service	$7,728	
Senior administrative analyst	5,772	
Chronic disease nursing consultant	3,540	
Medical social worker, grade 3	4,092	
Associate statistician	4,512	
Senior public health analyst	3,720	
Junior public health analyst	2,772	
Senior stenographer-clerk	2,640	
Intermediate clerk-typist	2,280	
3 intermediate clerks	6,840	$43,896
Retirement charges	$4,000	$4,000
OPERATING EXPENSES		
Pro rata (personnel and fiscal)	$1,000	
Office	500	
Printing	500	
Travel	5,000	
Telephone	300	
Postage	250	
Postgraduate education program	20,000	
Collection of chronic disease morbidity reports and follow-up	25,000	$52,550
Equipment	$1,000	$1,000
		$101,446
Salary savings		$1,446

Assemblyman Connolly: Now, just for the purpose of the record, this proposed budget which was set up for 1949-50, this includes $43,000 plus for personnel, $52,000 plus for operating expenses, $4,000 for retirement charges, $1,000 for equipment; making up an approximate total of $100,000. This is presumably close to what it would be for next year?

Dr. Halverson: Yes, that is right; if we decide we want to go that fast, that is just about what it will take

Assemblyman Connolly These federal funds—$184,000—that has been given to the department over the past several years?

Dr Halverson: Yes, but not in that same figure. In addition there was $85,000 from the Heart Foundation used. Most of the money was made available to local agencies, and used in Los Angeles and San Diego, mostly for diagnostic work and surveys.

Assemblyman Connolly: Is that $184,000 an annual figure?

Dr. Halverson: That is the approximate amount received the past year and we expect the same amount this year.

Assemblyman Connolly: Then, in addition to that there was the $85,000 from the Heart Disease Fund. Is that on a matching basis?

Dr. Halverson: Not a strictly matching basis, no.

Assemblyman Connolly: In other words, that is appropriated directly to the state department for these investigations?

Dr Halverson: Yes, and reallocated to the communities. A large block of the cancer fund is being used in tumor registries in the larger hospitals, at the present time, to get information on what happens to cancer cases under various treatments.

Assemblyman Connolly: Is it safe to assume that these federal funds will continue?

Dr. Halverson: For this coming year they will be as they are now, but from then on, I don't know.

Assemblyman Connolly: That was allocated out to the local communities in a large part?

Dr. Halverson: Yes, plus, in addition to that, the small staff we have at the present time—its salaries are paid from that fund.

Assemblyman Connolly: Were many of those people included in your budget for last year?

Dr. Halverson: They are not included here except for the fact that we feel that the chief of the service should be on the state pay roll.

Assemblyman Thompson: Has this been brought before the Ways and Means Committee?

Dr. Halverson: We did not appear before them and it was not considered by them. However, it was approved by the Senate Finance Committee.

Assemblyman Connolly: On our side it was held in our committee so it didn't get to Ways and Means.

Assemblyman Thompson: On this $100,000—wasn't it $120,000 last year?

Dr. Halverson: No, it was $100,000.

Assemblyman Thompson: Then the $184,000 does not take care of what you have listed here?

Dr. Halverson: No, we have felt that these features which were decided upon by the advisory committee and by the department should not consume these federal funds allocated for purposes I have mentioned —tumor registry, local surveys, etc.

Assemblyman Connolly: Well the only thought I have, doctor, and perhaps I am only suggesting things to you for your consideration—what amount of this staff might be continued on out of federal funds, thus decreasing the appropriation necessary for the State to dig up; in other words, is it possible to work that out? You have a limited staff now under federal funds. If it would be possible to carry them on, it would be a saving to the State.

Dr. Halverson: It would be possible excepting then the program would have to be curtailed by that amount.

Assemblyman Connolly: In other words, your staff under the federal funds is busy full time now.

Dr. Halverson: That is right.

Assemblyman Rumford: What type of program would you set up for the prevention of heart disease? What type of program would you attempt to administer it?

Dr. Halverson: That is a rather complicated subject and I think an expert should answer it, although I may say that there is one thing * * * in the mass surveys which we have attempted, we have found that when you X-ray a person, principally for detecting tuberculosis, of course, an X-ray of the chest will often at the same time show some cardiac condition not found before. These patients can be placed under care earlier if there is some way of doing it. The main purpose of the X-rays of course is to detect tuberculosis and the money is provided for that purpose. But that is one way in which some results could be obtained in the field of heart disease. I think we have some witnesses here who might answer it more fully. The answers are not as simple in these chronic diseases as they are in communicable diseases, about which

we know more at the present time. But we must start somewhere. We must use the information we have at the present time much better than we are now using it.

Assemblyman Connolly then asked what, if any, overlapping there is between such a program as this and the various voluntary organizations doing work in this field, and to which people are asked to contribute funds.

Dr. Halverson: I do not think that there will be any overlapping at all. One example is the cancer program. We do not overlap. We work on the program together so there is no overlapping. Section G says we will work with voluntary organizations—both official and voluntary, so there will not be duplication and overlapping.

Assemblyman Connolly: Can you give me a quick answer as to voluntary organizations—as to what they actually do with those funds? How do they disburse them?

Dr. Halverson: Yes, but there are some other folks here who can give you a better answer. In the field of education, their funds are limited. These funds are not used to any great extent for treatment but principally for the type of thing we call "health education", and for early diagnostic procedures. This work is carried on in the county hospitals through the Cancer Commission and the work of the association.

Assemblyman Connolly: That is the immediate problem that occurs to me. The American Cancer Society is working in the preventive field and you propose to do the same thing. If you both work in the preventive field, can you utilize funds without overlapping?

Dr. Halverson: That is an important question. I think that can be answered from both standpoints in a strong affirmative.

The next witness called on was Lewis W. Guiss, M.D., who testified in the role of a private physician and surgeon interested in the problem of cancer, its treatment and diagnosis. His testimony was as follows:

"The first major project I am interested in is the tumor registry at the county hospital. Its work has been possible through funds designated in part by the American Cancer Society and in part by the State Department of Health, and through these funds we have been able to set up a tumor registry through the county hospital where all cases of cancer or suspected cancer cases are registered. And by this registry we are able to know exactly what the cancer load in the hospital is, what the results are from the various forms of treatment. It gives us a great deal of information in regard to what the treatment is and, in addition to that, it helps us a great deal in maintaining the patients in treatment. At any time the patient fails to show up for treatment on schedule we know immediately through our follow-up system that he has failed his visits, and we investigate to see why. Through this method we have been able to improve our care a great deal. We are reaching about 1,500 cases annually and it is consistent. Through our follow-up endeavors we have a running record of what is being accomplished. This work would have been impossible for us to organize and carry out had we not had the interest of the State Department of Health.

"The other project I am interested in is the mass patient X-ray survey. When this program was begun it was obvious that a number of chest tumor suspects would be uncovered, and it would give us definite

information as to what the residence of lung cancer might be in the general population. There was a great deal of discussion early in the program as to just who should deal with this program Everyone agreed that a registry should be set up, but no one was quite sure who should do it. The American Cancer Society did not feel it was one of their duties. Accordingly, the problem was turned over to the Cancer Committee of the Los Angeles Association, and after a meeting it was decided this was a proper function of theirs. Accordingly then we set up a plan of registering all suspects and following them to see what happened to them. Again in this case the entire cost of the project was supplied by the State Department of Health, primarily because no local funds were available and it was considered a worthy cause. The data is still incomplete because the survey is still going on. However, we have a total of about 1,200 chest tumor suspects that have been uncovered through this program. We have them registered and we are following them to see just what is going to happen to them. Over half of these patients have been referred back to their private physicians for care. We do not enter into the treatment field at all, but we are trying to encourage the patient to seek the treatment he needs. Of the proven cases that we have in the registry the surgeons were able to operate and remove the lungs of 65 percent of these patients, and almost without exception, these were patients who did not know they had anything wrong with them at all and they were cured during an early stage of the disease."

Rumford: In regard to your mass X-ray surveys—is there any cooperation between the American T. B. Association and the effort?

Guiss: I can't tell you exactly. All I know is that the chest tumor survey has been made possible by state help.

Rumford: I was wondering if there had been any referrals from the association.

Guiss: We work together on it. They investigate it and refer it to us if they feel there is a possibility of a chest tumor there.

Connolly: You are familiar with this expanded program of the state department that we are considering today?

Guiss: Yes.

Connolly: What do you think about the proposal?

Guiss: It seems to me to be very worthwhile. Apparently an advisory committee will be appointed to act in an advisory capacity and will have a great deal of say along the lines that it will be directed.

Connolly: As I understand, the program at the moment provides mostly for this cooperation and advice, etc. The present program did not make any more funds available for local use because the funds are somewhat limited in nature and would be used up at the state level. Does that sound logical to you, or do you think more funds should be made available for the local people?

Guiss: I am not sure just how the money would best be allocated. I am not in a position to say that. I feel that the extension of the tumor registry is important. I know that the general standard of care of cancer cases in institutions that are able to maintain it is higher by the fact that a registry is there. How many hospitals and institutions will be able to

organize them I don't know, but I think almost all tumor registeries and clinics do have to have some outside support.

Connolly: There may be some provided in here.

Guiss: The proposal is to expand them, but I don't know whether the present budget calls for any financial assistance. That would be a problem as to whether or not the local people could set up a registry without outside help.

Dr. Halverson: I think the budget shows about a fourth of the money for that.

Connolly: There would be $2,500 at least available to the local communities for these expanded registeries.

Dr. Edward M. Butt, Chairman Executive Committee, American Cancer Society (California Division), Professor of Pathology, University of Southern California Medical School, was the next to appear before the committee, and he testified as follows:

"We have the clinical tumor registry to which the State has given funds, along with the Cancer Society, to support it. We also have a tissue registry for tissue which we collect from all over the State. The money is supplied principally by the American Cancer Society. We also have surveys of blood, urine and excretions of the body which we test for tumor cells. This is more or less a new development in which the state department has been interested; in fact, they have given most of the money to train technicians in the county hospitals. We think it is a very fine division. This has given us an opportunity to check up on a great many cases of carcinoma. (Papanicalaou department.)"

Chairman Thompson: Would you tell us where funds for the chronic disease program would help your hospital?

Dr. Butt: Certainly, from the development of this department it was very essential. We had no other way of getting money for this training. Certainly I feel the help we have been given for clinical registry—well, we would have been unable to work without state funds to take care of it.

Chairman Thompson: The money which you have received—does that come from the state or federal appropriations?

Dr. Butt: I think it is from the federal appropriation but administered through the state division.

Following is the testimony of Leroy R. Bruce, Member of the Board of Trustees and Past President of the Association of California Hospitals, and Director of the Los Angeles County General Hospital:

"I am principally interested in this program because of its aspects with relation to the administration of hospitals. I believe it is a well known fact in California that we are very short of hospital beds. That is especially true here in Los Angeles County, probably more so than in any other area of the State We find that most hospitals, and particularly public institutions, are pretty badly jammed with chronically ill people. The occupancy of an acute hospital bed in the institutions, such as I administer, which is a hospital designed by the taxpayers for the care of acute medical and surgical cases, when those acute beds are occupied by the chronically ill person it deprives the acutely ill person of his proper care. Well, let's put it this way: The average daily stay of an acutely ill patient is approximately 13 days A chronically ill person

occupies it anywhere from three months to a full year, and even longer. That bed is then denied to a critically ill person.

"There is a National Council on Chronic Illness which is a voluntary organization, set up because of the recognized fact that chronic illness is a situation which needs attention, not only on the local, but on the national level. However, this organization is primarily engaged in educational and research types of inquiries, and nothing in the way of prevention, treatment, or prevention facilities. There is a great need for a program, I believe, which is coordinated to the extent that all of the hospitals and all of the people in the professions can have the benefit of the information gathered at the local level. You can't do that unless you have one agency to correlate the information and make it available to the other institutions and agencies throughout the State and Nation; and I believe, as the administrator of the hospital, that it would not have been possible for us to have carried on this work in tumor registry which has been mentioned here before today. You might be interested in knowing that when this tumor registry was set up with money provided by the State Department of Public Health, the Cancer Society and the U. S. Public Health Service, we went back and reviewed the cases of 10 years standing, and there was a follow-up on every single cancer case which had gone through our hospital within a 10 years' period, to determine what had happened to the individual case, whether or not treatment or surgery had been successful, or whether patient had died; and if living, what was his present condition, etc. It is interesting to comment that the result of our follow-up was a 98 percent reply. We even found that some of the patients had been operated on for cancer in foreign countries, in Denmark, Sweden, I believe there was one in Peru, and one in Alaska So, it gives to the professional person that information. Then they can go back and study the records of the case to find out the results of different treatments, and eventually set up a pattern. It would also have been impossible to conduct our program which provides microscopic slides of tumor tissue of various kinds to laboratories all over the State and other states. Some are unusual cases and rare types of cancer and the benefit of this knowledge is tremendous to all organizations working with cancer. Where we now have 82,000 patients a year, we will have probably twice that many going through the outpatient every year who need a clinic of that type. The benefit of all this clinical, medical and chronic disease information would have been entirely lost to the public and to the individual had not this follow-up been made. We have received, in addition to the support for these registries, additional money from the Cancer Society for assistance in converting a building into a cancer research laboratory where we will follow up in medical research and other activities, the information which is being developed and brought to the forefront by the tumor and tissue registries. Out of a daily occupancy of 3,300 beds, 471 are occupied by the chronically ill, outside of those with tuberculosis and outside of those who have senile psychosis. They are occupying beds designed for the cure of acutely ill medical and surgical patients."

Assemblyman Connolly: I have a question—the only one which occurs to me right now, Mr. Bruce, is the question of your problems from the hospital standpoint in connection with the continuing use of beds by

chronically ill patients and depriving the critically ill of those beds. A program like this, if carried out, would probably bring in more, rather than less, of the chronically ill.

Mr. Bruce: It might immediately, but I think on the long term plan of a preventive program, we see what has been done in tuberculosis and venereal diseases, and many other fields of medicine, which has cut down the incidence of such disease. If we could determine not only what causes cancer, but what causes multiple sclerosis, cardio vascular diseases, diabetes, and other things, and set up a preventive program, we will have less of a demand of this type of patient upon the facilities of the State. I am not speaking solely of the Los Angeles hospitals, but as past president of the Association of California Hospitals, which position I held for two years, I know pretty much what the problem is throughout the State. Our hospital is typical of most county hospitals and also in the voluntary hospitals, that chronic patients are their great problem. Any patient who has to occupy a hospital bed for more than three months is considered to be a chronic patient.

Assemblyman Rumford: Doesn't this program pretty much cover the whole field of medicine? It seems to be quite extensive for the amount of money you are going to have to work with.

Mr. Bruce: I think this will only be a start. After all, many states have already set up a program for the study of the chronically ill and the conditions that jam up the professions and the institutions with this type of case; and certainly, ultimately, out of these combined surveys will come some answer.

Assemblyman Rumford: Do you have any prevalence of sickle cell disease in your institution?

Mr. Bruce: I would have to ask some of the medical men. I know that we do have that type of disease because it becomes my responsibility to approve very extensive medication necessary in those cases. Anything out of the ordinary, or which is going to cost more than a normal amount of money on any individual case, comes to my attention because it is my responsibility as the administrator having the responsibility for the budget, to approve it. I do know they are there and they come to my attention in that way, but there are other members of our staff here—Dr. Butt is here—I think he can tell you. They are isolated cases, I think.

Dr. Butt: We have a great many patients with sickle cell disease and it has been the subject of study by our pathologists. It is one of the chronic diseases we are very much interested in.

Following is the testimony of L. A. Alesen, M. D.:

"The California Medical Association is interested in supporting any legislation that will make available to any citizen the best possible grade of medical care at a price that citizen can afford to pay. I do not believe I need to substantiate that statement, because we were the pioneers in developing in California the California Physicians Service which, as you know, has grown by leaps and bounds.

"I ask your permission to digress in bringing a bit of background. Let's talk about the equilibrity of the species and I will show you why I am so interested in it. Let's go way out into the Pacific. At any given time upon the islands there will be found a certain number of species of plants and animals representative of an organization of life on that island. From

time to time, depending on climatical changes found, those numbers and kinds will vary. But here is the most important factor. Nature tends to limit the number and kind of animal and plant species, and that equilibrium of the species represents the greatest possible number of plants and animals that that particular geographic location can support at any given time. That represents the most effective use of it. Nature has been working on this for many years. We have taken on pants and dresses, etc., so that the thin veneer doesn't amount to too much economically. Today we have about 150,000,000 people offering their goods and services for exchange in what we used to call the free market. The result of getting the most effective use of the goods and services offered is what is known as the equilibrium for any good service or commodity, and that price is the price that most citizens are willing to meet. As a result of the free market in this country, we have the greatest civilization this country has ever known. Other countries have far greater natural resources than we have. The only reason America is so highly superior is because until recently we have interfered with the natural intent of nature to a minimum degree.

"This has a very direct bearing on our medical care. The American people today are the healthiest people in the world, bar none, when comparable populations are considered, and I would like to impress that. To be sure, there are two or three other nations in the world where the death rates are said to be lower than is to be found in America. For example, Australia and New Zealand statistics are quoted. We are always hearing about Sweden and Denmark. Swedes live longer in Minnesota than in Sweden.

"The California Medical Association has instructed me to say to you that we are interested in supporting any measure to help the health of the American people. We don't always see eye to eye with Dr. Halverson but we usually arrive at some satisfactory conclusion. We can see no objection to the appointment of an advisory committee as is set forth in Article 9, Section 30. In the psychology of most of Section 432 particularly we see no objections, if satisfactory safeguards are provided. I was amazed to hear Dr. Halverson say today that he was talking about the treatment of diseases so much. They have told us time and again they did not wish to engage in any treatment at all You will recall that the statement was made in Section 29. Now as far as we are concerned we do not want to be in the position of saying 'No' to all good legislation. We believe there is a place for legislation of this kind if it can be safeguarded properly. What could this do? It could afford a very excellent means of collecting statistics on chronic diseases. You should all like to know something about the various kinds of treatments and their effectiveness, and I think the public is entitled to know something about that also. If the public health department is willing to stay in that field, well and good.

"There are two questions I would like to bring forth. First, is there no private agency by which the individual could receive the same type of service? I believe that has been answered somewhat in the negative, that there is apparently a lack of facilities, so I think that such a bill has at least some desirable point. Second, what does this proposed legislation do to the individual member of California society? Would it tend to make him more or less dependent on his own resources? If this particular piece

of legislation merely limits its activities to the collection of statistics I think the bill is desirable, because it would not in any manner weaken the individual's reliance on himself.

"The cost doesn't seem to be too great. The figure of $100,000 has been mentioned here. If a program gets started there will emerge other reasons for expanding the program, and when we are trying to curtail expenses, I doubt if the Legislature can see its way clear to increase this too much. Let it be remembered that our medical people are going to be called upon for medical services and it may be that this may be a reason for curtailment. The Los Angeles County General Hospital has 1,000 staff members who give their services freely and conscientiously to their patients. Of course they profit, but in the long run the patients profit more.

"The California Medical Association will support a measure of this kind providing Section 434 remains and provided that the Legislature will not try to enter into the field of medicine by the back door."

Connolly: With regard to this collection of statistics, you agree that there is no agency at the present time which is doing a job in this field, and you agree it should be done. Is that your position?

Alesen: Yes. There is no agency which coordinates all these various kinds of services, but apparently such an agency could collect and correlate those data, and second, it might further serve the purpose of making available to the public the various types of treatments which are available.

Connolly: As I read the specific provisions, they seem down the line to refer to statistical information and obtaining current data, expanding the tumor registry and encouraging the local communities to make these facilities available and advise and assist them. So it apparently is set up here as statistical and educational and advisory, and so far as you people are concerned if that were the situation and if any additional safeguards were necessary, it would be limited to those you people would be in favor of.

Alesen: That is right. It was our feeling about a year ago.

Dr. Lester Breslow, Chief, Chronic Disease Service, State Department of Public Health, made the following statement:

"With heart disease, as with other diseases, the important thing is to find the persons early enough so that with proper care they may become well sooner and perhaps back on a job sooner than if they did not receive care until the later stages of the disease. Our problem is how to find them early enough. One of the techniques is the mass chest X-ray which has been used to detect tuberculosis. These mass chest X-rays are uncovering many previously unknown cases of heart disease—perhaps more cases of heart disease than tuberculosis; but of course it so happens that the surveys have been organized through tuberculosis resources and it is only proper that the funds be devoted primarily to that purpose. With what little heart funds we have been able to use, we have made the maximum use of these surveys.

"Secondly, we are in cooperation with one of the city health departments—Los Angeles carried out a survey, using civil service population, to detect heart disease early, using electro cardiograph, etc. Those should be followed up.

Thirdly, we know that obesity is correlated with heart disease. The excessively obese die at several times the rate the normal population dies from heart disease. Therefore, we have worked with the nutrition people at Berkeley to develop a program of group approach to people who are obese, with the hope that with a reduction of weight, we can put down hypertensity.

We might mention one more. In one county they have a heart service so that people treated at clinics are followed up. Through occasional visits at the home, they are better able to follow advice and so kept out of the hospitals. That is one of several ways we have in mind.

Assemblyman Rumford: The whole thing is so extensive with several diseases mentioned, for instance arthritis. You could just pile in people who suffer with the disease and you can locate them very easily, but what to do about it is different.

Dr. Breslow: With respect to arthritis, I agree with you that our treatment is very limited. But with cancer, heart disease, tuberculosis—if untreated they go into prolonged cases. If found early, there may be a period—a brief period—of hospitalization and then the patient resumes his normal work. For instance, in Los Angeles we found people with cancer who had been treated early enough and were back at work. If not found early they would have been using the hospital beds for long periods.

Assemblyman Rumford: I can readily see that you could carry on an extensive program with cancer.

Dr. Breslow: There is one statement I would like to make in general. Here in Los Angeles we have illustrated the kinds of things we can and have been doing in chronic disease prevention, and the manner in which we work. Dr. Guiss and Dr. Butt have been vigorous in their statements that this was made possible principally through the State Department of Public Health; but, as a matter of fact, the physicians themselves have been so interested in the program that the time they have put into it far exceeds any money we have put into it. What we want to do with our funds is to help the people in the various communities throughout the State to get started, and they can make contributions in kind. What you have heard today is principally the work we have done here in Los Angeles. Here it is easy to work because they are well organized, but with an expanded program it will be possible to carry this work further into the State. Our applications at the present time are far beyond our facilities and we are at the limit of our federal resources. Other states which have instituted programs of this kind are Massachusetts, Connecticut, New York—there are some others—Illinois, Alabama, and Missouri.

Assemblyman Rumford: As a result of their program, what seems to be the decrease in the prevalence of disease?

Dr. Breslow: In Massachusetts they have carried out a program which demonstrated that the cancer death rate decreases at a more rapid rate than in other parts of the Country. They attribute that to their program.

Assemblyman Rumford: And other diseases—diabetes, arthritis, heart disease—how do they compare?

Dr. Breslow: I do not know of any state except possibly Georgia or Alabama where there is a state program on diabetes. Many communities

have carried on surveys similar to what was done by Santa Clara County some years ago with assistance from our department. Mr. Thompson and the medical society of his county deserve a great deal of credit for a program which has now become a model for other parts of the Country to follow. This has been done in other communities than California—at Oxford, Massachusetts; Richmond, Virginia; Milwaukee, Wisconsin; and Dallas, Texas. They carry on a program for diabetes the same as we do for tuberculosis.

Assemblyman Rumford: I think that is a program where we should concentrate on certain things. If we concentrated on cancer, we might be able to do something; but, if we branch out into all ailments you will have people coming in and saying they have a bad toe, etc.

Dr. Breslow: Well, we in the Department of Health would like to concentrate on no more than three diseases—cancer, heart disease and diabetes Other diseases have been included at the insistence of our advisory committee, which we respect. There is a great feeling on the part of people that we need a broad program, but we would agree to a limited number of diseases.

Assemblyman Connolly: One question with regard to the report: Have you any idea—with all the recommendations in the report of what should be done—have you any possible conception of the size of that program in dollars if undertaken? It would certainly be beyond the $100,000 we are talking about.

Dr. Breslow: As a matter of fact, that referred not only to what the State Health Department should do but what everyone should do. The bill pertains to governmental work and state health work pertains only to specific aspects.

Assemblyman Connolly: From a legislator's aspect, you are talking about a program, and perhaps you could use three-quarters of a million dollars a year What we have to consider and bear in mind is that we would have to go back to these same people and ask them if they still want it done for three-quarters of a million dollars in tax money to do it. That is what it boils down to.

Dr. Breslow: That is why I think Dr. Halversen has wanted to inaugurate the program on a reasonable basis of $100,000. It could be done with a lesser or a greater amount. Our only answer is that $100,000 could be well used in this program. We depend on the use of such funds for local interest, professional interest, etc. We can go no faster than the doctors and the communities want to go. They are pressing us to go further.

Assemblyman Connolly: We, as legislators know, and this is not meant to be derogatory, if this program is instituted and you embark on it and collect statistics and information, you, by the same token, collect demands, so that in the following years there is a public clamor for more and more; and we as legislators, are then called upon and have no defense to it because the demand is there and before you know it it is $500,000 and then on down the line. That is no reason for discouraging it, but that is one of the problems we have when the tax payers come to us about expanding costs of government.

Dr. Breslow: We certainly respect that point of view and recognize it. That is why we made a modest request. I would like to make one comment on your remarks, Mr. Connolly, and that is this—that the Legislature, the counties and the Federal Government are being asked for amounts not in the tens or hundreds of thousands, but in the millions for the construction of facilities and other costs for welfare of patients who could have their health problems prevented. We could assemble quite a list of patients whose diseases (and their physicians would be willing to testify to it) could have been prevented.

Assemblyman Connolly: In other words, you could have rehabilitation which would cut down your welfare cost

Dr. Breslow: That is right. If we put $7,500 of federal funds into mass chest X-rays and find that there are several hundred cases of chest tumors detected which would not have been detected otherwise, I think it could be stated conservatively that somewhere between 25 and persons will be saved by that expenditure of $7,500.

Mr. Bruce: The saving of only life is important. On this mass chest X-ray, they came over to our hospital and 99.44% of our 4,632 employees had their chests X-rayed. We have a supervising nurse who has been in charge of pathology for years who had no idea she had anything wrong and the X-ray showed she had a tumor of the lung. This was in March. She was operated on—she had a lobectomy—it was caught early enough before it spread and she is back on the job, and I think that that one individual justifies the expenditure of $7,500.

In view of the fact that the request for funds for chronic disease investigation is stated to be primarily for the purpose of compiling statistics on the prevalence of certain types of chronic illnesses, and in view of the fact that the Department of Public Health already maintains an active Bureau of Vital Statistics, it would appear that the functions of the requested study might properly be carried on under the present bureau. The $100,000 requested is broken down into approximately $44.000 for the addition of 12 employees and $56,000 for educational, reporting and general services; the proportions here would appear to be overbalanced in the direction of personnel and the program would seem to be amenable to allocation to the Bureau of Vital Statistics with the present, or at most a slightly increased, staff. Such allocation merits investigation, especially as to its financial requirements as compared with the request for $100.000 made in S. B. 1424 of the 1949 Legislature. The organization of the Department of Public Health should permit the absorption of the proposed program within the present framework of the department.

In its activities in the field of chronic diseases, as in all its activities, the functions of the Department of Public Health should be those of preventive medicine and sanitation, not those of diagnosis or treatment. The diagnosis and treatment of disease, chronic or acute, is available to all citizens through either private or public sources and the services of health departments are not needed and should not be extended to clinical medical care except in those instances where other sources of such care are not available. Rabies immunization and similar procedures might come within the exceptions.

In the definition of preventive medicine and sanitation might be listed the collection and analysis of vital statistics; public health education in cooperation with community agencies and professional organizations; public health laboratory services for the control or prevention of communicable diseases; communicable disease control through epidemiological investigation; maternal and child health services through educational means, and environmental sanitation such as inspection of food establishments, water, milk, and meat supplies, air pollution, vector control, supervision of sewage and garbage disposal and similar functions. While these items may not be all-inclusive and while public health functions should not be strictly limited by such a listing, the Department of Public Health should stay within a framework of this type and should not enter into the practice of medicine through diagnosis or treatment of individuals.

The committee, in discussion with Dr. Halverson, Director of the Department of Public Health, and members of his staff, agreed with the doctor and his staff that certain amendments to the Health and Safety Code should be offered at the 1951 Session of the Legislature affecting the local Public Health Law and the Clinical Laboratory Act. These proposed amendments and what effect they will have are as follows:

Local Public Health Law

Chapter 8, Part 2, Division 1 of the Health and Safety Code, relating to state financial aid for local health administration, gives the State Department of Public Health authority to approve "provisionally" those county health departments which do not serve all of the cities within that county of 50,000 population or less. The concept as stated in this legislation was that "the minimum of population necessary for efficient administration of local public health units is approximately 50,000." As a means of giving encouragement to the affiliation of cities of less than 50,000 with county health units, the statute provided that provisional approval to such county units could be given only for the period terminating on the 91st day after the final adjournment of the 1949 Regular Session of the Legislature. In 1949 this was changed to read 91st day after the final adjournment of the 1951 Legislature. While many small cities have affiliated with the county health departments since 1947 when the law was enacted, there are still 10 counties where small cities are not so affiliated. It is now the feeling of the department that such counties should not be disqualified for public health assistance because some cities have not seen fit to affiliate with the county public health organization. At the present time the following counties come under provisional approval because the cities listed are not affiliated with the county health organization:

County	*Cities*
Alameda	Albany
Fresno	Coalinga, Kingsburg, San Joaquin
Los Angeles	Beverly Hills, Vernon
San Bernardino	Ontario
San Mateo	Colma
Santa Barbara	Santa Barbara
Solano	Benicia, Dixon, Fairfield, Rio Vista, Suisun City, Vacaville
Stanislaus	Modesto
Santa Clara	Alviso

Therefore legislation will be proposed retaining the concept of provisional approval for such counties but deleting the date at which termination of this provisional approval shall be effective.

Vital Statistics Laws

The statement made in the preliminary report to the Legislature by the Assembly Interim Committee on Public Health, as published in the Assembly Journal of March 28, 1950, clearly outlines the problem of needed revision of vital statistics laws.

> "The vital statistics laws of the State of California, represented by Division 7 and 9 of the Health and Safety Code, are codifications of various independent statutes which have been enacted over a period of the past 40 or more years. In a recent Attorney General's opinion, he stated '* * * the provisions of the Health and Safety Code * * * dealing with vital statistics are confusing and difficult of interpretation.'
>
> "The need for a general revision, condensation and clarification of the vital statistics acts has long been recognized. Such a project would require a section by section analysis of the intent of the legislation, and its revisions into terminology which is easy of interpretation and from which irrelevant material has been deleted."

Careful study has been given to the vital statistics laws with the view toward clarifying and simplifying the statutes. Also certain changes will be proposed which it is believed will improve procedures. The following items have been given consideration and are believed appropriate for legislative consideration.

The appointment of local registrars of births and deaths, as presented in Sections 10100 to 10110 of the Health and Safety Code is very confusing and indefinite. The intent of this legislation appears to be that the health officer shall be the local registrar for births and deaths in those areas where there is an organized public health department, and that in other areas, the state registrar may appoint suitable persons to act as local registrars. In many areas outside of organized public health department jurisdictions the city clerk or the county recorder is the local registrar. It is proposed that these statutes be amended by a simple statement of authority for the local health officer to be the local registrar in organized and approved local health departments, and clarification of the authority of the state registrar to appoint local registrars in all other registration districts.

Duplication exists in the files of birth and death records which must be maintained in local offices. With the original enactment of the vital statistics laws in 1905, there were very few organized public health departments. Thus in order to properly serve the public, it appeared necessary to establish a county-wide file of birth and death records in each county recorder's office, since local registrars were scattered through the county and each one maintained a file for only his local registration district. However, at the present time, in most counties of the State there is essentially a county-wide health department and the application of the old vital statistics laws makes necessary the maintenance of a complete file of birth and death certificates by the local public health department, and also by the local county recorder; in some situations

these files are in the same city and even in the same building. It is proposed that permissive authority be given for the disposition of the duplicate records in the local registrar's custody in such situations, thus requiring only one local file in the county recorder's office, whose facilities and equipment make the maintenance of records a primary responsibility. Before such disposition, adequate investigation would be made to ascertain that the state and recorder's records were complete. Also, it has been found that huge files of burial permits are maintained in many local registrars' offices, whereas the death certificates include data as to the place of burial, and the local cemetery is required by law to maintain rather complete records. The burial permit is the document which gives authority for the cemetery to bury a body. Therefore, it is further proposed that statutes be enacted giving permissive authority for the local registrar to dispose of such records.

In further elimination of duplicate records, it is proposed to amend the code to exempt the City of Los Angeles from the requirement of filing copies of birth and death certificates with the county recorder, since their offices are in close proximity in the Los Angeles Civic Center.

Since the records on file in the county recorders' offices are primarily for identification purposes, it is proposed to omit from the copy of the birth and death certificates which are transmitted to the county recorder, the medical and health data.

The statutes at the present time stipulate monthly transmittals of birth, death and marriage certificates to the state office and to the county recorders by the local registrars. Since this causes a monthly peak of work in these offices, a proposal has been made that the transmittal of documents be on a weekly rather than a monthly basis in order to even the flow of work in such offices in indexing and processing.

Confusion exists with relation to the handling of affidavits to correct a record. In order to make corrections on a document, once it is filed, it is necessary that an affidavit be prepared and executed and the procedure for handling such affidavits is not clear. Clarification can be provided by simple amendments to certain sections of the code.

For many years the United States Census Bureau secured transcripts of all birth and death certificates from the State, at its own expense, and authority for making the records available to them is provided in the code. Since the federal public health statistical function has now been assigned to the United States Public Health Service, it is proposed to make corrections in the nomenclature of the appropriate sections of the code. Also, authority for making available to the Public Health Service copies of marriage certificates is also proposed; it may be that such data will be requested in the near future.

The Health and Safety Code now stipulates in detail the items which appear on the birth and death certificates. While no substantive change in the items on these documents is contemplated, the statement of the items will be proposed in a condensed form.

The county recorders have brought to the attention of the State Department of Public Health the fact that certificates of registry of marriage now need not be filed with them until 30 days after the marriage ceremony has been performed. Since it is believed that in a few situations this has encouraged a laxity in the filing of such documents,

it is proposed to amend the statutes so that certificates or registry of marriage must be filed with the county recorder within four days after the marriage ceremony, this four-day interval being the time already specified for the filing of other vital statistics documents. It is believed this will give encouragement to the prompt filing of the certificates of registry of marriage, which action is so important to the participants.

Provision exists in the code for the "sealing" of the original birth certificate in cases of adoption. Comparable legislation providing for the "sealing" on the original certificate in cases of legitimation is proposed, since it is believed that the "legitimated" children are entitled to this same type of protection.

CLINICAL LABORATORY ACT

The current laboratory act comprising Sections 1200 to 1305 of the Business and Professional Code was enacted by the California Legislature in 1937. The department has now had some 12 years experience in the administration of this act. This experience has indicated the need for a number of additions and amendments.

Some phases of this problem received some consideration in the last session of the Legislature. The department was not prepared at that time, however, to consider the whole problem. During the past two years the act has been subjected to intensive study. Assisting the department in this study has been the various professional organizations that are affected either directly or indirectly by the provisions of this law. Out of this study and associated discussions has developed the recommendations that are to be proposed by the Department. There has been, so far as we know, concurrence on the part of the various groups to the proposals that are to be made.

In general, it may be stated that the proposed amendments will accomplish the following:

1. Bring the duties of the board and the department into line with their respective duties as provided for in the Health and Safety Code. When the law was originally adopted, the Board of Health was an executive board. Since that time the executive duties of the Department have been assigned to the director, and the board serves as a legislative, judicial and advisory board. In several places it is necessary to amend the Clinical Laboratory Act in order to bring the Act in line with current practice.

2. Provide for the registration of clinical laboratory technician trainees. Under the present Act there is provided no jurisdiction over the apprentice or trainee individual. Under the proposed amendment such trainees would be registered and their prerequisites cleared in advance of beginning such training in order that the individual would know precisely the requirements before entering into this field of activity. This will avoid misrepresentation and will serve as a protection to the trainee.

3. Provide for the approval of laboratory training schools. The present act is silent on the matter of approval of training schools by the department, leaving this matter entirely open. Under the general powers

of the Board of Health a limited training school approval has been accomplished by regulations. It is proposed to place authority for such approval directly into the law.

4. Provide for the approval of laboratories for apprenticeship training purposes. Under the present law any duly constituted laboratory is indirectly approved for training. Experience has indicated that many laboratories that are operating provide such a limited scope of testing that they are inadequate for internship type of training. It is proposed in this amendment to authorize the department to establish minimum standards for laboratories desiring to provide training programs.

5. Provide for the department to expend funds under this act to assist laboratories and organized groups of laboratory workers in the evaluation of laboratory procedures and in the improvement of standards of laboratory practices. This is merely to make it possible for the department to enter more actively into the field of attempting to improve laboratory practices on a purely cooperative basis.

6. Permit the publication of a directory of licentiates under the chapter. The present law is silent on this matter. The proposal would make it possible to publish such a directory from time to time, but not more often than each biennium.

7. Require the department to maintain a current name and address file of licentiates and require licentiates to report any change of address.

8. Define more precisely the limits of application of the law, particularly as it relates to laboratory work done in offices of private practitioners of the healing arts. The current law may be interpreted to indicate that no laboratory work whatsoever may be done in California except while a licentiate under this act. It is proposed that the exemptions of federal and state institutions be expanded to include the offices of private practitioners.

9. Extend venipuncture privileges to bona fide student technicians. The last session of the Legislature extended these privileges to licensed technologists and technicians leaving the question of trainees or students without legislative consideration. This amendment would fill in this defect.

10. Outline minimum requirements for admission to the examinations for technologists and technicians. These requirements are currently covered by regulations of the Board of Health. It is proposed to place these regulations, essentially in their present form, into the law.

11. Prohibit the reissuance of temporary licenses after failure to pass an examination. Such reissuance is possible under the current act, but the groups involved feel that this should not be continued.

12. Provide for requirement of a permit in order to operate a clinical laboratory. Currently laboratory personnel are licensed, but there is no control whatsoever over the laboratory owner or the laboratory as such. Some years ago it was found that a lacensure for drug stores materially facilitated enforcement of pharmacy laws. Under this proposal laboratories would be required to obtain a permit from the department in order to operate.

13. Several amendments have to do with the clarification of definitions of offenses against the chapter.

14. There are several amendments dealing with revenue, particularly adding sections for laboratory permits and trainee fees.

15. Clarifying and making more specific the grounds for denial, revocation and suspension of licenses and permits.

LOS ANGELES MEETING, OCTOBER 13TH, 1950

DANGEROUS DRUGS

Assemblyman Rumford, as Chairman of the Subcommittee on Dangerous Drugs, made the following statement:

"We have held hearings on the problem of dangerous drugs and there have been some suggested changes to take care of the increasing number of drugs on the market today.

"We have no way of meeting the emergency with the new drugs. They are immediately taken out and put on the market by the various producers, and if it is dangerous, we almost have to wait until the Legislature meets until we can act without harm to the particular company or its products. We have had certain suggestions from the Board of Pharmacy with regard to them; and also, the Board of Pharmacy has made certain suggestions with regard to phenylhydantoin derivatives which are used for erysipelas and other diseases. In this respect we have a communication from the board requesting that we act on it at the next session of the Legislature and take it off the restricted list. We feel that because of its extensive use, and the necessity to use large quantities, it should be eliminated from the list now under the Barbituric Act."

Mr. Rumford submitted to the committee the following amendments to the Health and Safety Code suggested through Mr. Gus Affleck for the State Pharmacy Board:

Page 9, Sec. 4030, Line 3. Insert word "medicinal" after "or" and before "chemical." Except as otherwise provided in this chapter, it is unlawful for any drug, poison, medicine or *medicinal* chemical."

Page 10, Sec. 4032, line 17. After "registered or not" add, *"nor any drug or medicine ordinarily prescribed by physicians."* Line 15, after "Formulary" insert *"and N. N. R."* (New and Non-official remedies.)

Page 23, Sec. 4256. Subsection (1) should be eliminated. (Re: Analytical toxicologists.)

Page 27, Sec. 29001. Delete phenylhydantoin derivatives from subsection (a). After subsection (a) insert, *"The provisions of this section do not apply to hypnotic drugs when combined or compounded with other nonhypnotic drugs."* Add subsection (j) *Phenylhydantoin and Derivatives.* Add subsection (k) *Antibiotics, Except Those for Tropical Use.*

Page 28, Sec. 29007, line 2. After the words "sales orders" insert *"for resale."*

Page 29, Sec. 29020, 4th paragraph. This chapter does not apply to or interfere with a physician, dentist, chiropodist or veterinarian who does not *dispense* with *administering* to his own patients * * *.

Page 29, Sec. 29020, 5th paragraph. A record of the hypnotic drug *so administered* shall be kept in a ruled record book * * *.

Page 34, Sec. 20702, Schedule "B" Poisons. (*l*) Methyl alcohol or formaldehyde, and preparations containing one percent (1.0%) or more of these compounds; *except when used as a preservative and not sold to the general public.*

Page 29, Sec. 29014, 3d line. *The original and duplicate orders shall go to the supplier and he, in turn, at the end of 30 days, shall forward the duplicate copy to the board of pharmacy office.* * * *.

Sec. 29014, line 7. *Within a reasonable time* after any purchaser, *except wholesaler,* in this State * * *.

Sec. 29014, line 12. Such order, contract or agreement for such purchase to the board * * *.

Page 29, Sec. 29021, line 1. No person shall furnish or *dispense* any dangerous drug * * *.

Page 30, Sec. 29026, line 1. Every person who violates any provision of this *division,* with respect to any hypnotic drug * * *.

Page 11, Sec. 4033.?. (Establish new section). *It is unlawful for any wholesaler or manufacturer to sell drugs or medicines to any person other than a licensee except as provided under Sections 4032, 4044, 4045, and 4046.*

Mr. Burnell H. Blanchard of the Division of Narcotics testified relative to the use of empirin and codeine compound, and the refilling of such prescriptions.

Assemblyman Rumford asked at this point whether or not, for the sake of a patient, druggists and doctors get together and arrange for the refilling of such prescriptions over the telephone, and whether the restrictions on the refilling of these prescriptions should be removed to allow prescribing over the telephone.

Mr. Blanchard replied: "My instructions are, and my personal opinion also, is that it would not be to the best of the public interest to do so. Although it is commonly thought that particular drug does not cause drug addiction, that is a fallacy. We have had two physicians addicted to that particular drug who have gone through the normal court procedures and will go before the medical board. We have had two medical nurses forging prescriptions for empirin and codeine. In other words, our records will substantiate it is habit forming. It is more or less a stepping stone to the stronger narcotics, and for that reason, we do not think the restrictions are too burdensome for the physician to meet.

"Another thing, with respect to telephoning narcotic prescriptions, we find no small quantity has been reaching the streets by persons representing themselves to be bona fide physicians. There are a number of these gentlemen in San Quentin at the present time for this practice. It is very difficult to trace the calls to check on all of them and for that reason we do not believe any narcotics prescription should be telephoned, nor should any regulations on these two be relaxed at this time. We feel that we have had an unfortunate experience when in the last Legislature certain of our laws were relaxed to permit probation on a first offense. Our records are filled with abuses of that law. We have cases where an outright peddler of narcotics has been granted probation. They are destroying the young people of every city in the State and it should be stopped. To relax the laws any further would be ill advised."

Following is the statement made by Mr. Howard Hassard, Counsel for the California Medical Association: "The basic difficulty with narcotics and their use legitimately is that there is a fundamental clash between two things, each of which is in the public interest. One is the protection against narcotic addiction—the misuse by unethical people—the problems Mr. Blanchard and others in the enforcement field face. One cannot quarrel with the public policy which emanates from the Harrison Narcotic Act and state laws to stop this traffic as soon as possible; but there is another public policy which frequently clashes, and that is that such drugs, if used properly by licensed physicians and surgeons, are life saving and pain alleviating things. Frequently, as Mr. Rumford has in mind, the immediate availability, the immediate supply of a particular drug is in the interest of a patient who is suffering. The law doesn't prohibit that at all. In fact, it encourages it. But how to make it practical and feasible for an immediate supply to be available for a legitimate medical purpose, and at the same time close the door to the narcotics traffic, is a problem which I am afraid is going to be difficult to solve.

"On the other hand, there is the situation where a physician, with the multiple demands upon his time, must go on another call, but an emergency arises where a patient needs a drug immediately. The physician telephones the druggist and the drug is sent. The physician and the pharmacist are known to each other, the pharmacist knows for what the purpose the drug is to be used; but actually, under the present law, that is a technical violation at both ends of the telephone. I think what Mr. Rumford is searching for, and the California Medical Association joins in the same search, is some means by which immediate availability of the drugs to the physician and patient, when legitimately needed, can be assured without either being law breakers, while at the same time definitely not relaxing the means of apprehending and enforcing the law of narcotics. Perhaps the telephone is not the answer, but there might be some way devised by which telephone use could be so checked that the imposter couldn't get by. I can understand Mr. Blanchard's point that it is possible, if you do not see a person's handwriting, and of course that could be forged too—I know of instances where forgery has been done wholesale—but I suppose a face to face transaction is the only authentic system one could have to make certain they are not being imposed upon in the dispensing of drugs.

"The Dangerous Drug Division of our law is one separate division (Division 22 of the Health and Safety Law). It started out several years ago to control dangerous drugs, patterned after the Harrison Narcotics Act, with licensing requirements, control over record keeping of prescriptions, etc. In the last session, Division 22 was amended, not particularly in connection with its fundamental purpose to control dangerous drugs, but to add a new and second licensing system on top of the existing one, relating to hypnotic drugs. The bill was S. B. 1005 (1949) and Senator Kraft of San Diego was the author. The members will recall that during the hearings on hypnotic drugs in the Assembly Committee on Public Health, and in the Senate, there was considerable controversy, not over the intent of the bill, but over its language, and over various

and sundry amendments to it. I think, having been present at the hearings, that the Legislature in its state of mind was clear enough, but the language which became law is far from clear. In fact, it is one of the most scrambled things in the law.

"S. B. 1005 required a second licensing, over and above the regular license, to prescribe and dispense hypnotic drugs on the part of the doctor and the pharmacists who have the supply on hand. An odd thing happened in the legislative drafting. The bill specified that Section ____ and ____ was added to Division 22, and Section ____ and ____ was amended. Down in the body of the bill, the important sections of the bill, it is provided that this chapter is amended to provide such and such. Then the numbers in the Health and Safety Code which were given to those sections were such that after the bill became law, when it was printed, the two sections that complimented each other were put in two different chapters. The bill did not say which were going to what chapters. One is Section 29000 and the other is Section 29020, and each referred to this chapter. Back in the Health and Safety Code, Chapter 1 started with Section 29000 and Chapter 2 started with Section 29015, or something. In any event, the bill itself did not specify that it was amending any particular chapter. In two of those sections is a provision to the effect that the licensing requirements of the bill did not apply to physicians and doctors who furnished or dispensed this particular hypnotic drug to their patients in the ordinary course of their practice, that means for nothing other than the specific purpose of the physician-patient relationship. I am sure the Legislature wished to accomplish what it set out to do—to exempt doctors and dentists in the offices, and in their homes, and to exempt them from having to have another license before they could give a patient an empirin compound, for example.

"However, because of this mixup in numbering of chapters, the opinion has been expressed that the exemption section doesn't apply at all because the licensing got into one chapter and the exemption in the other. I think it is sufficiently important to the pharmacists, the medical profession, dentists, etc., that a clarifying section be introduced, not to change the law but to get back into it the intent of the Legislature—the intent the Legislature had at the last session."

House Resolution No. 19

Relative to directing the Assembly Interim Committee on Public Health to investigate the need of legislation regulating the use of electrical therapeutic instruments

WHEREAS, There appears to be a constant increase in the use of electrical therapeutic instruments in the treatment of persons for various diseases and ailments; and

WHEREAS, Complaints made by citizens of this State indicate that the use of such instruments by untrained or unqualified operators has resulted in numerous injuries; and

WHEREAS, The public welfare will be served by a study of this subject, designed to determine what, if any, legislation is necessary to regulate the use or operation of such machines; and

WHEREAS, Such an investigation is within the scope of the functions of the Assembly Interim Committee on Public Health; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Public Health (created by House Resolution No. 237, 1949 General Session) is hereby directed to ascertain, study and analyze all facts and laws relating to, bearing upon, or any way affecting the subjects expressed in the recitals of this resolution and to report thereon to the Legislature not later than the fifteenth legislative day of the 1951 General Session, including in its report its recommendations for needed legislation concerning the use or operation of electrical therapeutic instruments.

LOS ANGELES MEETING, OCTOBER 13TH, 1950

ELECTRICAL THERAPEUTIC INSTRUMENTS

During the 1950 Session of the Legislature, House Resolution No. 19 was introduced by Mr. A. I. Stewart relative to directing the Assembly Interim Committee on Public Health to investigate the need of legislation regulating the use of electrical therapeutic instruments. Due to the many subjects and problems referred to the Interim Committee on Public Health, and in order to make a thorough study of each individual subject, it was impossible for the committee and its investigators to thoroughly complete the study for the need of legislation governing the use of electrical therapeutic instruments.

The committee has gathered a lot of valuable information but the need for further study is so great because of the harmful use made by inexperienced operators of these instruments, that we feel we should withhold this portion of our report and refer it together with our findings to the Interim Committee on Public Health that will undoubtedly be created during the 1951 Session.

Following is a brief report given the committee by Mr. William H. Young, the investigator for the Interim Committee on Public Health, and the information reported was gathered from various electrical engineers who Mr. Young interviewed:

"The machines number in the hundreds as far as operation, and are broken down into various names, and there is a new machine that comes under radionics. Electrical engineers inform me that you get just as much treatment from attaching a couple of wires to a pinball machine to find out if you have high or low blood pressure. There is a general consensus of opinion that any machine that puts electricity into the human body causes some damage, and in passing, I might state that there are over 7,000 therapists who use various types of machines, and this is only taking into consideration the physiotherapists. There are 5,600 chiropractors in the State of California and other people of the various subprofessions who use these machines.

"There is a generalizing function of the electric or radiotherapy which introduces electricity into the human body which creates what is known as electrolysis. The most common type of this is called sinusoidal. During this sinusoidal type of treatment one-half of the current is blocked off and not allowed to enter the body, but it consists of about 10,000 cycles a second. This restricts the function of the level cells to the motor cells only. It is used as a curative means and it goes quite deep. But the current disassociates the cell sack and causes scar tissue, and it is the theory of many specialists that this is the first form of cancer. A great deal of research, medical research, would be necessary to determine whether certain diseases or damage to cell tissue is actually caused by the machine. If an opinion were necessary I would take the opinion of experts I have talked to who declare that actually there is damage done.

"What we intend to do in this investigation from the standpoint of my abilities is to determine the operational extremes of the machine, the total machines in operation in the State of California, who operates them, and what qualifications a person needs to go to a manufacturing concern and buy a machine that will introduce electricity into the body.

"There is some mention of beauty parlor operators who remove hair by use of the machine and who give facials and, I think, remove warts. There are a lot of good things about these machines, but I have never been able to find anyone who has anything against electric needles to remove growths, but that would require expert opinion too. It is also the aim of the investigation of the committee to determine whether legislation should be enacted to limit the manufacturers and to set any minimum qualifications for the person who is to operate the machine. At the present time, to the best of my knowledge, there is no legislation that acts directly on the person operating the machine. There is some indirect control, in that in order to become a licensed chiropractor or beauty operator you must pass certain educational qualifications, and in their schools they require certain courses on physiotherapy and the operation of various machines. After a chiropractor is a chiropractor he can study further in regard to X-ray. Very few have done so. The X-ray machine is possibly the most dangerous machine there is. One electrical engineer informed me when I outlined what I intended to investigate that we should start in with the county X-ray machines, that they are not under as good control as they might be, so I can't impress upon you too much the danger of deep X-ray treatments. So as near as I can figure out, at the present time the only control over the machines and treatments is an indirect control which is placed on the schools who educate the people who later become physiotherapists and other subprofessionals.

"The question arises whether the person operating the new device keeps pace with the new inventions annually, whether they take it upon themselves to investigate the new machines, so that they thoroughly understand them and understand the operation of the machine, or whether they merely read a pamphlet put out by the manufacturers and go ahead and start using it. I am interested in whether there has been any research on the part of the medical profession to determine whether scar tissue and cell damage is directly related to the operation of the various devices, and to determine at the same time if actually the scar tissue is related to the introduction of the electricity into the system.

"The investigation is very interesting, probably due to the fact that I am not qualified to determine anything except through the opinions of others who are specialists in their own lines, and it is enlightening to the point where it is necessary to get from professionals the true happenings of this type of device. I can only guess that a great deal of work will have to be done. It is in a pioneering field as no one has paid any attention to the control of the machines and the qualifications of the people who are to operate them. It represents a large order in investigation and reporting and meeting the properly qualified experts to be able to outline to the committee their findings and not their opinions, and the actual conditions that exist in persons who have used the machines. There is no doubt that the machines can do good. The question is the qualifications necessary for the person to have who operates the machine."

Rumford: Have you investigated to determine the number of machines that operate around the country?

Young: Only to determine that there are a lot.

Rumford: Most of your X-ray equipment and most of your radio diathermy, etc., in a doctor's office is operated under his control, including the X-ray machine.

Ben Read: Since 1935 there have been attempts to regulate such machines. There is no requirement today. I can go out today and buy an X-ray machine and start using it. It should be done under the direction of someone who knows something about it. There was a very serious situation in San Pedro where a number of persons were injured, and it practically broke one insurance company, where a number of people were injured from fooling around with the machine.

Young: I have seen a number of people who have been burned, and the burned portion is exactly like the body of a person who has been cremated. You have to see it to understand what this X-ray machine will do. The skin turns black and peels off and it smells of burned and decayed matter. X-ray machinery is used for a multitude of things. It is used to cure some degree of bone injuries such as bursitis, which is a growth on the socket of the elbow or knee. There are many things that have to be looked into. It is a loose system whereby the person can tell you you have a bursitis and this machine will fix it.

Read: A lot of these machines in the doctors' offices are run by the girls in the office who don't know any more about them than a school girl. The doctor is responsible.

Rumford: That is a professional service. It is assumed, when these machines are put on the market, that they have been inspected and approved.

Young: I expect to receive data from the engineers who invent these machines, data from pathologists, and what they have found in their post mortems.

Thompson: It seems to me that it is very serious if they are out in the state like you mention, and they sell from house to house and any person that wants to can buy one and set it up as a cure-all. We are in a deep problem. If we put up a big sign in front of an office, "Electric Therapy," and if people came in there for $3 a treatment, anything could happen.

Rumford: You and I could get one if there is no license required.

Thompson: I could call myself an electric therapist, and nothing would happen.

Young: There is another theory, and that is this. As near as I have been able to determine, in the new radionics machine that I mentioned to you as being similar to a pinball machine there is no possibility of damage to come from that, but the consensus of opinion is that that machine is nothing but a fraudulent thing. People come in to find out about their blood pressure and hook themselves up to those jackets and various lights light up, etc. The question is whether this is being honest with the people or whether the persons operating them are preying on the ignorance of certain types of patients. I have also heard some qualified medical men say that these machines are good to get rid of the neurotics, as they are just not happy unless they are being treated for something. So it opens too much of an avenue for the unscrupulous to use the gadget.

Thompson: In a subsequent meeting could we subpena some of these people and have them bring around their machines and show us what they are?

Young: Yes, I want to do that.

Thompson: Isn't there any way to break down their demonstration?

Young: Yes. It can be disapproved.

Thompson: Is it the desire of the committee that we go into this further?

Rumford: I think we should contact an expert in the field, and if we can get him before the committee will mean an awful lot to any legislation that would come.

LOS ANGELES MEETING, OCTOBER 14, 1950

PHYSICAL THERAPISTS

The practice of physical therapy has been one of the most controversial subjects undertaken by the Interim Committee on Public Health during the past two years. Many arguments pro and con have been presented to the committee by various groups interested in physical therapy, even among the physical therapists themselves.

The first witness to appear before the committee at this meeting was Virginia M. Parsons, Legislative Chairman of the Southern California Chapter, American Physical Therapy Association, who said in part: "Since there is no legislation before the Legislature, now, we believe, is a good time to seriously consider the qualifications of a registered physical therapist.

"Once we have explained our part in what we believe to be good medical care for the people of California, we do not believe you will do anything to decrease those standards. Rather, we feel certain that you will stand for high standards. We hope, too, that you will not consider legislation which will tend to confuse the people of California by licensing those, who in the opinion of the medical leaders, are unqualified.

"First, then, what are registered physical therapists? What is their educational background? What training must they have before being given the privilege and the responsibility in assisting in the care of the polio patients, veterans in our government hospitals and the hundreds of others for whom physicians prescribe physical therapy?

"The American Physical Therapy Association is the professional organization of qualified physical therapists in the United States. Founded in 1921 by a group of World War I reconstruction aides and incorporated as a nonprofit organization in 1930, the association has at present over 4,000 members. There are approximately 600 members in the State of California. The association established and maintained educational standards for the training of physical therapists until 1936, when the responsibility was assumed by the Council on Medical Education and Hospitals of the American Medical Association. The association assisted in the formulation of standards for the physical therapists employed in State Agencies for Crippled Children, and has assisted materially in establishing professional classification for physical therapists employed under federal civil service. It has in recent years assisted the National Foundation for Infantile Paralysis in the recruitment of physical therapists for epidemic areas.

"The American Registry of Physical Therapists was established in 1936. The purpose of this registry is to cooperate with the Council on Medical Education and Hospitals of the American Medical Association in the attempt to maintain high standards and to make available to physical therapists a registry which will help protect ethical members of the profession and provide adequately trained physical therapists for institutions or agencies using physical therapy. Only graduates of schools approved by this council are eligible for the registry examination. Therefore, we have used the term 'registered physical therapist' for 14 years.

"Members of the association and the registry subscribe to essentially the same code of ethics as practiced by the medical profession. Furthermore, members may give treatments only under the direction of a licensed doctor of medicine. Members do not diagnose a patient's condition, prescribe treatment or advertise. We are constantly striving to promote high educational standards for those wishing to enter the profession.

The Council on Medical Education and Hospitals of the American Medical Association has formulated "essentials of an acceptable school for physical therapists" and schools meeting these requirements are commonly referred to as "approved schools." There are four ways in which a person may qualify for the profession of physical therapy. They are as follows:

1. Graduation from an approved school of nursing.
2. Graduation from college with a B.S. degree in physical education.
3. Graduation from college with a science major, or
4. Two or three years of college with a predominance of science courses.

"This background, obtained in any of the four ways mentioned, then qualifies a person for admission in an approved school. The registered nurse, the physical education major or the science major is then ready for an additional year's training, at least in any one of the five highly respected institutions where physical therapy courses are offered in the State of California. These schools are:

University of California School of Medicine at San Francisco
University of Southern California at Los Angeles
College of Medical Evangelists at Los Angeles
Children's Hospital at Los Angeles, and the
Stanford University at Palo Alto.

"The subject of standards of medical care is one which might consume hours of deliberation between those who believe them too high and those who would like to lower them. However, to resolve the question very quickly, I'm certain you will agree that where you personally are concerned, or where the life of a member of your family is at stake, or where the rehabilitation of our battle casualties is concerned, the best is none too good. That is why those of us who have devoted years of our lives to training, and propose to carry on for the rest of our working years—urge that our standards—if they are not to be increased by legislation, at least not be lowered.

"Untrained hands can cause irreparable damage to the human body. They can cause damage by not giving enough treatment as well

as overranging or overexercising. Trained though we are, let me emphasize, we work only under the direction of doctors. And physical therapy prescriptions can be as complicated as any of the other complex care the physician may prescribe. Trained though we are, we know that to practice without the supervision of the physician, who in turn is calling upon his years of experience, would not be for the best interest of the patient.

"Since our profession is so closely allied to the medical profession and since we, like all other registered physical therapists, work under the supervision of the physicians in the profession, we feel the right to license should be maintained in the Board of Medical Examiners. We believe that those who would like to join our profession should be willing, certainly, to meet the standards and regulations we have met. We are not here asking that legislation be passed to give us more, shall we say, business at the expense of other practitioners. Since we do not advertise, our patients are referred to us by the attending physician.

"We do not obtain patients by advertising imagined maladies and holding forth with fancied cures. Such tactics, in our opinion and in the opinion of the medical profession, are beyond the need of comment.

"It goes without saying that we are proud of our chosen profession. But, in that, we are hardly more proud than any other person who has given long years—and many years at almost inconsequential salaries—to attain our present position in the field of medical care

"In this brief presentation we have avoided any emotional appeal, and, in closing we would like to repeat our words of faith in you as legislators for the people of this State. As we said in 1949—we repeat again this year—'We trust you will assist us to maintain high standards of physical therapy care—high standards for your protection'."

The next witness called on to testify was Dr. Harold Crow, orthopedic surgeon from the Orthopaedic Hospital in Los Angeles, who said: "I have for many years been interested in this subject I would like to point out to you that at one time there was a time and place when people knew what a doctor was. That was in the Old World before Hitler got it all mixed up. Even in that country the lowly human knew if you called a fellow a doctor, he had gone through a school for doctors and had received a doctor's degree. They knew if he carried the title "Doctor" that he had earned the right to treat sick people. In America, on the contrary, titles are very loosely used, and the title "Doctor" has been used for treatments of almost any kind available, especially in California, which is notable throughout the world for the variety of treatments you can secure if you want them, and this situation has been more or less uncontrolled in the past We have, of course, presented the idea to you that if the physician is trained adequately, he should be able to diagnose and prescribe treatment, and the physical therapist should be (like a pharmacist) in a position to fill prescriptions. Consequently, a physical therapist will fill a prescription by a doctor for therapy treatment, in our opinion, but only after proper diagnosis by a legitimate professional person, with the interest of the patient the first consideration

"I am sure that the members of this audience are aware of the existence in this Country of two great groups of people: There are the neurotic whom we meet everywhere—people who transfer their emotional disturbances into physical illness and go on and on seeking cures for an

imaginary ailment. They are numerous. You have as well a great group of individuals who are seeking cure and relief from effects of chronic diseases, such as polio, or any of the other diseases with long and painful convalescences. These are the ones the physical therapists choose to treat. Both of them are wide open, and from our point of view they need protection, because our consideration is for the welfare of the patient. Now, if we can legislatively regulate the possibility of these people falling into the hands of practitioners who will go on and on, I believe that any bill which will set up a legitimate procedure of diagnosis by a trained physician, with a prescription of treatment to be administered by a trained prescription filler (just like a pharmacist) it would be a protection to these individuals They are very numerous and need protection from their own ignorance.

"In this country we will call anybody doctor who will treat you; and, unfortunately, people in our State make it a business instead of a profession. When the poor discouraged invalid can go on and on as long as he can pay, this is not in the interest of the patient's welfare, whose interest lies in both the physician and the trained physical therapist"

Rumford: "From my point of view, I am aware of the background of the physical therapists and we have this problem before us. What will we do with these people who have used this for a number of years? We know of your dispute with them. Do you have any solution so far as they are concerned? Do you want us to solve it for you? We have recommendations from them and from you, and I would like to know if there is any possible way we can satisfy both groups."

Dr. Crow: "Speaking not as a medical physician (because I have been in orthopedics treating people for 20 years) I can only give my own personal opinion, but I do not feel we can change the past or the people who have been practicing. It is difficult to ask the Legislature to close their shops I think that would be going too far, but certainly it should be possible to legislate and lay down rules for the conduct of that form of treatment, so that as the years pass and youth takes the place of age, you will have your adequately trained person so that the care of the patient is constantly improving. The Legislature can start at this point as a starting point to improve the future.

"I see at least three groups. We have these people who are here this morning with qualifications and all that we are positive of, such as Miss Parsons. We have other groups rendering good service, more or less under physicians' instructions, who are competent but may not have the educational qualifications, but we know they will qualify; and then we have the other groups who are definitely not qualified but they may have an office and equipment and a practice as well. I think you all know that in the past the third group has very often been an extremely illegitimate group and possibly legislation could stop that sort of thing; but the thing I think of is the boy or girl who through the second world war had a lot of experience in the actual application of physical therapy and who now want to be one It is impossible often for those people to fulfill present requirements, and now if that ability could be guided into channels where it would be useful to the community and not a means of simply stripping the disappointed patient of whatever money he has left, I think they might be used. That ability might be used, but the thing we

think of and try to defend is the discouraged despondent patient who will turn to anything for help. I have always been inclined to tell my patients where I find they have gone from doctor to doctor, if they are still in trouble and not getting satisfactory results, they can usually find advertisements regarding their ailments in the newspapers, because the advertiser is collecting these disappointed people. In the newspapers you can find pretty well listed the answers which the scientific men do not have. Cancer, arthritis, and other diseases are still a problem to us but they guarantee cures regularly."

Rumford: "Are you familiar with the draft of the bill the California Physical Therapists Association has submitted? They have made certain changes and I wonder if you would still object?"

Mr. Howard Hassard, Counsel for the California Medical Association answered:

"I think I can answer that better because Dr. Crow is not familiar with the bill. I can answer it by saying 'Yes', and then explain why in about two minutes. The bill proposed in 1949 and now modified by the California Physical Therapy Association is still at the present time substantially as it was in 1949. It permits anyone licensed under it as a physical therapist to start in on the diagnosis of a patient on his own, without any necessity of a physician having first seen the patient, and that is the fundamental objection of the California Medical Association. This is probably a poor analogy but it would be the same as if a pharmacist instead of filling prescriptions determined their ailment. As you know, the practice of medicine consists basically of three steps: one, and most important, is the determination whether or not the patient is or is not ill; whether he is or is not in need of medical care, and if in need, what care. That is diagnosis. The second step is to determine what type of treatment. That is the prescription; and the third step is treatment. Physical therapy is one phase of the third step and that is all. It is a particular kind of treatment for a particular type of injury or illness. It is not diagnosis and it is not a prescription. That is the reason Mr. Levering's bill which we sponsored calls for a system of registration to work under physicians and surgeons and not set up a separate entity."

Following is the proposed bill as it will be introduced for the American Physical Therapy Association at the 1951 Session of the Legislature:

An act to add Chapter 5.6 to Division 2 of the Business and Professions Code, relating to the practice of physical therapy by registered physical therapists.

The people of the State of California do enact as follows:

SECTION 1. Chapter 5.6, comprising Sections 2600 to 2630, inclusive, is hereby added to Division 2 of the Business and Professions Code, to read as follows:

CHAPTER 5.6 REGISTERED PHYSICAL THERAPISTS

Article 1. General Provisions

2600. This chapter may be cited as the "Physical Therapists Practice Act."

2601. "Physical therapy" means the treatment of any bodily or mental condition of any person by the use of the physical, chemical, and

other properties of heat, light, water, electricity, massage, and active and passive exercise. The use of roentgen rays and radium, for diagnostic and therapeutic purposes, and the use of electricity for surgical purposes, including cauterization, are not authorized under the term "physical therapy" as used herein.

2602. "Physical therapist" or "physiotherapist" means a person who practices physical therapy.

2603. "Board" means the Board of Medical Examiners of the State of California.

Article 2. Registration

2606. A person who has not been registered by the board as a physical therapist shall not represent himself as being so registered.

2607. The board shall not register any person as a physical therapist who does not conform to the following conditions:

(a) He shall be at least 21 years old;

(b) He shall be of good moral character;

(c) He shall have been graduated by an approved high school;

(d) He shall have been graduated either

(1) By a school of physical therapy approved by the board;

(2) By a school of physical education approved by the board, and in addition shall have completed an approved course in physical therapy;

(3) By a school of nursing approved by the board or by the Board of Nurse Examiners, and in addition shall have completed an approved course in physical therapy;

(e) He shall have passed to the satisfaction of the board an examination conducted by it to determine his fitness for practice as a physical therapist.

2608. A person who desires to be registered as a physical therapist shall apply to the board, in writing, on a blank furnished by the board. He shall embody in that application evidence under oath, satisfactory to the board, of his possessing the qualifications preliminary to examination required by this chapter. He shall pay to the board at the time of filing his application a fee of twenty-five dollars ($25).

2609. The board shall examine applicants for registration as physical therapists at such times and places as it may determine. It may employ registered physical therapists to aid it in such examinations. The examinations shall embrace such subjects as the board deems necessary to determine the applicant's fitness and shall include practical demonstrations and written and oral tests of such fitness.

2610. The board shall register as a physical therapist each applicant who proves to the satisfaction of the board his fitness for registration under the terms of this chapter. It shall issue to each person registered a certificate of registration, which shall be prima facie evidence of the right of the person to whom it is issued to represent himself as a registered physical therapist, subject to the conditions and limitations of this chapter.

2611. Each person granted registration under the provisions of this chapter shall pay an annual tax and registration fee to the board on or before the first day of January of each year, and such annual tax and registration fee is the sum of two dollars ($2).

2612. Receipt or acknowledgment of payment of the annual tax and registration fee by the secretary-treasurer of the board shall be evidence that the holder and possessor of a certificate of registration is entitled to practice physical therapy for a period of one year from the first day of January.

2613. Failure of any person holding a certificate of registration as a physical therapist to pay the annual tax and registration fee during the time his certificate remains in force shall automatically work a forfeiture of his certificate after a period of 60 days from the first day of January of each year. Such a certificate shall not be restored except upon written application and by the payment of a delinquency fee of ten dollars ($10). No examination shall be required for the reissuance of a certificate that has been forfeited under the provisions of this chapter.

Article 3. Refusal, Revocation and Suspension of Registration

2616. The board, after due notice and hearing, may refuse to register any applicant, and may refuse to renew the registration of any registered person, and may suspend or revoke the registration of any registered person;

(a) Who is guilty of habitual intemperance or who is addicted to the use of narcotic drugs;

(b) Who has been convicted of violating any state or federal narcotic law;

(c) Who has been convicted of any crime involving moral turpitude;

(d) Who is guilty, in the judgment of the board, of gross negligence in his practice as a physical therapist;

(e) Who has obtained or attempted to obtain registration by fraud or material misrepresentation;

(f) Who has been declared insane by a court of competent jurisdiction and has not thereafter been lawfully declared sane; or

(g) Who has treated or undertaken to treat ailments of human beings otherwise than by physical therapy and as authorized by this chapter, or who has undertaken to practice independent of the prescription, direction or supervision of a person licensed in this State by the Board of Medical Examiners to practice medicine and surgery.

Article 4 Restrictions and Penalties

2620. A person who is not registered under this chapter as a physical therapist, or whose registration has been suspended or revoked, or whose registration has lapsed and has not been revived, who uses in connection with his name the words or letters "R. P. T.," "Registered Physical Therapist," or any other letters, words, or insignia indicating or implying that he is a registered physical therapist, or who in any other way, orally, or in writing, or in print, or by sign, directly or by implication, represents himself as a registered physical therapist, is guilty of a misdemeanor.

2621. A person who makes a wilfully false oath or affirmation in any case in which an oath or affirmation is required by this chapter, or

who obtains or attempts to obtain registration by any fraudulent representation shall be punished by a fine not exceeding one thousand dollars ($1,000) or by imprisonment for not more than one year, or by both, in the discretion of the court.

2622. A person registered under this chapter as a physical therapist shall not treat human ailments by physical therapy or otherwise except under the supervision and direction of a physician and surgeon licensed by the board. Nothing in this chapter shall be construed as authorizing a physical therapist, whether registered or not, to practice medicine, surgery, or any other form or method of healing except as defined in Section 2601. Any person violating the provisions of this section shall be guilty of a misdemeanor.

2623. Nothing contained in this chapter shall be construed to limit or prevent the use of physical agents by any person not registered under this chapter, if such person does not represent himself to be a registered physical therapist.

Article 5. Powers and Duties of Board

2626. Each person engaged in the practice of physical therapy on or prior to the effective date of this chapter may be registered by the board and be issued a certificate as a registered physical therapist, upon submitting evidence satisfactory to the board either (a) that he has practiced physical therapy under the direction of a physician and surgeon licensed by the board for not less than three years either in a hospital, sanitarium, clinic or office, or (b) has taught physical therapy for not less than one year in a school of physical therapy acceptable to the board, or (c) that he has fulfilled the requirements of Section 2607, subsections (a), (b), (c) and (d) on or before the effective date of this chapter. Evidence of the practice or teaching of physical therapy submitted to the board must conclusively show to the satisfaction of the board that such practice or teaching shall have been performed within a five-year period immediately prior to application for certification. The authority of the board to issue certificates under this section shall expire one year from the effective date of this chapter.

2627. All persons who have been administering physical therapy as commissioned officers in the Medical Corps of the United States Army, or in the Medical Service Corps of the United States Navy for a period of one year or more prior to the effective date of this chapter, or who have been administering physical therapy as noncommissioned officers in the Medical Corps of the United States Army or in the Medical Service Corps of the United States Navy for a period of one year or more prior to the effective date of this chapter, and who either hold certificates of completion of training in the physical therapy department of an Army or Navy hospital, or can prove to the satisfaction of the board that they have satisfactorily completed training in physical therapy in the physical therapy department of an Army or Navy hospital, may also apply for and be granted registration without examination by the board.

2628. The board is authorized to adopt reasonable rules to carry this chapter into effect and may amend and rescind such rules at its

discretion. The board shall keep a record of its proceedings under this chapter, and a register of all persons registered under it. The register shall show the name of every living registrant, his last known place of business and last known place of residence, and the date and number of his registrant and certificate as a registered physical therapist. The board shall, during the month of May of every year in which the renewal of registration is required, compile a list of registered physical therapists authorized to practice physical therapy in the State. Any interested person in the State is entitled to obtain a copy of that list on application to the board and payment of such amount as may be fixed by the board, which amount shall not exceed the cost of the list so furnished.

2629. Blind persons shall not be denied registration solely on the basis of such infirmity.

2630. The board shall investigate every supposed violation of this chapter coming to its notice and shall report to the proper district attorney all cases that in the judgment of the board warrant prosecution. Every police officer, sheriff, and peace officer shall investigate every supposed violation of this chapter that comes to his notice or of which he has received complaint, and apprehend and arrest all violators. It shall be the duty of the district attorneys of the counties in this State to prosecute violations of this chapter.

SEC. 2. If any provision of this act or the application thereof to any person or circumstances in held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

Connolly: I was going to ask the doctor * * *. You have a situation now apparently where you have a lot of people qualified or not, and at the present time they are acting individually and outside and from under any contact with the medical profession. They are diagnosing and treating illness at the present time. Isn't that true?

Dr. Crow: It is a question to which I cannot give you a factual answer because it would require a survey of the State to determine exactly what is occurring in every part of the State and that is a job which even this committee does not have the means to do. From my information, which may or may not be correct or adequate, I can only answer in this way, that to the extent that people who are not licensed to practice under any of the existing license acts, are undertaking to diagnose the ills of other people and determine the type of treatment, they are acting unlawfully, and I do not think that should be legalized.

Connolly: That is the point we seem to get to. As I understand you, doctor, physical therapy treatment should properly only be done after a proper medical diagnosis of what treatment is required along those lines.

Dr. Crow: I think that is the ideal use of this form of treatment and there is certainly a difference between the treatment for illness and treating the tired business man at the time when the temperature is 104 degrees and he goes to the club and gets rubbed down because he feels better from massage. That is not a treatment for disease, but certainly if it is for treatment, the nature of the disease should be determined and treatment prescribed for that known ailment.

Connolly: In other words, there is a dividing line in there for massage of sore muscles and aches and pains on the one hand, and physical therapy for a particular illness.

Dr. Crow: Yes, it certainly should be on a prescription, just like filling a prescription for drugs.

Connolly: And if physical therapists are at the present time diagnosing or doing anything more than massage at the club, it would be acting unlawfully since it is not within the present provision of the law.

Hassard: You have to bear in mind that the term physical therapy has in the past couple of decades acquired in usage a much broader meaning to you and I as attorneys than it does to Dr. Crow. To him it means a specific therapeutic treatment *after* a diagnosis of a specific illness or injury. It is used in a broad sense to cover anything from massage or manipulating a gadget—or the use of physical things such as heat, light, air, and physical exercise. When we say physical therapy in that sense, we are talking not about one thing but a multitude of things. So far as massage is concerned, it is not in the practice of medicine or any other branches of the healing arts.

Connolly: One further question, under this proposed bill that the American association proposes, if that legislation were adopted, would they then be in a position to diagnose?

Hassard: Yes, they would be.

Mr. Chairman, I think we have presented the points of view of the California Medical Association and the Physical Therapy Association. Mr. Levering's bill, A. B. No. 555, still represents our views. We ask for its favorable consideration by this interim committee. I might point out that we propose legislation on physical therapy on the use of the term registered physical therapists in a broad sense along the same lines that a nurse who has gone through nursing school and has graduated and passed the necessary qualifications is entitled to use the term registered nurse. But the law does not permit her to practice nursing. A. B. No. 555 has the same approach to the physical therapists. It merely sets up a means by which the public may determine the educational qualifications of the physical therapists by restricting the use of the term registered physical therapists to those who have fulfilled the necessary qualifications. We do not propose to put anyone out of business who is now lawfully operating. We have restricted those to acting under the direction and supervision of a physician or surgeon. They cannot act until a physician has referred a case to them.

Rumford: Does that mean that they could not have a place of their own?

Hassard: No. It does not mean that they would have to be in the same room as the physician. As a matter of fact, that is impracticable. They could have facilities anywhere as long as the work to be done is determined first by the physician.

Rumford: I think that is the crux of the whole fight here, but we failed to see in the bill where it has been included so far.

Hassard: The California association bill as passed in 1949 contained a section that those who were now practicing physical therapy could do so, but those who were licensed in the future would have to be referred by a physician.

Rumford: Is your group in agreement with this section that was deleted?

Hassard: Our point is that physical therapy is a fundamental type of treatment.

Rumford: Our question is, what to do with these people who are already licensed and practicing?

Hassard: If they are limiting their practice to massage there is no problem. We do not propose to prohibit the use of the term physical therapist.

Hawkins: What do you propose to do to restrict those who are now practicing who might be advertising misleadingly?

Hassard: I think existing laws are adequate to cover it if they were enforced. This committee has had some things before it in this line. The Legislature has enacted enough laws over the years to prohibit unqualified people from practicing. The enforcing of these laws has been difficult.

Hawkins: Where is enforcement at the present time?

Hassard: Enforcement is in the State Board of Medical Examiners, but it all has to go through the district attorneys in the different counties. This has been going on over a period of many years. Sometimes there will be an energetic district attorney, and many times not. It is not a question of more laws, it is a question of enforcing the ones there are.

Hawkins: The only question is with respect to referrals hereafter. There is no disagreement as to what we can do at the present time.

Hassard: There are more issues than just that, Mr. Hawkins. For example, the bill that Mr. Rumford was referring to sets up a new state board, and the California Medical Board feels that is unnecessary. We propose that such legislation as may be enacted to regulate physical therapy be under the Board of Medical Examiners, which also includes the Board of Osteopathic Examiners. We have had it before us session after session. We feel we have enough boards already.

Mr. Niel Sellers representing the California Physical Therapy Association stated as follows: "I have listened to all that has been said here today, and in summing it up, the first point I would like to make is that the members of the American Physical Therapy Association desire the title to be 'registered' instead of 'licensed.' Under the present law it would only give them a title, because 2392 definitely states that a doctor can even refer a patient to someone who is not licensed, and if we are breaking a law, the doctors are. We all need a law, and to let them work regularly it would have to be a licensing act and I don't think you can discriminate against the group and show them as registered physical therapists. And it would give discrimination against them. There are doctors in the State who do practice and prescribe physical therapy, and these people have been doing this for years. I think they should be allowed to do physical therapy under the law now. There is plenty of law now for them to work under.

"There is a great need for more schools in physical therapy. There are about 28 of the private schools today and the total number of students that can be taken in would be about 620. Physical medicine formerly was looked down on. It is one of the oldest forms of medicine there is. It is only in the last few years the need has been seen for it, and it is

gradually becoming part of the schools. I noticed a clipping out of the paper which stated that there is a need for 15,000 physical therapists. That is not counting the doctor's offices and others that need hospitalization. We lack 40 or 50 of the necessary physical therapists in our state hospitals today, and we have many patients who need that work. If we could get enough physical therapists to fill our vacancies it would aid us very much in returning many of these people to their homes sooner. I have talked to doctors on this, medical doctors, and they can see no need for that type of qualification at the present time due to the extreme need of the physical therapists. And in the future, raise the standards up. We have gone along with the specifications set-up, and I can see no need at the present time for higher standards. The people out in the public do not desire to go to the doctor first, for they say it is two fees they have to pay. With the high standards set-up, I can't see how they can do anything wrong."

Connolly: You spoke about the shortage of the physio therapists. I still don't understand your point about the lack of physio therapists.

Sellers: The schools are not turning out enough, and under the present school situation it will be years before they could. In some schools they have an age requirement of 35 to 37 years, and a lot of the people feel they will put three years of college first. They feel like why not put in a little more time and be a doctor. I have been in the field of physical therapy for many years. I started out in the U. S. Navy right after the First World War.

Thompson: You have been doing physio therapy work at Agnew for some time, haven't you?

Sellers: I have been in charge of that since 1937. We have thousands of patients going through there Last year, about 6,000. Physical therapy, although it is the oldest form of physical medicine, has only been accepted in recent years. To a lot of people it is helping the man feel better. We know fatigue is not a disease. But if you want a good massage and it relieves you, it is very hard to distinguish in many cases whether you are treating a disease or not. A lot of the people are operating under the name physical therapist, but there are a lot of them who aren't.

J. Ed McClellan, attorney for the California Physical Therapists Association, stated: "There was a point brought out by Dr. Crow which I believe is quite an important point and we have stressed before on this, that the Legislature should begin somewhere to set a standard and take care of the future of this growing profession of physical therapy, not by setting up an ideal standard which will go in immediately, but so that when replacements come in future years, the public will be assured of adequate training. That is not provided for in the bill which Mr. Hassard represents. Mr. Hassard pointed that out himself. They do not prohibit the practice of physical therapy by untrained persons. We believe that the Legislature should set a standard—spell it out in legislation. That is not done in A. B. 555 which was introduced last year. It does not set up any educational standards but leaves it discretionary with the board to approve or disapprove schools. We do not think that is the proper approach. We have set up specific standards in our bill. We have also provided for a grandfather's clause which permits those now in to continue

with reference to the new standards, but new ones must meet new standards, which is exactly what Dr. Crow proposed, and I believe should practice. Let us set up a standard by law and require those in the State to meet it. We cannot help it that those now in have not had the degree of training they should have, but let's set up a standard for the future which everyone will know, so the schools and pupils may know what standards they will have to meet in order to be able to receive a license later. In that respect, we believe our bill meets the problem, whereas the other does not.

"When Miss Parsons was talking, she referred to their very high standard. As a matter of fact, standards set up in our bill are not very different from the standards set up by the committee of the A. M. A. They require more class training than we require, but I believe the committee should learn there is a difference between a voluntary standard and a standard set up by statute. There should be a beginning minimum standard and a voluntary standard can be as high as the sky. We suggest what we believe is a reasonable standard of education. We believe it is high enough to start with, and we can go along with it for a good many years, but the standard we set up is specific. It is in the bill and compares very favorably with standards set up by A. M. A. for schools of physical therapy."

Following is a draft of the proposed bill prepared by the California Physical Therapy Association:

An act to add Chapter 5.6, comprising Sections 2600 to 2640, inclusive, to Division 2 of the Business and Professions Code, and to amend Section 11501 of the Government Code, relating to the practice of physical therapy, schools of physical therapy, and the registration of physical therapists, creating the Board of Physical Therapy Examiners and declaring the powers and duties of such board and prescribing penalties for violations thereof.

The people of the State of California do enact as follows:

SECTION 1. Chapter 5.6, comprising Sections 2600 and 2640, inclusive, is added to Division 2, of the Business and Professions Code, to read as follows:

CHAPTER 5.6. PHYSICAL THERAPY

Article 1. Administration

2600. A board is hereby created to be known as the "Board of Physical Therapy Examiners of the State of California," hereinafter referred to as the board, which shall consist of seven members appointed by the Governor and confirmed by the Senate.

2601. Each member of the board first appointed hereunder shall have practiced physical therapy in the State of California for a period of three years next preceding the date upon which this chapter takes effect and all subsequent appointees shall be persons registered hereunder. No person shall serve on the board who shall not have graduated in physical therapy from a school, college or department of physical therapy which requires for such graduation a resident course of at least 500 hours. No two persons shall serve simultaneously as members of said board whose first diplomas or certificates were issued by the same school or college of

physical therapy, nor shall more than two members be residents of any one county of the State; and no person connected with any physical therapy school or college in an administrative or teaching capacity shall be eligible to appointment as a member of the board.

2602. Within 60 days of the date this chapter takes effect, the Governor shall appoint the members of the board, subject to confirmation by the Senate as aforesaid. Of the members first appointed, one shall be appointed for a term of one year, two for a term of two years, two for a term of three years, and two for a term of four years. Thereafter, each appointment shall be for four years, except that an appointment to fill a vacancy shall be for the unexpired term only. No person may serve as a member of the board for more than two consecutive terms.

2603. Any vacancy in the board may be filled by appointment by the Governor and, if the Senate is in session, confirmation by the Senate; provided, however, that if any such vacancy is not so filled within 60 days after its occurrence the remaining members of the board may fill such vacancy by majority vote.

2604. Before entering upon the duties of his office, each member of the board shall take the constitutional oath of office.

2605. The Governor shall have the power to remove any member of the board from office for neglect of any duty required by law or for incompetency or unprofessional or dishonorable conduct.

2606. The board at its first meeting after appointment, and annually thereafter at its first meeting in each year, shall elect from its members a president, a vice president, and such other officers as it may deem necessary. The officers of the board shall hold their respective positions during its pleasure.

2607. For the purpose of transacting its business, the board shall meet at least once every three months, at places designated by resolution. Special meetings may be held at such times as the board may elect, or on the call of the president of the board or of any three members thereof. A written notice of the time, place and object of any special meeting shall be mailed by the executive secretary to all members of the board who are not parties to the call, at least 15 days before the day of the meeting. Four members of the board shall constitute a quorum for the transaction of business at any meeting. It shall require the affirmative vote of four members of the board to carry any motion or resolution, to adopt any rule, or to authorize the issuance of any certificate provided for in this chapter.

2608. The board shall keep a record of all of its proceedings, including a register of all applicants for registration under this chapter and the action of the board upon each application.

2609. The office of the board shall be in the City of Sacramento. Branch offices may be established in Los Angeles, San Francisco, and Fresno and such records as may be necessary may be transferred temporarily to them. Legal proceedings against the board may be instituted in any county in which any of the four cities above mentioned is located.

2610. Each member of the board shall receive the sum of twenty dollars ($20) per diem for each day spent in the discharge of official duties. In addition, each member shall be reimbursed for his necessary travel and other expenses incurred in the performance of his official duties.

2611. There shall be a full time executive secretary appointed by the board from an appropriate civil service list and the board may employ, subject to law, such inspectors, special agents, investigators, clerical assistants and other employees as it may deem necessary to carry out its powers and duties; and, except as expressly otherwise provided in this chapter, the board shall be the appointing authority for all such positions. The executive secretary shall not be a member of the board but shall perform such duties as are delegated by the board and shall be responsible to it for the accomplishment of such duties. The salaries of the executive secretary and other employees employed by the board shall be as fixed by the rules and regulations of civil service for their appropriate classifications. Any employee shall be reimbursed for his necessary traveling and other expenses incurred in the performance of his official duties. The executive secretary shall give bond to the board in such sum with such sureties as the board may deem proper. He shall keep a record of the proceedings of the board, which shall at all times during business hours be open to the public for inspection. He shall keep a true and accurate account of all funds received and all expenditures incurred or authorized by the board.

2612. The board may from time to time adopt such rules and regulations consistent with general laws as may be necessary to enable it to carry into effect the provisions of this chapter.

2613. The procedure in all matters and proceedings under this chapter shall be governed by the provisions of Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code of the State of California.

2614. The board shall have and use a seal bearing the name "Board of Physical Therapy Examiners of the State of California." The official seal shall be affixed to all certificates issued by the board.

2615. The board shall have power to examine applicants and to issue and revoke certificates of registration which shall have the effect of licenses to practice physical therapy as herein provided, to summon witnesses and to take testimony as to matters pertaining to its duties and to do any and all things necessary or incidental to the exercise of the powers and duties herein granted or imposed; and each and every member shall have power to administer oaths and take affidavits.

2616. On or before the first day of January of each year the board shall transmit to the Governor a full and true report of all its receipts and disbursements.

Article 2. General Provisions

2617. The term "physical therapy" shall mean the treatment of any bodily or mental condition of any person by the use of the physical, chemical, and other properties of heat, light, water, electricity, iontophoresis, massage, and active, passive and resistive exercise. The use of roentgen rays and radium, for diagnostic and therapeutic purposes, and the use of electricity for surgical purposes, including cauterization, are not authorized under the term "physical therapy" as used herein

2618. "Physical therapist" or "physiotherapist" or "physical therapy technician" shall mean a person who practices physical therapy. For all purposes of this chapter the terms "physical therapy" and "physiotherapy" shall be deemed identical and interchangeable.

Article 3. Registration and Certification of Practitioners

2619. After the thirty-first day of October, 1952, no person not holding a certificate issued under this chapter shall practice physical therapy in this State for compensation received or expected; provided, however, that this prohibition shall not apply to any of the following:

(a) Physicians and surgeons, osteopaths, dentists, drugless practitioners, chiropractors, chiropodists and midwives licensed to practice as such under the laws of this State;

(b) The practice of physical therapy procedures by registered nurses when such practice is incidental to their conventional nursing duties and is performed under the direct orders and supervision of a person licensed in one of the healing arts;

(c) Any activities of nonregistered nurses permitted by Section 2731 of this code;

(d) Any activities authorized by their licenses on the part of any persons licensed under this code;

(e) Any persons employed by any agency, bureau or division of the government of the United States, while performing the duties of such employment;

(f) The demonstration of any physical therapy equipment by a salesman or merchant engaged in selling such equipment;

(g) The administration of massage, external baths or normal exercise without the use of electro-therapy equipment.

2620. All certificates for the practice of physical therapy in this State shall be issued by, in the name and under the seal of the board and all applications for such certificates shall be filed with the board at its office in Sacramento or at a branch office.

Each application shall be accompanied by a fee of _____ dollars ($_____), shall be signed by the applicant, and shall contain a statement under oath of the facts entitling the applicant to receive a certificate without examination or to take an examination.

2621. A person holding a certificate as a registered physical therapist issued by the board may use the title "registered physical therapist," or the letters "R. P. T.," or any other words, letters or figures which indicate that the person using the same is a California registered physical therapist No other person shall be so designated or shall use the term physical therapist, physiotherapist or physical therapy technician. The certificate of registration as a California registered physical therapist shall not authorize the use of the prefix "Dr," the word "doctor" or any suffix or affix indicating or implying that the registered person is a doctor or a physician or surgeon.

2622. The following persons shall be entitled to receive certificates under this chapter without examination and without compliance with Section 2630 of this code provided they comply with the requirements of Section 2623 and file their applications therefor on or before October 31, 1952:

(a) All persons who have administered physical therapy as commissioned or noncommissioned officers, or both, in the Medical Corps of the United States Army or in the Medical Service Corps of the United States Navy for a period of one year or more within the last three years prior to January 1, 1951;

(b) All persons who have taught physical therapy in this State, for a period of one year or more within the last three years prior to January 1, 1951, in a school, college or department of physical therapy which requires for graduation a resident course of at least 500 hours.

(c) All persons who for a period of one year or more within the last three years prior to January 1, 1951, have been applying to human patients in this state any three of the following modalities, to wit: Electrotherapy, light therapy, hydrotherapy, massage and therapeutic exercise.

(d) All persons who have been residents of this State for a period of one year or more immediately prior to January 1, 1951, and who were enrolled as resident students of physical therapy on January 1, 1951, in a school, college or department of physical therapy which requires for graduation a resident course of at least 500 hours and who graduate therefrom on or before October 31, 1952.

2623. Every applicant for a certificate under this chapter must at the time of application be a resident of this State and a person over 21 years of age, of good moral character, not addicted to the intemperate use of alcohol or any narcotic drug; and every person applying for a certificate under this chapter otherwise than under the provisions of Section 2622 hereof must, in addition, have successfully completed courses of training equivalent to the minimum standard established in this chapter for approval by the board.

2624. The board shall have power to provide by appropriate rules and regulations for the issuing of certificates without examination to persons licensed in other states having statutory educational standards similar to the standards fixed in this chapter provided such other states extend the same privilege to persons licensed in this State.

2625. Except as provided in Sections 2622 and 2624 of this code no person shall receive a certificate under this chapter without first successfully passing an examination given under the direction of the board. Such examination must be in writing and shall be conducted by such persons and in such manner and under such rules and regulations as shall be prescribed by the board but must be so conducted that the identity of each applicant taking an examination will be unknown to all of the examiners until all of the papers have been graded.

2626. Every applicant who is otherwise qualified as provided in this chapter and who receives an average grade of 75 percent and does not receive grades below 65 percent in any two subjects shall be granted a certificate.

2627. Any applicant who fails to pass the examination of the board may take another examination in the subjects in which he failed without payment of an additional application fee, if not less than six months or more than 12 months after the unsuccessful examination. Upon failure of an applicant to pass a second examination the board may require him to complete additional courses of study designated by the board, in which case he shall be required before taking another examination to present to the board satisfactory evidence of having completed the required additional courses and shall pay an additional fee equal to the fee required for filing the original application.

2628. Certificates issued under this chapter shall be valid, unless sooner revoked or suspended, for the current calendar year in which issued and shall expire on December 31 of such year but shall be renewable as of course from year to year upon payment of a renewal fee of _____ dollars ($_____) not later than February 15th of each succeeding year. Failure to pay such renewal fee by February 15th of any such succeeding year shall result in the automatic forfeiture of the certificate.

2629. On or before November 1st of each year the executive secretary of the board shall mail to each certificate holder hereunder, at the latest address furnished by such certificate holder to such secretary, a notice that the renewal fee, stating the amount, will be due on or before December 31st of the then current year and that failure to pay the fee by February 15th of the following year will result in forfeiture of the certificate.

Article 4. Educational Standards

2630. Except as otherwise provided in this chapter all applicants for certificates under this chapter must be graduates of California high schools or their equivalent and in addition have successfully completed, in schools approved by the board, courses of instruction equivalent to the following minimum standard;

(1) A first year course of not less than 1,000 hours (reasonably distributed) including the following subjects taught by instructors having the following qualifications, to wit:

Subject	*Qualifications of instructors*
General inorganic chemistry	Doctor of Medicine or person having qualifications required for secondary teaching certificate.
General biology	
General human anatomy	Doctor of Medicine or other qualified instructor in this specialty.
Abnormal psychology	
General physics	Persons having qualifications required for secondary teaching certificate.
English I	
English II	

(2) A second year course of not less than 1,200 hours (reasonably distributed) including the following subjects taught by instructors having the following qualifications, to wit:

Subject	*Qualifications of instructors*
a. Applied sciences	Doctor of Medicine or other instructor qualified in specialty.
Anatomy	
Pathology	
Physiology	
Psychology	
Physics, correlated with other subjects	
b. Procedures	Qualified Physical Therapist.
Electrotherapy	
Radiation therapy (not including X-ray or radium therapy)	
Hydrotherapy	
Massage	
Therapeutic exercise	

Subject	*Qualifications of instructors*
c Physical therapy as applied to: Medicine, Neurology, Orthopedics, Surgery	For theory, Doctor of Medicine or other instructor qualified in specialty. For practice, Qualified Physical Therapist
d. Ethics and administration	Qualified Physical Therapist.
e Electives	Qualified Physical Therapist.
f. Clinical practice	A physician and surgeon or other person whose professional license authorizes the diagnosis of disease and the prescribing of physical therapy procedures and also a Qualified Physical Therapist.

except that any one of the following will be accepted in lieu of the said first year course, to wit:

(a) Graduation from a school of nursing approved by the Board of Nurse Examiners of the State of California;

(b) Graduation from an accredited school of physical education;

(c) Two years of college training in an accredited school or accredited schools including courses in biology and other sciences.

2631. All schools, whether situated in this State or not, furnishing courses of study meeting the minimum standard required by Section 2630 of this code shall be approved by the board and shall be entitled to enforce such approval, if the same is denied, by action in the superior court of the State of California, the procedure and power of the court in which action shall be the same as provided in Section 2374 of this code.

Article 5. Suspension, Revocation and Reinstatement of Certificate

2632. The board shall have the power in its discretion, after appropriate proceedings under the Administrative Procedure Act, to suspend for not more than 12 months or to revoke any certificate issued under this chapter for any of the following causes:

(a) Advertising in violation of Section 2637 of this code;

(b) Fraud in the procurement of any certificate under this chapter;

(c) Procuring or aiding or offering to procure or aid a criminal abortion;

(d) Conviction of a felony or other crime involving moral turpitude;

(e) Impersonating or acting as a proxy for an applicant in any examination given under this chapter;

(f) Habitual intemperance;

(g) Addiction to the excessive use of any habit-forming drug;

(h) Insanity.

2633. Any certificate forfeited under this chapter for failure of the certificate holder to pay a renewal fee may be reinstated by the board at any time on payment of a reinstatement fee of twenty-five dollars ($25).

2634 Any certificate revoked by the board for cause may be reinstated by the board, in its discretion, after one year, upon payment of a reinstatement fee of twenty-five dollars ($25).

Article 6 Offenses and Enforcement

2635. Any person who violates any of the provisions of this chapter shall be guilty of a misdemeanor and punishable by a fine not exceeding five hundred dollars ($500) or imprisonment in a county jail not exceeding six months or by both.

2636. The Attorney General shall act as legal counsel for the board.

2637. No holder of a certificate issued under this chapter shall advertise for patients; but the use of professional cards, professional announcements, reasonable window signs and reasonable office signs designed for the identification of the certificate holder and his office shall not be deemed advertising. The board shall have power to make reasonable rules and regulations concerning the application of this section.

Article 7. Fiscal Administration

2638. After the initial establishment of the board and its offices, all expenses incident to the operation of this chapter shall be paid from the revenue derived therefrom.

2639. Within 10 days after the beginning of each calendar month the board shall report to the State Controller the amount and source of all collections made under the provisions of this chapter and at the same time pay all such sums into the State Treasury, where they shall be credited to the Physical Therapy Fund.

2640. The board shall have power to make such expenditures from the Physical Therapy Fund as it shall deem necessary or appropriate for the performance of its duties under this chapter.

SEC. 2. There is hereby appropriated from the General Fund the sum of fifteen thousand dollars ($15,000) for the initial establishment of the Board of Physical Therapy Examiners, which sum shall be credited to the Physical Therapy Fund but repaid to the General Fund within two years

SEC. 3. Section 11501 of the Government Code is hereby amended to read as follows:

11501. (a) The procedure of any agency shall be conducted pursuant to the provisions of this chapter only as to those functions to which this chapter is made applicable by the statutes relating to the particular agency.

(b) The enumerated agencies referred to in Section 11500 are:

Board of Dental Examiners of California
Board of Medical Examiners of the State of California
Board of Osteopathic Examiners of the State of California
Board of Physical Therapy Examiners of the State of California
Board of Nurse Examiners of the State of California
State Board of Optometry
California State Board of Pharmacy
State Department of Public Health
State Board of Public Health
Board of Examiners in Veterinary Medicine
State Board of Accountancy
California State Board of Architectural Examiners
State Board of Barber Examiners

State Board of Registration for Civil Engineers
Registrar of Contractors
State Board of Cosmetology
State Board of Funeral Directors and Embalmers
Structural Pest Control Board
Yacht and Ship Brokers Commissioner
Director of Professional and Vocational Standards
Collection Agency Board
State Fire Marshal
State Mineralogist
Director of Agriculture
Labor Commissioner
Real Estate Commissioner
Commissioner of Corporations
Department of Social Welfare
Social Welfare Board
Department of Institutions
Board of Pilot Commissioners for the Bays of San Francisco, San Pablo and Suisun
Board of Pilot Commissioners for Humboldt Bay and Bar
Board of Pilot Commissioners for the Harbor of San Diego
Fish and Game Commission
State Board of Education
State Board of Equalization
Insurance Commissioner
Building and Loan Commissioner
State Board of Cleaners
Board of Social Work Examiners
Board of Chiropractic Examiners

SEC. 4. If any section, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act and each section, sentence, clause and phrase hereof irrespective of the fact that any one or more sections, sentences, clauses or phrases be declared unconstitutional.

Mr. McClellan went on to state: "There is a dispute with the association I represent with respect to two things. One is whether or not the treatment of a patient with physical therapy involves diagnosis and whether or not they should be permitted to diagnose. I believe most of our people will say that because of its nature, physical therapy and its application does not involve diagosis. They do not tell a patient that the patient has cirrhosis of the liver or anything specific. As I understand it, they do not try to treat a specific disease so they do not have to identify it. If the mechanical processes of the body are kept in a free flowing operation, the body itself will take care of the disease. If they discover evidence of disease, they send the patient to a doctor because it is out of their realm. There is that thought strongly held that they are not dealing with disease. If they are doing a specific type of treatment, that comes from a doctor anyway. But, if a person comes in who is just tired, or for some other reason needs his muscles loosened up, that is not determining or treating

a disease. The bill we propose does not condemn any reference to operating under the direction of a prescription or a physician. As a matter of fact, a very large proportion of the work done by the California Therapists Association is done by reference from doctors. There is no question of that. When you come to the subject of prescriptions by doctors, however, I believe that most doctors prescribe physical therapy in very general terms, and very few medical doctors can give a specific treatment for certain conditions or designate the length of time to operate a diathermy machine, etc. That is not in their training."

Thompson: Has physical therapy been defined in either bill?

McClellan: It has been defined in both bills and they are not very different, except that A. B 555 makes a distinction between registered and nonregistered physical therapists and performing physical therapy upon a patient under the instructions of a medical man, duly licensed by the Medical Board. We make no such distinction. I would like to point out another thing. Under the present law, if the laws were enforced, people who are practicing physical therapy beyond mere massage are practicing illegally. The present laws do not make any distinction between the registered and unregistered physical therapists, so, if the operations of the unregistered are illegal, so are the operations of the registered.

Connolly: That was as to diagnosis—not as to treatment.

McClellan: I wanted to make sure it was because it could have been interpreted more broadly. I wouldn't want any misunderstanding. Registration of physical therapy now is voluntary and is not covered by any law. We feel that there should be a law and those not meeting the standards should not be licensed; but persons now practicing should be licensed under a grandfather's clause. Then, as replacements come, the new standards will apply; and over a period of years we will get a body of physical therapists with exclusively highest training. There could still be voluntary considerations and restrictions. Hospitals could say they would only accept registered therapists from certified schools. Our bill would set up the minimum standards and they could have them as high as they please.

There is one other thing, and that is the matter of an independent board. Mr. Hassard says he feels the board is not necessary. If it is a matter of whether there are an excess number of boards or not, there are a great many who feel that there are. However, if they want it badly enough, the mere fact that there are many boards should not interfere with their having a board composed of trained physical therapists. Some physicians are highly trained physical therapists and many are not They depend on technicians. Many would not pass an examination and I doubt if the Medical Board could. It seems to me that the board responsible for giving examinations and determining what shall be in those examinations, determining who shall pass, and then administering the laws regulating the practice, should be made up of men trained in that field. They can be physicians and surgeons partly, but first, they must be physical therapists, and if they are, they do not need to be physicians and surgeons. That should be all required of them. Being physicians or surgeons would not qualify them. It seems to me there should be a separate board and it should be composed of physical therapists. I assure you the people I represent, those who have a lot of money invested, and the profession, need it

very badly; so, unless there is a very strong reason against the board, I think that desire should be recognized by the Legislature.

Connolly: I can't get over this point of diagnosis somehow. Rosenthal's Bill (A. B. No. 1213) provided that nothing in this chapter shall be construed to provide that the person representing himself as a physical therapist is allowed to diagnose or prescribe in terms of treatment. In your bill that language is not there to that extent. Is there some point in your association's thinking that lacks this distinction?

McClellan: I think our association would be willing to adopt a provision that would prohibit them from diagnosing disease. I don't think they would in all happiness agree that they operate under physicians and surgeons, but I do believe they would accept a prohibition against diagnosis.

Connolly: If you had a provision that they work closely under physicians and surgeons, you wouldn't be getting at this massage situation, would you?

McClellan: No. No, it seems to me there should be a medium ground there upon which all people who are interested in the public health would meet. I believe if we could sit down together, we would work out a clause which would prohibit diagnosis of disease by people not trained for that. Quite frankly, we admit we do not propose to make physicians and surgeons out of our people. If our educational standards do not qualify them to diagnose disease, I believe that we could agree on a clause to protect against unqualified diagnosis and still let our people operate.

Following is the opinion rendered by the Office of the Legislative Counsel as requested by Assemblyman John F. Thompson, Chairman of the Interim Committee on Public Health:

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL
218 STATE CAPITOL, SACRAMENTO 2, CALIFORNIA
October 30, 1950

HON. JOHN F. THOMPSON
Route 3, Box 408, San Jose, California

Practice of Physical Therapy—No. 2156

DEAR MR. THOMPSON: You have asked us questions concerning the practice of physical therapy which are considered separately below.

QUESTION

Is there any existing law regulating the practice of physical therapy?

OPINION

Our search has revealed no existing law *specifically* regulating the practice of physical therapy.

ANALYSIS

The Business and Professions Code regulates the practice of medicine and surgery in this State and requires that all persons who practice in particular fields of medicine be licensed and be issued certificates defining and limiting the scope of their practice. The practice of physical therapy is not specifically defined nor specifically regulated by the Business and Professions Code, nor is there any provision for the licensing of physiotherapists in this State.

However, we have found no authority for distinguishing persons giving treatments known as physical therapy from other unlicensed persons, which would exempt them from the general regulation of medicine intended by the provisions of the Business and Professions Code.

We call your attention to Assembly Bills Nos. 1213, 555, and Senate Bill No. 277, which were introduced in the General Session of 1949, all relating to the practice of physical therapy and providing for the regulation, licensing, and disciplining of physiotherapists.

QUESTION

May any licensed physician "refer or direct" patients for physical therapy treatments to persons who are unlicensed to administer such treatments without violating Section 2392 of the Business and Professions Code?

OPINION

It is our opinion that a licensed physician who directs or refers patients to any person who performs any act as a treatment of the sick, and who is not licensed as provided by the Business and Professions Code to perform such acts, does so in violation of Section 2392 of said code.

ANALYSIS

Section 2392 of the Business and Professions Code reads as follows:

"2392. The employing, directly or indirectly, of any suspended or unlicensed practitioner in the practice of any system or mode of treating the sick or afflicted or the aiding or abetting of any unlicensed person to practice any system or mode of treating the sick or afflicted constitutes unprofessional conduct within the meaning of this chapter."

In construing this section, the courts have found no need for construction in order to bring any particular set of facts within its terms. Every person of common knowledge is held to know what "treating the sick or afflicted" means. The doing of any act, in accordance with "any system or mode" of treatment, would be within the terms of the definition. *Howson* v. *Board of Medical Examiners,* 128 Cal. App. 35.

The practice of physical therapy by its general definition is "the treatment of disease by physical and mechanical means, as by massage, regulated exercise, water, light, heat, electricity, etc.; also, the branch of medicine concerned with such treatment" (Webster's New International Dictionary, Second Edition).

Since by this general definition the practice of physical therapy is held to be "the *treatment of disease,*" it is the practice of "any system or mode of treating the sick or afflicted" within the meaning of Section 2392 and is regulated thereby.

It is, therefore, our conclusion that a licensed physician who directs or refers patients to any person who performs any act *as a treatment of the sick* and who is not licensed as provided by the Business and Professions Code to perform such acts, is aiding and abetting an unlicensed person to practice a system or mode of treating the sick or afflicted which constitutes unprofessional conduct within the meaning of Section 2392.

In construing such regulatory statutes, courts have noted that such acts as may come within the definition of physical therapy, when performed as a *mechanical art* and not as a treatment of the sick, do not

come within the regulation of such statutes Consideration has been given to the distinction between a mechanical art and a profession unless the statute clearly manifests other intent, since the courts will not presume that the Legislature intended more than necessity actually requires to interfere with the right of one to engage in a common and useful occupation for which he is qualified. *Dvorine* v. *Castleberg Jewelry Corporation*, 185 A. 562; *Milling* v. *State* (Texas) 150 S. W. 434, 435.

There is some authority for the proposition that where certain acts are done by unlicensed persons under the immediate supervision and direction of a licensed physician, such acts do not constitute the practice of a mode or system of treating the sick. *Chalmers-Francis* v. *Nelson*, 6 Cal. 2d 402.

QUESTION

You point out that Section 2146 of the Business and Professions Code provides that "nothing in this chapter shall be construed so as to discriminate against any particular school of medicine or surgery, or any other treatment" and suggest that physical therapy is covered by the words "any other treatment."

OPINION

We believe that physical therapy is included in the words "or any other treatment."

ANALYSIS

Section 2146 of the Business and Professions Code reads as follows:

"2146. Nothing in this chapter shall be construed so as to discriminate against any particular school of medicine or surgery, or any other treatment, nor shall it regulate, prohibit, or apply to any kind of treatment by prayer, nor interfere in any way with the practice of religion."

Where general words follow the enumeration of a particular class of persons or things, the general words will be construed as applicable only to persons or things of the same general nature or class as those enumerated, *People* v. *McKean*, 76 Cal. App. 114.

The words "any other treatment" are general words to cover all systems or modes of treatment of medicine or surgery, since they are preceded in the section by the terms "medicine or surgery."

Since physical therapy is a *treatment* and also a branch of medicine by definition, it is a like subject and may be included within the scope of the general words.

The fact that Chapter 5 regulating the practice of medicine nowhere specifically mentions nor specifically provides for the practice of physical therapy does not work a discrimination against the field of physical therapy. The Legislature cannot be expected to anticipate the founding of new systems of thought or methods of healing and specifically name and specifically regulate all fields.

Section 2192, as you point out, does not include in its required courses the subjects defined under physical therapy. However, we fail to see that this constitutes a discrimination. Section 2192, read with the title of Article 5 in which it is found, enumerates what each applicant

for a physician's and surgeon's license shall show as evidence of professional instruction, according to a schedule set forth therein. This section does not purport to set forth *all* the subjects which a physician and surgeon may include in his *practice.*

The scope of a physician's and surgeon's practice is a wide one and is authorized by Section 2137, which reads as follows:

"2137. The physician's and surgeon's certificate authorizes the holders to use drugs or what are known as medical preparations in or upon human beings and to sever or penetrate the tissues of human beings *and to use any and all other methods in the treatment of diseases, injuries, deformities, or other physical or mental conditions."* (Emphasis added.)

This section, we believe, includes authorization to perform acts which constitute the treatment known as physical therapy.

Section 2141 of the Business and Professions Code in defining who is guilty of a misdemeanor does not prohibit the practice of, nor discriminate against any system or mode of treating the sick, but it does prohibit the practice of any system, mode, or treatment of the sick by a person who does not have, issued and valid at the time, any one of the certificates authorizing such treatment issued pursuant to the provisions of the Business and Professions Code.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By VOULA G. DAVANIS, Deputy

DOCTOR L. A. BRINKLEY

Los Angeles Meeting, November 17, 1950

Hearing of the Assembly Interim Committee on Public Health, regarding the Chiropractic Practices of Dr. L. A. Brinkley of Los Angeles

As a result of numerous complaints having been received by various law enforcement agencies, the State Board of Medical Examiners, State Board of Chiropractic Examiners, and the Assembly Interim Committee on Public Health, the services of William H. Young, a special investigator, were employed, and he was instructed to conduct an investigation of the activities of Dr. L. A. Brinkley of Los Angeles.

The complaints dealt with the reported unethical practices and unethical advertising of said Dr. Brinkley, D.C. The complaints came from various persons whom he had treated and from other chiropractors and doctors in the southern part of the State. The complaints are in the files of the Los Angeles City Health Officers, Board of Chiropractic Examiners, Attorney General's Office, Los Angeles Police Department's Bunco Squad, Better Business Bureau of Los Angeles, and the Board of Medical Examiners.

The first offense complained of by former patients was that Dr. L. A. Brinkley, D.C., his staff and technicians verbally guaranteed curing various diseases and ailments and advertised in such a manner, and subsequently failed to produce any cures—but did succeed in inducing the patients to take prolonged series of treatments which did nothing toward relieving their ailments, but did relieve them of their cash. The patients

invariably complained of high pressure sales methods being used on them. Complaints number in the hundreds.

Following is the report by William H. Young, special investigator:

History and Background

Dr. Lynn Andrew Brinkley, D.C. holds license No. 6502 issued by the California State Board of Chiropractic Examiners, August 23, 1946. Dr. L. A. Brinkley, D.C. formerly operated in Huntington Park, California, where he is reported to have been associated with Viola Einer and Bernard D. Einer, both chiropractors at 6312 Seville Avenue.

The Brinkley treatment is advertised and commonly called the New Yorker Technique. Offices are located at 355 South Broadway, Los Angeles 13, California. Phone: Trinity 7031.

The New Yorker Technique was first owned and operated by John R. Osborne. Osborne operated under a Naturopathic license granted him from Battle Creek Sanitarium in 1900. On June 28, 1948, John R. Osborne was arrested in Los Angeles for five counts of violating Section 2141 of the Business and Professional Code—"Practicing of the Healing Arts without a License." Osborne subsequently pleaded guilty on one count. The others were dismissed. He was denied probation and fined $200. Osborne has prior convictions, one of which resulted in his imprisonment in Leavenworth Federal Penitentiary, January 31, 1927. This conviction resulted from his gigantic swindle on the sales and resales of the Valhalla Park Cemetery during 1924, 1925, and 1926 Osborne was also reportedly arrested later for bookmaking.

After Osborne's arrest at the New Yorker, Dr. L. A. Brinkley, D.C. appeared as the owner and operator of the place, and at inquiries by the Board of Chiropractic Examiners, proof was presented that Dr. L. A. Brinkley, D.C. is purchasing the New Yorker from John R. Osborne. This was handled by Brinkley's attorney named "Chesebro" reported to be the son of Los Angeles City Attorney.

During his operation of the clinic, Dr. L. A. Brinkley, D.C. and other New Yorker chiropractors were cited to appear before the Board of Chiropractic Examiners on at least two different occasions. There is no record of disposition of the Brinkley cases before the Board of Chiropractic Examiners.

Most recent action of the Board of Chiropractic Examiners is contained in the following letter dated July 6, 1950:

July 6, 1950

DR. W. W. PERCY, *Secretary*, State Board of Chiropractic Examiners,
1020 N Street, Sacramento 14, California

DEAR DR. PERCY: At the board of directors meeting in Oakland, May 25, 1950, among other matters that brought forth much discussion was that of Dr. Brinkley. Out of this discussion there was a motion by Dr. Harrod that the board of directors adopt a resolution petitioning the State Board of Chiropractic Examiners to take steps immediately to

suspend the licenses of all individuals known or reasonably presumed to be aiding and abetting an unlicensed practitioner.

We trust this will have your usual good attention.

Cordially,

W. P. WILLIMOTT
Executive Secretary

WPW : AM
cc: Dr. Helle
Dr. Walker
Dr. Tobin
Dr. Poulsen

Current Activities and Operations

The staff at Dr. Brinkley's establishment, 355 South Broadway, Los Angeles, is a large one consisting of 16 licensed chiropractors, over 100 technicians and his offices contain 43 private treatment rooms.

Dr. Brinkley advertises the following numbers treated:

1948	18,240 treatments
1949	30,000 treatments
1950 (January)	9,884 treatments
1950 (February)	15,122 treatments

Affidavits and statements from former employees and patients concur in the following modus operandi of his practice:

The patient, attracted to his office for a trial treatment at an advertised fee of $3 is given consultation and diagnosis, being put on a colonic table. One of the doctors does the examining and in his examination he always finds one of the following: an impacted colon, ptosis of the transverse, spastic descendancy, or an impacted sigmoid. The patient is then informed that this condition is the source of his trouble. The extent of the supposed condition is exaggerated to the patient who is then given a colonic treatment by one of the technicians who also outlines the series of six treatments for $95 The patient is also shown colored physiological charts and kinked colons and other things are pointed out as a prelude to setting him up to buy the first series of six treatments.

The second and third treatments are subsequently given, and at the time of the third treatment, the blood pressure of the patient is taken and diagnosed as being too high or too low. The patient is then sold a course of vitamins at a price of $40.50 to $42 50 as a supplement to the treatments. In July, 1950, a new vitamin course for $64 was originated.

The fourth and fifth treatments are merely super-saturations of the colon and the sixth treatment is different only in that the patient is told that he or she has made progress but that another series of six treatments is needed to thoroughly correct the condition. This method is continued until the patient quits.

Chiropractors and technicians are thoroughly instructed and attend classes and lectures on how to sell the patient treatments and vitamins. A bonus is given on a percentage basis to technicians who sell extra treatments and vitamins

Patients have been resold series of treatments whether they needed them or not and there are instances where the patient has bought 100 treatments or more.

Only variation in the series of six treatments is that before the first treatment, the patient is given a 10 ounce bag of barium meal to take 14 hours before the treatment so that the barium will be in the colon at the time the patient is examined behind a fluoroscope. The patient is usually diagnosed as having a ptosis colon or an impaction, a spasticity or enlarged liver or enlarged heart. This provides the sales point used to sell subsequent treatments.

Affidavits signed by chiropractors who formerly worked for Dr. Brinkley corroborate the above, as well as statements of former patients.

The financial arrangements under which the other chiropractors work for Brinkley consist of a flat salary per month, usually around $300 and one-half of one percent of the gross, which averages around $70,000 per month. Some days as much as $5,000 has been taken in. The chiropractors also get 50 cents on every bottle of Carter's Little Liver Pills which are sold for the sum of $4.50.

Some former employees state that John R. Osborne actually owns the clinic. Dr. Leo S. Calloway, D.C., states that John Osborne informed him that Brinkley was not satisfactory, that Brinkley received $500 per month and 1 percent of the gross, and that he, Osborne, had the place leased to Dr. Brinkley with a 30-day cancellation clause. (See affidavit of Dr. Leo S. Calloway, D.C.) It is rumored that a Mrs. Lucille Cummings, titled "office manager", is a partner of John Osborne in the venture.

EQUIPMENT: Dierker Colonic Machines—purchased from the Dierker Company by John Osborne, Battle Creek Health Builder, Oscillator, violet ray lamp, Fisher Therm Short Wave machines, Fluoroscope machines—purchased from the Cutler Physicians Equipment Company, 926 Venice Blvd., Los Angeles, California.

ADVERTISING

Advertising of the Dr. L. A. Brinkley, D.C. New Yorker Technique with offices located at 355 South Broadway, Los Angeles 13, California, is promoted on a grand scale in which television, radio and the five principal newspapers are used.

A survey of the newspapers reveals that Dr. Brinkley advertises daily, using large display-type ads of from 30 to 60 inches. He probably comes in the 6,000 to 10,000-inch rate per six months which would be between $2.13 per inch to $2.98 per inch (lowest rates). This indicates approximately $27,000 per month in each of the five largest Los Angeles papers, a total of over $325,000.

Brinkley has used television advertising over KTLA, Channel 5, in a series of programs on consecutive Sundays.

Radio Station KRKD broadcast his program daily for a long period of time.

In his display ads, he alternates quotations by other doctors, and testimonials of patients. His ads are cleverly composed so that the average reader can easily compare a symptom in the ads as synonymous with one of his own. The advertised trial treatment for $3 is the "come-on" to get the patients in. Then the pressure salesmanship is used.

NOTE: (Brinkley has thousands of letters and testimonials from patients These letters and testimonials credit him with a wonderful treatment. Complaints number hundreds Commendations number thousands)

Brinkley's ads quote other chiropractors and doctors. They quote, in most instances, only a fragment of printed material of the person. In some quotes, it is not clear whether the quote refers to the New Yorker Technique or some totally irrelevant matter. In some instances the use of the quotation has been objected to by the person quoted.

Dr. L. A Brinkley, D.C., also publishes and distributes a 120-page booklet entitled "The True Cause of Disease." This booklet is distributed free and mailed to anyone on request. It contains articles by Dr. Charles A. Tyrrell, M.D., Alcinous B. Jamison, M D., Dr. J. H. Kellogg, M.D., and by Dr. L. A. Brinkley, D.C.

The booklet also contains testimonials that are far-reaching in descriptions, to wit:

"After 83 years of suffering a woman was 'suddenly' completely cured and resumed her 'very active' life."

"A woman dope addict was cured of a pint of worms. (Color and type not given as they were flushed away too fast). She also threw away all her drugs."

"Another person's stones dissolved!"

A 75-year-old man who suffered for 20 years can now do more work per day in addition to a "10-mile walk"

After only 30 days, a woman, age 73, gained 90 pounds in weight, and can now work all day.

A woman was able to put "my shoes and stockings on" after three years of going barefoot.

After two unsuccessful operations on a "nervous stomach" by M.D.'s, a woman was cured of this condition in nine days by Dr. Brinkley's enemas.

A woman passed enough gall-stones to fill a dump truck.

A woman who had insomnia and couldn't turn over in bed, can now sleep with anybody. "Nervousness disappeared like snow on an April roof."

Another passed "many gall-stones without missing a day's work."

All of these testimonials give full credit to Dr. Brinkley and the New Yorker treatment for all cures.

SUMMARY AND RECOMMENDATIONS

Investigations of Dr. L. A. Brinkley, D.C., his methods, operations and advertising, have been made by:

Chiropractic Board of Examiners, Earl Hall, Investigator.

Los Angeles Police Department, Bunco Squad, Detective L. B. Ruppers.

Medical Board of Examiners, Bydie S. Woodruff, Investigator.

State Department of Justice, Office of Attorney General, Howard S. Goldin, Deputy Attorney General.

Better Business Bureau, Los Angeles, Robert J. Bauer, General Manager.

Los Angeles Health Officer, George M. Uhl, M.D.

California Pure Food and Drugs, Mr. Duffy and Mr. Shliff.

Complaints emanating from former patients have reached the above offices and are on their files. Various investigations have been conducted

and the findings of the above form a concrete pattern showing Dr. Brinkley's methods.

There is no violation of Section 10a, the Chiropractic Act of California. This section provides for the suspension of the license of any person who violates its provisions regarding advertising. As the section is written, there is no mention of anything prohibiting advertising except advertising to cure menstrual difficulties; to cure venereal diseases; to cure sexual diseases; lost manhood; sexual weakness or sexual disorders or any disease of the sex organs.

The wording of all of Dr. Brinkley's ads, summarized, state in effect that a clean intestinal tract is conducive to good health. The testimonials and quotations are blended into the ad for sensational effect and to appear as endorsements. The composition of the advertisements is misleading to the layman.

Section 17500 of the Business and Professions Code does not contain any prohibition against "sensational or fabulous" advertising.

Section 17500.1 Business and Professions Code precludes a state board or commission within the Department of Professional and Vocational Standards from enacting a rule or regulation restricting or prohibiting advertisement which does not violate the provisions of Section 17500 of the Business and Professions Code. Section 17500.1 repeals existing rules or regulations conflicting with said section.

Note: The above ruling was given by Howard S. Goldin, Deputy Attorney General, in a meeting with Dr. E. Paulsen, D.C., a member of the State Board of Chiropractic Examiners, April 28, 1950.

While rule number 311 of the Board of Chiropractic Examiners appears to prohibit "sensational or fabulous" advertising, this rule is invalidated by Section 17500.1 of the Business and Professions Code.

The Chiropractic Board cannot add additional advertising grounds for discipline than those enumerated in Section 10a of the Chiropractic Act, which prohibit advertising a cure for sexual disorders and diseases.

However, on page 80, under female disorder, in a chapter entitled "Disease and Its Causes," and continuing on pages 81, 82, 83, and 84, Dr. Brinkley states that the cause of failure of these sex glands may be gland paralysis. The gland paralysis may indirectly result from constipation. This would appear to be a violation of Section 10a of the Chiropractic Act. The apparent defense against charges of this violation would be the contention that the booklet is not advertising material or that it is educational material.

Recommendation: That this possible infraction be brought to the attention of the office of the Attorney General or other enforcement agency.

Code No. 1680, Page 38, Business and Professions Code. Unprofessional conduct is defined to be any of the following: * * * (2) The obtaining of any fee by fraud or misrepresentation, * * * (11) The making use of any advertising statements of a character tending to deceive or mislead the public, * * * (15) The employing or the making use of solicitors.

Code No. 2380, Page 69. All advertising of medical business which is intended or has a tendency to deceive the public or impose upon credulous or ignorant persons and so be harmful or injurious to public morals

or safety constitutes unprofessional conduct within the meaning of this chapter.

It appears that misrepresentation is done by the advertising of Dr. Brinkley in the instance of quoting from the Munro book. Telegram July 21, 1950, from Bartholomew House denying permission to quote was given. (Robert J. Bauer, Los Angeles Better Business Bureau, has information of fraudulent use of quotes from Munro book and the telegram so stating.)

Brinkley has used quotations from the works of a De. McCoy. McCoy Publications deny permission. (Bauer, Los Angeles Better Business Bureau has denial of permission.)

Other quotations used in Dr. Brinkley's ads are only fragments of statements and do not include the entire thought. Brinkley also quotes a chiropractor from the East who is a convicted felon, (L. B. Ruppers, Los Angeles Police Department Bunco Squad has records). It appears that this type of advertising is misleading and deceptive to the public.

Recommendation: That these facts be brought to the attention of the proper authorities for further investigation.

The Chiropractic Act, Section 10, paragraph (a), has no provisions for the governing of any advertising except with reference to the aforementioned curing of malfunctions of sex organs and diseases of sex. It is recommended that a study of the Chiropractic Act be made by the committee to determine the feasibility of amending that portion regulating advertising to include restriction of amount, types of advertising, defining "fabulous and sensational" advertising and defining "educational" advertising as it appears in the Board of Chiropractic Examiners rules.

Section 5. The Chiropractic Act, could be studied to determine feasibility of an amendment to include a provision making it unlawful for any licensed chiropractor to aid and abet an unlicensed person in the practice of chiropractic.

Recommendation: That the Board of Chiropractic Examiners be given greater enforcement powers to govern and regulate the chiropractic practice.

Recommendation: That a hearing of the State Assembly Interim Committee on Public Health be held for the purpose of determining necessary legislation with regard to the above matters.

WITNESSES. POTENTIAL TESTIMONY

The following persons and their offices have files on the Dr. L A. Brinkley, D.C., practice and operations, complaints, and findings. They can be a great help to the Committee on Public Health with their testimony:

Earl Hall, Investigator for the Chiropractic Board of Examiners, Mirror Bldg., Los Angeles. Mr. Hall has received "hundreds" of complaints, has investigated, and has knowledge of the existing paper-lease or agreement between Osborne and Brinkley This agreement reportedly is on file with his office. Mr. Hall can also testify to other hearings on complaints of Dr. Brinkley and his citations before the board.

Dr. Joseph Molle, D.C, Vice President of the Chiropractic Board. He is suggested as a witness because he lives in Redlands, California, closer to Los Angeles than other officers of the board. Dr. Molle can testify

to all activities of the Chiropractic Board with respect to citing Dr. Brinkley, the complaints, the attitude of the Board of Examiners, the restrictions on the Board of Examiners with respect to powers of regulating chiropractors, and recommendations for more powers for the Board of Examiners. He was suggested by Dr. Edward C. Poulsen, D.C., Santa Cruz, formerly President of the Board of Chiropractic Examiners. However, much aggressive action previously was instituted by *Dr. Poulsen.*

Willard W. Percy, D.C, Secretary, Board of Chiropractic Examiners, 1020 N Street, Sacramento 14, California. Same as above. Dr. Percy is probably better informed on past citations of Dr. L. A. Brinkley, D.C.

Bydie S. Woodruff, Investigator, State Medical Board of Examiners, Mirror Bldg., Los Angeles. Mr. Woodruff has a very complete file on this matter. He has conducted extensive investigations and investigated and filed the complaints on John R. Osborne for practicing the healing arts without a license, prior to Osborne transferring the business to Dr. L. A. Brinkley, D.C.

Detective L. B. Ruppers, L A.P.D., Bunco Squad. Has received many complaints. Has record of previous arrests of at least one of Dr. Brinkley's chiropractors used as advertising matter. Has other affidavits of complaining persons. Ruppers turned over some of Dr. Brinkley's B-12 vitamin tablets to Dr. Max Dunn.

Dr. Max Dunn. University of California, Westwood. Received B-12 tablets for analysis. No report has been returned as yet.

Robert J. Bauer, General Manager, L. A. Better Business Bureau, 742 So. Hill St., Los Angeles. Mr. Bauer has documentary evidence to show fraudulent advertising and unauthorized use of quotations. Bauer also has a tape recording of a complainant's statements regarding Brinkley's pressure-salesmanship and the treatments. A four-page printed "expose" of Brinkley's practice has been printed but not realesed yet by Mr. Bauer. This "expose" contains letters and telegrams from concerned parties regarding some of Dr. Brinkley's advertisement claims. Mr. Bauer has gathered data for at least one year and has much background material for testimony.

Dr. George M. Uhl, (M.D.), Los Angeles City Health Officer. Has received many complaints. In most instances the complaints have been forwarded to other offices.

Mr. Duffy and Mr. Shliff, Pure Food and Drugs, 708 State Bldg., Los Angeles. This office has conducted some investigation with regard to the vitamins sold by Dr. Brinkley. Particularly, they can testify to the terrific price of the vitamins sold by Dr. Brinkley's over what the normal retail price is, sometimes like 1,200 percent over the normal retail price.

Dr. Neal, L. A. County Health Officer, 808 No. Spring St., Los Angeles. Has received many complaints

G. P. Sitton, Quarantine Officer, Los Angeles. This officer has direct knowledge of a flagrant case of false diagnosis and treatment by Dr. Brinkley, reportedly the Montez case where a communicable disease was not diagnosed correctly with grave results.

The following were former employees of Dr L A. Brinkley, D.C., at 355 So Broadway, Los Angeles They can offer detailed testimony regarding the general practice at the New Yorker:

Dr. Leo S. Calloway, D. C. 3206 W. 8th St. Los Angeles, California. (See affidavit attached). Can testify to pressure-sales, routine diagnosis,

treatments, financial arrangements, prima facie evidence of control or ownership by John R. Osborne.

Dr. Milton A. Musser, D.C., 1750 No. Kingsley Drive, Los Angeles, Calif. (See affidavit attached.) Musser may be practicing in Fresno at present. Can corroborate Dr. Calloway's testimony.

Dr. Dean L. Bosserman D.C., 1805 Cherokee, Los Angeles, California Reportedly quit working for Dr. Brinkley when he learned he was actually working for John R. Osborne. (July 13, 1949). Bosserman made this statement at Board of Chiropractic Examiners.

Mrs. Case, former New Yorker technician, now a student of physical therapy at U.S.C., Los Angeles. She is the wife of a Los Angeles Police Officer.

Viola R. Jordan, former employee, 1405 No. Coronado St., Los Angeles, Calif.

Other chiropractors who have worked for Dr. Brinkley's are:

Pettingill	Turner
Sockoloff	McDonald
Loftus	L. Paul
Brooks	Hayhurst
Lewis	Sassone

Full names and addresses are on file with Chiropractic Board of Examiners. In order to conceal the impending hearing, the undersigned did not request full data.

The committee may desire to also call the State Board of Equalization person who is competent to determine whether Brinkley has a retail sales license to permit selling of the vitamins and to check on whether Brinkley has met all necessities with respect to the Board of Equalization on retail sales. (The undersigned did not investigate this as it is understood that the Board of Equalization is at present conducting their own investigation.)

The following newspapers in Los Angeles carry numerous and huge display ads of Dr. L. A. Brinkley, D.C. They could testify to the quantity and cost of advertising.

L. A. Times—Glen Peters, Local Display Manager.
Harold Scott, Relief for Peters.
L. A. Examiner—Lee Morgan, Sales Manager.
Alexander Swan, Dept. Manager.
L. A. Herald-Express—Sturges Harmon, Local Display Manager
L. A. Daily News—Harold Lindley, Local Display Manager.
L. A. Mirror—Robert Anderson, in charge of Brinkley account.

Persons in key positions at offices of Dr. Brinkley, D.C.:

Dr. Lynn Andrew Brinkley, D.C., 355 S. Broadway, Los Angeles 13, California.
John R. Osborne, General Manager.
Mrs. Lucille Cummings, Office Manager
Mrs. Miller—Reported to be the wife of Dr. Brinkley, but works, or did work, as a technician under the name of Mrs. Miller.
Mrs. Moore—Technician.
Minnie Smiley—1460 La Salle Avenue, Culver City, California.
Cecilia Doherty, C.P.A., 623 W. Fifth Street, Los Angeles, former bookkeeper for Brinkley, may still be employed.

Former patients and others who have made complaints on Dr. Brinkley, D.C.:

Mr. J. W. Wills, 1345 Ninth Street, San Pedro, California.
Clayton and Mark Johnson, 580 North Lucerne Blvd., Los Angeles, California
Dr. George Silvers, D.C., 1615 W. 7th St., Los Angels, California
(Examined the Johnson's and X-rayed them after they had paid Brinkley over $1,800 for treatments. Silvers' X-rays showed Brinkley wrong in his diagnosis.)
Fred C. Basely, San Diego, California
Raymond Contatine, 225½ East 57th Street, Los Angeles, California
Mrs Ada Harvey, 1128 East 27th Street, Los Angeles, California
Jean Lauritzen and Mrs. Shirley Lauritzen, 1524½ 2nd Avenue, Los Angeles, California
Christina Montez, 1310 Macy Street, Los Angeles, California
William Miller, L. A. Sterilizing Plant, 22nd St, between Main and Broadway, Los Angeles, California
* Mrs. Dan B. Barlays (Widow), 1710 East 105th Street, Los Angeles, California
* Mrs. Edith Mills, 105 Eugenia Street, San Francisco, California (Phone: MIssion 8-5619)
* Mrs. Emily Evans, 657 Castro Street, San Francisco, California (Phone: UNderhill 1-3264)
* The above three women are relatives of Dan B Barlays who died and whose autopsy showed that the death was from malnourishment. He had been placed on a rigid or "starvation" diet by Dr. Brinkley while under treatment.)
Jack M. and Helen Watkins, 2036 Valentine Street, Los Angeles 26, California
Ernest D Herr (See statement attached), 6 Marguerite Street, Alhambra, California
Sherman C. Hillary, 2270 South Beverly Glen, West Los Angeles, California
(Jack J. Hillary, his son, 1615 Westwood Blvd., Los Angeles, California Phone: BRadshaw 2-6161 or ARizona 3-0971)
Carl M. Stavish, c/o George C Bliss, Attorney at Law, 211 So. Beverly Drive, Beverly Hills, California

Respectfully submitted by,

WILLIAM H. YOUNG
Special Investigator

AFFIDAVIT

COUNTY OF LOS ANGELES } ss.
STATE OF CALIFORNIA }

I, Dr. Leo S. Callaway, D.C., residing at 3206 West Eighth Street, Los Angeles, California, first being duly sworn, state that I make the following affidavit of my own free will and accord

I state that I am properly licensed as a doctor of chiropractic in the State of California, having practiced since 1940.

I further aver that upon seeing an advertisement in one of the Los Angeles newspapers L. S. C. on February 23, 1949, requesting that applicants apply at 355 South Broadway, Suite 216, Los Angeles, I answered this advertisement and discovered this to be the "New Yorker," at which time I was interviewed by Dr. L. A. Brinkley, D.C.

During this interview, Dr. Brinkley inquired as to my prerequisites and then stated: "You know this is an advertising office. Have you had any experience in an advertising office?" I stated "No." He said, "You are the type of man I am looking for, due to the fact you are a big man and well dressed. With your passing average of 91.33, state board, you should be able to sell and treat, but selling is all-important." He reiterated that it was an advertising office. He said, "These patients must be sold on

their initial trip to this office. If once they come in, and are not sold a series of treatments, you could never get them back again."

He then explained the procedure he used to be that when a patient comes in for a trial treatment there is a consultation and diagnosis, costing $3. The patient is prepared for treatment and put on a colonic table, then the doctor goes in; and Dr. Brinkley advised that the doctor must find, upon palpating the colon, either an impacted colon, ptosis of the transverse, spastic descendancy, or an impact sigmoid. The patient is convinced at this time that the primary source of the physiological disfunction that exists is caused by the poisonous substance from retained material in the colon, as diagnosed to the patient by the attending doctor.

Dr. Brinkley then advised that the doctor excuses himself and the technician takes over from there and gives this colonic, at the same time informing the patient that six treatments will be $95. There is no mention of vitamins at this time.

I went to work February 24, 1949, and was placed with Dr. McDonald, a senior doctor at that time, for further instructions. Dr. McDonald would take me in to the patient, introduce me, and I would listen to the sales speal by Dr. McDonald, which was the same as to the first treatment Dr. Brinkley had told me.

Immediately after my employment, while watching and listening to Dr McDonald, it appeared the second treatment was a supersaturation of the colon On the third treatment the patient was advised, after taking the blood pressure, that the pressure was high or low—regardless of what was actually found. Also at that time it was recommended that the patient take a course of vitamins for a week in some cases, and up to four weeks in others, ranging in price not lower than $40 50 to $41.50. (These findings as to colon condition, blood pressure and recommendation of vitamins, was a standard procedure.) The doctor received instructions not to state the price of the vitamins, as the technicians would then take over the patient for a full hour, at which time she would have more time to convince the patient of the need for those vitamins.

From my observation, the fourth and fifth treatments were only ordinary supersaturations of the colon; but on the sixth treatment, as a matter of standard policy, the patient was told that he had made progress; that he was not completely well, and that he needed another series of treatments. The regular sales talk given to all patients at this time was that they had an initial investment of $95 for the first six treatments, plus the $40 50 or $41.50 for the vitamins, and that they owed it to themselves to take the additional treatments to thoroughly correct the condition.

Subsequently, during my employment at the New Yorker, until August 13, 1949, Dr. Brinkley would reinstruct and insist that each one of the practices mentioned above be followed, regardless of the patient's need or condition. These instructions were given practically every day, during a staff meeting, with all doctors present in Dr Brinkley's office.

When the patient was sold the second series of treatment, either on the second or third day of that series, they were put on a diet, preparatory to draining the gall bladder—with four ounces of olive oil and four ounces of lemon juice—and at that time they were instructed to pick up

a special bile formula, ranging in price, ordinarily $7.50, and were convinced that that was necessary in order to bring about a condition of correctness to the liver.

The remaining three treatments were similar to those given in the first series, but on the sixth treatment the patient was again advised to purchase the vitamins, in the event they were out of any one vitamin, at the same cost.

This policy of reselling the series of treatments to the patient was made, regardless of whether the attending doctor actually believed the patient needed this treatment or this type of treatment, and was done under instruction from Dr. Brinkley.

The continued sales program was used on all patients and some patients have taken from one to as many as 100 treatments. No patient during my stay at this institution was ever discharged.

On the trial, or the first treatment of the series of six, the patient was given a 10-ounce bag of barium meal to be taken orally 14 hours before their appointment time, so that the emptying time of the stomach would provide for the presence of barium in the colon. When the treatment is given, the patient is put behind the fluoroscope and is told the various conditions that exist, and the doctor then outlines that condition on a sketch of the abdominal cavity, always showing the condition to be somewhat exaggerated that is, ptosis colon or an impaction, a spasticity, or enlarged liver or enlarged heart.

This exaggerated condition is then used as a salespoint at that time, or when the sixth treatment is given, wherein the barium meal and fluoroscope are again used. During the sixth treatment the patient is advised, regardless of the true facts, that they have improved as to whatever their condition may have been first diagnosed, or that slight improvement has been made. This is a standard instruction from Dr. Brinkley.

When I first went to work at the New Yorker, I did not know who owned the establishment. I was suspicious that Dr. Brinkley did not own it, as he had only passed the State Board in 1947, and I doubted if he had sufficient funds to operate the establishment.

Subsequently, Dr. McDonald advised me it was owned by John Osborne. John Osborne, from the time I went to work at this establishment, was present as advertising manager and we were instructed by Dr Brinkley never to call him Mr. Osborne, but to call him John. Brinkley did not explain to me the reason for this instruction, but I subsequently learned that Osborne had been in trouble with the State for practicing medicine without a license.

Shortly after the first of June, 1949, and during this month, Dr. Brinkley did not come to work, and during the first week in June, John Osborne called me into his office and said "Brinkley has let me down. He is not capable of running this office the way I want it run, and I can see that you are. Eventually I am going to cancel Brinkley out." I asked "What do you mean by that?" He said "I have this place leased to Brinkley with a 30-day cancellation clause I am paying him $500 a month, plus 1 percent of the total gross. I withheld the first three months of his commission. When he has the second three months commission coming, I pay him the first three months In other words, he always has three months' commission coming. If I close Brinkley out, I have to pay him that extra three months' commission, so as soon as he gets on his

feet I am going to serve notice on him that I am closing him out and I am going to put you in charge." A few days after that he had some advertising printed, and told me from time to time that he was still going to make this change, but due to the investment in the advertising it was held up temporarily; but while Dr. Brinkley was off, he mentioned it more frequently, and also stated he wasn't going to let Dr. Brinkley down entirely, that he would put him on a pension—enough to cover his current expenses.

During the month of June, at various times, there were meetings held in John Osborne's office, at which various times Doctors L. Paul, Hayhurst, Sassons, Bosserman, and Pettingill were present, and John Osborne stated that the New Yorker might be placed in the hands of various other doctors by Osborne, and that Dr. Gallaway might be in charge at a later time, even though he was temporarily Chief of Staff in Dr. Brinkley's absence. During this period of time we had a staff meeting each day, at which time Mr. Osborne gave the same instructions as hereinbefore set forth, that Dr. Brinkley had given us in regard to sales talk, manner of treatment and operation, including the various guises used, as set forth above.

It is also pointed out that Mrs. Lucille Cummings, who has the title of Office Manager, employs, discharges and gives instruction to all technicians, trainees and operators. It is rumored that she is in partnership with John Osborne in this venture.

The Dierker Colonic Machines, the Battle Creek Health Builder, oscillator, violet ray lamp, Fisher Therm Short Wave machines, are some of the equipment in the establishment The fluoroscope machines were purchased from the Cutler Physicians Equipment Co., 926 Venice Boulevard. The Dierker machines, I believe, were purchased from the Dierker Company by John Osborne.

I further state that my employment started with a salary of $300 per month, plus one-half of 1 percent commission on total gross income of the New Yorker to be effective at the end of 60 days. Subsequently, during Dr. Brinkley's absence, my salary was increased to $400 a month, plus $300 a month basis plus the percentages mentioned I further state my addition commission was paid on a gross business of $70,000 per month by the New Yorker.

The doctors did not receive any percentage on the sale of the vitamins, but Osborne stated that he was going to have manufactured a substitution for Carter's Little Liver Pills, which would sell for $4.50 a bottle and on which the doctors would receive 50¢ commission per bottle. This was not in effect during my employment there and, further, the purpose of this medicine was to make the patient believe he was receiving laxative relief from the colonic treatments.

Also, on the sale of the vitamins, the technicians received 10 percent commission, in connection with a commission of $20 if the patient took a third series of treatments.

During my term of employment the following doctors were fired: Doctors Pettingill, Sockoloff, Loftus, Brooks, Lewis, Turner, McDonald, and Musser. Dr. Dean L. Bosserman and I resigned from this employment.

Also a Mrs. Case was discharged during this period of time. I believe her husband is on the Los Angeles Police Force. I believe she is going to U.S.C., taking a GI Physical Therapy course at the present time.

Being duly sworn, under oath I state that I have examined and read the within statement, consisting of four pages, and that the statements made and content herein contained are true.

/s/ DR. LEO S. CALLOWAY, D. C.

Subscribed and sworn to before W. H. Allison, Notary Public, this thirteenth day of October, 1949.

My commission expires _____.

W. H. ALLISON, Notary Public in and for the County of Los Angeles, State of California.

My commission expires Jan. 9, 1953.

AFFIDAVIT

COUNTY OF LOS ANGELES } ss.
STATE OF CALIFORNIA }

I, Dr. Milton A Musser, D.C., residing at 1750 North Kingsley, Los Angeles, California, first being duly sworn, state that I make the following affidavit of my own free will and accord:

I state that I am a properly licensed Doctor of Chiropractic in the State of California, having practiced since December 5, 1936.

I further state that on or about June 23, 1949, in answer to an advertisement in one of the Los Angeles newspapers, I called at 355 South Broadway and found this to be the New Yorker, and was interviewed on that date by Dr. L. A. Brinkley.

During this interview I gave Dr. Brinkley my antecedent record and qualifications, and was hired immediately. Dr. Brinkley hired me and told me to accompany Dr. Paul when handling patients for the next two weeks, to keep my eyes open and learn his technique. He also told me to forget anything I had learned in Chiropractic College and to merely follow the pattern set by Dr. Paul. The next day Dr. Brinkley was absent. I understood he was ill at that time, and I then talked with John Osborne. John Osborne said "We have an organization here and I happen to be the advertising manager. It will be your first duty to go down to Fowler's Book Store and purchase the book entitled 'Man Alive, You Are Half Dead,' by Daniel C. Monroe, M.D."

I failed to buy the book and the next day Osborne told me to buy the book—that it was our bible and not to come to work without it. (This book sets forth the necessity of vitamins, colonic irrigation, and diet, concerning the health of the individual).

During my conversations with Osborne he told me that I would receive $300 per month and after a 60-day trial period, I would receive one-half of 1 percent commission on the gross income of the New Yorker, which would amount to about $300 to $400 a month. My employment only lasted for 10 days at this establishment.

During this time I was present during three meetings called by John Osborne, at which meetings Drs. Callaway, Brooks, McDonald, Bosserman, Hayhurst, Paul, and Sassome were present These meetings were presided over by John Osborne, who is not a D.C. We were instructed by Osborne that the procedure used was that when a patient came in for a trial treatment, it was to be a consultation and diagnosis costing $3. The patient was to be prepared for treatment and put on a colonic table,

then a doctor went in and upon palpating the colon, he, the doctor attending, must find either an impacted caecum, ptosis of the transverse, spastic descendency, or impacted sigmoid. He said the patient was to be convinced at this time that the primary source of his trouble was caused by the poisonous substance from retained material in the colon, as diagnosed to the patient by the attending doctor

Osborne advised that immediately thereafter, the doctor was to excuse himself and the technician would take over then and give the colonic, at the time informing the patient that six treatments would cost $95, and no mention was to be made of the vitamins at this time.

He also instructed that the second treatment was a super-saturation of the colon, and that on the third treatment the patient was to be advised as to their blood pressure, that is, it was either high or low, regardless of what was actually found. Also, during the course of treatment he instructed us never to raise or lower the blood pressure more than three or five points at any one time, in making our report. (These findings as to the colon condition, blood pressure and course of vitamins was a standard procedure.) Also, on this third treatment it was to be recommended that the patient take a course of vitamins We were instructed that the doctors were not to state the price of vitamins, as the technicians would then take over the patient for a full hour, at which time she would have more time to convince the petient of the need for them.

We were instructed that the fourth and fifth treatments were ordinary super-saturations of the colon, but on the sixth treatment, as a matter of standard policy, we were instructed to tell the patient that he or she had made some progress, that he or she was not completely well, and needed another series of treatments. Also, we were instructed at this time to advise the patients they had an initial investment of $95 for the six treatments, plus the cost of the vitamins, and that they owed it to themselves to take the additional treatments to thoroughly cure heir condition.

Also, during the trial or first and on the sixth treatment, we were instructed by John Osborne that the patient was to be given a 10 oz. of barium meal to be taken orally 14 hours before their appointment time and when the first treatment was given, the patient was to be put behind the fluoroscope and was to be told that various conditions existed, and that the doctor was to outline such findings by using a sketch of the abdominal cavity; that the doctor was always to show the condition more aggravated than it actually existed, that is, a ptsosis colon, spasticity, an impaction, enlarged liver or enlarged heart We were instructed this exaggerated condition was to be used as a selling point during the trial or first treatment and, further, when the sixth treatment was given we were instructed to advise the patient regardless of the true facts, that they had improved or that a slight improvement was made. This was particularly used to sell a second series of treatments.

I further state that I did not know who owned the New Yorker when I first went there to work but it was commonly rumored that it was owned by John Osborne, and I so understood this to be the fact from the various instructions that he gave the doctors.

I also state that when accompanying Dr. Paul during his treatment of patients during my short employment, that the practices described herein were used.

I further aver that at no time during my employment did I hear or know of any patient being finally discharged from the treatment given at this establishment.

I also state that Mrs. Lucille Cummings, who had the title of office manager, employed, discharged and gave instructions to all technicians, trainees and operators, further it was rumored that she was in partnership with John Osborne in this venture.

Also, John Osborne mentioned the fact that he intended to have a substitute manufactured for Carter's Little Liver Pills, which would sell for $4.50 a bottle. The doctors were to receive a 50 cents commission per bottle when they sold them to the patient. This was not in effect during my employment, and I further state that the purpose of this medicine was to make the patient believe that he was receiving laxative relief from the colonic treatments.

Also, on the sale of vitamins, the technicians received a 10 percent commission in connection with a commission of $20, if the patient took a third series of treatments.

Being duly sworn, under oath I state that I have examined and read the within statement, consisting of three pages, and that the statements made and content herein contained are true.

MILTON A. MUSSER

Subscribed and sworn to before the undersigned Notary Public this 20th day of _____ 1949

My commission expires November 3, 1949.

T E. KEASTRISHOS, Notary Public in and for Los Angeles County

STATEMENT OF MR. E. D. HERR

Taken June 22, 1950, Room 38, City Hall, 9.37 a m.
Present: Sgt. A. W. Shively
Reported by Dorothy E Mesloh

By Sgt. Shively:

Q. For the purpose of the record, would you state your name, please?
A. Ernest D. Herr.
Q. Where do you live?
A. 6 Marguerite, Alhambra.
Q. Do you have a telephone there, sir?
A. Yes, AT lantic 22610.
Q. Did you ever have the occasion to go to 355 So. Broadway to the offices of one L. A Brinkley?
A. Yes.
Q. When was your first visit there?
A. On the third of June.
Q. What was your purpose for going there?
A. To see if I could get some relief from gas pressure.
Q. On your first visit there, who did you talk to?
A. This Dr. Petrene (indicating).
Q. Would you state in substance your conversation with Dr. Petrene?
A. Well, I went there. He gimme a checkup and said right away that he thought he could do something for me and he gave me that trial treatment which was supposed to cost $3.

Q Was that the total conversation that you had with him at this time?

A. Well, he took me into this here room. I guess you call it a fluoroscope. Anyway, he said I had a large heart and a large liver.

Q. Anything else?

A. Well, that—let's see—how was it he brought that in. He said you know—he says, "This trial treatment will cost you $3. $95 is what the fee would be and $50 down. I told him I could not give him no money until I come again. Then I went back on Monday morning

Q. You went back on Monday morning.

A. They washed out my—colonic treatments. Yes, I think I had Monday, Tuesday, Wednesday, and Wednesday I could hardly get home Then they took me on Thursday and gave me another treatment and I was lucky to get home. Then Mrs. Simmons, my landlady, said, "You had better not take any more of those treatments." Then I started trying to do myself up and I have not been back there since. I think it was on Thursday, no I guess it was on Wednesday I made arrangements to pay the balance.

Q. When you say Wednesday, what was the date?

A. It was the seventh, or the seventh or the eighth. I would not say positive I have not eaten anything, only this apple juice. What put me next to them he said he was going to change my diet. That was on Thursday. He went calling off the different vitamins that I was supposed to take. $30 and the government tax. I said, "Now, doctor, you know I told you I was on pension. I cannot pay any money like that." Which I told him in the first place. So then he went on out and said to the nurse that she could explain to me. I don't know what about. But I was through right then.

Q. You keep referring to a card here from L. A. Brinkley, D.C. and Ph.C., at the top of which it has appointment time No. 1, Technician Alexander and immediately below that the name Petrene, indicated as doctor on the card. It seems to be a diet. Is this the diet that Dr. Petrene told you to follow at the time of his interview?

A. Yes.

Q. You followed that diet?

A. Yes, I didn't do anything that I done before that would interfere with his instructions.

Q. You also handed me three bits of paper that appear to be receipts?

A. Yes.

Q. The first one, dated 6-3-50, for the amount of $3 It has trial treatment written on it and the initials "J. O." appear on the bottom. Do you know who this J. O. is?

A. I don't know, unless it would be the lady at the desk.

Q. To whom was this $3 given?

A. To a lady there that gave out the receipt.

Q. It was given on the third of June?

A. Yes.

Q. The second receipt, dated June 3, for the amount of $7, initials "J. O." That was given on the same date and to the same person?

A. Yes.

Q. Appearing on the lower left hand corner there appears to be a balance of $88. Did you subscribe to the full treatment, the total of which was $95?

A. Yes.

Q. The third receipt, dated June 5, for the amount of $43, appears to have initials "E N." in the lower right hand corner. It shows a balance due of $45. Was that given by you to the lady on the desk?

A. Yes, to the lady at the desk. Whoever made the receipt.

Q. You don't know who the initials "E. N." stand for?

A. No.

Q That is the total amount of money that you have paid to L. A. Brinkley, Doctors' Offices.

A. Yes.

Q. At present, you owe them $45 for the completion of the treatments?

A. Yes.

Q. How many treatments did you take, Mr. Herr?

A. I think I took four, beside the trial treatment.

Q. After these treatments did you notice any benefits or ill effects from the treatments?

A. Ill effects because I could not keep anything on my stomach at all. I tried to build myself up so I could go down and see them. Then I got to thinking that it was a gyp game and I would go and take it up with the authorities that should know about it.

Q. You have stated to me that you could hardly get home on a couple of those occasions. Would you be more explicit?

A. It was on Wednesday and on Thursday. On Thursday was when ——

Q. What happened on Wednesday first?

A. I took a bus and came home, got off at Electric. And walked down to the end of the street, the intersection. When I got in the middle of the road I felt nauseated and put my hand over my mouth to keep from throwing up until I got off the street. When I went to the corner of the building there and I emptied myself out. I got into the house and lay down then and the Mrs. says to me, "I am afraid them treatments are too much for you."

Q. You went back to Mr. Brinkley's on Thursday?

A. Yes.

Q. Would you describe what happened?

A. I was just so weak I could hardly make it.

Q. You were not nauseated, but just extremely weak?

A. Until 9 o'clock that night and then I got sick again. Then I really made up my mind to take no more of them treatments.

Q. On Thursday, the eighth of June, was your last visit to Dr. Brinkley's?

A. Yes.

Q. Have you been to any other doctor since the eighth, Mr. Herr?

A. No.

Q. Had you been to any doctor, prior to going to Mr. Brinkley's?

A. No.

Q. This Dr. Petrene endeavored to sell you some vitamin pills, is that correct?

A. Yes, he was going to change my diet.

Q. Did he make a statement to the effect that vitamins were a part of the treatment, in conjunction with the colonics?

A. I don't know how to answer that. Let's see, that day I was on the table there. They were giving me colonics and he said, "I am going to change your diet." He named off several vitamins. Then he mentioned liver pills. And I says to him, "Doctor, how much is that going to cost me?" He enumerated them. He said they would come to $38 and the government tax. I told you, "You know I told you I was on a pension and I can not pay no money like that."

Q. Did you ever have any contact with anybody up there, other than Dr. Petrene?

A. No.

Q. Did you have any conversation with anybody else?

A. No.

Q. Did you meet anybody named Johnson?

A. No.

Q. Did you ever see anyone around with one arm, a heavy set fellow?

A. I don't think so.

Q. This technician listed here on the diet card and whose name also appears on the receipts. did you have any conversation?

A. No, only in regard to the balance I was to pay.

Q. Was it a Miss or Mr. Alexander?

A. A lady who made out the receipts.

Q. Was her title ever told to you, such as nurse or doctor?

A. No.

Q. Has Dr. Brinkley's offices ever billed you or dunned you for the balance due to them?

A. No, I have not been back since. I had Mrs Simmons call up and say I would not be down there on the 9th. They have not called up. As quick as I was able to come down I went to look up wherever was the right place for me to come.

Q. What had been your general health condition, prior to your visit to Dr. Brinkley's?

A. Good, outside of the gas pressure that I had had.

Q. In other words, you felt strong. Your only reason for going to Mr. Brinkley's originally was for the gas condition.

A. Yes.

Q. After taking the trial treatment and four other treatments, what was your general health condition immediately thereafter?

A. I would say it was pretty bad when you cannot navigate.

Q. Please describe it?

A. It knocked the props out from under me.

Q. In what way were you weak, nauseated, is that correct?

A. Yes.

Q. How long was it after the treatments that you became normal again?

A. It was a week.

Q. By a week, you mean until around the 15th of June?

A. Yes.

Q. Is there anything that you would like to tell us now that I have forgotten to ask that you would like to add?

A. Well, only that I talked to that desk sergeant the day I came in, the first day I felt like coming down. He advised me to wait until Mr. Ruppers came back from Chicago. I took his advice. I have not been back to Brinkley's since.

Q. In the event that the district attorney feels that we have sufficient evidence for a complaint to be issued would you be willing to testify in court?

A. I sure would.

(Signed) E. D. HERR

After the committee had reviewed this report by Mr. Young, it employed the services of Spencer E. Van Dyke, an attorney in Los Angeles, and all of the information gathered in the above report together with other information obtained by the committee was given to Mr. Van Dyke, with instructions to prepare the case and subpena witnesses to testify at this meeting.

In questioning the representatives of the various Los Angeles newspapers it was found that Dr. Brinkley had expended the following amounts of moneys to the following newspapers, from January 1st to November 15th, 1950:

[1] Los Angeles Times	$86,235.08
[2] Los Angeles Herald Express	73,550.21
[3] Los Angeles Daily News	37,025.42
[4] Los Angeles Mirror	44,214.70
[5] Los Angeles Examiner	84,184 54
Total	$325,209 95

[1] Exhibit 1.
[2] Exhibit 2.
[3] Exhibit 3.
[4] Exhibit 4.
[5] Exhibit 17.

Mr. Robert J. Bauer, General Manager of the Better Business Bureau of Los Angeles, was called to testify as to the complaints his office had received against Dr. L. A. Brinkley and the New Yorker Technique. He stated that his office had received scores of complaints against Dr. Brinkley by telephone, letters, and by people personally, and testified that because of these complaints an investigation was made by his office, and his report was compiled in the following manner:

COPY

EXHIBIT NO. 5

Better Business Bureau of Los Angeles, Ltd.
1010 Lincoln Building
742 South Hill Street, Los Angeles 14, Calif.
Vol. 3, No. 10—October 11, 1950

BRINKLEY ADVERTISING FALSE!

Advertising of L. A. Brinkley, D.C. is detrimental to public interest; is false and misleading; tends to destroy public confidence in advertising and is unfair to legitimate advertisers of health services. Advices to this

effect have been submitted to newspapers and radio stations by the B. B. B. with the recommendation that Brinkley's advertising privileges be withdrawn.

Currently Brinkley is the largest chiropractic advertiser in Los Angeles. During the week ended July 16, 1950, his advertising occupied more than 1,500 column inches in five Los Angeles metropolitan newspapers and is estimated to have cost $8,700. In addition, he used radio and TV. Continued at the present rate, Brinkley's annual advertising bill will be more than a half million dollars.

Contrary to the claims and implications in the advertisements of L. A. Brinkley, D.C.

1. Rheumatism is not caused by constipation, auto intoxication, or toxemia.

2. Appendicitis is not caused by these things.

3. Neither is gall bladder trouble, high and low blood pressure, kidney and bladder complications, liver disorders, or "practically all the ills of mankind."

4. Residents of Los Angeles are not fortunate in having an office that practices methods formerly used by John R. Osborne and known as The New Yorker Technique.

5. Residents of Los Angeles are not fortunate in having an office that practices the methods of Dr. Charles A. Tyrell.

6. Dr. William Frederick Koch is not recognized as one of the world's greatest cancer specialists.

7. Daniel Colin Munro, M.D., is not associated with L. A. Brinkley, D.C., and Brinkley has received no authorization to quote his book.

8. The Brinkley method of treatment is not "inexpensive."

9. The $3 price advertised for the trial treatment is not typical of the Brinkley charges of $95 for six colonics.

10. The M.D.'s quoted by Brinkley are not employed by him.

11. There is not one licensed medical doctor on the "staff of 16 licensed doctors (all specialists)" mentioned in some of his copy.

The Brinkley type of claim that "practically all the ills of mankind * * *"—starting with acne, anemia, appendicitis, asthma and on through the alphabet to rupture, rectal troubles, rheumatism, stomach trouble, tonsilitis, torpid liver, tuberculosis and vericose veins, to mention a few—"are caused by constipation" is not new but has been thoroughly discredited.

A few years ago such claims appeared in the advertising of a firm which was marketing a colonic device known as the Gordon Detoxifier. In issuing an order restraining the firm from further false advertising, the Federal Trade Commission formally found in part that "statements that appendicitis, asthma, colitis, constipation, excessive fatigue, foul breath, headache, gall bladder complications, high and low blood pressure, indigestion, irregular heart, kidney and bladder complications, liver complications, lumbago, menopause disturbances, muddy or pimply complexion, migraine, nervousness, pruritus ani, rheumatism, sinus trouble, run-down condition, shortness of breath, sleeplessness, ulcers of the stomach and bowels, and ulcerative colitis are almost invariably caused by intestinal toxemia, are erroneous and misleading Essentially these statements are based upon the theory of auto-intoxication, which is now rejected by the consensus of medical and scientific opinion."

The so-called Brinkley course of treatments consists of six colonics, and does not constitute an effective treatment against any of the conditions mentioned except constipation and possibly headaches due to constipation, any more than did treatments wherein the Gordon Detoxifier was used. Brinkley's office does not use that machine, but there is no primary difference between it and the machines his office does use.

In our opinion the primary findings of fact by the F. T. C in ordering the false advertising of the Gordon Detoxifier to stop, clearly disclose the falsity of the Brinkley claims. These findings were that the consensus of medical and scientific opinion rejects the theory of auto-intoxication and, hence, that statements to the effect that appendicitis, asthma, rheumatism, etc., are almost invariably caused by intestinal toxemia, are erroneous and misleading.

Brinkley's immediate predecessor in the use of cure-all colonic claims was John R. Osborne, who advertised in Los Angeles newspapers under the name "The New Yorker." Osborne was located where Brinkley is now located, 355 South Broadway. His price for a trial treatment was $3, as is Brinkley's. His price for a course of six colonics was $95, as is Brinkley's. He advocated colonics as a cure-all, as does Brinkley. Osborne wasn't a chiropractor, as is Brinkley.

The New Yorker

Osborne's advertising over the signature of The New Yorker appeared in Los Angeles newspapers late in 1946, 1947 and up until his arrest on charges of violation of the Medical Practices Act in the summer of 1948. The size of the advertisements increased after he had been advertising a while. The advertising included "treatises" on such subjects as Gallstones, Ulcers, Constipation, Diabetes, Kidney Stones, Bladder, Asthma, etc. These advertisements quoted many of the same so-called authorities who have since been quoted in the Brinkley advertisements. The New Yorker also employed a technique since used by Brinkley, namely, of lifting whole paragraphs from copyrighted books, without first troubling to get permission from the copyright owners Investigation has disclosed that one day the treatise would be a verbatim copy from pages 82, 83, and 84 of the 1926 edition of "The Fast Way to Health," by Dr. Frank McCoy, D C. The next day it would be from pages 35 and 36, and a couple of days later from pages 118 and 119 of the same book. McCoy Publications, owner of this copyrighted material, has advised us that no permission to use the material was granted to either Osborne or Brinkley and that they have objected to this misuse of the copyrighted material.

Osborne Arrested

On June 28, 1948, John R. Osborne, 56, was arrested on six counts of practicing medicine without a license. At that time he was identified as a former federal prisoner who received a 10-year sentence and a $12,000 fine for using the mails in a scheme to defraud in connection with the promotion of Valhalla Memorial Park. He was released after serving about four years on the death fraud In 1938 he was involved in a numbers racket, and the next year admittedly became the operator of "the largest bookie joint west of Chicago."

His arrest in the summer of 1948 on the medical charges proved to be only a minor interlude. Before the summer was over, he plead guilty

on one count, paid a fine of $200,000, and that was it. Newspaper stories said he had admitted to probation officers that he had given 30,000 treatments and that he owed more than $40,000 in back taxes to federal and state governments, repaying them at the rate of $450 monthly. Within days, after Osborne's fine was paid, the New York Technique was being advertised at the same old stand, in the same old way, but now over the signature of Dr. L. A. Brinkley, D.C. Osborne no longer appeared as principal, but only as advertising manager.

Brinkley 1946 Grad

Brinkley, the new advertiser, had graduated from the College of Chiropractic June 7, 1946, and received his state license August 23, 1946, approximately two years before becoming the titular head of the New Yorker Technique colonics irrigation institution which now bears his name.

Died 32 Years Ago

Sometimes Brinkley's advertising states "Residents of Los Angeles are fortunate in having an office that practices the methods of Dr. Charles A. Tyrrell." Actually, the opposite is true. We dislike digging up skeletons, but that is figuratively necessary in the case of Tyrrell because he has been dead for 32 years. Brinkley advertising refers to Tyrrell as "of national fame" and sometimes as "the world's greatest advocate of this method." Before he died the A. M. A. exposed him as a quack. When Brinkley quotes him in his advertisements, he is likely using statements issued by Tyrrell when many, many years ago he was peddling the J.B.L. (Joy, Beauty, Life) Cascade, for the self-administration of rectal enemas. Born in 1843, Tyrrell received a diploma from the Eclectic Medical College, New York, in 1900, at the age of 57. Soon, he claimed to have originated a theory of "Disease and its causes." Here it is: "There is only one disease, but with many manifestations. There is only one cause for disease and that is auto-intoxication." A pamphlet on mechnical nostrums by the American Medical Association many years ago, in discussing Tyrrell, said: "Whether the theory was devised as a convenient accessory to his exploitations of the Cascade and the patent medicine that goes with it, or whether it is merely an indication of stupendous ignorance, makes little difference; it is bizarre and fantastic to the point of silliness."

A typical Brinkley ad says: "Dr. Tyrrell declares: 'There is only one cause for disease.' This may sound strange, for the majority of people imagine that there is a different and specific cause for every ailment, and physicians generally do not * * *"

Tyrrell claimed that the "J.B.L. Cascade" was invented by him. The records of the patent office at Washington show that the device was invented and patented by one H. M. Guild who assigned the patent to the Tyrrell concern.

Tyrrell was also president of the concern that peddled the "Ideal Sight Restorer" as a cure for most eye ills. Advertisements for it said: "Cures not only the refractory errors of the eye—near sight, far sight, old sight and astigmatism—but also such dreaded diseases as cataracts, glaucoma, cross-eye and paralytic blindness." It was a piece of tubing with a rubber bulb attached, for the purpose of producing a partial vacuum over the eyeballs. Dr. Tyrrell's advertising, like Dr. Brinkley's,

included testimonials. An A M. A. pamphlet tells about one of Tyrrell's Cascade testimonials, from one Reverend Walter W. Kent, Cincinnati, "Chaplain First Ohio Infantry U. S. V. R. and also ex-President Mt. Lookout Businessmen's Club." Reverend Kent's "testamonial" (spelling original) said, in part: "I often suffered with nervous headaches from brain fag, like most literary people and thinkers do."

Tyrrell is the man Brinkley says is the "world's greatest advocate" of his (Brinkley's) methods; obviously a great authority.

Brinkley's advertising repeatedly quotes Dr. William Frederick Koch and describes him as "one of the world's greatest cancer specialists." *Time* Magazine ran this story about him September 6, 1948:

"THE KOCH METHOD

"Dr. William Frederick Koch pronounces his name to rhyme with joke. His patients have found very little to laugh at in his practice—which is bluntly described by the Journal of the American Medical Association as 'Koch's cancer quackery'—though the families of his patients have often seen the point, too late. For years the Federal Food and Drug Administration has had a suspicious eye on Dr. Koch. But last week he was still doing business at the same old stand: his Koch Foundation, an old brownstone house on Detroit's East Jackson Street. And Dr. Koch's business was still brisk (about $100,000 a year).

"Ever since 1919, a year after his graduation from a reputable medical school, Dr. Koch has been peddling 'cancer cures' (*Time*, December 10, 1934; April 20, 1942). In 1942 he and his office manager brother Louis were indicted for introducing a misbranded article into interstate commerce. The jury disagreed. The second trial, in 1946, ended when a juror became ill

"For $25 (sometimes a bargain rate of $15), testimony showed, Dr. Koch sells a two-cubic-centimeter ampoule of a drug he calls 'glyoxylide.' Until the law began reading them, the labels promised cures for 'cancer, allergy, and infection.' Food and Drug accuses him of claiming to cure 'practically all human ills, including—tuberculosis.' Glyoxylide, according to Dr. Koch, is the 'internal anahydrides' of glyoxylic acid. Chemists know all about glyoxylic acid, but they never heard of anybody having isolated its internal anhydride. Food and Drug Attorney William W. Goodrich said government chemists could find nothing in it but distilled water, called it a 'formula for nothing.' The government's parade of witnesses gave some shocking testimony. They had, they said, followed Dr. Koch's instructions in treating cancer patients: first a 'detoxicating regime' of enemas and a diet of fresh apple and vegetable juices, then injections of glyoxylide. Koch insisted that no other drugs be used except 'the smallest amount of morphine by mouth only.' Many of the victims might have died anyway, but his instructions denied them even enough morphine to ease their pain. An osteopath told of trying the Koch treatment on five cancer patients (including his wife); all died.

"Last fortnight the federal court was asked to *nol-pros* the case. Koch, the petition said, has changed the labels on his drugs; they no longer claim a cure for anything. The Food and Drug Administration

will continue to keep a suspicious eye on Dr. Koch. But interfering with his $100,000 business will not be easy; Koch is, says Lawyer Goodrich, 'probably the smartest, brightest quack in the U. S.' "

—*Courtesy of Time*
Copyright *Time, Inc.* 1948

Frequently Brinkley copy has this paragraph: Dr. F. E. Chidester, A.M. PH.D., says: "Two of the most distinguished cancer experts in the world (one British and the other American) have furnished evidence that not only rectal cancer but breast has been cured in hundreds of cases by relieving Intestinal Stasis."

Who is this Chidester? Some years ago the Bureau of Investigation, American Medical Association, wrote: "F. E. Chidester of Toronto is a Master of Arts and a Doctor of Philosophy, but not, so far as our records show, a Doctor of Medicine. Some of his writings include statements which do not have adequate scientific background, in the opinion of this bureau. For example, in his article in *Liberty* for September 9, 1939, 'Science Fights Cancer With Diet,' he recommends substituting sea salt (dulse, seaweed) for iodized salt, and lists 'occasional sea salt' and 'appropriate amounts of sea food' under the heading 'These Things Help to Prevent the Onset of Cancer'."

Chidester also wrote a book on "Nutrition and Glands in Relation to Cancer," which was mentioned in the advertising of a firm selling patent medicine.

Brinkley's advertising frequently contains the following statement: "Dr. Alcinous B Jamison, M.D, noted intestinal specialist, says: 'Twenty years as a specialist in diseases of the lower bowels have demonstrated to the writer that chronic inflammation, and often ulceration of the rectum and sigmoid flexure, in 29 cases out of 100, are the causes of chronic constipation and the long army of ills resulting from it!' "

Actually, Jamison does not "say" anything. He has been dead for 12 years. During his lifetime he appears to have written literature which was put out by at least two concerns selling rectal enemas, and he wrote a book called "Intestinal Ills" which was issued by the Tyrrell Hygienic Institute, another business of Dr. Charles A. Tyrrell, referred to before. About the same time, another concern in the same line of business, calling itself the Eager Colon Cleanser Company, issued an advertising brochure puffing its enema and entitled "Dr. A. B. Jamison's 16 Reasons Why the Internal Bath."

While we haven't found the article from which the Jamison quotation used by Brinkley was taken, it seems likely that it may be from some of the early advertising of Tyrrell or the Eager Colon people.

Daniel C. Munro, M.D., has been quoted in advertisement after advertisement by both Brinkley and Osborne as saying: Daniel C. Munro, M.D., says: "If I were to write the story of all the cases in which my method seemed to lift the patient from the very jaws of death it would fill volumes."

This is almost a verbatim quotation from page 161 of the book "Man Alive, You're Half Dead," written by Daniel Colin Munro, M.D., and copyrighted by Bartholomew House, Inc. Actually, Brinkley has substituted "my method" for the words "enemas and colonic irrigations." The point is, however, that Bartholomew House, Inc., has wired this

bureau: "L. A. Brinkley has no authorization to quote Munro book 'Man Alive, You're Half Dead.' Would appreciate your stopping unauthorized use of copyrighted material." It is also pertinent to note that in other places in Dr. Munro's book he recommends that you consult a physician; Dr. Brinkley is not one and, as far as we know, his establishment has none.

Brinkley advertising repeatedly contains the statement: Dr. Kellogg, M.D., of Battle Creek Sanitarium fame, says: "That these measures are successful has been demonstrated by the experience of the Battle Creek Sanitarium where they have been systematically employed in the treatment of more than one hundred thousand invalids."

Actually, Dr. Kellogg is dead. He doesn't say anything, and never commented upon Brinkley's methods as he was dead before Brinkley became a chiropractor.

Not Inexpensive

The opinion of patients who have filed complaints with the Better Business Bureau is at variance with Brinkley's claim that his treatments are inexpensive The patients don't think that $95 for six colonics is very cheap. But that isn't the end. After the patient has had three or four colonics an attempt is made to sell him vitamins for $21 to $40. When the course of six treatments has been completed, attempt is made to sell another course

It is hard to believe, but some patients have paid literally hundreds of dollars for treatments at the Brinkley institution. One man reported to the bureau he had paid a total of $885; one paid $250; another $380; $838.69; etc

Commission Basis

Disgruntled former employees of the establishment, both chiropractors and those serving as nurses, have voluntarily come to the bureau and supplied sworn statements, regarding the high pressure sales methods employed in the establishment. The chiropractors swore that they were paid on a salary plus commission basis. The nurses said they were paid a salary plus commission; no commission on the sale of the first course of treatments, but 20 percent on the sale of vitamins and 20 percent for resale on the $95 course of colonics. In addition to these sworn statements filed with the B B. B., an inspection of complaints filed with the State Labor Commission discloses the existence of the commission scheme.

Treat or Treatment

The B. B. B is not informed as to whether the music which is played while the patient is getting the colonic is part of the therapeutic treatment, or a part of the selling effect. In either event, sources consulted consider it a new accessory in the chiropractic kit.

"Shear" Authorship

The "author" of the Brinkley advertising does most of his composing with a pair of shears, rather than a pen. As a result, the headlines frequently have little or no relationship to the text of the copy. The headline offers to explain the causes of cancer, then the text goes on to discuss its symptoms and what somebody said about colonics. It doesn't explain its causes. This might be a little difficult in view of the fact that

in spite of the millions of dollars being spent in research, the causes are still in the suspect stage.

Or the headline may say "The sick are healed as if by magic" and the subheads list arthritis, diabetes, etc., and the second subhead may say: "Amazing testimonials—many diagnosed as incurable."

Confusing

It's a little confusing when you read such ads, if you go on through the text, because there may be nothing more said of healing as if by magic, or what happened to the people who were diagnosed as incurable, or who diagnosed them as incurable.

Both dead and live people who have never heard of Brinkley are quoted in ways which might lead readers to believe they are connected with the institution. Some of them are quoted in ways which might lead the reader to believe they are talking about Dr. Brinkley.

Unfortunately, the scissor authorship producing the Brinkley copy not only produces confusion but deception.

Irate Readers

Some newspaper readers, who are not patients of Brinkley's, have become irate about the continuing appearance of such copy. Wrote one such reader, complaining about a Brinkley advertisement headline which stated: "Constipation. 100 consecutive deaths predicted by noted physician. 90 percent died within a week after prediction." Said this reader: "I consider it the most disgraceful thing I have ever seen. The headlines imply, purely by juxtaposition, that a noted physician predicted 100 deaths from constipation, of which 90 died within a week. This might terrify the average person (who is so easily moved by headlines) into patronizing the advertiser. The body of the advertisement, of course, said that these persons died of a wide variety of conditions. I consider the '(newspaper)' to be equally reprehensible in accepting and printing this atrocious rubbish"

Upon examination Graham P. Sitton, Senior Communicable Disease Inspector and Special Health Officer of the County of Los Angeles testified as follows:

"On November 10, 1949, a form was sent through to our department stating that a patient by the name of Ernesta Griego, a Mexican, 28 years old, had left a sanatorium, which was Olive View. She had a positive sputum, was diagnosed as far advanced active tuberculosis. We considered her in a communicable state and our department was ordered to find her. The notation was to isolate her in the home or wherever found, and through various channels I located her on November 30, approximately 20 days later, living in the home of her mother. I served with an order of isolation confining her to those premises. Her husband was present at the time. He said that since she had left the sanatorium they had gone to Dr. L. A. Brinkley, and he showed me a receipt of $95. This receipt was signed by a Dr. Hayhurst. I took the signature from the receipt. This is the information of the husband, and the wife verified it. They had told her that she had no T.B. at all, and that the Health Department had been giving her pneumoperitoneum, which was air given through the stomach by needle, and that had turned her intestines upside down, and unless she went through the series of treatments of colonic

massages that she would die in a very short time. He said that they had given her either five or six, but she had to have more. I told her that she was not to leave the house for any reason whatsoever, and if necessary we would put an officer on the front and back door to see that that order was kept. I told the husband that he was free to go and consult this doctor if he wished, that I would make a report of it, and that the only way they could go back to this doctor's office and see him was by written pass from our department. I went back and made the report to the office, and five days later we obtained a bed for her, an emergency placement, and took her to Elliott Sanatorium in Duarte. And at the time that she was picked up, I was accompanied by the Quarantine Officer from the City of Los Angeles, due to the fact that she was in the city at that time and we wanted no slip-up on technicalities. The husband said that he had been back to consult with Dr. Brinkley's office, and they told him that there might be a little T.B. there. He informed them of all that I had said. He showed them a copy of the isolation order I had served on the wife. This girl stayed in the sanatorium a short time, and she left there, and a warrant was issued for her arrest, and again we attempted to locate her and take her into custody, and found she had gone to New Mexico. As required by our law or county ordinance, we had to notify the Department of Health in the State of New Mexico. They made an investigation, and I can read you parts of the letter they returned to us, which would be of interest, I think. She was located in Las Cruces, New Mexico. It says: "The main points of our nurse's investigations are that Mrs. Griego expects a baby, and she is apparently in fairly good health; she preferred a home delivery at her sister's home here rather than have a hospital delivery in California. This appears to be the main reason why Mrs. Griego left. In addition, Mrs. Griego advises our nurse that she has a statement from Dr. Brinkley, 355 South Broadway, Los Angeles 12, California, indicating a negative sputum, and he told her verbally that she was a closed arrested case of tuberculosis."

"That is the information that we received from the State Board of Health in New Mexico. We haven't located her at the present time. We have reason to feel that she may be back here in California. She may be under Dr. Brinkley's care. I have no knowledge of that.

"The next time that I ran into a similar situation was when I was ordered to pick up a man. I can't find him in my files here. We had another copy. That come through the office made out on April 6, 1950 and reached our office a little later, approximately a week after, to pick up a man in the City of LaVerne, 1983 Sixth Street, LaVerne. The background of this case was that he had a positive sputum on March 3, 1950. He was diagnosed as pulminary tuberculosis, far advanced, active. They sent two men out to pick this man up and place him in a sanatorium; due to his background with two years in San Quentin and two years in Folsom Prison, we thought we might have a little trouble. He recognized the authority, so there was no trouble except that he could not understand why he had to be isolated in a sanatorium due to the fact that he had gone to Dr. Brinkley's office on March 28, 1950 and returned there three days consecutively for treatment. Dr. Brinkley told him he did not have T.B. He took two sputum tests which were negative. He also took a fluoroscope and said there was nothing there in his system except some poison, and there was no T.B. that he could find anywhere. He

was charged $85. He said if he continued treatment he would cure him. This man gave us the information he had seen the advertisement over television. I myself had paid no attention and seeing none of these advertisements or have heard anything about them. My only connection is when I run into them with these patients. I reported back to my office of this fact, and we placed the man in quarantine in a sanatorium out in Duarte."

Dr. Leo S. Calloway, D.C., upon examination testified as follows:

Q. Are you duly licensed as a doctor of chiropractic in this State?

A. Yes.

Q. When were you so licensed?

A. 1940.

Q. Are you acquainted with Dr. L. A. Brinkley?

A. Yes.

Q. When did you first meet Dr. Brinkley?

A. In February of 1949.

Q. What were the circumstances under which you met Dr. Brinkley?

A. Dr. Brinkley offered me employment in his office at 355 South Broadway.

Q. Did you solicit this employment or did you answer an ad?

A. I answered an ad.

Q. Were you employed as a member of Dr. Brinkley's staff?

A. Yes.

Q. Now, during your interviews with Dr. Brinkley prior to the time that you were employed, what conversations did you have with Dr. Brinkley regarding your qualifications?

A. He offered me employment at $300 a month basic pay for the first 60 days, and then $300 per month after that, plus one-half of 1 percent commission.

Q. And do you remember what date you went to work there?

A. February 24, 1949.

Q. And when you first went to work there, did you have a discussion with Dr. Brinkley about the New Yorker technique?

A. Yes.

Q. Prior to this time had you ever had any connection or did you know anything about the New Yorker technique?

A. No.

Q Did you discuss the New Yorker technique prior to the time you were hired by Dr. Brinkley?

A. No.

Q. When did you first discuss the New Yorker technique with Dr. Brinkley?

A. At the interview in February of 1949.

Q. This was after you were hired?

A. Yes.

Q And what discussion took place?

A. Well, Dr. Brinkley informed me at that time he needed a salesman more than anything else, that chiropractors were a dime a dozen, but what he needed was salesmen at that time, and when the patient came in he stated to me it was through his ads in the paper, and that it was lure advertising In other words, they were lured in there on their advertising,

and that the procedure was to be able to sell the patient on a series of treatments after their initial treatment of a $3 trial treatment. He illustrated quite elaborately on the process for which he wanted me as an employee, that the patients come in there answering the advertising, and that patient was to be diagnosed as per his setup or his routine there. They were to be found constipated and either high or low blood pressure, they had cholostitis, or they had anteritis, which is inflammation of the lower bowel; they had a sluggish liver or an enlarged heart, etc, anything to fill out the comments at the bottom of the examination, and that patient was to be so impressed at that time that they would be induced later on in the treatment room as to where they would submit to a series of six or more treatments at $95 a series of six. The initial treatment cost $3. At that time they were to have a physical examination made on this patient. Then the doctor would turn this patient over to the technician, and she would impress upon his mind or her mind that it was necessary for them to submit to a series of six treatments to correct this condition, and after that first treatment—the first treatment or the trial treatment is known as the cleanser—then when they come back for a series of six treatments. The first treatment was known as the super-saturation, and during the treatment or during the first treatment this patient was to be introduced to the doctor who was going to administer the treatments there, and he was to make a brief "pitch," so they call it, at that time, and then he or she was to be turned over to the nurse or the technician in charge, and they were to drill the fact that this patient needed these treatments in addition to the vitamin therapy that went with it.

Q Now, Dr. Calloway, at the time you were interviewed, were you interviewed by anyone else in this office other than Dr. Brinkley?

A. No, not at that time; shortly after.

Q. Did you have any discussions with John Osborne?

A. Yes.

Q. And what was stated at these discussions?

A. At that particular time, just prior to my interview with John Osborne, I happened to go through the same college that Dr. Brinkley did prior to his graduating, so I asked him the first day I was in his employ there, "Dr. Brinkley, you either had a lot of money, or you got off to a flying start. How come you have a place like this?" The patients were flocking in there by the dozen at that time. To the best of my recollection, they were running approximately $35,000 or $40,000 a month gross at that time He said, "Calloway, I have bright futures for you." I said, "I am glad to know that." I said, "What do you mean by that?" He said, "I don't know whether you know the story or not, but Dr. Brinkley doesn't legally own this institution." He said, "I do." And he said, "If you stay with me—"

Q. Right here let me ask you about when this conversation took place.

A. That was around the 26th or 27th. It was on or about the 26th or 27th of February.

Q. Where did this conversation take place?

A. In the hall outside of the consultation room.

Q. Was anybody else present?

A. No.

Q. Continue on.

A. So I go back to Brinkley again, and I ask him, "What is the score here, Dr. Brinkley?" He said, "Well, as I told you, it is a deep, dark secret." And I said, "Well, more power to you." I said, "You have a good business here I hope I can become one of your staff," and not knowing at that time what the situation was. So as time went on, they had a doctor there at that time. I don't know whether he is there now or not—Dr. McDonald. So I tried to pump Dr. McDonald what the score was. He told me that Brinkley was only a name at that time, that Osborne really owned it. Then he told me about Mr. Osborne being arrested for practicing medicine without a license.

So shortly after that, well, I was put on the floor at that time in a selling capacity. Shortly after that Brinkley put me in the front office as a diagnostician, and he seemed at that time to be very impressed with my manner of sales.

Q. What did you do as diagnostician?

A. Well, the patient came in there as answering the ad, and we made a diagnosis—objective diagnosis—of the symptoms that we could observe from the patient in what they told us. And it seems as though sales started going up at that time, and Brinkley gradually slackened off on his consultations with the patients and left me in the office permanently as diagnostician It was my duty to sell the patient on the idea that they needed these treatments.

Q. You are referring to the six colonic treatments?

A. Yes, the trial treatment and the following six treatments. It had to be some one why had a psychology with the patient that they were in need of these treatments. I don't know whether you have any way of tracing down this record. It seems after I went into the office, that business started getting better. It wasn't long after that that Brinkley evidently took down with a heart attack. We will say that is what it was. In other words, the grapevine news was that he was off on a big drunk.

Q. Who told you that?

A. Mr. Osborne. At that time he made me chief of staff.

Q. Who made you chief of staff?

A. John Osborne. And there was some literature or correspondence went out, and in fact it went to the State of Arizona over my signature as Dr. Leo S. Calloway, chief of staff, at which time I questioned him about the authenticity of that, and he retracted that and cancelled the correspondence. At that time he was trying to put over what was known as the applicator. It was more or less of a, well, you would call it an enema bag, and I objected quite strenuously to my name being used in the manner in which he was advertising to a state that I wasn't licensed in. I happen to be licensed in the States of California and Missouri. So Dr. Brinkley was called in and asked his advice on it. He said, "Well, if I was in his position, I wouldn't go for it either." So then two or three days after that, Mrs. Cummings, who is supposedly Osborne's partner in business—Lucille Cummings——

Q. Does she work there?

A. She is his business manager or so he says.

Q. What does she do?

A. She has charge of the office force. So she called Dr. Brinkley and myself into the office and said she didn't want any part of it and she

didn't want the embarrassment of going before the postal inspectors again. Osborne told us he had been in better penitentiaries in the United States that had rugs on the floor, and so I inquired about that; come to find out he had been in the Valhalla Cemetery scandal, and he had done a hitch in Leavenworth or somewhere like that. So I became curious about the whole thing, and as time went on Brinkley did come back, and I still had the title of chief of staff, and it was looking blacker and blacker all the time as per my license in the State of California. So I hired this Dr. Bosserman. I forget what his first name is.

Q. Dean L. Bosserman?

A. Yes, from Hollywood, and Dr. Bosserman was quoted by Mr. Osborne as being a fast and fancy talker. So we had to serve a 60-day probationary period there before we went on the one-half of 1 percent commission. We were on the $300 a month base pay until we served 60 days, and then we went on the one-half of 1 percent. At that time the total gross was mounting by the thousands. I think our total sales when Brinkley took down sick, the total gross sales were around 22 percent, and they went as high as 64 percent or 74 percent before he came back.

Q. Do you have the records?

A. I have records in my bill fold. Osborne raised me from $300 to $400 a month base pay.

Q. When was that?

A. After Brinkley took down sick. I think that was in June. Then he wanted to lengthen the hours, and he raised me from $400 to $450, plus one-half of 1 percent.

Q. Who did you have the conversation with when your salary was raised.

A. Osborne.

Q. Did you talk to Brinkley about it at all?

A. He wasn't there at that time.

Q. You talked to Osborne?

A. Yes, I talked to Osborne. At that time Osborne promised me the place that Brinkley had, and he said he was paying him $500 and 1 percent of the total gross.

Q. He was paying Brinkley that?

A. Yes, $500 a month and 1 percent. The way the gross was at that time it would raise my pay to about $1,100 or $1,200 a month. He said he wanted to make me independently wealthy if I stayed with him.

Q. Were you offered Brinkley's place?

A. Yes. But shortly after that, within a period of three or four days, he came out with the pamphlets. I forget the title of it now. Anyhow, he told me he had around $7,000 or $8,000 tied in that and couldn't cancel it at that particular time, and was going to pension Brinkley off, and was going to give Brinkley his current expenses, plus a pension for the rest of his life, providing I would take over where Brinkley left off.

Q. About when was this conversation?

A. That was possibly in the latter part of June or May or the first part of June.

Q. Where did it take place?

A. In 355 South Broadway, in Room 210 at that time.

Q. In Osborne's office?

A. Yes. So it went on for possibly two weeks after that, and I asked him, "What are you going to do with Brinkley?" At that particular time he said, "Brinkley is going to be back here, but only on part-time. Things are going exactly like I like them, and I don't want you to clash with Brinkley, or I don't want you to take one word of orders from Brinkley. If he issues orders to you, he is just a name here. You refer him to me, and I will straighten the whole thing out." Brinkley came back, and possibly the second or third day he was there he started giving me orders. I mentioned it to Osborne. I said, "Brinkley wants this done, and he wants that done." He said, "Pay no attention whatsoever to Brinkley." At that time I had hired Osborne, I had hired Hayhurst——

Q. You said you hired Osborne.

A. I meant I hired Bosserman, I had hired Hayhurst, and I had hired Sassoni and several other doctors there at that particular time, and I was in full charge, and Osborne ordered these "pep talks" held periodically, possibly three times a week in my office and in the consultation office and was giving complete instructions at that time.

Q. Who gave instructions?

A. Osborne.

Q. What were they?

A. They were all "pep talks" in sales. There were too many people coming in and taking the trial treatment and no more, and those who took the series of treatments were not taking the vitamins. We had one salesman—Dr. Paul—there who I think had the top record at the time I was there. I think it ran around $300 and some odd dollars in sales in vitamins in one day. That was Dr. Paul. And then there were several technicians that were let go at that particular time, and I had to administer the bad news of their severance with the institution. I think you have some in there in the Better Business Bureau record. Miss Jordan was one. I would have to refer to those names of the employees there at that time.

Q. Dr. Calloway, on these new doctors that were hired for the staff, what instruction was given them with regard to the so-called New Yorker technique prior to the time that they did work on patients?

A. They came in there, and they were told a trial treatment consisted of a colonic and a physical diagnosis at that particular time which was blood pressure and hemoglobin test, and Bursminsky, and they were to be escorted to the waiting room at that particular time.

Q. What does that test mean?

A. It is a nerve test for syphilis.

Q. Anything else?

A. No, not at that particular time. They gave a percussion test for enlarged heart at that time. Then they escorted them to the treatment room where they were disrobed and given a gown, and they were put on the Dierker colonic table.

Q. What was that?

A. That is where they get the colonic irrigation. Then the doctor on the floor that was assigned to a certain number of technicians, either two, three or four, was called at that particular time, and he made an abdominal palpation. He was instructed always to find an impacted colon starting with the cecum.

Q. Were you ever so instructed yourself to find that?

A. Yes, by Brinkley at that particular time. When Brinkley was doing the consultations there, we sat in on as many as a half-dozen or more consultations to get the routine which he had adopted. Then we found an impacted cecum, a transverse colon, a spastic descending colon and there on down. Then we always found a little tenderness in the gall bladder area known as cholostitis. To dwell on that they were told it was unnecessary to cleanse that colon. Now, the doctors on the floor had a routine manner in which they adhered to that the colon was—the large colon was—twenty-two feet six inches, and the small colon was six feet four inches. They had to be properly cleansed in order to rid the colon of auto-intoxication, of which the fecal material was throwing off this toxic poison. It was primarily the cause of all disease. But it was built around a complete sales talk, and if you didn't sell that patient, you were called on the carpet by Osborne, not Brinkley. You were reprimanded as being a poor salesman, and you would have to better yourself in order to stay in the organization.

Q. Did Osborne ever tell you what you must find?

A. Yes.

Q. Did he tell the other doctors in your presence what you must find?

A. Yes, because every doctor that came to the consultation office was broke in on this routine findings. First you started off with constipation. Then you either checked for high or low blood pressure. Then you checked for cholostitis, and then auto-intoxication, and then vertigo. Then you checked for nervousness, but you had to fill out the comments at the bottom of the examination sheet completely in order to give the doctor something to sell after they got into the treatment room.

Q. Well, Dr. Calloway, what is your definition of the New Yorker technique after working there?

A. Do you want a simple and brief to the point explanation? A racket.

Q. What I am trying to find out, Dr. Calloway, is what the New Yorker technique consists of.

A. It consists solely of a colon irrigation or a super-saturation as they diagnose it after you start your series of six treatments. The first treatment is known as a cleanser. Then after that the same treatment exactly is known as a super-saturation, plus vitamin therapy, and if it is asked for they will give you a chiropractic adjustment.

Q. At the time you were there, how many other doctors were employed there?

A. At the time I was there, I think they had Dr. Sassoni, Dr. Paul. Dr. Hayhurst, Dr. McDonald, and Dr. Paul someone. I forgot what his name was.

Q. Just about how many?

A. About six besides myself.

Q. And when did you discontinue your employment with Brinkley?

A. Saturday night as of August 13, 1949. My reason for leaving there was due to the fact that Osborne had called me on the phone incessantly and wanted me to get Bosserman back, because he was a super-salesman. When I contacted Dr. Bosserman, he told me he would come back providing I was his immediate supervisor, and he didn't want to

have anything to do with Osborne or Brinkley. He said he would come back and take care of consultations. When I called Osborne, he said he couldn't do it because of the legal technicalities involved there. He said, "I can't have a part of it." I said, "If you can't have Bosserman back, I won't come back Monday morning myself." I was drawing at that time above $700 a month.

Chairman Connolly: You said in the early part of the time that you were there they were taking in $35,000 to $40,000 a month gross?

A. Yes.

Chairman Connolly: It increased after that?

A. Yes.

Chairman Connolly: Do you know off-hand, or do you have some approximation as to what the gross was about the time you left?

A. I think I could find it for here, sir. I have got it here somewhere. My last month I think it was better than $70,000 a month, somewhere in that neighborhood. I have the check stubs here.

Chairman Connolly: In July presumably?

A. Yes. I think in July that the colonics ran—No, this was in June possibly. The colonics ran $48,914.55. The refunds on that during the month was $306. The net was $48,608.55. Now, there were some side sales made on diathermy of $170. The vitamins at that time ran $9,905.95, and the spray tips for these enema bags ran $692.65, and the sales tax for that month was $309.98. So that left a balance of $59,506.94. My commission besides my salary for that month was $295.28. Dr. Hayhurst drew $295.28, and Dr. Paul drew $295.28. I think I have some more here.

Chairman Connolly: That answers my question, Doctor. I just wanted some approximate figure as to the gross at about that period of time.

A. Then it advanced after that to around $70,000 some odd dollars. In fact, I had to take them to the Labor Commission to get the last $152 and some odd cents that I had coming, due to the fact that I had quit there because of my own volition. Brinkley told me at the time I picked up my instruments and things of that nature that he didn't pay a commission on less than 30 days, so I took it to the Labor Commission, and they ruled in my favor, and they gave me a commission of $152 and some odd cents.

Mr. Rumford: Dr. Calloway, while you were chief, were you interested in the welfare of the patient, or were you trying to make money for the institution itself?

A. Well, at the time I thought possibly there could be some good done there, because Osborne had explained that was to become the largest institution in the world of its kind, that he was sending Brinkley back to Chicago and possibly myself to see that Brinkley stayed sober during this course of education back there in the treatment of cancer, that he intended at that time to open an office in San Diego, one in San Francisco, possibly one in Dallas, Texas, and Lord knows where else, that I was going to be in charge of all the foreign offices, because I didn't mind leaving the State of California. I was in such a position at that particular time that I could be away from home. He was going to put me in charge of the foreign offices outside of Los Angeles. He wanted Brinkley here. So it looked like at that particular time I was going on a much increased rate of salary and a much increased rate of total gross percent in which I would top

Brinkley. That was Osborne's intention at that particular time. It seems as though Dr. Brinkley had a tie-up with him financially and legally, and that he couldn't get around as well as advertising, because he just put out $7,000 worth of advertising at that time in the form of pamphlets. So it went on from time to time, and Brinkley finally came back to work. Brinkley and I didn't get along. Osborne told me not to take orders from Brinkley, and Brinkley was not to take orders from me, and there was a dissention there. So when Bosserman said he wouldn't come back providing I couldn't be his immediate superior, then I just told Osborne I wouldn't be in Monday morning.

Mr. Rumford: On a whole, the atmosphere was one of trying to make money for the institution, not trying to do very much really for the patients?

A. That is right.

Mr. Rumford: Did you say anything about the type of pills or the type of vitamins that were given?

A. Well, ordinarily speaking, they were just the mill of the run type of vitamins that can be bought in any vitamin store. If you subpena some of my diagnoses before your committee, you will find they are all the same. There was a set rule that you got vitamins, minerals, B_1, Plan-Ex, B_2, C, D, and E, and that ran $42.50. Then on your second course of treatments you got bile salts which ran $7.50. Then he had some hormone substances there for the male and female that ran I think $21.50 for the male or thereabouts and $27.50 for the female.

Mr. Rumford: Regardless of what the complaint was, they got the series of vitamin treatments?

A. Yes, it was a set rule. In case there was a man and wife who came in for treatments, such as the Johnsons you talked about this morning, that had to be changed to keep from coinciding with the same treatment for both of them.

Mr. Rumford: They wouldn't have given him E?

A. No, they would change that around and give him Plan-Ex and something else, just in order to change the prescription.

Mr. Rumford: I have one more question. At any time was your institution visited by members of the Chiropractic Board or the Board of Medical Examiners?

A. Not to my recollection.

Mr. Rumford: That is all.

Mr. Lipscomb: Would you say that Osborne was diagnosing these cases by remote control?

A. In my own mind, I would, because he has called us in his office numerous times and told us the prescription that he gave his mother for calluses on her feet and bunions and things like that, and putting her on strict diets and things of that nature, and in the event we had patients it would give them an added result in order to boost the sale of another treatment, and we were to advise the patients of that treatment if they had a corn or a bunion and we were to put them on fruit juice diets, and things of that nature.

Mr. Lipscomb: He actually was diagnosing the cases ahead of time?

A. I would say personally, yes.

Mr. Lipscomb: It was an indirect way of practicing medicine?

A. Yes.

Mr. Smith: On these instructions you were given, did you so instruct the doctors you hired?

A. Yes, I gave them the routine that was handed down to me in order for them to make the sales on the floor out there. Any time a patient didn't take any more than six treatments, they were called on the carpet.

Mr. Smith: From the standpoint of ethics of a chiropractor's association, how did they follow that?

A. We were diagnosed by Osborne. He hates medical doctors and chiropractors and osteopaths. He hates anybody that is legitimate.

Mr. Rumford: Osborne does?

A. Yes.

Mr. Smith: Do you think that the organization as it is operated is for the good or benefit where you saw it of the public health of the citizens of the State of California?

A. Definitely not.

Mr. Smith: In other words, you think it is a detriment to the public health?

A. Yes.

Mr. Smith: And not to the teachings of the chiropractory that you learned?

A. No, that is the reason I severed my connection with the institution down there, because prior to that and since that I have not been in practice, and I quit a job that was paying me in the neighborhood of $800 a month, and people don't quit those jobs if they don't have to live with their conscience.

Mr. Smith: As you mentioned, it is more of a racket than anything else?

A. In my own personal mind, it is a racket. Those people are brought in there and they are pounced upon from the minute they enter. In other words, the vultures leap at them down there. The doctor comes in and grabs the large colon. If there is nothing wrong with it he says it is impacted and they are going to die if they don't get it corrected.

Mr. Earl Hall, Special Investigator for the State Board of Chiropractic Examiners was next questioned, and he testified as follows:

Q. Have you in your position as an investigator for the chiropractic board received complaints against Dr. Brinkley or the New Yorker technique?

A. Many.

Q. Do you know how many you have received?

A. Well, approximately since the office has been functioning, especially since Dr. Brinkley has been connected with the office, I would say between 80 and 90 complaints.

Q. Over what period of time have these complaints been received?

A. I just don't know the exact date when Dr. Brinkley took over at 355 South Broadway. I don't recall it but it was about that time, shortly after that. I don't recall the exact date.

Q. What has been the general nature of the complaints that have been received?

A. The most complaints received by me and through the State Board of Chiropractic Examiners in our office in Sacramento have been in the form of letters sent them and then relayed to me as persons dissatisfied

with treatments and wanting a refund of money only. Part or all have been to send back money paid.

Q. And what have you done about these complaints?

A. Turned the complaints over to the Attorney General's office.

Q. All of them?

A. Every one of them.

Q. All the complaints, in other words, that you received in writing?

A. Yes. Many of these complaints, gentlemen, were in the form of anonymous phone calls, people who would not even give their names. They would ask for my opinion. They would say, "Mr. Hall, I was advised to call on you. Would you please intercede in my behalf as per a refund." I said, "For what?" They would say, "For treatments taken at the New Yorker office in Los Angeles." I said, "What form of treatments were they?" They said, "Colonics, adjustments, Battle Creek method, and diet." I said, "Yes, but did you sign anything with that office?" They said, "Yes, I did." I said, "What did you sign, an agreement or a contract?" They said, "Yes." I asked, "For how many treatments?" They said, "Six treatments at the cost of $95." I said, "Now what do you want?" They said, "Well, after the sixth treatment I don't feel any better than I did before I took the treatments." I said, "That doesn't prove a thing to me. I am very sorry. Now what do you want?" They said, "Well, I feel that I should be entitled to a refund." I said, "Of the whole amount or just part of it?" They said, "The whole thing." I said, "I am sorry, but we have no jurisdiction over fees, and we just can't collect it for you, but I will refer you to where you can take your case," which I did. They could go to the small claims court or in some instances they could go to the public defender and ask their opinion on it. I told them, "If you get a case against those people that they are not doing the right thing by you, the State Board of Chiropractic Examiners would do something about it." There have been instances where some of these calls—and they have been more or less of a daily nature, mainly regarding a refund or a part of a refund—that wanted to know if they started a case, would we cooperate with them. I have said, "Yes, I would be glad to, but you would have to prove in court that you didn't derive benefits from the treatments. I don't know whether you did or didn't, and mind you, I am for you too." It boiled down to the one gripe. That was, "I want my money back, if possible, or part of it back," or "The treatments didn't do me any good." One old lady came to the office. She didn't give her name. I believe she was referred to me from the Medical Board Office. She had been into them and asked them about this New Yorker set-up, and they said, "Go in and see Mr. Hall." She came in. She said, "Mr. Hall (I believe she said she was on state relief), I have spent all my money over there, and I don't feel any better." I said, "When did you start taking the treatments?" She said, "I just took the six treatments." I said, "What did you pay?" She said, "I paid $95 for six treatments." I said, "What did they consist of?" She said they consisted of so and so and so and so. I said, "Did you sign anything for those treatments?" She said, "Yes." I said, "Did anybody make you sign for those treatments?" She said, "No." I said, "In other words, you just signed up and took the six treatments at $95?" She said, "Yes, I did." I said, "Now you are telling me that you don't feel any better. Have you been to other doctors before you went there?" She said, "Yes."

This old lady said, "The medical doctors were robbing me. They weren't doing me any good. I went to an osteopath. He was not doing me any good." I said, "You are a shopping patient. You have shopped around and have tried everything. Your next move will be faith healing. Have you tried that yet? I am going to be honest with you. I can't help you in collecting the money. The board has no jurisdiction no more than any other board does over fees charged by their doctors."

Q. In these complaints that have been made to you, did the patients of Dr. Brinkley state what their difficulty was diagnosed as by his office?

A. No, we never went into that. Their main complain was, "Will you help me get some money back, or all of it?" One lady came to my office from Beverly Hills here about three months ago. Her name was Baer. She said, "Mr. Hall, I received very fine treatments. I am not complaining about the treatments received." She said she had taken the two weeks course, and it had cost her $95 for the series of treatments She had had six treatments She said, "I was induced by them to take some vitamins. They charged me $30 for them." She said, "Mr. Hall, I have paid for these pills In taking those, some of those tablets in there caused me to have a gas formation in my abdomen that made me ill. I can't continue taking them." I said. "What do you want me to do?" She said, "If I were to take those back, do you think I could induce the office to give a refund?" I believe she said she paid $30. I said, "I will call Dr. Brinkley and see if they won't cooperate and give you back the money." She said, "I can bring them over." I asked her, "You used a few?" She said, "Just a very few." She called me later and informed me that the doctor did give her back the money, whatever she paid. Most every complaint I had has been regarding a refund

Mr. Rumford: What are your duties as an investigator?

A. I am a state investigator investigating complaints regarding unlicensed doctors practicing without a license, running down court cases, etc.

Mr. Rumford: What is the "etc."?

A. On renewal time I check on delinquent doctors. I check to see that they are not practicing while their license is delinquent. I check on out-of-state doctors practicing in other doctor's offices without a license. I check on chiropractors who are not using the proper degree following their name as per their law. I check their offices to see that they are not violating the law as far as drugs and surgery, etc., is concerned.

Mr. Rumford: Did you have occasion to call upon Dr. Brinkley to inform him as to his ethics?

A. Yes. In fact I had two board members visit the office with me.

Mr. Rumford: What did he say?

A. He said, "I am doing nothing. I am practicing more chiropractic here than any other office in the State of California" He was giving chiropractic adjustments. That is the basic principle of chiropractic. He said, "We are also giving colonics under physical therapy. We are using the Battle Creek, which is a modality."

Mr. Rumford: You reported these to the board, did you not?

A. All these records are at the State Board.

Mr. Rumford: The board stated they had no authority under the law?

A. And also to the Attorney General's Office Various deputies at San Francisco and here have been piled up in their office that high with these ads.

Mr. Rumford: As an investigator you feel the State should enact further laws to protect people in these instances?

A. Yes.

Mr. Rumford: Are you prepared to submit such a recommendation at the next session of the Legislature?

A. Well, I would be glad to, yes.

Mr. Rumford: Or the board.

A. Speaking for the board, I am sure they would.

Following is the testimony upon cross examination of C. A. Mead, Special Agent for the State Medical Board of Examiners:

Q. Have you as a result of your position with the board received complaints against Dr. L. A. Brinkley or the New Yorker Technique?

A. Yes, sir.

Q. And do you know about how many complaints have been received by your office?

A. There were approximately 60 investigations made by our office, and many, many more complaints were made.

Q. When were these complaints received?

A. April 11, 1946, is when our earliest complaints were received, and they come right down to the present.

Q. When were the investigations made?

A. Well, from April of 1946 up until approximately the middle of June of 1948.

Q. Was that when Dr. Brinkley took over?

A. Yes, sir. There have been some investigations made after that.

Q. Well, as a result of these investigations you made prior to the time that Dr. Brinkley took over, what was the result of those investigations?

A. We filed charges against John Osborne for five counts of practicing medicine without a license. It is a violation of Section 2141 of the Business and Professions Code, and we arrested him, and he pleaded guilty.

Q. Subsequent to that time, you continued then to receive complaints, is that correct?

A. Yes, sir.

Q. Was the general nature of these complaints about the same as prior to this prosecution?

A. Yes, sir, our complaints seemed to be, the victims seemed to fall more or less into groups of not feeling well after their treatments, also they felt that the amount of money charged them was excessive, they complained about the price of the vitamins, and one thing I noticed was that in most of the investigations that I made, they were always diagnosed as having gallstones, and in some instances the victim, while being given a treatment, would be told that the gallstones were now passing, and that the victim was passing his gallstones.

Q. What have you done, if anything, with the complaints that you have received since the prosecution took place?

A. Since Dr. Brinkley came in?

Q. Yes.

A. The complaints came into our office, and we have been sending them over to the Bunco Squad of the Los Angeles Police Department. At least I have. And I think our secretary has been so instructed. Possibly she has sent some to the Chiropractic Board. We are more or less powerless now because Dr. Brinkley has a license and can diagnose and treat.

Chairman Connolly: I have one question. Your office is aware of the fact that—at least it has been stated today by several witnesses—Osborne still is in the same office. Is your office aware of that?

A. Yes, sir, but we have to go to the City Attorney's Office and secure a complaint and then turn it into a warrant.

Chairman Connolly: Nothing has been done on that particular phase of it?

A. In order to do it, we have to show someone not licensed is diagnosing and treating. He can go back and say Brinkley did the diagnosing, so we are powerless.

Mr. Rumford: Mr. Mead, what was the basis for your investigation? In other words, how could you act? On what basis did you act in this particular case?

A. You mean in the arrest of Osborne?

Mr. Rumford: No, I mean in investigating complaints.

A. Well, in the event we receive a complaint through the mail or personally or over the telephone, we call on the alleged victim and ask as to their treatment, what happened, when they went to the New Yorker, and in some instances they would say, "I went up there, and I talked to a man. They called him Dr. Osborne, and I sat down at his desk, and he told me I had gallstones, and a bad heart, and that a course of his treatments would help me, and I took them." The diagnosis was that it was gallstones and a bad heart, and colonics were the prescribed course of treatment, which is a violation of the law.

L. B. Ruppers, sergeant attached to the Bunco Detail of the Los Angeles Police Department was next called, and he testified as follows:

Q. Sergeant Ruppers, has your office received complaints against Dr. L. A. Brinkley or the New Yorker Technique?

A. We have.

Q. Do you know approximately how many have been received by your office?

A. Not exactly, no. I have not worked on this for the last three months, and there have been some since I quit working on this case.

Q. Have they been numerous since the time you have been working on it?

A. Yes, we have had as many as five complaints a day.

Q. How are the complaints made, in person, by telephone or by mail?

A. Sometimes they have been by mail, sometimes by telephone and sometimes in person.

Q. What is the general nature of these complaints?

A. We have had several different types of complaints. Some of them claim malpractice, some of them claim overcharging, and I have several here that I think could be called malpractice.

Q. What have you done about these complaints?

A. I have taken it to the City Attorney's Office for possible complaint. There is nothing here that we could do as far as the theft is concerned, which is what we are concerned with, and I have gone to the District Attorney's Office, and I discussed it with the deputy there.

Mr. Rumford: Under the present law you find it impossible to make any complaint or at least to file a complaint and prosecute?

A. That is right.

Mr. Smith: How about a little more detail about the malpractice, the nature of one or two of these complaints to get an idea of what they are complaining about.

A. We have a complaint here of a Fred Ahlquist. He had a breaking out condition on his hands and over his body, a sort of a rash, and he saw the advertisements in the paper. He went to see Dr. Brinkley. I can't find out from him who he talked to, but some doctor took him into a room and gave him a rub-down, and during the course of the rub-down, and before he went in he had a hernia, and the hernia was granulated. I hope the doctor doesn't catch me up on the medical terms. But before he got home his hernia had swollen up to the size of a football. So his wife called Dr. Brinkley and wanted somebody to come out right away, and they told her they couldn't come out to their place, that he would have to come in there. Well she told them he had paid in advance. He gave a check for $100 for a week's treatment in advance, and she demanded the money back. They told her the appointments were made, and she would lose the money. So she immediately called the bank which was just about two hours after Mr. Ahlquist gave them the check, and the bank is located by Manchester and Vermont, and the bank told her someone had been out there and cashed the check already. Mr. Ahlquist's address is 1244 West 51st Place. His phone is AX minister 15665.

Then we have a case of Betty Jean Lauritzen. She is aged 21, and suffering from epilepsy. Her mother took her to Dr. Brinkley. She had seen the advertisement regarding the epilepsy cures, and they paid a total of $544, and by the time the girl had taken several weeks treatments she was committed to the General Hospital, and from there sent to Camarillo, and her mother was later, over worry over the girl, sent to Camarillo also. Is that sufficient?

Q. By Mr. Van Dyke: Let me ask you this, Mr. Ruppers. Have you checked to see if there is a police record on John R. Osborne?

A. Yes.

Q. Did you find a record?

A. Yes.

Q. Will you state what that is. Let's make that Exhibit No 18.

A. His Los Angeles number is 1010D16. On June 15, 1927, he was arrested by the Sheriff's Office in Los Angeles charged with Section 215 of the Federal Penal Code, and on the 23d of June, 1927, he was sent to the United States Penitentiary at Leavenworth, Kansas, charged with mail fraud. He received 10 years and 10 days. On October 2, 1928, he was committed to Carson City State Penitentiary on a mail fraud charge. I imagine that is the same charge. He did his time in Carson City instead of going to Leavenworth. And on June 28, 1948, he was arrested for violation of Section 2141 of the Business and Professions Code. I imagine

that is the medical charge. He was arrested on five counts. Four counts were dismissed, and he served three days on the one.

Mr. Rumford: Is it necessary in the City of Los Angeles to have a business license to operate this type of a business?

A. It is.

Mr. Rumford: Is there any way possible that such a license can be revoked for unethical practices?

A. As far as the City License Bureau is concerned, all they are concerned with is the revenue from the license. I do not believe they have any police powers or any powers of revocation of the license.

Mr. Rumford: In other words, if they apply, they have to give it?

A. Yes. Lynn A. Brinkley has a retail and professional license out of the City License Bureau.

Chairman Connolly: At any time have you ever discussed it with his attorneys or anything like that?

A. No. I believe in one case, in this Lauritzen case I believe I talked to Mr. Mayo regarding her complaint of being overcharged or some such thing. I understood later there was a settlement made on her bill. I am not sure of that We are not interested in refunds at all, and I can't go into it.

Chairman Connolly: Mr. Mayo is representing Brinkley?

A. Yes, Dr Brinkley.

Mr. Van Dyke: Who did you talk to in the City Attorney's Office?

A. I talked to Mr Boyd Taylor and Don Redwine.

Milton P. Duffy, Chief of the California Pure Food and Drug Department, State Department of Public Health, was called, and his testimony follows:

Q. Mr. Duffy, have you conducted any investigation in connection with the activities of Dr. L. A. Brinkley?

A. We have, yes.

Q. And what was this investigation concerned with and what is the result of it?

A. Well, as testified to by C. A. Mead, Special Investigator of the Medical Board, on June 28, 1948, I assigned Senior Inspector W. G. Behrins to work with Woodruff, Mead and Chester Lloyd and J. A. Williams of the State Medical Board conducting an investigation, resulting in the plea of guilty by Osborne who then operated that clinic. We took numerous samples of preparations he had there, but the manner and method of labeling them are within the provisions of the California Pure Drugs Act

Q. Did you check on the prices of any of these?

A. Well, at that time it was the same business of $98 for the treatments.

Q. Did you make any check on the price of the vitamins?

A. Not at that time, no.

Q. That was subsequent, was it?

A. Yes.

Q. What did you find out in that connection?

A On April 26, 1950, L B Ruppers of the Bunco Fugitive Detail of the Los Angeles Police Department delivered a package to me labeled, "Twenty tablets, New Yorker, Vitamin B_{12} Concentrate, the amazing red vitamin, each tablet contains Vitamin B_{12} five gamma; copper, 100

gamma; stomach and duodenal substance, dessicated and defatted, below 37° Centigrade; directions: one tablet every other day as prescribed by doctor; fabricated especially for New Yorker, 355 South Broadway, Los Angeles 13."

That vial of tablets I had identified by a No. 2975 on the 26th day of April, 1950 at 2.30 in the afternoon. I had that vial delivered to Professor Max Dunn, who is an authority on vitamins at the Bureau of Chemistry at the University of California at Los Angeles where an analysis was made of the same. Carrying the investigation further, I was told by Mr. Ruppers that this sold for $62.50 from the Brinkley Clinic. We checked the price on Vitamin B_{12} of products similar to those through the firm of Horton and Converse in Los Angeles. They advised us that they cost $2 63 per 100 wholesale. They would retail 100 tablets for $3.85; on a prescription for 20 tablets they would charge $1.30. We likewise checked with Exclusive Prescription Pharmacy in Los Angeles and they advised us they paid $4.95 per 100, which had fellic acid in combination. They would retail the same package for $8.25 per 100. On a prescription for 20 tablets, they would retail it for $2.30.

We checked with E. R. Squibb's and Company, manufacturers of this product, of New York. They advised us that 100 tablets would sell wholesale at $4.90 and at retail for $8.35 per 100, and for 20 tablets $2.30.

Boyle and Company of Los Angeles advised us they would sell it wholesale for $4.75 a 100, and it would retail over the counter for $6.95 a 100.

Eli Lilly Company would sell Vitamin B_{12}, 200 micrograms for $3.90 wholesale and they would retail for $6.50 per 100. This Lilly Company is in Indianapolis.

Mr. Rumford: The only thing I am interested in here is possibly, did you determine who manufactured the vitamin for this particular company, Brinkley, and if they made an analysis to determine if the content was proper as labeled?

A. Well, no, I didn't determine that, but we determined through Professor Max Dunn it did contain the labeled amount approximately of Vitamin B_{12}.

Mr. Rumford: It wasn't mislabeled.

A. No.

Mr. Rumford: It was just an excessive price?

A. Yes. Could I testify into the record what should correct this abuse? I think that the Legislature should enact an amendment either to the Business and Professional Code or a special law to have it all inclusive the use of testimonials in incurable diseases be prohibited. We have Section 26271 in the Health Code on incurable cancers, heart disease and the like. My suggestion would be that it be all inclusive to take in all the healing arts and prohibit them from advertising treatments and/or cures, because under 26271 of the Health and Safety Code the fake patent medicine racket in California is practically wiped out due to that section. Every faker that comes in tells us about Brinkley and others in the telephone and in the daily newspapers.

Dr. Leo S. Calloway was recalled to the stand and was re-examined as follows:

Chairman Connolly: Doctor, these witnesses after you have been on have been testifying about all of the complaints that have been received

in the various agencies. I wonder, did people come back and complain directly to the office at any time?

A. Yes, sir.

Chairman Connolly: And how were those complaints handled?

A. If they weren't able to be resold on another sale of a series we were reprimanded.

Chairman Connolly: When they came back to complain you were supposed to resell them on some more?

A. Yes.

Chairman Connolly. Did you ever have any discussions with Mr. Mayo, the attorney, in connection with any of these complaints?

A. No. The only direct contact I came in with Mayo wasn't in direct contact. It was with Chesebro who is Brinkley's attorney. I has been repeatedly stated they have an air-tight contract between Brinkley and Osborne due to the fact that Ray Chesebro is the son of the City Attorney, and Jerry Mayo who is Osborne's attorney, and they are in turn law partners. In any "beefs" that come up, they take it to the old man, and it is quashed right there.

Chairman Connolly: Did somebody ever make that statement?

A. Osborne made it to me He said that it would be very little trouble to get rid of Brinkley. All he would have to do was take a twenty minute walk around the block and see Mayo and cancel Brinkley's contract. He has a contract—I believe at the time he told me he had a contract —with Brinkley under a thirty-day cancellation, although he had to advance Brinkley 90 days commission, which was 1 percent of the total gross, plus his salary, and he could get rid of Brinkley. That is what he promised me down there at that time. He said Brinkley was a drunkard at heart and he was going to get rid of him. He said all he had to do to get rid of Brinkley was to take a 20-minute walk around the block and see Mayo, and Mayo and Chesebro are law partners, and Chesebro is the son of the City Attorney. He has repeatedly bragged before the whole staff down there, not only to the doctors.

Chairman Connolly: Who are you referring to?

A. Osborne. He said that he had an air-tight contract down there that nobody could shoot a hole in. He said he has been against the wall before, and he has perfected his means of operation down there so nobody could shoot a hole in, due to the fact that he has Mayo as his attorney, Mayo is a law partner of Chesebro, and Chesebro's old man is the City Attorney, and nothing can be done about it.

Chairman Connolly: These statements were made on several occasions?

A. Yes. If you look Brinkley's record up, I think he was a captain on the fire department in Huntington Park at the time he took up chiropractic. He couldn't buy yesterday's newspaper as far as cash was concerned. He was bootlegging second-hand refrigerators and gas stoves during the war, and was fired from the fire department. He takes over the institution, and he goes into a $400,000 a year advertising program.

Mr. Rumford: You don't treat drunkards down there at Brinkley's, do you?

A. They will treat anything that has $95.

Following is the testimony of Dr. Edward C. Poulsen, D C., Member of the State Board of Chiropractic Examiners:

Q. During the time that you have been a member of the board, have complaints been brought to your attention against L. A. Brinkley or the New Yorker Technique?

A. They have been brought to the board's attention through our investigator, Mr. Earl Hall, and by letters to our office many times.

Q. What have you done about these complaints?

A. Well, we have contacted the Attorney General's Office. I have made a trip to the Attorney General's Office personally as far back as—I want to say—1946. I may be in error. It is quite a while back. I made another trip to Los Angeles and saw Mr. Goldin. I spent a day with Mr. Goldin.

Q. Mr. Goldin was at the Attorney General's Office?

A. Yes.

Q. What were you told on these occasions?

A. On all occasions we were told that the board has no power, that our law is weak, and until such time as we can correct the weakness through legislation that the Attorney General's Office is powerless to help us.

Q. Well now, Dr. Poulsen, have you read some of Dr. Brinkley's advertising?

A. I have.

Q. What is your opinion with regard to this advertising?

A. I think it is misleading and falsifying at its worst.

Q. Have you checked any with the so-called New Yorker Technique?

A. I don't follow you there.

Q. The New Yorker Technique?

A. Do I know what it is?

Q. Yes.

A. I know from hearsay what it is. I have never been in that office.

Q. Now, let me ask you this, doctor. You have read the statements made by Dr. Brinkley in his advertising. Is there any chiropractic school in the State of California that you know of that teaches any subject which covers this material quoted by Dr. Brinkley?

A. If you are referring to colonic irrigations, yes. I would say all of our chiropractic colleges teach colonic irrigation as an adjunct of chiropractic, yes.

Q. Is there any limitation placed upon it by the Chiropractic Board or by the schools when they teach it?

A. No.

Q. With regard to the state examination, is this subject covered by questions in the state examination?

A. It is.

Q. Do you have any recommendations that you can make to the committee with regards to legislation that you feel would be of assistance to the board?

A. I do. First before I do, I would like to say for the record's sake that this particular operator and a few more are a minority in our profession, and we dislike—the majority of our profession dislikes—it as much as anyone else does, and we would be more than happy if we could rid our profession of them. Our board was very much in favor of having this

committee go on record in putting two additions to our act, and that is an aiding and abetting clause, and also one on unprofessional conduct. I would like to read what I have on aiding and abetting and also on unprofessional conduct:

"The employing directly or indirectly of any suspended or unlicensed practitioner in the practice of any system or mode of treating the sick or afflicted, or the aiding or abetting of any unlicensed person to practice any system or mode of treating the sick or afflicted constitute unprofessional conduct within the meaning of this chapter."

The definition of unprofessional conduct is, "The procuring, aiding or abetting in procuring of criminal abortion, paying for steering of patients into one's office, obtaining a fee on the assurance that a manifestly incurable disease can be made entirely well, the wilful betrayal of professional secrets of a patient to the detriment of the patient, chiropractic advertisements—making false or unethical claims, conviction of any offense involving moral terpitude, wilful neglect of a patient in a critical condition," and we suggest that there shall be no advertising of price or price quoting; there shall be no displaying of internal organs in advertising; no statements or claims shall be made in advertising that cannot be substantiated by standard diagnostic and laboratory methods; no advertising shall be permitted which may be construed as comparative. And that is just about all that we as a board feel is necessary. We feel if our law is changed to where these two clauses are included in it that we can take care of all our problems.

Q. Dr. Poulsen, you mentioned in your letter there something about false or unethical advertising or claims, is that correct?

A. Yes, sir.

Q. Now, what in your opinion should the standard be to define what is ethical and what is unethical advertising?

A. Away back in 1944 we were given the job of trying to correct the advertising in this State. I went to see Deputy Attorney Ward Sullivan who wrote up, with the assistance of Deputy Martin, a rule for our board.

Q. Were these men from the Attorney General's Office?

A. Yes, and this rule I will read. We at that time thought that we had the problem licked. We do encourage advertising of an ethical nature, but since that time, every time we have tried to cite one before our board, we have run up against a stone wall, that the rule will not stand in court, and the Attorney General's Office will not back it. "Advertisements: Constructive, educational publicity is encouraged, but the use by any licensee of advertising which contains misstatements, falsehoods, misrepresentations, distorted, sensational or fabulous statements, or which is intended or has a tendency to deceive the public or impose upon the credulous or ignorant persons, constitutes grounds for the imposition of any of the following penalties:

"(a) Suspension of said licensee's rights to practice in this State for a period not exceeding one year;

"(b) Placing said licensee upon probation;

"(c) Taking such other action, excepting the revocation of said licensee's license.

"In relation to disciplining said licensee as the board in its discretion may deem proper, the State Board of Chiropractic Examiners has issued a directive to the investigators to inform all chiropractors who advertise their services to comply with provisions of Rule 311. Violation of this rule will cause you to be cited before the State Board of Chiropractic Examiners."

Q. That rule was adopted when?

A. November 2, 1948.

Q. That was adopted by the board itself?

A. That is correct.

Q. And were you advised by the Attorney General's Office that this rule would not stand up, is that what you mean?

A. The board has been so advised, yes. The last letter was directed to me on July 21, 1950, from the Attorney General's Office. And in conclusion, it says, "Your attention is directed to the provisions of the recent Section 17500.1 of the Business and Professions Code which precludes a state board or commission with a Department of Professional and Vocational Standards from enacting a rule or regulation restricting or prohibiting advertising which does not violate the provisions of Section 17500 of the Business and Professions Code. Section 17500.1 repeals existing rules or regulations conflicting with said section. Since Section 17500 of the Business and Professions Code does not contain any prohibition against sensational or fabulous matters, the enactment of a new section would invalidate the board's Rule No. 311 insofar as it relates to fabulous and sensational material." This was signed by Mr. Goldin.

Chairman Connolly: I want to ask one question, Doctor. You make your recommendations there about no comparative advertising and no quotation of price and no pictures of the body, etc. What you are really saying in effect is that the advertising should be restricted just to name and address, aren't you?

A. And educational material that has a tendency to enlighten the public or to enlighten the different doctors, but to have these fabulous pictures of internal organs shown in the newspapers, etc., we are very much against it. We would like to have it stopped.

Mr. Smith: When you get down to it, you don't have control over what your members do as far as advertising and practice is concerned?

A. Our law was written in 1922, and there are many changes that it could stand right now. We have a very weak law, yes.

Mr. Smith: Did you hear Mr. Duffy's suggestion as to the amendment of the law so there would be no use of testimonials in advertising?

A. I am in accord with Mr. Duffy's recommendation.

Mr. Smith: You think that is a good idea?

A. I do.

Testimony was also heard by Dr. Tobin and Dr. Molle, members of the State Chiropractic Board, who verified what Dr. Poulsen had said upon examination, and in addition Dr. Molle stated that all of the practicing chiropractors in the entire Country do not spend as much money collectively as does Dr. Brinkley in one year.

Dr. Edward C. Rosenow, M.D., acting as Medical Advisor to the committee and who is an Associate Professor of Medicine at the University of Southern California, Senior Attending Member of the Los Angeles

General Hospital Staff, Counsel Member of the Los Angeles County Medical Association, President of the Los Angeles Society of Internal Medicine, Vice President of the Los Angeles Heart Association, and a Fellow of the American College of Physicians, testified as follows:

Mr. Rumford: Doctor, you have heard the testimony regarding the treatment that is given by Dr. Brinkley, this New Yorker treatment. On the basis of your medical knowledge would you say that excessive colonics do physical harm to the body, or do you feel that there is nothing to be gained one way or the other?

Dr. Rosenow: In a normal intact bowel, you mean?

Mr. Rumford: They don't have normal bowels in this case.

Dr. Rosenow: A diseased bowel could definitely be damaged by excessive colonic irrigations. I doubt very much if you could actually injure a normal, healthy, intact bowel with even pretty frequent colonic irrigations. I don't know just what you would call excessive.

Mr. Rumford: The New Yorker treatment.

Dr. Rosenow: I don't imagine that would do a healthy, normal bowel any harm. I don't believe it would discharge any gallstones from the gall bladder, however. They are quite a ways apart, approximately 21 feet apart. An interesting side statement I might make on that is that somewhere in the testimony, maybe it was Dr. Calloway or somebody, the diagnosis they made on these people was an impacted caecum and irritable colon, and they would palpate in the region of the gall bladder and diagnose gallstones, which can't be diagnosed by palpation In fact, it is doubtful to me that more than maybe 10 or 15 percent of them could be seen in an X-ray without giving them special dyes and things to outline them, because only 15 percent of all gallstones are visible in the X-ray anyhow.

Chairman Connolly: They couldn't be detected at all by palpation?

Dr. Rosenow: No. Let's say this, that if a person had a distended gall bladder, you could suspect it had some stones in it.

Mr Van Dyke: What is your opinion on this: In some of this advertising it states as follows: "I had fat patients that eliminated from their body as much as 50 to 60 pounds of waste and 10 to 15 pounds alone from the colon mainly consisting of foreign matters, especially old hardened feces." Have you ever had occasion in your practice to run across a case like that?

Dr. Rosenow: There is only one kind of a case that would even approximate that particular statement and that would be a person who has what is called Hirschsprung's Disease. It means just they have an enormous colon. They were born with it. It is five to ten times larger than a normal colon. They will only evacuate maybe once in two weeks.

Mr. Rumford: The New Yorker treatment would do well.

Dr. Rosenow: The particular one with all the symptoms, you understand, come from costiveness and sluggishness of the bowel. Those particular people, many of them, feel fine, and they have the most fecal material in their colon of anybody for the longest periods of time. They are never without unless they are continuously using colon irrigations. They feel fine. They don't have any trouble. They have no autointoxication at all.

Chairman Connolly: Could you for the purpose of the records give us a concise medical definition of autointoxication? We have been talking about it all day. I don't know whether we have a definition of it.

Dr. Rosenow: I don't think I could. I know approximately what is meant by it.

Chairman Connolly: I don't know. I am trying to find out.

Dr. Rosenow: It isn't a term that I use in my practice. It is supposedly all of the various bad feelings that people have as the result of constipation, is my understanding of it, which varies considerably. It may be headaches, it may be backaches, it may be just a general no good feeling, the jitters, the nerves, and all sorts of things. Some of them may be due to that. A most interesting experiment was once done, I think, by Walter Allres who proved this was not autointoxication, but merely a nervous reflection. Some people that have an upset stomach get other things purely through their nervous systems as a reflection, and what he did was first cleaned out the colon very thoroughly, and then put a wad of cotton in the rectum to stop up the bowel, and within a short period of time they had all the symptoms of autointoxication. Obviously they hadn't had an accumulation of toxins after they were cleaned out to give the symptoms, so he postulated the thing was purely a reflection thing and not an autointoxication.

Chairman Connolly: Just nerves?

Dr. Rosenow: Yes

Chairman Connolly: Do you have any other observations?

Dr Rosenow: One thing that interests me very much is that all things are due to constipation. The misleading thing about these advertisements, and I think that these gentlemen would agree with me, is that all the ills that beset humanity are due to constipation, according to this kind of advertising. Well, that is a pretty safe gimmick, because probably better than 65 percent of the male adult population and probably 85 percent of the female adult are constipated and have symptoms of pretty near anything, so when you see an ad like that, and especially if you see the lists of conditions that they have, there is hardly any possibility that it wouldn't fit some symptoms that the patient complained of, which makes it a very nice "come-on."

Mr. Van Dyke: Doctor, in one of these ads it says that, "One good stool a day means nothing." Would you say that that was true?

Dr. Rosenow: Yes, I think that is true

Mr. Van Dyke: Would you say in one of these ads that it is not at all improbable that many cases of heart failure, paralysis, hernia, reproductive gland failure and uterine displacement may be due to this hitherto unsuspected cause; would you say that is true?

Dr. Rosenow: No. I don't think that is true at all. I think the logic is poor.

Mr. Van Dyke: Do you think autointoxication has anything to do with heart disease?

Dr. Rosenow: No.

Mr. Van Dyke: Cancer?

Dr. Rosenow: No. The logic is poor. It isn't the science necessarily, but even the logic is poor. You take something that everybody has some of, and that is sluggishness of the bowel occasionally, and then go from

that. I mean all the people that have these diseases probably at sometime or other are constipated, and it has no relationship. They are coincidental findings. Let's put it that way.

Mr. Howard S. Goldin, Deputy Attorney General, upon examination testified as follows:

Q. Mr. Goldin, you have, I think, been consulted on numerous occasions by members of the Chiropractic Board and others with regard to Dr. L. A. Brinkley, is that right?

A Yes, I have.

Q And have these complaints been made about Dr. Brinkley's advertising to you?

A. Yes, there have been complaints about his advertising.

Q. Well, what advice have you given with regard to his advertising?

A. Mr. Van Dyke, with this group's permission, I think my advice can be best summarized by reference to a letter that I wrote to a member of the Board of Chiropractic Examiners pertaining to this Dr. Brinkley, and with your permission I would like to refer to it.

The letter is addressed to Dr. Erward C. Poulsen, Member of the State Board of Chiropractic Examiners, and is dated July 21, 1950, relative to Lynn Andrew Brinkley, D. C. (New Yorker Offices) and it reads as follows:

"Pursuant to your request, I am forwarding our entire file on Dr. Brinkley, which file is to be returned to me as soon as it serves your purpose. You will recall that for some time the State Board of Chiropractic Examiners in this office have been deluged with complaints relative to the advertising of Dr. Brinkley. Some examples of such advertising material are to be found in the file accompanying this letter.

"It is a cardinal rule that the causes for disciplinary action are limited to those specified by statute, thus Section 10(a) of the Chiropractic Act sets forth the exclusive grounds for which a chiropractor in this State may be disciplined. That section purports to cover advertising of specified types, namely the menstrual period in women, sexual impotence and venereal disease. It would appear that an accusation based upon prohibited advertising would have to be limited to the specific types of advertising designed in Section 10(a). Stated otherwise where a statute frowns upon only specified types of advertising, all other types of advertising would not constitute grounds for disciplinary action. Moreover, the Chiropractic Board by rule cannot add additional advertising grounds for discipline for those enumerated in Section 10(a)."

If I may digress from the letter for a moment, I wish to point out that whereas the initiative act does empower the Board of Chiropractic Examiners to promulgate rules and regulations, it does not make the violation of such rule and regulation a ground for disciplinary action. It has been my understanding of the law, and still is, that by rule the agency may effectuate the legislative declared purpose, but that such rule does not enable the agency to set up new substantive offenses. I am leaving a short portion of my letter which I believe has no relevancy to the matter here under discussion, and then I continue as follows:

"Directing your attention to the wording of the usual Brinkley advertisement, it will be noted that the custom is followed wherein a multitude of lengthy quotes, successively state in effect that, 'A clean intestinal tract is conducive to good health.' Apparently there seems to

be no prohibition against such advertising tactics upon the part of Dr. Brinkley or any other chiropractor."

Again digressing, immediately thereafter I wrote the following portion of this letter, and upon reconsideration I have slightly changed my opinion in the manner that I will attempt to explain before this body. I wrote then:

"There is of course a possibility of singling out specific portions of Brinkley's advertising material upon which to base an accusation, but the desirability of following such a procedure is open to question. For example, the customary Brinkley ad recites, and I quote, 'Dr. Brinkley has a staff of more than 125 people, 18 licensed doctors (specialists) and more than 60 specially trained nurses and technicians.' Such statement is misleading in that the public is not informed what type of licenses these 18 alleged doctors possess, nor is there any indication as to the specialty of each of these doctors. However, as a practical matter, it may be unwise to base an accusation upon such an assertion alone in order to preclude Brinkley from getting himself into a position where he could state to the board with full knowledge of his advertising methods, and with samples of his materials before it singled out and charged him with only specific misrepresentation. Certainly we do not wish to tacitly approve the balance of Dr. Brinkley's advertising."

Now with respect to the comment that I just read from my letter of July 21, upon reconsideration I have come to this conclusion that, for example, with reference to this ad that Brinkley has a staff of a certain number of people—18 licensed doctors, specialists, etc.—now Section 17000 of the Business and Professions Code does set up a prohibition against misleading and untrue advertising, and make the violation of that statute a misdemeanor, but there is no disciplinary cause of action based upon misleading and untrue advertising. In other words, a violation of the misdemeanor statute in and of itself is not a ground for disciplinary action under the Chiropractic Act unless the Administrative Act does make it a ground for disciplinary action, and it doesn't with reference to this particular statute.

Now, I conclude my letter with the following comments:

"In conclusion, your attention is directed to the provisions of the recent Section 17500.1 of the Business and Professions Code which precludes a State Board or Commission within the Department of Professional and Vocational Standards from enacting a rule or regulation restricting or prohibiting advertising which does not violate the provisions of Section 17500 of the Business and Professions Code. Section 17500.1 repeals the existing rules and regulations conflicting with said section. Since Section 17500 of the Business and Professions Code does not contain any prohibition against 'sensational or fabulous' matters, it would seem that the enactment of the new section would invalidate the board's Rule No. 311 in so far as it relates to 'fabulous and sensational' material."

I believe, gentlemen, that is the last portion of this letter which would have any significance to this body, and then I signed it. I believe that the comments contained in that communication just about express my legal analysis as to our ability to proceed against Dr. Brinkley under the present state of the law.

Q. Do you have any recommendations, Mr. Goldin, as to changes?

A. I have some, but before I venture them, may I make it clear that these suggestions are purely tentative. They are not based upon any substantial research, and are merely advanced as thoughts which might bear further investigation. I have not exhaustively researched the problems, and I don't profess to talk as an oracle on the law, but I am merely throwing these suggestions out for whatever consideration this body deems them worthy of.

Now, before I proceed to my own suggestions, for the first time this morning I did see a list of proposed legislative changes that the Board of Chiropractic Examiners now advocates. Unfortunately I had never seen them before this morning. I rather suspect that they were drafted after consultation with one of our deputies in the northern branches, but unfortunately I personally have no knowledge as to their contents, nor have I satisfied myself as to their merits, but with respect to my own suggestions of a tentative nature, I believe that a more stringent penal statute on falsifying is desirable. The difficulty with the present statute lies in the proof necessary to sustain a conviction under that statute.

Now, my second suggestion relates to the existence of a section in the Health and Safety Code, No. 26271 which deals with falsifying. That section provides that, "The advertisement of a drug or device shall be false within the meaning of this division if the drug or device is represented to have any effect on certain specified enumerated diseases." My thought would be to include in that section after the word device, the words, "or course of treatment." In other words, the type of advertising promulgated by the Brinkley interests can't be reached under this section because evidently neither drugs nor devices are utilized in that particular technique, but I believe that if there is the insertion of the words, "or course of treatment," the statute may be broad enough to then eliminate a substantial portion of the evil.

Now, I believe that that same comment that I made pertaining to Section 26271 may also be utilized in 26270 which reads, "An advertisement of a drug or device shall be deemed to be false if it is false or misleading in any material particular." My suggestion would be again to add the words, "or course of treatment" after the word "device" as appearing in that section.

Now, in other words, my suggestion stated quite simply, to make it unlawful for advertising a course of treatment as having an effect on specified diseases.

Mr. Smith: Is it course or cost?

A. It is C-O-U-R-S-E. They are not contained in the statute at present. That is purely a suggestion emanating from myself.

Now, my last suggestion follows these particular channels: I realize of course that the Chiropractic Act is one which came into being as an initiative measure, but it is my understanding that that does not preclude the Legislature from setting up additional clauses for disciplinary action against chiropractors. Now, to my mind, the fact that the chiropractic law was set up by initiative doesn't mean that the Legislature has no authority to pass legislation which supplements the Initiative Act, provided that such legislation is not inconsistent with the Initiative Act, but rather is consistent with it.

Now, I have one particular pet hate as concerns the causes for disciplinary action under the Chiropractic Act. I am not particularly satisfied with the complaint with which this body is going to be particularly concerned, but, for example, under the present state of the chiropractic law, let's assume that Joe Dokes, chiropractor, is charged with the crime of abortion. He enters a plea of guilty, but the court suspends the proceedings before the imposition of judgment. Now, it is impossible in the absence of a conviction—and there is no judgment of conviction when proceedings are suspended prior to the imposition of sentence—at the present time for the board to prove the facts of an abortion and discipline the particular chiropractor. Now, in other words, the situation may well result that you have two individuals, Joe Dokes who by the grace of God and in the court's leniency he is lucky in that no judgment of conviction is pronounced against him. We can't do a thing to him, whereas we can get the chiropractor who is convicted of the crime involving moral turpitude. Now, to my mind I think that is a pretty obvious deficiency in the law.

Mr. Rumford: You said convicted of the crime of moral turpitude?

A. Yes.

Mr. Rumford: He has been convicted. Isn't that the same thing?

A. There is no judgment of conviction in the event that proceedings are suspended prior to the imposition of sentence, in which event we have no judgment of conviction upon which to predicate a disciplinary action. If, of course, a judgment is pronounced and the execution of sentence is suspended, in that event we do have a judgment of conviction upon which we can maintain a disciplinary action. In other words, whether we can or cannot proceed may depend upon the particular point in the proceeding, which proceedings are suspended before or after the imposition of judgment. Do I make myself clear?

Mr. Rumford: You made yourself clear as far as the chiropractor is concerned, but the case of moral turpitude is not clear in my mind.

Chairman Connolly: Under the Medical Practice Act, as I understand it, the situation you recite would result differently, where disciplinary action could be imposed even though there was no guilty plea or anything else.

A. I don't purport to be an expert on the Medical Practice Act, but I am fairly well satisfied that your statement is true.

Chairman Connolly: So there is a difference between the two situations?

A. Yes, that is right.

Based upon the findings of the hearing regarding Dr. Brinkley, the committee makes the following recommendations together with recommendations regarding physical therapists:

The testimony indicates that the advertising of Dr. L. A. Brinkley, D.C., at the time of the hearing was somewhat in excess of $325,000 for the year 1950. It would appear therefore that at the present rate, the total expenditure for 1950 would be over $500,000. Testimony indicated that Dr. Brinkley's advertising consisted of quotations from publications of other persons, which quotations were inserted in the papers without the authors' consent. It does not appear from Dr. Brinkley's advertising that he definitely states that he can cure diseases which are set forth in

his advertisements, many of which are deemed incurable. The statements contained in such advertising do state that autointoxication may be the cause of such diseases. By implication, therefore, this advertising is both untrue and misleading.

It was brought to the attention of the committee that the recent Section 17500.1 of the Business and Professions Code precluded a state board or commission within the Department of Professional and Vocational Standards from enacting a rule or regulation restricting or prohibiting advertising which does not violate the provisions of Section 17500 of the Business and Professions Code. Section 17500.1 repeals the existing rules and regulations conflicting with said section. Section 17500 of said code makes unlawful the dissemination of untrue or misleading statements. It does not contain any prohibition against sensational or fabulous advertisements.

It should be noted that the Chiropractic Act, Section 10A, provides for the suspension and revocation of the license of any person who violates its provisions regarding advertising. As this section stands, there is no mention of any prohibitions with regard to advertising except advertisements to cure (a) menstrual difficulties, (b) venereal diseases, (c) sexual diseases, (d) lost manhood, (e) sexual weakness or sexual disorders or any disease of the sex organs. The State Board of Chiropractic Examiners in addition instituted a regulation known as "Rule 311," with regard to advertisements. This rule is as follows:

> "311. Advertisements Constructive educational publicity is encouraged, but the use by any licensee of advertising which contains mis-statements, falsehoods, misrepresentations, distorted, sensational or fabulous statements, or which is intended or has a tendency to deceive the public or impose upon credulous or ignorant persons, constitutes grounds for the imposition of any of the following disciplinary penalties: (a) Suspension of said licensee's right to practice in this State for a period not exceeding one (1) year. (b) Placing said licensee upon probation (c) Taking such other action, excepting the revocation of said licensee's license, in relation to disciplining said licensee as the board in its discretion may deem proper."

It should be noted that Rule 311 provides for disciplinary action for distorted, sensational or fabulous statements in advertisements.

In view of Section 17500.1 of the Business and Professions Code, it appears that the board's Rule 311 has been invalidated Section 17500 of the Business and Professions Code does not contain any prohibition against "sensational or fabulous" matters, and it appears therefore that such a provision cannot be had by any rule of the Chiropractic Board.

Recommendations

I. At the hearing conducted on November 17, 1950, various members of the Chiropractic Board appeared before the committee, and at that time they requested two additions to the chiropractic section Dr. Poulsen, secretary of the board, stated to the committee that with these two additions they should be able to take care of their problem with regard to the type of advertising used by Dr. L. A. Brinkley, D C It is therefore

recommended that the following additions be made to the Chiropractic Act, substantially as follows:

(a) The employing directly or indirectly of any suspended or unlicensed practitioner in the practice of any system or mode of treating the sick or afflicted, or the aiding or abetting of any unlicensed person to practice any system or mode of treating the sick or afflicted, constitutes unprofessional conduct within the meaning of this chapter. Unprofessional conduct is defined as follows: The procuring, aiding or abetting in procuring of criminal abortion, paying for steering patients into one's office, obtaining a fee on the assurance that a manifestly incurable disease can be made entirely well, the wilful betrayal of professional secrets of a patient to the detriment of the patient, chiropractic advertisements making false or unethical claims, conviction of any offense involving moral turpitude, wilful neglect of a patient in a critical condition.

(b) That there shall be no advertising of prices for any course of treatment; that there shall be no displaying of any internal organs in advertising; that no statements or claims shall be made in advertising that cannot be substantiated by standard diagnostic and laboratory methods; and no advertising permitted which may be construed as comparative.

With regard to the above changes recommended by the Chiropractic Board to the Chiropractic Act, the record contains testimony of Howard S. Goldin, of the Attorney General's office, that even though the Chiropractic Act is an initiative measure, it does empower the Board of Chiropractic Examiners to promulgate rules and regulations, and that the Legislature is not precluded from setting up additional clauses for disciplinary action against chiropractors. Specifically, Mr. Goldin made the following statement: "The fact that the Chiropractic Law was set up by initiative doesn't mean that the Legislature has no authority to pass legislation which supplements the initiative act, providing that such legislation is not inconsistent with the initiative act but rather is consistent with it."

II. It is recommended that Section 26271 of the Health and Safety Code be amended to prohibit the use of testimonials for the diseases listed in that section. That Section 26270 and Section 26271 of the Health and Safety Code be amended to include the words "* * * or course of treatment." Such an inclusion would make it unlawful to advertise a course of treatment as having an effect on the diseases specified in that section

III. It is recommended that a new section be added to the Business and Professions Code, under Part 3 of said code which deals with representations to the public, which section would provide that where quotations are made in such advertisements from any person or any writing, the advertisement contain a statement showing specific consent and authority by the author for the use of such quotations. That further when such quotations are used for advertising purposes, the exact qualifications should be stated in such advertisement, showing the author's qualifications to make such a statement, and also the time when such statement or writing was made by the author.

IV. It is recommended that any advertisements which contain statements that a professional man is employing doctors or specialists or specially trained nurses and technicians, etc., that such advertisement

must contain information showing what kind of doctors are employed, and what type of specialists, nurses and technicians, are employed when such advertisement contains a statement to the effect that these latter employees are "specially trained."

ALCOHOLISM

LEGISLATION FOR THE TREATMENT OF ALCOHOLICS[1]

The popular conception of the alcoholic is the "skid-row" derelict—the stuporous drunk, the panhandler, the court repeater. The problem of alcoholism is thought to be essentially one of community eyesore and nuisance. This is erroneous. "Alcoholism is no respecter of age, sex, family background, education, professional competence and success, or financial position." The skid-row derelict represents only a very small fraction of the total alcoholic population. Less conspicuous is the alcoholic businessman, the lawyer, the schoolteacher, or the skilled worker living in the suburbs with his family. Alcoholism has been the object of surveys, research, political campaigns, hundreds of laws, even a constitutional amendment. This note will deal with only a limited segment of the entire problem: the need for state legislation providing for the rehabilitations of the alcoholic. Many authorities believe that a sound rehabilitation program, in addition to serving an immediate need, is the most effective method for prevention of alcoholism. It offers an early check on incipient alcoholics and has a considerable educational influence on the nonalcoholic population.

What is alcoholism? Authorities stress the fact that it is a health problem and not a penal one. It is a resultant of two factors; the individual's original psychological maladjustment, and the depressant effect of alcohol which creates of itself new maladjustments. The alcoholic feels he cannot successfully adjust to his environment without alcohol, but actually he cannot adjust successfully so long as he uses alcohol. The problem, then, is not solely alcohol but the individual and the manner in which he uses it. When an alcoholic shows pronounced mental and physical degeneration, he is termed "chronic."

Alcoholics are to be distinguished from the social and the excessive drinker. Social drinkers are in no way dependent on alcohol for adjustment to the problems of life. They constitute approximately 94 percent of the drinking population. The excessive drinker exposes himself to sufficiently large quantities of alcohol to interfere with his job, family, or community responsibilities. But drinking has not become his major means of adjustment. The excessive drinker is the incipient alcoholic.

I. EXTENT OF THE PROBLEM

It is estimated that there were 3,750,000 alcoholics in the United States in 1945, of which 750,000 were chronic. The rate of alcoholism has increased since that time. The magnitude of the problem is best demonstrated by the financial burden cast upon the community. An estimated 3,000,000 alcoholics in 1940 cost communities in the United States approximately the following amounts: 12 million dollars for care in mental hospitals; 18 million dollars as the excess over normally expected

[1] Taken from Stanford Law Review, Vol. 2, April, 1950

cost of illness; 188 million dollars as the probable cost of crime in large part referable to them; 89 million dollars in accidents resulting in injuries and property damage; 25 million dollars for maintenance of "drunk tanks" in county jails; 21 million dollars for support of alcoholics' dependents by private welfare agencies; 431 million dollars as the total wage loss—a total of over 778 million dollars. If adjusted for the increased rate of alcoholism, the cost probably would be in excess of 1 billion dollars.

California had the highest number of chronic alcoholics per capita of any state in 1944 In 1947, there were 283,000 alcoholics of whom 71,000 were chronic Alcoholism was listed in California as a primary or secondary cause in more than 1,000 deaths in 1946—probably an underestimate Another 554 persons were killed that year in automobile accidents involving intoxicated drivers More than 1,000 alcoholics are committed to California mental hospitals each year. Now that much attention is directed toward prevention of sex crimes, it must be recognized that alcoholism is a contributing cause of these crimes.

However, California's alcoholic problem is reflected most significantly in the cost of arrests for drunkenness in our cities. California's Special Crime Study Commission found that alcoholism is one of the major problems facing law enforcement agencies today. Among 13 of the largest cities in the United States, San Francisco and Los Angeles ranked first and second in the number of arrests for drunkenness per 100,000 population in 1946. Sixty percent of the 72,000 arrests in San Francisco were for drunkenness; estimates of the cost average about 1 million dollars or approximately $23 per arrest Figures for Los Angeles are comparable; 92,000 arrests for drunkenness, representing over two-thirds of all arrests. Estimated cost to the city was 2 5 million dollars, more than $27 per arrest. This penal handling is not localized to San Francisco and Los Angeles—it is a state-wide community problem. The total cost for police measures for alcoholics in California is probably between six and ten million dollars annually. This seems conservative; the Los Angeles County budget allocation to alcoholics is over 4 million dollars. These figures are more significant if it is remembered that only about one-tenth of the alcoholic population run into impact with the police. By conservative estimate, California's share of the total cost of alcoholism must be well over 50 million dollars a year.

II. IS THERE A SOLUTION?

While it appears that a single "cure" for all alcoholics is impossible in the light of present knowledge, authorities agree that rehabilitation is possible Predictions of the percentage of alcoholics who can be successfully rehabilitated vary according to the comprehensiveness of the program and the rehabilitation goal set. For these reasons, estimates range from 40 percent to 80 percent. Success in rehabilitation is a relative term The director of the Connecticut Commission on Alcoholism asks:

> "What do we mean by success? Do we mean that under treatment patients develop complete sobriety, losing their dependence on alcohol, and become thoroughly adjusted and contributing members of the society? Or do we mean that patients are termed successes

when their addiction to alcohol has been corrected and their marital and societal conflicts are in better balance, and adjustments to them are made from an intelligent and realistic approach? There are all degrees of success."

With elimination of drinking and integration of the individual into an acceptable environment as the standard, a very high rehabilitation rate is possible through a state program. Even conservative estimates justify the cost of state intervention.

III. CAUSATIVE PATHS

An understanding of the causative paths to alcoholism is necessary in evaluating present rehabilitation measures and in the development of new ones Alcoholics practically defy complete classification. A partial categorization, however, must be made though it represents an oversimplification of the picture In general, there appears to be: (1) symptomatic drinking, (2) problem drinking, (3) habituated drinking, and (4) compulsive drinking.

Symptomatic drinkers have underlying disorders such as feeblemindedness, epilepsy, senility, or one of the psychoses. In the case of psychotics, for example, special treatment apart from that for the alcoholism is essential. It is difficult to determine whether an underlying basic disorder exists until the individual is taken away from his alcohol environment and studied The underlying disorder may then be diagnosed, and care in a mental institution provided

The problem drinker classification includes those who drink as an escape from or "solution" to some psychological maladjustment. These persons are not psychotics, rather, they are individuals with deep-seated personality problems Considerable psychotherapy is necessary either to eliminate the basic maladjustment or provide adjustment to it. The limits of this class are difficult to define.

The habituated drinker apparently has no underlying serious maladjustment or neurosis Therapy designed to interrupt established habit patterns and substitute new ones appears essential The "chronic social misfit" may be classified as an habitual drinker. He has always existed on the fringe of society, and presents the most difficult rehabilitation problem since he never knew a better life and has little desire to attain sobriety Many persons erroneously believe all alcoholics are of this type.

There also appear to be compulsive drinkers—actual alcohol addicts. Addiction may appear in connection with one of the other causes of alcoholism. They may have an acquired uncontrollable craving for alcohol, or initially had a special predilection for or sensitivity to alcohol. Much additional research probably will be necessary before an explanation for addiction will be found.

These causative paths must be considered essentially primary. There usually is a secondary reinforcing factor which leads to alcoholism or increases its severity: for example, the physical effects of a hangover may be so severe that drinking is immediately resumed to diminish the pain. In many cases the excessive drinking creates imaginary problems which lead to increased drinking to anesthetize their influence. These alcoholgenic problems make periods of abstinence essential to the success of any rehabilitation program.

We have considered briefly the complexity of the alcoholic's personality, the seriousness of the effects of alcohol upon him, and the extent to which alcoholism pervades and burdens community life. From this it is clear that any satisfactory rehabilitation program must include medical and psychotherapeutic treatment and social welfare assistance, as well as special environmental control for alcoholics. Is California meeting this need?

IV. CALIFORNIA'S PRESENT TREATMENT

All authorities concede that treatment of this problem by California's governmental agencies is inadequate. In consists, in general, of commitment to state mental hospitals and, on the local level, the "revolving door" treatment or confinement in county jails or farms.

State Mental Hospitals

Sections 5400 through 5408 of the Welfare and Institutions Code provide that upon the filing of an affidavit by any interested party, a superior court judge shall hold a hearing to determine if a person is "subject to dipsomania or inebriety in such a degree as to require custodial care and treatment." If so, the alcoholic may be committed for a maximum of two years to a mental hospital or confined in an industrial farm or road camp, or in a branch of the county jail where inmates perform agricultural and other out-of-doors labor. If the alcoholic is dissatisfied with the court's commitment order, he may demand a jury trial on the issue. Approximately 30 percent of first admissions to mental hospitals in 1948 were made under these provisions. Those who have definite psychoses, and have developed alcoholism as a result, should be treated by the mental hospitals. However, mental hospitals are in no position to handle the usual nonpsychotic alcoholic. Because of limited facilities, the mental hospitals are usually unable to segregate alcoholics from psychotics. The effectiveness of any therapy will be greatly diminished if there is no segregation. The director of one state mental hospital has observed that little more is done for the alcoholic at the present time other than "drying up" the physical need for alcohol, giving some additional medical care and limited occupational therapy, and encouraging contact with Alcoholics Anonymous. Despite this inadequate treatment, the rehabilitation rate has been reported as high as 25 percent—and if follow-up care on release were available, the rate would undoubtedly be higher. Though alcoholics may be committed for a two-year maximum term, some judges refuse to commit them for longer than a three-month period. This is inadequate for effective rehabilitation. The attitude of other courts is not to commit alcoholics to mental hospitals if they are not psychotic. Even the limited treatment facilities of a state mental hospital are unavailable to the great majority of alcoholics.

An alternative statutory method of handling alcoholics is theoretically available in California. The Inebriate Colony Act of 1939 provides for the establishment of state inebriate colonies, and allows commitment of alcoholics to the colonies. Unfortunately, no funds have ever been appropriated for these colonies.

The Revolving Door

At the local level, the so-called "revolving door" treatment is prevalent. Drunks are picked up on the streets, jailed overnight, and released the next morning—perhaps to be arrested again within a few hours and the procedure repeated The revolving door treatment is denounced as "ineffective, expensive and undesirable." It has no advocates or defenders.

In San Francisco, for example, an average of 119 drunks are arrested per day. As many as eight men may occupy an unfurnished cell six by seven feet in size. There is no need to emphasize the conditions inevitably arising from such crowded confinement. Judge Twain Michelson of San Francisco has called this "cruel and unusual punishment." Yet, San Francisco's jail treatment is not unusual. Ninety-seven percent of all those arrested are released the next morning without further consideration. Those who are so sick or battered that they cannot maneuver on their own go to a county hospital for medical care but receive no treatment for the alcoholism itself. Though no records have been maintained, 153 persons interviewed in the San Francisco jail had been arrested an average of 50 times per person. Those whom the judge recognizes as chronic repeaters or who volunteer may receive short-term sentences to county jails or farms. Short-term sentences are relatively worthless for rehabilitation purposes since treatment for the alcoholism is rarely given.

County Rehabilitation Centers

The Welfare and Institutions Code was amended last year to provide that "Where a rehabilitation center for the care and treatment of inebriates" is maintained by a county, voluntary patients may be committed to it without a hearing. No provision had previously been made either at the state or local level for voluntary patients. A number of counties maintain farms or work projects to which alcoholics and other prisoners may be sent. Confinement to a farm or work project may be beneficial where rehabilitation treatment is given. However, at the present time, only Los Angeles, Alameda, and San Francisco counties appear to have "rehabilitation centers" which could qualify under the new code section.

Neither this commitment procedure, nor the revolving door treatment offers much encouragement to the "hidden alcoholics"—the estimated 9 percent whose behavior has not yet brought them into contact with law enforcement machinery. A proper expenditure of the money presently wasted upon such a grossly inadequate handling of the problem might well result in a great reduction of the number of alcoholics, and perhaps, in an eventual elimination of alcoholism as a major health problem.

V. RECOMMENDED PROGRAM

At least 23 states now have statutes providing for public education, investigation, or some treatment of alcoholics. The programs in Connecticut, New Hampshire, and the District of Columbia seem to be among the most advanced. Current activity indicates that other states may enact legislation during 1950.

The 1949 session of the California Legislature witnessed the presentation of bills covering some aspects of a rehabilitation program This was the first major demonstration of California legislative interest in

the subject of alcoholism. State action is necessary to insure adequate standards in rehabilitation, obviate the inertia of local governments, avoid wasteful duplication of facilities, cope with the problem of the alcoholic "floater," and provide facilities which local governments could not or would not finance independently.

Administrative Machinery

One authority recommends that the commission be an independent agency rather than one incorporated within an existing department. This would give more adequate recognition to the importance of the problem. However, balanced against the advantages of an independent commission is the general reluctance to create new agencies and multiply administrative costs. The consensus at the recent San Francisco meeting of the Assembly Interim Subcommittee on Alcoholism seemed to be in favor of establishing the machinery within the Department of Public Health.

The commission—whether independent or incorporated in an existing department—should be given full power and adequate finances to inaugurate a basic program and expand as further experience and research dictate. It should be given wide discretion. To tie its hands with an inflexible detailed program based on present experience and surmise, would impede development of new treatment methods. However, it is necessary to understand the basic features of a workable rehabilitation program in order to draft a proper enabling statute.

Apprehension and Screening

The initial concern of a rehabilitation program necessarily is to provide machinery to bring the alcoholic under the care of the commission. A screening center should be established employing full or part-time medical, psychiatric, and psychological services At the screening center, patients would be given necessary medication by an attending physician and kept overnight. In the morning, they would receive a thorough mental and physical examination Social drinkers could be separated from the alcoholics and incipient cases. Clinic personnel would prepare case history records and recommend further disposition for those in need of treatment. No state has, as yet, this type of facility for the screening of all alcoholics.

The screening center would receive alcoholics from three sources: (1) police arrests for drunkenness, (2) apprehension upon affidavits filed by family, friends, or other interested persons, or (3) voluntary application for treatment.

Our initial problem is to eliminate the revolving door, yet maintain the police apprehension of drunks. The revolving door is authorized by the California Constitution which permits local governments to enact such police, sanitary, and other regulations as are not in conflict with state laws To make this local procedure illegal, the Legislature must: (1) repeal Section 647(11) of the Penal Code which makes drunkenness a penal offense; (2) designate the alcoholic to be a health problem and subject to compulsory screening and treatment; and (3) provide that persons found drunk in a public place must be delivered immediately by local police authorities to screening centers to the extent of the commission's ability to handle them.

Clinic screening is preferable to the drunk tank since it offers early diagnosis and prevention. In the beginning, the excess above the program's capacity could be handled by the local governments in the usual way to insure some protective custody—an unfortunate, but necessary measure until adequate facilities are established. The continuation of the revolving door, or some modification, by the local governments for this excess would be legal since the state law conflict occurs only as to those for whom adequate commission facilities are available.

The commission should be empowered to order the apprehension of hidden alcoholics upon the filing of affidavits by friends, relatives, or other persons. The threat of a civil suit would protect the individual from affidavits being filed that are not based on reasonable belief An alcoholic should be defined, for legal purposes, as:

> "Any person who chronically and habitually uses alcoholic beverages to the extent that he has lost the power of self-control with respect to the use of such beverages, or while chronically and habitually under the influence of alcoholic beverages endangers public morals, health, safety or welfare"

Legislation should authorize the commission to accept voluntary patients for screening. Hidden alcoholics are often keenly aware of their need and desperately in search of help. Sympathetic personnel and an attractive physical plant will be invaluable in encouraging them to submit voluntarily to treatment.

Alcoholics arrested for criminal offenses probably should be screened by the clinic, as well. This procedure would enable the court to make a more intelligent disposition of cases. Commitment to a course of treatment for alcoholism would often be desirable in addition to or, in the case of minor offenses, as a substitute for jail sentences.

Commitment

Within a "reasonable time" after the alcoholic arrives at a screening center, the commission should be required to initiate commitment proceedings or release the alcoholic

Symptomatic Drinkers. For those who are diagnosed symptomatic alcoholics, the commission should be empowered to institute court commitment proceedings to mental institutions under Division 6, Part 1 of the Welfare and Institutions Code. The commission should not be charged with the care of these alcoholics since other agencies are trained and better equipped to handle them. The court's commitment order should provide for transfer of the patient to the commission's care where subsequent guidance under the alcoholism rehabilitation program becomes feasible.

Other alcoholics.—Legislation should be adopted requiring the courts to commit all other alcholics to the care of the commission. The commission should be given the exclusive authority to institute such commitment proceedings. It would be undesirable to provide for jury trials since the question whether or not an individual is an alcoholic is one for experts. Jury trials are time-consuming and expensive. They are not a constitutional requirement in inebriacy commitments

Commitment even by a court has undesirable aspects, however. It would be somewhat cumbersome and expensive under a large-scale program. The "criminal" nature of the proceedings would tend to have a negative effect on the alcoholic and increase his resistance to treatment. Since the alcoholic was diagnosed by the screening clinic, it would be desirable to create a commitment board composed of its professional personnel. They would be most qualified to determine the need for treatment. This would eliminate the penal flavor of court procedure and avoid multiple handling. Commitment by such an administrative board does, however, raise some important constitutional problems which would have to be considered by the Legislature before adoption. Whether the board or the court commitment procedure should be used depends upon whether the desirability of a board commitment warrants the risk of a court battle over its constitutionality.

Term of commitment.—Whether the courts are to continue handling commitment procedures or authority is placed in a board, legislation should require the committing authority to detain an alcoholic for some minimum period of treatment. The judges who are reluctant to commit for a longer period than three months seem unaware of the complexity of the alcoholic's problem. Mandatory indefinite commitment—until satisfactory rehabilitation is achieved—would be even more desirable than a minimum sentence. The commission could release the alcoholic on probationary status after short confinement. To protect against unwarranted retention, the alcoholic should be given a right to petition the commission at certain intervals for a hearing on the question of whether he is entitled to release. The commission should not have discretion to deny a hearing. If no administrative remedy is provided, however, the writ of habeas corpus would always be available on the ground that once he is "cured" he would no longer be subject to the commission's jurisdiction.

Treatment

After screening is completed, and the alcoholic has been committed to the care of the commission, the actual treatment would begin. The rehabilitation program should have four main functions: (1) medical care, (2) psychotherapy, (3) coordination with social welfare and other agencies, and (4) research.

Medical care.—It is clear that there can be no successful rehabilitation without providing medical care for the alcoholic. As one authority states,

> "The physical condition of the alcoholic * * * will often be poor. * * * For some days or weeks, or longer, the individual is likely to have had insufficient and irregular food and rest, suffered from one or several accidents, and lived in a state of emotional uproar. There may be accompanying conditions not directly related to the spree, e. g., arthritis, head injuries, skin disorders."

It will be essential to put him in a proper physical condition to respond to the treatment of his basic psychological problem. This is particularly true in the case of chronic alcoholics, where the need for medical care is imperative.

Medical care could be provided in general hospitals. This, however, presents a threefold problem. There is a general shortage of present hospital space; hospital care is expensive; there is a reluctance on the

part of hospitals (and physicians) to accept any alcoholic for treatment. An unsympathetic attitude will impede successful rehabilitation. Since hospitalization is usually necessary only for short periods some provision might be made for medical treatment in the screening clinic, or in facilities set up for psychological treatment. Where medical care and psychotherapy can be administered simultaneously, speedy recovery will be aided. Arrangements for long-term care in hospitals could be made for the exceptional cases.

Psychological care—Treatment of the alcoholic's underlying psychological problem may range from complete psychiatric treatment in an institution to informal guidance on an outpatient basis. Though symptomatic alcoholics would not be handled within the commission's treatment program, there should be cooperation with mental institutions to secure the maximum treatment for the alcoholism consistent with the special treatment necessary for the mental disorder. Permanent institutional care may be necessary in extreme cases of chronic alcoholism.

At the next level are patients who, though nonsymptomatic, need intensive psychotherapy. They would be poor rehabilitation risks if allowed to remain at large, and should be removed from the streets to eliminate the cost of the present revolving door handling. Many are presently unemployable, without families, or other responsibilities. They require a controlled environment. Treatment should include physical rehabilitation and psychological guidance to encourage self-confidence and responsibility, as well as occupational training for placement in favorable outside environment. A farm probably would be the least expensive method of providing a controlled custody since inmates could be relatively self-sustaining. Alameda County, through its Santa Rita farm, is presently experimenting with the possibilities of such a treatment center.

The alcoholic who shows sufficient promise at screening should be treated on an outpatient basis. Many, perhaps most, alcoholics will be rehabilitated by this method alone. It is the core of the program. Alcoholics who receive institutional, farm, or inpatient treatment must also have this outpatient follow-up care if they are to retain sobriety. An outpatient clinic would conduct periodic guidance interviews and aid in the alcoholic's adjustment to his environment. Treatment and screening clinics often could be combined to prevent duplication of personnel and plant requirements. A study of the facilities established by the Yale group, as well as the clinic recently inaugurated in San Francisco, will be valuable in planning clinic layout and procedure. In small communities where the alcoholic load does not warrant a full-scale independent clinic, it might be expedient to incorporate a screening and treatment clinic within existing hospitals.

Coordination with other agencies—Clinics would also have an important function of coordinating the services of various social welfare groups such as Alcoholics Anonymous, which has proved to be of enormous aid in rehabilitation. These agencies may help provide the vital need of the outpatient for food, clothing, shelter, and satisfactory employment, as well as help in expanding his social contacts and interests. Re-education of the alcoholic's family to change their attitude toward him may be necessary.

Research—Various organizations have endorsed an Assembly bill appropriating three million dollars for the construction of two 250-bed research hospitals for alcoholics. This would be one practical method of insuring a continuous, concentrated inquiry into the cause of alcoholism. In the long run the development of inexpensive, improved techniques might justify the cost. However, large institutions have generally had poor rehabilitation success. Many states which established hospitals subsequently abandoned them. It seems advisable to postpone this proposal until the commission acquires more evidence of the need for such hospitals. It is possible that use of outpatient clinics and farms may prove so successful that these research hospitals would be relatively unnecessary. The incorporation of inpatient facilities in the treatment clinic will give an opportunity for some research.

Financing

The cost of a state rehabilitation program will ultimately depend on the decision of the commission as to the type of treatment facilities that are to be established. To the extent that existing city and county facilities can be utilized by the commission, the cost of a state program may be reduced. The initial appropriation should be sufficient to allow the inauguration of pilot programs in key areas. When subsequent commission estimates are available, the Legislature must provide adequate financial backing if the rehabilitation program is going to be successful. The fate accorded the 1939 Inebriate Colony Act should not await the new program. A provision for an assured percentage of state revenues, perhaps from liquor taxes, would avoid uncertainty in planning. If the commission is placed under the authority of an existing department, separate funds should be maintained. Otherwise, the funds might be siphoned off for other projects of the department.

The commission should be authorized to fix the cost of treatment per patient and require alcoholics with financial means or those liable for their support to pay for this treatment, in whole or in part. Alcoholics usually are quite willing to pay for their treatment and could often do so after they are rehabilitated. The commission should be authorized to accept gifts or grants from any source consistent with the legislative program.

VI. CONCLUSION

Alcoholism has become one of the most serious and complex health problems in the United States today. Only a small part of its burden can be measured in terms of money; even that totals hundreds of millions of dollars yearly. The problem is especially acute in California, where the rate of alcoholism is the highest in the Nation. Most people have some idea of the seriousness of the situation; most people are *not* aware of the fact that a considerable percentage of alcoholics can be rehabilitated if given adequate treatment. California's attempts to deal with alcoholism are completely inadequate. The present legislation which treats alcoholism as a penal problem should be abolished. A commission should be created with full powers to establish and operate a state-wide program of rehabilitation. The cost of such a program would not be small, but it could not approach the cost of alcoholism—over 50 million dollars a year in California alone.

LOS ANGELES MEETING

October 13, 1950

The first speaker to testify before the committee was Dr. Lawrence Kolb, Deputy Director of the Department of Mental Hygiene, who testified as follows:

"It is difficult to separate the acute from the chronic—one runs into another. We have given this matter a lot of thought in the department, and to start off, I might mention that we do do something about this already in the mental hospitals. I have prepared a table here which may be of interest to you, the admissions during the year of those who are insane with alcoholism, and those who are just chronic alcoholics. Also, what the other states do might be of some interest perhaps. We think several things should be done about chronic alcoholism, perhaps through the department, but I do not feel we can handle this alone, because there are probably two to three hundred thousand people arrested in the State in a year for drunkenness. The largest problem to be handled is the local problem of cities and counties. You cannot disassociate the police factor from this problem all together, although it has been stressed too much, we think.

"One of the most important things is prevention. We, of course, have been working on the treatment angle of it. We believe a better education on alcoholism would help to a certain extent and that education should be given in the schools more than is now given, so that children during the impressionable age when things sink in on them would get an accurate idea of what excessive drinking does, and would be more careful as they go on in life about drinking to excess and becoming alcoholics.

"In this connection, you can never tell in the beginning when people start to drink which will be chronic alcoholics. There is apparently nothing to size up a person to show that those personalities are different from those who do not become so. We know that the social environment and the conditions people are up against often start their drinking. We believe some people are especially sensitive, both psychologically and physically, so the more we can do to prevent them from indulging socially, the fewer we will have. So, education is one of the features which would have an effect on this thing.

"Another thing I think, and I think the department agrees, is making it more difficult for people to get drinks. I believe we did have a wartime closing hour of 12 o'clock. That was a very simple thing but after it went out of effect, highway patrolmen noticed that the highway accidents had a curve up. They attribute that to excessive drinking. I think that modifying the law to restrict the hours of sale would be helpful. England, as you know, put this on during the first world war and they have kept it because it was so effective, and I think that method would be effective in reducing excessive drinking.

"On the treatment level, we believe in the Department of Mental Hygiene that outpatient clinics would be a preventive, as well as a treatment measure, for people who have gone on to chronic alcoholism. We can't handle the total program in hospitals, as Mr. Connolly has stated, but some hospitalization is desirable, even for chronic alcoholism. The thing we have had in mind for several years was two small hospitals—one in the north and one in the south—where we would treat a few alcoholics

and do some research about it. We do not know everything about this thing. We could use these hospitals also in connection with the university educational program. As we have thought about it, more and more, we believe these hospitals should be in Los Angeles and San Francisco, and I have been thinking maybe 100 beds would do, and then have a large outpatient department operated by the State where we would treat chronic types after they leave the hospital, with certain kinds of treatment. That would be one help the State might give while it was studying it, while also treating the patients more intensively at these hospitals than we were able to in the large state hospitals. We used to take them into the state hospitals and practically nothing was done for them except abstinence. Nothing was done in a therapeutic way about it, but now we are carrying on, as you probably know, we are using group psychotherapy on these people and at all of our hospitals we have Alcoholics Anonymous clubs. We encourage them to join Alcoholics Anonymous groups after they leave the hospital.

"There have been various thoughts coming up in the department and perhaps they come from the outside, about an Alcoholic Commission to study the subject and establish clinics, etc., and I don't know but what it might be a good idea, but we believe the participation of the State would be a good thing. I do not know just in what manner, but I think in small hospitals here and there. As an illustration, in Boston they have the Washington Hospital which is not run by the state but by a local agency. It has 45 beds and patients come there both on a voluntary basis and by temporary commitment. They have to stay at least three days to sober up and take some psychotherapy. The temporary commitment is for three weeks and psychotherapy is given. The average stay is from a few days up to a year. That hospital has an organization in connection with the social activities and the various agencies of the city. They have encouraged their patients' participation in Alcoholics Anonymous and have really done a very good job. It is quite an alcoholic city—equal with our cities here, which is saying something! That is the type of institution which can be useful.

"There is another thing which could be done about the acute cases which are continually being arrested by the police—we have heard about cases where men have been arrested once or twice a day. We think all public hospitals should have beds set aside for the treatment of acute alcoholism. We feel much could be done about them during that particular time to interest them in trying to lead sober lives. The American Hospital Association has recommended that all hospitals have at least 3 percent of their beds set aside for the treatment of alcoholics. Of course it adds to the expense; those people are difficult and nobody wants them around. Even the doctors get discouraged because of the repetition of their visits. But there is a problem there which should be met.

"New York City has this developed very nicely. Every one of the municipal hospitals takes acute alcoholics, either on a voluntary basis, or they are brought in by police who take them there instead of to jail. That is in line with the very small arrest rate in New York. Several states have established commissions. The District of Columbia has a commission authorized to open clinics and operate them. They have done it.

Virginia just recently established a commission, a year or so ago. Whatever is done, I do not think we need very large hospitals, and I believe the Department of Mental Hygiene should continue to take alcoholics in its mental hospitals. While some people get discouraged about their returning over and over, they do occasionally—often, they have success in the treatment of these cases. The fellow who goes out and doesn't come back again we do not hear of at all. Whatever we do about these two hospitals wouldn't interfere with what we are doing now in the mental hospitals. Some states have previously established hospitals and have received quite a bit of criticism because they have all closed. That is true but the reason for closing these so-called inebriate hospitals was that they were never really hospitals at all That hospital attitude which people have, including many physicians, to alcoholics prevailed in these special institutions in New York and Minnesota (some years ago) so that if a person was in there once and became alcoholic again their attitude was—well, we gave him a chance, now let the police handle him. That is the wrong attitude. Our failure in the treatment of alcoholism is due to our ignorance. People are treated and cured even after numerous returns to institutions. If they were treated adequately by understanding people, with these organizations like Alcoholics Anonymous, etc., cooperating, and if there was then some follow-up by social workers, many hundreds would be rehabilitated which are not now. We do not say we can promise to cure all of them with our present knowledge. It would take too much time to expect even the best psychiatrist to cure all. Some are cured by different psychiatric approaches and it is difficult to tell in the beginning which will respond. Some have extreme neurotic backgrounds; others have other types of backgrounds; and in some cases it is really a man's environment which tempts this man over and over again. Family situations can sometimes be adjusted to help people over their difficulties.

"I believe that is the substance of what I have to say; and I would emphasize that I think those two hospitals with 100 beds would be a very good thing for us to have in our two large cities."

Assemblyman Connolly: Doctor, these small 100 bed hospitals which you speak of—they would, as I understand it, provide outpatient services, as well as inservice?

Dr. Kolb: I think we should have an extensive outpatient department—larger than the inpatient. Keep them a few weeks or months and follow up by outpatient. Lots of patients who never come on an inpatient basis could come on an outpatient basis.

Assemblyman Connolly: Have you any theories on the commitment procedure—or the absence of it?

Dr. Kolb: I would treat some of these people voluntarily, and I would establish this temporary care treatment, such as they have in Massachusetts at the hospital in Boston, and I would continue the present treatment we have to apply either to this hospital or to the mental hospitals. The only modification would be voluntary commitment and this temporary commitment for three weeks for a person on the application of a regular police officer. A patient could be taken in, desensitized, and interested in some kind of treatment. Also, have all we do have now, whether they keep them for a period of two years—I do not think a two-year confinement for an alcoholic has any particular merit, except in

rare cases. We do not keep ours. I think the average is about three or four months and, of course, they do not get the intensive type of attention that we visualize for persons who come to these two hospitals, contemplated hospitals, for intensive treatment.

Assemblyman Rumford: Doctor, I would like for you to elaborate on your program of education, if you have any. You probably have some ideas on it because, regardless of how many people we are * * *

Dr. Kolb: I do not know just what the schools do now, but the thing has been studied and written up in various journals, but so far as I know, no state now has any school for that purpose or any schooling. I would teach these children just the actual facts without any propaganda to it. I think that such an approach as this would have an effect upon children who now see so much drinking by their own relatives, by their fathers and mothers, and nothing has happened. If we draw a lurid picture for them, I don't think it would have any effect, but if we can teach physiologically in the schools what it does to the body, I think we would be getting somewhere. Give them actual figures such as I have here. For instance, 7 percent of those we admit have alcoholic insanity. Then if we can teach them what it does in crime and social disorders—very, very serious things like homicide, sex crimes, and other things—most of these crimes and acts are committed by drunken persons, even those of the homosexual nature. Many people have that nature but it is never expressed until they get drunk and then it comes out, and at that time they are liable to commit a sex crime. Some studies have been made along this line and in New York a report by Ralph Dena shows that many homosexuals committed sex crimes while under the influence of alcohol. These things should be taught in the schools—the social disorder that chronic alcoholism brings about, together with the physiological effects, and the low-down criminal and immoral effects.

On the larger level, I am thinking that in the Department of Mental Hygiene, in our central office, we should have more organization, more facilities, so that we could make real studies of these things, and by talks, pamphlets, etc., give the people the facts. Give the people in a factual way—not by propaganda—such facts, so that everybody would appreciate these things—including the physicians. It is startling how little information they have if they are not psychiatrists on the subject of alcoholism.

Assemblyman Rumford: Do you know if the State Department of Public Health is conducting an educational program on this?

Dr. Kolb: No, I do not think so. Of course it could come from there. They do publish a health pamphlet here and there.

Assemblyman Connolly: So far as I know, the Department of Public Health is not doing anything on it at all, and as a matter of fact, there is the problem, assuming we want to take over this program—it is a question of which department should take it over, and that takes us into the commission set-up like Connecticut has—an independent commission. We probably wouldn't want to go into that but there is a difficult problem right now as to whether the Department of Public Health or the Department of Mental Hygiene is the better to administer the program, whatever it might be. Certain aspects of it fall in one department and certain others fall into the other.

Dr. Kolb: I think our department could perhaps handle it better because we have a nucleus of people trained in that work and, of course, if those hospitals should be established, I think we should operate them. I think that Public Health should cooperate, and, of course, there is a provision of law where the Health Department is authorized to cooperate with us and we with them.

Chairman Thompson: On this education side of things, I have noticed among certain nationalities where they use wine, more or less. The wine is available to children at an early age. In a great many cases I have seen these children grow up and they have had it before them all their lives. From my observation, a great number of them do not drink.

Dr. Kolb: That is true. In Italy, for instance, if you cannot get water, you always have wine and they do not have much chronic alcoholism. Perhaps that race is a little less sensitive than some others. Then too they are perhaps too poor to buy strong drink. That may be why we have so much more drinking, because we have prosperity. That is the temptation. That is something you can't get away from—prosperity does increase temptations.

Assemblyman Thompson: Isn't wine and winos one of the worst forms of drunkenness in this country?

Dr. Kolb: They call these people winos who drink wine and become drunkards. Some people say there is a difference, but I don't know why there should be any difference on going broke over wine or liquor. Probably the difference is that these people are in a different social strata. They get the wine and just drink and drink it because there is plenty of it. The difference in their social strata and environment all together is probably attributable to the wine rather than to the alcohol. Perhaps there is a difference between what wine will do to you and just plain ordinary alcohol. There is this possible difference—wine does have some vitamins, whiskey does not. That may make some difference.

Chairman Thompson: What I am getting at is this: Here is a nation where wine is their main drink, where they do not have as great an alcoholic problem as we do Over there wine is their drink and yet wine over here is creating a difficult situation.

Assemblyman Connolly: There is a great difference. The French, for instance, most of them will dilute their wine with water when they drink it. Our skid row people buy the most highly fortified wine and drink it straight The people who have been brought up with it, dilute it.

Chairman Thompson: When we go into that from the educational standpoint, would they teach them it is a sin to drink—if used in moderation?

Dr. Kolb: I don't think we should teach them it is a sin to drink unless you can say it is a sin to put anyone in a situation where he can go to the dogs. I think we should teach people the truth, however, that you can never tell in the beginning when people get into a social environment of drinking, who is going to go to excess. You know there are a certain number of people who drink socially and get into tempting environments, who will go on and on, and others won't. You no doubt have heard this before—women do not go on and on to the same extent as men do because it is the wrong thing for a woman to get drunk. It is supposed

to be morally and socially wrong, so not too many do it. Among the Jews there are not many alcoholics. Apparently they teach that it is a low down thing to get drunk, and maybe they are not as sensitive as some other races Maybe they have come through the ages drinking moderately, and something has gotten into their heredity and environment where they can take it moderately—and maybe they have lost their sensitivity to alcohol. The northern European races apparently do not have any of that immunity. They are all heavy drinkers and are alcoholic races. The Irish and the Swedes all have a great deal of alcoholic psychosis, whereas the Italians, for instance, just don't. We do not have enough French to make any particular study but perhaps they do have less, but they do drink a tremendous amount of wine in France. Probably the alcohol they consume is more than here but they perhaps also drink more wisely than we do here.

Assemblyman Connolly: In this program problem, at our hearing in San Francisco the people there, at least some of them, were of the definite opinion that because of the nature of the problem, and for various reasons connected with it, it would be better for the State to provide funds to the local communities to maintain clinics of their own rather than for the State to embark on its own program.

Dr. Kolb: Well, I can express this opinion that the State should not go into every county and city and set up clinics. If there are clinics of that kind to set up, I think the State should help with funds to the counties and cities. I certainly do not see why the State should set up clinics to treat thousands all over the State It wouldn't be done any better, and it wouldn't encourage the counties and cities to do it unless they received some help with funds.

Assemblyman Connolly: You think operation of the clinics by local authorities with financial assistance from the State, coupled with the small 100 bed hospitals for research and treatment, would be a good combined program.

Dr. Kolb: That would be a good combined program, I think. Surely I do not think the State should go on to a tremendous program of hospitals and clinics. Every county does it differently, and somebody may come up with a different idea which might be very useful. With a variety of approaches, we may come up with something entirely new in the way of treatment.

Assemblyman Connolly: Our only problem from the legislative standpoint is this, we might find ourselves in a position where we couldn't do both and we would have to decide between them.

Dr. Kolb: I don't think we should go beyond the little intensive treatment centers at the present time, and perhaps set up some little organization to continually intensify the educational program. Of course we probably would have to educate the educational people to the desirability of increasing that kind of education in our schools. I often speak of the analogy between the social outlook on alcoholism and drug addiction. We have the feeling a drug addict is the lowest thing on earth. As a matter of fact, he is generally much safer than an alcoholic. You read accounts of how they capture $3,000,000 worth of narcotics. It makes me mad because the idea is foolish. I find it is about $300 at the wholesale price but the newspapers publish that fantastic figure and the people think that

drug addiction is a terrible thing. If the newspapers would publish that somebody murdered three people and found it followed heavy drinking—if they reversed it—that a drinking bout caused three murders, that would be the educational thing to get into the homes. I talked to a newspaper man along that line and he said they knew that, but if they did that everybody would accuse them of advocating prohibition. I do not think that is the attitude we should take, but I think the newspapers should join with us and emphasize that drinking causes many of these things. That fellow who was executed from Sonoma—he was drunk when he did that. In all articles you will usually find that in the last paragraph alcoholism is mentioned. That is the thing, the cooperation of the newspapers, which would help build up the social attitude toward excessive drinking. We should have in our departments, and I haven't quite decided what—some increased personnel, perhaps one person who could collect statistics on those things, make talks about them, and if we could interest the newspapers (which I do not think we could do) but draw them to the attention of the public, it would have a great deal of effect—just making the people really conscious of what too much drinking will do.

Rumford: Would you handle that through Public Health or Education?

Kolb: It is hard to say. We want perhaps to get together with the Education people, perhaps through the physiology courses in the schools. The ones I have seen are not adequate. They have the wrong approach.

Rumford: That preventive thing, I think, is very important.

Dr. Kolb concluded by stating that he felt a program of rehabilitation for alcoholics should be part of the permanent program of the State and he, himself, would continuously advocate it.

Next to testify was George Reick, Vocational Rehabilitation Officer with the Department of Education, who testified as follows:

"The last four years I have specialized in the rehabilitation of chronic alcoholics. I went to Hopkins five years ago for research and also to Yale for summer school this year. I have recognized the alcoholic as being handicapped and therefore eligible for our services, and have received referrals from Northern California and have worked closely with the alcohol clinic in San Francisco and get referrals from there.

"In Connecticut they took over a clinic in 1945 and only recently did they get a 50-bed hospital, but they have been doing some wonderful work. The State of Virginia is doing a very good job I think information and education centers by the State for the individual where he is interested in doing something about his problem so he can come and get information and be referred to the proper places for further help is necessary. This is an over-all problem. It is not only mental. Not many of these alcoholics are actually mental cases. I think the Department of Health could handle that and open beds in the general hospital for chronic alcoholics. Now the San Francisco General Hospital will accept acute cases on the recommendation of the Alcoholics Anonymous. I have a man in my office who is about ready to go to D. T.'s, and I can't do anything about him. If we had a clinic to follow the individual up with a physiotherapy and group therapy, it would be helpful. The follow-up is very important. To take a man to the state hospital for 60 days won't do him much more good

than sending him to jail for 60 days. I get referrals from the hospital before the men leave the hospital. I try to meet them at the bus. Quite often they don't arrive in San Francisco but get drunk on the way down. I have had many cases that way. I get them and take them to a hotel, guarantee them a place to eat and sleep and make an appointment for him to meet me the next morning, but they don't make it. They go out and get drunk. The San Francisco Hospital is doing a good job. A man who has been drinking for a number of years has physical ailments, not from alcohol but from nutrition. It is a definite physical injury then."

Connolly: Your idea then is more along the line of the local outpatient clinic with follow-up therapy?

Reick: By the State, rather than by the community. In the first place, the community will never appropriate enough money and when it does, they will look for a clean-up of Skid Row. There will always be those people, and we can't help it. Skid Row is the least part of our problem. In San Francisco we have more chronic alcoholics on Pacific Heights than we do on Third and Howard Streets. That is the least of our problems. The individual who hasn't quite hit that bottom and who knows that he is at the point where he is going to hit Skid Row if he doesn't do something about it, is the one we can help most. That is not peculiar to any age group—most of them are in their thirties. We hit a few under 30. But it takes 13 years or more to make a chronic alcoholic, so we don't have too many in their early twenties. The doctor's idea on education is very important. We have had some of our teachers go to Yale or Harvard and study the problem. They are doing that in Utah and several other states. They go to school and then go back and teach the other teachers. I frequently go into the schools and the students are interested. I give them straight facts about what can happen. We have about 65,000,000 drinkers in the United States, but only about 4,000,000 chronic alcoholics. There are people who are inadequate in the beginning, and use alcohol as a means of escape.

Connolly: Do you have any set idea as to how the State should start out on this program? You stated that you consider the State should do it. What would be your ideas?

Reick: I would say as a Bureau of Public Health and in connection with the university hospitals. Open outpatient clinics where the alcoholic will voluntarily come for treatment. Have beds in general hospitals for alcoholics without too much red tape to get in there. The first step would be information and education centers in the large cities where the individual can come and ask, and with a knowledge of the problem he could be referred to the proper agencies for help. There are alcoholics who want to quit, and don't know how to do it. And there should definitely be an educational program in the schools.

Connolly: That could be set up under the State Department of Public Health Information Centers for the general public.

Reick: Just getting a man sober isn't enough. He may be sober and out of a job. Also, the job he may be doing may be a hazard. It may be causing the alcoholism. I had one man who was vice president of a bank and he was discharged for drunkenness, as far as the bank was concerned. He was referred to us and it was found the job was too much responsibility for him. He has been sober now for two years and has a

good job—not as a bank vice president. But I think in the clinic we need more than just a psychiatrist.

Connolly: Our problem of course is that the State Department of Public Health doesn't operate in the hospitals, whereas the Department of Mental Hygiene is already doing that.

Reick: I am advocating the use of the general hospitals that we have now. The State is appropriating money to the county hospitals, and the counties are accepting alcoholics, and they should be allowed to go there for help.

The next to testify was J. A. Sullivan, Department Counsel of Mental Health of Los Angeles County, who stated: "Since I talked before this committee in San Francisco there has been a survey made of Los Angeles County by Yale University. Dr. Marcus Grahan was appointed to head a committee interested in the problem of alcoholism to see what could be done in Los Angeles County, and the committee asked the Board of Supervisors for $5,000, which was granted. Yale University brought a staff of men out here on a survey, and the final report has just been released. I have five copies here which I want to turn over to you. As I stated before, our primary need is for something to be done in California, and I believe that the most immediate thing needed is clinics. The cost of the clinics could be afforded by the larger cities but would work a hardship on the smaller communities, and if the State could see fit to go in with them I believe we would have clinics that would do a great deal of good. I have often made a statement that 50 percent of the alcoholics are not alcoholics. It is symptomatic of some other disease. The remaining 50 percent would be treated for alcoholism and with a smaller number, we could accomplish more. I believe there should be a set-up in the State of California to attack it on a state-wide basis, and such recommendations as they would make would probably be a good basis for the Legislature to follow out.

"The alcoholics flock to the centers in Los Angeles and San Francisco for treatment. I was back to Yale this year for the course. Connecticut has built a 50-bed hospital in Hartford. The 50-bed hospital seems small, but it isn't, it is large. As large as we would need in Los Angeles or San Francisco, because you only hospitalize the alcoholic for three or four days But that is going to be a center for an outpatient clinic, and I think nine-tenths of the good will come from that clinic basis. Any hospital could be on a 50-bed basis until they were tried out. That is all we need."

Connolly: Can you summarize what the report of the Yale people was?

Sullivan: Very much along the same lines as I have just given.

Connolly: In other words, they favor the outpatient clinic.

Sullivan: Yes. That is considered the primary thing in the whole program.

Connolly: Dr. Kolb spoke before you came in. He expressed the same idea on the basis of local clinics, and then he added the suggestion of two small state hospitals in the two metropolitan areas which would be a center of research and study and education. Does that sound logical?

Sullivan: Yes. Our ideas agree exactly, because we are both working for the same thing. My ideas are not my own. They are from everyone else.

Connolly: The one thing we don't need is a big state hospital out in the country someplace to help the alcoholic.

Sullivan: That is right.

Rumford: I wanted to bring forth these two points: that we are faced with an acute shortage of beds for the chronically ill now, and we are faced with the proposition of raising money. I am sure you consider these things.

Sullivan: Very much I have one other point that has never been stressed very heavily, and that is the need for research into alcoholism. Practically the only thing that has been done is at Yale University.

Dr. Norman Nelson, Assistant Dean of the U. C. L. A. Medical School and Associate Professor of Preventive Medicine was called upon, and he spoke as follows:

"My field is preventive medicine, and I have been interested in this since 1947. I came out to U. C. L. A. then. The county board of supervisors were interested in something being done in this field, and we organized to find out how much we knew about the subject and to bring what we knew to the commission. Since then we have been interested in it from various standpoints.

"I want to substantiate what has been said about combining basic research with the active treatment of these people. Let me point out that at the present time Dr. White, who came to U. C. L. A. from Yale, has been doing a very interesting bit of research on different types of alcoholic beverages. He has had 40 sent to him, totally unlabeled. He has been testing them on various types of tissues. And he has found, interestingly enough, that some of these beverages seem to increase the rate of the enzym systems in the body. In other words, we know that sclerosis of the liver is due to the fact that we have an interference in the metabolism. Now certain conditions that may result in these winos might be entirely due to products that are present in certain types of wines and not in others. The direct result of such an investigation is to determine what it is in these various beverages that destroy enzym systems or enhance them.

"I am not here to represent the University of California, but if I am called upon I feel it is my duty as a private citizen to point out these things. We have to have the facts as we go along. We need these basic researches before we can do anything that would be of advantage to the people."

Connolly: You feel research should be conducted jointly with the rehabilitation?

Nelson: I certainly do. Where we can follow these people and see how much good we are actually doing. We should have a continuous organization where we can find out and keep track of what is happening to these people. To do so we must think of it from a preventive aspect. Dr. Kolb and I have had many talks on this.

Thompson: How much follow-up is there when the patients leave the mental hospitals?

Nelson: I think Dr. Kolb could answer that much better than I. We do lack much basic research even in that sort of thing, as what sort of work a certain type of mental patient could go into after he leaves. As yet we haven't done the basic work that should be done. I am sure that they would like to be able to do a lot more than they are doing.

Connolly: At the moment, the outpatient clinic is the best method there is.

Thompson: There is quite a follow-up there at the present time, isn't there?

Kolb: We follow them up when they leave from Mendocino, but we are not able to follow them up from the other hospitals.

Dr. Phantill of the Los Angeles City Health Department next testified as follows: "I would like to say that I am in complete agreement with everything that has been said, except that I have some additions to make. For one thing, most of the clinics are in the terminal stages. We used to consider a combination of symptoms. They came together so often that we began to feel they belonged together. We often saw combinations of T. B. because of lack of nutrition in an alcoholic, a disease that gets worse. You start out with alcohol and end up with a lot more. I definitely would like to propose that legislation be put in action to make alcoholism a disease like other dangerous ailments. It would be advantageous not only for the individual, but also for public health.

"The other suggestion I would like to make along that particular line is in regard to preventive psychiatry. It would be very easy to help these people in the beginning. When a person is told he is dangerous to others, it is this shock that is sometimes the beginning phase of alcoholism. A great deal of preventive work can be and should be done."

Connolly: You are stronger for clinical work than in the educational program?

Phantill: It is more than education. During the pre-natal cases we sometimes have people who are on the breakup of their marriage, and they often turn to alcohol. Before the child is born we can do a lot for these people as well as for the unborn baby. At that time you have to spend so much less than you have to spend to treat a chronic alcoholic.

ALAMEDA COUNTY FARM SEEKS TO AID ALCOHOLICS[1]

In Santa Clara County (and in the majority of the other counties throughout the Nation) the forgotten man is the fellow who gets sent to jail time after time because he is an alcoholic.

The average citizens feels the impact of these sentences once a year when he gets his tax bill, but the alcoholic's name is not listed on our tax bills, few people realize his great cost to the county and little is done about him.

In fact so little has been done about him that physicians and social workers have no real knowledge of what can be done for him. The subject is almost completely unexplored and there is no yardstick of case histories which runs deep enough to be dependable.

However, it is a hopeful note that many governmental bodies are recognizing that a problem does exist, and a few have started practical experiments with the alcoholics. Outstanding among these experimenters is Alameda County.

At the Santa Rita Industrial Farm near Pleasanton, a separate staff of doctors, psychiatrists, nurses and social workers has been added to the regular organization.

[1] Editorial from the San Jose Mercury-News, Sunday, November 12, 1950.

Santa Rita's average number of "guests" is in excess of 700. Screening indicates that at least 65 percent of these are there for reasons which are related in some way to alcohol.

None but the most confirmed optimists believe that all or even a great part of this 65 percent can be cured of alcoholism by any treatment presently known. As a matter of fact the figures compiled after the clinic staff interviewed 513 persons recently are not too cheerful.

These figures show that 487 of those studied were alcoholics.

Of the 487 there were 156 who flatly denied being alcoholics.

And of the 487 there were 204 who took advantage of the rule which makes treatment voluntary, and refused to take any treatment.

In spite of these depressing figures it is indicated that considerably more than half of the victims want help, and as experience in treatment is broadened they will be able to get better help.

The experiment at Santa Rita follows a common sense line.

The authorities have recognized the fact that nothing can be done for the average alcoholic within 30 days. Those who are sent to the institution for crimes and misdemeanors which are related to alcohol, are sentenced for six months and placed on an additional two years' probation.

In addition to those who are sentenced to Santa Rita for violations of the law the clinic also accepts all civil alcoholic commitments from Alameda County and all voluntary self-commitments.

Once at Santa Rita, all persons from these various groups are treated exactly the same.

Most of them are suffering from semistarvation. They are given expert medical attention and in most cases put on a primary vitamin diet.

After a patient's physical condition has been built up he moves into the occupational therapy stage. He is put to work in the fields or shops of the partially self-supporting establishment. When his general outlook has reached a satisfactory state he is brought into contact with Alcoholics Anonymous, which holds weekly meetings at Santa Rita, and has a branch organization there.

And last but not least the patient is introduced to antabuse.

Antabuse is a drug which has been described by ex-alcoholics as "willpower with a label on the bottle."

Antabuse is not to be confused with the "aversion" or "conditioned reflex" therapy which has been widely used for many years. It is simply a sensitizing agent which makes the patient severely allergic to alcohol in any form.

In fact if a person takes even a swallow of beer within eight days of the time he has had the antabuse treatment he will be so sick he will probably wish he could die.

Antabuse is compounded of some of the elements which go into the manufacture of synthetic rubber. It is tasteless, odorless and has no effect on the system, until you take a drink. Then it brings about a partial oxygen starvation. Extreme, though not fatal, illness results.

A person cannot drink if he has taken "antabuse."

At Santa Rita patients are put on the drug therapy only at their own request. When they leave the institution they continue to use this therapy only on their own initiative. Antabuse has not yet been released for general public sale, due to the regulations of the Federal Food and Drug

Administration, but Alameda County patients can obtain a regular supply by calling at the office of the physician in charge of this phase of treatment. (And they always know that they have eight days to get around for another batch of pills when they run out.)

As part of the program at Santa Rita a patient who has been confined because of most troubles rooted in alcoholism can be released from custody as soon as the officials are convinced that he will progress better without confinement.

The Alameda County experiment has only been in operation for a few months. It is too early to tell what the final results will be. But no matter what they are, it is a step in the right direction. It is bound to be better than the indifference of the past.

Following is the report on alcoholism in California as prepared by the State Department of Mental Hygiene:

Alcoholism in California

Outline of report

1. Consideration of population at risk (Table 1)
   - Potential drinkers
   - Users of alcoholic beverages
   - Intemperate drinkers
   - Chronic alcoholics.
2. Apparent consumption of alcoholic beverages (Tables 2, 3)
   - Absolute alcohol
   - Distilled spirits
   - Wines
   - Beer.
3. Motor vehicle accidents involving intemperate drinkers (Tables 4, 5, 6)
   - Death
   - Injury.
4. Alcoholics in state mental institutions (Tables 7, 8, 9)
   - New admission
   - Discharges
   - Death
   - Duration of residence
   - Characteristic of this population.
5. Disability from alcohol
   - Disability insurance program.
6. Mortality from causes directly related to alcoholism (Table 10)
   - Alcoholism
   - Alcoholic cirrhosis of the liver.
7. Summary
   - Magnitude of the problem.

ALCOHOLISM IN CALIFORNIA

Population at Risk

Estimates: In order to determine the extent to which the intemperate use of alcoholic beverages affect the health and well-being of the population of California, it is necessary to estimate the minimum population at risk.

This has been done in the following manner:

(1) The population figures for the estimated number of potential drinkers in 1945, 1946 and 1947 were obtained by applying 69.6 percent to the total estimated population. This percent represents the proportion of the population of ages 21 years and over in California in 1946. (Table 1)[1]

(2) The estimated number of "users of alcohol" is based on information from a publication by Doctor E. M. Jellinek [2] in which it was stated that use was made of information obtained in a Gallup survey (public opinion news service release September 1, 1946). The results of this poll were that two out of every three voters surveyed were against return to prohibition and that two out of every three, of the nations adults. drink. The second of two questions asked in the survey was "Do you ever have occasion to use alcoholic beverages, such as liquor, wine or beer or are you a total abstainer?" Responses to this question showed that 33 percent were total abstainers and 67 percent drank alcoholic beverages. Based on these data, the factor of two-thirds was applied to the estimated population aged 21 years and over, the resultant figure for the years 1945, 1946, 1947 being used as estimates of the number of "users of alcoholic beverages" in California.

(3) The estimated numbers of intemperate drinkers and chronic alcoholics are based on ratios established by Jolliffee and Jellinek [3]. These ratios indicate that probably 6 percent (6%) of the "users of alcoholic beverages" are intemperate drinkers (includes chronic alcoholics) and one and a half percent (1.5%) of the "users of alcoholic beverages" are chronic alcoholics.

TABLE 1

ESTIMATES OF THE NUMBERS OF POTENTIAL DRINKERS AND USERS OF ALCOHOLIC BEVERAGES, INTEMPERATE DRINKERS AND CHRONIC ALCOHOLICS

California, 1945, 1946, 1947

Year	Total population	*Number of potential drinkers-population aged 21 and over*	*Number of users of alcohol*	*Number of intemperate drinkers*	*Number of chronic alcoholics*
1945	8,822,688	6,140,000	4,093,000	246,000	61,000
1946	9,529,282	6,636,000	4,424,000	265,000	66,000
1947	9,876,000	7,086,000	4,724,000	283,000	71,000

Definitions: (1) Potential Drinkers: Jellinek [4] states that "alcoholic beverages are consumed within only a certain age range of the population, namely the ages of 15 years and over. This range may be designated as the "population of drinking age". The consumption of alcoholic beverages by the population below 15 years of age is so negligible that for practical purposes it may be disregarded entirely. Chronic alcoholism, alcoholic mental disorders and death from alcoholism do not occur in the entire range of the population of drinking age but are limited with fractional exceptions to the population aged 20 years and older, which will be designated here as the "adult population".

[1] Chronic Disease Investigation, "California's Population and Chronic Disease," 1948, Section 4b, Tables 1 and 5

[2] Jellinek, E M, "Recent Trends in Alcoholism and in Alcohol Consumption," Quart J Stud on Alcohol, 8, 11, June 1947

[3] Haggard, H W, and Jellinek, E M, "Alcohol Explored," Garden City, N. Y., Doubleday, Doran, 1947, 27.

[4] Jellinek, E M, op. cit p. 2

The expression "minimum population at risk" was used in the first paragraph of the section on population at risk. These estimates may be considered minimum inasmuch as they do not include populations between the ages 15 to 20 years.

(2) Users of Alcohol: The moderate user is defined as one who "does not seek intoxication and does not expose himself to it. He uses alcoholic beverages as a condiment and for their milder sedative effects. Alcohol constitutes neither a necessity nor a considerable item in his budget." [1]

(3) Intemperative Drinker: Bowman and Jellinek [2] have described an alcohol addict as a person with "an uncontrollable craving for alcohol. The outstanding criterion is the inability to break with the habit. Alcohol serves the purpose of creating an artificial social adjustment."

(4) Chronic Alcoholic: "This designation is properly reserved for those drinkers only who, from the prolonged and excessive use of alcoholic beverages—usually over many years—finally develop definite physical or psychological changes." [2]

TABLE 2

APPARENT CONSUMPTION OF ABSOLUTE ALCOHOL IN NUMBER OF WINE GALLONS PER PERSON AGED 15 YEARS AND OVER, THE NUMBER OF RESIDENT DEATHS, OF WHICH THE PRIMARY CAUSE WAS ALCOHOLISM AND THE DEATH RATE PER 100,000 POPULATION—SELECTED STATES, 1945

State	Rank apparent alcohol consumption [a]	Apparent absolute alcohol consumption wine gallons per person aged 15 years and over	Number of resident deaths from alcoholism as primary cause [b]	Resident death rate per 100,000 alcoholism [c]
Nevada	1	3 64	21	13.1
California	2	2.74	207	2.3
New Jersey	3	2.62	89	2.1
Massachusetts	12	2 25	137	3 3
Montana	13	2.19	13	2.8
New Hampshire	14	2 18	16	3.5
Washington	24	1 80	98	4.7
Louisiana	25	1 77	21	0 9
West Virginia	26	1.72	33	1.9
New Mexico	36	1 37	12	2.2
South Dakota	37	1 37	4	0.7
Iowa	38	.19	18	0.8

[a] Ranks refer to position of states among 48 arrayed from maximum to minimum apparent per capita consumption of absolute alcohol (spirits, wine and beer)

[b] Resident deaths exclusive of deaths among residents in armed forces and overseas

[c] Rates include population of armed forces in area

Source: Jellinek, E M, op cit, Table 10. 15 U S Nat Office of V. S, V. S S R, 27, No 29, 1947.

After listing states in the order of magnitude (maximum to minimum) of the number of wine gallons of absolute alcohol consumed per person aged 15 years and over, three states were selected at each quartile position.

The resident death rates from alcoholism per 100,000 population were then listed for the respective states. No relationship is shown to exist between the apparent consumption figures and the death rates from alcoholism. Furthermore, the death rates themselves are open to question since other causes of death are frequently given precedence over alcoholism when the primary cause is selected. In a sample run of certificates

[1] Haggard, H W., and Jellinek, E. M, op cit, p. 12

[2] *Ibid*, p. 15.

coded for all causes of death in California (February, 1947) it was found that of 56 certificates of death on which alcoholism appeared, this cause was considered primary in only 15 cases (approximately 27 percent) while other causes were given precedence over alcoholism in 41 cases a loss of 73 percent, of alcoholism appearing on death certificates. No generalizations of the loss of alcoholism as a cause of death may be made at this time, but it is obvious that alcoholism and its relation to death should be investigated further before comparisons such as these are valid.

TABLE 3

TEN STATES SHOWING THE HIGHEST APPARENT CONSUMPTION IN WINE GALLONS PER PERSON AGED 15 YEARS AND OVER OF TOTAL ABSOLUTE ALCOHOL, DISTILLED SPIRITS, WINE, BEER

1945

State	*Apparent per capita consumption absolute alcohol*
Nevada	3.64
California	2.74
New Jersey	2.62
Connecticut	2.51
Maryland	2.48
Delaware	2.46
New York	2.45
Pennsylvania	2.44
Wisconsin	2.44
Illinois	2.36

State	*Apparent per capita consumption wine*
California	2.52
Washington	1.97
Nevada	1.89
New Mexico	1.51
New York	1.46
Virginia	1.30
New Jersey	1.26
Colorado	1.22
Ohio	1.06
Rhode Island	1.03

State	*Apparent per capita consumption distilled spirits*
Nevada	4.81
California	3.10
Delaware	2.86
Florida	2.73
Connecticut	2.64
Maryland	2.46
New Jersey	2.39
Missouri	2.33
Colorado	2.32
Minnesota	2.31

State	*Apparent per capita consumption beer*
Pennsylvania	38.25
Wisconsin	37.95
Michigan	35.11
New York	34.40
New Jersey	33.37
Rhode Island	33.26
Maryland	31.58
Ohio	30.40
Illinois	30.02
Nevada	29.07

Source: Adapted from Jellinek, E. M., Recent Trends in Alcoholism and in Alcohol Consumption, Quart. J. Studies on Alcohol, 8, 17-15, June 1947.

Apparent consumption figures represent only taxpaid withdrawals of alcoholic beverages, from distilleries, wineries, breweries, and custom's warehouses to wholesalers or to retailers. These figures do not represent actual sales to consumers, nor number of gallons known to have been consumed.

TABLE 4

FATAL MOTOR VEHICLE ACCIDENTS IN WHICH USE OF ALCOHOL BY DRIVER CONTRIBUTED TO FATALITY
CALIFORNIA, 1944, 1945, 1946

Driver's condition	*Number of drivers involved in fatal accidents*			
	Total	*1944*	*1945*	*1946*
All drivers	11,914	3,064	4,246	4,604
Drivers using alcohol, total	1,681	412	601	668
Intoxicated	592	151	222	219
Had been drinking	1,089	261	379	449
Percent of all drivers who were intoxicated or had been drinking	14.1	13.4	14.2	14.5

Source: State of California Department of Motor Vehicles, Annual Statistical Report for 1947, p. 10

TABLE 5

MOTOR VEHICLE ACCIDENTS CAUSING INJURY IN WHICH USE OF ALCOHOL BY DRIVER CONTRIBUTED TO INJURY—CALIFORNIA, 1944, 1945, 1946

Driver's condition	*Number of drivers involved in accidents with injury*			
	Total	*1944*	*1945*	*1946*
All drivers	187,034	47,384	63,023	76,627
Drivers using alcohol, total	24,725	6,488	8,481	9,756
Intoxicated	9,867	2,692	3,309	3,866
Had been drinking	14,858	3,796	5,172	5,890
Percent of all drivers who were intoxicated or had been drinking	13 2	13 7	13.5	12.7

Source State of California Department of Motor Vehicles, Annual Statistical Report for 1947, p 10.

In California, intemperate drinkers who are drivers of motor vehicles have been involved in 1,681 fatal accidents and in 24,725 accidents causing injury in the three-year period 1944-46.

They represent approximately 14 percent of all drivers involved in fatal accidents and 13 percent of all drivers involved in accidents in which injuries have occurred. (1944-46)

TABLE 6

NUMBER OF PERSONS KILLED IN ALL ACCIDENTS BY TYPE OF ACCIDENT

Type of accident		*1945*		*1946*
All accidents, total	3,705	--	3,820	--
Collision with, total	3,169	--	3,234	--
Pedestrian	--	1,461	--	1,388
Other motor vehicle	--	1,062	--	1,256
Train	--	213	--	174
Street car	--	25	--	28
Horsedrawn vehicle	--	1	--	2
Bicycle or tricycle	--	59	--	67
Animal	--	6	--	6
Fixed object	--	342		313
Noncollision, total	536	--	586	--
Overturned in roadway	--	148	--	168
Ran off roadway	--	282	--	325
Other noncollision	--	106	--	93

Source California State Department of Motor Vehicles, Annual Statistical Report for 1947, p 7

In 1945 there were 3,705 persons killed, and in 1946, 3,820 persons met death in motor vehicle accidents.

Assuming that approximately 14 percent of the drivers who were responsible for fatal accidents (4,246 in 1945 and 4,604 in 1946) were responsible for the same percentage of persons killed in these two years, it may be said that the deaths of 1,054 persons were indirectly caused by the intemperate use of alcohol

TABLE 7

PERCENT OF ALCOHOLICS WITH PSYCHOSIS AND WITHOUT PSYCHOSIS, FIRST ADMISSIONS AND READMISSIONS, JULY 1, 1944-JUNE 30, 1947; DISCHARGE AND DEATHS, JULY 1, 1944-JUNE 30, 1945

A
July 1, 1944-June 30, 1947
Alcoholics [a]

Three-year totals	*No*	*Total Percent*	*With psychosis Percent*	*Without psychosis Percent*
Admissions, total	4,257	100	38.0	62 0
First admissions	3,454	100	37.9	62 1
Readmissions	803	100	38.4	61 6
Discharges	N. A.	N. A.	N. A.	N. A.
Deaths	N. A		N. A.	N. A

B
July 1, 1944-June 30, 1945
Alcoholics [a]

Three-year totals	*No.*	*Total Percent*	*With psychosis Percent*	*Without psychosis Percent*
Admissions, total	1,098	100	43 2	56.8
First admissions	879	100	43 0	57 0
Readmissions	219	100	43 8	56 2
Discharges	974	100	42 3	57 7
Deaths	64	100	82.8	17 2

C
July 1, 1945-June 30, 1946
Alcoholics [a]

Three-year totals	*No*	*Total Percent*	*With psychosis Percent*	*Without psychosis Percent*
Admissions, total	1,462	100	38 3	61 7
First admissions	1,202	100	38 7	61 3
Readmissions	260	100	36 5	63 5
Discharges	N A		N A	N. A.
Deaths	N A.		N A.	N. A

D
July 1, 1946-June 30, 1947
Alcoholics [a]

Three-year totals	*No.*	*Total Percent*	*With psychosis Percent*	*Without psychosis Percent*
Admissions, total	1,697	100	34 4	65 6
First admissions	1,373	100	34 0	66 0
Readmissions	324	100	36 1	63 9
Discharges	N A.		N A	N. A.
Deaths	N. A		N A	N. A.

[a] Total, with and without psychosis

NA—Data not available

Source: Statistical Report of the Department of Institutions, State of California, year ending June 30, 1945, Table 12, p 54, Table 31, p 82, Table 33, p 88, Table 17, p 60 State Department of Mental Hygiene, Statistical Research Bureau, September 2, 1948

In the three-year period July 1, 1944 to June 30, 1947, there were 3,454 first admissions of alcoholics. In the same period, there were 803 readmissions These may include overlap of cases since what was a new admission one year may have been a readmission the next. It should be noted that 62 percent of the new admissions of alcoholics were of persons without psychoses.

TABLE 8

CHARACTERISTICS OF THE POPULATION OF ALCOHOLICS IN STATE MENTAL INSTITUTIONS

Percent Age Distribution of Alcoholics, First Admissions, Readmissions and Deaths, California State Mental Hospitals
July 1, 1944-June 30, 1945
Alcoholics [a]

Age	*First admissions*	*Discharges*	*Deaths*
	percent	*percent*	*percent*
Total	879	974	64
	100.0	100.0	100.0
Under 15	--	--	--
15-24	1.7	1.3	--
25-44	58.8	52.8	32.8
45-64	36.9	42.0	51 6
65 and over	2.6	3.9	15.6

[a] Total, with and without psychosis

Source Statistical Report of the Department of Institutions, State of California, year ending June 30, 1945, Table 12, p 54, 55, Table 31, p 82, 83, Table 33, p 88, 89

Economic Status of All Groups and Alcoholics, First Admissions to California State Mental Hospitals
July 1, 1944-June 30, 1945 [a]

Economic status	*All groups*	*Alcoholics*
	percent	*percent*
Total	6,723	879
	100.0	100.0
Dependent	8.6	2.7
Marginal	76.5	84.2
Comfortable	14.2	13.0
Unknown	0.7	0.1

[a] Total, with and without psychosis

Note· Patient's economic status is determined by financal condition of immediate family, not by patient's dependence on other members Dependent—family lacking necessities or receiving outside aid, marginal—living on daily earnings but saving little, comfortable—sufficient resources to maintain family four months

Source Statistical Report of the Department of Institutions, State of California, year ending June 30, 1945—Table 16, p 59

In 1944-45, over half of the first admissions to and discharges of alcoholics from state mental hospitals fall into the age group 25 to 44 years of age (58 percent and 53 percent respectively). When compared with the age distribution of all patients admitted for the first time and discharged from the same hospital, this percentage seems high since only 39 percent of all patients were in this age group.

If economic status as measured by the financial condition of the immediate family is considered, there are fewer dependent persons among the alcoholics (approximately 3 percent versus 9 percent) when compared with the economic status of all patients; more in the marginal group (84 percent versus 76 percent) and about the same percent in the comfortable group (13 percent versus 14 percent).

TABLE 9

DISCHARGES AND DEATHS, CALIFORNIA STATE MENTAL HOSPITALS, BY DURATION OF HOSPITAL RESIDENCE, TOTAL ALL GROUPS AND ALCOHOLICS—JULY 1, 1944-JUNE 30, 1945

Duration[a]	*All groups*				*Alcoholics*[b]			
	Discharges		*Deaths*		*Discharges*		*Deaths*	
	No.	*Percent*	*No.*	*Percent*	*No.*	*Percent*	*No.*	*Percent*
Total	5104[c]	100.0	2174[d]	100.0	974	100.0	64	100.0
Less than 7 months		56.1		43.1		68.6		43.8
7-11 months		15.4		8.0		14.3		9.4
1 year		13.4		9.1		10.8		17.2
2 years		5.2		6.2		3.7		6.2
3 years and over		9.9		33.6		2.6		23.4

[a] Comprising total duration of residence during present and prior admissions to any state mental hospital
[b] Total, with and without psychosis
[c] Excluding 659 discharges from observation commitment and 97 patients who died while on parole or escape Also excludes deaths occurring in state mental hospitals
[d] Excluding 16 deaths of patients committed for observation

Note: Alcoholic patients are committed for a definite term not to exceed two years.
Source Statistical Report of the Department of Institutions, State of California, year ending June 30, 1945. Table 32, pp 34, 85, Table 34, pp 90, 91.

Duration of residence of alcoholics at state mental hospitals includes residence during the present as well as prior admissions to any state mental hospital. When compared with duration of residence of all groups, it is evident that a definite attempt is made to limit duration of alcoholics to two years.

Of the 64 deaths among alcoholics, 15 occurred among the group whose duration of residence was three years or more and all were designated as alcoholics with psychosis. Only 10 of the 64 deaths were attributed to "intoxication" and/or "chronic poisoning."

Disability From Alcoholism

In data presented from the California Disability Insurance Program pertaining to Section IV B "Outline of Chronic Disease Investigation," it is shown that there were 796 paid spells of illness for alcoholism, under the state plan * (including alcoholic psychosis), averaging 9.7 weeks per spell at a cost of $178.69 per spell and representing a total expenditure of $142,240.

Among employed men under the state plan, 7.4 percent of all paid spells of disability from selected chronic diseases in the age group 25-44 years were attributed to alcoholism, and 3.2 percent, in the age group 45 to 64 years. Of the paid spells of disability attributed to alcoholism, 51.1 percent occurred in the age group 25-44 while 45.2 percent occurred in the age group 45-64, with 3.2 percent in the age group over 65 years.

Psychoses were reported in 18 percent of the spells of disability for alcoholism. An interesting parallelism was found in the experience of a large county hospital in California where approximately the same percentage of alcoholic psychoses was reported in the Fiscal Year 1945-46. Of 1,310 new admissions for alcoholism, 246 presented conditions of alcoholic mental disorders. Parallelism such as this should be investigated further.

* Paid spells of disability reported terminated 1947, including spells reported terminated December, 1946.

Mortality From Causes Directly Related to Alcoholism

TABLE 10

DEATHS FROM ALCOHOLISM AND CIRRHOSIS OF THE LIVER (WITH AND WITHOUT MENTION OF ALCOHOLISM), REGISTERED AS PRIMARY CAUSES AND ESTIMATED AS TOTAL AND SECONDARY CAUSES—BY RESIDENCE AND OCCURRENCE, CALIFORNIA—THREE-YEAR PERIOD, 1945-1947

Cause of Death	International list number	Number of deaths by occurrence: primary and secondary	Number of deaths by occurrence: Primary	Number of deaths by occurrence: Secondary	Number of deaths by residence: primary and secondary	Number of deaths by residence: Primary	Number of deaths by residence: Secondary
Alcoholism and cirrhosis with alcohol	77 and 124[a]	3,092	2,270	822	3,046	2,238	808
Alcoholism	77	1,298	583	715[a]	1,263[a]	567	696[a]
Cirrhosis of liver with mention of alcohol	124[a]	1,794[c]	1,687	107[c]	1,783[c]	1,671	112
Cirrhosis of liver without mention of alcohol	124[b]	4,208[c]	3,331	877[c]	4,179[c]	3,313	866[c]
All cirrhosis of liver	124	6,002[b]	5,018	984[b]	5,962[b]	4,984	978[b]

[a] Estimated by applying the ratio obtained from mortality data for alcoholism as a cause of death (primary and secondary to other causes) U S Registration States, 1940 The secondary cause group represents 55 1 percent of the total deaths from alcoholism

In the sample run of death certificates (California, February, 1947) coded for multiple causes, alcoholism appeared as a cause of death in 56 instances 15 times (27 percent) as the primary cause and 41 times (73 percent) as a secondary cause Although these percentages are based on a small sample, it represents the only available data of its kind for California Until more complete analyses of multiple causes of death are made all estimates of the importance of alcoholism as a mortality and morbidity problem must be considered minimum

[b] Estimated by applying the ratio obtained from mortality data for cirrhosis of the liver as a cause of death (primary and secondary to other causes) U S Registration, 1940 The secondary cause group represented 16.4 percent of the total deaths from cirrhosis of the liver This is a conservative estimate inasmuch as the California experience in a sample run of deaths from this cause for primary and secondary to other causes (February, 1947) was secondary in 41 of 164 deaths or in 25 percent of all deaths from cirrhosis

[c] In the same sample of death certificates (California, February, 1947) it was found that cirrhosis of the liver appeared as a cause of death in 164 instances (primary and secondary) and with mention of alcohol in 49 instances (29 9 percent) Until more complete analyses of multiple causes of death are made, all estimates of the importance of alcoholism as a mortality and morbidity problem must be considered minimum

The minimum average annual death rates per 100,000 potential drinking population, aged 21 years and over for 1946 (based on experience and estimates for the three-year period 1945-47) are as follows

California, 1946

Deaths (Primary and secondary causes)	Occurrence: Number	Occurrence: Rate per 100,000 aged 21 years and over	Residence: Number	Residence: Rate per 100,000 aged 21 years and over
Total alcohol	1,031	15.5	1,015	15.3
Alcoholism	433	6.5	421	6 3
Cirrhosis of liver with mention of alcohol	596	9 0	594	9.0

For rates per 100,000 total population in California, 1946 (9,529,282) are as follows

California, 1946

Deaths	Occurrence Rates per 100,000 population: Total primary and secondary	Occurrence Rates per 100,000 population: Primary only	Residence rates per 100,000 population: Total primary and secondary	Residence rates per 100,000 population: Primary only
Total alcohol	10.8	7 9	10 6	7.8
Alcoholism	4.5	2.0	4 4	2.0
Cirrhosis of liver with mention of alcohol	6 3	5.9	6 2	5 8

It is evident from these rates, that the usual published death rates from causes relating to alcoholism are very low minima

Source State of California, Department of Public Health, Bureau of Records and Statistics; National Office of Vital Statistics. V S S R 16, No. 19, 1940, National Office of Vital Statistics, V. S. S R, 16, No. 35, Table H, 141, 1940.

SUMMARY

Although no organized data are available at the present time on the magnitude of the problem of the intemperate drinker of alcoholic beverages in California, certain facts and estimates therefrom have been collected and presented in this report. It is believed that the estimates may be considered minimum. If all deaths directly and indirectly attributable to alcohol were to be related to the population at risk, the percentage would be sizable.

The following consolidations of figures is presented:

Deaths due to alcohol	*Number of deaths by occurrence* [a] *average 1946*	
	Total	*Primary cause only*
Total	1,585	1,310
Alcoholism	433	194
Cirrhosis of liver with mention of alcohol	598	562
Motor vehicle deaths attributable to intemperate drinking	554	554

[a] Based on experience and estimations in the foregoing tables (1945-1947).

The number of deaths by occurrence must be used instead of the deaths by residence since a considerable percentage of out-of-state drivers of motor vehicles are involved in accidents.

Rates per 100,000 total population must be calculated since persons of any age may be killed in automobile accidents.

If the number of deaths from alcoholism and cirrhosis of the liver with mention of alcohol appear as causes of death (whether primary or secondary to another cause) and the estimated number of persons killed by drivers of motor vehicles in which the use of alcohol contributed to the accident are added, the rate is 16.6 per 100,000 total population and the 1.7 percent of total deaths (95,015 by occurrence).

If the number of deaths from alcoholism and cirrhosis of the liver with mention of alcohol is limited to those for which these causes are stated as primary, the death rate becomes 13.7 per 100,000 population and the deaths represent 1.4 of the total deaths (95,015 by occurrence).

When compared with death rates from other important chronic diseases, the rate of causes of death directly and indirectly related to alcohol falls within the group represented by diabetes 20.5 per 100,000 population; cancer of the breast, 14 1; cancer of the respiratory system 13.8. These latter rates are for the year 1947.

The committee recommends that an in- and out-clinic together with sufficient funds for future research and the rehabilitation of patients be provided for, with one in Northern California, preferably in the San Francisco Bay region, and one in the southern part of the State in the vicinity of Los Angeles.

RABIES

Upon receipt by the committee of the following resolution from the Los Angeles County Club of Adult Blind, the committee conducted an investigation and recommends that legislation be introduced for the protection not only of the public but also for those people who are afflicted by the loss of their sight and depend upon their ability to walk the public streets with the aid of seeing eye dogs:

WHEREAS, A guide dog is an integral part of his blind master to the extent that when the dog is quarantined the master is also imprisoned; and

WHEREAS, The ruling of the State Board of Health requires the quarantine of all dogs, including guide dogs, upon a mere statement without proof of bite and without granting any form of hearing to the blind man who must be imprisoned with his dog, thus depriving him of his constitutional rights by conviction upon accusation; and

WHEREAS, Quarantine is for the purpose of inspection of the dog at regular intervals rather than the fear that the dog might be infected with rabies, and such regular inspections can be made at any time since the guide dog is always available; and

WHEREAS, The public safety of the community is in no way jeopardized by the guide dog being quarantined in custody of its master rather than quarantined in an inclosure, thus robbing the blind man of his means of livelihood; now, therefore, be it

Resolved by the Los Angeles County Club of Adult Blind at its regular monthly meeting in Los Angeles this the 28th day of July, 1950, That we strongly condemn these injustices and that a committee be appointed to seek redress from the State Board of Health by all legal means at their disposal, including political pressure and the support of public opinion through the press, the radio, and television.

Rabies, or hydrophobia, is an acute infections disease *Which is 100 Percent Fatal Both for Man and Beast.* It is caused by a virus which attacks the brain and spinal cord. Man and warm-blooded animals are susceptible to it. It is spread to man and healthy animals by the saliva of a rabid animal which contains the virus. The saliva enters the body through a break in the skin, usually through a dog-bite, but it may occur from the bite or scratch of a cat, or from exposing the broken skin to the saliva of any rabid animal, for example, cows, squirrels, coyotes, or foxes.

Rabies virus may be present in the saliva from eight to ten days before symptoms of the disease appear So it is well to be suspicious of any animal bite even though the animal seems to be healthy.

Rabies does not always develop after a rabid animal bite or after wound contact with the saliva of a rabid animal, but no one who has once developed rabies has ever recovered.

It takes, on an average, two to six weeks after a bite for rabies to develop but it may develop in less than 10 days or not for several months. Since the virus reaches the brain by way of the nerves, the closer the wound is to the brain, the more quickly the symptoms of rabies appear.

Following is a copy of an animal quarantine notice issued by the City of Los Angeles after a dog has bitten a human or has been exposed to rabies with a known rabid dog:

1. If there is evidence that a dog has been exposed to rabies infection, such dog shall be quarantined in a segregated kennel at the animal shelter for a perior of not less than 14 days for observation.

2. Any dog where there is no evidence of rabies exposure that bites a human shall be quarantined in the custody of its master and must remain upon the premises available for inspection for a period of not less than 14 days, unless such dog shall be a seeing eye dog, or a guide dog in service to its master.

3. A seeing eye dog or guide dog that has been exposed to rabies infection shall upon evidence of exposure, be quarantined at the animal shelter.

4. A seeing eye or guide dog that bites a human without evidence of rabies exposure shall be quarantined to the custody of its master and permitted to continue as a guide Special care shall be taken by the blind master during the period of quarantine that the dog shall not leave his custody.

5. Any person who shall be bitten by a dog, shall immediately notify the health authorities and show proof of such bite; and any person owning a dog that shall bite a human, shall immediately notify the health authorities.

6. All dogs kept at the animal shelter shall be humanely cared for and their owners shall pay a fee of 50 cents per day, or $7 for the two-week period of quarantine to cover the cost of food and care.

Failure to comply with these regulations shall constitute a misdemeanor.

At the committee's hearing in Los Angeles on October 14th, Mr. James B Garfield, President of the Los Angeles County Club of Adult Blind, testified as follows: "The reason for quarantining does not imply exposure or contact with a rabid animal. It does not indicate that they are rabid. The reason for quarantining is so that they can check up on the dog during a 14-day period and see if it does have rabies. If the dog is normal the dog does not have to take the treatment. That is the reason, as I understand it, for quarantining. The present regulations seem to be otherwise, in that a person may claim a dog bite even when there is no evidence. If I go to the hospital and say I have been bitten, they will quarantine your dog. If a dog is infected or has been exposed to hydrophobia, that dog should be quarantined at the animal shelter where it will be taken care of. If a dog bites an individual in self-defense or play, that dog should be quarantined on the premises unless that dog be a guide dog If it would be a guide dog and it has hydrophobia, I am no fit custodian for a dog infected with hydrophobia. That dog should be segregated. If the bite is a normal bite, the dog should be quarantined to its master, so he may continue to do his work. These dogs are constantly in quarantine. They are a Siamese twin."

As previously stated, legislation will be introduced not only to protect the public but the well-being of those afflicted people who can not see and depend upon the companionship of their seeing eye dogs.

APPLICATION TO PRACTICE MEDICINE

From time to time Members of the Legislature have received letters from unsuccessful applicants for a license to practice medicine, complaining against the Board of Medical Examiners. Practically all of these letters have been from individuals whose applications were based on licenses issued by other states.

The committee requested the Board of Medical Examiners to supply figures on the number of such applicants during the past 10 years and the number of certificates issued to that type of applicants during that period. The yearly figures for 1940 through 1949 are submitted herewith.

It is evident that the percentage of failures is fairly consistent. Since there has been a changing personnel in the examiners over a 10-year period, it appears that the reason for failure lies not with the type of examination or personality of the board, but rather with the inability of applicants to meet the requirements of California standards. These standards are comparable with other states of similar size.

The committee can see no basis for charges that California is keeping out applicants from other states. Witness the number of certificates issued as compared to the total number of applications filed. The State has a duty to protect its citizens against unqualified physicians and surgeons, and the committee would suggest that applicants for license properly prepare themselves for examinations.

APPLICATIONS FILED AND CERTIFICATES ISSUED BOARD OF MEDICAL EXAMINERS

Applications Based on License Issued by Other States

Year	*Applications filed*	*Certificates issued without examination*	*Certificates issued on oral examination*	*Total certificates issued*
1940	225	130	47	177
1941	263	144	56	200
1942	278	139	84	223
1943	389	173	146	319
1944	590	263	142	405
1945	1,019	458	141	599
1946	1,495	1,082	207	1,289
1947	1,132	884	148	1,032
1948	1,170	908	109	1,017
1949	793	652	124	776

Applications Based on National Board Credentials

1940	31	29	1	30
1941	35	39	3	32
1942	42	47	1	48
1943	68	49	6	55
1944	76	67	5	72
1945	146	89	9	98
1946	272	225	22	247
1947	244	226	20	246
1948	230	217	8	225
1949	228	205	9	214

Applications Based on Government Credentials

Year	Applications filed	Certificates issued	Total	Year	Applications filed	Certificates issued	Total
1940	6	5	5	1945	51	11	11
1941	11	6	6	1946	109	70	70
1942	13	12	12	1947	86	55	55
1943	14	8	8	1948	53	31	31
1944	22	9	9	1949	40	36	36

Written Examinations

Year	Applications filed	Certificates issued	Year	Applications filed	Certificates issued	Total
1940	407	396	1945	488		500
1941	409	402	1946	548		439
1942	457	457	1947	501		535
1943	584	433	1948	533		479
1944	402	443	1949	524		485

Oral Examinations

Year	Passed	Failed	Total	% Failed
1937	55	49	104	48%
1938	52	42	94	45%
1939	62	33	95	34%
1940	63	40	103	39%
1941	73	51	124	42%
1942	79	63	142	44%
1943	154	88	242	37%
1944	166	173	339	51%
1945	173	196	369	53%
1946	306	334	640	52%
1947	234	240	474	51%
1948	202	190	392	48%
1949	131	107	238	45%
1950	109	81	190	42%
Totals	1,859	1,687	3,546	47%

FINAL REPORT ON THE SALARIES OF THE STATE JUDICIARY BY ASSEMBLY INTERIM COMMITTEE ON EQUALIZATION OF SALARIES, QUALIFICATIONS AND JOB CLASSIFICATIONS OF PUBLIC EMPLOYEES

(HOUSE RESOLUTION NO. 255, 1949)

WILLARD M. HUYCK, *Chairman*
THOMAS W. CALDECOTT
JOHN E. MOSS, JR.
WILLIAM H. ROSENTHAL
STANLEY T. TOMLINSON

To the HONORABLE SAM L. COLLINS, *Speaker, and to the Members of the Assembly:*

Your committee has made separate studies of two aspects of the problem assigned to it. This report has to do with salaries for the State Judiciary.

In this study we have had the cooperation of court officials, the State Bar, and individuals concerned with the problem, as well as of authorities in some of the other states from which we sought comparative information. To all of these we express our deep appreciation.

The gathering of information and preparing of analyses on which the committee's findings and recommendations are based was done by Louis J. Kroeger and Associates, management consultants, of San Francisco and Los Angeles.

The staff report to the committee has included proposed drafts of legislation to give effect to the committee's recommendations. Such legislation does not appear on this report, but will be introduced in the Assembly by the members of the committee.

THE PROBLEM

Every member of the Legislature knows that the method of setting salaries for our court officials has been unsatisfactory.

1. We have set salaries through separate local measures rather than having an integrated plan for the whole judiciary.

2. The local measures on which we have acted have depended to a large extent on local politics. Action insofar as the superior courts are concerned has by custom required recommendations by the County Grand Jury and board of supervisors Rather than preserving the independence of the judiciary, this makes the local judges dependent upon political action by the legislative branch of the local government. The current practice of requiring a Grand Jury recommendation is particularly unfortunate in those counties in which we have but one judge, because that judge appoints the Grand Jury and then is in turn dependent on its recommendations for his salary.

3. All of the cost of judges' salaries above a fixed base is borne by the counties. This puts the salary at the mercy of every local pressure group interested in holding the tax rate down.

4. The authority of the Judicial Council to assign judges to other counties in effect creates a state judicial system, while the manner of setting salaries hampers its effective operation as such.

5. The Legislature has been responsible for approving these salaries, but has not had the means to do the job right, nor have we had any disposition to do more than listen to local arguments.

6. The municipal courts and the superior courts are the more numerous and the more politically active. In the metropolitan areas many judges of these courts are former members of the Legislature. As the years have passed, the salaries for these courts have been given disproportionately more attention than has been given to the higher courts.

7. The Legislature has been burdened with a mass of local legislation to set the salaries of superior court and municipal court attaches. The salaries for these employees have no more state-wide significance than would the salaries for the clerks in the administrative departments of the county and city governments. An equitable salary structure in the public service cannot be maintained when the authority to prescribe salaries for the administrative agencies is vested in local authorities while that for the clerical arm of the courts is vested in the Legislature.

8. The problem of setting judicial salaries recurs each two years, and is given piecemeal treatment each time. The treatment usually is proportionate to political strength and local interest rather than to the requirements of the judicial system.

Every student of the subject—within the judicial system and out of it—agrees that basic principles should be established and an objective system created by which these salaries can be adjusted hereafter.

SUMMARY OF PRINCIPAL RECOMMENDATIONS

The balance of this report will develop in detail the following principal recommendations:

1. That the present 13 different salary rates being paid to superior court judges be reduced to three.

2. That the basis of support for superior courts be revised so that the counties pay a uniform base rate in each of the three salary categories proposed, with the State assuming the balance.

3. That the custom of requiring recommendations from county grand juries and boards of supervisors be discontinued.

4. That the salaries for superior court judges be related to existing cost-of-living factors, and that future adjustment take into account those same factors.

5. That a fixed relationship be established between the salary established for the superior court and for the other courts; and that this same relationship be hereafter preserved whenever an adjustment is made in the basic rate for superior court judges.

6. That the manner of setting salaries for all attaches and employees of the judicial system be studied further.

7. That all measures setting salaries in the judiciary hereafter be referred to a single committee of this Assembly.

THE SUPERIOR COURT

We have selected the superior court as the keystone of our entire plan for judicial salaries because it is the most numerous, universal and basic court in the State's judicial system. We have selected it, too, because it is the victim of the most uncertainty and illogical treatment in the past, due to the influence of local political factors and the piecemeal manner in which the problem has been dealt with by the Legislature.

Following is a tabulation of the distribution of salaries now being paid to superior court judges:

$15,000 per year	in	4 counties
13,000 per year	in	1 county
12,500 per year	in	5 counties
12,000 per year	in	13 counties
11,000 per year	in	2 counties
10,500 per year	in	2 counties
10,000 per year	in	9 counties
9,250 per year	in	1 county
9,000 per year	in	5 counties
8,700 per year	in	1 county
8,500 per year	in	13 counties
8,000 per year	in	1 county
7,000 per year	in	1 county

We find two faults with this array of salaries. One is that there are differences of as little as $200 per year, with no factual basis for such fine distinctions. The other is that the spread from a low of $7,000 to a high of $15,000 is greater than the difference which in our judgment exists in the responsibilities of the judges.

Your committee has reviewed the relative population, case load and other factors which might possibly have a bearing on differences in salaries for the superior courts. We find no consistent relationship between the rates now established and any of these factors This circumstance in itself supports the finding of the committee that salaries have been set in the past without regard to logical or objective factors.

The most frequently repeated proposal made by those addressing the committee has been that all superior court judges should be paid the same salary. The arguments which favor this view are as follows:

1. The superior court is a state court, having the same jurisdiction, the same kind of cases and subject to the same law, regardless of the size of the county.

2. At the direction of the Judicial Council, any judge of the superior court may be assigned to a court in another county, or may even be assigned to the appellate bench. The extent to which these assignments are made is shown by the following figures from the report of the Judicial Council for the Fiscal Year 1947-48:

To the Supreme Court	6	assignments
To the district courts of appeal	13	assignments
To the appellate departments of superior courts	1	assignment
To superior courts	523	assignments
To municipal courts	40	assignments
To city and township courts	50	assignments

3. While it is true that a judge assigned to another court is paid the salary established by law for that court, his initial selection should have been in relation to a salary high enough to qualify him for more difficult assignments.

4. Variations in work load between the courts in different counties should not necessarily be a controlling factor, because any significant

difference in work load is offset by creating additional judgeships or by the assignment of additional judges by the Judicial Council.

5. The character of the case load does not vary enough between counties to justify significant difference in salary. To the extent that the nature of the case load does vary, there are offsetting factors which tend to minimize the net effect of these differences. The court in a metropolitan county may be departmentalized, but the judges are usually rotated between the specialized departments. The judge in the small county, on the other hand, must deal with the complete diversity of cases coming before his court; and he has less access to specialized services of administrative departments, such as those dealing with juveniles and psychopathic cases.

6. Under modern conditions of communication and transportation, the cases in a given county are not limited to the people and problems of that county. Litigants and attorneys come from all over the State.

7. The considered opinion of the Chief Justice of the Supreme Court, justices of the appellate courts and many of the judges of Superior Courts who have appeared before the Committee is that salaries should be uniform throughout the State. While we cannot regard mere consensus of opinion as an objective factor, it is an important corroborating point.

The arguments which have been advanced against a uniform salary for all of the superior courts are as follows:

1. Some of the judges contend that there is a difference in the amount and character of work load, which justifies a difference in salary. This view is expressed by judges who have served exclusively in the metropolitan counties, whereas most of the argument favoring a uniform salary comes from the judges in small or medium-sized counties, who have worked on assignment in the metropolitan areas as well. We recognize that they may be a little less objective, because there is the possibility of a salary increase for them, but we are convinced that even discounting for this factor, there is enough sincerity and objectivity to justify giving the point serious consideration.

2. It is argued that there are differences in living costs which favor a higher standard for the metropolitan county judge. This factor is not recognized by the State in setting salaries for its administrative officials, nor have independent salary surveys which have come to our attention indicated that this is enough of a factor to make a significant difference.

3. The setting of a uniform salary for the entire State would be contrary to long-established custom and might therefore encounter obstacles in the Legislature. The committee is well aware of this possibility, but it is charged with the responsibility of making objective findings in this field. It cannot be influenced by the habits of the past if the evidence shows that old habits have been wrong.

4. To increase the salaries of the judges now in office will not automatically improve the caliber of those on the bench. This is an obvious truth; but on the other hand, the standard cannot be raised except by first taking the step of improving the salary structure to attract better judges.

5. If the salaries are made uniform it must be obvious that they will have to be set at or near the level now prevailing in the large counties. This would increase cost and give undue influence to small groups of voters in the smaller counties.

6. Under the present distribution of costs between the State and the counties, a uniform salary would impose a heavy burden on the smaller counties.

After careful weighing of the arguments for and against uniform salary for all judges in the superior courts, your committee finds that the facts justify recommending three salary rates for superior court judges. We base this conclusion on the following reasoning:

1. Fundamentally, we believe that the job of a superior court judge is the same anywhere in the State. We accept, in short, all of the arguments advanced above in support of a uniform salary.

2. On the other hand, not all of the counties have enough work load to keep a judge fully occupied. Some differential is justified to recognize this fact and to provide an incentive for such judges to take assignments elsewhere.

3 In some larger counties the establishment of municipal courts has altered the jurisdiction of the superior court, and thereby has given it a higher concentration of more difficult cases.

4. The smaller counties should not be required to bear the disproportionate increased cost which uniform salaries would impose.

5. If a uniform salary were set (and it necessarily would be set near the present rate in the larger counties) a very few voters in the smaller counties would be privileged to elect a high-salaried judge.

The counties in which the creation of municipal courts has affected the character of the superior court work load are Alameda, Los Angeles, Sacramento, San Diego and San Francisco.

It is difficult to say what constitutes a full-time case load for a court. A mere count of filings and dispositions is inconclusive, because the character of the cases and the work habits of the judge and the attorneys who appear before him all have a bearing on the work load. On the other hand, if an arbitrary distinction is to be made, these statistics of case loads are the only ready standard available.

Having no other alternative, we propose that the standard of 375 dispositions per year for the last fiscal year be the measure of what constitutes a full-time case load for the superior court of a county. We arrive at this figure by deducting from the 365 days in the year the 104 Saturdays and Sundays and 11 legal holidays, leaving 250 normal working days. We have not deducted vacation time, because such periods are frequently covered by the assignment of another judge. To this we apply a factor of 1½ dispositions per day, resulting in the 375 disposition standard. This standard has the further virtue that in recent times some of the counties have fallen clearly below this point and all the others have been clearly above it. There is an advantage in having a division point standing in the clear, because it eliminates the possibility of quibbling over a few cases one way or another.

The effect of this distinction is to establish that there is less than a full work load in the Counties of Alpine, Amador, Calaveras, Colusa, Del Norte, El Dorado, Glenn, Inyo, Lake, Lassen, Mariposa, Modoc, Mono, Nevada, Plumas, San Benito, Sierra, Tehama, Trinity and Tuolumne.

It is not within the scope of this study to suggest reorganization of the judicial system. Yet our findings clearly indicate a basic problem badly needing attention. We have 20 counties in which the work load is

so light and the population represented is so small that we cannot justify a salary equal to that paid in the other 38 counties. The real solution, in our judgment, lies not in paying a part-time salary—as we feel compelled to recommend under present circumstances—but in equalizing the work load by the creation of judicial districts embracing more than one county.

Your committee urges that the Legislature, the Judicial Council, the State Bar, and the counties concerned unite in an effort to bring about this badly needed reform.

Having concluded that the should be three ranges for superior court judges, the next question is what the rates should be. There are certain well-established factors which have generally been used in determining salaries for administrative positions. It has been increasingly evident as this study progressed, however that it would be difficult to apply these same factors to judicial posts. These factors are discussed briefly below to show that they were considered and to show why they have not been a useful guide in solving this particular problem.

1. **Training Required.** This factor can be divided into (a) amount and kind of education required and (b) amount and kind of prior experience required. Aside from the basic requirement that a superior court judge must be trained in law, there is no fixed pattern to which a salary standard can be related. The training required clearly marks a judgeship as a professional position, but the amount of training required beyond basic professional instruction is too nebulous to be used as a salary factor

2. **Variety and Difficulty of Duties.** The difference in jurisdiction between the various courts is defined by law, but the degree of difference in the difficulty and variety of judges' duties and responsibilities is subtle. We find no possibility of reducing the varied aspects of judicial work to a set of objective and measurable factors. Distinctions have to be arbitrarily made, instead. The consequences of a given case in terms of its effects on the litigant and its consequences in determining the future course of the law do not lend themselves readily to being measured by points and weighted averages.

3. **Volume of Work.** The volume of work, as measured by work load statistics, is easy to see; but we have misgivings about the significance of the data for more than limited purposes, for the following reasons:

a We are uncertain of the accuracy of the data.

b. If work load figures were to be used in setting salaries, it would be important to find items which are at the same time a true measure of work load and yet beyond influence by action of the court.

c. Work load has only a limited influence in the superior courts, because when it reaches a given point, additional judgeships are created or the situation is eased temporarily by the assignment of another judge by the Judicial Council.

d. The work load of a court is not a true measure of what is required of the judge because the Judicial Council may assign him to other places, including the appellate bench.

4. **Nature and Extent of Responsibility.** Responsibility is usually measured in terms of effect on the lives of others and on money and

property, and by other public consequences By these criteria any judicial position must be rated high. Translating the factor into objective terms which can be applied equally in the future would in our judgment be too arbitrary a step to be defensible.

5. **Hours and Conditions of Work.** There is little concrete data on hand but we understand that practice varies a great deal among the courts and it apparently varies between the courts and other kinds of employment. The nature of judging law and facts is such, however, that we give this point relatively little consideration in this study. The responsibilities of a judge cannot be measured by a mere count of the hours he spends on the bench or in chambers.

6. **Strain.** Some salary evaluation plans include a factor for physical, mental or emotional strain. It is a rather intangible factor, and in any event we hold the view that the strain a job imposes on a man is as much a measure of the man as it is of the job he holds.

7. **Special Skills and Aptitudes.** For the purposes of this study we have not been able to find that this is a factor separable from training.

8. **The Labor Market.** In many fields of employment salary levels are influenced directly by the economic law of supply and demand. Considering the responsibilities of the judiciary, we believe that the job ought to seek the man and that the salary should be at a level which will command the services of the man the job requires.

9. **Prestige.** Some authorities argue that prestige is a partial substitute for higher salaries. We have no doubt that the social, professional and political prestige of a judgeship is one of the considerations which induces an appointee to abandon a more lucrative private practice, but prestige in a community carries with it certain community responsibilities, and salaries must be high enough to support these responsibilities.

10. **Perquisites of Office.** The compensation cannot be measured by dollars of salary alone. The most important of these perquisites is the system of voluntary retirement provided for judges Under this plan a judge may retire at half pay at age 65, after 20 years of service; or at age 70, after 10 years of service. The Judges' Retirement Fund is supported by a deduction of 2½ percent from judges' salaries, and a matching contribution by the State. To illustrate the advantage of this plan: a judge appointed to the superior court in a metropolitan county at age 45, at the present salary of $15,000, could retire at age 65 on a stipend of $7,500 per year, after contributing a total of only $7,500 over 20 years—the equivalent of only one year of the retirement allowance. A private citizen, starting at age 45 to develop an annuity of $7,500 per year starting at age 65, would, in contrast have to set aside about $4,000 per year—or $80,000 over a 20-year period.

11. **Job Costs.** A salary should take into account the cost of getting and holding the job. Theoretically, in the case of the superior court judge, this includes the costs of periodic campaigns for office. Practically, the records show that the majority of the judges in the superior courts are gubernatorial appointees who generally have been re-elected for successive terms with only nominal opposition. This has become so characteristic of the judicial scene that the judge who has a

brisk contest is apt to be one whose record on the bench has not been up to standard.

12. **Bargaining Power.** In industrial relations this factor overshadows all others in the setting of pay. In the field under study here bargaining power is measured by political power. It has been our observation that the municipal and superior court judges have the greatest power in this respect, partly because they are closer to local government and partly because so many of them have previously been in the Legislature. One evidence of this greater power is that many superior court judges get salaries equal to those of justices in the appellate courts. We hope by the findings of this committee to produce legislation which will put judicial salaries beyond the need for or the influence of this type of bargaining power.

13. **Integrity.** For positions carrying wide discretionary responsibilities, the point is sometimes made that salaries must be high enough to remove the temptation of outside financial influence on decisions. While this may be an argument against unduly low salaries for the judiciary it does not indicate what the exact amount of the salaries should be. If a man will be influenced by outside financial temptation, it is difficult to set a salary high enough to remove the temptation. The best that can be done is to set a figure high enough to provide a respectable living and a fair return for the nature of the work.

14. **Salaries for Comparable Positions.** In the final analysis, what usually is done in most salary surveys is to gather data on salaries for comparable positions elsewhere and to make comparisons which will establish the rate that ought to be paid as a prevailing rate.

The procedure has certain fairly obvious drawbacks, which are emphasized in the case of judicial salaries.

a. It is not always possible to be sure that the jobs compared are alike in every detail of duty and responsibility.

b. It is not always possible to assure that all of the working conditions and indirect compensations are equal.

c. The salaries for positions found to be comparable may not have been set on any more logical basis than those under study, and in that case it is a matter of the blind leading the blind or the inadequate supporting the inadequate.

Notwithstanding these limitations, we have for comparative purposes sought data on salaries being paid by other jurisdictions. A summary of this information is included later in this report.

15. **Ability and Willingness to Pay.** In the public service an important controlling factor in setting salaries is the ability and willingness of the public to pay. In the case of the superior courts, the evidence is clear that some of the inequities which now exist are the result of the unwillingness of local governing bodies or local pressure groups to increase costs If the effects of their attitude were confined to the home county, we would not be too concerned. But a low-paid (and hence possibly poorly qualified) judge from such a community is not able to do his share in the statewide judiciary the Judicial Council administers.

16. **Cost of Living.** Ideally, salaries ought to be related to living costs in such a way that the "take-home pay" remains constant. By this

standard the judiciary has lost ground in recent years. The judges have shared this fate with many top administrative and supervisory officials, who usually take the deepest cut in times of depression, get the smallest increase in prosperity, pay the higher income tax, and assume the greater burden of supporting charities and other community activities. Judges' salaries should be high enough to meet the costs of living at the standard of living a judge must maintain. Some will argue that this will justify different salaries in different parts of the State, but our studies have shown that costs are not vastly different in different parts of the State; and the uniformity of federal and state administrative salaries, regardless of location, bears that out.

Your committee concludes that the net effect of all the foregoing discussion of factors is that the setting of salaries for judges cannot be guided by all the principles normally prevailing in salary studies, but that the soundest basis on which to establish the salaries is to combine consideration of existing practice and the cost of maintaining a decent standard of living for a superior court judge. From that basis, we believe it possible to establish fixed ratios between the courts of different jurisdiction, and to designate economic factors on which future adjustments will be based.

As a starting point in determining the cost-of-living at a reasonable standard for judges, we have adopted the findings of the Heller Foundation. In 1947 the foundation established a minimum budget for an executive's family of four, totaling $12,530 per year. In our judgment this budget constitutes a good starting point in determining a rate for superior court judges, providing that 20 percent is added to provide a differential above minimum requirements imposed by the responsibilities and by the necessities of the standard of living of a superior court judge bearing a full work load.

At the same time a salary of $15,000 per year was established for the superior court judges in the Counties of Los Angeles, San Francisco, Alameda and San Diego. Although applying to only four of the 58 counties, it applies to 104 of the 203 superior court judges.

The range of salaries for the principal trial courts of other states of comparable size indicates many variations, but the salary of $15,000 is close to prevailing practice. Those reported by other states include:

Illinois	$10,000 to $17,000
Maryland	$13,000 to $15,000
Massachusetts	$14,500
Michigan	$9,000 to $18,500
New Jersey	$7,500 to $20,000
New York	$23,000 to $28,000
Ohio	$4,347 to $12,000
Pennsylvania	$11,000 to $18,000

As one further corroborating point supporting this rate, the report to the Legislature by the State Bar of California in April, 1947, recommended the salary of $15,000 for the four metropolitan counties. The bar at that time recommended a differential in other counties, but through questioning by the committee, it has been developed that that recommendation does not mean that the bar is necessarily convinced that a differential is justified, but rather signifies the bar's acceptance at that time of an existing practice.

We recommend that the salary for superior court judges in the 35 counties having municipal courts be established uniformly at $15,000

per year, in relation to the economic factors prevailing in 1947, subject to further changes proposed below. This salary then becomes the base figure in relation to which all subsequent proposals will be developed.

The foregoing proposal having combined a desirable cost-of-living budget with a salary already set for many of the judges, we propose that hereafter adjustment be made in consistent relation to a cost-of-living index. The United States Bureau of Labor Statistics establishes a monthly Consumers' Price Index for food and a quarterly Consumers' Price Index for all items. There is a separate index for San Francisco and for Los Angeles. In recent years the index for the two cities has been close, but never identical. Rather than selecting one or the other as the guide for future adjustment in judges' salaries, we propose that an average of the two be used. In September, 1947, when the Heller Foundation budget previously mentioned was established, the Consumers' Price Index for all items in San Francisco was 165.7; for Los Angeles it was 161.6. The average was 163.65.

Your committee recommends that to keep the basic salary consistent with economic developments, there be an adjustment, *up or down,* of $500 per year at each Session of the Legislature at which it is determined that the Consumers' Price Index has advanced or declined five points (or 4 points and a major fraction) since the salary was last fixed.

As of October 15, 1950, the index was 176 for San Francisco and 171.3 for Los Angeles, or an average of 173.65. Therefore an adjustment in the $15,000 base is already in order, to $16,000.

In considering these and all other salaries mentioned, the Legislature should keep in mind the additional compensation for judges through their retirement system, discussed earlier in this report.

We recommend that for the 33 counties having a full-time superior court, but no municipal courts, the base salary be $13,500 per year. These counties are Butte, Contra Costa, Fresno, Humboldt, Imperial, Kern, Kings, Madera, Marin, Mendocino, Merced, Monterey, Napa, Placer, Riverside, San Bernardino, San Joaquin, San Luis Obispo, San Mateo, Santa Barbara, Santa Clara, Santa Cruz, Shasta, Siskiyou, Solano, Sonoma, Stanislaus, Sutter, Tulare, Ventura, Yolo, and Yuba.

This figure is selected on the following basis:

1. It is 90 percent of the salary established for the large counties having municipal courts; and we propose that this relationship remain constant hereafter.

2. It provides a differential above the salaries we propose for municipal court judges.

In view of the change in the index this figure should be adjusted to $14,400.

For the courts in the 20 smaller counties (those having a case load of less than 375 dispositions per year, and consisting of the Counties of Alpine, Amador, Calaveras, Colusa, Del Norte, El Dorado, Glenn, Inyo, Lake, Lassen, Mariposa, Modoc, Mono, Nevada, Plumas, San Benito, Sierra, Tehama, Trinity and Tuolumne) *we recommend a basic salary of $10,000 per year.* This figure is selected on the following basis:

1. It is 66.67 percent of the salary established for the larger counties; and we propose that this relationship remain constant hereafter.

2. It is the highest salary now being paid by any of the smaller counties.

3. The differential between this and the higher salary is significant enough to provide real incentive for the judges in the small counties to accept assignments to the larger counties, with their more congested courts.

In view of the adjustment in the index, the rate at this time should be adjusted to $10,667.

We reiterate that this lower salary is in effect a salary for part-time work, at the same *rate* as that applying to the other counties not having municipal courts. It is proposed only because of the illogical arrangement which leaves these counties with less than a full work load.

Distribution of Cost

The State now pays $5,750 per year towards the salary of each superior court judge. To reiterate an earlier point, the payment of the difference by the counties contributes to the illogical pattern of prevailing rates.

All of those who have addressed the committee in behalf of uniform salary for the superior court judges have argued that this cannot be accomplished unless the State assumes the entire burden of financing judicial salaries. Your committee believes that a workable alternative is to give the counties a uniform part of the burden, which should not exceed by very much that now being paid by the smallest of the counties. We think that the Legislature should not establish high salaries without regard to local wishes, if at the same time it imposes the financial burden of that decision upon the counties. On the other hand, we think the counties should continue to pay a share of the salary for an officer who is locally elected. Moreover, payment of a share by the county will tend to cause careful local consideration of efforts to create more judgeships.

For reasons already developed, we believe that the salaries should be made more nearly uniform, and the result will be to raise them in most counties. Under the circumstances we see no alternative but for the State to assume a greater share of the burden of this cost. In the general trend toward the assumption of local costs by the State, we can think of no more worthy purpose to which to devote state funds than to provide adequate salaries for a better judiciary.

We recommend that in the 38 larger counties, the county be required to assume $5,000 of the annual salary of each judge; and that the share of the 20 smaller counties be $3,000.

The State's contribution to the salaries of 203 superior court judges at this time is $1,167,250 per year. The county share amounts to $1,475,700. Under the revised proposal the cost to the State would be $2,047,940 per year and to the counties $970,000 per year. The over-all effect is an increase of $374,990 per year in the total cost with an increase of $880,690 in the cost to the State and a decrease of $505,700 in the cost to the counties.

THE MUNICIPAL COURTS

All of the arguments that support uniformity of salaries for the superior courts apply equally to the municipal courts. Here we do not have the problem of the smaller unit, because under the Municipal Courts

Act and under the approved reorganization of the inferior courts, there is a minimum requirement of a population of 40,000 to be served by a municipal court.

There has been some argument to the effect that the salary for municipal courts and the superior courts should be very nearly equal, on the grounds that the judges are dealing with essentially the same type of cases, differing only in the money value of civil cases and in the degree of crime in criminal cases. It has been argued with some logic that to the parties involved a small case is just as essential as a large case.

Viewed from the standpoint of society as a whole, however, felonies are more serious crimes than misdemeanors, and the civil cases involving large sums of money and broad issues are *more* generally of *greater* public significance. The very fact that we have a system of courts which includes both superior and municipal courts requires a salary structure which recognizes a differential.

We recommend that the salaries for all municipal court judges be established uniformly at 83.33 percent of the rate for the superior court in the larger counties In relation to the base rate of $15,000, this will produce an annual salary of $12,500 for the municipal courts. It should be $13,333 on the basis of the current index.

This provides a higher salary for municipal court judges than that for the superior court judges in the smaller counties. There is no likelihood that this will cause direct conflict, because the total population of each of the counties proposed for the lower salary would not justify the creation of a municipal court in any of them. Should one of these counties grow to the point where a municipal court is justified, it will at the same time have an added superior court work load sufficient to justify the higher salary.

It will be pointed out that this reduces the salaries in the municipal courts in San Francisco and Los Angeles. Your committee believes, however, that the salary proposed represents a fair relationship between the municipal and superior courts; and it is more nearly consistent with the relationship previously recommended by the State Bar. The fact that a higher salary was adopted by the Legislature in this instance, contrary to recommendations before it, and contrary to what appears to us to be the logic of the situation, should not justify retaining the higher salary.

THE DISTRICT COURTS OF APPEAL

Having established a basic salary for the superior courts of the larger counties, your committee believes that the soundest basis for establishing salaries for the district courts of appeal is to have a uniform percentage of difference between the superior and appellate courts. Having established a 16.67 percent differential successively between the superior courts in the smaller counties, the municipal courts, and the superior courts in the larger counties, we propose that this 16 67 percent differential be projected upward to provide a base salary of $17,500 per year for the associate justices of the district courts of appeal. It becomes $18,667 when adjusted to the current index. In addition, we recommend an added increment of $500 per year for each presiding justice.

SUPREME COURT

To carry the plan to its ultimate conclusion the salary for the associate justices in the State Supreme Court should be established at 33.33 percent above the rate for the superior court judges in the larger counties. This is a base of $20,000 per year; and adjusts to $21,333. In addition, we recommend a constant additional increment of $1,500 per year for the chief justice.

ATTACHES

The committee has considered proposing the local fixing of salaries for court attaches, except those few whose work is judicial in character. However, there are so many factors involved that we recommend that this subject be referred to an appropriate committee for further study.

LEGISLATIVE PROCEDURE

Assuming that the foregoing program may gain legislative approval at this time, the problem still will not be solved for all time, because there is no feasible way to make the plan self-executing. Your committee cannot consider its work completed without suggesting three important points for future consideration:

First, the legislation which will be introduced in support of this program will not include the cost-of-living formula on which our current proposals are based. We urge, however, that in the future the Legislature use this formula as a guide, and that other factors not be permitted to influence rates except on showing of very good reason.

Second, the present custom of relying on the recommendations of grand juries and boards of supervisors should be abandoned. These are salaries for state officers, set by the State Legislature, and to be paid mostly out of state funds. They should be removed from local influence.

Third, if uniformity of treatment is to be accorded to salary measures affecting the judiciary, all such measures should be sent to a single committee of each house. The practice of referring bills on this subject to any one of three Assembly committees contributes to inconsistency of treatment.

PROPOSALS TO JUDICIAL COUNCIL

We recommend that basic legislation define the various classes of superior court for salary purposes, and that the Judicial Council be authorized to change a count from one class to another when it meets new conditions prescribed by law.

We suggest to the Judicial Council that it advise the Legislature whenever a change in any of these criteria seems desirable.

Furthermore, we urge upon the Judicial Council that it take firm action to improve the accuracy of reports on superior court work load.

CONCLUSION

There may be disagreement expressed after the filing of this report, particularly as to the salary levels proposed. We believe they are adequate in light of present conditions; and that they provide adequately for meeting future conditions. Above all, we believe that the basic relationships established should be left undisturbed. If rates are changed, we urge that these accepted relationships still be recognized.

STATE OF CALIFORNIA

PRESENT AND RECOMMENDED SALARIES OF STATE ADMINISTRATIVE OFFICIALS

REPORT BY
STATE ASSEMBLY INTERIM COMMITTEE ON EQUALIZATION OF SALARIES, QUALIFICATIONS AND JOB CLASSIFICATIONS OF PUBLIC EMPLOYEES

January, 1951

CALIFORNIA LEGISLATURE

WILLARD M. HUYCK, *Chairman*

January 23, 1951

The Honorable Sam L. Collins, Speaker,
and the
Members of the Assembly, State of California
State Capitol, Sacramento 14, California

DEAR MR. SPEAKER: In pursuance with the provisions of House Resolution No. 255 of the Assembly, 1949 Regular Session, your interim committee has made a thorough and impartial analysis of the various facts bearing upon the equalization of salaries of specified administrative and executive officials in the Government of the State of California.

Your committee has had the advisory and technical assistance of the survey staff of J. L. Jacobs & Company, Consultants in Public Administration and Finance of Chicago and Los Angeles. The survey staff has assisted the committee in making necessary analyses and evaluations of the duties, responsibilities and salaries of state administrative officials in California and in eight other state governments and in the preparation of the draft of the following report and recommendations.

The committee has given careful consideration to the findings and recommendations in the following report and earnestly commends these recommendations to your close consideration and action at this legislative session. The committee urges early enactment of necessary legislation to establish equalization of present salaries and to provide continuing determination and maintenance of equitable salaries for the administrative and executive positions in the State Government.

Favorable action by the Assembly on the recommendations will accomplish the purposes of the Assembly in creating our committee and in providing an objective basis for the valuation and equalization of the salaries of state administrative positions on the basis of duties and responsibilities and qualification requirements.

The committee desires also to acknowledge the cooperation by the various state administrative officials and departments and the assistance in furnishing specific information on the statutory powers and duties and salaries of the state administrative officials by the Director of Finance, the Legislative Counsel, and the State Personnel Board.

The committee also takes this opportunity to express its appreciation and that of the survey staff for the interest and assistance by the state

executive and personnel officers who furnished specific information on the salaries of comparable positions in the states of Illinois, Michigan, New Jersey, New York, Ohio, Oregon, Pennsylvania and Washington.

Your committee will gladly furnish any supplementary information that may be required for the consideration and use by the Assembly.

Respectfully submitted,

WILLARD M. HUYCK, *Chairman*
THOMAS W. CALDECOTT, *Vice Chairman*
JOHN E. MOSS, JR.
WILLIAM H. ROSENTHAL
STANLEY T. TOMLINSON

PART ONE

SCOPE OF SURVEY AND REPORT

In pursuance with the provisions of House Resolution 255, 1949 Regular Session, this survey and report deals with the relative valuation of the duties and responsibilities and with recommendations for the equalization of salaries of specified State administrative officials and members of commissions whose salaries are fixed by the State Legislature.

The main divisions of this report include the following:

(1) Scope of survey and report
(2) Summary of recommendations
(3) Recommendations for application and maintenance of the salary equalization plan
    A. Application of recommended equalized salaries
    B. Recommendations for maintenance of the salary equalization plan
    C. Recommended changes for inclusion of specific positions under civil service
(4) Salary changes for state administrative positions since 1941
(5) Salary equalization for state administrative positions
    A. Main objectives and benefits of salary equalization program
    B. Initial steps in analysis of individual positions
    C. Objective determination of relative value of positions
    D. Comparison with values of comparable positions in other states
    E. Determination of equalized salaries
    F. Salaries of comparable positions in other states
    G. Salary levels for Administrative Positions in California and six larger states
(6) Determination of recommended equalized salaries
(7) Outline procedure for periodic salary survey

ELECTIVE AND APPOINTIVE POSITIONS NOT INCLUDED IN SURVEY

The review of the list of elective and appointive officers of the State whose compensation is fixed by statute, has indicated the necessity of eliminating certain of the list of positions for the reasons indicated in the following paragraphs. The evaluation of such positions and recommended salaries are accordingly not included in this report.

(a) **Director of Social Welfare.** At the time this position was considered, changes in the organization and administration of the Department of Social Welfare were to be made effective March 1, 1950. The information on the specific duties and responsibilities of the changed position should be obtained as the reorganization is completed. Such information should then be used as the basis in determining the relative value and in recommending the equalized salary for such office in accordance with the plan recommended herein.

(b) **Director of Planning and Research.** This position was abolished during 1949 and has therefore been excluded from the list of administrative and elective officials.

(c) **Deputy Director of Department of Justice.** This position was vacant at the time of the survey and information as to the duties and responsibilities of the position was not available. The information on the duties and responsibilities of this office should be prepared upon the filling of this position and such information should then be used as the basis in determining the relative value and in recommending the equalized salary for such office in accordance with the plan recommended herein.

(d) **Franchise Tax Commissioner.** The office of Franchise Tax Commissioner was abolished by action of the State Legislature effective January 1, 1950. No recommendation is therefore made with respect to this office.

(e) **Legislative Counsel.** The Legislative Counsel has the primary duty and responsibility of giving legal consultant and advisory assistance to the Legislature This position has therefore not been included as one of the administrative and executive positions for which equalization of salaries is recommended herein. Upon request by the State Legislature, the joint salary review committee recommended herein should make the necessary evaluation of this position as a guide for fixing the salary by the Legislature

(f) **Adjutant General and Assistant Adjutant General.** According to the policy of the State Legislature and similar policy in other states, the pay and allowances to the Adjutant General and the Assistant Adjutant General are fixed to correspond to the pay and allowances for Major General and Brigadier General respectively in the United States Army. This policy and plan has worked out satisfactorily in this State and other states and such policy should be continued for these two offices.

(g) **Officers and enlisted men of the National Guard, Naval Militia, etc.** The information on the duties and responsibilities of these positions indicates that they are closely related to the military service and the salaries should be fixed in accordance therewith. No recommendation is therefore made with respect to these positions in this survey for equalization of salaries of elected and administrative officials.

PART TWO

SUMMARY OF RECOMMENDATIONS

On the basis of impartial and objective evalution of the duties and responsibilities of specified state administrative and executive positions and salary equalization related to such position evaluations and the existing salary trends for state positions, the following are recommended as the maximum salaries for the respective positions considered by the committee and whose salaries are fixed by the State Legislature.

I. RECOMMENDED MAXIMUM SALARIES OF SPECIFIED ADMINISTRATIVE POSITIONS

Position title	*Proposed annual salary*
Superintendent of Public Instruction	$17,500
Director of Finance	17,500
Director of Public Works	17,500
Director of Mental Hygiene	17,500
Members, Public Utilities Commission	17,500
State Controller	16,000
Director of Corrections	15,000
Director of Public Health	15,000
Commissioner of the California Highway Patrol	14,000
Secretary of State	14,000
Members, State Board of Equalization	14,000
Director of Youth Authority	14,000
Superintendent of Banks	14,000
Associate Superintendent of Public Instruction (Colleges)	14,000
Director of Motor Vehicles	14,000
Chief, Division of Public Employment Offices and Benefit Payments	14,000
Members, California Unemployment Insurance Appeals Board	14,000
Director of Agriculture	14,000
State Treasurer	14,000
Insurance Commissioner	14,000
Executive Officer, Franchise Tax Board	14,000
Chief, Division of Accounts and Tax Collections	14,000
Director of Professional and Vocational Standards	13,000
Director of Industrial Relations	13,000
Associate Superintendent of Public Instruction (Instruction)	13,000
Director of Natural Resources	13,000
Port Manager (San Francisco Harbor Commission)	13,000
Deputy Superintendent of Public Instruction (Special Schools)	13,000
Associate Superintendent of Public Instruction (School Administration)	13,000
Director of Veterans Affairs	13,000
Members, Youth Authority	12,000
Members, Adult Authority	12,000
Commissioner of Corporations	12,000
Members, Industrial Accident Commission	12,000
Real Estate Commissioner	12,000
Chief Deputy Superintendent of Banks	12,000
Building and Loan Commissioner	12,000
Labor Commissioner	11,000
Chief, Division of Industrial Safety	11,000
State Fire Marshal	11,000
Deputy Superintendent of Public Instruction (Departmental Administration)	11,000
Registrar of Contractors	11,000
State Librarian	10,000
Chief, Division of Industrial Welfare	10,000
Director of Aeronautics	10,000
Secretary, California Horse Racing Board	10,000
Chief, Division of Housing	10,000
Secretary, State Athletic Commission	10,000
Deputy State Treasurer	10,000

The above recommendations on salaries for administrative positions were determined on the basis of: (1) objective evaluation of the duties

and responsibilities of each position included in the survey; (2) check of the validity of the position evaluations through comparison with the relative values of comparable state administrative positions in other large states; and (3) integration of evaluations of positions with the equitable salary rates based upon a cross section of the salaries provided for such administrative positions, for other positions in the State Government, for administrative positions in local governmental jurisdictions in the State of California, and with reference to the level of compensation for executive salaries in private industry.

II. RECOMMENDATIONS FOR OTHER OFFICIAL POSITIONS

(1) **Governor.** The present salary of the Governor should be continued at the present rate of $25,000 in line with the legislative policy of establishing the salary of this office in line with the broad responsibilities of this office. The present salary for the Governor of California is the same as the salary for Governor of New York and Governor of Pennsylvania. The salaries of governors in the other states in the country are generally lower than those fixed for the Governors of California, New York and Pennsylvania.

(2) **Lieutenant Governor.** The annual salary for the position of Lieutenant Governor should be increased to $14,000. This relationship to the Governor's salary of $25,000 compares favorably with the salary of the Lieutenant Governor of Pennsylvania as well as with recommendations made for other positions in the State Government.

(3) **Attorney General.** The annual salary of the Attorney General should be in accordance with the provisions in Constitution Article V, Section 21, which provides that the Attorney General shall receive the same salary as prescribed by law for an Associate Justice of the Supreme Court.

(4) **Governor's Secretaries.** The Legislature has established the maximum annual salary for Governor's secretaries at $10,000. In order to maintain a uniform standard of fixing these salaries in proper relationship to other positions for which the salary is fixed by the Legislature, serious consideration should be given to increasing the present maximum salary for Governor's secretaries. The current salary range for Governor's secretaries is $7,200 to $10,000, and the present practice pemitting a Govenor to fix the salaries of his secretaries in accordance with the maximum salary established by the Legislature should be continued.

(5) **Members of the State Personnel Board.** The salary of each of the members of the State Personnel Board should be fixed at $4,000 per year. This is based upon the evaluation of the extensive duties and responsibilities of these officials which are performed on a part-time basis, or approximately one-fourth of full-time employment.

(6) **Members of the State Board of Barber Examiners.** The salary of each of the members of the State Board of Barber Examiners should continue to be fixed at $5,000 per annum. This is based upon the evaluation of the duties and responsibilities of these officials which are performed on an extensive part-time basis or at least one-half of full-time employment.

(7) **Board of Pilot Commissioners.** The duties and responsibilities of the Board of Pilot Commissioners are of an on-call and part-time nature corresponding to approximately less than one-fourth of full-time employment. The salary of $2,000 per year should be fixed for each of the members of the board on the basis of such part-time employment.

(8) **Board of Harbor Commissioners (San Francisco Harbor).** The duties of the Board of Harbor Commissioners (San Francisco Harbor) are of a part-time and limited basis and an annual salary of $3,000 should be fixed by the Legislature for the members of this board in accordance with the relationship of their duties and responsibilities to other boards and commissions of State Government.

(9) **Board of Harbor Commissioners (Humboldt Bay).** The duties and responsibilities of the members of the Board of Harbor Commissioners for Humboldt Bay are of a part-time limited character and the present annual salary of $400 as fixed by the State Legislature should be continued.

III. SUMMARY OF RECOMMENDATIONS FOR APPLICATION AND ADMINISTRATION OF THE SALARY PLAN

(1) The initial adjustments to bring the present salaries into conformity with the recommended salary rates should provide: (1) that the salary of any administrative official receiving less than the proposed salary should be increased to the proposed salary where the length of service in such position is over one year, (2) that the salary of any official receiving more than the proposed salary for the position should not be reduced unless there is a change in the person filling such position, provided that the salary for any administrative official should not be changed where the recommended salary provides for either an increase or decrease in salary of $400 or less per annum.

(2) In order that the policy of objective evaluation and equitable salaries for state administrative positions be maintained, the Legislature should provide for an advisory joint salary review committee consisting of a representative of the Legislative Auditor, the Pay Division of the State Personnel Board, and the Bureau of Budgets and Accounts of the Department of Finance.

(3) The present statutes and rules should be amended to permit the application of the civil service provisions to the positions of Field Worker for the California School for the Blind, the Cashier in the Treasurer's Office, the Deputy Superintendents of Public Instruction, the Associate Superintendent of Public Instruction, and such other positions which have technical and supervisory and semiadministrative duties and responsibilities under the heads of the respective departments and institutions of the State Government.

PART THREE

RECOMMENDATIONS FOR APPLICATION AND MAINTENANCE OF THE SALARY EQUALIZATION PLAN

A. APPLICATION OF RECOMMENDED EQUALIZED SALARIES

Except where otherwise noted, the recommended salaries have been determined on the basis of the relative valuation of the duties for full-time employment in the respective positions.

In cases of individual positions where full-time employment is not required, the actual compensation for such positions should be determined on the basis of the approximate proportion that the actual service bears to the total full-time service.

In order to bring the present salaries into conformity with the recommended salary rates, the initial adjustments should be made effective in fixing the salaries of present incumbents through amendments adopted by the Legislature as follows:

(a) The salary of any state administrative official receiving less than the maximum salary prescribed for the position should be increased to the maximum where the length of service in such position is over one year in such position, except as provided in paragraph (c).

(b) The salary of any state administrative official receiving more than the maximum salary prescribed for the position should not be reduced unless there is a change in the person filling such position, provided that no further increase in the compensation should be provided for the present incumbent during the period that the present salary is in excess of the maximum salary prescribed for such position, except as provided in paragraph (c) below.

(c) The salary for any state administrative position should not be changed where the recommended salary provides for either an increase or decrease in salary of $400 or less per annum.

(d) In view of the determination of the relative value of the duties and responsibilities of the individual positions to each other, the salary recommendations in this report should be presented to the Legislature in one bill which would also amend the provisions of all other codes and statutes pertaining to the salaries of the positions studied in this survey.

B. RECOMMENDATION FOR MAINTENANCE OF THE SALARY EQUALIZATION PLAN

The House Resolution No. 255 (1949 Regular Session) creating this committee lists the following conditions on which action was desired to assure equalization of salaries and definition of qualifications in state administrative positions:

"WHEREAS, Each session of the Legislature is confronted with numerous bills affecting the salaries of persons employed in various capacities in local governmental subdivisions of the State; and

"WHEREAS, The enactment of laws affecting these matters in some local governmental subdivisions and failure to enact similar laws affecting other subdivisions widens the existing disparity between salaries, classification and qualifications among city, county and state governmental agencies; and

"WHEREAS, These conditions hamper the efforts of the state and local governmental subdivisions to stabilize and equalize governmental wage scales, job classifications and qualifications of public employees and to insure the payment to all of the prevailing wage for similar work, the result in the 'pirating' of employees among such agencies; and * * *."

The evaluations of the existing state administrative positions and the recommended equalized salaries for such positions have been made on the basis of impartial analysis of the duties and responsibilities of the individual positions. Such evaluations and equalized salary reflect the character, difficulty and scope of duties and responsibilities of the position and not the individual qualifications of officials who are now filling such positions.

In order that the policy of equitable evaluation and salaries for all state administrative positions be maintained, current maintenance of the factual evaluation and salary plan is essential.

Changes in the organization, in the duties and responsibilities of existing positions and of new positions, as well as changes in economic conditions will require regular review and evaluation and action in fixing equitable salaries based upon such changes.

In order to assure effective administration and maintenance of the equalized salary plan for state administrative positions, the present statutory provisions fixing the present salaries of the above administrative positions should be repealed and salary equalization statute should be enacted providing for setting out the recommended equalized salaries and providing for the application and maintenance of equalized salaries for the existing and any new or changed administrative positions in the State Government.

Such legislation providing for the adoption of the equitable salaries for the administrative positions should also provide for periodic review and recommendation on necessary adjustment of the salaries of existing positions and of new or changed positions on the basis of changes in organization, duties and responsibilities of the respective positions.

In order to provide for such periodic review and information for the State Legislature on salaries for existing and new administrative positions and to assure integration of the salary recommendations with the policy of salary standardization for other state supervisory and technical positions in the State Government, the Legislature should provide for an advisory joint salary review committee consisting of a representative of the Legislative Auditor, the Pay Division of the State Personnel Board and the Bureau of Budgets and Accounts of the Department of Finance. Such committee should have the duty and responsibility of making periodic surveys and recommendations to the appropriate legislative committees on the salaries of state administrative positions on the basis of salaries of comparable positions in the larger states of the country and in conformity with the legislative policy of establishing standardized prevailing salaries for other offices and positions in the State Government, including proper consideration of the effect on the relative compensation of these positions when general percentage increases in compensation are granted to employees having civil service status.

It is further recommended that such necessary staff members that are employed and assigned by the above agencies in making salary surveys for other positions be assigned on the salary survey for state administrative offices. This will insure integration of the salary recommendations based upon the relative importance of the duties and responsibilities of all offices and positions in the State Government. Such

services by the members of the joint salary survey committee and the staff should be furnished without additional compensation over that provided for these officers and employees.

In order to permit objective evaluation and recommendations on equitable salaries for existing positions and for any new positions, such joint salary survey committee should obtain and maintain statements of the duties and responsibilities of existing and proposed changes in state administrative positions and of the duties and responsibilities and salaries of comparable positions in the other large state governments. The adoption of legislation and rules providing for the above and the periodic survey and recommendations filed with the Legislature not later than the fifteenth legislative day of each session will make available necessary information to the Legislature for fixing of equitable salaries for the state administrative positions, related both to salaries of comparable positions in other large states and to the salary levels for other offices and positions in the State of California.

The committee specially urges consideration and action on the above by the Legislature so that the conditions and objectives listed in House Resolution No. 255 creating this committee may be alleviated and adequate information be made available to the Legislature on all matters relating to salaries, classification and qualifications in all branches of the state employment and all other matters related thereto.

C. RECOMMENDED CHANGES FOR INCLUSION OF SPECIFIC POSITIONS UNDER CIVIL SERVICE

A number of positions listed among the state administrative positions for which salaries are fixed by the Legislature are similar to the many technical and supervisory positions which are filled after civil service test and certification by the State Personnel Board. Among these are the positions of field worker for the California School for the Blind, the cashier in the Treasurer's Office, the Deputy Superintendent of Public Instruction and the Associate Superintendent of Public Instruction.

The present statutes and rules should be amended to permit the application of the civil service provisions to the above positions, as well as to other positions which have technical and supervisory and semi-administrative duties and responsibilities under the heads of the respective departments and institutions of the State Government. This would also permit of the provision of equitable salaries for these positions on the basis of the classification and salary standardization plan now in effect for other state positions.

PART FOUR

SALARY CHANGES FOR STATE ADMINISTRATIVE POSITIONS SINCE 1941

An analysis has been made of the main changes in salaries of selected state administrative positions in the California departments between 1941 and 1949, inclusive.

The salaries for the state administrative positions in the years 1941, 1943, 1945, 1947, and 1949 are shown in the tabulation on the following page The percentage increases in the salaries for 36 of these positions for which salary data were furnished for 1941 and 1949 are summarized in the following:

Percentage increase since 1941	*Number of positions*
200% or more	1
100% to 200%	11
75% to 100%	5
50% to 75%	12
1% to 50%	4
No change	2
Decrease	1
	36

It will be noted that of the total of 36 positions, the salaries of 12 positions have been increased by over 100 percent, the salaries of 17 positions have been increased by over 50 percent, the salaries of four positions have been increased up to 50 percent, while the salaries of three positions have not been changed or were decreased since 1941.

The information on the methods and amounts of salary changes shows variations in treatment of different positions and disparities between the salaries and the relative values of the positions as determined by objective evaluation of positions.

The Assembly in creating this committee and in providing for this survey indicated its desire to alleviate such conditions which result in disparities between the relative values and salaries provided for all positions.

In order to assure the adoption and maintenance of an equitable salary plan for the state administrative positions the recommended legislation should require that the plan should be established and based on the relative value of positions and equitable salaries for comparable positions both in the larger states and for other supervisory and technical positions in the State of California.

STATE OF CALIFORNIA

CHANGES IN SALARIES OF SELECTED STATE ADMINISTRATIVE POSITIONS—1941-1949

Position title	*1941*	*1943*	*1945*	*1947*	*1949*
Superintendent of Public Instruction	$5,000	--	$10,000	$12,000	$15,000 †
Director of Finance	10,000	--	12,000	15,000	15,000
Director of Public Works	10,000	--	12,000	15,000	15,000
Director of Mental Hygiene	6,000	--	10,000	--	15,000
Members, Public Utilites Commission	8,000	--	10,000	12,000	12,000
State Controller	--	--	10,000	12,000	12,000
Legislative Counsel	6,000	$7,500	10,000	15,000	15,000
Director of Corrections	--	10,000	--	--	12,500
Director of Public Health	7,000	10,000	--	12,000	13,000

† Effective for term beginning 1950 of Superintendent elected in 1950

STATE OF CALIFORNIA

CHANGES IN SALARIES OF SELECTED STATE ADMINISTRATIVE POSITIONS—1941-1949—Continued

Position title	*1941*	*1943*	*1945*	*1947*	*1949*
Members, State Personnel Board (part-time)	$3,600	--	--	--	$3,600
Commissioner of the California Highway Patrol	--	--	--	$12,000	$12,000
Secretary of State	5,000	--	$10,000	12,000	12,000
Members, State Board of Equalization	7,200	--	10,000	12,000	12,000
Director of Youth Authority	10,000	--	--	--	12,000
Superintendent of Banks	10,000 (1909)	--	--	--	15,000
Associate Superintendent of Public Instruction (Colleges)	--	--	--	9,000	9,000
Director of Motor Vehicles	6,000	$8,000	9,000	10,000	12,000
Chief, Division of Public Employment Offices and Benefit Payments	--	7,500	10,000	--	12,000
Members, California Unemployment Insurance Appeals Board	--	7,500	10,000	--	12,000
Director of Agriculture	7,200	--	10,000	12,000	12,000
State Treasurer	5,000	--	10,000	12,000	12,000
Insurance Commissioner	10,000	--	--	12,500	12,500
Executive Officer, Franchise Tax Board	--	--	--	--	12,000
Chief, Division of Accounts and Tax Collections	--	7,500	10,000	--	12,000
Director of Professional and Vocational Standards	6,000	7,500	8,000	10,000	10,000
Adjutant General	5,000	7,500	--	8,800	13,761 ‡
Director of Industrial Relations	6,000	--	8,000	10,000	10,000
Executive Secretary to Governor	5,000	--	8,000 *	10,000 *	10,000
Associate Superintendent of Public Instruction (Instruction)	--	--	--	9,000	9,000
Director of Natural Resources	6,000	--	10,000	--	12,000
Port Manager (San Francisco Harbor Commission)	--	--	12,000	--	12,000
Deputy Superintendent of Public Instruction (Special Schools)	4,500	5,400	--	9,000	9,000
Associate Superintendent of Public Instruction (School Administration)	--	--	--	9,000	9,000
Director of Veterans Affairs	--	--	10,000 (1946)	--	10,000
Members, Youth Authority	10,000	--	--	--	10,000
Members, Adult Authority	--	10,000	--	--	10,000
Assistant Adjutant General	--	--	--	6,600	12,222 ‡
Commissioner of Corporation	7,500	--	10,000	--	10,000
Members, Industrial Accident Commission	5,000	--	7,000	10,000	10,000
Real Estate Commissioner	6,000	7,500	10,000	--	10,000
Legislative Secretary (Governor's Office)	--	--	8,000 *	10,000 *	9,600 ‡
Secretary, Press and Public Relations (Governor's Office)	--	--	8,000 *	10,000 *	9,600 ‡
Chief Deputy Superintendent of Banks	--	--	--	--	10,000
Building and Loan Commissioner	6,000 (1931)	--	10,000	--	10,000
Labor Commissioner	5,000	--	7,200	--	8,940 ‡
Chief, Division of Industrial Safety	--	--	--	7,200	8,940 ‡
State Fire Marshal	4,800	--	7,000	10,000	10,000
Deputy Superintendent of Public Instruction (Departmental Administration)	--	--	--	9,000	9,000
Registrar of Contractors	--	--	--	8,000	8,000
State Librarian	--	5,000	7,500		9,500

* Not to exceed.
‡ Actual.

STATE OF CALIFORNIA

CHANGES IN SALARIES OF SELECTED STATE ADMINISTRATIVE POSITIONS—1941-1949—Continued

Position title	*1941*	*1943*	*1945*	*1947*	*1949*
Chief, Division of Industrial Welfare	--	--	$7,200	--	$8,940 ‡
Director of Aeronautics	--	--	--	$12,000 *	12,000
Secretary, California Horse Racing Board	$6,000	--	--	8,000	10,000
Chief, Division of Housing	5,000 *	--	7,200	--	8,940 ‡
Secretary, State Athletic Commission (Travel expenses, etc.)	--	--	--	--	10,000
Private Secretary to Governor	5,000	--	8,000 *	10,000 *	8,000 ‡
Deputy State Treasurer	4,500	--	5,000	6,800	8,000 ‡
Appointment Secretary (Governor's Office)	--	--	8,000 *	10,000 *	7,500 ‡
Departmental Secretary (Governor's Office)	--	--	8,000 *	10,000 *	7,500 ‡
Research Secretary (Governor's Office)	--	--	8,000 *	10,000 *	7,500 ‡
Secretary, Travel and Complaints (Governor's Office)	--	--	8,000 *	10,000 *	7,200 ‡
Assistant Press Secretary (Governor's Office)	--	--	8,000 *	10,000 *	7,200 ‡
Board of Pilot Commissioners	--	--	--	2,400	2,400 *
Members, State Board of Barber Examiners	3,600 (1929)	--	4,200	4,800	4,800
State Board of Harbor Commissioners for San Francisco Harbor	3,000	--	1,200	--	1,200
Cashier (State Treasurer's Office)	3,300	--	4,000	5,000	6,000
Field Worker, California School for the Blind	--	$3,000	--	--	4,512

* Not to exceed
‡ Actual

PART FIVE

SALARY EQUALIZATION FOR STATE ADMINISTRATIVE POSITIONS

A. MAIN OBJECTIVES AND BENEFITS OF SALARY EQUALIZATION PROGRAM

As previously indicated, the main objectives and benefits from the establishment of equalized salaries for state administrative officials are to provide equitable salaries on the basis of relative difficulty and importance of the duties and responsibilities of the positions and to assure that salary rates fixed should be on the basis of salaries of comparable positions in the other large state governments and for other supervisory, administrative and technical positions in the State Government.

In addition, the provisions for regular review and maintenance of the equalized salary plan by the present personnel staffs under the proposed joint salary survey committee will insure objective and impartial position classification and evaluation on the basis of duties and responsibilities of both existing and new positions. They also will provide salary rates based upon the relative importance of the duties and responsibilities of different positions and upon changes in economic conditions and prevailing levels for comparable positions.

Additional benefits for other phases of personnel administration include the following:

(a) Makes available basic information to the departments and to legislative committees and the Legislature on matters relating to job classification and qualifications of different state administrative positions.

(b) Provides a yardstick for evaluating each position in relation to all other positions in the state organization.

(c) Furnishes the legislative and management officials and the employees with information as to the relative values of requirements of duties and responsibilities of each of the positions.

(d) Provides basis for equitable salary plan based on the prevailing salaries of comparable positions in other large states and in California municipal and county governmental jurisdictions, adjusted and integrated with the salary and wage levels for other officers and employees in the State of California service.

(e) Provides definite procedure for collecting periodic data on the prevailing salaries of comparable positions in other state governments and in local governmental jurisdictions of California as well as within the state organization.

(f) Provides satisfactory management and employee relations program by establishing equitable valuations and salaries for all positions in the state organization.

(g) Provides definite basis for determining budgets for salaries with the use of classification and salary rates for respective positions in the state departments.

B. INITIAL STEPS IN ANALYSIS OF INDIVIDUAL POSITIONS

The initial steps in the evaluation process consisted of the collection and analysis of the duties and responsibilities of each of the positions to determine the scope and character of duties and extent to which the factors for evaluation are present in the respective positions.

A description of the duties and responsibilities for each position was obtained from each of the state administrative officials and members of the commissions included in the survey. A copy of the questionnaire form used to obtain these descriptions is included as Appendix B to this report.

Study was made of the statements of the duties, responsibilities and other significant requirements of the positions. The descriptions furnish detailed information about the duties and responsibilities of the positions, in addition to the available information on the position duties as described in the statutes and summarized in Appendix A of this report by the Legislative Counsel.

Following the analysis of the duties and responsibilities of the individual positions, a series of meetings were held by the committee with a number of officials to review the duties and requirements of their positions. Conferences were also held by the survey staff with other state officials and with representatives of public and private agencies who furnished valuable additional information on the relative importance of the respective positions.

Study was also made of the general organization and distribution of functions in the respective departments and of the budget appropriations in order to obtain information about the extent of responsibilities of the respective positions.

C. OBJECTIVE DETERMINATION OF RELATIVE VALUATION OF POSITIONS

The main purpose of the position evaluation was to determine objectively the relative value on the basis of kind, difficulty and importance of the duties and responsibilities of each position.

Such position evaluation is an orderly process used in determining the relative worth of positions and providing equitable salary differentials based upon the values of the different positions. It is an inventory and appraisal of the duties and responsibilities of the positions and is distinct from determination of the individual qualifications and efficiency of the employees in the positions.

Uniform evaluations of all positions on the basis of the relative value of positions were then converted into relative salary rates on the basis of the relationship of the relative values to the equalized salary levels in the State Government.

The relative valuations of equalized salaries for the administrative positions were determined as a result of: (1) objective evaluation of the duties and responsibilities of each position included in the survey; (2) check of the validity of the position evaluations through comparison with relative values of comparable state administrative positions in other large states; and (3) integration of evaluations of positions with

the equitable salary rates based upon a cross-section of the salaries provided for such administrative positions, for other positions in the State Government, and for administrative positions in local governmental jurisdictions in the State of California.

As this survey deals only with top administrative positions in the State Government, use has been made of the evaluation factors found in administrative positions. In summary, such procedure includes:

(a) The analysis of duties, responsibilities and determination of the factors and requirements present in each position.

(b) The application of the uniform evaluation yardstick to evaluate positions on the basis of point ratings for specific factors and degrees present in each of the positions and the summation of point ratings for the respective factors to furnish the total evaluation and the relative values to other positions.

(c) The over-all cross comparison of requirements of each position and the relative values of the positions, with each position being considered as an entity.

(d) The comparison of the final total relative values with the relative values of comparable positions in other states.

(e) The conversion of the total numerical evaluations into money values of salaries on the basis of the equalized salary curve for administrative positions in the State Government.

The analysis and evaluation of positions as outlined above and over-all comparison were made of the relative values of the positions with each position considered as an entity. Such over-all comparison furnished additional information on the individual evaluations and provided a summary check on the accuracy of the total initial point evaluations.

On the basis of the detailed evaluations and the over-all comparison of positions, final evaluations were determined for the respective positions. The relative evaluations of positions included in the survey are shown according to point evaluation brackets on the table on the following page, together with the present and equalized salaries for the respective state administrative positions.

D. COMPARISON WITH VALUES OF COMPARABLE POSITIONS IN OTHER STATES

In order to obtain information of the present salaries in comparable positions in other large states and the validity of the administrative position evaluations in the State of California, information was obtained from executive and personnel officials in the states of Illinois, Michigan, New Jersey, New York, Ohio and Pennsylvania.

STATE OF CALIFORNIA

POINT EVALUATION BRACKETS, PRESENT SALARY AND EQUALIZED SALARY FOR SELECTED ADMINISTRATIVE POSITIONS INCLUDED IN SURVEY

Position title	*Point evaluation bracket*	*Present annual salary*	*Equalized annual salary*
Superintendent of Public Instruction	2420-2600	$15,000	$15,000
Director of Finance	2420-2600	15,000	15,000
Director of Public Works	2420-2600	15,000	15,000
Director of Mental Hygiene	2420-2600	15,000	15,000
Members, Public Utilities Commission	2420-2600	12,000	15,000
State Controller	2270-2420	12,000	14,000
Director of Corrections	2120-2270	12,500	13,000
Director of Public Health	2120-2270	13,000	13,000
Commissioner of the California Highway Patrol	1970-2120	12,000	12,000
Secretary of State	1970-2120	12,000	12,000
Members, State Board of Equalization	1970-2120	12,000	12,000
Director of Youth Authority	1970-2120	12,000	12,000
Superintendent of Banks	1970-2120	15,000	12,000
Associate Superintendent of Public Instruction (Colleges)	1970-2120	9,000	12,000
Director of Motor Vehicles	1970-2120	12,000	12,000
Chief, Division of Public Employment Offices and Benefit Payments	1970-2120	12,000	12,000
Members, California Unemployment Insurance Appeals Board	1970-2120	12,000	12,000
Director of Agriculture	1970-2120	12,000	12,000
State Treasurer	1970-2120	12,000	12,000
Insurance Commissioner	1970-2120	12,500	12,000
Executive Officer-Franchise Tax Board	1970-2120	12,000	12,000
Chief, Division of Accounts and Tax Collections	1970-2120	12,000	12,000
Director of Professional and Vocational Standards	1820-1970	10,000	11,000
Director of Industrial Relations	1820-1970	10,000	11,000
Associate Superintendent of Public Instruction (Instruction)	1820-1970	9,000	11,000
Director of Natural Resources	1820-1970	12,000	11,000
Port Manager (S. F. Harbor Commission)	1820-1970	12,000	11,000
Deputy Superintendent of Public Instruction (Special Schools)	1820-1970	9,000	11,000
Associate Superintendent of Public Instruction (School Administration)	1820-1970	9,000	11,000
Director of Veterans Affairs	1820-1970	10,000	11,000
Members, Youth Authority	1670-1820	10,000	10,000
Members, Adult Authority	1670-1820	10,000	10,000
Commissioner of Corporations	1670-1820	10,000	10,000
Members, Industrial Accident Commission	1670-1820	10,000	10,000
Real Estate Commissioner	1670-1820	10,000	10,000
Chief Deputy Superintendent of Banks	1670-1820	10,000	10,000
Building and Loan Commissioner	1670-1820	10,000	10,000
Labor Commissioner	1520-1670	8,940	9,000
Chief, Division of Industrial Safety	1520-1670	8,940	9,000
State Fire Marshal	1520-1670	10,000	9,000
Deputy Superintendent of Public Instruction (Departmental Administration)	1520-1670	9,000	9,000
Registrar of Contractors	1520-1670	8,000	9,000
State Librarian	1370-1520	9,500	8,000
Chief, Division of Industrial Welfare	1370-1520	8,490	8,000
Director of Aeronautics	1370-1520	12,000	8,000
Secretary, California Horse Racing Board	1370-1520	10,000	8,000
Chief, Division of Housing	1370-1520	8,940	8,000
Secretary, State Athletic Commission	1370-1520	10,000	8,000
Deputy State Treasurer	1370-1520	8,000	8,000

Detailed information on the duties and responsibilities of all of the positions were not available in such states and the relative values of such positions were determined on the basis of the salaries provided for such positions.

This analysis indicated wide variations in the case of a number of such positions but showed close relationships of such relative salary values of some 31 of the 45 positions in four of the six larger states which were covered.

In order to test the validity of the values of such positions in California, the point evaluations developed for the 31 selected bench mark positions and the median salary evaluations of the positions in the six other states were plotted on a graph. The resulting scatter diagram and prevailing salary curve in the other six states is shown on the chart on the following page.

The bench mark positions in the other states on which there was general consistency as to relative valuation and salaries paid in the six other states are shown in the following. References to the specific positions are indicated by the number as shown on the chart in the following list and the chart which follows:

(1) Superintendent of Public Instruction
(2) Chief Public Works Director
(3) Director of Mental Hygiene
(4) Members, Public Utility Commission
(5) Attorney General
(6) Director of Corrections
(7) Director of Public Health
(8) Highway Patrol Commissioner
(9) Director of Youth Authority
(10) Superintendent of Banks
(11) Chief of Public Employment and Benefits
(12) Members, Unemployment Appeals Board
(13) Insurance Commissioner
(14) Director of Industrial Relations
(15) Deputy Superintendent of Public Instruction
(16) Director of Veterans Affairs
(17) Members, Industrial Accident Commission
(18) Real Estate Commissioner
(19) State Fire Marshal
(20) State Librarian
(21) Secretary, Horse Racing Board
(22) Secretary, Athletic Commission

The close correlation between the point evaluations of the bench mark administrative positions in California and the medians of salaries for comparable positions in the other states is shown by the manner in which the plotted points cluster around the salary curve with the higher

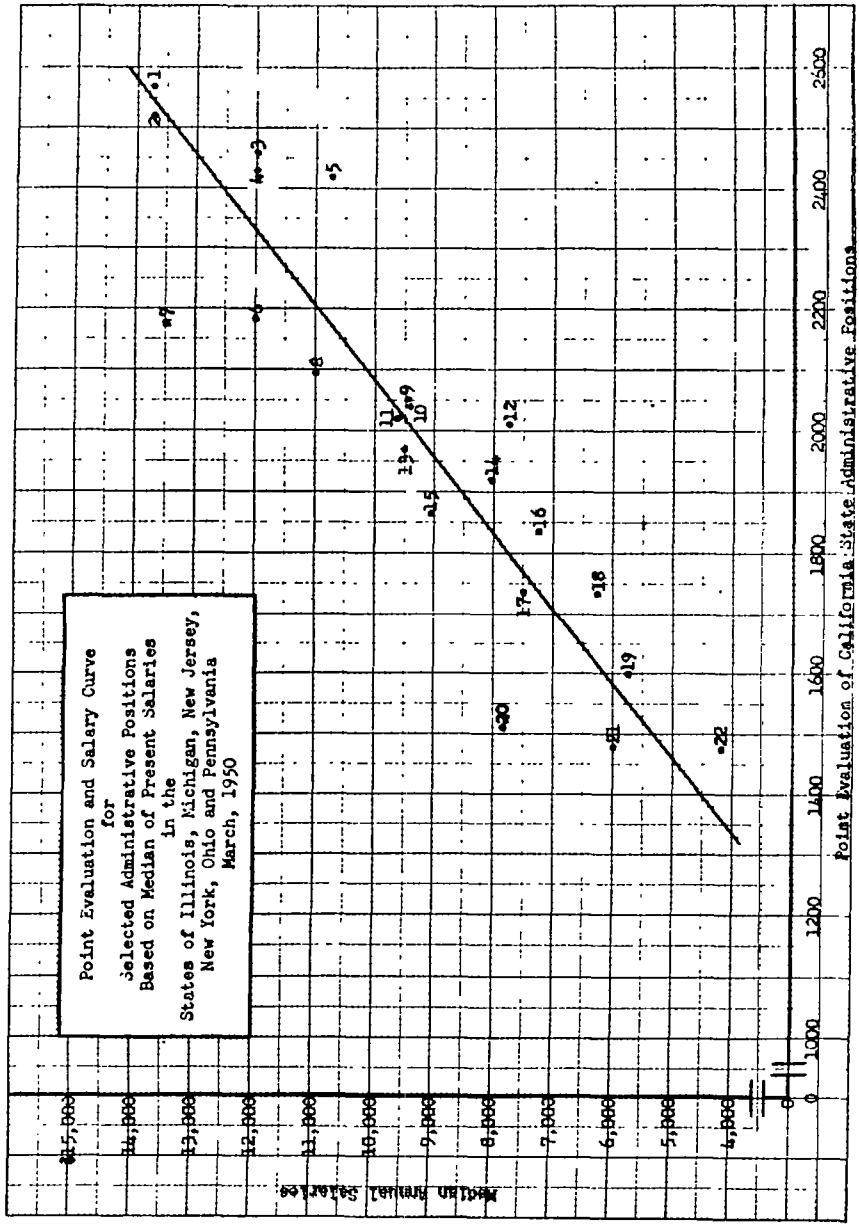
Point Evaluation and Salary Curve
for
Selected Administrative Positions
Based on Median of Present Salaries
in the
States of Illinois, Michigan, New Jersey,
New York, Ohio and Pennsylvania
March, 1950
Median Annual Salaries
$15,000
14,000
13,000
12,000
11,000
10,000
9,000
8,000
7,000
6,000
5,000
4,000
0
1000
1200
1400
1600
1800
2000
2200
2400
2500
Point Evaluation of California State Administrative Positions

average salaries in proportion to the higher point evaluations. This interrelationship of point evaluations and median salaries of positions in the other states gave further valdity to the point evaluations developed for the state administrative positions in California.

E. DETERMINATION OF EQUALIZED SALARIES

As previously indicated, the position analysis and evaluation was directed to determine the relative value of positions in terms of numerical point evaluation and not in money values. Accordingly, the next step consisted of the conversion of the point evaluations into money values on the basis of salary equivalents for objective point values.

The main objective of the work of the committee was to determine and recommend equalization of salaries for the administrative positions. In order to provide for such equalized salaries, the relative evaluations of the California positions, together with the present levels of salaries for the positions were plotted on a graph in order to establish the salary curve which represents the present salary levels for such positions in the State of California. Such graph and best fit salary curve are shown on the chart on the following page.

It will be noted that a large number of the bench mark positions cluster around the curve, with a reasonably equal distribution of the positions above and below the curve. This indicates that the curve is representative of the present salary level for state administrative positions.

It is recommended that the salary plan provide for a series of salary levels for the respective positions since experience in objective salary evaluation has demonstrated the value of such salary levels so that the total point ratings within each prescribed level carry the same salary schedule.

Under this plan, all positions having total point evaluations within one range or salary level should be paid the same salary rate.

Based upon the total point evaluations and salary levels of existing salaries of state administrative positions in California, the equalized salary for each position was determined by use of the evaluation points for each position and the salary level in which such position falls.

The listing of the evaluation levels, the present salaries and the equalized salaries for each of the state administrative positions are shown in the table on page 1280.

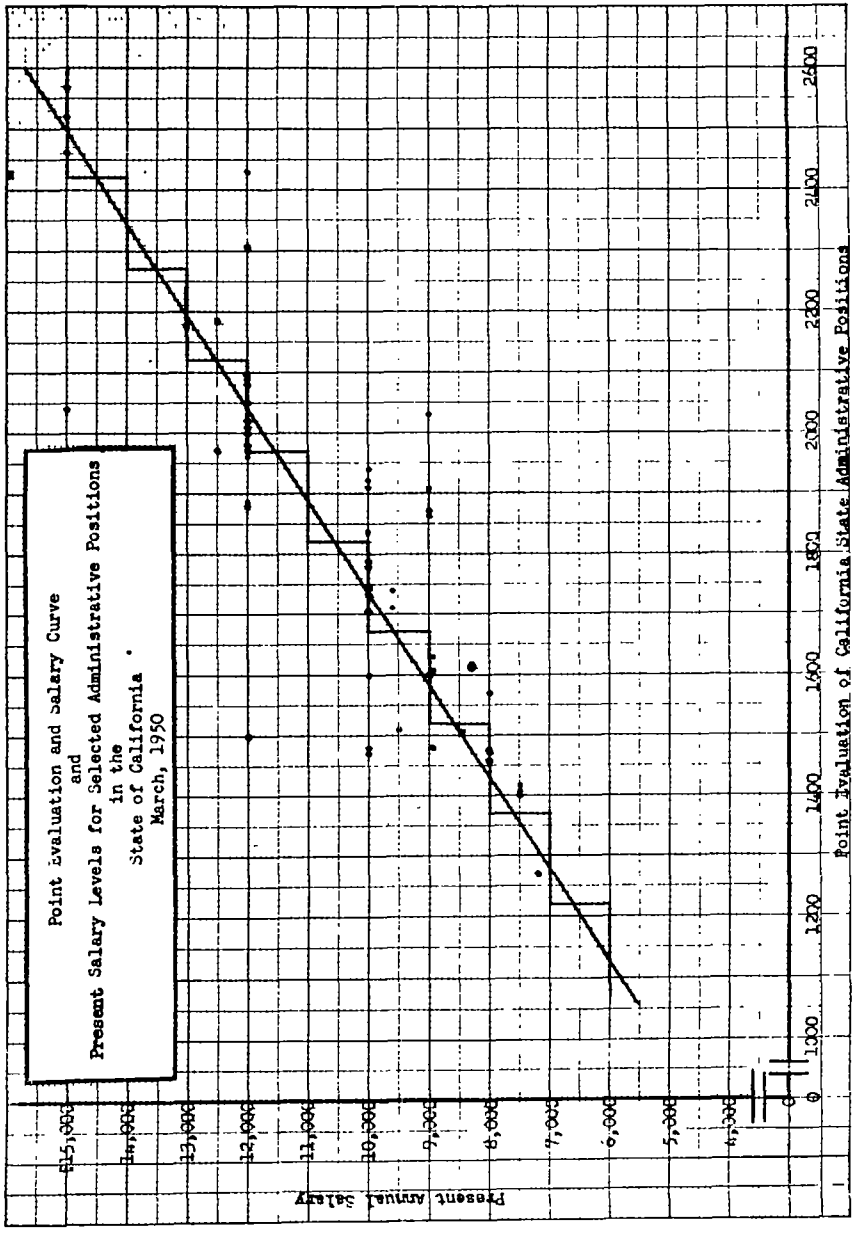
Point Evaluation and Salary Curve
and
Present Salary Levels for Selected Administrative Positions
in the
State of California
March, 1950
Present Annual Salary
$15,000
14,000
13,000
12,000
11,000
10,000
9,000
8,000
7,000
6,000
5,000
4,000
0
1000
1200
1400
1600
1800
2000
2200
2400
2600
Point Evaluation of California State Administrative Positions

F. SALARIES OF COMPARABLE POSITIONS IN OTHER STATES

In order to secure first hand information on the present salaries and practices in other states dealing with the comparable administrative positions, a questionnaire requesting information on prevailing salaries and practices was submitted to the governors of the six largest states and also to the Pacific Coast States of Oregon and Washington. The executive and personnel offices in all these states expressed much interest in this survey and cooperated in furnishing the information requested on the questionnaires.

The data on the respective questionnaires have been tabulated and summarized as shown on the tables on the following pages. Copy of the salary survey questionnaire used in this study is included as an exhibit in an appendix of this report.

The following information is shown on the tables:

(a) The annual maximum salaries of selected state administrative officials is seven largest states including the State of California, and the state median of salaries in the six states.

(b) The percentage relationship of salaries of the selected state administrative officials in the six larger states.

(c) The annual maximum salaries of selected state administrative officials in the States of Oregon, Washington and California.

The information on the annual maximum salaries of the selected administrative positions in the six larger states furnished the basis for determining the median salaries of these positions in the six states for use in determining the relative evaluations. These data were used for comparative purposes and for determining the relative evaluation of the bench mark jobs in the different states. Following are observations from analyses of the data included in these tables:

(1) There are marked differences in salaries provided for comparable positions in the different states due either to differences in organization and in duties and responsibilities and the variations in economic conditions and legislative policies for fixing the executive salaries in the respective states.

(2) The present salaries provided for comparable positions in the State of California are consistently higher than the six-state median salaries, with a total of 33 California positions above the median, five approximately on the median curve, and seven below the median salary curve.

ANNUAL MAXIMUM SALARIES OF SELECTED STATE ADMINISTRATIVE OFFICIALS IN SEVEN LARGEST STATES INCLUDING THE STATE OF CALIFORNIA

Source: Salary Survey by J. L. Jacobs & Company, Chicago and Los Angeles
January, 1950

	State of New York	*State of Pennsylvania*	*State of Michigan*	*State of New Jersey*	*State of Illinois*	*State of Ohio*	*6-State Median*	*State of California*
Governor	$25,000	$25,000	$22,500	$20,000	$12,000	$13,000	$21,250	$25,000
State Treasurer		15,000	12,500	10,000	12,000	8,500	12,000	12,000
Superintendent of Public Instruction	20,000	15,000	12,500	15,000	12,000	8,600	13,750	15,000
*Chief Public Works Director	17,500	15,000	12,500	15,000	10,896	8,666	13,750	15,000
Attorney General	20,000	15,000	12,500	7,500	9,000	8,500	10,750	16,000
Controller	20,000	15,000	12,000	12,000		8,500 [3]	12,000	12,000
Director of Public Health	15,000	15,000	12,000	15,000	10,000	8,600	13,500	13,000
Members, Public Utility Commission	16,500	14,000	7,500	12,000	12,000	9,000	12,000	12,000
Secretary of State	15,000	15,000	12,500	10,000	9,000	8,500	11,250	12,000
Director of Natural Resources	--	15,000	10,000	7,500	10,000	10,000	10,000	12,000
*Second Public Works Chief	13,500	--	10,380	12,000	10,000	8,600	10,380	10,000
Director of Mental Hygiene	16,500	12,000	12,000	12,000	10,000	10,000	12,000	15,000
Labor Commissioner	16,500	15,000	7,500	12,000	10,000	8,666 [15]	11,000	10,000 [16]
Director of Social Welfare	16,500	15,000	10,380	12,000	8,762	8,666 [7]	11,190	12,000
†Director of Finance	16,500	10,000 [1]	10,000 [2]		10,000	8,666	10,000	15,000
Superintendent of Banks	16,500	15,000	8,000	9,000	9,900	7,500	9,450	15,000
Executive Secretary to Governor	16,500	12,000	10,000	12,000		8,500	12,000	10,000
Director of Corrections	15,000	-- [8]	12,000	12,000	7,500	7,500	12,000	12,500
Insurance Commissioner	16,500	15,000	7,500	9,000	10,000	6,666	9,500	12,500
Director of Agriculture	15,000	15,000	8,500	10,000	10,000	8,666	10,000	12,000
Chief of Public Employment and Benefits	14,000	9,528	8,760	12,000	9,840	9,000	9,684	12,000
Highway Patrol Commissioner	12,000	15,000	10,000	12,000	5,500	5,775	11,000	12,000
Deputy Director Department of Justice	15,000	10,000	6,750 [4]	15,000	8,640	--	10,000	10,000
Deputy Superintendent of Public Instruction	14,000	12,000	8,760	9,300	7,800	6,316	9,030	9,000
Director Department of Motor Vehicles	13,500	6,900	7,260 [5]	12,000	9,000	--	9,000	12,000
Commissioner of Corporations	-- [12]	-- [13]	7,500	8,100	9,000	8,666 [14]	8,383	10,000
Director of Professional and Vocational Standards	10,900	10,000	--	--	10,000	--	10,000	10,000
Adjutant General	8,500	15,000	8,324	8,544	8,000	11,457	8,522	8,800

ANNUAL MAXIMUM SALARIES OF SELECTED STATE ADMINISTRATIVE OFFICIALS IN SEVEN LARGEST STATES INCLUDING THE STATE OF CALIFORNIA—Continued

	State of New York	*State of Pennsylvania*	*State of Michigan*	*State of New Jersey*	*State of Illinois*	*State of Ohio*	*6-State Median*	*State of California*
Members, Industrial Accident Commission	$10,375	$10,000	$7,500	--	$7,500	$7,500	$7,500	$10,000
Building and Loan Commissioner	--	6,900	4,740	$9,000	9,300	6,666	6,900	10,000
Members, Equalization Board	--	10,000	--	8,000	--	--	9,000	12,000
Real Estate Commissioner	--	--	7,260	--	--	5,333	6,280	10,000
Director of Research and Planning	--	10,000	--	7,500[10]	--	--	8,750	10,000
Legislative Counsel	9,275	--	8,150	7,500	8,500	--	8,325	15,000
State Librarian	10,113	8,472	7,260	9,000	6,660	6,300	7,866	9,500
Director of Veterans Affairs	14,000	6,900	--	7,500	7,000	--	7,250	10,000
Director of Youth Authority	11,425	--	--	7,500	--	--	9,462	12,000
Director of Industrial Relations	10,113	10,000	5,170	--	6,072	-- [15]	8,036	7,200 [16]
Members, Unemployment Appeals Board	10,900	11,000	6,180	7,500	4,500	8,000	7,750	12,000
Chief of Industrial Safety	10,113 [6]	4,176	5,700	9,000	5,000	6,696 [6]	6,198	7,200
Lieutenant Governor	10,000	15,000	5,900	--	5,000	4,000	5,900	12,000
Secretary, Horse Racing Board	9,325	--	5,000	7,000	6,000	3,600[17]	6,000	10,000
State Fire Marshal	6,406 [9]	5,154	5,340	6,420	5,500	6,000	5,750	10,000
Members, Civil Service Commission	11,000	3,000	--	5,000	3,600	6,000	5,000	3,600
Secretary, Athletic Commission	9,275[11]	4,668	4,000	3,000	4,200	--	4,200	10,000

[1] "Budget Secretary"
[2] Budget Division Director.
[3] Auditor of State
[4] Supreme Court Clerk.
[5] Supervises issuance of licenses.
[6] Chief of both Industrial Welfare and Safety
[7] Includes all Welfare (Social Welfare Director $6,000).
[8] $6,900 Inspector of Institutions.
[9] *Forest Fire control.*
[10] Plus $2,500 for other duties.
[11] Chairman
[12] See Secretary of State
[13] $8,472 Director of Corporation Taxes
[14] Commerce (banks, insurance, securites, etc.)
[15, 16] *Top job is titled "Director of Industrial Relations" in these states;* "Labor Commissioner" in other states.
[17] Chairman

* Highest and second Public Works and Highway positions. Highways under public works in New York, *Illinois, and California.*

† Finance Department organization varies in certain states

ANNUAL MAXIMUM SALARIES OF SELECTED STATE ADMINISTRATIVE OFFICIALS IN THE STATES OF OREGON, WASHINGTON AND CALIFORNIA

Source: Salary Survey by J. L. Jacobs & Company
Chicago and Los Angeles, January, 1950

	State of Oregon	*State of Washington*	*State of California*
Governor	$10,000	$15,000	$25,000
State Treasurer	8,000	8,500	12,000
Superintendent of Public Instruction	7,200	8,500	15,000
Chief Public Works Director	9,600	10,000	15,000
Attorney General	8,000	10,000	16,000
Controller	7,200	8,500	12,000
Director of Public Health	8,400	10,080	13,000
Members, Public Utility Commission	8,000	8,500	12,000
Secretary of State	8,000	8,500	12,000
Director of Natural Resources	6,000	8,500	12,000
Second Public Works Chief	---	8,500	10,000
Director of Mental Hygiene	8,400	---	15,000
Labor Commissioner	7,200	8,500	10,000
Director of Social Welfare	7,200	8,500	12,000
Director of Finance	7,800	8,500	15,000
Superintendent of Banks	6,000	7,320	15,000
Executive Secretary to Governor	7,200	8,500	10,000
Director of Corrections	6,420	10,000	12,500
Insurance Commissioner	6,000	8,500	12,500
Director of Agriculture	7,200	8,500	12,000
Chief of Public Employment and Benefits	---	8,500	12,000
Highway Patrol Commissioner	7,200	8,500	12,000
Deputy Director, Department of Justice	6,600	---	10,000
Deputy Superintendent of Public Instruction	6,000	9,600	9,000
Director, Department of Motor Vehicles	6,480	---	12,000
Commissioner of Corporations	6,000	---	10,000
Director of Professional and Vocational Standards	5,400	8,500	10,000
Adjutant General	6,600	9,576	8,800
Members, Industrial Accident Commission	7,200	9,000	10,000
Building and Loan Commissioner	---	7,320	10,000
Members, Equalization Board	---	8,500	12,000
Real Estate Commissioner	6,000	---	10,000
Director of Research and Planning	---	7,320	10,000
Legislative Counsel	---	3,600	15,000
State Librarian	6,000	6,300	9,500
Director of Veterans Affairs	6,000	7,500	10,000
Director of Youth Authority	---	---	12,000
Director of Industrial Relations	---	7,320	7,200
Members, Unemployment Appeals Board	---	6,000	12,000
Chief of Industrial Safety	---	7,320	7,200
Lieutenant Governor	---	6,000	12,000
Secretary, Horse Racing Board	5,100	4,380	10,000
State Fire Marshal	---	4,500	10,000
Members, Civil Service Commission	---	---	3,600
Secretary, Athletic Commission	---	4,000	10,000

(3) The present salaries provided for the state administrative positions in California are more directly comparable with the salaries provided for similar positions in the states of New York and Pennsylvania.

(4) The present salaries of the California state administrative positions consistently fall either in the first, second or third rank to the top salaries for comparable positions in the six states.

(5) Present salaries of the California state positions exceed the maximum salaries in the six other states in the case of 10 positions, are the same or similar for two positions, and are below the maximum for 33 positions.

The table on the following page shows the percentage relationship of the present salaries for the above positions in each of the six larger

PERCENTAGE RELATIONSHIP OF SALARIES OF SELECTED STATE ADMINISTRATIVE OFFICIALS IN SIX LARGEST STATES*

Source: Salary Survey by J. L. Jacobs & Company, Chicago and Los Angeles
January, 1950

	State of New York	*State of Pennsylvania*	*State of Michigan*	*State of New Jersey*	*State of Illinois*	*State of Ohio*	*Median*
Governor	125.0%	166.7%	180.0%	133.3%	100.0%	151.2%	142.3%
State Treasurer		100 0	100.0	66.7	100 0	98.8	100 0
Superintendent of Public Instruction	100 0	100 0	100 0	100 0	100 0	100 0	100 0
Chief Public Works Director	87 5	100.0	100.0	100 0	90 8	100.8	100 0
Attorney General	100.0	100 0	100.0	50.0	75.0	98.8	99.4
Controller	100.0	100.0	96 0	80.0	--	98 8	98.8
Director of Public Health	75 0	100.0	96.0	100 0	83.3	100.0	98.0
Members, Public Utility Commission	82 5	93 3	60.0	80 0	100 0	104 7	87.9
Secretary of State	75.0	100 0	100.0	66 7	75.0	98 8	86 9
Director of Natural Resources		100.0	80 0	50 0	83 3	116 3	83.3
Second Public Works Chief	67 5	--	83.0	80.0	83 3	100 0	83.3
Director of Mental Hygiene	82 5	80.0	96.0	80.0	83.3	116.3	82.9
Labor Commissioner	82 5	100 0	60 0	80 0	83.3	100.8	82.9
Director of Social Welfare	82 5	100.0	83 0	80 0	73 0	100 8	82.8
Director of Finance	82 5	66 7	80 0	--	83 3	100 8	82.5
Superintendent of Banks	82 5	100 0	64.0	60 0	82.5	87.2	82.5
Executive Secretary to Governor	82 5	80.0	80.0	80 0		98.8	80 0
Director of Corrections	75 0	--	96.0	80.0	62 5	87 2	80 0
Insurance Commissioner	82 5	100 0	60.0	60 0	83.3	77 5	80 0
Director of Agriculture	75 0	100.0	68.0	66 7	83.3	100 8	79 2
Chief of Public Employment and Benefits	70 0	63 5	70.0	80.0	82 9	104.7	75.0
Highway Patrol Commissioner	60 0	100 0	80.0	80 0	45.8	67.2	73 6
Deputy Director Department of Justice	75 0	66.7	54.0	100 0	72 0	--	72 0
Deputy Superintendent of Public Instruction	70 0	80.0	70.0	62 0	65.0	73.4	70 0
Director Department of Motor Vehicles	67 5	46 0	58 0	80 0	75 0	--	67 5
Commissioner of Corporations		--	60.0	54 0	75 0	100 8	67 5
Director of Professional and Vocational Standards	51 5	66.7	--		83 3	--	66 7
Adjutant General	42 5	100 0	66.6	57 0	66 7	133.2	66 7
Members, Industrial Accident Commission	51 9	66 7	60 0	--	62 5	87 2	62.5
Building and Loan Commissioner	-	46 0	37.9	60 0	77.5	77 5	60 0
Members, Equalization Board	--	66 7	--	53.3	--	--	60.0
Real Estate Commissioner	--	--	58.0	--	--	62.0	60 0
Director of Research and Planning	--	66.7	--	50.0		--	58.3

PERCENTAGE RELATIONSHIP OF SALARIES OF SELECTED STATE ADMINISTRATIVE OFFICIALS IN SIX LARGEST STATES *—Continued

	State of New York	*State of Pennsylvania*	*State of Michigan*	*State of New Jersey*	*State of Illinois*	*State of Ohio*	*Median*
Legislative Counsel	46.4%	--	65.2%	50.0%	70.8%	--	57.6%
State Librarian	50.6	56.5%	58.0	60.0	55.5	73.3%	57.3
Director of Veterans Affairs	70 0	46.0	--	50.0	58.3	--	54.2
Director of Youth Authority	57.1	--	--	50.0	--	--	53.6
Director of Industrial Relations	50.6	66.7	41.4	--	50.6	--	50.6
Members, Unemployment Appeals Board	50.5	73.3	49.4	50.0	37.5	93.0	50.3
Chief of Industrial Safety	50.6	27.8	45.6	60.0	41.7	77.9	48.1
Lieutenant Governor	50.0	100.0	47.2	--	41.7	46.5	47.2
Secretary, Horse Racing Board	46.6	--	40.0	46.7	50.0	41.9	46.7
State Fire Marshal	32.0	34.3	42.7	42.8	45.8	69.7	42.8
Members, Civil Service Commission	55 0	20.0	--	33.3	30.0	69.7	33.3
Secretary, Athletic Commission	46.4	31.1	32.0	20.0	35.0	--	32.0

* Salary of Superintendent of Public Instruction used as base to determine percentage relationships

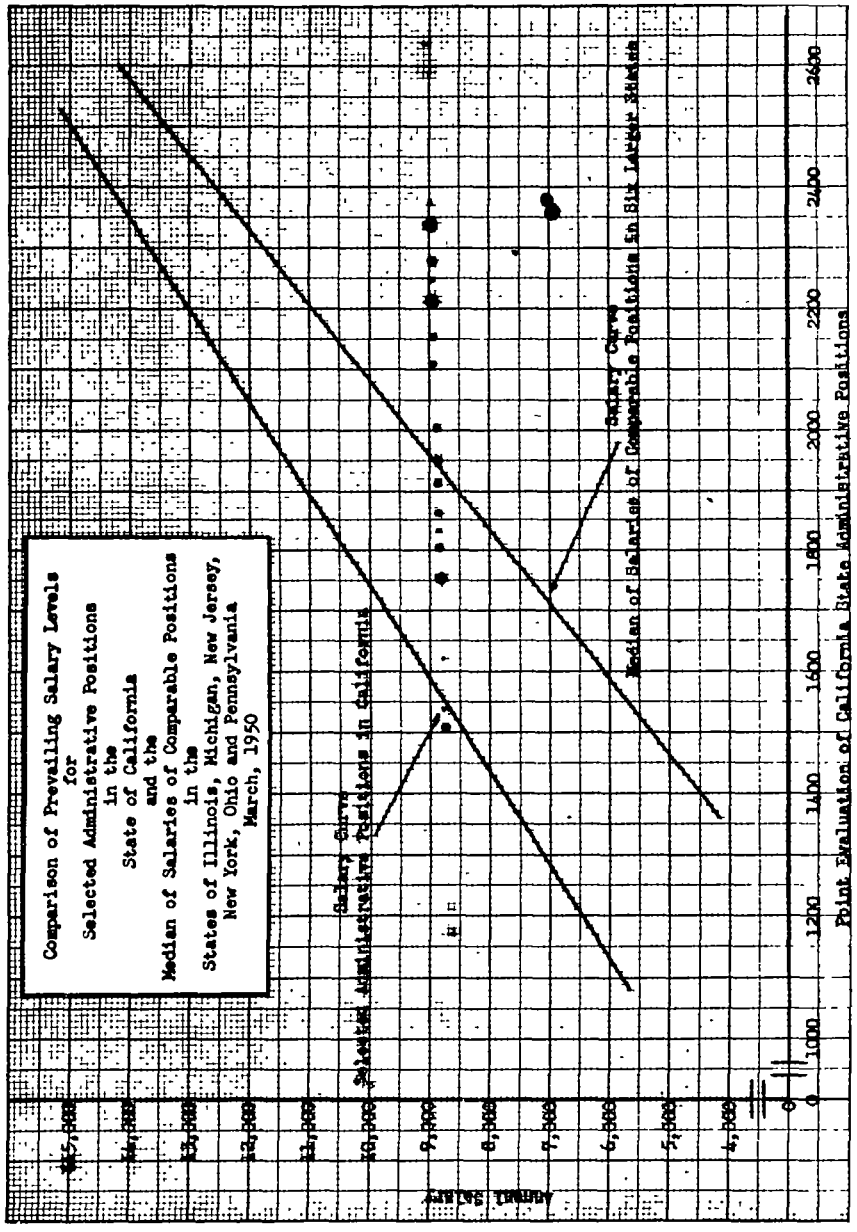
Comparison of Prevailing Salary Levels
for
Selected Administrative Positions
in the
State of California
and the
Median of Salaries of Comparable Positions
in the
States of Illinois, Michigan, New Jersey,
New York, Ohio and Pennsylvania
March, 1950
Salary Curve
Selected Administrative Positions in California
Salary Curve
Median of Salaries of Comparable Positions in Six Larger States
ANNUAL SALARY
$15,000
14,000
13,000
12,000
11,000
10,000
9,000
8,000
7,000
6,000
5,000
4,000
0
1000
1200
1400
1600
1800
2000
2200
2400
2600
Point Evaluation of California State Administrative Positions

states and the median salary percentage in these states. The salary for Superintendent of Public Instruction has been used as the 100 percent base for this comparison as this position has been found to have substantially similar duties and responsibilities in the different states covered.

The information collected from the salary survey in the six states indicates the relative value of these positions as expressed by salaries paid in the respective states. Eliminating the positions where there are distinct variations both in the duties, responsibilities and salaries provided, the relative values for 31 of the 45 positions fall within 10 percent plus or minus of the median salaries in four of the six states. These relative values of the bench mark positions are sufficiently similar to furnish valuable information for comparative purposes

This information on the relative values of the bench mark positions which were within 10 percent of the median salaries had been used as a check on the evaluations of the state administrative positions in California.

The data on the salaries paid in the States of Oregon and Washington are shown on the table on page 1288. This shows the salary conditions in the Pacific Coast states as compared with salaries of similar positions in the State of California. As these states have substantially smaller organizations and the conditions vary materially from those in California, such salary data has not been used for comparative purposes or as a check on the relative values or salaries of comparable positions in the State of California.

G. SALARY LEVELS FOR ADMINISTRATIVE POSITIONS IN CALIFORNIA AND SIX LARGER STATES

In order to furnish an over-all comparison of the relative value and the salary levels for state administrative positions in California and in the other six larger states, salary curves are shown on the chart on page 1291 for both the State of California and the median of salaries in the six other larger states.

These curves show the relationship between the total evaluations of positions in California and the present salaries for state administrative positions in California and the median of salaries for comparable positions in the six larger states.

The curves have been developed by plotting on the curve the evaluation points for the respective positions and the corresponding salaries in California and the median of salaries in the six states.

It will be noted from this chart that the general salary level for the state administrative positions in California are higher than the median of salaries in the six other larger states and that the margin between the salary levels is greater in the case of the state administrative positions with lower evaluations than for positions with higher evaluations. This is significant in that the salaries for the lower grade positions in California are generally higher than for comparable jobs in the six other larger states.

PART SIX

DETERMINATION OF RECOMMENDED EQUALIZED SALARIES

The factors used in determining the equalized salary for each position have been considered in the determination of the recommended equalized salaries for the state administrative positions.

The recommended salaries are based upon the orderly evaluations of positions and the equalization of salaries related to such objective evaluations.

Consideration of such relationships provides an integrated compensation plan and assures substantially similar compensation for the state administrative positions in the State Government having similar basic responsibilities.

The main criteria or factors which were considered in determining the recommended equalized salaries are as follows:

(1) The character and importance of the duties and responsibilities of each position.

(2) The relative over-all evaluation of the duties, responsibilities and other requirements of each position.

(3) The equalized salaries for a cross section of the state administrative positions having close inter-relationship between position evaluation and salaries.

(4) The general economic conditions in California and changes in salaries for different positions and of salary levels provided for administrative positions in the States of New York and Pennsylvania, in local municipal and county governmental jurisdictions of the State of California, and in private industry.

(5) The policy of the Legislature in approving salaries for other state supervisory and technical positions in order to insure integrated salary schedules in the state service.

The determination of appropriate compensation for executive positions is much more complex and involved than determining the salary for specific craft or clerical positions. In the latter, direct counterparts of the state positions may be found in private industry and in govermental jurisdictions. However, for executive positions in the state service, it is difficult to make direct comparisons with specific executive positions in either private industry or in other governmental jurisdictions due to wide differences in organization, size, and scope of activity. The difficulty in making direct position-by-position comparisons for salary fixing purposes presented one problem in the determination of appropriate compensation for these positions and the requirement that the State must recruit qualified and experienced personnel for state administrative positions presented a second problem particularly due to the present extent of nation-wide defense preparations. With due consideration to both problems, and after careful investigation subsequent to the determination of the relative (equalized) value of each of these positions, the recommended equalized salaries were based upon the general level of compensation for similar or comparable positions in the states of New York and Pennsylvania and in local municipal and county governmental jurisdictions in the State of California.

Comparisons were made between the level of compensation for a selected group of 15 department heads in California with similar groups in the States of New York and Pennsylvania since New York and Pennsylvania are the two states, of the six states originally surveyed, most comparable to the State of California in size and all three have fixed the annual salary of their Governor at $25,000. The 15 selected executive positions in New York range from $15,000 to $20,000 a year, and in Pennsylvania concentrate at the $15,000 level. In California the top 15 executive salaries range from $12,000 to $16,000, with a concentration at $15,000.

Because of the size and complexity of its program requiring large budgets and staff coupled with the complicated problems arising from state-wide administration, it might be assumed that the State of California would have more executive and administrative positions in the $15,000 to $20,000 salary range than local governmental jurisdictions in the State. However, the survey indicates that the large local governmental jurisdictions in the State have a considerable number of executives and administrators at salaries of $15,000 and higher and, in addition, several such salaries are found in the smaller cities and counties in California. In spite of differences in size, comparison indicates that of the executive positions studied California has six positions at $15,000 a year and one at $16,000, while in San Francisco there are eight positions at $15,000 and two at $18,000; in Los Angeles County, six positions at $15,000, and one position at $18,000; in Los Angeles City, 12 positions at $15,000, five at the $17,000 level, and five at higher levels up to $27,456. Salaries of $15,000 and higher are found in many smaller jurisdictions. The top executive salaries of San Francisco, Los Angeles County, the City of Los Angeles, are listed on the table on page 1295.

A review of executive salaries in private corporations in California indicates that it is not possible for government to match the salaries paid in private industry. The average salaries paid by nine public utility companies range from $18,495 for the chiefs of major divisions to $60,625 for the presidents of these firms. A table of the average salaries paid to these executives of private corporations is on page 1295.

In view of the disparities in compensation which exist between the executive and administrative positions in the State of California with the levels of administrative compensation for similar positions in the states and local governmental jurisdictions mentioned above, as well as with private industry and the continuous requirement on the State of California to recruit qualified and experienced personnel for executive and administrative positions, the salary level for executive positions in the State of California should be increased. Comparisons with private and other governmental agencies indicate that the present level for state executive and administrative salaries is not in proper relationship with those found elsewhere. Such outside salaries justify the conclusion that the level of compensation for executive and administrative positions should be increased from a present range of $8,000-$15,000 a year, to a range of $10,000-$17,500. The listing of the recommended salary for each executive and administrative position is shown on the table on page 1296. Specific notes on the proposed salaries for other positions are included in Part Two, Section II. The point evaluation and salary curve based on executive salary levels in other jurisdictions is on page 1297.

ADMINISTRATIVE SALARIES IN SELECTED PRIVATE COMPANIES—1949

Office	*Total number of Positions*	*Average of 9 Public Utilities*
President	9	$60,625
Vice President and General Manager	8	32,290
Other Vice Presidents	25	23,418
Vice Presidents and Assistants to President	4	18,439
Assistant Vice Presidents	6	16,959
Chief Counsel	6	25,935
Assistant Chief Counsel	5	17,907
Chief Engineer	5	20,755
Comptroller	6	21,229
Manager of Major Division	12	18,495

SALARIES FOR FIFTEEN HIGHEST PAID EXECUTIVE POSITIONS

Fiscal Year 1950-51

Salary	*Calif.*	*New York*	*Penn.*	*San Francisco City and County*	*Los Angeles City and County*
20,500-over	--	--	--	--	1
19,500-20,499	--	3	--	--	2
18,500-19,499	--	--	--	--	--
17,500-18,499	--	2	--	2	2
16,500-17,499	--	7	--	--	5
15,500-16,499	1	--	--	--	--
14,500-15,499	6	3	15	8	12
13,500-14,499	--	--	--	--	7
12,500-13,499	3	--	--	1	4
11,500-12,499	5	--	--	4	13
10,500-11,499	--	--	--	--	1
9,500-10,499	--	--	--	--	3

STATE OF CALIFORNIA

POINT EVALUATION BRACKETS, PRESENT SALARY AND PROPOSED SALARY FOR SELECTED ADMINISTRATIVE POSITIONS INCLUDED IN SURVEY

Position Title	*Point Evaluation Bracket*	*Present Annual Salary*	*Proposed Annual Salary*
Superintendent of Public Instruction	2420-2700	$15,000	$17,500
Director of Finance	2420-2700	15,000	17,500
Director of Public Works	2420-2700	15,000	17,500
Director of Mental Hygiene	2420-2700	15,000	17,500
Members, Public Utilities Commission	2420-2700	12,000	17,500
State Controller	2270-2420	12,000	16,000
Director of Corrections	2120-2270	12,500	15,000
Director of Public Health	2120-2270	13,000	15,000
Commissioner of the California Highway Patrol	1970-2120	12,000	14,000
Secretary of State	1970-2120	12,000	14,000
Members, State Board of Equalization	1970-2120	12,000	14,000
Director of Youth Authority	1970-2120	12,000	14,000
Superintendent of Banks	1970-2120	15,000	14,000
Associate Superintendent of Public Instruction (Colleges)	1970-2120	9,000	14,000
Director of Motor Vehicles	1970-2120	12,000	14,000
Chief, Division of Public Employment Offices and Benefit Payments	1970-2120	12,000	14,000
Members, California Unemployment Insurance Appeals Board	1970-2120	12,000	14,000
Director of Agriculture	1970-2120	12,000	14,000
State Treasurer	1970-2120	12,000	14,000
Insurance Commissioner	1970-2120	12,500	14,000
Executive Officer—Franchise Tax Board	1970-2120	12,000	14,000
Chief, Division of Accounts and Tax Collections	1970-2120	12,000	14,000
Director of Professional and Vocational Standards	1820-1970	10,000	13,000
Director of Industrial Relations	1820-1970	10,000	13,000
Associate Superintendent of Public Instructions (Instruction)	1820-1970	9,000	13,000
Director of Natural Resources	1820-1970	12,000	13,000
Port Manager (S. F. Harbor Commission)	1820-1970	12,000	13,000
Deputy Superintendent of Public Instruction (Special Schools)	1820-1970	9,000	13,000
Associate Superintendent of Public Instruction (School Administration)	1820-1970	9,000	13,000
Director of Veterans Affairs	1820-1970	10,000	13,000
Members, Youth Authority	1670-1820	10,000	12,000
Members, Adult Authority	1670-1820	10,000	12,000
Commissioner of Corporations	1670-1820	10,000	12,000
Members, Industrial Accident Commission	1670-1820	10,000	12,000
Real Estate Commissioner	1670-1820	10,000	12,000
Chief Deputy Superintendent of Banks	1670-1820	10,000	12,000
Building and Loan Commissioner	1670-1820	10,000	12,000
Labor Commissioner	1520-1670	8,940	11,000
Chief, Division of Industrial Safety	1520-1670	8,940	11,000
State Fire Marshal	1520-1670	10,000	11,000
Deputy Superintendent of Public Instruction (Departmental Administration)	1520-1670	9,000	11,000
Registrar of Contractors	1520-1670	8,000	11,000
State Librarian	1370-1520	9,500	10,000
Chief, Division of Industrial Welfare	1370-1520	8,490	10,000
Director of Aeronautics	1370-1520	12,000	10,000
Secretary, California Horse Racing Board	1370-1520	10,000	10,000
Chief, Division of Housing	1370-1520	8,940	10,000
Secretary, State Athletic Commission	1370-1520	10,000	10,000
Deputy State Treasurer	1370-1520	8,000	10,000

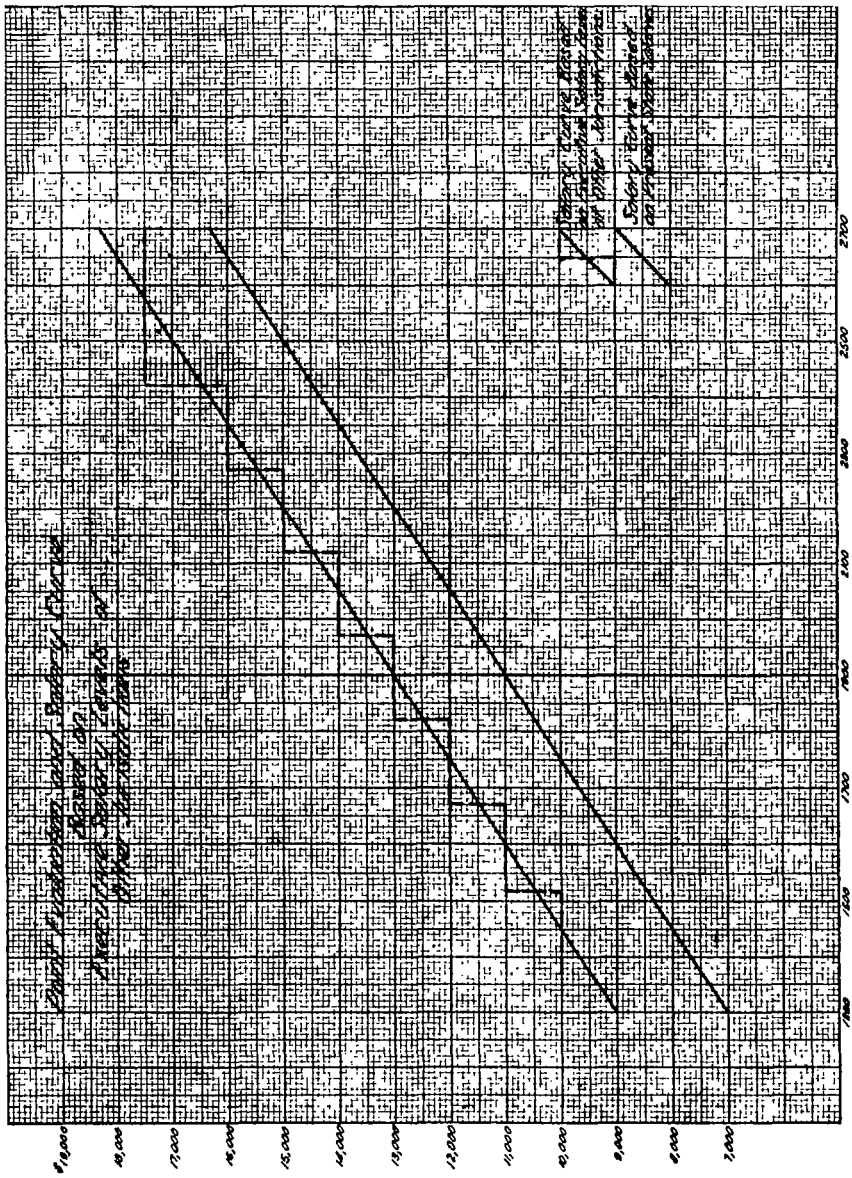

PART SEVEN

OUTLINE PROCEDURE FOR PERIODIC SALARY SURVEY

The following outlines the more important steps recommended to be used by the proposed joint salary survey committee in making periodic salary surveys of comparable bench mark positions in the larger states:

(1) Review and revise the list of representative administrative positions on which prevailing salaries and other employment data for comparable positions was used in the current salary survey.

(2) Review and make any necessary changes in the descriptions of duties and responsibilities of the positions on which comparable salary data are to be obtained.

(3) Review and prepare the salary questionnaire with detailed instructions on the information to be obtained.

(4) Review and make necessary revision in the list of governmental organizations of comparable size and character, from which salary information should be requested.

(5) Send letter with the questionnaire to each participating agency, outlining the purpose of the survey, promising that the information received will be kept confidential and that each agency will be furnished with a copy of the summary tabulations prepared from such wage survey.

(6) Arrange for necessary follow-up with certain agencies in order to review the information furnished and to assist in clearing up any questions on position content and on data dealing with salaries and working conditions as requested on the questionnaire.

(7) Review salary and other information included on questionnaires from reporting governmental agencies, make necessary rechecks and corrections of data and obtain supplemental information from California departments and agencies to assure proper sample and distribution.

(8) Tabulate the information on prevailing wages and working conditions of comparable positions by reporting governmental and other participating agencies.

(9) Prepare report and recommendations to the legislative committees on any change in salary schedule for specific positions on which the prevailing salary data indicates variations from the base salary schedules in the salary plan.

(10) Follow through on action taken by the Legislature authorizing any change or adjustment of salary schedules and record changes on the compensation plan.

Appendix A

A LIST OF ELECTIVE AND APPOINTIVE OFFICERS OF THE STATE OF CALIFORNIA WHOSE COMPENSATION IS FIXED BY STATUTE, WITH SUMMARIES OF AND CITATIONS TO THOSE PROVISIONS OF LAW WHICH DEFINE THEIR POWERS AND DUTIES, AND A LIST OF EX OFFICIO POSITIONS HELD BY SUCH OFFICERS

Prepared for the Assembly Interim Committee on Equalization of Salaries, Qualifications, and Job Classification of Public Employees

Created by H. R. 255 of the 1949 Regular Session of the Legislature of California

FRED B. WOOD, Legislative Counsel
State Capitol, Sacramento, California
January, 1950

PART ONE

STATUTES

ABBREVIATIONS USED IN CITATIONS

Ag. C.	Agricultural Code
B. C.	Banking Code
B. & P. C.	Business and Professions Code
Corp. C.	Corporations Code
Educ. C.	Education Code
Elec. C.	Elections Code
F. & G. C.	Fish and Game Code
Gov. C.	Government Code
H. & N. C.	Harbors and Navigation Code
H. & S. C.	Health and Safety Code
Ins. C.	Insurance Code
Lab. C.	Labor Code
M. & V. C.	Military and Veterans Code
Pen. C.	Penal Code
Pol. C.	Political Code
P. R. C.	Public Resources Code
S. & H. C.	Streets and Highways Code
V. C.	Vehicle Code
W. & I. C.	Welfare and Institutions Code
Sec.	Section
Art.	Article
Ch.	Chapter
Const.	Constitution
D. A.	Deering's Act
Stats.	Statutes

NOTE: If the material cited was enacted at the 1949 General Session, the year, chapter, and page number will be cited.

I. Adjutant General's Office

A. Generally

Section 1. "The Legislature shall provide, by law, for organizing and disciplining the militia, in such manner as it may deem expedient, not incompatible with the Constitution and laws of the United States. Officers of the militia shall be elected or appointed in such manner as the Legislature shall from time to time direct, and shall be commissioned by the Governor. The Governor shall have power to call forth the militia to execute the laws of the State, to suppress insurrections, and repel invasions." (Const., Art. VIII.)

B. Adjutant General

"There shall be in the State Government the office of The Adjutant General." (M. & V. C., 50.)

"The office of the Adjutant General shall include the National Guard and Naval Militia." (M. & V. C., Sec. 51.)

"The Adjutant General succeeds to and is vested with the duties, powers, purposes, responsibilities and jurisdiction of the Division of Military Affairs * * *." (M. & V. C., Sec. 52.)

"The Adjutant General is chief of staff of the Governor and subordinate only to him." (M. & V. C., Sec. 160.)

"The office of the Adjutant General consists of one officer of the rank of Major General who is the Adjutant General, one officer of the rank of Brigadier General who is the Assistant Adjutant General, * * *." (M. & V. C., Sec. 161.)

"The Adjutant General shall be appointed by the Governor with the advice and consent of the Senate, and shall hold office at the pleasure of the Governor, * * *." (M. & V. C., Sec. 162.)

"The salary of the Adjutant General shall be the same pay and allowances as is received by a Major General in the United States Army and shall be paid in the same manner and at the same time as other State officers." (M. & V. C., Sec. 164.1.)

"The Adjutant General shall perform such duties as are prescribed in this code and such additional duties consistent with the regulations and customs of the United States Army, United State Air Force, and the United States Navy as may be prescribed by the Governor, * * *." (M. & V. C., Sec. 163, Stats: 1949 :466 :812.)

C. Assistant Adjutant General

"All officers, * * * on active duty with the office of the Adjutant General shall be appointed by the Governor, with consideration of the recommendation of the Adjutant General, * * *." (M. &. V. C., Sec. 167, Stats. 1949 :466 :812.)

"* * * The Assistant Adjutant General shall be a brigadier general and shall receive the same pay and allowance as a brigadier general in the United States Army." (M. & V. C., Sec. 168, Stats. 1949 :466 :812.)

II. Aeronautics Commission

A. Director of Aeronautics

"(a) There is hereby created the California Aeronautics Commission to consist of five members, who shall be appointed by the Governor by and with the consent of the Senate, * * *.

"(b) (1) A Director of Aeronautics shall be appointed by the commission. He shall hold the confidential position for the commission, exempt from Civil Service, and shall serve at the pleasure of the commission * * *. He shall receive a salary of not more than * * * ($12,000) per annum, to be fixed by the commission, and shall be reimbursed for all traveling and other expenses, incurred by him in the discharge of his official duties.

"(2) The Director shall be the executive officer of the commission and under its supervision shall administer the provisions of this act and the rules * * * established thereunder and all other laws of the State relative to aeronautics. * * *" (Sec. 3, D. A. 151a, Stats. 1947 :1379 : 2927.)

III. Agriculture, Department of

A. Director of Agriculture

"There is in the State government a Department of Agriculture." (Ag C., Sec. 20.)

"The department shall be conducted by an executive officer known as the Director of Agriculture The director shall be appointed and hold office at the pleasure of the Governor and shall receive a salary of * * * ($12,000) per annum. * * *" (Ag. C., Sec. 21)

"The department shall promote and protect the agricultural industry of the State; prevent fraud and deception in the packing or labeling or in any phase of the marketing of agricultural products governed by this Code; * * * execute the provisions of this Code. * * *" (Ag C., Sec. 30.)

IV. Banking Department

A Superintendent of Banks

"There is in the State Government a State Banking Department. * * *" (B. C., Sec. 200, Stats. 1949:755:1376.)

"The chief officer of the State Banking Department is the Superintendent of Banks * * *." (B. C., Sec. 210, Stats 1949:755:1376.)

"The superintendent is appointed by the Governor. He holds office at the pleasure of the Governor. (B. C., Sec. 211, Stats. 1949:755:1376.)

"The annual salary of the superintendent is * * * ($15,000)." (B. C., Sec. 213, Stats 1949.755:1376)

"The superintendent is responsible for the performance of all duties, the exercise of all powers and jurisdiction, and the assumption and discharge of all responsibilities vested by law in the department. He has and may exercise all the powers necessary or convenient for the administration and enforcement of the laws relating to banks and trust companies and the banking and trust business in this State * * *." (B. C., Sec. 215, Stats 1949:755:1376.)

B. Chief Deputy

"The superintendent shall appoint a chief deputy who holds office at the pleasure of the superintendent. The annual salary of the chief deputy is * * * ($10,000). He shall have the same qualifications as the superintendent." (B. C , Sec. 230, Stats. 1949:755:1376.)

V. Building and Loan Commission, Office of

"The office of the Building and Loan Commissioner is hereby created * * *. The Building and Loan Commissioner shall be appointed by the Governor, with the consent of the Senate, and shall hold office at the pleasure of the Governor * * * . The commissioner shall be charged with the administration and enforcement of this act, and of all other laws relating to * * * associations subject to this act." (Sec. 13.01, D. A. 986, Stats. 1945:1504:2807.)

"The commissioner shall receive an annual salary of * * * ($10,000), payable monthly * * *." (Sec. 2, D. A. 987, Stats. 1945:1504:2807.)

VI. Constitutional Offices

A. Generally

"The supreme executive power of this State shall be vested in a Chief Magistrate, who shall be styled the Governor of the State of California." (Const., Art. V, Sec. 1.)

"A Secretary of State, a Controller, a Treasurer, an Attorney General, and a Surveyor General shall be elected at the same time and places, and in the same manner as the Governor and Lieutenant Governor, and their terms of office shall be the same as that of the Governor." (Const., Art. V, Sec. 17.)

"Notwithstanding anything contained elsewhere in this Constitution, the compensation for the services of the Governor, the Lieutenant Governor, the State Controller, Secretary of State, Superintendent of Public Instruction and State Treasurer may be fixed at any time by the Legislature at an amount not less than $10,000 per annum, for the Governor, and not less than $5,000 per annum for each of the other state officers named herein. Except by an act passed at the Fifty-seventh Regular Session of the Legislature, the compensation of no state officer named herein shall be increased nor diminished during his term of office." (Const., Art. V, Sec. 22.)

B. Governor

"The Governor shall be elected by the qualified electors at the time and places of voting for Members of the Assembly, and shall hold his office four years from and after the first Monday after the first day of January subsequent to his election, and until his successor is elected and qualified." (Const., Art. V, Sec. 2.)

"The annual salary of the Governor is * * * ($25,000)." (Gov. C., Sec. 12000.)

"The Governor shall supervise the official conduct of all executive and ministerial officers." (Gov. C., Sec. 12010.)

"The Governor shall see that all offices are filled and their duties performed. If default occurs, he shall apply such remedy as the law allows. If the remedy is imperfect, he shall so advise the Legislature at its next session." (Gov. C., Sec. 12011.)

C. Governor's Secretaries

"The Governor may appoint and fix the salaries of such secretaries and other personnel as he deems necessary for his office. No salary fixed under this section shall exceed * * * ($10,000) annually." (Gov. C., Sec. 12001.)

D. Lieutenant Governor

"A Lieutenant Governor shall be elected at the same time and place and in the same manner as the Governor, and his term of office and his qualifications shall be the same. He shall be President of the Senate, but shall only have a casting vote therein." (Const., Art. V, Sec. 15.)

"The annual salary of the Lieutenant Governor is * * * ($12,000)." (Gov. C., Sec. 12100.)

E. Secretary of State

"The Secretary of State shall keep a correct record of the official acts of the legislative and executive departments of the government, and shall, when required, lay the same, and all matters relative thereto, before either branch of the Legislature, and shall perform such other duties as may be assigned him by law." (Const., Art. V, Sec. 18.)

"The annual salary of the Secretary of State is * * * ($12,000)." (Gov. C., Sec. 12150.)

"The Secretary of State is charged with custody of:

(a) The enrolled copy of the Constitution.
(b) All acts and resolutions passed by the Legislature.
(c) The Journals of the Legislature.
(d) The Great Seal.
(e) All books, records, deeds, parchments, maps, and papers, kept or deposited in his office pursuant to law." (Gov. C., Sec. 12160.)

"The Secretary of State shall attend at every session of the Legislature, for the purpose of receiving bills and resolutions * * *." (Gov. C., Sec. 12161.)

"The Secretary of State shall keep a register and attest the official acts of the Governor and shall affix the Great Seal, with his attestation, to commissions, pardons, and other public instruments, to which the official signature of the Governor is required." (Gov. C., Sec. 12162.)

"The Secretary of State shall receive and record in proper books the official bonds of all officers whose bonds are required by law to be filed with him." (Gov. C., Sec. 12163.)

"The Secretary of State shall record in proper books all:

(a) Conveyances made to the State * * *.
(b) Articles of incorporation filed in his office
(c) Changes of name certified to him * * *." (Gov. C., Sec. 12164.)

"The Secretary of State shall certify and declare the result of all elections upon any question submitted to the electors of the State * * *." (Gov. C., Sec. 12165.)

"No person shall conduct within this State a collection agency * * * without having first applied for and obtained a license." (B. & P. C., Sec. 6870.)

"The administration of this chapter is vested in the office of the Secretary of State * * *." (B. & P. C., Sec. 6860.)

"The Secretary of State shall keep in his office a suitable record * * * for licenses * * *." (B. & P. C , Sec. 6867.)

F. State Treasurer

"The annual salary of the State Treasurer is * * * ($12,000)." (Gov. C., Sec. 12300.)

"The Treasurer shall receive and keep in the vaults of the State treasury or deposit in banks all money belonging to the State, not required to be received and kept by some other person." (Gov. C., Sec. 12320.)

"The Treasurer shall keep an account of all money received and disbursed, and keep separate accounts of the different funds." (Gov. C., Sec. 12326.)

1. Deputy Treasurer and Cashier: "The Treasurer may appoint one Deputy Treasurer at an annual salary of * * * ($8,000), and one cashier at an annual salary of * * * ($6,000) * * *." (Gov. C., Sec. 12302, Stats. 1949·1420:2483.)

G. Attorney General

"* * * The Attorney General shall receive the same salary as that now or hereafter prescribed by law for an Associate Justice of the Supreme Court, and he shall not engage in the private practice of law * * *." (Const., Art. V, Sec. 21.)

"* * * The annual salary of each of the associate justices of the Supreme Court is * * * ($16,000) * * *." (Pol. C., Sec. 736.)

"The annual salary of the Attorney General includes all services rendered ex officio as a member of any board or commission." (Gov. C., Sec. 12500.)

"The Attorney General is head of the Department of Justice." (Gov. C., Sec. 12510.)

"The Attorney General has charge as attorney, of all legal matters in which the State is interested except * * *." (Gov. C., Sec. 12511.)

H. State Controller

"The annual salary of the Controller is * * * ($12,000)." (Gov. C., Sec. 12400.)

"The Controller shall superintend the fiscal concerns of the State. The Controller shall audit all claims agains the State, * * *." (Gov. C., Sec. 12410, Stats. 1949·187·423.)

"The Controller shall keep and state all accounts in which the State is interested and keep a separate account under the head of each specific appropriation, showing at all times the unexpended balance of the appropriation." (Gov. C., Sec. 12412.)

VII. Corporations, Division of

A. Commissioner of Corporations

"There is in the State Government a Division of Corporations. The chief officer of the Division of Corporations is the Commissioner of Corporations." (Corp. C., Sec. 25300, Stats. 1949:384:698.)

"The Commissioner of Corporations shall be appointed by the Governor and shall hold office at the pleasure of the Governor. He shall receive an annual salary of * * * ($10,000)." (Corp. C., Sec. 25301, Stats. 1949:384:698.)

VIII. Corrections, Department of

A. Director of Corrections

"A Department of Corrections is hereby established in the State Government." (Pen. C., Sec. 5000.)

"The department is composed of the Director of Corrections, the Board of Corrections, the Adult Authority, the Board of Trustees of the California Institution for Women, the Correctional Industries Commission, and the Youth Authority." (Pen. C., Sec. 5001.)

"The office of Director of Corrections is hereby created." (Pen. C., Sec. 5050.)

"The director shall be appointed by the Governor with the advice and consent of the Senate. He shall hold office at the pleasure of the Governor * * *. He shall receive a salary of * * * ($12,500) per year * * *." (Pen. C., Sec. 5051, Stats. 1949 :1005 :1850.)

"The Director of Corrections is the chief administrative officer of the Department of Corrections." (Pen. C., Sec. 5053.)

"All powers and duties granted to and imposed upon the Department of Corrections shall be exercised by the Director of Corrections, except where such powers and duties are expressly vested by law in the Adult Authority, the Board of Trustees of the California Institution for Women, or the Youth Authority * * *." (Pen. C., Sec. 5055.)

B. Adult Authority

"The Adult Authority shall be composed of three members, each of whom shall be appointed by the Governor, with the advice and consent of the Senate, for a term of four years and until the appointment and qualification of his successor * * *." (Pen. C., Sec. 5075.)

"Each member of the Adult Authortiy shall devote his entire time to the duties of his office and shall receive a salary of * * * ($10,000) per year." (Pen. C , Sec. 5076.)

"* * * the Adult Authority shall exercise the powers and duties heretofore exercised by the Board of Prison Terms and Paroles, and the Advisory Pardon Board." (Pen. C., Sec. 5078.)

C. Youth Authority

"There is in the Department of Corrections the Youth Authority." (Pen. C., Sec. 6000.)

"The establishment, organization, jurisdiction, powers, duties, responsibilities, and functions of the Youth Authority are continued as provided in the Youth Authority Act * * *." (Pen. C., Sec. 6001.)

"Neither the Youth Authority nor the Director of the Youth Authority shall be subject to the supervision or control of the Director of Corrections " (Pen. C., Sec. 6002.)

"The Authority shall consist of three members, who shall devote their entire time to its work * * *." (W. and I. C., Sec. 1711.)

"Of the three positions on the authority, one position shall be filled by appointment by the Governor of a person who meets the requirements of this chapter.

"The second and third positions on the authority shall be filled by appointment by the Governor from the list of persons recommended by the advisory panel for that appointment." (W. & I. C., Sec. 1712.)

"The term of office of members of the authority shall be four years * * *." (W. & I. C., Sec. 1720.)

"The members of the authority shall receive a salary of * * * ($10,000) a year and their actual necessary traveling expenses * * *." (W. & I C., Sec. 1722.)

D. Director of Youth Authority

"The Governor shall designate one of the members of the authority as director of the Youth Authority, and the director shall be chairman of the authority. He shall receive a salary of * * * ($12,000) a year in

lieu of the salary received by members of the authority * * *." (W. & I. C., Sec. 1723, Stats. 1949:1005:1850.)

"The powers and duties of the authority in respect to classification, segregation, and parole of persons committed to the authority or to or for the placement in correctional schools shall be exercised and performed by the authority as such, and shall not be delegated by it to, nor exercised or performed by, any individual member. All other powers, duties, and functions * * * shall be exercised and performed by the director." (W. & I. C., Sec. 1725.)

IX. Education, State Board of

A. Superintendent of Public Instruction

"A Superintendent of Public Instruction shall, at each gubernatorial election after the adoption of this Constitution, be elected by the qualified electors of the State. He shall receive a salary equal to that of the Secretary of State, and shall enter upon the duties of his office on the first Monday after the first day of January next succeeding his election." (Const., Art. IX, Sec. 2.)

"* * * The compensation for the services of * * * Superintendent of Public Instruction * * * may be fixed at any time by the Legislature at an amount not less than * * * $5,000 per annum * * *." (Const., Art. V, Sec. 22.)

"There is in the State Government a State Board of Education, * * *." (Educ. C., Sec. 101.)

"The Superintendent of Public Instruction shall be secretary and shall act as executive officer of the board * * *." (Educ. C., Sec. 105.)

"The annual salary of the Superintendent of Public Instruction is twelve thousand dollars ($12,000). Effective with the commencement of the term of office of the Superintendent * * * elected * * * in 1950 the annual salary * * * shall be * * * ($15,000) * * *." (Educ. C., Sec. 141, Stats. 1949:1071:1947.)

"The State Superintendent of Public Instruction is ex officio Director of Education." (Educ. C., Sec. 174.)

"The Department of Education shall be conducted under the control of an executive officer known as the Director of Education." (Educ. C., Sec. 173.)

"The Superintendent * * * shall:

(a) Superintend the schools of this State.
(b) Prepare * * * forms and books * * *.
(c) Visit * * * orphan asylums * * *.
(d) Visit the schools in the different countries * * *.
(e) Visit and inspect each state college * * *.
(f) Authenticate * * * all drafts or orders drawn by him * * *." (Educ. C., Sec. 148.)

B. Superintendent of Public Instruction, Associates and Deputies

"The State Board of Education, on nomination of the Superintendent of Public Instruction, shall appoint one Deputy Superintendent of Public Instruction and three associate superintendents of public instruction who shall be exempt from state civil service and whose terms of office shall be four years."

"This section shall not be construed as prohibiting the appointment, in accordance with law, or additional associate superintendents of public instruction subject to state civil service." (Const., Art. IX, Sec. 2.1.)

"The Superintendent * * * may appoint one Deputy Superintendent * * *, and one Assistant Superintendent * * *." (Educ. C., Sec. 143.)

"The annual salary of the Deputy Superintendent of Public Instruction appointed * * * under Section 143 shall be * * * ($9,000)." (Educ. C., Sec. 144.)

"The duties of the Deputy Superintendent of Public Instruction appointed * * * under Section 2.1 of Article IX of the Constitution * * * shall be as are assigned to them by the Superintendent * * *." (Educ. C., Sec. 144.1.)

"The annual salaries of the Deputy Superintendent * * * and of the associate superintendents * * * appointed * * * under Section 2.1 of Article IX of the Constitution * * * shall be * * * ($9,000)." (Educ. C., Sec. 144.2.)

C. State Librarian

"There is in the Department of Education the Division of Libraries." (Educ. C., Sec. 22001.)

"The division shall be in charge of a chief who shall be a technically trained librarian and shall be known as the "State Librarian." (Educ. C., Sec. 22002.)

"The State Librarian shall be appointed by and hold office at the pleasure of the Governor. He shall receive a salary of * * * ($9,500) per annum * * *." (Educ. C., Sec. 22003, Stats. 1949:1005:1850.)

"The State Librarian shall administer the State Library in accordance with law and such regulations as may be adopted by the State Board of Education * * *." (Educ. C., Sec. 22004.)

D. Field Worker, California School for the Blind

"There is in Berkeley, Alameda County, the State School for the Blind * * *." (Educ. C., Sec. 20901.)

"The State Department of Education * * * shall

(b) * * * Appoint the principal and other officers and employees." (Educ. C., Sec. 20904.)

"There is hereby created at the California School for the Blind the position of field worker to be appointed by the principal * * * with the approval of the Superintendent of Public Instruction * * *. The field worker shall be a member of the teaching staff * * * and shall receive an annual salary of not less than * * * ($3,000), * * *.

"The field worker shall visit graduates and former pupils * * * in their homes to advise them regarding the extension and continuance of their education, to assist them in securing remunerative employment, to improve their economic condition in all possible ways, and to provide them with preparatory instruction found necessary for a selected occupation * * *." (Educ. C., Sec. 20924.)

X. Employment, Department of

A. Unemployment Appeals Board

"The California Employment Stabilization Commission hereby shall consist of five members, who shall be the three members of the appeals board and the chief of the Division of Public Employment Offices and Benefit Payments and the Chief of the Division of Accounts and Tax Collections." (Sec. 83, D. A. 8780d, Stats. 1943:1093:3032.)

"The Department of Employment is hereby created * * *, and the provisions of this act shall be administered by an executive officer known as the Director of Employment. The director shall be appointed by the Governor * * * from the membership of the commission * * *." (Sec. 75, D. A. 8780d, Stats. 1947:1166:2645.)

"The California Unemployment Insurance Appeals Board, to consist of three members to be appointed by the Governor, subject to the approval of the Senate, is hereby created in the Department of Employment. Each member * * * shall devote his full time * * * and shall receive a salary of * * * ($12,000) per year." (Sec. 77, D. A. 8780d, Stats. 1949:1006:1852.)

B. Division of Accounts and Tax Collections and Division of Public Employment Offices and Benefit Payments

"The work and functions of the department shall be segregated * * * according to their nature into divisions. One of such divisions shall be designated Division of Public Employment Offices and Benefit Payments, and one * * * the Division of Accounts and Tax Collections. Each * * * shall be under a chief who shall be appointed by the Governor, subject to the approval of the Senate, and who shall serve at the pleasure of the Governor. The chief of each of these two divisions shall devote his full time * * * as such chief * * * and shall receive a salary of * * * $12,000 per year * * *." (Sec. 76, D. A. 8780d, Stats. 1949: 1006:1852.)

"* * * The commission * * * (b) Shall establish, maintain and operate * * * public employment offices * * *." (Sec. 92, D. A. 8780d, Stats. 1947:1242:2746.)

XI. Equalization, Board of

A. Members

"A State Board of Equalization, consisting of one member from each congressional district in this State, as the same existed in 1879, shall be elected by the qualified electors of their respective districts, at the general election to be held in the year 1886, and at each gubernatorial election thereafter, whose term of office shall be for four years; whose duty it shall be to equalize the valuation of the taxable property in the several counties of the State for the purposes of taxation. The Controller of State shall be ex officio a member of the board.

* * * * * * *

The Legislature shall have power to redistrict the State into four districts as nearly equal in population as practical, and to provide for the elections of members of said Board of Equalization." (Const., Art. XIII, Sec. 9.)

"The State is hereby divided into four equalization districts designated and constituted as follows:* * *." (Pol. C., Sec. 125.)

"No person shall be a member of the State Board of Equalization who has not been an inhabitant of the district for which he is chosen one year next before his election * * *." (Pol. C., Sec. 3703.)

"The annual salary of each member of the State Board of Equalization, * * * is * * * ($12,000). Each * * * shall devote his entire time to the services * * *."

B Duties of Members

"Each member of the State Board of Equalization elected by the voters of a district shall investigate the administration, enforcement, and operation within the district from which he is elected of all laws, the administration and enforcement of which is vested in said board * * *." (Pol. C., Sec. 3694.)

"The powers and duties of the State Board of Equalization are as follows:

1. To prescribe rules for its own government * * *.
2. To prescribe rules * * *, to govern local boards of equalization * * *.
3. To prescribe and enforce the use of all forms for the assessment of property * * *.
4. To prepare and issue instructions to assessors designed to promote uniformity * * *.
5. To summon assessors to meet with the board * * * at least once a year * * *."

(Pol. C., Sec. 3692, Stats. 1949:1580:2826.)

XII. Finance

A. Director of

"There is in the State Government a Department of Finance." (Gov. C., Sec 13000.)

"The department is under the control of an executive officer known as the Director of Finance." (Gov. C., Sec. 13001.)

"The director is appointed by and holds office at the pleasure of the Governor. The annual salary of the director is * * * ($15,000)." (Gov. C., Sec. 13002.)

B Duties of Director

"The director shall perform all duties, exercise all powers and jurisdiction, assume and discharge all responsibilities, and carry out and effect all purposes vested by law in the department, * * *." (Gov. C., Sec 13004)

"The department has general powers of supervision over all matters concerning the financial and business policies of the State * * *." (Gov. C., Sec. 13070.)

XIII. Fire Marshal, Office of

A. Fire Marshal

"There is in the State government the office of State Fire Marshal." (H. & S. C., Sec. 13100.)

"The functions of the office shall be to foster, promote and develop ways and means of protecting life and property against fire and panic." (H. & S. C., Sec. 13100.1.)

"The State Fire Marshal shall be appointed by the Governor with the advice and consent of the Senate and shall hold office at the pleasure of the Governor * * *. He shall be paid a salary of * * * ($10,000) per annum." (H. & S. C., Sec. 13101.)

"The State Fire Marshal shall aid in the enforcement of all laws and ordinances and any rules and reguations adopted under the provisions of this chapter relating to fires or to fire prevention and protection * * *." (H. & S. C., Sec. 13104.)

XIV. Franchise Tax Commissioner

(NOTE: This office expires on January 1, 1950, so information included concerning succeeding board and executive officer.)

"Sec. 1. There is hereby established in the State Government a Franchise Tax Board consisting of the State Controller, the Director of Finance and the chairman of the State Board of Equalization. The board shall succeed to and is hereby vested with, all of the duties, powers, purposes, responsibilities, and jurisdiction of the Franchise Tax Commissioner, which office is hereby abolished; provided, however, that the statutes and laws under which such office existed and all laws prescribing the duties, powers, purposes, responsibilities and jurisdiction of such office, together with all lawful rules and regulations established thereunder, are hereby expressly continued in force * * *.

"Sec. 2. The Franchise Tax Board, with the consent and approval of two-thirds of the Senate may appoint an executive officer who shall be a civil executive officer and shall perform such duties as are delegated to him by the board. Said civil executive officer may be removed by the board only with the consent of two-thirds of the Senate. The Legislature hereby requests the board to designate said executive officer as the person holding the position confidential to it, within the meaning of subdivision 5 of Section 4, Article XXIV of the Constitution. The annual salary of the executive officer shall be * * * ($12,000) * * *.

"Sec. 4. The provisions of this act shall become effective January 1, 1950." (Stats. 1949:1188:2108.)

"* * * He (the commissioner) shall have the power, and it shall be his duty, to administer this act, and to prescribe all such rules and regulations as are necessary and reasonable to carry out its provisions; * * *." (Sec 22, D. A. 8486, Stats. 1929:13:19 Bank and Corporation Franchise Tax Act.)

XV. Harbors, Humboldt Bay

A. Board of Commissioners

"The Board of Harbor Commissioners for Humboldt Bay hereby created consists of three members who shall be appointed by the Governor, by and with the consent and advice of the Senate, * * * The term of office of each member is four years * * * In making his appointments the Governor shall designate one of the appointees to act as ex-officio survey of the port and secretary of the board. The annual salary of the member of the board who is secretary * * * is * * * ($1,400). The annual salary of each of the other member is * * * ($400).

"The board is hereby vested with the power, duty and responsibility of controlling the Port of Eureka. The port shall be in charge of the survey of the port." (H. & N. C., Sec. 3800.)

"It is the duty of the surveyor to collect * * * all data necessary to enable the department (board) to compile the reports mentioned in this part * * *" (H. & N. C., Sec. 3802.)

"* * * The department (board) shall also keep a full and complete record of all * * * vessels entering and arriving or clearing and departing * * * Humboldt Bay * * *" (H. & N. C. Sec. 3803.)

XVI. Harbors, State Board of Commissioners

A. Members of Board

"There is in the State Government a Board of State Harbor Commissioners for San Francisco Harbor, consisting of three commissioners * * *. All vacancies * * * shall be filled by appointment by the Governor * * * subject to the consent of the Senate at its next regular session. (H. & N. C. Sec. 1700.)

"* * * Each member thereafter appointed shall serve for a term of four years and until his successor is appointed and qualified." (H. & N. C., Sec. 1700.5.)

"The annual salary of each member of the board is * * * ($1,200) * * *." (H. & N. C., Sec. 1705.)

"The Board shall generally supervise the operation of facilities and properties of the State * * * under its possession and control, particularly the dock system, and the State Belt Railway." (H. & N. C., Sec. 1732.5.)

B. President of State Board of Harbor Commissioners

"The board shall organize by electing one of its members president. He shall preside at its meetings * * *" (H. & N. C. Sec. 1730.)

C. Secretary of State Board of Harbor Commissioners

"The board may designate one commissioner as member secretary and such member secretary shall receive a salary of * * * ($200) per month * * * in addition to compensation provided for the members of the board." (H. & N. C. Sec. 1705.5, Stats. 1949 :1287 :2272.)

D. Port Manager, Board of State Harbor Commissioners

"The board shall appoint the following officers: A port manager * * *."(H. & N. C. Sec. 1732.)

"The annual salary of the port manager is * * * ($12,000) * * *." (H. & N. C. Sec. 1732.6.)

"The port manager is the executive officer of the board. Subject to the direction and control of the board, and on its behalf, he shall:

(a) Supervise the conduct of officers and employees
(b) Execute and enforce the laws governing the operation and business of the harbor, * * *.
(c) Perform such duties * * * as are prescribed by the board
(d) * * * Appoint * * * assistants * * *.
(e) Manage the dock system, the State Belt Railway * * *." (H. & N. C., Sec. 1732.7.)

XVII. Harbors: Pilot Commissioners for Bays of San Francisco, San Pablo and Suisun

A. Members of Board

"There is in the State Government a Board of Pilot Commissioners for the Bays of San Francisco, San Pablo and Suisun, consisting of three members. Upon the expiration of the term of a member, or the occurrence of a vacancy in the board, the Governor, by and with the advice of the Senate, shall appoint a successor, or fill the vacancy." (H. & N. C., Sec. 1150.)

"Each member of the board * * * shall hold office during the pleasure of the power appointing him, not to exceed four years from the date of his commission." (H. & N. C., Sec. 1151.)

"The members of the board shall receive as compensation * * * such amount as may * * * be determined by the board not exceeding * * * ($200) each per month nor in the aggregate for all the members * * * during any one month more than the amount of moneys received during that month pursuant to * * * Section 1167 * * *." (H. & N. C., Sec. 1152.)

"Every pilot licensed pursuant to * * * this chapter * * * shall pay to the board 5 percent of all bar pilotage fees * * *." (H. & N. C., Sec. 1167.)

B. Secretary to the Board

"The board may appoint a secretary, * * *. The secretary shall receive such compensation as may be fixed by the board with the approval of the Director of Finance. The monthly compensation shall not exceed * * * ($350)" (H. & N. C., Sec. 1156, Stats. 1949:1235:2168.)

"The secretary shall keep a journal of all the board's proceedings and acts, and shall keep a register of all pilots appointed, their residence and date of license. He shall, under order of the board, issue and countersign licenses, * * *." (H. & N. C., Sec. 1157.)

XVIII. Highway Patrol

A. Commissioner of

"There is in the State Government a Department of the California Highway Patrol." (V. C., Sec. 139.)

"The department succeeds to and is vested with the duties, powers, purposes, responsibilities, and jurisdiction of the Division of Enforcement of the Department of Motor Vehicles * * *." (V. C., Sec. 139.01.)

"The department is under the supervision and control of a civil executive officer, known as the Commissioner of the California Highway Patrol." (V. C., 139.06.)

"The commissioner shall be appointed by the Governor with the advice and consent of the Senate to serve at the pleasure of the Governor * * *." (V. C., Sec. 139.07.)

"The annual salary of the commissioner shall be * * * ($12,000)." (V. C., Sec. 139.08.)

"The commissioner shall perform all duties and exercise all powers and jurisdiction, assume and discharge all responsibilities, and carry out and effect all purposes vested by law in the department." (V. C., Sec. 193.11.)

"The commissioner shall administer and enforce Divisions 9 to 11 inclusive, of this Code and shall enforce all other laws regulating the operation of vehicles and use of the highways." (V. C., Sec. 139.24.)

XIX. Horse Racing Board

A. Secretary

"The Legislature may provide for the regulation of horse races and horse race meetings and wagering on the results thereof. The provisions of an act entitled 'An act to provide for the regulation and licensing of horse racing, horse race meetings, and the wagering on the results thereof; to create the California Horse Racing Board for the regulation, licensing and supervision of said horse racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to provide that this act shall take effect upon the adoption of a constitutional amendment ratifying its provisions,' are hereby confirmed, ratified, and declared to be fully and completely effective; provided, that said act may at any time be amended or repealed by the Legislature." (Const., Art. 4, Sec. 25a.)

"The jurisdiction and supervision over meetings in this State where horse races * * * are held or conducted * * * is vested in the California Horse Racing Board." (B. & P. C., Sec. 19420.)

"The board shall appoint a secretary who shall receive a salary of * * * ($10,000) per annum * * *." (B. & P. C., Sec. 19433; Stats. 1949:1576:2825)

"The secretary shall keep a full and true record of all proceedings of the board, preserve * * * all books, documents and papers of the board, prepare for service such notices * * * as may be required * * * by the board, and perform such other duties as the board may prescribe." (B. & P. C., Sec. 19434.)

XX. Industrial Relations, Department of

A. Generally

"There is in the State Government the Department of Industrial Relations." (Lab. C., Sec. 50.)

"The work of the department shall be divided into at least eight divisions known as the Division of Industrial Accidents, the Division of Industrial Safety, the Division of Housing, the Division of Labor Law Enforcement, the Division of Industrial Welfare, the Division of Labor

Statistics and Research, the Division of Apprenticeship Standards, and the State Compensation Insurance Fund." (Lab. C., Sec. 56.)

B. Director of Industrial Relations

"The department shall be conducted under the control of an executive officer known as Director of Industrial Relations. The Director * * * shall be appointed by the Governor with the advice and consent of the Senate and hold office at the pleasure of the Governor and shall receive a salary of * * * ($10,000) per annum." (Lab. C., Sec. 51.)

"The director shall perform all duties, exercise all powers and jurisdiction, assume and discharge all responsibilities, and carry out and effect all purposes vested by law in the department, * * *." (Lab. C., Sec. 54.)

C. Industrial Accident Commission

"The Industrial Accident Commission, consisting of seven members, shall exercise all judicial powers, including those vested in it under Sections 4903, 5301, and 5307 of this code. In all other respects the Division of Industrial Accidents is under the control of the chairman of the commission and except as to those duties, powers, jurisdiction, responsibilities and purposes as are specifically vested in the commission, the chairman shall exercise the powers of the head of a department * * *." (Lab. C., Sec. 111.)

"The members of the commission shall be appointed by the Governor with the advice and consent of the Senate. The term of office of such members shall be four years and they shall hold office until the appointment and qualification of their successors. The terms of the members of the commission in office at the time this amendment takes effect shall expire on January 15th of that year which for the particular member has heretofore been determined. The term of one of the four members added to the commission by this amendment shall expire on January 15, 1946, the term of one on January 15, 1947, the term of one on January 15, 1948, and the term of one on January 15, 1949. Vacancies shall be filled by appointment for the unexpired terms. Each member shall receive a salary of * * * ($10,000) per annum." (Lab. C., Sec. 112.)

"The Governor shall designate the chairman of the commission from the membership of the commission. The person so designated shall hold the office of chairman at the pleasure of the Governor. The chairman shall be the administrative officer of the commission." (Lab. C., Sec. 113.)

D. Chief, Division of Housing

"* * * each division shall be in charge of a chief who shall be appointed by and hold office at the pleasure of the Governor * * *." (Lab. C., Sec. 57.)

"The salary of the Chief of the Division of Housing shall not be less than * * * ($7,200) per annum." (Lab. C., Sec. 77.5.)

E. Chief, Division of Industrial Safety

"* * * each division shall be in charge of a chief who shall be appointed by and hold office at the pleasure of the Governor * * *." (Lab. C., Sec. 57.)

"The salary of the Chief of the Division of Industrial Safety shall be not less than * * * ($7,200) per annum." (Lab. C., Sec. 145.)

F. Labor Commissioner

"'Labor Commissioner' means the chief of the Division of Labor Law Enforcement." (Lab. C., Sec. 21.)

"The salary of the Labor Commissioner shall not be less than * * * $7,200) per annum." (Lab. C., Sec. 80.)

"The division may enforce the provisions of this code and all labor laws of this state * * * which is not vested in any other officer * * *." (Lab. C., Sec. 95.)

G. Chief, Division of Industrial Welfare

"* * * each division shall be in charge of a chief who shall be appointed by and hold office at the pleasure of the Governor * * *." (Lab. C., Sec. 57.)

"The salary of the chief of the Division of Industrial Welfare shall be not less than * * * ($7,200) per annum." (Lab. C., Sec. 70.5.)

"The provisions of Chapter 1 of Part 4 of Division II of this Code shall be administered and enforced by the department through the Division of Industrial Welfare." (Lab. C., Sec. 61.)

XXI. Insurance, Department of

A. Insurance Commissioner

"The Governmental agency heretofore known as the Division of Insurance of the Department of Investment is hereby designated the Department of Insurance and is not a part of the Department of Investment. The Department of Insurance remains under the control of the Insurance Commissioner * * *." (Ins. C., Sec. 12906.)

"The Commissioner shall be appointed by the Governor, with the consent of the Senate and shall hold office for the term of four years." (Ins. C., Sec. 12900.)

"The annual salary of the Commissioner is * * * ($12,500)." (Ins. C., Sec. 12902.)

"The Commissioner shall perform all duties imposed upon him by the provisions of this code and other laws regulating the business of insurance in this State, and shall enforce the execution of such provisions and laws." (Ins. C., Sec. 12921.)

XXII. Justice, Department of

A. Deputy Director

"There is in the State Government a Department of Justice * * *." (Gov. C., Sec. 15000.)

"There is hereby created the office of deputy director of the department. The deputy director shall be appointed and his compensation shall be fixed by the Attorney General at not to exceed * * * ($10,000) per year * * *." (Gov. C., Sec. 15003.)

XXIII. Legislative Counsel Bureau

A. Legislative Counsel

"There is in the State Government the Legislative Counsel Bureau. The bureau is in charge of a chief, * * * who shall be known as the Legislative Counsel of California." (Gov. C., Sec. 10200.)

"The Legislative Counsel shall be selected by concurrent resolution at the beginning of each Regular Session and shall serve until his successor is selected and qualified." (Gov. C., Sec. 10201.)

"The annual salary of the Legislative Counsel is * * * ($15,000) * * *." (Gov. C., Sec. 10204.)

"The Legislative Counsel shall be in attendance upon all Sessions of the Legislature." (Gov. C., Sec. 10230.)

"The Legislative Counsel shall prepare and assist in the preparation, amendment and consideration of legislative measures when requested * * *." (Gov. C., Sec. 10231.)

"Upon request, the Legislative Counsel shall advise any State Agency as to the preparation of measures to be submitted to the Legislature." (Gov. C., Sec. 10232.)

"* * * The Legislative Counsel shall aid and assist any member of the Legislature as to bills, resolutions and measures, drafting them into proper form, and furnishing to the member the fullest information upon all matters in the scope of the bureau." (Gov. C., Sec. 10233.)

"The Legislative Counsel shall give such consideration to and service concerning any measure before the Legislature as circumstances will permit, and which is in any way requested by the Governor, the Senate or Assembly, or any committee of the Legislature having the measure before it for consideration." (Gov. C., Sec. 10234.)

"After final adjournment the Legislative Counsel shall give such consideration to and service concerning any bill in the Governor's hands for rejection, approval, or any action, as the circumstances will permit and the Governor requests." (Gov. C., Sec. 10235.)

"Upon request, the Legislative Counsel shall advise as to its work with any Legislative committee appointed to carry on investigations." (Gov. C., Sec. 10236.)

"The Legislative Counsel shall prepare or assist in the preparation or amendment of legislative measures at the written suggestion of any judge of the Supreme Court, the District Courts of Appeal, or of the superior courts of the State." (Gov. C., Sec. 10237.)

XXIV. Department of Mental Hygiene

A. Director of Mental Hygiene

"There is in the State Government a Department of Mental Hygiene." (W. &. I. C., Sec. 150.)

"The department is under the control of an executive officer known as the Director of Mental Hygiene." (W. & I. C., Sec. 151.)

"The director shall be appointed by and hold office at the pleasure of the Governor. The director shall receive a salary of * * * ($15,000) per annum * * *." (W. & I. C., Sec. 152, Stats. 1949 :1005 :1850.)

XXV. Motor Vehicles, Department of

A. Director of Motor Vehicles

"A department of the government of the State of California to be known as the Department of Motor Vehicles is hereby created." (V. C., Sec. 101.)

"The department shall be under the control of a civil executive officer to be known as the Director of Motor Vehicles, which office is hereby created. The director shall be appointed by and hold office at the pleasure of the Governor. He shall receive a salary of * * * ($12,000) per year * * *." (V. C., Sec. 105, Stats. 1949:1005:1850.)

"(a) The director shall administer and enforce the provisions of this code relating to the Department of Motor Vehicles * * *." (V. C., Sec. 128.)

B. Registrar of Vehicles

"* * * The work of the department is hereby divided into at least two divisions to be known respectively as the Division of Registration and the Division of Drivers Licenses * * *." (V. C., Sec. 108)

"The Division of Registration shall be under the control of a civil executive officer to be known as the Registrar of Vehicles, which office is hereby created. The Registrar of Vehicles shall be appointed by the Director subject to the approval of the Governor, * * * and shall receive an annual salary of five thousand dollars * * *." (V. C., Sec. 109.)

XXVI. Natural Resources, Department of

A. Director of Natural Resources

"There is in the State Government a Department of Natural Resources. The department shall be conducted under the control of an executive officer known as Director of Natural Resources. The director shall be appointed by and hold office at the pleasure of the Governor and shall receive a salary of * * * ($12,000) a year." (P. R. C., Sec. 501, Stats. 1949:1005:1850.)

XXVII. Personnel Board, State

A Members

"* * * There shall be a State Personnel Board of five members appointed by the Governor with the advice and consent of the Senate * * * The first two members appointed by the Governor shall classify themselves by lot so that one shall go out of office at the end of eight years and one at the end of 10 years from and after January 15, 1935. Each subsequent appointee shall hold office for 10 years from the expiration of the term of his predecessor and until his successor is appointed and qualified, except that an appointment to a vacancy occurring before the expiration of a term shall be but for the remainder of that term * * *." (Const., Art. XXIV, Sec. 2)

"The annual salary of each member of the board is * * * ($3,600) and is compensation for such time as is required of him to perform his duties * * *." (Gov. C., Sec. 18650.)

B. Duties of Board

"(a) Said board shall administer and enforce, and is vested with all of the powers, duties, purposes, functions, and jurisdiction which are now or hereafter may be vested in any other state officer or agency under. Chapter 590 of the California Statutes of 1913 as amended or any and all other laws relating to the state civil service as said laws may now exist

or may hereafter be enacted, amended or repealed by the Legislature." (Const., Art. XXIV, Sec. 3.)

"The board shall devise plans for and cooperate with appointing powers and other supervising officials in the conduct of employee training programs * * *." (Gov. C., Sec. 18700, Stats. 1949 :1141 :2040.)

"The board shall prescribe, amend, and repeal rules in accordance with law for the administration and enforcement of this part * * *." (Gov. C., Sec. 18701.)

"The board shall create and adjust classes of positions in the state civil service * * *." (Gov. C., Sec. 18702.)

"The board shall provide for dismissals, demotions, suspensions, and other punitive action for or in the state civil service * * *." (Gov. C., Sec. 18703.)

"The board shall establish and maintain in suitable form an official roster of all persons holding positions under this part * * *." (Gov. C., Sec. 18704.)

XXVIII. Planning and Research

A. Director of

"There is hereby created the Office of the Director of Planning and Research * * *." (Gov. C., Sec. 15534.)

"The provisions of this part shall remain in effect until the ninety-first day after final adjournment of the 1949 Regular Session of the Legislature and thereafter shall have no force nor effect." (Gov. C., Sec. 15563.)

XXIX. Professional and Vocational Standards, Department of

A. Generally

"There is in the State Government a Department of Professional and Vocational Standards." (B. & P. C., Sec. 100)

"The department is comprised of: * * *

(e) The Board of Examiners in Veterinary Medicine * * *.
(h) The State Board of Barber Examiners * * *.
(j) The Contractors State License Board * * *.
(n) The Yacht and Ship Brokers Commission * * *.
(t) The State Athletic Commission * * *." (B. & P. C., Sec. 101.)

B. Director of Professional and Vocational Standards

"The department is under the control of a civil executive officer who is known as the Director of Professional and Vocational Standards." (B. & P. C., Sec. 150.)

"The director is appointed by the Governor and holds office at the Governor's pleasure. He shall receive a salary of * * * ($10,000) per annum * * *." (B. & P. C., Sec. 151.)

C. Board of Examiners in Veterinary Medicine, Secretary

"The board shall elect a president, vice president, and a secretary * * * from its membership * * *." (B. & P. C., Sec. 4804.)

"* * * The secretary * * * shall receive an annual salary not to exceed * * * ($1,200) in an amount to be fixed by the board with the approval of the Director of Finance * * *." (B. & P. C., Sec. 4806.)

D. State Board of Barber Examiners, Members

"There is in the Department of Professional and Vocational Standards a State Board of Barber Examiners, which consists of three members appointed by the Governor." (B. & P. C., Sec. 6500.)

"Members of the board shall be appointed for a term of four years and they shall hold office until the appointment and qualification of their successors * * *." (B. & P. C., Sec. 6502.)

"Each member of the board shall receive a compensation of * * * ($4,800) per annum * * *." (B. & P. C., Sec. 6512.)

"The board shall keep a record of its proceedings relating to the issuance, refusal, renewal, suspension and revocation of certificates of registration * * *." (B. & P. C., Sec. 6510.)

E. Registrar of Contractors

"There is in the Department of Professional and Vocational Standards a Contractors State License Board, which consists of seven members appointed by the Governor." (B. & P. C., Sec. 7000.)

"The board by and with the approval of the director shall appoint a registrar of contractors, and fix his compensation at a rate of * * * ($8,000) per year.

"The registrar shall be the executive secretary of the board and shall carry out all of the administrative duties as provided in this chapter and as delegated to him by the board * * *." (B. & P. C., Sec. 7011.)

F. Yacht and Ship Brokers Commission

"There is in the Department of Professional and Vocational Standards a Yacht and Ship Brokers Commission.

"For the purposes of administering this chapter, and in accordance with the State Civil Service Act, the director * * * shall, with the approval of the Governor appoint a Yacht and Ship Brokers Commissioner." (B. & P. C., Sec. 8915.)

"No individual shall be appointed commissioner who shall not have been for five years a yacht and ship broker actively engaged as such in California. The director shall fix the salary of the commissioner in accordance with the provisions of the State Civil Service Law." (B. & P. C., Sec. 8916, Stats. 1949:1470:2558.

G. State Athletic Commission, Secretary

"There shall be in the Department of Professional and Vocational Standards the State Athletic Commission, which consists of five members appointed by the Governor." (B. & P. C., Sec. 18620.)

"The commission shall appoint a secretary, who shall also be an administrative assistant, who shall attend all meetings of the commission, keep a full and true record of all its proceedings, preserve at its general office all its books, documents and papers, prepare for service such notices and other papers as may be required of him by the commission, coordinate and supervise the activities and duties of whatever other offices the commission may establish, make such decisions and perform such other duties as the commission may prescribe and otherwise act for and in behalf of the commission in a manner not inconsistent with the terms and intent of this chapter." (B. & P. C., Sec. 18626.)

"The secretary to the State Athletic Commission shall receive a salary of * * * ($10,000) per annum." (B. & P. C., Sec. 18626.5, Stats. 1949:1577:2825.)

XXX. Public Health, Department of

A. Director of Public Health

"There is in the State Government a State Department of Public Health." (H. & S. C., Sec. 100.)

"The department shall consist of the State Board of Public Health, the State Director of Public Health * * *." (H. & S. C., Sec. 101.)

"The director is the executive officer of the department. He shall administer the laws and regulations of the board pertaining to public health and shall vigilantly observe sanitary and public health conditions throughout the State and shall take all necessary precautions to protect it in its sanitary and public health relations with other states and countries. He shall perform such other duties as may be prescribed by law, and such other administrative and executive duties as have by other provisions of law been imposed upon the board." (H. & S. C., Sec. 106.)

"The director shall be appointed by the Governor for a term of four years and shall hold office until the appointment and qualification of his successor * * *. The director shall receive a salary of * * * ($13,000) per annum * * *." (H. & S. C., Sec. 107.5, Stats. 1949:1005:1850.)

XXXI. Public Utilities Commission

A. Members

"The Railroad Commission is continued in existence as the Public Utilities Commission, which shall consist of five members. The commission shall be appointed by the Governor from the State at large; provided, that the Legislature, in its discretion, may divide the State into districts for the purpose of such appointments, said districts to be as nearly equal in population as practicable; and provided further, that the three commissioners in office at the time this section takes effect shall serve out the term for which they were elected, and that two additional commissioners shall be appointed by the Governor immediately after the adoption of this section, to hold office during the same term. Upon the expiration of said term, the term of office of each commissioner thereafter shall be six years * * * Every appointment made by the Governor to the commission shall be subject to the advice and consent of a majority of the members elected to the Senate * * * The Legislature shall fix the salaries of the commissioners, but pending such action the salaries of the commissioners, their officers and employees shall remain as now fixed by law * * *." (Const., Art. XII, Sec. 22.)

"The annual salary of each commissioner shall be * * * ($12,000) * * *." (Sec. 10, D. A. 6386, Stats. 1947:1442:3009.)

"It is hereby made the duty of the commission to see that the provisions of the Constitution and statutes of this State affecting public utilities, the enforcement of which is not specifically vested in some other officer or tribunal, are enforced and obeyed, and that violations thereof are promptly prosecuted and penalties due the State therefor recovered and collected * * *." (Sec. 72, D. A. 6386, Stats. 1915:91:115.)

XXXII. Public Works, Department of

A. Director of Public Works

"There is in the State Government a Department of Public Works." (Gov. C., Sec. 14000.)

"The department is under the control of an executive officer known as Director of Public Works." (Gov. C., Sec. 14001.)

"The director is appointed by and holds office at the pleasure of the Governor. The annual salary of the director is * * * ($15,000)." (Gov. C., Sec. 14002.)

"The director shall perform all duties, exercise all powers and jurisdiction, assume and discharge all responsibilities, and carry out and effect all purposes vested by law in the department except as otherwise expressly provided by law." (Gov. C., Sec. 14004.)

B. State Highway Engineer

"There is in the department the Division of Highways." (S. & H. C., Sec. 50.)

"The Division of Highways is in charge of a chief, designated as the State Highway Engineer, who is appointed by the director." (S. & H. C., Sec. 51.)

"The State Highway Engineer shall receive a salary of ten thousand dollars per annum * * *." (S. & H. C., Sec. 52.)

XXXIII. Real Estate Division

A. Real Estate Commissioner

"There is in the Department of Investment a State Real Estate Division, the chief officer of which division is the Real Estate Commissioner." (B. & P. C., Sec. 10050.)

"* * * The Commissioner shall receive an annual salary of * * * ($10,000) * * *." (B. & P. C., Sec. 10055.)

"The Real Estate Commissioner shall be the representative of the State Real Estate Division * * * for the purpose of representation in the Governors Council." (B. & P. C., Sec. 10070.)

"The commissioner shall enforce the provisions of this part and of Chapter 1 of Part 2. He has full power to regulate and control the issuance and revocation, both temporary and permanent, of all licenses to be issued under the provisions of this part, and to perform all other acts and duties provided in this part and Chapter 1 of Part 2 and necessary for their enforcement." (B. & P. C., Sec. 10071.)

XXXIV. Social Welfare, Department of

A. Director of Social Welfare

(NOTE: At the present time Article XXV of the Constitution of California provides for the director to be elected in 1950 at a salary of $12,000 a year. This, however, has been repealed by Article XXVII, of the Constitution of California which will become effective five days after the official declaration of the vote by the Secretary of State, and operative upon the first day of the third month following the last day of the month in which occurs the date of the official declaration of the vote on Proposition 2 submitted to the voters November 8, 1949. Therefore the data which is submitted is the law which will be effective upon the operative date as it is thought that this will best suit your purposes.)

"There is in the State Government a Department of Social Welfare." (W. & I. C., Sec. 100.)

"The Governor may appoint with the advice and consent of the Senate an executive officer, who shall act as the secretary of the board and who shall be the Director of the Department of Social Welfare. He shall serve at the pleasure of the Governor." (W. & I. C., Sec. 105.)

"Notwithstanding any of the provisions of this code the Director of Social Welfare shall receive a salary of * * * ($10,000)." (W. & I. C., Sec. 130.)

"The director is the executive officer of the department. He shall administer the laws and regulations of the board pertaining to the administration of social welfare and shall observe and report to the Governor and to the board on the conditions of public assistance throughout the State. He shall perform such other duties as may be prescribed by law and such other administrative and executive duties as have by other provisions of the law been imposed upon the board." (W. &. I. C., Sec. 105.5.)

B. Social Welfare Board

"The Department of Social Welfare shall consist of the Social Welfare Board, the Director of the Department of Social Welfare and such divisions as are * * * necessary * * *.

"The Social Welfare Board consists of seven members. Each member of the board shall be appointed by the Governor with advice and consent of the Senate for a term of four years, * * *.

"Each member of the board shall receive the sum of * * * ($600) annually * * * as compensation * * *." (W. & I. C., Sec. 101.)

"The Social Welfare Board * * * shall advise the director in the performance of his duties and formulate general policies affecting the purposes, responsibilities and jurisdiction under this chapter. The board shall have the power and it shall be its duty to adopt, promulgate, repeal and amend rules and regulations consistent with law for the administration of welfare * * *." (W. & I. C., Sec. 103.)

XXXV. Veterans Affairs, Department of

A. Director of Veterans Affairs

"There shall be in the State Government a Department of Veterans Affairs." (M. & V. C., Sec. 63.)

"The chief administrative officer of the Department of Veterans Affairs shall be the Director of Veterans Affairs, who shall be a civil executive officer." (M. & V. C., Sec. 74.)

"The director shall be appointed by and serve at the pleasure of the Governor." (M. & V. C., Sec. 75.)

"The salary of the director shall be * * * ($10,000) a year." (M. & V. C., Sec. 76.)

"The Director of Veterans Affairs is head of the department and, as head of the department and subject to the policies adopted by the board, shall perform all duties, exercise all powers and jurisdiction, assume and discharge all responsibilities and carry out and effect all provisions now or hereafter vested by law in the department." (M. & V. C., Sec. 78.)

PART TWO

EX-OFFICIO POSITIONS

I. Adult Authority, Members:
Board of Corrections. (P. C., 6025, Stats. 1949:520:926.)

II. Agriculture, Director of:
Agricultural Pro Rate Advisory Commission. (Sec. 3, D. A. 143a, Stats. 1945:990:1890.)
Governor's Council. (Gov. C., 12040.)
Poultry Improvement Commission. (Ag. C., Sec. 43.)
State Water Pollution Control Board. (Water Code, Sec. 13011, Stats. 1949:1549:2782.)
Surplus War Property Advisory Board. (Stats., 1945:992: 1913.)

III. Attorney General:
California District Securities Commission. (Water Code, Sec. 20016.)
California State Disaster Council. (M. & V. C., Sec. 1510.)
Commission on Interstate Cooperation—at pleasure of the Governor. (Gov. C., Sec. 8004.)
Commission on Qualifications—Judges. (Const. Art. VI, Sec. 26.)
Reapportionment Commission. (Const., Art. IV, Sec. 6.)
State Commission on Voting Machines. (Elec. C., Sec. 6150.)
Water Project Authority. (Water Code, Sec. 11401.)

IV. Banks, Superintendent of:
Board of Investment. (Gov. C., Sec. 15480.)
California District Securities Commission. (Water Code, Sec. 20016.)
Director of Investment. (Gov. C., Sec. 15483.)
Governor's Council. Note: this position held while Director of Investment. (Gov. C., Sec. 12040.)

V. Building and Loan Commissioner:
Board of Investment. (Gov. C., Sec. 15480.)
Director of Investment. (Gov. C., Sec. 15483.)
Governor's Council. Note: this position held while Director of Investment. (Gov. C , Sec. 12040.)

VI. Controller:
Board of Control. (Gov. C., Sec. 13901.)
Board of Public Building Reconstruction. (Gov. C., Sec. 54093, Stats. 1949:81:256.)
Committee to Fix Interest on Registered Warrants. (Gov. C., Sec. 17220.)
Franchise Tax Board. (Stats. 1949:1188:2108)
Reapportionment Commission. (Const., Art. IV, Sec. 6.)
Retirement Investment Board. (Educ. C., Sec. 14339.)
San Francisco Harbor Bond Finance Board. (Stats. 1929: 835:1775.)

State Board of Equalization. (Const., Art. XIII, Sec. 9.)
State Highway Finance Board. (Const., Art. XVI, Sec. 3.)
State Lands Commission. (P. R. C., Sec. 6101.)
State Park Finance Board. (Sec. 4, D. A. 6382, Stats. 1927: 765:1480.)
State School Building Finance Committee. (Educ. C., Sec. 5108, Stats. 1949:922:1687.)
Unemployment Relief Finance Committee. (Sec. 18, D. A. 8776, Stats. 1933:207.677.)
Veterans Finance Committee of 1943. (M. & V. C., Sec. 991.)
Water Project Authority. (Water Code, Sec. 11401.)

VII. Corporations, Commissioner of:
Board of Investment. (Gov. C., Sec. 15480.)
Director of Investment. (Gov. C., Sec. 15483.)
Governor's Council. Note: this position held while Director of Investment. (Gov. C., Sec. 12040.)

VIII. Corrections, Director of:
Board of Corrections. (P. C. 6025, Stats. 1949:520:926.)
Correctional Industries Commission. (P. C. 5085.)
Governor's Council. (Gov. C., Sec. 12040.)
Surplus War Property Procurement Advisory Board. (Stats. 1945:992:1913.)

IX. Equalization, Chairman of Board:
Board of Review, Correction and Equalization—Re: Oil and Gas. (P R. C. Sec. 3414.)
Franchise Tax Board. (Stats. 1949:1188:2108.)

X. Finance, Director of:
Board of Control. (Gov. C., Sec. 13901.)
Board of Public Building Reconstruction. (Gov. C., Sec. 54093, Stats. 1948·81:256.)
Board of Review, Correction and Equalization—Re: Oil and Gas. (P. R. C. Sec 3414.)
Commission on Interstate Cooperation—at pleasure of the Governor. (Gov. C., Sec. 8004.)
Communications Advisory Board. (Sec. 2, D. A. 6220, Stats. 1947:1071:2472.)
Franchise Tax Board. (Stats 1949:1188:2108.)
Governor's Council. (Gov. C., Sec. 12040.)
Los Angeles World Trade Center Authority. (Stats. 1949: 999:1842.)
Reclamation Board. (Water Code, Sec. 8553.)
Retirement Investment Board. (Educ. C., Sec. 14339.)
San Francisco Harbor Bond Finance Board. (Stats. 1929: 835:1775.)
San Francisco World Trade Center Authority. (Stats. 1949: 999:1842.)
State Allocations Board. (Stats. 1947:90:567.)

State Employees' Retirement Board. (Gov. C., Sec. 20100.)
State Forest Purchase Committee. (P. R. C., Sec. 4424.)
State Highway Finance Board. (Const., Art. XVI, Sec. 3.)
State Lands Commission. (P. R. C., Sec. 6101.)
State Park Finance Board. (Sec. 4, D. A. 6382, Stats. 1927:765:1480.)
State Public Works Board. (Sec. 1, D. A. 6446, Stats. 1st Ex. Sess. 1946:145:187.)
State School Building Finance Committee. (Educ. C., Sec. 5108, Stats. 1949:922:1687.)
Surplus War Property Procurement Advisory Board. (Stats. 1945:992:1913.)
Toll Bridge Authority. (S. & H. C., Sec. 30050.)
Unemployment Relief Finance Committee. (Sec. 18, D. A. 8776, Stats. 1933:207:677.)
Water Project Authority. (Water Code, Sec. 11401.)
Wildlife Conservation Board. (Sec. 2, D. A. 9250, Stats. 1947:1325:2881.)
Veterans Finance Committee of 1943. (M. & V. C., Sec. 991.)

XI. Fire Marshal:

Governor's Council. (Gov. C, Sec. 12040.)
State Fire Advisory Board. (H. & S. C., Sec. 13140.7.)

XII. Governor:

Board of Regents of University of California. (Const., Art. IX, Sec. 9.)
California Commission on Interstate Cooperation. (Gov. C., Sec. 8004.)
California State Disaster Council. M. & V. C., Sec. 1510.)
Commission on Voting Machines. (Elec. C., Sec. 6150.)
Committee to Fix Interest on Registered Warrants. (Gov. C., Sec. 17220.)
San Francisco Harbor Bond Finance Board. (Stats. 1929:835:1775.)
State Board of Harbor Commissioners, San Diego. (H. & N. C., Sec. 3501.)
State Board of Harbor Commissioners, San Francisco. (H. & N. C., Sec. 1702.)
State Forest Purchase Committee. (P. R. C., Sec. 4424.)
State Highway Finance Board. (Const., Art. XVI, Sec. 3.)
State Park Finance Board. (Sec. 4, D. A. 6382, Stats. 1927:765:1480.)
State School Building Finance Committee. (Educ. C., Sec. 5108, Stats. 1949:922:1687.)
Toll Bridge Authority. (S. & H. C., Sec. 30050.)
Unemployment Relief Finance Committee. (Sec. 18, D. A. 8776, Stats. 1933:207:677.)
Veterans Finance Committee of 1943. (M. & V. C., Sec. 991.)

XIII. Harbor Commissioners, President of State Board:
San Francisco Harbor Bond Finance Board. (Stats. 1929: 835:1775.)
San Francisco World Trade Center Authority. (Stats. 1949: 999:1842.)

XIV. Industrial Relations, Director of:
Apprenticeship Council. (Lab. C., Sec. 3070.)
Governor's Council. (Gov. C., Sec. 12040.)
Industrial Safety Board. (Lab. C., Sec. 140.)
State Compensation Insurance Fund, Board of Directors. (Ins. C., Sec. 11770.)

XV. Insurance Commissioner:
Board of Investment. (Gov. C., Sec. 15480.)
Director of Investment. (Gov. C., Sec. 15483.)
Governor's Council. Note: This position held while Director of Investment. (Gov. C., Sec. 12040.)

XVI. Legislative Council:
Commission on Uniform State Laws. (Gov. C., Sec. 10401.)
Secretary to the California Code Commission. (Gov. C., Sec. 10304.)

XVII. Librarian, State:
Board of Library Examiners. (Educ. C., Sec. 22161.)

XVIII. Lieutenant Governor:
Board of Regents of the University of California. (Const., Art. IX., Sec. 9.)
California State Disaster Council. (M. & V. C., Sec. 1510.)
Commission on Interstate Cooperation—at pleasure of the Governor. (Gov. C., Sec. 8004.)
Reapportionment Commission. (Const., Art. IV, Sec. 6.)
State Lands Commission. (P. R. C., Sec. 6101.)
Toll Bridge Authority. (S. & H. C., Sec. 30050.)

XIX. Mental Hygiene, Director of:
Convalescent Colony: Board. (H. & S. C., Sec. 24380.)
Governor's Council. (Gov. C., Sec. 12040.)
Surplus War Property Procurement Advisory Board. (Stats. 1945:992:1913.)

XX. Motor Vehicles, Director of:
Governor's Council. (Gov. C., Sec. 12040.)

XXI. Natural Resources, Director of:
Board of Review, Correction and Equalization. Re: Oil and Gas. (P. R. C., Sec. 3414.)
Commission on Interstate Cooperation—at pleasure of the Governor. (Gov. C., Sec. 8004.)
Governor's Council. (Gov. C., Sec. 12040.)

State Forest Purchase Committee. (P. R. C., Sec. 4424.)
State Water Pollution Control Board. (Water Code Sec. 13011, Stats. 1949 :1549 :2782.)
Surplus War Property Procurement Advisory Board. (Stats. 1945 :992 :1913.)

XXII. Professional and Vocational Standards, Director of:
Governor's Council. (Gov. C., Sec. 12040.)

XXIII. Public Health, Director of:
Advisory Council to Board of Nurse Examiners. (B. & P. C., Sec. 2718.)
Advisory Hospital Council. (H. & S. C., Sec. 431.2.)
Convalescent Colony Board. (H. & S. C., Sec. 24380.)
Governor's Council. (Gov. C., Sec. 12040.)
State Board of Public Health. (H. & S. C., Sec. 102.)
State Water Pollution Control Board. (Water Code, Sec. 13011, Stats. 1949 :1549 :2782.)

XXIV. Public Instruction, Superintendent of:
Board of Public Building Reconstruction. (Gov. C., Sec. 54093, Stats. 1949 :81 :256.)
Board of Regents of the University of California. (Const. Art. IX, Sec. 9.)
Board of Governors, State Nautical School (Educ. C., Sec. 21101.)
Commission on Credentials. (Educ. C., Sec. 12030.)
Convalescent Colony Board. (H. & S. C., Sec. 24380.)
Director of Education. (Educ. C., Sec. 174.)
Governor's Council. (Gov. C., Sec. 12040.)
Reapportionment Commission (Const. Art. IV, Sec. 6.)
Retirement Investment Board. (Educ. C., Sec. 14339.)
State Allocations Board. (Stats. 1947 :90 :567.)
State Curriculum Commission. (Educ. C., Sec. 10001.)
State School Building Finance Committee. (Educ. C., Sec. 5108, Stats. 1949 :922 :1687.)
Surplus War Property Procurement Advisory Board. (Stats. 1945 :992 :1913.)

XXV. Public Works, Director of:
Board of Public Building Reconstruction. (Gov. C., Sec. 54093, Stats. 1949 :81 :256.)
California Highway Commission (S. & H. C., Sec. 70.)
Commission on Interstate Cooperation—at pleasure of the Governor. (Gov. C., Sec. 8004.)
Governor's Council. (Gov. C., Sec. 12040.)
Los Angeles World Trade Center Authority. (Stats. 1949 : 999 :1842.)
San Francisco World Trade Center Authority. (Stats. 1949 : 999 :1842.)
State Allocations Board. (Stats. 1947 :90 :567.)
State Highway Finance Board. (Const. Art. XVI, Sec. 3.)

State Public Works Board. Sec. 1, D. A. 6446, Stats. 1st Ex. Sess. 1946 :145 :187.)
Surplus War Property Procurement Advisory Board. (Stats. 1945 :992 :1913.)
Toll Bridge Authority. (S. & H. C., Sec. 30050.)
Water Project Authority. (Water C., Sec. 11401.)

XXVI. Real Estate Commssioner:
Board of Investment. (Gov. C. Sec. 15480.)
Director of Investment. (Gov. C. Sec. 15483.)
Governor's Council. Note: this position held while Director of Investment. (Gov. C. Sec. 12040.)
State Public Works Board. (Sec. 1, D.A. 6446, Stats. 1st Ex. Sess. 1946 :145 :187.)

XXVII. Secretary of State:
Reapportionment Commission (Const., Art. IV, Sec. 6.)
State Commission on Voting Machines. (Elec. C., Sec. 6150.)

XXVIII. Social Welfare, Director of:
Governor's Council. (Gov. C., Sec. 12040.)

XXIX. Treasurer, State:
Committee to Fix Interest on Registered Warrants. (Gov. C., Sec. 17220.)
San Francisco Harbor Bond Finance Board. (Stats. 1929 :835 :1775.)
State Highway Finance Board. (Const., Art. XVI, Sec. 3.)
State Park Finance Board. (Sec. 4, D.A. 6382, Stats. 1927 :765 :1480.)
State School Building Finance Committee. (Educ. C., Sec. 5108, Stats. 1949 :922 :1687.)
Treasurer, Unemployment Fund. (Sec. 20, D.A. 8780d, Stats. 1945 :17 :326.)
Unemployment Relief Finance Committee. (Sec. 18, D.A. 8776, Stats. 1933 :207 :677.)
Veterans Finance Committee of 1943. (M. & V. C. Sec. 991.)
Water Project Authority. (Water Code Sec. 11401.)

XXX. Veterans Affairs, Director of:
Governor's Council. (Gov. C., Sec. 12040.)
Surplus War Property Procurement Advisory Board. (Stats. 1945 :992 :1913.)
Veterans Finance Committee of 1943. (M. & V. C. Sec. 991.)

XXXI. Youth Authority:
A. Director:
Governor's Council. (Gov. C., Sec. 12040.)
Surplus War Property Procurement Advisory Board. (Stats. 1945 :992 :1913.)
B. Members:
Board of Corrections. (P.C. 6025, Stats. 1949 :520 :926.)

Appendix B

EXHIBIT I

ASSEMBLY INTERIM COMMITTEE ON EQUALIZATION OF SALARIES, QUALIFICATIONS AND JOB CLASSIFICATIONS OF PUBLIC EMPLOYEES

CALIFORNIA LEGISLATURE

WILLARD M. HUYCK, Chairman

December 2, 1949

As one phase of its work, the Assembly Interim Committee on Equalization of Salaries, Qualifications and Job Classifications of Public Employees, created by House Resolution No. 255 of the Assembly of California, 1949, Regular Session, will conduct a thorough, impartial and professional survey of the salaries and compensation of state executives and members of state commissions whose salaries are fixed by the State Legislature. The committee has appointed the J. L. Jacobs and Company, Management Consultants and Engineers of Chicago, as it staff consultants.

In order that proper consideration may be given to the duties, responsibilities and other requirements and salaries of such positions in the State of California, the survey will include an analysis of such duties, responsibilities and present salaries, as well as the work requirements and prevailing salaries of comparable positions in other states.

The committee requests your cooperation in this study to the extent of furnishing a statement of your duties, responsibilities, present salary, and related information, on the enclosed questionnaire. The information which you submit will be treated as confidential.

To facilitate the progress of the survey, your questionnaire should be returned in the self-addressed envelope, which is enclosed for your convenience, to the J. L. Jacobs and Company not later than December 12, 1949. If for any reason you are unable to provide this information by December 12, may we request that you notify the J. L. Jacobs and Company as to the exact date when you will be able to return the questionnaire.

The committee will hold public hearings throughout the State of California between December 15, 1949, and February 1, 1950. If you or your representative desire to appear before the committee, please indicate in the space provided on the questionnaire.

Yours very truly,

WILLARD M. HUYCK
Chairman

Appendix B

EXHIBIT I

STATE OF CALIFORNIA

DESCRIPTION OF DUTIES AND RESPONSIBILITIES
STATE ADMINISTRATIVE OFFICIALS and MEMBERS OF COMMISSIONS

Number

(1) Name of Employee	(2) Title of Position or Office
(3) Name of Department or Commission*	(4) Division or Unit
(5) Name of Immediate Superior	(6) Title of Immediate Superior

(7) Description of Duties and Responsibilities*

Per Cent of Total Time	(a) Describe your present duties and responsibilities within your own organization, department or commissions.

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EXHIBIT I

(7) Description of Duties and Responsibilities: (Continued)

Per Cent of Total Time	
	(b) Describe your present duties and responsibilities with relation to other units or departments in the organization:
	(c) Describe any occasional or limited responsibilities and assignments which you have in addition to the above:

(8) Supervision Received: Describe the kind and extent of supervision exercised over your work, describing in what detail assignments are made and instructions given to you, and what decisions are made for you:

(9) Responsibility for Supervision Exercised:

(a) Name the department or organization units supervised by you:

(b) Describe the main functions carried on under your direct supervision:

(c) What is your present annual salary:

(d) What perquisites and expense allowances are you entitled to receive?

(e) Name the average number of employees supervised by you:

(f) Indicate the amount of your budget for the present fiscal year:

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EXHIBIT I

(9) Responsibility for Supervision Exercised: (Continued)

(g) Describe the nature, extent and breadth of your supervisory responsibilities, including your supervision for planning, making assignments, giving work instructions, reviewing, coordinating and exercising direction or supervision of the above employees and their work activities:

(h) Describe briefly how you transmit your instructions and directions to the employees you supervise (verbal or written instructions, use of bulletin board, meetings, etc.):

(10) Other Specific Responsibilities:

(a) Responsibility for Policies: Describe what you understand to be your responsibilities for carrying out, interpreting, developing, originating and approving department or commission policies, essential for efficient administration, operation and management in the units and departments.

(b) Responsibility for Methods and Procedure: Describe what you understand to be your responsibilities for following: carrying out, and interpreting, developing or establishing systematic and organized work operations through use of work methods, procedures, standards, and instructions.

(c) Responsibility for Materials and Supplies: Describe what you understand to be your responsibilities for the effective use and conservation of materials and supplies and expendable equipment used in your department or for preventing loss or damage to such equipment or delays in work in process.

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EXHIBIT I

(10) Other Specific Responsibilities: (Continued)

(d) Responsibility for Confidence and Trust: Describe what you understand to be your responsibilities for reliability, trust and discretion in handling materials, supplies, monies, processes or matters of a confidential nature:

(e) Responsibility for Cooperative Service: Describe what you understand to be your responsibilities for contacting and cooperating with executives and administrators in your own and other state departments:

(f) Responsibility for Records and Reports: Describe what you understand to be your responsibilities for supervising, preparing, keeping and reviewing specific work, operational and production records, reports, inventories, studies or other information necessary within your duties. List the specific records and reports which you make or review and indicate the nature and purpose of such records.

(g) Responsibility for Machinery and Equipment: Describe what you understand to be your responsibilities for the proper use, operation, construction, maintenance, repair, test and inspection of machinery, equipment, buildings and institutions.

(11) Do you wish to appear before the Committee? Yes..... No.....

(12) The above answers are my own and cover my understanding of the duties and responsibilities of my position.

..... (Date)

....
Signature of Administrative Official or Member of Commission

....
Official Title

(4)

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EXHIBIT I

STATE OF CALIFORNIA

INSTRUCTIONS FOR PREPARING DESCRIPTIONS OF DUTIES AND RESPONSIBILITIES BY STATE ADMINISTRATIVE OFFICIALS AND MEMBERS OF STATE COMMISSION

(1) *Questionnaire to be filled out:* Two copies of the questionnaire are attached, one of which is to be used as a work sheet. After reviewing the answers on your work sheet to be sure that they are accurate and complete, you should write them in on the other copy either in ink or typed.

(2) *Questionnaire Items 1 to 4:* Answers to Items 1 to 4 on the questionnaire will serve to identify the name and title of each official and the unit or department in which each administrative employee is now assigned.

(3) *Questionnaire Items 5 and 6:* Answers to Items 5 and 6 should give the name and title of the immediate superior. By "Immediate Superior" is meant the person next above you in authority.

(4) *Questionnaire Item 7:* Under Item 7, you should set out clear, factual statements of your regular duties and responsibilities together with your duties and responsibilities relating to other units or departments in which you work. Describe the duties that normally take the greater percentage of your time, and then describe the next important kind of work, entering the special and occasional duties last. Make the best estimate of the percent of the total time that you normally give to each kind of work and responsibility.

(5) *Questionnaire Items 8, 9, and 10:* Answers to Items 8, 9, and 10 should define and supplement the information on the nature and extent of your specific duties and responsibilities as you understand them.

(6) Answer all items of the questionnaire applicable to the duties and responsibilities of your position.

(7) *Return Questionnaire to J. L. Jacobs Company:* To facilitate the progress of the survey, your questionnaire should be returned in the self-addressed envelope, which is enclosed for your convenience, to the J. L. Jacobs and Company not later than December 12, 1949. If for any reason you are unable to provide this information by December 12, please notify the J. L. Jacobs and Company as to the exact date when you will be able to return the questionnaire.

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EXHIBIT II

SALARY SURVEY OF STATE ADMINISTRATIVE AND EXECUTIVE POSITIONS
FOR THE

CALIFORNIA STATE ASSEMBLY INTERIM COMMITTEE ON SALARIES

Date_____

State of _____ Information furnished by _____

Note: Please fill in and return this questionnaire in the self-addressed envelope to J. L. Jacobs & Company, Management Consultants, Chicago.

Position Title	Major Responsibilities	Present Salary Schedule		Other Allowance or Compensation
		Minimum	Maximum	
Governor -				
Executive Secretary to the Governor -				
Attorney General -				
Secretary of State -				
Lieutenant Governor -				
Director of Finance -				
Superintendent of Banks				
Controller				
State Treasurer				
Deputy Director, Department of Justice				
Legislative Counsel				
State Librarian				
Director of Agriculture				
Director, Department of Motor Vehicles				

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EXHIBIT II

Position Title	Major Responsibilities	Present Salary Schedule Minimum	Present Salary Schedule Maximum	Other Allowance or Compensation
Registrar of Vehicles -				
Director of Mental Hygiene -				
Director of Natural Resources -				
Director of Industrial Relations -				
Chief of Division of Public Employment Offices and Benefit Payments -				
Chief of Division of Industrial Welfare -				
Chief of Division of Industrial Safety -				
Director of Professional and Vocational Standards -				
Director of Public Health -				
Superintendent of Public Instruction				
Deputy Superintendent of Public Instruction				
Director, Public Works Department				
Chief of Division of Highways				

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EXHIBIT II

Position Title	Major Responsibilities	Present Salary Schedule Minimum	Maximum	Other Allowance or Compensation
Director of Social Welfare -				
Director of Veterans' Affairs -				
Director, Youth Authority -				
Adjutant General				
Director of Corrections				
State Fire Marshal				
Director of Planning and Research				
Secretary, Athletic Commission				
Members, Adult Authority				
Building and Loan Commissioner				
Commissioner of Corporations				
Members, Industrial Accident Commission				
Insurance Commissioner				
Labor Commissioner				
Members, Public Utilities Commissioner				
Secretary, Horse Racing Board				

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EXHIBIT II

Position Title	Major Responsibilities	Present Salary Schedule Minimum	Present Salary Schedule Maximum	Other Allowance or Compensation
Members, Unemployment Appeals Board				
Members, State Board of Equalization				
Highway Patrol Commissioner				
Members, Civil Service Commission				•
Real Estate Commissioner				
Registrar of Contractors				
Members, Youth Authority				

Appendix C

EXHIBIT I

FIFTEEN HIGHEST PAID DEPARTMENT HEADS
STATE OF CALIFORNIA

	Title	*Maximum annual salary*
1.	Attorney General	$16,000
2.	Director, Department of Mental Hygiene	15,000
3.	Legislative Counsel	15,000
4.	Director, Department of Public Works	15,000
5.	Director, Department of Finance	15,000
6	Manager, State Compensation Insurance Fund	15,000
7.	Superintendent of Banks	15,000
8.	Director, Department of Public Health	13,000
9.	Commissioner of Insurance	12,500
10.	Director, Department of Corrections	12,500
11.	State Controller	12,000
12	Director, Department of Agriculture	12,000
13	Director, Department of Natural Resources	12,000
14.	Port Manager, Board of State Harbor Commissioners	12,000
15.	Director, Department of Motor Vehicles	12,000

Appendix C

EXHIBIT II

FIFTEEN HIGHEST PAID DEPARTMENT HEADS
STATE OF NEW YORK

	Title	*Maximum annual salary*
1.	Attorney General	$20,000
2.	Comptroller	20,000
3.	President of University and Commissioner of Education	20,000
4.	Chairman of Public Service Commission	17,500
5.	Superintendent, Department of Public Works	17,500
6.	Director of the Budget	16,500
7.	Superintendent of Banks	16,500
8.	Superintendent, Department of Insurance	16,500
9.	Industrial Commissioner	16,500
10	Commissioner, Department of Mental Hygiene	16,500
11.	Commissioner of Social Welfare	16,500
12.	Commissioner of Taxation and Finance and President of Tax Commission	16,500
13.	Commissioner of Agriculture and Markets	15,000
14.	Commissioner, Conservation Department	15,000
15.	Commissioner, Department of Corrections	15,000

Appendix C

EXHIBIT III

FIFTEEN HIGHEST PAID DEPARTMENT HEADS
STATE OF PENNSYLVANIA

	Title	*Maximum annual salary*
1.	State Treasurer	$15,000
2.	Superintendent of Public Instruction	15,000
3.	Director of Public Works	15,000
4.	Attorney General	15,000
5.	Controller	15,000
6.	Director of Public Health	15,000
7.	Secretary of State	15,000
8.	Director of Natural Resources	15,000
9.	Director of Labor	15,000
10.	Director of Social Welfare	15,000
11.	Superintendent of Banks	15,000
12.	Commissioner of Insurance	15,000
13.	Director of Agriculture	15,000
14.	Highway Patrol Commissioner	15,000
15.	Adjutant General	15,000

Appendix C

EXHIBIT IV

FIFTEEN HIGHEST PAID DEPARTMENT HEADS
SAN FRANCISCO CITY AND COUNTY

	Title	*Maximum annual salary*
1	Manager of Utilities	$18,000
2.	Chief Administrative Officer	18,000
3.	Controller	15,000
4.	Director of Public Health	15,000
5.	Assessor	15,000
6.	Director of Public Works	15,000
7.	General Manager, Municipal Railway Bureau	15,000
8.	General Manager and Chief Engineer, Water Service	15,000
9.	City Attorney	15,000
10.	District Attorney	15,000
11.	Manager of Airport	13,200
12.	Director of Planning	12,000
13	Purchaser of Supplies	12,000
14.	Manager and Chief Engineer, Hetch Hetchy Bureau	12,000
15.	Personnel Director and Secretary Civil Service Commission	12,000

Appendix C

EXHIBIT V

FIFTEEN HIGHEST PAID DEPARTMENT HEADS
LOS ANGELES COUNTY

	Title	*Maximum annual salary*
1.	Chief Administrative Officer	$18,000
2.	Assessor	15,000
3.	County Counsel	15,000
4.	District Attorney	15,000
5	Sheriff	15,000
6.	Superintendent of Charities	15,000
7.	Superintendent of Schools	15,000
8.	Treasurer	13,284
9.	Auditor	13,284
10.	Health Officer	12,480
11.	Chief Mechanical Engineer	11,904
12.	Road Commissioner	11,904
13.	Surveyor	11,904
14.	Director of History, Science, and Art	10,000
15.	Director Consultant of History, Science, and Art	10,000

Appendix C

EXHIBIT VI

FIFTEEN HIGHEST PAID DEPARTMENT HEADS
LOS ANGELES CITY

	Title	*Maximum annual salary*
1.	Mayor	$18,000
2.	General Manager, Harbor Department	16,536
3.	City Attorney	15,000
4.	General Manager, Airport Department	15,000
5.	City Engineer	14,040
6.	City Librarian	12,500
7.	Health Officer	12,480
8.	City Planning Director	12,480
9.	Superintendent of Parks	12,480
10.	Chief Engineer, Fire Department	12,480
11.	Chief of Police	12,480
12.	Controller	12,000
13.	Purchasing Agent	11,904
14.	Director, Budgets and Efficiency	11,904
15.	City Clerk	11,904

Appendix C

EXHIBIT VII

LOS ANGELES DEPARTMENT OF WATER AND POWER
DECEMBER, 1950

Title	No. of positions	Maximum annual salaries
1. General Manager, Department of Water and Power	1	$27,456
2. Chief Engineer, Water Works	1	20,460
3. Chief Electrical Engineer	1	20,460
4. Assistant Chief Engineer, Water Works	1	17,460
5. Chief Assistant City Attorney	1	17,460
6. Auditor	1	17,460
7. Assistant Chief Electrical Engineer	2	17,460
8. Assistant City Attorney	4	15,300
9. Principal Electrical Engineer	10	14,460
10. Engineer of Design and Construction	1	14,460
11. Medical Director	1	14,400
12. Principal Mechanical Engineer	1	13,692
13. Principal Water Works Engineer	6	13,692
14. Principal Plant Engineer	1	13,692
15. Principal Electrical Engineer	1	13,020

Appendix C

EXHIBIT VIII

MISCELLANEOUS DEPARTMENT HEADS—OTHER AGENCIES

Jurisdiction	Title	Maximum annual salary
Alameda County	Medical Director	$15,000
	District Attorney	15,000
	Sheriff	14,000
	Surveyor	14,000
Contra Costa County	Superintendent of Schools	15,000
Long Beach	Superintendent of Schools	15,000
Los Angeles City	Superintendent of Schools	25,000
Los Angeles County	Superintendent of Schools	15,000
Oakland	Superintendent of Schools	17,500
Pasadena City	City Manager	18,000
	Superintendent of Schools	17,500
	City Attorney	11,280
Sacramento City	City Manager	15,000
	Superintendent of Schools	12,500
Sacramento County	County Executive	14,808
San Diego City	City Manager	15,000
	Superintendent of Schools	12,800
San Diego County	Chief Administrative Officer	13,000
	Superintendent of Hospitals	12,000
	Director of Public Health	11,500
	Director of Public Works	11,000
San Francisco City and County	Superintendent of Schools	18,000
San Mateo County	Health Officer	15,200
Santa Clara County	Health Officer	12,000

LETTER OF TRANSMITTAL

ASSEMBLY INTERIM COMMITTEE ON FINANCE AND INSURANCE
SACRAMENTO, CALIFORNIA, January 23, 1951

Hon. Sam L. Collins
Speaker of the Assembly
State Capitol, Sacramento, California

DEAR MR. SPEAKER: Among the projects undertaken by your Interim Committee on Finance and Insurance is a study pertaining to unemployment insurance and problems related thereto. Because of its widespread interest to others as well as to members of the committee I transmit this as a semifinal report on this subject at this time with a request that it be printed in the Journal.

Very truly yours,

ERNEST R. GEDDES, Chairman

Cumulative Report on
UNEMPLOYMENT AND UNEMPLOYMENT INSURANCE AND ITS ADMINISTRATION IN THE STATE OF CALIFORNIA

The subject of unemployment insurance is of practical economic concern to every employer and every wage earner, which probably accounts for the fact that from inception it has been highly controversial.

The basic theory of unemployment insurance is widely acclaimed but almost every individual facet of its operation has been subjected to violent attack. Fine for the other fellow, comparatively few want any part of it for themselves.

There is, therefore, a general inclination to believe the worst about unemployment insurance and there is a constantly nagging feeling that there is widespread corruption, fraud, chiseling and mismanagement existent in the operation of the system. As a consequence, when abuses are brought to light, public reaction is both immediate and violent and often in disproportion to the offense.

Because of this general concept we have sought to uncover the causes for this thinking, to arrive at the basis of this reasoning and to offer concrete suggestions for improvement in the operation of the system, which is now so definitely a fixed part of our economic lives.

BACKGROUND MATERIAL

Some guideposts were available to this committee as a result of the "Senate Committee's Report on Employment Stabilization" * to the 1949 Regular Session of the Legislature; the studies of the "Interstate Conference of Employment Security Agencies" † of the same year and the fruitful conclusions of the "Governor's Conference on Employment" ‡ in December, 1949.

Classification and study of the material available from these sources helped determine the path to be pursued if we were to add to our knowledge in this field.

* See pages 57-73, Assembly Journal, September 20, 1950.
† See pages 74-94, Assembly Journal, September 20, 1950
‡ See pages 95-113, Assembly Journal, September 20, 1950.

SURVEY OF DEPARTMENT OF EMPLOYMENT

In an attempt to arrive at a comparison of staff used, work allocations and results achieved by the Department of Employment in September, 1949, when the spectre of widespread unemployment was abroad and a year later, when unemployment was approaching a new low, the following questionnaire was prepared by the committee. The department furnished this information, on a qualified basis, for each of its 95 offices and made a summation as shown below.

Department of Employment Questionnaire

Name of Office—State Total_____
Location of Office_____
Type of Workers Served_____

Information Required

Subject	*Sept., 1949*	*Sept., 1950*
Total office pay roll	$667,886	$653,194
Total number employees in office	2,411	2,259
Total number employees in claims payment *	1,439	1,063
Total number employees in job placement *	972	1,196
Total number new or reopened U. I. claims	116,628	58,400
Total all claims paid	813,794[a]	342,551[a]
Total number job referrals made	144,856	182,039
Total number job placements effected	103,307	126,082
Total number field contacts made	15,000[b]	14,361[b]

* If any employee spends in excess of 50 percent of his time in any work connected with the filing, investigating, payment, auditing or handling of claims, he should be considered as a claims payment employee, if more than 50 percent of his or her time is devoted to any direct phase of job placement, counseling, solicitation or investigation, consider as job placement employee

[a] Compensable weeks claimed

[b] Employer visits by Farm Placement representatives are not included. September, 1949, 2,923, September, 1950, 3,009.

The department does not possess data that will permit the submission of requested information showing the number of people engaged in claims activities and placement activities in each of the local offices during the months of September, 1949, and September, 1950.

In lieu of the requested information an approximate ratio was computed based on a sample time technique for approximately 16 local offices in each of the months of this report and applied to the state totals only since these ratios are not necessarily indicative of any particular office.

Computation of Ratio to Determine Personnel Engaged in Claims Payment Activities and Job Placement Activities

	Hours September, 1949	*Personnel equivalent*	*Percentage*	*Hours September, 1950*	*Personnel equivalent*	*Percentage*
Claims payment personnel	109,653 8	685	59.70	85,688.6	536	47.06
Job placement personnel	74,030.9	463	40.30	96,380 8	602	52.94
	183,684.7	1,148	100.00	182,069.4	1,138	100 00

Related to the foregoing, the following analysis is of interest:

	September, 1949	*September, 1950*
Average monthly salary	$277.90	$290.00
Number new or reopened claims handled per employee per month	81	53
Average number claim payments handled per employee per month	565¼	321
Percentage of job referrals to job placements	72%	69.2%
Number job referrals made per employee per month	149	152
Cost per claim payment	$0 49	$0.90
Cost per job referral	1.86	1 91
Cost per job placement	2.61	2.73
Number job placements achieved per month per employee	106	106

NEW STUDIES INSTITUTED

The initial step was obvious, since on January 1, 1950, it became necessary to increase the rate of contribution by employers to the State Unemployment Fund, due to the balances as of that date having fallen below the minimums fixed by statute. We, therefore, instituted a study to determine, if possible, the "Factors Affecting the Solvency of the Unemployment Insurance Fund"* which focuses attention on some aspects of this matter, heretofore vaguely suspected, but in this report definitely confirmed.

Then, because the operative methods were suspect, there naturally followed a study of the agency charged with the administration of this complex legislation and of the relationship existing between that department and the employers and wage earners it serves. The report on the "Functions of the California Department of Employment"† accomplished the first objective while an electrical transcription of two afternoon briefing sessions held with employers by public information representatives of the Department of Employment‡ furnished some insight into the scope of this phase of the problem.

Critical analysis of these several reports covering, as they did, practically every major phase of unemployment, indicated that many statements and conclusions expressed in all the studies were really assumptions, unfortunately not based on provable facts. For that reason this committee concluded that a "grass roots" approach should be made to obtain provable data, which could be confidently used to bring us to close grip with the problem and, if possible, provide bases for concrete suggestions for improvement in the act, its administration, and in the attitude of all concerned therewith.

A "GRASS ROOTS" APPROACH

The mechanics of this phase of our work were placed in the hands of the John B. Knight Company of Hollywood, who, working closely with

* See pages 114-130, Assembly Journal, September 20, 1950
† See pages 131-147, Assembly Journal, September 20, 1950.
‡ See pages 148-227, Assembly Journal, September 20, 1950
NOTE: See also the committee's published document, "A Preliminary Report on Unemployment and Unemployment Insurance," which is the document reprinting matter noted as appearing in the Assembly Journal.

our committee office staff carefully prepared the plan, set up the procedures, conducted the interviews and tabulated the replies. Here follows an explanation of the type of investigation conducted, an analysis of the findings and, as an appendix, the tabulations from which the analytical findings are taken.

It was early determined, in order to secure the desired information, that a simple public opinion survey, in the sense that it is ordinarily understood, could and would not answer the purposes of the committee. Instead it would be necessary to carefully analyze all that segment of the population having a direct interest in this matter, chart the true proportions of each category, weigh and balance the percentages and finally arrive at an adequate sampling that could be depended upon to represent the whole.

PERSONAL INTERVIEWS REQUIRED

The end result of these studies pointed up the necessity for interviewing a total of 2,379 representative individuals; among employers (250), their employees (1,200), the unemployed (900), and managers of local offices of the Department of Employment (29).

EMPLOYER SAMPLING

Employer sampling was by types of industry and percentagewise thereto, in relation to the extent of that industry in the State, as per the following figures:

	Percentage according to Department of commerce	*Percentage of sample attained in this survey*
Agriculture, forestry, mining and fishing	2	1.6
Construction	9	10.1
Manufacturing	28	30 0
Public utilities	9	8.1
Wholesale trade	9	7.3
Retail trade	23	22.7
Finance and insurance	6	6.9
Service	14	13.3

This sample was further broken down by classification of number of employees of each of the employers in each of the industries.

EMPLOYEE SAMPLING

The 1,200 employed persons interviewed were properly proportioned as to occupation, age, sex, size of establishment in which employed and in accordance with the distribution figures of the labor force of the State, as provided by the census bureau. These interviews were procured both on the job and in the home of employees.

The 900 unemployed persons interviewed were divided almost equally among those at the time drawing unemployment insurance benefits and those making new or reopening old claims. In most instances the interviewees were taken at random from "the line" by employees of the department, thus removing the choice from the hands of the interviewer.

DEPARTMENT OF EMPLOYMENT SAMPLING

Of the 95 Department of Employment offices in the State, 29 were visited and in each case the manager or his chief assistant was interviewed. Offices were selected by number of employees and type of applicants making up a majority of claims handled. Following is a list of Department of Employment offices in which not only were the managers or their assistants interviewed, but the interviews of the 900 unemployed were conducted:

Los Angeles Area
- Alhambra
- Huntington Park
- San Pedro
- San Fernando
- Culver City
- Flower Street Offices (2)
- Van Nuys

San Diego
San Bernardino
San Jose
Red Bluff

San Francisco Area
- Ferry Building
- Howard Street
- Maritime

South San Francisco
Glendale
Pomona
Los Angeles Hill Street
Santa Monica
East Los Angeles
Long Beach
Inglewood

Eureka
Chico
Fresno

Alameda
Berkeley
Oakland
San Rafael
Sacramento

Total samples were broken down on a proper geographical and population basis.

Interviews were obtained by trained personnel skilled in this type of work. All had been carefully schooled as to the objectives of the investigation and instructed that nothing be said which could or would bias or distort the true answer of respondents.

DEFINITION OF OBJECTIVES

Objectives desired were carefully worked out by the committee staff and once the goals had been established a sequential questionnaire was developed for each group of individuals from whom answers were sought.

A trial run was made on the first questionnaire form and it was subsequently revised, submitted to and approved by committee members, representatives of labor, management and the Department of Employment.

Specifically all four questionnaires were designed to develop:

(a) Basic concepts of the Unemployment Insurance Act

(b) Knowledge concerning its principal provisions

(c) Appraisal of and reaction to administration of the act, with suggestions for improvement

(d) Secure a measurement of the degree of cooperation and understanding existent between the four affected groups

(e) Effectiveness of administration in handling claims against the Unemployment Insurance Fund

(f) Functioning of the disability insurance provisions of the act.

Data peculiar to each group was also sought.

From the employers:

(a) Their employment practices

(b) Their experience with seasonal labor and its relationship to employment stabilization

From employed persons:

(a) Term of employment

(b) Personal experience with unemployment insurance

(c) Efficacy of employment service

From the unemployed:

(a) Incidence of repeat experience in unemployment

(b) Average weekly earning power

(c) Efficacy of employment service in his behalf

From department managers:

(a) Degree of cooperation enjoyed with employers and labor unions

(b) Internal problems of administration

Using only approved techniques and procedures for such investigatory survey work, the required number of completed questionnaires were obtained, classified, correlated, checked and tabulated with the results as shown on the following pages.

At the specific request of the chairman, no formal anaylsis was made of these returns, but they were submitted for committee study without outside bias or prejudicial interpretation.

ANALYSIS OF FINDINGS

General Misconception of Purpose of Act

The most outstanding fact revealed by this survey is the amazingly widespread misconception existing in all walks of life as to the purpose of the Unemployment Insurance Act, how it derives its financial support, the basis of its administration, or any concern regarding its future solvency.

When 87.4 percent of the labor force, 80.9 percent of all employers and 37.9 percent of the managers of employment department officers say the purpose of the act is to:

"Provide financial aid to the unemployed" it becomes evident that a distorted perspective is a common rather than rare occurrence.

After pointing out that the purpose of the act is to stabilize the economy of the State, there is still wide disagreement as to how these benefits accrue. While 82.3 percent of both the labor force and their employers think the operation of the act *is* beneficial to the economy of

the State, only 38.3 percent of this number could specifically say *how* these payments benefited that economy, i.e., by:

"Maintaining purchasing power,
Maintaining economic standards,
Keeping money in circulation."

Approximately the same percentage ascribed it to:

"Keeping people off relief,
Out of the bread lines and off charity lists."

To say the least this is a rather far-fetched conception of how a state's economy can be benefited.

Wrong Idea of Who Pays Costs

The next most unbelievable fact that came to light was that 78.1 percent of all employed persons, 80.7 percent of the unemployed and 62.1 percent of all employers (who themselves pay all costs) actually thought that the wage earners of the State contribute to the Unemployment Insurance Fund.

Approximately half of all these wage earners and employers thought the fund was sustained jointly by the contribution of both employer and employee, while only 13.3 percent of the employed persons, 9.5 percent of the unemployed and 35 5 percent of the employers knew that the fund is maintained 100 percent by contributions from employers.

These figures become more significant when it is remembered that the change from joint contribution of employee and employer to sole support by the employer was legislatively enacted four and one-half years ago.

"Unemployment Insurance" Deductions on Pay Checks

Delving further, 93.6 percent of both employed and unemployed who believe they are paying into the Unemployment Fund say the reason they know is that such a contribution or tax is taken out of their regular pay checks and the deductions appear on their pay checks or pay envelopes.

One explanation of this misconception may be found in the fact that a cursory survey among employers disclosed that even some of the largest employers in the State have not troubled to change their old check forms showing "U. I." as one of the listed deductions. And—even though no figures are entered in the space opposite the indicated "U. I." the impression left with workers is that a deduction is being made for this fund.

It is not to be pre-supposed from this widely accepted misconception, however, that the work force would assume any share of the cost burden of unemployment insurance, but rather that they are fully convinced of the fact that *they are now* and *have continuously been* contributing to this fund.

Belief That Worker Should Pay

More basic probably, is the inherent philosophical concept of both the work force and the employers that the wage earner *should* contribute to this fund. Such a belief is expressed by 78 4 percent of the employed.

83.8 percent of the unemployed, 84.7 percent of the employers and even 55.2 percent of the local office managers of the Department of Employment.

Probing deeper, for the "Why" of these answers, we find 73.9 percent of all employed persons queried, 76.5 percent of the unemployed, 73.2 percent of the employers and 33.5 percent of all employment office managers gave as their reason for so thinking that:

"Both are concerned,
Both benefit,
It would be fair."

Surprisingly only 7.1 percent of the employed persons, 5.6 percent of the unemployed, 7.2 percent of the employers and 41.4 percent of employment office managers thought this fund should be supported solely by the employer and the reasoning given for so thinking has little sound basis. The first three groups say:

"Employer has more money,
Employer's moral responsibility,
Employer benefits by employee's labor."

While the employment managers justify their response by arguing:

"Employees cannot contribute to unemployment insurance and disability insurance both,
Stabilizes employment,
Removes employee feeling that it is his money,
Makes law more effective."

Who Is the State?

Cause for deep reflection is provoked by the response of 28.2 percent of all employed persons, 32.9 percent of the unemployed, 17.7 percent of the employers and even *one* out of the 29 Department of Employment managers who believe that the *State Government only* should contribute to this fund, completely ignoring the fact that *it is* the *employer* and the *employee* who *constitute the State Government.*

Entitlement to Benefits

Answers to the question:

"Under the Unemployment Insurance Act, which of the following groups are entitled to receive benefits?"

were composites of both the knowledge and the philosophy of the persons interviewed. Therefore, the unanimity of opinion regarding *payments to those who lose their jobs through no fault of their own* is convincing support of its fairness, 86.5 percent of all employed persons, 93 percent of the unemployed and 99.2 percent of all employers, so subscribing.

On the other three parts of this question (all of whom can and do receive benefits after a prescribed waiting period) no more than 18 percent in any group subscribe to entitlement to receive benefits.

Again delving deeper in an attempt to get at the basic thinking of these interested people, we find that only 10.5 percent of the employed, 10.2 percent of the unemployed, 10.5 percent of the employers and 7.1

percent of the department managers thought the first provision (benefits for those who lose their jobs through no fault of their own—one week waiting period) an unreasonable one and this only for the reason that all of them believed that in such instances benefits should begin immediately—without the requirement of a week's waiting period.

Opinion as to reasonableness of the present provision concerning those who leave their work due to a trade dispute shows a greater range of disagreement than any other of the major provisions of this part of the act. Thirty-eight and nine-tenths percent of the employed, 41.2 percent of the unemployed and 15.4 percent of the employers think it unreasonable because:

> "The individual doesn't have the say (is sometimes forced to strike),
> Worker is trying to better himself,
> Worker has paid into the fund, or
> Worker has to live."

On the other hand, there is complete unanimity of thought among department managers that this provision is wholly reasonable, in that it permits the Department of Employment to remain in a nonpartisan position at all times.

Now, an entirely different attitude is expressed by all concerned as to that provision of the act covering those who voluntarily quit their jobs and are required to observe a waiting period of two to five weeks before any benefits can be drawn. Here, 22.8 percent of the employed, 28 percent of the unemployed, 47.1 percent of the employers and 32 percent of the department managers think this provision is unreasonable and give as their reason the belief that such persons should either be completely deprived of any benefits under the act or, as a very small percentage contend, be forced to endure a much longer waiting period or suffer heavy monetary penalties.

This sort of thinking also holds true concerning the provision of the act covering those discharged for misconduct in connection with their most recent work, i.e., a two to five week disqualification.

On this, 22.7 percent of the employed, 22.2 percent of the unemployed, 37.7 percent of all employers and 19.2 percent of the department managers think this unreasonable and for exactly the same reasons as just given for the previous provision.

Looking then at the over-all picture of the thinking concerning all four of these provisions, half of the labor force is satisfied with the reasonableness of their workings, 25 percent would like to have it relaxed as to the first two provisions and the other 25 percent would like to see it stiffened as to the last two. Thirteen percent of the employers would relax the first two, 42.4 percent would like to see the last two tightened. Two department managers want relaxation on the same two, 10 want the third provision stiffened and six the fourth.

Extension of Benefits to Other Workers

A significant disclosure of this survey is the attitude of all groups concerning the extension of benefits of unemployment insurance to:

Agricultural labor,
Domestic service workers,
Government workers and
Self-employed persons

where a composite percentage of 62.8 percent of employed persons, the unemployed and the employer groups, as well as 93.1 percent of the department managers favor their inclusion under the act, 28.3 percent of the first three groups and 6.9 percent of the managers think they should not be included and 8.9 percent replied that they did not know. The reasons both for and against inclusion were so varied that no compilation is possible for reporting purposes.

Unemployment Insurance Like Life and Fire Insurance

The percentages expressed in the answers to the question:

"Do you look upon unemployment insurance in the same light as life and fire insurance insofar as your right to receive benefits is concerned?"

provided surprising confirmation of the belief which the work force holds that workers contribute to the Unemployment Insurance Fund.

Among employed persons 78.1 percent thought they contribute and 72.3 percent look on those contributions as payments on an insurance premium. Among the unemployed the percentages are 80.7 percent and 73.1 percent. Then if substantiation were needed the answer to the "Why" question provided it by 55 percent of both groups saying definitely:

"Because I personally paid for it."

The less than 20 percent of the work force who do not so construe unemployment insurance express a wide variety of opinions as to why they do not so think, with only 3 percent of the total number realizing that it is but a temporary stop-gap to assuage a faltering economy in the particular worker's circumstance.

Getting at Basic Concepts

All the foregoing questions were posed to the four groups directly, vitally and daily concerned with this act, in order to evaluate their knowledge of its basic concept, and determine how nearly their personal philosophy regarding its place in the scheme of things squared with the facts in the situation.

These are the inescapable conclusions:

1. Regardless of faults in legislation, or criticism of interpretation or administration there is almost universal acclamation of the program.

2. There is a preponderance of opinion among all groups that its benefits should be extended to other workers.

3. The existent area of ignorance concerning almost every aspect of the act and its administration, among all groups, is so great that constant controversy, abuses, fraud and mismanagement cannot help but be natural concomitance.

Explorations Concerning Administration

The next area of appraisal explored was that of the reactions of all groups to the present administration of the act and the expression of some measurement of opinion concerning the requirements for bettering the administration through suggestions for improvement and an estimate of the degree of understanding and cooperation existent between all parties concerned.

Excessive Claims Payments

Purely as a lead question and to channelize the thinking of the persons being interviewed, this question was posed:

> "Do you believe that your local office of the State Department of Employment is paying an excessive number of claimants who are ineligible?"

Averaged out, one-third of all four groups, including department managers, are in agreement that such is their belief, while 25.9 percent say "No" and 39.2 percent say they "Don't Know."

Asked "Why" they so believed, more than half of the employed, the unemployed and employer groups of this opinion ascribed it to:

> "Belief of the unemployed that their contributions entitle them to all the insurance they can get."

This, of course, traces back directly to the two widely held misconceptions already discovered, (a) that employees *do* contribute to the Unemployment Insurance Fund and (b) that unemployment insurance is regarded in the same light as life and fire insurance. There is a surprising unanimity of opinion of both employed, unemployed and employer respondents, almost one-third of all those thinking too many ineligible claims are paid—who ascribe this to a lack of sufficient personnel to properly investigate the claims before making payment. A like number of the employed and employers believe such erroneous payments are being made because of a lack of desire on the part of the Department of Employment to properly investigate claims. However, this belief is concurred in by only half as many of the unemployed.

One the other hand, 90 percent of all department managers say this situation is due to a lack of interest on the part of employers in protesting and appealing claims.

Incidentally, but important to observe in this respect is the fact that 86.2 percent of all department managers interviewed report that it is the employer with 100 or more employees who most carefully handle unemployment insurance claims and that manufacturers, as a class, are the type of employer doing this job best, 65.5 percent so reporting, while retailers, transportation, service trades and other types of business failed to muster a percentage of as much as 14 percent. Furthermore, more than 50 percent of the department managers say that not more than one or two employers out of 10 throughout the State are doing a reasonably good job in keeping informed on the functions of the Unemployment Insurance Act.

Eighty percent of these managers also state that these claims slip through because of a lack of time and personnel to properly investigate.

Approximately one-third of this group of employers, 50 percent of the department managers, 25 percent of the employed and 14 percent of the unemployed, ascribe this condition to a lack of proper legislation.

On Adding Restrictions for Benefit Payments

Half the labor force is in favor of tightening up on benefit payments, a third are not in favor and the balance answered "Don't Know." More than three-fourths of those in favor of tightening up on the restrictions of payment want to eliminate chiseling, while 50 percent of those who are against any further restrictions believe they are tight enough now and want the matter to remain as it is.

After bringing to the attention of this group the fact that they pay no part of the cost of this program and then asking *if* they were called upon to pay for it, would their answer be the same, 75 percent replied in the affirmative.

Unemployment Insurance Claims Record

To get further confirmation, if possible, on how strongly the labor force feels about the payment of ineligible claims, this question was then asked:

> "Do you think that applicants for a job should be questioned concerning their previous unemployment insurance claims record, if this type of information would prove valuable in reducing unnecessary withdrawals from the fund?"

Two-thirds of both employed and unemployed agreed that such information should be secured. When employers were asked whether they sought such information of prospective employees only 6.8 percent replied in the affirmative. However, 92.9 percent of the department managers did not think such a question should be asked of prospective employees for the primary reason that it would not correctly determine ability for the job and secondarily it was not any business of the employers how many unemployment insurance claims he had in his past record.

Making Severance Statements

It having become obvious from all background studies that probably the greatest area of disagreement in the entire unemployment insurance lies in the differences of opinion which exist between employers and employees as to the cause of severance from employment, this question was inserted:

> "Do you think that a statement of reasons for leaving a place of employment, signed by both employer and employee, at the time of leaving, would or would not be valuable in reducing the number of claims?"

Three-fourths of the entire labor force and 82 percent of the department managers endorsed such a plan. Only 17 percent of each said "No," yet but 14.5 percent of the employers follow such a practice.

Claims Effect on Unemployment Insurance Costs

The labor force was queried concerning whether or not they thought the number and amount of unemployment insurance claims against any

employer could or would result in a difference in his costs or contribution rate.

Forty percent of them thought that such difference would result and 80 percent of that group knew why, i.e., that the rate is based on claims made against the employer's account. The other 60 percent frankly did not know or thought the rate was standardized or was based on the number of employees in any given firm.

Length of Employment and Benefits Drawn

Two-thirds of all employed persons had been on their present job for more than a year, 33 percent for less than a year, and this was borne out by the admission of 32 3 percent that they had received unemployment insurance. Of this percentage drawing unemployment insurance, more than three-fourths drew benefits for less than 13 weeks; 38.8 percent for less than four weeks; 24.7 percent for five to nine weeks and only 12.8 percent from 10 to 13 weeks Furthermore, of the 33 percent of the unemployed who had been on jobs for less than a year and had drawn unemployment insurance benefits there were 75.4 percent who had drawn these benefits on but one or not more than two different occasions, i.e., had been out of employment but once or twice in that period of time.

Among the unemployed better than 90 percent are seeking year-around employment while approximately 10 percent only want seasonal or part-time employment. Yet, out of all the unemployed, there were 58 6 percent who had been out of work not more than twice before during the past five years and another 16.4 percent had only been out of work as many as three times during the same period. Again among these unemployed persons there were 73.7 percent who drew benefits for less than 13 weeks, and 87.7 percent of all the unemployed had not drawn unemployment insurance on more than one or two previous occasions.

Another view of this particular situation is furnished by the fact that 58.1 percent of the unemployed, by reason of accumulations in their benefit year, were entitled to the maximum weekly benefit and 82 percent of them drew more than $21 per week.

Cause of Unemployment

Asked the cause of unemployment 68.8 percent of these unemployed said the reason for leaving their last job was because of: a lay-off, job completion, or due to the fact that it was seasonal work. Of these 56.2 percent had been employed in that particular place for less than one year, and significantly 47.6 percent of them had been earning in excess of $50 per week.

The State Employment Service

The employed, the unemployed and the employer groups were probed for their opinions concerning the operation of this service.

Among the employed who had in the past received unemployment insurance benefits, approximately half rated the department as doing a poor job in helping them to secure jobs, while the other half rated them "fair" to "good." Approximately one-third thought the jobs to which they were referred were comparable with the qualifications they had to offer, another third did not, and the remaining third did not know. In any event only 10 percent of the interviewed employed persons had ever

secured a job through the California State Employment Service while 90 percent had not. In the case of the unemployed, 22.4 percent had secured jobs through this service, while 77 6 percent had not.

Referrals

Substantiation of this latter claim is furnished by answers given by the unemployed showing that only 17.9 percent of them had been referred to a job by the Department of Employment, while 82.1 percent had not, and of the 17.9 percent referred to jobs, 67.9 percent were referred to only one job and 17.6 percent to two jobs. Of the referrals, 75 percent thought they were qualified for the jobs offered but 25 percent thought they were not, largely because it was not their line of work. When those referred were asked the question as to why they were not working on any of the jobs to which they had been referred, 32 5 percent said the job was taken on arrival, someone else got the job, or too many others had been sent out; 24.2 percent said it was due to lack of experience or because it was not their line of work.

On Getting a Job

With the foregoing information secured the next question was:

> "Do you consider your local California State Employment Service Office the best agency you can use to help you get a job?"

Among the employed 39.2 percent said yes, 49 percent said no, and 11.8 did not know. Among the unemployed 57 1 percent said yes, 40 percent said no and 2.9 percent did not know.

Employed workers, to the extent of 80 percent of those who had no faith in the Department of Employment as the best agency to help them secure a job, thought the department gave poor service, made no effort to secure jobs, 30.9 percent were not interested and undertook no screening, another 25.6 percent thought they had available no variety of jobs, failed to have the particular types of jobs which could be filled by the worker and that there were not available enough jobs of any kind. "I'm my own best agent," said 24.1 percent and only 7.3 percent of the unemployed workers stated that they obtained jobs through their union.

The unemployed were not so critical of the first premise, only 8.2 percent saying "poor service, no effort, etc.," but in the second category there were 4 percent more among the employed. Here 20 percent of them thought they were their own best agent, but 29.5 percent relied on their unions to secure them jobs.

In this same connection employers were asked specifically whether they considered their local California Employment Office a good source for securing new employees in five given classifications:

Professional and managerial
Clerical and sales
Service
Skilled
Semiskilled
Unskilled

Only the last two classifications received as much as a 50 percent vote in the affirmative, the first four ranging from only 24 percent to

45 percent. The universal and major complaint against workers in each of the classifications was "poorly qualified referrals" running from 34.3 percent in the professional and managerial classification to as high as 51.3 percent for service workers. In the first three categories 20 to 23 percent of all employers preferred other sources of supply, while in the latter three classifications from 28 to 45 percent of all employers preferred to hire through the unions.

Sixty-eight and eight-tenths percent of all employers interviewed stated that they *do not use* the State Department of Employment in the securing of *any* employees.

Approximately an equal number of employers both *report* and *fail to report* to the department when they find referrals *do not sincerely seek employment* or are *unqualified for the job* to which they have been referred, and only one-third of them take the time or trouble to notify the department when they do employ a person who has been drawing unemployment insurance.

Department managers themselves, at least nearly 65 percent of them, say that not more than 3 out of 10 employees depend upon the employment service to secure them a job.

Sincerity of Effort

All four groups were asked for an opinion as to how many unemployed persons referred to a job by the department they thought were sincerely seeking a job. The highest percentage among the employed, the unemployed and the employers were those who answered "Don't Know." Of those who expressed an opinion among the employed there were 19.6 percent who thought *5 out of 10* were honestly seeking work, in the unemployed group 18.8 percent thought *9 out of 10* honestly sought jobs. Employers thought very much like employed workers, the largest percentage—9.6 percent said *5 out of 10*. However, there was a vast change in the pattern of thinking on this point when interviewers reached the department managers, for 83 percent of them said that *8, 9* or *10 out of 10* of all their referrals were sincerely seeking work. This, it will be seen, is almost double the percentage of the same opinion among the unemployed, nearly four times that of the employed group and six times that of the employers.

What About the Administration of This Act?

The preceding questions were asked of two, three or all of the groups and except for the questions on the Disability Insurance Fund complete the unilateral study conducted among all groups. A statement of conclusions adduced from answers to this group of questions on the administration of the act now follows, and in turn will give way to analysis of answers obtained to questions peculiar to each group.

Summarizing, the answers to the foregoing questions show:

1. A third of all concerned believe a great many ineligible claims are being paid because of:

(a) Erroneous concept of employees of purpose of act and who pays for it

(b) Lack of interest on part of employers in protecting ineligible claims

(c) Insufficient time and personnel for department to investigate eligibility statements made

2. Half the labor force is for and half against any further restrictions on benefit payments. Those in favor of further restrictions argue that it will stop chiseling, those against, that the present restrictions are rigid enough.

3. Two-thirds to three-fourths of the labor force endorse ideas of having employers examine previous unemployment insurance claims record of prospective employees, and for providing statement of cause of employment severance when worker leaves a job. Department managers take exception to first, endorse the second. Employers presently do neither except in small percentage of cases.

4. The fact that one-third of the labor force has changed jobs within the past year and have been recipients of unemployment insurance benefits would appear to be a natural concomitants of a rapidly changing state economy.

Nearly 40 percent of these unemployed workers drew benefits for less than four weeks, 75 percent of them drew for less than 13 weeks and 58.6 had not been out of work more than twice during the preceding five years. Eighty-two percent of all such unemployed had sufficient wage credits to permit benefits of at least $21 per week. Particular attention is called to the fact that 68.8 percent of these unemployed ascribe their unemployment to lay-offs, job completions and seasonal work, all conditions beyond their control.

5. Half of all workers and employers criticize the job the department is doing, with reference to having jobs available, investigating qualifications of employment seekers, fitting jobs to workers, referring workers to possible jobs and following through after referral. A majority of employed persons, unemployed and employers place no reliance in the Department of Employment in helping to get jobs. Approximately 22.5 percent of both the unemployed and the employed rely upon themselves as their own best agents in securing a job and a like percentage entrust the task to their unions. Employers look to the department for semiskilled and unskilled labor half of the time, but in other categories use other sources of supply. Sixty-eight and eight-tenths percent of all employers do not use the department as a source of supply for *any* employees.

No more than one-third to one-half of the employer-respondents cooperate with the department by reporting referrals who do not sincerely seek jobs, or are unqualified for the job, or have previously been drawing unemployment insurance.

6. While 83 percent of the department managers thought 8, 9 or 10 out of every 10 unemployed persons are sincerely seeking work when they go out on a referral, only 45.6 percent of the *unemployed themselves* thought so and only 25 percent of the employed workers and 15.6 percent of the employers have any such idea.

Among Employers

Certain specific questions were directed to employers only to adduce certain facts, opinions and practices, pertinent to their operations.

1. It was found that 70 percent of respondents pay maximum contributions into the fund, and only 11.6 percent hold merit ratings entitling them to a contribution rate of less than 2 percent.

2. Among them 47.4 percent knew that there was a method of reducing their rate of contribution, 28.3 percent said there was no such method and 24.3 percent frankly did not know. Those who knew such a thing was possible also knew how it could be accomplished.

3. Over 50 percent of the interviewees had at some time paid less than the maximum contribution rate while about 43 percent had not and about an equal number ascribed the increase to:

(a) Recent automatic increase ----------19%
(b) Recent increase in number of claims filed--18.1%
(c) Low reserves in the fund----------17.2%
(d) Poor employment record of the company--17.2%

A. Significant in cross-checking the sample taken in this study is the fact that of the employers interviewed

41.2% employed 1 to 7 people
33.6% employed 8 to 49 people
12. % employed 50 to 99 people
13.2% employed 100 or more people

The employed persons questioned, being from the same plants, were in the same proportion with respect to size of business in which occupied.

5. Seventy and nine-tenths percent of all these same places of business were conducted on a year-round basis, while but 10 percent of them had as much as 50 percent seasonal employment. In 80 percent of these plants the annual labor turnover did not exceed 25 percent; 25 percent experiencing no labor turnover, 25 percent from 1 to 9 percent and 30 percent from 10 to 25 percent change in the labor pattern.

6. A fourth of these employers make it a rule to give preference to employees with previous employment status in California, three-fourths of them do not.

7. Eighty-one and nine-tenths percent of the employer respondents examine all claims for unemployment insurance to determine whether there is a question of eligibility, while 16.5 percent do not make it a practice to do so.

8. When doubtful claims of eligibility arise, 70 percent question or protest them, while 30 percent do not.

9. Queried as to whether, in their opinion, there were other grounds than those presently provided upon which employers should be permitted to question the eligibility of benefit claims, 75 percent either stated they did not know or had no suggestions to make. Of the other 25 percent about one-fourth of them thought protest should be permitted for:

"Quits without good cause"

which of course, is now a cause for declaration of ineligibility.

10. Only half of these employers say they have ever protested any unemployment insurance claims, while the other half admit they never have made such a protest. Of those who have made protest, 80 percent report reasonably prompt consideration of protests and 62.6 percent thought protests were given fair and impartial consideration.

11. But—of the approximately 70 percent of the employers who make it a practice to question or protest doubtful claims, only 32.4 percent stated that adverse rulings by the Claims Examiner, which they consider unfair, are appealed. Of the 63.2 percent who make first protests, three-fourths of them state they never had occasion to take the matter to an appeal board, while the others say, "too much red tape, not worth the time, claim examiner unfair or just plain too lazy."

12. Only 10 percent of the employers have been exposed to the informational meetings, held by the department for employers on the subject of unemployment insurance. Fifty-three and four-tenths percent of all employers content themselves with simply posting such information as is received from the department and consider their duty done by their employees, while 29.5 percent frankly say that they do nothing toward keeping their employees informed concerning the purposes of the Unemployment Insurance Act and of their eligibility for claims thereunder.

Obvious conclusions are:

(a) Only the large employer is concerned with merit rating, largely due to ignorance on the part of the great majority of all employers as to the fundamental provisions of the act.

(b) Labor turnover is not excessive in view of changing economy and rapid acceleration.

(c) Not enough attention is being paid by employers to protection of Unemployment Insurance Fund by giving first preference to previous California employment.

(d) Great laxity on the part of employers in both filing and pursuing claims that might be ineligible.

(e) Limited exposure of employers to information programs of the Department of Employment.

Looking at the Department of Employment

Finally there were propounded to the managers of the Department of Employment offices interviewed a number of questions, designed to secure a cumulative expression of their opinions and procedures with regard to the particular problems with which they are confronted.

It will be remembered, when provisions of the act were considered earlier, there were certain managers objecting in varying degrees to some of the provisions as they now exist. Concerning voluntary quits, 12 percent of the managers thought no benefits should be paid, and another 20 percent thought additional penalties should apply in the form of longer waiting periods before claim could be filed. Concerning discharge for misconduct in connection with their last work, unreasonableness was charged on the same grounds as voluntary quits by 7.7 percent of the managers for the first reason and 11.5 percent for the last reason. In

addition 7.1 percent of the managers thought that in the case of the person losing his job through no fault of his own, benefits should begin immediately rather than after a waiting period of one week.

This review is made because of the suggestions offered by these managers when asked to recommend, in the light of their experience, the changes which would make the Unemployment Insurance Act more effective. The 29 managers interviewed made 34 suggestions. Seven of them suggested that unemployment insurance for seasonal workers be limited to the work season. Two managers concurred in three different recommendations:

"Invoke a rule of finality in regard to eligibility and ineligibility and clarify the terms 'equity' and 'good cause.'"

"Clarify requirement that one must *seek work*."

"Write clearly into the act that pregnant persons are not eligible."

Individual recommendations made were:

Should have more uniform laws throughout the State.

Must find a way of determining real labor market

Law is changed too often by Legislature; there is no possibility of establishing precedents.

A revision of the act based upon experiences of local department offices.

Modifications to toughen drawing of unemployment insurance.

Clarification and elimination of the ambiguity of the laws.

Put some real teeth into the disqualifying provisions.

Claimants should begin to draw benefits from the first day of filing.

Closer delineation between disability and unemployment insurance.

Simplify and have less forms.

More personnel for better screening.

Employers don't cooperate with department in policing the law.

Any time a claimant removes himself from the labor market the claimant should prove his availability by subsequent employment and earnings of at least four times his weekly benefit amount (As done in Washington.)

Penalty time should be deducted from total payments to make it effective.

Changes in regard to "trade disputes."

A stricter enforcement of the act that pertains to misconduct and discharges.

Trade disputes should be in effect one month before claims can be presented.

Voluntary job quitters should not be paid any benefits

More complete coverage of agricultural and government claimants.

Acts of misconduct and voluntary quitting should be penalized more.

Don't know.

Merit Rating

Twenty-four managers believe that present provisions of "merit rating" are desirable in that it helps to stabilize employment, encourages employer cooperation with the department, and provides an incentive

for employers to reduce their unemployment insurance contribution. Five of the managers interviewed do not think "merit rating" is a good thing; two believe it causes unreasonable protests by the employer and the others gave as their reasons:

(a) Employers attempt to force employees to quit rather than dismiss them,

(b) Gives an advantage to large employers,

(c) Penalizes the employer whose business is seasonal.

Labor Union Cooperation

Department managers rate labor unions from fair to good in disseminating information among their members concerning the act, its provisions and the changes occurring, and poor to fair in referring their members to the department for job placement. However, in the matter of helping to prevent chiseling on the fund, they are almost equally divided in their opinion as between the assistance being good, fair or poor, with a slight edge for a good job.

Claim Protests

Twenty-four of the 29 managers saw no additional grounds for protest of claims but five others offered six suggestions including pregnancy (2), misrepresentation by employee when being hired, refusal to take jobs, too narrow range of suitable jobs and when employee deliberately has himself fired. When it comes to protesting claims, there was a wide divergence of opinion among the managers as to the extent it is practiced by employers even when there are good and sufficient grounds for such a protest. Twenty percent thought only one out of every 10 eligible claims were protested, another 20 percent thought 5 out of 10 such claims were protested and the other 60 percent ranged in opinion from 1 to 9 out of 10.

Asked why they thought these good and sufficient claims against eligibility were not protested two-thirds of the managers thought it simply a lack of employer cooperation. 25 percent thought it due to lack of knowledge of the act, 10.7 percent attributed it to employers' desire to retain good relationship with employees and 10.7 percent said "Don't know."

Twenty-five out of the 29 managers interviewed thought that adequate investigation was made of every protest filed by an employer, while four thought not, due to lack of time, personnel and investigative facilities. The answers to this question do not coincide with the responses given to the question previously asked this group concerning whether they believed an excessive number of claims were being paid claimants who really were ineligible. To that question 10 of the managers answered yes and gave as their reasons for so believing: Lack of interest of employer, lack of time for proper investigation, lack of adequate legislation and improper statements of claimants.

Stability of Fund

At the time this survey was conducted (April and May, 1950) two-thirds of the managers were of the opinion that a very serious threat to the stability of the Unemployment Insurance Fund existed, 18 of them ascribing it to failure of employers to protest ineligible claims, 10 thought it due to a reduction in revenue because of the application of

employees' contribution to the Disability Fund. The same number mentioned "chiseling" as the cause, eight thought it might be the employees' misconception of their rights to the fund and as many as three mentioned too broad coverage, inadequate administration and the merit rating provisions of the act as causes for instability. (Multiple answers account for total of more than 29.)

Asked specifically whether such danger arose from present attitudes of employer, employee, Department of Employment or other causes, the answer percentages were 46.4 percent, 42.9 percent, 3.6 percent and 17.9 percent in that order. (Exceeding 100 percent account multiple answers.)

Public Criticism of Department

Asked for a personal opinion on whether they thought there was widespread criticism of the Department of Employment, 16 out of the 29 managers queried replied in the affirmative. These gave as their reason:

"Lack of understanding of the act,"

thought that the public blamed

"Administration within the department"

and gave it as their opinion that the way to lessen this criticism was to

"Educate the public"

"Improve public relations."

Internal Office Procedures

At this point in the interview, the committee representative asked to see the Department Manual, which is supposed to be maintained in each office covering all amendments to the act, department rulings, interpretations, procedures, etc. The question was then asked if this manual was posted to date and 28 out of 29 managers said yes, while one said he was only two days behind with such posting. Queried concerning the number of such amendments, rulings, decrees, etc., issued from the department main office during the preceding 60 days, the answers ranged all the way from 15 to 120, while 11 managers frankly said they did not know. Asked how they keep abreast of all changes, the majority said through reading the bulletin board when changes were posted and in staff meetings. Then asked whether the staff was kept abreast, 100 percent of the managers said "Yes" and in response to the inquiry as to how this was accomplished, 93.1 percent said through staff meetings, 37.9 percent said through reading and 10.3 percent said through supervisory training. (Multiple answers account for the more than 100 percent.)

The Result

Main inferences to be drawn from the answers made to these questions asked of department managers are:

(a) The act is so loosely drawn that widely differing interpretations of the same provision are easily possible. Obvious loopholes provide escape hatches for both employer, employee or department worker to give personal definition to most any given claim.

(b) Lack of clarity in legislation plus indifference of majority of employers concerning claims filed constitute a heavy drain on the

Unemployment Insurance Fund and imperil the stability of the fund.

(c) Every possible means should be used to encourage cooperation by labor unions and employers with the department and chief, for this reason managers approve of merit rating for employers.

(d) Widespread criticism of the administration of the act is acknowledged and ignorance on the part of all groups concerned is blamed.

(e) Procedural "red tape"—due to complexities arising from changes, amendments and additions to the act—so enmesh the administration that consistency of action on any given course becomes impossible.

Disability Insurance

Only a cursory examination was made of this subject but significantly the answers are most revealing.

Asked who pays for disability insurance, the largest percentage for any one answer among the employed was 24.7 percent who thought both employer and employee pay for it, 19 3 percent thought the employee only paid for it and exactly the same percentage did not know. Fourteen and seven-tenths percent thought the employer bore the cost and 11.9 thought both employer, employee and the State shared the cost, 8.4 percent thought it was borne by the State Government.

Among the unemployed, one-fourth of all respondents had no notion of who paid for disability insurance, but the next highest percentage 19.1 percent represents answers of persons thinking the State Government bears the cost. Fourteen and five-tenths percent for employers, 13.7 percent for both employer and employee, 12.7 percent for the employee only and 12.6 percent thinking it was jointly borne by employer, employee and the State.

In the employer group less than half, 43.4 percent to be exact, knew the employee was bearing the cost of disability insurance, 25.2 percent thinking it divided between the employer and the employee, 9 2 percent thinking that they themselves paid it, 7.2 percent thinking it divided between themselves, the employee and the State and 12.7 percent not knowing.

Drawing Benefits

Only 10.7 percent of the employed and 14.9 percent of the unemployed had ever drawn benefits under this act and of this number a quarter of them had received benefits in excess of 10 weeks while the next highest percentage, an average of 15 percent had only drawn benefits for up to one week.

Eighty-two and one-tenth percent of the employed and 87.1 percent of the unemployed testified they had no unreasonable difficulty in establishing or securing claims and this was concurred in by 75.7 percent of the employers, while 20.7 percent professed ignorance.

Provisions of the Unemployment Insurance and Disability Insurance Acts

Asked the comprehensive question as to whether or not the respondent was generally satisfied with the Unemployment and Disability Insurance Act as now written and administered, 54.9 percent of the employed and 64.2 percent of the unemployed so expressed themselves, while 15 percent of the employed and half that percentage of the unemployed expressed any dissatisfaction. The reasons therefor were almost as numerous as the respondents in this category, thereby barring any attempt at tabulation.

Claims Allowance

Half of all employers interviewed had no idea whether an excessive number of claims were being paid, 37.8 percent thought not, while 12 percent were of the opinion that such was the case. Those so believing thought it due to fraudulent claims made, poor investigation, insufficient legislation and lack of personnel. On the other hand, those of the belief that no excessive number of claims were being paid thought that in disability insurance the fund was better protected, there was good administration and the fact that a medical doctor's certificate is required all operated to guard against excessive claims.

The conclusion to be drawn from this cursory examination is that there is a great deal more general confidence and acceptance of the disability insurance program than that of the Unemployment Insurance Act, though probably as great an area of ignorance is existent here as in the unemployment insurance program.

TABULATIONS OF RESPONDENT ANSWERS TO QUESTIONNAIRES

Here follow the questions propounded by interviewers to the various groups and a tabulation of their replies expressed percentage-wise to the group or to the whole as the case may be. These answers have been arranged as nearly as possible to conform in sequence with the preceding analysis.

What would you say is the purpose of unemployment insurance in California?

	Employed persons 100.0%	*Unemployed persons 100.0%*	*Employers 100.0%*	*Department managers 100 0%*
Financial aid to unemployed	87.7%	87 1%	80.9%	37.9%
Gives feeling of security, morale builder, protection	3 8	4.8	--	--
Maintains economic standard, avoids depression, aids community and business	1.8	2.0	6.4	58.6
Keeps people off relief	1 6	1.6	3.2	3.5
Opportunity for chiselers	1.3	--	5.6	--
Payments made to be drawn on when unemployed	1.2	1.1	--	--
Assists unemployed to find work for which qualified	0.3	1.6	0.4	--
Miscellaneous	0.4	0.2	0.8	--
Don't know	1.9	1 6	2.7	--

Do you believe that payment of valid unemployment insurance is beneficial to the economy of the State generally?

	Employed persons 100.0%	*Unemployed persons 100.0%*	*Employers 100.0%*	*Department managers 100 0%*
Yes	83.0%	82.3%	81.7%	100 0%
No	7.3	7.0	12.7	--
Don't know	9.7	10.7	5.6	--

(If believe that payment of valid unemployment insurance is beneficial to the economy of the State). Why?

	Employed persons (83 0)	*Unemployed persons (82.3)*
Those who believe payment of unemployment insurance is beneficial to economy	*	*
Keeps people off relief, charity, bread lines	39.9%	37.6%
Maintains purchasing power, economic standards, money in circulation	37.0	39.6
Makes better citizens, morale builder, reduces crime	13.8	17.4
Profit to State financially	3 3	0.8
Reduces state expense, saves state money	1.8	--
Miscellaneous	2 0	1.6
Don't know	6 2	7.9

* Totals to more than 100 percent because of multiple answers

(If do *not* believe that payment of valid unemployment insurance is beneficial to the economy of the State). Why not?

	Employed persons (7.3)	*Unemployed persons* (7 0)
Those who believe payment of unemployment insurance is *not* beneficial to economy	*100.0%*	*100.0%*
Causes people to be lazy chiselers	48.2%	29.5%
Depletes state fund	23 5	32 8
Miscellaneous	16 5	23 0
Don't know	11.8	14 7

Who pays the cost of California unemployment insurance? (Who contributes to the California Unemployment Insurance Fund?—asked of employers).

	Employed persons 100.0%	*Unemployed persons 100 0%*	*Employers 100 0%*
Both employer and employee	52 3%	44.3%	51 4%
Employer, employee and State	17 8	28.2	9.5
Employer only	13 3	9.5	35.5
Employee only	7.7	7.7	1.2
State Government only	2 2	3 9	0.4
Miscellaneous	1.6	2 0	1.2
Don't know	5.1	4.4	0 8

(If believe employee contributes to the fund). What makes you think you contribute or pay into the fund?

	Employed persons (78 1)	*Unemployed persons* (80.7)
Those who believe employee contributes to the fund	*	*100.0%*
Taxes taken from wages	88 0%	78.0%
Appears on pay check, stub, pay envelope	7 8	12 6
Heard it	0.4	3 5
Explained at work	--	1 2
Miscellaneous	2.3	1 7
Don't know	0.9	3 0

* Totals to more than 100 percent because of multiple answers.

Who do you think *should* contribute to the California Unemployment Insurance Fund?

	Employed persons 100.0%	*Unemployed persons 100.0%*	*Employers 100 0%*	*Department managers 100.0%*
Both employer and employee	40.1%	40 2%	55.0%	51.8%
Employer, employee and State Government	28 2	32.9	17 7	3.4
Employee only	10 1	10 7	12 0	--
Employer only	7 1	5 6	7.2	41 4
State Government only	5 9	5.9	2 0	3 4
Miscellaneous	4.6	2 7	5.2	--
Don't know	4.0	2 0	0.9	--

Who do you think *should* contribute to the California Unemployment Insurance Fund? Why?

	Employed persons	*Unemployed persons*	*Employers*
	(40.1)	(40.2)	(55.0)
Both employer and employee—because	*	*	*
Both benefit, both concerned	42.6%	34.7%	55.5%
Employee directly benefits	21.8	31.1	10.2
Fair	14.5	9.2	12.4
Cost is divided, less burden	13.8	10.9	5.8
Employers' moral responsibility	7.8	10.6	5.8
Employer benefits by labor of employee	4.2	9.0	--
Stabilizes employment	2.5	5.0	--
Employer can afford to help	2.3	2.0	1.5
Employer should help keep money in circulation	0.8	1.1	2.2
Miscellaneous	1.0	3.4	4.4
Don't know	4.8	7.0	6.6
Employer, employee and State Government—because	*(28.2)* *	*(32.9)* 100.0%	*(17.7)* *
All benefit, all concerned	45.2%	48.5%	52.3%
Cost is divided, less burden	36.3	29.2	29.5
Fair	7.4	9.2	9.1
Creates a larger fund	4.5	3.7	2.3
State has duty toward her citizens	3.3	1.4	--
Employee directly benefits	1.5	2.4	2.3
Miscellaneous	0.3	1.4	4.5
Don't know	2.4	4.2	2.3

* Totals to more than 100 percent because of multiple answers

Who do you think *should* contribute to the California Unemployment Insurance Fund? Why?

	Employed persons	*Unemployed persons*	*Employers*
	(10.1)	(10.7)	(12.0)
Employee only—because	*100.0%*	*100.0%*	*100.0%*
Employee directly benefits	100.0%	93.8%	86.7%
Employee can afford it	--	5.2	--
Miscellaneous	--	--	10.0
Don't know	--	1.0	3.3
	(7.1)	(5.6)	(7.2)
Employer only—because	*100.0%*	*100.0%*	*100.0%*
Employer has more money	51.2%	55.2%	16.7%
Employers' moral responsibility	16.7	16.3	11.1
Benefits by employees' labor	15.5	20.4	--
Miscellaneous	10.7	6.1	44.4
Don't know	5.9	2.0	27.8
	(5.9)	(5.9)	(2.0)
State Government only—because	*100.0%*	*100.0%*	*100.0%*
We pay taxes	40.7%	24.0%	--
Duty of State	34.8	44.0	40.0
State has money	10.1	22.0	20.0
Spend for good cause rather than waste it	4.3	8.0	--
Miscellaneous	--	--	40.0
Don't know	10.1	2.0	--
Miscellaneous	4.6	2.7	5.2
Don't know	4.0	2.0	0.9

Under the Unemployment Insurance Act, which of the following groups are entitled to receive benefits?

	Employed persons 100.0% *	*Unemployed persons 100.0%* *	*Employers 100.0%* *
Those who lose their jobs through no fault of their own	86 5%	93.0%	99.2%
Those who left their work because of a trade dispute	18.1	12.4	13 7
Those discharged for misconduct connected with their last job	11.6	7.5	10.1
Those who voluntarily quit their jobs without good cause	8.8	7.3	10.5
Don't know	5.3	6.0	0.4

* Totals to more than 100 percent because of multiple answers.

Do you consider that the above provisions of the Unemployment Insurance Act are:

	Employed persons	*Unemployed persons*	*Employers*	*Department managers*
Those who *voluntarily quit* their jobs without good cause—from two to five weeks' disqualification	*100.0%*	*100.0%*	*100.0%*	*100.0%*
Reasonable, because should have some penalty as it is his own fault	46.6%	49 3%	34.1%	48.0%
Reasonable, because employer might be at fault, forced to quit, cut in pay, obtain better job	8.2	6.3	0.9	--
Reasonable, because he has paid into the fund	4 0	1.7	1.3	--
Reasonable, because he has to live	2.0	1.0	2.6	8.0
Unreasonable, because should not receive benefits	22.1	26.7	44.5	12.0
Unreasonable, because should wait longer, more penalty	0.7	1.3	2.6	20.0
Miscellaneous	--	1.0	2.2	12.0
Don't know	16 4	12.7	11 8	--
Those *discharged for misconduct* connected with their last work—from two to five weeks' disqualification	*100.0%*	*100.0%*	*100.0%*	*100.0%*
Reasonable, because teach him a lesson, his own fault, should behave	32.0%	48.9%	34.2%	57.8%
Reasonable, because may be employer's fault, two sides to every story	17.1	4.8	1.8	11.5
Reasonable, because he has paid into the fund	4.0	1.2	0 4	--
Reasonable, because he has to live	2.5	1.8	0.9	--
Unreasonable, because should not receive benefits	21.6	20.6	32.9	7.7
Unreasonable, because should wait longer, more penalty	1.1	1 6	4.8	11.5
Miscellaneous	0.1	--	4.4	11.5
Don't know	21.6	21.1	20.6	--

Do you consider that the above provisions of the Unemployment Insurance Act are:

	Employed persons	*Unemployed persons*	*Employers*	*Department managers*
Those who left their work because of a *trade dispute*—disqualified for duration of trade dispute	*100.0%*	*100.0%*	*100.0%*	*100.0%*
Reasonable, because union should take care of him	12.3%	8.5%	11.4%	4.2%
Reasonable, because he knows what he is doing, voluntarily striking	10.8	4.3	7.5	12.5
Reasonable, because he should not receive benefits	8.0	6.1	35.5	12.5
Reasonable, but should not go on strike, don't believe in strikes	4.9	7 3	2.2	4.2
Reasonable, because would bring on more strikes	2.9	1.6	4.4	4.2
Unreasonable, because individual doesn't have say, is sometimes forced to strike	29.9	33.5	8.3	--
Unreasonable, because trying to better himself	4.4	3.1	3.5	--
Unreasonable, because he has paid into the fund	2.6	3.3	1.8	--
Unreasonable, because he has to live	2 0	1.3	1.8	--
Reasonable, because it places department in nonpartisan position	--	--	--	45.8
Miscellaneous	0.5	3.3	4.4	16.6
Don't know	21.7	27.7	19.2	--
Those who lose their jobs through *no fault of their own*—one week waiting period	*100.0%*	*100.0%*	*100.0%*	*100.0%*
Reasonable, because entitled to it, deserve it	39.7%	22.0%	28.2%	10.7%
Reasonable, because lost through no fault of own	11.6	23.9	10.1	3 6
Reasonable, because he paid into the fund	9.0	4.5	0.8	--
Reasonable, because he needs it, fund set up for his protection	7.4	15.1	39.1	42.9
Reasonable, because department must have time for investigation and processing of claims	5.9	3.9	2.4	7.1
Reasonable, because should be able to wait one week, has last week's pay	5.1	10.2	3 6	10.7
Reasonable, because might look for a job in meantime	4.5	4.8	0.8	3.6
Unreasonable, because should receive benefits immediately	10.5	10.2	10.5	7.1
Miscellaneous	0.3	0.7	1.3	10.7
Don't know	6.0	4.7	3.2	3.6

Do you think that any of the following groups should be covered by unemployment insurance?

	Total	*Yes*	*No*	*Don't know*
Employed persons				
Agricultural labor	100.0%	72.4%	18.2%	9.4%
Domestic service	100.0	70.8	20.9	8.3
Government workers	100.0	60.8	31.5	7.7
Self-employed persons	100.0	49.4	41.0	9.6
Unemployed persons				
Agricultural labor	100.0%	79.1%	9.7%	11.2%
Domestic service	100.0	76.6	13.3	10.1
Government workers	100.0	70.1	21.4	8.5
Self-employed persons	100.0	46.4	41.8	11.8
Employers				
Agricultural labor	100.0%	57.0%	30.5%	12.5%
Domestic service	100.0	59.5	34.4	6.1
Government workers	100.0	57.1	35.9	7.0
Self-employed persons	100.0	54.2	40.4	5.4

Do you look upon unemployment insurance in the same light as life or fire insurance insofar as your right to receive benefits is concerned?

	Employed persons 100.0%	*Unemployed persons 100.0%*
Yes	71.3%	73.1%
No	20.7	18.2
Don't know	8.0	8.7

(If yes) Why?	*Employed persons* (71.3)	*Unemployed persons* (73.1)
Those who look upon unemployment insurance as other insurance	*100.0%*	*100.0%*
Personally paid for it	49.7%	55.2%
Purpose is to assist, necessary, protection, security	46.2	41.3
Miscellaneous	--	--
Don't know	4.1	3.5

(If no) Why not?	*Employed persons* (20.7)	*Unemployed persons* (18.2)
Those who do not look upon unemployment insurance as other insurance	*100.0%*	*100.0%*
Conditional, not always qualified to collect, may never collect	33.2%	25.7%
Not personally paid for, others help, state grant, privilege	14.7	17.8
Temporary relief only	13.9	17.8
Amount of money not same	5.5	7.2
Rather work than collect	0.4	9.2
Miscellaneous	19.7	14.5
Don't know	12.6	7.8

Do you believe that your local office of the State Department of Employment is paying an excessive number of claimants who are ineligible?

	Employed persons 100.0%	*Unemployed persons 100.0%*	*Employers 100.0%*	*Department managers 100.0%*
Yes	39.0%	22.2%	43.4%	34.5%
No	25.9	35.5	16.3	65.5
Don't know	35.1	42.3	40.3	--

(If believe local office of Department of Employment is paying an excessive number of claimants who are ineligible) For what reason or reasons?

	Employed persons (39.0)	*Unemployed persons* (22.2)	*Employers* (43.4)	*Department managers* (34.5)
Those who believe excessive number of claims are paid	*	*	*	*
Belief of the unemployed that their contributions entitle them to all the insurance they can get	57.9%	56.1%	62.4%	--
Lack of sufficient personnel for proper investigation of claims	32.2	31 6	30.3	--
Lack of desire by the department to properly investigate claims	30.7	14.8	36.7	--
Because of inadequacy of present legislation	25.1	14.3	33 9	50 0
Lack of interest by employers in protesting and appealing claims	24.7	15.8	34.9	90.0
There are always chiselers	2.6	5.1	2.8	--
Lack of time for proper investigation of claims	--	--	--	80 0
Improper statements of unemployed persons leading to payments to which they are not entitled	--	--	--	40.0
Miscellaneous	5.8	0 5	7.3	50.0
Don't know	1.1	1.5	0.9	--

* Totals to more than 100 percent because of multiple answers.

Are you or are you not in favor of tightening up on the payment of unemployment insurance?

	Employed persons *100 0%*	*Unemployed persons* *100.0%*
In favor	50.1%	45 4%
Not in favor	33.7	35.7
Don't know	16.2	18 9

(If in favor) Why?

	Employed persons (50.1)	*Unemployed persons* (45.4)
Those in favor of tightening up on payment	*100 0%*	*100.0%*
Eliminate chiseling	77.6%	78.4%
More investigation and efficiency in department	13 2	10 0
Fund is being depleted	2.7	4.1
Cause people to look for work	0 3	3.1
Miscellaneous	3.4	2 8
Don't know	2.8	1.6

(If not in favor) Why?

	Employed persons (33.7)	*Unemployed persons* (35.7)
Those not in favor of tightening up on payment	*100.0%*	*100.0%*
Tight enough now, OK as is	86 6%	74.3%
Jobs not available, would work if could, people need it	3.5	8 6
They paid for it	--	4 4
Miscellaneous	3.6	2.2
Don't know	6.3	10.5

(If not in favor of tightening up on payment of unemployment insurance) Do you think your answer would be the same even if *you* were asked to pay all or part of the increased contributions necessary?

	Employed persons (33.7)	*Unemployed persons* (35.7)
Those not in favor of tightening up on payment	*100.0%*	*100.0%*
Yes	73.8%	73.0%
No	10.8	11.7
Don't know	15.4	15.3

Do you think that applicants for a job should be questioned concerning their previous unemployment insurance claims record if this type of information would prove valuable in reducing unnecessary withdrawals from the fund?

	Employed persons *100.0%*	*Unemployed persons* *100.0%*
Yes	66.5%	68.2%
No	27.1	24.1
Don't know	6.4	7.7

Do you think that a statement of reasons for leaving a place of employment signed by both employee and employer at time of leaving, would or would not be valuable in reducing the number of ineligible claims?

	Employed persons *100.0%*	*Unemployed persons* *100.0%*
Would be valuable	74.1%	73.6%
Would not be valuable	17.0	17.4
Don't know	8.9	9.0

Do you think that the number and amount of claims for unemployment insurance to employees leaving the service of any firm could have any effect on that firm's unemployment insurance costs?

	Employed persons *100.0%*	*Unemployed persons* *100.0%*
Yes	42.8%	38.1%
No	23.7	25.7
Don't know	33.5	36.2

(If yes) Why?	*Employed persons* (42.8)	*Unemployed persons* (38.1)
Those who believe claims affect firm's unemployment insurance costs	*100.1%*	*100.0%*
Rate is based on claims against employer's account	79.0%	80.9%
Changes always cost	3.8	7.4
Miscellaneous	4.0	1.2
Don't know	13.2	10.5

(If no) Why not?	*Employed persons* (23.7)	*Unemployed persons* (25.7)
Those who believe claims do *not* affect firm's unemployment costs	*100.0%*	*100.0%*
Standardized rate	30.2%	50.7%
Pay according to number of employees	29.1	9.0
Employee only contributes	1.8	2.3
Payments stop on departure of employee	--	3.2
Miscellaneous	4.7	5.9
Don't know	34.2	28.9

Are you seeking steady year-around employment, or do you prefer to work on a part-time or seasonal basis?

	Unemployed persons *100.0%*
Year-around	90.7%
Seasonal or part-time	9.3

How many times have you been unemployed in the last five years?

	Unemployed persons *100.0%*
None	8.9%
1 time	26.6
2 times	23.1
3	16.4
4	5.8
5	7.7
6	2.8
7	0.2
8	0.9
9	0.2
10 times and over	7.0
Don't know	0.4

Are you now drawing unemployment insurance?

	Unemployed persons *100.0%*
Yes	53.9%
No	46.1

How long have you been drawing?

	Unemployed persons (53.9)
Those unemployed persons who are now drawing	*100.0%*
1 to 4 weeks	28.4%
5 to 8 weeks	24.3
9 to 13 weeks	21.0
14 to 17 weeks	10.6
18 to 21 weeks	7.9
22 to 26 weeks	7.5
27 weeks and over	0.3

How much are you drawing per week?

	Unemployed persons (53.9)
Those unemployed persons who are now drawing	*100.0%*
$8 to $15 per week	6.0%
$16 to $20 per week	12.0
$21 to $24 per week	23.9
$25 per week and over	58.1

Why did you leave your last job?

	Unemployed persons 100.0%
Laid off, job completed, seasonal work	68.8%
Quit, personal, ill, moved, school, married, pregnant, member of family ill	15.2
Grievance against job or employer, too much work, poor hours, poor pay, no job upon returning from illness, did not like boss, unfavorable working conditions, promise not kept	7 4
Grievance against employee, fired, too slow, incompetent	6.8
Miscellaneous	1.4
Refused to state	0.4

How long were you employed there?

	Unemployed persons 100.0%
Less than 1 month	10.8%
1 to 3 months	19.1
4 to 6 months	12.9
7 months to 1 year	13.4
1 year to 5 years	38.9
6 years and over	4.9

How many different times before this one have you drawn unemployment insurance benefits?

	Unemployed persons 100.0%
None	39.7%
One time	34.5
Two times	13.5
Three	6.4
Four	2.2
Five times and over	3 2
Don't know	0.5

On an average, about how much were you making a week during the past 18 months?

	Unemployed persons 100.0%
Up to $25	11.6%
$26 to $35	15.0
$36 to $50	25.8
$51 to $75	35.4
$76 and over	12 2

Have you been referred to any jobs by the Department of Employment since you lost your last job?

	Unemployed persons 100.0%
Yes	17.9%
No	82 1

(If yes) to how many different jobs have you been referred since you lost your last job?

	Unemployed persons (17.9)
Those unemployed persons referred to jobs by the department	*100.0%*
One job	67.9%
Two jobs	17.6
Three jobs	8.2
Four jobs	1.9
Five and over	4.4

(If referred to a job) do you think you were qualified to handle all of the jobs to which you were referred?

	Unemployed persons (17.9)
Those unemployed persons who were referred to a job	*100.0%*
Yes	75.0%
No	25.0

(If no) why not?

	Unemployed persons (25.0)
Those unemployed persons who were referred to a job for which they were not qualified	*100.0%*
Not my line of work	83.8%
Temporary job	5.4
Too young	5.4
Miscellaneous	5.4

(If yes) why are you not working on any of these jobs?

	Unemployed persons (17.9)
Those unemployed persons referred to jobs by the department	*100.0%*
Job taken upon arrival, someone else got job, too many others sent out	32.5%
Lack of experience, not my line of work	24.2
Will apply, haven't gone out yet, waiting to go to work now, haven't heard results yet	12.1
Temporary job	6.3
Age—too young or too old	5.1
Not local, travel time	5.1
Poor pay	5.1
Grievance against job, poor hours, did not like job or boss	4.5
Miscellaneous	4.5

Have you ever secured a job through the California State Employment Service?

	Employed persons *100.0%*	*Unemployed persons* *100.0%*
Yes	10.0%	22.4%
No	90.0	77.6

Do you consider your local California State Employment Service office the best agency *you* can use to help you get a job?

	Employed persons 100.0%	*Unemployed persons 100.0%*
Yes	39.2%	57.1%
No	49.0	40 0
Don't know	11.8	2.9

(If not) why not?	*Employed persons* (49.0)	*Unemployed persons* (40.0)
Those who believe C. S. E. S. *not* their best agency	*	100.0%
Poor service, no effort, not interested, no screening	30.9%	8.2%
No variety, not my type of work, not enough jobs	25.6	29.5
I'm my best agent	24.1	20.1
Obtain jobs through union	7.3	29.5
Poor calibre and paying jobs	6.4	4.0
Employer does not use, does not cooperate, does not have confidence	5.1	7 6
Miscellaneous	1.1	1.1
Don't know	0 2	--

* Totals to more than 100 percent because of multiple answers.

About how many out of 10 people drawing unemployment insurance would you say are sincerely interested in getting the job to which they are referred by the California State Employment Service?—asked of employed and unemployed persons.

(How many out of 10 referrals from the local employment office do you believe are sincerely seeking a job?—asked of employers)

(About how many out of 10 referrals are sincerely seeking a job when they are sent out by the department?—asked of department managers)

	Employed persons 100.0%	*Unemployed persons 100.0%*	*Employers 100.0%*	*Department managers 100.0%*
None	1.4%	0.1%	4.8%	3.4%
1 out of 10	2.9	1.5	3 6	3.4
2	4.2	2.5	6 8	--
3	6.1	1.9	3.2	--
4	3.3	1.4	3.2	--
5	19 6	14.9	9.6	--
6	5.9	4.6	4.8	3.4
7	9.3	8.3	6.8	3.4
8	9 9	14.7	7.6	34.5
9	8.8	18.8	0.8	34.5
10	4.3	12.1	7.2	14.0
Don't know	24.3	19.2	41.6	3.4

Who pays for disability insurance? (Who contributed to the non-industrial Disability Insurance Fund?—asked of employers).

	Employed persons 100.0%	*Unemployed persons 100.0%*	*Employers 100.0%*
Both employer and employee	24.7%	13.7%	25.5%
Employee only	19.3	12.7	43.4
Employer only	14.7	14 5	9.2
Employer, employee and State	11.9	12.6	7.2
State Government only	8.4	19.1	1.2
Miscellaneous	1.7	2.4	0.8
Don't know	19.3	25.0	12.7

Have you ever received any benefits for disability from the California Disability Insurance Fund or under a voluntary plan?

	Employed persons 100.0%	*Unemployed persons 100.0%*
Yes	10 7%	14.9%
No	89.3	85.1

(If yes) How long did you draw the disability insurance benefits?

	Employed persons (10.7)	*Unemployed persons* (14.9)
Those who have received disability benefits	*100.0%*	*100.0%*
Up to 1 week	11.0%	19.2%
2 weeks	14.4	10 8
3 weeks	11.0	10.0
4 weeks	17.8	10.0
5 weeks	5.1	5.4
6 weeks	6.8	8.5
7 weeks	3.4	0 8
8 weeks	5.1	10.0
9 weeks	0.8	2.3
10 weeks and over	24.6	23.0

(If have received disability benefits) Did you have any unreasonable difficulty in establishing or securing your claim?

	Employed persons (10.7)	*Unemployed persons* (14.9)
Those who have received disability benefits	*100.0%*	*100.0%*
Yes	17.9%	12.9%
No	82.1	87.1

Have any of your employees ever had any trouble in getting any disability insurance under the act?

	Employers 100.0%
Yes	3.6%
No	75.7
Don't know	20.7

Are you generally satisfied with the Unemployment and Disability Insurance Act as now written and administered?

	Employed persons 100.0%	*Unemployed persons 100.0%*
Yes	54.9%	64.2%
No	15.2	7.7
Don't know	29.9	28.1

How long have you been on your present job?

	Employed persons 100.0%
Up to 2 months	9.7%
3 to 11 months	23 3
1 to 2 years	27 6
3 to 4 years	18.0
5 years and over	21 2
Miscellaneous	0.2

Have you ever received unemployment insurance? (California only.)

	Employed persons 100.0%
Yes	32.2%
No	67.8

(If yes) for how long a period of time did you receive benefits the last time?

	Employed persons (32.2)
Those employed persons who have received benefits	*100.0%*
1 to 4 weeks	38.8%
5 to 9 weeks	24.7
10 to 13 weeks	12 8
14 to 17 weeks	7.8
18 to 21 weeks	6.0
22 to 26 weeks	7.3
27 to 39 weeks	0.5
40 weeks and over	1.0
Don't know	1.1

(If yes) on how many different occasions during the last five years have you received unemployment insurance?

	Employed persons (32 2)
Those employed persons who have received benefits	*100.0%*
None	14.7%
1 time	54.8
2 times	20.6
3	6.8
4	1.0
5	1.0
6	0.8
7 times and over	0.3

(If yes) did the State Employment Service do a poor, fair or good job in trying to get you another job?

	Employed persons (32.2)
Those employed persons who have received benefits	*100.0%*
Poor	47.7%
Fair	25.1
Good	22.4
Don't know	4.8

(If yes) On jobs to which you were referred, did you find that they were jobs for which you thought you were qualified?

	Employed persons (32.2)
Those employed persons who have received benefits	*100.0%*
Yes	33.7
No	35 0
Don't know	31.3

What is the present rate of contribution of your company to the California Unemployment Insurance Fund?

	Employers *100.0%*
Less than 2 percent	11.6%
2 to 2.6 percent	15.9
2.7 percent	67.7
Over 2.7 percent	2 0
Don't know	2.8

Is any method provided for reducing your present rate of contribution?

	Employers *100.0%*
Yes	47.4%
No	28.3
Don't know	24.3

(If yes) how?

	Employers (47.4)
Those employers who know of method for reducing rate	*
By stabilizing employment	43.6%
By reducing number of claims against account (merit rating)	35.9
By building up a reserve	22.2
Don't know	0.9

* Totals to more than 100 percent because of multiple answers.

Have you ever paid a contribution rate less than 2.7 percent?

	Employers *100.0%*
Yes	51.4%
No	42.9
Don't know	5.7

(If yes) for what reasons was the rate increased to present level?

	Employers (51.4)
Those employers whose rate has been less than 2.7 percent	*100.0%*
Recent automatic increase	19.0%
Increased number of claims filed against account	18.1
Low reserve	17.2
Poor employment record for company	17.2
Present rate is still less than 2.7 percent	13.8
Miscellaneous	6.0
Don't know	8.7

What is the normal number of employees in your company?

	Employers 100.0%
1 to 7 employees	41.2%
8 to 49	33.6 *
50 to 99	12.0 *
100 and over	13.2 *

* NOTE: A larger percentage of employers were obtained in these groups to allow for greater stability.

About what percentage of this total is seasonal, and year-around?

Seasonal	*Year-around*	*Employers 100.0%*
0%	100%	70.9%
1- 24%	76- 99%	11.2
25- 49%	51- 75%	7.6
50- 74%	26- 50%	7.2
75- 99%	1- 25%	2.8
100%	0%	0.8
Don't know		0.3

About what is the percentage of labor turnover (terminations) of your total number of employees per year?

	Employers 100.0%
100 percent labor turnover	2.0%
76-99 percent	2.0
51-75 percent	2.8
26-50 percent	9 6
10-25 percent	29 5
1- 9 percent	25.5
0 percent	25.0
Don't know	3 6

Do you give preference to prospective employees whose previous employment was in California?

	Employers 100.0%
Yes	23.7%
No	75.1
Don't know	1.2

Are prospective employees questioned concerning prior unemployment insurance claims made by them?

	Employers 100.0%
Yes	6.8%
No	92.4
Don't know	0.8

Are the reasons for termination of an employee established in writing at the time of leaving?

	Employers 100.0%
Yes	14.5%
No	84.3
Don't know	1.2

Are all claims for unemployment insurance examined to determine whether there is a question of eligibility?

	Employers 100.0%
Yes	81.9%
No	16.5
Don't know	1.6

Do you make it a practice to question or protest all claims whose eligibility is doubtful?

	Employers 100.0%
Yes	68.9%
No	29.9
Don't know	1.2

On what other grounds do you think a protest should be allowed?

	Employers 100.0%
Quit without good cause	6.4%
Refusal to accept work	2.4
Misconduct	2.4
Pregnancy	1.6
Seasonal workers	1.6
If you are not the last employer	1.5
Collecting and working simultaneously	1.2
Quitting to be married	1.2
Being fired on purpose	1.2
Dishonesty	1.2
Miscellaneous	3.6
Don't know—no other grounds suggested	75 7

In your judgment, were your protests given:

	Total	*Yes*	*No*	*Don't know*
Employers *100.0%*				
Have protested 50.4%				
Have never protested 49.6				
(a) Reasonably prompt consideration (50.4)	100 0%	80.5%	10 6%	8.9%
(b) Fair and impartial consideration (50.4)	100 0%	62.6	20.2	17.2

Do you appeal adverse rulings of the claims examiner which you consider unfair?

	Employers
Yes	32.4%
No	63.2
Don't know	4.4

(If no) Why not?	*Employers* (63.2)
Those employers who do not appeal adverse rulings	*
Have never had occasion	72.6%
Not worth the time and effort (red tape)	15.1
Claims examiner is unfair	4.8
Too lazy	2.1
Miscellaneous	4.8
Don't know	1.4

* Totals to more than 100 percent because of multiple answers.

Do you consider your local California Employment Office a good source for securing new employees for each of the following classifications?

Employers	*Professional and managerial* 100.0%	*Clerical and sales* 100.0%	*Service* 100.0%	*Skilled* 100.0%	*Semi-skilled* 100.0%	*Unskilled* 100.0%
Yes	24.0%	44.4%	45.1%	41.3%	53.4%	57.5%
No	44.6	35 2	26.3	40.3	24.1	19.9
Don't know	31.4	20.4	28.6	18.4	22.5	22.6
(If no) Why not?	(44.6)	(35.2)	(26.3)	(40.3)	(24.1)	(19.9)
Those employers who say California State Employment Service is *not* a good source for securing new employees	*100.0%*	*100.0%*	*100.0%*	*100.0%*	*100.0%*	*100.0%*
Poorly qualified referrals	34 3%	49.3%	51.3%	35.2%	42.5%	46.9%
Other sources preferred	20.0	23 2	23.1	9 9	15.0	15.6
Hire through unions	5.7	10.1	17.9	45.1	30.0	28 1
California State Employment Service does not have this type of person	25.7	--	--	--	--	--
Intercompany promotion	8.6	--	--	--	--	--
Alert workers can get job without unemployment insurance	--	8.7	--	--	--	--
Miscellaneous	5.7	8.7	7.7	9.8	12.5	9.4

About what percentage of your new employees are obtained through the California State Employment Service?

	Employers 100.0%
51–100 percent	4.0%
11– 50 percent	11.2
1– 10 percent	15.2
0 percent	68 8
Don't know	0.8

If referrals do not *sincerely* seek employment or are *unqualified,* do you report it to the department?

	Employers
	100.0%
Yes	44.9%
No	44.0
Don't know	11 1

Do you notify the Department of Employment when you employ a person who has been drawing unemployment insurance?

	Employers
	100.0%
Yes	35.7%
No	61.0
Don't know	3.3

About what is the average number of claims paid per week by the Department of Employment?

Up to 10,000	6.0%
10,001 to 100,000	2.0
100,001 to 200,000	2.4
200,001 and over	2.8
Don't know	86.8

Do you believe that an excessive number of claims for disability insurance are being allowed?

	Employers
	100.0%
Yes	12.0%
No	37.8
Don't know	50.2

(If yes) why?

	(12.0)
Those employers who believe an excessive number of claims are being allowed	*100.0%*
Fraudulent claims	50.0%
Poor investigation	14.3
Insufficient legislation	10.7
Insufficient personnel	7.1
Miscellaneous	14 3
Don't know	3.6

(If no) why not?

	Employers (37.8)
Those employers who do *not* believe an excessive number of claims are being allowed	*100.0%*
Fund is better protected (good administration)	34.4%
M.D.'s certificate is required	24.6
Personal experience	18.0
Employees claims are honest	6 6
Employees lack of knowledge of act	3.3
Due to private disability insurance carried by some companies	3.3
Don't know	9.8

Do you believe that any large number of claims are being paid for excessive periods of time?

	Employers
	100.0%
Yes	21.9%
No	23.9
Don't know	54.2

Have you (or executives of your company) attended informational meetings held by the Department of Employment on unemployment insurance?

	Employers 100.0%
Yes	10.0%
No	89.6
Don't know	0.4

What do you do (if anything) to keep your employees informed concerning the purposes of the Unemployment Insurance Act, and eligibility for claims thereunder?

	Employers *
Post information received	53.4%
Information circulated	9.6
Verbally informed, meetings	8.0
Informed on termination of employment	2.0
Refer employees to department	0.8
Union given information to distribute	0.8
Miscellaneous	1.2
Nothing	29.5

* Totals to more than 100 percent because of multiple answers.

In the light of your experience with the unemployed, what changes would you recommend?

	Department managers
Number of interviews	*29* *
Should have more uniform laws throughout the State	1
Invoke a rule of finality in regard to eligibility and ineligibility and clarify the terms "equity" and "good cause"	2
Must find a way of determining real labor market	1
Law is changed too often by Legislature, there is no possibility of establishing precedents	1
A revision of the act based upon experiences of local department offices	1
Modifications to toughen drawing of unemployment insurance	1
Clarification and elimination of the ambiguity of the laws	1
Put some real teeth into the disqualifying provisions	1
Claimants should begin to draw benefits from the first day of filing	1
Closer delineation between disability and unemployment insurance	1
Simplify and have less forms	1
More personnel for better screening	1
Present requirement that one must seek work has caused more trouble than any other phase of our work. It should be clarified	2
Employers don't cooperate with department in policing the law	1
Any time a claimant removes himself from the labor market, the claimant should prove his availability by subsequent employment and earnings of at least four times his weekly benefit amount. (As done in Washington)	1
Penalty time should be deducted from total payments to make it effective	1
Unemployment insurance for seasonal workers should be limited to work season	7
Changes in regard to "trade disputes"	1
Write clearly into act that pregnant persons not eligible	2
A stricter enforcement of the act that pertains to misconduct and discharges	1
Trade disputes should be in effect one month before claims can be presented	1

* Totals to more than 29 interviews because of multiple answers.

	Department managers
Voluntary job quitters should not be paid any benefits	1
More complete coverage of agricultural and government claimants	1
Acts of misconduct and voluntary quitting should be penalized more	1
Don't know	1

Do you believe coverage under the Unemployment Insurance Act should be extended?

	Department managers
	100.0%
Yes	93.1%
No	6.9

Who do you think *should* contribute to the California Unemployment Insurance Fund? Why?

	Department managers
	(51.8)
Both employer and employee—because	*100.0%*
Equalizes responsibility	35.8%
Both benefit, both concerned	28.6
When employee contributes he is careful to watch for chiseling	21.4
Miscellaneous	14.2
	(3.4)
Employer, employee and State Government—because	*100.0%*
Increases fund	100.0%
Employee only	--
	(41.4)
Employer only—because	*100 0%*
Employee cannot contribute toward unemployment insurance and disability insurance both	25.0%
Stabilizes employment	25.0
Removes employee feeling that it is his money	25 0
Makes law more effective	16 7
Miscellaneous	8.3
	(3.4)
State Government only—because	*100.0%*
Would result in an efficient reserve system	100.0%

Do you consider that adequate investigation is made of every claim?

	Department managers
	100.0%
Yes	37.9%
No	62.1

(If no) Why not?

	Department managers
	(62.1)
Those managers who believe inadequate investigation is made of claims	*
Lack of personnel	83.3%
Lack of time	55.6
Lack of administrative funds	16.7
Miscellaneous	11.1

* Totals to more than 100 percent because of multiple answers.

Among employers, which would you say are doing the best job in cooperating with the department in handling claims for unemployment insurance? Those with:

	Department managers *
1 to 5 employees	3.4%
6 to 10 employees	6.9
11 to 50 employees	13.8
51 to 100 employees	10.3
Over 100 employees	86 2
Don't know	3 4

* Totals to more than 100 percent because of multiple answers.

Which of the following types of employers would you say are doing the best job in cooperating with the department in the handling of unemployment insurance claims?

	Department managers *
Manufacturers	65.5%
Retailers	13.8
Transportation	13.8
Service trades	13 8
Public utilities	6.9
Other	13.8
Don't know	6.9

* Totals to more than 100 percent because of multiple answers

About how many out of 10 employers are doing a reasonably good job in keeping informed on the functions of the act?

	Department managers 100.0%
1 out of 10 employers	17.3%
2	37.9
3	3.4
4	6 9
5	13.8
6	--
7	6.9.
8	--
9	--
10	--
Don't know	6 9

In your opinion is merit rating a good thing?

	Department managers 100.0%
Yes	75.0%
No	17.9
Don't know	7.1

(If yes) why?

	Department managers (75.0)
Those managers who think merit rating a good thing	*100.0%*
Fosters employer cooperation with department	42.1%
Stabilizes employment	42.1
Saving to the employer	15.8

(If no) why not?	*Department managers*
Those managers who think merit rating is *not* a good thing	(17.9)
Number of interviews	5
Causes unreasonable protests by employer	2
Employers attempt to force employees to quit rather than dismiss them	1
Gives advantage to large employers	1
Penalizes employer whose business is seasonal	1

Would you say that the labor unions are doing a poor, fair or good job in cooperating with the department in:

Department managers	*Total*	*Good*	*Fair*	*Poor*	*Don't know*
(a) Disseminating information regarding the act	100.0%	37.9%	41.4%	13.8%	6.9%
(b) Referring their members to the department for jobs	100.0	18.5	33.3	40.7	7.5
(c) Helping to prevent chiseling on the fund	100.0	34 5	27.6	27.6	10.3

Do you think it would be a good thing for an employer to question a prospective employee regarding prior unemployment insurance claims?

	Department managers
	100.0%
Yes	7.1%
No	92.9

(If yes) why?	*Department managers*
Those managers who believe in questioning regarding prior unemployment insurance claims	(7.1)
Number of interviews	2
Would reveal stability of worker	2

(If no) why not?	*Department managers*
	(92.9)
Those managers who do *not* believe in questioning regarding prior unemployment insurance claims	*100.0%*
Would not correctly determine ability for job	75 0%
None of employers business	20.8
Miscellaneous	4 2

Do you think it would be a good thing for an employer and employee to establish in writing reasons for leaving employment?

	Department managers
	100.0%
Yes	82.1%
No	17.9

(If yes) why?	*Department managers* (82.1)
Those managers approving of written reasons for leaving employment	*100.0%*
Lessen work of department	40.0%
Aid in determining eligibility	35.0
Lessen arguments	10.0
Clarify reason for termination for both parties	10.0
Miscellaneous	5.0

(If no) why not?	*Department managers*
Those managers *not* approving of written reasons for leaving employment	(17.9)
Number of interviews	*5*
Involve too much paper work	2
Resembles slavery	1
Encourage conspiracy in order to draw benefits	1
Would blacklist many without good cause	1

In your opinion, are there added grounds, other than those presently provided under the act, on which you believe protests of claims should be allowed?

	Department managers *100.0%*
Yes	17.2%
No	79.3
Don't know	3 5

(If yes) what are they?	*Department managers*
Those managers suggesting other grounds of protest	(17.2)
Number of interviews	5 *
Pregnancy	2
Misrepresentation by employee when being hired	1
Refusal to take job	1
Too narrow a range of suitable jobs	1
When employee deliberately has himself fired	1

* Totals to more than five interviews because of multiple answers.

In your opinion, about how many out of 10 claims are not protested when there may have been good grounds for so doing?

	Department managers *100.0%*
None	3.4%
1 out of 10 claims	20.7
2	13.8
3	10.3
4	3.4
5	20.7
6	--
7	3.4
8	6.9
9	3.4
10	--
Don't know	14.0

Why do you think they were not protested?

	Department managers *
Lack of employer cooperation	67.9%
Lack of knowledge of act	25.0
Employer desire to retain good relationship with employees	10.7
Don't know	10.7

* Totals to more than 100 percent because of multiple answers.

Do you consider that adequate investigation is made of every protest filed by an employer?

	Department managers 100.0%
Yes	86.2%
No	13.8

(If no) Why not?

	Department managers
Those managers who consider an inadequate investigation is made	(13.8)
Number of interviews	4 *
Lack of personnel	2
Lack of time	1
Lack of investigative facilities	1
Employer and employee are contacted by phone, therefore, must accept one of their statements as true	1

* Totals to more than four interviews because of multiple answers.

About how many out of 10 employees do you think depend upon the employment service to secure jobs?

	Department managers 100.0%
1 out of 10 employees	10 7%
2	21.4
3	32.2
4	7.1
5	7.1
6	--
7	3.6
8	10.7
9	--
10	--
Don't know	7.2

In your opinion, is there now a serious threat to the stability of the fund without an increase in the rate of contribution?

	Department managers 100.0%
Yes	62.1%
No	34.5
Don't know	3.4

(If yes) Which of the following are serious threats?

	Department managers (62.1)
Those managers who believe there is a serious threat	*
Failure of employer to protest claims	61.1%
Reduction in revenue due to application of employees' contribution to disability	33.3
Chiseling	33 3
Employee's misconception of their right to fund	27.8
Too broad a coverage	11.1
Inadequate administration	11.1
Merit rating	11.1
Miscellaneous	44.4

* Totals to more than 100 percent because of multiple answers.

In general, would you say that any such danger to the fund arises out of the present attitude of the:

	Department managers *
Employer	46.4%
Employee	42.9
State Department of Employment	3 6
Other	17.9
Miscellaneous	3 6
No danger	7 2
Don't know	14.3

* Totals to more than 100 percent because of multiple answers.

Do you feel that there is much widespread public criticism of the Department of Employment?

	Department managers *100.0%*
Yes	55.2%
No	41.4
Don't know	3.4

(If yes) What do you think is the chief reason for this criticism?

	Department managers (55.2)
Those managers who believe there is public criticism	*100 0%*
Lack of understanding of act	78.6%
Human nature to criticize	14.3
Miscellaneous	7.1

(If yes) Who, or what is blamed?

	Department managers (55.2)
Those managers who believe there is public criticism	*
Administration within department	58.3%
Employer lack of information	25 0
Government inefficiency	16.7

(If yes) What in your opinion can be done to lessen this criticism?

	Department managers (55.2)
Those managers who believe there is public criticism	*
Educate public	62.5%
Public relations improvement	12.5
Miscellaneous	25.0
Don't know	6.3

* Totals to more than 100 percent because of multiple answers

Interviewer asks to see manual covering unemployment insurance amendments, rulings, interpretations, procedures, etc., then asks the following questions:

Have all bulletins relating to these matters to date been posted in the manual?

	Department managers 100.0%
Yes	96.6%
No	3.4

(If no) How far behind are postings?

	Department managers
Those who are behind on posting	--
Number of interviews	1
Two days	1

How many such amendments, rulings, decrees, etc , have been issued within the last two months?

	Department managers
Number of interviews	28
15	1
19	1
20	1
21	2
23	1
25	2
26	1
29	1
30	2
40	1
55	1
73	1
100	1
120	1
Don't know	11

How do you keep abreast of changes?

	Department managers *
Reading (bulletin board)	64 3%
Staff meetings (training)	53 6
By department procedure of distributing and filing amendments, etc.	7.1
Miscellaneous	3.6

* Totals to more than 100 percent because of multiple answers.

Are you and all members of the staff kept properly familiar with all changes as they occur?

	Department managers 100.0%
Yes	100.0%
No	

What procedure is followed in advising the entire staff of these changes?

	Department managers *
Staff meetings	93.1%
Reading	37.9
Supervisory training	10.3

* Totals to more than 100 percent because of multiple answers.

FINAL REPORT TO THE LEGISLATURE, 1951 REGULAR SESSION, ON RIDING AND HIKING TRAILS, BY THE ASSEMBLY INTERIM COMMITTEE ON STATE-WIDE RIDING AND HIKING TRAILS DEVELOPMENT

Created Pursuant to House Resolution No. 237

Members of the Committee

JOHN F. THOMPSON, Chairman
RICHARD J. DOLWIG
EVERETT G. BURKHALTER
L. STEWART HINCKLEY
RANDAL F. DICKEY
G. A. SPAULDING, *Executive Secretary*

LETTER OF TRANSMITTAL

January 8, 1951

Honorable Sam L. Collins
Speaker of the Assembly
California State Legislature

DEAR MR. SPEAKER: Pursuant to House Resolution No. 32 of the 1950 Session of the Legislature, your Interim Committee on State-wide Riding and Hiking Trails Development was organized, and does hereby submit its final report. Because of the fact that no money was appropriated for this committee, only one meeting was held and a very thorough study was made.

A full report by the Division of Beaches and Parks on the development of riding and hiking trails was made by General Warren T. Hannum, Director of the Department of Natural Resources, and other representatives of his department.

Members of various riding and hiking clubs were also heard and their desires as to future developments of the State-wide Trails System are included in this report, together with the committee's recommendations.

The committee is indebted to the Legislative Auditor and to the Division of Beaches and Parks and members of their staff for their cooperation and assistance in the preparation of this report.

Respectfully submitted,

JOHN F. THOMPSON, Chairman
RICHARD J. DOLWIG
EVERETT G. BURKHALTER
L. STEWART HINCKLEY
RANDAL F. DICKEY

RESOLUTION CREATING COMMITTEE

By Messrs. Thompson, Dolwig, and Dickey:

House Resolution No. 32

Relative to the creation of the Assembly Interim Committee on State-wide Riding and Hiking Trails Development

WHEREAS, It is the public policy of the State to promote the conservation, development, and use of the natural resources of this State for the purposes of health, recreation, and protection against fire and other hazards; to increase the accessibility and encourage the use of such natural

resources by the residents of this State and by nonresidents; to provide opportunity for the development of public and private facilities for the service of persons visiting and utilizing the natural resources of the State; to encourage increase in horseback riding and hiking as an influence for the health of the people; and to make more readily accessible the scenic wonders of the State by providing for the establishment, development, maintenance, and use of a state-wide system of riders' and hikers' trails; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on State-wide Riding and Hiking Trails Development is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the establishment, development, maintenance, and use of a state-wide system of riders' trails, either separately from or in conjunction with a system of hikers' trails, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of three Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the twentieth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it was created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

SENATE BILL NO. 630

CHAPTER 1469

An act to add Article 6, comprising Sections 5070 to 5077, inclusive, to Chapter 1 of Division 5 of the Public Resources Code, authorizing the State Park Commission and the Department of Natural Resources to make investigations, reports, recommendations and plans for the location and development of a State Trails System and to establish an advisory committee for that purpose; and making an appropriation therefor.

[Approved by Governor July 17, 1945. Filed with Secretary of State July 17, 1945.]

The people of the State of California do enact as follows:

SECTION 1. Article 6, comprising Sections 5070 to 5077, inclusive, is added to Chapter 1 of Division 5 of the Public Resources Code, to read:

Article 6. California Riding and Hiking Trails

5070. This article shall be known and may be cited as the California Riding and Hiking Trails Law.

5071. It is hereby declared to be the public policy of this State and the purpose of this act to promote the conservation, development, and use of the natural resources of this State for purposes of health, recreation, and protection against fire and other hazards; to increase the accessibility and encourage the use of such natural resources by the residents of this State and by nonresidents; to provide opportunity for the development of public and private facilities for the service of persons visiting and utilizing the natural resources of the State; to encourage increase in riding and hiking as influences for the improvement of the health of the people; and to provide for the establishment, development, maintenance and use of a state-wide system of riders' and hikers' trails.

The conclusions and recommendations in the report of the Riding and Hiking Trails Projects Committee of the Reconstruction and Reemployment Commission submitted to said commission are adopted in principle.

5072. As used in this article, the following terms have the meanings attributed to them in this section, unless the context otherwise requires:

"Trails" means riders' and hikers' trails for public use.

"California Riding and Hiking Trails Project" otherwise referred to in this article as the "project" means any work or undertaking to:

(a) Plan, chart, map or survey any trail area.

(b) Acquire land for the building of trails.

(c) Provide for the project, which may include buildings, equipment, recreational facilities, rest stations, shelters, and other real or personal property with necessary, convenient, or desirable appurtenances, including water service, camp site preparation, together with administrative, recreational, educational, and publicity services, including the issuance for public use of trail maps and bulletins, and all other purposes related thereto.

"Committee" means the California Riding and Hiking Trails Advisory Committee.

5073. The provisions of this article shall be administered by the Division of Beaches and Parks under the supervision of the Director of Natural Resources in accordance with policies established by the State Park Commission. The State Park Commission may appoint an advisory committee to be known as the California Riding and Hiking Trails Advisory Committee, to consist of six members, two from the northern, two from the southern, and two from the central portion of the State, selected from lists submitted upon invitation by the Park Commission by appropriate civilian organizations interested in the establishment and use of a State Trails System.

5074. The terms of members of the committee are temporary and at the pleasure of the commission. No member shall serve for longer than permitted by Section 6, Article XXIV, of the State Constitution. Members shall serve on an intermittent basis and shall be deemed to be in the service of the State only on days during which they attend committee meetings and travel to and from them. Each member of the committee shall receive his necessary expenses, including traveling expenses, incurred in discharge of his duties. Meetings of the committee shall be limited to twelve in any one fiscal year. The commission shall abolish the committee when in its opinion the services thereof are no longer required.

5075. The State Park Commission may accept on behalf of the State grants and ask financial assistance for or in aid of the project.

5076. The committee shall investigate all matters pertaining to the proposed project and shall annually prepare a report on these matters and forward it to the State Park Commission in time for the commission to incorporate it in the annual report of the commission to the Governor concerning the State Park System.

5077. The right of eminent domain may not be exercised to acquire property, any interest in property, or use of any property for the trails contemplated pursuant to this article.

SEC. 2. Out of any money in the State Park Fund, not otherwise appropriated, the sum of twenty thousand dollars ($20,000) is hereby appropriated to the Division of Beaches and Parks to be expended in carrying out the purposes of this act.

SENATE BILL NO. 70

CHAPTER 112

An act making an appropriation to the Division of Beaches and Parks for the establishment and development of riders' and hikers' trails, declaring the urgency hereof, to take effect immediately.

[Approved by Governor March 10, 1946 Filed with Secretary of State March 11, 1946.]

The people of the State of California do enact as follows:

SECTION 1. Out of any money in the State Park Fund not otherwise appropriated, the sum of three hundred thousand dollars ($300,000), or so much thereof as may be necessary, is hereby appropriated to the Division of Beaches and Parks to be expended in the establishment and development of the California Riding and Hiking Trails Project as provided in the California Riding and Hiking Trails Law. So much of the moneys appropriated by this act as shall be necessary, and approved by the Director of Finance, therefor shall be available for the support of the Division of Beaches and Parks in carrying out the purposes of this act.

SEC. 2. The appropriation herein is made subject to both of the following conditions:

(a) That all land, easements, and rights of way acquired with moneys appropriated by this act or the proceeds thereof shall constitute a part of the State Park System.

(b) That all of the powers and duties of the State Park Commission and of the Chief of the Division of Beaches and Parks with respect to State parks and recreational areas shall be applicable to the establishment and development provided for through moneys appropriated by this act or the proceeds thereof.

SEC. 3. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

Increasing land utilization for homes and increasing land values resulting from the increasing population and development of this State makes the acquisition of rights of way and construction of a riders' and hikers' trails system increasingly difficult and costly.

In order to provide a reservoir of employment for the building crafts and unskilled labor, against the inevitable time when such employment must be provided to augment the employment furnished by private enterprise, it is necessary that funds be made available at once to finance these preliminary steps before the time at which said employment must be immediately available for the welfare of the State.

The lack of suitable outdoor recreational facilities for the public makes the development of such a system more vital than ever before. In order that this development may take place at the earliest possible date, keeping always in mind the objective also of providing employment, and securing to the people of the State of California the outdoor benefits to be derived therefrom, it is essential that this act take effect immediately

INTRODUCTION

The Committee on Riding and Hiking Trails held its only meeting on August 10, 1950, in the State Building in San Francisco, which was attended by representatives of the Department of Natural Resources and many members of the various riding and hiking clubs in California.

Because of the fact that no moneys were appropriated for this committee this was the only meeting held during the interim, but the committee feels that a very thorough and comprehensive outline of what the Division of Beaches and Parks has done and is doing was obtained.

In 1945, the Governor approved Senate Bill No. 630, Chapter 1469, appropriating $20,000 out of the State Park Fund to the Division of Beaches and Parks to promote the conservation, development and use of the natural resources of the State for the purposes of health and recreation, and to encourage increase in riding and hiking as an influence for the improvement of the health of the people; and to provide for the establishment, development, maintenance and use of a state-wide System of Riders' and Hikers' Trails.

Again in 1946, Senate Bill No. 70 was introduced and approved by the Governor, and became Chapter No. 112. This act appropriated out of the State Park Fund the sum of $300,000 to the Division of Beaches and Parks, which was to be expended in the establishment and development of the Riding and Hiking Trails Project as provided in the California Riding and Hiking Trails Law. Subsequently, in 1947, Chapter 486 appropriated an additional $100,000 for the establishment and development of riding and hiking trails out of the State Park Fund. Chapter No. 2 of the 1950 Session of the Legislature appropriated out of the Postwar Employment Reserve $100,000, making a grand total of $520,000 appropriated out of the State Park Fund to the Division of Beaches and Parks for the development and maintenance of riding and hiking trails. On August 31, 1950, there had been a total expenditure of $224,240.88. (See Statement of Appropriations and Expenditures as prepared by the Legislative Auditor.)

Statement of Appropriations and Expenditures
Riding and Hiking Trails to August 31, 1950

Appropriations	*Amount*	*Total expended*	*Salaries and wages*	*Operating expenses*	*Equipment*	*Rights of way and title insurance*	*Construction and improvement*	*Amount reverted*	*Allocated but not expended*	*Unallocated surplus*
1. Chaper 486/1945 Investigation, reports, plans State Trails System. State Park Fund	$20,000.00	$18,720 73	$10,648.04	$5,208.46	$2,864.23	----	----	$1,279.27	----	----
2. Chapter 486/1947 "Budget Act" Item 232 Establishment and development of Riding and Hiking Trails, State Park Fund-----	100,000.00	29,344.83	11,564.43	3,393.64	----	----	$14,386.76	70,655.17	----	----
3. Chapter 112/1946 Establishment Riding and Hiking Trails, State Park Fund. Amended Ch. 23/1948	300,000.00	132,492.23	22,903.98	10,156.98	18,315.75	$1,934.50	79,181.11	Not revertible	$160,764.35	$6,743.33
4. Chapter 2/1950 "Budget Act." Item 457, Postwar Employment Reserve -------	100,000.00	No actual expenditures to above date				----	----	Revertible end fiscal year	39,420.00	60,580.00
5. Support appropriations made to Division of Beaches and Parks and Parks Budget Acts of 1949 and 1950. No specific amounts for Riding and Hiking Trails ----------		43,683.00 Estimated	33,168.00 Estimated	10,515.00 Estimated	----	----	----	----	----	----
Total specific appropriations ----------	$520,000.00									
Total expenditures ---		$224,240.88	$78,284.45	$29,274.08	$21,179.98	$1,934.50	$93,567.87			

Prepared by Legislative Auditor, September 20, 1950

FOREWORD

It is not possible to estimate with any degree of accuracy the pro-rata share of divisional and departmental administrative and supervisory costs that would be applicable to the Riding and Hiking Trails Program. However, it might be pointed out that in the Budget for the 1949-50 Fiscal Year total expenditures by the Division of Beaches and Parks for administrative purposes was equal to approximately 11 percent of all other support expenditures of the division. Consequently, it might logically be assumed that the cost of administration for the expenditure of $224,240 on behalf of the Riding and Hiking Trails Program would be approximately 11 percent of that figure, or $24,500.

According to the report made by the Division of Beaches and Parks, it was brought to the attention of the committee that the following expenditures for construction of riding and hiking trails were made through July 31, 1950:

Contra Costa County	$19,816.50
Los Angeles County	27,058.64
San Diego County	20,076.67
Butte—Plumas County	23,397 15
Making a total of	$90,348.96

It will be noted that in Contra Costa County 19½ miles of trail have been constructed at an average cost of $1,016.23 per mile. In Los Angeles County where 83 miles of trail have been constructed, the average cost per mile was only $326. San Diego with 48¼ miles has an average cost of $416.09 per mile, and in Butte-Plumas Counties 35 miles have been constructed at an average cost of $668.49, making a grand total of 185¾ miles of constructed trails at an average cost of $486.40 per mile. It was further brought to the attention of the committee by the Division of Beaches and Parks that there are various items of construction in all of the above areas which will require some additional expenditures; for instances, another $500 or $600 in Contra Costa County for additional signs, and the same in Butte-Plumas Counties. But for the most part, unless extensive changes are made, the cost figure per mile will not change appreciably. Costs thus far are well in line with the original expectations, as estimates range from $480 to $800 per mile, exclusive of right of way.

There is a great deal of trail in Butte-Plumas Counties and in Yuba County which, upon completion of contemplated construction projects fall into the trail adding a lot of mileage at very low cost. It is fully expected that upon completion of the whole Butte-Plumas area trail the average cost per mile will come down very close to that now reported in Los Angeles County, which will also lower the over-all average considerably. Following are expenditures for riding and hiking trails from July 1, 1945, to June 30, 1950, as prepared by the Division of Beaches and Parks:

Expenditures for Riding and Hiking Trails From State Park Funds From July 1, 1945, (97th F. Y.) to June 30, 1950

Paid from	Total	Salaries and wages	Operating expenses	Equipment includes construction equipment	Rights of way and title insurance	Improvement and construction trails, fences, bridges gates, drainage, structures—detail attached
(1) Appropriation for investigation reports, recommendations and plans for location and development of a state trails system, Chapter 1969/45—State Park Fund	$18,720.73	$10,648 04	$5,208.46	$2,864.23	------	------
(2) Appropriation for establishment and development of riding and hiking trails, Item 232, Chapter 486/47—State Park Fund	29,344.83	11,564.43	3,393 64	------	------	$14,386.76
(3) Appropriation for establishment and development of riders and hikers trails, Chapter 112/46—State Park Fund	125,112.41	22,903.98	10,156.98	18,315.75	$1,909.50	71,186.20
Totals, Expenditures for Riders and Hikers Trails from State Park Fund	$173,177.97	$45,116.45	$18,759.08	$21,179.98	$1,909.50	$85,572.96

Expenditures for Improvement and Construction of Trails, Fences, Bridges, Gates, Drainage Structures From July 1, 1945 (97th F. Y.) to June 30, 1950

Acct. No.	*Name of Project*	*From Item 232, Ch 486/47*	*From Ch 112/46*	*Total*
	Contra Costa County			
P112.2 1	Mt. Diablo State Park	------	$402.54	
2	Mt. Diablo State Park to Cemetery Rd.	------	2,173.63	
3	Cemetery Road to Contra Costa Canal	------	3,990.82	
4	Contra Costa Canal	------	707.04	
5	Contra Costa Canal to Railroad Avenue-Concord	------	923.81	
6	Railroad Avenue-Concord Contra Costa Golf Club	------	3,174.90	
7	Contra Costa Golf Club to Vine Hill Road	------	3,772.16	
8	Vine Hill Road to Muir Station	------	1,078.78	
9	Muir Station to Martinez	------	3,592.82	
	Total Contra Costa County	------	$19,816 50	$19,816.50
	Los Angeles County			
P232.3 1	Angeles National Forest, South Half	$9,886.76		
112 3.1	South Fork, Rock Creek to Buckhorn			
1A	Buckhorn to Three Point	------	$3,736.01	
2	Angeles National Forest-South Half to North Half	------	3,141.16	
3	Merit Canyon to Bouquet Road	------	2,717.37	
4	Bouquet Road to Munz Ranch	------	2,405.62	
5	Munz Ranch to Fairmount Reservoir	------	2,985.18	
6	Campground Development, South Fork Rock Creek	------	------	
7	Fairmount Reservoir to Kern Co.	------	7.50	
8	Campground Development, Sierra Pelona	------	------	
	Total Los Angeles County	$9,886 76	$14,993.74	$24,880 50
	San Diego County			
P112 5 1	Mexican Border to NS 154	------	$925.69	
2	NS 154 to Dog House Junction	------	61.67	
3	Dog House Junction to Highway 94	------	1,302.11	
4	Highway 94 to Hollenbeck Canyon	------	1,349.00	
5	Hollenbeck Canyon to Junction OS 115 and Beaver Hollow Road	------	6,037.28	
6	Junction OS 115 and Beaver Hollow Road to OS 59	------	451 83	
7	OS 59 to Cuyamaca Rancho State Park	------	3,733.84	
8	Cuyamaca Rancho State Park North Half O. E.	------	482.54	
8	Cuyamaca Rancho State Park North Half S. & W.	------	1,319.58	
9	Cuyamaca Rancho State Park South Half O. E	------	354 19	
9	Cuyamaca Rancho State Park South Half S. & W.	------	1,501.12	
10	Cuyamaca Rancho to Banner	------	------	
11	Cuyamaca Rancho to Warner	------	------	
P112 5 12	By Pass of Highway 80 Freeway	------	------	
12	By Pass of Highway 80 Freeway S. & W.	------	359.96	
	Total San Diego County	------	$17,878.81	$17,878.81
	Butte-Plumas County			
P112 4 1	Robinson's Mill to Buck's Lake	$4,500.00	------	
9 1	John Taylor Trail	------	$3,999.78	
2	Hartman's Bar Trail	------	3,998.83	
3	Hartman's Bar Campsite	------	2,507.82	
4	Green Flat to Hartman's Bar	------	3,997 89	
5	Green Flat Sector	------	2,997.69	
6	Three Cakes Sector	------	995.14	
	Total Butte-Plumas County	$4,500.00	$18,497.15	$22,997.15

Expenditures for Improvement and Construction of Trails, Fences, Bridges, Gates, Drainage Structures From July 1, 1945 (97th F. Y.) to June 30, 1950

Acct. No.	*Name of Project*	*From Item 232, Ch 486/47*	*From Ch 112/46*	*Total*
	Yuba County			None
P112.10 1	Dobbins to Challenge	------	------	
2	Challenge to Lost Creek	------	------	
3	Lost Creek Crossing	------	------	
4	Lost Creek to Lumpkin Road	------	------	
5	Lumpkin Road to Feather Falls	------	------	
6	Signs for sector	------	------	
	Total Yuba County	------	------	
	San Bernardino County			None
P112 11.1	San Bernardino Forest to Applewhite	------	------	
2	Applewhite to Cajon	------	------	
3	Cajon to Crowder Canyon	------	------	
4	Crowder Canyon to Los Flores	------	------	
5	Los Flores to Arrowhead	------	------	
	Total San Bernardino County	------	------	
	El Dorado County			None
P112 12 1	Placerville to Chili Bar	------	------	
2	Chili Bar to Coloma	------	------	
3	Signs for balance of county	------	------	
	Total El Dorado County	------	------	
	GRAND TOTAL EXPENDITURES FOR IMPROVEMENTS, AND CONSTRUCTION OF Trails, Fences, Bridges, Gates, Drainage Structures	$14,386 76	$71,186 20	$85,572 96

Following is the requested Progress Report submitted to the committee by the California State Riding and Hiking Trails Advisory Committee:

1. At this time it is desired to review the legislation, organization, methods of operation, construction progress and financial status of the state-wide riding and hiking trails project It is believed that a thorough review of what has passed and a consideration of further steps to be taken on this project, including operation and maintenance, is in order.

LEGISLATION

2. The Riding and Hiking Trails project was adopted by the Legislature (Chapter 1469, Statutes of 1945). It is known as the California State Riding and Hiking Trails Law. This law set forth the purposes of the legislation, designated the name of the project, provided that the project should be administered by the Division of Beaches and Parks under the supervision of the Director of Natural Resources in accordance with policy approved by the State Park Commission. It provided that the State Park Commission might appoint an advisory committee of six members—two from the northern, two from the southern and two from the central portion of the State. It authorized the State Park Commission to accept grants on behalf of the State and asked for financial assistance for, or in aid of, the project and stated that the right of eminent domain might not be exercised to acquire property, any interest in property, or use of any property of the trails contemplated thereunder.

It appropriated some $20,000 to be expended in carrying out the purpose of the legislation.

3. In 1946, the Legislature made all property acquired or to be acquired under the California State Riding and Hiking Trails Law a part of the State Park System. In the same legislation, (Chapter 112, Statutes of 1946) $300,000 was appropriated for the establishment and development of the trails project Other appropriations were made in 1947 and 1950 in the amount of $100,000 each. Of the $520,000 thus appropriated, $1,279.27 and $70,655.17 under Chapter 1469, Statutes 1945 and Chapter 486, Statutes 1947, respectively, were not expended and reverted to the General Fund. In addition to these funds, certain expenditures from the support budgets of the Division of Beaches and Parks have been made for salaries and wages, travel and miscellaneous expenses. A complete accounting of these funds is not practical at this time. An estimate of the same is given on the attached financial statement showing the status of all funds as of August 31, 1950, (Table I). Table II gives the expenditures by projects for construction only.

ADVISORY COMMITTEE

4. On December 5, 1945, the State Park Commission appointed the six members of the advisory committee. Changes in the personnel have taken place since that date as shown in the following summary:

John M. Diggs ---------- December 5, 1945 to date
Hamilton McCoy ---------- December 5, 1945 to April 8, 1949
Paul F. Seiersen ---------- December 5, 1945 to December 20, 1946
Virgil Jorgenson ---------- December 5, 1945 to May 21, 1950
Edward M. Fellows ---------- December 5, 1945 to April 8, 1949
Kent Weaver ---------- December 5, 1945 to date
Arthur Johnson ---------- January 31, 1947 to date
Roscoe Hazard ---------- April 8, 1949 to date
Dan Beebe ---------- April 8, 1949 to date

Mr. John M. Diggs served as chairman of the committee from its first meeting on December 5, 1945 to May 31, 1949, at which time it was decided that the term of office of the chairmanship should be for one year only. Mr. Kent Weaver served from June 4 to August 10, 1950. Mr. Arthur Johnson became vice chairman on June 4, 1949 and chairman August 10, 1950. Mr. Dan Beebe became vice chairman August 10, 1950.

5. Immediately after the appointment of the committee, it met and considered many of the methods and procedures to be used furthering the project. It was decided that the cooperation of the riding and hiking groups and of the county officials of the 36 counties through which the trail was to pass would be essential to the success of the project. The original general route of the trail had in general been determined by the interested horsemen working through a committee constituted of the same members as were subsequently appointed to the advisory committee. Prior to the approval of the law, this committee had drawn up a brochure setting forth the general location and many policies which it hoped would be followed if the bill creating the trail became law.

6. At the time of its first meeting, an employee of the division was assigned by the chief of the division to work with the advisory committee

in furtherance of the program. Shortly thereafter, steps were taken to obtain the names of interested parties in each of the counties through which the trail passed as shown in the above mentioned brochure. Operating through the California Horsemen's Association, the names of one or two men in each of the majority of the 36 counties were furnished to the Division of Beaches and Parks. A general letter was sent to each by the chairman of the advisory committee requesting him to serve as temporary chairman of a committee in his county, pending the appointment of a permanent committee. It was recommended that the committee in each county be composed of representatives from the riding and hiking organizations, from the county surveyor's office and from the State or Federal Forest Supervisor or Fire Warden. The committees were requested to make a survey to determine the desirable location of the trail through the county and to coordinate with the adjacent counties as to the point of entry to and exit therefrom. It was then requested that these committees obtain approval of the plan by the board of supervisors and submit the same with estimate of cost to the Division of Beaches and Parks for the approval of the State Park Commission. The results of this action were fairly encouraging to the advisory committee. In most instances, however, the plan had no estimates of cost and had little more than paper locations on a small scale map. They were valuable as an indication of general location of the trail. Ten of these plans were received by the middle of February, 1946. The status of the master plans as of August 31, 1950, is as shown in Table III.

7. At this time and before any detailed investigation of any of the trails could be made, the advisory committee decided to ask for an appropriation from the special session of the Legislature. The Legislature took action upon their request, and by Chapter 112, Statutes 1946, appropriated $300,000 to be expended in the establishment and development of the California riding and hiking trails project.

8. This act of the Legislature immediately changed the functions of the Division of Beaches and Parks and the advisory committee from that of making a survey of the trail to the concurrent one of making the survey and proceeding with the acquisition of land and the construction of the trail. Normally, the survey of the 3,000-mile trail, irrespective of acquisition difficulties, could not have been made properly in less than two to three years.

INVESTIGATIONS, TITLE AND LAYOUT

9. No personnel was immediately available to undertake the investigation. However, one extra man from the division was placed upon this duty. Upon the advice of the advisory committee, investigations were started in Contra Costa, San Mateo and Los Angeles Counties. Tentative trails based upon the recommendations of the San Mateo, Contra Costa and Los Angeles Counties' committees were investigated. The committees in these counties functioned well and had definite ideas as to the location of the trail, although in Los Angeles County, the location proposed was found to be undesirable by one of the members of the advisory committee and a complete new plan and layout at higher elevation adopted. In Contra Costa County, acquisition difficulties promptly arose,

necessitating many relocations and many investigations. Acquisition difficulties in San Mateo County brought the project in that county to a standstill for a period of several years. Investigation and layout of the trail has been continuous throughout the years whenever personnel could be spared from other pressing duties. Layouts and locations have kept ahead of acquisition. Where refusal of property owners has necessitated rerouting, further investigations and relocations are recommended. In all, it is estimated that well over three times as many miles of possible trail have been investigated than will ultimately be utilized in the counties investigated to date.

ACQUISITION

10. During the period from the initiation of this project to July 1, 1947, layout and acquisition were the joint responsibility of the Engineering and Lands Sections of the division. By May of that year, the determination of exact trail location and tentative negotiations for acquisition of easements had indicated that further acquisition personnel was required to make any real progress. From July 1, 1947 to December 31, 1948, all matters with respect to acquisition, up to the point of processing, from the division to the Department of Finance, was under the Engineering Section. Three acquisition officers were obtained and active negotiations of rights of way were begun. Again due to limitations in law upon the use of the right of eminent domain, efforts to acquire property resulted in unsatisfactory progress although many easements in Contra Costa, Los Angeles and San Diego Counties were obtained and forwarded for processing. Gaps still remained in the trail alignment and construction could not be started.

11. On January 1, 1949, all acquisition matters were placed under the Lands Section and control of the three acquisition men already on the rolls were transferred to that section. These men then carried on and have been successful in obtaining the formal easements which had started prior to their transfer. In addition thereto, work has been extended into San Bernardino, Riverside, Kern, San Diego, Plumas, Butte, El Dorado, and Marin Counties.

12. The status of the acquisition program is given in the following report from the Lands Section:

Plumas County

Acquisition completed and the trail has been constructed.

All tracts are situated in Plumas National Forest.

All private land inside forest is being acquired by U. S. Forest Service.

Tehama-Butte (portion)

Total parcels to be acquired unknown. This property is within the Lassen National Forest and all private properties are being acquired by the U. S. Forest Service under cooperative agreement.

El Dorado County

Total parcels to be acquired, forty (40). Due to refusal of three owners to grant a right of way, it may be necessary to reroute entire trail for the third time, again pointing up the costly procedure necessary due to our lack of the right of eminent domain.

Yuba-Butte (portion)

Because of litigation over title to approximately 20 miles of alleged private road over which the trail is routed, the total number of parcels yet to be acquired is unknown. Thus far, there are six known parcels to be acquired.

Marin County

Due to the refusal of various owners and exorbitant demands of others, the only trail we are sure of is between Mt. Tamalpais and Samuel P. Taylor State Parks.

Contra Costa County

Total parcels to be acquired, thirty-five (35). Parcels remaining for acquisition, five (5).

Alameda County

Parcels to be acquired, unknown. Acquisition delayed pending working out of agreement between county and State for use of county roads.

San Mateo County

Total parcels to be acquired, fourteen (14); four in process.
Parcels remaining for acquisition, one (1).

Riverside County

Total parcels to be acquired, one hundred fifty-two (152).
Parcels remaining for acquisition, eighty-eight (88).

Kern County

Total parcels to be acquired, thirty-six (36).
Parcels remaining for acquisition, fifteen (15).

San Diego County

A total of one hundred thirty-five (135) parcels have been acquired. Acquisition is complete in this county.

Los Angeles County

Acquisition complete.

13. To August 31, 1950, rights of way through purchase, gift, easement or use permit had been secured for approximately 608.5 miles of trail, broken down by counties as follows:

	% Complete	*No.* Miles*
San Diego	100	94.5
San Bernardino	90	95.0
Riverside	25	30.0
Los Angeles	100	110 0
Kern	60	70.0
El Dorado	60	42.0
Yuba	70	18.0
Butte-Plumas	90	48.0
Tehama	80	44.0
Contra Costa	50	19.5
Marin	1	0.5
San Mateo	95	37.0
		608.5

*Note These mileages are subject to modification after survey No acquisitions have been made in other counties Gaps in the proposed rights of way exist in many counties, precluding the possibility of construction at this time

CONSTRUCTION

14. From the initiation of the project to June, 1950, the construction has been under the direct supervision of the Engineering Section operating from Sacramento. In June, 1950, the construction in San Diego County was placed under the supervision of the district superintendent of the southern district. The contracts and agreements with the various national forests' supervisors have been and still are being prepared in the Engineering Section. As rapidly as possible, it is proposed that the construction in all counties be made the responsibility of the district superintendents. Contracts with the national forests will be prepared by the Engineering Section and copies furnished to the district superintendents for their information. Detailed inspection of all construction will be by the district superintendents, with general supervision and inspection from Sacramento.

15. Engineering functions in respect to review of new master plans, field investigations of the proposed trails in company with local groups, layout, flagging and determination of structures, fences, gates, etc., to be built, standards of construction, presentation of plans for approval of the State Park Commission will remain the function of the Engineering Section.

CONSTRUCTION

16. Construction has followed closely upon the heels of acquisition. Before construction on any stage of the trail has been initiated, determination was made as to whether the trail met the following qualifications:

(a) Was it satisfactory to the interested parties?
(b) Was it of sufficient length to assure a thoroughly useable portion of trail?
(c) Was acquisition of additional stretches of the trail at each end thereof assured so that no trail would have to be abandoned?
(d) Was there access to a useable portion of trail?
(e) Had the acquisition of all parcels in the entire stretch received the approval of the Department of Finance?

The first satisfactory stretch became available in 1947, followed by a short stretch in Contra Costa, and then in San Diego, Plumas, Butte and San Bernardino Counties. Table IV shows by projects the percentage of completion of each portion of the trail upon which construction has already been initiated or funds therefor allocated. In the notes thereafter are shown also the status as to engineering investigations.

17. Summarizing, it may be said that 193 miles of trail have been completed; 63 miles are practically ready to obligate; 30 miles have been engineered and are in process of being placed under construction and 37 are under construction at the present moment and are expected to be completed by February 1, 1950. Also, it is anticipated that 142 additional miles can be placed under contract or construction by the end of the fiscal year. There are attached hereto 37 maps indicating their status as of August 31. The construction includes some drainage, 58 riders gates, 27 drive gates, two cattle guards, 51,000 feet of barbed wire fence, five 25-foot bridges and one 110-foot bridge.

DESCRIPTION OF TRAIL

18. In order to set forth the status of a project which is in the process of construction and to keep the advisory committee informed, it is proposed to furnish from time to time a description of the trail in each county from the southern end to the north thereof. The first of these descriptions is given in Appendix I, covering only those trails completed or under construction. They give the length, general description and structures erected.

MAINTENANCE

19. Until February, 1950, the maintenance problems in connection with the riding and hiking trail were not serious. The trails constructed to that time were still being patrolled from time to time and final maintenance was being carried on by the construction forces as part of the construction program. The problem of maintenance and patrolling, however, have been the subject of long and serious debate in the meetings of the advisory committee. The occasion for these debates was that the property owners from whom easements or rights of way were being obtained were justly concerned as to the standard of construction, the frequency and thoroughness of patrol and the effectiveness of such patrol. The owners recognized the dangers from the users of the trail in disturbing cattle, creating nuisances and causing fires. Regulations for the use of the trail, visualizing all of these factors, were drawn up and approved by the advisory committee and the State Park Commission. In view of those discussions, visualizing the necessity for maintenance, personnel for those duties were requested in the 1949-50 Budget, together with the equipment necessary for their proper operation. State rangers were obtained and have gained considerable experience in connection with the maintenance and patrolling of the trail. It is as yet too early to definitely state the number of rangers required for the project. In fact, the number of rangers required in different localities varies greatly with the type of terrain, the character of the developments on each side thereof and the use that is made of the trail. Certain portions of the trail will be very heavily used. Other portions will receive little use, especially at certain periods of the year. The maintenance required in the summer time will generally be considerably less than that in the early and late spring when the grass and weeds are growing rapidly and must be cut prior to the fire hazard season. It is proposed that the maintenance of the trails in the national forests be covered under agreements with the individual forests. Extensive stretches of the trail will lie in such forests. As yet, the exact mileage lying within the boundaries of the national forests and outside thereof cannot be definitely determined. It will probably be in the neighborhood of 50 percent within and 50 percent without the boundaries of the forest.

From the short experience so far gained, it is believed that the average trail that can be covered adequately by one ranger is from 30 to 60 miles, depending upon location, terrain, improvements and use. In the spring and early summer when the trail is being put in shape for summer use, additional help will be required.

TABLE I

Appropriations and Expenditures for *Riding and Hiking Trails*
Division of Beaches and Parks
From July 1, 1945, (97th F. Y.) to August 31, 1950

Paid from	Amount of appropriation	Amount of appropriation reverted	Total expenditures	Salaries and wages	Operating expenses	Equipment includes construction equipment	Rights of way and title insurance	Improvement and construction trails, fences, bridges, gates, drainage, structures—detail attached
1. Appropriation for investigation reports and plans for location and development of a State Trails System, Chapter 1469/45, State Park Fund	$20,000	$1,279.27	$18,720.73	$10,648.04	$5,208.46	$2,864.23	------	------
2. Appropriation for establishment and development of riding and hiking trails, Item 232, Chapter 486/47, State Park Fund	100,000	70,655.27	29,344.83	11,564.43	3,393.64	------	------	$14,386.76
3. Appropriation for establishment of riders' and hikers' trails, Chapter 112/46, State Park Fund	300,000[a]	------	132,492.32	22,903.98	10,156.98	18,315.75	$1,934.50	79,181.11
4. Appropriation for establishment and development of riding and hiking trails, Chapter 2/1950, Postwar Employment Reserve Fund	100,000[b]	------	------	------	------	------	------	------
TOTALS, Appropriations and expenditures for riders' and hikers' trails	$520,000	$71,934 54	$180,557.88	$45,116.45	$18,759.08	$21,179.98	$1,934.50	$93,567.87

[a] The appropriation made under Chapter 112, Statutes of 1946, was amended by Chapter 23, 1948, making this appropriation available for expenditure without regard to fiscal years Funds in the amount of $293,256 67 have been allocated for the construction and acquisition of the riding and hiking trails Only $6,743 33 remains unbudgeted out of the $300,000 appropriation

[b] The $100,000 appropriation out of the Postwar Employment Reserve Fund became available for expenditure July 1, 1950 While no expenditures have been made to date, funds in the amount of $39,420 have been allocated to cover construction agreements negotiated during August, 1950, with the U S Forest Service

NOTE In addition to the expenditures shown above, it is estimated that $43,683 has been expended during the period July 1, 1949, and August 31, 1950, out of support appropriations for the Division of Beaches and Parks, to further the riding and hiking trails project This estimated figure cannot be substantiated by the accounting records as the legislation creating the riding and hiking trails project made it a part of the State Park System Therefore, the expenditures in behalf of the riding and hiking trails are included with other support expenditures of the State Park System Administration costs of the Division of Beaches and Parks and the department are not included in this figure

TABLE II

Expenditures for Improvement and Construction of Trails, Fences, Bridges, Gates, Drainage Structures From July 1, 1945 (97th F. Y.) to August 31, 1950

Acct. No.	Name of Project	From Item 232, Ch 486/47	From Ch 112/46	Total
	Contra Costa County			
112 2.1	Mount Diablo State Park	-------	$402.54	
2	Mount Diablo State Park to Cemetery Road	-------	2,173.63	
3	Cemetery Road to Contra Costa Canal	-------	4,041.06	
4	Contra Costa Canal	-------	744.72	
5	Contra Costa Canal to Railroad Avenue, Concord	-------	923.81	
6	Railroad Avenue, Concord, Contra Costa Golf Club	-------	3,174.90	
7	Contra Costa Golf Club to Vine Hill Road	-------	3,797.28	
8	Vine Hill Road to Muir Station	-------	1,128.92	
9	Muir Station to Martinez	-------	3,592.82	
	Total, Contra Costa County	-------	$19,979.68	$19,979.68
	Los Angeles County			
232.3.1	Angeles National Forest, South Half	$9,886.76		
112.3.1 1A	South Fork, Rock Creek to Buckhorn Burkhorn to Three Point	-------	$6,066.31	
2	Angeles National Forest, South Half to North Half	-------	4,487.21	
3	Merit Canyon to Bouquet Road	-------	3,201.17	
4	Bouquet Road to Munz Ranch	-------	2,654.85	
5	Munz Ranch to Fairmount Reservoir	-------	3,127.92	
6	Campground Development, South Fork Rock Creek			
7	Fairmount Reservoir to Kern County	-------	7.50	
8	Campground Development, Sierra Pelona			
	Total, Los Angeles County	$9,886.76	$19,544.96	$29,431.72
	San Diego County			
112.5 1	Mexican Border to NS 154			
2	NS 154 to Dog House Junction			
3	Dog House Junction to Highway 94	-------	$1,610.99	
4	Highway 94 to Hollenbeck Canyon	-------	1,364.36	
5	Hollenbeck Canyon to Junction OS 115 and Beaver Hollow Road	-------	7,646.22	
6	Junction OS 115 and Beaver Hollow Road to OS 59	-------	639.72	
7	OS 59 to Cuyamaca Rancho State Park	-------	3,493.24	
8	Cuyamaca Rancho State Park, North	-------	2,122.12	
9	Cuyamaca Rancho State Park, South	-------	1,855.31	
10	Cuyamaca Rancho to Banner	-------	2.02	
11	Cuyamaca Rancho to Warner	-------	-------	
12	By Pass of Highway 80 Freeway	-------	2,025.34	
	Total, San Diego County	-------	$20,759.32	$20,759.32
	Butte-Plumas County			
232.4.1	Robinson's Mill to Buck's Lake	$4,500.00		
112.9.1	John Taylor Trail	-------	$3,999.78	
2	Hartman's Bar Trail	-------	3,998.83	
3	Hartman's Bar Campsite	-------	2,907.82	
4	Green Flat to Hartman's Bar	-------	3,997.89	
5	Green Flat Sector	-------	2,997.69	
6	Three Lakes Sector	-------	995.14	
	Total, Butte-Plumas County	$4,500.00	$18,897.15	$23,397.15

TABLE II—Continued

Expenditures for Improvement and Construction of Trails, Fences, Bridges, Gates, Drainage Structures From July 1, 1945 (97th F. Y.) to August 31, 1950

Acct. No.	*Name of Project*	*From Item 232, Ch 486/47*	*From Ch 112/46*	*Total*
	Yuba County			None
112.10.1	Dobbins to Challenge	-------	-------	
2	Challenge to Lost Creek	-------	-------	
3	Lost Creek Crossing	-------	-------	
4	Lost Creek to Lumpkin Road	-------	-------	
5	Lumpkin Road to Feather Falls	-------	-------	
6	Signs for Sector	-------	-------	
	Total, Yuba County	-------	-------	
	San Bernardino County			None
112.11.1	San Bernardino Forest to Applewhite	-------	-------	
2	Applewhite to Cajon	-------	-------	
3	Cajon to Crowder Canyon	-------	-------	
4	Crowder Canyon to Los Flores	-------	-------	
5	Los Flores to Arrowhead	-------	-------	
	Total, San Bernardino County	-------	-------	
	El Dorado County			None
112.12.1	Placerville to Chili Bar	-------	-------	
2	Chili Bar to Coloma	-------	-------	
3	Signs for Balance of County	-------	-------	
	Total, El Dorado County	-------	-------	
	GRAND TOTAL, Expenditures for Improvements, and Construction of Trails, Fences, Bridges, Gates, Drainage Structures	$14,386.76	$79,181.11	$93,567.87

TABLE III

Status of Master Plans as of August 31, 1950

County	*Approved by County Board of Supervisors*	*Amended Plan Approved*	*Investigated by Division of Beaches and Parks*	*Approved by Park Commission*	*Remarks*
San Diego			Complete	May 2, 1947	Acquisition complete. Construction 60 percent complete
Riverside	Dec. 15, 1948		Complete	July 22, 1949	Acquisition and engineering under way
San Bernardino	Apr. 27, 1948		Complete	June 11, 1948	Acquisition 90 percent complete. First construction contracted for
Los Angeles	Jan. 8, 1946	July 30, 1946	Complete	Sept. 20, 1946	Acquisition complete. Construction 90 percent complete on Sierra loop
Kern	Jan. 21, 1946		Complete	June 11, 1948	Acquisition and engineering under way
Tulare	Unknown		Partially		
Fresno	Dec. 17, 1946		No		
Madera	Apr. 18, 1950		No		
Mariposa	Not received		No		
Tuolumne	Not received		Partially		
Calaveras	Not received		No		
Amador	Not received		No		
El Dorado	Apr. 8, 1947		Complete	Aug. 15, 1957	Acquisition under way
Placer	Aug. 7, 1950		Complete		
Nevada	May 1, 1948		Complete	June 11, 1948	Amended plan expected
Yuba	Apr. 5, 1948		Complete	June 11, 1948	Engineering and acquisition under way
Butte and Plumas	Aug. 11, 1947		Complete	Aug. 15, 1947	Acquisition and construction under way
Tehama	July 12, 1949		Complete	July 22, 1949	Acquisition and engineering and construction under way
Shasta	Dec. 28, 1945		Complete	Dec. 20, 1946	
Siskiyou	Sept. 19, 1947		No		
Humboldt			No		
Mendocino			No		
Sonoma	Mar. 4, 1946		Complete	Feb. 21, 1947	
Marin	Feb. 25, 1946		Complete	May 2, 1947	Acquisition under way
San Francisco	No work				Existing trail system to be utilized
Napa	Nov. 12, 1947		Complete	June 11, 1948	
Solano	May 5, 1947		Complete	June 11, 1948	
Contra Costa	Jan. 7, 1946		Complete	Sept. 2, 1946	Acquisition and construction under way
Alameda	Feb. 5, 1948		Complete		Acquisition under way
Santa Clara			No		
San Mateo	Apr. 16, 1946		Complete	Sept. 20, 1946	Acquisition nearly complete
Santa Cruz			Partial		
Monterey			No		
San Luis Obispo			No		
Santa Barbara	Oct. 25, 1948		Complete	July 29, 1949	
Ventura			No		

TABLE IV

Riding and Hiking Trails—Percent Complete

Acct. No.	Name of project	Percent complete	Remarks
	Contra Costa County		
P112 .2 .1	Mt. Diablo State Park	0	
2	Mt. Diablo State Park to Cemetery Road	95	
3	Cemetery Road to Contra Costa Canal	99	
4	Contra Costa Canal	0	
5	Contra Costa Canal to Railroad Avenue, Concord	95	
6	Railroad Avenue, Concord Contra Costa Golf Club	95	
7	Contra Costa Golf Club to Vine Hill Road	99	
8	Vine Hill Road to Muir Station	95	
9	Muir Station to Martinez	90	
	Los Angeles County		
P232 .3 .1	Angeles National Forest, South Half	99	
P112 .3 .1	South Fork, Rock Creek to Buckhorn	100	
1A	Buckhorn to Three Point	100	
2	Angeles National Forest — South Half to North Half	100	
3	Mint Canyon to Bouquet Road	100	
4	Bouquet Road to Munz Ranch	100	
5	Munz Ranch to Fairmount Reservoir	100	
6	Campground Div. South Fork Rock Creek	0	
7	Fairmount Reservoir to Kern County	95	
8	Campground Div. to Sierra Pelona	0	
	San Diego County		
P112 .5 .1	Mexican Border to NS 154	0	To be discontinued
2	NS 154 to Dog House Junction	0	To be discontinued
3	Dog House Junction to Highway 94	100	
4	Highway 94 to Hollenbeck Canyon	100	
5	Hollenbeck Canyon to Junction OS-115 and Beaver Hollow Road	100	
6	Junction OS-115 and Beaver Hollow Road to OS-59	70	
7	OS-59 to Cuyamaca Rancho State Park	45	
8	Cuyamaca Rancho State Park, North Half O. E.	95	
8	Cuyamaca Rancho State Park, North Half S&W	--	
9	Cuyamaca Rancho State Park, South Half O. E.	95	
9	Cuyamaca Rancho State Park, South Half S&W	--	
10	Cuyamaca Rancho to Banner	0	
11	Cuyamaca Rancho to Warner	0	
12	By-pass Freeway 80	75	
	Butte-Plumas County		
P232 .4 .1	Robinson's Mill to Bucks Lake	100	
P112 .9 .1	John Taylor Trail	100	
2	Hartman's Bar Trail	100	
3	Hartman's Bar Camp Site	100	
4	Green Flat to Hartman's Bar	100	
5	Green Flat Sector	100	
6	Three Lake Sector	100	

TABLE IV—Continued

Riding and Hiking Trails—Percent Complete

Acct. No.	*Name of project*	*Percent complete*	*Remarks*
	Yuba County		
P112.10 .1	Dobbins to Challenge	0	Engineering on all these projects is complete and the contract for construction is being processed.
2	Challenge to Lost Creek	0	
3	Lost Creek Crossing	0	
4	Lost Creek to Lumpkin Road	0	
5	Lumpkin Road to Feather Falls	0	
6	Signs for Sector	0	
	San Bernardino County		
P112.11 .1	San Bernardino Forest to Applewhite	0	Engineering on projects 1 through 4 is complete and contracts to complete 90 percent of construction have been signed. Engineering is now in progress on project 5 as well as on new projects in process of being set up.
2	Applewhite to Cajon	0	
3	Cajon to Crowder Canyon	0	
4	Crowder Canyon to Los Flores	0	
5	Los Flores to Arrowhead	0	
	El Dorado County		
P112.12 .1	Placerville to Chili Bar	0	
2	Chili Bar to Coloma	0	
3	Signs for balance of county	0	

In addition engineering is completed on projects in Tehama County (three projects) and three new projects in Los Angeles County, all of which are being set up at present and agreements with U. S. Forest Service for construction being processed.

APPENDIX II

Detailed Features of California Riding and Hiking Trail
San Diego County

Otay Lake to Cuyamaca Park

	Cumulative mileage	
Otay Lake	0.0	Private dirt road. Installed four riders' gates and graded road which was in poor repair.
County Road	4.2	Use road shoulder. Placed trail signs and signs "Keep Horses Off Oiled Road." Installed two riders' gates at cattle guards 4.5 miles.
Dulzur Creek	8.7	Crossed under Highway 94 at bridge on Dulzur Creek, crossed creek. Trail is on road shoulder for 100 yards then through field (no trail tread prepared) to Honey Springs Road. One-fourth mile. Built trail for approximately two miles generally to 10 percent grade with some short steep pitches. Trail tread 36-inch minimum. Crossed Hollenbeck Canyon where water for animals is available. Trail enters on to truck trail to Lee Valley. Placed signs on truck trail and installed a drive gate and a riders' gate. Distance 4 3 miles.
Lee Valley	13.25	Built 0.5 mile trail keeping on side hill generally at toe of brush patch lower side. Installed riders' gates at either end of trail. Used approximately 200 yards of dirt driveway to Lee Valley Road, moved fence along road back 10 feet and built trail for 0 5 mile, then crossed road and built 0.2 mile of trail to Lawson Valley Road.
Lawson Valley Road	14.0	Crossed road, installed gate on fire trail, used fire trail for 0.2 mile, then built trail down steep slope into canyon. Trail goes to 18 to 20 percent for short stretches. Water available in canyon in early summer. Across canyon, trail kept to 10 percent. Installed one gate and 600 feet of fence (to avoid three gates). This section mostly rocky, distance 0.5 mile.

APPENDIX II—Continued

Detailed Features of California Riding and Hiking Trail
San Diego County

	Cumulative mileage	
Beaver Hollow Truck Trail	14.5	Used truck trail, built fence on either side (8,200 feet in all). Installed drive gates and graded trail, widened corners and blewout large boulders along trail to give better sight distance on sharp curves. (This road, although private, is used frequently by residents of Beaver Hollow). Beyond fenced portion, left truck trail and built trail through brush in rocky, steep terrain approximately 0.75 mile and back to truck trail again. This to avoid arable land as agreed in easement. Constructed 2,000 feet fence and installed drive gate. Installed riders' gate at locked gate on truck trail. Continued on truck trail to county road along Sweet Water River.
Sweet Water River	18.35	Used dirt county road 2.2 miles. Installed signs.
River Crossing	20.55	Bridge under construction by U. S. Forest Service. River can be forded most of the time. Used fire truck trail. Installed riders' gate and signs. Reconstructed portion of abandoned truck trail which was badly eroded. 4.25 miles to ____.
Japatul Valley Road	24.8	Next four miles still to be constructed. A reroute was made necessary because of the improvement of the road. All necessary easements have been obtained but one has not yet been approved. No difficulty is expected as this easement is an addition to one previously approved and contains no commitments. This portion will be built by U. S. Forest Service who now have in their possession for approval an agreement covering half the construction.
Bell Bluff	28.8	Used the truck trail one mile, then onto private drive. Installed a riders' gate and drive gate in existing fence. Constructed trail into Viejas Creek and along creek. Used farm road under freeway bridge over Viejas Creek. Constructed two cattle guards, five riders' gates, two drive gates and 300 feet of fence. Built temporary trail pending construction of dam on creek which would make a long bridge. Since a new easement has been obtained, it is unnecessary to construct the bridge. However, 600 feet of graded road is still to be built. Total distance 1.2 miles.
Indian Reservation Road	30.0	Along road shoulder 2.8 miles. Placed directional signs.
Viejas Grade	32.8	Used road, cut overhanging limbs and brush, placed signs. Five miles.
Hulburd Grove	37.8	Used dirt roads for two miles, graded roads and installed signs. Cleared brush along road. Thence two miles to Cuyamaca Rancho State Park. Constructed trail through heavy brush and rock. Kept to 10 percent grade.
Cuyamaca State Park	41.8	Enter park through riders' gate. Trail constructed approximately 1.5 miles to fire truck trail, thence on fire truck trail to old C. C. C. trail, reconditioned approximately one mile of old trail to truck trail, thence on truck trail to Azalea Springs, then constructed trail to north boundary of park. 10.8 miles total distance.

End of present construction 53.6 miles.

APPENDIX II—Continued

Detailed Features of California Riding and Hiking Trail
Los Angeles County

	Cumulative mileage	
Los Angeles-San Bernadino County Line	0 0	Trail begins on Blue Ridge above Wrightwood, elevation 8,000 feet Constructed 4.5 miles trail to road out of Big Pines, thence generally on a contour at 7,500 feet to head of Fenner Canyon, three miles, thence on reconditioned trail down Fenner Canyon 3 5 miles to South Fork Camp Ground, elevation 5,000 feet. Water available in Fenner Canyon and at camp ground.
South Fork Camp	11	Existing trail seven miles to Islip Saddle, narrow and steep, on rocky sidehill; not recommended for other than seasoned riders. An agreement is being processed to have this portion widened and realigned to make it usable by any rider. Elevation 8,000 feet
Islip Saddle	18	Four miles not constructed. Reroute caused by construction of Angeles Crest Highway Agreement for this section is being processed. Elevation 5,000 feet
Angeles Crest Highway	22	4 75 miles not constructed Same as Islip Saddle section.
Cooper Canyon	26 75	At elevation 5,500 feet, 2 25 miles trail constructed through steep, rocky canyon. Kept to 10 percent grade; 30 inches minimum tread to elevation 6,500 feet
Angeles Crest Highway	29	Cross highway and onto old road, grade 3½ miles cross highway twice to Horse Flats Road, elevation 6,500; thence on existing truck trails to Mill Creek Divide Elevation 5,000 feet Water is available at Mill Creek Divide and at three places on truck trail, total distance 12 5 miles
Mill Creek Divide	41 5	On existing trail four miles to Mt. Gleason truck trail, thence on truck trail 10 miles to Arrastre Canyon Installed signs Trail runs from 5,500 feet elevation to 6,500 at Mt. Gleason to 3,000 feet at Arrastre
Arrastre Canyon	55.5	Down Arrastre Canyon on dirt road to Soledad Canyon Road, distance two miles, thence built trail along road to town of Acton, 1 2 miles approximately Through town of Acton on streets to Escondida Canyon Road. Built four miles trail along road to Highway 6 Thence 1 8 miles trail along highway, thence built 1 3 miles trail, fenced one side, installed three drive gates, and three riders' gates to Hausan Canyon Road (private road) 1 9 miles Installed three riders' gates, two drive gates; built 0.5 mile of fence Average elevation through this section is 3,000 feet.
Big Tree Trail	58 5	Reconditioned trail 1 5 miles to Sierra Pelona Road, 0 2 mile on road (elevation 4,500 feet), thence reconstructed trail approximately 1.1 miles to Bouquet Canyon Road. Elevation 3,500 feet.
Bouquet Canyon	71.3	Cross road, constructed 30-inch culvert, installed riders' gate and built fence along both sides of 0 3 mile private road, thence built 1 2 miles trail to elevation 4,000 feet to connect with fire truck road 9 5 miles on truck road to Munz Ranch Installed two riders' gates Elevation 3,000 feet.
Munz Ranch	82.3	Built trail 3 2 miles to fire truck trail, elevation 3,500 feet; thence on existing dirt roads to Fairmont Reservoir, one mile.
Fairmont Reservoir	86.5	Elevation 3 000 feet. Used existing roads connected by short sections of constructed trail, one mile approximately Installed five riders' gates, one cable gate, thence on existing roads to county line. Installed two riders' gates. Distance eight miles.
Kern County	95.5	8 9 2 built.

APPENDIX II—Continued

Detailed Features of California Riding and Hiking Trail
Contra Costa County

	Cumulative mileage	
Beginning at Clayton	0 0	On county road shoulder 1 6 miles, turn right into fenced land, one mile trail graded, one mile fence constructed; thence 3.4 miles temporary route on county roads, placed signs to Cowell School.
Cowell School	6.0	1 1 miles in fenced lane, built 6,074 feet fence, moved and reset 1,210 feet cyclone fence, installed two drive gates, graded trail to Contra Costa Canal.
Contra Costa Canal	7.1	No trail next two miles (right of way not acquired).
Concord	9.1	0 2 mile of fence and trail built to city street; thence on streets and road shoulders two miles to Walnut Creek.
Walnut Creek	11.1	Cross Walnut Creek, cut short trail section out of creek bottom. Built three riders' gates, one 12-foot drive gate, 1,375 feet fence Distance 0.5 mile to Pacheco Road; thence 0.75 mile around edge of airfield, installed two riders' gates, built trail which was disked out by grain farmer.
Pacheco	12 35	Used city streets, placed signs, built 655 feet fence, distance 0 5 mile, thence 2 5 miles built trail to Vine Hill Road. Built 8,458 feet of fence, 11 drive gates, seven riders' gates, two 30-foot span bridges, two log culverts
Vine Hill Road	14 85	1 55 miles to Muir Station, used county roads, built 0 7 mile of trail, 1.40 feet of fence, five riders' gates, one 25-foot bridge.
Muir Station	16.0	Built 0 4 mile of trail on highway right-of-way, trimmed trees, cleared brush, placed signs.
Pleasant Hill Road	16 4	Built two miles of trail, 12,634 feet of fence, seven riders' gates. Total distance 3 5 miles to Martinez City Park.
City Park	19 9	1 7 miles on city streets to ferry slip. Signs only.
Ferry Slip	21.6	

Plumas-Butte Counties

Cascade	0.0	Use county road (dirt) Two miles to yard house, thence one mile on steep trail across South Branch, Feather River, elevation 4,000 feet to top of ridge, elevation 4,800 feet, thence along John Taylor Trail, five miles relocated and built to Hartman Bar, Middle Fork of Feather River, elevation 2,300 feet. Reconstructed 110 feet cable suspension bridge, constructed 20-foot timber bridge.
Hartmans Bar	8 0	Relocated and built five miles of trail to Gravel Ridge elevation 5,900 feet, constructed one 18-inch culvert, constructed rock ford, at Catrell Creek; thence six miles on Gravel Ridge Road to Bucks Lake. This is a temporary route. New route uses three miles of road, then three miles new trail construction which is about one-half completed
Bucks Lake	19.0	Elevation 5,200 feet. Used one mile of oiled road; thence onto trail at Bucks Creek. Recondition nine miles of trail to Three Lakes, elevation 7,000 feet, thence on Truck Trail 1 6 miles; thence built 1 mile of new trail to Belden Trail, reconditioned three miles of Belden Trail to Belden, elevation 2,400 feet
Belden	36.0	

Following are excerpts taken from the only meeting held by the committee on August 10, 1950, at which time many interested people were heard together with General Hannum, Director of the Department of Natural Resources; Colonel Kelton representing the Division of Beaches and Parks of the Department of Natural Resources, and members of his staff. The meeting proceeded as follows:

In General Hannum's opening remarks to the committee, he said: "As I recall, the Legislature passed the Riding and Hiking Trails Act; established it as a part of the State Park System, at the Session of 1945, and Governor Warren signed the bill at the celebration of the Bear Flag at Sonoma that summer. At that time he said he hoped the construction would start soon and that he would be happy to see the trail completed and in use. The bill provided that the Park Commission might—or they were to appoint an advisory committee. The Park Commission appointed this committee and it has been maintained since that time, and has had meetings at various times and places. Probably an average of four or five a year, and its members have been very conscientious in suggesting ways and means and assisting in securing easements for the establishment of trails. The bill provided that the power of condemnation should not be exercised. Therefore, it was necessary to secure easements for the trails on a voluntary basis. As a result it has been very difficult to secure a permanent and definite location for the various sections of the trails. There might be some 15 or 20 in a section, 10- to 20-mile stretch, who would give consent, and then one person objecting and refusing could hold up the program, and this has occurred in a number of cases. However, at times it appeared very discouraging and at one time the committee was almost ready to report it was impractical to carry out the program unless the Legislature could grant power of condemnation. There has been a good deal of discouragement and some criticism. The trail is constructed by sections, as Colonel Kelton will testify, and service agreements on small contracts are let where it is practical to do it that way. However, since the civil service regulations require that laborers be taken from eligible lists, it is difficult and delaying at times to get a force of workers together to do work in some places that are distant, like 70 or 80 miles from San Diego or Los Angeles. It is difficult to get the men to go out there. The present status can be explained by Colonel Kelton, who is in charge of the construction program."

KELTON: The act that was passed in 1945 went into effect in October of that year. An advisory committee was appointed and we immediately considered the method of expediting the program. We realized that on a three thousand-mile trail passing through 36 counties that we would need the assistance of the local people, the riders and hikers, and the support of the board of supervisors in those counties. In conjunction with the committee therefore, we worked out a plan of having a rider or a hiker from each of those counties appointed as a subcommittee to draw up a master plan for the trail in that particular county. We assumed the responsibility of coordinating the points between the counties so there would be a coordinated plan. Moving on that scheme, within a few months we had master plans approved by the board of supervisors for about 10 counties. Those plans varied in perfection because of the lack of detail in which they were drawn up. Some were mere map plans as you can well imagine. We started with limited personnel to investigate in various

counties. Shortly after that an appropriation was made by the Legislature. This first work was being done out of $20,000 appropriated for the survey. In 1950 another $100,000 was made available, making a total of $520,000 available for the project. Two thousand dollars of the first $20,000 appropriation reverted to the General Fund. I don't have the figures as to how much of the $100,000 of 1947 reverted.

DOLWIG: Will you explain why it reverted?

KELTON: We were unable to get adequate personnel and the investigations were carried on along that line. When you come within a few thousand of expending your funds you come as close as you can. The part that reverted from the $100,000 was due to the cause General Hannum mentioned, due to the inability to get sufficient lengths for the rights of way for the expenditures.

Under my supervision is the contact with the counties, the original lay-out of the trail, the investigation of the trail as laid out by the county officials, and the determination in conjunction with our Land Section with the owners along the trail, the acquisition connected therewith, then follow-up with the Land Section. Then, after a sufficiently long continuous stretch of trail has been obtained, it is turned back to the engineering section for construction. After the trail is constructed it then becomes the duty of the Park System as a whole to maintain the trail as a part of the State Park System. That maintenance will be done and is being done under the direction of our district superintendents. Now, to give a further picture, I might say we have received the heartiest cooperation from the United States Forest Service. Much of our trail goes through the national forests. We are building trails there through contact with the United States Forest Service and entering into contract agreements with the forest service for the maintenance of the trail. I think that about covers the status of the program.

MCCOLLISTER: Relative to the $175,000 remaining for this work, is any of that in danger of reversion?

KELTON: The $100,000 that was appropriated in 1950 will be subject to reversion. We now have approximately 200 miles of continuous trail ready for construction. We have agreements which have been engineered and are already to go through as soon as we can get one general agreement with the National Forest Service to expend or obligate $200,000.

MCCOLLISTER: Either you or the general or someone from the department would come to the Legislature and ask us about the matter in case there is a danger of reversion, wouldn't you? I wouldn't want to lose any of that money. If there is a danger of reversion we should make proper note of it before the next session.

KELTON: Yes.

THOMPSON: How much of that money has been set aside to be used for rights of way for future construction?

KELTON: It is a very small sum. I would like to have Mr. Hennessey answer that. The actual payments made to owners have been small. The cost of interviewing of these people and then possibly having to throw out a long line of trail because of inability to get one owner to sign up has been rather high.

MCCOLLISTER: As long as you are getting them as easements without payments you are getting that for free. Then by comparison the amount spent for interviewing would be a small percentage. Isn't that so?

KELTON: Yes.

MCCOLLISTER: I thing as compared to the value of the rights of way we get, it is a bargain and should be considered as a minor percentage on the over-all program.

THOMPSON: I would like to know whether it wouldn't be better policy to go ahead and acquire the rights of way rather than consumate so much of the construction work at the present time?

DOLWIG: I would like to get that point straightened out too.

KELTON: I have given you appropriations made expressly for riding and hiking trails. In addition, the personnel is carried on the regular support budget of the division. For instance, part of my services go into riding and hiking trails. It is carried more or less as overhead.

DOLWIG: You allocate certain percentages of salaries to riding and hiking trails, and so forth?

KELTON: The accounting office told us it is not necessary since we are all part of the Division of Beaches and Parks. I attempted at one time to make an estimate of the actual salaries that have gone into the Riding and Hiking Trails Division and I would say it approximates, over the four years, about $40,000 for the period.

DOLWIG: In the Division of Beaches and Parks, certain employees devote full time to the trails program and other employees spent part time, and you make allocations on that basis, and since there is no overlapping of duties, you think about $40,000 came from that fund?

MCCOLLISTER: I think the chairman asked you if the policy for the department, with $275,000 on hand, is to spend that money on construction on rights of way now obtained, or is part to be spent to obtain more rights of way? I don't believe we have had an answer to that question yet

KELTON: The budget for the fiscal year we are now in assigns $18,000 to acquisitions, then for the improvement, construction of trails, the remainder was given to the Engineering Division for construction. The $18,000 is adequate to cover any acquisition. If they need more they would cut down on construction and allocate to acquisition.

MCCOLLISTER: But I think everyone in this room will understand there is a certain political value to the acquisition to assure your coming into the next session asking for further allocation. We are all aware what faces California in the financial future. Chances are very strong we will need more sources of revenue to keep things going. If a legislator comes from a county or area where there are enthusiasts of this program, and nothing has been done in his county, and he learns that $275,000 was spent somewhere else to construct a short portion of this trail, I can't help but feel that it isn't going to look very good for the program, from a legislative standpoint. I am debating whether your policy should not be changed and that you should obtain as many easements and rights of way as possible before the bulk of the money gets spent in one or two locations.

KELTON: I agree with you 100 percent.

MCCOLLISTER: I have the distinct feeling that not enough has been done on the acquisition of the rights of way. The entire program is liable to be ridiculed. We are in the position of having thoroughly improved short segments of the trail, with the program as a whole suffering because of the lack of rights of way. I have a lot of riding and hiking enthusiasts in my own district, so has Mr. Dolwig—as a matter of fact,

all of us have. I am pressed at home in my own district. We want a lot of things in the expenditure of state funds. I am sure the committee will agree with me when I say that I think the primary thing is that every effort should be made by the Riding and Hiking Trails Division to obtain rights of way first. I think it should have priority.

KELTON: For the first time this year, in fact within the last two months, we are in a position to have enough rights of way secured to assure a continuous program of construction.

DOLWIG: That's just the point that Assemblyman McCollister is making. Is that your policy, or are you going to expand the acquisition program beyond that?

KELTON: The only program on expanding the acquisition activities. is in the number of personnel placed on it They have just taken on one extra man on acquisition.

THOMPSON: Does that depend on county participation to some extent?

KELTON: It does to some extent. We already have some plans which we have not as yet started work on.

DOLWIG: You mentioned you have 200 miles under acquisition Is that continuous?

KELTON: San Bernardino County is practically complete on acquisition, so is Riverside County Kern County is nearly complete San Mateo County is rapidly approaching completion. In Marin County we have been unable to get rights of way from Mt. Tamalpais State Park. We are working north from there and expect to increase our activity in that territory. We also expect to increase the activity in Ventura County.

DICKEY: Would you break down the total mileage in these different areas? How much mileage in San Bernardino County?

KELTON: I have not tabulated that There is approximately 110 miles.

DICKEY: How much in Riverside?

KELTON: About 75 or 80 miles.

DICKEY: In Kern County?

KELTON: About 120 miles, most of which is on county highways, in which construction will be a very minor matter.

DICKEY: Practically all the mileage is in San Bernardino, Riverside and Kern Counties?

KELTON: No, we have not included El Dorado County in that because there are still a few gaps When you have a gap, you never know whether you have the right of way or not. The whole trail may have to be rerouted. In El Dorado County that is exactly what happened. Three-fourths of the trail had to be rerouted and started again.

DICKEY: In case you did reroute the trail, who would you call into consultation relative to the rerouting?

KELTON: The riders in that area.

THOMPSON: Is there any particular group that you recognize first of all?

KELTON: We follow the advice of the advisory committee. They are in touch with the California Horsemen's Association. One of the members is also on the Sierra Club.

DICKEY: May we have the names of the advisory committee?

KELTON: Kent Weaver is chairman, Arthur Johnson is vice chairman, Dan Beebe, John Diggs, Roscoe Hazard, and there is one vacancy at the present time.

MCCOLLISTER: I seem to be a bug on this same point, but I am trying to see what we can do to protect this particular feature. Do I understand correctly when I say that you are pursuing acquisition with sufficient effort to keep enough rights of way on hand so that you will use up what funds you have available for construction? You are just sort of keeping yourselves even. All right, and you agree that is the policy. I want to propose that that be considered before other points, where you expend effort and money on completing the easements and the acquisition, the whole 3,000 miles if you could. We have a whole trail on our hands which you authorize and which we want to improve, and therefore we need more funds. In keeping with your account, we have done our job and now we need more money for the perfection of the rights of way. If that were the policy of the department, the problem would be a great deal easier in the Legislature As it is you darn near need an airplane to cover where you have a right of way and where you haven't. That's the way I see it. I am proposing to the committee that your policy be changed to head for acquisition as fast as you can. Go right in and get your easements and follow up with construction as best you can.

KELTON: I think Mr. Hennessey can explain what his requirements for personnel are for such a program. That will come in the detailed budget for our department. We make up the budget. I think Mr. Hennessey can tell you how many extra men he needs.

MCCOLLISTER: We are not going to question you in detail if we are faced with a hundred thousand dollar program. I seriously propose that the policy be changed. Now I certainly foresee objections for giving this program any more money.

Next to testify before the committee was Mr James E. Warren, Assistant Civil Engineer, Division of Beaches and Parks, who testified as follows:

WARREN: I have maps that I will submit if you wish (Map was submitted of the California Riding and Hiking Trail prepared by the Department of Natural Resources, Division of Beaches and Parks. Map was explained by Mr. Warren.)

THOMPSON: It if is agreeable to the members of the committee, Mr. Warren will explain what has been done up to this time and what is contemplated for the immediate future

WARREN: On this map we have attempted to show the over-all picture of the trail to date The yellow ones are counties of which we have received master plans for these counties, but the plans have not been approved. The green ones have been submitted and approved by the county board of supervisors and the advisory committee and State Park Commission. The approximate route of the trail is shown. The red is where the trail has been built. Where it is blue is where right of way has been acquired but no construction has taken place. Where it is brown is where right of way is acquired and construction is under way.

San Diego County is about half way complete as far as construction goes and we are now entering upon the last phase of construction Riverside County is better than half completed in right of way San Bernardino has one very small section still uncompleted as to right of way.

At the present time some of the Division of Beaches and Parks personnel with the Forest Service are going over this section to reroute We expect that will be completed upon the completion of this present trip. In Los Angeles County one link of the trail is completed as to right of way and construction as to a 3- or 4-mile strip in the center of the county and in the northern end of the county. There is another leg to come through into Ventura County upon which we have not done any work yet. At the present time we are preparing maps preparatory to beginning right of way work in that area. Kern County—the right of way is about half way completed. There is a considerable amount of rerouting to be done there The river will flood out a portion of the trail There is no right of way work at all from Kern County to El Dorado County, which is about half complete as to right of way. In Nevada County there is no right of way work undertaken. Yuba County is about to go under construction Butte and Plumas County rights of way and construction are nearly complete. Tehama County—about to go under construction there as soon as we can arrive at an agreement with the Forest Service Shasta County—no right of way work has been done. In Sonoma County —no right of way. Marin County—there are two state parks there and at the present time we have a right of way acquired but not approved by the Department of Finance for the land in between those two parks San Mateo County is about completed as to right of way. Contra Costa County is complete as to right of way and construction with the exception of the piece right in the center of the county that is controlled by the U S. Bureau of Reclamation. Alameda County—work has been started but 90 percent or a large portion of the trail goes through the grounds of the City and County of San Francisco who will not approve it. So there is no progress thus far in Alameda County. Santa Barbara County—right of way work about to begin there. We are preparing maps and compiling the names of property owners.

DICKEY: I don't know whether you are the proper gentlemen to ask this question, but it would appear to me in watching the map and your explanation of it, that the Centennial Commission chose the route through the Mother Lode, because no one would ever place a trail there for beauty or enjoyment or anything else

MCCOLLISTER: How far above Sonora would that proposed trail be?

WARRLN: The trail shows it in between Sonora and Jamestown.

DICKEY: There are only about two seasons when anyone would want to ride through there for enjoyment So any expenditure of state money for a trail in that area would be a waste of money. Have the national parks been consulted?

WARREN: Yes.

DICKEY: Have they agreed to cooperate?

WARREN: In every way they can.

DICKEY: Do you know that the national forests are preparing trails?

WARREN: Yes.

DICKEY: You have probably hiked and ridden. Do you know any particular reason why this trail shouldn't be moved up so that it could join with some of the national forest trails so it would save the State some money and be far more scenic? Do you know whether the committee has considered that it might expedite the completion of these trails by cooperating with the national forest and leave the routes as specified there to a later time and complete these trails now, because you have

almost continuous trails through the national forest that could be joined onto

WARREN: The State Advisory Committee has considered the use of these trails wherever possible.

DICKEY: I believe they haven't done it by routing the trail in that manner.

WARREN: Now that has been done here in Butte County. The original plan shown in Butte County came down very low. A present member of the advisory committee asked that it be rerouted and taken up into Plumas which at that time was not on the list of counties through which a trail should pass. So this trail is a result of that action

DICKEY: Where does that trail strike in Plumas? In Buck's Lake?

WARREN: Yes. It runs at about 4,500 feet. The rest of the trail is at an elevation of about 800 feet. I think that is primarily due to the fact that when the trail first came into being it was thought it should run about 2,500 feet and should be an all-year-round trail. It could be open the year around but it wouldn't be a pleasure to ride. I think that is why so many of these trails are shown in the lower country. And in almost all cases the final determination has been to force the trail farther into the mountains, for then we run into the Forest Service more often and get the benefit of going through public lands where our right of way problem is solved and we get the benefit of the trails now constructed by the Forest Service.

THOMPSON In looking at the map and hearing your explanation of it, it would appear that the rights of way have been acquired in a portion of the state where it is easy to acquire them. Don't you believe that the most important thing would be to get the trails that are closer to the larger cities?

WARREN: It would appear so.

MCCOLLISTER: The final determination of the location of the trail is up to the approval of your division?

WARREN: Yes, that is right. I don't know of any cases where if it were at all possible to get through, where the local committee wants to, that we haven't done so. Where it has been necessary to make a rerouting, the committee has been conferred with.

DICKEY: In coming back to Tuolumne County, what local committee would recommend that route? The reason I ask is that all of us who have ranches in that area, when we want to go there, we go up above. My place is 3,000 feet level, about 2,000 feet above where that trail is.

WARREN: I think Mr. West is the chairman of the committee. I know Jim Dunlap was on it. West is a horseman. At the time, he was the county engineer. As I say, I believe it has been put at that elevation because of the original idea.

HENNESSEY: I want to bring out one of the facts that General Hannum brought out, and that is the right of domain. You gentlemen can appreciate that in a matter of this kind you have trouble to get a right of way and it is very expensive. In numerous cases we have had to throw aside easements already obtained and call on the engineers to reroute the trail. I don't mean that we should have eminent domain, but it would be very helpful if we did. They won't give it to us under any condition. Even with the local horsemen working with us, we have a great deal of difficulty. Now you mentioned that we should put on more right of way men, which would require more engineers. Under our present financial

situation this is not practicable. Our procedure is that the Planning Commission prepares these plans and often they have to be rerouted. To get a trail through the whole State we run into difficulty, because people insist on a lot of work being done sometimes within 60 or 90 days. So we can't get too far ahead of the engineers on that. We might also cite the delays of as long as six months due to legal technicalities between the Forest Service attorneys. We have had a battle that has held up on the construction on a question of who would assume the liability in case of any trouble. We have a case in San Mateo County of a horseman who has property which took a long time to clear. The case of the City and County of San Francisco that will not grant a right of way until they see what happens to San Mateo County. They will not do it unless there is a clause that will allow them to come in and do any repair work necessary. We have had a very discouraging program to purchase property under this method. We have been criticized for delays and we will have delays. This will take a long time under the present set-up. We have capable men but they can't get rights of way where the owners refuse them. Marin County is held up by one man. The same thing is true in Contra Costa County.

McCOLLISTER: From the metropolitan area around the bay, if you had a complete riding and hiking trail you would have something, and have a lot more supporters. Now it is my knowledge that the ranch you are talking about is at the very beginning of what you want to do, and it is my understanding that because you couldn't get that particular owner to cooperate that nothing further north has happened. Sonoma is on the map but nothing has been touched. Now the fact still remains that if you are stopped elsewhere, here is a good route that should be developed. You should forget Mr. Dias.

HENNESSEY: We have almost completed negotiations to go ahead without him. The engineers of our staff have to go out there and select the routes beforehand. They are starting to do that.

McCOLLISTER: I think this whole committee got started with a complaint from the Redwood Empire Association and others that work had been neglected or stopped when Mr. Dias wouldn't cooperate. That got us busy to complete the program. It is your statement that work in Sonoma and Marin Counties is being undertaken?

HENNESSEY: It is under way in Marin but not Sonoma. In Sonoma County we will start in as soon as the maps are turned over to us to go ahead.

McCOLLISTER: The master plan is on file with us and has been for over a year, but nothing has been done on it. Let us have the department's answer as a whole. Are you going to Sonoma County, and if so, when?

HENNESSEY: I couldn't tell you.

COL. KELTON: It has been a question of personnel. Certain personnel has been allowed but the fact is that in the budget for this year the engineers section was cut eight below what the budget called for in our engineering section. I had to lay off two assistant civil engineers from riding and hiking trails, so I am short in the riding and hiking trails at the present time. We are asking next session for an additional civil engineer and one or two assistant junior civil engineers and one aide to expedite the work. At the rate we have been going, we would need two more junior civil engineers in order to go ahead with the work.

MCCOLLISTER: You are not going to start until you get the new budget?

COL. KELTON: We are working now. We have Mr. Warren and two other men.

MCCOLLISTER: What is your expectancy in Sonoma County?

COL. KELTON: That is put up to the advisory committee They are close to the people. We ask them what the priority will be, as they have established a priority. What we try to do is to concentrate enough on one particular area to get a long enough stretch to go to work, and then go to work as soon as we get the necessary personnel.

MCCOLLISTER: What can I tell my board of supervisors?

COL KELTON: Tell your board of supervisors that we will look on them with sympathy.

DICKEY: Colonel, you had a budget before, didn't you? And in that budget there were no engineers cut out, were there? In other words, you say by reason of the last budget you had to lay off some engineers?

COL. KELTON: We were unable to obtain the full personnel in 1946 and '47, that we were allowed. I can give you——

DICKEY: If you were unable to obtain them then why was it that you didn't ask for them when you submitted your last budget?

COL. KELTON: We did. There are many stops between our division and the time the budget reaches the Legislature.

DICKEY: I realize that. How long ago was the master plan of Sonoma submitted?

COL. KELTON: Nearly three years.

DICKEY: And in that time you have done nothing?

COL. KELTON: That is right.

MCCOLLISTER: When can we expect you there?

DICKEY: I think the first question is, Why aren't you already there?

MCCOLLISTER: They want more men and a larger budget

COL. KELTON: This is due to the county advisory committee.

DICKEY: In other words, in order to have all parts of the state equally represented or considered, it might be better to change the advisory committee. That would probably be the best answer.

MCCOLLISTER: But the interest in that area has generated to a momentum and probably so because you have been stopped in other areas. So the northern part of the State has been neglected, and it is a very good question to ask you fellows when you are going into the North Coast Route, into Sonoma and Marin Counties. This was all started because of complaints that you were completely stopped, doing nothing. You are going to Camp Taylor. That is fine, but it is small. When you have an outing in the bay area you should have something for them by completing that area in the northern part of the county, and it is more important than wondering about routes in smaller places. Do you agree?

HENNESSEY: Yes.

MCCOLLISTER: Then when will you be there?

HENNESSEY: We will go any place we are instructed to go.

MCCOLLISTER: You are looking to the department as to when everything is clear and ready for you to go. Our own work has been done and is waiting for you. Somebody should speak for your department as to when you are coming over to us.

GEN. HANNUM: As has been explained, the advisory committee considers where we should go in to secure these rights of way and when the

Park Commission approves the set-up we follow in, as the advisory committee recommends and the Park Commission approves Now so far as Sonoma County is concerned, I do not believe that the advisory committee has recommended that we go into there up to this time.

DICKEY: Have you ever questioned their judgment?

GEN. HANNUM: I have sat in on about 80 percent of their meetings. We will try to meet your problems somehow. That is about all I have to say.

DICKEY: Do you feel that it would expedite the program, now that you have ironed out the difficulties between the National Parks System and the State Park System, do you feel it would expedite your work to reroute your plans so that there would be more money available to expedite counties such as Sonoma and Marin? Isn't it possible right now to tie in from San Berdue County the trail at some point in your National Park System of trails and continue that line on north?

HENNESSEY: That is a very good idea and it is being done now in all the national parks.

DICKEY: Has anything been arrived at between the National Parks System and the department as to where the trail would go?

HENNESSEY: That is handled by the engineers and I don't know. Mr. Warren can advise you.

WARREN: Yes, we have had discussions with various departments along that route and have come to agreements with them for the use of certain areas of the trail. In picking the routes through those counties there are generally representatives from the forest service on that committee.

DICKEY: Have you shown on any map any particular trail where you could avail yourself of their trails?

WARREN: No. Only in local areas.

DOLWIG: In other words, you have not sat down with the National Park Service to outline a definite trail wherein you could hook the state trail up with that of the National Park System.

WARREN: Only in particular counties or particular areas where the trail was so constructed that it does tie into the forest district's system of trails.

DICKEY: I am somewhat confused. By that, do you mean that you are taking the existing trail that is suggested and as a side trail you are tying into their trail?

WARREN: We are in most cases moving up to a higher level.

DICKEY: I wonder if you could show that on the map.

WARREN (indicating on map): The original route of the trail follows very closely to the metropolitan development. The trail now goes through into the mountains and the Big Bear Lake and across the ridge into Arrowhead Lake And then of necessity it has to come back down into the Mojave Desert area and we are crossing that section as quickly as possible on an old road. Then into the Angels' Forest. That trail is constructed now with very small portions still missing and that trail is probably an average elevation of 5.000 feet. In general it is along 6,500 feet elevation, goes on and ties into the Rock Creek area. The forest is divided into two portions through which we had to go through private land and build a trail. But the rest of the trail through here is almost all on forest trails or through trails some of which we have had to go and construct and bring up to a standard. Then of course we have an-

other desert area to cross going into Kern. We have taken county roads leading directly back into the forest. Then after we are about half way through Kern County we drop down a little bit in elevation. That particular forest is rather spotty as to ownership of the trails and not too well developed.

DICKEY: What is your elevation? Where do you go up from?

WARREN: We cross the highway at about 15 miles east of Mojave. I have larger scale maps here to show.

DICKEY: I wonder if it would be possible to indicate the exact location that you have agreed on with the National Forest Service? In other words, taking the individual counties as you go up from that point and indicating on that where you have reached your agreement.

WARREN: From this point on any talks we have had have been very general and not too many, because this area has not been worked out. We received the plans only within the last week or 10 days

DICKEY: What I am thinking of are the conferences that you might have had with the forest service.

WARREN: We have not worked in that county.

DICKEY: I am not speaking of that area.

KELTON: The entire north area we have not gone into.

DOLWIG: Haven't you reached some conclusion in your conferences with the national parks?

KELTON: Not as yet.

DICKEY: Well, is there anything we can do through friends in Washington?

KELTON: I don't believe there is any lack of cooperation. It is a lack of personnel to attack a 3,000-mile trail at one time.

DICKEY: How many people do you need? I can sit down with the maps and it wouldn't take long, if you are familiar with the country, to figure out trails that would be available the year around. Any person should be able to figure it out with a topo map without any engineers. What I was wondering, is why that has not been considered.

KELTON: Because of the concentration in other areas. The larger populated areas such as San Diego and Los Angeles have taken the entire attention of the personnel that we have had.

HENNESSEY: I think there is one thing to consider, and that is we haven't gone into those areas because the route of the trail has been determined by the county committees, subject to our approval.

DICKEY: As far as the county committees are concerned, they have no authority.

HENNESSEY: They almost always have a member of the Forest Service staff on their committee, generally the supervisor of the forest or a ranger.

DICKEY: Then how did you happen to get the location on that map?

WARREN: This is a projected location prepared a long time ago, and we have made corrections as the time came.

DOLWIG: If that is a projected route and if a large part of the route is in U. S. parks, those routes could be connected and the trails could be completed without too much difficulty

DICKEY: We have a certain amount of money in this fund, and if the National Forest Service will cooperate, we will have trails immediately and the other funds can be used in other places where it is more needed than up there.

WARREN: As far as that goes, I have shown on maps in our office where I would change the trail.

HENNESSEY: We still have to pay the Forest Service to maintain the trails.

DICKEY: The National Forest Service five years ago started on quite a program. They came out from Washington and went through all the parks in that area and designated certain trails that they would immediately go to work on, and they did. Those are trails we could ride over now. The national trail is open, available and in good condition at the present time. The National Park Service has done a wonderful job It is just a question of running the state trail so it will connect with the other route The Forest Service has those trails all marked

MR. KENT WEAVER, Chairman of the Riding and Hiking Trails Advisory Committee: Regarding the lay-out of the trail in Tuolumne County, some reasons were asked as to why it was put there. When this whole plan was conceived a committee was appointed to meet and decide in a general way how this trail was to go. We met and we decided we would try to keep the trail at a level of about 2,500 feet. We thought it would be more available to people and that it would be of more use the most of the year, and if we wanted to get into the High Sierras we could put feeder trails to lead us there.

DICKEY: I was thinking that the committee might have been influenced by the Centennials Committee that held many carnivals in the Mother Lode country.

WEAVER: The members of the committee would have no way of knowing the best place to locate a trail, and we have had to take the recommendations of the Division of Beaches and Parks.

DICKEY: Don't you find that the Federal Government is reaching out gradually in extending the parks until they are down near the Sacramento Valley and San Joaquin Valley?

WEAVER: I am not familiar with that, but there is nothing to prevent moving the trails up.

DICKEY. You would have a devil of a time at my place to go into Sonora even to shop, because it is too hot. This trail is below Sonora

WEAVER: Well, there is no trouble to move it up. There would be no opposition to moving it.

DICKEY: Mr. Warren is familiar with the county, the same as I am But my only point in bringing this up this morning is that we should buy the rights of way around the metropolitan areas and at the same time we would not be depriving people of the right to ride in the hill country because we can hook up these trails with the national forest trails.

WARREN: We run into trouble in the metropolitan areas In Contra Costa County we had a trail practically through and much of the trail was acquired gratis. We came to one small piece of trail and the appraised value put on it was $300. The woman wanted $1,500 for it—a difference of about $1,200. We fooled away more than $1,200 worth of time trying to get it. We had gotten most of it for nothing, so I suggested that we pay it, but I was told that it would not get by the Department of Finance Months afterwards we finally made arrangements with this woman to go through there on a temporary basis until such time as she decided what she wanted to do with it.

DICKEY: This committee is an unusual committee in this respect. It is probably the first interim committee in the history of the State that is

working without an appropriation. In setting up a program as to the practical standards of trails, does your committee do that or is it left entirely to the Engineering Division?

WARREN: That is all discussed with our committee.

DICKEY: The reason I brought that up is because some time ago I noticed that a bridge was being constructed for riders over a narrow wash or creek. I never could see any reason for the bridge, but if a bridge was necessary it seems to me that it should be constructed so that a horse could turn around on it and standards should be considered from the viewpoint of the poorest rider going over the trail. Everybody isn't an expert horseman. I would guess that perhaps a large majority of the riders are not experts.

WARREN: That is true to a certain extent. But there would always be some riders that would have trouble.

DICKEY: Are you familiar with this particular spot that I have referred to?

WARREN: Yes, I believe I am, and while no standard was ever set in our committee for that particular bridge, my recollection is that it is about six feet wide. That is considerably wider than this table. It would take a pretty poor horseman not to get over that bridge.

DICKEY: You are a good rider, Mr. Warren. We are going to have other people on the trails that are not expert riders. I am thinking now of the expenditure of our moneys. If someone rides that once a day, why is it necessary to put that bridge in there?

KELTON: There are a few times in the year that the water through there is approximately six feet deep and the bridge is needed.

DICKEY: Why not put rock in it? In other places it is being used all the time because it has been filled in with rock.

PELTON: Probably 360 days in the year it would be perfectly feasible not to have a bridge.

DICKEY: For five days in the year then should be expend that amount of money?

KELTON: We happened to think that in that particular place a bridge should go in.

DICKEY: I have had occasion to watch some of the surveying of these trails and then another group come out there the next day and another group comes out the next week to check on the other two groups figures.

KELTON: We have done practically no surveying as such on the trail, Mr. Dickey. We have done no instrument surveys except where we have had to determine a section corner. We found that the cost for such work is excessive and we haven't done it since.

DICKEY: When you estimate $486 per mile for the construction cost of these trails——

WARREN: Our figures were 185 miles of trails, expenditures—$173,000, making the average cost of $486 per mile.

DICKEY: You said 183 miles and $175,000. That's pretty close to $1,000 per mile. Let's forget the $486, I don't know how they arrived at that figure.

WEAVER: That's all right, this is very interesting.

DICKEY: We are watchdogs up there in the Legislature, and trying to get a dollar for a dollar.

WEAVER: I am satisfied that if some competent man, who had the knowledge and had the money placed at his disposal without red-tape and regulations, were to build this trail, it could be built at a portion of the time and for a fraction of the cost.

DICKEY: When you look over this budget, you didn't go for these fancy restrooms?

WEAVER: I don't think there was any intention to build fancy restrooms. They did intend to build children's restrooms there. They were to be comparable to restrooms in the state parks.

DICKEY: In building the trail we have money for bulldozing, and for this and for that, and it is my contention that in riding a horse, you get more enjoyment from riding on the back trails.

WEAVER: There is nothing fancy about the trails in Contra Costa County. Even some of that trail, they could not get over in the winter time.

DICKEY: The maintenance would be merely discing your grass in.

WEAVER: Yes, that's about all.

DICKEY: Don't you feel that the Horsemen's Association would report any signs that were down or any other needed or necessary——

WEAVER: I think that is true, but unfortunately congested counties like Contra Costa County, they are not always careful of the rights of others and there are lots of vandals loose and it is hardly safe sometimes to leave tools or stock loose. I think there would have to be some system of policing and I think that was part of the consideration we gave when we got the rights of way through there.

DICKEY: That is that they would be policed from fires and so forth Mr. Warren may I ask how you explain the figure of $486 per mile and yet only 183 miles have been completed and the cost is $175,000, which looks like about $1,000 per mile to me.

WARREN: On the over-all picture with the expenditure of $175,000 it is approximately $1,000 per mile——

DICKEY: Let's take a mile through Contra Costa County. Take any one mile and tell me how much it has cost to construct it?

WARREN. Contra Costa County was never built at $486 per mile, it was around $1,036 per mile.

KELTON: The figure is $1,016.23 per mile for Contra Costa County.

DICKEY: How many miles in Contra Costa County?

KELTON: 19½ miles. The total cost was $18,816.50.

DICKEY· Will you break that down for me. What does the $19,000 represent How much in bulldozing, in lumber? I would like to find out why it is costing $1,000 per mile.

KELTON: I think Mr. Warren can give you a better breakdown.

DICKEY: You had a bog over there that gave you a bit of worry, didn't you?

KELTON: Yes, and we decided not to build the bridge and put in some gravel in the stream.

WARREN: In your report to the advisory committee, you expended $18,816.50. In order to arrive at that figure, you must have had some figures from which you arrived at this total? Those are the figures I would like to have?

WARREN: In the first place, here's 35,330 feet of fence, approximately 35,000 feet of fence built in Contra Costa County at about 30 cents per lineal foot.

DICKEY: What type of wire?

WARREN: 6,100 feet of three-strand fence wire. 3,100 feet of four-strand barbed wire. Some on wooden posts, some of steel posts, depending on what the owner designated.

DICKEY: What is the cost of wire?

WARREN: $7.10 per roll.

DICKEY: You made a report here to the advisory committee of $90,348.96 for three counties? We are just taking Contra Costa County. Who gave you this figure? James E. Warren signed this report. Where are the figures?

WARREN: These figures came from the departmental accounting office.

DICKEY: I was trying to get a breakdown to find out if we are gilding it too much on these construction jobs. Who recommended the four-strand on the fences?

WARREN: The owner of the property. They recommended——

WEAVER: I am only telling you my opinion, but we have to build the kind of fences the owners want or we do not get the land This was paid out in building all the fences demanded. They worked for days in Contra Costa County. The people did change their minds and two or three brothers and a sister sometimes would tie up a piece of property. Without the right of condemnation it is practically impossible for us to get through.

DICKEY: I can understand why, when you are getting land for nothing, it is only human nature to do more for that land owner than ordinary If we have to buy land, what I was trying to determine is what work was actually done for these costs in those particular miles, because if we have to buy land in addition to this, it is a question of expending the money where it will do the most good.

Mr. Clyde Edmonston, representing the Redwood Empire Association, was called on to answer a few questions propounded him by members of the committee, and his testimony is as follows: The association comprises nine counties and is owned and operated by the taxpayers of those counties. These are our recommendations:

RECOMMENDATIONS BY REDWOOD EMPIRE ASSOCIATION

1. That the State Legislature appropriate funds adequate to complete construction of a comprehensive system of riding and hiking trails.

2. That these funds be made available for both the Primary and Secondary Trails System.

3. That a fair share of these funds be made available for trails in the Redwood Empire. The empire embraces: San Francisco, Marin, Sonoma, Napa, Lake, Mendocino, Humboldt and Del Norte Counties (plus Josephine County, Oregon, not herein affected).

4. That, from current funds, the State immediately proceed with acquisition of rights of way and construction within those counties that have filed master plans with the State Park Commission.

5. That, following filing of master plans by remaining Redwood Empire counties, acquisition and construction be commenced and completed.

NOTE: It is respectfully pointed out that a prime consideration and justification for these expenditures is the fact that such an adequate system of trails would provide fire breaks; also supply access for fire fighters and fire fighting equipment. Too many fires are destroying our natural resources, for lack of such fire breaks and fire trails

Further, the construction of these trails will contribute to further development of animal husbandry; will contribute to the health and well-being of those members of the public who would use these trails for riding and hiking purposes.

DICKEY: Mr. Edmonston, what and how much area is covered by national or state forests in the Redwood Empire?

EDMONSTON: About 30 percent.

DICKEY: That 30 percent would probably be the most desirable place to build a trail, would it not?

EDMONSTON: I would say so.

DICKEY: Have there been any plans filed? Shouldn't the trails be in conjunction with the trails in the national and state parks?

EDMONSTON: I would say this should be done.

DICKEY: The State Trail System should be with that of the National Park System.

EDMONSTON: We haven't met with the individual boards yet, we want them to proceed with their plans and file them.

DICKEY: In those particular counties do they have any representatives of the national forests sitting with those committees?

EDMONSTON: I don't know. I will call Mr. Raesch.

Mr. Albert G. Raisch of Marin County was next called on.

RAISCH: My position is that I was appointed by the Marin County Supervisors to represent them on the Redwood Empire Trails Committee

DICKEY: First of all, you have a very competent and able legislator over there who is probably one who gave birth to this committee. He has been fighting in behalf of Marin and Sonoma Counties at all times. Has your organization or the supervisors of your county gone in and tried to assist to get this particular rancher that Mr. McCollister spoke about this morning? Have they tried to get him to cooperate?

RAISCH: I believe that when we are really ready to get this particular property, I believe they will be reasonable. It depends on where they want the right of way. If they want to go right through the middle of it, I don't believe he would want that. That grazing land over there is worth anywhere from $40 to $50 to $60 per acre.

DICKEY: The reason I was going into this is that, "they want dough," is the expression they used some time ago. I want to know what the Boards of Supervisors of Marin and Sonoma and Contra Costa Counties are doing to assist?

EDMONSTON: If the land is near a highway, it is naturally worth more. I know that the general value of $40 is considered about the average run of straight grazing land.

DICKEY: Mr. Edmonston, I want to put this particular question to you. What is the Redwood Empire Association doing to cooperate?

EDMONSTON: It is the function of the board of supervisors to handle matters of that type. They have appointed one member to cooperate with the committee. These committees are available to cooperate with the State Park Commission and any of its representatives at any time.

DICKEY: May I ask one of the gentlemen who testified what the reply has been when they have contacted this particular rancher? In contacting that rancher, what reply did you receive, Mr. Hennessey?

HENNESSEY: He had no objections to people riding over there, but he said that he would not sell under any circumstances The last contact that was made was within the last three or four months.

DICKEY: Do you feel it would be of any value if the board of supervisors in that county would act as a liaison?

HENNESSEY: We would recommend any help.

Next to testify was Sidney Grove, Regional Vice President of Region No. 1 of the California State Horsemen's Association.

DICKEY: Mr. Grove, from remarks made by Mr. McCollister this morning, it develops that the State could not acquire a right of way for the reason that this one rancher will not cooperate. Because of this, the Sonoma County plan is stymied.

GROVE: In other words the Sonoma County program should be started right now?

DICKEY: Yes, and it has been held up because they could not acquire a right of way in Marin County.

HENNESSEY: We have not started in Sonoma County at all.

DICKEY: I understand that.

THOMPSON: How long has it been since your plans were approved?

GROVE: I believe it was in the fall of 1947.

THOMPSON: There is a great deal of interest in your county on your program, isn't there?

DOLWIG: Mr. Grove, you are not on the Advisory Committee? What is your function?

GROVE: I am interested in the Redwood Empire Association, also the California State Horsemen's Association.

DOLWIG: Have you taken your problem up with the State Trails Committee?

GROVE: Yes, but I have never received any information. It was more or less passed up.

DOLWIG: Did they ever give you any explanation in writing?

GROVE: No, it was always on this particular piece of property in Marin County.

DOLWIG: The only explanation was that they could not acquire the property in Marin County and could do nothing in Sonoma until that was acquired.

GROVE: Yes.

Next to testify was Nester Barrett, Secretary-Director of the Santa Clara Planning Commission, who spoke as follows: I would like to say to the committee that we are one of the counties which have not filed with the commission any final Master Plan approved by the supervisors. This is the first opportunity we have ever had to find out what this program is all about. When it was first put into operation a horseman came to the board of supervisors and asked that the Planning Commission prepare plans, and then we went through a period of time. We had with our neighboring counties some difficulty in ascertaining where the trails were to hook up. Because of our being in the dark on our program we have gone to a great deal of work in preparing our plans. I would like to show you some of our plans which are about 80 percent complete but which will be completed about the first of October. We have attempted to do the work and secure rights of way from property owners and have had wonderful cooperation from the local riding and hiking people. We understand when the time comes to acquire the rights of way it will all go through very easily. I have never personally been called upon by any person connected with the State in connection with this program. I have one letter stating that the program was started.

DICKEY: You never received a communication from that committee asking whether your plan was going to be filed?

BARRETT: No.

DICKEY: You did know they wanted it?

BARRETT: I knew it was necessary to have a master plan.

DOLWIG: The thing I am wondering about is that the duty of the division is a coordinating job, and you should have had their cooperation.

BARRETT: I haven't asked for it since the beginning of the program. Perhaps if we had, we would have received it.

DICKEY: Mr. Barrett, in view of the fact that you have just stated that through your office and through the cooperation of the horsemen's association in your area you contacted most of these property owners so that when the State wanted to acquire this land it would be easy to do so, if the State does not do this right away the land may not be available a year from now.

BARRETT: In our county a vast majority of the land is up in the mountain and we have attempted to use county trails and county roads so only a limited amount of the land is through private ownerships. Most of these are large and as they have been contacted the problem of land acquisition probably will not be very great although some time elapses. Down by Morgan Hill it would be a problem.

DICKEY: Although you may acquire three-fourths of the property easily it would be advisable to step in right now and get the land you need.

BARRETT: Of course we are at fault in not having filed a Master Plan. It was supposed to go through Santa Cruz County but we couldn't get those people together. These people are now interested again and that is the reason for this plan being submitted today. It is a little difficult in getting it away from Santa Cruz itself.

DICKEY: I would say a very masterful job has been done, and if they have contacted the property owners it seems the division ought to step in immediately and acquire these lands, because if you wait much longer it will be hard to do. What would your opinion be?

BARRETT: We are discussing it with the Acquisition Officer now. Mr. Henley from the department has been quite active on this and we are anxious to get it through. We would prefer to file a complete plan, as this is only about 80 percent complete.

Mr. Ed Zwierlein, Chairman of the Trails Committee, California State Horsemen's Association, made the following remarks and then called on members of his association to explain various phases of the State Horsemen's Association and their desires.

ZWIERLEIN: Our organization as you know covers the whole State, and with all the meetings that are going on we know what the horse people want. And yet at most of these meetings very little time has been given to asking question as to "what do you think is needed?" We used to get the progress reports and each one seemed to be the same as we went over the statements showing what had been done the following month. Mr. McCollister spoke this morning that we should work on the whole program and get all acquisitions done. There has been a feeling that you don't get the interest in various areas. You get the people enthused about it and nothing is done. This is what has happened in Santa Clara County. That program was started three or four years ago and nothing was done and now it has been taken over by another county. Another thing, the State Department makes up the budget, and the horsemen are never asked where it should be spent.

I have a number of people I would like to call upon and I think we could bring out the cooperation that the horse people could give your organization. I would like to call on Mr. Fred Anderson of Oakland who has had a great amount of experience in this and I think all of these things should come up today, and I would like to call on a few of these interested people to give you their ideas. Mr. Anderson, President of the California State Horsemen's Association. (Fred E. Anderson, Oakland, California, President of the California State Horsemen's Association.)

ANDERSON: I believe that if the horsemen are given the opportunity to cooperate, that we can obtain results throughout the state as we have in Alameda and Contra Costa County. We happen to have in Alameda County two parks. Originally when we wanted trails in there they didn't want to give them to us as they thought there weren't sufficient horsemen. But when we convinced them we could put 200 horses in there, they were convinced. Through the aid of the horsemen of the Metropolitan Horsemen's Association which is composed of ten associations, the purpose of organizing that association being to get the trails in the parks, we went before the Park Department and showed them we were ready to cooperate. At the present time we have about 150 miles of horse trails. They are good safe trails and we have week-end trails where many people ride over those same places. Where there is a crossing of a river bed we throw in a culvert and make it sufficiently wide for the people to pass over without hindering the flow of the water. In many cases we have hired a bulldozer to build a trail that will connect with the park trails. There is a side trail maybe 3 feet to 4 feet wide but it is safe, and I can't think of any occasion when we have had any trouble due to the fault of the trails. They have been constructed at a nominal fee, but I don't have the figures here today. That is the experience in Alameda County, and we have as fine trails as anywhere in the state. To this time, when the Park Commission wants cooperation they call on the horsemen in our area, and we go so far as to erect our own gates and police them. We get rights of way for we are friendly with the people. In cases where we get rights of way we put in gates and maintain them. That is the way it is done in Oakland and Alameda County. We in the Horsemen's Association are of the opinion that if we could construct more trails, as recommended by Mr. McCollister, if we could get more trails and rights of way through the state so our members could have the benefit of these trails, it would be a far better area than holding up one area until we developed another. We are of the opinion in regard to the over-night shelters that those things need not be constructed at this time. What we need at this time is trails. We want to develop one county so it will join with another, so that we have the fraternizing of horsemen throughout the State. In Alameda County we have been very cooperative with our supervisors. They approved our trail 2½ years ago with one exception. The right of way is acquired from the Spring Valley Water Co. As a gentleman from the Planning Commission brought up today, there is no reason why we can't tie the counties up. That, of course, is all under way.

DICKEY: Mr. Anderson, you heard the testimony this morning to the effect that they couldn't get the East Bay Municipal District to cooperate with them nor the county board of supervisors, when they were crossing roads. You say that by permission you cross the East Bay

Utilities property Don't you think it would be possible to acquire a permanent trail through there?

ANDERSON: I hardly think it would be necessary. If we were fortunate enough to pass over that and tie up with the state trail it would be quite nice. But that is a federal trail and does not come under the jurisdiction of the state trails.

DICKEY: In this particular plan you filed with the State, didn't that cross the East Bay Municipal District?

ANDERSON: No.

DICKEY: Didn't I understand this morning——

ANDERSON: No. That was the San Francisco Water Company.

DICKEY: Another question, Mr. Anderson—have you ever seen the figures on what it cost per mile? From your recollection, can't you tell me what it was?

ANDERSON: I have not seen those figures. No, I don't know what they are.

DICKEY: The terrain that would be crossed in that park would be somewhat similar to Sonoma or Marin. Is that pretty rugged?

ANDERSON: Yes, that is pretty rugged.

ZWIERLEIN: May I call on the next gentleman? I would like to call on Mr. Creed Haberlin from San Mateo County, who will discuss San Mateo County. It has been the recommendation, as you gentlemen heard this morning, that the area around the metropolitan area be completed first, such as Marin, and then complete the ones in Southern California. The plan for San Mateo was the first one approved and it is the last one to be worked upon. Will you give us something on that? (Creed Haberlin, San Mateo, San Mateo County Horsemen's Association.)

HABERLIN: I have been interested in the trail program for a period of years. I don't want to spend too much time on our own county, as this is a state program. We appreciate the problems of the beaches and parks. To acquire land without condemnation is a hard job, and we feel they have done a good job considering everything that had to be done in our county. We had a problem with the San Francisco Water Company and they finally agreed to give the State a right to travel through Spring Valley.

When this meeting was opened the chairman said he was glad to see the interest here in the meeting. If it was an evening meeting, it would produce 1,000 people from our county alone. In an evening meeting we could have 4,000 or 5,000 people, so there is a real interest in the program.

Our planning commission secretary is here, who will deliver you his reactions to the program. I personally feel that the power of condemnation should be considered somewhere in the State, because to acquire these rights of way from the people and then find two or three people who will hold out, is discouraging. After a county has 75 percent or 80 percent of their trail in they should be considered for construction. The remainder of the trail can be solved, because I think if the power of condemnation could be worked into this program it would solve a lot of problems. We would like to see this Spring Valley work done, because we have a certain number of years to complete the job. It also has a bearing on Alameda County, because they want to see what happens in San Mateo County. So we of San Mateo County would like to see some construction.

The other point I would like to make is the advisability of acquiring throughout the State as many easements as could be obtained. I think the problem is concentrated somewhat to get the trails completed in the counties that are developing fastest. So the picture changes. Probably the owner is friendly now, but if he sells out to a subdivider then you have a problem. So I believe the Division of Beaches and Parks have cooperated very well with the horse groups and county officials, but we would like to see construction, and possibly ask them to hurry along and get more done. But I think we owe them a vote of thanks for what they have done.

ZWIERLEIN: Someone asked about the cost in Alameda County. I would like to introduce a person in the Woodside Trail Club, and I believe the gentleman has an idea of cost which you people have been worried about. May I present Mr. Sam Campbell of the San Mateo County Mounted Patrol and Woodside Trail Club.

CAMPBELL: After hearing hundreds of thousands of dollars tossed around this morning in the Land Department and Engineering Department and all sorts of machinery, I feel I haven't anything to say that will interest the committee. We have a little trail at Woodside, just a wide place in the road. We haven't hundreds of miles of trails but approximately 150 miles. We have had those trails for 30 years. For about 10 years I have been responsible for construction and maintenance of those trails. Probably they are not comparable to the other state trails. They are on private property, very simply constructed by hand, and we use no bulldozers at all because we have found from experience that a bulldozer spoils the natural beauty and makes a tremendous dust bowl in the summer and a bog hole in the winter. Women, children and older men ride the trails and have no difficulty with them. Generally speaking, we concentrate on cutting the brush out, removing dead trees, and then leave the rest of the country as nearly like God made it as possible. We have built very few bridges as they are very expensive, and generally there are ways to get around this. We have never had an accident on our trails due to any fault of the trails, but we have had accidents because people didn't know how to ride.

As to cost, the trail system has been run for 30 years and the annual membership fee is $5 per person. We spend about $800 to $1,000 a year to maintain 150 miles of trail. Now there are one or two things that struck me this morning as I listened to the testimony that probably make our situation not quite comparable. We don't have miles of fencing I can well see where you acquire a permanent easement that is necessary. I have a feeling though that quite a few miles of trail can be constructed at a low cost if the work is done in a simple way.

Now the shelter system. We have found over the years that the property owners who give us rights of way don't want any fires or camps because of the hazard in the dry season. I think if you erect shelters, you will have a great deal of that kind of difficulty. I would urge that the trails be constructed as nearly as possible like our trails are constructed, because I know the property down there and that is the way they want it. Once you get a large, wide trail you invite motorcycle clubs and people in jeeps wanting to ride there. A horse trail does not have to be fancy. The main thing you have to do is take brush out and be sure that where you are going along the side of a hill the horse has a good

solid footing. I think, roughly, our maintenance expense would run $7 to $8 per mile.

DICKEY: Would you have an idea as to the cost of construction?

CAMPBELL: We have made use of old roads or county roads, any old road we could find, and once in awhile when we have to relocate a trail we do it by hand, and it can run into a lot of money. We have spent as much as $500 on one-half mile. But if you construct them very simply it isn't too expensive.

DOLWIG: In other words, from a horseman's standpoint, you wouldn't use a bulldozer?

CAMPBELL: There are places where you have to resort to that. For example, you might have a steep hill But these are small stretches, and by and large the use of a bulldozer is objectionable In the summertime the dust is so thick and in the wintertime it is bogged.

ZWIERLEIN: As long as we are speaking of the trails that are already in, we have a representative here from Contra Costa County, and I think there are a few things he would like to talk about. I would like to call on Mr. Leo Armstrong, the representative from the Contra Costa Trails Committee.

ARMSTRONG: I would like to compliment Mr. Henley for the fine work he has done in Contra Costa County in acquisition. I believe only $800 or thereabouts has been expended for property in that county. We have been impressed by his willingness to do the job, but frankly, it seems that his hands have been tied. We have observed this over a period of months. He is ready to go ahead and do the job and gets so far, and then he is stymied. We believe he should have a little more help. We don't know what is holding it up, but we do feel if some of the barriers were removed we could see much more development in the various counties But we would urge and beg you at this time to give Mr. Henley the help that he must have to do the best job possible. I would like to say that in March a representative of the horsemen met in Sacramento and at that time we made an earnest plea to be advised of the monthly meetings. When John Diggs was chairman we understand that a monthly meeting was held and progress made. I would say that if we are not holding the number of meetings necessary that we make arrangements to have them more often. I believe the horsemen are willing to give up their time if they are called upon for assistance.

At the meeting in March we had several recommendations. We recommended that a five-foot gate be adopted and were assured that all gates would be that from now on. If any additional gates are constructed, they should be wider. Unless some considerations are given to the recommendations of the horsemen, we will have problems. We want to go on record that we are demanding five-foot gates. We feel that the monthly meetings give us a chance to accomplish something and that we should be invited to attend them. If you will call upon us, we will help. We should be invited.

ZWIERLEIN: I would like to call on the Planning Commissioner, Frank S. Skillman, of San Mateo County.

SKILLMAN: San Mateo County was the number one county in the State on the riding and hiking program. We were in on our own before the State even started talking about it. I have been close to the picture. San Mateo County has had its program for some years and we have the same problem as others in acquiring rights of way for trails. It is very

easy for some clubs to get together and put locked gates through their property. That is one thing that is fairly simple to accomplish. But I think the gentleman from Woodside will be the first to admit it is difficult for the State to come along and ask for an easement for all times for a permanent trail. The days are numbered in the Bay area when the rights of way can be acquired for the trails. In our endeavors to get in our feeder trails we have had a great deal of difficulty. We were going along very nicely but one property owner held up the whole program. I feel that the power of eminent domain will have to be given if we are ever going to complete the program. I don't think it can be completed otherwise. We do have that right in San Mateo County, and it has helped in trying to arrive at the locations we desire. I want to close by saying we have had close cooperation with the horsemen's groups in the county, and they have worked a great many hours.

ZWIERLEIN: I would now like to introduce Mr. William T. Nulty of the Contra Costa County Horsemen's Association.

DICKEY: What criticism do you have in connection with the trails in Contra Costa?

NULTY: Three years ago the trails bogged down, and by cooperation of farmers and property owners, we went to work. We received 100 percent cooperation from Mr. Henley. I listened to the money that was spent in Contra Costa County. Outside of the fences I don't know where it is. They had a machine out there that was an excavator to make trails. They had the wrong kind of machinery. In fact, people called me to take pictures of the toy that was working on the Johnson property. They gave their ground with the fence to be protected, with the understanding that their ground would be disced and kept disced on the trail. That has not been done up to the fourth of this month. Others had the same experience. One person can hold up the whole program. The State has not paid out any money to these people. If this would happen, we could get the trail where it would be secured. One man offered to give us a trail up there if the fire district and the county and the State would pay one-third each. I know this went to Sacramento as the papers all came back. I think when we are trying to get the people's property for nothing, we should cooperate with them. We drafted a letter to the representatives and asked Colonel Kelton and Mr. Hennessey when they would have the advisory meeting so we could be there. We have got no place at all with them, only promises. They said they would advise us when the meetings were to be held but we were not notified so we could have representation there. How can we work with people if they don't work with us? Practically all the land in Contra Costa County was given without cost. The State has not kept its promises in disking the ground and that is the only way we got through that property. The fire hazard is great there. The trails are not at all like we originally planned them.

DICKEY: The trails are 20 feet. If the 20 feet was properly disced, would that be sufficient as a fire break?

NULTY: I believe it would.

DICKEY: I would think a 20-foot fire break would be sufficient.

NULTY: It is a stock county and they would not let us have the ground unless at least 20 feet on this side of the fence was made into a fire break.

THOMPSON: Who made these promises?

NULTY: Mr. Henley. I wanted to know what I could promise the people. Mr. Zuppen locked his gates because this was not done. Some of the gates are not proper. Some are off on the hinges. Three years ago I asked in Sacramento to put in six-foot gates. We told them in Sacramento we would cut our horses on the small ones when we went over the trails. Now these gates practically anywhere over there are not situated right. For instance, the fence will come in here and here and the gate will be put right in the corner. I have asked to have the gate put in the center of the 20-foot right of way. One gate 51 inches was put in. That is what we got when we asked for a six-foot gate We can't cross over Walnut Creek in the condition it is in. The county is scenic but we can't get up there for the reason that the State refuses to pay one-third of the fire trail going up there. What good is a trail if you don't finish it? Someone said we should complete all land acquisitions, but we should work on these trails. We have supervisors 100 percent to work with you gentlemen in Contra Costa County. We had a meeting last week.

DICKEY: In your years of experience in riding—on that particular ridge, did you feel that those banks were too steep?

NULTY: No. Just to show you gentlemen that it can be done, I rode those trails with my grandsons and we had no trouble. A lot of the people who were riding there got off the horses and pulled themselves by the barbed wire fences. A little money spent in widening out the trails would eliminate this.

DICKEY: How much money has been spent per mile outside of the fence?

NULTY: They put in a couple of bridges in there. Outside of the lumber and labor, that is about all it cost. There was no need of the bridges at all. If you dump rock in the bottom to give a foundation, you could put a horse through.

DICKEY: It is your feeling that the bridges that are already constructed were not necessary if the banks had been sloped and rock put in the bottom. What other expenses are there?

NULTY: I don't know. I can't see how it would cost so much.

DICKEY: In order to disk, you would have to use a track layer. If you have property there, wouldn't it be better to acquire 40 feet so that you could zig-zag back and forth?

NULTY: We are getting this property for nothing. I thought if we got a start on it and found out where we made a mistake we could show them where we would need more property and probably the State would give us more money. There was a lot of money spent someplace there, but apparently it was spent for salaries, etc.

DICKEY: This Mr. Henley Who is he?

NULTY: The man in the Lands Division.

DICKEY: I wonder, Mr. Henley, if you would answer a question?

HENLEY: As to the 20 feet and the discing of the 20 feet on either side. This is only to be done on their request.

DICKEY: I am not questioning the advisability of this but I am wondering if we are making a promise that we cannot fulfill. Would the Controller acknowledge a warrant and would the Treasurer pay it? In other words, we are using state funds for work on private land.

HENLEY: All I know is that it was passed and the Department of Finance approved it and it has been recorded and returned. They must put in the request for the outside discing.

THOMPSON: Have these people put in a request, have they asked for it? Mr. Henley, must that request go in in writing and to whom?

HENLEY: It must come in in writing to the department in Sacramento.

DOLWIG: There is only one piece of property that you have acquired where it is supposed to be done?

DICKEY: The understanding was when they secured the property that it was to be disced and kept disced.

HENLEY: The reason is that the grass got high and dry before they got around to do it.

DICKEY: How high was the grass?

HENLEY: I would say from 15 inches to 18 inches.

NULTY: One reason the ground should be disced is because it is on the side ground.

THOMPSON: Wouldn't it have been better to have operated some of it when the grass was right?

DICKEY: Would it be more economical to contract from some farmer who owns some cat or a disc to do it?

NULTY: Yes. A farmer has lots of time between crops when they could do it and would gladly do it.

DICKEY: In other words, it would be better ____

THOMPSON: Can they get in to these trails from these ranches?

NULTY: Yes. There is a gate for the rider to get through and a 12-foot gate for stockmen to get cattle through.

DICKEY: In other words we have too many people in the upper bracket and too few fellows in the field doing anything.

NULTY: That's right.

THOMPSON: Is there anything in the law now that prevents a motorcycle from going over these trails?

DICKEY: Off hand there is nothing I know of to prevent it. I would hesitate to say so definitely until I looked it up but I don't know of anything.

ZWIERLEIN: I would like to call upon the Executive Secretary of the State Horsemen's Association, Mr. Stone.

RAY STONE: I would like to say this, there have been several different counties represented and the desire expressed by the representatives for action on the state trail. Probably a lot of counties would like to have been here to express their views.

THOMPSON: Assemblymen Burkhalter and Hinckley are members of the committee but were not able to be present.

STONE: I was trying to point out that several of the counties I can think of would probably put in their bid for some action if they were here today. When this thing first started to roll a policy was adopted by the Advisory Committee. They foresaw just such a thing as we are up against today. In foreseeing this difficulty they decided that priority would be passed upon in the order in which the county plans were submitted to the Advisory Committee and Park Commission I thought that was an equitable arrangement. Much was made of the Sonoma County project I think it was submitted in the fall of 1947 and one of the copies of the magazine there would indicate that in June of 1948 San Bernardino and Kern Counties projects were submitted This goes to show that counties submitted much later are being worked on now and Sonoma County is not being worked on. I believe a policy should be established whereby

some justification is evidenced for this sort of thing. Another point, I would like to bring out something about what Mr. Zwierlein said. I have a copy here of the agreement between the Public Utilities Commission who control the Spring Valley water portion of the water system and that agreement was reached on the 15th of July, 1949, and as has been stated before, it took two years of political finagling to get this right of way at all. We are told the entire trail had to be completed in a certain length of time. When I requested a copy of this, there is no such clause in it. In going over the situation with Mr. Hennessey we discovered in the correspondence the State had agreed that the permit to use the land could be terminated if the right of way or if the trail had not been acquired and open to the public through San Mateo and Santa Cruz Counties in eight years. It is a matter of record, a letter written to Mr. Eckhard from Mr. Kelton. It is another indication of why—well, why the trails should be completed. We are not favoring any particular section. We are trying to look at it from a state-wide picture. We have members in all parts of the State. I think some solution should be suggested to this problem and some arrangement that a project will be done in a certain order to eliminate any bickering as to who gets what and when. I don't agree with the statements made about the power of condemnation being necessary later. I believe that San Mateo, as was stated here today, is practically completed. The same is true of Los Angeles and San Diego. In all the metropolitan areas they have already secured rights of way. I believe they can get them without the rights of condemnation. Some of the cow county legislators were the ones who objected to this thing on the grounds that they would go right through the middle of ranches, etc. They did not want the State to come along and condemn a trail in the middle of their ranch. They said they would go along if it did not have the power of condemnation. We would like to maintain this. I think we should if possible stick with it. I don't agree at all with what Mr. McCollister said this morning about abandoning construction in favor of acquisition. I think it is possible to seek a compromise between what is being done now and his idea. I think it would be a bad idea to abandon construction in favor of acquisition

THOMPSON: I don't think that is what Mr. McCollister meant. He stressed acquisition rather than going all out for construction.

STONE: I certainly think the construction is very necessary. Particularly in view of certain agreements that we have run into. In making these recommendations, I want you gentlemen to realize that I have been connected with it at every meeting that has been held in California, practically. I have also been connected with the State Horsemen's Association since 1943. I am making my recommendations as I feel the horse people of the State would feel if they could all speak. I think the Advisory Committee coud well consider eliminating the construction of hostels. Mr. Warren said in making up their budget they had an item in there for hostels. The horsemen are usually used to roughing it and I think most of the horsemen think that way about it. Unfortunately Santa Clara County has gone to such lengths in the submission of their reports because, as was brought out by Mr. Dickey, by the time they get around to working on them the property will probably be in other hands. We have not urged counties such as ones illustrated on the map as not having submitted their plans, we have not urged them in any way, because this thing was passed upon as a 10-year proposition in the first place. The acquisition as Mr. Hennessey said is considerably ahead of construction anyway. We

have not urged Tuolumne and a few of the other counties to get their plans in because if they once get their plans in they will feel they should have the work done. These are the only observations I have to make. The state horsemen are the ones that have to go out and try to get money for the riding and hiking trails for the Park Department to work with and maybe it is not strictly the thing to do in the state business, but I think we could very well be taken into consideration when the State Park Department is making up their budget to make up what they need. I think we know more about how the Legislature feels and we should be taken more into consideration when the budget is being made up.

DICKEY: Your Association is made up in a number of component parts You have districts, etc.?

STONE: We have about 235 clubs and the State is cut up into 12 regions.

DICKEY: Don't you think your organization might render a great deal of assistance by constructive criticism that might be brought to our attention? For instance, the gentleman from Contra Costa County who mentioned the many things that were unnecessary to do. If we knew the feeling of the horsemen riding these trails as to what was necessary for the budget, and what would be considered surplus. The bridges, etc., being unnecessary expenditures and such things as that, then this money could be expended and appropriated in a more efficient manner. Many times I receive complaints from horsemen, they don't like a certain trail and want me to vote "No" on something, but give no reason for it. If they will submit some criticism it should be constructive criticism where they feel the department is spending money not judiciously. This can be done throughout the State. I learned things about Contra Costa County trail that we can certainly use as an example in appropriating money for other trails in other counties.

ZWIERLEIN: Would you want this to come direct to the committee?

DICKEY: Yes. Send us a copy of it and a copy to the department. We are going to ask the department's advice as to what they are doing and need. We want information.

THOMPSON: Should that go to the advisory committee?

DOLWIG: Certainly.

DICKEY: The advisory committee, the department and this committee. We want to know what the department is doing and we would certainly inquire from your organization if certain expenditures are necessary. if you feel that they are necessary. I think it is a question of cooperation all the way around If we had more testimony like we got here a few moments ago from the gentleman from Contra Costa County, we are going to know what we are doing when we look at that budget.

STONE: I would like to suggest that if the chairman thinks there is time, that maybe this committee could briefly take a look at the 1951-52 budget.

DICKEY: Ordinarily we don't see the figures of any department except through the courtesy of the head of the department until it comes to the Ways and Means Committee.

DOLWIG: You mention you have been in from the beginning of this program Can you give us a little information about the Butte-Plumas trail program?

STONE: I frankly just don't remember. I presume that * * * actually they have been working on it two and a half years. They started in December, 1947. I presume they started on a priority basis.

DOLWIG: What basis was the priority established?

STONE: I think originally it was first come, first served.

WEAVER: I was going to suggest that you ask Mr. Diggs. He was chairman of this committee at that time.

THOMPSON: I think, gentlemen, we should have a five-minute recess at this time.

THOMPSON: Mr. Phillips, do you have anything on your mind?

JAMES PHILLIPS: I think pretty nearly everything has been said. I am president of the Sacramento County Horsemen's Association and the gentlemen who have spoken today are mostly from counties where the trails have gone through. When you are talking about the Coast Ranges and the Sierras where the trails are going, most of the riders are quite a ways from those trails. Most of the counties are not on the trail routes Many of these people look forward to the time when they can go into the____. This is a state-wide program from border to border each way. Many of the people have not been here today. They have a deep interest in it but they don't bear the responsibility of the trails. The people in Sacramento and in other counties are looking forward to the time when these trails are available. Sacramento County is taking the responsibility of establishing feeder trails out to these trails. We are looking forward to getting feeder trails out to the main trails. The horsemen's outlook is that this particular type of recreation is being pretty much pushed out of existence in those areas. California is a great horse state and it is as justifiable to spend money for this type of recreation as it is to spend it on parks, skiing and many other sports. Some of the horse people up there who are farther away have asked me to speak for them. We feel it is worthy of study by the Legislature and something worth while can come out of it. Particularly when the Legislative Auditor was making certain recommendations. I felt that there was a certain amount of danger in the Legislative Auditor's recommendation of no money. That's as much as saying, kill the program. They did not mean that and what they were saying was you people get together and work with the horse people, the Legislature still believes in the riding and hiking trail program and we hope it will be continued to the satisfaction of the taxpayer and those interested in the program. These trails will be as important to the hikers as they are to the horsemen When they are established the hikers will get as much pleasure out of them as the horsemen. The highways are being improved so you can use a car and the State Legislature should continue to make these trails available.

DICKEY: I would like to ask Mr. Phillips a question. You were here this morning when I was asking about a trail in the Sierras. Knowing the back country and the trails, do you feel that it would be better to be able to ride up around a 4,000-foot level or better to ride around Jimtown, etc.?

PHILLIPS: I feel it would be better to ride around the 4,000-foot level. I was curious to know where it was going to go in Tuolumne County. Sometime in 1946 or '47 I was told that the route had been approved roughly from Mariposa to Angel's Camp. I know that that is rather a hot trip and there is nothing of interest to look at. I don't think the present trail could be ridden in the day time, it would only be used at night.

I wonder if the board of supervisors had the proper conception of this trail program when they laid it out. Now it occurs to me that they should take a pretty close look at these trails before they are put into effect.

DICKEY: There are logging roads in there and roads that the CCC boys built.

PHILLIPS: Yes. Lot's of logging roads through there. About all that I believe would be necessary now for more desirable trails would be to find them. I don't think you would have much of a right-of-way problem up in that country. I just thought a review of any originally proposed trails in that area might be worthwhile and help that part of the problem out.

THOMPSON: Any more questions, gentlemen? Then we will call on Mr. Keller.

N. B. KELLER (Budget Analyst): Speaking for the Legislative Auditor, I believe his attitude is essentially that expressed by Mr. McCollister this morning. Certain moneys were appropriated. The program could best be served by acquiring rights of way and easements with construction to come later when the money becomes available. We recognize that some construction must be done in order to acquire some rights of way, particularly in the areas where there is the possibility of being shut out entirely due to factors of continued growth, etc. I think there should be some clarification regarding the amounts expended. Mr. Dickey made mention of $173,000 for 186 miles of completed trail. This covered the construction and acquisition of the 186 miles and the acquisition and preliminary miles that were simply acquired with nothing else being done.

DOLWIG: Do you have the figures on how many additional miles were acquired?

DICKEY: It might be well for you to furnish those to us.

KELLER: I will do that. I do not have the figures now. Chapter 1469, 1945; 486, 1947; and 112 in 1946. With the exception of 112, those moneys were revertible. There is 176,000 remaining almost indefinitely until it is expended. In addition to that out of support funds furnished to the Division of Beaches and Parks it was estimated during the fiscal year just closed, there was expended exclusively in furtherance of the riding and hiking trails program $47,000 out of regular support funds of the division. So, you have about $220,000 of gross cost for the 186 completed miles of trail.

DOLWIG: Where does that $47,000 come from?

KELLER: That's out of their regular support budget that the department gets every year. The Governor's Budget has in the Division of Beaches and Parks a Division of Acquisition and Engineering. However, I would like to make a further point in connection with that money. Colonel Kelton pointed out that he lost some men. That is true. The comfort stations and the picnicking and camping, that sort of thing was curtailed. At the last session they got only enough to cover the most essential needs for that year. As a result of that cut back we recommended a cut in their staff. Of the $175,000 remaining in Chapter 112, that money is expendable as they see fit and it can be expended for salaries and engineers. These people do not appear in the regular budget.

DOLWIG: After an appropriation is made for a certain project ——

KELLER: They can go out and hire engineers and pay them out of those funds. They could use the $175,000 which is not revertible for

salaries and wages over a long period and use the revertible moneys for acquisition.

DICKEY: Are both of these sums of money earmarked?

KELLER: Yes, for riding and hiking trails.

DICKEY: There was no appropriation in the 1949 Session?

KELLER: $300,000 was the amount of Chapter 112.

DICKEY: How many miles was completed of the $300,000 amount? Do you have any knowledge of how they expended the $125,000?

KELLER: Other than the figures supplied me by the Division of Beaches and Parks, I have not had the time to go over any of the trails

DICKEY. What does their report show as to how they spent the $125.000

KELLER: I have a summary here Their summary shows this is as of March 31, 1950, and at that time the figure was $106.000. The figure they gave you was for August 1st. Anyway you have an additional few months added and which made the $125,000. Out of that $106,000, $23,748 was for salaries and wages, $10,000 for operating expenses, $18,000 for equipment and $1,161 for rights-of-way and title insurance and improvements and construction was $53,000. That makes up the total of $106,000.

DICKEY What is the total amount since 1946 expended by this department?

KELLER: Out of the specific appropriations from July 1, 1945, to March 31, 1950, it was $154,694 This doesn't include the money spent out of their regular support budget. It was $40,000 out of this year just closed. We passed on the budget requested and they estimated about $70,000 in their regular support budget would be expended for riding and hiking trails which included $39.000 for salaries and wages, $31,000 for operating expenses. Now that last figure brings me up to the final objective in connection with the whole idea of the 3,000-mile loop trail If we are to acquire a great deal of right to use federal trails and simply consider them part of the stretch as you mentioned today, we would still have about 2,000 miles that would be entirely state-owned and certainly state maintained On the basis of a sum of $15,000 for the 1950-51 Fiscal Year, this was exclusive of personnel, operating expenses only, on the basis for 200 completed miles, say they have a total of 300 miles for that they contemplate expending $15,000 in maintenance. That was tentative, it may have been changed and probably has been changed The exact figures I do not have now but I will have them.

DICKEY: Would they give you any reasons why they did not expend this money that was revertible?

KELLER: Frankly, no. I did not ask that question They have not given me this information All the facets of this thing do not come out at one time We bear in mind the fact that you cannot compare a state-owned and operated trail system with systems similar to those mentioned by Mr. Campbell today. These are trails which will be used by the general public. Consequently, since this is state-owned, people will be taking liberties which may result in claims against the State. If a horsemen is injured because the trail fell away, he would probably sue the State or attempt to sue the State. Consequently, despite the very best intentions, I think in time to come there will be more pressure for the State to patrol the 2,000 miles the State would own. Well, you could guess what that would cost.

DICKEY: Have you made any comparison with the cost, say, well in comparison with the trails in the Alleghenys?

KELLER: No. I do know something about the Appalachian trails. It is entirely different than ours. Riders go over it with guides. They have to stick with these groups. They are operated on an entirely different basis.

DICKEY: Other than the tours, I was thinking of the cost of construction and maintenance

KELLER: No, we haven't made any study of that.

DOLWIG. If Mr Keller has the time and if it is possible to furnish it to the committee, I think we should have a full auditing report relative to the riding and hiking trails program.

KELLER: If you will send a letter to Mr. Post, that will be done.

PHILLIPS: I think the horsemen in my area are interested in knowing if the Legislative Auditor's office is in a position to say, is the program as justified as when the Legislature set it up or if there is hostility to it and that it may, sometime in the future, be abandoned? Are the horsemen butting their heads against the wall or has this program basic merit and justifies the cooperation of all of us and we can continue to work for it and look forward to its completion.

KELLER: The Legislative Auditor is faced with the problem and faced with it by the Joint Legislative Budget Committee to see that cuts can be made, he has to weigh one thing against another. The most important things should take the least cuts and the least important things take the biggest cuts In some cases it is impossible to do away with some things Some of the services could be reduced probably to save money where it has to be saved.

DICKEY: That resolves itself down to the personal opinion of the Legislative Auditor. You feel that we are influenced by the Legislative Auditor?

PHILLIPS: I think you should be. I think that's what you have him for. Should the program be abandoned, the Legislative Auditor might make this recommendation. I don't say that he has this in mind but we are wondering if this might happen. Cut out the entire appropriation requested without the horsemen knowing why. They could interpret that this program should be terminated now before it gets any further.

DICKEY: But his recommendation, it might not go into the original budget.

PHILLIPS: So, well I just thought maybe the Legislative Auditor would have that opinion. The interested groups should have a statement from him to that effect to clarify the atmosphere on it.

KELLER: There probably was question in recommending against more money in the 1949 session because they never did get around to spending what they had.

DICKEY: Why didn't you use this money? I think we should ask them why they did not use this money.

KELTON: It just got that way in the last two or three months

DICKEY: You mean since this committee was formed?

KELTON: No, possibly five months. You get rights of way for say 20 miles, and then there is a gap in it. We don't dare start spending funds on construction until that gap is closed. I think the construction will step up considerably.

DOLWIG: What is holding back the construction?

KELTON: The U. S. Forest Service, which I hope is being approved. As soon as we have that, about $2,500 are ready to obligate in Yuba County.

DOLWIG: In Butte County, it was started about in 1945 wasn't it?

KELTON: Yes. We have done considerable work in that forest.

WARREN: There is one other consideration there too. It is carrying this work out and the Forest Service doing the actual work, they are limited to the amount of effort they can put out in any one year by the number of supervisory personnel that they have on the force which they can divert from other projects to this project. In other words, if we were to furnish them with enough money to do the full construction necessary in a single year, they would not be able to do that full construction because they would not have the personnel ready. They can hire laborers, carpenters, or other such work that is needed on the trail program, but they have a certain set number of supervisory personnel on their force who have a large number of jobs to perform during the year, including forest fire protection, and we did have that trouble in Butte and Plumas this year. We didn't finish what we had expected because a large amount of the personnel was taken off to fight the forest fires a few months ago They have a very short working year.

DICKEY: You are giving state money to the national forest to cut the fire breaks. Is that right?

WARREN: No, to cut trails. Not as fire breaks.

DICKEY: And how wide are they through the National Forest?

WARREN: They vary from 30 feet to 40 feet.

DICKEY: What are we paying them?

WARREN: As it has worked out so far, they have constructed approximately 11 miles of trail and refurbished about 24 miles and rebuilt a bridge for about 23 or 24 thousand dollars.

DICKEY: You say refurbished—that is an old trail they have gone over?

WARREN: That is right.

DICKEY: In the construction of the bridge—how much was that?

WARREN: We haven't the entire cost of reconstructing that bridge.

DICKEY: There was a federal trail to start with.

WARREN: It was a trail of sorts. The first time I went down that trail at the bridge the grades averaged between 42 percent and 48 percent, with a couple of cables swinging across the river.

John M. Diggs, member of the Advisory Committee, was called on next to answer some questions asked by Mr. Dolwig.

DOLWIG: Why was the Butte-Plumas project selected? I understood that those counties that got in their master plans first received consideration. Sonoma County said their master plan was in before these. Is that correct?

DIGGS: Yes, that is right.

DOLWIG: Why wasn't that given preference?

DIGGS: We have tried for two years, and let us remember that the legislation for this program did not become effective until July 1, 1946, that is approximately four years ago. The first two years we spent a great deal of time trying to get the cooperation of the counties and interested groups in these counties to submit these plans. We didn't know, when we first started this, because no one had ever had experience, and we had to work out a means to an end. It was all experimental. Nothing

like it had ever been attempted in this State or any other state, so we had to go around to these counties and work out plans with the Boards of Supervisors in Sonoma County and San Mateo. San Mateo was the first county to be approved by the board of supervisors and by this committee. We finally began getting a few of these counties to come in, and after the first year we began getting three or four of these counties completed, then we had to wait for others to be completed. In the meantime we had never had experience in acquiring rights of way, so that was difficult. In January, 1949; the acquisition program was turned over to Mr. Hennessey in the Division of Beaches and Parks and we feel that they have had exceptional success in acquiring the rights of way. I personally feel that with Mr. Hennessey's department knowing and doing what he has about the project that they can successfully bring this to a conclusion with condemnation. It has been rather expensive but now we have the thing to the point that we know where we are going and for the first time we have a backlog of rights of way in each county, which is something we haven't had in the past. This is why some of those funds had to revert. We promised the Park Commission we would never approve a project until the program was contiguous.

DOLWIG: Why did Plumas get priority over Sonoma?

DIGGS: I think it was because of the fact that a large portion of the trail went through federal forest areas and after batting our heads against a stone wall we were looking for some place to begin building trails. It is a trail of great scenic beauty. It is a trail that is being used considerably.

DOLWIG: Is that the basis upon which the Advisory Committee made the recommendation to the department?

DIGGS: Yes, as far as I recall. I think it might be well to point out that this trail is 3,000 miles long. That is a lot of trail. It is a big State and this is a new program. The four years we have been working on it is not a long time, though it seems like a long time. But we entered into this without too much experience, in fact, none, and we tried to do it expeditiously and economically. It is true this was all new to the department too, and they had no organization set up to handle it. I feel that while we acknowledge we made some mistakes on the thing, it is mistakes we won't make again. Mistakes we made such as in Contra Costa County are minor and easily corrected. I would say we have actually only had two years in which to work this program. For the first two years we were just groping around trying to find how to get the job done. I know that the State Government is not much different in its operation than the others. I feel there are two ways to do it. That is the right way and the state way. You see it every day, Mr. Dickey, and know it better than I do. There were six business men up to the time Mr. Jorgensen passed away, trying to advise on it. They have been honest, conscientious, and sincere. A lot of fellows criticize us because we don't advise them of the meetings. There has never been a meeting held that Mr. Ray Stone was not advised of. We can't advise all 250 clubs but we expect Mr. Stone to do this. We have had from 12 to 25 horse people at the meetings, and we have encouraged them to come to these meetings. I openly admit we made mistakes in Contra Costa County because it was the first time we had experience. We should have been down there before we went to work at all. I think we could have convinced them to do some things differently but we can't drag this committee all over the State because it is too expensive. So we have kept our

meetings confined to Sacramento because of the expense. That is one of the reasons we haven't got around and looked at this thing with our own eyes. We have depended on the Engineering Department of the Division of Beaches and Parks.

DOLWIG: Don't you think this meeting has been helpful?

DIGGS: I think it is very helpful and I am greatly pleased. I think in hearing these things aired the way we have it has been very beneficial and we have a better knowledge of the problems that confront us.

With the help of Mr. Hennessey's department we can keep well ahead of our backlog of counties so that we can proceed with the construction. That will more or less keep up with the thing. I think we can keep up enough counties so that we will never have to let these funds revert. A meeting like this affords us a great opportunity to get us all better acquainted with the program.

The committee next called on Arthur Johnson, a member of the Sierra Club of Los Angeles, representing the advisory committee.

JOHNSON: I am vice chairman of the advisory committee and a member of the Sierra Club of 20 years standing. There are two or three items I would like to read into your record, because I think they are something that might be clarifying. On August 11, 1947, we approved the master plan for the Butte and Plumas section. On the minutes of November 3, 1947, Mr. Jorgensen reported relative to Sonoma County that the interest was there but that the county supervisor's attitude was not too enthusiastic.

DOLWIG: I would like to clarify any misunderstanding there might be. I am trying to find out what the policy of the advisory committee is because as I look at the map I see you have taken care of San Diego and Los Angeles, then you go way up where there are few people and your main project has been there, and I am wondering why.

JOHNSON: I think Mr. Diggs said that the policy has been to spend money only after the acquisition has been completed. San Mateo County is not yet ready, or is just beginning to be ready, and until a short time ago we had no right of way there. Because we had money to spend, we went to those counties where we did have rights of way we could work on. Butte and Plumas County and Los Angeles County were some of them.

DOLWIG: As I understand it, no effort was made in Sonoma to do this, due to that one man.

JOHNSON: Getting into and out of a county is one of our most important problems Therefore we wanted to be sure we could get through Marin County before we went into Sonoma County.

DOLWIG: Contra Costa is just one leg of the trail anyway. There is no continuous trail completed any place.

JOHNSON: You have heard the testimony here from different groups today We, being a public body without any powers other than advisory, are subject to pressure We received pressure from various groups to construct trails.

DOLWIG: That is the best answer I have heard.

JOHNSON That is all I have to say from the point of the advisory committee.

I presume that you gentlemen are familiar with the Sierra Club It was organized in 1892, and its prime purpose is that of a conservation

program, to lobby for the conservation of our natural resources in California. As it has grown it has expanded its activities outside of California. It was instrumental in having the Valley of Yosemite placed in the federal park It used to be in the state park. They take great pleasure in their efforts in creating various parks and as the result of being outdoor persons, the activities have become quite widespread. We have a skiing and hiking organization. Not all of them get out on the trail, they are merely members because they believe in the purpose of the club. In the last few years they have branched out and this year had a burro trip. There are about 1,000 members that are on the various club trips, one of which happens to be a motor trip into Arizona. The interest of the group is primarily hiking. We have a group who are rock climbers. A hiking trail in the higher elevations would be more to their liking, and I might say as far as the Sierra Club is concerned, they haven't been too interested in the program because they thought it was an equestrian trail, which wouldn't be to their liking. Generally speaking they get back into the higher country, so that development of the trail originally at a lower elevation did not interest them. Only since the trail was forced to higher elevations have they been interested. Just last month they recommended to the advisory committee that the trail be rerouted in Riverside County to a more desirable route It would not detract any from the riders' enjoyment, but it would add to the hikers'. And I think as this progresses and we find we have to go into other areas, that their interest will grow. It was suggested that the trail be put on the back range. It is a more desirable trail from the standpoint of the riders and the hikers as well. So they have become interested. It has only been as the trail has progressed in the last year. In Riverside County they suggested a reroute. Up in this area the California Club held a protest meeting and invited the staff to come, protesting the use of a trail as part of the state system, because of the conflict between their ideas of a trail and the ideas of the horsemen in the same area. I think it can be worked out to mutual benefit. But as you see there is difference of opinion on the trail. I think as we have to go back into the National Forest there are a lot of good areas.

DOLWIG: 4,000 or 5,000 foot level is what the hikers would prefer?

JOHNSON: I think so.

Dan Beebe, a member of the advisory committee from Oroville, testified as follows:

I have very little to say except that I want to add something that John Diggs said. This is one of the finest things that has happened. I have learned more today about the master trail than ever before. We meet infrequently. We don't meet often because we want to keep expenses down. I have enjoyed today's meeting immensely. Why was it that Butte-Plumas Counties got ahead of Sonoma? You fellows are in politics and will understand. You will recognize the truth of the old adage that the squeaking wheel is the one that gets the grease. Well, I was the squeaking wheel. I got my master plan in a hurry. I was the chairman of the Butte-Plumas Committee. It was in Butte and Plumas Counties that we broke the rule that it should stay below the 2,500-foot level. We gave them easy rights of way and they were eager for a place where they could get rights of way and stop arguing about it. I was not then a member of the advisory committee. Sonoma did not squeak. I have made inquiry today and not a member of the committee or any horseman came in again to the committee. It was easy to forget an outfit like that. I believe that is all I have

to say. I want to again state that I am very grateful myself that I was able to attend this hearing.

KELTON: I would like to add a set of maps to the exhibit. This is the general index map. These are the four counties, San Diego, Los Angeles and——

DOLWIG: Does this include all the construction and——

KELTON: It includes the completed trail that is under construction and that on which we have the right of way and that where we have no right of way. We also compiled a complete topographical map of each portion of the trail showing property owners, those acquired and those not acquired, but we did not have it in time to produce at this hearing. There was one other question which we might add. The question about the cost of maintenance of trails. I have the annual report of the Secretary of the Interior, National Parks Service. On page 304 of that report estimates are given for maintenance of roads Approximately 75 percent for trails. The figure is $59 per mile of the total roads and $320 per mile for road maintenance and $42 per mile for trails. That gives some idea of the cost in the future.

RECOMMENDATIONS

1. That the riding and hiking trail program be completed and that sufficient appropriations be made as necessary to bring this about within a reasonable period of time.

2. That the Division of Beaches and Parks secure more help in the acquiring of rights of way. With the development of our rural areas and the increasing difficulty in securing rights of way it is important that this phase of the program be given first priority, and at least that much construction be accomplished that will keep those commitments made by the division to assure rights of way.

3. That the trail be left in as simple and natural a state as is consistent with safety.

4. The committee commends the National Forest Service for their cooperation on the trails program and recommends that the California Division of Forestry be called upon for assistance whenever possible, that their rights of way may be included in the trail system wherever it is found practical, and that some of their stand-by employees be used in construction and maintenance in the interest of economy.

5. That an interim committee of the Legislature be created with sufficient funds allocated to carry on during 1951 and 1952, and that the interim committee submit a report of its findings to the 1953 Legislature.

CONCLUSION

It is the conclusion of the committee that due to the unusual nature of the trail and of the problems confronting the acquisition of the rights of way, and the fact that every step of the way has been a trial and error method due mostly to the lack of eminent domain, that no great amount of undue criticism should be directed at the Division of Beaches and Parks, but rather that they be commended for their ability and persistence in many instances where they have been working under considerable difficulty.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Messrs. Brown and McFall, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. T. R. Robinson of Modesto, Kenneth E. Steven of Modesto, Mrs. Helen Azevedo of Ripon, Mrs. Frank H. Ecker of Modesto, and Leroy Nordfelt of Ripon.

On request of Mr. Belotti, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. E. H. Frame of Elk, Mendocino County, California.

On request of Mr. Munnell, the usual courtesies of the Assembly for this day were unanimously extended to Mr. Harold Lane of Los Angeles.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to Lee M. Roberts of Richmond.

On request of Mr. Waters, the usual courtesies of the Assembly for this day were unanimously extended to Mr. Virgil Pinkley of Los Angeles, Editor and Publisher, *Los Angeles Mirror*.

On request of Mr. Henderson, the usual courtesies of the Assembly for this day were unanimously extended to I. M. Bayliss of Fresno.

On request of Mr. Rosenthal, the usual courtesies of the Assembly for this day were unanimously extended to Mr. Al Gayle of Los Angeles.

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to Colonel C. A. Lundy of Blairsden, and Mr. E. M. Hamlin of Reno, Nevada.

On request of Mr. Meyers, the usual courtesies of the Assembly for this day were unanimously extended to Mr. Lawrence Curtis, and Mr. Lewis McKeown of Santa Clara County.

On request of Mr. Lipscomb, the usual courtesies of the Assembly for this day were unanimously extended to Capt. and Mrs. Robert Hager of Los Angeles.

On request of Messrs. Kilpatrick and Burkhalter, the usual courtesies of the Assembly for this day were unanimously extended to Mr. Harvey M. Toy of San Francisco; and Mrs. Richard Pollard of Honolulu.

MOTION TO APPROVE JOURNALS

Upon motion of Mr. Dickey, the Journals for Monday, January 22, 1951, and for Tuesday, January 23, 1951, were approved as corrected by the Minute Clerk.

ADJOURNMENT

At 10 p m. Tuesday, January 23, 1951, in accordance with the provisions of Senate Concurrent Resolution No. 14, Honorable Sam L. Collins, Speaker of the Assembly, announced that the time for adjournment for the constitutional recess of the 1951 Regular Session of the Legislature of the State of California had arrived, and thereupon declared the Assembly adjourned until 12 m., Monday, March 12, 1951, out of respect to the memory of the late Alexander Watchman, the late James H. McClelland, and the late Fred M. Wolford.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

THIRTEENTH LEGISLATIVE DAY

SEVENTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, March 12, 1951

At 12 o'clock m., pursuant to the requirements of Section 2, Article IV of the Constitution of the State of California, and to the provisions of Senate Concurrent Resolution No. 14, the Assembly was called to order.

Hon. Sam L. Collins, Speaker of the Assembly, presiding

Chief Clerk Arthur A. Ohnimus at the desk

ROLL CALL

The roll was called, and the following answered to their names

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Huckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75

Quorum present

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Our Father, which art in Heaven,
Hallowed be Thy name.

Bless the presiding officer of this Assembly, the Governor of our State, the President of the United States, and all who bear the responsibilities of office. Fill our hearts with Thy presence that we may say, "I will bless the Lord at all times; His praise shall continually be in my mouth."

"God of the earth, the sky, the sea!
Maker of all above, below!
Creation lives and moves in Thee,
Thy present life through all doth flow
We give Thee thanks, Thy name we sing
Almighty Father, Heavenly King."

—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Kelly, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Butters, on motion of Mr. Lincoln
Mr. Lipscomb, on motion of Mr. Lincoln
Mr. Cooke, on motion of Mr. Lincoln.
Mr. Levering, on motion of Mr. Lincoln
Mr. McCarthy, on motion of Mr. Connolly.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly then gave the pledge of allegiance to the Flag

ANNOUNCEMENT

Speaker Sam L. Collins announced that Messrs. Butters and Lipscomb, who have been seriously ill, are fast recovering, and hope to resume their seats on the floor of the Assembly at an early date.

COMMUNICATIONS

By order of Speaker Sam L. Collins, the following communications were deemed read, ordered either noted, or printed, in the Journal, and appropriate action on attached items indicated as set forward below:

By the Chief Clerk:

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
WASHINGTON, D. C., January 26, 1951

Mr. Arthur A. Ohnimus, Chief Clerk
State Capitol, Sacramento 14, California

DEAR MR OHNIMUS: May I say that I heartily agree with the Assembly Joint Resolution No 1 urging the President to petition the British Government to refrain from supplying rubber to the Chinese Red Government. I voted for the resolution urging the United Nations to brand Communist China as an aggressor.

Sincerely yours,

NORRIS POULSON, M C.

By Speaker Sam L. Collins:

Letter of Transmittal

STATE OF CALIFORNIA, DEPARTMENT OF CORRECTIONS
SACRAMENTO, January 24, 1951

Hon. Sam L. Collins, Speaker of the Assembly
California Legislature
State Capitol, Sacramento, California

MY DEAR MR. COLLINS: I have the honor of transmitting herewith a copy of the Biennial Report of the Department of Corrections for the Years 1949-1950. This report outlines the progress made by the department, its agencies and institutions during the past two year period, and the proposed plans to meet the ever increasing needs of the growing inmate population.

May I also, at this time, express my appreciation to you for the cooperation you have given to me and the agencies of the department during the past years

Sincerely,

RICHARD A. McGEE
Director of Corrections

Above transmitted report ordered referred to the Committee on Judiciary.

By the Chief Clerk:

Letter of Transmittal

STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS
SACRAMENTO, January 24, 1951

Mr. Arthur A. Ohnimus
Chief Clerk of the Assembly
State Capitol, Sacramento, California

DEAR MR. OHNIMUS: In accordance with Section 143.2(f) of the Streets and Highways Code, there are transmitted herewith for the use of the Members of the Assembly, 300 copies of the budget report of the Division of Highways as included in the Governor's Budget submitted to the 1951 Session of the Legislature. A limited number of additional copies are available, if needed.

Respectfully submitted,

C. H. PURCELL
Director of Public Works

Above transmitted copies of report ordered distributed to members and to be placed upon their desks.

By Speaker Sam L. Collins:

STATE OF CALIFORNIA, DEPARTMENT OF CORRECTIONS
SACRAMENTO, January 30, 1951

Hon. Sam L. Collins
Speaker of the Assembly, California Legislature
State Capitol, Sacramento, California

DEAR MR. COLLINS: Thank you for your letter of January 25th, acknowledging receipt of a copy of the Biennial Report of the Department of Corrections for the years 1949-1950.

In accordance with your suggestion, we would be pleased to have note made in the Journal concerning our report when the Legislature reconvenes in March.

Sincerely yours,

RICHARD A. McGEE
Director of Corrections

By the Chief Clerk:

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
WASHINGTON, D. C., January 29, 1951

Mr. Arthur A. Ohnimus
Chief Clerk, State Assembly
State Capitol, Sacramento 14, California

DEAR ARTHUR: Thank you for transmitting to me Assembly Joint Resolution No. 1, relating to aid to our enemy. Every citizen, I am sure, was shocked to learn that Kremlin-controlled governments were obtaining potential war materials, even after the breaking out of war between the free nations and those within the orbit dominated by the Kremlin.

Please assure the members that I shall do everything that I possibly can to prevent such shipments in the future.

With kindest regards

Sincerely,

SAM YORTY, M. C.

By the Chief Clerk:

THE STATE OF WYOMING
SENATE CHAMBER, THIRTY-FIRST STATE LEGISLATURE, February 2, 1951

Mr. Arthur A. Ohnimus, Chief Clerk
Assembly, California Legislature
Sacramento 14, California

DEAR SIR: This will confirm your letter of January 31st, addressed to the Legislature of the State of Wyoming, and enclosing a copy of Assembly Joint Resolution Number 4.

The matter has been called to the attention of the President of our State Senate and I have been instructed to inform you that it is extremely doubtful that this session of the Wyoming Legislature will be able to take any action on the resolution, as the deadline for the introduction of bills, resolutions, etc., into our body was on January 27th.

Very truly yours,

WILLIAM A. RINER, JR., Chief Clerk
Senate, State of Wyoming

By the Chief Clerk:

STATE OF COLORADO
SENATE CHAMBER, DENVER, February 5, 1951

Mr. Arthur A. Ohnimus, Chief Clerk
Assembly California Legislature
State Capitol, Sacramento 14, California

DEAR MR. OHNIMUS: This is to advise you that the Colorado State Senate is in receipt of copy of your Assembly Joint Resolution No. 4, and has today introduced in the Senate a Senate Joint Memorial No. 7 along the same line as your Assembly Joint Resolution No. 4.

Very truly yours,

MILDRED H. CRESSWELL
Secretary of the Senate

By the Chief Clerk:

STATE OF IDAHO
SENATE CHAMBER, BOISE, February 5, 1951

Assembly, California Legislature
State Capitol, Sacramento 14, California

ATTENTION MR. ARTHUR A. OHNIMUS, CHIEF CLERK

GENTLEMEN: This will acknowledge receipt of a copy of Assembly Joint Resolution No. 4, which was adopted by the California Legislature on January 22, 1951.

The subject-matter of the joint resolution will be presented to the Idaho Legislature within the next few days and I feel reasonably sure that the Idaho Legislature will take appropriate action. Your thinking is very similar to ours in this matter.

Very truly yours,

E. J. SOELBERG
President pro Tempore

By the Chief Clerk:

STATE OF KANSAS, HOUSE OF REPRESENTATIVES
TOPEKA, February 5, 1951

Mr. Arthur A. Ohnimus, Chief Clerk
Assembly, California Legislature
Sacramento, California

DEAR SIR: With reference to your inquiry of January 30th enclosing copy of your Assembly Joint Resolution No. 4, relative to certain rights of coastal states, you are advised that no proposal of this nature has ever been presented.

Very truly,

H. W. CRAMER, Chief Clerk

By the Chief Clerk

SWING AND GILLESPIE, ATTORNEYS AT LAW
SAN BERNARDINO, CALIFORNIA, February 14, 1951

Hon. Arthur A. Ohnimus
Chief Clerk of the Assembly
State Capitol, Sacramento 14, California

DEAR ARTHUR: I came into my office today and found your letter of February 10th and, likewise, the illuminated copies of House Resolution No. 57, relative to my retirement from the Senate.

It was *indeed gracious* of the Assembly to adopt such a complimentary resolution. I feel deeply indebted to the Assembly, and particularly to Assemblymen Evans and Lyon for introducing it and presenting it to the Assembly. I am causing it to be framed and it will hang alongside the Senate resolution expressing somewhat similar sentiments.

Many thanks for your participation in the matter.

Sincerely,

RALPH E. SWING

By Speaker Sam L. Collins:

February 15, 1951

DEAR MR. COLLINS: Will you please convey to the Members of the Legislature my deepest appreciation for two silver place settings and two extra teaspoons as a wedding gift by the generosity of your members.

Many, many thanks.

Sincerely,

GRACE O. CONRAD
(Mrs. Chas. J. Conrad)

By the Chief Clerk:

CITY OF SUNNYVALE
CITY HALL, SUNNYVALE, CALIFORNIA, February 17, 1951

Assembly California Legislature,
Sacramento 14, California

ATTENTION: ARTHUR A OHNIMUS, CHIEF CLERK

GENTLEMEN: The City Council of the City of Sunnyvale wish to express a vote of thanks and gratitude to you in adopting the Assembly Concurrent Resolution No 14

Very truly yours,

IDA TRUBSCHENCK, City Clerk

cc to Robert C Kirkwood

By the Chief Clerk:

SACRAMENTO, CALIFORNIA, February 21, 1951

Mr Arthur A Ohnimus
Chief Clerk of the Assembly
State Capitol, Sacramento California

DEAR ARTHUR Please will you express to the Members of the Assembly the sincere appreciation of my family and myself for the lovely floral wreath which the Assembly sent to the funeral of my beloved mother?

Will you also please extend our appreciation to the Assembly attaches for the beautiful floral pillow which they sent?

I cannot find words to express the depth of gratitude we feel for the kindness and sympathy they expressed to us in our bereavement

Sincerely,

ELEANOR DONOGHUE

By Speaker Sam L Collins:

Letter of Transmittal

STATE OF CALIFORNIA, DEPARTMENT OF MENTAL HYGIENE
THE LANGLEY PORTER CLINIC, SAN FRANCISCO, February 27, 1951

The Honorable Sam L Collins, Speaker of the Assembly
Assembly Chamber, Sacramento, California

DEAR MR SPEAKER In accordance with Section 4, Assembly Bill No. 98, I am submitting my report of the research work that has been carried out on the problem of sex crimes and my recommendations for the research for the coming year

In this report I ask for a budget for $140,000 for the Fiscal Year 1951-1952 and give in detail the researches for which this money is requested. If you wish any further information, I shall of course be only too happy to give it to you

I enclose two copies of my report which I am required to submit to the Legislature. This is stipulated under Section 4 of the act, which reads as follows:

"The Superintendent of Langley Porter Clinic shall make a written and detailed report of the activities and studies under this act and his findings and recommendations relating thereto and file the same with the Governor and the Legislature not later than March 1, 1951 In this report said superintendent shall outline such further research program as he deems it desirable to undertake and shall outline the more promising avenues of research Said superintendent may include in such report such bibliography of materials for study as he deems appropriate"

Very truly yours,

KARL M BOWMAN, M D
Medical Superintendent

Above transmitted copies of report ordered referred to the Committee on Judiciary

By the Chief Clerk:

Letter of Transmittal

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
SACRAMENTO, February 28, 1951

RE H R 77, 1950 First Extraordinary Session

Hon Arthur A. Ohnimus
Chief Clerk of the Assembly
State Capitol, Sacramento, California

DEAR MR. OHNIMUS: Under date of January 3 1951, we forwarded to you six copies of a report which had been prepared in accordance with the request contained in

House Resolution No. 77. By this resolution the Department of Public Works, Division of Highways, was requested to make a survey to establish the most feasible location for a state highway route from State Highway Route 2 in the vicinity of Reseda Boulevard to State Highway Route 60 in the vicinity of Santa Monica and Sunset Boulevard, and to report thereon to the Assembly not later than January 15, 1951

By reason of typographical errors in the report forwarded to you on January 3, 1951, it has been necessary to make certain corrections. There are attached hereto six copies of the corrected report. Will you please substitute these six copies for the ones that were forwarded on January 3 and destroy the copies forwarded to you at that time?

Very truly yours,

C. H. PURCELL
Director of Public Works

Above six copies of corrected report ordered referred to the Committee on Conservation, Planning, and Public Works. (Above mentioned communication was printed in the Assembly Journal on January 10th.)

By Speaker Sam L. Collins:

Hon. Sam L. Collins
Speaker of the Assembly
North Cypress Avenue
Fullerton, California

DEAR MR. COLLINS: We earnestly solicit your support.

CALIFORNIA STATE JUNIOR CHAMBER OF COMMERCE

Resolution

WHEREAS, The California State Junior Chamber of Commerce has long interested itself in the welfare of youth and the promotion of positive educational programs for the children of our communities and our State; and

WHEREAS, The Legislature of the State of California meeting in Session in 1947 has passed the California Academies Act, to provide a twenty-four hour school for homeless, neglected, and abandoned children; and

WHEREAS, The need for these schools is both immediate and great in order to help those less fortunate children who have become dependent upon our society; therefore be it

Resolved, That the California State Junior Chamber of Commerce meeting in the State Board Session this twenty-fourth day of February, 1951, do hereby, urge that necessary steps be taken immediately to bring about the said schools for homeless, abandoned and neglected children; and, therefore be it further

Resolved, That copies of this resolution be forwarded to the Hon. Earl Warren, Governor of the State of California; the Hon. James Dean, Director of the Budget; the Hon. Goodwin Knight, President of the State Senate; the Hon. Harold J. Powers, President pro Tempore; Hon. Sam L. Collins, Speaker of the Assembly, and interested committee chairmen of both houses, and that copies of this resolution be printed in the respective Journals

The foregoing resolution was unanimously adopted this twenty-fourth day of February, 1951.

EVERETT S. ROSS, President
California State Junior Chamber of Commerce
GEORGE WAITE, Executive Secretary
California State Junior Chamber of Commerce

By the Chief Clerk:

DEPARTMENT OF COMMERCE
NATIONAL PRODUCTION AUTHORITY
WASHINGTON, March 5, 1951

Mr. Arthur A. Ohnimus, Chief Clerk
State Capitol, Sacramento 14, California

DEAR MR. OHNIMUS: The White House has referred to us your little note of January 25th, enclosing copies of the Assembly joint resolutions numbered 3, 7, and 11

It would seem to be the sense of these resolutions to have the National Production Authority issue a blanket priority to the counties of Los Angeles for the materials and equipment required in connection with their pollution control program, but we regret to advise that no provisions have been made for the issuance of such blanket authority.

I would suggest, therefore, that the Air Pollution Control Committee of Los Angeles search and exhaust all of the local sources for such materials and supplies from the sources from which they regularly purchase their supplies and equipment,

and in the event that they are unable to procure one or two of the critical items, we will be glad to undertake to assist them toward their procurement when such checks will have been developed by their purchasing sources.

We wish to assure you that we are keenly conscious of the important part of the defense program represented by that industrial area and will be glad to exercise what assistance we can render to the utmost on their behalf.

With kindest wishes, I am

Very cordially yours,

LEWIS ALLEN WEISS, Director
Office of Civilian Requirements

By the Chief Clerk:

Letter of Transmittal

DEPARTMENT OF PROFESSIONAL AND VOCATIONAL STANDARDS
DIVISION OF ADMINISTRATIVE PROCEDURE
SACRAMENTO, CALIFORNIA, March 6, 1951

Chief Clerk of the Assembly
State Capitol, Sacramento, California

RE: Third Biennial Report

DEAR SIR: The Division of Administrative Procedure herewith presents to the Assembly its Third Biennial Report.

Respectfully submitted,

COLEMAN E. STEWART, Chief
Division of Administrative Procedure

Above transmitted report ordered referred to the Committee on Governmental Efficiency and Economy.

By Speaker Sam L. Collins:

Letter of Transmittal

STATE OF CALIFORNIA
STATE EMPLOYEES' RETIREMENT SYSTEM
SACRAMENTO, March 8, 1951

Honorable Sam L. Collins
Speaker of the Assembly
State Capitol, Sacramento, California

DEAR MR. COLLINS: Section 9354.3 of the Government Code provides that a copy of the Annual Report of the Legislators' Retirement System shall be transmitted to each house of the Legislature not later than March 15th. Each member of the system was sent a report in January.

In conformity with the requirement of law, a copy of the annual report for the fiscal year ending June 30, 1950, is transmitted herewith to the Assembly.

Yours truly,

EARL W. CHAPMAN, Executive Officer

Above transmitted report ordered referred to the Committee on Civil Service and State Personnel.

By Speaker Sam L. Collins:

YOUTH AND GOVERNMENT PROGRAM
PACIFIC SOUTHWEST AREA COUNCIL OF THE NATIONAL COUNCIL
OF YOUNG MEN'S CHRISTIAN ASSOCIATIONS
March 8, 1951

DEAR MR. SPEAKER: I have been instructed by the Members of the Assembly of the Third Annual Y. M. C. A. Youth and Government Program to convey to you our sincere appreciation for the use of the facilities in the Assembly Chamber. I should like to ask you to also express our appreciation to the Members of the California State Assembly.

For the past three years we have accepted the honor of meeting in the Assembly Chamber, and I feel that I speak for the entire membership in expressing our deepest appreciation for this privilege.

Thank you once again.

Sincerely yours,

RUTH COOKE
Chief Clerk Assembly, Model Youth Legislature
14741 Valerio Street, Van Nuys, California

Assembly Concurrent Resolution No. 5

Introduced by Miss Brown and Miss Fleckenstein, representing Modesto and Ceres Tri-Hi-Y Clubs, February 24, 1951

WHEREAS, The California State Legislature has extended the use of the Capitol facilities for the Third Annual YMCA Youth and Government Model Legislature; and

WHEREAS, Democracy must be learned by each generation in order to keep our cherished form of government vital and alive; and

WHEREAS, The youth of the State of California appreciate the annual opportunity to acquaint themselves at first hand with the extremely important job of their legislative representatives; be it

Resolved by the Assembly of the Third Annual YMCA Model Legislature, the Senate thereof concurring, That the participants of the Third Annual YMCA Model Legislature extend to the Members of the Legislature a vote of thanks and appreciation; and be it further

Resolved, That the Chief Clerk of the Assembly of the YMCA Model Legislature convey this resolution to the Speaker of the Assembly of the State of California, Sam L. Collins, and that the Secretary of the Senate of the YMCA Model Legislature likewise convey this resolution to the Lieutenant Governor, Hon. Goodwin J. Knight

February 24.

Read and Adopted to Senate.

Read and Adopted by Senate to Assembly.

By the Chief Clerk:

Letter of Transmittal

CITY OF LOS ANGELES, CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
BUREAU OF ENGINEERING, LOS ANGELES

DATE March 8, 1951
FILE NO. 70
SUBJECT Parkways General Proposed Freeway Construction Program

Mr. Arthur A. Ohnimus, Chief Clerk
The Assembly, California State Legislature
State Capitol, Sacramento, California

DEAR SIR: I transmit herewith, as directed, copy of the action taken by the City Council of Los Angeles on February 20, 1951, and a copy of a resolution adopted by the council on the same date relative to the construction of freeways in the Los Angeles area.

The action of the council refers to a report of the city engineer concerning this matter. Accordingly a copy of this report, dated January 19, 1951, is also included herewith. The report explains in detail the action taken by the council.

It is requested that you take appropriate steps to bring this action and resolution to the attention of the Members of the Assembly.

Yours very truly,

LLOYD ALDRICH, City Engineer

Above transmitted copies of report, action taken by the City Council of Los Angeles, and resolution ordered referred to the Committee on Conservation, Planning, and Public Works.

By the Chief Clerk:

A communication from Leo A. Harris, Director of Athletics, University of Oregon, relative to acknowledging receipt of House Resolution No. 24, and expressing appropriate comments, was received, and ordered referred to the Committee on Rules.

By the Chief Clerk:

A communication from Orlando John Hollis, Faculty Athletic Representative of the University of Oregon, School of Law, acknowledging receipt of House Resolution No. 24, and expressing comments appropriate to the resolution, was received, and ordered referred to the Committee on Rules.

By the Chief Clerk:

A communication and song entitled "California I Want to Rest In Your Arms" from Henry A Stein, were received, and ordered referred to the Committee on Rules

By the Chief Clerk:

A communication from Frank W Baily of Sunland, relative to increasing the pensions of former employees covered by the State Employees' Retirement Fund, was received, and ordered referred to the Committee on Civil Service and State Personnel.

By the Chief Clerk:

A communication from Harold L Bumbaugh of Hollywood, relative to the passage of Assembly Bill No 3096, was received, and ordered referred to the Committee on Governmental Efficiency and Economy.

By the Chief Clerk:

A communication from Ramón Novarro of North Hollywood, relative to the passage of Assembly Bill No. 3096, was received, and ordered referred to the Committee on Governmental Efficiency and Economy.

By the Chief Clerk:

A communication from Mrs Fleetwood Southcott of Woodland Hills, relative to the passage of Assembly Bill No 3096, was received and ordered referred to the Committee on Governmental Efficiency and Economy.

By the Chief Clerk:

A communication from Mrs. Lena Cahlan Mathews of San Francisco, expressing appreciation to Members of the Assembly for adopting a resolution in respect to the memory of her late husband, Mr A J Mathews, a former Assemblyman, was received, and ordered filed with the Secretary of State.

By the Chief Clerk:

A communication from Victor O Schmidt, Commissioner of the Pacific Coast Intercollegiate Athletic Conference, acknowledging receipt of House Resolution No 24, and discussing details relating to the conference, was received, and ordered referred to the Committee on Rules.

By the Chief Clerk:

A communication and resolution from Al B Boyer, District Attorney of Auburn, relative to action taken by the Placer County Grand Jury of 1950-1951 regarding to conservation districts, were received, and ordered referred to the Committee on Conservation, Planning, and Public Works.

By the Chief Clerk:

A communication from Durward V Sandifer, Acting Assistant Secretary of State, Washington, D. C., acknowledging receipt of Assembly Joint Resolution No 1 and enclosing a memorandum relative to action

taken by the General Assembly of the United Nations in regard to the shipment of rubber and other necessities to the Red aggressors in Korea, were received, and ordered referred to the Committee on Rules.

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal:

CAPITOL CORRESPONDENTS ASSOCIATION OF CALIFORNIA
STATE CAPITOL, SACRAMENTO, March 12, 1951

Hon. Sam L. Collins, Speaker
The Assembly, Assembly Chamber, State Capitol

DEAR MR. SPEAKER: In compliance with House Rule 24 and Joint Rule 32, the Standing Committee of the Capitol Correspondents Association has examined applications for authentication as accredited press representatives, and makes the following recommendations.

Approved for Press Cards

Associated Press—Gene Kramer (replacing Richard D. Bieser, transferred).
United Press—Ed Capps (addition to staff).
Wall Street Journal—Al Calais.

Sincerely,

EARL C. BEHRENS, President

RATIFICATION OF ACTION TAKEN BY CAPITOL CORRESPONDENTS ASSOCIATION

By unanimous consent, the Assembly ratified the above action taken by the Capitol Correspondents Association of California

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

CAPITOL CORRESPONDENTS ASSOCIATION OF CALIFORNIA
STATE CAPITOL, SACRAMENTO, March 12, 1951

Hon. Arthur A. Ohnimus, Chief Clerk
The Assembly, Assembly Chamber

DEAR MR. OHNIMUS: The following changes in the Capitol Correspondents Association lists are made necessary by the transfer of Lloyd Lapham to Washington, D. C.:

Substitute James C. Anderson, United Press, for Lapham as member of the standing committee, and vice president

Remove name of Lloyd Lapham from list accredited to United Press staff

Sincerely,

EARL C. BEHRENS, President

RATIFICATION OF ACTION TAKEN BY CAPITOL CORRESPONDENTS ASSOCIATION

By unanimous consent, the Assembly ratified the above action taken by the Capitol Correspondents Association of California

RESOLUTIONS

The following resolutions were offered:

By Mr. Lyon:

House Resolution No. 71

Resolved, That the Speaker appoint a Select Committee of Three to notify the Senate that the Assembly has reconvened pursuant to Senate Concurrent Resolution No. 14 and is ready to proceed with the business of the State with all officers heretofore elected present, to wit:

Hon. Sam L. Collins—*Speaker*
Hon. Thomas A. Maloney—*Speaker pro Tempore*
Arthur A. Ohnimus—*Chief Clerk*
Geraldine B. Hadsell—*Minute Clerk*
Wilkie Ogg—*Sergeant-at-Arms*
Andrew J. Cecchettini—*Chief Assistant Sergeant-at-Arms*
Rev. Clarence A. Kircher—*Chaplain*

Request for Unanimous Consent

Mr. Lyon asked for, and was granted, unanimous consent to take up House Resolution No. 71, at this time, without reference to committee or file.

Resolution read, and adopted.

Appointment of Select Committee

Pursuant to the provisions of House Resolution No. 71, the Speaker announced the appointment of Messrs. Lyon, Gubser, and McFall as such Select Committee to wait upon the Senate

By Mr. Maloney:

House Resolution No. 72

Resolved, That a Select Committee of Five be appointed by the Speaker to wait upon the Governor and inform him that the Assembly has reconvened after the constitutional recess, and awaits any communication that he may wish to make to it.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 72, at this time, without reference to committee or file

Resolution read, and adopted.

Appointment of Select Committee

Pursuant to the provisions of House Resolution No. 72, the Speaker announced the appointment of Messrs. Maloney, Lanterman, Parker, Evans, and Henderson as such Select Committee to wait upon the Governor.

By Mr. Dickey:

House Resolution No. 73

Resolved by the Assembly of the State of California, That the State Controller be and he is hereby directed to draw his warrants on the proper fund in favor of the following Members and Officers of the Assembly for the amount set opposite their respective names, and the State Treasurer is hereby directed and ordered to pay the same.

District	Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
1	Frank P Belotti	Eureka, Humboldt County	312	--	--	312	624	$31 20
2	Lester Thomas Davis	Portola, Plumas County	136	40	--	176	352	17 60
3	Lloyd W Lowrey	Rumsey, Yolo County	23	36	--	59	118	5 90
4	Arthur W Coats, Jr	Yuba City, Sutter County	58	--	--	58	116	5 80
6	Francis C Lindsay	Loomis, Placer County	37	--	10	27	54	2 70
7	Richard H McCollister	Mill Valley, Marin County	105	8	--	113	226	11 30
8	Gordon A Fleury	Sacramento, Sacramento County	--	--	--	--	--	-----
9	John E Moss, Jr	Sacramento, Sacramento County	--	--	--	--	--	-----
10	Robert L Condon	Walnut Creek, Contra Costa County	62	11	--	73	146	7 30
11	Howard Q Parker	Stockton, San Joaquin County	48	--	--	48	96	4 80
12	John J McFall	Manteca, San Joaquin County	18	10	--	58	116	5 80
13	Francis Dunn, Jr	Oakland, Alameda County	84	--	-	84	168	8 40
14	Randal F Dickey	Alameda, Alameda County	84	5	--	89	178	8 90
15	Luther H Abe Lincoln	Oakland, Alameda County	84	--	--	84	168	8 40
16	Marvin Sherwin	Piedmont, Alameda County	84	--	--	84	168	8 40
17	William Byron Rumford	Berkeley, Alameda County	84	--	1	83	166	8 30
18	Thomas W Caldecott	Berkeley, Alameda County	84	--	1	83	166	8 30
19	Bernard R Brady	San Francisco, San Francisco County	90	--	--	90	180	9 00
20	Thomas A Maloney	San Francisco, San Francisco County	90	--	--	90	180	9 00
21	Arthur H Connolly, Jr	San Francisco, San Francisco County	90	--	--	90	180	9 00

District	Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
22	George D Collins, Jr.	San Francisco, San Francisco County	90	--	--	90	180	$9 00
23	William Clifton Berry	San Francisco, San Francisco County	90	--	--	90	180	9 00
24	Charles W Meyers	San Francisco San Francisco County	90	--	--	90	180	9 00
26	Edward M Gaffney	San Francisco, San Francisco County	90	--	--	90	180	9 00
27	Richard J Dolwig	South San Francisco, San Mateo County	119	--	11	108	216	10 80
28	Robert C Kirkwood	Saratoga, Santa Clara County	128	12	--	140	280	14 00
29	Charles S Gubser	Gilroy, Santa Clara County	128	28	--	156	312	15 60
30	Ralph M Brown	Modesto, Stanislaus County	77	--	--	77	154	7 70
31	George A Clarke	Planada, Merced County	114	10	--	124	248	12 40
32	Donald L Grunsky	Watsonville Santa Cruz County	198	20	--	218	436	21 80
33	James W Silliman	Salinas, Monterey County	208	--	--	208	416	20 80
34	Wallace D Henderson	Fresno, Fresno County	169	--	--	169	338	16 90
35	William W Hansen	Fresno, Fresno County	169	3	--	172	344	17 20
36	Harlan Hagen	Hanford, Kings County	214	--	--	214	428	21 40
37	Stanley T Tomlinson	Santa Barbara, Santa Barbara County	460	--	--	460	920	46 00
39	H W Kelly	Shafter, Kern County	278	--	6	272	544	27 20
40	William H Rosenthal	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
41	Julian Beck	San Fernando, Los Angeles County	447	--	21	426	852	42 60
42	Everett G Burkhalter	North Hollywood Los Angeles County	447	--	--	447	894	44 70
43	H Allen Smith	Glendale, Los Angeles County	447	--	10	437	874	43 70
44	Edward E Elliott	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
45	Thomas J Doyle	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
46	Charles Edward Chapel	Inglewood Los Angeles County	447	10	--	457	914	45 70
47	Albert I Stewart	Pasadena, Los Angeles County	447	13	--	460	920	46 00
48	Frank Lanterman	La Canada, Los Angeles County	447	16	--	463	926	46 30
49	Ernest R Geddes	Claremont, Los Angeles County	447	26	--	473	946	47 30
50	Thomas M Erwin	Puente Los Angeles County	447	19	--	466	932	16 60
51	William A Munnell	Los Angeles Los Angeles County	447	--	--	447	894	44 70
52	Jonathan J Holtzbaugh	Huntington Park Los Angeles County	447	6	--	453	906	45 30
53	Montivel A Burke	Alhambra, Los Angeles County	447	9	--	456	912	45 60
54	John L E Collier	Los Angeles Los Angeles County	447	--	--	447	894	44 70
55	Vernon Kilpatrick	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
57	Charles J Conrad	Hollywood Los Angeles County	447	--	--	447	894	44 70
58	Laughlin E Waters	Los Angeles Los Angeles County	447	--	--	447	894	44 70
59	Charles W Lyon	Beverly Hills Los Angeles County	447	8	--	455	910	45 50
61	Lester A McMillan	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
62	Augustus F Hawkins	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
63	G Delbert Morris	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
64	Patrick D McGee	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
65	John W Evans	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
66	Gordon R Hahn	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
67	Clayton A Dills	Gardena Los Angeles County	447	11	--	458	916	45 80
68	Vincent Thomas	San Pedro, Los Angeles County	447	23	--	470	940	47 00
69	Carley V Porter	Compton, Los Angeles County	447	18	--	465	930	46 50
70	William S Grant	Long Beach, Los Angeles County	447	22	--	469	938	46 90
71	Herbert R Klocksiem	Long Beach, Los Angeles County	447	22	--	469	938	46 90
72	Stanford C Shaw	Ontario, San Bernardino County	508	--	23	485	970	48 50
73	L Stewart Hinckley	Redlands San Bernardino County	508	9	--	517	1 034	51 70
74	Earl W Stanley	Balboa Island, Orange County	481	8	--	489	978	48 90
75	Sam L Collins	Fullerton, Orange County	481	--	11	470	940	47 00
76	John D Babbage	Riverside Riverside County	512	--	--	512	1,024	51 20
78	Frank Luckel	San Diego, San Diego County	573	--	--	573	1,146	57 30
79	Kathryn T Niehouse	San Diego, San Diego County	573	--	--	573	1,146	57 30
80	Ralph R Cloyed	Chula Vista, San Diego County	573	10	--	583	1,166	58 30

Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 10 cents per mile
Arthur A Ohnimus	San Francisco, San Francisco County	--	--	--	---	---	-----
Geraldine B Hadsell	Los Angeles, Los Angeles County	447	--	--	447	894	$89 40
Wilkie Ogg	Sacramento, Sacramento County	--	--	--	---	---	-----

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 73, at this time, without reference to committee or file

Resolution read.

The roll was called, and the resolution adopted by the following vote

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Nicholse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69

NOES—None

By Mr. Dickey:

House Resolution No. 74

Resolved by the Assembly of the State of California, That the Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly in favor of the Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, in the sum of two thousand dollars ($2,000), said amount being for the purchase of postage stamps to be used by Members of the Assembly for official mail; and be it further

Resolved, That the Chief Clerk be and he is hereby directed to purchase postage stamps in such amounts and denominations, not exceeding two thousand dollars ($2,000) in the aggregate, as shall be necessary for the use of the Members of the Assembly for official mail; and be it further

Resolved, That the amount of stamps requisitioned by any one Member of the Assembly for official mail shall not exceed the sum of twenty-five dollars ($25)

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 74 at this time, without reference to committee or file

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Nicholse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69

NOES—None

By Mr. Dickey:

House Resolution No. 75

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly in favor of Arthur A. Ohnimus, Chief Clerk, and the State Treasurer is hereby directed to pay the same for the sum of two hundred fifty dollars ($250), said amount being for the payment of postage, telegraphing, expressage, and incidental expenses of the Chief Clerk's Office

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 75, at this time, without reference to committee or file

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69

NOES—None

By Mr. Dickey:

House Resolution No. 76

Resolved, That the Controller be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Department of Finance (supplies)	$484 16
Department of Finance (pro-rate cost of telephone service)	178 39
Department of Finance (typewriter service)	76 04
Department of Finance (mimeograph service)	5 40
Department of Finance (repairing locks and desk)	7 86
Department of Finance (telephone directories)	6 00
The Pacific Telephone & Telegraph Co. (service, equipment and tolls)	171.63
Western Union (telegrams)	24 36
Secretary of State (photostats)	2 10
The Shasta Water Company (drinking water)	14.64
Senator Florists (floral piece—Mrs. Olbrich)	15 45
Pollock's Flowers (floral piece—Mrs. Butters)	20 70
Cascade Towel Supply (towel service)	42.90

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 76, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69

NOES—None.

By Mr. Dickey:

House Resolution No. 77

MR. SPEAKER: Your Committee on Rules respectfully begs to report that it has carefully considered the applications for the various positions and desires to submit the following resolution:

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their respective names, payable weekly, and the Controller is hereby directed

to draw his warrants in favor of the respective persons in the said amounts and the Treasurer is hereby directed to pay the same

Commencing Monday, March 12, 1951	*Per Day*
Chief Clerk, Arthur A. Ohnimus	$25.00
Minute Clerk, Geraldine B. Hadsell	15 00
Sergeant-at-Arms, Wilkie Ogg	15 00
Chaplain, Rev Clarence A. Kircher	5 00
Assistant Chief Clerk, Harold F. Lewright	15 00
Engrossing-Enrolling Clerk, Charles W. Robbins	14 00
History Clerk, Ethel E. Brockelbank	13 00
File Clerk, Ruth Riley	12.00
Assistant Clerk, John R. Wendt	12 00
Assistant Clerk, Paul F. Crum	12 00
Assistant Clerk, Robert W. Crown	12 00
Journal Clerk, Walter W. Feeley	12 00
Assistant at Desk, William J Greene	11 00
Chief Assistant Sergeant-at-Arms, Andrew J. Cecchettini	13.00

Resolved, That the compensation of the above named attaches shall be on a seven-day week basis.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 77, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69

NOES—None

By Mr. Dickey:

House Resolution No. 78

Relative to distribution of California Blue Book

WHEREAS, The 1950 California Blue Book has been published and distributed, and

WHEREAS, The California Blue Book contains useful and valuable information pertaining to this State, its resources, industries, and government; and

WHEREAS, The 13 new Members of this Assembly have not received copies of this book, now, therefore, be it

Resolved, That the Chief Clerk is authorized to deliver to each of the 13 new Members of the Assembly for the 1951 Legislative Session five copies of the California Blue Book, and one copy each to accredited news services and newspapers as published in the Semi-final History of 1951

Request for Unanimous Consent

Mr Dickey asked for, and was granted, unanimous consent to take up House Resolution No 78, at this time, without reference to committee or file.

Resolution read, and adopted.

By Mr. Dickey:

House Resolution No. 79

Resolved by the Assembly of the State of California, That all bills set for hearing by any Assembly committee, except the Assembly Committee on Rules, must be published in the Daily File not less than three days in advance of such hearing, such action to take effect beginning Monday, March 19, 1951

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 79, at this time, without reference to committee or file

Resolution read, and adopted

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were offered:

Assembly Concurrent Resolution No. 28: By Mr. Kirkwood—Relative to approving Charter Amendment No. 30 to the charter of the City of Palo Alto, County of Santa Clara, State of California, voted for and ratified by the qualified electors of the said City of Palo Alto at a special municipal election held therein for that purpose on the seventh day of November, 1950

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 29: By Messrs. McCollister and Burkhalter—Relative to eggs shipped to Hawaii.

Referred to Committee on Rules.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE, Sacramento, March 12, 1951

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN: There is attached hereto copy of the certificate of the Clerk of the House of Representatives of the United States certifying that the State of California is entitled in the Eighty-third Congress and in each Congress thereafter until further reapportionment, to a total of 30 Representatives

The original of this certificate has been filed with the Secretary of State

Respectfully submitted,

(SEAL) EARL WARREN, Governor

EW:hs

Above transmitted copy of certificate ordered referred to the Committee on Elections and Reapportionment

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 35—An act to amend Section 15961 of the Education Code relating to school sites, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 38—An act making an appropriation for the purpose of increasing salaries of state employees, to take effect immediately;

Assembly Bill No. 51—An act to amend Sections 7 and 11 of the Unemployment Insurance Act, relating to a System of Unemployment and Disability Insurance, declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fourth day of January, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 23—Relative to approving amendments to the charter of the City of Richmond, a municipal corporation in the County of Contra Costa, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the seventh day of November, 1950;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twenty-fourth day of January, 1951, at 2 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1951

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 14—Commending the city council and governmental agencies of the City of Sunnyvale and other cooperating agencies throughout the County of Santa Clara, for their splendid conduct during a recent emergency;

Assembly Concurrent Resolution No. 16—Relative to extending good wishes for a speedy recovery to Ida R. Koverman;

Assembly Concurrent Resolution No. 21—Approving certain amendments to the charter of the City of Culver City, County of Los Angeles, State of California, voted for and ratified by the electors of said City of Culver City at a special municipal election held therein on the seventh day of November, 1950;

Assembly Concurrent Resolution No. 22—Relating to Mrs. Edna May Butters and Assemblyman George R Butters;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the twenty-fourth day of January, 1951, at 2 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 14—Relative to memorializing Congress to take action for protection for civilian injuries or deaths resulting from acts of war;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twenty-fourth day of January, 1951, at 2 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 3—Relative to the tidelands and submerged lands adjacent to the coastal states;

Assembly Joint Resolution No. 4—Relative to lands beneath the navigable waters adjacent to the coasts of coastal states;

Assembly Joint Resolution No. 7—Relative to acquisition of land by the United States;

Assembly Joint Resolution No. 11—Relative to materials and equipment necessary for air pollution control;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the twenty-fourth day of January, 1951, at 2 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1951

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 142—An act to add Section 5 1 to the Metropolitan Water District Act, relating to the powers of metropolitan water districts, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1878—An act relating to revenues from tide and submerged lands, including provisions to establish a Special Deposit Fund in the State Treasury for the deposit of revenues from tide and submerged lands, providing for the transfer thereof, and making an appropriation, declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fourth day of January, 1951, at 2 p m.

BURKE, Chairman

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 28

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were offered:

Assembly Joint Resolution No. 15: By Mr. McMillan—Relative to the Korean conflict.

Referred to Committee on Rules.

Assembly Joint Resolution No. 16: By Messrs Hawkins, Hollibaugh, Doyle, Geddes, Burkhalter, Dickey, Dunn, Elliott, Evans, McCollister, and Morris—Relative to the compensation of postal employees.

Referred to Committee on Rules.

REPORTS OF SELECT COMMITTEES

The Select Committee appointed to wait upon the Governor reported that it had performed its duty.

The Select Committee appointed to wait upon the Senate reported that the Senate was organized, and ready to proceed with the regular business.

COMMITTEE FROM THE SENATE

Senators Thompson, Judah, and Miller appeared before the bar of the Assembly, and informed the Assembly that, pursuant to the provisions of Senate Concurrent Resolution No. 14, the Senate had reconvened, and was ready to proceed with the business of the State, with all officers heretofore elected present.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 12, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 30

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 30—Relative to adjournment out of respect to the memory of Senator Chris N. Jespersen.

Above resolution ordered held at the desk.

Speaker Pro Tempore Presiding

At 12.24 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

APPOINTMENT OF SELECT COMMITTEE

Speaker pro Tempore Maloney announced the appointment of Senator Way and Messrs. McCollister, Connolly, Gaffney, Berry, Belotti, George D. Collins, and Meyers as a Select Committee to represent the citizens of the Redwood Empire on the rostrum

RECESS

At 12.25 p.m., on motion of Mr. McCollister, the Assembly recessed until 12.30 p.m., for the purpose of permitting Senator Way and a Select Committee representing the citizens of the Redwood Empire to present a redwood gavel to Speaker Sam L. Collins.

REASSEMBLED

At 12.30 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

MOTION THAT REMARKS BY SENATOR WAY BE PRINTED IN JOURNAL

Mr. Berry moved that the remarks by Senator Way, made during the recess, be reduced to writing and ordered printed in the Journal in 10-point type.

Mr. Clarke seconded the motion.

Motion carried.

Remarks by Senator Way

MR SPEAKER: It is a pleasure and an honor, on behalf of the citizens of the Redwood Empire—San Francisco and Northbay Counties—and their Redwood Empire and Shoreline Highway Associations—to present to you this redwood burl gavel.

It is fashioned from a burl taken from a 2,000 year old giant redwood tree, standing in one of many redwood forests, covering an area of 2,100,000 acres—52 billion board feet of standing timber—(97 percent of the world's redwood stand)—more than one-fifth of all remaining timber in California.

With this gavel goes the best wishes of the Redwood Empire Builders—for a profitable and successful second session of the 1951 State Legislature—and with the hope that the State Highway System may be brought to adequate and safe standard at the earliest possible moment.

My colleagues—the legislators representing Redwood Empire Counties—and Northbay and San Francisco—join me in extending heartiest greetings.

MOTION THAT REMARKS BY SPEAKER SAM L. COLLINS MADE IN RESPONSE TO SENATOR WAY'S REMARKS BE PRINTED IN JOURNAL

Mr. Doyle moved that the remarks by Speaker Sam L. Collins, made in response to the remarks of Senator Way, be reduced to writing and ordered printed in the Journal in 10-point type.

Mr. Burke seconded the motion.

Motion carried.

Remarks by Speaker Sam L. Collins

SENATOR WAY AND MEMBERS OF THE DELEGATION OF THE REDWOOD EMPIRE: This is, indeed, a pleasure to welcome you to the City of Sacramento, the capital of the State of California. I appreciate very much your thoughtfulness in coming here this day to present this redwood gavel. I know of no more appropriate symbol of authority than one turned from the redwoods of California—eternal in duration and combining beauty and utility. This symbol of authority shall be wielded by me, so long as I am your presiding officer, in justice and impartiality. May this gavel be as enduring as the trees from whence it came. Some gavels, you will recall, have not fared so well.

Gentlemen, on behalf of the Assembly of California and more particularly from the presiding officer, I thank you for this beautiful gavel.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 694

Mr. Lyon asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 694, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 694

Assembly Bill No. 694—An act to amend Section 6422 of the Streets and Highways Code, relating to the issuance of bonds to represent special assessments.

Bill read third time.

Motion to Amend

Mr. Lyon moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "Preparation and issuance of bonds"

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 28

And reports the same correctly engrossed.

BURKE, Chairman

Request for Unanimous Consent

Mr. Kirkwood asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 28, at this time, without reference to file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 28

Assembly Concurrent Resolution No. 28—Relative to approving Charter Amendment No. 30 to the charter of the City of Palo Alto, County of Santa Clara, State of California, voted for and ratified by the

qualified electors of the said City of Palo Alto at a special municipal election held therein for that purpose on the seventh day of November, 1950.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Nicholse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—70.

NOES—None

Resolution ordered transmitted to the Senate.

PETITIONS

By Speaker Sam L. Collins:

A communication and petition listing 724 names from John Hocker, of Salinas, relative to urging passage of the old age assistance initiative, were received, and ordered referred to the Committee on Social Welfare.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were offered:

Assembly Joint Resolution No. 17: By Messrs. Moss, Fleury, McFall, Gaffney, Berry, Brown, Clarke, Condon, Dolwig, Gubser, Hagen, Hansen, Henderson, Kelly, Kirkwood, Lindsay, Lyon, McCollister, and Parker—Relative to proposals to increase the federal excise tax on wine.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 30: By Messrs. Dunn, Maloney, Lincoln, Rumford, Caldecott, Doyle, Geddes, Grunsky, Kirkwood, Silliman, and Stewart—Relative to participation in the events of the Thirty-second Annual Public Schools Week.

Referred to Committee on Rules.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr McCollister:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1951

MR SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act conveying certain tidelands and lands lying under inland navigable waters, situated in San Francisco Bay to the City of Sausalito, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof, reserving rights to the State

Respectfully submitted.

R H McCOLLISTER

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. McCollister:

An act conveying certain tidelands and lands lying under inland navigable waters, situate in San Francisco Bay to the City of Sausalito, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof, reserving rights to the State

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—70

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3368: By Mr McCollister—An act conveying certain tidelands and lands lying under inland navigable waters, situate in San Francisco Bay to the City of Sausalito, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof, reserving rights to the State.

Referred to Committee on Governmental Efficiency and Economy.

REQUEST FOR UNANIMOUS CONSENT

Mr. Dickey asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 30, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 30

Senate Concurrent Resolution No. 30—Relative to adjournment out of respect to the memory of Senator Chris N. Jespersen.

Resolution read, and adopted unanimously by a rising vote.

Resolution ordered transmitted to the Senate

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. McCollister:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Sections 6489.5 and 6546 to the Health and Safety Code, relating to sanitary districts.

Respectfully submitted.

R. H McCOLLISTER

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1951

MR SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr McCollister:

An act to add Sections 6489 5 and 6546 to the Health and Safety Code, relating to sanitary districts

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—70

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3369: By Mr. McCollister—An act to add Sections 6489 5 and 6546 to the Health and Safety Code, relating to sanitary districts.

Referred to Committee on Public Health.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 56

Mr. Evans asked for, and was granted, unanimous consent that he be permitted to take up House Resolution No 56, out of order, at this time.

CONSIDERATION OF HOUSE RESOLUTION NO. 56

By Mr. Evans:

House Resolution No. 56

Relative to the augmentation of funds of the Assembly Interim Committee on Public Utilities and Corporations

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available to the Assembly Interim Committee on Public Utilities and Corporations (created by House Resolution No. 264, 1949 Regular Session), the sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by Committee on Rules:

Amendment No. 1

In the measure as printed in the Assembly Journal of January 22, 1951, page 861, in the first paragraph, fourth line, after "sum of", strike out "twenty thousand dollars ($20,000)", and insert "two thousand dollars ($2,000)".

Amendment read, and adopted.

Consideration of House Resolution No. 56, as Amended

By Mr. Evans:

House Resolution No. 56

Relative to the augmentation of funds of the Assembly Interim Committee on Public Utilities and Corporations

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available to the Assembly Interim Committee on Public Utilities and Corporations (created by House Resolution No. 264, 1949 Regular Session), the sum of two thousand dollars ($2,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Holbrough, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71

NOES—None.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Moss:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 1593 of the Education Code, relating to the effect of the formation and changes in territory and status of school districts, declaring the urgency thereof, to take effect immediately.

Respectfully submitted,

J. E. MOSS, JR.

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it

By Mr. Moss:

An act to amend Section 1593 of the Education Code, relating to the effect of the formation and changes in territory and status of school districts, declaring the urgency thereof, to take effect immediately

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Huckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 3370: By Mr. Moss—An act to amend Section 1593 of the Education Code, relating to the effect of the formation and changes in territory and status of school districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Concurrent Resolution No. 31: By Mr. Brown—Approving the charter of the City of Modesto, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the fourteenth day of February, 1951.

Referred to Committee on Rules.

ANNOUNCEMENT

Mr. Connolly announced the birth of a baby boy, their sixth child, to Assemblyman and Mrs. Brady, and the birth of a baby girl, their fourth daughter, to Assemblyman and Mrs. McCarthy, yesterday.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 1632

Mr. Fleury moved that Assembly Bill No. 1632 be withdrawn from the Committee on Agriculture, and be re-referred to the Committee on Judiciary.

Motion carried.

Mrs. Niehouse moved that Assembly Bill No. 816 be withdrawn from the Committee on Municipal and County Government, and be re-referred to the Committee on Education.

Motion carried.

ANNOUNCEMENT

Mr. Waters announced that the subcommittees of the Committee on Elections and Reapportionment, investigating the contested elections of Messrs. McGee, Parker, and Henderson, will submit their reports at a meeting of the Committee on Elections and Reapportionment, to be held tomorrow.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Luckel:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 13521 and 13583 of the Education Code, relating to school district employees.

Respectfully submitted.

FRANK LUCKEL

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Luckel:

An act to amend Sections 13521 and 13583 of the Education Code, relating to school district employees.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3371: By Mr. Luckel—An act to amend Sections 13521 and 13583 of the Education Code, relating to school district employees.

Referred to Committee on Education

MEMBER EXCUSED

At 1 04 p m., Mr. Dickey asked for, and was granted, unanimous consent that Mr. Crowley be excused, for the balance of the legislative day, because of legislative business elsewhere.

ANNOUNCEMENT

Mr. Stanley announced a breakfast meeting and Republican Caucus at 7.30 a.m., tomorrow morning, Tuesday, March 13th, at Hart's Restaurant, and stated that such meetings will be held twice a week in the future.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 3 p.m.—
Rules, in Room 319.
Legislative Representatives, in Room 320.
Ways and Means Subject: Budget Bill.

At 8 p.m.—
Judiciary, in Room 435
Finance and Insurance, in Room 432.
Municipal and County Government.

Next Tuesday, March 13th—

At 3 p.m.—
Public Health.

At 8 p.m.—
Special Joint Committee to Study the Old Age Assistance Initiative Measure.

Next Wednesday, March 14th, at 3 p.m.—
Governmental Efficiency and Economy.

Next Thursday, March 15th—

At 3 p.m.—
Transportation and Commerce, in Room 432

Upon Adjournment—
Subcommittee on Public Utilities and Corporations. Subject: Senate Bill No. 327

At 8 p.m.—
Revenue and Taxation Subject: Noncontroversial bills.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Speaker Sam L. Collins and Mr. Stanley, the usual courtesies of the Assembly for this day were unanimously extended to L. E. Coffman of Santa Ana.

On request of Mrs. Niehouse, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Clay Lewis of San Diego.

On request of Mr. Tomlinson, the usual courtesies of the Assembly for this day were unanimously extended to Mr. Estle A. Fenn of Santa Barbara.

On request of Mr. Chapel, the usual courtesies of the Assembly for this day were unanimously extended to Nancy Maury Chapel of Stockton, Edwin W. Dean of Inglewood, and Harry Welch of Inglewood.

On request of Mr. Lanterman, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Bruce Reagan of Pasadena.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. S. E. Pascoe of Martinez.

On request of Mr. Luckel, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Clay E. Lewis of San Diego.

On request of Messrs. McMillan and Babbage, the usual courtesies of the Assembly for this day were unanimously extended to Mr. Frank Stone of Laguinta.

On request of Mr. Stewart, the usual courtesies of the Assembly for this day were unanimously extended to Mr. Frederick Van Cleave of Pasadena.

On request of Mr. Rosenthal, the usual courtesies of the Assembly for this day were unanimously extended to Lewis Teegarden and Franklin Evans of Los Angeles.

ADJOURNMENT

At 1.10 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Tuesday, March 13, 1951, out of respect to the memory of the late Senator Chris N. Jespersen of Atascadero

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FOURTEENTH LEGISLATIVE DAY

EIGHTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, March 13, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—77

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Eternal Father, who hast made the visible world by Thy power and the soul of man in Thy likeness, grant that we may live wisely, bravely, and happily among things seen and temporal, yet never in bondage to them; always seeking a better country and a heavenly home with Thee. Guide us in the responsibilities of this day and hour that we may be workmen approved unto Thee who need never to be ashamed.

"We thank Thee, Lord, Thy paths of service lead
To blazon heights and down the slopes of need;
They reach Thy throne, encompass land and sea.
And he who journeys in them walks with Thee"

In Jesus' name—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Parker, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Butters, on motion of Mr. Chapel.
Mr. Cooke, on motion of Mr. Chapel.
Mr. Lipscomb, on motion of Mr Chapel.

REQUEST FOR UNANIMOUS CONSENT THAT NAME OF MR. COOKE BE PLACED UPON THE MORNING ROLL CALL FOR MONDAY, MARCH 12TH

Mr Hollibaugh explained that Mr. Cooke came to the Assembly Chamber yesterday, Monday, March 12th, but was taken ill prior to roll call at noon, and had to return to the Oak Knoll Hospital in Oakland; and asked for, and was granted, unanimous consent that the name of Mr Cooke be placed upon the morning roll call for yesterday, Monday, March 12th.

COMMUNICATIONS

By Speaker Sam L. Collins:

A communication from Assemblyman George R. Butters, relative to his expectation that he will be leaving the hospital around March 20th and returning to Sacramento, was received, read, and ordered noted in the Journal.

ASSEMBLY BILL NO. 941 WITHDRAWN FROM COMMITTEE, AND RE-REFERRED BY SPEAKER

Speaker Sam L Collins ordered Assembly Bill No. 941 withdrawn from the Committee on Transportation and Commerce, and re-referred to the Committee on Agriculture.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 32: By Mr. Thomas—Relative to approving certain amendments to the charter of the City of Torrance, County of Los Angeles, State of California, voted for and ratified by the electors of said City of Torrance at a general municipal election held therein on the eleventh day of April, 1950

Referred to Committee on Rules

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 12, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 19

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, March 12, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 13
Senate Joint Resolution No. 14
Senate Joint Resolution No. 15
Senate Concurrent Resolution No. 31

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolutions were read:

Senate Joint Resolution No. 13—Relative to proposed discriminatory and excessive increases in the federal tax on wine.

Referred to Committee on Rules.

Senate Joint Resolution No. 14—Relative to memorializing Congress protesting the proposed increased tax on wine.

Referred to Committee on Rules.

Senate Joint Resolution No. 15—Relative to proposed increases in wine excise taxes.

Referred to Committee on Rules

Senate Concurrent Resolution No. 31—Relative to the passing of Maurice E. Harrison.

Referred to Committee on Rules.

RESOLUTIONS

The following resolution was offered:

By Mr. Davis:

House Resolution No. 80

Relative to the passing of John P. Branley

WHEREAS, The Members of the Assembly have learned with regret of the passing on January 29, 1951, of John P. Branley, former member of the Board of Supervisors of Plumas County; and

WHEREAS, John P. Branley had served for 14 years as member of the County Board of Supervisors, retiring in 1947; and

WHEREAS, He was active in civic and community affairs having rendered splendid services in Indian Valley and Greenville; and

WHEREAS, John P. Branley had a host of sincere friends throughout the State who knew him because of his efforts in connection with the Supervisors' Association and the Western Mining Council in which field he was most active; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly hereby express their deep sorrow at the passing of John P. Branley; and be it further

Resolved, That when the Assembly shall this day adjourn, it do so in respect to the memory of John P. Branley; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to Annis E. Branley, his widow, and Molly Treleaver, Greenville, Margaret Hall, Sacramento, and Jenny Terrell, Chester.

Resolution read, and ordered referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 694

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Stewart:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 291 to the Penal Code, relating to notices of arrest of public school teachers.

Respectfully submitted

A. I. STEWART

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1951

MR SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Stewart:

An act to add Section 291 to the Penal Code, relating to notices of arrest of public school teachers.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3372: By Mr. Stewart—An act to add Section 291 to the Penal Code, relating to notices of arrest of public school teachers.

Referred to Committee on Judiciary.

RESOLUTIONS

The following resolution was offered:

By Mr. Crowley:

House Resolution No. 81

Resolved by the Assembly of the State of California, That the State Controller be and he is hereby directed to draw his warrants on the proper fund in favor of the following Members and Officers of the Assembly for the amount set opposite their respective names, and the State Treasurer is hereby directed and ordered to pay the same:

District	Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
5	Ernest C Crowley	Fairfield, Solano County	40	--	--	40	80	$4 00
25	Robert I McCarthy	San Francisco, San Francisco County	90	--	--	90	180	9 00
38	John B. Cooke	Ventura, Ventura County	490	--	--	490	980	49 00
60	Harold K Levering	Los Angeles, Los Angeles County	447	--	--	447	894	44 70

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Sillman, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1951

MR. SPEAKER. Your Committee on Rules, to which was referred.

Assembly Concurrent Resolution No 31

Has had the same under consideration, and reports the same back with the recommendation. Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1951

MR SPEAKER: Your Committee on Rules, to which were referred.

Assembly Concurrent Resolution No 29
Assembly Concurrent Resolution No 30

Has had the same under consideration, and reports the same back with the recommendation. Be adopted.

DICKEY, Chairman

Above reported resolutions ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1951

MR SPEAKER: Your Committee on Rules, to which were referred.

Assembly Joint Resolution No. 16
Assembly Joint Resolution No. 17

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred.

Senate Joint Resolution No. 13
Senate Joint Resolution No. 14
Senate Joint Resolution No. 15

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1951

MR. SPEAKER. Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 31

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1951

MR. SPEAKER. Your Committee on Judiciary, to which were referred.

Assembly Bill No. 2143
Assembly Bill No 2144
Assembly Bill No 2145
Assembly Bill No 2146
Assembly Bill No 2147
Assembly Bill No 2148
Assembly Bill No 2149
Assembly Bill No 2150
Assembly Bill No. 2151
Assembly Bill No. 2152
Assembly Bill No. 2153
Assembly Bill No. 2154
Assembly Bill No 2155
Assembly Bill No. 2156
Assembly Bill No. 2157
Assembly Bill No. 2158
Assembly Bill No 2159
Assembly Bill No. 2160
Assembly Bill No 2161

Has had the same under consideration, and reports the same back with the recommendation: Do pass

BROWN, Chairman

Above reported bills ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1951

MR SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 2162
Assembly Bill No. 2163
Assembly Bill No. 2164
Assembly Bill No. 2165
Assembly Bill No. 2166
Assembly Bill No. 2167
Assembly Bill No. 2168
Assembly Bill No 2170
Assembly Bill No. 2171
Assembly Bill No. 2172
Assembly Bill No. 2173
Assembly Bill No. 2174
Assembly Bill No. 2175
Assembly Bill No 2176
Assembly Bill No. 2177
Assembly Bill No. 2178
Assembly Bill No. 2179
Assembly Bill No. 2180

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 2143—An act to amend by renumbering Section 4675 of the Health and Safety Code, relating to sanitary districts.

Bill read second time, and ordered engrossed

Assembly Bill No. 2144—An act to amend and renumber Section 10880 of the Insurance Code, relating to conversion to mutual legal reserve.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2145—An act to repeal Section 10651 of the Insurance Code, relating to associations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2146—An act to repeal Section 2615 of the Welfare and Institutions Code, relating to bringing nonresident indigent persons into the State.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2147—An act to amend Section 960 of the Welfare and Institutions Code, relating to public schools in juvenile homes or camps.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2148—An act to amend Section 109 of the Welfare and Institutions Code, relating to the State Department of Social Welfare.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2149—An act to amend Section 740.4 of the Streets and Highways Code, relating to mapped highways.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2150—An act to amend Section 10755 of the Revenue and Taxation Code, relating to vehicle fees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2151—An act to amend Section 5156 of the Public Resources Code, relating to the expenditure of funds.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2152—An act to amend Section 4700 of the Penal Code, relating to the expenses of trial of prisoners.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2153—An act to amend and renumber Section 2040 of the Penal Code (as added thereto by Chapter 2 of the Statutes of the Third Extraordinary Session of the Fifty-fifth Legislature) to be Section 2049, relating to the Department of Corrections.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2154—An act to amend Section 1127 of the Penal Code, relating to instructions to the jury.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2155—An act to amend Section 5300 of the Labor Code, relating to compensation proceedings.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2156—An act to amend Section 2411 of the Labor Code, relating to public labor camps

Bill read second time, and ordered engrossed.

Assembly Bill No. 2157—An act to amend Section 2102 of the Labor Code, relating to public labor camps.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2158—An act to amend Section 1596 of the Labor Code, relating to employment agencies

Bill read second time, and ordered engrossed.

Assembly Bill No. 2159—An act to amend Section 18455.5 of the Health and Safety Code, relating to building specifications

Bill read second time, and ordered engrossed.

Assembly Bill No. 2160—An act to repeal Chapter 21 of the 1950 First Extraordinary Session, relating to horse race meetings.

Bill read second time, and ordered engrossed

Assembly Bill No. 2161—An act to repeal Article 4 of Chapter 17, Division 3 of the Business and Professions Code, relating to temporary registration of social workers

Bill read second time, and ordered engrossed.

Assembly Bill No. 2162—An act to amend Section 799 of the Agricultural Code, relating to standards for grapes

Bill read second time, and ordered engrossed

Assembly Bill No. 2163—An act to amend Section 736.3 of the Agricultural Code, relating to marketing plans.

Bill read second time, and ordered engrossed

Assembly Bill No. 2164—An act to add Section 10115 to the Insurance Code, relating to life insurance policies.

Bill read second time, and ordered engrossed

Assembly Bill No. 2165—An act to amend Section 9060 of the Insurance Code, relating to exemptions

Bill read second time, and ordered engrossed.

Assembly Bill No. 2166—An act to amend Section 1020 of the Insurance Code, relating to insolvency and delinquency proceedings.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2167—An act to amend Sections 37618, 37658, and 37659 of the Government Code, relating to bond issues

Bill read second time, and ordered engrossed.

Assembly Bill No. 2168—An act to amend Section 28153 of the Government Code, relating to compensation for public service in counties of the fifty-third class

Bill read second time, and ordered engrossed

Assembly Bill No. 2170—An act to amend and renumber Section 9906.1 of the Government Code, relating to influencing the legislative process

Bill read second time, and ordered engrossed.

Assembly Bill No. 2171—An act to amend Section 9300 of the Government Code, relating to compensation of Members of the Legislature.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2172—An act to amend Section 9020 of the Government Code, relating to sessions of the Legislature

Bill read second time, and ordered engrossed.

Assembly Bill No. 2173—An act to repeal Section 19432 of the Education Code, relating to the use of civic center or school property by subversive groups

Bill read second time, and ordered engrossed

Assembly Bill No. 2174—An act to amend Sections 7014, 7015, and 7020 of the Education Code, relating to apportionment of school funds

Bill read second time, and ordered engrossed

Assembly Bill No. 2175—An act to amend and renumber Section 6904 of the Education Code, relating to average daily attendance in school districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2176—An act to amend Section 4663 of the Education Code, relating to annexation of school districts

Bill read second time, and ordered engrossed.

Assembly Bill No. 2177—An act to amend Sections 175 and 176 of the Education Code, relating to the powers of the Department of Education

Bill read second time, and ordered engrossed

Assembly Bill No. 2178—An act to amend Section 1268 of the Code of Civil Procedure, relating to escheat of property.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2179—An act to renumber and amend Section 261b of the Code of Civil Procedure, relating to fees for phonographic reporters

Bill read second time, and ordered engrossed.

Assembly Bill No. 2180—An act to repeal Title 9, Part 4, Division 1, comprising Sections 557 to 566, of the Civil Code, relating to homestead corporations.

Bill read second time, and ordered engrossed.

REQUEST FOR UNANIMOUS CONSENT

Mr Crowley asked for, and was granted, unanimous consent to take up Senate Joint Resolution No 15, at this time, without reference to file

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 15

Senate Joint Resolution No. 15—Relative to proposed increases in wine excise taxes.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Waters—67.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. McCollister asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 14, at this time, without reference to file.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 14

Senate Joint Resolution No. 14—Relative to memorializing Congress protesting the proposed increased tax on wine.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Waters—64

NOES—Collier—1.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. McFall asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 13, at this time, without reference to file

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 13

Senate Joint Resolution No. 13—Relative to proposed discriminatory and excessive increases in the federal tax on wine.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Waters—66.

NOES—Collier—1.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. George D. Collins asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 31, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 31

Senate Concurrent Resolution No. 31—Relative to the passing of Maurice E. Harrison.

Resolution read, and adopted unanimously.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT PRELIMINARY REPORT BE PRINTED IN JOURNAL

Mr. Morris asked for, and was granted, unanimous consent that the Preliminary Report on Senate Bill No. 327, by the subcommittee of the Assembly Committee on Public Utilities and Corporations, be ordered printed in the Journal in 10-point type.

(Above mentioned report will appear prior to the motion to adjourn.)

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Joint Resolution No. 18: By Mr. Elliott—Relative to memorializing Congress to provide funds for development of a rapid transit system in the County of Los Angeles.

Referred to Committee on Rules.

ANNOUNCEMENT

Speaker Sam L Collins announced, pursuant to an inquiry, that if a member co-authors the bill of another member it counts as one of his two remaining "spots," and suggested to members who plan to introduce major legislation before the session is over that they remember this rule.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 797 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Munnell asked for, and was granted, unanimous consent that Assembly Bill No. 797 be withdrawn from the Committee on Governmental Efficiency and Economy, and be re-referred to the Committee on Education.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1954 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Moss asked for, and was granted, unanimous consent that Assembly Bill No. 1954 be withdrawn from the Committee on Social Welfare, and be re-referred to the Committee on Education

REQUEST FOR UNANIMOUS CONSENT THAT OPINION OF LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Mr. Dolwig asked for, and was granted, unanimous consent that an opinion of the Legislative Counsel, relative to Penal Provisions of Statute Regulating Legislative Representation, be ordered printed in the Journal in 10-point type, as follows:

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, March 12, 1951

Hon. Richard J. Dolwig
Assembly Chamber

PENAL PROVISIONS OF STATUTE REGULATING LEGISLATIVE REPRESENTATION—No. 5880

DEAR MR DOLWIG:

Question

You have presented the following question:

Assuming a legislative representative has complied with the registration and filing requirements of Sections 9900 through 9908 of the Government Code, would such person violate the statute regulating legislative representation by acting as a legislative representative prior to the time that a certificate of registration as a legislative advocate is issued to him pursuant to Section 9909 of the Government Code, or after such certificate once issued was revoked.

Opinion

We know of no provision of law which prohibits a person from acting as a legislative representative either before the issuance or after the revocation of such certificate.

Analysis

The penal provisions of the statute regulating legislative representation are found in Section 9908 of the Government Code which reads in part:

> "9908. (a) Any person who violates *any of the foregoing sections* of this chapter * * * shall be guilty of a misdemeanor * * *." (Emphasis added.)

Section 9909 of the Government Code, which provides for the issuance and revocation of a certificate of registration as legislative advocate, *follows* Section 9908

Section 9908 as added to the Government Code by Chapter 4 of the 1949 First Extraordinary Session read in part:

> "9908. (a) Any person who violates *any of the provisions of this chapter*, shall, * * * be guilty of a misdemeanor * * *."

Section 9908 was amended by the Erwin Act of 1950 (Ch. 66, 1950 First Extraordinary Session) to limit it as it presently reads to the "foregoing sections of this chapter" and the Erwin Act of 1950 at the same time added Section 9909 providing for the issuance of the certificates.

In our opinion this indicates that the legislative intent was to exclude from the penal provisions of the statute the act of engaging in legislative advocacy without a certificate

This legislative history, coupled with the fact that the statute is in the nature of a penal law and will be strictly construed by the courts [*In re Twing* (1922), 188 Cal. 261, 265; *People* vs. *Tisdale* (1880), 57 Cal. 104, 107], leads us to the conclusion that Section 9908 of the Government Code would not prohibit a person from acting without a certificate of registration as legislative advocate at any time if he has complied with that section and the preceding sections of the chapter.

It would therefore appear that the issuance of a certificate of registration as legislative advocate is only a matter of recognition by the House that the person to whom the certificate is issued is of good moral character and otherwise a fit person to pursue his legislative activities before the members of the legislative body.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By LOUIS A BOLI, III, Deputy

CONSIDERATION OF DAILY FILE

UNFINISHED BUSINESS

NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 327 FROM COMMITTEE CONTINUED

Mr. Davis asked for, and was granted, unanimous consent that his notice of motion to withdraw Senate Bill No. 327 from committee be continued until the next legislative day.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 49—An act to amend Section 795.1 of the Agricultural Code, relating to oranges.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 556—An act to amend Section 673 of the Agricultural Code, relating to reports of imitation milk products and oleomargarine.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln,

Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 557—An act to amend Section 682 of the Agricultural Code, relating to licenses for testers, samplers, weighers, and pasteurizers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 582—An act to amend Section 707.5 of the Agricultural Code, relating to delinquent license fees under the Milk and Milk Products Act of 1947.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 583—An act to amend Sections 509 and 510 of the Agricultural Code, relating to market milk inspection.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 504—An act to amend Section 28.6 of, and to add Section 34.6 to, the Agricultural Code, relating to the identification of root or top stock of fruit and nut trees.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—73.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 694—An act to amend Section 6422 of the Streets and Highways Code, relating to the issuance of bonds to represent special assessments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Thomas, Tomlinson, Waters and Mr Speaker—72.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 695—An act to amend Section 43628 of the Government Code, relating to the disposition of the proceeds of bonds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—72

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 696—An act to amend Section 5024 of the Streets and Highways Code, relating to the definition of incidental expenses as used in the Improvement Act of 1911

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 10—An act to add Section 9906.6 to the Government code, relating to the solicitation of funds from persons receiving aid from the State.

Bill read third time, and ordered temporarily passed on file.

Assembly Bill No. 121—An act to amend Section 10786 of the Revenue and Taxation Code and to amend Section 374 of the Vehicle Code, relating to exemptions of vehicles from certain fees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—67

NOES—None

Bill ordered transmitted to the Senate.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 10

Assembly Bill No. 10—An act to add Section 9906.6 to the Government Code, relating to the solicitation of funds from persons receiving aid from the State

Bill read third time.

Motion to Amend

Mr. Kilpatrick moved the adoption of the following amendments:

Amendment No. 1

On page 1 line 4, of the printed bill, after "who", insert "fraudulently".

Amendment No. 2

On page 1, line 5, of said bill, after "who", insert "fraudulently".

Amendments read

Demand for Previous Question

Messrs Kirkwood, Silliman, Lindsay, Lincoln, and Hansen demanded the previous question

Demand for previous question sustained.

The question being on the adoption of the amendments offered by Mr Kilpatrick to Assembly Bill No. 10.

Roll Call Demanded

Messrs Kilpatrick, Silliman, and Condon demanded a roll call.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Kilpatrick moved a call of the Assembly

Motion carried Time, 11.40 a.m

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Clarke, Dunn, Luckel, and Stewart—4.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Connolly asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 440—An act to amend Sections 24121a, 24121g, 24201d, 25203c, 25292, 25295, and 25401 of, and to add Sections 24201d 1, 24201d.2, 25122, and 25295a to, and to repeal Section 24122 of, Part 11 of Division 2 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 559—An act to amend Sections 17003, 17010, 17019.7, 17058, 17059, 17102 2, 17136, 17191, 17214, 17302, 17304, 17306, 17309, 17310, 17313, 17314, 17316, 17318.4, 17318.7, 17320.5, 17322.5, 17322.9, 17322.11, 17324 2, 17324.3, 17327, 17330.1, 17330.3, 17332, 17333, 17335, 17336, 17347, 17348, 17350, 17351, 17381, 17501, 17503, 17504, 17506, 17508, 17514, 17521, 17531, 17532, 17536, 17556, 17558, 17559, 17560 9, 17565, 17569, 17672, 17685, 17687, 17725, 17743.1, 17755, 17981, 17982, 18103, 18104, 18174, 18175, 18201, 18202, 18203, 18205, 18206, 18401, 18405, 18406, 18431, 18433, 18434, 18451, 18452, 18453, 18470, 18471, 18472, 18474, 18475, 18478, 18479, 18552, 18554, 18581,

18582, 18583, 18585, 18590, 18592, 18593, 18594, 18595, 18596, 18597, 18600, 18641, 18642, 18643, 18645, 18646, 18647, 18648, 18649, 18650, 18652, 18653, 18681, 18682, 18683, 18686, 18689, 18690, 18691, 18691.1, 18802, 18805, 18806, 18807, 18808, 18809, 18810, 18831, 18832, 18834, 18835, 18861, 18865, 18881, 18884, 18885, 18906, 18908, 18931, 18932, 19051, 19053, 19053.3, 19056, 19057, 19058, 19059, 19060, 19061, 19061.1, 19062, 19062.1, 19062.2, 19062.3, 19062.4, 19062.5, 19062.6, 19062.7, 19071, 19082, 19083, 19084, 19085, 19086, 19087, 19088, 19089, 19091, 19092, 19111, 19113, 19131, 19132, 19151, 19252, 19253, 19254, 19255, 19256, 19258, 19259, 19260, 19281, 19282, 19286, 19288, 19351, 19401, 19402, 19403, and 19451, of the Revenue and Taxation Code, relating to personal income taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 573—An act to amend Sections 23004, 23031, 23035, 23114, 23185, 23185b, 23186a, 23225, 23226, 23301, 23302, 23305, 23305a, 23334, 23363, 23364, 23562, 23562a, 23562b, 23881d, 23881e, 24121d, 24121f, 24121h, 24121i, 24121k, 24121o, 24123, 24124, 24151a, 24151b, 24151d, 24151e, 24151f, 24181c, 24181e, 24181f, 24201d, 24301, 24303, 24303a, 24303b, 24304, 25031f-(1), 25035, 25038, 25042, 25071b, 25071(i), 25071m, 25101c, 25201, 25202, 25203, 25203a, 25203c, 25203c-(1), 25203d, 25203e, 25231, 25232a, 25232b, 25232d, 25261, 25261d, 25291, 25292, 25295, 25401, 25402, 25403, 25404, 25431, 25552a, 25553, 25555, 25555a, 25661, 25662, 25663a, 25664, 25666, 25667, 25668, 25669, 25672, 25702, 25731, 25731a, 25732, 25761, 25761a, 25761b, 25781, 25801, 25901, 25901c, 25902, 25931, 25932, 25933, 25961, 26071, 26073, 26073a, 26075, 26076, 26077, 26078, 26080, 26102, 26103, 26103a, 26104, 26105, 26106, 26107, 26131, 26131a, 26132, 26133, 26134, 26161, 26162, 26191, 26221, 26222, 26251, 26252, 26253, 26281, 26282, 26311, 26422, 26423, 26424, 26425, 26451, 26453c, 26454, 26481, and 26481a of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel,

Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—69

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 577—An act to amend Sections 23102, 23112, 23186, 23222, 23251, 24121a, 24121k, 24121n, 24121p-1, 24121p-3, 24121p-4, 24121p-5, 24124, 24201b, 25101a, 25121a, 25121c, 25431, 25662, 25701, 25761, 25781, 25932, and 26080 of, and to amend and renumber Sections 25203 and 25203d of, and to add Sections 25663, 25701a, 26080.1, 26080.2, and 26080.3 to, Part 11, Division 2 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Lucke, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 575—An act to amend Sections 23185b, 23911e, 24121f, 24181, 25031f, 25031f-(1), 25031h, 25031i, 25032, 25033, 25071e, 25071f, 25071(1), 25071*l*, 25071m, 25071n, 25071q, 25071r-(1), 25101b, 25201, 25232a, 25261a, 25261d, 25667, 25668, 25670, 25672, 25781, 25901, 25934, 26073a, 26073b, and 26451 of, and to amend and renumber Sections 25202, 25203a, 25203e-(1), and 25203e of, and to repeal Sections 23152 and 23502 of, the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Lucke, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—69

NOES—None.

Bill ordered transmitted to the Senate.

ANNOUNCEMENT

Speaker Sam L. Collins announced that complete sets of bills have been placed on racks at the rear and front of the Assembly Chamber for the convenience of Members of the Assembly, and urged the use of these sets when their use will assist in speeding forward the work of this body

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Joint Resolution No. 10—Relative to reactivation of the Defense Highway Act of 1941.

Resolution read, and ordered passed on file.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON AMENDMENTS OFFERED BY MR. KILPATRICK TO ASSEMBLY BILL NO. 10

At 12.10 p m., on motion of Mr. Kilpatrick, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the amendments offered by Mr. Kilpatrick to Assembly Bill No. 10 were refused adoption by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burkhalter, Chapel, Coats, George D Collins, Condon, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Evans, Gaffney, Hagen, Hahn, Hawkins, Henderson, Hollibaugh, Kilpatrick, Lyon, McCollister, McMillan, Morris, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, and Thomas—34.

NOES—Babbage, Beck, Burke, Caldecott, Clarke, Cloyed, Collier, Connolly, Conrad, Dolwig, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Maloney, McCarthy, McFall, McGee, Meyers, Moss, Parker, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr Speaker—41

Notice of Motion to Reconsider Amendments to Assembly Bill No. 10

Mr. Kilpatrick gave notice that on the next legislative day he would move to reconsider the vote whereby his amendments to Assembly Bill No. 10 were this day refused adoption.

Motion That Notice of Motion to Reconsider Be Taken Up at This Time

Mr. Grunsky moved that the notice of motion to reconsider the vote whereby the amendments offered by Mr Kilpatrick to Assembly Bill No. 10 were this day refused adoption be taken up, at this time.

Mr. Condon seconded the motion

Motion carried.

Motion to Reconsider

Mr. Kilpatrick moved that the vote whereby his amendments to Assembly Bill No. 10 were refused adoption be reconsidered.

Roll Call Demanded

Messrs. Lowrey, Coats, and Silliman demanded a roll call.

The roll was called, and the amendments to Assembly Bill No. 10 were refused reconsideration by the following vote:

AYES—Berry, Brady, Coats, George D. Collins, Condon, Crowley, Dunn, Elliott, Gaffney, Hagen, Hawkins, Henderson, McMillan, Rosenthal, Rumford, Stanley, and Thomas—17.

NOES—Belotti, Burke, Burkhalter, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Dills, Dolwig, Doyle, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hahn, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Sherwin, Silliman, Smith, Stewart, Tomlinson, and Waters—49

The question being on the passage of Assembly Bill No. 10.

Further consideration of Assembly Bill No. 10 ordered temporarily passed on file.

ANNOUNCEMENT

Mr. Hawkins announced, on behalf of Mr. Beck, a luncheon meeting and Democratic Caucus today, upon recess, in the Venetian Room of the Hotel Sacramento.

REQUEST FOR UNANIMOUS CONSENT TO HOLD ADDITIONAL MEETINGS OF COMMITTEE

At 12 14 p m., Mr. Stanley asked for, and was granted, unanimous consent that he be permitted to hold a meeting of the Committee on Municipal and County Government every Wednesday night at 8 p m , as well as a meeting every Thursday afternoon, at 3 p.m.

RECESS

At 12.15 p m , on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m , the Assembly reconvened

Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ABSENCE OF QUORUM SUGGESTED

Mr. Doyle suggested the absence of a quorum.

The roll was called

Call of the Assembly

Mr. Doyle moved a call of the Assembly.

Motion carried. Time, 2.04 p m.

The Speaker directed the Sergeant-at-Arms to close the doors and to bring in the following absent members:

Babbage, Beck, Brady, Brown, Burke, Burkhalter, Clarke, Coats, Sam L Collins, Crowley, Davis, Dickey, Dunn, Evans, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Henderson, Kilpatrick, Klocksiem, Levering, Lincoln, Lowrey, Luckel, Lyon, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, and Thomas—42

Further Proceedings Under Call of the Assembly Dispensed With on Quorum Call

At 2 11 p m., on motion of Mr Doyle, further proceedings under the call of the Assembly were dispensed with

The roll was called, and the following answered to their names:

Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Rumford, Shaw, Sherwin, Silliman, Stewart, Tomlinson, and Waters—60.

Quorum present.

CONSIDERATION OF DAILY FILE (RESUMED)

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 10

Assembly Bill No. 10—An act to add Section 9906.6 to the Government Code, relating to the solicitation of funds from persons receiving aid from the State.

Bill read third time.

Speaker Presiding

At 2.27 p m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Demand for Previous Question

Messrs. Caldecott, Kirkwood, Babbage, Levering, and Brown demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 10.

The roll was called, and the bill refused passage by the following vote:

AYES—Belotti, Clarke, Cloyed, Collier, Conrad, Dolwig, Erwin, Hansen, Kelly, Klocksiem, Lanterman, Levering, Lowrey, McCarthy, McGee, Sherwin, Smith, Stewart, and Tomlinson—19.

NOES—Babbage, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Coats, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hollibaugh, Kilpatrick, Kirkwood, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Thomas, Waters, and Mr Speaker—54.

ANNOUNCEMENTS

Speaker Sam L Collins announced, on behalf of Mr. Levering, Chairman of the Committee on Industrial Relations, that authors are not setting their bills for hearing before this committee as rapidly as is desired.

Mr. Levering announced that if authors of bills do not request that their bills be set for hearing, he will be forced to arbitrarily set them, when they are pending in the Committee on Industrial Relations.

Speaker Sam L. Collins announced that 10 copies of the California Blue Book have been shipped, by the State Printer, to every Member of the 1949 Session.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Stanley:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1951

MR. SPEAKER: In accordance with the Provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows

An act to amend Section 370 of the Vehicle Code, relating to the operation of vehicles upon public streets and highways, including fees in connection therewith and the apportionment of such fees for automobile driver training in the public schools.

Respectfully submitted.

EARL W. STANLEY

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Stanley:

An act to amend Section 370 of the Vehicle Code, relating to the operation of vehicles upon public streets and highways, including fees in connection therewith and the apportionment of such fees for automobile driver training in the public schools

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Nicholson, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stewart, Thomas, Waters, and Mr. Speaker—71.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3373: By Mr. Stanley—An act to amend Section 370 of the Vehicle Code, relating to the operation of vehicles upon public streets and highways, including fees in connection therewith and the apportionment of such fees for automobile driver training in the public schools.

Referred to Committee on Transportation and Commerce.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Coats:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1951

MR SPEAKER. In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Chapter 2 to Division 7 of the Military and Veterans Code, relating to the promotion of maximum production for security and defense.

Respectfully submitted.

ARTHUR W. COATS, JR.

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1951

MR SPEAKER Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr Coats:

An act to add Chapter 2 to Division 7 of the Military and Veterans Code, relating to the promotion of maximum production for security and defense.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stewart, Thomas, Waters, and Mr Speaker—71

NOES—None

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3374: By Mr Coats—An act to add Chapter 2 to Division 7 of the Military and Veterans Code, relating to the promotion of maximum production for security and defense

Referred to Committee on Military Affairs

RESOLUTIONS

The following resolution was offered:

By Messrs Moss and Fleury:

House Resolution No. 82

Relative to congratulating the *Sacramento Union* on the 100th anniversary of its founding

WHEREAS, On March 19, 1851, the *Sacramento Union* was established as the only daily newspaper in the State of California and is the oldest daily newspaper this side of the Rocky Mountains; and

WHEREAS, In 1865 the *Sacramento Union* was credited with keeping the State of California in the Union rather than joining the Confederacy; and

WHEREAS, In 1866 the *Sacramento Union* sent a young reporter, who wrote under the pen name of Mark Twain, on a tour of the South Pacific and his weekly dispatches were printed in the *Sacramento Union*, which employment played a large part in starting him on his career as one of the world's most famous writers; and

WHEREAS, During its long existence as a daily newspaper, the *Sacramento Union* has gained wide spread recognition and fame for the quality of its reporting of local, state, national, and world-wide news, and for its excellent editorials; and

WHEREAS, The *Sacramento Union* has already received congratulatory messages from President Truman, General MacArthur, and Winston Churchill, among others; now, therefore be it

Resolved by the Assembly of the State of California, That the Members of the Assembly of the State of California extend their heartiest congratulations to the *Sacramento Union* on the 100th Anniversary of its founding; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to transmit a copy of this resolution to the publisher of the *Sacramento Union*

Request for Unanimous Consent

Mr. Fleury asked for, and was granted, unanimous consent to take up House Resolution No. 82, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 31

And reports the same correctly engrossed.

BURKE, Chairman

Request for Unanimous Consent

Mr. Brown asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No 31, at this time, without reference to file

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 31

Assembly Concurrent Resolution No. 31—Approving the charter of the City of Modesto, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the fourteenth day of February, 1951

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beloth, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Crowley, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stewart, Tomlinson, Waters, and Mr. Speaker—64.

NOES—None

Resolution ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 13, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No 28

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

ANNOUNCEMENT

Mr. Clarke announced that it is desired that all authors having bills pending before the Committee on Agriculture request that they be set for hearing as soon as possible

REPORTS DEEMED READ

By unanimous consent, the following reports of standing committees were deemed read, and appropriate action deemed taken:

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2152
Assembly Bill No. 2153
Assembly Bill No 2154
Assembly Bill No. 2155
Assembly Bill No. 2156
Assembly Bill No 2157
Assembly Bill No 2158
Assembly Bill No. 2172
Assembly Bill No. 2173
Assembly Bill No. 2174
Assembly Bill No. 2175
Assembly Bill No. 2176
Assembly Bill No 2177

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2143
Assembly Bill No. 2144
Assembly Bill No. 2145
Assembly Bill No. 2146
Assembly Bill No. 2147
Assembly Bill No. 2148
Assembly Bill No. 2149
Assembly Bill No. 2150
Assembly Bill No. 2151

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 29
Assembly Concurrent Resolution No. 30

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolutions ordered on file for adoption

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 16
Assembly Joint Resolution No. 17

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolutions ordered on file for adoption.

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1951

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:

Assembly Bill No. 888

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

McCOLLISTER, Chairman

Above reported bill ordered to second reading.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No 413

Has had the same under consideration, and reports the same back with the recommendation: The bill be re-referred to the Committee on Industrial Relations.

GEDDES, Chairman

Above reported bill ordered re-referred to the Committee on Industrial Relations

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1951

MR. SPEAKER. Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 250
Assembly Bill No. 347
Assembly Bill No. 348
Assembly Bill No 898
Assembly Bill No. 1887
Assembly Bill No 1957

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

GEDDES, Chairman

Above reported bills ordered to second reading

PRELIMINARY REPORT ON SENATE BILL NO. 327 OF THE SUBCOMMITTEE OF THE ASSEMBLY COMMITTEE ON PUBLIC UTILITIES AND CORPORATIONS

ASSEMBLY, CALIFORNIA LEGISLATURE, March 12, 1951

Senate Bill No. 327 seeks to exempt nonprofit electric cooperatives from the jurisdiction of the California Public Utilities Commission.

The Subcommittee on Senate Bill No. 327 was appointed on January 22, 1951, by Chairman John W. Evans of the Assembly Committee on Public Utilities and Corporations for the purpose of holding hearings and reporting upon Senate Bill No. 327. The subcommittee has scheduled three hearings, two of which have now been held, one in Baker, California, on February 19, 1951, and a second in San Francisco on February 23, 1951. The third hearing will be held in Sacramento on March 15, 1951.

Some members of the subcommittee were not able to attend the hearings held in Baker, California, and San Francisco, California; however, a complete phonographic transcript has been prepared of each of these hearings, and this transcript has been made available to all subcommittee members.

From the testimony thus far presented to the subcommittee, it appears that this proposed legislation may make a major change in the public utility laws of this State, which should receive full and careful consideration. At neither the Baker nor the San Francisco hearing was any evidence presented to the subcommittee which would indicate that there is urgency for the immediate passage of this bill prior to its full consideration.

The subcommittee recommends that no action be taken upon this measure by the Assembly until such time as the subcommittee may complete its investigation and make its report. The report of this subcommittee will be submitted to the Assembly Committee on Public Utilities and Corporations as soon after its final hearing on March 15, 1951, as such report can be completed.

G. DELBERT MORRIS, Chairman
BERNARD R. BRADY
MONTIVEL A. BURKE
CLAYTON A. DILLS
PATRICK D. McGEE

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 3 p.m.

Public Health.

At 8 p.m.

Elections and Reapportionment. Subject: Subcommittee reports on contested elections of Messrs. McGee, Henderson, and Parker.

Judiciary.

Fish and Game.

Today Upon Adjournment—
Rules.

Tomorrow, Wednesday, March 14th, at 8 p.m.—
Municipal and County Government.

Next Thursday, March 15th, at 8 p.m.—
Municipal and County Government.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Chapel, the usual courtesies of the Assembly for this day were unanimously extended to Mrs Lee Brande of Westchester

On request of Mr Dunn, the usual courtesies of the Assembly for this day were unanimously extended to C O Blose, coordinator, Mrs Esther Sylvester, teacher of the Ashland School, San Lorenzo, and the following pupils: Dolores Arnorl, Sharon Baird, Shirley Berta, Carolyn Bowles, Inge Berkheim, Charlene Calkins, Marlene Brown, Carolyn Crocker, Donna Sue Davis, Mary Ann Fonseca, Jeanette Fenion, Frances Garcia, Joanne Kinny, Nancy Lane, Virle Smith, Gloria Spangler, Dianne Stubblefield, Annie Torres, Elnora Good, Carolyn Ornellas, Margery Janerio, James Anerich, Charles Baccus, Fred Breeden, Barry Brockoff, James Callaway, Jimmy Duggins, Mark Fallon, Don Kincaid, Darryl Lewin, Frank Machado, Bob Stoicich, Dennis Talbert, Marvin Waage, Ronnie Winters, Lester Brasher, Charles Grace, and Gordon Rodgers.

On request of Mr. Gubser, the usual courtesies of the Assembly for this day were unanimously extended to Robert Morgan and A. R Tully of San Jose, and Erwin B. Schultz of Palo Alto.

ADJOURNMENT

At 2 43 p.m , on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a m., Wednesday, March 14, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FIFTEENTH LEGISLATIVE DAY

NINETEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, March 14, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—77.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Lord of All Being, Maker and Master of us all, we thank Thee for the provision that Thou hast made for the needs of all Thy family. Grant wisdom unto each of us for the important decisions which we are constantly called upon to confirm.

We especially pray for the members of our Armed Forces now engaged in a struggle to guarantee liberty and justice for the underprivileged peoples of the world. May the lofty purposes of our struggle be so clear that our motives will not be misunderstood.

May we so serve Thee with singleness of heart that Thy will be done on earth.

"Lord, give us faith and strength to build,
To see the promise of the day fulfilled,
When war shall be no more and strife shall cease
Upon the highway of the Prince of Peace."—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Belotti, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Butters, on motion of Mr. Henderson
Mr. Lipscomb, on motion of Mr. Henderson
Mr. Cooke, on motion of Mr. Henderson.

ANNOUNCEMENT

Speaker Sam L. Collins announced that he has just talked by telephone with the three members who are absent because of illness, finds them all greatly improved, and anticipates their early return to the floor of the Assembly.

RESOLUTIONS

The following resolution was offered:

By Mr. Kilpatrick:

House Resolution No. 83

Relative to funds of the Assembly Interim Committee on Crime and Corrections

Resolved by the Assembly of the State of California, That the money made available by House Resolution No. 42, 1951 Regular Session, to the Assembly Interim Committee on Crime and Corrections (created by House Resolution No. 243, 1949 Regular Session and continued by House Resolution No. 28, 1951 Regular Session), may be expended for the purpose of preparing the committee's preliminary reports to the Legislature.

Resolution read, and ordered referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2163

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2159
Assembly Bill No. 2160
Assembly Bill No. 2161
Assembly Bill No. 2162
Assembly Bill No. 2164
Assembly Bill No. 2165
Assembly Bill No. 2166
Assembly Bill No. 2167
Assembly Bill No. 2168
Assembly Bill No. 2170
Assembly Bill No. 2171
Assembly Bill No. 2178
Assembly Bill No. 2179
Assembly Bill No. 2180

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 708
Assembly Bill No. 713
Assembly Bill No. 714
Assembly Bill No. 715
Assembly Bill No. 717
Assembly Bill No. 718
Assembly Bill No. 719
Assembly Bill No. 720
Assembly Bill No. 726
Assembly Bill No. 727
Assembly Bill No. 728

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 711	Assembly Bill No. 1773
Assembly Bill No. 722	Assembly Bill No. 1785
Assembly Bill No. 1771	Assembly Bill No. 1786
Assembly Bill No. 1772	Assembly Bill No. 1940

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 242	Assembly Bill No. 1178
Assembly Bill No. 806	Assembly Bill No. 2136

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

BROWN, Chairman

Above reported bills ordered to second reading.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 331
Assembly Bill No. 332
Assembly Bill No. 333

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

GEDDES, Chairman

Above reported bills ordered to second reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Constitutional Amendment No. 49: By Messrs. Dunn, Geddes, and Doyle—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 15.5 to Article XVI thereof, relating to the issuance of bonds to provide loans and grants to school districts of the State.

Referred to Committee on Constitutional Amendments.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 13, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 32

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 32—Relative to the passing of Walter Naughton.

Request for Unanimous Consent

Mr. Waters asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 32, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 32

Senate Concurrent Resolution No. 32—Relative to the passing of Walter Naughton.

Resolution read, and adopted unanimously.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL BE PRINTED IN JOURNAL

Mr. Sherwin asked for, and was granted, unanimous consent that the following letter of transmittal be ordered printed in the Journal in 10-point type.

LETTER OF TRANSMITTAL

STATE CAPITOL
Sacramento, California
March 12, 1951

The President of the Senate
The Speaker of the Assembly
And Other Members of the Senate and the Assembly

GENTLEMEN: Pursuant to Senate Resolution No. 20 and House Resolution No. 35 of the 1950 Third Extraordinary Session of the California Legislature, the Joint Legislative Budget Committee herewith submits the Report of the Legislative Auditor and the staff of the Budget Committee on the proposed program of aid to the needy permanently and totally disabled in accordance with Title XIV of the Federal Social Security Act. Copies of this report are also being filed with the Senate and Assembly Committees on Social Welfare as directed by the above resolutions.

The committee expresses its gratitude to the many state and local governmental agencies and officials, private organizations, and individuals who rendered assistance to the staff of the committee in the preparation of this report.

Senators	Assemblymen
BEN HULSE, Chairman	MARVIN SHERWIN, Vice Chairman
HAROLD J. POWERS	LLOYD W. LOWREY
GEORGE HATFIELD	GLENARD P. LIPSCOMB
ARTHUR H. BREED, JR.	SAM L. COLLINS
J. HOWARD WILLIAMS	JONATHAN J. HOLLIBAUGH

ANNOUNCEMENT

Mr. Sherwin announced that the Senate is having 2,000 copies of the above transmitted report printed, which will be available to the members; that copies of this report have been distributed to the members of the Committee on Social Welfare; and requested that the report, submitted at this time, be ordered filed at the desk.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA
SACRAMENTO 14
INTER-DEPARTMENTAL COMMUNICATION

March 13, 1951

To: *Honorable Arthur A. Ohnimus*
Chief Clerk of the Assembly
State Capitol, Sacramento, California

SUBJECT. Reports on Property Tax Assessment under Section 3693 of the Political Code

FROM. *State Board of Equalization*
Dixwell L. Pierce, Secretary

Pursuant to Section 3693 of the Political Code, I am transmitting herewith for filing with the Assembly copies of surveys which have been completed under that section with respect to property tax administration in the Counties of Lassen and Contra Costa.

Similar reports have been submitted to the Legislature heretofore as follows:

1949	Riverside County	
1950	Imperial	
	Marin	
	Siskiyou	
	Solano	
1/8/51	Alameda	Mariposa
	Alpine	Mono
	Amador	Placer
	Calaveras	Santa Cruz
	Inyo	Santa Barbara

DIXWELL L. PIERCE

Above transmitted copies of surveys ordered referred to the Committee on Revenue and Taxation.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 888—An act to amend Section 13161 of the Government Code, relating to the display of flags over public buildings.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 13161 of the Government", and insert "add Section 617 to the Military and Veterans".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 9, inclusive, and insert

"SECTION 1. Section 617 is added to the Military and Veterans Code, to read:

617. Any person who displays a flag, standard, or ensign, other than the Flag of the United States or the Bear Flag of California, from any public building owned, leased, used, or controlled by the State or any county, city, city and county, state agency, or public district, is guilty of a misdemeanor.

The provision of this section shall not apply to the display of flags on public buildings during any international athletic event or during the visit of any foreign dignitary."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Military Affairs.

Assembly Bill No. 250—An act to amend Sections 6, 24, 27, 37, 39, 45, 45.5, 45.6, 45 7, 45.8, 45.10, 45 11, and 46.1 of the Unemployment Insurance Act, relating to a System of Unemployment and Disability Insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 5, line 8, of the printed bill, strike out "such", and insert "the succeeding".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 347—An act to amend an act entitled "An act to provide for the rights, powers, privileges, exemptions, and immunities of federal savings and loan associations, incorporated under the provisions of the Home Owners' Loan Act of 1933, which are doing business in the State of California, and for the rights, powers, privileges, exemptions, and immunities of the holders of shares of share accounts issued by any such association," approved June 13, 1939, as amended, by amending Sections 2, 3, and 4 thereof, relating to shares and share accounts of federal savings and loan associations

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

After the last comma in the next to the last line of the title of the printed bill, insert "and adding to said act four new sections, to be numbered respectively Sections 5, 6, 7 and 8; all".

Amendment No. 2

Before the period in the last line of the title of the printed bill, insert "and said new Section 6 relating also to debts of such associations and said new Section 8 relating also to personal property held by said associations".

Amendment No. 3

On page 3 of the printed bill, after line 22, insert

"SEC. 4. Four new sections are added to said act, to be numbered respectively Sections 5, 6, 7 and 8, and to read as follows:

Sec. 5. Shares or share accounts of any federal savings and loan association held by any person and the dividends credited thereon shall be exempt from attachment or execution and proceedings supplementary thereto to the value of one thousand dollars ($1,000).

Sec. 6. In the case of any attachment levied upon any shares or share accounts of any federal savings and loan association or upon any debts owing by any such association, the copy of writ and notice must be left, if such association maintains branches, with the manager or any other officer of such association at the office or branch thereof at which such shares or share accounts were issued or such debt incurred if such office or branch is still being maintained, and otherwise at the principal office of such association; and no attachment not served as aforesaid shall be effective as to any share or share account issued by any such association or as to any debt owing by any such association if such share or account was issued or such debt incurred at an office or branch thereof not so served. No attachment or execution shall be issued against any such association or its property in any suit, action or proceeding arising out of the claim of any holder of shares or share accounts to withdraw before final judgment that such holder of shares or share accounts is presently entitled to payment of such withdrawal.

Sec. 7. No transfer on encumbrance of shares or share accounts issued by a federal savings and loan association shall be effective as to such association until written notice of such transfer or encumbrance shall have been given to the office of the association at which such shares or share accounts were issued, or at which the account of such association as to such shares or share accounts is kept, or to the principal office of such association. Until such notice shall have been so given, such association may conclusively presume that shares and share accounts have not been transferred or encumbered, and may, in the absence of such notice, make any and all payments or issue new shares or share accounts to or in the name or names of the person or persons in whose name or names its shares or share accounts are issued, whether or not such shares or share accounts are presented at the time of such payment or issuance, and shall have no responsibility to a transferee or lienholder with respect to any shares or share accounts, or parts thereof, so paid or reissued

Sec. 8. Notice to any federal savings and loan association of an adverse claim (the person making such adverse claim being hereafter in this section called "adverse claimant") to shares or share accounts standing on its books to the credit of, or to personal property held for the account of, any person may be disregarded until and unless the adverse claimant shall (a) procure and serve upon the association at the office at which the account is carried or the property held a restraining order, injunction or other appropriate order against the association from a court of competent jurisdiction in an action in which the adverse claimant and all persons in whose name such account stands or for whose account such property is held are parties; or (b) execute and deliver to the association at the office at which the account is carried or the property held a bond in form and with surety acceptable to it and in an amount fixed by the association, but which amount in no event need be more than twice the value of the shares or share accounts or more than twice the market value of the property against which the adverse claim is made, indemnifying it and also all persons in whose names such account stands or for whose account such property is held, against all liability, loss, damage, costs and expenses arising out of the refusal to permit withdrawal from such account or to pay dividends thereon or to deliver such property. Unless such restraining order, injunction or other appropriate order is obtained, or such bond is given, the association, notwithstanding such notice, may honor notices of intention to withdraw and may pay withdrawals and dividends to the person or persons to whose credit the account stands or may deliver such property to or upon the order of the person for whose account such property is held, without any liability on the part of the association If an adverse claimant delivers to the association at the office at which the account is carried or the property held his affidavit stating that of his own knowledge the person to whose credit the account stands or for whose account the property is held is a fiduciary for the adverse claimant and that such fiduciary is about to misappropriate the account or the property and stating the facts upon which the claim of a fiduciary relationship is based, the association may refuse to pay withdrawals or dividends on the account or may refuse to deliver such property until the adverse claim is finally adjudicated or released, without liability on its part and without liability for the sufficiency or truth of the facts alleged in the affidavit. The provisions of this section shall be applicable even though the name of the person appearing on the association's books to whose credit the account stands or for whose account the property is held is modified by a qualifying or descriptive term such as "agent," "trustee" or other word or phrase indicating that such person may not be the owner in his own right of the account or property."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 348—An act to amend the Building and Loan Association Act by amending Section 1 01 thereof, relating to definitions, Section 1.03 thereof, relating to agents, agencies, salesmen, collectors and branches, Section 2.05 thereof, relating to changes of name, Section 2.07 thereof, relating to branches, Section 7 06 thereof, relating to assessments to restore impaired capital, Section 8.03 thereof, relating to minors and married women, Section 8.04 thereof, relating to joint tenants, Section 8.05 thereof, relating to trustees and guardians, Section 9.02 thereof, relating to investments, Section 9.17 thereof, relating to forbidden loans and penalties therefor, Section 10.03a thereof, relating to federal insurance reserve account, Section 13.13 thereof, relating to powers of the

Building and Loan Commissioner upon taking possession of an association, and Section 13 16 thereof, relating to powers of such commissioner upon liquidation; and adding to said act four new sections, to be numbered, respectively, Section 2.11, relating to change of location, Section 8.14, relating to adverse claims, Section 11.06, relating to the office of an agent, salesman or collector, and Section 12.13, relating to activities limited to the principal office or branch of an association.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

After the first comma in line 13 of the title of the printed bill, insert ' Section 12.09 thereof, relating to leases on office premises,".

Amendment No. 2

On page 9, line 43, of the printed bill, after "capital", insert ", federal insurance reserve, loan reserve,".

Amendment No. 3

On page 10, line 5, of the printed bill, after "capital", insert ", federal insurance reserve, loan reserve,".

Amendment No. 4

On page 13 of the printed bill, between lines 16 and 17, insert

"SEC. 15 Section 12.09 of said act is amended to read:

Sec. 12 09 Leases on Office Premises. An association may enter into or assume leases covering real property used or to be used in connection with the business of such association; provided that no association issuing stock or investment certificates shall enter into or assume leases providing in the aggregate for rental payments in any one year in excess of 5 percent of the sum of its aggregate paid-up nonwithdrawable capital, federal insurance reserve, loan reserve, and any surplus and reserve which is not subject to distribution to the shareholders or stockholders except upon dissolution or liquidation, after deducting from such sum any amounts invested in real property pursuant to subdivision (1) of section 9 02 of this act."

Amendment No. 5

On page 13, line 17, of the printed bill, after "SEC.", strike out "15", and insert "16".

Amendment No. 6

On page 13, line 22, of the printed bill, after "SEC.", strike out "16", and insert "17".

Amendment No. 7

On page 14, line 27, of the printed bill, after "SEC.", strike out "17", and insert "18".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 898—An act to amend Sections 1356, 1357, 1359, 1362, 1363, 1364, 1366, 1367, and 3396 of the Banking Code, to add Section 1371, and to renumber and amend 1371, relating to investments by savings banks, securing of information pertinent to the qualification of bonds of political subdivisions by the superintendent from officials of such political subdivisions, and to the making of representations that securities are a legal investment for savings banks

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 4 of the printed bill, strike out lines 10, 11, and 12, and insert "are secured by such revenues;".

Amendment No. 2

On page 4 of the printed bill, strike out lines 32, 33, 34, and 35, and insert "(e) The issuer of the securities is obligated to maintain rates at least sufficient to meet debt service requirements and such obligation is legally enforceable; and".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 1887—An act to amend Section 3370 of the Banking Code, relating to loans to corporations in which an officer is an officer, stockholder or director.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 5, of the printed bill, following the comma first appearing, insert "director,"

Amendment No. 2

On page 1, line 10, of the printed bill, following "is", insert "a director or".

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 1957—An act to amend Section 10202 of the Insurance Code, relating to group life insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 20, of the printed bill, after "employer", insert "other than an employer of public employees".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred: Assembly Bill No. 500

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bill ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT THAT PROPOSED COMMITTEE AMENDMENTS TO ASSEMBLY BILL NO. 500 BE PRINTED IN JOURNAL

Mr. Sherwin asked for, and was granted, unanimous consent that the amendments proposed by the Committee on Ways and Means to Assembly Bill No. 500 be ordered printed in the Journal, without action at this time.

AMENDMENTS PROPOSED BY THE COMMITTEE ON WAYS AND MEANS TO ASSEMBLY BILL NO. 500

Amendment No. 1

On page 3, line 2, of the printed bill, strike out "Council", and insert "Counsel".

Amendment No. 2

On page 3 of said bill, strike out lines 20 to 26, inclusive.

Amendment No. 3

On page 3 of said bill, after line 29, insert

"JUDICIAL".

Amendment No. 4

On page 6, line 19, of said bill, strike out "3,329,919", and insert "3,330,119".

Amendment No. 5

On page 7, line 31, of said bill, after "employees", strike out the period, and insert "or other agencies which by law are available for support of said agency."

Amendment No. 6

On page 11 of said bill, after line 16, insert "and in addition thereto any amounts returned by paroled or discharged prisoners in repayment of cash assistance advanced, which by law are available for support of said agency."

Amendment No. 7

On page 11 of said bill, after line 30, insert "and in addition thereto any amounts collected for services to other agencies, which by law are available for support of said department."

Amendment No. 8

On page 30, line 15, of said bill, strike out "for", and insert "from".

Amendment No. 9

On page 42 of said bill, after line 36, insert

"MILITARY AFFAIRS".

Amendment No. 10

On page 43, line 20, of said bill, strike out "54,788", and insert "54,778".

Amendment No. 11

On page 57 of said bill, after line 5, insert "and in addition thereto any amounts collected for services to activities supported out of other funds which by law are available for support of said commission."

Amendment No. 12

On page 63 of said bill, after line 21, insert

"MISCELLANEOUS".

Amendment No. 13

On page 67 of said bill, after line 45, insert

"284.1—For acquisition of real property, California Youth Training School, Youth Authority, to be expended under provisions of the Property Acquisition Act ---------- 300,000".

Amendment No. 14

On page 68, line 3, of said bill, strike out "523,438", and insert "223,438".

Amendment No. 15

On page 68 of said bill, strike out all of line 5.

Amendment No. 16

On page 68, line 6, of said bill, strike out "(b)", and insert "(a)".

Amendment No. 17

On page 68, line 8, of said bill, strike out "523,438", and insert "223,438".

Amendment No. 18

On page 69, line 41, of said bill, strike out "186,550", and insert "186,500".

Amendment No. 19

On page 75, line 15, of said bill, strike out "127,000", and insert "127,200".

Amendment No. 20

On page 91, line 10, of said bill, strike out "1951", and insert "1952".

Amendment No. 21

On page 24, line 7, of said bill, strike out "2115 1", and insert "21155.1".

Amendment No. 22

On page 47, line 3, of said bill, strike out "restoratoin", and insert "restoration".

Amendment No. 23

On page 56, line 9, of said bill, strike out "Department", and insert "Departments".

Amendment No. 24

On page 57, line 13, of said bill, after "to", insert "Railroad Commission".

Amendment No. 25

On page 62, line 27, of said bill, strike out "Veterans", and insert "Veterans' ".

Amendment No. 26

On page 5, line 14, of said bill, strike out "—"

Amendment No. 27

On page 5, line 48, of said bill, strike out "—".

Amendment No. 28

On page 6, line 22, of said bill, strike out "—"

Amendment No. 29

On page 6, line 41, of said bill, strike out "—".

Amendment No. 30

On page 3, line 3, of said bill, strike out "243,126", and insert "254,670".

Amendment No. 31

On page 3, line 8, of said bill, strike out "249,483", and insert "261,027".

Amendment No. 32

On page 3, line 12, of said bill, strike out "274,626", and insert "286,170".

Amendment No. 33

On page 3, line 19, of said bill, strike out "243,126", and insert "254,670".

Amendment No. 34

On page 4, line 10, of said bill, strike out "1,238,953", and insert "1,316,326".

Amendment No. 35

On page 4, line 19, of said bill, strike out "217,608", and insert "209,024".

Amendment No. 36

On page 4, line 24, of said bill, strike out "321,853", and insert "351,769".

Amendment No. 37

On page 4, line 28, of said bill, strike out "397,608", and insert "427,524".

Amendment No. 38

On page 4, line 31, of said bill, strike out "180,000", and insert "218,500".

Amendment No. 39

On page 4, line 33, of said bill, strike out "217,608", and insert "209,024".

Amendment No. 40

On page 4, line 37, of said bill, strike out "1,365,575", and insert "1,359,238".

Amendment No. 41

On page 4, line 42, of said bill, strike out "1,179,032", and insert "1,173,260".

Amendment No. 42

On page 4, line 43, of said bill, strike out "251,798", and insert "251,311".

Amendment No. 43

On page 4, line 44, of said bill, strike out "23,985", and insert "23,907".

Amendment No. 44

On page 4, line 46, of said bill, strike out "1,454,815", and insert "1,448,478".

Amendment No. 45

On page 4, line 52, of said bill, strike out "1,365,575", and insert "1,359,238".

Amendment No. 46

On page 5, line 3, of said bill, strike out "219,255", and insert "230,677".

Amendment No. 47

On page 5, line 8, of said bill, strike out "142,456", and insert "153,748".

Amendment No. 48

On page 5, line 10, of said bill, strike out "38,089", and insert "38,219".

Amendment No. 49

On page 5, line 12, of said bill, strike out "226,755", and insert "238,177".

Amendment No. 50

On page 5, line 16, of said bill, strike out "219,255", and insert "230,677".

Amendment No. 51

On page 5, line 34, of said bill, strike out "4,669,451", and insert "4,687,358".

Amendment No. 52

On page 5, line 40, of said bill, strike out "3,210,000", and insert "3,222,222".

Amendment No. 53

On page 5, line 41, of said bill, strike out "1,647,401", and insert "1,653,086".

Amendment No. 54

On page 5, line 44, of said bill, strike out "4,951,770", and insert "4,969,677".

Amendment No. 55

On page 5, line 50, of said bill, strike out "4,669,451", and insert "4,687,358".

Amendment No. 56

On page 6, line 27, of said bill, strike out "71,073", and insert "66,073".

Amendment No. 57

On page 6, line 35, of said bill, strike out "38,070", and insert "33,070".

Amendment No. 58

On page 6, line 38, of said bill, strike out "71,757", and insert "66,757".

Amendment No. 59

On page 6, line 43, of said bill, strike out "71,073", and insert "66,073".

Amendment No. 60

On page 6 of said bill, between lines 43 and 44, insert

"43.1—For augmentation of the Poultry Testing Project Fund payable from any moneys in the Fair and Exposition Fund available for permanent improvements upon the property of the state, citrus, county, or district agricultural associations for fair purposes, allocated by Section 19626 of the Business and Professions Code---------- 68,220
to be transferred by the State Controller to the Poultry Testing Project Fund."

Amendment No. 61

On page 7 of said bill, after line 15, insert

"44.1—For expenses of special commissions assisting the Board of Corrections in making a study of crime conditions pursuant to Sections 6027 and 6028 of the Penal Code, Department of Corrections..... 56,057".

Amendment No. 62

On page 7 of said bill, before line 16, insert

"44.2—For compensation, fees, and expenses of confidential personnel furnished by the Director of Corrections to the special commissions assisting the Board of Corrections in the study of crime, Department of Corrections (exempt from the provisions of Sections 12410, 13320, 16003, and 17031 of the Government Code)..... 45,000

provided, that claims for such compensation shall be presented by the Director of Corrections in his own name with a statement that the charges have been incurred pursuant to this item and when so presented shall be paid therefrom; and provided further that upon the completion of each secret investigation, and in any event within not more than one year after the payment of any claims, the Director of Corrections shall file with the Controller vouchers in support of the claims; provided, that the Controller shall not divulge any information conveyed by the vouchers, except upon order of a court of records in cases where the information is relevant and material evidence or upon order of the Legislature; and provided further, that such oaths of office as may be required of persons whose compensation is paid from this item may be kept in the confidential files of the Director of Corrections."

Amendment No. 63

On page 7, line 48, of said bill, strike out "2,076,066", and insert "2,092,026"

Amendment No. 64

On page 8, line 6, of said bill, strike out "1,333,293", and insert "1,349,253".

Amendment No. 65

On page 8, line 11, of said bill, strike out "2,323,332", and insert "2,339,292"

Amendment No. 66

On page 8, line 19, of said bill, strike out "2,076,066", and insert "2,092,026".

Amendment No. 67

On page 8, line 25, of said bill, strike out "2,055,146", and insert "2,036,146".

Amendment No. 68

On page 8, line 34, of said bill, strike out "74,297", and insert "55,297".

Amendment No. 69

On page 8, line 36, of said bill, strike out "2,162,536", and insert "2,143,536".

Amendment No. 70

On page 8, line 44, of said bill, strike out "2,055,146", and insert "2,036,146".

Amendment No. 71

On page 8, line 47, of said bill, strike out "3,379,257", and insert "3,367,857".

Amendment No. 72

On page 9, line 3, of said bill, strike out "2,054,055", and insert "2,042,655".

Amendment No. 73

On page 9, line 8, of said bill, strike out "3,725,248", and insert "3,713,848"

Amendment No. 74

On page 9, line 19, of said bill, strike out "3,379,257", and insert "3,367,857"

Amendment No. 75

On page 9, line 22, of said bill, strike out "1,586,754", and insert "1,581,804"

Amendment No. 76

On page 9, line 29, of said bill, strike out "1,003,333", and insert "998,383".

Amendment No. 77

On page 9, line 34, of said bill, strike out "1,778,803", and insert "1,773,853"

Amendment No. 78

On page 9, line 41, of said bill, strike out "1,586,754", and insert "1,581,804".

Amendment No. 79

On page 11, line 30, of said bill, strike out "947,950", and insert "945,670".

Amendment No. 80

On page 11, line 32, of said bill, strike out "699,257", and insert "696,977".

Amendment No. 81

On page 11, line 36, of said bill, strike out "949,750", and insert "947,470".

Amendment No. 82

On page 11, line 41, of said bill, strike out "947,950", and insert "945,670".

Amendment No. 83

On page 12, line 18, of said bill, strike out "240,445", and insert "238,820".

Amendment No. 84

On page 12, line 26, of said bill, strike out "5,388", and insert "3,763".

Amendment No. 85

On page 12, line 28, of said bill, strike out "251,375", and insert "249,750".

Amendment No. 86

On page 12, line 33, of said bill, strike out "240,445", and insert "238,820".

Amendment No. 87

On page 13, line 42, of said bill, strike out "290,430", and insert "288,969".

Amendment No. 88

On page 14, line 3, of said bill, strike out "206,235", and insert "205,405".

Amendment No. 89

On page 14, line 5, of said bill, strike out "5,320", and insert "4,689".

Amendment No. 90

On page 14, line 7, of said bill, strike out "299,810", and insert "298,349".

Amendment No. 91

On page 14, line 12, of said bill, strike out "290,430", and insert "288,969".

Amendment No. 92

On page 14, line 15, of said bill, strike out "453,120", and insert "452,182".

Amendment No. 93

On page 14, line 23, of said bill, strike out "7,870", and insert "6,932".

Amendment No. 94

On page 14, line 25, of said bill, strike out "472,470", and insert "471,532".

Amendment No. 95

On page 14, line 30, of said bill, strike out "453,120", and insert "452,182".

Amendment No. 96

On page 14, line 37, of said bill, strike out "1,865,637", and insert "1,793,940".

Amendment No. 97

On page 15, line 3, of said bill, strike out "1,426,459", and insert "1,370,605".

Amendment No. 98

On page 15, line 4, of said bill, strike out "488,386", and insert "479,271".

Amendment No. 99

On page 15, line 5, of said bill, strike out "67,434", and insert "60,706".

Amendment No. 100

On page 15, line 7, of said bill, strike out "1,982,279", and insert "1,910,582".

Amendment No. 101

On page 15, line 14, of said bill, strike out "1,865,637", and insert "1,793,940".

Amendment No. 102

On page 15 of said bill, after line 34, insert "Notwithstanding any other provision of law, expenditures from the appropriation made by this item are subject to the provisions of Section 18004 of the Government Code."

Amendment No. 103

On page 15 of said bill, after line 45, insert "Notwithstanding any other provision of law, expenditures from the appropriation made by this item are subject to the provisions of Section 18004 of the Government Code."

Amendment No. 104

One page 16 of said bill, after line 4, insert "Notwithstanding any other provision of law, expenditures from the appropriation made by this item are subject to the provisions of Section 18004 of the Government Code."

Amendment No. 105

On page 16, line 9, of said bill, strike out "850,000", and insert "835,000".

Amendment No. 106

On page 16, line 25, of said bill, strike out "777,599", and insert "747,153".

Amendment No. 107

On page 16, line 26, of said bill, strike out "1,762,900", and insert "1,748,346".

Amendment No. 108

On page 16, line 29, of said bill, strike out "2,550,000", and insert "2,505,000".

Amendment No. 109

On page 16, line 32, of said bill, strike out "1,700,000", and insert "1,670,000".

Amendment No. 110

On page 16, line 34, of said bill, strike out "850,000", and insert "835,000".

Amendment No. 111

On page 17, line 4, of said bill, strike out "401,455", and insert "398,641".

Amendment No. 112

On page 17, line 9, of said bill, strike out '292,161", and insert "289,597".

Amendment No. 113

On page 17, line 11, of said bill, strike out "65,389", and insert "65,139".

Amendment No. 114

On page 17, line 13, of said bill, strike out "402,055", and insert "399,241".

Amendment No. 115

On page 17, line 17, of said bill, strike out "401,455", and insert "398,641".

Amendment No. 116

On page 19, line 21, of said bill, strike out "1,127,302", and insert "1,130,674".

Amendment No. 117

On page 19, line 29, of said bill, strike out "1,055,893", and insert "1,059,265".

Amendment No. 118

On page 19, line 32, of said bill, strike out "1,419,257", and insert "1,422,629".

Amendment No. 119

On page 19, line 45, of said bill, strike out "1,127,302", and insert "1,130,674".

Amendment No. 120

On page 23, line 28, of said bill, strike out "207,500", and insert "196,552".

Amendment No. 121

On page 23, line 39, of said bill, strike out "216,580", and insert "213,990".

Amendment No. 122

On page 23, line 40, of said bill, strike out "110,742", and insert "103,184".

Amendment No. 123
On page 23, line 43, of said bill, strike out "331,802", and insert "321,654".

Amendment No. 124
On page 24, line 5, of said bill, strike out "11,897", and insert "12,697".

Amendment No. 125
On page 24, line 13, of said bill, strike out "207,500", and insert "196,552".

Amendment No. 126
On page 26, line 4, of said bill, strike out "230,202", and insert "227,430".

Amendment No. 127
On page 26, line 9, of said bill, strike out "162,184", and insert "159,412".

Amendment No. 128
On page 26, line 13, of said bill, strike out "239,670", and insert "236,898".

Amendment No. 129
On page 26, line 18, of said bill, strike out "230,202", and insert "227,430".

Amendment No. 130
On page 27, line 11, of said bill, strike out "1,601,035", and insert "1,596,042".

Amendment No. 131
On page 27, line 17, of said bill, strike out "1,346,279", and insert "1,341,599".

Amendment No. 132
On page 27, line 19, of said bill, strike out "31,029", and insert "30,716".

Amendment No. 133
On page 27, line 21, of said bill, strike out "1,766,041", and insert "1,761,048".

Amendment No. 134
On page 27, line 35, of said bill, strike out "1,601,035", and insert "1,596,042".

Amendment No. 135
On page 29, line 3, of said bill, strike out "10,802,894", and insert "10,782,700".

Amendment No. 136
On page 29, line 9, of said bill, strike out "9,325,048", and insert "9,318,448".

Amendment No. 137
On page 29, line 10, of said bill, strike out "1,609,138", and insert "1,607,938".

Amendment No. 138
On page 29, line 11, of said bill, strike out "124,160", and insert "111,766".

Amendment No. 139
On page 29, line 13, of said bill, strike out "11,058,346", and insert "11,038,152".

Amendment No. 140
On page 29, line 22, of said bill, strike out "10,802,894", and insert "10,782,700".

Amendment No. 141
On page 29, line 27, of said bill, strike out "670,351", and insert "667,135".

Amendment No. 142
On page 29, line 29, of said bill, strike out "453,802", and insert "450,586".

Amendment No. 143
On page 29, line 33, of said bill, strike out "670,351", and insert "667,135".

Amendment No. 144
On page 29, line 37, of said bill, strike out "424,750", and insert "424,665".

Amendment No. 145
On page 29, line 41, of said bill, strike out "3,565", and insert "3,480".

Amendment No. 146

On page 29, line 43, of said bill, strike out "424,750", and insert "424,665".

Amendment No. 147

On page 31 of said bill, strike out lines 6, 7, and 8.

Amendment No. 148

On page 31, line 32, of said bill, strike out "262,217", and insert "270,929".

Amendment No. 149

On page 31, line 36, of said bill, strike out "323,742", and insert "332,454".

Amendment No. 150

On page 31, line 43, of said bill, strike out "194,246", and insert "202,958".

Amendment No. 151

On page 32, line 5, of said bill, strike out "194,246", and insert "202,958".

Amendment No. 152

On page 32, line 35, of said bill, strike out "86,578", and insert "96,418".

Amendment No. 153

On page 32, line 37, of said bill, strike out "42,845", and insert "50,525".

Amendment No. 154

On page 32, line 38, of said bill, strike out "43,033", and insert "45,193".

Amendment No. 155

On page 32, line 41, of said bill, strike out "86,578", and insert "96,418".

Amendment No. 156

On page 33, line 32, of said bill, strike out "34,930", and insert "17,465".

Amendment No. 157

On page 33 of said bill, after line 32, insert "and in addition thereto, any amounts collected for services to employees which by law are available for support of said agency; provided, however, that none of the funds shall be available for expenditure after December 31, 1951".

Amendment No. 158

On page 33, line 34, of said bill, strike out "24,554", and insert "12,277".

Amendment No. 159

On page 33, line 35, of said bill, strike out "10,800", and insert "5,400".

Amendment No. 160

On page 33, line 36, of said bill, strike out "500", and insert "250".

Amendment No. 161

On page 33, line 38, of said bill, strike out "35,854", and insert "17,927".

Amendment No. 162

On page 33, line 40, of said bill, strike out "924", and insert "462".

Amendment No. 163

On page 33, line 42, of said bill, strike out "34,930", and insert "17,465".

Amendment No. 164

On page 33, line 44, of said bill, strike out "2,827,465", and insert "2,821,463"

Amendment No. 165

On page 33, line 46, of said bill, strike out "2,369,698", and insert "2,364,502"

Amendment No. 166

On page 33, line 48, of said bill, strike out "56,143", and insert "55,337".

Amendment No. 167

On page 33, line 50, of said bill, strike out "2,827,465", and insert "2,821,463".

Amendment No. 168

On page 34, line 48, of said bill, strike out "4,060,247", and insert "4,050,021".

Amendment No. 169

On page 35, line 3, of said bill, strike out "3,322,957", and insert "3,316,237".

Amendment No. 170

On page 35, line 4, of said bill, strike out "777,980", and insert "774,967".

Amendment No. 171

On page 35, line 5, of said bill, strike out "72,869", and insert "72,376".

Amendment No. 172

On page 35, line 7, of said bill, strike out "4,173,806", and insert "4,163,580".

Amendment No. 173

On page 35, line 15, of said bill, strike out "4,060,247", and insert "4,050,021".

Amendment No. 174

On page 36, line 31, of said bill, strike out "562,418", and insert "548,343".

Amendment No. 175

On page 36, line 34, of said bill, strike out "184,851", and insert "170,776".

Amendment No. 176

On page 36, line 37, of said bill, strike out "562,418", and insert "548,343".

Amendment No. 177

On page 37, line 3, of said bill, strike out "2,186,625", and insert "2,199,414".

Amendment No. 178

On page 37, line 12, of said bill, strike out "1,773,402", and insert "1,778,550".

Amendment No. 179

On page 37, line 13, of said bill, strike out "646,476", and insert "646,781".

Amendment No. 180

On page 37, line 14, of said bill, strike out "64,197", and insert "71,533".

Amendment No. 181

On page 37, line 16, of said bill, strike out "2,484,075", and insert "2,496,864".

Amendment No. 182

On page 37, line 27, of said bill, strike out "2,186,625", and insert "2,199,414".

Amendment No. 183

On page 37, line 50, of said bill, strike out "1,407,626", and insert "1,399,923".

Amendment No. 184

On page 38, line 3, of said bill, strike out "1,041,720", and insert "1,034,340".

Amendment No. 185

On page 38, line 5, of said bill, strike out "67,065", and insert "66,742"

Amendment No. 186

On page 38, line 7, of said bill, strike out "1,407,626", and insert "1,399,923".

Amendment No. 187

On page 38, line 20, of said bill, strike out "385,400", and insert "359,000".

Amendment No. 188

On page 38, line 25, of said bill, strike out "425,932", and insert "433,312".

Amendment No. 189

On page 38, line 27, of said bill, strike out "11,778", and insert "12,101".

Amendment No. 190

On page 38, line 29, of said bill, strike out "518,317", and insert "526,020".

Amendment No. 191

On page 38, line 35, of said bill, strike out "121,985", and insert "129,688".

Amendment No. 192

On page 39, line 3, of said bill, strike out "4,148,495", and insert "4,145,018".

Amendment No. 193

On page 39, line 9, of said bill, strike out "2,743,710", and insert "2,741,190".

Amendment No. 194

On page 39, line 11, of said bill, strike out "129,515", and insert "128,558".

Amendment No. 195

On page 39, line 13, of said bill, strike out "4,248,966", and insert "4,245,489".

Amendment No. 196

On page 39, line 18, of said bill, strike out "4,148,495", and insert "4,145,018".

Amendment No. 197

On page 39, line 20, of said bill, strike out "5,761,783", and insert "5,753,291".

Amendment No. 198

On page 39, line 26, of said bill, strike out "3,989,656", and insert "3,982,204".

Amendment No. 199

On page 39, line 28, of said bill, strike out "161,445", and insert "160,405".

Amendment No. 200

On page 39, line 30, of said bill, strike out "5,909,013", and insert "5,900,521".

Amendment No. 201

On page 39, line 35, of said bill, strike out "5,761,783", and insert "5,753,291".

Amendment No. 202

On page 39, line 37, of said bill, strike out "2,964,173", and insert "2,961,253".

Amendment No. 203

On page 39, line 42, of said bill, strike out "1,951,983", and insert "1,949,463".

Amendment No. 204

On page 39, line 44, of said bill, strike out "51,426", and insert "51,026".

Amendment No. 205

On page 39, line 46, of said bill, strike out "3,058,400", and insert "3,055,480".

Amendment No. 206

On page 39, line 50, of said bill, strike out "2,964,173", and insert "2,961,253".

Amendment No. 207

On page 40, line 3, of said bill, strike out "2,596,676", and insert "2,592,996".

Amendment No. 208

On page 40, line 9, of said bill, strike out "1,816,844", and insert "1,814,564".

Amendment No. 209

On page 40, line 11, of said bill, strike out "73,530", and insert "72,130".

Amendment No. 210

On page 40, line 13, of said bill, strike out "2,688,690", and insert "2,685,010".

Amendment No. 211

On page 40, line 18, of said bill, strike out "2,596,676", and insert "2,592,996".

Amendment No. 212

On page 40, line 20, of said bill, strike out "3,191,040", and insert "3,189,993".

Amendment No. 213

On page 40, line 25, of said bill, strike out "2,116,872", and insert "2,116,752".

Amendment No. 214

On page 40, line 27, of said bill, strike out "95,464", and insert "94,537".

Amendment No. 215

On page 40, line 29, of said bill, strike out "3,295,794", and insert "3,294,747".

Amendment No. 216
On page 40, line 33, of said bill, strike out "3,191,040", and insert "3,189,993".

Amendment No. 217
On page 40, line 35, of said bill, strike out "4,050,295", and insert "4,046,103".

Amendment No. 218
On page 40, line 41, of said bill, strike out "2,713,034", and insert "2,710,142".

Amendment No. 219
On page 40, line 43, of said bill, strike out "87,718", and insert "86,418".

Amendment No. 220
On page 40, line 45, of said bill, strike out "4,181,074", and insert "4,176,882".

Amendment No. 221
On page 40, line 50, of said bill, strike out "4,050,295", and insert "4,046,103".

Amendment No. 222
On page 41, line 3, of said bill, strike out "2,607,184", and insert "2,604,664".

Amendment No. 223
On page 41, line 9, of said bill, strike out "1,889,028", and insert "1,886,508".

Amendment No. 224
On page 41, line 13, of said bill, strike out "2,697,260", and insert "2,694,740".

Amendment No. 225
On page 41, line 18, of said bill, strike out "2,607,184", and insert "2,604,664".

Amendment No. 226
On page 41, line 20, of said bill, strike out "4,008,891", and insert "4,008,171"

Amendment No. 227
On page 41, line 26, of said bill, strike out "2,778,059", and insert "2,777,339".

Amendment No. 228
On page 41, line 30, of said bill, strike out "4,095,535", and insert "4,094,815".

Amendment No. 229
On page 41, line 35, of said bill, strike out "4,008,891", and insert "4,008,171".

Amendment No. 230
On page 41, line 37, of said bill, strike out "4,537,151", and insert "4,533,571".

Amendment No. 231
On page 41, line 43, of said bill, strike out "3,165,087", and insert "3,162,567".

Amendment No. 232
On page 41, line 45, of said bill, strike out "118,989", and insert "117,929".

Amendment No. 233
On page 41, line 47, of said bill, strike out "4,680,226", and insert "4,676,646"

Amendment No. 234
On page 41, line 52, of said bill, strike out "4,537,151", and insert "4,533,571"

Amendment No. 235
On page 42, line 3, of said bill, strike out "2,403,775", and insert "2,403,655".

Amendment No. 236
On page 42, line 9, of said bill, strike out "1,666,973", and insert "1,666,853".

Amendment No. 237
On page 42, line 13, of said bill, strike out "2,471,050", and insert "2,470,930".

Amendment No. 238
On page 42, line 18, of said bill, strike out "2,403,775", and insert "2,403,655".

Amendment No. 239

On page 42, line 20, of said bill, strike out "3,823,394", and insert "3,823,068".

Amendment No. 240

On page 42, line 26, of said bill, strike out "2,682,075", and insert "2,681,955".

Amendment No. 241

On page 42, line 28, of said bill, strike out "102,150", and insert "101,944".

Amendment No. 242

On page 42, line 30, of said bill, strike out "3,895,214", and insert "3,894,888".

Amendment No. 243

On page 42, line 36, of said bill, strike out "3,823,394", and insert "3,823,068".

Amendment No. 244

On page 43, line 30, of said bill, strike out "8,934,463", and insert "8,990,456".

Amendment No. 245

On page 43, line 35, of said bill, strike out "7,793,006", and insert "7,814,010".

Amendment No. 246

On page 43, line 36, of said bill, strike out "2,670,592", and insert "2,693,969".

Amendment No. 247

On page 43, line 37, of said bill, strike out "140,556", and insert "152,168".

Amendment No. 248

On page 43, line 39, of said bill, strike out "10,604,154", and insert "10,660,147".

Amendment No. 249

On page 43, line 50, of said bill, strike out "8,934,463", and insert "8,990,456".

Amendment No. 250

On page 44, line 20, of said bill, strike out "176,588", and insert "172,763".

Amendment No. 251

On page 44, line 27, of said bill, strike out "50,230", and insert "42,730".

Amendment No. 252

On page 44, line 30, of said bill, strike out "363,557", and insert "356,057".

Amendment No. 253

On page 44, line 33, of said bill, strike out "186,969", and insert "183,294".

Amendment No. 254

On page 44, line 35, of said bill, strike out "176,588", and insert "172,763".

Amendment No. 255

On page 44 of said bill, after line 35, insert

"181.1—For Department of Natural Resources exhibit at State Fair, Departmental Administration, Department of Natural Resources, payable from any moneys in the Fair and Exposition Fund available for permanent improvements upon the property of the state, citrus, county, or district agricultural associations for fair purposes, allocated by Section 19626 of the Business and Professions Code, in accordance with the following schedule 3,825

and in addition thereto any amounts collected for services to activities supported out of other funds which by law are available for support of said department.

Schedule:

State Fair exhibits	7,500
Less: Estimated reimbursements:	
For services to activities supported out of other funds	3,675
Net appropriation	3,825".

Amendment No. 256

On page 45, line 5, of said bill, strike out "51,399", and insert "38,577".

Amendment No. 257

On page 45, line 7, of said bill, strike out "2,100,616", and insert "2,087,794".

Amendment No. 258

On page 45, line 14, of said bill, strike out "550,793", and insert "537,971".

Amendment No. 259

On page 45, line 31, of said bill, strike out "550,793", and insert "537,971".

Amendment No. 260

On page 45 of said bill, strike out lines 51 and 52.

Amendment No. 261

On page 46 of said bill, strike out lines 2 to 18, inclusive.

Amendment No. 262

On page 46, line 27, of said bill, strike out "5,262,089", and insert "5,260,022".

Amendment No. 263

On page 46, line 32, of said bill, strike out "2,787,144", and insert "2,789,579".

Amendment No. 264

On page 46, line 33, of said bill, strike out "2,173,212", and insert "2,171,926".

Amendment No. 265

On page 46, line 34, of said bill, strike out "400,124", and insert "396,908".

Amendment No. 266

On page 46, line 36, of said bill, strike out "5,360,480", and insert "5,358,413".

Amendment No. 267

On page 46, line 44, of said bill, strike out "5,262,089", and insert "5,260,022".

Amendment No. 268

On page 47 of said bill, strike out lines 8, 9, and 10.

Amendment No. 269

On page 48, line 29, of said bill, after "suppression", strike out the comma, and insert "and detection,".

Amendment No. 270

On page 49, line 5, of said bill, strike out "375,439", and insert "378,895".

Amendment No. 271

On page 49, line 10, of said bill, strike out "271,340", and insert "274,796".

Amendment No. 272

On page 49, line 14, of said bill, strike out "376,207", and insert "379,663".

Amendment No. 273

On page 49, line 19, of said bill, strike out "375,439", and insert "378,895".

Amendment No. 274

On page 51, line 35, of said bill, strike out "146,646", and insert "139,526".

Amendment No. 275

On page 51, line 37, of said bill, strike out "89,178", and insert "83,058".

Amendment No. 276

On page 51, line 38, of said bill, strike out "57,261", and insert "56,261".

Amendment No. 277

On page 51, line 41, of said bill, strike out "146,646", and insert "139,526".

Amendment No. 278

On page 55, line 16, of said bill, strike out "209,999", and insert "133,252".

Amendment No. 279

On page 55, line 18, of said bill, strike out "153,845", and insert "80,598".

Amendment No. 280
On page 55, line 19, of said bill, strike out "55,746", and insert "52,246".

Amendment No. 281
On page 55, line 22, of said bill, strike out "209,999", and insert "133,252".

Amendment No. 282
On page 55, line 27, of said bill, strike out "3,924,799", and insert "3,913,298".

Amendment No. 283
On page 55, line 43, of said bill, strike out "3,413,511", and insert "3,411,231".

Amendment No. 284
On page 55, line 44, of said bill, strike out "2,331,912", and insert "2,329,172".

Amendment No. 285
On page 55, line 45, of said bill, strike out "117,651", and insert "116,622".

Amendment No. 286
On page 55, line 47, of said bill, strike out "278,350", and insert "272,898".

Amendment No. 287
On page 55, line 49, of said bill, strike out "6,141,424", and insert "6,129,923".

Amendment No. 288
On page 56, line 19, of said bill, strike out "3,924,799", and insert "3,913,298".

Amendment No. 289
On page 57, line 44, of said bill, strike out "96,119", and insert "95,414".

Amendment No. 290
On page 58, line 10, of said bill, strike out "125,039", and insert "125,744".

Amendment No. 291
On page 58, line 12, of said bill, strike out "96,119", and insert "95,414".

Amendment No. 292
On page 58, line 44, of said bill, strike out "1,265,195", and insert "1,262,785"

Amendment No. 293
On page 59, line 6, of said bill, strike out "989,116", and insert "986,836".

Amendment No. 294
On page 59, line 8, of said bill, strike out "66,876", and insert "66,746".

Amendment No. 295
On page 59, line 12, of said bill, strike out "1,420,349", and insert "1,417,939".

Amendment No. 296
On page 59, line 21, of said bill, strike out "1,265,195", and insert "1,262,785"

Amendment No. 297
On page 59, line 33, of said bill, strike out "441,575", and insert "471,575".

Amendment No. 298
On page 59, line 35, of said bill, strike out "15,000", and insert "45,000".

Amendment No. 299
On page 59, line 42, of said bill, strike out "441,575", and insert "471,575".

Amendment No. 300
On page 60, line 4, of said bill, strike out "115,069", and insert "108,447".

Amendment No. 301
On page 60, line 9, of said bill, strike out "77,743", and insert "72,111".

Amendment No. 302
On page 60, line 10, of said bill, strike out "37,326", and insert "36,336".

Amendment No. 303

On page 60, line 13, of said bill, strike out "117,569", and insert "110,947".

Amendment No. 304

On page 60, line 18, of said bill, strike out "115,069", and insert "108,447".

Amendment No. 305

On page 61, line 3, of said bill, strike out "1,907,418", and insert "1,904,224".

Amendment No. 306

On page 61, line 11, of said bill, strike out "1,849,968", and insert "1,848,592".

Amendment No. 307

On page 61, line 12, of said bill, strike out "826,523", and insert "824,273".

Amendment No. 308

On page 61, line 17, of said bill, strike out "2,838,122", and insert "2,834,496".

Amendment No. 309

On page 61, line 20, of said bill, strike out "930,704", and insert "930,272".

Amendment No. 310

On page 61, line 22, of said bill, strike out "1,907,418", and insert "1,904,224".

Amendment No. 311

On page 62, line 27, of said bill, strike out "1,471,451", and insert "1,463,636".

Amendment No. 312

On page 62, line 39, of said bill, strike out "1,577,148", and insert "1,569,333".

Amendment No. 313

On page 62, line 43, of said bill, strike out "2,409,130", and insert "2,401,315".

Amendment No. 314

On page 62, line 52, of said bill, strike out "1,471,451", and insert "1,463,636".

Amendment No. 315

On page 63, line 46, of said bill, strike out "41,491", and insert "98,289".

Amendment No. 316

On page 63 of said bill, strike out lines 48 to 51; and on page 64, strike out lines 2 to 18, inclusive, and insert

"(a) General Fund	45,308
(b) Accountancy Fund	5
(c) State Agricultural Society Contingency Fund	389
(d) Department of Agriculture Fund	41
(e) Fish and Game Preservation Fund	1,140
(f) Fair and Exposition Fund available to 1-A District Agricultural Association under the provisions of Section 19622 of the Business and Professions Code	878
(g) Fair and Exposition Fund available to the California Polytechnic School under the provisions of Section 19622 of the Business and Professions Code	675
(h) State Highway Fund	4,521
(i) State Lands Act Fund	933
(j) Motor Vehicle Fund	2,069
(k) Motor Vehicle Fuel Fund	40,681
(l) Motor Vehicle License Fee Fund	194
(m) Board of Nurse Examiners Fund	48
(n) State Park Maintenance Fund	12
(o) Division of Architecture Revolving Fund	149
(p) Correctional Industries Revolving Fund	130
(q) Estates of Deceased Persons Fund	94
(r) Social Welfare Fund	908
(s) Unemployment Administration Fund	97
(t) Vocational Rehabilitation Fund	17
Total of Schedule	$98,289".

Amendment No. 317

On page 66, line 21, of said bill, strike out "1,080,811", and insert "1,060,411".

Amendment No. 318

On page 66, line 24, of said bill, strike out "1,015,711", and insert "1,008,211".

Amendment No. 319

On page 66, line 26, of said bill, strike out "65,100", and insert "52,200".

Amendment No. 320

On page 66, line 28, of said bill, strike out "1,080,811", and insert "1,060,411".

Amendment No. 321

On page 66 of said bill, after line 45, insert

"277.1—For major construction, improvements, and equipment, California State Prison at Folsom, Department of Correction, in accordance with the following schedule 50,000

(a) Furniture refinishing

Building 50,000

Total of schedule ..... 50,000".

Amendment No. 322

On page 67, line 35, of said bill, strike out "1,135,885", and insert "628,214".

Amendment No. 323

On page 67, line 40, of said bill, strike out "1,135,885", and insert "628,214".

Amendment No. 324

On page 67, line 42, of said bill, strike out "1,135,885", and insert "628,214"

Amendment No. 325

On page 68 of said bill, after line 44, insert

"291.1—For major construction, improvements, and equipment, Fred C Nelles School for Boys, Youth Authority, in accordance with the following schedule: 90,000

(a) School building 90,000

Total of schedule ..... 90,000".

Amendment No. 326

On page 69 of said bill, after line 49, insert

"Expenditure of this appropriation or any part thereof shall be pursuant to concurrence by the Legislative Auditor and the State Public Works Board in the recommendations of a survey relative to continuation of the institution at the present site or construction of a new institution at another site. This appropriation may be expended in accordance with the above schedule or in acquisition of site and partial construction of a new institution in accordance with the report as concurred in."

Amendment No. 327

On page 70 of said bill, after line 50, insert

"Item 304.3—For minor construction, improvements, repairs and equipment, initial complement of equipment for Long Beach State College, Department of Education ..... $130,623"

Amendment No. 328

On page 70 of said bill, after line 50, insert

"Item 304.5—For minor construction, improvements, repairs, and equipment, initial complement of equipment, Los Angeles State College of Applied Arts and Sciences, Department of Education ..... $69,602".

Amendment No. 329

On page 70 of said bill, after line 50, insert

"Item 304.7—For minor construction, improvements, repairs and equipment, initial complement of equipment, Sacramento State College, Department of Education ..... $68,357"

Amendment No. 330

On page 70 of said bill, after line 50, insert

"Item 304.8—For major construction, improvements, and equipment, Sacramento State College, Department of Education, in accordance with the following schedule $271,700
(a) Temporary facilities for new campus $271,700

Total of schedule ..... $271,700".

Amendment No. 331

On page 73 of said bill, strike out lines 2 to 8, inclusive.

Amendment No. 332

On page 74, line 16, of said bill, strike out "Working Drawings", and insert "Preliminary Plans".

Amendment No. 333

On page 76 of said bill, strike out lines 11 to 16, inclusive.

Amendment No. 334

On page 76 of said bill, strike out lines 17 through 30.

Amendment No. 335

On page 76, line 31, of said bill, following "For", strike out "major construction, improvements," and insert "minor construction, improvements, repairs,"

Amendment No. 336

On page 76, line 33, of said bill, strike out "75,000", and insert "29,600".

Amendment No. 337

On page 76, line 52, of said bill, strike out "265,020", and insert "261,020".

Amendment No. 338

On page 77, line 21, of said bill, strike out "112,475", and insert "97,975".

Amendment No. 339

On page 82 of said bill, between lines 39 and 40, insert

"378.1—For allocation to the State Water Resources Board for reallocation to the County of Santa Barbara for expenditure for payment, and for necessary advances made, of the cost of cooperation by the State in the program on the Santa Ynez River Watershed, adopted and authorized by the State Water Resources Act of 1945, payable from the Flood Control Fund of 1946 ..... 106,000".

Amendment No. 340

On page 88 of said bill, after line 50, insert

"SEC. 14.5. The appropriations made by this act are subject to the following provisions. State-owned motor vehicles shall be used only in the conduct of state business. No state officer or employee shall use, or permit the use of, any state-owned motor vehicle other than in the conduct of state business.

The State Board of Control shall prescribe rules and regulations which:

(a) Define the use of state-owned motor vehicles which constitutes use in the conduct of state business and distinguish such use from misappropriation for private use;

(b) Prescribe the procedure for determining and collecting the actual costs to the State attributable to misuse of state-owned motor vehicles and the disposition of such collections;

(c) Prescribe the records and reports to be kept and made by state agencies relating to the use of state-owned motor vehicles to the end that misuse may be discovered with a minimum of record-keeping; provided that every state officer or employee who has operated a state-owned motor vehicle during the preceding month shall file a statement certifying under penalty of perjury as to all statements made in such reports, including a statement that he has not used or permitted the use of any state-owned motor vehicle other than in the conduct of state business as prescribed by the State Board of Control; no money appropriated by this act shall be expended for payment of the salary of any state officer or employee who has operated a state-owned motor vehicle in the preceding month unless he has filed the reports and certification as provided in this section; provided, however, that with the approval of the Director of Finance such reports and certification may be filed on behalf of any state employee by the employee's supervising officer in those cases where it is determined

that there are valid reasons which would prevent the employee from complying with the certification and filing requirements of the act;

(d) Establish methods of vehicle control and accounting which will facilitate and encourage the pooling of vehicles for their most effective utilization;

(e) Govern the storage of state-owned motor vehicles.

The provisions of this section shall not apply to the incumbents of elective state offices.

The Department of Finance shall administer the provisions of this section and the rules and regulations adopted pursuant thereto; provided, however, that it shall be the duty of the head or governing body of each state agency to carry out and enforce this section and said rules and regulations within such state agency.

Any violation by a state officer or employee of this section or the rules and regulations adopted pursuant thereto shall constitute misuse of state property under Section 19572 of the Government Code.

The State Personnel Board, upon its own initiative or upon request of any person, may suspend from state service without pay for a period not exceeding 30 days, any officer or employee of the State exempt from civil service for violating this section or the rules and regulations adopted pursuant thereto The procedure prescribed in the State Civil Service Act for taking punitive action against state employees shall apply to punitive action taken under this paragraph."

Amendment No. 341

On page 90, line 1, of said bill, strike out the comma, and insert a period.

Amendment No. 342

On page 90 of said bill, strike out lines 2 and 3

Amendment No. 343

On page 90, line 4, of said bill, strike out "convenience or economy."

ANNOUNCEMENT

Mr. Sherwin announced that if any member wants to submit his own amendments to the Budget Bill, Assembly Bill No 500, the Legislative Counsel should be consulted; and that he will be of great assistance to the members in such preparation.

REQUEST FOR UNANIMOUS CONSENT TO SET SPECIAL ORDER

Mr. Sherwin asked for, and was granted, unanimous consent that Assembly Bill No. 500, and proposed committee amendments, be made a special order of business for Tuesday, March 20, 1951, at 10 30 a.m.

REPORTS OF STANDING COMMITTEES

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 456	Assembly Bill No. 629
Assembly Bill No. 628	Assembly Bill No. 630

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which was referred.

Assembly Bill No. 2423

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

ERWIN, Chairman

Above reported bill ordered to second reading.

RESOLUTIONS

The following resolution was offered:

By Mr. Dickey:

House Resolution No. 84

MR. SPEAKER: Your Committee on Rules respectfully begs to report that it has carefully considered the applications for the various positions and desires to submit the following resolution.

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their respective names, payable weekly, and the Controller is hereby directed to draw his warrants in favor of the respective persons in the said amounts and the Treasurer is hereby directed to pay the same

Commencing Wednesday, March 14, 1951	*Per day*
Chief Clerk, Arthur A Ohnimus	$27 50
Minute Clerk, Geraldine B Hadsell	16.50
Sergeant-at-Arms, Wilkie Ogg	16 50
Chaplain, Rev. Clarence A. Kircher	5 50
Assistant Chief Clerk, Harold F. Lewright	16 50
Engrossing-Enrolling Clerk, Charles W. Robbins	15 40
History Clerk, Ethel E Brockelbank	14.30
File Clerk, Ruth Riley	13.20
Assistant Clerk, John R. Wendt	13.20
Assistant Clerk, Paul F. Crum	13.20
Assistant Clerk, Robert W. Crown	13.20
Journal Clerk, Walter W. Feeley	13.20
Assistant at Desk, William J. Greene	12.10
Chief Assistant Sergeant-at-Arms, Andrew J Cecchettini	14 30

Resolved, That the compensation of the above named attaches shall be on a seven-day week basis.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 84, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72

NOES—None

MOTION THAT NO GUESTS BE INTRODUCED BY MEMBERS FROM FLOOR

Mr. Dickey moved, in the interest of time, that in the future, and for the duration of this session, no guests be introduced by members from the floor; but that the names of all guests, including those of students be brought by the members to the Speaker so that he may, if the calendar permits, introduce them; and that all such names be placed in the Daily Journal.

Messrs. Grunsky, Caldecott, Doyle, and Kirkwood seconded the motion.

Motion carried.

ANNOUNCEMENTS

Mr. Dickey announced that members must not lock their bill books in their desks as the Sergeant-at-Arms and his assistants must collect them every night in order to keep them up to date.

Mr. Dickey announced that ash trays have been ordered for the desks of the members.

Mr. Dickey announced that the parents of "Chuck" Irwin, a former Page Boy who has had his legs amputated, have reported that a resolution sent to "Chuck," adopted by this body, has been mislaid; and that "Chuck" Irwin desires another one.

REQUEST FOR UNANIMOUS CONSENT THAT CHIEF CLERK BE INSTRUCTED TO ORDER ANOTHER RESOLUTION FOR CHARLES ERWIN

Mr. Dickey asked for, and was granted, unanimous consent that the Chief Clerk be instructed to order another suitably engrossed resolution, as formerly adopted by this body, for Charles Irwin; and that he mail said copy to Charles Irwin.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2617 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Condon asked for, and was granted, unanimous consent that Assembly Bill No. 2617 be withdrawn from the Committee on Finance and Insurance, and be re-referred to the Committee on Municipal and County Government.

RESOLUTIONS

The following resolutions were offered:

By Mr. Lyon:

House Resolution No. 85

Relative to a St Patrick's Day celebration in the Assembly, and appropriation of $150 therefor

WHEREAS, It has become a national and often international custom for men of good will and tolerance to join in a celebration of St. Patrick's Day throughout the lands wherein the Sons of Ireland reside; and

WHEREAS, The State of California and more particularly the Assembly of the State are served by no few number of the Sons of Ireland; now, therefore, be it

Resolved by the Assembly of the State of California, That the sum of one hundred and fifty dollars ($150) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly to the Rules Committee for the celebration of St. Patrick's Day 1951.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Smith:

House Resolution No. 86

Relating to the Golden Jubilee Anniversary of Glendale High School

WHEREAS, Glendale High School has completed its first 50 years of secondary educational service to the youth of the State of California, developing scholarship, industry and athletic abilities in the student bodies, as well as an appreciation of the arts; and

WHEREAS, This occasion of the Fiftieth Anniversary is being marked by a week's program of alumni visits, social gatherings and historical revues, with the cooperation and guidance of students, alumni and faculty; now, therefore, be it

Resolved by the Assembly of the State of California, That the Principal of Glendale High School, the faculty and the Superintendent of the Board of Education of the Glendale Unified School District, and the Glendale High School Alumni Association be commended for the outstanding contribution made to the welfare of the people

of the State of California, and be commended for the endless personal sacrifices so necessary for the success they have brought to their school, our State and our Nation; and be it further

Resolved, That the Clerk of the Assembly transmit forthwith suitable copies of this resolution to the Principal of Glendale High School, to the Superintendent of the Board of Education of Glendale Unified School District, and to the Glendale High School Alumni Association.

Resolution read, and ordered referred to the Committee on Rules.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Thomas:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 1 of an act entitled "An act granting to the City of Los Angeles the tidelands and submerged lands of the State within the boundaries of said city," approved June 3, 1929, relating to tidelands and submerged lands.

Respectfully submitted.

VINCENT THOMAS

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Thomas:

An act to amend Section 1 of an act entitled "An act granting to the City of Los Angeles the tidelands and submerged lands of the State within the boundaries of said city," approved June 3, 1929, relating to tidelands and submerged lands.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—71.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3375: By Mr. Thomas—An act to amend Section 1 of an act entitled "An act granting to the City of Los Angeles the tidelands and submerged lands of the State within the boundaries of said city," approved June 3, 1929, relating to tidelands and submerged lands.

Referred to Committee on Governmental Efficiency and Economy.

ANNOUNCEMENT

Speaker Sam L. Collins announced that Assemblymen are receiving letters from state departments wanting to know when their bills are set for hearing; that Members of the Assembly are under no obligation to give further notice than is printed in the Daily File; and that all bills now pending before committees will be set for hearing at an early date.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1090 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Brown asked for, and was granted, unanimous consent that Assembly Bill No. 1090 be withdrawn from the Committee on Social Welfare, and be re-referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 32

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 327 FROM COMMITTEE CONTINUED

Mr. Davis asked for, and was granted, unanimous consent that his notice of motion to withdraw Senate Bill No. 327 from committee be continued until the next legislative day.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 600—An act to amend Section 100 of the Agricultural Code, relating to plant quarantine and pest control definitions.

Bill read third time, and ordered temporarily passed on file.

Assembly Bill No. 40—An act to amend Section 13926 of the Government Code, relating to awards made by the State Board of Control.

Bill read third time.

Point of Order

Mr. Beck arose to the following point of order: That the bill carries an implied appropriation, and is not properly before the House.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

The question being on the passage of Asesmbly Bill No. 40.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee,

McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 43—An act to amend Section 13145 of the Government Code, relating to refunds by state agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 26—An act to amend Section 31679 of the Government Code, relating to the members of the County Employees' Retirement System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—73
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 602—An act to add Section 200.5 to the Agricultural Code, relating to inclusion of poultry within the animal quarantine provisions of the Agricultural Code, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

Point of Order

Mr. Beck arose to the following point of order: That, pursuant to Rule No. 45, Assembly Bill No. 602 is not properly before the House because it calls for an expenditure of money, and should be re-referred to the Committee on Ways and Means.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken if the bill has not previously been referred to the Committee on Ways and Means.

Motion That Rule No. 45 Be Temporarily Suspended

Mr. Dunn moved that Rule No. 45 be temporarily suspended, at this time, for the purpose of considering Assembly Bill No. 602.

Mr. Erwin seconded the motion.

Motion temporarily held in abeyance.

Announcement

Mr. Beck announced that Assembly Bill No. 602 has been considered in the Committee on Ways and Means.

Point of Order Withdrawn

Mr. Beck withdrew his point of order.

Motion to Temporarily Suspend Rules Withdrawn

Mr. Erwin withdrew his second.

Mr. Dunn withdrew his motion to temporarily suspend Rule 45.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 566—An act to amend Sections 17125.5, 17163.5, 17257, 17331, 17333, 17342, 17343, 17344, 17346, 17347, 17348, 17349, 17349.5, 17350, 18172.3, 18211, and 18213 to the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read third time.

Motion to Amend

Mr. McCarthy moved the adoption of the following amendment:

Amendment No. 1

On page 5, lines 33 and 34, of the printed bill, restore the language stricken out: After "State", in line 33, insert "or maintains a permanent place of abode within this State".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Joint Resolution No. 10—Relative to reactivation of the Defense Highway Act of 1941.

Resolution read.

Demand for Previous Question

Messrs. Babbage, Geddes, Burke, Rosenthal, and Lindsay demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Assembly Joint Resolution No. 10.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Coats, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Lindsay, Lowrey, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Stanley, Thomas, and Mr. Speaker—50.

NOES—Babbage, Caldecott, Collier, Conrad, Hansen, Klocksiem, Lanterman, Levering, Lincoln, Shaw, Sherwin, and Smith—12

Resolution ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 17—Relative to urging equal opportunity in public employment for qualified physically handicapped citizens of the State.

Resolution read, and adopted unanimously

Resolution ordered transmitted to the Senate.

Assembly Bill No. 587—An act to amend Section 318.3 of the Agricultural Code, relating to meat inspection, marks, and labels.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 29—Relative to eggs shipped to Hawaii.

Resolution read, and adopted.

Resolution ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 30—Relative to participation in the events of the Thirty-second Annual Public Schools Week.

Resolution read, and adopted.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 3347 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Dunn asked for, and was granted, unanimous consent that Assembly Bill No. 3347 be withdrawn from the Committee on Governmental Efficiency and Economy, and be re-referred to the Committee on Education.

RECESS

At 11.35 a.m., on motion of Mr. Dickey, the Assembly recessed until 1.30 p.m.

REASSEMBLED

At 1.30 p.m., the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 32

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1822
Assembly Bill No. 1824
Assembly Bill No. 1158

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

BROWN, Chairman

Above reported bills ordered to second reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Joint Resolution No. 19: By Messrs. Hinckley, Erwin, Babbage, and McCollister—Relative to the continued propagation of the natural resources of the State with respect to dams constructed by the Bureau of Reclamation.

Referred to Committee on Rules

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 600

Mr. Clarke asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 600, temporarily passed on file, at this time.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 600

Assembly Bill No. 600—An act to amend Section 100 of the Agricultural Code, relating to plant quarantine and pest control definitions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Caldecott, Chapel, Clarke, Coats, Collier, Condon, Connolly, Crowley, Davis, Doyle, Dunn, Elliott, Gaffney, Grant, Grunsky, Gubser, Hagen, Hawkins, Henderson, Hinckley, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Rumford, Silliman, Stanley, Tomlinson, and Mr. Speaker—46

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 603

Mr. Clarke asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 603, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 603

Assembly Bill No. 603—An act to amend Section 1083.1, 1083.3, 1083.5, and 1089 of the Agricultural Code, relating to commercial feeding stuffs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Gaffney, Grant, Grunsky, Gubser, Hagen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Rumford, Silliman, Stanley, Stewart, Tomlinson, and Mr. Speaker—51.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Joint Resolution No. 16—Relative to the compensation of postal employees.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Coats, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Rumford, Shaw, Silliman, Stanley, and Mr. Speaker—51.

NOES—None.

Resolution ordered transmitted to the Senate.

BILL WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Joint Resolution No. 17, on motion of Mr. Moss.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS

Senate Concurrent Resolution No. 22—Relative to commending the city council and governmental agencies of the City of Sunnyvale and other cooperating agencies throughout the County of Santa Clara, for their splendid conduct during a recent emergency.

Resolution read, and adopted unanimously.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 235

Mr. Silliman asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 235, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 235

Assembly Bill No. 235—An act to amend Sections 812.4, 812.6, 814, 828.6, 828.7, 829.35, and 829.4 of the Agricultural Code, relating to containers for lettuce and carrots.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2143

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2143, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2143

Assembly Bill No. 2143—An act to amend by renumbering Section 4675 of the Health and Safety Code, relating to sanitary districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Names Be Placed Upon Roll Call on Assembly Bill No. 2143

Messrs. Connolly and Evans asked for, and were granted, unanimous consent that their names be placed upon the roll call on Assembly Bill No. 2143, and that they be recorded as voting "Aye."

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2144

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2144, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2144

Assembly Bill No. 2144—An act to amend and renumber Section 10880 of the Insurance Code, relating to conversion to mutual legal reserve.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—68

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2145

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2145, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2145

Assembly Bill No. 2145—An act to repeal Section 10651 of the Insurance Code, relating to associations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—68.

NOES—None

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2146

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2146, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2146

Assembly Bill No. 2146—An act to repeal Section 2615 of the Welfare and Institutions Code, relating to bringing nonresident indigent persons into the State.

Bill read third time.

Motion to Amend

Mr. Sam L Collins moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 2615", and insert "Article 5, Chapter 2, Division 4".

Amendment No. 2

On page 1, line 1, of said bill, strike out "Section 2615", and insert "Article 5, Chapter 2, Division 4".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2147

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 2147, temporarily passed on file, at this time

CONSIDERATION OF ASSEMBLY BILL NO. 2147

Assembly Bill No. 2147—An act to amend Section 960 of the Welfare and Institutions Code, relating to public schools in juvenile homes or camps.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lauterman, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Mr Speaker—70

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2148

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2148, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2148

Assembly Bill No. 2148—An act to amend Section 109 of the Welfare and Institutions Code, relating to the State Department of Social Welfare.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2149

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2149, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2149

Assembly Bill No. 2149—An act to amend Section 740.4 of the Streets and Highways Code, relating to mapped highways.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2150

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2150, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2150

Assembly Bill No. 2150—An act to amend Section 10755 of the Revenue and Taxation Code, relating to vehicle fees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney,

Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2151

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2151, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2151

Assembly Bill No. 2151—An act to amend Section 5156 of the Public Resources Code, relating to the expenditure of funds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2152

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2152, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2152

Assembly Bill No. 2152—An act to amend Section 4700 of the Penal Code, relating to the expenses of trial of prisoners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2153

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2153, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2153

Assembly Bill No. 2153—An act to amend and renumber Section 2040 of the Penal Code (as added thereto by Chapter 2 of the Statutes of the Third Extra Session of the Fifty-fifth Legislature) to be Section 2049, relating to the Department of Corrections.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2154

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2154, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2154

Assembly Bill No. 2154—An act to amend Section 1127 of the Penal Code, relating to instructions to the jury.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2155

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2155, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2155

Assembly Bill No. 2155—An act to amend Section 5300 of the Labor Code, relating to compensation proceedings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr Speaker—75.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2156

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2156, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2156

Assembly Bill No. 2156—An act to amend Section 2411 of the Labor Code, relating to public labor camps.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2157

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2157, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2157

Assembly Bill No. 2157—An act to amend Section 2102 of the Labor Code, relating to public labor camps.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury,

Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2158

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2158, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2158

Assembly Bill No. 2158—An act to amend Section 1596 of the Labor Code, relating to employment agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2159

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2159, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2159

Assembly Bill No. 2159—An act to amend Section 18455.5 of the Health and Safety Code, relating to building specifications.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2160

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2160, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2160

Assembly Bill No. 2160—An act to repeal Chapter 21 of the 1950 First Extraordinary Session, relating to horse race meetings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—75

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2161

Mr. Sam L Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 2161, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2161

Assembly Bill No. 2161—An act to repeal Article 4 of Chapter 17, Division 3 of the Business and Professions Code, relating to temporary registration of social workers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—75

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2162

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2162, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2162

Assembly Bill No. 2162—An act to amend Section 799 of the Agricultural Code, relating to standards for grapes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr Speaker—75

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2163

Mr. Sam L Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2163, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2163

Assembly Bill No. 2163—An act to amend Section 736.3 of the Agricultural Code, relating to marketing plans.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—75

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2164

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2164, temporarily passed on file, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2164

Assembly Bill No. 2164—An act to add Section 10115 to the Insurance Code, relating to life insurance policies.

Bill read third time.

Motion to Amend

Mr. Sam L Collins moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add", and insert "amend".

Amendment No. 2

In line 1 of the title of said bill, after "10115", strike out "to", and insert "of".

Amendment No. 3

On page 1 of said bill, strike out line 1, and insert
"SECTION 1. Section 10115 of the Insurance Code is amended".

Amendment No. 4

On page 1, line 9, of said bill, strike out "officer", and insert "office".

Amendments read, and adopted.
Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2165

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2165, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2165

Assembly Bill No. 2165—An act to amend Section 9060 of the Insurance Code, relating to exemptions

Bill read third time.
The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—75
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2166

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2166, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2166

Assembly Bill No. 2166—An act to amend Section 1020 of the Insurance Code, relating to insolvency and delinquency proceedings.

Bill read third time.
The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—75
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2167

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2167, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2167

Assembly Bill No. 2167—An act to amend Sections 37618, 37658, and 37659 of the Government Code, relating to bond issues.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2168

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2168, temporarily passed on file, at this time

CONSIDERATION OF ASSEMBLY BILL NO. 2168

Assembly Bill No. 2168—An act to amend Section 28153 of the Government Code, relating to compensation for public service in counties of the fifty-third class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2170

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2170, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2170

Assembly Bill No. 2170—An act to amend and renumber Section 9906.1 of the Government Code, relating to influencing the legislative process.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2171

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2171, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2171

Assembly Bill No. 2171—An act to amend Section 9300 of the Government Code, relating to compensation of Members of the Legislature.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2172

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2172, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2172

Assembly Bill No. 2172—An act to amend Section 9020 of the Government Code, relating to sessions of the Legislature.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2173

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2173, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2173

Assembly Bill No. 2173—An act to repeal Section 19432 of the Education Code, relating to the use of civic center or school property by subversive groups.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—75

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2174

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2174, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2174

Assembly Bill No. 2174—An act to amend Sections 7014, 7015, and 7020 of the Education Code, relating to apportionment of school funds.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman,

Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2175

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2175, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2175

Assembly Bill No. 2175—An act to amend and renumber Section 6904 of the Education Code, relating to average daily attendance in school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—75

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2176

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2176, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2176

Assembly Bill No. 2176—An act to amend Section 4663 of the Education Code, relating to annexation of school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2177

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2177, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2177

Assembly Bill No. 2177—An act to amend Sections 175 and 176 of the Education Code, relating to the powers of the Department of Education.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2178

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2178, temporarily passed on file, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2178

Assembly Bill No. 2178—An act to amend Section 1268 of the Code of Civil Procedure, relating to escheat of property.

Bill read third time.

Motion to Amend

Mr. Sam L. Collins moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 20, of the printed bill, after "thereof", insert a comma.

Amendment No. 2

On page 2, line 7, of said bill, after "Law", insert a comma.

Amendment No. 3

On page 2, line 7, of said bill, after "amended", insert a comma.

Amendment No. 4

On page 2, line 18, of said bill, after "cause," strike out "of", and insert "if".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2179

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2179, temporarily passed on file, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2179

Assembly Bill No. 2179—An act to renumber and amend Section 261b of the Code of Civil Procedure, relating to fees for phonographic reporters.

Bill read third time.

Motion to Amend

Mr. Sam L. Collins moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 17, of the printed bill, strike out "waiver", and insert "waived".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2180

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2180, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2180

Assembly Bill No. 2180—An act to repeal Title 9, Part 4, Division 1, comprising Sections 557 to 566, of the Civil Code, relating to homestead corporations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Messrs. Geddes, Maloney, and Dunn:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 44.2, 151, 203, 208, 209, 400, and 456 of and to add Sections 209.1, 310, 310.5, and 452.5 to the Unemployment Insurance Act relating to unemployment compensation disability insurance.

Respectfully submitted.

ERNEST R. GEDDES
THOMAS A. MALONEY
FRANCIS DUNN, JR.

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the authors be permitted to introduce it.

By Messrs. Geddes, Maloney, and Dunn:

An act to amend Section 44.2, 151, 203, 208, 209, 400 and 456 of and to add Sections 209.1, 310, 310.5 and 452.5 to the Unemployment Insurance Act relating to unemployment compensation disability insurance.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None.

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr. Waters asked for, and was granted, unanimous consent that his name be placed upon the roll call granting permission to Messrs. Geddes, Maloney, and Dunn to introduce a bill, and that he be recorded as voting "Aye."

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3376: By Messrs. Geddes, Maloney, and Dunn—An act to amend Sections 44.2, 151, 203, 208, 209, 400 and 456 of and to add Sections 209.1, 310, 310.5 and 452.5 to the Unemployment Insurance Act, relating to unemployment compensation disability insurance.

Referred to Committee on Finance and Insurance.

ANNOUNCEMENT

Speaker pro Tempore Maloney announced that the invitational dinner to be given tonight by Senator and Mrs. Arthur W. Way, assisted by Senator and Mrs. Fred Weybret, will be held at 6.30 p.m. in the Empire Room of the Hotel Senator, and expressed appreciation on behalf of the Members of the Assembly for their kind invitation.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 19—Relative to congratulating Lloyd Lapham;

Assembly Concurrent Resolution No. 28—Approving Charter Amendment No. 30 to the charter of the City of Palo Alto, County of Santa Clara, State of California,

voted for and ratified by the qualified electors of the said City of Palo Alto at a special municipal election held therein for that purpose on the seventh day of November, 1950.

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the fourteenth day of March, 1951, at 2 p.m.

BURKE, Chairman

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 14, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 31

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, March 14, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 16

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Joint Resolution No. 16—Relative to the immigration of Basque sheepherders pursuant to Public Law 587 of the Eighty-first Congress.

Referred to Committee on Rules.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 2.30 p.m.

Rules, in Room 320.

At 8 p.m.

Education, in Room 432.

Municipal and County Government, in Room 446.

Today Upon Adjournment—

Conservation, Planning, and Public Works, in Room 426

Governmental Efficiency and Economy, in Room 435. Subject: Authors' amendments.

MOTION THAT REPORTS OF SUBCOMMITTEES RELATIVE TO CONTESTED ELECTIONS BE PRINTED IN JOURNAL

Mr. Waters moved that a letter of transmittal, by him, and the reports of two Subcommittees of the Committee on Elections and Reapportionment, relative to the contested elections of Messrs. Henderson and McGee, with attached data pertaining to the subject, be ordered printed in the Journal, in 10-point type.

Mr. Meyers seconded the motion.

Motion carried.

LETTER OF TRANSMITTAL AND REPORTS OF SUBCOMMITTEES ON ELECTIONS AND REAPPORTIONMENT

LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE, March 14, 1951

Hon. Sam L. Collins
Speaker of the Assembly
State Capitol, Sacramento 14, California

DEAR MR. SPEAKER: Submitted herewith are the reports of the subcommittees assigned by your Committee on Elections and Reapportionment to investigate the election contests of the Honorable Wallace Henderson of the Thirty-fourth District and the Honorable Patrick D. McGee of the Sixty-fourth District.

These reports were unanimously approved by the Committee on Elections and Reapportionment on March 13, 1951, and it is the recommendation of your committee that the contests pending against the Honorable Wallace Henderson and the Honorable Patrick D. McGee be dismissed and that they be confirmed as members of this body.

Your committee feels compelled to point out to the membership that while contested elections are properly triable by this House, the contest of elections does not include violations of the Elections Code. Such violations are properly within the jurisdiction of the district attorney of the county in which the violations occur or may be properly presented to the grand jury of the appropriate county. Such matters should not be determined by this body but should be directed to the attention of the local officials whose duties include enforcement of the provisions of the Elections Code. An opinion from the Legislative Counsel is submitted herewith in support of the above conclusions.

Respectfully submitted,

LAUGHLIN E. WATERS, Chairman
Committee on Elections and Reapportionment

ASSEMBLY, CALIFORNIA LEGISLATURE, March 13, 1951

ELECTION CONTEST

J. H. Morris, et al., Contestants

vs.

Wallace Henderson, Contestee

The Standing Committee
on Elections and Reapportionment

GENTLEMEN: Your subcommittee, consisting of Charles W. Lyon, Chairman; Earl W. Stanley, Charles J. Conrad, Augustus F. Hawkins, and George D. Collins, have held a number of meetings in connection with this election contest here in Sacramento; and also held a meeting on March 7th in the County Court House of Fresno County.

At the first meetings, procedure was agreed upon between the attorneys for the contestants and the contestee and, in pursuance thereof, a commissioner was appointed on behalf of the committee to conduct the preliminary procedure and ballot count in the Office of the County Clerk of the County of Fresno, California. The commissioner appointed by your subcommittee was Adelbert DeVaul, 3356 Grant Avenue, Fresno, California; and this appointment was agreed to by the county clerk and the attorneys for both parties.

The commissioner, acting for the committee, supervised the counting of all the ballots which were cast in the Thirty-fourth Assembly District, and, by pre-arrangement with counsel for the parties affected, all questionable or void ballots, or ballots objected to by either of the attorneys, were set aside. When this work was completed, which count was carried on under the direction of the commissioner and the attorneys through the services of civil service employees of the Fresno County Clerk's office, a report was rendered to the chairman of the subcommittee.

We then secured the assistance of Mr. Joseph W. Paulucci of the Legislative Counsel Bureau, and an official court reporter, and the committee convened for its final meeting in Fresno where, under the guidance of Mr. Joseph W. Paulucci, and with the continued observation of the attorneys for both the contestee and contestants, all questionable ballots were counted. The total result of that count was, and to none of which there was objection, Mr. Henderson received 119 more votes than did Mr. Schroeder.

Application was made to the committee for a continuance by the contestants' attorney, Mr. Lucius Powers, representing the contestants for the purpose of filing a supplemental statement involving other matters of misconduct and malconduct on the part of the election officials at said Assembly election. The committee adjourned after taking the matter under consideration, and stated to Mr Powers that he would be permitted to file his supplemental statement and such affidavits in support thereof as he might desire.

Last Saturday there appeared a statement in the *Fresno Bee* that Mr. Powers had decided to abandon the filing of any supplemental statement, and would allow the subcommittee to make its recommendation based on the evidence and investigation already concluded. The chairman

of the subcommittee contacted Mr. Powers, and found that he did not wish to offer any further evidence.

Under all the circumstances, your committee feels that the Board of Supervisors of the County of Fresno, due to the developments at our hearings and inefficiency on the part of some of the election officials, should order conducted an election class at which their election officials would be advised as to the legal manner in which to conduct an election.

Your subcommittee further feels that any misconduct or malconduct of the election officials, as called attention to by the affidavits, should be the subject of investigation by the proper authorities of the County of Fresno, to wit: The district attorney's office or through the office of the grand jury of that county.

No evidence having been introduced, other than the affidavits, in support of malconduct or misconduct; and, since your committee has examined every single ballot, both questionable and otherwise, which was cast in the Thirty-fourth Assembly District, we advise that the contestee, Wallace Henderson, received 119 more votes than candidate Schroeder; and we recommend to the Committee on Elections and Reapportionment that the contest be dismissed, and that Mr Henderson be permitted to retain his seat as Assemblyman from that district.

No evidence was received or offered which would indicate any wilful misconduct on the part of the election officials, and the errors which were made were apparently due to lack of knowledge of the election laws and additional lack of experience on the part of those officials

Respectfully submitted.

CHARLES W. LYON, Chairman
EARL W. STANLEY
GEORGE D. COLLINS, JR.
AUGUSTUS F. HAWKINS
CHARLES J. CONRAD

P.S. The legal opinion of Legislative Counsel Deputy, Joseph W. Paulucci, is attached hereto for such disposition as the chairman of the committee may desire to make of it. However, your subcommittee would suggest that possibly the printing of this legal opinion in the Journal would prove of great interest to the Assembly and Senate for the consideration of future matters of this kind.

Since writing the above report, as chairman of the subcommittee, I have received a dismissal with prejudice of the above entitled contest, and the documents appertaining thereto are attached.

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, March 2, 1951

Honorable Charles W. Lyon
210 W. Seventh Street
Suite 837, Los Angeles, California

Election Contest—No. 5679

DEAR MR. LYON: You have asked us a series of questions relating to the Henderson-Schroeder election contest now pending in the Assembly.

Before discussing your specific questions some general observations may be appropriate.

In this proceeding the Assembly is acting under the provision of Section 7 of Article IV of the State Constitution that "Each house shall * * * judge of the qualifications, elections, and returns of its members."

The Constitution also provides that "Each house shall determine the rule of its proceedings * * *." (Sec. 9, Art. IV).

In entertaining this contest the Assembly is acting under the power conferred directly upon it by the Constitution. The statutory provisions relating to contesting general elections do not apply (see Sec. 8510, Elec. C.) and it may adopt any procedure which it determines upon.

The position of the contestant in this contest is somewhat different than that of a contestant in a statutory proceeding. What the contestant has done, in effect, is to suggest to the Assembly that here is a situation in which the Assembly should exercise *its* power to judge of the election of one of its members.

The power of the Assembly so to judge is vested in the Assembly itself and could be exercised even if there were no contestant. Therefore, while the Assembly may properly permit the contestant to "make his case," it is not bound by the case so made. It may investigate any phase of the election whether or not the contestant has raised any question as to that phase.

In other words, the Assembly has a free hand to make any investigation it chooses by any method it chooses. It may proceed along the same lines generally that a court would follow in a statutory contest, but it is not bound to do so. If any device or procedure will result in the most nearly attainable justice to the parties, to the voters, and to the Assembly itself, such device or procedure may be adopted.

We will now discuss your specific questions in series.

Question 1. Is the Assembly justified in throwing out the entire vote of a precinct when it discovers a stuffed ballot box situation where there are more ballots in the ballot box than there are names signed on the voting roster on the day of the election?

In our opinion throwing out the entire precinct vote should be resorted to only as a last resort To throw out the entire precinct vote would disfranchise certain honest voters who voted legally, and we assume that the Assembly would want to avoid this if possible

Section 7007 of the Elections Code provides that if the ballots in the box exceed the number of names on the tally lists, one of the judges shall publicly, without looking into the box, draw out singly and destroy unopened, a number of ballots equal to such excess. The precinct board makes a record on the roster and tally list of the number of ballots so drawn and destroyed.

If this procedure was not followed at the polls, as it should have been, we can see no reason why it should not be followed in the contest procedure. The rejected ballots are preserved and these, with the ballots which were counted, could be placed in a box. This should restore the contents of the box to the condition in which they existed at the close of the polls. The ballots could then be removed as provided in Section 7007 and the remainder counted.

In a situation where the number of excess ballots was relatively small and no indication of fraud of illegal voting existed, this would appear to be an appropriate solution. The situation where the excess ballots are of such number as to indicate fraud is discussed under Question No. 3.

Question 2. Can any other roster be substituted where the voters signed a city roster and failed to sign the general elections roster on the day of the election?

Assuming that the voters signed the city roster under the assumption that signing it was all that was required, the voters themselves would be entirely innocent. In failing to maintain a proper roster, the precinct officers were guilty of irregularity or improper conduct.

If the precinct officers mistakenly believed that the signing of the city roster was sufficient and treated it as the general election roster, we do not think the voters should be disfranchised. In *People* vs. *Prewett*, 124 Cal. 7, after citing cases to the point that misconduct of the election officials not touching the essential prerequisites of the validity of the election should not void the election, the court said:

> "The principle underlying these decisions is, that the rights of the voters should not be prejudiced by the errors or wrongful acts of the officers of election, unless it shall appear that a fair election and an honest count were thereby prevented."

It would be proper to call the members of the precinct board to testify as to what transpired. If the city roster was used as the general election roster and no other irregularity existed and no one voted who did not sign such roster, we think it would be proper to count the votes. In *Davis* vs. *Grunig*, 143 Cal. 336, the failure of the precinct board to return the tally list was held not to preclude the counting of the ballots from the precinct in a contest of the election.

The same general principle appears in Section 8512 of the Elections Code which provides that no irregularity or improper conduct of the judges, or any of them, avoids an election unless it is such as to procure the election of a candidate when he has not received the requisite number of legal votes.

Question 3. Is the Assembly justified in throwing out the vote of the precinct in the event it finds there are more ballots than there are registered voters in the precinct?

While the procedure provided for in Section 7007 for withdrawing from the box a number of ballots equal to the excess over the number of voters who signed the roster apparently applies regardless of the number of excess ballots, it need not necessarily be followed.

It is implicit that a fraud has occurred but presumably by whom or on whose behalf it was committed can not be ascertained. An annotation on the subject appears in 155 A.L.R. 677.

There is no really satisfactory solution to the problem. If all of the illegal votes are cast for one candidate and the statutory process is followed that candidate has the advantage that some of the ballots withdrawn will have been valid votes for his opponent. If the rule is that the precinct vote is thrown out, a candidate could gain an advantage by having the ballot boxes in the precincts his opponent was likely to carry

stuffed with excess votes. If the illegality is simply disregarded and all of the votes counted, it is an invitation to stuffing the boxes.

If all of the excess votes are taken from the candidate having the majority in the precinct, an arbitrary inference is made that the illegal ballots were cast for him. On the other hand, to take the excess votes from both candidates equally, or proportionately, is to make an arbitrary inference that the illegal votes were cast for each in the same proportion. The only other alternative is to declare the entire election void.

Presumably the statutory provision for withdrawing and destroying the excess ballots has not been followed at the polls. If it has been and the votes have been counted as provided by law, the Assembly may appropriately let the matter rest. If the statutory procedure has not been complied with, and all the ballots have been preserved, the procedure can still be complied with as outlined in the answer to Question No. 1. We can see no valid objection to doing at this juncture the same thing that should have been done at the polls if the same condition can be restored as then existed.

If for any reason this cannot be done, we think the next best procedure would be to throw out the precinct vote entirely or, if the ballot stuffing was prevalent in a large number of precincts, to declare the election void.

There is respectable authority for disregarding the precinct vote in such a situation (see cases collected in 155 A. L. R. 683). If, however, the vote of a number of precincts would be thrown out by this process so that the number of voters in the remaining precincts would be relatively small, the Assembly would be justified in determining that it is impossible to determine the will of the people with any degree of satisfaction and that no one was properly elected.

There is also respectable authority for the pro-rata deduction of the excess votes on the basis of the number received by each candidate in the precinct (see cases collected in 155 A. L. R. 684). The Assembly is free to adopt this solution if it chooses. However, a statutory method having been provided for disposing of excess votes, the Assembly may consider it more appropriate to follow that method if it can be done.

Question 4. How should the Assembly rule where it finds a cross on the line standing between the names of two candidates for the office?

In *Garrison* vs. *Rourke,* 32 Cal. 2d 430, at 438, the court, in discussing a situation where the printed line ran just below the middle of the cross, said that whether or not there was a sufficient portion of the cross in the square opposite the defendant's name to count as a vote for him was a question of fact and refused to disturb the trial court's conclusion that it was not possible to ascertain which candidate was intended. The court also said that the provision of Section 7050 of the Elections Code that a cross partly within and partly without a voting square does not invalidate the ballot does not necessarily include a situation where the cross is partly within two voting squares.

We think it would be a fair rule if the Assembly considered that when the major portion of the cross appeared in one voting square it should count as a vote for that candidate even though a portion of the cross were in the voting square of another candidate.

Question 5 How should the Assembly rule when there is an X mark and a blotted mark caused by excess ink?

If the blot is clearly an offset of a marked cross and the blot is not a distinguishable cross of itself, the blot may be disregarded. If the blot forms a distinguishable cross and there is a stamped cross opposite the name of the other candidate, the ballot should not be counted for either. (See *Garrison* vs. *Rourke*, 32 Cal. 2d 430, at 440.)

Question 6. Is an indelible pencil marked ballot acceptable?

Section 7050 of the Elections Code provides that a ballot not marked as provided by law shall be void. Section 5707 of the code requires the voter to be orally instructed to mark his ballot only with the stamp provided or his ballot will not be counted.

Therefore, except in the case of absent voters' ballots which may be marked with pen and ink or pencil, a pencil marked ballot is not properly marked.

Question 7. Must a ballot, to be acceptable, be marked with an X in ink as well as with a stamp?

As stated above, the stamp only must be used in voting ballots other than absent voters' ballots.

Question 8. What should the Assembly do with properly marked ballots which were rejected by the election board and placed in an envelope with the void ballots?

An effort should be made to find out the facts. It is possible that the precinct board found that it had an excess number of ballots and withdrew these before counting the ballots but, instead of destroying them, retained them and put them with the void ballots. It is also possible that these ballots were properly counted but inadvertently left out of the proper envelope and simply tucked into the envelope in which they are found.

If the ballots in question were rejected when they should not have been rejected, the proper thing to do is to count them.

Question 9. Where five election solicitors were stationed at the front door of the polls, distributed campaign literature to all comers, entered the election premises and booths and continued to distribute campaign material all day long, and the vote in the precinct is such that it would determine the election, may the Assembly, in its discretion, purge the entire vote of the precinct where the result of such malconduct showed a disproportionately large vote for the party wilfully soliciting the votes in said precinct?

This is a "loaded" question and the obvious answer is "Yes." The Assembly may disregard the precinct vote for any reason it may find sufficient and is accountable to nobody but itself as to how it determines a contest.

In permitting such solicitation the precinct board was presumably guilty of improper conduct. Section 8512 of the Elections Code provides that no irregularity or improper conduct of the judges avoids the election unless it is such as to produce the election of a person who has not received the requisite vote.

In a judicial proceeding it would seem to be incumbent upon the contestant to show that such misconduct affected the result and the mere fact that violations of the law against soliciting in or near the polls was

committed or countenanced would not of itself serve to show that the result was affected.

The Assembly is not bound by the rules applicable to contests in the courts If the Assembly should determine that as a result of the unlawful solicitation in or near the polls a candidate received an undue advantage over his opponent, the Assembly could take whatever steps it considered appropriate to correct the situation.

If the Assembly should find that the presence of the solicitors at or near the polls prevented a free expression of the will of the voters, it would have the power to throw out the precinct vote. What facts would be necessary to establish this would be a question for the Assembly to determine.

The throwing out of the precinct vote would presumably disfranchise a certain number of voters who were not influenced by the solicitation. It would be extremely difficult to determine the extent, if any, to which such solicitation had any effect. If, however, in the terms of the question, "the result of the malconduct showed a disproportionately large vote for the party wilfully soliciting the votes in the precinct," the Assembly could determine that the solicitation adversely affected the other party. How such a "disproportionately large vote" could be shown to have resulted is not apparent, but if it can be shown to have resulted, the Assembly is entitled to consider the matter and proceed as in its discretion it determines.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By JOSEPH W. PAULUCCI, Deputy

Request for Dismissal, With Prejudice

CALIFORNIA ASSEMBLY
STATE OF CALIFORNIA

In the Matter of the Contested Election of WALLACE HENDERSON, for Office of Assemblyman, Thirty-fourth District.

J. H. MORRIS, WILLIAM E. REYNOLDS, JESS A. TRISCUIT,	*Contestants,*	DISMISSAL WITH PREJUDICE
vs.		
WALLACE HENDERSON,	*Contestee*	

To the Clerk of the Assembly:

You are hereby requested to dismiss, with prejudice, the above entitled contest.

Dated: March 10, 1951

LUCIUS POWERS
Attorney for Contestants

Since the Legislature is reconvening on Monday for important business, and in order to be fair to Mr. Wallace Henderson and his many supporters who voted for him at the election wherein the official recount now

shows he received a plurality of 119 votes more than George Schroeder, we feel that we should not unduly prolong the election contest and leave Mr. Henderson in doubt as to his legal standing. We are, therefore, today recommending to the Elections Committee of the State Assembly, that the election contest be dismissed as of this date and Mr Henderson be declared the duly elected Assemblyman of the Thirty-fourth Assembly District.

On the other hand, we believe the ruling of the Legislative Committee on March 7, 1951, indicated that malconduct of election officials or candidates and their agents should be handled by the law enforcement agencies, removes a considerable portion of the contest relating to certain irregularities in certain important precincts won by Wallace Henderson. We believe it would be interesting to the public to know that in sampling 50 registered voters in one precinct, we found 7 people having voted illegally in that they had changed their residences outside of the precinct and were still continuing to vote contrary to the law.

We think that without doubt prompt steps should be taken to tighten up the election procedure in Fresno County so that our elections held hereafter will conform to the law.

We desire to state that we have not found any evidence of corruption or fraud on the part of the county clerk, his assistant, or any member of the election boards. We feel that the public should know that they have honest boards in Fresno County even though they may not be observing all of the requirements set forth in the Elections Code. Similarly we desire to express our appreciation for the cooperation given by Mr. Brown and all the members of the various election boards. We firmly believe that secrecy at election and the voting franchise should be scrupulously preserved and protected.

We also wish to express our appreciation for the cooperation rendered by Chairman Charles Lyon and the members of his Election Committee, to Laughlin Waters, and to the various members who served on the Election Contest Committee. Their sincere and earnest attention to our contest and the promptness with which it was handled, deserve everyone's commendation.

We think that the election contest has shown many weaknesses in our present election laws and we will have five or six specific amendments to propose to the present voting laws, which should bring about an improvement in the present election system.

LUCIUS POWERS
ATTORNEY AT LAW
FRESNO 1, CALIFORNIA

March 10, 1951

Chairman Charles W. Lyon,
State Capitol, Sacramento, California

DEAR CHAIRMAN LYON:

In Re: J. N. Morris et al., *Contestants,*
vs. Wallace Henderson, *Contestee*

On the part of the contestants in the above entitled case, we desire to request dismissal as of this date of the above entitled election contest and request you, and your committee, to declare Wallace Henderson

officially elected Assemblyman of the Thirty-fourth Assembly District, following official recount and canvass of the ballots voted at the November 7th election.

As attorney for the contestants, we desire to express our appreciation for the prompt, courteous manner in which your committee handled this contest. We feel that the results of this contest have been most constructive and helpful in guiding future elections and a possible drafting of certain needed amendments to our present voting procedure, as set forth in our present election laws In this regard, I desire to forward you, within the next few days, some of the results of the canvass and proposed Elections Code amendments.

Sincerely yours,

LUCIUS POWERS

ELECTION CONTEST

Eldon James Markwort, Contestant

Patrick D. McGee, Contestee

ASSEMBLY CHAMBER
SACRAMENTO, CALIFORNIA, March 13, 1951

Hon. Laughlin Waters, Chairman
Assembly Committee on Elections
and Reapportionment
Capitol Building, Sacramento, California

MR. CHAIRMAN: Your Subcommittee on Elections and Reapportionment, to which was referred the contest of Mr. Eldon James Markwort of the election of Patrick D. McGee to the office of Member of the Assembly from the Sixty-fourth Assembly District of the State of California, met pursuant to previous notice on January 19, 1951, with a full committee present, perfected its organization, and the members were advised of the statement of grounds of said contest filed by said Eldon James Markwort; pursuant to instructions to the chairman of the committee by the members of the committee, a stipulation was drawn and executed between Eldon James Markwort and Patrick D. McGee and approved by your chairman, which provided that the election contest would be submitted to the committee upon the reporter's transcript in the Superior Court of the State of California, and copies of the briefs filed by the respective parties on appeal of the election contest and considered by the Appellate and Supreme Courts of the State of California together with all exhibits filed at the time of the trial in said superior court together with a photostatic copy of application for World War II veterans military pay filed with the State of Michigan; further provided that each of the parties may call additional witnesses or produce additional testimony before said committee not later than February 15, 1951, and that neither of the parties to the stipulation avail themselves of such opportunity; that the issue in the above entitled contest shall be submitted for decision by your subcommittee as provided in the stipulation.

Pursuant to the stipulation, all of the members of your committee read and considered all of the documents referred to in the stipulation.

Subsequently, on March 12, 1951, pursuant to previous notice duly given, your committee met with all members present and considered the issues in said contest.

The principle grounds of contest as set forth by contestant are as follows:

"That said McGee was and is still ineligible to the office of Member of Assembly in the State of California, in that he has not and will not have been a citizen and inhabitant of the State of California three years next before November 7, 1950, as required by Art. IV. Sec. 4, of the Constitution of the State of California.

That Contestant has been informed and believes and, upon his information and belief, alleges the fact to be that said McGee has only been a bonafide resident of the State of California since March 10, 1948, at or about which time he came to California to take the California Bar examination; that prior thereto, said McGee was a bonafide resident of the State of Massachusetts and resided at 14 Prentiss Street, in the City of Cambridge, from which residence he registered to vote on September 19, 1947, and thereafter did vote and in his Affidavit of Registration claimed one and one-half years residence in the City of Cambridge at the time of his said registration.

That Contestant is further informed and believes and, upon his information and belief, alleges the fact to be that said McGee resided in Detroit, Michigan, at 90 Collingwood Avenue, for the period from 1932 to 1945; at Cambridge, Massachusetts, as aforesaid, at 14 Prentiss Street, from 1945 to 1948; and at Pasadena, California, at 708 East California Street, from on or about March 10, 1948, to July, 1948. That Contestant further avers on information and belief that Contestee's statement in his Declarations of Candidacy filed as aforesaid, that he has been a resident of the State of California for twelve (12) years, is false and untrue.

That said McGee, in his Declarations of Candidacy filed as aforesaid, alleged in said Declarations of Candidacy that he has been a citizen of the United States for thirteen (13) years. That Contestant is informed and believes and, upon such information and belief, alleges the fact to be that said McGee was naturalized on a derivative paper issued in the State of Pennsylvania on January 27, 1944, Application No. 8-A-4206, No. A98887. That, based upon said information and belief, Contestant alleges that said McGee's statement in his Declarations of Candidacy, that he has been a citizen of the United States for thirteen (13) years, is likewise false and untrue."

To all of which your committee, after giving careful consideration to the documentary evidence introduced in the matter before it, respectfully reports the same back with the following findings:

That said Patrick D. McGee received the highest number of votes cast for the office of Member of the Assembly from the Sixty-fourth Assembly District at both said primary and general elections and that Honorable Frank M. Jordan, Secretary of State of California did issue to the said Patrick D. McGee a certificate of election certifying that the said Patrick D. McGee has been elected to the office of Member of the Assembly for the Sixty-fourth Assembly District.

That Patrick D. McGee has been a bonafide citizen and inhabitant of the State of California for more than three (3) years and will have been a bonafide citizen and inhabitant of the State of California for more than three (3) years immediately preceding November 7, 1950, as required by Article IV, Section 4 of the Constitution of the State of California.

That Patrick D. McGee has been a bonafide citizen and inhabitant of the Sixty-fourth Assembly District of the State of California for more than one (1) year and has been a bonafide citizen and inhabitant of the Sixty-fourth Assembly District of the State of California for more than one (1) year immediately preceding November 7, 1950, as required by Article IV, Section 4 of the Constitution of the State of California

That Patrick D. McGee has been a bonafide citizen of the United States of America since May 4, 1931.

In view of the foregoing, your committee is of the opinion that Patrick D McGee qualified for the office of Assemblyman of the Sixty-fourth Assembly District and that the contest should be dismissed.

Wherefore your committee respectfully submits this report.

RICHARD J. DOLWIG, Chairman
RANDAL F. DICKEY
MARVIN SHERWIN
LESTER T. DAVIS
WILLIAM C. BERRY

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, March 12, 1951

Honorable Laughlin E. Waters
Assembly Chamber

ELECTION OFFENSES AT THE POLLS—No. 5905

DEAR MR. WATERS: You have asked for a summary of the provisions of law relating to election offenses at the polling places, including the method of enforcement of such provisions.

Offenses

The following is a list of activities in or about polling places which are made criminal by various provisions of the Elections Code.

1. Forging or counterfeiting returns of an election purporting to be held at a precinct where no election was in fact held. (Elec. C. 11550.)

2. Willfully executing forged or counterfeited returns of election in the place of true returns for a precinct where an election was actually held. (Elec. C. 11550.)

3. Willfully adding to, or subtracting from, the votes actually cast at an election, in any official or unofficial returns, or altering returns. (Elec. C. 11551.)

4 Opening or examining, or permitting to be opened or examined, the folded ballot of any voter which has been handed in; marking any folded ballot with the purpose of ascertaining the name of any person for whom the voter has voted. These offenses apply only to inspectors, judges, or clerks of an election. (Elec. C. 5729.)

5. Aiding in changing or destroying any poll list or official ballot; aiding in wrongfully placing any ballots in the ballot box, or in taking any therefrom; adding, or attempting to add, any ballots to those legally polled at any election, by fraudulently putting them into the ballot box, either before or after the ballots therein have been counted; adding to, or mixing with, or attempting to add to, or mix with, the ballots polled, any other ballots, while they are being counted or canvassed, or at any other time, with intent to change the result of the election, or allowing another to do so; carrying away or destroying, or permitting the carrying away or destroying, of any poll list, ballot box, or ballots lawfully polled. These provisions apply only to officers or clerks of election. (Elec. C. 11553.)

6. Aiding or abetting the commission of any of the offenses mentioned in Sections 5729, 11550, 11551, or 11553, all of which are summarized above. (Elec. C. 11552.)

7. Willfully neglecting or refusing to perform official duties defined by, or knowingly or fraudulently acting in contravention of any provisions of, the Elections Code, on the part of any person charged with the performance of any duty under any laws of the State relating to elections. (Elec. C. 11502.)

8. Soliciting a vote or speaking to a voter on the subject of marking his bill within 100 feet of a polling place. (Elec. C. 5560.)

9. Electioneering on election day within 100 feet of any polling place. (Elec. C. 5561.)

10. Voting by person not entitled to vote, or voting more than once at any one election, or aiding in the commission of such offense. (Elec. C. 5701, 11700.)

11. Impersonating or attempting to impersonate a voter, or aiding in the commission of such offense. (Elec. C. 11700.)

12. Assisting or advising another person to vote, knowing that such person is not qualified. (Elec. C. 11701.)

13. Refusing to be sworn and examined by a precinct board concerning the right of another to vote. (Elec. C. 11702.)

Enforcement

It is the duty of the district attorney of the county in which any of the above described offenses have occurred to institute proceedings before magistrates for the arrest of persons charged with or reasonably suspected of such offenses when he has information that such offenses have been committed. (Gov. C. 26500, 26501.)

The grand jury of the county may inquire into all public offenses committed or triable therein, and present them to the court by indictment. (Pen. C. 915.)

Accordingly, should any person have knowledge of, or information about, an election offense committed within his county, he may present such information as he may have to the district attorney or to the grand jury, or to both, for further action pursuant to law.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By ROBERT G. HINSHAW, Deputy

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Dickey and the Alameda Delegation, the usual courtesies of the Assembly for this day were unanimously extended to the following members of the Oakland Chamber of Commerce goodwill trip:

William Park, Wm. Sparling, Raymond Pease, Jack Hassler, Lester J. Divine, Fred Squires, Don Marquis, C. N. Alexander, Roger Anderson, Karl Baessler, Wilbur E. Barges, Leo Baum, A. W. Brampton, Harry Bruno, Stanley A. Burgraff, Ray Burr, Benny Butler, Frank Butterworth, Robert Callaway, Colin Campbell, Phillip Champion, Roy A. Cowles, Harold Crew, Julian R. Davis, Milt Dohner, Robert Douglas, Milo Spaich, W. W. Stillman, James E. Stone, A. M. Stonehouse, Roy Thomas, E. B. Thompson, Lloyd Turner, Ken Ulyatt, Richard Walpole, Archie Waring, Fred Watson, Brown Zarley, Robert T. Neilson, Thomas S. Neilson, Ken Morris, Lloyd O'Connell, George Oakes, Willie Osburn, Edward Paniagua, Micky Parker, Fred Parr, William Peluso, Joseph Poirier, Alvin Rawitzer, Cliff H. Reeves, Orville Reiersgaard, Al Reitman, Lew Renner, Leon Riese, Ed Roseman, Ron Ross, Ralph Rugieri, Charles A. Russell, Howard A. Schirmer, Carl Scott, Wm. Sechser, Jim Selby, Allen Selmn, Jack Sexson, Mortimer Smith, Bernie Joseph, Ralph E. Junker, John Kaffun, James A. Kelley, Joe Kirby, Harold Knopp, James J. Kral, Jack A. Kronenberg, William A. Kruse, H. F. Latter, Ed Laudani, Earl Leonard, Frank Lloyd, Jack Y. Long, John MacDonald, Dr Grover MacLeod, Harold MacQuarrie, Doug Manuel, Ferd Marwedel, E. R. McKeag, A H. Middents, Leo Moody, James Moore, M. G. Moss, Henry Muller, George Nash, R. Peaslee DuMont, Hart Eastman, William Estep, Dalton B. Fender, Frank J. Fitzpatrick, A T. Floyd, Alex Gaeta, Joseph F. Gancos, Sterling Gardner, Raymond B. Giles, Sid Givens, Sam Goodman, Lester Grant, Jack Grounds, Richard Groves, Edward R. Haldan, Dr. P C. Hartman, William Henning, Bruce Howard, Gordon Huber, Lloyd B. Hughes, Fred Jacobson, Jack Jacoby, George Jacopetti, René Jobe, Norman S. Jones, R E. Jones, and Clarence Jorgenson.

On request of Mr Berry and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Edward M Gaffney and daughter Margaret Mary of San Francisco.

On request of Mr. Lanterman, the usual courtesies of the Assembly for this day were unanimously extended to Robert H. Aarons of Pasadena.

On request of Mr. Waters, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. William R Molony, Jr., of Los Angeles.

ADJOURNMENT

At 2.14 p.m., on motion of Mr. Dickey, the Speaker pro Tempore declared the Assembly adjourned out of respect to the memory of the late Walter Naughton until 10 a.m., Thursday, March 15, 1951.

SAM L COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SIXTEENTH LEGISLATIVE DAY

TWENTIETH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, March 15, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Huckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

March 15, 1951

Almighty God, our Heavenly Father, whose mercies are without number and the treasure of whose goodness is infinite, we render grateful thanks for Thy many blessings.

Pour out Thy spirit upon our Nation so that the sense of true brotherhood may be quickened and we may do our full share in the establishment of a bond of fellowship among the nations of the world.

Grant guidance to all who are in places of leadership in these days of crisis. Hasten the day when the kingdoms of this world shall become the Kingdoms of our Lord, the Prince of Peace.

"Eternal Ruler of the ceaseless round
Of circling planets singing on their way;
Guide of the nations from the night profound
Into the glory of the perfect day
Rule in our hearts, that we may ever be
Guided and strengthened and upheld by Thee."

—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Belotti, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Butters, on motion of Mr. Kelly.
Mr. Cooke, on motion of Mr. Kelly.
Mr. Lipscomb, on motion of Mr. Kelly.
Mr. Silliman, by unanimous consent.

ANNOUNCEMENTS

Speaker Sam L. Collins announced that Sacramento Chapter No. 4 of the International Footprinters' Association is holding its Past Presidents' night dinner meeting on Thursday, March 22d, at the Elks Temple, 11th and J Streets, at 6.30 p.m.; that the price of the dinner is $2 50 per person; and, on behalf of the above mentioned organization, extended a cordial invitation to all Members of the Assembly to be present

Speaker Sam L. Collins announced that the office of the Legislative Counsel will be closed from 3 p.m., Friday, March 16th, until 8 a m. Monday, March 19th, for the purpose of moving into new quarters in the Capitol Annex; that said office will be open for business on Monday morning in the Capitol Annex; and that any legislative matters of urgency should be immediately referred to the office of the Legislative Counsel if his attention is needed.

Speaker Sam L. Collins announced that, beginning at 5.30 p.m tomorrow, Friday, March 16th, the United Airlines will again start operation of its Legislative Special DC-6 Mainliner, a 50-passenger plane, for the convenience of members of the legislative crowd desiring to fly to Los Angeles for the weekend. Those wishing reservations are urged to immediately contact the United Airlines.

Speaker Sam L. Collins announced that many committees are guilty of sending bills out of committee with a recommendation "amend, and re-refer to committee" and that sometimes a bill is amended and reprinted two or three times, and that he is strenuously opposed to this procedure because it costs the taxpayers money if bills are reprinted. He specifically stated that such procedure must stop and urged that, since all members seem to be in favor of an economy program, that an economy procedure should be adhered to as well as verbally sponsored; and urged all committee chairmen to review every possible amendment in their committees so that costly reprinting of amended bills may be minimized.

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal:

THE RECLAMATION BOARD OF THE STATE OF CALIFORNIA
SACRAMENTO, CALIFORNIA, March 2, 1951

The Honorable Sam L. Collins
Speaker of the Assembly
The State Capitol, Sacramento, California

DEAR SIR: Chapter 103 of the Resolutions of 1949 (S. J. R. 21), directs the Reclamation Board of the State of California to keep a strict account of all expenditures made for the repair of the damages resulting to the flood control works of the

Sacramento River as a result of the closing of the outlet gates of Shasta Dam on May 14, 1948, by the Bureau of Reclamation.

Chapter 103 further directs the Reclamation Board to periodically address the Federal Bureau of Reclamation for reimbursement of the expenditures made by the State of California arising out of the situation, and requires the Reclamation Board to continually urge for such reimbursement, and to secure the assistance of the Governor, the Senators and Congressmen of the State of California in urging such claim.

Report was made to the Legislature on June 8, 1949, advising that the Reclamation Board had rendered the first invoice to the Bureau of Reclamation and outlining the progress made to that date.

On March 6, 1950, the U. S. Bureau of Reclamation was forwarded Reclamation Board Bill Collectible No. 1925, being Invoice No. 2, in the amount of $211,624.30, plus unpaid balance of Invoice No. 1 in the amount of $14,064.56, making a total bill in the amount of $225,688.86, and representing expenditures of the State, through its agent the Reclamation Board, to the close of the period January 31, 1950.

Under date of February 5, 1951, Invoice No. 3, being Bill Collectible No 1925 continued, was forwarded to the U. S. Bureau of Reclamation. This bill detailed an expenditure of $99,633.76 for the period February 1, 1950, through December 31, 1950, which, together with the totals of Invoices Nos 1 and 2, resulted in total expenditures through the close of the 1950 calendar year in the amount of $325,322.62.

To the present date, no official word has been received from the U. S. Bureau of Reclamation other than acknowledgment of the receipt of Invoice No. 1.

In March, 1950, representatives of the Attorney General and representatives of the Reclamation Board, were in Washington in connection with appropriations to the Sacramento River Flood Control Project. These representatives took up with the Congressmen from California, the question of methods and procedures necessary to secure reimbursement to the State Senators Downey and Knowland at our request, prepared bills on the Senate side, and Congressmen Scudder, Engle, and Johnson, prepared bills on the House side, providing that the United States District Court for the Northern District of California be empowered by the Congress to hear, determine, and render judgment upon the claims of the State of California against the United States for reimbursement of the amounts expended, and to be expended, in repairing the damage to levees and other flood control works of the Sacramento River as a result of the closing of the outlet gates of Shasta Dam by the Bureau of Reclamation in May, 1948. These bills failed to receive passage at that session of Congress.

Following the above action, the Reclamation Board contacted Senator Knowland, Senator Nixon, Mr. Scudder, Mr. Allen, Mr. Engle, and Mr Johnson, with the result that similar bills have been introduced in the Eighty-second Congress providing for the same action as contained in the bills introduced in the Eighty-first Congress. We are now awaiting word from these gentlemen as to action on said bills. The Reclamation Board and the Attorney General are prepared to make appropriate representation in the committee when advised so to do.

The Reclamation Board at this date estimates that the total expenditure of state funds required to complete the repair of damages, including that heretofore expended, will approximate $750,000. This sum is mainly for the acquisition of the necessary levee rights of way, flowage easements, and lands required, but also contains the revision of public utilities, county and farm roads, administrative salaries and expenses, appraisers' time, and pro-rata cost of operation of state automobiles necessary to the work.

There is attached to this report, a copy of the bill introduced by Senator Knowland for himself and Mr. Downey, in the Eighty-first Session of Congress. The language of the bills introduced in the Eighty-second Session is similar thereto There is also attached, a copy of Invoice No 3 of Bill Collectible No 1925 continued, as recently forwarded to the U. S Bureau of Reclamation.

Yours very truly,

THE RECLAMATION BOARD
A. M. BARTON
Chief Engineer and General Manager

REPORTS OF STANDING COMMITTEES

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1951

MR SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 836

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 248
Assembly Bill No. 182

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 592
Assembly Bill No. 594
Assembly Bill No. 1112
Assembly Bill No. 1916

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bills ordered to second reading.

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1951

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 1035
Assembly Bill No. 1037
Assembly Bill No. 1038
Assembly Bill No. 1210
Assembly Bill No. 2412

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CONNOLLY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1951

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 1036
Assembly Bill No. 1211
Assembly Bill No. 1214
Assembly Bill No. 1146

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CONNOLLY, Chairman

Above reported bills ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 369
Assembly Bill No. 1216
Assembly Bill No. 3270

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STEWART, Chairman

Above reported bills ordered to second reading.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Klocksiem:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 330 of the Penal Code, relating to gaming.

Respectfully submitted,

HERBERT R. KLOCKSIEM

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Klocksiem:

An act to amend Section 330 of the Penal Code, relating to gaming

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Crowley, Davis, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—63.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3377: By Mr. Klocksiem (At the request of Assemblymen Hahn, Lanterman, Moss, Munnell, and Shaw)—An act to amend Section 330 of the Penal Code, relating to gaming.

Referred to Committee on Boards and Commissions.

ANNOUNCEMENT

Speaker Sam L Collins announced that the Sergeant-at-Arms will place the bound copies of the Assembly Journals for the 1950 Third Extraordinary Session of the Legislature in the offices of the members rather than on their desks, as is customary.

MOTION THAT ASSEMBLY COMMEND THE LEGISLATIVE COUNSEL AND HIS STAFF

Mr. Lyon moved that the Members of the Assembly especially thank the Legislative Counsel, Ralph N. Kleps, and his staff for the fine job they did in preparing the Interim Subject List which has recently been

placed upon the desks of the members; and that particular commendation be extended to Miss Virginia Stephens who aided very materially in the preparation of this fine edition.

Mr. Clarke seconded the motion.

Motion carried unanimously.

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 166
Assembly Bill No. 167
Assembly Bill No. 168
Assembly Bill No 816
Assembly Bill No. 1114
Assembly Bill No. 1693
Assembly Bill No. 1697
Assembly Bill No 1988

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 169
Assembly Bill No 2065
Assembly Bill No. 1606
Assembly Bill No. 3184

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 797
Assembly Bill No 380
Assembly Bill No. 1004
Assembly Bill No. 1586
Assembly Bill No. 1587
Assembly Bill No 2088

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

DUNN, Chairman

Above reported bills ordered to second reading.

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1951

MR SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No 3126

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

SILLIMAN, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 566
Assembly Bill No 2146
Assembly Bill No 2164
Assembly Bill No 2178
Assembly Bill No 2179

And reports the same correctly re-engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Fleury:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 1170 of the Probate Code, relating to real property affected by the death of any person, providing for filing of a petition with respect thereto.

Respectfully submitted.

GORDON A. FLEURY

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Fleury:

An act to amend Section 1170 of the Probate Code, relating to real property affected by the death of any person, providing for filing of a petition with respect thereto.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lowrey, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—65.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3378: By Mr. Fleury—An act to amend Section 1170 of the Probate Code, relating to real property affected by the death of any person, providing for filing of a petition with respect thereto.

Referred to Committee on Judiciary.

RESOLUTIONS

The following resolution was offered:

By Mr. Elliott:

House Resolution No. 87

Relative to memorializing the Congress of the United States regarding the Social Security Administration under the Federal Security Agency

WHEREAS, Employees making contributions under the old-age survivors insurance system of the Social Security Act are uncertain of their status and of the amounts contributed by their employers; and

WHEREAS, Persons applying for benefits have found, in some cases, that neglect in turning in funds on the part of some employers has made it difficult and at times impossible to straighten out their records so that they could establish their eligibility to obtain old age benefit payments under the Federal Social Security Law; and

WHEREAS, The intent and purpose of our Social Security Act will be more clearly expressed by advising the employee annually of his status thereunder; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly of the State of California hereby memorializes the Congress of the United States to investigate and consider the feasibility of taking action which will require the Social Security Administration under the Federal Security Agency to furnish employees making contributions for old-age survivors insurance with an annual statement of their status and of the amount paid into the fund by their employers, and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

Resolution read, and ordered referred to the Committee on Rules.

CONSIDERATION OF DAILY FILE

UNFINISHED BUSINESS

NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 327 FROM COMMITTEE CONTINUED

Mr. Davis asked for, and was granted, unanimous consent that his notice of motion to withdraw Senate Bill No. 327 from committee be continued until the next legislative day.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 708—An act to amend Section 824 of the Code of Civil Procedure, relating to publication of notice of execution sales of vessels.

Bill read second time, and ordered engrossed.

Assembly Bill No. 713—An act to amend Section 189 of the Code of Civil Procedure, relating to publication of notice of intention to destroy records.

Bill read second time, and ordered engrossed.

Assembly Bill No. 714—An act to amend Section 1277 of the Code of Civil Procedure, relating to publication of order to show cause in relation to change of names.

Bill read second time, and ordered engrossed.

Assembly Bill No. 715—An act to amend Section 750 of the Code of Civil Procedure, relating to publication of summons in actions to determine conflicting claims to real property.

Bill read second time, and ordered engrossed.

Assembly Bill No. 717—An act to amend Section 1274.5 of the Code of Civil Procedure, relating to publication of notice and compiled report of abandoned property.

Bill read second time, and ordered engrossed.

Assembly Bill No. 718—An act to amend Section 1269 of the Code of Civil Procedure, relating to publication of order to show cause in relation to an action to declare property escheated to the State.

Bill read second time, and ordered engrossed.

Assembly Bill No. 719—An act to amend Sections 2466 and 2469.1 of the Civil Code, relating to publication of certificates of doing business under a fictitious name and cessation of doing business under a fictitious name.

Bill read second time, and ordered engrossed.

Assembly Bill No. 720—An act to amend Section 1812 of the Code of Civil Procedure, relating to publication of notice of intention to become a sole trader.

Bill read second time, and ordered engrossed.

Assembly Bill No. 726—An act to amend Section 851 of the Probate Code, relating to notices in administration of estates.

Bill read second time, and ordered engrossed.

Assembly Bill No. 727—An act to add Section 6066 to the Government Code, relating to publication of notices.

Bill read second time, and ordered engrossed.

Assembly Bill No. 728—An act to amend Section 1201 of the Probate Code, relating to notices in the administration of estates.

Bill read second time, and ordered engrossed.

Assembly Bill No. 456—An act to amend Sections 1230, 1250, and 1340.5 of the Fish and Game Code, relating to predatory and protected mammals.

Bill read second time, and ordered engrossed.

Assembly Bill No. 628—An act to amend Section 806 of the Fish and Game Code, relating to shellfish.

Bill read second time, and ordered engrossed.

Assembly Bill No. 629—An act assenting to the provisions of the act of Congress entitled "An act to provide that the United States shall aid the states in fish restoration and management projects, and for other purposes," approved August 9, 1950.

Bill read second time, and ordered engrossed.

Assembly Bill No. 630—An act to amend Section 432.6 of the Fish and Game Code, relating to licenses.

Bill read second time, and ordered engrossed.

Assembly Bill No. 711—An act to amend Section 413 of the Code of Civil Procedure, relating to service of summons.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 9, of the printed bill, after "Section", strike out "6064", and insert "6065".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 722—An act to amend Section 283 of the Probate Code, relating to notices in estates of missing persons.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 7, of the printed bill, after "Section", strike out "6064", and insert "6065".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1771—An act to amend Sections 97, 150, 230, 325, 337, 384a, 597f, 599a, 682, 726, 808, 817, 859, 889, 890, 1143, 1203.02, 1203.1, 1203.12, 1278, 1298, 1309, 1327, 1382, 1391, 1426, 1427, 1428, 1431, 1432, 1432.1, 1438, 1458, 1459, 1461a, 1466, 1488, 1529, 2623, 4022, 1269b, and 1426a of the Penal Code; to amend the headings of Title 11 of Part 2 and of Chapter 1 of Title 11 of Part 2 of the Penal Code; and to repeal Section 1461 of the Penal Code; all relating to courts of justice, various officers thereof, and judicial districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 9, line 38, of the printed bill, strike out "superior".

Amendment No. 2

On page 16, lines 2 and 6, of the printed bill, strike out the leaders after "January", and insert "5".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1772—An act to amend Sections 203, 204, 204a, 206, 226, 227, 230, 231, 233, 248, and 250 of the Code of Civil Procedure, relating to jurors.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 6, lines 33 and 37, of the printed bill, after "January", strike out the leaders and insert "5".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1773—An act to amend Sections 103a, 105, 105.5, 105a, 108, 108a, 109, 113, 113a, 113b, 115, 116, 116a, and 116b, and to repeal Sections 99, 100, 101, 102, 102a, 102b, 103, 103c, 103d, 103g, 103h, 103i, 103j, 103k, 103*l*, 103m, 103n, 103½, 103¾, 104, 107, 110, 110a, 111, 113c, and 113d of the Code of Civil Procedure, relating to justice courts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 5, lines 10 and 15, of the printed bill, after "January", strike out the leaders and insert "5".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1785—An act to amend Sections 1063, 1090, 1091, 1195, 1223, 1224, 1457, 1458, 1505, 1530, 1531, 1532, 1651, 1750, 1953.5, 3060, 6100, 6108, 6109, 23360, 23420, 23422, 23427, 24001, 24007, 24051, 24052, 24055, 24057, 24101, 24150, 24200, 24204, 24350, 24351, 24353, 25200, 25300, 25304, 26520, 26524, 26665, 26806, 26823, 26824, 27082, 27531, 27557, 27820, 27822, 27824, 28105, 28109, 28111, 28113, 28114, 28118, 28120, 28121, 28125, 28128, 28129, 28130, 28131, 28134, 28136, 28140, 28146, 28152, 28154, 29040, 29140, 29320, 29603, 29605, 29610, 31001, 31200, 31201, 31469, 31555, 31980, 31984, 32050.5, 34856, 36501, 36505, 36523, 36601, 36602, and 53679 of the Government Code; to amend the headings of Article 4 of Chapter 3 of Division 1 of Title 3 and of Part 4 of Division 2 of Title 3 of the Government Code; to repeal the headings of Chapters 1 and 2 of Part 4 of Division 2 of Title 3 of the Government Code; to repeal Chapter 5 of Part 3 of Division 3 of Title 4 of the Government Code; to repeal Sections 34709, 35739, and 35845 of the Government Code; all relating to courts of justice, judicial districts, and various officers and employees thereof

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 30, lines 10 and 14, of the printed bill, after "January", strike out the leaders, and insert "5".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No 1786—An act to amend Sections 17, 73e, 77b, 82, 83, 84, 85, 117, 117a, 117b, 117c, 117d, 117e, 117g, 117h, 117ha, 117i, 117j, 117*l*, 117m, 117o, 117p, 117r, 131.3, 134, 139, 142, 147, 149a, 150, 151, 152, 153, 166, 170, 170a, 171, 172, 188, 189, 274c, 372, 406, 407, 408, 410, 412, 413, 422, 426, 437, 437b, 437c, 446, 465, 472, 472a, 477, 480, 481, 482, 483, 492, 493, 494, 495, 496, 498, 499, 500, 503, 515, 520, 538, 539, 540, 545, 548, 554, 555, 556, 573, 581, 581b, 581d, 585, 594, 596, 600,

607a, 628, 631, 632, 638, 639, 640, 641, 644, 664, 667a, 668, 674, 675, 681a, 682, 688.1, 683, 689, 692, 714, 715, 717, 717.1, 718, 719, 720, 721, 722, 973, 974, 975, 977, 978, 978a, 979, 981, 982, 990, 997, 1000, 1003, 1005, 1006, 1008, 1011, 1015, 1030, 1031, 1032, 1032.5, 1032.6, 1033, 1033.7, 1054, 1054.1, 1054a, 1068, 1085, 1103, 1134, 1135, 1144, 1146, 1148, 1149, 1151, 1166a, 1168, 1169, 1176, 1208.5, 1211, 1212, 1213, 1214, 1215, 1217, 1218, 1220, 1221, 1222, 1995, 2024, 2037, and 2038 of the Code of Civil Procedure; to amend the headings of Chapter 5 of Title 1 of Part 1, of Article 3 of Chapter 5 of Title 1 of Part 1, and of Chapter 3 of Title 13 of Part 2 of the Code of Civil Procedure; to repeal the heading of Article 4 of Chapter 5 of Title 1 of Part 1 of the Code of Civil Procedure; to repeal Chapter 6 of Title 1 of Part 1 of the Code of Civil Procedure; and to renumber Chapter 7 of Title 1 of Part 1 of the Code of Civil Procedure to be Chapter 6; all relating to courts of justice, various officers connected therewith, and judicial districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 70, lines 14 and 18, of the printed bill, strike out the leaders after "January", and insert "5".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1940—An act to amend Sections 392, 393, 395, 396, 396a, 396b, and 399 of the Code of Civil Procedure, relating to place of trial of civil actions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 6, line 47, of the printed bill, after "January", strike out the leaders, and insert "5".

Amendment No. 2

On page 7, line 5, of the printed bill, after "January", strike out the leaders, and insert "5".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 331—An act to amend Section 5 of the Escrow Act and Section 17209 of the Financial Code, relating to financial responsibility of escrow companies.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 2, line 23, of the printed bill, strike out "responsibility", and insert "solvency".

Amendment No. 2

On page 3, line 8, of said bill, strike out "responsibility", and insert "solvency".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 332—An act to add Section 16.1 to the Escrow Act and Section 17416 to the Financial Code, relating to the issuance of desist and refrain orders by the Commissioner of Corporations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, lines 6 and 7, of the printed bill, as amended, strike out "or any licensee is violating any provision of this act,".

Amendment No. 2

On page 1, line 8, of said bill, strike out "or licensee".

Amendment No. 3

On page 1, line 9, of said bill, strike out "or further violating said act".

Amendment No. 4

On page 1, lines 17 and 18, of said bill, strike out "or any licensee is violating any provision of this division,".

Amendment No. 5

On page 1, line 19, of said bill, strike out "or licensee".

Amendment No. 6

On page 1, line 20, of said bill, strike out "or further violating said division".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 333—An act to amend Section 13 of the Escrow Act, and Sections 17407 and 17408 of the Financial Code, relating to penalty for failure to file reports required by law, and payment of costs of investigations, inspections or examinations of escrow companies.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 13 of the Escrow Act, and Sections", and insert "Sections 6 and 13 of the Escrow Act, and Sections 17207 and".

Amendment No. 2

In line 2 of the title of said bill, strike out "and 17408".

Amendment No. 3

In lines 3 and 4 of the title of said bill, strike out "payment of costs of investigations, inspections or examinations of", and insert "filing fees for".

Amendment No. 4

On page 1, line 17, of the printed bill, strike out "any", and insert "such".

Amendment No. 5

On page 1, line 18, of said bill, after "licensee", insert "under this section"

Amendment No. 6

On page 1 of said bill, after line 22, insert

"SEC. 2. Section 6 of the Escrow Act is amended to read:

Sec. 6. The commissioner shall charge and collect the following fees:

(a) For filing an original or a renewal application for an escrow agent's license, [fifty dollars ($50)] *one hundred dollars ($100)* for the first office or location and [ten dollars ($10)] *thirty-five ($35)* for each additional office or location.

(b) For filing an application for a duplicate of an escrow agent's license lost, stolen, or destroyed, upon a satisfactory showing of such loss, theft, or destruction, ten dollars ($10).

All money received by the commissioner shall be paid by him into the State Treasury to the credit of the General Fund"

Amendment No. 7

On page 2, line 1, of said bill, strike out "SEC. 2", and insert "SEC. 3".

Amendment No. 8

On page 2 of said bill, strike out lines 13 to 23, inclusive, and insert

"SEC. 4. Section 17207 of the Financial Code is amended to read:

17207. The commissioner shall charge and collect the following fees:

(a) For filing an original or a renewal application for an escrow agent's license, [fifty dollars ($50)] *one hundred dollars ($100)* for the first office or location and [ten dollars ($10)] *thirty-five dollars ($35)* for each additional office or location

(b) For filing an application for a duplicate of an escrow agent's license lost, stolen, or destroyed, upon a satisfactory showing of such loss, theft, or destruction, ten dollars ($10)."

Amendment No. 9

On page 2, line 24, of said bill, strike out "SEC. 4", and insert "SEC. 5".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 242—An act to add Section 1529 to the Probate Code, relating to guardian and ward.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 4, of the printed bill, after "to", insert "the".

Amendment No. 2

On page 1, line 4, of said bill, after "transfer", strike out "or", and insert ", encumbrance or other".

Amendment No. 3

On page 1, line 6, of said bill, after "to", insert "the".

Amendment No. 4

On page 1, line 6, of said bill, after "transfer", strike out "or", and insert ", encumbrance or other".

Amendment No. 5

On page 1, line 8, of said bill, after "or to", insert "the".

Amendment No. 6

On page 1, line 8, of said bill, after "transfer", strike out "or", and insert ", encumbrance or other"

Amendment No. 7

On page 1, line 11, of said bill, after "for", insert "the".

Amendment No. 8

On page 1, line 11, of said bill, after "transfer", strike out "or", and insert ", encumbrance or other".

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 806—An act to amend Section 2980 of the Civil Code, relating to the recording of conditional sales contracts and leases of livestock, animate chattels, mining equipment and machinery, and bailment or feeder agreements and rights and remedies in connection therewith.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 2 of the printed bill, strike out lines 13 to 20, inclusive, and insert "As used in this section the term "mining purposes" includes oil drilling purposes. Sections 2959a and 2965 of the Civil Code are hereby made applicable to the instruments required to be recorded by this section in the same manner as to mortgages of personal property, provided however, that the provisions of Section 2965 of the Civil Code shall not apply to any instrument covering any materials or equipment used in, or in connection with, the drilling or production or refining of crude oil or other hydrocarbon substances."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1178—An act to amend Sections 296.2 and 296.4 of, and to add Sections 296.41 and 296.42 to, the Probate Code, relating to the estates of deceased persons and the determination of simultaneous death.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 17, of the printed bill, after "survived", insert "and as if said one-half were his separate property".

Amendment No. 2

On page 1, line 19, of said bill, after "survived", insert "and as if said other one-half were her separate property".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 2136—An act to amend Section 16024 of the Government Code, relating to the automatic denial of claims against the State of California where the liability of the State is insured.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, lines 3, 4, and 5, of the printed bill, strike out "under Section 400 of the Vehicle Code or Section 1902 of the Harbors and Navigation Code".

Amendment No. 2

On page 1 of said bill, strike out all of line 6, and insert "covered by insurance."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1822—An act to add Section 1190.1 to the Civil Code, relating to the acknowledgment of instruments.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 1190.1 to", and insert "amend Section 1183.5 of".

Amendment No. 2

On page 1, line 1, of said bill, strike out "1190.1 is added to the Civil Code," and insert "1183.5 of the Civil Code is amended".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 15, inclusive, and insert

"1183.5.

1. Any officer of any component of the Army or Air Force of the United States on active duty in federal service commissioned in or assigned or detailed to duty with the Judge Advocate General's Department, any Staff Judge Advocate or Acting Staff

Judge Advocate, and the Adjutant, Assistant Adjutant, Personnel Adjutant or commanding officer of any command;

2. Any commanding officer or executive officer of a ship, shore station or establishment and any officer of or above the rank of Lieutenant, Senior Grade, on active duty with the Navy or Coast Guard of the United States;

3. Any officer of or above the rank of Captain on active duty with the United States Marine Corps;

Shall have the power if a commissioned officer to administer and certify oaths or affirmations, attest documents, take acknowledgments, and perform all other notarial acts, for any person serving in or with the Armed Forces of the United States, wherever located within or without this State.

Any instrument acknowledged by any such officer or any oath or affirmation made before such officer shall not be rendered invalid by the failure to state therein the place of execution or acknowledgment. No authentication of the officer's certificate of acknowledgment or of any jurat signed by him shall be required but the officer taking the acknowledgment shall endorse thereon or attach thereto a certificate substantially in a form authorized by the laws of this State or in the following form:

On this the _____ day of _____, 19___, before me, _____, the undersigned officer, personally appeared _____ known to me (or satisfactorily proven) to be serving in or with the Armed Forces of the United States and to be the person whose name is subscribed to the within instrument and acknowledged that __he__ executed the same. And the undersigned does further certify that he is at the date of this certificate a commissioned officer of the rank stated below and is in the active service of the Armed Forces of the United States.

_____

_____

Signature of officer and serial number, rank, branch of service and capacity in which signed.

To any affidavit subscribed and sworn to before such officer there shall be attached a jurat substantially in the following form:

Subscribed and sworn to before me on this _____ day of _____, 19___.

_____

_____

Signature of officer and serial number, rank, branch of service and capacity in which signed.

The recitals contained in any such certificate or jurat shall be prima facie evidence of the truth thereof, and any certificate of acknowledgment, oath or affirmation purporting to have been made by any commissioned officer of the Army, Air Force, Navy, Marine Corps or Coast Guard shall, notwithstanding the omission of any specific recitals therein, constitute presumptive evidence of the existence of the facts necessary to authorize such acknowledgment, oath or affirmation to be taken by the certifying officer pursuant to this section.

[This section shall remain in effect until the ninety-first day after final adjournment of the 1951 Regular Session of the Legislature.] While this section is in effect it shall supersede any existing provisions of law which are in conflict with this section, but such provisions are not repealed by this section and after this section is no longer effective shall have the same force as though this section had not been enacted."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1824—An act to amend Section 2924c of the Civil Code, relating to mortgages and deeds of trust.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 2924c", and insert "Sections 2924c and 2924b".

Amendment No. 2

On page 2 of said bill, after line 11, insert

"SEC. 2. Section 2924b of the Civil Code is amended to read:

2924b. Any person desiring a copy of any notice of default and of any notice of sale under any deed of trust or mortgage with power of sale upon real property, as to which deed of trust or mortgage the power of sale cannot be exercised until such notices

are given for the time and in the manner provided in section 2924 may, at any time subsequent to recordation or registration of such deed of trust or mortgage and prior to recordation of notice of default thereunder, cause to be filed for record in the office of the recorder of any county in which any part or parcel of the real property is situated, *a duly acknowledged request for a copy of any such notice of default and of sale.* This request shall set forth the name and address of the person requesting copies of such notices, shall identify the deed of trust or mortgage by stating the names of the parties thereto, the date of recordation or registration thereof and the book and page where the same is recorded or the recorder's or registrar's serial number and shall be in substantially the following form:

"In accordance with section 2924b, Civil Code, request is hereby made that a copy of any notice of default and a copy of any notice of sale under the deed of trust (or mortgage) recorded _____, 19____ in Book _____ page _____ records of _____ County, (or filed for record with recorder's serial number _____, or registered under registrar's number _____ County) California, executed by _____ as trustor (or mortgagor) in which _____, is named as beneficiary (or mortgagee) and _____ as trustee be mailed to _____ at _____.

Name Address

Signature_____"

Immediately upon the filing for record of such request, the recorder shall enter upon the margin of the record of the deed of trust or mortgage therein referred to a reference to the place where such request is recorded, which reference shall be substantially in the following form:

"Request recorded in Book _____ page _____ of _____ for copy of notice of default and sale."

The mortgagee, trustee or other person authorized to record the notice of default, shall within ten days following recordation of such notice of default deposit or cause to be deposited in the United States mail an envelope, registered and with postage prepaid, containing a copy of such notice with the recording date shown thereon, addressed to each person whose name and address are set forth in a duly recorded request therefor, and a reference to which request has, prior to recordation of said notice of default, been entered on the margin of the record of the deed of trust or mortgage, directed to the address designated in said request, and at least twenty days before date of sale the mortgagee, trustee or other person authorized to make the sale shall deposit or cause to be deposited in the United States mail an envelope, registered and with postage prepaid, containing a copy of the notice of the time and place of sale, addressed to each person whose name and address are set forth in a request therefor recorded, within the time herein provided, a reference to which request has been entered upon the record as above provided at the address set forth in such request.

Any deed of trust or mortgage with power of sale hereafter executed upon real property may contain a request that a copy of any notice of default and a copy of any notice of sale thereunder shall be mailed to any person a party thereto at the address of such person given therein, and a copy of any notice of default and of any notice of sale shall be mailed to each such person at the same time and in the same manner required as though a separate request therefor had been filed by each of such persons as herein authorized. If, in any deed of trust or mortgage with power of sale hereafter executed, except a deed of trust or mortgage of any of the classes excepted from the provisions of section 2924, no address of the trustor or mortgagor is therein set forth and if no request for notice by such trustor or mortgagor has been recorded as herein provided, a copy of the notice of default shall be published once a week for at least four weeks in a newspaper of general circulation in the county in which the property is situated, such publication to commence within 10 days after the filing of the notice of default. In lieu of such publication a copy of the notice of default may be delivered personally to the trustor or mortgagor within such 10 days or at any time before publication is completed.

A recital in the deed executed pursuant to the power of sale of compliance with all requirements of law regarding the mailing of copies of notices for which requests have been recorded *or the publication of a copy of the notice of default or of personal delivery of the copy of the notice of default* shall constitute prima facie evidence of compliance therewith and conclusive evidence thereof in favor of bona fide purchasers and encumbrancers for value and without notice.

No request for copy of any notice filed for record pursuant to this section nor any statement or allegation in any such request nor any record thereof shall affect the title to real property or be deemed notice to any person that any person requesting copies of notice has or claims any right, title or interest in, or lien or charge upon the property described in the deed of trust or mortgage referred to therein."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Speaker Pro Tempore Presiding

At 10.27 a.m., Hon. Thomas A Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 1158—An act to add Section 269b to the Code of Civil Procedure, relating to official reporters of the Superior Court in and for the State of California.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 269b to", and insert "amend Section 261g of".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 24, inclusive, and insert

"SECTION 1. Section 261g of the Code of Civil Procedure is amended to read:

261g. In each county, or city and county, having a population of more than seventy-four thousand and less than one hundred thousand inhabitants, *as determined by the Federal Census taken in 1940*, the judges of the superior court in and for such county, or city and county, a majority thereof concurring therein, to assist the court in the transaction of the judicial business of said court, may appoint the following employees:

Phonographic Reporters The judges of the superior court, a majority concurring, may appoint as many regular official phonographic reporters as necessary to report the proceedings in said court, except that the number of reporters so appointed shall not exceed at any one time the number of offices of judge provided by law for said court, said reporters to hold office during the pleasure of the judges of said court, a majority concurring. The duties of such official reporters shall be performed as elsewhere defined in this code. Each of said reporters shall receive as full compensation for taking notes in criminal cases in the superior court a monthly salary of five hundred dollars ($500). All other fees of such reporters shall be as elsewhere defined or prescribed in this code. In cases where it is necessary that a pro tem reporter be appointed, such reporter shall be allowed the fees as prescribed elsewhere in this code."

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 2423—An act to amend Sections 714.5, 717, 717.5, 867, and 868 of the Fish and Game Code, relating to fish.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 19, of the printed bill, strike out ", barracuda, and white sea bass".

Amendment No. 2

On page 2, line 15, of said bill, strike out "yellow-tail,".

Amendment No. 3

On page 2, line 15, of said bill, after "barracuda", strike out the comma.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Fish and Game

ANNOUNCEMENT

Speaker pro Tempore Maloney expressed appreciation, on behalf of the Members of the Assembly, to Senator and Mrs. Arthur W. Way, and to Senator and Mrs. Fred Weybret who assisted them, for their generous dinner hospitality of last evening.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 31—Approving the charter of the City of Modesto, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the fourteenth day of February, 1951;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the fifteenth day of March, 1951, at 10 a m

BURKE, Chairman

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2146

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2146, out of order, as he must attend a committee meeting, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2146

Assembly Bill No. 2146—An act to repeal Section 2615 of the Welfare and Institutions Code, relating to bringing nonresident indigent persons into the State

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2164

Mr. Sam L Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2164, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2164

Assembly Bill No. 2164—An act to add Section 10115 to the Insurance Code, relating to life insurance policies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser,

Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2178

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 2178, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2178

Assembly Bill No. 2178—An act to amend Section 1268 of the Code of Civil Procedure, relating to escheat of property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2179

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2179, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2179

Assembly Bill No. 2179—An act to renumber and amend Section 261b of the Code of Civil Procedure, relating to fees for phonographic reporters.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Concurrent Resolution No. 32—Relative to approving certain amendments to the charter of the City of Torrance, County of Los Angeles, State of California, voted for and ratified by the electors of said City of Torrance at a general municipal election held therein on the eleventh day of April, 1950.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, and Tomlinson—62.

NOES—None.

Resolution ordered transmitted to the Senate.

Hon. Richard H. McCollister Presiding

At 10 25 a.m., Hon. Richard H. McCollister, Member of the Assembly from the Seventh District, presiding.

THIRD READING OF SENATE BILLS

Senate Concurrent Resolution No. 11—Relative to the continuance of the Joint Legislative Committee on Community Redevelopment and Housing Problems with Particular Reference to Legislation Supplementary to Federal Legislation.

Resolution read.

The roll was called, and the resolution adopted by the following vote.

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Thomas, and Tomlinson—59.

NOES—None.

Resolution ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 10.38 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 456	Assembly Bill No. 717
Assembly Bill No. 628	Assembly Bill No. 718
Assembly Bill No. 629	Assembly Bill No. 719
Assembly Bill No. 630	Assembly Bill No. 720
Assembly Bill No. 708	Assembly Bill No. 726
Assembly Bill No. 713	Assembly Bill No. 727
Assembly Bill No. 714	Assembly Bill No. 728
Assembly Bill No. 715	

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1951

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 250	Assembly Bill No. 898
Assembly Bill No. 347	Assembly Bill No. 1887
Assembly Bill No 348	Assembly Bill No 1957
Assembly Bill No. 888	

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 888 re-referred to the Committee on Military Affairs.

Assembly Bill No. 250 re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 347 re-referred to the Committee on Finance and Insurance

Assembly Bill No. 348 re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 898 re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 1887 re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 1957 re-referred to the Committee on Finance and Insurance

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 33: By Messrs. Lyon, Maloney, and Sam L. Collins—Relative to the illness of His Excellency, Honorable Earl Warren, Governor of the State of California, and his daughters, Nina and Dorothy.

Request for Unanimous Consent

Mr Lyon asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 33, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 33

Assembly Concurrent Resolution No. 33—Relative to the illnesses of His Excellency, Honorable Earl Warren, Governor of the State of California and his daughters, Nina and Dorothy.

Resolution read.

Motion That Names of All Members Present Be Placed Upon Assembly Concurrent Resolution No. 33 as Co-authors

Mr. Doyle moved that the names of all members present be placed upon Assembly Concurrent Resolution No. 33 as co-authors.

Mr. Lyon seconded the motion.

Motion carried unanimously.

The roll was called, and the following members responded when their names were called as desiring to be co-authors of Assembly Concurrent Resolution No. 33:

Lyon, Maloney, Sam L. Collins, Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—74.

Further Consideration of Assembly Concurrent Resolution No. 33

Assembly Concurrent Resolution No. 33: By Messrs. Lyon, Maloney, Sam L. Collins, Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Mrs. Niehouse, Messrs. Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—Relative to the illnesses of His Excellency, Honorable Earl Warren, Governor of the State of California, and his daughters, Nina and Dorothy.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—74.

NOES—None.

Resolution ordered transmitted to the Senate.

ANNOUNCEMENT

Speaker pro Tempore Maloney announced that at 11 a.m. tomorrow, Friday, March 16th, the Saint Patrick's Day Celebration will be held in the Assembly Chamber, and urged all members to bring their families as guests.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were offered:

Assembly Joint Resolution No. 20: By Mr. Luckel—Relative to the use of federal gasoline tax money.

Referred to Committee on Rules.

Assembly Joint Resolution No. 21: By Mr. Kelly—Relative to opposing an increase in the federal gasoline tax.

Referred to Committee on Rules.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 2 p.m.—

Ways and Means. Subject: Assembly Bill No. 28, in Room 435.

At 2.30 p.m.—

Subcommittee of Public Utilities and Corporations Subject: Senate Bill No. 327, in Room 426.

At 3 p.m.—

Transportation and Commerce, in Room 432

At 8 p.m.—

Civil Service and State Personnel, in Room 426

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Belotti and The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. R. P. Brown of Eureka, Mrs. R. C. West of Petrolia, and Misses Kathleen Price, Irene Daup, France Duke, and Hazel Kellems of Los Angeles.

On request of Mr. Geddes, the usual courtesies of the Assembly for this day were unanimously extended to the following members of the California Manufacturers Association: Wm. B Tyler, T. T. Arden, Dr. Robert K. Cutter, Wm. A. DeRidder, Harry S. Baker, F. O. Fernstrom, Ralph M. Hoffman, Edgar B. Jessup, Ivan L. Johnson, Lloyd A. Johnson, John Parker, Lee D. Pratt, A. N. Skinner, George S Wheaton, and A. P. Heiner.

On request of Mr. Hansen, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Karl Shattuck, Mrs. Henry Diel, Mr. and Mrs. Henry Karrer, Mr. and Mrs C. Sam Johnson, John Ventura, Jr., and John McAlister of Fresno.

On request of Mr. Stanley, the usual courtesies of the Assembly for this day were unanimously extended to Chas. W. TeWinkle and A. C. Swartz of Costa Mesa.

On request of Messrs. Moss and Fleury, the usual courtesies of the Assembly for this day were unanimously extended to James M. Alexander, teacher, and the following pupils of the Elder Creek School of

Sacramento: Erma Bailey, Tommy Ball, Darlene Benefield, William Biggs, Irving Brown, Gene Carlson, Joe Cervantes, Lois Cox, Hazel Davis, Donald Dickson, James Foster, Don France, Robert Ingstrom, Bill Keller, Billy Muncy, Pricilla LaFebre, Jeannie Perry, Richard Parra, Jerry Ring, Hubert Tice, Charles Wells, Charles West, Robert Welsh, Harley Wick, and James Bowden.

On request of Mr. Belotti, the usual courtesies of the Assembly for this day were unanimously extended to Miss Pat Davis and Marvin L. Anderson, teachers, and the following pupils of the Hopland High School: Joan Aldrich, Louise Aldrich, Betty Sullivan, Richard Williams, Elaine LaMastus, Marilyn Hardy, Kenneth Whittaker, Lillian Proctor, Nancy Tappin, George Feliz, Virginia James, and Betty Frazier, and Mr. and Mrs. Austin, guests.

On request of Mr. Clarke, the usual courtesies of the Assembly for this day were unanimously extended to H E. Newbold and Mr. Carlson, advisors, and the following pupils of the Gustine Union High School: Barbara Garver, Karen Olesen, Ellen Hanifin, Doris Rainero, Gretchen Klehn, Mary Freitas, Virginia Ferreira, Elleanor Gomes, Lucy Gomes, Marilyn Pfitzer, Marnell Morton, Lee Cohen, Joann Morton, Jean Donaldson, Lois Davidson, Eugene Fasano, Joyce Carlson, Dolores Cary, Laurie Guaglianone, Vera Looney, Nadine Brewer, Rosemarie Fasano, Evelyn Jacques, Margaret Barboza, Walter Plumb, Celeste Mendonca, Dolores Sylvia, Donna Larson, Dorothy Darnell, Sue McClocklin, Patty Borelli, Harold Watkins, Janet Silva, Rosemary Wuestewauld, Joseph Martinho, Claude Randall, Charlotte Mendonca, Frances Pacheco, Kandy Shepherd, Betty McPherson, Gloria Bettencourt, Betty Bizzini, Billy Bizzini, Mary Ruth Bloyed, Jimmy Brown, Ann Bunker, Nancy Bunker, Phyllis Day, LeRoy Guaglianone, Jean Harrington, Henry Klehn, Gertie Mello, Benny Mendonca, Mary Ann Newbold, David Perry, Donna Roof, Betty Ryder, Sandra Souza, Eugene Vierra, Alice Beckstead, LaMara Brewer, Henritta Huffman, Donald Dellepiane, and Jack Lopes.

ADJOURNMENT

At 10.57 a.m., on motion of Mr. Dunn, Speaker pro Tempore Maloney declared the Assembly adjourned until 9.30 a.m., Friday, March 16, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SEVENTEENTH LEGISLATIVE DAY

TWENTY-FIRST CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, March 16, 1951

The Assembly met at 9.30 a.m.
Hon. Sam L. Collins, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

Quorum present.

Names Placed Upon Morning Roll Call by Unanimous Consent

Speaker Sam L. Collins announced that Messrs. Dolwig, Rosenthal, Belotti, and Smith are presently attending a meeting of the Committee on Legislative Representatives. Their names were ordered placed upon the morning roll call, by unanimous consent.

PRAYER

Upon request of Speaker Sam L. Collins, the following prayer was offered by Assemblyman Ernest R. Geddes of the Forty-ninth District:

Our Father. Let us be assembled in Thy holy name. On this day particularly, when we shall pause in our labors to celebrate the day dedicated to one revered in history and legend, let us remember that what made him great is that he was Thy servant.

Thus may we be impressed, as we look to Thee for precept and example, that our highest duty is service.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Hansen, further reading of the Journal of the previous legislative day was dispensed with

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Cooke, on motion of Mr. Coats.

Mr. Butters, on motion of Mr. Coats.

Mr. Lipscomb, on motion of Mr. Coats.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. McMillan, on motion of Mr. Condon.

Mr. Silliman, on motion of Mr. Kirkwood.

ANNOUNCEMENTS

Speaker Sam L. Collins announced that if members have business to attend to out of the city it will be well to attend to it either this weekend, or next weekend, as, in all probability, sessions will be held on weekends in the very near future.

Speaker Sam L. Collins again announced the departure tonight, at 5.30 p.m., of the Friday night legislative special plane to Los Angeles, which is being provided by the United Airlines for the convenience of the Members of the Legislature.

Speaker Sam L. Collins again announced that the Office of the Legislative Counsel will be closed over the weekend for the purpose of moving their office and staff into the new annex.

Mr. Sherwin announced that guide books on pending legislative bills, which contain either direct or implied appropriations, have been prepared by the Joint Legislative Budget Committee, and have been placed upon the desks of all members for their continued use.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 1844

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

HOLLIBAUGH, Chairman.

Above reported bill ordered to second reading.

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1951

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 831
Assembly Bill No. 1541

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CONNOLLY, Chairman

Above reported bills ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 15, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 13

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Joint Resolution No. 13—Relative to proposed discriminatory and excessive increases in the federal tax on wine.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 15, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Concurrent Resolution No. 11

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, March 15, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 32

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Constitutional Amendment No. 50: By Mr. Elliott—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by repealing Article XIX thereof, relating to Chinese.

Referred to Committee on Constitutional Amendments.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 125	Assembly Bill No. 130
Assembly Bill No. 126	Assembly Bill No. 259
Assembly Bill No. 128	Assembly Bill No. 390

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1951

MR SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 127
Assembly Bill No. 129
Assembly Bill No. 131

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

SHERWIN, Chairman

Above reported bills ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1951

MR SPEAKER. Your Committee on Legislative Procedure has examined.

Assembly Bill No. 711
Assembly Bill No. 722

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

CONSIDERATION OF DAILY FILE

UNFINISHED BUSINESS

NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 327 FROM COMMITTEE CONTINUED

Mr. Davis asked for, and was granted, unanimous consent that his notice of motion to withdraw Senate Bill No. 327 from committee be continued until the next legislative day.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 592—An act to amend Section 28124 of the Government Code, relating to compensation for public services in counties of the twenty-fourth class.

Bill read second time, and ordered engrossed

Assembly Bill No. 594—An act to amend Section 424 of the Education Code, relating to compensation of the county superintendent of schools in counties of the twenty-fourth class.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1112—An act to add Section 37392.1 to the Government Code, relating to the power of cities, public corporations and public districts to lease or grant rights of use in sewage disposal facilities, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1916—An act to add Sections 31026, 31027, 31028, and 31029 to the Water Code, relating to county water districts, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 166—An act to add Section 14722.1 to the Education Code, relating to district retirement salary plans, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 167—An act to amend Sections 14702 and 14722 of the Education Code, relating to district retirement salary plans.

Bill read second time, and ordered engrossed.

Assembly Bill No. 168—An act to amend Sections 14728.3 and 14728.5 of the Education Code, relating to district retirement salary plans.

Bill read second time, and ordered engrossed.

Assembly Bill No. 816—An act to amend Section 2203 of the Education Code, relating to the traveling expenses of representatives of governing boards of school districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1114—An act to amend the heading of Article 1 of Chapter 8 of Division 3, and Sections 5901, 5902, 5903, 5904, and 5905 of the Education Code, and to add Section 5906 to said code, all relating to cash funds of school districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1693—An act to amend Section 24201 of the Education Code, relating to corporations for establishing, conducting, and maintaining colleges or seminaries of learning.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1697—An act to amend Section 13275 of the Education Code, relating to annual reports of high school principals.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1988—An act to repeal Chapters 12, 13, and 14 of Division 3 of the Education Code; to repeal Articles 2 and 3 of Chapter 16 of Division 3 of said code; to repeal Sections 9614, 9615, 9616, 9642, 16486, and 16486a of said code; to repeal Sections 671 and 671.1 of the Welfare and Institutions Code; and to add Chapters 12, 13, and 14 to Division 3 of the Education Code; to add Articles 2 and 3 to Chapter 16 of Division 3 of said code; and to add Sections 8704 and 8761 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1036—An act to amend Sections 1102 and 1140 of the Health and Safety Code, relating to state aid for local health administration.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1211—An act to repeal Sections 2289 and 2293 of, and to amend Sections 2135, 2169, and 2287 of, the Business and Professions Code, relating to practitioners of the healing arts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1214—An act to amend Section 2319 of the Business and Professions Code, relating to reciprocity applicants for a physician's and surgeon's certificate.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1146—An act to amend the title of Article 2 and to add Articles 3 and 4 to Chapter 5.5 of Division 21 of the Health and Safety Code, relating to low-acid frozen foods.

Bill read second time, and ordered engrossed

Assembly Bill No. 836—An act to amend the title of the Municipal Water District Act of 1911, and to amend Sections 2, 3, 4, 5, 6, 7, 8, 9, 12, 13, 14, 15, 18, 19, 22, 23, 24, 25, 26, 27, 28, 29, and 32 of, to amend and renumber Sections 6a, 27a, 27b, and 27c of, to repeal Sections 4a, 4b, 20, 31, and 34 of, and to add Sections 12.1, 12.2, 13 1, 20, 21, 27.1, 27.2, 27.3, and 27.7 to the Municipal Water District Act of 1911, relating to municipal water districts, declaring the urgency thereof, to take immediate effect.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 3 of the title of the printed bill, after "15," insert "*17*,".

Amendment No. 2

In line 6 of the title of said bill, after "13 1," insert "*16*,".

Amendment No. 3

On page 1, line 5, of said bill, after "county", insert ",".

Amendment No. 4

On page 3, line 50, of said bill, after "as", insert "*so*".

Amendment No. 5

On page 4, line 34, of said bill, after "of", insert "*the*".

Amendment No. 6

On page 5, line 46, of said bill, after "the", strike out "first".

Amendment No. 7

On page 6, line 21, of said bill, after "of the", insert "*direct*".

Amendment No. 8

On page 6, line 22, of said bill, after "General", insert "*Municipal*".

Amendment No. 9

On page 6, line 25, of said bill, after "Special", insert "*Municipal*"

Amendment No. 10

On page 6, line 46, of said bill, after "district", insert a comma.

Amendment No. 11

On page 7, line 37, of said bill, after "elections", insert ", *except as in this act otherwise provided*".

Amendment No. 12

On page 7, line 47, of said bill, after "of the", strike out "divisions", and insert "*division*".

Amendment No. 13

On page 11, line 17, of said bill, after "levied", insert a comma

Amendment No. 14

On page 11, line 18, of said bill, after "provided", insert a comma.

Amendment No. 15

On page 11, line 19, of said bill, after "district", insert a comma.

Amendment No. 16

On page 12, lines 12 and 13, of said bill, strike out "other public agencies or with one or more", and insert "*public agencies,*".

Amendment No. 17

On page 15, line 47, of said bill, after "the", strike out "premium", and insert "*premiums*".

Amendment No. 18

On page 15, line 47, of said bill, after "such", strike out "bond", and insert "*bonds*".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 19

On page 16 of said bill, strike out lines 1 to 7, inclusive, and insert

"*SEC. 17. Section 15 of said act is amended to read.*

Sec. 15. Whenever the board of directors deems it necessary for the district to incur a bonded indebtedness, [it] *the board* shall, by resolution, so declare and state [the proposition to be submitted to the electors,] the purpose for which the proposed debt is to be incurred, the amount of debt to be incurred, the maximum term the bonds proposed to be issued shall run before maturity, which shall not exceed forty years, [and] the maximum rate of interest to be paid, which shall not exceed five percent per annum[.] , *and the measure to be submitted to the voters.* The board of directors shall fix a date upon which an election shall be held for the purpose of authorizing said bonded indebtedness to be incurred. It shall be the duty of the board of directors to provide for holding such special election on the day[s] so fixed and in accordance with the [general election laws of the State] *provisions of the Elections Code* so far as the same shall be applicable, except as herein otherwise provided. Such board of directors shall give notice of the holding of such election, which notice shall contain the *text of the* resolution adopted by the board of directors of the [water] district, [boundaries] *the designation* of precincts, the location of polling places, and the names of the officers selected to conduct the election, who shall consist of one judge, one inspector and two clerks in each precinct *In case such election is consolidated with a state or county election, the precincts, polling places, and election officers shall be the same as provided for such state or county election, and it shall be sufficient if the resolution and notice so state.* Such notice shall be published *once each week* for two weeks, *the last publication to be made not less than two weeks nor more than four weeks prior to the date of the proposed election,* in at least one newspaper, and not more than three newspapers, published in such [water] district, which newspaper or newspapers shall be designated by the board of directors[;] . [and if] *If* there is no newspaper [printed] *published* in such [water] district, then [by posting] such notice *shall be posted* in three public places [therein,] *in such district not less than two weeks nor more than four weeks prior to the date of the proposed election.* All the expenses of holding such election shall be borne by the district The returns of such election shall be made, the votes canvassed by said board of directors [on the first Monday] *within seven days* following said election, and the results thereof ascertained and declared in accordance with the [general laws of the State] *provisions of the Elections Code,* so far as they may be applicable, except as [herein] *in this act* otherwise provided The secretary of the board of directors, as soon as the result is declared, shall enter in the records of such board a statement of such results No irregularities or informalities in conducting such election shall invalidate the same, if the election shall have otherwise been fairly conducted. [In all respects not otherwise provided for herein said election shall be called, managed and directed as is by law provided for general elections in this state applicable thereto, except as herein otherwise provided]

Any action or proceeding, wherein the validity of any such bonds or of the proceedings in relation thereto is contested, questioned or denied, shall be commenced within three months from the date of such election : otherwise said bonds and all proceedings in relation thereto shall be held to be valid and in every respect legal and incontestable

SEC. 17a. Section 16 is added to said act, to read:

Sec. 16. As an alternative to the method of incurring bonded indebtedness authorized by Section 15 of this act, any district organized hereunder is authorized to incur a bonded indebtedness pursuant to the following subdivisions:

(1) *Whenever the board of directors deems it necessary for the district to incur a bonded indebtedness which in the opinion of the board will not benefit the whole of the district, the board shall, by resolution adopted by the affirmative vote of at least four directors, so declare and state*".

Amendment No. 20

On page 17, line 15, of said bill, strike out "benefitted", and insert "benefited".

Amendment No. 21

On page 17, line 42, of said bill, after "resolution", insert "*and notice*".

Amendment No. 22

On page 18, line 3, of said bill, after "shall be", insert "*so*"

Amendment No. 23

On page 18 of said bill, between lines 26 and 27, insert

"*SEC. 17b. Section 17 of said act is amended to read:*

Sec. 17. If from such returns it appears that more than two-thirds of the votes cast at such election *held pursuant to the provisions of Section 15 or of Section 16 of this act*, were in favor of and assented to the incurring of such indebtedness, then the board of directors may, by resolution, at such time or times as it deems proper, provide for the form and execution of such bonds and for issuance of any part thereof, and may sell or dispose of the bonds so issued at such times or in such manner, either for cash in lawful money of the United States or its equivalent, as it may deem to be to the public interest."

Amendment No. 24

On page 20, line 17, of said bill, after "will", insert "*result in revenues which will*".

Amendment No. 25

On page 20, line 30, of said bill, after "or", insert "*of*".

Amendment No. 26

On page 20, line 52, of said bill, after "fact", strike out the comma, and insert a semicolon.

Amendment No. 27

On page 23, line 49, of said bill, strike out "indentification", and insert "*identification*".

Amendment No. 28

On page 26, line 25, of said bill, strike out "municipal".

Amendment No. 29

On page 26, line 31, of said bill, strike out "water".

Amendment No. 30

On page 27, line 1, of said bill, after "upon", insert a comma, and after "from", insert a comma.

Amendment No. 31

On page 38 of said bill, strike out line 34.

Amendment No. 32

On page 38, line 35, of said bill, strike out "41", and insert "*40*".

Amendment No. 33

On page 38, line 42, of said bill, strike out "district", and insert "*districts*".

Amendment No. 34

On page 38, line 50, of said bill, strike out "42", and insert "*41*".

Amendment No. 35

On page 39, line 4, of said bill, strike out "43", and insert "*42*".

Amendment No. 36

On page 39, line 24, of said bill, strike out "44", and insert "*43*".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 169—An act to add Section 14720.1 to the Education Code, relating to retirement of employees of school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 8, of the printed bill, strike out "the districts", and insert "any of the districts under the same governing board".

Amendment No. 2

On page 1, line 10, of said bill, strike out "district", and insert "districts".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2065—An act to amend Sections 6301, 6302, 6334, and 6356 of, and to add Section 6301.5 to, the Education Code, relating to school district budgets.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "Section 6301.5", and insert "Sections 6301.5 and 6301.6".

Amendment No. 2

On page 1, line 4, of said bill, after "shall", insert ", except as otherwise provided herein,".

Amendment No. 3

On page 1, line 6, of said bill, strike out "showing", and insert a period and

"On or before the first day of July in each year, the governing board of each district included in a group of two or more districts having a total average daily attendance of 100,000 or more and governed by boards of identical personnel, shall prepare a tentative budget.

The tentative budget shall show".

Amendment No. 4

On page 2, line 20, of said bill, after "district", insert "required to prepare a tentative budget on or before the first day of April".

Amendment No. 5

On page 2 of said bill, between lines 40 and 41, insert

"SEC. 2.1 Section 6301.6 is added to said code, to read:

6301.6. The governing board of a school district which is required to prepare a tentative budget on or before the first day of July shall file the tentative budget with the county superintendent of schools not later than the said first day of July."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1606—An act to add Section 370 to the Education Code, relating to employees of county superintendents of schools.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 1, line 8, of the printed bill, after "years", insert "subject to the approval of the Director of Education".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3184—An act to amend Section 4861 of the Education Code, relating to membership of schools in educational organizations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 6, of the printed bill, after "its", insert "exclusive".

Amendment No. 2

On page 1, line 7, of the printed bill, strike out "public".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1035—An act to repeal Sections 10101, 10102, 10103, 10106, 10107, 10108, 10109, 10110, 10176, 10180, 10181, 10182, 10200, 10375, and 10579, to renumber and amend Sections 10104 and 10105, to amend Sections 10100, 10112, 10113, 10118, 10119, 10175, 10179, 10552, 10576, 10577, 10578, and 10630, and to add Sections 10121, 10200, 10278.5, 10375, and 10554, to the Health and Safety Code, relating to vital statistics and the registration of births, deaths, and marriages.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 4 of the title of the printed bill, after "10100," insert "10111,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 5 of said bill, after line 51, insert

"SEC. 26. Section 10111 of the Health and Safety Code is amended to read:

10111. Each local registrar shall transmit to the State Registrar each original birth certificate or death certificate registered by him [and retain a complete and accurate copy of each certificate for the local record of the registration district]"

Amendment No. 3

On page 5, line 27, of said bill, strike out the first "the".

Amendment No. 4

On page 3 of said bill, after line 49, insert

"Provided, however, that when objection is made by either parent to the inclusion of medical and health items relating to the physical condition of the child because of conflict with religion, no such items shall be included"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1037—An act to amend Sections 10525, 10528, 10529, and 10532 of the Health and Safety Code, Sections 69a and 73 of the Civil Code, and Section 27252 of the Government Code and to repeal Sections 27241 and 27242 of the Government Code, relating to the registration and indexing of marriages.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 2, line 4, of the printed bill, strike out "He shall transmit each week", and insert "On or before the fifth day of each month he shall transmit".

Amendment No. 2

On page 2, line 6, of said bill, strike out "week", and insert "month Such transmittal may be made at more frequent intervals by arrangement with the State Registrar"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1038—An act to repeal Section 7413, to amend Section 7405, and to add Section 7413 to the Health and Safety Code, relating to burial permits.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In the first line of the title of the printed bill, strike out the comma following "7413", and insert "and"; strike out the comma following "7405"; and strike out "and to".

Amendment No. 2

In the second line of the title of said bill, strike out "add Section 7413 to", and insert "of".

Amendment No. 3

On page 1, line 13, of said bill, strike out "body has", and insert "human remains have".

Amendment No. 4

On page 1, line 15, of said bill, strike out "it was a body", and insert "human remains were".

Amendment No. 5

On page 1 of said bill, strike out line 21 and all of the bill following thereafter.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1210—An act to amend Sections 2210, 2211, and 2216 of the Business and Professions Code, relating to qualifications for the practice of medicine.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health:

Amendment No. 1

On page 2, line 15, of the printed bill, following "may," strike out "in its discretion", and insert "for cause".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2412—An act to amend Section 28230 of the Health and Safety Code, relating to bread and its preparation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 28230 of", and insert "add Section 28231 to".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 12, inclusive, and insert

"SECTION 1. Section 28231 is added to the Health and Safety Code, to read:

28231 The provisions of Section 28230 do not apply to hearth baked loaves of bread or rolls which are kept in show cases and are protected from flies, dust, and dirt and are not accessible to the public"

Amendments read, and adopted.

Bill ordered reprinted, engrossed.

Assembly Bill No. 248—An act to add Section 13.7 to the Construction and Employment Act, relating to allocations to counties for repair, restoration or repair and restoration of public works, making an appropriation, and declaring the urgency hereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on January 19, 1951, strike out "add Section 13.7 to the Construction and Employment Act", and insert "amend Section 1 of an act entitled "An act making an appropriation to the Emergency Fund specified in Item 277 of the Budget Act of 1950, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, declaring the urgency thereof, to take effect immediately," approved February 2, 1951".

Amendment No. 2

In lines 2 and 3 of the title of said bill, strike out "allocations to counties for repair, restoration or".

Amendment No. 3

In lines 3 and 4 of the title of said bill, strike out "public works, making an appropriation," and insert "property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor.".

Amendment No. 4

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 1 of the act cited in the title hereof is amended to read:

Section 1. Out of any moneys unappropriated in the Postwar Unemployment and Construction Fund in the State Treasury the sum of one million five hundred thousand dollars ($1,500,000) is hereby appropriated to the Emergency Fund specified in Item 277 of the Budget Act of 1950, to be expended by the Department of Public Works acting through the agency of the State Engineer (1) during the 1950-1951 Fiscal Year beginning July 1, 1950, and ending June 30, 1951, the 1951-52 Fiscal Year beginning July 1, 1951, and ending June 30, 1952, and the 1952-53 Fiscal Year beginning July 1, 1952, and ending June 30, 1953, (2) for the cost of repair or restoration, or both, of levees, flood control works, channels, irrigation works, city and county roads and bridges and other property damaged or destroyed by storm and flood or flood conditions, *or by the effect of necessary use of such works, roads, bridges, or other property while in a weakened condition caused by such storm and flood or flood conditions,* subsequent to October 1, 1950, and for which no appropriation or insufficient appropriation, has otherwise been made by law, (3) subject to each and all of the following (in addition to other) conditions, restrictions and limitations:

None of the moneys hereby appropriated shall be expended, allotted or encumbered, or become available for expenditure, for a work of repair, or restoration, except for the making of investigations, estimates or reports hereunder by said department unless and until:

(a) Such expenditure and purpose is first approved by the Director of Finance.

(b) The department has first investigated and reported upon the proposed work, has found it to be a matter of general public and state interest and concern, has estimated the cost of the work and filed its report thereon with the Department of Finance.

(c) Moneys equal to or in excess of the amount expendable from this appropriation for said work shall be made available (by a political subdivision, public district, municipality, county or public agency, including agencies of local and Federal Government but excluding agencies which are a part of the Executive Department of the State Government) for expenditure by the department for such work to the end that any sums expended from this appropriation shall be matched by like or greater amounts from public sources other than the State Treasury or funds of any agency which is a part of the executive department of the State Government *Money allocated or assigned to a political subdivision, public district, municipality, county or public agency pursuant to the provisions of the Construction and Employment Act or any other law shall not be considered to be funds from the State Treasury or funds of any agency which is a part of the executive department of the State Government and may be used for matching purposes under this act notwithstanding provisions of the Construction and Employment Act or such other law.*

The department may perform all or any portion of said work directly by contract or force account or the department and any entity herein authorized to match the appropriation herein made may enter into a contract whereby all or any portion of such work may be performed by any party to such contract *Such contracts may include reimbursement for the cost of work already performed by such entity or the acceptance of such cost in lieu of matching funds, where it was necessary that such work be performed prior to the fulfillment of the requirements of this section, either because of the urgent character of such work, the unavailability of matching funds, or failure of the work to meet the requirements then in effect.*

Not more than 20 percent of the money appropriated by this act shall be expended in any one county.

SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Recent occurrences of storms and floods have caused extensive damage to levees, flood control works, channels, irrigation works, city and county roads and bridges and other property.

While funds have been appropriated for the repair and restoration of the damaged property, it has been ruled that such funds may not be used to repair damage resulting from the necessary use of such property while in a weakened condition caused by such floods; nor has adequate relief been afforded to counties or other political entities that had to undertake repairs before prior approval and investigation by State departments either because of the urgent need for the repairs, the unavailability of matching funds, or the failure of the work to meet the requirements then in effect. Inasmuch as the

repair of such flood damaged property must be performed at once and the reimbursement of the counties and public entities be made at once in order to provide money for further repairs and other essential services, it is necessary in the interest of public health and safety that this act take effect immediately."

Amendment No. 5

On page 1 of said bill, strike out lines 3 to 20, inclusive, and strike out pages 2 and 3.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 182—An act to provide for the preparation, issuance and sale of state bonds to create a fund to provide for the purchase of revenue bonds issued by counties, cities, districts, municipal corporations, political subdivisions, public corporations, or other public agencies of the State to finance the acquisition and construction of, public improvements of such agencies, or combination of such agencies; defining the powers and duties of state officers in respect to the administration of the provisions hereof; providing ways and means for the payment of the interest of such bonds as such interest falls due, and also for the payment and discharge of the principal of such bonds as such principal matures; and appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued, and for the administration of this act.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

Strike out the title of the printed bill, and insert

"An act providing for the issuance and sale of state bonds to create a fund for the purchase of bonds issued by any public agency of the State of California, including any county, city and county, city, political subdivision, municipal corporation, public corporation, public district, public board, commission, department, authority, officer, body or entity, or any other public agency, statewide or local, or any combination of such public agencies, for public improvements; defining the powers and duties of state officers in respect to the administration of the provisions hereof; providing ways and means for the payment of the interest on such state bonds as such interest falls due, and also for the payment and discharge of the principal of such state bonds as such principal matures; and appropriating money for the payment of principal and interest of the bonds authorized hereby and for the payment of expenses incurred in, or as incidental to, the preparation, sale and issuance of the bonds authorized hereby and the administration of the said fund"

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"Article 1.

Short Title and Definitions.

SECTION 1. This act may be cited as the Public Agencies Improvement Bond Act of 1951.

SEC. 2. As used in this act:

(a) "Public agency" means a county, city and county, city, political subdivision, municipal corporation, public corporation, public district, public board, commission, department, authority, officer, body or entity, or any other public agency, statewide or local.

(b) "Commission" means the commission created by Section 4 of this act.

(c) "Fund" means the fund created by Section 5 of this act

(d) "Public improvement" means any public work, undertaking or improvement, whether by original acquisition or construction, or by the acquisition or construction of any extension or betterment of, or addition to, any existing public work, undertaking or improvement, and shall include maintenance, repair and operation of any such public work, undertaking or improvement.

Article 2

Authorization and Purposes of Bonds.

SEC. 3. The issuance and sale of bonds of the State of California, and the creation of an indebtedness, or indebtedness, liability or liabilities, of the State of California, not exceeding in the aggregate the sum of one billion dollars ($1,000,000,000) is hereby authorized, and the proceeds of said bonds shall be used:

(a) To provide a fund to purchase bonds issued by any public agency of the State of California, including any county, city and county, city, political subdivision, municipal corporation, public corporation, public district, public board, commission, department, authority, officer, body or entity, or any other public agency, state-wide or local, or by any combination of such public agencies, for public improvements.

(b) To pay expenses incurred in, or as incidental to, the preparation, sale and issuance of the bonds authorized hereby and the administration of the said fund.

The said sum shall be a limitation upon the aggregate amount of all bonds which may be issued hereunder, and not merely upon the amount which may be outstanding at any one time.

Article 3.

Creation of Commission and Fund

SEC. 4. There is hereby created a State Public Agencies Improvement Finance Commission composed of the Governor, State Controller, Attorney General, Superintendent of Banks, Director of Finance, State Treasurer, and Director of Public Works, all of whom shall serve thereon without compensation and a majority of whom shall be empowered to act for said commission. Two Members of the Senate appointed by the Senate Committee on Rules and two Members of the Assembly appointed by the Speaker, shall meet and advise with the commission to the extent that such advisory participation is not incompatible with their respective positions as Members of the Legislature. The Director of Finance shall provide such assistance to the State Public Agencies Improvement Finance Commission as it may require. The Attorney General of the State shall be the legal adviser of the commission.

SEC. 5. There is hereby created in the State Treasury a fund to be known as the Public Agencies Loan Fund.

Article 4.

Appropriation for Expenses.

SEC. 6. Out of any money in the General Fund not otherwise appropriated, the sum of _____ dollars ($_____) is hereby appropriated to the State Treasurer, without regard to fiscal years, to pay the expenses incurred by the State Treasurer in preparing the bonds of the first issue of the bonds authorized by this act, and in advertising for the sale thereof, or in any manner in connection therewith, and out of any money in the General Fund not otherwise appropriated, the sum of _____ ($_____) is hereby appropriated to the commission, without regard to fiscal years, to pay the expenses incurred by the commission in the administration of the fund. When any bonds of the first issue authorized by this act have been sold, out of money received from the sale of such bonds, there shall be deposited in the General Fund to the credit of the appropriations made by this section such amount as the State Treasurer has expended for the said purposes, and as the said commission has expended for the said purposes. Upon the deposit of such amounts to the credit of such appropriations, respectively, such appropriations shall revert to the unappropriated surplus in the General Fund. Upon the reversion of the General Fund appropriations made by this section, respectively, as herein provided, all expenses subsequently incurred by the State Treasurer in preparing, advertising for sale, or advertising the redemption prior to maturity of any bonds authorized by this act, and all expenses subsequently incurred by the commission in the administration of the fund, shall be payable out of the fund.

Article 5.

Amounts, Maturities and other terms of Bonds.

SEC. 7. The commission shall determine the necessity or desirability of issuing any bonds authorized under this act in order to purchase bonds issued by any public agency or agencies to finance public improvements, and the amount of bonds then to be issued and sold. Successive issues of bonds may be authorized and sold to make such purchases progressively and shall be designated by an appropriate number or other designation. It shall not be necessary that all of the bonds herein authorized to be issued shall be sold at any one time.

SEC. 8. Whenever the commission shall have determined that the sale of all or any part of the bonds authorized to be issued under this act is necessary or desirable to purchase bonds issued by any public agency or agencies to finance public improvements, it shall adopt a resolution to that effect. The said resolution shall authorize and direct the State Treasurer to provide for the preparation of the requisite number of suitable bonds then authorized to be sold and shall specify as to such bonds then to be sold:

1. The aggregate number, aggregate par value, denominations and the date of the bonds to be then sold. Such denominations shall be in the sum of one thousand dollars ($1,000.00), or multiples thereof.

2. The dates of maturity, and the amount and numerical sequence of the bonds maturing at each date of maturity, which amounts need not be equal, but which dates shall be at annual or semiannual intervals, and the first of which dates of maturity shall be not less than five years, and the last of which dates of maturity shall be not more than 45 years, after the date of said bonds.

3. The provisions for the redemption of said bonds at any time or times prior to their maturity, the manner of the call thereof, and the price or prices at which said bonds shall be subject to redemption.

4. The maximum annual rate, or rates, of interest which the bonds to be issued shall bear, which shall be in multiples of one-fourth of 1 percent, and which rate, or rates, shall not exceed five percent per annum, payable semiannually.

5. The number, numerical sequence and due dates of the interest coupons to be attached to said bonds.

6. The technical form and language of said bonds and of the interest coupons to be attached thereto.

7. Whether or not the right is reserved to make delivery in the form of temporary or interim bonds, certificates or receipts, exchangeable for definitive bonds when executed and available for delivery, and if such right is reserved the denominations and form of such temporary securities.

8. Whether or not the bonds are to be subject to registration, and if so, whether such registration is to be as to principal only, or as to both principal and interest, or in either of said forms at the option of the holder, and the form and all of the terms and conditions of such registration. If such registration is provided for, all of the provisions of this act with reference to the payment of bonds and interest coupons shall be subject to the terms and conditions of such registration with respect to the payment of registered bonds and the interest thereon

9. All other terms and conditions of the bonds and of the execution, issuance and sale thereof, which shall be consistent with all of the provisions of this act.

10. The date and hour fixed for the sale of the bonds, but such date may be changed by the Governor, in his discretion, by his directions given to the State Treasurer under Section 20 of this act.

SEC. 9. In determining the dates of maturity of the said state bonds, and the amount thereof to mature at each date of maturity, the commission shall be guided, so far as it may deem to be practicable, by the estimated amounts and dates of maturity of, and interest payments on, the bonds of public agencies expected to be purchased, and the expected amount and time of the receipt of the proceeds of the resale thereof, and shall fix and determine said dates and amounts of such maturities of such state bonds in such manner that, together with the dates and amounts of interest payments on the bonds of said issue, they shall coincide, as nearly as it may deem to be practicable, with the dates and amounts of such estimated receipts.

SEC. 10. The rate of interest to be borne by the said state bonds need not be uniform for all bonds of the same issue, and the interest coupons first payable may be so payable at any time within one year after the date of such bonds.

SEC. 11. Both principal of and interest on the state bonds hereby authorized shall be payable in lawful money of the United States, at the office of the State Treasurer, or at the office of the state fiscal agent, in the City of New York, State of New York, or at the office of any duly authorized agent of the State Treasurer.

SEC. 12. Each bond issued under this act shall contain a reference to this act, and to the resolution or resolutions of the commission under which said bond is issued, and, if subject to call or redemption prior to maturity, shall contain a recital to that effect.

Article 6.

Preparation and Execution of Bonds.

SEC. 13. Immediately after the adoption by the commission of any resolution provided for in Section 8 of this act, the State Treasurer shall arrange for the preparation of the requisite number of suitable bonds, in accordance with the specifications contained in said resolution, and in so doing shall arrange for the imprinting thereon of the interest rates and other appropriate matter after the sale of the bonds and the awarding thereof to the successful bidder.

SEC. 14. All bonds issued under this act shall bear the facsimile signature of the Governor and the facsimile countersignature of the Controller and shall be endorsed

by the State Treasurer either by original signature or by a signature stamp, and each of said bonds shall bear an impress of the Great Seal of the State of California Interest coupons attached to each bond shall bear the facsimile signature of the State Treasurer Each such signature shall be that of the person who shall be in office at the date of the affixing thereof, in the case of original or stamped signature, or at the date of authorizing the affixing thereof, in the case of facsimile signatures. Bonds and coupons so executed shall be valid and binding notwithstanding any of such persons having ceased to hold his respective office before their issuance and delivery.

SEC. 15 Whenever the commission may determine by resolution that for any reason any bonds which have been prepared and executed under the foregoing provisions should not be sold or issued, the State Treasurer shall cancel the same by perforation with a suitable device in a manner to indicate such cancellation and the date thereof. Upon the commission so determining by resolution, new bonds, conforming to its directions, may be prepared and executed in lieu of any bonds so cancelled, and may be sold and issued in the same manner as other bonds authorized by this act

SEC. 16 If the right so to do has been reserved in the resolution adopted under Section 8 of this act, temporary or interim bonds, certificates or receipts may be issued and delivered in lieu of definitive bonds, and shall be exchangeable for such definitive bonds when they are executed and available for delivery Such temporary securities shall conform to such resolution, and the signature of the State Treasurer alone, which may be by signature stamp, shall be sufficient execution thereof.

Article 7.

Pledge of Full Faith and Credit, and Authorization of Taxation.

SEC. 17 All bonds herein authorized, which shall have been duly sold and delivered as herein provided, shall constitute valid and legally binding general obligations of the State of California, and the full faith and credit of the State of California is hereby pledged for the punctual payment of both the principal thereof and the interest thereon

SEC 18. There is hereby appropriated from the General Fund in the State Treasury such sum annually as will be necessary to pay the principal of and the interest on the bonds issued and sold pursuant to the provisions of this act, as said principal and interest become due and payable.

SEC. 19 There shall be collected annually in the same manner and at the same time as other state revenue is collected such a sum, in addition to the ordinary revenues of the State, as together with such sums as may be made available from the fund created by this act, shall be required to pay the principal of and interest on said bonds as herein provided, and it is hereby made the duty of all officers charged by law with any duty in regard to the collection of said revenue, to do and perform each and every act which shall be necessary to collect such additional sum

Article 8

Sale of Bonds.

SEC 20 Following the adoption by the commission of any resolution provided for in Section 8 of this act, the Governor shall direct the State Treasurer, in writing, under the seal of the State, to offer the bonds specified in said resolution for sale at a specified day and hour

SEC 21 Due notice of the time and place of sale of the said bonds shall be given by the State Treasurer by publication in one newspaper published in the City and County of San Francisco, by publication in one newspaper published in the City of Sacramento, and by publication in one newspaper published in the City of Los Angeles, once a week during two weeks prior to such sale In addition to the notice last above provided for, the State Treasurer may give such further notice as he may deem advisable, but the expense and cost of such additional notice shall not exceed the sum of five hundred dollars ($500) for each sale so advertised.

SEC 22 The State Treasurer may from time to time, by public announcement at the place and time fixed for the sale, continue such sale to such time and place as he may select.

SEC 23 Each bid shall be in writing and signed by the bidder and sealed, and shall be accompanied by the deposit of a certified check or cashier's check for one percent (1%) of the par value of the bonds so offered for sale, drawn on a bank or trust company authorized to transact and transacting business in the State of California, payable to the Treasurer of the State of California Such deposit shall not bear interest

SEC 24. The said bonds specified in said resolution and in said direction of the Governor shall be sold by the State Treasurer at the time so directed by the Governor, at public sale, upon sealed bids, to the bidder whose bid will result in the lowest net interest cost on account of such bonds, but the State Treasurer must reject any and all bids for said bonds which shall be below the par value thereof plus the interest which shall have accrued thereon from the date thereof (or, if any past due coupon or coupons have been detached from said bonds prior to the delivery thereof, then from the

due date of the latest coupon so detached) to the date of the purchaser's payment for said bonds. The net interest cost under each bid shall be determined by ascertaining the total amount of interest which the State would be required to pay under that bid, from the date of sale to the respective maturity dates of the bonds then offered for sale, at the coupon rate or rates specified in such bid, less the total amount of the premium (if any) offered by such bid. The bid under which the amount so ascertained is the least shall be deemed to be the bid resulting in the lowest net interest cost. Such sale shall be for cash, payable upon the delivery of the bonds in definitive form, or if the right to deliver temporary securities has been reserved, then upon the delivery of such temporary securities.

SEC. 25. The deposit of each unsuccessful bidder shall be returned to him immediately upon the rejection of his bid or the acceptance of another bid.

The deposit of the successful bidder shall, immediately upon the acceptance of his bid, become and be the property of the State of California and be placed in the State Treasury to the credit of the fund, and shall be credited to the successful purchaser upon the purchase price of the bonds bid for in case such purchase price is paid in full by him within the time mutually agreed upon between the successful bidder and the State Treasurer. If the purchase price is not so paid, the successful bidder shall have no right in and to said bonds or by reason of said bid, nor, unless it shall appear that the bonds would not be validly issued if delivered to the purchaser in the form and manner proposed, shall such successful bidder have any right to the recovery of said deposit accompanying said bid or to any allowance or credit by reason of such deposit.

SEC. 26. Upon payment in full for said bonds, the same shall be delivered to the purchaser in definitive form, unless the right to deliver temporary securities has been reserved or the purchaser has waived the right to receive definitive bonds at the time of payment, in either of which events such temporary securities, exchangeable for definitive bonds, may be delivered upon such payment. In case the purchase price is not so paid, the bonds so sold but not paid for shall be resold by the State Treasurer, upon notice, as provided in case of original sale.

SEC. 27. The proceeds of each sale of bonds authorized by this act, and such amount as may have been paid as accrued interest on such bonds, shall be forthwith paid over by the State Treasurer into the fund. All money deposited in the fund under the provisions of this section which is derived from premium and accrued interest on bonds sold shall be reserved in said fund and shall be available for transfer to the General Fund as provided by Section 38 of this act.

SEC. 28. Whenever the commission deems that it will increase the salability or the price of the bonds to obtain, prior to or after sale, a legal opinion, other than that of the Attorney General, as to the validity of the bonds, the commission may authorize the State Treasurer or the Department of Finance, or both, to obtain such a legal opinion. Payment for such legal services shall be made from the fund, upon approval of the State Board of Control and on Controller's warrant duly drawn for that purpose.

Article 9

Administration of Fund

SEC. 29. The commission shall have full charge and control of the administration of the fund. The proceeds of the sale of all bonds authorized by this act, other than such sums as may be received as premiums or as accrued interest, shall be used exclusively for the purchase of bonds issued by public agencies for public improvements, excepting only that, to such extent as other moneys are not available therefor, such proceeds may be used for the purposes specified in paragraph (b) of Section 3 of this act. The commission may also use for the purchase of such bonds issued by public agencies any money in the fund, whether derived from the re-sale of bonds of public agencies or otherwise, not required by the terms of this act to be applied to some other purpose.

SEC. 30. The commission shall not disburse in any fiscal year for the purchase of bonds issued by public agencies any amount in excess of an amount determined by the Legislature and by it budgeted for such use.

SEC. 31. Before any bonds of a public agency, other than general obligation bonds, are purchased by the commission:

(a) The public agency shall have approved the public improvement for which its bonds are issued.

(b) The commission shall have satisfied itself, either through a thorough study and investigation made by or for it, or through studies and reports, satisfactory to the commission, furnished by the public agency, that the public improvement for which the bonds are issued is economical and feasible and that the receipts of the public agency charged with the payment of such bonds will be sufficient to pay all sums accruing as principal or interest on said bonds until they have been fully paid, in addition to paying all other charges against said receipts. If it so determines, it shall approve the public improvement.

(c) The issuance of such bonds of such public agency shall have been authorized or approved by a majority of the electors thereof voting on the proposition at an election at which the same shall have been duly submitted; provided, however, that

the commission may waive the requirement of this paragraph (c) in any case where the law or charter under which the bonds of the public agency are issued does not require such vote, but accords to the electors thereof the right of referendum on the question of the issuance of such bonds, or in any case where the commission shall determine by resolution that, for reasons stated in such resolution, it is in the public interest so to do.

(d) The commission may require the public agency to furnish a legal opinion as to the validity of the bonds, rendered by bond counsel approved by the commission.

SEC. 32. The commission shall not purchase any bonds issued by any public agency unless it shall be satisfied that such bonds will yield to the State an average rate of return of not less than one-fourth of one percent (¼%) above the net interest cost to the State of the money used for such purpose. It is the intent of this provision that the differential between the yield received by the State on bonds of public agencies purchased and the net interest cost of the money used for such purchase shall be the primary source from which the expenses of administering the fund shall be paid, and the prices to be paid for bonds of public agencies shall be such as in the judgment of the commission will result in its operations becoming self-sustaining at the earliest practicable time. At any time after the operations of the commission have become fully self-sustaining, and after all amounts advanced from the General Fund for payments of principal or interest on state bonds issued under this act, not met by moneys in the fund, have been repaid, the commission may purchase bonds of any public agency on a basis estimated to yield less than one-fourth of one percent (¼%) in excess of the net interest cost of the money used, but not less than it shall estimate to be sufficient to keep the operations of the commission self-sustaining

SEC. 33. The commission may purchase any such bonds of a public agency either by direct negotiation or by becoming a bidder when any such bonds are offered for public sale. In any case where the commission may purchase any such bonds of a public agency which are issued to provide only a part of the cost of a public improvement and it is contemplated that one or more additional issues of such bonds will thereafter be issued to provide the cost of completing such public improvement, the commission may enter into a commitment to purchase such future issues, subject to such limitations of price and interest rates and such other terms and conditions as the commission may deem proper.

SEC. 34. Whenever any combination of public agencies shall be authorized to undertake any public improvement jointly or in cooperation, bonds issued by any such public agencies jointly, or by any board or commission established to administer or control such undertaking, to finance the same, shall be deemed to be bonds of a public agency within the meaning of this act, and, to the extent necessary to give effect to this section, the words " public agency" and "public agencies," wherever used in this act, shall be deemed to include such combination of public agencies or such board or commission; provided, however, that the approval required by paragraph (a) of Section 31 of this act shall be the approval of each public agency so joining or cooperating, and the approval by vote of the electors required by paragraph (c) of said section, unless waived as therein provided, shall be the approving vote of a majority of the electors of each public agency so joining or cooperating voting on the proposition.

SEC. 35. Whenever the commission shall deem it to be in the interests of the State so to do, it may offer any or all bonds of public agencies held by it for public sale at such times and places and after such notice as it may determine to be proper. Sales need not be made after such offer, but the commission may withdraw such bonds from sale, and may again offer them for sale from time to time as it may determine to be proper to effectuate the purposes of this act, and as the commission may determine to be required by sound financial administration

SEC. 36. The proceeds of the sale of bonds pursuant to Section 35 of this act shall be deposited in the fund.

SEC. 37. All interest paid by any public agency upon bonds purchased by the commission pursuant to this act shall be deposited in the fund

SEC 38. On the several dates when payments of principal or interest become due on bonds issued under this act there shall be transferred into the General Fund in the State Treasury from the fund, so far as available therein, amounts equal to all sums so becoming due for principal or interest on said bonds. Money in the fund derived from the differential provided for in Section 32 of this act or derived from the proceeds of the sale of bonds authorized by this act (other than sums received as premiums or accrued interest) shall not be deemed to be available for such transfer, provided, however, that if the commission shall deem the amount in the fund derived from such differential to be inadequate to meet the current expenses of administering the fund, it may direct that such additional amount as it may specify shall be withheld from such transfers, and provided, further, that if the commission shall deem the amount in the fund derived from such differential to be more than sufficient to meet such current expenses, it may direct that such amount thereof as it may specify shall be included in any such transfer to the General Fund

SEC. 39. If the amounts transferred to the General Fund pursuant to Section 38 of this act are insufficient to reimburse the General Fund in full for all amounts of

principal and interest paid on said bonds, the balance remaining unpaid shall be transferred from the fund to said General Fund as soon thereafter as such transfer can be made consistently with the provisions of Section 38 of this act as to the availability of moneys in the fund.

SEC. 40. All actual and necessary expenses of the commission and of the members thereof incurred in the performance of their duties arising out of the provisions of this act shall be paid out of the fund. Such expenses incurred by members of the commission shall be so paid upon claims filed with the State Controller by the member or members of said commission who incurred such expenses.

SEC. 41. The Department of Finance is authorized, to invest any surplus money in the fund in bonds or other obligations of the United States, or of the State of California, or of any public agency, and to sell such bonds, or obligations, or any of them, at the governing market rates. Interest earned or other increment derived from investments made pursuant to this section shall, on order of the State Controller, be deposited in the Fund, and shall be available only for transfer to the General Fund, as provided in Section 38 of this act.

SEC. 42 The Controller, the State Treasurer and the commission shall keep full and particular account and record of all their proceedings under this act and they shall transmit to the Governor an abstract of all such proceedings thereunder, with an annual report, to be transmitted by the Governor to the Legislature annually; and all books and papers pertaining to the matters provided for in this act shall at all times be open to the inspection of any party interested, or the Governor, or the Attorney General, or a committee of either branch of the Legislature, or a joint committee of both, or any citizen of the State

Article 10.

Payment and Cancellation of Bonds

SEC. 43. The State Treasurer, directly or through the State Fiscal Agent, at New York, New York, or through a duly authorized agent, shall, on the respective dates of maturity of all bonds issued under this act, or on the date fixed for the prior redemption of any thereof which may be duly called for redemption, and on the respective due dates of all coupons pertaining to any of said bonds (other than coupons cancelled because of the redemption of any of said bonds prior to maturity) or as soon thereafter as said bonds or coupons respectively are surrendered to him, or to such State Fiscal Agent, or other duly authorized agent, pay the same

SEC 44 Upon the payment of any such bond or coupon, the State Treasurer, or such State Fiscal Agent, or other duly authorized agent, shall perforate the same with a suitable device in a manner to indicate such payment and the date thereof The State Treasurer, or such State Fiscal Agent, or other duly authorized agent, shall also on the respective dates of maturity of any such bonds which have been executed but which remain unsold, cancel the same by perforation with a suitable device in a manner to indicate such cancellation and the date thereof, and on the respective due dates of all coupons attached to any such bond remaining unsold, shall detach all such coupons the due date of which has been reached, and cancel them in the same manner as provided for the cancellation of bonds remaining unsold.

SEC. 45. Not less than four (4) years after the final maturity date of any particular issue of bonds, the State Treasurer, or such State Fiscal Agent, or other duly authorized agent, may destroy or cremate any or all bonds of such issue and any or all coupons pertaining thereto which have been previously paid or cancelled as provided herein.

SEC 46 Whenever any payment of principal of any bonds issued under this act shall become due, either upon the maturity of any of said bonds or upon the redemption of any thereof prior to maturity, and whenever any interest on any of said bonds shall fall due, warrants shall be drawn against the appropriation made by Section 18 of this act from the General Fund by the Controller of the State in favor of the State Treasury, or the State Fiscal Agent, or other duly authorized agent, pursuant to claims filed with the State Controller by the State Treasurer, in the amounts so falling due, and the amounts so paid for such principal and interest shall be charged against the proceeds of said warrants.

Article 11

Redemption of Bonds

SEC. 47. Whenever the commission shall determine that any bonds issued under this act and then outstanding, and which by their terms are subject to redemption prior to maturity, should be redeemed, and that money sufficient for such redemption will be available in the fund at the time proposed for such redemption, it may by resolution direct the State Treasurer to call and redeem any such bonds, at a time specified in such resolution, and the State Treasurer shall thereupon give notice of such proposed redemption and redeem said bonds in accordance with the provisions for redemption provided for in the resolution of the Commission adopted under Section 8 of this act pursuant to which the bonds so to be called were issued

Article 12.

Other Laws Applicable.

SEC. 48. So far as consistent with the provisions of this act, all of the provisions of Part 3, entitled "State Bonds", of Division 4, Title 2, of the Government Code, and of such other acts of the Legislature as relate to state bonds generally, and to the powers and duties of state officers related thereto, but not such acts as relate to specific issues of state bonds, or to state bonds of specified classes, shall be applicable to the bonds authorized by this act and to the powers and duties of state officers related thereto.

Article 13.

Taking Effect of this Act

SEC. 49. This act shall take effect only if an amendment to the Constitution of the State of California authorizing the issuance of bonds of the State of California in the sum of one billion dollars ($1,000,000,000) for the purposes specified in Section 3 of this act, and ratifying, validating, confirming and making fully and completely effective this act, shall be adopted by the voters and become effective, and in such case this act shall take effect at the same time such amendment takes effect."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 12, inclusive; and strike out all of pages 2 to 9, inclusive.

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 369—An act to add Section 81 to the Labor Code, relating to Deputy Labor Commissioners.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "the", and strike out line 4, and insert "there shall be appointed impartial deputy labor commissioners whose"

Amendment No. 2

On page 1, line 9, of said bill, after "appointment", insert ", and such rate of compensation shall apply to every person holding the position of deputy labor commissioner on the date it is fixed"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1216—An act to add Part 2, comprising Chapter 1, Sections 4000 to 4192, inclusive, to Division 5 of the Welfare and Institutions Code, to amend Sections 7.5, 103.5, 104.6, 114.5, 118.2, 119.5, 124, 145, 145.1, and 145.4 thereof, and to amend Section 29802 of the Government Code, relating to a program of aid to the needy permanently and totally disabled in accordance with Title XIV of the Federal Social Security Act, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy.

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 1

On page 12 of the printed bill, between lines 7 and 8, insert "be applicable to the counties, as agents of the State for the purposes of administering state and federal funds provided for assistance under the cited portions of this code, in employing personnel for such purposes.

In the exercise of its functions under this section, the State Department of Social Welfare shall exercise no authority with respect to the selection, tenure of office and compensation of any individual if he is employed in accordance with such standards.

Nothing in this section shall prevent any county from establishing its own merit system and determining thereunder the personnel standards to be applicable to its employees, but as to those employees engaged in the administration of state and federal funds granted to a county as agent of the State for the cited portions of this code, the State Department of Social Welfare shall have a supervisory power to insure compliance with the personnel standards it establishes to the end that this State shall at all times conform to the requirements of federal law for the continued receipt of federal grants-in-aid.

SEC. 8. Section 124 of said code is amended to read.

124. There is a Social Welfare Fund established in the State Treasury, in which there shall be deposited:

(a) All grants of money received by the State from the United States under the provisions of Title I, IV, [and] X, *XIV*, and Part 3, of Title V of the Social Security Act, and any other grants, the expenditure of which is administered through or under the direction of the State Department of Social Welfare.

(b) All money appropriated by the State for the support of the State Department of Social Welfare. The department may use the money within this subdivision for the purposes for which the money in subdivision (a) is made available by the United States for expenditure by this State but all money so used by the department shall be returned to the support appropriation from the next subsequent grant or grants of the United States. The money to be deposited in the Social Welfare Fund under this subdivision shall be transferred to the Social Welfare Fund in such amounts as may be authorized by executive order of the Director of Finance.

The State Department of Social Welfare may and the Controller shall keep a record of the classes and sources of income credited to the Social Welfare Fund and of the disbursement therefrom

Unless otherwise expressly provided, all money deposited in the Social Welfare Fund under an appropriation by the State shall be available for all expenditures incurred for the purposes for which it was appropriated during the period thereof, and shall be subject to the provisions of Section 16304 of the Government Code.

SEC. 9. Section 145 of said code is amended to read:

145. The purpose of this chapter is to provide for the continued operation of the state plans for aid to the aged, the needy blind, *the disabled*, and needy children in the event that federal assistance therefor is temporarily delayed or not available.".

Amendment read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 3270 BE WITHDRAWN FROM SECOND READING FILE, AND BE RE-REFERRED

Mr. Doyle asked for, and was granted, unanimous consent that Assembly Bill No. 3270 be withdrawn from the second reading file, and be re-referred to the Committee on Governmental Efficiency and Economy.

SECOND READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3126—An act to amend Section 2 of an act entitled "An act making an appropriation to the emergency fund specified in Item 278 of the Budget Act of 1949, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, and declaring the urgency thereof, to take effect immediately," approved June 9, 1949, relating to repair and restoration of property damaged and destroyed by storms or floods.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "2", and insert "1".

Amendment No. 2

In line 9 of the title of said bill, after "floods", insert "and the expenditure of money appropriated therefor, declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 1 of the act cited in the title hereof is amended to read:

Section 1. The entire unencumbered balance of the appropriation provided for by an act entitled "An act making an appropriation to the emergency fund specified in Item 325 of the Budget Act of 1947, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor," approved July 18, 1947, is hereby appropriated to the emergency fund specified in Item 278 of the Budget Act of 1949, to be expended by the Department of Public Works acting through the agency of the State Engineer (1) during the 1949-50 Fiscal Year beginning July 1, 1949, and ending June 30, 1950 and the 1950-51 Fiscal Year beginning July 1, 1950 and ending June 30, 1951, (2) for the cost of repair or restoration, or both, of levees, flood control works, roads, canals, ditches and flumes, channels, irrigation works, city and county roads and bridges and other property damaged or destroyed by storm, storm and flood or flood conditions *or by the effect of necessary use of such works, roads, bridges, or other property while in a weakened condition caused by such storm and flood or flood conditions*, subsequent to December 31, 1948, and for which no appropriation or insufficient appropriation, has otherwise been made by law, (3) subject to each and all of the following (in addition to other) conditions restrictions and limitations

None of the moneys hereby appropriated shall be expended, allotted or encumbered, or become available for expenditure, for a work of repair, or restoration, except for the making of investigations, estimates or reports hereunder by said department unless and until:

(a) Such expenditure and purpose is first approved by the Director of Finance.

(b) The department has first investigated and reported upon the proposed work, has found it to be a matter of general public and state interest and concern, has estimated the cost of the work and filed its report thereon with the Department of Finance

(c) Moneys equal to or in excess of the amount expendable from this appropriation for said work shall be made available (by a political subdivision, public district, municipality, county or public agency, including agencies of local and Federal Government but excluding agencies which are a part of the executive department of the State Government) for expenditure by the department for such work to the end that any sums expended from this appropriation shall be matched by like or greater amounts from sources other than the State Treasury or funds of any agency which is a part of the executive department of the State Government Money allocated or assigned to a political subdivision, public district, municipality, county or public agency pursuant to the provisions of the Construction and Employment Act *or any other law* shall not be considered to be funds from the State Treasury or funds of any agency which is a part of the executive department of the State Government and may be used for matching purposes under this act notwithstanding provisions of the Construction and Employment Act *or such other law*.

The department may perform all or any portion of said work directly by contract or force account or the department and any entity herein authorized to match the appropriation herein made may enter into a contract whereby all or any portion of such work may be performed by any party to such contract *Such contracts may include reimbursement for the cost of work already performed by such entity or the acceptance of such cost in lieu of matching funds, where it was necessary that such work be performed prior to the fulfillment of the requirements of this section, either because of the urgent character of such work, the unavailability of matching funds, or failure of the work to meet the requirements then in effect.*

Not more than 20 percent of the money appropriated by this act shall be expended in any one county.

SEC. 2 This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Recent occurrences of storms and floods have caused extensive damage to levees, flood control works, channels, irrigation works, city and county roads and bridges and other property.

While funds have been appropriated for the repair and restoration of the damaged property, it has been ruled that such funds may not be used to repair damage resulting from the necessary use of such property while in a weakened condition caused by such floods; nor has adequate relief been afforded to counties or other political entities that had to undertake repairs before prior approval and investigation by state departments either because of the urgent need for the repairs, the unavailability of matching funds, or the failure of the work to meet the requirements then in effect. Inasmuch as the repair of such flood damaged property must be performed at once and the reimbursement of the counties and public entities be made at once in order to provide money for further repairs and other essential services, it is necessary in the interest of public health and safety that this act take effect immediately."

Amendment No. 5

On page 1 of said bill, strike out lines 3 to 11, inclusive

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 797—An act making an appropriation for the construction of buildings and improvements at the proposed State School for the Deaf, Southern California.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 1, of the printed bill, strike out "_____ dollars ($_____)", and insert "eight hundred forty-eight thousand three hundred forty dollars ($848,340)".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

Assembly Bill No. 380—An act to repeal Article 3, comprising Sections 400 to 459, inclusive, of Chapter 2, Division 1 of, and to add Article 3, comprising Sections 400 to 409, inclusive, to Chapter 2, Division 1 of, the Education Code, relating to the county superintendents of schools.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 3, lines 22 and 23, of the printed bill, strike out "four thousand dollars ($4,000)", and insert "five thousand dollars ($5,000)".

Amendment No. 2

On page 3, line 24, of said bill, strike out "teaching", and insert "administrative".

Amendment No. 3

On page 3 of said bill, strike out lines 26 to 35, and insert

"409. One half of the annual salary of each county superintendent of schools shall be paid monthly out of the salary fund of the county treasury in the same manner as are the salaries of other county officers The other half of the annual salary of each county superintendent of schools shall be paid monthly out of the county school service fund in the same manner as other payments from the county school service fund are made."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

Assembly Bill No. 1004—An act to add Section 18053.5 to the Education Code and to repeal Section 18059 of that code, relating to the purchase of materials or supplies by school districts during periods of war.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 4 of the title of the printed bill, after "war", insert ", declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 1 of said bill, after line 11, insert

"SEC. 3. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The United States of America is in a state of emergency The continued maintenance of all parts of the Public School System being essential to the welfare of the United States and of the State of California it is necessary that provision be made immediately for the securing of the necessary materials and supplies to operate the Public School System. Because of the unsettled condition of prices and because of the scarcity of materials it is becoming increasingly difficult to secure the materials and supplies needed to operate the Public School System through ordinary notice and bidding procedure It is therefore necessary to authorize school districts to acquire materials and supplies without the necessity of calling for and receiving bids in the ordinary manner"

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

Assembly Bill No. 1586—An act to add Section 14122.1 to the Education Code, relating to school district merit systems for noncertificated employees, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "temporary", and insert "provisional"

Amendment No. 2

On page 1, line 3, of said bill, after "90", insert "working".

Amendment No. 3

On page 1, line 4, of said bill, after "made", insert "in any class"

Amendment No. 4

On page 1, line 5, of said bill, after "eligibility", strike out "list Successive temporary", and insert "list, provided that continuous examination procedures for the class have been authorized by the commission. Such successive provisional".

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

Assembly Bill No. 1587—An act to amend Sections 14112, 14122, 14122.5, 14127, 14131, and 14135.1 of the Education Code, relating to school district merit systems for noncertificated employees

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In the title of the printed bill, strike out lines 1 to 3, inclusive, and insert "An act to add Section 14122.6 and to amend Sections 14112, 14122, 14122.5, 14127, 14131, and 14135.1 of the Education Code, relating to school district merit systems for noncertificated employees"

Amendment No. 2

On page 2, line 15, of said bill, strike out "90-day", and insert "90 working days".

Amendment No. 3

On page 2, line 44, of said bill, strike out "with", and insert "within"

Amendment No. 4

On page 2 of said bill, after line 48, insert

"SEC. 7. Section 14122.6 is added to said code to read:

14122.6 The commission may by rule provide for the continuous examination of eligibles for classes of positions which the commission determines cannot be practicably filled by promotional examination only."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

Assembly Bill No. 2088—An act to add Article 10, comprising Sections 10191 to 10195, inclusive, to Chapter 1 of Division 5 of the Education Code, relating to the reading of the Bible in public schools.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

Strike out lines 1 and 2 of the title of the printed bill, and insert

"An act to add Article 4, comprising Sections 8301 to 8305, inclusive, to Chapter 3, Division 4 of the Education Code,".

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1 Article 4 is added to Chapter 3, Division 4 of the Education Code to read:

Article 4 Bible Reading

8301 Inasmuch as the Supreme Court of the United States, in a unanimous decision, declared this to be a Christian nation, and the Preamble to the State Constitution declares, "We, the people of the State of California, grateful to Almighty God for our freedom, in order to secure and perpetuate its blessings, do establish this Constitution," and the Bible was declared by the Supreme Court of the State of California to be an unsectarian book, and this State already requires the teaching of morals and manners in the public schools, it is the intention of the Legislature to provide in this article for the daily reading of the Bible in the public schools.

8302 In each class and grade in the public schools, selections from the Old and New Testaments of the Bible shall be read aloud daily without comment.

8303. The selections shall be made by the State Board of Education.

8304. The selections shall be read in the class room by the teacher or by a capable pupil appointed by the teacher, or in the general assembly by the principal or by a reader appointed by the principal.

8305 No pupil shall be compelled to listen to the reading of the Bible against the will of his parents or guardian, expressed in writing to the principal of the school."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 27, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Joint Resolution No. 16

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 80
House Resolution No. 85
House Resolution No. 86

Has had the same under consideration, and reports the same back with the recommendation: Be adopted

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1951

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No 1771	Assembly Bill No. 1785
Assembly Bill No. 1772	Assembly Bill No 1786
Assembly Bill No 1773	Assembly Bill No 1940

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 80

Mr. Davis asked for, and was granted, unanimous consent that he be permitted to take up House Resolution No. 80, out of order, at this time.

CONSIDERATION OF HOUSE RESOLUTION NO. 80

By Mr. Davis:

House Resolution No. 80

Relative to the passing of John P. Branley

WHEREAS, The Members of the Assembly have learned with regret of the passing on January 29, 1951, of John P. Branley, former member of the Board of Supervisors of Plumas County; and

WHEREAS, John P Branley had served for 14 years as member of the County Board of Supervisors, retiring in 1947; and

WHEREAS, He was active in civic and community affairs having rendered splendid services in Indian Valley and Greenville; and

WHEREAS, John P Branley had a host of sincere friends throughout the State who knew him because of his efforts in connection with the Supervisors' Association and the Western Mining Council in which field he was most active; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly hereby express their deep sorrow at the passing of John P Branley; and be it further

Resolved, That when the Assembly shall this day adjourn, it do so in respect to the memory of John P. Branley; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit suitably prepared copies of this resolution to Annis E Branley, his widow, and Molly Treleaver, Greenville, Margaret Hall, Sacramento, and Jenny Terrell Chester

Resolution read, and adopted unanimously.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 85

Mr Lyon asked for, and was granted, unanimous consent that he be permitted to take up House Resolution No 85, out of order, at this time.

CONSIDERATION OF HOUSE RESOLUTION NO. 85

By Mr Lyon:

House Resolution No. 85

Relative to a St Patrick's Day celebration in the Assembly, and appropriation of $150 therefor

WHEREAS, It has become a national and often international custom for men of good will and tolerance to join in a celebration of St. Patrick's Day throughout the lands wherein the Sons of Ireland reside; and

WHEREAS, The State of California and more particularly the Assembly of the State are served by no few number of the Sons of Ireland; now, therefore, be it

Resolved by the Assembly of the State of California, That the sum of one hundred and fifty dollars ($150) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly to the Rules Committee for the celebration of St Patrick's Day 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Berry, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—55.

NOES—None.

ANNOUNCEMENT

Mr. Dickey announced that a new policy has been adopted by the Committee on Rules and that every House resolution will be considered on its individual merits. He reminded members that most resolutions pay respect to people who have died who are well known in their districts but little known statewide, and that if the work of this session is to be expedited and concluded on the date of adjournment, the file on House resolutions must be minimized He urged every member to please cooperate and use discretion in the introduction of all resolutions.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2213 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Grant asked for, and was granted, unanimous consent that Assembly Bill No. 2213 be withdrawn from the Committee on Municipal and County Government, and be re-referred to the Committee on Public Utilities and Corporations.

REQUEST FOR UNANIMOUS CONSENT THAT ALL BILLS HOLD PLACES ON FILE

Mr. Waters asked for, and was granted, unanimous consent that all bills passed on file today, hold their places on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 708—An act to amend Section 824 of the Code of Civil Procedure, relating to publication of notice of execution sales of vessels.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—62.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 713—An act to amend Section 189 of the Code of Civil Procedure, relating to publication of notice of intention to destroy records.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—62

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 714—An act to amend Section 1277 of the Code of Civil Procedure, relating to publication of order to show cause in relation to change of names.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—62.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 715—An act to amend Section 750 of the Code of Civil Procedure, relating to publication of summons in actions to determine conflicting claims to real property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—62

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 717—An act to amend Section 1274.5 of the Code of Civil Procedure, relating to publication of notice and compiled report of abandoned property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 718—An act to amend Section 1269 of the Code of Civil Procedure, relating to publication of order to show cause in relation to an action to declare property escheated to the State.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly,

Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 719—An act to amend Sections 2466 and 2469.1 of the Civil Code, relating to publication of certificates of doing business under a fictitious name and cessation of doing business under a fictitious name.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—63

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 720—An act to amend Section 1812 of the Code of Civil Procedure, relating to publication of notice of intention to become a sole trader.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 726—An act to amend Section 851 of the Probate Code, relating to notices in administration of estates.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 727—An act to add Section 6066 to the Government Code, relating to publication of notices.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 728—An act to amend Section 1201 of the Probate Code, relating to notices in the administration of estates.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 456—An act to amend Section 1230, 1250, and 1340.5 of the Fish and Game Code, relating to predatory and protected mammals.

Bill read third time, and ordered temporarily passed on file

Assembly Bill No. 628—An act to amend Section 806 of the Fish and Game Code, relating to shellfish.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—68

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 629—An act assenting to the provisions of the act of Congress entitled "An act to provide that the United States shall aid the states in fish restoration and management projects, and for other purposes," approved August 9, 1950.

Bill read third time, and ordered temporarily passed on file.

Assembly Bill No. 630—An act to amend Section 432.6 of the Fish and Game Code, relating to licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 711—An act to amend Section 413 of the Code of Civil Procedure, relating to service of summons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 722—An act to amend Section 283 of the Probate Code, relating to notices in estates of missing persons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1771—An act to amend Sections 97, 150, 230, 325, 337, 384a, 597f, 599a, 682, 726, 808, 817, 859, 889, 890, 1143, 1203.02, 1203.1, 1203.12, 1278, 1298, 1309, 1327, 1382, 1391, 1426, 1427, 1428, 1431, 1432, 1432.1, 1438, 1458, 1459, 1461a, 1466, 1488, 1529, 2623, 4022, 1269b, and 1426a of the Penal Code; to amend the headings of Title 11 of Part 2 and of Chapter 1 of Title 11 of Part 2 of the Penal Code; and to repeal Section 1461 of the Penal Code; all relating to courts of justice, various officers thereof, and judicial districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury,

Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1772—An act to amend Sections 203, 204, 204a, 206, 226, 227, 230, 231, 233, 248, and 250 of the Code of Civil Procedure, relating to jurors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1773—An act to amend Sections 103a, 105, 105.5, 105a, 108, 108a, 109, 113, 113a, 113b, 115, 116, 116a, and 116b, and to repeal Sections 99, 100, 101, 102, 102a, 102b, 103, 103c, 103d, 103g, 103h, 103i, 103j, 103k, 103*l*, 103m, 103n, 103½, 103¾, 104, 107, 110, 110a, 111, 113c, and 113d of the Code of Civil Procedure, relating to justice courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1785—An act to amend Sections 1063, 1090, 1091, 1195, 1223, 1224, 1457, 1458, 1505, 1530, 1531, 1532, 1651, 1750, 1953.5, 3060, 6100, 6108, 6109, 23360, 23420, 23422, 23427, 24001, 24007, 24051, 24052, 24055, 24057, 24101, 24150, 24200, 24204, 24350, 24351, 24353, 25200, 25300, 25304, 26520, 26524, 26665, 26806, 26823, 26824, 27082, 27531, 27557, 27820, 27822, 27824, 28105, 28109, 28111, 28113, 28114, 28118, 28120, 28121, 28125, 28128, 28129, 28130, 28131, 28134, 28136, 28140, 28146, 28152, 28154, 29040, 29140, 29320, 29603, 29605, 29610, 31001, 31200, 31201, 31469, 31555, 31980, 31984, 32050.5, 34856, 36501, 36505, 36523, 36601, 36602, and 53679 of the Government Code; to amend the headings of Article 4 of Chapter 3 of Division 1 of Title 3 and of Part 4 of Division 2 of Title 3 of the Government Code; to

repeal the headings of Chapters 1 and 2 of Part 4 of Division 2 of Title 3 of the Government Code; to repeal Chapter 5 of Part 3 of Division 3 of Title 4 of the Government Code; to repeal Sections 34709, 35739, and 35845 of the Government Code; all relating to courts of justice, judicial districts, and various officers and employees thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1786—An act to amend Sections 17, 73e, 77b, 82, 83, 84, 85, 117, 117a, 117b, 117c, 117d, 117e, 117g, 117h, 117ha, 117i, 117j, 117*l*, 117m, 117o, 117p, 117r, 131.3, 134, 139, 142, 147, 149a, 150, 151, 152, 153, 166, 170, 170a, 171, 172, 188, 189, 274c, 372, 406, 407, 408, 410, 412, 413, 422, 426, 437, 437b, 437c, 446, 465, 472, 472a, 477, 480, 481, 482, 483, 492, 493, 494, 495, 496, 498, 499, 500, 503, 515, 520, 538, 539, 540, 545, 548, 554, 555, 556, 573, 581, 581b, 581d, 585, 594, 596, 600, 607a, 628, 631, 632, 638, 639, 640, 641, 644, 664, 667a, 668, 674, 675, 681a, 682, 688.1, 683, 689, 692, 714, 715, 717, 717.1, 718, 719, 720, 721, 722, 973, 974, 975, 977, 978, 978a, 979, 981, 982, 990, 997, 1000, 1003, 1005, 1006, 1008, 1011, 1015, 1030, 1031, 1032, 1032.5, 1032.6, 1033, 1033.7, 1054, 1054.1, 1054a, 1068, 1085, 1103, 1134, 1135, 1144, 1146, 1148, 1149, 1151, 1166a, 1168, 1169, 1176, 1208.5, 1211, 1212, 1213, 1214, 1215, 1217, 1218, 1220, 1221, 1222, 1995, 2024, 2037, and 2038 of the Code of Civil Procedure; to amend the headings of Chapter 5 of Title 1 of Part 1, of Article 3 of Chapter 5 of Title 1 of Part 1, and of Chapter 3 of Title 13 of Part 2 of the Code of Civil Procedure; to repeal the heading of Article 4 of Chapter 5 of Title 1 of Part 1 of the Code of Civil Procedure; to repeal Chapter 6 of Title 1 of Part 1 of the Code of Civil Procedure; and to renumber Chapter 7 of Title 1 of Part 1 of the Code of Civil Procedure to be Chapter 6; all relating to courts of justice, various officers connected therewith, and judicial districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1940—An act to amend Sections 392, 393, 395, 396, 396a, 396b, and 399 of the Code of Civil Procedure, relating to place of trial of civil actions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 456

Mr. Erwin asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 456, temporarily passed on file, out of order, at this time.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 456

Assembly Bill No. 456—An act to amend Section 1230, 1250, and 1340 5 of the Fish and Game Code, relating to predatory and protected mammals.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL BE PRINTED IN JOURNAL

Mr. Crowley announced that a Report of the Joint Legislative Interim Committee on the California State Program for the Adult Blind is being printed as a separate document, by said committee, and that copies will soon be available to members, and asked for, and was granted, unanimous consent that the letter of transmittal to this report be printed in the Journal, and that the accompanying copy of the report be ordered filed.

LETTER OF TRANSMITTAL

Sacramento, March, 1951

To HONORABLE GOODWIN J. KNIGHT, *President of the Senate*
and HONORABLE SAM L. COLLINS, *Speaker of the Assembly*

Pursuant to Senate Concurrent Resolution No. 28 of the 1949 Regular Session of the Legislature, creating an Interim Committee on the State Program for the Adult Blind, we hand you herewith our report covering the activities of the committee, which you will find contains under Section I information gathered by the committee and listed in seven separate subheads in the table of contents of this report, and likewise the conclusions and the recommendations of the committee

We believe the work of the committee has furthered the principle contained in the resolution creating the committee, namely, the assisting in developing a program of (1) the proper orientation of the blind, particularly the newly blind, and (2) the training of blind adults to the end that they may become self-supporting citizens and not dependent upon state aid, and (3) the adoption of new policies that are necessary to permit the full use of any methods and techniques to achieve these ends. The committee has various recommendations to carry out this program via two methods: one, by an improved method of administration practices by the various state departments dealing with blind adults; the other, certain legislation clarifying state policies relative to the program for the adult blind.

We trust this report will be of assistance to the Legislature and all interested citizens in understanding the adult blind program in California

Respectfully submitted,

JOINT INTERIM COMMITTEE ON STATE PROGRAM FOR THE ADULT BLIND, S C. R. No. 28

JACK B. TENNEY, State Senator
HAROLD T. JOHNSON, State Senator
KATHRYN T. NIEHOUSE, Member of the Assembly
ERNEST C. CROWLEY, Member of the Assembly
ARTHUR W. COATS, Member of the Assembly
ARTHUR H. BREED, JR., State Senator, *Committee Chairman*

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1314 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Hollibaugh asked for, and was granted, unanimous consent that Assembly Bill No. 1314 be withdrawn from the Committee on Judiciary, and be re-referred to the Committee on Revenue and Taxation.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 3172 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Elliott asked for, and was granted, unanimous consent that Assembly Bill No. 3172 be withdrawn from the Committee on Judiciary, and be re-referred to the Committee on Social Welfare.

ANNOUNCEMENT

Speaker Sam L. Collins announced that Charles V. ("Red") Irwin, former Assembly Page and Assistant Sergeant-at-Arms, who has just returned from the Korean War where he served in the Marine Corps is in the Assembly Chamber, in his wheelchair which was necessitated by the amputation of his legs, and requested that he be brought forward. An ovation followed as "Red" was wheeled to the front of the Chamber.

REQUEST FOR UNANIMOUS CONSENT THAT CHARLES V. IRWIN BE PLACED UPON ASSEMBLY PAY ROLL FOR DAY

Mr. Dickey asked for, and was granted, unanimous consent that Charles V. Irwin be placed upon the Assembly pay roll for the day as an Assistant Sergeant-at-Arms.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mrs. Niehouse:

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 204a of the Code of Civil Procedure, relating to jury commissioners in counties or cities and counties having a population of 60,000 or more.

Respectfully submitted.

KATHRYN T. NIEHOUSE

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mrs. Niehouse:

An act to amend Section 204a of the Code of Civil Procedure, relating to jury commissioners in counties or cities and counties having a population of 60,000 or more.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dolwig, Doyle, Elliott, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—66

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3379: By Mrs. Niehouse—An act to amend Section 204a of the Code of Civil Procedure, relating to jury commis-

sioners in counties or cities and counties having a population of 60,000 or more.

Referred to Committee on Judiciary.

RESOLUTIONS

The following resolution was offered:

By Mr. Gaffney:

House Resolution No. 88

Relating to congratulating William Greene, Assistant at the Desk, on his fifty-fifth birthday

WHEREAS, "Billy", as he is known by his legion of friends, came in on the big wind at Los Angeles on St. Patrick's day, March 17, 1896; and

WHEREAS, "Billy's" mother, Anna McCarthy, impressed the love of the Irish on "Billy's" English born dad by conspiring with the leprechauns to have "Billy" arrive on the great Saint's Feast Day; and

WHEREAS, "Billy" attended the public grammar and high schools of Los Angeles and the Culver Military Academy of Culver, Indiana; and

WHEREAS, Since the 1943 Session he has served the Members of the Assembly as an attache, and by his genial personality and earnest application to the arduous duties at the desk he has endeared himself to the Speaker, Speaker pro Tempore, his fellow attaches, and every Member of the Assembly; now, therefore, be it

Resolved by the Assembly of the State of California, That his birthday may be a happy one and may the Good St. Patrick intercede for many happy birthdays to come.

Request for Unanimous Consent

Mr. Gaffney asked for, and was granted, unanimous consent to take up House Resolution No. 88, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were offered:

Assembly Joint Resolution No. 22: By Mr. Kelly—Relative to continuing the 27½ percentage depletion rate for oil producing properties in the Internal Revenue Code.

Referred to Committee on Rules

Assembly Concurrent Resolution No. 34: By Mr. McCollister—Relative to the veterans' property tax exemption in respect to persons now serving in the Armed Forces.

Referred to Committee on Rules.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Collier:

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 2008.5 of the Welfare and Institutions Code, relating to accepting remuneration for assisting aged persons to apply for or obtain aid.

Respectfully submitted.

JOHN L. E. COLLIER

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Collier:

An act to amend Section 2008.5 of the Welfare and Institutions Code, relating to accepting remuneration for assisting aged persons to apply for or obtain aid.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dolwig, Doyle, Elliott, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—66.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3380: By Mr. Collier—An act to amend Section 2008.5 of the Welfare and Institutions Code, relating to accepting remuneration for assisting aged persons to apply for or obtain aid.

Referred to Committee on Governmental Efficiency and Economy.

REPORTS OF STANDING COMMITTEES

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred

Assembly Bill No. 1621

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

LUCKEL, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 653
Assembly Bill No. 698
Assembly Bill No. 699
Assembly Bill No. 700
Assembly Bill No. 701
Assembly Bill No. 861
Assembly Bill No. 1007
Assembly Bill No. 1008
Assembly Bill No. 1268
Assembly Bill No. 1269
Assembly Bill No. 1701

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LUCKEL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Assembly Bill No. 652

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

LUCKEL, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

Committee on Civil Service and State Personnel

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1951

MR SPEAKER: Your Committee on Civil Service and State Personnel, to which were referred:

Assembly Bill No. 20
Assembly Bill No. 472
Assembly Bill No. 527
Assembly Bill No. 1057
Assembly Bill No. 1078
Assembly Bill No 2715

Has had the same under consideration, and reports the same back with the recommendation: Do pass

CALDECOTT, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1951

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which were referred:

Assembly Bill No. 1058
Assembly Bill No. 2295

Has had the same under consideration, and reports the same back with the recommendation Do pass, and be re-referred to Committee on Ways and Means.

CALDECOTT, Chairman

Above reported bills ordered re-referred to the Committee on Ways and Means.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 16, 1951

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No 33

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, March 16, 1951

MR SPEAKER. I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No 102
Senate Bill No. 103
Senate Bill No 221
Senate Bill No 241
Senate Bill No. 470
Senate Bill No. 471

J. A. BEEK, Secretary of the Senate
By C. V TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 102—An act to amend Section 809 of the Agricultural Code, relating to walnut standards.

Referred to Committee on Agriculture.

Senate Bill No. 103—An act to amend Section 1038 of the Agricultural Code, relating to commercial fertilizer.

Referred to Committee on Agriculture.

Senate Bill No. 221—An act to amend Section 734 of the Agricultural Code, relating to fees paid by manufacturers of frozen milk products.

Referred to Committee on Agriculture.

Senate Bill No. 241—An act to add Article 14, consisting of Section 20985, to Chapter 7 of Division 8 of the Business and Professions Code, relating to disposition and use of certain moneys in the Department of Agriculture Fund.

Referred to Committee on Agriculture.

Senate Bill No. 470—An act to amend Section 802.6 of the Agricultural Code, relating to containers for grapes.

Referred to Committee on Agriculture.

Senate Bill No. 471—An act to amend Section 820 of the Agricultural Code, relating to tomatoes.

Referred to Committee on Agriculture.

ANNOUNCEMENT

Speaker Sam L. Collins announced the death of the widow of Dr. G. H. Douglas who was elected a Member of the Assembly in 1923, and died the same year. Dr. Douglas was from Del Norte County and represented the First District.

Speaker Sam L. Collins announced burial services, today, at 1.30 p.m., of Mrs. G. H. Douglas at the City Cemetery, located at 10th Street and Broadway.

APPOINTMENT OF SELECT COMMITTEE

Speaker Sam L. Collins announced the appointment of Messrs. Fleury, Moss, and Grant as a Select Committee to represent the Members of the Assembly, today, at the funeral services of Mrs. G. H. Douglas.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Bill No. 332

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 242	Assembly Bill No. 1178
Assembly Bill No. 331	Assembly Bill No. 1822
Assembly Bill No. 333	Assembly Bill No. 1824
Assembly Bill No. 806	Assembly Bill No. 2136
Assembly Bill No. 1158	Assembly Bill No. 2423

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills Nos. 331, 332, and 333 re-referred to the Committee on Finance and Insurance.

Assembly Bills Nos. 242, 806, 1178, 2136, 1822, 1824, and 1158 re-referred to the Committee on Judiciary.

Assembly Bill No. 2423 re-referred to the Committee on Fish and Game.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Silliman, the usual courtesies of the Assembly for this day were unanimously extended to Major H. M. Bentley, teacher, and the following pupils of the San Luis Obispo Junior High School, California Cadet Corps: Robert Cody, Bill Reynolds, Richard W. Wright, Charles Mueller, Kelly Hoover, Ronnie Kinsman, Robert Marchand, and Dale Nelson.

On request of Mr. Meyers and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. John J. Goodwin of San Francisco.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to James M. Alexander, teacher, and the following pupils of the Elder Creek School: Jane Ikigami, Shirley Pater, Betty Ceretto, Richard Davidson, Carol King, Bonnie Wilfong, Raymond Marler, Maxine Ables, Kenneth Crawford, Robert Wilkerson, Ellsworth Turner, Eugenia Wynn, Helen Lacey, Shirley Hampton, Laura Jones, Donna Wells, Joann Kimes, Roberta Mears, Grace Davis, Louise Hollingsworth, Tonia Swiatorvy, Laura Lee Jones, David Osborne, Gerald Hamilton, and George Meadows.

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to Miss Marguerite Pace, C. O. Blose, Victor Labree, A. F. Lego, teachers, and the following pupils of the San Lorenzo School District: Nevin Armstrong, William Boncher, Gerald Bulter, Robert Cameron, Gordon Evans, Mannie Garcia, Ronald Furtado, Danny Hagerty, Karl Krueger, George Madrid, Donald Miramontes, Robert Moreira, Robert Philpot, Thomas Roberts, James Sutherland, Dolores Alatorre, Joanne Bradovich, Sandra Davis, Lynne DeLong, Shirley Deuser, Joanne Frey, Linda Lewis, Marie Lopez, Rosie Inocencio, Betty Moreno, Shirley Olivera, Bernice Pitts, Doris Price, Claudette Pollard, Carol Svensgaard, Judy Santos, Rita Salas, Victoria Whiteside, Donald Gott, Thomas Mathews, Jerry Mitchell, Scott Cumming, Pat Nix,

Dick Bastain, Mona Cahill, Larry Fonseca, Nancy Aycock, Sally Dresbach, Carolyn Loud, Patricia Larson, Barbara Murphy, Arlene Pacheaco, Sharlene Ritts, Charlotte Rose, Carole Sylvester, Jim Enright, Harold Bowerman, Robert Cena, Dale Johnson, Ralph Larson, Danley Mackey, Alex Michaelis, Jerome Moss, Gordon Rouiller, Robert Valente, Martin Martinez, Arthur Dodge, Gary Scheid, Judy Pengelly, Charlotte Hooker, Shirley Cromeenes, Robert Allison, Kenneth Sedra, Donald MacDonald, Robert Inman, Carol McQueeney, Katie Roman, Ray Dorr, Billie Trimble, Glen Coleman, Gary Zorzi, Gene Tamura, Dave Pratt, Carol Clement, Marion Metzger, and Gerald Yarwood.

On request of The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Howard F. Chappell and Vance Tennison, advisors, Sectional Future Farmers of America public speaking contest, and the following contestants: Leo Foletta, John Atkins, Claude Rohwer, Randall Chisholm, Herman Hunt, Martin Levy, Norbert Hackett, Henry Vargas, Robert Thompson, Marlin Reihwitch, Arnold Affonsa, Bill Chapman, Roger Haney, George Marietta, Charles Montgomery, Paul Barkley, Harrison Gibbs, Bill Wolin, LaMonte Thornberg.

On request of Mr. Shaw, the usual courtesies of the Assembly for this day were unanimously extended to Gene L. Alair of Ontario.

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to D. A. Sirianni and daughter, Marilyn, of Dunsmuir.

On request of Mr. Meyers and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Edward J. Wren, Ray Oratta, John Regan, and Frank Buckley of San Francisco.

On request of Mr. Stewart, the usual courtesies of the Assembly for this day were unanimously extended to the following officers and directors of the California Association of Insurance Agents: Mr. and Mrs. Lorrin K. Carroll, Chico; Robert E. Battles, Los Angeles; Robert E. Dawson, Pasadena; Gene L. Alair, Ontario; Mr. and Mrs. Fred A. Banducci, Modesto; Mr. and Mrs. Laurence Canfield, Santa Cruz; Phil D. Ellithorpe, Fresno; Mr. and Mrs. George O. Johnson, Oakland; Mr. and Mrs. Norman M. Quillinan, Sacramento; Mr. and Mrs. Rae F. Redfern, Bakersfield; Mr. and Mrs. W. R. Van Dusen, Sherman Oaks; Mr. and Mrs. Leroy F. Wilkie, San Rafael; W. G. Wilson, Long Beach; Paul Wolcott, Jr., San Diego; A. G. Zeppegno, Santa Ana; Trev. A. Burrow, Oakland; W. F. Williams, Oakland; Gladys Taylor, Oakland; Mr. and Mrs. William P. Welsh, Pasadena; Ivan Rankin, Oakland; Sterling Tipton, Oakland; Mrs. Verial Cook, Los Angeles; James Bennett, Los Angeles; Mr. and Mrs. Ray Purdy, Modesto; Mr. and Mrs. Ivor Davies, San Rafael; Mr. and Mrs. Willis K. Thoits, Palo Alto, and H. H. Hendren, Sacramento.

ADJOURNMENT

At 11 a.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Monday, March 19, 1951.

SAM L. COLLINS, Speaker.

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

EIGHTEENTH LEGISLATIVE DAY

TWENTY-FOURTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, March 19, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76.

Quorum present.

Request for Unanimous Consent That Name of Mr. Stewart Be Placed Upon Morning Roll Call

Mr. Lyon asked for, and was granted, unanimous consent that the name of Mr. Stewart, who was present in the Assembly Chamber but is now attending a meeting of the Board of Public Works, be placed upon the morning roll call.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Our Father, which art in Heaven,
Hallowed be Thy Name.

We bring to Thy throne this day our Nation and our defenders, our President, our Governor, the Speaker and Members of this Assembly, our citizens and our allies. We acknowledge the teaching of Thy Holy Book—"righteousness exalteth a Nation, but sin is a reproach to any people." We pray for a righteous victory in the conflict which has come upon us, and for a just and durable peace for the days to come.

"Drop Thy still dews of quietness, Till all our strivings cease;
Take from our souls the strain and stress, And let our ordered lives confess
The beauty of Thy peace."—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Gubser, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Cooke, on motion of Mr. Burkhalter.

Mr. Butters, on motion of Mr. Burkhalter.

Mr. Grunsky, on motion of Mr. Hansen.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly then gave the pledge of allegiance to the Flag.

COMMUNICATIONS

By Speaker Sam L Collins:

A resolution from Lloyd Mockey, chairman of a public meeting, and others, relative to Bellevue-Wilfred Drainage District Account No. 2202, and the use of drainage tax money, was received, and ordered referred to the Committee on Conservation, Planning, and Public Works.

APPOINTMENTS TO COMMITTEES ANNOUNCED

Speaker Sam L. Collins announced the reappointment of Members of the Assembly to committees, as follows

Messrs. Beck and Maloney to the State Allocation Board.

Messrs. Stewart and Sam L. Collins to the State Public Works Board.

Messrs. Dunn and Kirkwood to the State School Building Finance Committee.

Messrs. Davis, Erwin, and Lowrey to the Wildlife Conservation Board.

Messrs. Beck, McCarthy, and Smith to the Joint Committee on Interhouse Cooperation pursuant to Senate Concurrent Resolution No. 10, Resolution Chapter 35, Statutes of 1951. The resolution also provides that the Speaker and the Chairman of the Committee on Rules be members of the committee.

Messrs. Sherwin, Lowrey, Lipscomb, and Hollibaugh to the Joint Legislative Budget Committee pursuant to the provisions of Senate Concurrent Resolution No. 10, Resolution Chapter 35, Statutes of 1951. The resolution also provides that the Speaker be a member of the committee.

Messrs. Beck, McCarthy, and Smith to the State Capitol Committee pursuant to the provisions of Chapter 288, Statutes of 1949. The resolution also provides that the Speaker and Chairman of the Committee on Rules be members of the committee.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 182	Assembly Bill No. 1216
Assembly Bill No. 369	Assembly Bill No. 1586
Assembly Bill No. 380	Assembly Bill No. 1587
Assembly Bill No. 797	Assembly Bill No. 2088
Assembly Bill No. 1004	Assembly Bill No. 3126

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 166	Assembly Bill No 1114
Assembly Bill No. 167	Assembly Bill No. 1146
Assembly Bill No. 168	Assembly Bill No. 1210
Assembly Bill No. 169	Assembly Bill No. 1211
Assembly Bill No. 592	Assembly Bill No. 1214
Assembly Bill No 594	Assembly Bill No. 1606
Assembly Bill No. 816	Assembly Bill No. 1693
Assembly Bill No 836	Assembly Bill No. 1697
Assembly Bill No. 1035	Assembly Bill No 1916
Assembly Bill No. 1036	Assembly Bill No. 1988
Assembly Bill No 1037	Assembly Bill No 2065
Assembly Bill No. 1038	Assembly Bill No. 2412
Assembly Bill No 1112	Assembly Bill No. 3184

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 248

And reports the same correctly re-engrossed

BURKE, Chairman

Above reported bill ordered to third reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Joint Resolution No. 23: By Mr. Luckel—Relative to economy in Federal Government expenditures and services.

Referred to Committee on Rules.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 125—An act making an appropriation in augmentation of the appropriation in Item 11 of the Budget Act of 1950 for legislative printing, binding, mailing, etc., to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 126—An act making an appropriation in augmentation of the appropriation in Item 130 of the Budget Act of 1950 for support of Local Allocations Division, Department of Finance, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 128—An act making an appropriation from the Fair and Exposition Fund in augmentation of the Poultry Testing Project Fund, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 130—An act making an appropriation in augmentation of the appropriation in Item 10 of the Budget Act of 1950, for expenses of Members of the Assembly, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 259—An act making an appropriation to reimburse the Emergency Fund, Item 277, Budget Act of 1950, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 390—An act making an appropriation in augmentation of the appropriation in Item 278 of the Budget Act of 1950, for Salary Increase Fund, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 20—An act to amend Section 18005 of the Government Code, relating to the separation from state service of state personnel.

Bill read second time, and ordered engrossed.

Assembly Bill No. 472—An act to amend Section 18104.5 of the Government Code.

Bill read second time, and ordered engrossed.

Assembly Bill No. 527—An act to amend Section 20205, relating to the State Employees' Retirement System.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1057—An act to add Article 5, consisting of Section 21150, to Chapter 8 of Part 3 of Division 4 of the Government Code, relating to the temporary employment of persons retired under the State Retirement System.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1078—An act to add Section 18101.5 to the Government Code, relating to sick leave of state employees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2715—An act to provide for the reimbursement of State Employees Retirement System contributions.

Bill read second time, and ordered engrossed.

Assembly Bill No. 653—An act to add Section 220.1 to the Vehicle Code, relating to false reports of thefts of vehicles.

Bill read second time, and ordered engrossed.

Assembly Bill No. 698—An act to amend Section 650.6 of the Vehicle Code, relating to equipment of vehicles.

Bill read second time, and ordered engrossed.

Assembly Bill No. 699—An act to amend Section 650.5 of the Vehicle Code, relating to equipment of vehicles.

Bill read second time, and ordered engrossed.

Assembly Bill No. 700—An act to amend Section 439 of the Vehicle Code, relating to reporting of vehicles known or suspected to have been abandoned or unlawfully stored.

Bill read second time, and ordered engrossed.

Assembly Bill No. 701—An act to add Section 46.1 to, and amend Section 51 of, the Vehicle Code, relating to definitions of vehicles and equipment.

Bill read second time, and ordered engrossed.

Assembly Bill No. 861—An act to amend Sections 353, 458, and 507 of the Streets and Highways Code, relating to state highway routes

Bill read second time, and ordered engrossed.

Assembly Bill No. 1007—An act to amend Section 175 of the Vehicle Code, relating to signatures required when transferring title or interest in a vehicle.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1008—An act to amend Section 176 of the Vehicle Code, relating to dating, endorsing, and delivering of certificates of ownership to motor vehicles.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1268—An act to amend Section 378 of the Vehicle Code, relating to delinquent fees of vehicle registration.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1269—An act to amend Section 132 of the Vehicle Code, relating to granting or refusing applications for registration and transfers of title of vehicles.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1701—An act to amend Section 533 of the Vehicle Code, relating to school busses.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1844—An act to add Sections 982.1, 4986.5, and 4986.6 to the Revenue and Taxation Code, and to add Section 1028 to the Probate Code, relating to the taxation of property which has escheated or been distributed to the State.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 2 of the title of the printed bill, strike out ", and", and insert a semicolon.

Amendment No. 2

In line 3 of the title of said bill, strike out the comma, and insert "; and to amend Section 1325 of the Code of Civil Procedure;".

Amendment No. 3

On page 1, line 3, of said bill, after "If", insert "real"

Amendment No. 4

On page 1, line 6, of said bill, strike out "the", and insert "such real".

Amendment No. 5

On page 1, line 12, of said bill, after "When", insert "real"

Amendment No. 6

On page 1, line 17, of said bill, after "such", insert "real".

Amendment No. 7

On page 2, line 1, of said bill, strike out "property", and insert "real property".

Amendment No. 8

On page 2, line 3, of said bill, after "such", insert "real".

Amendment No. 9

On page 2, line 6, of said bill, strike out "prop-", and insert "real prop-".

Amendment No. 10

On page 2, line 17, of said bill, after "any", insert "real".

Amendment No. 11

On page 2, line 22, of said bill, after "such", insert "real".

Amendment No. 12

On page 2, line 26, of said bill, strike out "property", and insert "real property".

Amendment No. 13

On page 2, line 29, of said bill, after "such", insert "real".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 14

On page 2 of said bill, after line 43, insert

"SEC. 5. Section 1325 of the Code of Civil Procedure is amended to read:

1325. All money in the Unclaimed Property Fund is hereby continuously appropriated to the Controller, without regard to fiscal years, for expenditure for the following purposes:

(a) For refund, to the person making such deposit, of amounts, including overpayments, deposited in error in such fund;

(b) For payment of the cost of title searches and appraisals incurred by the Controller covering real or personal property held in the name of an account in such fund;

(c) For payment of the cost incurred by the Controller covering indemnity bonds required in order to have duplicate certificates of ownership issued in order to replace lost certificates, covering personal property held in the name of an account in such fund;

(d) For payment of amounts required to be paid by the State as trustee, bailee, or successor in interest to the preceding owner, pursuant to the provisions of trust deeds, mortgages, or other liens on real property held in the name of an account in such fund;

(e) For payment of costs of official advertising in connection with the sale of real or personal property held in the name of an account in such fund;

(f) For payment to taxing agencies of the amounts deducted by the Controller from allowed and approved claims, in accordance with the provisions of subdivision (c) of Section 4986.5 of the Revenue and Taxation Code.

(g) [(f)] For transfer to the General Fund, on order of the Controller, of the amount of any inheritance taxes determined to be due and payable to the State by any claimant, with respect to any real or personal property, including cash, claimed by him under the provisions of this title,

(h) [(g)] For payment and delivery to claimants, of money or other property held to the credit, or in the name, of an account in such fund, under the provisions of this title;

(i) [(h)] For transfer to the School Land Fund, on order of the Controller, of any money or other property in the Unclaimed Property Fund which becomes permanently escheated to the State under the provisions of this title.

SEC. 6. Section 5 of this act becomes operative only if a new Title 10 is added to Part 3 of the Code of Civil Procedure by enactment of the Legislature at its 1951 Regular Session, and in such case, at the same time as said new Title 10 takes effect."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 127—An act making an appropriation in augmentation of the appropriation in Item 30 of the Budget Act of 1950 for support of the California Disaster Council, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, lines 1 and 2, of the printed bill strike out "two hundred eighty-two thousand three hundred eighty-three dollars ($282,383)", and insert "three hundred five thousand twenty-seven dollars ($305,027)".

Amendment read, and adopted

Bill ordered reprinted, and engrossed.

Assembly Bill No. 129—An act making an appropriation to the Emergency Fund in augmentation of the appropriation in Item 277, Budget Act of 1950, to take effect immediately

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, lines 2 and 3, of the printed bill, strike out "two hundred forty-six thousand six hundred six dollars ($4,246,606)", and insert "seventy-nine thousand seven hundred fifteen dollars ($4,079,715)".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 131—An act making an appropriation to the Department of Veterans' Affairs for educational assistance to veterans in augmentation of Item 264 of the Budget Act of 1950, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, lines 2 and 3, of the printed bill, strike out "eight hundred thousand thirty-nine dollars ($800,039)", and insert "nine hundred seventy-five thousand dollars ($975,000)".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 831—An act to amend the title to Chapter 5, and Articles 3 and 5 of Chapter 5, of Part 3 of Division 8 of the Health and Safety Code; and to amend Sections 8701, 8704, 8712, 8714, 8725, 8726, 8727, 8728, 8729, 8730, 8731, 8732, 8733.5, 8735, 8736, 8737, 8738, 8739, 8740, 8741, 8742, 8743, 8744, 8750, 8775, and 8780, of said code, relating to private cemeteries.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 1

In the first line of the title of the printed bill, after "amend," insert "Section 9608 of the Business and Professions Code, and to add Sections 9659 and 9660 to said code; and to amend".

Amendment No. 2

In line 3 of the title of said bill, after "Sections", insert "7101, 7925, 7927, 7928,".

Amendment No. 3

In line 4 of the title of said bill, after "8727," insert "8728,".

Amendment No. 4

In line 6 of the title of said bill, strike out "and 8780", and insert "8780, 9000, 9001, and 9005, and to add Sections 8726.1, 8738.1, 8747, 8751.1, and to repeal Sections 8727, 8734 and 8742".

Amendment No. 5

In line 6 of the title of said bill, strike out "private".

Amendment No. 6

On page 1, line 1, of said bill, after "SECTION 1.", insert "Section 9608 of the Business and Professions Code is amended to read:

9608. "Endowment care" or "endowed care" [shall have the same meaning as "perpetual care" and] shall include both general and special care funds.

SEC. 2. Section 9659 is added to the Business and Professions Code to read:

9659. In any report to the board all bonds, debentures or other evidences of debt held by a cemetery corporation if amply secured and if not in default as to principal or interest may be valued as follows:

a. If purchased at par at the par value.

b. If purchased above or below par on the basis of the purchase price adjusted so as to bring the value to par at maturity and so as to yield the effective rate of interest on the basis at which the purchase was made.

c. In such valuation the purchase price shall in no case be taken at a higher figure than the actual market value at the time of purchase.

SEC. 3. Section 9660 is added to said code to read:

9660. Any security or other evidence of debt if in default as to principal or interest or if not amply secured shall not be valued as an asset of the endowment care fund above its market value.

SEC. 4."

Amendment No. 7

On page 1, line 6, of said bill, after "SEC.", strike out "2", and insert "5".

Amendment No. 8

On page 1, line 12, of said bill, after "SEC.", strike out "3", and insert "6".

Amendment No. 9

On page 1 of said bill, strike out line 18, and insert

"SEC. 7. Section 7101 of said code is amended to read:

7101. When any decedent leaves an estate in this State, the reasonable cost of interment and an interment plot of sufficient size to constitute a family plot and memorial including reasonable sums for either, or both, general and special [perpetual] *endowment* care of the plot proportionate to the value of the estate and in keeping with the standard of living adopted by the decedent prior to his demise, together with interest thereon from the date of interment, shall be considered as a part of the funeral expenses of the decedent and shall be paid as a preferred charge against his estate as provided in the Probate Code.

If a claim for an interment plot or memorial is rejected the burden of proving that the cost of the interment plot or memorial is disproportionate to the value of the estate and the standard of living adopted by the decedent while living shall be upon the executor or administrator rejecting the claim. This chapter does not prohibit any relative or friend of a decedent from assuming the duty or paying the expense of interment.

SEC. 8. Section 7925 of said code is amended to read:

7925. Money payable or to become payable as the purchase price or on account of the purchase price of unused lands, or lands from which all remains have been removed is not subject to garnishment, attachment or execution, but shall be used exclusively for any or all of the following purposes.

(a) Acquisition of lands and improvements for cemetery purposes.

(b) Disinterment, removal, and reinterment of bodies, pursuant to this chapter.

(c) [Perpetual] *Endowment* care of graves, markers, and cemetery embellishments

(d) The payment of expenses incidental to the disinterment, removal, and reinterment.

(e) Any other purpose consistent with the objects for which the cemetery authority owning the cemetery is created or organized.

SEC 9. Section 7927 of said code is amended to read:

7927. From the money remaining in the treasury of the cemetery corporation or association after completing the removal and reinterment of the remains from its cemetery lands and the payment of all incidental expenses, the cemetery corporation or association shall set aside an adequate *endowment care* fund for the [perpetual] maintenance and care of the cemetery in which the remains have been interred.

SEC. 10 Section 7928 of said code is amended to read:

7928 After making provisions for [perpetual] *an endowment care fund to provide for* maintenance and care, the governing body of the cemetery corporation or association may use such portion of the funds then remaining as it may determine to be just and fair in reimbursing those who voluntarily and at their own cost and expense removed the remains of friends or relatives from the cemetery lands from which the remains were ordered removed. Such reimbursement shall not be greater in amount than the average cost to the cemetery corporation or association for removals directly made by it.

SEC. 11. Section 8701 of said code is amended to read:"

Amendment No. 10

On page 1, line 22, of said bill, after "endowment", insert "care".

Amendment No. 11

On page 2, line 5, of said bill, after "SEC.", strike out "5", and insert "12".

Amendment No. 12

On page 2, line 9, of said bill, after "endowment", insert "care".

Amendment No. 13

On page 2, line 10, of said bill, after "SEC." strike out "6", and insert "13".

Amendment No. 14

On page 2, line 12, of said bill, strike out "irreducible".

Amendment No. 15

On page 2, line 13, of said bill, after "endowment", insert "care", and strike out "interest", and insert "net income".

Amendment No. 16

On page 2, line 14, of said bill, strike out "endowment", and insert "care".

Amendment No. 17

On page 2, line 16, of said bill, after "SEC." strike out "7", and insert "14".

Amendment No. 18

On page 2, line 19, of said bill, after "endowment", insert "care"

Amendment No. 19

On page 2, line 20, of said bill, after "SEC.", strike out "8", and insert "15".

Amendment No. 20

On page 2, line 23, of said bill, after "endowment", insert "care"; and strike out "irre-".

Amendment No. 21

On page 2, line 24, of said bill, strike out "ducible"; and after "endowment", insert "care".

Amendment No. 22

On page 2, line 25, of said bill, after "ment", insert "care"

Amendment No. 23

On page 2, line 27, of said bill, after "endowment", insert "care".

Amendment No. 24

On page 2, line 32, of said bill, after "SEC ", strike out "9", and insert "16".

Amendment No. 25

On page 2 of said bill, strike out lines 34 to 43, inclusive, and insert "ment care shall be invested and the income only used for the endowment care of the cemetery in accordance with the provisions of law and the resolutions, by-laws, rules and regulations or other actions or instruments of the cemetery authority and for no other purpose. Endowment care funds shall be maintained separate and distinct from all other funds and the trustee shall keep separate records thereof.

SEC. 17. Section 8726.1 is added to the Health and Safety Code to read:

8726.1. The trustee of the endowment care fund shall create a reserve from which principal losses may be replaced by setting aside a reasonable percentage of the income from the fund.

SEC. 18. Section 8727 of the Health and Safety Code is hereby repealed.

SEC. 19. *Section 8728 of the Health and Safety Code is amended to read:*

8728 The cemetery authority may from time to time adopt plans for the general care, maintenance, and embellishment of its cemetery, and charge and collect from all subsequent purchasers of plots such reasonable sum as, in the judgment of the cemetery authority, will aggregate a fund, the reasonable income from which will [perpetually] provide care, maintenance, and embellishment"

Amendment No. 26

On page 2, line 44, of said bill, after "SEC.", strike "11", and insert "20".

Amendment No. 27

On page 2, line 47, of said bill, after "ment", insert "care".

Amendment No. 28

On page 2, line 48, of said bill, after "agreement", strike out "perpetually to", and insert "to use the income from such endowment care fund for the".

Amendment No. 29

On page 3, line 1, of said bill, after "SEC." strike out "12", and insert "21".

Amendment No. 30

On page 3, line 4, of said bill, after "endowment", insert "care".

Amendment No. 31

On page 3, line 5, of said bill, after "him", insert "to use the income from such fund".

Amendment No. 32

On page 3, line 7, of said bill, after "SEC.", strike out "13", and insert "22".

Amendment No. 33

On page 3, line 10, of said bill, after "endowment", insert "care".

Amendment No. 34

On page 3, line 13, of said bill, after "SEC.", strike out "14", and insert "23".

Amendment No. 35

On page 3, line 15, of said bill, after "endowment", insert "care".

Amendment No. 36

On page 3, line 19, of said bill, after "SEC.", strike out "15", and insert "24".

Amendment No. 37

On page 3, line 21, of said bill, after "endowment", insert "care".

Amendment No. 38

On page 3, line 22, of said bill, after "endowment", insert "care".

Amendment No. 39

On page 3, line 26, of said bill, after "SEC.", strike out "16", and insert "25. Section 8734 of said code is hereby repealed

SEC. 26."

Amendment No. 40

On page 3, line 27, of said bill, strike out "a", and insert "an".

Amendment No. 41

On page 3, line 28, of said bill, after "endowment", insert "care".

Amendment No. 42

On page 3, line 31, of said bill, after "endowment", insert "care".

Amendment No. 43

On page 3, line 32, of said bill, after "SEC.", strike out "17", and insert "27".

Amendment No. 44

On page 3, line 33, of said bill, after "endowment", insert "care".

Amendment No. 45

On page 3, line 36, of said bill, after "endowment", insert "care"

Amendment No. 46

On page 3, line 42, of said bill, after "SEC.", strike out "18", and insert "28".

Amendment No. 47

On page 3, line 44 of said bill, after "endowment", insert "care".

Amendment No. 48

On page 3, line 46, of said bill, strike out "in the instruments creating the trust"

Amendment No. 49

On page 3, line 50, of said bill, after "SEC.", strike out "19", and insert "29".

Amendment No. 50

On page 3, line 51, of said bill, after "endowment", insert "care".

Amendment No. 51

On page 3, line 52, of said bill, strike out "deposit", and insert "have deposited"; and after "endowment", insert "care"

Amendment No. 52

On page 4, line 1, of said bill, strike out "out of", and insert "at the time of or not later than completion of".

Amendment No. 53

On page 4, line 11, of said bill, after "endowment", insert "care".

Amendment No. 54

On page 4, line 12, of said bill, strike out "twenty", and insert "ten".

Amendment No. 55

On page 4, line 13, of said bill, strike out "$20", and insert "$10".

Amendment No. 56

On page 4, line 14, of said bill, after "endowment", insert "care".

Amendment No. 57

On page 4, line 16, of said bill, after "endowment", insert "care".

Amendment No. 58

On page 4, line 17, of said bill, after "endowment", insert "care".

Amendment No. 59

On page 4, line 20, of said bill, after "SEC.", strike out "20", and insert "30. *Section 8738.1 is added to said code to read:*

8738.1. In addition to the requirements of Section 8738 any endowment care cemetery hereafter established shall also have deposited in its endowment care fund the additional sum of twenty-five thousand dollars ($25,000) before disposing of any plot or making any sale thereof.

SEC. 31."

Amendment No. 60

On page 4, line 21, of said bill, after "non", insert "endowment".

Amendment No. 61

On page 4, line 22, of said bill, strike out "deposit", and insert "have deposited"; and after "endowment", insert "care".

Amendment No. 62

On page 4, line 24, of said bill, after "SEC.", strike out "21", and insert "32".

Amendment No. 63

On page 4, line 26, of said bill, after "endowment", insert "care".

Amendment No. 64

On page 4, line 28, of said bill, after "endowment", insert "care".

Amendment No. 65

On page 4, line 31, of said bill, after "non", insert "endowment"; and strike out "lettering equivalent to", and insert "legible black lettering at least four inches high"

Amendment No. 66

On page 4, line 32, of said bill, strike out "a minimum of 48-point black type."

Amendment No. 67

On page 4, line 35, of said bill, after "non", insert "endowment"; and strike out "equivalent".

Amendment No. 68

On page 4 of said bill, strike out line 36, and insert "of a size and style to be approved by the State Cemetery Board."

Amendment No. 69

On page 4, line 37, of said bill, after "SEC.", strike out "22", and insert "33".

Amendment No. 70

On page 4, line 38, of said bill, after "endowment", insert "care".

Amendment No. 71

On page 4, line 45, of said bill, after "endowment", insert "care".

Amendment No. 72

On page 4, line 47, of said bill, after "endowment", insert "care".

Amendment No. 73

On page 4 of said bill, strike out lines 49, 50, and 51

Amendment No. 74

On page 5 of said bill, strike out lines 1 to 13, inclusive, and insert "SEC. 34. Section 8742 of said code is hereby repealed"

Amendment No. 75

On page 5, line 14, of said bill, after "SEC.", strike out "24", and insert "35".

Amendment No. 76

On page 5, line 15, of said bill, after "non", insert "endowment"; and after "cemetery", insert "or the State Cemetery Board".

Amendment No. 77

On page 5, line 19, of said bill, after "sign", insert "with lettering of a size and style to be approved by the State Cemetery Board".

Amendment No. 78

On page 5, line 21, of said bill, after "non", strike out the hyphen, and insert "endowment care."

Amendment No. 79

On page 5 of said bill, strike out line 22.

Amendment No. 80

On page 5, line 23, of said bill, strike out "not an", and insert "a non"; and after "endowment", insert "care".

Amendment No. 81

On page 5 of said bill, strike out lines 25 and 26.

Amendment No. 82

On page 5, line 27, of said bill, after "SEC.", strike out "25", and insert "36".

Amendment No. 83

On page 5, line 30, of said bill, after "non", insert "endowment".

Amendment No. 84

On page 5, line 31, of said bill, after "non", insert "endowment".

Amendment No. 85

On page 5, line 32, of said bill, after "non", insert "endowment".

Amendment No. 86

On page 5 of said bill, strike out line 33, and insert "shall be of a size and style to be approved by the State Cemetery Board

SEC. 37. Section 8747 is hereby added to said code to read:

8747. It shall be unlawful for a cemetery authority, its officers, employees or agents, or a cemetery broker or salesman to represent that an endowment care fund or any other fund set up for maintaining care is perpetual or permanent"

Amendment No. 87

On page 5, line 34, of said bill, after "SEC.", strike out "26", and insert "38".

Amendment No. 88

On page 5, line 35, of said bill, after "endowment", insert "care".

Amendment No. 89

On page 5, line 36, of said bill, after "only", insert "for the reserves authorized by law and".

Amendment No. 90

On page 5 of said bill, strike out lines 37, 38, and 39, and insert "for the endowment care of the cemetery in accordance with the resolutions, by-laws, rules and regulations or other actions or instruments of the cemetery authority

SEC. 39. Section 8751.1 is hereby added to said code to read:

8751.1. In addition to the requirements of Section 8751, the funds may be invested and reinvested and kept invested in investments of the type and in the manner as provided in Section 2261 of the Civil Code."

Amendment No. 91

On page 5, line 40, of said bill, after "SEC.", strike out "27", and insert "40".

Amendment No. 92

On page 5, line 42, of said bill, after "endowment", insert "care fund".

Amendment No. 93

On page 6, line 3, of said bill, after "SEC.", strike out "28", and insert "41".

Amendment No. 94

On page 6, line 6, of said bill, after the first "endowment", insert "care"; and after the second "endowment", insert "care".

Amendment No. 95

On page 6 of said bill, beginning with line 9, insert

"SEC. 42. Section 9000 of said code is amended to read:

9000. The trustees may, upon a two-thirds vote, establish and create a fund to be known as "the [perpetual] *endowment* care fund," and for this purpose may set aside, use, and apply from any unexpended funds such sum as in the judgment of the trustees may be necessary or expedient to provide for the [perpetual] *endowment* care of the burial lots in the cemetery and for this purpose may receive property by grant, gift, devise, or any other method.

SEC. 43. Section 9001 of said code is amended to read:

9001. No part of the tax levy shall be used for the [perpetual] *endowment* care fund.

SEC. 44. Section 9005 of said code is amended to read:

9005. All money received from the income of the fund shall be deposited in the county treasury of the county in which the cemetery is situated, in the [perpetual] *endowment* care fund. This fund shall be expended solely for the purpose specified upon warrants issued by the county auditor on orders signed by not less than two of the trustees.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 1541—An act to repeal Chapter 3, comprising Sections 1200 to 1304, inclusive, of Division 2 of the Business and Professions Code, and to add Chapter 3, comprising Sections 1200 to 1322, inclusive, to Division 2 of said code, relating to the regulation of clinical laboratories, clinical laboratory technologists, clinical laboratory technicians, and clinical laboratory technician trainees, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 4, line 47, of the printed bill, strike out "regulation four-year college", and insert "regular four-year college or university".

Amendment No. 2

On page 4, line 49, of said bill, strike out "A.B. or B.S.", and insert "bachelor of arts or bachelor of science".

Amendment No. 3

On page 5, line 1, of said bill, after "trainee", insert "or the equivalent as determined by the department".

Amendment No. 4

On page 5, line 3, of said bill, strike out "college with a degree of A.B. or B.S.", and insert "a college or university maintaining standards equivalent, as determined by the department, to those institutions accredited by the American Association of Universities with a degree of Bachelor of Arts or Bachelor of Science".

Amendment No. 5

On page 5, line 6, of said bill, after "trainee", insert "or the equivalent as determined by the department".

Amendment No. 6

On page 5, line 9, of said bill, after "university", insert "or college".

Amendment No. 7

On page 5, line 11, of said bill, after "school", insert "or the equivalent as determined by the department".

Amendment No. 8

On page 5, line 12, of said bill, strike out "or trainee", and insert "trainee or the equivalent as determined by the department".

Amendment No. 9

On page 5, line 15, of said bill, after "university", insert "or college".

Amendment No. 10

On page 5, line 18, of said bill, after "hours", insert "or equivalent quarter hours".

Amendment No. 11

On page 5, line 23, of said bill, strike out "1956", and insert "1957".

Amendment No. 12

On page 5, line 24, of said bill, after "university", insert "or college".

Amendment No. 13

On page 5, line 47, of said bill, strike out "1956", and insert "1957".

Amendment No. 14

On page 7, line 47, of said bill, strike out "license", and insert "licensed".

Amendment No. 15

On page 8, line 44, of said bill, strike out the period, and insert "; provided, however, that when the applicant is a city, county, or city and county, or official thereof, no fee shall be required."

Amendment No. 16

On page 10 of said bill, strike out lines 15 and 16, and insert
"1321. Licenses or permits may be denied for any reason applicable to revocation and suspension of licenses or permits."

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 1621—An act to add Section 718 to the Vehicle Code, relating to penalties for violation of weight restrictions.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1 of the printed bill, before line 1, insert
"*SECTION 1. Section 718 is added to the Vehicle Code, to read:*"

Amendment No. 2

On page 1, line 5, of said bill, strike out "2,000", and insert "two thousand".

Amendment No. 3

On page 1, line 7, of said bill, strike out "1,000", and insert "thousand".

Amendment No. 4

On page 1, line 9, of said bill, strike out "1.000", and insert "thousand".

Amendment read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills Nos. 248 and 182 re-referred to the Committee on Municipal and County Government.

Assembly Bills Nos. 369 and 1216 re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3126 re-referred to the Committee on Conservation, Planning, and Public Works.

Assembly Bills Nos. 797, 380, 1004, 1586, 1587, and 2088 re-referred to the Committee on Education.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 327 FROM COMMITTEE CONTINUED

Mr. Davis asked for, and was granted, unanimous consent that his notice of motion to withdraw Senate Bill No. 327 from committee be continued until the next legislative day.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 592—An act to amend Section 28124 of the Government Code, relating to compensation for public services in counties of the twenty-fourth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—65.

NOES—George D Collins and Luckel—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 594—An act to amend Section 424 of the Education Code, relating to compensation of the county superintendent of schools in counties of the twenty-fourth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman,

Levering, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—65.

NOES—George D. Collins and Luckel—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1112—An act to add Section 37392.1 to the Government Code, relating to the power of cities, public corporations and public districts to lease or grant rights of use in sewage disposal facilities, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Holhbaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Holhbaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—70

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1916—An act to add Sections 31026, 31027, 31028, and 31029 to the Water Code, relating to county water districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Holhbaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—69

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Holhbaugh, Kelly, Kirkwood,

Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 166—An act to add Section 14722.1 to the Education Code, relating to district retirement salary plans, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—72

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 167—An act to amend Sections 14702 and 14722 of the Education Code, relating to district retirement salary plans.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Hahn, Hansen, Hawkins, Henderson, Kelly, Klocksiem, Lanterman, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stewart, Thomas, and Mr. Speaker—58.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 168—An act to amend Sections 14728.3 and 14728.5 of the Education Code, relating to district retirement salary plans.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh,

Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 169

Mr. Beck asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 169, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 169

Assembly Bill No. 169—An act to add Section 14720.1 to the Education Code, relating to retirement of employees of school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA
OFFICE OF THE SECRETARY OF STATE
SACRAMENTO 3, March 16, 1951

Honorable Arthur A. Ohnimus
Chief Clerk of the Assembly
Assembly Chamber, State Capitol
Sacramento, California

DEAR MR. OHNIMUS: I am enclosing a letter dated March 8th, received from Meda Abbott, together with her enclosure of "California Love Song", for your consideration.

Sincerely,

FRANK M. JORDAN, Secretary of State

Above transmitted enclosure ordered referred to the Committee on Education.

RESOLUTIONS

The following resolution was offered:

By Mr. Crowley:

House Resolution No. 89

Resolved by the Assembly of the State of California, That the State Controller be and he is hereby directed to draw his warrant on the proper fund in favor

of the following Member of the Assembly for the amount set opposite his name, and the State Treasurer is hereby directed and ordered to pay the same:

District	Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
56	Glenard P. Lipscomb	Los Angeles, Los Angeles County	447	--	--	447	894	$44 70

Request for Unanimous Consent

Mr. Crowley asked for, and was granted, unanimous consent to take up House Resolution No. 89, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 816—An act to amend Section 2203 of the Education Code, relating to the traveling expenses of representatives of governing boards of school districts.

Bill read third time.

Demand for Previous Question

Messrs. Doyle, Caldecott, Evans, Cloyed, and Stanley demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 816.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Tomlinson, and Waters—68

NOES—George D. Collins and Lowrey—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1114—An act to amend the heading of Article 1 of Chapter 8 of Division 3, and Sections 5901, 5902, 5903, 5904, and 5905 of the Education Code, and to add Section 5906 to said code, all relating to cash funds of school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Myers, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal:

IN CHAMBERS, MUNICIPAL COURT
CITY OF LOS ANGELES, March 16, 1951

Hon. Sam L. Collins
Speaker of the Assembly
State Capitol, Sacramento, California

DEAR MR COLLINS Our court has prepared statements in support of all of the legislation which has been introduced on our behalf. We believe that these statements may be helpful to you when the bills come up for consideration

We are enclosing herewith a copy of these statements and hope that you will keep it for future reference

Sincerely yours,

F. RAY BENNETT, Chairman
Legislative Committee

Above transmitted statements ordered referred to the Committee on Judiciary.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1693—An act to amend Section 24201 of the Education Code, relating to corporations for establishing, conducting, and maintaining colleges or seminaries of learning.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Waters, and Mr Speaker—70.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 1697—An act to amend Section 13275 of the Education Code, relating to annual reports of high school principals.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1988—An act to repeal Chapters 12, 13, and 14 of Division 3 of the Education Code; to repeal Articles 2 and 3 of Chapter 16 of Division 3 of said code; to repeal Sections 9614, 9615, 9616, 9642, 16486, and 16486a of said code; to repeal Sections 671 and 671.1 of the Welfare and Institutions Code; and to add Chapters 12, 13, and 14 to Division 3 of the Education Code; to add Articles 2 and 3 to Chapter 16 of Division 3 of said code; and to add Sections 8704 and 8761 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—73.

NOES—None

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—73

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 59 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Burke asked for, and was granted, unanimous consent that Assembly Bill No. 59 be withdrawn from the Committee on Municipal and County Government, and be re-referred to the Committee on Elections and Reapportionment.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1036—An act to amend Sections 1102 and 1140 of the Health and Safety Code, relating to state aid for local health administration.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1211—An act to repeal Sections 2289 and 2293 of, and to amend Sections 2135, 2169, and 2287 of, the Business and Professions Code, relating to practitioners of the healing arts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1214—An act to amend Section 2319 of the Business and Professions Code, relating to reciprocity applicants for a physician's and surgeon's certificate.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1146—An act to amend the title of Article 2 and to add Articles 3 and 4 to Chapter 5.5 of Division 21 of the Health and Safety Code, relating to low-acid frozen foods.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas and Tomlinson—71

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 2082

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 2082—An act to add Section 1142 to the Revenue and Taxation Code, relating to the taxation of vessels.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "Vessels shall be assessed in the same proportion of"; strike out lines 4 to 9, inclusive, and insert

"Every vessel of more than 50 gross tons register, whose home port of registry, enrollment, or license is in California, engaged in commercial deep-sea fishing operations and not exempt from taxation by Section 4 of Article XIII of the Constitution of this State, shall be taxed at a rate not exceeding 10 percent of the rate on other tangible personal property fixed by the taxing agency in the jurisdiction in which the vessel is assessed

The tax on the vessel shall otherwise be assessed, equalized, levied, and collected in the same manner as taxes on tangible personal property generally."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 33—Relative to the illnesses of His Excellency, Honorable Earl Warren, Governor of the State of California, and his daughters, Nina and Dorothy;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the nineteenth day of March, 1951, at 11 a.m.

BURKE, Chairman

RECESS

At 11.30 a.m., on motion of Mr. Dickey, the Assembly recessed until 1.30 p.m.

REASSEMBLED

At 1.30 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 20	Assembly Bill No. 700
Assembly Bill No. 125	Assembly Bill No. 701
Assembly Bill No 126	Assembly Bill No 861
Assembly Bill No 128	Assembly Bill No. 1007
Assembly Bill No. 130	Assembly Bill No 1008
Assembly Bill No. 259	Assembly Bill No. 1057
Assembly Bill No. 390	Assembly Bill No. 1078
Assembly Bill No. 472	Assembly Bill No 1268
Assembly Bill No. 527	Assembly Bill No 1269
Assembly Bill No 653	Assembly Bill No 1701
Assembly Bill No. 698	Assembly Bill No. 2715
Assembly Bill No. 699	

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Cloyed:

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 35303, 35307, and 35311 of, and to add Section 35303.1 to, the Government Code, relating to the annexation of territory by cities

Respectfully submitted,

RALPH R. CLOYED

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it

By Mr. Cloyed:

An act to amend Sections 35303, 35307, and 35311 of, and to add Section 35303.1 to, the Government Code, relating to the annexation of territory by cities.

BURKE, Chairman

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Sherwin moved a call of the Assembly.

Motion carried. Time, 1.31 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Babbage, Brady, Coats, Collier, George D. Collins, Connolly, Davis, Dolwig, Dunn, Evans, Fleury, Gaffney, Hinckley, Kilpatrick, Levering, Lincoln, Lowrey, Lyon, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Stanley, Thomas, and Waters—30.

Further Proceedings Under Call of the Assembly Dispensed With on Request by Mr. Cloyed to Introduce Bill

At 1.40 p.m., on motion of Mr Sherwin, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and permission granted to Mr. Cloyed to introduce a bill by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—70

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 3381: By Mr. Cloyed—An act to amend Sections 35303, 35307, and 35311 of, and to add Section 35303.1 to, the Government Code, relating to the annexation of territory by cities.

Referred to Committee on Municipal and County Government.

Assembly Joint Resolution No. 24: By Messrs. Lowrey and Clarke—Relative to assistance in continuing availability of trained manpower in agricultural aviation.

Referred to Committee on Rules.

MEMBER EXCUSED

At 1.45 p.m., Mr. Dills asked for, and was granted, unanimous consent that Mr. Kilpatrick be excused for the balance of the legislative day because of legislative business elsewhere.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2065—An act to amend Sections 6301, 6302, 6334, and 6356 of, and to add Section 6301.5 to, the Education Code, relating to school district budgets.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Mr. Dickey:

House Resolution No. 90

Resolved, That the Controller be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

The Pacific Telephone & Telegraph Co. (tolls)	$234 65
The Pacific Telephone & Telegraph Co. (service, equipment and tolls)	76.06
H. S Crocker Co., Inc. (supplies)	9 30
Department of Finance (supplies)	48.07

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 90, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1606—An act to add Section 370 to the Education Code, relating to employees of county superintendents of schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—68.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1035—An act to repeal Sections 10101, 10102, 10103, 10106, 10107, 10108, 10109, 10110, 10176, 10180, 10181, 10182, 10200, 10375, and 10579, to renumber and amend Sections 10104 and 10105, to amend Sections 10100, 10112, 10113, 10118, 10119, 10175, 10179, 10552, 10576, 10577, 10578, and 10630, and to add Sections 10121, 10200, 10278.5, 10375, and 10554, to the Health and Safety Code, relating to vital statistics and the registration of births, deaths, and marriages.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Holibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1037—An act to amend Sections 10525, 10528, 10529, and 10532 of the Health and Safety Code, Sections 69a and 73 of the Civil Code, and Section 27252 of the Government Code and to repeal Sections 27241 and 27242 of the Government Code, relating to the registration and indexing of marriages.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Holibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1038—An act to repeal Section 7413, to amend Section 7405, and to add Section 7413 to the Health and Safety Code, relating to burial permits.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Holibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1210—An act to amend Sections 2210, 2211, and 2216 of the Business and Professions Code, relating to qualifications for the practice of medicine.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2412—An act to amend Section 28230 of the Health and Safety Code, relating to bread and its preparation

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 2.10 p.m., Mr. Waters asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Elections and Reapportionment in the Post Office, at this time Subject: The subcommittee report relative to the contested election of Mr. Parker.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)
CONSIDERATION OF HOUSE RESOLUTION NO. 86

By Mr. Smith:

House Resolution No. 86

Relating to the Golden Jubilee Anniversary of Glendale High School

WHEREAS, Glendale High School has completed its first 50 years of secondary educational service to the youth of the State of California, developing scholarship, industry and athletic abilities in the student bodies, as well as an appreciation of the arts; and

WHEREAS, This occasion of the Fiftieth Anniversary is being marked by a week's program of alumni visits, social gatherings and historical revues, with the cooperation and guidance of students, alumni and faculty; now, therefore, be it

Resolved by the Assembly of the State of California, That the Principal of Glendale High School, the faculty and the Superintendent of the Board of Education of the Glendale Unified School District, and the Glendale High School Alumni Association be commended for the outstanding contribution made to the welfare of the people of the State of California, and be commended for the endless personal sacrifices so necessary for the success they have brought to their school, our State and our Nation; and be it further

Resolved, That the Clerk of the Assembly transmit forthwith suitable copies of this resolution to the Principal of Glendale High School, to the Superintendent of the Board of Education of Glendale Unified School District, and to the Glendale High School Alumni Association.

Resolution read, and adopted unanimously.

Speaker Pro Tempore Presiding

At 2.14 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 586

Mr. Lowrey asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 586, temporarily passed on file, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 586

Assembly Bill No. 586—An act to amend Sections 274, 275, and 285.3 of the Agricultural Code, relating to apiary inspection and equipment brands.

Bill read third time.

Motion to Amend

Mr. Lowrey moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on January 23, 1951, strike out "and 285.3 of", and insert "276, and 285.3 of, and to add Section 275.5 to,".

Amendment No. 2

On page 1 of said bill, strike out lines 5 to 26, inclusive; and on page 2, strike out lines 1 to 13, inclusive, and insert "cages returning empty, unless each hive of bees, used equipment or appliance in the load, lot or shipment has been stamped with an indelible official stamp showing the state of origin and date of inspection, and unless each separate load, lot or shipment is accompanied by a valid certificate signed by the State Entomologist or State Apiary Inspector or comparable officer in charge of apiary inspection for the state of origin, certifying the following facts

(1) The name and address of the owner or shipper, the county of destination and method of transportation.

(2) The number of hives or nuclei containing bees, the number of used hives either empty or containing frames or combs, and a complete list of any other used beekeeping equipment in the shipment.

(3) The county and state of origin.

(4) The date on which inspection was last made of the apiary in which the bees, used hives and equipment originated.

(5) That such inspection was made at a time when sufficient brood was present to establish the actual presence or absence of disease.

(6) The total number of colonies in the apiary at the time of inspection, and the number of colonies found diseased.

(7) That all diseased colonies of bees found upon said inspection were destroyed prior to the issuance of the certificate.

(8) The dates of all prior inspections of said apiary within the two-year period immediately preceding the issuance of the certificate, together with the total number of colonies and the number of diseased colonies found upon each inspection, and a statement of the disposition of such diseased colonies, if known.

Each certificate required by this section shall be delivered by the person importing or transporting the bees or the used hives or appliances to the commissioner in the county of destination within forty-eight (48) hours of the arrival of the bees or used hives or appliances. No such certificate shall be valid longer than sixty (60) days after the last date of inspection of the apiary shown on the certificate, except that a certificate covering a shipment arriving prior to April 1 from a locality having severe winters shall be valid if it shows the last inspection of the apiary to have been made on or after September 15th of the preceding year."

Amendment No. 3

On page 2 of said bill, strike out lines 24 and 25, and insert

"Any shipment arriving in this State without an accompanying certificate shall be refused entry or destroyed at the option and expense of the owner or person in charge."

Amendment No. 4

On page 3 of said bill, strike out lines 1 to 4, inclusive, and insert

"SEC. 3. A new section is added to the Agricultural Code to read:

275.5. It is unlawful to place in any combless package of bees or queens, offered for sale or shipment, any food containing honey.

It is unlawful to ship any package bees and queens within the State unless the shipment is accompanied by a certificate of inspection showing that the bees from which such package bees and queens have been taken have been inspected and found free from disease."

Amendment No. 5

On page 3 of said bill, between lines 4 and 5, insert

"SEC. 4. Section 276 of the Agricultural Code is amended to read:

276. The commissioner shall, whenever he deems it necessary, make or cause to be made an inspection of any apiary within his jurisdiction. If any disease exists therein the inspector making the inspection shall plainly mark the hives containing diseased bees, and shall report his inspection and findings to the commissioner. The inspector shall destroy the diseased bees and the contents of the hives so marked on written consent signed by the owner or bailee in the manner hereinafter specified; or the commissioner shall in writing notify the owner or person in charge or in possession of such apiary, stating in the notice the nature of the disease found in each colony respectively, identifying such colony by reference to the mark placed upon the hive thereof, and ordering the eradication of such disease within a specified time. The notice may be served upon the person having possession or owning such diseased apiaries, personally or by registered mail to his last-known address. When the owner or person in charge or possession of any apiary is not known, the notice shall be served by posting in a conspicuous place in the apiary. Such person must eradicate such disease within a certain time specified in the notice. If the disease be American foulbrood the time specified in the notice shall not be less than 24 hours nor more than 48 hours from the time of serving the notice, and the eradication of said American foulbrood shall be by killing the bees in the hives and burning the diseased colonies, including the bees, combs, frames, honey, and wax, in a pit *or in an incinerator approved by the director*, burying the ashes no less than two feet below the surface of the ground and disinfecting by scorching the hives, bodies, bottom boards, cover, and supers associated therewith."

Amendment No. 6

On page 3, line 5, of said bill, strike out "3", and insert "5".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3184

Mr. Kirkwood asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3184, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3184

Assembly Bill No. 3184—An act to amend Section 4861 of the Education Code, relating to membership of schools in educational organizations.

Bill read third time, and ordered passed on file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS

Senate Joint Resolution No. 16—Relative to the immigration of Basque sheepherders pursuant to Public Law 587 of the Eighty-first Congress.

Resolution read.

Point of Order

Mr. Lowrey arose to the following point of order: That Mr Conrad is not speaking to the question.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order not well taken.

The question being on the adoption of Senate Joint Resolution No. 16.

Point of Order

Mr. Lowrey arose to the following point of order: That Mr. Conrad's remarks are not germane to the question

Ruling by Speaker

Speaker pro Tempore ruled the point of order not well taken.

Demand for Previous Question

Messrs. Caldecott, Silliman, Lindsay, Kirkwood, and Dolwig demanded the previous question

Demand for previous question sustained.

The question being on the adoption of Senate Joint Resolution No. 16.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Henderson, Huckley, Kelly, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, and Tomlinson—61

NOES—None

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3184

Mr. Dunn asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3184, temporarily passed on file, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3184

Assembly Bill No. 3184—An act to amend Section 4861 of the Education Code, relating to membership of schools in educational organizations.

Bill read third time

Motion to Amend

Mr. Dunn moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 14, of the printed bill, as amended in the Assembly on March 16, 1951, insert "The total amount paid on account of all such memberships shall not exceed one hundred dollars ($100) for any school during any school year"

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 19, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 126
Senate Bill No. 433
Senate Bill No. 476
Senate Bill No 479
Senate Bill No. 544
Senate Bill No. 545
Senate Bill No. 1218

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 126—An act to amend Section 1203(b) of the Penal Code, relating to probation and misdemeanor cases.

Referred to Committee on Judiciary.

Senate Bill No. 433—An act to amend Section 1182 of the Penal Code, relating to the making of an application for a new trial.

Referred to Committee on Judiciary.

Senate Bill No. 476—An act to amend Section 1203.4 of the Penal Code, relating to probation.

Referred to Committee on Judiciary.

Senate Bill No. 479—An act to amend Section 1203.7 of the Penal Code, and to amend Section 633 of the Welfare and Institutions Code, relating to the membership of the Board of Corrections.

Referred to Committee on Judiciary.

Senate Bill No. 544—An act to amend Section 103a of the Code of Civil Procedure, relating to justice court clerks.

Referred to Committee on Judiciary.

Senate Bill No. 545—An act to amend Section 103¾ of the Code of Civil Procedure, relating to clerks.

Referred to Committee on Judiciary.

Senate Bill No. 1218—An act to add Section 10246 to the Government Code, relating to participation by the Legislative Counsel in judicial proceedings.

Referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED IN JOURNAL

Mr. Waters asked for, and was granted, unanimous consent that a letter of transmittal and a Report of the Subcommittee on Elections and Reapportionment, relative to the contested election of Mr. Parker, be ordered printed in the Journal, in 10-point type.

(Above letter of transmittal and report will appear prior to the motion to adjourn.)

MOTION

Mr. Waters moved that the contests be dismissed which have concerned Messrs. Parker, Henderson, and McGee, relative to their election, and that they be officially recognized as being seated as Members of the Assembly.

Mr. Doyle seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Waters—69.

NOES—None.

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr. Tomlinson asked for, and was granted, unanimous consent that his name be placed upon the roll call, on the motion by Mr. Waters, and that he be recorded as voting "Aye."

APPRECIATION EXPRESSED

Messrs. McGee, Henderson, and Parker expressed their appreciation of the action just taken by Members of the Assembly, and individually commended the personnel of the three subcommittees, and the main Committee on Elections and Reapportionment, for fair and impartial consideration during deliberations.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 566

Mr. Waters asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 566, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 566

Assembly Bill No. 566—An act to amend Sections 17125.5, 17163.5, 17257, 17331, 17333, 17342, 17343, 17344, 17346, 17347, 17348, 17349, 17349.5, 17350, 18172.3, 18211, and 18213 to the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser,

Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Thomas, Tomlinson, and Waters—64.

NOES—None.

Bill ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Fleury:

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 683.2 to the Civil Code, relating to interests in property.

Respectfully submitted.

GORDON A. FLEURY

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Fleury:

An act to add Section 683.2 to the Civil Code, relating to interests in property.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—71.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3382: By Mr. Fleury—An act to add Section 683.2 to the Civil Code, relating to interests in property.

Referred to Committee on Judiciary.

ANNOUNCEMENT

Speaker pro Tempore Maloney announced that today is the birthday of the Hon. Earl Warren, Governor of California.

In tribute to the Governor, the quartet composed of Messrs. Dills, Evans, Rumford, and Sergeant-at-Arms Ogg, sang the song "Happy Birthday To You."

REQUEST FOR UNANIMOUS CONSENT THAT AUTHOR BE PERMITTED TO SET BILLS FOR HEARING

Mr Coats asked for unanimous consent that he be permitted to set certain bills for hearing before the Committee on Elections and Reapportionment tomorrow, Tuesday, March 20th, without the usual three day notice.

Mr. Geddes withheld unanimous consent.

Point of Order

Mr. McCollister arose to the following point of order: That, as there is nothing before the House, the discussion between Messrs. Waters and Coats is not in order.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

REQUEST FOR UNANIMOUS CONSENT TO USE ASSEMBLY CHAMBER

Mr. Waters asked for, and was granted, unanimous consent that the Committee on Elections and Reapportionment be permitted to use the Assembly Chamber on Tuesday evening, March 20th, at 8 p.m., for the purpose of considering bills pertaining to the reapportionment of assembly, congressional, and senate districts.

ANNOUNCEMENT

Mr. Stanley announced a breakfast meeting and Republican Caucus at Hart's Restaurant at 7.30 a.m., tomorrow morning, Tuesday, March 20th.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Waters:

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 214 of the Revenue and Taxation Code, relating to the welfare exemption.

Respectfully submitted.

LAUGHLIN E. WATERS

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Waters:

An act to amend Section 214 of the Revenue and Taxation Code, relating to the welfare exemption.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Coats, George D. Collins, Condon, Connolly, Davis, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Gubser, Hagen, Hahn, Hansen

Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters—62.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3383: By Mr. Waters (At the request of Messrs. Gaffney, Rosenthal, Brady, Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Crowley, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Geddes, Grant, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Mrs. Niehouse, Messrs. Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, and Stewart)—An act to amend Section 214 of the Revenue and Taxation Code, relating to the welfare exemption.

Referred to Committee on Revenue and Taxation.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 3 p.m.—

Closed meeting of Military Affairs, in Room 426. Subject: Defense and Military Questions

Subcommittee on Agriculture, in Room 320. Subject: Fairs and Expositions.

At 8 p.m.—

Finance and Insurance, in Room 432.

Today upon adjournment—

Rules, in Room 320.

Ways and Means, in Room 435

Subcommittee on Public Utilities and Corporations, in Room 432. Subject: Senate Bill No. 327.

Tomorrow, Tuesday, March 20th, at 8 p.m.—

Elections and Reapportionment, in Assembly Chamber. Subject: Reapportionment bills relative to assembly, congressional and senate district reapportionment.

It was announced that no meeting will be held today of the main Committee on Public Utilities and Corporations.

LETTER OF TRANSMITTAL AND REPORT OF SUBCOMMITTEE ON ELECTIONS AND REAPPORTIONMENT

LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE, March 19, 1951

Honorable Sam L. Collins
Speaker of the Assembly
State Capitol, Sacramento, California

DEAR MR. SPEAKER: Submitted herewith is the third and final report of the subcommittees assigned to investigate contested elections.

It is the recommendation of your Committee on Elections and Reapportionment that this report be approved and that Mr. Howard Q. Parker be confirmed as a member of this body.

Respectfully submitted,

LAUGHLIN E. WATERS, Chairman
Committee on Elections and
Reapportionment

REPORT OF SUBCOMMITTEE OF STANDING COMMITTEE ON ELECTIONS AND REAPPORTIONMENT IN THE MATTER OF THE ELECTION CONTEST OF JOHN P. SPAENHOWER, CONTESTANT, AND AGAINST HOWARD Q. PARKER, CONTESTEE

On January 8, 1951, John P. Spaenhower of Stockton filed with the Chief Clerk of the Asesmbly a verified statement contesting the election of Howard Q. Parker, as Member of the Assembly from the Eleventh Assembly District, San Joaquin County. The statement of contest alleged that Mr. Spaenhower and Mr. Parker were the duly elected Republican and Democratic candidates respectively for the office of Assemblyman for the Eleventh District, San Joaquin County, in the November, 1950 general election. It was alleged that certain fraudulent and corrupt practices were engaged in by the supporters of Mr. Parker in connection with the alteration and changing of the official endorsement pamphlets of the California Labor League for Political Education, a political affiliate of the American Federation of Labor in California and that such fraudulent practices deceived and influenced the voters of the Eleventh District with the result that Mr. Parker was elected by the plurality of 291 votes. The statement of contest prayed that the Assembly refuse to permit said Howard Q. Parker to take the oath of office and that it be referred to a duly and regularly constituted committee of the Assembly for proper investigation.

Thereafter and pursuant to appointment by Assemblyman Laughlin E. Waters, Chairman of the standing Committee on Elections and Reapportionment, the subcommittee, consisting of Assemblymen Burke, Burkhalter, Coats, Hinckley, and Tomlinson, as Chairman, met on January 10th and considered the said verified statement of contest and, after full discussion participated in by a member of the Legislative Counsel's staff, recommended to the full cmmittee that the said statement contained sufficient grounds to warrant further and formal investigation. The committee also determined that the statement was not frivolous.

On January 17th, a subcommittee met with the contestant, contestee, and their respective counsel. The parties were advised of the rules of procedure previously adopted by the Assembly pursuant to House Resolution No. 31, following which the respective parties were invited to make an opening statement as to the facts expected to be proved in support of and in opposition to the statement of contest. At the conclusion of such statement, the subcommittee deliberated and concluded that a further hearing should be conducted and evidence introduced, whereupon January 22d, at the hour of 9 o'clock, was determined upon as the date and time of hearing, to be held at the State Capitol.

On Tuesday, January 22d, the committee convened at the hour of 9 a.m., and proceeded to hear testimony from 31 witnesses, and received in evidence numerous documentary exhibits.

At the hour of 10.10 p.m. of the same day, the committee concluded the hearing of testimony, and upon deliberation found the following facts to be true:

1. That John P. Spaenhower and Howard Q. Parker were, at the direct primary election of 1950, duly elected as the nominees of the Republican and Democratic parties respectively.

2. That John P. Spaenhower was, on the twenty-eighth day of August, 1950, duly endorsed for the office of Assemblyman of the Eleventh Assembly District by the San Joaquin County Labor League for Political Education, a local affiliate of the California Labor League for Political Education, which was the state-wide organization for political action of the American Federation of Labor, in California.

3. That on July 31, 1950, and on September 25, 1950, the San Joaquin County Labor League for Political Education refused to endorse Howard Q. Parker for the office of Assemblyman.

4. That prior to the general election of November 7, 1950, the California Labor League for Political Education caused to be published and widely distributed among members of organized labor throughout the State of California an illustrated, colored leaflet containing the endorsees of the League for federal and state offices.

5. That the leaflet as originally published and distributed throughout the State and San Joaquin County included the endorsement of John P. Spaenhower for the office of Assemblyman, Eleventh District.

6. That on or about October 30, 1950, the Muldowney Printing Company of Stockton "overprinted" 2,000 of said leaflets by imprinting thereon the words "Write in—C. M. Weber" in the space therein provided for endorsements of candidates for State Senate offices.

7. That on or about the first day of November, 1950, the said 2,000 overprinted leaflets were delivered to E. George Kaufman.

8. That E. George Kaufman was then, and had been, active in the campaign of Howard Q. Parker.

9. That Phoebe Roberts was employed by the committee for the election of C. M. Weber, candidate for State Senate, San Joaquin County, and subsequent to the election, Mrs. Roberts married the said E. George Kaufman.

10. That several days before the election, the Stockton Printing Company, a commercial printing firm of Stockton, "overprinted" approximately four thousand of the leaflets by striking out with line type

the figures and words "11—John P Spaenhower" and adding the figures and words "11—Howard Q. Parker" at the top and bottom of the column in said leaflet containing the names of endorsees for the various offices of State Assembly; on approximately one-half of the leaflets "overprinted" by the said printing firm, the figures and words "20 Write in—C. M. Weber" were added to the column of said leaflet containing endorsees for State Senate; approximately one-half of the said leaflets so "overprinted" by said Stockton Printing Company contained the "overprinting" previously made by the Muldowney Printing Company.

11. That the said "overprint" job was referred to Robert Wilson of the Stockton Printing Company by Carmen Pareno, of the commercial printing firm of Pareno & Vitek, Stockton.

12. That Robert Wilson, for his firm, Stockton Printing Company, mailed a bill for $40 to E George Kaufman, and Mr. Wilson subsequently discussed the matter of payment with Mr. Kaufman; that Kaufman did not deny the charge, but indicated that he would arrange for payment.

13. That on Saturday, November 4th, Sunday November 5th, and Monday, November 6th, the "overprinted" or altered leaflets were distributed in the City of Stockton by Phoebe Roberts and E. George Kaufman.

14. That prior to commencing the job of "overprinting" of said leaflets, Albert Wilson communicated by telephone with Howard Q. Parker, explained the proposed job to him, and received from Mr. Parker a complete disclaimer of responsibility for the job.

15. That the distribution of said altered leaflets came to the attention of Mrs. Myrtle Emmett, the person in charge of the Stockton Democratic Headquarters, on Saturday, November 4th, whereupon strenuous efforts were made by Mrs. Emmett and others to recover any and all leaflets that had been so distributed

16 That it was the concensus of opinion of persons associated with and active in the Democratic campaign in San Joaquin County and in the Eleventh Assembly District that the alteration and distribution of the altered LLPE leaflets was detrimental to the campaign of Howard Q. Parker.

17. That it was the concensus of opinion of numerous officials of various Railroad Brotherhood organizations and other local union organizations that the alteration and distribution of the leaflets was detrimental to the candidacy of Howard Q. Parker, and that many voters changed from Parker to Spaenhower on account thereof.

18 That the endorsement of John P Spaenhower by the San Joaquin LLPE was not concurred in by all local unions officially or by all of the membership of such unions.

19. That the *Stockton Labor Journal*, an official AFL publication of the Central Labor Council and Building and Construction Trades Council of San Joaquin County, in its issue of Friday, November 3, 1950, covered "local" LLPE endorsements, including that of John P. Spaenhower for State Assembly, Eleventh District; that said publication was distributed by mail and other means to members of labor organizations in San Joaquin County, including the Eleventh Assembly District. That

the same issue of the *Stockton Labor Journal* contained at least two political advertisements wherein the endorsement of John P Spaenhower by the San Joaquin County LLPE was prominently displayed.

20. That John P Spaenhower and Howard Q. Parker, in a telephone conversation on Sunday, November 5, 1950, discussed the matter of the altered leaflets, and an understanding or agreement was reached between them that nothing further was to be done or said concerning the matter.

21. That no authority, express or implied, for the alteration or distribution of said spurious leaflets was given or granted by Howard Q. Parker, or any officer or person in authority of the American Federation of Labor, the San Joaquin Labor League for Political Education, or the San Joaquin County Democratic Central Committee, with the exception of E. George Kaufman, who was then a member of said San Joaquin County Democratic Central Committee

From the foregoing facts, the subcommittee concludes that the unauthorized alteration of the official campaign leaflets of the California Labor League for Political Education was done with the fraudulent and corrupt intent of deceiving and misleading the voters of the Eleventh Assembly District, San Joaquin County, and particularly those voters who would rely, to any extent, upon the leadership of the American Federation of Labor or the San Joaquin Labor League for Political Education as to the qualifications of candidates endorsed by such organizations. The subcommittee further concludes that the "overprinting" and alteration of the said leaflets was done with the full knowledge and approval of E. George Kaufman and others who were disgruntled on account of the prior official endorsement of John P Spaenhower, the Republican candidate. The subcommittee further concludes that the candidacy of John P Spaenhower was not seriously affected by the distribution of the said leaflets particularly in view of the fact that his endorsement by organized labor through the LLPE was prominently displayed in the official labor newspaper of San Joaquin County which was distributed to members of organized labor on the same days that the spurious leaflets were distributed, and it is the opinion of the subcommittee that the alteration and distribution of said leaflets adversely affected and damaged the candidacy of Howard Q. Parker.

The subcommittee is of the further opinion that, although it would ordinarily have been proper for a candidate upon learning of the distribution of such altered leaflets, to have publicly repudiated and denounced such conduct, under the circumstances, Howard Q. Parker was apparently lulled into silence through his conversation with Mr. Spaenhower, and hence acted in good faith in not making such public announcement.

The subcommittee is of the opinion that the testimony before the committee of E. George Kaufman and Mrs. Phoebe Roberts, now Kaufman, was grossly unsatisfactory, and that particularly in the instance of Mr. Kaufman that there are good grounds to believe that certain of his testimony was wilfully and deliberately false.

In making its findings of fact and drawing its conclusions therefrom, the subcommittee feels it necessary to condemn and denounce the

political knavery, fraud, and corrupt action engaged in by the persons responsible for the alteration and distribution of the official leaflets of the political affiliate of the largest and strongest labor organization in this State, and to condemn the flagrant attempt to steal and appropriate the official political endorsement of such a large and respected labor organization of the candidate of its choice. No candidate, however innocent he may be of participation in such fraudulent practices, should be permitted to enjoy the fruits of such conduct and hold a public office gained by such methods. However, as in this case, where it is made to appear that the result of the election was not changed by reason of such unethical and reprehensible practices, it would not be just to deprive the victorious, but innocent candidate of his office. The subcommittee is of the further opinion that (1), means should be provided, through appropriate legislation, for (2) the summary removal from membership on any official political committee, such as the county or state central committees, of any person or persons responsible for the perpetration of such political improprieties as occurred in San Joaquin County in the last general election campaign, and (3) the punishment of the perpetration of such improprieties as a criminal offense. Until such time as practices of the sort engaged in the latter part of this Assembly campaign are brought up with a "tight hitch", there can be no honor in elections, and the public cannot be expected to accept any candidate for public office at face value, but instead can be expected to view them with suspicion and as men and women not above reproach.

It is, therefore, recommended that the election contest of John P. Spaenhower be dismissed, and that Howard Q. Parker be confirmed as the Assemblyman for the Eleventh Assembly District, San Joaquin County.

Respectfully submitted

STANLEY T. TOMLINSON, Chairman
ARTHUR W. COATS, JR.
STEWART HINCKLEY
EVERETT G. BURKHALTER
MONTE A. BURKE

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Munnell, the usual courtesies of the Assembly for this day were unanimously extended to John Hayduk of Los Angeles.

On request of Messrs. Munnell and Kelly, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. J. E. Butler of Montebello.

On request of Mr. Beck, the usual courtesies of the Assembly for this day were unanimously extended to Iris Kinyoun of Venice and Gertrude E. Farren of Los Angeles.

On request of Mr. Porter, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Ruth S. Porter, Mrs. Carley V. Porter, and Carl Porter of Compton.

On request of Mr. Shaw, the usual courtesies of the Assembly for this day were unanimously extended to Miss Sharon Robertson, Miss Diane Shaw, and Mrs. Leila Shaw of Ontario.

On request of Mr. McMillan, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Walter Bennett, Mrs. Dorothy Smith, Penny Smith, Barbara Bennett, and Marilyn Requa of Los Angeles.

On request of Mr. Parker, the usual courtesies of the Assembly for this day were unanimously extended to J. Shannon and J. Smyth, teachers, and the following pupils of the Edison High School of Stockton: Royce Sappenfield, Jo Anne Grimshaw, Jane Mizuno, Bob Vigario, John Wolfe, Pat Comstock, Barbara Ratelle, Robert LeBeouf, Dalores Braga, John Taylor, Donald Allen, Janice Welch, Bill Phillips, Richard Martinez, Wanda Day, Kenon Carter, Nancy Martinez, Betty Sevve, Sandra Silva, Loretta Ulmer, Bobbie Harp, Ralph Aguilak, Melba Valentine, Grace Delaney, Glenn Moore, Deanna Daclan, and Dosie Juanitas.

On request of Mr. McFall, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Florence Lowe, Mrs. Edna Schaeffer, Mrs. Audrey Heim, William Pinto, William Johnson, Harold Klein, and John McIntosh, teachers, and the following pupils of the Manteca School: Eddie Abatangle, Carole Adams, Charles Anderson, Betty Badalamenti, Leonard Bates, Glenda Bishop, Charlotte Boil, Velma Brazil, Donnie Brietenbucher, Teddy Bristow, Blanche Brokaw, Anna May Butts, Norman Butts, Magdalena Cabrera, Quirino Cabrero, Elvira Calderon, Frankie Calderon, Jerry Candini, Karen Candini, Jerry Callander, Carmen Cardinal, Josophine Catalano, Barbara Chamberlain, Jo Anne Close, Carol Costa, Edward Costanzi, Bob Crom, Bobby Daniels, Lucille DeRose, David Eavenson, Glodine Erford, David Fells, Pat Filbin, George Foster, Rodney Fusch, Robert Geringer, Anna Marie Gutierrez, Jerry Hampton, Betty Hildebrand, Dwayne Howze, Marilyn Jarnagin, Beverly John, Wayne Johnson, Dorene Knolls, Al Laffranchini, Larry Lagier, Nadean Lauritson, Gail Lawson, Richard Limas, Barbara Lowe, Betty Major, Stuart McAlary, Billy McDaniel, Jack McMahon, Lowell Moore, Melvin Morey, Eddie Morley, Donna Morton, Dora Mundt, Billy Myers, Jeanne Morse, Doris Oliveira, Betty Paine, Bobby Payan, Alex Paszkeicz, Joyce Piccinini, Nancy Powers, Wayne Price, Sally Pollino, Melvin Raggio, Mable Rains, Mac Raney, Ralph Resendez, Joe Richardson, Rose Anne Richardson, Louie Rose, Hilda Schliess, Dolores Schneider, Darlene Sealey, Virginia Selser, Phyllis Sevedge, Darlene Silva, Jackie Smith, Kent Smith, Ronald Smith, Stanley Smith, Phyliss Spair, Jerry Stafford, Kathryn Summers, Marjorie Swain, Betty Taber, Josephine Tarantino, Frankie Thomas, Sotero Villannena, Robert Waldvogel, Richard Wells, Carolyn Whiteley, Elsie Whittington, Dolores Wiggin, Phillip Woodard, Tonni Woods, Tommy Yarbrough, and Betty Jean Youngman.

On request of the Los Angeles County Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Robert E. G. Harris and a group of students from U. C. L. A.

including Mohammed K. Roashan, Warren J. Heyse, Nicholas M. Devereux, Robert J. C. Cosgrove, and Martin Weinberger.

Mohammed K. Roashan is an honor, exchange, Foreign Student from Afghanstan.

On request of Mr Davis, the usual courtesies of the Assembly for this day were unanimously extended to Chester Main, Ivan Rose, Dan Crawford, Pete Bergeman, Bill Shepard, Bill Ganger, Lou Drager, and Floyd A. Boyd of Tulelake.

On request of Messrs Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Miss Holmes, leader, Miss Miller and Mrs. Saadeh, assistants, of Girl Scout Troop No. 182, the following mothers: Mrs. Waldon, Mrs. Silvy, Mr Renner, Mrs. Roth, Mrs Vaughn, Mrs. Souza, Mrs. Cregan, Mrs George, Mrs. Haury, Mrs. Somerville, Mrs. McMullan, Mrs. Blacow, Mrs. Andersen, and Mrs. Haury; and the following scout members: Juanita Waldon, Joyce Silvy, Judith Renner, Louise Roth, Dottie Mae Vaughn, Sandra Soza, Catherine Cregan, Carlene George, Marta Haury, Elinor Somerville, Vivian McMullan, Joan Blacow, Gail Anderson, and Marta Haury.

On request of Mr Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Mrs Anita Cerletti and Patricia Falkenberg, teachers, and the following students of Napa High School: Joe Rodriguez, Maris Anderson, Giliana Ghisleta, Eleanor Rekula, Katie Prince, John Oliver, Margaret McMaster, Kenneth Judah, Fred Kock, John Bradly, Elaine LeVan, Gene Sparks, Marla Miller, George Williams, Patsy Chapman, Jim Hie, Nancy Wallace, Eileen Rondom, Barbara Heminger, Carol Grasteit, Nancy Leonore, Roy Northern, David Floyd, Patsy Proctor, Evalyn Jones, Jim Doty, Donna Laidlaw, Martin Benson, Ruth Erickson, Dorothy Stephenson, Jo Anne Paofili, Bob Brooke, Betty Jones, Jerry Snyder, Helen Schmidtpott, Edward Avila, Gene Gadbury, Susan Sallé, Gene Yarbrough, Betty Wagner, Jimmie Williamson, Bob Price, Ronald Shroyer, Cora Tompkins, Maureen McFarren, Nancy Paulson, Virginia Spencer, Ernest Newcomb, Ricky Wheeler, Roger Warnock, Gay Wade, Jeannette Thibaut, Carol Atkins, Ken Marshall, Rosetta Dyer, Mickey Shields, Rubye Lee Harbin, and Barbara Gurrey.

On request of Mr. Berry, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Charlotte Coffer and Mrs. Minnie Webb of Sacramento.

On request of Messrs Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Kathryn Morris, Mrs. Fonda Farrell, leaders of the *Lu ta May cha, Campfire Group* of the *Newton Booth School*, and the following members: Janice Yenovkian, Judy Ishihara, Susan Peterson, Jill de Rosier, Janet White, Brenda Woodyard, Sally Nardi, Carolyn Cole, Sharon Farrell, Sharon Gibson, Carolyn Fong, Carolyn Morris, Celeste Poroshin, and Catherine Daugherty.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Jean Portman, Mrs. M Pendergast, Mrs. S. Alexander, Leaders, *Brownie Troop* No. 12,

Sierra School, and the following Brownies: Joan Muramoto, Rosemarie Perrault, Connie Vilardia, Pat Lawlor, Ann Belyea, Kathy Barnum, Marilyn Snaider, Barbara McGrew, Peggy Pendergast, Margaret Balch, Jean Alexander, Pat Pendergast, Sue Portman, and Billie Jean Hunger.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Florence Johnson, teacher, Mrs Schernberg, mother and the following pupils of the Marmichael Seventh Day Adventist School: Nancy King, Sharon Worsly, Lana Schomberg, Lucille Couperns, Patty Butler, Bonnie Lammerding, Carolyn Scott, Ilene Maynard, Lois Jensen, Constance Coleman, Linda Ethridge, Donna Colbaugh, Cynthia Canendar, Joan Chapman, Joyce Chapman, George Graham, John Ross, Danny Steward, Danny Runkle, Ronald Conn, Eldon Brandenberg, David Uyeyama, Newell Hubbard, Melvin Sage, Richard Moore, Gerald Darling, Florence Hale, and Vyrlene Priehe.

On request of Mr. Shaw, the usual courtesies of the Assembly for this day were unanimously extended to Mr and Mrs. Leo Cherbak and Mrs. Percy Lawyer of Ontario.

ADJOURNMENT

At 2.55 p m., on motion of Mr. McCollister, the Speaker pro Tempore declared the Assembly adjourned until 10 a.m., Tuesday, March 20, 1951.

SAM L COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

NINETEENTH LEGISLATIVE DAY

TWENTY-FIFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, March 20, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

March 20, 1951

Almighty and Eternal God, Father of All Nations, Creator and Preserver of Mankind, we assemble again in Thy Holy sight. Within these hallowed precincts, we seek Thy presence and Thy guidance. Help us lift our labor out of the realm of the ordinary, so that we may see opportunities for service in that which otherwise would be drab routine. Grant us Thy presence throughout this day that we may live without strain, face our problems without fear, meet our temptations without dishonor, bear our burdens without complaint.

"Spirit divine, attend our prayers,
And make this house Thy home:
Descend with all Thy gracious powers,
O come, great Spirit, come!"

—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Meyers, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Cooke, on motion of Mr. Munnell.
Mr. Butters, on motion of Mr. Munnell.
Mr. Grunsky, on motion of Mr. Hansen.
Mr. Condon, on motion of Mr. Hagen.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3184

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

RESIGNATION ANNOUNCED

Speaker Sam L. Collins announced the resignation of Mr. Butters from membership on the Committee on Elections and Reapportionment because of illness.

APPOINTMENT ANNOUNCED

Speaker Sam L. Collins announced that he will serve as a member of the Committee on Elections and Reapportionment, vice Mr. Butters, until such time as Mr. Butters has recovered from his illness and desires to be reappointed to membership on said committee.

Speaker Pro Tempore Presiding

At 10.07 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 143	Assembly Bill No. 659
Assembly Bill No. 234	Assembly Bill No. 1823
Assembly Bill No. 243	Assembly Bill No. 1825
Assembly Bill No. 244	Assembly Bill No. 1827
Assembly Bill No. 367	Assembly Bill No. 2182

Has had the same under consideration and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 242	Assembly Bill No. 1822
Assembly Bill No. 1178	Assembly Bill No. 1824

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 6
Assembly Bill No. 365
Assembly Bill No. 366
Assembly Bill No. 1177
Assembly Bill No. 2620

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 2026
Assembly Bill No. 2664

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

BROWN, Chairman

Above reported bills ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 828
Assembly Bill No. 829

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 28

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 127
Assembly Bill No. 129
Assembly Bill No. 131
Assembly Bill No. 1844

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Joint Resolution No. 25: By Messrs. Dunn, Kirkwood, Berry, Clarke, Kelly, Kilpatrick, Lowrey, and Rumford—Relative to continuing federal support for vocational education.

Referred to Committee on Rules.

CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS
NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 327 FROM COMMITTEE CONTINUED

Mr. Davis asked for, and was granted, unanimous consent that his notice of motion to withdraw Senate Bill No. 327 from committee be continued until the next legislative day.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 3184—An act to amend Section 4861 of the Education Code, relating to membership of schools in educational organizations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—68

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1078—An act to add Section 18101.5 to the Government Code, relating to sick leave of state employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 20

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 20, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 20

Assembly Bill No. 20—An act to amend Section 18005 of the Government Code, relating to the separation from state service of state personnel.

Bill read third time, and ordered temporarily passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 472

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 472, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 472

Assembly Bill No. 472—An act to amend Section 18104.5 of the Government Code.

Bill read third time.

Motion to Temporarily Suspend the Rules

Presuming that Assembly Bill No. 472 carries an implied appropriation Mr. Geddes moved that the Rules be temporarily suspended for the purpose of considering Assembly Bill No. 472 without being re-referred to the Committee on Ways and Means, at this time.

Motion died for lack of a second.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILLS NOS. 20 AND 472 BE RE-REFERRED TO COMMITTEE

Mr. Fleury asked for, and was granted, unanimous consent that Assembly Bills Nos. 20 and 472 be withdrawn from the third reading file, and be re-referred to the Committee on Ways and Means.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 527

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 527, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 527

Assembly Bill No. 527—An act to amend Section 20205, relating to the State Employees' Retirement System.

Bill read third time.

Point of Order

Mr. Beck arose to the following point of order: That Assembly Bill No. 527 carries an implied appropriation and is not properly before the House as it should be re-referred to the Committee on Ways and Means prior to consideration.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order not well taken.

The question being on the passage of Assembly Bill No. 527.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick,

Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stewart, Thomas, Tomlinson, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1057

Mr. Moss asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1057, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1057

Assembly Bill No. 1057—An act to add Article 5, consisting of Section 21150, to Chapter 8 of Part 3 of Division 4 of the Government Code, relating to the temporary employment of persons retired under the State Retirement System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, and Tomlinson—68.

NOES—None.

Bill ordered transmitted to the Senate.

POINT OF ORDER

Mr. Hollibaugh arose to the following point of order: That the hour of 10.30 a.m. having arrived, the special order, consideration of the Budget Bill, is properly before the House.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken, but honored the request of Mr. Sherwin that action be delayed for two minutes for the purpose of permitting members of the press to reach their desks in the Assembly Chamber.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 259

Mr. Sherwin asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 259, temporarily passed on file, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 259

Assembly Bill No. 259—An act making an appropriation to reimburse the Emergency Fund, Item 277, Budget Act of 1950, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Sherwin moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, after "1950," insert "and providing for the reimbursement of the State Highway Fund,".

Amendment No. 2

On page 1, line 1, of said bill, after "the", insert "State".

Amendment No. 3

On page 1 of said bill, between lines 9 and 10, insert

"The California Toll Bridge Authority shall return this appropriation, or so much thereof as may used, to the State Highway Fund from the proceeds of the first sale of revenue bonds issued for the construction of said bridge or other crossing under the provisions of the California Toll Bridge Authority Act; provided, that in the event revenue bonds are not issued and sold for the construction of such toll bridge or other toll highway crossing, any money expended hereunder shall be returned to the State Highway Fund in the State Treasury from the tolls and revenues of the existing San Francisco-Oakland Bay Bridge, but only after all revenue bonds issued and sold by the California Toll Bridge Authority for the construction of said bridge, or for the refunding of the indebtedness thereon, have been fully redeemed and paid and all other obligations of the bridge have been fully satisfied, including the repayment of any other sums presently required by law to be repaid to the State Treasury. The California Toll Bridge Authority is hereby authorized to continue to fix and collect tolls on said bridge for the purpose of reimbursement of the State Highway Fund as required by this proviso."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 653—An act to add Section 220.1 to the Vehicle Code, relating to false reports of thefts of vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Huckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stewart, Thomas, and Tomlinson—69

NOES—None

Bill ordered transmitted to the Senate.

POINT OF ORDER

Mr. Hollibaugh arose to the following point of order: That the special order, Assembly Bill No. 500, should be considered at this time.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bill No 500 was taken up.

Assembly Bill No. 500—An act making appropriations for the support of the State of California and several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, to take effect immediately.

Bill read second time

Speaker Presiding

At 10 40 a m., Hon Sam L. Collins, Speaker of the Assembly, presiding.

Motion

Mr. Lowrey moved that consideration of Assembly Bill No. 500 be postponed, at this time.

Mr. Kilpatrick seconded the motion.

Roll Call Demanded

Messrs. Lowrey, Sherwin, and Dills demanded a roll call.

The roll was called, and the motion by Mr. Lowrey to postpone consideration of the Budget Bill, Assembly Bill No. 500, carried by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Chapel, Clarke, Cloyed, Connolly, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lipscomb, Lowrey, Luckel, Lyon, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stewart, and Thomas—52

NOES—Burke, Caldecott, Collier, George D Collins, Conrad, Fleury, Gaffney, Gubser, Hinckley, Kirkwood, Lanterman, Lincoln, Maloney, McCarthy, Moss, Sherwin, Stanley, and Tomlinson—18.

Speaker Pro Tempore Presiding

At 10.51 a m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding

RESOLUTIONS

The following resolution was offered:

By Mr. Dickey:

House Resolution No. 91

Relative to the publication of the Constitutions of the United States and of the State of California and other historical documents and information

WHEREAS, It is essential that the children of this Nation should be instructed in the principles of Americanism; and

WHEREAS, The information necessary to build a firm knowledge of the principles of good government may be obtained through the study of the Constitution of the United States, the Constitution of the State of California, and other historical documents of the Nation and State; and

WHEREAS, Since such a course of study is required in the schools of the State, it has been customary for many years that the Legislature provide for the printing and free distribution of the Constitution for the use of students and others especially interested in the study of civics; and

WHEREAS, The last edition of the Constitution as compiled and printed by the Assembly is now exhausted, and there are a great number of requests for copies of this publication; now, therefore, be it

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly be and he is hereby directed to compile, revise, and have published a volume similar to those previously issued by the Assembly containing information of an educational nature pertaining to the Legislature of the State of California, together with the Constitutions of the United States and the State of California and other historical documents and information; and be it further

Resolved, That the Chief Clerk is hereby authorized to distribute such publication on request of Members of the Assembly and to others properly entitled thereto; provided that no member receive more than 50 copies; and be it further

Resolved, That the cost of compilation and printing of this publication be charged to and payable from the Legislative Printing Fund.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 91, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, and Waters—68

NOES—None

ANNOUNCEMENTS

Mr. Dickey announced that the hearing on Assembly Joint Resolution No. 22 had been delayed before the Committee on Rules, stated the reason for this delay, and stated that the committee passed this resolution out of committee this morning.

Mr. Dickey announced that a notation will be made in the File as a reminder to all state departments, and other groups represented here, that notices of bills set for hearing will not be mailed, but that interested parties must watch the File for all information pertaining to the setting of bills for hearing.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 698—An act to amend Section 650.6 of the Vehicle Code, relating to equipment of vehicles.

Bill read third time.

Demand for Previous Question

Messrs. Hansen, Lindsay, Gubser, Meyers, and Kirkwood demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 698.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Shaw, Sherwin, Smith, Stanley, Thomas, and Tomlinson—61.

NOES—Burkhalter and Lowrey—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 699—An act to amend Section 650.5 of the Vehicle Code, relating to equipment of vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, and Waters—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 700—An act to amend Section 439 of the Vehicle Code, relating to reporting of vehicles known or suspected to have been abandoned or unlawfully stored.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Porter, Rumford, Shaw, Sherwin, Smith, Thomas, and Waters—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 701—An act to add Section 46.1 to, and amend Section 51 of, the Vehicle Code, relating to definitions of vehicles and equipment.

Bill read third time.

Motion That Assembly Bill No. 701 Be Re-referred to Committee

Mr. Doyle moved that Assembly Bill No. 701 be re-referred to the Committee on Transportation and Commerce.

Mr. Lowrey seconded the motion.

Motion Withdrawn

Mr. Lowrey withdrew his second.

Mr. Doyle withdrew his motion.

The question being on the passage of the bill.

Assembly Bill No. 701 ordered temporarily passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1268

Mr. Belotti asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1268, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1268

Assembly Bill No. 1268—An act to amend Section 378 of the Vehicle Code, relating to delinquent fees of vehicle registration.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, and Thomas—64.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Richard H. McCollister Presiding

At 11.27 a.m., Hon. Richard H McCollister, Member of the Assembly from the Seventh District, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1269

Mr. Belotti asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1269, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1269

Assembly Bill No. 1269—An act to amend Section 132 of the Vehicle Code, relating to granting or refusing applications for registration and transfers of title of vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, and Thomas—67.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 861—An act to amend Sections 353, 458, and 507 of the Streets and Highways Code, relating to state highway routes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick,

Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, and Thomas—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1007—An act to amend Section 175 of the Vehicle Code, relating to signatures required when transferring title or interest in a vehicle.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Holibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, and Thomas—69

NOES—None.

Bill ordered transmitted to the Senate.

ANNOUNCEMENT

Mr. Dickey announced, on behalf of Mr. Beck, a luncheon meeting and Democratic Caucus upon recess, today, at the Hotel Sacramento

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 32—Approving certain amendments to the charter of the City of Torrance, County of Los Angeles, State of California, voted for and ratified by the electors of said City of Torrance at a general municipal election held therein on the eleventh day of April, 1950

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twentieth day of March, 1951, at 11 a m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1541
Assembly Bill No. 1621
Assembly Bill No. 2082

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

RECESS

At 11.35 a.m., on motion of Mr. Dickey, the Assembly recessed until 1.40 p m

REASSEMBLED

At 1.40 p.m., the Assembly reconvened.

Hon Thomas A Maloney, Speaker pro Tempore of the Assembly, presiding

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Bill No. 586
And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Bill No. 831
And reports the same correctly engrossed

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR SPEAKER Your Committee on Legislative Procedure has examined:
Assembly Joint Resolution No. 19
Assembly Joint Resolution No. 24
And reports the same correctly engrossed

BURKE, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR SPEAKER Your Committee on Legislative Procedure has examined:
Assembly Joint Resolution No 22
And reports the same correctly engrossed

BURKE, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR SPEAKER. Your Committee on Legislative Procedure has examined:
Assembly Concurrent Resolution No. 34
And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER Your Committee on Rules, to which were referred:
Assembly Joint Resolution No 19
Assembly Joint Resolution No 22
Has had the same under consideration, and reports the same back with the recommendation Be adopted

DICKEY, Chairman

Above reported resolutions ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR SPEAKER Your Committee on Rules, to which was referred:
Assembly Joint Resolution No 24
Has had the same under consideration, and reports the same back with the recommendation: Be adopted

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Joint Resolution No. 17

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 34

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER. Your Committee on Rules, to which was referred:

Senate Bill No. 1218

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DICKEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 83

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 16

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 898	Assembly Bill No. 331
Assembly Bill No. 1887	Assembly Bill No. 332
Assembly Bill No. 327	Assembly Bill No. 333
Assembly Bill No. 329	Assembly Bill No. 335

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 991
Assembly Bill No. 992
Assembly Bill No. 1676

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

GEDDES, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1951

MR. SPEAKER. Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 323
Assembly Bill No. 324
Assembly Bill No. 325
Assembly Bill No. 326
Assembly Bill No. 328
Assembly Bill No. 330
Assembly Bill No. 334
Assembly Bill No. 336
Assembly Bill No. 337
Assembly Bill No. 338
Assembly Bill No. 339
Assembly Bill No. 1886
Assembly Bill No. 1888
Assembly Bill No. 1920
Assembly Bill No. 2516
Assembly Bill No. 2518
Assembly Bill No. 2820
Assembly Bill No. 3107
Assembly Bill No. 3108

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 2522
Assembly Bill No. 2823

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

GEDDES, Chairman

Above reported bills ordered to second reading.

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER: Your Committee on Military Affairs, to which were referred:

Assembly Bill No. 45
Assembly Bill No. 822

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McCOLLISTER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:

Assembly Bill No. 72

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

McCOLLISTER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:

Assembly Bill No. 1313

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means

McCOLLISTER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER: Your Committee on Military Affairs, to which were referred

Assembly Bill No. 75
Assembly Bill No. 3155
Assembly Bill No. 69
Assembly Bill No. 70
Assembly Bill No. 68

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

McCOLLISTER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER: Your Committee on Military Affairs, to which were referred:

Assembly Bill No. 64
Assembly Bill No. 3207

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

McCOLLISTER, Chairman

Above reported bills ordered re-referred to the Committee on Ways and Means

ABSENCE OF QUORUM SUGGESTED

Mr. Kirkwood suggested the absence of a quorum.

The roll was called.

Call of the Assembly

Mr. Kirkwood moved a call of the Assembly.

Motion carried. Time, 1.45 p m.

The Speaker pro Tempore directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members

Beck, Brady, Brown, Burke, Burkhalter, Chapel, Coats, George D. Collins, Sam L. Collins, Crowley, Davis, Dills, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Hagen, Hawkins, Henderson, Hinckley, Kilpatrick, Lowrey, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, and Thomas—39.

Further Proceedings Under Call of the Assembly Dispensed With on Quorum Call

At 1.54 p m., on motion of Mr. Kirkwood, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the following answered to their names:

Babbage, Belotti, Berry, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Dickey, Dolwig, Doyle, Elliott, Erwin, Geddes, Grant, Gubser, Hahn, Hansen, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McGee, Morris, Porter, Rumford, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—42.

Quorum present.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1701—An act to amend Section 533 of the Vehicle Code, relating to school busses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McFall, McGee, Morris, Niehouse, Parker, Porter, Rosenthal, Rumford, Sullivan, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—49.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1008

Mr. Luckel asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1008, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1008

Assembly Bill No. 1008—An act to amend Section 176 of the Vehicle Code, relating to dating, endorsing, and delivering of certificates of ownership to motor vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Connolly, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Luckel, Lyon, Maloney, McFall, McGee, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Stanley, Stewart, Thomas, Tomlinson, and Waters—47.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1844—An act to add Sections 982.1, 4986.5, and 4986.6 to the Revenue and Taxation Code, and to add Section 1028 to the Probate Code, relating to the taxation of property which has escheated or been distributed to the State.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Connolly, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Geddes, Grant, Gubser, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stewart, Thomas, Tomlinson, and Waters—53.

NOES—George D. Collins and Hagen—2

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Hollibaugh asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 17, at this time, without reference to file.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 17

Senate Joint Resolution No. 17—Relative to memorializing the Congress of the United States immediately to appropriate such funds as may be necessary for national civil defense for the guidance of the states in making available matching funds.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—63.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Rosenthal:

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 337b and 337c of the Penal Code, relating to bribery in connection with sporting events, contests and exhibitions and punishment therefor.

Respectfully submitted.

WILLIAM H. ROSENTHAL

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Rosenthal:

An act to amend Sections 337b and 337c of the Penal Code, relating to bribery in connection with sporting events, contests and exhibitions and punishment therefor.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Grant, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, and Thomas—60.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3384: By Mr. Rosenthal—An act to amend Sections 337b and 337c of the Penal Code, relating to bribery in connection with sporting events, contests and exhibitions and punishment therefor.

Referred to Committee on Judiciary.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Moss:

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act authorizing the expenditure of certain sums for construction, improvements, and equipment of a building in the County of Sacramento for the State Department of the California Highway Patrol, and to add Section 13115.5 to the Government Code, relating to the approval by the Department of Finance of investment of funds by certain state agencies, declaring the urgency thereof, to take effect immediately.

Respectfully submitted.

JOHN E. MOSS, JR.

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Moss:

An act authorizing the expenditure of certain sums for construction, improvements, and equipment of a building in the County of Sacramento for the State Department of the California Highway Patrol, and to add Section 13115.5 to the Government Code, relating to the approval by the Department of Finance of investment of funds by certain state agencies, declaring the urgency thereof, to take effect immediately.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Grant, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, and Thomas—60.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3385: By Mr. Moss: (At Request of Mr. Fleury)—An act authorizing the expenditure of certain sums for construction, improvements, and equipment of a building in the County of

Sacramento for the State Department of the California Highway Patrol, and to add Section 13115.5 to the Government Code, relating to the approval by the Department of Finance of investment of funds by certain state agencies, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 2.10 p.m., Mr. Waters asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Elections and Reapportionment in the Cloak Room, at this time. Subject: Discussion. No bills will be considered.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 836 HOLD PLACE ON FILE

Mr. Stanley asked for, and was granted, unanimous consent that Assembly Bill No. 836 be passed on file, and hold its place on file on the next legislative day.

BILL WITHDRAWN FROM INACTIVE FILE AND PLACED ON THE THIRD READING FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 629, on request of Mr. Erwin.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 701 HOLD PLACE ON FILE

Mr. Belotti asked for, and was granted, unanimous consent that Assembly Bill No. 701 be passed on file, and hold its place on file on the next legislative day.

REQUEST FOR UNANIMOUS CONSENT

Mr. Kelly asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 22, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 22

Assembly Joint Resolution No. 22—Relative to continuing the 27½ percentage depletion rate for oil producing properties in the Internal Revenue Code.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Brady, Brown, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Crowley, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Gubser, Hahn, Hansen, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McGee, McMillan, Morris, Munnell, Niehouse, Porter, Rosenthal, Silliman, Smith, Stewart, Thomas, and Tomlinson—46.

NOES—None.

Resolution ordered transmitted to the Senate.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills No. 831 and 1541 re-referred to the Committee on Public Health

Assembly Bill No. 1621 re-referred to the Committee on Transportation and Commerce.

Assembly Bill No. 2082 re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 586 re-referred to the Committee on Agriculture.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 3 p.m.—

Public Health, in Room 426.
Social Welfare, in Room 430.

At 4 30 p.m.—

Joint Committee on Old Age Assistance Initiative, in Room 432.

At 8 p.m.—

Fish and Game, in Room 426.
Judiciary, in Room 435.
Elections and Reapportionment, in Assembly Chamber.

Today upon adjournment—

Agriculture, in Room 432.

Tomorrow, Wednesday, March 21st, at 9 30 a.m.—

Rules, in Room 319.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Gubser, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Camille Warner of Sacramento.

On request of the Alameda Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Bea Aikin, Jr., Mrs. Harold Osborn, and the following Cubs, Pack 2, Den 4, Montclair District, Oakland: Bruce Osborn, Chad Dressler, Dale Phelan, Robert Hampton, John Noble, Tommy Nicholl, Ben Aikin III, and Lionel Aiken.

On request of Mr. Cooke, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Wilder Modine of Santa Paula.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Harold Green of Sacramento and the following members of Cub Scouts, Den 2, Pack 3112 of Riverside School of Sacramento; Tommy Green, Ronnie Cate, Roger Brondt, Clifford Mumford, Stephen Evans, and Gerald Stevenson.

On request of Mr. Lowrey, the usual courtesies of the Assembly for this day were unanimously extended to the following pupils of the Orland Joint Union School: Winifred Macey, Jackie Studebaker, Belva Ellsworth, Homer E. Ellsworth, James Ellsworth, and Dorothy M. Gordon.

On request of Mr. Chapel, the usual courtesies of the Assembly for this day were unanimously extended to W. J. Worthington of Los Angeles.

On request of Mr. Grunsky, the usual courtesies of the Assembly for this day were unanimously extended to Mrs M. B McCown, Mrs. Walter Clonts, E. P. Bond, Mrs. E. P. Bond, Mrs H. Bentley, Dorothy T. Bowe, Donald D Jameson of Santa Cruz, and the following pupils of the Scotts Valley Union School: Loye Bentley, Joyce Bond, Gladys Clonts, Jimmy Downing, Betty Fader, Billy Herbert, Howard Huston, Joanne Kofoed, Patsy Kofoed, Lorna La Porte, Roberta Matis, Kay McCown, Floyd Moser, John Mulkin, Donnell Patterson, Barbara Sleath, Charles Smith, Jo Anne Suess, Lucille Suess, Zora Taylor, Louis Van Brenk, Willa Weaver, and Joy Young.

On request of Mr Condon, the usual courtesies of the Assembly for this day were unanimously extended to Mrs Ralph Tuney, C. O. Romwall, Miss Alice Molliet, Mrs Dolly Dominguez, and Frank Dal Porto of Oakley, and the following pupils of the Oakley Union School: Harold Seale, Roger Ball, Joe Ribeiro, Joe Rodriguez, Leon Bevill, Erwin Osburne, Ernest Weder, Bob Beck, Bob Davis, Carl Smith, Frank Davis, Bill Sylvester, Patricia Wolfe, Eudene Hix, Judy Tuney, Geraldine Mathews, Doyle Rogers, Virginia Shrader, Billy McClendon, Alfred Silveira, Shirley Pennington, Leroy Clements, Lem Weder, Edith Lundsford, Billy Burton, Frank Andronica, John Johnson, Joe Devera, Helen Ames, Roy Bloodworth, Betty Warren, James Gaddis, Beulah Moss, Betty Reed, Gerald Skaggs, Bonnie Skaggs, Arthur Lyons, June McClelland, Rosalyn DeJesus, Corrine Jenner, Betty Tuney, Shirley Wright, Kay McCormack, Betty Gray, and Katherine Lane.

On request of Mr Coats, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Burke Riley and Michael and Timothy Riley of Chico.

On request of Mr. Moss, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Floyd Clouse, Marcia and Cheryl Clouse, and Jeffrey Kauffman of Sacramento.

On request of Mr Sherwin, the usual courtesies of the Assembly for this day were unanimously extended to Sister Mary Baptista and Sister Ethel Mary, teachers, and the following pupils of the Holy Names High School of Oakland: Claire Abacot, Arlene Albers, Barbara Albers, Lois Alvers, Mary Ann Bareilles, Sarah Barry, Virginia Beaudin, Lucy Bernal, Rosemary Betschart, Suzanne Brady, Margaret Brennan, Carole Callaghan, Gail Carpenter, Teddy Chlentzos, Corinne Christianson, Darlene Coulson, Barbara Cronin, Anna Crosetti, Katherine Curach, Marian Curach, Barbara Damele, Mary Theresa Davoren, Barbara DeAndre, Ruth Guevara, Patricia Harker, Patricia Hayes, Aileen Hegarty, Janet Jacobs, Annette Kearns, Kay Kelly, Sally Kennedy, Dolores Kimbrough, Marilyn Kinard, Mary Ann Klingler, Tede Korb, Eileen Lamb, Mary

Frances Lewis, Frances Madden, Ann Marie Mahrt, Patricia Malloy, Mary Kay Manning, Phyllis McConnell, Jeanne McInnis, Marilyn McLauchlin, Mary Ann McNamara, Kathleen O'Sullivan, Coleen Page, Josephine Parrinello, Marcia Patch, Eleanor Pearce, Diane Phillips, Jeanette Pillars, Frances Puhar, Doris Razzano, Patricia Rice, Rosemary Rice, Jeanne Roach, Elizabeth Roddy, Barbara Saur, Mary Evelyn Signer, Dolores Silva, Rae Smith, Marcia Sparks, LaVerne Spotorno, Gloria Stonehouse, Antoinette Strei, Delia Stretch, Ann Dolan, Martha Doyle, Loretta Duarte, Barbara Fraga, Rosemary Freuler, Michele Glavinovich, Beth Gray, Leila Miles, Jean Mulaskey, Dolores Nobilo, Genevieve Nolan, Draga Novak, Joan O'Connor, Jeanette Oliva, Mary Lou Taylor, Mary Tigh, Terry Towey, Virginia Valdivia, Carol Weger, Betty Wheeler, Mary Ann Wilson, Marian Wright and Joan Wilkerson.

On request of The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Miss Mildred Watson of Orange and Ralph E. Swing, former Senator from San Bernardino

On request of Mr. McFall, the usual courtesies of the Assembly for this day were unanimously extended to Lawrence De Ricco, teacher, and the following pupils of the Castle School: Dexter Kent, Virginia Bordenkircher, Jean Cardozo, and Mary Booth.

ADJOURNMENT

At 2.16 p.m., on motion of Mr. Dunn, the Speaker pro Tempore declared the Assembly adjourned until 10 a.m., Wednesday, March 21, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

TWENTIETH LEGISLATIVE DAY

TWENTY-SIXTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, March 21, 1951

The Assembly met at 10 a m.

Hon Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Nichouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr Clarence A. Kircher:

Almighty God, whom our fathers trusted, we thank Thee for the privileges of this new day We seek Thy blessing and direction upon all who are in places of responsibility

Clear our minds for the duties of this day Give us courage to change what ought to be changed, patience to bear what cannot be changed and wisdom to tell one from the other.

"I know not what the Future hath
Of marvel or surprise.
Assured alone that life and death
His mercy underlies.
And Thou, O Lord! by whom are seen
Thy creatures as they be,
Forgive me if too close I lean
My human heart on Thee."

In Jesus' name.—AMEN

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Munnell, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Cooke, on motion of Mr. Davis.
Mr. Butters, on motion of Mr. Davis.
Mr. Grunsky, on motion of Mr. Davis.
Mr. Condon, on motion of Mr. Hagen.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 259

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 629 BE RE-REFERRED TO COMMITTEE

Mr. Erwin asked for, and was granted, unanimous consent that Assembly Bill No. 629 be withdrawn from the third reading file, and be re-referred to the Committee on Ways and Means.

RESOLUTIONS

The following resolutions were offered:

By Messrs. Maloney, Lyon, and Sam L. Collins:

House Resolution No. 92

Congratulating Governor Warren upon his birthday anniversary

WHEREAS, On the nineteenth day of March, in the midst of his busy program conducting the affairs of State, our esteemed Governor, Earl Warren, is celebrating his sixtieth birthday anniversary; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly on behalf of the people of the State of California hereby congratulate Governor Warren and extend to him heartiest felicitations upon the anniversary of his birth; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to Governor Earl Warren as an expression of the warmest regard in which the members hold him and of their good wishes on his birthday.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 92, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

By Mr. Kilpatrick:

House Resolution No. 93

Relative to the licensing of parking lots and the revenue derived therefrom

WHEREAS, The annual license revenue derived from 1,100 licensed parking lots in the City of Los Angeles is only $26,000, or about one-fourth of the total license revenue collected from other licensed businesses in that community; and

WHEREAS, It would appear that the sum mentioned is relatively incommensurate with the dollar magnitude of the parking lot business in the City of Los Angeles; and

WHEREAS, The revenue derived from the licensing of parking lots in the City of Los Angeles is far below the cost of the public services received by such lots; and

WHEREAS, It is fit and proper that all businesses should, by way of license fees or otherwise, pay an adequate compensation for public services rendered them; and

WHEREAS, The situation in the City of Los Angeles regarding parking lots may also exist elsewhere in the State; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on State and Local Taxation (created by House Resolution No. 133 of the 1949 General Session) is hereby directed to hold hearings throughout the State of California, and particularly in the City of Los Angeles, for the purpose of investigating, ascertaining, and studying the facts regarding the licensing of parking lots and the revenue derived therefrom; and be it further

Resolved, That the committee submit a report to the Legislature containing its findings on such investigation and study, together with such recommendations for legislation on the subject as may seem necessary.

Resolution read, and ordered referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which were referred:

Assembly Bill No. 141
Assembly Bill No. 41
Assembly Bill No. 42

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WATERS, Chairman

Above reported bills ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT THAT PROPOSED COMMITTEE AMENDMENTS TO ASSEMBLY BILLS NOS. 141, 41, AND 42 BE PRINTED IN JOURNAL

Mr. Beck asked for, and was granted, unanimous consent that the amendments proposed by the Committee on Elections and Reapportionment to Assembly Bills Nos. 141, 41, and 42 be ordered printed in the Journal, without action, at this time.

PROPOSED COMMITTEE AMENDMENTS TO ASSEMBLY BILL NO. 141

Assembly Bill No. 141—An act to add Section 481 to the Government Code, relating to the division of the State into districts for the election of Legislative Representatives.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 481 to", and insert "amend Section 480 of".

Amendment No. 2

In line 2 of the title of said bill, after "into", insert "Senatorial".

Amendment No. 3

In lines 2 and 3 of the title of said bill, strike out "for the election of Legislative Representatives".

Amendment No. 4

On page 1, line 1, of said bill, strike out "481 is added to", and insert "480 of".

Amendment No. 5

On page 1, line 1, of said bill, strike out the comma, and insert "is amended".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 6

On page 1 of said bill, strike out lines 3 to 5, inclusive, and insert

"480. The State is divided into 40 senatorial districts, which shall be designated and constituted as follows:

1. The Counties of Modoc, Lassen and Plumas shall constitute the First Senatorial District.
2. The Counties of Del Norte and Siskiyou shall constitute the Second Senatorial District.
3. The County of Humboldt shall constitute the Third Senatorial District.
4. The Counties of Mendocino and Lake shall constitute the Fourth Senatorial District.
5. The Counties of Trinity and Shasta shall constitute the Fifth Senatorial District.
6. The County of Butte shall constitute the Sixth Senatorial District.
7. The Counties of Sierra, Nevada and Placer shall constitute the Seventh Senatorial District.
8. The Counties of Tehama, Glenn and Colusa shall constitute the Eighth Senatorial District.
9. The Counties of El Dorado[,] *and* Amador [and Alpine] shall constitute the Ninth Senatorial District.
10. The Counties of Yuba and Sutter shall constitute the Tenth Senatorial District.
11. The Counties of Napa and Yolo shall constitute the Eleventh Senatorial District.
12. The County of Sonoma shall constitute the Twelfth Senatorial District
13. The County of Marin shall constitute the Thirteenth Senatorial District.
14. The City and County of San Francisco shall constitute the Fourteenth Senatorial District.
15. The County of Solano shall constitute the Fifteenth Senatorial District.
16. The County of Alameda shall constitute the Sixteenth Senatorial District.
17. The County of Contra Costa shall constitute the Seventeenth Senatorial District
18. The County of Santa Clara shall constitute the Eighteenth Senatorial District
19. The County of Sacramento shall constitute the Nineteenth Senatorial District.
20. The County of San Joaquin shall constitute the Twentieth Senatorial District.
21. The County of San Mateo shall constitute the Twenty-first Senatorial District.
22. The County of Stanislaus shall constitute the Twenty-second Senatorial District.
23. The [County] *Counties* of Santa Cruz *and San Benito* shall constitute the Twenty-third Senatorial District
24. The Counties of Merced and Madera shall constitute the Twenty-fourth Senatorial District.
25. The [Counties] *County* of Monterey [and San Benito] shall constitute the Twenty-fifth Senatorial District
26. The Counties of Tuolumne, Mariposa and Calaveras shall constitute the Twenty-sixth Senatorial District
27. The County of Kings shall constitute the Twenty-seventh Senatorial District.
28. The Counties of *Alpine*, Mono and Inyo shall constitute the Twenty-eighth Senatorial District.
29. The County of San Luis Obispo shall constitute the Twenty-ninth Senatorial District.
30. The County of Fresno shall constitute the Thirtieth Senatorial District.
31. The County of Santa Barbara shall constitute the Thirty-first Senatorial District.
32. The County of Tulare shall constitute the Thirty-second Senatorial District.
33. The County of Ventura shall constitute the Thirty-third Senatorial District
34. The County of Kern shall constitute the Thirty-fourth Senatorial District.
35. The County of Orange shall constitute the Thirty-fifth Senatorial District.
36. The County of San Bernardino shall constitute the Thirty-sixth Senatorial District.
37. The County of Riverside shall constitute the Thirty-seventh Senatorial District
38. The County of Los Angeles shall constitute the Thirty-eighth Senatorial District.
39. The County of Imperial shall constitute the Thirty-ninth Senatorial District.
40. The County of San Diego shall constitute the Fortieth Senatorial District."

PROPOSED COMMITTEE AMENDMENTS TO ASSEMBLY BILL NO. 41

Assembly Bill No. 41—An act to add Section 492 to the Government Code, relating to the division of the State into districts for the election of Legislative Representatives

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 492 to", and insert "repeal existing Section 491 of, and to add new Section 491 to,".

Amendment No. 2

In line 2 of the title of said bill, after "into", insert "Assembly".

Amendment No. 3

In lines 2 and 3 of the title of said bill, strike out "for the election of Legislative Representatives".

Amendment No. 4

On page 1, line 1, of said bill, strike out "492 is added to", and insert "491 of".

Amendment No. 5

On page 1, lines 1 and 2, of said bill, strike out ", to read:", and insert "is repealed"

Amendment No. 6

On page 1 of said bill, strike out lines 3 to 5, inclusive, and insert

"SEC. 2. Section 491 is added to said code, to read

491. The State is divided into 80 assembly districts, which shall be designated and constituted as follows:

1. The Counties of Del Norte, Humboldt and Mendocino shall constitute the First Assembly District.

2. The Counties of Trinity, Shasta, Siskiyou, Modoc, Lassen, Plumas and Sierra shall constitute the Second Assembly District.

3. The Counties of Tehama, Glenn, Lake, Colusa and Yolo shall constitute the Third Assembly District.

4. The Counties of Butte, Yuba and Sutter shall constitute the Fourth Assembly District.

5. The Counties of Napa and Solano shall constitute the Fifth Assembly District.

6. The Counties of Nevada, Placer, El Dorado, Amador, Calaveras, Alpine, Tuolumne, Mariposa, Inyo and Mono shall constitute the Sixth Assembly District.

7. The Counties of Sonoma and Marin shall constitute the Seventh Assembly District.

8. All that portion of the County of Sacramento bounded and described as follows:

Commencing at the point of intersection of an extension of the center line of K Street in the City of Sacramento with the westerly boundary of the county; thence easterly along the center line of K Street to the center line of Alhambra Boulevard; thence southerly along the center line of Alhambra Boulevard to the center line of R Street; thence easterly along the extension of the center line of R Street to the center of the intersection of Fortieth Street with R Street; thence continuing easterly along the center line of R Street and an easterly extension of R Street to the easterly boundary of the City of Sacramento; thence northerly along the easterly boundary of said city to the intersection of said city boundary with the middle of the channel of the American River; thence easterly along the middle of the channel of the American River to the intersection of said river with the northerly boundary of the County of Sacramento; thence westerly along the northerly boundary of said county to the easterly boundary of said county; thence southerly along the westerly boundary of said county to the point of commencement, shall constitute the Eighth Assembly District.

9. All that portion of the County of Sacramento not included in the Eighth Assembly District, as fixed and defined by this section, shall constitute the Ninth Assembly District.

10. All that portion of the County of Contra Costa included in and comprising the first supervisorial district as the same existed on January 1, 1951, with the exception of South Berkeley Park Precinct and Kensington Precincts 1 to 8, inclusive, shall constitute the Tenth Assembly District.

11. All that portion of the County of Contra Costa not included in the Tenth Assembly District, as fixed and defined by this section, shall constitute the Eleventh Assembly District.

12. The County of San Joaquin shall constitute the Twelfth Assembly District.

13. All that portion of the County of Alameda, described as follows:

All that portion of the County of Alameda lying southerly and easterly of a line described as follows:

Commencing at the point of intersection of the westerly boundary line of the County of Alameda with the line separating Eden Township from Alameda Township; thence easterly and northerly along the southerly and easterly boundary lines of Alameda Township to the line separating Eden Township from Brooklyn Township; thence in a general easterly direction along the southerly boundary line of Brooklyn Township to the southwesterly boundary line of the City of San Leandro, thence southeasterly, northeasterly, northwesterly and southwesterly along the southwesterly, southeasterly, northeasterly and northwesterly boundary lines of the City of San Leandro to the center line of East Fourteenth Street; thence northwesterly along the center line of East Fourteenth Street to the center line of Ninety-eighth Avenue; thence southwesterly along the center line of Ninety-eighth Avenue to the center line of the right of way of the Central Pacific Railway; thence northwesterly along the center line of the right of way of the Central Pacific Railway to the center line of High Street; thence northeasterly along the center line of High Street to the center line of East Fourteenth Street; thence southeasterly along the center line of East Fourteenth Street to the center line of Sixty-ninth Avenue; thence northeasterly along the center line of Sixty-ninth Avenue to the center line of Flora Street; thence northwesterly along the center line of Flora Street to the center line of Church Street; thence northeasterly and northerly along the center line of Church Street to the center line of Foothill Boulevard; thence easterly and southeasterly along the center line of Foothill Boulevard to the center line of Ninety-eighth Avenue; thence northeasterly along the center line of Ninety-eighth Avenue to the center line of Golf Links Road; thence in a general easterly direction, following along the center line of Gold Links Road to the center line of Grass Valley Road; thence northeasterly along the center line of Grass Valley Road to an intersection with the line separating Brooklyn Township from Eden Township; thence northerly along the westerly boundary line of Eden Township to an intersection with the northerly boundary line of the County of Alameda, shall constitute the Thirteenth Assembly District.

14. All that portion of the County of Alameda, described as follows:

Commencing at the point of intersection of the westerly boundary line of the County of Alameda with the line separating Eden Township from Alameda Township; thence easterly and northerly along the southerly and easterly boundary lines of Alameda Township to the line separating Eden Township from Brooklyn Township; thence in a general easterly direction along the southerly boundary line of Brooklyn Township to the southwesterly boundary line of the City of San Leandro; thence southeasterly, northeasterly, northwesterly and southwesterly along the southwesterly, southeasterly, northeasterly and northwesterly boundary lines of the City of San Leandro to the center line of East Fourteenth Street; thence northwesterly along the center line of East Fourteenth Street to the center line of Ninety-eighth Avenue; thence southwesterly along the center line of Ninety-eighth Avenue to the center line of the right of way of the Central Pacific Railway; thence northwesterly along the center line of the right of way of the Central Pacific Railway to the center line of High Street; thence southwesterly along the center line of High Street to the southwesterly boundary line of the City of Oakland; thence northwesterly along the southwesterly boundary line of the City of Oakland to an intersection with the direct extension southwesterly of the center line of Thirteenth Avenue; thence northeasterly along said direct extension and along the center line of Thirteenth Avenue to the center line of Hopkins Street; thence northwesterly along the center line of Hopkins Street to the center line of Excelsior Avenue; thence continuing northwesterly along the center line of Excelsior Avenue to the center line of Lake Shore Avenue; thence southwesterly along the center line of Lake Shore Avenue to an intersection with the line separating Oakland Township from Brooklyn Township; thence northwesterly and southwesterly along the line separating Oakland Township from Brooklyn Township to the northerly boundary line of the City of Alameda; thence westerly along the northerly boundary line of the City of Alameda to an intersection with the westerly boundary line of the County of Alameda; and thence southeasterly along the westerly boundary line of the County of Alameda to the point of commencement, shall constitute the Fourteenth Assembly District.

15. All that portion of the County of Alameda described as follows:

Commencing at the point of intersection of the northeasterly boundary line of the County of Alameda with the direct extension easterly of the center line of Park Boulevard; thence westerly along said direct extension easterly of the center line of Park Boulevard, and continuing in a general southwesterly direction along the center line of Park Boulevard, following along the curvature thereof to the center line of Sausal Creek; thence westerly and southwesterly along the center line of Sausal Creek to the center line of Park Boulevard; thence southwesterly along the center line of Park Boulevard to an intersection with the direct extension southeasterly of the northeasterly boundary line of the City of Piedmont; thence northwesterly along said direct extension to the most easterly corner of the City of Piedmont; thence southwesterly along the southeasterly boundary line of the City of Piedmont to the most southerly

corner thereof; thence southeasterly along the direct extension southeasterly of the southwesterly boundary line of the City of Piedmont to the center line of Park Boulevard; thence southwesterly along the center line of Park Boulevard to the center line of Thirteenth Avenue; thence continuing southwesterly along the center line of Thirteenth Avenue and along its direct extension southwesterly to the southwesterly boundary line of the City of Oakland; thence southeasterly along the southwesterly boundary line of the City of Oakland to the center line of High Street; thence northeasterly along the center line of High Street to the enter line of East Fourteenth Street; thence southeasterly along the center line of East Fourteenth Street to the center line of Sixty-ninth Avenue; thence northeasterly along the center line of Sixty-ninth Avenue to the center line of Flora Street; thence northwesterly along the center line of Flora Street to the center line of Church Street; thence northeasterly and northerly along the center line of Church Street to the center line of Foothill Boulevard; thence easterly and southeasterly along the center line of Foothill Boulevard to the center line of Ninety-eighth Avenue; thence northeasterly along the center line of Ninety-eighth Avenue to the center line of Golf Links Road; thence in a general easterly direction, following along the center line of Golf Links Road to the center line of Grass Valley Road; thence northeasterly along the center line of Grass Valley Road to an intersection with the line separating Brooklyn Township from Eden Township, thence northerly along the westerly boundary line of Eden Township to an intersection with the northerly boundary line of the County of Alameda; and thence northwesterly along the northerly boundary line of the County of Alameda to the point of commencement, shall constitute the Fifteenth Assembly District.

16 All that portion of Alameda County described as follows:

Commencing at the point of intersection of the easterly boundary line of the City of Berkeley with the northerly boundary line of the City of Alameda; thence southeasterly along the northeasterly boundary line of the County of Alameda to the point of intersection with the direct extension easterly of the center line of Park Boulevard, thence westerly along said direct extension easterly of the center line of Park Boulevard, and continuing in a general southwesterly direction along the center line of Park Boulevard, following along the meanders thereof to the center line of Sausal Creek; thence westerly and southwesterly along the center line of Sausal Creek to the center line of Park Boulevard, thence southwesterly along the center line of Park Boulevard to an intersection with the direct extension southeasterly of the northeasterly boundary line of the City of Piedmont, thence northwesterly along said direct extension to the most easterly corner of the City of Piedmont; thence southwesterly along the southeasterly boundary line of the City of Piedmont to the most southerly corner thereof; thence southeasterly along the direct extension southeasterly of the southwesterly boundary line of the City of Piedmont to the center line of Park Boulevard; thence southwesterly along the center line of Park Boulevard to the center line of Thirteenth Avenue; thence continuing southwesterly along the center line of Thirteenth Avenue to the center line of Hopkins Street; thence northwesterly along the center line of Hopkins Street to the center line of Excelsior Avenue; thence continuing northwesterly along the center line of Excelsior Avenue to the center line of Lake Shore Avenue; thence southwesterly along the center line of Lake Shore Avenue to an intersection with the line separating Oakland Township from Brooklyn Township; thence northwesterly and southwesterly along the line separating Oakland Township from Brooklyn Township to the center line of Twelfth Street; thence northwesterly along the center line of Twelfth Street to the center line of Fallon Street; thence northeasterly along the center line of Fallon Street to the center line of Fourteenth Street; thence northerly and northwesterly along the center line of Fourteenth Street to the center line of Harrison Street; thence northeasterly along the center line of Harrison Street to the center line of Nineteenth Street; thence northwesterly along the center line of Nineteenth Street to the center line of Telegraph Avenue; thence northerly along the center line of Telegraph Avenue to the center line of Shattuck Avenue; thence continuing northerly along the center line of Shattuck Avenue to an intersection with the southerly boundary line of the City of Berkeley; and thence in a general easterly and northerly direction along the southerly and easterly boundary lines of the City of Berkeley to the point of commencement, shall constitute the Sixteenth Assembly District.

17 All that portion of Alameda County described as follows:

Commencing at the point of intersection of the Berkeley-Albany city boundary line with the westerly boundary line of the County of Alameda; thence easterly along said city boundary line to the center line of San Pablo Avenue; thence southerly along the center line of San Pablo Avenue to the center line of Dwight Way; thence easterly along the center line of Dwight Way to the center line of Grove Street; thence southerly along the center line of Grove Street to Derby Street; thence easterly to an intersection with the direct extension northerly of the center line of Shattuck Avenue, as said Shattuck Avenue exists south of Ward Street; thence southerly along said direct extension and along the center line of Shattuck Avenue to the center line of Telegraph Avenue; thence continuing southerly along the center line of Telegraph Avenue to the center line of Nineteenth Street; thence southeasterly along the center line of Nineteenth Street to the center line of Harrison Street; thence southwesterly along the

center line of Harrison Street to the center line of Fourteenth Street; thence southeasterly and southerly along the center line of Fourteenth Street to the center line of Fallon Street; thence southwesterly along the center line of Fallon Street to the center line of Twelfth Street; thence southeasterly along the center line of Twelfth Street to an intersection with the line separating Oakland Township from Brooklyn Township; thence southwesterly along the line separating Oakland Township from Brooklyn Township to the southwesterly boundary line of the City of Oakland; thence westerly along the southwesterly boundary line of the City of Oakland to the southwest corner thereof being on the westerly boundary line of the County of Alameda; and thence northwesterly along the westerly boundary line of the County of Alameda to the point of commencement, shall constitute the Seventeenth Assembly District

18. All that portion of Alameda County described as follows:

Commencing at the point of intersection of the Berkeley-Albany city boundary line with the westerly boundary line of the County of Alameda; thence northwesterly along the westerly boundary line of the County of Alameda to the northwest corner thereof; thence easterly and southeasterly along the northerly boundary line of the County of Alameda to the easterly boundary line of the City of Berkeley; thence in a general southerly and westerly direction along the easterly and southerly boundary lines of the City of Berkeley to the center line of Shattuck Avenue; thence northerly along the center line of Shattuck Avenue and along its direct extension northerly to the center line of Derby Street; thence westerly along the center line of Derby Street to the center line of Grove Street; thence northerly along the center line of Grove Street to the center line of Dwight Way; thence westerly to the center line of San Pablo Avenue; thence northerly to the intersection of San Pablo Avenue with the Berkeley-Albany line; thence westerly along the Berkeley-Albany line to the point of commencement, shall constitute the Eighteenth Assembly District.

19. All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the point of intersection of the center line of Moraga Street and the shoreline of the Pacific Ocean; thence along the center line of the following streets: Moraga to Lomita Avenue, Lomita Avenue to Aloha Avenue, Aloha Avenue to Fourteenth Avenue, Fourteenth Avenue to Moraga, Moraga to Seventh Avenue, Seventh Avenue to Laguna Honda Boulevard, Laguna Honda Boulevard to Woodside Avenue, Woodside Avenue to Portola Drive, Portola Drive to Stanford Heights Avenue, Stanford Heights Avenue to O'Shaughnessy Boulevard, O'Shaughnessy Boulevard to Bosworth, Bosworth to Lyell, Lyell to Alemany Boulevard, Alemany Boulevard to Admiral Avenue, Admiral Avenue to Mission, Mission to the boundary line separating the City and County of San Francisco from the County of San Mateo, westerly along said boundary line to the shoreline of the Pacific Ocean, northerly along said shoreline to the center line of Moraga Street and the point of commencement, shall constitute the Nineteenth Assembly District.

20. All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the point of intersection of the center line of Leavenworth Street and the shoreline of the Bay of San Francisco; thence along the center lines of the following streets: Leavenworth to Columbus Avenue, Columbus Avenue to Mason, Mason to Market, Market to Valencia, Valencia to Mission, Mission to Cortland Avenue, Cortland Avenue to Bay Shore Boulevard, Bay Shore Boulevard to Silver Avenue, Silver Avenue to Quesada Avenue, Quesada to Quint, Quint to Oakdale Avenue, Oakdale Avenue to Third, Third to Islais; thence easterly along said Islais Street to the shoreline of the Bay of San Francisco; thence northerly and westerly along said shoreline to the center line of Leavenworth Street and the point of commencement, and including all the piers and islands in the Bay of San Francisco, and the islands in the Pacific Ocean which are within the territorial boundaries of the City and County of San Francisco, shall constitute the Twentieth Assembly District

21. All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the point of intersection of the center line of Leavenworth Street and the shoreline of the Bay of San Francisco; thence along the center line of the following streets: Leavenworth to Columbus Avenue, Columbus Avenue to Mason, Mason to California, California to Arguello Boulevard, Arguello Boulevard to Geary Boulevard, Geary Boulevard to Point Lobos Avenue; thence westerly along Point Lobos Avenue to the shoreline of the Pacific Ocean, northerly along said shoreline to the shoreline of the Bay of San Francisco, easterly along said shoreline of the Bay of San Francisco to Leavenworth Street and the point of commencement, shall constitute the Twenty-first Assembly District

22. All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the point of intersection of the center line of Presidio Avenue with the center line of California Street; thence along the center lines of the following streets: Presidio Avenue to Post, Post to Baker, Baker to St. Joseph's Avenue, St. Joseph's Avenue to Turk, Turk to Baker, Baker to Haight, Haight to Scott, Scott to Duboce, Duboce to Sanchez, Sanchez to Market, Market to Portola Drive,

Portola Drive to Woodside Avenue, Woodside Avenue to Laguna Honda Boulevard, Laguna Honda Boulevard to Seventh Avenue, Seventh Avenue to Moraga, Moraga to Fourteenth Avenue, Fourteenth Avenue to Aloha, Aloha Avenue to Lomita Avenue, Lomita Avenue to Moraga, Moraga to the shoreline of the Pacific Ocean; thence northerly along said shoreline to Point Lobos Avenue, Point Lobos Avenue to Geary Boulevard, Geary Boulevard to Arguello Boulevard, Arguello Boulevard to California, California to Presidio Avenue and the point of commencement, shall constitute the Twenty-second Assembly District

23. All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the point of intersection of the center line of Mission Street and the boundary line separating the City and County of San Francisco from the County of San Mateo, thence easterly along said boundary line to the shoreline of the Bay of San Francisco; thence northerly and westerly along said shoreline of the Bay of San Francisco to the center line of Islais Street, thence along the center lines of the following streets, Islais to Third, Third to Oakdale Avenue, Oakdale Avenue to Quint, Quint to Quesada Avenue, Quesada Avenue to Silver Avenue, Silver Avenue to Bay Shore Boulevard, Bay Shore Boulevard to Cortland Avenue, Cortland Avenue to Mission, Mission to Valencia, Valencia to Seventeenth, Seventeenth to Market, Market to Portola Drive, Portola Drive to Stanford Heights Avenue, Stanford Heights Avenue to O'Shaughnessy Boulevard, O'Shaughnessy Boulevard to Bosworth, Bosworth to Lyell, Lyell to Alemany Boulevard, Alemany Boulevard to Admiral Avenue, Admiral Avenue to Mission, Mission to the boundary line separating the City and County of San Francisco from the County of San Mateo, and the point of commencement, shall constitute the Twenty-third Assembly District

24. All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the intersection of the center line of Valencia Street with the center line of Seventeenth Street, thence along the center lines of the following streets Valencia to Market, Market to Mason, Mason to California, California to Presidio Avenue, Presidio Avenue to Post, Post to Baker, Baker to St. Joseph's Avenue, St. Joseph's Avenue to Turk, Turk to Baker, Baker to Haight, Haight to Scott, Scott to Duboce, Duboce to Sanchez, Sanchez to Market, Market to Seventeenth, Seventeenth to Valencia and the point of commencement, shall constitute the Twenty-fourth Assembly District.

25. All that portion of the County of San Mateo, bounded and described as follows:

Commencing at a point where a line dividing the City and County of San Francisco and the County of San Mateo intersects the shoreline of the Pacific Ocean, and running thence easterly along said dividing line to the easterly boundary line of San Mateo County in San Francisco Bay; thence southeasterly along said easterly boundary line of San Mateo County to a point where said boundary line is intersected by the easterly prolongation of the one-quarter section line running east and west through the center of Section 10, Township 4 South, Range 4 West, M D.B. & M.; thence west along said easterly prolongation and continuing west along the one-quarter section line of Sections 10, 9, and 8 in said Township and Range to the Northwest corner of the Southwest quarter of Section 8 in said Township and Range, said point being in the line dividing the City of Burlingame and the City of San Mateo; thence in a general southerly direction along said dividing line to its intersection with the northeasterly right-of-way line of the Southern Pacific Company; thence southeasterly along the northeasterly right-of-way line of said Southern Pacific Company to its intersection with the center line of Nineteenth Avenue (now or formerly County Road No. 16); thence southwesterly along the center line of said Nineteenth Avenue and the southwesterly prolongation of said center line to the southwesterly boundary line of State Highway IV SM 2, commonly known as El Camino Real; thence southeasterly along the said southwesterly boundary line to its intersection with the southeasterly boundary line of that certain 53-acre tract of land described as Parcel Two in that certain deed to Alice Cotton, et al, recorded July 7, 1926, in Volume 245 of Official Records at page 106, Records of San Mateo County; thence southwesterly along the southeasterly line of said 53-acre tract of land to the most easterly corner of Lot 511 as said lot is shown on that certain map entitled "San Mateo City Homestead Association" recorded February 20, 1872, in Volume A of Maps at page 43 and a copy entered in Book 1 of Maps at page 46, Records of San Mateo County, said corner being in the corporate limit line of the City of San Mateo; thence southwesterly along the corporate limit line of said City of San Mateo and continuing southwesterly along the corporate limit line of the Town of Hillsborough to the most southerly corner in said corporate limit line; thence in a general northwesterly direction along the westerly corporate limit line of said Town of Hillsborough to the intersection of said line with the southerly line of the Buri Buri Rancho; thence in a general northwesterly direction along the southerly and westerly line of said Buri Buri Rancho to its intersection with the southerly line of the San Pedro Rancho; thence southwesterly along the southerly line of said San Pedro Rancho to the shoreline of the Pacific Ocean; thence in a general northerly direction along the shoreline of the Pacific Ocean to the point of commencement, shall constitute the Twenty-fifth Assembly District.

26. All that portion of the County of San Mateo, bounded and described as follows:

Commencing at the southwest corner, being the west corner of Santa Cruz County as established in Section 3952; thence on the northwestern line of Santa Cruz County as established in said section, to the southwestern line of Santa Clara County, being the summit line of the Santa Cruz Mountains; thence northwesterly by said summit line to the source of San Francisquito Creek; thence down the south branch thereof, and down said creek to its mouth; thence to a point in the middle of San Francisco Bay, opposite said mouth, forming a common corner of San Mateo, Santa Clara and Alameda Counties; thence in a direct line to a point in the center of ship channel in the Bay of San Francisco west of and opposite to Dumbarton Point; thence in a direct line to a point where said boundary line is intersected by the easterly prolongation of the one-quarter section line running east and west through the center of Section 10, Township 4 South, Range 4 West, M D.B. & M.; thence west along said easterly prolongation and continuing west along the one-quarter section line of Sections 10, 9 and 8 in said township and range to the northwest corner of the southwest quarter of Section 8 in said township and range, said point being in the line dividing the City of Burlingame and the City of San Mateo; thence in a general southerly direction along said dividing line to its intersection with the northeasterly right-of-way line of the Southern Pacific Company; thence southeasterly along the northeasterly right-of-way line of said Southern Pacific Company to its intersection with the center line of Nineteenth Avenue (now or formerly County Road No. 16); thence southwesterly along the center line of said Nineteenth Avenue and the southwesterly prolongation of said center line to the southwesterly boundary line of State Highway IVSM2, commonly known as El Camino Real; thence southeasterly along the said southwesterly boundary line to its intersection with the southeasterly boundary line of that certain 53-acre tract of land described as Parcel Two in that certain deed to Alice Cotton, et al, recorded July 7, 1926, in Volume 245 of Official Records at page 106, Records of San Mateo County; thence southwesterly along the southeasterly line of said 53-acre tract of land to the most easterly corner of Lot 511 as said lot is shown on that certain map entitled "San Mateo City Homestead Association" recorded February 20, 1872, in Volume A of Maps at Page 43 and a copy entered in Book 1 of Maps at page 46, Records of San Mateo County, said corner being in the corporate limit line of the City of San Mateo; thence southwesterly along the corporate limit line of said City of San Mateo and continuing southwesterly along the corporate limit line of the Town of Hillsborough to the most southerly corner in said corporate limit line; thence in a general northwesterly direction along the westerly corporate limit line of said Town of Hillsborough to the intersection of said line with the southerly line of the Buri Buri Rancho; thence in a general northwesterly direction along the southerly and westerly line of said Buri Buri Rancho to its intersection with the southerly line of the San Pedro Rancho; thence southwesterly along the southerly line of said San Pedro Rancho to the shoreline of the Pacific Ocean; thence in a general southerly direction along the shoreline of the Pacific Ocean to the point of commencement, shall constitute the Twenty-sixth Assembly District.

27. The Counties of San Benito and Santa Cruz shall constitute the Twenty-seventh Assembly District.

28. All that portion of the County of Santa Clara embraced within the following precincts, as constituted at the general election of 1930, to wit: Agnew, Alviso, Barron, Bay View, Berryessa, Burbank, Calderon, Cupertino, Encina, Farwell, Fremont Nos. 1 and 2, Fruitvale, Jefferson Nos. 1 and 2, Linda Vista Nos. 1 and 2, Los Altos Nos. 1 to 3, inclusive, Midway, Milpitas Nos. 1 and 2, Miramonte, Mount Hamilton Nos 1 and 2, Mountain View Nos. 1 to 5, inclusive, Orchard, Pala, Palo Alto Nos 1 to 23, inclusive, Purissima, Red Mountain, San Jose Nos. 1 to 33, inclusive, and Nos. 91 to 107, inclusive, Santa Clara Nos 1 to 9, inclusive, San Tomas, Saratoga Nos. 1 and 2, Seale, Stanford Nos. 1 and 2 and Sunnyvale Nos. 1 to 4, inclusive, shall constitute the Twenty-eighth Assembly District.

29. All that portion of the County of Santa Clara not included in the Twenty-eighth Assembly District, as fixed and defined by this section, shall constitute the Twenty-ninth Assembly District.

30. The County of Stanislaus shall constitute the Thirtieth Assembly District

31. The Counties of Merced and Madera shall constitute the Thirty-first Assembly District.

32. All that portion of the County of Fresno bounded as follows: Commencing at the point of intersection of the center line of Ashlan Avenue and the center of the main line track of the Southern Pacific Railroad running between the cities of San Francisco, Merced and Fresno; thence along the center line of the following named streets, to wit: Easterly on Ashlan Avenue to Winery Avenue; southerly on Winery Avenue to McKinley Avenue; westerly on McKinley Avenue to Chestnut Avenue; southerly on Chestnut Avenue to Church Avenue; westerly on Church Avenue to Hughes Avenue; northerly on Hughes Avenue to the center of the main line track of the Southern Pacific Railroad named above; northwesterly along the center line of said track to the point of beginning, shall constitute the Thirty-second Assembly District.

33. All that portion of the County of Fresno not included in the Thirty-fourth Assembly District shall constitute the Thirty-third Assembly District.

34. The County of Monterey shall constitute the Thirty-fourth Assembly District.

35. The Counties of Kings and Tulare shall constitute the Thirty-fifth Assembly District.

36. The Counties of San Luis Obispo and Santa Barbara shall constitute the Thirty-sixth Assembly District.

37. The County of Ventura shall constitute the Thirty-seventh Assembly District.

38. All that portion of the County of Kern, bounded and described as follows: Commencing at the northeast corner of Section 1, Township 25 South, Range 27 East, M. D. M., said northeast corner being a point on the north boundary line of the County of Kern, and running thence south along section lines 18 miles to the southeast corner of Section 36, Township 27 South, Range 27 East, M. D. M.; thence west along section lines 2 miles to the northwest corner of Section 2, Township 28 South, Range 27 East, M. D. M.; thence south along section lines 6 miles to the southeast corner of Section 34, Township 28 South, Range 27 East, M. D. M., said corner being on the Seventh Standard Parallel; thence east along said Seventh Standard Parallel to the northwest corner of Section 6, Township 29 South, Range 28 East, M. D. M.; thence south along the west line of said Section 6 to the southeast corner of said section; thence east along section lines to the northeast corner of Section 8, Township 29 South, Range 28 East, M. D. M.; thence south along the east line of said Section 8 to the southeast corner of said Section 8; thence west along the south line of said Section 8 to the southwest corner of said section; thence south along the east line of Section 18, Township 29 South, Range 28 East, M. D. M., to intersect the westerly extension of the south boundary of Monte Vista Drive; thence easterly on and along the said westerly extension and the south boundary of Monte Vista Drive to intersect the east boundary of Union Avenue; thence south along the east boundary of Union Avenue to intersect the south boundary of Bernard Street, thence west along the westerly extension of the south boundary of Bernard Street to intersect the center line of Union Avenue; thence south along the center line of said Union Avenue to intersect the center line of California Avenue, said intersection being a point on the corporate limits of the City of Bakersfield; thence westerly along the center line of said California Avenue and said corporate limits to the west boundary of Union Avenue; thence south along the west boundary line of Union Avenue and said corporate limits of the City of Bakersfield, to the north boundary line of Brundage Lane; thence continuing south along said west boundary line of Union Avenue to the center line of Brundage Lane, said center line being the north boundary line of Section 6, Township 30 South, Range 28 East, M. D. M.; thence east along the said center line to the northeast corner of said Section 6; thence south along section line 1 mile to the northwest corner of Section 8, Township 30 South, Range 28 East, M. D. M.; thence east along the north boundary line of said Section 8, to the center line of Lotus Lane; thence south along the center line of said Lotus Lane to the south boundary line of said Section 8; thence west along the south boundary line of said Section 8 to the northwest corner of Section 17, Township 30 South, Range 28 East, M. D. M.; thence south along the west boundary line of said Section 17, a distance of 1 mile to the southwest corner of said Section 17; thence east along the north boundary line of Section 20, Township 30 South, Range 28 East, M. D. M. to the center line of Garber Way; thence South along the center line of said Garber Way and extension thereof to the south boundary line of Section 20 of said township; thence west along the south boundary line of said Section 20 to the northwest corner of Section 20, Township 30 South, Range 28 East, M. D. M.; thence south along section lines 3 miles to the southeast corner of Section 6, Township 31 South, Range 28 East, M. D. M.; thence west along the south boundary line of said Section 6, 1 mile to the northwest corner of Section 7, Township 31 South, Range 28 East, M. D. M.; thence south along section lines 5 miles to the southwest corner of Section 31, Township 31 South, Range 28 East, M. D. M.; thence easterly along section lines 3 miles to the northeast corner of Section 4, Township 32 South, Range 28 East M. D. M.; thence south along section lines 6 miles to the southeast corner of Section 33, Township 32 South, Range 28 East, M. D. M., said corner being on the Eighth Standard Parallel; thence east along the Eighth Standard Parallel to the northeast corner of fractional Section 25, Township 12 North, Range 20 West, S. B. M.; thence south along section lines to the northwest corner of Section 18, Township 11 North, Range 19 West, S. B. M.; thence easterly along the north boundary line of said Section 18 to the northeast corner thereof; thence south along section lines 4 miles more or less to the southwest corner of Section 32, Township 11 North, Range 19 West, S. B. M.; thence east along the south boundary line of said Township 11 North, Range 19 West, S. B. M. to the southeast corner of said township; thence south along the southerly extension of the east boundary line of Township 11 North, Range 19 West, S. B. M., to intersect the easterly extension of the north boundary line of Township 9 North, Range 19 West, S. B. M.; thence east along the easterly extension of said north boundary line to intersect the northerly extension of the east boundary line of Township 9 North, Range 19 West, S. B. M.; thence south along the said east boundary line

and northerly extension of Township 9 North, Range 19 West, S. B. M to the southeast corner of Township 9 North, Range 19 West, S. B. M., being a point on the south boundary line of the County of Kern; thence east to the southeast corner of said County of Kern; thence north along the easterly boundary of said county to the northeast corner thereof; thence westerly along the northerly boundary of said county to the point of commencement, shall constitute the Thirty-eighth Assembly District.

39 All that portion of the County of Kern not included in the Thirty-ninth Assembly District, as fixed and defined by this section, shall constitute the Thirty-ninth Assembly District.

40 All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the northeasterly prolongation of the center line of Boylston Street and the center line of the Hollywood Parkway; thence southeasterly along the center line of said parkway to the center line of North Main Street; thence northeasterly along the center line of North Main Street to the center line of Alhambra Avenue; thence northeasterly along the center line of Alhambra Avenue and the center line of the Southern Pacific Railroad Company's right of way (Main Line to Yuma) to the northerly prolongation of the center line of Daly Street; thence southerly along said prolongation and center line of Daly Street to the center line of Mission Road; thence northeasterly along the center line of Mission Road to the center line of Marengo Street; thence southeasterly along the center line of Marengo Street to the center line of Soto Street, thence northeasterly along the center line of Soto Street to the center line of Valley Boulevard, thence southeasterly along the center line of Valley Boulevard to the northerly prolongation of the center line of Indiana Street; thence southerly along said prolongation and center line of Indiana Street to the first intersection with the boundary of the City of Los Angeles as same existed March 1, 1951, lying at or near the intersection of the center lines of Medford and Indiana Streets; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to the northerly prolongation of the center line of McBride Avenue; thence southerly along said last mentioned prolongation, the center line of McBride Avenue and the southerly prolongation thereof, to the center line of Blanchard Street; thence westerly along the center line of Blanchard Street to the center line of Eastern Avenue; thence southerly along the center line of Eastern Avenue to the center line of Blanchard Street, thence westerly along the center line of Blanchard Street to the center line of Brannick Avenue; thence southerly along the center line of Brannick Avenue to the center line of Folsom Street; thence westerly along the center line of Folsom Street to the center line of Hazard Avenue; thence northerly along the center line of Hazard Avenue to the center line of Dobinson Street; thence westerly and northwesterly along the center line of Dobinson Street to the center line of Geraghty Avenue; thence southerly along the center line of Geraghty Avenue to the center line of Blanchard Street; thence westerly along the center line of Blanchard Street to the center line of Gage Avenue; thence southerly along the center line of Gage Avenue to the center line of Blanchard Street, thence westerly and northwesterly along the center line of Blanchard Street to the easterly boundary of the aforesaid city of Los Angeles; thence southerly along the boundary of said city and following the same in all its various courses to the center line of Alameda Street, thence northerly along the center line of Alameda Street to the center line of Olympic Boulevard (from the northwest); thence northwesterly along the center line of Olympic Boulevard and northwesterly along the center line of 9th Street to the center line of Figueroa Street, thence northeasterly along the center line of Figueroa Street to the center line of 8th Street; thence northwesterly along the center line of 8th Street to the center line of Harbor Parkway; thence northeasterly along the center line of Harbor Parkway to the southeasterly prolongation of the center line of 6th Street, thence northwesterly along said prolongation and center line of 6th Street to the center line of Boylston Street; thence northerly along the center line of Boylston Street to the center line of Huntley Drive, thence easterly along the center line of Huntley Drive and the easterly prolongation thereof to the southwesterly prolongation of the center line of Boylston Street; thence northeasterly along said prolongation and center line of Boylston Street to the point of beginning, shall constitute the Fortieth Assembly District

41. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the northwesterly corner of the County of Los Angeles, said corner lying on the northerly line of Section 4, Township 8 North, Range 19 West, S B.B & M.; thence easterly along the boundary of said county and following the same in all its various courses to the southerly line of Section 31, Township 3 North, Range 7 West, S B.B. & M; thence westerly along section lines to the northwest corner of Section 6, Township 2 North, Range 11 West, S B B. & M; thence northerly along the range line between Ranges 11 and 12 West, to the northeast corner of Section 1, Township 2 North, Range 12 West, S B B and M; thence westerly along section lines to the northwest corner of Section 6, Township 2 North, Range 13 West, S B B. and M; thence southerly along section lines to the southeast corner of Section 36, Township 3

North, Range 14 West, S B B. and M , thence westerly along section lines to the northwest corner of Section 4, Township 2 North, Range 14 West, S B.B. and M.; thence southerly along section lines to the northerly line of the Hansen Flood Control Basin; thence easterly along the northerly line of the Hansen Flood Control Basin, and following the same in all its various courses to the northerly prolongation of the center line of Clybourn Avenue; thence southerly along the northerly prolongation of the center line of Clybourn Avenue, and the centerline of Clybourn Avenue to the center line of Roscoe Boulevard, thence westerly along the center line of Rocoe Boulevard and its westerly prolongation to the center line of Whitsett Avenue; thence southerly along the center line of Whitsett Avenue to the center line of Cantara Street; thence westerly along the center line of Cantara Street to the center line of Coldwater Canyon Avenue; thence southerly along the center line of Coldwater Canyon Avenue to the center line of the Southern Pacific Railroad Co.'s right of way (Coast Line) in Raymer Street; thence northwesterly along the center line of said right of way to the center line of Roscoe Boulevard; thence westerly along the center line of Roscoe Boulevard and along the prolongation of the most westerly portion thereof to the westerly boundary of the City of Los Angeles, as the same existed March 1, 1951; thence northerly along said westerly boundary of the City of Los Angeles to the northerly line of Fractional Section 34, Township 2 North, Range 17 West, S.B.B. and M.; thence westerly along section lines to the westerly boundary of the County of Los Angeles; thence northerly along the boundary of said county and following the same in all its various courses to the point of beginning, shall constitute the Forty-first Assembly District

42. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the northwest corner of Section 4, Township 2 North, Range 14 West, S.B B. and M ; thence easterly along section lines to an angle point in the northerly boundary of the City of Los Angeles as the same existed on March 1, 1951, located on the westerly line of Section 6, Township 2 North, Range 13 West, S.B B. and M ; thence southerly along the boundary of said city and following the same in all its various courses to the center line of Scott Road; thence southerly along the center line of Scott Road to the center line of San Fernando Boulevard; thence southeasterly along the center line of San Fernando Boulevard to the westerly boundary of the City of Glendale as the same existed on the above date; thence southwesterly along the boundary of said last-mentioned city, and following the same in all its various courses to the center line of Chevy Chase Drive; thence westerly along the center line of Chevy Chase Drive and the westerly prolongation thereof to the center line of the Los Angeles River, thence northerly along the center line of the Los Angeles River to the southerly line of Section 30, Township 1 North, Range 13 West, S.B.B and M ; thence westerly along section lines to the easterly boundary of the Rancho Ex Mission de San Fernando as shown on map recorded in Book 1, page 605 of Patents, in the office of the recorder of the County of Los Angeles; thence northerly along said easterly Rancho line to the westerly boundary of the City of Burbank as the same existed on the above date; thence northerly along the westerly boundary of the City of Burbank to the center line of Riverside Drive; thence westerly along the center line of Riverside Drive to the center line of Coldwater Canyon Avenue; thence northerly along the center line of Coldwater Canyon Avenue to the center line of Cantara Street; thence easterly along the center line of Cantara Street to the center line of Whitsett Avenue, thence northerly along the center line of Whitsett Avenue to the westerly prolongation of the center line of Roscoe Boulevard; thence easterly along the westerly prolongation of Roscoe Boulevard, the easterly prolongation and center line of Roscoe Boulevard to the center line of Clybourn Avenue; thence northerly along the center line of Clybourn Avenue, Sunland Boulevard, Clybourn Avenue and the northerly prolongation thereof to the southeasterly boundary line of the Hansen Flood Control Basin; thence northeasterly along the boundary line of the Hansen Flood Control Basin, and following the same in all its various courses to the westerly line of the southerly prolongation of Fractional Section 9, Township 2 North, Range 14 West, S B B and M ; thence northerly along said prolongation and Section line to the point of beginning shall constitute the Forth-second Assembly District.

43. All that part of the County of Los Angeles within the following described boundaries.

Beginning at an angle point in the boundary of the City of Los Angeles as same existed March 1, 1951, on the northerly line of Section 34, Township 2 North, Range 14 West, S B B. and M , thence easterly along the boundary of said city to an angle point in said boundary at or near the southeast corner of the southwest one-quarter of Section 29, Township 2 North, Range 13 West, S B B and M.; thence easterly along section lines to a point in the northwesterly line of Tract No 10156 as shown on map recorded in Book 164, pages 1-2 of Maps, in the office of the Recorder of the County of Los Angeles; thence northeasterly along the northwesterly line of said tract and following the same in all its various courses to its first intersection with the boundary of the City of Glendale as same existed on above mentioned date; thence

southeasterly along the boundary of said last-mentioned city, and following the same in all its various courses to the center line of San Fernando Boulevard; thence northwesterly along the center line of San Fernando Boulevard to the center line of Scott Road; thence northwesterly along the center line of Scott Road to the easterly boundary of the aforesaid City of Los Angeles; thence northerly along the boundary of said last-mentioned city and following the same in all its various courses to the point of beginning, shall constitute the Forty-third Assembly District

44. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the northwest corner of the City of Long Beach as same existed March 1, 1951; thence easterly along the boundary of said city and following the same in all its various courses to an angle point in the boundary of said city at or near the northeasterly corner of 70th Street and Orange Avenue; thence due West to the center line of Orange Avenue; thence southerly along the center line of Orange Avenue to the center line of 4th Street; thence easterly along the center line of 4th Street to the center line of Cherry Avenue; thence southerly along the center line of Cherry Avenue to the center line of Ocean Boulevard; thence easterly along the center line of Ocean Boulevard to the center line of 16th Place; thence southerly along the center line of 16th Place and the southerly prolongation thereof to the southerly boundary of the County of Los Angeles; thence westerly along the boundary of said County of Los Angeles and following the same in all its various courses to its first intersection with the northeasterly boundary of the City of Los Angeles as same existed on above mentioned date (Ostend Addition); thence northwesterly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in the boundary of the City of Long Beach at or near the intersection of 223rd Street and Sperian Avenue; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to the point of beginning, shall constitute the Forty-fourth Assembly District

45. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the center lines of Glendale Avenue and Sunset Boulevard; thence southeasterly along the center line of Sunset Boulevard to the center line of Quintero Street; thence northeasterly along the center line of Quintero Street to the center line of Macbeth Street; thence northwesterly along the center line of Macbeth Street to the center line of Sutherland Street; thence northeasterly along the center line of Sutherland Street to the center line of that certain alley lying adjacent to and parallel with the northerly line of Block 6 of Golden West Heights, as shown on map recorded in Book 34, page 91, of Miscellaneous Records, in the office of the Recorder of the County of Los Angeles; thence northwesterly along the center line of said alley and the northwesterly prolongation thereof to the center line of Portia Street; thence northeasterly along the center line of Portia Street to the center line of Scott Avenue; thence northeasterly along the center line of Scott Avenue to the southwesterly prolongation of the center line of Elysian Park Drive; thence northeasterly along said prolongation and center line of Elysian Park Drive and following the same in all its various courses to the center line of Chavez Ravine Drive (Elysian Park Drive and Chavez Ravine Drive are park roads lying within Elysian Park as per Ordinance No. 37351 of the City of Los Angeles); thence northeasterly along the center line of Chavez Ravine Drive and following the same in all its various courses to the southwesterly prolongation of the center line of Dallas Street; thence northeasterly along said last mentioned prolongation, the center line and northeasterly prolongation of the center line of said Dallas Street to the center line of the Official Bed of the Los Angeles River; thence southeasterly along the center line of said river and following the same in all its various courses to the southwesterly prolongation of the center line of Granada Street; thence northeasterly along said last mentioned prolongation to the southwesterly line of the Southern Pacific Railroad Company's right of way (Valley Line); thence northwesterly along the southwesterly line of said right of way to its intersection with the southwesterly prolongation of the center line of Division Street, said point being near the southwesterly corner of Tract No. 3867 as shown on map recorded in Book 44, pages 20 and 21, of Maps in the office of the Recorder of the County of Los Angeles; thence northeasterly along said prolongation and center line of Division Street to the center line of Avenue 30; thence southeasterly along the center line of Avenue 30 to the center line of Bank Street; thence northeasterly along the center line of Bank Street to the center line of Isabel Street; thence southeasterly along the center line of Isabel Street and following the same in all its various courses to the center line of Amabel Street; thence southeasterly along the center line of Amabel Street to the center line of Figueroa Street; thence northeasterly along the center line of Figueroa Street to the center line of Avenue 37; thence southeasterly along the center line of Avenue 37 to the center line of Arroyo Seco Avenue; thence northeasterly along the center line of Arroyo Seco Avenue to the center line of Marmion Way; thence northerly along the center line of Marmion Way and following the same in all its various courses to the northwesterly prolongation of the center line of that portion of Avenue 44 lying between Figueroa Street and Marmion Way;

thence southeasterly along said prolongation and center line of Avenue 44 to the center line of Figueroa Street; thence northeasterly along the center line of Figueroa Street to the center line of Avenue 45; thence southeasterly along the center line of Avenue 45 to the westerly prolongation of the northerly Patent Boundary Line of the City of Los Angeles; thence easterly along said northerly Patent Boundary Line to the center line of Boundary Avenue; thence southerly along the center line of Boundary Avenue to the center line of Mercury Avenue; thence southwesterly along the center line of Mercury Avenue to the center line of Sardonyx Street; thence easterly along the center line of Sardonyx Street and following the same in all its various courses to the center line of Galena Street; thence southwesterly along the center line of Galena Street to the center line of Topaz Street; thence southeasterly along the center line of Topaz Street to the center line of Pacific Electric Railway right of way; thence northeasterly along the center line of said right of way and following the same in all its various courses to the center line of Eastern Avenue, thence southerly along the center line of Eastern Avenue to the center line of Lombardy Boulevard; thence southeasterly along the center line of Lombardy Boulevard and following the same in all its various courses to the center line of Endicott Street; thence southeasterly along the center line of Endicott Street and its southeasterly prolongation to the center line of Southern Pacific Railroad right of way (Main Line to Yuma); thence northeasterly along the center line of said last mentioned right of way and following the same in all its various courses to the easterly boundary of the City of Los Angeles as same existed on above mentioned date; thence southerly along the boundary of said city to the center line of Hellman Avenue; thence easterly along the center line of Hellman Avenue to the center line of Fremont Avenue (from the southeast) as per County Surveyor's Map No 3623, on file in the office of the Surveyor of the County of Los Angeles; thence southeasterly along the center line of Fremont Avenue to the center line of Garvey Avenue; thence easterly and northeasterly along the center line of Garvey Avenue and following the same in all its various courses to the center line of Valley Boulevard; thence southeasterly along the center line of Valley Boulevard to the center line of the Official Bed of the San Gabriel River; thence southwesterly along the center line of said last mentioned river and following the same in all its various courses to the southeasterly prolongation of the center line of Siphon Road; thence northwesterly along the center line of said last mentioned prolongation and the center line of Siphon Road and San Gabriel Boulevard to the northeasterly prolongation of Lincoln Avenue; thence southwesterly along said last mentioned prolongation to the northeasterly boundary of the City of Montebello as same existed on above mentioned date; thence northwesterly and westerly along said last mentioned boundary, the center line of Pomona Boulevard, and the center line of Beverly Boulevard to an angle point in the westerly boundary of the City of Monterey Park, as same existed on above mentioned date; thence northerly along the boundary of said last mentioned city to the center line of Riggin Avenue; thence northwesterly along the center lines of Riggin Avenue and Brooklyn Avenue to the center line of Roscommon Avenue; thence northerly along the center line of Roscommon Avenue to the center line of Floral Drive; thence westerly along the center line of Floral Drive, its westerly prolongation thereof, and the center line of Floral Drive to the southerly prolongation of the center line of McBride Avenue; thence northerly along said last mentioned prolongation, the center line of McBride Avenue and northerly prolongation thereof to the boundary of the City of Los Angeles, as same existed on above mentioned date; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Indiana Street; thence northerly along the center line of Indiana Street and its northerly prolongation thereof to the center line of Valley Boulevard; thence northwesterly along the center line of Valley Boulevard to the center line of Soto Street; thence southwesterly along the center line of Soto Street to the center line of Marengo Street; thence northwesterly along the center line of Marengo Street to the center line of Mission Road; thence southwesterly along the center line of Mission Road to the center line of Daly Street; thence northerly along the center line of Daly Street and the northerly prolongation thereof to the center line of Alhambra Avenue; thence westerly along the center line of Alhambra Avenue to the center line of North Main Street; thence southwesterly along the center line of North Main Street to the center line of Hollywood Parkway; thence northwesterly along the center line of Hollywood Parkway to the northeasterly prolongation of the center line of Boylston Street; thence southwesterly along the last mentioned prolongation and center line of Boylston Street to the center line of 2nd Street; thence northwesterly along the center line of 2nd Street to the center line of Glendale Boulevard; thence northerly along the center line of Glendale Boulevard to the point of beginning, shall constitute the Forty-fifth Assembly District.

46 All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the southwesterly prolongation of the center line of Surf Street and the southwesterly boundary of the County of Los Angeles, thence northeasterly along said southwesterly prolongation and center line of Surf Street to the center line of Trolley Way, thence southerly along the center line of

Trolley Way to the southwesterly prolongation of the center line of Manchester Avenue; thence northeasterly along said prolongation and center line of Manchester Avenue to the first intersection with the boundary of the City of Los Angeles as same existed March 1, 1951, near the intersection of Osage and Manchester Avenues, thence northeasterly along the boundary of said city to an angle point in said boundary at or near the intersection of the center lines of Agusta Street and Freeman Boulevard, thence southerly along the northerly prolongation of the center line of Freeman Boulevard to the center line of The Atchison, Topeka and Santa Fe Railway Company's right of way (Redondo Branch); thence northeasterly along said last mentioned center line and following the same in all its various courses to the easterly boundary of the City of Inglewood as same existed on above mentioned date; thence southerly along the boundary of said last mentioned city, and following the same in all its various courses to the center line of Imperial Highway; thence westerly along the center line of Imperial Highway to a point due south of an angle point in the boundary of said City of Inglewood, said angle point being at or near the northwesterly corner of Imperial Highway and Crenshaw Boulevard; thence due north to said angle point; thence westerly along boundary of said last mentioned city and following the same in all its various courses to the center line of Imperial Highway, thence westerly along the center line of Imperial Highway to the center line of Prairie Avenue; thence southerly along the center line of Prairie Avenue to the northerly boundary of the City of Hawthorne as same existed on above mentioned date; thence westerly along the boundary of said last-mentioned city and following the same in all its various courses to the easterly boundary of said City of Los Angeles, thence northerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Imperial Highway; thence westerly along the center line of Imperial Highway to the easterly boundary of the City of El Segundo as same existed on above mentioned date; thence southerly along the boundary of said last mentioned city to the northerly boundary of the City of Manhattan Beach, as same existed on above mentioned date, thence easterly along the boundary of said last-mentioned city and following the same in all its various courses to an angle point in the southerly boundary of said last mentioned city, said angle point being at or near the intersection of the center lines of Aviation Boulevard and Redondo Beach Boulevard; thence easterly along the center line of Redondo Beach Boulevard to the center line of Flagler Lane, thence southerly along the center line of Flagler Lane to the boundary of said City of Redondo Beach, at or near the intersection of Beryl Street and Flagler Lane; thence southerly along boundary of said last mentioned city to an angle point in the boundary of said last mentioned city at or near the southeasterly corner of Block 70, Tract 10019, as shown on map recorded in Book 182, pages 1-13, inclusive, of Maps, in the office of the Recorder of the County of Los Angeles, being also an angle point in the boundary of said City of Torrance; thence westerly along the boundary of said City of Torrance and following the same in all its various courses to the center line of Pacific Coast Highway; thence southeasterly along the center line of Pacific Coast Highway to the center line of Newton Street (from the southeast); thence southeasterly along the center line of Newton Street to the center line of 242nd Street; thence westerly along the center line of 242nd Street to the center line of Wilmington Street; thence southerly along the center line of Wilmington Street to the southwesterly boundary of said city of Torrance; thence southeasterly and easterly along the boundary of said last mentioned city to an angle point in the southerly boundary thereof, said angle point being at or near the southwest corner of Tract No 954, as shown on map recorded in Book 17, page 16, of Maps, in the office of the Recorder of the County of Los Angeles; thence easterly and northeasterly along the southerly and easterly boundary of said last mentioned tract to the southwest corner of lot 111, Tract No. 3377, as shown on map recorded in Book 37, page 9, of Maps, in the office of the Recorder of the County of Los Angeles; thence easterly along the southerly boundaries of said last mentioned Tract and Tract No. 2937, as shown on map recorded in Book 37, page 26, of Maps, in the office of the Recorder of the County of Los Angeles to the center line of Western Avenue; thence southerly along the center line of Western Avenue to a point due west of an angle point in the boundary of the City of Los Angeles, as same existed on above mentioned date, said angle point being at or near the northwesterly corner of Tract No 10962, as shown on map recorded in Book 250, pages 30 and 31, of Maps, in the office of the Recorder of the County of Los Angeles; thence due east to said last mentioned angle point; thence southerly along the boundary of said last mentioned city and following the same in all its various courses to the southwesterly boundary of the County of Los Angeles; thence northwesterly along the boundary of said county, and following the same in all its various courses to the point of beginning. Also including the Islands of Santa Catalina and San Clemente, shall constitute the Forty-sixth Assembly District.

47. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the westerly boundary of the City of Pasadena as same existed March 1, 1951, with the township line between Township 1 and Township 2 North; thence easterly along the township line to the easterly boundary of said city; thence southerly along the boundary of said city and following the same in

all its various courses to the southeasterly corner of Lot 104, as shown on map of Tract No. 7931, recorded in Book 85, page 9, of Maps, in the office of the Recorder of the County of Los Angeles, said last mentioned corner being also an angle point in the boundary of said city as same existed on above date; thence southerly along the easterly line of said last mentioned tract and along the southerly prolongation thereof to the center line of Washington Street; thence westerly along the center line of Washington Street to the center line of Wesley Avenue; thence southerly along the center line of Wesley Avenue to the center line of Whitefield Road; thence easterly along the center line of Whitefield Road to the center line of Allen Avenue; thence southerly along the center line of Allen Avenue to the center line of Walnut Street; thence easterly along the center line of Walnut Street to its first intersection with the center line of Foothill Boulevard; thence easterly along the center line of Foothill Boulevard to an angle point in the boundary of the aforesaid City of Pasadena, at or near the center line of Sierra Madre Villa Avenue and the center line of Foothill Boulevard; thence easterly along the boundary of said city to the easterly line of Michillinda Boulevard; thence southerly along the easterly line of Michillinda Boulevard to the boundary of the City of Arcadia as same existed on above mentioned date; thence southerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Las Tunas Drive; thence westerly along the center line of Las Tunas Drive to the center line of San Gabriel Boulevard; thence northerly along the center line of San Gabriel Boulevard to the boundary of the City of San Gabriel, as same existed on above mentioned date, thence westerly and northerly along the boundary of said last mentioned city and following the same in all its various courses to the southerly boundary of the City of San Marino, as same existed on above mentioned date; thence northerly along the boundary of said last mentioned city and following the same in all its various courses to a point in the easterly boundary of the City of South Pasadena as same existed on above mentioned date, said point being also a point in the boundary of the aforesaid City of Pasadena, thence northerly along the boundary of said last mentioned city and following the same in all its various courses to the point of beginning, shall constitute the Forty-seventh Assembly District.

48 All that part of the County of Los Angeles within the following described boundaries:

Beginning at the northwesterly corner of Section 6, Township 2 North, Range 13 West, S.B.B. & M., thence easterly along the township line to the northeasterly corner of Section 1, Township 2 North, Range 12 West, S.B.B. & M.; thence southerly along section line to the northwesterly corner of Section 6, Township 2 North, Range 11 West, S.B.B. & M.; thence easterly along township lines to the northeasterly corner of Section 4, Township 2 North, Range 10 West, S.B.B. & M.; thence southerly along section lines to the southeasterly corner of Section 4, Township 1 North, Range 10 West, S.B.B. & M.; thence westerly along section lines to the north and south quarter section line of Section 12, Township 1 North, Range 11 West, S.B.B. & M., thence southerly along quarter section line to its first intersection with the northerly boundary of the City of Monrovia, as same existed March 1, 1951, thence southerly along said last mentioned boundary and following the same in all its various courses to the center line of Foothill Boulevard; thence westerly along the center line of Foothill Boulevard to the boundary of the City of Arcadia, as same existed on above mentioned date; being at or near the west line of Sixth Avenue; thence southerly along said last mentioned boundary and following the same in all its various courses to an angle point therein (at or near the easterly line of Michillinda Avenue) thence north in a direct line to the southerly boundary of the City of Pasadena, as same existed on above mentioned date, being in the center line of Foothill Boulevard; thence westerly along said last mentioned boundary and center line of Foothill Boulevard to the center line of Walnut Avenue; thence westerly along the center line of Walnut Avenue to the center line of Allen Avenue; thence northerly along the center line of Allen Avenue to the center line of Whitefield Road; thence westerly along the center line of Whitefield Road to the center line of Wesley Avenue; thence northerly along the center line of Wesley Avenue to the center line of Washington Street; thence easterly along the center line of Washington Street to its intersection with the southerly prolongation of the easterly line of Tract No. 7931, as shown on map recorded in Book 85, page 9, of Maps, in the office of the Recorder of the County of Los Angeles; thence northerly along said southerly prolongation to the southeasterly corner of Lot 104 of said last mentioned tract; said last mentioned corner being also an angle point in the northerly boundary of said City of Pasadena; thence northerly along said last mentioned boundary, and following the same in all its various courses to the township line between Townships 1 and 2 North; thence westerly along township line to the northerly boundary of said City of Pasadena, thence southeasterly along said last mentioned boundary and following the same in all its various courses to its first intersection with the westerly boundary of the City of Glendale as same existed on above mentioned date; thence southwesterly along said last mentioned boundary and following the same in all its various courses to the most northerly point in said last mentioned boundary; said point being also the

most easterly corner of Tract 10156, as shown on map recorded in Book 164, pages 1 and 2, of Maps, in the office of said recorder; thence northwesterly along the boundary of said last mentioned tract and following the same in all its various courses to its intersection with the northerly line of Fractional Section 33, Township 2 North, Range 13 West, S B B. & M.; thence westerly along section lines to its first intersection with the boundary of the City of Los Angeles as same existed on above mentioned date; thence northerly along the boundary of said City, and following the same in all its various courses to the southeasterly corner of Section 36, Township 3 North, Range 14 West, S.B B. & M.; thence northerly along Range line to the point of beginning, shall constitute the Forty-eighth Assembly District.

49. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the northeasterly corner of Section 4, Township 2 North, Range 10 West, S.B.B. and M.; thence easterly along the township line between Townships 2 and 3 North to its intersection with the boundary of the County of Los Angeles; thence southerly along the boundary of said county and following the same in all its various courses to its intersection with the center line of Brea Canyon Road; thence northeasterly along the center line of Brea Canyon Road to the center line of Southern Pacific Railroad Company's right of way (Main line to Yuma); thence northeasterly along the center line of said right of way to its intersection with the easterly line of the Rancho La Puente, as shown on map recorded in Book 1, pages 43 and 44, of Patents, in the office of the Recorder of the County of Los Angeles; thence northeasterly along the boundary of said Rancho and following the same in all its various courses to its intersection with the southerly prolongation of the center line of Valley Center Avenue; thence northerly along said prolongation and the center line of Valley Center Avenue to the east and west quarter section line of Section 8, Township 1 South, Range 9 West, S.B.B. and M.; thence westerly along quarter section lines to the westerly line of Section 9, Township 1 South, Range 10 West, S.B.B. and M; thence southerly along section line to its first intersection with the boundary of the City of West Covina, as same existed March 1, 1951; thence westerly and southerly along the boundary of said last mentioned city to its intersection with the northerly line of East Ramona Boulevard; thence south in a direct line to the center line of East Ramona Boulevard; thence southwesterly along the center line of East Ramona Boulevard (North Road) to its intersection with the center line of the Southern Pacific Railroad Company's right of way (Covina Branch); thence southwesterly along the center line of said last mentioned right of way to its intersection with the center line of the Pacific Electric Railway Company's right of way; thence southwesterly along the center line of said last mentioned right of way to the center line of San Gabriel River; thence northerly along the center line of said river and following the same in all its various courses to the northeasterly line of the Rancho San Francisquito as shown on map recorded in Book 1, pages 31 and 32 of Patents, in the office of the Recorder of the County of Los Angeles; thence northwesterly along the boundary of said last mentioned rancho to its first intersection with the boundary of the City of Arcadia as same existed on above mentioned date; thence southwesterly along the boundary of said last mentioned city to an angle point therein, at or near the easterly line of Sixth Avenue; thence southwesterly in a direct line to an angle point in the boundary of said last mentioned city, at or near the west line of Sixth Avenue; thence southwesterly along the boundary of said last mentioned city, and following the same in all its various courses to the center line of Foothill Boulevard, at or near its intersection with the west line of Second Avenue; thence easterly along the center line of Foothill Boulevard to the westerly boundary of the City of Monrovia as same existed on above mentioned date; thence northerly along the boundary of said last mentioned city, and following the same in all its various courses to the northeasterly corner of said last mentioned city; (said corner being also a point in the north and south quarter section line of Section 12, Township 1 North, Range 11 West, S B B. and M.); thence northerly along quarter section line to the northerly line of said last mentioned section; thence easterly along section lines to the southeasterly corner of Section 4, Township 1 North, Range 10 West, S.B.B. and M.; thence northerly along section lines to the point of beginning, shall constitute the Forty-Ninth Assembly District.

50. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the northeasterly line of the San Francisquito Rancho as shown on map recorded in Book 1, pages 31, 32 of Patents, in the office of the Recorder of the County of Los Angeles, with the southeasterly boundary of the City of Arcadia as same existed March 1, 1951; thence southeasterly along the northeasterly boundary of said Rancho to the center line of the San Gabriel River; thence southwesterly along the center line of said river to the center line of the Pacific Electric Railway Company's right of way; thence northeasterly along the center line of said right of way to its intersection with the center line of the Southern Pacific Railroad Company's right of way (Covina Branch); thence northeasterly along the

center line of said last mentioned right of way to the center line of East Ramona Boulevard (northerly roadway); thence northeasterly along the center line of East Ramona Boulevard to a point due South of the southwest corner of the northwest annex to the City of West Covina; thence due north to said corner; thence northerly and easterly along the boundary of said last mentioned city to its first intersection with the westerly line of Section 9, Township 1 South, Range 10 West, thence northerly along section line to the east and west quarter section line of said last mentioned section; thence easterly along quarter section lines to the center line of Valley Center Avenue; thence southerly along the center line of Valley Center Avenue and the southerly prolongation thereof to its first intersection with the easterly line of the Rancho La Puente as shown on map recorded in Book 1, Pages 33 and 34 of Patents, in the office of the Recorder of the County of Los Angeles; thence southeasterly along the boundary of said rancho and following the same in all its various courses to its first intersection with the center line of the Southern Pacific Railroad Company's right of way (Main Line to Yuma); thence southwesterly along the center line of said last mentioned right of way to the center line of Brea Canyon Road; thence southerly along the center line of Brea Canyon Road to its intersection with the boundary of the County of Los Angeles as same existed March 1, 1951; thence westerly along boundary of said county and following the same in all its various courses to the north and south quarter section line of Section 13, Township 3 South, Range 11 West, thence westerly along section lines to the center line of Luitwieler Avenue; thence northerly along the center line of Luitwieler Avenue to the center line of Imperial Highway; thence westerly along the center line of Imperial Highway to the center line of Carmenita Road; thence northerly along the center line of Carmenita Road to the center line of Lakeland Road; thence westerly along the center line of Lakeland Road to the center line of The Atchison, Topeka and Santa Fe Railway Company's right of way (San Diego Division); thence northerly along the center line of said last mentioned right of way to the center line of Santa Fe Springs Road; thence northeasterly along the center line of Santa Fe Springs Road to the center line of Los Nietos Road; thence northwesterly along the center line of Los Nietos Road to the center line of Norwalk Boulevard, thence northerly along the center line of Norwalk Boulevard to the center line of Washington Boulevard; thence northwesterly along the center line of Washington Boulevard to the center line of Rosemead Boulevard, thence northerly along the center line of Rosemead Boulevard to the center line of San Gabriel Boulevard; thence southeasterly along the center line of San Gabriel Boulevard and along the center line of Siphon Road and the southeasterly prolongation thereof to the center line of the San Gabriel River; thence northeasterly along the center line of said last mentioned river and following the same in all its various courses to the center line of Valley Boulevard; thence northwesterly along the center line of Valley Boulevard to the center line of Garvey Avenue; thence westerly along the center line of Garvey Avenue to the center line of Potrero Avenue (from the North), thence northerly along the center line of Potrero Avenue and the northerly prolongation thereof to the center line of the Pacific Electric Railway Company's right of way (in Ramona Boulevard); thence easterly along the center line of said last mentioned right of way to the southerly prolongation of the center line of Baldwin Avenue; thence northerly along said prolongation and center line of Baldwin Avenue to the center line of Bessie Avenue; thence southeasterly along the center line of Bessie Avenue to the center line of Shirley Avenue; thence northerly along the center line of Shirley Avenue to the center line of Gidley Street; thence northwesterly along the center line of Gidley Street to the center line of Baldwin Avenue; thence northeasterly along the center line of Baldwin Avenue to the center line of Lower Azusa Road; thence easterly along the center line of Lower Azusa Road to the center line of Cedar Avenue; thence northeasterly along the center line of Cedar Avenue to the southerly boundary of the City of Arcadia as same existed on above mentioned date; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in the boundary of said city at or near the westerly line of Sixth Avenue; thence northeasterly in a direct line to an angle point in the boundary of said last mentioned city at or near the easterly line of Sixth Avenue, thence northeasterly along the boundary of said last mentioned city and following the same in all its various courses to the point of beginning, shall constitute the Fiftieth Assembly District.

51 All that part of the County of Los Angeles within the following described boundaries

Beginning at the intersection of the easterly boundary of the City of Los Angeles, as same existed on March 1, 1951 with the center line of Blanchard Street; thence easterly along the center line of Blanchard Street to the center line of Gage Avenue; thence northerly along the center line of Gage Avenue to the center line of Blanchard Street; thence easterly along the center line of Blanchard Street to the center line of Geraghty Avenue; thence northerly along the center line of Geraghty Avenue to the center line of Dobinson Street; thence southeasterly along the center line of Dobinson Street to the center line of Hazard Avenue; thence southerly along the

center line of Hazard Avenue to the center line of Folsom Street; thence easterly along the center line of Folsom Street to the center line of Brannick Avenue; thence northerly along the center line of Brannick Avenue to the center line of Blanchard Street; thence southeasterly along the center line of Blanchard Street to the center line of Eastern Avenue; thence northerly along the center line of Eastern Avenue to the center line of Blanchard Street; thence easterly along the center line of Blanchard Street to the center line of McBride Avenue; thence southerly along the center line of McBride Avenue and the southerly prolongation thereof to the center line of Floral Drive; thence easterly along the center line of Floral Drive, the easterly prolongation of said Floral Drive and the center line of Floral Drive to the center line of Roscommon Avenue; thence southerly along the center line of Roscommon Avenue to the center line of Brooklyn Avenue; thence easterly and southeasterly along the center line of Brooklyn Avenue to the center line of Riggin Avenue; thence southeasterly along the center line of Riggin Avenue to the westerly boundary of Monterey Park, as same existed on above mentioned date, thence southerly and easterly along the boundary of aforesaid city of Monterey Park to its first intersection with the westerly boundary of the City of Montebello, as same existed on above mentioned date; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Lincoln Avenue; thence northeast in a direct line to the center line of San Gabriel Boulevard; thence southeasterly along the center line of San Gabriel Boulevard to the center line of Rosemead Boulevard; thence southwesterly along the center line of Rosemead Boulevard to the center line of Washington Boulevard; thence southeasterly along the center line of Washington Boulevard to the center line of Norwalk Boulevard; thence southeasterly and southerly along the center line of Norwalk Boulevard to the center line of Los Nietos Road; thence southeasterly along the center line of Los Nietos Road to the center line of Santa Fe Springs Road, thence southwesterly along the center line of Santa Fe Springs Road to the center line of the Atchison, Topeka and Santa Fe Railway Company's right of way (Main line—Los Angeles to San Diego); thence southerly along the center line of said right of way to the center line of Lakeland Road; thence easterly along the center line of Lakeland Road to the center line of Carmenita Road; thence southerly along the center line of Carmenita Road to the center line of Imperial Highway; thence easterly along the center line of Imperial Highway to the center line of Luitwieler Avenue to the center line of Rosecrans Avenue; thence easterly along the center line of Rosecrans Avenue to its first intersection with the boundary of the County of Los Angeles; thence southerly along the boundary of the County of Los Angeles and following the same in all its various courses to the northerly boundary of the City of Long Beach, as same existed on above mentioned date; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in said boundary, said angle point being at the intersection of the southwesterly line of the right of way of the new San Gabriel River Levee District, as shown on County Surveyor's Map No. 7561 on file in the office of the Surveyor of said county, and the easterly prolongation of the southerly line of Tract No. 5023, as shown on map recorded in Book 58, page 1, of Maps, in the office of the recorder of said county; thence due east to the center line of the official bed of the San Gabriel River; thence northerly along the center line of said river and following the same in all its various courses to the center line of Anaheim Telegraph Road; thence northwesterly along the center line of Anaheim Telegraph Road to a point due south of the most southerly corner of the City of Montebello, as same existed on above mentioned date; thence due north to the boundary of said city; thence northwesterly along the boundary of said last mentioned city and following the same in all its various courses to the southeasterly line of Church Road; thence northeasterly along said southeasterly line of Church Road and the northeasterly prolongation thereof to the center line of The Atchison, Topeka and Santa Fe Railway Company's right of way (Main Line Los Angeles to San Diego); thence northwesterly along the center line of said right of way to the first intersection with the southeasterly boundary of the City of Vernon as same existed on above mentioned date; thence northeasterly along the boundary of said last mentioned city and following the same in all its various courses to the southerly boundary of the aforesaid City of Los Angeles; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to the point of beginning, shall constitute the Fifty-first Assembly District.

52 All that part of the County of Los Angeles within the following described boundaries:

Beginning at the northwesterly corner of the City of Vernon, as same existed March 1, 1951, at or near the northwesterly corner of Twenty-fifth and Alameda Streets, said point of beginning being also an angle point in the boundary of the City of Los Angeles as same existed on the above mentioned date; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in aforesaid City of Vernon at or near the northeasterly corner of Lot 16, of Tract No. 8626, as shown on map recorded in Book 121, pages

96 to 100, of Maps, in the office of the Recorder of the County of Los Angeles, thence southwesterly along the boundary of said last mentioned city and following the same in all its various courses to the center line of The Atchison, Topeka and Santa Fe Railway Company's right of way (Main line Los Angeles to San Diego); thence southeasterly along the center line of said right of way to the northeasterly prolongation of the southeasterly line of Church Road; thence southwesterly along said northeasterly prolongation of Church Road to its first intersection with the boundary of the City of Montebello, as same existed on above mentioned date; thence southwesterly along the boundary of said last mentioned city and following the same in all its various courses to the most southerly corner thereof, thence due south to the center line of Anaheim Telegraph Road; thence southeasterly along the center line of Anaheim Telegraph Road to the center line of Stoakes Avenue, thence southwesterly along the center line of Stoakes Avenue to the center line of Gallatin School House Road; thence northwesterly along the center line of Gallatin School House Road to the center line of Downey Avenue, thence southwesterly along the center line of Downey Avenue to the center line of Stewart and Gray Road; thence northwesterly along the center line of Stewart and Gray Road to the center line of Brock Avenue; thence northwesterly in a direct line to the intersection of the center lines of Paramount Boulevard and Stewart and Gray Road; thence northwesterly along the center line of Stewart and Gray Road to the center line of Southern Avenue; thence westerly along the center line of Southern Avenue to the center line of Rayo Avenue; thence southwesterly along the center line of Rayo Avenue to the center line of Atlantic Avenue, thence southerly along the center line of Atlantic Avenue to the center line of Tweedy Boulevard; thence westerly along the center line of Tweedy Boulevard to the first intersection with the southerly boundary of the City of South Gate, as same existed on above mentioned date; thence northerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Tweedy Boulevard, thence westerly along the center line of Tweedy Boulevard to the center line of Santa Fe Avenue, thence southerly along the center line of Santa Fe Avenue to an angle point in the boundary of aforesaid City of South Gate, near the center line of Santa Fe Avenue and the southerly line of Tweedy Boulevard, thence westerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Firestone Boulevard; thence westerly along the center line of Firestone Boulevard to the center line of Alameda Street; thence northerly along the center line of Alameda Street to the center line of Florence Avenue; thence easterly along the center line of Florence Avenue to the westerly boundary of the City of Huntington Park, as same existed on above mentioned date; thence northerly along the boundary of said last mentioned city and following the same in all its various courses to the southerly boundary of aforesaid City of Vernon, thence westerly along the boundary of said last mentioned city and following the same in all its various courses to the point of beginning, shall constitute the Fifty-second Assembly District.

53. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the most westerly point in the boundary of the City of San Marino as same existed March 1, 1951, thence easterly along the northerly boundary of said city and following the same in all its various courses to its first intersection with the boundary of the City of San Gabriel as same existed on above mentioned date; thence southerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Las Tunas Drive; thence easterly along the center line of Las Tunas Drive to its first intersection with the westerly boundary of the City of Arcadia as same existed on above mentioned date; thence southerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Cedar Avenue; thence southerly along the center line of Cedar Avenue to the center line of Lower Azusa Road; thence westerly along the center line of Lower Azusa Road to the center line of Baldwin Avenue; thence southwesterly along the center line of Baldwin Avenue to the center line of Gidley Street; thence southeasterly along the center line of Gidley Street to the center line of Shirley Avenue, thence southwesterly along the center line of Shirley Avenue to the center line of Bessie Avenue; thence northwesterly along the center line of Bessie Avenue to the center line of Baldwin Avenue, thence southwesterly and southerly along the center line of Baldwin Avenue and the southerly prolongation thereof to the center line of Pacific Electric Railway Company's right of way; thence westerly along the center line of said right of way to the northerly prolongation of the center line of Potrero Avenue, thence southerly along said prolongation and along the center line of Potrero Avenue to the center line of Garvey Avenue; thence westerly along the center line of Garvey Avenue to the center line of Fremont Avenue; thence northwesterly along the center line of Fremont Avenue to the center line of Hellman Avenue; thence westerly along the center line of Hellman Avenue to the westerly boundary of the City of Alhambra as same existed on above mentioned date; thence northerly along the boundary of said last mentioned city and following the same in all its various courses to its first intersection with the boundary of the City of San Marino

as same existed on above mentioned date; thence northwesterly along the boundary of said last mentioned city and following the same in all its various courses to the point of beginning, shall constitute the Fifty-third Assembly District.

54. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the most southerly corner of the City of Glendale as the same existed on March 1, 1951, said southerly corner lying on the southwesterly line of the Southern Pacific Railroad Company's right of way (Valley Line) being also an angle point in the boundary of the City of Los Angeles, as the same existed on the above mentioned date; thence northeasterly along the boundary of said last mentioned city and following the same in all its various courses to an angle point therein; said angle point being the northerly terminus of the westerly boundary of the City of South Pasadena, as the same existed on above mentioned date; thence easterly along the boundary of the City of South Pasadena, and following the same in all its various courses to the first intersection with the boundary of the City of Los Angeles as same existed on above mentioned date; thence southerly along the boundary of the City of Los Angeles, and following the same in all its various courses to the center line of the Southern Pacific Railroad Company's right of way (Main line); thence westerly along the center line of said Southern Pacific Railroad Company's right of way to the southeasterly prolongation of the center line of Endicott Street; thence northwesterly along the southeasterly prolongation of the center line of Endicott Street and the center line of Endicott Street to the center line of Lombardy Boulevard; thence northwesterly along the center line of Lombardy Boulevard to the center line of Eastern Avenue; thence northerly along the center line of Eastern Avenue to the center line of the Pacific Electric Railway Company's right of way (in Huntington Drive); thence westerly along the center line of said last mentioned Pacific Electric Railway Company's right of way to the center line of Topaz Street; thence northwesterly along the center line of Topaz Street to the center line of Galena Street; thence northerly along the center line of Galena Street to the center line of Sardonyx Street; thence northerly along the center line of Sardonyx Street to the center line of Mercury Avenue; thence easterly along the center line of Mercury Avenue to the center line of Boundary Avenue; thence northerly along the center line of Boundary Avenue to the northerly patent boundary line of the City of Los Angeles; thence westerly along said northerly patent boundary line and its westerly prolongation to the center line of Avenue 45; thence northwesterly along the center line of Avenue 45 to the center line of Figueroa Street; thence southwesterly along the center line of Figueroa Street to the center line of Avenue 44, lying between Figueroa Street and Marmion Way; thence northwesterly along the center line of Avenue 44 and its northwesterly prolongation to the center line of Marmion Way; thence southwesterly along the center line of Marmion Way to the center line of Arroyo Seco Avenue; thence southwesterly along the center line of Arroyo Seco Avenue to the center line of Avenue 37; thence northwesterly along the center line of Avenue 37 to the center line of Figueroa Street; thence southwesterly along the center line of Figueroa Street to the center line of Amabel Street; thence northwesterly along the center line of Amabel Street to the center line of Isabel Street; thence westerly along the center line of Isabel Street to the center line of Bank Street; thence southwesterly along the center line of Bank Street to the center line of Avenue 30; thence northwesterly along the center line of Avenue 30 to the center line of Division Street; thence southwesterly along the center line of Division Street and its southwesterly prolongation to the southwesterly line of the Southern Pacific Railroad Company's right of way (Valley line); thence southeasterly along the southwesterly line of said right of way to the southwesterly prolongation of the center line of that portion of Granada Street lying between Cypress Avenue and San Fernando Road; thence southwesterly along said last mentioned prolongation to the center line of the Official Bed of the Los Angeles River; thence northwesterly along the center line of said Los Angeles River to the northeasterly prolongation of the center line of Dallas Street; thence southwesterly along said last mentioned prolongation and center line of Dallas Street to the center line of Riverside Drive; thence northwesterly along the center line of Riverside Drive to the southwesterly prolongation of the center line of Tyburn Street; thence northeasterly along said prolongation and center line of Tyburn Street to the point of beginning, shall constitute the Fifty-fourth Assembly District.

55. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the center lines of Florence Avenue and Main Street; thence easterly along the center line of Florence Avenue to the center line of Alameda Street; thence southerly along the center line of Alameda Street to the center line of Firestone Boulevard; thence southeasterly along the center line of Firestone Boulevard to the westerly boundary of the City of South Gate, as same existed on March 1, 1951; thence southerly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in said boundary, said angle point being at or near the intersection of the center line of Santa Fe Avenue and the south line of Tweedy Boulevard; thence due north to the center line of

Tweedy Boulevard; thence easterly along the center line of Tweedy Boulevard to the first intersection with the northwesterly boundary of the City of Lynwood, as same existed on above mentioned date; thence northerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Tweedy Boulevard; thence easterly along the center line of Tweedy Boulevard to the center line of Atlantic Avenue; thence southerly along the center line of Atlantic Avenue to the intersection with the southerly boundary of the City of South Gate, as same existed on above mentioned date, thence easterly and southerly along the boundary of said last mentioned city to an angle point therein, said angle point being also in the center line of Imperial Highway; thence westerly along the center line of Imperial Highway and following the same in all its various courses to the westerly boundary of the City of Lynwood, as same existed on above mentioned date; thence southeasterly along the boundary of said last mentioned city and following the same in all its various courses to the intersection with the boundary of the City of Compton, as same existed on above mentioned date, said point of intersection being at or near the center line of Alameda Street; thence southeasterly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Wilmington Avenue; thence northerly along the center line of Wilmington Avenue to an angle point in the boundary of said last mentioned city, said angle point being at or near the intersection of the center lines of El Segundo Boulevard and Wilmington Avenue; thence northerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of El Segundo Boulevard; thence westerly along the center line of El Segundo Boulevard to the center line of Avalon Boulevard; thence northerly along the center line of Avalon Boulevard to the boundary of the City of Los Angeles, as same existed on above mentioned date; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Athens Way (westerly roadway); thence northerly along the center line of Athens Way to the center line of Imperial Highway; thence easterly along the center line of Imperial Highway to the center line of Athens Way; thence northerly along the center lines of Athens Way and Broadway to the center line of 94th Street; thence easterly along the center line of 94th Street to the center line of Main Street; thence northerly along the center line of Main Street to the point of beginning, shall constitute the Fifty-fifth Assembly District

56. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the northwesterly corner of Section 36, Township 1 North, Range 14 West, S.B.B. & M.; thence easterly along section lines to the center line of the Los Angeles River; thence southerly along the center line of said Los Angeles River to the westerly prolongation of the center line of Chevy Chase Drive; thence easterly along said westerly prolongation and the center line of Chevy Chase Drive to the westerly boundary of the City of Glendale, as same existed on March 1, 1951; thence southerly along the boundary of said city and following the same in all its various courses to the center line of Tyburn Street; thence southwesterly along the center line of Tyburn Street and the southwesterly prolongation thereof to the center line of Riverside Drive; thence southeasterly along the center line of Riverside Drive to the southwesterly prolongation of the center line of Dallas Street; thence southwesterly along said last mentioned prolongation to the center line of Chavez Ravine Drive; thence southeasterly along the center line of Chavez Ravine Drive and following the same in all its various courses to the center line of Elysian Park Drive; thence southwesterly along the center line of Elysian Park Drive and the southwesterly prolongation thereof to the center line of Scott Avenue (Elysian Park Drive and Chavez Ravine Drive are park roads lying within Elysian Park as per Ordinance No. 37351 of the City of Los Angeles); thence southwesterly along the center line of Scott Avenue to the center line of Portia Street; thence southwesterly along the center line of Portia Street to the northwesterly prolongation of the center line of that certain alley lying adjacent to and parallel with the northerly line of Block 6, of Golden West Heights, as shown on map recorded in Book 34, page 91, of Miscellaneous Records, in the office of the Recorder of the County of Los Angeles; thence southeasterly along said last mentioned prolongation and center line of said alley to the center line of Sutherland Street; thence southwesterly along the center line of Sutherland Street to the center line of Macbeth Street; thence southeasterly along the center line of Macbeth Street to the center line of Quintero Street; thence southwesterly along the center line of Quintero Street to the center line of Sunset Boulevard; thence northwesterly along the center line of Sunset Boulevard to the center line of Glendale Boulevard; thence southerly along the center line of Glendale Boulevard to the northwesterly prolongation of the center line of 2nd Street; thence southeasterly along said northwesterly prolongation and center line of 2nd Street to the southwesterly prolongation of the center line of Boylston Street; thence southwesterly along said prolongation of the center line of Boylston Street to the easterly prolongation of the center line of Huntley Drive; thence westerly along said prolongation and center line of Huntley Drive to the center line of Boylston

Street; thence southwesterly along the center line of Boylston Street to the center line of Sixth Street; thence southeasterly along the center line of Sixth Street and the southeasterly prolongation thereof to the center line of the Harbor Parkway; thence southwesterly along the center line of the Harbor Parkway to the center line of Eighth Street; thence northwesterly along the center line of Eighth Street to the center line of Alvarado Street; thence northeasterly along the center line of Alvarado Street to the center line of Seventh Street; thence northwesterly along the center line of Seventh Street to the center line of Vermont Avenue; thence northerly along the center line of Vermont Avenue to the center line of Beverly Boulevard; thence westerly along the center line of Beverly Boulevard to the center line of Western Avenue; thence northerly along the center line of Western Avenue to the center line of Los Feliz Boulevard; thence northeasterly along the center line of Los Feliz Boulevard to the southwesterly prolongation of the center line of a private street known as Fern Dell Drive; thence northeasterly along said prolongation and center line of Fern Dell Drive and the northerly prolongation thereof to the southerly boundary of Griffith Park; as shown on County Surveyor's Map No. 2325 on file in the office of the surveyor of said county; thence westerly and northerly along the boundary of Griffith Park to the point of beginning, shall constitute the Fifty-sixth Assembly District

57. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the center lines of Van Nuys Boulevard and Riverside Drive; thence easterly along the center line of Riverside Drive and following the same in all its various courses to the westerly boundary of the City of Burbank as same existed on March 1, 1951; thence southeasterly along the westerly boundary of said City of Burbank to the most southerly corner of said city, being a point in the easterly line of the Rancho Ex-Mission de San Fernando as shown on map recorded in Book 1, page 605, of Patents in the office of the Recorder of the County of Los Angeles; thence southerly along said last mentioned easterly line and following the same in all its various courses to the northerly line of Section 34, Township 1 North, Range 14 West, S.B B. & M ; Thence easterly along section lines to the westerly boundary of Griffith Park as shown on County Surveyor's Map No 2325 on file in the office of the surveyor of said county; thence southerly and easterly along the boundary of said Griffith Park to the center line of a private street known as Fern Dell Drive; thence southerly along the center line of said Fern Dell Drive to the center line of Los Feliz Boulevard; thence southwesterly along the center line of Los Feliz Boulevard to the center line of Western Avenue; thence southerly along the center line of Western Avenue to the center line of Melrose Avenue; thence westerly along the center line of Melrose Avenue to the center line of Cahuenga Boulevard; thence northerly along the center line of Cahuenga Boulevard to the center line of Sunset Boulevard; thence westerly along the center line of Sunset Boulevard to the center line of Hayworth Avenue; thence southerly along the center line of Hayworth Avenue to the boundary of the City of Los Angeles as same existed on above mentioned date; thence easterly along said last mentioned boundary of the City of Los Angeles and following the same in all its various courses to the first intersection with the center line of Fairfax Avenue; thence southerly along the center line of Fairfax Avenue to the boundary of said City of Los Angeles; thence westerly along said last mentioned boundary and following the same in all its various courses to the easterly boundary of the City of Beverly Hills as same existed on above mentioned date; thence northerly along said last mentioned boundary and following the same in all its various courses to the northerly terminus of the most westerly line of said last mentioned boundary, being an angle point in the southerly line of fractional Section 11, Township 1 South, Range 15 West, S.B.B & M ; thence westerly along section lines to the southwesterly corner of fractional Section 10, said township and range, being a point in the northeasterly boundary of the Rancho San Vicente y Santa Monica as shown on map recorded in Book 3, pages 30 and 31, of Patents in the office of the recorder of said county; thence northwesterly along said last mentioned boundary to the southerly boundary of that certain territory annexed to said City of Los Angeles, and known as the San Fernando Addition; said point being also the northwest corner of Fractional Section 33, Township 1 North, Range 15 West, S. B & M.; thence northeasterly along a direct line to the intersection of the center lines of Oakfield Drive and Van Nuys Boulevard; thence northwesterly along the center line of Van Nuys Boulevard and following the same in all its various courses to the point of beginning, shall constitute the Fifty-seventh Assembly District

58. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the center lines of Sunset Boulevard and Hayworth Avenue; thence easterly along the center line of Sunset Boulevard to the center line of Cahuenga Boulevard; thence southerly along the center line of Cahuenga Boulevard to the center line of Melrose Avenue; thence easterly along the center line of Melrose Avenue to the center line of Western Avenue; thence southerly along the

center line of Western Avenue to the center line of Beverly Boulevard, thence easterly along the center line of Beverly Boulevard to the center line of Vermont Avenue, thence southerly along the center line of Vermont Avenue to the center line of 7th Street, thence easterly along the center line of 7th Street to the center line of Westmoreland Avenue; thence southerly along the center line of Westmoreland Avenue to the center line of 9th Street; thence westerly along the center line of 9th Street to the center line of Western Avenue; thence southerly along the center line of Western Avenue to the center line of Washington Boulevard; thence westerly along the center line of Washington Boulevard to the center line of West Boulevard; thence northeasterly along the center line of West Boulevard and its northeasterly prolongation to the center line of the Pacific Electric Co.'s right of way (in San Vicente Boulevard), thence northwesterly along the center line of said right of way to the center line of Stanley Avenue; thence northeasterly along the center line of Stanley Avenue to the center line of Wilshire Boulevard, thence westerly along the center line of Wilshire Boulevard to the center line of Fairfax Avenue, thence northerly along the center line of Fairfax Avenue to 3rd Street; thence easterly along the center line of 3rd Street to the center line of La Brea Avenue; thence northerly along the center line of La Brea Avenue to the center line of Willoughby Avenue, thence westerly along the center line of Willoughby Avenue to the boundary of the City of Los Angeles as same existed March 1, 1951, said boundary being on the center line of Willoughby Avenue, thence westerly along the boundary of said last mentioned city to the center line of Fairfax Avenue; thence northerly along the center line of Fairfax Avenue to the boundary of the City of Los Angeles as same existed on above mentioned date; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Hayworth Avenue; thence northerly along the center line of Hayworth Avenue to the point of beginning, shall constitute the Fifty-eighth Assembly District.

59 All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the center line of Beverly Glen Boulevard and the northerly boundary of the Rancho San Jose De Buenos Ayres, as shown on map recorded in Book 26, pages 19 to 25, inclusive, of Miscellaneous Records, in the office of the Recorder of the County of Los Angeles; thence northeasterly along said boundary to the southwesterly corner of Fractional Section 10, Township 1 South, Range 15 West, S.B.B and M., thence southeasterly along the southwesterly line of said section and easterly along section lines to the northerly boundary of the City of Beverly Hills, as same existed on March 1, 1951; thence easterly along the boundary of said city and following the same in all its various courses to the intersection with the boundary of the City of Los Angeles, as same existed on above mentioned date, said point of intersection being at or near the center line of Doheny Drive and south of Beverly Boulevard, thence easterly along the boundary of said last mentioned city and following the same in all its various courses to the center line of the Pacific Electric Railway Company's right of way in San Vicente Boulevard; thence southeasterly along the center line of said right of way to the center line of La Cienega Boulevard; thence due west from the center line of La Cienega Boulevard to the easterly boundary of the City of Beverly Hills, as same existed on above mentioned date; thence southeasterly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Robertson Boulevard (south of Whitworth Drive), thence southerly along the center line of Robertson Boulevard to the center line of Adams Boulevard; thence westerly along the center line of Adams Boulevard and following the same in all its various courses to its westerly terminus as shown on map of Tract No. 14212, recorded in Book 308, pages 30 to 32, of Maps, in the office of said recorder; thence northwesterly in a direct line to the intersection of the center lines of Adams Boulevard and Beverly Drive; thence westerly along the center line of Adams Boulevard and following the same in all its various courses to the center line of Beverwil Drive; thence northerly along the center line of Beverwil Drive to the easterly prolongation of the southerly line of Tract No. 13945, as shown on map recorded in Book 338, pages 43 and 44, of said Maps; thence westerly along said prolongation and southerly line of Tract No. 13945 to the center line of Anchor Avenue; thence northerly along the center line of Anchor Avenue and following the same in all its various courses to the center line of Monte Mar Place; then southwesterly along the center line of Monte Mar Place to the center line of Monte Mar Terrace; thence northwesterly along the center line of Monte Mar Terrace to the center line of McConnell Drive; thence northwesterly along the center line of McConnell Drive to the center line of Monte Mar Drive; thence southwesterly along the center line of Monte Mar Drive to the center line of Lorenzo Drive; thence southeasterly along the center line of Lorenzo Drive to the center line of Motor Avenue; thence southeasterly along the center line of Motor Avenue and following the same in all its various courses to the northwesterly boundary of the City of Culver City, as same existed on above mentioned date; thence southwesterly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in said last mentioned

city boundary; said point being in the northwesterly prolongation of the northeasterly line of Bledsoe Avenue; thence northwesterly along said last mentioned prolongation to the center line of the Pacific Electric Railway Company's right of way (in Venice Boulevard), thence southwesterly along the center line of said last mentioned right of way to the center line of Centinela Avenue; thence northwesterly along the center line of Centinela Avenue and Bundy Drive to a point due east of the most easterly corner of the City of Santa Monica, as same existed on above mentioned date, thence due west to said corner; thence along the boundary of said city and following the same in all its various courses to the center line of Santa Monica Boulevard; thence northeasterly along the center line of Santa Monica Boulevard to the center line of Manning Avenue; thence northwesterly along the center line of Manning Avenue to the center line of Wilshire Boulevard; thence northeasterly along the center line of Wilshire Boulevard to the center line of Beverly Glen Boulevard; thence northwesterly along the center line of Beverly Glen Boulevard to the point of beginning, shall constitute the Fifty-ninth Assembly District.

60. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the northwesterly boundary of the County of Los Angeles and the north line of Section 8, Township 1 South, Range 19 West, S.B.B. and M.; thence easterly along section lines to the northeast corner of Section 11, said last mentioned township and range; thence southerly along the easterly line of last mentioned section to the northwesterly corner of Section 13, said last mentioned township and range; thence easterly and southerly along the northerly and easterly lines of said last mentioned section to the northwesterly corner of Section 19, Township 1 South, Range 18 West, S.B.B. and M; thence easterly along section lines to the first intersection with the boundary of the City of Los Angeles, as same existed March 1, 1951, thence northeasterly along the boundary of said city to the southerly boundary of the San Fernando Addition to said city; thence easterly along the southerly boundary of said addition to the northeasterly boundary of the Rancho San Vicente y Santa Monica, as shown on map recorded in Book 3, pages 30 and 31, of Patents, in the office of the Recorder of the County of Los Angeles; thence southeasterly along the boundary of said rancho, and following the same in all its various courses to the center line of Beverly Glen Boulevard; thence southerly along the center line of Beverly Glen Boulevard to the center line of Wilshire Boulevard; thence southwesterly along the center line of Wilshire Boulevard to the center line of Manning Avenue; thence southerly along the center line of Manning Avenue to the center line of the Pacific Electric Railway Company's right of way (in Santa Monica Boulevard), thence southwesterly along the center line of said last mentioned right of way and the center line of Santa Monica Boulevard to the northeasterly boundary of the City of Santa Monica, as same existed on above mentioned date; thence southeasterly along the boundary of said last mentioned city, and following the same in all its various courses to the center line of Lincoln Boulevard; thence northwesterly along the center line of Lincoln Boulevard to the center line of Pico Boulevard; thence southwesterly along the center line of Pico Boulevard and the southwesterly prolongation thereof to the southwesterly boundary of the County of Los Angeles, thence northwesterly along the boundary of said County, and following the same in all its various courses to the point of beginning, shall constitute the Sixtieth Assembly District.

61. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the boundary of the City of Los Angeles, as same existed on March 1, 1951 and the center line of the Pacific Electric Railway Co.'s right of way (in San Vicente Boulevard); thence easterly along the boundary of said City of Los Angeles and following the same in all its various courses to an angle point in said last mentioned boundary, being the intersection of the center line of Willoughby Avenue and the southerly prolongation of the westerly line of Tract No. 4885, as shown on map recorded in Book 45, page 87, of Maps, in the office of the Recorder of the County of Los Angeles; thence easterly along the center line of Willoughby Avenue to the center line of La Brea Avenue; thence southerly along the center line of La Brea Avenue to the center line of Third Street; thence westerly along the center line of Third Street and following the same in all its various courses to the center line of Fairfax Avenue; thence southerly along the center line of Fairfax Avenue to the center line of Wilshire Boulevard; thence easterly along the center line of Wilshire Boulevard to the center line of Stanley Avenue; thence southerly along the center line of Stanley Avenue and following the same in all its various courses to the center line of the Pacific Electric Railway Company's right of way (in San Vicente Boulevard); thence southwesterly along the center line of said last right of way to the center line of La Brea Avenue; thence southerly along the center line of La Brea Avenue to the center line of the Pacific Electric Railway Co.'s right of way (in Exposition Boulevard); thence westerly along the center line of said last mentioned right of way to the center line of Jefferson Boulevard; thence southerly along the center line of Jefferson Boulevard to the center line of Moynier Lane; thence

southerly along the center line of Moynier Lane to the easterly boundary of said City of Culver City, as same existed on above mentioned date; thence southerly along last mentioned easterly boundary and following the same in all its various courses to the center line of La Cienega Boulevard; thence southerly along the center line of said La Cienega Boulevard and following the same in all its various courses to the northerly boundary of said City of Los Angeles; thence westerly along the boundary of said City of Los Angeles and following the same in all its various courses to the center line of Pershing Drive; thence southeasterly along the center line of Pershing Drive to the center line of Culver Boulevard; thence southwesterly along the center line of Culver Boulevard and following the same in all its various courses and the southwesterly prolongation thereof to the southwesterly boundary of said county; thence northwesterly along the boundary of said county and following the same in all its various courses to the southwesterly prolongation of the center line of Pico Boulevard; thence northeasterly along the center line of Pico Boulevard to the center line of Lincoln Boulevard; thence southeasterly along the center line of Lincoln Boulevard to the southwesterly boundary of the City of Santa Monica, as same existed on above mentioned date; thence northeasterly along the boundary of said last mentioned city and following the same in all its various courses to the northeasterly corner of said last mentioned city; thence due east to the center line of Bundy Drive; thence southeasterly along the center line of Bundy Drive and the center line of Centinela Avenue to the center line of the Pacific Electric Railway Company's right of way (in Venice Boulevard); thence northeasterly along the center line of said last mentioned right of way to the northwesterly prolongation of the northeasterly line of Bledsoe Avenue, thence southeasterly along said last mentioned prolongation to the northwesterly boundary of the City of Culver City, as same existed on above mentioned date; thence northeasterly along said last mentioned boundary and following the same in all its various courses to the center line of Motor Avenue; thence northerly along the center line of Motor Avenue and following the same in all its various courses to the center line of Lorenzo Drive; thence westerly along the center line of Lorenzo Drive to the center line of Monte Mar Drive; thence northeasterly along the center line of Monte Mar Drive and following the same in all its various courses to the center line of McConnell Drive; thence easterly along the center line of McConnell Drive and following the same in all its various courses to the center line of Monte Mar Terrace, thence northeasterly along last mentioned center line and following the same in all its various courses to the center line of Monte Mar Place; thence northeasterly along last mentioned center line and following the same in all its various courses to the center line of Anchor Avenue; thence southerly along last mentioned center line to the southerly line of Tract No. 13945, as shown on map recorded in Book 338, pages 43 and 44, of Maps, in the office of said recorder; thence easterly along last mentioned southerly line and its easterly prolongation to the center line of Beverwil Drive; thence southerly along the center line of Beverwil Drive and following the same in all its various courses to the center line of Adams Boulevard; thence easterly along the center line of Adams Boulevard and following the same in all its various courses to the center line of Beverly Drive; thence southeasterly in a direct line to the most westerly terminus of Adams Boulevard, as shown on map of Tract No. 14212, recorded in Book 308, pages 30 to 32, inclusive, of said Maps; thence easterly along last mentioned center line of Adams Boulevard and following the same in all its various courses to the center line of Robertson Boulevard; thence northerly along the center line of Robertson Boulevard and following the same in all its various courses to the southerly boundary of said City of Beverly Hills, as same existed on above mentioned date; thence easterly and northerly along last mentioned boundary of said City of Beverly Hills and following the same in all its various courses to the center line of La Cienega Boulevard; thence due north to the center line of the Pacific Electric Railway Co.'s right of way (in San Vicente Boulevard); thence northwesterly along the center line of said last mentioned right of way to the point of beginning, shall constitute the Sixty-first Assembly District.

62. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the center lines of Union Avenue and Eighth Street; thence southeasterly along the center line of Eighth Street, and following the same in all its various courses to the center line of Figueroa Street; thence southwesterly along the center line of Figueroa Street to the center line of Ninth Street; thence southeasterly along the center line of Ninth Street to the center line of Alameda Street; thence southerly along the center line of Alameda Street to the boundary of the City of Los Angeles, as same existed March 1, 1951; thence westerly and southerly along the boundary of said city to an angle point in said boundary, said mentioned angle point being at or near the intersection of the center lines of Alameda Street and the A.T. & S.F. Ry. Co's. Right of Way (Redondo Branch), said mentioned angle point being also a point in the southerly boundary of the City of Vernon, as same existed on above mentioned date; thence southeasterly along the boundary of said last mentioned city to its first intersection with the westerly boundary of the City of Huntington Park, as same existed on above mentioned date; thence southerly

along the westerly boundary of said last mentioned city and following the same in all its various courses to the intersection with the center line of Florence Avenue; thence westerly along the center line of Florence Avenue to the center line of Main Street; thence northerly along the center line of Main Street to the center line of Slauson Avenue; thence westerly along the center line of Slauson Avenue to the center line of Broadway; thence northerly along the center line of Broadway to the center line of Broadway Place; thence northeasterly along the center line of Broadway Place to the center line of 39th Street; thence northwesterly along the center line of 39th Street to the center line of Flower Drive; thence northerly along the center line of Flower Drive to the center line of 38th Street; thence westerly along the center line of 38th Street to the center line of Figueroa Street; thence northerly and northeasterly along the center line of Figueroa Street to the center line of Washington Boulevard; thence northwesterly along the center line of Washington Boulevard to the center line of Union Avenue; thence northeasterly along the center line of Union Avenue to the center line of Venice Boulevard; thence southeasterly along the center line of Venice Boulevard to the center line of Union Avenue; thence northeasterly along the center line of Union Avenue to the point of beginning, shall constitute the Sixty-second Assembly District.

63. All that part of the County of Los Angeles within the following described boundaries.

Beginning at the intersection of the center lines of La Brea Avenue and the Pacific Electric Railway Company's right of way (in San Vicente Boulevard); thence southeasterly along the center line of said right of way to the center line of West Boulevard, thence southerly along the center line of West Boulevard to the center line of Washington Boulevard, thence easterly along the center line of Washington Boulevard to the center line of Vermont Avenue; thence southerly along the center line of Vermont Avenue to the center line of the Los Angeles Railway Company's right of way (in Santa Barbara Avenue); thence westerly along said last mentioned center line and following the same in all its various courses to the center line of Hyde Park Boulevard, thence westerly along said center line of Hyde Park Boulevard to the easterly boundary of the City of Inglewood, as same existed on March 1, 1951; thence northerly along said boundary of said last mentioned city and following the same in all its various courses to the center line of La Cienega Boulevard, as shown on map of Tract No. 14461, recorded in Book 301, pages 40 and 41, of Maps, in the office of the Recorder of said county, thence northerly along the center line of La Cienega Boulevard to the northerly boundary of the City of Los Angeles, as same existed on above mentioned date, thence westerly along last mentioned boundary to the center line of La Cienega Boulevard, as shown on County Surveyor's Map No. B-1914, Sheet 1, on file in the office of the surveyor of said county; thence northerly along last mentioned center line and following the same in all its various courses to the southerly boundary of the City of Culver City, as same existed on above mentioned date; thence easterly along said boundary of the City of Culver City and following the same in all its various courses to the center line of Moynier Lane; thence northeasterly along the center line of Moynier Lane to the center line of Jefferson Boulevard, thence northerly along the center line of Jefferson Boulevard to the intersection with the center line of the Pacific Electric Railway Company's right of way (Santa Monica Air Line); thence southeasterly along the center line of said last mentioned right of way to the center line of La Brea Avenue; thence northeasterly along the center line of La Brea Avenue and following the same in all its various courses to the point of beginning, shall constitute the Sixty-third Assembly District.

64. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the northerly line of Section 8, Township 1 South, Range 19 West, S.B.B. & M., and the northwesterly boundary of the County of Los Angeles; thence northeasterly along the boundary of said County and following the same in all its various courses to the northerly line of Fractional Section 33, Township 2 North, Range 17 West, S.B.B. & M.; thence easterly along section lines to the westerly boundary of the City of Los Angeles, as the same existed on March 1, 1951; thence southerly along the boundary of said City of Los Angeles to the westerly prolongation of the center line of the most westerly portion of Roscoe Boulevard; thence easterly along said prolongation and center line of Roscoe Boulevard to the center line of the Southern Pacific Railroad Company's right of way (Coast Line); thence southeasterly along the center line of said right of way to the center line of Coldwater Canyon Avenue; thence southerly along the center line of Coldwater Canyon Avenue and the southerly prolongation thereof and the center line of Coldwater Canyon Avenue to the center line of Riverside Drive; thence westerly along the center line of Riverside Drive to the center line of Van Nuys Boulevard; thence southerly along the center line of Van Nuys Boulevard and following the same in all its various courses to the center line of Oakfield Drive; thence southwesterly along a direct line to the northwesterly corner of Fractional Section 33, Township 1 North, Range 15 West, S. B. B. & M., said point being also in the southerly boundary of that certain territory annexed to the City of

Los Angeles, and known as the San Fernando Addition; thence westerly along the boundary of said last-mentioned addition and following the same in all its various courses to an angle point in the boundary of the City of Los Angeles as the same existed on above mentioned date, said angle point being also the most easterly corner of Fractional Section 33, Township 1 North, Range 16 West, S B B. & M ; thence southwesterly along the boundary of said last-mentioned city to the southerly line of Fractional Section 18, Township 1 South, Range 16 West, S.B.B & M.; thence westerly along section lines to the southeast corner of Section 13, Township 1 South, Range 19 West, S.B B & M.; thence northerly and westerly along the easterly and northerly lines of said Section 13 to the southeast corner of Section 11, said last-mentioned Township and Range; thence northerly along the easterly line of said last-mentioned section to the northeast corner thereof, thence westerly along section lines to the point of beginning, shall constitute the Sixty-fourth Assembly District.

65 All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the center lines of 9th Street and Western Avenue; thence easterly along the center line of 9th Street to the center line of Westmoreland Avenue; thence northerly along the center line of Westmoreland Avenue to the center line of 7th Street; thence easterly along the center line of 7th Street and following the same in all its various courses to the center line of Alvarado Avenue; thence southwesterly along the center line of Alvarado Avenue to the center line of Eighth Street, thence southeasterly along the center line of Eighth Street to the center line of Union Ave.; thence southeasterly along the center line of Union Avenue to the center line of Venice Boulevard; thence northwesterly along the center line of Venice Boulevard to the center line of Union Avenue; thence southwesterly along the center line of Union Avenue to the center line of Washington Boulevard; thence southeasterly along the center line of Washington Boulevard to the center line of Figueroa Street; thence southwesterly and southerly along the center line of Figueroa Street to the center line of 38th Street; thence easterly along the center line of 38th Street to the center line of Flower Drive; thence southerly along the center line of Flower Drive to the center line of 39th Street; thence southeasterly along the center line of 39th Street to the center line of Broadway Place; thence southwesterly along the center line of Broadway Place to the center line of Broadway; thence southerly along the center line of Broadway to the center line of Slauson Avenue; thence westerly along the center line of Slauson Avenue to the center line of the Los Angeles Railway Company's right of way (in Crenshaw Boulevard); thence northerly along the center line of said right of way and following the same in all its various courses to the center line of Vermont Avenue; thence northerly along the center line of Vermont Avenue to the center line of Washington Boulevard; thence westerly along the center line of Washington Boulevard to the center line of Western Avenue; thence northerly along the center line of Western Avenue to the point of beginning, shall constitute the Sixty-fifth Assembly District.

66 All that part of the County of Los Angeles within the following described boundaries.

Beginning at the intersection of the center lines of Slauson Avenue and the Los Angeles Railway Company's right of way in Crenshaw Boulevard; thence easterly along the center line of Slauson Avenue to the center line of Main Street; thence southerly along the center line of Main Street to the center line of 94th Street; thence westerly along the center line of 94th Street to the easterly boundary of the City of Inglewood, as same existed March 1, 1951; thence northerly along the boundary of said city and following the same in all its various courses to the center line of the Atchison, Topeka and Santa Fe Railway Company's right of way (Redondo Branch), thence southwesterly along the center line of said last mentioned right of way and following the same in all its various courses to the center line of Manchester Avenue; thence westerly along the center line of Manchester Avenue and following the same in all its various courses to the center line of Vista Del Mar; thence southwesterly on a southwesterly prolongation of the center line of Manchester Avenue to the center line of Trolley Way; thence northerly along the center line of Trolley Way to the northeasterly prolongation of the center line of Surf Street; thence southwesterly along said prolongation, the center line of Surf Street and the southwesterly prolongation thereof to the southwesterly boundary of the County of Los Angeles; thence northwesterly along the boundary of said county to the southwesterly prolongation of the center line of that portion of Culver Boulevard lying between Trolley Way and Ocean Front Walk; thence northeasterly along said southwesterly prolongation and center line of Culver Boulevard and following the same in all its various courses to the center line of Pershing Drive (from the northwest); thence northwesterly along the center line of Pershing Drive to the northwesterly boundary of the City of Los Angeles, as same existed on above mentioned date; thence northeasterly along the boundary of said city and following the same in all its various courses to the center line of La Cienega Boulevard, said center line being at the intersection with the northerly boundary of Tract No 14461, as shown on map recorded in Book 301, pages 40 and 41, of Maps, in the office of the Recorder of the County of Los Angeles,

thence southerly along the center line of La Cienega Boulevard to the northerly boundary of the City of Inglewood, as same existed on above mentioned date; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Hyde Park Boulevard; thence easterly along the center line of Hyde Park Boulevard to the center line of the Los Angeles Railway Company's right of way in Crenshaw Boulevard; thence northerly along the center line of said right of way to the point of beginning, shall constitute the Sixty-Sixth Assembly District.

67. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the center line of 94th Street and the easterly boundary of the City of Inglewood as same existed March 1, 1951; thence easterly along the center line of 94th Street to the easterly boundary of the City of Los Angeles (in Normandie Avenue); thence southerly along the boundary of said last mentioned city to the center line of 94th Street; thence easterly along the center line of 94th Street to the westerly boundary of said last mentioned city (in Vermont Avenue); thence northerly along the boundary of said city to the center line of 94th Street; thence easterly along the center line of 94th Street to the center line of Broadway; thence southerly along the center lines of Broadway and Athens Way to the center line of Imperial Highway; thence westerly along the center line of Imperial Highway to the center line of Athens Way (westerly roadway); thence southerly along the center line of Athens Way to the southerly boundary of the said last mentioned city of Los Angeles; thence easterly along the boundary of said last mentioned city to the center line of Avalon Boulevard; thence southerly along the center line of Avalon Boulevard to the center line of Rosecrans Avenue; thence westerly along the center line of Rosecrans Avenue to the center line of San Pedro Street; thence southerly along the center lines of San Pedro Street and Avalon Boulevard to the center line of 165th Street; thence westerly along the center line of 165th Street to the center line of Main Street; thence southerly along the center line of Main Street to the center line of Victoria Street; thence southwesterly along the center line of Victoria Street to the easterly boundary of the said last mentioned City of Los Angeles; thence southerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Vermont Avenue; thence northerly along the center line of Vermont Avenue to the center line of 190th Street; thence southwesterly and westerly along the center line of 190th Street to the easterly boundary of the City of Torrance as same existed on above mentioned date; thence northerly along the boundary of said last mentioned city and following the same in all its various courses to the easterly boundary of the City of Redondo Beach as same existed on above mentioned date; thence southerly along the boundary of said last mentioned city and following the same in all its various courses to its intersection with the center line of Flogler Lane, said point being also at or near the intersection of the center lines of Beryl Street and Flogler Lane; thence northerly along the center line of Flogler Lane to the center line of Redondo Beach Boulevard; thence westerly along the center line of Redondo Beach Boulevard to an angle point in the southeasterly boundary of the City of Manhattan Beach, as same existed on above mentioned date, thence northerly along the boundary of said last mentioned city and following the same in all its various courses to the southerly boundary of the City of El Segundo as same existed on above mentioned date; thence northerly along the boundary of said last mentioned city to the center line of Imperial Highway; thence easterly along the center line of Imperial Highway to the easterly boundary of the City of Los Angeles (in Freeman Avenue) as same existed on above mentioned date; thence southerly along the boundary of said last mentioned city and following the same in all its various courses to the northerly boundary of the City of Hawthorne as same existed on above mentioned date; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Prairie Avenue; thence northerly along the center line of Prairie Avenue to the center line of Imperial Highway; thence easterly along the center line of Imperial Highway to the westerly boundary of the City of Inglewood as same existed on above mentioned date; thence northerly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in the boundary of said last mentioned city at or near the northwesterly corner of Crenshaw Boulevard and Imperial Highway; thence due south to the center line of Imperial Highway; thence easterly along the center line of Imperial Highway to the center line of Van Ness Avenue; thence northerly along the center line of Van Ness Avenue to the southerly boundary of the said last mentioned City of Inglewood; thence northerly along the boundary of said last mentioned city to the point of beginning, shall constitute the Sixty-seventh Assembly District.

68. All that part of the County of Los Angeles within the following described boundaries:

Beginning at an angle point in the boundary of the City of Torrance, as same existed March 1, 1951, said angle point being at or near the intersection of the center lines of Redondo Beach Boulevard and Hawthorne Avenue; thence northeasterly

along the boundary of said city and following the same in all its various courses to the center line of 190th Street; thence easterly and northeasterly along the center line of 190th Street to the center line of Vermont Avenue; thence southerly along the center line of Vermont Avenue to its first intersection with the southeasterly boundary of the City of Los Angeles, as same existed on above mentioned date; thence northeasterly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Victoria Street; thence northeasterly along the center line of Victoria Street to the center line of Main Street; thence northerly along the center line of Main Street to the center line of 165th Street; thence easterly along the center line of 165th Street to the center line of Avalon Boulevard; thence northerly along the center lines of Avalon Boulevard and San Pedro Street to the center line of Rosecrans Avenue; thence easterly along the center line of Rosecrans Avenue to the center line of Central Avenue (from the South); thence southerly along the center line of Central Avenue to the center line of 168th Street; thence easterly along the center line of 168th Street to the southerly prolongation of the center line of Northwood Avenue; thence northerly along said prolongation to an angle point in the City of Compton, as same existed on above mentioned date; thence easterly along the boundary of said last mentioned city to the first intersection with the westerly boundary of the City of Long Beach, as same existed on above mentioned date; thence southerly along the boundary of said last mentioned city and following the same in all its various courses to the first intersection with the easterly boundary of the City of Los Angeles, as same existed on above mentioned date; thence southerly along the boundary of said last mentioned city and following the same in all its various courses to its intersection with the southerly boundary of the County of Los Angeles; thence westerly along the boundary of said County of Los Angeles and following the same in all its various courses to its first intersection with the southwesterly boundary of the City of Los Angeles, as same existed on above mentioned date, thence northeasterly along said last mentioned boundary and following the same in all its various courses to an angle point in said last mentioned boundary, said point being at or near the northwest corner of Tract No. 10962, as shown on map recorded in Book 250, pages 30 and 31, of Maps, in the office of the Recorder of the County of Los Angeles; thence due west to the center line of Western Avenue; thence northerly along the center line of Western Avenue to its intersection with the southerly line of Tract No. 2937, as shown on map recorded in Book 37, page 26, of Maps, in the office of the Recorder of the County of Los Angeles; thence westerly along the southerly boundaries of said last mentioned tract and Tract No. 3377, as shown on map recorded in Book 37 page 9, of Maps, in the office of the Recorder of the County of Los Angeles to the southwest corner of Lot 111, said last mentioned tract; thence southwesterly and westerly along the easterly and southerly lines of Tract No. 954, as shown on maps recorded in Book 17, page 16, of Maps, in the office of the Recorder of the County of Los Angeles to the southwesterly corner of said last mentioned tract, said corner being also on the boundary line of the City of Los Angeles, as same existed on above mentioned date; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Wilmington Street; thence northerly along the center line of Wilmington Street to the center line of 242nd Street; thence easterly along the center line of 242nd Street to the center line of Newton Street; thence northwesterly along the center line of Newton Street to the center line of Pacific Coast Highway; thence northwesterly along the center line of Pacific Coast Highway to the easterly boundary of the City of Torrance, as same existed on above mentioned date; thence northerly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in said boundary at or near the southeasterly corner of Block 70, Tract No. 10019, as shown on map recorded in Book 182, pages 1 to 13, inclusive, of Maps, in the office of the Recorder of the County of Los Angeles, being also an angle point in the boundary of the City of Redondo Beach, as same existed on above mentioned date; thence northerly along the boundary of said last mentioned city to an angle point in the boundary of the City of Torrance, as same existed on above mentioned date, at or near the intersection of Beryl Street and Flagler Lane; thence northeasterly along the boundary of said last mentioned city and following the same in all its various courses to the point of beginning, shall constitute the Sixty-Eighth Assembly District.

69 All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the center lines of Avalon Boulevard and El Segundo Boulevard; thence easterly along the center line of Avalon Boulevard to a point in the westerly boundary of the City of Compton, as same existed on March 1, 1951, said point being also at or near the intersection of the center line of El Segundo Boulevard and the east line of Central Avenue; thence northerly along the boundary of the aforesaid City of Compton and following the same in all its various courses to

an angle point therein, said angle point being also at or near the intersection of the center lines of El Segundo Boulevard and Wilmington Avenue; thence southerly along the center line of Wilmington Avenue to a point in the boundary of aforesaid City of Compton, said point being at or near the intersection of the center line of Wilmington Avenue and the north line of Cressey Street; thence northeasterly along the boundary of aforesaid City of Compton and following the same in all its various courses to the southerly boundary of the City of Lynwood, as same existed on above mentioned date; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Imperial Highway; thence easterly along the center line of Imperial Highway and following the same in all its various courses to an angle point in the easterly boundary of said last mentioned city; thence northerly and westerly along the boundary of said last mentioned city to the center line of Atlantic Avenue; thence northerly along the center line of Atlantic Avenue to its intersection with the center line of Rayo Avenue; thence northeasterly along the center line of Rayo Avenue to the center line of Southern Avenue; thence easterly along the center line of Southern Avenue to its intersection with the center line of Stewart and Gray Road; thence southeasterly along the center line of Stewart and Gray Road, the easterly prolongation of the center line of Stewart and Gray Road, and the center line of Stewart and Gray Road to the center line of Downey Avenue; thence northeasterly along the center line of Downey Avenue and following the same in all its various courses to the center line of Gallatin School House Road; thence southeasterly along the center line of Gallatin School House Road to the center line of Stoakes Avenue; thence northeasterly along the center line of Stoakes Avenue to the center line of Anaheim Telegraph Road; thence southeasterly along the center line of Anaheim Telegraph Road to the center line of the official bed of the San Gabriel River; thence southwesterly along the center line of said river and following the same in all its various courses to a point due East of an angle point in the boundary of the City of Long Beach, as same existed on above mentioned date, said angle point being at the intersection of the southwest line of the right of way of the new San Gabriel River Levee District, as shown on County Surveyor's Map No. 7561 on file in the office of the Surveyor of the County of Los Angeles, with the easterly prolongation of the southerly line of Tract No 5023, as shown on map recorded in Book 58, page 1, of Maps, in the office of the Recorder of said county, thence due west to said last mentioned angle point; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in said boundary at or near the northeasterly corner of Harbor Avenue and Greenleaf Drive, said angle point being on the southerly boundary of the City of Compton, as same existed on above mentioned date; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in the boundary of said last mentioned city at or near the northwest corner of the intersection of Northwood Avenue and 168th Street; thence due south to the center line of 168th Street; thence westerly along the center line of 168th Street to the center line of Central Avenue; thence northerly along the center line of Central Avenue to the center line of Rosecrans Avenue; thence westerly along the center line of Rosecrans Avenue to the center line of Avalon Boulevard; thence northerly along the center line of Avalon Boulevard to the point of beginning, shall constitute the Sixty-ninth Assembly District

70. All that part of the County of Los Angeles within the following described boundaries.

Beginning at an angle point in the boundary of the City of Long Beach as same existed March 1, 1951, at or near the northeasterly corner of 70th Street and Orange Avenue; thence easterly along the boundary of said city and following the same in all its various courses to the southeasterly boundary of the County of Los Angeles; thence southwesterly along the boundary of said county and following the same in all its various courses to the southerly prolongation of the center line of 16th Place; thence northerly along said last mentioned prolongation and center line of 16th Place to the center line of Ocean Boulevard; thence westerly along the center line of Ocean Boulevard to the center line of Cherry Avenue; thence northerly along the center line of Cherry Avenue to the center line of 4th Street, thence westerly along the center line of 4th Street to the center line of Orange Avenue; thence northerly along the center line of Orange Avenue to a point due west of an angle point in the boundary of said City of Long Beach at or near the northeasterly corner of 70th Street and Orange Avenue; thence due east to the point of beginning, shall constitute the Seventieth Assembly District.

71 The County of Riverside shall constitute the Seventy-first Assembly District.

72. Beginning at the intersection of the north line of Section 28, T. 3 N., R. 7 W., S B B. & M., San Bernardino County, State of California, with the county boundary line between San Bernardino and Los Angeles Counties; thence easterly along section lines to the northeast corner of Section 27 of aforesaid T. 3 N. R 7 W.; thence southerly along section line to the southeast corner of said Section 27; thence easterly along section lines to the northeast corner of the west one-half of Section 31, T. 3 N., R. 6 W.; thence southerly along the east line of the west one-half of said Section 31 to the

southeast corner thereof; thence easterly along the township line between Townships 2 and 3 north to the northeast corner of Section 5, T. 2 N., R. 6 W.; thence southerly along section line to the southeast corner of said Section 5; thence easterly along section line to the northeast corner of Section 9, same township and range; thence southerly along section line to the northwest corner of the south one-half of Section 10, same township and range; thence easterly along the north line of the south one-half of said Section 10 to the northeast corner thereof; thence southerly along section line to the southeast corner of said Section 10, thence easterly along section line to the northeast corner of the west one-half of Section 14, same township and range; thence southerly along the east line of the west one-half of said Section 14 and Section 23, same township and range, to the southeast corner of the west one-half of said Section 23; thence easterly along section lines to the northeast corner of Section 25, same township and range; thence southerly along the range line between Ranges 5 and 6 west to the northwest corner of Section 31, T. 2 N., R. 5 W.; thence easterly along section line to the northeast corner of said Section 31; thence southerly along section line to the southeast corner of said Section 31; thence westerly along township line between townships 1 and 2 north to the northeast corner of Section 6, T. 1 N., R. 5 W.; thence southerly along the east line of said Section 6 and along the extension of said line southerly to an intersection with the center line of the main channel of Lytle Creek; thence southeasterly following the center line of the main channel of said Lytle Creek to an intersection with the range line between Ranges 4 and 5 west; thence southerly along said range line to an intersection with the center line of Base Line Street; thence easterly along said Base Line Street to an intersection with the center line of Sterling Avenue; thence southerly along the center line of said Sterling Avenue to an intersection with the center line of the main channel of the Santa Ana River; thence southwesterly along the center line of the main channel of said Santa Ana River to an intersection with the county boundary line between San Bernardino and Riverside Counties; thence westerly, northerly and westerly following said boundary line between San Bernardino County and the Counties of Riverside, Orange and Los Angeles along its various courses to an intersection with the north line of aforesaid Section 28, T. 3 N., R. 7 W., S.B.B. & M., being the place of beginning.

73. All that portion of the County of San Bernardino not included within the Seventy-second Assembly District, as fixed and defined by this section, shall constitute the Seventy-third Assembly District.

74. All that portion of the County of Orange lying south and east of the middle of the channel of the Santa Ana River shall constitute the Seventy-fourth Assembly District

75. All that portion of the County of Orange not included in the Seventy-fourth Assembly District, as fixed and defined by this section, shall constitute the Seventy-fifth Assembly District.

76. The County of Imperial shall constitute the Seventy-sixth Assembly District.

77. All that portion of the County of San Diego, including all that portion of the City of San Diego, not included within the Seventy-eighth and Seventy-ninth Districts, as fixed and defined by the section, and included within the following described boundary lines to wit: Lying northerly and westerly of the point of intersection of the westerly prolongation of the center line of 30th Street, National City, with the shore line of the Bay of San Diego; thence running easterly along said center line of 30th Street, National City, to its intersection with the center line of Sweetwater Road (County Road Surveys Nos. 471 and 558) thence running in a general easterly direction along said center line of Sweetwater Road to its intersection with the most southwesterly boundary line of Spring Valley Precinct 5; thence running easterly along the southerly boundary lines of Spring Valley Precincts 5 and 6 to the latter's intersection with the easterly boundary line of Spring Valley Precinct 6; thence running northerly along said easterly boundary line of said Spring Valley Precinct 6 to its intersection with the northerly boundary line of said Spring Valley Precinct 6; thence running westerly along the northerly boundary line of said Spring Valley Precinct 6 to its intersection with the westerly boundary line of Oro Precinct 1; thence running northerly along said westerly boundary line of said Oro Precinct 1 to its intersection with the northerly boundary line of said Spring Valley Precinct 6; thence running in a general northerly direction along the northerly boundary lines of Spring Valley Precincts 6 and 1 to the latter's intersection with the westerly boundary line of Helix Precinct 1; thence running northerly along said westerly boundary line of Helix Precinct 1 to its intersection with the northerly boundary line of said Helix Precinct 1; thence running easterly along said northerly boundary line of Helix Precinct 1 to its intersection with the westerly boundary lines of Helix Precincts 2 and 5, thence running northerly along said westerly boundary lines of Helix Precincts 2 and 5 to the former's intersection with the easterly boundary line of Murray Precinct 1; thence running northerly and northwesterly along said easterly boundary line of Murray Precinct 1, to its intersection with the most southeasterly corner of Encinitas Township; thence running northerly, easterly and westerly along the easterly boundary lines of Encinitas, Escondido

and Fallbrook Townships to the latter's intersection with the northerly boundary line of the County of San Diego and including all of the Townships of Encinitas, Oceanside Vista, Escondido and Fallbrook as such existed on March 1st, 1951, shall constitute the Seventy-seventh Assembly District.

78. All that portion of the County of San Diego included and being in the incorporated limits of the City of San Diego, as the same existed on January 1, 1941, and included within the following described boundary lines, to wit. Lying northerly and westerly of the center line of Commercial Street, at its westerly end, to wit: At the Bayshore line; thence running easterly along said center line of Commercial Street to its intersection with the center line of Twenty-fifth Street; thence running northerly along said center line of Twenty-fifth Street to its intersection with the center line of Imperial Avenue; thence running westerly along said center line of Imperial Avenue to its intersection with the center line of Twenty-fourth Street; thence running northerly along said center line of Twenty-fourth Street to its intersection with the center line of B Street; thence running westerly along said center line of B Street to its intersection with the center line of Twenty-third Street; thence running northerly along said center line of Twenty-third Street to its intersection with the center line of A Street; thence running easterly along said center line of A Street to its intersection with the center line of Twenty-eighth Street; thence running northerly along said center line of Twenty-eighth Street to its intersection with the center line of Upas Street; thence running westerly along said center line of Upas Street to its intersection with the center line of Park Boulevard; thence running northerly along said center line of Park Boulevard to its intersection with the center line of Myrtle Street; thence running easterly along said center line of Myrtle Street to its intersection with the center line of Indiana Street; thence running northerly along said center line of Indiana Street to its intersection with the center line of Cypress Street; thence running westerly along said center line of Cypress Street to its intersection with the center line of Park Boulevard; thence running northerly along said center line of Park Boulevard to its intersection with the center line of Adams Street; thence running northerly along an extension of the center line of Park Boulevard to its intersection with the center line of El Camino del Rio; thence running easterly along the center line of El Camino del Rio to its intersection with the city boundary line and except that portion of the City of San Diego lying north of a line commencing at the Pacific Ocean Shoreline and thence running easterly along the north boundary line of Precinct 56 to the intersection of said boundary line with the westerly boundary line of Precinct 54A; thence running northerly along said westerly boundary line to its intersection with the north boundary line of Precinct 53; thence running easterly along the north boundary lines of Precincts 53, 52 and 51 to the intersection of the north boundary line of Precinct 51 with its easterly boundary line; thence running southerly along said easterly boundary line of Precinct 51 to its intersection with the north boundary line of Precinct 30; thence running easterly along the north boundary lines of Precincts 30, 29 and 27 as the above enumerated precincts were defined and effective on January 1, 1950, and thence running southeasterly to the intersection of the City of San Diego limit at its intersection with Cabrillo Freeway, shall constitute the Seventy-eighth Assembly District.

79. All that portion of the County of San Diego, included and being within the incorporated limits of the City of San Diego as the same existed on January 1, 1941, which is not included within the Seventy-eighth Assembly District as fixed and defined by this section except that portion of the City of San Diego which was included in Precincts designated as Kensington 1, 2, 3 and 451 to 464, inclusive, as such precincts were defined and effective upon January 1, 1950, but including that portion of Lemon Grove Precinct 1 and Greenwood Precinct lying wholly within the incorporated limits of the City of San Diego, shall constitute the Seventy-ninth Assembly District.

80. All that portion of the County of San Diego, not included within the Seventy-seventh, Seventy-eighth and Seventy-ninth Assembly Districts, as fixed and defined by this section, including all of the City of Coronado within its incorporated limits as the same existed on March 1, 1951 and North Island shall constitute the Eightieth Assembly District.

PROPOSED COMMITTEE AMENDMENTS TO ASSEMBLY BILL NO. 42

Assembly Bill No. 42—An act to add Section 471 to the Government Code, relating to the division of the State into districts for the election of Legislative Representatives.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 471 to", and insert "repeal existing Section 470 of, and to add new Section 470 to,".

Amendment No. 2

In line 2 of the title of said bill, after "into", insert "Congressional".

Amendment No. 3

In lines 2 and 3 of the title of said bill, strike out "for the election of Legislative Representatives".

Amendment No. 4

On page 1, line 1, of said bill, strike out "471 is added to", and insert "470 of".

Amendment No. 5

On page 1, lines 1 and 2, of said bill, strike out ", to read:", and insert "is repealed."

Amendment No. 6

On page 1 of said bill, strike out lines 3 to 5, inclusive, and insert

"SEC. 2. Section 470 is added to said code, to read:

470. The State is divided into 30 congressional districts which are designated and constituted as follows:

1. The Counties of Del Norte, Humboldt, Mendocino, Sonoma, Marin, Napa and Lake shall constitute the First Congressional District.

2. The Counties of Siskiyou, Shasta, Modoc, Lassen, Amador, Tehama, Butte, Sierra, Inyo, Mono, Nevada, Alpine, Mariposa, Calaveras, Tuolumne, Plumas, El Dorado, Placer and Trinity shall constitute the Second Congressional District.

3. The Counties of Glenn, Colusa, Sutter, Yuba, Yolo and Sacramento shall constitute the Third Congressional District.

4. All that portion of the City and County of San Francisco comprising the Nineteenth, Twenty-first and Twenty-second Assembly Districts shall constitute the Fourth Congressional District.

5. All that portion of the City and County of San Francisco not included in the Fourth Congressional District shall constitute the Fifth Congressional District.

6. The Counties of Solano and Contra Costa shall constitute the Sixth Congressional District.

7. All that portion of the County of Alameda comprising the Sixteenth, Seventeenth and Eighteenth Assembly districts shall constitute the Seventh Congressional District.

8. All that portion of the County of Alameda not included in the Seventh Congressional District shall constitute the Eighth Congressional District.

9. The County of San Mateo shall constitute the Ninth Congressional District.

10. The Counties of Santa Clara, Santa Cruz, and San Benito shall constitute the Tenth Congressional District.

11. The Counties of San Joaquin and Stanislaus shall constitute the Eleventh Congressional District.

12. The Counties of Merced, Madera and Fresno shall constitute the Twelfth Congressional District.

13. The Counties of Monterey, San Luis Obispo, Santa Barbara and Ventura shall constitute the Thirteenth Congressional District.

14. The Counties of Kings, Tulare and Kern shall constitute the Fourteenth Congressional District.

15. All that portion of the County of Los Angeles comprising the Fifty-eighth, Sixty-third and Sixty-fifth Assembly Districts shall constitute the Fifteenth Congressional District.

16. All that portion of the County of Los Angeles comprising the Fifty-ninth and Sixtieth Assembly Districts shall constitute the Sixteenth Congressional District.

17. All that portion of the County of Los Angeles comprising the Forty-sixth, Sixty-seventh and Sixty-eighth Assembly Districts shall constitute the Seventeenth Congressional District.

18. All that portion of the County of Los Angeles comprising the Forty-fourth and Seventieth Assembly Districts shall constitute the Eighteenth Congressional District.

19. All that portion of the County of Los Angeles comprising the Fortieth, Forty-fifth and Fifty-first Assembly Districts shall constitute the Nineteenth Congressional District.

20. All that portion of the County of Los Angeles comprising the Forty-third and Forty-seventh Assembly Districts shall constitute the Twentieth Congressional District.

21. All that portion of the County of Los Angeles comprising the Forty-first, Forty-second and Forty-eighth Assembly Districts shall constitute the Twenty-first Congressional District.

22. All that portion of the County of Los Angeles comprising the Fifty-seventh and Sixty-fourth Assembly Districts shall constitute the Twenty-second Congressional District.

23. All that portion of the County of Los Angeles comprising the Fifty-second, Fifty-fifth and Sixty-ninth Assembly Districts shall constitute the Twenty-third Congressional District.

24. All that portion of the County of Los Angeles comprising the Fifty-fourth and Fifty-sixth Assembly Districts shall constitute the Twenty-fourth Congressional District.

25. All that portion of the County of Los Angeles comprising the Forty-ninth, Fiftieth and Fifty-third Assembly Districts shall constitute the Twenty-fifth Congressional District.

26. All that portion of the County of Los Angeles comprising the Sixty-first, Sixty-second and Sixty-sixth Assembly Districts shall constitute the Twenty-sixth Congressional District.

27. The County of San Bernardino shall constitute the Twenty-seventh Congressional District

28. The County of Orange and all that part of the County of San Diego comprising the Seventy-seventh Assembly District shall constitute the Twenty-eighth Congressional District

29. The Counties of Riverside and Imperial and all that portion of the County of San Diego comprising the Eightieth Assembly District shall constitute the Twenty-ninth Congressional District.

30. All that portion of the County of San Diego comprising the Seventy-eighth and Seventy-ninth Assembly Districts shall constitute the Thirtieth Congressional District."

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER. Your Committee on Agriculture. to which were referred.

Assembly Bill No. 2484	Assembly Bill No 1633
Assembly Bill No. 2764	Assembly Bill No. 1634
Assembly Bill No. 968	Assembly Bill No. 2717

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

CLARKE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 736

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

CLARKE, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER: Your Committee on Agriculture, to which were referred.

Assembly Bill No. 457
Assembly Bill No. 2809
Assembly Bill No. 2938

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Senate Bill No. 743

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

CLARKE, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred.

Assembly Bill No 2447

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and be re-referred to Committee on Ways and Means

CLARKE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER. Your Committee on Agriculture, to which were referred:

Assembly Bill No. 381
Assembly Bill No. 2258

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CLARKE, Chairman

Above reported bills ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR SPEAKER: Your Committee on Judiciary, to which were referred.

Assembly Bill No. 606
Assembly Bill No. 1091
Assembly Bill No. 1203
Assembly Bill No 2760

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred

Assembly Bill No 341
Assembly Bill No. 605
Assembly Bill No 1089
Assembly Bill No. 1090
Assembly Bill No. 1200
Assembly Bill No. 1201
Assembly Bill No. 1202
Assembly Bill No. 1276
Assembly Bill No 1277
Assembly Bill No. 2047
Assembly Bill No. 2450
Assembly Bill No. 2718
Assembly Bill No 2752

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR SPEAKER. Your Committee on Judiciary, to which were referred

Assembly Bill No. 93
Assembly Bill No. 455
Assembly Bill No 1093

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means

BROWN, Chairman

Above reported bills ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR SPEAKER Your Committee on Judiciary, to which was referred:

Assembly Bill No 1158

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1254
Assembly Bill No. 1377
Assembly Bill No. 1683

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

BROWN, Chairman

Above reported bills ordered to second reading.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 1665

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be re-referred to Committee on Ways and Means.

ERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 1905
Assembly Bill No. 2319
Assembly Bill No. 2320
Assembly Bill No. 2321
Assembly Bill No. 3021

Has had the same under consideration, and reports the same back with the recommendation: Do pass

ERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which were referred

Assembly Bill No. 944
Assembly Bill No 1492
Assembly Bill No 2318

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

ERWIN, Chairman

Above reported bills ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No. 25

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolution ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No 87

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 57
Senate Bill No. 104
Senate Bill No. 105
Senate Bill No. 106
Senate Bill No. 178
Senate Bill No. 217
Senate Bill No. 231
Senate Bill No 355
Senate Bill No. 389
Senate Bill No 867
Senate Bill No. 876
Senate Bill No. 897
Senate Bill No. 909
Senate Bill No. 910
Senate Bill No. 911
Senate Bill No. 916
Senate Bill No. 963
Senate Bill No. 970
Senate Bill No. 1210
Senate Bill No. 1211

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 57—An act to repeal Section 3 of an act entitled "An act relating to the Sixth District Agricultural Association, making an appropriation for the acquisition of land and the construction of facilities for the purposes of said association, and regulating the use of housing facilities under the control of said association," approved by the Governor July 17, 1947, relating to property under the control of the Sixth District Agricultural Association which is used for housing.

Referred to Committee on Ways and Means.

Senate Bill No. 104—An act to amend Sections 88, 92, and 92.5 of the Agricultural Code, relating to district agricultural fairs.

Referred to Committee on Agriculture.

Senate Bill No. 105—An act to amend Sections 19622, 19626, and 19628 of the Business and Professions Code, relating to allocation of moneys in the Fair and Exposition Fund.

Referred to Committee on Agriculture.

Senate Bill No. 106—An act to amend Section 5154 of the Public Resources Code, relating to county fairs.

Referred to Committee on Agriculture.

Senate Bill No. 178—An act to amend Section 18005 of the Government Code, relating to the separation from state service of state personnel.

Referred to Committee on Civil Service and State Personnel.

Senate Bill No. 217—An act to add Section 11007.5 to the Government Code, relating to the insurance of state property.

Referred to Committee on Finance and Insurance.

Senate Bill No. 231—An act to amend Section 1159 of the Harbors and Navigation Code, relating to the Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 355—An act to amend Section 26749 of the Government Code, relating to transportation of prisoners or patients to state prisons, hospitals or other institutions.

Referred to Committee on Municipal and County Government.

Senate Bill No. 389—An act to add Section 20983.1 to the Government Code, relating to retirement of local members of the State Employees' Retirement System, declaring the urgency hereof, to take effect immediately.

Referred to Committee on Civil Service and State Personnel.

Senate Bill No. 867—An act to add Section 15427 to the Revenue and Taxation Code, relating to the specific exemption allowable under the Gift Tax Law.

Referred to Committee on Revenue and Taxation

Senate Bill No. 876—An act to add Section 13011 to the Government Code, relating to the powers and duties of the Director of Finance.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 897—An act to amend Section 19598 of the Business and Professions Code, relating to disposition of unclaimed wager tickets.

Referred to Committee on Boards and Commissions.

Senate Bill No. 909—An act to amend Section 14032 of the Government Code, relating to the Division of Architecture Revolving Fund.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 910—An act to add Section 15106 to the Government Code, relating to the leasing of facilities for connection with the State's Teletypewriter System.

Referred to Committee on Municipal and County Government

Senate Bill No. 911—An act to add Section 16376 to the Government Code, relating to funds deposited in trust in the State Treasury for the California State Historical Association

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 916—An act to amend Section 5003 of the Public Resources Code, relating to powers and duties of State Park Commission.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 963—An act to add Section 11011 to the Government Code, relating to the payment of commissions to licensed real estate brokers upon the sale of state-owned land.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 970—An act to amend Sections 11270 and 11271 and to repeal Sections 18750, 18751, 18752, and 18753 of the Government Code, relating to charges for administrative costs.

Referred to Committee on Civil Service and State Personnel.

Senate Bill No. 1210—An act to repeal an act entitled "An act to authorize the sale of a part of the property used by the Sonoma State Home and to provide for the disposition of the proceeds from such sale," approved July 15, 1949 (Chapter 904 of the Statutes of 1949).

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1211—An act to amend Section 14254 of the Government Code, relating to state public works projects.

Referred to Committee on Conservation, Planning, and Public Works.

CONSIDERATION OF DAILY FILE

UNFINISHED BUSINESS

NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 327 FROM COMMITTEE CONTINUED

Mr. Davis asked for, and was granted, unanimous consent that his notice of motion to withdraw Senate Bill No. 327 from committee be continued until the next legislative day.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 143—An act to amend Section 817 of the Penal Code, relating to peace officers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 234—An act to amend Sections 1731.5 and 1732 of the Welfare and Institutions Code, relating to commitments to the Youth Authority.

Bill read second time, and ordered engrossed.

Assembly Bill No. 243—An act to amend Section 27285 of the Government Code, relating to the recording of documents.

Bill read second time, and ordered engrossed.

Assembly Bill No. 244—An act to amend Section 27287 of the Government Code, relating to the recordation of instruments

Bill read second time, and ordered engrossed.

Assembly Bill No. 367—An act to amend Section 826.5 of the Welfare and Institutions Code, relating to alternative procedure in misdemeanor cases with respect to the orders of juvenile court referees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 659—An act to amend Section 27 of the Probate Code, relating to those who may take by will.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1823—An act to amend Section 1245.3 of the Code of Civil Procedure, relating to proceedings in eminent domain.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1825—An act to amend Sections 1242, 1243, and 1265 of the Civil Code and Sections 660 and 663 of the Probate Code, relating to homesteads.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1827—An act to amend Sections 801.3 and 801.9 of the Code of Civil Procedure, relating to the determination of interests in and liens on real property.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2182—An act to repeal Section 60, and to amend Section 69, of the Civil Code, relating to marriage.

Bill read second time, and ordered engrossed.

Assembly Bill No. 323—An act to amend Section 25603 of the Corporations Code, relating to advertising under the provisions of the Corporate Securities Law.

Bill read second time, and ordered engrossed.

Assembly Bill No. 324—An act to amend Section 25806 of the Corporations Code, relating to the renewal of investment counsels' certificates under the provisions of the Corporate Securities Law.

Bill read second time, and ordered engrossed.

Assembly Bill No. 325—An act to amend Section 8 of the Personal Property Brokers Act, relating to the issuance of licenses

Bill read second time, and ordered engrossed.

Assembly Bill No. 326—An act to amend Sections 7 and 12 of the California Small Loan Act, relating to the issuance, suspension or revocation of licenses.

Bill read second time, and ordered engrossed

Assembly Bill No. 328—An act to amend Section 13 of the Personal Property Brokers Act, relating to the suspension or revocation of licenses.

Bill read second time, and ordered engrossed.

Assembly Bill No. 330—An act to add Section 13.1 to the Escrow Act and Section 17415 to the Financial Code, relating to powers and duties of the Commissioner of Corporations in connection with escrow companies.

Bill read second time, and ordered engrossed.

Assembly Bill No. 334—An act to amend Section 6 of the Check Sellers and Cashers Act, relating to liquid assets.

Bill read second time, and ordered engrossed.

Assembly Bill No. 336—An act to add Section 16 1 to the Check Sellers and Cashers Act, relating to advertising

Bill read second time, and ordered engrossed.

Assembly Bill No. 337—An act to amend Sections 4 and 9 of the Check Sellers and Cashers Act, relating to types of business licensed under said act.

Bill read second time, and ordered engrossed.

Assembly Bill No. 338—An act to add Section 7.1 to the Check Sellers and Cashers Act, relating to fidelity bonds.

Bill read second time, and ordered engrossed.

Assembly Bill No. 339—An act to amend Section 16 of the Industrial Loan Act, relating to the publication of financial information.

Bill read second time, and ordered engrossed

Assembly Bill No. 1886—An act to amend Section 271 of the Banking Code, relating to assessments upon national banks by the Superintendent of Banks.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1888—An act to amend Section 753 of the Banking Code, relating to investments in bank premises.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1920—An act to amend the Personal Property Brokers Act, relating to the taking and using of chattel mortgages.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2516—An act to add Section 15104 to the Financial Code and to add Section 23.6 to "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to credit unions.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2518—An act to amend Section 15811 of the Financial Code, and Section 23.4 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to taking possession of and liquidating credit unions.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2820—An act to amend Section 22 of the Industrial Loan Act and/or Section 18650 of the Financial Code, relating to industrial loan companies and penalties for overcharge.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3107—An act to amend Sections 275, 350, 601, 640, 641, 643, 644, 661, 871, 1223, 1224, 1780, and 3150 of the Banking Code, and to add a new section numbered 954, relating to deposit of moneys in the State Banking Fund, contents of articles of incorporation of banks, approval of by-laws of banks, assessment of bank shares, payment of dividends by banks, giving of notice of dormant accounts, definition of secured obligation, loan limits of banks, licensing of bank

representatives, recognition of rights of depositors located in occupied countries, and payment of deposits on liquidation.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3108—An act to amend Sections 2090, 2095, and 3011 of the Banking Code, to add Sections 3013, 3014, and 3015, relating to conversion of state banks into national banking associations, to the transfer of trust assets upon purchase by a national banking association, and to continuance of corporate existence upon conversion, merger or consolidation of state banks and national banking associations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 45—An act to amend Sections 984 and 985 of the Military and Veterans Code, relating to farm and home purchases by veterans.

Bill read second time, and ordered engrossed.

Assembly Bill No. 822—An act to amend Section 988.3 of the Military and Veterans Code, relating to advances of money to the Department of Veterans Affairs by the State Department of Finance.

Bill read second time, and ordered engrossed.

Assembly Bill No. 828—An act making an appropriation to the Regents of the University of California for the purpose of searching for, collecting and rearing natural enemies (parasites) of western grape skeletonizer.

Bill read second time, and ordered engrossed.

Assembly Bill No. 829—An act making an appropriation to the Regents of the University of California for the purpose of collecting, and conducting research work on, the beet leafhopper and the natural enemies thereof.

Bill read second time, and ordered engrossed.

Assembly Bill No. 6—An act to add Article 9 to Chapter 1 of Division 4 of Title 1 of the Government Code, relating to the fingerprinting of public employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 25, of the printed bill, after "district", insert "who has not heretofore been fingerprinted by the agency by whom he is employed and his fingerprints filed with the Federal Bureau of Investigation".

Amendment No. 2

On page 2, line 32, of the printed bill, following "employed", insert ", other than on a temporary basis, not exceeding 30 days,".

Amendment No. 3

On page 2, lines 29 and 30, of the printed bill, after "article", strike out "shall be guilty of a misdemeanor and".

Amendment No. 4

On page 2, line 14, of the printed bill, after "Investigation ", insert "There shall be no charge to the person fingerprinted."

Amendment No. 5

On page 1, line 26, of the printed bill, after "city", strike out "and district agency", and insert ", city and county, district or agency".

Amendment No. 6

On page 2, line 3, of the printed bill, after "city", strike out "or district agency", and insert ", city and county, district or agency".

Amendment No. 7

On page 2, lines 24 and 25, of the printed bill, after "city", strike out "or district agency", and insert ", city and county, district or agency".

Amendment No. 8

On page 2, line 32, of the printed bill, after "city", strike out "or district agency", and insert "city and county, district or agency".

Amendment No. 9

On page 2, line 28, of the printed bill, strike out ", neglects.".

Amendments read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 365—An act to amend Section 1203.11 of the Penal Code, relating to probation officers' reports.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "90", and insert "45".

Amendment read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 366—An act amending Section 643 of the Welfare and Institutions Code, relating to probation officers' annual reports.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "90", and insert "45"

Amendment read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 1177—An act to add Section 1190.1 to the Civil Code, relating to the acknowledgment of instruments.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 10, of the printed bill, after "to", insert "its by-laws or".

Amendment No. 2

On page 1, line 13, of the printed bill, after "by", insert "its by-laws or"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2620—An act to amend Section 27289 of the Government Code, relating to the recording of documents.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In the title of the printed bill, after "An act to", strike out "amend", and insert "repeal".

Amendment No. 2

On page 1 of the printed bill, strike out lines 2 to 17, inclusive, and insert "repealed."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 28—An act making an appropriation to the Emergency Fund specified in Item 277 of the Budget Act of 1950, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on January 19, 1951, after "appropriation to", insert "Mono County from".

Amendment No. 2

In line 5 of the title of said bill, after "therefor", insert ", declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 1 of said bill, between the enacting clause and line 1, insert

"SECTION 1. There is hereby appropriated out of those funds in the Emergency fund specified in Item 277 of the Budget Act of 1950, appropriated by Chapter 13 of the Statutes of 1951, the sum of seventy-five thousand five hundred dollars ($75,500) to the County of Mono to construct a new bridge on County Road #606 and to construct a new bridge, remove an old bridge and provide channel protection and grade approach work on County Road #604 necessitated by flood damage.

SEC. 2. The Legislature hereby declares that the appropriation is made in aid of the maintenance of county highways in accordance with Section 36 of Article IV of the Constitution of California.

SEC. 3. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Many of the people in Mono County have been isolated from their schools, stores, shops, and means of livelihood because of the destruction of and damage to bridges on county roads caused by floods during the past winter. It is necessary to the public health and safety that these county roads be restored to use at the earliest possible date. Weather conditions now permit the immediate commencement of the repair work and it is therefore necessary that this act take effect immediately."

Amendment No. 4

On page 1 of said bill, strike out lines 1 to 24, inclusive; on page 2, strike out lines 1 to 50, inclusive; and on page 3, strike out lines 1 to 5, inclusive

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 72—An act to amend Sections 985.5, 986.3, and 986.5 of the Military and Veterans Code, relating to the purchase of farms and homes by veterans.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

On page 2, line 38, of the printed bill, strike out "total cost", and insert "purchase price".

Amendment No. 2

On page 2, line 42, of the printed bill, strike out "cost" where it appears for the second time at the end of the line, and insert "sum of the purchase price".

Amendment No. 3

On page 2, line 43, of the printed bill, after "department", insert "and any amount the department is required under Section 986.9 of this code to add to the purchase price of the home in fixing the selling price thereof to the veteran,".

Amendment No. 4

On page 2, line 45, of the printed bill, strike out "cost", and insert "purchase price".

Amendment No. 5

On page 3, line 1, of the printed bill, strike out "cost of the farm to the department," and insert "sum of such purchase price to the department or contract price to the department and any amount which the department is required under Section 986.9 of this code to add to such purchase or contract price to the department in fixing the selling price of the farm to the veteran,".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2522—An act to amend Section 14852 of the Financial Code and Section 4 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to the corporate powers of credit unions

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 2 of the printed bill, strike out lines 11 to 29, inclusive, and insert "Impose fines:

In case of failure of members to make payments on shares, loans or other accounts when due, in excess of 1 percent per month or fraction of a month on amounts due, except that no fine shall be less than five cents (.05)."

Amendment No. 2

On page 3 of the printed bill, strike out lines 6 to 24, inclusive, and insert "14852. No credit union shall impose fines in case of failure of members to make payments on shares, loans or other accounts when due, in excess of 1 percent per month or fraction of a month on amounts due, except that no fine shall be less than five cents (.05)."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2823—An act to amend Subdivision First of Section 4 of the Industrial Loan Act and/or Subdivisions (a), (b), (c), and (d) of Section 18401, Sections 18663 and 18665 of the Financial Code, relating to industrial loan companies and the power to loan and the installment investment certificates with loans.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Subdivision 1 of".

Amendment No. 2

In line 3 of the title of said bill, strike out "18663", and insert "18405, 18663, 18664".

Amendment No. 3

Strike out lines 4, 5, and 6 of the title of said bill, insert "Code, relating to penalties and powers applicable to industrial loan companies."

Amendment No. 4

On page 1, line 12, of said bill, after the period, insert "the loan contracts of three hundred dollars ($300) or less or certificates of investment issued in connection with such loans shall require substantially uniform weekly, semi-monthly, or monthly payments over the period of the loan, with the final payment not payable until the maturity date of the loan. The borrower may purchase certificates of investment issued in connection with loans of a face value not exceeding the face amount of the loan simultaneously with each loan transaction and shall pledge the certificate with the corporation as security for the loan.

Second—To sell or negotiate investment certificates either in certificates, or in receipt book form, in addition to the sale of installment investment certificates with loans, for the payment of money at any time, either fixed or uncertain, and to receive payments therefor in installments or otherwise, with or without an allowance of interest upon such installments. Nothing herein contained shall be construed to authorize corporations hereunder to receive deposits or to issue certificates of deposit. The investment certificates herein authorized shall bear the indorsement on the face of the instrument, "This Is Not a Certificate of Deposit."

Third—The term "Charges" as used in this act, includes the aggregate interest, fees, bonuses, commissions, brokerage, discounts, expenses, and other forms of costs charged, contracted for, or received by an industrial loan company or any other person in connection with the investigating, arranging, negotiating, procuring, guaranteeing, making, servicing, collecting and enforcing of a loan or [for] forbearance of money, credit, goods or things in action, or any other service or services rendered.

However, it is hereby provided that the charges by an industrial loan company, broker and all other persons on any loan, forbearance of money, credit, goods or things in action under this act, shall not exceed in the aggregate 2½ percent per month on that portion of the unpaid principal balance up to, including but not in excess of one hundred dollars ($100), 2 percent per month on that portion of the unpaid principal balance in excess of one hundred dollars ($100) up to, including but not in excess of three hundred dollars ($300), and 10 percent per annum on that portion of the unpaid

principal balance in excess of three hundred dollars ($300). If, however, in connection with any loan, insurance is taken in favor of the industrial loan company, the total amount which may be contracted for and received for interest, brokerage and all other charges shall not exceed in the aggregate 2 percent per month on that portion of the unpaid principal balance up to, including but not in excess of three hundred dollars ($300) and 10 percent per annum on that portion of the unpaid principal balance in excess of three hundred dollars ($300). For the purpose of computing the charges set forth in this paragraph, a month shall be any period of 30 consecutive days. All payments made by the borrower on the installment investment certificates purchased by the borrower in connection with the making of the loan shall be regarded as payments on the loan and shall be applicable, first, to interest and all other charges within the maximum statutory rate provided in this paragraph and, secondly, to reduction of the unpaid principal of the loan advanced to the borrower in determining the "Unpaid Principal Balance" as hereinabove referred to.

However, it is provided that nothing in this section denies the right to the industrial loan company in addition to interest, brokerage and all other charges herein provided to contract for, collect and receive at the time of making the loan or at any time thereafter, the statutory fee paid by it to any public officer for acknowledging, filing, recording or releasing in any public office any instrument securing the loan or executed in connection therewith. Also, nothing in this section prohibits the lender from collecting in addition to the interest, brokerage and all other charges herein provided the costs for insurance, of tangible personal or real property offered as security for a loan, reasonably insured against loss for a reasonable term considering the circumstances of the loan; provided, such insurance is sold at standard rates through a duly licensed insurance agent.

The term "Unpaid Principal Balance" as used in this act shall mean the net amount of money, credit, goods or things in action received by the borrower at the time of entering into the transaction and the decreasing balances thereof after application in accordance with the provisions of this act of each payment made on the obligation.

Nothing in this section shall deny the right to any industrial loan company, in addition to all other charges herein provided, in the enforcing and collecting of a delinquent loan of an unpaid principal balance in excess of three hundred dollars ($300):

(a) To collect and receive the court costs and reasonable attorneys' fees allowed by a court in a judgment against a defaulting debtor:

(b) To contract for, collect and receive the bona fide expenses actually incurred and paid by the industrial loan company, not exceeding 10 percent of the unpaid principal balance of the loan where no judgment at law is sought.

No charge shall be collected unless a loan shall have been made. Whenever the interest and/or charges deducted in advance shall exceed the maximum provided by this section, by reason of subsequent repayment of the loan or any portion thereof prior to maturity or prepayment of installments on the investment certificate purchased with the loan, such excess shall be refunded to the borrower or credited on any balance owing by the borrower to the company.

Fourth—To establish offices or places of business within the State of California.

Fifth—To purchase, sell or discount bona fide trust receipts, choses in action, secured or unsecured, chattel mortgages or conditional sales contracts, which shall have a maturity within [two] *three* years from the date of said purchase.

Sixth—To make loans, purchase or discount notes, mortgages, contracts or other commercial paper, which loans or commercial paper are insured by the Federal Housing Administrator, Veterans' Administration, or other federal agency. Loans so insured may be made for a term up to but not to exceed 20 years

In addition to the powers herein enumerated, every corporation under the provisions of this act shall have the general powers conferred upon corporations by [Chapter 10, Title 1, Part 4, Division 1 of the Civil Code] *the General Corporation Law* except as herein otherwise provided."

Amendment No. 5

On page 2 of said bill, after line 15, insert

"SEC. 3. Section 18405 of the Financial Code is amended to read.

18405. An industrial loan company may purchase, sell or discount bona fide trust receipts, secured or unsecured choses in action, chattel mortgages or conditional sales contracts, which have a maturity within [two] *three* years from the date of purchase."

Amendment No. 6

On page 2, line 16, of said bill, strike out "SEC 3", and insert

"SEC. 4".

Amendment No. 7

On page 2 of said bill, after line 22, insert

"SEC. 5. Section 18664 of the Financial Code is amended to read:

18664. *Loan contracts of $300 or less* or [certificates] *certificates* of investment *executed or* issued in connection with such loans shall require *substantially* uniform weekly, semi-monthly, or monthly payments over the period of the loan, with the final payment not payable until the maturity date of the loan."

Amendment No. 8

On page 2, line 23, of said bill, strike out "SEC. 4", and insert "SEC. 6".

Amendment No. 9

On page 2 of said bill, strike out lines 30 to 34, inclusive, and insert

"SEC. 7. Sections 2, 3, 4, 5, and 6 of this act become operative only if Division 7 of the Financial Code is enacted by the Legislature at its 1951 Regular Session and in such case at the same time as said Division 7 takes effect, at which time Section 1 of this act is repealed."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2026—An act to amend Section 625a of the Penal Code, relating to the unlawful interference with fire-alarm apparatus and false alarms, providing punishment therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 5, of the printed bill, after "signal," insert "or wilfully and maliciously sends, gives, transmits, or sounds any false alarm of fire, by means of any public fire alarm system or signal,".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 2664—An act to amend Sections 3017 and 3019 of the Civil Code, and to add a new section numbered 3030, relating to the assignment of accounts receivable and giving notice thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, following line 27, insert

"SEC. 2. Section 3018 of the Civil Code is amended to read as follows:

3018. An assignment of an account is entitled to priority over any subsequent assignment of the same account; provided, that as between two or more assignees who receive written assignments for value without notice, the assignee whose notice of assignment or of intention to assign, is first filed as provided in this chapter is entitled to priority over all other assignees of the same account

Except as to any credit extended by a creditor after the notice provided for in this chapter is filed, an assignment of an account shall be invalid as against any creditor of the assignor without actual notice unless notice of or of intention to make the assignment as provided for in this chapter is filed at the time of or before the execution of the assignment or within five days thereafter.

A debtor, irrespective of the provisions of this chapter, until notified by the assignor or the assignee not to do so, may pay or otherwise deal in good faith with the

assignor, his agent for collection, or any person who has succeeded to the assignor's interest, and shall have as against the assignee, any right of set-off, counter-claim or defense against such assignor or person existing in his favor at the time he is so notified."

Amendment No. 2

On page 2 of the printed bill, strike out lines 2 to 5, inclusive, and insert "3019. Notice of an assignment or of intention to assign an account or accounts may be filed in the office of the filing officer. Such notice shall not be effective unless:".

Amendment No. 3

On page 2, line 6, of the printed bill, strike out "Unless such", and insert "The".

Amendment No. 4

On page 2, line 8, of the printed bill, strike out "Unless such", and insert "The".

Amendment No. 5

On page 2 of the printed bill, strike out lines 12 to 18, inclusive.

Amendment No. 6

On page 2, line 19, of the printed bill, strike out "A", and insert "The notice is signed by the assignor and assignee and contains a".

Amendment No. 7

On page 2, line 25, of the printed bill, strike out "expects", and insert "intends".

Amendment No. 8

On page 2, line 28, of the printed bill, strike out "expects", and insert "intends".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1313—An act to alleviate conditions caused by the presence in this State of large numbers of persons in the Armed Forces by providing recreational facilities therefor, and to make an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Military Affairs:

Amendment No. 1

On page 2, line 6, of the printed bill, after the period, insert "Expenditures under this act shall be audited by the State Controller."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 991—An act to amend Section 10494.5 of the Insurance Code, relating to disability insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out ", or to his em-"; and strike out all of lines 4 and 5.

Amendment No. 2

On page 1, line 6, of said bill, strike out "the same household.".

Amendment No. 3

On page 1, line 7, of said bill, strike out "50", and insert "25".

Amendment No. 4

On page 1, lines 8 and 9, of said bill, strike out "the benefits paid to his employees", and insert "maintaining such employee benefit plan".

Amendment No. 5

On page 1, line 12, of said bill, before the period, insert "and provided 75 percent or more of the eligible employees have enrolled in such plan".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 992—An act to amend Sections 450 and 451 of, and to add Section 452.1 to the Unemployment Insurance Act, relating to unemployment disability insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 8, of the printed bill, strike out "or", and insert "and".

Amendment No. 2

On page 1, line 9, of said bill, strike out "or both,".

Amendment No. 3

On page 1, line 18, of said bill, after "plan", insert ", either insured or self-insured,".

Amendment No. 4

On page 2 of said bill, between lines 15 and 16, insert

"If the plan does not provide for the assumption of the liability of the applicant, whether employer, a group of employers or employees, by an admitted disability insurer the plan shall be required to have met the requirements for approval of the California Employment Stabilization Commission and shall not be required to have been approved by the Insurance Commissioner."

Amendment No. 5

On page 2 of said bill, strike out lines 32 to 36, inclusive, and insert

"SEC. 452.1. To the extent that this article provides for voluntary plans not underwritten by an admitted disability insurer the provisions of the Insurance Code relating to disability benefits shall be inapplicable to such plans and the California Employment Stabilization Commission shall have jurisdiction of all matters of form and substance for such plans."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 1676—An act to add Section 10203.8 to the Insurance Code, relating to group life insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, after "act", insert "to amend Sections 10203.5, 10209 and 10213 of, and".

Amendment No. 2

In line 1 of the title of said bill, before "the", insert a comma.

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, between the enacting clause and line 1, insert

"SECTION 1. Section 10203.5 of the Insurance Code is amended to read:

10203.5. (a) Life insurance conforming to all the following conditions is another form of group life insurance.

(1) Covering one of the following groups:

(A) All members are or become borrowers from one financial institution, including subsidiary or affiliated persons, under an agreement to repay the sum borrowed.

(B) All members are or become purchasers of [securities,] merchandise or other property under an agreement to pay the balance of the purchase price.

(2) The group numbers not less than 100 new entrants yearly.

(3) The amount insured on any one borrower or purchaser does not exceed the balance of the indebtedness to the institution or vendor and does not exceed ten thousand dollars ($10,000) on any one life.

(4) The repayment or payment of purchase price is to be made, under the agreement of loan or purchase, in installments over a period not exceeding 32 years.

(5) The policy is issued upon application of and made payable to the institution, vendor, or a creditor to whom such vendor may transfer title to the indebtedness, as beneficiary, and the premiums are paid by or through the institution, vendor, or such creditor.

(b) A policy of insurance conforming to the provisions of this section is not subject to the provisions of Section 10209 or 10213."

Amendment No. 4

On page 1, line 1, of said bill, strike out "SECTION 1", and insert

"SEC. 2."

Amendment No. 5

On page 1 of said bill, after line 20, insert

"(c) The policy of insurance conforming to the provisions of this section is not subject to the provisions of Section 10209 or 10213.

SEC. 3. Section 10209 of the Insurance Code is amended to read:

10209. Except as provided by Sections 10203.5 [and], 10203.6 [,] *and 10203.8*, the policy shall contain a provision that the insurer will issue to the employer for delivery to the insured employee an individual certificate setting forth

(a) A statement as to the insurance protection to which the employee is entitled and to whom payable.

(b) A provision that if the employment terminates for any reason whatsoever and the employee applies to the insurer within 31 days after such termination, paying the premium applicable to the class of risk to which he belongs and to the form and amount of the policy at his then attained age he is entitled, without producing evidence of insurability, to the issue by the insurer of any individual life policy in any one of the forms, other than term insurance, customarily issued by the insurer. This provision shall apply to any insurance issued pursuant to Section 10203.4 on the life of the spouse of an employee.

(c) A statement that such policy in lieu of group insurance will be in an amount equal to the amount of his protection under such group insurance at the time of such termination.

SEC. 4. Section 10213 of the Insurance Code is amended to read:

10213. Except as provided by Sections 10203.5 [and], 10203.6 [,] *and 10203.8*, a policy of group life insurance or the proceeds thereof paid to the insured employee or the beneficiary thereunder shall not be liable, either before or after payment, to be applied by any legal or equitable process to pay any liability of any person having a right under the policy. The proceeds thereof, when not made payable to a named beneficiary, shall not constitute a part of the estate of the employee for the payment of his debts."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 75—An act to amend Section 10783 of the Revenue and Taxation Code, relating to exempting vehicles owned by paraplegic veterans from the motor vehicle license fee.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "paraplegic", and insert "disabled".

Amendment No. 2

In line 4 of said bill, strike out "paraplegic veteran", and insert "veteran who has lost, or has lost the use of, both legs as a result of injury or disease suffered while on active service with the Military, Naval, or Air Forces of the United States".

Amendment No. 3

On page 1 of said bill, after line 6, insert

"The exemption granted by this section shall extend to not more than one vehicle owned by any veteran."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Military Affairs

Assembly Bill No. 3155—An act to amend Section 565 of the Military and Veterans Code, relating to security and defense.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "to amend Section 565 of the Military and Veterans Code, relating to security and defense", and insert "making an appropriation, and providing for the hiring of personnel and the incurring of expenses, to carry out the purpose of the California Defense Production Act of 1951".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 4, inclusive, and insert

"SECTION 1. There is hereby appropriated to the Governor out of the unappropriated money in the General Fund the sum of fifty thousand dollars ($50,000), or so much thereof as may be needed, for the payment of salaries and expenses in carrying out the purpose and provisions of the California Defense Production Act of 1951

SEC. 2. Within the limit of the appropriation made in Section 1, the Governor may hire personnel and incur expenses in order to carry out the purpose of said act and shall fix the compensation, terms and conditions of the employment of such personnel in accordance with law.

SEC. 3. The Governor may expend the money appropriated by Section 1 through his own office or may assign any or all of such money to other officers or agencies of the Government of this State for expenditure in furtherance of the purpose of said act."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Military Affairs.

Assembly Bill No. 69—An act to add Sections 9541.1 and 9544.1 to the Business and Professions Code, relating to licensees of the State Board of Dry Cleaners.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

In line 3 of the title of the printed bill, after "Cleaners", insert ", declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 1 of the printed bill, after line 25, insert

"SEC. 3. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Delay of veterans in returning to civilian occupations upon their separation from service places a great and undue burden upon the general economy, and the public policy of this State demands that such veterans not be imposed with delays amounting to penalties for their service to the United States. Clarification of the law is necessary to insure that veterans be protected in their return to civilian pursuits."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Military Affairs.

Assembly Bill No. 70—An act to add Section 8557 to the Business and Professions Code, relating to licensees of the Structural Pest Control Board entering the Armed Forces.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

In line 3 of the title of the printed bill, after "forces", insert ", declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 1 of the printed bill, after line 21, insert

"SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Delay of veterans in returning to civilian occupations upon their separation from service places a great and undue burden upon the general economy, and the public policy of this State demands that such veterans not be imposed with delays amounting to penalties for their service to the United States. Clarification of the law is necessary to insure that veterans be protected in their return to civilian pursuits."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Military Affairs

Assembly Bill No. 68—An act to add Section 5082.6 to the Business and Professions Code, relating to the application of persons serving in the Armed Forces for registration as public accountant.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

In line 3 of the title of the printed bill, after "accountant", insert ", declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 1 of the printed bill, after line 10, insert

"SEC. 2 This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Delay of veterans in returning to civilian occupations upon their separation from service places a great and undue burden upon the general economy, and the public policy of this State demands that such veterans not be imposed with delays amounting to penalties for their service to the United States. Clarification of the law is necessary to insure that veterans be protected in their return to civilian pursuits."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Military Affairs.

SECOND READING OF SENATE BILLS

Senate Bill No. 1218—An act to add Section 10246 to the Government Code, relating to participation by the Legislative Counsel in judicial proceedings.

Bill read second time, and ordered to third reading.

SECOND READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 500—An act making appropriations for the support of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, to take effect immediately.

Bill read second time.

Request for Unanimous Consent That Amendment Proposed by Mr. Hollibaugh to Assembly Bill No. 500 Be Considered

Mr. Sherwin asked for unanimous consent that an amendment being proposed by Mr. Hollibaugh to Assembly Bill No 500 be taken up ahead of proposed committee amendments, at this time.

Mr. Beck withheld unanimous consent.

Motion to Temporarily Suspend the Rules

Mr. Sherwin moved that the Rules be temporarily suspended for the purpose of considering an amendment being proposed by Mr. Hollibaugh to Assembly Bill No. 500, out of order, at this time.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Collier, Connolly, Conrad, Crowley, Davis, Dickey, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lauterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr Speaker—60.

NOES—None

Motion to Amend

Mr Hollibaugh moved the adoption of the following amendment:

Amendment No. 1

On page 84 of the printed bill, after line 52, insert

"SEC 3.1. The amounts appropriated in Items 273, 275, 278, 280, 282, 283, 285, 286, 287, 289, 292, 294, 296, 298, 300, 302, 305, 309, 317, 318, 320, 322, 324, 327, 328, 330, 331, 340, 341, 344, 345, 347, 348, 349, 352, 353, 354, 356, 357, 359, 360, 361,

387, and 390 shall be transferred to the Postwar Employment Reserve and no expenditures for any such items shall be made except pursuant to an appropriation hereafter authorized by the Legislature.

Amendment read.

Point of Order

Mr. Beck arose to the following point of order: That copies of Assembly Bill No. 500 are not on the desks of the members.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Assembly Bill No. 500 ordered temporarily passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 16

Mr Dickey asked for, and was granted, unanimous consent that he be permitted to take up Senate Concurrent Resolution No. 16, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 16

Senate Concurrent Resolution No. 16—Relative to dangerous grades on State Highway 101 from San Francisco to the Oregon border.

Resolution read

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules.

Amendment No. 1

In line 2 of the title of the printed measure, add the letter "s" to the word "highway", and strike out the balance of the line.

Amendment No. 2

Strike out all of line 3 of the title of said measure, except the period.

Amendment No. 3

On page 1, line 9, of said measure, strike out "and", and insert "now, therefore, be it".

Amendment No. 4

On page 1 of said measure, strike out lines 10, 11, and 12

Amendment No. 5

On page 1, line 17, of said measure, strike out "on that portion of the State"; and strike out lines 18 and 19

Amendment No. 6

On page 1, line 17, of said measure, after "grades", insert "and curves throughout the State; and be it further".

Amendments read, and adopted

Resolution ordered reprinted, and on file for adoption.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY JOINT RESOLUTION NO. 25

Mr. Dickey asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 25, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 25

Assembly Joint Resolution No. 25—Relative to continuing federal support for vocational education.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

On page 2, line 1, of the printed measure, after "economy to", strike out "rob", and insert "deprive".

Amendment read, and adopted.

Resolution ordered reprinted, and engrossed.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 35: By Messrs. Dunn, Caldecott, Rumford, Dickey, Beck, Berry, Brady, Brown, George D. Collins, Sam L. Collins, Connolly, Dolwig, Gaffney, Lincoln, Maloney, McCarthy, Meyers, and Sherwin—Relative to the death of Judge Herbert Wilson Erskine.

Referred to Committee on Rules.

Speaker Pro Tempore Presiding

At 10.43 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1534 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Gubser asked for, and was granted, unanimous consent that Assembly Bill No. 1534 be withdrawn from the Committee on Social Welfare, and be re-referred to the Committee on Public Health.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 836

Mr. Stanley asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 836, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 836

Assembly Bill No. 836—An act to amend the title of the Municipal Water District Act of 1911, and to amend Sections 2, 3, 4, 5, 6, 7, 8, 9, 12, 13, 14, 15, 17, 18, 19, 22, 23, 24, 25, 26, 27, 28, 29, and 32 of, to amend and renumber Sections 6a, 27a, 27b, and 27c of, to repeal Sections 4a, 4b, 20, 31, and 34 of, and to add Sections 12.1, 12.2, 13.1, 16, 20, 21, 27.1, 27.2, 27.3, and 27.7 to the Municipal Water District Act of 1911, relating to municipal water districts, declaring the urgency thereof, to take immediate effect.

Bill read third time.

Motion to Amend

Mr. Stanley moved the adoption of the following amendments:

Amendment No. 1

In line 5 of the title of the printed bill, as amended in the Assembly on March 16, 1951, strike out "31, and 34", and insert "and 31".

Amendment No. 2

On page 3, line 51, of said bill, strike out "possess", and insert "possesses".

Amendment No. 3

On page 8, line 32, of said bill, after "ever", insert "the board shall find that".

Amendment No. 4

On page 10, line 33, of said bill, strike out "and to assume the costs of,".

Amendment No. 5

On page 10 of said bill, strike out lines 36 to 48, inclusive, and insert "for any purpose of the district, or a common benefit to lands within the district or its inhabitants".

Amendment No. 6

On page 12, line 8, of said bill, after "provided," insert "that in cases where work is not to be done by the district itself by force account, and the amount involved shall be ten thousand dollars ($10,000) or more, any contract for the doing of such work shall be let to the lowest responsible bidder, after publication, in the manner prescribed by the board, of notices inviting bids therefor, subject to the right of said board to reject any and all proposals; and provided further,".

Amendment No. 7

On page 24, line 11, of said bill, after "week", insert "for".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT CONSULTANTS BE SEATED ON FLOOR DURING CONSIDERATION OF ASSEMBLY BILL NO. 500

Mr. Sherwin asked for, and was granted, unanimous consent that the Director of the State Department of Finance, the Legislative Auditor, and other consultants relative to the Budget, be permitted to sit on the floor of the Assembly during consideration of Assembly Bill No. 500 and proposed amendments.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Sherwin asked for, and was granted, unanimous consent that the Rules be temporarily suspended for the purpose of considering further proposed amendments to Assembly Bill No 500 prior to sending the bill to be reprinted, at this time.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 500

Assembly Bill No. 500—An act making appropriations for the support of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, to take effect immediately.

Bill read second time.

Further Consideration of Amendment Proposed by Mr. Hollibaugh

Motion to Amend

Mr. Hollibaugh moved the adoption of the following amendment:

Amendment No. 1

On page 84 of the printed bill, after line 52, insert

"SEC. 3 1. The amounts appropriated in Items 273, 275, 278, 280, 282, 283, 285, 286, 287, 289, 292, 294, 296, 298, 300, 302, 305, 309, 317, 318, 320, 322, 324, 327, 328, 330, 331, 340, 341, 344, 345, 347, 348, 349, 352, 353, 354, 356, 357, 359, 360, 361,

387, and 390 shall be transferred to the Postwar Employment Reserve and no expenditures for any such items shall be made except pursuant to an appropriation hereafter authorized by the Legislature."

Amendment read, and adopted.

Consideration of Further Amendments
Motion to Amend

Mr. McCollister moved the adoption of the following amendment:

Amendment No. 1

On page 14 of the printed bill, between lines 12 and 13, insert

"69.5—For additional support of Los Guiucus School for Girls, Youth Authority, for employment and salary of Head Farmer, Grade 1__ 4,100".

Amendment read, and ordered passed on file without action at this time.

Request for Unanimous Consent That Amendment Be Considered Immediately After Consideration of Committee Amendments

Mr. McCollister asked for, and was granted, unanimous consent that his amendment, just passed on file, be considered immediately after the consideration of Item No. 69 of committee amendments to Assembly Bill No. 500, which comprises Amendments Nos 87, 88, 89, 90, and 91.

Request for Unanimous Consent That Amendments Be Considered Collectively

Mr. Sherwin asked for, and was granted, unanimous consent that Amendments Nos 1 to 29, inclusive, which are for purposes of classification, and carry no appropriations, be considered collectively, at this time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 3, line 2, of the printed bill, strike out "Council", and insert "Counsel".

Amendment No. 2

On page 3 of said bill, strike out lines 20 to 26, inclusive.

Amendment No. 3

On page 3 of said bill, after line 29, insert

"JUDICIAL".

Amendment No. 4

On page 6, line 19, of said bill, strike out "3,329,919", and insert "3,330,119".

Amendment No. 5

On page 7, line 31, of said bill, after "employees", strike out the period, and insert "or other agencies which by law are available for support of said agency."

Amendment No. 6

On page 11 of said bill, after line 16, insert "and in addition thereto any amounts returned by paroled or discharged prisoners in repayment of cash assistance advanced, which by law are available for support of said agency."

Amendment No. 7

On page 11 of said bill, after line 30, insert "and in addition thereto any amounts collected for services to other agencies, which by law are available for support of said department."

Amendment No. 8

On page 30, line 15, of said bill, strike out "for", and insert "from".

Amendment No. 9

On page 42 of said bill, after line 36, insert

"MILITARY AFFAIRS".

Amendment No. 10

On page 43, line 20, of said bill, strike out "54,788", and insert "54,778".

Amendment No. 11

On page 57 of said bill, after line 5, insert "and in addition thereto any amounts collected for services to activities supported out of other funds which by law are available for support of said commission."

Amendment No. 12

On page 63 of said bill, after line 21, insert

"MISCELLANEOUS".

Amendment No. 13

On page 67 of said bill, after line 45, insert

"284.1—For acquisition of real property, California Youth Training School, Youth Authority, to be expended under provisions of the Property Acquisition Act ---------- 300,000".

Amendment No. 14

On page 68, line 3, of said bill, strike out "523,438", and insert "223,438".

Amendment No. 15

On page 68 of said bill, strike out line 5.

Amendment No. 16

On page 68, line 6, of said bill, strike out "(b)", and insert "(a)".

Amendment No. 17

On page 68, line 8, of said bill, strike out "523,438", and insert "223,438".

Amendment No. 18

On page 69, line 41, of said bill, strike out "186,550", and insert "186,500".

Amendment No. 19

On page 75, line 15, of said bill, strike out "127,000", and insert "127,200".

Amendment No. 20

On page 91, line 10, of said bill, strike out "1951", and insert "1952".

Amendment No. 21

On page 24, line 7, of said bill, strike out "2115.1", and insert "21155.1".

Amendment No. 22

On page 47, line 3, of said bill, strike out "restoratoin", and insert "restoration".

Amendment No. 23

On page 56, line 9, of said bill, strike out "Department", and insert "Departments".

Amendment No. 24

On page 57, line 13, of said bill, after "to", insert "Railroad Commission".

Amendment No. 25

On page 62, line 27, of said bill, strike out "Veteraus", and insert "Veterans'".

Amendment No. 26

On page 5, line 14, of said bill, strike out the hyphen.

Amendment No. 27

On page 5, line 48, of said bill, strike out the hyphen

Amendment No. 28

On page 6, line 22, of said bill, strike out the hyphen.

Amendment No. 29

On page 6, line 41, of said bill, strike out the hyphen.

Amendments read, and adopted.

Further Consideration of Amendments Proposed by the Committee on Ways and Means

Division of the Question

By unanimous consent, Speaker pro Tempore Maloney ordered a division of the question.

Consideration of Amendments Nos. 30, 31, 32, and 33

Amendment No. 30

On page 3, line 3, of said bill, strike out "243,126", and insert "254,670".

Amendment No. 31

On page 3, line 8, of said bill, strike out "249,483", and insert "261,027".

Amendment No. 32

On page 3, line 12, of said bill, strike out "274,626", and insert "286,170".

Amendment No. 33

On page 3, line 19, of said bill, strike out "243,126", and insert "254,670".

Amendments read, and adopted.

Consideration of Amendment No. 34

Amendment No. 34

On page 4, line 10, of said bill, strike out "1,238,953", and insert "1,316,326".

Amendment read, and adopted.

Consideration of Amendments Nos. 35, 36, 37, 38, and 39

Amendment No. 35

On page 4, line 19, of said bill, strike out "217,608", and insert "209,024".

Amendment No. 36

On page 4, line 24, of said bill, strike out "321,853", and insert "351,769".

Amendment No. 37

On page 4, line 28, of said bill, strike out "397,608", and insert "427,524".

Amendment No. 38

On page 4, line 31, of said bill, strike out "180,000", and insert "218,500".

Amendment No. 39

On page 4, line 33, of said bill, strike out "217,608", and insert "209,024".

Amendments read, and adopted.

Consideration of Amendments Nos. 40, 41, 42, 43, 44, and 45

Amendment No. 40

On page 4, line 37, of said bill, strike out "1,365,575", and insert "1,359,238".

Amendment No. 41

On page 4, line 42, of said bill, strike out "1,179,032", and insert "1,173,260".

Amendment No. 42

On page 4, line 43, of said bill, strike out "251,798", and insert "251,311".

Amendment No. 43

On page 4, line 44, of said bill, strike out "23,985", and insert "23,907"

Amendment No. 44

On page 4, line 46, of said bill, strike out "1 454,815", and insert "1,448,478".

Amendment No. 45

On page 4, line 52, of said bill, strike out "1,365,575 ', and insert "1,359,238".

Amendments read, and adopted.

Consideration of Amendments Nos. 46, 47, 48, 49, and 50

Amendment No. 46

On page 5, line 3, of said bill, strike out "219,255", and insert "230,677".

Amendment No. 47

On page 5, line 8, of said bill, strike out "142,456", and insert "153,748"

Amendment No. 48

On page 5, line 10, of said bill, strike out "38,089", and insert "38,219".

Amendment No. 49

On page 5, line 12, of said bill, strike out "226,755", and insert "238,177".

Amendment No. 50

On page 5, line 16, of said bill, strike out "219,255", and insert "230,677".

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Beck, Berry, Brown, Burke, Clarke, Coats, Conrad, Crowley, Davis, Dolwig, Doyle, Dunn, Fleury, Geddes, Grant, Gubser, Hagen, Hahn, Henderson, Hinckley, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCollister, McFall, Moss, Munnell, Niehouse, Parker, Rosenthal, Shaw, Sherwin, Stewart, Tomlinson, and Waters—39.

NOES—Babbage, Belotti, Burkhalter, Cloyed, Collier, George D. Collins, Hansen, Kelly, Levering, Lowrey, Luckel, McCarthy, McGee, Smith, and Thomas—15.

Consideration of Amendments Nos. 51, 52, 53, 54, and 55

Amendment No. 51

On page 5, line 34, of said bill, strike out "4,669,451", and insert "4,687,358".

Amendment No. 52

On page 5, line 40, of said bill, strike out "3,210,000", and insert "3,222,222".

Amendment No. 53

On page 5, line 41, of said bill, strike out "1,647,401", and insert "1,653,086"

Amendment No. 54

On page 5, line 44, of said bill, strike out "4,951,770", and insert "4,969,677".

Amendment No. 55

On page 5, line 50, of said bill, strike out "4,669,451", and insert "4,687,358".

Amendments read, and adopted.

Consideration of Amendments Nos. 56, 57, 58, and 59

Amendment No. 56

On page 6, line 27, of said bill, strike out "71,073", and insert "66,073".

Amendment No. 57

On page 6, line 35, of said bill, strike out "38,070", and insert "33,070".

Amendment No. 58

On page 6, line 38, of said bill, strike out "71,757", and insert "66,757".

Amendment No. 59

On page 6, line 43, of said bill, strike out "71,073", and insert "66,073".

Amendments read, and adopted.

Consideration of Amendment No. 60

Amendment No. 60

On page 6 of said bill, between lines 43 and 44, insert

"43.1—For augmentation of the Poultry Testing Project Fund payable from any moneys in the Fair and Exposition Fund available for permanent improvements upon the property of the state, citrus, county, or district agricultural associations for fair purposes, allocated by Section 19626 of the Business and Professions Code 68,220
to be transferred by the State Controller to the Poultry Testing Project Fund."

Amendment read, and adopted.

Further consideration of Assembly Bill No. 500 temporarily passed on file.

ANNOUNCEMENT

Speaker pro Tempore Maloney announced that the gifts of oranges which have been placed upon the desks of all members and attaches have been sent by the National Orange Show, and distributed with the compliments of Messrs. Shaw and Hinckley, and expressed appreciation, on behalf of everyone, for this courtesy.

Speaker Presiding

At 11.29 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

ANNOUNCEMENT

Speaker pro Tempore Maloney announced that a picture will be taken of the Pages, upon recess, and requested all attaches to please remain for a few minutes to assist with the picture.

RESIGNATION FROM COMMITTEE

Speaker Sam L. Collins announced his resignation from the Committee on Elections and Reapportionment.

REAPPOINTMENT OF MEMBER TO COMMITTEE

Speaker Sam L. Collins announced the reappointment of Mr. Butters to membership on the Committee on Elections and Reapportionment, vice Mr. Sam L. Collins.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER: *Your Committee on Legislative Procedure has examined:*

Assembly Bill No. 45
Assembly Bill No. 143
Assembly Bill No. 234
Assembly Bill No. 243
Assembly Bill No. 244
Assembly Bill No. 323
Assembly Bill No. 324
Assembly Bill No. 325
Assembly Bill No. 326
Assembly Bill No. 328
Assembly Bill No. 330
Assembly Bill No. 334
Assembly Bill No. 336
Assembly Bill No. 337
Assembly Bill No. 338
Assembly Bill No. 339
Assembly Bill No. 367
Assembly Bill No. 659
Assembly Bill No. 822
Assembly Bill No. 828
Assembly Bill No. 829
Assembly Bill No. 1823
Assembly Bill No. 1825
Assembly Bill No. 1827
Assembly Bill No. 1886
Assembly Bill No. 1888
Assembly Bill No. 1920
Assembly Bill No. 2182
Assembly Bill No. 2516
Assembly Bill No. 2518
Assembly Bill No. 2820
Assembly Bill No. 3107
Assembly Bill No. 3108

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

RECESS

At 11.30 a.m., on motion of Mr. McCollister, the Assembly recessed until 1 30 p.m.

REASSEMBLED

At 1.30 p.m., the Assembly reconvened.
Hon. Sam L. Collins, Speaker of the Assembly, presiding.
Chief Clerk Arthur A Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which were referred

Assembly Bill No. 176
Assembly Bill No. 254
Assembly Bill No. 352
Assembly Bill No. 353
Assembly Bill No. 1688
Assembly Bill No 1702

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

NIEHOUSE, Chairman

Above reported bills ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which were referred:

Assembly Bill No. 1312
Assembly Bill No 2064
Assembly Bill No 2204
Assembly Bill No 3222

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee

NIEHOUSE, Chairman

Above reported bills ordered to second reading.

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR SPEAKER. Your Committee on Public Health, to which was referred:

Assembly Bill No. 3221

Has had the same under consideration, and respectfully reports the same back with amendments but without recommendation, and re-refer to Committee on Ways and Means

CONNOLLY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No 1638
Assembly Bill No. 2673
Assembly Bill No. 2674
Assembly Bill No. 2677
Assembly Bill No 2679

Has had the same under consideration, and reports the same back with the recommendation Do pass

CONNOLLY, Chairman

Above reported bills ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER Your Committee on Public Health, to which were referred

Assembly Bill No. 1053
Assembly Bill No 1204
Assembly Bill No. 3082

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee

CONNOLLY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 2672
Assembly Bill No. 2676
Assembly Bill No. 2678

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CONNOLLY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1951

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Assembly Bill No. 831

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

CONNOLLY, Chairman

Above reported bill ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT THAT FIVE OPINIONS OF THE LEGISLATIVE COUNSEL RELATIVE TO REAPPORTIONMENT BE PRINTED IN THE JOURNAL

Mr. Waters asked for, and was granted, unanimous consent that five opinions of the Legislative Counsel relative to reapportionment be ordered printed in the Journal in 10 point type, as follows:

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, October 20, 1950

Honorable Laughlin E. Waters
624 Roosevelt Building
727 West 7th Street
Los Angeles 14, California

ASSEMBLY DISTRICTS—NO. 2681

DEAR MR. WATERS:

Question

You have asked whether Section 6 of Article IV of the California Constitution, relating to reapportionment of legislative districts, requires that each assembly district after the first must be geographically located southward of the district preceding it in numerical order. That is to say, for example, if a bill was introduced which would locate Assembly District No. 10 20 miles south of Assembly District No. 20, would such a bill be invalid?

Opinion

We answer your question in the negative.

With respect to the numbering of Assembly districts, it is our opinion that Section 6 of Article IV requires only that such districts be numbered from 1 to 80 in numerical order, *commencing* at the northern boundary of the State and *ending* at the southern boundary. We do not believe the Constitution requires that the north to south numbering pattern must be arranged between the First and Eightieth District so that *every* district must be southward of its numerical predecessor.

Analysis

Section 6 of Article IV of the California Constitution provides that the State shall be divided into 40 senatorial and 80 assembly districts each 10 years on the basis of population for the purpose of choosing Members of the Legislature. Various requirements are imposed upon the Legislature in making the decennial reapportionment. The portion of Section 6 with which we are here concerned reads as follows:

> "The senatorial districts shall be numbered from 1 to 40, inclusive, in numerical order, and the assembly districts shall be numbered from 1 to 80 in the same order, *commencing at the northern boundary of the State and ending at the southern boundary thereof.*" (Emphasis added)

To our knowledge, the above quoted part of Section 6 has never been construed by the courts.

The provisions of the Constitution are mandatory and prohibitory, unless by express words they are declared to be otherwise (Art. I, Sec. 22). It is therefore clear that Assembly District No. 1 must be in the north and No. 80 in the south. It does not follow, however, that a rigid geographical numbering pattern must be followed southerly from 1 to 80.

In re-districting the State in the past, the Legislature has established the policy of numbering assembly and senatorial districts in a *general* southerly direction. Both Senatorial and Assembly Districts No. 1 have always been along the northern boundary of the State and Senatorial District No. 40 and Assembly District No. 80 have been located along the southern boundary. However, the Legislature has not in the past interpreted Section 6 of Article IV as requiring that *every* legislative district must be geographically south of its numerical predecessor. There have been many instances wherein a district located wholly or partly to the north of other districts has been given a higher number than one or more of its southerly neighbors. The present senatorial and assembly districts furnish convenient examples. Senatorial District No. 19 is wholly to the north of Senatorial Districts Nos. 16, 17, and 18, and is partly to the north of Senatorial District No. 15. The distance between No. 19 and No. 18 is well in excess of 20 miles. While no such separation occurs in the assembly districts, District 39 (Kern County) is northerly of District 38 (Ventura County). The same general situation existed under the 1931 reapportionment.

This legislative construction is entirely reasonable, since the Constitution specifies only that the numbering must *commence* in the north and *end* in the south. No geographical numbering pattern is prescribed for achieving this result, but it naturally follows that the numbering will proceed generally southward.

We have referred to these precedents since in construing provisions of the Constitution legislative enactments have great significance. Although the Legislature cannot fix the meaning of the Constitution, and its interpretation is not controlling upon the court, where the meaning of a provision is doubtful, the contemporaneous and long standing construction thereof by the Legislature will be given great weight by the courts (*Pacific Indemnity Co.* vs. *Industrial Accident Commission,* 215 Cal. 461, 464; *Delaney* vs. *Lowery,* 25 Cal. 2d 561, 569).

Moreover, it is established that the presumption of constitutionality attaches to reapportionment acts in the same manner that it does to any other act of the Legislature, and any doubt as to the power of the Legislature to pass the particular act must result in a finding that the act is within the legislative power (*People ex rel Heffernan* vs. *Carlock* (Ill.), 65 N.E. 109; *Fletcher* vs *Ruhe* (Nev.), 52 Pac 274; *Warson* vs. *Howell* (Wash.), 159 Pac. 777).

From all the foregoing, we conclude that the portion of Section 6 of Article IV of the California Constitution relating to the numbering of assembly districts would not be violated by a Reapportionment Act which located Assembly District No. 10 20 miles south of Assembly District No. 20 We believe that legal compliance with the Constitution can be achieved if the assembly districts are numbered in a pattern which in general proceeds southerly from Number 1 in the north to Number 80 in the south.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By ROBERT G. HINSHAW, Deputy

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, March 7, 1951

Honorable Laughlin E. Waters
Assembly Chamber

REAPPORTIONMENT—NO. 5774

DEAR MR. WATERS: You have asked the following four questions relating to reapportionment of congressional districts

Questions

1. What is the authority for the Legislature to reapportion congressional districts?

2 Is there any provision in the California or United States Constitutions which would *require* the California Legislature to reapportion congressional districts at this session?

3. How would the new Congressmen to which California will be entitled under the 1950 Census figures be elected if the Legislature does not reapportion the congressional districts at this session or before the next congressional elections?

4. In the event the Legislature fails to reapportion the congressional districts at this session, would the Reapportionment Commission be authorized to do so?

Opinion

In our opinion:

1. The California Legislature is authorized to reapportion congressional districts at this session by the provisions of Sections 2 and 4 of Article I of the United States Constitution, Section 2 of the Fourteenth Amendment to the United States Constitution, the Federal Apportionment Act (2 U.S.C., Sec. 2a), and Section 27 of Article IV of the California Constitution.

2. Although authorized, the Legislature is not required to reapportion congressional districts at this session. Reapportionment of congressional districts may be made at any subsequent session of the Legislature prior to the next Decennial Federal Census, or not at all, as the Legislature chooses.

3. The new Congressmen would be elected by the State at large.

4. The Reapportionment Commission would have no authority with respect to congressional districts.

Analysis

Sections 2 and 4 of Article I of the United States Constitution and Section 2 of the Fourteenth Amendment thereto provide that Representatives shall be apportioned among the several states according to their respective numbers excluding Indians not taxed. The number of Representatives cannot exceed one for every 30,000 people but each state is entitled to at least one Representative. The times, places, and manner of holding elections for Representatives is to be prescribed by each State Legislature, but Congress may also make regulations relating thereto.

Section 2a of Title 2 of the United States Code provides for the time and manner for the reapportionment of Representatives in Congress. This section provides the means by which Congress determines the number of Representatives to which each state is entitled based upon the population as established by the 1950 Federal Census. It has been estimated that California will be entitled to approximately seven additional seats in Congress. There is nothing in this section, or in any other provision of federal law of which we are aware, which prescribes the times, places, or manner of holding elections of Congressmen within the several states. Consequently, the task of providing places within this State from which additional Congressmen will be elected is left to the Legislature.

We have been unable to find any express prescription in either the Constitution or laws of this State as to when the re-formation of congressional districts shall be made. Section 27 of Article IV of the California Constitution prescribes how congressional districts shall be formed but it does not specify when. Presumably, however, the reformation of congressional districts will be made by the Legislature during this session at the same time as the re-formation of senatorial and assembly districts takes place.

Should the Legislature not reapportion the congressional districts and provide new districts from which the new Congressmen may be elected, the provisions of subsection (c) of Section 2a, of Title 2 of the United States Code, will come into operation to provide a method of electing the new Congressmen until such time as the California Legislature acts to establish new districts Subdivision (2) of subsection (c) of Section 2a, of Title 2 of the United States Code, provides as follows:

> "(2) If there is an increase in the number of Representatives, such additional Representative or Representatives shall be elected from the State at large and the other Representatives from the districts then prescribed by the law of such State;"

If the reapportionment of congressional districts is made by the Legislature at this session, this provision of federal law will not become operative in so far as California is concerned. Should the Legislature not reapportion such districts at this session, the new Congressmen will be elected at large at each election until such time as redistricting by the Legislature takes place. No provision is made for any other agency to reapportion the congressional districts of California should the Legislature fail to do so. The Reapportionment Commission which is provided for in Section 6 of Article IV of the California Constitution will reapportion the senatorial and assembly districts should the Legislature fail so to do at this session. This commission has no authority over congressional districts.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By ROBERT G. HINSHAW, Deputy

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, December 27, 1950

Honorable Laughlin E. Waters
624 Roosevelt Building
727 West 7th Street
Los Angeles 14, California

REAPPORTIONMENT—NO. 3412

DEAR MR WATERS: You ask whether a Reapportionment Bill would be subject to the referendum.

In our opinion it would.

Section 1 of Article IV of the California Constitution provides, with certain exceptions not here applicable, that no act passed by the Legislature shall go into effect until 90 days after the final adjournment of the session of the Legislature which passed it. The section also sets out the method by which the people may act on such a measure in an election if a petition is filed within the 90-day period. We see no reason why these provisions are not applicable to a reapportionment act as well as to other acts.

The Constitution preserves the referendum right of the people even in the event that the Legislature should fail to reapportion and the reapportionment is made by the Reapportionment Commission provided for in Section 6 of Article IV. The section specifically provides that in such an event the reapportionment shall be effective the same as if made by act of the Legislature and subject to the same provisions of referendum as apply to acts of the Legislature.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By ROBERT G. HINSHAW, Deputy

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, December 11, 1950

Honorable Laughlin E. Waters
624 Roosevelt Building
727 West 7th Street
Los Angeles 14, California

REAPPORTIONMENT—NO. 3229

DEAR MR. WATERS: In reference to reapportionment of the representation of the State in Congress and the Legislature, you have asked certain questions which are set forth and considered separately below.

Question 1

Are Reapportionment Bills to be handled regularly as other bills, needing only a majority vote for passage, or are there special requirements concerning the procedure to be followed in the Legislature in processing such bills?

Opinion and Analysis

We are aware of no law or rule requiring a Reapportionment Bill to be processed in a manner different from other bills and are, therefore, of the opinion that it should be handled in each house of the Legislature in all respects just as any other bill and may be passed by a majority vote in each house.

Question 2

In forming assembly districts, may a city or town be divided?

Opinion

In our opinion this question should be answered in the affirmative, with the single exception of a city which is also a county and does not contain sufficient population within itself to form two or more assembly districts.

Analysis

With respect to assembly districts, Section 6 of Article IV of the California Constitution provides in part that no county, or city and county, shall be divided unless it contains sufficient population within itself to form two or more districts. There is no such prohibition relating to cities or towns. The only area comprising a city and county in California at the present time is San Francisco, and since it contains sufficient population within itself to form two or more assembly districts, it may be divided.

Question 3

Are there any circumstances under which an assembly district may include portions of two counties?

Opinion

We are of the opinion that this question should be answered in the negative.

Analysis

Section 6 of Article IV of the California Constitution provides in part that no portion of any county, or city and county, shall be united

with any other county, or city and county, in forming any assembly district. The result of this prohibition is that while an assembly district may include several contiguous whole counties, it may not include parts of different counties under any circumstances

Question 4

Can a congressional district be formed consisting of two and one-half counties?

Opinion

In our opinion such a district may validly be formed.

Analysis

Section 27 of Article IV of the California Constitution provides that any county, or city and county, with a population greater than the number required for one congressional district shall be formed into one or more districts, according to its population. The section further provides that any residue left after the formation of such congressional district or districts shall be attached by compact adjoining assembly districts to a contiguous county or counties to form another congressional district.

From the foregoing constitutional requirement, it is clear that a congressional district may consist of two and one-half counties. The situation would occur when it is found that a county has too many people for one congressional district, but not enough for two or more. The area remaining after forming one or more districts contained wholly within the county could then be attached to a contiguous county or counties to form another district. The area so attached might be half, or more or less than half, of the divided county, depending upon the circumstances.

An example of the operation of the above constitutional provision is found at present in the Twenty-first Congressional District. Approximately one-half of Los Angeles County is united with San Bernardino County to form the district. The lower approximate one-half of Los Angeles County comprises the Twelfth through the Twentieth Congressional Districts. If the upper half of Los Angeles County were united with Kern County as well as San Bernardino, an exact example of the situation in question would be afforded. Kern County is now, however, a part of the 10th Congressional District.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By ROBERT G. HINSHAW, Deputy

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, March 9, 1951

Honorable Laughlin E. Waters
Assembly Chamber

REAPPORTIONMENT—NO. 5177

DEAR MR. WATERS: You have asked three questions relating to reapportionment of assembly and congressional districts which are set forth and considered separately below.

Question

Is the Legislature prohibited from reapportioning assembly and congressional districts more than once following each Decennial Federal Census?

Opinion

It is established case law in California that the Legislature may reapportion assembly districts but once following each Decennial Federal Census.

Whether or not this rule applies to congressional districts has never been established by the California courts. We are of the opinion, however, that the rule would probably also be applied to congressional districts, resulting in a holding that the legislative power to reform congressional districts can be exercised but once after each census.

Analysis

In fixing and readjusting the boundaries of assembly districts, the Legislature acts pursuant to the provisions of Section 6 of Article IV of the California Constitution.

This section provides in part as follows:

> "The census taken under the direction of the Congress of the United States in the year 1920 and every 10 years thereafter, shall be the basis of fixing and adjusting the legislative districts; and the Legislature shall, at its first regular session following the adoption of this section and thereafter at the first regular session following each Decennial Federal Census, adjust such districts, and reapportion the representation * * *."

In the cases of *Wheeler* vs. *Herbert* (152 Cal. 224) and *Dowell* vs. *McLees* (199 Cal. 144) the California Supreme Court held that the provisions of Section 6 of Article IV, being mandatory and prohibitory, prohibit the Legislature from forming assembly districts more than once during the period between one United States Census and the succeeding one.

We have found only one case which has considered the same problem with respect to congressional districts. This was a case in the State of New York in 1918, which is discussed below, holding that more than one reapportionment of congressional districts each 10 years is valid.

The provisions of law relating to reapportionment of congressional districts are Sections 2 and 4 of Article I of the United States Constitution, Section 2 of the 14th Amendment to the United States Constitution, the Federal Apportionment Act (2 U. S. C. Sec. 2a), and Section 27 of Article IV of the California Constitution.

The federal laws referred to above require the President to inform Congress after each census of the number of Representatives in Congress to which each state is entitled based upon the populations of each as determined by the census. The Clerk of the House of Representatives then notifies the governor of each state of the number of Representatives to which it is entitled. This procedure has occurred.

The places within each state from which the various Representatives to which it may be entitled are elected are determined by the State Legislatures (Art. I, Sec. 4, U. S. Const.).

Section 27 of Article IV of the California Constitution is the only California law which relates to the reapportionment of congressional districts. That section specifies the geographical limitations on the formation of congressional districts, but it contains nothing specifying when or how often a re-formation of such districts shall take place.

Therefore, we are aware of nothing in the Federal or California law which specifies when the reapportionment of congressional districts must be made. Presumably, it will be made by the Legislature during the present session, although there appears to be no requirement that it be made at this session.

The specific language of Section 6 of Article IV of the California Constitution (quoted above) which specifies when the reapportionment of assembly and senatorial districts shall be made, plus the provisions in the section establishing a Reapportionment Commission to act in the event the Legislature fails to do so in the first session following the census, are absent from, and have no application to, the provisions of Section 27 of Article IV, which specifies the manner in which congressional districts shall be formed.

It was the restrictive language of Section 6 of Article IV upon which the Supreme Court based its holdings in the *Wheeler* and *Dowell* cases. Although this express language is absent from the provisions relating to congressional districts, it is our opinion that the federal laws relating to reapportionment impliedly prohibit the state legislatures from re-defining the boundaries of the congressional districts therein more often than once each 10 years.

The fundamental basis of the readjustment of the representation in the United States House of Representatives is the population of the States as determined each 10 years in the census. All reapportionment is based upon these population figures, and these figures remain the basis for legislative and congressional representation for the next 10 years.

Pursuant to its powers under Section 4 of Article I of the United States Constitution, by which it is given the power to make laws relating to the time, places, and manner of election of Representatives, the Congress has enacted from time to time various statutes relating to reapportionment of congressional districts within the states. Section 2a of Title 2 of the United States Code (known as the Permanent Reapportionment Act) presently provides the method of election of Congressmen in each state after a Federal Decennial Census and *until* the state has redefined the boundaries of the congressional districts therein. The fact that the census is the basis of all reapportionment, that it occurs only once in each 10 years, and that the Permanent Reapportionment Act provides for the manner of electing Congressmen after each census and *until* the states are redistricted after each census, raises a strong implication in our opinion that redistricting is to occur only once, if at all, in each state following each census It is difficult to perceive upon what valid premise a state legislature could base a second redistricting, since the official population figures upon which the first would be based would remain the same until the next decennial federal census

Consequently, we believe it to be probable that the California Supreme Court would reach the same result with respect to congressional

districts as it did with regard to assembly and senatorial districts in the *Wheeler* and *Dowell* cases, but upon the grounds of the implied restriction in the federal law rather than upon any specific provision of the California Constitution.

An opposite holding is of course possible, since no specific prohibition exists.

The Court of Appeals of New York, in the case of *People* vs. *Voorhis* (119 N. E. 106), decided in 1918, found nothing express or implied in the law to prohibit the New York Legislature from partially redistricting the congressional districts of the state by statute in 1917 when an entire reapportionment of congressional districts had been made by statute in 1911, based upon the 1910 Census. The court held that the power of the New York Legislature under federal law was not exhausted when it reapportioned in 1911 and that it had a continuing duty to maintain the congressional districts in such a form that they contain as nearly as practicable an equal population. This was at that time a requirement of federal law. There is no longer such a federal requirement.

Concerning the federal law at that time, the New York court stated (at p 108):

> "The language used in the congressional act indicates as clearly as anything can that Congress in its enactment took into consideration the fact that after a state had once been divided into congressional districts, by reason of shifting population, it might, from time to time, become necessary to redistrict it in order fully to comply with the intent and purpose of the act."

There were two dissenting opinions in the case which pointed out that the theory of reapportionment with every shift in population from year to year did not appear to be contained in either the Federal Constitution or laws, but that to the contrary the Constitution and federal law appeared to contemplate but one reapportionment based upon the population as ascertained by the census each 10 years, and that there was no machinery provided for determining population for the purpose of reapportionment more often than each 10 years

We are inclined to believe that the California Supreme Court would reason along the lines of the dissenting opinions of the New York case. Furthermore, there is no longer a requirement in the federal law that congressional districts be as nearly equal in population as possible. We, therefore, conclude that the court would probably hold that congressional districts, like assembly districts, may be reformed but once each 10 years.

We do not believe, however, that such a ruling would prevent the Legislature from amending a reapportionment law at a later date to correct technical defects or errors which might appear in the legal description of boundaries.

Question 2

If a congressional or assembly district is abolished and reconstituted in another area, the new district being given the same number as the abolished district, can the incumbent of the old district (assuming he meets all the residential qualifications of the new district) run on the ballot as the "incumbent" of the new district?

Opinion and Analysis

In our opinion this question should be answered in the affirmative.

Section 6 of Article IV of our State Constitution provides in part that "each assembly district shall choose one Member of Assembly." Therefore, the office which each Assemblyman holds is that of Assemblyman from the district which elected him. The same principle applies to Congressmen (Calif. Const., Art. IV, Sec. 27 and Elec. C. Sec. 10500).

Section 3819 of the Elections Code, which governs the designation which appears under a candidate's name on the ballot provides that the word "incumbent" may be used only if the candidate is a candidate for the same office which he then holds. We, therefore, conclude that an incumbent Congressman or Member of the Legislature may use the word "incumbent" on the ballot only if he is running for reelection in a district which bears the same number as the district from which he was last elected.

Question 3

Where two assembly on congressional districts are consolidated into one, may both of the incumbents of the old districts run in the new district on the ballot as "incumbents?"

Opinion and Analysis

We believe this question should be answered in the negative.

As pointed out above in the analysis of Question Number 2, we believe that an incumbent Congressman or Member of the Legislature may use the word "incumbent" on the ballot only if he is running for reelection in a district which bears the same number as the district from which he was last elected. Under the facts presented by this question, it would be impossible for one or the other of the incumbents to comply with this requirement, since the new district could not have the same number as both the old districts which it replaced.

This does not mean, however, that a Congressman or Assemblyman who is running in a district, which because of the reformation bears a different number, cannot have printed on the ballot the name of the office which he then holds, since Section 3819 of the Elections Code gives candidates the option of having one of the following designations printed on the ballot following his name:

"* * * * * * *

Members of the Assembly may use either of the following designations: 'Assemblyman, _____ District, California Legislature' or 'Member of the Assembly, _____ District, California Legislature,' or any other appropriate designation, the blanks to be filled with the appropriate district number.

* * * * * * *

Words designating the profession, vocation or occupation of the candidate which shall not exceed three in number * * *."

Pursuant to the above-quoted provisions, an incumbent Assemblyman who is running in a district with a different number than the district of which he is an incumbent may have the fact that he is an Assemblyman from a given numbered district printed on the ballot. An incumbent Congressman could state his occupation as "Member of Congress,"

"Representative in Congress," or with other appropriate language, not exceeding three words.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By ROBERT G. HINSHAW, Deputy

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Doyle:

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title to which is as follows.

An act to add Section 6516 to the Revenue and Taxation Code, relating to assessments for sales and use taxes.

Respectfully submitted.

T. J DOYLE

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Doyle:

An act to add Section 6516 to the Revenue and Taxation Code, relating to assessments for sales and use taxes.

BURKE, Chairman

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Munnell moved a call of the Assembly.

Motion carried. Time, 1.34 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Beck, Berry, Brady, Brown, Cloyed, Connolly, Conrad, Dickey, Dills, Dolwig, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Gubser, Hahn, Hawkins, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lindsay, Lowrey, Lyon, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Niehouse, Shaw, Stewart, and Tomlinson—36.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Dolwig asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REQUEST FOR UNANIMOUS CONSENT THAT REPORT BE PRINTED IN JOURNAL

Mr. Dolwig asked for unanimous consent that a Report of the Assembly Committee on Legislative Representation be ordered printed in the Journal, in 10-point type

Mr. Collier withheld unanimous consent.

Motion to Print Report

Mr. Dolwig moved that a Report of the Assembly Committee on Legislative Representation be ordered printed in the Journal in 10-point type.

Mr. Brady seconded the motion.

Motion carried.

(Above mentioned report will appear prior to the motion to adjourn.)

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON REQUEST BY MR. DOYLE TO INTRODUCE A BILL

At 1.43 p.m., on motion of Mr. Stewart, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and permission granted Mr. Doyle to introduce a bill by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

POINT OF ORDER

Mr. Collier arose to the following point of order: That business has been transacted without the presence of a quorum.

Point of Order

Mr. Waters arose to the following point of order: That the point of order by Mr. Collier is not timely, and is not in order.

Ruling By Speaker

Speaker Sam L. Collins ruled the point of order well taken because the roll call was upon the introduction of a bill and not upon a quorum call; and that a quorum was present at the time of the call of the House, but not 60 votes, as needed for permission to introduce a bill.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3386: By Mr. Doyle—An act to add Section 6516 to the Revenue and Taxation Code, relating to assessments for sales and use taxes.

Referred to Committee on Revenue and Taxation.

MOTION TO APPROVE JOURNALS

Upon motion of Mr. Dickey, the Assembly Journals for Monday, March 12, 1951; Tuesday, March 13, 1951; Wednesday, March 14, 1951; Thursday, March 15, 1951; and Friday, March 16, 1951, were approved, as corrected by the Minute Clerk.

REQUEST FOR UNANIMOUS CONSENT THAT ADDRESS BY SENATOR EDWIN J. REGAN AT THE SAINT PATRICK'S DAY CELEBRATION BE PRINTED IN JOURNAL

Mr. Lyon asked for, and was granted, unanimous consent that the address delivered by Senator Edwin J. Regan at the Saint Patrick's Day Celebration held in the Assembly Chamber on Friday, March 16th, upon adjournment, be ordered printed in the Journal, in 10 point type.

(Above mentioned address will appear in the Assembly Journal at an early date.)

Speaker Pro Tempore Presiding

At 1.53 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 500

Assembly Bill No. 500—An act making appropriations for the support of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, to take effect immediately.

Bill read second time.

Further Consideration of Proposed Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Consideration of Amendments Nos. 61 and 62

Amendment No. 61

On page 7 of said bill, after line 15, insert

"44.1—For expenses of special commissions assisting the Board of Corrections in making a study of crime conditions pursuant to Sections 6027 and 6028 of the Penal Code, Department of Corrections..... 56,057".

Amendment No. 62

On page 7 of said bill, before line 16, insert

"44.2—For compensation, fees, and expenses of confidential personnel furnished by the Director of Corrections to the special commissions assisting the Board of Corrections in the study of crime, Department of Corrections (exempt from the provisions of Sections 12410, 13320, 16003, and 17031 of the Government Code)..... 45,000

provided, that claims for such compensation shall be presented by the Director of Corrections in his own name with a statement that the charges have been incurred pursuant to this item and when so presented shall be paid therefrom; and provided further that upon the completion of each secret investigation, and in any event within not more than one year after the payment of any claims, the Director of Corrections shall file with the Controller vouchers in support of the claims; provided that the Controller shall not divulge any information conveyed by the vouchers, except upon order of a court of records in cases where the information is relevant and material evidence or upon order of the Legislature; and provided further, that such oaths of office as may be required of persons whose compensation is paid from this item may be kept in the confidential files of the Director of Corrections"

Amendments read.

Demand for Previous Question

Messrs. Babbage, Geddes, Klocksiem, Lincoln, and Kirkwood demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Amendments Nos. 61 and 62 to Assembly Bill No. 500.

The roll was called, and the amendments adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Dolwig, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, and Tomlinson—52.

NOES—Burkhalter, George D. Collins, Davis, Doyle, Elliott, Evans, Kilpatrick, Luckel, McMillan, and Smith—10.

Consideration of Amendments Nos. 63, 64, 65, and 66

Amendment No. 63

On page 7, line 48, of said bill, strike out "2,076,066", and insert "2,092,026".

Amendment No. 64

On page 8, line 6, of said bill, strike out "1,333,293", and insert "1,349,253".

Amendment No. 65

On page 8, line 11, of said bill, strike out "2,323,332", and insert "2,339,292".

Amendment No. 66

On page 8, line 19, of said bill, strike out "2,076,066", and insert "2,092,026".

Amendments read, and adopted.

Consideration of Amendments Nos. 67, 68, 69, and 70

Amendment No. 67

On page 8, line 25, of said bill, strike out "2,055,146", and insert "2,036,146".

Amendment No. 68

On page 8, line 34, of said bill, strike out "74,297", and insert "55,297".

Amendment No. 69

On page 8, line 36, of said bill, strike out "2,162,536", and insert "2,143,536".

Amendment No. 70

On page 8, line 44, of said bill, strike out "2,055,146", and insert "2,036,146".

Amendments read, and adopted.

Consideration of Amendments Nos. 71, 72, 73, and 74

Amendment No. 71

On page 8, line 47, of said bill, strike out "3,379,257", and insert "3,367,857".

Amendment No. 72

On page 9, line 3, of said bill, strike out "2,054,055", and insert "2,042,655".

Amendment No. 73

On page 9, line 8, of said bill, strike out "3,725,248", and insert "3,713,848".

Amendment No. 74

On page 9, line 19, of said bill, strike out "3,379,257", and insert "3,367,857".

Amendments read, and adopted.

Consideration of Amendments Nos. 75, 76, 77, and 78

Amendment No. 75

On page 9, line 22, of said bill, strike out "1,586,754", and insert "1,581,804".

Amendment No. 76

On page 9, line 29, of said bill, strike out "1,003,333", and insert "998,383".

Amendment No. 77

On page 9, line 34, of said bill, strike out "1,778,803", and insert "1,773,853".

Amendment No. 78

On page 9, line 41, of said bill, strike out "1,586,754", and insert "1,581,804".

Amendments read, and adopted.

Consideration of Amendments Nos. 79, 80, 81, and 82

Amendment No. 79

On page 11, line 30, of said bill, strike out "947,950", and insert "945,670".

Amendment No. 80

On page 11, line 32, of said bill, strike out "699,257", and insert "696,977".

Amendment No. 81

On page 11, line 36, of said bill, strike out "949,750", and insert "947,470".

Amendment No. 82

On page 11, line 41, of said bill, strike out "947,950", and insert "945,670".

Amendments read, and adopted.

Consideration of Amendments Nos. 83, 84, 85, and 86

Amendment No. 83

On page 12, line 18, of said bill, strike out "240,445", and insert "238,820".

Amendment No. 84

On page 12, line 26, of said bill, strike out "5,388", and insert "3,763".

Amendment No. 85

On page 12, line 28, of said bill, strike out "251,375", and insert "249,750".

Amendment No. 86

On page 12, line 33, of said bill, strike out "240,445", and insert "238,820".

Amendments read, and ordered temporarily passed on file until Mr. McCollister has opportunity to present his proposed amendments.

Request for Unanimous Consent That Consideration Be Given Amendment at Time Committee Amendments Nos. 83, 84, 85, and 86 Are Considered

Mr. McCollister asked for, and was granted, unanimous consent that consideration be given his amendment at the time consideration is given to proposed Committee Amendments Nos. 83, 84, 85, and 86.

Further Consideration of Proposed Committee Amendments

Consideration of Amendments Nos. 92, 93, 94, and 95

Amendment No. 92

On page 14, line 15, of said bill, strike out "453,120", and insert "452,182".

Amendment No. 93

On page 14, line 23, of said bill, strike out "7,870", and insert "6,932".

Amendment No. 94

On page 14, line 25, of said bill, strike out "472,470", and insert "471,532".

Amendment No. 95

On page 14, line 30, of said bill, strike out "453,120", and insert "452,182".

Amendments read, and adopted.

Consideration of Amendments Nos. 96, 97, 98, 99, 100, and 101

Amendment No. 96

On page 14, line 37, of said bill, strike out "1,865,637", and insert "1,793,940".

Amendment No. 97

On page 15, line 3, of said bill, strike out "1,426,459", and insert "1,370,605".

Amendment No. 98

On page 15, line 4, of said bill, strike out "488,386", and insert "479,271".

Amendment No. 99

On page 15, line 5, of said bill, strike out "67,434", and insert "60,706".

Amendment No. 100

On page 15, line 7, of said bill, strike out "1,982,279", and insert "1,910,582".

Amendment No. 101

On page 15, line 14, of said bill, strike out "1,865,637", and insert "1,793,940".

Amendments read, and adopted.

Consideration of Amendment No. 102

Amendment No. 102

On page 15 of said bill, after line 34, insert "Notwithstanding any other provision of law, expenditures from the appropriation made by this item are subject to the provisions of Section 18004 of the Government Code."

Amendment read, and adopted.

Consideration of Amendment No. 103

Amendment No. 103

On page 15 of said bill, after line 45, insert "Notwithstanding any other provision of law, expenditures from the appropriation made by this item are subject to the provisions of Section 18004 of the Government Code."

Amendment read, and adopted.

Consideration of Amendment No. 104

Amendment No. 104

On page 16 of said bill, after line 4, insert "Notwithstanding any other provision of law, expenditures from the appropriation made by this item are subject to the provisions of Section 18004 of the Government Code "

Amendment read, and adopted.

Consideration of Amendments Nos. 105, 106, 107, 108, 109, and 110

Amendment No. 105

On page 16, line 9, of said bill, strike out "850,000", and insert "835,000".

Amendment No. 106

On page 16, line 25, of said bill, strike out "777,599", and insert "747,153".

Amendment No. 107

On page 16, line 26, of said bill, strike out "1,762,900", and insert "1,748,346".

Amendment No. 108

On page 16, line 29, of said bill, strike out "2,550,000", and insert "2,505,000".

Amendment No. 109

On page 16, line 32, of said bill, strike out "1,700,000", and insert "1,670,000".

Amendment No. 110

On page 16, line 34, of said bill, strike out "850,000", and insert "835,000".

Amendments read, and adopted.

Consideration of Amendments Nos. 111, 112, 113, 114, and 115

Amendment No. 111

On page 17, line 4, of said bill, strike out "401,455", and insert "398,641".

Amendment No. 112

On page 17, line 9, of said bill, strike out "292,161", and insert "289,597".

Amendment No. 113

On page 17, line 11, of said bill, strike out "65,389", and insert "65,139".

Amendment No. 114

On page 17, line 13, of said bill, strike out "402,055", and insert "399,241".

Amendment No. 115

On page 17, line 17, of said bill, strike out "401,455", and insert "398,641".

Amendments read, and adopted.

Consideration of Amendments Nos. 116, 117, 118, and 119

Amendment No. 116

On page 19, line 21, of said bill, strike out "1,127,302", and insert "1,130,674".

Amendment No. 117

On page 19, line 29, of said bill, strike out "1,055,893", and insert "1,059,265".

Amendment No. 118

On page 19, line 32, of said bill, strike out "1,419,257", and insert "1,422,629".

Amendment No. 119

On page 19, line 45, of said bill, strike out "1,127,302", and insert "1,130,674".

Amendments read, and adopted.

Consideration of Amendments Nos. 120, 121, 122, 123, 124, and 125

Amendment No. 120

On page 23, line 28, of said bill, strike out "207,500", and insert "196,552".

Amendment No. 121

On page 23, line 39, of said bill, strike out "216,580", and insert "213,990".

Amendment No. 122

On page 23, line 40, of said bill, strike out "110,742", and insert "103,184".

Amendment No. 123

On page 23, line 43, of said bill, strike out "331,802", and insert "321,654".

Amendment No. 124

On page 24, line 5, of said bill, strike out "11,897", and insert "12,697".

Amendment No. 125

On page 24, line 13, of said bill, strike out "207,500", and insert "196,552"

Amendments read, and adopted.

Consideration of Amendments Nos. 126, 127, 128, and 129

Amendment No. 126

On page 26, line 4, of said bill, strike out "230,202", and insert "227,430".

Amendment No. 127

On page 26, line 9, of said bill, strike out "162,184", and insert "159,412".

Amendment No. 128

On page 26, line 13, of said bill, strike out "239,670", and insert "236,898".

Amendment No. 129

On page 26, line 18, of said bill, strike out "230,202", and insert "227,430".

Amendments read, and adopted.

Consideration of Amendments Nos. 130, 131, 132, 133, and 134

Amendment No. 130

On page 27, line 11, of said bill, strike out "1,601,035", and insert "1,596,042".

Amendment No. 131

On page 27, line 17, of said bill, strike out "1,346,279", and insert "1,341,599".

Amendment No. 132

On page 27, line 19, of said bill, strike out "31,029", and insert "30,716".

Amendment No. 133

On page 27, line 21, of said bill, strike out "1,766,041", and insert "1,761,048".

Amendment No. 134

On page 27, line 35, of said bill, strike out "1,601,035", and insert "1,596,042".

Amendments read, and adopted.

Consideration of Amendments Nos. 135, 136, 137, 138, 139, and 140

Amendment No. 135

On page 29, line 3, of said bill, strike out "10,802,894", and insert "10,782,700".

Amendment No. 136

On page 29, line 9, of said bill, strike out "9,325,048", and insert "9,318,448".

Amendment No. 137

On page 29, line 10, of said bill, strike out "1,609,138", and insert "1,607,938".

Amendment No. 138

On page 29, line 11, of said bill, strike out "124,160", and insert "111,766".

Amendment No. 139

On page 29, line 13, of said bill, strike out "11,058,346", and insert "11,038,152".

Amendment No. 140

On page 29, line 22, of said bill, strike out "10,802,894", and insert "10,782,700".

Amendments read, and adopted.

Consideration of Amendments Nos. 141, 142, and 143

Amendment No. 141

On page 29, line 27, of said bill, strike out "670,351", and insert "667,135".

Amendment No. 142

On page 29, line 29, of said bill, strike out "453,802", and insert "450,586".

Amendment No. 143

On page 29, line 33, of said bill, strike out "670,351", and insert "667,135".

Amendments read, and adopted.

Amendments Nos. 144, 145, and 146

Amendment No. 144

On page 29, line 37, of said bill, strike out "424,750", and insert "424,665".

Amendment No. 145

On page 29, line 41, of said bill, strike out "3,565", and insert "3,480".

Amendment No. 146

On page 29, line 43, of said bill, strike out "424,750", and insert "424,665".

Amendments read, and adopted.

Motion to Deem Remainder of Committee Amendments Read and Adopted

Mr. Beck moved that the remainder of the amendments to Assembly Bill No. 500, as being proposed by the Committee on Ways and Means, with the exception of Items 69 and 139 which concerns Messrs. McCollister and Crowley, respectively, be deemed read and adopted.

Mr. Sam L. Collins seconded the motion.

Motion carried.

Further Proposed Amendments by the Committee on Ways and Means to Assembly Bill No. 500 as Deemed Read and Adopted

Amendment No. 147

On page 31 of said bill, strike out lines 6, 7, and 8.

Amendment No. 148

On page 31, line 32, of said bill, strike out "262,217", and insert "270,929".

Amendment No. 149

On page 31, line 36, of said bill, strike out "323,742", and insert "332,454".

Amendment No. 150

On page 31, line 43, of said bill, strike out "194,246", and insert "202,958".

Amendment No. 151

On page 32, line 5, of said bill, strike out "194,246", and insert "202,958".

Amendment No. 152

On page 32, line 35, of said bill, strike out "86,578", and insert "96,418".

Amendment No. 153

On page 32, line 37, of said bill, strike out "42,845", and insert "50,525".

Amendment No. 154

On page 32, line 38, of said bill, strike out "43,033", and insert "45,193".

Amendment No. 155

On page 32, line 41, of said bill, strike out "86,578", and insert "96,418".

Amendment No. 164

On page 33, line 44, of said bill, strike out "2,827,465", and insert "2,821,463".

Amendment No. 165

On page 33, line 46, of said bill, strike out "2,369,698", and insert "2,364,502".

Amendment No. 166

On page 33, line 48, of said bill, strike out "56,143", and insert "55,337".

Amendment No. 167

On page 33, line 50, of said bill, strike out "2,827,465", and insert "2,821,463".

Amendment No. 168

On page 34, line 48, of said bill, strike out "4,060,247", and insert "4,050,021".

Amendment No. 169

On page 35, line 3, of said bill, strike out "3,322,957", and insert "3,316,237".

Amendment No. 170

On page 35, line 4, of said bill, strike out "777,980", and insert "774,967".

Amendment No. 171

On page 35, line 5, of said bill, strike out "72,869", and insert "72,376".

Amendment No. 172

On page 35, line 7, of said bill, strike out "4,173,806", and insert "4,163,580"

Amendment No. 173
On page 35, line 15, of said bill, strike out "4,060,247", and insert "4,050,021".

Amendment No. 174
On page 36, line 31, of said bill, strike out "562,418", and insert "548,343".

Amendment No. 175
On page 36, line 34, of said bill, strike out "184,851", and insert "170,776".

Amendment No. 176
On page 36, line 37, of said bill, strike out "562,418", and insert "548,343".

Amendment No. 177
On page 37, line 3, of said bill, strike out "2,186,625", and insert "2,199,414".

Amendment No. 178
On page 37, line 12, of said bill, strike out "1,773,402", and insert "1,778,550".

Amendment No. 179
On page 37, line 13, of said bill, strike out "646,476", and insert "646,781".

Amendment No. 180
On page 37, line 14, of said bill, strike out "64,197", and insert "71,533".

Amendment No. 181
On page 37, line 16, of said bill, strike out "2,484,075", and insert "2,496,864".

Amendment No. 182
On page 37, line 27, of said bill, strike out "2,186,625", and insert "2,199,414".

Amendment No. 183
On page 37, line 50, of said bill, strike out "1,407,626", and insert "1,399,923".

Amendment No. 184
On page 38, line 3, of said bill, strike out "1,041,720", and insert "1,034,340".

Amendment No. 185
On page 38, line 5, of said bill, strike out "67,065", and insert "66,742".

Amendment No. 186
On page 38, line 7, of said bill, strike out "1,407,626", and insert "1,399,923".

Amendment No. 187
On page 38, line 20, of said bill, strike out "385,400", and insert "359,000".

Amendment No. 188
On page 38, line 25, of said bill, strike out "425,932", and insert "433,312".

Amendment No. 189
On page 38, line 27, of said bill, strike out "11,778", and insert "12,101".

Amendment No. 190
On page 38, line 29, of said bill, strike out "518,317", and insert "526,020".

Amendment No. 191
On page 38, line 35, of said bill, strike out "121,985", and insert "129,688".

Amendment No. 192
On page 39, line 3, of said bill, strike out "4,148,495", and insert "4,145,018".

Amendment No. 193
On page 39, line 9, of said bill, strike out "2,743,710", and insert "2,741,190".

Amendment No. 194
On page 39, line 11, of said bill, strike out "129,515", and insert "128,558".

Amendment No. 195
On page 39, line 13, of said bill, strike out "4,248,966", and insert "4,245,489".

Amendment No. 196
On page 39, line 18, of said bill, strike out "4,148,495", and insert "4,145,018".

Amendment No. 197
On page 39, line 20, of said bill, strike out "5,761,783", and insert "5,753,291".

Amendment No. 198
On page 39, line 26, of said bill, strike out "3,989,656", and insert "3,982,204"

Amendment No. 199
On page 39, line 28, of said bill, strike out "161,445", and insert "160,405".

Amendment No. 200
On page 39, line 30, of said bill, strike out "5,909,013", and insert "5,900,521"

Amendment No. 201
On page 39, line 35, of said bill, strike out "5,761,783", and insert "5,753,291"

Amendment No. 202
On page 39, line 37, of said bill, strike out "2,964,173", and insert "2,961,253".

Amendment No. 203
On page 39, line 42, of said bill, strike out "1,951,983", and insert "1,949,463".

Amendment No. 204
On page 39, line 44, of said bill, strike out "51,426", and insert "51,026".

Amendment No. 205
On page 39, line 46, of said bill, strike out "3,058,400", and insert "3,055,480".

Amendment No. 206
On page 39, line 50, of said bill, strike out "2,964,173", and insert "2,961,253".

Amendment No. 207
On page 40, line 3, of said bill, strike out "2,596,676", and insert "2,592,996".

Amendment No. 208
On page 40, line 9, of said bill, strike out "1,816,844", and insert "1,814,564".

Amendment No. 209
On page 40, line 11, of said bill, strike out "73,530", and insert "72,130".

Amendment No. 210
On page 40, line 13, of said bill, strike out "2,688,690", and insert "2,685,010"

Amendment No. 211
On page 40, line 18, of said bill, strike out "2,596,676", and insert "2,592,996".

Amendment No. 212
On page 40, line 20, of said bill, strike out "3,191,040", and insert "3,189,993".

Amendment No. 213
On page 40, line 25, of said bill, strike out "2,116,872", and insert "2,116,752".

Amendment No. 214
On page 40, line 27, of said bill, strike out "95,464", and insert "94,537".

Amendment No. 215
On page 40, line 29, of said bill, strike out "3,295,794", and insert "3,294,747".

Amendment No. 216
On page 40, line 33, of said bill, strike out "3,191,040", and insert "3,189,993".

Amendment No. 217
On page 40, line 35, of said bill, strike out "4,050,295", and insert "4,046,103".

Amendment No. 218
On page 40, line 41, of said bill, strike out "2,713,034", and insert "2,710,142".

Amendment No. 219
On page 40, line 43, of said bill, strike out "87,718", and insert "86,418".

Amendment No. 220
On page 40, line 45, of said bill, strike out "4,181,074", and insert "4,176,882".

Amendment No. 221
On page 40, line 50, of said bill, strike out "4,050,295", and insert "4,046,103".

Amendment No. 222
On page 41, line 3, of said bill, strike out "2,607,184", and insert "2,604,664".

Amendment No. 223
On page 41, line 9, of said bill, strike out "1,889,028", and insert "1,886,508".

Amendment No. 224
On page 41, line 13, of said bill, strike out "2,697,260", and insert "2,694,740".

Amendment No. 225
On page 41, line 18, of said bill, strike out "2,607,184", and insert "2,604,664".

Amendment No. 226
On page 41, line 20, of said bill, strike out "4,008,891", and insert "4,008,171".

Amendment No. 227
On page 41, line 26, of said bill, strike out "2,778,059", and insert "2,777,339".

Amendment No. 228
On page 41, line 30, of said bill, strike out "4,095,535", and insert "4,094,815".

Amendment No. 229
On page 41, line 35, of said bill, strike out "4,008,891", and insert "4,008,171".

Amendment No. 230
On page 41, line 37, of said bill, strike out "4,537,151", and insert "4,533,571".

Amendment No. 231
On page 41, line 43, of said bill, strike out "3,165,087", and insert "3,162,567".

Amendment No. 232
On page 41, line 45, of said bill, strike out "118,989", and insert "117,929".

Amendment No. 233
On page 41, line 47, of said bill, strike out "4,680,226", and insert "4,676,646".

Amendment No. 234
On page 41, line 52, of said bill, strike out "4,537,151", and insert "4,533,571".

Amendment No. 235
On page 42, line 3, of said bill, strike out "2,403,775", and insert "2,403,655".

Amendment No. 236
On page 42, line 9, of said bill, strike out "1,666,973", and insert "1,666,853".

Amendment No. 237
On page 42, line 13, of said bill, strike out "2,471,050", and insert "2,470,930".

Amendment No. 238
On page 42, line 18, of said bill, strike out "2,403,775", and insert "2,403,655".

Amendment No. 239
On page 42, line 20, of said bill, strike out "3,823,394", and insert "3,823,068".

Amendment No. 240
On page 42, line 26, of said bill, strike out "2,682,075", and insert "2,681,955".

Amendment No. 241

On page 42, line 28, of said bill, strike out "102,150", and insert "101,944".

Amendment No. 242

On page 42, line 30, of said bill, strike out "3,895,214", and insert "3,894,888".

Amendment No. 243

On page 42, line 36, of said bill, strike out "3,823,394", and insert "3,823,068".

Amendment No. 244

On page 43, line 30, of said bill, strike out "8,934,463", and insert "8,990,456".

Amendment No. 245

On page 43, line 35, of said bill, strike out "7,793,006", and insert "7,814,010".

Amendment No. 246

On page 43, line 36, of said bill, strike out "2,670,592", and insert "2,693,969".

Amendment No. 247

On page 43, line 37, of said bill, strike out "140,556", and insert "152,168".

Amendment No. 248

On page 43, line 39, of said bill, strike out "10,604,154", and insert "10,660,147".

Amendment No. 249

On page 43, line 50, of said bill, strike out "8,934,463", and insert "8,990,456".

Amendment No. 250

On page 44, line 20, of said bill, strike out "176,588", and insert "172,763".

Amendment No. 251

On page 44, line 27, of said bill, strike out "50,230", and insert "42,730".

Amendment No. 252

On page 44, line 30, of said bill, strike out "363,557", and insert "356,057".

Amendment No. 253

On page 44, line 33, of said bill, strike out "186,969", and insert "183,294".

Amendment No. 254

On page 44, line 35, of said bill, strike out "176,588", and insert "172,763".

Amendment No. 255

On page 44 of said bill, after line 35, insert

"181.1—For Department of Natural Resources exhibit at State Fair, Departmental Administration, Department of Natural Resources, payable from any moneys in the Fair and Exposition Fund available for permanent improvements upon the property of the state, citrus, county, or district agricultural associations for fair purposes, allocated by Section 19626 of the Business and Professions Code, in accordance with the following schedule 3,825
and in addition thereto any amounts collected for services to activities supported out of other funds which by law are available for support of said department.

Schedule:

State Fair exhibits	7,500
Less: Estimated reimbursements:	
For services to activities supported out of other funds	3,675
Net appropriation	3,825".

Amendment No. 256

On page 45, line 5, of said bill, strike out "51,399", and insert "38,577".

Amendment No. 257

On page 45, line 7, of said bill, strike out "2,100,616", and insert "2,087,794".

Amendment No. 258

On page 45, line 14, of said bill, strike out "550,793", and insert "537,971".

Amendment No. 259

On page 45, line 31, of said bill, strike out "550,793", and insert "537,971".

Amendment No. 260

On page 45 of said bill, strike out lines 51 and 52

Amendment No. 261

On page 46 of said bill, strike out lines 2 to 18, inclusive

Amendment No. 262

On page 46, line 27, of said bill, strike out "5,262,089", and insert "5,260,022".

Amendment No. 263

On page 46, line 32, of said bill, strike out "2,787,144", and insert "2,789,579".

Amendment No. 264

On page 46, line 33, of said bill, strike out "2,173,212", and insert "2,171,926".

Amendment No. 265

On page 46, line 34, of said bill, strike out "400,124", and insert "396,908".

Amendment No. 266

On page 46, line 36, of said bill, strike out "5,360,480", and insert "5,358,413".

Amendment No. 267

On page 46, line 44, of said bill, strike out "5,262,089", and insert "5,260,022".

Amendment No. 268

On page 47 of said bill, strike out lines 8, 9, and 10

Amendment No. 269

On page 48, line 29, of said bill, after "suppression", strike out the comma, and insert "and detection,"

Amendment No. 270

On page 49, line 5, of said bill, strike out "375,439", and insert "378,895".

Amendment No. 271

On page 49, line 10, of said bill, strike out "271,340", and insert "274,796".

Amendment No. 272

On page 49, line 14, of said bill, strike out "376,207", and insert "379,663".

Amendment No. 273

On page 49, line 19, of said bill, strike out "375,439", and insert "378,895".

Amendment No. 274

On page 51, line 35, of said bill, strike out "146,646", and insert "139,526".

Amendment No. 275

On page 51, line 37, of said bill, strike out "89,178", and insert "83,058".

Amendment No. 276

On page 51, line 38, of said bill, strike out "57,261", and insert "56,261".

Amendment No. 277

On page 51, line 41, of said bill, strike out "146,646", and insert "139,526".

Amendment No. 278

On page 55, line 16, of said bill, strike out "209,999", and insert "133,252".

Amendment No. 279

On page 55, line 18, of said bill, strike out "153,845", and insert "80,598".

Amendment No. 280

On page 55, line 19, of said bill, strike out "55,746", and insert "52,246".

Amendment No. 281

On page 55, line 22, of said bill, strike out "209,999", and insert "133,252".

Amendment No. 282
On page 55, line 27, of said bill, strike out "3,924,799", and insert "3,913,298".

Amendment No. 283
On page 55, line 43, of said bill, strike out "3,413,511", and insert "3,411,231".

Amendment No. 284
On page 55, line 44, of said bill, strike out "2,331,912", and insert "2,329,172".

Amendment No. 285
On page 55, line 45, of said bill, strike out "117,651", and insert "116,622".

Amendment No. 286
On page 55, line 47, of said bill, strike out "278,350", and insert "272,898".

Amendment No. 287
On page 55, line 49, of said bill, strike out "6,141,424", and insert "6,129,923".

Amendment No. 288
On page 56, line 19, of said bill, strike out "3,924,799", and insert "3,913,298"

Amendment No. 289
On page 57, line 44, of said bill, strike out "96,119", and insert "95,414".

Amendment No. 290
On page 58, line 10, of said bill, strike out "125,039", and insert "125,744".

Amendment No. 291
On page 58, line 12, of said bill, strike out "96,119", and insert "95,414".

Amendment No. 292
On page 58, line 44, of said bill, strike out "1,265,195", and insert "1,262,785".

Amendment No. 293
On page 59, line 6, of said bill, strike out "989,116", and insert "986,836".

Amendment No. 294
On page 59, line 8, of said bill, strike out "66,876", and insert "66,746".

Amendment No. 295
On page 59, line 12, of said bill, strike out "1,420,349", and insert "1,417,939".

Amendment No. 296
On page 59, line 21, of said bill, strike out "1,265,195", and insert "1,262,785".

Amendment No. 297
On page 59, line 33, of said bill, strike out "441,575", and insert "471,575".

Amendment No. 298
On page 59, line 35, of said bill, strike out "15,000", and insert "45,000".

Amendment No. 299
On page 59, line 42, of said bill, strike out "441,575", and insert "471,575".

Amendment No. 300
On page 60, line 4, of said bill, strike out "115,069", and insert "108,447".

Amendment No. 301
On page 60, line 9, of said bill, strike out "77,743", and insert "72,111".

Amendment No. 302
On page 60, line 10, of said bill, strike out "37,326", and insert "36,336".

Amendment No. 303
On page 60, line 13, of said bill, strike out "117,569", and insert "110,947".

Amendment No. 304
On page 60, line 18, of said bill, strike out "115,069", and insert "108,447".

Amendment No. 305

On page 61, line 3, of said bill, strike out "1,907,418", and insert "1,904,224".

Amendment No. 306

On page 61, line 11, of said bill, strike out "1,849,968", and insert "1,848,592".

Amendment No. 307

On page 61, line 12, of said bill, strike out "826,523", and insert "824,273".

Amendment No. 308

On page 61, line 17, of said bill, strike out "2,838,122", and insert "2,834,496".

Amendment No. 309

On page 61, line 20, of said bill, strike out "930,704", and insert "930,272".

Amendment No. 310

On page 61, line 22, of said bill, strike out "1,907,418", and insert "1,904,224".

Amendment No. 311

On page 62, line 27, of said bill, strike out "1,471,451", and insert "1,463,636".

Amendment No. 312

On page 62, line 39, of said bill, strike out "1,577,148", and insert "1,569,333".

Amendment No. 313

On page 62, line 43, of said bill, strike out "2,409,130", and insert "2,401,315".

Amendment No. 314

On page 62, line 52, of said bill, strike out "1,471,451", and insert "1,463,636".

Amendment No. 315

On page 63, line 46, of said bill, strike out "41,491", and insert "98,289".

Amendment No. 316

On page 63 of said bill, strike out lines 48 to 51; and on page 64, strike out lines 2 to 18, inclusive, and insert

"(a) General Fund	45,308
(b) Accountancy Fund	5
(c) State Agricultural Society Contingency Fund	389
(d) Department of Agriculture Fund	41
(e) Fish and Game Preservation Fund	1,140
(f) Fair and Exposition Fund available to 1A District Agricultural Association under the provisions of Section 19622 of the Business and Professions Code	878
(g) Fair and Exposition Fund available to the California Polytechnic School under the provisions of Section 19622 of the Business and Professions Code	675
(h) State Highway Fund	4,521
(i) State Lands Act Fund	933
(j) Motor Vehicle Fund	2,069
(k) Motor Vehicle Fuel Fund	40,681
(l) Motor Vehicle License Fee Fund	194
(m) Board of Nurse Examiners Fund	48
(n) State Park Maintenance Fund	12
(o) Division of Architecture Revolving Fund	149
(p) Correctional Industries Revolving Fund	130
(q) Estates of Deceased Persons Fund	94
(r) Social Welfare Fund	908
(s) Unemployment Administration Fund	97
(t) Vocational Rehabilitation Fund	17
Total of Schedule	98,289".

Amendment No. 317

On page 66, line 21, of said bill, strike out "1,080,811", and insert "1,060,411".

Amendment No. 318

On page 66, line 24, of said bill, strike out "1,015,711", and insert "1,008,211".

Amendment No. 319

On page 66, line 26, of said bill, strike out "65,100", and insert "52,200".

Amendment No. 320

On page 66, line 28, of said bill, strike out "1,080,811", and insert "1,060,411".

Amendment No. 321

On page 66 of said bill, after line 45, insert

"277.1—For major construction, improvements, and equipment, California State Prison at Folsom, Department of Corrections, in accordance with the following schedule 50,000

(a) Furniture Refinishing Building 50,000

Total of Schedule ..... 50,000"

Amendment No. 322

On page 67, line 35, of said bill, strike out "1,135,885", and insert "628,214".

Amendment No. 323

On page 67, line 40, of said bill, strike out "1,135,885", and insert "628,214".

Amendment No. 324

On page 67, line 42, of said bill, strike out "1,135,885", and insert "628,214".

Amendment No. 325

On page 68 of said bill, after line 44, insert

"291.1—For major construction, improvements, and equipment, Fred C. Nelles School for Boys, Youth Authority, in accordance with the following schedule 90,000

(a) School building 90,000

Total of Schedule ..... 90,000"

Amendment No. 326

On page 69 of said bill, after line 49, insert "Expenditure of this appropriation or any part thereof shall be pursuant to concurrence by the Legislative Auditor and the State Public Works Board in the recommendations of a survey relative to continuation of the institution at the present site or construction of a new institution at another site. This appropriation may be expended in accordance with the above schedule or in acquisition of site and partial construction of a new institution in accordance with the report as concurred in."

Amendment No. 327

On page 70 of said bill, after line 50, insert

"Item 304.3—For minor construction, improvements, repairs and equipment, initial complement of equipment for Long Beach State College, Department of Education ..... $130,623".

Amendment No. 328

On page 70 of said bill, after line 50, insert

"Item 304.5—For minor construction, improvements, repairs, and equipment, initial complement of equipment, Los Angeles State College of Applied Arts and Sciences, Department of Education ..... $69,602".

Amendment No. 329

On page 70 of said bill, after line 50, insert

"Item 304.7—For minor construction, improvements, repairs and equipment, initial complement of equipment, Sacramento State College, Department of Education ..... $68,357".

Amendment No. 330

On page 70 of said bill, after line 50, insert

"Item 304.8—For major construction, improvements, and equipment, Sacramento State College, Department of Education, in accordance with the following schedule $271,700

(a) Temporary facilities for new campus $271,700

Total of schedule ..... $271,700".

Amendment No. 331

On page 73 of said bill, strike out lines 2 to 8, inclusive.

Amendment No. 332

On page 74, line 16, of said bill, strike out "Working Drawings", and insert "Preliminary Plans".

Amendment No. 333

On page 76 of said bill, strike out lines 11 to 16, inclusive

Amendment No. 334

On page 76 of said bill, strike out lines 17 through 30.

Amendment No. 335

On page 76, line 31, of said bill, following "For", strike out "major construction, improvements," and insert "minor construction, improvements, repairs,".

Amendment No. 336

On page 76, line 33, of said bill, strike out "75,000", and insert "29,600".

Amendment No. 337

On page 76, line 52, of said bill, strike out "265,020", and insert "261,020".

Amendment No. 338

On page 77, line 21, of said bill, strike out "112,475", and insert "97,975".

Amendment No. 339

On page 82 of said bill, between lines 39 and 40, insert

"378.1—For allocation to the State Water Resources Board for reallocation to the County of Santa Barbara for expenditure for payment, and for necessary advances made, of the cost of cooperation by the State in the program on the Santa Ynez River Watershed, adopted and authorized by the State Water Resources Act of 1945, payable from the Flood Control Fund of 1946 ..... 106,000"

Amendment No. 340

On page 88 of said bill, after line 50, insert

"SEC. 14.5. The appropriations made by this act are subject to the following provisions: State-owned motor vehicles shall be used only in the conduct of state business. No state officer or employee shall use, or permit the use of, any state-owned motor vehicle other than in the conduct of state business

The State Board of Control shall prescribe rules and regulations which:

(a) Define the use of state-owned motor vehicles which constitutes use in the conduct of state business and distinguish such use from misappropriation for private use;

(b) Prescribe the procedure for determining and collecting the actual costs to the State attributable to misuse of state-owned motor vehicles and the disposition of such collections;

(c) Prescribe the records and reports to be kept and made by state agencies relating to the use of state-owned motor vehicles to the end that misuse may be discovered with a minimum of record-keeping; provided that every state officer or employee who has operated a state-owned motor vehicle during the preceding month shall file a statement certifying under penalty of perjury as to all statements made in such reports, including a statement that he has not used or permitted the use of any state-owned motor vehicle other than in the conduct of state business as prescribed by the State Board of Control; no money appropriated by this Act shall be expended for payment of the salary of any state officer or employee who has operated a state-owned motor vehicle in the preceding month unless he has filed the reports and certification as provided in this section; provided, however, that with the approval of the Director of Finance such reports and certification may be filed on behalf of any state employee by the employee's supervising officer in those cases where it is determined that there are valid reasons which would prevent the employee from complying with the certification and filing requirements of the act;

(d) Establish methods of vehicle control and accounting which will facilitate and encourage the pooling of vehicles for their most effective utilization;

(e) Govern the storage of state-owned motor vehicles.

The provisions of this section shall not apply to the incumbents of elective state offices.

The Department of Finance shall administer the provisions of this section and the rules and regulations adopted pursuant thereto; provided, however, that it shall be the duty of the head or governing body of each state agency to carry out and enforce this section and said rules and regulations within such state agency.

Any violation by a state officer or employee of this section or the rules and regulations adopted pursuant thereto shall constitute misuse of state property under Section 19572 of the Government Code

The State Personnel Board, upon its own initiative or upon request of any person, may suspend from state service without pay for a period not exceeding 30 days, any officer or employee of the State exempt from civil service for violating this section or the rules and regulations adopted pursuant thereto The procedure prescribed in the State Civil Service Act for taking punitive action against state employees shall apply to punitive action taken under this paragraph "

Amendment No. 341

On page 90, line 1, of said bill, strike out the comma, and insert a period.

Amendment No. 342

On page 90 of said bill, strike out lines 2 and 3.

Amendment No. 343

On page 90, line 4, of said bill, strike out "convenience or economy "

Amendments read, and adopted.

Request for Unanimous Consent That Amendments Nos. 156 to 163, Inclusive, Be Considered

Mr. Crowley asked for, and was granted, unanimous consent that Item 139, Amendments Nos 156 to 163, inclusive, as being proposed by the Committee on Ways and Means, to Assembly Bill No 500, be considered, at this time.

Consideration of Amendments Nos. 156, 157, 158, 159, 160, 161, 162, and 163

Amendment No. 156

On page 33, line 32, of said bill, strike out "34,930", and insert "17,465"

Amendment No. 157

On page 33 of said bill, after line 32, insert "and in addition thereto, any amounts collected for services to employees which by law are available for support of said agency ; provided, however, that none of the funds shall be available for expenditure after December 31, 1951".

Amendment No. 158

On page 33, line 34, of said bill, strike out "24,554", and insert "12,277".

Amendment No. 159

On page 33, line 35, of said bill, strike out "10,800", and insert "5,400".

Amendment No. 160

On page 33, line 36, of said bill, strike out "500", and insert "250".

Amendment No. 161

On page 33, line 38, of said bill, strike out '35,854", and insert "17,927".

Amendment No. 162

On page 33, line 40, of said bill, strike out "924", and insert "462".

Amendment No. 163

On page 33, line 42, of said bill, strike out "34,930", and insert "17,465".

Amendments read.

Hon. Allen H. Smith Presiding

At 2.57 p.m., Hon. Allen H. Smith, Member of the Assembly from the Forty-third District, presiding

Speaker Pro Tempore Presiding

At 3.04 p m , Hon Thomas A Maloney, Speaker pro Tempore of the Assembly, presiding.

The roll was called, and Amendments Nos. 156, 157, 158, 159, 160, 161, 162, and 163 adopted by the following vote:

AYES—Babbage, Belotti, Brown, Burke, Caldecott, Chapel, Clarke, Collier, Connolly, Conrad, Doyle, Dunn, Erwin, Fleury, Grant, Gubser, Hahn, Hansen, Kirkwood, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McGee, Rumford, Sherwin, Silliman, Smith, Stewart, Tomlinson, and Waters—35.

NOES—Beck, Berry, Brady, Burkhalter, Coats, Crowley, Dills, Dolwig, Evans, Geddes, Hagen, Henderson, Kilpatrick, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Stanley, and Thomas—25.

Request for Unanimous Consent That Substitute Amendment to Item 69 Be Considered

Mr. McCollister asked for, and was granted, unanimous consent that a proposed substitute amendment to Item 69, which has not yet been considered, and is being proposed as Amendments Nos. 87, 88, 89, 90, and 91, to Assembly Bill No. 500, by the Committee on Ways and Means be considered, at this time.

Consideration of Proposed Amendment by Mr. McCollister
Motion to Amend

Mr. McCollister moved the adoption of the following amendment:

Amendment No. 1

On page 14 of the printed bill, between lines 12 and 13, insert

"69.5—For additional support of Los Guilucus School for Girls, Youth Authority, for employment and salary of Head Farmer, Grade 1__ 4,100".

Amendment read, and refused adoption.

Consideration of Item 69, Committee Amendments Nos. 87, 88, 89, 90, and 91

Amendment No. 87

On page 13, line 42, of said bill, strike out "290,430", and insert "288,969".

Amendment No. 88

On page 14, line 3, of said bill, strike out "206,235", and insert "205,405".

Amendment No. 89

On page 14, line 5, of said bill, strike out "5,320", and insert "4,689".

Amendment No. 90

On page 14, line 7, of said bill, strike out "299,810", and insert "298,349".

Amendment No. 91

On page 14, line 12, of said bill, strike out "290,430", and insert "288,969".

Amendments read, and adopted

Further Consideration of Author's Amendments
Motion to Amend

Mr. Kirkwood moved the adoption of the following amendment:

Amendment No. 1

On page 79, line 33, of the printed bill, strike out the period, and insert "; and provided further that no part of the appropriation made by this item shall be available for expenditure or apportionment unless or until the Education Code is amended to require that each district to which an apportionment is made shall provide for the expenditure from the receipts of district taxes not less than 15 percent of the cost of support of child care centers, and such additional amounts therefrom as may be determined by the Department of Education upon the basis of need."

Amendment read.

Demand for Previous Question

Messrs. McGee, Grant, Smith, Hansen, and Silliman demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendment offered by Mr. Kirkwood to Assembly Bill No. 500.

Amendment Withdrawn

Mr. Kirkwood withdrew his amendment to Assembly Bill No. 500.

Assembly Bill No. 500 ordered reprinted, and engrossed.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Munnell:

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 18002 and 18003 of the Education Code, relating to insurance of school districts.

Respectfully submitted.

WM. A. MUNNELL

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER: Your Committee on Legislature Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Munnell:

An act to amend Sections 18002 and 18003 of the Education Code, relating to insurance of school districts.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—67.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3387: By Mr. Munnell—An act to amend Sections 18002 and 18003 of the Education Code, relating to insurance of school districts.

Referred to Committee on Finance and Insurance.

RESOLUTIONS

The following resolution was offered:

By Messrs. Collier, Stewart, Lanterman, Burke, Lipscomb, and Doyle:

House Resolution No. 94

Relating to the necessity for installation of telephones along the Arroyo Seco Parkway

WHEREAS, The Arroyo Seco Parkway handles one of the largest traffic volumes in the world; and

WHEREAS, The Arroyo Seco Parkway, except at its entrances and exits, some of which are more than a mile apart, is enclosed by a wire fence; and

WHEREAS, Such fence and the small number of entrances and exits to Arroyo Seco Parkway cause considerable inconvenience to motorists whose automobiles come into disrepair or exhaust their fuel supplies upon the parkway by making it extremely difficult for such motorists to seek assistance; now, therefore, be it

Resolved by the Assembly of the State of California, That the California Highway Commission is requested to cause telephones to be installed at convenient locations along the Arroyo Seco Parkway for the use of motorists who may require them to call for emergency assistance in the operation of their vehicles along said parkway; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit copies of this resolution to the members of the California Highway Commission.

Resolution read, and ordered referred to the Committee on Rules.

MOTION TO DISPLAY MAPS

Mr. Dolwig moved that the maps showing proposed congressional, senatorial, and assembly district reapportionment plans be displayed in the Assembly Chamber, under the supervision of the Chairman of the Committee on Rules, for the use of members.

Mr. Silliman seconded the motion.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 21, 1951

MR SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 20
Senate Joint Resolution No. 11

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolutions were read:

Senate Joint Resolution No. 20—Relative to the construction of the Pillar Point Breakwater Project at Half Moon Bay, California.

Referred to Committee on Rules.

Senate Joint Resolution No. 11—Relative to the use of fresh food products in United States Army Camps.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 20, 1951

MR SPEAKER. I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 908

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

Senate Bill No. 908—An act to amend Sections 14030 and 14034 of the Government Code and Section 2714 of the Penal Code, relating to expenditure of General Fund money in Special Revolving Funds.

Referred to Committee on Governmental Efficiency and Economy.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 504
Senate Bill No. 752
Senate Bill No. 905

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 504—An act to amend Section 13425 of the Education Code, relating to the attendance of teachers upon institute.

Referred to Committee on Education.

Senate Bill No. 752—An act to add Section 13808 to the Education Code, relating to the salaries of persons employed by school districts in positions requiring certification qualifications

Referred to Committee on Education.

Senate Bill No. 905—An act to amend Sections 1155, 1156, 1157, and 12420 of the Government Code, relating to pay roll deductions for public employees.

Referred to Committee on Governmental Efficiency and Economy.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 8 p.m.—

Municipal and County Government, in Room 426
Education, in Room 432.
Constitutional Amendments, in Room 435.

Today upon adjournment—

Conservation, Planning, and Public Works, in Room 427.
Governmental Efficiency and Economy, in Room 435
Manufacturing, Oil, and Mining Industry, in Room 432.

Tomorrow, Thursday, March 22d, at 9:30 a.m.—

Rules, in Room 320

REPORT OF ASSEMBLY COMMITTEE ON LEGISLATIVE REPRESENTATION

LETTER OF TRANSMITTAL

ASSEMBLY
COMMITTEE ON LEGISLATIVE REPRESENTATION
SACRAMENTO, CALIFORNIA, March 21, 1951

Hon Sam L. Collins
Speaker of the Assembly
Assembly Chambers, Sacramento, California

MR. SPEAKER: In conformity with the authority vested in it, your committee has reviewed the statements and reports of the persons hereinafter named who have filed as legislative advocates and has found that all of the persons named in this report have complied with the provisions of Chapter 8, Part 1 of Subdivision 2 of Title 2 of the Government Code.

After five days from the filing of this report a certificate of registration as legislative advocate will be issued to each person named in this report unless good cause to the contrary appears as provided by Government Code 9909, Section 3.

Adam, James, Box 99, Presidio Station, San Francisco
Golden Gate Bridge and Highway District

Agnew, Frank J., 315 Montgomery St., Room 1111, San Francisco
The National Board of Fire Underwriters

Agrillo, Anthony, P. O. Box 494, San Jose 3
California State Association of Journeymen Barbers, Hairdressers, Cosmetologists and Proprietors

Alloway, George O., Rowan Bldg., Los Angeles 13
Hearst Publishing Company, Inc.

Anderson, Alan G., 1625 Russ Bldg., San Francisco 4
Municipal License Tax Association

Arnold, Lewis E., 600 City Hall, Los Angeles 12
City of Los Angeles

Austin, Frederick L., 506 Santa Monica Blvd., Santa Monica
Shoreline Planning Association of California, Inc.

Ballard, G. W., 198 W. 6th St., Los Angeles 14
Brotherhood of Railroad Trainmen

Barr, William A., 1100 N. Mission Road, Los Angeles 33
Board of Supervisors, Hall of Records

Baumgartner, John Jr., 681 Market St., San Francisco
California Cattlemen's Association

Bayer, Charles P., 1151 So. Broadway, Los Angeles 15
Los Angeles Chamber of Commerce

Beaton, R. H., Ferry Building, Terminal Island
California Fish Canners Association, Inc.

Benton, Boren R., 206 So. Spring St., Los Angeles 12
Initiative and Referendum Bureau of California

Blanck, C. T., 104 New Montgomery St , San Francisco
The Pacific Telephone and Telegraph Co.

Bookman, Joe, 101½ So. Greoillea, Inglewood
Justices and Constables Association of California

Brennan, Raymond L., 417 So. Hill St., Los Angeles 13
Interment Association of California

Bromley, Elmer P., 714 W Olympic Blvd., Los Angeles 15
Pacific Gas and Electric Co., San Francisco
California Oregon Power Co., Yreka
Southern Calif. Gas Co., Los Angeles
Southern Counties Gas Co., Los Angeles
Calif. Electric Power Co., Riverside
San Diego Gas & Electric Co., San Diego
Coast Counties Gas & Electric Co , Santa Cruz
Southern California Edison Co., Los Angeles

Brown, Charles A., 350 Bush St., San Francisco
California State Chamber of Commerce

Burke, Stanley, 461 Market St , San Francisco 5
California Self-Insurers Association

Butler, Monroe, 1015 Subway Terminal Bldg., Los Angeles
Superior Oil Company
Artists' Managers Guild

Cahill, F. Everett, 140 New Montgomery St , San Francisco
The Pacific Telephone and Telegraph Co

Cannon, Vern H., 846 So. Union Ave., Los Angeles 17
Public Relations Division, Joint Council of Teamsters No. 42

Carlson, Donald A., 530 W. Sixth St , Los Angeles
Dairy Institute of California

Carpenter, Richard, Claremont Hotel Bldg , Berkeley 5
League of California Cities

Carr, Francis J., 245 Market St , San Francisco 6
Pacific Gas & Electric Co.

Cerini, Floyd B., 130 Montgomery St., San Francisco
California Land Title Association

Chandler, Laurence, 1151 So. Broadway, Los Angeles 15
Los Angeles Chamber of Commerce

Chapman, Cletus W., 846 S. Union Ave., Los Angeles 17
Joint Council of Teamsters No 42

Chase, Frederic A., 3723 Wilshire Blvd., Los Angeles 5
California Council of Architects

Chelew, John R., 725 So. Spring St., Los Angeles
Merchants & Manufacturers Association

Clancy, Ed , 417 So. Hill St , Los Angeles
California Medical Association

Claudius, H. G., 55 New Montgomery St., San Francisco
Consolidated Milk Producers for San Francisco

Cleary, Donald W., Hotel Senator, Sacramento
City and County of San Francisco—Contractual

Conser, Eugene P., 117 W. Ninth St., Los Angeles 15
California Real Estate Association

Cooper, Vincent T., 400 Forum Bldg , Sacramento
County Supervisors Association of California

Cragin, J. Harold, 458 So Spring St., Los Angeles 13
Southwestern Portland Cement Co., Los Angeles
Riverside Cement Co., Los Angeles
California Portland Cement Co., Los Angeles
Monolith Portland Cement Co., Los Angeles

Davis, Arthur F., 3612 Fulton Ave., Sacramento 15
Western Tax Council, Inc.

Davis, Neill, 433 So. Spring St , Los Angeles
California Savings & Loan League

Dean, J. M., 1666 Wilshire Blvd , Los Angeles
Building Material Dealers' Credit Association

Derrough, John H., 580 Washington St., San Francisco 11
Insurance Brokers Exchange of California

Despol, John A , 1010 So. Broadway, Los Angeles 15
CIO—California Industrial Union Council

Dick, J. Edgar, 681 Market St., San Francisco
California Cattlemen's Association

Difani, George D., Route 3, Box 7922, Carmichael
Associated Sportsmen of California
Sportsmen's Council of Central California
Northern California Conservationists
Southern Council of Conservation Clubs, Inc.
Organized Sportsmen of California

Dinkelspiel, Martin J., 333 Montgomery St., San Francisco
California State Sheriffs' Association

Dudley, Arthur S., 531 Southgate Road, Sacramento
Western Tax Council, Inc.

Durbrow, Robert T., 932 Pacific Bldg., San Francisco
Irrigation Districts Association of California

Early, Robert E., 4608 Wilshire Blvd., Los Angeles
Farmers Underwriters Association

Ellsworth, Von T , 1400 Tenth St., Sacramento
California Farm Bureau Federation

Finks, Harry, 5257 H St., Sacramento
California State Federation of Labor, AF of L

Fox, Stark, 1035 Subway Terminal Bldg., LA 13
Oil Producers Agency of California

Fulcher, Clinton J., Lookout, Modoc County, Calif.
Northern California County Supervisor's Association

Garrod, R. V., Saratoga, California
Farmers Underwriters Association

Gibbens, C. M., 3800 Roderick Rd., Los Angeles 65
Brotherhood of Railway Carmen of America

Gibbs, Charles E., 25 California St., San Francisco
Associated Farmers of California, Inc.

Gilchrist, John P., 333 Pine St., San Francisco
San Francisco Chamber of Commerce

Gilman, Don E., 530 W. Sixth St., Los Angeles
Kelco Company

Gilmore, Joseph P., 57 Post St., San Francisco
Draymen's Association of San Francisco

Gray, Fred W., 1220 Hearst Bldg., San Francisco 2
No. 1-A District Agricultural Association

Green, Norman M., Box 617, Dunsmuir
Brotherhood of Railroad Trainmen

Groezinger, Leland B., 400 Montgomery St., San Francisco
American Mutual Alliance
California County Mutual Insurance Association

Haggerty, C. J., 995 Market St., San Francisco
California State Federation of Labor, A F of L.

Haggerty, Gerald, 2860 24th St., San Francisco
California Grocers Assn., San Francisco
California Grocers Assn., Sacramento

Hammell, Irving E., 2315 Palm St., Bakersfield
Allied Printing Trades Legislative Committee

Harp, W. J., Division of Fish & Game, State Office Building, No. 1, Sacramento
Division of Fish & Game

Herrington, Lou I., 533 Forum Building, Sacramento
California State Restaurant Association

Hill, W. V., 58 Sutter St., San Francisco 4
California Transit Association

Hines, John V., 615 Forum Bldg., Sacramento
California State Ass'n. of Life Underwriters, Inc.

Honey, Joseph H., 112 Valencia St., San Francisco
California State Ass'n. of Journeymen Barbers, Hairdressers, Cosmetologists & Proprietors

Hopelain, Richard, 503 Market St., San Francisco
Northern California Pharmaceutical Assn.

Horan, Raymond, Court House, Oakland, California
League of County Employees Assn.

Irvine, G. F., 951 Pacific Building, San Francisco
California State Legislative Board
Brotherhood of Locomotive Firemen and Enginemen

Johnson, Mrs. Roberta, 1030 Galindo, Concord, California
California Institute of Social Welfare

Jordan, Louis, Court House, Oakland 7
League of County Employees Association

Kahn, Max R., 1616 Mills Tower, San Francisco 4
Jefferson E. Peyser (Wine Institute)

Keller, Lewis, Hotel Claremont Bldg., Berkeley 5
League of California Cities

Kennedy, Anthony J., 635 Forum Bldg., Sacramento
California State Dental Assn.
Southern California State Dental Assn.
Legislative Council of Professional Engineers
Associated Tobacco Industries of California

Knight, T. Fenton, 333 So. Fair Oaks Ave., Pasadena
Los Angeles Chamber of Commerce

Keaton, Morgan, 806 Senator Hotel, Sacramento
California Grocers Association

Kugler, Jay H., 57 Post St., San Francisco
Dairy Institute of California

Landels, Edward D., 275 Bush St., San Francisco 4
California Bankers Assn.

Lee, Dr. Thomas, 323 Forum Bldg., Sacramento
California Chiropractic Assn.

Leheney, Raymond F., 846 So. Union Ave., Los Angeles 17
Public Relations Div., Joint Council of Teamsters No. 42

Lindsay, Alan A., 9th Floor, Court House, Oakland 7
County of Alameda, Office of the District Attorney

Lippold, Earl O., 1100 Hall of Records, Los Angeles
County of Los Angeles, Board of Supervisors

Little, Walter J., 510 W. 6th St., Los Angeles
Southern Pacific Co.
A T & S F Railway
Union Pacific R R
Western Pacific R R
Northwestern Pacific R R

Long, E. A., 245 Market St., San Francisco
Pacific Gas & Electric Co.

Luther, John M., Route 1, Box 1357, Fair Oaks
California Central Valleys Flood Control Assn.

Lyons, William, 207 So. Broadway, Los Angeles
Dept. of Water & Power, City of Los Angeles,

MacDougall, William R., 400 Forum Bldg., Sacramento
County Supervisors Association of California

Marshall, Ross, 1243 Trenton St., Los Angeles
John F. Forbes & Co.

McColly, Don W., 350 Bush Street, San Francisco 4
California State Chamber of Commerce

McCracken, O. V., 356 S. Spring St., Los Angeles 13
California Pharmaceutical Assn.

McGilvray, Kenneth G., 315 Forum Bldg., Sacramento
Building Material Dealers' Credit Assn.

McGlynn, Harold J., 3233 W. Vernon, Los Angeles
Pacific Telephone & Telegraph Co.

McKay, Robert E., 391 Sutter St , San Francisco
California Teachers Assn.

McKenzie, Jack G., 465 California St., San Francisco 4
National Board of Fire Underwriters

McLennan, A. D., Santa Fe Bldg., Los Angeles
A T & S F Railroad

McNamara, E. F., 2500 Market Street, Oakland 7
International Assn., of Fire Fighters Local 55

Meredith, George F., El Rancho, Sacramento or 417 So. Hill, L. A.
American Tunaboat Association

Merz, Elmer J., 304 Mitau Bldg., Sacramento
California Association of Nurserymen

Miller, James A., 160 Eddy St., San Francisco
California State Hotel Association, Lt.

Miles, H. M., 65 Market St., San Francisco
Southern Pacific Company

Moore, Edwin S., 150 Van Ness Ave., San Francisco
California State Automobile Assn.

Morris, J. H., 1217 Taft Bldg., Hollywood 28
Santa Monica Sea Food Co.

Morton, Harold C., 1126 Pacific Mutual Bldg., Los Angeles
Artists' Managers Guild
Superior Oil Company
Calif. Div. of Horsemen's Benevolent and Protective Assn

Muckler, Robert, 601 W. 5th St , Los Angeles
Superior Oil Company

Mueller, R. A., 1030 Forum Bldg., Sacramento
California Baby Chick Assn., Inc.
California Turkey Federation, Inc.

Neal, William H., 412 City Hall, Los Angeles
City of Los Angeles

Nixon, William, 419 Cherry Ave., Roseville
Brotherhood of Railroad Trainmen

Nobriga, Ralph, 140 Quincy Ave., Long Beach
Federated Firefighters of California

Ogle, Joe E , 308 Hall of Records, Santa Ana
County of Orange

Oliver, David V., 64 Pine St., San Francisco 11
Canners League of California

Owens, Richard W., 2223 Fulton St., Berkeley 4
California Farm Bureau Federation

Paine, Tevis, 1015 24th St., Sacramento
Western Fairs Association
California Thoroughbred Breeders Assn.

Parrish, Lew W., 846 So. Union Ave., Los Angeles 17
Public Relations Division, Joint Council of Teamsters No. 42

Paxton, Stephen C., 209 Hotel Senator, Sacramento
California State Chamber of Commerce

Pellett, F. G., 844 Pacific Bldg., San Francisco
Brotherhood of Railway Trainmen

Perry, Newel, 2421 Woolsey St., Berkeley 5
California Council for the Blind

Peterson, Lynn G., 1910 N. Main St., Los Angeles
Los Angeles Brewing Company

Peyser, Jefferson E., 1616 Mills Tower, San Francisco
Wine Institute
Retail Poultry & Fish Dealers Assn.
East Bay Poultry & Fish Association

Phillips, Lloyd A., 812 Tenth St, Sacramento
Southern Pacific Co.
A T & S F Railway
Union Pacific Railway
Northwestern Pacific Railway

Phillips, James H., 812 Tenth S., Sacramento
California State Employees Association
California School Trustees Association & Authorization

Pitts, Thomas L., 846 S. Union Ave., Los Angeles
California State Federation of Labor, AF of L.

Read, Ben H., 108 W Sixth St., Los Angeles
Public Health League of California

Read, Eugene A., 427 13th St., Oakland
Oakland Chamber of Commerce

Rector, Milton G., 105 Montgomery St., San Francisco 4
National Probation and Parole Assn.

Redfield, J. Miller, 1629 Virginia Ave., Glendale
California Loan & Finance Association

Reynolds, Harold G., 1331 T. St., Sacramento 14
California State Builders Exchange, Ltd.
Construction Industry Legislative Council

Robbins, Wesley E., 145 Buckingham Way, San Francisco
California State Nurses Association

Rossi, Jack G., 25 California St., Room 246, San Francisco
Associated Farmers of California, Inc.

Rowland, Gilford G., 537 Forum Bldg., Sacramento
Pacific American Steamship Association
San Francisco Employers Council

Sargent, Arthur M., 681 Market St., San Francisco 5
California Society of Certified Public Accountants

Schofield, W. R., 681 Market St., San Francisco
California Forest Protective Ass'n.

Schumacher, Thomas C., 1298 Wilshire Blvd., Los Angeles
California Osteopathic Association

Scully, Charles P., 995 Market St, San Francisco
California State Federation of Labor AF of L

Seig, F. G, 335 H. W Hellman Bldg., Los Angeles
California State Legislative Committee
Order of Railway Conductors of America

Shenk, Samuel C., 111 Sutter St., San Francisco 4
Northern California Chapter, the Associated General Contractors of America, Inc.

Shepherd, George M., 28 N. First St, San Jose
California Drycleaners Assn., Inc.

Smith, Don, 9022 Gibson St., Los Angeles 34
California State Firemen's Ass'n.

Spencer, J. C., 150 Van Ness Ave., San Francisco 3
California State Automobile Assn.

Sprague, Frank L., 2101 K St, Sacramento
Sacramento Municipal Utility District

Stevens, Berenice, 3102 Stuart St., Oakland 2
California Assn., of Medical Laboratory Technicians, Inc.

Stevens, Charles R., 1632 Russ Building, San Francisco
Pillsbury, Madison & Sutro (Standard Oil Co)
Shell Oil Co.
General Petroleum Corp.
Richfield Oil Corp.

Stevens, Lawrence C., 621 S. Hope St., Los Angeles
Pacific Finance Corp.

Stoll, Katherine Adams, 412 W. Sixth St., Los Angeles 14
California Federation of Business and Professional Women's Clubs, Inc.

Stuart, C. A., Stockton, California
County of San Joaquin, Board of Supervisors

Tomasini, Belle, Apt. 215 Park Mansions, 15th & N St, Sacramento
Calif. Physical Therapists Assn.

Troost, Frank W., 3411½ W. 43rd Place, Los Angeles
California Monument Assn., Inc.

Trusty, L. Sherman, 349 S. Hill St., Los Angeles 13
California Barber School Assn.

Tuttle, Richard E., 275 Bush St., San Francisco 4
Landels & Weigel

Wakefield, George W., 1100 Hall of Records, Los Angeles
County of Los Angeles, Board of Supervisors

Ward, Bernard J., 206 City Hall, San Francisco
City and County of San Francisco

Waters, Earl G., 610 Dudley Way, Sacramento
Disabled American Veterans

Watts, W. T., 1414 K St., Sacramento
Pacific Tel & Tel Co.

Weil, Jerold E., 2100 Central Tower, San Francisco
State Bar of California

Weinstock, Sidney L., 465 California St., San Francisco
Beneficial Standard Life Insurance Co.

White, Arthur W., 1220 Swanston Dr.
Proprietary Truck Owners Committee

Wilkins, Philip C., Box 941, Main Office, Los Angeles 53
California Association of State Auditors

Will, Arthur J., 1100 No. Mission Road, Los Angeles
Los Angeles County General Hospital

Williams, W. F., 1404 Franklin St., Oakland 12
California Association of Insurance Agents

Yarwood, Paul, 1400 Tenth St., Sacramento
California Optometric Assn.

The names of persons who have filed as legislative advocates but do not appear on the foregoing list have been withheld by your committee because of technical defects in the application, for further information, or for further consideration by your committee.

All registrants whose names have been withheld will be notified, and will be given an appropriate opportunity to conform with the requirements of the law.

Respectfully submitted.

FRANK P. BELOTTI
BERNARD R. BRADY
WILLIAM H. ROSENTHAL
H. ALLEN SMITH
RICHARD J. DOLWIG, Chairman

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Speaker Collins, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Wiebert Bonnery, Rev. and Mrs. Frank Butterworth of the White Temple Methodist Church Youth Fellowship—Anaheim; Mary Dougherty, Myrna Lewellyn, Anaheim High School; Shelley Smith, Gordon Schwacofer, Fred Edwards Jr., Loren Herman, and Don Brummet, Fullerton Junior College; and Chuck Wiggins, San Bernardino Junior College.

On request of Mr. Luckel and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Louis M. Karn of San Diego.

On request of The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Henry Behrens of Lincoln, Nebraska.

On request of Messrs. Moss and Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Janet Kovaleff, Mascot; Mrs. John Kovaleff, Guardian; Mrs. Fred Evenden, Assistant Guardian; and Mrs. Claude Snooks and Mrs. W. E. Wise, assisting mothers of and the following members, of Ka o mni Camp Fire Girls of Sacramento: Joan Cannon, Bonnie Gorman, Judy Gray, Barbara Kovaleff, Lois Kuroko, Marlene Lorenzen, Judy Noblett, Carol Marsiglia, Judy Roberts, Beverly Seay, Jacqueline Silva, Agnes Snooks, Sherry Westburg, Beverly Wise, and Marilyn Ziegler.

On request of Mr. Porter, the usual courtesies of the Assembly for this day were unanimously extended to Dr. Wendell Dodd and Jack Monson of Redondo.

On request of Mr. McMillan, the usual courtesies of the Assembly for this day were unanimously extended to Major Lloyd Wade of Los Angeles.

On request of Mr. Rosenthal, the usual courtesies of the Assembly for this day were unanimously extended to Rabbi Irving I. Hausman of Sacramento.

On request of Messrs. Kirkwood and Gubser, the usual courtesies of the Assembly for this day were unanimously extended to W. H. Davis and the following members of Alpha Delta Club of Palo Alto Congregational Church: David H. Catheart, Ashley T. Cox, Haskins K. Kashewa, William Wan, and Richard J. Wylie.

On request of Mr. McMillan, the usual courtesies of the Assembly for this day were unanimously extended to Ann Young, Jenny Rertock, Katherine Burton, and Mary B. Homaday of Los Angeles.

On request of Mr. Grant, the usual courtesies of the Assembly for this day were unanimously extended to Kenneth Sampson of Los Angeles.

On request of Mr Belotti, the usual courtesies of the Assembly for this day were unanimously extended to Dewey Dolf of Arcata.

On request of Mr. Connolly, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Robert Ruddick and Mary Joe Ruddick of San Francisco.

ADJOURNMENT

At 3.52 p.m., on motion of Mr. Dickey, the Speaker pro Tempore declared the Assembly adjourned until 9 30 a.m., Thursday, March 22, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

59—L-1018

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

TWENTY-FIRST LEGISLATIVE DAY

TWENTY-SEVENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, March 22, 1951

The Assembly met at 9.30 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—74.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

O Thou Light of Life, shine out in the darkness of our disturbed world and hasten the day of peace and brotherhood.

In our responsibilities of government, we pray for vision to believe, faith to pursue and courage to complete the tasks set before us. Grant unto us that inner radiance by which we are enabled to look serenely upon this troubled world and take our place in the planning for a new and better day.

"Light of the world, before Thee
Our spirits prostrate fall;
We worship, we adore Thee,
Thou Light, the Life of all;
With Thee is no forgetting
Of all Thine hand hath made;
Thy rising hath no setting,
Thy sunshine hath no shade"

Through Jesus Christ our Lord.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Shaw, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Butters, on motion of Mr. Lowrey.

Mr. Cooke, on motion of Mr. Lowrey.

Mr. Grunsky, on motion of Mr. Hansen.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Gubser, on motion of Mr. Lindsay.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 68	Assembly Bill No. 1313
Assembly Bill No. 69	Assembly Bill No. 1676
Assembly Bill No 70	Assembly Bill No. 2026
Assembly Bill No. 75	Assembly Bill No. 2664
Assembly Bill No. 991	Assembly Bill No. 3155
Assembly Bill No. 992	

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS BE CONSIDERED OUT OF ORDER

Mr. Beck asked for, and was granted, unanimous consent that Assembly Bills Nos. 141, 41 and 42 be considered, out of order, for purpose of amendment, at this time.

SECOND READING OF ASSEMBLY BILLS NOS. 141, 41, AND 42

Assembly Bill No. 141—An act to add Section 481 to the Government Code, relating to the division of the State into districts for the election of Legislative Representatives.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 481 to", and insert "amend Section 480 of".

Amendment No. 2

In line 2 of the title of said bill, after "into", insert "Senatorial".

Amendment No. 3

In lines 2 and 3 of the title of said bill, strike out "for the election of Legislative Representatives".

Amendment No. 4

On page 1, line 1, of said bill, strike out "481 is added to", and insert "480 of".

Amendment No. 5

On page 1, line 1, of said bill, strike out the comma, and insert "is amended".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 6

On page 1 of said bill, strike out lines 3 to 5, inclusive, and insert

"480. The State is divided into 40 senatorial districts, which shall be designated and constituted as follows.

1. The Counties of Modoc, Lassen and Plumas shall constitute the First Senatorial District.

2. The Counties of Del Norte and Siskiyou shall constitute the Second Senatorial District.

3. The County of Humboldt shall constitute the Third Senatorial District.

4. The Counties of Mendocino and Lake shall constitute the Fourth Senatorial District.

5. The Counties of Trinity and Shasta shall constitute the Fifth Senatorial District.

6. The County of Butte shall constitute the Sixth Senatorial District.

7. The Counties of Sierra, Nevada and Placer shall constitute the Seventh Senatorial District.

8. The Counties of Tehama, Glenn and Colusa shall constitute the Eighth Senatorial District.

9. The Counties of El Dorado [,] *and* Amador [and Alpine] shall constitute the Ninth Senatorial District.

10. The Counties of Yuba and Sutter shall constitute the Tenth Senatorial District.

11. The Counties of Napa and Yolo shall constitute the Eleventh Senatorial District.

12. The County of Sonoma shall constitute the Twelfth Senatorial District.

13. The County of Marin shall constitute the Thirteenth Senatorial District.

14. The City and County of San Francisco shall constitute the Fourteenth Senatorial District.

15. The County of Solano shall constitute the Fifteenth Senatorial District.

16. The County of Alameda shall constitute the Sixteenth Senatorial District.

17. The County of Contra Costa shall constitute the Seventeenth Senatorial District.

18. The County of Santa Clara shall constitute the Eighteenth Senatorial District.

19. The County of Sacramento shall constitute the Nineteenth Senatorial District.

20. The County of San Joaquin shall constitute the Twentieth Senatorial District.

21. The County of San Mateo shall constitute the Twenty-first Senatorial District.

22. The County of Stanislaus shall constitute the Twenty-second Senatorial District.

23. The [County] *Counties* of Santa Cruz *and San Benito* shall constitute the Twenty-third Senatorial District.

24. The Counties of Merced and Madera shall constitute the Twenty-fourth Senatorial District.

25. The [counties] *County* of Monterey [and San Benito] shall constitute the Twenty-fifth Senatorial District.

26. The Counties of Tuolumne, Mariposa and Calaveras shall constitute the Twenty-sixth Senatorial District.

27. The County of Kings shall constitute the Twenty-seventh Senatorial District.

28. The Counties of *Alpine*, Mono and Inyo shall constitute the Twenty-eighth Senatorial District.

29. The County of San Luis Obispo shall constitute the Twenty-ninth Senatorial District.

30. The County of Fresno shall constitute the Thirtieth Senatorial District.

31. The County of Santa Barbara shall constitute the Thirty-first Senatorial District.

32. The County of Tulare shall constitute the Thirty-second Senatorial District.

33. The County of Ventura shall constitute the Thirty-third Senatorial District.

34. The County of Kern shall constitute the Thirty-fourth Senatorial District.

35. The County of Orange shall constitute the Thirty-fifth Senatorial District.

36. The County of San Bernardino shall constitute the Thirty-sixth Senatorial District.

37. The County of Riverside shall constitute the Thirty-seventh Senatorial District.
38. The County of Los Angeles shall constitute the Thirty-eighth Senatorial District.
39. The County of Imperial shall constitute the Thirty-ninth Senatorial District.
40. The County of San Diego shall constitute the Fortieth Senatorial District."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Request for Unanimous Consent That Rush Order Be Placed Upon Printing of Assembly Bill No. 141

Messrs. Beck and Waters asked for, and were granted, unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 141.

Assembly Bill No. 41—An act to add Section 492 to the Government Code, relating to the division of the State into districts for the election of Legislative Representatives.

Bill read second time.

(See Assembly Journal for March 23, 1951, page 1901, for action expunging record on amendments to Assembly Bill No. 41.)

Assembly Bill No. 42—An act to add Section 471 to the Government Code, relating to the division of the State into districts for the election of Legislative Representatives.

Bill read second time.

(See Assembly Journal for March 23, 1951, page 1901, for action expunging record on amendments to Assembly Bill No. 42.)

REQUEST FOR UNANIMOUS CONSENT THAT TIME OF COMMITTEE MEETINGS BE CHANGED

Mr. Waters asked for, and was granted, unanimous consent that the Committee on Elections and Reapportionment be permitted to meet every Tuesday at 3 p.m. instead of at 8 p.m. every Tuesday, as has been the custom.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, March 20, 1951

Mr. Arthur A. Ohnimus
Chief Clerk of the Assembly
State Capitol, Sacramento 14, California

DEAR MR. OHNIMUS: Will you convey to the Members of the Assembly the sincere thanks of Mrs. Warren, our daughters Dorothy and Nina, and myself, for the thoughtfulness shown in the adoption of the resolution which you sent to us.

We are all well along on the road to recovery, and the interest shown by the Members of the Assembly is most heartening

Sincerely,

EARL WARREN, Governor

By the Chief Clerk:

A communication from Mrs. Ida R. Koverman of Hollywood, expressing appreciation to Members of the Assembly for adopting Assembly Concurrent Resolution No. 16 which carried good wishes for her rapid recovery from illness, was received, and ordered noted in the Journal.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred

Assembly Concurrent Resolution No. 35

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 35

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 300

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 94
Assembly Bill No. 1751
Assembly Bill No. 1838

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred.

Assembly Bill No. 270
Assembly Bill No 273
Assembly Bill No. 303
Assembly Bill No. 304
Assembly Bill No. 478
Assembly Bill No. 1742
Assembly Bill No 1743
Assembly Bill No. 1811
Assembly Bill No. 2378

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 1605

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 28
Assembly Bill No. 836

And reports the same correctly re-engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 341—An act to add Section 886 to the Welfare and Institutions Code, relating to a ward of the juvenile court residing in a county other than the county of his residence.

Bill read second time, and ordered engrossed.

Assembly Bill No. 605—An act to amend Sections 403.5 and 765 of the Vehicle Code, relating to violations of the Vehicle Code in order to comply with regulations promulgated under Civil Defense Act of 1950, or the California Disaster Act.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1089—An act to add Article 6, comprising Sections 1953i to 1953*l*, inclusive, to Chapter 3 of Title 2, Part 4 of the Code of Civil Procedure, relating to the use of photographic copies of business and public records as evidence in judicial and administrative proceedings.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1090—An act to add Chapter 4, comprising Sections 2700 to 2702, inclusive, to Division 4 of the Welfare and Institutions Code, relating to reciprocal agreements for the interstate transportation and the support of poor and indigent persons.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1200—An act to add Section 5402.5 to, and to amend Section 5406 of, the Welfare and Institutions Code, relating to the support and parole of persons committed or confined to branches of county jails for inebriety.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1201—An act to amend Section 1506 of the Penal Code, relating to appeals in habeas corpus cases.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1202—An act to amend Section 1335 of the Penal Code, relating to conditional examination of witnesses.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1276—An act to amend Section 1430 of the Probate Code, relating to estates of minors.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1277—An act to amend Section 103½ of the Code of Civil Procedure, relating to justice's clerks in cities and towns.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2047—An act to add Section 1164 to the Fish and Game Code, relating to shooting of human beings.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2450—An act to amend Section 1873 of the Civil Code, relating to unclaimed property.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2718—An act to amend Section 11044 of the Government Code, relating to charges for services against agencies supported other than from the General Fund.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2752—An act to repeal Section 26907 of the Government Code, relating to the destruction of public records.

Bill read second time, and ordered engrossed.

Assembly Bill No. 457—An act to amend Sections 221, 234, 235, 236, and 240 of, and to repeal Sections 234.5, 243, 246, and 247 of, the Agricultural Code, relating to bovine tuberculosis.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2809—An act to amend Sections 339.3, 339.4, and 353 10 of the Agricultural Code, relating to fees for cattle brands and brand inspection.

Bill read second time, and ordered engrossed

Assembly Bill No. 2938—An act to amend Section 160.93 of the Agricultural Code, relating to the agricultural pest control business

Bill read second time, and ordered engrossed.

Assembly Bill No. 1905—An act to amend Section 54 of the Fish and Game Code, relating to game management areas

Bill read second time, and ordered engrossed.

Assembly Bill No. 2319—An act to add Section 441 to the Fish and Game Code, authorizing reciprocity between California and Arizona in the issuance of sporting fishing licenses.

Bill read second time, and ordered engrossed

Assembly Bill No. 2320—An act to amend Sections 6500 and 6502 of the Government Code, relating to the joint exercise of powers by public agencies.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2321—An act authorizing reciprocal agreements between this State and adjoining states, relating to reciprocity in the use of sporting fishing licenses.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3021—An act to amend the Fish and Game Code by adding thereto a new section designated 1204 to aid in relieving waterfowl depredation to agricultural crops by authorizing the issuance of licenses to feed migratory game birds.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1638—An act to add Section 32131 to the Health and Safety Code, relating to the powers of local hospital districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2673—An act to amend Section 2141 of the Business and Professions Code, relating to the practice of the healing arts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2674—An act to amend Section 2142 of the Business and Professions Code, relating to violations under the chapter on medicine and surgery.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2679—An act to amend Section 2193 of the Business and Professions Code, relating to applicants for a physician's and surgeon's certificate.

Bill read second time, and ordered engrossed.

Assembly Bill No. 176—An act to repeal Section 7508 of the Welfare and Institutions Code, relating to actions against the Department of Institutions or its agencies.

Bill read second time, and ordered engrossed.

Assembly Bill No. 254—An act to amend Section 1520 of the Welfare and Institutions Code, relating to aid to needy children in respect to real property qualifications for aid.

Bill read second time, and ordered engrossed.

Assembly Bill No. 352—An act to amend Section 1550 of the Welfare and Institutions Code, relating to aid to needy children, in respect to applications therefor.

Bill read second time, and ordered engrossed.

Assembly Bill No. 353—An act to amend Sections 2190 and 3091.5 of the Welfare and Institutions Code, relating to the destruction of records of needy persons.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1688—An act to add Section 2006.5 to the Welfare and Institutions Code, relating to aid to the aged.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1702—An act to add Section 2142 to the Welfare and Institutions Code, relating to old age security, in respect to services rendered in the administration of old age security.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2677—An act to amend Section 2288 of the Business and Professions Code, relating to subjects of examination for a physician's and surgeon's certificate.

Bill read second time, and ordered engrossed.

Assembly Bill No. 606—An act to amend Section 1714.5 of the Civil Code, relating to liability of one who owns or maintains any building or premises designated as a shelter from enemy attacks, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 3, of the printed bill, after "one", insert ", including the State of California, county, city and county, city or any other political subdivision of the State of California,".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1091—An act to add Title 11, comprising Sections 1300 to 1332, inclusive, to Part 3 of the Code of Civil Procedure, providing a uniform civil and criminal procedure for enforcement of the duties of support.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 4 of the printed bill, strike out lines 23, 24, and 25.

Amendment No. 2

In line 1 of the title of the printed bill, after "Sections 1300 to", strike out "1332", and insert "1331".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1203—An act to repeal Section 496 and to amend and renumber Section 496bb of the Penal Code, relating to buying, receiving, concealing, or withholding stolen property, and prescribing penalties for violation of the provisions thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, line 19, of the printed bill, after "theft", strike out "of", and insert "or".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2760—An act to add Section 1418 to the Fish and Game Code, relating to giving aid to persons accidentally shot.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 7, of the printed bill, after "guilty of a", strike out "felony", and insert "misdemeanor".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 381—An act to amend Section 11 of an act entitled "An act to restrict the running of dogs at large; to protect livestock from depredation of dogs; to provide for the issuance of dog license tags by counties, and the disposition of funds received as fees therefor; making the violation of the provisions of this act a misdemeanor and providing penalties therefor, and providing for the collection of damages by owners of livestock injured by dogs," (Chapter 757, Statutes of 1921), approved June 3, 1921, relating to the protection of livestock, including rabbits.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

On page 2, line 7, of the printed bill, after "include", insert "domestic".

Amendment read, and adopted

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2258—An act to amend Section 818 of the Agricultural Code, relating to standards for potatoes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1 of the printed bill, strike out lines 6 to 12, inclusive, and insert "growth cracks, sunburn, second growth, cuts, bruises, grass roots, nematodes, or other causes. Damage to any one potato is not serious unless it causes a waste of 10 per cent, by weight, of the individual potato.

Damage by cuts shall also be considered serious when both ends are clipped or when more than an estimated one-fourth of the potato is cut away, or in the case of long varieties when the remaining portion of the clipped potato weighs less than six ounces"

Amendment No. 2

On page 1, line 13, of the printed bill, strike out "Nor", and insert "Not".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 944—An act to amend Section 1157 of the Fish and Game Code, relating to game birds and mammals.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1 of the printed bill, between lines 7 and 10, insert
"SEC. 2. The provisions of Sections 1156 and 1157 shall be effective until the ninety-first day after final adjournment of the 1953 Regular Session of the Legislature and thereafter shall have no force or effect."

Amendment read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 1492—An act to amend Section 1015.5 of the Fish and Game Code, relating to fish, and providing for a privilege tax in relation thereto.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In line 3 of the title of the printed bill, after "thereto", insert ", to take effect immediately".

Amendment No. 2

On page 2 of said bill, after line 6, insert
"SEC. 2. This act provides for a tax levy within the meaning of Article IV of the Constitution and shall go into immediate effect."

Amendments read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 2318—An act to add Article 3 to Chapter 1, Part 1, Division 4 of the Fish and Game Code, relating to a means of providing reciprocity in the issuance of sport fishing licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 11, of the printed bill, after "Tahoe", insert "or Topaz Lake".

Amendment No. 2

On page 1, line 17, of said bill, after "Tahoe", insert "or Topaz Lake".

Amendment No. 3

On page 1, line 23, of said bill, after "Tahoe", insert "or Topaz Lake".

Amendment No. 4

On page 1, line 25, of said bill, after "Tahoe", insert "or Topaz Lake".

Amendments read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 2672—An act to add Section 2013 to the Business and Professions Code, relating to the definition of the words "diagnose" and "diagnosis."

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "any facts concerning"; and in line 7, strike out "the physical, mental or nervous condition of a person.", and insert "whether or not a person is suffering from any physical, mental or nervous disorder."

Amendment No. 2

On page 1, line 13, of the printed bill, after the period, insert "Machines or mechanical devices for measuring or ascertaining height or weight are excluded from this section. Nothing in this chapter shall be construed as limiting or enlarging the practice of licensed clinical laboratory technologists and other persons licensed under any provision of law relating to the healing arts. The performance of specified services on referral from a person licensed under this chapter, is not a diagnosis within the meaning of this section."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2676—An act to amend Section 2385 of the Business and Professions Code, relating to the grounds for denial, suspension or revocation of certificates issued under the chapter on medicine of the Business and Professions Code.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 5, of the printed bill, after "commitment", insert "or admission to a state hospital".

Amendment No. 2

On page 1, line 19, of the printed bill, strike out "satisfactory", and insert "competent".

Amendment No. 3

On page 1 of the printed bill, strike out line 20, and insert "and until it is satisfied that, with due regard for the public interest, said person's right to practice may be safely reinstated."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2678—An act to amend Section 2435 of the Business and Professions Code, relating to the practice of the healing arts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "becomes", and insert "is".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 831—An act to amend the title to Chapter 5, and Articles 3 and 5 of Chapter 5, of Part 3 of Division 8 of the Health and Safety Code; and to amend Sections 8701, 8704, 8712, 8714, 8725, 8726, 8727, 8728, 8729, 8730, 8731, 8732, 8733.5, 8735, 8736, 8737, 8738, 8739, 8740, 8741, 8742, 8743, 8744, 8750, 8775, and 8780, of said code, relating to private cemeteries.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health:

Amendment No. 1

On page 6, line 40, of the printed bill, as amended, strike out "specified in Section 8738", and insert "required by law".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1158—An act to amend Section 261g of the Code of Civil Procedure, relating to official reporters of the superior court in and for the State of California

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 15, 1951, after "to", insert "add Section 269b to and to".

Amendment No. 2

On page 2 of said bill, between lines 2 and 3, insert

"SECTION 1. Section 269b is added to the Code of Civil Procedure, to read:

269b. In each county and city and county having a population of 730,000 inhabitants or over, as determined by the Federal Census taken in 1950, in which the judges of the superior court in and for such county have not appointed regular official phonographic reporters pursuant to the provisions of Chapter 1031 of the Statutes of 1943, as amended, if a majority of the judges of such court concur in an order that appointments may be made pursuant to this section, the judges thereof may each appoint a competent phonographic reporter, specifying that the appointment is pursuant to Section 269b of this code In such event all of the provisions of Chapter 1031 of the Statutes of 1943, as amended, other than those in conflict herewith, shall be in full force and effect and fully operative in such county except that the official reporters appointed pursuant to the provisions hereof shall not receive the annual salary therein provided but in lieu thereof each shall be paid twenty-seven dollars and fifty cents ($27.50) per day for the days he is actually on duty under order of the court Each reporter appointed pursuant to this section shall, in addition to his other duties, perform such secretarial services for the judge by whom he is appointed as such judge may require in the performance of his official duties."

Amendment No. 3

On page 2 of said bill, strike out lines 3 and 4, and insert

"SEC. 2. Section 261g of the Code of Civil Procedure is amended to read:"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1254—An act to amend Sections 6060, 6060.6, and 6060.7 of the Business and Professions Code, relating to requirements for admission to practice law.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out ", 6060 6, and 6060.7", and insert "and 6062, and to repeal Sections 6060.5, 6060.6, 6060.7, and 6061".

Amendment No. 2

On page 1, line 5, of said bill, strike out "meet the requirements of", and insert "comply with"

Amendment No. 3

On page 1, lines 13 and 14, of said bill, strike out "or have reached the age of 25 years", and insert ". This requirement does not apply to a person who commenced the study of law after reaching the age of 25 years and who registered as a law student as provided in subdivision (f) hereof, prior to January 1, 1952".

Amendment No. 4

On page 1 of said bill, strike out lines 20 to 25, inclusive, and insert

"(1) Graduated from a law school that requires classroom attendance, is authorized to confer professional degrees, and requires substantially the full time of its students for three years or a part of their time for four years; or

(2) Commenced the study of law and registered as a law student as provided in subdivision (f) hereof prior to January 1, 1952, and completed four years of law study, diligently and in good faith, in a law school, or by correspondence, or in a law office, or privately, or by a combination of any two or more of these methods"

Amendment No. 5

On page 2 of said bill, strike out lines 1 and 2.

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 6

On page 2 of said bill, between lines 4 and 5, insert

"SEC. 2. Section 6062 of said code is amended to read:

6062. To be certified to the Supreme Court for admission, and a license to practice law, a person, who has been admitted to practice law outside of this State, shall:

a. Be a citizen of the United States.

b. Be of the age of at least 21 years.

c. Be of good moral character.

d. Have been a bona fide resident of this State for at least three months immediately prior to the date of his examination and continuing to and including the date of his admission.

e. Have been admitted to practice before the highest court of a sister State or of any jurisdiction where the common law of England constitutes the basis of jurisprudence and have been actively and substantially engaged in the practice of law in any such jurisdiction or jurisdictions for at least four years out of the six years immediately preceding the filing of his application for admission to practice in this State. Teaching in a law school [accredited by the committee] and services as a judge of a court of law shall be considered practice within the meaning of this section In determining what constitutes practice for at least four years out of the next six years immediately preceding the filing of the application, time spent, subsequent to September 16, 1940, and prior to two years after termination of hostilities between the United States and the Nations with which the United States is now at war as determined by Act of Congress or Proclamation of the President, in active duty as a member of the United States Army, the United States Navy, the United States Marine Corps, the United States Coast Guard, or any of their respective components, or on active sea duty as an officer or member of the crew on or in connection with vessels documented under the laws of the United States, or vessels owned by, chartered to, or operated by or for the account or use of, the War Shipping Administrator, when the applicant is not engaged in the practice of law within the meaning of this requirement shall be execluded.

f Have passed such examination as in the discretion of the examining committee may be required.

SEC. 3. Sections 6060 5, 6060 6, 6060.7, and 6061 of said code are hereby repealed"

Amendment No. 7

On page 2 of said bill, strike out lines 5 to 42, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1377—An act providing for the constitution of the municipal court in a district embracing the City of Modesto, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "_____ judge", and insert "2 judges".

Amendment No. 2

On page 1 of said bill, after line 7, insert

"(2) There shall be one clerk to be appointed by the judges of the court, who shall receive _____ dollars ($_____) per annum, payable in equal monthly installments.

(3) The clerk may appoint the following:

One chief deputy clerk who shall receive a minimum salary of _____ dollars ($_____) monthly with annual increments of twenty dollars ($20), twenty dollars, ($20), twenty-two dollars ($22), twenty-three dollars ($23) to a maximum of _____ dollars ($_____) monthly;

_____ deputy clerks who shall be court clerks and each of whom shall receive a minimum salary of _____ dollars ($_____) monthly with annual increments of twenty dollars ($20), twenty dollars ($20), twenty-two dollars ($22), and twenty-three dollars ($23) to a maximum of _____ dollars ($_____).

_____ deputy clerks each of whom shall receive a minimum salary of _____ dollars ($_____) monthly with annual increments of thirteen dollars ($13), fourteen dollars ($14), fifteen dollars ($15) and fifteen dollars ($15) to a maximum of _____ dollars ($_____) monthly;

_____ deputy clerks each of whom shall receive a minimum salary of _____ dollars ($_____) monthly with annual increments of eleven dollars ($11), ten dollars ($10), twelve dollars ($12), and thirteen dollars ($13) to a maximum of _____ dollars ($_____).

_____ deputy clerks each of whom shall receive a salary of _____ dollars ($_____) monthly with annual increments of nine dollars ($9), ten dollars ($10), eleven dollars ($11) and ten dollars ($10) to a maximum of _____ dollars ($_____).

(4) There shall be one marshal to be appointed by the judges of the court who shall receive a salary of _____ dollars ($_____) per annum payable in equal monthly installments.

(5) The marshal may appoint the following:

One chief deputy who shall receive a minimum salary of _____ dollars ($_____) monthly with annual increments of twenty dollars ($20), twenty dollars ($20), twenty-two dollars ($22) and twenty-three dollars ($23) to a maximum of _____ dollars ($_____) monthly;

_____ deputy marshals who shall be court bailiffs, each of whom shall receive a minimum salary of _____ dollars ($_____) monthly with annual increments of fifteen dollars ($15), fifteen dollars ($15), sixteen dollars ($16) and eighteen dollars ($18) to a maximum of _____ dollars ($_____) monthly.

_____ deputy marshals, each of whom shall receive a minimum salary of _____ dollars ($_____) monthly with annual increments of fourteen dollars ($14), fifteen dollars ($15), fifteen dollars ($15) and sixteen dollars ($16) to a maximum of _____ dollars ($_____) monthly.

_____ deputies (custodians) at the fee allowed by law for keeping property.

The deputy marshals serving as custodians shall be paid only for their actual services as keepers of property taken under legal process and shall be paid out of the funds deposited by the parties to the action in which such services are rendered.

(6) Official reporters in such municipal courts described in this section, appointed as provided in Sections 274c and 274d of the Code of Civil Procedure, shall

be attaches of such court and in lieu of any other compensation provided by law for their services in reporting testimony and proceedings in such court, shall receive a salary of _____ dollars ($_____) per month, which shall be a charge against the general fund of the county.

In conformity with the provisions of Section 274c of the Code of Civil Procedure, the judges of such court may appoint as many additional reporters as the business of the court may require, who shall be known as official reporters pro tempore, and who shall serve without salary but shall receive the fees provided by Section 274 of the Code of Civil Procedure, except that in lieu of the per diem fees provided in said section for reporting testimony and proceedings, said official reporters pro tempore shall in all cases receive _____ dollars ($_____) per day, which shall upon order of the court be a charge against the general fund of the said county .

Fees for transcription of testimony and proceedings in such court shall be paid by the litigants to official reporters and official reporters pro tempore as otherwise provided by law. In all cases where by law, the court may direct the payment of transcription fees out of the county treasury, such fees shall, upon order of the court, be paid from the general fund including fees for transcription of testimony and proceedings in criminal cases as provided in Section 274 of the Code of Civil Procedure which shall be paid from the county treasury.

Official reporters of such court shall be members of any retirement system maintained by any county of the fifteenth class in which they are employed. For the purpose of such retirement system the salary herein provided for such reporters shall be deemed their entire compensation

(7) Persons employed in the service on the effective date of the amendment to this section shall receive credit for prior service in the justice's court, police court or municipal court of the city and in the sheriff's department or constabulary of the county, and shall receive, in addition to the minimum rate, the annual increments commensurate with years of prior service up to the maximum rate set. Changes of title created in establishing the municipal court shall not detract from said years of prior service.

(8) The annual increments shall be dependent upon the employee maintaining the minimum efficiency rating designated by the appointing authority and at any time the efficiency rating falls below the minimum standard the appointing authority shall have the power to suspend all or any part of the annual increments."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1683—An act to add Sections 6064.1 and 6106.1 to the Business and Professions Code, relating to admission and discipline of attorneys.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 3, of the printed bill, between "person" and "shall", insert "who advocates the overthrow of the Government of the United States or of this State by force, violence, or other unconstitutional means,".

Amendment No. 2

On page 1, line 7, of said bill, strike out "Something", and insert "Advocating the overthrow of the Government of the United States or of this State by force, violence, or other unconstitutional means,".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 2484—An act to add Section 92.1 to the Agricultural Code, relating to district and county agricultural fairs.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 3, of the printed bill, after "money", insert "appropriated under Section 92 of this code and".

Amendment No. 2

On page 1, line 7, of said bill, after "year", insert "next following the year".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

Assembly Bill No. 2764—An act to add Section 87.3 to the Agriculture Code, relating to boards of directors of agricultural fairs.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "a", and insert "the".

Amendment No. 2

On page 1, line 4, of said bill, strike out "only"

Amendment No. 3

On page 1, lines 5 and 6, of said bill, strike out "and conducted by a manager who shall be selected as provided in this article", and insert "in accordance with the policy established by such board."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

Assembly Bill No. 968—An act to amend Sections 461, 464, and 464.5 of the Agricultural Code, relating to the serving and sale of market milk.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "single service containers", and insert "in single service containers or in approved milk dispensing devices or receptacles,".

Amendment No. 2

On page 1, line 8, of said bill, strike out ", or"; and strike out line 9.

Amendment No. 3

On page 1, line 10, of said bill, strike out "director".

Amendment No. 4

On page 1 of said bill, following line 22, insert "Nothing in this section prohibits the sale or serving of homogenized market milk from and by the use of a milk dispensing device or receptacle which has been approved for such use by the director."

Amendment No. 5

On page 2 of said bill, strike out lines 5 to 7, inclusive, and insert "cream The serving of homogenized market milk from a milk dispensing device or receptacle which has been approved in accordance with Section 461 is not prohibited by this section."

Amendment No. 6

On page 2 of said bill, strike out lines 14 to 16, inclusive, and insert "The dispensing of homogenized market milk from a milk dispensing device or receptacle which has been approved in accordance with Section 461 is not prohibited by this section"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

Assembly Bill No. 1633—An act to amend Section 53040 of the Water Code, relating to reclamation districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 53040", and insert "Sections 51440 and 51441, and to repeal Sections 50915, 51442, 51443, 51444, and 51445,".

Amendment No. 2

On page 1 line 1, of said bill, strike out "53040", and insert "51440".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 12, inclusive, and insert

"51440. When the district has obtained an irrigation system pursuant to Section 50910, and the charges for furnishing water have been fixed pursuant to Section 50911, [an assessment may be levied] *which remain unpaid at the time the board orders an operation and maintenance assessment, the board may order that such charges be included as a part of the operation and maintenance assessment levied* upon the parcels to which water has been furnished [to collect unpaid charges for such water] *and when so levied, shall be a lein against the land.*

SEC. 2. Section 51441 of said code is amended to read:

51441. [The board of supervisors, upon application of the board stating the amount of the unpaid charges, shall appoint three disinterested assessment commissioners who shall levy the assessment on the parcels on which charges for irrigation water are unpaid.] *Water charges, included as a part of an operation and maintenance assessment, when collected shall be deposited in the irrigation fund.*

SEC. 3. Sections 50915, 51442, 51443, 51444 and 51445 of said code are repealed."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

Assembly Bill No. 1634—An act to amend Section 51444 of the Water Code, relating to reclamation districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "51444 of", and insert "51686 of, and to add Section 51685 5 to,"

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 7, inclusive, and insert

"SECTION 1. Section 51685.5 is added to the Water Code, to read:

51685.5. If the total amount of land to be sold at any one sale consists of no more than 50 acres, the board of trustees shall act as the board of appraisement and in such case the provisions of Sections 51685, 51687, 51688, 51689, and 51690 are not applicable

SEC. 2. Section 51686 of said code is amended to read:

51686. *If the total amount of land to be sold at any one sale consists of more than 50 acres,* the board of appraisement shall consist of:

(a) One member who is an officer or an authorized appraiser of a banking corporation formed under the laws of this State, or the manager of a branch bank of such banking corporation, or an officer or cashier of a national banking association, having a place of business in the county in which the parcel or some portion thereof is situated.

(b) One member who is an inheritance tax appraiser of the county in which the parcel is located.

(c) One member, a disinterested person, who is a licensed real estate broker, selected by the two other members of the board."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

Assembly Bill No. 2717—An act to add Section 6515 to the Welfare and Institutions Code, relating to purchase of oleomargerine for state institutions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "The", and insert "Whenever the State is unable to purchase or to acquire surplus butter from the Federal Government the".

Amendment No. 2

On page 1, line 4, of said bill, after "purchase", insert "colored".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

Assembly Bill No. 2447—An act to add Section 963.3 to the Agricultural Code, relating to seed testing and certification, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 4, of the printed bill, after "facilities", insert ", at a location best suited for the purpose,".

Amendment No. 2

On page 1, line 7, of said bill, strike out "the", and insert "such".

Amendment No. 3

On page 1, line 10, of said bill, strike out "Fund _____ dollars ($_____)", and insert "Fund forty thousand eight hundred dollars ($40,800)".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1665—An act to provide for the acquisition of Buena Vista Lagoon Wild Fowl Refuge and Recreational Park by the State and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1 of the printed bill, between lines 4 and 5, insert

"Beginning at the intersection of the shore line of the Pacific Ocean with the southerly boundary of the City of Oceanside; thence northeasterly along said city boundary to an intersection with the west line of Section 31, T. 11 S., R. 4 W., S.B.B. & M.; thence north to the northwest corner of said section; thence east to the northeast corner of said section; thence southerly along the east line of said section to an intersection with the center line of that certain highway known as Vista Way, also being California State Highway No. 78; thence easterly along said center line to an intersection with the east line of Section 32, said township; thence southerly to the east quarter corner of said section; thence west to the west quarter corner of said section, said point also being on the east boundary of Hosp Eucalyptus Forest Company's Tract No. 1, according to map thereof No. 1136, records of said County; thence northerly along said east line to a point which is 100 feet southerly from the mean high tide line of the Pacific Ocean, said mean high tide line being the southerly boundary of the Buena Vista Estuary; thence westerly, parallel with and 100 feet southerly from said mean high tide line, to an intersection with the shore line of the Pacific Ocean, thence northerly along said shore line to the point of beginning."

Amendment No. 2

On page 1, line 5, of said bill, strike out "_____ ($_____)", and insert "fifty thousand dollars ($50,000)".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 3221—An act to repeal subsection (c) of Section 115 of the Health and Safety Code, relating to Public Health Fund.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In the title of the printed bill, strike out lines 1 and 2, and insert

"An act to repeal Sections 115 and 28450 of, and to add Sections 117, 118, 119, 120, 121, 28451, and 28452 to the Health and Safety Code, creating the Public Health Federal Fund, making an appropriation, declaring the urgency thereof, to take effect immediately."

Amendment No. 2

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Sections 115 and 28450 of the Health and Safety Code are hereby repealed.

SEC. 2. Section 117 is added to the Health and Safety Code, to read:

117. The Public Health Federal Fund in the State Treasury is hereby created. All grants of money received by this State from the United States, the expenditure

of which is administered through or under the direction of the State Department of Public Health, shall, on order of the State Controller, be deposited in the Public Health Federal Fund.

SEC. 3. Section 118 is added to the Health and Safety Code, to read:

118. All money in the Public Health Federal Fund is hereby appropriated to the State Department of Public Health, without regard to fiscal years, for expenditure for the purposes for which the money deposited therein is made available by the United States for expenditure by the State.

SEC. 4. Section 119 is added to the Health and Safety Code, to read:

119. The State Department of Public Health and the State Controller shall keep a record of the classes and sources of income deposited in, or transferred to, the Public Health Federal Fund, and of the disbursements and transfers therefrom.

SEC. 5 Section 120 is added to the Health and Safety Code, to read:

120 The Director of Finance and the State Controller may approve any general plan whereby:

(a) Any expenditures which are a proper charge against the money made available by the United States and deposited in the Public Health Federal Fund may be paid in the first instance from any appropriation from the General Fund, expenditures from which are administered through or under the direction of the State Department of Public Health, and

(b) Any expenditures which are a proper charge against an appropriation from any special fund in the State Treasury, expenditures from which are administered through or under the direction of the State Department of Public Health, may be paid in the first instance from any appropriation from the General Fund, expenditures from which are administered through or under the direction of said department, and

(c) The General Fund shall be reimbursed for expenditures made therefrom that are a proper charge against the Public Health Federal Fund or against any appropriation from any special fund

Such a general plan may provide for advance transfers from the Public Health Federal Fund to the General Fund, based on estimates of such expenditures that will be subject to reimbursement from the Public Health Federal Fund pursuant to such plan, and may provide for reimbursements to the Public Health Federal Fund, when necessary.

Request for reimbursement or transfer pursuant to such a plan shall be furnished to the State Controller in writing by the State Department of Public Health, accompanied by such financial statements as the plan may provide; and on order of the State Controller, the required amount shall be transferred in accordance therewith

SEC. 6. Section 121 is added to the Health and Safety Code, to read:

121. All grants or donations of money received by the State from sources other than the United States, the expenditure of which is administered through or under the direction of the State Department of Public Health, shall, on order of the State Controller, be deposited in the Special Deposit Fund, subject to the provisions of Article 2 of Chapter 2 of Part 2 of Division 4 of Title 2 of the Government Code The State Controller shall designate, by name, separate accounts within the Special Deposit Fund covering the accountability for each class of grant or donation deposited under the provisions of this section; and the State Department of Public Health and the State Controller shall keep a record of the classes and sources of income deposited in, or transferred to, each of such accounts in the Special Deposit Fund, and of the disbursements therefrom.

All moneys deposited in the Special Deposit Fund under the provisions of this section shall be available, without regard to fiscal years, for expenditure for the purposes for which such money was made available to the State

SEC. 7. Section 28451 is added to the Health and Safety Code to read.

28451. All money received by the State Department of Public Health under the provisions of this chapter shall be paid at least once each month to the State Treasurer, and on order of the State Controller, shall be deposited in the General Fund in the State Treasury.

SEC. 8. Section 28452 is added to the Health and Safety Code, to read:

28452. Notwithstanding the provisions of Section 28451, the State Department of Public Health and the Department of Finance may authorize the deposit in the Special Deposit Fund of cash deposits received by the State Department of Public Health under the provisions of Section 28412; and in such event, upon the determination by the State Department of Public Health that all or a part of any such deposit is due the State for payment on account of the depositor's pro rata share of costs incurred by the State under this chapter, the amount so determined shall, on order of the State Controller, be transferred from the Special Deposit Fund to the General Fund.

All money deposited in the Special Deposit Fund under the provisions of this section shall be subject to the provisions of Article 2 of Chapter 2 of Part 2 of Division 4 of Title 2 of the Government Code.

SEC. 9. Upon authorization of the State Department of Public Health and the Department of Finance pursuant to Section 28452 of the Health and Safety Code, that portion of the amount transferred to the General Fund under the provisions of

Subdivision (b) of Section 10 of this act that represents the unexpended balance of cash deposits paid to the State under Section 28452 of the Health and Safety Code, and not yet determined to be due the State or to be refundable to the depositor, shall, on order of the State Controller, be transferred to the Special Deposit Fund, subject to the provisions of said Section 28452.

SEC. 10. All money in the Department of Public Health Fund on July 1, 1951, shall be disposed of as follows:

(a) All money in the Department of Public Health Fund that was derived from money appropriated by the State from the General Fund for the support of the State Department of Public Health or of any division, bureau, or organization unit thereof, or the expenditure of which is administered through or under the direction of the State Department of Public Health, and transferred to the Department of Public Health Fund prior to July 1, 1951, under the provisions of subdivision (c) of Section 115 of the Health and Safety Code, shall, on order of the State Controller, be transferred from the Department of Public Health Fund to the General Fund, and shall be credited to the appropriation in the latter fund from which such money was originally derived. The unexpended balance of each such General Fund appropriation shall continue to be available for expenditure for the purposes for which such appropriation was made, and shall be subject to all of the provisions of the act making such appropriation with respect thereto.

(b) All money in the Department of Public Health Fund that was derived from money received by the State under the provisions of Chapter 8 of Division 21 of the Health and Safety Code, or under the provisions of Chapter 428 of the Statutes of 1925, as amended, and deposited in the Department of Public Health Fund under the provisions of Section 2 of Chapter 1092 of the Statutes of 1941, shall, on order of the State Controller, be transferred from the Department of Public Health Fund to he General Fund, and shall be available for expenditure therefrom for the same purposes, and subject to the same conditions, limitations, and restrictions, for which it was available for expenditure from the Department of Public Health Fund prior to such transfer.

An amount equal to the unexpended balance of each appropriation made from the Department of Public Health Fund prior to July 1, 1951, that is available by law for the payment of expenses incurred by the State Department of Public Health in enforcing the provisions of Chapter 8 of Division 21 of the Health and Safety Code, is hereby appropriated from the General Fund for expenditure for the same purposes, and subject to the same periods of availability, as each such appropriation originally made from the Department of Public Health Fund.

(c) All money in the Department of Public Health Fund that was derived from grants of money received by the State from the United States, the expenditure of which is administered through or under the direction of the State Department of Public Health, shall, on order of the State Controller, be transferred from the Department of Public Health Fund to the Public Health Federal Fund, and shall be available for expenditure from the latter fund, without regard to fiscal years, for the purposes for which it is made available by the United States.

(d) All money in the Department of Public Health Fund that was derived from grants or donations from sources other than the United States, the expenditure of which is administered through or under the direction of the State Department of Public Health, shall, on order of the State Controller, be transferred from the Department of Public Health Fund to the Special Deposit Fund, and shall be credited to the appropriate account in the latter fund, as provided by Section 121 of the Health and Safety Code. The amount so transferred shall be available, without regard to fiscal years, for expenditure from the Special Deposit Fund for the purposes for which it was made available under the terms and conditions of the grant or donation.

(e) All other money in the Department of Public Health Fund the disposition of which is not otherwise provided by law, shall, on order, of the State Controller, be transferred from the Department of Public Health Fund to the General Fund

SEC. 11. The Board of Control shall provide for the transfer of the appropriation made by Item 232, Section 2 of the Budget Act of 1951 from the Department of Public Health Fund to the General Fund in accordance with Section 28 of the Budget Act of 1951.

SEC. 12. This act shall become operative July 1, 1951.

SEC. 13. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the State Constitution, and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

This act provides for the discontinuance of the commingling of General Fund appropriations with federal monies in a single fund for the purposes of facilitating the financial administration of the current expenses appropriated for the operations of the Department of Public Health.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1053—An act to add Section 2419.7 to the Labor Code, relating to sanitary conditions on construction sites.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 2419.7", and insert "Article 5, Division 2, Part 9, consisting of Sections 2450 and 2450.1".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 and 2, and insert

"SECTION 1. Article 5, Division 2, Part 9, consisting of Sections 2450 and 2450.1 is added to the Labor Code to read:

Article 5
Construction Sites".

Amendment No. 3

On page 1, line 3, of the printed bill, strike out "2419.7", and insert "2450".

Amendment No. 4

On page 1 of the printed bill, after line 17, insert

"2450.1. Any person, or the agent or officer thereof, who violates any provision of this article is guilty of a misdemeanor, punishable by a fine of not more than two hundred dollars ($200), or imprisonment for not more than sixty (60) days, or both.

For the purpose of securing the enforcement of this article the officers and agents of the Division of Housing shall have the authority of peace officers to make arrests, to serve any process or notice throughout the State and such other authority of peace officers as may become necessary in securing the enforcement of this article."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 1204—An act to repeal Chapter 5, consisting of Sections 7100 to 7111, of Part 4 of Division 6 of the Welfare and Institutions Code, and to add Chapter 5, consisting of Sections 7100 to 7110, to Part 4 of Division 6 of the Welfare and Institutions Code, relating to the establishment and maintenance of two state research centers for alcoholism, providing for the admission of persons thereto and the release of persons therefrom, providing for the powers and duties of the Department of Mental Hygiene in respect thereto, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 2 of the printed bill, strike out lines 9 to 15, inclusive, and insert

"The department shall establish and maintain out-patient clinics as a part of, or in conjunction with, each such research center. The clinics may be established at such locations as the department may determine to best serve the public needs in the treatment, care, guidance, and rehabilitation of acute or chronic alcoholics. The department may enter into lease, rental or other contractual agreements with any city, county, or city and county, for the occupancy of premises for the clinics, and the rendering or exchange of services in connection with such clinics or for the other purposes of this chapter.

Admission to such out-patient clinics shall be for persons who are deemed by the superintendent to be suitable for treatment, guidance or rehabilitation. Charges

for service in such clinics shall be set forth in the rules and regulations of the department and shall be based upon the average cost per case as determined by the Director of Mental Hygiene."

Amendment No. 2

On page 4 of said bill, after line 10, insert

"The sum of four hundred thousand dollars ($400,000) or so much thereof as is necessary is hereby appropriated out of the General Fund to the Department of Mental Hygiene for the establishment and operation of out-patient clinics under this chapter."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 3082—An act to amend an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by electors November 7, 1922, by amending Sections 1, 5, 10, and 15, and to repeal Section 7, and to add Section 7 thereto, relating to the practice and study of chiropractic, said amendment to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 2 of the printed bill, between lines 31 and 32, insert

"Pre educational requirements do not apply to a licensed chiropractor, or a student matriculated prior to the enactment of this measure."

Amendment No. 2

On page 2, line 48, of said bill, after "toxicology", insert "(not less than 160 hours)".

Amendment No. 3

On page 3, line 5, of said bill, after "and", insert "not less than 160 hours of".

Amendment No. 4

On page 3, line 6, of said bill, after "minor", insert "or ambulant".

Amendment No. 5

On page 3, line 8, of said bill, strike out "83", and insert "87".

Amendment No. 6

On page 3, line 11, of said bill, strike out "repealed."; and strike out line 12, and insert "amended to read:".

Amendment No. 7

On page 3 of said bill, between lines 14 and 15, insert

"(a) The holder of a valid unrevoked license to practice chiropractic in the State of California prior to the enactment of this measure, shall be authorized to practice chiropractic and other forms of therapy as taught in chiropractic schools and colleges; and also to use all mechanical, hygienic, and sanitary measures incident to the care of the body."

Amendment No. 8

On page 3, line 15, of said bill, strike out "(a)", and insert "(b)".

Amendment No. 9

On page 3, line 25, of said bill, after "minor", insert "or ambulant".

Amendment No. 10

On page 3, line 37, of said bill, strike out "(b) Hereafter", and insert "(c) One year after the effective date of this act".

Amendment No. 11

On page 3, line 39, of said bill, strike out "Any", and insert "Excepting that".

Amendment No. 12

On page 3, line 41, of said bill, strike out "hereto, which", and insert "to the effective date of this act, who".

Amendment No. 13

On page 3, line 45, of said bill, after "school," insert "shall".

Amendment No. 14

On page 3, line 46, of said bill, after "subjects", insert "upon enactment of this measure".

Amendment No. 15

On page 3, line 47, of said bill, after "a", insert "chiropractic".

Amendment No. 16

On page 3, line 47, of said bill, after "certificate", insert "immediately".

Amendment No. 17

On page 3, line 49, of said bill, strike out "(c)", and insert "(d)".

Amendment No. 18

On page 3, line 52, of said bill, strike out "and/".

Amendment No. 19

On page 4, line 2, of said bill, strike out "and/"

Amendment No. 20

On page 4, line 2, of said bill, after "methods", strike out the comma, and insert a period.

Amendment No. 21

On page 4, lines 3, 4, 5, 6, and 7, of said bill, strike out "and to sever and penetrate the tissues of human beings in the performance of minor surgery, which term, for the purposes of this act, shall include the severing and penetrating of tissues of human beings with the exception of penetration of the abdominal, thoracic, and cranial cavities."

Amendment No. 22

On page 4 of said bill, between lines 8 and 9, insert

"For the purposes of this act minor or ambulant surgery is that branch of surgery which consists of operative procedure by electrical or other methods, which does not include the opening of the thoracic, abdominal or cranial cavities, or the amputation of limbs or extremities. In the practice of minor surgery which includes pelvic, rectal, and oral surgery, the use of local anaesthesia is permitted, and the use of antiseptic and bacteriocidal agents are permitted."

Amendment No. 23

On page 4, line 16, of said bill, strike out "code", and insert "act".

Amendment No. 24

On page 4, line 21, of said bill, strike out "5", and insert "4".

Amendment No. 25

On page 4, line 46, of said bill, strike out "and advertising".

Amendment No. 26

On page 4, line 48, of said bill, strike out "suspension or revocation of", and insert "suspend or revoke".

Amendment No. 27

On page 5, line 22, of said bill, strike out "6", and insert "5".

Amendment No. 28

On page 5, line 39, of said bill, strike out "hold", and insert "holds".

Amendment No. 29

On page 5, line 41, of said bill, strike out "knowledge", and insert "conviction".

Amendment No. 30

On page 5, line 42, of said bill, strike out "fifty dollars ($50)", and insert "two hundred dollars ($200)".

Amendment No. 31

On page 5, line 43, of said bill, strike out "two hundred dollars ($200)", and insert "six hundred dollars ($600)".

Amendment No. 32

On page 5 of said bill, between lines 45 and 46, insert

"Immediately after enactment of this measure, seventy-five percent (75%) of the fines imposed or forfeitures of bail collected shall be paid upon collection by the proper officer of the court to the Board of Chiropractic Examiners. Such payment to the board shall be made without placing the fine or forfeiture in any special, contingent, or general fund in any county, city, or township The balance of twenty-five percent (25%) of such fines or forfeitures shall be paid to the county in which the fine or forfeiture is levied."

Amendment No. 33

On page 5, line 47, of said bill, after "chiropractic", insert "physician".

Amendment No. 34

On page 5, lines 50 and 51, of said bill, strike out "a chiropractic licensee", and insert "licensed as a chiropractic physician."

Amendment No. 35

On page 6, line 6, of said bill, strike out "7", and insert "6".

Amendment No. 36

On page 6, line 10, of said bill, strike out "8", and insert "7".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 1312—An act to amend Section 2505 of the Welfare and Institutions Code, relating to work performed by recipients of general relief.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1 of the printed bill, strike out lines 9 to 15, inclusive, and insert "by the county at no less than the prevailing rate of pay. Re-".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Social Welfare.

Assembly Bill No. 2064—An act to add Article 5 to Chapter 3, Part 1, Division 1 of the Health and Safety Code, relating to the care of chronically ill and infirm aged persons.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "the care of chronically".

Amendment No. 2

In line 3 of the title of said bill, after "persons", insert ", and making an appropriation therefor".

Amendment No. 3

On page 1, line 4, of said bill, strike out "Care of Chronically".

Amendment No. 4

On page 1, line 4, of said bill, after "Infirm", insert "Aged Persons".

Amendment No. 5

On page 1, lines 7 and 8, of said bill, strike out "appropriate medical and nursing", and insert "for the construction of hospital".

Amendment No. 6

On page 1, line 8, of said bill, strike out "the chronically".

Amendment No. 7

On page 1, line 9, of said bill, strike out "whose condition results from their age", and insert "aged persons".

Amendment No. 8

On page 1 of said bill, strike out lines 21 and 22, and insert "hospital facilities for the treatment of ill and infirm aged persons."

Amendment No. 9

On page 2, line 7, of said bill, strike out ", and for their operation and management,".

Amendment No. 10

On page 2 of said bill, after line 9, insert

"(c) The county gives assurance that the facility when completed will be operated and maintained in compliance with conditions and standards established by the department."

Amendment No. 11

On page 2, line 29, of said bill, after "facilities.", insert "The department shall consult with the Advisory Hospital Council in the administration of this article."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Social Welfare.

Assembly Bill No. 2204—An act to amend Section 2160 of the Welfare and Institutions Code, relating to aid to the aged in respect to the eligibility of aliens therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1, line 14, of the printed bill, strike out "State", and insert "United States".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Social Welfare.

Assembly Bill No. 3222—An act to repeal Sections 125, 126, and 127 and to amend Section 124 of the Welfare and Institutions Code, relating to the Social Welfare Fund.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

In the title of the printed bill, strike out lines 1 to 3, inclusive, and insert

"An act to repeal Section 124 of, and to add Sections 124.1, 124.2, 124.3, and 124.4 to, the Welfare and Institutions Code, creating the Social Welfare Federal Fund and making an appropriation, declaring the urgency thereof, to take effect immediately."

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 10, inclusive; and on page 2, strike out lines 3 to 16, inclusive, and insert

"SECTION 1. Section 124 of the Welfare and Institutions Code is hereby repealed.

SEC. 2. Section 124.1 is added to the Welfare and Institutions Code, to read:

124.1. The Social Welfare Federal Fund in the State Treasury is hereby created. All grants of money received by the State from the United States, the expenditure of which is administered through or under the direction of the Department of Social Welfare, shall, on order of the State Controller, be deposited in the Social Welfare Federal Fund.

SEC. 3. Section 124.2 is added to the Welfare and Institutions Code, to read:

124.2. All money in the Social Welfare Federal Fund is hereby appropriated to the Department of Social Welfare, without regard to fiscal years, for expenditure for the purposes for which the money deposited therein is made available by the United States for expenditure by the State.

SEC. 4. Section 124.3 is added to the Welfare and Institutions Code, to read:

124.3. The Department of Social Welfare and the State Controller shall keep a record of the classes and sources of income deposited in, or transferred to, the Social Welfare Federal Fund, and of the disbursements therefrom.

SEC. 5. Section 124.4 is added to the Welfare and Institutions Code, to read:

124.4. The Director of Finance and the State Controller may approve any general plan whereby:

(a) Any expenditures which are a proper charge against the money made available by the United States and deposited in the Social Welfare Federal Fund may be paid, in the first instance, from the General Fund, and

(b) The General Fund shall be reimbursed for expenditures made therefrom that are a proper charge against the Social Welfare Federal Fund.

Such a general plan may provide for advance transfers from the Social Welfare Federal Fund to the General Fund, based on estimates of expenditures to be made from the General Fund which will be subject to reimbursement from the Social Welfare Federal Fund pursuant to such plan, and may provide for reimbursements to the Social Welfare Federal Fund.

Requests for reimbursement pursuant to such a plan shall be furnished to the State Controller in writing by the Department of Social Welfare, accompanied by such financial statements as the plan may provide; and on order of the State Controller, the required amount shall be transferred in accordance therewith.

SEC. 6. All money in the Social Welfare Fund on July 1, 1951, shall be disposed of as follows:

(a) All money in the Social Welfare Fund that was derived from money appropriated by the State from the General Fund for the support of the Department of Social Welfare and transferred to the Social Welfare Fund prior to July 1, 1951, under the provisions of subdivision (b) of Section 124 of the Welfare and Institutions Code, shall, on order of the State Controller, be transferred from the Social Welfare Fund to the General Fund, and shall be credited to the appropriation in the latter fund from which such money was originally derived. The unexpended balance of each such General Fund appropriation shall continue to be available for expenditure for the purposes for which such appropriation was made, and shall be subject to all of the provisions of the act making such appropriation, with respect thereto.

(b) All money in the Social Welfare Fund that was derived from grants of money received by the State from the United States, the expenditure of which is administered through or under the direction of the Department of Social Welfare, shall, on order of the State Controller, be transferred from the Social Welfare Fund to the Social Welfare Federal Fund, and shall be available for expenditure from the latter fund, without regard to fiscal years for the purposes for which it is made available by the United States.

(c) All other money in the Social Welfare Fund, the disposition of which is not otherwise provided by law, shall, on order of the State Controller, be transferred from the Social Welfare Fund to the General Fund.

SEC. 7. This act shall become operative on July 1, 1951.

SEC. 8. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the State Constitution, and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

This act provides for the discontinuance of the commingling of General Fund appropriations with federal monies in a single fund for the purpose of facilitating the financial administration of the current expenses appropriated for the operations of the Department of Social Welfare."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Social Welfare.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills No. 2026 and 2664 re-referred to the Committee on Judiciary.

Assembly Bill No. 1313 re-referred to the Committee on Ways and Means.

Assembly Bills Nos. 991, 992, and 1676, re-referred to the Committee on Finance and Insurance.

Assembly Bills Nos. 75, 3155, 69, 70, and 68, re-referred to Committee on Military Affairs.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS
NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 327 FROM COMMITTEE CONTINUED

Mr. Davis asked for, and was granted, unanimous consent that his notice of motion to withdraw Senate Bill No. 327 from committee be continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 898

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 898, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 898

Assembly Bill No. 898—An act to amend Sections 1356, 1357, 1359, 1362, 1363, 1364, 1366, 1367, and 3396 of the Banking Code, to add Section 1371, and to renumber and amend 1371, relating to investments by savings banks, securing of information pertinent to the qualification of bonds of political subdivisions by the superintendent from officials of such political subdivisions, and to the making of representations that securities are a legal investment for savings banks.

Bill read third time.

Motion to Amend

Mr. Geddes moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on March 14, 1951, after "Code", insert "and Sections 1356, 1357, 1359, 1362, 1363, 1364, 1366, 1367, and 3396 of the Financial Code,".

Amendment No. 2

Strike out line 3 of the title of said bill, and insert "tion 1371, to, and to amend and renumber Section 1371 of the Banking Code, and to add a new Section 1371 to, and to amend and renumber Section 1371 of the Financial Code, relating to".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 9 of said bill, after line 47, insert

"SEC. 12. Section 1356 of the Financial Code is amended to read:

1356. In the bonds of any other political subdivision, public corporation, or district of the State of California (herein referred to generally as public corporations) having the power, without limit as to rate or amount, to levy taxes to pay the principal and interest of such bonds upon all property within its boundaries subject to taxation by such public corporation, *and in the bonds of any special district established by and within any municipal utility district*, provided:

(a) An amount exceeding 25 percent of the paid-up capital and surplus of the savings bank or exceeding 2 percent of the bank's savings deposits, whichever is greater, may not be invested in the bonds of any one such public corporation *or special district*;

(b) The net direct debt of such public corporation *or of such special district* together with its net overlapping debt does not exceed 20 percent of the assessed valuation of the taxable property within its boundaries according to the last official equalized county assessment roll.

SEC. 13 Section 1357 of said code is amended to read.

1357. An amount not exceeding in all 20 percent of the bank's savings deposits in (a) the bonds or other evidences of indebtedness of, *or which are unconditionally guaranteed by, the Dominion of Canada, the Territory of Hawaii, or* any state of the United States other than California, for the payment of both principal and interest of which *in United States' dollars* the faith and credit of such *dominion, territory, or* state are pledged; (b) in limited obligations of any state of the United States, other than California, payable only from special taxes which are pledged to the payment of principal and interest of such limited obligations; and (c) in the bonds or other evidences of indebtedness of any city, county, political subdivision, public corporation, or district (herein referred to generally as public corporations) of any state of the United States other than California, having the power without limit as to rate or amount to levy taxes to pay the principal and interest of such bonds upon all property within its boundaries subject to taxation by such public corporation, provided.

(a) An amount exceeding 25 percent of the paid-up capital and surplus of the savings bank or 1 percent of the savings deposits of the bank, whichever is greater, may not be invested in the bonds or other obligations of any one state other than California, or in the bonds of any one public corporation located in a state other than California;

(b) In the case of bonds constituting general obligations of any such state, such state has not within 10 years prior to such investment defaulted for a period of more than 90 days in the payment of any part of either principal or interest of any of its debts;

(c) In the case of such limited obligations of any such state, (1) that such state has not within 10 years prior to the date of such investment defaulted for a period of more than 90 days in the payment of either principal or interest of any of its debts; (2) the special taxes pledged for the payment of such limited obligations *shall have been collected* for five fiscal years next preceding any investment *and during said five fiscal years* shall have averaged at least one and one-half times the [highest] debt service requirements, including those for principal, interest, and sinking fund, on all such special obligations existing at [any] *the* time [during said five fiscal years] ; and (3) such special taxes for each of said five fiscal years shall have equalled at least the amount of all such debt service requirements on such special obligations; and

(d) In the case of bonds or other evidences of indebtedness of any such public corporation of any state other than California:

(1) Such public corporation has had a corporate existence or been otherwise established and functioning for at least 10 years prior to the time of such investment;

(2) Such public corporation has a population of at least 50,000 inhabitants according to the last federal or state census;

(3) Such public corporation for a period of at least 10 years prior to such investment has not defaulted in the payment of any part of the principal or interest of any of its debts for a period of more than 90 days; and

(4) The net direct debt together with the net overlapping debt of such public corporation does not exceed 10 percent of the assessed valuation of the property subject to taxation by such public corporation according to the last official equalized assessment roll or list upon the basis of which taxes for debt service are based.

SEC. 14. Section 1359 of said code is amended to read:

1359. An amount not exceeding in all 5 percent of the bank's savings deposits in bonds of any irrigation district, water storage district, water conservation district, county water district, reclamation district, drainage district, and any district the primary function of which is the irrigation, reclamation or drainage of land within its boundaries, located in California, *other than bonds referred to in Section 1355.1*, provided:

(a) Such bonds qualify under Section 1356; or

[(a)] *(b)* Such bonds have been certified as legal securities for savings banks pursuant to Chapter 1 of Division 10 of the Water Code and such certification remains unrevoked; *and*

[(b)] *(c)* The total outstanding bonded indebtedness of the district including bonds authorized but not issued, *but excluding bonds payable solely from revenues and not directly or indirectly from assessments*, does not exceed 50 percent of the aggregate of the assessed value of the lands, exclusive of improvements, subject to assessment by the district, and the value of the property owned by the district or to be acquired or constructed with the proceeds of the bonds under consideration.

[(c) The district is required and obligated to establish and maintain a reserve fund consisting of cash or United States bonds in an amount not less than the amount of the annual debt service requirements of its outstanding bonded indebtedness in addition to its current debt service requirements and which fund is not subject to any other lien or charge; and]

(d) An amount exceeding 25 percent of the paid-up capital and surplus of the savings bank or exceeding 1 percent of the savings deposits of the bank, whichever is greater, may not be invested in the bonds of any one such district.

SEC. 15. Section 1362 of said code is amended to read:

1362. An amount not exceeding in all 10 percent of the bank's savings deposits in revenue securities of any state of the United States and of any city, county, city and county, political subdivision, public corporation, or district (herein referred to generally as public corporations) of any such state and of any department, board, agency, or authority of any such state or of any such public corporation, provided:

(a) An amount exceeding 25 percent of the paid-up capital and surplus of the savings bank or exceeding 1 percent of the savings deposits of the bank, whichever is greater, may not be invested in revenue securities payable from the income from any one revenue producing property or project or issued by any one public corporation whether issued directly or through a department, board, agency, or authority thereof;

(b) Such revenue securities [are] *constitute obligations* payable out of the revenues from a revenue producing property owned, controlled, or operated by such state, public corporation, or by a department, board, agency, or authority thereof and [are secured by a direct and exclusive charge and lien upon such revenues] *are secured by such revenues;*

(c) The net income from such property available for the payment of such securities for the five fiscal years next preceding any such investment shall have averaged at least one and one-tenth times all debt service requirements for principal, interest, and sinking fund of all revenue securities payable only out of the revenues from such property during each of such fiscal years, and for each of such five fiscal years shall have equaled at least all debt service requirements for principal, interest, and sinking fund of such securities, and for the last fiscal year shall have amounted to at least the maximum annual debt service requirement for any fiscal year thereafter on all such securities which were outstanding during such last fiscal year and which will be outstanding in any fiscal year thereafter;

(d) The gross income from the property, the net income from which is pledged for the payment of such securities, in the last fiscal year prior to such investment was not less than [two] *one* million [five hundred thousand] dollars [($2,500,000)] *($1,000,000)* if located in California, and was not less than five million dollars ($5,000,000) if located elsewhere; [and]

(e) The issuer of the securities is obligated to maintain rates at least sufficient to meet debt service requirements and such obligation is legally enforceable; and

[(e)] *(f)* The public corporation which issues the securities or the public corporation, any department, board, agency, or authority of which issues the securities, if existing elsewhere than in California, has not within 10 years prior to such investment defaulted for a period of more than 90 days in the payment of principal or interest on any of its debts.

SEC. 16. Section 1363 is amended to read as follows:

1363. [An amount not exceeding in all 5 percent of the bank's savings deposits in bonds issued by housing authorities established pursuant to the Housing Authorities Law of the State of California, provided:

(a) An amount in excess of 25 percent of the savings bank's paid-up capital and surplus or 1 percent of the bank's savings deposits, whichever is greater, may not be invested in the bonds of any one housing authority;

(b) Such bonds are additionally secured by a pledge of annual contributions to be paid by an agency of the United States over a fixed period of years and for the payment of which contributions the faith and credit of the United States is pledged conditioned only upon a compliance with the conditions of the contract for such contributions;

(c) Such contributions are sufficient in amount to assure the payment by such authority of both principal and interest on the bonds as they become due;

(d) The housing authority covenants that it will not transfer title to the property upon which the proceeds of the bonds are to be expended in any manner which would constitute grounds for the termination of said contributions; and

(e) Such bonds are secured by a covenant of the authority to observe all agreements and conditions set forth in the contributions contract and giving the bondholders remedies by which they may enforce observant of the same.]

An amount not exceeding in all 5 percent of the bank's savings deposits in bonds of any local public housing agency (as defined in Section 110 (h) of the Housing Act of 1949) as are secured either, (1) by an agreement between the public housing agency and the Public Housing Administration in which the public housing agency agrees to borrow from the Public Housing Administration, and the Public Housing Administration agrees to lend to the public housing agency, prior to the maturity of such obligations (which obligations shall have a maturity of not more than 18 months), moneys in an amount which (together with any other moneys irrevocably committed to the payment of interest on such obligations) will suffice to pay the principal of such obligations with interest to maturity thereon, which moneys under the terms of said agreement are required to be used for the purpose of paying the principal of and the interest on such obligations at their maturity, or (2) by a pledge of annual contributions under an annual contribution contract between such public housing agency and the Public Housing Administration which is authorized by subsection (G) of Section 22 of the United States Housing Act of 1937, as amended, and if the maximum sum and the maximum period specified in such contract pursuant to said subsection 22 (G) shall not be less than the annual amount and the period for payment which are requisite to provide for the payment when due of all installments of principal and interest on such obligations.

SEC. 17. Section 1364 of said code is amended to read:

1364. An amount not exceeding in all 10 percent of the bank's savings deposits in evidences of indebtedness of companies incorporated in the United States and, *directly or indirectly*, engaged in manufacturing, extraction, merchandising or commercial financing, provided:

(a) An amount exceeding 25 percent of the paid-up capital and surplus of the savings bank or exceeding 1 percent of the savings deposits of the bank, whichever is greater, may not be invested in such evidences of indebtedness of any one company;

(b) Any unsecured evidences of indebtedness must be issued by a company whose property is free of mortgage and shall carry a covenant by the obligor that they will be secured equally with any mortgage bond which may be later issued;

(c) The company is of such size as to attract at least state-wide interest in its publicly held securities and its gross income shall have averaged not less than ten million dollars ($10,000,000) and its net income shall have averaged not less than one million dollars ($1,000,000) for the five fiscal years preceding the investment and its gross income was not less than ten million dollars ($10,000,000) and its net income not less than one million dollars ($1,000,000) for at least three of said five fiscal years;

(d) Consolidated current assets are not less than two and one-half times consolidated current liabilities, as shown by the latest published balance sheet; provided, that in any year for which combined federal income and excess profits taxes exceed 40 percent, consolidated current assets shall be not less than three times consolidated current liabilities after deducting from current assets cash and United States Government obligations in an amount not exceeding the amount of federal income and excess profits taxes included in current liabilities and deducting from current liabilities such federal income and excess profits taxes to an amount not exceeding the amount deducted from current assets;

(e) The total consolidated debt of the company including current liabilities and "minority interest" (i.e., any outstanding interest in a subsidiary having a prior claim on the earnings of such subsidiary), as shown on the latest published balance sheet, does not exceed 33⅓ percent of its gross assets less valuation reserves; and

(f) The consolidated annual net income for the five fiscal years next preceding the investment, before deduction of state and federal taxes imposed on or measured by income or profits but after deducting all charges (including reserves, regularly recurring charges for amortization of discount, and expense allocable to funded debt); (1) shall have averaged not less than six times the annual consolidated interest charges existing at the time the investment is made; (2) in at least three of said five fiscal years shall have been at least four times the annual consolidated interest charges for the same year; and (3) for the fiscal year next preceding the investment shall have been not less than six times the consolidated interest charges for such year and not less than six times the annual consolidated charges on the funded debt outstanding at the time of the investment.

SEC. 18. Section 1366 of said code is amended to read:

1366. An amount not exceeding in all 10 percent of the bank's savings deposits in the bonds *and debentures* of gas and electric companies meeting the requirements of subparagraph (b), in the bonds and debentures of telephone companies meeting the requirements of subparagraph (c), and in the bonds *and debentures* of water companies meeting the requirements of subparagraph (d), provided.

(a) Of said 10 percent of the bank's savings deposits not more than three-fourths thereof may be invested in bonds *and debentures* of gas and electric companies, not more than one-half thereof in bonds and debentures of telephone companies, and not more than one-quarter thereof in bonds *and debentures* of water companies; and provided, that an amount exceeding 25 percent of the paid-up capital and surplus of the savings bank or 1 percent of its savings deposits, whichever is greater, may not be invested in any of such bonds or debentures issued by *any* one such public utility company;

(b) Bonds *or debentures* of *a* gas and electric [companies] *company* must be of an issue which originally amounted to not less than one million dollars ($1,000,000) and, *if bonds,* be secured by a mortgage on [currently usable] *substantially all of its physical* property, *and, if debentures, must be issued by a company substantially all of whose physical property is free of mortgage and must carry a covenant to be secured equally with any mortgage indebtedness subsequently issued,* and *both bonds and debentures must* be issued by a public utility corporation, which

(1) Derives [at least 80 percent] *more than 50 percent* of its gross operating revenue from the business of supplying electricity, artificial gas, or natural gas or all or any of them, *and at least 80 percent of its gross operating revenue from all or any of the public utility businesses enumerated in this section*;

(2) Shall have had a gross operating revenue of not less than seven million five hundred thousand dollars ($7,500,000) for its most recent fiscal year;

(3) Has a funded debt not exceeding [50 percent] *two-thirds* of the value of its [fixed assets] *physical property* as shown by the books of the corporation *or by a statement of a certified public accountant issued within one year, which statement may be based upon the books of the corporation, less the amount of any reserves for depreciation, retirement or amortization of such physical property (Physical property of a corporation shall include the physical property of a subsidiary corporation if the corporation owns not less than 90 percent of the outstanding voting shares of the subsidiary corporation);* and

(4) Shall have had earnings *including earnings of subsidiaries mentioned in paragraph (3),* available for interest payments, *before deduction of state and federal taxes imposed on or measured by income or profits,* during four of the five most recent fiscal years and during the most recent fiscal year equal to at least twice the existing annual interest charges on the corporation's total *funded* debt [not including current liabilities] *during such respective fiscal years*.

(c) Bonds or debentures of telephone companies must be of an issue originally amounting to at least one million dollars ($1,000,000) and, if bonds, be secured by a mortgage on [the] *substantially all of the physical* property of the company, and if debentures must be issued by a company *substantially all of* whose *physical* property is free of mortgage and must carry a covenant to be secured equally with any mortgage indebtedness subsequently issued, and both bonds and debentures must be issued by a company:

(1) Which during its last fiscal year had gross revenues of at least seven million five hundred thousand dollars ($7,500,000), [at least 80 percent] *more than 50 percent* of which was derived from owned properties used in furnishing telephone and other communication services *and at least 80 percent of its gross revenues from all or any of the public utility businesses enumerated in this section*;

(2) Whose funded debt does not exceed [50 percent] *two-thirds* of the value of its [fixed assets] *physical property* as shown by the books of the corporation *or by a statement of a certified public accountant issued within one year, which statement may*

be based upon the books of the corporation, less the amount of any reserves shown on said statement for depreciation, retirement or amortization of such physical property. (Physical property of a corporation shall include the physical property of a subsidiary corporation if the corporation owns not less than 90 percent of the outstanding voting shares of the subsidiary corporation) ; and

(3) Which for four of the five most recent fiscal years and for the last fiscal year had earnings *including earnings of subsidiaries mentioned in paragraph (2)* available for the payment of interest charges, *before deduction of state and federal taxes imposed on or measured by income or profits*, at least equal to twice the interest charges on the company's total *funded* debt [other than current indebtedness] *during such respective fiscal years*.

(d) Water company bonds *or debentures* must be of an issue originally amounting to at least one million dollars ($1,000,000) *and if bonds*, be secured by a first mortgage on the company's property, *and if debentures, must be issued by a company whose property is free of mortgage and must carry a covenant to be secured equally with any mortgage indebtedness subsequently issued*, and *both bonds and debentures must* be issued by a company:

(1) Which is the supplier of substantially all water for domestic use in a community or communities having a population of not less than 25,000;

(2) Whose funded debt does not exceed [60 percent] *two-thirds* of the value of its [fixed assets as established for rate making purposes by the public regulatory body having jurisdiction thereof] *physical property as shown by the published statement of the company for its next preceding fiscal period, less the amount of any reserves shown for depreciation, retirement or amortization of such physical property. (Physical property of a corporation shall include the physical property of a subsidiary corporation if the corporation owns not less than 90 percent of the outstanding voting shares of the subsidiary corporation)* ; and

(3) Which for four out of the five most recent fiscal years and for the most recent fiscal year shall have had earnings *including those of subsidiaries mentioned in paragraph (2)* available for the payment of interest charges, before deduction of state and federal taxes imposed on or measured by income or profits, of at least one and one-half times the interest charges on the company's total [indebtedness] *funded debt during such respective fiscal years*.

The term "funded debt" as used in this chapter means all interest bearing indebtedness of a corporation not maturing within one year of the date it was incurred.

SEC. 19. Section 1367 of said code is amended to read:

1367. An amount not exceeding in all 25 percent of the paid-up capital and surplus of the savings bank or not exceeding 1 percent of the bank's savings deposits, whichever is lesser, may be invested in securities, other than corporation shares, [not herein otherwise expressly authorized,] *whether or not such securities are herein expressly authorized and whether or not they qualify hereunder*, in which in the informed opinion of the bank it is prudent to invest savings funds.

SEC. 20 Section 1371 is added to said code, to read:

1371. The superintendent is authorized upon the written application of any person made upon such form and containing such information as he may prescribe and when in his opinion the purposes of this chapter will be served thereby, to issue his certificate certifying that in his opinion and upon the information furnished him, specifying the same, any particular security of a class in this chapter referred to constitutes a security in which savings banks are permitted to invest pursuant to the provisions of this chapter. The superintendent may request any public official in whose office information relative to the assessed valuation of taxable property of any political subdivision, public corporation, or district is kept, or in whose office information relative to the direct debt or the overlapping debt of any political subdivision, public corporation or district, is kept, or in whose office any other information pertinent to a determination of whether or not any bonds issued by any political subdivision, public corporation, or district are qualified as investments for savings banks under this chapter is kept, to furnish him such information, and upon such request being made it shall be the duty of such public official to furnish to the superintendent such information

SEC. 21. Section 1371 of said code is renumbered to read Section 1372 and is amended to read as follows:

1372. The provisions of this chapter govern the investment of funds by savings banks but wherever by any law of this State it is now provided that the moneys of any pension fund, retirement plan, trust fund, or the moneys of any special fund the investment of which is governed by law, or the funds of any political subdivision or public corporation may or shall be invested in securities which are a legal investment for savings banks, then such law shall be deemed to authorize or require, as the case may be, that such moneys be invested in securities in which savings banks were authorized to invest their funds by the provisions of the Bank Act as it read prior to January 1, 1949, or by any other law of this State or in which savings banks are authorized to invest their funds by the provisions of Sections 1350 to 1366, inclusive,

of this chapter ; *provided, that the provisions of said sections limiting the amount which a savings bank may invest in securities to a specified percent of its paid-up capital and surplus, or savings deposits, shall not apply to investments authorized by the terms of this section .*

SEC. 22. Section 3396 of said code is amended to read :

3396. No person shall represent by advertisement, circular, or otherwise, or in any manner mislead anyone to believe, that any securities are legal investments for savings banks in this State or conform to the requirements of law relating to such investments, unless such securities are in fact at such time legal investments for such banks or do in fact so conform to such requirements *or, unless such person, in making such representation, has acted in good faith and in reliance upon a certificate issued by the superintendent pursuant to Section 1371 issued within one year, upon published reports of the public or private corporations issuing such securities, upon information furnished by a public official in his official capacity or upon information furnished by any established statistical agency approved for this purpose by the superintendent.* Any person violating the provisions of this section shall be guilty of a misdemeanor and shall be punishable by a fine of not more than one thousand dollars ($1,000) or by imprisonment in a county jail not exceeding one year, or by both such fine and imprisonment.

SEC. 23. Sections 12 to 22, inclusive, of this act become operative only if Division 1 of the Financial Code is enacted by the Legislature at its 1951 Regular Session, and in such case at the same time as said Division 1 takes effect, at which time Sections 1356, 1357, 1359, 1362, 1363, 1364, 1366, 1367, 1371, and 3396 of the Banking Code as amended by this act, and Section 1371 added to the Banking Code by this act are repealed."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 836—An act to amend the title of the Municipal Water District Act of 1911, and to amend Sections 2, 3, 4, 5, 6, 7, 8, 9, 12, 13, 14, 15, 17, 18, 19, 22, 23, 24, 25, 26, 27, 28, 29, and 32 of, to amend and renumber Sections 6a, 27a, 27b, and 27c of, to repeal Sections 4a, 4b, 20, 31, and 34 of, and to add Sections 12.1, 12.2, 13.1, 16, 20, 21, 27.1, 27.2, 27.3, and 27.7 to the Municipal Water District Act of 1911, relating to municipal water districts, declaring the urgency thereof, to take immediate effect.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Waters, and Mr Speaker—61.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Waters, and Mr. Speaker—61

NOES—None

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1095 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Davis asked for, and was granted, unanimous consent that Assembly Bill No 1095 be withdrawn from the Committee on Revenue and Taxation, and be re-referred to the Committee on Agriculture.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 598 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Clarke asked for, and was granted, unanimous consent that Assembly Bill No. 598 be withdrawn from the Committee on Governmental Efficiency and Economy, and be re-referred to the Committee on Agriculture.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 242—An act to add Section 1529 to the Probate Code, relating to guardian and ward.

Bill read third time.

Motion to Amend

Mr. Smith moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 15, 1951, strike out "the", and insert "Chapter 8 of Division 4 of the".

Amendment No. 2

On page 1, line 1, of said bill, strike out "the ", and insert "Chapter 8 of Division 4 of the".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 1822—An act to amend Section 1183.5 of the Civil Code, relating to the acknowledgment of instruments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Thomas, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1824—An act to amend Sections 2924c and 2924b of the Civil Code, relating to mortgages and deeds of trust.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Conrad, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister,

McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—62

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 125

Mr. Sherwin asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 125, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 125

Assembly Bill No. 125—An act making an appropriation in augmentation of the appropriation in Item 11 of the Budget Act of 1950 for legislative printing, binding, mailing, etc., to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 130

Mr. Sherwin asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 130, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 130

Assembly Bill No. 130—An act making an appropriation in augmentation of the appropriation in Item 10 of the Budget Act of 1950, for expenses of Members of the Assembly, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—67

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 129

Mr. Sherwin asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 129, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 129

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 129:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, March 21, 1951

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

Assembly Bill No. 129, "An act making an appropriation to the Emergency Fund in augmentation of the appropriation in Item 277, Budget Act of 1950, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This appropriation is required to meet a deficiency in the Emergency Fund caused largely by price increases.

I therefore recommend consideration of Assembly Bill No. 129 as an emergency measure.

Respectfully submitted,

EARL WARREN, Governor

Assembly Bill No. 129—An act making an appropriation to the Emergency Fund in augmentation of the appropriation in Item 277, Budget Act of 1950, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—61.

NOES—Beck—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1953 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Moss asked for, and was granted, unanimous consent that Assembly Bill No. 1953 be withdrawn from the Committee on Social Welfare, and be re-referred to the Committee on Education.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1887—An act to amend Section 3370 of the Banking Code, relating to loans to corporations in which an officer is an officer, stockholder or director.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—62.

NOES—Hagen—1.

Notice of Motion to Reconsider Assembly Bill No. 1887

Mr. George D. Collins gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1887 was this day passed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 701

Mr. Belotti asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 701, temporarily passed on file, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 701

Assembly Bill No. 701—An act to add Section 46.1 to, and amend Section 51 of, the Vehicle Code, relating to definitions of vehicles and equipment.

Bill read third time.

Motion to Amend

Mr. Belotti moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "10", and insert "9".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 327—An act to amend Section 21.1 of the Personal Property Brokers Act, relating to the issuance of desist and refrain orders.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 329—An act to amend Section 20.1 of the California Small Loan Act, relating to the issuance of desist and refrain orders.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Connolly, Conrad, Crowley Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney,

McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—66.
NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 331—An act to amend Section 5 of the Escrow Act and Section 17209 of the Financial Code, relating to financial responsibility of escrow companies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—66
NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 332—An act to add Section 16.1 to the Escrow Act and Section 17416 to the Financial Code, relating to the issuance of desist and refrain orders by the Commissioner of Corporations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 333—An act to amend Sections 6 and 13 of the Escrow Act, and Sections 17207 and 17407 of the Financial Code, relating to penalty for failure to file reports required by law, and filing fees for escrow companies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 335—An act to add Section 19.1 to the Check Sellers and Cashers Act, relating to the issuance of desist and refrain orders.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Nichouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Mr. Speaker—68.
NOES—None.

Bill ordered transmitted to the Senate.

MEMBERS EXCUSED

At 10.45 a m., Mr Silliman asked for, and was granted, unanimous consent that Messrs McGee and Kirkwood be excused, for the balance of the legislative day, because of legislative business elsewhere

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 323

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 323, out of order, at this time

CONSIDERATION OF ASSEMBLY BILL NO. 323

Assembly Bill No. 323—An act to amend Section 25603 of the Corporations Code, relating to advertising under the provisions of the Corporate Securities Law.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Nichouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—65
NOES—Lyon—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 324

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 324, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 324

Assembly Bill No. 324—An act to amend Section 25806 of the Corporations Code, relating to the renewal of investment counsels' certificates under the provisions of the Corporate Securities Law.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen,

Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—63.
NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 325

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 325, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 325

Assembly Bill No. 325—An act to amend Section 8 of the Personal Property Brokers Act, relating to the issuance of licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 326

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 326, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 326

Assembly Bill No. 326—An act to amend Sections 7 and 12 of the California Small Loan Act, relating to the issuance, suspension or revocation of licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 328

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 328, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 328

Assembly Bill No. 328—An act to amend Section 13 of the Personal Property Brokers Act, relating to the suspension or revocation of licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—63

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 330

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 330, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 330

Assembly Bill No. 330—An act to add Section 13.1 to the Escrow Act and Section 17415 to the Financial Code, relating to powers and duties of the Commissioner of Corporations in connection with escrow companies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—63

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 334

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 334, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 334

Assembly Bill No. 334—An act to amend Section 6 of the Check Sellers and Cashers Act, relating to liquid assets.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall,

McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 336

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 336, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 336

Assembly Bill No. 336—An act to add Section 16.1 to the Check Sellers and Cashers Act, relating to advertising.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Holibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 337

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 337, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 337

Assembly Bill No. 337—An act to amend Sections 4 and 9 of the Check Sellers and Cashers Act, relating to types of business licensed under said act.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Holibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 338

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 338, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 338

Assembly Bill No. 338—An act to add Section 7.1 to the Check Sellers and Cashers Act, relating to fidelity bonds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—64.

NOES—McCarthy—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 339

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 339, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 339

Assembly Bill No. 339—An act to amend Section 16 of the Industrial Loan Act, relating to the publication of financial information.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Cloyed, Coats, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—66

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1920

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1920, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1920

Assembly Bill No. 1920—An act to amend the Personal Property Brokers Act, relating to the taking and using of chattel mortgages.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Cloyed, Coats, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Concurrent Resolution No. 34—Relative to the veterans' property tax exemption in respect to persons now serving in the Armed Forces.

Resolution read, and adopted.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF HOUSE RESOLUTION NO. 83

By Mr. Kilpatrick:

House Resolution No. 83

Relative to funds of the Assembly Interim Committee on Crime and Corrections.

Resolved by the Assembly of the State of California, That the money made available by House Resolution No. 42, 1951 Regular Session, to the Assembly Interim Committee on Crime and Corrections (created by House Resolution No. 243, 1949 Regular Session and continued by House Resolution No. 28, 1951 Regular Session), may be expended for the purpose of preparing the committee's preliminary reports to the Legislature

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lanterman, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Tomlinson, and Waters—63.

NOES—None

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 36

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 36—Approving certain amendments to the charter of the City of San Diego, a municipal corporation in the County of San Diego, State of California, voted for and ratified by the qualified electors of said city at the municipal primary election held therein on the thirteenth day of March, 1951.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 36

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Request for Unanimous Consent

Mrs. Niehouse asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 36, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 36

Senate Concurrent Resolution No. 36—Approving certain amendments to the charter of the City of San Diego, a municipal corporation in the County of San Diego, State of California, voted for and ratified by the qualified electors of said city at the municipal primary election held therein on the thirteenth day of March, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None.

Resolution ordered transmitted to the Senate.

RECOMMENDATION FOR AMENDMENT, TO STANDING RULES REPORT OF STANDING COMMITTEE

The following report of standing committee was received, and read:

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER: Your Committee on Rules recommends the adoption of the following amendment to the Standing Rules of the Assembly:

Amendment No. 1

In Assembly Standing Rule No. 16, as printed in the Assembly Journal of January 10, 1951, on page 187, in paragraph 2 of said rule, line 3, strike out "Monday", and insert "Tuesday".

Request for Unanimous Consent That Amendment to Standing Rule Be Adopted

Mr. Dickey asked for unanimous consent that the above amendment to Standing Rule No. 16 be adopted, at this time.

Mr. Beck withheld unanimous consent.

RESOLUTIONS

The following resolution was offered:

By Mr. Dickey:

House Resolution No. 95

MR. SPEAKER: Your Committee on Rules respectfully submits the following resolution:

Resolved, That the compensation of the Sergeant-at-Arms of the Assembly, Wilkie Ogg, be $18 per day, commencing Wednesday, March 14, 1951, and that the compensation shall be on a seven day week basis, and the Controller is hereby directed to draw his warrant in favor of the Sergeant-at-Arms, Wilkie Ogg, in the said amount, and the State Treasurer is hereby directed to pay the same.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 95, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—74.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 3145 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Clarke asked for, and was granted, unanimous consent that Assembly Bill No. 3145 be withdrawn from the Committee on Agriculture, and be re-referred to the Committee on Conservation, Planning, and Public Works.

ANNOUNCEMENT

Speaker Sam L. Collins announced, on behalf of Mr. Beck, a luncheon meeting and Democratic Caucus upon recess, today, at the Hotel Sacramento.

REPORTS OF STANDING COMMITTEES READ AND ADOPTED BY UNANIMOUS CONSENT

By unanimous consent, the following reports of standing committees were read, and appropriate action taken:

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 2079

Has had the same under consideration, and reports the same back with amendments with the recommendation: Do pass, as amended, and be re-referred to Committee on Ways and Means.

STEWART, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 25

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 6	Assembly Bill No. 366
Assembly Bill No. 72	Assembly Bill No. 2522
Assembly Bill No. 365	Assembly Bill No. 2620

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 176
Assembly Bill No. 254
Assembly Bill No. 341
Assembly Bill No. 352
Assembly Bill No. 353
Assembly Bill No. 457
Assembly Bill No. 605
Assembly Bill No. 1089
Assembly Bill No. 1090
Assembly Bill No. 1200
Assembly Bill No. 1201
Assembly Bill No. 1202
Assembly Bill No. 1276
Assembly Bill No. 1277
Assembly Bill No. 1638
Assembly Bill No. 1688
Assembly Bill No. 1702
Assembly Bill No. 1905
Assembly Bill No. 2047
Assembly Bill No. 2319
Assembly Bill No. 2320
Assembly Bill No. 2321
Assembly Bill No. 2450
Assembly Bill No. 2673
Assembly Bill No. 2674
Assembly Bill No. 2677
Assembly Bill No. 2679
Assembly Bill No. 2718
Assembly Bill No. 2752
Assembly Bill No. 2809
Assembly Bill No. 2938
Assembly Bill No. 3021

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR SPEAKER Your Committee on Rules, to which were referred:

Senate Joint Resolution No. 11
Senate Joint Resolution No. 20

Has had the same under consideration, and reports the same back with the recommendation. Be adopted

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No 9

Has had the same under consideration, and reports the same back with the recommendation: Be adopted

CROWLEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No. 29

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

CROWLEY, Chairman

Above reported resolution ordered engrossed.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 421
Assembly Bill No. 1094
Assembly Bill No. 3370

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bills ordered to second reading.

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Assembly Bill No. 420
Assembly Bill No. 609

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SILLIMAN, Chairman

Above reported bills ordered to second reading.

Committee on Manufacturing, Oil, and Mining Industry

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER: Your Committee on Manufacturing, Oil, and Mining Industry, to which were referred:

Assembly Bill No. 349
Assembly Bill No. 419
Assembly Bill No. 1031

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MORRIS, Chairman

Above reported bills ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 795
Assembly Bill No. 1227
Assembly Bill No 1639
Assembly Bill No. 1640
Assembly Bill No 1890
Assembly Bill No. 1694
Assembly Bill No. 2005
Assembly Bill No. 2641

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bills ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Senate Bill No. 743

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bill ordered to second reading.

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No. 1

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

CROWLEY, Chairman

Above reported resolution ordered on file.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 1004
Assembly Bill No. 3240

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DUNN, Chairman

Above reported bills ordered to second reading.

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 2920

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SILLIMAN, Chairman

Above reported bill ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 631

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STEWART, Chairman

Above reported bill ordered to second reading.

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No. 5

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CROWLEY, Chairman

Above reported resolution ordered on file.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 835
Assembly Bill No. 2061

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

DUNN, Chairman

Above reported bills ordered to second reading.

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Assembly Bill No. 1153
Assembly Bill No. 1155
Assembly Bill No. 2720

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SILLIMAN, Chairman

Above reported bills ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 1222
Assembly Bill No. 2135
Assembly Bill No. 2472
Assembly Bill No. 3270

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STEWART, Chairman

Above reported bills ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 797
Assembly Bill No. 1722

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

DUNN, Chairman

Above reported bills ordered re-referred to the Committee on Ways and Means.

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred.

Assembly Bill No. 2808

Has had the same under consideration, and reports the same back with amendments with the recommendation: Do pass, as amended, and be re-referred to Committee on Ways and Means

SILLIMAN, Chairman

Above reported bill ordered to second reading

Committee on Civil Service and State Personnel

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which was referred:

Assembly Bill No. 33

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

CALDECOTT, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1951

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 796

Has had the same under consideration, and reports the same back with the recommendation. Do pass, and be re-referred to Committee on Judiciary.

STEWART, Chairman

Above reported bill ordered re-referred to the Committee on Judiciary.

RECESS

At 11.34 a.m., on motion of Mr. Dickey, the Assembly recessed until 1.30 p.m.

REASSEMBLED

At 1.30 p.m., the Assembly reconvened.

Hon Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 48
Senate Bill No. 97
Senate Bill No. 141
Senate Bill No. 142
Senate Bill No. 233
Senate Bill No. 381
Senate Bill No. 560
Senate Bill No. 515
Senate Bill No. 712
Senate Bill No. 789
Senate Bill No. 939
Senate Bill No. 1432

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 48—An act to amend Section 332 of the Fish and Game Code, relating to wilderness and wild areas.

Referred to Committee on Fish and Game.

Senate Bill No. 97—An act to add Sections 1276a, 1276b, 1276c, and 1278a to, and to amend Sections 1276 and 1278 of the Code of Civil Procedure, relating to the procedure for change of name.

Referred to Committee on Judiciary.

Senate Bill No. 141—An act to add Section 3405 to the Penal Code, relating to temporary action taken by a member of the Board of Trustees of the California Institution for Women.

Referred to Committee on Judiciary.

Senate Bill No. 142—An act to amend Sections 1213, 1216 and 3400 of, and to add Section 1213.5 to, the Penal Code, relating to persons convicted of crime.

Referred to Committee on Judiciary.

Senate Bill No. 233—An act to amend Section 13551 and to repeal Section 13552 of the Government Code, relating to prices to be charged for state printing.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 381—An act to add Section 14074.5 to the Health and Safety Code, relating to contracts for exchange of services between contiguous fire protection districts.

Referred to Committee on Municipal and County Government.

Senate Bill No. 515—An act to add Section 4766 to the Health and Safety Code, relating to the authority of a county sanitation district to adopt ordinances.

Referred to Committee on Municipal and County Government.

Senate Bill No. 712—An act to amend Section 653f of the Penal Code, relating to the soliciting of the commission of a crime and the evidence upon which conviction may be had.

Referred to Committee on Judiciary.

Senate Bill No. 789—An act to add Section 2838.5 to the Elections Code, relating to county control committees.

Referred to Committee on Elections and Reapportionment.

Senate Bill No. 939—An act to amend Section 692.5 of the Political Code, relating to approval by the Director of Finance of leases and licenses to use real property executed by the Reclamation Board.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1432—An act to amend Section 225m of the Civil Code, relating to county adoption agencies.

Referred to Committee on Judiciary.

Senate Bill No. 560—An act to repeal Section 12006 of, and to add Section 12351.5 to, the Health and Safety Code, relating to the purchase and possession of explosives, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Public Health.

RESOLUTIONS

The following resolutions were offered:

By Messrs. Kilpatrick, Morris, Munnell, Burke, Hahn, and Burkhalter:

House Resolution No. 96

Relating to memorializing the Federal Government to deport criminals who are aliens or naturalized by fraud

WHEREAS, Organized crime in the United States is increasing at an alarming rate; and

WHEREAS, The syndication of crime is on an interstate basis, making it difficult for the several states to uproot the out-of-state sources or leaders, with the result that state convictions for crime bring only a replacement from a national syndicate; and

WHEREAS, The leaders of national crime syndicates are often free from personal participation in the elements of a punishable crime; and

WHEREAS, Experience has shown that many of these leaders and underlings are aliens or have obtained their citizenship by fraud; and

WHEREAS, Such persons are abusing the privileges of entry or naturalization, and are undesirable persons to have within the United States; and

WHEREAS, The Federal Government is the proper sovereign power to rid ourselves of such undesirables through the immigration and naturalization powers of the Federal Government; now, therefore, be it

Resolved by the Assembly of the State of California, That the Congress of the United States, the President of the United States, the Department of Justice and the Commissioner of Immigration and Naturalization be memorialized to take whatever action is necessary under Title 8, §§ 155 and 738 United States Code, and related sections, or enact appropriate legislation, to effect the deportation of proven members of a crime syndicate or criminal organization, or who have been convicted of a felony, who are either aliens or have obtained naturalization by fraud; and be it further

Resolved, That copies of this resolution be transmitted by the Chief Clerk of the Assembly to the President and Vice President of the United States, to the Speaker of the House of Representatives, the Attorney General of the United States and to the Commissioner of Immigration and Naturalization.

Resolution read, and ordered referred to the Committee on Rules.

By Messrs. Hahn, Morris, Thomas, Porter, Grant, McGee, Klocksiem, Hawkins, McMillan, Mrs. Niehouse, Messrs. Munnell, Kilpatrick Rosenthal, Dills, Chapel, Stanley, Beck, Burke, Hollibaugh, and Elliott:

House Resolution No. 97

Relating to a Governor's Mansion in Southern California

WHEREAS, A large part of the population of the State, many vital industries, and a substantial number of state offices are located in Southern California; and

WHEREAS, The business of the State necessitates frequent trips to Southern California by the Governor of our State; and

WHEREAS, There exists a need for a Governor's Mansion in Southern California for the accommodation of the Governor on his frequent trips; now, therefore, be it

Resolved by the Assembly of the State of California, That the State Public Works Board is requested to investigate the feasibility of constructing a Governor's Mansion in Southern California; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the State Public Works Board.

Resolution read, and ordered referred to the Committee on Rules.

By Messrs. Gaffney, George D. Collins, McCarthy, Maloney, Brady, Berry, Connolly, and Meyers:

House Resolution No. 98

Relative to congratulating Assemblyman Conrad on his recent marriage

WHEREAS, Charles James Conrad has married Grace Irene Odell on February 10, 1951, at the First Congregational Church of Los Angeles; and

WHEREAS, The bride was born in Dayton, Ohio, the daughter of the late Arthur W. and Lillian (Kirchner) Odell. In 1930 she came to Hollywood where she became active in the Hollywood Young Republicans for which she was Vice Chairman in Charge of Social Activities, and there met the future benedict; and

WHEREAS, The groom was born in Philadelphia, Pennsylvania, the son of the late Charles J. and Anna (Beath) Conrad. He came to Hollywood in 1935 and there met his future bride during his first campaign for the State Legislature in 1946; and

WHEREAS, Charley Conrad has been a good legislator, and by his punctual attendance and diligent application to the duties imposed upon him in service of the people of the State and his constituents of the Fifty-seventh Assembly District he has earned the friendship of his colleagues and merited the reward of a life long happiness with his charming bride; and

WHEREAS, The Speaker, Speaker pro Tempore, attaches and Members of the Assembly wish Charles J. and Mrs. Conrad every happiness; now, therefore, be it

Resolved by the Assembly of the State of California, That best wishes are hereby extended to Mrs. Conrad, and that congratulations are hereby extended to Assemblyman Conrad; and, be it further

Resolved, That the Chief Clerk of the Assembly transmit forthwith a suitable engrossed copy of this resolution to Assemblyman and Mrs. Conrad

Resolution read, and ordered referred to the Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 17
Assembly Concurrent Resolution No. 29
Assembly Concurrent Resolution No. 30
Assembly Joint Resolution No. 10
Assembly Joint Resolution No. 16

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolutions ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 141

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 148

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

Senate Bill No. 148—An act to add Section 429.5 to the Fish and Game Code, relating to fishing by persons in the Armed Forces of the United States.

Referred to Committee on Fish and Game.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 365

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 365, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 365

Assembly Bill No. 365—An act to amend Section 1203.11 of the Penal Code, relating to probation officers' reports.

Bill read third time.

Motion to Amend

Mr. Rosenthal moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended, strike out "45", and insert "90".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 366

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 366, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 366

Assembly Bill No. 366—An act amending Section 643 of the Welfare and Institutions Code, relating to probation officers' annual reports.

Bill read third time.

Motion to Amend

Mr. Rosenthal moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended, strike out "45", and insert "90".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY JOINT RESOLUTION NO. 19

Mr. Erwin asked for, and was granted, unanimous consent that he be permitted to take up Assembly Joint Resolution No. 19, out of order, at this time.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 19

Assembly Joint Resolution No. 19—Relative to the continued propagation of the natural resources of the State with respect to dams constructed by the Bureau of Reclamation.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 243

Mr. Stanley asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 243, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 243

Assembly Bill No. 243—An act to amend Section 27285 of the Government Code, relating to the recording of documents.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 244

Mr. Stanley asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 244, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 244

Assembly Bill No. 244—An act to amend Section 27287 of the Government Code, relating to the recordation of instruments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2620

Mr. Stanley asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2620, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2620

Assembly Bill No. 2620—An act to amend Section 27289 of the Government Code, relating to the recording of documents.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Caldecott, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—60
NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Joint Resolution No. 24—Relative to assistance in continuing availability of trained manpower in agricultural aviation.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—64.
NOES—None.

Resolution ordered transmitted to the Senate.

MEMBER EXCUSED

At 1.55 p.m., Mr. Evans asked for, and was granted, unanimous consent that Mr. Dolwig be excused, for the balance of the legislative day for the purpose of attending to legislative business elsewhere.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 143—An act to amend Section 817 of the Penal Code, relating to peace officers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 659—An act to amend Section 27 of the Probate Code, relating to those who may take by will.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Crowley, Dickey, Dills, Doyle, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—62.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1823—An act to amend Section 1245.3 of the Code of Civil Procedure, relating to proceedings in eminent domain.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Maloney, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1825—An act to amend Sections 1242, 1243, and 1265 of the Civil Code and Sections 660 and 663 of the Probate Code, relating to homesteads.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Coats, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney,

McCollister, McFall, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1827—An act to amend Sections 801.3 and 801.9 of the Code of Civil Procedure, relating to the determination of interests in and liens on real property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Coats, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—62

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2182—An act to repeal Section 60, and to amend Section 69, of the Civil Code, relating to marriage.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Coats, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McFall, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—57.

NOES—Lowrey.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 367

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 367, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 367

Assembly Bill No. 367—An act to amend Section 826.5 of the Welfare and Institutions Code, relating to alternative procedure in misdemeanor cases with respect to the orders of juvenile court referees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1886—An act to amend Section 271 of the Banking Code, relating to assessments upon national banks by the Superintendent of Banks.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Porter:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows.

An act to amend Section 16 of the Municipal Court Act of 1925, relating to the terms of office of municipal court judges, declaring the urgency thereof, to take effect immediately.

Respectfully submitted.

CARLEY V. PORTER

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Porter:

An act to amend Section 16 of the Municipal Court Act of 1925, relating to the terms of office of municipal court judges, declaring the urgency thereof, to take effect immediately.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—65.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3388: By Mr. Porter—An act to amend Section 16 of the Municipal Court Act of 1925, relating to the terms of office of municipal court judges, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Judiciary.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Grant:

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Article 3.5 to Chapter 1, Division 5 of the Education Code, relating to outdoor science education and conservation education

Respectfully submitted.

W. S. GRANT

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Grant:

An act to add Article 3.5 to Chapter 1, Division 5 of the Education Code, relating to outdoor science education and conservation education.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—65.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3389: By Mr. Grant (By request of Messrs. Babbage, Berry, Burkhalter, Chapel, Cloyed, Connolly, Doyle, Dunn, Elliott, Fleury, Geddes, Hahn, Hansen, Hawkins, Kelly, Kilpatrick, Lipscomb, Maloney, McMillan, Morris, Munnell, Mrs. Niehouse, Messrs. Porter, and Thomas—An act to add Article 3.5 to Chapter 1, Division 5 of the Education Code, relating to outdoor science education and conservation education.

Referred to Committee on Education.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2791 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Evans asked for, and was granted, unanimous consent that Assembly Bill No 2791 be withdrawn from the Committee on Civil Service and State Personnel, and be re-referred to the Committee on Municipal and County Government.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 9
Assembly Constitutional Amendment No. 29

And reports the same correctly engrossed

BURKE, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER. Your Committee on Legislative Procedure has examined.

Assembly Bill No. 2823

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 3 p.m.—

Municipal and County Government, in Room 426

At 8 p m.—

Industrial Relations, in Room 432
Revenue and Taxation, in Room 435

Today upon adjournment—

Transportation and Commerce, in Room 432

Tomorrow, Friday, March 23d, at 9 a.m.—

Rules, in Room 320

It was announced that the following committee would hold no meeting today:

Civil Service and State Personnel

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of the San Francisco Delegation and The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Joe DiMaggio, Joe Paige, and Phil Rizzuta of the New York Yankee Baseball Team

On request of Mr. Dunn and The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Clarence Murphy, den mother of Cub Scouts Pack 27, Daniel Webster School of

Oakland, and the following Cubs: Robby Asher, Jerry Bassinger, Jimmy Freeman, and Gary Murphy.

On request of Mr. Henderson, the usual courtesies of the Assembly for this day were unanimously extended to Mary Schlager of Fresno.

On request of Mr. Tomlinson, the usual courtesies of the Assembly for this day were unanimously extended to Mr and Mrs. Gene M. Harris of Santa Barbara.

On request of Mr. Kelly, the usual courtesies of the Assembly for this day were unanimously extended to Ysabel Forker of Bakersfield.

On request of San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Dewey Mead and John J. Sullivan of San Francisco.

On request of Mr. Connolly and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. John N. James of San Francisco.

On request of Mr. Chapel, the usual courtesies of the Assembly for this day were uanimously extended to Mrs. Dorothy Young, Miss Evelyn Messner, and Richard Young of Inglewood.

On request of Mr. Meyers and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Vining Fisher of San Francisco.

On request of Mr. Tomlinson, the usual courtesies of the Assembly for this day were unanimously extended to Marguerite Hansen of Santa Barbara.

On request of Mr. McFall, the usual courtesies of the Assembly for this day were unanimously extended to George F. Poulos of Manteca.

On request of Mr. Beck, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Bryce Schurr, and Bryce Schurr, Junior of San Fernando

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Rex Cleft of Fairfield.

ADJOURNMENT

At 2.27 p.m., on motion of Mr Dickey, the Speaker declared the Assembly adjourned until 9 30 a m, Friday, March 23, 1951.

SAM L. COLLINS, Speaker

GERALDINE B HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

TWENTY-SECOND LEGISLATIVE DAY

TWENTY-EIGHTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, March 23, 1951

The Assembly met at 9.30 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—74.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

March 23, 1951

O Thou Savior of Mankind, Who hath redeemed us by Thy cross, teach us that which is good in Good Friday.

Remind us that You were wounded for our transgressions and bruised for our iniquities.

We stand in awe of so great a love revealing how all mankind should follow in the great example of humility and obedience.

We thank You for making us partners of Thy resurrection and eternal life, showing us that earth's saddest day and gladdest day were but one day apart.

"In the cross of Christ I glory,
Towering o'er the wrecks of time;
All the light of sacred story
Gathers round its head sublime.
Bane and blessing, pain and pleasure,
By the cross are sanctified;
Peace is there that knows no measure,
Joys that thro' all time abide"

—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Lyon, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Butters, on motion of Mr. Hinckley.

Mr. Cooke, on motion of Mr. Hinckley.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Sherwin, on motion of Mr. Maloney.

Mr. Thomas, on motion of Mr. Porter.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

STATE OF NEW MEXICO
HOUSE OF REPRESENTATIVES
SANTA FE, NEW MEXICO, March 19, 1951

Clerk, House of Representatives

DEAR SIR. I am forwarding to you under separate cover at the request of the Twentieth Legislative Assembly of the State of New Mexico, a copy of House Joint Resolution No 12

This resolution makes application to the Congress of the United States to call a convention to amend the Constitution of the United States to limit the taxing power of the Federal Government.

I believe the resolution is self-explanatory

Yours very truly,

SANTOS QUINTANA, Chief Clerk

Upon receipt, the above mentioned resolution will be ordered referred to the Committee on Revenue and Taxation.

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

STATE OF IOWA, HOUSE OF REPRESENTATIVES
DES MOINES, IOWA, March 20, 1951

Chief Clerk,
House of Representatives,
Sacramento, California

DEAR SIR: Enclosed is a copy of a bill that the Ways and Means Committee of the Iowa Legislature passed out with recommendation that it do pass.

We think it is a good bill. We think it is a fair bill; and we think it ought to be enacted into law here so that we can reciprocate with other states. But, unless other states also have this type of legislation, it cannot work to the mutual benefit and best interests of all, so we would appreciate your bringing this to the attention of the appropriate committee, if it does not already apply, and to consider legislation of this type for the interest of your State and ours.

Sincerely yours,

DEWEY E. GOODE, Chairman
Ways and Means Committee

Above mentioned copy of bill ordered referred to the Committee on Ways and Means.

ANNOUNCEMENT

Speaker Sam L. Collins and Mr. Stanley announced the birthday, today, of Mrs. Niehouse, and Mr. Stanley presented flowers to her with appropriate wishes from all Members of the Assembly, on behalf of the people of San Diego, for the San Diego Delegation.

REQUEST FOR UNANIMOUS CONSENT TO EXPUNGE RECORD, AND RESCIND ACTION ON AMENDMENTS ADOPTED TO ASSEMBLY BILLS NOS. 41 AND 42

Mr. Waters asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on Thursday, March 22d, adopted amendments offered by the Committee on Elections and Reapportionment to Assembly Bills No. 41 and 42.

Motion to Reconsider Action Whereby Record Was Expunged and Action Rescinded on Amendments to Assembly Bills Nos. 41 and 42

Mrs. Niehouse moved to reconsider the vote whereby the Assembly, on this day, granted unanimous consent to expunge the record and rescind the action whereby the Assembly, on Thursday, March 22d, adopted amendments to Assembly Bills Nos. 41 and 42.

Messrs Luckel and Cloyed seconded the motion.

The roll was called, and the motion lost by the following vote:

AYES—Berry, Chapel, Cloyed, Coats, George D. Collins, Condon, Davis, Elliott, Fleury, Gaffney, Hagen, Henderson, Lowrey, Luckel, McCarthy, Moss, and Niehouse—17

NOES—Babbage, Belotti, Burke, Burkhalter, Caldecott, Clarke, Collier, Connolly, Conrad, Dickey, Dolwig, Doyle, Erwin, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Levering, Lipscomb, Lyon, Maloney, McCollister, Morris, Porter, Rosenthal, Rumford, Shaw, Stewart, Tomlinson, Waters, and Mr. Speaker—36

MOTION TO ADOPT AMENDMENTS TO ASSEMBLY BILLS NOS. 41 AND 42

Mr. Lyon moved that amendments, as previously adopted in a meeting of the Committee on Elections and Reapportionment to Assembly Bills Nos. 41 and 42 be adopted, at this time.

Mr. Waters seconded the motion.

Motion carried.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 41

Assembly Bill No. 41—An act to add Section 492 to the Government Code, relating to the division of the State into districts for the election of Legislative Representatives.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 492", and insert "repeal existing Section 491 of, and to add new Section 491,".

Amendment No. 2

In line 2 of the title of said bill, after "into", insert "Assembly".

Amendment No. 3

In lines 2 and 3 of the title of said bill, strike out "for the election of Legislative Representatives".

Amendment No. 4

On page 1, line 1, of said bill, strike out "492 is added to", and insert "491 of"

Amendment No. 5

On page 1, lines 1 and 2, of said bill, strike out ". to read ", and insert 'is repealed."

Amendment No. 6

On page 1 of said bill, strike out lines 3 to 5, inclusive, and insert

'SEC. 2. Section 491 is added to said code, to read:

491. The State is divided into 80 assembly districts, which shall be designated and constituted as follows:

1. The Counties of Del Norte, Humboldt and Mendocino shall constitute the First Assembly District.

2. The Counties of Trinity, Shasta, Siskiyou, Modoc, Lassen, Plumas and Sierra shall constitute the Second Assembly District

3 The Counties of Tehama, Glenn, Lake, Colusa and Yolo shall constitute the Third Assembly District

4. The Counties of Butte, Yuba and Sutter shall constitute the Fourth Assembly District

5 The Counties of Napa and Solano shall constitute the Fifth Assembly District.

6. The Counties of Nevada, Placer, El Dorado, Amador, Calaveras, Alpine, Tuolumne, Mariposa, Inyo and Mono shall constitute the Sixth Assembly District.

7. The Counties of Sonoma and Marin shall constitute the Seventh Assembly District.

8. All that portion of the County of Sacramento bounded and described as follows:

Commencing at the point of intersection of an extension of the center line of K Street in the City of Sacramento with the westerly boundary of the county; thence easterly along the center line of K Street to the center line of Alhambra Boulevard; thence southerly along the center line of Alhambra Boulevard to the center line of R Street; thence easterly along the extension of the center line of R Street to the center of the intersection of 40th Street with R Street; thence continuing easterly along the center line of R Street and an easterly extension of R Street to the easterly boundary of the City of Sacramento; thence northerly along the easterly boundary of said city to the intersection of said city boundary with the middle of the channel of the American River; thence easterly along the middle of the channel of the American River to the intersection of said river with the northerly boundary of the County of Sacramento; thence westerly along the northerly boundary of said county to the easterly boundary of said county; thence southerly along the westerly boundary of said county to the point of commencement, shall constitute the Eighth Assembly District.

9 All that portion of the County of Sacramento not included in the Eighth Assembly District, as fixed and defined by this section, shall constitute the Ninth Assembly District.

10. All that portion of the County of Contra Costa included in and comprising the first supervisorial district as the same existed on January 1, 1951, with the exception of South Berkeley Park Precinct and Kensington Precincts 1 to 8, inclusive, shall constitute the Tenth Assembly District.

11. All that portion of the County of Contra Costa not included in the Tenth Assembly District, as fixed and defined by this section, shall constitute the Eleventh Assembly District.

12. The County of San Joaquin shall constitute the Twelfth Assembly District.

13. All that portion of the County of Alameda, described as follows:

All that portion of the County of Alameda lying southerly and easterly of a line described as follows:

Commencing at the point of intersection of the westerly boundary line of the County of Alameda with the line separating Eden Township from Alameda Township; thence easterly and northerly along the southerly and easterly boundary lines of Alameda Township to the line separating Eden Township from Brooklyn Township; thence in a general easterly direction along the southerly boundary line of Brooklyn Township to the southwesterly boundary line of the City of San Leandro; thence southeasterly, northeasterly, northwesterly and southwesterly along the southwesterly, southeasterly, northeasterly and northwesterly boundary lines of the City of San Leandro to the center line of East 14th Street; thence northwesterly along the center line of East 14th Street to the center line of 98th Avenue; thence southwesterly along the center line of 98th Avenue to the center line of the right of way of the Central Pacific Railway; thence northwesterly along the center line of the right of way of the Central Pacific Railway to the center line of High Street; thence northeasterly along the center line of High Street to the center line of East 14th Street; thence southeasterly along

the center line of East 14th Street to the center line of 69th Avenue; thence northeasterly along the center line of 69th Avenue to the center line of Flora Street; thence northwesterly along the center line of Flora Street to the center line of Church Street; thence northeasterly and northerly along the center line of Church Street to the center line of Foothill Boulevard; thence easterly and southeasterly along the center line of Foothill Boulevard to the center line of 98th Avenue; thence northeasterly along the center line of 98th Avenue to the center line of Golf Links Road; thence in a general easterly direction, following along the center line of Golf Links Road to the center line of Grass Valley Road; thence northeasterly along the center line of Grass Valley Road to an intersection with the line separating Brooklyn Township from Eden Township; thence northerly along the westerly boundary line of Eden Township to an intersection with the northerly boundary line of the County of Alameda, shall constitute the Thirteenth Assembly District.

14. All that portion of the County of Alameda, described as follows:

Commencing at the point of intersection of the westerly boundary line of the County of Alameda with the line separating Eden Township from Alameda Township; thence easterly and northerly along the southerly and easterly boundary lines of Alameda Township to the line separating Eden Township from Brooklyn Township; thence in a general easterly direction along the southerly boundary line of Brooklyn Township to the southwesterly boundary line of the City of San Leandro; thence southeasterly, northeasterly, northwesterly and southwesterly along the southwesterly, southeasterly, northeasterly and northwesterly boundary lines of the City of San Leandro to the center line of East 14th Street; thence northwesterly along the center line of East 14th Street to the center line of 98th Avenue; thence southwesterly along the center line of 98th Avenue to the center line of the right of way of the Central Pacific Railway, thence northwesterly along the center line of the right of way of the Central Pacific Railway to the center line of High Street; thence southwesterly along the center line of High Street to the southwesterly boundary line of the City of Oakland; thence northwesterly along the southwesterly boundary line of the City of Oakland to an intersection with the direct extension southwesterly of the center line of 13th Avenue; thence northeasterly along said direct extension and along the center line of 13th Avenue to the center line of Hopkins Street; thence northwesterly along the center line of Hopkins Street to the center line of Excelsior Avenue; thence continuing northwesterly along the center line of Excelsior Avenue to the center line of Lake Shore Avenue; thence southwesterly along the center line of Lake Shore Avenue to an intersection with the line separating Oakland Township from Brooklyn Township; thence northwesterly and southwesterly along the line separating Oakland Township from Brooklyn Township to the northerly boundary line of the City of Alameda; thence westerly along the northerly boundary line of the City of Alameda to an intersection with the westerly boundary line of the County of Alameda; and thence southeasterly along the westerly boundary line of the County of Alameda to the point of commencement, shall constitute the Fourteenth Assembly District

15 All that portion of the County of Alameda described as follows:

Commencing at the point of intersection of the northeasterly boundary line of the County of Alameda with the direct extension easterly of the center line of Park Boulevard; thence westerly along said direct extension easterly of the center line of Park Boulevard, and continuing in a general southwesterly direction along the center line of Park Boulevard, following along the curvature thereof to the center line of Sausal Creek; thence westerly and southwesterly along the center line of Sausal Creek to the center line of Park Boulevard; thence southwesterly along the center line of Park Boulevard to an intersection with the direct extension southeasterly of the northeasterly boundary line of the City of Piedmont, thence northwesterly along said direct extension to the most easterly corner of the City of Piedmont; thence southwesterly along the southeasterly boundary line of the City of Piedmont to the most southerly corner thereof; thence southeasterly along the direct extension southeasterly of the southwesterly boundary line of the City of Piedmont to the center line of Park Boulevard; thence southwesterly along the center line of Park Boulevard to the center line of 13th Avenue; thence continuing southwesterly along the center line of 13th Avenue and along its direct extension southwesterly to the southwesterly boundary line of the City of Oakland; thence southeasterly along the southwesterly boundary line of the City of Oakland to the center line of High Street; thence northeasterly along the center line of High Street to the enter line of East 14th Street; thence southeasterly along the center line of East 14th Street to the center line of 69th Avenue; thence northeasterly along the center line of 69th Avenue to the center line of Flora Street; thence northwesterly along the center line of Flora Street to the center line of Church Street; thence northeasterly and northerly along the center line of Church Street to the center line of Foothill Boulevard; thence easterly and southeasterly along the center line of Foothill Boulevard to the center line of 98th Avenue; thence northeasterly along the center line of 98th Avenue to the center line of Golf Links Road; thence in a general easterly direction, following along the center line of Golf Links Road to the center line of Grass Valley Road, thence northeasterly along the center line of Grass Valley Road to an intersection with the line separating Brooklyn Township from Eden Township; thence northerly along the westerly

boundary line of Eden Township to an intersection with the northerly boundary line of the County of Alameda; and thence northwesterly along the northerly boundary line of the County of Alameda to the point of commencement, shall constitute the Fifteenth Assembly District.

16. All that portion of Alameda County described as follows:

Commencing at the point of intersection of the easterly boundary line of the City of Berkeley with the northerly boundary line of the City of Alameda; thence southeasterly along the northeasterly boundary line of the County of Alameda to the point of intersection with the direct extension easterly of the center line of Park Boulevard; thence westerly along said direct extension easterly of the center line of Park Boulevard, and continuing in a general southwesterly direction along the center line of Park Boulevard, following along the meanders thereof to the center line of Sausal Creek; thence westerly and southwesterly along the center line of Sausal Creek to the center line of Park Boulevard; thence southwesterly along the center line of Park Boulevard to an intersection with the direct extension southeasterly of the northeasterly boundary line of the City of Piedmont, thence northwesterly along said direct extension to the most easterly corner of the City of Piedmont, thence southwesterly along the southeasterly boundary line of the City of Piedmont to the most southerly corner thereof; thence southeasterly along the direct extension southeasterly of the southwesterly boundary line of the City of Piedmont to the center line of Park Boulevard; thence southwesterly along the center line of Park Boulevard to the center line of 13th Avenue, thence continuing southwesterly along the center line of 13th Avenue to the center line of Hopkins Street; thence northwesterly along the center line of Hopkins Street to the center line of Excelsior Avenue; thence continuing northwesterly along the center line of Excelsior Avenue to the center line of Lake Shore Avenue; thence southwesterly along the center line of Lake Shore Avenue to an intersection with the line separating Oakland Township from Brooklyn Township; thence northwesterly and southwesterly along the line separating Oakland Township from Brooklyn Township to the center line of 12th Street; thence northwesterly along the center line of 12th Street to the center line of Fallon Street; thence northeasterly along the center line of Fallon Street to the center line of 14th Street; thence northerly and northwesterly along the center line of 14th Street to the center line of Harrison Street; thence northeasterly along the center line of Harrison Street to the center line of 19th Street; thence northwesterly along the center line of 19th Street to the center line of Telegraph Avenue; thence northerly along the center line of Telegraph Avenue to the center line of Shattuck Avenue; thence continuing northerly along the center line of Shattuck Avenue to an intersection with the southerly boundary line of the City of Berkeley; and thence in a general easterly and northerly direction along the southerly and easterly boundary lines of the City of Berkeley to the point of commencement, shall constitute the Sixteenth Assembly District.

17. All that portion of Alameda County described as follows:

Commencing at the point of intersection of the Berkeley-Albany city boundary line with the westerly boundary line of the County of Alameda; thence easterly along said city boundary line to the center line of San Pablo Avenue; thence southerly along the center line of San Pablo Avenue to the center line of Dwight Way; thence easterly along the center line of Dwight Way to the center line of Grove Street; thence southerly along the center line of Grove Street to Derby Street; thence easterly to an intersection with the direct extension northerly of the center line of Shattuck Avenue, as said Shattuck Avenue exists south of Ward Street; thence southerly along said direct extension and along the center line of Shattuck Avenue to the center line of Telegraph Avenue; thence continuing southerly along the center line of Telegraph Avenue to the center line of 19th Street; thence southeasterly along the center line of 19th Street to the center line of Harrison Street; thence southwesterly along the center line of Harrison Street to the center line of 14th Street; thence southeasterly and southerly along the center line of 14th Street to the center line of Fallon Street; thence southwesterly along the center line of Fallon Street to the center line of 12th Street; thence southeasterly along the center line of 12th Street to an intersection with the line separating Oakland Township from Brooklyn Township, thence southwesterly along the line separating Oakland Township from Brooklyn Township to the southwesterly boundary line of the City of Oakland; thence westerly along the southwesterly boundary line of the City of Oakland to the southwest corner thereof being on the westerly boundary line of the County of Alameda; and thence northwesterly along the westerly boundary line of the County of Alameda to the point of commencement, shall constitute the Seventeenth Assembly District

18. All that portion of Alameda County described as follows:

Commencing at the point of intersection of the Berkeley-Albany city boundary line with the westerly boundary line of the County of Alameda; thence northwesterly along the westerly boundary line of the County of Alameda to the northwest corner thereof; thence easterly and southeasterly along the northerly boundary line of the County of Alameda to the easterly boundary line of the City of Berkeley; thence in a general southerly and westerly direction along the easterly and southerly boundary

lines of the City of Berkeley to the center line of Shattuck Avenue; thence northerly along the center line of Shattuck Avenue and along its direct extension northerly to the center line of Derby Street, thence westerly along the center line of Derby Street to the center line of Grove Street; thence northerly along the center line of Grove Street to the center line of Dwight Way; thence westerly to the center line of San Pablo Avenue; thence northerly to the intersection of San Pablo Avenue with the Berkeley-Albany line; thence westerly along the Berkeley-Albany line to the point of commencement, shall constitute the Eighteenth Assembly District.

19. All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the point of intersection of the center line of Moraga Street and the shoreline of the Pacific Ocean; thence along the center line of the following streets, Moraga to Lomita Avenue, Lomita Avenue to Aloha Avenue, Aloha Avenue to 14th Avenue, 14th Avenue to Moraga, Moraga to Seventh Avenue, Seventh Avenue to Laguna Honda Boulevard, Laguna Honda Boulevard to Woodside Avenue, Woodside Avenue to Portola Drive, Portola Drive to Stanford Heights Avenue, Stanford Heights Avenue to O'Shaughnessy Boulevard, O'Shaughnessy Boulevard to Bosworth, Bosworth to Lyell, Lyell to Alemany Boulevard, Alemany Boulevard to Admiral Avenue, Admiral Avenue to Mission, Mission to the boundary line separating the City and County of San Francisco from the County of San Mateo, westerly along said boundary line to the shoreline of the Pacific Ocean, northerly along said shoreline to the center line of Moraga Street and the point of commencement, shall constitute the Nineteenth Assembly District

20 All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the point of intersection of the center line of Leavenworth Street and the shoreline of the Bay of San Francisco; thence along the center lines of the following streets Leavenworth to Columbus Avenue, Columbus Avenue to Mason, Mason to Market, Market to Valencia, Valencia to Mission, Mission to Cortland Avenue, Cortland Avenue to Bay Shore Boulevard, Bay Shore Boulevard to Silver Avenue, Silver Avenue to Quesada Avenue, Quesada to Quint, Quint to Oakdale Avenue, Oakdale Avenue to Third, Third to Islais; thence easterly along said Islais Street to the shoreline of the Bay of San Francisco, thence northerly and westerly along said shoreline to the center line of Leavenworth Street and the point of commencement, and including all the piers and islands in the Bay of San Francisco, and the islands in the Pacific Ocean which are within the territorial boundaries of the City and County of San Francisco, shall constitute the Twentieth Assembly District.

21. All that portion of the City and County of San Francisco bounded and described as follows

Commencing at the point of intersection of the center line of Leavenworth Street and the shoreline of the Bay of San Francisco; thence along the center line of the following streets: Leavenworth to Columbus Avenue, Columbus Avenue to Mason, Mason to California, California to Arguello Boulevard, Arguello Boulevard to Geary Boulevard, Geary Boulevard to Point Lobos Avenue; thence westerly along Point Lobos Avenue to the shoreline of the Pacific Ocean, northerly along said shoreline to the shoreline of the Bay of San Francisco, easterly along said shoreline of the Bay of San Francisco to Leavenworth Street and the point of commencement, shall constitute the Twenty-first Assembly District

22 All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the point of intersection of the center line of Presidio Avenue with the center line of California Street; thence along the center lines of the following streets: Presidio Avenue to Post, Post to Baker, Baker to St. Joseph's Avenue, St. Joseph's Avenue to Turk, Turk to Baker, Baker to Haight, Haight to Scott, Scott to Duboce, Duboce to Sanchez, Sanchez to Market, Market to Portola Drive, Portola Drive to Woodside Avenue, Woodside Avenue to Laguna Honda Boulevard, Laguna Honda Boulevard to Seventh Avenue, Seventh Avenue to Moraga, Moraga to 14th Avenue, 14th Avenue to Aloha, Aloha Avenue to Lomita Avenue, Lomita Avenue to Moraga, Moraga to the shoreline of the Pacific Ocean; thence northerly along said shoreline to Point Lobos Avenue, Point Lobos Avenue to Geary Boulevard, Geary Boulevard to Arguello Boulevard, Arguello Boulevard to California, California to Presidio Avenue and the point of commencement, shall constitute the Twenty-second Assembly District.

23. All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the point of intersection of the center line of Mission Street and the boundary line separating the City and County of San Francisco from the County of San Mateo, thence easterly along said boundary line to the shoreline of the Bay of San Francisco; thence northerly and westerly along said shoreline of the Bay of San Francisco to the center line of Islais Street, thence along the center lines of the following streets Islais to Third, Third to Oakdale Avenue, Oakdale Avenue to Quint, Quint to Quesada Avenue, Quesada Avenue to Silver Avenue,

Silver Avenue to Bay Shore Boulevard, Bay Shore Boulevard to Cortland Avenue, Cortland Avenue to Mission, Mission to Valencia, Valencia to 17th, 17th to Market, Market to Portola Drive, Portola Drive to Stanford Heights Avenue, Stanford Heights Avenue to O'Shaughnessy Boulevard, O'Shaughnessy Boulevard to Bosworth, Bosworth to Lyell, Lyell to Alemany Boulevard, Alemany Boulevard to Admiral Avenue, Admiral Avenue to Mission, Mission to the boundary line separating the City and County of San Francisco from the County of San Mateo, and the point of commencement, shall constitute the Twenty-third Assembly District.

24. All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the intersection of the center line of Valencia Street with the center line of 17th Street, thence along the center lines of the following streets: Valencia to Market, Market to Mason, Mason to California, California to Presidio Avenue, Presidio Avenue to Post, Post to Baker, Baker to St. Joseph's Avenue, St. Joseph's Avenue to Turk, Turk to Baker, Baker to Haight, Haight to Scott, Scott to Duboce, Duboce to Sanchez, Sanchez to Market, Market to 17th, 17th to Valencia and the point of commencement, shall constitute the Twenty-fourth Assembly District.

25. All that portion of the County of San Mateo, bounded and described as follows:

Commencing at a point where a line dividing the City and County of San Francisco and the County of San Mateo intersects the shoreline of the Pacific Ocean, and running thence easterly along said dividing line to the easterly boundary line of San Mateo County in San Francisco Bay; thence southeasterly along said easterly boundary line of San Mateo County to a point where said boundary line is intersected by the easterly prolongation of the one-quarter section line running east and west through the center of Section 10, Township 4 South, Range 4 West, M. D. B. & M.; thence west along said easterly prolongation and continuing west along the one-quarter section line of Sections 10, 9, and 8 in said township and range to the northwest corner of the southwest quarter of Section 8 in said township and range, said point being in the line dividing the City of Burlingame and the City of San Mateo; thence in a general southerly direction along said dividing line to its intersection with the northeasterly right of way line of the Southern Pacific Company; thence southeasterly along the northeasterly right of way line of said Southern Pacific Company to its intersection with the center line of 19th Avenue (now or formerly County Road No. 16); thence southwesterly along the center line of said 19th Avenue and the southwesterly prolongation of said center line to the southwesterly boundary line of State Highway IV SM 2, commonly known as El Camino Real; thence southeasterly along the said southwesterly boundary line to its intersection with the southeasterly boundary line of that certain 53-acre tract of land described as Parcel Two in that certain deed to Alice Cotton et al, recorded July 7, 1926, in Volume 245 of Official Records at page 106, Records of San Mateo County; thence southwesterly along the southeasterly line of said 53-acre tract of land to the most easterly corner of Lot 511 as said lot is shown on that certain map entitled "San Mateo City Homestead Association" recorded February 20, 1872, in Volume A of Maps at page 43 and a copy entered in Book 1 of Maps at page 46, Records of San Mateo County, said corner being in the corporate limit line of the City of San Mateo; thence southwesterly along the corporate limit line of said City of San Mateo and continuing southwesterly along the corporate limit line of the Town of Hillsborough to the most southerly corner in said corporate limit line; thence in a general northwesterly direction along the westerly corporate limit line of said Town of Hillsborough to the intersection of said line with the southerly line of the Buri Buri Rancho; thence in a general northwesterly direction along the southerly and westerly line of said Buri Buri Rancho to its intersection with the southerly line of the San Pedro Rancho; thence southwesterly along the southerly line of said San Pedro Rancho to the shoreline of the Pacific Ocean; thence in a general northerly direction along the shoreline of the Pacific Ocean to the point of commencement, shall constitute the Twenty-fifth Assembly District

26. All that portion of the County of San Mateo, bounded and described as follows:

Commencing at the southwest corner, being the west corner of Santa Cruz County as established in Section 3952; thence on the northwestern line of Santa Cruz County as established in said section, to the southwestern line of Santa Clara County, being the summit line of the Santa Cruz Mountains; thence northwesterly by said summit line to the source of San Francisquito Creek; thence down the south branch thereof, and down said creek to its mouth; thence to a point in the middle of San Francisco Bay, opposite said mouth, forming a common corner of San Mateo, Santa Clara and Alameda Counties; thence in a direct line to a point in the center of ship channel in the Bay of San Francisco west of and opposite to Dumbarton Point; thence in a direct line to a point where said boundary line is intersected by the easterly prolongation of the one-quarter section line running east and west through the center of Section 10, Township 4 South, Range 4 West, M. D. B. & M.; thence west along said easterly prolongation and continuing west along the one-quarter section line of Sections 10, 9 and 8 in said township and range to the northwest corner of the southwest quarter

of Section 8 in said township and range, said point being in the line dividing the City of Burlingame and the City of San Mateo; thence in a general southerly direction along said dividing line to its intersection with the northeasterly right-of-way line of the Southern Pacific Company; thence southeasterly along the northeasterly right-of-way line of said Southern Pacific Company to its intersection with the center line of 19th Avenue (now or formerly County Road No 16), thence southwesterly along the center line of said 19th Avenue and the southwesterly prolongation of said center line to the southwesterly boundary line of State Highway IVSM2, commonly known as El Camino Real; thence southeasterly along the said southwesterly boundary line to its intersection with the southeasterly boundary line of that certain 53-acre tract of land described as Parcel Two in that certain deed to Alice Cotton, et al., recorded July 7, 1926, in Volume 245 of Official Records at page 106, Records of San Mateo County; thence southwesterly along the southeasterly line of said 53-acre tract of land to the most easterly corner of Lot 511 as said lot is shown on that certain map entitled "San Mateo City Homestead Association" recorded February 20, 1872, in Volume A of Maps at page 43 and a copy entered in Book 1 of Maps at page 46, Records of San Mateo County, said corner being in the corporate limit line of the City of San Mateo; thence southwesterly along the corporate limit line of said City of San Mateo and continuing southwesterly along the corporate limit line of the Town of Hillsborough to the most southerly corner in said corporate limit line; thence in a general northwesterly direction along the westerly corporate limit line of said Town of Hillsborough to the intersection of said line with the southerly line of the Buri Buri Rancho; thence in a general northwesterly direction along the southerly and westerly line of said Buri Buri Rancho to its intersection with the southerly line of the San Pedro Rancho; thence southwesterly along the southerly line of said San Pedro Rancho to the shoreline of the Pacific Ocean; thence in a general southerly direction along the shoreline of the Pacific Ocean to the point of commencement, shall constitute the Twenty-sixth Assembly District.

27. The Counties of San Benito and Santa Cruz shall constitute the Twenty-seventh Assembly District.

28. All that portion of the County of Santa Clara embraced within the following precincts, as constituted at the general election of 1930, to wit: Agnew, Alviso, Barron, Bay View, Berryessa, Burbank, Calderon, Cupertino, Encina, Farwell, Fremont Nos. 1 and 2, Fruitvale, Jefferson Nos. 1 and 2, Linda Vista Nos. 1 and 2, Los Altos Nos. 1 to 3, inclusive, Midway, Milpitas Nos. 1 and 2, Miramonte, Mount Hamilton Nos. 1 and 2, Mountain View Nos. 1 to 5, inclusive, Orchard, Pala, Palo Alto Nos. 1 to 23, inclusive, Purissima, Red Mountain, San Jose Nos. 1 to 33, inclusive, and Nos. 91 to 107, inclusive, Santa Clara Nos. 1 to 9, inclusive, San Tomas, Saratoga Nos. 1 and 2, Seale, Stanford Nos. 1 and 2 and Sunnyvale Nos. 1 to 4, inclusive, shall constitute the Twenty-eighth Assembly District.

29. All that portion of the County of Santa Clara not included in the Twenty-eighth Assembly District, as fixed and defined by this section, shall constitute the Twenty-ninth Assembly District.

30. The County of Stanislaus shall constitute the Thirtieth Assembly District.

31. The counties of Merced and Madera shall constitute the Thirty-first Assembly District.

32. All that portion of the County of Fresno bounded as follows: Commencing at the point of intersection of the center line of Ashlan Avenue and the center of the main line track of the Southern Pacific Railroad running between the cities of San Francisco, Merced and Fresno; thence along the center line of the following named streets, to wit: Easterly on Ashlan Avenue to Winery Avenue; southerly on Winery Avenue to McKinley Avenue; westerly on McKinley Avenue to Chestnut Avenue; southerly on Chestnut Avenue to Church Avenue; westerly on Church Avenue to Hughes Avenue; northerly on Hughes Avenue to the center of the main line track of the Southern Pacific Railroad named above; northwesterly along the center line of said track to the point of beginning, shall constitute the Thirty-second Assembly District.

33. All that portion of the County of Fresno not included in the Thirty-second Assembly District shall constitute the Thirty-third Assembly District.

34. The County of Monterey shall constitute the Thirty-fourth Assembly District.

35. The counties of Kings and Tulare shall constitute the Thirty-fifth Assembly District.

36. The Counties of San Luis Obispo and Santa Barbara shall constitute the Thirty-sixth Assembly District.

37. The County of Ventura shall constitute the Thirty-seventh Assembly District.

38. All that portion of the County of Kern, bounded and described as follows:

Commencing at the northeast corner of Section 1, Township 25 South, Range 27 East, M. D. M., said northeast corner being a point on the north boundary line of the County of Kern, and running thence south along section lines 18 miles to the southeast corner of Section 36, Township 27 South, Range 27 East, M. D. M.; thence west along section lines 2 miles to the northwest corner of Section 2, Township 28 South, Range 27 East, M. D. M.; thence south along section lines 6 miles to the southeast

corner of Section 34, Township 28 South, Range 27 East, M D. M., said corner being on the Seventh Standard Parallel; thence east along said Seventh Standard Parallel to the northwest corner of Section 6, Township 29 South, Range 28 East, M. D. M.; thence south along the west line of said Section 6 to the southeast corner of said section; thence east along section lines to the northeast corner of Section 8, Township 29 South, Range 28 East, M. D. M.; thence south along the east line of said Section 8 to the southeast corner of said Section 8; thence west along the south line of said Section 8 to the southwest corner of said section; thence south along the east line of Section 18, Township 29 South, Range 28 East, M D. M., to intersect the westerly extension of the south boundary of Monte Vista Drive; thence easterly on and along the said westerly extension and the south boundary of Monte Vista Drive to intersect the east boundary of Union Avenue, thence south along the east boundary of Union Avenue to intersect the south boundary of Bernard Street; thence west along the westerly extension of the south boundary of Bernard Street to intersect the center line of Union Avenue; thence south along the center line of said Union Avenue to intersect the center line of California Avenue, said intersection being a point on the corporate limits of the City of Bakersfield; thence westerly along the center line of said California Avenue and said corporate limits to the west boundary of Union Avenue; thence south along the west boundary line of Union Avenue and said corporate limits of the City of Bakersfield, to the north boundary line of Brundage Lane; thence continuing south along said west boundary line of Union Avenue to the center line of Brundage Lane, said center line being the north boundary line of Section 6, Township 30 South, Range 28 East, M. D M ; thence east along the said center line to the northeast corner of said Section 6; thence south along section line 1 mile to the northwest corner of Section 8, Township 30 South, Range 28 East, M. D. M.; thence east along the north boundary line of said Section 8, to the center line of Lotus Lane; thence south along the center line of said Lotus Lane to the south boundary line of said Section 8; thence west along the south boundary line of said Section 8 to the northwest corner of Section 17, Township 30 South, Range 28 East, M. D. M ; thence south along the west boundary line of said Section 17, a distance of 1 mile to the southwest corner of said Section 17; thence east along the north boundary line of Section 20, Township 30 South, Range 28 East, M. D. M. to the center line of Garber Way; thence south along the center line of said Garber Way and extension thereof to the south boundary line of Section 20 of said township; thence west along the south boundary line of said Section 20 to the northwest corner of Section 29, Township 30 South, Range 28 East, M. D. M ; thence south along section lines 3 miles to the southeast corner of Section 6, Township 31 South, Range 28 East, M. D M ; thence west along the south boundary line of said Section 6, 1 mile to the northwest corner of Section 7, Township 31 South, Range 28 East, M D. M.; thence south along section lines 5 miles to the southwest corner of Section 31, Township 31 South, Range 28 East, M D. M.; thence easterly along section lines 3 miles to the northeast corner of Section 4, Township 32 South, Range 28 East M D M., thence south along section lines 6 miles to the southeast corner of Section 33, Township 32 South, Range 28 East, M. D. M., said corner being on the Eighth Standard Parallel; thence east along the Eighth Standard Parallel to the northeast corner of Fractional Section 25, Township 12 North, Range 20 West, S. B M.; thence south along section lines to the northwest corner of Section 18, Township 11 North, Range 19 West, S B M.; thence easterly along the north boundary line of said Section 18 to the northeast corner thereof; thence south along section lines 4 miles more or less to the southwest corner of Section 32, Township 11 North, Range 19 West, S. B. M., thence east along the south boundary line of said Township 11 North, Range 19 West, S. B. M. to the southeast corner of said township; thence south along the southerly extension of the east boundary line of Township 11 North, Range 19 West, S B. M., to intersect the easterly extension of the north boundary line of Township 9 North, Range 19 West, S. B M.; thence east along the easterly extension of said north boundary line to intersect the northerly extension of the east boundary line of Township 9 North, Range 19 West, S. B. M.; thence south along the said east boundary line and northerly extension of Township 9 North, Range 19 West, S. B. M. to the southeast corner of Township 9 North, Range 19 West, S. B. M., being a point on the south boundary line of the County of Kern; thence east to the southeast corner of said County of Kern; thence north along the easterly boundary of said county to the northeast corner thereof; thence westerly along the northerly boundary of said county to the point of commencement, shall constitute the Thirty-eighth Assembly District.

39. All that portion of the County of Kern not included in the Thirty-eighth Assembly District, as fixed and defined by this section, shall constitute the Thirty-ninth Assembly District.

40 All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the northeasterly prolongation of the center line of Boylston Street and the center line of the Hollywood Parkway; thence southeasterly along the center line of said parkway to the center line of North Main Street; thence

northeasterly along the center line of North Main Street to the center line of Alhambra Avenue; thence northeasterly along the center line of Alhambra Avenue and the center line of the Southern Pacific Railroad Company's right of way (Main Line to Yuma) to the northerly prolongation of the center line of Daly Street; thence southerly along said prolongation and center line of Daly Street to the center line of Mission Road, thence northeasterly along the center line of Mission Road to the center line of Marengo Street; thence southeasterly along the center line of Marengo Street to the center line of Soto Street; thence northeasterly along the center line of Soto Street to the center line of Valley Boulevard; thence southeasterly along the center line of Valley Boulevard to the northerly prolongation of the center line of Indiana Street; thence southerly along said prolongation and center line of Indiana Street to the first intersection with the boundary of the City of Los Angeles as same existed March 1, 1951, lying at or near the intersection of the center lines of Medford and Indiana Streets; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to the northerly prolongation of the center line of McBride Avenue, thence southerly along said last mentioned prolongation, the center line of McBride Avenue and the southerly prolongation thereof, to the center line of Blanchard Street; thence westerly along the center line of Blanchard Street to the center line of Eastern Avenue; thence southerly along the center line of Eastern Avenue to the center line of Blanchard Street; thence westerly along the center line of Blanchard Street to the center line of Brannick Avenue; thence southerly along the center line of Brannick Avenue to the center line of Folsom Street; thence westerly along the center line of Folsom Street to the center line of Hazard Avenue; thence northerly along the center line of Hazard Avenue to the center line of Dobinson Street; thence westerly and northwesterly along the center line of Dobinson Street to the center line of Geraghty Avenue, thence southerly along the center line of Geraghty Avenue to the center line of Blanchard Street; thence westerly along the center line of Blanchard Street to the center line of Gage Avenue, thence southerly along the center line of Gage Avenue to the center line of Blanchard Street; thence westerly and northwesterly along the center line of Blanchard Street to the easterly boundary of the aforesaid City of Los Angeles; thence southerly along the boundary of said city and following the same in all its various courses to the center line of Alameda Street; thence northerly along the center line of Alameda Street to the center line of Olympic Boulevard (from the northwest); thence northwesterly along the center line of Olympic Boulevard and northwesterly along the center line of Ninth Street to the center line of Figueroa Street; thence northeasterly along the center line of Figueroa Street to the center line of Eighth Street; thence northwesterly along the center line of Eighth Street to the center line of Harbor Parkway; thence northeasterly along the center line of Harbor Parkway to the southeasterly prolongation of the center line of Sixth Street; thence northwesterly along said prolongation and center line of Sixth Street to the center line of Boylston Street; thence northerly along the center line of Boylston Street to the center line of Huntley Drive, thence easterly along the center line of Huntley Drive and the easterly prolongation thereof to the southwesterly prolongation of the center line of Boylston Street; thence northeasterly along said prolongation and center line of Boylston Street to the point of beginning, shall constitute the Fortieth Assembly District.

41. All that part of the County of Los Angeles within the following described boundaries

Beginning at the northwesterly corner of the County of Los Angeles, said corner lying on the northerly line of Section 4, Township 8 North, Range 19 West, S. B. B & M.; thence easterly along the boundary of said county and following the same in all its various courses to the southerly line of Section 31, Township 3 North, Range 7 West, S B B. & M; thence westerly along section lines to the northwest corner of Section 6, Township 2 North, Range 11 West, S B. B. & M.; thence northerly along the range line between Ranges 11 and 12 West, to the northeast corner of Section 1, Township 2 North, Range 12 West, S B. B. and M.; thence westerly along section lines to the northwest corner of Section 6, Township 2 North, Range 13 West, S B. B & M.; thence southerly along section lines to the southeast corner of Section 36, Township 3 North, Range 14 West, S B B. & M; thence westerly along section lines to the northwest corner of Section 4, Township 2 North, Range 14 West S. B. B & M; thence southerly along section lines to the northerly line of the Hansen Flood Control Basin; thence easterly along the northerly line of the Hansen Flood Control Basin, and following the same in all its various courses to the northerly prolongation of the center line of Clybourn Avenue; thence southerly along the northerly prolongation of the center line of Clybourn Avenue, and the center line of Clybourn Avenue to the center line of Roscoe Boulevard; thence westerly along the center line of Roscoe Boulevard and its westerly prolongation to the center line of Whitsett Avenue, thence southerly along the center line of Whitsett Avenue to the center line of Cantara Street; thence westerly along the center line of Cantara Street to the center line of Coldwater Canyon Avenue; thence southerly along the center line of Coldwater Canyon Avenue to the center line of the Southern Pacific Railroad Co.'s right of way (Coast Line) in Raymer Street; thence northwesterly along the center line of said right of way to the center line of Roscoe Boulevard; thence westerly along the center

line of Roscoe Boulevard and along the prolongation of the most westerly portion thereof to the westerly boundary of the City of Los Angeles, as the same existed March 1, 1951; thence northerly along said westerly boundary of the City of Los Angeles to the northerly line of Fractional Section 34, Township 2 North, Range 17 West, S. B. B. & M.; thence westerly along section lines to the westerly boundary of the County of Los Angeles; thence northerly along the boundary of said county and following the same in all its various courses to the point of beginning, shall constitute the Forty-first Assembly District.

42. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the northwest corner of Section 4, Township 2 North, Range 14 West, S. B. B. & M.; thence easterly along section lines to an angle point in the northerly boundary of the City of Los Angeles as the same existed on March 1, 1951, located on the westerly line of Section 6, Township 2 North, Range 13 West, S. B. B. & M., thence southerly along the boundary of said city and following the same in all its various courses to the center line of Scott Road; thence southerly along the center line of Scott Road to the center line of San Fernando Boulevard; thence southeasterly along the center line of San Fernando Boulevard to the westerly boundary of the City of Glendale as the same existed on the above date; thence southwesterly along the boundary of said last-mentioned city, and following the same in all its various courses to the center line of Chevy Chase Drive; thence westerly along the center line of Chevy Chase Drive and the westerly prolongation thereof to the center line of the Los Angeles River; thence northerly along the center line of the Los Angeles River to the southerly line of Section 30, Township 1 North, Range 13 West, S. B. B. & M.; thence westerly along section lines to the easterly boundary of the Rancho Ex Mission de San Fernando as shown on map recorded in Book 1, page 605 of Patents, in the office of the recorder of the County of Los Angeles, thence northerly along said easterly rancho line to the westerly boundary of the City of Burbank as the same existed on the above date; thence northerly along the westerly boundary of the City of Burbank to the center line of Riverside Drive; thence westerly along the center line of Riverside Drive to the center line of Coldwater Canyon Avenue; thence northerly along the center line of Coldwater Canyon Avenue to the center line of Cantara Street; thence easterly along the center line of Cantara Street to the center line of Whitsett Avenue; thence northerly along the center line of Whitsett Avenue to the westerly prolongation of the center line of Roscoe Boulevard; thence easterly along the westerly prolongation of Roscoe Boulevard, the easterly prolongation and center line of Roscoe Boulevard to the center line of Clybourn Avenue; thence northerly along the center line of Clybourn Avenue, Sunland Boulevard, Clybourn Avenue and the northerly prolongation thereof to the southeasterly boundary line of the Hansen Flood Control Basin; thence northeasterly along the boundary line of the Hansen Flood Control Basin, and following the same in all its various courses to the westerly line of the southerly prolongation of Fractional Section 9, Township 2 North, Range 14 West, S. B. B. & M.; thence northerly along said prolongation and section line to the point of beginning shall constitute the Forty-second Assembly District.

43. All that part of the County of Los Angeles within the following described boundaries:

Beginning at an angle point in the boundary of the City of Los Angeles as same existed March 1, 1951, on the northerly line of Section 34, Township 2 North, Range 14 West, S. B. B. & M.; thence easterly along the boundary of said city to an angle point in said boundary at or near the southeast corner of the southwest one-quarter of Section 29, Township 2 North, Range 13 West, S. B. B. & M.; thence easterly along section lines to a point in the northwesterly line of Tract No. 10156 as shown on map recorded in Book 164, pages 1-2 of Maps, in the office of the Recorder of the County of Los Angeles; thence northeasterly along the northwesterly line of said tract and following the same in all its various courses to its first intersection with the boundary of the City of Glendale as same existed on above mentioned date; thence southeasterly along the boundary of said last-mentioned city, and following the same in all its various courses to the center line of San Fernando Boulevard; thence northwesterly along the center line of San Fernando Boulevard to the center line of Scott Road; thence northwesterly along the center line of Scott Road to the easterly boundary of the aforesaid City of Los Angeles; thence northerly along the boundary of said last-mentioned city and following the same in all its various courses to the point of beginning, shall constitute the Forty-third Assembly District.

44. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the northwest corner of the City of Long Beach as same existed March 1, 1951; thence easterly along the boundary of said city and following the same in all its various courses to an angle point in the boundary of said city at or near the northeasterly corner of 70th Street and Orange Avenue; thence due west to the center line of Orange Avenue; thence southerly along the center line of Orange Avenue to the center line of Fourth Street; thence easterly along the center line of Fourth

Street to the center line of Cherry Avenue; thence southerly along the center line of Cherry Avenue to the center line of Ocean Boulevard; thence easterly along the center line of Ocean Boulevard to the center line of 16th Place; thence southerly along the center line of 16th Place and the southerly prolongation thereof to the southerly boundary of the County of Los Angeles; thence westerly along the boundary of said County of Los Angeles and following the same in all its various courses to its first intersection with the northeasterly boundary of the City of Los Angeles as same existed on above mentioned date (Ostend Addition); thence northwesterly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in the boundary of the City of Long Beach at or near the intersection of 223d Street and Spencan Avenue; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to the point of beginning, shall constitute the Forty-fourth Assembly District.

45. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the center lines of Glendale Avenue and Sunset Boulevard; thence southeasterly along the center line of Sunset Boulevard to the center line of Quintero Street; thence northeasterly along the center line of Quintero Street to the center line of Macbeth Street; thence northwesterly along the center line of Macbeth Street to the center line of Sutherland Street; thence northeasterly along the center line of Sutherland Street to the center line of that certain alley lying adjacent to and parallel with the northerly line of Block 6 of Golden West Heights, as shown on map recorded in Book 34, page 91, of Miscellaneous Records, in the office of the Recorder of the County of Los Angeles; thence northwesterly along the center line of said alley and the northwesterly prolongation thereof to the center line of Portia Street; thence northeasterly along the center line of Portia Street to the center line of Scott Avenue; thence northeasterly along the center line of Scott Avenue to the southwesterly prolongation of the center line of Elysian Park Drive; thence northeasterly along said prolongation and center line of Elysian Park Drive and following the same in all its various courses to the center line of Chavez Ravine Drive (Elysian Park Drive and Chavez Ravine Drive are park roads lying within Elysian Park as per Ordinance No 37351 of the City of Los Angeles); thence northeasterly along the center line of Chavez Ravine Drive and following the same in all its various courses to the southwesterly prolongation of the center line of Dallas Street; thence northeasterly along said last mentioned prolongation, the center line and northeasterly prolongation of the center line of said Dallas Street to the center line of the Official Bed of the Los Angeles River; thence southeasterly along the center line of said river and following the same in all its various courses to the southwesterly prolongation of the center line of Granada Street; thence northeasterly along said last mentioned prolongation to the southwesterly line of the Southern Pacific Railroad Company's right of way (Valley Line); thence northwesterly along the southwesterly line of said right of way to its intersection with the southwesterly prolongation of the center line of Division Street, said point being near the southwesterly corner of Tract No 3867 as shown on map recorded in Book 44, pages 20 and 21, of Maps in the office of the Recorder of the County of Los Angeles; thence northeasterly along said prolongation and center line of Division Street to the center line of Avenue 30; thence southeasterly along the center line of Avenue 30 to the center line of Bank Street; thence northeasterly along the center line of Bank Street to the center line of Isabel Street; thence southeasterly along the center line of Isabel Street and following the same in all its various courses to the center line of Amabel Street; thence southeasterly along the center line of Amabel Street to the center line of Figueroa Street; thence northeasterly along the center line of Figueroa Street to the center line of Avenue 37; thence southeasterly along the center line of Avenue 37 to the center line of Arroyo Seco Avenue; thence northeasterly along the center line of Arroyo Seco Avenue to the center line of Marmion Way; thence northerly along the center line of Marmion Way and following the same in all its various courses to the northwesterly prolongation of the center line of that portion of Avenue 44 lying between Figueroa Street and Marmion Way; thence southeasterly along said prolongation and center line of Avenue 44 to the center line of Figueroa Street; thence northeasterly along the center line of Figueroa Street to the center line of Avenue 45; thence southeasterly along the center line of Avenue 45 to the westerly prolongation of the northerly patent boundary line of the City of Los Angeles; thence easterly along said northerly patent boundary line to the center line of Boundary Avenue; thence southerly along the center line of Boundary Avenue to the center line of Mercury Avenue; thence southwesterly along the center line of Mercury Avenue to the center line of Sardonyx Street; thence easterly along the center line of Sardonyx Street and following the same in all its various courses to the center line of Galena Street; thence southwesterly along the center line of Galena Street to the center line of Topaz Street; thence southeasterly along the center line of Topaz Street to the center line of Pacific Electric Railway right of way; thence northeasterly along the center line of said right of way and following the same in all its various courses to the center line of Eastern Avenue, thence southerly along the center line of Eastern Avenue to the

center line of Lombardy Boulevard; thence southeasterly along the center line of Lombardy Boulevard and following the same in all its various courses to the center line of Endicott Street; thence southeasterly along the center line of Endicott Street and its southeasterly prolongation to the center line of Southern Pacific Railroad right of way (Main Line to Yuma); thence northeasterly along the center line of said last mentioned right of way and following the same in all its various courses to the easterly boundary of the City of Los Angeles as same existed on above mentioned date; thence southerly along the boundary of said city to the center line of Hellman Avenue; thence easterly along the center line of Hellman Avenue to the center line of Fremont Avenue (from the southeast) as per County Surveyor's Map No. 3623, on file in the office of the Surveyor of the County of Los Angeles; thence southeasterly along the center line of Fremont Avenue to the center line of Garvey Avenue; thence easterly and northeasterly along the center line of Garvey Avenue and following the same in all its various courses to the center line of Valley Boulevard; thence southeasterly along the center line of Valley Boulevard to the center line of the Official Bed of the San Gabriel River; thence southwesterly along the center line of said last mentioned river and following the same in all its various courses to the southeasterly prolongation of the center line of Siphon Road; thence northwesterly along the center line of said last mentioned prolongation and the center line of Siphon Road and San Gabriel Boulevard to the northeasterly prolongation of Lincoln Avenue; thence southwesterly along said last mentioned prolongation to the northeasterly boundary of the City of Montebello as same existed on above mentioned date; thence northwesterly and westerly along said last mentioned boundary, the center line of Pomona Boulevard, and the center line of Beverly Boulevard to an angle point in the westerly boundary of the City of Monterey Park, as same existed on above mentioned date; thence northerly along the boundary of said last mentioned city to the center line of Riggin Avenue; thence northwesterly along the center lines of Riggin Avenue and Brooklyn Avenue to the center line of Roscommon Avenue; thence northerly along the center line of Roscommon Avenue to the center line of Floral Drive; thence westerly along the center line of Floral Drive, its westerly prolongation thereof, and the center line of Floral Drive to the southerly prolongation of the center line of McBride Avenue; thence northerly along said last mentioned prolongation, the center line of McBride Avenue and northerly prolongation thereof to the boundary of the City of Los Angeles, as same existed on above mentioned date, thence westerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Indiana Street; thence northerly along the center line of Indiana Street and its northerly prolongation thereof to the center line of Valley Boulevard; thence northwesterly along the center line of Valley Boulevard to the center line of Soto Street; thence southwesterly along the center line of Soto Street to the center line of Marengo Street; thence northwesterly along the center line of Marengo Street to the center line of Mission Road; thence southwesterly along the center line of Mission Road to the center line of Daly Street; thence northerly along the center line of Daly Street and the northerly prolongation thereof to the center line of Alhambra Avenue; thence westerly along the center line of Alhambra Avenue to the center line of North Main Street; thence southwesterly along the center line of North Main Street to the center line of Hollywood Parkway; thence northwesterly along the center line of Hollywood Parkway to the northeasterly prolongation of the center line of Boylston Street; thence southwesterly along the last mentioned prolongation and center line of Boylston Street to the center line of Second Street; thence northwesterly along the center line of Second Street to the center line of Glendale Boulevard; thence northerly along the center line of Glendale Boulevard to the point of beginning, shall constitute the Forty-fifth Assembly District.

46. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the southwesterly prolongation of the center line of Surf Street and the southwesterly boundary of the County of Los Angeles; thence northeasterly along said southwesterly prolongation and center line of Surf Street to the center line of Trolley Way; thence southerly along the center line of Trolley Way to the southwesterly prolongation of the center line of Manchester Avenue; thence northeasterly along said prolongation and center line of Manchester Avenue to the first intersection with the boundary of the City of Los Angeles as same existed March 1, 1951, near the intersection of Osage and Manchester Avenues, thence northeasterly along the boundary of said city to an angle point in said boundary at or near the intersection of the center lines of Agusta Street and Freeman Boulevard; thence southerly along the northerly prolongation of the center line of Freeman Boulevard to the center line of the Atchison, Topeka and Santa Fe Railway Company's right of way (Redondo Branch); thence northeasterly along said last mentioned center line and following the same in all its various courses to the easterly boundary of the City of Inglewood as same existed on above mentioned date; thence southerly along the boundary of said last mentioned city, and following the same in all its various courses to the center line of Imperial Highway; thence westerly along the center line of Imperial Highway to a point due south of an angle point in the

boundary of said City of Inglewood, said angle point being at or near the northwesterly corner of Imperial Highway and Crenshaw Boulevard; thence due north to said angle point; thence westerly along boundary of said last mentioned city and following the same in all its various courses to the center line of Imperial Highway; thence westerly along the center line of Imperial Highway to the center line of Prairie Avenue, thence southerly along the center line of Prairie Avenue to the northerly boundary of the City of Hawthorne as same existed on above mentioned date; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to the easterly boundary of said City of Los Angeles, thence northerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Imperial Highway; thence westerly along the center line of Imperial Highway to the easterly boundary of the City of El Segundo as same existed on above mentioned date; thence southerly along the boundary of said last mentioned city to the northerly boundary of the City of Manhattan Beach, as same existed on above mentioned date; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in the southerly boundary of said last mentioned city, said angle point being at or near the intersection of the center lines of Aviation Boulevard and Redondo Beach Boulevard; thence easterly along the center line of Redondo Beach Boulevard to the center line of Flagler Lane; thence southerly along the center line of Flagler Lane to the boundary of said City of Redondo Beach, at or near the intersection of Beryl Street and Flagler Lane; thence southerly along boundary of said last mentioned city to an angle point in the boundary of said last mentioned city at or near the southeasterly corner of Block 70, Tract 10019, as shown on map recorded in Book 182, pages 1-13, inclusive, of Maps, in the office of the Recorder of the County of Los Angeles, being also an angle point in the boundary of said City of Torrance; thence westerly along the boundary of said City of Torrance and following the same in all its various courses to the center line of Pacific Coast Highway; thence southeasterly along the center line of Pacific Coast Highway to the center line of Newton Street (from the southeast), thence southeasterly along the center line of Newton Street to the center line of 242d Street; thence westerly along the center line of 242d Street to the center line of Wilmington Street; thence southerly along the center line of Wilmington Street to the southwesterly boundary of said City of Torrance, thence southeasterly and easterly along the boundary of said last mentioned city to an angle point in the southerly boundary thereof, said angle point being at or near the southwest corner of Tract No 954, as shown on map recorded in Book 17, page 16, of Maps, in the office of the Recorder of the County of Los Angeles; thence easterly and northeasterly along the southerly and easterly boundary of said last mentioned tract to the southwest corner of Lot 111, Tract No 3377, as shown on map recorded in Book 37, page 9, of Maps, in the office of the Recorder of the County of Los Angeles; thence easterly along the southerly boundaries of said last mentioned tract and Tract No 2937, as shown on map recorded in Book 37, page 26, of Maps, in the office of the Recorder of the County of Los Angeles to the center line of Western Avenue, thence southerly along the center line of Western Avenue to a point due west of an angle point in the boundary of the City of Los Angeles, as same existed on above mentioned date, said angle point being at or near the northwesterly corner of Tract No 10962, as shown on map recorded in Book 250, pages 30 and 31, of Maps, in the office of the Recorder of the County of Los Angeles; thence due east to said last mentioned angle point, thence southerly along the boundary of said last mentioned city and following the same in all its various courses to the southwesterly boundary of the County of Los Angeles; thence northwesterly along the boundary of said County, and following the same in all its various courses to the point of beginning Also including the Islands of Santa Catalina and San Clemente, shall constitute the Forty-sixth Assembly District

47 All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the westerly boundary of the City of Pasadena as same existed March 1, 1951, with the township line between Township 1 and Township 2 North; thence easterly along the township line to the easterly boundary of said city; thence southerly along the boundary of said city and following the same in all its various courses to the southeasterly corner of Lot 104, as shown on map of Tract No 7931, recorded in Book 85, page 9, of Maps, in the office of the Recorder of the County of Los Angeles, said last mentioned corner being also an angle point in the boundary of said city as same existed on above date; thence southerly along the easterly line of said last mentioned tract and along the southerly prolongation thereof to the center line of Washington Street; thence westerly along the center line of Washington Street to the center line of Wesley Avenue; thence southerly along the center line of Wesley Avenue to the center line of Whitefield Road; thence easterly along the center line of Whitefield Road to the center line of Allen Avenue; thence southerly along the center line of Allen Avenue to the center line of Walnut Street; thence easterly along the center line of Walnut Street to its first intersection with

the center line of Foothill Boulevard; thence easterly along the center line of Foothill Boulevard to an angle point in the boundary of the aforesaid City of Pasadena, at or near the center line of Sierra Madre Villa Avenue and the center line of Foothill Boulevard; thence easterly along the boundary of said city to the easterly line of Michillinda Boulevard; thence southerly along the easterly line of Michillinda Boulevard to the boundary of the City of Arcadia as same existed on above mentioned date; thence southerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Las Tunas Drive, thence westerly along the center line of Las Tunas Drive to the center line of San Gabriel Boulevard; thence northerly along the center line of San Gabriel Boulevard to the boundary of the City of San Gabriel, as same existed on above mentioned date; thence westerly and northerly along the boundary of said last mentioned city and following the same in all its various courses to the southerly boundary of the City of San Marino, as same existed on above mentioned date; thence northerly along the boundary of said last mentioned city and following the same in all its various courses to a point in the easterly boundary of the City of South Pasadena as same existed on above mentioned date, said point being also a point in the boundary of the aforesaid City of Pasadena, thence northerly along the boundary of said last mentioned city and following the same in all its various courses to the point of beginning, shall constitute the Forty-seventh Assembly District.

48. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the northwesterly corner of Section 6, Township 2 North, Range 13 West, S.B.B. & M., thence easterly along the township line to the northeasterly corner of Section 1, Township 2 North, Range 12 West, S.B.B. & M.; thence southerly along section line to the northwesterly corner of Section 6, Township 2 North, Range 11 West, S.B.B. & M.; thence easterly along township lines to the northeasterly corner of Section 4, Township 2 North, Range 10 West, S.B.B. & M.; thence southerly along section lines to the southeasterly corner of Section 4, Township 1 North, Range 10 West, S.B.B. & M.; thence westerly along section lines to the north and south quarter section line of Section 12, Township 1 North, Range 11 West, S.B.B. & M.; thence southerly along quarter section line to its first intersection with the northerly boundary of the City of Monrovia, as same existed March 1, 1951, thence southerly along said last mentioned boundary and following the same in all its various courses to the center line of Foothill Boulevard; thence westerly along the center line of Foothill Boulevard to the boundary of the City of Arcadia, as same existed on above mentioned date; being at or near the west line of Sixth Avenue; thence southerly along said last mentioned boundary and following the same in all its various courses to an angle point therein (at or near the easterly line of Michillinda Avenue) thence north in a direct line to the southerly boundary of the City of Pasadena, as same existed on above mentioned date, being in the center line of Foothill Boulevard; thence westerly along said last mentioned boundary and center line of Foothill Boulevard to the center line of Walnut Avenue; thence westerly along the center line of Walnut Avenue to the center line of Allen Avenue; thence northerly along the center line of Allen Avenue to the center line of Whitefield Road; thence westerly along the center line of Whitefield Road to the center line of Wesley Avenue; thence northerly along the center line of Wesley Avenue to the center line of Washington Street; thence easterly along the center line of Washington Street to its intersection with the southerly prolongation of the easterly line of Tract No. 7931, as shown on map recorded in Book 85, page 9, of Maps, in the office of the Recorder of the County of Los Angeles; thence northerly along said southerly prolongation to the southeasterly corner of Lot 104 of said last mentioned tract; said last mentioned corner being also an angle point in the northerly boundary of said City of Pasadena; thence northerly along said last mentioned boundary, and following the same in all its various courses to the township line between Townships 1 and 2 North; thence westerly along township line to the northerly boundary of said City of Pasadena; thence southeasterly along said last mentioned boundary and following the same in all its various courses to its first intersection with the westerly boundary of the City of Glendale as same existed on above mentioned date; thence southwesterly along said last mentioned boundary and following the same in all its various courses to the most northerly point in said last mentioned boundary; said point being also the most easterly corner of Tract 10156, as shown on map recorded in Book 164, pages 1 and 2, of Maps, in the office of said recorder; thence northwesterly along the boundary of said last mentioned tract and following the same in all its various courses to its intersection with the northerly line of Fractional Section 33, Township 2 North, Range 13 West, S.B.B. & M.; thence westerly along section lines to its first intersection with the boundary of the City of Los Angeles as same existed on above mentioned date; thence northerly along the boundary of said city, and following the same in all its various courses to the southeasterly corner of Section 36, Township 3 North, Range 14 West, S.B.B. & M.; thence northerly along range line to the point of beginning, shall constitute the Forty-eighth Assembly District.

49. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the northeasterly corner of Section 4, Township 2 North, Range 10 West, S.B.B. & M., thence easterly along the township line between Townships 2 and 3 North to its intersection with the boundary of the County of Los Angeles, thence southerly along the boundary of said county and following the same in all its various courses to its intersection with the center line of Brea Canyon Road; thence northeasterly along the center line of Brea Canyon Road to the center line of Southern Pacific Railroad Company's right of way (Main Line to Yuma); thence northeasterly along the center line of said right of way to its intersection with the easterly line of the Rancho La Puente, as shown on map recorded in Book 1, pages 43 and 44, of Patents, in the office of the Recorder of the County of Los Angeles, thence northeasterly along the boundary of said rancho and following the same in all its various courses to its intersection with the southerly prolongation of the center line of Valley Center Avenue; thence northerly along said prolongation and the center line of Valley Center Avenue to the east and west quarter section line of Section 8, Township 1 South, Range 9 West, S.B.B. & M; thence westerly along quarter section lines to the westerly line of Section 9, Township 1 South, Range 10 West, S B B & M.; thence southerly along section line to its first intersection with the boundary of the City of West Covina, as same existed March 1, 1951; thence westerly and southerly along the boundary of said last mentioned city to its intersection with the northerly line of East Ramona Boulevard; thence south in a direct line to the center line of East Ramona Boulevard; thence southwesterly along the center line of East Ramona Boulevard (North Road) to its intersection with the center line of the Southern Pacific Railroad Company's right of way (Covina Branch); thence southwesterly along the center line of said last mentioned right of way to its intersection with the center line of the Pacific Electric Railway Company's right of way; thence southwesterly along the center line of said last mentioned right of way to the center line of San Gabriel River, thence northerly along the center line of said river and following the same in all its various courses to the northeasterly line of the Rancho San Francisquito as shown on map recorded in Book 1, pages 31 and 32 of Patents, in the office of the Recorder of the County of Los Angeles; thence northwesterly along the boundary of said last mentioned rancho to its first intersection with the boundary of the City of Arcadia as same existed on above mentioned date; thence southwesterly along the boundary of said last mentioned city to an angle point therein, at or near the easterly line of Sixth Avenue; thence southwesterly in a direct line to an angle point in the boundary of said last mentioned city, at or near the west line of Sixth Avenue; thence southwesterly along the boundary of said last mentioned city, and following the same in all its various courses to the center line of Foothill Boulevard, at or near its intersection with the west line of Second Avenue; thence easterly along the center line of Foothill Boulevard to the westerly boundary of the City of Monrovia as same existed on above mentioned date; thence northerly along the boundary of said last mentioned city, and following the same in all its various courses to the northeasterly corner of said last mentioned city; (said corner being also a point in the north and south quarter section line of Section 12, Township 1 North, Range 11 West, S B B & M.); thence northerly along quarter section line to the northerly line of said last mentioned section; thence easterly along section lines to the southeasterly corner of Section 4, Township 1 North, Range 10 West, S.B B & M.; thence northerly along section lines to the point of beginning, shall constitute the Forty-ninth Assembly District

50. All that part of the County of Los Angeles within the following described boundaries

Beginning at the intersection of the northeasterly line of the San Francisquito Rancho as shown on map recorded in Book 1, pages 31, 32 of Patents, in the office of the Recorder of the County of Los Angeles, with the southeasterly boundary of the City of Arcadia as same existed March 1, 1951; thence southeasterly along the northeasterly boundary of said rancho to the center line of the San Gabriel River; thence southwesterly along the center line of said river to the center line of the Pacific Electric Railway Company's right of way; thence northeasterly along the center line of said right of way to its intersection with the center line of the Southern Pacific Railroad Company's right of way (Covina Branch), thence northeasterly along the center line of said last mentioned right of way to the center line of East Ramona Boulevard (northerly roadway); thence northeasterly along the center line of East Ramona Boulevard to a point due south of the southwest corner of the northwest annex to the City of West Covina; thence due north to said corner; thence northerly and easterly along the boundary of said last mentioned city to its first intersection with the westerly line of Section 9, Township 1 South, Range 10 West, thence northerly along section line to the east and west quarter section line of said last mentioned section; thence easterly along quarter section lines to the center, line of Valley Center Avenue; thence southerly along the center line of Valley Center Avenue and the southerly prolongation thereof to its first intersection with the easterly line of

the Rancho La Puente as shown on map recorded in Book 1, pages 33 and 34 of Patents, in the office of the Recorder of the County of Los Angeles; thence southeasterly along the boundary of said rancho and following the same in all its various courses to its first intersection with the center line of the Southern Pacific Railroad Company's right of way (Main Line to Yuma), thence southwesterly along the center line of said last mentioned right of way to the center line of Brea Canyon Road; thence southerly along the center line of Brea Canyon Road to its intersection with the boundary of the County of Los Angeles as same existed March 1, 1951; thence westerly along boundary of said county and following the same in all its various courses to the north and south quarter section line of Section 13, Township 3 South, Range 11 West; thence westerly along section lines to the center line of Luitwieler Avenue; thence northerly along the center line of Luitwieler Avenue to the center line of Imperial Highway; thence westerly along the center line of Imperial Highway to the center line of Carmenita Road; thence northerly along the center line of Carmenita Road to the center line of Lakeland Road; thence westerly along the center line of Lakeland Road to the center line of The Atchison, Topeka and Santa Fe Railway Company's right of way (San Diego Division); thence northerly along the center line of said last mentioned right of way to the center line of Santa Fe Springs Road; thence northeasterly along the center line of Sante Fe Springs Road to the center line of Los Nietos Road, thence northwesterly along the center line of Los Nietos Road to the center line of Norwalk Boulevard; thence northerly along the center line of Norwalk Boulevard to the center line of Washington Boulevard; thence northwesterly along the center line of Washington Boulevard to the center line of Rosemead Boulevard; thence northerly along the center line of Rosemead Boulevard to the center line of San Gabriel Boulevard; thence southeasterly along the center line of San Gabriel Boulevard and along the center line of Siphon Road and the southeasterly prolongation thereof to the center line of the San Gabriel River; thence northeasterly along the center line of said last mentioned river and following the same in all its various courses to the center line of Valley Boulevard; thence northwesterly along the center line of Valley Boulevard to the center line of Garvey Avenue; thence westerly along the center line of Garvey Avenue to the center line of Potrero Avenue (from the north); thence northerly along the center line of Potrero Avenue and the northerly prolongation thereof to the center line of the Pacific Electric Railway Company's right of way (in Ramona Boulevard); thence easterly along the center line of said last mentioned right of way to the southerly prolongation of the center line of Baldwin Avenue; thence northerly along said prolongation and center line of Baldwin Avenue to the center line of Bessie Avenue; thence southeasterly along the center line of Bessie Avenue to the center line of Shirley Avenue; thence northerly along the center line of Shirley Avenue to the center line of Gidley Street; thence northwesterly along the center line of Gidley Street to the center line of Baldwin Avenue; thence northeasterly along the center line of Baldwin Avenue to the center line of Lower Azusa Road; thence easterly along the center line of Lower Azusa Road to the center line of Cedar Avenue; thence northeasterly along the center line of Cedar Avenue to the southerly boundary of the City of Arcadia as same existed on above mentioned date; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in the boundary of said city at or near the westerly line of Sixth Avenue; thence northeasterly in a direct line to an angle point in the boundary of said last mentioned city at or near the easterly line of Sixth Avenue; thence northeasterly along the boundary of said last mentioned city and following the same in all its various courses to the point of beginning, shall constitute the Fiftieth Assembly District.

51 All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the easterly boundary of the City of Los Angeles, as same existed on March 1, 1951 with the center line of Blanchard Street; thence easterly along the center line of Blanchard Street to the center line of Gage Avenue, thence northerly along the center line of Gage Avenue to the center line of Blanchard Street; thence easterly along the center line of Blanchard Street to the center line of Geraghty Avenue; thence northerly along the center line of Geraghty Avenue to the center line of Dobinson Street; thence southeasterly along the center line of Dobinson Street to the center line of Hazard Avenue; thence southerly along the center line of Hazard Avenue to the center line of Folsom Street; thence easterly along the center line of Folsom Street to the center line of Brannick Avenue; thence northerly along the center line of Brannick Avenue to the center line of Blanchard Street; thence southeasterly along the center line of Blanchard Street to the center line of Eastern Avenue; thence northerly along the center line of Eastern Avenue to the center line of Blanchard Street; thence easterly along the center line of Blanchard Street to the center line of McBride Avenue; thence southerly along the center line of McBride Avenue and the southerly prolongation thereof to the center line of Floral Drive; thence easterly along the center line of Floral Drive, the easterly prolongation of said Floral Drive and the center line of Floral Drive to the center line of Roscommon Avenue; thence southerly along the center line of Roscommon Avenue to the center

line of Brooklyn Avenue; thence easterly and southeasterly along the center line of Brooklyn Avenue to the center line of Riggin Avenue; thence southeasterly along the center line of Riggin Avenue to the westerly boundary of Monterey Park, as same existed on above mentioned date; thence southerly and easterly along the boundary of aforesaid City of Monterey Park to its first intersection with the westerly boundary of the City of Montebello, as same existed on above mentioned date; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Lincoln Avenue; thence northeast in a direct line to the center line of San Gabriel Boulevard; thence southeasterly along the center line of San Gabriel Boulevard to the center line of Rosemead Boulevard; thence southwesterly along the center line of Rosemead Boulevard to the center line of Washington Boulevard; thence southeasterly along the center line of Washington Boulevard to the center line of Norwalk Boulevard; thence southeasterly and southerly along the center line of Norwalk Boulevard to the center line of Los Nietos Road; thence southeasterly along the center line of Los Nietos Road to the center line of Santa Fe Springs Road; thence southwesterly along the center line of Santa Fe Springs Road to the center line of the Atchison, Topeka and Santa Fe Railway Company's right of way (main line, Los Angeles to San Diego); thence southerly along the center line of said right of way to the center line of Lakeland Road; thence easterly along the center line of Lakeland Road to the center line of Carmenita Road, thence southerly along the center line of Carmenita Road to the center line of Imperial Highway; thence easterly along the center line of Imperial Highway to the center line of Luitwieler Avenue to the center line of Rosecrans Avenue; thence easterly along the center line of Rosecrans Avenue to its first intersection with the boundary of the County of Los Angeles; thence southerly along the boundary of the County of Los Angeles and following the same in all its various courses to the northerly boundary of the City of Long Beach, as same existed on above mentioned date; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in said boundary, said angle point being at the intersection of the southwesterly line of the right of way of the new San Gabriel River Levee District, as shown on County Surveyor's Map No. 7561 on file in the office of the surveyor of said county, and the easterly prolongation of the southerly line of Tract No 5023, as shown on map recorded in Book 58, page 1 of Maps, in the office of the recorder of said county; thence due east to the center line of the official bed of the San Gabriel River; thence northerly along the center line of said river and following the same in all its various courses to the center line of Anaheim Telegraph Road; thence northwesterly along the center line of Anaheim Telegraph Road to a point due south of the most southerly corner of the City of Montebello, as same existed on above mentioned date; thence due north to the boundary of said city; thence northwesterly along the boundary of said last mentioned city and following the same in all its various courses to the southeasterly line of Church Road; thence northeasterly along said southeasterly line of Church Road and the northeasterly prolongation thereof to the center line of the Atchison, Topeka and Santa Fe Railway Company's right of way (main line, Los Angeles to San Diego); thence northwesterly along the center line of said right of way to the first intersection with the southeasterly boundary of the City of Vernon as same existed on above mentioned date; thence northeasterly along the boundary of said last mentioned city and following the same in all its various courses to the southerly boundary of the aforesaid City of Los Angeles; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to the point of beginning, shall constitute the Fifty-first Assembly District.

52. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the northwesterly corner of the City of Vernon, as same existed March 1, 1951, at or near the northwesterly corner of 25th and Alameda Streets, said point of beginning being also an angle point in the boundary of the City of Los Angeles as same existed on the above mentioned date; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in aforesaid City of Vernon at or near the northeasterly corner of Lot 16, of Tract No. 8626, as shown on map recorded in Book 121, pages 96 to 100, of Maps, in the office of the Recorder of the County of Los Angeles; thence southwesterly along the boundary of said last mentioned city and following the same in all its various courses to the center line of the Atchison, Topeka and Santa Fe Railway Company's right of way (Main Line, Los Angeles to San Diego); thence southeasterly along the center line of said right of way to the northeasterly prolongation of the southeasterly line of Church Road; thence southwesterly along said northeasterly prolongation of Church Road to its first intersection with the boundary of the City of Montebello, as same existed on above mentioned date; thence southwesterly along the boundary of said last mentioned city and following the same in all its various courses to the most southerly corner thereof; thence due south to the center line of Anaheim Telegraph Road; thence southeasterly along the center line of Anaheim Telegraph Road to the center line of Stoakes Avenue; thence southwesterly along the center line

of Stoakes Avenue to the center line of Gallatin School House Road; thence northwesterly along the center line of Gallatin School House Road to the center line of Downey Avenue; thence southwesterly along the center line of Downey Avenue to the center line of Stewart and Gray Road; thence northwesterly along the center line of Stewart and Gray Road to the center line of Brock Avenue; thence northwesterly in a direct line to the intersection of the center lines of Paramount Boulevard and Stewart and Gray Road; thence northwesterly along the center line of Stewart and Gray Road to the center line of Southern Avenue; thence westerly along the center line of Southern Avenue to the center line of Rayo Avenue; thence southwesterly along the center line of Rayo Avenue to the center line of Atlantic Avenue; thence southerly along the center line of Atlantic Avenue to the center line of Tweedy Boulevard; thence westerly along the center line of Tweedy Boulevard to the first intersection with the southerly boundary of the City of South Gate, as same existed on above mentioned date; thence northerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Tweedy Boulevard; thence westerly along the center line of Tweedy Boulevard to the center line of Santa Fe Avenue; thence southerly along the center line of Santa Fe Avenue to an angle point in the boundary of aforesaid City of South Gate, near the center line of Santa Fe Avenue and the southerly line of Tweedy Boulevard; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Firestone Boulevard; thence westerly along the center line of Firestone Boulevard to the center line of Alameda Street; thence northerly along the center line of Alameda Street to the center line of Florence Avenue; thence easterly along the center line of Florence Avenue to the westerly boundary of the City of Huntington Park, as same existed on above mentioned date; thence northerly along the boundary of said last mentioned city and following the same in all its various courses to the southerly boundary of aforesaid City of Vernon; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to the point of beginning, shall constitute the Fifty-second Assembly District.

53. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the most westerly point in the boundary of the City of San Marino as same existed March 1, 1951; thence easterly along the northerly boundary of said city and following the same in all its various courses to its first intersection with the boundary of the City of San Gabriel as same existed on above mentioned date; thence southerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Las Tunas Drive; thence easterly along the center line of Las Tunas Drive to its first intersection with the westerly boundary of the City of Arcadia as same existed on above mentioned date; thence southerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Cedar Avenue; thence southerly along the center line of Cedar Avenue to the center line of Lower Azusa Road; thence westerly along the center line of Lower Azusa Road to the center line of Baldwin Avenue; thence southwesterly along the center line of Baldwin Avenue to the center line of Gidley Street; thence southeasterly along the center line of Gidley Street to the center line of Shirley Avenue; thence southwesterly along the center line of Shirley Avenue to the center line of Bessie Avenue; thence northwesterly along the center line of Bessie Avenue to the center line of Baldwin Avenue; thence southwesterly and southerly along the center line of Baldwin Avenue and the southerly prolongation thereof to the center line of Pacific Electric Railway Company's right of way; thence westerly along the center line of said right of way to the northerly prolongation of the center line of Potrero Avenue; thence southerly along said prolongation and along the center line of Potrero Avenue to the center line of Garvey Avenue; thence westerly along the center line of Garvey Avenue to the center line of Fremont Avenue; thence northwesterly along the center line of Fremont Avenue to the center line of Hellman Avenue; thence westerly along the center line of Hellman Avenue to the westerly boundary of the City of Alhambra as same existed on above mentioned date; thence northerly along the boundary of said last mentioned city and following the same in all its various courses to its first intersection with the boundary of the City of San Marino as same existed on above mentioned date; thence northwesterly along the boundary of said last mentioned city and following the same in all its various courses to the point of beginning shall constitute the Fifty-third Assembly District.

54. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the most southerly corner of the City of Glendale as the same existed on March 1, 1951, said southerly corner lying on the southwesterly line of the Southern Pacific Railroad Company's right of way (Valley Line) being also an angle point in the boundary of the City of Los Angeles, as the same existed on the above mentioned date; thence northeasterly along the boundary of said last mentioned city and following the same in all its various courses to an angle point therein; said angle point being the northerly terminus of the westerly boundary of the City of South Pasadena, as the same existed on above mentioned date; thence easterly along the boundary of the City of South Pasadena, and following the same in all its various

courses to the first intersection with the boundary of the City of Los Angeles as same existed on above mentioned date; thence southerly along the boundary of the City of Los Angeles, and following the same in all its various courses to the center line of the Southern Pacific Railroad Company's right of way (Main Line); thence westerly along the center line of said Southern Pacific Railroad Company's right of way to the southeasterly prolongation of the center line of Endicott Street; thence northwesterly along the southeasterly prolongation of the center line of Endicott Street and the center line of Endicott Street to the center line of Lombardy Boulevard; thence northwesterly along the center line of Lombardy Boulevard to the center line of Eastern Avenue, thence northerly along the center line of Eastern Avenue to the center line of the Pacific Electric Railway Company's right of way (in Huntington Drive); thence westerly along the center line of said last mentioned Pacific Electric Railway Company's right of way to the center line of Topaz Street; thence northwesterly along the center line of Topaz Street to the center line of Galena Street; thence northerly along the center line of Galena Street to the center line of Sardonyx Street; thence northerly along the center line of Sardonyx Street to the center line of Mercury Avenue; thence easterly along the center line of Mercury Avenue to the center line of Boundary Avenue; thence northerly along the center line of Boundary Avenue to the northerly Patent boundary line of the City of Los Angeles; thence westerly along said northerly Patent boundary line and its westerly prolongation to the center line of Avenue 45, thence northwesterly along the center line of Avenue 45 to the center line of Figueroa Street; thence southwesterly along the center line of Figueroa Street to the center line of Avenue 44, lying between Figueroa Street and Marmion Way; thence northwesterly along the center line of Avenue 44 and its northwesterly prolongation to the center line of Marmion Way; thence southwesterly along the center line of Marmion Way to the center line of Arroyo Seco Avenue; thence southwesterly along the center line of Arroyo Seco Avenue to the center line of Avenue 37; thence northwesterly along the center line of Avenue 37 to the center line of Figueroa Street; thence southwesterly along the center line of Figueroa Street to the center line of Amabel Street, thence northwesterly along the center line of Amabel Street to the center line of Isabel Street; thence westerly along the center line of Isabel Street to the center line of Bank Street; thence southwesterly along the center line of Bank Street to the center line of Avenue 30; thence northwesterly along the center line of Avenue 30 to the center line of Division Street; thence southwesterly along the center line of Division Street and its southwesterly prolongation to the southwesterly line of the Southern Pacific Railroad Company's right of way (Valley Line); thence southeasterly along the southwesterly line of said right of way to the southwesterly prolongation of the center line of that portion of Granada Street lying between Cypress Avenue and San Fernando Road; thence southwesterly along said last mentioned prolongation to the center line of the Official Bed of the Los Angeles River; thence northwesterly along the center line of said Los Angeles River to the northeasterly prolongation of the center line of Dallas Street; thence southwesterly along said last mentioned prolongation and center line of Dallas Street to the center line of Riverside Drive; thence northwesterly along the center line of Riverside Drive to the southwesterly prolongation of the center line of Tyburn Street; thence northeasterly along said prolongation and center line of Tyburn Street to the point of beginning, shall constitute the Fifty-fourth Assembly District

55. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the center lines of Florence Avenue and Main Street; thence easterly along the center line of Florence Avenue to the center line of Alameda Street; thence southerly along the center line of Alameda Street to the center line of Firestone Boulevard; thence southeasterly along the center line of Firestone Boulevard to the westerly boundary of the City of South Gate, as same existed on March 1, 1951; thence southerly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in said boundary, said angle point being at or near the intersection of the center line of Santa Fe Avenue and the south line of Tweedy Boulevard; thence due north to the center line of Tweedy Boulevard; thence easterly along the center line of Tweedy Boulevard to the first intersection with the northwesterly boundary of the City of Lynwood, as same existed on above mentioned date; thence northerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Tweedy Boulevard; thence easterly along the center line of Tweedy Boulevard to the center line of Atlantic Avenue; thence southerly along the center line of Atlantic Avenue to the intersection with the southerly boundary of the City of South Gate, as same existed on above mentioned date; thence easterly and southerly along the boundary of said last mentioned city to an angle point therein, said angle point being also in the center line of Imperial Highway; thence westerly along the center line of Imperial Highway and following the same in all its various courses to the westerly boundary of the City of Lynwood, as same existed on above mentioned date; thence southeasterly along the boundary of said last mentioned city and following the same in all its various courses to the intersection with the boundary of the City

of Compton, as same existed on above mentioned date, said point of intersection being at or near the center line of Alameda Street; thence southeasterly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Wilmington Avenue, thence northerly along the center line of Wilmington Avenue to an angle point in the boundary of said last mentioned city, said angle point being at or near the intersection of the center lines of El Segundo Boulevard and Wilmington Avenue; thence northerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of El Segundo Boulevard; thence westerly along the center line of El Segundo Boulevard to the center line of Avalon Boulevard, thence northerly along the center line of Avalon Boulevard to the boundary of the City of Los Angeles, as same existed on above mentioned date; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Athens Way (westerly roadway); thence northerly along the center line of Athens Way to the center line of Imperial Highway; thence easterly along the center line of Imperial Highway to the center line of Athens Way; thence northerly along the center lines of Athens Way and Broadway to the center line of 94th Street; thence easterly along the center line of 94th Street to the center line of Main Street; thence northerly along the center line of Main Street to the point of beginning, shall constitute the Fifty-fifth Assembly District.

56. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the northwesterly corner of Section 36, Township 1 North, Range 14 West, S. B. B & M.; thence easterly along section lines to the center line of the Los Angeles River; thence southerly along the center line of said Los Angeles River to the westerly prolongation of the center line of Chevy Chase Drive, thence easterly along said westerly prolongation and the center line of Chevy Chase Drive to the westerly boundary of the City of Glendale, as same existed on March 1, 1951; thence southerly along the boundary of said city and following the same in all its various courses to the center line of Tyburn Street; thence southwesterly along the center line of Tyburn Street and the southwesterly prolongation thereof to the center line of Riverside Drive; thence southeasterly along the center line of Riverside Drive to the southwesterly prolongation of the center line of Dallas Street; thence southwesterly along said last mentioned prolongation to the center line of Chavez Ravine Drive, thence southeasterly along the center line of Chavez Ravine Drive and following the same in all its various courses to the center line of Elysian Park Drive; thence southwesterly along the center line of Elysian Park Drive and the southwesterly prolongation thereof to the center line of Scott Avenue (Elysian Park Drive and Chavez Ravine Drive are park roads lying within Elysian Park as per Ordinance No 37351 of the City of Los Angeles); thence southwesterly along the center line of Scott Avenue to the center line of Portia Street; thence southwesterly along the center line of Portia Street to the northwesterly prolongation of the center line of that certain alley lying adjacent to and parallel with the northerly line of Block 6, of Golden West Heights, as shown on map recorded in Book 34, page 91, of Miscellaneous Records, in the office of the Recorder of the County of Los Angeles; thence southeasterly along said last mentioned prolongation and center line of said alley to the center line of Sutherland Street; thence southwesterly along the center line of Sutherland Street to the center line of Macbeth Street; thence southeasterly along the center line of Macbeth Street to the center line of Quintero Street; thence southwesterly along the center line of Quintero Street to the center line of Sunset Boulevard; thence northwesterly along the center line of Sunset Boulevard to the center line of Glendale Boulevard; thence southerly along the center line of Glendale Boulevard to the northwesterly prolongation of the center line of Second Street; thence southeasterly along said northwesterly prolongation and center line of Second Street to the southwesterly prolongation of the center line of Boylston Street; thence southwesterly along said prolongation of the center line of Boylston Street to the easterly prolongation of the center line of Huntley Drive; thence westerly along said prolongation and center line of Huntley Drive to the center line of Boylston Street; thence southwesterly along the center line of Boylston Street to the center line of Sixth Street; thence southeasterly along the center line of Sixth Street and the southeasterly prolongation thereof to the center line of the Harbor Parkway; thence southwesterly along the center line of the Harbor Parkway to the center line of Eighth Street; thence northwesterly along the center line of Eighth Street to the center line of Alvarado Street; thence northeasterly along the center line of Alvarado Street to the center line of Seventh Street; thence northwesterly along the center line of Seventh Street to the center line of Vermont Avenue; thence northerly along the center line of Vermont Avenue to the center line of Beverly Boulevard; thence westerly along the center line of Beverly Boulevard to the center line of Western Avenue; thence northerly along the center line of Western Avenue to the center line of Los Feliz Boulevard; thence northeasterly along the center line of Los Feliz Boulevard to the southwesterly prolongation of the center line of a private street known as Fern Dell Drive; thence northeasterly along said prolongation and center line of Fern Dell Drive and the northerly prolongation thereof to the southerly boundary of Griffith Park; as shown on County

Surveyor's Map No. 2325 on file in the office of the Surveyor of said county; thence westerly and northerly along the boundary of Griffith Park to the point of beginning, shall constitute the Fifty-sixth Assembly District.

57. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the center lines of Van Nuys Boulevard and Riverside Drive; thence easterly along the center line of Riverside Drive and following the same in all its various courses to the westerly boundary of the City of Burbank as same existed on March 1, 1951; thence southeasterly along the westerly boundary of said City of Burbank to the most southerly corner of said city, being a point in the easterly line of the Rancho Ex-Mission de San Fernando as shown on map recorded in Book 1, page 605, of Patents in the office of the Recorder of the County of Los Angeles; thence southerly along said last mentioned easterly line and following the same in all its various courses to the northerly line of Section 34, Township 1 North, Range 14 West, S. B. B. & M.; thence easterly along section lines to the westerly boundary of Griffith Park as shown on County Surveyor's Map No. 2325 on file in the office of the Surveyor of said County; thence southerly and easterly along the boundary of said Griffith Park to the center line of a private street known as Fern Dell Drive; thence southerly along the center line of said Fern Dell Drive to the center line of Los Feliz Boulevard; thence southwesterly along the center line of Los Feliz Boulevard to the center line of Western Avenue; thence southerly along the center line of Western Avenue to the center line of Melrose Avenue; thence westerly along the center line of Melrose Avenue to the center line of Cahuenga Boulevard; thence northerly along the center line of Cahuenga Boulevard to the center line of Sunset Boulevard; thence westerly along the center line of Sunset Boulevard to the center line of Hayworth Avenue; thence southerly along the center line of Hayworth Avenue to the boundary of the City of Los Angeles as same existed on above mentioned date; thence easterly along said last mentioned boundary of the City of Los Angeles and following the same in all its various courses to the first intersection with the center line of Fairfax Avenue; thence southerly along the center line of Fairfax Avenue to the boundary of said City of Los Angeles; thence westerly along said last mentioned boundary and following the same in all its various courses to the easterly boundary of the City of Beverly Hills as same existed on above mentioned date; thence northerly along said last mentioned boundary and following the same in all its various courses to the northerly terminus of the most westerly line of said last mentioned boundary, being an angle point in the southerly line of fractional Section 11, Township 1 South, Range 15 West, S. B. B. & M.; thence westerly along section lines to the southwesterly corner of fractional Section 10, said township and range, being a point in the northeasterly boundary of the Rancho San Vicente y Santa Monica as shown on map recorded in Book 3, pages 30 and 31, of Patents in the office of the recorder of said county; thence northwesterly along said last mentioned boundary to the southerly boundary of that certain territory annexed to said City of Los Angeles, and known as the San Fernando Addition; said point being also the northwest corner of Fractional Section 33, Township 1 North, Range 15 West, S. B. B. & M.; thence northeasterly along a direct line to the intersection of the center lines of Oakfield Drive and Van Nuys Boulevard; thence northwesterly along the center line of Van Nuys Boulevard and following the same in all its various courses to the point of beginning, shall constitute the Fifty-seventh Assembly District.

58. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the center lines of Sunset Boulevard and Hayworth Avenue; thence easterly along the center line of Sunset Boulevard to the center line of Cahuenga Boulevard; thence southerly along the center line of Cahuenga Boulevard to the center line of Melrose Avenue; thence easterly along the center line of Melrose Avenue to the center line of Western Avenue; thence southerly along the center line of Western Avenue to the center line of Beverly Boulevard; thence easterly along the center line of Beverly Boulevard to the center line of Vermont Avenue; thence southerly along the center line of Vermont Avenue to the center line of Seventh Street; thence easterly along the center line of Seventh Street to the center line of Westmoreland Avenue; thence southerly along the center line of Westmoreland Avenue to the center line of Ninth Street; thence westerly along the center line of Ninth Street to the center line of Western Avenue; thence southerly along the center line of Western Avenue to the center line of Washington Boulevard; thence westerly along the center line of Washington Boulevard to the center line of West Boulevard; thence northeasterly along the center line of West Boulevard and its northeasterly prolongation to the center line of the Pacific Electric Co.'s right of way (in San Vicente Boulevard); thence northwesterly along the center line of said right of way to the center line of Stanley Avenue; thence northeasterly along the center line of Stanley Avenue to the center line of Wilshire Boulevard; thence westerly along the center line of Wilshire Boulevard to the center line of Fairfax Avenue; thence northerly along the center line of Fairfax Avenue to Third Street; thence easterly along the center

line of Third Street to the center line of La Brea Avenue; thence northerly along the center line of La Brea Avenue to the center line of Willoughby Avenue; thence westerly along the center line of Willoughby Avenue to the boundary of the City of Los Angeles as same existed March 1, 1951, said boundary being on the center line of Willoughby Avenue; thence westerly along the boundary of said last mentioned city to the center line of Fairfax Avenue; thence northerly along the center line of Fairfax Avenue to the boundary of the City of Los Angeles as same existed on above mentioned date; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Hayworth Avenue; thence northerly along the center line of Hayworth Avenue to the point of beginning, shall constitute the Fifty-eighth Assembly District.

59 All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the center line of Beverly Glen Boulevard and the northerly boundary of the Rancho San Jose De Buenos Ayres, as shown on map recorded in Book 26, pages 19 to 25, inclusive, of Miscellaneous Records, in the office of the Recorder of the County of Los Angeles; thence northeasterly along said boundary to the southwesterly corner of Fractional Section 10, Township 1 South, Range 15 West, S. B. B. & M.; thence southeasterly along the southwesterly line of said section and easterly along section lines to the northerly boundary of the City of Beverly Hills, as same existed on March 1, 1951; thence easterly along the boundary of said city and following the same in all its various courses to the intersection with the boundary of the City of Los Angeles, as same existed on above mentioned date, said point of intersection being at or near the center line of Doheny Drive and south of Beverly Boulevard; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to the center line of the Pacific Electric Railway Company's right of way in San Vicente Boulevard; thence southeasterly along the center line of said right of way to the center line of La Cienega Boulevard; thence due west from the center line of La Cienega Boulevard to the easterly boundary of the City of Beverly Hills, as same existed on above mentioned date; thence southeasterly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Robertson Boulevard (south of Whitworth Drive); thence southerly along the center line of Robertson Boulevard to the center line of Adams Boulevard, thence westerly along the center line of Adams Boulevard and following the same in all its various courses to its westerly terminus, as shown on map of Tract No 14212, recorded in Book 308, pages 30 to 32, of Maps, in the office of said recorder; thence northwesterly in a direct line to the intersection of the center lines of Adams Boulevard and Beverly Drive; thence westerly along the center line of Adams Boulevard and following the same in all its various courses to the center line of Beverwil Drive; thence northerly along the center line of Beverwil Drive to the easterly prolongation of the southerly line of Tract No 13945, as shown on map recorded in Book 338, pages 43 and 44, of said Maps; thence westerly along said prolongation and southerly line of Tract No 13945 to the center line of Anchor Avenue; thence northerly along the center line of Anchor Avenue and following the same in all its various courses to the center line of Monte Mar Place, then southwesterly along the center line of Monte Mar Place to the center line of Monte Mar Terrace; thence northwesterly along the center line of Monte Mar Terrace to the center line of McConnell Drive; thence northwesterly along the center line of McConnell Drive to the center line of Monte Mar Drive; thence southwesterly along the center line of Monte Mar Drive to the center line of Lorenzo Drive; thence southeasterly along the center line of Lorenzo Drive to the center line of Motor Avenue; thence southeasterly along the center line of Motor Avenue and following the same in all its various courses to the northwesterly boundary of the City of Culver City, as same existed on above mentioned date; thence southwesterly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in said last mentioned city boundary; said point being in the northwesterly prolongation of the northeasterly line of Bledsoe Avenue; thence northwesterly along said last mentioned prolongation to the center line of the Pacific Electric Railway Company's right of way (in Venice Boulevard); thence southwesterly along the center line of said last mentioned right of way to the center line of Centinela Avenue, thence northwesterly along the center line of Centinela Avenue and Bundy Drive to a point due east of the most easterly corner of the City of Santa Monica, as same existed on above mentioned date; thence due west to said corner; thence along the boundary of said city and following the same in all its various courses to the center line of Santa Monica Boulevard; thence northeasterly along the center line of Santa Monica Boulevard to the center line of Manning Avenue; thence northwesterly along the center line of Manning Avenue to the center line of Wilshire Boulevard; thence northeasterly along the center line of Wilshire Boulevard to the center line of Beverly Glen Boulevard; thence northwesterly along the center line of Beverly Glen Boulevard to the point of beginning, shall constitute the Fifty-ninth Assembly District

60. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the northwesterly boundary of the County of Los Angeles and the north line of Section 8, Township 1 South, Range 19 West, S. B. B. & M.; thence easterly along section lines to the northeast corner of Section 11, said last mentioned township and range; thence southerly along the easterly line of last mentioned section to the northwesterly corner of Section 13, said last mentioned township and range; thence easterly and southerly along the northerly and easterly lines of said last mentioned section to the northwesterly corner of Section 19, Township 1 South, Range 18 West, S. B. B. & M.; thence easterly along section lines to the first intersection with the boundary of the City of Los Angeles, as same existed March 1, 1951, thence northeasterly along the boundary of said city to the southerly boundary of the San Fernando Addition to said city; thence easterly along the southerly boundary of said addition to the northeasterly boundary of the Rancho San Vicente y Santa Monica, as shown on map recorded in Book 3, pages 30 and 31, of Patents, in the office of the Recorder of the County of Los Angeles; thence southeasterly along the boundary of said rancho, and following the same in all its various courses to the center line of Beverly Glen Boulevard; thence southerly along the center line of Beverly Glen Boulevard to the center line of Wilshire Boulevard; thence southwesterly along the center line of Wilshire Boulevard to the center line of Manning Avenue; thence southerly along the center line of Manning Avenue to the center line of the Pacific Electric Railway Company's right of way (in Santa Monica Boulevard); thence southwesterly along the center line of said last mentioned right of way and the center line of Santa Monica Boulevard to the northeasterly boundary of the City of Santa Monica, as same existed on above mentioned date; thence southeasterly along the boundary of said last mentioned city, and following the same in all its various courses to the center line of Lincoln Boulevard; thence northwesterly along the center line of Lincoln Boulevard to the center line of Pico Boulevard; thence southwesterly along the center line of Pico Boulevard and the southwesterly prolongation thereof to the southwesterly boundary of the County of Los Angeles, thence northwesterly along the boundary of said county, and following the same in all its various courses to the point of beginning, shall constitute the Sixtieth Assembly District.

61. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the boundary of the City of Los Angeles, as same existed on March 1, 1951 and the center line of the Pacific Electric Railway Co.'s right of way (in San Vicente Boulevard); thence easterly along the boundary of said City of Los Angeles and following the same in all its various courses to an angle point in said last mentioned boundary, being the intersection of the center line of Willoughby Avenue and the southerly prolongation of the westerly line of Tract No. 4885, as shown on map recorded in Book 45, page 87, of Maps, in the office of the Recorder of the County of Los Angeles; thence easterly along the center line of Willoughby Avenue to the center line of La Brea Avenue; thence southerly along the center line of La Brea Avenue to the center line of Third Street; thence westerly along the center line of Third Street and following the same in all its various courses to the center line of Fairfax Avenue; thence southerly along the center line of Fairfax Avenue to the center line of Wilshire Boulevard; thence easterly along the center line of Wilshire Boulevard to the center line of Stanley Avenue; thence southerly along the center line of Stanley Avenue and following the same in all its various courses to the center line of the Pacific Electric Railway Company's right of way (in San Vicente Boulevard); thence southwesterly along the center line of said last right of way to the center line of La Brea Avenue; thence southerly along the center line of La Brea Avenue to the center line of the Pacific Electric Railway Co.'s right of way (in Exposition Boulevard); thence westerly along the center line of said last mentioned right of way to the center line of Jefferson Boulevard; thence southerly along the center line of Jefferson Boulevard to the center line of Moynier Lane; thence southerly along the center line of Moynier Lane to the easterly boundary of said City of Culver City, as same existed on above mentioned date; thence southerly along last mentioned easterly boundary and following the same in all its various courses to the center line of La Cienega Boulevard; thence southerly along the center line of said La Cienega Boulevard and following the same in all its various courses to the northerly boundary of said City of Los Angeles; thence westerly along the boundary of said City of Los Angeles and following the same in all its various courses to the center line of Pershing Drive; thence southeasterly along the center line of Pershing Drive to the center line of Culver Boulevard; thence southwesterly along the center line of Culver Boulevard and following the same in all its various courses and the southwesterly prolongation thereof to the southwesterly boundary of said county; thence northwesterly along the boundary of said county and following the same in all its various courses to the southwesterly prolongation of the center line of Pico Boulevard; thence northeasterly along the center line of Pico Boulevard to the center line of Lincoln Boulevard; thence southeasterly along the center line of Lincoln Boulevard to the southwesterly boundary of the City of Santa Monica,

as same existed on above mentioned date; thence northeasterly along the boundary of said last mentioned city and following the same in all its various courses to the northeasterly corner of said last mentioned city; thence due east to the center line of Bundy Drive; thence southeasterly along the center line of Bundy Drive and the center line of Centinela Avenue to the center line of the Pacific Electric Railway Company's right of way (in Venice Boulevard); thence northeasterly along the center line of said last mentioned right of way to the northwesterly prolongation of the northeasterly line of Bledsoe Avenue; thence southeasterly along said last mentioned prolongation to the northwesterly boundary of the City of Culver City, as same existed on above mentioned date; thence northeasterly along said last mentioned boundary and following the same in all its various courses to the center line of Motor Avenue; thence northerly along the center line of Motor Avenue and following the same in all its various courses to the center line of Lorenzo Drive; thence westerly along the center line of Lorenzo Drive to the center line of Monte Mar Drive; thence northeasterly along the center line of Monte Mar Drive and following the same in all its various courses to the center line of McConnell Drive; thence easterly along the center line of McConnell Drive and following the same in all its various courses to the center line of Monte Mar Terrace; thence northeasterly along last mentioned center line and following the same in all its various courses to the center line of Monte Mar Place; thence northeasterly along last mentioned center line and following the same in all its various courses to the center line of Anchor Avenue; thence southerly along last mentioned center line to the southerly line of Tract No. 13945, as shown on map recorded in Book 338, pages 43 and 44, of Maps, in the office of said recorder; thence easterly along last mentioned southerly line and its easterly prolongation to the center line of Beverwil Drive; thence southerly along the center line of Beverwil Drive and following the same in all its various courses to the center line of Adams Boulevard; thence easterly along the center line of Adams Boulevard and following the same in all its various courses to the center line of Beverly Drive; thence southeasterly in a direct line to the most westerly terminus of Adams Boulevard, as shown on map of Tract No. 14212, recorded in Book 308, pages 30 to 32, inclusive, of said Maps; thence easterly along last mentioned center line of Adams Boulevard and following the same in all its various courses to the center line of Robertson Boulevard; thence northerly along the center line of Robertson Boulevard and following the same in all its various courses to the southerly boundary of said City of Beverly Hills, as same existed on above mentioned date; thence easterly and northerly along last mentioned boundary of said City of Beverly Hills and following the same in all its various courses to the center line of La Cienega Boulevard; thence due north to the center line of the Pacific Electric Railway Co.'s right of way (in San Vicente Boulevard); thence northwesterly along the center line of said last mentioned right of way to the point of beginning, shall constitute the Sixty-first Assembly District.

62. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the center lines of Union Avenue and Eighth Street; thence southeasterly along the center line of Eighth Street, and following the same in all its various courses to the center line of Figueroa Street; thence southwesterly along the center line of Figueroa Street to the center line of Ninth Street; thence southeasterly along the center line of Ninth Street to the center line of Alameda Street; thence southerly along the center line of Alameda Street to the boundary of the City of Los Angeles, as same existed March 1, 1951; thence westerly and southerly along the boundary of said city to an angle point in said boundary, said mentioned angle point being at or near the intersection of the center lines of Alameda Street and the Atchison, Topeka & Santa Fe Railway Company's right of way (Redondo Branch), said mentioned angle point being also a point in the southerly boundary of the City of Vernon, as same existed on above mentioned date; thence southeasterly along the boundary of said last mentioned city to its first intersection with the westerly boundary of the City of Huntington Park, as same existed on above mentioned date, thence southerly along the westerly boundary of said last mentioned city and following the same in all its various courses to the intersection with the center line of Florence Avenue; thence westerly along the center line of Florence Avenue to the center line of Main Street; thence northerly along the center line of Main Street to the center line of Slauson Avenue; thence westerly along the center line of Slauson Avenue to the center line of Broadway; thence northerly along the center line of Broadway to the center line of Broadway Place; thence northeasterly along the center line of Broadway Place to the center line of 39th Street; thence northwesterly along the center line of 39th Street to the center line of Flower Drive; thence northerly along the center line of Flower Drive to the center line of 38th Street; thence westerly along the center line of 38th Street to the center line of Figueroa Street; thence northerly and northeasterly along the center line of Figueroa Street to the center line of Washington Boulevard; thence northwesterly along the center line of Washington Boulevard to the center line of Union

Avenue; thence northeasterly along the center line of Union Avenue to the center line of Venice Boulevard; thence southeasterly along the center line of Venice Boulevard to the center line of Union Avenue; thence northeasterly along the center line of Union Avenue to the point of beginning, shall constitute the Sixty-second Assembly District.

63 All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the center lines of La Brea Avenue and the Pacific Electric Railway Company's right of way (in San Vincente Boulevard); thence southeasterly along the center line of said right of way to the center line of West Boulevard; thence southerly along the center line of West Boulevard to the center line of Washington Boulevard, thence easterly along the center line of Washington Boulevard to the center line of Vermont Avenue; thence southerly along the center line of Vermont Avenue to the center line of the Los Angeles Railway Company's right of way (in Santa Barbara Avenue); thence westerly along said last mentioned center line and following the same in all its various courses to the center line of Hyde Park Boulevard; thence westerly along said center line of Hyde Park Boulevard to the easterly boundary of the City of Inglewood, as same existed on March 1, 1951; thence northerly along said boundary of said last mentioned city and following the same in all its various courses to the center line of La Cienega Boulevard; as shown on map of Tract No 14461, recorded in Book 301, pages 40 and 41, of Maps, in the office of the Recorder of said county; thence northerly along the center line of La Cienega Boulevard to the northerly boundary of the City of Los Angeles, as same existed on above mentioned date; thence westerly along last mentioned boundary to the center line of La Cienega Boulevard, as shown on County Surveyor's Map No B-1914, Sheet 1, on file in the office of the Surveyor of said county; thence northerly along last mentioned center line and following the same in all its various courses to the southerly boundary of the City of Culver City, as same existed on above mentioned date; thence easterly along said boundary of the City of Culver City and following the same in all its various courses to the center line of Moynier Lane; thence northeasterly along the center line of Moynier Lane to the center line of Jefferson Boulevard; thence northerly along the center line of Jefferson Boulevard to the intersection with the center line of the Pacific Electric Railway Company's right of way (Santa Monica Air Line); thence southeasterly along the center line of said last mentioned right of way to the center line of La Brea Avenue; thence northeasterly along the center line of La Brea Avenue and following the same in all its various courses to the point of beginning, shall constitute the Sixty-third Assembly District

64. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the northerly line of Section 8, Township 1 South, Range 19 West, S. B. B. & M., and the northwesterly boundary of the County of Los Angeles; thence northeasterly along the boundary of said County and following the same in all its various courses to the northerly line of Fractional Section 33, Township 2 North, Range 17 West, S. B. B. & M.; thence easterly along section lines to the westerly boundary of the City of Los Angeles, as the same existed on March 1, 1951; thence southerly along the boundary of said City of Los Angeles to the westerly prolongation of the center line of the most westerly portion of Roscoe Boulevard; thence easterly along said prolongation and center line of Roscoe Boulevard to the center line of the Southern Pacific Railroad Company's right of way (Coast Line); thence southeasterly along the center line of said right of way to the center line of Coldwater Canyon Avenue; thence southerly along the center line of Coldwater Canyon Avenue and the southerly prolongation thereof and the center line of Coldwater Canyon Avenue to the center line of Riverside Drive; thence westerly along the center line of Riverside Drive to the center line of Van Nuys Boulevard; thence southerly along the center line of Van Nuys Boulevard and following the same in all its various courses to the center line of Oakfield Drive; thence southwesterly along a direct line to the northwesterly corner of Fractional Section 33, Township 1 North, Range 15 West, S. B. B. & M., said point being also in the southerly boundary of that certain territory annexed to the City of Los Angeles, and known as the San Fernando Addition; thence westerly along the boundary of said last-mentioned addition and following the same in all its various courses to an angle point in the boundary of the City of Los Angeles as the same existed on above mentioned date, said angle point being also the most easterly corner of Fractional Section 33, Township 1 North, Range 16 West, S. B. B. & M.; thence southwesterly along the boundary of said last-mentioned city to the southerly line of Fractional Section 18, Township 1 South, Range 16 West, S. B. B. & M.; thence westerly along section lines to the southeast corner of Section 13, Township 1 South, Range 19 West, S. B. B. & M.; thence northerly and westerly along the easterly and northerly lines of said Section 13 to the southeast corner of Section 11, said last-mentioned Township and Range; thence northerly along the easterly line of said last-mentioned section to the northeast corner thereof; thence westerly along section lines to the point of beginning, shall constitute the Sixty-fourth Assembly District.

65. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the center lines of Ninth Street and Western Avenue; thence easterly along the center line of Ninth Street to the center line of Westmoreland Avenue; thence northerly along the center line of Westmoreland Avenue to the center line of Seventh Street; thence easterly along the center line of Seventh Street and following the same in all its various courses to the center line of Alvarado Avenue; thence southwesterly along the center line of Alvarado Avenue to the center line of Eighth Street, thence southeasterly along the center line of Eighth Street to the center line of Union Avenue; thence southeasterly along the center line of Union Avenue to the center line of Venice Boulevard; thence northwesterly along the center line of Venice Boulevard to the center line of Union Avenue; thence southwesterly along the center line of Union Avenue to the center line of Washington Boulevard; thence southeasterly along the center line of Washington Boulevard to the center line of Figueroa Street; thence southwesterly and southerly along the center line of Figueroa Street to the center line of 38th Street; thence easterly along the center line of 38th Street to the center line of Flower Drive; thence southerly along the center line of Flower Drive to the center line of 39th Street; thence southeasterly along the center line of 39th Street to the center line of Broadway Place; thence southwesterly along the center line of Broadway Place to the center line of Broadway; thence southerly along the center line of Broadway to the center line of Slauson Avenue; thence westerly along the center line of Slauson Avenue to the center line of the Los Angeles Railway Company's right of way (in Crenshaw Boulevard); thence northerly along the center line of said right of way and following the same in all its various courses to the center line of Vermont Avenue; thence northerly along the center line of Vermont Avenue to the center line of Washington Boulevard; thence westerly along the center line of Washington Boulevard to the center line of Western Avenue; thence northerly along the center line of Western Avenue to the point of beginning, shall constitute the Sixty-fifth Assembly District.

66. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the center lines of Slauson Avenue and the Los Angeles Railway Company's right of way in Crenshaw Boulevard; thence easterly along the center line of Slauson Avenue to the center line of Main Street; thence southerly along the center line of Main Street to the center line of 94th Street; thence westerly along the center line of 94th Street to the easterly boundary of the City of Inglewood, as same existed March 1, 1951; thence northerly along the boundary of said city and following the same in all its various courses to the center line of the Atchison, Topeka and Santa Fe Railway Company's right of way (Redondo Branch); thence southwesterly along the center line of said last mentioned right of way and following the same in all its various courses to the center line of Manchester Avenue; thence westerly along the center line of Manchester Avenue and following the same in all its various courses to the center line of Vista Del Mar; thence southwesterly on a southwesterly prolongation of the center line of Manchester Avenue to the center line of Trolley Way; thence northerly along the center line of Trolley Way to the northeasterly prolongation of the center line of Surf Street; thence southwesterly along said prolongation, the center line of Surf Street and the southwesterly prolongation thereof to the southwesterly boundary of the County of Los Angeles; thence northwesterly along the boundary of said county to the southwesterly prolongation of the center line of that portion of Culver Boulevard lying between Trolley Way and Ocean Front Walk; thence northeasterly along said southwesterly prolongation and center line of Culver Boulevard and following the same in all its various courses to the center line of Pershing Drive (from the northwest); thence northwesterly along the center line of Pershing Drive to the northwesterly boundary of the City of Los Angeles, as same existed on above mentioned date; thence northeasterly along the boundary of said city and following the same in all its various courses to the center line of La Cienega Boulevard, said center line being at the intersection with the northerly boundary of Tract No. 14461, as shown on map recorded in Book 301, pages 40 and 41, of Maps, in the office of the Recorder of the County of Los Angeles; thence southerly along the center line of La Cienega Boulevard to the northerly boundary of the City of Inglewood, as same existed on above mentioned date; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Hyde Park Boulevard; thence easterly along the center line of Hyde Park Boulevard to the center line of the Los Angeles Railway Company's right of way in Crenshaw Boulevard; thence northerly along the center line of said right of way to the point of beginning, shall constitute the Sixty-sixth Assembly District.

67. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the center line of 94th Street and the easterly boundary of the City of Inglewood as same existed March 1, 1951; thence easterly along the center line of 94th Street to the easterly boundary of the City of Los

Angeles (in Normandie Avenue); thence southerly along the boundary of said last mentioned city to the center line of 94th Street; thence easterly along the center line of 94th Street to the westerly boundary of said last mentioned city (in Vermont Avenue); thence northerly along the boundary of said city to the center line of 94th Street; thence easterly along the center line of 94th Street to the center line of Broadway; thence southerly along the center lines of Broadway and Athens Way to the center line of Imperial Highway; thence westerly along the center line of Imperial Highway to the center line of Athens Way (westerly roadway); thence southerly along the center line of Athens Way to the southerly boundary of the said last mentioned City of Los Angeles; thence easterly along the boundary of said last mentioned city to the center line of Avalon Boulevard; thence southerly along the center line of Avalon Boulevard to the center line of Rosecrans Avenue; thence westerly along the center line of Rosecrans Avenue to the center line of San Pedro Street; thence southerly along the center lines of San Pedro Street and Avalon Boulevard to the center line of 165th Street; thence westerly along the center line of 165th Street to the center line of Main Street; thence southerly along the center line of Main Street to the center line of Victoria Street; thence southwesterly along the center line of Victoria Street to the easterly boundary of the said last mentioned City of Los Angeles, thence southerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Vermont Avenue; thence northerly along the center line of Vermont Avenue to the center line of 190th Street; thence southwesterly and westerly along the center line of 190th Street to the easterly boundary of the City of Torrance as same existed on above mentioned date; thence northerly along the boundary of said last mentioned city and following the same in all its various courses to the easterly boundary of the City of Redondo Beach as same existed on above mentioned date; thence southerly along the boundary of said last mentioned city and following the same in all its various courses to its intersection with the center line of Flogler Lane, said point being also at or near the intersection of the center lines of Beryl Street and Flogler Lane; thence northerly along the center line of Flogler Lane to the center line of Redondo Beach Boulevard; thence westerly along the center line of Redondo Beach Boulevard to an angle point in the southeasterly boundary of the City of Manhattan Beach, as same existed on above mentioned date, thence northerly along the boundary of said last mentioned city and following the same in all its various courses to the southerly boundary of the City of El Segundo as same existed on above mentioned date; thence northerly along the boundary of said last mentioned city to the center line of Imperial Highway; thence easterly along the center line of Imperial Highway to the easterly boundary of the City of Los Angeles (in Freeman Avenue) as same existed on above mentioned date; thence southerly along the boundary of said last mentioned city and following the same in all its various courses to the northerly boundary of the City of Hawthorne as same existed on above mentioned date; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Prairie Avenue; thence northerly along the center line of Prairie Avenue to the center line of Imperial Highway; thence easterly along the center line of Imperial Highway to the westerly boundary of the City of Inglewood as same existed on above mentioned date; thence northerly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in the boundary of said last mentioned city at or near the northwesterly corner of Crenshaw Boulevard and Imperial Highway; thence due south to the center line of Imperial Highway; thence easterly along the center line of Imperial Highway to the center line of Van Ness Avenue; thence northerly along the center line of Van Ness Avenue to the southerly boundary of the said last mentioned City of Inglewood; thence northerly along the boundary of said last mentioned city to the point of beginning, shall constitute the Sixty-seventh Assembly District.

68. All that part of the County of Los Angeles within the following described boundaries:

Beginning at an angle point in the boundary of the City of Torrance, as same existed March 1, 1951, said angle point being at or near the intersection of the center lines of Redondo Beach Boulevard and Hawthorne Avenue; thence northeasterly along the boundary of said city and following the same in all its various courses to the center line of 190th Street; thence easterly and northeasterly along the center line of 190th Street to the center line of Vermont Avenue; thence southerly along the center line of Vermont Avenue to its first intersection with the southeasterly boundary of the City of Los Angeles, as same existed on above mentioned date; thence northeasterly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Victoria Street; thence northeasterly along the center line of Victoria Street to the center line of Main Street; thence northerly along the center line of Main Street to the center line of 165th Street; thence easterly along the center

line of 165th Street to the center line of Avalon Boulevard; thence northerly along the center lines of Avalon Boulevard and San Pedro Street to the center line of Rosecrans Avenue; thence easterly along the center line of Rosecrans Avenue to the center line of Central Avenue (from the south), thence southerly along the center line of Central Avenue to the center line of 168th Street; thence easterly along the center line of 168th Street to the southerly prolongation of the center line of Northwood Avenue; thence northerly along said prolongation to an angle point in the City of Compton, as same existed on above mentioned date; thence easterly along the boundary of said last mentioned city to the first intersection with the westerly boundary of the City of Long Beach, as same existed on above mentioned date; thence southerly along the boundary of said last mentioned city and following the same in all its various courses to the first intersection with the easterly boundary of the City of Los Angeles, as same existed on above mentioned date; thence southerly along the boundary of said last mentioned city and following the same in all its various courses to its intersection with the southerly boundary of the County of Los Angeles; thence westerly along the boundary of said County of Los Angeles and following the same in all its various courses to its first intersection with the southwesterly boundary of the City of Los Angeles, as same existed on above mentioned date, thence northeasterly along said last mentioned boundary and following the same in all its various courses to an angle point in said last mentioned boundary, said point being at or near the northwest corner of Tract No. 10962, as shown on map recorded in Book 250, pages 30 and 31, of Maps, in the office of the Recorder of the County of Los Angeles; thence due west to the center line of Western Avenue; thence northerly along the center line of Western Avenue to its intersection with the southerly line of Tract No. 2937, as shown on map recorded in Book 37, page 26, of Maps, in the office of the Recorder of the County of Los Angeles; thence westerly along the southerly boundaries of said last mentioned tract and Tract No. 3377, as shown on map recorded in Book 37, page 9, of Maps, in the office of the Recorder of the County of Los Angeles to the southwest corner of Lot 111, said last mentioned tract; thence southwesterly and westerly along the easterly and southerly lines of Tract No. 954, as shown on maps recorded in Book 17, page 16, of Maps, in the office of the Recorder of the County of Los Angeles to the southwesterly corner of said last mentioned tract, said corner being also on the boundary line of the City of Los Angeles, as same existed on above mentioned date; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Wilmington Street; thence northerly along the center line of Wilmington Street to the center line of 242d Street; thence easterly along the center line of 242d Street to the center line of Newton Street; thence northwesterly along the center line of Newton Street to the center line of Pacific Coast Highway; thence northwesterly along the center line of Pacific Coast Highway to the easterly boundary of the City of Torrance, as same existed on above mentioned date; thence northerly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in said boundary at or near the southeasterly corner of Block 70, Tract No. 10019, as shown on map recorded in Book 182, pages 1 to 13, inclusive, of Maps, in the office of the Recorder of the County of Los Angeles, being also an angle point in the boundary of the City of Redondo Beach, as same existed on above mentioned date; thence northerly along the boundary of said last mentioned city to an angle point in the boundary of the City of Torrance, as same existed on above mentioned date, at or near the intersection of Beryl Street and Flagler Lane; thence northeasterly along the boundary of said last mentioned city and following the same in all its various courses to the point of beginning, shall constitute the Sixty-eighth Assembly District.

69. All that part of the County of Los Angeles within the following described boundaries:

Beginning at the intersection of the center lines of Avalon Boulevard and El Segundo Boulevard; thence easterly along the center line of Avalon Boulevard to a point in the westerly boundary of the City of Compton, as same existed on March 1, 1951, said point being also at or near the intersection of the center line of El Segundo Boulevard and the east line of Central Avenue; thence northerly along the boundary of the aforesaid City of Compton and following the same in all its various courses to an angle point therein, said angle point being also at or near the intersection of the center lines of El Segundo Boulevard and Wilmington Avenue; thence southerly along the center line of Wilmington Avenue to a point in the boundary of aforesaid City of Compton, said point being at or near the intersection of the center line of Wilmington Avenue and the north line of Cressey Street; thence northeasterly along the boundary of aforesaid City of Compton and following the same in all its various courses to the southerly boundary of the City of Lynwood, as same existed on above mentioned date; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Imperial Highway; thence easterly along the center line of Imperial Highway and following the same in all its various courses to an angle point in the easterly boundary of said last mentioned city; thence northerly

and westerly along the boundary of said last mentioned city to the center line of Atlantic Avenue, thence northerly along the center line of Atlantic Avenue to its intersection with the center line of Rayo Avenue; thence northeasterly along the center line of Rayo Avenue to the center line of Southern Avenue; thence easterly along the center line of Southern Avenue to its intersection with the center line of Stewart and Gray Road; thence southeasterly along the center line of Stewart and Gray Road, the easterly prolongation of the center line of Stewart and Gray Road, and the center line of Stewart and Gray Road to the center line of Downey Avenue; thence northeasterly along the center line of Downey Avenue and following the same in all its various courses to the center line of Gallatin School House Road; thence southeasterly along the center line of Gallatin School House Road to the center line of Stoakes Avenue; thence northeasterly along the center line of Stoakes Avenue to the center line of Anaheim Telegraph Road; thence southeasterly along the center line of Anaheim Telegraph Road to the center line of the official bed of the San Gabriel River; thence southwesterly along the center line of said river and following the same in all its various courses to a point due east of an angle point in the boundary of the City of Long Beach, as same existed on above mentioned date, said angle point being at the intersection of the southwest line of the right of way of the new San Gabriel River Levee District, as shown on County Surveyor's Map No. 7561 on file in the office of the Surveyor of the County of Los Angeles, with the easterly prolongation of the southerly line of Tract No. 5023, as shown on map recorded in Book 58, page 1, of Maps, in the office of the recorder of said county; thence due west to said last mentioned angle point; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in said boundary at or near the northeasterly corner of Harbor Avenue and Greenleaf Drive, said angle point being on the southerly boundary of the City of Compton, as same existed on above mentioned date; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in the boundary of said last mentioned city at or near the northwest corner of the intersection of Northwood Avenue and 168th Street; thence due south to the center line of 168th Street; thence westerly along the center line of 168th Street to the center line of Central Avenue; thence northerly along the center line of Central Avenue to the center line of Rosecrans Avenue; thence westerly along the center line of Rosecrans Avenue to the center line of Avalon Boulevard; thence northerly along the center line of Avalon Boulevard to the point of beginning, shall constitute the Sixty-ninth Assembly District.

70. All that part of the County of Los Angeles within the following described boundaries:

Beginning at an angle point in the boundary of the City of Long Beach as same existed March 1, 1951, at or near the northeasterly corner of 70th Street and Orange Avenue; thence easterly along the boundary of said city and following the same in all its various courses to the southeasterly boundary of the County of Los Angeles; thence southwesterly along the boundary of said county and following the same in all its various courses to the southerly prolongation of the center line of 16th Place; thence northerly along said last mentioned prolongation and center line of 16th Place to the center line of Ocean Boulevard; thence westerly along the center line of Ocean Boulevard to the center line of Cherry Avenue; thence northerly along the center line of Cherry Avenue to the center line of Fourth Street; thence westerly along the center line of Fourth Street to the center line of Orange Avenue; thence northerly along the center line of Orange Avenue to a point due west of an angle point in the boundary of said City of Long Beach at or near the northeasterly corner of 70th Street and Orange Avenue; thence due east to the point of beginning, shall constitute the Seventieth Assembly District.

71. The County of Riverside shall constitute the Seventy-first Assembly District.

72. All that portion of the County of San Bernardino within the following described boundaries:

Beginning at the intersection of the north line of Section 28, Township 3 North, Range 7 West, S. B. B & M., San Bernardino County, State of California, with the county boundary line between San Bernardino and Los Angeles Counties; thence easterly along section lines to the northeast corner of Section 27 of aforesaid Township 3 North, Range 7 West; thence southerly along section line to the southeast corner of said Section 27; thence easterly along section lines to the northeast corner of the west half of Section 31, Township 3 North, Range 6 West; thence southerly along the east line of the west half of said Section 31 to the southeast corner thereof; thence easterly along the township line between Townships 2 and 3 North to the northeast corner of Section 5, Township 2 North, Range 6 West; thence southerly along section line to the southeast corner of said Section 5; thence easterly along section line to the northeast corner of Section 9, same township and range; thence southerly along section line to the northwest corner of the south half of Section 10, same township and range; thence easterly along the north line of the south half of

said Section 10 to the northeast corner thereof; thence southerly along section line to the southeast corner of said Section 10; thence easterly along section line to the northeast corner of the west half of Section 14, same township and range; thence southerly along the east line of the west half of said Section 14 and Section 23, same township and range, to the southeast corner of the west half of said Section 23; thence easterly along section lines to the northeast corner of Section 25, same township and range; thence southerly along the range line between Ranges 5 and 6 West to the northwest corner of Section 31, Township 2 North, Range 5 West; thence easterly along section line to the northeast corner of said Section 31; thence southerly along section line to the southeast corner of said Section 31; thence westerly along township line between Townships 1 and 2 North to the northeast corner of Section 6, Township 1 North, Range 5 West; thence southerly along the east line of said Section 6 and along the extension of said line southerly to an intersection with the center line of the main channel of Lytle Creek; thence southeasterly following the center line of the main channel of said Lytle Creek to an intersection with the range line between Ranges 4 and 5 West; thence southerly along said range line to an intersection with the center line of Base Line Street; thence easterly along said Base Line Street to an intersection with the center line of Sterling Avenue; thence southerly along the center line of said Sterling Avenue to an intersection with the center line of the main channel of the Santa Ana River; thence southwesterly along the center line of the main channel of said Santa Ana River to an intersection with the county boundary line between San Bernardino and Riverside Counties; thence westerly, northerly and westerly following said boundary line between San Bernardino County and the Counties of Riverside, Orange and Los Angeles along its various courses to an intersection with the north line of aforesaid Section 28, Township 3 North, Range 7 West, S. B. B & M., being the place of beginning, shall constitute the Seventy-second Assembly District.

73. All that portion of the County of San Bernardino not included within the Seventy-second Assembly District, as fixed and defined by this section, shall constitute the Seventy-third Assembly District.

74. All that portion of the County of Orange lying south and east of the middle of the channel of the Santa Ana River shall constitute the Seventy-fourth Assembly District.

75. All that portion of the County of Orange not included in the Seventy-fourth Assembly District, as fixed and defined by this section, shall constitute the Seventy-fifth Assembly District.

76. The County of Imperial shall constitute the Seventy-sixth Assembly District.

77. All that portion of the County of San Diego, including all that portion of the City of San Diego, not included within the Seventy-eighth and Seventy-ninth Districts, as fixed and defined by the section, and included within the following described boundary lines to wit: Lying northerly and westerly of the point of intersection of the westerly prolongation of the center line of 30th Street, National City, with the shore line of the Bay of San Diego; thence running easterly along said center line of 30th Street, National City, to its intersection with the center line of Sweetwater Road (County Road Surveys Nos. 471 and 558) thence running in a general easterly direction along said center line of Sweetwater Road to its intersection with the most southwesterly boundary line of Spring Valley Precinct 5; thence running easterly along the southerly boundary lines of Spring Valley Precincts 5 and 6 to the latter's intersection with the easterly boundary line of Spring Valley Precinct 6; thence running northerly along said easterly boundary line of said Spring Valley Precinct 6 to its intersection with the northerly boundary line of said Spring Valley Precinct 6; thence running westerly along the northerly boundary line of said Spring Valley Precinct 6 to its intersection with the westerly boundary line of Oro Precinct 1; thence running northerly along said westerly boundary line of said Oro Precinct 1 to its intersection with the northerly boundary line of said Spring Valley Precinct 6; thence running in a general northerly direction along the northerly boundary lines of Spring Valley Precincts 6 and 1 to the latter's intersection with the westerly boundary line of Helix Precinct 1; thence running northerly along said westerly boundary line of Helix Precinct 1 to its intersection with the northerly boundary line of said Helix Precinct 1; thence running easterly along said northerly boundary line of Helix Precinct 1 to its intersection with the westerly boundary lines of Helix Precincts 2 and 5; thence running northerly along said westerly boundary lines of Helix Precincts 2 and 5 to the former's intersection with the easterly boundary line of Murray Precinct 1; thence running northerly and northwesterly along said easterly boundary line of Murray Precinct 1, to its intersection with the most southeasterly corner of Encinitas Township; thence running northerly, easterly and westerly along the easterly boundary lines of Encinitas, Escondido and Fallbrook Townships to the

latter's intersection with the northerly boundary line of the County of San Diego and including all of the Townships of Encinitas, Oceanside Vista, Escondido and Fallbrook as such existed on March 1, 1951, shall constitute the Seventy-seventh Assembly District.

78. All that portion of the County of San Diego included and being in the incorporated limits of the City of San Diego, as the same existed on January 1, 1941, and included within the following described boundary lines, to wit: Lying northerly and westerly of the center line of Commercial Street, at its westerly end, to wit: At the Bayshore line; thence running easterly along said center line of Commercial Street to its intersection with the center line of 25th Street; thence running northerly along said center line of 25th Street to its intersection with the center line of Imperial Avenue; thence running westerly along said center line of Imperial Avenue to its intersection with the center line of 24th Street; thence running northerly along said center line of 24th Street to its intersection with the center line of B Street; thence running westerly along said center line of B Street to its intersection with the center line of 23d Street; thence running northerly along said center line of 23d Street to its intersection with the center line of A Street; thence running easterly along said center line of A Street to its intersection with the center line of 28th Street; thence running northerly along said center line of 28th Street to its intersection with the center line of Upas Street; thence running westerly along said center line of Upas Street to its intersection with the center line of Park Boulevard; thence running northerly along said center line of Park Boulevard to its intersection with the center line of Myrtle Street; thence running easterly along said center line of Myrtle Street to its intersection with the center line of Indiana Street; thence running northerly along said center line of Indiana Street to its intersection with the center line of Cypress Street; thence running westerly along said center line of Cypress Street to its intersection with the center line of Park Boulevard, thence running northerly along said center line of Park Boulevard to its intersection with the center line of Adams Street; thence running northerly along an extension of the center line of Park Boulevard to its intersection with the center line of El Camino del Rio, thence running easterly along the center line of El Camino del Rio to its intersection with the city boundary line and except that portion of the City of San Diego lying north of a line commencing at the Pacific Ocean Shoreline and thence running easterly along the north boundary line of Precinct 56 to the intersection of said boundary line with the westerly boundary line of Precinct 54A; thence running northerly along said westerly boundary line to its intersection with the north boundary line of Precinct 53; thence running easterly along the north boundary lines of Precincts 53, 52 and 51 to the intersection of the north boundary line of Precinct 51 with its easterly boundary line, thence running southerly along said easterly boundary line of Precinct 51 to its intersection with the north boundary line of Precinct 30; thence running easterly along the north boundary lines of Precincts 30, 29 and 27 as the above enumerated precincts were defined and effective on January 1, 1950, and thence running southeasterly to the intersection of the City of San Diego limit at its intersection with Cabrillo Freeway, shall constitute the Seventy-eighth Assembly District.

79. All that portion of the County of San Diego, included and being within the incorporated limits of the City of San Diego as the same existed on January 1, 1941, which is not included within the Seventy-eighth Assembly District as fixed and defined by this section except that portion of the City of San Diego which was included in precincts designated as Kensington 1, 2, 3, and 451 to 464, inclusive, as such precincts were defined and effective upon January 1, 1950, but including that portion of Lemon Grove Precinct 1 and Greenwood Precinct lying wholly within the incorporated limits of the City of San Diego, shall constitute the Seventy-ninth Assembly District

80. All that portion of the County of San Diego, not included within the Seventy-seventh, Seventy-eighth and Seventy-ninth Assembly Districts as fixed and defined by this section, including all of the City of Coronado within its incorporated limits as the same existed on March 1, 1951 and North Island shall constitute the Eightieth Assembly District.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Request for Unanimous Consent That Rush Order Be Placed Upon Printing of Assembly Bill No. 41

Mr. Waters asked for, and was granted, unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 41

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 42

Assembly Bill No. 42—An act to add Section 471 to the Government Code, relating to the division of the State into districts for the election of Legislative Representatives.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 471 to", and insert "repeal existing Section 470 of, and to add new Section 470 to,"

Amendment No. 2

In line 2 of the title of said bill, after "into", insert "Congressional".

Amendment No. 3

In lines 2 and 3 of the title of said bill, strike out "for the election of Legislative Representatives".

Amendment No. 4

On page 1, line 1, of said bill, strike out "471 is added to", and insert "470 of".

Amendment No. 5

On page 1, lines 1 and 2, of said bill, strike out ", to read:", and insert "is repealed."

Amendment No. 6

On page 1, of said bill, strike out lines 3 to 5, inclusive, and insert

"SEC. 2. Section 470 is added to said code, to read:

470. The State is divided into 30 congressional districts which are designated and constituted as follows:

1. The Counties of Del Norte, Humboldt, Mendocino, Sonoma, Marin, Napa and Lake shall constitute the First Congressional District.

2. The Counties of Siskiyou, Shasta, Modoc, Lassen, Amador, Tehama, Butte, Sierra, Inyo, Mono, Nevada, Alpine, Mariposa, Calaveras, Tuolumne, Plumas, El Dorado, Placer and Trinity shall constitute the Second Congressional District.

3. The Counties of Glenn, Colusa, Sutter, Yuba, Yolo and Sacramento shall constitute the Third Congressional District.

4. All that portion of the City and County of San Francisco comprising the Nineteenth, Twenty-first and Twenty-second Assembly Districts shall constitute the Fourth Congressional District.

5. All that portion of the City and County of San Francisco not included in the Fourth Congressional District shall constitute the Fifth Congressional District.

6. The Counties of Solano and Contra Costa shall constitute the Sixth Congressional District.

7. All that portion of the County of Alameda comprising the Sixteenth, Seventeenth and Eighteenth Assembly districts shall constitute the Seventh Congressional District.

8. All that portion of the County of Alameda not included in the Seventh Congressional District shall constitute the Eighth Congressional District.

9 The County of San Mateo shall constitute the Ninth Congressional District.

10. The Counties of Santa Clara, Santa Cruz and San Benito shall constitute the Tenth Congressional District.

11. The Counties of San Joaquin and Stanislaus shall constitute the Eleventh Congressional District.

12. The Counties of Merced, Madera and Fresno shall constitute the Twelfth Congressional District.

13. The Counties of Monterey, San Luis Obispo, Santa Barbara and Ventura shall constitute the Thirteenth Congressional District.

14. The Counties of Kings, Tulare and Kern shall constitute the Fourteenth Congressional District.

15. All that portion of the County of Los Angeles comprising the Fifty-eighth, Sixty-third and Sixty-fifth Assembly Districts shall constitute the Fifteenth Congressional District.

16. All that portion of the County of Los Angeles comprising the Fifty-ninth and Sixtieth Assembly Districts shall constitute the Sixteenth Congressional District.

17. All that portion of the County of Los Angeles comprising the Forty-sixth, Sixty-seventh and Sixty-eighth Assembly Districts shall constitute the Seventeenth Congressional District.

18. All that portion of the County of Los Angeles comprising the Forty-fourth and Seventieth Asesmbly Districts shall constitute the Eighteenth Congressional District.

19. All that portion of the County of Los Angeles comprising the Fortieth, Forty-fifth and Fifty-first Assembly Districts shall constitute the Nineteenth Congressional District.

20. All that portion of the County of Los Angeles comprising the Forty-third and Forty-seventh Assembly Districts shall constitute the Twentieth Congressional District.

21. All that portion of the County of Los Angeles comprising the Forty-first, Forty-second and Forty-eighth Assembly Districts shall constitute the Twenty-first Congressional District.

22. All that portion of the County of Los Angeles comprising the Fifty-seventh and Sixty-fourth Assembly Districts shall constitute the Twenty-second Congressional District.

23. All that portion of the County of Los Angeles comprising the Fifty-second, Fifty-fifth and Sixty-ninth Assembly Districts shall constitute the Twenty-third Congressional District.

24. All that portion of the County of Los Angeles comprising the Fifty-fourth and Fifty-sixth Assembly Districts shall constitute the Twenty-fourth Congressional District.

25. All that portion of the County of Los Angeles comprising the Forty-ninth, Fiftieth and Fifty-third Assembly Districts shall constitute the Twenty-fifth Congressional District.

26. All that portion of the County of Los Angeles comprising the Sixty-first, Sixty-second and Sixty-sixth Assembly Districts shall constitute the Twenty-sixth Congressional District.

27. The County of San Bernardino shall constitute the Twenty-seventh Congressional District.

28. The County of Orange and all that part of the County of San Diego comprising the Seventy-seventh Assembly District shall constitute the Twenty-eighth Congressional District.

29. The Counties of Riverside and Imperial shall constitute the Twenty-ninth Congressional District.

30. All that portion of the County of San Diego comprising the Seventy-eighth, Seventy-ninth, and Eightieth Assembly Districts shall constitute the Thirtieth Congressional District."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Request for Unanimous Consent That Rush Order Be Placed Upon Printing of Assembly Bill No. 42

Mr. Waters asked for, and was granted, unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 42.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1177

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1158

And reports the same correctly re-engrossed

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 968	Assembly Bill No 2064
Assembly Bill No. 1053	Assembly Bill No. 2204
Assembly Bill No. 1204	Assembly Bill No. 2447
Assembly Bill No 1254	Assembly Bill No. 2484
Assembly Bill No. 1312	Assembly Bill No 2717
Assembly Bill No. 1377	Assembly Bill No 2764
Assembly Bill No 1633	Assembly Bill No 3082
Assembly Bill No. 1634	Assembly Bill No. 3221
Assembly Bill No. 1665	Assembly Bill No 3222
Assembly Bill No. 1683	

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1951

MR SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 242
Assembly Bill No. 701

And reports the same correctly re-engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1951

MR SPEAKER Your Committee on Municipal and County Government, to which were referred

Assembly Bill No 60
Assembly Bill No 3032

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass, as amended

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1951

MR. SPEAKER Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 183
Assembly Bill No 735

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1951

MR SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No 732	Assembly Bill No 965
Assembly Bill No 838	Assembly Bill No. 1721
Assembly Bill No. 839	Assembly Bill No. 1872

Has had the same under consideration, and reports the same back with the recommendation: Do pass

STANLEY, Chairman

Above reported bills ordered to second reading.

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR SPEAKER: Your Committee on Transportation and Commerce, to which was referred.

Assembly Bill No. 1012

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee

LUCKEL, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER Your Committee on Transportation and Commerce, to which was referred.

Assembly Bill No 3373

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, do pass, as amended, and be re-referred to Committee on Ways and Means.

LUCKEL, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred

Assembly Bill No 1618
Assembly Bill No 1619
Assembly Bill No 1620

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended.

LUCKEL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred

Assembly Bill No 664
Assembly Bill No. 753
Assembly Bill No. 754
Assembly Bill No 755
Assembly Bill No 1270
Assembly Bill No 1273
Assembly Bill No 1274

Has had the same under consideration, and reports the same back with the recommendation: Do pass

LUCKEL, Chairman

Above reported bills ordered to second reading.

RESOLUTIONS

The following resolutions were offered:

By Mr. Dickey:

House Resolution No. 99

Resolved, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to furnish to each Member of the Assembly, upon request, five copies of the California Blue Book.

Resolution read, and ordered referred to the Committee on Rules

By Mr. Doyle:

House Resolution No. 100

Resolved, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to purchase 13 combination brief cases simular to the ones heretofore ordered for the Members of the Assembly, and he is further instructed to deliver one combination brief case to each of the 13 members who were not members of the 1950 Session, and be it further

Resolved, That the Chief Clerk is authorized and instructed to order for each Member of the Assembly, upon request and approval by the Rules Committee, one

combination brief case similar to the ones heretofore ordered for the Members of the Assembly, and to deliver the same to each member making the request after approval by the Rules Committee.

Resolution read, and ordered referred to the Committee on Rules

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 270—An act to amend Section 602 of the Welfare and Institutions Code, relating to compensation and expenses of the Probation Committee.

Bill read second time, and ordered engrossed.

Assembly Bill No. 273—An act to amend Section 960 of the Welfare and Institutions Code, relating to the establishment and maintenance of schools in detention homes and juvenile homes and camps.

Bill read second time, and ordered engrossed.

Assembly Bill No. 303—An act to amend Section 29747 of the Government Code, relating to records of the county auditor.

Bill read second time, and ordered engrossed.

Assembly Bill No. 304—An act to amend Section 4790 of the Health and Safety Code, relating to signatures on county sanitation district bonds and interest coupons.

Bill read second time, and ordered engrossed.

Assembly Bill No. 478—An act to add Section 25369.5 to the Government Code, relating to the powers of boards of supervisors.

Bill read second time, and ordered engrossed

Assembly Bill No. 1742—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1743—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, declaring the urgency of this act, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1811—An act to add Section 37394 to the Government Code, relating to the leasing of property for off-street parking purposes, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2378—An act to amend Section 330.24 of the Civil Code to enable mutual water companies to sell water to any public agency and under certain circumstances to other mutual water companies and other persons and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 421—An act to amend Section 18852 of the Education Code, relating to school supplies and equipment

Bill read second time, and ordered engrossed.

Assembly Bill No. 1094—An act to add Section 19301.1 to the Education Code, relating to cafeterias in public schools.

Bill read second time, and ordered engrossed

Assembly Bill No. 3370—An act to amend Section 1593 of the Education Code, relating to the effect of the formation and changes in territory and status of school districts, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 420—An act to amend Section 3454 of the Political Code and to add Section 50933 to the Water Code, relating to reclamation districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 609—An act to provide for the reversion to the General Fund of any unexpended balance in the Sacramento and San Joaquin Drainage District General Administrative Assessment No. 1 Fund.

Bill read second time, and ordered engrossed.

Assembly Bill No. 349—An act to amend the title and Sections 3 and 5 of an act entitled "An act to appropriate the sum of twenty-four thousand dollars ($24,000) to be used in construction, renewal, and repair of works for restraining, impounding and control of debris resulting from mining operations and other causes along the Yuba River, to provide for the manner of expending such appropriation, to create the Yuba River debris control fund, and to provide for the deposit in said fund of any unexpended balances of previous appropriations made for this purpose," being Chapter 686, Statutes of 1935, approved July 16, 1935, relating to construction, renewal, and repair of works for restraining, impounding and control of debris resulting from mining operations and other causes along the Yuba River

Bill read second time, and ordered engrossed

Assembly Bill No. 419—An act to amend Section 7056, Public Resources Code, relating to oil, gas and mineral leases by counties and other public or quasi public corporations, bodies or agencies.

Bill read second time, and ordered engrossed

Assembly Bill No. 1031—An act authorizing the investment of moneys derived from rentals, royalties, and other payments received by the State from lessees of tide and submerged lands lying along the Coast of California and impounded in the Special Deposit Fund in the State Treasury pursuant to stipulations between the State of California and the United States of America; providing for the disposition of

interest earned or other increment derived from such investments; making an appropriation; and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed

Assembly Bill No. 795—An act to add Section 11374 to the Government Code, relating to regulations and the scope and validity of regulations adopted by state agencies.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1227—An act to amend Sections 9036 and 9039 of the Business and Professions Code, relating to the fees of social workers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1639—An act to amend Section 4.37 of The University of California Dormitory Revenue Bond Act of 1947, relating to legal investments of revenue bonds issued under said act, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1640—An act to amend Section 20583 of the Education Code, relating to revenue bonds issued under the State College Revenue Act of 1947 as legal investments.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1890—An act to repeal Section 232 of the Banking Code, relating to the taking of the constitutional oath of office by deputies and examiners.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1694—An act to amend Section 202 of the Education Code, relating to the distribution of surplus property of the Federal Government by the State Educational Agency for Surplus Property.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2005—An act to add Chapter 4 to Part 4 of Division 3 of Title 2 of the Government Code, relating to state-owned motor vehicles, and prescribing the powers and duties of the Department of Finance, the State Personnel Board and the State Board of Control with respect thereto.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2641—An act to add Section 4.5 to the "State Aeronautics Commission Act," relating to the powers and duties of the commission with respect to civil defense.

Bill read second time, and ordered engrossed.

Assembly Bill No. 300—An act relating to the financing, construction, maintenance and operation of sanitary sewerage and storm drainage systems for the Cities of Fairfield and Suisun City, creating the Fairfield-Suisun Sewer District and prescribing its boundaries.

change of boundaries, organization, operation, management, financing and powers, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 5 of the printed bill, after line 42, insert

"SEC. 66. All contracts for the construction of any unit of work, except as hereinafter provided, estimated to cost in excess of two thousand five hundred dollars ($2,500) shall be let to the lowest responsible bidder in the manner hereinafter provided. The board shall advertise by three insertions in a daily newspaper of general circulation or two insertions in a weekly newspaper of general circulation published in the district inviting sealed proposals for the construction of the work before any contract shall be made therefor, and may let by contract separately any part of said work. The board shall require the successful bidder to file with the board good and sufficient bonds to be approved by the board conditioned upon the faithful performance of the contract and upon the payment of the claims for labor and material in connection therewith, such bonds to contain the terms and conditions set forth in Chapter 3 of Division 5 of Title 1 of the Government Code, and to be subject to the provisions of that chapter. The board shall also have the right to reject any and all bids, in which case the board may advertise for new bids. In the event no proposals are received pursuant to advertisement therefor, or where the estimated cost of such work does not exceed the sum of two thousand five hundred dollars ($2,500), or where the work consists of emergency work necessary in order to protect life and property, the board of directors, by unanimous vote of all members present, may without advertising for bids therefor have said work done by force account. The district shall have the power to purchase in the open market without advertisement for bids thereof, materials and supplies for use in any work therewith either under contract or by force account; provided, however, that materials and supplies for use in any new construction work or improvement, except work referred to in the preceding sentence, may not be purchased if the cost thereof exceeds two thousand five hundred dollars ($2,500), without advertising for bids and awarding the contract therefor to the lowest responsible bidder.

The provisions of this section shall have no application to a contract entered into with the United States under the authority of Section 46, or to a contract authorized by a vote of the electorate of the district."

Amendment No. 2

On page 5, line 48, of said bill, strike out "Section 42", and insert "Sections 42 and 51".

Amendment No. 3

On page 7 of said bill, strike out lines 48 and 49.

Amendment No. 4

On page 9, line 3, of said bill, after "county.", insert "No assessment or bond hereafter levied or issued shall become a lien and no person shall be deemed to have notice thereof until a certified copy of said assessment and the diagram thereto attached shall be recorded in the office of the district engineer and in the office of the county surveyor or county engineer of the county."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1004—An act to add Section 18053.5 to the Education Code and to repeal Section 18059 of that code, relating to the purchase of materials or supplies by school districts during periods of war.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on March 16, 1951, strike out lines 9 and 10, and insert

"This section shall remain in effect until the ninety-first day after final adjournment of the 1953 Regular General Session of the Legislature"

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3240—An act to amend Sections 10051, 10052, 10053, and 10055 of the Education Code, relating to courses of study.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out ", 10053, and 10055", and insert "and 10053".

Amendment No. 2

On page 2 of the printed bill, strike out lines 6 to 18, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 1605—An act to add Section 11545 to the Business and Professions Code, relating to sewage facilities.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "Where property not in any such subdivision is", and strike out lines 4 to 16, inclusive, and insert

"The word "person" as used in Sections 11543 and 11544 of this code includes districts formed for the purpose of constructing or maintaining sewers. Charges imposed on such districts pursuant to Section 11544 shall be included in assessments levied for district purposes and in any bonds which may be issued by such districts."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2920—An act to add Section 188.1 to the Streets and Highways Code, relating to the expenditure of state highway funds, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 1 of the printed bill, strike out lines 13 to 20, inclusive, and insert: "the Governor. In the event the funds expended for replacing or reconstructing the damaged or destroyed state highway exceeds the cost of providing a facility of equal utility with

that damaged or destroyed as determined by the State Highway Engineer, he shall report the amount of such excess to the commission, and any expenditure in excess of the cost of providing a facility of equal utility shall be subject to all the provisions of this article and Section 825 of this code."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 631—An act to add Section 306.5 to the Unemployment Insurance Act authorizing the investment of funds in the Unemployment Compensation Disability Fund in the construction and equipment of buildings, offices and facilities for the primary use of the Department of Employment.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 16, of the printed bill, strike out "seven million five hundred thousand dollars ($7,500,000).", and insert "nine million five hundred thousand dollars ($9,500,000)."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Constitutional Amendment No. 1—An act to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 8 of Article XI thereof, relating to the charters of cities and cities and counties.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Constitutional Amendments:

Amendment No. 1

On page 4 of the printed measure, strike out lines 21 through 23, and insert "establishment of a borough system of government for the whole or any part of the territory of the city or city and county governed thereby, by which one or more boroughs or districts may be created therein and to provide that each borough or".

Amendment No. 2

On page 4, line 26, of said measure, strike out "each such borough or district", and insert "such boroughs and districts"

Amendments read, and adopted.

Resolution ordered reprinted, and engrossed.

Assembly Bill No. 94—An act to add Section 32127.5 to the Health and Safety Code, relating to budgets of hospital districts

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 32127.5 to" and insert "amend Sections 32127 and 32130 of".

Amendment No. 2

In line 2 of the title of said bill, strike out "budgets of"

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1, line 1, of said bill, strike out "Section 32127.5 is added to the Health and", and insert "Section 32127 of the Health and Safety Code is hereby amended to read:

32127. The hospital district shall establish its own treasury and shall appoint a treasurer charged with the safekeeping and disbursal of the funds in the treasury of the district. The board of directors shall fix the amount of the bond to be given by such treasurer and shall provide for the payment of the premium therefor out of the maintenance and operation fund.

All moneys derived from that portion, if any, of the annual tax or assessment levied for capital outlay purposes shall be placed in the capital outlay fund. Any moneys derived from a special tax or assessment levied under Article 3 of Chapter 3 hereof shall be placed in a special assessment fund and shall be used exclusively for the purposes for which such special tax or assessment was voted

All moneys derived from the regular annual tax or assessment provided in Article 1, Chapter 3 hereof, except any part thereof levied for capital outlay purposes, shall be placed in the maintenance and operation fund. All receipts and revenues of any kind from the operation of the hospital shall be paid daily into the treasury of said district and placed in the maintenance and operation fund. Moneys in the maintenance and operation fund may be expended for any of the purposes of the district. Whenever it appears that the sum in the bond interest and sinking fund will be insufficient to pay the interest or principal of bonds next coming due and payable therefrom, a sum sufficient to pay such principal and interest shall be transferred by the board of directors from the maintenance and operation fund to said bond interest and sinking fund.

Except as to principal and interest of bonds, moneys in the treasury of the district shall be paid out by the treasurer thereof only on written order signed by the president and countersigned by the secretary. The treasurer shall keep such order as his voucher and shall keep accounts of all receipts into the district treasury and all disbursements therefrom.

Where bonds of the district are payable at the office of the district, all receipts from taxes levied to pay the principal and interest of such bonds shall be paid into the treasury of the district, and the treasurer of the district shall pay therefrom the principal and interest of such bonds

Where bonds of the district are payable at the office of the county treasurer of the organizing county, at the option of the holder, or otherwise, all receipts from taxes levied to pay principal and interest of such bonds shall be paid into the treasury of the organizing county and shall be placed by the county treasurer in the bond interest and sinking fund of the district, and he shall pay the principal and interest of such bonds therefrom and shall keep an account of all moneys received into and paid out of said fund.

Any moneys in the treasury of the district and any moneys of the district in the bond interest and sinking fund of the district in the treasury of the organizing county may be deposited in accordance with the provisions of the general laws of the State of California governing the deposit of public moneys of cities or counties in such bank or banks in the State of California as may be authorized to receive deposits of public funds, in the same manner and upon the same security as public moneys of cities and counties are deposited in such banks, and with like force and effect *The board of directors of the district are authorized to create a revolving fund which fund shall not exceed the sum of 10 percent of the estimated annual expenditures of the district at any one time and which shall be used for the purpose of paying the interim expenses of the operation of any hospital within the district without the necessity of a written order signed by the president and countersigned by the secretary as provided herein The treasurer is authorized to deposit said fund in such bank or banks in the county as may be authorized to receive deposits of public funds in the same manner and upon the same security as public moneys of cities and counties are deposited in such banks and with like force and effect, and shall be subject to withdrawal upon the signature of the treasurer for the use and purpose provided for herein*

SEC 2 Section 32130 of the Health and Safety Code is hereby amended to read:

32130 The district may borrow money and incur indebtedness in anticipation of the estimated tax revenue and other income for the current year in which the

indebtedness is incurred [or for the ensuing year thereafter] Such indebtedness shall not exceed 50 per cent of the total amount of the estimated tax revenue and other income for [either] the current year [or the ensuing year] *The district is further authorized when funds shall be needed for immediate requirements to pay obligations lawfully incurred, to borrow money on certificates of indebtedness or other evidence of indebtedness in an amount not to exceed one-half of one percent of the assessed valuation of the district, said certificates of indebtedness to run for a period not to exceed five years and to bear interest not to exceed 5 percent per annum.*

All such certificates of indebtedness or other evidence of indebtedness shall be issued after the adoption by a two-thirds vote of the board of directors of the district of a resolution setting forth the necessity for such borrowing and the amount of the assessed valuation of the district and the amount of funds to be borrowed thereon. All such certificates of indebtedness or other evidence of indebtedness shall be offered at public sale by the board of directors of the district after not less than ten days advertising in a newspaper of general circulation within the district and if no newspaper of general circulation is printed within the district, then in a newspaper of general circulation within the county in which the district is located. Each such sale shall be made to the bidder offering the lowest rate of interest or whose bid represents the lowest net cost to the district; provided, however, that the rate of interest shall not exceed 5 percent per annum.

Such certificates of indebtedness or other evidences of indebtedness shall be signed on behalf of the district by the presiding officer and attested by the secretary of the board of directors of the district. The board of supervisors of the county in which the district lies shall, at the time of fixing the general tax levy, sometimes called the annual assessment or regular annual assessment for such district, and in the manner for such general tax levy provided, levy and collect annually each year all sums coming due for principal and interest on such certificates of indebtedness or other evidence of indebtedness, a tax sufficient to pay the interest on such certificates of indebtedness as the same becomes due and also, to constitute a sinking fund for the payment of the principal thereof at maturity. Said tax shall be in addition to all of the taxes levied for district purposes and shall be placed in a certificate of indebtedness, interest and sinking fund of the district and, until all of the principal of the interest and certificates of indebtedness is paid, the money in said fund shall be used for no other purpose than the payment of said certificates of indebtedness and accruing interest thereon."

Amendment No. 4

On page 1 of said bill, strike out all of lines 2 to 11, inclusive

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government

Assembly Bill No. 1751—An act to amend Section 641 of the Welfare and Institutions Code, relating to the management of the detention home.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "2,000,000", and insert "600,000".

Amendment No. 2

On page 1, line 9, of the printed bill, after "home", insert

"In all counties except counties having a population in excess of 600,000 the probation officer shall, with the advice and counsel of the probation committee, manage and control the internal affairs of the detention home."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Speaker Pro Tempore Presiding

At 10.04 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 1838—An act to amend Section 662 of the Welfare and Institutions Code to provide that in counties with more than 500,000 population and less than 2,000,000 population the juvenile hall shall be under the management and control of the chief executive officer of the county or similar officer designated by the legislative body.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In the title of the printed bill, strike out "with more than 500,000 population and less than 2,000,000 population the juvenile hall shall be under the management and control of the chief executive officer of the county or similar officer designated by the legislative body", and insert "with more than 600,000 population the juvenile hall shall be under the management and control of the probation committee of the county".

Amendment No. 2

On page 1, line 4, of the printed bill, strike out "2,000,000", and insert "600,000".

Amendment No. 3

On page 1 of the printed bill, strike out beginning with "In" in line 6, down to and including "county" in line 12.

Amendment No. 4

On page 1, line 12, of the printed bill, after "counties", insert "except counties having a population in excess of 600,000"

Amendment No. 5

On page 1, line 18, of the printed bill, strike out "2,000,000", and insert "600,000".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government

Assembly Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 17 to Article XVI thereof, relating to the issuance of bonds to provide a fund for the purchase of revenue bonds issued by counties, cities, districts, municipal corporations, political subdivisions, public corporations, or other public agencies of the State, or combination of such agencies.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Constitutional Amendments:

Amendment No. 1

In line 4 of the title of the printed measure, strike out "relating to", and insert "authorizing".

Amendment No. 2

Strike out lines 5 to 8, inclusive, of the title of said measure, and insert "to create a fund for the purchase of bonds issued by any public agency of the State of California, including any county, city and county, city, political subdivision, municipal corporation, public corporation, public district, public board, commission, department, authority, officer, body or entity, or any other public agency, statewide or local, or by any combination of such public agencies, for public improvements"

Amendment No. 3

On page 1 of said measure, strike out line 9, and insert

"SEC. 17. The issuance and sale of bonds of the State of California in the sum of one billion dollars ($1,000,000,000) is hereby authorized.

The proceeds of such bonds shall be used:

(a) To provide a fund to purchase bonds issued by any public agency of the State of California, including any county, city and county, city, political subdivision, municipal corporation, public corporation, public district, public board, commission, department, authority, officer, body or entity, or any other public agency, statewide or local, or by any combination of such public agencies, for public improvements.

(b) To pay expenses incurred in, or as incidental to, the preparation, sale and issuance of the bonds authorized hereby and the administration of the said fund.

All matters pertaining to the terms and conditions of the bonds authorized hereby, and to their preparation, execution, sale and issuance, or in any manner relating to said bonds, and all matters pertaining to the administration of the fund created by the sale thereof, shall be as from time to time provided by the Legislature

The Public Agencies Improvement Bond Act of 1951 (Chapter ___, Statutes of 1951) is hereby ratified, validated, confirmed, and made fully and completely effective. No further act of the Legislature shall be necessary in furtherance of the provisions hereof, but this shall not prevent such legislative action.

The Public Agencies Revenue Bond Law (Chapter ___, Statutes of 1951) is also hereby ratified, validated, confirmed, and made fully and completely effective, and it is hereby declared that the issuance under said act, or under any other law or charter, of bonds payable out of revenues, and for the payment of which the power of taxation cannot be exercised, shall not constitute the incurring of indebtedness within the meaning of any provision of this Constitution, and nothing in this Constitution shall be a limitation upon the provisions of this section.

The ratification, validation, confirmation and making effective of said acts shall not preclude the subsequent amendment of said acts, or either of them, by the Legislature, provided that no such amendment of either of said acts shall impair or adversely affect the rights or interests of the holders of any bonds theretofore issued under said act

The people of the State of California in adopting this section hereby declare that the great growth in population of the State has made it necessary to provide for the welfare of the people through facilitating the establishment of public improvements as rapidly as possible, and at the lowest cost consistent with sound planning, and it is therefore in the interest of the State and of the people thereof for the State to finance public improvements of State and local public agencies through the purchase of bonds of such agencies issued therefor."

Amendment No. 4

On page 1 of said measure, strike out lines 10 to 21, inclusive; and strike out page 2.

Amendments read, and adopted.

Resolution ordered reprinted, engrossed, and to be re-referred to the Committee on Constitutional Amendments.

Assembly Bill No. 835—An act to amend Section 10202 of, and to add Sections 5153.6, 7106, 7107, 10205, 10206, 10207, 10208, 10209, and 10210 to the Education Code, all relating to automobile driver training in the public schools.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "the operation of motor vehicles", and insert "automobile driver training".

Amendment No. 2

On page 1, line 8, of said bill, after "attendance", insert ", computed under Section 10208,"

Amendment No. 3

On page 2, line 1, of said bill, after "attendance", insert ", computed under Section 10208,".

Amendment No. 4

On page 3 of said bill, between lines 4 and 5, insert

"The provisions of this section are effective for the purposes of Sections 5153 6 and 7106 only."

Amendment No. 5

On page 3, line 28, of said bill, strike out "In the determina-"; and strike out lines 29 to 34, inclusive.

Amendment No. 6

On page 2, line 34, of said bill, after the period, insert "No regulation or standard prescribed under this section shall require greater physical examination than is given by the Department of Motor Vehicles under Section 268 of the Vehicle Code."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 2061—An act to continue in effect Sections 1, 2, 3, 4, 6, 7, 8, 8.5, 8.6, and 9 of an act entitled "An act to repeal Section 10 of an act entitled "An act to repeal Chapters 2, 3, 4, 12, 13, 13.5, 13.6, 14, 15, 15.5, 16, and 16.5 of the Education Code; to add Chapters 2, 12, 13, 14, 15, and 16 to said code; to amend Section 8761 of said code; and to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately," approved May 28, 1947 (Chapter 401, Statutes of 1947), to provide for the continuance in effect of an act entitled "An act to amend Section 10 of an act entitled 'An act to repeal Chapters 2, 3, 4, 12, 13, 13.5, 13.6, 14, 15, 15.5, 16, and 16.5 of the Education Code; to add Chapters 2, 12, 13, 14, 15, and 16 to said code; to amend Section 8761 of said code; and to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately,' approved May 28, 1947 (Chapter 401, Statutes of 1947); to repeal Sections 6713, 7039, 7052, 7064, 7068, 7117, 7126, 7128, and 7147 of the Education Code; to repeal Article 4 of Chapter 13, and Article 6 of Chapter 14, of Division 3 of said code; to add Article 4 to Chapter 13, Article 6 to Chapter 14, and Articles 1 and 13.5 to Chapter 15, of Division 3 of said code; to add Sections 5157, 7126, 7132, and 7151 to said code; to amend the headings of Articles 1 and 13 of Chapter 15 of Division 3 of said code; and to amend Sections 5152, 5153, 5156, 6703, 6714, 6812, 7002, 7012, 7023, 7032, 7033, 7034, 7035, 7036, 7037, 7038, 7041, 7061, 7062, 7063, 7067, 7081, 7091, 7092, 7094, 7095, 7101, 7103, 7111, 7112, 7113, 7114, 7115, 7116, 7121, 7122, 7124, 7130, 7146, 7146.1, 7148, 7149, 7150, 7208, 7231, and 9645 of said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately," approved July 20, 1949 (Chapter 1017, Statutes of 1949) except Section 1 thereof; to repeal Sections 6714 and 7094 of the Education Code; to add Sections 5153 3 and 6904 to said code; and to amend Sections 7091, 7092, 7095, 7113, 7116, and 6951 of said code, to repeal Articles 2 and 3 of Chapter 15, Division 3 of said code and to add Articles 2 and 11.6 to Chapter 15, Division 3 of said code all relating to the Public School System," approved May 5,

1950 (Chapter 74, Statutes 1950 First Extraordinary Session); to repeal Sections 2.5, 5, 10, 11.5, 12, and 13 of said act; to repeal Sections 5153.3 and 7091 of the Education Code; to repeal Articles 2 and 3 of Chapter 15 of Division 3 of said code; to add Sections 5153 3 and 7091 to said code; and to add Articles 2 and 11.6 to Chapter 15 of Division 3 of said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 3, line 8, of the printed bill, after "System," " insert "approved May 5, 1950 (Chapter 74, Statutes 1950 First Extraordinary Session)".

Amendment No. 2

On page 4 of said bill, strike out lines 35 and 36, and insert "under this article to a school district for any item of current expense or capital outlay with respect to which the school district has failed to comply with the regulations of the Superintendent of Public Instruction applicable to such item"

Amendment No. 3

On page 4 of said bill, strike out lines 42 and 43, and insert "determining the total current expenses of a district for transportation."

Amendment No. 4

On page 4, line 50, of said bill, strike out "the making of allowances", and insert "determining the total current expenses of a district for transportation".

Amendment No. 5

On page 11, line 2, of said bill, after "effect", insert ", to become operative July 1, 1951".

Amendment No. 6

On page 8 of said bill, after line 12, insert

"7018.1 In addition to all other amounts allowed to a school district under this article, the Superintendent of Public Instruction shall allow to each school district an amount equal to the cost to the district during the preceding fiscal year of transporting blind, deaf, cerebral palsied, and orthopedically handicapped minor pupils to and from special day classes but not in excess of three hundred fifty dollars ($350) for each unit of average daily attendance of such pupils during the next preceding fiscal year resulting from the attendance of such pupils on the special day classes to and from which they were transported by the district"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1153—An act to amend Sections 11460 and 11463 of the Water Code, relating to use of water.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Sections 11460 and 11463 of", and insert "add Section 11128 to".

Amendment No. 2

On page 1, line 1, of said bill, strike out "11460 of the Water Code is amended", and insert "11128 is added to the Water Code".

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 20, inclusive, and insert

"11128. The limitations prescribed in Section 11460 and 11463 shall also apply to any agency of the State or Federal government which shall undertake the construction or operation of the project, or any unit thereof, including, besides those specifically described, additional units which are consistent with and which may be constructed, maintained, and operated as a part of the project and in furtherance of the single object contemplated by this part."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1155—An act to add Section 60 to the State Water Resources Act of 1945, relating to flood control, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In line 1 of the title of the printed bill, after "An act", insert "to amend Section 54 and".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 54 of the State Water Resources Act of 1945 is amended to read:

Sec. 54. The program on the Santa Ynez River Watershed is hereby adopted and authorized substantially in accordance with the recommendations of the Acting Secretary of Agriculture in House Document Numbered 518, Seventy-eighth Congress, [first] *Second* Session, *and approved by the act of Congress approved December 22, 1944, Public Law 534, Seventy-eighth Congress, Second Session, and as further authorized by act of Congress approved May 17, 1951, Public Law 516, Eighty-first Congress, Second Session*, at an estimated cost to the State of [thirteen thousand four hundred dollars ($13,400)] *one hundred six thousand dollars ($106,000)*.

SEC. 2. Section 60 is added to said act to read:".

(See Assembly Journal for March 26th, page 2032 for action expunging record on Amendments 3 to 7, inclusive.)

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2720—An act to add Section 8 to "An act to provide for forest practices which will promote the maximum sustained productivity of the forest lands of California," (Statutes of 1945, Chapter 85), relating to the burning of slashings after logging operations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In line 4 of the title of the printed bill, strike out "slashings", and insert "slash".

Amendment No. 2

On page 1, line 4, of said bill, strike out "slashings", and insert "slash".

Amendment No. 3

On page 1 of said bill, after line 5, insert

"The Division of Forestry shall make such regulations relative to the time and manner in which the slash shall be so destroyed or removed as it deems necessary for fire suppression and insect and disease prevention."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2808—An act authorizing and directing the Department of Public Works, acting through the State Engineer, to make an investigation of and report on the water supplies of the Putah Creek Cone and adjacent areas in the Counties of Solano and Yolo, and making appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 1, line 14, of the printed bill, strike out "_____ dollars ($_____)", and insert "fifty thousand dollars ($50,000)".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1222—An act to amend Section 6736 of the Business and Professions Code, relating to the practice of civil engineering.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 6736", and insert "Sections 6736 and 6799".

Amendment No. 2

In line 2 of the title of said bill, strike out "civil", and insert "professional".

Amendment No. 3

On page 2, of said bill, after line 18, insert

"SEC. 2. Section 6799 of said code is amended to read:

6799. The amount of the fees prescribed by this chapter is that fixed by the following schedule:

(a) The [application] fee for *filing each application for registration as a* professional engineer, *or authority to use the title "structural engineer"* is fifteen dollars ($15) [;] *and* for *each certification as* engineer-in-training is five dollars ($5), *except that as to any person who has previously been issued a certificate as an engineer-in-training, the fee for filing an application for registration as a professional engineer is ten dollars ($10).*

(b) The registration fee for professional engineer is ten dollars ($10) *for each certificate issued.*

(c) The duplicate certificate fee is one dollar ($1).

(d) The temporary registration fee for [civil] *professional* engineer is ten dollars ($10).

(e) The structural engineer's certificate of authority fee is ten dollars ($10)

(f) The annual renewal fee for professional engineer is six dollars ($6) *for each branch of professional engineering in which registration is held; for authority to use the title "structural engineer" is three dollars ($3);* for engineer-in-training is two dollars ($2) *for each branch in which certification is held.*

(g) The penalty for delinquency *of the annual renewal fee* is one dollar ($1) for each month *or fraction thereof* after the date upon which the annual fee becomes due until the amount thereof aggregates five dollars ($5).

Applicants wishing to be examined in more than one branch of engineering shall be required to pay the additional fee for each examination after the first"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2135—An act to amend Sections 1732, 1732.6, 1732.7, and 1733 of the Harbors and Navigation Code, relating to officers and employees of the Board of State Harbor Commissioners for San Francisco Harbor.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 11, of the printed bill, after the period, insert "Each officer or employee designated by the board as a harbor policeman shall be allowed and paid the sum of two hundred dollars ($200) per year for the maintenance of his uniform and equipment assigned to him."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy

Assembly Bill No. 2472—An act to add Section 4302.5 to the Government Code, relating to public purchases of duplicating machines and supplies therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In lines 1, 2, and 3 of the title of the printed bill, strike out "add Section 4302.5 to the Government Code, relating to public purchases of duplicating machines and supplies therefor.", and insert "amend Sections 4303 and 4304 of the Government Code, relating to public contracts."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1, lines 1, 2, 3, 4, and 5, of said bill, strike out "Section 4302.5 is added to the Government Code, to read:

4302.5. This article does not apply to duplicating machines and supplies therefor manufactured outside the United States the purchase of which would result in a substantial saving.", and insert "Section 4303 of the Government Code is amended to read:

4303. The governing body of any political subdivision, municipal corporation, or district, and any public officer or person charged with the letting of contracts for (1) the construction, alteration, or repair of public works or (2) for the purchasing

of materials for public use, shall let such contracts only to persons who agree to use or supply only such manufactured materials as have been produced in the United States, *Canada, or Great Britain* and only such manufactured materials as have been manufactured in [the United States] *such countries*, substantially all from materials produced in [the United States] *such countries*

SEC. 2. Section 4304 of said code is amended to read:

4304. Every contract for the construction, alteration or repair of public works or for the purchase of materials for public use shall contain a provision that only manufactured materials produced in the United States, *Canada, or Great Britain*, and only manufactured materials manufactured in [the United States] *such countries*, substantially all from materials produced in [the United States] *such countries* shall be used in the performance of the contract.

Any person who fails to comply with such provision shall not be awarded any contract to which this article applies for a period of three years from the date of the violation."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3270—An act prescribing the terms upon which licenses may be issued to practitioners of psychology, creating the State Board of Psychological Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent with each and all or any of the provisions contained herein.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, after "act", insert "to regulate the practice of psychology,"

Amendment No. 2

On page 1, of said bill, strike out lines 4 and 5, and insert "one of which shall be a licensed practitioner of the healing arts in the State of California, one".

Amendment No. 3

On page 1, line 6, of said bill, strike out "three", and insert "five".

Amendment No. 4

On page 1, line 8, of said bill, after "Governor", insert ", one of which the Governor shall designate as president of the board"

Amendment No. 5

On page 1 of said bill, strike out line 19, and insert "ner: Two, for the term of one year; two, for the term of two".

Amendment No. 6

On page 2, line 10, of said bill, strike out "a president and"

Amendment No. 7

On page 2, line 11, of said bill, after "board", insert "and the selection of a secretary who may be but is not required to be a member of the board"

Amendment No. 8

On page 2, line 15, of said bill, strike out "three", and insert "four"

Amendment No. 9

On page 2 of said bill, strike out lines 44 and 45

Amendment No. 10

On page 2, line 46, of said bill, strike out "(g)", and insert "(f)".

Amendment No. 11

On page 2, line 48, of said bill, strike out "(h) The board may", and insert "(g) To".

Amendment No. 12

On page 3, line 2, of said bill, strike out "The board is"; and strike out lines 3 to 12, inclusive.

Amendment No. 13

On page 3, line 21, of said bill, after "years", insert "or possess the degrees as otherwise provided in this section of this act".

Amendment No. 14

On page 3, line 22, of said bill, strike out "From time to time", and insert "On or after June 15, 1955".

Amendment No. 15

On page 3, line 34, of said bill, strike out "a total of 172 hours", and insert "not less than 192 lecture hours".

Amendment No. 16

On page 3 of said bill, strike out lines 35 to 37, inclusive, and insert "one or more of the basic sciences of anatomy, physiology, endocrinology, symptomatology, biology, zoology, pathology, neurology, or their equivalents as determined by the board and further provided that not more than one-half or less than one-quarter of such 192 lecture hours be spent in any one subject, also 1200 lecture hours of psychological theories, and 192 hours of supervised clinical practice, or possess the degree of Doctor of Philosophy with a major in psychology or a doctor's degree in education from a college or university approved by the board.

The board shall have the power to and shall allow and approve the establishment of institutions of learning who teach or offer part or all of the curriculum of educational requirements as specified by this act or as later amended or increased under the provisions of this act. The following requirements shall be in effect for such organizations wishing to qualify under this section of this statute. (a) that such institutions shall be non-profit corporations established for the purpose of conducting and maintaining itself as an organization whose principal aim and method of operation seeks to further the understanding and communicate to a student the science and art of psychology; (b) the articles of incorporation shall state the name of the corporation; (c) the purpose for which it is organized; (d) the county in this State with the principal office for the transaction of the business where the corporation is to be located; (e) the number of its directors which shall not be fewer than five nor more than thirty and the names and residences of the directors; (f) that the corporation is not authorized to issue shares of stock.

Such corporations may issue certificates or diplomas evidencing the completion of a course of instruction in psychology only The corporation shall conduct resident classes for such students and may not conduct correspondence classes in any subject not offered in resident classes. Such corporations may give scholarships, free tuitions, or accept tuition fees after it has performed either of the following acts: (a) filed with the Secretary of State a copy of an instrument evidencing its operation on a basis whereby it has offered in the six months prior to the enactment of this act at least 200 hours of residency classes in subjects included in the basic minimum educational requirements incorporated in this act as the basic requirements for individuals wishing to take the examination; that all such classes have been attended by at least five full tuition-paying students and that all expenses then due and payable for rent on premises, supplies and professional services of instructors and other such expenses pertinent to its operation have been paid for or are in dispute, and if in dispute, a full exposition of the facts involved (which exposition may be either accepted or rejected by the board); (b) or filed with the Secretary of State a bond in the sum of $10,000 either in cash or signed by at least two freeholders of property in the State of California which property shall exceed in taxable value a sum equal to twice the amount of the face value of the bond, or a bond issued by a recognized surety or bonding company licensed in the State of California, such bond to be in the sum of $10,000 and to insure the faithful performance of such institutions in carrying out the requirements of this act and such requirements as the board may define or require from time to time.

All such schools offering courses of instruction shall file a syllabus with the secretary of the board for approval together with the names of each of its instructors and their certifications, licenses, etc. Each instructor shall hold a state credential in teaching equivalent to college level or be a licensee of this act, or a licensee under the State Medical Board, the State Chiropractic Board, or the State Osteopathic Board.

The board may, at its discretion, require such institutions to furnish copies of its final examinations in each subject for the approval of the board before being administered to the student and the board may require or recommend changes.

The board has exclusive jurisdiction over the establishment and control of the above defined institutions and all other acts or parts of acts which conflict with this section are hereby repealed insofar as this act is concerned."

Amendment No. 17

On page 3, line 41, of said bill, strike out "their", and insert "its".

Amendment No. 18

On page 3, line 50, of said bill, after "be", insert "prepared by the board and shall be".

Amendment No. 19

On page 4, line 11, of said bill, after "7.", insert "Except as otherwise provided in this act,".

Amendment No. 20

On page 4, lines 15 and 16, of said bill, strike out "as taught in psychological schools or colleges".

Amendment No. 21

On page 4 of said bill, between lines 24 and 25, insert

"No unlicensed person shall diagnose, treat, or offer to treat any mental or emotional ailment or disorder without first complying with the provisions of this act by obtaining a license to practice psychology. No licensee under this act shall treat, or offer to treat any person for any organic pathology.

This act further provides for regulating the practice of counseling in problems of social adjustment and prescribes the terms upon which certificates shall be issued to counselors.

No person shall practice counseling or use the title, "Certified Counselor" in this State unless he holds, valid and unrevoked at the time, a certificate issued by the board. Such certificate shall be issued to any person who shall present to the board satisfactory proof of good moral character who has had one year of practical experience gained under the supervision of a person qualifying for license under this act or a licensed member of the healing arts in this State and further that he is recommended by two persons so licensed, providing such persons shall apply for certification to the board before June 15, 1952. Such certificate shall be issued to any person who shall present to the board satisfactory proof of good moral character who has received the degree of Bachelor of Arts with a major in psychology (or its equivalent as determined by the board) from a school or college or university approved by the board

Such applicants may be required to pass a written examination to be given and graded in like manner as provided in Section 6 of this act.

No provision contained in this act shall be so construed as to prohibit anyone licensed or certified under this act from employing any other person or persons not licensed or certified to work under their direction.

Licensing fees under this section shall be as follows: a fee of twenty-five dollars ($25) shall be paid to the secretary of the board when filing the application and shall be non-refundable. Yearly renewal fee shall be in the sum of ten ($10) dollars."

Amendment No. 22

On page 4, line 52, of said bill, strike out the third "or", and insert a comma.

Amendment No. 23

On page 6, line 39, of said bill, strike out "D.P.", and insert "Ps.D."

Amendment No. 24

On page 6, line 44, of said bill, strike out "D.P.", and insert "Ps.D."

Amendment No. 25

On page 7, line 25, of said bill, strike out "terms", and insert "words".

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2079—An act to amend Section 13776, 13777, 13778, 13779, and 13780 of, and to add Section 13782 and 13783 to, Chapter 8, Part 3, Division 3, Title 2, of the Government Code, relating to social security coverage for employees of public agencies, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy.

Amendment No. 1

In line 1 of the title of the printed bill, before "13780", strike out "and".

Amendment No. 2

In line 1 of the title of said bill, after "13780", insert ", and 13781".

Amendment No. 3

In line 2 of the title of said bill, after "13782", strike out "and", and insert a comma.

Amendment No. 4

In line 2 of the title of said bill, after "13783", insert ", 13784, 13785, 13786, 13787, 13788 and 13789".

Amendment No. 5

In line 4 of the title of said bill, after the comma, insert "making an appropriation and".

Amendment No. 6

On page 2 of said bill, between lines 32 and 33, insert

"SEC. 6. Section 13781 of the said code is amended to read

13781. The director may designate other state offices and agencies to assist in the administration of the provisions of this chapter *and may delegate to any such agency or office any of the powers and authority herein created in the director* and may enter into interagency agreements covering any such services."

Amendment No. 7

On page 2, line 33, of said bill, strike out "SEC. 6.", and insert

"SEC. 7."

Amendment No. 8

On page 2 of said bill, strike out lines 34 to 40, inclusive, and insert

"13782. The Director of Finance may charge or assess each public agency and each public agency shall reimburse the State at such times and in such amounts as the director may charge or assess, which amounts may differ from public agency to public agency, the public agency's proportionate share of any and all costs incurred by the State from and after October 30, 1950, as determined by the director, of administering said old age and survivors insurance system as it affects the public agency and its employees."

Amendment No. 9

On page 2, line 41, of said bill, strike out "SEC. 7.", and insert

"SEC. 8."

Amendment No. 10

On page 2 of said bill, after line 51, insert

"SEC. 9. Section 13784 is added to the said code, to read:

13784. Notwithstanding any other provision of law, the director may authorize the payment of all costs incurred by the State in administering the provisions of this chapter from the Unemployment Administration Fund or from any appropriation available for the support of any state office or agency which may be designated by the director to assist in the administration of the provisions of this chapter. Any such payments shall be returned to said fund or such appropriation as provided in Section 13786 of this code. Any state office or agency designated by the director to assist in the administration of the provisions of this chapter shall submit to the director from time to time, for the approval of the director and the State Controller, a plan of financial settlement setting forth the costs incurred by such state office or agency in connection with any duties or powers delegated to it as herein provided.

SEC. 10. Section 13785 is added to the said code, to read:

13785. There is hereby appropriated from the General Fund in the State Treasury the sum of $10,000 which shall be transferred to the Old Age and Survivors Insurance Revolving Fund which is hereby created. All money in said revolving fund is appropriated without regard to fiscal years to the director to carry out the provisions of this chapter. The director may authorize any state agency or office which may be designated by the director to assist in the administration of the provisions of this chapter to make expenditures from the said Old Age and Survivors Insurance Revolving Fund to the same extent as the director is authorized to make expenditures from such fund.

SEC. 11. Section 13786 is added to the said code, to read

13786. The said Old Age and Survivors Insurance Revolving Fund shall be used by the director, or by any state office or agency the director may designate, for the following purposes and for any other purposes necessary to carry out the provisions of this chapter.

1. To reimburse the Unemployment Administration Fund or any appropriation available for the support of any state office or agency designated by the director to assist in the administration of the provisions of this chapter for any payments made in accordance with Section 13784 of this code.

2. To advance on behalf of any public agency or agencies any part or all of the contributions required to be paid by them pursuant to Sections 13778, 13779 and 13783 of this code

3 To advance on behalf of any public agency or agencies any sums of money the State may be obligated to pay or forfeit to the Federal Government from and after October 30, 1950, by reason of any default or delinquency of any such public agency or agencies in paying the contributions, penalties or interest required by Sections 1400 and 1410 of the Internal Revenue Code, federal regulations adopted pursuant thereto and pursuant to the said agreement between the director and the Federal Security Administrator.

4 To make refunds to any public agency or agencies of contributions, penalties, interest, reimbursements, or other amounts received from any such public agency or agencies as overpayments or paid by them in error.

SEC 12. Section 13787 is added to the said code, to read

13787 Any public agency on whose behalf the director has made any advances of money as provided in Section 13786 of this code shall, upon receipt of written demand from the director, reimburse the State in the amount of any such advances.

SEC 13 Section 13788 is added to the said code, to read

13788 All contributions, penalties, interest and reimbursements received by the State from any public agency or agencies pursuant to this chapter shall be deposited in said Old Age and Survivors Insurance Revolving Fund

SEC 14 Section 13789 is added to the said code, to read.

13789 All employer and employee contributions, penalties, interest and the public agencies' proportionate share of the cost to the State for administering said Insurance System, as required of the public agencies to be paid by this chapter, shall be deposited in the said Revolving Fund, and the director, or any state office or agency which the director may authorize, may make all payments from the said Revolving Fund which the State may be required to pay to the Federal Government pursuant to the said agreement between the director and the Federal Security Administrator."

Amendment No. 11

On page 3, line 1, of said bill, strike out "SEC 8", and insert "SEC 15"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means

SECOND READING OF SENATE BILLS

Senate Bill No. 743—An act to add Section 762.95 to the Agricultural Code, relating to inspection of canning tomatoes, making an appropriation for the purchase of color-meters for that purpose and providing for the return to the State Treasury of the money so appropriated, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows.

Assembly Bills Nos. 1158, 1254, 1377, and 1683 re-referred to the Committee on Judiciary.

Assembly Bills Nos 2484, 2764, 968, 1633, 1634 and 2717, re-referred to the Committee on Agriculture.

Assembly Bills Nos. 2447, 1665, and 3221 re-referred to the Committee on Ways and Means

Assembly Bills Nos. 1053, 1204 and 3082 re-referred to the Committee on Public Health

Assembly Bills Nos. 1312, 2064, 2204 and 3222 re-referred to the Committee on Social Welfare.

RESOLUTIONS

The following resolution was offered:

By Mr. Hollibaugh:

House Resolution No. 101

Relative to the creation of the Assembly Interim Committee on State and Local Taxation

WHEREAS, The impact of federal, state, and local taxes are of immediate and vital concern to each and every person in this State; and

WHEREAS, It is a prerequisite to sound government that the tax burden be equal as between all taxpayers; and

WHEREAS, Taxes cannot be fairly imposed, unless the administration thereof by government officers and agencies is uniform and efficient as to each and every taxpayer; and

WHEREAS, There is need to ascertain the extent to which it is sound financial policy for revenues raised by one governmental unit to be granted or subvented to, or shared with, another governmental unit; and

WHEREAS, The need for taxes for each governmental unit cannot be ascertained unless the need for revenue for each such unit is also ascertained with exactitude; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on State and Local Taxation is hereby created and authorized and directed to ascertain, study and analyze all facts relating to state and local taxation, including the relationship thereof to federal taxes, subventions or grants of financial assistance by the State to cities, cities and counties, counties, and districts and by the Federal Government to the State and local Governments, the sharing of revenues by the State, the administration and expenditure of all state and local taxes, with special reference to the adequacy of the tax base for each and the simplification of their fiscal interrelation, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject and recitals of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the membership of the Standing Committee on Revenue and Taxation. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the adjournment of the 1953 Regular Session, with authority to file its final report not later than the last legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The committee, and any subcommittee thereof when so authorized by the committee, may meet and act without as well as within the State of California, and is hereby authorized to leave the State in the performance of its duties.

7. The sum of _____ or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS
NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 327 FROM COMMITTEE CONTINUED

Mr. Davis asked for, and was granted, unanimous consent that his notice of motion to withdraw Senate Bill No 327 from committee be continued until the next legislative day.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1887 WAIVED

Mr. George D. Collins waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1887 was passed.

Assembly Bill No. 1887 ordered transmitted to the Senate.

CONSIDERATION OF RECOMMENDATION TO ADOPT AMENDMENT TO THE STANDING RULES
REPORT OF STANDING COMMITTEE

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1951

MR SPEAKER: Your Committee on Rules recommends the adoption of the following amendment to the Standing Rules of the Assembly:

Amendment No. 1

In Assembly Standing Rule No. 16, as printed in the Assembly Journal of January 10, 1951, on page 187, in paragraph 2 of said Rule, in line 3, strike out "Monday", and insert "Tuesday".

Above report read.

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, and Stanley—58

NOES—George D. Collins—1.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 701—An act to add Section 46.1 to, and amend Section 51 of, the Vehicle Code, relating to definitions of vehicles and equipment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D Collins, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Smith, Stanley, and Tomlinson—60

NOES—Hagen—1.

Bill ordered transmitted to the Senate

Assembly Bill No. 234—An act to amend Sections 1731.5 and 1732 of the Welfare and Institutions Code, relating to commitments to the Youth Authority.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, and Tomlinson—67.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Richard H. McCollister Presiding

At 10.15 a.m., Hon. Richard H. McCollister, Member of the Assembly from the Seventh District, presiding.

Assembly Bill No. 1888—An act to amend Section 753 of the Banking Code, relating to investments in bank premises.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Connolly, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Stewart, and Tomlinson—62

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2516—An act to add Section 15104 to the Financial Code and to add Section 23.6 to "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to credit unions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Smith, Stewart, and Tomlinson—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2518—An act to amend Section 15811 of the Financial Code, and Section 23.4 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to taking possession of and liquidating credit unions

Bill read third time.

Request for Unanimous Consent to Expunge Record, and Rescind Action on Assembly Bill No. 2518

Mr. Geddes asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on

this day, adopted the amendments offered by Mr. Geddes to Assembly Bill No. 2518.

Amendments Withdrawn

Mr. Geddes withdrew his amendments

Further Consideration of Assembly Bill No. 2518

Assembly Bill No. 2518—An act to amend Section 15811 of the Financial Code, and Section 23.4 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to taking possession of and liquidating credit unions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Smith, Stewart, and Tomlinson—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3107—An act to amend Sections 275, 350, 601, 640, 641, 643, 644, 661, 871, 1223, 1224, 1780, and 3150 of the Banking Code, and to add a new section numbered 954, relating to deposit of moneys in the State Banking Fund, contents of articles of incorporation of banks, approval of by-laws of banks, assessment of bank shares, payment of dividends by banks, giving of notice of dormant accounts, definition of secured obligation, loan limits of banks, licensing of bank representatives, recognition of rights of depositors located in occupied countries, and payment of deposits on liquidation

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Stanley, Stewart, and Tomlinson—55

NOES—George D Collins, Hagen, and Henderson—3

Bill ordered transmitted to the Senate.

Assembly Bill No. 3108—An act to amend Sections 2090, 2095, and 3011 of the Banking Code, to add Sections 3013, 3014, and 3015, relating to conversion of state banks into national banking associations, to the transfer of trust assets upon purchase by a national banking association, and to continuance of corporate existence upon conversion, merger or consolidation of state banks and national banking associations.

Bill read third time.

Motion to Amend

Mr. Geddes moved the adoption of the following amendments:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "the Banking Code", and insert a comma.

Amendment No. 2

In line 2 of the title of said bill, after "3015", insert "to, the Banking Code, and to amend Sections 2090, 2095, and 3011 of, and to add Sections 3013, 3014, and 3015 to, the Financial Code".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 4 of said bill, after line 31, insert

"SEC. 7. Section 2090 of the Financial Code is amended to read:

2090. [Nothing in this division restricts the right of] *If two-thirds of the outstanding voting stock vote in favor thereof or give their written consent thereto,* any bank organized under the laws of this State [to] *may* convert into a national banking association upon compliance with the appropriate laws of the United States.

SEC. 8. Section 2095 of the Financial Code is amended to read:

2095. Whenever: (a) a national banking association authorized and qualified to conduct a trust business in this State has been heretofore or is hereafter created by the conversion of a state bank likewise authorized and qualified; or (b) a state bank likewise authorized and qualified has been heretofore or is hereafter created by the conversion of a national banking association likewise authorized and qualified, or (c) one or more national banks likewise authorized and qualified has been heretofore or is hereafter consolidated with one or more other national banking associations likewise authorized and qualified; or (d) one or more state banks likewise authorized and qualified consolidate with or merge into one or more national banking associations likewise authorized and qualified; or (e) one or more national banking associations likewise authorized and qualified consolidate with or merge into one or more state banks likewise authorized and qualified[.] *or (if) a national banking association authorized and qualified to conduct a trust business in this State purchases or has purchased the trust business and assets of another national banking association or of a bank organized under the laws of this State,* the resulting state bank or national banking association, *or the purchasing national banking association,* as the case may be, ipso facto and by operation of law and without further transfer, substitution, act, or deed succeeds to the rights, obligations, properties, assets, investments, deposits, demands, agreements, and trusts of the former *or selling* state bank or national banking association under all trusts, executorships, administrations, guardianships, agencies, and under all other fiduciary or representative capacities to the same extent as though it had originally assumed the same and succeeds to and is entitled to take and execute the appointment to all executorships, trusteeships, guardianships, and other fiduciary or representative capacities to which the former *or selling* state bank or national banking association, as the case may be, is or may be named in wills, whenever probated, or to which the former *or selling* state bank or national banking association is or may be named or appointed by any other instrument.

SEC. 9. Section 3011 of the Financial Code is amended to read:

3011. Whenever: (a) a national banking association authorized and qualified to conduct a trust business in this State is created by the conversion of a state bank likewise authorized and qualified; or (b) a state bank, likewise authorized and qualified, is created by the conversion of a national banking association, likewise authorized and qualified; or (c) one or more national banks, likewise authorized and qualified, are merged with or consolidated into one or more other national banking associations likewise authorized and qualified; or (d) one or more state banks, likewise authorized and qualified, are merged with or consolidated into one or more national banking associations likewise authorized and qualified *; or (e) a national banking association authorized and qualified to conduct a trust business in this State purchases or has purchased the trust business and assets of another national banking association or of a bank organized under the laws of this State* , there may be executed by the president and secretary or the cashier of the resulting state bank or national banking association *or purchasing national banking association* , as the case may be, its certificate in substantially the following form:

State of California, } ss.
County of }

The undersigned, _____, president, and _____ (secretary or cashier) of _____ (name of bank), being duly sworn, each for himself, certifies as follows:

WHEREAS, The _____ (name of bank) is a (national bank organized under the laws of the United States, or a bank organized under the laws of the State of California, as the case may be) ; and

WHEREAS, Said _____ (name of bank) was created in the following manner: (by consolidation, merger or conversion, as the case may be) *or said _____ (name of bank) purchased the trust business and assets of _____ (name of bank)* ; and

WHEREAS, The _____ (name of bank) is authorized and qualified under the laws of the State of California to conduct a trust business in this State; and

WHEREAS, Said _____ (name of bank) has received from (the Comptroller of the Currency or the Superintendent of Banks, or both, as the case may be) authorization or approval for the conduct of said business under the name of _____, of which authorization the following is a full, true and correct copy:

(Insert copy of authorization or approvals)

Now, Therefore, It Is Hereby Certified that the business formerly conducted by _____ has been succeeded to and is now being conducted by _____, with its principal place of business in the (City of _____, County of _____, or city and county, as the case may be)."

Such certificate shall be sworn to and duly acknowledged before a notary public by the persons executing the same

The recordation of such certificate in the office of the recorder of any county shall be to all persons constructive notice that all of the rights, benefits, privileges, duties, and obligations of whatsoever kind or nature held or possessed by or imposed upon the bank so converted, merged, consolidated, or whose trust business and assets have been sold, are retained by and imposed upon the successor bank or national banking association Any such certificate shall be prima facie evidence in all courts and places of the regularity of the proceedings taken and of the fact of such conversion.

SEC. 10. Section 3013 is added to the Financial Code, to read:

3013 Whenever a national banking association has converted into a state bank and whenever a state bank has converted into a national banking association, the resulting state bank or national banking association, as the case may be, shall be deemed the same corporate entity as the bank from which it was converted and any reference to the converting bank in any writing, whether executed or taking effect before or after the conversion, shall be deemed a reference to the converted bank if not inconsistent with the other provisions of such writing.

SEC. 11. Section 3014 is added to the Financial Code, to read:

3014. Whenever a state bank or a national banking association has merged into a state bank and whenever a national banking association or state bank has merged into a national banking association the resulting state bank or national banking association, as the case may be, shall be deemed the same corporate entity as the merged bank and any reference to the merged bank in any writing, whether executed or taking effect before or after the merger, shall be deemed a reference to the resulting bank if not inconsistent with the other provisions of such writing.

SEC 12 Section 3015 is added to the Financial Code, to read.

3015 Whenever one or more state banks or national banking associations have consolidated into a new state bank or into a new national banking association, the resulting state bank or national banking association, as the case may be, shall be deemed the same corporate entity as the constituent state bank or banks or national banking association or associations, as the case may be, and any reference to the constituent state bank or banks or to the national banking association or associations in any writing, whether executed or taking effect before or after the consolidation, shall be deemed a reference to the resulting bank or national banking association if not inconsistent with the other provisions of such writing.

SEC 13. Sections 7, 8, 9, 10, 11, and 12 of this act become operative only if Division 1 of the Financial Code is enacted by the Legislature at the 1951 Regular Session, and in such case at the same time as said Division 1 takes effect, at which time Sections 1, 2, 3, 4, 5, and 6 of this act are hereby repealed."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2820

Mr Maloney asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2820, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2820

Assembly Bill No. 2820—An act to amend Section 22 of the Industrial Loan Act and/or Section 18650 of the Financial Code, relating to industrial loan companies and penalties for overcharge.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, and Tomlinson—64.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2823

Mr. Maloney asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2823, out of order, at this time

CONSIDERATION OF ASSEMBLY BILL NO. 2823

Assembly Bill No. 2823—An act to amend Section 4 of the Industrial Loan Act and/or subdivisions (a), (b), (c), and (d) of Section 18401, Sections 18405, 18663, 18664 and 18665 of the Financial Code, relating to penalties and powers applicable to industrial loan companies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Stanley, and Stewart—68

NOES—None.

Bill ordered transmitted to the Senate.

MEMBERS EXCUSED

At 10.38 a.m., Mr. Lindsay asked for, and was granted, unanimous consent that Messrs. Kirkwood and Silliman be excused, for the balance of the legislative day, because of legislative business elsewhere.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 45—An act to amend Sections 984 and 985 of the Military and Veterans Code, relating to farm and home purchases by veterans.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb,

Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, and Waters—67.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 242

Mr Smith asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 242, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 242

Assembly Bill No. 242—An act to add Section 1529 to the Probate Code, relating to guardian and ward.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, and Stewart—66
NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 10 41 a.m., Hon Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1178

Mr. Brown asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 1178, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1178

Assembly Bill No. 1178—An act to amend Sections 296.2 and 296.4 of, and to add Sections 296 41 and 296.42 to, the Probate Code, relating to the estates of deceased persons and the determination of simultaneous death.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, and Stewart—68.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2522

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2522, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2522

Assembly Bill No. 2522—An act to amend Section 14852 of the Financial Code and Section 4 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to the corporate powers of credit unions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, and Tomlinson—65

NOES—None

Bill ordered transmitted to the Senate

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 822—An act to amend Section 988.3 of the Military and Veterans Code, relating to advances of money to the Department of Veterans Affairs by the State Department of Finance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, George D. Collins, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stewart, and Tomlinson—66

NOES—Stanley—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 72

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 72, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 72

Assembly Bill No. 72—An act to amend Sections 985.5, 986.3, and 986.5 of the Military and Veterans Code, relating to the purchase of farms and homes by veterans.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Tomlinson, and Waters—73.

NOES—None.

Bill ordered transmitted to the Senate

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 6—An act to add Article 9 to Chapter 1 of Division 4 of Title 1 of the Government Code, relating to the fingerprinting of public employees.

Bill read third time.

Motion to Amend

Mr Chapel moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 1, of the printed bill, strike out "Federal Bureau of Investigation", and insert "State Bureau of Criminal Identification and Investigation".

Amendment read, and adopted

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 365—An act to amend Section 1203.11 of the Penal Code, relating to probation officers' reports

Bill read third time, and ordered passed on file

Assembly Bill No. 1177—An act to add Section 1190.1 to the Civil Code, relating to the acknowledgment of instruments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, and Stewart—69

NOES—None.

Bill ordered transmitted to the Senate

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1951

MR SPEAKER: Your Committee on Rules, to which was referred

House Resolution No. 99

Has had the same under consideration, and reports the same back with the recommendation: Be adopted

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

CONSIDERATION OF HOUSE RESOLUTION NO. 99

By Mr. Dickey:

House Resolution No. 99

Resolved, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to furnish to each Member of the Assembly, upon request, five copies of the California Blue Book.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Huckley, Holibaugh, Kelly, Kilpatrick, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Smith, Stanley, and Stewart—65.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 36: By Mr. Stewart—Relative to approving certain amendments to the charter of the City of Pasadena, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the fifteenth day of March, 1951.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 365
Assembly Bill No. 366
Assembly Bill No 898

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 270
Assembly Bill No. 273
Assembly Bill No. 303
Assembly Bill No. 304
Assembly Bill No 349
Assembly Bill No. 419
Assembly Bill No. 420
Assembly Bill No 421
Assembly Bill No. 478
Assembly Bill No. 609
Assembly Bill No. 795
Assembly Bill No. 1031
Assembly Bill No 1094
Assembly Bill No 1227
Assembly Bill No. 1639
Assembly Bill No. 1640
Assembly Bill No 1694
Assembly Bill No 1742
Assembly Bill No. 1743
Assembly Bill No. 1811
Assembly Bill No. 1890
Assembly Bill No. 2005
Assembly Bill No. 2378
Assembly Bill No. 2641
Assembly Bill No. 3370

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Joint Resolution No. 25—Relative to continuing federal support for vocational education.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, and Tomlinson—69.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 366

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 366, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 366

Assembly Bill No. 366—An act amending Section 643 of the Welfare and Institutions Code, relating to probation officers' annual reports.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, and Stewart—66.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 365

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 365, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 365

Assembly Bill No. 365—An act to amend Section 1203.11 of the Penal Code, relating to probation officers' reports.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Nicholse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, and Stewart—64

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 898

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 898, temporarily passed on file, out of order, at this time

CONSIDERATION OF ASSEMBLY BILL NO. 898

Assembly Bill No. 898—An act to amend Sections 1356, 1357, 1359, 1362, 1363, 1364, 1366, 1367, and 3396 of the Banking Code, to add Section 1371, and to renumber and amend 1371, relating to investments by savings banks, securing of information pertinent to the qualification of bonds of political subdivisions by the superintendent from officials of such political subdivisions and to the making of representations that securities are a legal investment for savings banks.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Nicholse, Parker, Porter, Shaw, Stanley, Stewart, and Tomlinson—64.

NOES—None.

Bill ordered transmitted to the Senate

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr Lowrey:

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1951

MR SPEAKER In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act creating the "Yolo County Flood Control and Water Conservation District" for controlling, conservation, diversion storage and disposition of storm, flood, and other surface waters, prescribing the boundaries, organization, operation, management, financing and powers and duties of the district.

Respectfully submitted.

LLOYD W LOWREY

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1951

MR SPEAKER Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it

By Mr Lowrey.

An act creating the "Yolo County Flood Control and Water Conservation District" for controlling, conservation, diversion, storage and disposition of storm, flood, and other surface waters, prescribing the boundaries, organization, operation, management, financing and powers and duties of the district

BURKE, Chairman

The roll was called, and permission granted by the following vote

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy McCollister, McFall, McGee McMillan, Meyers, Moss, Munnell Nicholson, Parker, Porter, Shaw, Stanley, Stewart and Tomlinson—64.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3390: By Mr. Lowrey—An act creating the "Yolo County Flood Control and Water Conservation District" for the controlling, conservation, diversion, storage and disposition of storm, flood, and other surface waters, prescribing the boundaries, organization, operation, management, financing and powers and duties of the district

Referred to Committee on Conservation, Planning, and Public Works

CONSIDERATION OF DAILY FILE (RESUMED)

CONSIDERATION OF HOUSE RESOLUTION NO. 87

By Mr Elliott:

House Resolution No. 87

Relative to memorializing the Congress of the United States regarding the Social Security Administration under the Federal Security Agency

WHEREAS, Employees making contributions under the Old-age Survivors Insurance System of the Social Security Act are uncertain of their status and of the amounts contributed by their employers, and

WHEREAS, Persons applying for benefits have found in some cases, that neglect in turning in funds on the part of some employers has made it difficult and at times impossible to straighten out their records so that they could establish their eligibility to obtain old age benefit payments under the Federal Social Security Law, and

WHEREAS, The intent and purpose of our Social Security Act will be more clearly expressed by advising the employee annually of his status thereunder, now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly of the State of California hereby memorializes the Congress of the United States to investigate and consider the feasibility of taking action which will require the Social Security Administration under the Federal Security Agency to furnish employees making contributions for old-age survivors insurance with an annual statement of their status and of the amount paid into the fund by their employers, and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States

Resolution read, and adopted.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Concurrent Resolution No. 35—Relative to the death of Judge Herbert Wilson Erskine.

Resolution read. and adopted.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 341—An act to add Section 886 to the Welfare and Institutions Code, relating to a ward of the juvenile court residing in a county other than the county of his residence.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, and Stanley—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 605—An act to amend Sections 403.5 and 765 of the Vehicle Code, relating to violations of the Vehicle Code in order to comply with regulations promulgated under Civil Defense Act of 1950, or the California Disaster Act.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1089—An act to add Article 6, comprising Sections 1953i to 1953*l*, inclusive, to Chapter 3 of Title 2, Part 4 of the Code of Civil Procedure, relating to the use of photographic copies of business and public records as evidence in judicial and administrative proceedings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1200—An act to add Section 5402.5 to, and to amend Section 5406 of, the Welfare and Institutions Code, relating to the support and parole of persons committed or confined to branches of county jails for inebriety.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, and Stewart—64

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Charles W. Lyon Presiding

At 11.29 a.m., Hon. Charles W. Lyon, Member of the Assembly from the Fifty-ninth District, presiding.

Assembly Bill No. 1276—An act to amend Section 1430 of the Probate Code, relating to estates of minors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, and Stewart—63.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED IN JOURNAL

Mr. Geddes asked for, and was granted, unanimous consent that a Supplementary Preliminary Report of the Assembly Interim Committee on Finance and Insurance (created by House Resolution No. 239) be ordered printed in the Journal, in 10 point type.

(Above mentioned letter of transmittal and report will appear prior to the motion to adjourn.)

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2047—An act to add Section 1164 to the Fish and Game Code, relating to shooting of human beings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky,

Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Smith, Stanley, and Stewart—59.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2450—An act to amend Section 1873 of the Civil Code, relating to unclaimed property.

Bill read third time.

Demand for Previous Question

Messrs Grant, Doyle, Dunn, Connolly, and Lincoln demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2450

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford Shaw, Smith, Stanley, Stewart, Tomlinson, and Waters—70

NOES—None.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 28

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 28, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 28

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 28:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, March 23, 1951

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

Assembly Bill No. 28, "An act making an appropriation to Mono County from the Emergency Fund specified in Item 277 of the Budget Act of 1950, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, declaring the urgency thereof, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This act makes an appropriation to the County of Mono for the construction of bridges damaged or destroyed by the recent floods Until this work is done many of the people of Mono County will be isolated, and the work should be done as soon as possible.

I therefore recommend consideration of Assembly Bill No. 28 as an emergency measure.

Respectfully submitted,

EARL WARREN, Governor

Assembly Bill No. 28—An act making an appropriation to Mono County from the Emergency Fund specified in Item 277 of the Budget Act of 1950, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Holibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Tomlinson, and Waters—70

NOES—None

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Holibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Tomlinson, and Waters—70

NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 457—An act to amend Sections 221, 234, 235, 236, and 240 of, and to repeal Sections 234.5, 243, 246, and 247 of, the Agricultural Code, relating to bovine tuberculosis.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Holibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, and Stewart—67

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Messrs. Maloney, Sam L. Collins, Waters, Dickey, McCarthy, Brady, Meyers, George D. Collins, Gaffney, Connolly, Dolwig, Dunn, and Berry:

House Resolution No. 102

Relative to adjournment on Good Friday, March 23, 1951

WHEREAS, It is the custom among Christians throughout the world to devote three hours on the afternoon of Good Friday to commemorative services and meditation upon the passion and death of our Saviour; and

WHEREAS, All Members of this Assembly desiring to participate in these religious observances should be free to do so; now, therefore, be it

Resolved by the Assembly of the State of California, That an adjournment be taken from 12 noon on Friday, March 23, 1951, until Monday, March 26, 1951, at 10 A.M., in respect to observance of Holy Week.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 102, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

REQUEST FOR UNANIMOUS CONSENT THAT REPORTS BE READ AND APPROPRIATE ACTION TAKEN

Mr. Dickey asked for, and was granted, unanimous consent that appropriate action be taken on reports below.

Reports read, as follows:

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 10—Relative to reactivation of the Defense Highway Act of 1941;

Assembly Joint Resolution No. 16—Relative to the compensation of postal employees;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the twenty-third day of March, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 17—Urging equal opportunity in public employment for qualified physically handicapped citizens of the State;

Assembly Concurrent Resolution No. 29—Relative to eggs shipped to Hawaii;

Assembly Concurrent Resolution No. 30—Relative to participation in the events of the Thirty-second Annual Public Schools Week;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the twenty-third day of March, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 831

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 500

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 381	Assembly Bill No 2258
Assembly Bill No. 606	Assembly Bill No. 2318
Assembly Bill No 944	Assembly Bill No 2672
Assembly Bill No 1091	Assembly Bill No. 2676
Assembly Bill No. 1203	Assembly Bill No 2678
Assembly Bill No. 1492	Assembly Bill No. 2760

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1951

MR. SPEAKER. Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 19

Has had the same under consideration, and reports the same back with the recommendation: Be re-referred to Committee on Ways and Means.

HOLLIBAUGH, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 437	Assembly Bill No. 560
Assembly Bill No. 438	Assembly Bill No. 574

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred.

Assembly Bill No. 1814

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 434	Assembly Bill No. 563
Assembly Bill No. 435	Assembly Bill No 564
Assembly Bill No. 436	Assembly Bill No 565
Assembly Bill No. 441	Assembly Bill No. 568
Assembly Bill No. 442	Assembly Bill No. 569
Assembly Bill No. 469	Assembly Bill No. 570
Assembly Bill No. 470	Assembly Bill No 571
Assembly Bill No. 558	Assembly Bill No 572
Assembly Bill No. 561	Assembly Bill No. 578
Assembly Bill No. 562	Assembly Bill No. 580

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:
Assembly Bill No. 484

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

Committee on Industrial Relations

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1951

MR SPEAKER Your Committee on Industrial Relations, to which were referred:
Assembly Bill No. 485
Assembly Bill No 537

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass, as amended.

LEVERING, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1951

MR. SPEAKER: Your Committee on Industrial Relations, to which was referred:
Assembly Bill No. 269

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee.

LEVERING, Chairman

Above reported bill ordered to second reading.

ANNOUNCEMENT

Mr. Stanley announced that all Pages who appeared in the picture taken of the Pages in the Assembly Chamber yesterday are invited to come to his desk, upon adjournment, to receive pictures.

SUPPLEMENTARY PRELIMINARY REPORT OF THE ASSEMBLY INTERIM COMMITTEE ON FINANCE AND INSURANCE

H.R. 239

LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE
COMMITTEE ON FINANCE AND INSURANCE, March 23, 1951

Honorable Sam L. Collins
Speaker of the Assembly
State Capitol, Sacramento, California

DEAR MR SPEAKER: As explained in the within report your Interim Committee on Finance and Insurance has received material which allows me at this date to make a report on certain proposed legislation referred to this committee for study during the interim

In making this supplementary preliminary report which we ask be printed in the Journal I am placing in the hands of the committee members and the Legislature matters pertinent to the subject legislation as well as legislation in the current session.

Very truly yours,

ERNEST R. GEDDES, Chairman

Supplementary Preliminary Report of the Assembly Interim Committee on Finance and Insurance (H.R. 239)

RELATING TO CERTAIN BILLS ON WHICH CONSIDERATION WAS DEFERRED BY THE COMMITTEE

The Assembly Interim Committee on Finance and Insurance at its hearings held at the State Capitol in Sacramento on November 16 and 17, 1950, deferred consideration of the subject matter of those bills referred to it having to do with unemployment disability benefits as follows: Assembly Bills Nos. 28, 29, 66, 78, 79, 85, 86, 87 and 88 (introduced at the 1950 First Extraordinary Session).

When the chairman called for presentation of the first bill in this class Mr. Harold Leavey addressed the committee as follows:

*MR. LEAVEY: Mr. Chairman, I wonder if, with Mr. Condon's leave, I might make a statement in connection with these bills?

CHAIRMAN GEDDES: First, will you identify yourself for the record, please Mr. Leavey?

From the record we quote relevant excerpts as follows.

"MR. LEAVEY: My name is Harold Leavey, Representative of the California Western States Life Insurance Company. I've appeared before this committee on numerous occasions in connection with Disability Insurance matters. At the outset, let me say that there has been a discussion going on for some period of time with representatives of organized labor that sponsored the original writing of the Disability Insurance Act. There has been recognition on the part of the insurance carriers that there was an unhappy situation in Sacramento in 1949 session and I think there is recognition on the part of everyone concerned, that the excess of income over outgo in 1950 will be relatively small and that some consideration might be given to getting together on a discussion of where this Act is going. In line with that, we have suggested to the sponsors of some of this legislation, specifically, Mr. Haggerty † and Mr. Scully ‡ that it might be desirable to ask this committee to postpone or defer hearings on the Disability Insurance phases of these several bills. Discussion was had with Mr. Condon, as I understand it, and it is agreeable with him. One of the reasons we're asking and, perhaps primarily, is that there has been a discussion going on among the insurers as to how far changes might be made and still keep this Act on a sound and solvent basis. The insurance carriers are having a meeting in conjunction with the Insurance Commissioners' Convention in Los Angeles, December 10th to 13th. It is the thought that at that time it may be possible to reach some conclusions and perhaps present, on the part of the insurance industry and the representatives of labor, this committee with certain conclusions. If there is an attempt to explore fully all of the bills before this committee now, it seems to me that ultimate conclusions may be defeated on the

* Transcript of testimony and proceedings before the Assembly Interim Committee on Finance and Insurance, Sacramento, November 16 and 17, 1950, Page 48 through 57 ff.

† C. J. Haggerty, Secretary California State Federation of Labor (A. F. of L.) and Legislative Representative.

‡ Charles P. Scully, Charles P. Scully, Attorney at Law, Counsel California State Federation of Labor

basis on which it's currently being attempted. I think too, that if it is not possible for the representatives of the insurance industry and organized labor to meet and agree late in December, there would then be some time at least for this committee to have a hearing, or a discussion on all of these bills, prior to January 15th, when I understand, your report is due to be filed. Therefore, I would ask that the committee determine now that they go along with what I understand is Mr. Condon's, Mr. Scully's and Mr. Haggerty's agreement with the insurance carriers, to defer consideration on the Disability Insurance phases of these several bills pending before this committee.

CHAIRMAN GEDDES: Now, Hal, you have particular reference to A.B. 56, 86 and 87, introduced at the First Extraordinary Session, last March. Is that right?

MR. LEAVEY: Yes, but further than that, there is 88, and then there are some of the bills that have to deal with U.I ‡, which also deal with D.I.‡ in part, because the same Section of the statute covers both U.I. and D.I. In other words, the request for deferment goes to all the bills that touch in any way upon D.I.

MR. SCULLY: I think I have a list here.

CHAIRMAN GEDDES: Would you just give it to me and we'll get the record straight.

MR. SCULLY: As I understand it, the list would include A.B. 66, 78, 79, 85, 88 and 111.

MR. LEAVEY: Well, Mr. Chairman, there are certain other bills that should be included in that, for instance, 59 relates to Section 54, which would increase the weekly benefit amount, both for D I. purposes and U.I. purposes.

MR. SCULLY: I think that could be included

CHAIRMAN GEDDES: You'd agree with that? All right. In other words, as has been pointed out, there was a meeting of the minds as to the need for revision and amplification of some of the benefits and perhaps some corresponding offsets, so that all parties could come into agreement. You feel, Mr. Leavey, that this is particularly an argument right now, as between the companies and those represented by Mr. Scully, rather than the insurers, generally, or the general public?

MR. LEAVEY: Well I think, being realistic here, this Disability Insurance Act was sponsored by representatives of organized labor, principally those of the A.F.L. Since that time, of course, other representatives of organized labor have presented various proposals for changes in the benefit structure. I don't know just where some of the authors obtained bills, or for whom they are represented, but it seems to me that the proposed changes are broad enough to include careful consideration of all aspects if we are to still keep the Act sound.

CHAIRMAN GEDDES: We'll first hear from the committee if there's any objection, particularly from Mr. Condon, who is the particular author of these bills.

‡ U I, Unemployment Insurance
D.I, (Unemployment) Disability

MR. CONDON: As Mr. Leavey said, I have discussed this matter with both Mr. Leavey and Mr. Scully, and I have no objection. I think that probably A.B. 58, should also be included because that also touches on Disability Insurance. As far as I am personally concerned, it is perfectly agreeable with me for the matter to go off the calendar at this particular session of the committee, as long as it is necessary and if we can have some kind of hearings before next March on the subject of Disability Insurance.

MR. LEAVEY: We'll have them before that.

MR. CONDON: Yes.

CHAIRMAN GEDDES: It will be entirely possible, of course, for the committee to meet when we're here in January, by withholding from its final report, recommendation on these particular pieces of legislation. I also think we should contemplate, if agreement is made and the committee does make recommendation in favor of the proposed legislation, that it could be pretty well wrapped up in maybe one or two bundles instead of in as many different bills as we have here.

MR. LEAVEY: I would think that would be swell, Mr. Chairman.

CHAIRMAN GEDDES: However, I would like to point out, in order that some very valuable work, in my estimation, won't be entirely lost, that we have as a basis for our considerations the data filed immediately back of each of these bills, consisting of estimates by the Department of Employment and others on what the cost would be if these bills are passed, based on the data obtained at the date the estimates were made and that this should be shown when we make report on what's done here today.

MR. LEAVEY: Well, Mr. Chairman, it seems to me, those estimates necessarily tie in with whatever is ultimately worked out by way of agreement or otherwise with the representatives of organized labor and it seems to me that no purpose is served by spreading on your records or anybody else's, the detail of what the Department of Employment has filed. Some of those reports would clearly show there are certain pieces of legislation if enacted, the Department, insofar as D.I. on a current basis would be operating on a deficit basis, that is, their current outgo would exceed their current income Now, I think that the representatives of organized labor have taken the attitude that they don't stand for and are not arguing for deficit financing Therefore, I would think that that which we come in with after the December conferences will necessarily include a discussion for you gentlemen of what the costs will be and what those estimates are. I have no doubt, in conjunction with that, we will have conferences with the Department of Employment and I believe that we will probably be in accord. The labor people, management people, insurance people and the Department as to the probable, or estimated cost of whatever we may present.

MR. MALONEY: I move the request be granted, Mr. Chairman.

CHAIRMAN GEDDES: All right, moved by Mr. Maloney, seconded by Mr. Morris, that the request be granted.

MR DOYLE. On the motion, I think it would be well to add something to that motion I think inasmuch as Mr. Condon is familiar with this type of legislation and probably some other members of the committee, it might be well that they notify them when they have these meetings and you authorize them as a subcommittee to attend those meetings so that they will be in a position to come before this committee and explain it to us in our language. I think it would be well for them to be included in those meetings.

CHAIRMAN GEDDES: We don't need a motion on that. The Chairman can do it now and I would be very glad to if its . .

MR. DOYLE. Would you intend doing that, would you . . .

CHAIRMAN GEDDES: Yes, certainly.

MR. DOLWIG: Talking on the motion. I don't see why a subcommittee should spend the time with these gentlemen at these conferences, because the purposes of their conference is to give us the information. When they have resolved whatever differences they have, they will come to us and make their presentation, so I don't see what we would gain by having a sub-committee meeting with these groups.

MR DOYLE My only reason for making that suggestion is this, that somebody's got to carry this stuff on the floor and be in position—there'll be a lot of verbal stuff there that won't be in the report—they'd be in position to answer questions on the floor. There's no question but these bills are going to be controversial on the floor, regardless of whether capital and labor or industry and labor gets together on them. There's going to be some fellows on the floor that will be either pro or against them. And, I think it might be well to have somebody there that will know all the answers.

MR. MALONEY That's up to the author of the bill, he has to follow it through and know all the answers

CHAIRMAN GEDDES: I'd like to point out, just for the information of those who may be listening to this discussion, that in the files, adjacent to the copy of Assembly Bill No. 58, is an estimate which was filed with this committee, showing that if this bill is passed the estimated amount of Unemployment Insurance Benefit payments for the calendar year of 1951 would amount to 170 million. It was based on what I would assume to be a valid estimate and was made by a State Department. Now, if there are any changes in any of these estimates that have been used in making the calculations—which are certainly something that the committee should report—as noncontroversial, but as having a direct bearing on the matter—any change in the effect, occasioned by passage of suggested and recommended legislation, then we want as part of the statement of agreement between the persons speaking here and who seek to speak later, their revisions to these figures, if they are other than these before the committee now.

MR. LEAVEY: Well, I would think, we certainly could do that. I think for clarity, for understanding and for purposes of having the whole thing that relates to this altogether, the committee itself

and the legislators who go through whatever report you file will find it much easier if you not make a partial report here based on the Department's estimates, but throw the whole thing together when you have a hearing late in December or January, when you come back here.

Certainly, as I indicated a few minutes ago, if there are changes in the proposed estimates, or if these proposals will change those estimates, I think that we can have gotten together with the Department of Employment and come in and spread the whole thing on the table before you gentlemen, at whatever meeting you set.

MR. DUNN: Before I vote on this motion, I'd like to have it clearly understood that the request of Mr. Leavey is concurred in by everyone who has an interest in it. We have Mr. Condon's statement, I think, that he is willing to defer consideration of the bills that he has authored on the subject of Unemployment and I think one on Disability Unemployment Insurance Is that correct 58?

MR. CONDON: Well, they're both on both, 58 and 59.

MR. DUNN: And Mr. Leavey has quoted the representatives of the A.F L. I think they should speak for themselves. I think if there's anyone else, who is representative of industry or of another employee group, they should also be on record before this committee votes on the thing. I think that we should be clear in our own minds at least, that in suspending further consideration of these bills that the interested parties may have an opportunity to compromise their differences and present legislation which will be supported, that we have heard from at least a majority of both sides. I'd like you to ask these other people, Mr. Chairman, if they will come forth and put themselves on record.

CHAIRMAN GEDDES · All right. Mr. Scully.

MR. SCULLY: Well, other than Mr. Condon's three bills, all the remaining bills are A.F.L. sponsored bills. It is my understanding, after speaking with Mr. Leavey and Mr. Haggerty that we are agreeable to the suggestion and we would join in the request that the committee postpone consideration until the end of December or January, so that the national group of the insurance companies interested can also be consulted and they can have an opportunity to discuss it with them. So, we would be on record as to the remaining bills requesting they be complete.

CHAIRMAN GEDDES · Now, let me point out before we hear from these other parties that this committee, when it was set up, had certain purposes or functions to perform.

By a resolution adopted by the Assembly, the bills which are the subject matter which is before us today, were specifically placed in our hands with the directive that we report thereon, and that report is going to be made on the fifteenth day of January, as far as the Chairman is concerned. I believe that the Legislature, if they're going to effectively use the information we provide them, has to have it in time for use in drawing bills and in making up their minds, and in deciding who are going to be the authors Therefore, I think we mustn't lose sight of the fact that if we adopt this motion it

is going to be with the understanding that the people here represented are those principally interested. The committee has complied with its directive, as far as these particular bills are concerned, in affording an opportunity for them to be heard and considered. I have no objection to this procedure, if all sides are in conformity with the suggestion or request made. Certainly the committee is in no position to insist that the proponent of a bill present it at this time if he doesn't care to. Furthermore, let me say, that all authors and co-authors of legislation, the subject matter of which we are considering, have been notified of this hearing and have been given this opportunity, so the record will be clear in that regard. Now, is there anyone who would like to speak before we put the motion? You may come forward at this time, if there is anyone.

Mr. Hawkins, will you identify yourself for the record, please?

MR. HAWKINS: F. H. Hawkins, representing the Life Insurance Association of America. The life companies are in thorough agreement with this proposal that has been outlined by Mr. Leavey and Mr. Scully and we would request, if the committee sees proper, a vote for the motion before the committee at the present time.

CHAIRMAN GEDDES: Mr Hawkins, is it your understanding that if we do this, it is only with two objectives in mind: One, to come to some agreement, if that is possible, and the other to give this committee additional valid information that we report back to the Legislature, as to costs and other effects and that will take the place of the information obtained to date on these bills and which we have taken at face value?

MR. HAWKINS: Exactly.

CHAIRMAN GEDDES: All right. Thank you, sir.

MR. GROEZINGER: Mr. Leland B. Groezinger speaking on behalf of the American Mutual Life and several of the other U.C.D. carriers. I just want to state that I'm in accord with what Mr. Leavey, Mr. Scully and Mr. Hawkins have just stated.

CHAIRMAN GEDDES: All right, that's very good. Mr. Knauft, do you have any statement?

MR. KNAUFT: John Knauft, representing the California Manufacturers Association. We would be thoroughly in accord with a thorough study of this through the joint meetings being arranged.

CHAIRMAN GEDDES: Thank you, sir. Is there anyone else?

MR. DUNN: Mr. Chairman, with reference to A.B. 79, I don't recall whether that one was on the list.

CHAIRMAN GEDDES: That's not on the list.

MR. DUNN: I note Mr. Kragen is representing several other bills, and with that exception that's all the people that appear to be named here.

CHAIRMAN GEDDES: Mr. Doyle, you're author of A.B. 88.

MR. DOYLE: Wait until I look and see. I think that's Brother Scully's bill.

CHAIRMAN GEDDES: Now, Mr. Brady, isn't present, though he was afforded the opportunity. Mr. Beck is a committee member

and hasn't appeared though he has been placed on notice. Mr. Doyle accedes. Mr. Meyers is a committee member and he isn't present.

MR. MALONEY: I assume, Mr. Chairman, that this committee is going to meet, take all these bills into consideration and relieve the Chairman of all of that work and then put in a report to you on how they feel about the program that they may come to a conclusion on. I said "may," I didn't say they "would."

CHAIRMAN GEDDES: It comes down to the question I put a few minutes ago and that is that there are two things we want. One, is a report on any agreement reached and, two, a thorough analysis of the matter of costs, something valid which we can report to the Legislature.

MR. MALONEY: Not only that, following out your suggestion, I think it's essential they get a report in here earlier than anticipated today. You cannot afford to put your report in later than January the 15th, for the simple reason that we will be limited to 120 days at this session, so, the sooner it's in the better for everyone concerned.

CHAIRMAN GEDDES: I'd like to have it included in the motion, that any such report made to the Chairman of this committee, must be made not later than January 1st.

MR. MALONEY: That's all right.

CHAIRMAN GEDDES: Is that all right with the proponents? Is there any further discussion?

MR. BRADY: One thing, Mr. Chairman, I hear constant conversation about getting accurate figures from the insurance companies and those interested. Shall we not also perhaps recommend policy? Because do not some of these bills contain policies that differ from current policies?

CHAIRMAN GEDDES: Can you answer that, Mr. Scully, or . . .

MR. SCULLY: I think that very definitely is the case, or subject to.

CHAIRMAN GEDDES: Policy is one matter of controversy and costs another. Statistics must be posed on estimates which we believe to be correct or assumptions which are valid under the circumstances.

MR. LEAVEY: Mr. Chairman, that I may understand the suggestion made. The report would be filed by January 1st? Now, the thing which we were proposing, is that whatever conclusions we reach, we would report. I had presumed that another open meeting of this kind of this committee would be held. Now, do I understand that the committee is asking that whatever is determined upon be reduced to writing and filed, rather than having another meeting of this kind with the committee?

CHAIRMAN GEDDES: That is right. Then when we come up here on January 8th, I will call this committee together again, because I doubt that it's going to be possible to get a full committee

hearing here, or anywhere else in California before we come up in January.

It's just too hard to get thirteen members, or even the ten such as we have today, together all at one time in one place. We will be here on January 8, which will give us time to hold one hearing, or two hearings, during the first part of the session, when we don't have regular committee work, and still make our report and have it included in our printed report to the Legislature. If we can't get it done by the first of January, we should go ahead and give consideration to each of these bills now, or we're going to have a hole in our obligation to the entire Legislature that will be big enough to drive a truck through.

CHAIRMAN GEDDES: Are you ready for the question? All in favor, as proposed? (Voted unanimously) It is so ordered."

In the interval which followed the November hearings, the executive secretary of this committee and the chairman were several times in communication with Mr Scully and Mr Groezinger, who, it appeared, seemed to be the spokesmen of the insurance carriers as far as it had come to our notice.

The purport of these letters was that various meetings had been held and that it appeared that a basis of agreement would be reached but that in view of the necesstiy of presenting any final agreement to various memberships of the California State Federation of Labor and also of obtaining the final approval of the insurance carriers whose home offices were on the East Coast, it would not be possible to file the complete report with the chairman in time for him to conduct hearings in December In January, 1951, the same condition continued, as it did during the constitutional recess of the 1951 Session However, about the end of February, the chairman received a telephonic communication from Mr. Scully informing him that it appeared likely that the matter could be reported within the next few days. Accordingly, the chairman met with Mr. Scully and Mr. Groezinger in Los Angeles on March 2d, and received a verbal report that agreement had been reached, and the points of agreement were sketched in.

On his return to the Capitol on March 8th, prior to the opening of the Session, the chairman received from Mr. Scully and Mr Groezinger the following communication dated March 7, 1951:

"DEAR MR. GEDDES:

You will recall that at the hearing of the interim committee in Sacramento in November, 1950, when the committe was about to consider certain proposed bills referred to it by action of the previous session dealing with disability insurance, the sponsors of the legislation and representatives of interested groups, including the insurance companies, advised the committee that their groups had been meeting in the hope of reaching a compromise which would eliminate the necessity of hearings on all of this type of legislation. You, as chairman, and your committee, were gracious enough to postpone consideration of these bills conditioned upon a report to yourself and the Committee on such meetings.

Since that time a series of additional meetings have been held between the groups both in San Francisco and Los Angeles, at which were present, representing the sponsors of the bills, Mr. C. J. Haggerty, Secretary of the California State Federation of Labor, A.F.L., Mr Thomas Pitts, President of the Federation, Mr. Wendell Phillips, Chairman of the Committee on Resolutions of the Federation, and Mr. Charles P. Scully, General Counsel of the Federation, and representatives of the other interested groups consisting of Mr. Clarence Tookey, Actuarial Vice President of the Occidental Life Insurance Company of California, Mr. Perry Taft, Mr Frederick Hawkins, and Mr. Leland B Groezinger, counsel for various insurance trade associations and independent carriers

We are glad to advise you that agreement has been reached between these parties which we believe will fairly and equitably dispose of the subject matter of the bills referred to this committee and will eliminate the necessity of any extended hearings or controversy on this subject matter at the coming session of the Legislature. Attached you will find a complete bill incorporating the agreements reached at such meetings which, on the one hand, will afford liberalization of benefits to the employees covered under the program and, on the other hand, afford equitable relief to other interested groups, without in any way endangering the solvency of the funds from which benefits are paid

It is our understanding that the department will be in a position to submit to you statistical information which will establish our belief that the attached bill will not endanger the solvency of the fund from which these benefits are payable. For your convenience, we have enclosed an additional copy of the bill which you may submit to the department for such purpose if you desire.

We desire at this time to express our sincere appreciation to you and to your committee for the courtesy afforded to us and the cooperation shown, without which we are certain this most desirable compromise could not have been accomplished.

Very truly yours,

/s/ CHARLES P SCULLY
/s/ LELAND B GROEZINGER"

The chairman determined to poll the committee as to whether or not the various members favored the proposed legislation This, in effect, would indicate approval or disapproval of the suggestions made by the interested parties by allowing members of the committee to become co-authors with him of the proposed bill However because of the announcement by the Speaker that "sponsors" of legislation introduced after the recess would be considered as authors, and thus, each member signing would lose a "spot," he determined to introduce the bill without co-authors. However Mr. Maloney and Mr. Dunn have joined with him as co-authors of Assembly Bill 3376 which was introduced on the fourteenth day of March, 1951 and referred to the Assembly Standing Committee on Finance and Insurance. The text of the bill follows:

CALIFORNIA LEGISLATURE—1951 REGULAR SESSION

ASSEMBLY BILL No. 3376

Introducd by Messrs. Geddes, Maloney, and Dunn

March 14, 1951

REFERRED TO COMMITTEE ON FINANCE AND INSURANCE

An act to amend Sections 44.2, 151, 203, 208, 209, 400, and 456 of, and to add Sections 209.1, 310, 310.5, and 452.5 to the Unemployment Insurance Act, relating to unemployment compensation disability insurance.

The people of the State of California do enact as follows:

SECTION 1. Section 44.2 of the Unemployment Insurance Act is amended to read:

Sec. 44.2. (a) The provisions of Section 44 of this act requiring the payment of worker contributions shall not apply to ~~that part of remuneration which, after remuneration equal to three thousand dollars ($3,000) has been paid to an individual by an employer with respect to employment during any calendar year, is paid after December 31, 1939, and prior to January 1, 1947, to such individual by such employer with respect to employment during such calendar year, or~~ that part of the remuneration which, after remuneration equal to three thousand dollars ($3,000) with respect to employment after 1939 has been paid to an individual by an employer during any calendar year after 1946 *and prior to 1952,* is paid to such individual by such employer during such calendar year *; or that part of the remuneration which, after remuneration equal to three thousand six hundred dollars ($3,600) with respect to employment after 1939 has been paid to an individual by an employer during any calendar year after 1951, is paid to such individual by such employer during such calendar year.*

~~(b) If by reason of a worker rendering service for more than one employer during any calendar year after the calendar year 1943, the wages of the worker with respect to employment during such year exceed three thousand dollars ($3,000), the~~

~~worker shall be entitled to a refund of any amount of tax, with respect to such wages, imposed by Section 41, deducted from such wages and paid to the commission, which exceeds the tax with respect to the first three thousand dollars ($3,000) of such wages received. Refunds under this subdivision shall be made by the commission if the worker (i) makes a claim, establishing his right thereto, after the calendar year in which the employment was performed with respect to which refund of tax is claimed, and (ii) such claim is made within six months after the calendar year in which the wages are received with respect to which refund of tax is claimed. No interest shall be allowed or paid with respect to any such refund. No refund shall be made under this subsection with respect to wages received after December 31, 1946.~~

~~(c)~~ *(b)* If, by reason of an employee receiving wages from more than one employer during any calendar year after the calendar year 1946 *and prior to the calendar year 1952,* the wages received by him during such year exceed three thousand dollars ($3,000), and the sum of the amount of tax imposed by Section 44 plus the amount of contributions under Section 456, if any, deducted from such wages exceeds thirty dollars ($30), the employee shall be entitled to a refund of the amount of such excess. *If, by reason of an employee receiving wages from more than one employer during any calendar year after the calendar year 1951, the wages received by him during such year exceed three thousand six hundred dollars ($3,600), and the sum of the amount of tax imposed by Section 44 plus the amount of contributions under Section 456, if any, deducted from such wages exceeds thirty-six dollars ($36), the employee shall be entitled to a refund of the amount of such excess.*

(c) Refunds under ~~this~~ subdivision *(b)* shall be made by the commission from the Disability Fund if, within six months after the calendar year in which the wages are received with respect to which refund is claimed, the employee makes a claim establishing his right thereto. No interest shall be allowed or paid with respect to any such refund. The commission shall in accordance with authorized regulations determine the portion of the aggregate amount of such refunds made during any calendar year which is applicable to voluntary plans for which deductions were made under Section 456, such determination to be based upon the relation during the preceding calendar year of the amount of wages subject to contributions to the Disability Fund to the amount of wages exempt from contributions to the Disability Fund under Section 455. The commission shall in accordance with authorized regulations prorate such aggregate amount among the applicable voluntary plans and shall assess and recover from the employer, or the insurer if the insurer has indemnified the employer with respect thereto, the amount so prorated. The provisions of Section 459 in respect to assessment and recovery of amounts paid by the Disability Fund shall apply to the assessments under this section.

SEC. 2. Section 151 of the Unemployment Insurance Act is amended to read:

Sec. 151. (a) Except as otherwise provided, the provisions and definitions of Articles 1 to 9, inclusive, of this act apply to this article. In case of any conflict between the provisions of Articles 1 to 9, inclusive, and the provisions of this article, the provisions of this article shall prevail with respect to unemployment compensation disability benefits and the provisions of Articles 1 to 9, inclusive, prevail with respect to unemployment compensation benefits.

(b) The provisions of Article 3 of the act do not apply to this article.

(c) Sections 52, 55, 57, and 57.5 of the act do not apply to this article.

(d) Subdivisions (f), (g), (h), (i), (j), and (m) of Section 6 of the act do not apply to this article.

(e) An individual who is disqualified from receiving unemployment compensation benefits under Section 58 of this act shall be presumed to be ineligible to receive unemployment compensation disability benefits under this article for the same period or periods unless the individual establishes to the satisfaction of the commission that he is suffering a bona fide illness or injury and the commission finds that there is good cause for paying such benefits.

(f) *An individual who is disqualified from receiving unemployment compensation benefits under Section 56 of this act shall be presumed to be ineligible to receive unemployment compensation disability benefits under this article for the same period or periods unless the individual establishes pursuant to authorized regulations that his alleged disability was not caused by and did not arise out of the trade dispute and that the alleged disability would have occurred and would have prevented him from continuing his work if the trade dispute had not occurred. Such an individual shall, except as provided in Section 252, be subject to examination without cost to him by a medical examiner selected by the department, the insurer or self-insurer as the case may be to determine whether the conditions hereinabove set forth have been met.*

SEC. 3. Section 203 of the Unemployment Insurance Act is amended to read:

Sec. 203. The total amount of unemployment compensation disability benefits and the weekly benefit amount payable to an eligible individual under this article during any one benefit year shall be computed in accordance with the provisions of Sections 53 and 54 of this act. *; provided, however, that for periods of disability commencing on and after January 1, 1952 an individual's weekly benefit amount, for the purpose of computing unemployment compensation disability benefits, shall be the amount appearing in column B in the table set forth in this section on the line of which, in column A of such table, there appears a wage bracket containing the amount of*

wages paid to such individual for employment by employers during the quarter of his base period in which such wages were the highest:

A *Amount of wages in highest quarter*	*B* *Weekly benefit amount*
$75–$579.99	*As provided in Section 54*
580– 611.99	*$25*
612– 643.99	*26*
644– 675.99	*27*
676– 707.99	*28*
708– 739.99	*29*
740– 771.99	*30*
772– 803.99	*31*
804– 835.99	*32*
836– 867.99	*33*
868– 899.99	*34*
900 and over	*35*

SEC. 4. Section 208 of the Unemployment Insurance Act is amended to read:

Sec. 208. ~~No individual shall be paid unemployment compensation disability benefits with respect to any week if he continues to receive his regular wages, or any part thereof; provided, however, that if such wages are less than the unemployment compensation disability benefits which would otherwise be due, he shall be entitled to receive for such week, if otherwise eligible, unemployment compensation disability benefits, reduced by the amount of such wages. Such benefit, if not a multiple of one dollar ($1), shall be computed to the next higher multiple of one dollar ($1).~~

An individual who would have been paid unemployment compensation disability benefits for any day except for his receipt of remuneration from his employer shall nevertheless be paid unemployment compensation disability benefits up to his maximum benefit amount for such day in an amount which, together with any remuneration he receives from his employer for such day, does not exceed his regular daily remuneration immediately prior to the commencement of his disability.

SEC. 5. Section 209 of the Unemployment Insurance Act is amended to read:

Sec. 209. Commencing January 1, 1950, any disabled individual eligible for benefits under Article 10 of this act shall, during his confinement in a hospital, be entitled to receive in addition to all benefits otherwise provided in this act, *and irrespective of his receipt of remuneration from his employer,* the amount of eight dollars ($8) for each day not in excess of twelve (12) days in any one benefit year, during which he is so confined pursuant to orders of his physician; and any such

individual shall not be subject to any waiting period requirement as a condition precedent to the receipt of any benefits under Article 10 of this act during the disability which caused such confinement.

SEC. 6. Section 400 of the Unemployment Insurance Act is amended to read:

Sec. 400. On and after the effective date of this article each individual performing services for an employer in employment shall contribute to the Disability Fund established by this article the contributions required of such individual by Sections 44 and 44.2 of this act.

For the purposes of Sections 44 and 44.2 of this article, the term "wages" means wages as defined in Section 11, except that it shall not include remuneration in excess of three thousand six hundred ($3,600) paid to an individual by an employer during any calendar year after 1951.

SEC 7. Section 456 of the Unemployment Insurance Act is amended to read:

Sec. 456. An employer may, but need not, assume all or part of the cost of the plan, and may deduct from the wages of an employee covered by the plan for the purpose of providing the disability benefits specified in Part 2 and the costs as set forth in Section 460 of this article an amount not in excess of that which would be required by ~~Section 44~~ *Sections 44 and 44.2 of this article* if the employee were not covered by the plan ~~.~~ *; provided, however, that as to each individual covered by a voluntary plan on January 1, 1952, the amount of such deduction on and after January 1, 1952, may be increased to a maximum of 1 percent of three thousand six hundred dollars ($3,600) annual taxable wages without any further consent of such individual or approval of the department.*

SEC. 8. Section 209.1 is added to the Unemployment Insurance Act, to read as follows:

Sec. 209.1. When an individual is furnished or is compensated for hospitalization pursuant to the Workmen's Compensation Law or an employer's liability law of this State or of any other state or of the Federal Government he shall be ineligible to receive the eight dollars ($8) per day as provided in Section 209 for any day for which he is receiving or is eligible to receive in the form of cash payments benefits under the Workmen's Compensation Law or an employer's liability law of this State or of the Federal Government or for which he is serving any waiting period required by any such law.

SEC. 9. Section 310 is added to the Unemployment Insurance Act, to read as follows:

Sec. 310. (a) Each insurer insuring approved voluntary plans shall report to the department on or before December 1, 1953 and each December 1st thereafter, the amount of premium tax it has paid to the State of California under the Constitution or laws of the State of California on all premiums received by it for unemployment disability insurance based on wages paid during the preceding calendar year. The department shall keep

a separate account for each such insurer and, subject to the provisions of subdivision (b) hereof, shall credit to that account all sums so reported and charge said account with the amount of the insurer's assessments under Section 309 which are based on wages paid on and after January 1, 1952. To the extent that there are credits to such account, such assessments shall be deemed collected.

(b) In the event the total amount of premium tax reported by all such insurers in accordance with subsection (a) hereof exceeds seven hundred fifty thousand dollars ($750,000) for any year, the amount to be credited to each such insurer's account for such year shall be determined by multiplying the amount of such premium tax so reported by each insurer by a fraction composed of seven hundred fifty thousand dollars ($750,000) as numerator and such total amount of premium tax as denominator.

SEC. 10. Section 310.5 is added to the Unemployment Insurance Act, to read as follows:

Sec. 310.5. Notwithstanding any other provisions of this act, whenever an approved voluntary plan is insured by an admitted disability insurer, the insurer shall be substituted for the employer with respect to any assessments under this act which relate to the portion of the voluntary plan insured by such insurer.

SEC. 11. Section 452.5 is added to the Unemployment Insurance Act, to read as follows:

Sec. 452.5. Whenever eighty-five percent (85%) of the employees to whom a plan is available have consented to the plan, the employer, a majority of the employees employed in this State of the employer, or both, may elect to make the plan applicable to all employees to whom it is available, except those who reject the plan. Such a plan may provide for deductions from the wages of employees covered by the plan but not in an amount in excess of that which would be required by Sections 44, 44.2 and 400 if the employees were not covered by the plan.

In such case, there shall be filed with the commission a notice stating that the requisite percentage of employees has consented to the plan and fixing the date upon which the plan will become applicable to all employees to whom it is available. At least 10 days before the date fixed in the notice so filed, a notice shall be posted and circulated in such manner as is reasonably calculated to bring it to the attention of all employees to whom the plan is available but who have not consented thereto. The notice to such employees shall set forth the date the plan is to become applicable and the manner in which an employee may reject it.

From the time fixed in the notice filed with the commission all employees to whom the plan is available shall be deemed to have elected to be covered by the plan, except those who advise the employer in writing of such rejection within the time so fixed.

Every person employed after the time so fixed, and to whom the plan is available, shall be deemed to have elected to be covered by the plan from the time of employment unless he rejects the plan prior to or at the time of employment. Each such employee at the time of employment shall be given a written notice specifying his right to consent to or to reject such plan and a written statement setting forth the essential features of the plan.

The form of the statement and the forms of the notices hereinabove required under this section shall be approved by the commission.

Any employee covered by a plan may withdraw from the plan as of the beginning of any calendar quarter upon giving reasonable notice in writing directed to the employer.

SEC. 12. The amendments to Sections 151, 208 and 209 and the additions of Sections 209.1 and 452 5 of the Unemployment Insurance Act as provided in this act shall become operative as of January 1, 1952.

SEC. 13. Sections 1 through 12, inclusive, of this act are declared to be inseparable and if any such section is declared to be inoperative then each of the remaining sections of this bill shall immediately become inoperative

O

The explanation of the bill is as follows:

SUMMARY OF ASSEMBLY BILL NO. 3376

1. Raises the maximum weekly benefit amount of disability benefits to $35 per week. To be entitled to the maximum weekly benefit amount a claimant must have earned $900 in the highest quarter of his benefit year, or approximately $70 per week.

2. Raises maximum employee contributions from 1 percent of $3,000 to 1 percent of $3,600.

3. Modifies present provision which prohibits payments when claimant is in receipt of regular wages so as to allow claimant to receive a total amount of benefits and partial wage or salary continuance which total amount does not exceed claimant's normal earnings.

4. Modifies trade dispute disqualification to allow payment of benefits during trade disputes when disability is not caused by and does not arise out of the trade dispute and would have occurred regardless of trade dispute.

5. The State Fund pays no acquisition cost or premium tax. This amendment, through credit off-sets, tends to equalize the competitive position of private underwriters with the State Fund without reducing state General Fund revenues.

6. Facilitates voluntary plan coverage by providing for automatic coverage of all eligible employees where 85 percent of the eligible employees of a particular employer have consented to the plan. Each employee is given the privilege to refuse to be covered and the right to withdraw at any time.

The provisions of the bill would become effective January 1, 1952.

The Department of Employment was asked by the chairman to furnish us with an estimate of what the provisions contained in the bill would do to the solvency of the Unemployment Disability Fund. This estimate appears immediately following together with the letter accompanying it:

March 20, 1951
57:14:jb

Honorable E. R. Geddes, Chairman
Assembly Interim Committee on Finance and Insurance
State Capitol, Sacramento, California

DEAR MR. GEDDES: In accordance with your request, we have prepared estimates (attached) of the effect of AB 3376. These estimates were prepared on two bases, namely: the effect on the State Disability Fund had the provisions of AB 3376 been operative during calendar year 1950; and its effect in a future year in which the maximum potential developments have occurred. The latter estimate is based upon our forecasts of employment, unemployment and disability claims for 1951.

You also asked for information regarding coverage under voluntary plans of disability insurance. As of March 1, 1951, there were 36,727 plans *insured* by 46 admitted disability insurers, with 1,244,834 employees eligible for coverage as of the date of approval of such plans. As of that date there were also 61 *self-insured* plans in effect with 53,266 employees eligible for coverage under such plans as of the date of approval, making a total of 36,788 voluntary plans of both types with 1,298,100 eligible employees. As of February 15, 1951, it is estimated that of the 2,608,000 employees who were working in covered employment approximately 1,309,900 were covered by the State Disability Fund.

If you desire any further information, please do not hesitate to call upon us.

Very truly yours,

/s/ C. A. HERBAGE
Deputy Director

State of California
Department of Employment
Report 421 #65
AB 3376

Research and Statistics
March 20, 1951

Proposed Changes in Revenue and Benefit Provisions for Disability Insurance

The probable changes in amount of Fund income and benefit payments that would result from the proposals in AB 3376 can be set out either as a modification of recent actual experience, or as a part of an income and payment estimate for a future year for which it is assumed that the full developments to be expected as a result of the proposals have occurred. In the first case, it is not appropriate to assume any increase in filing rates or any changes in the provisions of existing wage continuation plans. In the latter case, it is necessary to assume that filing rates will have increased as a result of the improved benefits and existing wage continuation plans will have been modified to supplement disability insurance payments in preference to letting the wage continuation be supplemented by the disability payments.

Given below are estimates of (a) the effects of AB 3376 as a modification of 1950 experience and (b) the ultimate effects of AB 3376 in a future year in which expected 1951 income and expenditures are used as a basis and the full extent of developments likely under AB 3376 have been taken into account.

	Estimates for 1950	*Estimates for a future year*
Balance in Disability Fund on January 1	$96.1 million	xxx
Estimated disability fund income under proposal		
A. Total revenues under Act as in effect in 1950	$36.6 million	$37.0 million
B. Additional estimated fund income from taxing wages of $3,001 through $3,600 in calendar year	$2.1 million	$2.3 million
	$38.7 million	$39.3 million
C. Less amount of proposed credit to extended liability account for carriers' taxes	$0.7 million	$0.7 million
D Estimated Total Disability Fund income if AB 3376 had been fully in effect in year	$38.0 million	$38.6 million
Estimated Expenditures under Proposal		
Basic benefits		
1. Basic benefits paid under present provisions of the Act	$23.7 million	$24.0 million
2. Additional estimated cost of increasing weekly benefit amount by $1 above $25 for each $32 above $580 in high quarter earnings, up to $35 maximum	$4.3 million	$5.8 million
3. Additional estimated cost of supplementing wage continuation plans	$1.8 million	$3.9 million
4. Additional estimated cost of allowing benefits regardless of trade dispute status	$0.1 million	$0.3 million
Hospital Benefits		
5. Hospital benefits paid under present provisions of the Act	$2.7 million	$2.8 million
6. Additional estimated cost of providing hospital benefits regardless of wage continuation	$0.2 million	$0.4 million
7. Additional estimated cost of providing hospital benefits regardless of trade dispute status	$10,000	$30,000
Administrative Costs	$2.6 million	$2.6 million
Estimated Balance in Disability Fund on December 31, if AB 3376 had been in effect	$98.7 million	xxx
Estimated change in Fund Balance during year	$2.6 million increase	$1.2 million decrease

This complete explanation of the matter is made here because of the fact that Assemblyman Levering, member of the committee, in a purported interview to the press, as it appeared in the *San Francisco Examiner* for March 16, 1951, stated "My information, from sources in which I have the utmost confidence, is that this agreement was hatched in a San Francisco hotel room during the early morning hours of January 2nd * * *". The inference of the article was that the representatives of the insurance companies had been "black jacked" into agreement.

Without trying the merits of the case here we should note that in legislation now before the Legislature the committee followed the procedure of submitting from state departments legislation which had been agreed to by the departments or commissions and interested members of industry. We refer particularly to those bills introduced at the request of the Insurance Commissioner after he had conducted industry meetings and hearings and a basis of agreement had been reached. Likewise there are bills, one of which, Assembly Bill No. 51, has already become law, which were the result of labor-management-department conferences held by the Department of Employment. There is also legislation introduced at the request of the Commissioner of Corporations resulting from his conferences with members of various industries. Therefore there is nothing any more untoward in the representatives of labor and the insurance carriers getting together and seeking to iron out their differences than there is in the other instances quoted. In view of the fact that this bill, Assembly Bill No. 3376, embodies the agreement between the most interested parties we have not burdened this report with a discussion of the various bills upon which consideration was deferred.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Messrs. Grant and Klocksiem, the usual courtesies of the Assembly for this day were unanimously extended to Dewey L. Strickler of Long Beach.

On request of Mr. Stewart, the usual courtesies of the Assembly for this day were unanimously extended to the following engineers of municipally owned public utilities: Roy O. Van Meter, Los Angeles; C. Edmunds, Truckee; Elbert E. Dick, Redding; E. L. Bettamier, Pasadena; Dewey L. Strickler, Long Beach; Leo A. Stromee, Los Angeles; Carl L. Richey, Sacramento; J. H. McCambridge, Burbank; Lauren W. Grayson, Riverside; F. V. Frey, Pasadena; John Hansen, Alameda; G. A. Baxter, Alameda; B. J. Brusatori, San Rafael; Cliff Plummer, Modesto; and James Peters, San Rafael.

On request of Mr. Brady, the usual courtesies of the Assembly for this day were unanimously extended to Henry Beck of San Francisco.

On request of Mr. McCarthy, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. F. Everett Cahill, Miss Shelia Cahill, and Brian Cahill of San Francisco.

On request of the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Jack Unger of Chula Vista.

On request of Mr. Rosenthal, the usual courtesies of the Assembly for this day were unanimously extended to Meyer Pransky and Irwin Pransky of Los Angeles.

ADJOURNMENT

At 12 m., on motion of Mr. Dickey, the Acting Speaker, Hon. Charles W. Lyon, declared the Assembly adjourned, until 10 a.m., Monday, March 26, 1951, out of respect to the memory of the late Judge Herbert Wilson Erskine, and in respect to the observance of Holy Week.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

TWENTY-THIRD LEGISLATIVE DAY

THIRTY-FIRST CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, March 26, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lauterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr Clarence A. Kircher:

"*Our Father, which art in Heaven, hallowed be Thy name.* Prepare us for the duties of this day. Help us to forget the things that are behind and anything that hinders us. We would press toward those things which are before Set before us the mark for the prize of our high calling of God in Christ Jesus We remember our families and loved ones before Thee.

Guard those who serve as defenders of our beloved Nation Grant guidance to all those who bear the burden of leadership and responsibility.

"O Trinity of love and power,
Our brethren shield in danger's hour;
From rock and tempest, fire and foe,
Protect them wheresoe'er they go;
Thus ever let there rise to Thee
Glad hymns of praise from land and sea
In His name"

—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Lanterman, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Butters, on motion of Mr. Erwin.

Mr. Stewart, on motion of Mr. Erwin.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Kirkwood, on motion of Mr. Erwin.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly then gave the pledge of allegiance to the Flag.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following telegram was received, read, and ordered printed in the Journal:

SAN DIEGO, CALIFORNIA, March 25, 1951

Hon. Sam L. Collins
Speaker of the Assembly
State Capitol, Sacramento

Citizens of San Diego County demand full explanation or investigation of alteration of committee's recommendation and official records on reapportionment affecting our county. Please advise.

CLINTON D McKINNON, M C.
Twenty-third Congressional District

ANNOUNCEMENT

Speaker Sam L. Collins announced, in reference to the telegram which appears above, that members of this House will welcome an investigation relative to the alleged alteration of committee amendments to Assembly Bills Nos 41 and 42.

No alterations were made in the amendments. The amendments adopted by the Committee on Elections and Reapportionment were the amendments which appeared in the preprint bills; but which, due to an inadvertence, were not the sets of amendments which were placed across the desk, ordered printed in the Journal, and adopted by the Assembly.

In order that the amended bills might truly reflect the action taken by the Assembly in adopting the amendments, despite the fact that the amendments adopted were not correct, it was necessary that the bills be corrected.

The action of the Assembly subsequently expunging the record and correcting its own mistake placed the last amended bills in the same condition as the preprints, which contained the amendments adopted by the committee.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 94
Assembly Bill No. 835
Assembly Bill No 1153
Assembly Bill No. 1222
Assembly Bill No. 1751
Assembly Bill No. 1838
Assembly Bill No. 2061
Assembly Bill No. 2079
Assembly Bill No. 2135
Assembly Bill No. 2472
Assembly Bill No. 2720
Assembly Bill No. 2808
Assembly Bill No. 3270

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No 5

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No 41
Assembly Bill No 42
Assembly Bill No. 300
Assembly Bill No. 631
Assembly Bill No. 1605
Assembly Bill No. 2020
Assembly Bill No. 3240

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No 1

And reports the same correctly engrossed

BURKE, Chairman

Above reported resolution ordered on file for adoption

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 6
Assembly Bill No. 1004
Assembly Bill No. 3108

And reports the same correctly re-engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1951

MR. SPEAKER Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 1314

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee.

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills Nos. 94, 1751, and 1838 re-referred to the Committee on Municipal and County Government.

Assembly Constitutional Amendment No. 5 re-referred to the Committee on Constitutional Amendments.

Assembly Bills Nos 835 and 2061 re-referred to the Committee on Ways and Means.

Assembly Bills Nos. 1153 and 2720 re-referred to the Committee on Conservation, Planning, and Public Works

Assembly Bills Nos 2808 and 2079 re-referred to the Committee on Ways and Means.

Assembly Bills Nos. 1222, 2135, 2472, and 3270 re-referred to the Committee on Governmental Efficiency and Economy.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 44
Senate Bill No. 45
Senate Bill No. 402
Senate Bill No. 489
Senate Bill No 494
Senate Bill No. 666
Senate Bill No. 1231
Senate Bill No. 1254
Senate Bill No. 1255
Senate Bill No. 1466

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 44—An act to amend Section 16 of the District Investigation Act of 1933, and Section 58700 of the Government Code, relating to the termination of proceedings upon the filing of written protests by a majority of property owners and authorizing withdrawals of protests prior to the time set for hearing thereon.

Referred to Committee on Municipal and County Government.

Senate Bill No. 45—An act to repeal Section 74.1 to 74.10, inclusive, of the Orange County Water District Act, relating to the manner of excluding from the district lands annexed to a metropolitan water district organized under the Metropolitan Water District Act.

Referred to Committee on Municipal and County Government.

Senate Bill No. 402—An act to amend Sections 14575 and 14632 of the Education Code, relating to retirement allowances under the State Teachers' Retirement System.

Referred to Committee on Education.

Senate Bill No. 489—An act to amend Section 26 of the Construction and Employment Act, relating to allocation of state funds to local agencies for the construction of public works.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 494—An act to amend Section 27 of an act entitled "An act making an appropriation for allocation to cities, counties, and cities and counties to develop a postwar public works program comprising the preparation of surveys and plans and specifications for proposed public works and the acquisition of rights of way and sites for major streets, roads, bridges, sewerage, and other public facilities, and providing the procedure for making such allocations," approved June 20, 1944, relating to public works programs, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 666—An act to amend Section 5062 of, to repeal Section 5063 of, and to add Section 5063 to, the Education Code, relating to state school building aid.

Referred to Committee on Education.

Senate Bill No. 1231—An act to amend Section 1079 of the Agricultural Code, relating to economic poisons.

Referred to Committee on Agriculture.

Senate Bill No. 1254—An act to amend Section 67 of the Agricultural Code, relating to the administration of the provision of said code.

Referred to Committee on Agriculture.

Senate Bill No. 1255—An act to amend Section 92.5 of the Agricultural Code, relating to agricultural fairs.

Referred to Committee on Agriculture.

Senate Bill No. 1466—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Municipal and County Government.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 732—An act to amend Sections 14½ and 14¾ of the County Waterworks District Act, relating to the annexation of territory to county waterworks districts

Bill read second time, and ordered engrossed.

Assembly Bill No. 838—An act to amend Section 1719 of, and to add Section 9709 to, the Elections Code, relating to municipal elections.

Bill read second time, and ordered engrossed.

Assembly Bill No. 839—An act to amend Section 37904 of the Government Code, relating to city public works contracts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 965—An act to amend Section 5828.1 of the Streets and Highways Code, relating to county maintenance districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1721—An act to amend Section 28111 of the Government Code, relating to compensation for public service in counties of the eleventh class.

Bill read second time, and ordered engrossed

Assembly Bill No. 1872—An act to amend Section 18 of the County Waterworks District Act, relating to the government of the district.

Bill read second time, and ordered engrossed.

Assembly Bill No. 664—An act to amend Section 453 of the Vehicle Code, relating to the applicability of the provisions of said code to public employees and publicly owned motor vehicles and other equipment during the installation, removal, repair or maintenance of traffic signs, signals or other traffic control devices

Bill read second time, and ordered engrossed

Assembly Bill No. 753—An act to amend Section 512 of the Vehicle Code, relating to speed on highways where persons are at work.

Bill read second time, and ordered engrossed.

Assembly Bill No. 754—An act to amend Sections 125 and 126 of the Streets and Highways Code, relating to the closing and restricting of the use of state highways.

Bill read second time, and ordered engrossed.

Assembly Bill No. 755—An act to add Section 111.5 to the Streets and Highways Code, relating to the adoption of city streets as a part of the State Highway System.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1270—An act to add Section 151.1 to the Vehicle Code, relating to registration of vehicles.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1273—An act to amend Section 429 of the Vehicle Code, relating to the redemption of certain vehicles sold under lien sales.

Bill read second time, and ordered engrossed

Assembly Bill No. 1274—An act to amend Section 423 of the Vehicle Code, relating to financial responsibility.

Bill read second time, and ordered engrossed

Assembly Bill No. 434—An act to repeal Section 18431.1 of, and to add Section 19405 to the Revenue and Taxation Code, relating to personal income taxes, and providing for the imposition of criminal penalties on persons filing false returns.

Bill read second time, and ordered engrossed.

Assembly Bill No. 435—An act to amend Section 17014 of the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 436—An act to amend Sections 19082 and 19083 of, and to repeal Section 19084 of, the Revenue and Taxation Code, relating to personal income taxes.

Bill read second time, and ordered engrossed.

Assembly Bill No. 441—An act to amend Sections 26102, 26103, and 26103a of the Revenue and Taxation Code, relating to taxation of banks, corporations, Massachusetts trusts and associations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 442—An act to amend Section 25961 of, and to add Section 25962 to the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing for the imposition of criminal penalties upon persons wilfully filing false returns for such organizations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 469—An act to add Section 24202 to the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations and providing for the disallowance of deductions to taxpayers deriving income from certain illegal activities.

Bill read second time, and ordered engrossed.

Assembly Bill No. 470—An act to add Section 17358 to the Revenue and Taxation Code, relating to the taxation of persons, trusts and estates, and providing for the disallowance of deductions to taxpayers deriving income from certain illegal activities.

Bill read second time, and ordered engrossed.

Assembly Bill No. 558—An act to amend Sections 18301 and 18302 of, and to add Sections 17784.4, 18168, and 18301.1 to, and to repeal Section 18304.1 of, the Revenue and Taxation Code, relating to personal incomes taxes, and providing that this act shall take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 561—An act to amend Section 26132 of the Revenue and Taxation Code, relating to taxation of banks, corporations, Massachusetts trusts and associations

Bill read second time, and ordered engrossed.

Assembly Bill No. 562—An act to amend Section 26105 of the Revenue and Taxation Code, relating to taxation of banks, corporations, Massachusetts trusts and associations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 563—An act to amend Sections 23701 and 23701a of, and to renumber Sections 23701b, 23701c, 23701d, 23701e, 23701f, and 23701h of, and to add Sections 23701b, 23701f, 23701i, 23701j, and 23702*l* to, and to repeal Article 2 of Chapter 4, consisting of Sections 23731, 23731a, 23731b, 23731c, 23731d, and 23731e of Part 11 of

Division 2 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act shall take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 564—An act to add Section 26163 to the Revenue and Taxation Code, relating to taxation of banks, corporations, Massachusetts trusts and associations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 565—An act to amend the title of Article 2 of Chapter 10 of, and to repeal Section 25431 of, and to add Sections 25432 and 25673 to, the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 568—An act to add Section 18933 to the Revenue and Taxation Code, relating to personal income taxes.

Bill read second time, and ordered engrossed.

Assembly Bill No. 569—An act to amend Sections 18807 and 18808 of the Revenue and Taxation Code, relating to personal income taxes.

Bill read second time, and ordered engrossed.

Assembly Bill No. 570—An act to repeal Article 3 of Chapter 10, Part 10 of Division 2, consisting of Sections 18451, 18452, 18453, and 18454 of, and to add Article 3 of Chapter 10, Part 10 of Division 2, consisting of Section 18451 to, and to amend Section 18581 of, and to add Section 18586.2 to, the Revenue and Taxation Code, relating to personal income taxes.

Bill read second time, and ordered engrossed

Assembly Bill No. 571—An act to amend Sections 17003, 17013, 17521, 18405, 18431, 18554, 18584, 18590, 18687, 18689, 18802, 19086, 19254, 19451, and 19452 of, and to add Sections 17012.5 and 17522 to the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 572—An act to amend Section 23253 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 578—An act to amend Sections 23004, 23031, 23041, 23184, 23301, 23363, 23562, 23851, 23851a, 23852a, 23881b, 24121c, 24301, 24303, 25071s, 25232b, 25232c, 25232d, 25261, 25403, 25664, 25666, 25702, 25731a, 25901a, 25901c, 26078, 26104, 26131, 26422, 26423, 26424 of, and to renumber and amend Section 25203b of, and to add Sections

23043, 23854, 23854.1, 25101d to, and to repeal Sections 24302 and 26131a of, the Revenue and Taxation Code, relating to taxation of banks, corporations, associations and Massachusetts trusts, and providing that this act shall take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 580—An act to amend Section 23153 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 60—An act to add Article 8.5, comprising Sections 31690 to 31692, inclusive, to Chapter 3 of Part 3 of Division 4 of Title 3 of the Government Code, relating to the members of county employees' retirement systems in respect to employment of persons who have attained the age of compulsory retirement, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 9, of the printed bill, after "service", insert "in a county having a population of less than 500,000".

Amendment No. 2

On page 2, line 11, of said bill, after "service", insert "in a county having a population of less than 500,000".

Amendment No. 3

On page 2, line 25, of said bill, strike out "_____", and insert "1953".

Amendment No. 4

On page 2, line 48, of said bill, after "service", insert "in counties having a population of less than 500,000".

Amendment No. 5

On page 2, line 50, of said bill, after "service", insert "in counties having a population of less than 500,000".

Amendment No. 6

On page 2, line 51, of said bill, strike out "the several", and insert "those"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3032—An act to add Section 27645 to the Government Code, relating to the duties of county counsels

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "council", and insert "counsel"

Amendment read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 1618—An act to amend Sections 625, 640, 645, 660, and 675.5 of the Vehicle Code, relating to equipment of vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 11, of the printed bill, after "amber", insert "or red".

Amendment No. 2

On page 1, line 15, of said bill, strike out "carried", and insert "carrier"

Amendments read, and adopted
Bill ordered reprinted, and engrossed

Assembly Bill No. 1619—An act to amend Sections 673 and 676 of the Vehicle Code, relating to equipment of vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 4, of the printed bill, after "vehicle", insert "subject to registration and operated".

Amendment read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 1620—An act to repeal and add Section 637 to the Vehicle Code, relating to equipment of vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, lines 5 and 6, of the printed bill, strike out "nor more than two stop lamps", and insert "stop lamp".

Amendment read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 437—An act to amend Sections 17313, 17315, 17318.2, 17711, 17721, 17782, 17817.1, and 18132 of, and to add Sections 17109, 17110, 17161.1, 17301.1, 17315.5, 17318 6 to and to add Article 2.5,

consisting of Sections 17691, 17692, 17693, 17694, 17695, 17696, 17697, and 17698, and Article 3.5, consisting of Sections 17731, 17732, and 17733, to Chapter 6, Part 10 of Division 2 of, and to add Section 17784.6 to, and to add Article 1.5, consisting of Sections 18121, 18122, 18122.1, 18122.2, 18122.3, 18122.4, 18122.5, 18122.6, 18122.7, 18122.8, 18123, 18123.1, 18123.2, 18123.3, and 18123.4 to Chapter 8, Part 10 of Division 2 of, and to add Sections 18132.1, 18132.2, 18132.3, 18132.4, 18132.5, 18132.6, 18132.7, 18132.8, 18132.9, 18132.10, 18132.11, and 18132.12 to, the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 8, line 4, of the printed bill, after "after", strike out "December 31, 1950", and insert "February 26, 1945".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 438—An act to amend Section 24121h of, and to add Section 23702 to, and to amend and renumber Section 25121c-(1) of, and to add Article 2, consisting of Sections 23731, 23731a, 23731b, 23732, 23732a, 23732b, 23732c, 23732d, 23732e, 23732f, 23732g, 23732h, 23733, 23734, 23735, 23735a, 23735b, 23735c, 23736, 23736.1, 23736.2, 23736.3, 23736.4, and 23737 to Chapter 4 of Part 11 of Division 2 to, and to add Article 3, consisting of Sections 23771 and 23772 to Chapter 4 of Part 11 of Division 2 to, and to add Sections 23881g, 24121k.5, 24121o 1. 24121q, and 24201g to, the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act take effect immediately.

Bill read second time

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 11, line 8, of said bill, after "the", strike out "granting", and insert "transfer of a share of stock pursuant to the exercise".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 560—An act to amend Section 23332 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 8, of the printed bill, after "by", insert "(a) the net income of the preceding income year or (b)".

Amendment No. 2

On page 1, line 9, of the printed bill, after "such", in strikeout type, strike out "the".

Amendment No. 3

On page 1, line 9, of the printed bill, after "income", strike out "of the preceding".

Amendment No. 4

On page 1 of the printed bill, at the beginning of line 10, strike out "income year".

Amendment No. 5

On page 1 of the printed bill, at the end of line 12, strike out "." and insert in lieu thereof ",".

Amendment No. 6

On page 1 of the printed bill, at the beginning of line 13, insert "whichever is the lesser amount"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 574—An act to add Sections 23222a, 24121k.1, and 25295a to, and to amend Sections 23222, 24121k, 25101a, 25295, 25662, and 25701 of, Part 11 of Division 2 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 5, line 18, of the printed bill, after "tax", insert "measured by net income"

Amendment No. 2

On page 5, line 21, of the printed bill, after "tax", insert "measured by net income".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 485—An act to add Section 301 to the Labor Code, relating to deductions from wages.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Industrial Relations:

Amendment No. 1

On page 1, line 5, of the printed bill, after "State", strike out "or any of its political".

Amendment No. 2

On page 1, line 6, of the printed bill, strike out "subdivisions"

Amendment No. 3

On page 1, line 10, of the printed bill, after "other", insert "similar"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 537—An act to amend Section 2928 of the Labor Code, relating to employment relations.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Industrial Relations:

Amendment No. 1

On page 1 of the printed bill, strike out lines 1 to 7, inclusive, and insert "SECTION 1 Section 2928 of the Labor Code is hereby repealed".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 183—An act to add Chapter 5 5 to Part 1 of Division 2 of Title 5 of the Government Code, relating to the powers and duties of counties, cities, districts, municipal corporations, political subdivisions, public corporations, and other public agencies of the State and the legislative bodies thereof, and authorizing the acquisition, construction, maintenance and operation of public improvements and the issuance and sale of revenue bonds to finance the same and providing for the use and expenditure of the proceeds of such bonds and the use and disposition of revenue arising from public improvements so financed.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

Strike out the title of the printed bill, and insert

"An act to add Chapter 5 5 to Part 1 of Division 2 of Title 5 of the Government Code relating to the powers and duties of public agencies of the State, including any county, city and county, city, political subdivision, municipal corporation, public corporation, public district, public board, commission, department, authority, officer, body or entity, or any other public agency, statewide or local, and the powers and duties of the legislative and governing bodies thereof, and authorizing the issuance and sale by such public agencies, or by any combination of such public agencies, of revenue bonds to finance public improvements, and expenditures incidental thereto"

Amendment No. 2

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1 Chapter 5.5 is added to Part 1 of Division 2 of Title 5 of the Government Code, to read:

CHAPTER 5 5 PUBLIC AGENCIES REVENUE BOND LAW.

Article 1.

General

54150 This chapter may be cited as the Public Agencies Revenue Bond Law

54151. This chapter shall be liberally construed to carry out its objects and purposes and to facilitate the financing of public improvements as herein defined through the medium of revenue bonds, and to protect the holders of such bonds.

54152. As used in this chapter, "public agency" means any county, city and county, city, political subdivision, municipal corporation, public corporation, public district, public board, commission, department, authority, officer, body or entity, or any other public agency, statewide or local.

54153. As used in this chapter, "public improvement" means any revenue producing public work, undertaking or improvement, whether by original acquisition or construction, or by the acquisition or construction of any extension or betterment of, or addition to, any existing public work, undertaking or improvement, and shall include maintenance, repair and operation of any such public work, undertaking or improvement.

54154. As used in this chapter, "legislative body" means the board of supervisors in the case of a county or city and county, the city council, board of trustees or other legislative body in the case of a city, and the board of directors or other governing body in the case of a district or other public agency which has such a board of directors or other governing body. In the case of a public agency which is itself a board, "legislative body" means such board In the case of any other public agency, "legislative body" shall mean the board or officer having control of the expenditure of the funds of such public agency.

54155. As used in this chapter, "bonds" means the written evidence of any obligation incurred by a public agency pursuant to this chapter, payable out of revenues, either alone or with other sources of payment specified in Section 54175.2, in order to secure funds with which to finance any public improvement, irrespective of the form of such obligation whether in the form of bonds, notes, debentures, interest bearing certificates, or other forms prescribed by the legislative body.

54156. As used in this chapter, "revenue" means all fees, rates, charges, rentals, or other income and revenue actually received or receivable by or for the account of the public agency from the operation of any revenue producing public works, including without limiting the generality of the foregoing, interest allowed on any money or securities in which any revenues or other moneys applicable to the payment of such bonds may have been invested, any proceeds derived from the sale of any such securities, and any consideration in any way derived from any such revenue producing public works owned, controlled, operated or maintained by the public agency

54157. When any public agency is now or hereafter authorized by law to undertake any public improvement, either by itself or in conjunction with any other public agency, such improvement may be undertaken through the issuance of revenue bonds, pursuant to this chapter

54158. No revenue bonds shall be issued by any public agency under this act unless and until there shall have been submitted to the electors of such public agency at a general or special election the proposition of issuing such revenue bonds, and such proposition shall have received the approving vote of a majority of such electors voting upon the proposition; provided, however, that in the case of any public agency which has already established any public works for supplying any public service to the inhabitants of any area and thereby assumed the obligation to supply such service within such area, such public agency may issue under this act bonds for any extension or betterment of, or addition to, such existing works, without such vote, if the proceedings for issuing such bonds are so taken that the proposition of issuing such bonds is made subject to the right of the voters to invoke a referendum upon such proposition

Article 2

Authority to Issue Revenue Bonds and Powers Incidental Thereto.

54160. Subject to the provisions of this chapter, any public agency may borrow money to provide funds to pay the cost of any such public improvements as in the opinion of the legislative body may be reasonably necessary for the welfare of the inhabitants of the area to be served thereby and may issue revenue bonds to evidence the indebtedness created by such borrowing Such bonds may be issued in the amount of the cost of such public improvement, including the cost of preliminary reports, studies, preparations, plans and specifications, legal and engineering costs; the cost of the acquisition of any necessary rights of way, easements, lands and other property of every kind and description and appurtenance; interest on the bonds during, and for not to exceed two years after, the period of the construction of a public improvement, or in the case of bonds issued for the acquisition of a public improvement, until, and for not to exceed two years after, the completion of such acquisition; expenses of administration pertaining to the project prior to, during, and for not to exceed one year after, the period of such construction, or prior to, and for not to exceed one year after, the completion of such acquisition; and all other costs of the authorization, preparation, sale and issuance of the bonds, or the carrying out of the undertaking, or incidental to any of such matters; and such cost may include such items which have already been paid out of other funds, to be reimbursed out of the proceeds of such bonds.

54160.1 Whenever any combination of public agencies shall be authorized to undertake any public improvement jointly or in cooperation, such public agencies jointly, or any board or commission established to administer or control such undertaking, may issue, subject and pursuant to the provisions of this chapter, revenue bonds to finance the same. Such bonds shall be deemed to be bonds of a public agency within the meaning of this chapter, and, to the extent necessary to give effect to this

section, the words "public agency" and "public agencies" wherever used in this chapter, shall be deemed to include such combination of public agencies or such board or commission; provided, however, that such public improvement must be approved by each public agency so joining or cooperating, and that the approval by vote of the electors required by Section 54158 shall be the approving vote of a majority of the electors of each public agency so joining or cooperating, voting on the proposition, or in cases coming within the proviso of said section, the provisions as to referendum shall be such as to accord the right of referendum to the electors of each such public agency separately

54161. Such revenue bonds may be issued for any public improvement or groups of public improvements. Each individual improvement or group of improvements, work or undertaking for which any issue of revenue bonds is proposed to be issued shall be designated as a "project" and is so referred to in this chapter.

54162 If in the opinion of the legislative body, it is advisable that any project be undertaken and financed through the issuance of revenue bonds pursuant to this chapter, it shall cause a report thereon to be made by any appropriate public agency officer or officers, or by independent experts employed for the purpose, which shall include:

(a) An estimate of the probable cost of the project, including all incidental expenses, engineering, legal and administrative;

(b) An estimate of probable sources of income and the amount thereof;

(c) An estimate of the cost of maintenance and for the operation upon completion, including the cost of all repairs, administrative and overhead charges.

The expense of the preparation of the report shall be a public charge and the legislative body shall make provision for the payment thereof out of any funds of the public agency available therefor.

54163 If the report is approved by the legislative body, it may adopt a resolution declaring that the public interest and necessity demand the undertaking of the project, the purpose, nature and extent of which shall be described in general terms, and authorizing such project. The legislative body may thereupon authorize the issuance of revenue bonds for the purpose of obtaining funds in an amount estimated by it to be sufficient for such project The adoption of such resolution shall be conclusive evidence of the making and sufficiency of such report

54169 The proceeds of the sale of any revenue bonds issued pursuant to this act shall be used only for the purposes for which such bonds are issued, except that any premium received on the sale thereof and any sums received as interest accrued to the date of the delivery thereof may be used for the payment of principal of and interest on such bonds

54170. Wherever by the terms of this chapter the legislative body is empowered to authorize, or the public agency to enter into, any covenant or agreement to do or perform any act or thing, such legislative body and such public agency, respectively, shall have the power so to do and perform such act or thing

54173 This chapter provides a procedure alternative to any procedure otherwise provided by law or charter for financing any project, and shall not operate to limit or control the power of the public agency to finance any project in any other manner authorized by law or charter.

Article 3.

Issuance, Terms and Conditions of Revenue Bonds.

54175 The public agency shall have power to issue revenue bonds in its name.

54175.1 The bonds of each issue shall constitute special obligations, and evidence a special indebtedness of the public agency, which shall be a charge upon, and payable, as to the principal thereof, interest thereon, and any premiums upon the redemption of any thereof, solely from, such revenues and funds as are specified therein and in the proceedings for their issuance They shall not constitute general obligations of the public agency, and they shall neither constitute obligations, nor evidence any indebtedness, of any other public agency of which the public agency issuing the bonds may be a part, or of the State. All such bonds shall recite upon their face the substance of the preceding portions of this section, and shall also recite upon their face that they are issued under this chapter, which for that purpose may be designated by the short title provided for in Section 54150 of this chapter.

54175.2. In specifying the revenues and funds upon which such bonds are to be a charge and from which they are to be payable, there may be included:

(a) Revenue, as defined in Section 54156, whether to be derived from the project, or from public works previously existing, or from any future extension or betterment of, or addition to any such public works;

(b) Contributions in aid of the project; and

(c) Funds from any source which the public agency may lawfully apply to the purpose, other than the proceeds of taxation

54175 3. Nothing in this chapter, nor in the specification in the proceedings for the issuance of any bonds of the sources of payment thereof, shall preclude

(a) The payment of interest on or principal of any such bonds out of sums received as premiums or accrued interest on the sale thereof;

(b) The payment of principal of or interest on, or premiums on the redemption of, any such bonds out of the proceeds of the sale of refunding bonds issued for that purpose;

(c) The payment of any interest on any such bonds accruing during, and for not to exceed two years after, the period of the construction of a public improvement on account of which they were issued, or for any other reasonably limited period, out of the proceeds of the sale of such bonds;

(d) The payment of any principal of, interest on, or premiums on the redemption of, any such bonds by the purchasers thereof, or by any entity other than the public agency issuing the same, in any case where such purchasers or entity may have guaranteed such payment; or

(e) The application to the payment of any principal of, interest on, or premiums on the redemption of, any such bonds of any funds which the public agency may lawfully so apply.

54176 The legislative body shall have power to determine, by resolution, or by indenture, contract or other agreement made with, or for the benefit of, the bondholders, with reference to each issue of bonds to be issued under this chapter, all the terms and conditions of such bonds, and of the sale and issuance thereof, and any and all matters necessary or appropriate to be determined in connection therewith, excepting only as such power is limited by, or under the authority of, express provisions of this chapter. Without excluding the exercising of any other powers under, or in any way limiting the generality of, the preceding general grant of power, or in any way excluding or limiting the exercising of any or all other powers granted by this chapter, the general power granted by this section shall include, and each such public agency shall have and in its discretion may exercise, the specific powers provided by this chapter.

54177 The legislative body may provide for the aggregate principal amount, date or dates, maturities, interest rate or rates, interest payment dates, denominations, and form of such bonds, and may provide for the issuance thereof as serial bonds or sinking fund bonds, as payable to bearer or to named payees, or as registered bonds, and for the issuance thereof with or without coupons, and for the subsequent registration of bonds, and for the transfer and interchange of such bonds, and for all other terms and conditions upon which the same shall be executed, issued, secured, sold, paid, redeemed, or refunded. The legislative body may provide that any resolution or resolutions adopted in connection with the authorization of any bonds shall constitute a contract with the holders of such bonds, not subject to repeal, and not subject to any modification other than to an extent and in a manner provided in any such resolution. Reference on the face of the bonds to any such resolution by the date of its adoption, or to any such indenture, contract or other agreement by the date of its execution, or the apparent date on the face thereof, is sufficient to incorporate all of the provisions thereof and of this chapter into the body of the bonds and their appurtenant coupons; provided, however, that with respect to such provisions of this chapter as invest the legislative body with discretion as to the inclusion or non-inclusion in the proceedings for the issuance of the bonds of certain provisions, or as to the form thereof, such provisions of this chapter shall be deemed to be incorporated only to the extent to which the legislative body has exercised its discretion to include such provisions and in accordance with the form thereof adopted by the legislative body. Each taker and subsequent holder of the bonds or coupons, whether the coupons are attached to or detached from the bonds, has recourse to all of the provisions of any such resolution, indenture, contract or other agreement and of this chapter, and is bound thereby, subject to the foregoing proviso with reference to the provisions of this chapter vesting the legislative body with discretion.

54178 The legislative body may provide for such covenants and agreements on the part of the public agency as the legislative body deems necessary or advisable for the better security of any bonds.

54180 The legislative body may provide for the making of a covenant requiring the public agency to continuously operate in an efficient and economical manner, any or all facilities and properties, any revenues of which are charged with the payment of any bonds in connection with which such covenant is made.

54181. The legislative body may provide for the making of a covenant requiring the public agency to make all repairs, renewals and replacements necessary to the operation of any or all facilities and properties, any revenues of which are charged with the payment of any bonds in connection with which such covenant is made, and to keep any and all such facilities and property at all times in good repair.

54183. The legislative body may provide for the making of a covenant requiring the public agency to pay and discharge or cause to be paid and discharged from the funds available for that purpose all lawful claims for labor, materials and supplies or

other charges which, if unpaid, might become a lien or charge upon the revenues, or any part thereof, of any or all facilities and properties, any revenues of which are charged with the payment of any bonds in connection with which such covenant is made, or upon any of the physical properties thereof which might impair the security of the bonds.

54184. The legislative body may provide for the making of a covenant which limits, restricts, or prohibits any right, power or privilege of the public agency to mortgage or otherwise encumber, sell, lease or dispose of any or all facilities and properties, any revenues of which are charged with the payment of any bonds in connection with which such covenant is made, or to enter into any lease or agreement which might impair or impede the operation of such facilities or properties, or any part thereof, or which might otherwise impair or impede the rights of the holders of the bonds with respect to such revenues.

54185. The legislative body may provide for the making of a covenant requiring the fixing, prescribing, and collection, with respect to any or all facilities and properties, any revenues of which are charged with the payment of any bonds in connection with which such covenant is made, of fees, tolls, rentals or other charges in connection with the services and facilities furnished from any of such properties operated by it, and the fixing, prescribing and collection of rentals or other charges for any such properties leased by it to others for operation, sufficient, with such other funds as may have been made available for and charged with such payment, to pay the principal of and interest on such bonds as they become due and payable, together with all expenses of operation, maintenance and repair of such facilities and properties, and with such additional sums as may be required for any sinking fund, reserve fund or other special fund provided for the further security of such bonds or as a depreciation charge or other charge in connection with such facilities and properties, and all other charges payable out of said revenues or funds, and requiring that all receipts from all or any such fees, tolls, rentals or other charges shall be deposited in a certain specified fund or in certain specified funds. If, under the law or charter applicable to the public agency, the power to fix and prescribe any such fees, tolls, rentals or other charges is vested in any other board or body, or is subject to approval by any other board or body, such other board or body may provide for the making of a covenant to the same effect as stated in this section, or a covenant to approve fees, tolls, rentals, or other charges fixed or prescribed by the legislative body which shall be sufficient for the purposes specified in this section

54185.1. The legislative body may provide for the making of a covenant requiring the fixing and prescribing by the public agency and the collection by any lessee of any or all facilities and properties, any revenues of which are charged with the payment of any bonds in connection with which such covenant is made, of all fees, tolls, rentals, or other charges in connection with the services and facilities furnished by such lessee, sufficient to assure the payment by such lessee to such public agency of the rentals or other charges so payable.

54186 The legislative body may provide for the making of a covenant requiring the establishment and maintenance of reserve funds, sinking funds or other special funds, in the treasury in which the funds of the public agency are deposited, or special trust accounts in a bank or trust company, to insure payment when due or payable, whether at maturity or upon redemption, of the principal of and interest on any bonds, including premiums if any due upon the redemption of any thereof, or to insure the application of the proceeds of such bonds to the purposes for which the same were issued, or requiring the establishment and maintenance of a reserve fund or trust account for any other appropriate purpose, or requiring that any money placed in any such reserve fund or trust account shall constitute a trust fund to be applied only to the purposes for which such reserve fund was created

54187. The legislative body may provide for the making of a covenant requiring the public agency to apply the proceeds of the bonds in connection with which such covenant is made, or any part thereof, to the acquisition or construction of a specified facility, or other specified purpose.

54188 The legislative body may provide for the making of a covenant restricting the incurring of additional indebtedness payable in whole or in part out of revenues or funds which are charged with the payment of any bonds in connection with which such covenant is made.

54189 The legislative body may provide for the making of a covenant requiring the public agency to carry insurance on any facilities or properties any revenues of which are charged with the payment of any bonds in connection with which such covenant is made, or any operations incident thereto, specifying or limiting the kind, amount and character of such insurance and providing for the use and disposition of the proceeds of any such insurance thereafter collected.

54189 1. The legislative body may provide for the making of a covenant restricting, limiting or prohibiting the establishment by it of any competitive project while any bonds of the issue in connection with which such covenant is made are outstanding.

54189.2. The legislative body may provide for the making of a covenant restricting, limiting or prohibiting the rendering or furnishing of service or facilities free of charge, or at less than the regularly established charges therefor, by or from any facilities and properties, any revenues of which are charged with the payment of any bonds in connection with which such covenant is made.

54190. The legislative body may provide for the terms and conditions upon which any bonds may become or be declared due and payable prior to maturity, upon the happening of any specified event of default, and the terms and conditions upon which such declaration and its consequences may be waived.

54191. The legislative body may provide for the rights, limitations, powers and duties arising upon breach by the public body of any of the covenants, conditions or obligations contained in any resolution, indenture, contract or agreement.

54192 The legislative body may provide for a procedure by which certain specified terms and conditions of any resolution, indenture, contract or agreement may be subsequently amended or modified, or any provision thereof waived, with the consent of the legislative body and the vote or written assent of the holders of a specified principal amount of the bonds issued and outstanding. Such provision may authorize meetings of bondholders and specify the manner in which the consent of the bondholders may be given Such provision shall specifically state the effect of such amendment, modification or waiver upon the rights of the holders of all of the bonds and interest coupons appertaining thereto, whether attached thereto or detached therefrom. The provisions for such procedure may include an agreement that bonds held by the public agency, or by any other person or entity who or which the legislative body may determine to be so interested in the matter as to make it proper, shall not be counted as outstanding bonds, and that the holders thereof shall not be entitled to vote or assent with respect to such amendment, modification or waiver, but shall nevertheless be subject thereto

54193. The legislative body may provide for such other acts and matters as it may deem to be necessary or convenient or desirable in order to secure the bonds or to make the bonds more marketable.

54194 The legislative body may designate a bank or trust company as a trustee for the holders of bonds issued hereunder, and may authorize the trustee to act on behalf of the holders of the bonds, and to exercise and prosecute on behalf of the holders of the bonds such rights and remedies as may be available to the holders.

54195 The legislative body may fix and determine the conditions upon which any trustee shall receive, hold or disburse any or all funds coming into its hands pursuant to any resolution, indenture, contract or agreement The legislative body may prescribe the duties and powers of such trustee with respect to the payment of principal and interest on bonds, the redemption of bonds, the registration and discharge from registration of bonds, and the management of any sinking fund or other fund provided as security for bonds, and with respect to any other appropriate matter

54196 The legislative body may provide for the issuance of bonds in series, and for the division of any issue into two or more divisions, and may fix different maturities or dates of such bonds, different rates of interest, or prescribe different terms and conditions for the bonds of the several series or divisions It is not necessary that all bonds of the same authorized issue be of the same kind or character, have the same security, or bear the same interest rate, but the terms thereof shall in each case be provided for by the legislative body After the authorization or issuance of bonds, the legislative body may, from time to time thereafter, authorize the issuance of other bonds, subject to any covenants it may have made restricting the future issuance of bonds

54199 Bonds may be callable upon such terms, conditions, and upon such notice as the legislative body may determine, and upon the payment of the premium, if any, fixed by the legislative body in the proceedings for the issuance of the bonds No bond shall be subject to call or redemption prior to its fixed maturity date unless the right to exercise such call is expressly stated on the face of the bond.

54200 The legislative body may provide for the principal and interest of bonds being payable in any specified coin or currency of the United States and at any place within the State of California, or for such principal and interest being payable or collectible at any place without the State of California

54201. All of the signatures on said bonds and on the interest coupons thereof may be printed, lithographed or engraved facsimile, except that on the bonds, but not on the interest coupons, the countersignature of the clerk or other officer or representative of the public agency designated by the legislative body shall be manually affixed. If any of the officers or representatives whose signatures or countersignatures appear upon the bonds or coupons cease to be officers or representatives before the delivery of the bonds or coupons, their signatures or countersignatures are nevertheless valid and of the same force and effect as if the officers or representatives had continued to hold their respective offices or positions until the delivery of the bonds and coupons

54202. Payments of any serial bonds, and payments into the sinking fund for any sinking fund bonds, may be deferred, but the first maturity of any such serial bonds, and the first payment into the sinking fund for any such sinking fund bonds, shall be no later than five (5) years from the date of the bonds, and no bond, whether serial or sinking fund, shall mature more than forty (40) years from its date. In the event any authorized issue is divided into two or more series or divisions, the periods specified in this section shall be calculated from the date on the face of each bond separately, irrespective of the fact that different dates may be prescribed for the bonds of each separate series or division of any authorized issue.

54203. No bonds shall be sold except at public sale, after advertising for proposals and to the bidder whose bid will result in the lowest net interest cost, determined in a manner specified in the notice of such sale, provided, however, that such advertising and public sale shall not be necessary, first, if the bonds are sold to the United States, or any agency thereof, or to the State of California, or any agency thereof, second, if upon advertising for proposals for the purchase thereof, no satisfactory proposal is received, or, third, if the legislative body shall determine, by resolution, that by reason of war, disaster, conditions affecting the public health, or other reason of extreme urgency, it is in the public interest to sell any such bonds without advertising or public sale. If the legislative body shall adopt any such resolution, the reasons for its determination shall be fully and clearly stated in such resolution. Bonds may be sold at less than their par or face value but no bond may be sold at a price which would result in a yield to the purchaser of an average of more than six (6) percent per annum, payable semiannually, according to standard tables of bond values.

54207. The legislative body may provide for the issuance and delivery, pending the actual issuance or delivery of definitive bonds, of temporary or interim bonds, certificates or receipts of any denominations whatsoever, and with or without coupons, to be exchanged for definitive bonds when ready for delivery.

54210. The legislative body may provide for the issuance, sale, or exchange of refunding bonds for the purpose of redeeming or retiring any revenue bonds issued by the public agency. All provisions of this act applicable to revenue bonds and to the issuance and sale thereof, other than the provisions of Sections 54158, 54162 and 54163, are applicable to refunding bonds and to the issuance and sale thereof; provided, however, that the legislative body may provide that in lieu of the sale of such refunding bonds they, or any part thereof, may be exchanged for bonds to be refunded thereby, upon such terms and conditions as it may deem proper.

54211. Refunding bonds may be issued in a principal amount sufficient to provide funds for the payment of all bonds to be refunded thereby, and in addition for the payment of all expenses incident to the calling, retiring or paying of such outstanding bonds, and the issuance of such refunding bonds. These expenses include the difference in amount between the par value of the refunding bonds and any amount less than par for which the refunding bonds are sold, any amount necessary to be made available for the payment of interest upon such refunding bonds from the date of sale thereof to the date of payment of the bonds to be refunded or to the date upon which the bonds to be refunded will be paid pursuant to the call thereof or agreement with the holders thereof, and the premium, if any, necessary to be paid in order to call or retire the outstanding bonds and the interest accruing thereon to the date of the call or retirement.

54212. All bonds issued under the provisions of this act are negotiable instruments.

54213. Prior to the issuance of any bonds, the public agency, on authorization by the legislative body, may commence a special proceeding to determine the right to issue the bonds and their validity in the superior court of the county in which the public agency is located, or, if the public agency is a state agency, in any county in which such agency maintains an office. Such proceeding shall be instituted and prosecuted in the same manner as provided by Sections 22670 to 22674, inclusive, and 22676 to 22684 inclusive, of the Water Code, as these sections now read or may hereafter be amended to read, and these sections apply to and govern all such proceedings instituted under this act; provided, however, that in so applying said provisions, all references to a district shall be understood as references to the public agency; all references to any assessment or the levying thereof shall be disregarded, and the provisions of Section 22681 relating to the exchanging of bonds for property shall be understood as relating to the exchanging of refunding bonds for bonds to be refunded thereby. Such proceeding is a proceeding in rem and the judgment rendered therein is conclusive against all persons whomsoever and against all entities whatsoever, public or private, including the public agency and the State of California.

54214. Whenever the legislative body deems that it will increase the salability or price of the bonds to obtain a legal opinion, other than or in addition to that of the regular legal adviser of the public agency, it may obtain such legal opinion.

Article 4.

Duty to Perform Covenants

54220. It shall be the duty of the public agency fully and faithfully to keep and perform any covenant it may make pursuant to Section 54185 with or for the benefit of the holders of the bonds with respect to the fixing and maintaining of fees, tolls, rentals or other charges, and each and every other covenant it may make pursuant to any provision of this act, with or for the benefit of the holders of any bonds.

Article 5.

Rights of Bondholders.

54230. The holder of any bond issued pursuant to this chapter may by mandamus or other appropriate proceeding, require and compel the performance of any of the duties imposed upon the public agency, the legislative body or the officers, agents, or employees of the public agency, by this chapter, in all cases where the failure to perform such duty might impair the rights of such bondholder or the security of any bond or bonds held by him. This shall not exclude the exercise or prosecution of any other rights or remedies available to the holders of bonds issued pursuant to this chapter.

54231. While any revenue bonds issued by the public agency remain outstanding, its powers and duties, and the powers and duties of the legislative body, shall not be diminished or impaired in any manner that will adversely affect the interest and rights of the holders of such bonds. This shall not preclude any reorganization or change of the public agency, by consolidation, change of the boundaries, or otherwise, or any modification, change or transfer of the powers and duties of the legislative body, or any transfer of physical properties; provided, however, that such act or matter is done, arranged and carried into effect in such manner as to preserve all the substantial rights and benefits to which the holders of such bonds are entitled.

Article 6.

Contributions and Cooperation.

54240. The legislative body may accept contributions or appropriations from the United States, the State, or any public agency of this State, or from any other source

54241. The legislative body may authorize the making by the public agency of any contract, arrangement, or agreement with the State or any public agency, to cooperate with such State or public agency for the development, maintenance, operation, or use of any project or the services or facilities thereof financed in whole or in part through the issuance of revenue bonds, and the public agency may so cooperate.

54242 The public agency, when authorized by the legislative body, may cooperate and contract with the United States under the War Mobilization and Reconversion Act of 1944, approved October 3, 1944, and any acts amendatory thereof or supplemental thereto, or under any other act of Congress heretofore or hereafter enacted, authorizing or permitting such cooperation.

Article 7.

Funds.

54250. The proceeds from each sale of bonds authorized under this chapter, other than any sums received as premium or accrued interest, shall be deposited in the treasury in which funds of the public agency are kept, to the credit of a fund, which the legislative body shall establish therein, and which shall be designated by an appropriate name, to insure the application of such proceeds to the purposes for which the bonds were issued; provided, however, that where successive sales are made of bonds of a public agency, and the same are issued for the same identical purpose, such proceeds of more than one sale may be deposited in such treasury to the credit of the same fund. The provisions of this section shall be subject to the provisions of this article with respect to the establishment of other reserve funds and trust accounts.

54251. The proceeds from each sale of bonds authorized under this chapter received as premium or accrued interest, shall be deposited in such treasury to the credit of the fund out of which payments on the principal of and interest on such bonds are to be made, whether such fund shall be a fund already established or a reserve fund established pursuant to Section 54252, and shall be applied only to the payment of such principal and interest.

54252. The legislative body may from time to time establish one or more reserve funds in the said treasury, for any of the purposes specified in this section. Any such fund may be so established as a sinking fund, or otherwise, to insure the payment, when due and payable, of the interest on any such bonds, the principal thereof, whether upon maturity or redemption prior to maturity, and premiums upon the redemption thereof prior to maturity, or for any of said purposes, or for any other purpose related to the expenditure of the proceeds of such bonds, the security of the bondholders or the payment of such bonds.

54253. If, under the law or charter applicable to the public agency, the power to establish funds in said treasury is not vested in the legislative body, then the officer or board having power to establish such funds, shall establish any fund provided for in this article, upon the request of the legislative body.

54254. The money in any fund provided for in this article, other than any previously established fund referred to in Section 54251, shall be kept separate and apart from all other funds in the treasury, and, subject to all provisions of this article, shall be paid out and disbursed on the order of the legislative body in the same manner that other funds of the public agency are paid out and disbursed.

54255. In lieu of the establishment of any fund by or at the request of the legislative body pursuant to this article, the legislative body may provide for the establishment of a trust account with a responsible bank or trust company for any of the purposes for which any such fund could be established.

54256. Money so deposited in any fund or special trust account established pursuant to this article shall remain therein until from time to time expended for the purposes for which said fund or trust account was created, and shall not be used for any other purpose whatsoever, but may be invested as hereinafter in this article provided, and provided

(a) that money may be paid or transferred from any such fund or account in furtherance of its establishment to any other such fund or account established for a like purpose in connection with the same bonds to such extent as may be required or permitted under the terms of the issuance thereof, and

(b) that any surplus money remaining in any such fund or trust account after the full accomplishment of the purposes for which such fund or trust account was established, or which is in excess of the full amount required to accomplish all such purposes, may be applied to the payment of principal, interest or premiums on redemption of such bonds, if any thereof remain unpaid, or to capital costs or expenses incident to any facilities or properties the revenues of which were charged with the payment of the bonds, or, if it cannot be so applied, then to any purpose to which the legislative body may direct that it be applied, subject, however, to any covenant which may have been made in connection with the issuance of such bonds.

54256. If, under the law or charter under which the public agency exists, provision is made for the establishment of funds or trust accounts to accomplish substantially the same purposes as provided for in this article, such funds or trust accounts may be established pursuant to such law or charter instead of pursuant to this article.

54257. Pending use for the purposes for which any reserve fund or special trust account established pursuant to this article was so established, money deposited therein may be invested when and to such extent and in such manner as may be directed by the legislative body and as may be consistent with any covenant made upon the issuance of the bonds in connection with which such fund or account was created. Such investment shall be in bonds and other obligations eligible for investment of surplus funds of the public agency, or eligible for investment of surplus county money. If, under the law or charter under which the public agency exists, the power to direct the investment of surplus money is not vested in the legislative body, then the direction provided for in this section shall be the direction of such board or officer as is vested with such power. Any income, interest or increment resulting from such investment shall be added to and become a part of the fund or trust account out of which such investment was made."

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 17, inclusive; and strike out all of pages 2 to 14, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 735—An act to add Part 6.5 to Division 2 of the Revenue and Taxation Code, relating to licensing aircraft, creating the Aircraft License Fee Fund and making an appropriation of the moneys therein.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 6, line 27, of the printed bill, strike out ", after", and insert "at the close of each preceding calendar quarter, after the expenditures authorized by subdivisions

(a), (b), (c), and (e) of Section 11861 have been made, shall be apportioned by the State Controller to the counties quarterly in January, April, July, and October of each year, in the proportion that the total aircraft license fees, including penalties and interest, collected on aircraft in each county and deposited in the Aircraft License Fee Fund during the period covered by such apportionment, bears to the total aircraft license fees, including penalties and interest collected by the department on all aircraft in this State and deposited in said fund during said period."

Amendment No. 2

On page 6 of the printed bill, strike out lines 28 to 32

Amendment No. 3

On page 2, line 33, of the printed bill, strike out "California delivered", and insert "manufacturer's advertised factory".

Amendment No. 4

On page 2, line 39, of the printed bill, strike out "California delivered", and insert "manufacturer's advertised factory".

Amendment No. 5

On page 2, line 46, of the printed bill, strike out "California delivered", and insert "manufacturer's advertised factory".

Amendment No. 6

On page 3, line 21, of the printed bill, strike out "California delivered", and insert "manufacturer's advertised factory".

Amendment No. 7

On page 6, line 40, of the printed bill, strike out "now".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 3373—An act to amend Section 370 of the Vehicle Code, relating to the operation of vehicles upon public streets and highways, including fees in connection therewith and the apportionment of such fees for automobile driver training in the public schools.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 370 of", and insert "add Section 370.1 to".

Amendment No. 2

Strike out lines 2 and 3 of the title of said bill, and insert "the collection of fees in connection with vehicles operated upon public streets and highways and the apportion-".

Amendment No. 3

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 370.1 is added to the Vehicle Code,".

Amendment No. 4

On page 1 of said bill, strike out lines 3 through 13, and insert

"370.1. Notwithstanding the provisions of Section 373 5, an additional fee of 50 cents shall be collected on each vehicle of a type subject to a registration fee as provided in Section 370 and shall be set aside and paid monthly into the General Fund in the State Treasury to be available only for transfer by the Controller to the State School Fund pursuant to Section 5153 6 of the Education Code, to reimburse school districts for the excess cost of instructing pupils in automobile driver training."

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1814—An act to add Section 8651.1 to the Revenue and Taxation Code, relating to state taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

Strike out line 1 of the title of the printed bill, and insert

'An act to amend Sections 8604, 8608 and 9256 of, and to add Sections 8610, 8611, 8651.5, 8706, 9257, 9258, 9259, 9260, 9261, 9262 and 9263 of, and to repeal Part 4, Division 2, of the Revenue and Taxation".

Amendment No. 2

On page 1, lines 3 and 4, of said bill, strike out "cents ($0.02)", and insert "and a half cents ($0.02½)".

Amendment No. 3

On page 1, line 8, of said bill, after "8651", insert "and in lieu of the registration fees imposed under subdivisions (c) and (d) of Section 372 of the Vehicle Code".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, after line 8, insert

"SEC. 2. Section 8604 of the Revenue and Taxation Code is amended to read.

8604. "Fuel" includes:

(a) For purposes of the tax imposed by Section 8651, any combustible gas or liquid, by whatever name the gas or liquid may be known or sold, of a kind used in an internal combustion engine for the generation of power to propel a motor vehicle on the highways except fuel that is subject to the tax imposed by Part 2 of this division

(b) For purposes of the tax imposed by Section 8651.5, fuel included in (a) of this section and fuel that is subject to the tax imposed by Part 2 of this division.

SEC. 3. Section 8608 of the Revenue and Taxation Code is amended to read:

8608. "User" includes *any person who, within the meaning of the term "use" as defined in this chapter, uses fuel as defined in Section 8604(a), or uses in a commercial vehicle fuel that is subject to the tax imposed by Part 2 of this division.*

SEC. 4. Section 8610 is added to the Revenue and Taxation Code, to read.

8610. *"'Commercial vehicle' means any motor vehicle of a type subject to registration under the provisions of the Vehicle Code used or maintained for the transportation of persons for hire, compensation or profit or designed, used or maintained primarily for the transportation of property."*

SEC. 5. Section 8611 is added to the Revenue and Taxation Code, to read:

8611. "Tax" means the tax imposed by Section 8651 or 8651.5, or the taxes imposed by both sections

SEC. 6. Section 8706 is added to the Revenue and Taxation Code, to read:

8706. Before operating a commercial vehicle upon the highways, each user shall obtain for the vehicle from the Department of Motor Vehicles plates or emblems indicating that a use fuel tax permit has been obtained by him. Each plate or emblem shall be attached to and conspicuously displayed upon the vehicle for which it was issued in such manner as the department may require. The department shall immediately notify the board of the issuance of the plates or emblems

SEC. 7. Section 9256 of the Revenue and Taxation Code is amended to read:

9256. Before registering any motor vehicle, the Department of Motor Vehicles shall ascertain from the applicant for registration whether or not the motor vehicle sought to be registered is propelled by a fuel the use of which is subject to the excise tax imposed [under this part] *by Section 8651*. If the motor vehicle is propelled by the use of such a fuel, the department shall notify the board.

SEC. 8. Section 9257 is added to the Revenue and Taxation Code, to read:

9257. The Highway Patrol shall assist the board in the enforcement of the provisions of this part prohibiting a user from operating a commercial vehicle upon the highways without first obtaining the permit required by Section 8701 and without displaying on the vehicle the plates or emblems required by Section 8706. The Highway Patrol shall promptly transmit to the board on a form prescribed by it information respecting any vehicle found by the Highway Patrol to have been operated in violation of this part.

SEC. 9. Section 9258 is added to the Revenue and Taxation Code to read:

9258. Each seller of motor vehicle fuel shall issue a sales invoice for each sale and delivery of fuel the use of which is subject to the tax imposed by Section 8651.1.

SEC. 10. Section 9259 is added to the Revenue and Taxation Code to read:

9259. A copy of the invoice shall be retained by the seller for a period of five years unless the board shall approve the destruction thereof prior thereto. The invoices shall be serially numbered and each invoice shall show the name of the user, the user's permit number, the date of sale and the type, quantity in gallons and price of fuel sold.

SEC. 11. Section 9260 is added to the Revenue and Taxation Code to read:

9260. The sales invoices and such other records of the seller of motor vehicle fuel as may be pertinent to the enforcement of this part shall be made available to the board for inspection.

SEC. 12. Section 9261 is added to the Revenue and Taxation Code to read:

9261. A seller who fails to record a sale of fuel to a user as herein required or who sells fuel to a user who does not hold a valid user's permit and display upon his vehicle the emblem required by this part, or who by any other manner, means or device acts in collusion with a user or independently to evade the tax imposed by this part shall be held jointly with the user or severably liable for the tax, interest and penalties imposed by this part with respect to the fuel sold by him and used in a commercial vehicle and shall be guilty of a misdemeanor unless by other law of this State he is guilty of a felony.

SEC. 13. Section 9262 is added to the Revenue and Taxation Code to read:

9262. After due hearing and upon a ruling or decision of the board that a seller has violated the requirements of this part, or in the event the seller has been convicted of a criminal offense under Section 9261, the board shall notify the State Department of Agriculture, Bureau of Weights and Measures which department shall forthwith suspend any and all motor vehicle fuel pump license tags issued under the provisions of Division 8, Chapter 7, Article 3a of the Business and Professions Code for the motor vehicle fuel pumps used by the seller and shall close and seal such pumps as provided in Section 20774 of the said code.

SEC. 14. Section 9263 is added to the Revenue and Taxation Code to read:

9263. It shall thereafter be unlawful for the seller to engage in the sale of motor vehicle fuel until all amounts due under this part have been paid and the board has so notified the Department of Agriculture. The motor vehicle fuel pump license shall not be reinstated until the seller pays to the Department of Agriculture a fee of ten dollars ($10) for the reinstatement of each pump license, and the seller has posted with the board a bond of faithful performance with surety in an amount to be determined by the board but not more than ten thousand dollars ($10,000).

SEC. 15. *Part 4, Division 2 of the Revenue and Taxation Code, comprising Sections 9601 to and including 10501, is repealed, except that the provisions of said part are continued in effect as respects the collection of all amounts due or which may become due under said part arising from operations as defined in said part prior to January 1, 1952, and as respects refunds of amounts erroneously paid in connection with such operations.*

SEC. 16. This act, inasmuch as it provides for a tax levy shall, under the provisions of Section 1, Article IV of the Constitution, take effect immediately; provided, however, that the provisions hereof shall become operative on January 1, 1952."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 1012—An act to amend Section 3831 of the Vehicle Code, relating to refunds of registration fees.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 2, line 14, of the printed bill, after "which", insert "fees".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

Assembly Bill No. 484—An act to add Section 216 to the Revenue and Taxation Code, relating to the exemption of household and personal effects from property taxation.

Bill read second time

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Revenue and Taxation

Amendment No. 1

On page 1, line 8, of the printed bill, strike out "This shall not apply to the"; and strike out lines 9 and 10

Amendment read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 269—An act to add Section 1106 to the Labor Code, relating to political activities

Bill read second time

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Industrial Relations:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "activities involving"

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Industrial Relations

UNFINISHED BUSINESS

NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 327 FROM COMMITTEE CONTINUED

Mr. Davis asked for, and was granted, unanimous consent that his notice of motion to withdraw Senate Bill No. 327 from committee be continued until the next legislative day.

RECOMMENDATION OF THE GOVERNOR

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No 126.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, March 22, 1951

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

Assembly Bill No. 126, "An act making an appropriation in augmentation of the appropriation in Item 130 of the Budget Act of 1950 for support of Local Allocations Division, Department of Finance, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill

This is an appropriation in augmentation of the appropriation in the current budget for the support of the Local Allocations Division. The increasing of the allocation of bond money for the construction of schools authorized by the last special session

of the Legislature has increased the work of the Division of Allocations and necessitates this additional appropriation

I therefore recommend consideration of Assembly Bill No. 126 as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 126—An act making an appropriation in augmentation of the appropriation in Item 130 of the Budget Act of 1950 for support of Local Allocations Division, Department of Finance, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Sherwin, Smith, Stanley, Thomas, Waters, and Mr Speaker—62

NOES—None.

Bill ordered transmitted to the Senate.

RECOMMENDATION OF THE GOVERNOR

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 128:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, March 22, 1951

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

Assembly Bill No. 128, "An act making an appropriation from the Fair and Exposition Fund in augmentation of the Poultry Testing Project Fund, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This appropriation from the Fair and Exposition Fund is required immediately for the Poultry Testing Project Fund to cover additional expenses incurred by the Poultry Improvement Commission.

I therefore recommend consideration of Assembly Bill No. 128 as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 128—An act making an appropriation from the Fair and Exposition Fund in augmentation of the Poultry Testing Project Fund, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Sherwin, Smith, Stanley, Thomas, Waters, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

RECOMMENDATION OF THE GOVERNOR

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 259:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, March 22, 1951

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

Assembly Bill No. 259, "An act making an appropriation to reimburse the Emergency Fund, Item 277, Budget Act of 1950, and providing for the reimbursement of the State Highway Fund, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This appropriation from the Highway Fund is necessary to reimburse the Emergency Fund for a loan made from the Emergency Fund to cover the cost of studying the need for an additional toll bridge crossing for San Francisco Bay.

I therefore recommend consideration of Assembly Bill No. 259 as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 259—An act making an appropriation to reimburse the Emergency Fund, Item 277, Budget Act of 1950, and providing for the reimbursement of the State Highway Fund, to take effect immediately.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Sherwin, Smith, Stanley, Thomas, Waters, and Mr Speaker—65

NOES—None.

Bill ordered transmitted to the Senate.

RECOMMENDATION OF THE GOVERNOR

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 390:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, March 22, 1951

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

Assembly Bill No. 390, "An act making an appropriation in augmentation of the appropriation in Item 278 of the Budget Act of 1950, for Salary Increase Fund, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

The appropriation contained in this bill is for the purpose of augmenting the Salary Increase Fund for the current fiscal year to cover salary increases made by the State Personnel Board.

I therefore recommend consideration of Assembly Bill No. 390 as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 390—An act making an appropriation in augmentation of the appropriation in Item 278 of the Budget Act of 1950, for Salary Increase Fund, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2715—An act to provide for the reimbursement of State Employees Retirement System contributions

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—64

NOES—None.

Bill ordered transmitted to the Senate.

RECOMMENDATION OF THE GOVERNOR

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 127:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, March 22, 1951

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

Assembly Bill No. 127, "An act making an appropriation in augmentation of the appropriation in Item 30 of the Budget Act of 1950 for support of the California Disaster Council, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill makes an appropriation in augmentation of the appropriation for the support of the California Disaster Council for the current fiscal year. It is immediately required for the functioning of the Council.

I therefore recommend consideration of Assembly Bill No. 127 as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 127—An act making an appropriation in augmentation of the appropriation in Item 30 of the Budget Act of 1950 for support of the California Disaster Council, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, and Waters—64.

NOES—None.

Bill ordered transmitted to the Senate

RECOMMENDATION OF THE GOVERNOR

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 131:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, March 22, 1951

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

Assembly Bill No. 131, "An act making an appropriation to the Department of Veterans Affairs for educational assistance to veterans, in augmentation of Item 264 of the Budget Act of 1950, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

The appropriation made by this bill is necessary for the additional cost of providing educational assistance to veterans during the current fiscal year.

I therefore recommend consideration of Assembly Bill No 131 as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 131—An act making an appropriation to the Department of Veterans' Affairs for educational assistance to veterans, in augmentation of Item 264 of the Budget Act of 1950, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3108—An act to amend Sections 2090, 2095, and 3011 of the Banking Code, to add Sections 3013, 3014, and 3015, relating to conversion of state banks into national banking associations, to the transfer of trust assets upon purchase by a national banking association, and to continuance of corporate existence upon conversion, merger or consolidation of state banks and national banking associations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bills Nos. 828 and 829, on motion of Mr. Clarke.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 6—An act to add Article 9 to Chapter 1 of Division 4 of Title 1 of the Government Code, relating to the fingerprinting of public employees.

Bill read third time.

Point of Order

Mr. Sherwin arose to the following point of order: That, pursuant to the Standing Rules, Assembly Bill No. 6 should be re-referred to the Committee on Ways and Means.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Re-reference of Assembly Bill No. 6

Assembly Bill No. 6 ordered re-referred to the Committee on Ways and Means.

Assembly Constitutional Amendment No. 29—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 1½ of Article XIII thereof, relating to taxation.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagan, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—68.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 1201—An act to amend Section 1506 of the Penal Code, relating to appeals in habeas corpus cases.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCollister, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Porter, Rosenthal, Shaw, Smith, Stanley, Thomas, and Waters—57.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1090 HOLD PLACE ON FILE

Mr. Brown asked for, and was granted, unanimous consent that Assembly Bill No. 1090 be passed on file, and hold its place on file on the next legislative day.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED IN JOURNAL AND AS SEPARATE DOCUMENT

Mr. Kilpatrick asked for, and was granted, unanimous consent that a letter of transmittal, and a Partial Report of the Assembly Interim Committee on Crime and Corrections, be ordered printed in the Journal

in 10 point type; and that the letter and report be printed as a separate document, and that 500 copies be printed

(Above mentioned letter of transmittal and report will appear prior to the motion to adjourn.)

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1202—An act to amend Section 1335 of the Penal Code, relating to conditional examination of witnesses.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse Parker, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1277 HOLD PLACE ON FILE

Mr. Caldecott asked for, and was granted, unanimous consent that Assembly Bill No 1277 be passed on file, and hold its place on file on the next legislative day.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2718—An act to amend Section 11044 of the Government Code, relating to charges for services against agencies supported other than from the General Fund

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—70

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2752—An act to repeal Section 26907 of the Government Code, relating to the destruction of public records.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney,

Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Smith, Thomas, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2809—An act to amend Sections 339.3, 339.4, and 353.10 of the Agricultural Code, relating to fees for cattle brands and brand inspection.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—70

NOES—None

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 11:02 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding

Assembly Bill No. 2938—An act to amend Section 160.93 of the Agricultural Code, relating to the agricultural pest control business

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, and Waters—65

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 9

Mr. Levering asked for, and was granted, unanimous consent that he be permitted to take up Assembly Constitutional Amendment No. 9, temporarily passed on file, out of order, at this time

CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 9

Assembly Constitutional Amendment No. 9—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 3 of Article XX, relating to oaths of office

Resolution read, and ordered passed on file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1905—An act to amend Section 54 of the Fish and Game Code, relating to game management areas.

Bill read third time.

Demand for Previous Question

Messrs. Geddes, Lyon, Lincoln, Caldecott, and Dills demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1905.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Sillman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—61.

NOES—Coats, Henderson, and Lowrey—3.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr. Rosenthal asked for, and was granted, unanimous consent that his name be placed upon the roll call on Assembly Bill No. 1905, and that he be recorded as voting "Aye".

Assembly Bill No. 2319—An act to add Section 441 to the Fish and Game Code, authorizing reciprocity between California and Arizona in the issuance of sporting fishing licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Sillman, Smith, Stanley, Thomas, Tomlinson, and Waters—71.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 2320—An act to amend Sections 6500 and 6502 of the Government Code, relating to the joint exercise of powers by public agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Sillman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2321—An act authorizing reciprocal agreements between this State and adjoining states, relating to reciprocity in the use of sporting fishing licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Sillman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2318

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 2318, out of order, at this time

CONSIDERATION OF ASSEMBLY BILL NO. 2318

Assembly Bill No. 2318—An act to add Article 3 to Chapter 1, Part 1, Division 4 of the Fish and Game Code, relating to a means of providing reciprocity in the issuance of sport fishing licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Sillman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None

Bill ordered transmitted to the Senate

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1638—An act to add Section 32131 to the Health and Safety Code, relating to the powers of local hospital districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Sillman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO EXPUNGE RECORD, AND RESCIND ACTION ON ADOPTION OF AMENDMENTS NOS. 3 TO 7 INCLUSIVE TO ASSEMBLY BILL NO. 1155

Mr. Silliman asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on Friday, March 23d, adopted Amendments Nos. 3 to 7, inclusive, offered by the Committee on Conservation, Planning, and Public Works to Assembly Bill No. 1155.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3021

Mr. Erwin asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3021, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3021

Assembly Bill No. 3021—An act to amend the Fish and Game Code by adding thereto a new section designated 1204 to aid in relieving waterfowl depredation to agricultural crops by authorizing the issuance of licenses to feed migratory game birds

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2673—An act to amend Section 2141 of the Business and Professions Code, relating to the practice of the healing arts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2674—An act to amend Section 2142 of the Business and Professions Code, relating to violations under the chapter on medicine and surgery.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad,

Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Sillman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2679—An act to amend Section 2193 of the Business and Professions Code, relating to applicants for a physician's and surgeon's certificate.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Sillman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—70

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 176—An act to repeal Section 7508 of the Welfare and Institutions Code, relating to actions against the Department of Institutions or its agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Cloved, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Sillman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—62

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 36

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

RECESS

At 11.42 a.m., on motion of Mr. Dickey, the Assembly recessed until 1.45 p.m.

REASSEMBLED

At 1.45 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

MEMBERS EXCUSED

At 1.46 p.m., Mr. Collier asked for, and was granted, unanimous consent that Messrs. Hinckley and McFall be excused, for the balance of the legislative day, because of legislative business elsewhere.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 36

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal:

CAPITOL CORRESPONDENTS ASSOCIATION OF CALIFORNIA
STATE CAPITOL, SACRAMENTO, March 26, 1951

Hon. Sam L. Collins, Speaker
The Assembly, Assembly Chamber
Sacramento, California

DEAR MR. SPEAKER: In compliance with Assembly Rule 24 and Joint Rule 32, the Standing Committee of the Capitol Correspondents Association has examined application for authentication as accredited press representative and recommends the following action:

Approved for Press Card

Fresno Bee and Modesto Bee—George Baker.

Sincerely,

EARL C BEHRENS, President

RATIFICATION OF ACTION

By unanimous consent, the above action, as taken by the Capitol Correspondents Association, was ratified by the Assembly.

RESOLUTIONS

The following resolution was offered:

By Mr. Dickey:

House Resolution No. 103

Resolved, That the Controller be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Department of Finance (supplies)	$166.19
Martyrs' (supplies)	18.02
The Pacific Telephone & Telegraph Co (tolls)	77.95
Department of Finance (toll charges)	2 40
Department of Finance (pro-rate cost of telephone service)	139.67

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 103, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Moss, Munnell, Niehouse, Parker, Rumford, Shaw, Stanley, Tomlinson, Waters, and Mr. Speaker—56.

NOES—None.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)
REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 9

Mr. George D. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Constitutional Amendment No. 9, temporarily passed on file, out of order, for purpose of amendment, at this time.

FURTHER CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 9

Assembly Constitutional Amendment No. 9—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 3 of Article XX, relating to oaths of office.

Resolution read.

Motion to Amend

Mr. George D. Collins moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed measure, strike out lines 6 to 23, inclusive, and insert "'I will never bring disgrace to the State of California by any act of dishonesty or cowardice, nor ever desert my suffering comrades in the ranks; I will fight for the ideals and sacred things of the State, both alone and with many; I will revere and obey the State's laws and do my best to incite a like respect and reverence in those about me; I will strive unceasingly to quicken the public's sense of civic duty; and thus, in all these ways, I will strive to transmit this State not only not less but greater, better and more beautiful than it was transmitted to me.'"

Amendment read.

Demand for Previous Question

Messrs. Doyle, Lincoln, Dills, Cloyed, and Luckel demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendment offered by Mr. George D. Collins to Assembly Constitutional Amendment No. 9.

Amendment refused adoption.

The question being on the adoption of Assembly Constitutional Amendment No. 9.

Demand for Previous Question

Messrs. Lanterman, Klocksiem, Luckel, Conrad, and Geddes demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Assembly Constitutional Amendment No. 9.

Point of Order

Mr. Geddes arose to the following point of order: That Mr. Hagen is making a speech, and that, as Mr. Levering has closed, Mr. Hagen is not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The question being on the adoption of Assembly Constitutional Amendment No. 9.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—67.

NOES—George D Collins, Condon, Elliott, McFall, McMillan, and Parker—6

Resolution ordered transmitted to the Senate.

Statement of Vote

Because I was called to the telephone, I was unable to cast an affirmative vote on Assembly Constitutional Amendment No 9 when the roll was called.

JAMES W. SILLIMAN

ANNOUNCEMENTS

Speaker Sam L. Collins announced that, since his name had been mentioned in the debate on Assembly Constitutional Amendment No. 9, he desired to call the attention of the membership to the fact that when the Speaker originally opposed Senate Bill No. 132, in the 1949 Session, he based his opposition on two premises:

First, the oath pledged allegiance "to the enemy, both foreign and domestic." That error has been corrected. The allegiance now is pledged to the Constitution of the United States and the Constitution of the State of California.

Second objection was to the unconstitutionality, the Constitution of the State of California being very explicit that no other test should be required than that contained in the Constitution. Assembly Constitutional Amendment No. 9 now requires the new form for oath instead of the old form, which has been in the Constitution for almost one hundred years Therefore, both objections now have been eliminated in that we now pledge allegiance to the Constitution instead of "enemies, both foreign and domestic," and the constitutional amendment, if adopted by the people, will make the oath constitutional

Mr. Levering announced that the statement by Speaker Sam L. Collins is absolutely correct, and that Speaker Collins spoke to him long before Senate Bill No. 132 was debated, and voiced his criticism of the weak spots in said bill. He further stated that he made every effort to avoid duplicate defects in the wording of Assembly Constitutional Amendment No. 9.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 434
Assembly Bill No. 435
Assembly Bill No. 436
Assembly Bill No. 441
Assembly Bill No. 442
Assembly Bill No. 469
Assembly Bill No. 470
Assembly Bill No. 558
Assembly Bill No. 561
Assembly Bill No. 562
Assembly Bill No. 563
Assembly Bill No. 564
Assembly Bill No. 565
Assembly Bill No. 568
Assembly Bill No. 569
Assembly Bill No. 570
Assembly Bill No. 571
Assembly Bill No. 572
Assembly Bill No. 578
Assembly Bill No. 580
Assembly Bill No. 664
Assembly Bill No. 732
Assembly Bill No. 753
Assembly Bill No. 754
Assembly Bill No. 755
Assembly Bill No. 838
Assembly Bill No. 839
Assembly Bill No. 965
Assembly Bill No. 1270
Assembly Bill No. 1273
Assembly Bill No. 1274
Assembly Bill No. 1721
Assembly Bill No. 1872

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 254—An act to amend Section 1520 of the Welfare and Institutions Code, relating to aid to needy children in respect to real property qualifications for aid

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—66

NOES—George D. Collins—1

Bill ordered transmitted to the Senate.

Assembly Bill No. 352—An act to amend Section 1550 of the Welfare and Institutions Code, relating to aid to needy children, in respect to applications therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, and Waters—67.

NOES—Hagen—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 353—An act to amend Sections 2190 and 3091.5 of the Welfare and Institutions Code, relating to the destruction of records of needy persons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, Waters, and Mr. Speaker—65.

NOES—Hagen and Lowrey—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1688—An act to add Section 2006.5 to the Welfare and Institutions Code, relating to aid to the aged.

Bill read third time.

Point of Order

Mr. Condon arose to the following point of order: That Mrs. Niehouse is not speaking to the question.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Point of Order

Mr. Lyon arose to the following point of order: That Mrs. Niehouse is not speaking germane to the bill.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The question being on the passage of Assembly Bill No. 1688.

Assembly Bill No. 1688 ordered passed on file.

Assembly Bill No. 2677—An act to amend Section 2288 of the Business and Professions Code, relating to subjects of examination for a physician's and surgeon's certificate.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 606—An act to amend Section 1714.5 of the Civil Code, relating to liability of one who owns or maintains any building or premises designated as a shelter from enemy attacks, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy,

McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Thomas, Waters, and Mr. Speaker—64.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kloksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Thomas, Waters, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Babbage:

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 3.3 of the Mount San Jacinto Winter Park Authority Act, relating to the Mount San Jacinto Winter Park Authority.

Respectfully submitted.

J. D. BABBAGE

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Babbage:

An act to amend Section 3.3 of the Mount San Jacinto Winter Park Authority Act, relating to the Mount San Jacinto Winter Park Authority.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kloksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Thomas, Waters, and Mr. Speaker—64.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3391: By Mr. Babbage—An act to amend Section 3.3 of the Mount San Jacinto Winter Park Authority Act, relating to the Mount San Jacinto Winter Park Authority.

Referred to Committee on Conservation, Planning, and Public Works.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2760

Mr. Belotti asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2760, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2760

Assembly Bill No. 2760—An act to add Section 1418 to the Fish and Game Code, relating to giving aid to persons accidentally shot.

Bill read third time.

Motion to Amend

Mr. Belotti moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 22, 1951, strike out "1418 to the Fish and Game", and insert "628.1 to the Penal".

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert
'SECTION 1. Section 628.1 is added to the Penal"

Amendment No. 3

On page 1, line 3, of said bill, strike out "1418.", and insert
"628.1."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

MOTION TO APPROVE JOURNALS

Upon motion of Mr. Dickey, the Assembly Journals for Monday, March 19, 1951; Tuesday, March 20, 1951; Wednesday, March 21, 1951; Thursday, March 22, 1951; and Friday, March 23, 1951, were approved as corrected by the Minute Clerk

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2258

Mr. Kelly asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2258, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2258

Assembly Bill No. 2258—An act to amend Section 818 of the Agricultural Code, relating to standards for potatoes.

Bill read third time.

Motion to Amend

Mr. Kelly moved the adoption of the following amendments.

Amendment No. 1

In line 2 of the title of the printed bill, after "potatoes", insert ", declaring the urgency of this act, to take effect immediately"

Amendment No. 2

On page 2 of said bill, after line 7, insert
"SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are

In accordance with the current provisions of the Agricultural Code, it is possible to ship and sell potatoes damaged to the extent that they fail to give consumer satisfaction During recent years substantial quantities of such low grade potatoes have

been placed in local and out-of state markets Improvement in the quality of California potatoes being shipped to an increasing number of markets in the United States, is necessary to provide for the orderly marketing thereof, to prevent the marketing of low quality potatoes for the protection of both consumers and producers and the prevention of the demoralization of the market for potatoes which are a desirable and valuable food source Because the marketing season for the 1951 crop has just commenced and large volumes will be harvested prior to the time this act would otherwise become effective it is necessary that it take effect immediately in order that the benefits thereof be obtained by the people during the current year "

Amendments read, and adopted

Bill ordered reprinted, and re-engrossed

REQUEST FOR UNANIMOUS CONSENT TO SET SPECIAL ORDER

Mr. Beck asked for, and was granted, unanimous consent that Assembly Bills Nos 141, 41, and 42 be made a special order of business for Tuesday, March 27, 1951, at 10 30 a m

MOTION FOR COMMITTEE OF THE WHOLE

Mr. Beck moved that the Assembly resolve itself into a Committee of the Whole tomorrow, when considering Assembly Bills Nos. 141, 41, and 42 for the purpose of permitting citizens who wish to be heard to be present.

Point of Order

Mr. Dickey arose to the following point of order That the motion by Mr. Beck is not in order, at this time

Ruling by Speaker

Speaker Sam L Collins ruled the point of order well taken

MOTION THAT ASSEMBLY CONSIDER MEETING AS A COMMITTEE OF THE WHOLE

Mr. Beck moved that the Assembly consider, at this time, resolving itself into a Committee of the Whole, tomorrow, when taking up Assembly Bills Nos 141, 41, and 42, for the purpose of permitting citizens who wish to be heard to be present.

Mr Rosenthal seconded the motion

Point of Order

Mr. Dickey arose to the following point of order: That the motion by Mr Beck is not in order, at this time.

Ruling by Speaker

Speaker Sam L Collins ruled the point of order well taken

ANNOUNCEMENT

Mr. Stanley announced a breakfast meeting, and Republican Caucus, tomorrow morning, at 7.30 a.m , at Hart's restaurant.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today at 8 p.m.—

Finance and Insurance, in Room 432.

Judiciary, in Room 435.

Today upon adjournment—

Public Utilities and Corporations, in Room 432.

Boards and Commissions, in Room 426.

Tomorrow, Tuesday, March 27th at 9.30 a.m.—

Rules, in Room 320.

It was announced that the following committee would hold no meeting today:

Ways and Means.

PARTIAL REPORT OF ASSEMBLY INTERIM COMMITTEE ON CRIME AND CORRECTIONS

March, 1951

House Resolution No. 243
1949 Regular Session

Members of the Committee

VERNON KILPATRICK, *Chairman*

MONTIVEL A. BURKE
Vice Chairman

KATHRYN T. NIEHOUSE
Secretary

HARLAN HAGEN

CHARLES W. MEYERS

LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE
March 26, 1951

MR. SPEAKER AND MEMBERS OF THE ASSEMBLY:

Attached hereto is a partial report of the Assembly Interim Committee on Crime and Corrections, created by House Resolution No. 243—1949 Regular Session.

This section of the report deals with the handling of juvenile delinquents in certain state institutions, and in addition takes cognizance of adult cases, including the case of Marjorie Mae Massow, the rehabilitation efforts and correctional responsibilities of the Youth Authority, and to some extent, the suggestions of many authorities in this field. It is not a study of the juvenile as a delinquent, because such a study has been done many times by other agencies and committees This report chiefly concerns itself with the *system* of handling California juveniles who have fallen into the delinquent class.

Respectfully submitted,

VERNON KILPATRICK, Chairman
MONTIVEL A. BURKE, Vice Chairman
KATHRYN T. NIEHOUSE, Secretary
HARLAN HAGEN
CHARLES W. MEYERS

I subscribe to the contents of the full report of this committee with the exception of the subcommittee report on Marjorie Mae Massow (Madge Meredith) to which I definitely do not subscribe.

KATHRYN T. NIEHOUSE

INTRODUCTION

After a study of the adult penal institutions of California as well as careful scrutiny of the prosecution methods in the widely-publicized "Marjorie Mae Massow case" (the Madge Meredith affair), your committee turned to the problem of the juvenile offender and the correctional system for handling juvenile delinquents in the State.

Your committee sought the opinions of some of the leading California authorities, and the second part of this report deals with certain suggestions from some Los Angeles workers in this field. This county was selected because it has the highest juvenile delinquency rate in the State together with the greatest number of juvenile correctional facilities.

In conducting its study, your committee was struck by the lack of uniform terminology in the arresting, booking, and ultimate disposition of juvenile offenders. It is not too much to say that in the 58 counties of this State, there are also 58 forms of terminology used to facilitate juvenile correction. As these reports are used throughout the State (and the record of the juvenile offender follows him), the importance of a uniform legal terminology becomes readily apparent. In the opinion of your committee the most comprehensive manual on the subject of juvenile correction is the one used by the juvenile officers of the police department of the City of Los Angeles.

REPORT OF SUBCOMMITTEE ON MARJORIE MAE MASSOW (MADGE MEREDITH)

On the morning of June 30, 1947, there occurred in Los Angeles County a "kidnapping and assault" upon the persons of Nicholas D. Gianaclis and Verne Davis which resulted in the conviction and sentencing of Marjorie Mae Massow and three others.

Miss Massow, a motion picture actress more commonly known as Madge Meredith, was sentenced to from five years to life at Tehachapi. Albert W. Tucker received a similar sentence to San Quentin. Damon Klinkenberg and James Hatfield received 30 and 60 days respectively in the county jail.

The case, Superior Court Case No. 114360, was tried before a jury in the court of Judge Charles W Fricke. It was prosecuted by Deputy District Attorney J. Miller Leavy. Miss Massow was defended by Attorney Ward Sullivan.

Appeals by Miss Massow before the Second District Court of Appeals and the State Supreme Court were denied. She now is in her third year of a minimum 10-year sentence.

This conviction of Miss Massow prompted numerous prominent, respected citizens to voice before this committee a protest that justice had not been served. That the crime itself was a hoax, and Miss Massow was, in fact, the victim of a "frame."

A preliminary investigation by your subcommittee revealed a very definite and general feeling of unrest among many prominent business and professional people as well as disinterested private citizens concerning all aspects of the case.

In January, 1950, this subcommittee launched a formal investigation into all phases of the case. The background, investigation by police, the

girl's defense, trial transcripts, and subsequent developments all became objects of intense study by investigators for the subcommittee.

After approximately 175 persons had been interviewed, the investigation was climaxed 13 months later with sworn depositions from some 30 key witnesses.

Following are the findings, opinions, and conclusions of this investigation:

First, it can be said that so far as the findings of this subcommittee are concerned, there is grave doubt that Defendant Massow was criminally implicated in the crime for which she was prosecuted and sentenced.

The case, from beginning to end, is a mockery of investigation, of defense counseling, of trial procedure, and of justice itself.

There is shocking evidence of perjury, suppression of evidence, prejudice, and an almost unbelievable reluctance on the part of defense counsel to investigate the cause of Defendant Massow. Nor are the tactics of the prosecution above reproach. That witnesses were intimidated is a matter of court record.

One of the most disturbing factors found by the subcommittee was the failure of defense counsel to call three key witnesses. There is evidence, in fact, that the defense made little if no effort to seek out and interview said witnesses.

The witnesses in question, two of which have made voluntary sworn statements to the subcommittee, are:

Albert Pettit, a resident of Laurel Canyon whose home is but 150 feet from the scene of the alleged beating and who was standing in his yard at the time of the incident.

Robert Gary, who also resided in the vicinity of the crime and whose car had been tampered with by one of the principles in an effort to expedite the crime.

Frank Markevikeo, friend of Hatfield, who, according to Hatfield, procured him to help in the crime.

These and other strong witnesses were totally ignored, even above protest by Defendant Massow, by Defense Counselor Ward Sullivan. It is a matter of record that Defendant Massow paid the sum of $800 "for investigation, plus expenses"—an investigation she did not receive.

Trial testimony failed to show any effort by Miss Massow to summon police. Yet Albert Pettit under oath, told this subcommittee that Defendant Massow approached him in an hysterical condition while the beating was in progress.

Gary, owner of a Ford automobile from which Tucker admittedly removed an ignition wire on the morning of June 30, 1947, testified under oath before this subcommittee that he passed and witnessed the true position of Gianaclis' car minutes after the incident, but was never in court to testify.

The people failed to hold as a witness Frank Markevikeo, named by Hatfield as the "contact man," who most assuredly could have shed much light on this fantastic case.

If one is to place any credence in the sworn affidavits of this subcommittee, it becomes all to obvious that the trial of Defendant Massow et al, was punctuated with perjured statements—not only deliberate

falsehoods, but twisted, damaging statements left unchallenged by the defense counsel.

Let us examine the testimony of Witness Barbara Jean Whitworth, appearing for the prosecution:

(Miss Whitworth can be identified as the girl friend of Tucker and admittedly was in on the plot from its inception Specifically, her job was to obtain the car used in the kidnapping.)

First, with reference to her statement given Sheriff's Officers Skelly and Robinson on July 5, 1947, and which is confessed by said officers was not properly recorded (note Sheriff's Criminal Division File No. A-90728, page 82, line 5):

Q After the men returned, what happened?

A. Tucker sent Marjorie and I to Hollywood to rent a car. He asked her if she had enough money, and then gave her $50 to rent it with. Marjorie drove to the Tanner Motor Livery on Sunset Blvd., and drove into the garage. She gave me the $50, a twenty, a ten, and four five-dollar bills, and I went into the office and rented the car—a Nash four-door sedan, it was light grey in color. It was then about 7 30 on Monday morning.

Contrast this with testimony given by Miss Whitworth at the preliminary hearing (see P.H.T., page 228, line 12):

Q. Was there any discussion before you left?

A. Yes, Tucker gave me $50.

(Page 228, lines 19, 20, 21, 22, and 23)

A. He said he had some business to attend to, and would I rent him a car.

The Court: Would you what?

A. Would I rent him a car in Hollywood.

Q. Did he tell you what kind of a car to get?

A. No, he didn't.

Q. Did you hear him make any remarks to Miss Meredith as to whether or not she had enough money before you left, before he gave you the $50?

A. No, not that I remember.

Q. What kind of money did he give you, do you remember?

A. I think it was tens and fives.

Again, contrast the above preliminary hearing testimony with that taken from the superior court trial transcript (see page 218, line 17):

Q. How much did you pay to rent the car?

A. $50.

Q. Where did you get that money?

A. It was given to me.

Q. By whom?

A. By Madge Meredith.

Q. What time and place?

A. When I arrived at Tanner's Service.

Q. Where was she when she gave you the $50?

A. She was in the car.

(Page 220, line 7.)

Q. And did you see Mr. Tucker, Mr. Klinkenberg, or Mr. Hatfield give any money to Miss Massow before you left with her and went to Hollywood?

A. No, I did not.

In view of such glaring discrepancies, this subcommittee asked for and received from Miss Whitworth a sworn affidavit which read, in part: "Marjorie Mae Massow gave me no money for any such purpose, ever at any time. I may have asked her to change some bills, but *she gave me no money.*"

Certainly, if the statements given by Miss Whitworth in her deposition to the subcommittee are true, there never did exist a union of joint operation of act and intent by and/or between Defendants Tucker and Massow which was alleged by the people to have been in existence, wherein Tucker and Miss Massow were accused of conspiracy to have Miss Whitworth rent an automobile.

There can be no other interpretation but that perjury had been committed by either person.

Miss Whitworth further swore to this subcommittee's investigators that she knew of the kidnapping a week or more before it occurred, that Defendant Tucker informed her that he was being paid to frame Miss Massow.

The subcommittee cannot lightly regard comparative testimony by Arthur Kachel, witness for the prosecution.

(Kachel, prominent Hollywood drama coach and retired high school teacher, lived in the Laurel Canyon area and was associated with Miss Massow and Gianaclis in some extremely involved property deals. During superior court trial he testified that he was out of town at the time of the alleged beating and kidnapping.)

Kachel stated to Committeeman Kilpatrick that he did not return to Los Angeles until 5.45 p.m. on the 30th. However, when shown a deposit slip under the date June 30th where he had deposited several hundred dollars in three checks he said, "Well, maybe I returned earlier."

At that point he was shown the ledger sheet of the Hollywood Athletic Club, his residence, which contained a dining room charge in the amount of $0.52 for the previous day. Kachel replied with: "What do you want me to say?"

Miss Massow, in court, testified that she had purchased liquor for Kachel on a number of occasions. Kachel denied this, stating he did not drink.

Yet the same club ledger revealed bar charges on numerous days during the month of July following for small amounts ranging from $0.25 to $0.70. This would tend to prove that he may not have been a teetotaler, at least.

A Hollywood high school check issued on July 5th in the amount of $125 was marked "W. E. July 3." Interpretation revealed this to mean "weekending July 3." So it was established that Kachel drew pay for a full week when he contended that he was in Bishop on a brief outing. In reply, Kachel said he was gone only for the weekend.

It can only be concluded that the above is another instance of perjury committed by a prosecution witness, also left unchallenged by defense counsel. The statements to your subcommittee by Miss Whitworth, and

numerous other details which coincide with facts obtained by the subcommittee under oath, but which positively contradict trial testimony, have been reiterated by Tucker from his cell in San Quentin.

Tucker has made a full confession, completely exonerating Defendant Massow of any complicity in the crime.

The subcommittee considers highly controversial the facts pertaining to a $4,000 cashier's check. It appears to have been a vital piece of evidence for the defense, but never was introduced in court.

(The above mentioned check is confessed by Tucker to have been "payment" by Gianaclis for the frame of Defendant Massow. Gianaclis, however, denies this and asserts the check was taken from him by the kidnappers in lonely Lopez Canyon where Gianaclis and Davis ultimately made their escape from the kidnappers.)

Regarding said check: The kidnapping occurred June 30th. The check was dated February 1st and drawn on the Hollywood State Bank. Gianaclis told the subcommittee on two occasions that the check was given to him by one Gene Sancola, a Ventura Blvd. drive-in restaurant operator. Yet, under oath, Mr. Sancola vehemently denied ever having given Gianaclis a $4,000 cashier's check.

Sancola produced an account of all his dealings with Gianaclis prior to February 1st. They amounted to a total of $2,033.99.

The subcommittee regards as highly significant the fact that on July 21, 1947, Gianaclis, in a statement to the Hollywood State Bank, said bandits had taken the check from him on June 30th. But Prosecuting Attorney J. Miller Leavy declared the check was lost. This statement never was contested by Defense Counsel Ward Sullivan.

Considerable time was spent delving into the backgrounds of all concerned with the trial.

Defendant Massow was found to have been of the highest moral character. Her arrest for this crime was her very first brush with the law. It was impossible to find a single untruth in her many statements to this subcommittee. Statements by her probation officer, Sheriff Eugene Biscailuz, and the Los Angeles County Jail chaplain were of an exemplary nature. All recommended leniency, and many expressed doubt that Defendant Massow was capable of the crime with which she was charged.

It appears that she was treated especially harsh by the district attorney's office and Judge Fricke. Miss Massow spent 11 months of "dead time" in the county jail awaiting hearings of her appeals. She was denied an appeal bond by Judge Fricke.

It was convict Tucker's confession that the motive behind Gianaclis desire to involve Miss Massow in criminal conspiracy to kidnap him and Verne Davis was: First, his personal affection for Miss Massow; Second, that she was a most promising source of lavish income, since she had entered into contracts with motion picture producers on escalator terms reading into seven figures; and Third, that she was breaking away from the domination he had held over her during several of her young and tender years, and this framed kidnaping was a devise of revenge and a means to force her to return to his domination.

On the other hand, Gianaclis, the man whom she was convicted of kidnapping and assaulting, was found to be almost contemptuous in dealing with the subcommittee. His background has been more than questionable.

He claims he does not know his age. He claims to have been born in Greece, yet when applying for his marriage license he listed Canada as his birthplace. He declared to sheriff's deputies Klinkenberg not to be one of the kidnapers even though it was Klinkenberg, armed, who held Gianaclis and Davis at bay more than three hours in lonely Lopez Canyon

Seldom does he use his real name in the course of his business relations. Since his marriage (he now is divorced) he has used his wife's maiden name, Vera Wall or V. Wall. He carried at least two accounts in the Hollywood State Bank prior to the kidnapping episode—one under the name of Hollywood Restaurant Supply, V. Wall, and another in the name of Bob Noe. Each of these accounts were about equal in deposit value, generally around $2,000.

In suing for divorce, his wife, Vera, testified that he had used at least 20 aliases.

Gianaclis now is under investigation by the United States Government, and has been for several years.

The subcommittee regrets that it was unable to question defendant Klinkenberg, who, it is understood, now resides outside the State of California It was hoped that Klinkenberg could be questioned regarding defendant Hatfield's allegation that he, Klinkenberg, was brutally beaten by Los Angeles sheriff's officers in efforts to obtain testimony damaging to Miss Massow. Hatfield, under oath, swore to this subcommittee that while incarcerated in the county jail Klinkenberg displayed bruises and cuts about his body which he said were inflicted by sheriff's investigators.

During the course of its investigation the subcommittee and its investigators were, on several occasions, threatened with great bodily harm should they continue their probe. These were in the form of anonymous telephone calls.

And it was demonstrated on numerous occasions that witnesses called before the subcommittee were extremely reluctant to testify, openly stating that they feared for their lives if asked to testify against Gianaclis. Nearly all residents of Laurel Canyon, in the neighborhood of Gianaclis, expressed grave fear of the man.

Yet many disinterested citizens voluntarily approached the subcommittee asking that they be of assistance in righting an obvious wrong. Two such citizens, Herbert Scofield, a retired Hollywood banker, and Charles Wilson, prominent Hollywood realtor, devoted fully six months time and their own funds to assist in gathering pertinent information.

It is the unequivocal opinion of this subcommittee, that had Miss Massow been properly defended in a court free of prejudice she undoubtedly would have been proven innocent of the crime she now is charged.

The subcommittee report is heavily briefed from a volumnious and detailed report delivered to the Adult Authority on December 19th last, at which time the subcommittee sat in with all the members of the Adult Authority for an extensive interview covering many of the ramifications of this kidnapping episode.

The subcommittee is very appreciative of the attention given by each and every member of the Adult Authority and the authority's executive secretary in the course of the subcommittee's extensive investigation.

We would like to state that each of the members of the Adult Authority has spent many late hours in addition to his regular duties in the study of the above case. It is probably true that no appeal for clemency has ever received greater attention by the authority than has the Massow case

We believe that the material supplied to the Adult Authority by the subcommittee had much to do with its recommendation that the Massow term be reduced to time served

The case is now before Governor Warren for final action

Respectfully submitted,

SUBCOMMITTEE OF THE ASSEMBLY INTERIM COMMITTEE ON CRIME AND CORRECTIONS
VERNON KILPATRICK, Chairman
MONTIVEL A. BURKE

A LOS ANGELES COUNTY JUVENILE OFFICER

This officer was most cooperative and eager to review the whole problem of handling juvenile delinquents and juvenile nondelinquents in the hope that legislation which would correct some of the faults in the present system might be enacted.

This officer has been in juvenile work for more than 25 years. He is past president of the California Juvenile Officers Association; formerly an instructor at the Delinquency Control Institute of the University of Southern California, and is an acknowledged authority on the problems of handling delinquents.

It was this officer's opinion that the greatest weakness of the existing program is insufficient personnel. Especially there is a great need for more personnel to give "first aid" in the way of juvenile officer counseling A larger staff would make it possible to put more minor offenders and border-line cases under voluntary police supervision. This would prevent minor cases from ever entering juvenile court. As he puts it, "I believe it is most important to keep as many juveniles from going to juvenile court as possible."

Another weakness in the law, according to this officer, is the mandatory provision compelling juvenile officers and/or juvenile departments to file a petition on an offender within 48 hours after apprehension. This section of the law, originally intended to protect the juvenile, works to his disadvantage in many cases. The over-worked staff of the average juvenile department has not sufficient time, within the 48-hour period, to make the necessary investigation and determine if the filing of a petition is warranted. In many cases a thorough investigation might reveal the comparatively minor character of the offense, and the juvenile might well be placed under voluntary police supervision.

In other cases a juvenile may be released if, within the 48-hour period, insufficient evidence is uncovered. A thorough investigation might show a definite need for juvenile court action and sterner treatment.

Many times, this officer believes, there has been too much leniency Some offenders have become opportunists. It causes them to become court-wise or juvenile court law-wise to the point of knowing that they might steal an automobile, drive it around and abandon it, and still have a good

chance of escaping with probation or some other reprimand if apprehended. These cases are found to be more frequent among the "better families." The court often recognizes the parents as responsible citizens and returns the juvenile offender to them for reprimand and supervision.

This officer's first suggestion was the standardization of qualifications and compensation for juvenile officers throughout the State. A second suggestion was for a protective center for women and children who are nondelinquent, but who are held in protective custody. This would answer the need of mothers with small children, of abandoned children, or of orphans left without homes due to loss of both parents. Especially there are many cases where a wife and mother is deserted by her husband and left without means.

Such a protective center has been needed in Los Angeles County for years. In connection with this recommendation, he believes, there should be a greater degree of cooperation between the Bureau of Public Assistance and law-enforcing agencies in protective cases.

There is also a need for clarification of the law regarding the contacting of children in the public schools by juvenile officers. This officer believes that the principal of the school should be present at all interviews with students who are contacted at the school proper.

He believes there should be some provision in the law making it a misdemeanor for a family to allow a child to spend the night in their home without first ascertaining if permission has been granted by the child's parents. The practice of one child going to the home of another to spend the night, without parental consent, has caused the department much concern. Many times, he states, they have put their entire force to work searching for the "missing child," tying up police emergency equipment, and spending unnecessary dollars and man-hours, only to have the child return to her home next morning after spending the night with her girl friend. Such a law would reduce this problem by a very large percentage.

One of the major needs, concurred in by juvenile officers and police chiefs in smaller incorporated towns in Los Angeles County, is the appointment by the court of qualified juvenile or probation officers to act as juvenile court referee in the disposition of juvenile traffic violations. This system would authorize the suspending of the juvenile's driving license, when warranted, for a certain period of time. At present the parent's consent and cooperation is required, thus, many juvenile traffic cases go unreprimanded.

A SOCIAL SERVICE LEADER

In developing its study for the handling of juveniles, your committee talked with many prominent social service leaders in the community. In these informal discussions on the subject opinions of competent authorities were noted; and it was thought these conclusions should be incorporated into the committee report.

When asked what is most needed in order to improve the over-all juvenile program in the city and county, a social service leader stated, "A better method of educating minority groups." This could be done by training teachers in the schools in the proper methods of teaching minority groups, specifically, the Mexican-Americans. Due to language difficulties this group should have a special type of instruction in order to

take their proper place in community life. He also states there is a great need for more training for all those who come in contact with youth. Constant in-service training is needed by school teachers, police officers and all staff members of public or private agencies that have contact with juveniles.

Another weakness noted by a social service leader is our juvenile court. This statement was qualified by saying it is weak from the standpoint of case load or a lack of modern thinking, but he does believe *that it is weak*. Also he believes there is a need for a larger probation staff—in the prevention field and the group guidance field particularly. The recent abolishing of the Group Guidance Unit of the County Probation Department, due to lack of funds, is a particularly severe blow. He believes there is a definite need for more camps and similar programs for the handling of juveniles delinquents, where they may be properly segregated—and will be treated as individuals instead of groups.

It was stated that public and private agencies take care of different facets of youth delinquency; but greater coordination should exist between the public and private programs and agencies. However, it was the general belief, that the most effective work could be done by the public agencies, due to the fact the force of law is behind them; while the family could accept or reject the program of the private agencies.

A YOUTH AUTHORITY OFFICER

In discussing the handling of juveniles with a consultant on juvenile control who is employed by the California Youth Authority, the consultant stated that police officers—the men on the beat—need training in the handling of juveniles because they are usually the first ones to contact the juvenile offender.

The thing most lacking and most needed is more psychiatric services and more probation personnel, and on a state level, more counselors for police departments. Cooperation between police departments and case work agencies is extremely important, he believes. Minor offenders may be sent to agencies where they can be handled, the family investigated and advised, he explained.

The Prevention Department of the Probation Department, known as the Community Coordinating Council, would be the most effective agency in the handling of juveniles if it could be expanded and able to place more workers in the field. Also, the case load of the probation services should be lightened by the addition of more personnel, allowing probation officers to work more closely with the individual.

He said it is difficult to separate private and public programs but there is a definite need for more public programs to reach the boy who would ordinarily shun the average private agency program. He also believes that there is an urgent need for a program for juveniles between the ages of 16 and 21 years.

This officer stated that in his opinion there is a need for psychiatric clinics in conjunction with the school system and there is also a need for psychiatric social workers who are trained in the field of handling juveniles and their problems at the school level.

A COUNTY PROBATION DEPARTMENT OFFICER

A probation officer states that there is an urgent need for regional offices of the probation department in order to handle the outlying areas of Los Angeles County. These offices would bring the probation officers in closer touch with the people of the area. It would help in the field of prevention as the officers, working closer with the various police departments, could advise and help families before the juvenile became involved in serious trouble.

He also believes a better way must be found for handling protective cases which now come before the juvenile court. The future of a child is often impaired—once the juvenile has been declared a ward of the court.

A SECOND COUNTY PROBATION OFFICER

This probation officer proposed that a law be enacted giving a juvenile offender the opportunity to expunge his record. A child who commits an offense before the age of 16 would have his record expunged and all traces of it removed upon his reaching the age of 21; provided, of course, that he committed no offenses during that period. If the offense were committed between the age of 16 to 18, the record would be expunged at the age of 25, provided the same conditions were met.

This would be a great incentive for a youngster to straighten out if he were assured that a mistake, made in childhood, would not forever hang over his head like the Sword of Damocles. It would also be a great aid to the probation officer At present there is little incentive that officers can offer a juvenile offender which will convince him that, because of once having made a mistake, his future life will not remain rocky because of that one transgression.

AN OFFICIAL OF THE LOS ANGELES COUNTY YOUTH COMMITTEE

This official believes that the officers handling juveniles should be higher paid, and as a corollary would attract better qualified personnel. The law enforcement departments should send more of their personnel to the Delinquency Control Institute at the University of Southern California for training in this specialized field.

In keeping with this program of training, rigid minimum standards should be established for all applicants for the position of juvenile officer.

There is also a need for an educational program among parents—what danger signals to look for—what constitutes a good home. He believes a good home to be:

(a) One in which the child is loved and wanted, and knows it;
(b) One in which the child does not have too much nor too little for himself;
(c) One in which the child has space and a place of his own;
(d) One in which the child belongs to the family and the family to him;
(e) One in which the parents recognize that mistakes are a part of the process of growing up;

(f) One in which, commensurate with his age and abilities, he plans for and with the family;
(g) One in which his degree of freedom is fitted to his age, his needs and his responsibilities;
(h) One in which he is liked and loved equally with other members of the family;
(i) One in which he is made to recognize the existence of God and a moral law;
(j) One in which moderate correction and discipline are in force.

He does not believe that we can judge which agency, public or private, is doing the best job; as each agency has the same function but comes into contact with the child in a different way. The private agency sets up a program and invites the child to come to it. The public agency sets up a program and goes to the child.

There is need for a broadened preventive program which will appeal to the juvenile. He also believes that a need exists for a program, both public and private, to reach juveniles between the ages of 18 and 21. This group seems to be forgotten, according to this official.

A JUVENILE COURT JUDGE

The judge said that the waiting time after a juvenile has been committed to the Youth Authority is three to six months. This time lapse is obviously harmful to the juvenile. Offenders waiting for Youth Authority acceptance take up space in county juvenile facilities which could be used to treat minor offenders who could be helped by the program. Due to the overcrowding the court must release on probation many cases that need training.

According to the judge, this situation could be remedied if the existing state facilities were expanded and the state clinic processes were speeded up. A large diagnostic clinic has been proposed for a number of years. If such an institution were established, it would greatly aid the county and state in the handling and treatment of juvenile offenders.

At present the hospitals have not enough space to handle the children from the age of one year to 14 years. Children as young as 15 are often put in adult wards The judge states that he only requests aid from the existing clinic for extreme cases and where children would become dangerous if allowed to go untreated. Once a juvenile has been committed to the clinic, there is a minimum wait of three months before treatment. According to the judge, there is an urgent need for:

(a) Building and staffing of a mental hygiene hospital to care for cases classed as juvenile;
(b) More trained psychiatrists: this cannot be achieved until the pay scale for such trained personnel is raised. The present $500 per month is insufficient On the county level the pay is even lower.
(c) More out-patient treatment clinics for the mentally ill.

VENTURA SCHOOL FOR GIRLS

An inspection of this institution revealed a shocking fire hazard. The buildings (of wood-frame construction) are quite old and the hillside and canyon location of the school is constantly menaced by the natural

fire hazard of the dry grass and brush surrounding the grounds. Moreover, it would be difficult to get fire fighting equipment to the institution, in case of a fire.

Between 175 and 180 girls, ages 16 to 21, are confined at the Ventura School. Your committee found that in each cottage the emergency exits from the second floor lead to a locked doorway that in turn opens on a *wooden* fire escape These fire escapes were constructed after a warning from the fire marshal that he would condemn the buildings if an additional outside stairway was not added.

It was stated that for security reasons the fire escape doors must remain locked. Under such conditions it is questionable whether or not the lone woman supervisor could evacuate the girls in case of fire.

Your committee found that fire extinguishers had not been checked according to manufacturers specifications or recommendations. Highly combustible material was found in unused laundry chutes, closets and basements. The boilers and heating units are not in fireproof rooms, and, apparently, little attempt is made to reduce the constant hazard of fire. For example, the girls are permitted to smoke anywhere on the institution grounds, This presents a constant danger during the dry season, as weeds and grass surround the buildings and in places have completely choked out the walks.

Supervisors at the institution explain the unkempt condition of the grounds by saying that they do not have enough male maintenance personnel to perform the necessary work and that the girls are unable to do this type of "heavy work," such as hoeing and pulling grass

It is the opinion of your committee that the girls, ages 16 to 21, are perfectly capable of doing this work. Your committee points to the womens' institution at Tehachapi with its well kept lawns and flowers maintained by the women inmates.

Perversion is something prevailing in every institution and must be constantly guarded against. Signs of homosexuality among these young women should receive psychiatric treatment, in the opinion of your committee. Many of the girls wear short butch-type haircuts and are typical of the homosexual type among girls When asked what control was exercised over sexual deviates at the school, a supervisor replied, "Well, we just ignore them; each one of the girls that you see with short haircuts, and others too, have had a very full sex life before they entered the institution; and we believe that if we make any remonstrances to them about the way they dress, the way they cut their hair, the way they talk and act, that it would make matters worse. The supervisor said that each of the tomboys had their "chicks"—girls they picked out as favorites and held hands with and at times had been found embracing and kissing. To her knowledge, that was as far as it went.

The facilities for rehabilitation at this institution are meager. No records are kept on the relative progress of the girls under the vocational rehabilitation program A hobby class, where the girls make hooked rugs, ceramics, etc., appears to be the extent of the rehabilitation program for these young women. Academic courses ranging from the lower grammar school grades to high school level plus a few college work courses are taught at the school. A course in homemaking is also taught at the institution. Many of these classes are conducted in the basement of the auditorium building in rather bleak surroundings.

An inspection of the cottages revealed the fact that none could meet the lowest standards of any boys' institution. The toilets, showers, and bath tubs at the school were actually filthy. The wash bowls were dirty and the fixtures unpolished. In the dormitories the beds were not made properly; gum coating was found on the beds and window sills, and dirty discarded underclothing was left lying under their beds. Dried orange peels, nut shells, candy wrappers and papers littered the tops of lockers. Even the hospital facilities at this institution do not appear up to standard. For example, dentistry equipment is antiquated and should be replaced.

Starches seem to predominate in the girls diet; potatoes, beans, and bread amounting to four slices per girl all at one meal. A tray being sent to a girl in the disciplinary quarters was noted as follows: four slices of bread, peanut butter, macaroni, milk and one apple. As might be imagined, most of the girls at the school are quite fat. A supervisor explained this by saying that most girl delinquents were of the obese type. This explanation is not borne out by visits to other institutions. Morale at the school is good. The girls all seem quite happy. The cost of maintaining this institution is approximately $2,400 per girl, per year. This is the highest per capita cost of any similar institution in the State.

It is the opinion of your committee that, on the whole, this institution is one of the greatest failures of the Youth Authority and correctional steps should be taken in order to carry out a program of rehabilitation of these girls.

LOS GUILUCOS SCHOOL FOR GIRLS

This institution for girls is located in the hills about 10 miles from Santa Rosa. Facilities for the staff and the inmates are very poor. Some of the buildings were constructed as far back as 1885. Approximately 125 girls, ages 13 to 16, are incarcerated in this minimum security institution.

The grounds are unsuited for recreational activities, and, aside from the swimming pool, the girls have little opportunity for recreation. A small bit of farming is done here. Some table vegetables are raised and a chicken ranch is located on the grounds.

The buildings are the same type of fire-trap structures which are in use at the girls school near Ventura. Weeds and grass are allowed to grow around the buildings and a fire hazard is constantly presented. The appearance of the grounds is very poor. The same excuse for the untidy condition, lack of male maintenance personnel, was given here. Again your committee feels these girls are perfectly capable of occasionally wielding a hoe or rake.

The fire-fighting equipment is in poor repair. The fire truck, donated to the State by the Department of Forestry, has extinguishers which show that the last fire inspection made here was in 1945.

The academic training the girls receive is equal to that given in the Public School System. Probationary teachers from the University of California at Berkeley, from Stanford University, from the University of San Francisco, and from other colleges in the vicinity come to Los Guilucos for a three-months period. These intern teachers supplement the regular teachers, observe the program, teach classes, and help supervise the girls in vocational training. A sewing room offers an opportunity

for the girls to learn to sew. Laundry work and other tasks necessary for the maintenance of the institution are made a part of the vocational training here.

A full-time nurse is stationed at the school, and a doctor comes once a week for routine medical examination. The doctor is on call from Santa Rosa when medical attention is needed. The staff at this school appears to have gone to work in earnest to teach sex education, mental hygiene, and related subjects to the girls.

The cottages are partitioned into private rooms; in some cases two girls occupy one room containing bunk beds. They are allowed to keep their personal property in their rooms. Some of the rooms are quite large, allowing space for two dressers. There is ample closet space, and different colored bedspreads give some resemblance to a room they might have at home. It was noticed that more girls wear dresses here than was the case at the Ventura School for Girls.

A supervisor remarked that the girls received from Los Angeles County are the most difficult to handle Many of them have been drug addicts. Some come with tattoo marks on them and a strong inclination to form gang groups at the institution.

One thing observed by your committee was the fact that some of the girls did not belong in a correctional institution. One little girl, an orphan, was 11 years old—her greatest crime had been to run away from foster homes; and for this reason she must live in a correctional institution. It would appear that the occurrence of this misfortune is a failure on the part of the county probation department. Otherwise the child would not have been placed in a home from which she would want to run away.

The food at Los Guilucos is well prepared and the diet is adequate. The correctional officers, instructors, and inmates are all served the same food. This practice might be good to follow at other institutions.

The swimming pool is a great morale builder. It gives the girls, many who have never had an opportunity to swim before, a chance to excel at something. Students from the Santa Rosa College, boys and girls, come out and teach the girls how to swim. These students also give life saving instructions and lifeguard training. A number of the girls at Los Guillicos institution have received their lifeguard certificates.

Morale is quite good; the personnel is well-liked and from all appearances respected by girls.

PASO ROBLES SCHOOL FOR BOYS

The Paso Robles School for Boys is a *temporary* installation of the Youth Authority. This may account for the run-down condition of the buildings and grounds. New quarters are to be constructed shortly.

Approximately 125 boys aged 15 and 16 are housed in army surplus barracks at this minimum security institution. The average boy is sent here for minor infractions of the law, such as truancy or running away from home.

A quonset hut serves as a medical building, and a physical checkup of the boys is made periodically; but the institution does not have a full-time doctor or nurse. All medical attention given the boys outside of the clinic is done in the hospital at Paso Robles or Bakersfield.

The buildings are in very poor repair. The entire institution shows signs of neglect. Toilets are of the outside type and papers and scraps of

soap litter the floor of these washrooms. These toilets are stained inside and outside, and the washbowls are coated with dirt. An odor about the boys reveals that they have not bathed properly or have not bathed often enough and have not received clean clothing when they should.

With the exception of a few garden vegetables raised on the grounds, everything consumed is purchased from the outside. There is no difference between staff and inmate food. Both are served at the same dining room. Your committee was told that rations were sent to them from a diet prepared in Sacramento, and as many as five bean meals in one week are served. It is the opinion of the committee that the food served is poorly prepared and inadequate for growing boys.

The boys are allowed considerable freedom of choice in developing hobbies. Model airplanes building is encouraged. Classrooms are small and cramped at the present time; however academic and vocational training is taught by a staff of competent instructors.

Discipline is not too rigid. A segregation unit, for boys who are constantly starting fights and cannot fit into the program, appeared to be clean and well kept. Of necessity the discipline in this unit is more strict than in the other cottages.

Your committee feels that the Youth Authority has allowed this institution to drop below minimum standards.

CALIFORNIA VOCATIONAL INSTITUTION

This temporary institution, located near Lancaster, in Los Angeles County, is under control of the Youth Authority. Originally it was a training center for pilots of the Royal Air Force, and at present the army type barracks are in a rundown condition. It is planned to relocate the plant near Tracy in the near future.

Boys between the ages of 16 and 21 years are confined here. A high, heavy mesh wire fence surrounds the grounds and armed guards are stationed at each gun tower. This institution would certainly be classified as of the maximum security type, and as a matter of record all attempted escapes have failed here.

An excellent record system has been installed and all the important information on each inmate is noted in his file A staff of psychiatrists, psychologists, and sociologists keep a constant progress report on each boy's ability to learn, his vocational program, his behavior and all related information. The report of the school chaplain is also included in each boy's case history.

A typical barrack houses 100 boys. Toilet facilities are located in the center of the building; this divides the building into two units. Each unit contains 50 beds. A correctional guard is stationed at a central position. At night he patrols the barrack and reports to the gate every 30 minutes. Some of these barracks have a wired off section at one end where boys who must be kept in protective custody are separated from the others. In this section are kept sexual deviates and others who might come to harm from the rest of the inmates.

Another maximum security building is used to confine boys who have broken some of the major rules, such as fighting, causing disturbances, or insubordination. It is used more as a place of meditation. A boy who is caught stealing from another boy's locker may be confined here.

The more difficult type of boy is kept in a separate segregation unit all of the time. These are boys who are always starting fights, aggressive homosexual types, and others who are thoroughly incorrigible. These boys are under constant 24-hour supervision and are not allowed to go to school or into the vocational trades until they have satisfactorily proved to the administration that they are capable of mingling with the other inmates.

The food is quite good and the diet well balanced. The correctional personnel have a choice of staff meals or "main line feeding," and in most cases select food from the line.

Recreational facilities are good: baseball, basketball and other sports are part of the physical training program. A large swimming pool, left by the air force, is used for swimming courses. The boys are also allowed to use the pool in their off hours.

A staff of instructors conduct classes ranging from primary school to college work. Some of the boys enter the institution completely illiterate. This group receives special attention and, according to the instructors, seem eager to learn.

Most of the vocational training classes are conducted in the hangar buildings that were left by the air force when the grounds were turned over to the State of California. A machine shop provides training in lathe work and related machine shop operations. A motor mechanics department has four automobiles which are torn down and rebuilt by the boys. Much of the maintenance of the institution is done by boys who have been trained in cabinet making and carpentry. A shoe shop offers vocational training plus shoe repairing for the inmates. House wiring, motor winding, and radio repair work is taught in the electrical department. Many of the boys, upon their release, will be competent to enter various trades as apprentices. All of the instructors were competent, cooperative, and very proud of their pupils.

The most coveted of all is the aircraft training course. The school has been granted authority to license men who have completed the 1,000 hours of training under C. A. A. guidance. In this course they have all the necessary equipment needed to train an aircraft maintenance man. They have the opportunity to work on a flyable C-46 aircraft that is parked just outside the security gate. A small cabin aircraft, single engine, is kept at the hangar. Several test stands for propellers and carburetors are part of the equipment.

The instructor in this department has had many years of aircraft experience. Before he will even allow a boy to enter the course, the boy must show a willingness for hard work and the ability to learn.

A mattress plant, that can renovate hundreds of mattresses in one day, is in full operation. This work is done for the Lancaster institution, as well as other state institutions, on an industrial basis.

The laundry department serves the institution and offers an excellent vocational course in laundry operation. Modern machinery has been installed equal to that of the average small laundry.

Your committee feels that this institution—The California Vocational Institute—deserves praise for its achievement under the direction of the Youth Authority.

PRESTON SCHOOL OF INDUSTRY

The Preston School of Industry, once an institution of terror, has become in recent years an actual industrial school for boys. Approximately 700 young men, ranging in ages from 16 to 21, are confined at this institution which has the reputation of being the last chance for a boy to straighten out and lead an upright, honest life. Boys, under control of the Youth Authority, are sent here according to the type of crime committed and their ability to adjust themselves to a program.

Inmates at Preston are called cadets. Cadet captains and others of higher rank have a certain amount of authority over the individual cadet. The system is somewhat analogous to the armed forces.

In past years much of the disciplinary action was done by the cadet captain. For example, if a boy was even suspected of some minor infraction of the rules, the cadet captain would slap, punch, or kick him, depending on the whim of the cadet captain. These cadet captains were selected for their size, ability to fight, and general all-around brutality and sadism.

Under the present administration, this disciplinary action has been completely abolished. The cadet system is still in force, but the cadet captain is chosen for his leadership, his ability, his integrity, and the example he sets. He still has a higher position than the others, but it is a position of honor. No cadet officer is allowed to discipline another inmate and the cadet officer positions are rotated periodically.

Vocational training facilities are inadequate at present. Some of the shops are located in buildings too small to accommodate more than a few boys at a time This condition is being remedied and newer buildings are being constructed.

An automotive shop provides training, under good guidance, for many of the boys. Repairs on automobiles, tractors, and other power-driven machinery used at the institution are done by the inmates. A garage set-up duplicates a modern service station, with gas pumps, wash rack, and all the usual facilities to be found at a first class service station.

Electric wiring, sheetmetal work, shoe repairing, carpentry, house painting and printing are among the other trades taught the boys here.

One of the most impressive training projects at Preston is the dairy farm A modern dairy farm is located just off the grounds, and the boys who train here are given the honor position at the school. They do not have intensive supervision and live in dormitories. These trainees start by cleaning up the cow barns. Then they move along through can washing, milking, and other occupations until they reach the end of the line which is the pasteurizing, separating, and homogenizing department. Evenings are spent studying and preparing for the state pasteurizing examination. Many of the boys have received their state license qualifying them for technical dairy work.

A farm program raises 75 percent of the products needed at the institution. A boy is given a plot of ground and told what he is to raise. Supervision is given and advice offered each boy. The boys take great pride in their gardens and compete against one another for the biggest tomatoes, etc.

Located in the segregation unit is the laundry of the institution. It is set apart from the rest of the buildings. Boys who cannot successfully associate with the others are housed here. In addition to the laundry the tailor shop is located in this same segregation unit. Pressing ma-

chines, operated by the inmates, meet the needs of the school and also give practical training in cleaning and pressing.

A modern well-equipped hospital has been established with an X-ray laboratory and surgery. Two doctors are on the staff, and inmates receive competent medical attention.

The Preston School has an auditorium with a seating capacity of 1,000. Adjoining the auditorium is a beautiful chapel, used by both Protestant and Catholic chaplains.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. McCollister, the usual courtesies of the Assembly for this day were unanimously extended to Hiram Hopkins of Petaluma.

On request of Messrs. Geddes and Lanterman, the usual courtesies of the Assembly for this day were unanimously extended to Richard M. Smith and Robert T. Radford of Monrovia.

On request of Mr. Stanley, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs Maurice Stanley of Newport Harbor.

On request of Mr Beck, the usual courtesies of the Assembly for this day were unanimously extended to Don Jaqua, A. G. Marquardt, William Redman, and Logan White of Antelope Valley.

On request of Mr Luckel and San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Captain Clinton Smith and Comdr R. C. Shively, of San Diego.

On request of Mr. Doyle and the Los Angeles Delegation, the usual courtesies of the Assembly for this day were unanimously extended to former Assemblyman Moseley Jones of Los Angeles

On request of Mr. Hansen, the usual courtesies of the Assembly for this day were unanimously extended to James Francis Sorensen of Fresno.

On request of Mr. McGee, the usual courtesies of the Assembly for this day were unanimously extended to W. H. Goodrich and L. Rasmussen of Los Angeles.

On request of Messrs. Conrad and Burkhalter, the usual courtesies of the Assembly for this day were unanimously extended to Richard K. Yeamans of North Hollywood.

On request of Mr. Munnell, the usual courtesies of the Assembly for this day were unanimously extended to Judge Roy Bennett, former Member of the Assembly and Mrs. Bennett of Los Angeles.

On request of Mr. Hahn, the usual courtesies of the Assembly for this day were unanimously extended to Rev. John MacDonald of Nevada City.

On request of Mr. Doyle, the usual courtesies of the Assembly for this day were unanimously extended to Billy Burke of Los Angeles.

On request of Mr. Belotti, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Ralph Luick of Smith River.

ADJOURNMENT

At 3.07 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Tuesday, March 27, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

TWENTY-FOURTH LEGISLATIVE DAY

THIRTY-SECOND CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, March 27, 1951

The Assembly met at 10 a m.

Hon. Sam L Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—78.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr Clarence A. Kircher:

O God, most Holy, Wise and Powerful, Creator, Preserver and Governor of all Thy creatures and their actions, keep us this day in health of body and mind, in purity of heart and cheerfulness of spirit, with charity in our hearts toward all mankind. Thou has bidden us to walk humbly with Thee, to act justly with others, and to seek peace with our fellow men.

Grant guidance to the President of the United States, our Governor, the Speaker of this Assembly, and each member in the discharge of our important responsibilities

"O God of Love, whose spirit wakes
In every human breast,
Whom love, and love alone, can know,
In whom all hearts find rest,
Help us to spread Thy gracious reign
Till greed and hate shall cease,
And kindness dwell in human hearts
And all the earth find peace"

In Jesus name.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Lipscomb, further reading of the Journal of the previous legislative day was dispensed with

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Butters, on motion of Mr. Klocksiem.

Mr. Stewart, on motion of Mr. Klocksiem.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1155

And reports the same correctly engrossed

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 2258

Assembly Bill No. 2760

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading

Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR. SPEAKER. Your Committee on Public Utilities and Corporations, to which was referred:

Assembly Bill No. 3157

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

EVANS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which was referred:

Assembly Bill No. 2213

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

EVANS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which was referred.

Assembly Bill No. 389

Has had the same under consideration, and reports the same back with the recommendation: Do pass

EVANS, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 1158

Has had the same under consideration, and reports the same back with the recommendation: Do pass

BROWN, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred.

Assembly Bill No. 771
Assembly Bill No. 768
Assembly Bill No. 1833
Assembly Bill No. 2280
Assembly Bill No. 3378

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 782
Assembly Bill No. 1565

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 627
Assembly Bill No. 1818
Assembly Bill No. 1831
Assembly Bill No. 1832
Assembly Bill No. 1834
Assembly Bill No. 1835
Assembly Bill No. 1852

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 428
Assembly Bill No. 429
Assembly Bill No. 430
Assembly Bill No. 432

Has had the same under consideration, and reports the same back with the recommendation: Be re-referred to Committee on Governmental Efficiency and Economy.

BROWN, Chairman

Above reported bills ordered re-referred to the Committee on Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 431
Assembly Bill No. 433

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Governmental Efficiency and Economy.

BROWN, Chairman

Above reported bills ordered to second reading.

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1951

MR. SPEAKER: Your Committee on Military Affairs, to which were referred:

Assembly Bill No. 68
Assembly Bill No. 69
Assembly Bill No. 70
Assembly Bill No. 75

Has had the same under consideration, and reports the same back with the recommendation: Do pass

McCOLLISTER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1951

MR SPEAKER: Your Committee on Military Affairs, to which were referred.

Assembly Bill No. 292
Assembly Bill No. 671

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

McCOLLISTER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1951

MR. SPEAKER: Your Committee on Military Affairs, to which were referred:

Assembly Bill No. 71
Assembly Bill No. 2900

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass, as amended.

McCOLLISTER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1951

MR SPEAKER: Your Committee on Military Affairs, to which were referred:

Assembly Bill No 34
Assembly Bill No 63

Has had the same under consideration, and reports the same back with the recommendation Do pass.

McCOLLISTER, Chairman

Above reported bills ordered to second reading.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No. 348

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No 2386
Assembly Bill No 2387
Assembly Bill No 2389
Assembly Bill No 2390

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

GEDDES, Chairman

Above reported bills ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred

Assembly Bill No. 347

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

GEDDES, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No. 992

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

GEDDES, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 342
Assembly Bill No. 817
Assembly Bill No. 2391

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

GEDDES, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred.

Assembly Bill No. 346
Assembly Bill No 913
Assembly Bill No. 1609
Assembly Bill No. 1918
Assembly Bill No 2388

Has had the same under consideration, and reports the same back with the recommendation: Do pass

GEDDES, Chairman

Above reported bills ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 20
Assembly Joint Resolution No. 21
Assembly Joint Resolution No. 23

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolutions ordered on file for adoption.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 26, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 26
Senate Bill No. 1012
Senate Bill No. 1013

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 26—An act amending Section 1556 of, and to add Section 1556.1 to, the Probate Code, relating to guardianship proceedings, providing for the fixing and allowing of guardian's compensations.

Referred to Committee on Judiciary.

Senate Bill No. 1012—An act to consolidate and revise the law relating to the organization, operation, and maintenance of a system of state and local government, by adding Sections 22, 22 1, 22 2, and 23 to 23.6, inclusive, to the Civil Code; by adding Chapter 2 5, comprising Sections 39 to 39.6, inclusive, to Title 1, Part 1 of the Code of Civil Procedure; by adding Sections 12b, 41, 58 to 58.8, inclusive, 59 to 59.8, inclusive, 60 to 60.4, inclusive, 61 to 61.8, inclusive, 62, 62.1, 65.1, 65 2, 78, 78.1, 79 to 79.58, inclusive, 98 to 98.7, inclusive, 196 and 196.1, 262 to 262.10, inclusive, 268, 304 to 304.4, inclusive, 537.5, 577 5, and 1885 to 1885.2, inclusive, to the Code of Civil Procedure; by adding Sections 1225 and 1227 to the Government Code; by adding Chapter 7, comprising Sections 6700 to 6706, inclusive, Chapter 8, comprising Sections 6800 to 6807, inclusive, and Chapter 9, comprising Sections 6850 to 6851, inclusive, to Division 7, Title 1 of the Government Code; by adding Article 8, comprising Sections 13240 and 13241, to Chapter 2, Part 3, Division 3, Title 2 of the Government Code; by adding Chapter 2, comprising Sections 15100 to 15105, inclusive, to Part 6, Division 3, Title 2 of the Government Code; by adding Part 9, comprising Sections 15600 to 15645, inclusive, to Division 3, Title 2 of the Government Code; by adding Section 24350.5 to the Government Code; by adding Section 8154.1 to the Education Code; by adding Sections 29, 30, and 31 to the Revenue and Taxation Code; by adding Part 12, comprising Sections 28001 to 28208, inclusive, to Division 2 of the Revenue and Taxation Code; by adding Sections 1039 and 1039.1 to the Penal Code; by adding Section 6210.1 to the Public Resources Code; by adding Sections 32 to 37, inclusive, to the Municipal Court Act of 1925; and by repealing an act entitled "An act creating an additional district court of appeal known as the District Court of Appeal for the Fourth Appellate District, redividing the State into appellate districts, providing for the maintenance and operation of said court, and making an appropriation therefor," approved June 5, 1929, and sections of the Political Code specified herein.

Referred to Committee on Judiciary.

Senate Bill No. 1013—An act to repeal Chapter 6, comprising Sections 3136 to 3158, inclusive, of Title 7, Part 3 of the Political Code and to add Chapter 4, comprising Sections 2080 to 2082, inclusive, to Title 6, Part 4, Division 3 of the Civil Code, consolidating and revising the law, relating to lost and unclaimed property.

Referred to Committee on Judiciary.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 26, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 23
Senate Bill No. 185
Senate Bill No. 186
Senate Bill No. 187
Senate Bill No. 188
Senate Bill No. 191
Senate Bill No. 192
Senate Bill No. 193
Senate Bill No. 194
Senate Bill No. 195
Senate Bill No. 196
Senate Bill No. 197
Senate Bill No. 199
Senate Bill No. 200
Senate Bill No. 201
Senate Bill No. 202
Senate Bill No. 234
Senate Bill No. 376
Senate Bill No. 427
Senate Bill No. 431
Senate Bill No. 542
Senate Bill No. 558
Senate Bill No. 665
Senate Bill No. 894
Senate Bill No. 1468

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 23—An act to add Chapter 3 to Part 1, Division 3 of the Government Code, consisting of Sections 36700 and 36701, relating to compensation of elective officers of counties, townships, and cities, declaring the urgency hereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

Senate Bill No. 185—An act to add Section 19.1 to the Check Sellers and Cashers Act, relating to the issuance of desist and refrain orders.

Referred to Committee on Finance and Insurance.

Senate Bill No. 186—An act to add Section 16.1 to the Escrow Act and Section 17416 to the Financial Code, relating to the issuance of desist and refrain orders by the Commissioner of Corporations.

Referred to Committee on Finance and Insurance

Senate Bill No. 187—An act to amend Section 25806 of the Corporations Code, relating to the renewal of investment counsels' certificates under the provisions of the Corporate Securities Law.

Referred to Committee on Finance and Insurance.

Senate Bill No. 188—An act to add Section 16.1 to the Check Sellers and Cashers Act, relating to advertising.

Referred to Committee on Finance and Insurance.

Senate Bill No. 191—An act to amend Section 25603 of the Corporations Code, relating to advertising under the provisions of the Corporate Securities Law.

Referred to Committee on Finance and Insurance.

Senate Bill No. 192—An act to amend Section 13 of the Escrow Act, and Sections 17407 and 17408 of the Financial Code, relating to penalty for failure to file reports required by law, and payment of costs of investigations, inspections or examinations of escrow companies.

Referred to Committee on Finance and Insurance.

Senate Bill No. 193—An act to amend Sections 7 and 12 of the California Small Loan Act, relating to the issuance, suspension or revocation of licenses.

Referred to Committee on Finance and Insurance.

Senate Bill No. 194—An act to amend Section 201 of the California Small Loan Act, relating to the issuance of desist and refrain orders.

Referred to Committee on Finance and Insurance.

Senate Bill No. 195—An act to amend Section 5 of the Escrow Act and Section 17209 of the Financial Code, relating to financial responsibility of escrow companies.

Referred to Committee on Finance and Insurance

Senate Bill No. 196—An act to amend Section 13 of the Personal Property Brokers Act, relating to the suspension or revocation of license.

Referred to Committee on Finance and Insurance.

Senate Bill No. 197—An act to amend Section 8 of the Personal Property Brokers Act, relating to the issuance of licenses.

Referred to Committee on Finance and Insurance.

Senate Bill No. 199—An act to amend Section 21.1 of the Personal Property Brokers Act, relating to the issuance of desist and refrain orders

Referred to Committee on Finance and Insurance.

Senate Bill No. 200—An act to amend Sections 4 and 9 of the Check Sellers and Cashers Act, relating to types of business licensed under said act.

Referred to Committee on Finance and Insurance.

Senate Bill No. 201—An act to amend Section 6 of the Check Sellers and Cashers Act, relating to liquid assets

Referred to Committee on Finance and Insurance

Senate Bill No. 202—An act to add Section 7.1 to the Check Sellers and Cashers Act, relating to fidelity bonds.

Referred to Committee on Finance and Insurance

Senate Bill No. 234—An act to amend Sections 4303 and 4304 of the Government Code, relating to public contracts.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 376—An act to amend the heading of Chapter 2 of Part 6.5, Division 11 of the Water Code, to add a heading for Article 1 of, and to add Article 2 to, Chapter 2, Part 6 5, Division 11 of the Water Code, relating to distribution districts in irrigations districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Agriculture.

Senate Bill No. 427—An act to amend Section 981.2 of the Military and Veterans Code, relating to educational assistance to veterans.

Referred to Committee on Military Affairs.

Senate Bill No. 431—An act to amend Sections 3211.92, 3361, and 4458 of the Labor Code, relating to volunteer fire departments and volunteer firemen.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 542—An act to add Sections 1257 and 1437 to the Banking Code, relating to reserves.

Referred to Committee on Finance and Insurance.

Senate Bill No. 558—An act to add Section 23956 to the Water Code, relating to facilities use charges for irrigation district improvement districts and validating proceedings heretofore taken by district boards to establish such charges, and declaring the urgency of this act, to take effect immediately.

Referred to Committee on Agriculture.

Senate Bill No. 665—An act to amend Section 26 of the Construction and Employment Act, relating to the allocation of state funds to local agencies for the construction of public works

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 894—An act to add Section 88.2 to the Agricultural Code, relating to the extraction of mineral deposits from lands owned or controlled by district agricultural associations and providing for the disposition of the proceeds thereof.

Referred to Committee on Agriculture.

Senate Bill No. 1468—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies as herein defined.

Referred to Committee on Municipal and County Government

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Joint Resolution No. 26: By Mr. Dolwig—Relative to the construction of the Pillar Point Breakwater Project at Half Moon Bay, California.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Boards and Commissions

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR SPEAKER. Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 1248

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

McMILLAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 3301

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

McMILLAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 2790

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McMILLAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 99

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

McMILLAN, Chairman

Above reported bill ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 96
House Resolution No. 100

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Assembly Joint Resolution No. 20
Assembly Joint Resolution No. 21
Assembly Joint Resolution No. 23

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1031 BE RE-REFERRED TO COMMITTEE

Mr. Lipscomb asked for, and was granted, unanimous consent that Assembly Bill No. 1031 be withdrawn from the third reading file, and be re-referred to the Committee on Ways and Means.

CONSIDERATION OF DAILY FILE

UNFINISHED BUSINESS

NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 327 FROM COMMITTEE CONTINUED

Mr. Davis asked for, and was granted, unanimous consent that his notice of motion to withdraw Senate Bill No. 327 from committee be continued until the next legislative day.

Speaker Pro Tempore Presiding

At 10.15 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1314—An act to amend Sections 14345 and 14347 of the Revenue and Taxation Code, relating to the withholding of moneys and property belonging to a decedent.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 23, of the printed bill, strike out "Any", and insert "No".

Amendment No. 2

On page 2, line 3, of the printed bill, strike out "who delivers or transfers", and insert "shall deliver or transfer".

Amendment No. 3

On page 2, line 6, of the printed bill, strike out "or who delivers or transfers", and insert "nor deliver or transfer".

Amendment No. 4

On page 2, line 9, of the printed bill, strike out "or who transfers or delivers", and insert "nor deliver or transfer".

Amendment No. 5

On page 2, line 15, of the printed bill, strike out "any", and insert "no".

Amendment No. 6

On page 2 of the printed bill, commencing in line 17, strike out "who pays or delivers", and insert "or standing in the name of the decedent subject to the right of any other person or persons to draw upon or withdraw the same shall pay or deliver".

Amendment No. 7

On page 2, line 29, of the printed bill, strike out the semicolon, and insert a period.

Amendment No. 8

On page 2 of the printed bill, strike out lines 30, 31, and 32.

Amendment No. 9

On page 2, line 41, of the printed bill, following the period, insert "Any safe deposit company, trust company, corporation, bank, other institution, or person required to comply with the provisions of this article but failing to do so is liable to the State for the amount of any tax, interest or penalty due and payable under this part on the transfer of the property involved, if solely by reason of such transfer or payment the State is unable to recover the same."

Amendment No. 10

On page 2, line 48, of the printed bill, strike out "Section 14345", and insert "this section".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bill was withdrawn from the file, and re-referred as follows:

Assembly Bill No. 1155 re-referred to the Committee on Conservation, Planning, and Public Works.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1090—An act to add Chapter 4, comprising Sections 2700 to 2702, inclusive, to Division 4 of the Welfare and Institutions Code, relating to reciprocal agreements for the interstate transportation and the support of poor and indigent persons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Stanley, Thomas, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1688—An act to add Section 2006.5 to the Welfare and Institutions Code, relating to aid to the aged.

Bill read third time.

Speaker Presiding

At 10.35 a.m., Hon. Sam. L. Collins, Speaker of the Assembly, presiding.

Demand for Previous Question

Messrs. Caldecott, Geddes, Rosenthal, Burke, and Beck demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1688.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Thomas, and Waters—62.

NOES—Clarke, Grunsky, Hansen, Lanterman, Levering, Lowrey, Lyon, Silliman, and Tomlinson—9.

Bill ordered transmitted to the Senate.

POINT OF ORDER

Mr. Waters arose to the following point of order: That 10:30 a.m. has arrived, the hour for the special order of business, and that other business, at this time, is not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

CONSIDERATION OF SPECIAL ORDER

Motion for Committee of the Whole

Mr. Coats moved that the Assembly resolve itself into a Committee of the Whole for the purpose of considering Assembly Bill No. 42, at this time.

Mr. Beck seconded the motion.

Substitute Motion for Committee of the Whole

Mr. Condon moved, as a substitute motion, that the Assembly resolve itself into a Committee of the Whole for the purpose of considering Assembly Bills Nos. 141, 41, and 42 in the order named.

Mr. Beck seconded the motion.

The roll was called, and the motion lost by the following vote:

AYES—Beck, Brady, Burkhalter, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Doyle, Dunn, Elliott, Hagen, Henderson, Kilpatrick, Lowrey, McCarthy, McFall, Moss, Munnell, Parker, Rumford, Shaw, and Stanley—24.

NOES—Babbage, Belotti, Berry, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Dickey, Dills, Dolwig, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCollister, McGee, Morris, Niehouse, Porter, Sherwin, Silliman, Tomlinson, Waters, and Mr. Speaker—47.

Consideration of Special Order

The hour having arrived, Assembly Bill No. 141 was taken up.

Assembly Bill No. 141—An act to amend Section 480 of the Government Code, relating to the division of the State into senatorial districts.

Bill read third time.

Point of Order

Mr. Lowrey arose to the following point of order: That Mr. Waters is not speaking to the question.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Point of Order

Mr. Silliman arose to the following point of order: That Mr. Elliott is not speaking to the question.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The question being on the passage of Assembly Bill No. 141.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—George D. Collins and Elliott—2.

Bill ordered transmitted to the Senate.

Consideration of Special Order

The hour having arrived, Assembly Bill No. 41 was taken up.

Assembly Bill No. 41—An act to repeal existing Section 491 of, and to add new Section 491, to the Government Code, relating to the division of the State into assembly districts.

Bill read third time.

Consideration of Proposed Amendments
Unanimous Consent Request That Procedure Be Changed

Mr. Beck asked for unanimous consent that the Rules be temporarily suspended for the purpose of changing procedure so that Mr. Waters may be permitted to explain the bill in detail prior to the consideration of amendments.

Mr. Waters withheld unanimous consent.

The question being on the consideration of proposed amendments to Assembly Bill No. 41.

Motion to Amend

Mr. Maloney moved the adoption of the following amendments:

Amendment No. 1

On page 7 of the printed bill, as amended in the Assembly on March 23, 1951, strike out lines 15 to 50, inclusive; strike out all of page 8; and on page 9, strike out lines 1 to 15, inclusive, and insert

"Commencing at the point of intersection of the center line of Sloat and the shoreline of the Pacific Ocean; thence along the center lines of the following streets:

Sloat to Sunset, Sunset to Taravel, Taravel to Laguna Honda, Laguna Honda to 7th Avenue, 7th Avenue to Kirkham, Kirkham to 19th Avenue, 19th Avenue to Fulton, Fulton to 20th Avenue, 20th Avenue to Geary, Geary to 24th Avenue, 24th Avenue to the boundary line of the Presidio, westerly along said boundary line to the shoreline of the Pacific Ocean, westerly and southerly along said shoreline to the center line of Sloat and the point of commencement, shall constitute the Nineteenth Assembly District.

20. All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the point of intersection of the center line of Market and the shoreline of the Bay of San Francisco; thence along the center lines of the following streets:

Market to Powell, Powell to Post, Post to Van Ness, Van Ness to South Van Ness, South Van Ness to Army, Army to Bayshore Boulevard, Bayshore Boulevard to the boundary line separating the City and County of San Francisco from the County of San Mateo, easterly along said boundary line to the shoreline of the Bay of San Francisco, northerly along said shoreline to the center line of Market Street and the point of commencement, shall constitute the Twentieth Assembly District.

21. All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the point of intersection of the center line of Pacific and the shoreline of the Bay of San Francisco; thence along the center lines of the following streets:

Pacific to Columbus, Columbus to Mason, Mason to Green, Green to Leavenworth, Leavenworth to Filbert, Filbert to Van Ness, Van Ness to California, California to

Baker, Baker to Geary, Geary to St. Joseph, St. Joseph to Turk, Turk to Baker, Baker to Fulton, Fulton to 20th Avenue, 20th Avenue to Geary, Geary to 24th Avenue, 24th Avenue to the boundary line of the Presidio, westerly along said boundary line to the shoreline of the Pacific Ocean, northerly and easterly along the shoreline of the Pacific Ocean and the Bay of San Francisco to the center line of Pacific Street and the point of commencement, shall constitute the Twenty-first Assembly District.

22. All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the point of intersection of the center line of Pacific and the shoreline of the Bay of San Francisco; thence along the center lines of the following streets:

Pacific to Columbus, Columbus to Mason, Mason to Green, Green to Leavenworth, Leavenworth to Filbert, Filbert to Van Ness, Van Ness to California, California to Baker, Baker to Geary, Geary to St. Joseph, St. Joseph to Turk, Turk to Baker, Baker to Oak, Oak to Van Ness, Van Ness to Post, Post to Powell, Powell to Market, Market to the shoreline of the Bay of San Francisco, and northerly along said shoreline to the center line of Pacific and the point of commencement, shall constitute the Twenty-second Assembly District.

23. All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the point of intersection of the center lines of Market and South Van Ness; thence along the center lines of the following streets:

Market to Dolores, Dolores to Army, Army to San Jose, San Jose to Bernal, Bernal to College, College to Mission, Mission to the boundary line separating the City and County of San Francisco from the County of San Mateo, thence easterly along said boundary line to the center line of Bayshore Boulevard, Bayshore Boulevard to Army, Army to South Van Ness, South Van Ness to the center line of Market and the point of commencement, shall constitute the Twenty-third Assembly District.

24. All that portion of the City and County of San Francisco bounded and described as follows.

Commencing at the intersection of the center line of Sloat and the shoreline of the Pacific Ocean; thence along the center lines of the following streets

Sloat to Sunset, Sunset to Taravel, Taravel to Laguna Honda, Laguna Honda to Woodside, Woodside to O'Shaughnessy, O'Shaughnessy to 30th Street, 30th Street to San Jose, San Jose to Bernal, Bernal to College, College to Mission, Mission to the boundary line separating the City and County of San Francisco from the County of San Mateo, thence westerly along said boundary line to the shoreline of the Pacific Ocean, and northerly along said shoreline to its intersection with the center line of Sloat and the point of commencement, shall constitute the Twenty-fourth Assembly District.

25. All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the point of intersection of the center lines of 19th Avenue and Fulton, thence along the center lines of the following streets:

19th Avenue to Kirkham, Kirkham to 7th Avenue, 7th Avenue to Laguna Honda, Laguna Honda to Woodside, Woodside to O'Shaughnessy, O'Shaughnessy to 30th Street, 30th Street to San Jose, San Jose to Army, Army to Dolores, Dolores to Market, Market to Oak, Oak to Baker, Baker to Fulton, Fulton to 19th Avenue, and the point of commencement, shall constitute the Twenty-fifth Assembly District."

Amendment No. 2

On page 9 of said bill, strike out lines 16 to 32, inclusive, strike out all of page 10; and on page 11, strike out lines 1 to 21, inclusive, and insert

"26. The County of San Mateo shall constitute the Twenty-sixth Assembly District."

Amendments read.

Point of Order

Mr. Grunsky arose to the following point of order: That Mr. George D. Collins is not speaking at his seat.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Motion to Permit Mr. George D. Collins to Speak Away From His Seat

Mr. Waters moved that Mr. George D. Collins be permitted to speak in front of the blackboard, instead of at his seat.

Mr. Hawkins seconded the motion.

Motion carried.

The question being on the adoption of the amendments offered by Mr. Maloney to Assembly Bill No. 41.

Motion That Additional Time Be Granted Mr. George D. Collins

Mr. Waters moved that additional time be granted Mr. George D. Collins for the purpose of debate on the amendments presently before the House.

Mr. Elliott seconded the motion.

Motion carried.

The question being on the adoption of the amendments offered by Mr. Maloney.

Demand for Previous Question

Messrs. Kirkwood, Grunsky, Lyon, Lincoln, and Dills demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendments offered by Mr. Maloney to Assembly Bill No. 41.

Roll Call Demanded

Messrs. George D. Collins, Gaffney, and Condon demanded a roll call.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Berry, Brady, Coats, George D. Collins, Condon, Connolly, Crowley, Dunn, Elliott, Gaffney, Hagen, Henderson, Lowrey, Luckel, Maloney, McCarthy, McFall, Meyers, Niehouse, Parker, and Rumford—21

NOES—Babbage, Beck, Belotti, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Conrad, Dills, Dolwig, Doyle, Erwin, Fleury, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, McCollister, McGee, Morris, Moss, Munnell, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—48.

Consideration of Further Amendments
Motion to Amend

Mr. George D. Collins moved the adoption of the following amendments:

Amendment No. 1

On page 7 of the printed bill, as amended in the Assembly on March 23, 1951, strike out lines 15 to 50, inclusive; strike out all of page 8; and on page 9, strike out lines 1 to 15, inclusive, and insert

"Commencing at the point of intersection of the center line of Sloat and the shoreline of the Pacific Ocean; thence along the center lines of the following streets: Sloat to Sunset, Sunset to Taravel, Taravel to Laguna Honda, Laguna Honda to 7th Avenue, 7th Avenue to Kirkham, Kirkham to 19th Avenue, 19th Avenue to Fulton, Fulton to 20th Avenue, 20th Avenue to Geary, Geary to 24th Avenue, 24th Avenue to the boundary line of the Presidio, westerly along said boundary line to the shoreline of the Pacific Ocean, westerly and southerly along said shoreline to the center line of Sloat and the point of commencement, shall constitute the Nineteenth Assembly District.

20 All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the point of intersection of the center line of Market and the shoreline of the Bay of San Francisco; thence along the center lines of the following streets.

Market to Powell, Powell to Post, Post to Van Ness, Van Ness to South Van Ness, South Van Ness to Army, Army to Bayshore Boulevard, Bayshore Boulevard to the boundary line separating the City and County of San Francisco from the County of San Mateo, easterly along said boundary line to the shoreline of the Bay of San Francisco, northerly along said shoreline to the center line of Market Street and the point of commencement, shall constitute the Twentieth Assembly District

21. All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the point of intersection of the center line of Pacific and the shoreline of the Bay of San Francisco; thence along the center lines of the following streets

Pacific to Columbus, Columbus to Mason, Mason to Green, Green to Leavenworth, Leavenworth to Filbert, Filbert to Van Ness, Van Ness to California, California to Baker, Baker to Geary, Geary to St. Joseph, St Joseph to Turk, Turk to Baker, Baker to Fulton, Fulton to 20th Avenue, 20th Avenue to Geary, Geary to 24th Avenue, 24th Avenue to the boundary line of the Presidio, westerly along said boundary line to the shoreline of the Pacific Ocean, northerly and easterly along the shoreline of the Pacific Ocean and the Bay of San Francisco to the center line of Pacific Street and the point of commencement, shall constitute the Twenty-first Assembly District

22 All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the point of intersection of the center line of Pacific and the shoreline of the Bay of San Francisco; thence along the center lines of the following streets:

Pacific to Columbus, Columbus to Mason, Mason to Green, Green to Leavenworth, Leavenworth to Filbert, Filbert to Van Ness, Van Ness to California, California to Baker, Baker to Geary, Geary to St Joseph, St. Joseph to Turk, Turk to Baker, Baker to Oak, Oak to Van Ness, Van Ness to Post, Post to Powell, Powell to Market, Market to the shoreline of the Bay of San Francisco, and northerly along said shoreline to the center line of Pacific and the point of commencement, shall constitute the Twenty-second Assembly District.

23 All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the point of intersection of the center lines of Market and South Van Ness; thence along the center lines of the following streets

Market to Dolores, Dolores to Army, Army to San Jose, San Jose to Bernal, Bernal to College, College to Mission, Mission to the boundary line separating the City and County of San Francisco from the County of San Mateo, thence easterly along said boundary line to the center line of Bayshore Boulevard, Bayshore Boulevard to Army, Army to South Van Ness, South Van Ness to the center line of Market and the point of commencement, shall constitute the Twenty-third Assembly District

24 All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the intersection of the center line of Sloat and the shoreline of the Pacific Ocean; thence along the center lines of the following streets:

Sloat to Sunset, Sunset to Taravel, Taravel to Laguna Honda, Laguna Honda to Woodside, Woodside to O'Shaughnessy, O'Shaughnessy to 30th Street, 30th Street to San Jose, San Jose to Bernal, Bernal to College, College to Mission, Mission to the boundary line separating the City and County of San Francisco from the County of San Mateo, thence westerly along said boundary line to the shoreline of the Pacific Ocean, and northerly along said shoreline to its intersection with the center line of Sloat and the point of commencement, shall constitute the Twenty-fourth Assembly District.

25 All that portion of the City and County of San Francisco bounded and described as follows:

Commencing at the point of intersection of the center lines of 19th Avenue and Fulton, thence along the center lines of the following streets:

Nineteenth Avenue to Kirkham, Kirkham to Seventh Avenue, Seventh Avenue to Laguna Honda, Laguna Honda to Woodside, Woodside to O'Shaughnessy, O'Shaughnessy to 30th Street, 30th Street to San Jose, San Jose to Army, Army to Dolores Dolores to Market, Market to Oak, Oak to Baker, Baker to Fulton, Fulton to 19th Avenue, and the point of commencement, shall constitute the Twenty-fifth Assembly District"

Amendment No. 2

On page 9 of said bill, strike out lines 16 to 52, inclusive; strike out all of page 10; and on page 11, strike out lines 1 to 21, inclusive, and insert

"26. The County of San Mateo shall constitute the Twenty-sixth Assembly District."

Amendments read.

Point of Order

Mr. Grunsky arose to the following point of order: That the amendments being offered by Mr. George D. Collins are similar to those offered by Mr Maloney, and hence are not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

Demand for Previous Question

Messrs. Lyon, Kirkwood, Kelly, Geddes, and Lipscomb demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendments offered by Mr. George D. Collins to Assembly Bill No. 41.

Roll Call Demanded

Messrs. George D. Collins, Condon, and Coats demanded a roll call.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Berry, Brady, Brown, Coats, George D Collins, Condon, Connolly, Dunn, Elliott, Gaffney, Hagen, Henderson, Kloeksiem, Lowrey, Luckel, Maloney, McCarthy, McFall, Meyers, Niehouse, Parker, and Rumford—22

NOES—Babbage, Beck, Belotti, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Geddes, Grant, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Lanterman, Levering, Lincoln, Lipscomb, Lyon, McCollister, McGee, McMillan, Morris, Munnell, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—47

Consideration of Further Amendments

Motion to Amend

Mr. McFall moved the adoption of the following amendments:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on March 23, 1951, strike out lines 36 and 37, and insert

"13. All that portion of the County of San Joaquin bounded and described as follows:

Beginning at the intersection of the Stockton Diverting Canal and the section line between Sections 29 and 41 of C. M. Weber's Grant [El Rancho del Campo de Los Franceses]; thence southerly along said section line and along the section line between Sections 30 and 42 and Sections 31 and 43 [which is Sanguinetti Lane] to its intersection with the northerly line of Cherokee Road; thence southwesterly along the northerly line of Cherokee Road to its intersection with the southerly line of Harding Way; thence westerly along the southerly line of Harding Way to the City Limits line on the eastern side of Wilson Way; thence in a general southerly direction following the City Limits line to its intersection with the center line of the Southern Pacific Railroad Company's main line; thence southerly along said main line to its intersection with the center line of McKinley Avenue; thence northerly along the center line of McKinley Avenue to its intersection with the center line of Clayton Avenue; thence westerly along the center line of Clayton Avenue and said center line produced westerly to its intersection with the center line of French Camp Slough; thence westerly downstream along the center line of French Camp Slough to its junction with the San Joaquin River; thence downstream along the center line of the San Joaquin River to its junction with Burns Cut-off; thence along the center line of Burns Cut-off along the southerly and westerly sides of Rough and Ready Island to the junction of Burns Cut-off and the Stockton Deepwater Channel; thence crossing said channel to its junction with the Calaveras River; thence upstream along the center line of the Calaveras

River [Stockton Diverting Canal] about five and three-quarters (5¾) miles to the point of beginning, shall constitute the Eleventh Assembly District

12 All that portion of the County of San Joaquin not included in the Thirteenth Assembly District, as fixed and defined by this section, shall constitute the Twelfth Assembly District."

Amendment No. 2

On page 2, line 38, of said bill, strike out "13", and insert "14".

Amendment No. 3

On page 3, line 25, of said bill, strike out "Thirteenth", and insert "Fourteenth".

Amendment No. 4

On page 3, line 26, of said bill, strike out "14", and insert "15".

Amendment No. 5

On page 4, line 14, of said bill, strike out "Fourteenth", and insert "Fifteenth".

Amendment No. 6

On page 4, line 15, of said bill, strike out "15", and insert "16".

Amendment No. 7

On page 5, line 10, of said bill, strike out "Fifteenth", and insert "Sixteenth".

Amendment No. 8

On page 5, line 11, of said bill, strike out "16", and insert "17".

Amendment No. 9

On page 6, line 7, of said bill, strike out "Sixteenth", and insert "Seventeenth"

Amendment No. 10

On page 6, line 9, of said bill, strike out "17", and insert "18"

Amendment No. 11

On page 6, line 41, of said bill, strike out "Seventeenth", and insert "Eighteenth".

Amendment No. 12

On page 6, line 43, of said bill, strike out "18", and insert "19"

Amendment No. 13

On page 7, line 12, of said bill, strike out "Eighteenth", and insert "Nineteenth".

Amendment No. 14

On page 7, line 13, of said bill, strike out "19", and insert "20"

Amendment No. 15

On page 7, line 31, of said bill, strike out "Nineteenth", and insert "Twentieth".

Amendment No. 16

On page 7, line 32, of said bill, strike out "20", and insert "21"

Amendment No. 17

On page 7, line 49, of said bill, strike out "Twentieth", and insert "Twenty-first".

Amendment No. 18

On page 8, line 1, of said bill, strike out "21", and insert "22".

Amendment No. 19

On page 8, line 13, of said bill, strike out "Twenty-first", and insert "Twenty-second".

Amendment No. 20

On page 8, line 15, of said bill, strike out "22", and insert "23".

Amendment No. 21

On page 8, lines 32 and 33, of said bill, strike out "Twenty-second", and insert "Twenty-third".

Amendment No. 22

On page 8, line 34, of said bill, strike out "23", and insert "24"

Amendments read.

Motion to Temporarily Suspend the Rules

Mr. Sherwin moved that the Rules be temporarily suspended for the purpose of permitting Mr. McFall to explain his amendments, instead of requiring they be read in full at this time.

Mr. Evans seconded the motion.

Substitute Motion to Table Amendments

Mr. Collier moved that the amendments offered by Mr. McFall to Assembly Bill No. 41 be tabled.

Motion died for lack of a second.

Further Reading of Amendments

Further reading of the amendments offered by Mr. McFall ordered continued, at this time.

Further Consideration of Amendments Offered by Mr. McFall to Assembly Bill No. 41

Amendment No. 23

On page 9, line 3, of said bill, strike out "Twenty-third", and insert "Twenty-fourth".

Amendment No. 24

On page 9, line 4, of said bill, strike out "24", and insert "25".

Amendment No. 25

On page 9, lines 14 and 15, of said bill, strike out "Twenty-fourth", and insert "Twenty-fifth".

Amendment No. 26

On page 9, line 16, of said bill, strike out "25", and insert "26".

Amendment No. 27

On page 10, line 15, of said bill, strike out "Twenty-fifth", and insert "Twenty-sixth".

Amendment No. 28

On page 10, line 16, of said bill, strike out "26", and insert "27".

Amendment No. 29

On page 11, line 21, of said bill, strike out "Twenty-sixth", and insert "Twenty-seventh".

Amendment No. 30

On page 11, line 22, of said bill, strike out "27", and insert "28".

Amendment No. 31

On page 11, line 23, of said bill, strike out "Twenty-seventh", and insert "Twenty-eighth".

Amendment No. 32

On page 11, line 24, of said bill, strike out "28", and insert "29".

Amendment No. 33

On page 11, line 36, of said bill, strike out "Twenty-eighth", and insert "Twenty-ninth".

Amendment No. 34

On page 11, line 37, of said bill, strike out "29", and insert "30".

Amendment No. 35

On page 11, line 39, of said bill, strike out "Twenty-ninth", and insert "Thirtieth".

Amendment No. 36

On page 11, line 41, of said bill, strike out "30", and insert "31".

Amendment No. 37

On page 11, line 41, of said bill, strike out "Thirtieth", and insert "Thirty-first".

Amendment No. 38

On page 11, line 43, of said bill, strike out "31", and insert "32".

Amendment No. 39

On page 11, line 44, of said bill, strike out "Thirty-first", and insert "Thirty-second".

Amendment No. 40

On page 11, line 45, of said bill, strike out "32", and insert "33"

Amendment No. 41

On page 12, line 6, of said bill, strike out "Thirty-second", and insert "Thirty-third".

Amendment No. 42

On page 12 of said bill, strike out lines 7 to 32, inclusive; strike out all of page 13; and on page 14, strike out lines 1 to 10, inclusive, and insert

"34. All that portion of the County of Fresno not included in the Thirty-third Assembly District shall constitute the Thirty-fourth Assembly District.

35. The County of Monterey shall constitute the Thirty-fifth Assembly District.

36. The Counties of Kings and Tulare shall constitute the Thirty-sixth Assembly District.

37. The Counties of San Luis Obispo and Santa Barbara shall constitute the Thirty-seventh Assembly District.

38. The County of Ventura shall constitute the Thirty-eighth Assembly District.

39. The County of Kern shall constitute the Thirty-ninth Assembly District."

Amendments read.

Roll Call Demanded

Messrs. Parker, Condon, and McFall demanded a roll call.

The roll was called, and the amendments offered by Mr. McFall to Assembly Bill No. 41 refused adoption by the following vote:

AYES—Beck, Berry, Brady, Brown, Burkhalter, Chapel, Coats, George D. Collins, Condon, Davis, Dunn, Elliott, Gaffney, Henderson, Kilpatrick, Lowrey, McCarthy, McFall, Parker, and Shaw—20

NOES—Babbage, Belotti, Burke, Caldecott, Clarke, Cloyed, Collier, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCollister, McGee, Morris, Munnell, Porter, Sherwin, Stillman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—47

Notice of Motion to Reconsider McFall Amendments to Assembly Bill No. 41

Mr. Beck gave notice that on the next legislative day he would move to reconsider the vote whereby the amendments offered by Mr. McFall to Assembly Bill No. 41 were this day refused adoption.

Motion to Take Up Notice of Motion to Reconsider by Mr. Beck at This Time

Mr. Waters moved that the notice of motion by Mr. Beck to reconsider the vote whereby the amendments offered by Mr. McFall to Assembly Bill No. 41 were this day refused adoption be taken up, at this time.

Mr. Conrad seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Babbage, Belotti, Burke, Caldecott, Chapel, Clarke, Collier, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCollister, McGee, Meyers, Morris, Porter, Sherwin, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—47.

NOES—Beck, Berry, Brady, Burkhalter, Coats, George D. Collins, Condon, Cooke, Davis, Dunn, Elliott, Evans, Hagen, Henderson, Kilpatrick, Lowrey, McCarthy, McFall, Moss, Munnell, Parker, and Shaw—22

The question being on the reconsideration of the vote whereby the amendments offered by Mr. McFall were refused adoption

Request for Unanimous Consent That Amendments Again Be Read in Full

Mr. Beck asked for unanimous consent that the amendments be read again.

Mr. Sherwin withheld unanimous consent.

The question being on the motion to reconsider.

Demand for Previous Question

Messrs. Caldecott, Kirkwood, Kelly, Lyon, and Connolly demanded the previous question.

Roll Call Demanded

Messrs. Beck, Coats, and Lowrey demanded a roll call.

The roll was called, and the demand for the previous question sustained by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCollister, McGee, Meyers, Morris, Munnell, Niehouse, Porter, Rumford, Sherwin, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—53.

NOES—Beck, Brown, Burkhalter, Coats, George D. Collins, Cooke, Crowley, Davis, Dunn, Elliott, Fleury, Hagen, Henderson, Kilpatrick, Lowrey, McCarthy, McFall, Moss, and Parker—19.

The question being on the motion to reconsider.

Request for Unanimous Consent for Permission to Read From the State Constitution

Mr. Beck asked for unanimous consent that he be permitted to read from the State Constitution, at length, in his closing remarks relative to his motion to reconsider.

Mr. Hollibaugh withheld unanimous consent.

Motion That Mr. Beck Be Permitted to Read From Constitution at Length

Mr. Dunn moved that Mr. Beck be permitted to read, at length, from the State Constitution in his closing remarks on the motion to reconsider.

Mr. Brady seconded the motion.

Roll Call Demanded

Messrs. Hagen, Davis, and Lowrey demanded a roll call.

The roll was called, and the motion carried by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Thomas, and Tomlinson—61.

NOES—Caldecott, Grunsky, and Hansen—3.

Motion That Mr. Beck Be Given Additional Time

Mr. Dunn moved that Mr. Beck be given unlimited additional time for the purpose of making his closing remarks relative to his motion to reconsider the vote whereby the amendments offered by Mr. McFall to Assembly Bill No. 41 were this day refused adoption.

Mr. Lowrey seconded the motion.

Substitute Motion

Mr. Sherwin moved that Mr. Beck's closing remarks be limited to 10 minutes.

Mr. Smith seconded the motion.

Roll Call Demanded

Messrs. Condon, Hagen, and Coats demanded a roll call.

The roll was called, and the motion carried by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Nichouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—Crowley, Dunn, Grunsky, and Lowrey—4.

The question being on the motion to reconsider by Mr. Beck.

Roll Call Demanded

Messrs. Beck, Lowrey, and Condon demanded a roll call.

The roll was called, and reconsideration of the vote whereby the amendments by Mr. McFall to Assembly Bill No. 41 were refused adoption, was refused by the following vote:

AYES—Beck, Berry, Brady, Burkhalter, Coats, George D Collins, Condon, Cooke, Crowley, Davis, Elliott, Hagen, Henderson, Kilpatrick, Lowrey, McFall, Meyers, Moss, Munnell, Parker, Rumford, and Shaw—22

NOES—Babbage, Belotti, Burke, Caldecott, Chapel, Clarke, Collier, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lyon, Maloney, McCollister, McGee, Morris, Porter, Rosenthal, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—48

The question being on the passage of Assembly Bill No. 41.

Consideration of Further Amendments

Motion to Amend

Mr. Hahn moved the adoption of the following amendments:

Amendment No. 1

On page 46, line 34, of the printed bill, strike out "94th Street;", and insert "Century Boulevard;".

Amendment No. 2

On page 46, line 35, of the printed bill, strike out "94th Street", and insert "Century Boulevard".

Amendment No. 3

On page 46, line 38, of the printed bill, strike out "the Atchison, Topeka and Santa", and insert "West Boulevard; thence northerly along center line of West Boulevard".

Amendment No. 4

On page 46 of the printed bill, strike out lines 39 to 52, inclusive.

Amendment No. 5

On page 47 of the printed bill, strike out lines 1 to 18, inclusive.

Amendment No. 6

On page 47, line 19, of the printed bill, strike out "same in all its various courses".

Amendments read.

Demand for Previous Question

Messrs. Kirkwood, Silliman, Babbage, Connolly, and Hahn demanded the previous question.

Roll Call Demanded

Messrs. Burke, Clarke, and Geddes demanded a roll call.

The roll was called, and the demand for the previous question sustained by the following vote:

AYES—Babbage, Belotti, Berry, Burke, Chapel, Clarke, Cloyed, Coats, Connolly, Conrad, Dickey, Erwin, Evans, Gaffney, Geddes, Grunsky, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCollister, McGee, Morris, Munnell, Niehouse, Porter, Silliman, Smith, Thomas, Tomlinson, Waters, and Mr Speaker—41.

NOES—Beck, Brady, Brown, Burkhalter, Caldecott, Collier, George D Collins, Condon, Davis, Dills, Dolwig, Doyle, Dunn, Fleury, Gubser, Hagen, Hahn, Kilpatrick, Klocksiem, Lipscomb, McCarthy, McFall, McMillan, Moss, Parker, Rumford, Shaw, Sherwin, and Stanley—29

The question being on the adoption of the amendments offered by Mr. Hahn to Assembly Bill No. 41.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Beck, Brady, Chapel, Coats, George D. Collins, Condon, Davis, Dunn, Hagen, Hahn, Henderson, Kilpatrick, Lowrey, Luckel, McCarthy, McFall, Moss, Niehouse, and Parker—19.

NOES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCollister, McGee, Munnell, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—51

Notice of Motion to Reconsider Amendments By Mr. Hahn to Assembly Bill No. 41

Mr Beck gave notice that on the next legislative day he would move to reconsider the vote whereby the amendments offered by Mr. Hahn to Assembly Bill No. 41 were this day refused adoption

Motion to Take Up Mr. Beck's Notice of Motion to Reconsider at This Time

Mr. Waters moved that the notice of motion by Mr Beck to reconsider the vote whereby the amendments offered by Mr. Hahn to Assembly Bill No. 41 were this day refused adoption be taken up, at this time.

Mr. Dickey seconded the motion.

The roll was called, and the motion carried by the following vote.

AYES—Babbage, Belotti, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCollister, McGee, Morris, Munnell, Niehouse, Porter, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—51.

NOES—Beck, Berry, Brady, Brown, Chapel, Coats, George D Collins, Condon, Davis, Dunn, Elliott, Evans, Hagen, Henderson, Kilpatrick, Lowrey, McCarthy, McFall, Moss, Parker, and Shaw—21

The question being on the motion by Mr Beck to reconsider the vote whereby the amendments offered by Mr. Hahn to Assembly Bill No 41 were refused adoption

Question of Personal Privilege

Mr. Hahn arose to a question of personal privilege.

Demand for Previous Question

Messrs Silliman, Henderson, Hagen, Kelly, and Babbage demanded the previous question

Demand for previous question sustained.

The question being on the motion by Mr. Beck to reconsider the vote whereby the amendments offered by Mr. Hahn to Assembly Bill No. 41 were refused adoption.

The roll was called, and reconsideration refused by the following vote:

AYES—Beck, Brady, Burkhalter, Chapel, Coats, George D Collins, Condon, Crowley, Davis, Dunn, Elliott, Gubser, Hagen, Hahn, Henderson, Kilpatrick, Klocksiem, Lowrey, Luckel, McCarthy, McFall, McMillan, Meyers, Moss, Niehouse, Parker, and Rumford—27

NOES—Babbage, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Collier, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lipscomb, Lyon, Maloney, McCollister, McGee, Morris, Munnell, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—49.

The question being on the passage of Assembly Bill No 41.

Motion to Recess

Mr. Elliott moved that the Assembly recess for luncheon, at this time.

Mr. Lowrey seconded the motion.

Roll Call Demanded

Messrs. Rosenthal, Munnell, and Lowrey demanded a roll call.

The roll was called, and the motion lost by the following vote:

AYES—Beck, Brady, Brown, Burkhalter, Chapel, George D. Collins, Condon, Crowley, Davis, Doyle, Elliott, Evans, Gubser, Hagen, Henderson, Kilpatrick, Lowrey, McCarthy, McFall, Moss, Munnell, Niehouse Parker, Porter, Rosenthal, Rumford, and Shaw—27

NOES—Babbage, Belotti, Berry, Burke, Caldecott, Clarke, Cloyed, Collier, Connolly, Conrad, Dickey, Dills, Dolwig, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCollister, McGee, Meyers, Morris, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—47.

The question being on the passage of Assembly Bill No. 41.

Consideration of Further Amendments

Motion to Amend

Mr. Burke moved the adoption of the following amendments:

Amendment No. 1

On page 32, line 28, of the printed bill, as amended in the Assembly on March 23, 1951, strike out "San Marino", and insert "South Pasadena".

Amendment No. 2

On page 32, line 29, of said bill, strike out "northwesterly", and insert "westerly"

Amendment No. 3

On page 32, line 45, of said bill, strike out "easterly", and insert "southerly".

Amendment No. 4

On page 32, line 48, of said bill, strike out "Los Angeles", and insert "Alhambra"

Amendments read, and refused adoption.

The question being on the passage of Assembly Bill No. 41.

Consideration of Further Amendments
Motion to Amend

Mr. Condon moved the adoption of the following amendment:

Amendment No. 1

On page 2, lines 30, 31, and 32, of the printed bill, as amended in the Assembly on March 22, 1951, strike out "South Berkeley Park Precinct and Kinsington Precincts 1 to 8, inclusive", and insert "the Eleventh Judicial Township".

Amendment read.

Point of Order

Mr. Sherwin arose to the following point of order: That Mr. Condon is making a statement, not asking a question, and is not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The question being on the adoption of the amendment offered by Mr. Condon to Assembly Bill No. 41.

Roll Call Demanded

Messrs. Condon, McFall, and Hagen demanded a roll call.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Condon moved a call of the Assembly.

Roll Call Demanded

Messrs. Beck, Lowrey, and Condon demanded a roll call.

The roll was called, and the motion for a call of the Assembly carried by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Doyle, Dunn, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Thomas, Tomlinson, and Waters—62.

NOES—Clarke, Geddes, Lyon, and Silliman—4

Time, 1.50 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Cooke, Dills, Elliott, Evans, Fleury, Lindsay, Meyers, and Rosenthal—8.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Condon asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 41

Consideration of Further Amendments
Motion to Amend

Mr. Kilpatrick moved the adoption of the following amendments:

Amendment No. 1

On page 43, line 13, of the printed bill, as amended in the Assembly on March 23, 1951, strike out "Union", and insert "Broadway".

Amendment No. 2

On page 43 of said bill, strike out lines 14 to 18, inclusive, and insert "and Ninth Street; thence southeasterly along the center".

Amendment No. 3

On page 43 of said bill, strike out lines 40 to 52, inclusive; and on page 44, strike out lines 1 and 2, inclusive, and insert "way to the center line of Santa Barbara Avenue; thence northeasterly along the center line of Broadway to the point of beginning, shall constitute the".

Amendment No. 4

On page 46 of said bill, strike out lines 1 to 15, inclusive, and insert "thence southeasterly along the center line of Eighth Street, and following the same in all its various courses to the center line of Figueroa Street; thence southwesterly along the center line of Figueroa Street to the center line of Ninth Street; thence southeasterly along the center line of Ninth Street to the center line of Broadway; thence southwesterly along the center line of Broadway to the center line of Santa Barbara Avenue; thence southerly along the center line of Broadway to the center line of".

Amendments read, and refused adoption.

Further consideration of Assembly Bill No. 41 continued by unanimous consent.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Henderson:

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1951

MR. SPEAKER. In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 117j of the Code of Civil Procedure, relating to small claims.

Respectfully submitted.

WALLACE D. HENDERSON

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Henderson:

An act to amend Section 117j of the Code of Civil Procedure, relating to small claims

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Morris, Moss, Niehouse, Parker, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—63

NOES—None

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3392: By Mr. Henderson—An act to amend Section 117j of the Code of Civil Procedure, relating to small claims.

Referred to Committee on Judiciary.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 3347 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Dunn asked for, and was granted, unanimous consent that Assembly Bill No. 3347 be withdrawn from the Committee on Education, for purpose of amendment, and be re-referred to the Committee on Education.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 522 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Brown asked for, and was granted, unanimous consent that Assembly Bill No. 522 be withdrawn from the Committee on Judiciary, and be re-referred to the Committee on Finance and Insurance.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 3181 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Brown asked for, and was granted, unanimous consent that Assembly Bill No. 3181 be withdrawn from the Committee on Judiciary, and be re-referred to the Committee on Social Welfare.

ANNOUNCEMENT

Speaker Sam L. Collins announced that the members of the Pals Club had desired the Members of the Assembly to be present at 1.30 p.m., today, at their luncheon meeting at the Hotel Senator for the purpose of viewing their "circus" program; and for the purpose of permitting their pictures to be taken by Miss Alice Thompson, representative of *Life Magazine*, and urged all members, now that said hour has passed, to be present at 5 p.m., if possible, for the taking of additional pictures.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 27, 1951

MR, SPEAKER: I am directed to inform your honorable body that the Senate on this day passed.

Assembly Bill No. 708
Assembly Bill No. 711
Assembly Bill No. 713
Assembly Bill No. 714
Assembly Bill No. 715
Assembly Bill No 717
Assembly Bill No. 719
Assembly Bill No. 722
Assembly Bill No. 726
Assembly Bill No 728
Assembly Bill No. 2165
Assembly Bill No. 2166
Assembly Bill No. 2167
Assembly Bill No. 2168
Assembly Bill No. 2170
Assembly Bill No. 2172
Assembly Bill No. 2173
Assembly Bill No. 2174
Assembly Bill No. 2176
Assembly Bill No. 2177
Assembly Bill No. 2178
Assembly Bill No 2179
Assembly Bill No. 2180

J. A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, March 27, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 2150
Assembly Bill No 2151
Assembly Bill No. 2152
Assembly Bill No. 2153
Assembly Bill No. 2154
Assembly Bill No. 2155
Assembly Bill No. 2156
Assembly Bill No. 2157
Assembly Bill No. 2159
Assembly Bill No. 2160
Assembly Bill No 2161
Assembly Bill No. 2162
Assembly Bill No. 2163
Assembly Bill No. 2164

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 60
Assembly Bill No. 437
Assembly Bill No. 438
Assembly Bill No. 485
Assembly Bill No 537
Assembly Bill No. 560
Assembly Bill No. 574
Assembly Bill No. 1618
Assembly Bill No. 1619
Assembly Bill No. 1620
Assembly Bill No 3032

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON AMENDMENT OFFERED BY MR. CONDON TO ASSEMBLY BILL NO. 41

At 2.02 p.m., on motion of Mr. Condon, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the amendment offered by Mr. Condon to Assembly Bill No. 41 refused adoption by the following vote:

AYES—Beck, Berry, Brady, Brown, Burkhalter, Chapel, Cloyed, Coats, George D. Collins, Condon, Crowley, Davis, Dunn, Elliott, Gaffney, Hagen, Henderson, Kilpatrick, Lowrey, Luckel, Maloney, McCarthy, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Rumford, Shaw, and Thomas—32.

NOES—Babbage, Belotti, Burke, Caldecott, Clarke, Collier, Connolly, Conrad, Dickey, Dolwig, Doyle, Erwin, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lyon, McCollister, McGee, Morris, Porter, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—40

The question being on the passage of Assembly Bill No. 41.

Demand for Previous Question

Messrs. Evans, Burke, Luckel, Smith, and Stanley demanded the previous question

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 41.

Point of Order

Mr. McCarthy arose to the following point of order: That Mr. Waters has exceeded his time.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Motion That Mr. Waters Be Given 10 Minutes Additional Time for Closing Remarks

Mr. Silliman moved that Mr Waters be given 10 minutes additional time for his closing remarks on Assembly Bill No. 41.

Mr. Lowrey seconded the motion.

Motion carried.

The question being on the passage of Assembly Bill No. 41.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Collier, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCollister, Meyers, Morris, Munnell, Niehouse, Porter, Rosenthal, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—54.

NOES—Beck, Burkhalter, Coats, George D Collins, Condon, Crowley, Davis, Dunn, Elliott, Hagen, Henderson, Kilpatrick, Lowrey, McCarthy, McFall, McGee, Moss, Parker, Rumford, and Shaw—20

Bill ordered transmitted to the Senate

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1951

MR. SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 183	Assembly Bill No. 1012
Assembly Bill No 269	Assembly Bill No. 1814
Assembly Bill No. 484	Assembly Bill No 3373
Assembly Bill No. 735	

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ANNOUNCEMENT

Mr. Beck announced a Democratic luncheon at the Hotel Sacramento, upon adjournment.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills Nos. 183 and 735 re-referred to the Committee on Municipal and County Government.

Assembly Bills Nos 1814 and 484 re-referred to the Committee on Revenue and Taxation.

Assembly Bill No 3373 re-referred to the Committee on Ways and Means.

Assembly Bill No 1012 re-referred to the Committee on Transportation and Commerce.

Assembly Bill No. 269 re-referred to the Committee on Industrial Relations.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 27, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 718
Assembly Bill No. 720
Assembly Bill No. 727

And respectfully requests your honorable body to concur in said amendments

J. A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3347

Mr. Dunn asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3347, previously withdrawn from committee, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3347 (BY UNANIMOUS CONSENT)

Assembly Bill No. 3347—An act to amend Section 18004 of the Education Code, relating to improvement of public streets and places by school boards, the construction of sewers, water pipes, pedestrian walks and tunnels, the acquisition of easements and rights of way for such purposes and appropriating money for such purposes, declaring the urgency of this act and providing that it shall take effect immediately.

Bill read second time.

Motion to Amend

Mr. Dunn moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert ", and to add Section 18004.1 to,".

Amendment No. 2

On page 1, line 6, of said bill, strike out "such school district," and insert "it, and also".

Amendment No. 3

On page 1, line 7, of said bill, after the comma, insert "pedestrian tunnels,".

Amendment No. 4

On page 1, line 9, of said bill, strike out "may construct pedestrian walks and tunnels when re-".

Amendment No. 5

On page 1 of said bill, strike out lines 10 and 11.

Amendment No. 6

On page 1, line 12, of said bill, strike out "purposes mentioned in this section,".

Amendment No. 7

On page 1, lines 13 and 14, of said bill, strike out "to acquire such easements and rights of way and".

Amendment No. 8

On page 1 of said bill, between lines 19 and 20, insert

"SEC. 2. Section 18004.1 is added to said code, to read

18004.1. Any provision to the contrary notwithstanding, the governing board of any school district, other than a city school district, may construct pedestrian walks, foot bridges, and pedestrian tunnels when required for the safety of pupils attending the schools of the district, may acquire easements and rights of way for such purposes, and may appropriate money to acquire such easements and rights of way and to pay the cost and expense of the improvements, whether made by the board under contract executed by the board, or under contracts made in pursuance of any of the general laws of the State respecting street improvements, or under other contracts made in pursuance of the charter of any county or municipality."

Amendment No. 9

On page 1, line 20, of said bill, strike out "SEC. 2" and insert "SEC. 3"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 27, 1951

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 60
Senate Bill No. 93
Senate Bill No. 242
Senate Bill No. 243
Senate Bill No. 312
Senate Bill No 371
Senate Bill No. 413
Senate Bill No 453
Senate Bill No. 626
Senate Bill No 817
Senate Bill No 971
Senate Bill No. 1424
Senate Bill No. 1602

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 60—An act to add Section 3102.5 to the Government Code, relating to an oath or affirmation of allegiance for civil defense workers and public employees.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 93—An act to amend Sections 102, 103, 146, 170, 188, 215, 254, 260, 262, 320, 321, 340, 394, 450, 451, 452, 457, 459, 461, 463, 464, 465, 550, 644, 644.1, 647, 648 and to add Section 213 of the Military and Veterans Code, relating to the call of the militia to active service, federal service, the reduction of noncommissioned officers, the discharge of personnel, pay and allowances, disability benefits, courts-martial jurisdiction and procedure, disciplinary action and punishment,

the admission to bail, Uniform Code of Military Justice, courts-martial process, confinement of minors, competitive exercises, discrimination against members of the National Guard, service awards, correction of orders and directives, emergency purchases and services, membership in the California Defense and Security Corps, reversion to state control, leasing of land for military purposes.

Referred to Committee on Military Affairs.

Senate Bill No. 242—An act to add Section 12108 to, and to amend Section 12501 of, the Business and Professions Code, relating to sealers and weighing or measuring instruments.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 243—An act to amend Section 20849 of the Business and Professions Code, relating to deliveries of motor vehicle fuels and lubricants.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

Senate Bill No. 312—An act to amend Sections 5312, 5324, and 5325 of the Business and Professions Code, relating to outdoor advertising.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 371—An act to amend Section 4941.2 of the Education Code, relating to elections in unified school districts.

Referred to Committee on Education.

Senate Bill No. 413—An act to add Section 18236 to the Education Code, relating to personal liability of officers and employees of school districts.

Referred to Committee on Education.

Senate Bill No. 453—An act to amend Section 4911.1 of the Education Code, relating to the reorganization of school districts.

Referred to Committee on Education.

Senate Bill No. 626—An act authorizing suits against the State of California to quiet title against it to real property entitled to be purchased under the provisions of an act entitled "An act to survey and dispose of certain salt marsh and tidelands belonging to the State of California," approved March 30, 1868, or any of the acts supplementary thereto and amendatory thereof, and regulating the procedure therein.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 817—An act to add Section 4793.1 to the Health and Safety Code, relating to the proceeds of the sale of bonds of a county sanitation district.

Referred to Committee on Municipal and County Government.

Senate Bill No. 971—An act to amend Section 1001 of the Business and Professions Code, relating to the Chiropractic Directory.

Referred to Committee on Public Health.

Senate Bill No. 1424—An act to add Section 13802.1 to the Education Code, relating to the salaries of persons employed by school districts in positions requiring certification qualifications.

Referred to Committee on Education.

Senate Bill No. 1602—An act to amend Section 2008 of the Business and Professions Code, relating to professional rights, privileges or powers.

Referred to Committee on Public Health.

MOTION TO SET SPECIAL ORDER

Mr. Waters moved that Assembly Bill No. 42 be made a special order of business for Wednesday, March 28, 1951, at 10.30 a.m.

Motion carried.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 3.30 p.m —

Public Health, in Room 426.

At 4 p.m.—

Social Welfare, in Room 430.

Agriculture, in Room 432.

Elections and Reapportionment, in Room 430.

At 8 p.m.—

Fish and Game, in Room 426.

Judiciary, in Room 435.

Tomorrow, Wednesday, March 28th, at 9.30 a.m.—

Rules, in Room 320.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Speaker Sam L. Collins, the usual courtesies of the Assembly for this day were unanimously extended to former Assemblymen Ray Blosser of San Francisco, Judge F. Ray Bennett of Los Angeles, and Judge Lathrop Smith of Alhambra.

On request of Mr. Lanterman, the usual courtesies of the Assembly for this day were unanimously extended to Judge Joseph Sprankle of Pasadena.

On request of Mr. Connolly and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Raymond Blosser, Mr. and Mrs. Herbert Hanley, Mrs. Gerry Beyer, Dorothy Wood, and Barry Beyer, of San Francisco.

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to C. O. Blose, Coordinator; and Phillip Silberman, teacher; Mrs. Phillip Silberman, guest; and the

following pupils of Ashland School, San Lorenzo School District: Bob Armknecht, Rick Alecia, John Alvarez, Gail Barry, James Ballis, Dale Bitney, Bob Boga, Belva Boyd, Juda Catera, Penny Cody, Francis Diaz, John Kammerer, Tom Kammerer, Barbara King, Jim Lay, Pat Larson, Diana Luebker, Darlene Neal, Dick Peterson, Letha Raymond, Sylvia Relva, George Madix, Gail Rogers, Margy Rodriguez, Margy Schmidt, Pauline Hull, John Smith, Mel Schilling, Jerry Wright, Janet Wells, Claudia White, Arthur Van Amber, Dorothy Porter, and Deny Bauer.

On request of Mr. Belotti, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Jack C. Bennett of Crescent City.

On request of Mr. Porter, the usual courtesies of the Assembly for this day were unanimously extended to Jim Kosababian of Artesia and Leonard C. Erickson of Compton.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to Joseph DiGardi of Martinez.

On request of Mr. Rumford, the usual courtesies of the Assembly for this day were unanimously extended to Milton I. Griese, Senior Advisor, and the following pupils of the Emery High School of Emeryville: Wanda L. Beare, Patricia Louise McInerny, Laura Grace McKenzie, Harold Miller, Edith Marie Mitchell, Larry Maxwell, Loretta Freda Norton, Rose Marie Sposeto, Paul Charles Sucatre, Vendetta Torix, Alice Wong, Georgie Wong, Bobby June Yates, Carlos Maia, Franklin Deleno Dill, Ralph W. Dixon, Phyllis Marie Galvez, Wanda Joan Graham, Darl Edward Hoffman, Susanna Victoria Ramirez, Eleanor Diana Rossi, Dina Inez Schiavon, Edward E. Altamirano, and Charles D. Cobb.

On request of Speaker Sam L. Collins and Mr. Maloney, the usual courtesies of the Assembly for this day were unanimously extended to Judge Anthony P. Savarese of New York.

On request of Mr. Maloney and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Edward Gaffney and Miss May Gaffney of San Francisco and Mrs. William H. Woolsey of New York.

On request of Mr. Burke, the usual courtesies of the Assembly for this day were unanimously extended to Judge Lathrop Smith, former Assemblyman of Alhambra.

On request of Speaker Sam L. Collins, the usual courtesies of the Assembly for this day were unanimously extended to Moisés Missrie C. of Mexico City.

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to G. E. Oaks of Redding and W. A. Barr of Mt. Shasta.

On request of Messrs. Davis and Tomlinson, the usual courtesies of the Assembly for this day were unanimously extended to Jess Chambers of Santa Maria.

ADJOURNMENT

At 2 58 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Wednesday, March 28, 1951.

SAM L COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

TWENTY-FIFTH LEGISLATIVE DAY

THIRTY-THIRD CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, March 28, 1951

The Assembly met at 10 a.m.

Hon. Sam. L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—75

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence A. Kircher:

Now unto the blessed and only Potentate, the King of kings, and Lord of Lords; Who only hath immortality, dwelling in the light, grant wisdom and understanding, patience and forgiveness, courage and strength for the responsibilities which lie before us. Our prayer is for those who direct the destinies of our beloved Nation and for those who serve in the Armed Forces. As we perform our daily tasks, give us grace to ask what Thou wouldst have us do. Enrich us with the spirit of wisdom that we may be saved from false choices, that in Thy light our paths may be straight, and we need never stumble.

"Lord of the world, illumine
This darkened land of Thine,
Till everything that's human
Be filled with What's divine;
Till every tongue and nation,
From sin's dominion free,
Rise in the new creation
Which springs from love and Thee"

—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Collier, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Butters, on motion of Mr. Lowrey.

Mr Stewart, on motion of Mr. Lowrey.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Sherwin, on motion of Mr. Caldecott

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 743

Mr. McFall asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 743, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 743

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Senate Bill No. 743:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, March 22, 1951

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

Senate Bill No. 743, "An act to add Section 762.95 to the Agricultural Code, relating to inspection of canning tomatoes, making an appropriation for the purchase of color-meters for that purpose and providing for the return of the money so appropriated, declaring the urgency thereof, to take effect immediately," in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill

Approval of this measure at this time is necessary because the devices mentioned may not be available much longer and should be contracted for as soon as possible if they are to be available for use during the 1951 season.

I therefore recommend consideration of Senate Bill No. 743 as an emergency measure.

Respectfully submitted,

EARL WARREN, Governor

Senate Bill No. 743—An act to add Section 762.95 to the Agricultural Code, relating to inspection of canning tomatoes, making an appropriation for the purchase of color-meters for that purpose and providing for the return to the State Treasury of the money so appropriated, declaring the urgency thereof, to take effect immediately

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Cooke, Crowley, Dickey, Dills, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—60

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Cooke, Crowley, Dickey, Dills, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3347

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 1314

And reports the same correctly engrossed

BURKE, Chairman

Above reported bill ordered to third reading.

ANNOUNCEMENT

Mr. Lowrey announced that Mr. Crip Twomey, Director and Manager of the Pacific Coast Inter-Collegiate Boxing Tournament, will make tickets available for the convenience of Members for matches to be held on Thursday, Friday, and Saturday nights, if those desiring to attend will contact him, from now, until 5 p.m. Thursday afternoon, at the Hotel Senator.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 73 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. McCollister asked for, and was granted, unanimous consent that Assembly Bill No. 73 be withdrawn from the Committee on Military Affairs, and be re-referred to the Committee on Judiciary.

REQUEST FOR UNANIMOUS CONSENT THAT OPINIONS OF LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Mr. Geddes asked for, and was granted, unanimous consent that two opinions of the Legislative Counsel, relative to unemployment insurance, be ordered printed in the Journal in 10 point type, as follows:

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, March 26, 1951

Honorable Harold K. Levering
Assembly Chamber

UNEMPLOYMENT INSURANCE—No. 6246

DEAR MR. LEVERING: You have requested our opinion as to the constitutionality of Section 310 of the Unemployment Insurance Act, which section would be added to said act by Assembly Bill No. 3376.

We have examined the proposed Section 310 and have found that it is substantially identical to the Section 310 which was proposed to be added by Senate Bill No. 377 of the 1949 Regular Session.

On June 21, 1949, we rendered an opinion to you on the question of the constitutionality of Section 310 as proposed to be added by Senate Bill No. 377, in which we expressed our opinion that the section was unconstitutional. Inasmuch as the two sections are substantially identical, the conclusions reached in that opinion apply likewise as to the constitutionality of Section 310 as proposed to be added by Assembly Bill No. 3376 of this session.

A copy of the aforementioned opinion is attached to this letter.

Very truly yours

RALPH N. KLEPS
Legislative Counsel
By RAY H. WHITAKER, Deputy

Two copies to
Honorable Ernest R. Geddes
pursuant to Joint Rule 34.

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, June 21, 1949

Honorable Harold K. Levering
Assembly Chamber

UNEMPLOYMENT INSURANCE No. 7879

DEAR MR. LEVERING: Under Section 309 of the Unemployment Insurance Act an "extended liability account" is established, to be charged with all disability benefit payments made on or after January 1, 1948, in respect to uninterrupted periods of disability which commenced after the termination of employment. If, at the end of any year, there is a deficit in this account, an assessment (based on a certain ratio) is levied on employers with employees covered under a voluntary plan, and the

account is credited with an amount equal to a certain ratio of wages of employees not covered under an approved voluntary plan.

Senate Bill 377 adds Section 310 to the act to provide, in effect, that a separate account shall be kept for each insurance company insuring approved voluntary plans, crediting the account with the amount of premium tax it has paid under Section 14¼ of Article XIII of the California Constitution, and charging the account with the amount of the insurer's extended liability assessment under Section 309 of the act; and to the extent that there is a credit balance in the account the assessment shall be deemed collected. In other words, insurance companies are given a credit for the amount of premium tax paid.

You have asked us to discuss the following two constitutional problems:

(1) Since the credit applies only to private insurance companies and not to self-insurers, does proposed Section 310 improperly discriminate against the latter?

(2) Does proposed Section 310 create an additional "in lieu tax exception" not presently recognized by Section 14¼ of Article XIII, and, if so, can this be done without a constitutional amendment?

In answer to your first question, it is our opinion that the proposed Section 310 would be held to be unreasonably discriminatory and therefore unconstitutional. In answer to your second question, it is our opinion that the section would not create an additional "in lieu tax exception."

In considering the effect of the proposed Section 310, the fundamental question which arises is whether the extended liability assessment imposed by Section 309 of the act, and which is paid by the insurance company in the case of insured voluntary plans, is a tax upon the insurance company.

If it were decided that it is a tax upon the insurance company, then it would be prohibited by Article XIII, Section 14¼ of the California Constitution, which imposes a premium tax which is to be in lieu of all other taxes with certain enumerated exceptions. If this were the case the proposed section would create an additional "in lieu tax exception," since if there is not a credit balance in the account of an insurance company it must pay the assessment. Thus, an amendment to Article XIII, Section 14¼ would be necessary to make this additional "in lieu tax exception."

Again, if this assessment were considered a tax on the insurance company, there would be no unreasonable discrimination in allowing a credit to the insurance company and not to a self-insurer, since the latter does not pay the premium tax levied under Article XIII, Section 14¼

It is our opinion, however, that the extended liability assessment imposed by Section 309 of the act is not a tax upon the insurance company, but in reality is an assessment of a special nature levied against employers with employees covered under an approved voluntary plan of disability insurance to help maintain a sufficient balance in an account created to protect employees who become disabled while unemployed and thus whose disability payments can be charged to no one employer

That the insurance companies pay these assessments is, in our opinion, merely an incident of the coverage extended to employers under

their policies and would normally be reflected in an adjustment of premium rates. The employer would still seem to remain the person primarily liable for payment of such assessments

Thus, under such a view of the nature of the assessment, it is not a tax upon the insurance company and therefore no problem arises in connection with Article XIII, Section 14¾.

However, once it is determined that it is not a tax upon the insurance company, any logical basis for its exemption from paying the assessment, while a self-insurer is not exempted, disappears. If the assessment is not a tax, but merely a special type of assessment levied upon all employers with a voluntary plan, or upon insurance companies if the plan is insured, to provide their share in maintaining this special account for the benefit of employees, then the fact that insurance companies pay a tax on disability insurance premiums would not provide a reasonable basis for their exemption. No provision is made for transferring any portion of premium tax proceeds to this special account, so that it could be said that the companies have already contributed their share to this account. It would appear to be just as logical to say that because a self-insurer pays a high income tax on his profits he should be exempted from contributing to this account.

It is our opinion, therefore, that the courts would hold that there is no logical or reasonable basis for the exemption, and that there is therefore an unreasonable discrimination against self-insurers, in violation of Article I, Section 11, Article I, Section 21, and that it constitutes a local or special law in violation of Article IV Section 25(10) of the California Constitution

In summary, then, it is our opinion that the extended liability assessment is not a tax upon insurance companies and therefore no problem arises under Article XIII, Section 14¾, but that the credit allowed by proposed Section 310 is discriminatory against self-insurers.

Very truly yours

FRED B. WOOD
Legislative Counsel
By RAY H. WHITAKER, Deputy

Copy to author of S B 377 pursuant to Joint Rule 34.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILLS NOS. 895 AND 896 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Burkhalter asked for, and was granted, unanimous consent that Assembly Bills Nos. 895 and 896 be withdrawn from the Committee on Agriculture, and be re-referred to the Committee on Public Health.

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 968

Has had the same under consideration, and reports the same back with the recommendation: Do pass

CLARKE, Chairman

Above reported bill ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT THAT REPORTS BE READ

Mr. McCollister asked for, and was granted, unanimous consent that standing committee reports be read, and appropriate action taken, as follows:

REPORTS OF STANDING COMMITTEES

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1951

MR SPEAKER: Your Committee on Military Affairs, to which was referred Senate Bill No 93

Has had the same under consideration, and reports the same back with the recommendation: Do pass

McCOLLISTER, Chairman

Above reported bill ordered to second reading

Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1951

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which were referred:

Assembly Bill No. 135	Assembly Bill No 152
Assembly Bill No. 137	Assembly Bill No. 153
Assembly Bill No 139	Assembly Bill No 156
Assembly Bill No 144	Assembly Bill No 157
Assembly Bill No 146	Assembly Bill No. 164
Assembly Bill No 148	Assembly Bill No. 184
Assembly Bill No 149	Assembly Bill No 186
Assembly Bill No 150	Assembly Bill No. 802
Assembly Bill No. 151	

Has had the same under consideration, and reports the same back with the recommendation Do pass.

WATERS, Chairman

Above reported bills ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1951

MR SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No 855	Assembly Bill No 1982
Assembly Bill No 1756	Assembly Bill No. 2705

Has had the same under consideration, and reports the same back with the recommendation Do pass.

BROWN, Chairman

Above reported bills ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1951

MR SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No 853

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and be re-referred to Committee on Ways and Means.

BROWN, Chairman

Above reported bill ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1951

MR. SPEAKER Your Committee on Judiciary, to which was referred:

Assembly Bill No. 1683

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1951

MR SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No 856
Assembly Bill No 2724

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

BROWN, Chairman

Above reported bills ordered to second reading.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1951

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 502
Assembly Bill No 586
Assembly Bill No. 2128
Assembly Bill No. 2482
Assembly Bill No. 2530

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CLARKE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No 2810

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bill ordered to second reading.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 1028
Assembly Bill No 2623

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass, as amended.

ERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 925

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

ERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No 718
Assembly Bill No 2050
Assembly Bill No. 2206
Assembly Bill No 2733
Assembly Bill No. 2734

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ERWIN, Chairman

Above reported bills ordered to second reading.

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which were referred:

Assembly Bill No. 443
Assembly Bill No. 2196

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

NIEHOUSE, Chairman

Above reported bills ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Assembly Bill No. 453

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and be re-referred to Committee on Ways and Means.

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which were referred:

Assembly Bill No. 445
Assembly Bill No. 2796

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

NIEHOUSE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Assembly Bill No. 1500

Has had the same under consideration, and reports the same back with the recommendation: Do pass

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 771—An act to amend Section 688 of the Code of Civil Procedure, relating to supplementary proceedings.

Bill read second time, and ordered engrossed.

Assembly Bill No. 768—An act to amend Section 6103 of the Government Code, relating to fees for official services.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1833—An act to amend Section 1272a of the Code of Civil Procedure, relating to the procedure for the recovery of property in the possession of the State, to which claimants are entitled.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2280—An act to amend Section 28140 of the Government Code, relating to the compensation of officers, jurors and witnesses in counties of the fortieth class.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3378—An act to amend Section 1170 of the Probate Code, relating to real property affected by the death of any person, providing for filing of a petition with respect thereto.

Bill read second time, and ordered engrossed.

Assembly Bill No. 389—An act to amend Section 51 of the Public Utilities Act and Section 851 of the Public Utilities Code, relating to public utilities.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2790—An act to add Section 6a to the Alcoholic Beverage Control Act, relating to sale of beer to instrumentalities of the Armed Forces of the United States maintained on U. S. Government Military or Naval Reservations.

Bill read second time.

Motion to Amend

Mr. McCollister moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "or", and insert "of".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 34—An act to add Section 9612 to the Government Code, relating to the interpretation of statutes referring to military service and specified branches thereof.

Bill read second time, and ordered engrossed.

Assembly Bill No. 63—An act to add Section 105 to the Military and Veterans Code, relating to exemptions to instrumentalities of the Armed Forces of the United States, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 346—An act to amend Section 1431 of the Probate Code, relating to compromise of disputed claims of minors.

Bill read second time, and ordered engrossed.

Assembly Bill No. 913—An act to amend Section 11792 of the Insurance Code, relating to the Revolving Fund of the State Compensation Insurance Fund.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1609—An act to amend Section 25100 of the Corporations Code, relating to securities exempt from the application of the Corporate Securities Law, and providing for the exemption of securities the issuance of which has been authorized by the Federal Power Commission.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1918—An act to amend the Building and Loan Association Act by amending Section 6.01 thereof, relating to withdrawals.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2388—An act to add Article 4.5 to Chapter 5, Division 1 of the Financial Code, relating to banks having no capital stock and prescribing a procedure for the issuance of such stock and the determination of the interests in the stock, and to repeal Sections 29 and 29a of the Bank Act (Chapter 76 of the Statutes of 1909).

Bill read second time, and ordered engrossed.

Assembly Bill No. 627—An act to amend Section 3107 of the Government Code, relating to an oath or affirmation of allegiance for civil defense workers and public employees, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 3102, 3104 and".

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 3102 of the Government Code is amended to read:

3102. Subject to the provisions of Section 3 of Article XX of the Constitution, all civil defense workers shall within the *five days prior to their employment or within the* first 30 days of employment take and subscribe to the oath or affirmation required by this chapter. *In the case of intermittent, temporary, emergency or successive employments, then in the discretion of the employing agency, an oath taken and subscribed as required by this chapter shall be effective for the purposes of this chapter for all successive periods of employment which commence within one calendar year from the date of such subscription.*

SEC. 2. Section 3104 of said code is amended to read:

3104. The oath or affirmation may be taken before any officer authorized to administer oaths *; provided, that the oath or affirmation of any civil defense worker of the State may be taken before his appointing power or before any person authorized in writing by his appointing power. Such authorization shall be filed with the State Personnel Board, and any person so authorized by his appointing power may administer the oath required by this chapter*

No fee shall be charged by any person before whom the oath or affirmation is taken and subscribed.

SEC. 3. Section 3107 of the Government Code is".

Amendment No. 3

On page 1, line 17, of said bill, strike out "SEC. 2", and insert "SEC. 4".

Amendment No. 4

On page 2, line 3, of said bill, after "facilitate", insert "State and".

Amendment No. 5

On page 2, line 4, of said bill, after "requirements", insert "and the efficient functioning of State and local governments it is essential that provision be made for quickly administering the oath or affirmation required by this chapter under emergency conditions or in remote or isolated areas of the State, and".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1818—An act to revise and consolidate the law relating to the receipt, custody, investment, management, disposal, and escheat of various classes of unclaimed property to the possession of which the State is, or may become entitled, by repealing Titles 8 and 8A of Part 3 of the Code of Civil Procedure, Sections 3163, 3164, 3165, 3166, and 3167 of the Banking Code, Sections 3163, 3164, 3165, 3166, and 3167 of the Financial Code, and an act entitled "An act providing for the dissolution and winding up of savings banks, trust companies and banks of deposit, and providing for the disposition of all funds deposited therein and not claimed within five years after such banks have ceased to do business, or after the commencement of proceedings to dissolve," approved March 31, 1891, (Chapter 190, Statutes of 1891), amending and renumbering Section 3168 of the Banking Code, Section 3168 of the Financial Code, and the headings of Titles 9 and 10 of Part 3 of the Code of Civil Procedure, amending Section 13470 of the Government Code, Sections 870, 3121, 3150, and 3162 of the Banking Code, Sections 870, 3121, 3150, 3162, and 9073 of the Financial Code, Section 13.16c of the Building and Loan Association Act, Sections 231, 739, 1064, and 1148 of the Probate Code, Section 5061 of the Penal Code, and Sections 166 and 1015 of the Welfare and Institutions Code, and adding Title 10 to Part 3 of the Code of Civil Procedure, Sections 5062, 5063, 5064, 5065, and 5066 to the Penal Code, and Sections 166.1, 166.2, 166.3, 166.4, 166.5, 1016, 1017, 1018, 1019, and 1020 to the Welfare and Institutions Code, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 9, line 5, of the printed bill, strike out "verified," and insert "verified by a person who is familiar with the facts alleged therein;".

Amendment No. 2

On page 9, line 32, of said bill, strike out the comma.

Amendment No. 3

On page 9, line 35, of said bill, strike out "claim, or are"; and strike out lines 36 to 46, inclusive, and insert "claim. Where only creditors exist, and there are no heirs or legatees, said claims shall be allowed only to the extent necessary to pay such claims and the reasonable costs of administration of the estate, including court costs, administrator's fees and attorney's fees. This section shall apply to all claims which are pending at the time that this section goes into effect as well as to claims arising hereafter."

Amendment No. 4

On page 10 of said bill, strike out lines 4 to 8, inclusive, and insert
"Said petition shall be verified by a person who is familiar with the facts alleged therein; and,".

Amendment No. 5

On page 10 of said bill, after line 42, insert
"The nationality of each of the heirs of the decedent.
The street address of each of the heirs of the decedent."

Amendment No. 6

On page 11, line 12, of said bill, after the period, insert "No disabilities other than those mentioned in this section shall extend the time within which such petitions may be filed."

Amendment No. 7

On page 14 of said bill, strike out lines 42 to 46, inclusive, and insert "tion."

Amendment No. 8

On page 20, line 34, of said bill, after the period, insert "No disabilities other than those mentioned in this section shall extend the time within which such petitions may be filed."

Amendment No. 9

On page 20, line 42, of said bill, strike out "739, 1027, or 1144", and insert "231, 739, 1027, 1144, or 1148".

Amendment No. 10

On page 37, line 35, of said bill, after "Code", insert a closing apostrophe.

Amendment No. 11

On page 53, line 40, of said bill, after "by", insert "the"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 1831—An act to amend Section 739 of the Probate Code, relating to the disposition of claims against estates of deceased persons which are unpaid because the claimant cannot be found.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 1

On page 2 of the printed bill, after line 5, insert

"SEC. 2. Section 739 of the Probate Code is amended to read:

739. When the money so deposited is not claimed within five years, *the county treasurer shall make an affidavit so showing, and* the court or judge [, upon such showing by the affidavit of the county treasurer,] must direct the same to be deposited in the State Treasury for the benefit of such claimant or his legal representative [, to be paid to him whenever, within five years after such deposit, proof to the satisfaction of the State Controller and State Treasurer is produced that he is entitled thereto. When so claimed, a transcript of the evidence and the joint order of the controller and treasurer must be filed by the treasurer as his voucher, and the amount of the claim paid to the claimant or his legal representative, on filing the proper receipt].

If for any reason such money remains unclaimed in the county treasury for 10 years after the date of deposit in the county treasury it is presumed to be abandoned property, and the county treasurer must immediately deliver such money to the State Treasurer for deposit in the State Treasury for the benefit of such claimant or his legal representative, subject to the provisions of Title 10 of Part 3 of the Code of Civil Procedure.

SEC. 3. Section 2 of this act becomes operative only if a new Title 10 is added to Part 3 of the Code of Civil Procedure by enactment of the Legislature at its 1951 Regular Session; and in such case, at the same time as said new Title 10 takes effect; at which time Section 1 of this act is repealed."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1832—An act to amend Section 1274.10a of the Code of Civil Procedure, relating to abandoned property or escheated property.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 9, of the printed bill, strike out the comma, and insert "or other property".

Amendment No. 2

On page 1, line 12, of said bill, strike out "claim,"; and strike out lines 13 to 25, inclusive, and insert "claim. Where only creditors exist, and there are no heirs or legatees, said claims shall be allowed only to the extent necessary to pay such claims and the reasonable costs of administration of the estate, including court costs, administrator's fees and attorney's fees. This section shall apply to all claims which are pending at the time that this section goes into effect as well as to claims arising hereafter."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1834—An act to amend Section 1027 of the Probate Code, relating to the distribution of estates and notice to the State Controller.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, after line 28, insert

"If objection is made to the petition distributing the estate to the State of California, the matter shall be continued for 30 days and notice of such objection, together with notice of time and place of the hearing of objections to the petition for distribution, shall be given forthwith to the State Controller by the person or persons objecting."

Amendment No. 2

On page 2 of the printed bill, after line 30, insert

"SEC. 2. Section 1027 of the Probate Code is amended to read:

1027. Executors or administrators, public or otherwise, must apply for distribution of an estate at the time of filing a final account. Notice of such application must be given in the manner provided in Section 1200 of the Probate Code. If the court, at the time set for the hearing of the final account, or such time thereafter to which the matter may be continued, does not distribute the entire balance of the estate remaining for distribution to known heirs, devisees or legatees entitled to succeed thereto, it must distribute to the State of California that portion of such estate not distributed to such known heirs, devisees or legatees

Whenever it appears that the estate or any portion thereof is to be distributed to the State of California because there are no known heirs or that the estate or any portion thereof is to be distributed to heirs, devisees or legatees whose whereabouts are unknown, the executor or administrator must *serve* the State Controller, personally or by mail, *with a copy of the petition for distribution, together with notice of the hearing thereon, specifying the date of such hearing, and a copy of the latest account filed with the court, at least 30 days prior to the date of such hearing. A copy of any petition amending, modifying, or in objection to said petition for distribution must be served in like manner upon the State Controller, together with notice of the hearing thereon, at least 30 days prior to the date of such hearing.*

If objection is made to the petition distributing the estate to the State of California, the matter shall be continued for 30 days and notice of such objection, together with notice of time and place of the hearing of objections to the petition for distribution, shall be given forthwith to the State Controller by the person or persons objecting.

If the court distributes the estate or any portion thereof to the State of California, and the distributing clause contains words otherwise creating a trust in favor of certain unknown or unidentified persons as a class, such distribution shall vest in the State of California both legal and equitable title to the property so distributed; saving, however, the right of claimants to appear and claim the estate or any portion thereof, as in this section provided.

Upon the rendition of a decree of distribution, any money distributed to the State of California and not held on deposit in a county treasury at the time the distribution is made by the court shall forthwith be delivered to the State Treasurer by the executor or administrator, and all other personal property so distributed shall forthwith be delivered to the State Controller for deposit in the State Treasury.

A certified copy of the decree of distribution and of any court orders amending the same must be delivered to the State Controller by the executor or administrator at the time of making any remittance in connection with an estate.

No deposit of property in an estate shall be made in the county treasury by any executor or administrator, public or otherwise, if the estate has previously been distributed to the State of California pursuant to this section, but such estate shall be transmitted forthwith to the State Treasurer or State Controller as provided in this section.

If the money or other personal property belonging to an estate has been deposited in the county treasury prior to the date of distribution to the State of California, upon the rendition of the decree of distribution, any money so distributed shall forthwith be delivered to the State Treasurer by the county treasurer, and all other personal property so distributed shall forthwith be delivered to the State Controller for deposit in the State Treasury. A certified copy of the decree of distribution and of any court orders amending the same, shall be delivered to the State Controller by the county treasurer at the time of making any remittance in connection with an estate as provided in this section

The property so distributed shall be held by the State Treasurer for a period of five years from the date of the decree making such distribution, within which time any person may claim the estate or any part thereof *in the manner provided by Title 10 of Part 3 of the Code of Civil Procedure* Rights of nonresident aliens shall be governed by the provisions of Section 1026 of this code

Any person who does not appear and claim, as herein required, shall be forever barred, and such property, or so much thereof as is not claimed, shall vest absolutely in the State

SEC. 3. Section 2 of this act becomes operative only if a new Title 10 is added to Part 3 of the Code of Civil Procedure by enactment of the Legislature at its 1951 Regular Session, and in such case at the same time as said new Title 10 takes effect; at which time Section 1 of this act is repealed."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1835—An act to amend Section 5061 of, and to add Sections 5062, 5063, 5064, 5065, and 5066 to, the Penal Code; to amend Sections 166 and 1015 of, and to add Sections 166.1, 166.2, 166.3, 166.4, 166.5, 1016, 1017, 1018, 1019, and 1020 to, the Welfare and Institutions Code, relating to the disposition of unclaimed property of deceased, discharged, escaped or paroled prisoners and inmates of state institutions subject to the jurisdiction of the Director of Corrections, Department of Mental Hygiene, and Youth Authority.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "such institution"

Amendment No. 2

On page 5, line 7, of said bill, strike out the first "of", and insert "if".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1852—An act to amend Section 585 of, and to add Section 585.5 to, the Vehicle Code, relating to authority of officers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, line 14, of the printed bill, after "vehicle", strike out "is left unattended or".

Amendment No. 2

On page 2, line 23, of the printed bill, after "placed", insert "at least 24 hours prior to the removal".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2213—An act to add Section 1012 to the Public Utilities Act, relating to the location or routes of street railroads and public utility lines outside the boundaries of any city or city and county.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

Strike out line 1 of the title of the printed bill, and insert

"An act to add Section 50½ to the Public Utilities Act, and to add Section 1001.5 to the Public Utilities Code, relating".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 12, inclusive, and insert

"SECTION 1. Section 50½ is added to the Public Utilities Act, to read:

Sec. 50½. Upon application of a public utility, operating under or about to operate under any certificate issued under this act, to the commission for approval of the route of any street railroad or public utility line or lines proposed to be constructed outside the boundaries of any city or city and county, the commission shall have power to approve such application and fix the route of the line or lines covered by such application, and such power shall be exclusive, except that nothing herein, nor any action of the commission hereunder, shall affect nor in any way detract from the powers and jurisdiction of the authority in charge of any highway with reference to the location of facilities therein.

SEC. 2. Section 1001.5 is added to the Public Utilities Code, to read:

1001.5. Upon application of a public utility, operating under or about to operate under any certificate issued under this article, to the commission for approval of the route of any street railroad or public utility line or lines proposed to be constructed outside the boundaries of any city or city and county, the commission shall have power to approve such application and fix the route of the line or lines covered by such application, and such power shall be exclusive, except that nothing herein, nor any action of the commission hereunder, shall affect nor in any way detract from the powers and jurisdiction of the authority in charge of any highway with reference to the location of facilities therein

SEC. 3. Section 2 of this act becomes operative only if Division 1 of the Public Utilities Code is enacted by the Legislature at its 1951 Regular Session, and in such case at the same time as said Division 1 takes effect, at which time Section 50½ of the Public Utility Act is repealed"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3157—An act to add Section 674.5 to the Vehicle Code, relating to equipment on common carrier passenger vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Utilities and Corporations:

Amendment No. 1

On page 1, lines 11 and 12, of the printed bill, strike out "six inches wide and not less than 12 inches long", and insert "48 square inches in size".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 99—An act to amend Section 6.11 of the Alcoholic Beverage Control Act, relating to organizations, associations and clubs, and providing for the issuance of on-sale general licenses thereto.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Boards and Commissions:

Amendment No. 1

On page 1, line 10, of the printed bill, strike out "thirty-six (36", and insert "twenty-four (24)".

Amendment No. 2

On page 1, line 12, of the printed bill, strike out "thirty-six (36)", and insert "twenty-four (24)".

Amendment No. 3

On page 2 of the printed bill, between lines 25 and 26, insert

"(g) Any technical professional society or a section thereof which is a nonprofit organization composed of members engaged in the practice of one of the sciences or in other work which contributes to the practice or advancement of one of the sciences, which has a bona fide membership of more than 500 members in a local area, which has a national bona fide membership of 8,000 or more members, which society has been in existence for not less than 10 years and has owned, operated or maintained for a period of not less than one year a club room or rooms as a meeting place for its membership."

Amendment No. 4

On page 2, line 22, of the printed bill, strike out "14", and insert "3".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 71—An act to repeal Section 114 of the Business and Professions Code, and to add Section 114 to the Business and Professions Code, relating to reinstatement of licenses by persons serving in the Armed Forces.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

On page 2 of the printed bill, after line 9, insert

"For the purposes in this section, time spent by a licensee in receiving treatment or hospitalization in any Veterans' Facility during which he is prevented from practicing his profession or vocation shall be excluded from said period of one year."

Amendment No. 2

On page 1, line 20, of said bill, strike out the second "t" in "affidavit".

Amendments read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 2900—An act to amend the title to Chapter 3, Part 2, Division 2, and to amend Sections 51, 120, 422, 550, 562, 565, 640, 643.1, relating to the change of the name of the California Defense and Security Corps to California Guard Reserve and to disability and death benefits for the state military forces.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

In line 4 of the title of the printed bill, after "California", insert "National".

Amendment No. 2

On page 1, line 4, of said bill, after "California", insert "NATIONAL".

Amendment No. 3

On page 1, line 10, of said bill, after "California", insert "National".

Amendment No. 4

On page 1, line 14, of said bill, after "California", insert "National".

Amendment No. 5

On page 1, line 21, of said bill, after "California", insert "National".

Amendment No. 6

On page 2, line 27, of said bill, after "California", insert "National".

Amendment No. 7

On page 2, line 33, of said bill, after "California", insert "National".

Amendment No. 8

On page 2, line 48, of said bill, after "California", insert "National".

Amendment No. 9

On page 3, line 14, of said bill, after "California", insert "National".

Amendment No. 10

On page 3, line 24, of said bill, after "California", insert "National".

Amendment No. 11

On page 3, line 28, of said bill, after "California", insert "National".

Amendment No. 12

On page 3, line 42, of said bill, after "California", insert "National".

Amendment No. 13

On page 3, line 44, of said bill, after "California", insert "National".

Amendments read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 347—An act to amend an act entitled "An act to provide for the rights, powers, privileges, exemptions and immunities of federal savings and loan associations, incorporated under the provisions of the Home Owners' Loan Act of 1933, which are doing business in the State of California, and for the rights, powers, privileges, exemptions and immunities of the holders of shares or share accounts issued by any such association," approved June 13, 1939, as amended, by amending Sections 2, 3, and 4 thereof, and adding to said act four new sections, to be numbered respectively Sections 5, 6, 7 and 8; all relating to shares and share accounts of federal savings and loan associations and said new Section 6, relating also to debts of such associations and said new Section 8, relating also to personal property held by said associations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 10 of the title of the printed bill, as amended in the Assembly on March 14, 1951, strike out "four", and insert "three".

Amendment No. 2

In line 11 of the title of said bill, strike out "7 and 8;" and strike out all of lines 12 to 17, inclusive, of the title, and insert "and 7, and to amend Sections 11200, 11203, 11204 and 11205 of, and to add Sections 11208, 11209, 11210 and 11211 to the Financial Code, all relating to federal savings and loan associations."

Amendment No. 3

On page 3 of said bill, strike out lines 25 to 32, inclusive, and insert
"SEC. 4. Section 5 is added to the act cited in the title to read.".

Amendment No. 4

On page 3, line 33, of said bill, strike out "Sec. 6", and insert
"Sec. 5".

Amendment No. 5

On page 4 of said bill, strike out line 1, and insert
"SEC. 5. Section 6 is added to the act cited in the title to read:
Sec. 6. No transfer or encumbrance of shares or share".

Amendment No. 6

On page 4 of said bill, between lines 18 and 19, insert
"SEC. 6. Section 7 is added to the act cited in the title to read:".

Amendment No. 7

On page 4, line 19, of said bill, strike out "Sec. 8", and insert "Sec. 7".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 8

On page 5 of said bill, after line 17, insert
"SEC. 8. Section 11200 of the Financial Code is amended to read:
11200. Shares or share accounts of a federal savings and loan association may be purchased by minors or married women, and when so purchased the shares or share accounts are held for the exclusive right and benefit of the married woman or minor, free from the control or lien of all other persons, except creditors. The receipt or acquittance of a married woman, or minor [of the age of 14 or over,] is a valid and sufficient release and discharge of the association for any payment or delivery to that person on account of their shares or share accounts.
SEC. 9. Section 11203 of the Financial Code is amended to read:
11203. Whenever a person dies holding shares or share accounts of a federal savings and loan association as trustee or other fiduciary, in trust for a named

beneficiary, and no written notice of the revocation or termination of the trust relationship has been given to the association, the repurchase value of the shares or share accounts, and dividends thereon, or other rights relating thereto, may be paid or delivered, in whole or in part, to the named beneficiary of such trust The payment or delivery to any beneficiary pursuant to this section, or a receipt or acquittance signed by such beneficiary for any payment or delivery, *whether or not such person is a minor*, is a valid and sufficient release and discharge of the association for the payment or delivery so made.

SEC. 10. Section 11204 of the Financial Code is amended to read:

11204. When shares or share accounts in a federal savings and loan association are issued in the name of two or more persons, *whether minor or adult, as joint tenants or* in form to be paid to [either] *any* of them or the survivors, the shares or share accounts are the property of those persons as joint tenants [, and the] . Such shares or share accounts, together with all dividends thereon, *shall be held for the exclusive use of such joint tenants and* may be paid to any of them, or to the *survivor or any one of the* survivors [upon] *after* the death of [any] *one or more* of them *By written instructions of all such joint tenants given to the association, they may require the signatures of more than one of such persons during their lifetimes or of more than one of the survivors after the death of any one of them on any request for withdrawal, check endorsement or receipt, in which case the association shall pay withdrawals and dividends only in accordance with such instructions, but no such instructions shall limit the right of the sole survivor or of all of the survivors to receive withdrawal payments or dividends.*

Payment *as provided in the preceding paragraph* and the receipt or acquittance of the person to whom [the] *such* payment is made is a valid and sufficient release and discharge of the association for the payment made on account of the shares or share accounts prior to the receipt by such association of a notice in writing *from any one of them* not to make payments in accordance with the terms of the shares or share accounts [.] *or of such instructions* After receipt of such notice an association may refuse, without liability, to pay withdrawals or dividends pending determination of the rights of the parties.

SEC. 11. Section 11205 of the Financial Code is amended to read:

11205 The purchase or acceptance of shares or share accounts of a federal savings and loan association in the name of two or more persons to be paid to either of them or the survivors is, in the absence of fraud or undue influence, conclusive evidence, in any action or proceeding to which either the association or the surviving share or share account holders are a party, of the intention of the share or share account holders to vest title to the shares or share accounts and payments made on account thereof and dividents [and interest] thereon in such survivors.

SEC. 12. Section 11208 is added to the Financial Code to read:

11208. Where an attachment is levied upon any shares or share accounts of federal savings and loan association or upon any debts owing by any such association, the copy of writ and notice shall be left with the manager or any other officer of such association at the office or branch thereof at which such shares or share accounts were issued or such debt incurred if such office or branch is still being maintained, and otherwise at the principal office of such association. An attachment which has not been served as provided in this section shall not be effective as to any share or share account issued by any such association or as to any debt owing by any such association if such share or account was issued or such debt incurred at an office or branch not so served.

SEC. 13. Section 11209 is added to the Financial Code to read:

11209 No attachment or execution shall be issued against such association or its property in any suit, action or proceeding arising out of the claim of any holder of shares or share accounts to withdraw before final judgment that such holder of shares or share accounts is presently entitled to payment of such withdrawal.

SEC. 14. Section 11210 is added to the Financial Code to read:

11210. A transfer or encumbrance of shares or share accounts issued by a federal savings and loan association shall not be effective as to such association until written notice of such transfer or encumbrance has been given to the office of the association at which such shares or share accounts were issued, or at which the account of such association as to such shares or share accounts is kept, or to the principal office of such association. Until such notice has been given, the association may conclusively presume that shares and share accounts have not been transferred or encumbered, and may, in the absence of such notice, make any and all payments or issue new shares or share accounts to or in the name or names of the person or persons in whose name or names its shares or share accounts are issued, whether or not such shares or share accounts are presented at the time of such payment or issuance, and the association shall have no responsibility to a transferee or lienholder with respect to any shares or share accounts, or parts thereof, so paid or reissued

SEC. 15. Section 11211 is added to the Financial Code to read:

11211. Notice to any federal savings and loan association of an adverse claim to shares or share accounts standing on its books to the credit of, or to personal property held for the account of, any person may be disregarded until and unless the adverse claimant shall (a) procure and serve upon the association at the office at which the account is carried or the property is held a restraining order, injunction or other

appropriate order against the association from a court of competent jurisdiction in an action in which the adverse claimant and all persons in whose name such account stands or for whose account such property is held are parties, or (b) execute and deliver to the association at the office at which the account is carried or the property held a bond in form and with surety acceptable to it and in an amount fixed by the association, but which amount in no event need be more than twice the value of the shares or share accounts or more than twice the market value of the property against which the adverse claim is made, indemnifying it and also all persons in whose names such account stands or for whose account such property is held, against all liability, loss, damage, costs and expenses arising out of the refusal to permit withdrawal from such account or to pay dividends thereon or to deliver such property. Unless such restraining order, injunction or other appropriate order is obtained, or such bond is given, the association, notwithstanding such notice, may honor notices of intention to withdraw and may pay withdrawals and dividends to the person or persons to whose credit the account stands or may deliver such property to or upon the order of the person for whose account such property is held, without any liability on the part of the association. If an adverse claimant delivers to the association at the office at which the account is carried or the property held his affidavit stating that of his own knowledge the person to whose credit the account stands or for whose account the property is held is a fiduciary for the adverse claimant and that such fiduciary is about to misappropriate the account or the property and stating the facts upon which the claim of a fiduciary relationship is based, the association may refuse to pay withdrawals or dividends on the account or may refuse to deliver such property until the adverse claim is finally adjudicated or released, without liability on its part and without liability for the sufficiency or truth of the facts alleged in the affidavit. The provisions of this section shall be applicable even though the name of the person appearing on the association's books to whose credit the account stands or for whose account the property is held is modified by a qualifying or descriptive term such as "agent," "trustee" or other word or phrase indicating that such person may not be the owner in his own right of the account or property.

SEC. 16. Sections 8 to 15, inclusive, of this act become operative only if Division 2 of the Financial Code is enacted by the Legislature at its 1951 Regular Session, and in such case at the same time as said Division 2 takes effect, at which time Sections 2, 3, and 4 of the act cited in the title, as amended by this act, and Sections 5, 6, and 7 of said act, as added by this act are repealed."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 342—An act to regulate sales of motor vehicles, and for that purpose to add Chapter 1a to the Business and Professions Code and to amend Section 2982 of the Civil Code.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 11, of the printed bill, after "be", strike out the balance of said paragraph, and insert "credited by the dealer to the buyer on the next monthly payment due and if no payments are due, the same shall be refunded to the buyer."

Amendment No. 2

On page 2, line 14, of the printed bill, after "erty.", strike out "In the buyer's down payment shall be included", and insert "As soon as received by the dealer the dealer shall credit to the buyer on the next payment due"

Amendments read, and adopted

Bill ordered reprinted, and engrossed.

Assembly Bill No. 817—An act to add Section 768 to the Insurance Code, in relation to prohibiting the designation of particular insurance agents or brokers by persons, firms and corporations loaning money in the security of personal and real property.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out ", firm or corporations."

Amendment No. 2

On page 1, line 7, of said bill, strike out ", firm, or corporations."

Amendment No. 3

On page 1, line 15, of said bill, strike out "policy of."

Amendment No. 4

On page 1, line 18, of said bill, strike out "firm, corporations,".

Amendment No. 5

On page 2 of said bill, strike out lines 1 to 4, inclusive, and insert "or its right to furnish the insurance or to renew any insurance required by the contract of sale or trust deed or other evidence of indebtedness if the borrower or purchaser shall have failed to furnish the insurance or renewal thereof within such reasonable time or form as may be specified in the sale or loan agreement.

This section shall not prevent the lender from recommending to any new borrower or prospective borrower the placing of insurance with a specified insurance company or through a specified insurance agent or broker as long as such recommendation does not violate the provisions of this section or of any other section of this code.

A violation of this section shall constitute a misdemeanor

The commissioner may make such investigations and hold such hearings as he is otherwise authorized by law to make or hold in connection with violations of this section but he shall not investigate any complaint of a violation of this section unless such complaint be made by a party to the sale or loan agreement and within three months of the execution or modification thereof

This section shall not apply to title insurance."

Amendment No. 6

On page 2 of the printed bill, strike out line 5, and insert

"A written statement signed by the person for whom the purchase is financed or to whom the money is loaned, or for whom such extension, renewal or other act is to be granted or performed, declaring that such person voluntarily chose the broker or agent through whom the policy or renewal was negotiated, and that the choice of such broker or agent was not made a condition precedent to such purchase, loan, mortgage or renewal, shall be prima facie evidence that no violation of the provisions of this section has occurred, and provided further that the borrower shall have written the name of his chosen agent or broker in his own handwriting into an authorization of agent or broker. Nothing in this act shall be construed to affect the free choice of insurance agent or broker by the borrower or purchaser at any time, and he may revoke any designation of agent or broker at any time irrespective of the provisions of any loan or purchase agreement"

Amendments read, and adopted

Bill ordered reprinted, and engrossed

Assembly Bill No. 2391—An act to amend Section 500 of the Financial Code, relating to banking

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 500", and insert "and renumber Section 118 and to amend Section 3515".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 6, inclusive, and insert

"SECTION 1. Section 118 of the Financial Code is amended and renumbered to read:

[118] *99.* This division is known and may be cited as the "Banking Law."

SEC. 2. Section 3515 of said code is amended to read:

3515. Whenever it shall appear to the superintendent that any corporation has violated the provisions of its articles of incorporation or any law of this State, or is conducting its business in an unsafe or unauthorized manner, or if the capital of any such corporation is impaired, or if the corporation shall refuse to submit its books, papers and concerns to the inspection of any examiner of the department or if any officer thereof shall refuse to be examined upon oath touching the concerns of [any] the corporation or if the corporation shall suspend payment of its obligations, or if from any examination or report provided for by this chapter the superintendent shall have reason to conclude that the corporation is in an unsound or unsafe condition to transact the business for which it is organized, or that it is unsafe and inexpedient for it to continue business, or if any corporation shall neglect or refuse to observe any order of the superintendent specified in Sections 661, 1912, or 1913, the superintendent may forthwith take possession of the property and business of such corporation and retain such possession until such corporation shall resume business, or its affairs be finally liquidated as provided by this code for the liquidation of banks."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed:

Assembly Bill No. 431—An act to amend Division 9, Chapter 3, Article 3, Section 18199 of the Education Code.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 6, of the printed bill, after "a", insert "structural engineer holding a valid certificate to use the title "Structural Engineer" or by a".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 433—An act to repeal Chapter 7 of Division 3 of and to add Chapter 7 of Division 3, comprising Sections 6700 to 6799 inclusive, to the Business and Professions Code, relating to professional engineers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 4 of the printed bill, strike out lines 21 to 23, inclusive.

Amendment No. 2

On page 4 of said bill, strike out lines 34 to 36, inclusive.

Amendment No. 3

On page 4 of said bill, strike out lines 43 to 46, inclusive.

Amendment No. 4

On page 5, line 20, of said bill, after "hereunder", insert "in the branch of which he uses the title".

Amendment No. 5

On page 12 of said bill, strike out lines 31 to 33, inclusive, and insert "Fund. This fund shall be continuously appropriated to the board for expenditures in the manner prescribed by law to defray the expenses of the board in carrying out and enforcing the provisions of this chapter."

Amendment No. 6

On page 13, line 1, of said bill, after "held;", insert "for authority to use the title "structural engineer" is three dollars ($3) ;".

Amendment No. 7

On page 2, line 11, of said bill, strike out the comma after "engineering-in-training"; strike out "except that"; and strike out lines 12, 13, and 14, and insert "; providing that, employees of communication public utilities, and employees of contractors while engaged on work on communication equipment for such public utilities, may, but need not, register."

Amendment No. 8

On page 5, line 38, of said bill, after "registered", insert "; provided that engineering plans, specifications, reports and documents prepared by employees of communication public utilities, and by employees of contractors while engaged on work on communication equipment for communication public utilities, are not subject to the provisions of this Chapter".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 782—An act to amend Section 19a of the Penal Code, relating to paroles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, after "Code", insert "and Section 1 of an act entitled "An act to provide for the creation of a board of parole commissioners for each county in this State, for the paroling of prisioners confined in county jails, and authorizing and empowering such boards to make rules and regulations in relation thereto," approved March 25, 1909,".

Amendment No. 2

On page 1 of said bill, after line 11, insert

"SEC. 2. Section 1 of the act cited in the title hereof is amended to read:

Section 1. A board of three parole commissioners for each county in this State, consisting of the sheriff and the district attorney of each said county and the chief of police (or other chief or sole peace officer) of every city which now is or hereafter may be the county seat of any such county, is hereby created for each such county, which board shall and must act at regularly called meetings at which two-thirds of the members are present as a board of parole commissioners for and in each county, and make and establish rules and regulations in writing stating the reasons therefor under which any prisoner who is now or hereafter may be imprisoned in the county jail of said county, or in the city jail of any city in any county, or in any jail as the prisoner of any city, or in any other jail in any such county, after judgment of conviction for the commission of a misdemeanor, may be allowed to go upon parole outside of any jail in which he is or may be hereafter imprisoned, but to remain, while on parole, in the legal custody and under the control of the board of parole commissioners establishing the rules and regulations for his parole, and subject, at any time to be taken back within the enclosure of any such jail The board of parole commissioners may for the purpose of considering applications for parole of prisoners from city or county jails, designate deputies of their respective offices to serve for them as temporary commissioners in the place and stead of any member or members of the board of parole commissioners when the members of said board are unable to serve. Full power to make, establish and enforce

such rules and regulations, and to retake and imprison any prisoner so upon parole, is hereby conferred upon each such board of parole commissioners; and its written order shall be a sufficient warrant for all officers named in such order to authorize them, or any of them, to return to actual custody any conditionally released or paroled prisoner. It shall be and is hereby made the duty of all chiefs of police, marshals of cities and villages, sheriffs of counties, constables, and all other police and peace officers of this State to execute any such order in like manner as ordinary criminal process. If any prisoner so paroled shall leave the county in which he was or is or hereafter may be so imprisoned without permission from the board of parole commissioners granting his parole, he shall be arrested as an escaped prisoner and held as such.

The board of parole commissioners may parole any prisoner for a term not to exceed two years upon such conditions and under such rules and regulations as may seem fit and proper for the rehabilitation of the prisoner, and should the prisoner so paroled violate any of the conditions of his parole or any of the rules and regulations governing his parole, such prisoner shall, upon order of the parole commission, be returned to the jail from which he was paroled and be confined therein for the unserved portion of his sentence."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1565—An act to amend Section 2980 of the Civil Code, relating to the recording of conditional sales contracts of animate chattels and of mining machinery, and to add Section 2980.5 to the Civil Code, relating to the recording of conditional sales contracts and feeding agreements covering livestock and animate chattels.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 3 of the title of the printed bill, following "machinery", insert "and oil drilling equipment".

Amendment No. 2

On page 2 of the printed bill, strike out lines 14 to 18, inclusive, and insert

"As used in this section the term 'mining purposes' includes oil drilling purposes.

"Sections 2959a and 2965 of the Civil Code are hereby made applicable to the instruments required to be recorded by this section in the same manner as to mortgages of personal property; provided however, that the provisions of Section 2965 of the Civil Code shall not apply to any instrument covering any materials or equipment used in, or in connection with, the drilling or production or refining of crude oil or other hydrocarbon substances."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 3301—An act to add Sections 330.1 and 330.2 to the Penal Code, relating to gaming, and to gambling places.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Boards and Commissions:

Amendment No. 1

On page 1, line 29, of the printed bill, strike out "after", and insert "before".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Boards and Commissions.

Assembly Bill No. 1248—An act to amend Section 19539 of the Business and Professions Code, relating to harness horse racing.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Boards and Commissions:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 10, inclusive, and insert "19539. *"In addition to the racing days which may be allowed under other sections of this chapter, the board may allow not to exceed a total of 70 days for harness racing and 70 days for quarter horse racing. Thirty-five of said 70 days for harness racing and thirty-five of said 70 days for quarter horse racing shall be allocated to licensed racing associations conducting such horse race meetings south of the sixth standard parallel south Mount Diablo Base and Meridian, and the remainder to licensed racing associations conducting such meetings north of said standard parallel. The board may, under such conditions as prescribed by it, permit a licensee under this section to program mixed races.*

An applicant for a quarter horse race license may specify more than one track or enclosure and allocate to each a specified number of racing days. The board may issue one license upon such application authorizing quarter horse races to be held at one or more of said tracks or enclosures."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Boards and Commissions.

Assembly Bill No. 292—An act to amend Section 985.4 to the Military and Veterans Code, relating to farm and home purchases by veterans.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

On page 1 of the printed bill, strike out lines 5 to 8, inclusive, and insert "acquire shall not apply".

Amendment No. 2

On page 1 of said bill, strike out lines 12 to 16, inclusive, and insert "necessary due to the veterans's loss, or loss of use, of both legs. As to such veterans, the total value of real property and improvements a veteran may acquire under this article for a home is fifteen thousand dollars ($15,000)."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Military Affairs.

Assembly Bill No. 671—An act to amend Section 395 of the Military and Veterans Code, relating to absence of public officers and employees on military or naval duty, and compensation and salary during absence on military or naval leave.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

On page 2, line 5, of the printed bill, after "shall", insert ", regardless of the length of such absence,".

Amendment No. 2

On page 2, line 18, of said bill, after "retirement", insert ", and includes duty performed during the present Korean campaign which commenced on June 27, 1950".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Military Affairs.

Assembly Bill No. 992—An act to amend Sections 450 and 451 of, and to add Section 452.1 to the Unemployment Insurance Act, relating to unemployment disability insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Assembly on March 21, 1951, commencing with "Or any group", strike out lines 5, 6, 7, and 8, and "such group" in line 9.

Amendment No. 2

On page 2, line 42, of said bill, after the last "for", insert "self insured"

Amendment No. 3

On page 2, line 43, of said bill, after the first "Voluntary plans", strike out "not underwritten by an admitted disability insurer".

Amendment No. 4

On page 2, line 14, of said bill, strike out "Does not provide for"; and strike out lines 15 and 16, and insert "is to be self insured the".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 34
Assembly Bill No. 63
Assembly Bill No 346
Assembly Bill No. 389
Assembly Bill No. 768
Assembly Bill No. 771
Assembly Bill No. 913
Assembly Bill No. 1609
Assembly Bill No. 1833
Assembly Bill No. 1918
Assembly Bill No. 2280
Assembly Bill No. 2388
Assembly Bill No. 3378

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1270

Mr. Belotti asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1270, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1270

Assembly Bill No. 1270—An act to add Section 151.1 to the Vehicle Code, relating to registration of vehicles.

Bill read third time.

Motion to Amend

Mr. Belotti moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 20, of the printed bill, after "5", insert "of Division 2".

Amendment No. 2

On page 2, line 28, of said bill, after "5", insert "of Division 2".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1274

Mr. Belotti asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1274, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1274

Assembly Bill No. 1274—An act to amend Section 423 of the Vehicle Code, relating to financial responsibility.

Bill read third time.

Motion to Amend

Mr. Belotti moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "a", and insert "the".

Amendment No. 2

On page 1, line 16, of said bill, after "agreement", insert "covering any claim"

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 327 FROM COMMITTEE CONTINUED

Mr. Davis asked for, and was granted, unanimous consent that his notice of motion to withdraw Senate Bill No. 327 from committee be continued until the next legislative day.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 718—An act to amend Section 1269 of the Code of Civil Procedure, relating to publication of order to show cause in relation to an action to declare property escheated to the State.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 718?

Amendment No. 1

On page 1, line 13, of the printed bill, after "or", insert "any".

Amendment No. 2

On page 2, line 19, of said bill, strike out "and".

Amendment No. 3

On page 2, line 30, of said bill, strike out "proceedings", and insert "proceeding".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 718 by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—64.

NOES—None.

Assembly Bill No. 718 ordered enrolled.

Assembly Bill No. 720—An act to amend Section 1812 of the Code of Civil Procedure, relating to publication of notice of intention to become a sole trader.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 720?

Amendment No. 1

On page 1, line 5, of the printed bill, after "then", insert "in".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 720 by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Nichouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

Assembly Bill No. 720 ordered enrolled.

Assembly Bill No. 727—An act to add Section 6066 to the Government Code, relating to publication of notices.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 727?

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "Publication for Two Weeks."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 727 by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Nichouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

Assembly Bill No. 727 ordered enrolled.

BILL WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 1277, on motion of Mr. Caldecott.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 1314 re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 3347 re-referred to the Committee on Education.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1702—An act to add Section 2142 to the Welfare and Institutions Code, relating to old age security, in respect to services rendered in the administration of old age security.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dills, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—64.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1091—An act to add Title 11, comprising Sections 1300 to 1331, inclusive, to Part 3 of the Code of Civil Procedure, providing a uniform civil and criminal procedure for enforcement of the duties of support.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

POINT OF ORDER

Mr. Waters arose to the following point of order: That 10.30 a.m. has arrived, the hour for the special order of business, and that other business, at this time, is not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bill No. 42 was taken up.

Assembly Bill No. 42—An act to repeal existing Section 470 of, and to add new Section 470 to, the Government Code, relating to the division of the State into congressional districts.

Bill read third time.

Motion to Amend

Mr. Coats moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 13, of the printed bill, as amended in the Assembly on March 23, 1951, strike out "Butte,".

Amendment No. 2

On page 1, line 16, of said bill, after "of", insert "Butte,".

Amendment No. 3

On page 1, line 17, of said bill, strike out "Sacramento", and insert "Solano".

Amendment No. 4

On page 1 of said bill, between lines 17 and 18, insert

"4. The County of Sacramento shall constitute the Fourth Congressional District."

Amendment No. 5

On page 1, line 18, of said bill, strike out "4.", and insert

"5."

Amendment No. 6

On page 1, line 20, of said bill, strike out "Fourth", and insert "Fifth".

Amendment No. 7

On page 2, line 1, of said bill, strike out "5.", and insert

"6."

Amendment No. 8

On page 2, line 2, of said bill, strike out "Fourth", and insert "Fifth".

Amendment No. 9

On page 2, line 3, of said bill, strike out "Fifth", and insert "Sixth".

Amendment No. 10

On page 2, line 4, of said bill, strike out "6. The Counties of Solano and", and insert

"7. The County of"

Amendment No. 11

On page 2, line 5, of said bill, strike out "Sixth", and insert "Seventh".

Amendment No. 12

On page 2, line 6, of said bill, strike out "7.", and insert

"8."

Amendment No. 13

On page 2, line 8, of said bill, strike out "Seventh", and insert "Eighth".

Amendment No. 14

On page 2, line 9, of said bill, strike out "8.", and insert

"9."

Amendment No. 15

On page 2, line 10, of said bill, strike out "Eighth", and insert "Ninth".

Amendment No. 16

On page 2, line 12, of said bill, strike out "9.", and insert "10."

Amendment No. 17

On page 2, line 12, of said bill, strike out "Ninth", and insert "Tenth".

Amendment No. 18

On page 2, line 14, of said bill, strike out "10.", and insert "11."

Amendment No. 19

On page 2, line 15, of said bill, strike out "Tenth", and insert "Eleventh".

Amendment No. 20

On page 2, line 16, of said bill, strike out "11.", and insert "12."

Amendment No. 21

On page 2, line 17, of said bill, strike out "Eleventh", and insert "Twelfth".

Amendment No. 22

On page 2, line 18, of said bill, strike out "12.", and insert "13."

Amendment No. 23

On page 2, line 19, of said bill, strike out "Twelfth", and insert "Thirteenth".

Amendment No. 24

On page 2, line 20, of said bill, strike out "13.", and insert "14."

Amendment No. 25

On page 2, line 21, of said bill, strike out "Thirteenth", and insert "Fourteenth".

Amendment No. 26

On page 2, line 23, of said bill, strike out "14.", and insert "15."

Amendment No. 27

On page 2, line 24, of said bill, strike out "Fourteenth", and insert "Fifteenth".

Amendment No. 28

On page 2, line 25, of said bill, strike out "15.", and insert "16."

Amendment No. 29

On page 2, line 27, of said bill, strike out "Fifteenth", and insert "Sixteenth".

Amendment No. 30

On page 2, line 28, of said bill, strike out "16.", and insert "17."

Amendment No. 31

On page 2, line 29, of said bill, after "the", insert "Fifty-seventh,".

Amendment No. 32

On page 2, line 30, of said bill, strike out "Sixteenth", and insert "Seventeenth"

Amendment No. 33

On page 2, line 31, of said bill, strike out "17.", and insert "18."

Amendment No. 34

On page 2, line 33, of said bill, strike out "Seventeenth", and insert "Eighteenth".

Amendment No. 35

On page 2, line 35, of said bill, strike out "18.", and insert "19."

Amendment No. 36

On page 2, line 37, of said bill, strike out "Eighteenth", and insert "Nineteenth".

Amendment No. 37

On page 2, line 38, of said bill, strike out "19.", and insert "20."

Amendment No. 38

On page 2, line 40, of said bill, strike out "Nineteenth", and insert "Twentieth".

Amendment No. 39

On page 2, line 41, of said bill, strike out "20.", and insert "21."

Amendment No. 40

On page 2, line 42, of said bill, strike out "and Forty-seventh", and insert ", Forty-seventh and Forty-eighth".

Amendment No. 41

On page 2, line 43, of said bill, strike out "Twentieth", and insert "Twenty-first".

Amendment No. 42

On page 2, line 44, of said bill, strike out "21.", and insert "22."

Amendment No. 43

On page 2, line 45, of said bill, strike out "Forty-eighth", and insert "Sixty-fourth".

Amendment No. 44

On page 2, line 46, of said bill, strike out "Twenty-first", and insert "Twenty-second".

Amendment No. 45

On page 2 of said bill, strike out lines 47, 48, and 49

Amendments read.

Motion That Mr. Coats Be Permitted to Address Members of Assembly From Front of Chamber

Mr. Waters moved that Mr. Coats be permitted to address the Members of the Assembly from the front of the Assembly Chamber, rather than from his seat, for the purpose of displaying maps.

Mr. Beck seconded the motion.

Motion carried.

Speaker Pro Tempore Presiding

At 10.43 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

The question being on the adoption of the amendments offered by Mr. Coats to Assembly Bill No. 42.

Point of Order

Mr. Silliman arose to the following point of order: That Mr. Coats is not speaking to the question.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

Motion That Mr. Coats Be Granted Additional Time

Mr. Moss moved that Mr. Coats be given sufficient time to present his arguments.

Mr. Lowrey seconded the motion.

Substitute Motion

Mr. Caldecott moved, as a substitute motion, that Mr. Coats be granted an additional 10 minutes for the purpose of presenting his arguments.

Mr. Connolly seconded the substitute motion.

The roll was called, and the substitute motion carried by the following vote:

AYES—Babbage, Beck, Belotti, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, and Waters—56.

NOES—None.

The question being on the adoption of the amendments offered by Mr. Coats to Assembly Bill No. 42.

Request for Unanimous Consent to Speak From Front of Chamber

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to speak from the front of the Assembly Chamber, rather than from his seat.

Motion That Additional Time for Debate Be Granted Mr. Waters

Mr. Beck moved that additional time be granted Mr. Waters for the purpose of debate.

Mr. Moss seconded the motion.

Motion carried.

Point of Order

Mr. Kirkwood arose to the following point of order: That Mr. Waters has exceeded his time.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

Motion That Mr. Waters Be Granted Additional Time for Debate

Mr. Brady moved that Mr. Waters be granted additional time for debate.

Mr. Elliott seconded the motion.

Motion lost.

Demand for Previous Question

Messrs. Conrad, Silliman, Grunsky, Kirkwood, and Morris demanded the previous question.

The roll was called, and the demand for previous question sustained by the following vote:

AYES—Babbage, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Conrad, Cooke, Dickey, Dolwig, Erwin, Geddes, Grant, Grunsky, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Morris, Porter, Rumford, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—44

NOES—Beck, Brady, Brown, Coats, George D. Collins, Condon, Connolly, Crowley, Davis, Doyle, Dunn, Elliott, Fleury, Gaffney, Gubser, Hagen, Henderson, Lowrey, McFall, McMillan, Moss, Munnell, Parker, Rosenthal, and Shaw—25

The question being on the adoption of the amendments offered by Mr. Coats to Assembly Bill No. 42.

Roll Call Demanded

Messrs. Coats, Davis, and Fleury demanded a roll call.

The roll was called, and the amendments offered by Mr. Coats to Assembly Bill No. 42 refused adoption by the following vote:

AYES—Berry, Brady, Brown, Burkhalter, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Dunn, Fleury, Gaffney, Gubser, Hagen, Henderson, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McFall, Meyers, Moss, Munnell, Niehouse, Parker, Rosenthal, and Rumford—29.

NOES—Babbage, Belotti, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Dickey, Dolwig, Doyle, Erwin, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lyon, McCollister, McGee, Morris, Porter, Shaw, Silliman, Smith, Thomas, Tomlinson, Waters, and Mr. Speaker—40.

The question being on the passage of Assembly Bill No. 42.

Further consideration of Assembly Bill No. 42 continued by unanimous consent.

RECESS

At 12.06 p.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

RECEIPT OF COPIES OF REPORT ACKNOWLEDGED

By the Chief Clerk:

Two copies of a Report of the Director of Finance, in compliance with House Resolution No. 248, as adopted by the Assembly on June 20, 1949, were received, and ordered by the Speaker pro Tempore, filed with the Secretary of State.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 42

Assembly Bill No. 42—An act to repeal existing Section 470 of, and to add new Section 470 to, the Government Code, relating to the division of the State into congressional districts.

Bill read third time

Motion to Amend

Mr. George D. Collins moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 19, of the printed bill, as amended in the Assembly on March 23, 1951, strike out "Nineteenth", and insert "Twentieth".

Amendment read.

Point of Order

Messrs. Waters and Connolly arose to the following point of order: That the amendment offered by Mr. George D. Collins to Assembly Bill No. 42 is not in order.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order not well taken

The question being on the adoption of the amendment offered by Mr. George D Collins.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Beck, Berry, Brady, Brown, Chapel, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Dunn, Elliott, Evans, Gaffney, Hagen, Henderson, Kilpatrick, Lowrey, Maloney, McCarthy, McFall, McMillan, Meyers, Moss, Munnell, Parker, and Rumford—28.

NOES—Babbage, Belotti, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, Connolly, Conrad, Dickey, Dolwig, Erwin, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lyon, McGee, Niehouse, Porter, Silliman, Smith, Stanley, Thomas, Tomlinson, and Waters—38.

The question being on the passage of Assembly Bill No. 42.

Consideration of Further Amendments
Motion to Amend

Mr. Lanterman moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 42, of the printed bill, as amended in the Assembly on March 23, 1951, strike out "Forty-third and", and after "Forty-seventh", insert "and Forty-eighth".

Amendment No. 2

On page 2, line 45, of said bill, strike out "Forty-eighth", and insert "Forty-third".

Amendments read.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Chapel, Cloyed, George D. Collins, Crowley, Hagen, Lanterman, Lowrey, Luckel, and Niehouse—9.

NOES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Conrad, Cooke, Davis, Dickey, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McGee, McMillan, Morris, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, and Waters—55

The question being on the passage of Assembly Bill No. 42.

Consideration of Further Amendments
Motion to Amend

Mr. Beck moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 29, of the printed bill, as amended in the Assembly on March 23, 1951, after "the", insert "Fifty-seventh,".

Amendment No. 2

On page 2, line 32, of said bill, strike out "Forty-sixth,".

Amendment No. 3

On page 2, line 39, of said bill, strike out ", Forty-fifth and Fifty-first", and insert "and Forty-fifth".

Amendment No. 4

On page 2, line 42, of said bill, strike out "and Forty-seventh", and insert ", Forty-seventh, and Forty-eighth".

Amendment No. 5

On page 2, line 45, of said bill, strike out "Forty-eighth", and insert "Sixty-fourth".

Amendment No. 6

On page 2, line 48, of said bill, strike out "Fifty-seventh and Sixty-fourth", and insert "Fifty-first and Sixty-ninth".

Amendment No. 7

On page 3, line 2, of said bill, strike out "Sixty-ninth", and insert "Sixty-second"

Amendment No. 8

On page 3, line 13, of said bill, strike out "Sixty-first, Sixty-second", and insert "Forty-sixth, Sixty-first,".

Amendments read.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Beck, Brady, Burkhalter, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Elliott, Hagen, Henderson, Kilpatrick, Lowrey, Luckel, McCarthy, McFall, Moss, Munnell, Niehouse, Parker, Rosenthal, and Shaw—23.

NOES—Babbage, Belotti, Berry, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Dickey, Dills, Dolwig, Erwin, Evans, Fleury, Gaffney, Geddes,

Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lyon, Maloney, McCollister, McGee, Morris, Porter, Rumford, Silliman, Smith, Stanley, Thomas, Tomlinson, and Waters—45.

The question being on the passage of Assembly Bill No. 42.

Consideration of Further Amendments
Motion to Amend

Mr. George D. Collins moved the adoption of the following amendment:

Amendment No. 1

On page 1, lines 19 and 20, of the printed bill, as amended in the Assembly on March 23, 1951, strike out "Nineteenth, Twenty-first and Twenty-second", and insert "Twentieth, Twenty-third, and Twenty-fourth".

Amendment read.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Berry, Coats, George D. Collins, Condon, Davis, Elliott, Hagen, Henderson, Kilpatrick, Lowrey, McCarthy, McFall, Moss, Parker, and Rumford—15.

NOES—Babbage, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Dickey, Dolwig, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lyon, Maloney, McCollister, McGee, Morris, Munnell, Porter, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—44

Consideration of Further Amendments
Motion to Amend

Mr. Coats moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 13, of the printed bill, as amended in the Assembly on March 23, 1951, strike out "Butte,".

Amendment No. 2

On page 1, line 16, of said bill, after "of", insert "Butte,".

Amendment No. 3

On page 1, line 17, of said bill, strike out "Sacramento", and insert "Solano".

Amendment No. 4

On page 1 of said bill, between lines 17 and 18, insert

"4. The County of Sacramento shall constitute the Fourth Congressional District."

Amendment No. 5

On page 1, line 18, of said bill, strike out "4", and insert "5".

Amendment No. 6

On page 1, line 20, of said bill, strike out "Fourth", and insert "Fifth".

Amendment No. 7

On page 2, line 1, of said bill, strike out "5", and insert "6".

Amendment No. 8

On page 2, line 2, of said bill, strike out "Fourth", and insert "Fifth".

Amendment No. 9

On page 2, line 3, of said bill, strike out "Fifth", and insert "Sixth".

Amendment No. 10

On page 2, line 4, of said bill, strike out "6. The Counties of Solano and", and insert

"7. The County of".

Amendment No. 11

On page 2, line 5, of said bill, strike out "Sixth", and insert "Seventh".

Amendment No. 12

On page 2, line 6, of said bill, strike out "7", and insert

"8".

Amendment No. 13

On page 2, line 8, of said bill, strike out "Seventh", and insert "Eighth".

Amendment No. 14

On page 2, line 9, of said bill, strike out "8", and insert "9".

Amendment No. 15

On page 2, line 10, of said bill, strike out "Seventh", and insert "Eighth".

Amendment No. 16

On page 2, line 10, of said bill, strike out "Eighth", and insert "Ninth".

Amendment No. 17

On page 2, line 12, of said bill, strike out "9" and insert "10".

Amendment No. 18

On page 2, line 12, of said bill, strike out "Ninth", and insert "Tenth".

Amendment No. 19

On page 2, line 14, of said bill, strike out "10", and insert "11".

Amendment No. 20

On page 2, line 15, of said bill, strike out "Tenth", and insert "Eleventh".

Amendment No. 21

On page 2, line 16, of said bill, strike out "11", and insert "12".

Amendment No. 22

On page 2, line 17, of said bill, strike out "Eleventh", and insert "Twelfth".

Amendment No. 23

On page 2, line 18, of said bill, strike out "12", and insert "13".

Amendment No. 24

On page 2, line 19, of said bill, strike out "Twelth", and insert "Thirteenth".

Amendment No. 25

On page 2, line 20, of said bill, strike out "13", and insert "14".

Amendment No. 26

On page 2, line 21, of said bill, strike out "Thirteenth", and insert "Fourteenth".

Amendment No. 27

On page 2, line 23, of said bill, strike out "14", and insert "15".

Amendment No. 28

On page 2, line 24, of said bill, strike out "Fourteenth", and insert "Fifteenth".

Amendment No. 29

On page 2 of said bill, strike out lines 25 to 49, inclusive, and all of page 3, and insert

"16. _____ shall constitute the Sixteenth Congressional District.
17. _____ shall constitute the Seventeenth Congressional District.
18. _____ shall constitute the Eighteenth Congressional District.
19. _____ shall constitute the Nineteenth Congressional District.
20. _____ shall constitute the Twentieth Congressional District.
21. _____ shall constitute the Twenty-first Congressional District.
22. _____ shall constitute the Twenty-second Congressional District.
23. _____ shall constitute the Twenty-third Congressional District.
24. _____ shall constitute the Twenty-fourth Congressional District
25. _____ shall constitute the Twenty-fifth Congressional District.
26. _____ shall constitute the Twenty-sixth Congressional District.
27. _____ shall constitute the Twenty-seventh Congressional District.
28. _____ shall constitute the Twenty-eighth Congressional District.
29. _____ shall constitute the Twenty-ninth Congressional District.
30. _____ shall constitute the Thirtieth Congressional District."

Amendments read.

Point of Order

Mr. Geddes arose to the following point of order: That the amendments offered by Mr. Coats are not in order.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

Appeal From Decision of Chair

Mr. Coats appealed from the decision of the Chair.

Appeal Withdrawn

Mr. Coats withdrew his appeal from the decision of the Chair.

Amendments Withdrawn

Mr. Coats withdrew his amendments.

The question being on the passage of Assembly Bill No. 42.

Consideration of Further Amendments
Motion to Amend

Mr. Coats moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 13, of the printed bill, as amended in the Assembly on March 23, 1951, strike out "Butte,".

Amendment No. 2

On page 1, line 16, of said bill, after "of", insert "Butte,".

Amendment No. 3

On page 1, line 17, of said bill, strike out "Sacramento", and insert "Solano".

Amendment No. 4

On page 1 of said bill, between lines 17 and 18, insert
"4. The County of Sacramento shall constitute the Fourth Congressional District."

Amendment No. 5

On page 1, line 18, of said bill, strike out "4", and insert
"5".

Amendment No. 6

On page 1, line 20, of said bill, strike out "Fourth", and insert "Fifth".

Amendment No. 7

On page 2, line 1, of said bill, strike out "5", and insert
"6".

Amendment No. 8

On page 2, line 2, of said bill, strike out "Fourth", and insert "Fifth".

Amendment No. 9

On page 2, line 3, of said bill, strike out "Fifth", and insert "Sixth".

Amendment No. 10

On page 2, line 4, of said bill, strike out "6. The Counties of Solano and", and insert
"7. The County of".

Amendment No. 11

On page 2, line 5, of said bill, strike out "Sixth", and insert "Seventh".

Amendment No. 12

On page 2, line 6, of said bill, strike out "7", and insert
"8".

Amendment No. 13

On page 2, line 8, of said bill, strike out "Seventh", and insert "Eighth".

Amendment No. 14

On page 2, line 9, of said bill, strike out "8", and insert "9".

Amendment No. 15

On page 2, line 10, of said bill, strike out "Seventh Congressional District shall constitute the Eighth", and insert "Eighth Congressional District shall constitute the Ninth".

Amendment No. 16

On page 2, line 12, of said bill, strike out "9", and insert "10".

Amendment No. 17

On page 2, line 12, of said bill, strike out "Ninth", and insert "Tenth".

Amendment No. 18

On page 2, line 14, of said bill, strike out "10", and insert "11".

Amendment No. 19

On page 2, line 15, of said bill, strike out "Tenth", and insert "Eleventh".

Amendment No. 20

On page 2, line 16, of said bill, strike out "11", and insert "12".

Amendment No. 21

On page 2, line 17, of said bill, strike out "Eleventh", and insert "Twelfth".

Amendment No. 22

On page 2, line 18, of said bill, strike out "12", and insert "13".

Amendment No. 23

On page 2, line 19, of said bill, strike out "Twelfth", and insert "Thirteenth".

Amendment No. 24

On page 2, line 20, of said bill, strike out "13", and insert "14".

Amendment No. 25

On page 2, line 21, of said bill, strike out "Thirteenth", and insert "Fourteenth".

Amendment No. 26

On page 2, line 23, of said bill, strike out "14", and insert "15".

Amendment No. 27

On page 2, line 24, of said bill, strike out "Fourteenth", and insert "Fifteenth".

Amendment No. 28

On page 2, line 25, of said bill, strike out "15", and insert "16".

Amendment No. 29

On page 2, line 27, of said bill, strike out "Fifteenth", and insert "Sixteenth"

Amendment No. 30

On page 2, line 28, of said bill, strike out "16", and insert "17".

Amendment No. 31

On page 2, line 29, of said bill, after "the", insert "Fifty-seventh,"

Amendment No. 32

On page 2, line 30, of said bill, strike out "Sixteenth", and insert "Seventeenth".

Amendment No. 33

On page 2, line 31, of said bill, strike out "17", and insert "18".

Amendment No. 34

On page 2, line 33, of said bill, strike out "Seventeenth", and insert "Eighteenth".

Amendment No. 35

On page 2, line 35, of said bill, strike out "18", and insert "19".

Amendment No. 36

On page 2, line 37, of said bill, strike out "Eighteenth", and insert "Nineteenth".

Amendment No. 37

On page 2, line 38, of said bill, strike out "19", and insert "20".

Amendment No. 38

On page 2, line 40, of said bill, strike out "Nineteenth", and insert "Twentieth".

Amendment No. 39

On page 2, line 41, of said bill, strike out "20", and insert "21".

Amendment No. 40

On page 2, line 42, of said bill, strike out "ing the Forty-third and Forty-seventh", and insert "ing the Forty-third, Forty-seventh and Forty-eighth".

Amendment No. 41

On page 2, line 43, of said bill, strike out "Twentieth", and insert "Twenty-first".

Amendment No. 42

On page 2, line 44, of said bill, strike out "21", and insert "22".

Amendment No. 43

On page 2, line 45, of said bill, after "the", strike out "Forty-first, Forty-second and Forty-eighth" and insert "Forty-second and Sixty-fourth".

Amendment No. 44

On page 2, line 46, of said bill, strike out "Twenty-first", and insert "Twenty-second".

Amendment No. 45

On page 2, of said bill, strike out lines 47, 48, and 49.

Amendment No. 46

On page 3, line 16, of said bill, after "San Bernardino", insert "and all that portion of the County of Los Angeles comprising the Forty-first Assembly District".

Amendments read.

Amendments Withdrawn

Mr. Coats withdrew his amendments.

The question being on the passage of Assembly Bill No. 42.

Consideration of Further Amendments
Motion to Amend

Mrs. Niehouse and Messrs. Cloyed and Luckel moved the adoption of the following amendment:

Amendment No. 1

On page 3 of the printed bill, as amended in the Assembly on March 23, 1951, strike out lines 21 to 25, inclusive, and insert

"29. The Counties of Riverside, Imperial, and the Eightieth Assembly District shall constitute the Twenty-ninth Congressional District

30 All that portion of the County of San Diego comprising the Seventy-eighth, and Seventy-ninth Assembly Districts shall constitute the Thirtieth Congressional District."

Amendment read.

Request for Unanimous Consent to Speak From Front of Chamber

Mr. Babbage asked for, and was granted, unanimous consent that he be permitted to speak from the front of the Assembly Chamber, rather than from his desk

The question being on the adoption of the amendment offered by Mrs. Niehouse and Messrs. Cloyed and Luckel.

Question of Personal Privilege

Mrs. Niehouse arose to a question of personal privilege.

Motion That Mr. Waters Be Granted Five Additional Minutes

Mr. Silliman moved that Mr. Waters be granted five additional minutes for the purpose of debate.

Mr. Kirkwood seconded the motion.

Motion carried.

The question being on the adoption of the amendment offered by Mrs Niehouse and Messrs Cloyed and Luckel

Demand for Previous Question

Messrs Conrad, Silliman, Hansen, Geddes, and Morris demanded the previous question.

Demand for previous question sustained

The question being on the adoption of the amendment offered by Mrs. Niehouse and Messrs. Cloyed and Luckel to Assembly Bill No. 42

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mrs Niehouse moved a call of the Assembly.

Motion carried. Time, 4.12 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Evans, Fleury, Gubser, Hawkins, Kilpatrick, Levering, McCollister, and Rosenthal—8

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Dolwig asked for, and was granted, unanimous consent that Assembly Rule No 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Hollibaugh:

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 7102 of the Revenue and Taxation Code, relating to sales and use taxes and providing for the disposition of the revenue received therefrom.

Respectfully submitted.

JONATHAN J. HOLLIBAUGH

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr Hollibaugh:

An act to amend Section 7102 of the Revenue and Taxation Code, relating to sales and use taxes and providing for the disposition of the revenue received therefrom "

BURKE, Chairman

The roll was called, and permission granted by the following vote.

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Sillman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3393: By Mr. Hollibaugh (By Request)—An act to amend Section 7102 of the Revenue and Taxation Code, relating to sales and use taxes and providing for the disposition of the revenue received therefrom.

Referred to Committee on Revenue and Taxation.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 42

Consideration of Further Amendments

Motion to Amend

Messrs. Fleury, Moss, and Lowrey moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 10, of the printed bill, as amended in the Assembly on March 23, 1951, strike out ", Marin, Napa and Lake", and insert "and Marin".

Amendment No. 2

On page 1, line 13, of said bill, strike out "Butte,".

Amendment No. 3

On page 1 of said bill, strike out line 16, and insert

"3 The Counties of Butte, Glenn, Colusa, Sutter, Yuba, Napa, Lake and".

Amendment No. 4

On page 1, line 17, of said bill, strike out "Sacramento", and insert "Solano".

Amendment No. 5

On page 1, line 18, of said bill, strike out "4", and insert "5".

Amendment No. 6

On page 1, line 20, of said bill, strike out "Fourth", and insert "Fifth".

Amendment No. 7

On page 2, line 1, of said bill, strike out "5", and insert
"6"

Amendment No. 8

On page 2, line 2, of said bill, strike out "Fourth", and insert "Fifth".

Amendment No. 9

On page 2, line 3, of said bill, strike out "Fifth", and insert "Sixth".

Amendment No. 10

On page 2, line 4, of said bill, strike out "6. The Counties of Solano and", and insert
"7. The County of".

Amendment No. 11

On page 2, line 4, of said bill, strike out "6. The Counties of Solano and", and insert
"7. The County of".

Amendment No. 12

On page 2, line 5, of said bill, strike out "Sixth", and insert "Seventh".

Amendment No. 13

On page 2, line 6, of said bill, strike out "7", and insert
"8".

Amendment No. 14

On page 2, line 8, of said bill, strike out "Seventh", and insert "Eighth"

Amendment No. 15

On page 2, line 9, of said bill, strike out "8", and insert
"9".

Amendment No. 16

On page 2, line 10, of said bill, strike out "Seventh", and insert "Eighth".

Amendment No. 17

On page 2, line 10, of said bill, strike out "Eighth", and insert "Ninth".

Amendment No. 18

On page 2, line 12, of said bill, strike out "9", and insert
"10"

Amendment No. 19

On page 2, line 12, of said bill, strike out "Ninth", and insert "Tenth"

Amendment No. 20

On page 2, line 14, of said bill, strike out "10", and insert
"11".

Amendment No. 21

On page 2, line 15, of said bill, strike out "Tenth", and insert "Eleventh".

Amendment No. 22

On page 2, line 16, of said bill, strike out "11", and insert
"12".

Amendment No. 23

On page 2, line 17, of said bill, strike out "Eleventh", and insert "Twelfth"

Amendment No. 24

On page 2, line 18, of said bill, strike out "12", and insert
"13".

Amendment No. 25

On page 2, line 19, of said bill, strike out "Twelfth", and insert "Thirteenth".

Amendment No. 26

On page 2, line 20, of said bill, strike out "13", and insert
"14".

Amendment No. 27

On page 2, line 21, of said bill, strike out "Thirteenth", and insert "Fourteenth"

Amendment No. 28

On page 2, line 23, of said bill, strike out "14", and insert "15".

Amendment No. 29

On page 2, line 24, of said bill, strike out "Fourteenth", and insert "Fifteenth"

Amendment No. 30

On page 2 of said bill, strike out lines 25 through 49, inclusive, and all of page 3, and insert

"16. _____ shall constitute the Sixteenth Congressional District.
17. _____ shall constitute the Seventeenth Congressional District.
18. _____ shall constitute the Eighteenth Congressional District.
19. _____ shall constitute the Nineteenth Congressional District
20. _____ shall constitute the Twentieth Congressional District.
21. _____ shall constitute the Twenty-first Congressional District.
22 _____ shall constitute the Twenty-second Congressional District.
23. _____ shall constitute the Twenty-third Congressional District
24. _____ shall constitute the Twenty-fourth Congressional District.
25. _____ shall constitute the Twenty-fifth Congressional District.
26. _____ shall constitute the Twenty-sixth Congressional District.
27. _____ shall constitute the Twenty-seventh Congressional District.
28. _____ shall constitute the Twenty-eighth Congressional District.
29. _____ shall constitute the Twenty-ninth Congressional District.
30. _____ shall constitute the Thirtieth Congressional District."

Amendments read.

Amendments Withdrawn

Messrs. Fleury, Moss, and Lowrey withdrew their amendments.

Further consideration of Assembly Bill No. 42 continued by unanimous consent.

CONSIDERATION OF DAILY FILE (RESUMED)

REQUEST FOR UNANIMOUS CONSENT THAT SENATE THIRD READING FILE BE TAKEN UP

Mr. Dickey asked for, and was granted, unanimous consent that matters on the Senate third reading file be taken up, out of order, at this time.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Concurrent Resolution No. 16—Relative to dangerous grades on State Highway 101 from San Francisco to the Oregon border.

Resolution read.

Motion to Amend

Mr. Conrad moved the adoption of the following amendments:

Amendment No. 1

On page 1, lines 15 and 16, of the printed measure, as amended in the Assembly on March 21, 1951, strike out "take such steps as", and insert "make a study to determine where it".

Amendment No. 2

On page 1, line 19, of said measure, after "State", insert "where sight distance is insufficient to permit driving with safety"

Amendments read and adopted.

Resolution ordered reprinted, and on file for adoption.

Senate Bill No. 1218—An act to add Section 10246 to the Government Code, relating to participation by the Legislative Counsel in judicial proceedings.

Bill read third time.

(See Assembly Journal for April 10, 1951, page 2695, for action expunging record on S. B. 1218).

Senate Joint Resolution No. 11—Relative to the use of fresh food products in United States Army Camps

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—68.

NOES—None.

Resolution ordered transmitted to the Senate

Senate Joint Resolution No. 20—Relative to the construction of the Pillar Point Breakwater Project at Half Moon Bay, California.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—65

NOES—None.

Resolution ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 708—An act to amend Section 824 of the Code of Civil Procedure, relating to publication of notice of execution sales of vessels;

Assembly Bill No. 711—An act to amend Section 413 of the Code of Civil Procedure, relating to service of summons;

Assembly Bill No. 713—An act to amend Section 189 of the Code of Civil Procedure, relating to publication of notice of intention to destroy records;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-eighth day of March, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 714—An act to amend Section 1277 of the Code of Civil Procedure, relating to publication of order to show cause in relation to change of names;

Assembly Bill No. 715—An act to amend Section 750 of the Code of Civil Procedure, relating to publication of summons in actions to determine conflicting claims to real property;

Assembly Bill No. 717—An act to amend Section 1274.5 of the Code of Civil Procedure, relating to publication of notice and compiled report of abandoned property;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-eighth day of March, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 719—An act to amend Sections 2466 and 2469.1 of the Civil Code, relating to publication of certificates of doing business under a fictitious name and cessation of doing business under a fictitious name;

Assembly Bill No. 722—An act to amend Section 283 of the Probate Code, relating to notices in estates of missing persons;

Assembly Bill No. 726—An act to amend Section 851 of the Probate Code, relating to notices in administration of estates;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-eighth day of March, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 728—An act to amend Section 1201 of the Probate Code, relating to notices in the administration of estates;

Assembly Bill No. 2150—An act to amend Section 10755 of the Revenue and Taxation Code, relating to vehicle fees;

Assembly Bill No. 2151—An act to amend Section 5156 of the Public Resources Code, relating to the expenditure of funds;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-eighth day of March, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2152—An act to amend Section 4700 of the Penal Code, relating to the expenses of trial of prisoners;

Assembly Bill No. 2153—An act to amend and renumber Section 2040 of the Penal Code (as added thereto by Chapter 2 of the Statutes of the Third Extraordinary Session of the Fifty-fifth Legislature) to be Section 2049, relating to the Department of Corrections;

Assembly Bill No. 2154—An act to amend Section 1127 of the Penal Code, relating to instructions to the jury;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-eighth day of March, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2155—An act to amend Section 5300 of the Labor Code, relating to compensation proceedings;

Assembly Bill No. 2156—An act to amend Section 2411 of the Labor Code, relating to public labor camps;

Assembly Bill No. 2157—An act to amend Section 2102 of the Labor Code, relating to public labor camps;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-eighth day of March, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2159—An act to amend Section 18455.5 of the Health and Safety Code, relating to building specifications;

Assembly Bill No. 2160—An act to repeal Chapter 21 of the 1950 First Extraordinary Session, relating to horse race meetings;

Assembly Bill No. 2161—An act to repeal Article 4 of Chapter 17, Division 3 of the Business and Professions Code, relating to temporary registration of social workers;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-eighth day of March, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 2162—An act to amend Section 799 of the Agricultural Code, relating to standards for grapes;

Assembly Bill No. 2164—An act to amend Section 10115 of the Insurance Code, relating to life insurance policies;

Assembly Bill No. 2165—An act to amend Section 9060 of the Insurance Code, relating to exemptions;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-eighth day of March, 1951, at 2 p.m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2166—An act to amend Section 1020 of the Insurance Code, relating to insolvency and delinquency proceedings;

Assembly Bill No. 2167—An act to amend Sections 37618, 37658, and 37659 of the Government Code, relating to bond issues;

Assembly Bill No. 2168—An act to amend Section 28153 of the Government Code, relating to compensation for public service in counties of the fifty-third class;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-eighth day of March, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2170—An act to amend and renumber Section 9906.1 of the Government Code, relating to influencing the legislative process;

Assembly Bill No. 2172—An act to amend Section 9020 of the Government Code, relating to sessions of the Legislature;

Assembly Bill No. 2173—An act to repeal Section 19432 of the Education Code, relating to the use of civic center or school property by subversive groups;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-eighth day of March, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 2174—An act to amend Sections 7014, 7015, and 7020 of the Education Code, relating to apportionment of school funds;

Assembly Bill No. 2176—An act to amend Section 4663 of the Education Code, relating to annexation of school districts,

Assembly Bill No. 2177—An act to amend Sections 175 and 176 of the Education Code, relating to the powers of the Department of Education;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-eighth day of March, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2178—An act to amend Section 1268 of the Code of Civil Procedure, relating to escheat of property,

Assembly Bill No. 2179—An act to renumber and amend Section 261b of the Code of Civil Procedure, relating to fees for phonographic reporters;

Assembly Bill No. 2180—An act to repeal Title 9, Part 4, Division 1, comprising Sections 557 to 566, of the Civil Code, relating to homestead corporations;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-eighth day of March, 1951, at 2 p.m.

BURKE, Chairman

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1951

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 418
Assembly Bill No. 1240

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CONNOLLY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1951

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 626
Assembly Bill No. 2015
Assembly Bill No. 2675
Assembly Bill No. 2694

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CONNOLLY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1951

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Assembly Bill No. 1541

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and be re-referred to Committee on Ways and Means.

CONNOLLY, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 28, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 35

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, March 28, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 440
Assembly Bill No. 559
Assembly Bill No. 573
Assembly Bill No. 575
Assembly Bill No. 577
Assembly Bill No. 816
Assembly Bill No. 1114
Assembly Bill No. 2143
Assembly Bill No. 2144
Assembly Bill No. 2145
Assembly Bill No. 2146
Assembly Bill No. 2148

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, March 28, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 477
Senate Bill No. 906

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 477—An act to amend Section 1760.7 of the Welfare and Institutions Code, relating to the duties of the Director of the Youth Authority.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 906—An act to add Section 11011 to the Government Code, relating to contracts by state agencies.

Referred to Committee on Governmental Efficiency and Economy.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL BE PRINTED IN JOURNAL

Speaker pro Tempore Maloney asked for unanimous consent, on behalf of Mr. Stanley, which was granted, that the following letter of transmittal, relative to the Report of the Assembly Interim Committee on State and Local Taxation (which has previously been printed as a separate document) be ordered printed in the Journal in 10-point type, and that the report be ordered filed.

LETTER OF TRANSMITTAL

ASSEMBLY CHAMBER, STATE OF CALIFORNIA
Sacramento, March 26, 1951

Hon. Sam L. Collins
Speaker of the Assembly
Assembly Chamber
Sacramento, California

DEAR MR. SPEAKER: Pursuant to House Resolution No. 133 of the 1949 Regular Session of the California Legislature, the Assembly Interim Committee on State and Local Taxation herewith submits a report on its findings and recommendations.

In addition to H. R. No. 133, the following resolutions were directed to your committee for investigation, an account of which will be found under "Part One, Findings and Recommendations:" H. R. No. 24 by Assemblyman Hahn; H. R. No. 29 by Assemblyman Thomas and H. R. No. 111 by Assemblyman Levering.

Your committee also made a study of the relationship of the principal General Fund sources of revenue, an account of which will be found under "Part One, Findings and Recommendations."

In connection with the committee's inquiry, public hearings were held throughout the State. A large amount of statistical and other information was obtained as a result of these hearings.

In its study, the committee consulted various public documents and directed inquiries to public officials and private organizations which were highly productive in results and most helpful to the committee.

Several subcommittees were appointed to attend tax panels of many organizations throughout the State, including the League of California

Cities, the County Supervisors Association of California, the State Chamber of Commerce, the California Taxpayers Association, the United Taxpayers Association, the California Property Owners Association, the California Manufacturers Association, and many local chambers of commerce and taxpayers groups.

A tax evasion study and investigation was started but was not completed because of the lack of time. Material on this subject has been gathered and is in possession of the committee. Further study of this problem is recommended.

The committee also held hearings on the financial aspect of horse-racing tracks in relation to the pari-mutuel tax. This study, which was recommended by the 1949 standing Committee on Revenue and Taxation, is being completed and will be submitted separately.

As a result of requests from many organizations such as the Veterans of Foreign Wars, the Catholic Church, the Lutheran Church, the Seventh Day Adventists and the Jewish Synagogue, a subcommittee hearing was held in Los Angeles during October, 1950, on the subject of ad valorem taxes on property owned by nonprofit charitable organizations who were seeking relief from excessive taxes Pertinent legislation has been introduced on this subject.

Your committee made an analysis of the 1949-50 and 1950-51 Budgets and published it in its report entitled "A Summary of State Budget Information." This analysis was distributed to all members of the Assembly.

The committee has also brought up to date many of the tables submitted in its 1947 report and they may be found in Part Two of this issue, along with other tax information.

Respectfully submitted,

JONATHAN J. HOLLIBAUGH, Chairman
CLAYTON A. DILLS
T. J. DOYLE
JOHN W. EVANS
WM. W. HANSEN
CHARLES S. GUBSER
AUGUSTUS F. HAWKINS
CHARLES EDWARD CHAPEL
ERNEST R. GEDDES
G. DELBERT MORRIS
G. R. HAHN
MARVIN SHERWIN
ARTHUR H. CONNOLLY, JR.
VINCENT THOMAS
RALPH R. CLOYED
ROBERT I. MCCARTHY
WM. H. ROSENTHAL

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1203—An act to repeal Section 496 and to amend and renumber Section 496bb of the Penal Code, relating to buying, receiving, concealing, or withholding stolen property, and prescribing penalties for violation of the provisions thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—68

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 2760—An act to add Section 628.1 to the Penal Code, relating to giving aid to persons accidentally shot.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—68

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 381—An act to amend Section 11 of an act entitled "An act to restrict the running of dogs at large; to protect livestock from depredation of dogs; to provide for the issuance of dog license tags by counties, and the disposition of funds received as fees therefor; making the violation of the provisions of this act a misdemeanor and providing penalties therefor, and providing for the collection of damages by owners of livestock injured by dogs," (Chapter 757, Statutes of 1921), approved June 3, 1921, relating to the protection of livestock, including rabbits.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, and Tomlinson—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2258—An act to amend Section 818 of the Agricultural Code, relating to standards for potatoes.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—65.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—65.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 944—An act to amend Section 1157 of the Fish and Game Code, relating to game birds and mammals.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Tomlinson, and Mr. Speaker—61

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1492—An act to amend Section 1015.5 of the Fish and Game Code, relating to fish, and providing for a privilege tax in relation thereto to take effect immediately.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—69.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2676—An act to amend Section 2385 of the Business and Professions Code, relating to the grounds for denial, suspension or revocation of certificates issued under the chapter on medicine of the Business and Professions Code.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, George D. Collins, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON AMENDMENT BY MRS. NIEHOUSE AND MESSRS. CLOYED AND LUCKEL TO ASSEMBLY BILL NO. 42

At 4.50 p.m., on motion of Mrs. Niehouse, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the amendment offered by Mrs. Niehouse and Messrs. Cloyed and Luckel to Assembly Bill No. 42 was refused adoption by the following vote:

AYES—Beck, Berry, Brady, Chapel, Cloyed, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Dunn, Elliott, Hagen, Hansen, Henderson, Lowrey, Luckel, McCarthy, McFall, Meyers, Moss, Niehouse, Parker, Rumford, Silliman, Stanley, and Thomas—28

NOES—Babbage, Belotti, Brown, Burke, Burkhalter, Caldecott, Clarke, Collier, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Erwin, Gaffney, Geddes, Grant, Grunsky, Hahn, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCollister, McGee, McMillan, Morris, Munnell, Porter, Shaw, Smith, Tomlinson, Waters, and Mr. Speaker—44.

The question being on the passage of Assembly Bill No. 42.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Collier, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Erwin, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Luckel, Lyon, Maloney, McCollister, McGee, McMillan, Morris, Munnell, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—49

NOES—Beck, Burkhalter, Chapel, Cloyed, Coats, George D. Collins, Condon, Crowley, Davis, Dunn, Elliott, Fleury, Hagen, Henderson, Lowrey, McCarthy, McFall, Moss, Niehouse, and Parker—20.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Mr. Waters:

House Resolution No. 104

Relating to the passing of Lawrence A. Cline

WHEREAS, Numerous persons in Los Angeles and throughout California were grieved to learn of the sudden death of Lawrence A. Cline, outstanding citizen of Los Angeles and Vice President of the United Concrete Pipe Company of Baldwin Park; and

WHEREAS, Mr. Cline distinguished himself in the service of his Country during World War II in the Aleutian Islands, South Pacific, and Okinawa as a Captain in the United States Navy Sea Bees, and has been decorated with the Legion of Merit; and

WHEREAS, Mr. Cline was a graduate engineer of the University of Illinois, a member of Allied Post 302 of the American Legion, a leader in civic affairs and has taken an active part in many public construction projects in California; now, therefore, be it

Resolved by the Assembly of the State of California, That when the Assembly adjourns this day that it do so out of respect to the memory of Lawrence A. Cline; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to prepare suitably engrossed copies of this resolution and send them to the surviving widow, Mrs. Ella Lee Cline, son, Lawrence, Jr., and daughter, Rean.

Resolution read, and ordered referred to the Committee on Rules.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—At 8 p.m.—

Education, in Room 432.
Constitutional Amendments, in Room 435.
Municipal and County Government, in Room 426.

Today Upon Adjournment—

Conservation, Planning, and Public Works, in Room 426.

It was announced that the following committee would hold no meeting today:

Governmental Efficiency and Economy.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Speaker Sam L. Collins and Mr. Dickey, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Mildred Prince of San Francisco and Mrs. Florence Stevens of Tustin.

On request of Mr. Dolwig, the usual courtesies of the Assembly for this day were unanimously extended to Louise Kuche, Mona Christiansen, and Jerry Joroslaw of San Mateo.

On request of the Alameda County Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Judge Edward J. Smith, former Assemblyman of Oakland.

On request of Mr Davis, the usual courtesies of the Assembly for this day were unanimously extended to Miss Marian Burnham of Shasta, Miss Merle Morison of Redding, and Bill Gunlock of Dunsmuir.

On request of Mr. Hahn, the usual courtesies of the Assembly for this day were unanimously extended to John D. Hahn of Los Angeles.

On request of Mr. Beck, the usual courtesies of the Assembly for this day were unanimously extended to Mayor and Mrs. M. Frank Smith of San Fernando.

On request of Mr. Dolwig, the usual courtesies of the Assembly for this day were unanimously extended to Louise Kutsche of Atherton and Mary S. Gilmore of Daly City.

On request of Mr. Belotti, the usual courtesies of the Assembly for this day were unanimously extended to Percy Woodcock of Eureka.

On request of Mr. Stanley, the usual courtesies of the Assembly for this day were unanimously extended to Ronald Rice and Mark Thoreson of Los Angeles.

On request of Mr. Hansen, the usual courtesies of the Assembly for this day were unanimously extended to Kirby Hansen of Fresno, and Will Martin and Mr. Mirigian of Selma.

On request of Messrs. Cooke and McCarthy, the usual courtesies of the Assembly for this day were unanimously extended to W. R. Engeln and Cice Carbucci of the Pacific Coast League.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to R. L. Patrick, teacher, and the following pupils of Napa Junior College: Kermit Beck, Patricia Bickford, Gladys Cardwell, Sally Charlesworth, Jack Christianson, Barbara Deese, Bithe Mae Dillon, Dan Douglas, Hildegard Duser, Wesley Faulk, Marvin Gordon, Barry Groves, Jack McLeod, Chas. Posciri, Leon Smith, Esther Standard, Dick Watson, Harold Wilson, Patsy Wood, Nancy Carter, Carol Slayter, Barbara Gerard, Peggy Laymon, Gunter Pudewell, Kathery Antonini, Anna Ceprissi, Nancy Conners, Jane Edwards, Gloria Hileman, Eugene Kerney, Mary Lake, Ed. Low, Joan Nelson, Letita Rasimas, Pat Rawlins, Donna Ritchey, Fred Roads, Bruna Romeri, Betty Salsman, Tom Wheeler, Allen Wong, Dave Henderson, Art Thompson, Mike Morford, Leonard Edington, Paul Merritt, Ray Glancy, Shirley Conner, Georgia Maltby, Phyllis Bauman, Nancy Wilson, Betty Wassum, and Gustav Gehlar.

On request of Mr. Kelly, the usual courtesies of the Assembly for this day were unanimously extended to Bill Lachenmeir, Sol Camp, and Bill Osborne of Shafter.

On request of the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Capt. H. G. S. Wallace U. S. N., retired, of Coronado.

On request of Mr. Munnell, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Mark Munnell of Los Angeles.

On request of Mr. Hansen, the usual courtesies of the Assembly for this day were unanimously extended to Philip A. Gordan and Geo N. Skoegard of Fresno.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Irene Hatcher, Mrs. Josephine Hall, teachers; Leon Butler, bus driver; and the following pupils of Atlanta School of Sacramento: Elane Bianch, Jean Ramos, Joanne Porter, Duane Seaberg, Frank Franzia, Gary Shipman, Loris Bringelson, Lauretta Snodgrass, Marilyn Vieira, John Vieira, Raymond

Vieira, Eudon Sharp, Delbert Parks, Delores Silva, Barbara Conde, Ronna Awalt, Jeanne Fisher, Gail Fisher, Victoria Franscella, John Franzia, Calvin Johnson, Edmund Vincelet, Joellen Franzia, Sandra Stevins, David Demichelis, Palmira King, Dorothy Conde, Robert Bianchi, Adrienne Parks, Leroy Dedini, John Simas, Billy Porter, Delbert Shipman, and Geraldine Shipman.

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to Si Nolan and Mrs. Hazel Madsen, teachers; and the following pupils of Bret Harte School of Hayward: Carole Awalt, Norma Bay, Kathleen Bowen, Frances Esteban, Afton George, Sandra Hemenez, Jerry Lou Kerr, Kay MacIver, Ramona Meyer, Marjorie Paine, Judy Rowe, Harlene Toney, Dennis Bowman, Donald Christiansen, Roger Gonsalves, Richard Hartsook, Fred Jerding, Ronald Lemos, Jerry Lopez, Jesse Olivan, Donald Rocha, Kenny Vierra, and William Stroud.

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to (Mrs.) Ruth Dolson, Citizenship Instructor; and the following students of Modesto Evening Junior College: (Mrs.) Elizabeth Beane, (Mrs.) Gabrielle Bucher, (Mrs.) Janice Bucher, (Mrs.) Concepcion Jara, Jim Kashef, Mr. and Mrs Mike Kalfakis, Mr. and Mrs. John W. Lowther, Mrs Mary Marks, (Mrs.) Bluett Oppliger, Mr. A. A. Orser, Mr. and Mrs. Paul Peralta, Mr. and Mrs. Julian Presto, Mrs. Santa Presto, (Mrs.) Carolina Quartaroli, (Mrs.) Lillian Reeves, (Mrs.) Lucy Renna, (Mrs.) Mary Ribeiro, (Mrs) Iris Craft, (Mrs.) Giovanna Cudia, Miss Diana Dolson, (Mrs) Rose Geller, (Mrs.) Rose Greenberg, (Mrs) Mary Sai, Katherine Schaupp, and (Mrs.) Mary Borello.

On request of Mr. Clarke, the usual courtesies of the Assembly for this day were unanimously extended to the following pupils of the Dos Palos High School: Florella Brisco, Dorothy Batey, Syble Batey, Margie Brady, Jack Huckabey, Leon Maxwell, Rusty Bolton, Mary Joan Boyd, Rosemary Trice, Dewey Luster, Rebecca Gonzales, Fruty Sena, Virgil Goff, Bill Shrodes, Roy McCollough, John Elms, Bobbie Hume, Mona Buie, Ann Hutson, Frances Hansen, Thelma Malm, Beverly Trantham, Carol Pearey, Carmella Maiorino, Juanita Serpilio, T J. Childres, Wayne Jacobs, Bill Nichols, Ray Balderas, Verdell Eppler, Frank Jenkins, Bill Boswell, Mary Coito, Irene Cotta, Doralee Pimentel, Ray Guerrero, Valerie Shaeffer, Don Stone, Joann Paganucci, Norma Tuccori, Francine Survera, Jewell Johnson, Carmel Espino, Esther Barrigan, Beverly Hurd, Janice Crosby, Annalea Antoine, Roy Martinelli, Eva Copeland, Tommie Pierce, Wilma Chandler, Joyce Harper, Sue Churchill, Bud Ross, Lawrence Glandon, Ray Adams, Lawrence Clark, Genaro Herrera, Richard Silveria, Ronnie Couch, Randall Chisholm, Charles Arosteguy, Jack Smith, Carl Kreighbaum, Margaret Rich, Barbara Billups, and Arlene George

On request of Mr. Dolwig, the usual courtesies of the Assembly for this day were unanimously extended to Charles Benton and Glen Hopper of San Mateo.

On request of Mr. McFall, the usual courtesies of the Assembly for this day were unanimously extended to Ernest Jackson and Katie Leah Windsor, teachers; Mrs. Samuels, Mrs. Drayer, Mrs. Starke, Mrs. Harmon, and Mrs Fehling, guests; and the following pupils of the Davis School: June Betschart, Wanda Brenner, Carol Gruenick, Lynona Kromann, Judith McClure, Anna Ratto, Lynn Shattuck, Iva Summers, Betty Wallace, Monetta Worford, Robert Baglietto, Santos Banda, Rodger Cady, Jerry Foster, Glen Fouquetto, Harold Gianetti, Allan Jory, Hugh Jory, Bill King, Dennis Meyer, Raymond Nord, Robert Steele, Edward Valdez, Donnie Beauchamp, Dickie Clark, Danny Chapman, Mikie Drayer, Carolyn Esley, Carol Fehling, Sue Gilmore, David Harmon, Donald Horita, Cora King, Nato Luna, Bill McClure, Jeanette McKinney, Nancy Nord, Dorothy Samuels, Jean Summers, Earl Summers, Gary Meyers, Robert Gnekow, Herbert Speckman, and Clifford Stark.

On request of Mr. Lowrey, the usual courtesies of the Assembly for this day were unanimously extended to Congressman Claire Engle of Red Bluff.

On request of Mr. Levering, the usual courtesies of the Assembly for this day were unanimously extended to Hoit C. Vicini of Santa Monica.

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to Walker H. Reed of Chester.

On request of Mr. George D. Collins, the usual courtesies of the Assembly for this day were unanimously extended to Congressman Jack Shelley of San Francisco.

On request of Mr. Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to Henry Jackson, Mrs. Bessie Airola, teachers; of the Mother Lode Union School; Mrs. Hazel Moller, Mrs. Marguerite Luly, Mrs. Miram Petithomme, and Mrs. Isabelle Raggio, of Angels Camp, Parent-Teacher Association members; and the following pupils of the Mother Lode Union School: Glenn Powell, David Alford, Shirley Zanardi, Roberta Beltramo, Wilma Moller, Jaccene O'Connor, Dean Lagomarsino, Allen Vallero, Carol Soracco, Patty Sanchez, Barbara Knooppi, Patsy Hall, Donna Day, Dianne O'Connor, Dennis Rasmussen, Lyle Mills, Lester Folsom, Allen Guidici, Leland Conrad, Ronny Cortney, Bertram Carley, David Mathat, Mary Nemic, Patsy Petithomme, Norma Anderson, Clela Schena, Bobby Marshall, Robert Martin, Bobby Murguia, John Hickman, Geraldine Popenhagen, Lorraine Howser, and Henry Petithomme

MOTION TO ADJOURN

Mr. Dickey moved that the Assembly do now adjourn until 9 a.m., Thursday, March 29th

Mr. Hinckley seconded the motion

Substitute Motion

Mr. Beck moved, as a substitute motion, that the Assembly do now adjourn until 10 a.m. Thursday, March 29th.

Mr. Meyers seconded the substitute motion.

The roll was called, and the substitute motion lost by the following vote:

AYES—Beck, Brady, Coats, Collier, George D Collins, Davis, Elliott, Geddes, Hahn, Hawkins, Henderson, Lowrey, McFall, Moss, Munnell, Parker, Porter, Shaw, Smith, and Thomas—20

NOES—Babbage, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Connolly, Conrad, Crowley, Dickey, Dolwig, Doyle, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hansen, Hinckley, Hollibaugh, Kelly, Lanterman, Levering, Lipscomb, Luckel, Maloney, McCollister, McGee, Morris, Rumford, Silliman, Waters, and Mr. Speaker—35.

Motion to Adjourn

Mr. Dickey moved that the Assembly do now adjourn until 9 a.m., Thursday, March 29th.

Mr. Hinckley seconded the motion.

Substitute Motion

Mr. Beck moved, as a substitute motion, that the Assembly do now adjourn until 9.30 a.m on Thursday, March 29th.

Mr. Meyers seconded the substitute motion.

Substitute Motion Withdrawn

Mr. Meyers withdrew his second.

Mr. Beck withdrew his substitute motion.

The question being on the motion by Mr. Dickey that the Assembly do now adjourn until 9 a.m., Thursday, March 29th.

Motion Withdrawn

Mr. Hinckley withdrew his second.

Mr. Dickey withdrew his motion.

ADJOURNMENT

At 5.01 p m., on motion of Mr Dickey, the Speaker pro Tempore declared the Assembly adjourned until 9.30 a.m., Thursday, March 29, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

TWENTY-SIXTH LEGISLATIVE DAY

THIRTY-FOURTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, March 29, 1951

The Assembly met at 9 30 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—76

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

We come unto Thee, Our Father, at the beginning of a new day with the words of the Psalmist:

"Bless the Lord, O my soul,
And all that is within me,
Bless His Holy Name
Who forgiveth all thine iniquities,
Who healeth all thy diseases;
Who redeemeth thy life from destruction.
Who crowneth thee with loving kindness and tender mercies;
Who satisfieth thy mouth with good things;
So that thy youth is renewed like the eagle's"

Make us truly thankful for Thy manifold mercies

We ask it in the name of Him whom we worship in spirit and in truth—AMEN

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Lincoln, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Butters, on motion of Mr. Erwin.

Mr. Stewart, on motion of Mr. Erwin.

Mr. McCarthy, on motion of Mr. Fleury.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Lindsay, on motion of Mr. Gubser.

REQUEST FOR UNANIMOUS CONSENT THAT STATEMENT BE ADDED TO LETTER OF TRANSMITTAL

Mrs. Niehouse asked for, and was granted, unanimous consent that she be permitted to add the following statement to the letter of transmittal relative to the Partial Report of the Assembly Interim Committee on Crime and Corrections, which appeared in the Assembly Journal, for Monday, March 26, 1951, at page 2042:

"I subscribe to the contents of the full report of this committee with the exception of the subcommittee report on Marjorie Mae Massow (Madge Meredith) to which I definitely do not subscribe."

KATHRYN T. NIEHOUSE

APPOINTMENT TO JOINT INTERIM COMMITTEE

Pursuant to the provisions of Assembly Concurrent Resolution No. 7, Speaker Sam L. Collins announced the appointment of Mr. McGee, vice Mr. Crichton, to the Joint Interim Committee on Community Redevelopment and Housing Problems, which was created by Resolution Chapter 201 of the 1949 Statutes.

APPOINTMENTS TO ASSEMBLY INTERIM COMMITTEES

Pursuant to the provisions of House Resolution No. 28, Speaker Sam L. Collins announced the appointment of the following members to vacancies on Assembly interim committees which are authorized to act until final adjournment of this session:

Mr. Belotti, vice Mr. Fletcher, to the Assembly Interim Committee on Cemetery, Mausoleum, Crematorium, and Similar Associations.

Mr. Gubser, vice Mr. Hoffman, to the Assembly Interim Committee on Fairs and Expositions.

Mr. Munnell, vice Mr. Yorty, to the Assembly Interim Committee on Fire Hazards and Prevention.

Mr. Porter, Chairman and member, vice Mr. Anderson, to the Assembly Interim Committee on Highways, Streets, and Bridges.

Mr. Grant, vice Mr. Hoffman, and Mr. Dills, vice Mr. Yorty, to the Assembly Interim Committee on Military and Veterans Affairs.

Mr. Shaw, member, and Mr. Connolly, Chairman, vice Mr. Thompson, of the Assembly Interim Committee on Public Health.

Mr. Condon, vice Mr. Fletcher, to the Assembly Interim Committee on Public Morals

Mr. McCollister, vice Mr. Thompson, to the Assembly Interim Committee on Riding and Hiking Trails.

Mr. Lanterman, vice Mr. Thompson, to the Assembly Interim Committee on Tideland Reclamation and Development in Northern California, Related Traffic Problems, and Relief of Congestion on Transbay Crossings.

Mr. Thomas, vice Mr Anderson, and Mr. Hawkins, vice Mr. Fletcher, to the Assembly Interim Committee on Water Pollution.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1951

MR. SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 627
Assembly Bill No. 2790

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1951

MR. SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1270
Assembly Bill No. 1274

And reports the same correctly re-engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 36

Mr. Lanterman asked for, and was granted, unanimous consent that he be permitted to take up Assembly Concurrent Resolution No. 36, out of order, at this time.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 36

Assembly Concurrent Resolution No. 36—Relative to approving certain amendments to the charter of the City of Pasadena, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the fifteenth day of March, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, and Mr Speaker—60.

NOES—None.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 135—An act to amend Sections 5503, 5553, 5805, and 5809 of the Elections Code, relating to elections.

Bill read second time, and ordered engrossed.

Assembly Bill No. 137—An act to amend Sections 4530 and 4536 of the Elections Code, relating to campaign statements.

Bill read second time, and ordered engrossed.

Assembly Bill No. 139—An act to amend Section 7207 of the Elections Code, relating to elections.

Bill read second time, and ordered engrossed

Assembly Bill No. 144—An act to add Section 226.5 to the Elections Code, relating to affidavits of registration.

Bill read second time, and ordered engrossed

Assembly Bill No. 146—An act to amend Section 3924 of the Elections Code, relating to ballots.

Bill read second time, and ordered engrossed.

Assembly Bill No. 148—An act to amend Section 3829 of the Elections Code, relating to elections in which presidential electors are to be chosen.

Bill read second time, and ordered engrossed.

Assembly Bill No. 149—An act to amend Section 3041 of the Elections Code, relating to independent nominations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 150—An act to amend Sections 3824 and 3945 of the Elections Code, relating to ballots.

Bill read second time, and ordered engrossed.

Assembly Bill No. 151—An act to amend Sections 2897 and 2898 of the Elections Code, relating to ballots in case of the death or disqualification of a candidate.

Bill read second time, and ordered engrossed.

Assembly Bill No. 152—An act to amend Section 1513 of the Elections Code, relating to ballot pamphlets.

Bill read second time, and ordered engrossed.

Assembly Bill No. 153—An act to amend Section 688 of the Elections Code, relating to oaths.

Bill read second time, and ordered engrossed.

Assembly Bill No. 156—An act to add Section 678.5 to the Elections Code, relating to precinct boards and polling places

Bill read second time, and ordered engrossed

Assembly Bill No. 157—An act to add Section 46 5 to the Elections Code, relating to circulators of petitions.

Bill read second time, and ordered engrossed.

Assembly Bill No. 164—An act to add Article 3, comprising Sections 1670 to 1674, to Chapter 2 of Division 4 of the Elections Code, and to add Section 29907.5 to the Government Code, relating to arguments concerning measures submitted to the voters of a county.

Bill read second time, and ordered engrossed.

Assembly Bill No. 184—An act to amend Sections 3043, 3084, and 3150 of the Elections Code, relating to independent nominations.

Bill read second time, and ordered engrossed

Assembly Bill No. 186—An act to amend Section 2801 of the Elections Code, relating to state central committee meetings

Bill read second time, and ordered engrossed.

Assembly Bill No. 802—An act to add Sections 29 and 30 to the Education Code, relating to electors

Bill read second time, and ordered engrossed.

Assembly Bill No. 855—An act to amend Section 226 of the Civil Code, relating to adoption of children.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1756—An act to add Section 54 1 to the Civil Code, relating to admission to schools.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1982—An act to amend Section 26529 of the Government Code, relating to duties of the county counsel.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2705—An act to amend Section 6103.5 of the Government Code, relating to filing fees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2810—An act to repeal Section 12024 4 of the Business and Professions Code, relating to the sale of poultry, fowl, and rabbits by weight, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 748—An act to amend Section 20 of the Fish and Game Code, relating to fish and game, and the administration of the laws pertaining thereto.

Bill read second time, and ordered engrossed

Assembly Bill No. 2050—An act to add Section 465.4 to the Vehicle Code, relating to signs at deer crossings.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2206—An act to amend Section 845 of the Fish and Game Code, relating to nets.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2733—An act to amend Section 971 of the Fish and Game Code, relating to traps and diving equipment.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2734—An act to amend Section 450.5 of the Fish and Game Code, relating to diving.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1500—An act to amend Sections 160 and 161 of the Welfare and Institutions Code, relating to the return of mental patients to the states of their residence.

Bill read second time, and ordered engrossed.

Assembly Bill No. 418—An act to amend Sections 154 and 6500 of the Welfare and Institutions Code, relating to state hospitals for the care and treatment of the insane, the mentally ill, and the mentally disordered.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1240—An act to amend Section 7442 of the Business and Professions Code, relating to the practice of cosmetology and the fees therefor

Bill read second time, and ordered engrossed.

Assembly Bill No. 856—An act to amend Sections 224, 224p, 226a, 226b, and 227b of the Civil Code, and to add Sections 226c, 227d, and 227e thereto, relating to the adoption of children.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, after "226a," insert "and".

Amendment No. 2

In line 1 of the title of the printed bill, after "226b", strike out ", and 227b".

Amendment No. 3

In line 2 of the title of the printed bill, after "add", strike out "Sections 226c, 227d, and 227e", and insert "Section 227d".

Amendment No. 4

On page 3 of the printed bill, strike out lines 42 to 50, inclusive.

Amendment No. 5

On page 4 of the printed bill, strike out lines 1 to 48, inclusive

Amendment No. 6

On page 5, line 1, of the printed bill, after "SEC.", strike out "S. Section 227e", and insert "5. Section 227d".

Amendment No. 7

On page 5, line 2, of the printed bill, strike out "227e", and insert "227d".

Amendment No. 8

On page 2 of the printed bill, strike out lines 14 to 23, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2724—An act to amend Sections 3301, 3305, 6403, 6405, 6406, 6407, 6409, 6500, 6501, and 6502 of the Corporations Code, to add Sections 3301.5, 3301.6, 3301.7, 3301.8, 6403.5, and 6403.6 thereto, and to repeal Section 6410 thereof, all relating to corporations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 18, of the printed bill, strike out "If a corporate agent be designated the state"; and strike out lines 19 and 20, and insert "If a corporate agent be designated, the statement shall set forth the state or place under the laws of which such agent was incorporated and the name of the city, town or village wherein it has the office at which the corporation designating it as such agent may be served, as set forth in the certificate filed by such corporate agent pursuant to Section 3301.5, 3301.6, 6403.5 or 6403.6."

Amendment No. 2

On page 1 of said bill, strike out lines 21 and 22; and on page 2, strike out lines 1 to 5, inclusive, and insert

"In the event of any change in the location or address of its principal office or the stated address of a natural person whom it has designated as such agent or the city, town or village wherein it may be served by delivery of a copy of any process to a corporate agent, a domestic corporation shall forthwith file with the Secretary of State a statement of such new location or address or such new city, town or village, which statement shall also include the names of the then officers, the names of whom are required above to be stated."

Amendment No. 3

On page 2 of said bill, strike out lines 14 to 20, inclusive, and insert

"Delivery by hand of a copy of any process against the corporation (a) to any natural person designated by it as agent, or (b), if the corporation has designated a corporate agent, at the office of such corporate agent in the city, town or village named in the statement filed by the corporation pursuant to Section 3301 or 6403 to any person at such office named in the certificate of such corporate agent filed pursuant to Section 3301.5 or 6403.5, if such certificate has not been superseded, or otherwise to any person at such office named in the last certificate filed pursuant to Section 3301.6 or 6403.6, shall constitute valid service on the corporation."

Amendment No. 4

On page 2 of said bill, strike out lines 29 to 42, inclusive, and insert

"3301.5. Any domestic corporation, before it may be designated as the agent for the purpose of service of process of any corporation pursuant to Section 3301 or 6403, shall file with the Secretary of State a certificate executed in its name by its president or a vice president and by its secretary or an assistant secretary setting forth all of the following:

(a) The complete address of its office in each city, town or village named in any statement filed pursuant to Section 3301, 6403, 6406 or 6407 wherein it is designated as such agent, and which shall be the office where the corporation designating it as such agent may be served with process.

(b) The name of each person employed by it at each such office to whom it authorizes the delivery of a copy of any such process.

(c) Its consent that delivery thereof to any such person at the office where he is employed shall constitute delivery of any such copy to it, as such agent."

Amendment No. 5

On page 3, line 16, of said bill, after "purpose", insert "resigns, dissolves,"

Amendment No. 6

On page 4 of said bill, strike out lines 6 and 7, and insert

"6403.5. If a corporate agent be designated, the statement shall set forth the state or place under the laws of which such agent was incorporated and the name of the

city, town or village wherein it has the office at which the corporation designating it as such agent may be served, as set forth in the certificate filed by such corporate agent pursuant to Section 3301.5, 3301 6, 6403 5 or 6403.6 "

Amendment No. 7

On page 4 of said bill, strike out lines 15 to 35, inclusive, and insert

"6403.5. Before it may be designated by any corporation as its agent for service of process, any foreign corporation which, as shown by the records of the Secretary of State, is authorized to transact intrastate business in this State shall file with the Secretary of State a certificate executed in its name by its president or a vice president and by its secretary or an assistant secretary setting forth all of the following:

(a) The date of its incorporation and the State or place under the laws of which it was created and the date on which it last qualified for the transaction of intrastate business in this State.

(b) *The location and address of its main office.*

(c) The complete address of its office in each city, town or village named in any statement filed pursuant to Section 3301, 6403, 6406 or 6407 wherein it is designated as such agent, and which shall be the office where the corporation designating it as such agent may be served with process.

(d) The name of each person employed by it at each such office to whom it authorizes the delivery of a copy of any such process.

(e) Its consent that delivery thereof to any such person at the office where he is employed shall constitute delivery of any such copy to it, as such agent "

Amendment No. 8

On page 5, line 19, of said bill, after "purpose", insert "resigns, dissolves,".

Amendment No. 9

On page 5 of said bill, strike out lines 24 to 26, inclusive, and insert "to the requirements of Section 6403 and such filing shall be deemed to revoke any prior designation of agent."

Amendment No. 10

On page 5 of said bill, strike out lines 45 to 50, inclusive; and on page 6, strike out lines 1 and 2, and insert "If a foreign corporation qualified for the transaction of intrastate business pursuant to this chapter changes the location or address of its principal office in this State, or the location or address of its main office, or if the stated address of a natural person whom it has designated as agent for the service of process be changed, or in the event of a change in the city, town or village wherein it may be served by delivery of a copy of any process to a corporate agent, then such foreign corporation, or the agent on its behalf, shall forthwith file with the Secretary of State a statement of such change of location or address or such change in such city, town or village "

Amendment No. 11

On page 6 of said bill, strike out lines 14 to 20, inclusive, and insert

"Delivery by hand of a copy of any process against the corporation (a) to any natural person designated by it as agent, or (b), if the corporation has designated a corporate agent, at the office of such corporate agent in the city, town or village named in the statement filed by the corporation pursuant to Section 3301 or 6403 to any person at such office named in the certificate of such corporate agent filed pursuant to Section 3301 5 or 6403.5, if such certificate has not been superseded, or otherwise to any person at such office named in the last certificate filed pursuant to Section 3301 6 or 6403 6 shall constitute valid service on the corporation "

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets

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Amendment No. 12

On page 6 of said bill, strike out lines 47 to 51, inclusive, and on page 7, strike out lines 1 to 8, inclusive, and insert

"6502 [If the corporation to be served has not filed with the Secretary of State the statement required by Section 6403, the person desiring to make such service shall deliver to the Secretary of State a statement of the address of the corporation to which notice, and a copy of the process shall be sent] Upon receipt of the process and order and his fee therefor the Secretary of State forthwith shall give notice to the corporation of the service of the process by forwarding by registered air mail, charges prepaid, with request for return receipt, a copy of the process and order [to both its *principal* or home main office or principal place of business and to its principal office in the State or]

to the address specified in the order if the corporation has not filed the statement required by Section 6403, otherwise to the two offices of the corporation the addresses of which are set forth in such statement or in statements subsequently filed."

Amendments read, and adopted

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1028—An act to amend Section 332 of the Fish and Game Code, relating to wilderness and wild areas.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1 of the printed bill, strike out line 12, and insert "Area the Hoover Wild Area, Tunnel Meadows, or the Monachee Meadows, each within the Inyo National".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2623—An act to add Section 39.7 to the Fish and Game Code, relating to the powers of the Fish and Game Commission.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 8, of the printed bill, strike out the period, and insert ", providing that no exchange or sale of property as provided for in this section shall materially reduce the total area of any range or area referred to in this section. A copy of each deed of conveyance executed and delivered by the Commission, and of each deed conveying lands to the State, pursuant to this section shall be delivered to the State Lands Commission."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 445—An act to amend Sections 3003 and 3402 of the Welfare and Institutions Code, relating to aid to the blind

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1 of the printed bill, between lines 9 and 10, insert

"The State Department of Social Welfare may take all action necessary to enforce this section."

Amendment No. 2

On page 1, of said bill, after line 17, insert

"The State Department of Social Welfare may take all action necessary to enforce this section."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 2796—An act to add Section 3354 to the Welfare and Institutions Code, relating to the sale of raw materials purchased for state institutions for the blind.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1, lines 7 and 8, of the printed bill, strike out "when such materials are not required for the foreseeable use of such institutions and".

Amendment read, and adopted

Bill ordered reprinted, and engrossed.

Assembly Bill No. 626—An act to add Chapter 5.6, comprising Sections 2600 to 2632 inclusive, to Division 2 of the Business and Professions Code, relating to the practice of physical therapy.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 3 of the printed bill, strike out lines 51 and 52; and on page 4, strike out lines 1 to 5, inclusive, and insert

"(g) Who has been convicted of a violation of any of the provisions of this code"

Amendment No. 2

On page 4, line 26, of the printed bill, strike out "punished by a fine"; and strike out lines 27 to 29, inclusive, and insert "guilty of a misdemeanor"

Amendment No. 3

On page 4, line 33, of the printed bill, after "surgeon", insert "without having first surrendered his certificate of registration to the board", and strike out "licensed by the board."

Amendment No. 4

On page 5, line 32, of the printed bill, strike out "one", and insert "two".

Amendment No. 5

On page 6 of the printed bill, strike out lines 12 to 20, inclusive.

Amendment No. 6

On page 4, line 4, of the printed bill, strike out "by the Board of Medical Examiners".

Amendment No. 7

On page 4, line 33, of the printed bill, insert a period after "physician and surgeon", and strike out "licensed by the board".

Amendment No. 8

On page 5, line 8, of the printed bill, strike out "by the board", and insert "under Chapter 5 of this code.".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2015—An act to add Sections 2733.5 and 2750.5 to the Business and Professions Code, relating to the practice of the profession of nursing, declaring the urgency of this act, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 16, of the printed bill, after "America", insert "and such a temporary permit may also be issued to an applicant who at the time of application is currently authorized to legally practice as a professional nurse under the laws of the Dominion of Canada".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2675—An act to amend Sections 2191 and 2192 of the Business and Professions Code, relating to qualifications for admittance to examination.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 4, of the printed bill, immediately following "completed", insert "a two year resident course of college grade, including the subjects of physics, chemistry, and biology, before commencing the study of medicine. An applicant graduating after January 1, 1955, shall present evidence satisfactory to the board of having completed a three year resident course of college grade, including the subjects of physics, chemistry, and biology, before commencing the study of medicine."

Amendment No. 2

On page 1 of the printed bill, strike out lines 12, 13, and 14.

Amendment No. 3

On page 3, line 4, of the printed bill, following the "period", after "board", insert "At the discretion of the board the written examination provided for in Section 2288 may be taken following completion of his medical course and the granting of a degree by the school."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2694—An act to amend Section 2383 of the Business and Professions Code, relating to unprofessional conduct

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 7, of the printed bill, immediately following "guilty", insert "or a conviction following a plea of nolo contendere made to a charge of a felony or of any offense involving moral turpitude".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 853—An act to amend Section 1500 of the Welfare and Institutions Code, and to add Section 1500.5 thereto, relating to aid to needy children in respect to children in the custody of licensed adoption, home-finding or child-placing agencies

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 10 to 13, inclusive, and insert "dren and place children in homes for adoption and who subsequently has been found by the organization to be unplaceable for adoption."

Amendment No. 2

In line 2 of the title of the printed bill, after "Code", strike out ", and to add Section 1500.5 thereto".

Amendment No. 3

On page 1 of the printed bill, strike out lines 14 to 18, inclusive

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 502—An act to amend Section 531 of the Agricultural Code, relating to conveyances transporting milk or cream.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 3, of the printed bill, after "conveyances," insert "except conveyances owned or operated by the proprietor of a dairy farm or his employee,".

Amendment No. 2

On page 1, line 6, of said bill, strike out "either".

Amendment No. 3

On page 1, line 7, of said bill, strike out "or otherwise afforded", and insert "in such manner as to afford".

Amendment No. 4

On page 1, line 9, of said bill, after "contamination", insert "; provided that, existing conveyances may be used without change, until July 1, 1953, but not thereafter".

Amendment No. 5

On page 1 of said bill, strike out lines 21 to 27, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

Assembly Bill No. 586—An act to amend Sections 274, 275, 276, and 285 3 of, and to add Section 275.5 to, the Agricultural Code, relating to apiary inspection and equipment brands.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 2, line 18, of the printed bill, as amended in the Assembly on March 19 1951, strike out "equipment", and insert "hive"

Amendment No. 2

On page 2 of said bill, strike out lines 42 to 47, inclusive, and insert

"(8) Any other facts which the certifying officer may deem pertinent to the condition and disease history of the bees during the two-year period immediately preceding the inspection.

Any shipment of bees, used hives or appliances arriving in this State which is not stamped, or which is not accompanied by a valid certificate, as required by this section, shall be refused entry and returned to the shipper or destroyed, at the option and expense of the owner or person in charge of the shipment."

Amendment No. 3

On page 3 of said bill, strike out lines 19 to 21, inclusive

Amendment No. 4

On page 4, line 6, of said bill, strike out "and", and insert "or"

Amendment No. 5

On page 4 of said bill, strike out line 9, and insert "or queens have been taken were inspected immediately prior to shipment and found free".

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture

Assembly Bill No. 2128—An act to add Section 644.2 to the Agricultural Code, relating to colored oleomargarine.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "colored".

Amendment No. 2

On page 1, line 5, of said bill, strike out "colored oleomargarine", and insert "contents by name".

Amendment No. 3

On page 1, line 6, of said bill, strike out "contained therein".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

Assembly Bill No. 2482—An act to amend Section 80 of the Agricultural Code, relating to agricultural districts

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 14, of the printed bill, strike out "Number".

Amendment No. 2

On page 1 of said bill, strike out lines 15 and 16, and insert "trict 50, Agricultural District 51, Agricultural District 54, Agricultural District 55, and Agricultural District 56."

Amendment No. 3

On page 4 of said bill, following line 10, insert

"District 55. All that portion of Los Angeles County comprising the City of Englewood.

District 56. All that portion of Los Angeles County comprising the City of Pasadena."

Amendment No. 4

On page 4, lines 5 and 6, of the printed bill, strike out "Orange county line; thence westerly and southerly", and insert "Imperial Highway; thence easterly along said Imperial Highway to the Orange County line; thence".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

Assembly Bill No. 2530—An act to add Section 94.7 to the Agricultural Code, relating to fairs and expositions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 94.7", and insert "Sections 92.1 and 94.7".

Amendment No. 2

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 92.1 is added to the Agricultural Code, to read:

92.1 The Department of Finance shall apportion any money appropriated by the State for the encouragement of county, district or combined county and district fairs held or to be held during the calendar year 1951 on the basis provided under Section 92, and to the several counties and district agricultural associations which held fairs during the calendar year of 1950 but not in 1951 due to conditions caused by or resulting from the national emergency or interference by a state or other government agency, over which the county or district has no control, and which received an apportionment under the provisions of Section 92 based on the premiums paid at said fairs held in 1950 on the basis of eligible premiums paid as set forth in the sworn statements of 1950 premiums paid which were filed with the Department of Finance under Section 92 and used in apportioning the funds to the various fairs held during the calendar year 1950, subject, however, to all the other provisions of Section 92

SEC. 2. Section 94.7 is added to said code, to read:".

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

Assembly Bill No. 925—An act to add Section 482.5 to the Fish and Game Code, relating to obstructions in streams.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 5, of the printed bill, after "water", insert "groins, jetties, seawalls, breakwaters, bulkheads, wharves and piers permitted by law, and debris from mining operations,".

Amendment No. 2

On page 1, line 7, of the printed bill, following "Counties," insert "*which will prevent the passing of fish up and down stream or which is deleterious to fish as determined by the commission,*".

Amendment No. 3

On page 1 of the printed bill, strike out lines 9 to 19, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Fish and Game.

Assembly Bill No. 453—An act to amend Section 20975 of the Education Code, relating to visiting teachers for blind children.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1, line 13, of the printed bill, strike out "to be served"

On page 1, line 14, of said bill, after "thereof, add, "who are in need of this service."

Amendment No. 2

In line 2 of the title of said bill, before the period, insert ", and making an appropriation therefor".

Amendment No. 3

On page 1, of said bill, after line 14, insert

"SEC. 2. Out of any money in the General Fund the sum of six thousand dollars ($6,000) is hereby appropriated for the support of the California School for the Blind, in augmentation of Item 91 of the Budget Act of 1951, to be expended during the 1951-1952 Fiscal Year to pay the salaries of visiting teachers for blind children of preschool age employed pursuant to Section 20975 of the Education Code"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1541—An act to repeal Chapter 3, comprising Sections 1200 to 1304, inclusive, of Division 2 of the Business and Professions Code, and to add Chapter 3, comprising Sections 1200 to 1322, inclusive, to Division 2 of said code, relating to the regulation of clinical laboratories, clinical laboratory technologists, clinical laboratory technicians, and clinical laboratory technician trainees, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 6, lines 17 and 18, of the printed bill, as amended in the Assembly on March 19, 1951, strike out "and if a corporation the names of the directors and principal officers,".

Amendment No. 2

On page 6, line 36, of said bill, strike out "Where"; strike out lines 37 to 39, inclusive; and, in line 40, strike out "of said corporation"

Amendment No. 3

On page 4, line 21, of said bill, strike out "College and uni-"; strike out lines 22 to 28, inclusive; and in line 29, strike out "grouping and typing)—3.", and insert "The board shall establish by regulation the required courses to be included in the college or university training."

Amendment No. 4

On page 3 of said bill, strike out lines 39 and 40, and insert "from any person in accordance with the authority granted under any provisions of law relating to the healing arts, or granted under the Chiropractic Act"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

SECOND READING OF SENATE BILLS

Senate Bill No. 93—An act to amend Sections 102, 103, 146, 170, 188, 215, 254, 260, 262, 320, 321, 340, 394, 450, 451, 452, 457, 459, 461, 463, 464, 465, 550, 644, 644.1, 647, 648 and to add Section 213 of the Military and Veterans Code, relating to the call of the militia to active service, federal service, the reduction of noncommissioned officers, the discharge of personnel, pay and allowances, disability benefits, courts-martial jurisdiction and procedure, disciplinary action and punishment, the admission to bail, Uniform Code of Military Justice, courts-martial process, confinement of minors, competitive exercises, discrimination against members of the National Guard, service awards, correction of orders and directives, emergency purchases and services, membership in the California Defense and Security Corps, reversion to state control, leasing of land for military purposes.

Bill read second time, and ordered to third reading.

UNFINISHED BUSINESS

NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 327 FROM COMMITTEE CONTINUED

Mr. Davis asked for, and was granted, unanimous consent that his notice of motion to withdraw Senate Bill No. 327 from committee be continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2672 HOLD PLACE ON FILE

Mr. Connolly asked for, and was granted, unanimous consent that Assembly Bill No. 2672 be passed on file, and hold its place on file on the next legislative day.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 2678—An act to amend Section 2435 of the Business and Professions Code, relating to the practice of the healing arts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 831—An act to amend the title to Chapter 5, and Articles 3 and 5 of Chapter 5, of Part 3 of Division 8 of the Health and Safety Code; and to amend Sections 8701, 8704, 8712, 8714, 8725, 8726, 8727, 8728, 8729, 8730, 8731, 8732, 8733.5, 8735, 8736, 8737, 8738, 8739, 8740, 8741, 8742, 8743, 8744, 8750, 8775, and 8780, of said code, relating to private cemeteries.

Bill read third time, and ordered temporarily passed on file.

Assembly Bill No. 273—An act to amend Section 960 of the Welfare and Institutions Code, relating to the establishment and maintenance of schools in detention homes and juvenile homes and camps.

Bill read third time.

Motion to Amend

Mr. Babbage moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 960", and insert "Sections 667.1 and 960".

Amendment No. 2

In line 2 of the title of said bill, strike out "relating to the establishment and maintenance of"; and strike out line 3 of the title, and insert "and to add Section 961 to said code, all relating to the establishment and maintenance of public schools"

Amendment No. 3

On page 1, line 1, of said bill, strike out "Section 960", and insert "Section 667.1".

Amendment No. 4

On page 1 of said bill, between lines 2 and 3, insert

"667.1. The board of supervisors may, by ordinance, provide that schools established and maintained pursuant to Section 667 shall be maintained by the county superintendent of schools in which case the county superintendent of schools shall have the same powers and duties with respect to such schools as the governing board of a school district would have were said schools maintained by the school district under the provisions of this article, and the county board of supervisors shall have the same powers *and duties* with respect to such schools as though the schools were maintained by a school district under the provisions of this article.

SEC. 2 Section 960 of said code is amended to read:".

Amendment No. 5

On page 1 of said bill, beginning in line 4, strike out "or the governing board of the school district in which the juvenile home or camp is situated,".

Amendment No. 6

On page 1 of said bill, beginning in line 9, strike out "or the governing board of the school district.".

Amendment No. 7

On page 1 of said bill, beginning in line 14, strike out "or governing board of a school district".

Amendment No. 8

On page 1 of said bill, after line 16, insert

"SEC. 3. Section 961 is added to said code to read:

961. The board of supervisors, in lieu of proceeding under Section 960, may provide for the establishment of an elementary public school and of a secondary public school in connection with a juvenile home or camp, for the education of children in the juvenile home or camp. The board, by ordinance, may provide for the establishment and maintenance of school facilities in the juvenile home or camp and such schools shall be maintained by the respective governing boards of the elementary school district and of the high school district in which the juvenile home or camp is located.

Such school when established shall be maintained subject to and in accordance with all laws relating to schools maintained by a school district in a juvenile hall under Article 5 of Chapter 2 of Part 1 of this division"

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 303—An act to amend Section 29747 of the Government Code, relating to records of the county auditor

Bill read third time.

The roll was called, and the bill passed by the following vote

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly,

Kilpatrick, Kirkwood, Lanterman, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—64

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 304—An act to amend Section 4790 of the Health and Safety Code, relating to signatures on county sanitation district bonds and interest coupons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kilpatrick, Kirkwood, Lanterman, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 478—An act to add Section 25369.5 to the Government Code, relating to the powers of boards of supervisors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Morris, Munnell, Niehouse, Parker, Potter, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1742—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hollibaugh, Klocksiem, Lanterman, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCollister, Meyers, Moss, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—46.

NOES—Beck, George D. Collins, Condon, Davis, Doyle, Elliott, Geddes, Hawkins, Kilpatrick, Levering, Lowrey, McFall, McMillan, Munnell, Parker, Shaw, and Tomlinson—17.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1743—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCollister, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—56.

NOES—Beck, Brady, George D. Collins, Condon, Davis, Elliott, Geddes, Hahn, Kilpatrick, Lowrey, McFall, Munnell, Parker, and Shaw—14.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCollister, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—56.

NOES—Beck, Brady, George D. Collins, Condon, Davis, Elliott, Geddes, Hahn, Kilpatrick, Lowrey, McFall, Munnell, Parker, and Shaw—14.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 270

Mr. Babbage asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 270, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 270

Assembly Bill No. 270—An act to amend Section 602 of the Welfare and Institutions Code, relating to compensation and expenses of the probation committee.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—66.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1811—An act to add Section 37394 to the Government Code, relating to the leasing of property for off-street parking purposes, declaring the urgency thereof, to take effect immediately

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—66.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—66

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2378—An act to amend Section 330.24 of the Civil Code to enable mutual water companies to sell water to any public agency and under certain circumstances to other mutual water companies and other persons and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr Speaker—70

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr Speaker—70

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 300

Mr. Crowley asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 300, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 300

Assembly Bill No. 300—An act relating to the financing, construction, maintenance and operation of sanitary sewerage and storm drainage systems for the Cities of Fairfield and Suisun City, creating the Fairfield-Suisun Sewer District and prescribing its boundaries, change of boundaries, organization, operation, management, financing and powers, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr Speaker—68.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—68.
NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 421—An act to amend Section 18852 of the Education Code, relating to school supplies and equipment.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—68.
NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 10.33 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 1094—An act to add Section 19301.1 to the Education Code, relating to cafeterias in public schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—68.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3370—An act to amend Section 1593 of the Education Code, relating to the effect of the formation and changes in territory and status of school districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Geddes moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert ", and to add Section 1593.1 to,".

Amendment No. 2

In line 2 of the title of said bill, strike out "the effect of".

Amendment No. 3

On page 2 of said bill, between lines 2 and 3, insert
"SEC. 2. Section 1593.1 is added to said code to read:
1593.1. The formation of a unified school district under Chapter 14 of this division shall be effective for the purposes set forth in Section 1593 upon the date upon which the boundaries of the component districts thereof became or become coterminous."

Amendment No. 4

On page 2, line 3, of said bill, strike out "SEC. 2.", and insert
"SEC. 3."

Amendment No. 5

On page 2 of said bill, after line 18, insert
"Furthermore, under existing law, the provisions of Education Code Section 1593 are inapplicable only to a unified school district formed under Chapter 14 of Division 2 of the Education Code and so the residents of such a district alone are precluded from exercising the privilege of increasing, through an election held pursuant to Education Code Section 6358, the maximum statutory district tax rate (prescribed by Education Code Section 6357) for such district effective for the first school year of the district's existence. The result is that a unified school district formed during the school year 1950-1951 under said chapter will be unable, if the maximum statutory district tax rate will not provide the necessary revenue, to provide during the school year 1951-1952 adequate instructional and other facilities for the education of the children residing in the district. In order to remove at the earliest possible moment, the discrimination which now exists against such unified school districts to the detriment of the welfare of the children of such districts, it is necessary that this act take effect immediately."

Amendments read, and adopted.
Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 420—An act to amend Section 3454 of the Political Code and to add Section 50933 to the Water Code, relating to reclamation districts.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—68

NOES—None.

Notice of Motion to Reconsider Assembly Bill No. 420

Mr. Beck gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 420 was this day passed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 419

Mr. Silliman asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 419, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 419

Assembly Bill No. 419—An act to amend Section 7056, Public Resources Code, relating to oil, gas and mineral leases by counties and other public or quasi public corporations, bodies or agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr Speaker—69

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 349—An act to amend the title and Sections 3 and 5 of an act entitled "An act to appropriate the sum of twenty-four thousand dollars ($24,000) to be used in construction, renewal, and repair of works for restraining, impounding and control of debris resulting from mining operations and other causes along the Yuba River, to provide for the manner of expending such appropriation, to create the Yuba River Debris Control Fund, and to provide for the deposit in said fund of any unexpended balances of previous appropriations made for this purpose," being Chapter 686, Statutes of 1935, approved July 16, 1935, relating to construction, renewal, and repair of works for restraining, impounding and control of debris resulting from mining operations and other causes along the Yuba River.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, and Mr. Speaker—70

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 795—An act to add Section 11374 to the Government Code, relating to regulations and the scope and validity of regulations adopted by state agencies.

Bill read third time, and ordered passed on file.

Assembly Bill No. 1639—An act to amend Section 4.37 of The University of California Dormitory Revenue Bond Act of 1947, relating to legal investments of revenue bonds issued under said act, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

Assembly Bill No 1639 ordered passed on file.

Assembly Bill No. 1890—An act to repeal Section 232 of the Banking Code, relating to the taking of the constitutional oath of office by deputies and examiners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1694—An act to amend Section 202 of the Education Code, relating to the distribution of surplus property of the Federal Government by the State Educational Agency for Surplus Property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, and Thomas—67.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1639

Mr. Caldecott asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 1639, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1639

Assembly Bill No. 1639—An act to amend Section 4.37 of The University of California Dormitory Revenue Bond Act of 1947, relating to legal investments of revenue bonds issued under said act, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Thomas, and Mr. Speaker—69.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Thomas, and Mr. Speaker—69

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3240

Mr. Chapel asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3240, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3240

Assembly Bill No. 3240—An act to amend Sections 10051, 10052, and 10053 of the Education Code, relating to courses of study.

Bill read third time

Motion to Amend

Mr. Chapel moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in the Assembly on March 23, 1951, after the comma, insert "and in American history,".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed

MEMBERS EXCUSED

At 11.10 a.m. Mr. Chapel asked for, and was granted, unanimous consent that he be excused, for the balance of the legislative day, because of illness.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1640

Mr. Caldecott asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1640, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1640

Assembly Bill No. 1640—An act to amend Section 20583 of the Education Code, relating to revenue bonds issued under The State College Revenue Act of 1947 as legal investments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, and Thomas—64

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT REPORTS BE READ, AND APPROPRIATE ACTION TAKEN

Mr. Dickey asked for, and was granted, unanimous consent that appropriate action be taken on reports below.

Reports read, as follows:

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 656
Assembly Bill No. 739

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1951

MR SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 30

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Judiciary.

DUNN, Chairman

Above reported bill ordered re-referred to the Committee on Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No 611

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means

DUNN, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 123
Assembly Bill No 170
Assembly Bill No 291
Assembly Bill No 1123
Assembly Bill No 1691
Assembly Bill No. 1859
Assembly Bill No. 1860
Assembly Bill No. 616
Assembly Bill No. 1107

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1951

MR SPEAKER: Your Committee on Education, to which was referred

Assembly Bill No. 740

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and be re-referred to Committee on Ways and Means

DUNN, Chairman

Above reported bill ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1951

MR SPEAKER Your Committee on Education, to which was referred.

Assembly Bill No. 3347

Has had the same under consideration, and reports the same back with the recommendation Do pass.

DUNN, Chairman

Above reported bill ordered to third reading.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1951

MR SPEAKER Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 272
Assembly Bill No. 636
Assembly Bill No 638
Assembly Bill No. 742
Assembly Bill No 1080

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bills ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 271
Assembly Bill No. 637
Assembly Bill No. 639
Assembly Bill No. 640
Assembly Bill No. 641
Assembly Bill No. 642
Assembly Bill No. 1617
Assembly Bill No. 1666
Assembly Bill No. 1668
Assembly Bill No. 2507
Assembly Bill No. 2508
Assembly Bill No. 2791
Assembly Bill No. 2855
Assembly Bill No. 2856
Assembly Bill No. 2857
Assembly Bill No. 2859
Assembly Bill No. 2860

Has had the same under consideration, and reports the same back with the recommendation: Do pass

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 840
Assembly Bill No. 1719

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 555

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bill ordered to second reading.

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Assembly Bill No. 39
Assembly Bill No. 1250
Assembly Bill No. 2063

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SILLIMAN, Chairman

Above reported bills ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2641—An act to add Section 4.5 to the "State Aeronautics Commission Act," relating to the powers and duties of the commission with respect to civil defense.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloved, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh,

Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, and Thomas—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1004—An act to add Section 18053.5 to the Education Code and to repeal Section 18059 of that code, relating to the purchase of materials or supplies by school districts during periods of war.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, and Thomas—65.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, and Thomas—65.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILLS NOS. 831 AND 1605 HOLD PLACE ON FILE

Mr. Porter asked for, and was granted, unanimous consent that Assembly Bills Nos. 831 and 1605 be passed on file, and hold their places on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2920—An act to add Section 188.1 to the Streets and Highways Code, relating to the expenditure of state highway funds, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—64.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—64.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2005

Mr. Sherwin asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2005, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2005

Assembly Bill No. 2005—An act to add Chapter 4 to Part 4 of Division 3 of Title 2 of the Government Code, relating to state-owned motor vehicles, and prescribing the powers and duties of the Department of Finance, the State Personnel Board and the State Board of Control with respect thereto.

Bill read third time, and ordered passed on file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Constitutional Amendment No. 1—An act to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 8 of Article XI thereof, relating to the charters of cities and cities and counties.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—67.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 732—An act to amend Sections 14½ and 14¾ of the County Waterworks District Act, relating to the annexation of territory to county waterworks districts.

Bill read third time.

Motion to Amend

Mr. Stanley moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 52, of the printed bill, strike out "resubmitted", and insert "submitted".

Amendment No. 2

On page 3, line 15, of said bill, strike out the first "or"

Amendment No. 3

On page 3, line 30, of said bill, strike out "property", and insert "properly".

Amendment No. 4

On page 3, line 49, of said bill, after the period, insert "_____"

Amendment No. 5

On page 4, line 33, of said bill, strike out the quotation marks.

Amendment No. 6

On page 5, line 4, of said bill, strike out the first "except".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 838—An act to amend Section 1719 of, and to add Section 9709 to, the Elections Code, relating to municipal elections.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Cloved, Coats, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—63.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 839—An act to amend Section 37904 of the Government Code, relating to city public works contracts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Cloved, Coats, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Doyle Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—64.

NOES—None

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1721

Mr Stanley asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1721, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1721

Assembly Bill No. 1721—An act to amend Section 28111 of the Government Code, relating to compensation for public service in counties of the eleventh class

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, and Mr. Speaker—63.
NOES—Hollibaugh—1

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1872

Mr. Stanley asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1872, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1872

Assembly Bill No. 1872—An act to amend Section 18 of the County Waterworks District Act, relating to the government of the district.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—69.
NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 965—An act to amend Section 5828.1 of the Streets and Highways Code, relating to county maintenance districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, and Tomlinson—64.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 753—An act to amend Section 512 of the Vehicle Code, relating to speed on highways where persons are at work.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, and Tomlinson—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 754—An act to amend Sections 125 and 126 of the Streets and Highways Code, relating to the closing and restricting of the use of state highways.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hollibaugh, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 755—An act to add Section 111.5 to the Streets and Highways Code, relating to the adoption of city streets as a part of the State Highway System.

Bill read third time, and ordered passed on file.

RECESS

At 11.45 a.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

MEMBER EXCUSED

At 2.01 p.m., Mr. Dickey asked for, and was granted, unanimous consent that Mr. Crowley be excused for the balance of the legislative day, because of legislative business elsewhere.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 292	Assembly Bill No. 1248
Assembly Bill No. 433	Assembly Bill No. 1565
Assembly Bill No. 671	Assembly Bill No. 3301
Assembly Bill No. 782	

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 29, 1951

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 36

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 71	Assembly Bill No. 1834
Assembly Bill No. 99	Assembly Bill No. 1835
Assembly Bill No. 342	Assembly Bill No. 2213
Assembly Bill No. 817	Assembly Bill No. 2391
Assembly Bill No. 1831	Assembly Bill No. 2900
Assembly Bill No. 1832	Assembly Bill No. 3157

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1951

MR. SPEAKER. Your Committee on Legislative Procedure has examined

Assembly Bill No. 1852

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1270—An act to add Section 151.1 to the Vehicle Code, relating to registration of vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Dills, Dolwig, Dunn, Evans, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lipscomb, Lucke, Lyon, Maloney, McCollister, McGee, McMillan, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, and Thomas—49

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 2.03 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 1273—An act to amend Section 429 of the Vehicle Code, relating to the redemption of certain vehicles sold under lien sales.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Davis, Dills, Dolwig, Dunn, Evans, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Kelly,

Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCollister, McGee, McMillan, Moss, Munnell, Niehouse, Porter, Rumford, Sherwin, Smith, Stanley, and Thomas—48.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1274—An act to amend Section 423 of the Vehicle Code, relating to financial responsibility

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Davis, Dills, Dolwig, Dunn, Evans, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Kelly, Kirkwood, Klocksiem, Lanterman Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCollister, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, and Thomas—51
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 434—An act to repeal Section 18431.1 of, and to add Section 19405 to the Revenue and Taxation Code, relating to personal income taxes, and providing for the imposition of criminal penalties on persons filing false returns

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, George D Collins, Connolly, Conrad, Davis, Dills, Dolwig, Doyle, Dunn, Evans, Grant, Grunsky, Hagen, Hansen, Hawkins, Kelly, Klocksiem, Lanterman, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCollister, McGee, McMillan, Munnell, Niehouse, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, and Thomas—45
NOES—Kirkwood and Moss—2

Notice of Motion to Reconsider Assembly Bill No. 434

Mr. Beck gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 434 was this day passed.

Assembly Bill No. 435—An act to amend Section 17014 of the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Davis, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Grunsky, Gubser, Hahn, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, and Thomas—52.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 436—An act to amend Sections 19082 and 19083 of, and to repeal Section 19084 of, the Revenue and Taxation Code, relating to personal income taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Conrad, Davis, Dickey, Dills, Dolwig, Dunn, Erwin, Evans, Geddes, Grunsky, Gubser, Hagen, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, and Thomas—54

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 441—An act to amend Sections 26102, 26103, and 26103a of the Revenue and Taxation Code, relating to taxation of banks, corporations, Massachusetts trusts and associations

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Geddes, Grunsky, Gubser, Hagen, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—60

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 2 27 p.m., Hon. Sam L Collins, Speaker of the Assembly, presiding.

Assembly Bill No. 442—An act to amend Section 25961 of, and to add Section 25962 to the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing for the imposition of criminal penalties upon persons wilfully filing false returns for such organizations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D Collins, Connolly, Conrad, Dickey, Dolwig, Doyle, Dunn, Erwin, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Thomas, Tomlinson, and Mr Speaker—54.

NOES—Brady, Brown, Condon, Davis, Dills, Elliott, Hawkins, Henderson, Kirkwood, McGee, and Munnell—11.

Bill ordered transmitted to the Senate.

Assembly Bill No. 469—An act to add Section 24202 to the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations and providing for the disallowance of deductions to taxpayers deriving income from certain illegal activities.

Bill read third time, and ordered passed on file.

Assembly Bill No. 60—An act to add Article 8.5, comprising Sections 31690 to 31692, inclusive, to Chapter 3 of Part 3 of Division 4 of Title 3 of the Government Code, relating to the members of county employees' retirement systems in respect to employment of persons who have attained the age of compulsory retirement, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—66.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—66

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1618—An act to amend Sections 625, 640, 645, 660, and 675 5 of the Vehicle Code, relating to equipment of vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr Speaker—66.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 1619—An act to amend Sections 673 and 676 of the Vehicle Code, relating to equipment of vehicles

Bill read third time.

The roll was called, and the bill passed by the following vote·

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—70

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1620—An act to repeal and add Section 637 to the Vehicle Code, relating to equipment of vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—70

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3032

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 3032, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3032

Assembly Bill No. 3032—An act to add Section 27645 to the Government Code, relating to the duties of county counsels

Bill read third time

The roll was called, and the bill passed by the following vote.

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Gubser, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—60

NOES—Hagen and Kirkwood—2

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 664

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 664, temporarily passed on file, out of order, for purpose of amendment, at this time

CONSIDERATION OF ASSEMBLY BILL NO. 664

Assembly Bill No. 664—An act to amend Section 453 of the Vehicle Code, relating to the applicability of the provisions of said code to public employees and publicly owned motor vehicles and other equipment during the installation, removal, repair or maintenance of traffic signs, signals or other traffic control devices.

Bill read third time.

Motion to Amend

Mr. Rosenthal moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 and 4, and insert "453. Public Officers and Employees to Obey Code. (a) The"

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 558

Mr. Maloney asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 558, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 558

Assembly Bill No. 558—An act to amend Sections 18301 and 18302 of, and to add Sections 17784.4, 18168, and 18301.1 to, and to repeal Section 18304.1 of, the Revenue and Taxation Code, relating to personal incomes taxes, and providing that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Huckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Mr. Speaker—67

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 561

Mr. Maloney asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 561, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 561

Assembly Bill No. 561—An act to amend Section 26132 of the Revenue and Taxation Code, relating to taxation of banks, corporations, Massachusetts trusts and associations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Conts, Collier, George D Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Huckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lipscomb, Lowrey, Luckel, Lyon, McCollister, McFall, McGee, McMillan Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Sherwin, Silliman, Smith, Stanley, Thomas, and Mr Speaker—62

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 562

Mr. Maloney asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 562, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 562

Assembly Bill No. 562—An act to amend Section 26105 of the Revenue and Taxation Code, relating to taxation of banks, corporations, Massachusetts trusts and associations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lipscomb, Lowrey, Luckel, Lyon, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Sherwin, Silliman, Smith, Stanley, Thomas, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 100

Mr. Doyle asked for, and was granted, unanimous consent that he be permitted to take up House Resolution No. 100, out of order, at this time.

CONSIDERATION OF HOUSE RESOLUTION NO. 100

By Mr. Doyle:

House Resolution No. 100

Resolved, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to purchase 13 combination brief cases similar to the ones heretofore ordered for the Members of the Assembly, and he is further instructed to deliver one combination brief case to each of the 13 members who were not members of the 1950 Session, and be it further

Resolved, That the Chief Clerk is authorized and instructed to order for each Member of the Assembly, upon request and approval by the Rules Committee, one combination brief case similar to the ones heretofore ordered for the Members of the Assembly, and to deliver the same to each member making the request after approval by the Rules Committee.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—64.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2314 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mrs. Niehouse asked for, and was granted, unanimous consent that Assembly Bill No. 2314 be withdrawn from the Committee on Municipal and County Government, and be re-referred to the Committee on Education.

ANNOUNCEMENT

Mr. Dickey announced that if there is full membership attendance tomorrow, and the session of this House is not concluded until very late in the day, it may be possible to avoid working on Saturday

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined Assembly Bill No. 1818

And reports the same correctly engrossed

BURKE, Chairman

Above reported bill ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 433 re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bills Nos. 782 and 1565 re-referred to the Committee on Judiciary.

Assembly Bills Nos. 3301 and 1248 re-referred to the Committee on Boards and Commissions.

Assembly Bills Nos. 292 and 671 re-referred to the Committee on Military Affairs.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today, At 8 p.m.—

Civil Service and State Personnel, in Room 426.
Revenue and Taxation, in Room 435.

Today Upon Adjournment—

Ways and Means, in Room 435.
Transportation and Commerce, in Room 432.
Municipal and County Government, in Room 426.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Dickey, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. M. Shade, Mr. and Mrs. M. Phil Bertero, and Mrs. Randal F. Dickey of Alameda

On request of Mr. Kelly, the usual courtesies of the Assembly for this day were unanimously extended to A. W. Noon of Bakersfield.

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. W. H Murray, Mrs Fred Johnson, Mrs. M. L. Olsen, Mrs. E. D. Smith, Mrs. C. O. Huffsmith, Mrs. C. S. Browne, Mrs J. G. Landon, Mrs. T. O. Leydecker, Mrs. E M. Le Baren, Mrs. W. J. Mezger, Mrs. Mae Miller, of Modesto; Mrs George Ludwig of Hughson; and Mrs. W. H. James of Crows Landing.

On request of Mr. Parker, the usual courtesies of the Assembly for this day were unanimously extended to Harry Tremain, teacher, and the following pupils of the Stockton College: James Ball, Judith Baskind, Camilla Benitez, Dorothy Boyd, Robert Buck, Mary Celsi, Don Church, Jim Collins, Pat Comaskey, Bruce Crayne, Pat Da Massa, Barbara Durkee, Isabel Espinoza, Kreutzer Gorman, Fern Gonzalo, Wesley Hing, Janet Holck, Don Holmes, Everette Holmes, Lily Hong, Peter Jacobs, Mary Lavorato, Margaret Lopez, Alicia Morales, Juanell Morris, Carolyn Scott, Meredith Surrell, Dorion Taylor, Shirley Thieman, David Toy, and Maryann Williams.

On request of Mr. Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Gladys K. Liljegren, George L. White, teachers, Ruth Kalfsbuk, Chester Fulton, parents; and the following pupils of the Pierce School of College City: Freddy Gash, Clarence Coon, Garry Dolbow, Jim West, Sandra Rapp, Tom Fulton, Allen Ehrke, Pat Murphy, Frances Coon, Richard Wilkins, Donald Gonzalez, Arlene Rankin, Carolyn Hardy, Colette Moore, Jim Kalfsbuk, Ralph Gonzalez, Henry Gonzalez, George Rankin, and Delbert Garrison.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Leora Keema, and Ann Kirchgater, teachers; Mrs. Amy Bartholomew, Mrs. Eleanor Strong, Mrs. Edna Stohlgren, and Mrs. Frances Walton, mothers; and the following pupils of the Elk Grove Union School: Joyce Backer, Nancy Bartholomew, Junior Brown, Carol Bunney, Jim Cavallero, Jon Colton, Eunice Cook, Beverly Coupe, Wayne Crabb, David DePew, Fred Docktor, Koichi Endow, Fred Evangelista, Dorothy Felt, Joanne Fizer, Victor Frolich, Lewis Fuglistaler, George Glavich, Jim Green, Terry Halverson, Marilyn Hensley, Earl High, Elinor Kneppel, Franklin Lagura, Orvellia Lairson, Alice Larimore, Cleda Larsen, Luella Littke, Michael Macklin, Marylyn Mauger, JoAnn Nelson, Joe Miller, Colleen Miles, Marilee Mitchell, Loretta Moody, Jessie Moore, Virgil Myers, Rose Mary Ogden, Alfred Onodera, Lynn Peters, Lowell Phillips, Goldie Pickard, Bill Reaves, Eiko Sano, Melvin Schauer, Ray Schultze, Edward Scola, Rosie Smith, Bob Spencer, Doris Stohlgren, Jane Strong, Isaias Torres, Fred Townsend, Charlotte Voos, Glenda Walton, Edwin Wanner, Carl Wrest, and Jon Yarborough.

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to Ronald Weaver, instructor, Ronald Notley, district administrative assistant, of the Bret Harte School of Hayward School District, and the following pupils: Billy Heal, Gerry Lamb, Jimmy Koon, Dahl Condon, Don Gouveia, Don Wilson, Don Louthan, Ken Boronda, Jack Carmo, Charles Freeman, Gordon Gabrielson, Tony Lajoie, Tom Lewis, Bob Moe, Bob Moor, Tony Ramos, George

Rapoza, Imogene Chapman, Patsy Collette, Merry Dillon, Ines Garde, Jackie Mauldin, Pat Meredith, Diane Meyer, Virginia Nordstrom, Marie Peterson, Beverly Slater, Bobbie Joyce Spillers, Robbie Loyce Spillers, Roma Stump, Carol Carson, David Schilling, James Sowden, Lionel Norton, Rose Baldassarre, and Jackie Burge.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to R. L. Patrick, teacher, and the following pupils of the Napa College: Robert Linder, Barbara Lameraux, Gene Mihelich, Carol Miller, Edwin McGowan, Sue Malone, Evertt Neil, Carol Nelson, Mary Oliveres, Margaret Phillip, Joe Randol, Sharon Raahauge, Darlene Sausser, Maxine St. Clair, Clarence Spicer, Tom Schooll, Ruby Soard, Carol Lee Stubbs, Bill Stark, George Stewart, Donald Snavely, Dorothy Shuck, Ruth Thompson, Jacqueline Thompson, Marlene Trissel, Elaine Tentes, Jim Trood, Wanda Webb, Lynn Wheeler, Rebecca Yarbrough, Nancy Young, Shirley Anderson, Richard Alston, Doug Abbott, Ed Bailey, Jane Barnes, Margaret Bertain, Kenneth Berry, Joan Broughton, Covene Bowers, Dale Breit, Fred Born, Robert Burns, Fred Brown, Shirlee Boyer, Emile Carr, Christine Caddell, Diane Clerici, John Clerici, Shirley Day, Betty Dady, Bernard Desrosiers, Lyllis Dierksen, Donald Downing, Joy Fowler, Edward Chidella, Joan Harris, Carol Harvey, Regina Hauxwell, Al Ireton, Joan Ireton, Janet Jenkins, Arlene Johnson, Virginia Jensen, Georgia Langstaff, Leo Lujan, Marlene Layton, and Vincelia Lugli.

On request of Mr. Cooke, the usual courtesies of the Assembly for this day were unanimously extended to Knight Aulsbrooke of Guam.

On request of Mr. Rumford, the usual courtesies of the Assembly for this day were unanimously extended to Franklin H. Williams of San Francisco.

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to Marion Moorehead and Jack Crouch.

On request of Mr. Lincoln, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Emery Olsen of Oakland.

ADJOURNMENT

At 3.05 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9.30 a.m., Friday, March 30, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

TWENTY-SEVENTH LEGISLATIVE DAY

THIRTY-FIFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, March 30, 1951

The Assembly met at 9.30 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—71

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence A. Kircher:

O God, Thou art the Protector and Helper of all Thy children Thou hast made of one blood all nations and determined the bounds of their habitations.

We pray for those who have responsibility in our Nation, our State and our community. May they lead us in the paths of peace and justice

Let this great Nation, which Thou has wonderfully blest, take its place among the peoples of the earth as one that serveth

"O, Ruler of the Universal sphere,
Help us to crush all paralyzing fear;
Give wisdom that our puny lives may know
A broadening spirit that shall build and grow
Into a workable, efficient plan
Triumphant in the government of man"

We ask it in the name and for the sake of the Savior of men, who loved us and gave Himself for us—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Meyers, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Stewart, on motion of Mr. Clarke.
Mr. Butters, on motion of Mr. Clarke.
Mr. Chapel, on motion of Mr. Belotti.
Mr. McCarthy, on motion of Mr. Meyers.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Lyon, on motion of Mr. Clarke.
Mr. Crowley, on motion of Mr. Dickey.

The following members were granted leaves of absence for the day, and desired to waive their per diems:

Mr. Kilpatrick, on motion of Mr. Munnell.
Mr. Lindsay, on motion of Mr. Gubser.

COMMUNICATIONS

By the Chief Clerk:

A House Joint Resolution from the Legislature, State of New Mexico, relative to making application to the Congress of the United States for the calling of a convention to propose an amendment to the Constitution of the United States for the purpose of restraining the present unrestrained exercise of the taxing power by the Federal Government, was received, and ordered referred to the Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 135	Assembly Bill No. 186
Assembly Bill No. 137	Assembly Bill No. 418
Assembly Bill No. 139	Assembly Bill No. 748
Assembly Bill No. 144	Assembly Bill No. 802
Assembly Bill No. 146	Assembly Bill No. 855
Assembly Bill No. 148	Assembly Bill No. 1240
Assembly Bill No. 149	Assembly Bill No. 1500
Assembly Bill No. 150	Assembly Bill No. 1756
Assembly Bill No. 151	Assembly Bill No. 1982
Assembly Bill No. 152	Assembly Bill No. 2050
Assembly Bill No. 153	Assembly Bill No. 2206
Assembly Bill No. 156	Assembly Bill No. 2705
Assembly Bill No. 157	Assembly Bill No. 2733
Assembly Bill No. 164	Assembly Bill No. 2734
Assembly Bill No. 184	Assembly Bill No. 2810

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 36—Approving certain amendments to the charter of the City of Pasadena, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the fifteenth day of March, 1951;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twenty-ninth day of March, 1951, at 4 p m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 347
Assembly Bill No 664
Assembly Bill No. 732

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 3240
Assembly Bill No 3370

And reports the same correctly re-engrossed

BURKE, Chairman

Above reported bills ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 273

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading

MOTION THAT BILLS PASSED ON FILE BE PLACED AT FOOT OF FILE

Mr. Dickey moved that all bills passed on file be placed at the foot of the file.

Mr. Clarke seconded the motion.

Motion carried.

REPORTS OF STANDING COMMITTEES

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 665
Assembly Bill No 1271

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

LUCKEL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 297
Assembly Bill No. 608
Assembly Bill No. 2012

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LUCKEL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No 1285
Assembly Bill No 1612
Assembly Bill No 1855
Assembly Bill No 2317
Assembly Bill No 3099
Assembly Bill No. 1947

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

LUCKEL, Chairman

Above reported bills ordered to second reading

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 134
Assembly Bill No. 1151
Assembly Bill No. 1705
Assembly Bill No 1726
Assembly Bill No. 2930

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1951

MR SPEAKER: Your Committee on Education, to which was referred:

Senate Bill No. 752

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass, as amended

DUNN, Chairman

Above reported bill ordered to second reading

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 6
Assembly Bill No 1093

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No 20
Assembly Bill No 472
Assembly Bill No 629
Assembly Bill No. 1031

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR. SPEAKER. Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 33
Assembly Bill No. 455
Assembly Bill No. 652
Assembly Bill No. 736
Assembly Bill No. 1058
Assembly Bill No. 2295
Assembly Bill No. 2386
Assembly Bill No. 2387
Assembly Bill No. 2389
Assembly Bill No. 2390

Has had the same under consideration, and reports the same back with the recommendation. Do pass

SHERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR. SPEAKER Your Committee on Ways and Means, to which was referred:

Senate Bill No. 57

Has had the same under consideration, and reports the same back with the recommendation: Do pass

SHERWIN, Chairman

Above reported bill ordered to second reading.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 94

Has had the same under consideration, and reports the same back with the recommendation: Do pass

STANLEY, Chairman

Above reported bill ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 29, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended

Assembly Bill No. 1057

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file

SENATE CHAMBER, SACRAMENTO, March 29, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 19
Assembly Joint Resolution No. 22

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, March 29, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 70
Senate Bill No. 468
Senate Bill No. 821
Senate Bill No. 822
Senate Bill No. 868
Senate Bill No. 880
Senate Bill No. 881
Senate Bill No. 1572
Senate Bill No. 1716

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time.

Senate Bill No. 70—An act authorizing the sale or exchange of state property and providing for the disposition of the proceeds from said sale or exchange.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 468—An act to amend Section 1159 of the Fish and Game Code, relating to the establishment of cooperative hunting areas.

Referred to Committee on Fish and Game.

Senate Bill No. 821—An act to amend Section 17702.5 of the Health and Safety Code, relating to health and safety in housing

Referred to Committee on Public Health

Senate Bill No. 822—An act to amend Section 20703 of the Health and Safety Code, relating to poisons.

Referred to Committee on Public Health.

Senate Bill No. 868—An act to amend Sections 860, 865, 880, and 903 and to repeal Sections 861 and 881 of the Fish and Game Code, relating to taking fish with nets.

Referred to Committee on Fish and Game.

Senate Bill No. 880—An act to amend Sections 5517 and 5518 of the Welfare and Institutions Code, relating to sexual psychopaths and providing for their return to court from state hospitals

Referred to Committee on Judiciary.

Senate Bill No. 881—An act to amend Sections 7066, 7067, and 7059 of the Welfare and Institutions Code, relating to defective and psychopathic delinquents and providing for their parole or return to court from state institutions

Referred to Committee on Judiciary.

Senate Bill No. 1572—An act to amend Section 11611 of the Business and Professions Code, relating to subdivision maps

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1716—An act to add Section 850 to the Fish and Game Code, relating to nets

Referred to Committee on Fish and Game.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 29, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 23
Senate Concurrent Resolution No. 37

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolutions were read:

Senate Joint Resolution No. 23—Relative to memorializing the President and the Congress of the United States to declare Napa County, State of California, a critical defense area for the purpose of obtaining financing of constructions

Referred to Committee on Rules.

Senate Concurrent Resolution No. 37—Relative to leaves of absence of the Governor, Lieutenant Governor, Secretary of State, Attorney General, Controller, Treasurer, Superintendent of Public Instruction, Members of the Board of Equalization, and the Members of the Senate and Assembly.

Referred to Committee on Rules.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 123—An act to add Section 2208.5 to the Education Code, relating to the powers and duties of the governing boards of city school districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 170—An act to add Section 9176.1 to the Education Code, relating to the administration of federal programs of education.

Bill read second time, and ordered engrossed

Assembly Bill No. 291—An act to amend Section 19437 of the Education Code, relating to civic centers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1123—An act to amend Section 5006 of the Education Code, relating to bonding school district employees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1691—An act to add Section 6357.2 to the Education Code, relating to school district tax rates.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1859—An act to amend Sections 5058 and 5105.1 of, and to add Section 5103.1 to, the Education Code, relating to state school building aid.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1860—An act to amend Section 5103 of the Education Code, relating to state school building aid.

Bill read second time, and ordered engrossed.

Assembly Bill No. 616—An act to amend Section 2 of an act entitled "An act to make an appropriation to provide housing and equipment for the education of cerebral palsied children," approved July 25, 1949, relating to audit of expenditures from such appropriation

Bill read second time, and ordered engrossed.

Assembly Bill No. 1107—An act to amend Section 1303 of the Education Code, relating to superintendents of schools.

Bill read second time, and ordered engrossed

Assembly Bill No. 271—An act to amend Sections 631, 632, 633, 635, and 637 of the Welfare and Institutions Code, relating to the appointment and removal of probation officers, assistant probation officers, and deputy probation officers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 637—An act to amend Section 31462 of the Government Code, relating to the retirement of county employees

Bill read second time, and ordered engrossed.

Assembly Bill No. 639—An act to amend Section 31560 of, and to add Section 31641.5 to, the Government Code, relating to retirement of county employees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 640—An act to add Section 31784 to the Government Code, relating to the retirement of county employees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 641—An act to amend Section 31627 of, and to add Sections 31469.5, 31557 5 and 31585 5 to, the Government Code, relating to retirement of county employees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 642—An act to amend Sections 31676.1, 31676.2, and 31676.4 of, and to add Section 31676.55 to, the Government Code, relating to the retirement of county employees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1617—An act to amend Section 2804 of the Streets and Highways Code, relating to special assessment proceedings for financing the cost of local improvements

Bill read second time, and ordered engrossed.

Assembly Bill No. 1666—An act to repeal Section 32401 and to amend Section 32441 of the Water Code, relating to county water districts

Bill read second time, and ordered engrossed.

Assembly Bill No. 1668—An act to amend Sections 30507 and 30508 of the Water Code, relating to county water districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2507—An act to add Section 31026 to the Water Code, relating to powers of county water districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2508—An act to add Section 12a to the County Water Works District Act, relating to the powers of the governing boards of county water works districts.

Bill read second time, and ordered engrossed

Assembly Bill No. 2791—An act to amend Section 31676.7 of the Government Code, relating to retirement

Bill read second time, and ordered engrossed.

Assembly Bill No. 2855—An act to amend Section 4951 of the Health and Safety Code, relating to revenue bonds

Bill read second time, and ordered engrossed

Assembly Bill No. 2856—An act to add Article 4 to Chapter 1 of Part 1 of Division 2 of Title 5 of the Government Code, relating to contracts for special services.

Bill read second time, and ordered engrossed

Assembly Bill No. 2857—An act to amend Sections 54307 and 54310 of, and to add Section 54479 to, the Government Code, relating to revenue bonds.

Bill read second time, and ordered engrossed

Assembly Bill No. 2859—An act to add Article 9 to Chapter 5 of Part 3 of Division 5 of the Health and Safety Code, relating to revenue bonds.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2860—An act to add Article 12 to Chapter 6 of Division 2 of Title 5 of the Government Code, relating to revenue bonds.

Bill read second time, and ordered engrossed.

Assembly Bill No. 272—An act to amend Sections 664, 665, and 666 of the Welfare and Institutions Code, relating to the appointment and removal of juvenile hall superintendents, matrons, and employees, and duties of the probation officer

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 3, of the printed bill, after "664 ", insert "In all counties except counties having a population in excess of two million".

Amendment No. 2

On page 1, line 10, of said bill, after "officer.", insert "In all counties having a population in excess of two million, the superintendent, matron, and other employees of the juvenile hall shall be appointed by the board of supervisors upon the nomination of the probation committee and the approval of the judge of the juvenile court "

Amendment No. 3

On page 1, line 12, of said bill, after "665 ", insert "In all counties except counties having a population in excess of two million"

Amendment No. 4

On page 1, line 18, of said bill, after ' discretion.", insert "In all counties having a population in excess of two million the superintendent, matron or any other employee of the juvenile hall may, at any time, be removed by the probation committee in its discretion."

Amendment No. 5

On page 1, line 20, of said bill, after "666.", insert "In all counties except counties having a population in excess of two million".

Amendment No. 6

On page 1, line 23, of said bill, after "supervisors.", insert "In all counties having a population in excess of two million the superintendent of the juvenile hall shall keep a classified list of expenses, and shall file a duplicate copy with the county board of supervisors "

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 636—An act to add Section 31765 to the Government Code, relating to the retirement of county employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government.

Amendment No. 1

On page 1, lines 6 and 7, of the printed bill, after "service," strike out "or within one month after discontinuance of county service,"

Amendment No. 2

On page 1, lines 8 and 9, of said bill, after "him", strike out "pursuant to Article 6".

Amendment No. 3

On page 1, line 13, of said bill, after "spouse", insert ", if such spouse so elects at any time prior to acceptance of any retirement or death benefits,".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 638—An act to add Section 31652.1 to the Government Code, relating to the retirement of county employees

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 9, of the printed bill, strike out "June 30, 1952", and insert "December 31, 1951".

Amendment No. 2

On page 1, line 11, of said bill, strike out "June 30, 1952", and insert "December 31, 1951".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 742—An act to amend Section 31679 of the Government Code, relating to retirement systems.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 31679", and insert "Sections 31679 and 31681".

Amendment No. 2

On page 1, line 6, of the printed bill, strike out "_____ dollars ($_____)", and insert "twelve hundred dollars ($1,200)".

Amendment No. 3

On page 1 of the printed bill, strike out line 11, and insert "twelve hundred dollars ($1,200) a year.

SEC. 2 Section 31681 of the Government Code is amended to read:

31681. Each payment of a retirement allowance, after the effective date of this section, to a beneficiary who retired prior to September 20, 1947, shall be calculated according to the provisions of this chapter as they existed on September 20, 1947.

In every county having a population in excess of 2,000,000, the minimum retirement allowance for every member who has heretofore or who shall be hereafter retired at compulsory retirement age and who is credited with 15 or more years service, including prior service, shall receive a total retirement allowance of not less than twelve hundred dollars ($1,200) per year."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1080—An act to add Sections 31469.1, 31470.1, and 31557.1 to, and Articles 6.5, 8.5, 10.5, and 12.5 to Chapter 3, Part 3, Division 4, Title 3 of, the Government Code, relating to the retirement of county employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 2, line 2, of the printed bill, after "county", insert "having a population not in excess of two million (2,000,000) and".

Amendment No. 2

On page 3, line 24, of the printed bill, strike out "31681", and insert "31682".

Amendment No. 3

On page 3, line 27, of said bill, strike out "31682", and insert "31683".

Amendment No. 4

On page 3, line 39, of said bill, strike out "31683", and insert "31683.1".

Amendment No. 5

On page 4, lines 19 and 20, of said bill, strike out "the last three years prior to establishment of the system and".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 740—An act to amend Section 13032 of the Education Code, relating to the Public School System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "to amend Section 13032 of the Education Code, relating to the Public School System", and insert "making an appropriation for the support of the Vocational Education Fund"

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 4, inclusive, and insert

"SECTION 1. Out of any money in the State Treasury not otherwise appropriated, there is hereby appropriated to the Vocational Education Fund, in addition to any other money heretofore appropriated to said fund, the sum of two hundred twelve thousand five hundred thirty-one dollars ($212,531) to be expended by the State Board of Education for the support of vocational education as follows:

(a) For the development and revision of instructional materials and visual aids for classes for apprentices and journeymen, the sum of one hundred fifty-four thousand five hundred seventy-six dollars ($154,576).

(b) For an educational program for industry for personnel evaluation the sum of fifty-seven thousand nine hundred fifty-five dollars ($57,955) "

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 840—An act to amend Section 4730 of the Health and Safety Code, relating to county sanitation districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, lines 8 and 9, of the printed bill, strike out "existing at the time of the formation of a sanitation district".

Amendment No. 2

On page 1 of said bill, strike out lines 15 to 21, inclusive, and insert

"The governing body of each city and the board of supervisors shall each select one of its members, other than its presiding officer as an alternate director to act as a member of the district board in place of the presiding officer during his absence, inability or refusal to act."

Amendment No. 3

On page 1, line 22, of said bill, after "includes", insert "unincorporated territory and".

Amendment No. 4

On page 1 of said bill, strike out lines 23 and 24, and insert "and no sanitary district, or unincorporated territory and one sanitary district and no city, then".

Amendment No. 5

On page 2, lines 3 and 4, of said bill, strike out "existing at the time of the formation of a sanitation district".

Amendment No. 6

On page 2, lines 9 and 10, of said bill, strike out "existing at the time of the formation of a sanitation district".

Amendment No. 7

On page 2 of said bill, strike out lines 12 to 43, inclusive, and insert

"If the total number of cities and sanitary districts included in the sanitation district in whole or in part is two and if the sanitation district does not include any territory not in cities or sanitary districts, then the district board includes the presiding officer and one other member of the governing body of the city or two members of the governing body of the sanitary district having the greatest population and the presiding officer of the governing body of the city or one member of the governing body of the sanitary district having the least population.

If the total number of cities and of sanitary districts wholly or in part within the sanitation district is two or more, and if, in addition, the district contains unincorporated territory, then the district board includes the presiding officer of the board of supervisors, the presiding officer of the governing board of each city, and a member of the governing board of each sanitary district.

A city within a sanitation district, the sewered portion of which city lies entirely within a sanitary district shall have no representation on the board

The term "sanitary district" as used in this section shall mean a sanitary district formed prior to the formation of the sanitation district in which it is included in whole or in part."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government

Assembly Bill No. 1719—An act to add Sections 9.1, 27.1, and 27.2 to the Vehicle Parking District Act of 1943, relating to the formation and financing of vehicle parking districts, the use for parking places of lands already owned by the city, and the redemption of bonds issued under said act

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, after "27.2 to", insert ", and amend Section 44 of,".

Amendment No. 2

In line 2 of the title of said bill, after the comma, insert "and to add Sections 31571, 31682, and 31683 to, and amend Sections 31530, 31776, and 31777 of, the Streets and Highways Code,".

Amendment No. 3

In line 3 of the title of said bill, after the comma, insert "the qualifications of commissioners of such districts,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 2 of said bill, after line 39, insert

"SEC. 4. Section 44 of said act is amended to read.

Sec. 44 Whenever a vehicle parking district is created under this act, immediately upon the acquisition of the parking places to be acquired pursuant to the petition for the formation of the district, a parking place commission shall be appointed which shall have the powers, jurisdiction and authority granted in this act In the discretion of the legislative body, such commission may be appointed at any time prior to such acquisition and after the adoption of the ordinance declaring the district formed. The commission shall consist of three members. Each commissioner shall be a resident and qualified elector of the municipality or county. Members of the commission shall serve without compensation. Members of the commission shall be appointed in the case of a municipality by the mayor, subject to confirmation by the legislative body thereof, and in the case of a county by the legislative body.

The commissioners shall hold office for the term of three years from the date of their appointment and qualification and until their successors are appointed and qualified, except that members of the first board appointed shall classify themselves by lot so that one member holds office for one year, one for two years, and one for three years, and, in each instance, until a successor has been appointed and qualified, provided, however, that by a four-fifths vote a commissioner may be removed by the legislative body at any time.

Commissioners shall be persons of business experience and ability [and interested in the district], to the end that the affairs of the district shall be administered in the interests of the district. A commissioner may be an owner or lessee of property, or an officer, employee, or agent of a corporation owning or leasing property, within the district or, in the case of a commission appointed under Section 51 hereof, within one of the districts, or any other qualified person, *but each commissioner shall have the qualifications specified in the first paragraph of this section*. Whenever there is filed with the legislative body of the city or the county, as the case may be, a petition signed by the owners of more than one-half of the area of assessable land within the district requesting the removal of a commissioner, such legislative body shall immediately remove such commissioner, and a new commissioner shall be appointed in the same manner as for other appointments. The commissioner so removed shall be ineligible to hold office as a commissioner of the district for a period of one year following his removal. To secure the removal of a commissioner from a commission appointed under Section 51 hereof, the petition must be signed by the owners of more than one-half of the area of assessable land within each of a majority of the districts governed by such commission.

SEC 5. Section 31571 is added to the Streets and Highways Code, to read:

31571. The petition for the formation of a district may propose that lands already owned by the city are to be used as parking places for the proposed district.

In such event the petition shall state what compensation is to be paid to the city for such use and the manner in which such compensation is to be paid. Such payment may be made out of revenues from the use of such lands, and other lands acquired for the district for parking places. The legislative body may refuse said petition or agree by resolution to such use for the compensation provided in the petition. If the legislative body so agrees, then the ordinance of intention shall describe the lands to be so used and shall state the amount and manner of payment of the compensation. The improvements proposed by a petition may include improvements of lands to be used as parking places pursuant to this section, and in that event the assessment levied shall include the estimated costs and expenses of such improvements. As soon as all collections of paid assessments have been made and all bonds representing unpaid assessments have been sold and paid for, the legislative body shall adopt a resolution providing that such land shall be held subject to the provisions of the act and used as parking places for the use and benefit of the district, and thereafter such land shall be so held and used under the possession and control of the board of parking place commissioners, and the compensation to be paid to the city shall thereafter be paid to it as proposed in the petition.

SEC. 6. Section 31682 is added to said code to read:

31682 The petition for the formation of a district may contain a provision that the redemption provisions of said bonds shall require the payment of a premium of 3 percent of the unpaid principal, in which case the ordinance of intention shall also so provide, and the words, "together with a premium of 3 percent of said unpaid principal" shall be added to the redemption clause of the bonds issued, and such premium must be paid to the treasurer by the property owner or other person paying off any such bond before maturity and discharging the property described therein from the lien of the assessment, and the treasurer must pay such premium to the holder of the bond redeemed

SEC. 7. Section 31683 is added to said code to read:

31683 In the case of a district, the petition for the formation of which was filed prior to the effective date of this section, the legislative body may, at any time prior to the giving of notice of the filing of the assessment, declare its intention to provide that the redemption provisions of the bonds shall require the payment of a premium of 3 percent of the unpaid principal, in which case the fact of such declaration of intention shall be stated in the notices of the filing of the assessment, and said notices shall further state that prior to the hearing on the assessment any interested person may file with the clerk written objection to requiring such premium. At the hearing on the assessment the legislative body shall hear all such protests, and if following such hearing the legislative body determines that the best interests of the persons owning or having any interest in the property within the district would be served by requiring such premium, then the words set forth in Section 31682 shall be added to the redemption clause of the bonds issued, and such premium must be paid to the treasurer by the property owner or other person paying off any such bond before maturity and discharging the property described therein from the lien of the assessment, and the treasurer must pay such premium to the holder of the bond redeemed

SEC. 8. Section 31530 of said code is amended to read:

31530. The formation of a vehicle parking district may be proposed by petition signed by the owners of land in the proposed district, *as shown by the last equalized assessment roll of the county in which the proposed district lies, owning lands* of an assessed value of not less than twenty percent (20%) of the total assessed value of all land in the district, as shown by the last equalized county assessment roll.

SEC. 9. Section 31776 of said code is amended to read.

31776. Commissioners shall be persons of business experience and ability [and interested in the district], to the end that the affairs of the district shall be administered in the interests of the district.

SEC. 10. Section 31777 of said code is amended to read:

31777. A commissioner may be an owner or lessee of property, or an officer, employee, or agent of a corporation owning or leasing property, within the district or, in the case of a commission appointed under Section 31865, within one of the districts, or any other qualified person, *but each commissioner shall have the qualifications specified in Section 31771*

SEC. 11. Sections 5 to 10, inclusive, of this act become operative only if Division 18 of the Streets and Highways Code is enacted by the Legislature at its 1951 Regular Session, and in such case at the same time as said Division 18 takes effect, at which time Sections 9.1, 27.1, and 27.2, added to the Vehicle Parking District Act of 1943, and Section 44 of said act, as amended, are repealed."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 555—An act to amend Sections 31905, 32022, 32036, 32050, 32055, and 32056, and to repeal Sections 32036, 32051, and 32062, of the Government Code, relating to retirement benefits of members of the county peace officers' retirement system.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "32022, 32036", and insert "31931, 32022".

Amendment No. 2

In line 2 of the title of said bill, strike out "and to repeal Sections 32036, 32051," and insert "to amend and renumber Section 30236, and to repeal Sections 32051".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, between lines 7 and 8, insert

"SEC. 1.5. Section 31931 of said code is amended to read.

31931. [By the adoption of an ordinance by a four-fifths (4/5) vote, the board of supervisors may abolish the system theretofore established in the county pursuant to this chapter or its predecessor.] *The retirement system established in the county pursuant to this chapter or its predecessor may be abolished only by a majority vote of the electors of the county voting on the proposition at a special or general election* The abolishment of the system shall not impair the right of any person to whom pension rights have accrued to continue to receive such pension after the abolishment of the system, and if the fund is inadequate to pay such pensions, they shall be paid from and constitute a charge upon the general fund of the county."

Amendment No. 4

On page 2 of said bill, strike out line 17, and insert

"SEC. 3. Section 30236 of said code is amended and renumbered to read:

Amendment No. 5

On page 3, line 44, of said bill, after "widow", insert "or widower".

Amendment No. 6

On page 3 of said bill, strike out line 45, and insert "ing her or his lifetime or until he or she remarries. Thereafter,".

Amendment No. 7

On page 3, line 46, of said bill, after "widow", insert "or widower".

Amendment No. 8

On page 4, line 6, of said bill, after "widow", insert "or widower".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 656—An act to amend Sections 13081, 13086, 13087, 13089, 13092, 13093, and 13094 of, to repeal Sections 13082, 13083, 13084, and 13085 of the Education Code, relating to teachers' tenure.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 15, of the printed bill, after "13081", insert "and Section 13083".

Amendment No. 2

On page 2, line 2, of the printed bill, after "13081", insert "and Section 13083".

Amendment No. 3

On page 2, line 48, of the printed bill, after "regular", strike out "two", and insert "three"

Amendment No. 4

On page 3, line 21, of the printed bill, after "13802", strike out "13083".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

Assembly Bill No. 739—An act to amend Section 19091 of the Education Code, relating to the Public School System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 19091 of", and insert "add Sections 370, 4863, and 12307 to".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. Section 370 is added to the Education Code to read.

370. The county superintendent of schools, with the approval of the county board of education and subject to such regulations as the Superintendent of Public Instruction may prescribe, may sell copies of educational materials prepared by his office the cost of which is a lawful charge against the county school service fund. The price at which such copies may be sold shall be not less than the cost of such copies and the cost of distributing them to the purchasers.

SEC. 2. Section 4863 is added to said code to read

4863. The county superintendent of schools, with the approval of the county board of education, may subscribe for his office for membership in any society, association, or organization which has for its exclusive purpose the promotion and advancement of public education through research and investigation and the publication of reports on educational problems. Membership shall be limited to societies, associations, and organizations which have been approved by the State Board of Education.

SEC. 3. Section 12307 is added to said code to read:

12307. Service in an administrative or supervisory capacity of any person employed by a county superintendent of schools in this State in connection with services authorized or required to be performed by the county superintendent of schools under Sections 10324, 10506, 18941, or 18942 of this code, shall be counted as education service in the public schools of the county and school experience in the public schools of the State."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

Assembly Bill No. 39—An act adopting and authorizing a plan for construction of the San Lucas Dam and Reservoir, Salinas River Basin, by the Monterey County Flood Control and Water Conservation District in cooperation with the State of California and the United

States, for flood control and water conservation, at an estimated cost to the State of two million five hundred thousand dollars ($2,500,000) and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 2, line 28, of the printed bill, strike out "hereby appropriated".

Amendment No. 2

On page 2 of the printed bill, strike out lines 34 to 38, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1250—An act to repeal the Conservation and Planning Act and Title 7 of the Government Code, and to add Title 7 to the Government Code, relating to conservation, planning, and zoning.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 1 of the printed bill, strike out line 7, and insert

"CHAPTER 1. GENERAL PROVISIONS.

65000. The definitions and general provisions contained in this chapter govern the construction of this title unless the context otherwise requires

65001. "Board" means the State Conservation and Planning Board

65002. "Street" includes street, highway, freeway, avenue, boulevard, parkway, road, lane, walk, alley, viaduct, subway, tunnel, bridge, public easement and right of way, and other ways.

65003 "Right of way" means any public or private right of way and includes any area required for public use pursuant to any master plan or precise plan.

65004 "Regional planning district" or "regional planning commission" means a district or commission provided for in Article 3, Chapter 2.

65005 "Region" means territory comprising a regional planning district.

65006 "Area" means any territory selected pursuant to this chapter for united or joint planning purposes and may include populated or unpopulated areas, urban, suburban, metropolitan, or rural areas, cities, counties, or portions of counties

CHAPTER 2 STATE AND REGIONAL PLANNING LAW

Article 1. Definitions and General Provisions

65100 This chapter may be cited as the State and Regional Planning Law.

Article 3 Authority for Regional Planning

65180. To provide state-coordinated regional planning, the board shall, after consulting with local planning commissions and legislative bodies concerned, relative to district boundaries, divide the State into regional planning districts.

65181 So far as possible, the districts shall be established so as to include

(a) Natural geographic regions including watersheds of major stream systems, and the land upon which the waters of such watersheds are put to beneficial use.

(b) Areas having mutual economic, political, social and recreational interests and similar needs for conservation

65182 A regional planning commission may be established for each regional planning district The Governor shall appoint all members of the commission from nominees selected by the legislative body of each county or portion of county or city within the district from the membership of each county or city planning commission. The commission shall always consist of an odd number of members

65183. Nomination and appointment shall be as follows:

(a) Each county or portion of a county and each city within a regional planning district shall be represented by at least one member on the regional planning commission, but in special cases city legislative bodies may waive this right. County legislative bodies may waive this right only for portions of counties.

65184. The term of office of a member of the regional planning commission shall correspond with his term as member of the county or city planning commission. A member may be removed by the Governor with the approval of the nominating legislative body.

65185 The operation of a regional planning commission shall be determined by the cooperating cities and counties in accord with a mutually agreed upon plan for organization and financing The plan may provide for the employment of necessary personnel and consultants and other specialists, and for the employment of consultants and other specialists by contract

65186 Any counties or cities which are included in a regional planning district may enter into contracts with any other counties or cities in the district for the preparation of master and precise plans or the performance of other planning functions pursuant to Article 1, Chapter 3, Division 7, Title 1.

65187. The regional planning commissions shall prepare, adopt, and submit to the area, county and city planning commissions in their respective regions, plans, features of plans and findings in matters pertaining to regional and state welfare.

65188. Before adopting all or part of the master plan or any amendment to it the regional planning commission shall hold at least one public hearing.

65189 The regional planning commission shall give notice of the time and place of hearing. The notice shall be published at least once in a newspaper of general circulation in each county within the regional district, or if there is none, in a newspaper of general circulation in the nearest county having such newspaper. The publication shall be made at least 10 days before the day of hearing.

65190 Each regional planning commission shall render an annual report on such matters and in such form as may be prescribed by the board. Such annual report shall be filed with the board, with each area, county or city planning commission and with each legislative body within each region.

65191. Each regional planning commission shall hold at east one regular meeting every three months.

CHAPTER 3 LOCAL PLANNING

Article 1. Authority for Area, County and City Planning

65300. By ordinance the legislative body of each city may, and of each county shall, create a planning commission.

65301 In addition to the creation of a planning commission each county and city legislative body may by ordinance create a planning department.

65302. By resolution, the legislative bodies of a city, or cities, county, or counties, may establish an area planning commission. The resolution shall describe the boundaries of the area over which the area planning commission shall have jurisdiction for general area planning only.

65303. A copy of the resolution shall be transmitted to any state planning board in existence at the time the area is formed.

Article 2. Appointment of Commissions

65330 An area, a county or a city planning commission shall consist of five, seven or nine members. County or city officers may be designated as ex officio members, who shall not exceed one of a five-member commission, two of a seven-member commission or three of a nine-member commission. All members except advisory members shall have a vote.

65331 The members of a city planning commission shall be appointed by the mayor with the approval of the legislative body.

65332. The members of a county planning commission shall be appointed by the chairman of the board of supervisors, with the approval of the board.

65333. By resolution, the legislative bodies of the cities and counties affected shall appoint the members of the area planning commission from the city or county planning commissions. The term of office of each member shall correspond with his term on the city or county commission.

65334. Of the members other than ex officio or advisory members, of the county or city commission first appointed, any combination of one, two, three or four year terms to obtain the maximum staggered terms may be used.

65335. The successors to the first members shall be appointed for four-year terms.

65336. Vacancies shall be filled by appointment for the unexpired portion of the term

65337. If a chartered county or city provides in its charter or by ordinance for the mode of appointment, number of members, terms of office, powers and duties, and methods of removal of the planning commission of the city or county, such charter or ordinance shall prevail.

65338. The term of an advisory or ex officio member shall correspond to his official tenure.

65339 Each advisory member may designate one of his deputies to sit on the area, county or city commission in his absence.

65340 Any appointee member of a county or city commission may be removed by either of the following:

(a) The appointing official, subject to approval of the legislative body.

(b) A majority vote of the legislative body

65341. A member of an area planning commission from any city or county may be removed by majority vote of the legislative body of such city or county

65342. By resolution of the legislative body of a county or city, advisory members, who shall be county or city officers or employees, or members of the legislative body, may be appointed to advise area, county, or city planning commissions. The advisory members shall have no votes.

Article 3 Appointment of Director of Planning and Staff

65360. The administrative head of a county or city planning department shall be the director of planning, who shall be a person qualified by training, experience, and demonstrated ability to manage the affairs of such department.

65361. In the ordinance creating a planning department, and subject to county or city civil service rules, the legislative body may establish the responsibility and procedure for the selection and appointment of a director of planning, fix his salary, and prescribe his duties and the general rules under which he shall hold office. If neither the county or city charter nor the ordinance creating a planning department states how the director of planning is to be appointed, he shall be appointed by the planning commission, or the chief executive officer, or the legislative body upon recommendation of the planning commission

65362. Subject to any applicable personnel or civil service rules, the director of planning may appoint professional, technical, administrative, and other employees, and upon his recommendation consultants and other specialists, as required, may be employed or such services secured by contract

65363. Where there is no director of planning the planning commission, the chief executive officer or the legislative body may, upon recommendation of the planning commission, appoint necessary personnel, subject to any applicable personnel or civil service rules, and/or employ or contract for the services of consultants and other specialists.

65364. Each commission may employ or contract with planning consultants and other specialists for such services as it may require.

65365 The operation of an area planning commission including the employment of necessary personnel and/or consultants or other specialists by contract, shall be determined by the cooperating cities and counties in accord with a mutually agreed upon plan for organization and financing.

Article 4 Organization of Planning Commissions

65400. Each commission appointed pursuant to this chapter shall elect its chairman and vice chairman from among the appointed members for a term of one year. The commission may appoint a secretary from among the appointed members

65401. Each county and city planning commission shall hold at least one regular meeting in each month. Each area planning commission shall hold at least one regular meeting every two months.

65402 Each commission shall adopt rules for the transaction of business and shall keep a public record of its resolutions, transactions, findings, and determinations.

65403 Two or more city and county planning commissions may hold joint meetings and by approval of the respective legislative bodies may have the same chairman A city or county planning commission, or both, may also hold joint meetings with a regional or area planning commission.

65404. Two or more city, county, regional, or area planning commissions, or any combination of them, may make cooperative arrangements for a joint director of planning and for such other employees as may be required to operate a joint staff and may contract to render technical service to another commission in the same region or area Such arrangements or contracts shall be approved by the legislative bodies concerned.

Article 5 Authority for Financing

65430 The county or city legislative body shall provide the funds, equipment, and accommodations necessary for the work of the planning commission of the county or city. Such appropriation may include funds to be appropriated for the work of a regional or area planning commission. The expenditures of the commission, exclusive of gifts, shall be within the amounts appropriated for the respective purposes.

65431. As a part of its annual tax levy each county and city which has established a planning commission may levy and collect a special tax, not to exceed in any fiscal year two mills ($0.002) on the dollar ($1) of assessed valuation, for the purpose of defraying the lawful expenses incurred by the planning commission or planning department in carrying out the purposes of this chapter Each such county and city may make appropriations from other funds for such purpose.

65432. A regional, area, county, or city planning commission may accept gifts for any work authorized by law.

65433 The members of an area, county, or city commission, including advisory members and members of its staff, shall inform themselves on matters affecting the functions and duties of the commission For that purpose, and when authorized by the commission such members may attend planning conferences, meetings of planning executives, or hearings on planning legislation or matters affecting all or part of the master plan The reasonable traveling expenses incidental to such attendances shall be charges upon the funds allocated to the commission The commission or the department may hold and pay dues for membership in organizations engaged in the study of planning

65434 All members of an area, a regional, a county or city commission, except ex-officio and advisory members, may receive compensation for their attendance at each meeting in a sum to be fixed by the legislative body by which they are appointed but not to exceed twenty-five ($25) dollars per meeting nor one hundred dollars ($100) in any calendar month. In addition, they may also receive reasonable traveling expenses to and from their usual place of business to the place of meeting of the commission.

Article 6 Authority for and Scope of Master Plans

65460 Each commission or planning department shall prepare and the commission shall adopt a comprehensive long-term, general plan for the physical development of the city, county, area, or region, and of any land outside its boundaries which in the commission's judgment bears relation to its planning The plan shall be known as the master plan.

65461 The master plan shall be so prepared that all or portions of it may be adopted by the legislative body as a basis for the development of the city, county, area, or region

65462. The master plan, with the accompanying maps, diagrams, charts, descriptive matter, and reports, shall include the plans specified by this article which are appropriate to the city, county, area, or region, and which may be made the basis for its physical development The master plan may comprise any, all, or any combination of the plans specified in this article, for all or any part of the city, county, area or region

65463 A master plan may include a conservation plan for the conservation, development, and utilization of natural resources, including water and its hydraulic force, forests, soils, rivers and other waters, harbors, fisheries, wild life, minerals, and other natural resources. A conservation plan may also cover:

(a) The reclamation of land and waters

(b) Flood control.

(c) Prevention and control of the pollution of streams and other waters

(d) Regulation of the use of land in stream channels and other areas required for the accomplishment of the conservation plan

(e) Prevention, control, and correction of the erosion of soils, beaches, and shores.

(f) Protection of watersheds.

(g) Prevention and control of the pollution of air

65464 A master plan may include a land use plan, consisting of an inventory and classification of natural land types and of existing land cover and uses, and comprehensive plans for the most desirable utilization of land

65465 A master plan may include a recreation plan, showing a comprehensive system of areas and public sites for recreation, including the following and, when practicable, their locations and proposed development:

(a) Natural reservations

(b) Parks

(c) Parkways

(d) Beaches.

(e) Playgrounds.

(f) Other recreation areas

65466. A master plan may include a street and highway plan, showing the general locations, rights of way and recommended improvement of a comprehensive system of freeways, major thoroughfares, roads and streets and other traffic ways and parking facilities, and the delineation on the land thereof; the recommended treatment thereof, building setback lines, and the delineation of such systems on the land; and such other matters as may be related to the improvement of circulation in the community.

65467 A master plan may include a transportation plan, showing a comprehensive transportation system, including locations of rights of way, terminals, viaducts, and grade separations The plan may also include port, harbor, aviation, and related facilities

65468 A master plan may include a transit plan, showing a proposed system of transit lines, including rapid transit, street car, motor coach and trolley coach lines, and related facilities.

65469. A master plan may include a public services and facilities plan, showing general plans for sewerage, refuse disposal, drainage, and utilities, and rights of way, easements, and facilities for them.

65470. A master plan may include a public buildings plan, showing locations and arrangement of civic and community centers, public schools, libraries, police and fire stations, and all other public buildings, including their architecture and the landscape treatment of their grounds.

65471. A master plan may include a community design plan, consisting of standards and principles governing the subdivision of land and showing recommended designs for community and neighborhood development and redevelopment, including sites for schools, parks, playgrounds and other uses

65472. A master plan may include a housing plan, consisting of a survey and reports upon housing conditions and needs, quantitative and qualitative standards and plans for the elimination of substandard dwellings, the improvement of private housing and for provision of adequate sites for housing.

65473. A master plan may include a redevelopment plan comprising surveys, plans, procedure, and reports for the elimination of slums and blighted areas and for community redevelopment, including private and public housing sites, business and industrial sites, public building sites, and for other purposes authorized by law

65474. A master plan may include a public works plan and program, consisting of studies, plans, and reports for the systematic execution of construction projects, including the listing and classifying of major public works, estimates of costs, determination of priorities for construction, investigation of financial problems and resources, and development of tentative budgets for capital expenditures

65475. As part of the master plan the commission may prepare, receive, and adopt additional plans and reports dealing with other subjects which in its judgment relate to the physical development of the city, county, area, or region and nothing contained in this chapter shall be deemed to prohibit the preparation and adoption of any such subject as a part of the master plan, nor shall the people be denied action on a petition to prepare or adopt any such plans as parts of the master plan

65476. During the formulation of plans and reports intended for adoption by the planning commission, or consideration by the legislative body, the planning commissions shall inform and, to such an extent as may be necessary, confer and cooperate such school boards, departments, or agencies as may have jurisdiction over the territory or facilities for which plans are being made, to the end that maximum coordination of plans may be secured and properly located sites for all public purposes may be indicated on the master plan.

65477 Whenever a city planning commission has adopted a master plan or any major section or unit covering any land outside the boundaries of the city, which in the judgment of the commission bears relation to its planning, such plan, section or unit shall be certified to the planning commission of every county or city, the land of which is included in said plan.

65478 Whenever a county planning commission has adopted a master plan or any major section or unit covering any land adjoining or within a city such plan, section or unit shall be certified to the planning commission of such city or cities.

Article 7 Procedure for Adoption of Master Plan

65500 The planning commission or the planning department may prepare and the commission may adopt all or any part of the master plan or any subject of it for all or any part of the city, county, area, or region. Master regional plans shall be coordinated with similar plans of adjoining regions, and area, county, and city master plans shall be coordinated so as to fit properly into the master plan for the region.

65501 Before adopting all or part of the master plan or any amendment to it, the commission shall hold at least one public hearing.

65502. Notice of the time and place of the hearing shall be given by at least one publication in a newspaper of general circulation in the city, county or in each city or county in an area, at least 10 days before the hearing

65503. The adoption of the master plan, or of any amendment, extension, or addition to it, shall be by resolution of the commission carried by the affirmative votes of a majority of its total voting members

65504. The resolution shall refer expressly to the maps and descriptive and other matter intended by the commission to constitute the plan or amendment, addition, or extension of it The action shall be recorded on the map and plan and descriptive matter by the identifying signatures of the chairman of the commission, and of such other officials as the commission may designate

65505 When changed conditions or further studies by the commission require, the commission may amend, extend, or add to all or part of the master plan in the manner provided in this article for its adoption

65506 A copy of any part, amendment, extension of, or addition to the master plan adopted by a county or city planning commission shall be certified to the legislative body of the city or county.

65507. A copy of any part, amendment, extension of, or addition to, the master plan adopted by an area or regional planning commission shall be certified to each county and city planning commission and to the legislative bodies of each county and city within the area or region.

65508. The adoption of the master plan, or any amendment, extension or addition to it, as certified by a regional an area, a county or city planning commission shall be by resolution of the legislative body or bodies affected and shall be carried by the affirmative votes of a majority of the total voting members of each legislative body.

65509 Before adopting all or any part of, or amendment or addition to, a master plan, the county or city legislative body shall hold at least one public hearing Notice of the time and place of the hearing shall be published at least once in a newspaper of general circulation in the city or county at least 10 days before the hearing

65510. In adopting all or any part of, or amendment or addition to, a master plan adopted by the planning commission, the legislative body shall not make any change or addition until the proposed change or addition has been referred to the planning commission for a report and a copy of the report has been filed with the legislative body. Failure of the planning commission to report within 40 days after the reference or such longer period as may be designated by the legislative body, shall be deemed to be approval of the proposed change or addition.

65511. When it deems it to be for the public interest, the legislative body may change or add to all or part of a master plan adopted by it.

65512. The legislative body shall first refer the proposed change or addition to the planning commission for a report Before making a report, the planning commission shall hold at least one hearing on the proposed change or addition It shall give notice of any such hearing, pursuant to the procedure prescribed by this article for the adoption of the master plan or any part, amendment, or addition by the planning commission

65513 Failure of the planning commission to report to the legislative body on a proposed change or addition within 90 days after the reference or such longer period as may be designated by the legislative body, shall be deemed to be approval of the proposed change or addition by the planning commission

65514. After the receipt of such report, the legislative body shall hold at least one public hearing on the proposed change or addition Notice of the time and place of the hearing shall be published at least once in a newspaper of general circulation in the city or county at least 10 days before the hearing.

65515 The master plan or any part, amendment, or addition shall be endorsed to show that it has been adopted by the legislative body

Article 8 Administration of Master Plan

65540. After the county or city legislative body has adopted all or part of a master plan for the region, area, county, or city, or for any major section or district of it, the planning commission or the planning department shall investigate and make recommendations to the legislative body upon reasonable and practical means for putting into effect the master plan or part, in order that it will serve as a pattern and guide for the orderly physical growth and development of the region, area, county, or city and as a basis for the efficient expenditure of its funds relating to the subjects of the master plan The measures recommended may include plans, regulations, financial reports, and capital budgets.

65541 After the adoption of all or part of the master plan, by the county or city or area planning commission, the commission shall render an annual report to the respective county or city legislative bodies concerned on the status of the plan and progress in its application

65542. Each annual report shall be prepared pursuant to the outlines and uniform rules established by any planning board of the State of California. A copy of each report shall be filed with the board

65543 Each planning commission or planning department shall endeavor to promote public interest in and understanding of the master plan, and regulations relating to it.

65544 Each planning commission or planning department shall consult and advise with public officials and agencies, public utility companies, civic, educational, professional, and other organizations, and citizens generally with relation to carrying out of the master plans

65545 Upon request all public officials shall furnish to the planning commission or planning department within a reasonable time such available information as required for the work of such commission or department

65546. In the performance of their functions, each planning commission and its members or planning department, officers and employees may enter upon any land and make examinations and surveys and place and maintain necessary monuments and marks

65547 Each planning commission and department has the powers necessary to enable it to fulfill and carry out its planning functions.

65548 By general or special rule the body creating the planning commission may provide that other matters shall be referred to the planning commission before

final action is taken by the county or city body or officer with final authority on the matter, and that final action shall not be taken until the planning commission has submitted its report or has had reasonable time, to be fixed in the rule, to submit the report.

65549. In reporting on such other matters the planning commission or the planning department may make such investigations, maps and reports, and recommendations relating to the planning and development of the region, area, county, or city as it deems desirable.

65550. At least three months before the end of each fiscal year each county or city officer, department, board, or commission, and each governmental body, commission, or board whose jurisdiction lies entirely within the county or city, whose functions include recommending, preparing plans for, or constructing, major public works, shall submit to the respective county or city planning commission or planning department a list of the proposed public works recommended

65551. The county or city planning commission or planning department shall list and classify all such recommendations and shall prepare a coordinated program of proposed public works for the ensuing fiscal year. The commission shall recommend the program to the chief executive officer or to the legislative body of the county or city and to other bodies, officers, departments, boards or commissions which have jurisdiction over the recommending, planning, or constructing of the public works

65552. Whenever a county or city planning commission and a county or city legislative body has adopted a master plan for the city or county, or for any major section or district of it, no street, square, park, or other public ground or open space shall be acquired by dedication or otherwise, no street shall be disposed of, closed, or abandoned, and no public building or structure shall be constructed or authorized in the area to which the master plan applies, until its location, character, and extent has been submitted to and reported upon by the planning commission having jurisdiction.

65553. If the authorization, acquisition, financing, or acceptance of such street, square, park or other public ground or open space, or the construction or authorization of such public building or structure, is vested by law or charter in some governmental body, commission, or board other than the legislative body, such body, commission, or board shall first submit to the planning commission having jurisdiction, the location, character, and extent of the proposed public improvement for report.

65554. The planning commission shall report its findings to the legislative body which created the commission as to whether any such public improvement conforms to the adopted master plan.

65555 Failure of the planning commission to act within 40 days after the reference or such longer period as may be designated by the legislative body or such other governmental body, board, or commission, after the date of the official submission of the location, character, and extent of such improvement shall be deemed to be an approval.

Article 9. Authority for and Scope of Precise Plans

65600. From time to time, the planning commission or the planning department may or, if so directed by the legislative body shall prepare precise plans based on the master plan and drafts of such regulations, programs, and legislation as may in its judgment be required for the systematic execution of the master plan and the commission may recommend such plans and measures to the legislative body for adoption. The adoption of such precise plans or regulations by the legislative body shall give them the force of law, to promote the public health, safety, and general welfare.

65601. A precise plan may include conservation of natural resources such as reclamation of land and waters, flood control, prevention and control of air and water pollution, regulation of the use of land in stream channels and watersheds, prevention, control and correction of erosion of soils, beaches and shores, protection of forests

65602. A precise plan may include zoning plans, including maps and regulations for the control of the uses of land and buildings, the height and bulk of buildings, the open spaces about buildings, the area of lots or other building sites, the density and distribution of population and such administration, organization, and procedure as may be necessary for the administration, adjustment, reclassifying, variance, and enforcement of such plans and regulations.

65603 A precise plan may include public site plans, showing areas required or deemed necessary for all public sites, including schools, parks, and other recreational areas, trails, public buildings and service facilities, in order to regulate building developments upon such sites and to provide for their acquisition for public development and use

65604 A precise plan may include thoroughfare plans, showing the lines of existing and future street, highway, freeway, and other public rights of way necessary for the conduct of traffic, in order to regulate the placement of future buildings with respect to such lines, and in order to provide for the reservation for limited periods of time or for the public acquisition of street, highway, or freeway rights of way or development rights within the lines of projected thoroughfares.

65605. A precise plan may include street and highway naming and numbering plans, in order to establish the official names of streets and highways, in order to remove conflicts, duplication, and uncertainty among such names, and in order to provide an orderly system for the numbering of buildings and properties, including such rules as may be required for the posting of notices, hearings, and related matters.

65606. A precise plan may include street lighting plans, covering the installation of effective lighting plans on public streets and highways.

65607 A precise plan may include tree planting plans, in order to establish public control over and systematize the planting and maintenance of trees along streets and highways and other landscape effects related thereto.

65608. A precise plan may include building setback line plans, showing yards and open spaces to be required and preserved in the interest of public health and safety along streets and highways.

65609 A precise plan may include neighborhood development plans, including plans for the development of neighborhood and community units or areas, showing public sites for schools, parks, playgrounds, and other uses.

65610. A precise plan may include subdivision regulations, including general and specific rules for the subdivision of land and of lots intended for sale or use, and general or specific rules for the dedication of land for public streets and highways, and regulations governing the submission of tentative and final maps to the planning commission or the planning department, and to the legislative body, and regulations governing the review and approval or disapproval of such maps prior to recordation.

65611. A precise plan may include redevelopment plans

65612 The planning commission or the planning department may prepare and submit to the legislative body and the legislative body may adopt and designate as precise plans or regulations, or both, such other measures as may be required to insure the execution of the master plan.

Article 10 Procedure for Adoption of Precise Plans

65650. Before recommending a precise plan or regulation to the legislative body or any amendment to it, for adoption, the planning commission shall hold at least one public hearing.

65651 Notice of the time and place of the hearing shall be given by at least one publication in a newspaper of general circulation in the city or county at least 10 days before the hearing, and by such other means as the commission deems necessary.

65652. The adoption of any precise plan or regulation, or of any amendment to it, shall be by resolution of the commission carried by the affirmative votes of a majority of its total voting members.

65653. A copy of any precise plan, regulation, or amendment recommended pursuant to this article shall be submitted to the legislative body and shall be accompanied by a report of findings, summaries of hearings, and recommendations of the planning commission.

65654. Upon receipt of a copy of any proposed precise plan or regulation based upon a master plan or amendment of such plan or regulation the legislative body may by ordinance or resolution, adopt the plan in such form as it determines. Before adopting the proposed precise plan or regulation the legislative body shall hold at least one public hearing Notice of the time and place of the hearing shall be published at least once in a newspaper of general circulation in the city or county at least 10 days before the hearing Such plan or regulation, as adopted, shall be designated as a precise plan or regulation.

65655 The legislative body shall not make a change in any proposed precise plan, regulation, or amendment thereto recommended by the planning commission until the proposed change has been referred to the planning commission for a report and a copy of the report has been filed with the legislative body.

65656 When it deems it to be for the public interest, the legislative body may adopt an ordinance or resolution establishing any of the precise plans or regulations specified in this article.

65657. The legislative body shall first refer the proposal to establish such precise plan or regulation to the planning commission for a report. Before making a report the planning commission shall hold at least one public hearing in the same manner as heretofore prescribed in this article.

65658. The failure of the planning commission to report within 40 days after the reference or such period as may be designated by the legislative body shall be deemed to be approval of the proposed change or ordinance or resolution

65659 Nothing in this chapter applies to the adoption or amendment of any ordinance by the legislative body, whether or not it may relate to the subjects mentioned in Article 10 of this chapter, except ordinances expressly adopting or amending a precise plan initiated pursuant to this chapter, and except that any ordinance imposing any regulation covered by Chapter 3 of this title shall be adopted as provided in said Chapter 3

Article 11. Administration of Precise Plans and Regulations

65700. The legislative body may determine and establish administrative rules and procedures for the application and enforcement of precise plans and regulations, and may assign or delegate such administrative functions, powers, and duties to the planning commission or the planning department as may be required.

65701 The legislative body may create administrative agencies, boards of review, appeal, and adjustment, and provide for other officials, and for funds for the compensation of such officers, employees, and agencies and for the support of their work.

65702. The legislative body of any county or city may designate the planning commission as the advisory agency with respect to the approval of subdivision maps

65703. No city or county shall improve any street, or lay or authorize sewers or connections or other improvements to be laid in any street within any territory for which the legislative body has adopted a precise thoroughfare plan or a neighborhood development plan until the matter has been referred to the planning commission for a report and a copy of the report has been filed with the legislative body unless one of the following conditions applies:

(a) The street has been accepted, opened, or has otherwise received the legal status of a public street prior to the adoption of the plan.

(b) It corresponds with streets shown on the plan.

(c) It corresponds with streets, highways, and freeways shown on a subdivision map or record of survey approved by the legislative body.

(d) It corresponds with streets, highways, and freeways shown on a subdivision map previously approved by the planning commission.

65704. Failure of the commission to report on the matter within 40 days after the reference or such longer period as may be designated by the legislative body shall be deemed to be approval of such matter.

CHAPTER 4 ZONING REGULATIONS

Article 1. Adoption of Regulations

65800. Pursuant to the provisions of this chapter, the legislative body of any county or city, by ordinance may:

(a) Regulate the use of buildings, structures, and land for agriculture, industry, business, residence and other purposes.

(b) Regulate location, height, bulk, number of stories, and size of buildings and structures; the sizes of yards, courts and other open spaces; the percentage of a lot which may be occupied by a building or structure.

(c) Regulate the density and distribution of population.

(d) Establish and maintain building setback lines along any street, highway, freeway, road, or alley.

(e) Create civic districts around civic centers, public parks, and public buildings and grounds for the purpose of enabling a planning commission to review all plans for buildings or structures within the district prior to the issuance of a building permit in order to assure an orderly development in the vicinity of such public sites and buildings.

65801. For such purposes the legislative body may divide a city, a county, or portions thereof into zones of the number, shape, and area it deems best suited to carry out the purpose of this chapter.

65802. All such regulations shall be uniform for each class or kind of building or use of land throughout each zone, but the regulation in one type of zone may differ from those in other types of zones.

65803 Except as otherwise provided in this article, a zoning ordinance shall be initiated and adopted in the same manner as a precise plan may be initiated and adopted pursuant to Chapter 2. This section does not require the adoption of a master plan prior to either the initiation or adoption of a zoning ordinance

65804 Except as otherwise provided in this article, an amendment to a zoning ordinance which amendment changes any property from one zone to another or imposes any regulation listed in Section 65700 not theretofore imposed or removes or modifies any such regulation theretofore imposed shall be initiated and adopted in the same manner as required for the initiation and adoption of the original zoning ordinance

65805. If the planning commission mails in the United States mail a written notice of a hearing on a change in or addition to any zoning ordinance, not less than five days prior to such hearing, to every person whose name and address appears on the latest available assessment roll or other list approved by the legislative body as an owner of any property within the territory covered by such proposed change and within one hundred feet of the outer boundaries thereof, the legislative body may enact an ordinance adopting any change or addition recommended by the planning commission without, itself, holding any hearing thereon.

65806 If the planning commission, or the department of planning, in good faith is conducting studies for the purpose of, or holding a hearing for the purpose of, or has held a hearing and has recommended to the legislative body the adoption of any zoning ordinance or amendment or addition thereto, and the legislative body finds that before the effective date of any ordinance which may be adopted as a result thereof, the

establishment of one or more uses is threatened which will be contrary to, and defeat in whole or in part, the purpose of such proposed ordinance, such legislative body may adopt, without notice or hearing, a temporary interim ordinance prohibiting such and any other uses which may be in conflict with such zoning ordinance.

65807. Except as otherwise provided in this article any amendment to a zoning ordinance may be initiated and adopted as other ordinances are initiated and adopted.

65808. If there is no city planning commission the legislative body of such city shall do all things required or authorized by this chapter of the city planning commission. This section does not apply to any county.

Article 2. Administration

65850. The legislative body may create either a board of zoning adjustment or the office of zoning administrator

65851. The provisions of this article as to the powers and duties of either the board of adjustment or zoning administrator apply only insofar as not in conflict with the provisions of any local ordinance.

65852. The zoning administrator shall have all the powers and duties of a board of zoning adjustment. If there is neither a board of zoning adjustment nor a zoning administrator, the planning commission shall have all the powers and duties of a board of zoning adjustment.

65853. The board of zoning adjustment in appropriate cases and subject to appropriate conditions and safeguards as provided by the zoning ordinance, may hear and decide:

(a) Applications for special exception, conditional uses or other permits of any kind or nature.

(b) In specific cases, applications for variances from terms of the ordinance as will not be contrary to its intent nor to the public interest, safety, health, and welfare; where due to special conditions or exceptional characteristics of such property, or its location or surroundings, a literal enforcement of the ordinance would result in practical difficulties or unnecessary hardships.

(c) Hear and decide appeals where it is alleged by the appellant, there is error in any order, requirement, permit, decision, or determination made by an administrative official in the administration or enforcement of this chapter or any ordinance adopted pursuant to it.

65854. The board of zoning adjustment also may:

(a) Exercise such other powers as may be granted by local ordinance.

(b) Adopt all rules and procedures necessary or convenient for the conduct of its business

65855. In exercising the powers granted by Section 65753(c) such board may, in conformity with this chapter, reverse or affirm, wholly or partly or may modify the order, requirement, decision, or determination appealed from, and may make such order, requirement, decision, or determination as should be made, and, to that end shall have all the powers of the officer from whom the appeal is taken.

65856. Appeals to the board of adjustment may be taken by any person aggrieved, or by any officer, department, board, or bureau of the city or county affected by any decision of the administrative official. Such appeal shall be taken within a reasonable time, as provided by rules of the board, by filing with the officer from whom the appeal is taken, and with the board of adjustment, a notice of appeal specifying the grounds The officer from whom the appeal is taken shall forthwith transmit to the board all the papers constituting the record upon which the action appealed from was taken

65857 An appeal stays all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the board of adjustment, after the notice of appeal shall have been filed with him that, by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life and property. In such case proceedings shall not be stayed except by a restraining order which may be granted by the board of adjustment or by a court of record on application, and notice to the officer from whom the appeal is taken, and due cause shown.

SEC. 3 The Conservation and Planning Act and Article 4, Chapter 10, Part 2, Division 3, Title 4, of the Government Code are hereby repealed Any ordinances passed pursuant to such Article 4, or its predecessor, prior to the effective date of this act are continued in force until repealed pursuant to law.

SEC 4 Section 1 of this act becomes operative only if Title 7 of the Government Code is enacted by the Legislature at its 1951 Regular Session and in such case at the same time as said Title 7 takes effect."

Amendment No. 2

On page 1 of said bill, strike out lines 9 to 25, inclusive; and strike out pages 2 to 22, inclusive.

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2063—An act to repeal Article 2 of Chapter 1, Title 7 of the Government Code, and to add Article 2, Chapter 1, Title 7 to the Government Code, relating to conservation and planning.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

Strike out lines 1 and 2 of the title of the printed bill, and insert "An act to add Article 2 to Chapter 2, Title 7 of the".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 4, inclusive, and insert "SECTION 1. Article 2 is added to Chapter 2, Title 7 of the Government Code, to read:".

Amendment No. 3

On page 1, line 8, of said bill, strike out "65030", and insert "65130".

Amendment No. 4

On page 1, line 11, of said bill, strike out "65031", and insert "65131".

Amendment No. 5

On page 1, line 14, of said bill, strike out "65032", and insert "65132"

Amendment No. 6

On page 1, line 16, of said bill, strike out "65033", and insert "65133"

Amendment No. 7

On page 1, line 21, of said bill, strike out "65034", and insert "65134".

Amendment No. 8

On page 1, line 23, of said bill, strike out "65035", and insert "65135".

Amendment No. 9

On page 2, line 1, of said bill, strike out "65036", and insert "65136".

Amendment No. 10

On page 2, line 5, of said bill, strike out "65037", and insert "65137".

Amendment No. 11

On page 2, line 9, of said bill, strike out "65038", and insert "65138".

Amendment No. 12

On page 2, line 14, of said bill, strike out "65039", and insert "65139".

Amendment No. 13

On page 2 of said bill, strike out line 17, and insert "65140. The board shall employ a director of planning".

Amendment No. 14

On page 2, line 22, of said bill, strike out "planning coordinator", and insert "director of planning".

Amendment No. 15

On page 2 of said bill, strike out lines 24 to 26, inclusive, and insert "65141. The board may accept grants from the Federal or State Governments or their agencies, and may accept gifts for the purposes of state planning.

65142. The board may adopt by a majority vote of the members, reports, findings and recommendations which may be submitted to the Legislature, the proper legislative authorities or other agencies for approval and adoption.

65143. The board may make investigations and studies of the resources, needs, requirements, and opportunities for the development of the State and its various areas and submit recommendations to the Governor concerning programs and action by agencies of state, local, and federal governments to aid future growth and development.

65144 The board may prepare, in collaboration with other state departments, general comprehensive plans for the economic and physical development of the State.

65145 The board may

(a) Compile and disseminate physical planning standards to other state departments and to local government agencies

(b) Assist, upon request, local planning agencies, relating to sound procedure and to broad planning practices.

(c) Promote public interest and understanding of state plans, particularly of their relation to federal, regional, area, county, and city plans

65146 The board shall submit an annual report to the Governor on planning progress by State and local Government agencies.

65147. The board may make recommendations to the Governor relative to the research and planning functions of the board or of other state departments, and to legislation for carrying out state plans

65148. In order to provide coordinated planning administration the Governor may from time to time submit recommendations for adoption by the board, the several city, county, area, and regional planning commissions, and by the local legislative authorities in order to promote and effectuate the orderly development of the State and to expedite the adoption of coordinated policies by local legislative authorities acting upon their own discretion.

The board shall transmit the recommendations of the Governor to the proper agencies

65149 The board shall ascertain from each state department, board or other agency, and where possible from federal agencies, all contemplated improvements or projects and where advisable may recommend that such improvements or projects be included in the regional, area, county, or city master plan.

65150 The board shall make available to each state department, board, or other agency all regional and county master plans and information concerning other state projects. Each state department, board, or agency shall give consideration to such other state projects and to the regional and county master plans, so that, when in its judgment it is practical and feasible, its projects may be properly coordinated with those of all other governmental agencies

65151 The board may make rules providing for the time, manner, and cases in which regional, area, county, and city planning commissions shall submit annual reports and other information to the board for review and suggested revision

65152 The board may collect, assemble, and coordinate statistical and research data from the various state departments and act as a clearing house for the dissemination of statistics to state departments, to federal and local government, and to similar agencies in other states.

65153. The board with the approval of the Governor or the Legislature may join with agencies of the Federal Government and other states in preparation and adoption of interstate regional plans which shall be submitted to the Legislature for approval

65154 The board may cooperate with any interested persons or organizations in devising means to conserve and develop the resources of the State

65155. All public boards and officials shall, upon request, furnish to the board, within a reasonable time, such available information as may be required for its work.

65156 In general, the board may act as a coordinating service agency relative to statistical, research, and physical planning matters, in cooperation with other state, federal, local government, and private agencies, for the purpose of promoting the conservation and development of the entire State in an orderly manner."

Amendment No. 16

On page 2 of said bill, strike out lines 27 to 52, inclusive, and strike out all of pages 3 and 4

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

UNFINISHED BUSINESS

NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 327 FROM COMMITTEE CONTINUED

Mr. Davis asked for, and was granted, unanimous consent that his notice of motion to withdraw Senate Bill No. 327 from committee be continued until the next legislative day.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 831—An act to amend the title to Chapter 5, and Articles 3 and 5 of Chapter 5, of Part 3 of Division 8 of the Health and Safety Code; and to amend Sections 8701, 8704, 8712, 8714, 8725, 8726, 8727, 8728, 8729, 8730, 8731, 8732, 8733.5, 8735, 8736, 8737, 8738, 8739, 8740, 8741, 8742, 8743, 8744, 8750, 8775, and 8780, of said code, relating to private cemeteries.

Bill read third time.

Motion to Amend

Mr. Beck moved the adoption of the following amendments:

Amendment No. 1

In line 9 of the title of the printed bill, as amended in the Assembly on March 22, 1951, strike out "8751.1,"

Amendment No. 2

On page 7 of said bill, strike out lines 30 to 35, inclusive.

Amendments read.

Roll Call Demanded

Messrs. Beck, Davis, and Lowrey demanded a roll call.

The roll was called, and the amendments offered by Mr. Beck to Assembly Bill No. 831 refused adoption by the following vote:

AYES—Beck, Belotti, Coats, Collier, George D. Collins, Conrad, Cooke, Davis, Doyle, Elliott, Gaffney, Gubser, Hansen, Henderson, Kelly, Lowrey, Maloney, McFall, McMillan, Moss, Parker, Rosenthal, Sherwin, and Silliman—24

NOES—Babbage, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloved, Connolly, Dickey, Dills, Dolwig, Erwin, Evans, Fleury, Geddes, Grant, Hahn, Hawkins, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Luckel, McCollister, McGee, Morris, Niehouse, Porter, Rumford, Shaw, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—40

The question being on the passage of Assembly Bill No. 831.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloved, Connolly, Dickey, Dills, Dolwig, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Maloney, McCollister, McGee, Meyers, Morris, Munnell, Niehouse, Porter, Rumford, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—48

NOES—Beck, Coats, Collier, George D. Collins, Conrad, Davis, Doyle, Hansen, Henderson, Lowrey, McFall, Moss, Parker, and Silliman—14.

Bill ordered transmitted to the Senate.

Assembly Bill No. 273—An act to amend Section 960 of the Welfare and Institutions Code, relating to the establishment and maintenance of schools in detention homes and juvenile homes and camps.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Cloved, Collier, George D. Collins, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—62.

NOES—Davis and Lowrey—2.

Bill ordered transmitted to the Senate

Assembly Bill No. 609—An act to provide for the reversion to the General Fund of any unexpended balance in the Sacramento and San Joaquin Drainage District General Administrative Assessment No. 1 Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, George D. Collins, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—62

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2005 HOLD PLACE ON FILE

Mr. Sherwin asked for, and was granted, unanimous consent that Assembly Bill No. 2005 be passed on file, and hold its place on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 563—An act to amend Sections 23701 and 23701a of, and to renumber Sections 23701b, 23701c, 23701d, 23701e, 23701f, and 23701h of, and to add Sections 23701b, 23701f, 23701i, 23701j, and 23702*l* to, and to repeal Article 2 of Chapter 4, consisting of Sections 23731, 23731a, 23731b, 23731c, 23731d, and 23731e of Part 11 of Division 2 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Tomlinson, Waters, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 564—An act to add Section 26163 to the Revenue and Taxation Code, relating to taxation of banks, corporations, Massachusetts trusts and associations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman,

Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—62

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 248 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Coates asked for, and was granted, unanimous consent that Assembly Bill No. 248 be withdrawn from the Committee on Municipal and County Government, and be re-referred to the Committee on Conservation, Planning, and Public Works.

Speaker Pro Tempore Presiding

At 10.50 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 565—An act to amend the title of Article 2 of Chapter 10 of, and to repeal Section 25431 of, and to add Sections 25432 and 25673 to, the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 568—An act to add Section 18933 to the Revenue and Taxation Code, relating to personal income taxes

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 569—An act to amend Sections 18807 and 18808 of the Revenue and Taxation Code, relating to personal income taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—62.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 570—An act to repeal Article 3 of Chapter 10, Part 10 of Division 2, consisting of Sections 18451, 18452, 18453, and 18454 of, and to add Article 3 of Chapter 10, Part 10 of Division 2, consisting of Section 18451 to, and to amend Section 18581 of, and to add Section 18586.2 to, the Revenue and Taxation Code, relating to personal income taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—62.
NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 571—An act to amend Sections 17003, 17013, 17521, 18405, 18431, 18554, 18584, 18590, 18687, 18689, 18802, 19086, 19254, 19451, and 19452 of, and to add Sections 17012.5 and 17522 to the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—62.
NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 572—An act to amend Section 23253 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman,

Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 578—An act to amend Sections 23004, 23031, 23041, 23184, 23301, 23363, 23562, 23851, 23851a, 23852a, 23881b, 24121c, 24301, 24303, 25071s, 25232b, 25232c, 25232d, 25261, 25403, 25664, 25666, 25702, 25731a, 25901a, 25901c, 26078, 26104, 26131, 26422, 26423, 26424 of, and to renumber and amend Section 25203b of, and to add Sections 23043, 23854, 23854.1, 25101d to, and to repeal Sections 24302 and 26131a of, the Revenue and Taxation Code, relating to taxation of banks, corporations, associations and Massachusetts trusts, and providing that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr Speaker—62

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 580—An act to amend Section 23153 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 560—An act to amend Section 23332 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister,

McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 574—An act to add Sections 23222a, 24121k.1, and 25295a to, and to amend Sections 23222, 24121k, 25101a, 25295, 25662, and 25701 of, Part 11 of Division 2 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 732

Mr. Stanley asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 732, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 732

Assembly Bill No. 732—An act to amend Sections 14½ and 14¾ of the County Waterworks District Act, relating to the annexation of territory to county waterworks districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Davis, Dickey, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Henderson, Hinckley, Hollibaugh, Kelly, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3370

Mr. Moss asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3370, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3370

Assembly Bill No. 3370—An act to amend Section 1593 of the Education Code, relating to the effect of the formation and changes in territory and status of school districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—64.

NOES—None.

The roll was called, and the bill passed by the following vote.

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—64

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 664

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 664, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 664

Assembly Bill No. 664—An act to amend Section 453 of the Vehicle Code, relating to the applicability of the provisions of said code to public employees and publicly owned motor vehicles and other equipment during the installation, removal, repair or maintenance of traffic signs, signals or other traffic control devices.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 437

Mr. Sherwin asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 437, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 437

Assembly Bill No. 437—An act to amend Sections 17313, 17315, 17318.2, 17711, 17721, 17782, 17817.1, and 18132 of, and to add Sections 17109, 17110, 17161.1, 17301.1, 17315.5, 17318.6 to and to add Article 2.5, consisting of Sections 17691, 17692, 17693, 17694, 17695, 17696, 17697, and 17698, and Article 3.5, consisting of Sections 17731, 17732, and 17733, to Chapter 6, Part 10 of Division 2 of, and to add Section 17784.6 to, and to add Article 1.5, consisting of Sections 18121, 18122, 18122.1, 18122.2, 18122.3, 18122.4, 18122.5, 18122.6, 18122.7, 18122.8, 18123, 18123.1, 18123.2, 18123.3, and 18123.4 to Chapter 8, Part 10 of Division 2 of, and to add Sections 18132.1, 18132.2, 18132.3, 18132.4, 18132.5, 18132.6, 18132.7, 18132.8, 18132.9, 18132.10, 18132.11, and 18132.12 to, the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Hahn, Hansen, Hawkins, Henderson, Hinckley, Holibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Waters—61.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 438

Mr. Sherwin asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 438, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 438

Assembly Bill No. 438—An act to amend Section 24121h of, and to add Section 23702 to, and to amend and renumber Section 25121c-(1) of, and to add Article 2, consisting of Sections 23731, 23731a, 23731b, 23732, 23732a, 23732b, 23732c, 23732d, 23732e, 23732f, 23732g, 23732h, 23733, 23734, 23735, 23735a, 23735b, 23735c, 23736, 23736.1, 23736.2, 23736.3, 23736.4, and 23737 to Chapter 4 of Part 11 of Division 2 to, and to add Article 3, consisting of Sections 23771 and 23772 to Chapter 4 of Part 11 of Division 2 to, and to add Sections 23881g, 24121k.5, 24121o.1, 24121q, and 24201g to, the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Waters—61.
NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 485—An act to add Section 301 to the Labor Code, relating to deductions from wages.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Waters—61.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 537—An act to amend Section 2928 of the Labor Code, relating to employment relations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Waters—61.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 68—An act to add Section 5082.6 to the Business and Professions Code, relating to the application of persons serving in the Armed Forces for registration as public accountant, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—62.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—62

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 69—An act to add Sections 9541.1 and 9544.1 to the Business and Professions Code, relating to licensees of the State Board of Dry Cleaners, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—65.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—65.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 70—An act to add Section 8557 to the Business and Professions Code, relating to licensees of the Structural Pest Control Board entering the Armed Forces, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—65

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 11.27 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Assembly Bill No. 75—An act to amend Section 10783 of the Revenue and Taxation Code, relating to exempting vehicles owned by disabled veterans from the motor vehicle license fee.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Thomas, and Tomlinson—57.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 968 BE RE-REFERRED TO COMMITTEE

Mr. Silliman asked for, and was granted, unanimous consent that Assembly Bill No. 968 be withdrawn from the third reading file, and be re-referred to the Committee on Ways and Means.

ASSEMBLY BILL NO. 1756 ORDERED RE-REFERRED TO COMMITTEE

Speaker Sam L. Collins ordered Assembly Bill No. 1756 withdrawn from the third reading file, and re-referred to the Committee on Education.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1158

Mr. Dickey asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1158, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1158

Assembly Bill No. 1158—An act to add Section 269b to and to amend Section 261g of the Code of Civil Procedure, relating to official reporters of the superior court in and for the State of California.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

MEMBER EXCUSED

At 11.35 a.m., Mr. Hagen asked for, and was granted, unanimous consent that Mr. Condon be excused, for the balance of the legislative day, because of illness.

CONSIDERATION OF DAILY FILE (RESUMED)

CONSIDERATION OF HOUSE RESOLUTION NO. 96

By Messrs. Kilpatrick, Morris, Munnell, Burke, Hahn, and Burkhalter:

House Resolution No. 96

Relating to memorializing the Federal Government to deport criminals who are aliens or naturalized by fraud

WHEREAS, Organized crime in the United States is increasing at an alarming rate; and

WHEREAS, The syndication of crime is on an interstate basis, making it difficult for the several states to uproot the out-of-state sources or leaders, with the result that state convictions for crime bring only a replacement from a national syndicate; and

WHEREAS, The leaders of national crime syndicates are often free from personal participation in the elements of a punishable crime; and

WHEREAS, Experience has shown that many of these leaders and underlings are aliens or have obtained their citizenship by fraud; and

WHEREAS, Such persons are abusing the privileges of entry or naturalization, and are undesirable persons to have within the United States; and

WHEREAS, The Federal Government is the proper sovereign power to rid ourselves of such undesirables through the immigration and naturalization powers of the Federal Government; now, therefore, be it

Resolved by the Assembly of the State of California, That the Congress of the United States, the President of the United States, the Department of Justice and the Commissioner of Immigration and Naturalization be memorialized to take whatever action is necessary under Title 8, §§ 155 and 738 United States Code, and related sections, or enact appropriate legislation, to effect the deportation of proven members of a crime syndicate or criminal organization, or who have been convicted of a felony, who are either aliens or have obtained naturalization by fraud; and be it further

Resolved, That copies of this resolution be transmitted by the Chief Clerk of the Assembly to the President and Vice President of the United States, to the Speaker of the House of Representatives, the Attorney General of the United States and to the Commissioner of Immigration and Naturalization

Resolution read, and adopted.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Joint Resolution No. 20—Relative to the use of federal gasoline tax money.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky,

Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—63.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Joint Resolution No. 23—Relative to economy in Federal Government expenditures and services.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—63.

NOES—None

Resolution ordered transmitted to the Senate.

Assembly Bill No. 348—An act to amend the Building and Loan Association Act by amending Section 1.01 thereof, relating to definitions, Section 1.03 thereof, relating to agents, agencies, salesmen, collectors and branches, Section 2.05 thereof, relating to changes of name, Section 2.07 thereof, relating to branches, Section 7.06 thereof, relating to assessments to restore impaired capital, Section 8.03 thereof, relating to minors and married women, Section 8.04 thereof, relating to joint tenants, Section 8.05 thereof, relating to trustees and guardians, Section 9.02 thereof, relating to investments, Section 9.17 thereof, relating to forbidden loans and penalties therefor, Section 10.03a thereof, relating to federal insurance reserve account, Section 12.09 thereof, relating to leases on office premises, Section 13.13 thereof, relating to powers of the Building and Loan Commissioner upon taking possession of an association, and Section 13.16 thereof, relating to powers of such commissioner upon liquidation; and adding to said act four new sections, to be numbered, respectively, Section 2.11, relating to change of location, Section 8.14, relating to adverse claims, Section 11.06, relating to the office of an agent, salesman or collector, and Section 12.13, relating to activities limited to the principal office or branch of an association.

Bill read third time.

Motion to Amend

Mr. Geddes moved the adoption of the following amendments:

Amendment No. 1

In line 24 of the title of the printed bill, as amended in the Assembly March 14, 1951, after "association" insert: "and to amend Sections 5051, 5651, 6001, 6702, 6703, 6704, 7600, 7602, 7603, 7606, 8500 and 9069 of, and to add Sections 6010, 6203.5, 6411, 7612, 7613, 7614, 9013, 9055.5 and Article 5 comprising Section 5700 to Chapter 3 of Division 2 of the Financial Code, all relating to building and loan associations"

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 18 of said bill, after line 28, insert

"SEC. 18. Section 5051 of the Financial Code is amended to read:

5051. "Advertisement" includes advertisement, circular, pamphlet, prospectus, *letterhead,* circular letter, newspaper, *billboard, sign,* and [oral] statements broadcast by radio *or television.*

SEC. 19. Section 5651 of said code is amended to read:

5651. No document changing the name of an association, or setting forth the new name of an association, shall be filed in the office of the Secretary of State unless there is attached to such document a certificate of the commissioner approving the new name proposed for the association. Such certificate shall only be issued by the commissioner, after and upon the same notice, proceedings, upon the same grounds, and subject to the same rules, presumptions and restrictions as are set forth in Article 1 of this chapter in relation to the matters of the name of an association. *Notice and hearing shall not be required, however, if the change in name consists only in omitting, including or substituting one or more of the following words: "the," "and," "building," "loan," "savings," and "association".*

SEC. 20. Section 6001 of said code is amended to read:

6001 The application for a branch license shall be *accompanied by a filing fee of one hundred dollars ($100), shall be* in such form as the commissioner requires, and shall include an itemized statement of the estimated receipts and expenditures of the association in connection with such branch for the first year or such longer period as the commissioner requires, and a showing that the public convenience and advantage will be promoted by the operation of such branch.

SEC. 21 Section 6010 is added to said code, to read:

6010. An association which maintains one or more branch offices shall give to each branch office a specific designation by name and include in the designation the word "branch" and shall prominently display the designation at the place of business of the branch.

SEC. 22 Article 5 is added to Chapter 3 of said code, to read:

Article 5. Change of Location of Offices

5700. An association shall not change the location of its principal office or of any branch office except with the approval of the commissioner. If the proposed change is from one city to another the commissioner shall, and in any other case the commissioner may, hold a hearing upon the proposed change. If a hearing is held the commissioner shall mail notice of such hearing to each association in this State at least 10 days before such hearing, and the association requesting the commissioner's approval shall pay him a fee of one hundred dollars ($100) before such notices are mailed.

SEC. 23 Section 8500 of said code is amended to read:

8500. If the value of the assets of an association after deducting the amount of liabilities of the association, including the value of its outstanding investment certificates and shares, is less than the aggregate par value of the association's outstanding stock [or the investment certificate and withdrawable share reserve required for such association by Article 1 of Chapter 9 of this part which reserve shall be computed without giving effect to Section 6903, whichever is greater,] the capital of the association shall be deemed to be impaired for the purposes of this article.

SEC. 24. Section 7600 of said code is amended to read:

7600. Associations may issue shares or investment certificates to a minor of any age and receive payments thereon by or for such minor. [If] Such minor [is 14 years of age or over, he] is entitled to withdraw, transfer, or pledge any shares or certificates owned by him and to receive from the association all dividends, interest, or other money due thereon in the same manner and subject to the same conditions as an adult. The receipt or acquittance of a minor who is 14 years of age or over constitutes a valid release and discharge of the association for the payment of dividends, interest, or other money due to such minors.

SEC 25 Section 7602 of said code is amended to read:

7602. When shares or investment certificates are issued in the name of two or more persons *whether minor or adult* as joint tenants or in form to be paid to any of *them or the survivors of them, such shares or certificates and all* dues paid thereon become the property of such persons as joint tenants.

SEC. 26. Section 7603 of said code is amended to read:

7603. Shares or investment certificates owned in joint tenancy and all dividends and interest thereon are held for the exclusive use of the joint tenants and may be paid to any of them during their lifetime or to [any] *the survivor or any one* of the survivors of them after the death of one or more of the joint tenants. *By written instructions of all joint tenants given to the association, they may require the signatures*

of more than one of such persons during their lifetimes or of more than one of the survivors after the death of any one of them on any notice of withdrawal, request for withdrawal, check endorsement or receipt, in which case the association shall pay withdrawals, dividends and interest only in accordance with such instructions, but no such instructions shall limit the right of the sole survivor or of all of the survivors to receive withdrawal payments, dividends and interest [The] Payment *as provided in this section* and the receipt or acquittance of any joint tenant is a valid and sufficient release and discharge of such association for all payments made on account of shares or certificates owned in joint tenancy prior to the receipt by such association of notice in writing *from any one of them* not to make payments in accordance with the terms of such shares or certificates *or of such written instructions. After receipt of such notice an association may refuse, without liability, to pay withdrawals, dividends or interest pending determination of the rights of the parties*

SEC. 27. Section 7606 of said code is amended to read:

7606. When a person holding shares or investment certificates as trustee or guardian dies and no notice of the terms, revocation, or termination of the trust or guardianship is given in writing to the association, the withdrawal or other value of the shares or investment certificates or any part thereof may be paid to the beneficiary or ward. If no beneficiary or ward has been designated in writing to the association, the withdrawal or other value or any part thereof may be paid to the trustee's or guardian's executor or administrator. Such payment by any association is a valid and sufficient release and discharge of the association for the payment *whether or not such payment is made to a minor*.

SEC. 28. Section 7612 is added to said code, to read.

7612. Notice to any association of an adverse claim to shares or investment certificates standing on its books to the credit of, or to personal property held for the account of, any person may be disregarded until and unless such adverse claimant either (1) procures and serves upon the association at the office at which the account is carried or the property held a restraining order, injunction or other appropriate order against the association from a court of competent jurisdiction in an action in which the adverse claimant and all persons in whose name such account stands or for whose account such property is held are parties, or (11) executes and delivers to the association at the office at which the account is carried or the property held a bond in form and with surety acceptable to it and in an amount fixed by the association, but which amount in no event need be more than twice the value of the shares or investment certificates or more than twice the market value of the property against which the adverse claim is made, indemnifying it and also all persons in whose names such account stands or for whose account such property is held, against all liability, loss, damage, costs and expenses arising out of the refusal to permit withdrawal from such account or to pay dividends or interest thereon or to deliver such property. Unless such restraining order, injunction or other appropriate order is obtained, or such bond is given, the association, notwithstanding such notice, may honor notices of intention to withdraw and may pay withdrawals, dividends and interest to the person or persons to whose credit the account stands or may deliver such property to or upon the order of the person for whose account such property is held, without any liability on the part of the association.

SEC. 29. Section 7613 is added to said code, to read:

7613. If an adverse claimant delivers to the association at the office at which the account is carried or the property held his affidavit stating that of his own knowledge the person to whose credit the account stands or for whose account the property is held is a fiduciary for the adverse claimant and that such fiduciary is about to misappropriate the account or the property and stating the facts upon which the claim of a fiduciary relationship is based, the association may refuse to pay withdrawals, dividends or interest on the account or may refuse to deliver such property until the adverse claim is finally adjudicated or released, without liability on its part and without liability for the sufficiency or truth of the facts alleged in the affidavit

SEC. 30. Section 7614 is added to said code, to read:

7614. The provisions of Sections 7612 and 7613 are applicable even though the name of the person appearing on the association's books to whose credit the account stands or for whose account the property is held is modified by a qualifying or descriptive term such as "agent," "trustee" or other word or phrase indicating that such person may not be the owner in his own right of the account or property.

SEC. 31. Section 6702 of said code is amended to read:

6702. An association may invest in, hold, buy, and sell the following:

(a) Real property used or to be used primarily as the principal office or branch of the association. *Except as provided in Section 6703* no association issuing either stock or investment certificates or both shall invest in such real property more than one-half of the sum of its aggregate paid-up nonwithdrawable capital and any surplus and reserve which is not subject to distribution to the shareholders or stockholders except upon dissolution or liquidation.

(b) Furniture, fixtures, furnishings, [and] equipment, *and leasehold improvements* necessary or proper for the business of the association, or for use in connection with properties owned by or securing loans of the association. *Except as provided*

in Section 6703 no association issuing either stock or investment certificates or both shall invest in furniture, *fixtures*, furnishings, [and] equipment, *and leasehold improvements* for its offices, more than [10 percent] *20 percent, or if it has no real property used or to be used primarily as its principal office or branch, 30 percent* of the sum of its aggregate paid-up nonwithdrawable capital and any surplus and reserve which is not subject to distribution to the shareholders or stockholders except upon dissolution or liquidation

(c) United States Government bonds and treasury certificates, or any bonds, debentures, notes, or other obligations guaranteed by the United States of America.

(d) Bonds, debentures, and notes issued by any federal home loan bank, or other similar federal agency.

(e) Consolidated federal home loan bank bonds, debentures, or notes.

(f) Bonds of this State or of any county, municipality, or school district in this State.

(g) Bonds, other securities, and bankers' acceptances which are legal as investments for or purchases by savings banks in this State.

(h) Bonds issued by any railroad corporation or any public utility corporation substantially all of the properties of which are located in the United States of America. Railway corporations and public utility corporations, as used in this subdivision, do not include street railway corporations. The purchase of all bonds pursuant to the sole authority of this subdivision shall be first approved by the commissioner.

(i) Notes or bonds secured by first mortgage or first deed of trust, payment of which is guaranteed by a policy of mortgage insurance, or mortgage participation certificates, issued by a mortgage insurance company in accordance with the provisions of Part 6 of Division 2 of the Insurance Code.

(j) California street improvement bonds. The purchase of all bonds pursuant to the sole authority of this subdivision shall be first approved by the commissioner and no association at any one time shall have invested pursuant to the sole authority of this subdivision an aggregate amount in excess of 2 percent of the then total assets of the association.

(k) Stock issued by any federal home loan bank or other similar federal agency of which the association is eligible to be a member.

(*l*) Bonds, notes, debentures, or other obligations of national mortgage associations or other similar credit institutions now or hereafter organized under Title III of the National Housing Act. The purchase of all bonds, notes, debentures or other obligations pursuant to the sole authority of this subdivision shall be first approved by the commissioner.

(m) Bonds and other securities as provided in Division 11 of this code

SEC. 32. Section 6703 of said code is amended to read.

6703. No association at any one time shall have invested pursuant to subdivisions (g), (h), (i), (j), and (*l*) of Section 6702 an aggregate amount in excess of 10 percent of the total assets of such association unless prior consent is obtained from the commissioner *The percentage limitations specified in subdivisions (a) and (b) of Section 6702 may be exceeded if the investment in excess of such limitations is approved by two-thirds of the directors and is approved in writing by the commissioner.*

SEC. 33. Section 6704 of said code is amended to read.

6704. An association may enter into or assume leases covering real property used or to be used in connection with the business of such association No association issuing stock or investment certificates shall enter into or assume leases providing in the aggregate for rental payments in any one year in excess of 5 percent of the sum of its aggregate paid-up nonwithdrawable capital *federal insurance reserve, loan reserve*, and any surplus and reserve which is not subject to distribution to the shareholders or stockholders except upon dissolution or liquidation, after deducting from such sum any amounts invested in real property pursuant to subdivision (a) of Section 6702.

SEC. 34. Section 6203 5 is added to said code, to read

6203 5. An agent, salesman or collector shall not represent that his office is the office or branch of an association.

SEC. 35. Section 6411 is added to said code, to read:

6411. An association shall not issue shares or investment certificates, or pay withdrawals, elsewhere than at the principal office or a branch of such association

SEC 36 Section 9013 is added to said code, to read:

9013. Claims for damages resulting from the disaffirmance of an executory contract or lease by the commissioner may be filed and allowed. No claim of a landlord for damages resulting from the disaffirmance of an unexpired lease of real property or under any covenant of such lease shall be allowed in an amount exceeding the rent reserved by the lease, without acceleration, for the year succeeding the date of the surrender of the premises plus the amount of any unpaid accrued rent without acceleration. Any such claim must be filed within 30 days of the date of such disaffirmance or within the time that claims must be filed under Sections 9051 and 9052, whichever is longer.

SEC. 37. Section 9055.5 is added to said code, to read.

9055.5. Claims of holders of investment certificates and of shares shall bear interest, from the date when interest or dividends were last paid or credited on such certificates or shares, at the rate or rates of return on investment certificates and shares determined from time to time by the commissioner to be the rate or rates of return on investment certificates or shares paid or credited for the period or periods in question by the largest number of associations in this State. Claims of other creditors shall bear interest at the rate provided by law on judgments from the date the commissioner takes possession of the business, property and assets of the association

SEC. 38. Section 9069 of said code is amended to read:

9069. After complying with Section 9068 the commissioner shall pay all claims approved in the sum of ten dollars ($10) or more, other than the claims of shareholders and stockholders, without distinction or preference as between the claims of certificate holders and other creditors *except as provided in Section 9055.5 as to the respective rates of interest thereon.* Thereafter the commissioner shall distribute and pay dividends in liquidation first to the shareholders until their claims are fully paid or such assets or funds are exhausted, and second, if any such assets or funds remain, to the stockholders until such assets or funds are exhausted. In the case of any association in which shareholders were prior to August 29, 1933, granted the right and option by the association to exchange their shares for investment certificates of equal value the commissioner shall distribute and pay dividends in liquidation to such shareholders without distinction or preference as between the claims of such shareholders and the claims of certificate holders and other creditors.

SEC. 39. Sections 18 to 38 inclusive of this act become operative only if Division 2 of the Financial Code is enacted by the Legislature at its 1951 Regular Session, and in such case at the same time as said Division 2 takes effect, at which time Sections 1.01, 1.03, 2.05, 2.07, 7.06, 8.03, 8.04, 8.05, 9.02, 9.17, 10.03a, 12.09, 13.13, and 13.16 of the act cited in the title as amended by this act, and Sections 2.11, 8.14, 11.06, and 12.13 of said act as added by this act, are repealed."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

RESOLUTIONS

The following resolution was offered:

By Messrs. McCollister, Clarke, Dills, Thomas, and Evans:

House Resolution No. 105

Relative to the creation of the Assembly Committee on Interstate Cooperation

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Committee on Interstate Cooperation is hereby created and authorized and directed to ascertain, study and analyze all facts relating to cooperation between this State and the other states and with the Federal Government, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the same five Members of the Assembly as authorized by Section 8001 of the Government Code

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The committee, and any subcommittee when so authorized by the committee, may meet and act without as well as within the State of California, and is authorized to leave the State in the performance of its duties.

7. The sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 246
Assembly Bill No. 1645
Assembly Bill No. 1647
Assembly Bill No. 2793

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 1646
Assembly Bill No. 1649
Assembly Bill No. 1650
Assembly Bill No. 1989
Assembly Bill No. 2120
Assembly Bill No. 2506
Assembly Bill No 2903

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 245
Assembly Bill No. 247
Assembly Bill No. 2787

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 2082

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HOLLIBAUGH, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Senate Bill No. 867

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 37

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 445
Assembly Bill No. 1028
Assembly Bill No. 2015
Assembly Bill No. 2623
Assembly Bill No. 2694
Assembly Bill No. 2796

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 856
Assembly Bill No. 2724

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 734
Assembly Bill No. 735
Assembly Bill No. 804

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bills ordered to second reading.

RECESS

At 11 46 a.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Assembly Bill No. 1851

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LUCKEL, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 626
Assembly Bill No. 2675

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 586
Assembly Bill No. 992
Assembly Bill No. 1541

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 431
Assembly Bill No. 453
Assembly Bill No. 853
Assembly Bill No. 925
Assembly Bill No. 2128
Assembly Bill No. 2482
Assembly Bill No. 2530

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 35—Relative to the death of Judge Herbert Wilson Erskine;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the thirtieth day of March, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 440—An act to amend Sections 24121a, 24121g, 24201d, 25203c, 25292, 25295, and 25401 of, and to add Sections 24201d.1, 24201d.2, 25122, and 25295a to, and to repeal Section 24122 of, Part 11 of Division 2 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act shall take effect immediately;

Assembly Bill No. 575—An act to amend Sections 23185h, 23911e, 24121f, 24181, 25031f, 25031f-(1), 25031h, 25031i, 25032, 25033, 25071e, 25071f, 25071(i), 25071*l*, 25071m, 25071n, 25071q, 25071r-(1), 25101b, 25201, 25232a, 25261a, 25261d, 25667, 25668, 25670, 25672, 25781, 25901, 25934, 26073a, 26073b, and 26451 of, and to amend and renumber Sections 25202, 25203a, 25203c-(1), and 25203e of, and to repeal Sections 23152 and 23502 of, the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations;

Assembly Bill No. 718—An act to amend Section 1269 of the Code of Civil Procedure, relating to publication of order to show cause in relation to an action to declare property escheated to the State;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of March, 1951, at 2 p m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 720—An act to amend Section 1812 of the Code of Civil Procedure, relating to publication of notice of intention to become a sole trader;

Assembly Bill No. 727—An act to add Section 6066 to the Government Code, relating to publication of notices;

Assembly Bill No. 816—An act to amend Section 2203 of the Education Code, relating to the traveling expenses of representatives of governing boards of school districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of March, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 577—An act to amend Sections 23102, 23112, 23186, 23222, 23251, 24121a, 24121k, 24121n, 24121p-1, 24121p-3, 24121p-4, 24121p-5, 24124, 24201b, 25101a, 25121a, 25121c, 25431, 25662, 25701, 25761, 25781, 25932, and 26080 of, and to amend and renumber Sections 25203 and 25203d of, and to add Sections 25663, 25701a, 26080.1, 26080.2, and 26080.3 to, Part 11, Division 2 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act shall take effect immediately;

Assembly Bill No. 1114—An act to amend the heading of Article 1 of Chapter 8 of Division 3, and Sections 5901, 5902, 5903, 5904, and 5905 of the Education Code, and to add Section 5906 to said code, all relating to cash funds of school districts;

Assembly Bill No. 2143—An act to amend by renumbering Section 4675 of the Health and Safety Code, relating to sanitary districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of March, 1951, at 2 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2144—An act to amend and renumber Section 10880 of the Insurance Code, relating to conversion to mutual legal reserve;

Assembly Bill No. 2145—An act to repeal Section 10651 of the Insurance Code, relating to associations;

Assembly Bill No. 2146—An act to repeal Article 5, Chapter 2, Division 4 of the Welfare and Institutions Code, relating to bringing nonresident indigent persons into the State;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of March, 1951, at 2 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2148—An act to amend Section 109 of the Welfare and Institutions Code, relating to the State Department of Social Welfare;

Assembly Bill No. 2163—An act to amend Section 736.3 of the Agricultural Code, relating to marketing plans;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of March, 1951, at 2 p m.

BURKE, Chairman

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 420 CONTINUED

Mr. Beck asked for, and was granted, unanimous consent that his notice of motion to reconsider the vote whereby Assembly Bill No. 420 was passed, be continued until the next legislative day.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 434 CONTINUED

Mr. Beck asked for, and was granted, unanimous consent that his notice of motion to reconsider the vote whereby Assembly Bill No. 434 was passed, be continued until the next legislative day.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 30, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Constitutional Amendment No. 16

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Constitutional Amendment No. 16—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 8 of Article VI thereof, relating to the filling of vacancies in the office of judge of the superior court.

Referred to Committee on Constitutional Amendments.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 30, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 352
Senate Bill No. 731
Senate Bill No. 1715
Senate Bill No. 1718

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 352—An act to add Section 35.5 to the Public Utilities Act, relating to regulation of state-owned railroads as to safety of operation.

Referred to Committee on Public Utilities and Corporations.

Senate Bill No. 731—An act to add Section 29015 to the Health and Safety Code, relating to dangerous drugs.

Referred to Committee on Public Health

Senate Bill No. 1715—An act to add Section 1078 to the Fish and Game Code, relating to commercial fishing.

Referred to Committee on Fish and Game.

Senate Bill No. 1718—An act to add Section 958 to the Fish and Game Code, relating to nets.

Referred to Committee on Fish and Game.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 431 re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 992 re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 925 re-referred to the Committee on Fish and Game.

Assembly Bills Nos. 853, 453, and 1541 re-referred to the Committee on Ways and Means.

Assembly Bills Nos. 586, 2128, 2482, and 2530 re-referred to the Committee on Agriculture.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal:

CAPITOL CORRESPONDENTS ASSOCIATION OF CALIFORNIA
STATE CAPITOL, SACRAMENTO, March 30, 1951

Hon. Sam L. Collins, Speaker
The Assembly, Assembly Chamber, Sacramento, California

DEAR MR. SPEAKER: In compliance with Assembly Rule 24 and Joint Rule 32, the Standing Committee of the Capitol Correspondents Association has examined application for authentication as accredited press representative, and recommends the following action:

Approved for Press Card

San Francisco Call-Bulletin—John Keyes.

Sincerely,

EARL C. BEHRENS, President

RATIFICATION OF ACTION

By unanimous consent, the Assembly ratified the above action as taken by the Capitol Correspondents Association.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1683—An act to add Sections 6064.1 and 6106.1 to the Business and Professions Code, relating to admission and discipline of attorneys.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dolwig, Doyle, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Klocksiem, Levering, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Moss, Munnell, Niehouse, Parker, Rumford, Shaw, Silliman, Stanley, Thomas, Tomlinson, and Mr. Speaker—48.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 771—An act to amend Section 688 of the Code of Civil Procedure, relating to supplementary proceedings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Klocksiem, Levering, Lowrey, Maloney, McCollister, McFall, McGee, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Thomas, Tomlinson, and Mr. Speaker—52.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 768 HOLD PLACE ON FILE

Mr. Brown asked for, and was granted, unanimous consent that Assembly Bill No. 768 be passed on file, and hold its place on file on the next legislative day.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1833—An act to amend Section 1272a of the Code of Civil Procedure, relating to the procedure for the recovery of property in the possession of the State, to which claimants are entitled.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—62.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2280—An act to amend Section 28140 of the Government Code, relating to the compensation of officers, jurors and witnesses in counties of the fortieth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Thomas, Tomlinson, and Mr. Speaker—57.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3378—An act to amend Section 1170 of the Probate Code, relating to real property affected by the death of any person, providing for filing of a petition with respect thereto.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Collier, George D Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Silliman, Stanley, Thomas, and Mr. Speaker—57.

NOES—Shaw and Tomlinson—2

Bill ordered transmitted to the Senate.

Assembly Bill No. 2790—An act to add Section 6a to the Alcoholic Beverage Control Act, relating to sale of beer to instrumentalities of the Armed Forces of the United States maintained on U. S. Government Military or Naval Reservations.

Bill read third time.

Motion to Amend

Mr. McCollister moved the adoption of the following amendments:

Amendment No. 1

In line 4 of the title of the printed bill, as amended in the Assembly on March 28, 1951, after "reservations", insert ", to take effect immediately".

Amendment No. 2

On page 1, line 11, of said bill, strike out "or", and insert "of".

Amendment No. 3

On page 1 of said bill, after line 14, insert

"SEC. 2. This act provides for a tax levy within the meaning of Article IV of the Constitution and shall go into immediate effect."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 34—An act to add Section 9612 to the Government Code, relating to the interpretation of statutes referring to military service and specified branches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Silliman, Stanley, Thomas, Tomlinson, and Mr. Speaker—58

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 63—An act to add Section 105 to the Military and Veterans Code, relating to exemptions to instrumentalities of the Armed Forces of the United States, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. McCollister moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, after line 9, insert
"SEC. 2 This act provides for a tax levy within the meaning of Article IV of the Constitution and shall go into immediate effect."

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

• **Assembly Bill No. 346**—An act to amend Section 1431 of the Probate Code, relating to compromise of disputed claims of minors.

Bill read third time.

Motion to Amend

Mr. Geddes moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3, 4, 5, and 6, and insert
"1431. When a minor has a dis-".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 913—An act to amend Section 11792 of the Insurance Code, relating to the Revolving Fund of the State Compensasion Insurance Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Thomas, Tomlinson, and Mr. Speaker—60.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1609—An act to amend Section 25100 of the Corporations Code, relating to securities exempt from the application of the Corporate Securities Law, and providing for the exemption of securities the issuance of which has been authorized by the Federal Power Commission.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Stanley, Thomas, and Mr. Speaker—59.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1918—An act to amend the Building and Loan Association Act by amending Section 6.01 thereof, relating to withdrawals.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Thomas, Tomlinson, and Mr. Speaker—58

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2388—An act to add Article 4.5 to Chapter 5, Division 1 of the Financial Code, relating to banks having no capital stock and prescribing a procedure for the issuance of such stock and the determination of the interests in the stock, and to repeal Sections 29 and 29a of the Bank Act (Chapter 76 of the Statutes of 1909).

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Thomas, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 627—An act to amend Sections 3102, 3104 and 3107 of the Government Code, relating to an oath or affirmation of allegiance for civil defense workers and public employees, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hollibaugh, Kelly, Klocksiem, Levering, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Thomas, and Mr. Speaker—55.

NOES—George D. Collins and Elliott—2.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hollibaugh, Kelly, Klocksiem, Levering, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Thomas, and Mr. Speaker—55.

NOES—George D. Collins and Elliott—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1818—An act to revise and consolidate the law relating to the receipt, custody, investment, management, disposal, and escheat of various classes of unclaimed property to the possession of which the State is, or may become entitled, by repealing Titles 8 and 8A of Part 3 of the Code of Civil Procedure, Sections 3163, 3164, 3165, 3166, and 3167 of the Banking Code, Sections 3163, 3164, 3165, 3166, and 3167 of the Financial Code, and an act entitled "An act providing for the dissolution and winding up of savings banks, trust companies and banks of deposit, and providing for the disposition of all funds deposited therein and not claimed within five years after such banks have ceased to do business, or after the commencement of proceedings to dissolve," approved March 31, 1891. (Chapter 190, Statutes of 1891), amending and renumbering Section 3168 of the Banking Code, Section 3168 of the Financial Code, and the headings of Titles 9 and 10 of Part 3 of the Code of Civil Procedure, amending Section 13470 of the Government Code, Sections 870, 3121, 3150, and 3162 of the Banking Code, Sections 870, 3121, 3150, 3162, and 9073 of the Financial Code, Section 13 16c of the Building and Loan Association Act, Sections 231, 739, 1064, and 1148 of the Probate Code, Section 5061 of the Penal Code, and Sections 166 and 1015 of the Welfare and Institutions Code, and adding Title 10 to Part 3 of the Code of Civil Procedure, Sections 5062, 5063, 5064, 5065, and 5066 to the Penal Code, and Sections 166.1, 166.2, 166.3, 166.4, 166.5, 1016, 1017, 1018, 1019, and 1020 to the Welfare and Institutions Code, and making an appropriation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Stanley, Thomas, Tomlinson, and Mr Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1831—An act to amend Section 739 of the Probate Code, relating to the disposition of claims against estates of deceased persons which are unpaid because the claimant cannot be found.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Stanley, Thomas, and Tomlinson—59.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 2.30 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 1832—An act to amend Section 1274.10a of the Code of Civil Procedure, relating to abandoned property or escheated property.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Stanley, Thomas, and Tomlinson—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1834—An act to amend Section 1027 of the Probate Code, relating to the distribution of estates and notice to the State Controller.

Bill read third time.

The roll was called, and the bill passed by the following vote

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Stanley, Thomas, and Tomlinson—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1835—An act to amend Section 5061 of, and to add Sections 5062, 5063, 5064, 5065, and 5066 to, the Penal Code; to amend Sections 166 and 1015 of, and to add Sections 166.1, 166.2, 166.3, 166.4, 166.5, 1016, 1017, 1018, 1019, and 1020 to, the Welfare and Institutions Code, relating to the disposition of unclaimed property of deceased, discharged, escaped or paroled prisoners and inmates of state institutions subject to the jurisdiction of the Director of Corrections, Department of Mental Hygiene, and Youth Authority.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Stanley, Thomas, and Tomlinson—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2213—An act to add Section 50½ to the Public Utilities Act, and to add Section 1001.5 to the Public Utilities Code, relating to the location or routes of street railroads and public utility lines outside the boundaries of any city or city and county.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Grant moved a call of the Assembly.

Motion carried. Time, 2.47 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Babbage, Brady, Burkhalter, Collier, Dickey, Dunn, Fleury, Grunsky, Hawkins, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lipscomb, Niehouse, Rosenthal, Rumford, Silliman, Smith, and Waters—20.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Dolwig asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3157—An act to add Section 674.5 to the Vehicle Code, relating to equipment on common carrier passenger vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Dickey, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Lanterman, Levering, Lincoln, Lowrey, Maloney, McFall, McGee, McMillan, Meyers, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 99—An act to amend Section 6.11 of the Alcoholic Beverage Control Act, relating to organizations, associations and clubs, and providing for the issuance of on-sale general licenses thereto.

Bill read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Belotti, Berry, Brady, Connolly, Cooke, Dickey, Dills, Dolwig, Doyle, Elliott, Gaffney, Hawkins, Hollibaugh, Kelly, Lincoln, Maloney, McCollister, Meyers, Sherwin, and Thomas—20.

NOES—Babbage, Beck, Brown, Burke, Clarke, Coats, Collier, George D. Collins, Conrad, Davis, Geddes, Grunsky, Hagen, Hahn, Hansen, Henderson, Klocksiem, Lanterman, Levering, Lowrey, Luckel, McFall, Morris, Moss, Munnell, Niehouse, Parker, Rumford, Shaw, and Tomlinson—30.

Notice of Motion to Reconsider Assembly Bill No. 99

Mr. McCollister gave notice than on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 99 was this day refused passage.

Assembly Bill No. 71—An act to repeal Section 114 of the Business and Professions Code, and to add Section 114 to the Business and Professions Code, relating to reinstatement of licenses by persons serving in the Armed Forces.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Thomas, Tomlinson, and Mr Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2900—An act to amend the title to Chapter 3, Part 2, Division 2, and to amend Sections 51, 120, 422, 550, 562, 565, 640, and 643.1, relating to the change of the name of the California Defense and Security Corps to California National Guard Reserve and to disability and death benefits for the state military forces.

Bill read third time

Motion to Amend

Mr. Dills moved the adoption of the following amendments:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on March 28, 1951, after the comma, insert "of the Military and Veterans Code,".

Amendment No. 2

In line 6 of the title of said bill, after "forces", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 3, line 36, of said bill, strike out "This", and insert
"SEC. 10 This"

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 347—An act to amend an act entitled "An act to provide for the rights, powers, privileges, exemptions and immunities of federal savings and loan associations, incorporated under the provisions of the Home Owners' Loan Act of 1933, which are doing business in the State of California, and for the rights, powers, privileges, exemptions and immunities of the holders of shares or share accounts issued by any such association," approved June 13, 1939, as amended, by amending Sections 2, 3, and 4 thereof, and adding to said act four new sections, to be numbered respectively Sections 5, 6, 7 and 8; all relating to shares and share accounts of federal savings and loan associations and said new Section 6, relating also to debts of such associations and said new Section 8, relating also to personal property held by said associations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, and Thomas—56.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 342—An act to regulate sales of motor vehicles, and for that purpose to add Chapter 1a to the Business and Professions Code and to amend Section 2982 of the Civil Code.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Thomas, and Tomlinson—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 817—An act to add Section 768 to the Insurance Code, in relation to prohibiting the designation of particular insurance agents or brokers by persons, firms and corporations loaning money in the security of personal and real property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Thomas, and Tomlinson—56.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2391—An act to amend and renumber Section 118 and to amend Section 3515 of the Financial Code, relating to banking.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Thomas, Tomlinson, and Mr. Speaker—62

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3347—An act to amend Section 18004 of, and to add Section 18004 1 to, the Education Code, relating to improvement of public streets and places by school boards, the construction of sewers, water pipes, pedestrian walks and tunnels, the acquisition of easements and rights of way for such purposes and appropriating money for such purposes, declaring the urgency of this act and providing that it shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Thomas, Tomlinson, and Mr. Speaker—58.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Thomas, Tomlinson, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 137—An act to amend Sections 4530 and 4536 of the Elections Code, relating to campaign statements.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Clarke, Cloyed, Collier, Connolly, Conrad, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hahn, Hawkins, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Luckel, Maloney, McGee, Meyers, Morris, Moss, Porter, Rumford, Shaw, Sherwin, Thomas, Tomlinson, and Mr Speaker—41

NOES—Coats, George D. Collins, Cooke, Davis, Grunsky, Hagen, Hansen, Henderson, and Parker—9.

Bill ordered transmitted to the Senate.

Assembly Bill No. 139—An act to amend Section 7207 of the Elections Code, relating to elections.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Thomas, Tomlinson, and Mr. Speaker—56.

NOES—Hagen—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1612 BE WITHDRAWN FROM DESK, AND BE RE-REFERRED

Mr. Luckel asked for, and was granted, unanimous consent that Assembly Bill No. 1612 be withdrawn from the desk, and be re-referred to the Committee on Transportation and Commerce.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 184—An act to amend Sections 3043, 3084, and 3150 of the Elections Code, relating to independent nominations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Thomas, and Tomlinson—59.

NOES—Hagen—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 186—An act to amend Section 2801 of the Elections Code, relating to state central committee meetings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Thomas, and Tomlinson—55.

NOES—Moss—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 802—An act to add Sections 29 and 30 to the Education Code, relating to electors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Rumford, Shaw, Sherwin, Stanley, and Tomlinson—55.

NOES—Thomas—1

Bill ordered transmitted to the Senate.

Assembly Bill No. 855—An act to amend Section 226 of the Civil Code, relating to adoption of children.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, and Thomas—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2705—An act to amend Section 6103.5 of the Government Code, relating to filing fees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Thomas, and Tomlinson—55.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 748—An act to amend Section 20 of the Fish and Game Code, relating to fish and game, and the administration of the laws pertaining thereto.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Thomas, and Tomlinson—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2050—An act to add Section 465.4 to the Vehicle Code, relating to signs at deer crossings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McFall, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Thomas, Tomlinson, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2206—An act to amend Section 845 of the Fish and Game Code, relating to nets.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Levering, Lowrey, Luckel, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Sherwin, Thomas, Tomlinson, and Mr. Speaker—54

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 2733—An act to amend Section 971 of the Fish and Game Code, relating to traps and diving equipment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, George D Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Thomas, Tomlinson, and Mr Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2734—An act to amend Section 450.5 of the Fish and Game Code, relating to diving.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Thomas, Tomlinson, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1500—An act to amend Sections 160 and 161 of the Welfare and Institutions Code, relating to the return of mental patients to the states of their residence.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Thomas, Tomlinson, and Mr Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 418—An act to amend Sections 154 and 6500 of the Welfare and Institutions Code, relating to state hospitals for the care and treatment of the insane, the mentally ill, and the mentally disordered.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Conrad, Cooke, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Thomas, and Tomlinson—54.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1240—An act to amend Section 7442 of the Business and Professions Code, relating to the practice of cosmetology and the fees therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, Conrad, Cooke, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Sherwin, Thomas, Tomlinson, and Mr. Speaker—49.

NOES—Gubser—1

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1982

Mr. Munnell asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1982, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1982

Assembly Bill No. 1982—An act to amend Section 26529 of the Government Code, relating to duties of the county counsel.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Cloyed, Coats, Collier, George D. Collins, Conrad, Cooke, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lowrey, Luckel, Maloney, McFall, McGee, Meyers, Morris, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Thomas, Tomlinson, and Mr. Speaker—52.

NOES—None.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2213

At 3.43 p.m., on motion of Mr. Grant, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 2213 passed by the following vote:

AYES—Babbage, Berry, Burke, Caldecott, Clarke, Cloved, Collier, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Luckel, Maloney, McCollister, McGee, McMillan, Meyers, Morris, Porter, Rumford, Sherwin, Stanley, Thomas, Tomlinson, and Mr Speaker—42.

NOES—Beck, Belotti, Brown, Coats, George D. Collins, Cooke, Davis, Elliott, Gubser, Hagen, Henderson, Lowrey, McFall, Moss, Munnell, Parker, and Shaw—17.

Notice of Motion to Reconsider Assembly Bill No. 2213

Mr. Hagen gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2213 was this day passed.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 856 HOLD PLACE ON FILE

Mr. Brown asked for, and was granted, unanimous consent that Assembly Bill No 856 be passed on file, and hold its place on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2724—An act to amend Sections 3301, 3305, 6403, 6405, 6406, 6407, 6409, 6500, 6501, and 6502 of the Corporations Code, to add Sections 3301 5, 3301 6, 3301.7, 3301 8, 6403 5, and 6403.6 thereto, and to repeal Section 6410 thereof, all relating to corporations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Cloved, Coats, Collier, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Stanley, Thomas, Tomlinson, and Mr Speaker—52

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1605

Mr. Porter asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1605, temporarily passed on file, out of order, at this time

CONSIDERATION OF ASSEMBLY BILL NO. 1605

Assembly Bill No. 1605—An act to add Section 11545 to the Business and Professions Code, relating to sewage facilities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Cloved, Collier, George D Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Gubser, Hansen, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Moss, Munnell, Parker, Porter, Rumford, Shaw, Stanley, Thomas, and Tomlinson—44

NOES—Dunn, Elliott, Hagen, and Henderson—4.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SERIES OF ASSEMBLY BILLS

Mr. Waters asked for, and was granted, unanimous consent that he be permitted to take up a series of Assembly bills, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 144

Assembly Bill No. 144—An act to add Section 226 5 to the Elections Code, relating to affidavits of registration.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Stanley, Thomas, Waters, and Mr. Speaker—55

NOES—None.

Bill ordered transmitted to the Senate

CONSIDERATION OF ASSEMBLY BILL NO. 148

Assembly Bill No. 148—An act to amend Section 3829 of the Elections Code, relating to elections in which presidential electors are to be chosen.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Collier, George D Collins, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Stanley, Thomas, and Waters—51

NOES—Dunn—1.

Bill ordered transmitted to the Senate.

CONSIDERATION OF ASSEMBLY BILL NO. 149

Assembly Bill No. 149—An act to amend Section 3041 of the Elections Code, relating to independent nominations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Stanley, Thomas, Waters, and Mr Speaker—56

NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF ASSEMBLY BILL NO. 150

Assembly Bill No. 150—An act to amend Sections 3824 and 3945 of the Elections Code, relating to ballots.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—60.

NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF ASSEMBLY BILL NO. 151

Assembly Bill No. 151—An act to amend Sections 2897 and 2898 of the Elections Code, relating to ballots in case of the death or disqualification of a candidate.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—60

NOES—None.

Bill ordered transmitted to the Senate

CONSIDERATION OF ASSEMBLY BILL NO. 152

Assembly Bill No. 152—An act to amend Section 1513 of the Elections Code, relating to ballot pamphlets.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—60

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF ASSEMBLY BILL NO. 153

Assembly Bill No. 153—An act to amend Section 688 of the Elections Code, relating to oaths.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins,

Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Shaw, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—54.

NOES—George D Collins—1.

Bill ordered transmitted to the Senate

CONSIDERATION OF ASSEMBLY BILL NO. 156

Assembly Bill No. 156—An act to add Section 678.5 to the Elections Code, relating to precinct boards and polling places.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF ASSEMBLY BILL NO. 157

Assembly Bill No. 157—An act to add Section 46.5 to the Elections Code, relating to circulators of petitions.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF ASSEMBLY BILL NO. 164

Assembly Bill No. 164—An act to add Article 3, comprising Sections 1670 to 1674, to Chapter 2 of Division 4 of the Elections Code, and to add Section 29907.5 to the Government Code, relating to arguments concerning measures submitted to the voters of a county

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were offered:

Assembly Concurrent Resolution No. 37: By Messrs. Maloney, George D. Collins, Gaffney, Meyers, Connolly, Berry, Brady, and McCarthy—Relative to the naming of the James Lick Memorial Freeway.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 38: By Mr. McCollister—Relative to adding a new rule, to be numbered 32 5, to the Joint Rules of the Senate and Assembly, relating to advocation of legislation by certain state officers and employees.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 14, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed

Senate Bill No 207
Senate Bill No 372
Senate Bill No. 408
Senate Bill No. 417
Senate Bill No 436
Senate Bill No. 563
Senate Bill No. 780
Senate Bill No. 781
Senate Bill No. 782
Senate Bill No 917
Senate Bill No. 1023
Senate Bill No. 1024
Senate Bill No 1026
Senate Bill No. 1027

J A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 207—An act to amend Sections 6895 and 6897 of the Public Resources Code, relating to mineral leases on public lands.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

Senate Bill No. 372—An act to amend Section 2001 of the Government Code, relating to public officers.

Referred to Committee on Judiciary.

Senate Bill No. 403—An act to amend Section 6861 of the Harbors and Navigation Code, relating to grants of franchises and leases by river port districts.

Referred to Committee on Municipal and County Government.

Senate Bill No. 417—An act amending Section 30354 of the Streets and Highways Code, to except a bridge or other highway crossing between the County of Marin and the County of Contra Costa from the limitations of Sections 30350 and 30351.

Referred to Committee on Transportation and Commerce.

Senate Bill No. 436—An act to amend Sections 2 and 5 and to repeal and add Sections 6 and 7 of an act entitled "An act to provide for forest practices which will promote the maximum sustained productivity

of the forest lands of California," approved April 23, 1945 (Ch. 85, Stats. 1945), relating to forest practices.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 563—An act to add Section 19629 to the Business and Professions Code, relating to the audit of fairs receiving money from the Fair and Exposition Fund.

Referred to Committee on Agriculture.

Senate Bill No. 780—An act to amend Section 5050 of the Insurance Code, relating to county mutual fire insurance.

Referred to Committee on Finance and Insurance.

Senate Bill No. 781—An act to amend Section 6040 of the Insurance Code, relating to county mutual fire insurance.

Referred to Committee on Finance and Insurance.

Senate Bill No. 782—An act to amend Section 6047 of the Insurance Code, relating to county mutual fire insurance.

Referred to Committee on Finance and Insurance.

Senate Bill No. 917—An act to add Section 6855 to the Public Resources Code, relating to the disposition of the proceeds of leases for the extraction of mineral deposits from state lands, other than public lands and tide and submerged lands under the jurisdiction of the State Lands Commission.

Referred to Committee on Manufacturing, Oil, and Mining Industry

Senate Bill No. 1023—An act to add Section 38304 to the Government Code, and to repeal an act entitled "An act to authorize cities and towns owning public parks outside of their limits, to lay out, construct, and maintain roads, streets, and boulevards from the boundaries of such cities or towns to, into, and through such parks, and to acquire lands for that purpose," effective March 1, 1897, without the Governor's approval, relating to access to city parks.

Referred to Committee on Municipal and County Government

Senate Bill No. 1024—An act to add Article 5.5, comprising Sections 38750 to 38759, inclusive, to Chapter 10, Part 2, Division 3, Title 4 of the Government Code, and to repeal an act entitled "An act to enable municipal corporations to sell, lease, or otherwise transfer the control or management of waterworks or parts thereof belonging to such municipality to municipal water districts," approved May 15, 1923, relating to the transfer of city waterwork systems.

Referred to Committee on Municipal and County Government

Senate Bill No. 1026—An act to add Section 6102.5 to the Government Code and to repeal Section 4295a of the Political Code, relating to fees for official services.

Referred to Committee on Judiciary.

Senate Bill No. 1027—An act to add Title 6 and Section 500048 to the Government Code, to consolidate and revise the law relating to the organization, operation, and maintenance of a System of State and Local Government, and to repeal acts specified therein.

Referred to Committee on Municipal and County Government.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 30, 1951

MR SPEAKER I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No 24

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, March 30, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed.

Assembly Bill No. 836
Assembly Bill No 1112

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, March 30, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 1606

And respectfully requests your honorable body to concur in said amendments.

J A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1227

Mr. Waters asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1227, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1227

Assembly Bill No. 1227—An act to amend Sections 9036 and 9039 of the Business and Professions Code, relating to the fees of social workers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

ANNOUNCEMENTS

Mr. Dolwig announced that all legislative representatives, whose names were printed in the Assembly Journal on Thursday, March 22d, may secure their credentials from the office of the Legislative Auditor, this afternoon, or next week.

Mr. Brown announced that all amendments, to be proposed to the Municipal Court Bills should be presented for consideration before the Committee on Judiciary on either April 16th or 17th.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA
OFFICE OF THE SECRETARY OF STATE
SACRAMENTO, March 30, 1951

Honorable Arthur A. Ohnimus
Chief Clerk of the Assembly
State Capitol, Sacramento, California

DEAR MR. OHNIMUS: I would appreciate it very much if you would advise the Members of the Assembly that this office would be pleased to have our Dr Bowman consult with any of the members who contemplate destroying any of their records

We find in many cases that members have reports and papers in their possession which are no longer of value to them but would be of value to the Central Records Depository in completing certain files.

Sincerely,

FRANK M. JORDAN, Secretary of State

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committee would hold a meeting:

Tomorrow, Saturday, March 31st, at 10 a.m —

Transbay Crossings Committee. Subject: The Rieber Plan. In office of Public Utilities Commission, State Building, San Francisco.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Messrs. Parker and McFall, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Flora Spencer, Principal; Mrs. Lena Garibaldi, guest; and the following pupils of the Madison School of Stockton: Ronnie Garibaldi, Leroy Selby, Lilia Cortopassi, and Eloise Rivera

On request of Messrs. Gubser and Kirkwood, the usual courtesies of the Assembly for this day were unanimously extended to the following pupils of the Santa Clara Union High School: Sharron Allen, Nancy Balcom, Floydene Baughman, Mary Bettencourt, Dolores Caldwell, Alice Cory, Dorothy Duffy, Barbie Drake, Maurine Ensley, Betty Erickson, Joyce Erickson, Anna Mae Ferrara, Josephine Ferreira, Gloria Fontana, Beverlie Gard, LaVerne Gjurovich, Marlene Gjurovich, Rita Gordon, Frances Ibach, Betty, Ishibashi, Fay Lorente, Doris Marsalli, Darlene May, Virginia Mederios, Joyce Mignano, Joyce Patnude, Jean Perry, Mary Rosendin, Charlotte Schuller, Bernadine Sereno, Mitsu Shimada, Carmen Simas, Betty Small, Lorraine Tabash, Pat Thompson, Barbara Thornberry, Gerry Vierra, and Connie Hedrick.

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to W. R. Smith and C. O. Blose, teachers, and the following pupils of the Sunset School of the San Lorenzo District: Robert Anselmo, Ronald Barnes, Dominick Caloiaro, Gena Cheatham, Emma Dalton, Richard Haskell, Dorothy Hein, Linda Hook, Ronald Koss, Kenneth Lukins, Imogene McDaniels, Bernice Parker, Irma Perez, Charleen Perry, Jeanette Perry, David Pilkington, Robert Plowright, Jimmie Sexton, Robert Souza, David Stiner, Sharon Ward, Alice Welch, Melvin Welch, Sharon Wentz, Joan Weston, Gordon Wilcox, Mary Williams, Ruth Wilson, Louis Burton, Bonnie Phipps, Janis Britt, Don Covey, Wilene Wilson, Ronald Sheeley, and Carl Merrill.

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to Thomas Farney, Mrs. Farney, Mr. Leonard Ramont, and Mrs. Paul McManus, teachers; and the following pupils of the Ramson School of Modesto: Jeanette Nunes, Jean Glenn, Grace Schaapman, Sandra Castle, Charlotte McManus, Mary Ann Boege, Marion Levi, Marian Wheeler, Roberta Taylor, Tom Siler, David Blickenstaff, Ronald Brubaker, Ronald Ramont, Donald Mederios, Jerry Clark, Eldon Powers, Verne Heinrich, and Niel McGee.

On request of Mr. Maloney and The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Pete Mondorff and Herb Karpel of the Hollywood Baseball Club.

On request of Mr. Gubser, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Clark Aglor of Gilroy.

On request of Mr. Meyers, the usual courtesies of the Assembly for this day were unanimously extended to Frederick E. Bauer of Sacramento, and Fred A. Krammer and Frank L. Ferguson of San Francisco.

ADJOURNMENT

At 4.22 p.m., on motion of Mr. Dickey, the Speaker pro Tempore declared the Assembly adjourned until 10 a.m., Monday, April 2, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

TWENTY-EIGHTH LEGISLATIVE DAY

THIRTY-EIGHTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, April 2, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Kloeksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—77.

Quorum present.

PRAYER

Upon invitation of the Speaker, the following prayer was offered by the Rev. L. Sylvester Odom:

Our Gracious Father, Creator and Sustainer of the Universe, giver of every good and perfect gift, fount of all wisdom, source of all power, we approach Thee in this morning hour, with attitudes of penitence, praise, and thanksgiving. Penitence, when we remember how many have been our failures, how grievous have been our faults, we have not walked in Thy paths, we have not borne one another's burdens, we have not really loved one another, and yet, Thou hath loved us. So we come with praise and thanksgiving, when we remember that Thy movement towards us has always been with understanding, with compassion, with comforting care.

We invoke thy special blessings upon this august assemblage. Speak Father, to these chosen representatives of the people of this great State. Give to them the wisdom to see the right, and the courage to do it.

We come, O Father, at a moment of great anxiety in our world. Standing yet in the shadow of the greatest war that mankind has ever known, even yet bruised and scarred by the terrible realities of total warfare, we have not found a formula for peace. Lead us, O God, and those who are clothed with authority over us, from the menacing anxieties of these days to a rewarding knowledge of that "peace that surpasseth all understanding", that peace which only thou canst give.

We pray for the several peoples of the world, and most especially do we pray for the governments of our great Nation, and our great State Be with our President, be with our Governor, be with the Speaker of this body, and these elected representatives, and all those charged with the making and administering of our laws.

Forgive us our trangressions, strip us of all arrogance, false pride, and greed; cleanse our hearts of hate, and endow us with new portions of thy love; then bring us, Father, at the close of these days, to a realization of that dream of the prophets of old, and that promise which is in Christ Jesus, Life everlasting with Thee.

—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Doyle, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Stewart, on motion of Mr. Rosenthal.

Mr. Butters, on motion of Mr. Rosenthal.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly then gave the pledge of allegiance to the Flag.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

BRANCH 39, NATIONAL ASSOCIATION OF POSTAL SUPERVISORS
LOS ANGELES, CALIFORNIA, March 31, 1951

Chief Clerk of the State Assembly
State Capitol, Sacramento 14, California

DEAR SIR: It was with pleasure that we heard of the passing by the State Legislature of Assembly Joint Resolution No. 16, which was read at regular meeting of Branch 39, National Association of Postal Supervisors, held on March 24th.

The members of Branch 39 instructed me to write and thank the Members of the State Legislature for their action in passing Assembly Joint Resolution No. 16 as we think it will be of great assistance in securing enactment by Congress of deserving and beneficial legislation providing for an increase in our present inadequate salaries.

Sincerely,

BLAINE DRISCOLL, Recording Secretary

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 39	Assembly Bill No. 740
Assembly Bill No. 502	Assembly Bill No. 840
Assembly Bill No. 555	Assembly Bill No. 1250
Assembly Bill No 656	Assembly Bill No 1719
Assembly Bill No. 739	Assembly Bill No. 2063

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 63
Assembly Bill No 346
Assembly Bill No. 348
Assembly Bill No 2790
Assembly Bill No 2900

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 272
Assembly Bill No. 636
Assembly Bill No. 638
Assembly Bill No 742

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 123
Assembly Bill No. 170
Assembly Bill No. 271
Assembly Bill No. 291
Assembly Bill No. 616
Assembly Bill No. 637
Assembly Bill No. 639
Assembly Bill No. 640
Assembly Bill No. 641
Assembly Bill No. 642
Assembly Bill No. 1107
Assembly Bill No. 1123
Assembly Bill No. 1617
Assembly Bill No 1666
Assembly Bill No. 1668
Assembly Bill No. 1691
Assembly Bill No. 1859
Assembly Bill No. 1860
Assembly Bill No 2507
Assembly Bill No. 2508
Assembly Bill No 2791
Assembly Bill No. 2855
Assembly Bill No 2856
Assembly Bill No. 2857
Assembly Bill No 2859
Assembly Bill No. 2860

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Industrial Relations

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1951

MR. SPEAKER: Your Committee on Industrial Relations, to which was referred.

Assembly Bill No. 543

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

LEVERING, Chairman

Above reported bill ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1951

MR. SPEAKER: Your Committee on Industrial Relations, to which were referred:

Assembly Bill No. 104
Assembly Bill No. 404

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LEVERING, Chairman

Above reported bills ordered to second reading.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1951

MR SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 3290

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 297—An act to amend Section 650.6 of the Vehicle Code, relating to special restrictions on lamps.

Bill read second time, and ordered engrossed

Assembly Bill No. 608—An act to provide for the disposition of the unexpended balance of moneys in the Third San Francisco Seawall Fund.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2012—An act to amend Sections 516 and 715 of the Vehicle Code, relating to speed and weight limitations on bridges and other elevated structures and tubes and tunnels constituting a part of a highway.

Bill read second time, and ordered engrossed.

Assembly Bill No. 33—An act to amend Sections 20013 and 20014 of and to add Sections 20017.7, 21020.7, 21290 7, 21292.7, and 21363 7 to the Government Code, relating to the State Employees' Retirement System, in respect to the law enforcement personnel of the Division of Narcotic Enforcement, Department of Justice.

Bill read second time, and ordered engrossed.

Assembly Bill No. 455—An act to amend Section 66c of the Code of Civil Procedure, relating to the number of Judges of the Superior Court in the County of Contra Costa, and providing for the appointment of two additional judges and for compensation.

Bill read second time, and ordered engrossed.

Assembly Bill No. 652—An act to amend Section 139.31 of the Vehicle Code, relating to shooting practice and instruction in the use of firearms.

Bill read second time, and ordered engrossed

Assembly Bill No. 736—An act making an appropriation to the University of California for the development of means for mass rearing of parasites for the control of red scale on citrus trees

Bill read second time, and ordered engrossed.

Assembly Bill No. 1058—An act to amend Section 19259 of the Government Code, relating to employees who have completed 25 or more years of state service.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2295—An act to add Section 1005.6 to the Government Code, relating to payment of overtime to state employees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2386—An act to establish a Financial Code, relating to the organization, regulation, and supervision of financial institutions and financial transactions, and matters incidental thereto, consolidating and revising the law relating thereto, and repealing certain sections, acts, and parts of acts specified therein.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2387—An act to add Article 1.5 to Chapter 17, Division 1, of the Financial Code, relating to the liability of stockholders in California state banks, and to provide for the enforcement and collection of such liability, and to repeal an act entitled "An act to define the liability of stockholders in California state banks and to provide for the enforcement and collection of that liability by the Superintendent of Banks of the State of California," (Chapter 196 of the Statutes of 1931).

Bill read second time, and ordered engrossed.

Assembly Bill No. 2389—An act to add Sections 274 and 275 to the Financial Code, relating to the State Banking Fund and the Revolving Fund in the State Banking Department.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2390—An act to add Section 3166 to the Financial Code, relating to the payment of claims to trust property or money deposited with the State Treasurer.

Bill read second time, and ordered engrossed.

Assembly Bill No. 246—An act to repeal Section 4338, Chapter 1 (consisting of Sections 4651 to 4663, inclusive) of Part 8 of Division 1, and Section 4670, and to add Chapters 1, 1a, 1b, and 1c (consisting of Sections 4651 to 4657.6, inclusive to Part 8 of Division 1, of the Revenue and Taxation Code, relating to the distribution of property taxes.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1645—An act to amend Section 252 of the Revenue and Taxation Code, relating to the filing of claims for veterans' property tax exemption.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1647—An act to amend Section 206 of the Revenue and Taxation Code, relating to property taxes and the exemption of personal property of churches.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2793—An act to add Section 6404 to the Revenue and Taxation Code, relating to exemption of livestock from the use tax.

Bill read second time, and ordered engrossed

Assembly Bill No. 1851—An act to amend Section 525.1 of the Vehicle Code, relating to the operation of motor vehicles.

Bill read second time, and ordered engrossed.

Assembly Bill No. 134—An act to add Section 16271.1 to the Education Code, relating to the use of school busses.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 1, line 4, of the printed bill, after "busses", insert "within the county or counties in which the school district is located".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1151—An act to add Section 13236 to the Education Code, relating to teachers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 3, of the printed bill, after "teacher", insert "in a regular full-time day school having two or more teachers,".

Amendment No. 2

On page 1, line 4, of said bill, strike out "one hour", and insert "forty (40) minutes".

Amendment No. 3

On page 1, line 4, of said bill, strike out the second "period".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1705—An act to amend Section 2802 of the Education Code, relating to the formation of union elementary school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 2802", and insert "Sections 2802, 3462, 3591, and 3661"

Amendment No. 2

In line 2 of the title of said bill, strike out "union elementary".

Amendment No. 3

On page 1, line 10, of said bill, after the period, insert "The person securing the signatures to any such petition shall attach an affidavit thereto that all persons who signed the petition did so in the presence of the affiant and that each signature is the genuine signature of the person whose name it purports to be."

Amendment No. 4

On page 1, line 16, of said bill, strike out "Provided, that no petition shall".

Amendment No. 5

On page 1 of said bill, between lines 16 and 17, insert "No petition shall".

Amendment No. 6

On page 1 of said bill, after line 18, insert

"SEC. 2. Section 3462 of said code is amended to read.

3462. A majority of the *registered* electors residing in each of two or more contiguous school districts in the same county, having an average daily attendance in the aggregate in the elementary schools of 100 pupils or more, may unite in a petition to the superintendent of schools of the county, for the formation of a union high school district under a name specified in the petition *The person securing the signatures to any such petition shall attach an affidavit thereto that all persons who signed the petition did so in the presence of the affiant and that each signature is the genuine signature of the person whose name it purports to be* If the aggregate average daily attendance is less than 100 pupils, a union high school district may be formed pursuant to this article with the written approval of the State Board of Education The superintendent of schools shall, within 20 days after receiving the petition, verify the signatures thereto, and if he finds them sufficient, call an election for the determination of the question. He shall appoint three qualified electors in each of the districts petitioning, to conduct the election

No petition shall be accepted by the superintendent of schools after December 15th in any fiscal year.

SEC. 3. Section 3591 of said code is amended to read.

3591. A majority of the *registered* electors residing in an elementary school district or union elementary school district having 600 or more units of average daily attendance in the elementary or union elementary schools of the district as shown by the last reports of the teachers in the district and a total assessed valuation of at least eight million five hundred thousand dollars ($8,500,000) which is a part of any high school district, as shown by the affidavits of one or more of the petitioners, may present to the superintendent of schools having jurisdiction over the elementary or union elementary school district, a petition asking for the organization of a high school district to be composed of the district represented in the petition, specifying in the petition the name of the proposed high school district. *The person securing the signatures to any such petition shall attach an affidavit thereto that all persons who signed the petition did so in the presence of the affiant and that each signature is the genuine signature of the person whose name it purports to be* The county superintendent of schools shall within 20 days after receiving the petition verify the signatures to the petition. If he finds them sufficient he shall submit the petition to the State Board of Education for approval

No petition shall be accepted by the superintendent of schools after December 15th in any fiscal year

SEC. 4. Section 3661 of said code is amended to read:

3661 A majority of the *registered* electors residing in each of two or more elementary school districts having in the aggregate 500 or more units of average daily attendance in the elementary schools, as shown by the last reports of the teachers in the districts, and having a total assessed valuation of at least five million dollars ($5,000,000), and lying two and one-half miles or more from any public high school building by the nearest traveled road, which elementary school districts or a majority thereof are (a) a part of one or more union or joint union high school districts of the county, as shown by the affidavits of one or more of the petitioners, or (b) a part of a city high school district, and no part of which is included in any city, except a city of the sixth class, as shown by the affidavits of one or more of the petitioners, may present to the superintendent of schools who has jurisdiction over the elementary school districts, or a majority of them, a petition asking for the organization of a union high school district, or joint union high school district, as the case may be, to include all of the elementary school districts represented in the petition. The petition shall specify the name of the proposed union or joint union high school district *The person securing the signatures to any such petition shall attach an affidavit thereto that all persons who signed the petition did so in the presence of the affiant and that each signature is the genuine signature of the person whose name it purports to be* The county superintendent of schools shall, within 20 days after receiving the petition, verify the signatures and, if he finds them sufficient, submit the petition to the State Board of Education for approval

No petition shall be accepted by the superintendent of schools after December 15th in any fiscal year."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1726—An act to add Sections 13560 and 13085.1 to the Education Code, relating to certificated employees of school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 1 of the printed bill, strike out lines 13 and 14, and insert "alent to the average number of hours per week which he has served during his probationary years In no case".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2930—An act to amend Sections 4663, 4911, 4911 1, 4912, and 4912 2 of the Education Code, relating to school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "4911,"

Amendment No. 2

In line 2 of the title, of said bill, after "districts", insert ", declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 12, inclusive

Amendment No. 4

On page 1 of said bill, strike out line 13, and insert
"SECTION 1 Section 4911 1 of the Education Code is amended to read "

Amendment No. 5

On page 2, line 3, of said bill, strike out "SEC 3", and insert
"SEC 2"

Amendment No. 6

On page 2, line 23, of said bill, strike out "SEC 4", and insert
"SEC 3"

Amendment No. 7

On page 2, line 26, of said bill, after "district", insert "the county committee shall determine whether".

Amendment No. 8

On page 2 of said bill, strike out lines 28 to 32, inclusive, and insert "be held only in said territory The county super-".

Amendment No. 9

On page 2 of said bill, strike out line 34, and insert "as determined by the county committee"

Amendment No. 10

On page 2, line 35, of said bill, strike out "SEC. 5", and insert
"SEC 4"

Amendment No. 11

On page 2 of said bill, strike out line 36, and insert
"4663 Upon approval of the county committee, one or more contiguous elementary or high school"

Amendment No. 12

On page 2, lines 38 and 39, of said bill, strike out ", without first withdrawing,".

Amendment No. 13

On page 2, line 47, of said bill, after the period, insert "The annexation of such elementary or high school district or districts, or portions thereof, to a unified school district may be effected without such elementary or high school districts or portions thereof first withdrawing from an elementary or high school district of which it is a part."

Amendment No. 14

On page 2 of said bill, after line 51, insert

"SEC. 5. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are:

Under the existing law, there is no method by which a portion of a city district may be withdrawn and annexed to a unified school district. Under the existing law, a contiguous elementary or high school district, or a portion thereof, may not be annexed to a unified school district without first withdrawing from any elementary or high school district of which it is a part. This act would eliminate delay in annexations to a unified school district by allowing annexations in all such cases without the initiation of withdrawal proceedings

It is therefore necessary that this act take effect immediately in order for unified school districts to make plans for necessary new sites and buildings, based on the new boundaries, rather than the present boundaries, of the district, so that the schools built in the unified district through the state school building aid program will be situated so as to serve the needs of the reorganized district."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 665—An act to amend Section 588 of the Vehicle Code, relating to additional parking regulations.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 27, of the printed bill, after the period, insert "Such proposed ordinance shall be submitted to the department only by action of the local legislative body and the proposed ordinance shall be submitted in complete draft form."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 1271—An act to amend Sections 420, 421, 422, 422 3, and 422 5 of the Vehicle Code, relating to financial responsibility.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 1

Beginning with page 4, line 29, of the printed bill, change Sec 5 to read

"422 5. Insurance Policy or Bond. *(a)* Exemption may be established under Section 422 by *filing with the department satisfactory evidence*

[(a)] *(1)* That the owner had an automobile liability policy or bond in effect *at the time of the accident* with respect to the driver or the motor vehicle involved in the accident, unless it is established that at the time of the accident the motor vehicle was being operated without the owner's permission, express or implied, or was parked by a driver who had been operating such vehicle without such permission Any such policy or bond shall meet the requirements of Section 422 6

[(b)] *(2)* That the driver of the motor vehicle involved in the accident, if he was not the owner of such motor vehicle, had in effect at the time of such accident an automobile liability policy or bond with respect to his operation of motor vehicles not owned by him which policy or bond shall comply with the requirements set forth under Section 422.6.

[(c)] *(3)* That such liability as may arise from the driver's operation of the motor vehicle involved in the accident is, in the judgment of the department covered by some form of liability insurance or bond which complies with the requirements set forth under Section 422.6.

(b) Such evidence shall be submitted in conformance with the requirements of subdivision (c) of Section 422.6. In the event of notice to the department by the company which issued one of the above stated policies or bonds that coverage was not in effect or that liability was denied for a specific accident due to violation of exclusions, endorsements, or conditions of said policy or bond, then said policy or bond shall not operate to establish an exemption as provided for by Section 422."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 6—An act to add Article 9 to Chapter 1 of Division 4 of Title 1 of the Government Code, relating to the fingerprinting of public employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on March 23, 1951, after "employees", insert ", *and making an appropriation*"

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 4, inclusive.

Amendment No. 3

On page 1, line 5, of said bill strike out "SEC. 2.", and insert "SECTION 1"

Amendment No. 4

On page 2 of said bill, following line 42, insert

"SEC. 2. There is hereby appropriated from the General Fund in the State Treasury the sum of two hundred eighty-two thousand dollars ($282,000) in augmentation of Item 153 of the Budget Act of 1951 for support of the Department of Justice to carry out the provisions of this act."

Amendments read, and adopted

Bill ordered reprinted, and engrossed

Assembly Bill No. 1093—An act to amend Section 10407 of the Government Code, relating to the Commission on Uniform State Laws and making an appropriation therefor

Bill read second time

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 16, of the printed bill, following "Item", insert "19"

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1646—An act to amend Section 205 of the Revenue and Taxation Code, relating to the veterans' exemption, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 2, line 24, of the printed bill, strike out "1951", and insert "1950".

Amendment No. 2

On page 2 of said bill, between lines 26 and 27, insert

"SEC. 2. This act is declaratory of and makes no change in the existing law, and, in particular, is applicable in respect to any property tax which became a lien on the first Monday in March of 1951."

Amendment No. 3

On page 2, line 27, of said bill, strike out "2", and insert "3".

Amendment No. 4

On page 2 of said bill, strike out lines 32 to 36, inclusive, and insert

"Unless this act becomes operative prior to its normal effective date, persons in the Armed Forces now engaged in the Korean conflict who are qualified for the veterans' exemption may be prejudiced in their right to the exemption in regard to the fiscal year commencing July 1, 1951, and ending June 30, 1952, and those participating in the administration of our Property Tax Law may be uncertain as to the eligibility of persons in such conflict to the exemption for that year."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 1649—An act to amend Section 441 of the Revenue and Taxation Code, relating to property taxes and the filing of property statements.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1 of the printed bill, after line 8, insert

"The statement need not be under oath, but shall contain, or be verified by, a written declaration that it is made under the penalties of perjury.

SEC. 2. This act shall take effect only if an amendment to Section 8 of Article XIII of the Constitution, relating to the filing of property tax returns under the penalties of perjury, proposed at the 1951 Regular Session of the Legislature, is adopted by the voters, and in such case this act shall take effect at the same time such amendment takes effect."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1650—An act to amend Sections 322 and 328 of the Revenue and Taxation Code, relating to the description of property for assessment.

Bill read second time

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1 of the printed bill, after line 17, insert

"SEC. 3. This act shall take effect only if an amendment to Section 3 of Article XIII of the Constitution, relating to description of property for assessment, proposed

at the 1951 Regular Session of the Legislature, is adopted by the voters, and in such case this act shall take effect at the same time such amendment takes effect."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 1989—An act to amend Section 6487 of the Revenue and Taxation Code, relating to sales and use taxes, and providing that this act shall take effect immediately

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "Except as otherwise provided herein", and insert "Except in the case of fraud, intent to evade this part or authorized rules and regulations, failure to make a return, or claim for additional amount pursuant to Section 6563"

Amendment No. 2

On page 1, line 11, of said bill, strike out "fraud, intent to evade this part"; and in line 12, strike out "or authorized rules and regulations."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2120—An act to add Chapter 3, comprising Sections 15700 to 15725, inclusive, to Part 9, Division 3, Title 2 of the Government Code, relating to payment of interest on money deposited with the State to secure obligations under tax laws and authorizing the investment of such money.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "15725", and insert "15716".

Amendment No. 2

On page 1, line 2, of the printed bill, strike out "15725", and insert "15716".

Amendment No. 3

On page 2, line 29, of the printed bill, strike out "by the board".

Amendment No. 4

On page 2, line 35, of the printed bill, strike out "as follows: (a)".

Amendment No. 5

On page 2, line 37, of the printed bill, after "Code,", strike out the remainder of that line and all of lines 38 and 39, and insert "or the corresponding sections of the Financial Code."

Amendment No. 6

On page 2, line 40, of the printed bill, strike out "In making", and insert "Whenever the State makes".

Amendment No. 7

On page 2, line 41, of the printed bill, after "savings bank", insert "as provided by Section 15712,".

Amendment No. 8

On page 2, line 43, of the printed bill, strike out "consult with an officer"; and strike out lines 44 to 49, inclusive, and insert "determine the amount in the Taxpayers Deposit Fund available for investment, notifying the Department of Finance accordingly. Thereupon the amount so made available shall be invested or reinvested by the Department of Finance. To that end the Department of Finance is authorized and directed to file claims against the Taxpayers Deposit Fund to effect the purchase of such property, to sell such property, to deposit the proceeds of the sales thereof in said fund and, within the limits of the amount available for investment, to reinvest the proceeds so deposited. The department shall inform the board with respect to all such transactions at the time of their consummation."

Amendment No. 9

On page 2, line 52, of the printed bill, after "therefor", insert "to the Department of Finance, furnishing a copy thereof".

Amendment No. 10

On page 3 of the printed bill, strike out lines 7 to 52, inclusive

Amendment No. 11

On page 4, line 1, of the printed bill, strike out "15725", and insert "15716".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 2506—An act to amend Section 29191 of the Government Code, relating to district budgets, and declaring the urgency of this act, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 2 of the title of the printed bill, strike out ", and declaring the urgency of this"; and strike out line 3 of the title

Amendment No. 2

On page 1 of said bill, strike out lines 11 to 26, inclusive

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2903—An act to amend Sections 2617, 2618, 2619, 2704, and 2705, and to add Section 2705.5 to the Revenue and Taxation Code, relating to the time of delinquency of real estate taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "2618, 2619, 2704, 2705," and insert "2619, and 2704 of,"

Amendment No. 2

In line 2 of the title of said bill, after "to", insert a comma

Amendment No. 3

On page 1 of said bill, strike out lines 6 to 10, inclusive

Amendment No. 4

On page 1, line 11, of said bill, strike out "3", and insert "2"

Amendment No. 5

On page 1, line 13, of said bill, strike out "April 10th", and insert "April 20th".

Amendment No. 6

On page 1, line 16, of said bill, strike out "4", and insert "3".

Amendment No. 7

On page 1 of said bill, strike out lines 21 to 25, inclusive.

Amendment No. 8

On page 2, line 1, of said bill, strike out "6", and insert "4".

Amendment No. 9

On page 2, line 3, of said bill, strike out "April 10th", and insert "April 20th".

Amendment No. 10

On page 2 of said bill, strike out lines 5 to 52, inclusive; and strike out all of page 3, and insert

"SEC 5. The provisions of this act are operative only as to taxes which become a lien on property on or after January 1, 1952."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1285—An act to add Section 60 to, and to amend Section 710 of, the Vehicle Code, relating to equipment of vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 2, line 7, of the printed bill, strike out "that such excess weight does not exceed the weight of the device.", and insert "*that whenever any load weight exceeds the maximum specified in this code the weight of the device shall first be deducted from any excess weight before a penalty for excess load weight is imposed.*"

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

Assembly Bill No. 1855—An act to amend Section 678 of the Vehicle Code, relating to tire equipment.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 2, line 5, of the printed bill, after "nor", insert "to pneumatic tires which may have embedded therein wire not to exceed .075 inches in diameter and which are so constructed that under no conditions will the percentage of metal in contact with the roadway exceed 5 percent of the total tire area in contact with the roadway; provided, however, that during the first 1,000 miles of use or operation of any such tires the metal in contact with the roadway may exceed 5 percent of such area but shall in no event exceed 20 percent of such area".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

Assembly Bill No. 2317—An act providing for the reversion of certain unused funds appropriated for expenditure by the Department of Public Works.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

In lines 1, 2, and 3 of the title of the printed bill, strike out "providing for the reversion of certain unused funds appropriated for expenditure by the Department of Public Works.", and insert "to add Section 1.6 to "An act to provide for approaches to the Golden Gate Bridge and making an appropriation relating to public bridges and highways," approved July 18, 1945, being Chapter 1505 of the Statutes of 1945, relating to approval of projects to be constructed pursuant to said act"

Amendment No. 2

On page 1, line 1, of said bill, strike out "All of the funds transferred to the State", and insert "Section 1.6 is added to the act cited in the title hereof, to read.

Sec. 1.6 After the effective date of this section the Golden Gate Bridge and Highway District shall not enter into a contract or agreement with the Director of Finance or the Director of Public Works for the construction of any project pursuant to Sections 1 or 1.5 of this act, unless it is an approved project For the purposes of this section, an approved project is one which has been approved by a majority vote of each of the boards of supervisors of the counties comprising the Golden Gate Bridge and Highway District, or approved by law"

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 8, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

Assembly Bill No. 3099—An act to amend Section 697.1 of the Motor Vehicle Code, relating to length of vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 3, of the printed bill, following "Busses", strike out "in Urban or Suburban", and insert a period.

Amendment No. 2

On page 1, line 4, of said bill, strike out "Service".

Amendment No. 3

On page 1, line 7, of said bill, following "thereof", strike out "when operated in urban", and insert a period.

Amendment No. 4

On page 1, line 8, of said bill, strike out "or suburban service"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce

Assembly Bill No. 1947—An act to amend Sections 44 and 44.1 of the Vehicle Code, relating to authorized emergency vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1 of the printed bill, strike out line 12, and insert

"(b) A motorcycle, either publicly or privately owned, operated by a police or traffic law enforcement officer in enforcing the provisions of this code.

(c) A motor vehicle, either publicly or privately owned, operated by a state or county forest ranger, or a fire warden on salary and directly in charge of fire protection work upon behalf of the State or in any county, or the chief or assistant chief of an organized fire department, in responding to emergency fire calls

(1) A vehicle, privately owned, operated by the chief or other authorized member of an organized fire department in responding to emergency calls in connection with lifesaving or other public purposes, not connected with fire calls.

(2) A permit must be obtained from the Chief of the California Highway Patrol in respect to any privately owned vehicle referred to in subsection (c) and when any such privately owned vehicle is not at the time engaged in responding to an emergency fire call or in connection with lifesaving or other public purposes any siren thereon must be disconnected and any red front lights must be covered.

(d) Any fire fighting equipment designed and operated exclusively as such by an oil company and used in responding to emergency fire calls and in combating fires.

(e) When used in responding to emergency calls, any privately owned ambulance, specially constructed and maintained exclusively for ambulance purposes, authorized by permit issued by the Chief of the California Highway Patrol, and any publicly owned ambulance.

(f) An emergency repair vehicle of a utility or public utility, whether privately, municipally or publicly owned, used in responding to emergency calls when authorized by the Chief of the California Highway Patrol.

(g) Any fire fighting equipment, emergency wrecking equipment or emergency repair equipment, owned and operated by a bridge and highway district for the purpose of extinguishing fires, removing wrecked motor vehicles, caring for injured persons, or repairing damaged lighting, or electrical equipment, of such bridge and highway district, when such vehicles are responding to emergency calls.

(h) A motor vehicle, owned by the State, and operated by a regularly employed special agent, investigator, or inspector of the Department of Justice in the performance of his duties."

Amendment No. 2

On page 1 of said bill, strike out line 28, and insert

"1 When such vehicle has a permit from the Chief of the California Highway Patrol

2 When said vehicle has affixed to the license plates thereon distinguishing signs of a type approved by the Chief of the California Highway Patrol and when said signs are so located as to be plainly visible at a distance of not less than 50 feet from the front and rear of said vehicle

3 Where said person operates such vehicle so owned by him in responding to emergency calls or fire alarms or in street or highway patrol duty, or operates such vehicle in the pursuit of actual or suspected violators of the law

4 When the State, city, or any city and county, or any county does not furnish to such sheriff, constable, deputy sheriff marshal or deputy marshal of a municipal court, or any member of a police department, a publicly owned vehicle for the purpose above stated

5 Whenever such vehicle is being used for purposes other than those specifically authorized herein, the siren must be disconnected and the red lights covered Any violation of this provision shall constitute a misdemeanor and the permit granted hereunder shall be revoked"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce

Assembly Bill No. 245—An act to amend Section 4656.4 of the Revenue and Taxation Code, relating to the distribution of property taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation.

Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert "and to add Section 2152.5 to,"

Amendment No. 2

In line 2 of said title of said bill, after "distribution", insert "and computation"

Amendment No. 3

On page 1 of said bill, after line 10, insert

"SEC. 2. Section 2152.5 is added to said code, to read

2152.5. Notwithstanding the provisions of any other section of this code, if so ordered by resolution of the board of supervisors of any county, adopted prior to the time the county auditor is required to compute and enter on the secured roll the respective amounts due in installments as taxes for the assessment year in which such resolution shall become effective, the county auditor shall reject any fraction of a cent in the computation of taxes on any assessment.

The provisions of this section shall continue in effect in such county until otherwise ordered by resolution of the board of supervisors."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 247—An act to amend Sections 4653.8, 4656.8, and 4657 of the Revenue and Taxation Code, relating to the distribution of property taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 11, of the printed bill, after "penalties", insert ", except where collected on funds for which the county treasury is not the official depository,".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 2787—An act to amend the article heading of Article 2, Chapter 1, Part 6, Division 1, and Sections 3356, 3391, 3396, 3398, and 3403 and to repeal Sections 3392, 3393, 3394, 3395, 3397, 3399, 3400, and 3401, of the Revenue and Taxation Code, relating to real property taxation and the publication of delinquent lists.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 18, of the printed bill, after "3391.", insert "In each county having more than one million population,".

Amendment read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 734—An act to provide for the registration of aircraft by the State, the collection of registration fees therefor and the disposition of such registration fees

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 2, line 6, of the printed bill, after "carrier", insert "or foreign air carrier"

Amendment No. 2

On page 2, line 7, of said bill, strike out "subdivision", and insert "subdivisions".

Amendment No. 3

On page 2, line 7, of said bill, after "(2)", insert "or (19)".

Amendment No. 4

On page 2, line 11, of said bill, after "certificate", insert "or permit issued"

Amendment No. 5

On page 7, line 38, of said bill, strike out the comma; and strike out lines 39 to 41, inclusive, and insert "at the close of each preceding calendar quarter, after the expenditures authorized by Section 51 have been made, shall, on order of the State Controller, be transferred quarterly in January, April, July, and October of each year, to the California Aeronautics Fund, which fund".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 735—An act to add Part 6.5 to Division 2 of the Revenue and Taxation Code, relating to licensing aircraft, creating the Aircraft License Fee Fund and making an appropriation of the moneys therein.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 2, line 11, of the printed bill, as amended in the Assembly on March 26 1951, after "carrier", insert "or foreign air carrier"

Amendment No. 2

On page 2, line 12, of said bill, strike out "subdivision", and insert "subdivisions"

Amendment No. 3

On page 2, line 12, of said bill, after "(2)", insert "or (19)".

Amendment No. 4

On page 2, line 16, of said bill, after "tificate", insert "or permit issued"

Amendment No. 5

On page 6, line 25, of the printed bill, strike out "and cities"

Amendment No. 6

On page 6 lines 51 and 52, of the printed bill; and on page 7, lines 1 and 2, strike out "development of aviation and airport facilities for aircraft not operated by an air carrier in air transportation under a certificate issued therefor by the Civil Aeronautics Board of the United States" and insert "sponsor's share of eligible airport costs

as defined in the Federal Airport Act of 1946 and current regulations for the administration of that act as issued by the Administrator of Civil Aeronautics and published in the Federal Register; provided that no proceeds from this chapter may be used for the construction or improvement of airports or facilities that are designed or intended primarily for the use of air carrier aircraft operating under a certificate issued therefor by the Civil Aeronautics Board of the United States."

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government

Assembly Bill No. 804—An act to amend Section 53250 of the Government Code, relating to firemen's vacations.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 12, of the printed bill, strike out the period, and insert "; and a leave of absence from active duty with full pay on each of the following specified holidays, New Year's Day, Lincoln's Birthday, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Admission Day, Columbus Day, Armistice Day, Thanksgiving Day, Christmas Day. In lieu of leave of absence from active duty with full pay on any of the above specified holidays each regular or permanent member of the department may be required to work on such holiday but shall receive in addition to all other compensation one and one-half times his regular full time pay for such holiday so worked."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

SECOND READING OF SENATE BILLS

Senate Bill No. 57—An act to repeal Section 3 of an act entitled "An act relating to the Sixth District Agricultural Association, making an appropriation for the acquisition of land and the construction of facilities for the purposes of said association, and regulating the use of housing facilities under the control of said association," approved by the Governor July 17, 1947, relating to property under the control of the Sixth District Agricultural Association which is used for housing

Bill read second time, and ordered to third reading.

Senate Bill No. 867—An act to add Section 15427 to the Revenue and Taxation Code, relating to the specific exemption allowable under the Gift Tax Law.

Bill read second time, and ordered to third reading.

Senate Bill No. 752—An act to add Section 13808 to the Education Code, relating to the salaries of persons employed by school districts in positions requiring certification qualifications

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 3 of the title of the printed bill, before the period, insert ", declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 1 of said bill, after line 11, insert

"SEC. 2 This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are.

Under the existing law it is not clear whether the governing boards of all school districts have the power to increase the salaries of certificated employees of the district at any time. This act would authorize the governing boards of all districts to do so if the board so provides in its rules or by provision in the contracts of employment. Certificated employees must be notified by the governing boards of their reemployment for the next school year not later than May 15th. In order to encourage certificated employees to continue their employment with the school districts next fall rather than seeking jobs in defense industries which are rapidly expanding as a result of the national emergency, it is necessary that this act take effect immediately."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 740 re-referred to the Committee on Ways and Means.

Assembly Bill No. 502 re-referred to the Committee on Agriculture.

Assembly Bills Nos. 840, 1719, and 555 re-referred to the Committee on Municipal and County Government.

Assembly Bills Nos. 656 and 739 re-referred to the Committee on Education.

Assembly Bills Nos. 39, 1250, and 2063 re-referred to the Committee on Conservation, Planning, and Public Works.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 327 FROM COMMITTEE CONTINUED

Mr. Davis asked for, and was granted, unanimous consent that his notice of motion to withdraw Senate Bill No. 327 from committee be continued until the next legislative day.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1057—An act to add Article 5, consisting of Section 21150, to Chapter 8 of Part 3 of Division 4 of the Government Code, relating to the temporary employment of persons retired under the State Retirement System.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1057?

Amendment No. 1

In line 2 of the title of the printed bill, strike out "4", and insert "5 of Title 2".

Amendment No. 2

On page 1, line 2, of said bill, strike out "4", and insert "5 of Title 2".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1057 by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, and Mr Speaker—64

NOES—None.

Assembly Bill No 1057 ordered enrolled.

Assembly Bill No. 1606—An act to add Section 370 to the Education Code, relating to employees of county superintendents of schools.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1606?

Amendment No. 1

On page 1, line 3, of the printed bill, as amended, strike out "A", and insert "Subject to the approval of the Director of Education, a"

Amendment No. 2

On page 1, line 8, of said bill, strike out "subject to the approval of the Director of Education".

Amendment No. 3

On page 1, lines 3 and 4, of the printed bill, as amended in the Senate on March 26, 1951, strike out "Subject to the approval of the Director of Education, a", and insert "A"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1606 by the following vote:

AYES—Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, George D Collins, Condon, Connolly, Crowley, Dickey, Dills, Dolwig, Doyle, Elliott, Gaffney, Grant, Grunsky, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lipscomb, Lyon, McCollister, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Smith, Stanley, Thomas, Tomlinson, and Mr Speaker—43

NOES—Babbage, Burke, Collier, Conrad, Erwin, Geddes, Gubser, Hansen, Kirkwood, Lanterman, Levering, Maloney, McFall, McGee, Parker, and Sherwin—16

Assembly Bill No 1606 ordered enrolled

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 348—An act to amend the Building and Loan Association Act by amending Section 1.01 thereof, relating to definitions, Section 1 03 thereof, relating to agents, agencies, salesmen, collectors and branches, Section 2 05 thereof, relating to changes of name, Section 2.07 thereof, relating to branches, Section 7.06 thereof, relating to assessments to restore impaired capital, Section 8 03 thereof, relating to minors and married women, Section 8.04 thereof, relating to joint tenants, Section 8.05 thereof, relating to trustees and guardians, Section 9 02 thereof, relating to investments, Section 9 17 thereof, relating to forbidden loans and penalties therefor, Section 10 03a thereof, relating to federal insurance reserve account, Section 12 09 thereof, relating to leases on office premises, Section 13 13 thereof, relating to powers of the Building and

Loan Commissioner upon taking possession of an association, and Section 13.16 thereof, relating to powers of such commissioner upon liquidation; and adding to said act four new sections, to be numbered, respectively, Section 2.11, relating to change of location, Section 8.14, relating to adverse claims, Section 11.06, relating to the office of an agent, salesman or collector, and Section 12.13, relating to activities limited to the principal office or branch of an association

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, and Mr Speaker—65.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 768—An act to amend Section 6103 of the Government Code, relating to fees for official services.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, and Mr Speaker—62

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 2790—An act to add Section 6a to the Alcoholic Beverage Control Act, relating to sale of beer to instrumentalities of the Armed Forces of the United States maintained on U. S. Government Military or Naval Reservations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Cloyed, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, and Thomas—59

NOES—None.

Bill ordered transmitted to the Senate

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr Grunsky asked for, and was granted, unanimous consent that his name be placed upon the roll call on Assembly Bill No. 2790, and that he be recorded as voting "Aye."

Assembly Bill No. 63—An act to add Section 105 to the Military and Veterans Code, relating to exemptions to instrumentalities of the Armed Forces of the United States, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Cloyed, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, and Thomas—59

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 346—An act to amend Section 1431 of the Probate Code, relating to compromise of disputed claims of minors

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lyon, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2900—An act to amend the title to Chapter 3, Part 2, Division 2, and to amend Sections 51, 120, 422, 550, 562, 565, 640, and 643.1, relating to the change of the name of the California Defense and Security Corps to California National Guard Reserve and to disability and death benefits for the state military forces.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—70.

NOES—None.

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr. Grant asked for, and was granted, unanimous consent that his name be placed upon the roll call on the urgency clause to Assembly Bill No. 2900, and that he be recorded as voting "Aye".

The roll was called, and the bill passed by the following vote.

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury,

Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Nichouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, and Mr Speaker—70.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 445—An act to amend Sections 3003 and 3402 of the Welfare and Institutions Code, relating to aid to the blind.

Bill read third time.

The roll was called, and the bill passed by the following vote

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky Gubser, Hahn Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Nichouse, Parker, Porter, Shaw, Sherwin, Smith, Stanley, and Thomas—64.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2796—An act to add Section 3354 to the Welfare and Institutions Code, relating to the sale of raw materials purchased for state institutions for the blind.

Bill read third time.

The roll was called, and the bill passed by the following vote

AYES—Babbage, Beck, Belotti Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Munnell, Nichouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, and Mr Speaker—67

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 626—An act to add Chapter 5.6, comprising Sections 2600 to 2632 inclusive, to Division 2 of the Business and Professions Code, relating to the practice of physical therapy

Bill read third time.

The roll was called, and the bill passed by the following vote

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCollister, McGee, Meyers, Morris, Moss, Munnell, Nichouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Thomas, Tomlinson, Waters, and Mr Speaker—61

NOES—Dolwig, Geddes, Gubser, Kilpatrick, and McCarthy—5

Bill ordered transmitted to the Senate.

Assembly Bill No. 2015—An act to add Sections 2733.5 and 2750.5 to the Business and Professions Code, relating to the practice of the profession of nursing, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, and Tomlinson—71

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, and Tomlinson—71

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 2675—An act to amend Sections 2191 and 2192 of the Business and Professions Code, relating to qualifications for admittance to examination

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Nichouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—73.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 2694—An act to amend Section 2383 of the Business and Professions Code, relating to unprofessional conduct.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen Hahn Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Nichouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr Speaker—74

NOES—None

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2623

Mr. Davis asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2623, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2623

Assembly Bill No. 2623—An act to add Section 39.7 to the Fish and Game Code, relating to the powers of the Fish and Game Commission

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr Speaker—69

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2005 BE WITHDRAWN FROM FILE, AND BE RE-REFERRED

Mr. Sherwin asked for, and was granted, unanimous consent that Assembly Bill No. 2005 be withdrawn from the third reading file, and be re-referred to the Committee on Ways and Means

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 123—An act to add Section 2208.5 to the Education Code, relating to the powers and duties of the governing boards of city school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, and Tomlinson—65.

NOES—Evans, Geddes, Lowrey, Luckel, and Silliman—5

Bill ordered transmitted to the Senate.

Assembly Bill No. 170—An act to add Section 9176.1 to the Education Code, relating to the administration of federal programs of education.

Bill read third time.

Speaker Pro Tempore Presiding

At 11.30 a.m., Hon. Thomas A Maloney, Speaker pro Tempore of the Assembly, presiding.

Demand for Previous Question

Messrs. McGee, Evans, Levering, Hansen, and Silliman demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 170.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, George D Collins, Condon, Cooke, Crowley, Davis, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Hagen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Lincoln, Lowrey, Maloney, McFall, McMillan, Meyers, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, and Mr. Speaker—41

NOES—Babbage, Caldecott, Chapel, Clarke, Cloyed, Collier, Conrad, Dickey, Dolwig, Fleury, Grunsky, Gubser, Hahn, Hansen, Hinckley, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Luckel, Lyon, McCarthy, McCollister, McGee, Morris, Niehouse, Sherwin, Silliman, Smith, Stanley, and Tomlinson—32

Bill ordered transmitted to the Senate.

Speaker Presiding

At 11 35 a m., Hon. Sam L Collins, Speaker of the Assembly, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 19—Relative to the continued propagation of the natural resources of the State with respect to dams constructed by the Bureau of Reclamation;

Assembly Joint Resolution No. 22—Relative to continuing the 27½ percentage depletion rate for oil producing properties in the Internal Revenue Code;

Assembly Joint Resolution No. 24—Relative to assistance in continuing availability of trained manpower in agricultural aviation;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the second day of April, 1951, at 11 a m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 559—An act to amend Sections 17003, 17010, 17019.7, 17058, 17059, 17102 2, 17136, 17191, 17214, 17302, 17304, 17306, 17309, 17310, 17313, 17314, 17316, 17318 4, 17318 7, 17320 5, 17322 5, 17322 9, 17322.11, 17324.2, 17324 3, 17327, 17330.1, 17330 3, 17332, 17333, 17335, 17336, 17347, 17348, 17350, 17351, 17381, 17501, 17503, 17504, 17506, 17508, 17514, 17521, 17531, 17532, 17536, 17556, 17558, 17559, 17560 9, 17565, 17569, 17672, 17685, 17687, 17725, 17743 1, 17755, 17981, 17982, 18103, 18104, 18174, 18175, 18201, 18202, 18203, 18205, 18206, 18401, 18405, 18406, 18431, 18433, 18434, 18451, 18452, 18453, 18470, 18471, 18472, 18474, 18475, 18478, 18479, 18552, 18554, 18581, 18582, 18583, 18585, 18590, 18592, 18593, 18594, 18595, 18596, 18597, 18600, 18641, 18642, 18643, 18645, 18646, 18647, 18648, 18649, 18650, 18652, 18653, 18681, 18682, 18683, 18686, 18689, 18690, 18691, 18691.1, 18802, 18805, 18806, 18807, 18808, 18809, 18810, 18831, 18832, 18834, 18835, 18861, 18865, 18881, 18884, 18885, 18906, 18908, 18931, 18932, 19051, 19053, 19053 3, 19056, 19057, 19058, 19059, 19060, 19061, 19061 1, 19062, 19062 1, 19062 2, 19062 3, 19062 4, 19062 5, 19062 6, 19062 7, 19071, 19082, 19083, 19084, 19085, 19086, 19087, 19088, 19089, 19091, 19092, 19111, 19113, 19131, 19132, 19251, 19252, 19253, 19254, 19255, 19256, 19258, 19259, 19260, 19281, 19282, 19286, 19288, 19351, 19401, 19402, 19403, and 19451, of the Revenue and Taxation Code, relating to personal income taxes;

And reports that the same has been correctly enrolled, and presented to the Governor on the second day of April, 1951, at 11 a.m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 573—An act to amend Sections 23004, 23031, 23035, 23114, 23185, 23185b, 23186a, 23225, 23226, 23301, 23302, 23305, 23305a, 23334, 23363, 23364, 23562, 23562a, 23562b, 23881d, 23881e, 24121d, 24121f, 24121h, 24121i, 24121k,

24121o. 24123, 24124, 24151a, 24151b, 24151d, 24151e, 24151f, 24181c, 24181e, 24181f, 24201d, 24301, 24303, 24303a, 24303b, 24304, 25031f-(1), 25035, 25038, 25042, 25071b, 25071(1), 25071m, 25101c, 25201, 25202, 25203, 25203a, 25203c, 25203c-(1), 25203d, 25203e, 25231, 25232a, 25232b, 25232d, 25261, 25261d, 25291, 25292, 25295, 25401, 25402, 25403, 25404, 25431, 25552a, 25553, 25555, 25555a, 25661, 25662, 25663a, 25664, 25666, 25667, 25668, 25669, 25672, 25702, 25731, 25731a, 25732, 25761, 25761a, 25761b, 25781, 25801, 25901, 25901c, 25902, 25931, 25932, 25933, 25961, 26071, 26073, 26073a, 26075, 26076, 26077, 26078, 26080, 26102, 26103, 26103a, 26104, 26105, 26106, 26107, 26131, 26131a, 26132, 26133, 26134, 26161, 26162, 26191, 26221, 26222, 26251, 26252, 26253, 26281, 26282, 26311, 26422, 26423, 26424, 26425, 26451, 26453c, 26454, 26481, and 26481a of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations;

Assembly Bill No. 836—An act to amend the title of the Municipal Water District Act of 1911, and to amend Sections 2, 3, 4, 5, 6, 7, 8, 9, 12, 13, 14, 15, 17, 18, 19, 22, 23, 24, 25, 26, 27, 28, 29, and 32 of, to amend and renumber Sections 6a, 27a, 27b, and 27c of, to repeal Sections 4a, 4b, 20, and 31 of, and to add Sections 12.1, 12.2, 13.1, 16, 20, 21, 27.1, 27.2, 27.3, and 27.7 to the Municipal Water District Act of 1911, relating to municipal water districts, declaring the urgency thereof, to take *immediate effect*;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of April, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1112—An act to add Section 37392.1 to the Government Code, relating to the power of cities, public corporations and public districts to lease or grant rights of use in sewage disposal facilities, declaring the urgency thereof, to take effect immediately;

And reports that the same has been correctly enrolled, and presented to the Governor on the second day of April, 1951, at 11 a.m.

BURKE, Chairman

ANNOUNCEMENT

Speaker Sam L. Collins announced a luncheon meeting of the Pals Club, at noon tomorrow, Tuesday, April 3d, at the Capitol Inn.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 291—An act to amend Section 19437 of the Education Code, relating to civic centers

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Tomlinson, Waters, and Mr. Speaker—65.

NOES—Burkhalter, Cooke, Elliott, Hawkins, and Kilpatrick—5

Bill ordered transmitted to the Senate

MOTION TO APPROVE JOURNALS

Upon motion of Mr. Dickey, the Assembly Journals for Monday, March 26, 1951; Tuesday, March 27, 1951; Wednesday, March 28, 1951; Thursday, March 29, 1951; and Friday, March 30, 1951 were approved as corrected by the Minute Clerk.

RECESS

At 11.45 a.m., on motion of Mr. Dickey, the Assembly recessed until 1 45 p.m.

REASSEMBLED

At 1.45 p.m., the Assembly reconvened.
Hon. Sam L. Collins, Speaker of the Assembly, presiding.
Chief Clerk Arthur A Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1951

MR SPEAKER. Your Committee on Legislative Procedure has examined.
Assembly Bill No. 1080
And reports the same correctly engrossed

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1951

MR SPEAKER. Your Committee on Legislative Procedure has examined.

Assembly Bill No. 33
Assembly Bill No. 246
Assembly Bill No. 297
Assembly Bill No. 455
Assembly Bill No. 608
Assembly Bill No. 652
Assembly Bill No 736
Assembly Bill No 1058
Assembly Bill No 1645
Assembly Bill No. 1647
Assembly Bill No 1851
Assembly Bill No. 2012
Assembly Bill No 2295
Assembly Bill No. 2386
Assembly Bill No 2387
Assembly Bill No 2389
Assembly Bill No 2390
Assembly Bill No 2793

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading

MEMBERS EXCUSED

At 1 46 p m., Mr Fleury asked for, and was granted, unanimous consent that he be excused, for the balance of the legislative day, because of legislative business elsewhere

At 1 47 p m., Mr. Henderson asked for, and was granted, unanimous consent that Mr Coats be excused, for the balance of the legislative day, because of legislative business elsewhere

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1123—An act to amend Section 5006 of the Education Code, relating to bonding school district employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Grant, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Leverng, Lincoln, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Niehouse, Parker, Porter, Rumford, Smith, Thomas, Tomlinson, Waters, and Mr Speaker—50

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1691—An act to add Section 6357.2 to the Education Code, relating to school district tax rates.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Cooke, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Thomas, Tomlinson, and Waters—60

NOES—Babbage and Hinckley—2.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3240

Mr George D. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3240, temporarily passed on file, out of order, at this time

CONSIDERATION OF ASSEMBLY BILL NO. 3240

Assembly Bill No. 3240—An act to amend Sections 10051, 10052, and 10053 of the Education Code, relating to courses of study.

Bill read third time.

Motion to Amend

Mr. George D. Collins moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Assembly on March 29, 1951, after "State", insert "and in the State Legislature for the members thereof"

Amendment No. 2

On page 1, line 15, of said bill, after "institutions," insert "and in the State Legislature for the members thereof,".

Amendment No. 3

On page 1 of said bill, after line 22, insert

"The following shall be required reading:

The Declaration of Independence

The Federalist

Jefferson's Second Inaugural Address

Lincoln's Second Inaugural Address

Story on the Constitution

Bryce's "American Commonwealth" (especially the passages on State Legislatures)

Lincoln Steffens' Autobiography

"Our Sovereign State" by Allen and Others

The Philbrick Report."

Amendments read.

Ruling by Speaker

Speaker Sam L Collins ruled the amendments not in order.

The question being on the passage of Assembly Bill No. 3240.

Demand for Previous Question

Messrs. Doyle, Silliman, Kelly, Connolly, and Conrad demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 3240.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sillman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—70

NOES—None

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr. McGee asked for, and was granted, unanimous consent that his name be placed upon the roll call on Assembly Bill No. 3240, and that he be recorded as voting "Aye".

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1859—An act to amend Sections 5058 and 5105.1 of, and to add Section 5103.1 to, the Education Code, relating to state school building aid.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Collier, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sillman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1860—An act to amend Section 5103 of the Education Code, relating to state school building aid.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Collier, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sillman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 616—An act to amend Section 2 of an act entitled "An act to make an appropriation to provide housing and equipment for the education of cerebral palsied children," approved July 25, 1949, relating to audit of expenditures from such appropriation

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sillman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1107—An act to amend Section 1303 of the Education Code, relating to superintendents of schools

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sillman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 271—An act to amend Sections 631, 632, 633, 635, and 637 of the Welfare and Institutions Code, relating to the appointment and removal of probation officers, assistant probation officers, and deputy probation officers

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sillman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1617—An act to amend Section 2804 of the Streets and Highways Code, relating to special assessment proceedings for financing the cost of local improvements

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sillman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—63.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1666—An act to repeal Section 32401 and to amend Section 32441 of the Water Code, relating to county water districts

Bill read third time, and ordered temporarily passed on file.

Assembly Bill No. 1668—An act to amend Sections 30507 and 30508 of the Water Code, relating to county water districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—68.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1666

Mr Erwin asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 1666, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1666

Assembly Bill No. 1666—An act to repeal Section 32401 and to amend Section 32441 of the Water Code, relating to county water districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—68

NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2507—An act to add Section 31026 to the Water Code, relating to powers of county water districts.

Bill read third time.

Motion to Amend

Mr. Dolwig moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "31026", and insert "31030".

Amendment No. 2

On page 1, line 1, of said bill, strike out "31026", and insert "31030".

Amendment No. 3

On page 1, line 3, of said bill, strike out "31026", and insert "31030"

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILLS NOS. 637, 639, 640, 641, 642, 2791, 636, 638, AND 742 HOLD PLACES ON FILE

Mr Evans asked for, and was granted, unanimous consent that Assembly Bills Nos. 637, 639, 640, 641, 642, 2791, 636, 638, and 742 be passed on file, and hold their places on file on the next legislative day

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILLS NOS. 2508, 2855, 2856, 2857, 2859, AND 2860 HOLD PLACES ON FILE

Mr. Dolwig asked for, and was granted, unanimous consent that Assembly Bills Nos. 2508, 2855, 2856, 2857, 2859, and 2860 be passed on file, and hold their places on file on the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1852

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1852, passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1852

Assembly Bill No. 1852—An act to amend Section 585 of, and to add Section 585.5 to, the Vehicle Code, relating to authority of officers.

Bill read third time, and ordered passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1028

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1028, passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1028

Assembly Bill No. 1028—An act to amend Section 332 of the Fish and Game Code, relating to wilderness and wild areas.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, and Thomas—65.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 2213 WAIVED

Mr. Hagen waived his notice of motion to reconsider the vote whereby Assembly Bill No. 2213 was passed.

Assembly Bill No. 2213 ordered transmitted to the Senate

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 434 WAIVED

Mr. Beck waived his notice of motion to reconsider the vote whereby Assembly Bill No 434 was passed.

Assembly Bill No. 434 ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 420 CONTINUED

Mr. Beck asked for, and was granted, unanimous consent that his notice of motion to reconsider the vote whereby Assembly Bill No. 420 was passed, be continued until the next legislative day.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 272—An act to amend Sections 664, 665, and 666 of the Welfare and Institutions Code, relating to the appointment and removal of juvenile hall superintendents, matrons, and employees, and duties of the probation officer.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Potter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1080—An act to add Sections 31469.1, 31470.1, and 31557.1 to, and Articles 6.5, 8.5, 10.5, and 12.5 to Chapter 3, Part 3, Division 4, Title 3 of, the Government Code, relating to the retirement of county employees

Bill read third time.

The roll was called, and the bill passed by the following vote

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen Hawkins, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Thomas, Tomlinson Waters, and Mr Speaker—60

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 629—An act assenting to the provisions of the act of Congress entitled "An act to provide that the United States shall aid the states in fish restoration and management projects, and for other purposes," approved August 9, 1950.

Bill read third time.

Motion to Amend

Mr. Lowrey moved the adoption of the following amendments.

Amendment No. 1

On page 1, line 6, of the printed bill, strike out the comma, and insert "and"

Amendment No. 2

On page 1, line 7, of said bill, strike out ", and directed"

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed

Assembly Bill No. 1031—An act authorizing the investment of moneys derived from rentals, royalties, and other payments received by the State from lessees of tide and submerged lands lying along the Coast of California and impounded in the Special Deposit Fund in the State Treasury pursuant to stipulations between the State of California and the United States of America; providing for the disposition of interest earned or other increment derived from such investments; making an appropriation; and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 1031:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, March 27, 1951

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

Assembly Bill No. 1031, "An act authorizing the investment of moneys derived from rentals, royalties, and other payments received by the State from lessees of tide and submerged lands lying along the Coast of California and impounded in the Special Deposit Fund in the State Treasury pursuant to stipulations between the State of California and the United States of America, providing for the disposition of interest earned or other increment derived from such investments, making an appropriation; and declaring the urgency thereof, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill

This measure authorizes the Director of Finance to invest moneys received by the State from lessees of tide and submerged lands pursuant to stipulations between the State of California and the United States. In order that interest may be earned on this impounded money this act should take effect at the earliest possible date

I therefore recommend consideration of Assembly Bill No. 1031 as an emergency measure

Respectfully submitted,

EARL WARREN, Governor

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—72

NOES—None

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—72

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 94—An act to amend Sections 32127 and 32130 of the Health and Safety Code, relating to hospital districts.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2082—An act to add Section 1142 to the Revenue and Taxation Code, relating to the taxation of vessels

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brown, Burkhalter, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Silliman, Smith, Thomas, Tomlinson, Waters, and Mr. Speaker—54

NOES—Babbage, Beck, Davis, Dunn, Hinckley, Kirkwood, Lanterman, and Lowrey—8.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT THAT VISITING STATE SENATORS BE PERMITTED TO SIT ON FLOOR OF ASSEMBLY

Mr. Maloney asked for, and was granted, unanimous consent that visiting State Senators from Colorado, the Hon. Ben Bezoff and the Hon. Lawrence M. Henry, both of Denver, be permitted to sit at his desk, on the floor of the Assembly, at this time

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 20

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 20, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 20

Assembly Bill No. 20—An act to amend Section 18005 of the Government Code, relating to the separation from state service of state personnel.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, George D Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon Maloney McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Waters, and Mr Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 472

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take Assembly Bill No 472, temporarily passed on file out of order, at this time

CONSIDERATION OF ASSEMBLY BILL NO. 472

Assembly Bill No. 472—An act to amend Section 18104.5 of the Government Code.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Waters, and Mr Speaker—70

NOES—None.

Bill ordered transmitted to the Senate

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2672—An act to add Section 2013 to the Business and Professions Code, relating to the definition of the words "diagnose" and "diagnosis."

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D Collins, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Thomas, Tomlinson, Waters, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 389—An act to amend Section 51 of the Public Utilities Act and Section 851 of the Public Utilities Code, relating to public utilities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, George D Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 146—An act to amend Section 3924 of the Elections Code, relating to ballots.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—68

NOES—None.

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS

Senate Concurrent Resolution No. 16—Relative to dangerous grades on State Highway 101 from San Francisco to the Oregon border

Resolution read.

The roll was called, and the resolution adopted by the following vote

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None

Resolution ordered transmitted to the Senate.

Senate Bill No. 93—An act to amend Sections 102, 103, 146, 170, 188, 215, 254, 260, 262, 320, 321, 340, 394, 450, 451, 452, 457, 459, 461, 463, 464, 465, 550, 644, 644.1, 647, 648 and to add Section 213 of the Military and Veterans Code, relating to the call of the militia to active service, federal service, the reduction of noncommissioned officers, the discharge of personnel, pay and allowances, disability benefits, courts-martial jurisdiction and procedure, disciplinary action and punishment, the admission to bail, Uniform Code of Military Justice, courts-martial process, confinement of minors, competitive exercises, discrimination against members of the National Guard, service awards, correction of orders and directives, emergency purchases and services, membership in the California Defense and Security Corps, reversion to state control, leasing of land for military purposes.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Concurrent Resolution No. 37—Relative to leaves of absence of the Governor, Lieutenant Governor, Secretary of State, Attorney General, Controller, Treasurer, Superintendent of Public Instruction, Members of the Board of Equalization, and the Members of the Senate and Assembly.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None.

Resolution ordered transmitted to the Senate.

Request for Unanimous Consent That Vote Be Changed Upon Roll Call

Mr. Fleury asked for, and was granted, unanimous consent that his vote be changed on the roll call on Senate Concurrent Resolution No 37, and that he be recorded as voting "Aye".

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 2, 1951

MR. SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 2171

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, April 2, 1951

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 582
Assembly Bill No. 602

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Constitutional Amendment No. 51: By Mr. Condon—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 of Article IV thereof, relating to initiative measures presented to the Legislature.

Referred to Committee on Constitutional Amendments.

ANNOUNCEMENT

Mr. Babbage announced, on behalf of Mr. Stanley, a breakfast meeting, and Republican Caucus at 7.30 a.m. tomorrow morning, Tuesday, April 3d, at Hart's Restaurant.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 3.30 p.m.—
Rules, in Room 320.

At 4 p.m.—
Social Welfare Interim Committee, in Room 430

At 7 p.m.—
Executive meeting, Special Joint Committee to Study the Old Age Assistance Initiative Measure, in Room 430.

At 8 p.m.—
Finance and Insurance, in Room 432.

Today Upon Adjournment—
Boards and Commissions, in Room 426.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Speaker Sam L. Collins, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs E. M. McMurry of Alameda.

On request of Speaker Sam L Collins and Mr Maloney, the usual courtesies of the Assembly for this day were unanimously extended to Senator Ben Bezhoff and Senator Laurence M. Henry of Denver, Colorado.

On request of Messrs. Babbage and McGee, the usual courtesies of the Assembly for this day were unanimously extended to Moulton Phillips of Riverside.

On request of Mr. Collins and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Laurence Mana of San Francisco.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Robert J. Bernard and Alex Rogers, teachers; and the following pupils of the Napa Union High School: Dave Abbott, Carol Argo, Guy Anderson, Don Bryant, Meredith Brown, Barbara Brown, Clara Biava, Ann Bowman, Lorraine Bailey, Bob Combs, Marian Lee Chapman, Fred Coker, Joe Dias, Christina J. Durham, Gloria Jean Eggers, George Elicker, Rose Fitzwater, Bill Fletcher, Jack Frey, Richard Gibson, Jim Greenwell, Dorothy Hayes, Dorothy Hendry, Dan Keig, Richard Kuhn, Sally Lallement, George A. LaRocgue, Roberta McDaniel, Ray Marshall, Janet Mason, Donald Meehan, Mary Carlene Nelms, Johnnie Noland, Hans Orsoe, Jeannie Oakes, Milton Poe, Bethel P. Quinnell, Robert Ruedger, Mary Moore, Jerome Van Amber, Zane Vorhes, Vernice Wachter, Frank Walton, Jan Whitney, John Rutherford, Bob Keller, Charles Williams, Joan Bradley, Betty Oliver, and Beverly Poling

On request of Mr Dunn, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Worden, teacher; Mrs. Hazel Madsen, Director of Social Studies; and the following pupils of the

Bret Harte School of Hayward: Karl Anastas, Rodney Archer, Bill Drabble, Douglas Espy, Peter Fracisco, Victor Felmlee, Larry Garcia, Dick Griffith, Donald Walter, Stanley Hernandez, Jim Hicks, Gilbert Larrabee, John Madsen, Bob McGarry, Tim Northup, Robert Nunes, Dale Powers, Delbert Silva, Tony Toledo, Robert Wilson, Ronald Wink, Willard Stroud, Robert Pashon, Marcia Barnum, Wanda Buchanan, Gayle Conde, Shirley Crevallo, Joan Downs, Bernice Fowler, Dawn Francis, Pat Guthrie, Marilyn Hilstrom, Bonnie Marker, Barbara Mecum, Flora Rodrigues, Ludovina Silva, and Yvonne Yeager.

On request of Mr. Lowrey, the usual courtesies of the Assembly for this day were unanimously extended to Paul Hunter, advisor, and the following pupils of the Winters Joint Union High School: Thelma Berry, Tom Boyce, Charles Burket, Priscilla Carrion, Murray Clark, Bill Cody, Betty Cook, Bob Cook, Joe Cuberos, Bob Donaldson, Sam Fernandez, Joe Gallardo, Carol Gray, Elizabeth Hall, Norman Halley, Alonzo Lopez, Aladdin Lorenzo, Rex Mayes, Henry Moore, Fred Mulkey, Mariano Munoz, Patty Murray, Rose Marie McKenzie, Betty Nelson, Jannes Nichols, Shasta O'Neal, Doyle Pinkston, Marjorie Potter, Manuel Ramos, Richard Ramos, Fred Rojo and Lou Anne Sparks

On request of Messrs. Davis and Parker, the usual courtesies of the Assembly for this day were unanimously extended to Robert R. Williams of Tracy.

ADJOURNMENT

At 3.05 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9.30 a.m., Tuesday April 3, 1951.

SAM L. COLLINS, Speaker

GERALDINE B HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

TWENTY-NINTH LEGISLATIVE DAY

THIRTY-NINTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, April 3, 1951

The Assembly met at 9.30 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—78.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Almighty God, Unto whom all hearts are open, all desires known, and from whom no secrets are hid; cleanse the thoughts of our hearts by the inspiration of Thy Holy Spirit, that we may perfectly love Thee, and worthily magnify Thy holy Name.

Divine Master, grant that we may not so much seek to be consoled as to console; to be understood, as to understand; to be loved, as to love; for it is in giving that we receive, it is in pardoning that we are pardoned, and it is in dying that we are born to eternal life.

We thank Thee for Thy divine friendship, the gift of Thy Son, our truest Friend.

"I've found a Friend: O, such a Friend,
He loved me 'ere I knew Him;
He drew me with the cords of love,
And thus He bound me to Him;
And round my heart still closely twine
Those ties which naught can sever;
For I am His and He is mine,
Forever and forever."

In Jesus name—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Shaw, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Butters, on motion of Mr. Munnell.

Mr. Kilpatrick, on motion of Mr. Munnell.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2120

And reports the same correctly engrossed

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2507

And reports the same correctly re-engrossed

BURKE, Chairman

Above reported bill ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 2, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 37
Senate Bill No. 189
Senate Bill No. 222
Senate Bill No. 268
Senate Bill No. 269
Senate Bill No. 270
Senate Bill No. 271
Senate Bill No. 552
Senate Bill No. 1106
Senate Bill No. 1171
Senate Bill No. 1172
Senate Bill No. 1173
Senate Bill No. 1258

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 37—An act to amend Section 28146 of the Government Code, relating to compensation for public service in counties of the forty-sixth class.

Referred to Committee on Municipal and County Government.

Senate Bill No. 189—An act to add Section 13.1 to the Escrow Act and Section 17415 to the Financial Code, relating to powers and duties of the Commissioner of Corporations in connection with escrow companies.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 222—An act to add Section 597g to the Penal Code, defining the crime of poling of horses and prescribing the penalty for such crime.

Referred to Committee on Judiciary.

Senate Bill No. 268—An act to amend Sections 700.01, 700.05, 1582, 1594, 12360 and 12441 of the Insurance Code, all relating to insurance.

Referred to Committee on Finance and Insurance.

Senate Bill No. 269—An act to amend Sections 1153 and 1153.5 of the Insurance Code, both relating to insurance.

Referred to Committee on Finance and Insurance.

Senate Bill No. 270—An act to add Sections 1373.1 and 1373.2 to the Insurance Code, relating to insurance.

Referred to Committee on Finance and Insurance

Senate Bill No. 271—An act to amend Section 1703 of the Insurance Code, relating to insurance.

Referred to Committee on Finance and Insurance.

Senate Bill No. 552—An act to amend Section 771 of the Probate Code, relating to surrender of stock for redemption or conversion by executors and administrators.

Referred to Committee on Judiciary.

Senate Bill No. 1106—An act to amend Section 14402 of the Government Code, relating to payments on state contracts, declaring the urgency thereof and providing that this act shall take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1171—An act to amend Section 117m of the Code of Civil Procedure, relating to the issuance of abstracts of judgment in small claims courts.

Referred to Committee on Judiciary.

Senate Bill No. 1172—An act to amend Section 117j of the Code of Civil Procedure, relating to appeals from judgments in small claims courts

Referred to Committee on Judiciary

Senate Bill No. 1173—An act to amend Section 117g of the Code of Civil Procedure, relating to judgments against one or more defendants, the action to proceed against other defendants, in small claims courts.

Referred to Committee on Judiciary.

Senate Bill No. 1258—An act to amend Section 432 of the Agricultural Code, relating to livestock.

Referred to Committee on Agriculture

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 104—An act to amend Section 57.7 of the Unemployment Insurance Act, relating to the benefit rights of trainees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 404—An act to amend Section 4553 of the Labor Code, relating to workmen's compensation benefits for injuries sustained from serious and wilful misconduct.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3290—An act to amend Section 30815 of the Water Code, relating to county water districts, in respect to nominations for election to office.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "such", and insert "any such office or".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 543—An act to add Section 6404.1 to the Labor Code, dealing with safety devices and safeguards.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Industrial Relations:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "gas", and insert "or combustible material".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Industrial Relations.

UNFINISHED BUSINESS

NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 327 FROM COMMITTEE CONTINUED

Mr. Davis asked for, and was granted, unanimous consent that his notice of motion to withdraw Senate Bill No. 327 from committee be continued until the next legislative day.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2171—An act to amend Section 9300 of the Government Code, relating to compensation of Members of the Legislature.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D Collins, Connolly, Conrad, Cooke, Davis, Dills, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—56.

NOES—None.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2171?

Amendment No. 1

In the second line of the title of the printed bill, strike out the period and insert ", and declaring the urgency thereof, to take effect immediately."

Amendment No. 2

On page 1 of the printed bill, strike out lines 5 to 16, inclusive, and insert "three thousand six hundred dollars ($3,600) annually, during the term for which they are elected, payable at the rate of three hundred dollars ($300) per month.

SEC. 2. It is hereby declared that this act is not intended as a change in the present law, but as a declaration of existing law, and shall apply to compensation payable to Members of the Legislature during the 1951 calendar year.

SEC. 3. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. A statement of the facts constituting such necessity is as follows:

The approval by the people of Assembly Constitutional Amendment No. 84 at the election on November 8, 1949, increased the compensation of Members of the Legislature and thus by implication amended Section 9300 of the Government Code relating to the payment thereof. In order to provide for the regular payment of the salaries of the Members of the Legislature during this session of the Legislature and to protect their rights thereto, it is essential that the provisions of Section 9300 of the Government Code be amended immediately to conform with the provisions of the Constitution and to clarify its provisions in order to resolve any questions that may exist as to the period for which compensation is to be paid and the manner of payment."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2171 by the following vote:

AYES—Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Cooke, Davis, Dills, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—56.

NOES—None.

Assembly Bill No. 2171 ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred

Assembly Bill No. 1828

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 1703
Assembly Bill No. 2562

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

GEDDES, Chairman

Above reported bills ordered to second reading.

Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1951

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which were referred:

Assembly Bill No. 2956
Assembly Bill No. 2972
Assembly Bill No. 2985
Assembly Bill No 2992

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

EVANS, Chairman

Above reported bills ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER Your Committee on Legislative Procedure has examined.

Assembly Bill No. 6
Assembly Bill No. 629

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1271
Assembly Bill No. 1705
Assembly Bill No. 2930

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2903

And reports the same correctly engrossed

BURKE, Chairman

Above reported bill ordered to third reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 213
Assembly Bill No. 214
Assembly Bill No. 215
Assembly Bill No. 1029
Assembly Bill No 1653

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 90

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Rules.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 422
Assembly Bill No. 424
Assembly Bill No. 902
Assembly Bill No. 903
Assembly Bill No. 1622
Assembly Bill No. 1793

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1951

MR. SPEAKER. Your Committee on Judiciary, to which were referred:

Assembly Bill No. 423
Assembly Bill No. 618
Assembly Bill No. 635
Assembly Bill No. 663
Assembly Bill No. 707
Assembly Bill No. 837
Assembly Bill No. 901
Assembly Bill No. 904
Assembly Bill No. 905
Assembly Bill No 1192
Assembly Bill No. 1906

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 806
Assembly Bill No. 1565
Assembly Bill No. 2136

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to third reading.

Committee on Boards and Commissions

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 32

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

McMILLAN, Chairman

Above reported bill ordered to second reading.

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:

Assembly Bill No. 67

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means

McCOLLISTER, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:

Assembly Bill No. 3083

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

McCOLLISTER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: Your Committee on Military Affairs, to which were referred

Assembly Bill No. 66
Assembly Bill No. 868
Assembly Bill No. 74

Has had the same under consideration, and reports the same back with the recommendation: **Do pass.**

McCOLLISTER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: Your Committee on Military Affairs, to which was referred: Assembly Bill No. 292

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McCOLLISTER, Chairman

Above reported bill ordered to third reading.

RECONSIDERATION OF ASSEMBLY BILL NO. 420 BY UNANIMOUS CONSENT

By unanimous consent, Mr. Beck's notice of motion to reconsider the vote whereby Assembly Bill No. 420 was passed was taken up, and reconsideration granted.

Assembly Bill No. 420 ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED IN JOURNAL AND AS SEPARATE DOCUMENT

Mr. Evans asked for, and was granted, unanimous consent that a letter of transmittal, and a Report of the Special Subcommittee of the Committee on Public Utilities Relative to Senate Bill No 327, be ordered printed in the Assembly Journal, in 10 point type, and that said letter of transmittal and report be ordered printed as a separate document; and that 200 copies be printed.

(Above mentioned letter of transmittal, and report will appear prior to the motion to adjourn.)

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 2507—An act to add Section 31026 to the Water Code, relating to powers of county water districts

Bill read third time, and ordered temporarily passed on file.

Assembly Bill No. 2508—An act to add Section 12a to the County Water Works District Act, relating to the powers of the governing boards of county water works districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2855—An act to amend Section 4951 of the Health and Safety Code, relating to revenue bonds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney,

Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2856—An act to add Article 4 to Chapter 1 of Part 1 of Division 2 of Title 5 of the Government Code, relating to contracts for special services.

Bill read third time, and ordered temporarily passed on file.

Assembly Bill No. 2857—An act to amend Sections 54307 and 54310 of, and to add Section 54479 to, the Government Code, relating to revenue bonds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2859—An act to add Article 9 to Chapter 5 of Part 3 of Division 5 of the Health and Safety Code, relating to revenue bonds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2860—An act to add Article 12 to Chapter 6 of Division 2 of Title 5 of the Government Code, relating to revenue bonds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2856

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2856, temporarily passed on file, out of order, at this time.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 2856

Assembly Bill No. 2856—An act to add Article 4 to Chapter 1 of Part 1 of Division 2 of Title 5 of the Government Code, relating to contracts for special services.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, George D Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—64

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 99

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up his notice of motion to reconsider Assembly Bill No. 99, temporarily passed on file, out of order, at this time.

RECONSIDERATION OF ASSEMBLY BILL NO. 99

In compliance with a notice given on a previous day, Mr. McCollister moved that the vote whereby Assembly Bill No. 99 was refused passage be reconsidered.

Assembly Bill No. 99 reconsidered by the following vote:

AYES—Belotti, Berry, Burke, Burkhalter, Chapel, Cloyed, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Gubser, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCollister, McMillan, Meyers, Morris, Niehouse, Porter, Shaw, Smith, Stanley, Stewart, Thomas, Waters, and Mr Speaker—45

NOES—Beck, Clarke, Coats, George D. Collins, Conrad, Geddes, Hansen, Klocksiem, Levering, Lowrey, McFall, Moss, Munnell, Parker, and Tomlinson—15.

Assembly Bill No. 99 ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2507

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 2507, temporarily passed on file, out of order, at this time.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 2507

Assembly Bill No. 2507—An act to add Section 31026 to the Water Code, relating to powers of county water districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—70

NOES—None.

Bill ordered transmitted to the Senate

BILL WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 2810, on request of Mr. Lowrey.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 629—An act assenting to the provisions of the act of Congress entitled "An act to provide that the United States shall aid the states in fish restoration and management projects, and for other purposes," approved August 9, 1950.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—65.

NOES—Levering—1.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr. Dunn asked for, and was granted, unanimous consent that his name be placed upon the roll call, on Assembly Bill No. 629, and that he be recorded as voting "Aye".

Speaker Pro Tempore Presiding

At 10 15 a.m., Hon Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 637

Mr. Evans asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 637, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 637

Assembly Bill No. 637—An act to amend Section 31462 of the Government Code, relating to the retirement of county employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 639

Mr. Evans asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 639, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 639

Assembly Bill No. 639—An act to amend Section 31560 of, and to add Section 31641 5 to, the Government Code, relating to retirement of county employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—63

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 640

Mr. Evans asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 640, temporarily passed on file, out of order, at this time

CONSIDERATION OF ASSEMBLY BILL NO. 640

Assembly Bill No. 640—An act to add Section 31784 to the Government Code, relating to the retirement of county employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Coats, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman,

Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 641

Mr. Evans asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 641, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 641

Assembly Bill No. 641—An act to amend Section 31627 of, and to add Sections 31469.5, 31557.5 and 31585.5 to, the Government Code, relating to retirement of county employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 642

Mr. Evans asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 642, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 642

Assembly Bill No. 642—An act to amend Sections 31676.1, 31676.2, and 31676.4 of, and to add Section 31676.55 to, the Government Code, relating to the retirement of county employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2791

Mr Evans asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 2791, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2791

Assembly Bill No. 2791—An act to amend Section 31676.7 of the Government Code, relating to retirement.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—68

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 636

Mr Evans asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 636, temporarily passed on file, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 636

Assembly Bill No. 636—An act to add Section 31765 to the Government Code, relating to the retirement of county employees.

Bill read third time.

Motion to Amend

Mr. Rumford moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on March 30, 1951, after line 19, insert "Such surviving spouse may elect in writing, before the first payment of any allowance is made, to receive in a lump sum payment all or any part of the member's accumulated additional contributions The sum so paid shall not be included in the calculation of the annuity of the surviving spouse"

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 638

Mr. Evans asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 638, temporarily passed on file, out of order, at this time

CONSIDERATION OF ASSEMBLY BILL NO. 638

Assembly Bill No. 638—An act to add Section 31652.1 to the Government Code, relating to the retirement of county employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 742

Mr. Evans asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 742, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 742

Assembly Bill No. 742—An act to amend Sections 31679 and 31681 of the Government Code, relating to retirement systems.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—67

NOES—None.

Bill ordered transmitted to the Senate

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 297—An act to amend Section 650.6 of the Vehicle Code, relating to special restrictions on lamps.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Thomas, Tomlinson, Waters, and Mr. Speaker—69.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 608—An act to provide for the disposition of the unexpended balance of moneys in the Third San Francisco Seawall Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 455—An act to amend Section 66c of the Code of Civil Procedure, relating to the number of Judges of the Superior Court in the County of Contra Costa, and providing for the appointment of two additional judges and for compensation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Waters, and Mr. Speaker—66.

NOES—George D. Collins—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1058—An act to amend Section 19259 of the Government Code, relating to employees who have completed 25 or more years of state service.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—68.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2295—An act to add Section 1005.6 to the Government Code, relating to payment of overtime to state employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 2386:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, March 22, 1951

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

Assembly Bill No. 2386, "An act to establish a Financial Code, relating to the organization, regulation, and supervision of financial institutions and financial transactions, and matters incidental thereto, consolidating and revising the law relating thereto, and repealing certain sections, acts, and parts of acts specified therein,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill is a codification by the California Code Commission. As such it does not purport to change existing law. However, the Legislative Counsel advises me that it contains a technical appropriation. To facilitate the consideration of bills amending portions of the code as added by this bill it is important that it be acted on early in the session.

I, therefore, recommend consideration of Assembly Bill No. 2386 as an emergency measure.

Respectfully submitted

EARL WARREN, Governor

Assembly Bill No. 2386—An act to establish a Financial Code, relating to the organization, regulation, and supervision of financial institutions and financial transactions, and matters incidental thereto, consolidating and revising the law relating thereto, and repealing certain sections, acts, and parts of acts specified therein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 2387:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, March 22, 1951

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

Assembly Bill No. 2387, "An act to add Article 1.5 to Chapter 17, Division 1, of the Financial Code, relating to the liability of stockholders in California state banks, and to provide for the enforcement and collection of such liability, and to repeal an act entitled 'An act to define the liability of stockholders in California state banks and to provide for the enforcement and collection of that liability by the Superintendent of Banks of the State of California' (Chapter 196 of the Statutes of 1931),"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill is a codification by the California Code Commission. As such it does not purport to change existing law. However, the Legislative Counsel advises me that it contains a technical appropriation. To facilitate the consideration of bills amending portions of the code as added by this bill it is important that it be acted on early in the session.

I, therefore, recommend consideration of Assembly Bill No. 2387 as an emergency measure.

Respectfully submitted

EARL WARREN, Governor

Assembly Bill No. 2387—An act to add Article 1.5 to Chapter 17, Division 1, of the Financial Code, relating to the liability of stockholders in California state banks, and to provide for the enforcement and collection of such liability, and to repeal an act entitled "An act to define the liability of stockholders in California state banks and to provide for the enforcement and collection of that liability by the Superintendent of Banks of the State of California," (Chapter 196 of the Statutes of 1931).

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Holibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None

Bill ordered transmitted to the Senate.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 2389:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, March 22, 1951

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

Assembly Bill No. 2389, "An act to add Sections 274 and 275 to the Financial Code, relating to the State Banking Fund and the Revolving Fund in the State Banking Department,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill is a codification by the California Code Commission. As such it does not purport to change existing law. However, the Legislative Counsel advises me that it contains a technical appropriation. To facilitate the consideration of bills amending portions of the code as added by this bill it is important that it be acted on early in the session.

I, therefore, recommend consideration of Assembly Bill No. 2389 as an emergency measure.

Respectfully submitted

EARL WARREN, Governor

Assembly Bill No. 2389—An act to add Sections 274 and 275 to the Financial Code, relating to the State Banking Fund and the Revolving Fund in the State Banking Department.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McColl ister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—72

NOES—None.

Bill ordered transmitted to the Senate.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 2390:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, March 22, 1951

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

Assembly Bill No. 2390, "An act to add Section 3166 to the Financial Code, relating to the payment of claims to trust property or money deposited with the State Treasurer,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill is a codification by the California Code Commission As such it does not purport to change existing law However, the Legislative Counsel advises me that it contains a technical appropriation To facilitate the consideration of bills amending portions of the code as added by this bill it is important that it be acted on early in the session

I therefore recommend consideration of Assembly Bill No. 2390 as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor

Assembly Bill No. 2390—An act to add Section 3166 to the Financial Code, relating to the payment of claims to trust property or money deposited with the State Treasurer.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 33

Mr. Morris asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 33, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 33

Assembly Bill No. 33—An act to amend Sections 20013 and 20014 of and to add Sections 20017.7, 21020.7, 21290.7, 21292.7, and 21363.7 to the Government Code, relating to the State Employees' Retirement System, in respect to the law enforcement personnel of the Division of Narcotic Enforcement, Department of Justice.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 246—An act to repeal Section 4338, Chapter 1 (consisting of Sections 4651 to 4663, inclusive) of Part 8 of Division 1, and Section 4670, and to add Chapters 1, 1a, 1b, and 1c (consisting of Sections 4651 to 4657 6, inclusive) to Part 8 of Division 1, of the Revenue and Taxation Code, relating to the distribution of property taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb,

Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 652

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 652, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 652

Assembly Bill No. 652—An act to amend Section 139.31 of the Vehicle Code, relating to shooting practice and instruction in the use of firearms.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Maloney:

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act making an appropriation to pay the claim of Lillie M Walker against the State of California.

Respectfully submitted.

THOMAS A. MALONEY

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr Maloney:

An act making an appropriation to pay the claim of Lillie M. Walker against the State of California.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, and Waters—70

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3394: By Mr. Maloney—An act making an appropriation to pay the claim of Lillie M. Walker against the State of California.

Referred to Committee on Ways and Means

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1645—An act to amend Section 252 of the Revenue and Taxation Code, relating to the filing of claims for veterans' property tax exemption.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sillman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1647—An act to amend Section 206 of the Revenue and Taxation Code, relating to property taxes and the exemption of personal property of churches.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sillman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—70.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2793—An act to add Section 6404 to the Revenue and Taxation Code, relating to exemption of livestock from the use tax.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Connolly, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Gaffney, Geddes, Grunsky, Hansen, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCollister, McGee, Meyers, Morris, Niehouse, Porter, Silliman, Stanley, Stewart, Thomas, and Mr. Speaker—43

NOES—Babbage, Beck, Coats, George D. Collins, Condon, Hahn, Henderson, McFall, and Munnell—9

Bill ordered transmitted to the Senate.

Assembly Bill No. 1851—An act to amend Section 525.1 of the Vehicle Code, relating to the operation of motor vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—62.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1271—An act to amend Sections 420, 421, 422, 422.3, and 422.5 of the Vehicle Code, relating to financial responsibility.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Erwin, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, and Mr. Speaker—58.

NOES—None

Bill ordered transmitted to the Senate.

BILL WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 6, on motion of Mr. Chapel.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2012

Mr. Hagen asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2012, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2012

Assembly Bill No. 2012—An act to amend Sections 516 and 715 of the Vehicle Code, relating to speed and weight limitations on bridges and other elevated structures and tubes and tunnels constituting a part of a highway.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolutions were offered:

By Mr. Maloney:

House Resolution No. 108

Relative to the preparation and printing of a Supplement to the Interim Subject List

Resolved by the Assembly of the State of California, That the Legislative Counsel is directed to prepare a Supplement to the Interim Subject List of all bills, constitutional amendments and resolutions introduced at the 1951 Regular Session of the Legislature; and be it further

Resolved, That copies of the Supplement to the Interim Subject List be mailed to all Members of the Legislature as soon as possible after adjournment of the 1951 Regular Session of the Legislature; and be it further

Resolved, That the Chief Clerk of the Assembly is instructed to cause to be printed not to exceed 2,000 copies of the Supplement to the Interim Subject List, the cost thereof to be paid from the legislative printing appropriation.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Maloney:

House Resolution No. 109

Relative to the preparation and printing of a Summary Digest

Resolved by the Assembly of the State of California, That the Legislative Counsel is directed to prepare a Summary Digest of statutes enacted and constitutional amendments proposed at the 1951 Regular Session of the Legislature; and be it further

Resolved, That copies of the Summary Digest be mailed to all Members of the Legislature as soon as possible after the "bill-signing" period; and be it further

Resolved, That the Chief Clerk of the Assembly is instructed to cause to be printed not to exceed 2,000 copies of the Summary Digest, the cost thereof to be paid from the legislative printing appropriation.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Maloney:

House Resolution No. 110

Relating to preprinting the proposed codes

WHEREAS, Upon the adjournment of this current session of the Legislature, the California Code Commission will continue its work of codifying the general statutory laws of this State with the prospect of completing said work prior to January 1, 1953; and

WHEREAS, It is the practice of the Code Commission to prepare preliminary drafts of proposed codes in mimeographed form for distribution to interested persons and groups for study and criticism prior to submission to the Legislature, but distribution by such means is necessarily limited; and

WHEREAS, If such proposed codes were printed they could be more widely circulated among interested persons and groups, thus enabling them to receive the careful scrutiny to which legislation of such importance is entitled; now, therefore, be it

Resolved by the Assembly of the State of California, That the California Code Commission is hereby directed to prepare for printing as soon as practical after the adjournment of the 1951 Regular Session of the Legislature, such codes or portions thereof as it proposes to submit to the Legislature for consideration, and immediately upon such printing to distribute the same to all interested persons and groups; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to have not to exceed 1,500 copies of each of such proposed codes, or portions thereof, printed, the cost thereof to be payable from the legislative printing appropriation.

Resolution read, and ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER TO THE RULES COMMITTEE AND OPINION OF LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Mr. Dickey asked for, and was granted, unanimous consent that a letter, written by him to the Committee on Rules, and an opinion from the Legislative Counsel, be ordered printed in the Journal, in 10 point type, as follows:

Letter to Rules Committee

March 19, 1951

To the Members of the Rules Committee

In response to your directive I have advised with the office of the Legislative Counsel as to the status of the Assembly Legislative Process Committee, whether the committee may employ part-time stenographers during the session and assign them to work elsewhere than the City of Sacramento.

The Assembly Legislative Process Committee is an interim committee with all the powers and duties of such committees, in addition to the specific powers and duties provided by the resolution creating the committee. The committee has a continuing existence during sessions and between sessions. It may employ stenographic and other assistants on a full time or part time basis and may direct them to perform their prescribed duties in any part of the State, either during sessions or between sessions.

The authority for the establishment of fact-finding committees by either committees by either house of the Legislature to act during sessions or after final adjournment is found in Section 37 of Article IV of the Constitution. The Assembly Legislative Process Committee was created by House Resolution No. 13 of the 1949 Regular Session and continued as an interim committee by House Resolution No. 180 of that session. The committee was continued as a committee of this session by House Resolution No. 16, adopted January 8, 1951.

Section 9127 of the Government Code provides, in part, that the Assembly Legislative Process Committee has a continuing existence during sessions and between sessions with such powers and duties as are vested in it by the Assembly and authorizes the committee to disburse money from the Assembly Contingent Fund, pursuant to the Rules, orders, and resolutions adopted by the Assembly. The committee has the same powers and duties as other interim committees as provided by the Joint Rules of the Senate and Assembly.

The first Legislative Process Committee was created by the Senate at the 1943 Regular Session Subsequent to that session both houses have created similar committees which were authorized to act either during sessions or during sessions and after final adjournment

Under date of June 25, 1935, in an opinion to Senator Sanborn Young the Attorney General expressed the view that the constitutional limitations upon expenses for legislative help, contained in Section 23a of Article IV of the Constitution, were not applicable to the employees of interim committees. This opinion has been followed without question since that time and the Legislative Counsel concurs in the opinion. The Legislative Counsel believes it is applicable to the Assembly Legislative Process Committee as well as to other interim committees.

On the question regarding employment of part time stenographers the Legislative Counsel wrote under date of December 5, 1950, stating in substance that under the resolution creating the committee it is authorized to employ such help as may be necessary; that the hours of employment, rates of compensation, and place or places where services are to be performed are left entirely to the discretion of the committee; and that Legislative Counsel found nothing in the Constitution or statutes that would prevent the employment of stenographers on a part time or full time basis during sessions or between sessions or the assignment of such stenographers to perform work at any place in the State.

RANDAL F. DICKEY, Chairman

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, April 2, 1951

Honorable Randal F. Dickey
Assembly Chamber

LEGISLATIVE PROCESS COMMITTEE—No. 6413

DEAR MR. DICKEY:

Question

You have asked us for our opinion as to the status of the Assembly Legislative Process Committee and have also asked whether the committee is authorized to employ stenographers on a part time basis during sessions of the Legislature and to assign them to work elsewhere than in the City of Sacramento

Opinion

The Assembly Legislative Process Committee is an interim committee which has a continuing existence. It has all the powers and duties of an interim committee as provided by the Joint Rules of the Senate and Assembly, in addition to the specific powers and duties set forth in the resolution creating the committee and as provided by Section 9127 of the Government Code. The committee is authorized to employ stenographers on a full time or part time basis, either during sessions or between sessions, and may direct them to perform their duties in any part of the State as may be required by the work of the committee.

Analysis

The Assembly Legislative Process Committee was created by House Resolution No. 13 of the 1949 Regular Session with power to act until final adjournment. The existence of the committee was continued until the commencement of the 1951 Regular Session by House Resolution No. 180.

On January 8, 1951, it was continued as an interim committee of this session by House Resolution No. 16. That resolution provides that the committee has a continuing existence hereafter during sessions and between sessions unless and until modified by Assembly action at a subsequent session. This latter provision is in accord with Section 9127 of the Government Code which specifies in part that the Assembly Legislative Process Committee has a continuing existence during sessions and between sessions with such powers, duties, and responsibilities as the Assembly from time to time shall prescribe. Section 9127 further provides that the money in the Assembly Contingent Fund shall be disbursed pursuant to, and the powers, duties and responsibilities of the Assembly Legislative Process Committee shall be as provided by, the Rules, orders, and resolutions adopted by the Assembly.

Each of the resolutions creating and continuing the committee specify that the Joint Rules of the Senate and Assembly are applicable to this committee and its members. By reason of this provision the committee has the same powers and duties as other interim committees in addition to the statutory powers and duties provided by Section 9127 of the Government Code. Rule No. 36 of the Joint Rules of the Senate and Assembly specifically authorize it to employ such clerical, legal, and technical assistance as may appear necessary.

We find nothing in any of the rules or regulations relating to this committee that purports to restrict its powers or activities in any manner different from those relating to other interim committees.

As to the question regarding employment of stenographers, it is our opinion that the committee is authorized to employ such help as may be necessary. In its discretion the committee is empowered to employ stenographers on a full time or part time basis during sessions or between sessions and to specify the hours of employment, rates of compensation, and the place or places where the services of its employees are to be performed This power is the same during sessions and between sessions and the entire matter of terms of employment and where services are to be performed is to be determined by the committee in accordance with its discretion.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By LAWRENCE G. ALLYN, Deputy

ANNOUNCEMENT

Mr. Dickey announced that the Committee on Rules has gone on record as adopting the policy of maintaining the services of part time secretaries during, and between sessions, when necessary.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 582—An act to amend Section 707.5 of the Agricultural Code, relating to delinquent license fees under the Milk and Milk Products Act of 1947;

Assembly Bill No. 602—An act to add Section 200.5 to the Agricultural Code, relating to inclusion of poultry within the animal quarantine provisions of the Agricultural Code, declaring the urgency of this act, to take effect immediately;

Assembly Bill No. 1057—An act to add Article 5, consisting of Section 21150, to Chapter 8 of Part 3 of Division 5 of Title 2 of the Government Code, relating to the temporary employment of persons retired under the State Retirement System;

And reports that the same have been correctly enrolled, and presented to the Governor on the third day of April, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1606—An act to add Section 370 to the Education Code, relating to employees of county superintendents of schools;

And reports that the same has been correctly enrolled, and presented to the Governor on the third day of April, 1951, at 11 a.m.

BURKE, Chairman

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Senate Bill No. 57—An act to repeal Section 3 of an act entitled "An act relating to the Sixth District Agricultural Association, making an appropriation for the acquisition of land and the construction of facilities for the purposes of said association, and regulating the use of housing facilities under the control of said association," approved by the Governor July 17, 1947, relating to property under the control of the Sixth District Agricultural Association which is used for housing.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, and Tomlinson—62.

NOES—George D. Collins—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE BILL NO. 867 HOLD PLACE ON FILE

Mr. Sherwin asked for, and was granted, unanimous consent that Senate Bill No. 867 be passed on file, and hold its place on file on the next legislative day.

CONSIDERATION OF DAILY FILE

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 752—An act to add Section 13808 to the Education Code, relating to the salaries of persons employed by school districts in positions requiring certification qualifications.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 134	Assembly Bill No. 1649
Assembly Bill No. 665	Assembly Bill No. 1650
Assembly Bill No. 1093	Assembly Bill No. 1726
Assembly Bill No. 1151	Assembly Bill No 1989
Assembly Bill No. 1646	Assembly Bill No 2506

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1151

Mr. Porter asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1151, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1151

Assembly Bill No. 1151—An act to add Section 13236 to the Education Code, relating to teachers

Bill read third time.

Point of Order

Mr. Silliman arose to the following point of order: That the bill carries an implied appropriation, and should be re-referred to the Committee on Ways and Means.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

Question of Personal Privilege

Mr. Dunn arose to a question of personal privilege.

Ruling Reversed

Speaker pro Tempore Maloney reversed his ruling.

Assembly Bill No 1151 ruled properly before the House.

The question being on the passage of Assembly Bill No. 1151.

Demand for Previous Question

Messrs. Lyon, McGee, Lincoln, Doyle, and Sillman demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No 1151.

The roll was called, and the bill passed by the following vote.

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Waters, and Mr Speaker—67

NOES—Conrad, Hagen, and Lowrey—3.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1989

Mr. Lyon asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1989, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1989

Assembly Bill No. 1989—An act to amend Section 6487 of the Revenue and Taxation Code, relating to sales and use taxes, and providing that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sillman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1852

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1852, temporarily passed on file, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1852

Assembly Bill No. 1852—An act to amend Section 585 of, and to add Section 585.5 to, the Vehicle Code, relating to authority of officers.

Bill read third time.

Motion to Amend

Mr. Lindsay moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 28, 1951, strike out ", and to add Section 585.5 to,".

Amendment No. 2

On page 3 of said bill, strike out lines 19 to 26, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

ANNOUNCEMENT

Mr. Evans announced that today, in Los Angeles, a City election is being held; that an Elections Party will be held, tonight, in Room 901, of the Hotel Senator, and extended an invitation, on behalf of the members of the Los Angeles Delegation, to all interested persons who wish to attend and listen to elections returns.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 104
Assembly Bill No 404

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO READ PORTION OF OPINION, AND THAT OPINION BE PRINTED IN JOURNAL

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to read, at this time, a portion of an opinion from the Legislative Counsel, and that said opinion be ordered printed in the Assembly Journal in 10 point type, as follows:

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, April 1, 1951

Honorable Richard J. Dolwig
Assembly Chamber

DUTIES OF STANDING COMMITTEES UNDER STATUTE REGULATING LEGISLATIVE REPRESENTATION—No. 6493

DEAR MR. DOLWIG:

Question

You have asked if the statute regulating legislative representation or the Standing Rules of the Assembly expressly or impliedly require the

standing committees of the Assembly to ascertain whether persons appearing before them have registered under Section 9906 of the Government Code and have been issued a certificate of registration as legislative advocate.

Opinion

Neither the statute regulating legislative representation nor the Standing Rules of the Assembly require committees to ascertain whether persons appearing before them have so registered and have been issued a certificate of registration, but we believe that the scope of the inherent powers of standing committees authorizes the committees to inquire whether such persons have so registered and have been issued a certificate as legislative advocate.

Analysis

We find no provision of the statute regulating legislative representation (Chapter 8, Part 1, Division 2, Title 2, Government Code) nor any provision of the Standing Rules of the Assembly which expressly requires standing committees to investigate into the extent of a person's compliance with Section 9906 of the Government Code. Further, Section 9906 excepts from the registration requirements any person who "merely appears before a committee of the Legislature of the State of California in support of or opposition to legislation." This express exception would negate any implication in the statute that the standing committees are required to inquire of any person appearing before them whether that person has registered under Section 9906 and whether such person has been issued a certificate of registration as legislative advocate.

We do not mean to imply by this conclusion that it would be improper for standing committees to inquire whether such persons have been issued a certificate of registration or whether such persons have registered under Section 9906 of the Government Code.

Section 9909 of the Government Code provides for the issuance of certificates of registration as legislative advocate to persons registered under Section 9906 who are found by the respective houses to be of good moral character, particularly as evidenced by never having been guilty of conduct proscribed by Section 9910 of the Government Code. The certificates of registration now being issued by the respective committees serve the threefold purpose of identification of the person registered, identification of the interests which that person represents, and evidence the fact that, in the opinion of the committee issuing the certificate, the person registered has not violated the obligations of legislative representatives as prescribed by Section 9910 of the Government Code.

In order to intelligently perform their functions in holding hearings, the standing committees must necessarily have the power to inquire into the identity and interests of the persons testifying before them, and to properly evaluate that person's testimony the committee must further be empowered to inquire into the factors relating to the reliability and credibility of that person's testimony. Inasmuch as the certificate of registration provides a standard means of identification of a person and of the interests which he represents, and evidences the credibility and reliability of such person's testimony, we think that it would be entirely

proper for standing committees to ask legislative representatives appearing before them whether such persons have been issued a certificate of registration, and if such persons have not, to inquire whether they come within a class of persons which is not required to register under Section 9906 of the Government Code.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By LOUIS A. BOLI III, Deputy

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 856 HOLD PLACE ON FILE

Mr. Rosenthal asked for, and was granted, unanimous consent that Assembly Bill No. 856 be passed on file, and hold its place on file on the next legislative day.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined Assembly Bill No. 735

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 245	Assembly Bill No 1855
Assembly Bill No. 247	Assembly Bill No. 1947
Assembly Bill No. 734	Assembly Bill No. 2317
Assembly Bill No. 804	Assembly Bill No 2787
Assembly Bill No. 1285	Assembly Bill No 3099

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading

ANNOUNCEMENT

Mr. Beck announced a luncheon meeting and Democratic Caucus today, upon adjournment, at the Hotel Sacramento.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills Nos. 1285, 1855, 2317, 3099, and 1947 re-referred to the Committee on Transportation and Commerce.

Assembly Bills Nos. 245, 247, and 2787 re-referred to the Committee on Revenue and Taxation.

Assembly Bills Nos 734, 735, and 804 re-referred to the Committee on Municipal and County Government.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 2 p m —

Agriculture, in Room 432.

Legislative Representatives, in Room 1347.

At 3 p.m.—

Public Health, in Room 426.

Social Welfare, in Room 430.

Upon adjournment of Social Welfare Committee—

Executive meeting, Special Joint Committee to Study the Old Age Assistance Initiative Measure, in Room 430.

Elections and Reapportionment, in Room 435.

At 8 p.m —

Fish and Game, in Room 426.

Judiciary, in Room 435.

Tomorrow, Wednesday, March 4th, at 9 a.m.—

Rules, in Room 320.

REPORT OF PUBLIC UTILITIES SUBCOMMITTEE ON SENATE BILL NO. 327

Letter of Transmittal

ASSEMBLY, CALIFORNIA LEGISLATURE, April 2, 1951

Hon. John W. Evans, Chairman
and Members of Committee on Public Utilities
Assembly Chamber, State Capitol
Sacramento, California

DEAR ASSEMBLYMAN EVANS: Your special subcommittee appointed to conduct hearings on Senate Bill 327, the so-called Rural Electric Co-Operative Bill, submits its report herewith and summarizes its conclusions as follows:

This bill, which has been urged as necessary in order to permit co-operatives to finance electric distribution systems in remote areas of the State by the Federal REA, is not necessary and goes far beyond the intentions of the authors of the bill—opening a dangerous loophole in the Public Utilities Act.

Contrary to assertions that the REA will not lend money to rural electric co-operatives in California unless they were exempted from regulation by the bill, the subcommittee finds that the REA has no such policy; and, in fact, has approved loans of more than 400 million dollars to co-operatives in other states where co-operatives may be regulated by utility commissions.

The fears expressed by proponents of the bill that regulation by the California Public Utilities Commission would interfere with formation and operation of co-operatives are without foundation and the cases cited to the contrary involve co-operatives which failed to comply with state law. The actual rules and policies followed by the commission will not impair the economic feasibility of rural electrification enterprises and

enactment of the bill would amount to a vote of lack of confidence in the commission for which there is no justification.

If the co-operatives would take advantage of the provisions of existing law, they will be able to obtain all the protection which the authors of the bill said they wish to provide.

The exemption contained in the bill is not restricted to rural electric co-operatives but could be taken advantage of by anyone forming a co-operative under the Corporation Law and, if the bill were passed, such a co-operative corporation might engage in an extensive public utility business, including the generation and transmission of power, with complete freedom from supervision or regulation by the Public Utilities Commission. Such exemption would be a backward step in the regulation of public utility enterprises to serve the public welfare.

The provisions of the bill granting co-operatives the exclusive privilege of serving new customers within a designated area permit a monopoly without regulation and are in direct violation of the principle that either competition or regulation is necessary to protect the public interest

The subcommittee's hearings were extensive and the transcript of its proceedings covered 511 pages. Representatives of two rural electric co-operatives, five proposed co-operatives, two farm organizations the Federal Rural Electrification Administration, customers of the co-operatives, and three public utility companies were heard.

Respectfully submitted,

G. DELBERT MORRIS, Chairman
Public Utilities Subcommittee on Senate Bill No. 327

Report of Public Utilities Subcommittee on Senate Bill No. 327

To the Assembly Committee on Public Utilities and Corporations
John W. Evans, Chairman

At the hearing on Senate Bill No. 327 held by your committee on January 22, 1951, it was determined that proper consideration of this bill required further hearings and investigation and a motion was made, seconded and carried that a subcommittee of five members be appointed by your chairman to conduct such hearings and investigation and to report its findings to the main committee. Pursuant to this resolution G Delbert Morris, Patrick D. McGee, Bernard R. Brady, Montivel A. Burke, and Clayton A Dills were appointed to the subcommittee and G Delbert Morris was designated to serve as chairman of the subcommittee The subcommittee held hearings at Baker on February 19, 1951, at San Francisco on February 23, 1951, and at Sacramento on March 15 and 19, 1951 The proceedings at each of these hearings were reported and transcribed and the record is submitted herewith for the files of the committee

At the Baker hearing Senator Charles Brown was present and was invited to sit with the subcommittee. Statements were made to the subcommittee by William Letcher, Regional Director of the Rural Electrification Administration; Charles F Brown, Secretary of the Death Valley

Electric Co-Operative, Inc.; William E. Smith, member of the Death Valley Co-Operative; E. John Ericksson, Attorney for Death Valley Electric Co-Operative and Providence Mountain Electric Co-Operative; Allen Arness, head of Region 9 of the Application and Loans Division, Rural Electrification Administration; William Anderson, Office of the Solicitor, Department of Agriculture; S. K Droubay, Manager, Shoshone Mines, Anaconda Copper Mining Company; Charles A. Scholl, Superintendent, Pacific Coast Borax Company; H. P. Gower, Field Engineer for Pacific Coast Borax Company; C. B. Dickey, Ranch owner in Pahrump Valley, Nevada; T R. Goodwin, Superintendent, Death Valley National Monument; James H. Francis, Tecopa Businessman; D. A. Beckman, President of the Board of Directors of Intervalley Electric Co-Operative at Inyokern; and Henry W. Coil, General Counsel of California Electric Power Company.

At the San Francisco hearing statements were made by R B. Cassidy, Assistant Chief Counsel, Public Utilities Commission; Keith L. Edgerton of the Edgerton Bros. Lumber Company, Adin, Modoc County; William A Ayres, representing the State Grange; Allen Arness of the Rural Electrification Administration; William Anderson, Office of Solicitor, Department of Agriculture; Richard W. Owens, representing the California Farm Bureau Federation; Gerald H. Hagar, Attorney for Meadow Valley Lumber Company; Fred Holland, Manager of Surprise Valley Electrification Corporation; and George Conant, Manager of the Plumas-Sierra Rural Electric Co-Operative.

At the Sacramento hearing on March 15, 1951, Assemblyman Harlan Hagen, a member of the full Committee on Public Utilities and Corporations, was present; and Senators Powers and Johnson, the authors of Senate Bill No. 327, were also present and took part in the proceedings. Statements were made by Henry Coil, General Counsel, California Electric Power Company; Robert H. Gerdes, General Counsel, Pacific Gas and Electric Company; Frederick T. Searls, Attorney for Pacific Gas and Electric Company; Bruce Renwick, General Counsel, Southern California Edison Company; Father Charles Phillips; Fred Holland, Manager Surprise Valley Electrification Corporation; Allen Arness of the Rural Electrification Administration; and A. H. Nightingale, and Rupert Costo, interested in the proposed Anza Rural Electric Co-Operative. At the Sacramento hearing on March 19th, Assemblyman Hagen and Senators Powers and Johnson again took part in the proceedings. Statements were made by Von K. Ellsworth, representing the Farm Bureau Federation, and C. F. Taylor, President of the Desert Electric Co-Operative at Twenty-nine Palms.

SUMMARY OF BILL

Senate Bill No. 327 contains three major provisions:

Section 1 exempts from the Public Utilities Act and from the jurisdiction and control of the Public Utilities Commission all nonprofit co-operative corporations furnishing electric service primarily to their members or stockholders. The exemption includes any foreign, nonprofit co-operative corporation qualified to do business within California.

Section 2 of the bill forbids any public utility, municipality or nonprofit co-operative corporation to furnish electric service to any premises already receiving electric service from another supplier or which have previously received electric service from another supplier willing to resume the service unless the written consent of the other supplier is first obtained. In effect, it prevents any person from changing from one supplier of electricity to another under any circumstances whatever without the consent of the present supplier.

Section 3 of the bill sets up a procedure whereby a nonprofit co-operative corporation (including foreign corporations) may acquire the exclusive right to furnish electric service to new customers within an area shown on a map to be filed with the Public Utilities Commission. The exclusive privilege is given for an initial period of six months which may be extended to 18 months if a loan agreement is made with a federal agency. It may be possible that the privilege could be indefinitely extended by re-filings.

EXISTING LAW

In order to determine the scope and effect of this proposed legislation it was necessary to obtain information as to the existing law. Section 23 of Article XII of the California Constitution provides in part:

> "Every private corporation, and every individual or association of individuals, owning, operating, managing, or controlling any commercial railroad, interurban railroad, street railroad, canal, pipeline, plant, or equipment, or any part of such railroad, canal, pipe-line, plant, or equipment within this State, for the transportation or conveyance of passengers, or express matter, or freight of any kind, including crude oil, or for the transmission of telephone or telegraph messages, or for the production, generation, transmission, delivery or furnishing of heat, light, water or power or for the furnishing of storage or wharfage facilities, either directly or indirectly, to or for the public, and every common carrier, is hereby declared to be a public utility subject to such control and regulation by the Railroad Commission as may be provided by the Legislature, and every class of private corporations, individuals, or associations of individuals hereafter declared by the Legislature to be public utilities shall likewise be subject to such control and regulation."

The constitutional policy so stated is carried out by means of the Public Utilities Act which defines the term "public utilities" to include "every * * * electric corporation * * * where the service is performed for or the commodity delivered to the public or any portion thereof". Mr R. B. Cassidy, Assistant Chief Counsel of the Public Utilities Commission, testified that the status of a co-operative under the Public Utilities Act first came before the commission in the *Coos Electric Co-Operative, Inc.*, case, decided by the commission in 1944. In that decision the commission concluded that a co-operative corporation was not exempt from the Public Utilities Act merely because it was a co-operative. This conclusion was amplified in the *Mesa Electric Co-Operative* case decided by the commission in 1947 where the commission held that the nature

of a co-operative's activities and proposed activities would determine whether or not it was a public utility subject to regulation under California statutes. Neither of these cases was challenged in the courts On November 7, 1949, the Death Valley Electric Co-Operative, Inc., was granted a certificate of public convenience and necessity by the commission authorizing it to operate as a public utility within certain areas of Inyo and San Bernardino Counties On December 12, 1950, the commission decided that the Plumas-Sierra Electric Cooperative, Inc., was operating as a public utility and should file its rates and tariffs with the commission in the usual manner. The Plumas-Sierra Co-Operative has requested the California Supreme Court to review this decision on the ground, among others, that it is not subject to regulation under the Public Utilities Act. The Supreme Court has not, as yet, made a decision.

It thus appears that the commission has consistently acted since 1944 on the assumption that the determination of whether a cooperative is a public utility and hence subject to regulation depends upon the corporation's method and plan of operating rather than upon the form of its organization. Only in the *Plumas-Sierra* case just mentioned has the question of whether an electric co-operative may be regulated as a public utility been presented to the Supreme Court of this State. Senate Bill No. 327 covers the point now before the court since the bill exempts all nonprofit cooperatives furnishing electric service primarily to their members, regardless of the scope of their activities.

The Public Utilities Commission representative, Mr. Cassidy, expressly stated that the commission took no position as to the merits or disadvantages of Senate Bill No 327, and that the commission conceived that it was the function of the Legislature to establish the policy of the state law and the function of the commission to carry out that law in accordance with the Legislature's policy.

The proponents of the bill evidently assume that an electric co-operative corporation may be subject to regulation under the Public Utilities Act and that to accomplish their purposes an exemption from this regulation must be written into the act by the Legislature. In order to appreciate the effect of this exemption the principal aspects of regulation must be reviewed.

COMMISSION REGULATION: CERTIFICATES OF CONVENIENCE AND NECESSITY

Under the Public Utilities Act any corporation desiring to engage in furnishing electric service to the public or a portion thereof must obtain a certificate of public convenience and necessity from the commission pursuant to Section 50 of the act Such certificates are required in order to enable the commission to exercise its function of preventing wasteful duplication of utility facilities and harmful competitive practices, which result in unnecessarily high costs to the consuming public for utility services. In order to protect the public interest the commission normally grants a certificate for a given area to only one supplier of electric service Where a corporation has applied for such a certificate the applicant can be protected from competition in the area for which the application has been made.

The testimony before the subcommittee was uncontested that the commission would protect any public utility holding a certificate of public convenience and necessity from harmful competition. This protection is available, as the commission's *Mesa* decision states, to cooperatives in the same manner as to any other electric utility corporation and will be administered, as the *Plumas-Sierra* decision states, in a manner that will be just and reasonable both to the co-operative and its patrons. Except for the Death Valley Cooperative, none of the existing electric co-operatives in the State appear to have taken advantage of the protection given by obtaining a certificate from the commission. Enactment of Senate Bill No. 327 would deprive the Death Valley Co-Operative of the protection which it receives by virtue of this certificate and would prevent any co-operative in the future from obtaining such protection Presumably for this reason the authors of this bill, having deprived the co-operatives, by Section 1, of the commission protection, sought to provide a substitute protection in Sections 2 and 3 of the bill. We will reserve a discussion of these sections until later in this report but feel that it should be noted at this point in the discussion that there would be no need for a substitute form of protection if no exclusion from the Public Utilities Act were made.

Two minor objections to the requirement of a certificate of public convenience and necessity for co-ops should be noted here It was stated by Mr. Arness of the REA that obtaining such a certificate was an expensive and time-consuming process and that it might be delayed by utility company opposition. As to expense, it was pointed out by other witnesses that it is not necessary to employ an attorney in order to present an application for such a certificate, that the proceedings are informal, and that the applicant may obtain the services of the commission's trained and experienced staff in preparing and presenting the application. In the *Death Valley Co-Operative* case, the one instance where a co-operative has sought such a certificate, it appears that no difficulty was encountered. The fears expressed by Mr. Arness that utility company opposition would handicap and delay the co-op were not experienced in that case. The commission certainly has adequate control over its own procedures to prevent any harm to a co-operative enterprise from attempts by a utility company to delay or block proceedings Mr. Arness stated that it was the intention of this bill to prevent the utility companies from having any hearing whatever on a proposed co-operative operation

The certificate of public convenience and necessity is vital to safeguard the public interest as well as to protect the corporations to whom the certificates are granted. Only in this manner can the people of this State be assured that utility enterprises will serve the public interest. The subcommittee's hearings made it clear that the nonprofit co-operative can and does serve a valuable purpose in bringing electricity to remote areas of this State but it is essential to realize that the nonprofit co-operative form of corporation can be used and, indeed, abused for many purposes less desirable than rural electrification. The witnesses for the public utility companies stated, and it was not contradicted, that this type of organization could be formed by a number of corporations for the purpose of escaping commission regulation as to substantial parts of their

operations if this bill is enacted. There appears to be no reason why the exemption proposed by this bill could not be taken advantage of by individuals forming co-operatives in the midst of existing service areas of the utility companies in a manner that could result in wasteful duplication of facilities and undesirable discrimination among consumers.

An example of proposed wasteful duplication by a co-operative was found in the opinion of the Virginia State Corporation Commission in the *Matter of Old Dominion Electric Co-Operative* which was made a part of the subcommittee's record From that opinion it appears that a number of co-operatives in the State of Virginia formed a co-operative for the purpose of constructing electric generation and transmission facilities at a proposed cost of over 16 million dollars Application for a loan of the 16 million dollars was approved by the Rural Electrification Administration. It was necessary, however, for the new cooperative to secure authorization from the Virginia State Corporation Commission for the loan. A hearing was held before the commission and the commission found that the Virginia Electric Power Company had made a firm offer to supply the same service that the co-operative intended to furnish, at rates which would cost the consumers at least 20 million dollars less than the cost of the co-operative over the life of the proposed loan. The commission refused to authorize the loan saying:

> "To any disinterested person it must be apparent from the facts of this case that we have no choice as to what our decision must be In the performance of the duties imposed upon us by the Public Utilities Securities Law, we could not approve an application the effect of which would be to take from the rural consumers of electricity in Virginia more than 20 million dollars over a period of 35 years and give them nothing in return. Since Vepco current would cost them that much less than the same amount of Old Dominion current, they would simply be throwing away at least 20 million dollars. To protect the public from such unsound financing was the dominant purpose of the General Assembly in passing the statute, and in denying the application, we are not exercising any choice of our own, but are merely applying the law to the facts".

The people of Virginia thus have found commission jurisdiction over co-operatives a valuable protection for the public interest.

It should be noted that the REA did not hesitate to approve the 16 million dollar loan to the Old Dominion Cooperative even though the transaction was subject to commission regulation.

Another instance of a co-operative formed for constructing a generating and transmission system was found by the subcommittee in a decision of the Kentucky Public Service Commission, dated December 7, 1950, *In re East Kentucky Rural Electric Co-Operative Corporation.* A co-operative, in that case, applied to the Kentucky Commission for a certificate of convenience and necessity and authority to borrow 12 million dollars from the United States through the REA. The Kentucky Commission reviewed the application, found that the proposed construction would not duplicate or replace existing facilities of other utility corporations in Kentucky, and that the proposed construction was desirable. Consequently, it granted the requested certificate and authority.

Here again it appears that the REA is willing to lend to a co-operative which is subject to regulation and the people of Kentucky have been assured by their regulatory commission that the project is in the public interest

A third possible instance of construction of transmission line facilities was given by Mr. Arness in his testimony before the subcommittee. Assemblyman Brady had pointed out that the Death Valley Co-Operative has already received its certificate of convenience and necessity and asked Mr. Arness if the Death Valley Co-Operative was not therefore assured of freedom from interference in serving the area covered by the certificate The reply of Mr Arness, in part, was

> "Secondly, I don't know what the action of the utility might be if at some time in the future the co-operative should undertake to construct a line perhaps paralleling this line from Boulder Dam or Parker Dam or Davis Dam in order to bring its power at the bureau of rates instead of at the rate of the bureau rates of about a half a cent instead of the eleven *mills* which the company is charging—is proposing to charge the co-operative. I think it very likely that at the point the utility might conceivably intervene and prevent the co-operative from going ahead with a necessary and desirable investment." (P. 114)

The subcommittee believes that, if the Death Valley Co-Operative were to undertake a project such as Mr. Arness described, it would be highly important for the people of California to know whether this project would actually be a desirable one such as that described in the *Kentucky* decision or whether it would prove, upon analysis, to be a burden upon the consuming public such as the proposed Old Dominion Co-Operative project in Virginia. Under the present law the people of California have the same opportunity, through their representatives on the Public Utilities Commission, to review such projects as the people of Kentucky and Virginia. Senate Bill No. 327 would take away this opportunity.

Summarizing this aspect of regulation, it appears to this subcommittee that a broad exemption such as is proposed by Section 1 of Senate Bill No. 327 is open to such grave abuses as to seriously impair the effectiveness of state regulation of public utility enterprise. In matters so intimately connected with the life of the people of this State as the furnishing of electric service no reason has been shown why the people of the State should not be in a position to see that the public interest is served, whether the public utility is a cooperative or a conventional corporation, and whether the financing is private or governmental.

COMMISSION REGULATION: SERVICE TO CONSUMERS

A second function of the Public Utilities Commission is to entertain and dispose of complaints by customers as to the adequacy and the reasonableness of the service being rendered. Included in this function is the power of the commission to prevent unreasonable discrimination between one consumer and another and between different classes of consumers. If Senate Bill No. 327 is enacted the consumers on a co-operative

system will be deprived of this protection. Mr. Arness of the Rural Electrification Administration testified that in such event the consumer's only remedy would be to bring a court action. It was pointed out by other witnesses that court action would be far more expensive and far less efficacious and speedy than commission proceedings. The commission has available to investigate and adjust such complaints and to enforce its orders a technical staff with the necessary qualifications and experience to assure prompt and effective disposal of such complaints.

However, it was argued that since the consumers of a co-op are the members of the corporation they, therefore, can assure themselves of adequate, reasonable and nondiscriminatory service. This was not borne out by the practical experience of two of the co-ops in this State. The only control which the members have over their organization is the opportunity to cast a vote for directors at the annual meeting. Unfortunately, as is common with many small corporations, a quorum is not always present at the annual meeting and the elections are often not held. Mr Holland, Manager of the Surprise Valley Co-Operative testified that his corporation had held only one meeting since 1945 with a quorum present. Mr. Conant, Manager of the Plumas-Sierra Electric Co-Operative testified that there had been no meeting of his co-op since 1944 Although the lack of a quorum at the annual meeting may possibly be a tribute to the successful management of these co-operatives as a whole it is evident that one or two customers who find their service unsatisfactory or who find that they are being discriminated against in some way have no opportunity to secure corrective action. Even the theoretical right to vote for a director of their corporation has no practical value in such cases Mr. Hagar, Attorney for the Meadow Valley Lumber Company, and Mr. Edgerton of the Edgerton Bros. Lumber Company, both testified that their companies were members of co-ops but that their complaints to the management had not produced satisfactory service. Both testified that they believed they should have an opportunity to complain to the Public Utilities Commission.

COMMISSION REGULATION: RATES

A third function of the Public Utilities Commission is to pass on the reasonableness of rates of a public utility. In a nonprofit co-operative corporation it may be presumed that there is adequate incentive to keep the rates as low as possible without regulation and it does not appear that the commission would have occasion to adjust the over-all level of rates in a co-operative unless some improper use were being made of the revenues. Some fear was expressed by co-op witnesses that the commission might refuse to allow rates sufficiently high to cover a co-op's obligations to make its payments of interest and installment repayments of principal to the Rural Electrification Administration. It was stated that it may be necessary for co-op rates to be higher than those of utility companies because of the low customer density of the area served. Certainly the liberal terms of 2 percent interest and 35 years for repayment which are granted by the Rural Electrification Administration to finance 100 percent of a co-op's capital requirements should not require excessive rates. The subcommittee understands, however, that the commission

does not fix rates on the basis of what other utilities are charging but on the basis of what is fair and reasonable to the particular corporation whose rates are under consideration In this connection, the commission said in the *Plumas-Sierra* case, previously mentioned, that the commission would take into account the differing conditions under which a co-operative operates. It said:

> "It might be observed that, although the form of respondent's organization and method of financing may differ considerably from those of electric corporations generally, in our opinion no provision of the Public Utilities Act would so circumscribe the discretion the commission may exercise in the regulation of respondent's operations as to preclude the application of regulatory standards that will be just and reasonable both to respondent and to its patrons".

In the face of this declaration by the commission it is difficult to understand why it was argued that the Federal Government would be apprehensive about the ability of a co-operative to repay its loan if its rates were subject to regulation. This is especially true when it is realized that hundreds of public utility enterprises whose rates are subject to regulation in this State have no difficulty in obtaining private capital to finance their systems.

The commission's function in regulating rates is not limited to determining the over-all level of rates but also includes the power to pass upon the rate structure and the special conditions under which the various rates are to be applied. Here the customer of a public utility may ask protection from the Public Utilities Commission against unreasonable or discriminatory rate treatment. To exempt co-operatives from the Public Utilities Act would exclude its customers from the benefit of this protection. As has been pointed out earlier in this report the consumer's membership in the co-operative is not by any means an adequate substitute for the commission protection.

COMMISSION REGULATION: FINANCING

A fourth function of the Public Utilities Commission is to pass on financial arrangements of public utility corporations. This power protects investors from unsound financial practices and protects the public against wasteful and unreasonable capital expenditures. The Federal Government as an investor may be in a better position to protect itself than the individual who buys a few shares of stock or a bond in a public utility corporation. Nevertheless, this subcommittee does not believe that the fact that federal officials in Washington have approved a loan necessarily means that the loan is for the best interests of the people of the State of California.

The case of the *Old Dominion Electric Co-Operative* which has already been described gives one example of the need for state protection of the local interest against being saddled with the cost of unnecessary federally-financed projects.

But even if we were to be satisfied with the decisions of federal officials the hazard would still remain that attempts would be made to finance unsound co-operative enterprise by private financing. It is impossible to predict if this bill should be enacted what groups might attempt to

take advantage of the proposed exemption from regulation and what types of financing they might try to use. A substantial public interest is served by retaining commission regulation of co-operative financing.

COMMISSION REGULATION: SAFETY

A fifth function of public utility company regulation is to provide standards for safety. The commission's General Order 95 prescribing standards for overhead line construction is a comprehensive regulation for the protection of consumers, utility employees, and the general public. The subcommittee was relieved to learn that the co-operatives intend to comply with these standards. Nevertheless, the subcommittee believes that the public would be deprived of a substantial amount of protection unless the commission retains the authority to supervise and enforce its safety orders with respect to co-operative systems.

The foregoing analysis shows the important functions served by regulation of public utilities in this State and the application of those regulations to co-operative corporations. It is clear that enactment of Senate Bill No. 327 would constitute a major departure from the established policy of the State to assure that public utility enterprises serve the public welfare. It would completely abolish all regulation of public utility undertakings adopting the form of nonprofit co-operative corporations. Even co-operatives formed under the laws of other States would have a free hand in California to set up utility systems regardless of the public interest. The California Public Utilities Commission has a well-deserved reputation as one of the leading regulatory agencies in the Nation. Under its jurisdiction hundreds of public utility enterprises are successfully furnishing public utility services to the people of this State Regulation does not appear to have been an unreasonable burden on the vast number of these enterprises which are comparable in size to the co-operative corporations.

MONOPOLY PRIVILEGES GRANTED BY BILL

As a substitute for this tested and successful policy of regulation the bill proposes two methods by which a co-operative would be given certain exclusive privileges. Under Section 2 of the bill, once a co-operative had rendered service to certain premises it would never be possible for any other supplier of electricity to serve those premises without the written consent of the co-operative. In addition, the provision goes much farther. No municipal corporation supplying electric service could ever furnish electricity to premises now supplied by a public utility company or a co-operative without the written consent of the present supplier. No public utility company could serve premises being supplied by another company without the written consent of the other company. In other words, once a person became a customer of one supplier of electric energy he would be forever bound to that supplier. There could be no divorce unless the supplier agreed. Furthermore, all subsequent owners of the same presmises would be bound to continue as a customer of this same supplier. A provision of this sort, not subject to any public control whatever, would be a most unsound restriction

on the power of the commission to regulate all public utilities. The economy of this State is a dynamic and growing thing which should not be frozen in patterns of the past.

As a further substitute for our established commission system of regulation, Section 3 of the bill attempts to give co-operatives certain special provisions so far as securing the exclusive right to serve new customers in a given area is concerned. The area may be chosen by the co-operative and need not be restricted to unserved areas. It appears to be entirely possible under this proposed measure for a co-operative to preempt the right to serve all new customers in the middle of a large city and any electrical corporation serving that area would be forbidden to construct any facilities therein even if necessary to supply the needs of its existing customers. These arbitrary and undesirable possibilities are the inevitable result of a grant of monopoly privileges without regulation Our system of free enterprise is based primarily upon competition. Where public utilities are concerned we have found it necessary to substitute regulation for competition but we should never eliminate both competition and regulation Senate Bill No. 327 directly violates this principle. It gives any public utility enterprise adopting the non-profit co-operative form of organization an exclusive privilege to obtain all new business in an area which it may choose without any regulation or safeguard to protect the public interest.

BILL NOT REQUIRED TO PERMIT REA LOANS

What then are the reasons advanced in favor of this bill? Prior to the investigation by this subcommittee it was stated that the Rural Electrification Administration would not lend money to an electric co-operative if it was subject to state regulation. Examination of Mr. Arness, the head of Region 9 of the Applications and Loans Division, Rural Electrification Administration, revealed that the Rural Electrification Administration had no such policy and that in fact the REA had approved loans amounting to more that 400 million dollars in states where cooperatives were subject to regulation as public utilities. The following excerpts from the testimony makes this clear:

> "SENATOR BROWN: There's another question I wanted to ask you. It will be a direct question. Do you think if we're unable—we don't enact Senate Bill 327, and the Public Utilities ruling stands as it is, that you do come under it, will the government loan any more money on these co-ops?
>
> MR. ARNESS: The REA is currently making loans to—in nine states, where the borrowers, where the co-operatives are under complete commission jurisdiction. Certainly, we will continue to make loans in the State of California where we are able to do so, on the basis of feasibility, and where certificates have been obtained pursuant to that jurisdiction, if that jurisdiction be sustained. (Pp. 48, 49)
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> * * * * * * *
>
> (CHAIRMAN MORRIS) * * * Now, there has been a great deal of talk, Mr. Arness, since this bill was introduced to the effect that someone connected with the REA had made a statement that unless

this bill was passed there would be no more loans granted to the rural co-operatives in the State of California. Have you ever made such a statement, or have you, of your own knowledge, any knowledge that such a statement was made by someone connected with your Rural Electrification Administration?

MR. ARNESS: Mr. Chairman, I don't believe I have ever made any such statement, and I have no direct knowledge that any such statement was made by any representative of the REA.

CHAIRMAN MORRIS: You don't know, then, or do you know whether this is going to be a policy of the administration in Wash., I speak of Mr. Claude Wickard, the Chief of the REA, whether he would make such a policy that no loans would be granted to states operating under commission jurisdiction?

MR. ARNESS: I do not believe that he would be, that Mr. Wickard would institute such a policy. In view of the language of the Rural Electrification Act, we do provide, or there is provided in the standard loan contract, a provision that a borrower must comply with all rules and regulations within the state, or states, within which it operates I think this question may be, to some extent, due to a misunderstanding. It seems to me, now I'm just speculating, Mr. Chairman and may be entirely wrong about it. I think its correct, however, that as of July or August, along about that period, that REA made a determination that the question of commission jurisdiction had been raised in the State to a point where that question should be clarified and determined finally, before additional loans were made to borrowers in the State. Now, that was not a fixed and arbitrary determination or policy; as a matter of fact, I think we have made one or two loans subsequently, within the State. A loan made to the Inter-Valley Electric Co-Operative at Inyo-Kern, in the spring of the year, is still under stop order, however, pending determination of the jurisdiction question.

CHAIRMAN MORRIS: If this bill should not be passed, Mr. Arness, would you then follow the policy of considering the loans strictly upon their merits as to the feasibility of being paid off within the loan repayment period, or what would be the policy of the REA?

MR. ARNESS: There would be no change of policy If the—if we wind up this present consideration by the California Assembly, Legislature, and if your current appeals to the courts are—should be adverse to the co-operative's plea; what I'm saying is, that if we wind up with commission jurisdiction, it will simply mean that the referment of a certificate of convenience or necessity will clearly be a requirement before funds can be advanced. That is not clear at the present time." (Pp. 50-51)

From these statements the subcommittee concluded that the only concern of the Rural Electrification Administration with respect to making loans to co-operatives subject to regulation was to see that certificates of public convenience and necessity were obtained where state law required it. This was borne out by the fact that the standard form of loan contract used by the REA requires the borrower to obtain all permits and certificates of public convenience and necessity required by state law. Mr. Arness stated that since the middle of last year the REA has

been holding up processing of loans in this State until it can be determined whether or not a certificate from the Public Utilities Commission is required of the borrowers. If the California Supreme Court should decline to reverse the *Plumas-Sierra* case, previously mentioned, it appears that such certificates will be required before loans are made. If the Supreme Court decides that a co-operative cannot be subject to public utility regulation under present law or if Senate Bill No 327 is enacted, certificates of public convenience and necessity will not be required to be obtained before loans are approved by the REA.

REGULATION DOES NOT ADVERSELY AFFECT ECONOMIC FEASIBILITY

At the March 15th hearing of the subcommittee in Sacramento, Mr. Arness asked permission to correct and clarify his testimony as to the REA position. His testimony at this later hearing was to the effect that commission regulation might conceivably affect the economic feasibility of a co-operative project. Assuming, as Mr Arness said he did, that the commission acts within the law and not arbitrarily or capriciously, it was difficult to find substance in this argument. The fears that rate and financial regulation might handicap the successful operation of a co-operative have already been disposed of in this report. It was argued that co-operatives need protection against losing customers and one case was cited to the subcommittee as an example of what might occur In that case the Meadow Valley Lumber Company was a member and customer of the Plumas-Sierra Electric Co-operative. After many years of membership it found the service unsatisfactory, primarily as the result of many outages, and unsuccessfully sought corrective action from the co-op management. Failing in this the lumber company applied to the Pacific Gas and Electric Company for service since the company's lines ran near the lumber company's mill. The Pacific Gas and Electric Company declined to render service on the ground that in its contract under which it wholesaled electricity to the co-op, it had agreed not to serve any customer of the co-op. The lumber company complained to the California Public Utilities Commission and the commission found that the agreement between the company and the co-op to respect each other's territory had not been approved by the commission, that the company had a certificate generally covering the area in which the lumber mill operated, and the co-op had no such certificate. The commission concluded that it was therefore necessary to order the company to render the requested service The co-op entered an appearance in the case and has requested the State Supreme Court to review the matter. This case, like the other *Plumas-Sierra* case, previously mentioned, has not yet been decided.

Although it is clear that this *Meadow Valley Lumber Company* case is responsible for some of the agitation in favor of this bill the subcommittee is unable to find that it constitutes a hazard to co-operative operation. Unfortunately, the Plumas-Sierra Co-Operative had not complied with state law and had not obtained a certificate of public convenience and necessity. The testimony of Mr. Cassidy, Assistant Chief

Counsel of the commission, was very clear to the effect that if the co-operative had such a certificate and had been furnishing adequate service the commission would not have permitted the lumber company to switch from one source of supply to another. It is also clear that if Senate Bill No. 327 had been enacted before the lumber company's case arose the lumber company would have been without any remedy whatever. It could not have obtained electricity from any other public utility, it could not have appealed to the commission for a remedy, and there were no annual meetings at which it could even have cast its single vote for directors. In the opinion of the subcommittee the *Meadow Valley Lumber Company* case demonstrates that existing law protects both the consumer and the co-operative in a manner far more conducive to the public welfare than the proposed legislation.

The only other reason advanced by Mr. Arness as to the effect of regulation upon economic feasibility of a co-operative enterprise was the fear that the co-operative would be opposed in its application for a certificate of convenience and necessity and that the utility company might during the pendency of the application build lines to serve part of the co-operative's proposed territory. However, in the one case in California where such a certificate was applied for no such difficulties were encountered and the application of the Death Valley Co-Operative was granted in a short time. Mr. Arness cited the case of the Mesa Co-Operative as an example of what might happen However, the testimony of Mr. Cassidy on behalf of the Public Utilities Commission showed that the Mesa Co-Operative not only lacked a certificate from the commission but flatly refused to make application for one when invited to do so by the commission. In its opinion the commission said:

> "Mesa was privileged to made application to the commission for a certificate. Not having done so, it undertook the construction of electric lines at its peril. Had it proceeded otherwise, this commission could have exercised its powers to prevent the construction of any electric lines into Mesa's proposed field of operations until its application could be heard and the issues determined as the public interest demanded. As Mesa did not file such an application, the commission must issue an order directing it to cease and desist from all further construction or operation of electric facilities until the requirements of Section 50 of the Public Utilities Act are fulfilled." (P. 13)

The gist of the *Mesa* decision is thus that the co-operative was acting outside of the law and could not proceed until it complied with the requirements of the Public Utilities Act. Instead of proving that regulation is a handicap to a co-operative in its initial stages, the decision very clearly establishes that the commission procedure would protect the co-operative against the very evils which Mr. Arness and other witnesses feared.

It did not appear from the testimony of Mr Arness that the REA fears that commission jurisdiction over rates would impair the economic feasibility of a co-operative project. However, other witnesses stated that the willingness of the REA to lend might be affected if the rates of

the co-operative were subject to regulation. As has been stated in a previous section of this report, any concern on this point is unfounded since rates are determined upon the basis of what is fair and reasonable to the corporation and the commission has expressly stated that it would take account of the difference in the method of financing of co-operatives as compared with electric corporations generally. Private capital has always been available in large amounts to regulated utility corporations and the Federal Government certainly should be willing to lend under the same conditions as private investors.

To sum up, the evidence as to the position of the REA was, first, that regulation merely imposed a legal requirement for a certificate of convenience and necessity, and that applications for loans would be passed upon solely on the basis of economic feasibility. The later testimony attempted to argue that regulation would affect economic feasibility but none of the reasons advanced in support of this thesis could be sustained in the face of the actual rules and policies followed by the Public Utilities Commission. In the opinion of the subcommittee, the attitude of the REA toward lending to co-operatives subject to state regulation can best be determined, not from the conflicting statements of the witnesses who appeared before it, but, from the fact that the REA has consistently made loans in other states to regulated co-operatives. The *Old Dominion* and *East Kentucky Co-Operative* cases referred to previously are specific examples where federal money was being made available to regulated co-operatives. The evidence presented to the subcommittee showed that there are 11 states in which co-operatives are subject to state regulation in one form or another. These states are California, Colorado, Indiana, Kansas, Kentucky, Maryland, New Jersey, Virginia, West Virginia, Wisconsin and Wyoming. The Annual Report of the Rural Electrification Administration for the Fiscal Year 1950 was made a part of the subcommittee's records, and it shows that over 48 million dollars were actually advanced to borrowers in these 11 states during that year. It also shows that the total of all loans approved by the REA up to the end of that year to borrowers in the 11 states exceeded 400 million dollars. There are three additional states where the matter of jurisdiction is considered to be in doubt, and, if loans in these states are included, a total of more than half a billion dollars in loans has been approved in states where there is or may be regulation. From these facts, it is obvious that loans will continue to be made to co-operatives in California just as in other states even though Senate Bill No. 327 is not passed and co-operatives remain subject to regulation.

CO-OPERATIVES ARE PRIVATE CORPORATIONS

A further argument on behalf of the exemption of co-operatives from regulation was that co-operatives are like municipal corporations which are exempt from regulation under the Constitution. In reply to a question submitted by the subcommittee, the Legislative Counsel said "As to your third question regarding the difference between electric departments of municipal corporations and rural electric co-operatives, a municipal corporation is a public agency, while a rural electric co-operative is a private corporation of a nonprofit character, organized primarily

to provide service to its members." In view of the fact that a co-operative is a private corporation, and in view of the fact that its activities are virtually unlimited in scope so far as the Corporation Law of the State is concerned it does not appear to be appropriate to grant such corporations the same exemption which is granted to municipal corporations and districts which are responsible to all of the people in a given area.

INTENTION OF BILL NOT EFFECTED

Near the close of the subcommittee's hearings, Senators Powers and Johnson, the authors of the bill made statements in which they emphasized that their intention in introducing the bill was to accomplish two things: *First*, to protect co-operatives against losing customers through Public Utility Commission action, and *Second*, to avoid the imposition of rates on co-operatives which would impair the ability of the corporation to repay loans made by the REA. The specific answer to these points is, *First*, that co-operatives have available to them the same protection which is afforded all public utilities in this State and this protection appears, from the testimony of the witnesses and the decisions of the commission, to be ample. The difficulties in which the Plumas-Sierra Co-Operative and the Mesa Co-Operative found themselves appear to have arisen as a result of failure to take advantage of the protection which is available to them under existing law. *Second*, the fears as to harmful rate regulation appear to be unfounded and no instance of undesirable rate regulation has been cited Furthermore, it does not appear that the REA shares this concern.

In any event, it was made abundantly clear that Senate Bill No. 327 goes far beyond the intentions of the authors of the bill. It proposes the drastic remedy of abolition of all regulation of corporations which are formed so as to meet the nonprofit co-operative requirement. The utility company witnesses pointed out that this exemption might be taken advantage of in a variety of undesirable ways although the bill is defended as a measure to aid rural electric co-operatives its actual effect is to create a far-reaching exemption in this State's scheme of public utility regulation. The bill must be weighed, not according to what the authors intended but according to what it would actually accomplish From this standpoint it seems to be clearly contrary to the established public policy of this State.

The need for and value of rural electric co-operatives was admitted by every witness who touched upon the subject, but recognition of their usefulness is not an argument for the bill. The arguments of its supporters all proceed on the premise that existing law is a handicap to co-operatives. In the light of the facts developed at the hearings this assumption has been proved to be false. The commission's decisions in the *Meadow Valley Lumber Company* case and the *Mesa Co-Operative* case which seem to have been the spring-board for this assumption do not, when the opinions are read and the circumstances studied, justify any such conclusions as the proponents of the bill have attempted to draw. To adopt this bill on the ground that regulation is harmful to co-operatives would be to assume that the Public Utilities Commission would get arbitrarily and capriciously, contrary to the rules of law announced

by the courts and in its own decisions. The subcommittee does not believe that there is any reason whatever to justify such a vote of lack of confidence in the commission.

SUMMARY

In submitting this report, the subcommittee believes that its hearings have been as full and extensive as any that have been held on a specific piece of legislation. It has been assured by Senators Powers and Johnson, the authors of the bill, that they have had a fair hearing with full opportunity to present all material which they deemed pertinent. The hearings consumed approximately 17 hours on four different days, and were conducted in Baker, San Francisco, and Sacramento. Representatives of two operating co-operatives, five proposed co-operatives, two farm organizations, the Federal Rural Electrification Administration, co-operative customers, and three public utility companies, were heard.

The testimony taken totaled 511 pages when transcribed and certain reports and papers were received and made part of the record. It is with confidence, therefore, that an earnest endeavor has been made to arrive at the truth of the matters involved that the subcommittee submits the following conclusions:

1. Regulation of co-operatives under the existing Public Utilities Law by the Public Utilities Commission in no way handicaps their formation, financing, or operation. The disadvantages of regulation suggested by the proponents of the bill are without substantial foundation in fact so long as co-operatives comply with existing law.

2. The bill proposes to substitute for our established and generally successful scheme of regulatory protection of utility enterprises a rigid monopoly privilege, giving to corporations which are formed to take advantage of its provisions an exclusive right to serve new customers in an area without any regulation whatever. The existing law, as administered by the Public Utilities Commission, provides all of the protection for co-operatives which could reasonably be given them, with the added assurance that under regulation protection cannot be obtained contrary to the public interest.

3. Under existing law, the Public Utilities Commission will not take away from any co-operative which complies with state law a customer of that co-operative who is receiving reasonably adequate service. The bill is, therefore, not necessary to prevent a contrary result.

4. Under existing law there is no reason why regulation of a co-operative's rates should impair its ability to secure financing from the Rural Electrification Administration.

5. The Rural Electrification Administration does not refuse to lend money to co-operatives subject to commission regulation.

6. There is no substantial basis to the argument that regulation adversely affects the economic feasibility of rural electrification projects

7. Co-operative corporations are private companies and not public agencies, and are not entitled to the exemption from regulation accorded municipal corporations. If co-operatives are exempted from regulation there would be no responsibility to serve the public interest.

8. The nonprofit co-operative type of corporation may be used for many purposes other than rural electrification. If an exemption from regulation is granted to this class of corporation such corporations may be formed to construct generating and transmission facilities with complete freedom from regulatory control.

The subcommittee finds that enactment of Senate Bill No. 327 would be a major step backward in the policy of this State with respect to utility regulation and would not be of any assistance to desirable rural electrification projects. We, therefore, recommend that the bill be not reported out to the Assembly.

Respectfully submitted,

SUBCOMMITTEE ON SENATE BILL NO. 327

G. DELBERT MORRIS, Chairman
PAT MCGEE
MONTE A. BURKE
CLAYTON A. DILLS

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Messrs. Gubser and Kirkwood, the usual courtesies of the Assembly for this day were unanimously extended to Maud Dickinson, and Leonard Herman, teachers, and the following pupils of the Oak Grove School of Santa Clara County: Russel Deatherage, Kenneth Hoshida, Patrick Joice, Burrell Killebrew, Roy Kimura, Kenneth Kimura, Kenji Morimoto, Seiichi Murakami, Harold Nakaji, George Okamoto, Warren Sadler, Anthony Speno, Kenneth Takata, James Taoka, Mary Bettencourt, Mary Helen Carrasco, Patsy Easley, Mary Louise Lindstrom, Elisa Perez, Albert Corbett, Steve Corbett, Le Roy Santos, Janice Schuster, and Nancy Skinner.

On request of Mr. Luckel and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Robert B. Coyner, Howard B. Turrentine, and Thomas M. Hamilton of San Diego.

On request of Mr. Gaffney and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Daniel F. Del Carlo of San Francisco.

On request of Mr. Henderson, the usual courtesies of the Assembly for this day were unanimously extended to Norman W. Smith of Livermore.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to James Ryan of Martinez.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Michael Todorovich, teacher, and the following pupils of the Napa Junior College: Claudia Baines, Dianna Bakker, Darlene Benson, Berdena Betz, Geraldine Bonfiligo, Herbert Borchers, Ron Cliff, Claire Colgan, Lorraine Cook, Barbara Deese, Helen Ellis, Arlene Fong, Paul Gratton, John Loring, Janet McCord, Elda Mix, Cardynne Oglvie, Marie Parham, Eddie Parker, Ruth Richardson, Lewis Risley, Vivian Russell, Dorothy Sammons, Alberta Santoni,

Reuben Sapp, Tom Marshall, Jim Shelton, Jim Stubb, Lucy Tolle, Norman Brown, Bill Cardwell, Joy Cavagnaro, Lorraine Del Re, Rosemarie Emerson, Bretta Edwards, Robert Foley, Louise Grimes, Mary Hempler, Evelyn Morton, Suzanne McCormick, Robert Mott, Carlene Moyer, Leroy Parker, John Scherer, Bob Smith, Pat Smith, Monty Swartz, Retva Viksma, Marilyn Waggoner, and Bill Husted.

On request of Mr. Tomlinson, the usual courtesies of the Assembly for this day were unanimously extended to Assemblyman and Mrs. Kenneth F. Blackwell and Mrs. Esther Mae Wicker of Franklin, Indiana.

On request of the Alameda Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Prof. Samuel C. May of the University of California, and the following graduate students: Robert McNeill, Paul Pitner, Jr., and Robt. Ivaniseveck.

ADJOURNMENT

At 11 57 a.m , on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Wednesday, April 4, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

THIRTIETH LEGISLATIVE DAY

FORTIETH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, April 4, 1951

The Assembly met at 10 a.m.

Hon Sam. L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

O God, Thou art my God; early will I seek Thee; my soul thirsteth for Thee; my flesh longeth for Thee like a dry and thirsty land.

Because Thy loving-kindness is better than life, my lips shall praise Thee.

Create in me a clean heart, O God; and renew a right spirit within me.

Inspire us for the duties of this day and hour. Give us a sense of Thy nearness and of our part in Thy great plan for all mankind. Help us to know

That God, which ever lives and loves,
One God, one law, one element,
And one far-off divine event,
To which the whole creation moves.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Belotti, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Butters, on motion of Mr. Gubser.

Mr. Kilpatrick, on motion of Mr. Gubser.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Lindsay, on motion of Mr. Gubser.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Brown, on motion of Mr. Caldecott.

REQUEST FOR UNANIMOUS CONSENT

Speaker Sam L. Collins asked for, and was granted, unanimous consent that the Assembly Journal for April 3, 1951, be corrected to show that the urgency clause in Section 3 of the Senate amendments to Assembly Bill No. 2171 was adopted on April 3, 1951, by separate roll call; but due to an error, was not included in the Journal.

The roll call to be included will show 56 Ayes and no Noes on the adoption of the urgency clause.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA, PRINTING DIVISION
SACRAMENTO, CALIFORNIA, April 3, 1951

Mr. Arthur A. Ohnimus, Chief Clerk
State Assembly, Assembly Chamber
Sacramento, California

DEAR MR. OHNIMUS: I am this day sending to the State Treasurer a check in the sum of $40,000, to be placed to the credit of the Legislative Printing Fund, representing proceeds from the sale of legislative publications from June 1, 1950, to March 31, 1951.

Very truly yours,

PAUL E. GALLAGHER, State Printer

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 543

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2171—An act to amend Section 9300 of the Government Code, relating to compensation of Members of the Legislature, and declaring the urgency thereof, to take effect immediately;

And reports that the same has been correctly enrolled, and presented to the Governor on the fourth day of April, 1951, at 9 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 636
Assembly Bill No. 1852

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 3290

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 255
Assembly Bill No. 503
Assembly Bill No. 841
Assembly Bill No. 1188
Assembly Bill No. 1199
Assembly Bill No. 2131

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 1254

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 3077

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1124
Assembly Bill No. 1206
Assembly Bill No. 2341
Assembly Bill No. 2342
Assembly Bill No. 2647

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Senate Bill No. 470

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CLARKE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1951

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Senate Bill No. 471
Senate Bill No. 102
Senate Bill No. 103

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1951

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Senate Bill No 376
Senate Bill No 558

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1951

MR SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 3226

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CLARKE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1951

MR SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 586
Assembly Bill No 2128
Assembly Bill No. 2764

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1951

MR SPEAKER: Your Committee on Agriculture, to which were referred.

Assembly Bill No. 2123
Assembly Bill No. 2124
Assembly Bill No. 3227

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1951

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 585
Assembly Bill No. 2127
Assembly Bill No. 2825

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CLARKE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1951

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 2530
Assembly Bill No. 2717

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CLARKE, Chairman

Above reported bills ordered to second reading.

Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1951

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which were referred:

Assembly Bill No. 154
Assembly Bill No. 195
Assembly Bill No. 196
Assembly Bill No. 197
Assembly Bill No. 198
Assembly Bill No. 200
Assembly Bill No. 202
Assembly Bill No. 203
Assembly Bill No. 204
Assembly Bill No. 205
Assembly Bill No. 207
Assembly Bill No. 208
Assembly Bill No. 209
Assembly Bill No. 229
Assembly Bill No. 308
Assembly Bill No. 309
Assembly Bill No. 1149
Assembly Bill No. 1744
Assembly Bill No. 1746
Assembly Bill No. 1893

Has has the same under consideration, and reports the same back with the recommendation: Do pass.

WATERS, Chairman

Above reported bills ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 105
House Resolution No. 108
House Resolution No. 109
House Resolution No. 110

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day adopted, as amended:

Assembly Constitutional Amendment No. 9

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 169
Assembly Bill No. 566

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, March 30, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 1025

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time:

Senate Bill No. 1025—An act to amend and renumber Section 39793 of, to add a new Section 39793 to, the Government Code, and to repeal an act entitled "An act authorizing municipal corporations to lease, purchase, own, and operate gravel beds and quarries, and to transport gravel and rock therefrom to such municipal corporations, for the purpose of making, improving, and repairing roads," approved March 27, 1897, relating to facilities in aid of city works and improvements.

Referred to Committee on Municipal and County Government.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 91
Senate Bill No. 147
Senate Bill No. 176
Senate Bill No. 454
Senate Bill No. 554
Senate Bill No. 634
Senate Bill No. 976
Senate Bill No. 1502

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 91—An act to add Section 742.5 to the Vehicle Code, relating to the issuance of warrants

Referred to Committee on Judiciary.

Senate Bill No. 147—An act to amend Sections 2722 and 2724 of the Penal Code, relating to the sale of jute goods.

Referred to Committee on Judiciary.

Senate Bill No. 176—An act to amend Section 17015 of the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 454—An act to amend Section 459 of the Vehicle Code, relating to the powers of local authorities respecting highways and the use thereof.

Referred to Committee on Transportation and Commerce.

Senate Bill No. 554—An act to amend Section 13988.1 of the Revenue and Taxation Code, relating to deduction or expenses and fees in computing inheritance taxes.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 634—An act to amend Section 18734, Business and Professions Code, relating to contestants in boxing contests, or sparring or wrestling matches.

Referred to Committee on Boards and Commissions.

Senate Bill No. 976—An act to amend Section 27293 of the Government Code, relating to the recording of instruments in foreign language

Referred to Committee on Judiciary.

Senate Bill No. 1502—An act to amend Sections 9604, 9605, and 9675 of the Business and Professions Code of the State of California, relating to cemetery brokers.

Referred to Committee on Public Health.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 3, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 752

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted.

Senate Concurrent Resolution No. 38

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 38—Relative to approving certain amendments to the charter of the City of San Bernardino, a municipal corporation in the County of San Bernardino, State of California, voted for and ratified by the qualified electors of said city at a special election held therein on the twentieth day of March, 1951

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Concurrent Resolution No. 16—Relative to dangerous grades on State Highway 101 from San Francisco to the Oregon Border.

And appointed Senators Abshire, Way, and Coombs as a Committee on Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE CONCURRENT RESOLUTION NO. 16

The Speaker announced the appointment of Messrs. Belotti, Grunsky, and Elliott as a Committee on Conference concerning Senate Concurrent Resolution No. 16.

BILL WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 1277, on request of Mr. Caldecott.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1828—An act to amend Section 4707 of the Labor Code, relating to workmen's compensation benefits.

Bill read second time, and ordered engrossed.

Assembly Bill No. 423—An act to add Section 6c to an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 618—An act to amend Sections 1204 and 1206 of the Code of Civil Procedure, relating to claims and liens for labor.

Bill read second time, and ordered engrossed.

Assembly Bill No. 635—An act to amend Section 1501a of the Probate Code, relating to preference of wage claims.

Bill read second time, and ordered engrossed.

Assembly Bill No. 663—An act to amend Section 96 of the Labor Code, relating to assignment of claims.

Bill read second time, and ordered engrossed.

Assembly Bill No. 707—An act to add Section 1.7 to the Judges' Retirement Act, relating to retirement of judges for service.

Bill read second time, and ordered engrossed.

Assembly Bill No. 837—An act to amend Section 8205 of the Government Code, relating to notary public.

Bill read second time, and ordered engrossed.

Assembly Bill No. 901—An act to amend Sections 6087 and 6100 of the Business and Professions Code, relating to discipline of attorneys.

Bill read second time, and ordered engrossed.

Assembly Bill No. 904—An act to add Section 684.1 to the Code of Civil Procedure, relating to the enforcement of judgments.

Bill read second time, and ordered engrossed.

Assembly Bill No. 905—An act to amend Section 2055 of the Code of Civil Procedure, relating to examination of witnesses.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1192—An act to repeal Section 89 of the Code of Civil Procedure as amended by Statutes of 1949, Chapter 1286 and as amended by Statutes of 1949, Chapter 1519, and to add Section 89 to the Code of Civil Procedure, relating to municipal courts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1906—An act to amend Section 5511 of, and to add Section 5512.5 to, the Welfare and Institutions Code, relating to right to jury trial of persons committed as sexual psychopaths.

Bill read second time, and ordered engrossed.

Assembly Bill No. 66—An act to amend Section 1535.4 of the Military and Veterans Code, relating to civil defense.

Bill read second time, and ordered engrossed.

Assembly Bill No. 868—An act to amend Section 19333 of the Government Code, relating to authorizing absences from veterans' homes.

Bill read second time, and ordered engrossed.

Assembly Bill No. 74—An act to amend Section 970 of the Military and Veterans Code, relating to county service officers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 422—An act to amend Section 6a of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out, "nine hundred dollars ($900).", and insert "one thousand dollars ($1,000)."

Amendment No. 2

On page 1, line 13 and 14, of said bill, strike out, "six hundred twenty-five dollars ; ($625) ;", and insert "six hundred seventy-five dollars ($675) ;".

Amendment No. 3

On page 1, line 16, of said bill, strike out "five hundred fifty dollars ($550) ;", and insert "six hundred dollars ($600) ;".

Amendment No. 4

On page 1, line 18, of said bill, strike out "five hundred fifty dollars ($550) ;", and insert "six hundred dollars ($600) ;".

Amendment No. 5

On page 1, line 20, of said bill, strike out "five hundred fifty dollars ($550) ;", and insert "six hundred dollars ($600) ;".

Amendment No. 6

On page 2, line 2, of said bill, strike out "five hundred fifty dollars ($550) ;", and insert "six hundred dollars ($600) ;".

Amendment No. 7

On page 2, lines 3 and 4, of said bill, strike out "four hundred seventy-five dollars, ($475) ;", and insert "five hundred twenty-five dollars ($525) ;".

Amendment No. 8

On page 2, lines 5 and 6, of said bill, strike out "four hundred twenty-five dollars ($425) ;", and insert "four hundred seventy-five dollars ($475) ;".

Amendment No. 9

On page 2 of said bill, strike out lines 7 to 14, inclusive, and insert

"One deputy clerk (while assigned to the department of the presiding judge), four hundred sixty dollars ($460) ;

One deputy clerk (while assigned to the law and motion and small claims department), four hundred sixty dollars ($460) ;

One deputy clerk (while assigned to the master calendar department), four hundred sixty dollars ($460) ;

Eighteen deputy clerks, four hundred fifty dollars ($450) ;

Ten deputy clerks, four hundred dollars ($400) ;

Sixteen deputy clerks, three hundred fifty dollars ($350) ;

Nineteen deputy clerks, three hundred twenty-five dollars ($325) ;

Nineteen deputy clerks, three hundred dollars ($300) ;

Two telephone operators, two hundred seventy-five dollars ($275)

Night shift work and extra compensation A night shift is a tour of duty which commences after 2 p.m. and prior to 6 a.m. Attaches who are required to work a night shift shall be paid 64 percent more than the amount to which they are otherwise entitled."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 424—An act to amend Section 6 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 6", and insert "Sections 6 and 7".

Amendment No. 2

On page 1 of said bill, strike out lines 6 to 8, inclusive, and insert

"(a) There shall be 12 judges, each of whom shall receive fifteen hundred dollars ($1,500) per annum less than the annual salary received by a Judge of the Superior Court of the City and County of San Francisco, payable in equal monthly installments."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, after line 8, insert

"SEC. 2 Section 7 of said act is amended to read:

Sec. 7. The municipal court in a city or city and county of the first and one-half class shall be constituted, and the judges, officers and attaches thereof shall be as herein enumerated and shall have the qualifications and shall receive the compensation herein affixed, as follows:

There shall be 40 judges, who must be registered and qualified electors of the city wherein they are to serve and shall have been admitted to practice before the

Supreme Court of the State for a period of at least five years immediately preceding election or appointment to such office and each of whom shall receive [thirteen thousand five hundred dollars ($13,500)] *fifteen hundred dollars ($1,500)* per annum, *less than the annual salary received by a Judge of the Superior Court of the County of Los Angeles*, payable in equal monthly installments; one clerk to be appointed by the judges of the court who shall receive eight hundred dollars ($800) per month; one marshal to be appointed by the judges of the court, who shall receive eight hundred dollars ($800) per month; one referee to be appointed by the judges of the court who shall receive five hundred dollars ($500) per month."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 902—An act to amend Section 117r of the Code of Civil Procedure, relating to small claims.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 25 and 26, and insert "to pay to the clerk of the court to which the action is so transferred any transmittal, appearance or filing fee in said action, but shall be required to pay the filing and any other fee required of a defendant, if he appears in the action filed against him."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 903—An act to amend Section 214 of the Code of Civil Procedure, relating to juries.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 8, of the printed bill, after "of", strike out "other", and insert "another".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1622—An act to amend Sections 736, 737, 738, 739, and 743.6 of the Vehicle Code, relating to arrests for any violation of the Vehicle Code.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, lines 10 and 11, of the printed bill, after "driving", insert "when such offense causes injury to any person".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1793—An act to amend Section 204e of the Code of Civil Procedure, relating to the duties and compensation of the secretary and jury commissioner of the superior court, and assistants.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 11, of the printed bill, strike out "nine hundred dollars ($900)", and insert "one thousand dollars ($1,000)".

Amendment No. 2

On page 1, line 18, of said bill, strike out "five", and insert "four".

Amendment No. 3

On page 1, line 20, of said bill, after "hundred", insert "fifty".

Amendment No. 4

On page 1, line 21, of said bill, strike out "$400", and insert "$450".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 32—An act to add Section 59.3 to the Alcoholic Beverage Control Act, relating to the hours of sale of alcoholic beverages.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Boards and Commissions:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "off-sale".

Amendment No. 2

On page 1, line 4, of said bill, after "retail", insert "off-sale".

Amendment No. 3

On page 1, line 6, of said bill, strike out "10", and insert "8".

Amendment No. 4

On page 1, line 7, of said bill, strike out "10", and insert "8".

Amendment No. 5

On page 1, line 9, of said bill, after the period, insert "This section shall not apply to licensees doing business in areas designated by the board as bona fide seasonal or resort areas."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3083—An act to amend Sections 6107 and 27381 of the Government Code, relating to issuance of certified copies of public records to veterans.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 6107 and 27381", and and insert "Section 6107".

Amendment No. 2

On page 1, line 25, of said bill, strike out "or of any other public record".

Amendment No. 3

On page 2 of said bill, strike out lines 11 to 22, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1703—An act to amend Sections 53672 and 53673 of the Government Code, relating to the deposit of public moneys with banks.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, after "Sections", strike out "53672 and 53673", and insert "53630, 53651, 53657, 53661, 53662, 53670, 53672, 53673, 53674, 53675, 53676, 53677 and 53678 and to repeal sections 53652, 53653, 53654, 53655, 53656, 53658, 53663, 53664, 53667 and 53668".

Amendment No. 2

Immediately following the preamble of the printed bill, insert

"SECTION 1. Section 53630 of the Government Code is amended to read:

53630. As used in this article:

(a) "Local agency" means county, city, municipality, or other public or municipal corporation.

(b) "Depositary" means bank in which the funds of a local agency are deposited.

(c) *"Security" means only any one or all of the securities or obligations listed hereinafter in Section 53651 of this Article 2.*

SEC. 2. Section 53651 of the Government Code is amended to read:

53651. To secure active or inactive deposits, the depositary shall deposit with the treasurer:

(a) United States Treasury notes, [or] bonds, *bills or certificates of indebtedness*.

(b) Bonds for which the faith and credit of the United States are pledged for the payment [of] *of* principal and interest

(c) Bonds of this State or of any county, city, metropolitan water district, municipal utility district, municipal water district, bridge and highway district, flood control district, school district, water district, water conservation district, or irrigation district within this State [.], *including bonds payable solely out of the revenues from a revenue producing property owned, controlled or operated by such State, county, city or district, or by a department, board, agency or authority thereof.*

(d) Registered warrants of this State.

SEC. 3. Sections 53652, 53653, 53654, 53655 and 53656 of the Government Code are repealed

SEC. 4. Section 53655 of the Government Code is added to read:

53655. The securities deposited to secure active and inactive deposits shall be approved by the treasurer of the local agency. The eligibility of the securities shall be approved by the attorney of the local agency.

SEC. 5. Section 53657 of the Government Code is amended to read:

53657. The market value of the *securities* [notes, bonds, or registered warrants] securing *active or* inactive deposits shall be at least 10 percent in excess of the amount of the deposit secured by them but the amount of the deposit shall not exceed the face value of the *securities* [notes, bonds, or registered warrants].

SEC. 6. Section 53658 of the Government Code is repealed.

SEC. 7. Section 53661 of the Government Code is amended to read:

53661. All or part of the security may be withdrawn or released on the written consent of the treasurer, but a sufficient amount of *securities* [notes or bonds or, when permissable, surety bonds of sufficient penalties] shall always be kept in the treasury to secure the deposits.

SEC. 8. Section 53662 of the Government Code is amended to read.

53662. If a depositary fails to pay all or part of the deposits on the treasurer's demand he shall immediately recover upon or convert the *securities* [notes or bonds] into money and disburse it according to law.

SEC. 9. Sections 53663, 53664, 53667 and 53668 are repealed.

SEC. 10. Section 53670 of the Government Code is amended to read.

53670. The treasurer is chargeable with the safekeeping, management, and disbursement of the *securities* [bonds, notes and certificates of deposit] deposited with him as security, interest thereon, and the proceeds of any sale pursuant to this article.

Amendment No. 3

On page 1, line 1, of the printed bill, strike out "Section 1.", and insert "Section 11"

Amendment No. 4

On page 1, line 4, of the printed bill, strike out "notes or bonds", and insert "securities".

Amendment No. 5

On page 1, lines 9 and 10, of the printed bill, strike out "notes and bonds", and insert "securities".

Amendment No. 6

On page 1, line 11, of the printed bill, strike out "SEC 2." and insert "SEC. 12"

Amendment No. 7

On page 1, lines 13 and 14, of the printed bill, strike out "notes or bonds", and insert "securities".

Amendment No. 8

On page 1, line 19, of the printed bill, strike out "notes and bonds", and insert "securities".

Amendment No. 9

Immediately following the end of the printed bill, insert

"SEC 13. Section 53674 of the Government Code is amended to read

53674. A bank or trust company to which *securities* [notes or bonds] are delivered, either as agent or depositary for a treasurer, shall dispose of the *securities* [notes or bonds] as the treasurer directs. The bank or trust company is responsible only for a strict compliance with the written instructions given it by the treasurer At all times the *securities* [notes or bonds] are subject to the order of the treasurer

SEC. 14. Section 53675 of the Government Code is amended to read

53675 A treasurer shall take from such bank or trust company a receipt for *securities* [notes and bonds] delivered to it.

SEC. 15. Section 53676 of the Government Code is amended to read.

Sec. 53676. The treasurer is not responsible for *securities* [notes or bonds] delivered to and receipted for by any bank or trust company.

SEC. 16 Section 53677 of the Government Code is amended to read:

Sec. 53677 The local agency is not responsible for the custody and safe return of such *securities* [notes and bonds], until they are withdrawn from the bank or trust company by the treasurer.

SEC 17. Section 53678 of the Government Code is amended to read.

Sec. 53678. The charges for the handling and safekeeping of any such *securities* [notes or bonds] are not a charge against the treasurer but shall be paid by the bank owning the *securities* [notes or bonds].

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 2562—An act to amend Section 207 of the Unemployment Insurance Act, relating to a System of Unemployment Compensation Disability Insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1 of the printed bill, strike out lines 14 and 15, and insert "the California Workmen's Compensation Law"

Amendment No. 2

On page 1, line 16, of said bill, strike out "provided", and insert "Provided".

Amendment No. 3

On page 1, line 16, of said bill, after "such", insert "cash".

Amendment No. 4

On page 1 of said bill, strike out lines 20 to 25, both inclusive; and on page 2, strike out lines 1 to 33, both inclusive, and insert "the amount of such cash payments. Provided further that if from the information submitted by the claimant, or otherwise obtained, there is uncertainty or disagreement between the commission, insurer or self-insurer, as the case may be, on the one hand, and the claimant, employer carrying self-insured workmen's compensation or workmen's compensation carrier on the other hand, as to whether or not the individual is eligible to benefits in the form of cash payments under the California Workmen's Compensation Law, the commission, insurer or self-insurer, as the case may be, shall immediately pay benefits under this article if the claimant (1) is otherwise eligible, (2) executes a written lien against such cash benefits arising out of such disability for the amount of benefits paid under this article, and (3) promptly files and diligently prosecutes his application for workmen's compensation benefits under the California law so that the Industrial Accident Commission may make determination of claimant's right under such Workmen's Compensation Law.

(c) An individual shall not be eligible for unemployment compensation disability benefits for any week of unemployment due primarily to a disability, for which week the commission, insurer or self-insurer, as the case may be, believes from the information before it that the claimant is eligible to benefits in the form of cash payments under a workmen's compensation law or employer's liability law of any other state than California or of the Federal Government until there has been a determination by the appropriate agency of government that the individual is not eligible to benefits in the form of cash payments under such a workmen's compensation law or employer's liability law of another state or of the Federal Government. Provided, however, that if the benefits to which the claimant is entitled under a workmen's compensation law or employer's liability law of another state or of the Federal Government are less than the weekly amount he would have received as disability benefits under Article 10 of this act, but for such other act, he shall be entitled to receive for such week, if otherwise eligible, disability benefits, reduced by the amount which he is eligible to receive under such other act."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 2956—An act to repeal Section 7655 of the Public Utilities Code, relating to handling of baggage by railroad corporations and damages in connection therewith.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Utilities and Corporations:

Amendment No. 1

In the title of the printed bill, strike out "repeal", and insert "amend."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1 Section 7655 of the Public Utilities Code is amended to read

7655. A check shall be affixed to every package or parcel of baggage when taken for transportation by any agent or employee of a railroad corporation and a duplicate thereof given to the passenger or person delivering the baggage. If the check is refused on demand, the railroad corporation shall pay to the passenger the sum of twenty dollars ($20), to be recovered in an action for damages [, and no fare or toll shall be collected or received from the passenger, and if the passenger has paid his fare, the fare shall be returned by the conductor in charge of the train

If, upon producing the check, his baggage is not delivered to him by the agent or employee of the railroad corporation, he may recover the value thereof from the corporation.]

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Utilities and Corporations.

Assembly Bill No. 2972—An act to repeal Section 7503 of the Public Utilities Code, relating to the borrowing of money by railroad corporations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Utilities and Corporations:

Amendment No. 1

In the title of the printed bill, strike out "repeal", and insert "amend."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1. Section 7503 of the Public Utilities Code is amended to read:

7503. [A railroad corporation may borrow, on the credit of the corporation and under such regulations and restrictions as the board of directors by unanimous concurrence may impose, such sums of money as are necessary for constructing and completing its railroad, with its equipment, and for the purchase of all necessary rolling stock and all else relative thereto, and may issue promissory notes therefor, or may issue and dispose of bonds to raise money necessary to pay therefor, at a rate of interest not exceeding 10 percent per annum. A railroad corporation may also issue bonds or promissory notes at the same rate of interest in payment of any debts or contracts for constructing and completing its road, with its equipment and rolling stock, and all else relative thereto, and for the purchase of railroads and other property within the purpose of the corporation. Except as provided in Part 1 of Division 1, the amount of bonds, or promissory notes, issued for such purposes shall not exceed in all the amount of its capital stock. To secure the payment of such bonds or notes a railroad corporation may mortgage its corporate property and franchises, or may secure the payments of such bonds or notes by deed of trust of its corporate property and franchises.] Any person or any corporation formed under the laws of this State or of any other state within the United States that the directors of [the] *a* railroad corporation *may* by unanimous concurrence select, may be trustees in [such deed of trust] *any deed of trust securing bonds, debentures, notes, and evidences of indebtedness issued by such railroad corporation.*"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Utilities and Corporations.

Assembly Bill No. 2985—An act to repeal Section 479 of the Civil Code, relating to handling of baggage by railroad corporations and damages in connection therewith.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Utilities and Corporations:

Amendment No. 1

In the title of the printed bill, strike out "repeal", and insert "amend".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1. Section 479 of the Civil Code is amended to read.

479. A check must be affixed to every package or parcel of baggage when taken for transportation by any agent or employee of such railroad corporation, and a duplicate thereof given to the passenger or person delivering the same in his behalf; and if such check is refused on demand, the railroad corporation must pay to such passenger the sum of twenty dollars, to be recovered in an action for damages [; and no fare or toll must be collected or received from such passenger, and if such passenger has paid his fare, the same must be returned by the conductor in charge of the train; and on producing the check, if his baggage is not delivered to him by the agent or employee of the railroad corporation, he may recover the value thereof from the corporation].

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Utilities and Corporations.

Assembly Bill No. 2992—An act to repeal Section 456 of the Civil Code, relating to the borrowing of money by railroad corporations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Utilities and Corporations:

Amendment No. 1

In the title of the printed bill, strike out "repeal", and insert "amend."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1. Section 456 of the Civil Code is amended to read:

456. [Railroad corporations may borrow, on the credit of the corporation and under such regulations and restrictions as the board of directors thereof, by unanimous concurrence, may impose, such sums of money as may be necessary for constructing and completing their railroad, with its equipments, and for the purchase of all necessary rolling stock and all else relative thereto, and may issue promissory notes therefor, or may issue and dispose of bonds to raise moneys necessary to pay therefor, at a rate of interest not exceeding 10 percent per annum; and may also issue bonds, or promissory notes, at the same rate of interest in payment of any debts or contracts for constructing and completing their road, with its equipments and rolling stock, and all

else relative thereto, and for the purchase of railroads and other property within the purpose of the of the corporation The amount of bonds, or promissory notes, issued for such purposes must not exceed in all the amount of their capital stock, and to secure the payment of such bonds, or notes, they may mortgage their corporate property and franchises, or may secure the payments of such bonds, or notes, by deed of trust of their corporate property and franchises.] Any person or any corporation formed under the laws of this State or of any other state within the United States that the directors of [the] *a* railroad corporation may by unanimous concurrence select, may be trustees in [such deed of trust] *any deed of trust securing bonds, debentures, notes, and evidences of indebtedness issued by such railroad corporation.*"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Utilities and Corporations.

Assembly Bill No. 90—An act to add Section 17503 to the Business and Professions Code, relating to false or misleading advertisements.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "17503 to the Business and Professions Code, relating to false or misleading advertisements", and insert "9912 to the Government Code, relating to the advocation of legislation by certain state officers and employees".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 7, inclusive, and insert

"SECTION 1 Section 9912 is added to the Government Code, to read:

9912. No officer, employee, or attache of any state department, agency, bureau, board, or commission, or any person acting in behalf of such officer, employee, or attache, shall in any manner advocate the passage or defeat of legislation by the Legislature. This section shall not prevent such officers, employees, or attaches from advising the Legislature through duly established committees thereof, of the effect of any pending legislation, nor prevent such officers, employees, or attaches from making reports to the Legislature or preparing legislation upon the request of committees or individual Members of the Legislature. No such officer, employee, or attache shall testify at any committee hearing except upon the request of the chairman of the committee."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Rules.

Assembly Bill No. 213—An act to amend Section 204h of the Code of Civil Procedure, relating to the performance of commissioner's duties by judges' secretary, assistant secretary, and clerks.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 11, of the printed bill, strike out "_____ dollars ($_____)", and insert "nine hundred twenty-five dollars ($925)".

Amendment No. 2

On page 1, lines 17 and 18, of said bill, strike out "_____ dollars ($_____)", and insert "five hundred fifty dollars ($550)".

Amendment No. 3

On page 1, line 19, of said bill, strike out "_____ dollars ($_____)", and insert "four hundred ninety-five dolars ($495)".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 214—An act to amend Section 261.5 of the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties, of 2,000,000 population or more.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, lines 10 and 11, of the printed bill, strike out "_____ dollars ($_____)", and insert "seven thousand two hundred sixty dollars ($7,260)".

Amendment No. 2

On page 1, line 13, of said bill, strike out "_____ dollars ($_____)", and insert "five thousand eight hundred twenty dollars ($5,820)".

Amendment No. 3

On page 1, line 15, of said bill, strike out "_____ dollars ($_____)", and insert "five thousand two hundred eighty dollars ($5,280)".

Amendment No. 4

On page 1, line 17, of said bill, strike out "_____ dollars ($_____)", and insert "four thousand six hundred twenty dollars ($4,620)".

Amendment No. 5

On page 1, line 19, of said bill, strike out "_____ dollars ($_____)", and insert "four thousand two hundred ninety dollars ($4,290)".

Amendment No. 6

On page 1, line 22, of said bill, strike out "_____ dollars ($_____)", and insert "three thousand three hundred dollars ($3,300)".

Amendment No. 7

On page 1, line 24, of said bill, strike out "_____ dollars ($_____)", and insert "two thousand seven hundred eighty-four dollars ($2,784)".

Amendment No. 8

On page 2, line 2, of said bill, strike out "_____ dollars ($_____)", and insert "three thousand nine hundred dollars ($3,900)".

Amendment No. 9

On page 2, line 4, of said bill, strike out "_____ dollars ($_____)", and insert "three thousand three hundred dollars ($3,300)".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 215—An act to amend Section 261a of the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties, of 900,000 population or more.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 10, of the printed bill, strike out "_____ dollars ($_____)", and insert "four thousand nine hundred forty-four dollars ($4,944)".

Amendment No. 2

On page 1, lines 12 and 13, of said bill, strike out "_____ dollars ($_____)", and insert "four thousand four hundred forty dollars ($4,440)".

Amendment No. 3

On page 1, line 15, of said bill, strike out "_____ dollars ($_____)", and insert "four thousand four hundred forty dollars ($4,440)"

Amendment No. 4

On page 1 of said bill, strike out lines 16 and 17, and insert "28 senior judicial secretaries, each at a salary of four thousand two hundred ninety dollars ($4,290)".

Amendment No. 5

On page 1, line 19, of said bill, strike out "_____ dollars ($_____)", and insert "three thousand three hundred dollars ($3,300)".

Amendment No. 6

On page 1, lines 21 and 22, of said bill, strike out "_____ ($_____)", and insert "three thousand three hundred dollars ($3,300)".

Amendment No. 7

On page 1, line 24, of said bill, strike out "_____ dollars ($_____)", and insert "four thousand seven hundred forty dollars ($4,740)".

Amendment No. 8

On page 2, line 1, of said bill, strike out "_____ dollars ($_____)", and insert "two thousand five hundred thirty-two dollars ($2,532)".

Amendment No. 9

On page 2, lines 3 and 4, of said bill, strike out "_____ dollars ($_____)", and insert "three thousand seventy-two dollars ($3,072)".

Amendment No. 10

On page 2, lines 6 and 7, of said bill, strike out "_____ dollars ($_____)", and insert "four thousand two hundred dollars ($4,200)".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1029—An act to amend Section 3024 of the Penal Code, relating to term of imprisonment.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "3024", and insert "3024.5".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 24, inclusive; and on page 2, strike out lines 1 to 19, inclusive, and insert

"SECTION 1. Section 3024.5 of the Penal Code is amended to read:

3024.5. When any person received on or after January 1, 1948, at a prison or institution under the jurisdiction of the Director of Corrections, is serving a sentence

in which the legal minimum is five years or more [and has been granted a parole], the Adult Authority may refix his term to discharge such prisoner at any time after he has served two-thirds of such minimum term whenever the authority determines that such person has made a satisfactory adjustment and rehabilitation [on parole] "

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1653—An act to amend Sections 180.7 and 198 of the Vehicle Code, relating to chattel mortgages on vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 19 to 25, inclusive, and insert "198. The method provided in this chapter for giving constructive notice of a chattel mortgage on a vehicle registered hereunder is exclusive, the execution of such chattel mortgage need not be acknowledged or proved and certified, and any such chattel mortgage is excepted from the provisions of Sections 2957, 2959a, 2965 and 2966 of the Civil Code."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 134—An act to add Section 16271.1 to the Education Code, relating to the use of school busses.

Bill read third time.

Demand for Previous Question

Messrs. Silliman, Hansen, Kelly, Hollibaugh, and Gubser demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 134.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Cooke, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Lockslem, Lanterman, Lincoln, Lowrey, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Thomas, and Mr. Speaker—60

NOES—Conrad, Doyle, Geddes, Hinckley, Levering, Lipscomb, Silliman, Smith, Tomlinson, and Waters—10.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1705—An act to amend Sections 2802, 2462, 3591, and 3661 of the Education Code, relating to the formation of school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Cooke, Davis, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—66

NOES—Elliott—1.

Motion to Amend Title

Mr. Moss moved the adoption of the following amendment to the title:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 2, 1951, strike out "2462", and insert "3462".

Amendment read, and adopted.

Bill ordered reprinted, and transmitted to the Senate.

Assembly Bill No. 1726—An act to add Sections 13560 and 13085 1 to the Education Code, relating to certificated employees of school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Cooke, Davis, Dickey, Dills, Dolwig, Doyle Dunn, Erwin, Evans, Fleury Gaffney, Geddes, Grant, Grunsky, Gubser Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 10.40 a m. Hon Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 2930—An act to amend Sections 4663, 4911.1, 4912, and 4912.2 of the Education Code, relating to school districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—70

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant,

Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 665—An act to amend Section 588 of the Vehicle Code, relating to additional parking regulations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Cooke, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—60.

NOES—Beck, Hinckley, and Lowrey—3.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 636

Mr. Evans asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 636, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 636

Assembly Bill No. 636—An act to add Section 31765 to the Government Code, relating to the retirement of county employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILLS NOS. 1093, 1646, 1649, AND 1650 HOLD PLACE ON FILE

Mr. Caldecott asked for, and was granted, unanimous consent that Assembly Bills Nos 1093, 1646, 1649, and 1650 be passed on file, and hold their places on file on the next legislative day.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2120 BE WITHDRAWN FROM FILE, AND BE RE-REFERRED

Mr. Lipscomb asked for, and was granted, unanimous consent that Assembly Bill No. 2120 be withdrawn from the third reading file, and be re-referred to the Committee on Ways and Means.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2506—An act to amend Section 29191 of the Government Code, relating to district budgets.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Waters—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2903—An act to amend Sections 2617, 2619, and 2704 of, and to add Section 2705.5 to, the Revenue and Taxation Code, relating to the time of delinquency of real estate taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1568 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Grant asked for, and was granted, unanimous consent that Assembly Bill No. 1568 be withdrawn from the Committee on Governmental Efficiency and Economy, and be re-referred to the Committee on Civil Service and State Personnel.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 104—An act to amend Section 57.7 of the Unemployment Insurance Act, relating to the benefit rights of trainees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3290—An act to amend Section 30815 of the Water Code, relating to county water districts, in respect to nominations for election to office.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman Smith, Stanley, Thomas, and Tomlinson—70.

NOES—None

Bill ordered transmitted to the Senate.

MEMBER EXCUSED

At 11.04 a m., Mr. Dolwig asked for, and was granted, unanimous consent that Mr. Connolly be excused, for the balance of the legislative day, because of illness.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 99—An act to amend Section 6 11 of the Alcoholic Beverage Control Act, relating to organizations, associations and clubs, and providing for the issuance of on-sale general licenses thereto.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. McCollister moved a call of the Assembly.

Motion carried. Time, 11.15 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Babbage, Brady, Caldecott, Clarke, Sam L Collins, Grant, Grunsky, Gubser, Hagen, Hansen, Rosenthal, Silliman, Smith, and Waters—14

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr McCollister asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2810—An act to repeal Section 12024 4 of the Business and Professions Code, relating to the sale of poultry, fowl, and rabbits by weight, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, and Tomlinson—67.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, and Tomlinson—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2136—An act to amend Section 16024 of the Government Code, relating to the automatic denial of claims against the State of California where the liability of the State is insured.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—67.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 795—An act to add Section 11374 to the Government Code, relating to regulations and the scope and validity of regulations adopted by state agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Tomlinson—54

NOES—Beck, George D. Collins, Condon, Dills, Elliott, Fleury, Hahn, Hawkins, Henderson, McFall, Parker, and Porter—12.

Bill ordered transmitted to the Senate.

BILL WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 736, on motion of Mr. Tomlinson.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS

Senate Bill No. 867—An act to add Section 15427 to the Revenue and Taxation Code, relating to the specific exemption allowable under the Gift Tax Law.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—72.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 292

Mr. Dunn asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 292, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 292

Assembly Bill No. 292—An act to add Section 985.4 to the Military and Veterans Code, relating to farm and home purchases by veterans.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—70

NOES—None.

Bill ordered transmitted to the Senate.

BILL WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 420, on motion of Mr. Silliman.

REQUEST FOR UNANIMOUS CONSENT TO USE ASSEMBLY CHAMBER

Mr. Dunn asked for, and was granted, unanimous consent that the Committee on Education be permitted to use the Assembly Chamber tonight, at 8 p.m., for the purpose of holding a meeting

REQUEST FOR UNANIMOUS CONSENT TO USE ASSEMBLY CHAMBER

Mr. Erwin asked for, and was granted, unanimous consent that the Committee on Fish and Game be permitted to use the Assembly Chamber on Tuesday, April 10th, at 8 p.m., for the purpose of holding a meeting

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 99

At 11.45 a.m., on motion of Mr. McCollister, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 99 passed by the following vote:

AYES—Belotti, Berry, Brady, Chapel, Cloyed, Condon, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Gubser, Hagen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Porter, Sherwin, Stanley, Stewart, and Thomas—41

NOES—Beck, Burke, Burkhalter, Coats, Collier, George D. Collins, Conrad, Erwin, Geddes, Grant, Grunsky, Hahn, Kirkwood, Klocksiem, Lanterman, Levering, Lowrey, McFall, McGee, Moss, Munnell, Niehouse, Parker, Rumford, Shaw, Smith, and Tomlinson—27.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO USE ASSEMBLY CHAMBER

Mr. Sherwin asked for, and was granted, unanimous consent that the Senate Committee on Finance and the Assembly Committee on Ways and Means be permitted to use the Assembly Chamber tomorrow afternoon, at 3 p.m., for the purpose of holding a joint meeting.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 327 FROM COMMITTEE CONTINUED

Mr. Davis asked for, and was granted, unanimous consent that his notice of motion to withdraw Senate Bill No. 327 from committee be continued until the next legislative day.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bill was withdrawn from the file, and re-referred as follows:

Assembly Bill No. 543 re-referred to the Committee on Industrial Relations.

REPORTS OF STANDING COMMITTEES

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Senate Bill No. 148

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

ERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 496

Assembly Bill No. 926

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

ERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 925
Assembly Bill No. 3123

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

ERWIN, Chairman

Above reported bills ordered to second reading.

Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1951

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which were referred:

Assembly Bill No. 138
Assembly Bill No. 147
Assembly Bill No 165
Assembly Bill No. 2889
Assembly Bill No. 1924

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WATERS, Chairman

Above reported bills ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1951

MR. SPEAKER: Your Committee on Legislature Procedure has examined:

Assembly Bill No. 66
Assembly Bill No. 74
Assembly Bill No. 423
Assembly Bill No. 618
Assembly Bill No. 635
Assembly Bill No. 663
Assembly Bill No 707
Assembly Bill No 837
Assembly Bill No. 868
Assembly Bill No. 901
Assembly Bill No. 904
Assembly Bill No. 905
Assembly Bill No. 1192
Assembly Bill No. 1828
Assembly Bill No. 1906

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 1792

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 38

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 25

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Joint Resolution No. 25—Relative to memorializing Congress to enact H. R 3110

Referred to Committee on Rules.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 3 p.m.—

Conservation, Planning, and Public Works, in Room 426.
Governmental Efficiency and Economy, in Room 435.

At 8 p.m.—

Constitutional Amendments, in Room 435.
Municipal and County Government, in Room 426.
Education, in Assembly Chamber.

It was announced that the following committee would hold no meeting today:

Manufacturing, Oil, and Mining Industry.

Next Thursday, April 5th, at 3 p.m —

Joint meeting of Senate Finance and Assembly Ways and Means Committees, in Assembly Chamber.

Next Tuesday, April 10th, at 8 p.m.—

Fish and Game, in Assembly Chamber.

REQUEST FOR UNANIMOUS CONSENT THAT REPORT OF ASSEMBLY MEMBERS TO JOINT LEGISLATIVE COMMITTEE ON OLD AGE ASSISTANCE INITIATIVE BE PRINTED IN JOURNAL

Mrs. Niehouse asked for, and was granted, unanimous consent that the Report of the Assembly Members of the Joint Legislative Committee on the Old Age Assistance Initiative Measure be ordered printed in the Journal, in 10 point type, as follows:

REPORT OF THE ASSEMBLY MEMBERS APPOINTED BY SPEAKER SAM COLLINS TO THE JOINT LEGISLATIVE COMMITTEE ON OLD AGE ASSISTANCE INITIATIVE

Pursuant to Senate Concurrent Resolution No. 2, on January 11, 1951, Speaker Sam L. Collins appointed a seven member committee to meet with a seven member Senate committee, to be known as Joint Legislative Committee on Old Age Assistance Initiative, to study the old age assistance initiative presented by initiative to the Legislature.

Kathryn T. Niehouse was elected Chairman of the Joint Committee, and was also elected Chairman of the Assembly Members of the Joint Legislative Committee on Old Age Assistance Initiative.

The joint committee invited organizations and individuals who had requested hearings to appear before the committee. It gave full hearings to all witnesses who wished to be heard.

After the organization meeting, additional hearings were held on January 18th in the Assembly Chamber, where a two hour presentation was made by George McLain, John C. Henderson, and Frank Gardner of the California Institute of Social Welfare. Others heard were Larry Chandler of the State and Local Government Department of Los Angeles Chamber of Commerce, William R McDougall of the County Supervisors Association of California.

On January 19th, in committee room, those being heard were: State Department of Social Welfare; State Legislative Auditor; Department of Finance, and the California Institute of Social Welfare.

The sponsors, California Institute of Social Welfare, testified that the cost of the initiative would be approximately 55 million dollars, of which $25,060,935 would be the amount the State would assume from the counties present tax load. The Legislative Auditor testified that his estimate of the cost of the initiative would be slightly in excess of 100 million dollars, approximately $19,000,000 the State would assume from the counties present tax load.

Because the initiative measure required action by the Legislature within 40 days, and because there was ambiguity in the Legislative Counsel's opinion defining the 40-legislative day period, the Assembly adopted House Resolution No. 51 on January 23, 1951 This stated: "that the Assembly hereby asserts and claims the right to act on any initiative measure presented to it during the full period of 40 days while the Legislature is in actual session after the receipt by it of such measure, excluding from such 40-day period the days of the mandatory constitutional recess."

Pursuant to House Resolution No. 51, the Assembly members of the Joint Legislative Committee on Old Age Assistance Initiative held meetings and heard additional testimony following the constitutional recess.

Before the constitutional recess in January, 1951, the Senate committee met and reported back to the Senate, "that the initiative measure, old age assistance initiative must be adopted or rejected in January," although the Assembly had adopted the 40-legislative day period.

Inasmuch as the Senate has refused to enact into law the old age assistance initiative prior to the completion of the joint committee hearings, the Assembly committee finds itself constrained to take no further action. The Assembly members of the Joint Legislative Committee being unable to agree on the estimates and other testimony presented at the hearings, are not in agreement on recommendation to the Assembly concerning action on the initiative.

KATHRYN T. NIEHOUSE, Chairman
GORDON R. HAHN
VERNON KILPATRICK
JOHN B COOKE
ROBERT C. KIRKWOOD
EDWARD E. ELLIOTT
FRANK LANTERMAN

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Porter, the usual courtesies of the Assembly for this day were unanimously extended to Warren W. Butler of Compton.

On request of the Los Angeles Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Chief of Police William Parker of Los Angeles.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Pete Hegy, Mrs. Viola Snyder, Virgil Allread, Clarence V. Hart, teachers; and the following pupils of the Fair Oaks School: Meredith Campbell, George Woodmansee, Louise Frei, Gary Burdick, Robert Sims, Scott Knapp, Harry Harper, Fred Hegy, Jean Friedman, Ronald Fiedler, Vernon Harris, Patsy Corothers, Pat Snyder, Jack Ezell, John Fryer, Richard Greathouse, Beckman Green, George Jones, Richard Kirchberger, Scott McCormick, Raymond St Jacques, Robert Robinson, Bill Sturch, Ronald Thompson, and Warner Whiting.

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Teale and Ronald E. Notley, teachers of the Bret Harte School of Hayward, and the following pupils: Clifford Adams, Paul Atkins, Gordon Coulter, Richard Kester, Monte Lowe, Jack Mayberry, Lewis Meyer, John Nobriga, Donald Rubiolo, Doyle Rushing, Paul Selvidge, Carl Soto, William Miranda, Joanne Atkins, Pat Bortell, Beverly Brieto, Jackie Burges, Shirley Chiulos, Karen Crockett, Mary Florez, Carole Hearshman, Lillian James, Barbara Odegaard, Jeanette Moirao, Betty Muniz, Mary Ann Pantages, Betty Lou Valente, Patricia Wells, Janet Kell, and Janet Craig.

On request of Mr. Luckel and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Francis C. Darby and Arthur Eddy of San Diego.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Hartwig, teacher, and the following pupils of the Sylvan School: Leland Alexander, James Auld, Frances Barcellos, Dolores Bedow, Shirley Boucher, Bill Carrico, Gary Clausen, Gladys Conley, Gloria Dallas, Joe Frey, Mary Gammelgard, Fred Givins, James Hicks, Janet Horner, Daniel Juarros, Thelma Kintzley, Alan Leineke, Carol Mason, Jim McClure, Leslie McCray, Donald Meagher, Jerry Nichols, Alan Osgood, JoAnn Poquet, Barry Ross, Loriene St. Hilaire, David Stoddard, Johnie Stone, Jean Sullivan, Jim Thompson, Bill Vergonet, Haskell Vest, Luella Visker, Nelda Volkert, Annette Wilson, and Geraldine Woodbridge.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Nona Thacker, teacher, and the following pupils of the Sylvan School: Albert Alpaugh, Wilma Arcuri, Willa Astill, Marilyn Ballard, James Barnes, Douglas Barstad, Barbara Bell, Lorraine Bell, Clarine Bolin, Alice Bonney, Gerald Burford, Ronnie Call, Wayne Cardell, Harold Chase, James Corbett, Mae Cuillard, Dianne Finney, Barbara Ford, Ronald Ford, Paul Ford, Duane Fowler, Carolyn Goodwin, Helen Galarneau, Jack Garino, Catherine Hart, Eugene Leedy, Billy Lutz, Betty McAfee, Rosemary

McDonald, Paul McNeely, Bob McPherson, Betty Miller, Billy Parker, Bob Peet, JoAnn Putnam, Mary K. Smith, and Agnes Stagl

On request of Mr. Kelly, the usual courtesies of the Assembly for this day were unanimously extended to C. E. Mallachowitz of Bakersfield and Ed Spacke of Tehachapi.

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Paul Vaughn, Glen Ritchey, Mr. and Mrs. Carl Lindgren, Mrs Ann Hedgpeth, Herman Hedgpeth, Ray Lindgren, and E. D. Field, of Keyes, and the following pupils of the Keyes Union School: Robert Bacon, Shirley Beaty, Shirley Baughman, Charles Beckett, Dexter Bledsoe, Frances Brooks, Bill Buck, Joan Caudle, Margie Crabtree Remona Crow, Joan Cunningham, Douglas Doss, Joanne Drum, LeVonne Drum, Jim Dunnagan, Emma Lasater, Carl Linam, Tim Lindgren, Mary McCombs, Carl McGuire, Johnny McGuire, Jim Morris, Wayne Moss, Gene Neil, Elaine Noack, Gerald Oberkamper, Glenn Ritchey, Clifford Sanders, Oliver Shelton, Roy Smiley, Robert Smithcamp, JoAnne Stout, Doris Stout, Pete Taylor, Howard Templeton, Gloria Yonan, Colleen Foote, Bobby Foulks, Joy Green, Barbara Hall, Carl Hogland, Darlene Horton, Odell Hudson, David Jones, and Alton Lasater

On request of Mr. Coats, the usual courtesies of the Assembly for this day were unanimously extended to Mr. Burnett, teacher, and the following pupils of the Yuba City High School: Kay Barkley, Margie Buckley, Jack Bracewell, Derrell Brown, Douglas Bishop, Myrna Dempsey, Virginia Easley, Faye Eastman, Rodger Eliason, Joan Fields, Carl Fox, Beverly Gardner, Jim Glugoshi, Ramona Harris, Bruce Harter, Del Hefiley, Charline Herndon, Norma Howard, Mildred Hurdle, Glenys Jones, Della Gomes, Nelda Kennedy, Arlo Kiebert, Rosalie Dramer, John Littlejohn, Pat Lynn, Virginia May, Doris Milligan, Betty Gargis, Dean Glentzer, Bill McCrady, Byron Newell, Shirlie O'Brien, Bill Otto, Lila Payne, Leo Peters, Don Popovitch, Jerry Poulsen, Joan Sizelove, Don Story, Donna Sutter, Beverly Thomas, Viola Thomas, Phyllis Taylor, Mary Trigueriro, Bill Spratt, Ronnie Trigueriro, Anne Van Antwerp, Pat Walsh, Fred Wainer, Nadine Watson, Evelyn Ware, Ronald Yeates, George Zeleny, Doug Weaver, Joyce Kanada, Christine Roper, Pat Rucker, Helen Samply, Shirley Sams, and Lillian Sandow.

On request of Mr. Babbage, the usual courtesies of the Assembly for this day were unanimously extended to Tom Gore and John Gurney of Riverside.

On request of Mr Clarke, the usual courtesies of the Assembly for this day were unanimously extended to Travis Stinson, teacher, and the following pupils of the Romero School: Bobby Bizzini, Joseph Cotta, Joseph Ferriea, Cecil Lee, Herman Menezes, Eugene Terry, Nelda Beach, Delores Ferriea, Mary Pacheco, Delores Alves, Johnny Lopes, Rosalie Cotta, Carol Souza, Richard Menezes, Edward Terry, Lloyd Vierria, Laura Cardoza, Rita Menezes, Leslie Gomes, Jimmy Lee, Jackie Mendoza, Allen Tipton, Barbara Azevedo, Sandra Carrigg, Carmen Souza, Virginia Menezes, Arlete Enes, and Joyce Stovall.

On request of Messrs. Morris and Levering, the usual courtesies of the Assembly for this day were unanimously extended to Dr. and Mrs Frank Dyer of Santa Monica.

On request of Mr. Stewart, the usual courtesies of the Assembly for this day were unanimously extended to Frank Walkup, Lawrence Lamb, and Courtenay Monsen of Pasadena.

On request of Mr. McFall, the usual courtesies of the Assembly for this day were unanimously extended to Ernest Poletti, teacher, and the following pupils of the Ripon High School: Albert Vasch, Garwood Meyers, Bob Toombs, Victor Burton, Donn Peterson, Douglas Boone, Jim Green, Ruth Sanford, Sadie MacWilliams, John Demichek, Tom Farschon, Dwight Nyquist, Bill Shirley, Joe Nigro, Joe Bodeson, Jr., Bill Jackson, Joe Sanchez, Mary Furtado, Josephine Esteves, Darlene Long, Patsy McClinton, Delores Silva, Marleta Allison, Eleanor Tyler, Wanda Whitmore, and Edna J. Vinclet.

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to James Hester, and C. O. Blose, teachers; and the following pupils of the David E. Martin School of San Lorenzo: Dwight Bristow, Robert Cartwright, Charles Edwards, Raymond Galli, Richard Greager, Thomas Held, Glynn Ivey, Frank Marn, David Nichols, Robert Richardson, Donald Roberts, Gerald Sechler, Edward Smith, William Tidwell, James Tuite, Ronald Van Prooyen, Ronald Whiteman, Robert Zulkowski, Ronald Whitehead, Janice Grieme, Roberta Fash, Patsy George, Jeane Keyes, Eva Levien, Beverly Lewis, Carol McCausland, Patricia Miller, Phyliss Miller, Sheila Minor, Mildred Prettyman, Leanna Smith, Kay Spengler, Sharon Stewart, Barbara Tomilson, Hartensia Trejo, Carolyn Tursick, Jean Whitesell, Sunny Williams, and Loretta Wilson.

ADJOURNMENT

At 11.47 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Thursday, April 5, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Butters, on motion of Mr. Beck.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Kilpatrick, on motion of Mr. Munnell.

ANNOUNCEMENT

Speaker Sam L. Collins announced that the Federal Government is making demands upon the State Printing Plant, and that the State Printer reports the loss of newsprint to the government, and the difficulty of securing new printing supplies.

Speaker Sam L. Collins further announced that, as the cost of printing the names and reports of legislative advocates is approximately $8,000, the State Printer, because of present plant handicaps, requests that he be permitted to print, in the future, the information relative to the legislative advocates in half page form, and at a cost approximating $3,500, instead of the usual $8,000.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, April 4, 1951

To the Senate and Assembly of the State of California

In my message to the Legislature on January 8th, I discussed with you the need for an adequate program for civil defense and the recommendations of the Federal Government as to the cost of such a program. In the course of that discussion I reported to you as follows

> "Congress last week passed, and the President signed, a bill establishing the national policy for civil defense This legislation authorized a $3,000,000,000 program, its cost to be borne by Federal, State and local Government Congress has yet to appropriate the federal share and to determine the rules under which it will be administered in the states It is estimated it will be necessary for the State of California and its subdivisions to contribute an aggregate of $140,000,000 to $150,000,000 to the program. The proportion in which this burden must be shared by the state and local governments will have to be determined by the Legislature"

The situation as I represented it at that time has not changed materially, either so far as need for our state program is concerned or from the standpoint of the development of a federal program. However, on March 27, 1951, General George Marshall, Secretary of National Defense, was quoted as follows in the press:

> "The world situation now as I see it is more serious than it was last November."

This means that the time left to us for preparation is diminishing day by day whether the deadline against which we are working is a Third World War or a mobilization of the free countries of the world, sufficient in strength to avoid such a war.

During these interim months, the federal policy on civil defense has not been further clarified, nor has the announced program been advanced to keep pace with the national defense program and the military situation

No federal legislation on civil defense has been enacted since last December and no appropriation for the purpose has been made. As a result, the Federal Civil Defense Administration has given little guidance except to recommend the appropriation of state matching funds based on its proposed budget which is awaiting congressional action.

This, however, does not affect our responsibility to prepare for the civil defense of our State to the very best of our ability, and I do not propose that it shall. It does, however, affect the accuracy of my reporting to you and precludes any breakdown of the amounts required for specific purposes Notwithstanding, the Legislature is entitled to know at this time not only what progress we are making but also what funds are needed in the next fiscal year for the development of our program

When I reported to you in January it was estimated under federal policy that California and its local governments would be required to contribute an aggregate of $140,000,000 to $150,000,000. It was understood the major portion of the amount was to be expended for bomb shelters recommended by the Federal Government.

After attending the Governors' Conference with the Federal Director of Civil Defense, and further studying the matter, I believe I should say to you now that no money should be appropriated for bomb shelters at this time.

It is obvious that the Federal Government has no well-defined plans on the subject. No specifications or even types of communal shelters have been recommended for construction; no criteria have been established for the alteration of existing structures to fit them for use as bomb shelters and no federal appropriations have been made for either purpose

The Federal Government is the only agency that can possibly have sufficient knowledge to determine what kind of mass shelters, if any, can be made effective, or that can appropriate the basic funds to make a mass shelter program a reality. Unless and until it does these things it would be folly for the State to initiate a shelter program.

There are certain things, however, that the State must do if we are to have an adequate civil defense program. We must have both state and regional command posts, a communications system connecting us with every city and county in the State, mobile support and rescue equipment. We know also that there are other things involving both organization and equipment that must be contributed by the local governments. I have given careful consideration to the matter of equitable distribution of the cost of civil defense expenditures between the State and local units of government, and submit the following for your consideration:

1. Where the purposes are clearly for statewide usage, the fiscal responsibility should unquestionably be borne by the State. I consider the following items in this category:

a. Fire-fighting equipment retained under state control for general reserve.

b. Mobile support equipment, designed for general use under state control.

c Statewide communications down to cities and counties.

d Medical supplies. These are for first aid stations and for immediate supplies for the first four to six hours for emergency hospitals.

2. Where the expenses incurred are purely for local purposes, the local governments should defray the entire cost exclusive of such federal funds as may be provided on a matching basis Major items in this category are:

a. Local administrative costs, including civil defense personnel and installations such as intelligence centers

b Individual uniforms and equipment for auxiliaries, reserves and other Civil Defense Corps volunteers

c Local communications equipment including air raid warning equipment such as sirens

d. Rescue equipment other than in mobile support units.

What the cost of these items will be to the State is more or less a matter of conjecture, but the best estimates available are that it will be somewhere between $10,000,000 and $15,000,000. I therefore recommend that the Legislature appropriate a sum within the range of the estimates. In fixing the amount you will undoubtedly take into consideration the formula you have in mind for dividing the cost of civil defense between the State and local governments. At all events this should be a nonrecurring expenditure unless we are subjected to attack, because it is designed to provide the bulk of supplies and equipment required to meet the basic needs in organizational equipment and supplies for the State's share of the civil defense program so far as they can be foreseen at this time. Because for a matter of several weeks it will still be impossible to determine whether our surplus at the end of this fiscal year will be able to meet such an appropriation, I recommend that whatever amount the Legislature agrees upon shall be appropriated from the $75,000,000 Revenue Deficiency Reserve Fund, commonly known as the Rainy Day Fund. As you will remember, the Legislature in the Third Extraordinary Session held during September of last year made this fund available for expenditure in the event of extreme emergency as defined in Section 1505 of the Military and Veterans Code. Under the provisions of this act, transfers may be made to the Emergency Fund upon direction of the Governor, the State Controller and the Director of Finance and pursuant to the recommendations of the California State Disaster Council for expenditure in the relief and alleviation of conditions during a period of extreme emergency. By this action, the reserve became not only a savings account against a "rainy day" in state revenues but also a genuine emergency fund. I believe it is proper to draw upon this reserve to meet our present need for civil defense equipment such as that herein contemplated, because it is certainly in preparation for a "Rainy Day." However, I believe that the Rainy Day Fund

is not too large for the established purpose and should be reimbursed from any excess General Fund revenue which may be received over and above the amounts estimated for the 1950-1951 Fiscal Year as shown in the Governor's Budget for 1951-1952.

During the present period of uncertainty regarding emergency needs and revenue receipts, the revenue deficiency reserve could be made a stabilizing feature in the management of state fiscal affairs. To this end I recommend that the Legislature give consideration to the transferring of any surplus General Fund revenues which may develop in future years in excess of the budget estimates to the Revenue Deficiency Reserve Fund. If this should be done, the reserve would become a reservoir to hold unneeded funds until adjustments could be made in the State's finance program or be drawn upon when revenue receipts fall below budget expectations.

I regret that I cannot be more specific in my recommendation for appropriations for civil defense. But the future of our international relations cannot be foreseen and we are largely dependent upon federal policy and programs. I have recommended what appears to me to be an adequate but conservative amount because I realize that the Legislature will be in session next March, and if necessary a deficiency appropriation can be made at that time. At all events if conditions change and further appropriations are needed, I will immediately report the matter to you and seek your cooperation.

I believe we must be serious about civil defense. Halfway measures will not suffice because a partial defense program is no program and our preparation of necessity is only partial at the present time. In order that you might know what has been done up to the present time, I submit the following brief report:

Summary of Civil Defense Operation

In conformity with the Civil Defense Act of 1950, the Office of Civil Defense was established October 2, 1950, and immediately undertook the civil defense program for California.

Although it has been in operation only six months, and has been handicapped by lack of guidance and assistance at federal level, it has laid a comprehensive and sound foundation for further progress. Its accomplishments have been material and have placed California among the leading states in the civil defense program

Among those accomplishments are:

Organization of the Office of Civil Defense itself, with a comprehensive, diversified, and efficient staff.

Production of an over-all state plan, including 10 operational annexes for guidance of lower political governments.

Completion of organization and initiation of regional planning in five of the 10 regional offices. The remaining five are in process of organization at this time

Supplying of current guidance and assistance to statewide civil defense agencies through some 23 bulletins and 11 newsletters.

Provision through original publication and reprint, for local use, civil defense guides, manuals, and instructional material, including reprint of 3,000,000 copies of the pamphlet, "Survival Under Atomic Attack," and printing and distribution of 500,000 registration forms for volunteer workers.

Organization of a statewide educational program on civil defense through newspapers, periodicals, radio, and television. Every radio station in the State (150) is undertaking a weekly broadcast.

Furnishing of guidance and assistance to local governments in the organization of disaster councils, (58 counties and 256 cities now accredited) the setting up of planning staffs at all levels and the initiation of local operational plans. Plans are estimated 50 percent complete statewide. Secured adoption by 53 counties and 255 incorporated cities of the Master Mutual Aid Agreement

Organization, with the assistance of the Department of Education, of eight law enforcement training schools which have trained 214 instructors now engaged in training 10,000 auxiliary officers in 30 counties.

Training of 38 nurses in radiation fundamentals.

Organization of the first school for radiological monitoring.

Cooperation with the American Red Cross in training 56,025 graduate first aiders, including 4,133 instructors, plus 500,000 first aiders now being trained California now has more than 8,000 instructors and 700 instructors to train instructors

Enlistment of the State's 715 daily and weekly newspapers in printing more than 6,000,000 words on civil defense and its radio stations in broadcasting more than 700 hours

Initiation of survey of facilities available for shelter purposes in all critical target areas

Completion of survey on all fire and heavy engineering equipment statewide

Organization of aircraft warning service statewide, with regular alerts held bi-weekly. Recruitment of observers and establishment of posts for Ground Observer Corps

Initiation of the recruitment, organization and training of Civil Defense Warden Service. Estimated 60 percent complete.

This report is to April 1, 1951, and the work is progressing daily.

Finally, I believe I can fairly report to you that no state has accomplished more to date, and that most of them have accomplished less.

We will try at all times to keep among the leaders of the states, anticipating as best we can the program of the Federal Government and the needs of the people of California.

Respectfully yours,

EARL WARREN, Governor

REPORTS OF STANDING COMMITTEES

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 1971

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 1054
Assembly Bill No 1739
Assembly Bill No. 1865
Assembly Bill No 3029
Assembly Bill No. 3066

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1951

MR SPEAKER. Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 2347

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1951

MR SPEAKER Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 1977
Assembly Bill No. 1979

Has had the same under consideration, and reports the same back with the recommendation: Do pass

STANLEY, Chairman

Above reported bills ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 32

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 90
Assembly Bill No 213
Assembly Bill No. 214
Assembly Bill No. 215
Assembly Bill No. 1029
Assembly Bill No 1653
Assembly Bill No. 1703
Assembly Bill No. 2562
Assembly Bill No. 2956
Assembly Bill No. 2972
Assembly Bill No. 2985
Assembly Bill No. 2992

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 422
Assembly Bill No. 424
Assembly Bill No. 902
Assembly Bill No. 903
Assembly Bill No. 1793
Assembly Bill No. 3083

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 2085

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 1586
Assembly Bill No. 1587

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 1562
Assembly Bill No. 2795

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

DUNN, Chairman

Above reported bills ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 1567
Assembly Bill No. 2499

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Senate Bill No. 453
Senate Bill No. 666

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 900
Assembly Bill No. 1180
Assembly Bill No. 1264
Assembly Bill No. 1317
Assembly Bill No. 2311
Assembly Bill No. 2312
Assembly Bill No. 2313
Assembly Bill No. 2315
Assembly Bill No. 2794

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bills ordered to second reading.

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Assembly Bill No. 1531

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which were referred:

Assembly Bill No. 1528
Assembly Bill No. 2361

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

NIEHOUSE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Assembly Bill No. 3080

Has had the same under consideration, and reports the same back with the recommendation: Be re-referred to Committee on Education.

NIEHOUSE, Chairman

Above reported bill ordered re-referred to the Committee on Education.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which were referred:

Assembly Bill No. 359
Assembly Bill No. 446
Assembly Bill No. 449
Assembly Bill No. 1529

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

NIEHOUSE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which were referred:

Assembly Bill No. 1532
Assembly Bill No. 1535

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

NIEHOUSE, Chairman

Above reported bills ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 961

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 525
Assembly Bill No. 615
Assembly Bill No. 1504
Assembly Bill No. 1790
Assembly Bill No. 2140
Assembly Bill No. 3368

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 1060
Assembly Bill No. 1241
Assembly Bill No. 3017

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 612
Assembly Bill No. 613
Assembly Bill No. 614
Assembly Bill No. 643
Assembly Bill No. 957
Assembly Bill No. 1033
Assembly Bill No. 1242
Assembly Bill No. 1812
Assembly Bill No. 1813
Assembly Bill No. 1958
Assembly Bill No. 2899
Assembly Bill No. 3375

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bills ordered to second reading.

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: Your Committee on Public Health, to which was referred Assembly Bill No. 2840

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

CONNOLLY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: Your Committee on Public Health, to which was referred: Assembly Bill No. 1204

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

CONNOLLY, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1951

MR. SPEAKER: Your Committee on Public Health, to which was referred Assembly Bill No. 16

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and re-refer to Committee on Ways and Means.

CONNOLLY, Chairman

Above reported bill ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1951

MR SPEAKER: Your Committee on Public Health, to which was referred Assembly Bill No. 3020

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CONNOLLY, Chairman

Above reported bill ordered to second reading.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which was referred Assembly Bill No. 1908

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1951

MR SPEAKER: Your Committee on Fish and Game, to which was referred: Assembly Bill No. 1907

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

ERWIN, Chairman

Above reported bill ordered to second reading.

Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1951

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which was referred:

Assembly Bill No. 1082

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WATERS, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 4, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 126
Assembly Bill No. 127
Assembly Bill No. 128
Assembly Bill No. 130
Assembly Bill No. 131
Assembly Bill No. 352
Assembly Bill No. 353
Assembly Bill No. 390

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 4, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 143
Senate Bill No. 155
Senate Bill No. 198
Senate Bill No. 397
Senate Bill No. 500
Senate Bill No. 647
Senate Bill No. 740
Senate Bill No. 805
Senate Bill No. 806
Senate Bill No. 810
Senate Bill No. 818
Senate Bill No. 956
Senate Bill No. 964
Senate Bill No. 977
Senate Bill No. 1110
Senate Bill No. 1257
Senate Bill No. 1575

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 143—An act to amend Section 5075 and to add Sections 5076.1 and 5076.2 to the Penal Code, relating to the Adult Authority.

Referred to Committee on Judiciary.

Senate Bill No. 155—An act to amend Section 409 of the Education Code, relating to the salary and credential of county superintendents of schools.

Referred to Committee on Education.

Senate Bill No. 198—An act to amend Section 16 of the Industrial Loan Act, relating to the publication of financial information.

Referred to Committee on Finance and Insurance.

Senate Bill No. 397—An act to add Section 1005.1 to the Elections Code, relating to consolidation of elections

Referred to Committee on Elections and Reapportionment

Senate Bill No. 500—An act to amend Section 4753 of the Labor Code, relating to workmen's compensation and insurance, in respect to deductions in the computation of subsequent injuries payments.

Referred to Committee on Finance and Insurance.

Senate Bill No. 647—An act to amend Section 28109 of the Government Code, relating to compensation for public services in counties of the ninth class.

Referred to Committee on Municipal and County Government.

Senate Bill No. 740—An act to add Section 18652 to the Business and Professions Code, relating to boxing and wrestling.

Referred to Committee on Boards and Commissions.

Senate Bill No. 805—An act to amend Section 7303 of the Business and Professions Code, relating to the State Board of Cosmetology.

Referred to Committee on Public Health.

Senate Bill No. 806—An act to amend Sections 7330, 7373, and 7382 of the Business and Professions Code, relating to the practice of cosmetology.

Referred to Committee on Public Health.

Senate Bill No. 810—An act to repeal Section 2836 and to amend Section 2837 of the Elections Code, relating to county central committees.

Referred to Committee on Elections and Reapportionment.

Senate Bill No. 818—An act to amend Sections 14796 and 14797 of the Revenue and Taxation Code, relating to inheritance tax commissions of county treasurers.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 956—An act to amend Section 1520 of the Welfare and Institutions Code, relating to aid to needy children in respect to real property qualifications for aid.

Referred to Committee on Social Welfare.

Senate Bill No. 964—An act to add Section 8215 to the Government Code, relating to notaries public

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 977—An act to add Section 13920.1 to, and to amend Section 1094 of, the Government Code, relating to the powers of the State Board of Control and the use of certificates under penalty of perjury in lieu of affidavits.

Referred to Committee on Judiciary.

Senate Bill No. 1110—An act to amend Section 19259 of the Government Code, relating to employees who have completed 25 or more years of state service.

Referred to Committee on Civil Service and State Personnel.

Senate Bill No. 1257—An act to amend Section 205.5 of the Agricultural Code, relating to livestock, including provisions for the protection thereof.

Referred to Committee on Agriculture

Senate Bill No. 1575—An act to add Article 1.3, constituting Sections 3210 through 3216, to Chapter 2 of Division 5 of the Welfare and Institutions Code, relating to the establishment of a Coordinating Board on State Programs for the Blind.

Referred to Committee on Social Welfare.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 4, 1951

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 24

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Joint Resolution No. 24—Relative to memorializing Congress to consider the use of California State Highway Sign Route No. 88 as a principal East-West traffic artery for civil and military defense.

Referred to Committee on Rules

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 4, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted.

Senate Constitutional Amendment No. 3

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 1a to Article XVIII thereof, relating to proposed constitutional amendments requiring the expenditure of state funds.

Referred to Committee on Constitutional Amendments.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1124—An act to amend Sections 131.5 and 133 of the Civil Code, relating to interlocutory and final judgments of divorce.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1206—An act to add Section 5326 to the Business and Professions Code, relating to outdoor advertising license fees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2341—An act to amend Section 84 of the Civil Code, relating to award of custody of children of annulled marriage.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2342—An act to add Section 88 to the Civil Code, relating to restoration of name in action to annul or void marriage.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2647—An act to amend Sections 963 and 983 of the Code of Civil Procedure, relating to appeals.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2123—An act to amend Sections 735.1 and 735.4 of the Agricultural Code, relating to fluid milk and fluid cream.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2124—An act to amend Sections 654 and 655 of Article 7 of the Agricultural Code, relating to imitation milk and imitation cream.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3227—An act to amend Section 73 of the Agricultural Code, relating to fairs and expositions.

Bill read second time, and ordered engrossed.

Assembly Bill No. 154—An act to amend Section 658 of the Election Code, relating to the eligibility of election officers

Bill read second time, and ordered engrossed.

Assembly Bill No. 195—An act to amend Section 2540 of the Elections Code, relating to qualified political parties.

Bill read second time, and ordered engrossed.

Assembly Bill No. 196—An act to amend Sections 7964 and 7971 of the Elections Code, relating to canvass

Bill read second time, and ordered engrossed.

Assembly Bill No. 197—An act to amend Section 7964.5 of the Elections Code, relating to canvass.

Bill read second time, and ordered engrossed.

Assembly Bill No. 198—An act to amend Sections 8001, 8002, 8003, 8004, 8005, and 8008 of the Elections Code, relating to recount of ballots

Bill read second time, and ordered engrossed.

Assembly Bill No. 200—An act to amend Section 9050 of the Elections Code, relating to elections.

Bill read second time, and ordered engrossed

Assembly Bill No. 202—An act to amend Section 32002.2 of the Health and Safety Code, relating to elections in hospital districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 203—An act to amend Section 5026 of the Streets and Highways Code, relating to the adoption and change of street names and providing for due notification by the cities effecting such changes to the county clerk and county surveyor of the county in which the city is situated.

Bill read second time, and ordered engrossed.

Assembly Bill No. 204—An act to amend Sections 19090, 19091, 19092, 19094, and 19250 of the Streets and Highways Code, relating to calling and conducting elections

Bill read second time, and ordered engrossed.

Assembly Bill No. 205—An act to amend Section 2707 of the Elections Code, relating to publications

Bill read second time, and ordered engrossed.

Assembly Bill No. 207—An act to amend Sections 2574, 2576, 2111, 2152, 2155, 2301, 2350, 2353, and 2402 of the Elections Code, relating to forms pertaining to primary elections.

Bill read second time, and ordered engrossed.

Assembly Bill No. 208—An act to amend Sections 2571 and 2573 of the Elections Code, relating to elections

Bill read second time, and ordered engrossed

Assembly Bill No. 209—An act to amend Section 2454 and repeal Sections 2455, 2456, 2457, 2458, and 2459 of the Elections Code, relating to county central committees

Bill read second time, and ordered engrossed.

Assembly Bill No. 229—An act to amend Sections 5565 and 5724 of the Elections Code, relating to the conduct of elections

Bill read second time, and ordered engrossed.

Assembly Bill No. 308—An act to amend Sections 5505 and 5508, and to repeal Section 5562 of the Elections Code, relating to the conduct of elections.

Bill read second time, and ordered engrossed

Assembly Bill No. 309—An act to amend Sections 1708 and 1709 of the Elections Code, relating to municipal initiative elections

Bill read second time, and ordered engrossed

Assembly Bill No. 1149—An act to amend Sections 6728 and 6757 of, and to add Sections 6701.5 and 6742.5 to, the Elections Code, relating to elections conducted under the punch card voting system.

Bill read second time, and ordered engrossed

Assembly Bill No. 1744—An act to amend Section 667 of the Elections Code, relating to precinct boards

Bill read second time, and ordered engrossed.

Assembly Bill No. 1746—An act to amend Section 668 of the Elections Code, relating to precinct boards.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1893—An act to add Section 5620.5 to the Elections Code, relating to grounds for challenge.

Bill read second time, and ordered engrossed.

Assembly Bill No. 255—An act to amend Sections 2233 and 2233.5 of the Welfare and Institutions Code, relating to recovery of old age security aid received in violation of the law.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "conclusively".

Amendment No. 2

On page 1, line 10, of the printed bill, after "entitled", strike out ", under such".

Amendment No. 3

On page 1, line 11, of the printed bill, at the beginning of the line, strike out "presumption,".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 503—An act to add Section 597g to the Penal Code, defining the crime of poling of horses and prescribing the penalty for such crime.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 2, of the printed bill, after "of", insert "(1)".

Amendment No. 2

On page 1, lines 4 and 5, of said bill, strike out "a pole, stick, wire, rope, or other object, or".

Amendment No. 3

On page 1, line 7, of said bill, after "thereto", insert "or (2) raising, throwing or moving a pole, stick, wire, rope or other object, against one or more of the legs of a horse while it is jumping an obstruction".

Amendment No. 4

On page 1, line 8, of said bill, after "horse", insert ", in either case,"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 841—An act to add Section 2000 of the Government Code, dealing with the filing of claims against the State, district, county, city, or city and county.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 7, of the printed bill, after "employee", strike out "thereof", and insert "acting within the course and scope of his employment".

Amendment read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 1188—An act to provide for notification of release from custody of persons convicted of arson

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 9, of the printed bill, after "SEC. 2", strike out "At least 15 days prior to the", and insert "Within five days after".

Amendment No. 2

On page 1, lines 4, 5, and 6, of the printed bill, strike out "the Superintendent of the State Bureau of Criminal Investigation and Identification", and insert "the State Bureau of Criminal Identification and Investigation"

Amendment No. 3

On page 1, lines 12 and 13, of said bill, strike out "to the officials designated in that section".

Amendment No. 4

On page 1, lines 19 and 20, of said bill, strike out "Superintendent of the State Bureau of Investigation and Identification", and insert "State Bureau of Identification and Investigation".

Amendments read, and adopted
Bill ordered reprinted, and engrossed.

Assembly Bill No. 1199—An act to add Sections 31114 and 31115 to the Government Code and to add Article 6, comprising Sections 45200, 45201, and 45210 to Chapter 1, Division 5, Title 4 of the Government Code, relating to city and county civil service.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 6, of the printed bill, after "or", insert "certification for".

Amendment No. 2

On page 2, line 17, of said bill, after "or", insert "certification for".

Amendments read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 2131—An act to amend Sections 1 and 1.5 of, and to add Sections 1.1, 1.2, 1.3, and 1.4 to, the Judges' Retirement Act, and to amend Section 2 of, and to add Sections 4.7 and 7.5 to, the Judges'

Retirement Fund Act, relating to the State System for the Retirement of Judges and Justices.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "and 1.5", and insert ", 1.5, and 4".

Amendment No. 2

On page 3, line 14, of said bill, strike out "provision or".

Amendment No. 3

On page 3, line 18, of said bill, after the period, insert "A judge or justice of any other court does not acquire status as a judge for the purposes of this act by reason of designation as a judge pro tempore of, or assignment by the Judicial Council or the chairman thereof to, any of the said courts."

Amendment No. 4

On page 3, line 21, of said bill, after "by reason of", insert "designation as a judge pro tempore or".

Amendment No. 5

On page 3, line 22, of said bill, after "Council", and before the period, insert "or the chairman thereof".

Amendment No. 6

On page 3, line 45, of said bill, after "applicable", insert "to judges' salaries".

Amendment No. 7

On page 3, line 46, of said bill, strike out "of the judicial office specified in Section 2.", and insert "which the judge last received as the incumbent of a judicial office to which he was elected by the people."

Amendment No. 8

On page 4 of said bill, strike out lines 11 to 13, inclusive, and insert "acquire status as a judge, nor shall any person's status as a judge be affected, by any such designation or assignment."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 9

On page 5 of said bill, between lines 6 and 7, insert

"SEC. 7. Section 4 of the Judges' Retirement Act is amended to read:

Sec. 4. Every [justice or] judge retired for disability shall receive a retirement allowance payable in the same manner as the allowance above provided, which shall be computed as follows:

(a) If eligible to retire under the provisions of Section 1, he shall receive the allowance provided in Section 2.

(b) *Except as provided in Section 5, if he is not eligible to retire under the provisions of Section 1,* he shall receive an allowance equal to one-half of the salary which he last received as the incumbent of a judicial office, which allowance shall be paid to him for five years from the date of his retirement, and thereafter for a period of time equal to the period, if any, by which his aggregate service as a [justice or] judge [of one or more of said courts] exceeds five years."

Amendment No. 10

On page 5, line 7, of said bill, strike out "SEC. 7.", and insert "SEC. 8"

Amendment No. 11

On page 5, line 21, of said bill, strike out "SEC. 8", and insert "SEC. 9."

Amendment No. 12

On page 5 of said bill, strike out lines 23 to 29, inclusive, and insert

"Sec. 4.7. Unless the context otherwise requires, as used in this act "judge" and "salary" have the meanings set forth in Section 1.1 of the Judges' Retirement Act."

Amendment No. 13

On page 5, line 30, of said bill, strike out "SEC. 9.", and insert "SEC. 10."

Amendment No. 14

On page 4, line 40, of said bill, after "the", insert "rate of"

Amendment No. 15

On page 5, line 4, of said bill, after "the", insert "rate of".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2530—An act to add Sections 92.1 and 94.7 to the Agricultural Code, relating to fairs and expositions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 29, 1951, strike out "Sections 92.1 and 94.7", and insert "Section 92.1".

Amendment No. 2

On page 1 of said bill, strike out lines 22 to 26, inclusive

Amendments read, and adopted

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2717—An act to add Section 6515 to the Welfare and Institutions Code, relating to purchase of oleomargarine for state institutions

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 22, 1951, strike out "add Section 6515 to the Welfare and Institutions", and insert "amend Section 656 of the Agricultural".

Amendment No. 2

On page 1, lines 1 and 2, of said bill, strike out "6515 is added to the Welfare and Institutions Code," and insert "656 of the Agricultural Code is amended".

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 6, inclusive, and insert

"656 No imitation of milk product shall be used in any of the charitable or penal institutions that receive assistance from the State; *provided, however, that whenever the State is unable to purchase or to acquire surplus butter from the Federal Government the Department of Finance may purchase for use in state institutions colored oleomargarine when requested to do so by the director of the department having control of any state institutions for which such product is intended.*"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3226—An act to amend Section 737.11 of the Agricultural Code, relating to the purchase of fluid milk and fluid cream.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

On page 2, line 24, of the printed bill, strike out "24 hours", and insert "4 days".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 496—An act to amend Section 736 of the Fish and Game Code, relating to fish.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 4, of the printed bill, after the period, insert "The provisions of this section shall be operative until and including December 31, 1953 and thereafter shall have no force or effect."

Amendment No. 2

In line 2 of the title of the printed bill, after "fish", insert ", to take effect immediately".

Amendment No. 3

On page 1 of said bill, after line 6, insert

"SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are:

This act will delete a limitation on the maximum size of yellow fin or blue fin tuna which may be sold. This limitation would become operative on June 30, 1951.

Due to the condition of the present and prospective available supply of yellow fin and blue fin tuna weighing less than 150 pounds, it is apparent that if this limitation becomes operative it will seriously curtail the available amount of this valuable sea food

It is therefore necessary that this act go into immediate effect so that it will delete the limitation from the law before such limitation becomes operative"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 926—An act to amend Section 330 of the Fish and Game Code, relating to the acquisition and administration of refuges, game farms, preserves, and public shooting grounds

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 3, of the printed bill, after "from", insert "real".

Amendment No. 2

On page 1, line 7, of said bill, strike out "public shooting grounds", and insert "wildlife management areas".

Amendment No. 3

On page 1, line 8, of said bill, strike out "so"

Amendment No. 4

On page 1 of said bill, after line 16, insert

"As used in this section, the term "wildlife management area" includes waterfowl management areas, deer ranges and public shooting grounds, and upland game bird management areas and public shooting grounds."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 138—An act to amend Sections 5736 and 7101, and to repeal Section 7102 of the Elections Code, relating to elections.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

On page 1, line 15, of the printed bill, strike out "shall", and insert "may".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 147—An act to amend Section 3830 of the Elections Code, relating to ballots.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

Amend facsimile of ballot to show the words "for President", and directly under it "for Vice President", to the right of the blank space provided for write-in candidates for presidential electors.

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 165—An act to amend Section 3702 of the Elections Code, relating to ballot paper.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 17, inclusive, and insert

"3702. This paper shall be watermarked with a design, to be furnished by the Secretary of State, so that the watermark shall be plainly discernible on the outside of the ballot when folded according to law. The design shall be kept secret from all persons not engaged in the preparation, printing, or distribution of the paper or ballots, until the day of election. The design shall be changed for each general election, and the same design shall not be used again at any general election within the space of five years; but at any special or local election, paper marked with the design used at the previous election may be used."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2889—An act to amend Sections 668, 668.5, 669, and 673 of, and to repeal Sections 670, 671, 672, 672.5, and 674 of, the Elections Code, relating to the publication of the list of precinct officers and polling places.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

On page 1 of the printed bill, strike out line 16, and insert

"669. In each county having a population of one million persons or more the board of super-".

Amendment No. 2

On page 1, line 17, of said bill, strike out "of any county".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1924—An act to amend Sections 1402, 1404, and 11001 of the Elections Code, relating to the form of initiative, referendum, and recall petitions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

On page 2, line 45, of the printed bill, strike out ", in not to exceed 20 words,".

Amendment No. 2

On page 3, lines 21 and 22, of the printed bill, strike out ", in not to exceed 20 words,".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1792—An act to amend Section 261e of the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties, having a population between 600,000 and 900,000.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, after "of", and before "the", insert ", and to add Section 263 to,".

Amendment No. 2

In the title of said bill, strike out lines 3 and 4, and insert "and counties"

Amendment No. 3

On page 1, line 10, of said bill, strike out "five", and insert "six"

Amendment No. 4

On page 1 of said bill, strike out line 11, and insert "dollars ($6,000) per annum;".

Amendment No. 5

On page 1 of said bill, strike out line 13, and insert "four thousand two hundred dollars ($4,200) per annum;".

Amendment No. 6

On page 1, line 14, of said bill, strike out "seven", and insert "nine".

Amendment No. 7

On page 1 of said bill, strike out line 15, and insert "hundred dollars ($3,900) per annum;".

Amendment No. 8

On page 1, line 16, of said bill, strike out "Three", and insert "Two".

Amendment No. 9

On page 1 of said bill, strike out lines 17 and 18, and insert "of three thousand three hundred dollars ($3,300) per annum;".

Amendment No. 10

On page 1, line 21, of said bill, after "thousand", strike out "four", and insert "eight".

Amendment No. 11

On page 1 of said bill, strike out line 22, and insert "hundred dollars ($4,800) per annum;".

Amendment No. 12

On page 2, line 5, of said bill, strike out the period, and insert a semicolon.

Amendment No. 13

On page 2 of said bill, between lines 5 and 6, insert "(9) One general clerk at a salary of three thousand three hundred dollars ($3,300) per annum"

Amendment No. 14

On page 2 of said bill, after line 18, insert

"SEC. 2. Section 263 is added to the Code of Civil Procedure, to read:

263. In any county, or city and county, which is authorized by law to have domestic relations cases investigators, it shall be the duty of such domestic relations cases investigators, in any divorce action then pending wherein the parties thereto have minor children, to investigate and to report to the judge of the court wherein such action is to be tried all pertinent information as to the care, welfare and custody of the minor children of the parties to the divorce action.

Such report shall be filed not less than 10 days before the date set for the trial of the divorce action with the clerk of the court wherein such action is to be tried, and not less than 10 days before the trial of such action a copy of the report shall be served on each party to the divorce action.

The report of the investigators shall be admitted in evidence upon the stipulation of both parties, and shall be competent evidence as to all matters contained therein

Such investigator or investigators who have investigated the care, welfare and custody of the minor children as provided for in this section, shall be present at the trial of the divorce action of the parties who are the parents or custodians of such minor children, and may be called to testify by the judge or either party as to any matter which they have investigated. The testimony of such investigators shall be subject to questions direct and cross which are proper, and shall be competent as evidence.

Nothing in this section shall be construed as limiting a domestic relations cases investigator's duty to assist the superior court appointing him in the transaction of the judicial business of said court."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3077—An act to add Section 452 to the Penal Code, relating to arson.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Commitee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out the title, and insert
"An act to amend Section 448a of the Penal Code, relating to arson"

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 3, inclusive, and insert
"SEC. 1. Section 448a of the Penal Code is amended to read.
448a Any person who willfully and maliciously sets fire to or burns or causes to be burned or who aids, counsels or procures the burning of any barn, stable, garage or other building, whether the property of himself or of another, not a parcel of a dwelling-house; or any shop, storehouse, warehouse, factory, mill or other building, whether the property of himself or of another; or any church, meeting-house, courthouse, workhouse, school, jail or other public building or any public bridge; shall *be guilty of arson, and*, upon conviction thereof, be sentenced to the penitentiary for not less than one nor more than 10 years."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1254—An act to amend Sections 6060 and 6062, and to repeal Sections 6060.5, 6060.6, 6060.7, and 6061 of the Business and Professions Code, relating to requirements for admission to practice law.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on March 22, 1951, between lines 17 and 18, insert
"The dean or other administrative head of any California law school maintaining a percentage of at least fifty percent of its first-time graduate applicants successfully passing the bar examination may admit a limited number of law students without such college work, such number not to exceed 25 percent of the total enrolled number of law students in such school, upon his determination that through training, experience or ability such students are capable of pursuing the study of law. Such students, in any event, shall have graduated from high school and shall have attained the age of 21 years prior to the time of commencing law study. The certificate of such dean or other administrative head showing that such student or students were admitted hereunder shall be accepted in lieu of the college work required by this section."

Amendment No. 2

On page 1, line 14, of the said bill, after "who", insert "shall have"

Amendment No. 3

On page 1, line 16, of said bill, after "who", insert "shall have".

Amendment No. 4

On page 1, line 17, of said bill, strike out "1952", and insert "1954".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 585—An act to amend Sections 1300.12, 1300.13, 1300.15, 1300.16, 1300.17, 1300.18, and 1300.19 of the Agricultural Code, relating to administration of the California Marketing Act of 1937 and

the enforcement of marketing orders thereunder, declaring the urgency thereof to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 3 of the printed bill, between lines 17 and 18, insert

"(q) As used in this chapter the terms 'directly affecting' or 'directly regulated or affected' shall include, in addition to any other method of regulation authorized in this chapter, the levying or collecting of any assessment under any marketing order or agreement or deducting producer assessments from any monies owed by handlers to producers."

Amendment No. 2

On page 11, line 14, of said bill, after "finds", insert a comma.

Amendment No. 3

On page 18, line 40, of said bill, after "or", insert "of".

Amendment No. 4

On page 19 of said bill, strike out lines 1 to 5, inclusive.

Amendment No. 5

On page 20, line 27, of said bill, strike out "unit", and insert "units".

Amendment No. 6

On page 21, line 14, of said bill, strike out "season", and insert "seasons".

Amendment No. 7

On page 21, line 33, of said bill, strike out "by,".

Amendment No. 8

On page 21, line 37, of said bill, strike out ", authorized by the act", and insert "authorized by this chapter,".

Amendment No. 9

On page 23, line 48, of said bill, strike out "(d)", and insert "(f)".

Amendment No. 10

On page 25, line 28, of said bill, strike out "(d)", and insert "(f)".

Amendment No. 11

On page 26, line 11, of said bill, strike out "inspection", and insert "inspector".

Amendment No. 12

On page 26 of said bill, strike out lines 23 to 30, inclusive, and insert

"(o) Any enforcing officer of the department in the discharge of his duties under this chapter may seize or hold, or cause to be seized or held, all or any portion of any lot of any agricultural commodity subject to a marketing order, pending determination whether such lot complies with the marketing regulations then in effect."

Amendment No. 13

On page 26 of said bill, strike out lines 35 and 36, and insert "in all respects with such order or the regulations made effective pursuant".

Amendment No. 14

On page 27, line 29, of said bill, after "petition", insert a comma.

Amendment No. 15

On page 28, line 13, of said bill, strike out the semicolon.

Amendment No. 16

On page 28, lines 48 and 49, of said bill, strike out "declared a public nuisance".

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

Assembly Bill No. 2127—An act to add Section 657 to the Agricultural Code, relating to imitation milk and imitation cream.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "or sold", and insert "for wholesale but not retail trade".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture

Assembly Bill No. 2825—An act to add Section 160.96 to the Agricultural Code, relating to agricultural pest control business and establishing limitation upon bringing of action for loss suffered in connection therewith.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 3, of the printed bill, after "No", insert "civil".

Amendment No. 2

On page 1, line 3, of said bill, strike out "shall be commenced".

Amendment No. 3

On page 1, line 9, of said bill, after "plants", insert "shall be commenced".

Amendment No. 4

On page 1, line 15, of said bill, after "claimant", insert "reasonably".

Amendment No. 5

On page 1, line 19, of said bill, after "harvested", insert ", provided such loss or damage was or should have been known within such time".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

Assembly Bill No. 925—An act to add Section 482.5 to the Fish and Game Code, relating to obstructions in streams.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in the Assembly on March 29, 1951, after "water," insert "public bridges and approaches thereto."

Amendment No. 2

On page 1, lines 11 and 12, of said bill, after "commission", strike out ", unless such barrier is entirely the result of natural causes".

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Fish and Game.

Assembly Bill No. 3123—An act to better recreational angling in streams with seasonal low water and/or streams with flow depletion due to diversions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In line 1 of the title of the printed bill, after "to", insert "add Section 1243 to the Water Code, relating to".

Amendment No. 2

In lines 2 and 3 of the title of said bill, strike out "due to diversions".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 8, inclusive, and insert

"SECTION 1. Section 1243 is added to the Water Code, to read:

1243. The construction of check dams and the release therefrom of water to augment stream flow for the maintenance and betterment of fish life during low water stages is a public use and in the public interest. Such water shall be and remain subject to appropriation for other purposes in accordance with this division."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Fish and Game.

SECOND READING OF SENATE BILLS

Senate Bill No. 376—An act to amend the heading of Chapter 2 of Part 6.5, Division 11 of the Water Code, to add a heading for Article 1 of, and to add Article 2 to, Chapter 2, Part 6.5, Division 11 of the Water Code, relating to distribution districts in irrigation districts, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 558—An act to add Section 23956 to the Water Code, relating to facilities use charges for irrigation district improvement districts and validating proceedings heretofore taken by district boards to establish such charges, and declaring the urgency of this act, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 471—An act to amend Section 820 of the Agricultural Code, relating to tomatoes.

Bill read second time, and ordered to third reading

Senate Bill No. 102—An act to amend Section 809 of the Agricultural Code, relating to walnut standards.

Bill read second time, and ordered to third reading.

Senate Bill No. 103—An act to amend Section 1038 of the Agricultural Code, relating to commercial fertilizer.

Bill read second time, and ordered to third reading.

Senate Bill No. 148—An act to add Section 429.5 to the Fish and Game Code, relating to fishing by persons in the Armed Forces of the United States, declaring the urgency thereof, to take effect immediately.

Bill read second time

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Senate on March 21, 1951, after "States", insert "declaring the urgency thereof, to take effect immediately".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 470—An act to amend Section 802.6 of the Agricultural Code, relating to containers for grapes

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 2 of the title of the printed bill, after "grapes", insert ", to take effect immediately".

Amendment No. 2

On page 2, lines 17 and 18, of said bill, strike out "and is notched at the center of the base by a triangle with a base of 4 inches and an altitude of 2 inches".

Amendment No. 3

On page 2, lines 19 and 20, of said bill, strike out " and to each side of the notch".

Amendment No. 4

On page 2, line 20, of said bill, after the period, insert "This container may or may not also be notched at the center of the base by a triangle with a base of 4 inches and an altitude of 2 inches. If notched, bottom slats shall be attached to each side of the notch, in addition to each bevel "

Amendment No. 5

On page 2 of said bill, after line 51, insert

"SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The practice of notching grape containers defined as container number 37G by Section 802.6 of the Agricultural Code is now obsolete. In order to permit the use of standard containers with beveled corners in the 1951 grape season, as permitted by said section, but without requiring that said containers be notched, it is necessary that this act to into immediate effect."

Amendment No. 6

On page 1 of said bill, strike out lines 9 to 13, inclusive, and insert "ard for grapes when packed with or without pads, inner-liners, or other device which does not reduce the inside volume of the container by more than 10 percent; provided that the vacant spaces, if any, resulting from the use of such device are readily visible"

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Agriculture.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1690 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Kirkwood asked for, and was granted, unanimous consent that Assembly Bill No. 1690 be withdrawn from the Committee on Governmental Efficiency and Economy, and be re-referred to the Committee on Social Welfare.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 90 re-referred to the Committee on Rules.

Assembly Bills Nos. 1703 and 2562 re-referred to the Committee on Finance and Insurance.

Assembly Bills Nos. 2956, 2972, 2985, and 2992 re-referred to the Committee on Public Utilities and Corporations.

Assembly Bills Nos. 213, 214, 215, 1029, and 1653 re-referred to the Committee on Judiciary.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS
MOTION TO WITHDRAW ASSEMBLY BILL NO. 327 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Davis moved that Assembly Bill No 327 be withdrawn from the Committee on Public Utilities and Corporations, and be placed upon the file.

Demand for Previous Question

Messrs Silliman, Grunsky, Hansen, Chapel, and Geddes demanded the previous question.

Roll Call Demanded

Messrs. Lowrey, Rosenthal, and Beck demanded a roll call.

The roll was called, and the demand for the previous question not sustained by the following vote:

AYES—Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Dickey, Dills, Dolwig, Dunn, Erwin, Evans, Geddes, Grant, Grunsky, Gubser, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCollister, McGee, McMillan, Morris, Niehouse, Silliman, Smith, and Stewart—35.

NOES—Babbage, Beck, Belotti, Brady, Brown, Burkhalter, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Doyle, Elliott, Fleury, Gaffney, Hagen, Hahn, Henderson, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, McCarthy, McFall, Meyers, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Thomas, and Tomlinson—37.

The question being on the motion to withdraw Senate Bill No. 327 from committee.

Point of Order

Mr. Lowrey arose to the following point of order: That Mr. Silliman moved the previous question and is not in order, at this time, in speaking on the original motion.

Ruling by Speaker

Speaker Sam L Collins ruled the point of order not well taken.

Motion That Additional Time Be Granted to Mr. Burkhalter

Mr. Hagen moved that additional time be granted to Mr Burkhalter for the purpose concluding his arguments

Mr. Lowrey seconded the motion.

Motion carried.

Point of Order

Mr. Hinckley arose to the following point of order: That Mr. Hagen has answered the question, and further discussion by him is not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Point of Order

Mr. Hollibaugh arose to the following point of order: That Mr. Condon is not speaking to the motion.

Ruling by Speaker

Speaker Sam L Collins ruled the point of order well taken

Demand for Previous Question

Messrs Hinckley, Levering, Tomlinson, Luckel, and Cloyed demanded the previous question.

Demand for previous question sustained.

The question being on the motion by Mr. Davis to withdraw Senate Bill No 327 from the Committee on Public Utilities and Corporations.

The roll was called, and the motion lost by the following vote:

AYES—Beck, Brown, Clarke, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Dunn, Elliott, Fleury, Gaffney, Hagen, Henderson, Hinckley, Kelly, Lindsay, Lowrey, Maloney, McCarthy, McFall, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, and Thomas—29.

NOES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Collier, Connolly, Conrad, Dills, Dolwig, Doyle, Erwin, Evans, Geddes, Grant, Gubser, Hahn, Hansen, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Luckel, Lyon, McCollister, McGee, McMillan, Meyers, Morris, Niehouse, Porter, Silliman, Smith, Stewart, and Tomlinson—41.

Explanation of Vote

I was unavoidably absent from roll call on motion to withdraw Senate Bill No. 327 from committee. Had I been present, I would have voted "no."

MARVIN SHERWIN

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 169—An act to add Section 14720.1 to the Education Code, relating to retirement of employees of school districts.

Urgency Clause

Urgency clause read, and adopted by the following vote.

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr Speaker—71.

NOES—None.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 169?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 16, 1951, strike out "Section 14720.1", and insert "Sections 14720.1 and 14737.1".

Amendment No. 2

In line 2 of the title of said bill, as amended, strike out the period, and insert ", providing for the management of school district retirement funds, and declaring the urgency thereof, to take effect immediately."

Amendment No. 3

On page 1, line 7, of said bill, as amended, strike out "prior".

Amendment No. 4

On page 1, line 8, of said bill, as amended, after 'rendered", insert "before he became a member of the plan".

Amendment No. 5

On page 1, line 9, of said bill, as amended, after "board", insert "which governs the district".

Amendment No. 6

On page 1, line 10, of said bill, as amended, strike out "prior"

Amendment No. 7

On page 1, lines 11 and 12, of said bill, as amended, strike out "prior service benefits", and insert "computing benefits for service credited".

Amendment No. 8

On page 1, line 14, of said bill, as amended, after the period, insert "At the time of retirement of any school district employee entitled to credit for service under this section, the school district shall pay into the district retirement fund such sum as may be necessary to provide both annuity and pension benefits in respect to such credited service."

Amendment No. 9

On page 1 of said bill, as amended, after line 14, insert

"SEC. 2. Section 14737.1 is added to said code, to read:

14737.1. Whenever the United States Government or any department or agency thereof offers to exchange bonds or other interest bearing notes and obligations of the United States for other bonds or interest bearing notes and obligations of the United States of a different series or issue, the district retirement board may exchange any bonds or other interest bearing notes and obligations of the United States in which funds of the district retirement fund are then invested for bonds or other interest bearing notes and obligations of the United States, in accordance with the terms of such offer

SEC. 3. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Many of the school district employees to whom credit in the district retirement plan is extended by this act must terminate their district employment at the end of the current fiscal year. Unless this act takes immediate effect, such employees cannot participate in the retirement benefits extended by this act, and in consequence thereof will be occasioned great hardship and distress because such retirement allowances as they may receive will be inadequate for their needs Substantial amounts of district retirement fund moneys are now invested in United States Government bonds of a series for which Treasury Department has offered to exchange other United States bonds bearing a higher interest rate. That offer will expire on or about April 7, 1951. To enable the district retirement boards of California school districts to exchange those United States bonds in which district retirement fund moneys are now invested for United States bonds bearing higher interest, and so to reduce the amounts which must be raised by district taxation in already heavily taxed districts, it is necessary that this act take effect immediately."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 169 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr Speaker—71.

NOES—None

Assembly Bill No. 169 ordered enrolled.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bills were withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 755, on request of Mr. Fleury.
Assembly Bill No. 469, on request of Mr. Sherwin.
Assembly Bill No. 470, on request of Mr. Sherwin.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 9

Mr. Levering asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Constitutional Amendment No. 9, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Constitutional Amendment No. 9—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 3 of Article XX, relating to oaths of office.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Constitutional Amendment No. 9?

Amendment No. 1

On page 1, line 9, of the printed measure, strike out "officers", and insert "public officers and employees".

Amendment No. 2

On page 1, line 10, of said measure, after "executive", insert ", legislative,"

Amendment No. 3

On page 1, line 10, of said measure, after "officers", insert "and employees"

Amendment No. 4

On page 1, line 11, of said measure, strike out "and all public employees,"

Amendment No. 5

On page 2, line 25, of said measure, strike out "office or public trust", and insert "public office or employment".

Amendment No. 6

On page 2 of said measure, strike out lines 26 to 30, inclusive, and insert

"'Public officer and employee' includes every officer and employee of the state, including the University of California, every county, city, city and county, district, and authority, including any department, division, bureau, board, commission agency, or instrumentality of any of the foregoing."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Constitutional Amendment No 9 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Connolly, Cooke, Dills, Doyle, Dunn, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—61.

NOES—George D Collins and Elliott—2

Assembly Constitutional Amendment No. 9 ordered enrolled.

Assembly Bill No. 566—An act to amend Sections 17015, 17125.5, 17163 5, 17257, 17331, 17333, 17342, 17343, 17344, 17346, 17347, 17348, 17349, 17349.5, 17350, 18172.3, 18211, and 18213 to the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 566?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "17015,".

Amendment No. 2

On page 5 of said bill, strike out lines 30 to 37, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 566 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Huckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—69.

NOES—Beck—1.

Assembly Bill No. 566 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1277

Mr. Caldecott asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1277, out of order, for purpose of amendment, at this time

CONSIDERATION OF ASSEMBLY BILL NO. 1277

Assembly Bill No. 1277—An act to amend Section 103½ of the Code of Civil Procedure, relating to justice's clerks in cities and towns.

Bill read third time.

Motion to Amend

Mr. Caldecott moved the adoption of the following amendments:

Amendment No. 1

On page 2, lines 45 and 46, of the printed bill, strike out "three thousand five hundred forty dollars ($3,540)", and insert "four thousand two hundred dollars ($4,200)".

Amendment No. 2

On page 2, lines 47 and 48, of said bill, strike out "two thousand seven hundred sixty dollars ($2,760)", and insert "three thousand six hundred sixty dollars ($3,660)".

Amendment No. 3

On page 2, line 49, of said bill, strike out 'two thousand four hundred dollars ($2,400)", and insert "three thousand dollars ($3,000)".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1646—An act to amend Section 205 of the Revenue and Taxation Code, relating to the veterans' exemption, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, and Mr Speaker—68.

NOES—None

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—68.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 1649—An act to amend Section 441 of the Revenue and Taxation Code, relating to property taxes and the filing of property statements.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1650—An act to amend Sections 322 and 328 of the Revenue and Taxation Code, relating to the description of property for assessment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney,

Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1852—An act to amend Section 585 of the Vehicle Code, relating to authority of officers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Silliman, Smith, Stanley, Thomas, and Waters—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1828—An act to amend Section 4707 of the Labor Code, relating to workmen's compensation benefits.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D Collins, Condon, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 423—An act to add Section 6c to an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, George D Collins, Condon, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr Speaker—68

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 618—An act to amend Sections 1204 and 1206 of the Code of Civil Procedure, relating to claims and liens for labor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr Speaker—71.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 635—An act to amend Section 1501a of the Probate Code, relating to preference of wage claims.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 663—An act to amend Section 96 of the Labor Code, relating to assignment of claims.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr Speaker—72

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 707—An act to add Section 1.7 to the Judges' Retirement Act, relating to retirement of judges for service.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 837—An act to amend Section 8205 of the Government Code, relating to notary public.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—70

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 901—An act to amend Sections 6087 and 6100 of the Business and Professions Code, relating to discipline of attorneys

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 904—An act to add Section 684.1 to the Code of Civil Procedure, relating to the enforcement of judgments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 905—An act to amend Section 2055 of the Code of Civil Procedure, relating to examination of witnesses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1192—An act to repeal Section 89 of the Code of Civil Procedure as amended by Statutes of 1949, Chapter 1286 and as amended by Statutes of 1949, Chapter 1519, and to add Section 89 to the Code of Civil Procedure, relating to municipal courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1906—An act to amend Section 5511 of, and to add Section 5512.5 to, the Welfare and Institutions Code, relating to right to jury trial of persons committed as sexual psychopaths.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, George D Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 66—An act to amend Section 1535.4 of the Military and Veterans Code, relating to civil defense.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 868—An act to amend Section 19333 of the Government Code, relating to authorizing absences from veterans' homes

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley,

Hollibaugh, Kelly, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 74—An act to amend Section 970 of the Military and Veterans Code, relating to county service officers.

Bill read *third* time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—72.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 422—An act to amend Section 6a of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 424—An act to amend Section 6 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Bill read third time.

Motion That Assembly Bill No. 424 Be Re-referred to Committee

Mr. Grunsky moved that Assembly Bill No. 424 be withdrawn from the third reading file, and be re-referred to the Committee on Judiciary.

Mr. Tomlinson seconded the motion.

Motion carried.

Assembly Bill No. 902—An act to amend Section 117r of the Code of Civil Procedure, relating to small claims.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—76.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 903—An act to amend Section 214 of the Code of Civil Procedure, relating to juries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1793—An act to amend Section 204e of the Code of Civil Procedure, relating to the duties and compensation of the secretary and jury commissioner of the superior court, and assistants.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burkhalter, Chapel, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lincoln, Lindsay, Lowrey, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—61

NOES—Hahn and Luckel—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3083—An act to amend Sections 6107 and 27381 of the Government Code, relating to issuance of certified copies of public records to veterans.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb,

Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 586—An act to amend Sections 274, 275, 276, and 285.3 of, and to add Section 275.5 to, the Agricultural Code, relating to apiary inspection and equipment brands

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2128 HOLD PLACE ON FILE

Mr. Gubser asked for, and was granted, unanimous consent that Assembly Bill No. 2128 be passed on file, and hold its place on file on the next legislative day.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2764—An act to add Section 87.3 to the Agricultural Code, relating to boards of directors of agricultural fairs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—74.

NOES—Geddes—1.

Notice of Motion to Reconsider Assembly Bill No. 2764

Mr. Geddes gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2764 was this day passed.

CONSIDERATION OF HOUSE RESOLUTION NO. 105

By Messrs. McCollister, Clarke, Dills, Thomas, and Evans:

House Resolution No. 105

Relative to the creation of the Assembly Committee on Interstate Cooperation

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Committee on Interstate Cooperation is hereby created and authorized and directed to ascertain, study and analyze all facts relating to cooperation between this State and the other states and with the Federal Government, including

but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation

2. The committee shall consist of the same five Members of the Assembly as authorized by Section 8001 of the Government Code.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5 The committee has the following additional powers and duties

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6 The committee, and any subcommittee when so authorized by the committee, may meet and act without as well as within the State of California, and is authorized to leave the State in the performance of its duties

7 The sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Niehouse, Parker, Porter, Rumford, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—58.

NOES—None

CONSIDERATION OF HOUSE RESOLUTION NO. 108

By Mr. Maloney:

House Resolution No. 108

Relative to the preparation and printing of a Supplement to the Interim Subject List

Resolved by the Assembly of the State of California, That the Legislative Counsel is directed to prepare a Supplement to the Interim Subject List of all bills, constitutional amendments and resolutions introduced at the 1951 Regular Session of the Legislature; and be it further

Resolved, That copies of the Supplement to the Interim Subject List be mailed to all Members of the Legislature as soon as possible after adjournment of the 1951 Regular Session of the Legislature; and be it further

Resolved, That the Chief Clerk of the Assembly is instructed to cause to be printed not to exceed 2,000 copies of the Supplement to the Interim Subject List, the cost thereof to be paid from the legislative printing appropriation.

Resolution read, and adopted.

CONSIDERATION OF HOUSE RESOLUTION NO. 109

By Mr. Maloney:

House Resolution No. 109

Relative to the preparation and printing of a Summary Digest

Resolved by the Assembly of the State of California, That the Legislative Counsel is directed to prepare a Summary Digest of statutes enacted and constitutional amendments proposed at the 1951 Regular Session of the Legislature; and be it further

Resolved, That copies of the Summary Digest be mailed to all Members of the Legislature as soon as possible after the "bill-signing" period; and be it further

Resolved, That the Chief Clerk of the Assembly is instructed to cause to be printed not to exceed 2,000 copies of the Summary Digest, the cost thereof to be paid from the legislative printing appropriation.

Resolution read, and adopted.

CONSIDERATION OF HOUSE RESOLUTION NO. 110

By Mr. Maloney:

House Resolution No. 110

Relating to preprinting the proposed codes

WHEREAS, Upon the adjournment of this current session of the Legislature, the California Code Commission will continue its work of codifying the general statutory laws of this State with the prospect of completing said work prior to January 1, 1953; and

WHEREAS, It is the practice of the Code Commission to prepare preliminary drafts of proposed codes in mimeographed form for distribution to interested persons and groups for study and criticism prior to submission to the Legislature, but distribution by such means is necessarily limited; and

WHEREAS, If such proposed codes were printed they could be more widely circulated among interested persons and groups, thus enabling them to receive the careful scrutiny to which legislation of such importance is entitled; now, therefore, be it

Resolved by the Assembly of the State of California, That the California Code Commission is hereby directed to prepare for printing as soon as practical after the adjournment of the 1951 Regular Session of the Legislature, such codes or portions thereof as it proposes to submit to the Legislature for consideration, and immediately upon such printing to distribute the same to all interested persons and groups; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to have not to exceed 1,500 copies of each of such proposed codes, or portions thereof, printed, the cost thereof to be payable from the legislative printing appropriation.

Resolution read, and adopted.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 404—An act to amend Section 4553 of the Labor Code, relating to workmen's compensation benefits for injuries sustained from serious and wilful misconduct.

Bill read third time

Motion to Amend

Mr. Gaffney moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "or his managing representative", and insert "his managing representative or supervisor".

Amendment No. 2

On page 1 of said bill, strike out line 10, and insert "intendent or supervisor thereof."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 1565—An act to amend Section 2980 of the Civil Code, relating to the recording of conditional sales contracts of animate chattels and of mining machinery and oil drilling equipment, and to add Section 2980.5 to the Civil Code, relating to the recording of conditional sales contracts and feeding agreements covering livestock and animate chattels.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Cloyed, Collier, George D. Collins, Connolly, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—60.

NOES—Beck—1.

Bill ordered transmitted to the Senate.

BILL WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 806, on motion of Mr. Smith.

RESOLUTIONS

The following resolution was offered:

By Mr. Crowley:

House Resolution No. 106

Relative to congratulating Vernon Kilpatrick on winning the nomination to the Los Angeles City Council

WHEREAS, The election returns from Los Angeles indicate that our colleague, Vernon Kilpatrick, received the highest vote among five contestants for the office of member of the City Council from the Tenth District in the City of Los Angeles; and

WHEREAS, He has brought honor and distinction to the State Legislature during his 12 years of service, in that he has consistently devoted himself to sound, constructive legislation, and has proved himself a loyal Californian and great American; and

WHEREAS, He has served as a member of the Special Pension Committee appointed by Governor Warren in 1943, has five times been Vice Chairman of the standing Assembly Committee on Social Welfare, and is Chairman of the Assembly Interim Committee on Crime and Corrections, in which capacity he has instituted reforms modernizing and making more humane our prison system and saving money for the taxpayers through rehabilitation and self-help work projects; and

WHEREAS, As a Member of the Legislature he has successfully applied his wide experience in the field of publishing, advertising, and insurance; now, therefore, be it

Resolved by the Assembly of the State of California, That it hereby conveys to Vernon Kilpatrick its congratulations on receiving the highest vote among the five contestants for the office of member of the City Council from the Tenth District of Los Angeles, and that it expresses the wish that he will be as conspicuously outstanding in this endeavor as he has been as a Member of the State Legislature; and be it further

Resolved, That the Chief Clerk is directed to prepare a suitably engrossed copy of this resolution for Vernon Kilpatrick

Resolution read, and ordered referred to the Committee on Rules

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Connolly:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 6 of the Alcoholic Beverage Control Act, relating to alcoholic beverage licenses.

Respectfully submitted.

ARTHUR H CONNOLLY, JR.

Request referred to Committee on Legislative Procedure

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr Connolly:

An act to amend Section 6 of the Alcoholic Beverage Control Act, relating to alcoholic beverage licenses.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3395: By Mr. Connolly—An act to amend Section 6 of the Alcoholic Beverage Control Act, relating to alcoholic beverage licenses.

Referred to Committee on Boards and Commissions.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Condon:

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 31157 of the Water Code, relating to county water districts.

Respectfully submitted.

ROBERT L. CONDON

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Condon:

An act to amend Section 31157 of the Water Code, relating to county water districts.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters and Mr. Speaker—71.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3396: By Mr. Condon—An act to amend Section 31157 of the Water Code, relating to county water districts.

Referred to Committee on Municipal and County Government.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Rosenthal:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1951

MR SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 241 of the Code of Civil Procedure and Section 925 of the Penal Code, relating to grand juries.

Respectfully submitted.

WM. H. ROSENTHAL

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Rosenthal:

An act to amend Section 241 of the Code of Civil Procedure and Section 925 of the Penal Code, relating to grand juries.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins,

Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3397: By Mr Rosenthal (At request of Mr. Babbage)—An act to amend Section 241 of the Code of Civil Procedure and Section 925 of the Penal Code, relating to grand juries.

Referred to Committee on Judiciary.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF SENATE BILLS (RESUMED)

Senate Concurrent Resolution No. 38—Approving certain amendments to the charter of the City of San Bernardino, a municipal corporation in the County of San Bernardino, State of California, voted for and ratified by the qualified electors of said city at a special election held thereon on the twentieth day of March, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—71.

NOES—None

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT NAMES OF LEGISLATIVE REPRESENTATIVES APPROVED AS OF APRIL 2, 1951, BE PRINTED IN JOURNAL

Mr. Dolwig asked for, and was granted, unanimous consent that additional names of legislative representatives, as approved on April 2, 1951, be ordered printed in the Journal, in 10 point type, as follows:

REPORT OF ASSEMBLY COMMITTEE ON LEGISLATIVE REPRESENTATION

LETTER OF TRANSMITTAL

CALIFORNIA LEGISLATURE
ASSEMBLY, COMMITTEE ON LEGISLATIVE REPRESENTATION
SACRAMENTO, CALIFORNIA, April 3, 1951

Hon. Sam L. Collins
Speaker of the Assembly,
Assembly Chamber,
Sacramento, California

MR. SPEAKER: In conformity with the authority vested in it, your committee has reviewed the statements and reports of the persons hereinafter named who have filed as legislative advocates and has found that

all of the persons named in this report have complied with the provisions of Chapter 8, Part 1, of Subdivision 2, of Title 2, of the Government Code.

After five days from the filing of this report, a certificate of registration as legislative advocate will be issued to each person named in this report unless good cause to the contrary appears as provided by Government Code 9909, Section 3.

The names of persons who have filed as legislative advocates but do not appear on the list have been withheld by your committee because of technical defects in the application, for further information, or for further consideration by your committee.

All registrants whose names have been withheld will be notified, and will be given an appropriate opportunity to conform with the requirements of the law.

Respectfully submitted.

FRANK P. BELOTTI
BERNARD R. BRADY
WILLIAM H. ROSENTHAL
H. ALLEN SMITH
RICHARD J DOLWIG, Chairman

LIST NO. 2

LEGISLATIVE REPRESENTATIVES APPROVED AS OF APRIL 2, 1951

Allen, Jack, 257 So. Spring St., Los Angeles
Los Angeles Fire & Police Protective League
Anderson, T. D , 910 Humboldt Bank Bldg , San Francisco
Employment Agencies Assn., of No. California
Archer, James, 1410 Bank of America Bldg., San Diego
San Diego Chamber of Commerce
Batinovich, Mathew N., 209 E. 7th St , Pittsburg
Fisherman & Allied Workers Div., Pittsburg Local 3-35
Behymer, Glen, 1666 Wilshire Blvd., Los Angeles
Building Material Dealer's Credit Assn.
Brown, Robert Minge, 1500 Balfour Bldg., San Francisco
San Jose Water Works
California Water Service Co.
Brown, Edward A., 1342-23rd Ave., San Francisco
California Motor Court & Trailer Park Owners, Assn., Ltd.
Bruns, Walter E., 300 Montgomery St , San Francisco
Bank of America, N. T. & S. A.
Buckley, S. Arthur, 785 Market St., San Francisco
State Legislative Committee, Brotherhood of Railway Clerks
Campbell, Vernon, Mountain Ranch, California
Calaveras County Water District, San Andreas
Clemens, George M , 271 Bonifacio Place, Monterey
Monterey Fish Processors Assn.
Conant, George E., Portola, Plumas County
Plumas-Sierra Rural Electric Co-Operative, Inc.
Cooper, Iva Marie, Lowell High School, San Francisco
California State Federation of Teachers, AF of L

Downey, John F., 500 Capital Nat'l Bank Bldg., Sacto.
Sacramento-Yolo Port District
Reclamation District No. 1001
Corey, Arthur F., 391 Sutter St., San Francisco
California Teachers Assn.
Craig, Edward, 433 California St., San Francisco
Pacific Lighting Corporation
Delury, George C., Jr., Bridgeport, Mono County Court House
County Auditor's Association of California
Dick, John P., 257 S. Spring St., Los Angeles
Los Angeles Fire & Police Protective League
Donohue, Robert B., 703 Market St., San Francisco
California Assn., of Industrial Loan Companies
Downey, Stephen W., 500 Capital National Bank Bldg., Sacto.
Sacramento-Yolo Port District
Reclamation District No. 1500 & No. 108
Dryden, Dr. E. L., 250 Medico Dental Bldg., Sacto.
Carmichael Sportsman Club
Ducker, P. H., Edison Bldg., 601 W. 5th St., Los Angeles
Southern California Edison Company
Eberhard, Ray C., 672 So. Lafayette Park Pl., Los Angeles
Affiliated Teacher Organizations of Los Angeles
Ennis, Robert L., 3824-32nd St., Sacramento
International Brotherhood of Bookbinders, Local No 35
Fensel, Alden C., 350 Bush St., San Francisco
California State Chamber of Commerce
Ferrante, Peter J., Box 112, Monterey
Monterey Purse Seine Assn.
Flynn, Frank X., 919 Kohl Bldg., San Francisco
So. California Spirits Foundation, Los Angeles
Wholesale Liquor Distributors of No. California, Inc. San Francisco
Gammon, George D., 771 Third St., San Bernardino
California Physical Therapy Association
Gardner, Howard, Hotel Claremont Bldg., Berkeley
League of California Cities
Garrison, Carl L., 58 Sutter St., San Francisco
No. 1-A District Agricultural Assn.
Gilmore, John F., 1400 Tenth St., Sacramento
California Hay, Grain & Feed Dealers Assn.
Glass, Margaret M., 9835 E. Broadway, Temple City
Challenge Cream & Butter Assn.
Graves, Richard, Claremont Hotel Bldg., Berkeley
League of California Cities
Gullege, Z. L., 357 S. Hill St., Los Angeles
Citizens Committee on Rehabilitation
Hadeler, William D., 525 Market St., San Francisco
California Grocers Assn.
Hassard, Howard, 111 Sutter St., San Francisco
California Medical Association
American Physical Therapy Assn.

Hastings, James H., Court House, Sacramento
County Auditors' Assn.
Hawkins, Frederick H., 225 Bush St., San Francisco
California Packing Corporation
Life Insurance Assn., of America
Healey, Lester, 3771-8th St., Riverside
California Electric Power Company
Henderson, John C., 1031 So. Grand Ave., Los Angeles
California Institute of Social Welfare
Hunt, J. W., 226 Odd Fellows Bldg., Sacramento
Pacific States Cold Storage Warehousemen's Assn.
Association of Ice Industries
California Warehousemen's Association
Jones, Kenneth I , Jr. 307 B St., San Mateo
Kirkbride, Wilson, Harzfeld & Wallace
Kennedy, Harold W., 1100 Hall of Records, Los Angeles
County of Los Angeles, Board of Supervisors
Klaus, Arnold, San Diego Chamber of Commerce, San Diego
San Diego Chamber of Commerce
Klawans, J. R., 935 Russ Building, San Francisco
Northern California Fisheries Assn.
Knauft, John A., 315 W. 9th St., Los Angeles
California Manufacturers Assn.
Knorp, Albert F., 300 Montgomery St., San Francisco
California Chapter, The American Mining Congress
Kracke, Frederick C., 1731 Mt. Diablo Blvd., Walnut Creek
Home Builders Council of California
Leavey, H. Harold, 926 J St , Sacramento
California-Western States Life Insurance Co.
Lenahan, J. W., 1204 Burlingame Ave , Burlingame
California Court Reporters Assn.
MacDonald, Frank A., M. D., 1127—11th St., Sacramento
California Medical Association
Mack, J. D., 785 Market St., San Francisco
Associated Plumbing Contractors of California
Mather, Allen F., 1400 Tenth St., Sacramento
Agricultural Council of California
Mau, Carl F., 374 W. Santa Clara St., San Jose
California Water Service Company
McClellan, J. Ed., 216 Park Road, Burlingame
California Physical Therapists Association
McDonough, Martin, 716 California States Life Bldg., Sacto.
East Bay Municipal Utility District
McGinn, Hulda, 995 Market St., San Francisco
California Theaters Association
McWhinney, W. C., 1200 Edison Bldg., Los Angeles
Southern California Edison Co.
Mercurio, Horace, Municipal Wharf No 1, Concession 9, Monterey
Monterey Purse Seine Assn.
Merrill, Louis S., 1015 24th St., Sacramento
Western Fairs Assn., Inc.

Moran, Dr., Robert. 1921 Wilshire Blvd., Los Angeles
California Coordinating Council of Psychological Assns., Inc.
Morgan, Geoffrey F., 506 Santa Monica Blvd., Santa Monica
Shoreline Planning Assn., of Calif., Inc.
Morton, Frew, 1675 Eddy St., San Francisco
Foster & Kleiser Co.
Motor Car Dealers Assn., of S. F.
Murphy, Clarence, 1307 Harrison St., Oakland
California Credit Union League
Murphy, Elizabeth, 1031 So. Grand Ave., Los Angeles
California Institute of Social Welfare
Real, John J., Berth 73, San Pedro
Fisherman's Cooperative Assn., of San Pedro
Redwine, Kent H , 1618 N. Las Palmas Ave , Hollywood
Motion Picture Assn. of America, Inc.
Association of Motion Picture Producers
Robinson, William C., 607 So. Hill St , Los Angeles
California State Hotel Assn., Ltd
Rooney, J. Kerwin, 503 City Hall, Oakland
City of Oakland
Rose, Vernon L., 1503 Tenth St , Sacramento
Associated Master Barbers and Beauticians of California
Ross, Ed M , 1882 Melvin Road, Oakland
California State Federation of Teachers
Oakland Federation of Teachers, Local No 771
Rust, Ben, 781 Ventura St , Richmond
California State Federation of Teachers
Salisbury, E. E., 26 O'Farrell St , San Francisco
Assn., of California Hospitals
Sellers, Neil, Box 217, Agnew, Calif.
California Physical Therapists Assn.
Sherrard, Wade, 2800 So. Alameda St., Los Angeles
Motor Truck Assn., of California
Smith, Dave F., 922 Citizens National Bank Bldg., Los Angeles
Los Angeles Motor Car Dealers Assn.
Snyder, S S., 902 Eighth St., Sacramento
Central California District Council of Lumber & Sawmill Workers
Stahl, L D., 2601 So Figueroa St., Los Angeles
Automobile Club of Southern California
Stevens, W. W , Room 853 Pacific Bldg., San Francisco
Brotherhood of Locomotive Engineers
Synon, John J., P. O. Bin D, Shafter
Sol Camp, Shafter
G. W. Osborne, Tule Lake
Swing, Ralph E., 313 Central Bldg., San Bernardino
Los Angeles Turf Club, Inc.
Tarnoff, H. L., 115½ No. Larchmont Blvd., Los Angeles
So. California Retail Liquor Dealers Assn.
Taylor, Dr. Adah Ruth, 603 Security Bank Bldg., Fresno
California Association of Chiropody

Taylor, Ralph H., 1400 Tenth St., Sacramento
Agricultural Council of California
Von Hersen, C. P., 453 So. Spring St., Los Angeles
California Chiropractic Association
Wendel, David I., Court House, Oakland
Alameda County, Board of Supervisors and District Attorney
Wilson, Harold D., 83 McAllister St., San Francisco
California Temperance Federation
Winchester, Ralph E., 847 So Grand Ave., Los Angeles
Los Angeles Teachers Credit Union
Young, Stanley C., Portola, Plumas County
Plumas-Sierra Rural Electric Co-Operative, Inc.

REQUEST FOR UNANIMOUS CONSENT THAT RULES OF PROCEDURE BE PRINTED IN JOURNAL

Mr. Dolwig asked for, and was granted, unanimous consent that the Committee on Legislative Representation be permitted to print the following Rules of Procedure, in the Journal, in 10 point type:

RULES OF PROCEDURE OF ASSEMBLY COMMITTEE ON LEGISLATIVE REPRESENTATION

LETTER OF TRANSMITTAL

CALIFORNIA LEGISLATURE
ASSEMBLY, COMMITTEE ON LEGISLATIVE REPRESENTATION
SACRAMENTO, CALIFORNIA, April 3, 1951

Hon. Sam L. Collins
Speaker of the Assembly
Assembly Chamber
Sacramento, California

MR. SPEAKER: Your Committee on Legislative Representation has adopted Rules of Procedure dealing with the issuance, suspension or revocation of certificates of registration as legislative advocates.

These rules have been adopted for the guidance of the committee and for the purpose of informing persons affected by and interested in the action which your committee will take in performing its functions under Government Code Section 9909. The Rules of Procedure are attached.

Respectfully submitted.

FRANK P. BELOTTI
BERNARD R. BRADY
WILLIAM H. ROSENTHAL
H. ALLEN SMITH
RICHARD J. DOLWIG, Chairman

RULES OF PROCEDURE

Resolved by the Special Assembly Committee on Legislative Representation, That, until revoked, altered, or amended, these Rules are adopted and shall guide the committee in conducting proceedings, conducting investigations, and holding and conducting hearings, when hearings are held, to determine whether the committee shall issue, revoke, or

suspend a certificate of registration as legislative advocate under Section 9909 of the Government Code:

Part 1—General Provisions

1. Unless the provision or the context otherwise requires, the definitions and general provisions set forth in this part govern the construction of these Rules.

2 "Committee" means the Special Assembly Committee on Legislative Representation.

3. "Registrant" means any person required to file any statement or report under Section 9906 of the Government Code, and any person who has filed any statement or report referred to in Section 9906 of the Government Code.

4 "Certificate" means a certificate of registration as legislative advocate, issued pursuant to Section 9909 of the Government Code.

5. Rule or part headings contained in these Rules shall not in any manner affect the meaning or intent of these Rules.

Part 2—Issuance of Certificates

20. **(Applications for Certificates)** The committee may consider any statement, report, or authorization filed by a registrant pursuant to Section 9906 of the Government Code, as an application for a certificate.

21. **(Processing Applications)** The committee will review each application for a certificate filed by a registrant to whom any certificate has been issued, as soon as practicable after the filing of the application. If upon a review of the application, the committee is not satisfied that a certificate should issue, the committee may require the registrant to supply and submit such additional information and proof as the committee deems proper.

If upon a review of the application, and the review of any additional information and proof, and after such other investigation as the committee deems proper, a majority of the committee finds that the registrant is of good moral character, has complied with the provisions of Chapter 8, Part 1, Division 2, Title 2 of the Government Code, and is entitled to a certificate, the committee will make a preliminary determination to that effect.

22. **(Report of Preliminary Determination)** The committee shall, as soon as practicable, report to the Assembly its preliminary determination. The report shall contain the name of each registrant to whom the committee proposes to issue a certificate, the name or names of the persons by whom each registrant is employed and from whom the registrant has on file an authorization, a brief statement that the committee proposes to issue a certificate to each person named not less than five days after the making of the report unless good cause for denying the certificate is presented, and a request that the report be printed in the Assembly Journal.

23. **(Issuance of Certificate)** At the first meeting of the committee held not less than five days after the making of the report of the committee's preliminary determination, the committee will issue a certificate to each registrant named in the report, unless there has been

filed with the committee a verified complaint conforming with the provisions of Part 4 of these Rules, or because of matter brought to its attention since the filing of the report, the committee on its own motion determines to conduct further investigation.

24. **(Report of Denial, Suspension, or Revocation of Certificate)** If upon review of an application and the review of any additional information and proof, or after such other investigation as the committee deems proper, the committee finally determines that the application should be denied and that the registrant should not receive a certificate, or if a certificate is suspended or revoked, the committee shall make an order to that effect and report its action to the Assembly.

If the determination and order are made without an opportunity for the registrant to appear at a hearing, the executive secretary of the committee shall mail a copy of the order to the registrant at his last address shown on his registration papers. The order shall be mailed, together with a statement that upon proper application pursuant to Part 4 of these Rules, a hearing will be afforded the registrant.

If the order is made after a hearing or after the registrant has been afforded an opportunity to appear at a hearing of which he has failed to avail himself, no notice of such order need be given to the registrant.

Part 3. Certificate Requirements

30. **(Duration of Certificate)** Certificates remain in effect until they expire by their terms or by operation of law, or until surrendered, suspended, or revoked as provided in Section 9909 of the Government Code and in these Rules.

31. **(Service of Papers)** Any notice, request, demand, subpena, or other paper or process shall be deemed personally served on the registrant if it is enclosed in a sealed envelope, addressed to registrant at the last business address shown in his registration statement or other papers filed pursuant to Section 9906 of the Government Code, and deposited in the United States mail, postage prepaid.

32. **(Surrender of Certificate)** Each registrant shall forthwith surrender his certificate to the committee when the certificate expires, or when the committee has suspended or revoked it.

33. **(Additional Information to Be Filed)** Each registrant shall promptly file, as provided for in Section 9906 of the Government Code, the following information:

(a) A statement of any additional employment.

(b) A statement of any change in his business address.

(c) A statement of any change in the terms of employment as a legislative representative, or other employment referred to in any papers filed pursuant to Section 9906 of the Government Code, including, but not limited to, the name and address of the employer, term of employment, compensation or other consideration to be paid.

34. **(Surrender of Certificate for Modification)** Each registrant shall, upon request, promptly surrender his certificate in order that it may be appropriately changed or modified, where a change or modification is required, or canceled, if all of the registrant's authority has been terminated.

35. **(Reports)** Each person registering pursuant to Section 9906 of the Government Code, and each registrant to whom a certificate has been issued, shall, between the first and tenth day of each calendar month, so long as his activity continues, file the detailed reports under oath as required by Section 9906. A failure to do so shall not be deemed reason for suspending or revoking a certificate, if in any month for which a report is not filed the registrant or holder of a certificate has not engaged in any activity referred to in Section 9906 of the Government Code, and registrant so states in the first monthly report filed by him thereafter. Such statement shall be sufficient to continue his certificate in good standing if there are no other grounds or reasons that the certificate should be suspended or revoked This rule shall not be construed to prevent any person from filing a monthly report for the months during which he has not engaged in any activity covered by Section 9906, for the purpose of making it appear currently of record that his registration and certificate are in good standing

36. **(Statement of Compensation)** The failure of a registrant to include in his registration a statement of how much he is paid, and is to receive, shall be deemed sufficient ground for refusing to issue a certificate. If the registrant's employment is on a regular monthly or annual basis and is for services other than activities specified in Section 9906 of the Government Code, the committee will deem that he has complied with this rule if he does either of the following:

(a) States his annual or monthly compensation.

(b) States that he is paid on a monthly or annual basis for various services, some of which do not constitute activities under Section 9906, and further states that he will make appropriate allocation of his compensation for activities covered by Section 9906 when such services are performed. If the registrant thereafter fails to make such allocation of his compensation in any monthly report, this failure shall be deemed sufficient ground for refusing a certificate or suspending or revoking a certificate.

The committee shall not consider that the requirements of this rule are met if the registrant merely states that he is to be paid a reasonable fee or a fee to be agreed upon, but where the fee or compensation is to be fixed or agreed upon only as or after services have been rendered, the basis upon which the fee is to be determined shall be fixed and stated with precision and upon a unit time basis, and the monthly reports filed thereafter which state the amount of the fee earned in the preceding month and the amount thereof which has been paid.

If the basis for fixing a fee for compensation is one which would increase or decrease the compensation depending upon the result of the services and whether the same were successful in whole or in part or unsuccessful in whole or in part, it shall be considered for the purposes of these Rules, an agreement for contingent compensation, and shall be deemed sufficient ground for denying, suspending, or revoking a certificate.

Part 4. Procedure for Denial, Revocation, or Suspension of Certificates

40. **(General)** Certificates will be suspended or revoked as provided in subdivision 2 of Section 9909 of the Government Code and in these Rules, upon proceedings, investigations, or hearings initiated by the committee on its own motion or by verified complaint.

41. **(Periodic Review of Registration Statements)** The committee, from time to time, will review all statements, reports, and authorizations filed by any registrant to whom a certificate has been issued and is outstanding, and will review such other information or proof as it may from time to time require, to determine if the registrant is in good standing as such and is complying with the provisions of law. If the committee finds upon such review that good cause exists for the suspension or revocation of a certificate, it may on its own motion, take such steps as it deems appropriate.

42. **(Filing of Complaints)** The committee will receive and file with its records any verified complaint against any registrant. The committee may dismiss the same if it fails to comply with the provisions of Rule 43, or fails to state any charge which, if true, would warrant the denial, suspension, or revocation of a certificate.

43. **(Form of Complaints)** The complaint shall be signed by the persons making the charges. If filed by other than a natural person, the complaint shall be signed and verified by a duly authorized officer thereof. The complaint shall be verified in the manner provided by the Code of Civil Procedure for the verification of complaints in civil actions. A verified complaint shall clearly and distinctly show the following:

(a) The name and address of the persons by whom or on whose behalf the complaint is filed.

(b) The name of the persons against whom the complaint is made.

(c) A statement of the charges made. The statement of charges shall specify the statutes, Rules, or other provisions of law with which the person charged (respondent) is alleged to have violated, together with a statement in ordinary and concise language of the acts or omissions with which the respondent is charged. If any statement is on information and belief, it shall be accompanied by a statement of the source of the information and the grounds for the belief, which shall be a statement of fact and not conclusions.

44. **(Charges in Complaints)** The committee will consider only the following charges in any verified complaint:

(a) The charge that the respondent is not a person of good moral character.

(b) The charge that the respondent has violated a provision or provisions of Chapter 8, Part 1, Division 2, Title 2, of the Government Code.

(c) The charge that respondent has violated his obligations under Section 9910 of the Government Code.

(d) The charge that respondent has violated Section 35 of Article IV of the State Constitution.

(e) The charge that respondent has violated Sections 85 or 86 of the Penal Code, or Sections 9054 or 9056 of the Government Code.

45. **(Notice of Complaint)** If a verified complaint complying with the requirements of these Rules is filed with the committee, the committee may take such action as it deems appropriate in accordance with the authority vested in it. Before a hearing is held on the complaint, notice thereof shall be served on the person or persons charged in the complaint. The notice may be served personally or in the manner provided by Rule 31. The notice shall state that a verified complaint has been filed with the committee. Respondent shall be duly informed of the charges in said complaint and that the respondent named in the complaint has 10 days after service of the notice within which to file a verified answer with the committee and demand a hearing, and that unless such verified answer and demand for hearing are filed within that time, or such further time as the committee may grant, the committee will proceed to deal with the charges in the verified complaint in such manner as it deems proper.

46. **(Filing of Answer)** The respondent named in the complaint may within 10 days after service of the notice file with the committee a verified answer to the charges and demand a hearing. The committee may, for good cause, grant further time in which to answer. The answer may consist of denials or the statement of any material by way of defense, or both.

If an answer and demand for hearing is filed as provided for in these Rules, a hearing shall be had as provided by these Rules. If no answer and demand for hearing is filed, the committee may proceed to deal with the charges in the complaint as it deems proper, and may hold hearings on the charges, at which hearings the committee may require the attendance of the respondents, the complainants, or any other person the committee desires to hear.

47. **(Certificate Not Suspended by Filing Complaint)** If at the time of the filing of a complaint, a respondent named in the complaint holds a valid certificate, it shall remain in effect until the committee determines the charges made in the complaint and dismisses the charges or suspends or revokes the certificate

48. **(General Rule on Hearing)** Except as otherwise provided by law and by these Rules, the committee in determining whether to issue, suspend, or revoke a certificate may proceed with or without hearings. If hearings are held, they may be open to the public.

49. **(Hearing When Complaint Filed)** If a verified complaint has been filed with the committee, and the respondent has filed an answer and demand for hearing, a hearing shall be had before a certificate is issued, suspended, or revoked.

50. **(Hearing When Certificate Has Been Denied)** If the committee has refused to issue a certificate without a hearing, the registrant shall be notified of the committee's action The notice shall be served as provided in Rule 31 Within 10 days after the mailing of the notice the registrant whose application has been denied may demand a hearing.

51. **(Investigations)** All investigations, other than hearings, shall be conducted by the committee at such time, at such places, and by such means as the committee deems proper

52. **(Scheduling Hearings)** The chairman shall schedule such hearings as are deemed advisable or as are provided for by these Rules.

The time and place of all hearings shall be such as the chairman may fix, except that the time shall not be earlier than the expiration of the time within which a respondent or registrant may file a demand for a hearing.

53. **(Notice of Hearings)** The committee shall give reasonable notice in writing of time and place of all hearings either personally or by mail, to the complainant or complainants in any verified complaint, to the respondent or respondents charged in any verified complaint, and to any registrant entitled to a hearing as provided in Rules 49 and 50. The committee may give notice of the hearings to any other persons they deem proper, and in such manner as they deem proper. When hearings are held on the committee's own motion, only such notice shall be given as the committee deems proper in the circumstances

54. **(Conduct of Hearings)** At any hearing a person shall be heard only with the consent of the committee, except that on hearings held pursuant to demands for a hearing filed in accordance with these Rules the complainant, respondent, and registrant shall be entitled to the following:

(a) To be represented by a member of the State Bar of California

(b) To produce evidence which is material and relevant.

(c) To have subpenas issued by the committee upon reasonable request therefor. If a request for a subpena *duces tecum* is filed, the subpena will issue only if the request specifies with particularity the records, documents, papers, or other material desired, and is accompanied by a showing required for the issuance of subpenas *duces tecum* in civil actions in the superior courts of the State of California.

55. **(Scope of Inquiry)** In all hearings oral evidence shall be taken only by oath or affirmation. No testimony or evidence required shall be taken or received unless it is material and relevant to a charge made in the verified complaint, or a matter under investigation. In hearings had under the committee's own motion, the committee may determine the scope of the hearing, and on hearings had pursuant to a demand under Rules 49 and 50, the inquiry shall not be confined to any reasons which the committee may have stated upon the denial, suspension, or revocation of a certificate.

56. **(Amending Complaint or Answer)** The committee in its discretion may permit amendment to any verified complaint, answer, or other material filed with it, upon a showing to the committee of cause which the committee deems sufficient.

57. **(Order of Hearings)** On any hearing the committee shall determine the order of procedure and the order of proof, and on its own motion may enlarge the scope of the inquiry. The hearing need not be conducted according to any technical rules.

58. **(Evidence)** The hearing need not be conducted according to any technical rules relating to evidence, testimony, or witnesses, used in courts of record. Any evidence which is relevant and material shall be admitted if it is the sort on which responsible persons are accustomed to rely in the conduct of serious affairs, without regard for any common law or statutory rule under which it might be excluded in the trial of any civil action.

On all investigations and hearings the committee will consider, and take notice of, so far as relevant and material, all proceedings and all

matters appearing in any proceeding, at any time had by either house of the Legislature or any committee of either house of the Legislature or any joint committee of the houses of the Legislature.

59. **(Failure to Appear Before Committee)** If any complainant who has filed a verified complaint, or any registrant or respondent fails to appear before the committee pursuant to notice served upon him, or fails to appear at any hearing of which he has notice, the committee may forthwith proceed as though such person had filed his complaint, answer, or demand for a hearing as the case may be. The committee may take such other action, with or without a hearing, as the committee deems proper, in so far as the person in default is concerned

60. **(Findings of Fact)** The committee shall not be required to make findings of fact or state its reasons or conclusions for any action taken by it, but may do so if it deems proper.

61. **(Finality of Committee's Action)** The committee will not entertain any charge in a verified complaint or any demand for a hearing or other application to the committee upon any subject on which the committee has acted after a hearing pursuant to these Rules, except on the committee's own motion.

NOTICE OF MOTION TO AMEND STANDING RULE NO. 40

Mr. Dunn gave notice that on the next legislative day he will move to amend Assembly Standing Rule No. 40.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 12.57 p.m., Mr. Dunn asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Education in Room 432, at 2 p.m., on Friday, April 6th.

ANNOUNCEMENTS

Mr. Conrad announced that a tour of the Treasurer's Office, which has been planned for the new members, will be conducted immediately upon adjournment.

Mr. Brown announced that Municipal Court Bills which have been set for hearing on Monday, April 16th and Tuesday, April 17th will, instead, be set for hearing on Monday, April 30th, and Tuesday, May 1st.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 3 p.m.—

Transportation and Commerce, in Room 432.
Rules, in Room 320.
Municipal and County Government, in Room 426.
Subcommittee on Fairs and Expositions, in Room 430.
Joint meeting of Senate Finance and Assembly Ways and Means Committees, in Assembly Chamber.

At 8 p.m.—
Industrial Relations, in Room 432.
Revenue and Taxation, in Room 435.
Civil Service and State Personnel, in Room 426.

On Thursday, April 12th, instead of on Monday, April 9th, at 8 p.m.—
Judiciary, in Room 426.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Doyle and The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Joe E. Brown of Los Angeles.

On request of Mr. Cooke, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. J. J. Rupp of Ojai, Mrs. C. R. Stephenson of Ventura, and Mrs. Edward S. Friel of Oxnard.

On request of Mr. Dickey, the usual courtesies of the Assembly for this day were unanimously extended to Algot Peterson of Oakland

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. C. D. Leggett, teacher and the following pupils of the Monticello School: Mary View, Ted View, Ray Louis, Tom Maddox, Walter Washabaugh, and Byron Clark.

On request of Mr. Kelly, the usual courtesies of the Assembly for this day were unanimously extended to Vern Mack, and Mrs. Frank Sullivan of Bakersfield, Mrs W. F Sprinkle, Sr., of Tehachapi, and Mrs. Ned Smith of Shafter.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Daniel Predovich and John Collins, teachers, and a group of pupils of the Sylvan School

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. McIntyre and Ronald E. Notley, teachers and the following pupils of the Bret Harte School: Robert Andrade, Bob Andrade, Jimmy Ario, Howard Boyer, Bob Bresniker, David Duncan, Bob Helton, Richard Henningson, Dick Heett, Maurice Hill, Maurice Jacques, B'Ho Kirkland, Doug King, Bruce Masson, Dan Olmstead, Richard Paige, Rodney Reeves, Bobby Thompson, Ray Timagera, Eleanor Bullock, Caroline Call, Suzanne Close, Donna Rae Evans, Peggy Ewing, Marilyn Jacques, Valeria Lundgren, Natalie Lupton, Norene McClellan, Jackie McClendon, Norita Nissen, Janice Peterson, Joyce Roberts, Diane Thorndike, Bobbye Walker, and Sally Kolepp.

On request of Mr. Grunsky, the usual courtesies of the Assembly for this day were unanimously extended to Miss Phyllis Wythe and G. A. Tindall, teachers, Leo Dunn, driver, and the following pupils of Salsipuedes School: Louise Gandrup, Willa Fern Stowers, Maryann Gizdich, Barbara Brazil, Clarence Guidotti, Barbara Ladd, Ruth Ladd, Jimmy Blackwood, Gaile Silvey, Phillis Pacheco, Mae Tibbetts, Anthony Souza, Ernest Velasquez, Bill Cox, Akio Idemoto, Marlene Pereira, Lloyd Beard, Nancy Dalton, Kazu Mio, Kim Kliewer, Betty Lint, Ronald Cordoza, and Jacob Buak.

On request of Mr. Stewart, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. L. R. Kirk, Mrs. C. G. Scarborough, Mrs. Chas. Ianne, Mrs. Robt. Quinn, Mrs. B. H. Wardrip, Mrs. Edward Hayes, Mrs R. A. Schneiders, and Mrs David Proctor of Pasadena.

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Dorothy Keck, teacher, John Hensley, Mrs. Antoinette Rohde, guests, and the following pupils of the Whitmore-Ceres School: Skippy Anderson, Charles Beebe, Jerry Blankenship, Nancy Clark, Nathalie Cuddy, John Culpepper, Beverly Fauss, Eddie Fonda, Beth Henderson, Clark Hensley, Marita Holloway, Shirley Hutchison, Dwight Johnson, Claudette Jones, Jean Jones, Eva Keener, Phyllis Keller, David Kenshol, Sara Moore, Wilda Motel, Richard Olson, Jeannine Rhine, Nellavee Richardson, Howard Rohde, Claudia Salter, Donna Sargent, George Shults, Jerry Skaggs, Jack Stiffler, Beverly Ann Thompson, Harland Volheim, Denzil Walker, Frances White, and Royce Young.

On request of Mr. McFall, the usual courtesies of the Assembly for this day were unanimously extended to Miss M. Roersma, teacher, Mrs. Gerard den Dulk, Arie den Dulk, Dr. Gilbert den Dulk, Peter Hekman, Martin Hekman, Menno Scholten, parents, and the following pupils of the Ripon Christian School: Greta Scholten, Bertha De Jonge, Gladys Van Vuren, Evelyn Stuit, Evelyn Brandt, Emma Vanden Berg, Eileen Van Henkelem, Marilyn den Dulk, Anna Vander Wall, Gertrude De Weerd, Lois Haan, Margaret Hoff, Joyce Rylaarsdam, Margaret Hekman, Leona Van Dyken, Douglas Van Dyken, Leon Pranger, John Luth, Loren Schemper, Walter den Dulk, Robert de Jong, Abraham De Hoog, Abel De Hoog, Albert Marsman, Adrian Winters, Robert den Dulk, Eugene Tanis, and Dirk Hoek.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to Miss Irene Martin and John J. Lynch, teachers, and the following pupils of Pinole-Hercules Union School: Gerald Albright, Jean Barkley, Carol Beasley, Jean Bender, Robert Bryant, Mary Butler, Barbara Carlston, Wanda Christman, John Collins, Orva Connes, Eddie Cox, Duane De Cateau, Carolyn De Renzo, Robert Flynn, George Ferrell, Gail Foster, Carlton Galle, Mike Gibbs, Patricia Glasson, Athelda Gregory, Darlene Gregg, Dorothy Harnois, Betty Lou Holmes, Dick Jefferis, Gene Jennings, Tommy Jensen, Le Roy Johnson, Ronald Ledford, David Lucas, Tommy Mc Intire, Durees Murdock, James Palmer, Roger Savage, Joan Sandlin, Barbara Searsella, Delores Schlenker, Arnold Schmidt, Gail Silviera, Barbara Summers, Katherine Vale, Robert Barkoff, Lydia Boyd, Dee Ann Brown, Beverly Buckley, Patsy Campbell, Don Champlin, Robert Clark, Juanita Crockett, John Darke, Rhondy Dike, Mary Lou Fruzza, Nancy Hayden, Joyce Hottinger, Raymond Howard, Asta Hoy, Carol Hoy, Donald Iott, Dale Jellison, Janis Lott, Bob Masek, Virginia McCall, Jack Mitchell, Eddie Olstad, Bob Overcamp, John Pavon, Dorothy Paulos, Joyce Rhorer, Linda Schackles, Carl Summers, Frank Spafford, Patsy Stamp, Roberta Stice, Bob Stroud, Larry Swenson, Dale Turnipseed, Stella Villalovas, and Arthur Westman.

On request of Mr. Rumford, the usual courtesies of the Assembly for this day were unanimously extended to Dr H. Solomon Hill of Oakland.

On request of Mr. Rumford, the usual courtesies of the Assembly for this day were unanimously extended to F. Zimmerman and Mrs. B. G. Hare, teachers, and a group of adult education class of the Tompkins School of Oakland.

On request of Messrs Parker and McFall, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Phoebe White, Frank Willey, teachers, and the following students of Stockton College of Stockton: James Barton, Jean Bowmer, Rebecca Castellanos, Peggy Derr, Bill Dodson, Jack Devencenzi, Eleanor Duncan, Arlene Cantaloupie, Lloyd Canton, Oretha Dock, Dan Gilliam, Jeanette Grangood, Dorothy Garbioso, Jack Houston, Duane Hardig, Dora Hansen, Kay Kirkwood, Robert Klang, Cranden Losee, Charmaine LaRiviere, Margaret Mather, Harold Monks, Claudene Moresco, Joan Mutton, Verna McCormack, Dennis McNabb, Eugene Obenshain, Ella Oliver, Peggy Pierce, Alice Pike, Lillian Pimental, Edna Preciado, Peggy Queen, Clark Ryan, Linda Shaffer, Allen Silver, Lee Stillwell, Joan Semper, Rosemary Spears, Jeanette Tessador, Dixie Thomas, Ramona Townlin, George Tennis, Jim Ulmer, Me Tue Wong, Shirley Wysup, and Irene Firenzi.

ADJOURNMENT

At 1 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Friday, April 6, 1951.

SAM L COLLINS, Speaker

GERALDINE B HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

THIRTY-SECOND LEGISLATIVE DAY

FORTY-SECOND CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, April 6, 1951

The Assembly met at 10 a.m
Hon. Sam L. Collins, Speaker of the Assembly, presiding
Chief Clerk Arthur A. Ohnimus at the desk

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—75.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Almighty and Eternal God, who dost bid us walk as pilgrims and strangers in this passing world, remind us of that abiding city which Thou hast prepared for us in the Heavens. So govern our hearts, we pray, that we may avoid all fleshly lusts, all that wars against the soul, and live obediently to that rule which Thou has set before us. May we show forth Thy glory in good works day by day. In the responsibilities before us, make us humble, watchful and diligent.

And as, in sparkling majesty, a star,
Gilds the bright summit of some gloomy cloud;
Brightening the half-veiled face of Heaven afar;
So when dark thoughts my boding spirit shroud,
Sweet Hope, celestial influence round me shed,
Waving thy silver pinions o'er my head

Help us to walk this day as workmen who need not be ashamed
We pray in Jesus name—AMEN

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Moss, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Butters, on motion of Mr. Stewart.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Hansen, on motion of Mr. Clarke.

Mr. Sillman, on motion of Mr. Clarke.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Brown, on motion of Mr Caldecott.

REPORTS OF STANDING COMMITTEES

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 1285
Assembly Bill No. 1855

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LUCKEL, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1951

MR SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 322
Assembly Bill No. 747
Assembly Bill No. 1272
Assembly Bill No. 1612

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

LUCKEL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1951

MR SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 178
Assembly Bill No. 2838
Assembly Bill No 1955
Assembly Bill No. 3336

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

LUCKEL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1951

MR SPEAKER: Your Committee on Transportation and Commerce, to which were referred

Assembly Bill No. 607
Assembly Bill No. 702
Assembly Bill No 1009
Assembly Bill No 1010
Assembly Bill No. 1754
Assembly Bill No. 1842
Assembly Bill No 1850
Assembly Bill No. 1853
Assembly Bill No. 2772

Has had the same under consideration, and reports the same back with the recommendation: Do pass

LUCKEL, Chairman

Above reported bills ordered to second reading

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1622
Assembly Bill No. 3227

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 154
Assembly Bill No. 195
Assembly Bill No. 196
Assembly Bill No 197
Assembly Bill No. 198
Assembly Bill No 200
Assembly Bill No 202
Assembly Bill No. 203
Assembly Bill No. 204
Assembly Bill No. 205
Assembly Bill No. 207
Assembly Bill No. 208
Assembly Bill No. 209
Assembly Bill No. 229
Assembly Bill No. 308
Assembly Bill No. 309
Assembly Bill No. 1124
Assembly Bill No. 1149
Assembly Bill No. 1206
Assembly Bill No. 1744
Assembly Bill No. 1746
Assembly Bill No. 1893
Assembly Bill No. 2123
Assembly Bill No. 2124
Assembly Bill No. 2341
Assembly Bill No. 2342
Assembly Bill No 2647

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 404
Assembly Bill No. 1277

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 255
Assembly Bill No 503
Assembly Bill No. 1188
Assembly Bill No. 1190

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 841
Assembly Bill No. 1792
Assembly Bill No. 1924

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2717
Assembly Bill No. 2530

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 138
Assembly Bill No. 165
Assembly Bill No. 926
Assembly Bill No. 2889
Assembly Bill No. 3226

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1951

MR SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 496
Assembly Bill No. 2131

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1951

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 147

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 126—An act making an appropriation in augmentation of the appropriation in Item 130 of the Budget Act of 1950 for support of Local Allocations Division, Department of Finance, to take effect immediately;

Assembly Bill No. 127—An act making an appropriation in augmentation of the appropriation in Item 30 of the Budget Act of 1950 for support of the California Disaster Council, to take effect immediately;

Assembly Bill No. 128—An act making an appropriation from the Fair and Exposition Fund in augmentation of the Poultry Testing Project Fund, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the sixth day of April, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1951

MR. SPEAKER Your Committee on Legislative Procedure has examined.

Assembly Bill No. 130—An act making an appropriation in augmentation of the appropriation in Item 10 of the Budget Act of 1950, for expenses of Members of the Assembly, to take effect immediately.

Assembly Bill No. 131—An act making an appropriation to the Department of Veterans Affairs for educational assistance to veterans, in augmentation of Item 264 of the Budget Act of 1950, to take effect immediately.

Assembly Bill No. 169—An act to add Sections 14720.1 and 14737.1 to the Education Code, relating to retirement of employees of school districts, providing for the management of school district retirement funds, and declaring the urgency thereof, to take effect immediately,

And reports that the same have been correctly enrolled, and presented to the Governor on the sixth day of April, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 352—An act to amend Section 1550 of the Welfare and Institutions Code, relating to aid to needy children, in respect to applications therefor;

Assembly Bill No. 353—An act to amend Sections 2190 and 3091.5 of the Welfare and Institutions Code, relating to the destruction of records of needy persons;

Assembly Bill No. 390—An act making an appropriation in augmentation of the appropriation in Item 278 of the Budget Act of 1950, for Salary Increase Fund, to take effect immediately,

And reports that the same have been correctly enrolled, and presented to the Governor on the sixth day of April, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1951

MR SPEAKER. Your Committee on Legislative Procedure has examined.

Assembly Bill No. 566—An act to amend Sections 17125 5, 17163.5, 17257, 17331, 17333, 17342, 17343, 17344, 17346, 17347, 17348, 17349, 17349 5, 17350, 18172.3, 18211, and 18213 to the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately;

And reports that the same has been correctly enrolled, and presented to the Governor on the sixth day of April, 1951, at 11 a m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 9—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 3 of Article XX, relating to oaths of office;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the sixth day of April, 1951, at 11 a m.

BURKE, Chairman

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 2417

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1951

MR. SPEAKER. Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 245

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No 654

Has had the same under consideration, and reports the same back with the recommendation: Be re-referred to Committee on Municipal and County Government.

HOLLIBAUGH, Chairman

Above reported bill ordered re-referred to the Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 528
Assembly Bill No. 531
Assembly Bill No. 532
Assembly Bill No. 1709
Assembly Bill No 1710
Assembly Bill No 1711
Assembly Bill No. 2416
Assembly Bill No. 2418
Assembly Bill No 2842
Assembly Bill No 3383
Assembly Bill No. 3386

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Assembly Bill No. 1508
Assembly Bill No. 1509
Assembly Bill No. 1513
Assembly Bill No. 1514
Assembly Bill No. 1516
Assembly Bill No. 1510

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SILLIMAN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Assembly Bill No. 1511
Assembly Bill No. 1515
Assembly Bill No. 1519
Assembly Bill No. 1539
Assembly Bill No. 1540
Assembly Bill No. 1583
Assembly Bill No. 1517
Assembly Bill No. 3145

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SILLIMAN, Chairman

Above reported bills ordered to second reading

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1951

MR. SPEAKER: Your Committee on Public Health, to which was referred

Assembly Bill No. 2252

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CONNOLLY, Chairman

Above reported bill ordered to second reading.

Committee on Industrial Relations

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1951

MR. SPEAKER: Your Committee on Industrial Relations, to which were referred:

Assembly Bill No. 617
Assembly Bill No. 542
Assembly Bill No. 545
Assembly Bill No 546
Assembly Bill No 956

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LEVERING, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1951

MR. SPEAKER: Your Committee on Industrial Relations, to which were referred:

Assembly Bill No. 541
Assembly Bill No 1980
Assembly Bill No. 2921

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

LEVERING, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1951

MR. SPEAKER: Your Committee on Industrial Relations, to which were referred.

Assembly Bill No. 544
Assembly Bill No. 2077

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

LEVERING, Chairman

Above reported bills ordered to second reading.

Committee on Civil Service and State Personnel

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1951

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which were referred:

Assembly Bill No. 1245
Assembly Bill No. 2730

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CALDECOTT, Chairman

Above reported bills ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1951

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which were referred:

Assembly Bill No. 682
Assembly Bill No. 1256
Assembly Bill No. 1625
Assembly Bill No. 1912
Assembly Bill No. 1928
Assembly Bill No. 2931

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CALDECOTT, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1951

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which were referred:

Assembly Bill No. 1243
Assembly Bill No. 1623

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

CALDECOTT, Chairman

Above reported bills ordered to second reading.

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred

Assembly Bill No. 39

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SILLIMAN, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 1512

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SILLIMAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1951

MR SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Senate Bill No. 1211

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SILLIMAN, Chairman

Above reported bill ordered to second reading.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 2615
Assembly Bill No. 657

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1951

MR. SPEAKER Your Committee on Municipal and County Government, to which was referred

Senate Bill No 23

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1951

MR SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No 462
Assembly Bill No. 1024
Assembly Bill No 1079
Assembly Bill No 2282
Assembly Bill No. 2284

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bills ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No 840

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 5, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed.

Senate Bill No 9
Senate Bill No 27
Senate Bill No. 100
Senate Bill No. 324
Senate Bill No 333
Senate Bill No 370
Senate Bill No. 497
Senate Bill No. 895
Senate Bill No. 921
Senate Bill No. 1060
Senate Bill No. 1091
Senate Bill No. 1526

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 9—An act to add Section 790.1 to the Fish and Game Code, relating to the possession and sale of crabs and crab meat.

Referred to Committee on Fish and Game.

Senate Bill No. 27—An act to add Sections 1919 and 1920 to the Health and Safety Code, relating to the control of rabid animals.

Referred to Committee on Public Health.

Senate Bill No. 100—An act to add Section 951.1 to the Fish and Game Code, relating to trawl nets

Referred to Committee on Fish and Game.

Senate Bill No. 324—An act to amend Sections 587 and 1515 of the Probate Code, relating to the dedication or conveyance of real property or interests therein of the estates of decedents and of wards.

Referred to Committee on Judiciary.

Senate Bill No. 333—An act to amend Section 5470 of the Health and Safety Code, relating to sewer rental charges and the use of moneys received therefrom.

Referred to Committee on Municipal and County Government.

Senate Bill No. 370—An act to amend Sections 1090, 1091, 1092, 36525, 36526, and 36527 of the Government Code, relating to contracts of public officers.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 497—An act to amend Section 9355 1 of, and to add Sections 9355 6 and 9356.2 to, the Government Code, relating to the retirement of state legislators and officers, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Civil Service and State Personnel.

Senate Bill No. 895—An act to add Section 8 01 to the Bank and Corporation Franchise Tax Act and Section 7.01 to the Corporation Income Tax Act and Section 24202 to the Revenue and Taxation Code, relating to deductions in computing net income for taxation purposes, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 921—An act to add Section 17358 to the Revenue and Taxation Code, relating to the personal income tax, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1060—An act to add Article 10 to Chapter 3, Part 3, Division 5 of the Health and Safety Code, relating to county sanitation districts.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1091—An act to consolidate and revise the law relating to the organization, operation, and maintenance of a system of state and local government, by adding Section 500049 and Title 7, relating to planning and conservation, to the Government Code, and repealing the Conservation and Planning Act.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1526—An act to amend Section 5546.5 of the Health and Safety Code, relating to county sewerage and water districts, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 5, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 22
Senate Joint Resolution No. 27
Senate Concurrent Resolution No. 29
Senate Concurrent Resolution No. 39

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolutions were read:

Senate Joint Resolution No. 22—Relative to memorializing Congress to consider the use of the Georgetown to Wentworth Springs and Chambers Lodge at Lake Tahoe on Highway 89 as a principal East-West traffic artery for civil and military defense.

Referred to Committee on Rules.

Senate Joint Resolution No. 27—Relative to memorializing Congress to allow states a credit for civil defense expenditures made prior to the effective date of any federal appropriation made to match civil defense expenditures by states.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 29—Relative to the establishment of "I Love You, California," as the State Song.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 39—Relative to seeking deferments for crop dusting pilots and mechanics.

Referred to Committee on Rules.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1977—An act to amend Section 6494 of the Health and Safety Code, relating to election of sanitary district assessors.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1979—An act to amend Section 6580 of the Health and Safety Code, relating to date of election of officers of sanitary districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1528—An act to repeal Sections 6654, 5105.5, and 5105.6 of the Welfare and Institutions Code, relating to reports by district attorneys and orders of committing courts concerning the financial ability of persons committed to state hospitals or their relatives to pay the cost of care, maintenance or transportation.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2361—An act to amend Section 5047 of the Welfare and Institutions Code, relating to the procedure and examination of the mental health of a person alleged to be mentally ill, in respect to the liability of persons filing petitions for such examination.

Bill read second time, and ordered engrossed.

Assembly Bill No. 900—An act to add Section 10206 to the Education Code, relating to insurance against liability arising from courses in driver education and training.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1180—An act to amend Sections 18661, 18662, 18671, 18672, 18674, and 18675 of the Education Code, relating to the sale, lease, dedication, grant, quitclaim and conveyance of real property of school districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1264—An act to amend Section 2893 of the Education Code, relating to the annexation of school districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1317—An act to amend Sections 16430 and 16434 of the Education Code, relating to school safety patrols.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2311—An act to amend Section 9607.1 of the Education Code, relating to contracts for education of physically handicapped minors.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2312—An act to amend Section 8503 of the Education Code, relating to age of pupils for admission to first grade.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2313—An act to amend Section 8404 of the Education Code, relating to age of pupils for admission to kindergarten.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2315—An act to amend Section 9601.2 of the Education Code, relating to contracts for education of physically handicapped minors.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2794—An act to add Section 9148 to the Education Code, relating to field officers or teachers for the adult blind.

Bill read second time, and ordered engrossed.

Assembly Bill No. 612—An act to provide for the disposition of the unexpended balance of moneys in the California State Building Fund of 1925.

Bill read second time, and ordered engrossed.

Assembly Bill No. 613—An act to add Section 12463.2 to, and to repeal Section 12461.5 of, the Government Code, relating to the duties of the Controller.

Bill read second time, and ordered engrossed.

Assembly Bill No. 614—An act to abolish the War Bond Fund, to transfer to the Special Deposit Fund the unexpended balance remaining therein, and to appropriate such amount from the Special Deposit Fund for expenditure for the same purposes for which such amount is available for expenditure from the War Bond Fund immediately preceding such transfer.

Bill read second time, and ordered engrossed.

Assembly Bill No. 643—An act to amend Section 92 of the Labor Code, relating to the powers of the Labor Commissioner.

Bill read second time, and ordered engrossed.

Assembly Bill No. 957—An act to amend Section 11041 of the Government Code, relating to legal services for the Division of Labor Law Enforcement.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1033—An act to amend Sections 17090 and 17091 of, and to add Section 17096 to, the Government Code, and to amend Section 141 of the Welfare and Institutions Code, relating to the issuance of duplicate warrants by the State Controller.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1242—An act to amend Section 2235 of the Corporations Code, relating to cumulative voting for directors of corporations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1812—An act to add Section 16009 to the Government Code, relating to claims against the State, and providing a procedure for the United States Government to reach net amounts owing by the State to debtors of the United States.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1813—An act to add Section 12419.5 to the Government Code, relating to claims against the State and the duties of the State Controller.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1958—An act to amend Section 3 of an act entitled "An act relating to institutions under the jurisdiction of the Department of Corrections, making an appropriation to the expended pursuant to the Property Acquisition Act for the acquisition of a new site for the California Institution for Women, authorizing the Director of Corrections to transfer the California Institution for Women from its present location near Tehachapi to the new site, and authorizing the disposition of the Tehachapi property," approved July 2, 1947, relating to institutions under the jurisdiction of the Department of Corrections.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2899—An act to amend Section 13290 of the Government Code, relating to the State Accounting System and the fiscal affairs of the State.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3375—An act to amend Section 1 of an act entitled "An act granting to the City of Los Angeles the tidelands and submerged lands of the State within the boundaries of said city," approved June 3, 1929, relating to tidelands and submerged lands.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1908—An act to provide for a compact between the State of California and the State of Arizona in relation to fish and game and to provide for reciprocal hunting and fishing licenses and privileges for the residents of said states.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2085—An act to amend Section 6028.1 of the Penal Code, relating to Special Crime Study Commissions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert ", and to add Section 6028.11 to,".

Amendment No. 2

On page 1, line 5, of said bill, strike out "For that purpose it may issue subpenas and"; and strike out lines 6 to 11, inclusive, and insert

"SEC. 2. Section 6028.11 of the Penal Code is added to read:

6028.11. For the purpose of Section 6028.1, each such special commission may issue subpenas and exercise all the powers of a head of a department set forth in Article 2, Chapter 2, Part 1, Division 3, Title 2 of the Government Code, and all the provisions of such article shall apply to the commission to the same extent and with the same effect as if the commission were named therein as head of a department.

This section shall have no force or effect after June 30, 1952."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2347—An act to amend Sections 50013, 50101, 50110, 50152, 50332, 50401, 50600, 50601, 50602, 50603, 50609, 50631, 50654, 50657, 50659, 50700, 50730, 50731, 50901, 50951, 50953, 50954, 50958, 51324, 51337, 51338, 51339, 51340, 51341, 51346, 51347, 51348, 51349, 51360, 51362, 51364, 51365, 51424, 51480, 51513, 51601, 51661, 51850, 52223, 52224, 52302, 53072, and 53092, and to add Sections 50014, 51332 1, 51332 2 and to repeal Section 50733, relating to reclamation districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 7 of the title of the printed bill, after "53092", insert "of,".

Amendment No. 2

In line 8 of the title of said bill, strike out "and to repeal Section 50733", and insert "to, and to repeal Section 50733 of, the Water Code".

Amendment No. 3

On page 3, line 9, of said bill, strike out "money remaining in a fund", and insert "surplus funds".

Amendment No. 4

On page 3, line 10, of said bill, strike out ", which money is".

Amendment No. 5

On page 3 of said bill, strike out lines 12 and 13, and insert "were assessed on the last assessment made by the district and which assessment produced such surplus money by collections thereon or by rental or sale of delinquent land thereunder"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1971—An act to amend Sections 1b, 1c, and 2b of, to add Sections 2d and 5b to, and to repeal Section 1e of, the Municipal Improvement Act of 1913, relating to special assessment proceedings, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 1b, 1c,", and insert "Sections 1c".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 23, inclusive.

Amendment No. 3

On page 2 of said bill, strike out line 1, and insert

"SECTION 1. Section 1c of the Municipal Improvement Act of 1913 is amended to read:".

Amendment No. 4

On page 2, line 17, of said bill, strike out "without calling for bids".

Amendment No. 5

On page 2, line 30, of said bill, strike out "SEC. 3", and insert

"SEC. 2".

Amendment No. 6

On page 2, line 31, of said bill, strike out "SEC. 4", and insert "SEC. 3".

Amendment No. 7

On page 2, line 34, of said bill, after "property", insert "and railroad property".

Amendment No. 8

On page 2, line 38, of said bill, strike out "SEC. 5", and insert "SEC. 4".

Amendment No. 9

On page 2, line 42, of said bill, strike out "SEC 6", and insert "SEC. 5".

Amendment No. 10

On page 2, line 46, of said bill, strike out "SEC 7", and insert "SEC. 6".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2840—An act to amend Section 6535 of the Business and Professions Code, relating to barbers.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 8, of the printed bill, strike out "1,000", and insert "1,500".

Amendment No. 2

On page 1, line 9, of said bill, strike out "six", and insert "nine"

Amendment No. 3

On page 1, line 9, of said bill, after "day", strike out the comma; and strike out lines 10 and 11, and insert a period.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 961—An act to amend Section 640 of, and to add Section 640.1 to the Penal Code, relating to the detection or interception of telegraphic and telephonic communications.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, line 13, of the printed bill, strike out "crime", and insert "felony".

Amendment No. 2

On page 2, line 35, of said bill, after "all", insert "such information and"

Amendment No. 3

On page 2 of said bill, strike out line 36, and insert "be admissible in any criminal case in accordance with the rules of evidence in criminal cases, or before the grand jury,".

Amendment No. 4

On page 2, line 37, of said bill, strike out "or", and insert a comma.

Amendment No. 5

On page 2, line 38, of said bill, strike out the period, and insert ", for publication, or for any other purpose not provided for in this section"

Amendment No. 6

On page 2 of said bill, after line 38, insert

"Any person who obtains information by reason of the order and before such information becomes a public record discloses such information in a civil proceeding, for a private purpose, or for any other purpose not provided for in this section, shall be guilty of a felony."

Amendment No. 7

On page 1, line 23, of said bill, after "640.1", insert "(a)".

Amendment No. 8

On page 2 of said bill, after line 38, insert

"(b) Upon written application by the Attorney General to any Justice of the Supreme Court or of a District Court of Appeal for an order for the detection or interception of telegraphic or telephonic communications, the justice may issue an order authorizing such detection or interception by the Attorney General. The application for such order shall be supported by the affidavit of the Attorney General or a Deputy Attorney General or of any person who is employed in the Department of Justice; said supporting affidavit must:

a. Show the identity of the telephone or telegraph line involved and the number of the telephone, or other adequate description to identify it.

b. State that there is reasonable ground to believe that evidence of a felony may be thus obtained.

c. State that any evidence so obtained will be used only in the prosecution of a criminal cause and that the same will not be divulged in connection with a civil proceeding or for private information.

The Justice of the Supreme Court or District Court of Appeal may consider said application and issue said order at any time or place on an ex parte application of the Attorney General and may examine the applicant and any other witnesses under oath for the purpose of satisfying himself of the existence of reasonable grounds for the granting of such application. The order for detection or interception shall specify the period of time during which the same shall be effective, which shall not exceed six months. The original order, together with the papers upon which the same was based, shall be ordered sealed and filed in a secret file with the clerk of the court and the same shall not be open to public inspection except upon a subsequent order by a Justice of the Supreme Court or District Court of Appeal. A true copy of said order and papers upon which the same was based shall be retained by the Attorney General and considered confidential and shall not be open to inspection. All information obtained by reason of the order shall be reported to the Attorney General or his authorized subordinate upon his request, and all such information and evidence so obtained shall be admissible in any criminal case in accordance with the rules of evidence in criminal cases, or before a grand jury, but shall not be disclosed in civil proceedings for private purposes, for publication, or for any other purpose not provided for in this section.

Any person who obtains information by reason of the order and before such information becomes a public record discloses such information in a civil proceeding, for a private purpose, or for any other purpose not provided for in this section, shall be guilty of a felony."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1532—An act to amend Section 5701 of and to add Section 5701.3 to the Welfare and Institutions Code, relating to private mental institutions and private family care homes, and providing for their license fees and regulation.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1 of printed bill, after line 14, insert

"No rule or regulation shall require any type of medical diagnosis, examination, supervision or treatment in establishments conducted by and for persons who adhere to

the faith and teachings of any well recognized church, sect, denomination or organization and in accordance therewith rely upon prayer or spiritual means for healing in the practice of religion"

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1535—An act to amend Section 6660.5 of the Welfare and Institutions Code, relating to the safekeeping of the property of patients of the Department of Mental Hygiene.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

On page 2, line 1, of the printed bill, strike out "appears", and insert "is determined by the superintendent".

Amendment No. 2

On page 2 of said bill, strike out lines 13 to 16, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 525—An act to add Article 5, comprising Sections 16485 to 16490, inclusive, to Chapter 3 of Part 2 of Division 4 of Title 2 of the Government Code, relating to interfund sales and transfers of bond investments.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 3 of the title of the printed bill, after "interfund", insert "purchases,".

Amendment No. 2

On page 1, line 4, of said bill, after "Interfund", insert "Purchases,".

Amendment No. 3

On page 2, line 3, of said bill, strike out "exchanged", and insert "purchased".

Amendment No. 4

On page 2, line 7, of said bill, after "fund", insert "affected by the transaction".

Amendment No. 5

On page 2, line 13, of said bill, strike out "procedure", and insert "procedures".

Amendment No. 6

On page 2, line 14, of said bill, strike out "is", and insert "are".

Amendment No. 7

On page 2, line 16, of said bill, strike out "sale", and insert "purchase, sale".

Amendment No. 8

On page 2, line 21, of said bill, after "any", insert "purchase."

Amendment No. 9

On page 2, line 24, of said bill, after "any", insert "purchase,"

Amendment No. 10

On page 2, line 29, of said bill, after "Controller", insert "and the State Treasurer".

Amendment No. 11

On page 2, line 30, of said bill, strike out "his control", and insert "their".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 615—An act to amend Section 17242 of the Government Code, relating to reimbursement warrants.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 11251, 11252, and".

Amendment No. 2

In line 2 of the title of said bill, after "warrants", insert "and plans of financial adjustment covering reimbursements between state agencies".

Amendment No. 3

On page 1, line 1, of said bill, strike out "17242", and insert "11251".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, after line 2, insert

"11251. The Controller, *after consulting with the Department of Finance,* may approve any general plan whereby any state agency which is within a department and which is supported either by a special fund or by a separate appropriation from the General Fund, may make financial adjustments with the department of which it is a part and with any other state agency within the department for services rendered, supplies used, or for a proper proportion of other expenses. A *copy of the proposed plan shall be furnished to the Department of Finance before approval by the Controller; and a* copy of the approved plan shall be furnished to the Department of Finance.

SEC. 2. Section 11252 of the Government Code is amended to read:

11252. Such adjustments shall be made in accordance with the *approved* plan [approved by the Controller] by filing a financial statement [, approved by the Department of Finance,] with the Controller, and requesting the Controller to make the necessary transfers *or other entries* upon his books. Upon receipt of such a request, the Controller shall make [the] *such* transfers *or other entries*.

SEC. 3. Section 17242 of the Government Code is amended to read:".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1504—An act to add Chapter 2.5 consisting of Sections 5300 to 5302 to Part 1 of Division 6 of and to add Section 5250.5 to the Welfare and Institutions Code, relating to the care and treatment of epileptic persons in state institutions under the jurisdiction of the Department of Mental Hygiene.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "Section 5250 5", and insert "Sections 5250 5 and 5250.6".

Amendment No. 2

On page 1, lines 6 and 7, of said bill, strike out "Notwithstanding the provisions of any other section of this code, persons", and insert "Persons".

Amendment No. 3

On page 1, line 9, of said bill, strike out "sane but are".

Amendment No. 4

On page 1 of said bill, after line 27, insert

"SEC. 3. Section 5250 6 is added to said code to read:

5250.6. No mentally deficient person who is being treated by prayer or spiritual means in the practice of the religion of any well-recognized church, sect, denomination, or organization, shall be ordered detained or committed unless the court shall determine that he is or would likely become dangerous to himself or to the person or property of others, or unless, being an adult, he shall consent to such detention or commitment, or, being a minor, his parent or guardian having custody of his person shall consent thereto."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1790—An act to repeal Section 263 and to amend Sections 256 and 257 of the Health and Safety Code, and to provide for the reversion to the General Fund of the unexpended balance of the Physically Defectives' Revolving Fund, relating to physically handicapped children.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 9, of the printed bill, after the period, insert "All expenses for services shall be advanced by the state department out of any appropriation available by law for expenditure for services to physically handicapped children, in accordance with the provisions of Article 2 of Chapter 2 of Part 1 of Division 1 of the Health and Safety Code."

Amendment No. 2

On page 1 of said bill, strike out lines 14 to 22, inclusive, and insert

"257. The board of supervisors shall audit and approve an itemized claim for the expenses of the services furnished under the authority of the authorization. The county auditor shall then issue a warrant for the amount of the claim payable to the state department, and the county treasurer shall pay it. The state department shall credit the amount received to the appropriation from which it was advanced."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2140—An act creating the San Francisco Harbor Finance Board and prescribing its duties; providing for the issuance and sale of revenue bonds by the Board of State Harbor Commissioners, subject to the approval of the San Francisco Harbor Finance Board as obligations of the Board of State Harbor Commissioners for San Francisco Harbor, payable from the revenues of said Board of State Harbor

Commissioners for San Francisco Harbor, and prescribing the duties of state officers in respect to such bonds; defining the duties of said Board of State Harbor Commissioners for San Francisco Harbor, in respect to said bonds and the performance of public works from the proceeds thereof; authorizing the creation of a fund for the improvement of San Francisco Harbor by the construction of wharves, piers, sea walls, State Railroad, spurs, betterments and appurtenances and necessary dredging and filling in connection therewith; providing for the purposes for which the proceeds of said bonds may be expended; providing for the incidents, security, terms, conditions, maturity, interest, denominations, form, registration, and transfer and interchange of such bonds; providing for the payment of the interest and principal of such bonds, and for their call before maturity and the conditions upon which such calls may be made; providing for the replacement of lost, destroyed, or mutilated bonds or coupons; exempting such bonds from certain taxes, and authorizing the investment of banks, trusts, and public funds in said bonds; providing for the rights and remedies of the holders of such bonds; providing for the issuance of refunding bonds and providing for the creation of designated funds.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill after "act", insert "to add Chapter 12 of Part 1 of Division 6 of the Harbors and Navigation Code,"

Amendment No. 2

On page 2, line 1, of said bill, strike out "this act may be cited as "The San Fran-", and insert "Chapter 12 is added to Part 1 of Division 6 of the Harbors and Navigation Code, to read.

CHAPTER 12. SAN FRANCISCO HARBOR REVENUE BOND ACT OF 1951

3300. This chapter may be cited as "The San Fran-".

Amendment No. 3

On page 2, line 3, of said bill, strike out "SEC. 2", and insert "3301".

Amendment No. 4

On page 2, line 4, of said bill, strike out "act", and insert "chapter".

Amendment No. 5

On page 2, line 20, of said bill, strike out "act", and insert "chapter".

Amendment No. 6

On page 2, line 26, of said bill, strike out "act", and insert "chapter".

Amendment No. 7

On page 2, line 27, of said bill, strike out "act", and insert "chapter"

Amendment No. 8

On page 3, line 10, of said bill, strike out "act", and insert "chapter".

Amendment No. 9

On page 3, line 28, of said bill, strike out "SEC 3", and insert "3302".

Amendment No. 10

On page 3, line 35, of said bill, strike out "SEC. 4", and insert "3303".

Amendment No. 11

On page 3, line 37, of said bill, strike out "act", and insert "chapter".

Amendment No. 12

On page 3, line 38, of said bill, strike out "act", and insert "chapter".

Amendment No. 13

On page 3, line 42, of said bill, strike out "prepare the bonds", and insert "cause the bonds to be prepared in accordance with the terms of the resolution".

Amendment No. 14

On page 3, line 46, of said bill, strike out "act", and insert "chapter".

Amendment No. 15

On page 3, line 47, of said bill, strike out "act", and insert "chapter".

Amendment No. 16

On page 4, line 1, of said bill, strike out "SEC. 5", and insert "3304".

Amendment No. 17

On page 4, line 14, of said bill, strike out "SEC. 6", and insert "3305".

Amendment No. 18

On page 4, line 20, of said bill, strike out "act", and insert "chapter".

Amendment No. 19

On page 4, line 28, of said bill, strike out "act", and insert "chapter".

Amendment No. 20

On page 4, line 36, of said bill, strike out "SEC. 7", and insert "3306".

Amendment No. 21

On page 4, line 41, of said bill, strike out "act", and insert "chapter".

Amendment No. 22

On page 4, line 47, of said bill, strike out "act", and insert "chapter".

Amendment No. 23

On page 4, line 51, of said bill, strike out "act", and insert "chapter".

Amendment No. 24

On page 5, line 1, of said bill, strike out "SEC. 8", and insert "3307".

Amendment No. 25

On page 5, line 9, of said bill, strike out "SEC. 9", and insert "3308".

Amendment No. 26

On page 5, line 13, of said bill, strike out "act", and insert "chapter".

Amendment No. 27

On page 5, line 21, of said bill, strike out "SEC. 10", and insert "3309".

Amendment No. 28

On page 5, line 29, of said bill, strike out "SEC. 11", and insert "3310".

Amendment No. 29

On page 5, line 34, of said bill, strike out "SEC. 12", and insert "3311"

Amendment No. 30

On page 5, line 39, of said bill, strike out "Sec 13", and insert "3312"

Amendment No. 31

On page 5, line 44, of said bill, strike out "SEC. 14", and insert "3313".

Amendment No. 32

On page 6, line 1, of said bill, strike out "SEC. 15", and insert "3314".

Amendment No. 33

On page 6, line 11, of said bill, strike out "SEC 16", and insert "3315".

Amendment No. 34

On page 6, line 23, of said bill, strike out "SEC. 17", and insert "3316".

Amendment No. 35

On page 6, line 31, of said bill, strike out "SEC 18", and insert "3317".

Amendment No. 36

On page 6, line 36, of said bill, strike out "SEC. 19", and insert "3318".

Amendment No. 37

On page 6, line 40, of said bill, strike out "SEC. 20", and insert "3319".

Amendment No. 38

On page 6, line 46, of said bill, strike out "SEC. 21", and insert "3320".

Amendment No. 39

On page 7, line 1, of said bill, strike out "SEC. 22", and insert "3321".

Amendment No. 40

On page 7, line 5, of said bill, strike out "SEC. 23", and insert "3322".

Amendment No. 41

On page 7, line 27, of said bill, strike out "SEC. 24", and insert "3323".

Amendment No. 42

On page 7, line 35, of said bill, strike out "SEC. 25", and insert "3324".

Amendment No. 43

On page 7, line 47, of said bill, strike out "SEC. 26", and insert "3325".

Amendment No. 44

On page 8, line 8, of said bill, strike out "SEC. 27", and insert "3326".

Amendment No. 45

On page 8, line 20, of said bill, strike out "SEC. 28", and insert "3327".

Amendment No. 46

On page 8, line 27, of said bill, strike out "SEC. 29", and insert "3328".

Amendment No. 47

On page 8, line 34, of said bill, strike out "SEC. 30", and insert "3329".

Amendment No. 48

On page 8, line 38, of said bill, strike out "SEC. 31", and insert "3330".

Amendment No. 49

On page 8, line 42, of said bill, strike out "SEC. 32", and insert "3331".

Amendment No. 50

On page 9, line 1, of said bill, strike out "SEC. 33", and insert "3332".

Amendment No. 51

On page 9, line 13, of said bill, strike out "SEC. 34", and insert "3333".

Amendment No. 52

On page 9, line 16, of said bill, strike out "SEC. 35", and insert "3334".

Amendment No. 53

On page 9, line 24, of said bill, strike out "SEC. 36", and insert "3335".

Amendment No. 54

On page 9, line 30, of said bill, strike out "SEC. 37", and insert "3336".

Amendment No. 55

On page 9, line 31, of said bill, strike out "Board of State Harbor Commissioners", and insert "State Treasurer".

Amendment No. 56

On page 9, line 34, of said bill, strike out "SEC. 38", and insert "3337".

Amendment No. 57

On page 9, lines 36 and 37, of said bill, strike out "Harbor Bond Finance Board", and insert "State Treasurer".

Amendment No. 58

On page 9, line 38, of said bill, strike out "Board", and insert "State Treasurer".

Amendment No. 59

On page 9, lines 39 and 40, of said bill, strike out "direct the State Treasurer to".

Amendment No. 60

On page 9, line 41, of said bill, strike out "SEC. 39", and insert "3338".

Amendment No. 61

On page 9, line 50, of said bill, strike out "SEC. 40", and insert "3339".

Amendment No. 62

On page 10, line 9, of said bill, strike out "SEC. 41", and insert "3340".

Amendment No. 63

On page 10, line 15, of said bill, strike out "act", and insert "chapter".

Amendment No. 64

On page 10, line 16, of said bill, strike out "SEC. 42", and insert "3341".

Amendment No. 65

On page 10, line 23, of said bill, strike out "SEC. 43", and insert "3342".

Amendment No. 66

On page 10, line 24, of said bill, strike out "act", and insert "chapter".

Amendment No. 67

On page 10, line 27, of said bill, strike out "SEC. 44. Bond issued", and insert "3343. Notwithstanding any other provision of law all bonds sold and delivered".

Amendment No. 68

On page 10, line 37, of said bill, strike out "SEC. 45", and insert "3344".

Amendment No. 69

On page 10, line 41, of said bill, strike out "act", and insert "chapter".

Amendment No. 70

On page 10, line 45, of said bill, strike out "SEC 46", and insert "3345".

Amendment No. 71

On page 11, line 10, of said bill, strike out "SEC. 47", and insert "3346".

Amendment No. 72

On page 11, line 11, of said bill, strike out "act", and insert "chapter".

Amendment No. 73

On page 11, line 13, of said bill, strike out "SEC. 48", and insert "3347".

Amendment No. 74

On page 11, line 14, of said bill strike out "act", and insert "chapter".

Amendment No. 75

On page 11, line 26, of said bill, strike out "act", and insert "chapter".

Amendment No. 76

On page 11, line 33, of said bill, strike out "SEC. 49", and insert "3348".

Amendment No. 77

On page 11, line 37, of said bill, strike out "SEC 50", and insert "3349".

Amendment No. 78

On page 11, line 46, of said bill, strike out "act", and insert "chapter".

Amendment No. 79

On page 11, line 47, of said bill strike out "SEC. 51", and insert "3350".

Amendment No. 80

On page 12, line 6, of said bill, strike out "SEC 52", and insert "3351".

Amendment No. 81

On page 12, line 10, of said bill, strike out "SEC. 53", and insert "3352".

Amendment No. 82

On page 12, line 15, of said bill, strike out "act", and insert "chapter".

Amendment No. 83

On page 12, line 17, of said bill, strike out "SEC. 54", and insert "3353".

Amendment No. 84

On page 12, line 21, of said bill, strike out "SEC. 55", and insert "3354".

Amendment No. 85

On page 12, line 28, of said bill, strike out "SEC. 56", and insert "3355".

Amendment No. 86

On page 12, line 30, of said bill, strike out "act", and insert "chapter".

Amendment No. 87

On page 12, line 34, of said bill, strike out "act", and insert "chapter".

Amendment No. 88

On page 12, line 43, of said bill, strike out "SEC. 57", and insert "3356".

Amendment No. 89

On page 12, line 47, of said bill, strike out "act", and insert "chapter"

Amendment No. 90

On page 12, line 48, of said bill, strike out "SEC. 58", and insert "3357".

Amendment No. 91

On page 13, line 3, of said bill, strike out "SEC. 59", and insert "3358".

Amendment No. 92

On page 13, line 4, of said bill, strike out "act", and insert "chapter".

Amendment No. 93

On page 13, line 15, of said bill, strike out "act", and insert "chapter".

Amendment No. 94

On page 13, line 18, of said bill, strike out "act", and insert "chapter".

Amendment No. 95

On page 13, line 19, of said bill, strike out "SEC. 60", and insert "3359".

Amendment No. 96

On page 13, line 21, of said bill, strike out "act", and insert "chapter".

Amendment No. 97

On page 13, line 39, of said bill, strike out "SEC. 61", and insert "3360".

Amendment No. 98

On page 13, line 50, of said bill, strike out "article", and insert "chapter".

Amendment No. 99

On page 14, line 1, of said bill, strike out "SEC. 62", and insert "3361".

Amendment No. 100

On page 14, line 4, of said bill, strike out "article", and insert "chapter".

Amendment No. 101

On page 14, line 8, of said bill, strike out "SEC 63", and insert "3362".

Amendment No. 102

On page 14, line 9, of said bill, strike out "article", and insert "chapter".

Amendment No. 103

On page 14, line 14, of said bill, strike out "Sec 64. The proceeds", and insert "3363 Unless the board has provided in the resolution for the deposit of the proceeds of sale with a fiscal agent, as authorized by Section 3359, then such proceeds"

Amendment No. 104

On page 14, line 15, of said bill strike out "article", and insert "chapter".

Amendment No. 105

On page 14, line 22, of said bill, strike out "article", and insert "chapter".

Amendment No. 106

On page 14, line 29, of said bill, strike out "article", and insert "chapter".

Amendment No. 107

On page 14, line 34, of said bill, strike out "SEC. 65 So", and insert "3364 Unless the board has provided in the resolution for the deposit of the revenue with a fiscal agent, as authorized by Section 3324, then so".

Amendment No. 108

On page 14, line 36, of said bill, strike out "article", and insert "chapter".

Amendment No. 109

On page 14, line 43, of said bill, strike out "article", and insert "chapter".

Amendment No. 110

On page 14, line 45, of said bill, strike out "article", and insert "chapter".

Amendment No. 111

On page 15, line 1, of said bill, strike out "SEC 66. For", and insert "3365. Unless the board has provided in the resolution for the deposit of the revenue with a fiscal agent, as authorized by Section 3324, then for".

Amendment No. 112

On page 15, line 2, of said bill, strike out "article", and insert "chapter".

Amendment No. 113

On page 15, line 11, of said bill, strike out "article", and insert "chapter".

Amendment No. 114

On page 15, line 21, of said bill, strike out "article", and insert "chapter".

Amendment No. 115

On page 15, line 22, of said bill, strike out "SEC. 67. Moneys", and insert "3366 Unless the board has provided in the resolution for the deposit of the revenues with a fiscal agent, as authorized by Section 3324, the moneys".

Amendment No. 116

On page 15, line 27, of said bill, strike out "article", and insert "chapter".

Amendment No. 117

On page 15, line 33, of said bill, strike out "SEC. 68", and insert "3367".

Amendment No. 118

On page 15, line 40, of said bill, strike out "SEC. 69. This act", and insert "3368. This chapter".

Amendment No. 119

On page 15, line 42, of said bill, strike out "act", and insert "chapter".

Amendment No. 120

On page 15, line 43, of said bill, strike out "SEC. 70", and insert "3369".

Amendment No. 121

On page 15, line 44, of said bill, strike out "act", and insert "chapter".

Amendment No. 122

On page 15, line 46, of said bill, strike out "act", and insert "chapter".

Amendment No. 123

On page 16, line 2, of said bill, strike out "act", and insert "chapter"

Amendment No. 124

On page 16, line 6, of said bill, strike out "SEC. 71. This act", and insert "3370. This chapter".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3368—An act conveying certain tidelands and lands lying under inland navigable waters, situate in San Francisco Bay to the City of Sausalito, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof, reserving rights to the State.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1 of the printed bill, between lines 5 and 6, insert

"Beginning at a point at the intersection of the southerly line of Richardson Street in the City of Sausalito and the line of 9.0 feet of water at lowest tide as shown on Map No. 1 of Salt Marsh and Tide Lands situate in the County of Marin, State of California, surveyed in 1870 by G. F. Allardt and running thence along the said line of 9.0 feet of water N. 06° 30′ E., 623.43 feet; thence North 660.00 feet; thence N. 12° 00′ W., 317.46 feet; thence North 184.80 feet; thence N. 26° 30′ E., 236.28 feet; thence North 151.80 feet; thence, leaving the said line of 9.0 feet of water, North 22.78 feet; East 600.00 feet; thence south 315.86 feet; thence S. 26° 30′ W., 235.75 feet; thence S. 12° 00′ E., 297.72 feet; thence South 757.13 feet; thence S. 06° 30′ W., 589.41 feet; thence west 600.00 feet to the point of beginning, together with those portions of Richardson Street and North Street in the City of Sausalito lying between the said line of 9.0 feet of water and the ordinary high water mark."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1907—An act to add Article 3 to Chapter 1 of Part 1 of Division 4 of the Fish and Game Code, relating to reciprocal licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1 of the printed bill, strike out lines 6 to 10, inclusive, and insert

"440. The commission may issue special hunting and sporting fishing licenses in accordance with this article. Special hunting licenses may be issued to any person holding a hunting license issued by the State of Arizona. Such special hunting license shall entitle the holder thereof to take only migratory water fowl and only in, on, or along the Colorado River in accordance with the applicable state and federal laws and regulations or orders made pursuant thereto. The fee for such license shall be two dollars ($2) and each such license shall be valid until the end of the calendar year in which issued.

441. Special sporting fishing licenses may be issued under this article to any person holding a similar license issued by the State of Arizona. Such special sporting fishing license shall entitle the holder thereof to take fish for other than commercial purposes in those portions of the Colorado River which are within the territorial limits of the State of California in accordance with the applicable state laws and regulations or orders made pursuant thereto. The fee for such license shall be two dollars ($2) and each such license shall be valid until the end of the calendar year in which issued.

442. The commission shall prescribe the form and content of all special licenses issued pursuant to this article. The commission may provide by regulation for the issuance of such licenses and the collection and handling of the fees therefor. The commission may enter into and perform agreements with any state or local officers of the State of Arizona which it deems necessary or desirable to carry out the purposes of this article.

443. The provisions of this article shall become operative when the commission finds and determines that under the laws of the State of Arizona substantially similar licenses are authorized to be issued to licensees of the State of California upon substantially the same terms and conditions as are provided for in this article as to the issuance of licenses to licensees of the State of Arizona."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1082—An act to add Section 30.5 to the Elections Code, relating to special elections.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "30.5", and insert "9003".

Amendment No. 2

On page 1, line 1, of said bill, strike out "30.5", and insert "9003".

Amendment No. 3

On page 1, line 3, of said bill, strike out "30.5", and insert "9003".

Amendment No. 4

On page 1, line 4, of said bill, after "all", insert "statewide".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1060—An act to add Part 11, comprising Sections 15800 to 15826, inclusive, to Division 3, Title 2 of the Government Code, relating to the creation of a State Public Works Authority as a body corporate and politic with power to construct, improve, and operate projects, and to lease them and to fix and collect fees, rentals, and charges

for the use thereof; and authorizing and regulating the issuance of revenue bonds by the authority, and providing for the payment of the bonds and the rights of the holders of the bonds; and granting the right of eminent domain; and increasing the power and duties of the Division of Architecture, Department of Public Works; and providing that no debt of the State shall be incurred in the exercise of any of the powers granted under this act; and making an appropriation to the authority to pay expenses incident to its formation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 3 of the printed bill, after line 10, insert

"The acquisition by the authority of any interest in real property, by lease or otherwise, is subject to the approval of the Department of Finance. The commission shall contract with the Department of Finance for the maintenance and repair of all public works constructed, acquired, or operated by the authority, when the Department of Finance elects to furnish maintenance and repair, such maintenance and repair to include the items of maintenance and repair customarily supplied or afforded to State buildings by the Department of Finance."

Amendment No. 2

On page 3, line 11, of said bill, before "commission", strike out "The", and insert "In accordance with the provisions of the State Civil Service Act, and with the approval of the Department of Finance the".

Amendment No. 3

On page 3, line 13, of said bill, after "duties", strike out ", and", and insert ". The commission".

Amendment No. 4

On page 4, line 4, of said bill, strike out "an", and insert "and".

Amendment No. 5

On page 4 of said bill, after line 22, insert

"(n) Invest and reinvest surplus funds, as determined by the commission, and as consistent with the obligations of the authority to its bond holders, in bonds or interest-bearing notes or obligations of the United States, or those for which the faith and credit of the United States are pledged for the payment of principal and interest, or bonds of this State, or those for which the faith and credit of this State are pledged for the payment of principal and interest or in the bonds of any county, city, metropolitan water district, municipal utility district, or school district of this State."

Amendment No. 6

On page 4, line 23, of said bill, strike out "(n)", and insert "(o)".

Amendment No. 7

On page 4 of said bill, after line 47, insert

"When any public work has been acquired or constructed by the authority, and the revenues, rentals, or receipts from the operation of such public work are no longer required or pledged for the payment of principal or interest on any of the obligations of the authority undertaken under this part, the authority shall forthwith transfer such public work, together with all improvements and additions thereto, and furnishing thereof, to the jurisdiction of the Department of Finance. Thereafter such public work or public works shall be operated and maintained by the Department of Finance."

Amendment No. 8

On page 4, line 48, of said bill, after "agency", insert ", with the approval of the Department of Finance,".

Amendment No. 9

On page 5, line 3, of said bill, after "lessee", insert ", with the approval of the Department of Finance,".

Amendment No. 10

On page 5, line 20, of said bill, strike out "The total amount of all bonds issued".

Amendment No. 11

On page 5 of said bill, strike out lines 21 and 22.

Amendment No. 12

On page 5, line 41, of said bill, strike out "four", and insert "two".

Amendment No. 13

On page 6, line 3, of said bill, before "custodial", insert "public".

Amendment No. 14

On page 6, line 3, of said bill, after "fund", and before the comma, insert "in this State".

Amendment No. 15

On page 9, line 13, of said bill, after "to", insert "110 percent of".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1241—An act to amend Sections 18532, 18537, 18803, 18903, 18950, 19054, 19100, 19120, 19503, 19570, 19572, 19575, 19582, and to repeal Sections 18598 and 18599 of the Government Code, relating to state employment and disciplinary proceedings.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, after "18537," insert "18544,".

Amendment No. 2

In line 2 of the title of said bill, after "19582," insert "to add Sections 18532.1 and 19082,".

Amendment No. 3

On page 1, lines 8, 9, 10, and 11, of said bill, strike out "Preferred limited term list" means a list of persons who have served satisfactorily as limited term employees and who are given preference over persons on other eligible lists for additional limited term appointments."

Amendment No. 4

On page 2, line 5, of said bill, strike out the comma after "laid off," and insert "or".

Amendment No. 5

On page 2, lines 6, 7, 8, and 9, of said bill, strike out "or who have resigned in good standing and who, within one year from the date of their resignation, with the consent of the appointing power and the board, have withdrawn their resignations", and after the period, insert "Within one year from the date of his resignation in good standing, or his voluntary demotion, the name of an employee who had probationary or permanent status may be placed on the general re-employment list with the consent of the appointing power and the board."

Amendment No. 6

On page 2, lines 28 and 29, of said bill, strike out "and the limited term list" and insert ", in accordance with board rule,".

Amendment No. 7

On page 2, line 36, of said bill, after "the position.", strike out "The", and insert "For persons employed on an intermittent or irregular time base the".

Amendment No. 8

On page 2, lines 38 and 39, of said bill, strike out "of persons employed on an intermittent or irregular time base", and insert "governed by this part".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 9

On page 4, line 14, of said bill, insert

"SEC. 15. Section 18532.1 is added to said code to read:

18532.1 "Preferred limited term list" means a list of persons who have served *under limited-term appointment and who, in accordance with board rule, are granted* eligibility for additional limited-term appointments

SEC. 16. Section 18544 of said code is amended to read:

18544. "Duration employment" means an employment [in which permanent status cannot be attained and] *during time of war or during an emergency in connection with the national defense,* which *employment* is subject to termination and other conditions as prescribed by [this part] *Section 19200* and *by* board rules [governing such employment during time of war or during an emergency in connection with the national defense].

SEC. 17. Section 19082 is added to said code to read:

19082. The board by rule may provide for the establishment, maintenance, and use of preferred limited-term lists."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3017—An act to add Section 18007 to the Government Code, relating to state employment, in respect to pay roll procedure.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 18007 to", and insert "Article 5, to Chapter 5, Part 2, Division 3, Title 2, and to repeal Sections 16396 and 18002, of".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 8, inclusive, and insert

"SECTION 1. Article 5 is added to Chapter 5, Part 2, Division 3, Title 2 of the *Government Code, to read:*

Article 5. Uniform State Payroll System

12470. The Controller shall devise, install, and supervise, and at his discretion, revise and modify a Uniform State Payroll System for all state agencies, except the *University of California. The Controller may provide for the orderly inclusion of* State agencies into such system, and may make exceptions from the operation thereof for such periods as he determines necessary.

12471. The Uniform State Payroll System shall provide adequate accounting procedures to enable each state agency to properly account salary and wage expenditures under the Uniform State Accounting System.

12472. The Uniform State Payroll System shall provide for the fixing of a designated day of the month on which permanent monthly salaried employees shall be paid for the preceding payroll period, which date shall be uniform for all employees of each state agency employed in the same geographic area. Such pay dates shall not be more than 10 calendar days following the close of the payroll period.

12473. The payroll period of employees of a state agency shall not be changed by inclusion of the agency into the Uniform State Payroll System or by any revision or modification of the system unless notice of the proposed change has been given to each employee who will be affected by such change in the form and manner prescribed by the Controller not less than 60 days prior to the effective date of the change.

12474. The Controller shall make and enforce rules and regulations for the administration and enforcement of the Uniform State Payroll System, and shall prescribe all procedures and forms for payroll accounting and disbursing, and for the reporting of time worked and absences.

12475. The Controller shall establish and maintain a payroll roster of all persons employed by every state agency except the University of California and may establish and maintain a roster of all established positions. The payroll roster shall include both civil service and exempt employees, but shall not necessarily include emergency appointees or the equivalent.

12476. Each appointing power shall correctly and promptly certify to the Controller all changes, modifications, additions and deletions to the payroll roster in compliance with all applicable civil service, fiscal, and other pertinent laws, rules, and regulations The Controller shall disburse or otherwise act in reliance upon all payroll roster certifications and attendance reports certified to the Controller by the respective appointing powers.

12477. The Controller shall audit the Uniform State Payroll System and the State Payroll Revolving Fund, in such manner as the Controller may determine.

12478. Rules and regulations adopted under this Article or Section 12420 are excepted from the provisions of the Administrative Procedure Act and shall be distributed in such form and manner as the Controller determines.

12479. Every person who wilfully makes a false or fraudulent certification upon payroll documents or attendance reports submitted to the Controller as the basis for his drawing a warrant for payment in accordance with such document is guilty of a misdemeanor. Conviction of a misdemeanor under this section is punishable by a fine of not less than one hundred dollars ($100) nor more than one thousand dollars ($1,000) or by imprisonment in the county jail for not more than 30 days, or both

SEC. 2. Sections 16396 and 18002 of the Government Code are repealed."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1054—An act to add Chapter 1.5 to Part 2, Division 5 of the Health and Safety Code, relating to garbage and refuse disposal districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 3 of the title of the printed bill, after "districts", insert ", declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 1, line 5, of said bill, insert

"Article 1. Definitions".

Amendment No. 3

On page 1 of said bill, between lines 8 and 9, insert

"Article 2. Formation".

Amendment No. 4

On page 1 of said bill, strike out lines 14 to 16, inclusive, and insert "no city or any portion thereof shall be included in the district without the consent of the governing body of the city, such consent being adopted by a favorable vote of two-thirds or more of its members."

Amendment No. 5

On page 2 of said bill, between lines 42 and 43, insert

"Article 3 Board of Directors".

Amendment No. 6

On page 3, line 6, of said bill, after "district.", insert "In the event that the selection of members pursuant to this subdivision results in the governing body having an even number of members, those members may appoint an additional member from the district at large."

Amendment No. 7

On page 3 of said bill, between lines 9 and 10, insert

"Article 4. Powers and Duties".

Amendment No. 8

On page 3, line 16, of said bill, strike out "and employees", and insert ", employees, and experts".

Amendment No. 9

On page 3 of said bill, between lines 26 and 27, insert

"(f) Maintain and operate a garbage disposal site and facilities and fix and collect fees for the use thereof.

(g) Borrow money and incur indebtedness and guarantee the performance of its legal or contractual obligations.

Article 5. Taxation".

Amendment No. 10

On page 4 of said bill, between lines 15 and 16, insert

"4185. If a district is organized in any year too late for the levy of a tax in that year or in the next ensuing year, the board of supervisors may transfer funds of the county not immediately needed for county purposes to the district fund to be used for the payment of expenses of such district until such time as district tax receipts are available therefor. The board of supervisors shall include in the levy of taxes for the district for the fiscal year in which a tax may be levied, a sum sufficient to repay to the county the amounts so transferred to the district for the portion or portions for the preceding fiscal years for which the levy of taxes was made for that purpose and the amount so transferred shall be retransferred to the county treasury from the district fund out of the first available receipts from the tax levy.

Article 6. Bonds

4186. If the district board finds that it is necessary to incur a bonded indebtedness to obtain funds with which to carry out the purposes of the district, it may submit the proposition to the voters of the district. For that purpose a special election shall be called by resolution.

4186.01. The resolution shall state all of the following:

(a) The general objects and purposes for which it is proposed to incur an indebtedness.

(b) A general description of all property to be acquired or damaged and work to be executed through the expenditure of the funds secured by the issuance and sale of the bonds.

(c) An estimate of the cost of the proposed work

(d) The amount of the bonds proposed to be issued.

(e) The number of years not to exceed which the whole of the bonds are to run.

(f) The rate of interest or a maximum rate of interest to be paid.

(g) The date of the election.

(h) The election precincts, polling places, and election officers.

4186.02. For the purposes of the bond election the district board may consolidate into one precinct several precincts established for general election purposes and describe the precinct by reference to the general election precincts

4186.03. An election board consisting of one inspector, one judge and one clerk shall be appointed by the district board for each precinct.

4186.04. Only voters registered in the district are eligible to vote at the bond election.

4186.05. A resolution calling the election shall be published once a week for three successive weeks in a newspaper having a general circulation in the district and designated by the district board. No other notice of the election need be given.

4186.06. If two-thirds of the votes cast are in favor of incurring the bonded indebtedness as proposed, bonds of the district for the amount stated in the resolution calling the election shall be issued and sold.

4186.07. The validity of the bonds after their issuance shall not be questioned in any court except on the ground that the provisions of this chapter authorizing their issuance are unconstitutional, or that the required hearing regarding the formation of the district was not regularly held or proper notice of it was not given.

4186.08. The district board shall prescribe by resolution the form of the bonds, and interest coupons. The bonds shall be payable at such times and at a place to be fixed by the board, and designated in the bonds, together with interest on all sums unpaid on that date until the whole of the indebtedness has been paid. The term of the bonds issued shall not exceed 40 years.

4186.09. The bonds shall be issued in such denominations as the district board determines, except that no bond shall be of a denomination less than one hundred dollars ($100) or greater than one thousand dollars ($1,000). They shall be payable on the day and at the place fixed in the bonds, and with interest at the rate specified in the bonds, which rate shall not be in excess of 6 percent per annum, and shall, after the first year, be payable semi-annually.

4186.10. The bonds shall be signed by the chairman of the district board and countersigned by the county auditor, and the seal of the district board shall be affixed.

The interest coupons of the bonds shall be numbered consecutively and signed by the county auditor by his engraved or lithographed signature.

4186.11. If any officer whose signature or countersignature appears on the bonds ceases to be an officer before the delivery of the bonds to the purchaser, his signature or countersignature shall be as valid as if he had remained in office until the delivery of the bonds.

4186.12. The district board may issue and sell bonds of the district at not less than par value, and the proceeds shall be placed in the treasury of the county.

4186.13. All premiums and accrued interest received shall be paid into the fund to be used for the payment of principal and interest on the bonds and the remainder of the proceeds of the sale shall be paid into the construction fund of the district, and proper records of the transactions shall be placed upon the books of the county treasurer.

4186.14. The construction fund shall be applied exclusively to the purposes and objects mentioned in the resolution calling the bond election.

Payments from the construction fund shall be made upon demands allowed by the district board, and prepared, presented, and audited in the same manner as demands upon funds of the county.

4186.15. If the proposition of issuing bonds submitted at the bond election fails to receive the requisite number of votes, the district board may, at the expiration of six months after that election, call or order another bond election, either for the same objects and purposes, or for any other object or purpose of the district.

4186.16. If bonds have been issued by the district and the proceeds of the sale have been expended and the district board by resolution passed by a vote of two-thirds of all its members determines that the public interest or necessity of the district demands the issuance of additional bonds for carrying out any of the objects of the district, the board may again submit to the voters the question of issuing additional bonds in the same manner as for a first issue. All provisions of this chapter for the issuance and sale of bonds, and for the expenditure of proceeds, apply to the issuance of additional bonds.

4186.17. Bonds and interest thereon shall be paid by revenue derived from an annual tax upon the real property in the district, and all the real property in the district shall be and remain liable to be taxed for such payments. Said bonds and the interest thereon shall not be taxable in this State.

4186.18. (a) An issue of bonds is hereby defined to be the aggregate principal amount of all of the bonds authorized to be issued in accordance with a proposal submitted to and approved by the electors of the district, but no indebtedness will be deemed to have been contracted until bonds shall have been sold and delivered and then only to the extent of the principal amount of the bonds so sold and delivered.

(b) The district board of any district issuing bonds may, in its discretion, divide the aggregate principal amount of such issue into two or more divisions or series and fix different dates for the bonds of each separate division or series. In the event any authorized issue is divided into two or more divisions or series, the bonds of each division or series may be made payable at such time or times as may be fixed by the district board separate and distinct from the time or times the payment of bonds of any other division or series of the same issue.

4186.19. Whenever a district has issued bonds the district board shall include in its annual statement to the board of supervisors as to the amount of money needed for district purposes during the next ensuing fiscal year pursuant to Section 4181, it shall include, in addition thereto, the amount necessary to pay the interest and principal on such bonds as will become due before the time for making the next general tax levy.

4186.20. If the district board fails to furnish to the board of supervisors a statement of the amount of money necessary to pay the principal and interest on the bonds as provided for in Section 4186.19, the board of supervisors of the county shall ascertain that amount and shall levy it and cause it to be collected.

4186.21. The principal and interest on the bonds shall be paid by the treasurer of the county in the manner now or hereinafter provided by law for the principal and interest of the bonds of the county.

Article 6. Revenue Bonds

4186.30. A district formed pursuant to the provisions of this chapter is a local agency within the meaning of the Sanitation, Sewer and Water Revenue Bond Law of 1941, and the provisions of that law are applicable to such a district.

Article 7 Change of Boundaries".

Amendment No. 11

On page 4, line 16, of said bill, strike out "4185", and insert "4187".

Amendment No. 12

On page 4, line 17, of said bill, after "contiguous", insert "and non-contiguous".

Amendment No. 13

On page 4, line 19, of said bill, strike out "4186", and insert "4188".

Amendment No. 14

On page 4, line 22, of said bill, strike out "contiguous".

Amendment No. 15

On page 4, line 25, of said bill, strike out "4187", and insert "4189".

Amendment No. 16

On page 4, line 37, of said bill, strike out "4188", and insert "4190".

Amendment No. 17

On page 4 of said bill, strike out lines 47 and 48, and insert "4191. No territory which will not be so benefited, or which is not described in".

Amendment No. 18

On page 4 of said bill, strike out lines 50 to 52, inclusive, and insert "No city or portion thereof shall be annexed to the district unless and until the governing body of the city has consented thereto, such consent being adopted by a favorable vote of two-thirds or more of the governing body."

Amendment No. 19

On page 5, line 1, of said bill, strike out "4190", and insert "4192".

Amendment No. 20

On page 5, line 5, of said bill, strike out "4191", and insert "4193".

Amendment No. 21

On page 5 of said bill, between lines 16 and 17, insert

"Article 8. Dissolution".

Amendment No. 22

On page 5, line 17, of said bill, strike out "4192", and insert "4194".

Amendment No. 23

On page 5, line 19, of said bill, strike out "4193", and insert "4195".

Amendment No. 24

On page 5, line 28, of said bill, strike out "4194", and insert "4196".

Amendment No. 25

On page 5, line 32, of said bill, strike out "4195", and insert "4197".

Amendment No. 26

On page 5 of said bill, after line 40, insert

"SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The use of private garbage disposal facilities which are now available to many persons in this State, including the residents of at least three cities, will be terminated shortly and provision must be made so that these persons may form districts which will have the power to render garbage disposal service to them. Since the lack of such services would constitute a serious threat to the public health it is necessary that this act take effect immediately."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 1739—An act to amend the title of Article 2, Chapter 1, Part 1, Division 14 of the Health and Safety Code, and to amend Sections 20034, 20036, 20061, 20062, and 20065 of the Health and Safety Code, and to repeal Sections 20035 and 20037 of the Health

and Safety Code, and to add Article 2.5 to Chapter 1, Part 1, Division 14 of the Health and Safety Code, relating to police protection districts in unincorporated towns.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "the title of Article 2, Chapter 1, Part 1, Divi-", and insert "Section 20026 of, and add Article 6 to,".

Amendment No. 2

In the title of said bill, strike out all of lines 2, 3, 4, and 5.

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1, line 1, of said bill, after "SECTION 1.", insert "Section 20026 of the Health and Safety Code is amended to read.

20026. Proceedings for the formation of a district are initiated whenever [50 or more persons who are residents] *the owners of real property which represents at least 51 percent of the total assessed valuation* of an unincorporated town present a petition to, and at a regular meeting of, the board of the county in which the town is situated.

The petition shall contain:

(a) A statement of the name and boundaries of the proposed district.

(b) A request for the formation of the district.

SEC. 2. Article 6 is added to Chapter 1, Part 1, Division 14 of said code, to read:

Article 6. Inclusion of Contiguous Territory

20160. Territory contiguous to any district and in the same county may be included in the district in the manner prescribed in this article.

20161. As used in this article, "contiguous" means touching at one or more points.

20162. Owners of real property in contiguous territory, which represents at least 51 percent of the total assessed valuation of the contiguous territory, as shown by the last equalized assessment roll of the county in which the district is located, may petition for inclusion of the territory within the district.

20163. The petition shall designate specifically the boundaries of the contiguous territory, its total assessed valuation and the amount and assessed value of real property owned by each of the petitioners as shown by the last equalized assessment roll of the county in which the property is situated, and shall state that the territory is not within any other police protection district.

20164. The petition shall also be signed by the district board and shall be presented to the county board of supervisors.

20165. The petition shall be verified by the affidavit of one of the petitioners, and notice of its filing, together with the names of owners and a general description sufficient for identification of the real property proposed to be included in the district, and a statement of the time fixed for hearing the petition, and a statement that all persons interested may appear and be heard, shall be published at least two weeks preceding the hearing, by the board of supervisors, in a newspaper of general circulation published in the county in which the district is located.

20166. At the hearing the board of supervisors shall hear the petition and any person interested, and may adjourn the hearing from time to time.

20167. Upon the hearing the board shall determine whether or not it is for the best interests of the district and of the contiguous territory that the territory be included in the district and may modify the boundaries of the territory proposed to be included.

20168. The board of supervisors shall not modify the boundaries of the territory proposed to be included so as to exclude any real property which would be benefited by inclusion.

20169. Real property which would not in the judgment of the district board be benefited by inclusion shall not be included within the boundaries of the territory proposed to be included.

20170. The board of supervisors shall not include within the district any areas of land not subdivided or any lots or parcels of property containing more than five acres of land each, if the owner files objections to the inclusion of any such land within the district.

20171 If the board of supervisors upon final hearing determines that it is for the best interests of the district and the territory proposed to be included that such territory be included, it shall make an order including the contiguous territory within the district The order shall describe the exterior boundaries of the contiguous territory.

20172 Where any parcel of land containing more than five acres is included within the district, the board of supervisors, upon application of the owner, shall exclude from the district and from the taxable property of the district, all of the parcel *except that portion or those portions thereof upon which a building or buildings*, or similar structure, may be situated, each such portion to include such quantity of land, not less than five acres in area, as in the judgment of the board may be reasonable. No such portion need be contiguous to any other territory in the district "

Amendment No. 4

On page 1, line 1, of said bill, strike out "The title of Article 2, Chapter 1, Part 1, Divi-"; and strike out all of lines 2 to 20, inclusive.

Amendment No. 5

On page 2 of said bill, strike out lines 1 to 49, inclusive

Amendment No. 6

On page 3 of said bill, strike out lines 1 to 31, inclusive

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 1865—An act to amend Section 37113 of the Government Code, relating to the powers of cities.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "37113", and insert "53601".

Amendment No. 2

On page 1, line 1, of said bill, strike out "37113", and insert "53601"

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 5, inclusive, and insert

"53601 The legislative body of a local agency having money in a sinking fund of, or surplus money in, its treasury not required for the immediate necessities of the local agency may invest such portion of the money as it deems wise or expedient in:

(a) Bonds issued by it *including bonds payable solely out of the revenues from a revenue producing property owned, controlled or operated by it or by a department, board, agency or authority thereof*.

(b) United States Treasury notes or bonds or those for which the faith and credit of the United States are pledged for the payment of principal and interest

(c) Treasury notes or bonds of this State or of any local agency within this State *including bonds payable solely out of the revenues from a revenue producing property owned, controlled, or operated by the State or any local agency, or by a department, board, agency or authority thereof.*

(d) Registered state warrants."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 3029—An act to amend Section 4845.28 of the Health and Safety Code, relating to county sanitation districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1 of the printed bill, after line 14, insert

"As used in this section, "uninhabited" means having less than three registered voters at the time of the last general election next preceding the filing of the petition for annexation."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 3066—An act making an appropriation to the Division of Forestry, Department of Natural Resources, to provide for special stand-by brush burning fire protection services, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, after "an", insert "additional".

Amendment No. 2

In line 1 of the title of said bill, after "appropriation", strike out "to", and insert "for support of".

Amendment No. 3

In line 2 of the title of said bill, strike out "to provide for special"; and strike out lines 3 and 4 of the title, and insert "to enable it to provide brush-burning fire protection service and to assist in range improvement programs, to take effect immediately."

Amendment No. 4

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. The sum of forty-one thousand dollars ($41,000) is hereby appropriated from the General Fund in the State Treasury for additional support of the Division of Forestry, Department of Natural Resources, in augmentation of Item 191 of the Budget Act of 1951.

SEC. 2. The purpose of this act is to enable the Division of Forestry to provide for additional fire protection for lands which may be endangered by brush-burning projects and to provide advisory services to ranchers on their range improvement projects, including the employment and equipping of two special stand-by fire protection crews during the period of the year when brush-burning projects can be conducted, and the employment and equipping of two full time range advisory technicians to be assigned to the Division's Central Coast and Southern California districts

SEC. 3. This act makes an appropriation for usual current expenses and shall therefore take effect immediately."

Amendment No. 5

On page 1 of said bill, strike out lines 2 to 22, inclusive; and strike out page 2.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 16—An act relating to research in air pollution problems, making an appropriation therefor, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 23, of the printed bill, strike out "in all phases of that problem", and insert "to determine the effects of air pollution on public health."

Amendment No. 2

On page 2, line 41, of the printed bill, strike out the period after "service", and insert "and shall serve in a confidential capacity and at the pleasure of the council."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 359—An act to add Section 1551.5 to the Welfare and Institutions Code, relating to aid to needy children.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1, line 3, of the printed bill, after "paid", insert "wholly or in part".

Amendment No. 2

On page 1 of said bill, after line 10, insert "Aid granted under provisions of this section shall be paid without federal participation in the cost thereof whenever such federal participation is not provided by the laws of the United States or rules and regulations promulgated thereunder."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Social Welfare.

Assembly Bill No. 446—An act to amend Section 2 of an act entitled "An act relating to the construction, installation, equipping, stocking and operation of vending stands in public buildings of the State, counties, cities and counties, and cities, and providing for their operation by licensed blind persons," approved May 29, 1945, relating to the construction, installation, and operation of vending stands and vending machines in public buildings.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1, line 16, of the printed bill, strike out "or any automatic vending machine".

Amendment No. 2

On page 1, line 18, of said bill, after "blind person", insert ", or the installation of any automatic vending machine in said buildings without the commissions thereon insuring to the benefit of a licensed blind person authorized to supervise vending machines in said buildings".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Social Welfare.

Assembly Bill No. 449—An act to amend Sections 3079.5, 3025, and 3087.1 of the Welfare and Institutions Code, relating to public assistance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 3079.5, 3025, and 3087.1", and insert "Section 3079.5".

Amendment No. 2

On page 1 of said bill, strike out lines 20 to 26, inclusive; and on page 2, strike out lines 1 to 19, inclusive.

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Social Welfare.

Assembly Bill No. 1529—An act to amend Section 5050.3 of, and to add Sections 6604 and 6604.1 to, the Welfare and Institutions Code, relating to emergency admission to institutions of persons who are believed to be mentally ill and to require immediate care and treatment.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out ", and to add Sections 6604 and 6604.1 to,".

Amendment No. 2

On page 1 of said bill, strike out lines 3 to 25, inclusive; and on page 2, strike out lines 1 to 45, inclusive, and insert

"5050.3. When any person becomes so mentally ill as to be likely to cause injury to himself or others and to require immediate care, treatment, or restraint, a peace officer or health officer, who has reasonable cause to believe that such is the case, may take the preson into custody for his best interest and protection and place him as provided in this section. The person believed to be mentally ill may be admitted and detained in the quarters provided in any regularly licensed hospital, sanitarium, county hospital, or state hospital upon application of the peace officer or health officer. The application shall be in writing and shall state the circumstances under which the person's condition was called to the officer's attention and shall also state that the officer believes the person to be mentally ill and because of his illness is likely to injure himself or others if not immediately hospitalized

The superintendent or physician in charge of the quarters provided in such regularly licensed hospital, sanitarium, county hospital, or state hospital may care for and treat the person for a period not to exceed five (5) days. Within said five (5) days the person shall be discharged from the institution unless a petition of mental illness

is presented to a judge of the superior court and the court issues an order for detention of such person, or unless the person is admitted as a patient under any other provision of law."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Social Welfare.

Assembly Bill No. 3020—An act to add Section 28322 to the Health and Safety Code, relating to misbranding food in package form.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 24, inclusive, and insert

"28322 A carbonated beverage shall be deemed to be misbranded if in a bottle or other closed container unless the name and address of the bottler or distributor thereof appears on such container by being molded, printed, or otherwise labeled thereon, or said name and address is shown on the crown or cap of such container if such container is a permanently and distinctively branded bottle. A carbonated beverage shall not be deemed to be misbranded under this section if in a bottle or other closed container on which is molded, printed or otherwise labeled the product name, trade-mark or brand of the distributor or bottler thereof and if a sworn affidavit has been filed in the Bureau of Food and Drug Inspections of the Department of Public Health stating the name, trade-mark, or brand of such carbonated beverage, a full and complete description of each territory or area of the State in which such beverage is to be distributed, and the names and addresses of such persons as are responsible for compliance with this division in the bottling and distribution of such beverage in each territory or area of the State in which such beverage is distributed. Nothing in this section shall be deemed to exempt any bottler or distributor of a carbonated beverage or beverages from any provision of Chapter 3 of this division."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 1531—An act to amend Sections 6726 and 7012.5 of the Welfare and Institutions Code and to amend and renumber Section 5701.5 thereof to be Section 6726.5, relating to private family care homes and the support of mental patients therein, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1, line 12, of the printed bill, strike out "seventy-five dollars ($75)", and insert "seventy dollars ($70)".

Amendment No. 2

On page 2, line 1, of said bill, strike out "seventy-five dollars ($75)", and insert "seventy dollars ($70)".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1567—An act to add Section 112.5 to the Education Code, relating to the teaching of trades and crafts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 1 of the printed bill, after line 9, insert

"This section does not apply to any school conducting a course of instruction required or recognized by any board, bureau, commission, or other agency within the Department of Professional and Vocational Standards for purposes of qualifying any person to engage in any profession or vocation, nor to any school licensed, regulated, or controlled by any board, bureau, commission, or other agency within the Department of Professional and Vocational Standards"

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

Assembly Bill No. 2499—An act to amend Sections 1503, 1503.2, and 2533 of, and to add Section 1599 1 to, the Education Code, relating to the Public School System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 1503, 1503 2 and 2533", and insert "Section 1503".

Amendment No. 2

On page 1, line 22, of said bill, strike out the last "the".

Amendment No. 3

On page 2 of said bill, strike out lines 1 to 7, inclusive, and insert "district of attendance an amount which shall be (a) the actual cost to the district of attendance of the education of such pupil, less all state and federal funds apportioned to the district on account of such pupil, or (b) if the school attended by the pupil is one which came into the possession of the district of attendance by reason of the annexation or transfer of territory, including the site of the school, of the district of residence to the district of attendance and the pupil would have normally attended such school had its site remained in the district of residence, such amount as the county board of education may fix but not more than the actual cost to the district of attendance of educating such pupil, less all state and federal funds apportioned to the district on account of the attendance of such pupil, nor less than the actual average cost to the district of residence of educating pupils in schools of the same grade level, less the average amount per pupil of all state and federal funds apportioned to the district on account of the attendance of pupils."

Amendment No. 4

On page 2 of said bill, strike out lines 17 to 52, inclusive

Amendment No. 5

On page 3, line 1, of said bill, strike out "SEC. 4", and insert "SEC. 2".

Amendment No. 6

On page 3 of said bill, following line 28, insert

"The rate of tax required to provide funds for the making of the payments required to be made by the annexing district shall be in addition to the maximum rate of tax for such district fixed or established by or under Sections 6357 and 6358."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No 3376

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

GEDDES, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 3376—An act to amend Sections 44.2, 151, 203, 208, 209, 400, and 456 of, and to add Sections 209.1, 310, 310.5, and 452.5 to, the Unemployment Insurance Act, relating to unemployment compensation disability insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "44 2, 400 and 456".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 24, inclusive; and strike out page 2.

Amendment No. 3

On page 3, line 1, of said bill, strike out "2", and insert "1".

Amendment No. 4

On page 3, line 30, of said bill, after "authorized regulations", insert "that his alleged disability was the result of an accident or the alleged disability required a period of hospitalization, and".

Amendment No. 5

On page 3, line 39, of said bill, strike out "SEC. 3", and insert "SEC. 2".

Amendment No. 6

On page 4, of said bill, strike out lines 1 to 20, inclusive, and insert "the average weekly wage paid to such individual for employment by employers during the four quarters of his base period.

The average weekly wage, as the term is used in this section, shall be the quotient obtained by dividing total earnings for the four quarters of the base period by fifty-two (52).

A Average Weekly Wage	B Weekly Benefit Amount
$ 5.77–$15 25	$11.00
15 25– 16.79	12.00
16.80– 18.34	13.00
18.35– 19.89	14.00
19 90– 21.44	15.00
21.45– 22 99	16.00
23 00– 24.54	17.00
24.55– 26 09	18.00
26 10– 27.64	19.00
27.65– 29 19	20.00
29 20– 32.19	21.00
32 20– 35.19	22.00
35 20– 38.19	23.00
38.20– 41.19	24.00
41.20– 44.19	25.00
44.20– 47.19	26.00
47.20– 50.19	27.00
50.20– 53.19	28.00
53.20– 56.19	29.00
56.20– and over	30.00".

Amendment No. 7

On page 4, line 22, of said bill, strike out "4", and insert "3".

Amendment No. 8

On page 4, line 35, of said bill, strike out "day", and insert "week".

Amendment No. 9

On page 4, line 38, of said bill, strike out "day", and insert "week".

Amendment No. 10

On page 4, line 40, of said bill, strike out "day, does not exceed", and insert "week, does not exceed 70 percent of".

Amendment No. 11

On page 4, line 40, of said bill, after "regular", strike out "daily", and insert "weekly".

Amendment No. 12

On page 4, line 42, of said bill, strike out "5", and insert "4".

Amendment No. 13

On page 4, line 47, of said bill, strike out "and"; and strike out line 48.

Amendment No. 14

On page 5, line 4, of said bill, after "confinement", insert "Provided further, that notwithstanding anything to the contrary in Section 208 of this article, any disabled individual shall be entitled to receive the amount of eight dollars ($8) a day as provided above for any day he is confined in a hospital within a week during which he continues to receive his regular wages from his employer."

Amendment No. 15

On page 5 of said bill, strike out lines 5 to 31, inclusive.

Amendment No. 16

On page 5, line 32, of said bill, strike out "8", and insert "5".

Amendment No. 17

On page 5, line 44, of said bill, strike out "9", and insert "6".

Amendment No. 18

On page 5 of said bill, strike out lines 46 to 52, inclusive; and on page 6, strike out lines 1 to 16, inclusive, and insert

"SEC. 310. As a guide to the interpretation and application of the section it is declared to be the public policy of this State that aggregate benefit payments under this article in any calendar year should not exceed income to the Disability Fund from employee contributions for the same period.

If during any calendar year commencing with January 1, 1952, disbursements from the Disability Fund exceed 110 percent of employee contributions for the same period or such disbursements do not exceed 110 percent of contributions in a single year but do exceed the employee contributions to the Disability Fund in each of two consecutive calendar years, the director of the department shall cause the following to be done:

(a) For compensable periods of disability within a benefit year established after December 31st of the year in which either of the two conditions set out above occurs, benefit payments shall be adjusted to be payable at the rate to be determined in accordance with the following table:

A Average Weekly Wage	B Weekly Benefit Amount
$5 77–$15.38	$10.00
15 39– 16.92	11.00
16.93– 18.46	12.00
18 47– 19.99	13.00
20.00– 21.53	14.00
21.54– 23.07	15.00
23.08– 24.61	16 00
24.62– 26.15	17.00
26.16– 27.69	18 00
27.70– 29 22	19.00
29.23– 32 30	20.00
32.31– 35.38	21 00
35.39– 38.46	22.00
38.47– 41.53	23.00
41.54– 44.61	24.00
44.62 and over	25.00

Average weekly wage, as the term is used in this section, shall be the quotient obtained by dividing the total earnings for the four quarters of the base period by fifty-two (52).

(b) Have made an analysis of the fund by a competent actuary to determine if the unemployment compensation disability program is on an actuarily sound basis.

(c) Shall report to the next succeeding general session of the legislature or applicable special session the amounts by which disbursements exceeded employee contributions in the applicable year or years prior to the adjustment of benefit amounts as set out above and a comparison of income to the fund with disbursements during the period following the adjustment of benefits and the results of the study referred to in (b) above with his recommendations as to whether his action in adjusting benefits under (a) above should be rescinded or what other action if any should be taken to place the Disability Fund on an actuarily sound basis.

Amendment No. 19

On page 6, line 25, of said bill, strike out "11", and insert "7".

Amendment No. 20

On page 6, line 29, of said bill, strike out "a majority of the employees employed in".

Amendment No. 21

On page 6, line 30, of said bill, strike out "this State of the employer", and insert "or the employees who have consented to the plan".

Amendment No. 22

On page 7, line 15, of said bill, strike out "12", and insert "8".

Amendment No. 23

On page 7 of said bill, strike out lines 19 to 22, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)

SECOND READING OF SENATE BILLS

Senate Bill No. 453—An act to amend Section 4911.1 of the Education Code, relating to the reorganization of school districts.

Bill read second time, and ordered to third reading

Senate Bill No. 666—An act to amend Section 5062 of, to repeal Section 5063 of, and to add Section 5063 to, the Education Code, relating to state school building aid.

Bill read second time, and ordered to third reading.

RESOLUTIONS

The following resolution was offered:

By Mr. Dunn:

House Resolution No. 107

Relative to amending Rule 40 of the Permanent Standing Rules of the Assembly relating to standing committees

Resolved by the Assembly of the State of California, That Rule 40 of the Permanent Standing Rules of the Assembly is amended to read:

40. A majority of the membership of any standing committee shall constitute a quorum for the transaction of its business, including the adoption of any amendments to any bill. A majority of all members constituting such committee shall be required to report a bill out of committee, except that if the total membership of a committee is an even number a favorable vote of one-half the members constituting such committee shall be sufficient to report a bill out of such committee.

Resolution read, and ordered referred to the Committee on Rules.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1622—An act to amend Sections 736, 737, 738, 739, and 743.6 of the Vehicle Code, relating to arrests for any violation of the Vehicle Code.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Henderson, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—65.

NOES—Hinckley—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1277—An act to amend Section 103½ of the Code of Civil Procedure, relating to justice's clerks in cities and towns.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2128 BE WITHDRAWN FROM FILE, AND BE RE-REFERRED

Mr. Clarke asked for, and was granted, unanimous consent that Assembly Bill No 2128 be withdrawn from the third reading file, and be re-referred to the Committee on Agriculture.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1124—An act to amend Sections 131.5 and 133 of the Civil Code, relating to interlocutory and final judgments of divorce.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2341—An act to amend Section 84 of the Civil Code, relating to award of custody of children of annulled marriage.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2342—An act to add Section 88 to the Civil Code, relating to restoration of name in action to annul or void marriage.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2647—An act to amend Sections 963 and 983 of the Code of Civil Procedure, relating to appeals.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILLS NOS. 2123 AND 2124 HOLD PLACES ON FILE

Mr. Clarke asked for, and was granted, unanimous consent that Assembly Bills Nos. 2123 and 2124 be passed on file, and hold their places on file on the next legislative day.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3227—An act to amend Section 73 of the Agricultural Code, relating to fairs and expositions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 154—An act to amend Section 658 of the Elections Code, relating to the eligibility of election officers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 195—An act to amend Section 2540 of the Elections Code, relating to qualified political parties.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 196—An act to amend Sections 7964 and 7971 of the Elections Code, relating to canvass.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay,

Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 197—An act to amend Section 7964.5 of the Elections Code, relating to canvass.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 198—An act to amend Sections 8001, 8002, 8003, 8004, 8005, and 8008 of the Elections Code, relating to recount of ballots.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 200—An act to amend Section 9050 of the Elections Code, relating to elections

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 202—An act to amend Section 32002 2 of the Health and Safety Code, relating to elections in hospital districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 203—An act to amend Section 5026 of the Streets and Highways Code, relating to the adoption and change of street names and providing for due notification by the cities effecting such changes to the county clerk and county surveyor of the county in which the city is situated.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 204—An act to amend Sections 19090, 19091, 19092, 19094, and 19250 of the Streets and Highways Code, relating to calling and conducting elections.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 205—An act to amend Section 2707 of the Elections Code, relating to publications.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln,

Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 207—An act to amend Sections 2574, 2576, 2111, 2152, 2155, 2301, 2350, 2353, and 2402 of the Elections Code, relating to forms pertaining to primary elections.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Holhbaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—73

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 208—An act to amend Sections 2571 and 2573 of the Elections Code, relating to elections.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Holhbaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—73

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 209—An act to amend Section 2454 and repeal Sections 2455, 2456, 2457, 2458, and 2459 of the Elections Code, relating to county central committees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Holhbaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 229—An act to amend Sections 5565 and 5724 of the Elections Code, relating to the conduct of elections.

Bill read third time.

Motion to Amend

Mr. Hawkins moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 4, of the printed bill, strike out "and tally list".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 308—An act to amend Sections 5505 and 5508, and to repeal Section 5562 of the Elections Code, relating to the conduct of elections.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 309—An act to amend Sections 1708 and 1709 of the Elections Code, relating to municipal initiative elections.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1149—An act to amend Sections 6728 and 6757 of, and to add Sections 6701.5 and 6742.5 to, the Elections Code, relating to elections conducted under the punch card voting system.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1744—An act to amend Section 667 of the Elections Code, relating to precinct boards.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1746—An act to amend Section 668 of the Elections Code, relating to precinct boards.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1893—An act to add Section 5620.5 to the Elections Code, relating to grounds for challenge.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 503—An act to add Section 597g to the Penal Code, defining the crime of poling of horses and prescribing the penalty for such crime.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney

McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, and Waters—67

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 841—An act to add Section 2000 of the Government Code, dealing with the filing of claims against the State, district, county, city, or city and county.

Bill read third time, and ordered passed on file.

Assembly Bill No. 1199—An act to add Sections 31114 and 31115 to the Government Code and to add Article 6, comprising Sections 45200, 45201, and 45210 to Chapter 1, Division 5, Title 4 of the Government Code, relating to city and county civil service.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 2530—An act to add Sections 92.1 and 94.7 to the Agricultural Code, relating to fairs and expositions.

Bill read third time, and ordered passed on file.

Assembly Bill No. 2717—An act to add Section 6515 to the Welfare and Institutions Code, relating to purchase of oleomargarine for state institutions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—68.

NOES—Hagen and Porter—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3226—An act to amend Section 737.11 of the Agricultural Code, relating to the purchase of fluid milk and fluid cream.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hollibaugh,

Kelly, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

MEMBER EXCUSED

At 11 10 a.m., Mr. Munnell asked for, and was granted, unanimous consent that Mr. Kilpatrick be excused, for the balance of the legislative day, because of legislative business elsewhere.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 496—An act to amend Section 736 of the Fish and Game Code, relating to fish.

Bill read third time, and ordered temporarily passed on file.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED IN JOURNAL

Mr Evans asked for, and was granted, unanimous consent that a letter of transmittal and a Semifinal Report of the Assembly Interim Committee on Public Utilities and Corporations be ordered printed in the Journal in 10-point type; that the letter of transmittal, and report be printed as a separate document; and that 300 copies be printed.

(Above mentioned letter of transmittal and report will appear prior to the motion to adjourn.)

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 926—An act to amend Section 330 of the Fish and Game Code, relating to the acquisition and administration of refuges, game farms, preserves, and public shooting grounds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 138—An act to amend Sections 5736 and 7101, and to repeal Section 7102 of the Elections Code, relating to elections.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 147—An act to amend Section 3830 of the Elections Code, relating to ballots.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Brady, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 165—An act to amend Section 3702 of the Elections Code, relating to ballot paper.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—72
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2889—An act to amend Sections 668, 668.5, 669, and 673 of, and to repeal Sections 670, 671, 672, 672.5, and 674 of, the Elections Code, relating to the publication of the list of precinct officers and polling places.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—70
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1924—An act to amend Sections 1402, 1404, and 11001 of the Elections Code, relating to the form of initiative, referendum, and recall petitions.

Bill read third time.

Point of Order

Mr. Coats arose to the following point of order: That the bill being discussed by Mr. Waters is not properly before the House because it was not reported out of committee by a majority of the committee membership.

Ruling by Speaker

Speaker Sam L. Collins ruled that, as the full committee is 18 members in number, and the active committee is 17 in number (due to the illness of a member), that nine members constitute a majority, and that the point of order is not well taken.

Appeal From Decision of the Chair

Mr. Beck appealed from the decision of the Chair.

Mr. George D. Collins seconded the appeal.

Motion That Assembly Bill No. 1924 Be Withdrawn From File, and Be Re-referred

Mr. Coats moved that Assembly Bill No. 1924 be withdrawn from the third reading file, and be re-referred to the Committee on Elections and Reapportionment.

Point of Order

Mr. Sherwin arose to the following point of order: That the motion by Mr. Coats is not in order because another matter of business is now before the House.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The question being: Shall the decision of the Chair be sustained?

The roll was called, and the decision of the Chair sustained by the following vote:

AYES—Babbage, Belotti, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Conrad, Dickey, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Morris, Munnell, Rumford, Sherwin, Smith, Stewart, Tomlinson, and Waters—46

NOES—Beck, Berry, Brady, Burkhalter, Coats, George D. Collins, Condon, Davis, Elliott, Henderson, Lowrey, McFall, Moss, Parker, and Porter—15.

The question being on the passage of Assembly Bill No. 1924.

Demand for Previous Question

Messrs. Hinckley, Caldecott, McCarthy, Lincoln, and Geddes demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1924.

The roll was called, and the bill refused passage by the following vote:

AYES—Babbage, Burke, Caldecott, Clarke, Cloyed, Collier, Conrad, Dolwig, Erwin, Fleury, Grant, Gubser, Hinckley, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lyon, McCarthy, McGee, Sherwin, Smith, Stanley, Stewart, Tomlinson, and Waters—29

NOES—Beck, Belotti, Berry, Brady, Burkhalter, Chapel, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Henderson, Hollibaugh, Lanterman, Lowrey, Luckel, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, and Thomas—44

Assembly Bill No. 1792—An act to amend Section 261e of the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties, having a population between 600,000 and 900,000.

Bill read third time

Motion to Amend

Mr. Maloney moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 1, of the printed bill, as amended in the Assembly on April 5, 1951, after "probate", insert "court".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 496

Mr. Luckel asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 496, temporarily passed on file, out of order, for purpose of amendment, at this time

CONSIDERATION OF ASSEMBLY BILL NO. 496

Assembly Bill No. 496—An act to amend Section 736 of the Fish and Game Code, relating to fish.

Bill read third time.

Motion to Amend

Mr. Luckel moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Assembly on April 5, 1951, strike out "The provisions of this"; and strike out lines 5 and 6 and insert "On and after December 31, 1953, no yellowfin tuna or bluefin tuna weighing less than seven and one-half pounds or more than 150 pounds may be sold."

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILLS NOS. 1586 AND 1587 HOLD PLACES ON FILE

Mr. Porter asked for, and was granted, unanimous consent that Assembly Bills Nos. 1586 and 1587 be passed on file, and hold their places on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 469—An act to add Section 24202 to the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations and providing for the disallowance of deductions to taxpayers deriving income from certain illegal activities.

Bill read third time.

Motion to Amend

Mr. Sherwin moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "; otherwise".

Amendment No. 2

On page 1, line 4, of said bill, strike out "allowable under Article 2,".

Amendment No. 3

On page 1 of said bill, strike out line 5, and insert "on any of its gross income derived from illegal".

Amendment No. 4

On page 1, line 7, of said bill, after "California", insert "; nor shall any deduction be allowed to any taxpayer on any of its gross income derived from any other activities which tend to promote or to further, or are connected or associated with, such illegal activities".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 470—An act to add Section 17358 to the Revenue and Taxation Code, relating to the taxation of persons, trusts and estates, and providing for the disallowance of deductions to taxpayers deriving income from certain illegal activities.

Bill read third time.

Motion to Amend

Mr. Sherwin moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "otherwise"; and in line 4, strike out "allowable under this chapter,".

Amendment No. 2

On page 1 of said bill, strike out line 5, and insert "on any of his gross income derived from illegal".

Amendment No. 3

On page 1, line 7, of said bill, after "California", insert "; nor shall any deduction be allowed to any taxpayer on any of his gross income derived from any other activities which tend to promote or to further, or are connected or associated with, such illegal activities".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 755—An act to add Section 111.5 to the Streets and Highways Code, relating to the adoption of city streets as a part of the State Highway System.

Bill read third time.

Motion to Amend

Mr. Fleury moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 20, of the printed bill, after "obtained", insert "unless otherwise provided by the terms of any written agreement between the State and any city entered into prior to the effective date of this section".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1093 HOLD PLACE ON FILE

Mr. Caldecott asked for, and was granted, unanimous consent that Assembly Bill No. 1093 be passed on file, and hold its place on file on the next legislative day.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 32—An act to add Section 59.3 to the Alcoholic Beverage Control Act, relating to the hours of sale of alcoholic beverages.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Conrad, Cooke, Doyle, Dunn, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hawkins, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Smith, Stanley, Thomas, and Tomlinson—45.

NOES—Belotti, Berry, Brady, George D. Collins, Connolly, Davis, Dills, Dolwig, Erwin, Fleury, Grunsky, Henderson, Lindsay, Maloney, McCarthy, McCollister, Meyers, Rumford, Sherwin, Stewart, and Waters—21.

Bill ordered transmitted to the Senate.

Notice of Motion to Reconsider Assembly Bill No. 32

Mr. Rumford gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 32 was this day passed.

Motion That Mr. Rumford's Notice of Motion to Reconsider Be Taken Up at This Time

Mr McMillan moved that Mr. Rumford's notice of motion to reconsider be taken up, at this time.

Motion died for lack of a second.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred.

Senate Concurrent Resolution No. 39

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No 106

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1951

MR SPEAKER: Your Committee on Rules, to which was referred:

Senate Joint Resolution No. 25

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Joint Resolution No. 27

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

REQUEST FOR UNANIMOUS CONSENT

Mr. Lowrey asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 39, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 39

Senate Concurrent Resolution No. 39—Relative to seeking deferments for crop dusting pilots and mechanics.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Belotti, Berry, Brady, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Stanley, Stewart, and Thomas—56.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Dickey asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 27, at this time, without reference to file.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 27

Senate Joint Resolution No. 27—Relative to memorializing Congress to allow states a credit for civil defense expenditures made prior to the effective date of any federal appropriation made to match civil defense expenditures by states.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—68.

NOES—None

Resolution ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 39: By Mr. Collier—Relative to the support of the old age assistance program by the Legislature of the State of California.

Referred to Committee on Rules.

RESOLUTIONS

The following resolution was offered:

By Mr. Hawkins:

House Resolution No. 111

Relative to the State Fair

WHEREAS, The State has previously been committed to the acquisition of a new site for the State Fair and to abandonment of the existing site and fixtures; and

WHEREAS, Since that decision was made the international situation has changed, and the expanding national defense program has resulted in a manpower shortage and shortages in critical materials, including building materials; and

WHEREAS, In view of those considerations it would be desirable for the Legislature to re-examine the position previously taken with respect to the State Fair Grounds in the light of the present emergency; and

WHEREAS, It is necessary that the Legislature be fully apprised of all the facts relating to the above in order that it may intelligently legislate thereon; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Committee on Rules is authorized and directed to ascertain, study, and analyze all facts relating to the subject expressed in the recitals of this resolution and particularly all facts relating to:

(1) The relative merits and desirability of the old site, as compared with the new site across the American River;

(2) The prices paid for all real and personal property connected with or arising from the acquisition of the new site;

(3) The amount paid, or to be paid, for (a) property already purchased, (b) obligations under contracts not yet completed, and (c) for obligations to be incurred under negotiations or purchases now pending or to be undertaken in the future;

(4) The feasibility of disposing of properties already purchased or contracted for; and to report thereon to the Assembly not later than _____, including in its reports its recommendations for appropriate legislation; and be it further

Resolved, That for the purposes of this investigation the committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members

Resolution read, and ordered referred to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Constitutional Amendment No. 52: By Mr. Elliott—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by repealing Sections 2 and 3, and amending Section 4 of Article XIX thereof, relating to Chinese.

Referred to Committee on Constitutional Amendments.

ANNOUNCEMENT

Mr. Dickey announced that the power will be turned off in the new annex from 9 until 9 30 a m , on Sunday, April 8th.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 925
Assembly Bill No 1254

And reports the same correctly re-engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 585	Assembly Bill No. 3077
Assembly Bill No. 2127	Assembly Bill No. 3123

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 612	Assembly Bill No. 1813
Assembly Bill No. 613	Assembly Bill No. 1908
Assembly Bill No 614	Assembly Bill No. 1958
Assembly Bill No 643	Assembly Bill No 1977
Assembly Bill No 900	Assembly Bill No. 1979
Assembly Bill No 957	Assembly Bill No 2311
Assembly Bill No. 1033	Assembly Bill No. 2312
Assembly Bill No 1180	Assembly Bill No. 2313
Assembly Bill No. 1242	Assembly Bill No. 2315
Assembly Bill No 1264	Assembly Bill No 2361
Assembly Bill No. 1317	Assembly Bill No. 2794
Assembly Bill No. 1528	Assembly Bill No. 2899
Assembly Bill No 1812	Assembly Bill No 3375

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills Nos. 3077 and 1254 re-referred to the Committee on Judiciary.

Assembly Bills Nos. 585 and 2127 re-referred to the Committee on Agriculture.

Assembly Bills Nos. 925 and 3123 re-referred to the Committee on Fish and Game.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 2764 LAPSED

The notice of motion by Mr. Geddes to reconsider the vote whereby Assembly Bill No. 2764 was passed, on April 5th, lapsed.

Assembly Bill No. 2764 ordered transmitted to the Senate.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 2 p.m.—

Education special meeting, in Room 432. Subject: The apportionment of state schools.

At 3 p.m.—

Tidelands and Transbay Crossings, in Room 3148. Subject: Rieber Plan.

SEMI-FINAL REPORT OF THE ASSEMBLY INTERIM COMMITTEE ON PUBLIC UTILITIES AND CORPORATIONS

LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE
COMMITTEE ON PUBLIC UTILITIES AND CORPORATIONS, April 2, 1951

Speaker Sam Collins
Members of the Assembly
State Capitol

DEAR MR. SPEAKER AND FELLOW MEMBERS OF THE ASSEMBLY: In accordance with the provisions of House Resolution No. 264 of the 1949 Regular Session, we are herewith submitting our Semi-Final Report of the Assembly Interim Committee on Public Utilities and Corporations.

Respectfully yours,

JOHN W. EVANS, Chairman
BERNARD R. BRADY, Vice Chairman
WILLIAM C. BERRY
MONTIVEL A. BURKE
EVERETT G. BURKHALTER
RANDAL F. DICKEY
CLAYTON A. DILLS
WILLIAM S. GRANT
G. DELBERT MORRIS
JOHN E. MOSS
ALBERT I. STEWART

BRUCE V. REAGAN
(Did not seek reelection)
SAMUEL W. YORTY
(Member of Congress
Washington, D. C.)

SEMI-FINAL REPORT OF THE ASSEMBLY INTERIM COMMITTEE ON PUBLIC UTILITIES AND CORPORATIONS

Authority

The Assembly Interim Committee on Public Utilities and Corporations was created pursuant to House Resolution No. 264 during the 1949 Regular Session.

Paragraph 1 thereof provides that:

> "The Assembly standing Committee on Public Utilities and Corporations is hereby constituted the Assembly Interim Committee on Public Utilities and Corporations and is authorized and directed to ascertain, study and analyze all facts relating to subjects which under the Standing Rules and legislative practices of the Assembly, would be referred to the standing Committee on Public Utilities and Corporations, including but not limited to the operation, effect, and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation."

Subjects Considered

During the interim period, this committee has given consideration to the following subjects:

Discrimination in the use of landing fields.
Truckers and their use of public highways.
Public transportation problems of the Los Angeles area.

1. Discrimination in the Use of Public Landing Fields

a. PURPOSE

Several of the smaller airlines urged that the committee investigate the possible discrimination against these companies in their use of certain public airports, landing fields, concourses, counters for ticket facilities, access to run-ways, and other mechanical aids to the proper conduct of the operation of an airline at a regular airport terminal. Possible discrimination could result in hardship to the airlines and considerable inconvenience to the traveling public and shippers.

b. MEETING

By request, this committee held a meeting on Wednesday, October 11th, at Los Angeles for the purpose of hearing witnesses on this subject.

c. WITNESSES

The following persons appeared at this meeting for the purpose of of giving testimony relative to said purposes.

Mr. Courtland G. Smith, Secretary and Administrative Assistant, Airport Commission, Department of Airports, Los Angeles.
Mr. Tom Murphy, Vice President, Western Air Lines.
Mr. Tony Beard, Vice President, California Central Air Lines.
Mr. Clifford Stout, Chief Pilot, California Central Air Lines.

d. RECOMMENDATIONS

Due to lack of funds, this committee has been unable to carry on such studies as would be required before conclusions and recommendations could be properly formulated. This committee is of the opinion that there are sufficient grounds to justify further studies in this field because some main airport terminals have already considered and acted upon the above, (viz. "a",) but some apparently do not appreciate the problems of these smaller air-lines.

2. Trucks and Their Use of Public Streets and Highways

a. PURPOSE

This meeting was called at the request of several trucking firms for the primary purpose of considering overloading, highway safety, local discriminatory legislation and kindred problems

b. MEETINGS

By request, this committee held a meeting on Thursday, November 30th, at San Francisco for the purpose of hearing witnesses on this subject.

c. WITNESSES

A. F. Schumacher, Owens Illinois Glass Co., CMA Traffic Com.
J. E. Hales, Standard Oil Co. of Calif., CMA Traffic Com.
A. P. Heiner, Kaiser Stell Corp., CMA Traffic Com.
A. K. Penttila, Sherwin Williams Co., Shippers Traffic Assn., Oakland.
J. P. Sanders, Gerber Products Co., CMA Traffic Committee, Calif. Canners League Traffic Committee.
L. H. Wolters, Golden State Co., Ltd., CMA Traffic Committee.
C. T. Blanck, the Pac. Tel. and Tel. Co.
Y. E. Cahill, The Pac. Tel. and Tel. Co.
Larry Fites.
Thomas R. Dwyer.

d. RECOMMENDATIONS

Due to lack of funds and time, this committee has been unable to proceed any further with this subject. The need for further study that may lead to helpful legislation is dramatically demonstrated by:

(1) Drastic local legislation by a good many cities throughout California. This local legislation is the result of petition on the part of the people in these communities.

(2) Harold P. Huls, Commissioner, California Public Utilities Commission, in an article contained in the December, 1950, issue of the *Californian* pleads for legislative investigation and action. The following are some direct quotations from his article:

> "Governor Warren, in an address October 6, 1950, to the Commonwealth Club in San Francisco, stated, 'There are still 3,000 deaths a year on California highways'.
>
> "Arthur T. Vanderbilt, Chief Justice of the Supreme Court of New Jersey, last month * * * states. 'The automobile since 1910 slaughtered more people than were killed in all of the wars in which the United States has engaged during the entire history of our Country'.
>
> "The California Public Utilities Commission, a year ago, determined to institute a fact-finding investigation into some of the causes resulting in the appalling toll of accidents causing death, injury, and property damage on California highways
>
> "An analysis of the 67,300 accidents on rural state highways for the three years 1946 to 1948, indicates that about one-third were accidents, involving two or more passenger vehicles, one-fourth involved a single passenger vehicle, and about *one-sixth involved a truck* and a passenger vehicle.
>
> "Figures submitted by the California Highway Patrol for the first six months of 1949 showed separately the accidents occurring in cities and all roads, including state highways and county roads in rural areas. *Commercial vehicles* accounted for about 18 percent of the total accidents for all types of vehicles.
>
> "Nine thousand one hundred citations were issued involving all *commercial vehicles* More than 34 percent of these citations involved *speed,* 19 percent involved violations of the right of way of either a pedestrian or a vehicle, 8 percent were for following too closely,

6 percent for improper passing, 5 percent for driving on the wrong side of the road, and about 5 percent for improper turning. The year 1949 showed a 6 percent increase in all persons killed on rural area roads over the year 1948.

"The conclusion of the commission was inescapable, that some remedy was essential to put a stop to the apparent flagrant disregard of speed laws.

"The Highway Patrol made a survey. This survey showed that certain highway carriers showed a greater tendency to violate the vehicle code than others."

The Public Utilities Commission came to two specific conclusions: One was that they would continue to do all within their power to promote safety, and the second, that the California Legislature be urged to make a study to determine the need for remedial legislation regarding:

(a) "The need for additional enforcement personnel, giving particular consideration to the highway patrol's statistical and clerical load and activities not directly related to the enforcement of the vehicle code."

(b) "Existing speed differential between vehicles specified in the Vehicle Code."

(c) "Laws involving *overtaking and passing, following too closely, cutting in, use of mud aprons by commercial motor vehicles,* and of the desirability and feasibility of establishing a *uniform speed requirement or performance ability standard for commercial vehicles.*"

(d) "Requirement that all drivers of commercial vehicles operating in 'over the road' service keep and maintain an appropriate type of driver's log."

(e) "Uniform hours of service for drivers of all commercial vehicles in 'over the road' operations."

(f) "Requirement that all property carrying commercial vehicles to be properly identified by displaying the name of the carrier on each side and rear thereof in a manner similar to that required by the Interstate Commerce Commission rules and regulations."

(g) "Substantially increased penalties for violation of the maximum weight provisions of that code."

(h) "Uniform application of safety and preventive maintenance programs and rules and regulations concerning safety of operations of these passenger carriers not presently under this commission's jurisdiction."

This committee has received many requests to investigate truck smoke and fumes in connection with highway safety.

It has also received many requests to investigate excessive truck exhaust and motor noise that has apparently been effecting the health and comfort of thousands of citizens.

This committee is aware of the fact that there presently exists several associations of truck owners and operators and that individually, these associations are putting forth their best efforts to cooperate in a program of greater highway safety and good public relations. To date,

however, these associations have been only moderately effective due largely to:

(a) Considerable dissention between "for hire carriers" and "private carriers";

(b) The fact that only relatively few owners or operators belong to these associations;

(c) The lack of authority of these associations to obtain pertinent information from their members—information absolutely necessary to the formulation of association rules of conduct or recommended legislation; and

(d) The hundreds of truckers who belong to no association, and who are beyond the pale of any industry self-policing effort.

Moreover, almost nothing is known regarding the attitude of numerous truckers toward highway safety and ethics. For example, it is generally suspected that many truckers deliberately set delivery schedules so as to require excessive speed and other highway violations of their drivers. What percentage this may be of the total is, of course, unknown.

3. Public Transportation Problems of the Los Angeles Area

(a) FOREWORD

During the 1949 Regular Session, one of the most important problems confronting this committee, as well as that of the Legislature as a whole, were the various measures concerning intra and inter-community public transportation in the Los Angeles area. The Los Angeles area is defined to mean that portion of Los Angeles, Orange, Riverside, and San Bernardino Counties that are within the practical employment, social, and marketing orbit of metropolitan Los Angeles. In recognition of this problem, and pursuant to its authority, this committee has undertaken as thorough a study of the problem as its limited finances permitted.

In this connection, it should be noted that at the time this committee was instructed to begin its studies, the County of Los Angeles had "earmarked" the sum of $300,000 for an exhaustive engineering study of this same problem.

Even though the information needed to satisfy the legislative requirements of the California Legislature may be somewhat different and less extensive than that for the Board of Supervisors of the County of Los Angeles, and for that reason may not require a complete duplication of effort, they were sufficiently the same to cause this committee to rely heavily upon the proposed county studies for much of its information.

The county's study produced three results:

(1) The names of recommended engineering firms whom the county might hire to undertake the proposed extensive engineering studies.

(2) The fact that these engineering studies would cost in excess of one and one-half million dollars, and

(3) An outline of the studies thought to be necessary.

In view of the information contained in the preliminary report published by your Interim Committee on Public Utilities and Corporations, and the tremendous sum of money required to complete the studies recommended in the county's preliminary report, the Board of Supervisors

did not re-allocate the unused portion of the $300,000 and discontinued any further studies on this subject.

In spite of the fact of this highly complimentary tribute to this committee, it has continued to develop as much pertinent information as possible, even though much remains to be done to complete the studies the committee feels may be necessary to put the Legislature in possession of all the facts it may need as a guide for future legislation.

As a direct result of the work done on this subject by your committee, and through the publishing of its preliminary report, released during the 1950 Budget Session, it now seems that the organized pressure for legislative action of the type proposed during the 1949 Session has been materially reduced if not entirely eliminated In spite of the apparent cessation of this pressure, your committee is convinced that the need for a solution to the mass transportation problem in the Los Angeles area still exists, even though the solution is not the panacea proposed by the proponents of the previous legislation.

As a matter of fact, the need for improved public transportation has become and will become even more critical during the years ahead —particularly in view of the present national emergency.

(b) THE PURPOSES

The original *purposes* for which this study was undertaken still exist and remain the purposes to be discussed in this final report, namely:

The extent of the *need* for a more expeditious movement of people within this area;

The most practical public transportation system or systems for the people in this area; and

The most desirable means of financing the system selected.

(c) MEETINGS

The following meetings were convened for the purpose of hearing as many of the parties interested in this subject as might care to testify

All of the meetings were held in the State Building in the City of Los Angeles because of its centralness of location. Community meetings of this kind have not been held because the committee felt a central point would encourage more people to attend each meeting and thereby promote a more common understanding of the problem by the interested parties who might travel to a central point for the purpose of listening to the testimony of witnesses from communities farther removed.

September 8, 1949
October 12, 13, 14, 1949
December 5, 1949.

(d) WITNESSES

The following persons appeared before and were heard by this committee.

The committee wishes to take this opportunity to thank them for having given so generously of their time and knowledge.

Jess Haugh, President San Diego Transit System.
Lou Gretz, Secretary Southeast Industrial Area Association.
Paul Harding, Engineer, State Department of Highways

Col. George Roberts, President Mono-Rail Construction Co.
H. R. Bennett, Burbank City Engineer.
Robert Omer, Burbank Chamber of Commerce.
Paul V. Parker, Secretary-Manager, Citizens Traffic and Transit Committee.
Col. Frank C. Lynch, Consulting Engineer, South Pasadena.
Mrs. C. W. Harger, President, Alhambra Southwest Property Owners' Association.
Lee Mathews, South Side Chamber of Commerce.
Mayor Dixon, Inglewood.
Raymond Darby, Supervisor, Los Angeles.
Earl S. Anderson, Executive Secretary, Los Angeles Realty Board.
Edward L. Rimpau, Realtor, Los Angeles
Howard Mason, Secretary, Metropolitan Traffic and Transit Committee.
Ralph Dorsey, Traffic Engineer, City of Los Angeles.
Mayor Alan G. Orsborn, Pomona.
Mr. John Price.
Mr. Stuart G. Wheeler, Claremont Citrus Grower.
Karl I. Dienes, Pomona College.
Stanley E. Barnes, Pomona Chamber of Commerce.
Wendell A. Van Hook, Engineer, Los Angeles.
Hugh W. Wilkins, Railway Trainmen Brotherhood.

(e) STATEMENTS, REPORTS AND STUDIES

The following data and other material were considered, digested and analyzed by this committee. It will be observed that its research has covered a very wide area in an effort to bring the greatest amount of "light" and learning to this subject.

This committee wishes to point out that, in spite of the merit of the many reports, books, statements, etc., digested by it, in the interest of brevity, no such reports, etc., are reprinted herein in full. Only the most cogent and pertinent portions thereof have been quoted in order to make this report more meaningful and forceful.

Public Opinion Survey, The John B. Knight Company

Statement of H. W. Wilkins, General Chairman, Brotherhood of Railroad Trainmen in Behalf of the Joint Committee of Standard Railroad Labor Representatives, Pacific Electric Lines.

Statement of Edward Rimpau, Director Los Angeles Realty Board and President of the Miracle Mile Association.

Revised Statement of Paul V. Parker, Secretary-Manager of Citizen's Traffic and Transit Committee

Statement of Policy on Rapid Transit in the Los Angeles-Long Beach Metropolitan Area recommended by the Traffic and Transportation Committee of the Long Beach Chamber of Commerce.

Reports by Col. F. C. Lynch, Consulting Engineer, South Pasadena, California, "Mass Transportation in the City of the Remote Future Which is Here Today" and his final report.

Report by the People's Freeway Development Association.

(f) BIBLIOGRAPHY

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De Leuw, Cather & Company, City of Los Angeles—*Recommended Program for Improvement of Transportation and Traffic Facilities,* 1945.

Joint Fact-Finding Committee on Highways, Streets and Bridges, Randolph Collier, Chairman, *Engineering Facts and a Future Program,* 1946.

Los Angeles Metropolitan Parkway Engineering Committee, *Interregional, Regional, Metropolitan Parkways in the Los Angeles Metropolitan Area,* 1946

Mickle, D. Grant, Stuart M. Bate and Joseph E. Havenner, (Street Traffic Committee), *Street Traffic Management for Los Angeles,* 1948.

Regional Planning Commission, *Freeways for the Region,* 1943.

Welfare Council of Metropolitan Los Angeles (Research Dept.), *Background for Planning,* 1949.

(2) *Past Studies of Mass Transportation Areas Other Than Los Angeles*

Andrews, W. Earle, *Detroit Expressway and Transit System,* 1945.

Kelker, Jr., R. F., *Report on a Physical Plan for a Unified Transportation System for the City of Chicago,* 1923.

Suburban Transit Engineering Board, *Progress Report on Suburban Transit for the Metropolitan District of New York,* 1930.

(3) *Reports of Hearings in Various Cities on the Subject of Transportation*

San Diego Transit System, Application No 29969, dated January 4, 1949.

St Louis Public Service Company, Case No. 10,706, December 27, 1945.

(4) *Books*

Bauer, John, Director of American Public Utilities Bureau, and Peter Costello, *Transit Mdernization and Street Traffic Control,* 1950.

Kitchin, L. D., *Bus Operation,* 1949.

Miller, John Anderson, *Fares Please,* 1941.

Thomas, J. P., Operating Manager of London's Underground,

Handling London's Underground Traffic, 1928.
Stocker, H. E., Assistant Professor of Transportation, New York University, *Motor Traffic Management,* 1942.

(5) *Publications of Learned Organizations*
Hoard, George Leslie, Associate Professor of Electrical Engineering, *Modernization of a Transit System—Factors that Determine the Choice of Vehicle;* University of Washington, Seattle, 1940.
Owen, Wilfred, *Automotive Transportation—Trends and Problems*

(6) *Other Reference Materials*
Bureau of Budget and Efficiency and Department of City Planning, City of Los Angeles, *Population Data for Administrative Planning,* 1949.
Chamber of Commerce of Philadelphia, *Philadelphia Facts,* 1949.
Fennell, Dan L., Executive Vice-President Kansas City Public Service Company, Letter describing the operation of the Roanoke motor bus line on the Southwest Traffic-way in Kansas City, 1951.
Kansas City Public Service Company; prints showing the operation of the Roanoke line on the Southwest Traffic-way of Kansas City, Missouri, 1951.
New York Port Authority, Floor Plan of the Port Authority Bus Terminal, 1951.
Second Annual Report of the Board of Public Trustees of the Metropolitan Transit Authority—Boston, Mass., 1948.
Williams, Leslie, City Planning Engineer, American Transit Association, *Planning Public Transportation on Urban Expressways,* Reprint from Proceedings of the Twenty-Fifth Annual Meeting of the Highway Research Board, January, 1946.

(7) *Communications from Other Cities*
Board of Transportation of The City of New York, New York, Mr. William Jerome Daly, Secretary
Chicago Transit Authority, Chicago, Illinois, Mr. Peter J. Boesen, Transit Engineer
Department of Street Railways, Detroit, Michigan, Mr. Stanley Oates, Public Service Counsel
Department of Streets and Electricity, Chicago, Illinois, Mr. Leslie J. Sorenson, City Traffic Engineer
City Planning Board, Boston, Massachusetts, Mr Thomas E McCormick, Executive Director
Association of American Railroads, Washington, D. C., Mr. C. J Corliss, Manager, Public Section
City Planning Commission, Philadelphia, Pennsylvania, Mr. Hans Blumenfeld, Chief, Division of Planning Analysis
Department of Public Works, Philadelphia, Pennsylvania, Mr. Samuel S. Baxter, Acting Chief Engineering & Surveyor
National Association of Motor Bus Operators, Washington, D. C, Mr. A W Koehler, Secretary-Manager
The Chicago Association of Commerce and Industry, Chicago, Illinois, Mr. E. F. Querl, Manager, Industrial Department

Chamber of Commerce of the State of New York, New York, Mr. G. G. Tegnell, Director, Research Department
American Transit Association, New York City, New York, Mr. A. W. Baker, General Secretary
City of La Verne, La Verne, California, Mr. Charles E. Overholtzer, City Clerk
Department of Subways and Superhighways, Chicago, Illinois, Mr. V. E. Gunlock, Commissioner
Detroit Board of Commerce, Detroit, Michigan, Mr. Hugh Campbell, Transportation Bureau

(g) SUMMARY OF FINDINGS

The following are the major conclusions derived from the work done by this committee to date The data supporting each such conclusion will be found in a later section under the heading, "Findings."

1. *The Need*

There is an acute need for a faster and a better coordinated system of public transportation in the Los Angeles area. This need is imperative to the present and future economic welfare of the people, area and to the country in times of national emergency

2. *The Means* (The most practical system of public transportation)

At present and in the forseeable future, a system of motor coach lines operating on the freeways for inter-community service and off the freeways for intra-community service is by far the most practical, if not the only practical solution to the problem from all points of view.

3 *Financing*

This committee has not been able to exhaustively study the financing of any recommended system From a cursory examination, two conclusions may be drawn:

(a) A coordinated system of motor coach lines operating on and off freeways would in all probability require little, if any, public financing (except for the gasoline tax).

(b) An ad valorem tax would be the least desirable and most heavily opposed of any proposed method of public financing

(h) FINDINGS

1. *Foreword*

Transportation systems, especially so-called rapid transit systems, have been the cause of more discussion than any other municipal question in the larger cities Twenty years of debate preceded the building of the first elevated railway in New York. It was 30 years later before the first subway began running. The same lengthy arguments preceded the building of the so-called rapid transit facilities in Boston, Philadelphia, and Chicago

A satisfactory system of mass transportation for Los Angeles has also been the subject of similar debate during the last 25 years. During this period, there have been 45 transit and/or traffic studies, covering part or all of Los Angeles County. Of these, five might be considered major studies of the transit problem, and these studies have contributed to the understanding of the complexity of the problem. However, the

situation has changed so rapidly as to render previous reports obsolete, except as a chronicle of earlier thinking.

City planners of the Los Angeles area have been subjected to much criticism in the past over what appeared to some critics as inactivity in regard to suggestions made in past reports. It is well that hasty action was not taken, however, for *until comparatively recent times, it could not be definitely established that decentralization of residence and industry was to be the dominant growth pattern of Los Angeles.* Decentralization was the primary factor in creating the need for freeways that would provide an efficient method of handling large volumes of vehicular traffic to and from the decentralized areas. Experiments with freeways proved a tremendous success throughout the country, and influenced the thinking of all city planners and transportation experts.

It is not intended that the advent of freeways automatically precludes the possibilities of rail, mono-rail or other suggested methods of mass transportation. Examination of the present status and predictable future of transportation facilities and their adaptability to existing areas is the only logical and fair way to arrive at a decision of the most satisfactory transportation system for Los Angeles County. Such an examination and presentation of results is the objective of this report.

The findings will be presented under the three purposes for which this Committee study was intended to serve, namely,

1. The need for improved public transportation;

2 The most practical public transportation system or systems for the people in this area; and

3. The most desirable means of financing a system selected.

2. *The Need*

There is an acute need for a faster and coordinated system of public transportation in the Los Angeles area This need is imperative to the present and future economic welfare of the people, area and country in times of national emergency.

(a) All witnesses who appeared before this committee agreed that there is a need for an improved public transportation system in the Los Angeles area, even though there is disagreement as to the type of transportation that would be most practical.

(b) These witnesses came from representative communities throughout the Los Angeles area, and were people representing organizations constantly in touch with the social and economic welfare of this area.

(c) Paul V. Parker said, "This problem cannot wait forever for solution. In a recent issue of *Life Magazine* an article was devoted to the Los Angeles traffic and transit problem. It was entitled *"City Versus Automobile"* and it told how this city now all but strangled in its own rubber tired traffic would find a large measure of release when these proposed freeways are built.

"One of the most important and at the same time most controversial and least understood problems of our city is that of improving its transportation or circulatory system. Practically everyone recognizes that street congestion has become almost intolerable and demands that something be done about it"

Dr. Homer Grant said, "The means for rapid movement of people throughout a community or metropolitan area are essential to continued growth and prosperity. Flow of such traffic may be likened to the flow of blood through the human body and failure to provide for such flow could be as tragic for the economic life of a community as an obstruction of the blood stream would be for the human body."

H. W. Wilkins said, "Community planners, traffic and transportation experts who have carefully studied the situation with the needs of the people uppermost in their minds, have repeatedly warned that modern high-speed rail transit system is a must if metropolitan Los Angeles is not to be strangled in the course of its amassing growth."

E. S. Dixon said, "No other problem before the Legislature is more important."

Lynn B. Werner said, "It is the opinion of the Burbank Chamber of Commerce that rapid transit in the Los Angeles metropolitan area is desirable for the economic well being and growth of Los Angeles County. . . ."

(d) For two and one-half decades, the City of Los Angeles, County of Los Angeles and other civic groups and civic-minded individuals, have recognized the need for doing something about public transportation in this area, and have spent several hundred thousand dollars in their efforts to work out a solution. While many reports have been written, no program has been adopted nor enacted, and the need continues to grow. The need for a faster and better coordinated system of public transportation in the Los Angeles area is demonstrated again by the fact that more than a million passengers a day are using the twenty or more public transportation companies to carry on their business, economic and social intercourse.

3. The Means

At present and in the foreseeable future, a system of motor coach lines operating on the freeways for intercommunity service and off the freeways for intracommunity service is by far the most practical, if not the only practical, solution to the problem from all points of view.

This purpose will be considered from four of the most significant aspects of the problem, namely,

The area influence on the transportation system selected. This aspect concerns itself with the "growth pattern" of the Los Angeles area. A growth pattern may be either toward or away from the centralization of population. This discussion will show how these characteristics of an area influence the selection of an adequate transportation system.

Trends in transportation facilities. This aspect shows the history and development of various methods of transportation in large metropolitan areas. This aspect cannot be overlooked in the selection of a system.

The third aspect is concerned with a *comparison of the fixed and operating costs of the various methods of public transportation.* Subjects to be covered will include initial capital outlay, maintenance and depreciation and operating costs. Labor will not be discussed as it is quite static for all types of transportation insofar as the hourly wage is concerned.

The influence of freeways on mass transportation. Here we bring to the Legislature the latest and most modern provisions for mass public transportation, and includes statements of leading city planners and transportation experts in respect to the possibilities of freeways. This will also include a comparison of the speeds obtained through the use of the various facilities.

A. *Area Influence on Transportation Facilities Selected*

In modern-day planning of an adequate transportation system and in selecting the type of facility that will be most satisfactory, the "influence of the area" is the greatest single factor to be considered. This is quite the reverse of the situation that existed before the advent of the automobile. Most of the great cities of the United States had their period of expansion in the hey-day of rail travel—there was no alternative. Manufacturers, distributors, and retailers found it necessary to locate their places of business near existing rail transportation lines.

The very life of the business depended on a location in close proximity to supply and shipping lines which were exclusively rail. To obtain an adequate supply of raw materials for manufacture or for the distribution of finished merchandise, a location on the rail line was an essential. There was no satisfactory method of road or highway travel to distribute the merchandise to wholesale or retail outlets.

Another primary consideration in the selection of a business site is the labor supply. In the past, it was necessary not only to locate near an adequate source of labor, but also to select a location where the labor supply lived within walking distance of the business or the rail line

This resulted in highly concentrated populations working, shopping and finding entertainment in a very centralized business district. Under these circumstances, travel was very largely to and from a single hub, thus making the solution of public transportation quite simple.

Only a cursory examination of the Los Angeles area is needed to observe that a great change in that situation has occurred. It is common practice for business concerns to locate great distances from existing transportation lines. This is possible since the motor trucks for supplies and the motor coach for personnel are so flexible and are able to furnish service to a concern despite location away from main lines of transportation. Therefore, the area is now the influencing factor on transportation systems, and the system must grow with the area, whereas the reverse was true before the advent of the automobile.

The City of Los Angeles has attained size and importance in the day of the automobile. The so-called rapid transit systems of Boston, New York, Philadelphia and Chicago were planned and constructed when the automobile was not considered a threat to rail transportation These cities are laid out in a more geometric pattern than is Los Angeles, for they grew around their transportation. The outline of Los Angeles is completely different, for the city grew in a sprawling manner. The dominant method of transportation during its real growth was the automobile, which is the most flexible of all modern transportation facilities.

Being transported by such a flexible vehicle, the people demanded that roads be built to serve them Because of the lack of a growth pattern, the roads were built in what might be considered a disorderly manner.

Disorderly as it might be from the standpoint of geometric patterns, the city with the automobile affords the most efficient land use.

Edward Rimpau testified, "As is inevitable with this type of development, Los Angeles has fostered prosperous and well integrated retail shopping centers most of which are complete in every detail, comprising not only food and drug-stores, but clothing, furniture and even department stores, places of amusement, banking facilities and the like, so in many cases it is not necessary for the individual to go beyond his neighborhood shopping center to transact any kind of business.

"A careful look at the pattern of Los Angeles makes it clear at once that this city is completely different from the older cities of the Country and different in the way that necessarily will always have a bearing on the kind of transit the people want, need, will use and—most important of all—will pay for "

Paul V. Parker states. "The first fact is the fact of decentralization. By way of reference, I direct attention to the 1948 Report made by the City of Los Angeles entitled the 'Street Traffic Management for Los Angeles'. On pages 9 and 10 are two maps illustrating respectively commercial centers and industrial areas There are 21 areas designated as commercial centers and a great many designated as commercial streets. Industrial areas are twice as numerous. Both commercial and industrial areas are scattered impartially over all these maps From these facts, it follows that any transit system that is going to be of service must carry people to and from all these commercial and industrial areas."

Pilot Opinion Survey: "Eighty-seven percent of the non-employed persons (housewives) do their food shopping in their own community, 10 percent shop in some other community while only 3 percent patronize downtown Los Angeles.

"As far as other shopping is concerned (clothing, appliances, etc.), 41 percent patronize their own neighborhood while 43 percent go to some other community shopping center and 16 percent patronize downtown Los Angeles. From these facts we must assume that at least under present conditions, people place the emphasis on their own community and other community shopping centers rather than downtown Los Angeles. The indications are from this and other sources that this pattern of decentralization will continue for an indefinite period of time."

Another characteristic of the Los Angeles area that was not conducive to rail transit was the large areas of tillable land, and climate, that were favorable to agricultural development. Today, despite the great industrial development since 1940, Los Angeles County produces more income from agriculture than any other County in the United States Agriculture being such a recent and dominant characteristic of Los Angeles, it was inevitable that decentralization would be the development trend.

Of the factors that contributed to growth in this manner, building height limitations, agricultural community with available land, sudden increase in population and the automobile are most outstanding.

Also, the fear of future armed conflict is ever present in the atomic age and is undoubtedly considered in the decentralization of business.

Evidence of a definite decentralized pattern is to be found in all branches of business. Business has gone and is going to the customer

instead of making the customer come to it. In banking, the world's largest branch banking concern has taken the lead by establishing branches throughout the area.

Retailers have been among the first to go to the people with their stores. Sears Roebuck and Company is in the process of constructing a branch store in the San Fernando Valley. In addition to this store, they have branches in Westwood, Inglewood, Glendale, and the Eastside. Another of the leading retailers has abandoned plans for building a branch store in Hollywood and is constructing a branch in one of the newer communities approximately ten miles from the downtown Los Angeles or Hollywood shopping centers. Bullocks, The May Company, Barker Bros., Desmonds, J. W. Robinsons and others—concerns that were never intended to become chains in the usual sense—have all entered the race of decentralization to bring their services to the customer in his own community rather than attempting to force the customer to come to them in downtown Los Angeles. This is certainly not the pattern with large banks and retailers in other large cities.

Entertainment concerns have always gone "to the people," and are continuing to do so as the population of Los Angeles spreads out over the county. Of the many evidences of this, drive-in theatres provide a typical example, the number having increased to 29 in 1951.

Most of Los Angeles' recent growth has been in the outlying areas a number of miles from Los Angeles Civic Center The trend in downtown department store sales bears out this fact.

Department Store Sales, 1919-1950

Year	*Downtown in percent of county total*
1919	74.9%
1929	74.3
1937	63.1
1939	54.0
1941	47.4
1943	47.5
1945	46.0
1947	40.4
1948	36.1
1949	35.7
1950	34.6

From 1919 to 1929, approximately 75 percent of all department store sales took place downtown. This percentage had decreased to 35 percent of all sales in 1950. All indications are that there will be a continued decrease.

As new residential districts developed, business concerns took advantage of the new markets made available and located their business in close proximity Also, manufacturers made use of the new labor force and began to establish productive industries in these localities.

This, of course, has been a major factor in the development of a "crazy quilt" pattern of employment requiring that tens of thousands of employees cross and re-cross the area, containing more than 45 separate municipalities as well as dozens of other communities, to get to and from

work. Other large metropolitan areas do not have this problem to the same extent as their labor force tends to funnel into a single location.

Decentralization is not limited to population and business alone. The residents of these newly created sections have other needs, such as religious, health and recreational centers The civic, church, and medical leaders have satisfied these needs as quickly as the merchants by constructing appropriate buildings.

All of these facts present decentralization as the trend, thereby necessitating a transportation system that would be flexible and attuned to Los Angeles' changing population centers

A characteristic of Los Angeles which is closely related to decentralization is light population density. Those immigrants to the West who were seeking the "wide open spaces" found them in Los Angeles, a fact which is brought out by the following table.

Table II

Population, Land Area, and Population Density of Cities With "Rapid Transit" in Comparison With Los Angeles

City	*Population*	*Land Area in Square Miles*	*Population per Square Mile*
New York	7,454,995	299.0	24,993.1
Chicago	3,396,808	206 7	16,433.5
Philadelphia	1,931,334	127 2	15,183 4
Boston	770,816	46.1	16,720.5
Los Angeles	1,504,277	448.3	3,355 5

The statistics in Table II show that the population density of cities with fixed rail transit systems have from four and one-half to seven and one-half times greater population density than does the City of Los Angeles.

The single-family dwelling unit is another factor that has contributed to the low population density of Los Angeles, and because of building height limits and available land, the single family dwelling units will continue to encourage dispersion

With a large population density such as is found in New York, there is a necessity for and *possibility* of financially supporting subways and other fixed rail methods of mass transportation. In such cities, the subway and elevated trains have the capacity for moving large masses of people, and the demand is large enough between the peak load periods to justify their existence (even though they operate at a loss). As will be demonstrated later, such is not the case in Los Angeles Satellite communities of the area have or will become completely self-supporting and independent Cordon counts of one of these satellite communities (Miracle Mile) show it now has as many or more automobiles entering it per day as the central business district.

From the foregoing data, it will be readily seen that the system adopted must be flexible and that the systems used elsewhere probably would not be the most adaptable to this area as they would not lend themselves to this historical population, or economic pattern.

How the people in this area may feel on this subject—namely, the continuation of this trend toward decentralization—is dramatically expressed in the pilot opinion survey conducted by this committee. In this survey, 80 percent of the non-employed persons said they "used a street car or bus as little as possible" and 86 percent of the employed persons

said they "used a street car or bus as little as possible". For the most part, these people are using their own transportation, namely, the automobile, which, of course, has necessitated the ever expanding freeway and streets and highway program. More than three times (47 percent) as many people preferred a public transportation system of busses on freeways then preferred any other of the three other possibilities, namely, mono-rail, freeways linked with subways (rails in the center of the freeways) and subways

B. *Trends in Transportation Facilities*

The problem of selecting the most satisfactory transportation facility has only become of major importance with the advent of the automobile and motor bus. Prior to that time, it was simpler as there were few choices other than novelties, which were quickly considered and as quickly abandoned. At first, there was the horse with no competition. Then the wagon, also without competitors. Next, came rail travel for both inter-city and inter-urban travel. Mass communication by rail remained virtually unchallenged until the automobile was developed.

At first, the automobile was considered merely a novelty and no cause for concern by those with financial interests in travel by rail. Soon, the novelty was being widely accepted and a great demand resulted. To satisfy this demand methods of mass production were developed which enabled the man in the street to foresee the day when he could own a "horseless carriage".

The acceptance of the automobile inevitably resulted in the vehicle's use for mass transportation purposes. This first occurred in Los Angeles when the so-called jitney buses were introduced July 1, 1914. In reality, the jitney bus was very different from the modern concept of a motor bus. The vehicle was merely a large automobile, operated in most cases by its owners. Because of the five-cent fare charged by the operators of these vehicles, the name "jitney" was bestowed on them. At one time, there were over 700 of these vehicles in Los Angeles. Despite the mushroom growth, the jitney mode of travel was doomed to failure, mainly because the five-cent fare was not sufficient to cover cost of operation.

Development of the jitney into a larger capacity vehicle was the next step in the evolution of the modern motor bus At first, box-like bodies were added to the jitney chassis, but the operators soon discovered that it was necessary to build the proper type of vehicle, from the ground up. This type of vehicle, having a much larger capacity, met with considerable financial success in many cities Street railway companies of the major cities did not view this new opposition complacently. Quite the contrary, they fought it vigorously and only under financial loss did they substitute motor buses for unprofitable street car lines

City planners were quick to recognize the advantages of the *motor bus* over street railway systems of mass transportation. These advantages include:

1 *No facilities other than bus needed.* The motor coach is the only one of the three major types of mass transportation vehicles (motor bus, street car or trolley coach) that does not require facilities in addition to the vehicle itself for operations. The street car requires both overhead wires with telephone poles and rails, while the trolley coach requires overhead wires with poles at frequent intervals

2. *Economical superiority.* As will be shown in a later section, buses are superior to street cars or trolley coaches from an operating cost point of view.

3 *Maximum operating flexibility.* Several factors combine to give motor coaches a definite advantage in regard to flexibility. There is no right of way, no tracks, no wires, etc., required in order to change the route. They are free from "line stalling"—that is—if one is stopped, the other can go around. Buses can be rerouted in case of fire or street repairs or other emergency. Buses can easily be rerouted to suit changed or growing needs of the community. This is particularly valuable in the area of Los Angeles.

4. *Most attractive and convenient service.* Jess L. Haugh stated that, "I am a transportation man. I have been in business since the big four railway * * * Buses are also more attractive because they pull up to the curb. Buses have express service which is impossible with street cars".

5 *Attract the greatest passenger volume.*

6. *Can be made most easily self-sustaining financially.* Motor buses can be made financially self-sustaining most easily because of a much lower capital investment and operating expense and depreciation

7. *Reduction of traffic congestion.* Mr. Haugh also stated that rail lines cause more traffic because they take up more traffic lanes

During the 20's, the battle raged between the street railway interests and proponents of the new system of mass transportation By 1929, street railway interests knew that something had to be done to regain some of their lost patronage At an executive meeting in Atlantic City, electric railway executives met to outline a plan for accomplishing this Certain of the disadvantages of rail transportation were inherent, such as lack of flexibility due to rails and restriction of speed in congested areas due to a lack of maneuverability. It was decided that the car itself offered the greatest possibility of improvement. A committee was appointed to undertake the modernization of the car.

This committee eventually expanded and became known as the Electric Railway Presidents Conference Committee. The modernized street car that was introduced in the mid 1930's as the result of this committee's work became known as the P.C.C. car.

Modernization of the street car recaptured some of the public favor, but the hey-day of the trolley was over despite improvements This fact is brought out most strikingly by the following table showing the trend of transportation vehicles usage.

Transportation Vehicles in Use 1926-48

Calender Year	*Ordinary Street Car*	*Subway and Elevated*	*Trolley Coaches*	*Motor Buses*
1926	62,857	8,909		14,400
1930	55,150	9,640	173	21,300
1935	40,050	10,416	578	23,800
1940	26,630	11,032	2,802	35,000
1945	26,680	11,032	2,802	35,000
1947	21,607	9,174	4,632	56,917
1948	17,911	9,456	5,708	58,540

SOURCE: Transit Fact Book, 1948, Table No 21, 1949, Table No 19

It may be observed from the foregoing table that rail transit facilities have not shown any great increase since 1926. Street cars have decreased from 73 percent of the total in 1926 to 20 percent of the total in 1948.

Subways and elevated trains have remained in a static position since 1926, representing 10 percent of the total then and today.

Trolley coaches were not in use in 1926, but represented 6 percent of the total in 1948—the first year they were in general use. They have not shown any material difference percentage-wise since then, even though more are being used.

Motor coaches had already established themselves in 1926, representing 17 percent of the total and by 1948 were the outstanding favorite as they represented 64 percent of the total vehicles in use

Edward Rimpau stated, "In passing, it might be well to point out that a study of the transportation here would be improved somewhat by at least a superficial appraisal of the trend of transit elsewhere and this trend is definitely away from fixed rail transportation and toward the most flexible rubber-tired transportation, which on its face is so much better able to cope with modern traffic congestion. The gasoline or diesel propelled rubber-tired light-weight bus is a more economic vehicle than the huge street car operating on fixed steel rail ties and a roadbed of its own.

Past experience with public opinion has factually outlined that there is very little to commend the rails in comparison with the modern bus. On this, there is pretty general agreement among traffic authorities and city planners. The use of rail facilities for rapid transit presents somewhat of a different problem. In the past, when modern freeways were in the dream state rather than actually existing and heavy vehicular traffic clogged the streets and highways, the rails were looked upon as the only logical means of securing a route for through traffic and, hence, were still looked upon as the only means for rapid transit In New York, Chicago, and Boston, where rail rapid transit facilities are in existence, the tremendous capital investment necessitates their continued use and even some logical expansion, although even these cities are adopting the use of motor coaches for rapid transit as fast as suitable highway facilities come into existence.

It must be kept in mind, however, that some of the thinking regarding the rapidity of "rail rapid transit" is fallacious, that the trend toward buses is prevalent in inter-urban as well as inter-city transportation, that most cities instituted rail rapid transit when there was no alternative such as the modern freeway. This subject will be further discussed in the chapter on "Influence of Freeways on Mass Transportation".

The most modern motor coach, accommodates 51 passengers and burns butane. It is understood that the City of Chicago has ordered 500 new coaches and has received delivery of 50 at this date. Butane as a fuel is more economical and the exhaust is odorless, thus helping to eliminate a very obnoxious condition in metropolitan areas where it is used.

C. *Fixed and Operating Costs of Various Methods of Public Transportation*

From the economic standpoint, it would be necessary to study the characteristics of each area in great detail to be served before a completely satisfactory system of mass transportation could be decided upon

for any area. Despite this fact, it is possible to recognize proven principles of fixed and operating costs of the various transportation facilities and thereby help simplify the problem of selection. *Construction costs* estimates indicate that the installation of a *rail rapid transit system in the center mall of freeways* would dwarf the estimates of adaptation of freeways to express bus travel. *For example,* the construction of 44 miles of rail rapid transit on the Hollywood-San Fernando, Santa Monica Parkway, Olympic and Venice Parkway, Harbor Parkway and Inglewood Parkway, would cost approximately $167,000,000 or $3,700,000 a mile It must be kept in mind that this estimate does not consider expenditures for rolling stock or initial outlay for rail. Not included are shops for maintenance and barns for housing, which indicates that the $3,700,000 estimate is in all probability conservative. The large investment in construction for rail rapid transit includes such items as rights of way, construction other than track, stations.

The cost of bus stops to accommodate express buses on freeways is estimated at $150,000 per mile. The initial investment in rolling stock favors the motor bus also. A modern 45 passenger bus costs about $17,000, while the 58 passenger P.C.C. car costs $28,000. In recent years, the seating capacity of buses has been increased and the 51 passenger bus is becoming very popular. The latest bus available (not generally in use) takes 55 passengers All indications are that maximum size of buses will occur at approximately the P C.C. car capacity of 60 passengers.

Other pertinent cost data are presented in Table III

	Rail			Percent	Coach			Percent
	1939	1949		Increase	1939	1949		Increase
Miles travelled	29,297,336	17,007,800			8,300,874	20,670,288		
Way and structures (Excl deprec)	1.95¢	5 36¢			--	--		
Equipment repairs	2.05¢	4 74¢			2 86¢	5 40¢		
Servicing equipment	1 46¢	3 18¢			34¢	1 02¢		
Tires and tubes					65¢	85¢		
Power or fuel or oil	3 09¢	4.89¢			1 93¢	2 57¢		
	8 55	18 17	9 62¢	113%	5 78	9 84	4.06¢	70%
Average seating capacity	49	50		2%	36	44	8	22%

From 1939-1949, operating cost items enumerated show 113 percent increase for street car with no significant change in seating capacity per unit whereas the bus or motor coach has had a 70 percent increase in operating cost items enumerated and a 22 percent increase in seating capacity per unit.

Depreciation costs for the two types of systems, bus and rail, should be compared in two ways:

(1) Depreciation costs of the rolling stock only; and

(2) Depreciation costs of any facilities other than the rolling stock which is an integral part of the system.

In comparing the depreciation of rolling stock only, there is no appreciable difference between the bus and street car. The second comparison, depreciation of facilities in addition to rolling stock, places the bus in a very advantageous position, as the only item to depreciate in a bus system is the vehicle itself. A rail system, however, is subject to depreciation of not only the vehicle, but also the rails upon which the vehicle travels and the overhead structures from which it derives its power. The main elements of operating expenses relate to wages for

operators, power costs and maintenance costs. The first of these, operators wages, are similar in the same city for motor bus, trolley bus and street car The factor that causes more economical operation between the three is speed of travel The motor bus stands out in this regard on ordinary streets and would be even more efficient on modern freeways.

Power costs are usually dependent on the costs of power in the city of operation. In the Los Angeles area, the average power costs of street cars for the eleven month period January-November 1950 was 5 16 cents per mile which is considerably larger than power costs for buses which was 3.44 cents per mile.

Maintenance of a bus system is similar to depreciation in that the main consideration is the bus itself. Also, the same holds true of street railways in regard to maintenance and depreciation

The street railways must maintain auxiliary equipment, such as rails and overhead cables in addition to the street car.

In summary, it might be said that in both fixed and operating costs, the advantage is to motor buses rather than street railways. These advantages will be even more outstanding in the future with more powerful motors being installed in buses and the increased building of freeways.

There are no figures available regarding the operating costs of a monorail system, but its principal proponent has provided an estimate of the present fixed costs.

George D Roberts said, "The cost of building a mono-rail system, including all stations and equipment, would be approximately $600,000 per mile, while the cost for a Los Angeles subway would be between $10,000,000 and $12.000.000 a mile. The cost of the mono-rail system in the freeways would be $834,000 a mile "

D. *Influence of Freeways on Mass Transportation Facilities*

Throughout this report, reference has been made to the so-called freeways and the fact that the freeway as a method of transportation has changed the thinking of many of the nation's leading city planners. The universal acceptance and use of the auto has compelled cities, counties and states to provide means for a less hazardous and quicker means of moving vehicular traffic. . . . hence, the public transportation people were quick to investigate the possibilities of using freeways for the solution of their problems. Their investigations resulted in the cities where freeways have been constructed or are being constructed making arrangements to use freeways for mass transportation purposes. The trend is toward the adaptation of freeways to express bus travel rather than to rail rapid transit The majority of major studies that have been made concerning the Los Angeles transit problem have recommended the use of express buses on freeways of the region. Quotations from these studies are pertinent to this report.

In 1942, the Los Angeles City Planning Commission in their report entitled, "Mass Transit Facilities and the Master Plan of Parkways" made the following suggestions:

> "The Board therefore recommends, as in the public interest, the controlled use of express highways by rapid transit buses under conditions insuring (A) vehicles specially designed for the service to preclude inappropriate speed, braking or similar characteristics,

(B) restricted number as occasion may require, (C) bus stops entirely out of the traffic lanes on the main highway, and *(D) arrangements designed to liquidate any excess cost of highways due to buses by rental charges to be paid out of revenues of the transportation system ''

And further:

''The board recommends thorough coordination of the surface and rapid transit facilities; that stop locations for rapid transit buses on express highways be arranged to facilitate passenger interchange at points of intersection with all important surface rail and bus lines; and that certain rapid transit lines be arranged to provide for through service, without transfer, by running rapid transit buses for part of their route on the surface streets to pick up the passengers conveniently, then on the express highway for speed over the long haul and then back on the streets again for distribution of their load at the usual street stops.''

The Central Business District Association in their report entitled, ''Transit Study—1944, Los Angeles Metropolitan Area'', gave an example of adapting parkways to express bus usage. It was suggested that the parkway transit buses load in residential sections before entering parkway and disperse passengers at major transfer points One of the most significant findings of this report was stated in this manner: ''Present coaches operate satisfactorily with other traffic on completed sections of parkway. However, coaches specially designed for appropriate speed, braking and similar characteristics, and controlled as to number, ultimately will be required for parkways service''. This contention is supported by statements in a study for the Joint Fact-Finding Committee on Highways, Streets, and Bridges of the California Legislature entitled, ''Engineering Facts 1946 and a Future Program''. On page 91 of this report, the following statements are made:

''In the proposed State Expressway System, design standards must be high enough to accommodate all types of vehicles that will constitute the traffic over the system. It is contemplated that trucks will be operated on all units of the expressway system, and buses on most routes. It is essential that bus routes be determined before expressways are designed, because special provision must be made for the safety of bus passengers and the general traffic, with facilities for loading and unloading passengers outside the traffic lanes Such facilities must be designed into the system because of the impracticality of adding them after the highway is constructed.''

''Bus lines operating over expressways properly designed to handle such traffic will add materially to the State's highway transportation facilities and serve large numbers of people who must rely on mass transportation.

''In the case of metropolitan freeways which are not part of the State Expressway System, the decision as to the operation of trucks and buses should be made by the appropriate local authorities.''

* Subsequently increase in taxes, highway user taxes, such as weight fees, fuel tax, increase license fees

In addition to the well-considered statements in the reports quoted above, many leaders in the transportation field have expressed their opinions regarding the adaptation of freeways to express bus usage. Frank H. Malley, Director, City Plan Commission, Providence, R. I., has stated his opinion on the subject in this manner: "As the travelling public becomes better acquainted with freeways, an irresistable demand for express transit service on these arteries can be reasonably expected. Transit properties, sensitive to the desires of their customers, will be quick to obtain necessary franchises where possible. To provide for this demand, accommodations for stops and transfer stations must be provided in the design state of the artery as makeshift arrangements will reduce seriously its effectiveness".

Other authorities on the subject have gone beyond a favorable decision for buses on freeways and state their opinions from the standpoint of how to plan bus stops and turnouts on the freeways

The Director of Cleveland, Ohio's, City Planning Commission has said, "The scheme which has thus far been developed for bus stops on express highways is to take them off the freeway entirely to the grade street at a point of interchange, most convenient to pedestrians and riders on the surface transit system".

Ladislas Segoe, Consulting Engineer and City Planner of Cincinnati, Ohio, believes that, "Bus turnouts should be incorporated within the right-of-way of the expressway, and should, of course, be off the travel roadways with adequate decelerating and accelerating lanes."

Opinions regarding the method of construction are offered here merely to indicate that those who have made the statements are convinced that buses should operate on freeways and should not be construed to mean that their methods are the most satisfactory that could be adopted. Once the decision is made to incorporate bus turnouts in the freeways yet to be constructed, the design of the most efficient type of turnout will be a comparatively simple matter.

Provisions for express buses are being made for the freeways that are either in the planning or construction stage at San Antonio, Texas, Detroit, Michigan and Philadelphia Mr. Hans Blumenfeld, Chief Division of Planning Analysis, Philadelphia, has said, "We anticipate use by express buses on the freeways which are now in the planning or construction stages".

William S. Chapin, Consultant, New York Tunnel Authorities, has made the following statement, "The expressway cannot any longer be considered a highway facility separate from the other problems affecting the growth of a modern city. In cities where separate transit facilities cannot be afforded, it is possible that either rail or motor mass transport can be combined in the expressway programs".

Earl W. Andrews, in a study entitled "Detroit Expressway and Transit System", has made the following statement, "Operation of buses would not require any special provisions on the proposed expressways. Buses would utilize only a portion of the capacity of one lane in each direction" On the Outer Drive in Chicago, an express bus service is provided that has proven so popular that double-deck buses carry 7,000 passengers outbound from the central business district in the rush hour, which incidentally compares favorably with the 3,000 passengers carried

in the 1780 automobiles in the maximum automobile lane during the peak travel hour.

The economical use of space per passenger bus is an advantage to be obtained by using buses on freeways. A 40 passenger bus with all passengers seated requires only seven square feet per person, whereas the private passenger car rider requires about 60 square feet of street space. Since it is not the square footage of street space so much as the linear lane lengths that are involved, it might be well to examine the space saved from this standpoint Each of the 40 passengers in the example above would require a little over one foot of linear lane length of highway, whereas each private passenger car rider requires 10 linear lane feet. This saving of road space would be even greater if a 51 passenger bus is used.

This great saving of road space results in relieving traffic congestion both on the freeway and in the city This economy might be expressed in measures other than linear feet. A street 60 feet wide with parking prohibited permits three lanes of traffic to move in each direction. If automobiles are used exclusively on this street, capacity is approximately 2,155 vehicles per hour, carrying 3,700 persons The same street used by both buses and autos, however, can move 11,130 persons.

It can be readily observed from the preceding figures that if an improved system of mass transportation would cause private automobile owners to patronize the public transportation system, it would result in a considerable lessening of traffic congestion.

All reports and comments quoted up to this point have been favorable in regard to the use of express buses There have been, however, reports which presented the negative side to the question Of these studies, the DeLeuw-Cather report of 1945, sometimes referred to as the "Traffic Clinic" report, presented the following objections: "The limitation in bus capacity is a reason for the use of trains in rapid transit". This limitation is fast disappearing as the size of buses increases. According to the New York Times, October 4, 1949, Col Sidney H. Bingham of the New York City Board of Transportation, stated before the annual convention of the American Transit Association at Atlantic City, that in his opinion, the most important advance made in surface transportation had been in the development of the 50-passenger bus, of which 400 were reported in operation in New York City, with "capacity and speed previously found only in the trolley car and the trolley bus, combined with the flexibility inherent in a self-powered vehicle".

Another objection raised by the DeLeuw Cather report was in regard to traffic congestion resulting from increased use of buses The report states, "If all rail lines were converted to motor bus operation, it would produce intolerable traffic conditions in the downtown area long before the ultimate population densities are reached". This position was taken by the writers on the premise that travel to the Central Business District will increase in direct proportion to the increase in population. Studies of private vehicular traffic and mass transit passengers entering the Central Business District point out the fallacy in this premise. Both private vehicular traffic and mass transit passengers has shown a progressive decrease from 1947 to 1950

Rather than increasing the amount of traffic congestion in the Central Business District, express buses on the freeways would decrease traffic congestion

First, a very substantial volume of through traffic now entering the district will, by use of the freeways, be removed entirely from the downtown street system. This will materially increase the street space available for the apparently stabilized business, shopping and service population of the downtown district.

Second, it is probable that an effective motor coach service utilizing the freeways for travel to the downtown district would attract some private vehicle motorists. Although this would increase the number of mass transit vehicles, the increase would be more than offset by the decrease in private vehicles.

Another method of decreasing the traffic congestion in the downtown district that is well worth considering, is the construction of a modern bus terminal similar to that recently constructed to handle the motor buses in New York City. This terminal takes some 2,000 buses completely off the streets, speeds arrival and departure of scores more, handles 120,000 commuters a day on one level, 5,000 long distance bus travelers on another.

Examination of the facts that have been presented would seem to reduce to a minimum the amount of criticism that can be levelled at a mass transportation system that utilizes express buses on freeways.

A question that has arisen in the controversy over the type of transportation facility to use in a rapid transit system for Los Angeles has been the one of speed. The proponents of rail rapid transit have at times beclouded the picture until the only recourse is to study the facts of the matter.

In comparison with cities that have a so-called rail rapid transit system, Los Angeles has a much better record than is thought by many. Miles and hours statistics for the Los Angeles Transit Lines for the year 1948 show an average speed of 10.05 miles per hour with no rapid transit as such. This average compares favorably with the 10.20 miles per hour average of the transportation system of Boston which includes both elevated and subway rail facilities

The New York Rapid Transit system, according to the New York City Transit Record, 1949, averages 16.8 miles per hour This system includes elevated trains and subways. The average is high not only because of the facilities, but also because of fewer stops and no grade crossings—advantages which the Los Angeles surface system cannot have, therefore, making comparison difficult Express buses on freeways would, however, equalize this advantage and probably produce a higher average speed.

The London Underground, one of the oldest subways in the world, has an average speed of 18 miles per hour. It must be remembered, however, that the City of London has a population density of 38,318 persons per square mile. Such a density would make possible the profitable operation of a rail rapid transit system Although London will retain her system of subways, statistics are available which show that the majority of facility additions to the system have been buses for surface travel.

In considering any program of modernization of traffic facilities, the number of people who will be served is a matter of prime importance. The rapid transit system of London accounts for only 13 percent of total passengers transported as shown in the following table:

Facility	*Passengers (1946)*	*Percentage*
Buses	2,504,000,000	58%
Rapid transit	569,000,000	13%
Street cars	297,000,000	7%
Trolley coaches	889,000,000	22%

SOURCE Mr Valentine—member of London Transport System

After reviewing the facts, it would appear that express buses on freeways are the most practical type of rapid transit for the Los Angeles area. The population density is of a size that it would be difficult to support a fixed rail operation. Also, the population is of a shifting nature and, therefore, risk would be involved in financing the tremendous cost of rail transit.

It has been shown that the trend is away from fixed rail transportation and toward increased use of buses in the major cities of the country. Los Angeles is fortunate in being able to plan a transportation system at this time for the bus is now the superior alternative to rail transportation. Such was not the case when the majority of major cities were planning their transportation systems

The huge capital outlay for rail transportation, especially in view of the other disadvantages and risks is not warranted. The modern freeways of the region make possible greater efficiency of an all-bus system than ever before.

In addition to advantages previously mentioned, the motor bus has another which must be considered in a world living in the shadow of war. In times of emergency, the flexibility of the bus and its great maneuverability would be a very valuable asset. Because the bus has its own power plant and is not restricted to rail or overhead trolley routes, detours would be a simple matter, whereas it would be an impossibility with other types of facilities.

4. *Financing*

From the pilot opinion survey, it was learned that only 18 percent of the people would favor a bond issue secured by a property tax. This means, of course, that approximately 80 percent of the people would probably be against this type of financing for any public transportation system.

The findings of this pilot opinion survey were, in effect, voiced by many witnesses who testified vehemently against any public transportation system requiring an ad valorem tax. These witnesses represented municipalities and other interested groups. Typical of such witnesses was Mr. E. S. Dixon, Mayor of Inglewood who said, "I think this form of taxation has reached the saturation point. We believe that probably the people who use the system should pay the cost because, (1) people will support a rail transit system more readily without an ad valorem tax, and (2) they will eventually patronize the system better".

Paul V. Parker said, "We suggest that the Legislature explore the possibility of borrowing the money, either by means of bonds to be issued

by the State, or perhaps through enabling legislation to permit individual counties to issue bonds, these bonds not to become any burden upon the ad valorem taxpayer but merely to be anticipatory bonds, to be retired by tax monies that will accrue in the future under the terms of the Burns-Collier Bill.

"There are a number of advantages to this plan. It would greatly expedite construction of the freeways and after the freeways are constructed and in use, we could then consider sensibly if any further expenditures were needed to solve our traffic problem or if the freeways themselves, if used to full efficiency, would not solve these problems for a great many years to come."

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Speaker Sam L Collins and the Republican Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Marjorie Benedict, Republican National Committee Woman for California, of Berkeley, and Former Senator Tony De Lapp of Richmond.

On request of Messrs Beck and Henderson, the usual courtesies of the Assembly for this day were unanimously extended to Dr. Gordon Winter and Dr. Edna Winter of Auberry

On request of Mr Kelly, the usual courtesies of the Assembly for this day were unanimously extended to Dr Violet Martin of Bakersfield.

On request of Messrs Hinckley and Shaw, the usual courtesies of the Assembly for this day were unanimously extended to Mr and Mrs Clifford Lee and Mrs. Loretta Stutz of San Bernardino

On request of Mr Dolwig, the usual courtesies of the Assembly for this day were unanimously extended to Myrtle Clark Stearns of Atherton, and Ruth Hulsted of Belmont.

On request of Mr Davis, the usual courtesies of the Assembly for this day were unanimously extended to Rowland H. Dow of Alturas.

On request of Mr Lowrey, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. S. Gillogly and Mrs. A. Albaugh, teachers, and a group of pupils of the Davis Interm School.

On request of Mr McFall, the usual courtesies of the Assembly for this day were unanimously extended to C. J. Bravo, teacher, Mrs. Fred Lemmon and Mrs. Metzler, mothers, Sam Fonzi, and the following students of the Linden Grammar School of Linden: Larry Billigmeier, Beverly Boggiano, Carol Ann Clay, Sharon Coburn, Eugene Croce, Larry Drace, Melvin Gondolfo, Charles Golden, Victor Goodnal, Pat Kreny, Wayne Lemmon, Jack Lucas, Jimmie Lawley, Martha Metzler, Landon McCuin, Dick Minahen, David Patterson, Anthony Poggio, Edith Potter, Marlyn Prather, Robert Sharp, Atoma Smith, Olga Stagnaro, and Johnnie Vaccarezza; and Hortense Robertson, teacher, and the following pupils of the Glenwood School of Stockton: Gayle Dark, Cora May Chambers, Alfred D'Adda, Ed Robinson, Alvin Midgette, and Kenneth Ambrose.

On request of Speaker Sam L. Collins, the usual courtesies of the Assembly for this day were unanimously extended to T. W. M. Ashby,

Town Clerk, Auckland, New Zealand; and Roberts M. Firth, New Zealand, U. S. Representative.

On request of Mr. Gaffney and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Rev. Father Damien of Sacramento.

On request of Mr. McCollister, the usual courtesies of the Assembly for this day were unanimously extended to Willard H. Van Dyke, teacher, and the following pupils of the Tamalpais Union High School, Mill Valley: Marilyn Doll, Missy Spence, Richard Muller, and Ronald Collier.

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to C. O. Blose and Don Nowell, teachers; and the following pupils of the David E. Martin School of San Lorenzo: Carol Sue Adkins, Art Aldridge, Lawrence Bechere, Lorraine Benner, Don Bodiford, Bob Bowers, Jerry Brann, Carol Brolin, Nancy Bumgarner, Jerry Carson, Jackie Conway, Larry Crites, Barbara Cruickshank, Donna Davis, Billy Dewey, Wayne Engel, Betty Evans, Rose Marie Frink, Sylvia Graham, Nancy Jo Greager, Don Halsted, Jack Healy, Joan Howland, Raymond Irwin, Mike Jones, Sharalyn Klezmer, Janice MacFadden, David Martin, Jimmy May, Joan McCreery, Barbara Montgomery, Larry Moore, Pat Moorehead, Shirley Preston, Ruth Snyder, Gary Tilden, Pat Tooker, and Ann van Riesen.

ADJOURNMENT

At 12.43 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Monday, April 9, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

THIRTY-THIRD LEGISLATIVE DAY

FORTY-FIFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, April 9, 1951

The Assembly met at 10 a.m.

Hon Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—77.

Quorum present

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence A. Kircher:

Our Father, Which Art in Heaven.
Hallowed be Thy Name.

Guide our Nation amidst the perils of war and grant us victory and peace, we humbly implore May the cause for which we strive commend itself as righteous in Thy sight We pray for those who serve in the Armed Forces of our Country.

Grant guidance to the President of the United States, the Governor of our State, the Speaker of this Assembly, the Members of this Legislature and all who have been chosen for places of authority and responsibility.

"My country, 'tis of Thee,
Sweet land of liberty,
Of thee I sing;
Land where my fathers died,
Land of the pilgrims' pride,
From every mountain side
Let freedom ring.
—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Dickey, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Butters, on motion of Mr. Erwin.

Mr. Meyers, on motion of Mr. McCarthy.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly then gave the pledge of allegiance to the Flag.

COMMUNICATIONS

By Speaker Sam L. Collins:

A resolution from the Hollywood Bar Association, signed by John A. Beeman, Secretary, relative to Assembly Bill No. 865, was received, and ordered referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1951

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 16
Assembly Bill No. 359
Assembly Bill No. 446
Assembly Bill No. 449
Assembly Bill No. 1054
Assembly Bill No. 1060
Assembly Bill No. 1241
Assembly Bill No. 1529
Assembly Bill No 1531
Assembly Bill No. 1567
Assembly Bill No. 1739
Assembly Bill No. 1865
Assembly Bill No. 2499
Assembly Bill No. 2825
Assembly Bill No 3017
Assembly Bill No. 3020
Assembly Bill No. 3029
Assembly Bill No. 3066
Assembly Bill No. 3376

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 229
Assembly Bill No. 469
Assembly Bill No. 470
Assembly Bill No. 496
Assembly Bill No. 755
Assembly Bill No 1792

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 525
Assembly Bill No. 615
Assembly Bill No. 961
Assembly Bill No. 1082
Assembly Bill No 1504
Assembly Bill No 1532
Assembly Bill No. 1535
Assembly Bill No. 1790
Assembly Bill No. 1907
Assembly Bill No. 1971
Assembly Bill No. 2085
Assembly Bill No. 2140
Assembly Bill No 2347
Assembly Bill No 2840
Assembly Bill No. 3368

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1951

MR SPEAKER: Your Committee on Education, to which was referred.

Assembly Bill No. 1985

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and re-refer to Committee on Ways and Means.

DUNN, Chairman

Above reported bill ordered to second reading

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 6, 1951

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Concurrent Resolution No. 16—Relative to dangerous grades on state highways.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 6, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No 26

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Joint Resolution No. 26—Relative to flood control studies.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 5, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 99

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

Senate Bill No. 99—An act to amend Section 32121 of the Health and Safety Code, relating to hospital districts.

Referred to Committee on Public Health

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 6, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 132
Senate Bill No. 150
Senate Bill No. 160
Senate Bill No 163
Senate Bill No. 219
Senate Bill No. 330
Senate Bill No. 480
Senate Bill No 627
Senate Bill No 628
Senate Bill No. 733
Senate Bill No. 983
Senate Bill No. 1691
Senate Bill No 1807

J A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 132—An act to amend Section 9763 of the Government Code, relating to the preparation of the statutes.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 150—An act to amend Section 94.5 of the Agricultural Code, relating to the exemption of citrus fruit fairs from taxation

Referred to Committee on Revenue and Taxation.

Senate Bill No. 160—An act to amend Section 637.5 of the Agricultural Code, relating to yogurt.

Referred to Committee on Agriculture.

Senate Bill No. 163—An act to amend Section 681 of the Agricultural Code, relating to licenses.

Referred to Committee on Agriculture.

Senate Bill No. 219—An act to add Section 6498 to the Health and Safety Code, relating to recall of members of the governing boards of sanitary districts.

Referred to Committee on Municipal and County Government.

Senate Bill No. 330—An act to add Section 6515.5 to the Health and Safety Code, relating to sanitary districts

Referred to Committee on Municipal and County Government.

Senate Bill No. 480—An act to amend Sections 54422 and 54424, and to repeal Section 54425, of the Government Code, relating to sewer and water revenue bonds.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 627—An act to amend Section 526 of the Agricultural Code, relating to milk products plants.

Referred to Committee on Agriculture.

Senate Bill No. 628—An act to amend Section 606 of the Agricultural Code, relating to whole milk cheese.

Referred to Committee on Agriculture.

Senate Bill No. 733—An act to amend Section 25150 of the Government Code, relating to proceedings of boards of supervisors.

Referred to Committee on Municipal and County Government.

Senate Bill No. 983—An act to add Section 31560.1 to the Government Code, relating to the retirement of county employees.

Referred to Committee on Municipal and County Government

Senate Bill No. 1691—An act to amend Section 5425 of the Public Resources Code, relating to recreation, park and parkway districts.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 1807—An act to amend Section 28126 of the Government Code, relating to public service in counties of the twenty-sixth class.

Referred to Committee on Municipal and County Government

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 6, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 94
Senate Bill No. 122
Senate Bill No. 331
Senate Bill No. 474
Senate Bill No. 1075
Senate Bill No. 1543

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 94—An act to amend Section 817 of the Penal Code, relating to peace officers

Referred to Committee on Judiciary.

Senate Bill No. 122—An act to add Section 424 to the Government Code, relating to the official Colors of the State.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 331—An act to amend Sections 18540.4 and 18973 of the Government Code, relating to civil service rights of veterans and widows of veterans.

Referred to Committee on Military Affairs.

Senate Bill No. 474—An act to amend Section 2235 of the Corporations Code, relating to cumulative voting for directors of corporations.

Referred to Committee on Judiciary.

Senate Bill No. 1075—An act to amend Section 27154 of the Streets and Highways Code, relating to the investment of surplus funds, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Transportation and Commerce.

Senate Bill No. 1543—An act to amend the title to Chapter 3, Part 2, Division 2, and to amend Sections 51, 120, 422, 550, 562, 565, 640, 643.1, relating to the change of name of the California Defense and Security Corps to California Guard Reserve and to disability and death benefits for the state military forces.

Referred to Committee on Military Affairs.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Silliman:

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 1066 of the Fish and Game Code, relating to sardines

Respectfully submitted

JAMES W. SILLIMAN

Request referred to Committee on Legislative Procedure

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Silliman:

An act to amend Section 1066 of the Fish and Game Code, relating to sardines

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—63

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3398: By Mr. Silliman—An act to amend Section 1066 of the Fish and Game Code, relating to sardines.

Referred to Committee on Fish and Game.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 607—An act to repeal the Automobile Parking District Act of 1941 and to repeal an act entitled "An act to provide for the formation of, government of, issuance of bonds by and assessment in motor vehicle parking districts," approved July 12, 1941, relating to automobile and vehicle parking districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 702—An act to add Section 685 to the Vehicle Code, relating to tire chains and the required use thereof.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1009—An act to amend Section 179 of the Vehicle Code, relating to the transfer and renewal of licenses for vehicles.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1754—An act to add Section 454.3 to the Vehicle Code and to amend Sections 475, 476, and 640 thereof, relating to exemptions of funeral processions from obeying traffic signs and signals and authorizing the commissioning of motorcycle officer escorts and the use of red lights.

Bill read second time.

Motion to Amend

Mr. Chapel moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 6, of the printed bill, strike out "sidearms and".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1010—An act to amend Section 248 of the Vehicle Code, relating to automobile wreckers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1842—An act to add Section 73.3 to the Streets and Highways Code, relating to the relinquishment of highways or portions thereof to local authorities.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1850—An act to amend Sections 551, 553, 560.1, and 562 of, and to repeal Section 561 of, the Vehicle Code, relating to traffic rules.

Bill read second time, and ordered engrossed

Assembly Bill No. 1853—An act to amend Section 680 of the Vehicle Code, relating to inspection of vehicles and equipment.

Bill read second time, and ordered engrossed

Assembly Bill No. 2772—An act to amend Sections 70 and 70.1 of the Streets and Highways Code, relating to the California Highway Commission.

Bill read second time, and ordered engrossed

Assembly Bill No. 528—An act to add Section 176 to the Revenue and Taxation Code, relating to property taxation

Bill read second time, and ordered engrossed

Assembly Bill No. 531—An act to amend Section 16062 of the Revenue and Taxation Code, relating to gift tax liens.

Bill read second time, and ordered engrossed.

Assembly Bill No. 532—An act to amend Section 3950 of the Revenue and Taxation Code, relating to actions to determine adverse claims to or clouds upon tax-sold or tax-deeded property purchased from the State.

Bill read second time, and ordered engrossed

Assembly Bill No. 1709—An act to amend Section 1647 of the Revenue and Taxation Code, relating to taxation.

Bill read second time, and ordered engrossed

Assembly Bill No. 1710—An act to amend Sections 3720, 3721, 3724, 3793.5, and 3808 of the Revenue and Taxation Code, relating to taxation.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1711—An act to amend Sections 2921.5 and 2922 of the Revenue and Taxation Code, relating to taxation.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2416—An act to amend Sections 3803 and 3807 of the Revenue and Taxation Code, relating to the termination of the right of redemption of tax-deeded property sold to taxing agencies.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2418—An act to validate certain acts of taxing agencies and revenue districts and of their officers, relating to the taxation of property.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2842—An act to amend Sections 2621 and 2706 of the Revenue and Taxation Code, relating to payment of costs on tax delinquent property.

Bill read second time, and ordered engrossed

Assembly Bill No. 3383—An act to amend Section 214 of the Revenue and Taxation Code, relating to the welfare exemption.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3386—An act to add Section 6516 to the Revenue and Taxation Code, relating to assessments for sales and use taxes.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1512—An act to add Section 7076.1 to the Water Code, relating to water wells.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2615—An act to add Chapter 9, comprising Sections 5700 to 5830.08, inclusive, to Part 3, Division 5 of the Health and Safety Code and to repeal the Joint Municipal Sewage Disposal District Act (Chapter 322 of the Statutes of 1941), relating to the organization, government, and powers of joint municipal sewerage disposal districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 657—An act to amend Section 10.2 of the Parking Law of 1949, relating to off-street parking facilities.

Bill read second time, and ordered engrossed

Assembly Bill No. 542—An act to amend Section 3077 of the Labor Code, dealing with the Apprenticeship Labor Standards Act.

Bill read second time, and ordered engrossed.

Assembly Bill No. 545—An act to amend Section 6604 of the Labor Code, relating to workmen's safety.

Bill read second time, and ordered engrossed.

Assembly Bill No. 546—An act to add Section 1777.6 to the Labor Code, dealing with apprenticeship.

Bill read second time, and ordered engrossed

Assembly Bill No. 617—An act to amend Sections 950 and 951 of the Probate Code, relating to preferred labor claims for wages.

Bill read second time, and ordered engrossed.

Assembly Bill No. 956—An act to amend Section 200 of the Labor Code, relating to the definition of the terms "wages," "labor," and "discharge," as used in Article 1, Chapter 1, Part 1, Division 2 of the Labor Code.

Bill read second time, and ordered engrossed.

Assembly Bill No. 322—An act to add Section 678.5 to the Vehicle Code, relating to equipment of vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 7, inclusive, and insert

"678.5. Mudguards Required. No person shall operate on any highway any motor vehicle, trailer, or semitrailer unless equipped with fenders, covers, or devices, including flaps or splash aprons, or unless the body of the vehicle or attachments thereto afford adequate protection to effectively minimize the spray or splash of water or mud to the rear of the vehicle.

The provisions of subdivision (b) of Section 697 of this code shall not apply to a vehicle when the excess length is caused by any parts required to comply with this section"

Amendment read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 747—An act to amend Section 5243 of the Streets and Highways Code, relating to local improvement proceedings.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 11, of the printed bill, following "bids", insert "In the event of such resolution the notice inviting bids shall state the time and place of said public meeting and the officer so designated"

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1272—An act to amend Section 177 of the Vehicle Code, relating to notices of sales by vehicle dealers.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 15, of the printed bill, after "it", insert "but a dealer need not give such notice when selling or transferring a new unregistered vehicle to another dealer."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1612—An act to add Section 451.1 to the Vehicle Code, relating to vehicular traffic.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 5, of the printed bill, after "paid," insert "or".

Amendment No. 2

On page 1, line 5, of the printed bill, after "volunteer", strike out "or company operated".

Amendment No. 3

On page 1, line 7, of the printed bill, after the comma, insert "including his duties during drills and other fire department activities conducted outside of the fire station,".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2417—An act to amend Sections 2619, 2801, 2803, 2804, 3511, 3706, 3708.5, 3710, 3718, 3719, and to add Section 2705.5 to the Revenue and Taxation Code, relating to tax-sold and tax-deeded property, including the time of delinquency of real estate taxes, the payment of taxes on a portion of an assessment and the minimum bid on a sale of tax-deeded property.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 2, line 19, of the printed bill, strike out "28", and insert "35".

Amendment No. 2

On page 3, line 33, of the printed bill, strike out "cast", and insert "cost".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1508—An act to amend Section 7053 of the Business and Professions Code, relating to the regulation of contractors, and exemption therefrom.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 1, line 5, of the printed bill, after "but", insert "for the purposes of this chapter".

Amendment No. 2

On page 1 of the printed bill, strike out line 7, and insert "boring, drilling, excavation, casing, cementing or cleaning of water wells."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1509—An act to add Section 7075.5 to Chapter 7 of Division 4 of the Water Code, relating to water wells.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 7075.1, 7075.4, and".

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 7075.1 is added to Chapter 7 of Division 4 of the Water Code, to read:

7075.1. As used in this chapter "person" also includes city, county, and district.

SEC. 2. Section 7075.4 is added to said code".

Amendment No. 3

On page 1, line 3, of said bill, strike out "7075.5", and insert "7075.4"

Amendment No. 4

On page 1, line 4, of said bill, strike out "or deepen", and insert ", deepen, or abandon".

Amendment No. 5

On page 1, lines 7 and 8, of said bill, strike out ", not less than 10 days prior to commencing the work".

Amendment No. 6

On page 1, line 15, of said bill, after "reperforation", insert "or abandonment"

Amendment No. 7

On page 1, line 16, of said bill, strike out "(f)", and insert "(e)".

Amendment No. 8

On page 1 of said bill, after line 23, insert

"Any person who has copies of all pertinent standards adopted by the regional water pollution control board having jurisdiction over the area in which work will be done, may proceed with the proposed work immediately upon the filing of the required notice.

SEC. 3. Section 7075.5 is added to said code, to read:

7075.5. Each regional water pollution control board, shall, upon request of any person, mail to such person a copy of each standard adopted by the board, within 10 days after its adoption."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1513—An act to amend Section 7076 of the Water Code, relating to water wells.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "repairs,".

Amendment No. 2

On page 1 of said bill, strike out lines 7 and 8, and insert "work within 30 days"

Amendment No. 3

On page 1, line 11, of said bill, strike out "including but not limited to", and insert "which may include".

Amendment No. 4

On page 1, line 14, of said bill, strike out "and (f)", and insert "(e)".

Amendment No. 5

On page 1, line 15, of said bill, after "waters", insert "; and (f) a detailed description of how the well was abandoned".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1514—An act to add Section 7075.3 to Chapter 7, Division 4 of the Water Code, relating to water wells.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 7075.2 and".

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. *Section 7075.2 is added to the Water Code, to read:*

7075.2. The provisions of this chapter are not a limitation on the power of a city or county to adopt and enforce additional regulations not in conflict therewith

SEC. 2. Section 7075.3 is added to said code".

Amendment No. 3

On page 1, line 9, of said bill, after "hearing", insert "in the locality concerned".

Amendment No. 4

On page 1 of said bill, after line 17, insert

"The provisions of this section shall remain in effect until December 31, 1953, and shall, thereafter, have no further force or effect"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1516—An act to add Sections 13052.1 and 13052.2 to the Water Code, relating to the control of water pollution.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 1 of the printed bill, strike out lines 7 to 15, inclusive, and insert "13052.2. Whenever a regional board finds that any person digging, boring, drilling, reperforating, deepening, or abandoning a water well has failed to comply with the pertinent standards adopted pursuant to Section 7075 3, it shall take any or all of the following actions:
(a) Notify the Contractors' State License Board."

Amendment No. 2

On page 1, lines 17 and 18, of said bill, strike out "water well driller", and insert "person".

Amendment No. 3

On page 1, line 19, of said bill, strike out "water well driller", and insert "person".

Amendment No. 4

On page 1, line 25, of said bill, strike out "water well driller", and insert "person".

Amendments read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 1510—An act to amend Section 7048 of the Business and Professions Code, relating to contractors.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 1 of the printed bill, strike out line 21, and insert "casing, or cementing of water wells."

Amendment read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 1245—An act to amend Sections 18021, 18573, 18854, 18859, and 19538 of the Government Code, relating to salaries of state employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel

Amendment No. 1

On page 2, line 8, of the printed bill, strike out "declares", and insert "finds".

Amendment No. 2

On page 2, line 24, of said bill, strike out "or".

Amendment No. 3

On page 2, line 25, of said bill, after "demotions", insert "or other personnel transactions."

Amendments read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 2730—An act to amend Section 20630 of the California State Employees' Retirement Law, relating to withdrawal of additional contributions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "amend Section 20630 of the California State Employees' Retirement Law, relating", and insert "add Section 20631 to the Government Code, relating to the State Employees' Retirement System in respect".

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 20631 is added to the Government Code, to read:

20631. (a) Every member who is in state service on the date this section takes effect and who has made additional contributions pursuant to Section 20630 has the right to elect, not later than 90 days after notice of such right is mailed by this system, to the office, department, or contracting agency by which the member is currently employed or to the member's latest address on file in the office of this system, to withdraw forthwith all or any part of his accumulated additional contributions, and to receive prompt repayment thereof in a lump sum.

(b) Every member of this system who is retired for service or disability has the right to elect, at any time prior to the making of the first payment on account of any retirement allowance, to withdraw all or any part of any accumulated additional contributions then standing to his credit, and to receive repayment of the amount so withdrawn in a lump sum at the time the first payment is made on account of his retirement allowance. For the purpose of computing the retirement allowance payable to the member, all or any part of his accumulated additional contributions which a member has so elected to withdraw shall be considered to be no longer standing to his credit at the time of his retirement, whether or not repayment thereof has actually been made before the effective date of his retirement.

SEC. 2. This act shall become effective on the first day of the first month next succeeding the ninetieth day after the final adjournment of the 1951 Regular Session of the Legislature."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 11, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 462—An act to amend Section 426 of the Education Code, relating to county school superintendents' salaries in counties of the twenty-sixth class.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1 of the printed bill, strike out line 5, and insert "five thousand dollars ($5,000).".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1024—An act to amend Sections 31521 and 31595 of the Government Code, relating to county retirement systems.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 2, line 6, of the printed bill, after "stock", strike out "and", and insert a comma.

Amendment No. 2

On page 2, line 7, of said bill, after "stock", insert "and investment trusts".

Amendment No. 3

On page 2, line 8, of said bill, after "subdivision", insert "Such investment may be made by the Retirement Board with the approval of the board of supervisors of said county"

Amendment No. 4

On page 2, line 7, of said bill, strike out "15", and insert "10".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1079—An act to add Sections 31627.1, 31629, and 31671.1 to, and to amend Sections 31527, 31591, 31602, 31628, 31642, 31649, 31652, and 31700 of, and to repeal Section 31560 and Article 13 consisting of Sections 31800, 31801, 31802, 31803, 31804, and 31805, of Chapter 3 of Part 3 of Division 4 of Title 3 of, the Government Code, relating to retirement of county employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "31602"

Amendment No. 2

On page 2 of said bill, strike out lines 15, 16, 17, 18, 19, 20, 21, 22, and 23

Amendment No. 3

On page 2, line 24, of said bill, strike out "SEC 4.", and insert "SEC. 3."

Amendment No. 4

On page 2, line 33, of said bill, strike out "SEC. 5.", and insert "SEC. 4."

Amendment No. 5

On page 3, line 1, of said bill, strike out "SEC. 6 ", and insert "SEC. 5."

Amendment No. 6

On page 3, line 10, of said bill, strike out "SEC. 7 ", and insert "SEC. 6 "

Amendment No. 7

On page 3, line 33, of said bill, strike out "SEC 8 ", and insert "SEC. 7."

Amendment No. 8

On page 4, line 1, of said bill, strike out "SEC. 9 ", and insert "SEC 8."

Amendment No. 9

On page 4, line 15, of said bill, strike out "SEC 10 ", and insert "SEC 9."

Amendment No. 10

On page 4, line 23, of said bill, strike out "SEC 11 ", and insert "SEC. 10."

Amendment No. 11

On page 4, line 37, of said bill, strike out "SEC. 12.", and insert "SEC. 11"

Amendment No. 12

On page 4, line 38, of said bill, strike out "SEC. 13", and insert "SEC. 12."

Amendment No. 13

On page 2, line 47, of the printed bill, strike out "five", and insert "ten"

Amendment No. 14

On page 3, line 4, of said bill, strike out "five", and insert "ten"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2282—An act to amend Section 28131 of the Government Code, relating to compensation for public services in counties of the thirty-first class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, lines 6 and 7, of the printed bill, strike out "_____ dollars ($_____)", and insert "five thousand four hundred dollars ($5,400)".

Amendment No. 2

On page 1, line 9, of said bill, strike out "_____ dollars ($_____)", and insert "seven thousand two hundred dollars ($7,200)".

Amendment No. 3

On page 1, line 11, of said bill, strike out "_____ dollars ($_____)", and insert "two thousand, four hundred dollars ($2,400)".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 2284—An act to amend Section 28144 of the Government Code, relating to compensation for public services in counties of the forty-fourth class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, lines 6 and 7, of the printed bill, strike out "_____ dollars ($_____)", and insert "two thousand dollars ($2,000)".

Amendment No. 2

On page 1, lines 8 and 9, of said bill, strike out "_____ dollars ($_____)", and insert "three thousand dollars ($3,000)".

Amendment No. 3

On page 1, lines 10 and 11, of said bill, strike out "_____ dollars ($_____)", and insert "three thousand dollars ($3,000)".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 544—An act to add Section 6616 to the Labor Code, relating to requiring supervisors to be furnished with applicable orders of the Division of Industrial Safety.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Industrial Relations:

Amendment No. 1

On page 1, line 5, of the printed bill, after "orders", strike out "of the Division of".

Amendment No. 2

On page 1 of the printed bill, strike out line 6, and insert "which are published in the California Administrative Code, Title VIII."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2077—An act to amend Section 1900 of the Labor Code, relating to public agencies

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Industrial Relations:

Amendment No. 1

On page 1, line 4, of the printed bill, after "ceed", strike out "39", and insert "72"

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 178—An act to amend Section 44.12 of the Vehicle Code, relating to authorized emergency vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 44.12 of", and insert "add Section 44.8 to, and to amend Section 44.12 of,".

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 44.8 is added to the Vehicle Code, to read:

44.8. Authorized Emergency Vehicles Owned by State Officers or Employees. A motor vehicle owned by the State or owned by a state officer or employee, when authorized by the Commissioner of the California Highway Patrol, after certification by the head of a department, if the motor vehicle is assigned to his department, or by the State Director of Civil Defense, if the motor vehicle is assigned to the Office of Civil Defense, and when used in the performance of duties imposed upon a state officer or employee by the Civil Defense Act of 1950 and the California Disaster Act, is an authorized emergency vehicle.

SEC. 2. Section 44.12 of said code is amended".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

Assembly Bill No. 2838—An act to add Section 547 to the Streets and Highways Code, relating to the State Highway System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 547", and insert "Sections 547 and 548".

Amendment No. 2

On page 1 of said bill, after line 3, insert

"SEC 2. Section 548 is added to the Streets and Highways Code, to read:

548. Route 248 is from Truckee to Kings Beach, following generally the existing county road."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

Assembly Bill No. 1955—An act to amend Section 694 of the Vehicle Code, relating to the size, weight, and loading of vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 2, line 29, of the printed bill, after "miles", insert ", and, provided further, designated motor coach routes over state highways outside limits of incorporated cities where the one way route mileage is over 25 miles, but does not exceed 50 miles, shall be approved by the Department of Public Works".

Amendment read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

Assembly Bill No. 3336—An act to amend Sections 372, 375, and 459 of the Vehicle Code, relating to licensing and registration of vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 2, line 18, of the printed bill, after "Trailers", insert "for hire".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

Speaker Pro Tempore Presiding

At 10.18 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 245—An act to amend Section 4656.4 of and to add Section 2152.5 to, the Revenue and Taxation Code, relating to the distribution and computation of property taxes.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1511—An act to add Section 7027 to, and to amend Section 7049 of, the Business and Professions Code, relating to the construction of water wells.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

Strike out line 1 of the title of the printed bill, and insert "An act to amend Section 7049 of".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 18, inclusive, and insert

"SECTION 1. Section 7049 of the Business and Professions Code is amended to read:

7049. This chapter does not apply to any construction [or], operation, *or other activity set forth in Section 7026 of this chapter* incidental to [the]:

(1) Construction and repair of irrigation and drainage ditches of regularly constituted irrigation district [,] *or* reclamation districts [, or to];

(2) Farming, dairying, agriculture, viticulture, horticulture, or stock or poultry raising [,]; or

(3) Clearing or other work upon land in rural districts for fire prevention purposes [, except when performed by a licensee under this chapter].

The provisions of this section shall not be construed as applying to or affecting (a) work performed by a licensee under this chapter, or (b) the business of digging, boring, drilling, reperforating, deepening or abandoning water wells greater than 30 feet in depth."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1515—An act to add Section 276 to the Water Code, relating to quality of underground waters, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, strike out ", declaring the urgency thereof, to take effect immediately"

Amendment No. 2

On page 1, line 5, of said bill, strike out "natural saline" and insert "sea"

Amendment No. 3

On page 1, line 9, of said bill, after "hearing," insert "in the area wherein the affected waters are located,".

Amendment No. 4

On page 1 of said bill, strike out lines 10 and 11, and insert "consecutive weeks in one or more newspapers of general circulation published in each county in which any part of that area is located, to determine whether"

Amendment No. 5

On page 2 of said bill, strike out lines 4 to 18, inclusive.

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Conservation, Planning, and Public Works

Assembly Bill No. 1519—An act making an appropriation to be expended in making loans to municipalities and districts for sewerage and storm drainage facilities.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 1, line 2, of the printed bill, strike out "_____ dollars ($_____)", and insert "one million one hundred fifty thousand dollars ($1,150,000)"

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1539—An act to amend Sections 1, 2, 3, and 5 of, and to add Sections 3.5 and 4.5 to, an act entitled "An act providing for loans to municipalities and districts for sewerage and storm drainage facilities, prescribing the conditions under which such loans shall be made, creating the State Water Pollution Control Fund, and making an appropriation," approved July 28, 1949, relating to loans to, and purchase of bonds of, municipalities and districts for sewerage and storm drainage facilities.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 1, line 10, of the printed bill, after "facilities", insert "and to render such other financial assistance as may be necessary to protect the public health, safety, and welfare by bringing about the correction of conditions which adversely affect the quality of the waters of the State".

Amendment No. 2

On page 1, line 11, of said bill, strike out "It", and insert

"With respect to the making of loans to municipalities and districts for the construction of sewerage and storm drainage facilities, it"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1540—An act to amend Section 2500 of the Water Code, relating to determination of water rights.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 2500", and insert "Sections 2500, 2501, 2553 and 2601".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, after line 7, insert

"SEC. 2. Section 2501 of said code is amended to read:

2501. The department may determine, in the proceedings provided for in this chapter, all rights to water of a stream system whether based upon appropriation, riparian right, *overlying right*, or other basis of right. *In its determination the department may include its recommendation as to a physical or practical solution of the water problems involved.*

SEC. 3. Section 2553 of said code is amended to read:

2553. The surveys and maps shall show with substantial accuracy the stream system, the location of each conduit, *tunnel, well, or other works* diverting water therefrom, the land*s and areas* [irrigated] *served* and capable of being [irrigated] *served* by each [conduit] *diversion*, and the kind of culture upon the irrigated land.

SEC. 4. Section 2601 of said code is amended to read:

2601. The statement of proof shall include all of the following:

(a) The name and post-office address of the claimant.

(b) The nature of the right or use on which the claim is based.

(c) The date of the initiation of the right and a description of any works of diversion and distribution.

(d) The date of beginning of construction.

(e) The date when completed.

(f) The dates of beginning and completion of enlargements.

(g) The [dimensions] *size and capacity* of any [ditch] *diversion works* as originally constructed and as enlarged.

(h) The date when water was first used for irrigation or other beneficial purposes, and if used for irrigation, the amount of land irrigated the first year, the amount in subsequent years, with the dates of irrigation and the area and the location of the lands which are intended to be irrigated. *If used for other purposes, the nature and character of the use, the lands or areas served, and the amount, insofar as the information may be available to claimant, of water beneficially used each year.*

(i) The character of the soil and the kind of crops cultivated.

(j) Such other facts as the department requires to show the extent and nature of the right and a compliance with the law in acquiring it."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1583—An act to amend Section 27 of an act entitled "An act making an appropriation for allocation to cities, counties, and cities and counties to develop a postwar public works program comprising the preparation of surveys and plans and specifications for proposed public works and the acquisition of rights of way and sites for major streets, roads, bridges, sewerage and other public facilities, and providing the procedure for making such allocations," approved June 20, 1944, relating to postwar public works programs, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In line 10 of the title of the printed bill, after "appropriation", insert ", declaring the urgency thereof, to take effect immediately".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 14, inclusive, and insert

"SECTION 1. Section 27 of the act cited in the title hereof is amended to read:

Sec. 27. Any money appropriated by this act for allocation to local agencies which is not expended by the State or for which application is not made on or before [June 30,] *December 31*, 1951, [shall revert] *is appropriated* to the [General Fund] *State Water Pollution Control Fund* in the State Treasury *for expenditure, without regard to fiscal years, by the State Water Pollution Control Board pursuant to Chapter 1551 of the Status of 1949*. No claims for payment in connection with such applications shall be allowed unless the same are presented to the Director of Finance on or before June 30, 1952, except in cases of condemnation proceedings to acquire real property instituted prior to and pending on the latter date

SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

It is necessary to the public health that these funds, previously appropriated for sewerage and other public works necessary to the public health and welfare, continue to be available for those purposes. If no action is taken prior to June 30, 1951, the money so appropriated will revert to the General Fund It is therefore necessary that this act take effect immediately."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Conservation, Planning, and Public Works

Assembly Bill No. 1517—An act to amend Sections 13020, 13052, 13054, and 13064 of the Water Code, relating to the control of water pollution.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "13052, 13054," and insert "13040, 13052, 13054, 13055,".

Amendment No. 2

In line 2 of the title of said bill, before "the Water", insert ", and to add Section 13026 to,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, after line 27, insert

"SEC 1.5 Section 13026 is added to said code to read:

13026. Whenever a regional board fails to take or obtain appropriate action with respect to the enforcement of water well construction standards, the state board shall

have the powers vested in the regional board relative to such enforcement and may itself take remedial action provided by law.

SEC. 1.6. Section 13040 of said code is amended to read:

13040. The State is divided, for the purposes of this division, into nine regions [.] :

(a) North coastal region, which comprises all basins including Lower Klamath Lake and Lost River Basins draining into the Pacific Ocean from the California-Oregon State Line southerly to the northerly boundary of the watershed of Lagunitas Creek in Marin County *and its extension along the center line of Tomales Bay*.

(b) San Francisco Bay region, which comprises [all basins draining into] San Francisco Bay, [and] Suisun Bay, [including the watershed of the westerly slope of the Montezuma Hills in Solano County draining into the Sacramento River downstream from Collinsville, Winter and Browns Islands in Contra Costa County and basins westerly] from *Sacramento River and San Joaquin River westerly from a line which passes between Collinsville and Montezuma Island and follows thence the boundary common to Sacramento and Solano Counties and that common to Sacramento and Contra Costa Counties to* the [easterly] *westerly* boundary of the watershed of [Kirker Creek] *Markley Canyon* in Contra Costa County, *all basins draining into the bays and rivers westerly from this line*, and all basins draining into the Pacific Ocean between the [northerly] *southerly* boundary of the [watershed of Lagunitas Creek in Marin County to] *north coastal region and* the southerly boundary of the watershed of Pescadero Creek in San Mateo and Santa Cruz Counties.

(c) Central coastal region, which comprises all basins, *including Carrizo Plain in San Luis Obispo and Kern Counties*, draining into the Pacific Ocean from the southerly boundary of the watershed of Pescadero Creek in San Mateo and Santa Cruz Counties to the southeasterly boundary, located in the westerly part of Ventura County, of the watershed of Rincon Creek.

(d) Los Angeles region, which comprises all basins draining into the Pacific Ocean between the southeasterly boundary, located in the westerly part of Ventura County, of the watershed of Rincon Creek and [the northern boundary of the Santa Ana River watershed] *a line which coincides with the southeasterly boundary of Los Angeles County from the ocean to San Antonio Peak and follows thence the divide between San Gabriel River and Lytle Creek drainages to the divide between Sheep Creek and San Gabriel River drainages*.

(e) Santa Ana region, which comprises [the entire watershed of the Santa Ana River] *all basins draining into the Pacific Ocean between the southeasterly boundary of the Los Angeles region and a line which follows the drainage divide between Los Trancos and Moro Canyons from the ocean to the summit of the San Joaquin Hills: thence along the divide between lands draining into Newport Bay and into Laguna Canyon to Niguel Road; thence along Niguel Road and Los Aliso Avenue to the divide between Newport Bay and Aliso Creek drainages; thence along that divide and the southeasterly boundary of the Santa Ana River drainage to the divide between Baldwin Lake and Mojave Desert drainages; thence along that divide to the divide between Pacific Ocean and Mojave Desert drainages*.

(f) San Diego region, which comprises all basins draining into the Pacific Ocean between the southern boundary of the [watershed of the] Santa Ana [River] *region* and the California-Mexico Boundary.

(g) Central Valley region, which comprises all basins including Goose Lake Basin draining into the Sacramento and San Joaquin Rivers to the easterly boundary of the San Francisco Bay region near Collinsville.

(h) Lahontan region, which comprises all basins east of the Santa Ana, Los Angeles and Central Valley regions from the California-Oregon Boundary to the southerly boundary located in Los Angeles and San Bernardino Counties of the watersheds draining into Antelope Valley, Mojave River Basin and Dry Lake Basin near Ivanpah.

(i) Colorado River Basin region, which comprises all basins east of the Santa Ana and San Diego regions draining into the Colorado River, Salton Sea and local sinks from the southerly boundary of the Lahontan region to the California-Mexico boundary.

The regions defined and described in this section shall be as precisely delineated on official maps of the Division of Water Resources *and include all of the areas within the boundaries of the State*."

Amendment No. 4

On page 2 of said bill, strike out lines 27 and 28, and insert

"(h) File with the state board, at its request, copies of any official action with respect to any particular case of actual or threatened pollution.

(i) Have the power to require any state or local agency to obtain and submit analyses of well water."

Amendment No. 5

On page 2, lines 31 and 32, of said bill, strike out "from a single household or".

Amendment No. 6

On page 2, line 34, of said bill, after "charge.", insert "The reporting of a discharge of sewage from family dwellings in any area may be waived by the regional board."

Amendment No. 7

On page 2 of said bill, between lines 42 and 43, insert

"SEC. 3 5. Section 13055 of said code is amended to read:

13055. A regional board may investigate any source of water pollution or nuisance within its region *and may require that any person responsible for meeting prescribed requirements furnish such technical reports as the board may specify.*"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 3145—An act adding Section 10505.5 to the Water Code, relating to release of priority to, or assignment of, appropriated water.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 3, of the printed bill, after "10505 5.", insert "Subject to the provisions of Section 10505,".

Amendment No. 2

On page 1, line 5, of said bill, strike out "the counties or", and insert "a county".

Amendment No. 3

On page 1 of said bill, strike out lines 6 and 7, and insert "to or through which the appropriated water flows in its".

Amendment No. 4

On page 1, line 8, of said bill, strike out the comma.

Amendment No. 5

On page 1, line 9, of said bill, strike out "such counties or lands", and insert "the county".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 682—An act to amend Section 20831 of the Government Code, relating to the State Employees' Retirement System in respect to credit for prior service.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

On page 1 of the printed bill, strike out lines 6 and 7, and insert "ber on January 1, 1932 or within three years after last rendering prior service, or who, on or before the effective date of his retirement under this system, becomes entitled to be credited with 10 years or more of current service.

SEC. 2. Section 20831.1 is added to the Government Code, to read

20831.1. Every prior service pension and disability retirement pension payable for time commencing on the effective date of this section to any member who was retired prior to said effective date is hereby increased to the amount it would be if

the provisions of Section 20831, as they exist on said effective date, had been in effect on the date of the actual retirement of the member; but this section does not authorize any decrease in any such pension, nor does this section give any such retired member, or his successors in interest, any claim against the State for any increase in any pension paid or payable for time prior to its effective date. Calculation of pensions under this section shall be made on the basis of current interest rate and mortality tables.

This section shall not apply to any contracting agency with respect to its employees who have retired under this system prior to the effective date of this section unless and until the agency elects to be subject to the provisions of this section, with respect to such employees, by amendment to its contract made in the manner prescribed for approval of contracts; except that an election among the employees is not required.

SEC. 3. This act shall take effect on the first day of the first month next succeeding the ninetieth day after the final adjournment of the 1951 Regular Session of the Legislature."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Civil Service and State Personnel.

Assembly Bill No. 1256—An act to amend Sections 20024, 20025.2, 20105, 20107, 10165, 20208, 20303, 20304, 20393, 20523, 20524, 20602, 20602.5, 20602.7, 20603, 20603.1, 20603.2, 20606, 20607, 20607.5, 20611, 20652, 20654, 20654.6, 20654.9, 20655, 20656, 20754, 20862, 20863, 20890, 20921.1, 20922, 21023, 21028, 21204, 21250, 21300, 21331, 21360, 21361, 21362, 21453 of the Government Code, to amend and renumber Section 21262 thereof (as added by Chapter 1498 of the Statutes of 1949), to repeal Sections 20654.7 and 21030 thereof, and to add Sections 20609.2, 20655.1, 21257.2, and 21365.1 thereto, relating to the State Employees' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

On page 2, line 9, of the printed bill, after "compensation", insert "earnable".

Amendment No. 2

On page 2, line 23, of said bill, after "officer", insert ", an assistant executive officer,".

Amendment No. 3

On page 2, line 27, of said bill, strike out "authorize the executive officer", and insert "appoint a committee of one or more of its members".

Amendment No. 4

On page 2 of said bill, strike out line 31, and insert "with this part and board rules. The board also may authorize the executive officer to perform such routine acts. Acts of the committee or the executive officer".

Amendment No. 5

On page 2, line 34, of said bill, after "act of", insert "the committee or".

Amendment No. 6

On page 2, line 48, of said bill, after "contributions", insert ", with interest,".

Amendment No. 7

On page 3, line 50, of said bill, after the comma, insert "or if a member ceases to be entitled to credit in this system for future service because he has become entitled to credit for such service in another retirement system supported wholly or in part by funds of the United States Government, or any state government or political subdivision thereof,".

Amendment No. 8

On page 4, line 46, of said bill, strike out "redeposit".

Amendment No. 9

On page 4, line 48, of said bill, strike out "to".

Amendment No. 10

On page 6, line 40, of said bill, after "any", strike out the comma.

Amendment No. 11

On page 6, line 42, of said bill, after the parenthesis, insert a comma.

Amendment No. 12

On page 9 of said bill, strike out lines 50 and 51, and insert "of service, but shall credit one".

Amendment No. 13

On page 10, line 2, of said bill, strike out the period, and insert ", and for service rendered by employees on a per diem basis, shall credit one year for 250 days of such service rendered prior to July 1, 1951, and one year for 215 days of such service rendered after June 30, 1951."

Amendment No. 14

On page 10, line 7, of said bill, strike out "215 days if rendered on a per diem basis or".

Amendment No. 15

On page 10, line 8, of said bill, strike out the period, and insert "or, if rendered on a per diem basis, on the ratio that the service rendered bears to 250 days if the service was rendered prior to July 1, 1951, or on the ratio that the service rendered bears to 215 days if the service was rendered after June 30, 1951."

Amendment No. 16

On page 11, line 46, of said bill, strike out "the clerk or other", and insert "an".

Amendment No. 17

On page 14 of said bill, lines 18 and 19, strike out "after such effective date".

Amendment No. 18

On page 14, line 22, of said bill, after "Chapter 9," insert "after such effective date and".

Amendment No. 19

On page 14, lines 29 and 30, of said bill, strike out "after such effective date".

Amendment No. 20

On page 14, line 33, of said bill, after "Chapter 9," insert "after such effective date and".

Amendment No. 21

On page 1 of said bill, strike out lines 6 and 7, and insert "including any or all of such period or periods of (a) service required for qualification for membership, or (b) prior service, if any, immediately preceding membership, or (c) time prior to entering state service at the compensation earnable by him in the position first held by him in such service, as may be necessary to complete five con-".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Civil Service and State Personnel.

Assembly Bill No. 1625—An act to add Section 20600.5 to the Government Code, relating to the State Employees' Retirement System in respect to members' rates of contributions, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

On page 1 of the printed bill, after line 8, insert

"This section shall not apply to any contracting agency nor to the employees of any contracting agency unless and until the agency elects to be subject to the provisions of this section by amendment to its contract made in the manner prescribed for approval of contracts, except that an election among the employees is not required, or, in the case of contracts made after the date this section takes effect, by express provision in such contract making the contracting agency subject to the provisions of this section"

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Civil Service and State Personnel.

Assembly Bill No. 1912—An act to amend Section 20130 of the State Employees' Retirement Law, relating to rates of contributions of members.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 20130 of", and insert "Sections 21251.1, 21253, 21296, and 21298 of, and to add Sections 21251 11, 21251.5, and 21253 01 to,"

Amendment No. 2

In line 2 of the title of said bill, strike out "rates of contributions of members.", and insert "the State Employees' Retirement System in respect to pensions payable to retired members thereof"

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 10, inclusive, and insert

"SECTION 1 Section 21251.1 of the Government Code is amended to read:

21251 1. The current service pension [for a state miscellaneous member, for a prison member, or] for a local miscellaneous member who is an employee of a contracting agency which is subject to the provisions of this section, is a pension derived from the contributions [of the State, or] of the contracting agency [,] sufficient, when added to the service retirement annuity that is derived from the accumulated normal contributions of the member at the date of his retirement, to equal the fraction of one-sixtieth of his final compensation set forth opposite his age at retirement, taken to the preceding completed quarter year, in the following table in the column applicable to his sex, multiplied by the number of years of current service except service in a category of membership other than that of [a state miscellaneous member, prison member, or] local miscellaneous member, with which he is entitled to be credited at retirement:

Age of Retirement	Fraction	
	Men	Women
55	.7279859	7454885
55¼	.7393043	.7561871
55½	.7506227	.7668857
55¾	.7619411	7775843
56	.7732594	7882828
56¼	.7855785	7998706
56½	.7978975	.8114584
56¾	.8102166	8230462

Age of Retirement	Fraction Men	Women
57	.8225356	.8346340
57¼	.8360043	.8472396
57½	.8494729	.8598451
57¾	.8629416	.8724507
58	.8764102	.8850562
58¼	.8911573	.8987803
58½	.9059044	.9125043
58¾	.9206515	.9262283
59	.9353986	.9399523
59¼	.9515490	.9549643
59½	.9676993	.9699762
59¾	.9838497	.9849881
60	1.0000000	1.0000000
60¼	1.0110756	1.0111938
60½	1.0221511	1.0223875
60¾	1.0332267	1.0335813
61	1.0443022	1.0447750
61¼	1.0591095	1.0597869
61½	1.0739167	1.0747987
61¾	1.0887240	1.0898106
62	1.1035312	1.1048224
62¼	1.1191698	1.1207671
62½	1.1348083	1.1367118
62¾	1.1504469	1.1526565
63	1.1660854	1.1686012
63¼	1.1826342	1.1855895
63½	1.1991829	1.2025777
63¾	1.2157317	1.2195660
64	1.2322804	1.2365542
64¼	1.2498384	1.2547498
64½	1.2673963	1.2729454
64¾	1.2849542	1.2911410
65 and over	1.3025121	1.3093365

The fractions herein set forth at ages other than age 60 are based on the interest rate and mortality tables used under the State Employees' Retirement System with respect to state miscellaneous members on January 1, 1947, and shall be adjusted by the board in accordance with such interest and mortality tables as the board may adopt with respect to such members.

This section shall not apply to any contracting agency nor to the employees of any contracting agency unless and until the agency elects to be subject to the provisions of this section by amendment to its contract made in the manner prescribed for approval of contracts, except that an election among the employees is not required, or, in the case of contracts made after the date this section takes effect, by express provisions in such contract making the contracting agency subject to the provisions of this section.

SEC. 2. Section 21251.11 is added to said code, to read

21251.11. The current service pension for a state miscellaneous member, for a prison member, or for a local miscellaneous member who is an employee of a contracting agency which is subject to the provisions of this section, is a pension derived from the contributions of the State, or of the contracting agency, sufficient, when added to the service retirement annuity that is derived from the accumulated normal contributions of the member at the date of his retirement, to equal the fraction of one-fiftieth of his final compensation set forth opposite his age at retirement, taken to the preceding completed quarter year, in the following table in the column applicable to his sex, multiplied by the number of years of current service except service in a category of membership other than that of a state miscellaneous member, prison member or local miscellaneous member, with which he is entitled to be credited at retirement:

Age of Retirement	Fraction Men	Women
55	.7279859	.7454885
55¼	.7393043	.7561871
55½	.7506227	.7668857
55¾	.7619411	.7775843
56	.7732594	.7882828
56¼	.7855785	.7998706
56½	.7978975	.8114584
56¾	.8102166	.8230462
57	.8225356	.8346340
57¼	.8360043	.8472396
57½	.8494729	.8598451
57¾	.8629416	.8724507

Age of Retirement	Fraction Men	Women
58	.8764102	8850562
58¼	.8911573	.8987803
58½	.9059044	.9125043
58¾	.9206515	9262283
59	.9353986	9399523
59¼	.9515490	9549643
59½	9676993	.9699762
59¾	.9838497	9849881
60	1 0000000	1.0000000
60¼	1.0110756	1 0111938
60½	1.0221511	1 0223875
60¾	1.0332267	1 0335813
61	1.0443022	1 0447750
61¼	1 0591095	1.0597869
61½	1.0739167	1.0747987
61¾	1 0887240	1 0898106
62	1 1035312	1 1048224
62¼	1.119169S	1.1207671
62½	1.1348083	1 1367118
62¾	1.1504469	1 1526565
63	1.1660854	1 1686012
63¼	1 1826342	1 1855895
63½	1 1991829	1.2025777
63¾	1.2157317	1 2195660
64	1 2322804	1 2365542
64¼	1 2498384	1 2547498
64½	1.2673963	1.2729454
64¾	1.2849542	1 2911410
65 and over	1 3025121	1 3093365

The fractions herein set forth at ages other than age 60 are based on the interest rate and mortality tables used under the State Employees' Retirement System with respect to state miscellaneous members on January 1, 1947, and shall be adjusted by the board in accordance with such interest and mortality tables as the board may adopt with respect to such members

This section shall not apply to any contracting agency nor to the employees of any contracting agency unless and until the agency elects to be subject to the provisions of this section by amendment to its contract made in the manner prescribed for approval of contracts, except that an election among the employees is not required, or, in the case of contracts made after the date this section takes effect, by express provision in such contract making the contracting agency subject to the provisions of this section.

Wherever in this part or in any statute heretofore or hereafter enacted reference is made to "Section 21251 1," such reference shall mean and be construed to refer to this Section 21251.11 with respect to the State, any contracting agency which has elected to be subject to the provisions of this section, and all members to whom this section applies

SEC 3 Section 21253 of said code is amended to read

21253 The prior service pension [for a state miscellaneous member, or] for a local miscellaneous member who is an employee of a contracting agency which is subject to the provision of this section, is an annual pension derived from the contributions of the State, or of the contracting agency, equal to the sum of the following:

(a) The fraction of one-sixtieth of his final compensation set forth opposite his age at retirement, taken to the preceding completed quarter year, [in the following table] in the column applicable to his sex, *in the table set forth in Section 21251 1, as adjusted* multiplied by the number of years of prior service, except service in a category of membership other than that of a [state miscellaneous,] local miscellaneous [or prison] member[,] with which he is entitled to be credited at retirement[.]

[Age of Retirement	Fraction Men	Women
55	6879856	7215644
55¼	7005907	7330584
55½	.7131958	7445523
55¾	.7258010	.7560463
56	7384061	.7675403
56¼	7523068	7800926
56½	.7662075	.7926449
56¾	.7801082	8051973
57	.7940089	8177496

[Age of Retirement	Fraction Men	Women
57¼	.8094005	8315137
57½	8247922	.8452778
57¾	.8401839	.8590419
58	.8555755	8728060
58¼	8726676	8879249
58½	.8897597	.9030438
58¾	.9068518	.9181627
59	9239439	.9332817
59¼	9429579	.9499612
59½	.9619720	9666408
59¾	9809860	.9833204
60	1 0000000	1.0000000
60¼	1.0143189	1 0144384
60½	1 0286377	1 0288769
60¾	1 0429566	1 0433153
61	1 0572754	1 0577538
61¼	1.0726679	1.0733538
61½	1 0880603	1.0889539
61¾	1 1034527	1.1045539
62	1.1188451	1 1201540
62¼	1 1354716	1.1370926
62½	1 1520981	1.1540313
62¾	1.1687245	1.1709699
63	1.1853510	1.1879086
63¼	1.2032919	1.2063002
63½	1 2212328	1.2246919
63¾	1 2391737	1 2430836
64	1.2571146	1.2614752
64¼	1.2764797	1.2814969
64½	1.2958448	1 3015185
64¾	1 3152099	1 3215402
65 and over	1 3345750	1.3415618

The fractions herein set forth at ages other than age 60 are based on the interest rate and mortality tables used under the State Employees' Retirement System with respect to state miscellaneous members on January 1, 1947, and shall be adjusted by the board in accordance with such interest and mortality tables as the board may adopt with respect to such members.]

(b) In respect to prior service consisting of service other than as a [state miscellaneous] *local miscellaneous [or prison] member, the pension computed pursuant to* the provisions for computation of prior service of members of the category in which the prior service was rendered.

This section shall not apply to any contracting agency nor to the employees of any contracting agency unless and until the agency elects to be subject to the provisions of this section by amendment to its contract made in the manner prescribed for approval of contracts, except that an election among the employees is not required, or, in the case of contracts made after the date this section takes effect, by express provision in such contract making the contracting agency subject to the provisions of this section.

SEC. 4 Section 21253 01 is added to said code, to read:

21253 01. The prior service pension for a state miscellaneous member, for a prison member, or for a local miscellaneous member who is an employee of a contracting agency which is subject to the provision of this section, is an annual pension derived from the contributions of the State, or of the contracting agency, equal to the sum of the following:

(a) The fraction of one-fiftieth of his final compensation set forth opposite his age at retirement, taken to the preceding completed quarter year, in the column applicable to his sex, in the table set forth in Section 21251 1, as adjusted, multiplied by the number of years of prior service, except service in a category of membership other than that of a state miscellaneous, local miscellaneous or prison member, with which he is entitled to be credited at retirement.

(b) In respect to prior service consisting of service other than as a state miscellaneous, local miscellaneous or prison member, the pension computed pursuant to the provisions for computation of prior service of members of the category in which the prior service was rendered.

This section shall not apply to any contracting agency nor to the employees of any contracting agency unless and until the agency elects to be subject to the provisions of this section by amendment to its contract made in the manner prescribed for approval of contracts, except that an election among the employees is not required, or, in the case of contracts made after the date this section takes effect, by express provision in such contract making the contracting agency subject to the provisions of this section.

(c) Wherever in this part or in any statute heretofore or hereafter enacted reference is made to "Section 21253," such reference shall mean and be construed to refer to this Section 21253.01 with respect to the State, any contracting agency which has elected to be subject to the provisions of this section, and all members to whom this section applies.

SEC. 5. Section 21296 of said code is amended to read:

21296. The disability retirement pension shall be such an amount as with that portion of his annuity provided by his accumulated normal contributions, will make his disability retirement allowance equal:

(a) Ninety percent of [one-sixtieth] *one-fiftieth* of his final compensation multiplied by the number of years of service credited to him; or

(b) If the disability retirement allowance computed under subdivision (a) does not exceed [one-fourth] *one-third* of his final compensation, 90 percent of [one-sixtieth] *one-fiftieth* of his final compensation multiplied by the number of years of service which would be creditable to him were his service to continue until attainment by him of age 60, but in such case the retirement allowance shall not exceed [one-fourth] *one-third* of such final compensation.

This subdivision is not applicable to members who have become members of the Retiring Annuities System of the university.

SEC. 6. *Section 21298 of said code is amended to read:*

21298. *(1)* The disability retirement allowance of a local miscellaneous member retired for disability or a local safety member retired for nonindustrial disability and the requirements for obtaining it are the same as those for state members so retired if the employing contracting agency elects, by amendment to its contract made as provided in Section 20461.5, *or by express provision in its contract, to be subject to the same provisions concerning minimum disability retirement allowances for such members that apply to the State*

(2) If the employing contracting agency does not make the election specified in subdivision (1) of this section, but elects, by amendment to its contract with the board made as provided in Section 20461.5, or by express provision in its contract, to be subject to the provisions of this subdivision, then as to the local miscellaneous members employed by that agency retired for disability and the local safety members employed by that agency retired for nonindustrial disability, the requirements for obtaining the disability retirement allowance are the same as those for state members so retired but the disability retirement pension shall be such an amount as with that portion of his annuity provided by his accumulated normal contributions, will make his disability retirement allowance equal:

(a) Ninety percent of one-sixtieth of his final compensation multiplied by the number of years of service credited to him; or

(b) If the disability retirement allowance computed under subdivision (a) does not exceed one-third of his final compensation, 90 percent of one-sixtieth of his final compensation multiplied by the number of years of service which would be creditable to him were his service to continue until attainment by him of age 60, but in such case the retirement allowance shall not exceed one-third of such final compensation

(3) If the employing contracting agency does not make the election specified in subdivision (1) or in subdivision (2) of this section, but has elected, by amendment to its contract with the board made as provided in Section 20461.5, or by express provision in its contract, to subject itself and its employees to the provisions of this part reducing the ages at which members may retire and increasing the benefits members will receive [ ] *as those provisions were in effect on and after October 1, 1945, then as to the local miscellaneous members employed by that agency retired for disability and the local safety members employed by that agency retired for nonindustrial disability, the requirements for obtaining the disability retirement allowance are the same as those for state members so retired, but the disability retirement pension shall be such an amount as with that portion of his annuity provided by his accumulated normal contributions, will make his disability retirement allowance equal:*

(a) Ninety percent of one-sixtieth of his final compensation multiplied by the number of years of service credited to him; or

(b) If the disability retirement allowance computed under subdivision (a) does not exceed one-fourth of his final compensation, 90 percent of one-sixtieth of his final compensation multiplied by the number of years of service which would be creditable to him were his service to continue until attainment by him of age 60, but in such case the retirement allowance shall not exceed one-fourth of such final compensation

(4) If [, however,] the employing contracting agency does not [so elect,] *make the election specified in subdivision (1) or in subdivision (2) of this section, and has not made the election specified in subdivision (3) of this section,* then as to the local miscellaneous members employed by that agency retired for disability and the local safety members employed by that agency retired for nonindustrial disability, the requirements for obtaining the disability retirement allowance are the same as those for state members so retired, but the disability retirement pension shall be such an

amount as with that portion of his annuity provided by his accumulated normal contributions, will make his disability retirement allowance equal [.]

(a) Ninety percent of one-seventieth of his final compensation multiplied by the number of years of service credited to him; or

(b) If the disability retirement allowance computed under subdivision (a) does not exceed one-fourth of his final compensation, 90 percent of one-seventieth of his final compensation multiplied by the number of years of service which would be creditable to him were his service to continue until attainment by him of age 65, but in such case the retirement allowance shall not exceed one-fourth of such final compensation, but in no event shall the disability retirement pension be more than sufficient to make the disability retirement allowance, exclusive of any annuity provided by accumulated additional contributions, exceed the service retirement allowance, exclusive of any annuity purchased by accumulated additional contributions, receivable by the member should he retire at the lowest age at which he would be eligible for service retirement, disregarding the right to retire after electing to allow his accumulated contributions to remain in the retirement fund following resignation or discharge.

(5) The disability retirement pension shall be derived from the contributions of the employer

SEC. 7. Section 21251.5 is added to said code, to read

21251.5. Every current service pension, prior service pension, and disability retirement pension payable for time commencing on the effective date of this section to any member who was retired prior to said effective date is hereby increased to the amount it would be if the provisions of Sections 21251.11, 21253.01, 21296, and 21298, as they exist on said effective date, had been in effect on the date of the actual retirement of the member; but this section does not authorize any decrease in any such pension, nor does this section give any such retired member, or his successors in interest, any claim against the State for any increase in any pension paid or payable for time prior to its effective date. Calculation of pensions under this section shall be made on the basis of current interest rate and mortality tables

This section shall not apply to any contracting agency with respect to its employees who have retired under this system prior to the effective date of this section unless and until the agency elects to be subject to the provisions of this section, with respect to such employees, by express provision in its contract with the board, or by amendment to its contract made in the manner prescribed for approval of contracts, except that an election among the employees is not required

SEC. 8. This act shall take effect on the first day of the first month next succeeding the ninetieth day after the final adjournment of the 1951 Regular Session of the Legislature."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Civil Service and State Personnel.

Assembly Bill No. 1928—An act to amend Section 20606 of, and to add Sections 20019.1, 20019.2, 20461.1, 20606.1, and 20608.1 to, the Government Code, relating to the State Employees' Retirement System, in respect to members who are local motor coach operators.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

On page 1 of the printed bill, between lines 5 and 6, insert

"The provisions of this section and of Sections 20019.2, 20606.1, and 20608.1 shall not apply to the employees of any contracting agency nor to any such agency unless and until the contracting agency elects to be subject to the provisions of this section and of the said sections by amendment to its contract with the board, made as provided in Section 20461.5, or by express provision in its contract with the board"

Amendment No. 2

On page 2, line 22, of said bill, strike out "July 1, 1951," and insert "the effective date of the election of the contracting agency by which he is employed to be subject to the provisions of this part specifically relating to local motor coach operators,".

Amendment No. 3

On page 2, line 27, of said bill, strike out "July 1, 1951," and insert "the said effective date,".

Amendment No. 4

On page 2, line 28, of said bill, strike out "July 1, 1951," and insert "the said effective date".

Amendment No. 5

On page 2, line 30, of said bill, strike out "July 1, 1951," and insert "the said effective date".

Amendment No. 6

On page 2, line 34, of said bill, strike out "July 1, 1951 ", and insert "the said effective date."

Amendment No. 7

On page 2, line 37, of said bill, strike out "20606," and insert "20606.1,"

Amendment No. 8

On page 2, line 38, of said bill, strike out "July 1, 1951 ", and insert "the respective effective dates of the elections of the respective contracting agencies by which they are employed to be subject to the provisions of this part specifically relating to local motor coach operators."

Amendment No. 9

On page 2, lines 39 and 40, of said bill, strike out "on or before December 31, 1951," and insert "within six months after the effective date of such election of the contracting agency by which he is employed,".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Civil Service and State Personnel.

Assembly Bill No. 2931—An act to add Section 1157.1 to the Government Code, relating to public agencies.

Bill read second time

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

On page 1, line 3, of the printed bill, after "agency", insert ", on approval of the governing body of such public agency,".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Civil Service and State Personnel.

Assembly Bill No. 840—An act to amend Section 4730 of the Health and Safety Code, relating to county sanitation districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 3 of the printed bill, as amended in the Assembly on March 30, 1951, between lines 14 and 15, insert

"If the district includes no territory which is in cities or sanitary districts, then the county board of supervisors is the board of directors of the district."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 1243—An act to add Section 18105 to, and to amend Sections 18050, 18051, 18052, and 18100 of, the Government Code, relating to vacation and sick leave for state employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

On page 1, line 11, of the printed bill, after "each", insert "officer or".

Amendment No. 2

On page 1, lines 12, 13, and 14, of said bill, strike out "It shall be within the discretion of the board to count breaks in service of 10 working days or less as continuous service for purposes of allowing credit for vacation"

Amendment No. 3

On page 1, line 23, of said bill, after "full time.", insert "It shall be within the discretion of the State Personnel Board to count breaks in service of 10 working days or less as continuous service for purposes of allowing credit for vacation."

Amendment No. 4

On page 2, line 6 of said bill, after "governing vacations", insert "authorized by this part".

Amendment No. 5

On page 2, lines 6 and 7, of said bill, strike out "Vacation for such employees shall not exceed that authorized by this part", and insert "In the absence of such regulations, the rules of the State Personnel Board relating to the regulation and methods of accumulation of vacation for civil service employees shall govern"

Amendment No. 6

On page 2, line 20, of said bill, after "regulation and", insert "method of"

Amendment No. 7

On page 2, lines 29 and 30, of said bill, strike out "may promulgate regulations governing", and insert "shall administer the".

Amendment No. 8

On page 2, line 30, of said bill, after "sick leave", insert "authorized by this part".

Amendment No. 9

On page 2, line 30, of said bill, after "officers and employees", insert "in accordance with the rules of the State Personnel Board"

Amendment No. 10

On page 2, lines 30 and 31, of said bill, strike out "Sick leave for such employees shall not exceed that authorized by this part"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1623—An act to amend Sections 20921, 20922, 21253, 21258, 21296, 21298, 21361, 21362, 21367.5 of, and to add Sections 21258.1, 21298.5, and 21367.7 to, the Government Code, relating to the State Employees' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

In line 1 of the title of the printed bill, after "Sections", insert "20864,".

Amendment No. 2

In line 2 of the title of said bill, after "21258.1," insert "21258.2,".

Amendment No. 3

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 20864 of the Government Code is amended to read:

20864. For the purpose of calculating retirement benefits based on part-time service, except under Section 21258 *and under Section 21258.1*, compensation earnable shall be taken as the compensation which would have been earnable if the employment had been on a full-time basis and the member had worked full time.

SEC. 2. Section 20921 of said code is".

Amendment No. 4

On page 4 of said bill, between lines 16 and 17, insert

"SEC. 3.5. The amendment to Section 21253 of the Government Code made by this act shall not, under any circumstances, be applied or construed to authorize any decrease in any prior service pension payable after the effective date of this act to any person who was retired for service or for disability prior to that date."

Amendment No. 5

On page 5, line 17, of said bill, after "year", and before the comma, insert "and less than his final compensation".

Amendment No. 6

On page 5 of said bill, strike out lines 22 and 23, and insert "year, or his final compensation,".

Amendment No. 7

On page 5 of said bill, between lines 35 and 36, insert

"SEC 5.5. Section 21258.2 is added to said code, to read.

21258.2. Every current service pension and every prior service pension payable for time commencing on the effective date of this section to any member who was retired prior to said effective date is hereby increased to the amount it would be if the provisions of Section 21258.1, as they exist on said effective date, had been in effect on the date of the actual retirement of the member; but this section does not authorize any decrease in any such pension, nor does this section give any such retired member, or his successors in interest, any claim against the State for any increase in any pension paid or payable for time prior to its effective date.

This section shall not apply to any contracting agency with respect to its employees who have retired under this system prior to the effective date of this section unless and until the agency elects to be subject to the provisions of this section, with respect to such employees, by amendment to its contract with the board, made as provided in Section 20461.5, and unless and until the contracting agency also elects to be subject to the provisions of Section 21258.1."

Amendment No. 8

On page 8, line 28, of said bill, strike out "basis", and insert "basic".

Amendment No. 9

On page 9, line 7, of said bill, strike out "computed", and insert "commuted".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 2252—An act to amend Sections 29001, 29007, 29014, 29020, and 29021 of, and to add Sections 29003.5 and 29003.6 to, the Health and Safety Code, relating to dangerous drugs.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 1 of the title of the printed bill, after "29007," insert "29012,".

Amendment No. 2

On page 1, lines 5 and 6, of said bill, strike out "except when combined or compounded with nonhypnotic drugs".

Amendment No. 3

On page 2, line 5, of said bill, after "Phenylhydantoin", insert "derivatives".

Amendment No. 4

On page 2, line 29, of said bill, after "SEC. 5.", insert "Section 29012 of said code is amended to read:

29012. Every person who furnishes any hypnotic drug to any other person shall first obtain from the board an hypnotic license for each separate office, shop, store or other place of business, which license shall expire on the thirty-first day of October and shall be annually renewed. The annual fee for such license shall be five dollars ($5).

Every person who obtains an hypnotic license shall, within fifteen days of its receipt, furnish the board with a dated inventory of all hypnotic drugs in his possession. A copy of such inventory shall be kept on file in the place of business of the licensee for a period of three years, subject to inspection by authorized officers of the law.

An hypnotic license is nontransferable. Any person who acquires a business wherein the former owner holds an hypnotic license and possesses any hypnotic drugs, shall file with the board at the time of his application for an hypnotic license an inventory of all hypnotic drugs which are to be acquired by such transfer of ownership *The provisions of this section do not apply when hypnotic drugs are combined or compounded with medicinal drugs which render such combination or compound unfit for hypnotic use*

SEC. 5."

Amendment No. 5

On page 2, line 46, of said bill, after the period, insert "The provisions of this section do not apply when hypnotic drugs are combined or compounded with medicinal drugs which render such combination or compound unfit for hypnotic use"

Amendment No. 6

On page 3, line 24, of said bill, after the period, insert "The provisions of this section with respect to the keeping of records do not apply when hypnotic drugs are combined or compounded with medicinal drugs which render such combination or compound unfit for hypnotic use."

Amendment No. 7

On page 3, line 13, of said bill, strike out"who does not"; and strike out line 14.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 541—An act to amend Section 6506 of the Labor Code, relating to workmen's safety.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Industrial Relations:

Amendment No. 1

On page 1, lines 3 and 4, of the printed bill, strike out "shall be conclusively presumed to have knowledge of and".

Amendment No. 2

On page 1 of the printed bill, after line 11, insert

"Every person shall be conclusively presumed to have knowledge of every order mentioned in the above paragraph which is published in the Administrative Code or which is communicated to the person to be charged with knowledge thereof."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Industrial Relations.

Assembly Bill No. 1980—An act to amend Sections 3202, 4053, 5705, 5708, and 5709 of the Labor Code, relating to Workmen's Compensation Insurance, and evidence in proceedings concerning benefits thereunder.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Industrial Relations:

Amendment No. 1

In line 1 of the title of the printed bill, after "Amend", insert "Section 123 and repeal Section 124".

Amendment No. 2

In lines 1 and 2 of the title of said bill, strike out "Sections 3202, 4053, 5705, 5708 and 5709".

Amendment No. 3

In line 2 of the title of said bill, after "compensation", strike out "in-"; and in line 3, strike out "surance, and evidence in proceedings concerning".

Amendment No. 4

In line 4 of the title of said bill, strike out "thereunder".

Amendment No. 5

On page 1, lines 1 and 2, of said bill, after "Section 1. Section", strike out "3202", and insert "123".

Amendment No. 6

On page 1 of said bill, strike out lines 3, 4, 5, 6, and 7, and insert

"123. The commission may employ necessary assistants, officers, experts, statisticians, actuaries, accountants, inspectors, referees and other employees to perform the duties and exercise the powers which are under the jurisdiction of the commission. *No person, however, shall be appointed as referee unless he shall have actively practiced as an attorney before the courts of the State of California for the same period required for appointment as judge of the superior court of this State as provided for in Section 23 of Article VI of the Constitution of the State of California. The salaries of the referees shall be fixed by the State Personnel Board, but not at less than ten thousand dollars ($10,000) per annum.*"

Amendment No. 7

On page 1, line 8, of said bill, after "Section", strike out "4053 of said code is amended to read:", and insert "124 of said code is repealed."

Amendment No. 8

On page 1 of bill, strike out line 9, and each and every line thereafter on said page to and including line 24; and on page 2, strike out line 1 and each and every line thereafter to and including line 42.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Industrial Relations.

Assembly Bill No. 2921—An act to repeal Chapter 8, comprising Sections 1131 to 1136, inclusive, of Part 3 of Division 2 of the Labor Code, and to add a new Chapter 8 to Part 3 of Division 2 of that code, comprising Sections 1131 to 1139, relating to labor disputes and the policy of the State with respect to the conduct thereof, prohibiting certain types of activities and contracts in connection therewith, and providing injunctive and other relief for persons injured by violations thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Industrial Relations:

Amendment No. 1

In line 4 of the title of the printed bill, strike out "1139", and insert "1140".

Amendment No. 2

On page 4 of said bill, after line 27, insert

"1140. Nothing contained in this act shall be construed as prohibiting a strike or other concerted activity protected by the Labor Management Relations Act, 1947."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Industrial Relations.

SECOND READING OF SENATE BILLS

Senate Bill No. 1211—An act to amend Section 14254 of the Government Code, relating to state public works projects

Bill read second time, and ordered to third reading

Senate Bill No. 23—An act to add Chapter 3 to Part 1, Division 3 of the Government Code, consisting of Sections 36700 and 36701, relating to compensation of elective officers of counties, townships, and cities, declaring the urgency hereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on March 23, 1951, strike out "Chapter 3 to Part 1, Division 3", and insert "Article 4 to Chapter 1, Part 1, Division 2, Title 5"

Amendment No. 2

In line 2 of the title of said bill, strike out "36700 and 36701", and insert "53070 and 53071".

Amendment No. 3

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Article 4 is added to Chapter 1, Part 1, Division 2, Title 5 of".

Amendment No. 4

On page 1, line 4, of said bill, strike out "Chapter 3", and insert

"Article 4".

Amendment No. 5

On page 1, line 7, of said bill, strike out "36700", and insert "53070".

Amendment No. 6

On page 1, line 15, of said bill, strike out "36701", and insert "53071"

Amendment No. 7

On page 1, line 15, of said bill, after "law", insert "or of the Constitution".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bill was withdrawn from the file, and re-referred as follows:

Assembly Bill No. 245 re-referred to the Committee on Revenue and Taxation.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1951

MR. SPEAKER: The Committee on Conference concerning

Senate Concurrent Resolution No. 16—Relative to dangerous grades on state highways.

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 1, lines 15 and 16, of the printed measure, as amended in the Assembly on March 28, 1951, strike out "throughout the State where sight distance is insufficient to permit driving with safety", and insert "on that portion of the State Highway numbered U. S. 101 from San Francisco to the California-Oregon boundary".

ABSHIRE	BELOTTI
WAY	GRUNSKY
COOMBS	ELLIOTT
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Stanley, Stewart, Thomas, Tomlinson, and Waters—59

NOES—None.

NOTICE OF MOTION TO AMEND STANDING RULE 40 WITHDRAWN FROM ACTIVE FILE

The notice of motion to amend Rule 40 of the Standing Rules of the Assembly was withdrawn from the active file, and placed upon the inactive file, on motion of Mr. Dunn.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 32 CONTINUED

By unanimous consent, the notice of motion, by Mr. Rumford, to reconsider the vote whereby Assembly Bill No 32 was passed was continued until the next legislative day.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 2825 re-referred to the Committee on Agriculture.

Assembly Bill No. 3020 re-referred to the Committee on Public Health.

Assembly Bill No. 3376 re-referred to the Committee on Finance and Insurance.

Assembly Bills Nos. 1060, 1241, and 3017 re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bills Nos. 16 and 1531 re-referred to the Committee on Ways and Means.

Assembly Bills Nos. 1567 and 2499 re-referred to the Committee on Education.

Assembly Bills Nos. 359, 446, 449, and 1529 re-referred to the Committee on Social Welfare.

Assembly Bills Nos. 1054, 1739, 1865, 3029, and 3066 re-referred to the Committee on Municipal and County Government.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 500, on request of Mr. Sherwin.

MOTION TO SET SPECIAL ORDER

Mr. Sherwin moved that Assembly Bill No. 500 be made a special order of business for Tuesday, April 10, 1951, at 10.30 a.m.

Point of Order

Mr. Beck arose to the following point of order: That the motion by Mr. Sherwin is not in order because Assembly Bill No 500 will not appear upon the third reading file until tomorrow.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

Request for Unanimous Consent That Assembly Bill No. 500 Be Set as a Special Order of Business

Mr. Sherwin asked for unanimous consent that Assembly Bill No. 500 be set as a special order of business for Tuesday, April 10th, at 10.30 a.m.

Mr. Beck withheld unanimous consent.

Assembly Bill No. 500 ordered to the third reading file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 2124—An act to amend Sections 654 and 655 of Article 7 of the Agricultural Code, relating to imitation milk and imitation cream.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb,

Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Thomas, Tomlinson, and Waters—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1188—An act to provide for notification of release from custody of persons convicted of arson.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 10 38 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Assembly Bill No. 2131—An act to amend Sections 1 and 1.5 of, and to add Sections 1.1, 1 2, 1.3, and 1.4 to, the Judges' Retirement Act, and to amend Section 2 of, and to add Sections 4.7 and 7.5 to, the Judges' Retirement Fund Act, relating to the State System for the Retirement of Judges and Justices.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Davis, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lyon, McCarthy, McCollister, McFall, McGee, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Thomas, Tomlinson, and Mr. Speaker—61

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1792—An act to amend Section 261e of the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties, having a population between 600,000 and 900,000.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Senate Bill No. 402

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended.

DUNN, Chairman

Above reported bill ordered to second reading.

Speaker Pro Tempore Presiding

At 10.40 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1586—An act to add Section 14122.1 to the Education Code, relating to school district merit systems for noncertificated employees, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr. Parker asked for, and was granted, unanimous consent that his name be placed upon the roll call, on the urgency clause to Assembly Bill No. 1586, and that he be recorded as voting "Aye".

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1587—An act to add Section 14122.6 and to amend Sections 14112, 14122, 14122.5, 14127, 14131, and 14135.1, of the Education Code, relating to school district merit systems for noncertificated employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 469—An act to add Section 24202 to the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations and providing for the disallowance of deductions to taxpayers deriving income from certain illegal activities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 470—An act to add Section 17358 to the Revenue and Taxation Code, relating to the taxation of persons, trusts and estates, and providing for the disallowance of deductions to taxpayers deriving income from certain illegal activities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1789 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Burke asked for, and was granted, unanimous consent that Assembly Bill No. 1789 be withdrawn from the Committee on Conservation, Planning, and Public Works, and be re-referred to the Committee on Municipal and County Government.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILLS NOS. 1070, 1633, 1634, 1635, 1636, AND 1732 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Clarke asked for, and was granted, unanimous consent that Assembly Bills Nos. 1070, 1633, 1634, 1635, 1636, and 1732 be withdrawn from the Committee on Agriculture, and be re-referred to the Committee on Conservation, Planning, and Public Works.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2528 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mrs. Niehouse asked for, and was granted, unanimous consent that Assembly Bill No. 2528 be withdrawn from the Committee on Governmental Efficiency and Economy, and be re-referred to the Committee on Municipal and County Government.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 755—An act to add Section 111.5 to the Streets and Highways Code, relating to the adoption of city streets as a part of the State Highway System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

BILL WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 1093, on motion of Mr. Brown.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1977—An act to amend Section 6494 of the Health and Safety Code, relating to election of sanitary district assessors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, and Waters—63

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1979—An act to amend Section 6580 of the Health and Safety Code, relating to date of election of officers of sanitary districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Nichouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—68

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2361—An act to amend Section 5047 of the Welfare and Institutions Code, relating to the procedure and examination of the mental health of a person alleged to be mentally ill, in respect to the liability of persons filing petitions for such examination.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Nichouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 900—An act to add Section 10206 to the Education Code, relating to insurance against liability arising from courses in driver education and training.

Bill read third time.

Motion to Amend

Mr. Brown moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "may insure against the liability"; and strike out lines 5 to 7, inclusive, and insert "and automobile driver training may insure against any liability arising out of the use of motor vehicles in connection with such courses. The cost of such insur-".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 1180—An act to amend Sections 18661, 18662, 18671, 18672, 18674, and 18675 of the Education Code, relating to the sale, lease, dedication, grant, quitclaim and conveyance of real property of school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, and Thomas—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1264—An act to amend Section 2893 of the Education Code, relating to the annexation of school districts

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—64

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1528

Mr. Gubser asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1528, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1528

Assembly Bill No. 1528—An act to repeal Sections 6654, 5105.5, and 5105.6 of the Welfare and Institutions Code, relating to reports by district attorneys and orders of committing courts concerning the financial ability of persons committed to state hospitals or their relatives to pay the cost of care, maintenance or transportation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—66.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2311—An act to amend Section 9607.1 of the Education Code, relating to contracts for education of physically handicapped minors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2312—An act to amend Section 8503 of the Education Code, relating to age of pupils for admission to first grade.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—71.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. John D. Babbage Presiding

At 11.03 a.m., Hon John D Babbage, Member of the Assembly from the Seventy-sixth District, presiding

Assembly Bill No. 2313—An act to amend Section 8404 of the Education Code, relating to age of pupils for admission to kindergarten.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2315—An act to amend Section 9601 2 of the Education Code, relating to contracts for education of physically handicapped minors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 612—An act to provide for the disposition of the unexpended balance of moneys in the California State Building Fund of 1925.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 613—An act to add Section 12463.2 to, and to repeal Section 12461.5 of, the Government Code, relating to the duties of the Controller.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 614—An act to abolish the War Bond Fund, to transfer to the Special Deposit Fund the unexpended balance remaining therein, and to appropriate such amount from the Special Deposit Fund for expenditure for the same purposes for which such amount is available for expenditure from the War Bond Fund immediately preceding such transfer.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley,

Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—68.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL BE PRINTED IN THE JOURNAL

Mr. Silliman announced that a Special Report on the Payroll System of the State of California, by the Interim Committee on Governmental Reorganization, has been printed as a separate document and copies placed upon the desks of all members; and asked for, and was granted, unanimous consent that the following letter of transmittal be ordered printed in the Journal, in 10 point type, as follows:

LETTER OF TRANSMITTAL

CALIFORNIA LEGISLATURE, STATE CAPITOL
SACRAMENTO, CALIFORNIA, March 26, 1951

Honorable Sam L. Collins
Speaker of the Assembly
State Capitol, Sacramento, California

Pursuant to House Resolution 222, read and adopted June 26, 1949, your Interim Committee on Governmental Reorganization submits herewith a Special Report on the Payroll System of the State of California.

It was the unanimous feeling of this committee that all state employees should be assured of a "pay day certain", and that procedural changes to this end could bring about a more efficient and less costly state payroll operation. As the centralized payroll mechanized procedures of the State are very similar to those in some of the larger industries in California, it was felt that industry's experience in attaining economical and highly efficient operating payroll systems would be of considerable help in solving the problems of the state system. In order to attain this goal, the chairman of this committee invited top flight leaders in California industry to form an advisory group to aid the committee in this study. Each industry represented has large payrolls, some even larger than the state payroll. The industrialists who accepted the chairman's invitation were:

James B. Black, President, Pacific Gas & Electric Co.

Col. C. T. Blanck, Asst. Vice Pres., Pacific Tel. & Tel. Co.

George L. Buland, Vice President and General Counsel, Southern Pacific Company.

Paul L. Davies, President, Food Machinery & Chemical Co.

T. S. Petersen, President, Standard Oil Company of California.

Arthur Stewart, Controller, Safeway Stores, Inc.

Carl F. Wente, Vice President, Bank of America.

Each advisory committee member selected a payroll expert from his own company to work with the committee The payroll experts selected were as follows:

Mr. C. C. Blalock, Pacific Tel. & Tel. Co.

Mr. Ralph J. Brenner, Food Machinery & Chemical Corp.

Mr. Frank Calhoun, Safeway Stores, Inc
Mr. Francis J. Carr, Pacific Gas and Electric Co.
Mr. Charles Conroy, Bank of America.
Mr. James E. Gaston, Safeway Stores, Inc.
Mr. E M. Johnson, Southern Pacific Company.
Mr. Robert J. Reilly, Bank of America.
Mr. V. H. Roman, Standard Oil Co. of California.

The advisory committee elected Mr. C. C. Blalock, Chairman, and Mr. V. H. Roman, Secretary, and after a series of weekly meetings which included visits to the centralized payroll bureaus in Sacramento and San Francisco, the following report was filed with the committee.

The committee wishes to express its appreciation to the members of the advisory committee and to the men they selected to make this special report. Each of these experts gave unselfishly of their time without any cost to the State.

Respectfully submitted,

JAMES W. SILLIMAN, Chairman
ROBERT C. KIRKWOOD, Vice Chairman
ARTHUR W. COATS, JR.
JOHN B. COOKE
L. STEWART HINCKLEY
JONATHAN J. HOLLIBAUGH
HAROLD K. LEVERING
WILLIAM BYRON RUMFORD
MARVIN SHERWIN
H. ALLEN SMITH
VINCENT THOMAS

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2794

Mrs. Niehouse asked for, and was granted, unanimous consent that she be permitted to take up Assembly Bill No. 2794, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2794

Assembly Bill No. 2794—An act to add Section 9148 to the Education Code, relating to field officers or teachers for the adult blind.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—70

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 957—An act to amend Section 11041 of the Government Code, relating to legal services for the Division of Labor Law Enforcement.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1033—An act to amend Sections 17090 and 17091 of, and to add Section 17096 to, the Government Code, and to amend Section 141 of the Welfare and Institutions Code, relating to the issuance of duplicate warrants by the State Controller.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, and Waters—68.

NOES—None.

Bill ordered transmitted to the Senate.

MEMBER EXCUSED

At 11.15 a.m., Mr. Beck asked for, and was granted, unanimous consent that Mr. Lowrey be excused, for the balance of the legislative day, because of legislative business elsewhere.

Hon. Laughlin E. Waters Presiding

At 11.20 a.m., Hon. Laughlin E. Waters, Member of the Assembly from the Fifty-eighth District, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 643

Mr. Evans asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 643, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 643

Assembly Bill No. 643—An act to amend Section 92 of the Labor Code, relating to the powers of the Labor Commissioner.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—68

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1812—An act to add Section 16009 to the Government Code, relating to claims against the State, and providing a procedure for the United States Government to reach net amounts owing by the State to debtors of the United States.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Thomas—66

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1958—An act to amend Section 3 of an act entitled "An act relating to institutions under the jurisdiction of the Department of Corrections, making an appropriation to the expended pursuant to the Property Acquisition Act for the acquisition of a new site for the California Institution for Women, authorizing the Director of Corrections to transfer the California Institution for Women from its present location near Tehachapi to the new site, and authorizing the disposition of the Tehachapi property," approved July 2, 1947, relating to institutions under the jurisdiction of the Department of Corrections.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—65.

NOES—Hagen—1.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 11.25 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 2899—An act to amend Section 13290 of the Government Code, relating to the State Accounting System and the fiscal affairs of the State.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, and Tomlinson—65.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 3375—An act to amend Section 1 of an act entitled "An act granting to the City of Los Angeles the tidelands and submerged lands of the State within the boundaries of said city," approved June 3, 1929, relating to tidelands and submerged lands.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, and Tomlinson—67.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1908—An act to provide for a compact between the State of California and the State of Arizona in relation to fish and game and to provide for reciprocal hunting and fishing licenses and privileges for the residents of said states

Bill read third time.

Motion to Amend

Mr. Erwin moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, strike out lines 1 to 7, inclusive, and insert

"SECTION 1. The Fish and Game Commission is hereby authorized to negotiate the terms of a compact between the States of Arizona and California with any appropriate officials of the State of Arizona in relation to reciprocal privileges and licenses for hunting and fishing by residents of one of said States within the territorial jurisdiction of the other. Said negotiations shall include, but shall not be limited to, provisions relating to sporting fishing and the hunting of migratory waterfowl in, on, or along the Colorado River. It is the primary purpose of this act to provide a method whereby the hunting and fishing opportunities afforded by the Colorado River may be mutually enjoyed by the residents of the States of Arizona and California despite the difficulties and inconveniences that result from the fact that the boundary line between the States of Arizona and California is the middle of the channel of the Colorado River."

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 2085—An act to amend Section 6028.1 of the Penal Code, relating to Special Crime Study Commissions.

Bill read third time.

Speaker Presiding

At 11 39 a m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Motion to Amend

Mr Hollibaugh moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 11 of the printed bill, after the period, insert

"Nothing in this section shall be construed as authorizing any such commission to compel a subpenaed witness to testify before a newsreel or television camera against his will"

Amendment read.

Speaker Pro Tempore Presiding

At 11.40 a m., Hon. Thomas A Maloney, Speaker pro Tempore of the Assembly, presiding.

The question being on the adoption of the amendment offered by Mr. Hollibaugh

Speaker Presiding

At 11 50 a m, Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Demand for Previous Question

Messrs. Silliman, Condon, Kirkwood, Lindsay, and Hansen demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendment offered by Mr. Hollibaugh to Assembly Bill No. 2085.

Point of Order

Mr. Fleury arose to the following point of order: That Mr Hollibaugh is not speaking to the amendment.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

Point of Order

Mr. Fleury arose to the following point of order: That Mr. Hollibaugh is not speaking to the question.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

The question being on the adoption of the amendment offered by Mr. Hollibaugh to Assembly Bill No. 2085.

Roll Call Demanded

Messrs. Condon, Moss, and Kirkwood demanded a roll call.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Berry, Brady, Burkhalter, Chapel, Clarke, Condon, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Geddes, Hansen, Hawkins, Hollibaugh, Levering, Lyon, McCollister, McMillan, Morris, Niehouse, Parker, Porter, Rosenthal, Thomas, and Tomlinson—28.

NOES—Babbage, Beck, Belotti, Brown, Burke, Caldecott, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Erwin, Fleury, Gaffney, Grant,

Grunsky, Gubser, Hagen, Hahn, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Maloney, McCarthy, McFall, McGee, Moss, Munnell, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, and Waters—44

Request for Unanimous Consent That Vote Be Changed Upon Roll Call

Mr. Maloney asked for, and was granted, unanimous consent that his vote be changed upon the roll call on the amendment offered by Mr. Hollibaugh to Assembly Bill No. 2085, and that he be recorded as voting "Nay".

The question being on the passage of Assembly Bill No. 2085

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, McFall, McGee, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—63.

NOES—Chapel, Dills, Elliott, Evans, Hawkins, Hollibaugh, McMillan, Morris, and Niehouse—9

Bill ordered transmitted to the Senate.

Statement by Assemblywoman Kathryn T. Niehouse

I was called to the telephone about three minutes before the vote was taken on Assemblyman Fleury's Assembly Bill No. 2085 the Crime Commission Bill

As the Speaker ordered the roll closed, I just got back to my desk and believing I was voting "Yes", I voted "No" by mistake.

KATHRYN T. NIEHOUSE
Assemblywoman Seventy-ninth District

RECESS

At 12.18 p.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 528	Assembly Bill No. 1709
Assembly Bill No. 531	Assembly Bill No. 1710
Assembly Bill No. 532	Assembly Bill No. 1711
Assembly Bill No. 542	Assembly Bill No. 1842
Assembly Bill No. 546	Assembly Bill No. 1850
Assembly Bill No. 607	Assembly Bill No. 1853
Assembly Bill No. 617	Assembly Bill No. 2416
Assembly Bill No. 657	Assembly Bill No. 2418
Assembly Bill No. 702	Assembly Bill No. 2615
Assembly Bill No. 956	Assembly Bill No. 2772
Assembly Bill No. 1009	Assembly Bill No. 2842
Assembly Bill No. 1010	Assembly Bill No. 3383
Assembly Bill No. 1512	Assembly Bill No. 3386

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

MOTION TO APPROVE JOURNALS

Upon motion of Mr. McCollister, the Assembly Journals for Monday, April 2, 1951; Tuesday, April 3, 1951; Wednesday, April 4, 1951; Thursday, April 5, 1951; and Friday, April 6, 1951, were approved, as corrected by the Minute Clerk.

COMMUNICATIONS

By Speaker Sam L. Collins:

A communication from John D. Conner, Secretary of State, Oklahoma, and a resolution relative to memorializing Congress to propose an amendment to the Constitution of the United States relating to fiscal matters, were received. The communication was ordered noted in the Journal, and the resolution ordered referred to the Committee on Revenue and Taxation.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2347—An act to amend Sections 50013, 50101, 50110, 50152, 50332, 50401, 50600, 50601, 50602, 50603, 50609, 50631, 50654, 50657, 50659, 50700, 50730, 50731, 50901, 50951, 50953, 50954, 50958, 51324, 51337, 51338, 51339, 51340, 51341, 51346, 51347, 51348, 51349, 51360, 51362, 51364, 51365, 51424, 51480, 51513, 51601, 51661, 51850, 52223, 52224, 52302, 53072, and 53092 of and to add Sections 50014, 51332.1, 51332.2 to, and to repeal Section 50733 of, the Water Code, relating to reclamation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Cooke, Crowley, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

MEMBERS EXCUSED

At 2 05 p m., Mr. Belotti asked for, and was granted, unanimous consent that Mr. Hagen be excused, for the balance of the legislative day, because of legislative business elsewhere.

At 2.06 p.m., Mr. Beck asked for, and was granted, unanimous consent that Mr. Rosenthal be excused, for the balance of the legislative day, because of legislative business elsewhere.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2840—An act to amend Section 6535 of the Business and Professions Code, relating to barbers.

Bill read third time.

Motion That Assembly Bill No. 2840 Be Withdrawn From File, and Be Re-referred

Mr. Rumford moved that Assembly Bill No. 2840 be withdrawn from the third reading file, and be re-referred to the Committee on Public Health.

Mr Evans seconded the motion.

Motion carried.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 961 HOLD PLACE ON FILE

Mr. Caldecott asked for, and was granted, unanimous consent that Assembly Bill No. 961 be passed on file, and hold its place on file on the next legislative day.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1532—An act to amend Section 5701 of and to add Section 5701 3 to the Welfare and Institutions Code, relating to private mental institutions and private family care homes, and providing for their license fees and regulation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Crowley, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—68

NOES—None

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr. Munnell asked for, and was granted, unanimous consent that his name be placed upon the roll call on Assembly Bill No. 1532, and that he be recorded as voting "Aye".

Assembly Bill No. 1535—An act to amend Section 6660.5 of the Welfare and Institutions Code, relating to the safekeeping of the property of patients of the Department of Mental Hygiene

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—66.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 525—An act to add Article 5, comprising Sections 16485 to 16490, inclusive, to Chapter 3 of Part 2 of Division 4 of Title 2 of the Government Code, relating to interfund sales and transfers of bond investments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1504—An act to add Chapter 2.5 consisting of Sections 5300 to 5302 to Part 1 of Division 6 of and to add Section 5250.5 to the Welfare and Institutions Code, relating to the care and treatment of epileptic persons in state institutions under the jurisdiction of the Department of Mental Hygiene.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

MOTION THAT MEMBERS AND ATTACHES BE PERMITTED TO REMOVE THEIR COATS

Mrs. Niehouse moved that all members and male attaches be permitted to remove their coats if they so desire.

Mr. Brown seconded the motion.

Motion carried.

RECESS

At 2.30 p.m., on motion of Mr. Dickey, the Assembly recessed until 2.35 p.m. for the purpose of hearing remarks from Caspar F. Henning, International Treasurer of Gideons International organization, and permitting him to present a Gideon Bible to every Member of the Assembly, on behalf of the organization

REASSEMBLED

At 2.35 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2712 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Dickey asked for, and was granted, unanimous consent that Assembly Bill No. 2712 be withdrawn from the Committee on Public Health, and be re-referred to the Committee on Conservation, Planning, and Public Works.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1790—An act to repeal Section 263 and to amend Sections 256 and 257 of the Health and Safety Code, and to provide for the reversion to the General Fund of the unexpended balance of the Physically Defectives' Revolving Fund, relating to physically handicapped children.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 615

Mr. Stewart asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 615, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 615

Assembly Bill No. 615—An act to amend Section 17242 of the Government Code, relating to reimbursement warrants.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2140—An act creating the San Francisco Harbor Finance Board and prescribing its duties; providing for the issuance and sale of revenue bonds by the Board of State Harbor Commissioners, subject to the approval of the San Francisco Harbor Finance Board as obligations of the Board of State Harbor Commissioners for San Francisco Harbor, payable from the revenues of said Board of State Harbor Commissioners for San Francisco Harbor, and prescribing the duties of state officers in respect to such bonds; defining the duties of said Board of State Harbor Commissioners for San Francisco Harbor, in respect to said bonds and the performance of public works from the proceeds thereof; authorizing the creation of a fund for the improvement of San Francisco Harbor by the construction of wharves, piers, sea walls, State Railroad, spurs, betterments and appurtenances and necessary dredging and filling in connection therewith; providing for the purposes for which the proceeds of said bonds may be expended; providing for the incidents, security, terms, conditions, maturity, interest, denominations, form, registration, and transfer and interchange of such bonds; providing for the payment of the interest and principal of such bonds, and for their call before maturity and the conditions upon which such calls may be made; providing for the replacement of lost, destroyed, or mutilated bonds or coupons; exempting such bonds from certain taxes, and authorizing the investment of banks, trusts, and public funds in said bonds; providing for the rights and remedies of the holders of such bonds; providing for the issuance of refunding bonds and providing for the creation of designated funds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloved, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3368—An act conveying certain tidelands and lands lying under inland navigable waters, situate in San Francisco Bay to the City of Sausalito, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof, reserving rights to the State.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans,

Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1907—An act to add Article 3 to Chapter 1 of Part 1 of Division 4 of the Fish and Game Code, relating to reciprocal licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—72
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1082—An act to add Section 30.5 to the Elections Code, relating to special elections.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1855—An act to amend Section 678 of the Vehicle Code, relating to tire equipment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coates, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 39—An act adopting and authorizing a plan for construction of the San Lucas Dam and Reservoir, Salinas River Basin, by the Monterey County Flood Control and Water Conservation District in cooperation with the State of California and the United States,

for flood control and water conservation, at an estimated cost to the State of two million five hundred thousand dollars ($2,500,000) and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

ANNOUNCEMENT

Speaker Sam L. Collins announced that the next number on file should be the consideration of House Resolution No. 106 instead of House Resolution No 101, as indicated.

CONSIDERATION OF HOUSE RESOLUTION NO. 106

By Mr. Crowley:

House Resolution No. 106

Relative to congratulating Vernon Kilpatrick on winning the nomination to the Los Angeles City Council

WHEREAS, The election returns from Los Angeles indicate that our colleague, Vernon Kilpatrick, received the highest vote among five contestants for the office of member of the City Council from the Tenth District in the City of Los Angeles; and

WHEREAS, He has brought honor and distinction to the State Legislature during his 12 years of service, in that he has consistently devoted himself to sound, constructive legislation, and has proved himself a loyal Californian and great American; and

WHEREAS, He has served as a member of the Special Pension Committee appointed by Governor Warren in 1943, has five times been Vice Chairman of the standing Assembly Committee on Social Welfare, and is Chairman of the Assembly Interim Committee on Crime and Corrections in which capacity he has instituted reforms modernizing and making more humane our prison system and saving money for the taxpayers through rehabilitation and self-help work projects; and

WHEREAS, As a Member of the Legislature he has successfully applied his wide experience in the field of publishing, advertising, and insurance; now, therefore, be it

Resolved by the Assembly of the State of California, That it hereby conveys to Vernon Kilpatrick its congratulations on receiving the highest vote among the five contestants for the office of member of the City Council from the Tenth District of Los Angeles, and that it expresses the wish that he will be as conspicuously outstanding in this endeavor as he has been as a Member of the State Legislature; and be it further

Resolved, That the Chief Clerk is directed to prepare a suitably engrossed copy of this resolution for Vernon Kilpatrick.

Resolution read.

Request for Unanimous Consent That All Members Present Be Permitted to Place Their Names Upon House Resolution No. 106 as Co-authors

Mr. Cooke asked for, and was granted, unanimous consent that all members present, desiring to place their names upon House Resolution No. 106 as co-authors be permitted to approach the desk, and place their signatures upon the resolution, at this time.

Further Consideration of House Resolution No. 106

By Messrs. Crowley, Cooke, Dunn, George D. Collins, Mrs. Niehouse, Messrs. Beck, Coats, Sam L. Collins, Brady, Shaw, Dills, Evans,

Dickey, Rumford, Condon, Porter, Hahn, Doyle, Morris, Elliott, Hawkins, Geddes, Maloney, Dolwig, Henderson, McCollister, Hollibaugh, Munnell, and Burke:

House Resolution No. 106

Relative to congratulating Vernon Kilpatrick on winning the nomination to the Los Angeles City Council

WHEREAS, The election returns from Los Angeles indicate that our colleague, Vernon Kilpatrick, received the highest vote among five contestants for the office of member of the City Council from the Tenth District in the City of Los Angeles; and

WHEREAS, He has brought honor and distinction to the State Legislature during his 12 years of service, in that he has consistently devoted himself to sound, constructive legislation, and has proved himself a loyal Californian and great American; and

WHEREAS, He has served as a member of the Special Pension Committee appointed by Governor Warren in 1943, has five times been Vice Chairman of the standing Assembly Committee on Social Welfare, and is Chairman of the Assembly Interim Committee on Crime and Corrections, in which capacity he has instituted reforms modernizing and making more humane our prison system and saving money for the taxpayers through rehabilitation and self-help work projects; and

WHEREAS, As a Member of the Legislature he has successfully applied his wide experience in the field of publishing, advertising, and insurance; now, therefore, be it

Resolved by the Assembly of the State of California, That it hereby conveys to Vernon Kilpatrick its congratulations on receiving the highest vote among the five contestants for the office of member of the City Council from the Tenth District of Los Angeles, and that it expresses the wish that he will be as conspicuously outstanding in this endeavor as he has been as a Member of the State Legislature; and be it further

Resolved, That the Chief Clerk is directed to prepare a suitably engrossed copy of this resolution for Vernon Kilpatrick

Resolution read, and adopted unanimously.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 496

Mr Luckel asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 496, temporarily passed on file, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 496

Assembly Bill No. 496—An act to amend Section 736 of the Fish and Game Code, relating to fish.

Bill read third time.

Motion to Amend

Mr. Luckel moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on April 6, 1951, after the comma, insert "declaring the urgency thereof,".

Amendment No. 2

On page 1, line 3, of said bill, strike out "and", and insert "or".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 404 HOLD PLACE ON FILE

Mr Gaffney asked for, and was granted, unanimous consent that Assembly Bill No. 404 be passed on file, and hold its place on file on the next legislative day.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1206 HOLD PLACE ON FILE

Mr. McMillan asked for, and was granted, unanimous consent that Assembly Bill No. 1206 be passed on file, and hold its place on file on the next legislative day.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 255—An act to amend Sections 2233 and 2233.5 of the Welfare and Institutions Code, relating to recovery of old age security aid received in violation of the law.

Bill read third time, and ordered passed on file.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 255 HOLD PLACE ON FILE

Mr. Levering asked for, and was granted, unanimous consent that Assembly Bill No. 255, just passed on file, hold its place on file on the next legislative day.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 841 HOLD PLACE ON FILE

Mr. Hagen asked for, and was granted, unanimous consent that Assembly Bill No. 841 be passed on file, and hold its place on file on the next legislative day.

QUESTION OF PERSONAL PRIVILEGE

Mr. Kilpatrick arose to a question of personal privilege.

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 1068

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DUNN, Chairman

Above reported bill ordered to second reading.

ANNOUNCEMENT

It was announced by Mr. Stanley that a breakfast meeting, and Republican Caucus, will be held tomorrow morning, Tuesday, April 10th, at 7.30 a.m., at Hart's Restaurant.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today at 8 p.m.—

Finance and Insurance, in Room 432.

Today Upon Adjournment—

Ways and Means, in Room 435.
Boards and Commissions, in Room 426.
Public Utilities and Corporations, in Room 432.

Tomorrow, Tuesday, April 10th, at 9.15 a.m.—
Rules, in Room 320.

Next Thursday, April 12th, at 8 p.m.—
Judiciary, in Room 435.

It was announced that the following committee would hold no meeting tonight:
Judiciary.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Speaker Sam L. Collins and The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to the following members of the International Organization of Gideons: Caspar F. Henning of Chicago; Chas. J. Custock and Robert N. Oliver of Vallejo; Albert J. Lebeck, W. M. Burlingame, and Murray B. Arnold, Sr., of Sacramento; Roy O. Washbon of West Medford, Massachusetts; Milton J. Brooks of Bessemer, Alabama; Raymond R. Lindsey, Little Rock, Arkansas; E. B. Forbes, St. Louis, Missouri; Nelson J. Buckland, Hilding M. Strandberg, and Nels Joseph Ides Nelson of Oakland; James F. Randall of Cambridge; Charles Haas of Carmichael; and Walter Swetzer of Rio Oso.

On request of Mr. Stanley, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Earl W Stanley and Mrs. Evelyn Albright of Newport.

On request of Mr Kelly, the usual courtesies of the Assembly for this day were unanimously extended to Fraulein Ingeborg Best, exchange student at State University of Wyoming from Wiesbaden, Germany; and Mrs. Ira Porter of Bakersfield.

On request of Mr. Babbage, the usual courtesies of the Assembly for this day were unanimously extended to Mr and Mrs. T. E. Gore of Riverside and Mrs. Mabel Kocher of Los Angeles.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Robert N. Oliver and Charles J. Custock of Vallejo.

On request of Mr. Burke, the usual courtesies of the Assembly for this day were unanimously extended to George T. Slater of Alhambra.

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to Ed Loudon and Bob McLean, teachers; and the following pupils of the Yreka High School: Billie Hovey, Barbara Eddy, Darlene Deas, Gerry Churchill, Tom Hogan, Dale Freshour, Jerold Linowske, Marie Lonergan, Ingrid Johnson, Mary Robinson, Virginia Madden, Ed. Loudon, Frank Sellstrom, George Crowell, Eve Rettig, Virginia Maxwell, Dick Winningham, Glenn White, Wilma Laufer, Bob Buckner, Barbara Bryan, Diane Meiss, Bobbie Grazier, Pat Bower, Barbara Wilson, Gordon De Rose, Clayton Smith, Sally Jeter, Idabel Yeager, Mary Dunnett, Duane Barchus, Steve Whitlock, Firman Smith, John Denz, Carolyn Kleaver, Janke Koarda, Charlotte Russell, and Karna Karstensson.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to R. L. Patrick, teacher, and the following pupils of the Napa College: Shirley Anderson, Jack Arnold, Betty Audiss, Carol Blanchard, Ken Caraway, Evelyn Carlson, Joyce Clark, William Clayton, Jack Cunningham, Richard Devita, Robert Edwards, Lorraine Einarsson, Wes Frost, Paul Garetto, John Goodsell, Dorothy Hartman, Gary Heaton, June Ingram, Julianne Jaegar, Joan LaPoint, Fredric Lienhard, Don Lorenz, Gloria Mays, William McBride, Jack McLeod, Paul Meirsch, Mabel Moody, Bill Morgan, Gilbert Padilla, Tom Place, Don Pridmore, Ken Runyon, William Schields, Marilyn Shouse, Vernon Stewart, Francis Thorton, Pat Trimmer, Virgil White, Bev. Wilkinson, LeRoy Lund, Bucky Stewart, Fred Cardwell, Jean Solomon, Bill Conley, Harold Jacks, Bill Bickford, Jackie Bradford, Joan Brouillette, and Marilee McGowan.

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to Mr. Moeller and Mr. Roberts, teachers, and the following pupils of the Bret Harte School of Hayward: Michael Bennett, John Clark, William Dinkuhn, James Doyle, Robert Gonsalves, George Hague, Richard Hague, Kenneth Haystead, Peter Houck, Vernon Juel, William Kreins, Peter Livanos, Gerald Lunger, Gilbert Maderas, William McFarland, Melvin Nelson, Theordore Rapoza, Robert Sandoval, Steve Seteroff, Barry Shaw, James Stevens, Claudia Allen, Marian Avelar, Marie Brandon, Audrey Carroll, Georgia Dotson, Gloria Espinola, Jacquelyn Gonsalves, Adele Horn, Lois Johansen, Myrtle Lopez, Merle Marks, Myrna Marks, Clarice Pelkey, Sharon Rose, and Darla Wimmer.

On request of Mr. Berry and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mrs Edward F Brady of San Francisco.

On request of Mr. McMillan, the usual courtesies of the Assembly for this day were unanimously extended to James C. Reinhard of Los Angeles.

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Felix Vokoc of Omaha, Nebraska and Mrs. Fay Hayden of Fremont, Nebraska

On request of Mr. McCollister, the usual courtesies of the Assembly for this day were unanimously extended to Darold DeCoe of Sacramento, Ted Jain of Marysville, Gordon Winton of Merced, and Al Weinberg of Los Angeles, Veterans of Foreign Wars.

ADJOURNMENT

At 3.22 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Tuesday, April 10, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

THIRTY-FOURTH LEGISLATIVE DAY

FORTY-SIXTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, April 10, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Holhbaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—77.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence A. Kircher:

Eternal God, Who has neither dawn nor evening, yet sendest us alternate mercies of night and day, there is no light but Thine.

We thank Thee for this new day with its opportunities, its privileges, and its responsibilities.

May we walk, while it is yet day, in the steps of Him who, with fewest hours, finished Thy divinest work.

"Lord of all being, throned afar,
Thy glory flames from sun and star;
Center and soul of every sphere;
Yet to each loving heart how near!
Grant us Thy truth to make us free,
And kindling hearts that burn for Thee,
Till all Thy living altars claim
One holy light, one heavenly flame."

—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Babbage, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Butters, on motion of Mr. Stewart.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Lowrey, on motion of Mr. Munnell.

Mr. Rosenthal, on motion of Mr. Munnell.

REPORTS OF STANDING COMMITTEES

Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1951

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which was referred:

Assembly Bill No. 1121

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

EVANS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1951

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which was referred:

Assembly Bill No. 908

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

EVANS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1951

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which were referred:

Assembly Bill No. 907
Assembly Bill No. 910

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

EVANS, Chairman

Above reported bills ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1245
Assembly Bill No 1272
Assembly Bill No. 1508
Assembly Bill No. 2417

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 322
Assembly Bill No. 462
Assembly Bill No. 544
Assembly Bill No. 545
Assembly Bill No. 747
Assembly Bill No. 1509
Assembly Bill No. 1510
Assembly Bill No. 1513
Assembly Bill No. 1514
Assembly Bill No. 1516
Assembly Bill No. 1612
Assembly Bill No. 2077
Assembly Bill No. 2282
Assembly Bill No. 2284
Assembly Bill No. 2730

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 496
Assembly Bill No. 900
Assembly Bill No. 1908

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 9, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 23
Assembly Concurrent Resolution No. 34

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 9, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed.

Assembly Bill No. 242
Assembly Bill No. 341
Assembly Bill No. 365
Assembly Bill No. 367
Assembly Bill No. 609
Assembly Bill No. 822
Assembly Bill No. 1036
Assembly Bill No. 1037
Assembly Bill No. 1038
Assembly Bill No. 1639
Assembly Bill No. 1640

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 9, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 176
Assembly Bill No. 259
Assembly Bill No. 366
Assembly Bill No. 603
Assembly Bill No. 1035

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, April 9, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 118
Senate Bill No. 205
Senate Bill No. 280
Senate Bill No. 282
Senate Bill No. 329
Senate Bill No. 353
Senate Bill No. 380
Senate Bill No. 407
Senate Bill No. 650
Senate Bill No. 674
Senate Bill No. 883
Senate Bill No. 884
Senate Bill No 1087
Senate Bill No. 1088
Senate Bill No. 1119
Senate Bill No. 1121
Senate Bill No. 1122
Senate Bill No. 1123
Senate Bill No. 1124
Senate Bill No. 1252
Senate Bill No. 1259
Senate Bill No. 1484
Senate Bill No 1746
Senate Bill No. 1748

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 118—An act to add Sections 737.2, 737.4, and 737.6 to the Vehicle Code, relating to the release on bail of persons charged with misdemeanor violations of the code.

Referred to Committee on Judiciary.

Senate Bill No. 205—An act to amend Section 6827 of the Public Resources Code, relating to oil and gas leases.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

Senate Bill No. 280—An act to add Section 477.5 to the Vehicle Code, relating to traffic signals at school approaches.

Referred to Committee on Transportation and Commerce.

Senate Bill No. 282—An act relating to the determination of the population of cities or cities and counties for purposes of allocation of moneys from the State Highway Fund and from the Motor Vehicle License Fee Fund.

Referred to Committee on Transportation and Commerce.

Senate Bill No. 329—An act to add Article 2.5 to Chapter 5, Division 6 of the Health and Safety Code, relative to sanitary district.

Referred to Committee on Municipal and County Government.

Senate Bill No. 353—An act to authorize the exchange by the State Park Commission of lands in Del Norte County deeded to the State in addition to Mill Creek State Park for lands along Smith River adjacent to existing state park.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 380—An act to amend Section 10501 of the Water Code, relating to priority of applications to appropriate water by the Department of Finance.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 407—An act to amend Section 6862 of the Harbors and Navigation Code, relating to contracts of river port districts.

Referred to Committee on Municipal and County Government.

Senate Bill No. 650—An act to add Section 986.11 to the Military and Veterans Code, relating to homes and farms for veterans.

Referred to Committee on Military Affairs.

Senate Bill No. 674—An act to add Chapter 5 to Part 5 of Division 14 of the Water Code and to add Section 19.1 to the California Water Storage District Act, relating to water storage districts.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 883—An act to amend Sections 5050.8 and 5125 of the Welfare and Institutions Code, relating to court procedures and

court orders in determining the mental health of a person alleged or found to be mentally ill.

Referred to Committee on Judiciary.

Senate Bill No. 884—An act amending Sections 5050, 5050.1, 5050.2, and 5050.5 of the Welfare and Institutions Code, relating to procedure for examination of the mental health of a person alleged to be mentally ill and to court orders concerning such procedures.

Referred to Committee on Judiciary.

Senate Bill No. 1087—An act to amend and renumber Section 6210 6 of, to add a new Section 6210 6 to, the Public Resources Code, and to repeal an act entitled "An act granting to roads and highways a right of way over the public lands of this State," approved April 2, 1866, relating to public lands.

Referred to Committee on Conservation, Planning, and Public Works

Senate Bill No. 1088—An act to consolidate and revise the law relating to natural resources, the conservation, utilization, and supervision thereof, and matters incidental thereto, by renumbering Division X and Sections 10001 to 10018, inclusive, of, and adding Section 50020 and Division 10, relating to resort districts to, the Public Resources Code, and repealing certain acts and parts of acts specified herein.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 1119—An act to add Division 15 to the Water Code, to consolidate and revise the law relating to reclamation districts, and to repeal enumerated sections of the Political Code and acts specified therein.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1121—An act to add Section 9048 to the Water Code and to repeal Section 3466c of the Political Code, relating to the Sutter-Butte By-pass Assessment No. 6.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 1122—An act to add Section 8678 to the Water Code and to repeal Section 692 5 of the Political Code, relating to the approval of agreements of the Reclamation Board, relating to real property.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1123—An act to add Division 13 to the Water Code, to consolidate and revise the law relating to California water districts, and to repeal certain acts specified herein.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 1124—An act to add Division 14 to the Water Code, thereby revising and consolidating the law relating to water storage

districts, including provisions for the supervision, regulation, and conduct of such districts, and to repeal the California Water Storage District Act.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 1252—An act to amend Sections 654 and 655 of Article 7 of the Agricultural Code, relating to imitation milk and imitation cream.

Referred to Committee on Agriculture.

Senate Bill No. 1259—An act to amend Section 464.5 of the Agricultural Code, relating to milk and milk products

Referred to Committee on Agriculture.

Senate Bill No. 1484—An act to add Section 6497 to the Health and Safety Code, relating to the reimbursement of county officers for expenses incurred by them in acting as officers of sanitary districts.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1746—An act to amend Section 2070 of the Insurance Code, relating to standard form fire insurance policies.

Referred to Committee on Finance and Insurance.

Senate Bill No. 1748—An act to amend Sections 1191 and 1192, of, to repeal Section 1199 of, and to add Sections 1192.4 and 1199 to, the Insurance Code, relating to insurance.

Referred to Committee on Finance and Insurance.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Joint Resolution No. 26

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

Committee on Boards and Commissions

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1951

MR SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 2685

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

McMILLAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 3187

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

McMILLAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 2777

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McMILLAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1951

MR. SPEAKER Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 847

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McMILLAN, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1068—An act to add Sections 9193 to 9196, inclusive, to the Education Code, relating to incidental fees in classes for adults.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 1, line 12, of the printed bill, after "(1)", strike out "ma-"; and in line 13, strike out, "terials and/or services for that", and insert "materials services or supplies for the".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1985—An act to repeal Chapters 2 and 15 of Division 3 of the Education Code, to repeal Article 1 of Chapter 16 of Division 3 of said code, to repeal Sections 6851.1 of said code, to amend Section 6841 of said code, to add Chapters 2 and 15 to Division 3 of said code, to add Article 1 to Chapter 16 of Division 3 of said code, and to add Sections 6711.5 and 6905 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 5 of the printed bill, beginning in line 14, strike out "ninety-seven dollars ($97)", and insert "one hundred dollars ($100)".

Amendment No. 2

On page 11, line 48, of said bill, strike out "Ninety-seven dollars ($97)", and insert "One hundred dollars ($100)".

Amendment No. 3

On page 12 of said bill, beginning in line 27, strike out "ninety-seven dollars ($97)", and insert "one hundred dollars ($100)".

Amendment No. 4

On page 12 of said bill, beginning in line 46, strike out "ninety-seven dollars ($97)", and insert "one hundred dollars ($100)".

Amendment No. 5

On page 20, line 23, of said bill, strike out "ninety-seven dollars ($97)", and insert "one hundred dollars ($100)".

Amendment No. 6

On page 21 of said bill, beginning in line 19, strike out "ninety-seven dollars ($97)", and insert "one hundred dollars ($100)".

Amendment No. 7

In line 6 of the title of the printed bill, strike out "Sections 6711.5 and", and insert "Section".

Amendment No. 8

On page 24 of said bill, strike out lines 23 to 35, inclusive, and insert

"SEC. 7. Section 6905 is added to said code to read

6905. In computing the average daily attendance of any district, school, or class for the Fiscal Year 1951-1952 and thereafter under any section which requires the divisor used to be the number of days school was actually taught in the regular day schools of the district during the preceding fiscal year, and the number of days actually taught in the regular day schools of the district was 175 or more, the divisor shall be 175."

Amendment No. 9

On page 24, line 36, of said bill, strike out "9", and insert "8".

Amendment No. 10

On page 24, line 37, of said bill, strike out "10", and insert "9"

Amendment No. 11

On page 11 of the printed bill, between lines 2 and 3, insert

"7047.5. The amount by which the foundation program computed under this article for an elementary school district having an average daily attendance of less than 100 exceeds the foundation program which would have been computed for such district by multiplying the number of units of average daily attendance of such district by one hundred eight-five dollars ($185) shall, beginning with the Fiscal Year 1953-1954, be reduced by an amount equal to 20 percent of the amount of such excess and for each of the four succeeding fiscal years by an additional 20 percent except as to any elementary school district in which any one or more of the following conditions obtain:

(a) If not less than five pupils residing in the district and attending grades kindergarten to eight, inclusive, would be required to travel more than 10 miles one way from a point on a well-traveled road nearest their home to the nearest other public elementary school, or

(b) If not less than 15 pupils residing in the district and attending grades kindergarten to eight, inclusive, would be required to travel more than five miles one way from a point on a well-traveled road nearest their home to the nearest other public elementary school.

If topographical or other conditions exist in a district which would impose unusual hardships if the number of miles specified was required to be traveled or if during the fiscal year the roads which would be traveled have been impassable for more than an average of two weeks per year for the preceding five years, the governing board of the district may, on or before April 1st, request the Superintendent of Public Instruction, in writing, for an exemption from such requirements or for a reduction in the miles required The request shall be accompanied by a statement of the conditions upon which such request is based, giving such information in such form as the Superintendent of Public Instruction may require. The Superintendent of Public Instruction shall cause an investigation to be made, and he shall either grant such request to the extent deemed necessary by him or deny the request."

Amendment No. 12

On page 11, line 5, of said bill, strike out "325", and insert "301".

Amendment No. 13

On page 11, line 12, of said bill, strike out "hundred twenty-fourth", and insert "hundredth".

Amendment No. 14

On page 11, line 16, of said bill, strike out "325", and insert "301".

Amendment No. 15

On page 11, line 22, of said bill, strike out "dollars ($200)", and insert "ten dollars ($210)".

Amendment No. 16

On page 11, line 32, of said bill, strike out "1951", and insert "1952".

Amendment No. 17

On page 11 of said bill, beginning in line 37, strike out "325 or more by two hundred dollars ($200)", and insert "301 or more by two hundred ten dollars ($210)"

Amendment No. 18

On page 11 of said bill, between lines 38 and 39, insert

"7050.5 The amount by which the foundation program computed under Section 7048 or Section 7049 for a high school district exceeds the foundation program which would have been computed for such district by multiplying the number of units of average daily attendance of such district by two hundred ten dollars ($210) shall, beginning with the Fiscal Year 1954-1955, be reduced by an amount equal to 20 percent of the amount of such excess and for each of the four succeeding fiscal years by an additional 20 percent except as to any high school district in which any one or more of the following conditions obtain:

(a) If as many as five pupils residing in the district and attending Grades 9 to 12, inclusive, would be required to travel more than 30 miles one way from a point on a well-traveled road nearest their home to the nearest other public high school, or

(b) If as many as 10 pupils residing in the district and attending Grades 9 to 12, inclusive, would be required to travel more than 20 miles one way from a point on a well-traveled road nearest their home to the nearest other public high school, or

(c) If as many as 40 pupils residing in the district and attending Grades 9 to 12, inclusive, would be required to travel more than 15 miles one way from a point on a well-traveled road nearest their home to the nearest other public high school

If topographical or other conditions exist in a district which would impose unusual hardships if the number of miles specified was required to be traveled or if during the fiscal year the roads which would be traveled have been impassable for more than an average of two weeks per year for the preceding five years, the governing board of the district may, on or before April 1st, request the Superintendent of Public Instruction, in writing, for an exemption from such requirements or for a reduction in the miles required. The request shall be accompanied by a statement of the conditions upon which such request is based, giving such information in such form as the Superintendent of Public Instruction may require The Superintendent of Public Instruction shall cause an investigation to be made, and he shall either grant such request to the extent deemed necessary by him or deny the request."

Amendment No. 19

On page 24, line 41, of said bill, after "effect", insert ", to become operative July 1, 1951".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

SECOND READING OF SENATE BILLS

Senate Bill No. 402—An act to amend Sections 14575 and 14632 of the Education Code, relating to retirement allowances under the State Teachers' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on March 21, 1951, after "Sections", insert "14565,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 14565 of the Education Code is amended to read:

14565. (a) At the beginning of each fiscal year the Retirment System shall pay to each local district maintaining a local retirment system the following amounts:

[(1) From the Permanent Fund, an amount equal to the difference between the benefits paid from the Permanent Fund during the preceding year to persons who are entitled to receive benefits from the local retirement system and the benefits which would have been paid from the Permanent Fund during the preceding year to those persons if they were not entitled to receive benefits from the local retirement system.

(2)] *(1)* From the Retirement Annuity Fund, an amount equal to the difference with respect to all service rendered by persons whose retirement is effective prior to July 1, 1947, and with respect to service rendered prior to July 1, 1944, by persons whose retirement is effective after June 30, 1947, and one-half the difference with respect to service rendered after June 30, 1944, by persons whose retirement is effective after June 30, 1947, between the benefits paid from the Retirement Annuity Fund during the preceding year to persons who are entitled to receive benefits from the local retirement system and the benefits which would have been paid during the preceding year to those persons if they were not entitled to receive benefits from the local retirement system.

(2) From the Retirement Annuity Fund, an amount equal to the difference between the death benefits paid from the Retirement Annuity Fund during the preceding year on account of persons who qualified for death benefits under the local retirement system, and the death benefit which would have been paid during the preceding year on account of such persons if they had not qualified for death benefits from the local retirement system.

(b) The amounts paid under subdivision (a) of this section by the retirement system to each local district maintaining a local retirement system shall not be used to reduce the contributions required of members of the local retirement system or to increase the benefits payable by the local retirement system, but shall be applied to reduce the cost of support of the local retirement system to the taxpayers of the local district maintaining the local retirement system.

(c) The State shall contribute annually to the Permanent Fund and to the Retirement Annuity Fund the amounts required to be paid from said funds, respectively, under subdivision (a) of this section

SEC. 2. Section 14575 of said code is".

Amendment No. 3

On page 2, line 6, of said bill, strike out "SEC. 2", and insert "SEC. 3".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 496—An act to amend Section 736 of the Fish and Game Code, relating to fish.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Tomlinson, and Waters—64.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser,

Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Tomlinson, and Waters—64.

NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO SET SPECIAL ORDER

Mr. Sherwin moved that Assembly Bill No 500 be made a special order of business for today, Tuesday, April 10, 1951, at 11 a.m.

The roll was called, and the motion lost by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Cloyed, Collier, Connolly, Conrad, Crowley, Dickey, Dolwig, Doyle, Erwin, Evans, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr Speaker—48.

NOES—Beck, Brady, Burkhalter, Coats, George D. Collins, Condon, Cooke, Davis, Dills, Dunn, Elliott, Geddes, Henderson, McFall, McMillan, Munnell, Parker, Porter, and Shaw—19.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1951

MR SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 93
Assembly Bill No 1722

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No 453

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 2061

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SHERWIN, Chairman

Above reported bill ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 835
Assembly Bill No. 2120

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bills ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 900—An act to add Section 10206 to the Education Code, relating to insurance against liability arising from courses in driver education and training.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Rumford, Shaw, Sherwin, Smith, Stanley, Tomlinson, Waters, and Mr Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1908—An act to provide for a compact between the State of California and the State of Arizona in relation to fish and game and to provide for reciprocal hunting and fishing licenses and privileges for the residents of said states.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 961—An act to amend Section 640 of, and to add Section 640.1 to the Penal Code, relating to the detection or interception of telegraphic and telephonic communications.

Bill read third time.

Motion to Amend

Mr. Smith moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 5, of the printed bill, as amended in the Assembly on April 6, 1951, strike out ", or of a subordinate of any of"; strike out line 6; and in line 7, strike out "ception".

Amendment No. 2

On page 2, line 12, of said bill, strike out "a felony may be thus obtained.", and insert "one of the following felonies may be thus obtained: Murder, extortion, mayhem, burglary, rape, arson, robbery, kidnapping, or sabotage."

Amendment No. 3

On page 2 of said bill, strike out lines 41 to 45, inclusive.

Amendment No. 4

On page 3 of said bill, strike out lines 1 and 2; and in line 3, strike out "Justice", and insert "the affidavit of the Attorney General".

Amendment No. 5

On page 3, line 8, of said bill, strike out "a felony may be thus obtained.", and insert "one of the following felonies may be thus obtained: Murder, extortion, mayhem, burglary, rape, arson, robbery, kidnapping, or sabotage."

Amendment No. 6

On page 3 of said bill, strike out lines 37 to 41, inclusive, and insert:

"(c) Nothing in this section shall prevent the recovery of damages from any person who obtains information by reason of the order and before such information becomes a public record discloses such information in a civil proceeding, for a private purpose, or for any other purpose not provided for in this section."

Amendments read.

Motion That Assembly Bill No. 961, With Amendments, Be Re-referred to Committee

Mr. Condon moved that Assembly Bill No. 961, with the amendments offered by Mr. Smith, be withdrawn from the third reading file, and be re-referred to the Committee on Judiciary.

Mr. Munnell seconded the motion.

Roll Call Demanded

Messrs. Condon, Caldecott, and Kirkwood demanded a roll call.

The roll was called, and the motion carried by the following vote:

AYES—Belotti, Berry, Brown, Burkhalter, Chapel, Coats, George D. Collins, Condon, Cooke, Crowley, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Luckel, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Stewart, Thomas, and Mr. Speaker—43

NOES—Babbage, Beck, Burke, Caldecott, Clarke, Cloyed, Collier, Connolly, Conrad, Davis, Dolwig, Fleury, Gubser, Hahn, Hinckley, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, McGee, Moss, Smith, Stanley, Tomlinson, and Waters—28.

Assembly Bill No. 607—An act to repeal the Automobile Parking District Act of 1941 and to repeal an act entitled "An act to provide for the formation of, government of, issuance of bonds by and assessment in motor vehicle parking districts." approved July 12, 1941, relating to automobile and vehicle parking districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—67

NOES—None

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1951

MR. SPEAKER: Your Committee on Military Affairs, to which were referred:

Assembly Bill No 1861
Assembly Bill No. 1862

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McCOLLISTER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1951

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:

Assembly Bill No. 823

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

McCOLLISTER, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 702—An act to add Section 685 to the Vehicle Code, relating to tire chains and the required use thereof.

Bill read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Belotti, Berry, Chapel, Dickey, Doyle, Evans, Gaffney, Hansen, Hawkins, Kelly, Lindsay, Luckel, Maloney, McFall, Meyers, Parker, and Sherwin—17.

NOES—Babbage, Beck, Brown, Burke, Burkhalter, Clarke, Collier, George D. Collins, Condon, Conrad, Cooke, Davis, Dunn, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Henderson, Hinckley, Kilpatrick, Kirkwood, Lanterman, Levering, Lipscomb, Lyon, Moss, Munnell, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Tomlinson, and Mr. Speaker—40

Assembly Bill No. 1009—An act to amend Section 179 of the Vehicle Code, relating to the transfer and renewal of licenses for vehicles.

Bill read third time.

Demand for Previous Question

Messrs. Conrad, Kelly, Gubser, McCarthy, and Lincoln demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No 1009.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Nichouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, and Tomlinson—58

NOES—Brady, Brown, Conrad, Davis, Dunn, Geddes, Hinckley, Levering, Stewart, and Waters—10.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 1676
Assembly Bill No 3376

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

GEDDES, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No. 1703

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 522
Assembly Bill No. 1672
Assembly Bill No. 1674
Assembly Bill No. 1678
Assembly Bill No. 2307

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

GEDDES, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 368
Assembly Bill No. 520
Assembly Bill No. 524
Assembly Bill No. 554
Assembly Bill No. 789
Assembly Bill No. 800
Assembly Bill No. 883
Assembly Bill No. 1673
Assembly Bill No. 1675
Assembly Bill No. 1677
Assembly Bill No. 1679
Assembly Bill No. 1680
Assembly Bill No. 2078

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 9, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 881
Assembly Bill No. 885
Assembly Bill No. 2261
Assembly Bill No. 2598
Assembly Bill No. 3179

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

GEDDES, Chairman

Above reported bills ordered to second reading.

Committee on Civil Service and State Personnel

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1951

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which was referred:

Assembly Bill No. 763

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CALDECOTT, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1010—An act to amend Section 248 of the Vehicle Code, relating to automobile wreckers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Nicholse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1850—An act to amend Sections 551, 553, 560.1, and 562 of, and to repeal Section 561 of, the Vehicle Code, relating to traffic rules.

Bill read third time.

Motion That Assembly Bill No. 1850 Be Re-referred to Committee

Mr. Hagen moved that Assembly Bill No. 1850 be withdrawn from the third reading file, and be re-referred to the Committee on Judiciary.

Mr. Lindsay seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—Cooke and Elliott—2.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1754

And reports the same correctly engrossed.

BURKE, *Chairman*

Above reported bill ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 255

Mr. Levering asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 255, temporarily passed on file, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 255

Assembly Bill No. 255—An act to amend Sections 2233 and 2233.5 of the Welfare and Institutions Code, relating to recovery of old age security aid received in violation of the law.

Bill read third time.

Motion to Amend

Mr. Levering moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, between lines 15 and 16, insert

"Collections based solely on this presumption shall not exceed the market value of the excess property."

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1853—An act to amend Section 680 of the Vehicle Code, relating to inspection of vehicles and equipment.

Bill read third time.

The roll was called. and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Sillman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—70.

NOES—Davis and Tomlinson—2.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2772 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Fleury asked for, and was granted, unanimous consent that Assembly Bill No. 2772 be withdrawn from the third reading file, and be re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 94

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended

DICKEY, Chairman

Above reported resolution ordered on file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1709—An act to amend Section 1647 of the Revenue and Taxation Code, relating to taxation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman,

Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1710—An act to amend Sections 3720, 3721, 3724, 3793.5, and 3808 of the Revenue and Taxation Code, relating to taxation.

Bill read third time.

Motion to Amend

Mr. Moss moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 6, of the printed bill, after "and", insert "the".

Amendment No. 2

On page 1, line 23, of said bill, after "stating", insert a comma.

Amendment No. 3

On page 1, line 24, of said bill, after "detail", insert a comma.

Amendment No. 4

On page 2, line 36, of said bill, after "supervisors.", insert "Upon the granting of an extension, notice thereof shall be given by the clerk of the board to the tax collector and the Controller."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 1711—An act to amend Sections 2921.5 and 2922 of the Revenue and Taxation Code, relating to taxation.

Bill read third time.

Motion to Amend

Mr. Moss moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 18, of the printed bill, strike out "attached", and insert "attaches".

Amendment No. 2

On page 1, line 22, of said bill, after the period, insert "If August 31st falls on Saturday, the hour of delinquency is 12 m."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1842

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1842, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1842

Assembly Bill No. 1842—An act to add Section 73.3 to the Streets and Highways Code, relating to the relinquishment of highways or portions thereof to local authorities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2416—An act to amend Sections 3803 and 3807 of the Revenue and Taxation Code, relating to the termination of the right of redemption of tax-deeded property sold to taxing agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2418—An act to validate certain acts of taxing agencies and revenue districts and of their officers, relating to the taxation of property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2842—An act to amend Sections 2621 and 2706 of the Revenue and Taxation Code, relating to payment of costs on tax delinquent property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson,

Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3383—An act to amend Section 214 of the Revenue and Taxation Code, relating to the welfare exemption.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75

NOES—None.

Bill ordered transmitted to the Senate.

ANNOUNCEMENT

Mr. Dickey announced, on behalf of Mr. Beck, a luncheon meeting and Democratic Caucus, upon recess, today, at the Hotel Sacramento.

RECESS

At 11.55 a.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Constitutional Amendment No. 53: By Mr. Elliott—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 6 of Article IV thereof, relating to the creation of regions for purposes of election of Legislative Representatives.

Referred to Committee on Constitutional Amendments.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1754

Mr. Chapel asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1754, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1754

Assembly Bill No. 1754—An act to add Section 454.3 to the Vehicle Code and to amend Sections 475, 476, and 640 thereof, relating to exemptions of funeral processions from obeying traffic signs and signals and authorizing the commissioning of motorcycle officer escorts and the use of red lights.

Bill read third time.

Demand for Previous Question

Messrs Gubser, Silliman, Hansen, Connolly, and Levering demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1754.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Chapel moved a call of the Assembly.

Motion carried. Time, 2.25 p m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Beck, Brown, Caldecott, Coats, Condon, Erwin, Hollibaugh, Kelly, Lyon, McFall, Parker, Shaw, and Waters—13.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Connolly asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3386—An act to add Section 6516 to the Revenue and Taxation Code, relating to assessments for sales and use taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Collier, George D. Collins, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kloeksiem, Lanterman, Levering, Lincoln, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—54.

NOES—Coats, Evans, and McCarthy—3.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2615—An act to add Chapter 9, comprising Sections 5700 to 5830.08, inclusive, to Part 3, Division 5 of the Health and Safety Code and to repeal the Joint Municipal Sewage Disposal District Act (Chapter 322 of the Statutes of 1941), relating to the organization, government, and powers of joint municipal sewerage disposal districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Mr Speaker—71

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 841

Mr. Hagen asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 841, passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 841

Assembly Bill No. 841—An act to add Section 2000 to the Government Code, dealing with the filing of claims against the State, district, county, city, or city and county.

Bill read third time.

Motion to Amend

Mr. George D. Collins moved the adoption of the following amendments:

Amendment No. 1

In the title of the printed bill, as amended in the Assembly on April 5, 1951, strike out lines 1 to 3, inclusive, and insert

"An act to add Section 2000 to the Government Code and Section 349.5 to the Code of Civil Procedure, relating to actions against governmental agencies."

Amendment No. 2

On page 1 of said bill, after line 10, insert

"SECTION 2 Section 349.5 is added to the Code of Civil Procedure, to read:

349.5. Notwithstanding anything to the contrary elsewhere in the law, the time for filing any action against any governmental agency, or for filing or presenting a claim in respect thereto with or to the agency as a condition of bringing the action or otherwise, is the same as that permitted for filing a similar action against a private person."

Amendments read.

Demand for Previous Question

Messrs. Hinckley, Luckel, Klocksiem, Caldecott, and Dunn demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendments offered by Mr. George D. Collins to Assembly Bill No. 841.

Amendments adopted.

Notice of Motion to Reconsider Amendments to Assembly Bill No. 841

Mr. Hagen gave notice that on the next legislative day he would move to reconsider the vote whereby the amendments offered by Mr. George D. Collins to Assembly Bill No. 841 were this day adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 657—An act to amend Section 10.2 of the Parking Law of 1949, relating to off-street parking facilities.

Bill read third time.

Motion to Amend

Mr. Brown moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 3, of the printed bill, after "10.2.", insert "Acquisition of Existing Parking Facilities: Limitation".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 404

Mr. Gaffney asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 404, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 404

Assembly Bill No. 404—An act to amend Section 4553 of the Labor Code, relating to workmen's compensation benefits for injuries sustained from serious and wilful misconduct.

Bill read third time.

Motion to Amend

Mr. Sherwin moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, after line 19, insert

"In any proceeding in which liability is claimed by reason of the act or omission of a supervisor, the employer shall be subrogated to recover from such supervisor the increased liability so claimed."

Amendment read.

Speaker Pro Tempore Presiding

At 2.55 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Point of Order

Mr. Sherwin arose to the following point of order: That Mr. Geddes is not speaking to the amendment.

Amendment No. 1 Read Again

By order of Speaker pro Tempore Maloney, Amendment No. 1, offered by Mr. Sherwin to Assembly Bill No. 404, was read again.

The question being on the adoption of the amendment offered by Mr. Sherwin to Assembly Bill No. 404.

Point of Order

Mr Gaffney arose to the following point of order: That Mr. Kirkwood is speaking on the bill, and not on the amendment.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order not well taken.

Demand for Previous Question

Messrs. Lincoln, Luckel, McCollister, Dunn, and Silliman demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendment offered by Mr. Sherwin to Assembly Bill No. 404.

Roll Call Demanded

Messrs. Gaffney, Condon, and Davis demanded a roll call.

The roll was called, and the amendment offered by Mr. Sherwin refused adoption by the following vote:

AYES—Babbage, Burke, Cloyed, Collier, Connolly, Conrad, Dunn, Erwin, Grunsky, Gubser, Hahn, Hansen, Hinckley, Kirkwood, Levering, Lindsay, Lipscomb, McCarthy, McGee, Meyers, Morris, Sherwin, Silliman, and Stanley—24

NOES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Chapel, Clarke, George D. Collins, Condon, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Hagen, Hawkins, Henderson, Hollibaugh, Kilpatrick, Lanterman, Lincoln, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Stewart, Thomas, and Tomlinson—44.

The question being on the passage of Assembly Bill No. 404.

Demand for Previous Question

Messrs. Hinckley, McCollister, Waters, Morris, and Lanterman demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 404.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Chapel, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Evans, Gaffney, Gubser, Hagen, Hahn, Hawkins, Henderson, Hollibaugh, Kilpatrick, Lincoln, Lindsay, Luckel, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, and Thomas—43

NOES—Babbage, Burke, Caldecott, Clarke, Cloyed, Collier, Connolly, Conrad, Dolwig, Erwin, Fleury, Geddes, Grant, Grunsky, Hansen, Hinckley, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lyon, McCarthy, McGee, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters—31.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 178	Assembly Bill No. 1583
Assembly Bill No. 541	Assembly Bill No. 1625
Assembly Bill No. 682	Assembly Bill No. 1912
Assembly Bill No. 1243	Assembly Bill No 1928
Assembly Bill No. 1256	Assembly Bill No. 1955
Assembly Bill No. 1511	Assembly Bill No. 1980
Assembly Bill No. 1515	Assembly Bill No 2252
Assembly Bill No. 1517	Assembly Bill No 2838
Assembly Bill No. 1519	Assembly Bill No. 2921
Assembly Bill No. 1540	Assembly Bill No. 3336

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 840

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1754

At 3 36 p.m , on motion of Mr. Chapel, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1754 passed by the following vote:

AYES—Belotti, Berry, Brady, Chapel, Clarke, Cloyed, Condon, Connolly, Crowley, Dills, Dolwig, Doyle, Dunn, Elliott, Gaffney, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kilpatrick, Klocksiem, Lanterman, Lindsay, Luckel, Lyon, Maloney, McCollister, McMillan, Meyers, Morris, Munnell, Niehouse, Porter, Rumford, Shaw, Stanley, Stewart, Thomas, and Mr. Speaker—41.

NOES—Babbage, Burke, Burkhalter, Collier, George D. Collins, Conrad, Cooke, Davis, Dickey, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hinckley, Kirkwood, Levering, Lincoln, Lipscomb, McCarthy, McGee, Moss, Sherwin, Silliman, Smith, and Tomlinson—27.

Bill ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Condon:

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1951

MR SPEAKER. In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Chapter 6, comprising Sections 875 and 876, to Part 2 of Division 2 of the Labor Code, relating to compensation of public utility employees.

Respectfully submitted.

ROBERT L. CONDON

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1951

MR SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr Condon:

An act to add Chapter 6, comprising Sections 875 and 876, to Part 2 of Division 2 of the Labor Code, relating to compensation of public utility employees

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—74.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3399: By Mr. Condon—An act to add Chapter 6, comprising Sections 875 and 876, to Part 2 of Division 2 of the Labor Code, relating to compensation of public utility employees.

Referred to Committee on Public Utilities and Corporations.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Messrs. Grant and Klocksiem:

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act declaring portions of revenue derived from lands conveyed to the City of Long Beach by an act entitled "An act granting to the City of Long Beach the tidelands and submerged lands of the State of California within the boundaries of the said city," approved May 1, 1911, and by an act entitled "An act granting certain tidelands and submerged lands of the State of California to the City of Long Beach upon certain trusts and conditions," approved April 28, 1925, as amended by an act entitled "An act to amend Section 1 of an act entitled 'An act granting certain tidelands and submerged lands of the State of California to the City of Long Beach upon certain trusts and conditions,' approved April 28, 1925, relating to the use of such tidelands and submerged lands," approved May 7, 1935, to be free from the public trust for navigation, commerce and fisheries, and from such uses, trusts, conditions and restrictions as are imposed by said acts.

Respectfully submitted.

WM. S. GRANT
H. R. KLOCKSIEM

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Messrs. Grant and Klocksiem:

An act declaring portions of revenue derived from lands conveyed to the City of Long Beach by an act entitled 'An act granting to the City of Long Beach the tidelands and submerged lands of the State of California within the boundaries of the said city," approved May 1, 1911, and by an act entitled "An act granting certain tidelands and submerged lands of the State of California to the City of Long Beach upon certain trusts and conditions," approved April 28, 1925, as amended by an act entitled "An act to amend Section 1 of an act entitled 'An act granting certain tidelands and submerged lands of the State of California to the City of Long Beach upon certain trusts and conditions,' approved April 28, 1925, relating to the use of such tidelands and submerged lands," approved May 7, 1935, to be free from the public trust for navigation, commerce and fisheries, and from such uses, trusts, conditions and restrictions as are imposed by said acts.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Shelwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—74.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3400: By Messrs. Grant and Klocksiem—An act declaring portions of revenue derived from lands conveyed to the

City of Long Beach by an act entitled "An act granting to the City of Long Beach the tidelands and submerged lands of the State of California within the boundaries of the said city," approved May 1, 1911, and by an act entitled "An act granting certain tidelands and submerged lands of the State of California to the City of Long Beach upon certain trusts and conditions," approved April 28, 1925, as amended by an act entitled "An act to amend Section 1 of an act entitled 'An act granting certain tidelands and submerged lands of the State of California to the City of Long Beach upon certain trusts and conditions,' approved April 28, 1925, relating to the use of such tidelands and submerged lands," approved May 7, 1935, to be free from the public trust for navigation, commerce and fisheries, and from such uses, trusts, conditions and restrictions as are imposed by said acts.

Referred to Committee on Governmental Efficiency and Economy.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Morris:

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1951

MR SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 1650 of the Labor Code, relating to the definition of artists' manager and artists.

Respectfully submitted.

G. DELBERT MORRIS

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1951

MR SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Morris:

An act to amend Section 1650 of the Labor Code, relating to the definition of artists' manager and artists.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—74.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3401: By Mr. Morris—An act to amend Section 1650 of the Labor Code, relating to the definition of artists' manager and artists.

Referred to Committee on Industrial Relations.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. McMillan:

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Sections 52a, 52b, and 52c to the Civil Code, relating to rentals to persons with children.

Respectfully submitted

L. A. McMILLAN

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. McMillan:

An act to add Sections 52a, 52b, and 52c to the Civil Code, relating to rentals to persons with children.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—74.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3402: By Mr. McMillan—An act to add Sections 52a, 52b, and 52c to the Civil Code, relating to rentals to persons with children.

Referred to Committee on Social Welfare.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 32 WAIVED

Mr. Rumford waived his notice of motion to reconsider the vote whereby Assembly Bill No. 32 was passed.

Assembly Bill No. 32 ordered transmitted to the Senate.

ANNOUNCEMENT

Mr. Luckel announced that bills now pending in the Committee on Transportation and Commerce which pertain to the Division of State Highways have been set for hearing on April 19th; and that any author wishing to have such bills as he is introducing heard at any other time should see him at once.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 10, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 234
Assembly Bill No 1200
Assembly Bill No 1202
Assembly Bill No 1203
Assembly Bill No 1210
Assembly Bill No 1214
Assembly Bill No 3378

J. A. BEEK, Secretary of the Senate
By C V. TAYLOR, Assistant Secretary

Above bills ordered enrolled

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills Nos 178, 2838, 1955, and 3336 re-referred to the Committee on Transportation and Commerce.

Assembly Bills Nos 1511, 1515, 1519, 1540, 1583, and 1517 re-referred to the Committee on Conservation, Planning, and Public Works.

Assembly Bills Nos 682, 1256, 1625, 1912, and 1928 re-referred to the Committee on Civil Service and State Personnel.

Assembly Bill No. 840 re-referred to the Committee on Municipal and County Government.

Assembly Bill No 1243 re-referred to the Committee on Ways and Means.

Assembly Bill No 2252 re-referred to the Committee on Public Health

Assembly Bills Nos 541, 1980, and 2921 re-referred to the Committee on Industrial Relations

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—At 8 p.m.—

Fish and Game, in Assembly Chamber.
Judiciary, in Room 435.

Today Upon Adjournment—

Public Health, in Room 426.
Agriculture, in Room 432.
Elections and Reapportionment, in Room 435.
Social Welfare, in Room 430.

Tomorrow, Wednesday, April 11th, At 9.15 a.m.—

Rules, in Room 320.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Messrs McCollister and Crowley, the usual courtesies of the Assembly for this day were unanimously extended to L. B. Sarasin, teacher; Mrs. Gordon Buck, Mrs. Clarence Griffith, Mrs. Frank Spicer, and Mrs. Lloyd Mery, parents; and the following pupils of the Inverness School, Marin County: Gregory Baker, Judy Buck, Patricia Buck, Carol Lee Davis, Roger Griffith, Holly Halse, Ramona Hershey, Donald Joslin,

Deanna Ludy, Joanne Muscio, Marian Muscio, Shirley Newell, Michael Mery, Eddie Richardson, Jane Spicer, Wilbur Watkins, and Robert Zimmer.

On request of Mr. Luckel and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to J. L Haugh of San Diego.

On request of Mr. Gubser, the usual courtesies of the Assembly for this day were unanimously extended to John G. Roffinella of Gilroy and Lawrence Giglielmetti, Jr., of Morgan Hill.

On request of Messrs Parker and McFall, the usual courtesies of the Assembly for this day were unanimously extended to Dorothy Stephens and John Blakemore, teachers; and the following pupils of the Stockton College: Norma Curry, Rita Bertolotto, Warren Jordan, Robert Massengale, Joy Rusher, Dorothy Fuhrmann, Norman Shumway, Elsie Baxter, Joan Niblock, Bobbie Little, Eugene Crow, John Savio, Mario Solari, Pat Kearns, Charleen Burshiem, Sam West, Richard Hughes, Rita Abasola, Emily Coronilla, Raylene Cowen, Frances Drewry, Darlene Escabar, Charles Gibson, Lorraine Hinshaw, Anita Larsen, Dita Larsen, Alice Masuoka, Christine Mayfield, Margie Moore, Pat Ridgley, Elsie Saiki, Manuel Scheidegger, Bob Scriven, Evelyn Takeuchi, Heline Williams, Cathie Zissis, Linda Lopez, Pat Maynard, and Geraldine Silva.

On request of Mr. Dickey, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Fred Carter of Oakland.

On request of Messrs. Gubser and Kirkwood, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. F. Carruthers and Mrs. A. Von Christussen, teachers, and the following pupils of the San Jose High School: Pat Collins, Rosamond Praisewater, Dorothy Weber, Darwin Hageman, Gertrude Jansens, Elvira Medo, Beatrice Vasquez, Charles Jochem, Darlene Elkerton, Marguerite Millet, Virginia Bettencourt, Rosemarie Bongiovanni, Robert Saito, Marcelyn Armetta, Lavelle Cook, Carole Dawson, Richard Nye, Alfred Perez, Bill Tanner, Betty Del Cerro, John Wathen, Melvin Nielson, Lena Albini, Sally Arena, Evelyn Brokenshire, Rose Marie Bonessa, Mary Lou Bernal, Donna Cuthbert, Jo Ann Dali, Dorene Farr, Sally Grundeman, June Hearrell, Elizabeth Halverson, Lorine Hightower, Betty Jean Inouye, Mary Alice Grimes, Tom Karis, Don Patrick, Kenneth Madsen, Jack Magnin, Sara Mason, Helen Nix, Angela Oliveri, Lelia Orlando, Tom Parcells, George Pickwell, Leo Rotondo, Jean Shigemoto, Dorothy Tomasello, Rose Raras, Fred Keplinger, Rheda Leach, Leona Vallee, Norma Wright, and Tony Zerbo.

On request of Messrs Moss and Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Miss Dillon, teacher, and the following pupils of the Lincoln School: Akiva Ishii, Tak Yamamoto, Tak Ichiho, Mohindar Singh, Audrey Smith, Hiro Imura, Jones Fong, Frank Woo, Dan Wong, Dan Lee, Dan Ouchida, Terry Wong, David Lee, Rudy Zamora, Guy Bowens, Jim Blackwood, Roosevelt Beatty, Ruben Solandez, Manuel Da Lomba, Charles Louie, David Fong, Norman Higashi, and Dan Fong.

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to C. O. Blose, Ben Minton, and

Martin Barstad, teachers; and the following pupils of the David E. Martin School: Lewis Burkhart, Diane Cleghorn, Robert Corbiere, Thomas Depolo, Dennis Ducey, Tarry Fetterman, Jack Gordon, Nadine Haughey, Marlene Hunt, David Jensen, Niels Jepsen, Michael Lear, Mary Lou Leathers, Barbara Loane, Antone Lorber, Barbara McClellan, Michael McIntyre, James Mack, Dennis Mackin, Delbert Madsen, Thelma Mello, Arlene Meyers, Jane Nissen, DeAnna Pratt, Phyllis Puscher, Lillian Raposa, David Roberts, Ronald Rutter, Kay Smith, Donna Stevenson, Georgann Thompson, Gail Turner, Sonja Westerlund, Charlene Whaley, and Marlene Whaley.

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Roche and R. E. Notley, teachers; and the following pupils of the Hayward School: John Bell, James Botelho, Eddie Brown, Arthur Cunningham, Dlebert Eaton, James Dawson, David Evans, Donald Gallagher, Eldon Gibbs, Robert Lewis, Wayne Plummer, John Ramos, Leslie Ramsey, Virgil Remmert, Tom Smith, Donald Stone, Roy Valente, Donald Vines, Richolas Williams, Roger Williams, Kay Adams, Kathleen Bannert, Barbara Coble, Madelle Finney, Nancy Kay Glassco, Doris Harbour, Patricia Hunter, Elaine Melton, Francisca Pandroza, Joyce Peterson, Joanne Plumb, Nancy Poerink, Janice Reed, Judy Rowen, Jeanne Sawyer, Christine Shawn, Judy Stefne, and Diane Beckley.

On request of Mr. Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to Robert Corbett, Mrs. Dean Lawrence, and Mrs. Frances Latimer, teachers; and the following pupils of the Placer Union High School: Pat Alley, Ben Ayres, Maxine Ayres, Betty Barnes, Edna Mae Barnes, Margie Bellato, Kenneth Bowen, Madge Brandt, Bob Bridges, Dean Brockbank, Wauneta Buchanan, Chris Catlin, Janis Daniels, Pat Dougherty, Bill Dunievitz, James Engbrecht, Karen Erickson, Robert Figenshu, Helen Fogal, Bob Foster, Bob Francis, David Funck, Mary Gillett, Jack Glasson, Yvonne Goulart, Ina Gray, James (Bud) Gray, Claire Haldorsen, Tom Hamamoto, Gaird Hamilton, Dorothy Hanamoto, Norman Harris, Roger Harrison, Ernest Hatheway, Ben Hauser, Kenneth Hedman, Jan Hickman, Barbara Hill, Teruko Hirabayashi, Claudean Hoover, Fred Irwin, Tom Jondahl, Paul Jones, Tak Kawamoto, Georgia Knoff, Chuichi Kobayashi, Leona Koch, Mary Laird, Barbara Lane, Shirley Lohrey, David Magie, Sally McCarthy, John McClelland, Jackie Meyer, Carmen Mitchell, Dan Monroe, Emiko Morimoto, Victor Nakamoto, Bill Nakata, Lyonel Nash, Ed Nunes, Barbara Oakes, Yuzurn Oakamoto, Jane Ott, Mike Raffetto, Wilda Randall, John Randles, Rhoda Rarick, David Reitz, Harley Resh, Ronald Roland, Thelma Seapy, Lola Sergo, Ann Shanley, Robert Smith, Walter Smith, Velma Suratt Koichi Takayama, Sakaye Tenma, James Tsuda, Bob Vaughn, Billee Wellett, Bill Westlund, Jack Wing, Tony Wukasinovich, Ed Yamashiro, and Kenneth Yoshino.

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to Paul M. Cook, teacher, and the following pupils of the Ceres School: Johnnie Surcegood, Keith Vaughn, Keith Wakefield, John Barrick, Frances Barber, Cherie Casey, Shirley Davis, Betty Drake, Betty Foster, Doris Henson, Charlotte Hinton, Westley Baker, Hughie Bryson, Billy Drake, Wiley Ellis, Noah

Fields, Buck Forest, Robert Fox, Billy Harren, Harold Himphill, Troy Keeney, Mike McNamera, Roy Murata, Benny Pettit, Gail Kuhl, Mary Lasiter, Yvonne Roberson, Wanda Safrit, Betty Shamblim, Betty Litsworth, Jean Warren, and Jo Whitman.

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. George Ingram of Macarthur, Mr. and Mrs. Ed Mathews of Yreka, Joseph Speers of Anderson, Abe Jensen of Susanville, Walter Rodman of Cedarville, Dale Williams of Alturas, and R. R. Noble of Red Bluff.

On request of Messrs. McFall and Parker, the usual courtesies of the Assembly for this day were unanimously extended to Sister M. Anselm, Sister M. Evangelist, Mrs. Leonardini, Mrs. Staton, and Mr. and Mrs. Burnham, and the following pupils of St. Anne's School of Lodi: Camille Barengo, Bob Comartin, Betty Halzenbulher, James Beckman, Ben Harrison, Michael Ratty, Joan Blanfus, Mercedes Regebruggi, Margaret Ling, Elizabeth Ratty, Beverly Tonini, Helen Funk, Pius Eberle, Maurene Thomas, Gary Ragunton, Ralph Berg, John Mondani, William Ribholtz, Tommy Koenig, Carl Wishek, Mary Burnham, John Miller, Barbara Bronelli, Barbara Gilbean, Milton Staton, Felix Itumaran, Marlene Stellitino, Lucille Wubel, Lucinda Ring, Rosemary Ragunton, Rosetta Delsi, Carveth Ousterhouse, Joelle Johnson, James Schmidt, Marlene Leonardini, Iventon Rond, Patricia Meier, and Sturla Hooker.

On request of Mr. Luckel and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Thomas M. Hamilton of San Diego.

On request of Mr. Meyers and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Louis Sutter of San Francisco.

On request of Mr. Lowrey, the usual courtesies of the Assembly for this day were unanimously extended to Howard Allard and Lavell Hanson, teachers, and the following pupils of the Willows School: Lucretia Allen, Ronald Alston, Marlene Arnold, Pauline Barnes, Matilda Bassetti, Ossie Blackmon, Katy Babnick, Neda Bradshaw, Lola Mae Carney, John Carslake, Charlotte Ely, Dennis Flynn, Lois Franklin, John Goulart, Bruce Hegwer, Mary Kaiser, Gloria Lauer, Mary Alice Marrit, Rita Martin, Mildred More, Thelma Morton, Ronald McClain, Janet McCracken, Michael McKelvey, Dolores McMahan, Retta Rasmussen, Bonny Reed, Jacqueline Robinett, Silvia Silva, Kathleen Smith, Sharon Soeth, Norma Spence, Lavelle Spooner, Florence Stroup, Wilma Tompkins, Jack Vader, Hugh Vanderford, Lester Victorine, Warren Walker, and Beverly Withee.

On request of Mr. Chapel, the usual courtesies of the Assembly for this day were unanimously extended to Del Lyman of Manhattan Beach.

ADJOURNMENT

At 3.45 p.m., on motion of Mr. Dickey, the Speaker pro Tempore declared the Assembly adjourned until 10 a.m., Wednesday, April 11, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

THIRTY-FIFTH LEGISLATIVE DAY

FORTY-SEVENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, April 11, 1951

The Assembly met at 10 a.m
Hon. Sam L. Collins, Speaker of the Assembly, presiding.
Chief Clerk Arthur A Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence A. Kircher:

Almighty God, Supreme Ruler and Governor of All. Thou art a strong tower of defense to all who trust in Thee. We humbly beseech Thy mercy for our nations engaged in war. Raise up a leadership for the crisis that has come upon us so suddenly. May we be united with liberty loving nations in a strong bond in the effort to win freedom for the peoples of the world. We pray for the men of our Armed Forces now serving in Korea. In the confusion and these days, we pray for a leadership that shall think clearly, react honestly, and serve sacrificially as true patriots

"God of Our Fathers, whose almighty hand
Leads forth in beauty in all the starry band
Of shining worlds in splendor through the skies,
Our grateful songs before Thy throne arise.
Thy love divine hath led us in the past;
In this free land by Thee our lot is cast;
Be Thou our Ruler, Guardian, Guide and Stay;
Thy word our law, Thy paths our chosen way."

In Jesus name—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. McMillan, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Butters, on motion of Mr. Erwin.

Mr. Lipscomb, on motion of Mr. Erwin.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Lowrey, on motion of Mr. Erwin.

COMMUNICATIONS

By Speaker Sam L. Collins:

A communication from the Kern County Republican Central Committee and a resolution relative to activities of the Welfare Administration in Kern County, with an accompanying report from the Kern County Grand Jury, have been received. The latter was ordered noted in the Journal, and the resolution, and report ordered referred to the Committee on Social Welfare.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED IN THE JOURNAL

Mr. Brown asked for, and was granted, unanimous consent that a letter of transmittal and a Progress Report by the Assembly Interim Committee on Judicial System and Judicial Process be ordered printed in the Journal in 10 point type.

(Above mentioned letter of transmittal and report will appear prior to the motion to adjourn.)

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 2332

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1951

MR SPEAKER: Your Committee on Elections and Reapportionment, to which were referred:

Assembly Bill No. 59
Assembly Bill No. 877

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WATERS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1951

MR SPEAKER: Your Committee on Elections and Reapportionment, to which were referred:

Assembly Bill No. 187
Assembly Bill No. 199
Assembly Bill No. 225
Assembly Bill No. 489
Assembly Bill No. 661
Assembly Bill No. 2433
Assembly Bill No. 2436
Assembly Bill No. 2437

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WATERS, Chairman

Above reported bills ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT THAT REPORTS BE READ, AND APPROPRIATE ACTION TAKEN

Mr. McCollister asked for, and was granted, unanimous consent that appropriate action be taken on following reports:

Reports read, as follows:

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 479
Assembly Bill No. 1641

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 1784

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

BROWN, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 589
Assembly Bill No. 1045
Assembly Bill No. 1049
Assembly Bill No. 1051
Assembly Bill No. 1164
Assembly Bill No. 1836
Assembly Bill No. 1868
Assembly Bill No. 2018
Assembly Bill No 2459
Assembly Bill No. 3382
Assembly Bill No. 1481

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 2300
Assembly Bill No 2624
Assembly Bill No. 2625
Assembly Bill No 2626

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred.

Senate Bill No. 26

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 255
Assembly Bill No. 657
Assembly Bill No. 1710
Assembly Bill No. 1711

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1024

And reports the same correctly engrossed

BURKE, Chairman

Above reported bill ordered to third reading.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1951

MR SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 2072
Assembly Bill No. 2692

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 50

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means

ERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which was referred.

Assembly Bill No. 2070

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass, as amended

ERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1951

MR SPEAKER: Your Committee on Fish and Game, to which was referred:

Senate Bill No 868

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 2044
Assembly Bill No. 2045
Assembly Bill No. 2049

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

ERWIN, Chairman

Above reported bills ordered to second reading.

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1951

MR SPEAKER Your Committee on Public Health, to which were referred:

Assembly Bill No. 1145
Assembly Bill No. 1147
Assembly Bill No 3364

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee.

CONNOLLY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1951

MR SPEAKER Your Committee on Public Health, to which was referred:

Assembly Bill No 3020

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CONNOLLY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1951

MR SPEAKER Your Committee on Public Health, to which was referred:

Assembly Bill No 3369

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CONNOLLY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1951

MR SPEAKER Your Committee on Public Health, to which was referred.

Senate Bill No 99

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

CONNOLLY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1951

MR. SPEAKER. Your Committee on Public Health, to which were referred:

Assembly Bill No. 813
Assembly Bill No. 2309
Assembly Bill No. 2370

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass, as amended

CONNOLLY, Chairman

Above reported bills ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 10, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed.

Senate Bill No. 107
Senate Bill No. 108
Senate Bill No. 204
Senate Bill No. 208
Senate Bill No. 214
Senate Bill No. 260
Senate Bill No. 262
Senate Bill No. 279
Senate Bill No. 348
Senate Bill No. 481
Senate Bill No. 509
Senate Bill No. 888
Senate Bill No. 1051
Senate Bill No. 1426

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 107—An act to add Article 13.5 to Chapter 11 of Division 2 of the Education Code, relating to the annexation of territory of a joint elementary school district to a high school district

Referred to Committee on Education.

Senate Bill No. 108—An act to add Section 718 to the Vehicle Code, relating to penalties for overloading vehicles.

Referred to Committee on Transportation and Commerce.

Senate Bill No. 204—An act to amend Section 6813 of the Public Resources Code, relating to agreements with adverse claimants of oil and gas lands.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

Senate Bill No. 208—An act to add Section 6501.1 to and to amend Section 6502 of, the Public Resources Code, relating to the leasing of public lands.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 214—An act to authorize the exchange by the State Park Commission with the Forest Service, United States Department of Agriculture, of certain lands in the Pfeiffer Big Sur State Park for lands of at least equal value adjacent to said state park.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 260—An act to amend Section 9485 of the Education Code, relating to the sale or other disposition of property of emergency schools.

Referred to Committee on Education.

Senate Bill No. 262—An act to amend Section 4103 of the Education Code, relating to the election of members of governing boards of junior college districts.

Referred to Committee on Education.

Senate Bill No. 279—An act to add Sections 685, 685.1, and 685.2 to the Vehicle Code, relating to equipment of vehicles.

Referred to Committee on Transportation and Commerce.

Senate Bill No. 348—An act to amend Section 27322 of the Government Code, relating to recordation of instruments

Referred to Committee on Judiciary.

Senate Bill No. 481—An act to add Sections 2733.5 and 2750.5 to the Business and Professions Code, relating to the practice of the profession of nursing, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Public Health.

Senate Bill No. 509—An act to add Section 18236 to the Education Code, relating to use of school buildings declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Senate Bill No. 888—An act to amend Sections 20371 and 20372 of the Education Code, relating to the appointment of state college employees.

Referred to Committee on Education.

Senate Bill No. 1051—An act to amend Section 737 of the Vehicle Code, relating to arrest of violators of Vehicle Code provisions.

Referred to Committee on Transportation and Commerce.

Senate Bill No. 1426—An act authorizing the Director of Finance to convey certain property to the University of California.

Referred to Committee on Military Affairs.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 10, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 1211

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file

SENATE CHAMBER, SACRAMENTO, April 10, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 42

J. A. BEEK, Secretary of the Senate
By C. V TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 42—Relative to the passing of Clyde L. Wymore.

Referred to Committee on Rules.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 907—An act to amend Section 45 of the Public Utility District Act of 1921, relating to debts in excess of limits being void except in cases where district finances water works by bond issue paying indebtedness out of revenues, by authorizing district to issue such bonds and to pledge revenues of such water works to payment thereof.

Bill read second time, and ordered engrossed.

Assembly Bill No. 910—An act to add Section 30.01 to the Public Utility District Act of 1921, authorizing the formation and operation of improvement districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 93—An act to amend Section 66 of the Code of Civil Procedure, relating to the number of Judges of the Superior Court in the County of Sonoma, and providing for the appointment of an additional judge and for compensation.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1722—An act to add Section 20358 to the Education Code, relating to the purchase of insurance in connection with driver training classes.

Bill read second time, and ordered engrossed.

Assembly Bill No. 847—An act to add Sections 7.1 and 10.1 to the Alcoholic Beverage Control Act, relating to licenses for the sale of alcoholic beverages.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2777—An act to amend Section 53.6 of, and to add Section 53.7 to the Alcoholic Beverage Control Act, relating to alcoholic beverages.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1861—An act to amend Section 1260 of the Military and Veterans Code, relating to definitions of veterans' associations for purposes of public buildings, parks, and centers therefor.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1862—An act to add Section 18616 to the Education Code, relating to leases of school district property to veterans' associations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 368—An act to amend Section 10203 of the Insurance Code, relating to group insurance policies.

Bill read second time, and ordered engrossed.

Assembly Bill No. 520—An act to amend Sections 10492 and 10493 of the Insurance Code, relating to benefit and relief associations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 524—An act to amend Sections 10270, 10270.4, 10271, 10292, 10381, 10382, 10390, and 10400 of the Insurance Code; to add Sections 10273, 10274, 10275, 10309, 10329, 10359, 10369.50, 10381.5, and 10383 to said code; and to add Articles 3a, comprising Sections 10320 to 10328, inclusive, 4a, comprising Sections 10350 to 10350.12, inclusive, and 5a, comprising Sections 10369.1 to 10369.12, inclusive, to Chapter 4, Part 2, Division 2 of said code, relating to disability insurance.

Bill read second time, and ordered engrossed

Assembly Bill No. 554—An act to amend Section 21002 of the Government Code, relating to the State Employees' Retirement System in respect to state employment of persons who have attained the age of compulsory retirement

Bill read second time, and ordered engrossed.

Assembly Bill No. 789—An act to amend Section 11580 of the Insurance Code, relating to liability insurance policies

Bill read second time, and ordered engrossed.

Assembly Bill No. 800—An act to amend Section 1664 of the Insurance Code, relating to insurance agents, brokers and solicitors.

Bill read second time, and ordered engrossed.

Assembly Bill No. 883—An act to amend Section 1031 of the Insurance Code, relating to mutual debts or credits in liquidating proceedings.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1673—An act to amend Section 10202.8 of the Insurance Code, relating to group life insurance.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1675—An act to amend Section 10203.4 of the Insurance Code, relating to group life insurance.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1677—An act to amend Section 10206 of the Insurance Code, relating to group life insurance.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1679—An act to amend Section 10270.5 of the Insurance Code, relating to group disability insurance.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1680—An act to amend Section 53200 of the Government Code, relating to group insurance.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2078—An act to amend Section 209 of the Unemployment Insurance Act, relating to benefits during hospitalization.

Bill read second time, and ordered engrossed.

Assembly Bill No. 908—An act to add Section 30.03 to the Public Utility District Act of 1921, authorizing public utility districts to accept loans and contributions from the State of California.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Utilities and Corporations:

Amendment No. 1

In line 1 of the title of the printed bill, strike out 'add Section 30.03 to", and insert "amend Section 3 of, and to add Sections 3.5 and 30 02 to,".

Amendment No. 2

In the title of said bill, strike out lines 2 and 3, and insert "1921, relating to the powers of public utility districts."

Amendment No. 3

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 3 of the Public Utilities District Act of 1921 is amended to read.

Sec. 3. A petition may consist of any number of separate instruments, all of which together shall constitute one petition. A separate petition is required from each unit of the proposed district All unincorporated territory participating in the proceedings and situated in one and the same county shall be regarded and treated for the purposes of the proceedings as an entirety and as a unit No elector within any one such unit of the proposed district shall sign any such petition of the electors of any other such unit of the proposed district. Each such petition shall, in addition to all other matters required to be stated therein, also name or describe the territory within which the electors signing the same reside

Every petition for the formation of a public utility district shall set forth the boundaries of the proposed district, and the name of the proposed district, which shall include the words "public utility district." *Every such petition shall also contain a statement of purposes specifying the purposes for which the district is to be formed, which purposes shall be limited to one or more of those purposes enumerated by Subdivision Fifth of Section 30.* Every such petition shall also contain a prayer that a public utility district comprising all of the proposed territory, or such portions thereof as are designated in the petitions as essential to its formation as hereinabove provided, be incorporated under the provisions of this act Every elector signing any such petition shall write his address opposite his signature thereto.

SEC. 2. Section 3.5 is added to said act, to read:

Sec 3.5. The statement of purposes contained in the petition shall be a limitation on the purposes for which the powers of the district granted by Sections 30 and 31 may be exercised, but shall, in no case, grant additional powers not included in Sections 30 and 31.

The statement of purposes may be amended only by a petition and an election following the same procedures and requirements as provided in this act for the petition and election for formation of the district.

SEC. 3 Section 30.02 is added to said act, to read:

Sec. 30 02 A district in existence on the effective date of this section is authorized to exercise the powers granted by Sections 30 and 31 only for such of those purposes enumerated in Subdivision Fifth of Section 30 as it is actually engaged in carrying out on the effective date of this section, until the authority of the district is enlarged by the adoption of an appropriate statement of purposes pursuant to Sections 3 and 3.5. Such statement shall constitute a limitation on the powers of the district as provided in Section 3.5."

Amendment No. 4

On page 1 of said bill, strike out lines 2 to 18, inclusive

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 835—An act to amend Section 10202 of, and to add Sections 5153.6, 7106, 7107, 10205, 10206, 10207, 10208, 10209, and 10210 to the Education Code, all relating to automobile driver training in the public schools.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education.

Amendment No. 1

On page 2, line 49, of the printed bill, as amended in the Assembly on March 23, 1951, after "training", insert "in Grades 9 to 12, inclusive, of the day secondary schools".

Amendment No. 2

On page 3, line 6, of said bill, strike out "of the schools", and insert "in Grades 9 to 12, inclusive, of the day secondary schools".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2120—An act to add Chapter 3, comprising Sections 15700 to 15716, inclusive, to Part 9, Division 3, Title 2 of the Government Code, relating to payment of interest on money deposited with the State to secure obligations under tax laws and authorizing the investment of such money.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 12, of the printed bill, as amended in the Assembly on April 2, 1951, after "per annum", insert "compounded annually".

Amendment No. 2

On page 1, lines 14 and 15, of the printed bill, as amended, strike out "no interest shall be computed on any deposit of less than twenty-five dollars ($25); (b)".

Amendment No. 3

On page 1, line 18, of the printed bill, as amended, strike out "(c)" and insert "(b)"; strike out lines 19 to 21, inclusive, and all of line 22 preceding "no".

Amendment No. 4

On page 2, line 1, of the printed bill, as amended, strike out "in an amount of less than one dollar ($1)".

Amendment No. 5

On page 2, line 3, of the printed bill, as amended, strike out "(e)", and insert "(c)".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 825—An act to amend Sections 102, 103, 146, 170, 188, 215, 254, 260, 262, 320, 321, 340, 394, 450, 451, 452, 457, 459, 461, 463, 464, 465, 550, 644, 644.1, 647, 648 and to add Section 213 of the Military and Veterans Code, and to amend Section 37892 of the Government Code, relating to the call of the militia to active service, federal service, the reduction of noncommissioned officers, the discharge of personnel, pay and allowances, disability benefits, courts-martial jurisdiction and procedure, disciplinary action and punishment, the admission to bail, Uniform Code of Military Justice, courts-martial process, confinement of minors, competitive exercises, discrimination against members of the National Guard, service awards, correction of orders and

directives, emergency purchases and services, membership in the California Defense and Security Corps, reversion to state control, leasing of land for military purposes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

In line 3 of the title of the printed bill, after "648", insert "of,".

Amendment No. 2

In line 4 of the title of said bill, strike out "of", and insert "to,".

Amendment No. 3

On page 1, line 4, of said bill, strike out "Forces", and insert "Force".

Amendment No. 4

On page 2, line 3, of said bill, after "of", strike out "Uniform", and insert "Military".

Amendment No. 5

On page 3, lines 5 and 6, of said bill, strike out ", the State Purchasing Agent Act and Section 675a, Political Code", and insert "and Chapter 4 of Part 3 of Division 3 of Title 2 of the Government Code".

Amendment No. 6

On page 3 of said bill, strike out line 13, and insert "of Chapter 4 of Part 3 of Division 3 of Title 2 of the Government Code."

Amendment No. 7

On page 4, line 16, of said bill, after "general", insert a comma

Amendment No. 8

On page 6, line 10, of said bill, after "court-martial:", strike out "the".

Amendment No. 9

On page 6, line 24, of said bill, strike out "two", and insert "to".

Amendment No. 10

On page 6, line 42, of said bill, after "punishment", insert a comma.

Amendment No. 11

On page 6, line 43, of said bill, after "thereof", insert a comma.

Amendment No. 12

On page 7, line 22, of said bill, strike out "(3)".

Amendment No. 13

On page 8, line 16, of said bill, strike out "constable", and insert "constables".

Amendment No. 14

On page 9, line 6, of said bill, after "by", insert "the"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 522—An act to amend Section 1730 of, and to add Section 1734 to, the Insurance Code, relating to insurance and bail licensees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, after "Section", strike out "1734", and insert "1730.5".

Amendment No. 2

On page 1, line 3, of said bill, after "1730.", strike out the remainder of the line; and strike out lines 4 to 25, inclusive, and insert

"All funds received by any person acting as an insurance agent, broker or solicitor, life agent of any type, life analyst, surplus line broker, special lines surplus line broker, motor club agent or bail agent or solicitor, as premium or return premium on or under any policy of insurance or undertaking of bail, are received and held by such person in his fiduciary capacity. Any such person who diverts or appropriates such fiduciary funds to his own use is guilty of theft and punishable for theft as provided by law.

SEC. 2. Section 1730.5 is added to the Insurance Code, to read:

1730.5. This section applies to any person licensed, whether under a permanent license, restricted license, temporary license, certificate of convenience or as a registrant, to act in any of the capacities specified in Section 1730. If fiduciary funds, as defined in Section 1730 and held for one or more principals, are maintained in accordance with subsection (b) hereof, such funds for other principals may be held and remitted in accordance with subsection (a) hereof. Otherwise each such person must elect and follow with respect to such funds, one of the following methods:

(a) Remit premiums, less commissions, and return premiums received or held by him to the insurer or the person entitled thereto within fifteen (15) days after the receipt thereof; or

(b) Maintain such fiduciary funds at all times in a bank account or depository separate from any other account or depository, in an amount at least equal to the premiums and return premiums, net of commissions, received by him and unpaid to the persons entitled thereto. However, such person may commingle with such fiduciary funds in such account or depository such additional funds as he may deem prudent for the purpose of advancing premiums, establishing reserves for the paying of return commissions or for such contingencies as may arise in his business of receiving and transmitting premium or return premium funds. Further, such person may commingle the funds of any principal with his own funds to an unlimited extent, if such principal in writing specifically waives the segregation requirements of this section. Commingling of funds as herein permitted shall not alter the fiduciary nature of such premium or return premium funds."

Amendment No. 3

On page 2 of said bill, strike out lines 1 to 36, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1672—An act to amend Section 10202 of the Insurance Code, relating to group life insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 2 of the printed bill, between lines 7 and 8, insert

"(g) If the number of employees insured on the effective date of the policy is less than 25, the maximum amount of insurance on any one life shall not exceed two and a half times the minimum amount of insurance on any one life."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1674—An act to amend Section 10203 of the Insurance Code, relating to group life insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "50", and insert "25".

Amendment No. 2

On page 2, line 1, of said bill, before "members", insert "only".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1678—An act to amend Section 1240 of the Insurance Code, relating to investments.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 26, of the printed bill, after the period, insert "Such investments shall be subject to the limitations imposed by this code."

Amendment read, and adopted

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2307—An act to amend Section 209 of the Unemployment Insurance Act, relating to disability benefits.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 18, of the printed bill, after "the", insert "daily".

Amendment No. 2

On page 1, line 19, of said bill, after "care", insert ", including special care or treatment,".

Amendment No. 3

On page 1, line 15, of said bill, after "the", insert "hospital".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1676—An act to amend Sections 10203.5, 10209 and 10213 of, and to add Section 10203.8 to, the Insurance Code, relating to group life insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 10, of the printed bill, as amended in the Assembly on March 31, 1951, after "property", insert "(exclusive of securities, investment certificates and bank deposits)".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3376—An act to amend Sections 151, 203, 208, 209 of, and to add Sections 209.1, 310, 310.5, and 452.5 to the Unemployment Insurance Act, relating to unemployment compensation disability insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 4 line 6, of the printed bill, as amended in the Assembly on April 6, 1951, strike out "$15.25", and insert "$15 24".

Amendment No. 2

On page 4, line 23, of said bill, strike out "53 20", and insert "53.19".

Amendment No. 3

On page 7, line 18, of said bill, strike out "10", and insert "7 '

Amendment No. 4

On page 7, line 26, of said bill, strike out "7", and insert "8".

Amendment No. 5

On page 8, line 18, of said bill, strike out "8 ', and insert "9".

Amendment No. 6

On page 5, line 4, of said bill, strike out "wages", insert "remuneration".

Amendment No. 7

On page 7, line 31, of said bill, after "or", insert "seventy-five per cent (75%) of".

Amendments read, and adopted

Bill ordered reprinted, and engrossed

Assembly Bill No. 763—An act to amend Sections 45007, 45008, and 45080 of, and to add Section 45083 to, the Government Code, relating to municipal personnel, merit and civil service systems, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "45007,".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 8, inclusive.

Amendment No. 3

On page 1, line 9, of said bill, strike out "SEC. 2.", and insert "SECTION 1."

Amendment No. 4

On page 1, line 19, of said bill, strike out "3 ", and insert "2."

Amendment No. 5

On page 2, line 5, of said bill, strike out "4.", and insert "3 "

Amendment No. 6

On page 2, line 13, of said bill, strike out "5 ", and insert "4."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1121—An act to amend Sections 309, 1713, 3630, 3671, 3800, 4103, 4110, 4113, 4603, 4619, 5204, 6502, 9304, and 9305 of the Corporations Code; to add Section 3802 thereto; to repeal Section 9700 thereof; and to re-entitle Article 5 of said code, all relating to corporations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Utilities and Corporations:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "309", and insert "1709".

Amendment No. 2

In line 2 of the title of the printed bill, following "5204," insert "6202,".

Amendment No. 3

In line 4 of the title of the printed bill, following "Article 5", insert "of Chapter 1, Part 8, Division 1, Title 1".

Amendment No. 4

On page 1, line 1, of the printed bill, strike out "309", and insert "1709".

Amendment No. 5

On page 1 of the printed bill, strike out lines 3 to 9, inclusive, and insert

"1709. When a corporation acquires its shares out of earned surplus, under Section 1706 or Section 1707, or out of paid-in surplus under Section 1706 or by gift or bequest, *or upon a merger or consolidation with*, or upon the distribution of the assets of another corporation, or upon forfeiture, such shares may be carried as treasury shares or may (at the option of the board of directors) be retired, but no change in the stated capital shall be made either upon the acquisition or retirement of such shares unless proceedings are duly taken to that end under Section 1904, except that when a corporation acquires by purchase or forfeiture shares issued by it upon which part of the agreed subscription price remains unpaid, the stated capital is reduced by the amount unpaid upon such shares without further proceedings.

Upon any authorized purchase of shares issued by the corporation, or by any corporation of which it is subsidiary, out of earned or paid-in surplus the earned or paid-in surplus shall be reduced by an amount equal to the purchase price of such shares."

Amendment No. 6

On page 4 of the printed bill, strike out lines 4, 5, and 6, and insert "to merge or consolidate shall, by resolution, approve the terms and conditions of the proposed agreement and the".

Amendment No. 7

On page 4 of the printed bill, strike out lines 29 to 32, inclusive, and insert

"(b) A copy of the resolution adopted by the board of directors showing approval of the terms and conditions of the agreement of merger or consolidation."

Amendment No. 8

On page 4 of the printed bill, following line 42, and preceding line 43, insert

"(g) The name of the surviving or consolidated corporation.

(h) That the agreement for merger or consolidation with (names of other constituent corporations) filed with the Secretary of State concurrently with this certificate, pursuant to Section 4113, is the agreement hereinabove referred to and sets forth the terms and conditions approved by said resolution of directors and vote of shareholders."

Amendment No. 9

On page 4, line 45, of the printed bill, following "agreement", insert ", or an executed counterpart thereof,".

Amendment No. 10

On page 6 of the printed bill, following line 16, and preceding line 17, insert

"SEC 13 5. Section 6202 of said Code is amended to read:

6202. "Articles" includes the articles or certificate of incorporation, or other document filed for the purpose of creating the corporation with the Secretary of State or other official of the State or place under the laws of which the corporation is created,

and any amendments thereof, any certificates supplemental thereto, or any special charter, statute, or governmental act creating it, and any charter, statute, or governmental act amendatory thereof or supplemental thereto.

If the laws of the State or place of incorporation authorize the filing therein of any certificate or other instrument by which the articles, charter or certificate of incorporation as amended is restated, then such restated amended articles, charter or certificate of incorporation together with all subsequent amendments and all instruments supplementary to the original instrument or act of incorporation may be deemed to constitute "articles" within the meaning of this chapter."

Amendment No. 11

On page 6 of the printed bill, strike out lines 28 to 31, inclusive, and insert "process and order to the address specified in the order if the corporation has not filed the statement required by Section 6403, otherwise to the two offices of the corporation the addresses of which are set forth in such statement or in statements subsequently filed"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Utilities and Corporations

Assembly Bill No. 2061—An act to continue in effect Sections 1, 2, 3, 4, 6, 7, 8, 8.5, 8.6, and 9 of an act entitled "An act to repeal Section 10 of an act entitled "An act to repeal Chapters 2, 3, 4, 12, 13, 13.5, 13.6, 14, 15, 15.5, 16, and 16.5 of the Education Code; to add Chapters 2, 12, 13, 14, 15, and 16 to said code; to amend Section 8761 of said code, and to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately," approved May 28, 1947 (Chapter 401, Statutes of 1947), to provide for the continuance in effect of an act entitled "An act to amend Section 10 of an act entitled 'An act to repeal Chapters 2, 3, 4, 12, 13, 13.5, 13.6, 14, 15, 15.5, 16, and 16.5 of the Education Code; to add Chapters 2, 12, 13, 14, 15, and 16 to said code; to amend Section 8761 of said code; and to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately,' approved May 28, 1947 (Chapter 401, Statutes of 1947); to repeal Sections 6713, 7039, 7052, 7064, 7068, 7117, 7126, 7128, and 7147 of the Education Code; to repeal Article 4 of Chapter 13, and Article 6 of Chapter 14, of Division 3 of said code; to add Article 4 to Chapter 13, Article 6 to Chapter 14, and Articles 1 and 13.5 to Chapter 15, of Division 3 of said code; to add Sections 5157, 7126, 7132, and 7151 to said code; to amend the headings of Articles 1 and 13 of Chapter 15 of Division 3 of said code; and to amend Sections 5152, 5153, 5156, 6703, 6714, 6812, 7002, 7012, 7023, 7032, 7033, 7034, 7035, 7036, 7037, 7038, 7041, 7061, 7062, 7063, 7067, 7081, 7091, 7092, 7094, 7095, 7101, 7103, 7111, 7112, 7113, 7114, 7115, 7116, 7121, 7122, 7124, 7130, 7146, 7146.1, 7148, 7149, 7150, 7208, 7231, and 9645 of said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately," approved July 20, 1949 (Chapter 1017, Statutes of 1949) except Section 1 thereof; to repeal Sections 6714 and 7094 of the Education Code; to add Sections 5153.3 and 6904 to said code; and to amend Sections 7091, 7092, 7095, 7113, 7116, and 6951 of said code, to repeal Articles 2 and 3 of Chapter 15, Division 3 of said code and to add Articles 2 and 11.6 to Chapter 15, Division 3 of said code all relating to the Public School System," approved May 5, 1950 (Chapter 74, Statutes 1950 First Extraordinary Session); to repeal Sections 2.5, 5, 10, 11.5, 12, and 13 of said act; to repeal Sections 5153.3 and 7091 of the Education Code; to repeal Articles

2 and 3 of Chapter 15 of Division 3 of said code, to add Sections 5153.3 and 7091 to said code; and to add Articles 2 and 11.6 to Chapter 15 of Division 3 of said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on March 23, 1951, strike out "and 9", and insert "9 and 11.5".

Amendment No. 2

In line 42 of the title of said bill, strike out "11.5".

Amendment No. 3

In line 43 of the title of said bill, after "5153.3", insert ", 6812".

Amendment No. 4

In line 44 of the title of said bill, strike out "and 3", and insert ", 3 and 11.6".

Amendment No. 5

In line 45 of the title of said bill, after "5153.3", insert ", 6812".

Amendment No. 6

On page 3, line 11, of said bill, strike out "11.5".

Amendment No. 7

On page 3, line 13, of said bill, after "5153.3", insert ", 6812"

Amendment No. 8

On page 3, line 15, of said bill, strike out "and 3", and insert ", 3 and 11.6".

Amendment No. 9

On page 3 of said bill, between lines 29 and 30, insert

"SEC. 5.1. Section 6812 is added to said code to read:

6812. The minimum school day for pupils of kindergarten is 180 minutes, inclusive of recesses except that if during the Fiscal Years 1950-1951, 1951-1952, and 1952-1953 a school district maintained or maintains two kindergarten classes on the same day which are taught by the same teacher, the minimum school day for each of such classes shall be 130 minutes, inclusive of recesses."

Amendment No. 10

On page 4, line 28, of said bill, strike out "Article 11 of this chapter", and insert "Chapter 9 of Division 4".

Amendment No. 11

On page 4, line 29, of said bill, strike out "special".

Amendment No. 12

On page 4 of said bill, strike out lines 51 and 52, and insert

"(d) Establish and prescribe formulae for the sole purpose of computing financial allowances under which school busses may be acquired in accordance with the provisions of Section 7017."

Amendment No. 13

On page 5 of said bill, strike out lines 3 to 5, inclusive, and insert

"(f) Establish and prescribe formulae for the sole purpose of computing financial allowances for reimbursement of replacement expenses incurred by a school district in replacing school busses."

Amendment No. 14

On page 10 of said bill, strike out lines 15 to 18, inclusive.

Amendment No. 15

On page 10, line 19, of said bill, strike out "7109.5", and insert "7109.4".

Amendment No. 16

On page 10, line 28, of said bill, strike out "7109.6", and insert "7109.5".

Amendment No. 17

On page 10, line 33, of said bill, strike out "7109.7", and insert "7109.6".

Amendment No. 18

On page 10, line 40, of said bill, strike out "7109.8", and insert "7109.7".

Amendment No. 19

On page 10, line 46, of said bill, strike out "7109.9", and insert "7109.8".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 2685—An act to limit fire hazards at lots operated for parking of automobiles and to require attendants at such lots during hours of operation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Boards and Commissions:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "such", and insert "certain types of".

Amendment No. 2

On page 1, line 8, of said bill, after "lots", insert ", except those serviced by a ticket vending machine,".

Amendment No. 3

On page 1 of said bill, after line 9, insert

"SEC. 4. For the purposes of this act, "serviced by a ticket vending machine," means a parking lot which is operated under the following conditions:

(a) The only means of collecting charges for the privilege of parking is a coin operated mechanical device in which the patron of the parking lot inserts through an orifice in the device a coin or coins of the United States of varying denominations and receives through an aperture in the coin operated mechanical device, a ticket, token, or other similar object which evidences the right, privilege, or license of the patron to use the parking lot facilities for parking purposes for specified and varying periods of time depending upon the number of and value of the coins so inserted

(b) The operator of the parking lot, or his employee, agent, or other person acting on his behalf, makes a periodic inspection of the parking lot at intervals not further in time apart than the maximum period of time a right, privilege, or license may be evidenced by a ticket, token, or other similar object emitted by the coin operated mechanical device mentioned in subdivision (a) of this section."

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Boards and Commissions.

Assembly Bill No. 3187—An act to add Section 67.2 to the Alcoholic Beverage Control Act, relating to tax-free alcoholic beverages.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Boards and Commissions:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "tax-free".

Amendment No. 2

On page 1 of said bill, strike out lines 3 to 6, inclusive, and insert

"SEC 67.2. Notwithstanding any other provision of this act or any other law, any person may bring into this State from Mexico and may possess not more than two quarts of alcoholic beverages for his personal use, without payment of any taxes or fees imposed thereon by this State, and without obtaining an importer's license or other license."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Boards and Commissions.

Assembly Bill No. 881—An act to add Section 1101.1 to the Insurance Code and to amend Section 1106 of such code, relating to brokerage commissions on reinsurance, and penalties therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 7, of the printed bill, after "apply", insert "*to brokerage or commissions authorized by the board of directors of the ceding insurer as compensation for services actually rendered nor*".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 885—An act to amend Sections 922.1, 922.2, and 1591, to renumber and amend Section 922.5 and to repeal Sections 922.3 and 922.4 of, and to add Sections 922.3, 922.4, 922.5, 922.6, 922.7, and 922.8 to, the Insurance Code, relating to financial statements of insurers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 2, line 40, of the printed bill, strike out "and", and insert "*or*"

Amendment No. 2

On page 3, line 24, of the printed bill, strike out "such period", and insert "periods".

Amendment No. 3

On page 3 of the printed bill, strike out lines 25 to 28, inclusive, and insert "*ment dates, to the extent that the ceding insurer holds the funds of or deposits made by the reinsurer or there has been a deposit in trust, conforming to the requirements of Section 922.5 With respect to reinsurance in non-admitted*".

Amendment No. 4

On page 3, line 39, of the printed bill, strike out ", or with respect to any contract in which", and insert a period.

Amendment No. 5

On page 3 of the printed bill, strike out lines 40 and 41.

Amendment No. 6

On page 5, line 5, of the printed bill, after "contract", insert "*without the consent of the ceding insurer*".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 2261—An act to amend Section 44 of the Unemployment Insurance Act, relating to unemployment insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert "and to add Section 45.2 to".

Amendment No. 2

On page 2, line 19, of said bill, strike out "when", and insert "unless".

Amendment No. 3

On page 2, line 21, of said bill, strike out "such employer shall have", and strike out lines 22 and 23, and insert "there was in existence a regulation of the department, published in the California Administrative Code, which clearly and unambiguously provides that the services for which such wages were paid or are payable do not constitute agricultural labor. Whenever, in any decision of the Appeals Board or in any manual, instruction or opinion explaining a regulation of the department the department changes its position with respect to whether specified services constitute agricultural labor as defined by regulation published in the California Administrative Code, such change in position shall be prima facie evidence that such regulation was not clear and unambiguous with respect to such services."

Amendment No. 4

On page 2, line 24, of said bill, strike out "sions of this act"

Amendment No. 5

On page 2 of said bill, after line 30, insert

"SEC. 2. Section 45.2 is added to said act, to read:

Sec. 45.2. No action or proceeding shall be commenced, to collect any contributions, penalties or interest provided for in this act, later than one year after the last day of the month following the calendar quarter during which the contribution liability accrued, with respect to services performed, in the employ of a bona fide owner or tenant of a farm, either (1) exclusively on such farm, or (2) both on such farm and on the farms of other owners or tenants of farms, unless by reason of any willful intent to evade the provisions of this act no contribution return or an erroneous return has been filed.

SEC. 3. The Legislature finds that the definition of "agricultural labor" as set forth in the regulations of the department has been changed by the department from time to time, and that such definition has been interpreted in a varied and inconsistent manner by both the department and by employers, all of which makes administration of the act costly and inefficient and creates an uncertain and hazardous situation for employers engaged in agriculture. During the fifteen years which have elapsed since the adoption of the Unemployment Insurance Act, the boundaries of almost every other exemption made by Section 7 of the act from the definition of employment subject to the act have been fairly clearly delineated. The extent of the exemption of agricultural labor contained in Section 7 (a), on the other hand, remains almost as uncertain as it was when the act was first adopted. The Legislature therefore declares that the proper and economic administration of the act, and the public welfare, require the adoption of the provisions of this act."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 2598—An act to add Section 2058 to the Banking Code, relating to the purchase of all of the stock of a bank or trust company by another bank or trust company.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 23, inclusive, and insert

"2058. Subject to the prior approval of the Superintendent of Banks and the affirmative vote of two-thirds of all of its directors, a bank or trust company may purchase in one transaction 100 percent of the outstanding shares of any state bank or of a national banking association, or trust company operating in this State, in accordance with a plan by which:

1. The bank whose stock has been purchased shall immediately be merged with the purchasing bank in the manner contemplated by law; or

2. The bank whose stock has been purchased, shall immediately be dissolved, its assets vested in its shareholders and its deposits and all other liabilities, including trust liabilities, shall be assumed by the acquiring bank or trust company, subject to the right of each depositor of the bank whose stock has been purchased to withdraw his deposit and of the right of trustors and beneficiaries under trusts held by such bank to nominate another trustee as in the case of the purchase and sale of the business of a bank under Section 2051 of this code.

The acquiring bank may permit directors of the bank or trust company, whose shares are so acquired, to retain their respective qualifying shares until dissolution, provided that each such director agrees to accept the purchase price of his shares in lieu of his proportionate share of the assets upon dissolution.

Upon the approval by the superintendent of the plan, he shall fix a time when the consummation of such plan shall become effective Upon completion of the plan, the acquiring bank ipso facto and by operation of law and without further transfer, substitution, act or deed, succeeds to the rights, properties, assets, investments, deposits, demands, agreements and trusts of the bank or trust company whose stock has been purchased under all trusts, executorships, administrations, guardianships, agencies, and all other fiduciary or representative capacities to the same extent as though it had originally assumed the same and shall succeed to and be entitled to take and execute the appointment to all executorships, trusteeships, guardianships and other fiduciary and representative capacities to which the bank whose stock has been purchased may be named, or is thereafter named, in wills whenever probated or to which it is, or may be named, or appointed by any other instrument, all subject to all other provisions of this code.

Before granting the approval required by this section, the superintendent may direct the purchasing bank to continue banking facilities at the location, or locations, of the purchased bank, if, in his judgment, public convenience would require the continuation of such banking facilities. The superintendent may also impose such other terms and conditions as will, in his judgment, be considered necessary to insure the faithful carrying out of the requirements hereof."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 3179—An act to add Section 6 8 to the Unemployment Insurance Act, relating to unemployment insurance coverage.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 6 8", and insert "amend Section 7 of, and to add Section 7 4".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 8, inclusive, and insert

"SECTION 1. Section 7 of the Unemployment Insurance Act is amended to read:

Sec. 7 The term "employment" does not include:

(a) Agricultural labor[;], *unless the cash remuneration paid for such labor (other than service performed in connection with the production or harvesting of any commodity defined as an agricultural commodity in Section 15 (g) of the federal "Agricultural Marketing Act," or in connection with the ginning of cotton) is fifty dollars ($50) or more and such labor is performed for an employer by an individual who is regularly employed by such employer to perform such agricultural labor. For the purpose of this subsection an individual shall be deemed to be regularly employed by an employer only if—*

(i) Such individual performs agricultural labor (other than service performed in connection with the production or harvesting of any commodity defined as an agricultural commodity in Section 15 (g) of the federal "Agricultural Marketing Act," or in connection with the ginning of cotton) for such employer on a full-time basis on 60 days during such quarter, and

(ii) The quarter was immediately preceded by a qualifying quarter. For the purposes of the preceding sentence, the term "qualifying quarter" means (I) any quarter during all of which such individual was continuously employed by such employer, or (II) any subsequent quarter which meets the test of clause (i) if, after the last quarter during all of which such individual was continuously employed by such employer, each intervening quarter met the test of clause (i). Notwithstanding the preceding provisions of this subparagraph, an individual shall also be deemed to be regularly employed by an employer during a calendar quarter if such individual was regularly employed (upon application of clauses (i) and (ii) by such employer during the preceding calendar quarter.

(b) Domestic service in a private home;

(c) Maritime services as to which this State is prohibited by the Constitution and laws of the United States of America from requiring contributions of employers or their workers with respect to wages as provided in this act;

(d) Service performed by an individual in the employ of his son, daughter, or spouse, and service performed by a child under the age of 21 in the employ of his father or mother;

(e) Service performed in the employ of the United States Government or of any instrumentality of the United States; provided, that in the event that the Congress of the United States shall permit the states to require any instrumentalities of the United States to make payments into an unemployment fund under a state unemployment compensation act, and to comply with state regulations thereunder, then, to the extent permitted by Congress, and from and after the date as of which such permission becomes effective, all of the provisions of this act shall be applicable to such instrumentalities and to services performed for such instrumentalities in the same manner, to the same extent, and on the same terms as to all other employers, employing units, individuals and services; provided further, that if this State should not be certified by the Social Security Board under Section 903 of the Social Security Act for any year, then the payments required of such instrumentalities and their workers with respect to such year shall be refunded by the commission from the Unemployment Fund without interest;

(f) Service performed in the employ of a state, a political subdivision thereof, or an instrumentality of one or more states or political subdivisions;

(g) Service performed in the employ of a corporation, community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual, and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting, to influence legislation;

(h) Service, under any unemployment compensation system established by a law of the United States;

(i) Service performed by uncompensated officers or employees of a corporation or association where the corporation or association is not subject to the Federal Unemployment Tax Act.

(j) Service performed by directors of a corporation or association receiving a per diem or not more than twenty dollars ($20) for attending meetings of the board of directors, with or without a reasonable mileage for going to and from meetings of the board and other reasonable expenses incidental to attending such meetings where the corporation or association is not subject to the Federal Unemployment Tax Act.

(k) If, when, and during such time as the definition of the term "employment," as contained in the Federal Unemployment Tax Act, excludes from "employment" any one or more of the following types of service, then that type or types or service as are so excluded shall likewise be excluded from the definition of employment as contained in this section:

(1) Domestic service in a local college club, or local chapter of a college fraternity or sorority;

(2) Casual labor not in the course of the employer's trade or business;

(3) Service performed in any calendar quarter in the employ of any organization exempt from Federal income tax if

(i) The remuneration for such service does not exceed forty-five dollars ($45), or

(ii) Such service is in connection with the collection of dues or premiums for a fraternal beneficiary society, order or association and is performed away from the home office or is ritualistic service in connection with any such society, order or association, or

(iii) Such service is performed by a student who is enrolled and is regularly attending classes at a school, college or university.

(4) Service performed in the employ of an agricultural or horticultural organization;

(5) Service performed in the employ of a voluntary employees' beneficiary association providing for the payment of life, sick, accident, or other benefits to the members of such association or their dependents, if

(i) No part of its net earnings inures (other than through such payments) to the benefit of any private shareholder or individual, and

(ii) Eighty-five per centum or more of the income consists of amounts collected from members for the sole purpose of making such payments and meeting expenses;

(6) Service performed in the employ of a voluntary employees' beneficiary association providing for the payment of life, sick, accident, or other benefits to the members of such association or their dependents or designated beneficiaries, if (i) admission to membership in such association is limited to individuals who are employees of the United States Government, and (ii) no part of the net earnings of such association inures (other than through such payments) to the benefit of any private shareholder or individual;

(7) Service performed in any calendar quarter in the employ of a school, college, or university, not exempt from federal income tax, if such service is performed by a student who is enrolled and is regularly attending classes at such school, college, or university, and the remuneration for such service does not exceed forty-five dollars ($45) (exclusive of room, board, and tuition);

(8) Service performed in the employ of a foreign government (including service as a consular or other officer or employee or a nondiplomatic representative);

(9) Service performed in the employ of an instrumentality wholly owned by a foreign government

(i) If the service is of a character similar to that performed in foreign countries by employees of the United States Government or of an instrumentality thereof; and

(ii) If the Secretary of State shall certify to the Secretary of the Treasury that the foreign government, with respect to whose instrumentality exemption is claimed, grants an equivalent exemption with respect to similar service performed in the foreign country by employees of the United States Government and of instrumentalities thereof

(10) Service performed as a student nurse in the employ of a hospital or a nurses' training school by an individual who is enrolled and is regularly attending classes in a nurses' training school chartered or approved pursuant to state law; and service performed as an interne in the employ of a hospital by an individual who has completed a four years' course in a medical school chartered or approved pursuant to state law."

SEC. 2. Section 7.4 is added to said act, to read:

Sec. 7.4. As used in this act "agricultural labor" includes all service performed—

(1) On a farm, in the employ of any person, in connection with cultivating the soil, or in connection with raising or harvesting any agricultural or horticultural commodity, including the raising, shearing, feeding, caring for, training, and management of livestock, bees, poultry, and fur-bearing animals and wildlife

(2) In employ of the owner or tenant or other operator of a farm, in connection with the operation, management, conservation, improvement, or maintenance of such farm and its tools and equipment, or in salvaging timber or clearing land of brush and other debris left by a hurricane, if the major part of such service is performed on a farm.

(3) In connection with the production or harvesting of any commodity defined as an agricultural commodity in Section 15 (g) of the Agricultural Marketing Act, as amended, or in connection with the ginning of cotton, or in connection with the operation or maintenance of ditches, canals, reservoirs, or waterways, not owned or operated for profit, used exclusively for supplying and storing water for farming purposes

(4) (A) In the employ of the operator of a farm in handling, planting, drying, packing, packaging, processing, freezing, grading, storing, or delivering to storage or to market or to a carrier for transportation to market, in its unmanufactured state, any agricultural or horticultural commodity; but only if such operator produced more than one-half of the commodity with respect to which such service is performed.

(B) In the employ of a group of operators of farms (other than a co-operative organization) in the performance of service described in subparagraph (A), but only if such operators produced all of the commodity with respect to which such service is performed. For the purposes of this subparagraph, any unincorporated group of operators shall be deemed a cooperative organization if the number of operators comprising such group is more than 20 at any time during the calendar quarter in which such service is performed.

(C) The provisions of subparagraphs (A) and (B) shall not be deemed to be applicable with respect to service performed in connection with commercial canning or commercial freezing or in connection with any agricultural or horticultural commodity after its delivery to a terminal market for distribution for consumption.

(5) On a farm operated for profit if such service is not in the course of the employer's trade or business or is domestic service in a private home of the employer.

As used in this section, the term "farm" includes stock, dairy, poultry, fruit, fur-bearing animal, and truck farms, plantations, ranches, nurseries, ranges, greenhouses or other similar structures used primarily for the raising of agricultural or horticultural commodities, and orchards."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 176—An act to repeal Section 7508 of the Welfare and Institutions Code, relating to actions against the Department of Institutions or its agencies

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 176?

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, strike out "Institutions", and insert "Mental Hygiene".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 176 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Chapel, Cloved, Coats, Collier, George D. Collins, Condon, Connolly, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—57.

NOES—None.

Assembly Bill No. 176 ordered enrolled

Assembly Bill No. 259—An act making an appropriation to reimburse the Emergency Fund, Item 277, Budget Act of 1950, and providing for the reimbursement of the State Highway Fund, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 259?

Amendment No. 1

On page 1, line 11, of the printed bill, as amended, following "may", insert "be".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 259 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Cooke, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—62.

NOES—None.

Assembly Bill No. 259 ordered enrolled.

Assembly Bill No. 366—An act amending Section 643 of the Welfare and Institutions Code, relating to probation officers' annual reports.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 366?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on March 22, 1951, strike out lines 3 to 18, inclusive, and insert

"643 Every probation officer, within [15] *90* days after the thirty-first day of December, of each year, shall make in writing and file as a public document a report to the judge of the juvenile court of the county in which such probation officer is appointed, and shall furnish to the board of supervisors of such county and to the Youth Authority a copy thereof. Such report, without giving names, shall show the exact number of wards of such juvenile court that remain under the care and supervision of the court on such thirty-first day of December, segregating such wards as to sex, the subdivision of Section 700 under which they were adjudged wards, and the commitment or disposition order as such existed on said thirty-first day of December."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 366 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dolwig, Doyle, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lindsay, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—62.

NOES—None.

Assembly Bill No 366 ordered enrolled.

Assembly Bill No. 603—An act to amend Section 1083.1, 1083.3, 1083.5, and 1089 of the Agricultural Code, relating to commercial feeding stuffs.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 603?

Amendment No. 1

In line 1 of the title of the printed bill, following "1083.5," insert "1083.6,".

Amendment No. 2

On page 2 of said bill, strike out line 23, and insert "payment of the inspection tonnage tax required by Section 1083.5.

Special mixes referred to in this section shall not be resold. The pro-".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 3 of said bill, between lines 5 and 6, insert

"SEC. 3.5. Section 1083.6 of the Agricultural Code is amended to read:

1083.6. The tags referred to in Section 1083.5 may be purchased from a commercial printer provided said printer has posted with the director a bond in the sum of one thousand dollars ($1,000) guaranteeing collection of the *inspection tonnage* tax prior to printing such tags, and has also agreed in writing to abide by regulations imposed upon said printer by the director The inspection *tonnage* tax, *immediately upon receipt thereof by the printer from the purchaser of the tags,* shall be remitted *by the printer* to the director *together* with a copy of the [invoice] *purchaser's order* for the tags Each such tag shall bear the inscription "California Feeding Stuffs Tax Paid" and shall indicate the number of pounds to be placed in the container to which the tag is to be attached and for which the tax is paid."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 603 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—67

NOES—None.

Assembly Bill No 603 ordered enrolled

Speaker Pro Tempore Presiding

At 10 25 a m., Hon. Thomas A Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 1035—An act to repeal Sections 10101, 10102, 10103, 10106, 10107, 10108, 10109, 10110, 10176, 10180, 10181, 10182, 10200, 10375, and 10579, to renumber and amend Sections 10104 and 10105, to amend Sections 10100, 10111, 10112, 10113, 10118, 10119, 10175, 10179, 10552, 10576, 10577, 10578, and 10630, and to add Sections 10121, 10200, 10278.5, 10375, and 10554, to the Health and Safety Code, relating to vital statistics and the registration of births, deaths and marriages.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1035?

Amendment No. 1

In line 2 of the title of the printed bill, after "10110," insert "10111,"

Amendment No. 2

In line 4 of the title of said bill, strike out "10111,"

Amendment No. 3

In line 6 of the title of said bill, after "add Sections", insert "10103,".

Amendment No. 4

On page 2 of said bill, after line 10, insert

"SEC 4.5 Section 10103 is added to the Health and Safety Code, to read

10103. Each assistant or deputy of any health officer who is also the local registrar, may act as assistant or deputy registrar, and as such has all of the powers and may perform all of the duties of the local registrar, in the name and stead of his principal."

Amendment No. 5

On page 2, line 11, of said bill, strike out "and 10110", and insert "10110, and 10111".

Amendment No. 6

On page 6 of said bill, strike out lines 1 to 5, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1035 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Evans, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lockslem, Lanterman, Levering, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stewart, Thomas, Tomlinson, and Waters—58

NOES—None.

Assembly Bill No. 1035 ordered enrolled.

MOTION TO RECONSIDER AMENDMENTS TO ASSEMBLY BILL NO. 841

In compliance with a notice given on a previous day, Mr. Hagen moved that the vote whereby amendments to Assembly Bill No. 841 were adopted be reconsidered.

Further consideration of above matter ordered passed on file until the next legislative day.

MOTION TO SET SPECIAL ORDER

Mr. Sherwin moved that Assembly Bill No. 500 be made a special order of business for today, Wednesday, April 11, 1951, at 11 a m.

The roll was called, and the motion carried by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Doyle, Elliott, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lockslem, Lanterman, Levering, Lincoln, Maloney, McCarthy, McCollister, McFall, McGee, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Waters, and Mr Speaker—59.

NOES—None.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 255—An act to amend Sections 2233 and 2233.5 of the Welfare and Institutions Code, relating to recovery of old age security aid received in violation of the law.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Doyle, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Levering, Lincoln, Maloney, McCarthy, McCollister, McFall, McGee, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Thomas, Waters, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1710—An act to amend Sections 3720, 3721, 3724, 3793.5, and 3808 of the Revenue and Taxation Code, relating to taxation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Lanterman, Levering, Lincoln, Maloney, McCarthy, McFall, McGee, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stewart, Thomas, and Waters—57.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1711—An act to amend Sections 2921.5 and 2922 of the Revenue and Taxation Code, relating to taxation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kloeksiem, Lanterman, Levering, Lincoln, Lindsay, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—61.

NOES—None

Bill ordered transmitted to the Senate.

MEMBER EXCUSED

At 10:38 a.m., Mr. Munnell asked for, and was granted, unanimous consent that Mr. Kilpatrick be excused, for the balance of the legislative day because of legislative business elsewhere and stated that he desires to waive his per diem.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 617—An act to amend Sections 950 and 951 of the Probate Code, relating to preferred labor claims for wages.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Kloeksiem, Levering, Lincoln, Luckel, McCarthy, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Stewart, Thomas, and Waters—55.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 956—An act to amend Section 200 of the Labor Code, relating to the definition of the terms "wages," "labor," and "discharge," as used in Article 1, Chapter 1, Part 1, Division 2 of the Labor Code.

Bill read third time.

Motion to Amend

Mr. Levering moved the adoption of the following amendments:

Amendment No. 1

On page 1, lines 12 and 13, of the printed bill, strike out "other than a quit.", and insert "at the instance of the employer with or without cause, and shall include a layoff which extends beyond the next succeeding regular payday."

Amendment No. 2

At the end of the above amendment, insert

"(d) 'Quit' means a termination of employment at the instance of an employee, and shall include any termination of employment resulting from an employee's unexplained absence from his work."

Amendments read

Request for Unanimous Consent That Amendments Be Printed in Journal Without Action at This Time

Mr. Condon asked for unanimous consent that Assembly Bill No. 956 be passed on file, and that the amendments offered by Mr. Levering be ordered printed in the Journal without action at this time

Motion That Assembly Bill No. 956 Be Re-referred to Committee

Mr. Luckel moved that Assembly Bill No. 956, with proposed amendments, be withdrawn from the third reading file, and be re-referred to the Committee on Transportation and Commerce.

Mr. McMillan seconded the motion.

Motion Withdrawn

Mr. McMillan withdrew his second.

Mr. Luckel withdrew his motion.

By unanimous consent, the request by Mr. Condon was granted, and Assembly Bill No 956 was ordered passed on file, and the proposed amendments ordered printed in the Journal without further action at this time.

Assembly Bill No. 322—An act to add Section 678.5 to the Vehicle Code, relating to equipment of vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, Waters, and Mr. Speaker—65.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 747—An act to amend Section 5243 of the Streets and Highways Code, relating to local improvement proceedings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Luckel,

Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Thomas, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 10 56 a m , Hon. Sam L. Collins, Speaker of the Assembly, presiding.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bills were withdrawn from the inactive file, and placed upon the third reading file:

Assembly Joint Resolution No. 21, on request of Mr. Kelly.

Assembly Bill No. 420, on request of Mr. Silliman.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1272—An act to amend Section 177 of the Vehicle Code, relating to notices of sales by vehicle dealers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Colher, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Evans, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hollibaugh, Klocksiem, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Smith, Stanley, Thomas, and Waters—52

NOES—George D. Collins, Cooke, and Moss—3.

Bill ordered transmitted to the Senate.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bills were withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 856, on request of Mr. Rosenthal.

Assembly Bill No. 135, on request of Mr Burke.

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1951

MR. SPEAKER. Your Committee on Agriculture, to which was referred.

Senate Bill No. 470

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No 1198

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1951

MR. SPEAKER: Your Committee on Agriculture, to which were referred

Assembly Bill No 2127
Assembly Bill No. 2484

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

CLARKE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1951

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 601
Assembly Bill No. 1023
Assembly Bill No. 1549
Assembly Bill No 2125
Assembly Bill No. 3223

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

CLARKE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1951

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Senate Bill No 105
Senate Bill No. 106
Senate Bill No. 221
Senate Bill No. 563
Senate Bill No. 1231
Senate Bill No. 1254
Senate Bill No. 1258

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1951

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Senate Bill No. 104
Senate Bill No. 894

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CLARKE, Chairman

Above reported bills ordered to second reading.

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bill No. 500 was taken up.

Assembly Bill No. 500—An act making appropriations for the support of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Hollibaugh moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, strike out line 3, and insert

"SEC. 2. Ninety percent (90%) of the following sums of money, or such smaller portion thereof".

Amendment read.

Roll Call Demanded

Messrs. Conrad, Evans, and McGee demanded a roll call.

The roll was called, and the amendment offered by Mr. Hollibaugh to Assembly Bill No. 500 refused adoption by the following vote:

AYES—Brady, Chapel, Cloyed, Crowley, Dills, Dolwig, Evans, Hahn, Hansen, Hollibaugh, Kelly, Luckel, McCollister, McGee, Morris, and Niehouse—16.

NOES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hawkins, Henderson, Hinckley, Kirkwood, Klocksiem, Lincoln, Lindsay, Maloney, McCarthy, McFall, McMillan, Meyers, Moss, Munnell, Parker, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Tomlinson, and Waters—49

The question being on the passage of Assembly Bill No. 500

Consideration of Further Amendments
Motion to Amend

Mr. Coats moved the adoption of the following amendment:

Amendment No. 1

On page 51 of the printed bill, as amended in the Assembly on March 21, 1951, after line 4, insert

"185—For establishment and maintenance of roadside parks as public picnic and recreational areas, Division of Beaches and Parks, Department of Natural Resources ..... $25,000".

Amendment read, and refused adoption.

The question being on the passage of Assembly Bill No 500.

Consideration of Further Amendments
Motion to Amend

Mr. George D. Collins moved the adoption of the following amendment:

Amendment No. 1

On page 8 of the printed bill, as amended in the Assembly on March 21, 1951, strike out lines 7 to 39, inclusive.

Amendment read.

The roll was called, and the amendment refused adoption by the following vote:

AYES—George D. Collins, Dills, Elliott, Hollibaugh, Luckel, McMillan, Morris, and Parker—8.

NOES—Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Davis, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Shaw, Sherwin, Smith, Stanley, Stewart, Tomlinson, and Waters—51.

The question being on the passage of Assembly Bill No. 500.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—74.

NOES—George D Collins—1.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr. Cooke asked for, and was granted, unanimous consent that his name be placed upon the roll call, on Assembly Bill No. 500, and that he be recorded as voting "Aye".

Speaker Pro Tempore Presiding

At 11.50 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 1539
Assembly Bill No. 1623
Assembly Bill No. 1985
Assembly Bill No. 2931
Assembly Bill No. 3145

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

RECESS

At 11.52 a m., on motion of Mr. Dickey, the Assembly recessed until 11.53 a.m. for the purpose introducing "Hildegarde," well known singer, to the Members of the Assembly and to visitors in the Gallery.

REASSEMBLED

At 11.53 a.m., the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Arthur A Ohnimus at the desk

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills Nos 1539 and 3145 re-referred to the Committee on Conservation, Planning, and Public Works

Assembly Bill No 2931 re-referred to the Committee on Civil Service and State Personnel.

Assembly Bills Nos 1623 and 1985 re-referred to the Committee on Ways and Means.

RECESS

At 11 54 a.m., on motion of Mr Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1079

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

UNANIMOUS CONSENT GRANTED TO RECALL SENATE BILL NO. 1218 FROM THE SENATE

Mr. Maloney asked for, and was granted, unanimous consent that the Chief Clerk be instructed to request the Senate to return Senate Bill No. 1218 for further consideration.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1508—An act to amend Section 7053 of the Business and Professions Code, relating to the regulation of contractors, and exemption therefrom.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Stanley, and Thomas—55.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1509—An act to add Sections 7075.1, 7075.4, and 7075.5 to the Water Code, relating to water wells.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, and Thomas—56.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 1513—An act to amend Section 7076 of the Water Code, relating to water wells.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Grant,

Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, and Thomas—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1514—An act to add Sections 7075.2 and 7075.3 to the Water Code, relating to water wells.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, and Waters—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1516—An act to add Sections 13052.1 and 13052.2 to the Water Code, relating to the control of water pollution.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1510—An act to amend Section 7048 of the Business and Professions Code, relating to contractors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—68.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1512

Mr. Dickey asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1512, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1512

Assembly Bill No. 1512—An act to add Section 7076.1 to the Water Code, relating to water wells.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—65

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolutions were offered.

By Mr. Dickey:

House Resolution No. 112

Resolved, That the Controller be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Department of Finance (supplies)	$179.97
Department of Finance (typewriter service)	33 11
Department of Finance (toll charges)	.80
Martyrs' (supplies)	6.18
Cascade Towel Supply (towel service)	51 90
Western Union (telegrams)	66.46

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 112, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—71.

NOES—None.

By Mr. Dickey:

House Resolution No. 113

Resolved by the Assembly of the State of California, That the Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly

in favor of the Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, in the sum of two thousand dollars ($2,000), said amount being for the purchase of postage stamps to be used by Members of the Assembly for official mail; and be it further

Resolved, That the Chief Clerk be and he is hereby directed to purchase postage stamps in such amounts and denominations, not exceeding two thousand dollars ($2,000), in the aggregate, as shall be necessary for the use of the Members of the Assembly for official mail; and be it further

Resolved, That the amount of stamps requisitioned by any one Member of the Assembly for official mail shall not exceed the sum of twenty-five dollars ($25).

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 113, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sillman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—71.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1612

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1612, temporarily passed on file, out of order, at this time

CONSIDERATION OF ASSEMBLY BILL NO. 1612

Assembly Bill No. 1612—An act to add Section 451.1 to the Vehicle Code, relating to vehicular traffic

Bill read third time.

Motion That Assembly Bill No. 1612 Be Re-referred to Committee

Mr. Hinckley asked for, and was granted, unanimous consent that Assembly Bill No. 1612 be withdrawn from the third reading file, and be re-referred to the Committee on Judiciary.

Mr Conrad seconded the motion.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 11, 1951

MR. SPEAKER: I am directed to inform your honorable body that, pursuant to your request, the Senate is returning:

Senate Bill No. 1218

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

REQUEST FOR UNANIMOUS CONSENT TO EXPUNGE RECORD, AND RESCIND ACTION ON SENATE BILL NO. 1218

Mr. Hollibaugh asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on March 28th, passed Senate Bill No. 1218 and ordered it transmitted to the Senate; and that the Assembly Journal for March 28th be corrected to show this action, and that the Journal be approved as corrected.

FURTHER CONSIDERATION OF SENATE BILL NO. 1218

Senate Bill No. 1218—An act to add Section 10246 to the Government Code, relating to participation by the Legislative Counsel in judicial proceedings.

Bill read third time.

Motion to Amend

Mr. Cl ke moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 10, inclusive, and insert "10246 The Legislative Counsel shall not appear in any action or proceeding in the courts of this State or of the United States without the prior approval of the Joint Committee on Interhouse Cooperation. If the existence of said committee terminates, such approval may be given in writing by the Speaker of the Assembly and the President pro Tempore of the Senate Nothing in this section shall prevent the Legislature from giving its approval for such appearance by concurrent resolution"

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 3402 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mrs. Niehouse asked for, and was granted, unanimous consent that Assembly Bill No. 3402 be withdrawn from the Committee on Social Welfare, and be re-referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1951

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which were referred:

Assembly Bill No. 2430
Senate Bill No. 789

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WATERS, Chairman

Above reported bills ordered to second reading.

Speaker Pro Tempore Presiding

At 2.35 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 23—Relative to economy in Federal Government expenditures and services;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the eleventh day of April, 1951, at 2 30 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1951

MR SPEAKER. Your Committee on Legislative Procedure has examined.

Assembly Concurrent Resolution No. 34—Relative to the veterans' property tax exemption in respect to persons now serving in the Armed Forces;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the eleventh day of April, 1951, at 2.30 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1640—An act to amend Section 20583 of the Education Code, relating to revenue bonds issued under the State College Revenue Bond Act of 1947 as legal investments;

Assembly Bill No. 3378—An act to amend Section 1170 of the Probate Code, relating to real property affected by the death of any person, providing for filing of a petition with respect thereto;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of April, 1951, at 2 p.m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1210—An act to amend Sections 2210, 2211, and 2216 of the Business and Professions Code, relating to qualifications for the practice of medicine;

Assembly Bill No. 1214—An act to amend Section 2319 of the Business and Professions Code, relating to reciprocity applicants for a physician's and surgeon's certificate;

Assembly Bill No. 1639—An act to amend Section 4.37 of The University of California Dormitory Revenue Bond Act of 1947, relating to legal investments of revenue bonds issued under said act, and declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of April, 1951, at 2 p m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1200—An act to add Section 5402.5 to, and to amend Section 5406 of, the Welfare and Institutions Code, relating to the support and parole of persons committed or confined to branches of county jails for inebriety;

Assembly Bill No. 1202—An act to amend Section 1335 of the Penal Code, relating to conditional examination of witnesses;

Assembly Bill No. 1203—An act to repeal Section 496 and to amend and renumber Section 496b of the Penal Code, relating to buying, receiving, concealing, or withholding stolen property, and prescribing penalties for violation of the provisions thereof;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of April, 1951, at 2 p.m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 822—An act to amend Section 988.3 of the Military and Veterans Code, relating to advances of money to the Department of Veterans Affairs by the State Department of Finance;

Assembly Bill No. 1036—An act to amend Sections 1102 and 1140 of the Health and Safety Code, relating to state aid for local health administration;

Assembly Bill No. 1037—An act to amend Sections 10525, 10528, 10529, and 10532 of the Health and Safety Code, Sections 69a and 73 of the Civil Code, and Section 27252 of the Government Code and to repeal Sections 27241 and 27242 of the Government Code, relating to the registration and indexing of marriages;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of April, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 234—An act to amend Sections 1731.5 and 1732 of the Welfare and Institutions Code, relating to commitments to the Youth Authority;

Assembly Bill No. 242—An act to add Section 1529 to Chapter 8 of Division 4 of the Probate Code, relating to guardian and ward;

Assembly Bill No. 341—An act to add Section 886 to the Welfare and Institutions Code, relating to a ward of the juvenile court residing in a county other than the county of his residence;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of April, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 365—An act to amend Section 1203.11 of the Penal Code, relating to probation officers' reports;

Assembly Bill No. 367—An act to amend Section 826.5 of the Welfare and Institutions Code, relating to alternative procedure in misdemeanor cases with respect to the orders of juvenile court referees;

Assembly Bill No. 609—An act to provide for the reversion to the General Fund of any unexpended balance in the Sacramento and San Joaquin Drainage District General Administrative Assessment No. 1 Fund;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of April, 1951, at 2 p.m.

BURKE, Chairman

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1245—An act to amend Sections 18021, 18573, 18854, 18859, and 19538 of the Government Code, relating to salaries of state employees.

Bill read third time

Demand for Previous Question

Messrs. Lanterman, Hansen, Luckel, Silliman, and Geddes demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1245.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering,

Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Waters—62.

NOES—Condon, Evans, and Henderson—3.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 376

Mr. Hansen asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 376, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 376

Senate Bill No. 376—An act to amend the heading of Chapter 2 of Part 6.5, Division 11 of the Water Code, to add a heading for Article 1 of, and to add Article 2 to, Chapter 2, Part 6.5, Division 11 of the Water Code, relating to distribution districts in irrigation districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Request for Unanimous Consent to Expunge Record, and Rescind Action on Adoption of Urgency Clause to Senate Bill No. 376

Mr. Hansen asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on this day, adopted the urgency clause to Senate Bill No 376.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2730 HOLD PLACE ON FILE

Mr. Fleury asked for, and was granted, unanimous consent that Assembly Bill No. 2730 be passed on file, and hold its place on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 462—An act to amend Section 426 of the Education Code, relating to county school superintendents' salaries in counties of the twenty-sixth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—64

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 1079—An act to add Sections 31627.1, 31629, and 31671.1 to, and to amend Sections 31527, 31591, 31602, 31628, 31642,

31649, 31652, and 31700 of, and to repeal Section 31560 and Article 13 consisting of Sections 31800, 31801, 31802, 31803, 31804, and 31805, of Chapter 3 of Part 3 of Division 4 of Title 3 of, the Government Code, relating to retirement of county employees

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—67.

NOES—None.

Bill ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented.

By Mr. Sam L. Collins:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1951

MR SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 50, 51, 53, 54, and 55 of, and to add Section 55.5 to, the Fish and Game Code, relating to game management areas.

Respectfully submitted.

SAM L. COLLINS

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1951

MR SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Sam L. Collins:

An act to amend Sections 50, 51, 53, 54, and 55 of, and to add Section 55.5 to, the Fish and Game Code, relating to game management areas.

GRUNSKY, Vice Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, and Waters—69.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 3403: By Mr. Sam L. Collins—An act to amend Sections 50, 51, 53, 54, and 55 of, and to add Section 55.5 to, the Fish and Game Code, relating to game management areas.

Referred to Committee on Fish and Game.

Assembly Concurrent Resolution No. 40: By Mr. Hagen—Relative to Sequoia Gigantea groves.

Referred to Committee on Rules

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 828, on request of Mr. Clarke.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 93
Assembly Bill No. 368
Assembly Bill No. 520
Assembly Bill No. 524
Assembly Bill No. 554
Assembly Bill No. 789
Assembly Bill No. 800
Assembly Bill No. 847
Assembly Bill No. 883
Assembly Bill No. 907
Assembly Bill No. 910
Assembly Bill No. 1673
Assembly Bill No. 1675
Assembly Bill No. 1677
Assembly Bill No. 1679
Assembly Bill No. 1680
Assembly Bill No. 1722
Assembly Bill No. 1861
Assembly Bill No. 1862
Assembly Bill No. 2078
Assembly Bill No. 2777

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1951

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:

Assembly Bill No. 888

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

McCOLLISTER, Chairman

Above reported bill ordered to second reading.

PROGRESS REPORT TO THE LEGISLATURE

1951 Regular Session

By the
ASSEMBLY INTERIM COMMITTEE ON JUDICIAL SYSTEM
AND JUDICIAL PROCESS
Pursuant to House Resolution No. 232

ASSEMBLY INTERIM COMMITTEE ON JUDICIAL SYSTEM AND JUDICIAL PROCESS

California Legislature—1951 Regular Session

MEMBERS OF STANDING COMMITTEE

HON. RALPH M. BROWN, *Chairman*—30th District, Modesto
HON. WILLIAM H. ROSENTHAL, *Vice Chairman*—40th District, Los Angeles
HON. JOHN D. BABBAGE—76th District, Riverside
HON. JULIAN BECK—41st District, San Fernando
HON. ELWYN S. BENNETT—51st District, Los Angeles
HON. BERNARD R. BRADY—19th District, San Francisco
HON. THOMAS W. CALDECOTT—18th District, Berkeley
HON. GEORGE D. COLLINS, JR.—22d District, San Francisco
HON. ARTHUR H. CONNOLLY, JR.—21st District, San Francisco
HON. ERNEST C. CROWLEY—5th District, Fairfield
HON. RICHARD J. DOLWIG—27th District, South San Francisco
HON. GORDON A. FLFURY—8th District, Sacramento
HON. DONALD L. GRUNSKY—32d District, Watsonville
HON. ROBERT I. MCCARTHY—25th District, San Francisco
HON. H. ALLEN SMITH—43d District, Glendale
HON. STANLEY T. TOMLINSON—37th District, Santa Barbara
HON. LAUGHLIN E. WATERS—58th District, Los Angeles

STAFF MEMBERS

MISS DOROTHY SIMS—*Secretary to the Standing Committee*
THEODORE M NORTON—*Attorney to the Standing Committee*
STERLING HUTCHESON—*Secretary to Sex Crime Subcommittee*
OAK K. BURGER—*Consultant to Sex Crime Subcommittee*
JOSEPH E. STEWART, JR.—*Secretary to Subversive Subcommittee*
JOHN BOHN—*Secretary to Traffic Subcommittee*

LETTER OF TRANSMITTAL

SACRAMENTO, CALIFORNIA
April 11, 1951

HONORABLE SAM L. COLLINS
Speaker of the Assembly
Assembly Chambers, State Capitol
Sacramento, California

DEAR MR. SPEAKER: Pursuant to House Resolution 232 of the 1949 Regular Session, the Assembly Interim Committee on Judicial System and Judicial Process transmits to the Assembly herewith its Progress Report. Included are the reports of the subcommittees on Sex Crimes Subversive Activities, Traffic and Motor Vehicle Violations, Detective Licenses, Legal Education and Admission to the Bar, and Judicial Salaries.

Meetings of the full committee and of the several subcommittees were held in all parts of the State. Testimony was received from officials, experts and from interested members of the general public, and much of the most valuable and significant testimony is summarized or reproduced herein. The committee did not feel that it was responsible for preparing legislation to implement all of its recommendations; however, much such legislation was prepared by the committee staff and has been introduced by the individual members.

A preliminary report of the Sex Crimes subcommittee was filed and printed last year. The wide interest in, and distribution of this report should be noted. Copies were sent to all judges, school superintendents, sheriffs, district attorneys, and police departments in California. Furthermore, copies have been requested from and sent to universities, legislative bodies and other government agencies, mental and penal institutions and libraries all over this country and as far abroad as Lucknow, India.

The passage of Proposition 3, the Inferior Courts Reorganization Plan, has made much legislation imperative. Most of the research and drafting involved has been done by the staff of the Judicial Council, whose work is to be highly commended. This committee and its several members have done their best to cooperate with the Judicial Council and wish to be recorded as supporting the legislation introduced in this regard.

A final report of this interim committee will be forthcoming at a later date during this session.

Respectfully submitted,

RALPH M. BROWN, Chairman
WILLIAM H. ROSENTHAL, Vice Chairman
JOHN D. BABBAGE
JULIAN BECK
BERNARD R. BRADY
GEORGE D. COLLINS, JR.
THOMAS W. CALDECOTT
ARTHUR H. CONNOLLY, JR.
ERNEST C. CROWLEY
RICHARD J. DOLWIG
GORDON H. FLEURY
DONALD L. GRUNSKY
ROBERT I. MCCARTHY
H. ALLEN SMITH
STANLEY T. TOMLINSON
LAUGHLIN E. WATERS

House Resolution No. 232

Relative to the creation of the Assembly Interim Committee on the Judicial System and Judicial Process

WHEREAS, There is great need of a thorough investigation into all phases of the Judicial System of the State, and the administration of justice therein, in order that facts may be obtained and correlated as a basis for future legislation; and

WHEREAS, The facts relating to said subjects can best be secured by a fact-finding committee of the Legislature; now, therefore, be it

Resolved by the Assembly of the State of California, as follows:

1. The Assembly Interim Committee on the Judicial System and Judicial Process is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the subject of this resolution, and all facts included and in any way related to the subjects mentioned in the recitals hereof, including but not limited to:

(a) The composition, structure, jurisdiction and administration of the several courts;

(b) The method of selection, compensation and retirement of judicial officers and attaches;

(c) The procedure, process, and rules of the courts, statutory and otherwise;

(d) All provisions of the law relating to civil actions and remedies, and all laws relating to criminal procedure;

(e) All laws relating to publication of notices and service of process;

(f) All laws relating to family relations including marriage, divorce and adoptions and the administration of such laws, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the same Members of the Assembly who comprise the membership of the Assembly Standing Judiciary Committee and the chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties.

(a) To select a vice chairman from its membership

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution

6 The sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

(Adopted June 28, 1949; Assembly Journal of the 1949 Regular Session, pages 5130 and 5131.)

House Resolution No. 43

Relative to an investigation and report by the Assembly Interim Committee on the Judicial System and Judicial Process on the subject of legislation relating to sex offenses

WHEREAS, One of the subjects submitted to the Legislature at this special session is to consider and act upon legislation relating to sex offenses; and

WHEREAS, It is necessary that the Assembly be fully informed on all facts and matters relating or pertaining to this subject in order that it may give proper consideration to the numerous measures pending before it; now, therefore, be it

Resolved by the Assembly of the State of California, as follows:

1. The Assembly Interim Committee on the Judicial System and Judicial Process (created by H. R. No. 232, 1949 Regular Session) is authorized and directed to ascertain, study, and analyze all facts relating to sex offenses that are introduced during this special session, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and shall report thereon to the Assembly prior to the final adjournment of the 1951 Regular Session or may report thereon to the Assembly at any extraordinary session called prior to the 1951 Regular Session, the proclamation of which includes the subject of this resolution, including in the reports its recommendations for appropriate legislation.

2. The sum of fifteen thousand dollars ($15,000) or so much thereof as may be necessary is hereby made available from the Assembly Contingent Fund payable from any money appropriated for the contingent expenses of the Assembly for the 1949 First Extraordinary Session of the Legislature for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer. (Adopted, Assembly Journal, 12-21-49, p. 408—First Extraordinary Session.)

House Resolution No. 28

Relative to an investigation by the Assembly Interim Committee on the Judicial System and Judicial Process of legal education in California and admissions to the California Bar

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on the Judicial System and Judicial Process (created by H. R. 232, 1949 Regular Session) is hereby requested to investigate and report on all matters relating to legal education and admission to the bar in this State, including but not limited to the availability of educational facilities, the system of accreditation of law schools by the State Bar, and the type of examinations given by the State Bar.

House Resolution No. 100

Relating to the administration of justice in traffic violation cases

WHEREAS, It has come to the attention of the Legislature through articles appearing in newspapers from the Los Angeles area that the records of certain traffic violators have escaped the attention of courts in dealing with second and subsequent violations by such individuals thus resulting in their being treated as first offenders whereas in fact the records of such individuals may show previous serious and aggravated traffic violations; and

WHEREAS, The failure to identify such persons as having been previously convicted of traffic violations has resulted in the miscarriage of justice and has brought discredit upon the courts and the administration of justice; now, therefore, be it

Resolved by the Assembly of the State of California, That in addition to the duties heretofore given and imposed upon the Assembly Interim Committee on the Judicial System and Judicial Process (created by H. R 232, 1949 Regular Session), the said committee is hereby authorized and directed to ascertain, study and analyze the methods of handling and processing traffic violation cases and particularly as to the methods now used by police courts and probation authorities in identifying second and subsequent offenders from records maintained locally and by the State Department of Motor Vehicles and to investigate the feasibility of issuing specially colored or otherwise readily identifiable drivers' licenses to persons who have been repeatedly convicted of violations or who are on probation, and to report thereon to the Assembly at the 1951 Regular Session including in the report its recommendations for appropriate legislation.

Part I

LEGISLATION SUGGESTED BY THE FINAL REPORT OF THE SPECIAL CRIME STUDY COMMISSION ON CRIMINAL LAW AND PROCEDURE

The committee staff has prepared bills to implement a number of the recommendations of the Commission on Criminal Law and Procedure. It is acknowledged that the committee has not been able to give full consideration to all recommendations of this commission, and further study is, perhaps, indicated. However, measures covering most of the general subjects for legislation suggested by the commission have been prepared.

The commission suggested that a defendant who pleads not guilty by reason of insanity be placed in a state mental institution for observation for not more than 30 days. Such a statute would discourage unfounded pleas of not guilty by reason of insanity and yet would protect the defendant who is mentally ill but unable to retain expert witnesses for his defense. A bill has been drafted amending Section 1027 of the Penal Code to require confinement in an institution for observation instead of appointment of alienists by the court. There should be further discussion of this measure, however, with the Department of Corrections, the Department of Mental Hygiene, and other interested agencies.

The Final Report of the commission posed three questions relating to pleading and proof of prior felony convictions:

1. Whether the prior felony convictions referred to in Sections 644, 667, 969, 1203, 3024, and 3045 of the Penal Code refers to offenses which were defined as felonies where committed or which would have been felonies if committed in California?

2. Which of the said sections require that time have been served in a state or federal penitentiary on such prior conviction?

3. Which of such sections require that such prior conviction and punishment be pleaded and proven?

Research by the committee staff indicates the following answers to these questions:

Under Sections 644, 666, and 667, the prior convictions must have been for offenses which could have been punished as felonies under California law (that is, by death or imprisonment in a state prison), a term of imprisonment must have been served, and the prior conviction and imprisonment must be pleaded and proven.

Under Section 1203, the prior convictions must have been for "California felonies" (in order to make the defendant ineligible for probation), but sentences need not have been served and the "priors" need not be pleaded or proved.

Under Section 3024, it is not clear whether or not the prior felony convictions must have been for "California felonies," time need not have been served; the "priors" must have been pleaded and proved.

Under Section 3045, the prior offenses apparently need not have been for "California felonies"; time must have been served; the "priors" need not have been pleaded or proven.

Legislation on the problems presented has been prepared. One measure amends Section 3024 to define a felony under that section as a "California felony." Amendment of Section 3045 is suggested (a) to require that there be some formal evidence of a prior conviction, even if it is not pleaded and proven, and (b) to omit the words "under a felony conviction" and require instead that a prisoner have served a term of a year or more under the prior conviction. Certain clarifications were made in Section 668 and in Section 3024 to deal with the problem which arises when one is convicted of an offense which, in California, is punishable either by a county jail sentence or fine, or by a state prison sentence. The courts have held that the offense is a felony unless the fine or county jail sentence is imposed. It seemed better to say, in Section 668, for example "for which * * * such person *could* have been punished * * * by imprisonment in a state prison" rather than "*would* be punishable * * * by imprisonment in a state prison." It did not appear to be necessary to specifically include Sections 3024 and 3045 in Section 668, since each, by its own terms, includes as prior convictions, prior convictions in another jurisdiction.

A new section, 969bb, has been prepared to implement the suggestion of the commission that 969b be broadened so that certified copies of records of prior convictions may be used in evidence. The present law is that certified copies of prison records may be used to show service of time under prior convictions.

Regarding the pleading and proof of prior convictions, it would seem, in the first place, that it is mandatory in all cases to plead prior convictions, if any; see Sections 969, 969a, and 969½ of the Penal Code. Then, for the purposes of Penal Code Sections 644, 666, 667, and 3024, the prior convictions must be pleaded and proven. It has been held, however, that a failure to charge the "priors" does not deprive the court of jurisdiction to impose the heavier sentences, if such "priors" are made to appear to the court and are proved or admitted, but it is appealable error. If the prior convictions are ignored by the lower court, that is, for instance, if the court does not refer to the prior convictions in the judgment, the prisoner must be treated as having no prior convictions for the purposes of Section 644.

For the purposes of the probation law, Penal Code Section 1203, where priors need not be charged or proven, the question is whether or not defendant is eligible for probation, or, if eligible, whether or not probation should be granted.

Under Section 3024, prior convictions for the purpose of fixing minimum sentence must be charged and found true or admitted. But for parole purposes, it has been held, under Section 3045 as it now stands, the prior convictions need be neither pleaded nor proven. It is sufficient that they be made to appear to the Adult Authority. Like probation, parole is a matter of grace and not of right, of course, but the proposed amendment to Section 3045 would require that before the Adult Authority can deny probation or refuse to consider an application for probation, under 3045, by reason of service of a prior prison term, such prior

term must appear from the record or be admitted or be proved by certified copies like those prescribed by Section 969b. An alternative suggested by the commission was to require that in every case where it appeared that prior convictions had not been pleaded and proven, the prisoner be returned to the county of origin, at county expense, and the "priors" then be charged and proved in the trial court.

Among the general subjects proposed by the commission was that of a prohibition against use of a plea of guilty or record of conviction in subsequent civil actions. The present Vehicle Code 755 makes a "record of conviction" inadmissible but it appears that it has been held that a record of a plea of guilty is not a "record of conviction." Obviously the policy and purpose of the statute includes pleas of guilty. And in line with such policy and the further policy of giving legitimate encouragement to persons pleading guilty, the commission has suggested that the same sort of provision be included in the Code of Civil Procedure to apply to all offenses. The draft embodying this recommendation authorizes only the exclusion of a record of a plea of guilty, not of a conviction, for an offense other than a Vehicle Code violation, and both measures only authorize the exclusion of such evidence when offered against the former criminal defendant. Statutes permitting the exclusion of evidence should, as a general rule, be drawn as narrowly as possible. The right of impeachment is preserved.

Following another commission recommendation, a bill has been prepared to make specific intent an element of the crime of mayhem, amending Section 203 of the Penal Code.

The commission recommended legislation requiring that access to probation reports be restricted to law enforcement officials and counsel, except upon court order. A bill amending Section 1203.10 has been prepared. The committee agrees that it is desirable to protect defendants by keeping the detailed personal information included in probation reports out of the hands of unauthorized persons.

Bills have been prepared amending Sections 950 and 951 of the Penal Code to provide that every indictment and information must include the code and section (or other designation of the statute) which the defendant is accused of violating This is also a commission recommendation, based upon information received from the Department of Corrections that it is not done in many cases Such a requirement seems to be eminently reasonable.

An amendment has been prepared to Section 702 of the Welfare and Institutions Code providing for an alternative state prison sentence for contributing to the delinquency of a minor. The present law provides a maximum sentence of two years in the county jail. Since there is a one-year limit on county jail terms, the two-year term is meaningless. Considering the present serious problem of juvenile delinquency, it does not seem unduly harsh to provide a maximum sentence of two years in a state prison for the offense of contributing to the delinquency of a minor.

One minor point touched on in the report of the commission is that there are two Sections 597a in the Penal Code, two numbered 597b, two 597c and two 597d. A bill has been prepared to correct this confusion. The sections of these numbers enacted in 1907 prohibit docking of horses and use of docked horses and provide a rather detailed procedure for

enforcement. Since this problem, by reason of the invention of the automobile, is not now as serious as it was in 1907, it seemed sufficient to prepare a new section, numbered 597.1, continuing the prohibition against docking horses and using docked horses (with the existing exception for horses imported for breeding or exhibition) and to repeal the four present sections. No change in policy is intended.

One of the matters suggested for further investigation and study was the law of arson or unlawful burning. This offense is presently covered by Penal Code Sections 184, 447a, 448a, 449a, 450a, 451a, 600, 600.5, and 548. The commission makes two points in regard to this type of offense. One is that there is lack of uniformity in the sentences provided and that some of the sentences are, perhaps, too light; the second is that many fires are set by pyromaniacs who may require permanent confinement for the protection of society. The following is a summary of the bill prepared by the committee staff:

Malicious burning of any building, whether or not the property of the defendant, is punishable by 1 to 20 years in a state prison or one year in the county jail. The alternative of a county jail sentence is new, as is the inclusion in one section of the offenses formerly covered in 447a and 448a. The distinction formerly made between dwelling houses and outbuildings, and all other buildings seemed unnecessary and unwise. What difference is there between burning a garage, which is an outbuilding of a dwelling house, and any other garage? The penalty under 447a was 2 to 20 years; under 448a it was 1 to 10

The malicious burning of personal property not the property of the defendant would be punishable by imprisonment in a state prison for from 1 to 10 years or one year in the county jail if the value of the property is more than $100 If the value of the property is less than $100, the maximum penalty is a year in the county jail and/or a $1,000 fine.

The change this represents from the existing 449a is considerable. The offense under that section was the malicious burning of a long list of items, including any personal property, valued at more than $25, and the penalty was one to three years in a state prison. The penalty under the revised statute is much heavier if the property is over $100 in value.

The proposed Section 449 covers the malicious burning of crops, forests, brush, marshes or peat-ground, and oil or gas wells These were put in a separate section since they are not usually considered personal property. The penalty proposed is 1 to 10 years in a state prison or one year in a county jail. This section covers in part the offense covered by the present 449a. and those covered by Sections 600 and 600.5. The maximum penalty is greater than that prescribed in 449a and the same as that prescribed by 600 and 600.5.

The proposed Section 450 covers the malicious burning of any property not covered by any other law The proposed Section 451 covers attempts. Attempts to commit the offenses denounced by Sections 447, 448(a) or 449 are felonies and punishable by one to five years in a state prison or one year in the county jail. An attempt to commit the offenses covered by paragraph (b) of 448 or by 450 is a misdemeanor. The penalty for attempted arson under the present Sections 447a, 448a, and 449a is 1 to 2 years in a state prison.

The major change in the arson statute is represented by the proposed Section 452. That is, second offenses are to be punished by imprisonment in a state prison for not less than one year. Any person who is twice convicted of any kind of arson or unlawful burning may reasonably be regarded as a possible firebug and should be incarcerated until such time as psychological and other study and treatment indicate that it is safe to release him.

The present Section 450a relating to burning with intent to defraud an insurer has not been restated. The committee staff felt that the present Section 548 covers the same ground, is broader in terms, and prescribes a heavier penalty and, therefore, no change is indicated.

The general conclusion on the law of arson would seem to be that, in a state like California, where the danger of fire is always present and always serious, the Legislature in case of doubt should adopt the more severe punishments and the stronger deterrents. This is one branch of the criminal law in which severity is the better public policy.

Part II

MECHANICS' LIENS

The phrase "mechanics' liens," as used in California, means the lien on a building or like work of improvement given the materialman and laborer by Section 15 of Article XX of the Constitution and by Section 1183 (and other sections of that chapter) of the Code of Civil Procedure.

The primary problem, as presented to this committee was that of formal revision There is no doubt but that, as the California Commission on Uniform Laws has pointed out, our mechanics' lien law is "in a rather confused patchwork state." The sections do not follow in any particular order; in themselves the sections are long and unwieldy; there is much repetition; some matters are covered in the chapter which are not closely related to laborers' and materialmen's liens; all in all, because of its disorganization and confusion, the chapter in its present form (Chapter II of Title IV of Part III of the Code of Civil Procedure) is a trap for the unwary and a hindrance to knowledge. The committee staff has, therefore, prepared a draft of a bill which attempts to restate the present law of mechanics' liens in a more logical, accessible and comprehensible form. It must be emphasized that in preparing this formal revision, it was not the intent of the draftsman, nor was it the intent of the committee, that any change be made in the existing law. The only deliberate alteration of which the draftsman was conscious was the changing of the word "filed" in various places in the chapter to "recorded", and the desirability of this change is arguable. That portion of Section 1183 which gave a special lien to miners has been moved to the lien sections of the Civil Code, since the miner's labor is not related usually to a "work of improvement" with a "time of commencement" and a "time of completion." If, in fact, the miner's labor is done as part of a "work of improvement" he would have the same lien as any other laborer, of course. The lien which local health authorities can create by authorizing connection of a dwelling house to a neighboring sewer (Sections 1191a and 1191b) likewise seems out of place in this chapter and so these sections have been moved to the Health and Safety Code.

The mechanics' lien law presents other problems, however. It must be understood that this statute directly affects three important groups in the community. First, of course, is the owner of the land. Second are the laborers and materialmen who contribute value to the work of improvement. Third are the lending institutions whose loans are secured by encumbrances on the land. If the laborers and materialmen are not paid, they have a lien against the building and may have one against the land. This lien may be superior to the rights of the landowner and of the lender. All three groups have rights to be protected. Legislation in this field, to be successful, must result from a balancing of the interests of all three groups, as well as from over-all considerations of the general welfare.

Specific problems have been presented to the committee and the committee staff has attempted to draft legislation to meet the problems presented.

All liens under this chapter take priority as from the time of commencement of the work of improvement. It is particularly important to lenders to be able to fix this date, otherwise their first mortgage, if recorded after the time of commencement, may be junior to all mechanics' liens arising out of the work.

The courts have defined the time of commencement as the time when something has been done at or near the site such as would give notice, including depositing of materials, clearing the land, excavation, etc. One suggestion for clarification was to define commencement in the code as the first visible work on the site. This seemed unsatisfactory particularly in regard to construction of several houses at once, as in a new subdivision. Each such house may be a separate work of improvement, but the materialman can hardly be expected to deposit the lumber, pipe, etc., for each house on its individual lot Under the present law, placing materials nearby for all the houses to be built might be the commencement of all of them; under the definition proposed above, some work would have to be done or materials delivered at each site. Not only would this be a burden on the lien claimants, but (since these projects are often financed on a group basis, anyway) little additional certainty would be achieved for lenders The committee staff has suggested three measures which, it is felt, would give a greater degree of certainty:

First, any lender can make sure that his lien on the property is prior to all mechanics' liens by recording his encumbrance and a bond in favor of possible lien claimants in an amount not less than 50 percent of the face principal amount of his encumbrance. By providing such a bond, the lien claimant is given good security for his claim, and the security of the lender, that is the land, will not be impaired by mechanics' liens. It appears that the cost of such bonds would be relatively little and so, even if the lender passed the cost on to the borrower or landowner, the burden would not be heavy.

Second, should an expenditure of labor or materials be made to prepare the site for a later work of improvement, the whole work of improvement may be held to have commenced with the commencement of the preparatory work and a purported first mortgage may find itself junior to all the mechanics' liens on the whole work of improvement. The suggestion of the committee is this: if proper notice be given by recording and posting (so that all concerned can know their positions) then the commencement of a preparatory or preliminary work shall not be deemed the commencement of the work of improvement as a whole.

A third bill bearing on this general question relates to the execution of a work or works of improvement on less than the whole of a tract or subdivision. For instance, a tract of land is being developed, and 20 houses are to be built on half of it, as a separate project, separately financed from any construction to be done later on the other half. Will the time of commencement of the first 20 houses be held to be the time of commencement of any subsequent construction as well? If it can be argued that development of the whole tract is one scheme of improvement, possibly so. Therefore a bill has been prepared which provides that the commencement of a work of improvement on only part of any tract

or subdivision shall not be deemed to be the commencement of a subsequent work in the same tract, if the prescribed notice is filed and posted. If the notice required is given, lenders, owners, and title companies know what is intended and know on what property mechanics' liens may be filed. Laborers and materialmen, further, will not be misled by appearances and will know on what security they are entitled to rely. Both recording and posting are required in order that such notice be as close to actual notice to all parties as possible.

The three measures discussed above do not change the present judicial definition of "time of commencement." They provide various optional measures whereby the interested parties may act to establish their positions and avoid certain possible applications of the usual definition. If they do not avail themselves of such optional measures, there is no penalty except that they subject themselves to whatever may be the court's application of the existing definition.

The third measure discussed above may also affect the determination of the time of completion of a work of improvement on part only of a piece of land.

There is much to be said in favor of requiring a bond for the benefit of possible mechanic's lien claimants to be posted for every work of improvement. The lender benefits because he is freed from any problem of priority of his encumbrance over mechanics' liens. The lien claimant gains because it would seem that he has a speedier and surer recovery from a bonding company than from enforcement of his lien against the property. The landowner would find his property protected against liens to some extent, and the surety might assist the owner's business judgment by refusing a bond if the contractor has a poor record or by requiring a joint control of disbursements. There are already bond provisions in the present Sections 1183 and 1191. However, the committee did not feel justified in strait-jacketing landowners and developers to the extent of requiring bonds in all cases. The cost of a bond on an ordinary residence would probably be less than $100, but such a charge, together with the accompanying red tape and paper work, might be the straw that breaks the camel's back. We think that it is sufficient if the bond be optional with a lender. If all concerned are satisfied to trust each other and save time and money thereby, why should the Legislature forbid it? Adequate machinery for their protection has been provided, if they want to use it.

Another major problem presented to the committee is that of determining the time of completion of a work of improvement. The time for filing a claim of lien runs from the time of completion. Completion may be actual completion or may be constructive completion as provided by the existing Section 1187. It is apparently the present law that a work of improvement may be actually completed even if there are "trivial imperfections," that is, that substantial completion is sufficient. It seems impossible to provide any definition of completion, applicable to all situations, which will be any more satisfactory than is the present law. One or two defects can be reached by legislation, however. There are many cases in which notices of completion are filed before actual substantial completion, in order to improve the state of the record title. This is distinctly undesirable, since it may seriously curtail the right of the laborer, materialman, etc., to claim a lien. Therefore, a bill has been prepared which

would make it a misdemeanor to file a notice of completion prior to substantial completion.

In the formal revision of the present law, one clarification was to move from the existing Section 1191 to the new section on filing claims of lien, that provision which states that the time for filing liens for certain improvements, acceptance of which by a public body is required, runs from such acceptance and not from completion. It was too easy to overlook this provision as originally located.

It is possible for an owner-builder, instead of employing one "original" or general contractor for his building as a whole, to let original contracts only for portions of the work, for instance, for the excavation or for the foundation. Is the owner entitled to file a notice of completion when each of these portions of the work as a whole is finished, or must he wait for the completion of the work as a whole? If he may file a notice at the completion of part only, and if he fails to file one within 10 days thereof, do all claimants then have 90 days from actual completion of the whole in which to file claims? For the purposes of clarification the committee staff has prepared a bill which provides that a notice of completion may be recorded at the completion of a part only of the whole work if such part is done under an original contract, and that if no such notice is recorded, those whose claims arise out of such completed part have the same time in which to file liens as if the work had been done on the work of improvement as a whole. That is, if a notice is filed for the work as a whole, all lien claimants have 30 (contractors 60) days in which to file; if no notice is filed, then all have 90 days. The merit of this proposal is primarily that it makes for greater certainty than does the present law.

It sometimes happens that the home-owner pays his contractor and then, by reason of the defalcation, bankruptcy, etc., of the contractor, is forced to pay again, to pay off subcontractors, materialmen, laborers, et al., who have not been paid by the contractor and have filed liens against the house and lot. It has been suggested that all possible lien claimants be required to give stop notices or forfeit their lien rights. Such a notice to the owner authorizes him to withhold payment from the contractor. Such notices are optional at present with the claimant, but may be required by the owner. At present, the owner can require a bond from the contractor, can require stop notices, and can require the contractor to defend lien suits. In addition, it is usually the owner who selects and trusts the contractor. As stated above, too, a bill has been prepared pursuant to which the lender can post a bond to protect his priority, which bond could, of course, also protect the owner. To be fully effective, a stop notice should be recorded as well as delivered. It seemed to the committee that if all claimants had to record stop notices in every case, possible lien claimants would be put to considerable expense and trouble, the records would be crowded with such notices, and titles might be seriously clouded. Presumably a satisfaction would have to be filed for each stop notice, or further transactions regarding the property be held up until the time for filing claims has fully elapsed. The question is, whether or not this problem of defaulting contractors is serious enough to put the additional burden on lien claimants and on those concerned with the state of the record title to the land. The majority of contractors are, of course, reputable and solvent. The committee did not feel that it should propose

legislation to make stop notices mandatory without further study, however, a bill has been prepared which would require stop notices if a notice of completion is filed.

In conclusion, it must be pointed out, first, that the right to a mechanics' lien is based on the State Constitution and that the mechanics' lien law is liberally construed to protect the artisan and materialman. Any substantial restriction of the rights of lien claimants may pose a constitutional question and the result, therefore, of any attempt to make a major change in the law may be to leave the statute, after an adverse court decision, in worse condition than it was in to start with. In the second place, the entire law of mechanics' liens is constitutional and statutory; such liens were unknown to the common law. Therefore, the statute must be improved and interpreted primarily by legislation and not by judicial decision, and therefore, a great many more details must be spelled out by the Legislature in a mechanics' lien statute than in a statute relating to one of the older branches of our jurisprudence. The committee hopes that its revision and alterations will result in a more workable statute and in one more satisfactory to all the interested groups.

Part III

SHOULD CALIFORNIA ACCEPT TORT LIABILITY?

By THOMAS H. KUCHEL, State Controller, of the Sacramento Bar
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The doctrine of *sovereign immunity,* preventing a suit against a state without legislative consent, has been a prolific source of criticism from legal scholars in the United States.[1] Of the numerous reasons advanced in justification of the rule, the "royal supremacy notions," of which the most common is the dogma that the king can do no wrong, are clearly inapplicable in this country. Other reasons were based on situations no longer extant and, hence, should no longer apply.[2] It has been said that the only argument in favor of continuing the rule in existence, that is worthy of note today, is that litigation might seriously interfere with the performance of sovereign functions and with state control over its instrumentalities, funds and property.[3] Other writers talk in terms of the rights and duties as between the individual and society, and use as an analogy the sovereign right to suspend an individual's civil rights and liberties and to expropriate his property or impress him into perilous duty for benefit of the whole.[4]

But if we were to preserve the state immune from injunctive restriction and from seizure or execution of its property or functions, and make it responsible only in damages as in the case of a private party, subject to the usual requirement of appropriation of funds by the Legislature, would we seriously interfere with its sovereign functions or control of its affairs? Suppose an individual is damaged by the wrongful act or omission of the state under circumstances that would entitle him to redress had the tort-feasor been a private party rather than the state. Do the requirements of society demand that the damages be borne entirely by the innocent victim, or should not society undertake to bear as a whole the burden that rightfully belongs to it? Remember that the public exchequer is funded in the main from taxes upon the entire populace and assets within the jurisdiction of the government and, hence, disbursements therefrom are borne by the whole. The assets of the victim are apt to be limited, whereas the taxing power of the state is vast indeed. Let the burden fall where it rightfully should—it can best be borne there!

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[1] 6 So Cal L Rev. 269, at 280 (and authorities collected by Mr. David in note 1 at page 269), 59 Harv.L Rev. 1060, 12 So.Cal.L.Rev. 127, 14 Tex L.Rev. 135, 48 Col L Rev. 340; 36 Ga.L J. 310 The extension of the doctrine to suits against municipalities has likewise been criticized. 54 Harv.L Rev. 437.

[2] *E g.,* the necessity of protecting a government from the indignity of being subjected to legal process at the instance of private parties, is no longer apparent

[3] 59 Harv L Rev 1060, 1061.

[4] 6 So Cal L Rev. 269, 286.

Recent Trend

The defense of sovereign immunity is jurisdictional,[5] and statutes authorizing persons to sue the state, being in derogation of sovereignty, are strictly construed.[6] Nevertheless, the modern trend, in California as elsewhere, is to extend the limits of permission to sue the state. The District Court of Appeal recently stated it thus:

"The trend, legislatively by enactment of statutes and judicially by construction of statutes, has been to permit persons who have valid claims against the state to bring suit under certain circumstances, subject to the statute of limitations and other specified conditions, in a court of competent jurisdiction to determine the justice of the claim to the end and purpose of final judgment." [7]

Although the general expression of the doctrine of sovereign immunity is that the state may not be sued without its consent, and a general consent to sue the state for negligence has been in the statutes since 1893,[8] early decisions adopted in this State "the doctrine that state consent to be sued for negligence did not waive sovereign immunity from liability for tort." [9] In other words, a statute merely consenting to suit does not create any liability or cause of action against the state where none existed before, but merely gives an additional remedy to enforce such liability as would have existed if such statute had not been enacted. California has not as yet seen fit to enact a statute assuming general tort liability.

"Proprietary" and "Governmental" Functions

For many years the most important exception to the immunity of *municipalities* from tort liability has been in the case of those functions of the municipality that are regarded by the courts as "proprietary" as distinguished from "governmental." [10] That exception had never been applied in the case of liability of the *state,* however, until recently when the California Supreme Court in the State Belt Railroad case held unequivocally for the first time that

". . . where the state engages in industrial or business enterprises, as distinguished from purely governmental activities, tort liability attaches and may be adjudicated pursuant to the consent statute." [11]

The extent of the consequences of that decision is not yet apparent, but the case is undoubtedly a landmark along the trend toward the acceptance by the state of responsibility for its torts. Certainly it has caused many lawyers tc revise their opinions in the premises.

There are a number of specific instances where sovereign immunity has been waived by legislative enactment or constitutional provision. A prime example is the constitutional provision re *eminent domain* whereunder private property may not be taken or damaged for public use without just compensation to the owner.[12] It has been held that the provision is self-executing, and a cause of action may be stated thereunder without the necessity of express legislative sanction therefor.[13] Com-

[5] *People* v. *Superior Court* (1947), 29 Cal.2d 754, 756.
[6] *County of Los Angeles* v. *Riley* (1942), 20 Cal.2d 652, 662.
[7] *Muses* v. *Housing Authority* (1948), 83 Cal.App.2d 489, 496; see, also, articles cited in note 1, *ante.*
[8] Govt. Code, sec. 16041 (formerly Pol. Code, sec. 688; and, before that, Stats. 1893, chap. 45, p. 57).
[9] *People* v. *Superior Court* (1947), 29 Cal.2d 754, 759.
[10] 6 So.Cal.L.Rev. 269, 296; 54 Harv.L.Rev. 437, 441.
[11] *People* v. *Superior Court, supra,* 762.
[12] Cal. Const., art. I, sec. 14.
[13] *Rose* v. *State of California* (1942), 19 Cal.2d 713, 719; but see, Govt. Code, sec. 16041

pensation must be made under that provision, however, only when the taking or damaging of property is not so essential to the public health, safety and morals as to be justified under the "police power," and the injury is one which would give rise to a cause of action on the part of the owner if it were inflicted by a private person.[14] Illustrative of the trend, the Supreme Court has held that while the state, in the exercise of the police power, might have directed the slaughter of diseased cattle without compensating the owners, a statute providing for such compensation did not constitute a "gift" of public funds, the court saying:

"Necessity alone is not the test by which the limits of state authority in this direction are to be defined, but a wise statesmanship must look beyond the expenditures which are absolutely needful to the continued existence of organized government, and embrace others which may tend to make that government subserve the general well-being of society, and advance the present and prospective happiness and prosperity of the people" [15]

Also noteworthy is the fact that the Constitution was amended shortly thereafter to expressly permit the Legislature to provide for indemnifying owners of cattle slaughtered under the police power.[16]

The Constitution further provides that:

"Suits may be brought against the state in such manner and in such courts as shall be directed by law." [17]

Patchwork Legislation

Pursuant thereto,[18] the Legislature has enacted from time to time over the years, numerous laws on the subject. There has been no adequate over-all plan, however, and the individual laws constitute but a patchwork of diverse coverage, without semblance of uniformity. Some pertain only to the state, others to local governments or even certain local governments, others to governmental officers or employees, while still others pertain to several or all thereof. Some consent to suit, others assume liability, and still others deny or restrict liability. Even procedural provisions are diverse and, in the light of court decisions, obscure. Illustrative of the laws on the subject are those pertaining to the following particular claims: on express contract, or for negligence, or arising out of eminent domain;[19] for injuries or damages to an inmate of a state institution;[20] for damages arising out of the operation of motor vehicles;[21] arising against *local governments* for injuries caused by defec-

[14] *I.e.*, not *damnum absque injuria*. *O'Hara* v. *L. A. County Flood etc. Dist.* (1941), 19 Cal.2d 61, 63; *Archer* v. *City of Los Angeles* (1941), 19 Cal.2d 19, 23; *Rose* v. *State of California, supra,* at 730.

[15] *Patrick* v. *Riley* (1930), 209 Cal. 350, 358.

[16] Cal. Const., art. IV, sec. 31a.

[17] Cal. Const., art. XX, sec. 6.

[18] Perhaps the Legislature would have had the power in the absence of such provision, the Constitution being a limitation rather than a grant of power to the Legislature (*Collins* v. *Riley* (1944), 24 Cal.2d 912, 916).

[19] Govt. Code, sec. 16041, consenting to suit but not assuming liability (*Denning* v. *State* (1899), 123 Cal. 316, 319; *People* v. *Superior Court, supra,* 759). Note that claims "for negligence" would not appear to include intentional torts Also, that statute refers only to claims "on *express* contract" (*County of Los Angeles* v. *Riley* (1942), 20 Cal 2d 652, 662). Liability for negligence when the state acts in a proprietary capacity is established by *People* v. *Superior Court, supra.*

[20] Welfare and Institutions Code, sec. 7508, which is procedural and does not appear to assume liability. Claimants are subject, also, to requirements of Govt. Code, sec 16041 (*Parker* v. *County of Los Angeles* (1943), 62 Cal App.2d 130, 134).

[21] Vehicle Code, sec. 400 (*Cf.*, sec. 401 exempting police and firemen from personal liability in the operation of emergency vehicles under certain circumstances); Govt Code, secs 16023-16054. Military and Veterans Code, sec. 392, exempting members of the militia from liability while in performance of duty in active service of the state, does not appear to relieve the state from liability under sec. 400 (1 Ops. Cal. Atty. Gen. 515)

tive condition of public property;[22] against school districts or trustees thereof;[23] against certain officers for dangerous or defective public property or for negligence of a subordinate [24] or under apparent authority of a law later held unconstitutional;[25] presentment of claims, the settlement of which is not otherwise provided by law, for consideration by the Legislature.[26]

It is submitted that the time is ripe for a substantive revision and modernization of the laws on the subject.

Under the Constitution no funds may be withdrawn from the State Treasury save upon warrant of the State Controller duly drawn in accordance with law and upon an unexpended balance of a valid appropriation made by the Legislature.[27] Hence, even where sovereign immunity from action has been waived and liability assumed by the state, no judgment or claim against the state may be paid in the absence of a valid legislative act appropriating the money therefor.[28] The law provides, however, that claims for the payment of which no appropriation exists,

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[22] Govt. Code, secs. 53050-6 (1949 codification of former sec. 2 of Stats. 1923, chap. 328, p. 675 (Deering's, Act 5619), and Stats. 1931, ch. 1167, p. 2475 (Deering's, Act 5149)).

[23] Education Code, secs. 1007-1008; see, also, Govt. Code, secs. 1950-2002.

[24] Govt. Code, secs. 1952-1954, 1980-2002.

Sovereign immunity against suit for damage caused by the negligence of officers or employees does not extend to such officers or employees, but the state or local government may insure its officers against such liability incurred within the scope of their employment (Govt Code, sec 1956; *People* v. *Standard Accid. Ins. Co* (1941), 42 Cal.App.2d 409; 3 Ops. Cal. Atty. Gen. 97; 5 Ops. Cal. Atty. Gen. 169). *Cf.*, Govt. Code, sec 53056.

But, as to liability of the *state* for conduct of its employees, "Any person dealing with a state agency is chargeable with knowledge of all of the powers possessed or which *may be legally exercised* by the officers in charge of such agency, and all acts of such officers which go beyond the scope of the power vested in the officer exercising the functions of such agency are void, and knowledge must be presumed to be had, not only of the extent of the power, but also of the mode of its exercise" (*Lentora* v. *Riley* (1936), 6 Cal 2d 171, 179).

Also note that "The rule is well established in this state that where the action is one simply to compel an officer to perform a duty expressly enjoined upon him by law, it may not be considered a suit against the state" (*County of L. A.* v. *Riley* (1942), 20 Cal 2d 652, 662.)

[25] Govt. Code, sec. 1955.

It was held in 1887 that where work was done under a law *later* judicially determined to be unconstitutional, the work had, nonetheless, been done under express authority of law, and the Legislature might make an appropriation for payment thereof (*Miller* v. *Dunn* (1887), 72 Cal 462, 470). While the Supreme Court in 1903 questioned the soundness of such doctrine (*Powell* v. *Phelan* (1903), 138 Cal. 271, 275), in the intervening years the trend of judicial decisions has clearly been toward a liberal view of the "gift" clause of the Constitution (see 5 Ops Cal Atty. Gen. 169, and note 26 following).

[26] Govt Code, sec. 16021 But note that it has been held that the constitutional *inhibition against making a gift of public money* prevents *legislative action in creating* a liability against the state for any past act of negligence (*People* v. *Superior Court, supra*, at 758 (commenting on an early case)), or in payment of a claim for which only a moral, as distinguished from a legal, obligation exists (23 Cal.Jur. 564 and cases there cited; but see *Miller* v. *Dunn, supra* (note 25, *ante*)). Another consideration which seemingly, is to a large degree supplanting the above distinctions (see 5 Ops Cal Atty. Gen 169), is whether the funds are to be used for a public or a private purpose If the appropriation is for a public purpose it is not a gift, even though private persons are benefited by the expenditures, and the courts will not disturb a legislative determination of what constitutes a public purpose, so long as it has a reasonable basis (*Los Angeles County* v. *La Fuente* (1942), 20 Cal 2d 870, 877). And see note 15, *ante*.

Furthermore, the Supreme Court held at an early date that, ". . . in passing upon the constitutionality of a statute, the court must confine itself to a consideration of those matters which appear on the face of the law, and those facts of which it can take judicial notice. If the law, when thus considered, does not appear to be unconstitutional, the court will not go behind it, and, by a resort to evidence, undertake to ascertain whether the Legislature, in its enactment, observed the restrictions which the constitution imposed upon it . . ." (*Stevenson* v. *Colgan* (1891), 91 Cal. 649, 652)

[27] Cal Const, art IV, sec 22, see, also, Govt. Code, sec. 12440

[28] *Sharp* v. *Contra Costa Co.* (1867), 34 Cal 284, 291; see, *also, note* 125, 6 So Cal L Rev. 269, 285 As to the form of the appropriation, see *Westinghouse Elect Co* v *Chambers* (1915), 169 Cal. 131.

shall be filed with the State Board of Control.[29] The Board of Control recommends such thereof as it approves to the Legislature, ordinarily in the so-called omnibus claims bill.

Subject to the approval and appropriation by the Legislature, the Board of Control is also vested with authority to make out-of-court settlement of certain types of claims, such as claims arising from the operation of motor vehicles by the state as provided in Section 400 of the Vehicle Code,[30] and claims the settlement of which is not otherwise provided by law.[31]

Agencies or Court

The advisability of having an administrative body settle all such claims may well be questioned. For many reasons, there has been a tendency in recent years to require that acquisition of lands for public purposes be under the supervision of the judiciary That is, there has been a tendency in laws authorizing the acquistion of lands for public purposes to require condemnation proceedings, thereby prohibiting acquisition by purchase out of court. While many condemnation proceedings brought thereunder have been settled before trial, such method is open to public surveillance and affords supervision by the court. It is felt that the judiciary is best trained and suited for determining the issues, including the weighing of the evidence re value, and is less susceptible to influence or bias—on the one side or the other. On the whole, it is felt that such method is more acceptable to the public as well as to the individual with whom the state is dealing.

It is suggested that consideration be given to likewise requiring that all tort claims against the state other than claims for minor damages (say under $300), be presented by filing legal action in a court (which must, of course, either have or be given competent jurisdiction), and prosecuted to final judgment either by trial of the issues or by settlement expressly examined and approved by the court.

It is recommended that the state, by legislative enactment, waive its immunity from action, assume liability, and consent to have the same determined in accordance with the same rules as applied to actions against individuals, subject, however, to such conditions as seem appropriate, such as retention of immunity against injunctive restriction or seizure of state property. In so doing, the Legislature would probably wish to give special consideration to the question of damages caused (a) negligently or (b) intentionally in the emergency use of the police power.

The recommendation is not new, it has been tried, tested and found workable elsewhere. Ten years ago, the State of New York took the action herein recommended [32] The federal government passed a similar law in 1946.[33] Except perhaps for the provisions that claims be submitted to a

[29] Govt. Code, secs. 16021-16022. The State Board of Control consists of the State Controller and the Director of Finance, acting ex officio, and a third member appointed by the Governor (Govt. Code, sec. 13901).

[30] Govt. Code, secs 16023-16054.

[31] Govt. Code, sec. 16021. But see note 26, *ante*.

[32] Laws of New York, 1939, chap. 860 (Court of Claims Act, secs. 8, 12, et seq). see, also, 22 Cornell L Q. 87-90.

[33] Publ. L. 601, chap. 753, secs. 401-424, incl., 79th Cong., 2d Sess. (Legis Reorg. Act of 1946, Title IV—Federal Tort Claims Act).

See, also, "Suing Uncle Sam in Tort" (a review of the Federal Tort Claims Act and reported decisions to date), 26 N.Car.L Rev. 119 (Feb. 1948) ; and 27 Nebr.L Rev. 30

Court of Claims (no reason is seen for the creation of such a court in this state), those enactments would seem good patterns for action here.

It is time that California take its place among modern governments and accept responsibility for damages caused by its torts—permitting such to be adjudicated by the courts, subject to appropriation of necessary funds from time to time by the Legislature.

Part IV
ADOPTIONS

Miss Lucile Kennedy, head of the Adoption Department of the Department of Social Welfare, made an able explanation as to the operation of the adoption law.

A summary of her testimony is as follows:

There are two ways to accomplish adoptions. One is by the agency method which means that the natural mother goes to an agency, relinquishes her child for adoption, gives up all of her rights, privileges and responsibilities for the child. Then, the agency selects the proper home and places the child, supervises the child for a year, then the case is taken into court and the adoption is completed. If the adoption does not appear to be successful or to work out, the agency may take back the child but the natural mother is never brought into the case again.

The other method is what is called the independent adoption which means the State Department of Social Welfare only contacts the natural parent and obtains a consent for the adoption, checks into the home to see whether or not the home is satisfactory, and makes a study and recommendation to the court for either approval or denial; and until that time the natural parents of the child have certain responsibilities which are not released until the final decree of adoption, except for the activities now provided in the law with regard to the withdrawal of consent for adoption.

Prior to the war years, about four-fifths of the adoptions went through agencies and the other fifth represented mainly the situations where the natural parents knew the petitioners and wished them to have their child.

In 1942, with only two licensed agencies in the State, there were 642 agency adoptions and 617 independent adoptions, while in 1948, there were 723 children relinquished to agencies and 4,520 independent adoptions. The private agencies have been unable to expand their facilities while there has been such a demand for adoptions.

The interests of the child comes first as far as the department is concerned; in many cases of independent adoptions, the placements have been either unguided or misguided when they were made. The Legislature has not made it possible for more adoption agencies to be created, not only private but public adoption agencies and there have been many county adoption agencies set up in Los Angeles, Fresno, Tuolumne, San Diego, Stanislaus, Tulare, San Francisco and other counties. In San Francisco there has been a lawsuit to hold up the opening of that particular agency by a taxpayer's suit. There are now four private agencies in the State, the Native Sons and Daughters giving up its activities along this line.

It is hoped that half of the independent case load will be picked up by these various county agencies.

There is much interest by the public as to the number of children available for adoption in the State of California, and the number of children that could be adopted but are not being made available for adoption; being children that are in foster homes.

There are approximately 92 children's institutions in California that keep children on a 24-hour basis and I have made a thorough survey of many of these institutions to see whether or not there are any adoptable children therein. Also, there are approximately 320 day nurseries with the child usually having at least one parent.

A spot check of four agencies gives this information:

In Institution A, there was a population of 63, which represents the medium-sized institution. The children in that institution were from 6 to 16 years, which in itself tells something—they are older children. The breakdown here—both parents living together, there are eight of the children in that category; 10 where the parents were separated; 29 where they were divorced; 13 where one parent was deceased; and one child where both parents were deceased. There were two abandoned children. After looking at all the factors that would make for adoptability, of these three that would seem to be the most ready subjects for adoptions, the one with both parents deceased and the two who had been abandoned, the conclusion was that none of them were subjects for adoption. They were older children of racial background and so on, that wouldn't make them readily adoptable to the people who ordinarily want to take children.

Institution B, with a population of 40, represents the smaller institution. The age group in that institution was from 6 to 15 years. Four of the children's parents were separated, 23 of them were from divorced parents, 10 had one parent deceased, and two where both parents were deceased. There were no abandoned children, and we have a classification of "others" which stumps me at the minute, I don't know what the "others" was. Suitable for adoption—none, when they looked at those three children.

Institution C, with a population of 179, which represents a larger institution. The age group there was from 7 to 19. Both parents living together, 10; 12 parents separated; 77 of the parents divorced, which tells a story in itself; 31 where one parent was deceased; six only where they were both deceased; five children that were abandoned; and a classification of 38 of these various combinations of things. There might possibly be six children out of that group that would be adoptable if you were able to find someone that wanted children of that age group.

In Institution D, there were 41 children from the ages of 4 to 12. Four out of the 41 were from parents who were separated; 27 parents who were divorced; six were where one parent was deceased; and a classification four in the other group I have given you. Looking at that we thought there might be possibly five who were adoptable.

Now, when you add those figures of the four institutions you get a population of 323 and the possibility of 11 out of that number being available for adoption. None of this number were younger than four so that we have at once a picture of what is usually not the most acceptable group for adoption because most people do want infants or smaller children.

Many of the placements made in independent adoptions are not made with all the care that should be necessary. The person arranging the adoption knows too little about the situation

With regard to independent adoptions, the department examined 2,587 cases and of that number, the parents made 1,132 or 43.8 percent, a relative or parent made 117, physicians made 662, and there were 98 placements directly traceable to attorneys. There were 45 made by county welfare departments, 72 of the adoptions were made by probation officers.

Some of the reasons for denials in these adoption matters are as follows: Out of 886 denials, 113 were denied because the parents would not respond or they were unable to locate the parents. In 261, parents refused to consent after they were contacted and in 54 of the cases, the child was not a proper subject for adoption. Seventy-five homes were not found to be suitable and in 191 cases the legal status of the child was not clear. There were 21 children placed before it was known that they were not free for adoption and in 30 cases the parents withdrew their consent, while in 71 cases the petitioners withdrew their adoption petition.

In connection with the withdrawing of the consent, 71 petitioners decided not to go through with the adoption while only 30 mothers refused to proceed with the adoption.

Many of these adoptions present problems which always do not appear on their face; for example, the adopting parents are not married due to some mistake, either thinking that they had been divorced or something along that line and this problem always shows up later when they come to the question of inheritance as far as the adoptive children are concerned.

Usually the denial is based upon the grounds that the home is not suitable and that when they say the home is not satisfactory, it does not mean from a physical standpoint but because the department is looking primarily for good warm people who can give a harmonious home life to the child.

The department had only one case under that new law, Assembly Bill No. 2555, which had to do with the withdrawal of consent and which was adopted at the last session of the Legislature, but the department was interested in that portion of the law which provided for the department recommending a suitable plan when the consents are withdrawn.

The California adoption law is very good and as good a law as any in the United States. The main difficulty the department has is the need for resources to make the law workable with more agencies because it is difficult to handle so many independent adoptions where the control of the placement cannot be somewhat investigated and regulated.

Recommended changes in the law are as follows: (1) There should be a statute of limitations so that adoptions cannot be set aside for a certain period of time, such as three years, except for certain exceptions already in the law. The reason for this is that in many cases after many years some relative or someone else who knows about certain irregularities that might have existed in the adoption comes in and tries to set it aside when inheritances are involved. Sometimes someone comes in and claims that the parents are not married and tries to set the adoption aside. (2) Subsection 4 of the Civil Code, Section 224, presents some difficulties over consents where the parents are in state institutions. It

is hard to get anyone in a state hospital to say that the person will never be able to support the child or be out of the institution. (3) A change should be made in Section 701 of the Welfare and Institutions Code in order to eliminate the necessity for consent in certain of those cases.

COMMITTEE RECOMMENDATIONS

The committee heard testimony regarding the adoption laws from representatives of the State Department of Social Welfare and the Children's Home Society and it should be pointed out, to start with, that these witnesses agreed that California adoption laws were, in general, as good as those of any state in the Union. However, some problems were noted. Since the 1949 Session of the Legislature, there has been organized a Citizens Adoption Committee, a state-wide organization supported by the Columbia and Rosenburg Foundations and made up of private citizens interested in all aspects of adoptions. The citizens committee made available to this committee material on specific questions for legislation.

The Judiciary Committee staff has prepared bills based to meet specific problems presented to the committee.

The Civil Code at present provides that it is a misdemeanor for any person to advertise that he will place children for adoption. A bill has been prepared which would also make it illegal to advertise that one will find children for adoption. Another measure forbids anyone who does not have a license to advertise that he will perform any adoption services for which a license from the Department of Social Welfare is required. This should cover all aspects of the advertising problem.

It has been suggested to the committee that there should be a statute of limitations on proceedings to set aside or nullify adoptions. It appears that all too often an attack is made on the validity of the adoption decree long after the court proceedings, and usually where an inheritance is involved. This right is already limited in California but it appears to be desirable that it should be still further limited. Therefore a bill has been prepared providing a five-year statute of limitations, running from the entry of the decree, on any proceeding to vacate an adoption decree by any person, and providing a three-year statute for any such proceeding based on a procedural defect or irregularity.

One defect, it appears, in adoption procedure under the existing law is that a petition for adoption may be filed and pending but the proceeding may for some reason never be completed, in which case the status of the child is distinctly unsettled. Likewise, an adoption petition may be denied or dismissed, but the child may not be returned to its natural parents, again leaving its status unsettled. Bills have been prepared which provide as follows: If an adoption proceeding remains pending for two years, the clerk must notify the Department of Social Welfare. The department or the county agency must, within 30 days, file a report recommending a plan for the child. If the proceeding is then dismissed, the court still retains jurisdiction to make orders for the child's custody. As regards a dismissal of an adoption proceeding by the petitioners, the adopting parents, the department or county agency is likewise to file a report, and the court retains jurisdiction to determine custody. The department, under the present law, makes such a report, too, when the

natural parents seek to withdraw their consent, and a proposed amendment would require a report from the department and an appearance on behalf of the child in all cases whenever a proceeding is instituted to set aside or nullify a completed adoption.

The need for such amendment appears to be obvious. Usually the natural parents or parent disappears from the picture as soon as their consent is given. If an adoption is not completed, denied, or dismissed, someone must have jurisdiction to determine custody. It hardly seems desirable that the child should, for instance, be left in the home of the would-be adopting parents after the court has denied their petition or after they have dismissed it.

A related problem is this: A child may be taken into a home, no adoption proceeding filed, and yet the child may remain there for years, knowing no other home and regarding his foster family as his natural family. This is unfair to the child; as soon as a question of inheritance or property arises, it is the child who will suffer, and meanwhile his natural parents may have disappeared and any rights to which the child might be entitled from or through them are likewise lost. And it is possible, too, that the home in which such child is placed may be undesirable. The committee staff has prepared a bill adding Section 1632 to the Welfare and Institutions Code requiring a report to the county welfare department by the family that receives an unrelated or distantly related child into their home and keeps it more than 30 days. The matters to be reported are set out in the statute; a failure to report is a misdemeanor and all such reports are to remain confidential The welfare department is authorized to inspect the home, but not authorized to take any further action except, if good cause appears, to request the probation officer to institute proceedings under the juvenile laws. The measure has been drafted without reference to receiving children "with intent to adopt," since proving such intent is difficult and the State, in any case, has a legitimate interest in supervising any informal placement of children outside the family.

A serious problem presented to the committee is the use of fictitious birth certificates. An unmarried mother is persuaded to enter a hospital under the name of the "adopting" mother and give the name of the "adopting" father as that of the father of the child. The birth certificate is prepared under these names, the "adopting" parents take the child, and there are no further proceedings. The child however is completely unprotected. He has no legal standing whatsoever as a child of his foster family and will probably never know who are his natural parents. At the present time the penalty for violating Health and Safety Code Section 10675, which makes it an offense to falsify a birth (or death) certificate, is a $10 fine for the first offense and $50 or 60 days for each subsequent offense. Considering the importance of birth and death certificates in our law, such penalties seem to be inadequate. A bill has been prepared therefore which would make it an ordinary misdemeanor to refuse or fail to give correct information in one's possession for such certificate and making it a high misdemeanor to wilfully furnish, cause to be furnished, conspire to furnish, or solicit anyone to furnish false information. Since the testimony before the committee was to the effect that suspicion falls mainly on physicians and attorneys in these false birth certificate cases,

it is specifically provided that two or more convictions under this statute are grounds for revocation of a physician's certificate or for disbarment or suspension of an attorney.

It is possible that Penal Code Section 115 applies to this situation, but it might not be possible to prosecute all false birth certificate offenses under it. In terms it applies to one who knowingly records a false instrument, not to making or arranging for a false instrument. The person who actually sends a false birth certificate to the recorder or registrar often may not know that it is false. In any case, no harm will be done if both acts are on the statute books.

Section 701 of the Welfare and Institutions Code provides that a child can be freed from the custody and control of its parents if the parents are found to be insane or feeble-minded and if the authorities at the state hospital where they are confined certify that such parents will be unable to properly care for the child. Section 224 of the Civil Code has a provision in identical terms under which consent of such parent to an adoption is not required. This poses two problems. One is that the procedure under both sections requires that the parent be confined in a state institution No machinery is provided whereby a child can be taken from the control of a parent, or whereby consent of such parent to an adoption can be dispensed with, if the parent is incompetent but is not in a state hospital The second is that the superintendent of a state mental institution may reasonably be reluctant to certify that the parent will *never* be able to care for a child in a proper manner. Bills have been prepared to amend both these sections to provide that there must have been a declaration by a court that the parent is mentally ill or mentally deficient and must be a finding of fact in the instant proceeding (based on any competent evidence) that such parent will be incapable of properly supporting and controlling the child for at least one year. This meets both the problems discussed above

There is a further question arising from the same two statutory provisions. Is it necessary to have such provisions in both the juvenile and the adoption laws? The State Department of Social Welfare has proposed a bill which would strike this provision from the adoption statute. If this is accepted it will be necessary, if one or both parents be incompetent within the terms of the statute, to institute a proceeding under Section 701 of the Welfare and Institutions Code before an adoption can be completed. As the law now stands, the matter can be dealt with in the adoption proceeding or separately. The question should be given further consideration. In any case, however, the proposed amendment to the Welfare and Institutions Code seems desirable.

The Department of Social Welfare has proposed an amendment to Section 226 which would authorize a licensed county agency to consent to the consent of a parent taken before a notary in another jurisdiction. The present law requires such further consent to be given by the department. The proposed change is in line with the department policy of delegating functions to the county agencies and tends to further simplify the adoption process.

Testimony before the committee indicated the problem arising when a child relinquished to an agency is not adopted, usually because of the child's poor health or like defect. If, as often occurs, the natural parent has left the area and cannot be located, the agency is likely to be held responsible for the support of the child. A bill has been prepared to include such a child in the definition of a "needy child" under Section 1500 of the Welfare and Institutions Code if the child has been held by the agency for more than two years. An amendment to Section 1500.5 includes licensed agencies in the definition of "institution" for the purposes of that chapter.

That there is still a "black market" in children for adoption is unfortunately true. From testimony before the committee it appears that "black market" babies are usually obtained from unmarried mothers without any means of support. In return for her living and medical expenses, such a mother will surrender the baby as soon as born. Most of these mothers have left their homes in other counties and states in order to avoid scandal and so have no residence where the baby is born and no right to public assistance. Since they cannot be helped by public agencies, they are forced into the hands of black-marketeers. In response to this unpleasant and undesirable situation, a bill has been drawn amending Sections 204 and 2500 of the Welfare and Institutions Code which would authorize county hospital care and county relief for indigent expectant mothers without regard to residence. If such mother has a residence in this State, the cost will be a charge against the county of residence, of course.

A related measure is one suggested by the trustees of the California Institute for Women at Tehachapi. A parolee from a state prison usually has no county residence. Some return to their homes, but even if they do, they may not have lived there long enough before their arrest and conviction to have a residence there. Many convicts, of course, are transients, without residence anywhere. The result is that a parolee may be forced to return to prison to obtain hospitalization, which does not forward his rehabilitation. A bill amending Welfare and Institutions Code Section 2577 providing that a parolee shall be deemed a resident of any county so designated in the terms and conditions of his parole for purposes of hospitalization and medical attention under Division 4 of that code. The board of supervisors of any county is required to report any such aid to the parole authority and the authority may suspend or revoke the parole, if they see fit.

Concerning the rights of adopted children, a bill has been drawn which would give an adopted child the same rights of inheritance as a natural child, not only from the adoptive parents but from their family and kindred as well. The situation at present is this: The adopted child can inherit from the adopting parents and cannot inherit from the natural parent. However, the adopted child can inherit from the family of the natural parent and cannot inherit from the family of the adopting parent. For example, an adoptive parent dies and thereafter a brother or sister of the adoptive parent dies intestate and without issue. Any surviving brothers and sisters or their natural children would take by intestate succession, but the adoptive child cannot succeed to the estates of the

adoptive parent's family through a deceased adoptive parent. Most adoptions in these days are of infants and most of the babies offered for adoption are illegitimate. Therefore, they never know their natural parents and any rights to inherit from the kindred of their natural parents is illusory. It would seem to be the better policy to try and treat an adoptive child as a natural child in as many ways as possible. It is true that the adopting parents' relations have nothing to say about an adoption, but it is likewise true that, should they feel strongly about the possibility of their property descending to a merely adoptive niece or nephew, they can make a will with such provisions as they prefer.

Part V

CHANGES IN THE MARRIAGE AND DIVORCE LAWS

During the past several sessions Mr. Peter Hanson of Corona, California, as the representative of the Family Protection League of U. S. A., has presented many measures in connection with marriage, divorce and annulment.

Mr. Hanson appeared before the interim committee to discuss these changes for the reason that most of the measures he has been interested in in the past have failed to obtain a "do pass" before the Standing Judiciary Committee.

Facts which Mr. Hanson presented to the committee are very interesting. He states that the rate for divorces in California are eight times those in Canada and 66 times that of Canada as to annulments.

Mr. Hanson has felt that annulments were granted in many cases where the only remedy was and should be divorce and that in many counties the courts are lax in granting such annulments. He felt that the following recommendations should be adopted: (1) That a residence requirement should be required in the filing of annulment suits as are now required for divorce actions, (2) that the word "fraud" should be better defined because that is the ground mostly abused by those who obtain annulments, and (3) that the statute of limitations on annulment actions should be reduced to one year.

As to marriages, he felt that the county clerk should be required to definitely determine whether or not a person who is an applicant for a marriage license has been married before and if so, whether or not he has received a final decree of divorce.

He also recommended that we return the requirement of a three-day waiting period.

He also suggests that in Civil Code Section 79, it should be amended to require people who are considered married where there has been no marriage license, should at least live together for a period of one year rather than the present interpretation of the law.

His recommendations as to actions for divorce include restoration throughout California of the conciliation proceeding originally the law in California and now being used in Los Angeles County. He felt that conciliation attempts should not be under court jurisdiction and that with every divorce action there should be filed a certificate by the parties that there has been a failure to become reconciled.

He would change the law to take care of what he claims is an abuse of the clause "extreme cruelty" as a divorce ground. He would take away from the court its right "upon its own motion" to issue a final decree of divorce. Mr. Hanson would also add to the law provision that if a husband and wife had actually been living apart for a considerable period of time, say four years, they might settle their property matters between them with the consent of the court the same as if there was a final divorce and

thereafter neither would have the duty or right to support from the other. The advantage of this is that "nobody then would get a divorce for the one purpose of settling property matters and to have no duty to support the other."

Mr. Hanson urged the committee to introduce a joint resolution to memorialize Congress to initiate an amendment to the Constitution on marriage and divorce so that persons will obey their own state laws.

Conclusions

The interim committee carefully considered the testimony presented to it by Mr. Hanson, had an opportunity to restudy certain bills covering the above recommendations which have been introduced in past sessions, and have come to the conclusion that as far as the measures which have been discussed and submitted by Mr. Hanson there should be no changes in the present law on marriage, divorce or annulments.

However, the committee does agree with the fundamental problems presented by Mr. Hanson and the purposes for which the proposed bills are intended to cover but is of the opinion that it is impossible to legislate so that persons will not separate, so that they will not violate present laws relative to obtaining marriage licenses, that they will not falsify testimony in obtaining annulments or divorces upon the flimsy grounds, that the three day waiting period is circumvented by people who go to adjoining states for marriages.

The committee feels that there should be no change in the present law on annulments which requires a residence similar to that for the purposes of obtaining a divorce. The reasoning being based upon the fact that an annulment is a summary proceeding, that such a resident requirement would defeat the idea that the marriage itself is nonexistent and that there should be a legal determination of that point as soon as possible.

Part VI

UNIFORM NONSUPPORT ACT

One of the bills referred to the Standing Committee was Assembly Bill No. 99, authored by Assemblyman Levering.

This proposal was introduced in the March, 1950, Regular Session and referred to this committee for further study.

The committee has received testimony for the need for such a law. Mr. Edmund G. Brown, District Attorney of San Francisco, stated that the present problem in connection with the subject comes from the many women in California who have trouble in locating their husbands and collecting money from them for the support of themselves and their children once the husbands have left the State of California. While the present law does provide for extradition in cases of nonsupport, such extradition is not very helpful inasmuch as the person who is extradited must be charged with a felony, he loses his job wherever he is working in another state and is brought back to California with the result that he is unable to find a job here and give any support to his family which is the prime object of such legal action.

Assemblyman Levering, author of the bill, presented the matter to this committee stating that there is a great need to compel fugitive husbands to support dependents and that according to the National Desertion Bureau, there are at least 1,000,000 abandoned dependents in the United States, 750,000 of whom are under the age of 16, with support costing the taxpayers at least $50,000,000 annually, together with the many other problems which result, such as juvenile delinquency, malnutrition, illness and so forth.

It was brought out before the committee however, that the passage of such a uniform law in California actually would be of benefit only to the wives of other states whose husbands are in California and that actually until every state in the Union adopted it, it would not be of great help to the California situation. Therefore, an effort should be made to adopt a uniform act throughout the United States.

Briefly the act proposes that in the state where the fugitive husband is located the wife may bring an action or file a petition with the court setting forth the fact that the husband owes a duty of support. Certified copies of this may be filed with the state where the husband is located for an action to be brought there against him and if that court finds that there is a duty of support, it may order the defendant to furnish the support and subject his property in that state to the order. The reverse is true when the wife lives in some sister state and the husband resides in this State.

There are two proposed acts which generally seek to accomplish the same result: Assemblyman Levering's bill, Assembly Bill No. 99 (1949 Budget Session), and one proposed by National Conference of Commissioners on Uniform State Laws.

The committee believes that the adoption of such a uniform law would be of benefit to this State in savings to the taxpayer as well as of the obvious benefits to the children and wives involved, and that it should be adopted by all states in the United States.

Part VII

CHANGES IN REAL PROPERTY STATUTES

The committee received testimony regarding various technical and procedural defects and difficulties in the statutes relating to eminent domain, homesteads, mortgages, simultaneous death, rights of re-entry, and like property laws.

Certain measures have been prepared to simplify, clarify and improve these statutes. Mr. Floyd B. Cerini, executive secretary of the California Land Title Association, presented facts in connection with these matters to show that the correction of these defects would enure to the benefit of the real property owner in many ways.

The proposal to amend Sections 801.3 and 801.9 of the Code of Civil Procedure is intended to accomplish the following:

(a) By amendment to Section 801.3 authorize a plaintiff, in an action to quiet title to the lien of a public improvement assessment or bond which is presumed to be extinguished under the provision of Section 2911 of the Civil Code, to allege in his complaint that a person owning or claiming an interest under such a public improvement bond or assessment is believed to be dead and name as defendants both such person and "the heirs and devisees" of such person. Sections 801.1 to 801.15, Code of Civil Procedure, provide a proceeding whereby it can be determined whether the lien of a public improvement assessment or bond that is presumed extinguished under Section 2911 of the Civil Code is in fact extinguished and whereby it can be determined whether the lien of any certificate of sale given in satisfaction of such an assessment or bond is in fact extinguished. Such an action or proceeding is essentially an in rem proceeding. By Section 801.4, Code of Civil Procedure, the complaint in such an action must include as defendants unknown persons claiming an interest in any such assessment, bond or certificate of sale. And by Section 801.14, Code of Civil Procedure, the decree of the court is conclusive against all persons named in the complaint who have been served and all unknown persons and the heirs and devisees of deceased persons designated in the complaint and served as provided by Sections 801.8 and 801.9, Code of Civil Procedure.

The reason for the amendment as proposed stems from the fact that while the records of a county or city treasurer or street superintendent may show the name of a person having possible claim of interest in such a bond or assessment or certificate of sale, it frequently is impossible to ascertain whether such person is still alive or not. Under the present state of the law the plaintiff must make a choice of either naming such person as a defendant as though he were living or else naming "the heirs and devisees" of such person as defendants on the assumption that he is dead. If the plaintiff guesses wrong and names a person who is dead as a defendant the court's decree is not binding on his heirs and devisees and vice versa if he names "the heirs and devisees" as defendants the decree is not binding on the person if he is alive.

The proposed amendment to 801.3 will cure this difficulty and permit a plaintiff, as is now permitted in a quiet title action by a tax deed purchaser brought under Chapter 10 of Division 1 of the Revenue and Taxation Code, to allege in his complaint that he believes a person to be dead and name both such person and "the heirs and devisees" of such person as defendants in the action. By so doing the court's decree will be a binding decree whether or not such person is in fact alive or not.

(b) The amendment to Section 801.9 is to correct an obvious error by changing the word "defendant" to "plaintiff." It was patent that the plaintiff is the person who must make the affidavit of due diligence in order to serve by publication.

The proposal to amend Sections 1242, 1243, and 1265 of the Civil Code and Sections 660 and 663 of the Probate Code deals with statutory homesteads and relates primarily to conveyances between spouses of property that is subject to a marital homestead. There are three principal characteristics to property subject to a marital homestead: first, that of exemption from forced sale in satisfaction of certain debts; second, that of restraint upon the power of either spouse, acting alone, to convey, encumber or destroy the marital homestead; and third, the special manner of devolution of title to the property upon the death of one of the spouses.

Under existing law a conveyance of homestead property by one spouse to the other does not affect any of the homestead characteristics. The legal effect of the deed is merely to convert the property holding into the separate property of the grantee spouse with the property still continuing subject to the homestead (*Burkett* v *Burkett*, 78 Cal. 310). Experience has demonstrated that when one spouse conveys homestead property to the other it is invariably the intention of the grantor spouse that the grantee spouse be enabled to convey, encumber or otherwise deal with such property without the joinder of the grantor spouse and that the grantee spouse be able to devise such property by will or leave it to heirs of the grantee. Such is not the result that is achieved. Since the property remains subject to the homestead all homestead characteristics are applicable thereto. Thus the grantee spouse cannot, during the marriage and in his or her lifetime, in any sense deal with the property as his or her separate property. The property cannot be sold, conveyed, or encumbered except by an instrument jointly executed, acknowledged and recorded by both spouses. (Section 1242, Civil Code.) Nor can the grantee spouse devise the property by will, nor would it pass to his or her heirs by succession upon his or her death, for if the homestead was selected from community property or from the separate property of the spouse making the selection or joining therein title to the property vests absolutely, on the death of either of the spouses, in the survivor.

The primary purpose of this proposed legislation is to remedy this situation to the end that conveyances between spouses of homestead property can be made in accordance with the intention of the spouses. This is done by providing:

(a) That unless the spouse conveying to the other spouse expressly reserves his or her homestead rights, the spouse to whom the conveyance is made may convey or encumber the homestead property in the same manner and to the same extent as though no homestead had been declared: (see proviso proposed to be added to Section 1242, Civil Code).

(b) That unless the spouse conveying to the other spouse expressly reserves his homestead rights in such conveyance the homestead property shall go to the heirs or devisees of the grantee spouse, subject to the power of the court to assign it for a limited period to the family of the decedent. (proposed amendments to Section 1265, Civil Code and to Sections 660 and 663, Probate Code; see also Section 661, Probate Code).

The proposed amendments do not affect or in any wise destroy the homestead characteristic of exemption of the homestead property from execution or forced sale in satisfaction of certain debts. Such would continue, as under present law, when a conveyance is made from one spouse to the other.

The secondary purpose of this proposed legislation is to clarify the amendment made by the Legislature at the 1949 General Session to Section 1243, Civil Code. Prior to this 1949 amendment marital homestead property could not be conveyed, encumbered or abandoned except by a *single* written instrument, jointly executed and acknowledged personally by both husband and wife. The 1949 amendment purports to permit an abandonment of a homestead to be effected by a grant or declaration of abandonment personally executed and acknowledged by husband and wife by *separate* instruments; however this provision, insofar as it authorizes an abandonment to be effected by a grant made in separate instruments, is inconsistent with Section 1242, Civil Code, which does not permit a grant or conveyance of marital homestead property by husband and wife by *separate* instruments. Therefore an amendment is proposed to both Sections 1242 and 1243, Civil Code, to provide that a homestead can be conveyed, encumbered or abandoned by *separate* instruments personally executed and acknowledged by each of the spouses provided that the conveyance or encumbrance is made in favor of the same party or his successor in interest.

The proposal to amend Sections 296.2 and 296.4 of, and to add Sections 296.41 and 296.42 to the Probate Code is intended to correct two deficiencies in the Uniform Simultaneous Death Act. These are:

(a) The failure of the act to authorize sales or encumbrances or other transactions sanctioned by the Probate Code. Sections 296.2 and 296.4 of the act now provide for the *distribution* of joint tenancy and community property when there is no sufficient evidence that two joint tenants or a husband and wife have died otherwise than simultaneous, but there are no provisions which would authorize such property to be dealt with in any other manner in the probate proceedings such as the sale, exchange or encumbering thereof. The amendments to Sections 296.2 and 296 4 would correct this omission.

(b) The failure of the act to provide any method by which there can be an authoritative or conclusive determination of the fact that particular persons (joint tenants or husband and wife) have died under circumstances where there is no sufficient evidence that they have died other than simultaneously. Under existing law a binding determination is ordinarily obtained by having the executor or administrator of one estate bring a quiet title action against the executor or administrator of the other estate. This is costly and frequently results in costly delays. The proposed additions of Sections 296 41 and 296 42 provides a simple proceeding, with notice to all interested parties, whereby a finding can be

made by the probate court which will be binding on all parties and conclusive to the effect that joint tenants or husband and wife have died simultaneously.

This proposed legislation has been submitted to the Commissioners on Uniform Laws of this State who have stated that the amendments proposed "appear to be desirable from the point of view of clarification of procedure, and they do not in any way affect the substance of the act itself, so that * * * uniformity can be adversely affected."

The proposal to add Section 1116 to the Civil Code to provide, in substance, that the lien of a mortgage or deed of trust made in good faith for value cannot be defeated by a breach of a condition subsequent, occurring after the attachment of such lien, is advocated for the reasons that: (a) the existing law which permits a forfeiture of title for breach of a condition subsequent and enables the holder of a reversionary right to unjustly enrich himself at the expense of a lender whose loan has improved the forfeited property and who had no part in causing the breach of condition is inequitable; (b) forfeiture of title to property by reason of a breach of a condition subsequent are not favored in the law; and (c) many lenders who now refuse to loan funds for the improvement of property subject to a condition subsequent would make such loans if this proposed legislation were enacted.

This proposed legislation would not, however, prevent the enforcement of a breach of a condition subsequent for the person entitled to enforce a breach would still be able to enjoin the breach, or sue for damages or re-enter and take title to the property subject to the lien of any mortgage or deed of trust made in good faith for value. Also the condition subsequent would continue as a valid and binding condition as to any owner of the property, or his successor in interest, whose title might be acquired by foreclosure or other means in satisfaction of a mortgage or trust deed indebtedness, with respect to any breach of the condition accruing subsequent to such acquisition of title.

The proposal to amend Section 2924c of the Civil Code would permit the owner of a subordinate lien on property to reinstate a default in an indebtedness secured by the prior lien of a mortgage or deed of trust on such property in the same manner and subject to the same conditions as a trustor under a deed of trust or a mortgagor is now authorized under Section 2924c, Civil Code, to reinstate a default in an obligation secured by a deed of trust or mortgage.

It is not unusual for a trustor to refuse to reinstate a default in a first deed of trust or that he does not do so because of inability or because he is missing and cannot be found. In such case the owner of a second deed of trust can only protect his lien by buying in the property at foreclosure or trustee's sale or hoping that the property will bring enough at such sale to satisfy his second lien. It would seem that he should have the same right to cure any default in the first deed of trust as is accorded to the trustor thereunder in order to protect his lien. In neither case is the position of the beneficiary under the first deed of trust adversely affected.

The proposal to amend Section 1245.3 of the Code of Civil Procedure would broaden the scope of this section of the code to permit anyone authorized to institute eminent domain proceedings to avail themselves of the benefit of the provisions thereof. Under existing law only the State or a public corporation or a political subdivision is entitled to avail itself

of these provisions which authorize an in rem judgment in a condemnation action binding upon all persons.

It is not infrequent that the Federal Government condemns property and, as authorized by federal law, takes immediate possession thereof. The eminent domain proceedings, however, are often not prosecuted to final judgment for many years because of inability to ascertain the identity of, and serve, persons having an interest or possible interest and claim in the property. This results in known claimants being unable to obtain their compensation for the taking of their property even though they have been deprived of the use of such property. The amendment would cure this situation by permitting the Federal Government to avail itself of the provisions of Section 1245.3, Code of Civil Procedure and thus allow a final judgment to be entered with compensation awards being distributed to known claimants while compensation awards to unknown persons would be held by the county clerk for the account of the persons entitled thereto.

There seems to be no logical reason why others that are authorized to institute condemnation actions, besides the Federal Government and the State and its political subdivisions and agencies, should not also be able to avail themselves of the provisions of Section 1245.3 of the Code of Civil Procedure.

The proposal to add Section 1190.1 to the Civil Code would provide in effect that if the certificate of acknowledgment of an instrument executed by a corporation set forth a statement that the instrument was executed by the corporation pursuant to a resolution of its board of directors such a recital would be prima facie evidence that such instrument is the act of the corporation, and that it was duly executed pursuant to authority duly given by the board of directors, and conclusive evidence of such matters in favor of any good faith purchaser, lessee or encumbrancer. Such a statement, while optional in any case, could not be set forth in any corporate instrument transferring all or substantially all of the assets of a corporation.

The reason for this proposed legislation, which is patterned after a Utah statute, is to provide a means whereby a corporation can be prevented from denying, at some later date, the apparent authority given by it to its officers. It is not always feasible to obtain proof that a corporate act has been duly authorized by the corporation's board of directors. In the absence of proof, a corporation may at any time attack a conveyance in a chain of title as not being the authorized act of such corporation. Innocent parties, i. e., purchasers and encumbrancers dealing with corporate officers in good faith, and the successors in interest to such parties, should be entitled to demand the protection afforded by this proposal as a condition to consummating property transactions with a corporation.

The proposed legislation provides the means whereby the authority of corporate officers executing conveyances on behalf of the corporation may be established of record. It has been submitted to Mr. Graham Lee Sterling, Jr., co-author of the authoritative text on California Corporation Laws, who has indicated his belief that this proposed legislation is reasonable.

The committee staff has prepared another bill in this same general field, adding Section 789 to the Probate Code. It provides, in brief, that if a probate sale made in compliance with Section 788 is confirmed but not completed, the confirmation can be vacated and the property resold as at private sale, if done within 30 days of the original confirmation and if the second sale is for the same or a better price and on the same or better terms. It would appear that all concerned are adequately protected by the publicity and formality of the first sale.

Part VIII

WAR EMERGENCY LEGISLATION

Unpleasant as it may be to contemplate, there is a genuine possibility that the cities of California may be attacked by enemy aircraft in the near future. The first public efforts must be, of course, to save and protect lives and homes and other tangible property. But not only will persons and buildings be injured and trade and commerce hampered, law enforcement will have to be on an emergency basis, and the orderly administration of justice will be interrupted.

It is probable that a state of extreme emergency would have to be proclaimed or that martial law would have to be imposed in the metropolitan areas because of the substantial destruction of the community organization. It has also been suggested that, in event of war, the federal military authorities might attempt to establish federal martial law, as was done in Hawaii in World War II.

Apropos of this, we do not believe that the Federal Government is authorized to proclaim martial law in this State unless and until (a) this is actually the theater of war, (b) martial law is required as a matter of military necessity, and (c) the civil courts are actually unable to function. By martial law we mean the closing of the civil courts and the administration of justice through military provost courts or commissions. Hawaii is, of course, a territory and without any claim to sovereignty, and martial law there was authorized by the organic Act of Congress which is the territory's constitution. Even so, the U. S. Supreme Court partially invalidated the state of martial law imposed there during World War II. Where one of the 48 states is concerned, the power of the Federal Government is much more limited.

In any case, the due process of the law is likely to be disturbed as a result of enemy attack, and serious losses may be sustained and major inconveniences suffered if public and private records and government offices and officers are destroyed. It should require little argument to show that the Legislature should take all reasonable steps to protect both the people and the agencies of government in such cases.

There are many existing provisions of law covering situations where private papers or official records are lost or destroyed. Generally speaking, of course, certified copies can be used in most cases in the absence of the original. In civil actions, furthermore, proof can be made of the contents of a lost or destroyed writing under such code provisions as Sections 1937 and 1855 of the Code of Civil Procedure. Pursuant to Government Code Section 1226, where official certificates have been destroyed by conflagration or other public calamity, duplicates may be issued. As regards land titles, the McEnerney Act (Act 1026, Deering's General Laws), passed after the San Francisco fire, is still in effect. It provides for an in rem proceeding to re-establish land titles if the public

records are destroyed by flood, fire, earthquake or enemy attack. Deering's Act 1027 is supplementary to the McEnerney Act. Deering's Act 1028, also passed in 1906, provides for restoration of court records lost or destroyed by public calamity. Another 1906 statute, now Government Code Sections 50111-50113, provides for the recopying of damaged records and use of the new copy in evidence. Sections 1238 (15) and 1855a of the Code of Civil Procedure provide for the use of title company records, abstracts and certificates in case of the destruction of public records. It appears, too, that the proceeding to perpetuate testimony authorized by Section 2083 of the Code of Civil Procedure might be used where private and public papers and files are destroyed or damaged, if any person has knowledge of the contents.

One problem that would be posed by the closing of the courts, either by war damage or by military necessity, is that of the running of the statute of limitations. Obviously a complaint cannot be filed if there is no clerk's office and no clerk And, even if filing were possible, it would appear to be futile to file an action if the courts were not functioning In a larger sense, the same considerations are present as to all acts required to be done at or within a set time. It is possible, of course, that in any subsequent action the facts of war or like public calamity might be relied on as a defense to any claim that the statute had run or of nonperformance. Nevertheless, it seems to the committee that it would be more reasonable and practical, that there would be greater certainty, if some statutory provision was made on this point, and this was the view of Mr. Homer D. Crotty, president of the State Bar.

A bill has been prepared which would add to the Military and Veterans Code a section authorizing the Governor, in emergency situations, to suspend the running of the statutes of limitations and to extend the time for doing any acts required either by law or contract. The Governor would be empowered to order such extension and suspension either over the whole state, or by counties, and to make the same effective either as to everyone and every type of transaction or only as regards special classes of persons and transactions specially affected No such extension or suspension, however, would be for more than one year.

It is the intention of the committee that this statute, if adopted, be regarded as remedial, and cumulative, not exclusive. That is, the act should be liberally construed to provide short-term relief from legal difficulties caused by public calamity, including especially the damage and dislocation caused by war. Furthermore, whether or not the Governor should exercise the power which would be conferred on him by this enactment, it is our intention that the benefit of any other defenses or excuses, such as prevention by act of public enemies or like impossibility, or frustration, or destruction of the subject matter, should be preserved to those entitled to them.

The committee has also considered legislation which would provide for a sort of conciliation or individual moratorium proceeding. A court proceeding might be made available when justified by war conditions wherein anyone whose finances were imperiled by war damage or economic dislocation resulting therefrom could petition for relief. The relief provided would be to restrain his creditors and obligees from enforcing their claims against him, while, for the protection of the creditors, the entire property and business operations of the debtor

would be under court supervision and control. While this special proceeding would be along the lines of that provided for by the Frazier-Lemke Act, it should be emphasized that it would not be intended as an intrusion upon the federal bankruptcy jurisdiction. It would be intended to provide only short-term emergency relief and no attempt would be made to grant the petitioner a discharge of any sort. The court would only restrain the enforcement against him of his debts and other obligations for a limited period, two years or less. The statute would only be in effect when required by war conditions and so ordered by the Governor.

One further problem considered by the committee under the heading of needed emergency measures was that of the succession to the office of Governor. At the present time Section 16 of Article V of the Constitution spells out the succession in detail through the Lieutenant Governor, the presiding officers of the Legislature and most of the constitutional executive officers. If the vacancy is not so filled for any reason, the Senior Deputy Secretary of State is to convene the Legislature to select a Governor in joint convention. However, we live in an age of atomic bombs and bacteriological warfare. It is conceivable that a determined enemy attack could wipe out all of those in the line of succession—only eight in number—all deputies of the Secretary of State, and some of the members of the Legislature as well. The State would, in such case, be without any effective government and without any legal means of supplying one.

The answer, it seemed to the committee, was to provide machinery for an emergency government which authorized so many people to act as would make it unlikely that all of them or even a majority of them would be killed or disabled at one time. A constitutional amendment has, therefore, been prepared which provides, in the first place, that if the office of Governor is vacant and remains vacant, it is the duty of every member of the Legislature to assemble in joint convention to fill the vacancy, whether or not any proclamation is issued. In the second place, vacancies in the Assembly or Senate would be filled by appointments made by the several boards of supervisors. Each board of supervisors would, if the Assemblyman and/or Senator representing them failed or was unable to attend the session in Joint Convention, appoint a replacement for such Assemblyman or Senator. It would appear most unlikely that all of the boards of supervisors would be wiped out by an enemy attack.

Since many assembly and senatorial districts embrace more than one county, if each county in the district appointed a replacement for an incapacitated legislator, several members from each such district would be named to replace one. This amendment, however, is not intended to provide a permanent arrangement. The idea is to provide some simple, workable machinery to keep the State Government operating even under emergency conditions resulting from enemy attack. On that basis, a departure from the usual rules for representation can be justified. As a matter of fact, the over-all size of the Legislature would probably not be greatly altered, since the metropolitan counties are most likely to suffer under enemy attack, and it is possible that not only would the legislators from such counties be unable to act, but the boards of supervisors might be wiped out as well.

Part IX

JUDICIAL AND ADMINISTRATIVE OFFICERS

A. REPORT OF SUBCOMMITTEE ON JUDICIAL SALARIES

Inasmuch as three members of this committee, Assemblymen Caldecott, Tomlinson and Rosenthal, were named to the Interim Committee on Equalization of Salaries, Qualifications and Job Classifications of Public Employees, the chairman designated them as a subcommittee to cooperate with Assemblyman Huyck's committee on the problem of judicial salaries. Their report on this matter follows:

The first task of the committee was to attempt to discover what rules and standards had been followed in establishing judicial salaries in the past. Our conclusion, in brief, was that there were none. The committee next attempted to determine if there were any rules or standards which should or could be applied in the future to establish and equalize judicial salaries.

In establishing industrial and civil service wage rates, a number of factors are usually considered. These include training, volume of work, responsibility, strain, bargaining power, prestige, perquisites, the supply of and demand for such labor, and so on. The results of trying to apply such commercial standards to judges were not encouraging For instance, the only training required by law is that of a lawyer. It is impossible to make any general statement as to further training required for the position. Likewise, it seemed impossible to find any ascertainable objective factors distinguishing the duties and responsibilities of one judge from another. The volume of work is not a satisfactory basis, for one reason because we had no figures which were both of proved accuracy and beyond influence by the court. The responsibility of a judge is great, but can hardly be measured in dollars. The strain on a judge by reason of his office may be high, but is intangible. Strain, likewise, as has been pointed out, is as much a measure of the man as it is of the job.

In fixing industrial salaries, the prime consideration is often the bargaining power of the employees. The bargaining power of judges is largely the result of their individual political influence, and, while it exists, such bargaining power should not, for reasons of public policy, be given any consideration in arriving at a long-term plan for fixing judicial salaries. The state of the labor market is also considered in determining industrial salaries, that is, supply and demand. We did not consider this a proper factor in fixing judicial salaries; the office should seek the man and the salary should be high enough to command the services of the kind of man required. While the prestige of judicial office is high, it is offset, as a pay factor, by the increased community responsibilities which fall on those who hold such office. The cost of getting and keeping the job, that is, election costs, might also be considered, but as a matter of fact

most judges are appointed to fill vacancies and thereafter elected and re-elected without opposition. Such costs are therefore intangible. The perquisites of judicial office include participation in a liberal retirement scheme which must be given consideration. A judge's salary must, of course, be high enough to remove from him any temptations to allow outside financial considerations to influence his decisions, but this does not indicate exactly how much his salary should be. Frankly, if a man is susceptible to such influence at all, it might be impossible to set a salary high enough to keep him honest. We think that the best that can be done in this regard is to set judicial salaries high enough to provide a respectable living and a fair return

Another consideration is that of salaries for comparable positions. Like some of the other factors often applied for purely business purposes, it is difficult to apply this one to judicial emoluments. The situation as regards judicial salaries in other states involves a great many imponderable factors regarding which we can have little accurate information. Even if we understood all the considerations affecting the remuneration of judges in other states, it would probably appear that many of them had no application to California However, for what it may be worth, some figures for other states were collected.

One factor that is important is that of the ability of the public to pay and its willingness to pay. Some of the inequality in existing superior court salaries undoubtedly derive from the reluctance of local groups to increase their costs of government It must be pointed out, however, that the lower-paid judges (from the smaller counties) are those most likely to be assigned to other counties If the salary for his position is too low to attract well-qualified men, the judge of such county may not be qualified to do his share in the state-wide judicial system. That is to say, the effect of such a low salary is not confined to that one county but may appear anywhere in the State, wherever such judge holds court. The committee wishes it to be clearly understood that this present discussion is purely theoretical and without reference to any individual judge or county. Our point is just that there may be some relationship between judicial salaries and the calibre of the judges, and, since a superior court judge may sit in any county, judicial salaries are not a purely local concern.

Finally, we think it important to state that judicial salaries ought to be geared to a cost-of-living standard. Like most "white-collar" workers, particularly those in the higher brackets of government service, the pay of judges tends to rise much less slowly than does the cost of living in an inflationary period.

We concluded, after considering all the foregoing factors, that these (although usually given some weight in fixing wages) are just not, in the nature of things, applicable to the salaries of judges. Any rules or standards by which California judicial salaries can be fixed, we concluded, would have to be established after determining the nature of the problem in this State and the particular factors involved.

What is the problem? Although the superior courts of California are organized on a county basis, by reason of the powers of the Judicial Council to assign judges to other counties, we have, in effect, a unified state-wide system. Yet in this unified system there are 13 different rates of

pay. Following is a tabulation of the distribution of salaries now being paid to superior court judges:

$15,000	per year in	4 counties
13,000	in	1 county
12,500	in	5 counties
12,000	in	13 counties
11,000	in	2 counties
10,500	in	2 counties
10,000	in	9 counties
9,250	in	1 county
9,000	in	5 counties
8,700	in	1 county
8,500	in	13 counties
8,000	in	1 county
7,000	in	1 county

We find two faults with this array of salaries. One is that there are differences of as little as $200 per year, with no factual basis for such fine distinctions. The other is that the spread from a low of $7,000 to a high of $15,000 is greater than the spread which in our judgment exists in the responsibilities of the judges.

It appears that these unwarranted differences result from a mixture of politics and tradition. The committee was unable to find any rational basis, such as differences in population, case load, etc., to justify 13 different salary levels. It would appear that the setting of superior court salaries county by county and not on a uniform or state-wide basis dates from the time when judges were not usually assigned from one county to another A reasonable distinction might have been made under such circumstances between the powers, duties and responsibilities of a superior court judge in one county and of a superior court judge in another, and consequently a different salary have been prescribed. However, the constitutional provision authorizing the Chief Justice to make assignments "to expedite judicial business" was adopted in 1926; the power has been used freely, and it is doubtful that any particular distinction can now be drawn between the kind and amount of work done by one superior court judge and that done by another. Notwithstanding the amendment of 1926, the Legislature has continued to fix superior court salaries on a piecemeal, county-by-county basis The only bases used in making salary adjustments seems to be the recommendations of grand juries and boards of supervisors and any personal influence the judges concerned might have.

It is the committee's conclusion from its consideration of all the foregoing that, since the usual rules for setting wage rates do not seem to apply to the judiciary, that the only practical basis on which judicial salaries can be established is a combination of existing practice with the cost of a decent standard of living for a judge.

Since it appears that, in general, all superior court judges have the same duties and responsibilities, it seemed reasonable to suggest that all of them receive the same salary. The arguments against a single rate of pay include the following:

1. Such a proposal might be opposed because of custom and tradition.

2. There is some difference in amount and character of work load, at least between the metropolitan and the smaller counties.

3. If a uniform salary rate was established, it is obvious that it would have to be at or near the level now prescribed for the larger counties. A heavy financial burden might thus be imposed on the smaller counties. Likewise, a highly-paid office might be placed in the gift of a relatively small number of voters in the less-populated counties with undesirable results.

Generally speaking, the committee accepted the arguments in favor of a single uniform rate of pay for superior court judges. We were supported in this position by the testimony of the Chief Justice and many other judges. However, there is considerable weight in the opposing arguments Two additional factors to be considered are these:

1. The establishment of a municipal court in some counties has, while perhaps decreasing the total number of superior court cases of all kinds, has increased the proportion of more difficult and serious cases.

2 Some of the smaller counties do not have a sufficient case load to keep their judge occupied full time. If there is a difference in salary between the larger and smaller counties, there is an incentive for a "cow county" judge to take assignments; if there is no difference, there is no such incentive A judge on assignment is, of course, paid at the rate established for the county to which he is assigned.

There was some discussion of a difference in the cost of living between rural and metropolitan counties. After considering various salary and cost-of-living surveys, we were unable to find that this was a substantial factor. The state does not recognize this difference in setting other salaries, either.

The committee therefore recommends that the superior courts be classified into three groups and that a uniform rate of pay be established for each group. This would reduce the present 13 different salary rates to three. For the protection of the smaller counties, we recommend that a fixed base rate be established for each group and that the State pay the balance of the salary above the base rate. For the protection of the judges in the future, we recommend that future adjustments in superior court salaries be based on cost-of-living factors.

In line with this policy, the practice of requiring recommendations as to superior court salaries from grand juries and boards of supervisors should no longer be followed. Finally, all future measures affecting judicial salaries should be referred to a single Assembly committee, instead of to any one of three, as in the past.

The superior court, the court of general original jurisdiction, is the keystone of our judicial system. The superior court, too, has suffered the most illogical and uncertain treatment in salary matters by reason of local politics and piece-meal legislation. If we can bring order out of chaos in regard to superior court salaries, we will have arrived at a standard by which the salaries of all other courts can be fixed. We recommend, therefore, that a fixed relationship be established between the pay scales established for the superior courts and those for the appellate and inferior courts. We further recommend that this relationship be preserved hereafter whenever superior court salaries are adjusted.

In arriving at a dollars-and-cents figure for superior court salaries, the committee adopted as a starting point the findings of the Heller Foundation which in 1947 determined the minimum budget for an executive's

family of four to be $12,503 per year. This being a minimum, we propose that it be increased by 20 percent because of the responsibilities and necessary standard of living of a superior court judge. The resulting figure of $15,000 is further supported by the recommendation of the State Bar in 1947 of a $15,000 salary for the judges in the metropolitan counties, San Francisco, Alameda, Los Angeles and San Diego. The Legislature granted such an increase which, while affecting only four counties, covered more than half (104 out of 203) of the superior court judges Furthermore, the pay for comparable judicial positions in other states is close to this figure. The range of salaries for the principal trial courts of other states of comparable size indicates many variations, but this salary is close to prevailing practice. Those reported by other states include:

Illinois	$10,000 to $17,000
Maryland	13,000 to 15,000
Massachusetts	14,500
Michigan	9,000 to 18,500
New Jersey	7,500 to 20,000
New York	23,000 to 28,000
Ohio	4,347 to 12,000
Pennsylvania	11,000 to 18,000

This figure of $15,000 is the base figure for our further recommendations.

We suggested above that the counties be classified into three groups. We recommend the following classification:

1. The five counties which now have municipal courts: San Francisco, Alameda, Los Angeles, San Diego and Sacramento.

2. The 33 counties which do not now have municipal courts but whose superior courts have a full-time work load; Butte, Contra Costa, Fresno, Humboldt, Imperial, Kern, Kings, Madera, Marin, Mendocino, Merced, Monterey, Napa, Orange, Placer, Riverside, San Bernardino, San Joaquin, San Luis Obispo, San Mateo, Santa Barbara, Santa Clara, Santa Cruz, Shasta, Siskiyou, Solano, Sonoma, Stanislaus, Sutter, Tulare, Ventura, Yolo, and Yuba.

3. The 20 counties where there are now no municipal courts and where the judges of the superior court seem to have less than the average work load: Alpine, Amador, Calaveras, Colusa, Del Norte, El Dorado, Glenn, Inyo, Lake, Lassen, Mariposa, Modoc, Mono, Nevada, Plumas, San Benito, Sierra, Tehama, Trinity and Tuolumne.

It is difficult to say what constitutes a full-time case load for a superior court. Statistics as to cases filed and disposed of are not completely satisfactory; however, there are no other figures available. Omitting Saturdays, Sundays and holidays, there are 250 working days in a year. Assuming that 1½ dispositions a day is normal, we find that a reasonable annual case load is 375 dispositions. This figure has the further advantage that, in the past few years, all the 20 counties in the third group have been well below this mark and all the other counties have been well above it. As things stand, we have to recommend paying what amounts to a part-time salary in these 20 counties. If several of these counties could be combined into one judicial district, this situation could be avoided; however, we make no recommendation in this regard at the present time.

We recommend that the rate of pay for the superior court judges in the counties in the first group be $15,000 per year. We recommend that

the salary for counties in the second group be 90 percent of $15,000, that is, $13,500 per year. We recommend that the judges in the third group of counties be paid 66.67 percent (two-thirds) of $15,000 or $10,000 per year. We would emphasize that the lower salary for counties in the third group is balanced by the fact that a judge assigned to another county is, of course, paid while serving there at the same rate as the judges in that county. This rate equals the highest salary paid at the present time in any of these 20 counties.

It is our recommendation, as stated above, that these base rates be adjusted hereafter in accordance with variations in the cost of living. The U. S. Bureau of Labor Statistics maintains Consumer Price Indices for San Francisco, and Los Angeles; the average of these two should be used. For every rise or fall in this average of five points (or four points and a major fraction), superior court salaries should be raised or lowered $500 per year. Since the base rates recommended above are based on 1947 figures, adjustments should be made at the 1951 session of the Legislature increasing the pay for superior courts in the first group of counties to $16,000, for those in the second group to $14,000; and in the third group to $10,667.

The State pays $5,750 annually towards the salary of each superior court judge at the present time. Some of the witnesses testifying suggested that the State should pay the whole salary. It was our conclusion that the contribution of the State should be increased, but that the counties should continue to pay a part. The judges are still, in theory, locally elected and there should be some measure of local responsibility.

At the present time, the total contribution of the counties is $1,475,700 and the State pays $1,167,250 per year. It is our recommendation that each of the 38 larger counties pay $5,000 per judge per year and that the share of each of the 20 smaller counties (in group three) be $3,000 per judge per year. Under this arrangement, the State's annual share would be increased $880,690 to $2,047,940 and the annual contribution of the counties reduced $505,700 to $970,000. The total increased cost of the new salary scale recommended above would be $374,990 annually.

It should be made clear that the classification of courts proposed above is not intended to be changed automatically by a change in case load or by the establishment of municipal courts. We consider that this is a sound practical grouping and it should not be changed in the future except by the considered action of the Legislature.

All the arguments offered in support of uniform salary scale for superior court judges apply with equal force to the municipal courts. In fact, since a population of 40,000 is required for the establishment of a municipal court, the problem of the very small or "part-time" unit is avoided.

Some have suggested that the pay of a municipal court judge should be almost as high as that of a superior court judge since, after all, to the parties concerned, a small case may be as important as a large one. We think it more reasonable, however, to say that, from the point of view of the State and the public, felonies are more serious than misdemeanors and civil cases involving large sums of money or a major exercise of the equitable jurisdiction are likely to be of greater significance.

It is our recommendation that the salaries of all municipal court judges be established at the single, uniform rate of 83.33 percent of the

$15,000 base figure, or $12,500. With cost-of-living adjustment to date, the figure would be $13,333.

There are two possible objections to this recommendation. The first is that all municipal court judges will be paid at a higher rate than are the judges of superior courts in the third group of counties. Since there will be no municipal courts in those counties, there will be no direct conflict. Furthermore, it should be remembered that all municipal court judges are paid on a full-time basis, while the pay scale for the superior courts in the third group is actually for part-time work. In any case, should the population or case load in these 20 counties change to the point where a municipal court might be established, reclassification would probably be necessary.

The second objection is that the present salaries in the municipal courts in San Francisco and Los Angeles would be reduced by $167 per year. The committee believes that the salary proposed is fair and is based on a reasonable relationship with superior court salaries. That the Legislature adopted a slightly higher pay scale (in the face of recommendations to the contrary and contrary to the logic of the situation) does not appear to us to justify the retention of the differential.

Our basic figure is $15,000. The pay for superior court judges in counties in the third group is $10,000 per annum (plus cost-of-living increase). The municipal courts, under our recommendations would draw 16.67 percent more than this, and 16.67 percent less than superior courts in counties in the first group. It seems to us reasonable that this 16.67 percent differential should be retained and projected upwards to find the rates of pay for the district courts of appeal and the Supreme Court.

On this basis, the justices of the district courts of appeal would receive base pay of $17,500 per year, which with the cost-of-living adjustment to date would be $18,667. We recommend an additional $500 a year for each presiding justice. All of the justices are paid an annual salary of $15,000 at present.

The present salary of the Chief Justice of the Supreme Court is $17,000 and that of the associate justices is $16,000. (This differential is justified by the additional duties performed by the Chief Justice as chairman of the Judicial Council.) If we follow the pattern recommended above, the justices of the Supreme Court would be paid 16.67 percent more than those of the district courts of appeal, or 33.33 percent more than the base figure of $15,000 per year. That is, Supreme Court salaries would be increased to $20,000 per year, with a cost-of-living adjustment to $21,333. In addition, the Chief Justice should receive an additional $1,500, which should be constant and not considered in making cost-of living adjustments.

We are aware that this report will probably result in the expression of considerable disagreement. We believe, however, that the salary levels proposed are adequate and that the provisions for future adjustments are adequate. It should be emphasized, above all, that the basic relationships recommended should be retained undisturbed. Even if rates of pay are changed, these relationships in percentages provide a sound and reasonable guide for the action of the Legislature and should be adhered to.

B. UNIFORM SALARIES OF DISTRICT ATTORNEYS

At the last session of the 1949 Legislature, Assemblyman Babbage proposed a bill providing that the district attorneys should receive a salary of 90 percent of the superior court judge's salary for his respective county.

Mr. W. O. Mackey, District Attorney of Riverside County, presented this matter to the committee.

Recommendation

It is the recommendation of the committee that due to the problem now facing the Legislature in connection with a uniform salary for superior court judges, that it is not practical at this time to provide that the salaries of the district attorneys be made uniform at the rate of 90 percent of the superior court salary.

The salary of the district attorney is paid entirely by county funds and no contribution is made by the State to the respective county and therefore, for that reason, the local county is in a better position to determine the exact amount of salary that should be paid to the district attorney of their county for the work that is required inasmuch as the district attorney is given deputies to assist in his work while the superior court has no assistant or deputy.

C. ADULT AUTHORITY

The committee heard testimony from Mr. Walter Gordon, a member of the Adult Authority.

The testimony indicated that there are at present three members on the Adult Authority who have to hear a minimum of at least 600 cases per month with personal appearances by all of the inmates before the board and with the board making approximately 10,000 decisions concerning the liberty of men each year. Mr. Gordon felt that the size of the authority should be increased from three to four members and that if four members were on the authority, a board panel of two members could then hear more cases per month which would tend to eliminate mistakes in paroles because of the speed in which the Adult Authority has to operate.

Recommendation

The committee feels that the authority should be increased from three to four members and if possible to five members to handle situations where a majority of three would make a decision rather than to have a tie vote of two and two.

D. UNIFORM STANDARDS FOR PROBATION OFFICERS

The committee received testimony from Karl Holton, Director of the Youth Authority, concerning the setting up of standards for probation officers in California.

This subject has been presented to the Legislature for many years and in 1949, Assembly Bill No. 1652 was introduced but was unsuccessful. Mr. Holton stated that it is very difficult to get all of the parties to agree on any legislation; that when subsidies are attached there has been objection that the amount is either too small or too large, or that there

shouldn't be any, while many persons feel that probation officers should not necessarily have any standards as a requirement to holding office. Mr. Holton further stated that while many counties have opposed setting up standards for probation officers, nevertheless these very counties realize their inability to handle many of their local problems, and therefore call upon the Youth Authority to work out their difficult cases.

This committee has received testimony in past years from probation officers who have agreed there should be some standards.

Recommendation

The committee recommended that legislation be introduced to set up a uniform standard for probation officers throughout the State of California; that such a plan is of value not only to the defendant but to the court and to the public at large in the proper administration of justice.

E. PUBLIC DEFENDERS AND ATTORNEYS APPOINTED TO ACT AS COUNSEL

At the last session of the Legislature, certain recommendations were made by the Commission on Criminal Law that where public defenders are not provided for in the various counties, compensation should be fixed either by the court or the board of supervisors for those attorneys who are appointed to represent defendants.

There is apparently a great deal of opposition to the payment of any fees to attorneys who are appointed by the court to represent the defendant.

Under the present law every participant in a criminal trial except the attorney is paid by the State or the county. The superior court judge, the district attorney, the probation officer, the sheriff, the witnesses, and the jury all receive compensation for their services; but, the attorney is supposed to adequately represent the defendant whether he be guilty or innocent, for which services he receives no pay. In many cases the defendant may actually be innocent but due to the limitations of the attorney appointed to represent him, the attorney is unable to properly defend the person, to investigate, and to obtain witnesses for the defense of the defendant, and therefore he may be found guilty because the district attorney is anxious to keep up a record of convictions.

The committee feels that the defendant, whether he be innocent or guilty is entitled to all of the benefits of the law and that the appointment of inexperienced attorneys has on many occasions brought about the conviction of innocent parties or has resulted in the trial of persons who are guilty because the appointed attorney is unwilling to take the risk of advising his appointed client to plead guilty. This results in increased costs to the State and county by reason of expensive trials.

The committee refers to the excellent record of public defender Ellery Cuff, of Los Angeles County, who with his staff of competent investigators has saved the County of Los Angeles thousands and thousands of dollars by properly representing indigent defendants and yet not in any way interfering with the rights of the defendants and insuring justice to them as well as justice to the people of the State.

Many counties cannot, however, afford public defenders, or will not, and in the long run these counties pay out more money than would be necessary if the defendant were represented by paid counsel.

Recommendation

The committee recommends that an act be passed by the Legislature giving power to the judge who makes the appointment to fix a reasonable attorney's fee for the services of any attorney appointed to represent an indigent defendant. The courts at the present time have the power to fix a reasonable attorney's fee in many types of action and the committee feels that this power would not be abused by the court in fixing a fee for an attorney appointed to represent such a defendant.

F. MILEAGE AND JURY FEES

Judges of one county sitting under assignment in another are entitled to their expenses, including expenses of travel. It has been brought to the attention of the committee that some county officials have been giving assigned judges for travel expense only the lowest possible round-trip fare and not the judge's actual travel expense nor mileage at a reasonable rate in lieu thereof. Considering the time that some of the judges in the smaller counties spend on assignment and in traveling on assignment, such an interpretation represents a serious financial problem to them. And it is the judges who do the most traveling on assignment who are paid the least in the first place. Two versions of a bill to remedy this situation have been drawn. One would require the payment of a reasonable mileage as determined by the Judicial Council with a seven-cent-a-mile minimum; the other would merely prescribe the seven-cent minimum. The figure of seven cents is the same as that used for calculating mileage for those traveling on legislative business.

The committee also gave some thought to the fees and mileage of jurors. Civil jury fees in superior courts vary from two to six dollars per day at the present time. Most of these rates were fixed before the present inflation set in and represent most inadequate compensation by today's standards. The majority of counties pay three dollars or less. Legislation has been prepared prescribing a state-wide minimum fee of $5 per day for grand jurors and superior and municipal court trial jurors. Such a rate, after all, is still less than the prevailing wage for even unskilled labor. The burden of paying it, of course, falls on the litigants and not on the county.

The rates of mileage for jurors varies from none in San Francisco to 35 cents a mile in Sierra County. Twenty-two counties allow 15 cents a mile one way and many of those allowing less than 15 cents give mileage both ways. A bill has been drawn to equalize this situation by setting a state-wide minimum for all jurors of 10 cents per mile both ways, except in a city and county. The situation in San Francisco is unique; nearly every juror can reach court by public transportation, and we feel that the distinction is reasonable.

The measure covering the fees and mileage of jurors has been drawn and numbered so as to fit into the Code Commission's proposal for repeal of the Political Code upon final distribution of its remaining sections.

Part X

INFERIOR COURT REORGANIZATION

Assembly Constitutional Amendment No. 49, which was proposed in the 1949 Session of the Legislature, was adopted by the people in November, 1950.

With the passage of this legislation, there is now the need for the introduction of additional legislation to fill in the various gaps and make changes in the present law so that the new court reorganization plan will properly operate.

Mr. Martin Katz of the Judicial Council's Office presented to the committee the facts in connection with the necessity for changing approximately 200 sections of the Code of Civil Procedure to conform with the new legislation. Such changes to be mainly technical with some legislation for the setting up of the new municipal courts in the various districts where they will be created by the new law.

It is proposed to introduce a bill setting up a formula basis for each new court in the respective counties, as well as a separate bill for each newly created municipal court in each county.

While each county pays the salaries of each municipal court judge, we do hope that some plan will be followed to set up a standard salary plan for all such courts.

RECOMMENDATIONS

It is recommended by the committee that the Legislature adopt all of the technical and procedural changes which will require legislation so that they may conform with Assembly Constitutional Amendment No. 49 and other measures adopted in the 1949 Session of the Legislature.

Part XI

RULES AGAINST PERPETUITIES

The difficulties of estate planning in California have become greater by reason of court decisions holding that we have in this State two separate rules limiting the permissible extent of future interests. Not only do we have the statutory provisions of Section 715 of the Civil Code, and following related sections, we have also the common-law rule against perpetuities. The periods prescribed by the two rules are different, and a future interest created in compliance with one rule may be invalid under the other. Such problems may not arise frequently in legal practice, but are likely to be serious if and when they do arise. For a discussion of the legal situation see 2 Annual Survey of California Law 211; (article on Future Interests by Everett Fraser, Professor of Law at Hastings and Dean Emeritus of the Minnesota Law School) Witkin's Survey of California Law, pp. 538-540; and page 160 of the 1950 supplement to Witkin. The leading case discussing the two rules is *Estate of Sahlender,* 89 C.A. (2) 329.

There is little doubt that the code sections involved should be revised and rewritten. Professor Lowell Turrentine of the Stanford Law School (who was consulted by the committee staff) urged a thorough revision of these sections and warned that mere piecemeal tinkering might create as many difficulties as it cured. However, since it is unlikely that a thorough revision of these complicated provisions is possible at the coming session it seemed desirable to prepare a bill which would at least simplify the law, although it might not solve the problems of legal theory involved. This stopgap measure does two things; it gives statutory form to the court holdings that the common-law rule against perpetuities is in force in California; and it solves the problem of complying with both the existing code rule (lives in being or 25 years) and the common-law rule (lives in being plus 21 years) by making the time periods under both rules the same, that is, lives in being plus 21 years. Under this bill, compliance with one rule should also be compliance with the other as far as the period of time beyond which property cannot be tied up is concerned. Civil Code Section 716 is also amended to simplify its application in certain situations. Section 772, which has been characterized as ambiguous and difficult and will now probably be superfluous, would be repealed.

The wording of the proposed Sections 715.1 and 715.2 is based on the Model Rule Against Perpetuities Act prepared by the Commissioners on Uniform State Laws. The addition to Section 716 is derived from Section 373 of the Restatement of Property. The committee staff gratefully acknowledges the assistance of Professor Turrentine in preparing this stopgap legislation. It should be emphasized, however, that careful and comprehensive revision of the property sections of the Civil Code is still most advisable.

Part XII

PUBLICATIONS

A large number of bills have been prepared to implement the plan embodied in Government Code Title 1, Division 7, Chapter 1, Article 4, enacted in 1949. This article provides a series of definitions of publication for various prescribed periods spelling out in detail exactly what is sufficient publication. The article further provides that any statute prescribing publication may incorporate the requirements of one of these Government Code sections by reference. The bills prepared for the committee merely delete the separate definitions and specifications of publication as set forth in various code sections, replacing them with the words "pursuant to Government Code Section _____." It is hoped that this will simplify the problem of attempting to understand how many days or issues of publication are required, for instance, to publish for 10 days in a weekly paper, and so on.

The committee does not pretend to have revised all the sections and statutes which call for publication. A reference to Larmac's Index will indicate how many of them there are. The staff, in preparing the amendments to implement Government Code Section 6060 et seq., have not made any intentional changes in the substantive law as to the number of times of publication.

The committee recommends that serious consideration be given to the preparation and publication of a book or pamphlet setting forth in one accessible place all the different types of notices of which newspaper publication is required. Such a volume was compiled by the Legislative Counsel in 1937 and put on sale through the Division of Documents; an earlier edition had been published in 1927. The new article in the Government Code simplifies the law on publication of legal notices considerably, but it will still be necessary to look through the codes and general laws to find out if notice is required and what publication is required. A compilation of the statutory provisions requiring publication would be of great value and utility to county clerks, newspapers, attorneys, title companies and many others.

Part XIII

REPORT OF SUBCOMMITTEE TO CONTROL COMMUNISM AND SUBVERSIVE ACTIVITIES AND SABOTAGE

The subcommittee to control communism and subversive activities and sabotage was appointed by the chairman on August 8, 1950, to propose legislation for the regular session of the Legislature to convene in January of 1951. Hon. H. Allen Smith and Hon. John D. Babbage were appointed members of the subcommittee with Hon. Julian Beck as chairman. Joseph E. Stewart of Hollywood, was selected as executive secretary of the subcommittee.

In the latter part of August, 1950, Governor Warren stated that he was calling the Legislature into an exfraordinary session on September 20, 1950, and that amendments to the Sabotage Prevention Act would be one of the items on the agenda.

The subcommittee thereupon scheduled a hearing to be held on this subject in Los Angeles on September 12, 1950. Invited to testify at this hearing were witnesses interested in the Sabotage Prevention Act and were asked to discuss the more general field of subversive activities on the possibility that the Governor would broaden his "call" to allow legislation on all types of subversive activities. The Governor subsequently broadened the "call" but his announcement came too late to permit additional meetings of the committee prior to the commencement of the September 20th Special Session.

The Legislative Counsel was represented by Owen Kuns, who made available to members of the committee the present statutes on laws against treason, criminal syndicalism laws, acts of violence, Sabotage Prevention Act, an act requiring registration of subversive organizations with misdemeanor provisions for persons belonging to such groups which have failed to register and statutes permitting dismissal of public employees who advocate the overthrow of the government by unlawful means.

In addition, the committee received a digest of laws pertaining to the subject matter from the States of New York, Pennsylvania, Michigan, Illinois, and Massachusetts.

The committe confined itself solely to the legal phases of the present problem and in no way attempted to duplicate or infringe upon the investigation of the Senate Un-American Activity Committee.

Those presenting testimony at the first subcommittee hearing were the following: Hon. Fred N. Howser, Attorney General of the State of California; Hon. William E. Simpson, District Attorney of Los Angeles County; Hon. James D. Keller, District Attorney of San Diego County; Hon. Frank Coakley, District Attorney of Alameda County; William H. Parker, Chief of Police of the City of Los Angeles; Donald M. Redwine,

Assistant City Attorney, City of Los Angeles; Edward N. Skagen, Grand Lodge Representative of the International Association of Machinists; Gerda Martin, California Industrial Union Counsel; Claude P. Peters, Chief Special Agent, Pacific Telephone and Telegraph Company; Horrace I Ellenson, Chief Special Agent, Southern California Gas Company; J. L. Creighton, Special Agent, Standard Oil Company; and Samuel B. Nelson, Department of Water and Power, City of Los Angeles.

A copy of the transcript of the hearing was submitted to all Members of the Legislature during the special session in September, 1950.

All of the above witnesses testified before the subcommittee concerning any needs for changes in present laws and as a result of the testimony, the subcommittee introduced at the Special Session on September 20, 1950, Assembly Bill No. 25, which amended the Sabotage Prevention Act in the following general respects:

(1) Made the act effective at all times when the State or Nation was preparing for defense or war or while this Nation was assisting other nations in the preparation of its defense.

(2) Define the term "war" so that it included military operations of the State or United States whether war was formally declared or not.

(3) Increased penalties for sabotage including the death penalty if great bodily injury resulted from an act of sabotage.

(4) Increased penalties for unlawful trespassing upon posted war plants.

Reference is hereby made to Assembly Bill No. 25 for full details of the subcommittee's recommendations. Assembly Bill No. 25 was unanimously passed by both houses of the Legislature as an urgency measure and was signed by Governor Warren on October 6, 1950. (Statutes 1950, Third Extraordinary Session Chapter 13)

The subcommittee also introduced on September 25, 1950, Assembly Bill No. 75 which established a registration act for members of communist organizations. The Senate Committee on Un-American Activities on the same day introduced a companion bill, Senate Bill No. 50. Both of these bills, by resolution of the respective houses were referred back to the committee for further consideration, principally to determine whether the bills would be in conflict with the McCarran Act upon the same subject enacted by the Federal Congress late in September, 1950.

One of the recommendations presented to the committee by the Attorney General was the following: That the legislature create positions and appropriate sufficient funds for 10 additional special agents in the State Department of Justice, who shall be empowered and assigned to subversive activities which shall include the study of all subversive activities mutual aid and cooperation between federal, state, county, and municipal enforcement agencies and the teaching of the ways and means of detection and prosecution thereof.

Assembly Bill No. 11, by Assemblyman Sherwin and others, was passed unanimously by both houses on October 17, 1950, and was signed by the Governor. This measure appropriated $25,000 to the Attorney General for cooperative work with law enforcement agencies in matters affecting sabotage and subversive activities. This was also recommended to the Legislature by the Governor.

Assembly Constitutional Amendment No. 1, was adopted by the Legislature, being authored by Assemblyman Babbage, Smith and others, and provided that no person or organization which advocates the overthrow of the United States or the State of California by force or violence shall hold office or employment under this State or any of its political subdivisions or receive benefit of any tax exemptions. This measure will appear upon the 1952 General Election ballot.

Part XIV

REPORT OF SUBCOMMITTEE ON LEGAL EDUCATION AND ADMISSIONS TO THE BAR

Your Subcommittee on Legal Education and Admissions to the Bar in California, consisting of Assemblyman Arthur H. Connolly, Jr., chairman, Assemblyman Richard J. Dolwig, and Assemblyman Robert I. McCarthy, held its first formal meeting concurrently with a public meeting called by the Committee of Bar Examiners in San Francisco on July 21, 1950. Following the submission of a progress report to the full interim committee at its meeting in Riverside on July 25, 1950, your subcommittee met in executive session with the Committee of Bar Examiners in San Francisco on November 24, 1950, and the chairman of your subcommittee subsequently attended an open meeting of the Senate Judiciary Subcommittee studying the same subject matter, at its meeting held in San Francisco on December 4, 1950 In addition to attendance at the hearings and meetings aforesaid, your subcommittee has also considered a large volume of printed material on the subject in question, including various reports, articles, written statements and communications, particular reference to which will be found herinafter.

While your subcommittee was given the general assignment of reporting on Legal Education and Admissions to the Bar in California, it was understood from the outset that the matter of principal concern was the more specific problem of the so-called "Accreditation Rule" and its effect on Legal Education and Admissions, and your subcommittee therefore directed its attention to this portion of the general problem.

To fully understand the nature of the problem presented by the current controversy on the California Accreditation Rule, it should be pointed out that there is no *statutory* pronouncement, either in the State Bar Act or elsewhere, as to the requirements for law school accreditation in California, nor is the term "accreditation" even defined in the present law. The only statutory reference to accreditation is contained in Section 6060 Business and Professions Code, which reads as follows:

"6060. To be certified to the Supreme Court for admission and a license to practice law, a person who does not comply with Section 6062, shall:

(a) Be a citizen of the United States.

(b) Be of the age of at least 21 years.

(c) Be of a good moral character.

(d) Have been a bonafide resident of this State for at least three months immediately prior to the date of his final bar examination.

(e) Before beginning the study of law, have completed at least two years of college work or have reached the age of 25 years.

(f) Have registered with the examining committee as a law student within three months after beginning the study of law. The examining committee, upon good cause being shown, may permit a later registration.

(g) Have either:

(1) Graduated from a law school accredited by the examining committee requiring substantially the full time of its students for three years.

(2) Graduated from a law school accredited by the examining committee requiring a part only of its students' time for four years.

(3) Studied law diligently and in good faith for at least four years.

(h) Have passed a final bar examination given by the examining committee.

(i) Have passed during the period of his law study such preliminary examinations as may be required by the examining committee. This requirement does not apply to students of law schools accredited by the examining committee."

Acting pursuant to the provisions of the State Bar Act, the Board of Governors of the State Bar, in 1937, through its Committee of Bar Examiners, adopted a set of rules regulating admission to practice law in California, and Section 65 of Rule VI thereof promulgates the so-called "Accreditation Rule." As now in effect, the rule provides that in order for a California law school to be accredited by the Committee of Bar Examiners of the State Bar, it must, among other things, have a total cumulative percentage of success of 60 percent or more, for the applicants allocated to the particular school, of those taking the state bar examination for the first time in the three successive calendar years immediately preceding the date of accreditation.

The important point to bear in mind at this juncture is that a person need not graduate nor even attend an accredited law school in order to be able to take the California Bar Examination. As stated in the Report of the Special Survey Board as filed with the Board of Governors of the State Bar in 1949:

> "The first thing that must be made plain is that this so-called 'accreditation rule' is not an accreditation rule at all as this term is used outside the State of Cailfornia." Legal Education and Admissions to the Bar in California—Report of the Special Survey Board, 1949, p. 111.

In other words, as will be noted by referring to Section 6060, Business and Professions Code as quoted above, applicants who may be eligible to take the bar examination in California fall into one of the following three groups:

1. Graduates of an accredited "full time" law school with a three-year curriculum.
2. Graduates of an accredited "part time" law school with a four-year curriculum.
3. Persons who have "studied law diligently and in good faith for at least four years."

It is at once obvious that the statutory provision concerning this third category of students is the basic cause for giving the word "accreditation," as used in California, a different meaning from what is generally understood as "true accreditation." As stated in the Survey Board Report (p. 112):

> "The ordinary use of the term, as applied to a law school in connection with bar examination procedures, defines an accredited school as one whose graduates are permitted to take the bar examination, and an unaccredited school as one whose graduates are not permitted to take the bar examination. This use of the term corresponds to American usage in the field of higher education generally. Thus, an accredited college is a college whose work is recognized by other colleges for purposes of transfer or admission to graduate study; an unaccredited college is one whose work is not so recognized. The California 'accreditation rule' does not bar anyone from taking the students' examination, and so, properly speaking, is not an accreditation rule at all."

It follows that in California the only real distinction between an accredited and an unaccredited law school is that the unaccredited school will provide a four-year curriculum, while an accredited law school, if full time, may have a three-year curriculum. Two added distinctions are, that pursuant to the State Bar rules, students in an unaccredited school must take a first year bar examination, and only accredited schools may advertise themselves as being accredited.

With the above background and statutory situation in mind, the present controversy over the accreditation rule, as hereinafter outlined, may be more readily understood. We select as a starting point for this outline the month of September, 1947, when the Board of Governors of the State Bar of California made provisions for an impartial survey of legal education and admission practices in California, with such survey to include a study of "the effect, if any, upon the standards of legal education in this State of the method presently employed by the Committee of Bar Examiners for the accreditation of law schools." Three eminent lawyers, all residents outside the State of California, were appointed as a Special Survey Board which, after approximately two years of investigation and study, filed its report with the Board of Governors. It may be stated parenthetically that the Board of Governors, in publishing this report in 1949, inserted a foreword to the effect that the report did not necessarily have the approval, or reflect the views, of either the Board of Governors or the Committee of Bar Examiners of the State Bar of California.

The Special Survey Board found that while the accreditation rule has had some useful effect in putting pressure for improvement upon some of the substandard schools in the State (p. 116), the over-all effect of the rule was to make the law school curriculum simply a cram course for the bar examination. In this connection the board states (p. 117):

> "High standards of legal education cannot flourish in such an atmosphere. It is believed that the present California accreditation rule is unsound and undesirable and should be abandoned, and that it should be replaced by a rule which will actually be an accreditation rule in the generally accepted sense of the term, and which will

not be based solely on the success of the graduates or former students of a law school in the California bar examinations."

With these observations in mind, the board goes on to recommend what should be done to improve the standards of legal education in California. The recommendations are to the effect that the present accreditation rule should be abandoned, that all California law schools meeting the school standards of the American Bar Association should automatically be fully accredited, and that provisional accreditation be given the Law School of Balboa University, Golden Gate College School of Law, McGeorge College of Law, San Francisco Law School, and Southwestern University Law School. As to these provisional schools, the board recommends, among other things, that they either amalgamate with particular accredited schools or arrange to be operated as part of the University of California or under the State Department of Education. As to the remaining California Law Schools, namely, Lincoln University Law School, Law School of Los Angeles University of Applied Education, and Pacific Coast University Law School, the board recommends in effect that they be eliminated, by recommending finally that only graduates of an accredited school shall be permitted to take the bar examination (with certain exceptions not here pertinent).

With the publication of the survey board report, new impetus was given to those opposed to the present accreditation rule. Further, such publication came at a time when some of the accredited schools found their three-year average moving downward and dangerously close to the 60 percent minimum for accreditation. As a result, much discussion of the pros and cons became evident, and considerable public interest in the subject was aroused by editorials and news articles in the public press. While fully recognizing the limitations inherent in so doing, your subcommittee, in the interest of brevity, here sets forth in summary form the principal views expressed by various interested parties, with its own comments on these views as indicated.

Arguments in Favor of the Present Rule

1. If a law school cannot pass at least 60 percent of its allocated students on a three-year average it should go out of business. (This argument overlooks the fact that under the present rule applicants may be charged against a school although not graduated therefrom. It also overlooks the inconclusiveness of applying a percentage test to a school having a relatively small number of applicants. The principal point overlooked, however, is the admitted fact that the present rule does not put the substandard schools out of business, but rather permits them to flourish.)

2. The rule keeps the schools under pressure to achieve and maintain high standards, with constant attention to elimination of doubtful students. (The educators contend that each class contains a certain marginal block of students, and that approximately 50 percent of that marginal block would be successful in the bar examination and would make good lawyers. Being unable to determine in advance the identity of those in this 50 percent of the marginal block, a school under heavy pressure of the rule would necessarily eliminate the entire marginal block. Further, assuming that a strict elimination policy is to be favored in preventing the doubtful student from a further waste of time and money,

the fact remains that a substandard school hopelessly below the accreditation percentage feels no such pressure. While the fate of the unsuspecting student is not necessarily material to the merits of the rule itself, your subcommittee feels that from the legislative viewpoint this factor is entitled to serious consideration.)

Arguments Against the Present Rule

(Reference is first made to the above discussion and quotations from the Report of the Special Survey Board.)

1. Law schools should not be under pressure to think solely in terms of getting its students through the State Bar Examination. The American Bar Association standards of accreditation are accepted in some 40 of the states and should be accepted as sufficient in California. (An opposing contention is that the A. B. A. standards are only "paper standards" in that the association does not adequately police the situation. It should be noted that strict adherence to the A. B. A. standards would probably eliminate such night schools as Golden Gate College and San Francisco Law School which are now accredited under the California rule but which probably could not comply with the A. B. A. requirements concerning full-time professors and extent of library.)

2. True accreditation is generally accepted in the United States and a start should be made in that direction in California by giving continued accreditation to those schools now meeting the A. B. A. standards. (Contra, it is contended that this is simply removing the pressure from the top 10 schools.)

3. The present rule discriminates against California schools in not applying the 60 percent rule to out-of-state schools.

Additional arguments both for and against the rule have been propounded, but the above summary should suffice to point up the extent and nature of the controversy.

Before setting forth the views of your subcommittee as a result of its investigation into this matter, certain additional facts and circumstances related to the problem should be set forth in order to complete the picture to the fullest extent possible. It should first be mentioned that when the Survey Board Report was filed with the State Bar, the Board of Governors referred the report to its Committee of Bar Examiners, and to its Committee for Cooperation Between the Law Schools and the State Bar, with the request that these committees study the report and advise the board of their conclusions concerning the recommendations therein made. Considerable time has been devoted by the two committees to this study, and as a part thereof a questionnaire form was sent to all California law schools seeking their views on the recommendations. Several members of the committees in question formulated suggested changes to the present rule but no final action has been taken by the committees or by the Board of Governors on any of the suggestions, with one exception. The exception is concerned with that portion of the accreditation rule that formerly provided in effect that if an accredited school fell below the 60 percent average, it could petition the Committee of Bar Examiners for a restoration of its accredited status, which petition could be granted by the committee if it found after investigation that the school in question was maintaining adequate standards, etc. On October 21, 1950, this portion

of the rule was amended to provide that the committee can, under such circumstances, *continue* accreditation rather than *restore* accreditation.

The Committee of Bar Examiners advises this subcommittee that the one amendment adopted as aforesaid does not necessarily constitute the only action that will be taken or recommended, but that further study will be necessary to determine whether additional changes are advisable.

One further related matter came forcibly to the attention of your subcommittee during the course of its investigation. This had to do with the 1950 third year class in attendance at Hastings' College of Law. It appears that out of a total of 150 students in the class, 47 failed of graduation, a mortality of some 31 percent. The rate of failure in the 1949 class had been 19 percent, and in the 1948 class was 14 percent. It was contended by some of the students that this sharp increase in the percentage of third year failures was directly attributable to the accreditation rule, inasmuch as Hastings' present accreditation status is based on a cumulative percentage of 64 percent, only four points above the minimum. While your subcommittee has no reason to believe that the failures in question were not justified, the situation does point up one possible result of the present rule, namely, leaving a failed student, rightly or wrongly, in some doubt as to whether his failure was due entirely to his own lack of demonstrated capabilities, or whether it might be due partly to the bar examination record of students one, two, or three years before him from his school

Conclusions

Your subcommittee is not particularly impressed with the merits of the present California accreditation rule, although it must be conceded that it has probably served some good purpose over past years. Judging from the number of proposals for change submitted by various members of the two State Bar Committees in question, it is probably safe to assume that many persons who have concerned themselves with the problem share this view. The difficulty comes in attempting to find some substitute for the present rule which will better serve the interests of the public as well as improve the standards of legal education and of the legal profession itself.

From the isolated standpoint of raising the standards of the legal profession, with the resulting benefit to the public, it would probably be advisable to keep the present rule, and to restrict bar examination applicants to graduates of accredited schools, so that in a short period of time the four or five leading law schools in the State would be the only survivors in our legal education system. With this result a vast majority of those seeking to study law would find no school facilities available to them in this State, because the top four or five schools are and will continue to be limited as to enrollment and consequently only a relatively small number of highly qualified applicants, with ample private means, would be studying law in California. There would be no part-time study facilities for those who earnestly desire to take up law but who must have an earning capacity at the same time. Your subcommittee feels that such a result would not be in the public interest.

On the other hand, leaving the present rule as it is, without more, permits the substandard law schools to continue in business and absorb a large number of law students who can have little hope of successfully

passing a bar examination. It further puts a squeeze on several good law schools in the State who accept qualified students for enrollment and then because of various factors beyond their control find themselves teetering on the edge of a 60 percent record from year to year so that their accreditation under the California rule is constantly in jeopardy.

Your subcommittee is of the opinion that the problem presented cannot be finally solved until additional facilities for good legal education can be created in California. This may eventually be accomplished by having the good day law schools establish night school facilities, and perhaps by adopting some version of the survey board recommendations on this subject. When this is accomplished true accreditation can be adopted in California and the substandard schools will cease to exist. This, however, is a long range solution.

As to the immediate situation, your subcommittee is of the opinion that if the present accreditation rule is to remain in effect for the present, that the obvious inequity of allocating nongraduates to a particular school in computing the percentage of success should be abolished, particularly in those cases where the student did not attend the same school throughout his course of study so that the usual effects of a proper exclusion policy could be a factor. Unless the Committee of Bar Examiners sees fit to abolish this allocation of nongraduates at this time your subcommittee recommends that appropriate legislation be adopted to accomplish this result.

Secondly, some immediate assistance should be given to those good law schools in California who find themselves rocking back and forth on the 60 percent line. The Committee of Bar Examiners apparently feels that it has solved this problem by permitting accreditation to continue on petition by the particular law school falling below 60 percent. Leaving aside the basic question of the legality of such a procedure, the difficulty with this solution would appear to be that in such a case complete authority is vested in the Committee of Bar Examiners to make whatever determination it sees fit, and to impose any terms and conditions on continued accreditation as it deems appropriate. No definitive statement is contained in the rule as to the precise factors involved in such a determination or what would constitute reasonable terms and conditions. It is conceivable that a school which is fully accredited under the A.B.A. rules could still, because of a 59 percent success average, be hamstrung by action of the Committee of Bar Examiners under this procedure. Unless the Committee of Bar Examiners sees fit to more clearly define what requirements would actually be imposed under this situation or will provide by rule that A.B.A. standards schools will automatically continue accredited if they fall below 60 percent, it is suggested that the success average be reduced to perhaps 55 percent for so long as it is necessary to maintain the present rule in force. In making this suggestion we concede that there is no more magic in the number 55 than in the number 60, or vice versa. If these steps are not taken by the Committee of Bar Examiners it is recommended that legislation be adopted to accomplish this result.

In conclusion, it should be stated that various other phases of this most complex problem have been considered by your subcommittee, but to treat with all of them here would unduly lengthen this report. Suffice it is to say that we feel that there is an immediate problem which should

be met now, but that in addition California should commence action now to enlarge the facilities of its good law schools so that in the shortest time possible true accreditation can be adopted in the State and the sub-standard schools removed from the legal education picture.

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Part XV

REPORT AND RECOMMENDATIONS OF SUBCOMMITTEE OF JUDICIARY AND JUDICIAL PROCESS COMMITTEE APPOINTED FOR THE STUDY OF THE DETECTIVE LICENSE LAW

To the Assembly Interim Committee on Judiciary and Judicial Process:

Your subcommittee duly appointed to study the detective license law, and consisting of George D. Collins, Jr., chairman, Thomas W. Caldecott and Bernard R. Brady, members, makes the following report:

Your subcommittee met in the State Building in San Francisco on November 29, 1950, and in the State Building in Los Angeles on December 13, 1950. Both meetings were well atended and all present were given a full and unrestricted opportunity to be heard. The testimony at said meetings showed that there are two distinct groups required to be licensed under the detective license law, to wit: (1) investigators who engage in investigative work only and seldom, if ever, carry a weapon and (2) private patrolmen performing work which is police in its nature. Even though licensed the person performing private patrol duty or his employees have no legal authority to carry a concealed weapon without a special permit to do so from the public police authority of the county where the private patrolman operates. The special policeman who shot young Cronin and whose action was one of the principal causes leading to the instant investigation was an employee of a licensed person engaged in patrol work. However, the employee had no authority or permit to carry the concealed weapon, a 45 caliber pistol, with which young Cronin was killed. Since the Cronin incident and as a result thereof, the Board of Supervisors of the City and County of San Francisco, State of California, passed the following ordinance:

File No. 6357 Ordinance No.——

(SERIES OF 1939)

An ordinance requiring registration with the chief of police by persons carrying firearms or any other deadly or dangerous weapon and providing penalties for the violation of this ordinance; designating Sections 1 to 4 of this ordinance as Sections 840 to 843 of Article 13, Chapter VIII (Police Code), Part II of the San Francisco Municipal Code.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Any person who in the course of employment or his livelihood carries a firearm or any other deadly or dangerous weapon as defined by Section 1291-A, Article 17, Chapter VIII, Part II of the San Francisco Municipal Code, concealed or unconcealed, shall register with

the Chief of Police in writing by signed statement, stating the name, occupation, residence and business address of the registrant, his age, height, weight, color of eyes and hair, and reason desired to carry such weapon, and shall submit therewith two sets of fingerprints and one photograph.

Section 2. Any person carrying a firearm or any other deadly or dangerous weapon as defined by said Section 1291-A of the Municipal Code, in the City and County of San Francisco must:

1. Be at least 21 years of age;
2. Be a citizen of the United States;
3. Be of good moral character;
4. Be able to manifest a knowledge of Sections 197, 834, 835, 837 and 847 of the Penal Code of the State of California.

Section 3. Any person who shall violate any of the provisions of Sections 1 and 2 of this ordinance shall be deemed guilty of a disdemeanor and shall be punished by a fine of not exceeding five hundred ($500) dollars, or by imprisonment in the County Jail for not exceeding six (6) months, or by both such fine and imprisonment.

Section 4. If any section, sentence, clause, or part of Sections 1 to 4 is for any reason held to be unconstitutional, such decision shall not effect the remaining portions of these sections. The Board of Supervisors hereby declares that it would have passed these sections and each section, sentence, clause and part thereof, despite the fact that one or more sections, sentences, clauses or parts thereof be declared unconstitutional.

Section 5 Sections 1 to 4 of this ordinance are hereby designated as Sections 840 to 843 of Article 13, Chapter VIII (Police Code), Part II of the San Francisco Municipal Code.

Licensees performing patrol work operate mainly in the large centers of population in the State.

The District Attorney and Police Department of San Francisco advocate the screening by local police under state law of every person licensed to perform police work of any kind, whether armed or not, both for the purpose of ascertaining whether the background and emotional stability of such person fits him for the work, and also for security reasons. The sheriff's office of Alameda County takes the same stand as the San Francisco peace officers. A number of state licensed persons also favor such screening. All California peace officers as represented by their association believe that the State Detective License Bureau is too free in the issuance of licenses to applicants for a private detective license. The peace officers association says that a license is issued to all applicants except those who have been convicted of an offense involving moral turpitude. Objections, other than conviction of crime, by peace officers are ignored by the bureau. Incidental to your subcommittee's investigation there arose a number of questions relative to permits to carry concealed weapons and the meaning of a number of sections of Chapter 339 of the Statutes of 1923, the Dangerous Weapons Control Law of 1923. One question is whether a legal permit to carry a concealed weapon is necessary, even though it may not be concealed, provided it is capable of being concealed about the person. For instance, a revolver carried in open view in a holster, but which may be removed from the holster and put in the carrier's pocket or under an automobile seat, or in the glove compartment or elsewhere in an automobile. The other question is whether a permit

issued by the authorities in one county of the State should be recognized in another county thereof. As a matter of comity the peace officers of counties other than the issuing county have been recognizing the permits. However, a written opinion given your subcommittee by the Legislative Counsel holds that a license issued in any county of the State under Section 8 of said Dangerous Weapons Control Law is valid throughout the State. There is considerable difference of opinion among the district attorneys of the State on the above question. Many municipalities of Los Angeles County as well as the county itself require those licensed under the State Detective License Law also to be licensed under local ordinance. San Francisco has no such requirement for a local license.

As a result of the alleged unjustified shooting of a junior college student by an auxiliary policeman in the Highland Park area of Los Angeles a few days after the shooting of young Cronin in San Francisco, the auxiliary phase of police work was also investigated by your subcommittee. Chief of Police Parker of the City of Los Angeles was not favorably impressed with auxiliary police. He said they could be divided into three categories as follows: (1) the foreign born, (2) the frustrated, and (3) those with a desire to perfom a public service. Chief of Police Morris of the City of Pasadena said that he required members of his auxiliary police force to have all the qualifications of the regular policeman except the limitation of maximum age. If a sufficiently numerous auxiliary police force can be recruited with the limitations and requirements imposed by Pasadena, then those limitations and requirements should be generally applied throughout the State.

Recommendations

Your subcommittee recommends:

(1) That everyone, armed or unarmed, specially employed in exercising police duties over or in connection with the public be screened by the police authorities of the city or county where such person operates.

(2) That said Dangerous Weapons Control Law be amended so as to obviate the uncertainties now existing in such law and brought to light by the testimony before your subcommittee.

Part XVI

REPORT OF SUBCOMMITTEE ON TRAFFIC AND MOTOR VEHICLE VIOLATIONS

LETTER OF TRANSMITTAL

Hon. Ralph M. Brown
Chairman of Judiciary Committee

DEAR MR. BROWN: Pursuant to House Resolution No. 232 of the 1949 Legislature, the Subcommittee on Traffic and Motor Vehicle Violations of the Assembly Interim Committee on Judicial System and Judicial Process does hereby submit its report.

The preliminary report of this committee was heretofore submitted to the Legislature and references in this report will be made to said preliminary report which is found in the Journal of the Assembly, Budget Session 1950, page 608.

The accompanying report contains a review of the activities of the committee subsequent to the date of the preliminary report and its recommendations to the Legislature.

Respectfully submitted,

WM. ROSENTHAL, *Chairman*
JULIAN BECK
H. ALLEN SMITH

INTRODUCTORY

The preliminary report of this committee sets forth in some detail the objectives of the committee, its proposed procedures and the matters which were the subject of its investigation. In brief, however, this committee was created for the purpose of studying, analyzing and making recommendations upon the problem as to whether traffic courts or any of them within the State of California were utilizing the traffic laws for revenue-producing purposes rather than for the administration of justice.

At an early stage of its investigation, the committee determined that the answer to this question depended upon a wide variety of factors. Generally speaking, traffic laws are enforced by the use of fines and bail forfeitures rather than through the use of jail sentences. Some indication of the volume of cases handled is set forth in the preliminary report. Additional information taken from the Twelfth Biennial Report of the Judicial Council of California is attached as Appendix A to this report and gives further indications of the problems studied. It is expected that the next biennial report of the Judicial Council will bring these studies down to date and for this reason, the committee deemed it a duplication of effort to make an original compilation of these figures or to contact individual judges. The comprehensive and extremely careful work of the Judicial Council in the handling of these reports indicates that identical work performed by this committee would be a needless expense.

This statistical information and other reports to which reference will later be made show conclusively that the volume of traffic cases handled as compared to all other types of criminal matters is such as to throw the entire judicial system of the State of California out of balance. The committee, therefore, deemed it relatively immaterial that a given traffic court permitted the administration of justice to suffer in order to increase its revenue from traffic fines because at an early date it became clear that the entire motor vehicle code and traffic administration procedure should be completely revised and in this revision, appropriate disposition made to secure the administration of justice rather than the collection of revenue.

As indicated in its preliminary report, the committee is cognizant of the tremendous progress made through the various studies of the Judicial Council of the State of California under the direction of the Honorable Phil S. Gibson, Chief Justice of the Supreme Court. In this connection, reference was made in the preliminary report as follows:

> "In order to avoid duplication of effort, this subcommittee is correlating its investigation with the work of the Judicial Council. A wealth of material compiled by the Judicial Council of California has been made available for analysis and tabulation, which is particularly helpful with respect to analyzing traffic violations and the disposition of traffic cases as compared with the disposition of other criminal cases. The proposed plan for reorganization of the California inferior courts submitted to the Legislature by the council in 1949, which has been approved and is now being submitted to the voters of the State at the 1950 general election, will, it is believed, remove many of the defects in the present system of handling traffic cases. This is clearly indicated in a report on the proposed plan, dated December 30, 1949, which states as follows:
>
> "The county will pay the salaries of the judges and attaches of both the municipal and justice courts, and will be required to furnish suitable courtrooms and supplies for such courts. Cities will be relieved of the obligation to support courts financially. The money derived from fines and forfeitures collected by the existing inferior courts greatly exceeds the cost of their maintenance and represents an important source of revenue to reimburse the cities and counties for money expended for law enforcement, traffic safety, and street improvement or maintenance. Under the proposed plan, fines and forfeitures collected by the courts will be divided between the county and the cities therein largely according to which political subdivision employed the officer making the arrest. Fines and forfeitures following arrests made by state and county officers will be paid to the county. When arrests are made by city officers, except in the case of Vehicle Code violations, 75 percent of the fines and forfeitures will be paid to the city, and the remaining 25 percent will go to the county as partial reimbursement for the cost of maintaining the court. Fines and forfeitures collected under the Vehicle Code following arrests made by city officers will continue to be paid to the city. This formula was adopted by both city and county representatives. If experience shows that the percentages involved therein are unfair to either the cities or the counties, the Legislature may remedy the situation at any time."

Since the publication of the foregoing, the plan for reorganization of the inferior courts was approved by the voters at the 1950 General Election (Assembly Constitutional Amendment No. 49, amending Article VI of the California Constitution), and, therefore, the broad outline of an entire new court system was established for the State of California. It is understood that although this constitutional amendment validated the acts of the 1949 Session of the Legislature relating to municipal and justice courts and to judicial districts (Chapters 1286 and 1510 to 1518 inclusive of the Statutes of 1949), considerable additional legislation will be necessary to place into operation these new courts and to provide the details of their operation. It is this additional legislation which the committee believes should be so designed as to present the maximum number of improvements to correct those problems arising out of traffic and motor vehicle operation. At the present time, studies are still continuing as to the content of this legislation, primarily by the Judicial Council, but by other committees as well. Furthermore, the League of California Cities has entered into discussions with the Judicial Council regarding some management details of these new courts and it is understood that a pilot city or cities will be used for the purpose of establishing experience as to the best and most efficient manner of operation. It is certain that all of this material and experience will not be available for the 1951 Session of the Legislature but this committee has indicated its willingness to consult and work with the Judicial Council in order that it may aid in the solution of some of these fundamental problems.

In the light of these continuing studies and for reasons which will hereafter more fully appear, the committee has undertaken supplementary research in an attempt to clarify and set out the entire problem of traffic and motor vehicle operation. This was deemed particularly necessary because all of the investigations and public hearings of the committee have indicated that there is unending confusion both as to the nature of the problem to be solved as well as suggested solutions.

THE PROBLEM OF TRAFFIC AND MOTOR VEHICLES

There are innumerable publications upon the subject of traffic and motor vehicle problems, a few of which are contained in a bibliography attached hereto as Appendix B. In addition, there are innumerable agencies and committees working in connection with all or some portions thereof. However, the committee's research has indicated that these publications and the national as well as local committees and agencies working in connection therewith have assumed a common pattern, largely through the untiring efforts of a group of nation-wide experts who have been consistently working on the traffic problem for many years. An additional indication of the nature and scope of the problem, as well as the variety of interests involved, is the meeting of the Governor's Conference on Traffic and Motor Vehicle Problems held in Sacramento on the seventh and eighth days of December, 1950. A list of the officers and groups represented at these conferences and the resolutions adopted thereby is attached to this report as Appendix C.

The basic origin of much of the work which is being done at the present time, as well as the basic origin of much of the printed material now available, is in a study by Mr. George Warren, sponsored by the

National Committee on Traffic Law Enforcement as well as the Automotive Safety Foundation. This study was completed in 1940 and contains a comprehensive analysis of the basic problems involved as well as specific recommendations. The pattern thereby adopted has become so well-known and has been the subject of so many supplementary conferences that it is many times used without quotation as being the basic analysis of traffic law enforcement in the United States.

Because this committee believes the traffic and motor vehicle problem will never be solved without a careful analysis of all of its basic fundamentals, and because the pattern referred to above has been approved by the National Conference of Judicial Councils, The Section of Criminal Law, the Section of Judicial Administration, the Junior Bar Conference, and the House of Delegates of the American Bar Association, the Committee on Judges and Prosecutors and the Street and Highway Section of the National Safety Council, and the International Association of Chiefs of Police, there is hereinafter set out the substance of the foregoing study and supplemental work in connection therewith so that in its final conclusion and recommendations, the committee will be able to accurately pinpoint the problems involved as they affect the State of California.

At this point, language from the President's Highway Safety Conference Committee on Enforcement (1946), regarding the Warren study, is appropriate:

> "The recommendations made at that time have today the same soundness and there exists the same urgent need for their adoption. They are therefore concurred in at this time To further their adoption, each state should sponsor state-wide and district traffic court conferences in accordance with the national program."

Accordingly, there is attached to this report as Appendix D an analysis of the problems as set forth by Mr. Warren with headings corresponding to his chapter headings in the survey. Furthermore, because of its importance in the entire field, brief reference is made in this portion of the appendix to the work of the Traffic Institute-Northwestern University.

It will be observed that under the general pattern which has become current usage, the problems of traffic and motor vehicles are generally segregated as follows:

1. The courts where traffic cases are tried,
2. Traffic court procedure,
3. Violations bureaus,
4. Traffic court administration,
5. Physcial facilities and clerical aids,
6. Traffic court personnel,
7. Conducting the traffic court,
8. Avoiding the "fix,"
9. Punishing the traffic law violator,
10. The keeping of records,
11. Qualifications of justices,
12. Recommendation that traffic matters be handled by a special traffic court.

It is apparent that many, if not all, of these problems are interrelated and some measure of this inter-relation is indicated by the following chart prepared by the Traffic Institute, Northwestern University.

THE TRAFFIC ACCIDENT PREVENTION AND CONTROL PROBLEM

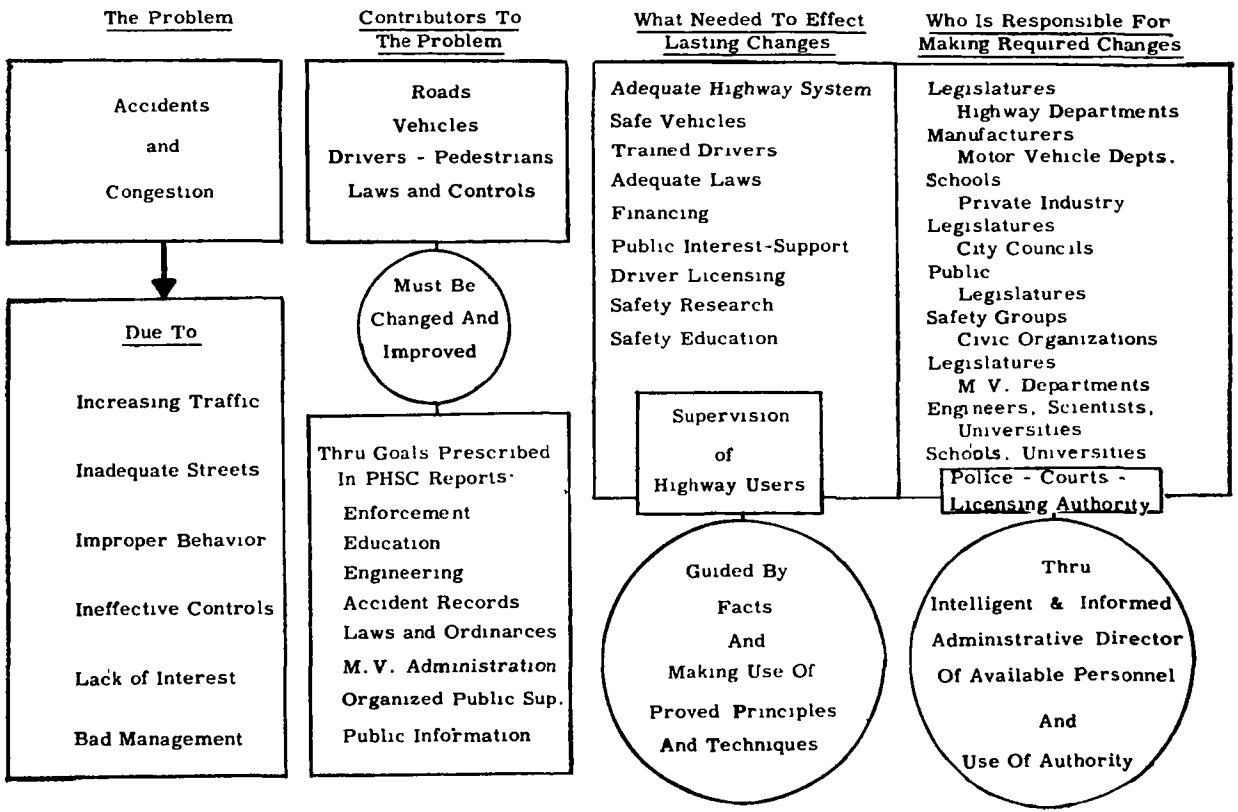

In considering the inter-related nature of these problems, the committee has determined that the present system of traffic law enforcement gives every encouragement to the use of traffic courts for revenue-producing purposes. The next question, therefore, was to determine what improvements had been made by the court reorganization plan.

THE EFFECT OF THE COURT REORGANIZATION PLAN ON THE BASIC PROBLEM

As previously indicated, Assembly Constitutional Amendment No. 49, amending Article VI of the Constitution and the Municipal and Justice Courts Act of 1949, which was validated by the passage of the constitutional amendment, has pointed the way toward the solutions to some of the problems outlined.

Under the municipal and justice courts act (1949), municipal and justice courts are given jurisdiction "in all criminal cases amounting to a misdemeanor" where the offense was committed within the county in which the court is established, except in those cases where other courts are given exclusive jurisdiction. By the terms of Assembly Constitutional Amendment No. 49 (1949), amending Article VI of the California Constitution, "there shall be no other court inferior to the superior court." Thus, though the specialized "traffic courts" which have been urged by some are not created, the judicial responsibility for the enforcement of traffic laws has been vested in but two types of courts. It can be expected that with the great volume of cases involving traffic violations being concentrated in but two types of courts, each will to a substantial extent, become a specialist in the field of traffic law enforcement. With the establishment of a sufficient number of such courts the oft-heard complaint of too numerous and too varied duties of the courts charged with handling traffic cases should be without basis.

Another step in eliminating a salient defect in the system of traffic law enforcement is taken by the provisions of Code of Civil Procedure 144, which reads as follows:

> "144. If suitable rooms for holding the superior, municipal or justice courts and the chambers of the judges of said courts are not provided in any county by the supervisors thereof, together with the attendants, furniture, fuel, lights and stationery, sufficient for the transaction of business, the courts, or the judge or judges thereof, may direct the sheriff of the county to provide such rooms, attendants, furniture, fuel, lights and stationery; and the expenses incurred, certified by the judge or judges to be correct, are a charge against the county treasury and must be paid out of the general fund thereof."

Formerly, this section applied only to the holding of the superior courts, no provision being made for the holding of courts inferior to such court. They were left to shift for themselves with no authority or responsibility to demand facilities adequate for the dispensing of justice with dignity and honor which, alone, commands the respect of those before the court. Hence, frequently heard complaints of "court" being held in a butcher shop, bedroom or even on the judge's way into town, will no longer have any validity. Indeed, by Section 17 of the act, sessions of the

municipal and justice courts are to be held in those places which the board of supervisors shall designate for that purpose.

The maintenance of complete records of proceedings has long been considered important in the evaluation of the effectiveness of the court and in serving as a basis for a report to the public without whose support any system of traffic law enforcement would be ineffective. The maintenance of records must depend in the last analysis upon the number and quality of personnel into whose hands they are given. The high quality and adequate numbers of record keeping personnel would seem to have been assured by the Legislature in providing that in the case of a vacancy in the clerk's or marshal's office, "all appointments to fill vacancies as provided in this section shall be from among the three highest of those certified to the appointing authority by such civil service commission to be eligible to the office or position to be filled. Such eligible lists shall be obtained as the result of competitive examinations given to determine the relative fitness of those taking it for the position to be filled." Where there is no civil service commission in the county, appointment shall be made subject to confirmation by the judge or by a majority of the judges of the court or by the judge senior in service where there is an equal division of the judges. In those instances where, due to increase in business or other emergency, the regular personnel are unable to promptly and faithfully discharge the duties of the municipal court, the clerk or marshal is empowered with the approval of the judge to appoint additional deputies. (Section 35)

It seems fundamental that those dispensing justice in any form should at least be trained in the law. However, surveys have cited the tremendous numbers of judges dispensing justice in minor courts throughout the Nation who have had no legal training whatever. In California, as a result of a 1947 survey conducted by the Judicial Council, it was found that of the approximately 736 judges of Class A township justice courts and below, 413 were not attorneys. Under the Municipal and Justice Court Act of 1949, save for the "blanketing in" clause by which those having served in existing superseded courts for five years prior to the effective date of the amendment are made eligible, only those having been admitted to practice before the Supreme Court for a period of at least five years are permitted to act as municipal court judges, and the same rule applies to judges of the new justice court except that as an alternative, they must have passed a qualifying examination under regulations prescribed by the Judicial Council. Also the public is assured of a greater number of full-time judges with adequate compensation.

The salary of the judges is to be paid and determined by the board of supervisors in whose county the court is established. The fact that such salary must not be fixed below the minimum to be set by the Legislature (Sections 25, 30) indicates that it is the legislative intent that judges shall be compensated in an amount sufficient to permit them to devote full time to their judicial positions and that the positions will attract those whose abilities command greater remuneration.

In this connection it should be noted that the problem of the disposition of traffic fines has also received appropriate attention. The disposition of fines and forfeitures determined by Section 771 of the Vehicle Code as amended (Stats. 1949, Ch. 1517) provides a minimum of incentive for the enforcement of traffic laws as a method of raising revenue.

All such fines and forfeitures are to be paid to the county or city special road funds, depending on the location of the offense and the employer of the arresting officer. Under prior statutes the fines also went to the "special road funds" but the amendment provided appropriate proportioning of these funds depending upon factors which do not necessarily encourage fines for revenue purposes.

The committee questions, however, whether as a matter of principle there should be any relationship whatsoever between the enforcement of the law and the revenue derived from fines and forfeitures. In any event, it is suggested that consideration be given to a remission of some of the funds received from fines and forfeitures to the State since it appears that under the present methods of operation, the Highway Patrol is expending funds for enforcement which are in no way returned as a result of convictions.

Provision for Audit

It does not appear that existing statutory law or the Municipal and Justice Court Act of 1949 makes any adequate provision for auditing the funds received from traffic fines and forfeitures, nor does there appear to be any state-wide system for the auditing of the use of these moneys and their ultimate disposition through the special funds wherein they are to be deposited. It is suggested that this is the proper function of the State Controller and that regulations should be adopted requiring audits by this officer.

INTEGRATION AND CORRELATION

It has been noted that the court reorganization plan has taken several very important steps forward in the solution of problems arising out of the administration of traffic laws, but the amplification of these statutes will continue to be the subject of additional research and experimentation. In this connection, the committee believes that this further research of the Judicial Council and such groups as the League of California Cities, and the County Supervisors Association, should be integrated with the substantive law.

Further, as has previously been indicated, traffic and motor vehicle problems in general, in addition to being the most vexing problems confronting the State of California today, have also been receiving the attention of a wide group or rather a wide series of divergent groups within the State. The sheer number of these organizations as well as a partial lack of clarity as to the aims of each has in some instances resulted in an overlapping of work and duplication of effort, as well as a series of partial solutions which, however, have not always been related.

The meeting of the Governor's Conference on Traffic Problems has already been referred to in this report and the list of the groups and agencies invited to participate in this conference, which is attached as an appendix to this report, gives a general indication of the divergence of views which it sought to reconcile or at least consider in arriving at an ultimate solution.

Also, the Senate Interim Committee on Traffic and Motor Vehicle Violations has been making a comprehensive and thorough study of the entire problem throughout the State of California. It is understood that

this committee will have a series of specific recommendations to make to the 1951 Legislature which, unquestionably, will also suggest improvements in some segments of the law.

In addition, many other interim committees of both the Senate and the Assembly have been working upon problems which are related to the fundamental questions being considered by this committee. A noteworthy example of this latter group are committees such as the Senate Committee on Streets, Highways and Bridges, under the chairmanship of the Honorable Randolph Collier.

All of these factors are referred to herein to illustrate what this committee believes to be the basic problem in the final solution to the complexities of traffic and motor vehicle operation, to wit: The correlation of all the material which has been and is being gathered so that a comprehensive solution can be recommended which will serve as the basic guide for a *complete consideration of all of the inter-related problems at the same time in order that the present patchwork will not continue.*

The committee considers that it has in the past been impossible to undertake this task due to fundamental weaknesses in the court structure. However, now that a partial solution of this problem has been obtained, it is timely to effect this integration. Furthermore, such a program is believed feasible for the first time due to the wealth of material which has been gathered by other committees, agencies and groups in all of the fields related to motor vehicles. A duplication of some segments of this work by this committee would have been expensive and unnecessary but it is believed that all of these studies are now at the point where they should and can be correlated by this or a similarly constituted Assembly committee.

As an example, this committee believes that the entire motor vehicle code must be reconsidered, but that such reconsideration would of itself cause confusion unless it is related to some of the other problems, such as administration of justice in the courts, the education of motor vehicle drivers, and the re-engineering of our highway system.

The committee, therefore, recommends that a subcommittee be reconstituted for the purpose, among other things, of correlating the work being done by all agencies and groups upon the subject of motor vehicle laws and procedure and to integrate the whole with the work of the Judicial Council prior to the adoption of detailed new procedures under the new court structure. The committee further recommends that prior to such integration, any legislation proposed at the 1951 Session of the Legislature be considered in the light of this fundamental and hereafter will point to some inherent fallacies in the present general pattern which it is believed are adding to the problem rather than pointing to its ultimate solution.

SUGGESTED LINES OF INQUIRY FOR FURTHER STUDY

The committee believes that while much of the work being done, such as the work of the Judicial Council, is proceeding toward a proper solution of a segment of the problem, nevertheless, there are some fundamentals which some students and even experts in the field have failed to place in the proper prospective.

Enforcement

As has previously been indicated, the present pattern in the consideration of traffic problems has referred in general terms to Enforcement as one segment of the three "E's," the other two being Education and Engineering. However, under the general subject of enforcement there is usually considered the work of the police officers, the work of prosecutors and the work of courts, usually terminating in a recommendation that special traffic courts be set up. It is suggested that although this method may be necessary under our present structure, nevertheless it results in several concepts which investigation may show to be fundamentally unsound. For example:

1. This committee is not aware of any other field of law in which the work of arresting officers is considered in the same category with the work of those responsible for a judicial interpretation.

2. By way of example, the committee has received information as to the operation of the Juvenile Department of the Los Angeles Police Department. Under that system when a juvenile under the age of 18 years is cited for a traffic violation, he is summoned to appear with his parents before the juvenile officer for a hearing. This officer is a member of the police force and although it is stated he exercises no judicial authority, he may, if the case warrants, do any one of the following things:

(a) Take the juvenile's license away if the parent or guardian consents.
(b) Certify the juvenile to the State Motor Vehicle Department for hearing and possible revocation or suspension of license.
(c) Certify the juvenile to the juvenile court for such action as the court deems appropriate.

The committee has failed to find any statutory authority for this proceeding, although in fairness, must state that the officers conducting the program are exceedingly well-qualified and from all appearances are doing an excellent job with the primary purpose being to impress upon both the parent and the child the seriousness of the offense. In this case, then, the element of education appears in the transaction, which takes on something of that nature as distinguished from a normal criminal proceeding.

3. The committee has been informed that there will again be presented to the 1951 Legislature bills similar to those presented in 1949 providing in substance that insofar as traffic offenses are concerned, there shall be commissioners appointed by the juvenile court to handle these cases, presumably with the idea in mind of incorporating something of the foregoing system within the framework of the juvenile court. However, there are many who believe that juveniles should be treated just as adults in traffic cases on the theory that if they are old enough to be licensed, they are old enough to assume the full adult responsibility for their traffic accidents. This concept proceeds upon the assumption that the minor will be more severely dealt with in the traffic court than he will be under the jurisdiction of the juvenile court and perhaps this may be true under the present structure. However, the committee believes that a serious traffic offense such as driving while drunk, hit and run, etc., cannot be differentiated on theory from other

serious crimes such as robbery, etc., and in this latter category it has become recognized jurisprudence for minors to receive special treatment. The committee, therefore, feels that thorough investigation should be made and correlated with the work of such groups as the Probation and Parole Officers Association, so that traffic offenses by minors may be segregated into those wherein the minor requires special treatment from those where the offense is of such a character as may present the same problem for the minor as it does for the adult. The committee doubts whether it is possible to make a sound recommendation upon the matter of the present method of handling a juvenile traffic offender in some areas without this line of demarcation being established. The committee further believes, however, that once this line of demarcation is established, then those offenses where the minor does not require special treatment may be considered with the problems of adult traffic offenders which will be subsequently discussed in this report.

4. From time to time legislation has been suggested wherein the highway patrol officers, at least at district headquarters, should be permitted to accept bail. In many instances under the uniform bail schedules in the larger communities, police officers in traffic bureaus in fact accept bail as well as so-called "bail forfeitures."

5 Uniform bail schedules and bail forfeitures have been recommended on the theory that there should be no differential in the amount of bail or the amount of forfeiture or fine, at least when no evidence is taken. However, the committee's attention has not been directed to any other field of criminal law in which this is a permitted practice and, in fact, believes a thorough investigation should be undertaken as to the effect of this practice upon a general disrespect for the underlying purpose of bail, which in other lines of criminal law is merely to insure the presence of a defendant. The committee questions whether such use of the bail, "bail forfeiture" and fine create any deterrent toward future violations. The lack of considering an individual defendant with his past offenses, if any, as to the levying of a fine or forfeiture and the lack of any consideration of these and other important factors in the fixing of the bail, may be creating other problems which will have serious consequences upon the whole field of jurisprudence.

Penal Code 1275 provides as follows: "In fixing the amount of bail, the judge or magistrate shall take into consideration the seriousness of the offense, the previous criminal record of the defendant, and the probability of his appearing at the trial or hearing of the case. * * *"

See also Motor Vehicle Code Sections 738c and 739e.

6. Examples similar to those above mentioned could be repeated interminably as a deviation from normal procedures in the case of criminal law and prosecution and in many instances, the deviation creates in and of itself additional problems. Thus, for example, the bail which may be casually fixed in accordance with a schedule of bails and as casually forfeited, might become the basis for a revocation of license under the so-called "negligent operator" statutes since Vehicle Code Section 312 reads as follows:

> "For the purpose of this chapter, a plea of guilty or a judgment of guilty, whether probation is granted or not, or a forfeiture of bail, constitutes a conviction of any of the crimes mentioned herein."

This procedure is mentioned here merely to indicate that it is not only possible, but probable, that a person could have disciplinary proceedings taken against him insofar as his driver's license is concerned without at any time ever having had a judicial determination of his guilt or innocence. It has been argued that in each of the cases in which bail was forfeited, the defendant has had the opportunity for trial should he choose to demand it, but the committee believes that a complete investigation will be necessary to ascertain how many persons by virtue of being permitted to forfeit bail, either fail to recognize that the offense might terminate in serious consequences, or feel it is cheaper and less trouble to forfeit the bail than to raise a plea of innocence even though the individual may feel that as to the particular offense he is innocent. To further illustrate some of the basic problems in this entire field, the argument is made by many in response to the foregoing suggestions that it really doesn't make any difference because every person is guilty of many offenses for which he is not caught and, therefore, there is no real miscarriage of justice. The committee's attention has not been called to any other field of criminal law in which this argument is deemed to have any weight.

The committee wishes at this point to most emphatically state that it does not intend to criticize any department or group by pointing out what it considers to be the foregoing incongruities. *Rather, the committee has given these examples to illustrate its major point in this report and that is that an entire new approach must be made to the problem of traffic laws.* This new approach is mentioned in connection with the foregoing examples to show that because of practical difficulties, an entire body of motor vehicle jurisprudence is being developed which may have violated many fundamental judicial concepts, creating thereby new problems. These, in turn, have been the subject of great study, much of which can be avoided by a different concept.

Education

While the committee recognizes that the problem of the education of an automobile driver is exceptionally important in the entire field of traffic and motor vehicle law, most of the matters implied in this educational program are beyond the scope of the activities of this committee. In passing, however, the committee wishes to note that its attention has not been called to any group, committee or agency which has assumed the responsibility for the coordination of this education program. As a consequence, although recognizing some of the tremendous work that has been done in this field, the committee questions whether this program should not be more closely correlated under the direction of some specific organization. It is believed that programs in schools (where on January 1, 1951, it will become a mandatory course of instruction), programs for adults and organizational drives or promotions should be coordinated.

However, the committee does feel that the concept of education of the motor vehicle driver also involves factors directly related to the administration of justice A specific example of this inter-relation is found in the so-called "negligent operator statutes."

The "negligent operator" is defined and the penalties for this crime are set forth in Section 271.2 of the Motor Vehicle Code. This section reads as follows:

> "Any person who has been convicted on four or more occasions in a consecutive period of 12 months, or six or more occasions within a consecutive period of 24 months, or eight or more occasions within a consecutive period of 36 months, of violations of the provisions of the Vehicle Code involving the safe operation of vehicles on the highway and which are by law required to be reported to the department, shall be prima facie presumed to be 'a negligent operator of a motor vehicle ' In determining the above number of convictions any conviction of Sections 332, 481, 483, 502, or 505 of this code shall be counted as two convictions. Any accident in which the operator is deemed by the department to be responsible shall be counted the same as one conviction."

This statute is apparently part of a so-called "driver improvement program," one of the major purposes of which is to educate drivers of vehicles within this State. The Department of Motor Vehicles has caused to be prepared a study of 1,039 negligent operators which describes in general the aims and purposes of the department. (Information received from the department indicates that this study was prepared in cooperation with the Senate Committee on Traffic and Motor Vehicle Violations.) In this connection, portions of this study are hereinafter quoted:

Purpose

The purpose of this study is to determine to what extent, if any, the driving records of negligent operators improve following an interview with a representative of the Department of Motor Vehicles, State of California.

A further purpose is to compare the effectiveness of the types of corrective action, if any, taken by the department as a result of such interview.

The above stated objectives, if attained, will serve to some extent as an indication of any degree of success obtained regarding one phase —that concerning negligent operators—of the driver improvement program.

Scope

This study deals exclusively with the driving records, based upon convictions for violating traffic laws involving the safe operation of vehicles, of 1,039 drivers.

In essence, these driving records for like periods before and after an interview, are compared In other words, the period of one year immediately preceding the contact is compared with that of one year immediately following for each case in the study. Similarly are compared the two-year periods immediately before and after the interview.

Certain statistical conclusions, as presented herein, deal with such comparisons on a group and on an individual basis, each considered in the light of departmental action taken as a result of the interview.

It is hoped and anticipated that a similar study dealing with driving records based upon accident-involvement and accident-responsibility will be forthcoming.

Departmental Procedure

For several years the Department of Motor Vehicles has been developing within its Division of Drivers' Licenses a program dealing with the driving habits of California drivers. This program, called the Driver Improvement Program, goes beyond the well established driver licensing procedures of vision, law and driving tests, seeking to study traffic conviction and accident records, to effect improvement of driving habits, and to eliminate unfit and unsafe drivers from the highways. One phase of the program deals with physical and mental cases. Another deals with the re-examination of drivers who may be incompetent or inadequate And one phase, the one with which this study is concerned, deals with drivers whose records indicate they are potential or presumably negligent operators.

The statutes define a negligent operator, in effect, as a person convicted on four or more occasions in a consecutive 12-month period, on six occasions in a 24-month period, or on eight occasions in a 36-month period, of traffic law violations involving the safe operation of motor vehicles. A certain few offenses count double and any accident in which the driver is deemed responsible by the department is counted as one conviction.

Another statute of long standing requires every California court to report convictions of the Vehicle Code, except those concerning parking, to the Department of Motor Vehicles Similarly, all law enforcement agencies are required to report accidents involving death or personal injury. It is then possible for the department, by a check of its records, to determine individuals who qualify as negligent operators under the above definition, or whose records suggest that after further investigation of accidents in which they have been involved as drivers, they might so qualify.

Under law and procedures operative during the period covered by this study, September 15, 1947 to March 31, 1948, such presumable or potential negligent operators were called to an interview with a special drivers' license examiner of the department. During the interview, conviction records were discussed, basic causes sought and steps toward improved driving habits and records suggested.

At the conclusion of each interview, recommendation was made by the special examiner concerned as to corrective action to be taken by the department. Such initial corrective action consisted of one of the following:

(a) *No action.*

(b) *Warning Letter.* A form letter or an especially composed letter indicating the need for an improved driving record sent to the subject by the department.

(c) *Probation.* An administrative probationary period lasting not less than one year, whereof the usual condition is to obey all provisions of the Vehicle Code.

(d) *Suspension and Probation.* A period of suspension of the driving period as a condition of probation; such period not to exceed six months (often 30, 60, or 90 days). Such suspension is regarded as corrective and preventive, rather than punitive, action. (This action is sometimes referred to as "Suspension and Probation.")

(e) *Revocation.* A withdrawing of the driving privilege for a period of not less than one year. (It should be noted that this action was not taken in any of the cases under study.)

The charts and other information regarding actual driver improvement and the details of the study appear to have real significance but are not attached to this committee report in order to avoid unduly prolonging the same.

The foregoing departmental operation of a portion of the Driver Improvement Program has been quoted at length in order to illustrate the fundamental concept with which the same is undertaken, which appears to be primarily educational in character. However, as a judiciary subcommittee, this committee is concerned with the possible effects of this program upon an individual insofar as his basic rights to a judicial hearing are concerned. In this connection, the committee believes that as an educational device, the procedure under the negligent operator statute is having a desirable effect and the several thousand cases per month which the department handles would cast an undue burden upon the courts if any attempt were made to have these preliminary hearings in a judicial atmosphere. Further, such an attempt to have preliminary proceedings under the direction of a court would further confuse the fundamental distinction between the judicial and administrative function.

However, although this committee is fully aware of the interpretation that a driver's license is not a right but a privilege which can be taken away, it nevertheless believes that this "privilege" under our system of society has become a tremendous economic factor which, to some classes of persons, might amount to a deprivation of a means of earning a livelihood. Thus, with the almost complete use of motor vehicles for transportation to and from work the revocation of a driver's license would be a deprivation of serious consequences, particularly in view of the fact that many persons live in locations not reached by public transportation. Therefore, the committee recommends that the negligent operator statute be so amended as to provide that no driver's license may be revoked or suspended for a period longer than 30 days without a judicial proceeding. It is proposed that these judicial proceedings be initiated and conducted as in the case of any other criminal proceeding by complaint of the Motor Vehicle Department. It is further proposed that at these proceedings, the court may consider any factor in the individual offenses which have cumulated to the necessary number providing the basis for revocation or suspension beyond 30 days including the issue of whether the individual convictions were the result of trials or hearings or whether they were the result of bail forfeitures. It is further proposed that at the hearing upon revocation, the court may consider all prior steps taken by the Department of Motor Vehicles and previous warnings, probations or conditional licenses issued by the department in order to fix and determine whether the individual should be considered as a "negligent operator" and, if so, the appropriate penalty therefor, which may include in addition to revocation or suspension, of the license, any other penalties in the nature of a fine or jail sentence, either cumulatively or in the alternative.

Although there may be some doubt as to whether it is a proper function of a judiciary subcommittee, this committee feels that it should state that the use of the normal judicial process for the revocation of drivers' licenses or their suspension longer than 30 days will have probably a greater educational effect upon the public than the present procedure. Although there are some 50 or 60 revocations a month by the department, it is not likely that any large segment of the public is aware of this penalty or at least the frequency with which it is being considered. On the other hand, if these cases in their final determination were handled as any other criminal procedure, it is most likely that the local press and others would report them with the attendant deterrent effect upon the public and this crime which should become one of the more serious involving motor vehicles, would then be segregated from a mere departmental proceeding and instead be clothed with all of the judicial dignity which surrounds a prosecution for a real criminal offense.

Engineering

The committee believes that the problems of engineering are those more properly studied by other groups or committees who have specialized more in these fields. However, in passing, it should be observed that changes of engineering techniques in turn require changes in motor vehicle regulations. For example, the high speed freeways have created a whole new pattern in the handling of traffic including new types of turns and new types of perils. Each of these new developments requires complete recommendations by qualified engineers before appropriate traffic regulations can be adopted. It is believed, however, that sufficient experience has been had with the new highway designs so that if proper correlation is had in an overall future study as is indicated early in this report, that firm and continuing regulations may be adopted which will be more realistic in connection with modern highway development

HOUSE RESOLUTION NO. 100

House Resolution No. 100, adopted by the Assembly on April 13, 1950, reads as follows:

"Relating to the administration of justice in traffic violation cases

WHEREAS, It has come to the attention of the Legislature through articles appearing in newspapers from the Los Angeles area that the records of certain traffic violators have escaped the attention of courts in dealing with second and subsequent violations by such individuals thus resulting in their being treated as first offenders whereas in fact the records of such individuals may show previous serious and aggravated traffic violations; and

WHEREAS, The failure to identify such persons as having been previously convicted of traffic violations has resulted in the miscarriage of justice and has brought discredit upon the courts and the administration of justice; now, therefore, be it

Resolved by the Assembly of the State of California, That in addition to the duties heretofore given and imposed upon the Assembly Interim Committee on the Judicial System and Judicial Process (created by H. R. 232, 1949 Regular Session), the said committee is hereby authorized and directed to ascertain, study and analyze the methods of handling and processing traffic violation cases and particularly as to the methods now used by police courts and probation authorities in identifying second and subsequent offenders from records maintained locally and by the State Department of Motor Vehicles and to investigate the feasibility of issuing specially colored or otherwise readily identifiable drivers' licenses to persons who have been repeatedly convicted of violations or who are on probation, and to report thereon to the Assembly at the 1951 Regular Session including in the report its recommendation for appropriate legislation."

In connection with this resolution, the committee reports as follows:

Section 744 of the Vehicle Code provides that every justice, magistrate, or judge of a court not of record, and every clerk of a court of record "shall prepare and immediately forward to the department at its office in Sacramento an abstract of the record of said court covering the cases in which said person was so convicted which abstract must be certified by the person so required to prepare the same to be true and correct." In the same section, violations of Sections 586, 587, and 588 of the same code relating to improper parking of vehicles are excluded from the above requirements and are not reportable.

Under the authority of the above-cited section the Division of Drivers' Licenses maintains a complete file of all abstracts forwarded to it by the various courts of the State. However, it cannot be said with certainty that the law is complied with by all courts. It is the belief of the division that numerous courts inferior to municipal and Class A justice courts fail to file more than token abstracts of their records.

Upon receipt of the abstract from the individual court, it is filed with the original application for license of the driver reported on; the abstract is fastened to the application and is available for ready reference. In the case of those drivers who have not been licensed to drive in California and who are convicted of a reportable offense, the said abstract is filed in the alphabetical file under the driver's name. When an application is subsequently received, the alphabetical file is then transferred to the previously described file and appended to the application. When a request for information is received relative to a particular prior offender the file is "pulled" and the information forwarded to the requesting authority.

The committee has been informed that requests are presently running at the rate of 70-80 per day. A majority of such requests come from law enforcement agencies rather than from the courts. It was pointed out to the committee by a division officer that the present rate of requests is substantially higher than that of six months ago, with no explanatory reason being given other than the belief that such agencies are increasing their efforts to enforce traffic laws. It was also stated that there is no evidence of any liaison between authorities on the local level such as the courts of one county cooperating with the courts of another in maintaining mutual or duplicate records of persons convicted of traffic violations.

The committee was informed that though records are readily available in the cases of the 70-80 routine requests per day received by the division at the present time, the present staff would be completely incapable of handling any substantial increase in the number of such requests. Were it to become the practice of the courts to make a routine inquiry of the division as to the record of each and every person convicted of a reportable violation the problem of answering such requests would be insurmountable under the present conditions.

In view of the foregoing, the committee is unable at this time to make any recommendation as to improving the use of these abstracts by the courts in the sentencing of offenders except that sufficient staff should be made available to the Department of Motor Vehicles so that an increased volume of requests could be handled. In this event, the committee would then recommend a complete procedure for the use of such

abstracts prior to the sentencing of the defendant but not prior to his conviction.

The use of abstracts or similar records of prior offenses prior to conviction, the use of readily identifiable drivers' licenses indicating prior convictions, or the use of drivers' licenses wherein a list of prior convictions is contained, have alike been criticized for the reason that it is said that a police officer or judge is more likely to resolve any doubts against the defendant if there is readily apparent a list of prior convictions, whereas the true test in each arrest and in each conviction should be the guilt or innocence of the defendant of that offense. The committee therefore feels that it cannot recommend the use of this procedure without considerably more study and survey of the related problems involved.

THE PROBLEM OF VOLUME

The committee held a comprehensive hearing in Los Angeles at which outstanding experts in various phases of traffic laws and procedures were invited to present their views.

Such outstanding individuals as B. R. Caldwell, Deputy Chief of Police of Los Angeles in charge of the traffic bureau, J. M. Askins, Traffic Commissioner for the municipal courts of the City of Los Angeles, Allan Davis, General Counsel, Automobile Club of Southern California, Chief Eggers of the Glendale Police Department, Evelle Younger, City Prosecutor of the City of Pasadena, Russell Emmett, Supervising Inspector of the California Highway Patrol, and Judge Roger A. Pfaff, presented their views and problems to the committee. Most of the matters heretofore covered in this report were discussed in one phase or another by one of these experts to the point where the committee felt that further hearings along the same line would be merely to present cumulative evidence. The entire range of traffic problems was covered including an analysis of the cause of traffic accidents, methods of felony prosecutions, a discussion of methods in use for the handling of bail, bail forfeitures and fines, judicial administration of the traffic laws, enforcement of the traffic laws on freeways and in suburban areas and the problems of police personnel and court appearances, enforcement in its relation to juvenile problems, the effect of the gradual diminution in rail transportation upon the motor vehicle problem, the use of various types of devices to test drunkenness in drunk driving cases, the experiences of automobile clubs in the handling of traffic matters for their members and a comprehensive summary of all of the related problems in the traffic and safety field were covered. The latter summary was presented by the outstanding expert in the field, Mr. Joe O. Mattson, assistant to the president, Automotive Safety Foundation, and the committee wishes to acknowledge the substantial assistance which it has been given by Mr. Mattson in all matters relating to the traffic field.

As previously indicated, during the course of its research and the evidence taken at the Los Angeles hearing, a great many problems were discussed and a great many plans submitted for their partial solution. However, many, if not most of the suggested solutions, could not be fitted into our present concept of jurisprudence. At each point in its inquiry where a suggested solution of a segment of the problem was made, the committee attempted to reconcile this solution with normal procedures

current in other criminal cases and found that the practical problem of volume precluded any sensible conclusion. Thus, although the committee felt that prosecutions in criminal cases, whether they be traffic or otherwise, should be handled in accordance with the normal constitutional and statutory protections to the defendant. Yet, it became quite clear that if this procedure were followed, in each instance the sheer volume of cases would completely disrupt the entire court system within this State. Furthermore, it seems clear that in many instances a new traffic judge attempts to insist upon some of these procedures only to find that as a practical matter they are unworkable.

The committee, therefore, believes that no adequate solution can be found to fit traffic laws into criminal procedures until an entirely new approach to the problem can develop a solution to reduce the volume of cases so considered.

The committee, therefore, recommends that a subcommittee be reconstituted for the purpose, among other things, to explore the establishment of an entirely new concept of law for the "minor" traffic offenses and the establishment of a line of demarcation between "minor" and "serious" offenses with the object in view of requiring the "serious" offenses to be prosecuted and heard within the normal criminal procedures and the "minor" offenses to be handled as a "civil offense" or similar noncriminal offenses, at least until these "minor" offenses shall have cumulated to such an extent that the individual could be considered to have a "serious" disrespect for the processes of the law.

THE MOTOR VEHICLE CODE

The committee is aware of the fact that there has been recommended for nation-wide use a uniform motor vehicle code. In this connection a conference was held with Mr. Louis R. Morony, Director, Uniform Laws Division, Automotive Safety Foundation. At this conference a discussion was had of the soundness of the California Motor Vehicle Code and it was stated by Mr. Morony that he felt that the California code by comparison with that in other states was in very sound condition. Presumably this conclusion was reached by a comparison of the California code with the uniform code.

By way of comparison, Mr. Caldwell, the assistant chief of the Los Angeles Police Department in charge of traffic, who is also an outstanding expert in the field, testified that the California Motor Vehicle Code should be scrapped completely and rewritten in its entirety.

Between these two extremes, the committee has ascertained that there is a wide divergence of views as to the effectiveness of the California code, and believes that the entire code should be reconsidered as to the desirability of its various segments as well as its comparability to the uniform motor vehicle code Furthermore, that the code should be considered in the light of whether the uniform motor vehicle code should be adopted for use in this State.

As was indicated in an editorial in the *Los Angeles Times* during the conduction of the hearing in that city, the committee feels that there is a real reason to believe that the present vehicle code in California is a patchwork which has been changed year after year, segment by segment, so that there is substantial reason to believe it should be reintegrated and reconsidered.

The committee, therefore, recommends that a subcommittee be reconstituted for the purpose, among other things. to hold hearings throughout the State of California upon a complete revision of the Motor Vehicle Code, considering also at this time the desirability of the adoption of the uniform motor vehicle code.

CONCLUSIONS

(1) This committee has undertaken to show that although its specific objective when its investigation started was to ascertain whether traffic courts were being used for revenue purposes rather than the administration of justice, it believes it to be a total impossibility to make any recommendations upon this subject without making recommendations upon the entire field of traffic problems and correlating the work of all existing committees, and groups, working upon similar or related problems

(2) That any study of traffic problems must of necessity take into account the work which has gone before and, for this reason, the committee has repeated and recited some of the basic patterns which represent national as well as state-wide thinking at the present time in the field.

(3) That these patterns have begun and are continuing to influence the adoption of legislation in this State as well as nationally.

(4) That there are several outstanding recommendations in this pattern which the committee feels require careful study before they can be recommended for adoption in this State, particularly where these recommendations might tend to cumulate in a violation of some of our fundamental concepts of jurisprudence.

(5) That the Judicial Council has provided the beginnings of an adequate solution for the problems referred to insofar as the inferior courts have been reorganized and procedures will be recommended on matters affecting the administration of the court, its dignity, quarters, etc.

(6) That the Motor Vehicle Code should be considered for revision in complete detail and that hearings should be held throughout the State of California on the same, segment by segment.

(7) That these hearings upon the Motor Vehicle Code and any other recommendations in connection with a revision of the motor vehicle laws will be useless unless the problem of volume of offenses is first solved.

(8) That in order to solve the problem of volume of offenses, the committee recommends that a comprehensive analysis be undertaken of motor vehicle statutes wherever they may be found to the end that a line of demarcation between the "minor" offense and the "serious" offense may be established.

(9) That if this line of demarcation can be established, that recommendations be considered to provide for an "offense" or "civil offense" or some similar theory for the "minor offenses" which will permit them to be disposed of with dispatch without in any other manner affecting the procedures of recognized criminal law.

(10) That thereupon further consideration should be given as to whether a *series* of "minor offenses" or a "serious offense" cannot then be handled within the framework of criminal jurisprudence in the same manner as any other crime, including the application of such serious offense to juveniles within the regular juvenile court structure.

(11) That the committee has not engaged in extensive visits to existing courts nor engaged in extensive hearings for the reason that it feared

expensive duplication of work already completed or being undertaken by other groups and that as to hearings, it felt after a comprehensive hearing in Los Angeles, that further evidence would be cumulative.

RECOMMENDATIONS

I.

The committee recommends that the provisions of the negligent operator statutes be amended to provide that no driver's license can be revoked or suspended for a period longer than 30 days unless and until a judicial hearing upon the issue shall have been held upon complaint filed by the Motor Vehicle Department and has requested Legislative Counsel to prepare such legislation for submission to the 1951 General Session of the Legislature.

II.

The committee makes no other or further recommendations for legislation at this time for the reason that with the single exception set forth above, it feels that such specific recommendations might tend to further confuse the existing statutes until the comprehensive analysis hereinafter referred to shall have been undertaken.

III.

The committee recommends that an Assembly Judicial Subcommittee be reconstituted for the following purposes:

(1) To correlate the work being done by all agencies upon the subject of motor vehicle laws and procedures and to integrate the whole with the work of the Judicial Council prior to the adoption of new procedures under the new court structure.

(2) To explore the establishment of a new concept of law for the "minor" traffic offense and the establishment of a line of demarcation between "minor" and "serious" offenses.

(3) To hold hearings throughout the State of California upon a complete revision of the Motor Vehicle Code considering also at this time the desirability of the adoption of the Uniform Motor Vehicle Code.

Appendix A

TWELFTH BIENNIAL REPORT, JUDICIAL COUNCIL OF CALIFORNIA

CLASS "A" JUSTICES' COURTS—FILINGS

During Fiscal Years Ending June 30, 1947, and June 30, 1948

CRIMINAL PROCEEDINGS

	Preliminary hearings		Traffic		Liquor and other misdemeanors		Grand totals	
	1947	1948	1947	1948	1947	1948	1947	1948
Alameda County:								
Alameda Township (Alameda)	--	--	--	--	--	--	--	--
Alameda, City of	49	64	13,075	14,557	2,573	1,820	15,697	16,441
Berkeley, City of	165	138	11,728	16,670	996	1,079	12,889	17,887
Brooklyn Township (Oakland)	--	--	--	--	--	--	--	--
Eden Township (Hayward)	80	55	1,925	1,730	330	342	2,335	2,127
Eden Township (San Leandro)	28	16	757	900	65	66	850	982
Oakland, City of	1,254	1,018	124,219	159,053	15,880	17,804	141,353	177,875
Oakland Township (Oakland)	--	--	--	--	--	--	--	--
Contra Costa County:								
Township 15 (Richmond)	8	5	54	41	169	181	231	227
Fresno County:								
Township 3 (Fresno)	297	354	6,301	5,836	1,517	1,520	8,115	7,710
Kern County:								
Township 3 (Bakersfield)	18	6	3,298	4,144	764	1,274	4,080	5,424
Township 15 (Bakersfield)	1	0	1,201	3,415	637	1,036	1,839	4,451
Los Angeles County:								
Belvedere Township (Los Angeles)	193	203	2,220	2,314	1,269	1,919	3,682	4,436
Beverly Hills Township (West Hollywood)	69	83	7,683	5,871	792	729	8,544	6,683
Compton Township (Compton)	445	332	4,072	3,699	1,573	2,516	6,090	6,547
Downey Township (Downey)	126	124	5,538	5,373	2,222	2,094	7,886	7,591
El Monte Township (El Monte)	108	120	4,579	5,725	1,280	1,267	5,967	7,112
Glendale Township (Glendale)	10	25	1,127	1,584	247	213	1,384	1,822
Gardena Township (Gardena)	87	87	18	3,168	193	881	298	4,136
Inglewood Township (Inglewood)	100	93	6,117	3,324	1,227	1,005	7,444	4,422
Monrovia Township (Monrovia)	36	83	771	727	256	283	1,063	1,093
East Los Angeles Township (Los Angeles)	155	242	5,718	7,197	1,917	2,056	7,790	9,495
Pasadena Township (Pasadena)	273	--	1,962	--	258	--	2,493	--
San Antonio Township (Huntington Park)	11	3	4,556	4,444	1,893	1,755	6,460	6,202
San Gabriel Township (Alhambra)	37	44	1,510	2,259	344	421	1,891	2,724
San Jose Township (Pomona)	60	53	2,471	1,675	272	244	2,803	1,972
Whittier Township (Whittier)	87	89	2,089	2,645	587	582	2,763	3,316
Marin County:								
San Rafael Township (San Rafael)	157	116	591	836	124	136	872	1,088
Sausalito Township (Sausalito)	0	0	374	773	104	269	478	1,042
Monterey County:								
Alisal Township (Salinas)	249	204	2,361	2,263	749	746	3,359	3,213
Monterey Township (Monterey)	--	63	--	1,038	--	391	--	1,492
Orange County:								
Santa Ana Township (Santa Ana)	172	171	268	369	274	254	714	794
Riverside County.								
Riverside Township (Riverside)	306	354	840	914	478	397	1,624	1,665
San Bernardino County:								
San Bernardino Township (San Bernardino)	687	578	955	1,448	1,110	1,116	2,752	3,142
San Diego County.								
National City Township (National City)	0	--	2,173	1,997	281	486	2,454	2,483
San Joaquin County:								
O'Neal Township (Stockton)	--	--	1,848	2,527	355	606	2,203	3,133
Stockton, City of	--	--	0	0	0	4	0	4
Stockton Township (Stockton)	509	586	65	61	110	94	684	741
San Mateo County:								
First Township (Daly City and South San Francisco)	51	43	2,220	2,808	116	159	2,387	3,010
Second Township (San Mateo)	6	3	1,181	1,315	30	41	1,217	1,359
Third Township (Redwood City)	44	56	795	855	148	257	987	1,168
Fifth Township (San Mateo)	5	0	245	637	5	0	255	637
Santa Barbara County:								
Township 2 (Santa Barbara)	35	40	162	210	210	284	407	534
Santa Clara County:								
San Jose Township (San Jose)	113	143	2,001	3,434	643	634	2,757	4,211
Solano County:								
Vallejo Township (Vallejo)	80	98	1,639	1,584	784	1,060	2,503	2,740
Stanislaus County:								
Modesto Township (Modesto)	292	297	742	1,178	459	409	1,493	1,884
Totals	6,403	5,987	231,449	280,598	43,241	48,430	281,093	335,015

TWELFTH BIENNIAL REPORT, JUDICIAL COUNCIL OF CALIFORNIA

CLASS "A" JUSTICES' COURTS—DISPOSITIONS

During Fiscal Years Ending June 30, 1947, and June 30, 1948

CRIMINAL PROCEEDINGS

	Preliminary hearings		Traffic		Liquor and other misdemeanors		Total criminal disposed of	
	1947	1948	1947	1948	1947	1948	1947	1948
Alameda County								
Alameda Township (Alameda)	--	--	--	--	--	--	--	--
Alameda, City of	66	82	11,986	13,525	1,718	1,182	13,770	14,789
Berkeley, City of	147	149	11,713	15,412	1,022	1,061	12,882	16,622
Brooklyn Township (Oakland)	--	--	--	--	--	--	--	--
Eden Township (*Hayward*)	74	35	1,453	1,613	257	321	1,784	1,969
Eden Township (San Leandro)	30	12	628	727	42	41	700	780
Oakland, City of	1,500	1,272	115,475	155,168	18,752	17,200	135,727	173,640
Oakland Township (Oakland)	--	--	--	--	--	--	--	--
Contra Costa County								
Township 15 (Richmond)	4	6	52	39	68	73	124	118
Fresno County:								
Township 3 (Fresno)	249	335	6,376	5,714	1,410	1,352	8,035	7,401
Kern County								
Township 3 (Bakersfield)	67	52	3,337	4,188	887	1,425	4,291	5,665
Township 15 (Bakersfield)	--	--	916	2,227	438	772	1,354	2,999
Los Angeles County:								
Belvedere Township (Los Angeles)	171	228	1 870	2,388	1,163	1,975	3,204	4,591
Beverly Hills Township (West Hollywood)	58	82	7,611	5 985	789	773	8,458	6,840
Compton Township (Compton)	296	334	3,695	3,512	1,274	2,536	5,265	6,382
Downey Township (Downey)	122	110	5 354	4,848	2,197	2,007	7,673	6,965
El Monte Township (El Monte)	95	126	4,372	5 444	1,257	1,530	5,724	7,100
Glendale Township (Glendale)	8	26	1,100	1,563	244	212	1,352	1,801
Inglewood Township (Inglewood)	60	89	14	872	250	732	324	1,693
Gardena Township (Gardena)	84	82	5,964	3,118	1,139	994	7,187	4,194
Monrovia Township (Monrovia)	32	70	745	669	212	245	989	984
East Los Angeles Township (Los Angeles)	123	205	5,765	6,979	1,876	2,020	7,764	9,204
Pasadena Township (Pasadena)	240	--	1,925	--	244	--	2,409	--
San Antonio Township (Huntington Park)	11	3	4,651	4,347	1,846	1,689	6,508	6,039
San Gabriel Township (Alhambra)	28	42	1,445	2,303	323	389	1,796	2,734
San Jose Township (Pomona)	30	58	2,374	1,580	217	201	2,621	1,839
Whittier Township (Whittier)	85	106	2,102	2,591	615	620	2,802	3,317
Marin County								
San Rafael Township (San Rafael)	119	93	551	802	101	127	771	1,022
Sausalito Township (Sausalito)	--	--	340	648	94	173	434	821
Monterey County								
Alisal Township (Salinas)	168	123	1,661	1,567	592	568	2,421	2,258
Monterey Township (Monterey)	--	55	--	887	--	338	--	1,280
Orange County								
Santa Ana Township (Santa Ana)	162	174	224	334	211	251	597	759
Riverside County								
Riverside Township (Riverside)	307	375	838	919	425	409	1,570	1,703
San Bernardino County								
San Bernardino Township (San Bernardino)	631	486	870	1,439	972	881	2,473	2,806
San Diego County:								
National City Township (National City)	--	--	1,934	2,167	296	431	2,230	2,598
San Joaquin County:								
O'Neal Township (Stockton)	--	--	1,789	1,963	299	480	2,088	2,443
Stockton, City of	--	--	--	--	7	1	7	1
Stockton Township (Stockton)	378	470	52	50	41	23	471	543
San Mateo County								
First Township (Daly City and South San Francisco)	30	30	2,095	2,632	77	123	2,202	2,785
Second Township (San Mateo)	13	3	2,081	1,655	13	21	2,107	1,679
Third Township (Redwood City)	35	40	724	790	141	237	900	1,067
Fifth Township (San Mateo)	5	9	22	68	1	3	28	80
Santa Barbara County								
Township 2 (Santa Barbara)	34	40	159	205	207	277	400	522
Santa Clara County:								
San Jose Township (San Jose)	116	145	1,410	2,470	366	382	1,892	2,997
Solano County:								
Vallejo Township (Vallejo)	63	69	1,404	1,048	543	705	2,010	1,822
Stanislaus County								
Modesto Township (Modesto)	212	229	731	1,036	414	344	1,357	1,609
Totals	5,853	5,845	217,808	265,492	43,040	45,124	266,701	316,461

TWELFTH BIENNIAL REPORT, JUDICIAL COUNCIL OF CALIFORNIA

COST OF MAINTAINING AND RECEIPTS FROM JUSTICES' COURTS

During Fiscal Years Ending June 30, 1947, and June 30, 1948

County	*Total Expenses* 1947	1948	*Total Receipts (fees, fines, forfeitures)* 1947	1948
Alameda	$171,212.47	$192,335.34	$128,184.56	$143,126.00
Alpine	305.00	338 45	1,412.50	720.00
Amador	8,788.30	4,672.12	6,620.00	7,674.25
Butte	40,041 63	43,532 90	25,182.29	29,510.07
Calaveras	9,146.98	10,634.64	7,115 85	6,856.50
Colusa	8,385.26	9,286.12	13,642 50	20,925.63
Contra Costa	123,331.53	137,670.05	92,276.69	101,664.13
Del Norte	1,751.35	2,164.24	4,725.50	8,246.81
El Dorado	6,842 08	7,432 64	15,846.75	11,094.00
Fresno	67,842.02	134,689.98	153,419.46	193,248.81
Glenn	7,244.64	8,424.78	7,356 75	7,586.75
Humboldt	22,192.15	21,964 16	28,188 35	37,255 25
Imperial	24,714.50	41,662.91	16,587.30	25,075.60
Inyo	10,196,16	11,331.19	12,339.00	8,238.84
Kern	94,961.38	134,561.14	159,947.35	380,713 15
Kings	25,158.78	29,403 35	33,754.75	44,303.81
Lake	3,514.69	4,044 95	16,271.50	14,422.00
Lassen	6,443.53	10,983.91	9,460.76	9,076 25
Los Angeles	550,764.39	639,448 97	827,030.28	885,945.28
Madera	18,024 22	21,731 28	25,280 63	34,587.57
Marin	27,999.36	34,526 79	40,333 25	46,842 37
Mariposa	4,814.93	8,735 86	3,035 75	3,990.00
Mendocino	14,348.73	15,226.12	18,535 00	24,610 00
Merced	40,931.11	47,469.83	42,113 50	58,643.08
Modoc	4,911.41	6,354 89	7,777.00	14,199 25
Mono	3,334.00	3,091 80	4,818 25	3,495 50
Monterey	52,351.12	37,580.39	61,911 25	78,463.75
Napa	11,540.77	11,872.81	42,872.08	30,002.00
Nevada	8,340 08	10,894.85	26,608 00	23,852.50
Orange	69,947.39	79,014.94	97,207 32	88,486 75
Placer	18,535.81	31,497.87	75,151.25	63,772 25
Plumas	10,034 12	16,070 96	9,857.25	20,187.90
Riverside	73,343.71	88,401 27	144,923 10	164,030 31
Sacramento	36,493.07	23,312.95	128,255.16	139,454.84
San Benito	6,968.55	7,589 95	16,637.00	28,630 00
San Bernardino	183,387.42	200,961 83	134,610 71	164,545.31
San Diego	30,499.73	41,916 47	98,126.13	121,297.96
San Francisco	--	--	--	--
San Joaquin	67,701.17	53,170.68	104,649.02	145,418 56
San Luis Obispo	41,570.08	49,930.24	48,374 52	47,494.81
San Mateo	63,480.24	66,473 56	62,710.71	72,602.50
Santa Barbara	23,724.01	31,268.14	42,628.40	44,528 00
Santa Clara	82,319 46	90,569.38	81,144.83	115,928.78
Santa Cruz	16,373.44	14,209.03	30,586.75	33,743.85
Shasta	18,152.67	20,026.47	21,512.55	25,632.61
Sierra	3,116.03	3,199 86	3,193 00	4,655 50
Siskiyou	14,083.79	17,599.15	22,124.40	21,792.50
Solano	35,270 35	36,134 31	47,163.50	63,001 50
Sonoma	27,605.67	31,484.41	46,030.60	56,327.80
Stanislaus	58,305.98	62,861 00	17,083 95	57,072.25
Sutter	11,951.26	14,108.65	9,689.37	14,489.09
Tehama	3,971.37	6,730.85	20,548 64	13,633.00
Trinity	2,125.18	3,322.52	2,332.25	4,216.25
Tulare	93,007.38	111,023.31	120,849.10	133,236 18
Tuolumne	27,550 03	20,295.84	17,905.50	22,134.50
Ventura	66,051.50	106,440.70	104,690.75	84,895.35
Yolo	19,025 44	24,302.53	35,672.50	47,270 35
Yuba	8,982.60	11,754.23	16,502.78	17,679.00
Totals	$2,483,010.02	$2,905,737.56	$3,392,800.89	$4,070,526.85

Appendix B

(a) ACTION PROGRAM AND COMMITTEE REPORTS
The President's Highway Safety Conference

(b) TWELFTH BIENNIAL REPORT
Judicial Council of California

(c) HIGHWAY SAFETY
The Council of State Governments

(d) CHEMICAL TEST CASE LAW
Robert L. Donigan, Counsel, The Traffic Institute, Northwestern University

(e) TRAFFIC COURTS ON TRIAL
National Committee on Traffic Law Enforcement

(f) ACCIDENT FACTS (1948 Edition)
National Safety Council

(g) THE TRAFFIC REVIEW
The Traffic Institute, Northwestern University

(h) TRAFFIC DIGEST
The Traffic Institute, Northwestern University

(i) THE UNIFORM VEHICLE CODE AND
THE MODEL TRAFFIC ORDINANCE
Uniform Laws Division, Automotive Safety Foundation

Supplemental references available from the Traffic Institute, Northwestern University.

(a) ONE HUNDRED QUESTIONS RELATING TO TRAFFIC LAW ENFORCEMENT—Newman F. Baker

(b) MICHIGAN COURTS DEVELOP UNIFORM TRAFFIC FINE SCHEDULE FOR VIOLATIONS BUREAUS—Maxwell Halsey

(c) UNIFORM DEFINITIONS OF MOTOR VEHICLE ACCIDENTS
National Conference on Uniform Traffic Accident Statutes

(d) MODEL MUNICIPAL TRAFFIC CONTROL PROGRAM
Traffic Division, International Association of Chiefs of Police

(e) FACTORS CONTRIBUTING TO MOTOR VEHICLE ACCIDENTS
Reprint from House Document No. 462, Part 2, 75th Congress, 3d Session

(f) THE DRINKING DRIVER: PROBLEMS OF ENFORCEMENT
David G. Monroe

(g) ALCOHOL IN RELATION TO TRAFFIC ACCIDENTS
Richard L. Holcomb

(h) TRAFFIC SCHOOLS (FOR VIOLATORS AND VOLUNTEERS)
National Safety Council

(i) TRAFFIC ENGINEERING AND THE POLICE
Harry K. Evans and Franklin M. Kreml

Appendix D

THE PROBLEM OF TRAFFIC LAW ENFORCEMENT

The system of inferior courts is the most important factor in building public knowledge and appreciation of justice in the United States By far the greatest number of cases are tried in such courts of the first instance and it is from these courts that the average citizen obtains his first and often only contact with our system of justice. It is a surprising fact that a Gallup Poll in 1939 in the middle Atlantic and east central states disclosed that 33 percent of those answering the inquiry did not believe their local judges to be honest. Local judges in most instances come in contact with John Q. Public through the medium of traffic citations which constitute the greatest number of misdemeanors and the

over-all opinion of the public regarding our courts is determined by this single contact. The so-called "inferior courts" must be maintained on at least as high a standard as any other court of original jurisdiction.

The problem is best set forth in a reference made to the traffic survey of the metropolitan district of Boston:

> "A system of law enforcement under this survey shows those guilty only in a comparatively greater degree are punished severely and those guilty in a lesser degree are allowed to travel free can be nothing but a breeder of contempt for all types of law. Or laws under which those who pay the penalty are the innocent victims of the real violator while the latter is free to repeat his performance are a mockery of the fundamental aim of this law as conceived and a reflection on those into whose hands has been placed the duty of this enforcement."

It should be noted that the quoted reference refers only to one phase of the traffic and motor vehicle problem It is generally said that its solution involves at least three items expressed as the three "E's," i.e. *Engineering, Education and Enforcement.*

THE COURTS WHERE TRAFFIC CASES ARE TRIED

The use of varying types of courts prevents the systematic enforcement of the law and the dispensing of justice. Both county and state courts are ill-equipped to handle traffic cases as their procedure is geared for the more serious types of crimes; the average traffic case does not involve the impaneling of a jury, complicated instructions, elaborate arguments by counsel, etc. Thus, the sheer number of traffic cases which are presented to the county and state courts necessitates a summary and totally inadequate disposition thereof. In addition to the procedural machinery of the courts, they are not located in places convenient to the dispensing with the fairly minor violations for which the average offender is cited. In this connection the problem of the nonresident driver is posed; to allow him to leave the State after citation is to lose jurisdiction and probability of his return for trial; to place him under arrest for trial set at some future date would be to unnecessarily detain him and cause a lowering of the law in his view. Though more adequately suited for handling traffic violations, municipal courts with inadequate facilities and insufficiently paid judges who are unable to devote their full time to the bench do not fill the need for a separate traffic court.

TRAFFIC COURT PROCEDURE

The average traffic violation is handled as in the case of any other criminal prosecution where the defendant is brought into court. However, for the following reasons, the procedure for handling a case involving a violation of a traffic law should not follow that of an average criminal case:

a. There is generally but a single issue raised without any question of degree or other technicality.
b. There is no extraneous testimony other than that of the arresting officer and the defendant offered.

c. Minor offenders do not feel "guilty" of a "criminal offense."
d. Cases are disposed of rapidly.
e. Because of the fundamental problems involved in traffic violations there should be a uniformity in treatment which can be achieved only by close cooperation between different agencies, particularly in regard to records of offenses, convictions and punishment.

There are three methods of bringing the defendant to court in general use throughout the United States today: a "ticket," a summons and summary arrest. The summary arrest is used in a majority of states to assure the appearance of the non-resident violator. Actually a "notice to appear," coupled with a detention of the driver's license or the auto plates is held to be the superior means of obtaining an appearance. A summary arrest involves the occupation of a police officer for every arrest with a consequent diminution of the available force.

VIOLATIONS BUREAUS

Violation bureaus are designed to relieve the courts of much of the overwhelming number of cases involving traffic violations which it would otherwise be necessary to hear. The defendant brings the citation, ticket or summons to the bureau and pays a fine in the form of a "forfeiture of bail" or under some other title. The automatic procedure employed is the reason for the name "cafeteria style justice." It fails to give the corrective touch of the court to the disposition of the case with the consequent loss of any hope of obtaining a cooperative attitude from the defendant. The jurisdiction of the bureaus should include only the most minor offenses; fines and bonds should be fixed only by the court and should be comparable to the fines actually assessed by the court were the defendant to appear for trial. There should be provision for repeated violators receiving an increased fine and a required court appearance for the habitual offender.

TRAFFIC COURT ADMINISTRATION

The nonappearance of a defendant should be treated as a serious matter; warrants issued after failure to answer a citation or ticket should be strictly enforced and extra fine levied to prevent recurrence.

Jury trials are often used to obtain an acquittal on the basis that juries generally feel that traffic violations are too petty to warrant a criminal conviction. The right to a jury trial should be restricted when the nature of the problems involved is balanced against the trouble and time of impaneling a jury, the openings to the jury by the prosecutor and the attorney for the defendant, and the closings at the end of each case, etc. The absence of the complicating factors usually found in the average criminal case is further reason for the restriction of the jury trial.

Appeals from convictions of traffic violations are few but the percentage of affirmances is low due to the feeling of the appellate courts that such offenses are trivial.

PHYSICAL FACILITIES AND CLERICAL AIDS

The conditions which prevail in many traffic courts was described; on numerous occasions it was found that necessary parties to the action could not hear testimony due to the excessive noise and outside interference. Other conditions such as shabby rooms and poor location were pictured as detracting from the necessary dignity of the court; traffic courts must have adequate room and facilities for presentation of evidence and must be such as to command respect.

Adequate records are impossible without sufficient clerical aid. The number of cases involving traffic violations makes this particularly true.

TRAFFIC COURT PERSONNEL

Judges in traffic courts should be lawyers with a traffic law background. They should be paid a salary sufficient to enable them to devote their full time to the bench; the term of the judge if elected should be for such a period as would take the office out of politics. Rotation of judges in general is not a wise practice in that in too many instances there are not qualified alternates available, judges with a traffic law background.

Prosecutors are rarely used in traffic cases and even then are poorly qualified. They can, if properly qualified, contribute to the orderly process of the court and thus enhance the respect it draws from the defendant. All too often the traffic law violator is treated by the prosecutor as a common criminal without remembering the primary purpose of the traffic court is corrective rather than punitive.

As pointed out before, the average traffic case requires none of the procedural equipment of the average criminal case. So, too, due to the nature of the offense, defense attorneys are seldom needed. On this point it was noted that in many cases attorneys are employed merely for the purpose of delaying and otherwise obstructing the trial. In other cases where there is no question of the good faith of the defense, it often occurs that the attorney appearing for the defendant is ill-equipped for work in traffic cases; brings up such defenses as "contributory negligence," "last clear chance," and otherwise misconstrues the methods and purposes of traffic law enforcement.

CONDUCTING THE TRAFFIC COURT

The work of the traffic court must, more than any other court because of its constant contact with and its consequent effect upon the public at large, be carried on in an orderly and efficient manner so as to command the greatest possible respect for traffic law enforcement in particular and for the law in general. The serious consequences of traffic law violations must be impressed upon those who come before the court. A smoothly running and dignified court can achieve a spirit of cooperation from the defendant which is otherwise impossible.

THE "FIX"

The "fixing" or otherwise nullifying the citation, ticket or summons can be and is accomplished in one or more of the following manners:

a. Cancellation by the police or court clerk.
b. Deletion or change of court records by the court clerk.
c. Continuance of trial by the clerk of a disinterested court or by the judge himself.
d. Reduction of the charge so as to obtain a guilty plea or avoid a jury trial.
e. Weak prosecution by the prosecutor or by the arresting officer.

It was found that where "fixing" as a practice did not exist there was high public interest in the work of the courts, well qualified personnel, open trials which were freely publicized and an efficient system for publishing the monthly or semimonthly records of the court. However, mere mechanical improvements will not eliminate the "fix;" three elements are requisite:

a. Education of those prone to seeking favors to the dangerous consequences on society of such practices.
b. Stimulation of public indignation against such practices.
c. Improvement in the selection and tenure of public officials.

PUNISHING THE TRAFFIC LAW VIOLATOR

An arrest of a violator which is not followed by conviction is wholly ineffective, just as is a conviction which is not followed by the assessment of a penalty; without a penalty there is no deterrent effect. The results of an analysis and comparative study of cited figures indicate that a practical and minimum acceptable standard for the ratio between convictions and apprehensions is 90 percent; the national average of 406 cities was 93 percent (1940). The California Highway Patrol convictions averaged 95 percent while the City of San Francisco (1939-1940) averaged 70 percent, with only 40 percent of those arrested for reckless driving convicted.

Traffic courts should strive to instill a sense of cooperation and responsibility in the defendant—punishment should not be considered an end in itself. There is a direct relationship between the number of convictions and the accident rate in a given community; when the laws are strictly enforced and the conviction rate goes up, accidents become more and more infrequent Violations can be prevented by:

a. Certainty of apprehension, *and*
b. Effective punishment.

The majority of offenders are persons previously convicted of other traffic law violations. "First offenders" should be treated with care with a view to obtaining the maximum cooperation with a minimum of punishment However, most "first offenders" are such only because they have not been "caught" for previous violations; there are few true "first offenders" Juveniles should be handled by the traffic courts with the parents present Juvenile courts are not warranted in the case of petty offenses In the more serious offenses, the need for specialized

technique in the handling of juveniles more than outweighs the value of the special traffic court.

Penalties, in order to command respect, must be uniform but should also take into account special conditions existing in each case; good judgment and common sense must be used if the penalty is to develop the sought-for respect and cooperation with the law. The penalty should bear a direct relationship to the seriousness of the violation. The following particular penalties have special value in some instances:

a. Suspension of driver's license—driving is a privilege, not a right, which may be taken away when it is deemed that the operation of a vehicle by the defendant presents a public danger and that the defendant can be more effectively deterred from future violations by these means. In California the suspension and/or cancellation of the driver's license is controlled by Vehicle Code 291-317.
b. "Violators' Schools"—wherein the violator is required to attend a certain number of formal class hours in safe driving. A 1939 survey by the California Highway Patrol showed that of those attending such schools there was a 70 percent reduction in the number of traffic violations The general type of offenders for whom the school is most effective are:
   (1) Violators who lack mechanical skill.
   (2) Those who are ignorant of important traffic regulations.
   (3) Drivers who show inability to meet traffic situations.
   (4) Offenders holding erroneous attitudes toward safety and who appear to be amenable to educative methods.
   (5) Violators on whom a fine would be an undue hardship or whose fine would be paid by another, or whose family would suffer as a consequence, and who, at the same time, need a better appreciation of the traffic problem.
   (6) Violators to whom a fine means little.

RECORDS

Two types of records should be maintained by every traffic court:

a. Disposition records which
   (1) Provide an inventory of the business of the court.
   (2) Evaluate the effectiveness of the court.
   (3) Serve as a basis for a report to the public.
b. Violator records, so that habitual offenders may be treated specially and, if necessary, excluded from the highways.

(It was noted that California was one of 13 states maintaining complete records of traffic convictions; all other states kept at most partial records of their courts' work.)

Violators' records are records of previous offenses and their disposition. For thorough enforcement throughout the State, such records should be state-wide in scope. However, the past record of the defendant should influence only the penalty assessed if found guilty. For this reason the record should not be referred to by the court until after a finding of guilt is made; past convictions are no evidence of present guilt.

JUSTICE OF THE PEACE

The average justice of the peace in the United States is not required to meet any particular standards. It is generally felt that the duties of the justice of the peace are too numerous and varied. There is no supervision of justices of the peace by any state agency nor is there any auditing of his books, save in Los Angeles County, which system includes 26 justice of the peace courts.

The average age of justices of the peace throughout the Country is 58, with over 20 percent between the ages of 70-90. Occupations vary with over 50 percent being nonprofessional occupations such as butcher, baker, etc.; out of 1,199 justices of the peace answering the survey's questionnaire, only 118 were practicing attorneys or persons with legal background. Most held other positions and acted as justices of the peace only a small part of their time.

In 33 states the justices of the peace are paid by the fees collected by them in the form of fines, costs, etc. The case of *Toomey* v. *Ohio* (235 U. S. 510) held that a magistrate who has a direct financial interest in the outcome of the proceedings cannot try the accused. However, this principle is not applied to proceedings involving traffic violations because of the practical reason that such cases are rarely ever appealed due to the relative insignificance of the sum involved.

A PROPOSED TRAFFIC COURT SYSTEM

There should be established a single, state-wide system of traffic courts staffed by persons with legal training and with an adequate background in traffic law enforcement. A chief traffic judge should head the system, with the district judges being state rather than local officials. Provision should also be made for any undue increase in violations in a particular area by the establishment of additional courts.

TRAFFIC INSTITUTE—NORTHWESTERN UNIVERSITY

As previously indicated, the bulk of the material under the preceding headings was obtained from the Warren study, "Traffic Courts." In addition, however, some of the research material utilized by the committee emanated from the Traffic Institute, Northwestern University. Essentially, the institute is operated as a department of the university and concerns itself with the problems of traffic control and motor vehicle accident prevention in general. To this end, a wealth of information relating to these subjects is constantly being gathered and offered to students of the problem in the form of such courses as Administration, Police Officer Training, Police Officer Selection and Supervision, Safety Education, and Traffic Engineering. In addition to its formal classroom operations, the institute also conducts an extension service through which are made available The Traffic Review, a quarterly semitechnical magazine devoted to subjects of interest to those in the street and highway traffic field, and The Traffic Digest, a monthly news bulletin on new training, reference and legal materials as developed. Thus, the institute operates as a "clearing house" of information for those interested in the problem of traffic law enforcement.

Part XVII

FINAL REPORT OF SUBCOMMITTEE ON SEX CRIMES

INTRODUCTION

The Subcommittee on Sex Crimes of the Assembly Interim Committee on Judicial System and Judicial Process presents herewith its Supplementary and Final Report. The Preliminary Report was published, after four months of study, in March, 1950. It has been widely circulated throughout the United States.

The Final Report represents a study of activity throughout the Country which has been directed toward a solution of the sex crime problem. The information gathered has demonstrated that the sex crime problem is not local. Furthermore, the committee is able to bring to California information concerning valuable and progressive steps which are being undertaken in other jurisdictions.

The committee now offers in this report, in addition to its account of recent developments in the sex crime field, its recommendations for a long range, integrated solution of the problem.

While the recommendations were being formulated, the committee's basic view of the problems to be solved was not changed. The primary problem is the protection of the public from harmful or offensive acts of sex offenders. The second problem is the restoration by detention or treatment of the individual sex offender to a condition of compatability with society.

The committee is conscious of the age-long duration of the problem and the vastness of its scope It is likewise aware of the ineffectiveness of "passing a law" to solve the many aspects of the sex crime problem. The committee recognizes, nevertheless, that the Legislature has a responsibility to investigate the facts and to test the effectiveness of existing techniques for solution. This committee, as a part of the California Legislature, further realizes that, when conditions demand it, the Legislature has a duty to enact legislation which is necessary to meet effectively a serious situation. This committee, therefore, offers its recommendations to assist the California Legislature in its legislative deliberations and for the guidance of all interested citizens of the State of California.

Respectfully submitted,

RALPH M. BROWN, Chairman
JULIAN BECK, Vice Chairman
WM. H. ROSENTHAL
H. ALLEN SMITH
STANLEY T. TOMLINSON

CHAPTER 1. RECENT CALIFORNIA LEGISLATION

The California Legislature has enacted certain legislation during the special sessions of 1949 and 1950 which affects the sex crime problem. A digest of these enactments follows.

A. Criminal Law

(1) *Child Molestation—Second Offense.*

Penal Code Section 647 (a) (1) was amended to provide that after a second conviction for molesting a child the offender could be sentenced, in the discretion of the judge, to five years in prison.

(2) *First Degree Murder.*

Penal Code Section 189 was amended to provide that murder committed in the perpetration of lewd and lascivious conduct upon a child under 14 is murder in the first degree.

(3) *Punishment for Sodomy.*

Penal Code Section 286 was amended to increase the maximum penalty for sodomy from 10 to 20 years.

(4) *Alternative Penalty for Fellatio.*

Penal Code Section 288 (a) was amended to provide an alternative lesser sentence of one year in the county jail

(5) *Habitual Criminals.*

Penal Code Section 644 was amended to extend the scope of habitual criminal adjudication The amended law includes persons convicted of carnal abuse of a child under 14 where before the amendment, the age was 12

(6) *Probation—Use of Alcoholic Beverage.*

Penal Code Section 3053.5, and Welfare and Institutions Code Sections 5517 and 1767.2 were amended to provide a mandatory condition for granting probation or parole when a person is convicted of a sex crime listed in Penal Code Section 290 and the judge finds that the person was intoxicated or addicted to drugs at the time of the offense. The condition of probation or parole added by the amendment is that such a person shall abstain from the use of alcoholic liquor or beverages.

(7) *Registration of Sex Offenders.*

Penal Code Section 290 was amended to add certain crimes and to make enforcement of the section effective. The act was extended so that it included offenders convicted of more types of sex crimes. The enforcement was bettered by placing the responsibility upon sheriffs, police chiefs, judges and institutional heads to send in the registration information on persons in their custody.

The amended act requires a convicted sex offender to report his change of address within the definite time of 10 days, where the former act used the term "promptly"

(8) *Fingerprinting and Modus Operandi Reports.*

Section 8 of the act creating the Bureau of Criminal Identification and Investigation was amended to set up machinery for creating a central state file on sex offenders. Sheriffs, police chiefs and marshals were given the duty to send to Sacramento daily the finger prints and descriptions of all persons arrested for sex offenses listed in Penal Code Section 290. In addition, these officials now send to Sacramento detailed reports upon the reported violations of certain misdemeanors (child molestation under Penal Code Section 647(a), lewd vagrancy under Penal Code Section 647(5), indecent exposure under Penal Code Section 311(1)(2), or contributing to the delinquency of a minor under Welfare and Institutions Code Section 711) and all felonies.

The fingerprints, descriptions and reports are used to create an excellent *modus operandi* file in Sacramento which is available to law enforcement departments throughout the State.

(9) *Lie Detector.*

An appropriation was made to obtain a lie detector for the use of the State Bureau of Criminal Identification and Investigation.

B. Sexual Psychopath Law

California's law for the commitment of the sexual psychopath was amended in several significant points in the Legislature's special March session.

(1) The first change was to establish a clearer area in which California courts shall, or may, undertake the examination to determine sexual psychopathy.

Welfare and Institutions Code Section 5501 was amended to provide three situations in which a court should hold a hearing to determine sexual psychopathy.

The first situation is after a person is convicted of any crime and either the judge, the prosecuting attorney, or the defendant asks for a hearing. Where these facts exist, the court has discretion to hold or not to hold such a hearing.

The second situation is where a person is convicted of a sex offense involving a child under 14 years of age, and it is a misdemeanor and the person has been convicted previously for such an offense. When a person is a misdemeanant second conviction offender of this type, the court must certify the person to the superior court for a hearing and examination to determine whether sexual psychopathy exists.

The third situation is where a person is convicted of a sex offense involving a child under 14 years of age and said offense is a felony. Such a felon, convicted for the first time, must be certified to the superior court to determine whether sexual psychopathy exists.

Where any of the situations above exist and a sexual psychopathy hearing is to be held, the court adjourns the proceedings or suspends the sentence and proceeds with the sexual psychopathy examination or hearing.

Before the amendment described above, this portion of Welfare and Institutions Code Section 5501 merely provided that a sexual psychopathy hearing could, in the court's discretion, be instituted upon the

affidavit of any person and merely after adjudication of a criminal proceeding (which conceivably would include dismissal of the action.)

(2) The second area of change in the sexual psychopath law was in the procedure for holding the sexual psychopathy examination and hearing. Welfare and Institutions Code Section 5512 was amended in four respects.

First, the amended section makes it possible for the court to order the person to be placed in a suitable psychopathic facility maintained by a county where before the amendment the court was limited to the use of state psychiatric facilities.

Secondly, the amendment changed the period of observation and diagnosis from an "indeterminate period" to 90 days.

By further amendment, the law now states that no one may be committed for an indeterminate period as a sexual psychopath, unless his observation and placement has been made and reported, and he has been diagnosed and recommended upon as provided in the law.

Fourth, the section, as amended, no longer includes authorization for the court to order the person held by the Department of Mental Hygiene for observation if the court is merely "in doubt" as to his sexual psychopathy.

Welfare and Institutions Code Section 5513 was amended to improve the system for transporting persons who are committed as sexual psychopaths to and from institutions.

C. *Education—Prevention*

The California Legislature by Assembly Concurrent Resolution No. 4 of December 21, 1949, recommended certain instructions for school personnel and school children regarding sex and sex criminals.

It was resolved that the Superintendent of Public Instruction take all necessary measures to disseminate such instructions to meet the dangers of sex crimes.

D. *Research*

Probably the most important legislation was the authorization of and appropriation of money for a sound scientific research project.

The Legislature directed the Department of Mental Hygiene, acting through the superintendent of the Langley Porter Clinic, to institute the research. Their broad duty is to plan and conduct scientific research into the causes and cures of sexual deviation and homosexuality and into methods of identifying potential sex offenders.

The Department of Mental Hygiene was given authority to enter into contracts with the Regents of the University of California to undertake research. The act also provided that state agencies have a duty to cooperate, wherever feasible, with the Department of Mental Hygiene in this project.

A report is to be forthcoming from the director of the Langley Porter Clinic by March 1, 1951. It shall contain a report of his studies, a recommended bibliography and his findings and recommendations.

A long range view is contemplated because the director of the Langley Porter Clinic in his report is to outline further research which he deems advisable and also to point out the promising avenues of past research.

For financing of this program the Legislature appropriated $100,000, the largest amount appropriated by any State Legislature for such research at the time. No more than $50,000 of this amount is to be spent in one fiscal year. In addition, the act provided that the Department of Mental Hygiene may accept, with the approval of the Director of Finance, any gifts or grants from any source for accomplishing the ends of the project.

CHAPTER 2. RECENT DEVELOPMENTS

A. California

(1) *California Research Project.*

The California Research Project is proceeding in a cautious way through its organization stages. Although it is under the jurisdiction of the Department of Mental Hygiene, its immediate administration is by Dr. Karl Bowman, superintendent of the Langley Porter Clinic in San Francisco.

The funds in the sum of $100,000 for the research project first became available in August, 1950, as a result of recommendations of this committee. Before that time and since there have been at least four major problems to overcome. One was to find space in which to carry on the work Next came the problem of locating and obtaining trained research personnel. Thirdly, the personnel needed facilities. Fourthly, the personnel in the project have had to search for "guinea pigs" who were conveniently available for its different fields of research. The following undertakings illustrate several solutions to these four problems:

(a) A biochemical contract with the University of California at Los Angeles was one of the project's first major steps. By its terms, Drs. Joseph Nye and Josephine Garst are undertaking chemical studies at U C L.A.'s excellent laboratory facilities in Long Beach. The current study under the U C.L.A. contract is of blood and urine samples from persons committed as sexual psychopaths who are now at Norwalk State Hospital. The study is based upon the hypothesis that there are tides in the amounts of certain steroids in the urine and blood of persons. It is hoped the study will provide information to correlate a rise and fall in biochemical reactions with sexual behavior.

(b) Central Research Office—Library. Mrs. Engle and Mrs. Kantzelar have been employed to assist in establishing the home office of the research project at the Langley Porter Clinic As a first step, a working library is being assembled. Mrs. Engle is making a survey of the literature in the field. An indexed bibliography for researchers is being compiled In addition, she is preparing digests of much of the best material.

(c) Juvenile Court—Offenders and Victims. The San Francisco Juvenile Court and Detention Home are providing facilities for the research project. Through the cooperation of Judge Milton D. Shapiro, Mrs. Black, referee, and Mr. Ososke, chief probation officer, studies will be made of the victim and the offender in reported sex crime cases involving juveniles. A psychiatric group will be set up to function in these cases. Sociological and psychological data will also be obtained. It is hoped that investigation will indicate the feasibility of treating or curing certain psycho-sex offenders In addition, it is hoped the information will give a method for discovering susceptible minor victims so that prevention techniques may be perfected in this regard.

(d) Clinical Study—Psycho-sex Offenders. Certain groups of psycho-sex offenders will be studied at the facilities of the Langley Porter Clinic. It is intended that one group will be castrates The study will be made of the after-effects upon men who have volunteered for an orchidectomy following conviction for various sex crimes. Since comparatively little research in this field is reported, this may be a most significant study in the project.

(e) Remaining Problems. The project is still without an administrative leader who can devote his full time and talents to it. Doctor Bowman is making a search for an available qualified man and hopes that one can be found soon who will satisfy all parties concerned in the selection.

Other problems and many more projects will develop as time passes. Doctor Bowman, in the meantime, is establishing the project on a basis which is adaptable to these developments.

(2) *Probation Practice—Castration.*

Granting probation to men who have been convicted of various sex crimes and who then submit voluntarily to an orchidectomy is a practice of certain judges in California. Judge Collier of Pasadena, in Los Angeles County, granted probation on such a condition for several years. In San Diego County, three judges are convinced of the efficacy of the practice. It was reported to the committee, without confirmation, that this practice exists in one or two other California counties.

A check of the fingerprint records of the San Diego castrates has been made to determine whether any have been involved in second offenses. The F. B. I. was asked to report on their records in June, 1950. The records of 49 men were searched and it was found that the F. B. I. had the records of only 44. Of these 44 men, only four had been fingerprinted for a charged infraction of the law since their orchidectomy. There was no case of a later arrest for a sex offense. One arrest was for drunkenness; the second was for petty theft in San Diego; a third was for burglary and theft of an automobile; and the fourth was for disorderly conduct in Everett, Washington. Although it is possible a sexual offense was involved in these charges, it is interesting that in none of the cases has there been a second sex crime conviction.

(3) *Police Officer Education.*

There is at present, in Sacramento, a school for police officers. It is under the supervision of Mr. John P. Pepper of the Peace Officers Training Department of the California State Department of Education. The school is undertaking the task of providing local police departments and police officers with training in advanced techniques in criminal investigation.

B. Colorado

Colorado is responding to the influence of an energetic Citizens' Juvenile Committee of South Denver. The group is composed of a considerable number of prominent citizens. They have undertaken a study of the sex crime problem and an analysis of what other states are doing. Evaluation of proposals and individual research as well as committee efforts have been directed toward advising the legislature in its 1951 deliberations. The organization has established offices in South Denver and may be contacted through P. O. Box 4162, Denver, Colorado.

C. *Illinois*

The Legislative Research Council of Illinois is bringing to completion an extensive two-year study for the consideration of the 1951 session of the Illinois legislature. Illinois has been one of the most active states both governmentally and through citizen groups in the study of this problem. The State Bar Association is promulgating a report which covers nearly two years of effort and the combined energies of these groups may well prove constructive to other agencies.

The famed Michael Reese Hospital in Chicago, however, has decided against a particular study of the phenomena of sexual deviation as was tentatively considered in 1949. Dr. Grinker, M D., Director of the Institute for Psychosomatic and Psychiatric Research, informed this committee that the hospital has no mechanism in force for reporting upon the psycho-sex offender.

D. *Indiana*

Mr. J. Milo Anderson, Superintendent of the Methodist Hospital of Gary, Indiana, reports that construction has started on their new psychiatric unit. They contemplate patient admissions by June of 1951. The unit will accommodate sex offenders but they will be identified as patients rather than other specific classifications. The treatment program does not include distinguishing the antisocial conduct within legal definitives. All psychiatric patients will be so categorized.

E. *Kansas Report on Castration and Sex Crimes*

Castration as a remedy for sex crimes has been advanced by Dr. C. C. Hawke, M.D., Director of the State Training School at Winfield, Kansas.

The research started in 1894 under the regime of Dr. Pilcher and has afforded 330 cases for medical study. Specialists in psychiatry, physiology, and cardiac-vascular system have joined in the research project. Their conclusions as summarized by Dr. Hawke are interesting.

Physically the castrate is usually an improved organism. General health and longevity are increased. Many of the predominantly male degenerative diseases such as cardio-vascular failure, carcinoma of the oral cavity, prostate infection and others are minimized by castration. Contrary to general belief castrates are not sexually incapacitated. The sex drive is admittedly reduced but successful marriages with regular sexual performance are reported in the study. Obesity does not follow per se nor do the male castrates tend to baldness in the same incidence as noncastrates. The operation is not followed by changes in the voice pitch, unless surgery is performed before the patient has achieved maturity, nor is the individual's basic energy capacity materially altered. The over-all picture is of an individual toned down to a moderate energy-drive level associated with improved general health and increased longevity.

HAWKE'S REPORT

The matter of sex crime and sex criminals has in the past few months become front-page news all over the Nation. Undoubtedly such crimes are receiving more publicity than formerly and also the criminal has become more degenerate and brutal. Very little has been offered for the control of such crimes. Certainly the limited jail sentences that

have been given in a number of cases do not help solve the problem in any way and probably aggravate the condition.

A majority of our better psychologists and psychiatrists feel there is very little, if anything, that can be done for the confirmed sex criminal. In cases where he can be discovered early it is highly probable that these specialists can be of assistance. The only solution usually offered in the matter of the confirmed sex criminal is that of continuous confinement, at least for a period of many years, or until a psychiatric board deems him safe to be at large. An analysis of the long-term sentences given our criminals at the present time shows that they rarely serve more than a small portion of the allotted sentence.

We are presenting the matter of castration as a remedy for this crime. I have read of numerous conferences in the past year where the statement has been made that castration is not a remedy and that very little is known concerning its effect. The lack of material on this subject is very noticeable. A few years ago while preparing an article I had a consultant and translator in the Surgeon General's Library at Washington go over all of the available material, and there was no material in the English language of any value, nor was there a great deal in the foreign literature.

It is our purpose to give the results of a research project that has been going on in the State Training School at Winfield, Kan., for the past nine years. Our castrations first started during the administration of Dr. Pilcher who conceived the idea that castration might help control excessive masturbation and pervert sexual acts. Dr. Pilcher talked over the matter with the Governor and Board of Charities. He then had consultation with three leading surgeons in the area and the first case was done in March, 1894. The father of the patient, a boy aged 22, and the family physician were both present and agreed to the operation which was done by the family physician. There were 11 done the first year. This became the big political issue at the next election as a result of which the party in power was defeated and there was a change of administration at the school. Two years later the Populists again went into power and Dr. Pilcher was back as superintendent. We do not know how many cases he operated, as unfortunately a fire in 1904 destroyed the main office building and many of the records were lost. In 1908 there were about 15 of the boys still in the institution. Some of the others had died and several had been paroled. At the present time we still have eight of these original castrates in the institution.

We have available for our study 330 cases of castration. About nine years ago I called the attention of Dr. James B. Hamilton of the Long Island College of Medicine to this large group which is the only group, at least in this Country, which is available or which has been studied. Since that time a very interesting research study has been going on, and Dr. Hamilton has had associated with him in this study several of our best scientists and research men. This study has been entirely on the physiological aspect which I will discuss later.

From the sociological angle we have some interesting material to present. Most of our cases are in a feeble-minded group who have no one sufficiently interested to direct and supervise them on parole so will remain in the institution. However, we have a good many cases that have been paroled and are no longer a social menace. Those cases that

remain in the institution are not a menace to society when they are on short paroles, or even A.W.O.L from the institution. We have never had a sex crime committed by a parolee or escaped castrate. The high-grade moron group is one of the most dangerous groups we encounter in this type of criminal, and many of the crimes are committed by such individuals.

I would like to give the case histories of a few individuals that have been castrated long enough that we feel sure of our results:

Case No. 1—M. B., colored male, present age 36. This inmate was admitted to the institution from an orphanage at an early age where they had a great deal of difficulty in controlling him. He is a big man about 6′ 2″ in height and who now weighs around 215 lbs. As a boy he was a bully in every way and very brutal to smaller boys. During his stay in the institution he made numerous escapes and always fell into the hands of the law when away from the institution. He would be returned by the legal authorities, and several of them stated they considered him a great menace to society. He was recommended for operation in 1931. At that time he was 18 years of age. The board refused to consent to castration and recommended vasectomy instead. This was done, and one month later he again escaped from the institution and raped a small girl in Wichita Following this episode the board recommended castration which was done. Following the second operation he gave very little trouble at the institution; was paroled about three years later, and later discharged. In 1941 he married, moved to Wichita where he obtained employment, and has been a law-abiding citizen ever since. This man had a rather high I.Q. The school records give it as 61, but probably he would rate higher than that.

Case No. 2—A. B. white male. Was admitted in 1936 at the age of 17. Had an I.Q. of 64 at that time. At the time of admission his papers stated that he was a marked sex problem and that the authorities in his local county considered him unsafe to be released. He made repeated sexual advances to girls and was considered very dangerous. This man was castrated early in 1943 and was paroled that fall. Later he was discharged. He visited the institution last week when he told us that for the past four years he has been married and was acting as janitor at an apartment house. His wife, who was a former inmate of the institution and who had been sterilized by salpingectomy, stated that they were both getting along very well.

Case No. 3—R. B. white male. Was admitted to the institution in 1923 at the age of 12. At that time he had a history of acts of sexual perversion with smaller children, numerous thefts, was constantly picking fights with playmates, and was not allowed to attend school due to those characteristics. This boy had an I.Q. of 71. He was castrated in February, 1927, and discharged in the fall of the same year. Since that time he has had no trouble with the law enforcement officers. This case is quoted as I examined him about a year ago for employment in one of the industrial plants of our city. In the course of our examination I noticed he had no testicles. When I asked him about it he stated he lost them when he had the mumps when a small boy. However, upon examination of our records I found I had castrated as described above. This man apparently is getting along very well. Needless to say, I passed him for the employment examination.

Many of these individuals so treated were very vicious homosexuals and very brutal in attacks on small children. They were very unstable and would create a disturbance at every opportunity. After castration they become stabilized, and those who cannot be paroled are good useful citizens in the institution.

In our experimental work we have administered Testosterone, the male hormones, to several large groups in rather large doses, giving them 20 mg. hypodermically six days a week for a matter of several weeks. In a number of cases, after we had treated them for a period of two or three weeks the floor supervisor would call me up and ask if I would not be willing to stop administering Testosterone to certain individuals who had reverted to all of their antisocial tendencies, were attacking small children, starting fights, breaking windows and destroying furniture. We would stop the administration of Testosterone in these individuals, and within a few days they would be restabilized and cause no further ward disturbances. We have felt that this proves the male hormone is the exciting factor in these cases.

Psychologically, we feel that these individuals are improved if there is any change manifested. In the matter of the I Q. determinations with a group that we have had tested prior to operation and subsequent to it, using the same tests, we find that there is an average increase of a few points in the I.Q. In some that have shown a gradual decrease in several tests prior to operation we find they level off and remain more or less stationary. It is our feeling that it is the stabilization of the individual that enables them to make a better showing in the psychological testing. They can concentrate better and are more interested in giving a good performance. Many of these individuals do detail work around the institution, on the farm, dairy barn, laundry, etc They are very much more reliable and do not require the constant supervision required before operation. The chief criticism we have had from the psychological angle is the fear that the operation will cause an inferiority complex. Such has not been our experience, either in those in the institution or in those who have been paroled.

A few years ago I appeared on a program before the American Association on Mental Deficiency at Salt Lake City where I read a paper on this subject. One of the doctors, in talking with me before I had appeared on the program, condemned the procedure very bitterly, stating that he could not see how we could advocate such a method, and he continued to state without any interruption on my part that he had very nearly missed the Salt Lake City meeting because he had gone into northern New York to get one of their paroled inmates who had raped a small girl. He went on to state that this was the third time this inmate had committed such an offense. Personally, I would rather see such an individual castrated even if he had an inferiority complex than to be in any way responsible for the damage he had done both physically and mentally to his victims.

The problem of the defective delinquent is one which causes great concern in every feeble-minded institution It is estimated that among those who are institutionalized, about one in five belong to this defective delinquent group. Many institutions have built regular jails where these individuals are confined and supervised as they would be in a penitentiary California is building a separate institution to care for this group.

It is from this group of defective delinquents that we draw our group to be castrated.

Allen of Rochester has said: "Mere maleness influences unfavorably the resistance of the organism of all ages." The object of the study being made by Dr. Hamilton and his associates is to find out "what is a male." We know that the average human male life is 65 years and that of the woman is 70 years at the present time In 365 pathological conditions common to both sexes where a study has been made the male predominates in 245 and the female in 120. In some conditions such as baldness, certain thromboses, cancer of the oral cavity and in many of the so-called degenerative diseases there is a male predominance of 90 percent or better. This cannot be explained in the old theory that the male is subject to greater stress and strain, as this same preponderance is found at all ages, even in the first year of life where the infants have identical care. It is also true in stillbirths as early as sex can be differentiated. It is not only true in the human being but is also true in 70 different species that have been studied, including the mollusks, insects, reptiles and, in fact, practically every species of life.

It is Dr Hamilton's theory that the testicular secretions are responsible for the lesser vitality in males and do so by maintaining a higher active state of function in various tissues and thus burn themselves out. The study of our castrates bears this out as they are not subject to the male predominant diseases. Of those who were castrated over 50 years ago, there are six times as many living today as in the noncastrate group who were in the institution at that time.

Dr Paul White of Boston had a group of associates doing research work in the institution for two weeks during the past summer, and as one of the results of their study, his new book on the heart will contain a statement to the effect that castrates are not subject to the degenerative diseases of the cardiovascular system.

In our total group of cases operated, 14 have been transferred to insane hospitals. During the same period 98 have been so transferred from the institution. Considering them by age groups, the number developing a psychosis is no greater than in the female or the uncastrated male groups. A great majority of these are schizophrenia cases. From our observation we do not believe that castration has any effect either to prevent or to increase liability to a mental breakdown; nor do we believe that castration will decrease the number of epileptic attacks in individuals subject to epilepsy There is no indication that castration has any effect in either of these conditions.

The castrate does not tend to become obese. Sometime ago I took 100 consecutive cases that had been castrated at least five years and their average weight was 142 pounds and height 5 feet 6 inches." Against the standard table of the Metropolitan Life Insurance Company for this age and height, the average would be 144 pounds. In this regard, it is to be remembered that the average stature of the mentally deficient group is smaller than in normal groups They are not sluggish and lazy. Our group is detailed in the various sections of the institution and all are steady and reliable in their duties. There is no change in pitch of voice if operated after 16 years of age.

Castrates do not tend to become bald. In our cases where they have some baldness before operation it remains the same and does not progress. In following one of the research problems on baldness where we administered testosterone to some of our older castrates it was found the hair started dropping out very rapidly and that the individual followed the pattern of baldness found in his family strain. On stopping the Testosterone the hair ceased to fall out.

Castration is not followed per se by sexual incapacitation. We have discharged cases who had been castrated and are now married and carry on satisfactory sexual relations. However, they have lost their excessive sex urge and exhibitionism and are stabilized to the point where they are no longer potential sex criminals. The argument has been given that these individuals would become sullen, morose and vicious unless they had an emotional outlet in masturbation which makes them more quiet and easier to control. Our experience is exactly the opposite.

We have received a number of admissions in the past solely for the purpose of castration. They were cases that had attempted rape and a number had made sexual advances to their sisters, step-mothers and other members of the family. They had become serious sex problems at home and either by the request of the parents or insistence on the part of neighbors or the law they were committed to our institution for operation. After operation we have kept them in the institution for a few weeks until we feel that they are suitable for parole, when they are returned home where they are a much more simple problem. We have no records of any sex crimes committed by our castrated parolees.

Glandular surgery is not new. It has been carried out for many years and especially is this true with reference to castration of the female. Not many years ago the removal of the ovaries was a frequent operation for almost any female disorder. Today, in taking the medical history in his office every physician frequently encounters a woman who states that her ovaries were removed 15 or 20 years ago. This practice is not as common as it was at one time. It is one that is carried out when indicated, and one usually has the full cooperation of the patient. A few years ago when it was found that castration of the male would lengthen the life and diminish many symptoms in cases of carcinoma of the prostate, it was very difficult to get the consent of the patient for such an operation even when told that he would receive benefit from such a procedure. One is able to get better cooperation at present since this operation has become more common. At times we still encounter great difficulty in getting cooperation. The great reluctance to castration on the part of the male possibly dates back to Phallic worship. We do not castrate many females. The after-effects of such an operation are much more severe in the younger female than in the male. The only ones we recommend for such operation are the vicious homosexuals who attempt to carry on this practice at the table, in the bath, or run around the ward most of the night annoying the other inmates. We have only done about eight such cases in the past 10 years.

Many nonmedical people will ask if a vasectomy will not produce the same result. A vasectomy has no effect upon the testicular hormones. The majority of cases of vasectomy show no change in sexual activity, and of those who do show some change there is a two-to-one preponderance in sexual activity. Vasectomy results in sterilization, and from the

standpoint of eugenics is a valuable procedure. However, it cannot be regarded as a treatment of the individual. We are all familiar with the stabilizing and pacifying effect that castration has on the lower animals, especially in the stallion and bull. In fact, most of us have used the expression "as steady as an ox." If we can do anything to pacify the highly emotional criminal mind characteristic of these cases, such a procedure should be given serious consideration.

Following the Pilcher castrations the Kansas legislature in 1917 passed a law allowing asexualizations which has been determined by the court to mean either oophorectomy or orchiectomy. It was the testimony of those connected with the institution in regard to the improvement shown by the Pilcher castrates that secured the passing of this law. The law was last changed in 1928 and it is under this law which we now operate. The procedure is as follows:

1. From our own observation and from the reports of the supervisors a list of candidates is prepared.
2. These individuals are given a physical examination to determine fitness for operation and the type of operation to be advised is determined.
3. The patient and the guardian or parents of the individual are advised 30 days in advance that the board (consisting of the medical director of the institution, the secretary of the State Board of Health, and the three members of the State Social Welfare Board under whose control the institution functions) will meet in Winfield on a certain date to consider the sterilization of this individual, and they may appear before the board to make any protest they wish at that time.
4. On the day set the board meets and the individual is presented. The ward supervisor and medical director offer testimony and recommendations and the protests, if any, are heard. Following this the board renders a decision which is final and mandatory. Protests are rare and are usually cleared up before the meeting.

In summary, we have found that castration improves the sex criminal sociologically in that he usually refrains from his antisocial acts and becomes an acceptable member of society. Psychologically he is stabilized, does not suffer any mental deterioration, and while he may have a moderate degree of an inferiority complex this is favorably balanced by his social improvement. Physically, he is a better organism.

In concluding, I might state I don't know what your mental picture of a castrate is, but I suppose it is like mine was before I knew any of this group: A large, fat, sluggish eunich waving a palm leaf fan in a Turkish harem surrounded by feminine charm and temptation to which he was unable to yield. I can assure you such is not the case. He is a quiet, industrious individual in good health, filling an unfortunate place in nature's program which has been made easier by a simple surgical procedure.

F. Michigan

Michigan has been among the foremost states in legislating special sex psychopathy acts. The original Act No. 165 of 1939 has been amended in Sections 1, 3, 4, and 5 by the 1950 Legislature acting in extra session. (See exhibits 1 and 2.)

The constitutionality of the Michigan act has been upheld in *People* v. *Chapman,* 301 Mich. 584; *In re Rowan,* 305 Mich. 231; *In re Kemmerer,* 309 Mich. 313; *Rowan* v. *People,* 147 F (2) 138; and in *Kemmerer* v. *Benson,* 165 F (2) 702.

To date (Dec., 1950) there have been slightly under 400 persons committed in the 11 years of the act's existence.

Governor Williams has appointed a study commission to evaluate new proposals as they develop. The commission has retained Dr. Samuel W. Hartwell, M.D., to assist them in their study.

In addition to the governmental interest and leadership the Detroit News in 1949-50 financed a study which was reported in a series of 16 articles called The Sex Criminal. The writer, Mr. Allen Shoenfield, interviewed authorities in the related fields and his report represents the consensus of their views. The articles touched upon the development of deviated sex behavior, the effects of such conduct upon the community, legal and other obstacles to control of the problem, suggested measures for curbing the adult offender and a long-range program looking toward prevention. Mr. Shoenfield takes a somewhat dim view of the so-called "treatments." His conclusions suggest:

There is no one, complete, readily available cure for this social ill.

The obstacles to the early detection and custodial care of the confirmed sex deviate are virtually insuperable.

Whatever hope there is for amelioration will be found in programs of prevention directed at coming generations.

The attack must be made on many fronts, some of them highly unspectacular.

The cost, rated both in effort and in public expenditures will be considerable.

It is for the public—easily aroused after every revolting sex crime and apathetic between crimes—to determine whether it desires protection from the sex offender badly enough to pay the costs.

Reprints of the 16-article series appearing in the Detroit News, Nov. 20-Dec. 5, 1949, are now available by requesting them from the Detroit News.

Exhibit 1

[No. 165]

An act to define criminal sexual psychopathic persons and to provide for the commitment of such persons and the procedure therefor.

The People of the State of Michigan enact:

[28.967(1)] Criminal sexual psychopathic person; defined.

Section 1. Any person who is suffering from a mental disorder and is not insane or feeble-minded, which mental disorder has existed for a period of not less than 1 year and is coupled with criminal propensities to the commission of sex offenses is hereby declared to be a criminal sexual psychopathic person.

[28.967(2)] Same; jurisdiction.

Sec. 2. Jurisdiction of criminal sexual psychopathic persons charged with criminal offense is vested in the circuit courts of the state, the recorders court of the city of Detroit, and the superior court of the city of Grand Rapids.

[28.967(3)] Same; statement filed by prosecuting attorney against accused.

Sec. 3. When any person is charged with a criminal offense and it shall appear that such person is a criminal sexual psychopathic person, then the prosecuting attorney of such county, or the attorney general, may file with the clerk of the court in the same proceeding wherein such person stands charged with such criminal offense, a statement in writing setting forth facts tending to show that such person is a criminal sexual psychopathic person.

[28.967(4)] Examination by psychiatrists, report; proceedings prior to trial.

Sec. 4. Upon the filing of such petition, the court shall appoint 2 qualified psychiatrists to make a personal examination of such alleged criminal sexual psychopathic person who shall file with the court a report in writing of the results of their examination together with their conclusions and recommendations. In the event that both of such psychiatrists in such report state their conclusions to the effect that such person is a criminal sexual psychopathic person, then proceedings shall be had as provided in this act prior to trial of such person upon the criminal offense with which he then stands charged.

[28.967(5)] Hearing; jury; testimony; commitment to state hospital commission.

Sec. 5. Upon a hearing held for that purpose the court without a jury, unless a jury is demanded prior to said hearing and within 15 days after the filing of the last of said reports, shall ascertain whether or not such person is a criminal sexual psychopathic person. Upon such hearing it shall be competent to introduce evidence of the commission by such person of any number of similar crimes together with the record of the punishment inflicted therefor. If such person is determined to be a criminal sexual psychopathic person, then the court shall commit such person to the state hospital commission to be confined in an appropriate state institution under the jurisdiction of either the state hospital commission or the department of corrections until such person shall have fully and permanently recovered from such psychopathy.

[28.967(6)] Parole; authority of state hospital commission.

Sec. 6. The state hospital commission shall have the right to release such person upon parole to such persons and under such conditions as his condition, in the judgment of the state hospital commission, merits.

[28.967(7)] Discharge; petition, hearing; jury.

Sec. 7. Such criminal sexual psychopathic person shall be discharged only after he shall have fully recovered from such psychopathy. At any time, when he shall appear to have so recovered, a petition in writing setting forth the facts showing such recovery may be filed with the clerk of the court by which he was committed and such court shall proceed to determine whether or not he has fully recovered from such psychopathy. Jury trial of such issue may be had, if demanded before the trial of said issue and within 15 days after the filing of such petition.

If, following such hearing, such person is found to have fully recovered from such psychopathy, then the court shall order such person to be discharged from the custody of the state hospital commission. In the event such person is found to have not fully recovered from such psychopathy, then the court shall order such person to be returned to the custody of the state hospital commission to be held under the previous commitment of such person.

[28.967(8)] Trial upon original charge prohibited.

Sec. 8. No person who is found in such original hearing to be a criminal sexual psychopathic person and such finding having become final, may thereafter he tried upon the offense with which he originally stood charged in the committing court at the time of the filing of the original petition.

[28.967(9)] Expense of care; recovery.

Sec. 9. The state shall defray all expenses of such person while so confined in a state institution and may recover the amount so paid from such person.

Approved June 6, 1939.

Exhibit 2

Act 25

STATE OF MICHIGAN

65th Legislature, Extra Session of 1950

Introduced by Reps. Michael J. O'Brien, Carey, Mrs. Griffiths, Kowalski, Romano, Nill, O'Connor and Rathke

ENROLLED HOUSE BILL NO. 20

An act to amend sections 1, 3, 4 and 5 of Act No. 165 of the Public Acts of 1939, entitled "An act to define criminal sexual psychopathic persons and to provide for the commitment of such persons and the procedure therefor," as amended, being sections 780.501, 780.503, 780.504 and 780.505, respectively, of the Compiled Laws of 1948.

The People of the State of Michigan enact:

Section 1. Sections 1, 3, 4 and 5 of Act No. 165 of the Public Acts of 1939, as amended, being sections 780.501, 780.503, 780.504 and 780.505, respectively, of the Compiled Laws of 1948, are hereby amended to read as follows:

Sec. 1. Any person who is suffering from a mental disorder and is not feeble-minded, which mental disorder is coupled with criminal propensities to the commission of sex offenses is hereby declared to be a criminal sexual psychopathic person.

Sec. 3. When any person is charged with a criminal offense, or has been convicted of or has pleaded guilty to such offense and has been placed on probation, or has been convicted or pleaded guilty to such offense but has not yet been sentenced, and it shall appear that such person is a

criminal sexual psychopathic person, as evidenced by such mental disorder which has existed for a period of not less than 4 months, then the prosecuting attorney of such county, or the attorney general, or some one on behalf of the person charged, may file with the clerk of the court in the same proceeding wherein such person stands charged with, or has been convicted of, or has pleaded guilty to such criminal offense, a statement in writing setting forth facts tending to show that such person is a criminal sexual psychopathic person.

Sec. 4. Upon the filing of such statement by the prosecuting attorney or the attorney general the court shall, or if filed on behalf of the accused the court shall, appoint 3 psychiatrists qualified by at least 5 years of exclusive practice in psychiatric diagnosis and treatment and chosen from a list consisting of not less than 6 compiled by the department of mental health to make a personal examination of such alleged criminal sexual psychopathic person who shall file with the court a report in writing of the results of their examination together with their conclusions. Said report shall be open to the inspection of the accused or his counsel, but shall not be competent evidence in any other proceeding against accused except the hearing to inquire into his alleged psychopathy. Said alleged psychopath shall be required to answer the questions propounded by such psychiatrists under penalty of contempt of court: Provided, That such examination shall not violate common law privileges or constitutional privileges against self incrimination. In the event that all 3 of such psychiatrists in such reports state their conclusions to the effect that such person is a criminal sexual psychopathic person with a written statement of the facts on which such conclusions are based, then proceedings shall be had as provided in this act prior to a trial of such person upon the criminal offense with which he then stands charged, or prior to sentence if he then stands convicted and has not been placed on probation, or prior to completion of probation sentence: Provided, That nothing herein contained shall prevent any person within the purview of section 1 of this act from voluntarily submitting himself to treatment for mental disorder under the provisions of section 9a of Act No. 151 of the Public Acts of 1923, as amended, being section 330.19a of the Compiled Laws of 1948, prior to conviction or plea of guilty on the charge specified in section 3 of this act: Provided further, That voluntary submission for treatment shall in no way prevent the prosecuting attorney or the attorney general, as the case may be, from proceeding to obtain a conviction and sentence or a conviction and further proceedings under this act if in his opinion the public health, safety and welfare requires such action either prior to, during or after the conclusion of such voluntary submission for treatment.

Sec. 5. Upon a hearing held for that purpose the court without a jury, unless a jury is demanded within 15 days after the filing and service upon the accused or his counsel of said reports with notice thereto attached, to the defendant, of his right to demand a jury trail, shall ascertain whether or not such person is a criminal sexual psychopathic person. Upon such hearing it shall be competent to introduce evidence of the commission by such person of any number of crimes involving sexual motivation of which the accused may theretofore have been convicted, together with the record of the punishment inflicted therefor. If such person is determined to be a criminal sexual psychopathic person, then

the court shall commit such person to the state hospital commission to be confined in an appropriate state institution under the jurisdiction of either the state hospital commission or the department of corrections until the superintendent of the institution shall have reasonable grounds to believe that such person has recovered from such psychopathy.

This act is ordered to take immediate effect.

G. New Hampshire

The New Hampshire sexual psychopath law (Chapter 314, Laws of 1949) became effective on July 28, 1949. The law is operative and as of December 15, 1950, there had been 30 commitments.

There are no proposals for amendment or modification pending at this time.

H. New Jersey

Progress has been made in New Jersey as the result of a study by the New Jersey Commission on the Habitual Sex Offender created by the New Jersey Legislature March 10, 1949. The commission's report, published February, 1950, was formulated by Paul Tappan, Ph.D. and JSD., as technical consultant.

The New Jersey report was an excellent attack on the problem and attempted to gather together and formulate present thinking and knowledge in the field. To do this, the commission made a study of existing literature on the subject. Next, it held hearings with authorities in many fields and gathered their opinions. Thirdly, it sent questionnaires to many representatives of the following three groups: psychiatrists, principals of public schools, and parent teacher associations in New Jersey. From this material, the commission gathered valuable data concerning current thinking on the sex crime problem for the report.

The fallacies concerning the sex offender are reported and then debunked by the commission. These fallacies included:

(1) That there are tens of thousands of homicidal sex fiends abroad in the land.

(2) That sex offenders are usually recidivists.

(3) That the sex offender progresses to more serious types of sex crimes.

(4) That it is possible to predict the danger of serious crimes being committed by sex deviates.

(5) That sex psychopathy or sex deviation is a clinical entity.

(6) That these individuals are oversexed.

(7) That effective treatment methods to cure deviated sex offenders are already known and employed.

(8) That the laws passed recently in one-fourth of the states are getting at the brutal, vicious sex criminal.

(9) That the sex problem can be solved merely by passing a new law on it.

The administrative experience of the states which have adopted sexual psychopath laws is reported and discussed at length by the commission. The report also discusses the problem of definition of important words used in this field. It is noteworthy that the report accents the treatment and prevention approach and gives what information it could

gather on these subjects. There is an article apparently drawing material from this report which appears in the November 15th issue of Colliers Magazine.

The recommendations of the New Jersey Commission are as follows:

(1) Extend mental hygiene clinic services on state and municipal levels.

(2) Acquaint administrators in schools with the available mental hygiene facilities.

(3) Encourage adult education on sex and family life.

(4) Exhort the churches to make active efforts to develop adequate family life education.

(5) Develop family life training in public schools.

(6) Select, educate and train teachers to understand the mental hygiene needs of students.

(7) Encourage medical and public health authorities to provide public education in sex and mental hygiene.

(8) Provide for the voluntary self-commitment of sexual deviates.

(9) Upon the conviction for rape, sodomy, carnal abuse or impairing the morals of a minor, defendant should be remanded by the judge to the New Jersey Diagnostic Center at Menlo Park for diagnosis and treatment if needed.

(10) Such treatment should include four possibilities:

(a) Probation with out-patient psychiatric treatment.

(b) Commitment in a specialized facility for psychiatric treatment followed by parole supervision.

(c) Commitment in a state mental hospital followed by parole supervision.

(d) Commitment in a correctional institution followed by parole supervision.

(11) Provide an institution to conduct research into the cure and rehabilitation of sexual offenders.

(12) Release offenders from any institution to which committed before the expiration of the maximum prison term he might have received.

(13) Develop administrative machinery in the Department of Institutions and Agencies to handle this problem.

(14) Acquaint judges, prosecutors, police and administrative officials with the purpose and procedures of new legislation.

(15) Encourage the local police departments to use the modus operandi files of the New Jersey State Police at Trenton headquarters.

As a result of this report, the New Jersey Legislature enacted statutes to carry out these recommendations. The legislature enacted Chapter 207 of their 1950 laws and repealed the 1949 statute which was the first legislative effort made by New Jersey in relationship to the sex offender. Since that time the Menlo Park Diagnostic Center has been carrying on an active program of diagnosis, treatment, and research.

The New Jersey experience includes 430 commitments to December, 1950. The procedure involves a psychiatric examination after conviction and permits the psychiatric board to recommend hospitalization or return to court for sentencing in accordance with the general rules of the criminal law. Some 30 percent of the 430 persons handled thus far have been hospitalized with the balance returned to the courts.

Governor Driscoll's administration is not in support of any modification or proposal affecting the present law which has been presented to date. The opinion of the New Jersey Legislature and Governor Driscoll appears to be that while their statute is admittedly inadequate they are determined to proceed slowly.

Copy of the 1950 act exhibit 1.

Chapter 207, Laws of 1950 Approved June 8, 1950

[SECOND OFFICIAL COPY REPRINT]

Exhibit 3

SENATE, No. 193

STATE OF NEW JERSEY

Introduced March 6, 1950

By MR. CAFIERO

Referred to Committee on Institutions and Agencies

An act concerning the disposition of persons convicted of certain enumerated sex crimes and providing for sentence, incarceration and treatment, repealing chapter twenty of the laws of one thousand nine hundred and forty-nine, and supplementing chapter one hundred ninety-two of Title 2 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Whenever a person is convicted of the offense of rape, carnal abuse, sodomy or impairing the morals of a minor or of an attempt to commit any of the aforementioned offenses, the judge shall order the commitment of such person to the Diagnostic Center for a period not to exceed sixty days. While confined in the said Diagnostic Center, such person shall be given a complete physical and mental examination.

2. Upon completion of the physical and mental examination of such person, but in no event later than sixty days after the date of the order of commitment, a written report of the results thereof shall be sent to the court.

3. If it shall appear from said report that it has been determined through clinical findings that the offender's conduct was characterized by

(a) a pattern of repetitive, compulsive behavior; and

(b) either violence; or

(c) any age disparity from which it shall appear that the victim was under the age of fifteen years and the offender is an adult aggressor; it shall be the duty of the court, upon recommendation of the Diagnostic Center, to submit the offender to a program of specialized treatment for his mental and physical aberrations

4. The disposition to be made by the court of such person, upon written report and recommendation of the Diagnostic Center, shall include one or more of the following measures:

(a) The court may place such person on probation with the requirement, as a condition of said probation, that he receive out-patient psychiatric treatment in the manner to be prescribed in each individual case.

(b) Such person may be committed to an institution to be designated by the Commissioner of Institutions and Agencies for treatment and upon release shall be subject to parole supervision.

In the event that the court shall order a commitment of the person as provided in this section, such order of commitment shall not specify a minimum period of detention, but in no event shall the person be confined or subject to parole supervision for a period of time greater than that provided by law for the crime of which such person was convicted.

5. The Commissioner of the Department of Institutions and Agencies, upon commitment of such person, shall thereupon arrange for his treatment in one of the institutions under the jurisdiction of the department which, in the judgment of the commissioner, is best suited to care for the needs of such person. The commissioner, in his discretion, is hereby authorized and empowered to arrange for the transfer of such person to or from any institution within the jurisdiction of the department for the purpose of providing for the needs and requirements of such person according to the individual circumstances of the case

6. Any person committed to confinement, as provided for in section four hereof, may be released under parole supervision when it shall appear to the satisfaction of the commissioner, after recommendation by a special classification review board appointed by the State Board of Control of Institutions and Agencies, that such person is capable of making an acceptable social adjustment in the community. It shall be the duty of the chief executive officer of any institution wherein such a person is confined to report in writing at least semiannually to the commissioner concerning the physical and mental condition of such person with a recommendation as to his continued confinement or consideration for release on parole by said special committee. The State Board of Control of Institutions and Agencies is hereby authorized and empowered to promulgate rules and regulations for the parole, revocation thereof for cause, and the proper supervision on parole of said persons when released from confinement.

7. If it shall appear from the report of such examination made of such person that the offender's conduct was not characterized by a pattern of repetitive, compulsive behavior and neither violence nor age disparity was indicated, as provided for in section three hereof, the court shall impose sentence on such person in the manner provided by law.

8. No statute relating to remission of sentence by way of commutation time for good behavior and for work performed shall apply to any such person committed pursuant to section four hereof, but provision may be made for monetary compensation in amount to be prescribed by the State Board of Control of Institutions and Agencies, in lieu of remission of sentence for work performed.

9. The commissioner shall determine and fix the per capita cost of examining and maintaining any person committed to the Diagnostic Center and shall notify each county treasurer monthly of the number

of persons committed from the several counties, and upon certification by the commissioner of the amount due, the board of chosen freeholders of the county shall make provision for payment of one-half of the cost thereof to the Diagnostic Center, the remaining one-half to be borne by the State.

10. Except as otherwise provided herein, the provisions of Title 30, Revised Statutes, and the rules and regulations promulgated by the State Board of Control pursuant thereto regarding supervision of persons released on parole and revocation of parole shall apply to any such person released on parole as provided herein.

11. Any person, believing himself to be suffering from a physical or mental condition which may result in sexual trends dangerous to the welfare of the public, may make application, upon forms to be prescribed by the Department of Institutions and Agencies, for voluntary admission to the Diagnostic Center for the purpose of receiving diagnosis therein. When such application is approved and such person is admitted, he shall be given a complete physical and mental examination. If it shall appear, as a result of such examination, that such person does in fact suffer from a physical or mental condition which may result in sexual trends of the type that might prove dangerous to the welfare of the general public, this fact shall be certified to such person and to the Commissioner of Institutions and Agencies. If such person thereupon indicates a desire to receive treatment for such condition, he may make application for voluntary admission to an institution to be designated by the commissioner and upon approval of such application he may be received in the designated institution and shall there receive the treatment indicated by the circumstances in the individual case. If such person is possessed of sufficient financial ability to defray all or a portion of the cost of his care and treatment, he shall be required so to do. If such person shall desire to leave such institution and discontinue the treatments being received by him, he shall be required to give five days' notice, in writing, to the chief executive officer of the institution of his intention to leave.

12. "An act concerning the sentencing of persons convicted of certain crime and providing for the place of their incarceration, and supplementing chapter one hundred ninety-two of Title 2 of the Revised Statutes," approved April eleventh, one thousand nine hundred and forty-nine, is repealed.

13. This act shall take effect immediately.

I. New York

New York has been the scene of significant developments in the sex crime field. A 20-month study of 102 sex offenders at Sing Sing Prison was completed this year and the report was published. Recommendations were made to Governor Dewey and the legislature and, as a result, important legislation was enacted to take effect April 1, 1950.

The 102 sex offenders selected for study did not represent any sort of cross-section. They were offenders in prison who had committed serious crimes, especially crimes against women and children.

The offenders were studied by psychiatrists, psychologists and psychiatric social workers. The folios on each grew large as data was gathered concerning their histories, characteristics, and former associates. In

40 cases psychiatric treatment was given to the offenders in prison or on parole. General observations were made as a result of the study. We report them by quoting the following excerpts:

1. *Mental Disorder*

"Of the 102 men studied, every one suffered from some type of mental or emotional disorder, though not usually so pronounced as to meet the legal definition of mental illness. These varied in type and intensity, from psychosis to neurosis. In many cases the behavior patterns could not be fitted into any clear-cut psychiatric classifications. The disturbances and symptoms were often of a mixed nature. It should be noted that, while sex crime often is a manifestation of a mental or emotional disorder, there is no known mental disorder that presupposes the commission of sex crimes A mental disorder may exist without causing overt aggression against others."

2. *Deprivation in Childhood*

"Almost all of these 102 men had histories of unusually unfavorable childhoods with severe emotional deprivation. Psychiatric and psychological studies disclosed that basically they all felt they had suffered from neglect or rejection. Their parents, or whoever brought them up, were usually dominating, often brutal or often over-indulgent."

3. *Irrational Motivation*

"As to motivation, we have found a great deal of irrationality among all these offenders.

"When these offenders were asked at the time of their sentences why they committed their crimes, they frequently replied: 'I don't know.' Upon psychiatric examination, we have found in many cases that they actually do not understand why they committed their offenses and that they consider the very acts for which they have been imprisoned to be most reprehensible."

4. *Hostility*

"There is an overwhelming amount of hostility in all these sexual offenders, which often expresses itself in extreme brutality (sadism) in the acts they commit This hostility appears to be directly related to the hostility or neglect to which they were subjected as children."

5. *Resentment Against Authority*

"Most of these offenders display, to a potentially or actually dangerous degree, a hatred and resentment against authority and persons representing authority. This could well be explained as a carry-over from earlier unexpressed resentment and hostility against parental authority or whoever represented that authority."

6. *Alcoholism*

"Alcoholism is an associated and often precipitating factor in over half (56) of the 102 cases The tendencies which get these men into trouble with the law can seemingly be held in check when they are sober, but when they have had too much to drink, impulsive antisocial behavior occurs. The extensive alcoholic consumption so often found among offenders is a means of release from intense anxiety and a vicarious

gratification of other deeper needs. The mental and physical deterioration of the confirmed alcoholic is an important factor in many cases."

7. *Intelligence of Offenders*

"The intelligence of these 102 offenders is for the most part equal to that of the average general population. None of them rated mentally as low as a moron. If the group studied had been larger, or selected more at random, it probably would have included mental defectives. In a previous study of 925 paroled sex offenders, 581 were mentally examined, of which 197 were classified as feeble-minded. The present finding indicates, however, that as a cause of sex crime of the more serious sorts selected for this study emotional factors are more important than intellectual deficiency. The offenders examined did not commit their crimes because they intellectually knew no better. Rather, they did so because of motor impulses too strong for them to control."

A classification of offenders was made according to their predisposition to violence, their suitability for psychiatric treatment and their probable adaptability to society. The classification and number of offenders in each group was as follows:

A. Offenders who are predisposed to crimes of violence, are likely to commit new attacks if released, and are not treatable by present known methods 18

B. Offenders who, because of personality makeup, hate or alcoholism are not suitable for treatment at present and who are likely after release to continue as a danger to public morals and to women and children 32

C. Offenders who, because of their treatability, could be placed in a treatment center with a good prospect of improvement before release 44

D. Offenders who, because of their treatability, could be released on parole and treated on an out-patient basis 8

The methods used in treatment were most of the available methods as they are listed in Chapter 6 of this committee's Preliminary Report. The New York Report stressed, however, that in psycho-therapy success can be had only where the patient cooperates. The first step is thus to establish rapport or positive relationship between patient and therapist.

Conclusions were reached and recommendations were made as a result of this study. The recommendations were as follows:

Recommendation I

"Psychiatric service to the Department of Correction and the Board of Parole is now inadequate; as a means of remedying this, we recommend that legislation be enacted placing responsibility on the Commissioner of Mental Hygiene for providing psychiatric and psychological service to the state's correctional agencies."

Recommendation II

"The need exists for further research in this field, for further psychiatric work with offenders, and for training of personnel for this work; therefore we recommend the continuance and expansion of the present research project, with a view to the eventual establishment of a permanent Institute of Criminal Behavior to carry out these purposes."

Recommendation III

"We recommend that legislation be enacted requiring that all persons convicted of sex felonies in New York State be examined, before the court imposes sentence, by a team of publicly employed psychiatrists who shall make use of psychological testing and social work reports."

Recommendation IV

"The need exists for law to protect women and children from certain dangerous sex offenders who, under present law, are held in prison for limited periods and then must be released, regardless of whether there is any improvement of the mental or emotional condition which caused them to commit abnormal crimes against the person; therefor,

"We recommend legislation providing that when any offender be convicted of rape or sodomy involving the use of force or violence, or against small children, or convicted of felonious assault involving a sexual purpose, the court after psychiatric examination of such offender may sentence such offender to serve an indeterminate sentence having a minimum of one day and a maximum of the duration of his natural life;

"We recommend further that, whenever an offender shall be sentenced to such a term of from one day to life, the law shall impose upon the Department of Mental Hygiene, the Department of Correction and the Board of Parole the solemn duty of giving his case prompt and intensive study, to be followed where feasible by therapeutic treatment, to the end that such offender may be rehabilitated and released whenever it may appear that he is a good risk on parole. When serving under this form of sentence, it should be required that a prisoner receive thorough psychiatric examination not less than once every two years, and consideration by the Parole Board."

The New York Legislature promptly put into effect all four of these recommendations.

In response to the first recommendation, the Department of Mental Hygiene was given responsibility to provide psychiatric and psychological services for the Department of Correction and the Department of Parole. These services will be provided for study, examination, diagnosis, and treatment of prisoners and parolees. In addition, personnel will be assigned to operate diagnostic and psychiatric clinics and to conduct research.

In response to the second recommendation for continuing research, the New York Legislature authorized and directed the Commissioner of Correction to set up psychiatric and diagnostic clinics in institutions he deems necessary. The clinics are given the duty to make scientific study of selected prisoners.

The third recommendation was also followed. Since April 1, 1950, all persons convicted in New York State of sex felonies have been given a pre-sentence examination. The examination is made by court appointed psychiatrists who render the court a complete written report. Costs for the examination are to be born by the county in which the defendant was tried. The costs may be recovered by the county from the estate of the defendant or a relative legally responsible for his support.

The fourth recommendation to provide special safeguards for women and children from men who have been convicted of certain "serious crimes" against them was also carried into a new law. In the first place,

the legislature established degrees of seriousness in the crimes of rape, sodomy, fellatio, and cunnilingus. Crimes involving force and/or children were made first degree sex crimes.

The legislature next provided an alternative indeterminate sentence of from one day to life for these "serious crimes." Judges were given the option of awarding a regular sentence, or the indeterminate one day to life sentence after the convicted offender had been subjected to a pre-sentence psychiatric examination. The law provides that such persons as are sentenced to the indeterminate one day to life sentence are to receive such psychiatric service as is possible and which they will accept while they are imprisoned. The law also provides safeguards against a man's being "forgotten," for periodic examinations of every such case are to be made by the Parole Board and psychiatrists at two-year intervals to determine whether he is a good parole risk or is to be released completely.

J. Ohio

Ohio has an interesting history with respect to special legislation upon the sex question. The Ohio General Assembly in 1937 adopted the Ascherman Act which concerned itself with "abnormal offenders." Amended in 1945, the act is regarded as adequate. It provides for the commitment of sex felons to the State Department of Public Welfare. The committing authority is the court having jurisdiction over the felony of which said offender was convicted. This procedure includes the provision that an offender may be handled in a manner which retains him for life if necessary. An offender who, in the judgment of the court should be hospitalized may be so hospitalized by order of that court. Said offender may then be detained until in the judgment of the psychiatrists at the institution of placement he may be returned to society without endangering the safety of others.

Considerable study went into the legislation not only at its outset but in 1941 when the Public Health Federation appointed a committee which recommended mandatory psychiatric examinations for all serious criminal offenders. The committee further recommended that sex offenders be so identified throughout the entire court procedure, to reduce the practice of permitting persons charged with a sex violation to plead guilty to a different class of crime. Other recommendations were that sex offenders be segregated for study, that an indeterminate sentence be imposed upon serious sex offenders, and that a research program be instituted by the State of Ohio.

A Governor's committee in 1944 commented that the methods of handling serious sex offenders were inadequate and recommended an institution for the psychopathic sex violator. Plans for this institution were completed and it is now under construction. It will be ready for use by 1952.

In 1950 a committee of the Public Health Federation at 312 West Ninth Street, Cincinnati, Ohio, was commissioned to study the situation with the thought of constructive recommendations. This group reviewed the Hamilton County study, the report of the special committee for the Advancement of Psychiatry (reported in California's Preliminary

Report), Abrahamsen's report on his "102 offenders in Sing Sing" and the Cleveland Bar Association's 1950 study. The conclusions of the Public Health Committee were:

That while the extent of the problem is real and should not be underestimated, it is probably no greater than other crimes of violence.

That the Ohio statute of 1945 is essentially adequate—that it is ineffective not because of deficiency in law but in that suitable institutions for the care and treatment of the offenders are lacking.

The Committee Recommended:

1. Funds for construction and maintenance of institutions for handling segregated sex offenders.

2. A special institution for the care and placing of mentally deficient (feeble-minded) offenders. The committee believes that such offenders present a separate problem from those characterized by compulsive, irresponsible behavior and require different care.

3. An effort be directed toward the provision of psychiatric clinics in conjunction with the courts for the purpose of enabling them to conduct examinations of offenders whose conduct fell within abnormal limits.

4. That a study be made re the advisability of including misdemeanants convicted in courts of record where the facts suggested need for psychiatric review.

5. Adequate appropriations to provide for a continued research by a qualified staff.

The 1950 Ohio Legislature through a Committee on Sex Crimes offered a report prepared by Professor Walter C. Reckless of Ohio State University. The report follows:

Observations and Suggestions Relative to the Abnormal Sex Offender

Prepared for

The Ohio Program Commission's Committee on Sex Crimes

July 13, 1950

WALTER C. RECKLESS, PH.D.
Professor of Social Administration, Ohio State University

THE GENERAL CONCERN ABOUT SEX ABNORMALITIES

The members of the committee, the public of the State of Ohio, our public officials, and members of our legislative body, need to realize that sex deviation covers a terrific range of behavior, only some of which has gotten translated into law and thereby defining sex crimes. There is a tendency on the part of laymen, to think that any irregularity is dangerous. Some irregularities are quite dangerous and some are not dangerous, although in most instances they offend public morals. The norm which the American public follows in its concern about sex deviation and sex crimes, is the moral norm of no sex outlet or sex expression outside of marriage.

The average layman is concerned about masturbation, bestiality, homosexuality including Lesbianism among women, sadism, masochism, prostitution, incest, ordinary promiscuity, adultery, bigamy, rape, exhibitionism, circulating pornographic art, and many other common forms of sex deviation. The average layman, however, hasn't heard much about fetishism, which would shock him horribly but yet, for the most part, is not a public danger. Likewise, the average layman in this Country has not heard much about male prostitution, which again would shock him but which is not any more easily combatted than Lesbianism among women, or ordinary prostitution and is not one of the more serious threats to safety and morals.

DELIMITING THE DANGEROUS SEX OFFENDER

I take it that this committee, our legislature, and the State of Ohio should be concerned with the more aggressive and somewhat violent forms of sex crimes—those that threaten the safety of individuals. From this standpoint, I take it that we are not concerned with the great number of somewhat masculine women who live with other women and take more passive women out to dinner and seat them at tables. However, we would be concerned with the masculine woman who is so aggressive as to do violence to another woman or girl, if the prey or victim complained. In the same vein, I take it that we cannot be concerned with all the homosexual alliances that are made and maintained, because we would be breaking up many indecent but happy homosexual relations and courtships. However, we recognize that there are aggressive homosexuals, whose energies are turned on the wrong persons who truly become victims which need our protection.

Moreover, incest is a pretty sordid and horrible sort of behavior but it does happen in rural slums and urban slums, where the mother is annually pregnant and the older daughter becomes available to the father, as a sort of duty. Our juvenile courts get a few of such complaints every year but these are just a few of the total number of instances. In many instances, the daughter does not want to complain on the father. I think we should let the juvenile court handle this matter. We get concerned also about bigamy and it is discovered every now and again but we no longer get too incensed about it and it is not much of a threat to public safety.

A great many of the sex deviations and abnormalities are in the nature of private vices, such as fetishism and if not private vices at least they are kept within the confines of private life and very seldom come to the surface. Masochism and sadism both usually fall into this category, as do special perversions.

I think, therefore, it would be well for us, as a committee, to take the position that we are trying to devise ways and means to control such sex offenders as those who commit rape (true rape), sodomy, carnal abuse, and who tamper with a minor, or any attempts to commit such offenses. There is a legal no man's land in impairing the morals of a minor, which needs to be guarded against. An 18-year-old boy can be found in the compromising situation with a girl under 18 and can be arrested by the police for contributing to the delinquency of a minor and actually, the girl might be more sophisticated than the boy. The police bring in cases to the juvenile court on just such a basis.

CRITERIA FOR DETERMINING SERIOUS SEX CRIMINALS

This leads to one important criteria which was recognized in the New Jersey report, namely, the criterion of age disparity. Before we should get greatly concerned about carnal knowledge, contributing to delinquency of a minor, or impairing the morals of a minor, we should make certain that the aggressor is much older than the minor and just not a year or two apart. This is a matter which is not easily translatable into law but it is a criterion which could guide our courts and police which, after all, are going to be the main lines of our social defense.

Another criterion, likewise mentioned in the New Jersey Report, which is necessary for the delineation of the abnormal sex offender is the repetitive and compulsive nature of the sex aggression. The abnormal sex offender should have somewhat of a verifiable history of the same or similar acts over a period of time. For example: Suppose we have a married man or unmarried man who frequents parks and playgrounds where small girls play. He entices them away to some secluded spot and exhibits himself, etc. It would be important to know that he has done this many times before and that he has been complained upon for this before, or that, if not complained upon, he actually cannot keep from doing this. Here again, we cannot write into the law that a person, in order to be brought under control and treatment as an abnormal sex offender, must be proven before a court of law to be a compulsive sex deviant and a repetitive sex deviant. Nevertheless, our officers who make investigations, our courts who hear statements and testimonies and read special reports and investigations, and our special diagnostic facilities in our institutions, need to be mindful of the criterion of establishing repetitive compulsive behavior. The establishment of this fact must be done by the agencies provided by law rather than covered in the law.

Finally, a third criterion, also mentioned by the New Jersey Report, is that of violence. If a person is violently victimized by an aggressive sex offender, we have need to be greatly concerned. This represents the element of actual physical harm, terror, and force. This aspect of sex abnormality can more nearly be described by law and determined by ordinary court procedure.

RECOMMENDATIONS

1. We need to develop, therefore, a coordinated policy of social defense in our law enforcement agencies, courts, probation departments, jails, and penal institutions, according to which policy the violently aggressive sex criminal, the repetitive-compulsive sex offender, and the older person victimizing young children (especially under 15) are held for special handling and procedure.

2. I would suggest that the Ascherman Act be amended to enable the lower courts, as well as the common pleas courts, to commit such types of sex offenders, for observation and recommendation, to a special facility to be operated by the Division of Corrections of the State Department of Welfare. At this facility there would be a staff of necessary medical men, psychiatrists, psychologists, sociologists, and other experts, who would be capable of making a thorough study of all aspects of persons so committed for a period of at least 60 days observation. The clinical staff of this facility should prepare a report for the committing court, giving the

necessary information and recommendations. In accordance with this report, the court could take any regularly constituted action such as a fine or regular sentence. The court could also place the person under supervision to one of its officers, which would mean probation, or the court could give a special suspension of sentence provided the person accept certain recommended forms of treatment and report periodically to the court. The court should be empowered by amended law to commit persons found to be dangerous sex offenders, according to the criteria above, on an indeterminate sentence of one year to life to this special facility of the Division of Corrections, if commitment to this facility was indicated by the clinicians after an original commitment for 60-day study and observation.

3. Likewise, a law would be needed creating a special institutional facility in the Division of Corrections, which would carry appropriation for building site, treatment facilities, and protective custody. Ample appropriation would need to be made for staff and operating expenses.

4. There is one special phase of this special institutional facility that is important. This institution should have a guidance department with trained workers who can make necessary supplementary social investigations, who can act as guides and counselors to the individuals while in the institution and act as parole workers when individuals are recommended for release.

5. Another special point is that the parole work, out of this facility, would have to be very special and would have to be separated from the Bureau of Probation and Parole, which in the foreseeable future, would never be able to reach the professional competency to handle these sex offenders on the outside.

6. We would need to have a policy of parole furloughs in which the person is tried out in the free community for very limited periods of time, returning thereafter to the institution. Under the life indeterminate sentence procedures, committed individuals would perpetually be on parole and could always be returned to the institution as need required. In preparing a committed person for release, a series of parole furloughs which amount to preliminary trials, should be used.

7. Legal provision should be made for the voluntary commitment of an abnormal sex deviant, just as in the instance of the voluntary commitment of a drug addict to federal facilities. A voluntary commitment could be accomplished by a request to the special institution by a competent physician and a verified investigation by a member of the guidance department of this institution. I favor a verified social investigation by such a worker because he would be much more skilled in determining the need for such institutionalization and because the special institution, which is on the receiving end would, therefore, need to control its voluntary intake by such means. Voluntary commitments should be charged per diem according to their ability to pay. They should be released by the superintendent any time upon their own demand, as is true in the instance of drug addicts who voluntarily commit themselves to the federal narcotic farm.

8. When inmates, committed under the life-time indeterminate sentence to the proposed special institution, are furloughed on parole, a special security plan would need to be developed for each case so furloughed. While we do not want such parolees hounded by parole agents

or police, we do want very constant vigilance. Special arrangements would need to be made with the police in each parolee's community, so that the inmate can be kept under adequate surveillance, while the counselor from the institution, acting as the parole agent, proceeds with the plan of readjustment in the community. This is not a matter of law but a matter of definite arrangements with the institutional authority and the police departments.

9. It is suggested that funds be appropriated to the Division of Corrections, to have a staff of experts conduct regional schools for police and sheriffs' deputies in the matter of proper screening and booking of the serious, aggressive sex offender as outlined above. At the present time, most of the serious exhibitionists, for example, are not acted on when complained upon, or are booked for some minor offense such as disorderly conduct. The same for other serious sex offenders. This can be overcome by developing one or two well schooled policemen or deputies in each law enforcement office, who can instruct the rest of the department in the particulars of the approach to the serious sex offender. Likewise, administrative heads of police departments and sheriffs' offices will need to be brought together in conferences to develop plans for the reasonable surveillance of sex criminals, when they are released on furlough. Such conferences will need experts to handle them and a fund, likewise, appropriated for this item to the Department of Corrections of the Department of Public Welfare.

10. Regional conferences will need to be held for judges of all courts handling delinquency, domestic relations, misdemeanant, and felony cases, in order to orient them properly for an integrated state-wide procedure for handling the serious sex offender. Funds would need to be appropriated, as above, for the conduct of such regional meetings, by a group of experts.

11. Special institutes should be conducted by the Ohio Probation and Parole Association and funds as above, should be used to get experts here to help pave the approach of investigation and possible supervision to the abnormal sex offender.

12. A full-time research unit for the study of the abnormal sex offender should be created. This unit could most appropriately be housed in the new institutional facility recommended in this report. It should consist primarily of persons who have trained competency in research and criminology. Funds should be appropriated for the research unit during the initial years of its operation but thereafter, it should be possible to earmark the moneys collected on per diem, from voluntary commitments for the upkeep of this research unit.

K. Pennsylvania

At the University of Pittsburgh, Pennsylvania, a Committee for Criminological Research is functioning under the chairmanship of Gerald Pascal, Ph.D., associate professor. The committee is programming research in the Pittsburgh area and has selected sex crimes as its first project.

Membership of the committee includes two psychiatrists, two psychologists, one sociologist, one police inspector, three judges, and one

practicing attorney. The members intend to invite a member of the chamber of commerce to join the committee. The committee is aided by cooperation from the penitentiary and the police.

The chairman of the committee, Gerald Pascal, Ph.D., is conducting several studies of sex offenders imprisoned at the penitentiary. He and a few graduate students are conducting Rorshach (ink blot) tests. The different groups they are studying include rapists, pedophiles, homosexuals, and criminals imprisoned for nonsexual acts of violence.

L. Vermont

Vermont has revised its original sexual psychopath law to eliminate the definition of "psychopathic personality." No substitute concept was introduced, however, and in order to administer the act some concept must be established. This has resulted in a reduction of commitments and considerable controversy with regard to the utility of the existing statute.

The 1951 Legislature is considered to be committed to changes in the act.

M. Washington, D. C.

In the fall of 1950, at the American Psychiatric Association's second Mental Health Institute, a paper was submitted by three of the psychiatrists from St. Elizabeth's in Washington, D. C. The paper was termed "An Institutional Program for Committed Sex Deviants." The authors, who contributed much to the preliminary report of the California Committee were Drs. Bernard A. Cruvant, Milton Meltzer, and Francis Tartaglino. Excerpts from the paper were selected by this committee because of their application to our survey.

They are as follows:

As a result of community concern following a series of "sexual crimes," "An act to provide for the treatment of sexual psychopaths in the District of Columbia and for other purposes," was approved June 9, 1948. A "sexual psychopath" was defined as a "person, not insane, who by a course of repeated misconduct in sexual matters has evidenced such lack of power to control his sexual impulses as to be dangerous to other persons because he is likely to attack or otherwise inflict injury, loss, pain, or other evil on the objects of his desire." There is no mandatory provision requiring consideration of any sexual offender for determination as a sexual psychopath. Proceedings are initiated by the United States Attorney and the individual need not be under *any* criminal charge, or he may be charged with a sex offense or any other type of crime. The act specifically excludes individuals charged with rape or assault with intent to rape. An individual committed to St. Elizabeth's Hospital as a sexual psychopath cannot be released until the superintendent of the hospital "finds that he has sufficiently recovered so as not to be dangerous to other persons." If he is under charges he must be returned to the court where he can then stand trial.

The purpose of this paper is to report briefly some experiences and observations during the period October, 1948, to March 1, 1950, in which we received 24 patients under this law.

Clinically, we have noted that the repetitive pattern of misconduct seems to be consistent in each patient studied and the offenses fall into several typical subgroups:

1. Indecent exposure while intoxicated under the guise of urinating. There are eight such patients, each with many arrests and sentences.

2. Indecent exposure while sober. There are four of these; one showed limited intelligence and three are classical hysterical exhibitionists, one of whom performed indecent acts with children.

3. Various indecent acts with children. There are seven cases varying from an old man's enticement of girls for sex play to a 20-year-old's immature, slightly coercive homosexual behavior with younger boys.

There are five others of disparate nature, including two noncoercive homosexuals and one aggressive sodomist.

Only a very small percentage of individuals charged with sexual offenses during this period were referred for determination of sexual psychopathy. In 1948 and 1949 there were a total of 636 sex offenses reported. Of these, only about 20 were committed as sexual psychopaths. In a recent radio broadcast the United States Attorney for the District of Columbia stated, "The vast majority of the cases have been handled as strictly criminal prosecutions and, if the man is convicted, the court sentences him to jail. We feel that if it's handled gradually and the extreme cases are referred to the sex psychopath portion of the act, that will give use some time to develop the best possible solution."

THE SYNDROME OF "INDECENT EXPOSURE"

Observation of our group of exhibitionists has revealed certain clinical characteristics. In contrast to other offenders, the exposures are frequent and repetitious As individuals they have shown a limited and stereotyped heterosexual performance with rigid standards of "normality." Common is psychological dependence on medicines with tendencies to go on sprees of analgesics or alcohol. In the history prolonged enuresis is frequently noted and the common explanation for the act of indecent exposure is urinary urgency. They have been superficial and transient in their social relationships. Exposure frequently followed feelings of defiance and disappointment. These people are conspicuously nonverbal in their integrations and on psychological tests.

THE INSTITUTIONAL PROGRAM

We approached the problem of therapy with the conception that the sexual performance of an individual is but one manifestation of his total personality structure. In our experience the sexual deviation precipitates commitment and is simply the "tail that wags the dog." Our cases include such nonpsychotic clinical syndromes as mental defectives, organics, compulsive neurotics, ambulatory preschizophrenics, hysterics, and possibly a few "psychopaths."

Individuals committed under this law receive the same type of intensive psychiatric workup as is accorded to all patients in the maximum security division of Saint Elizabeths Hospital. The patients are

seen on admission by one of the senior physicians and, after a detailed admission interview, are initially evaluated for therapeutic assignment.

At the time this act went into operation we had already had for some years a fairly complete program of individual, group, and milieu psychotherapy, which has been described in preliminary papers. Fuller aspects of this program are to be published in the near future.

Briefly, the program provides for a full schedule of activities occupying the entire day. There are therapeutic group meetings and administrative group meetings, art, drama, and special projects groups, and occupational therapy workshops. There are recreational activities, such as group athletics (baseball, basketball, boxing, volley ball, ping pong), movies, television, library, and music practice. The patient's newspaper, the Howard Hall Journal, has received much favorable comment.

Within a few months after admission each patient is brought to a conference where his case is fully discussed and evaluated, and patients who appear to be reasonable risks are transferred from maximum to minimum security (thus far, six cases). In this latter ward they continue with group therapy and individual therapy in selected cases. The patients admitted under this law are also assigned to a small "special group" because of their expressed feeling that they can discuss their sexual difficulties more freely with those whose problems are similar. In minimum security they have many opportunities to attend the hospital amusements, including dances and parties, and are given some kind of occupational assignment upon the grounds from which they come and go without supervision. This permits them to attend the psycho-drama sessions held in another building and also offers them an opportunity to test developing awareness of their problems through contact with others. Throughout the program the over-all therapeutic atmosphere continually exerts a uniform, nonspecific pressure in the direction of health.

The structuring of a therapeutic milieu deserves considerably more discussion than would be possible in this limited account. An important fact of the milieu therapy is the frequent meeting of all members of the staff to discuss and work through any reaction-formations they may have and to assist in the selection of specific doctor-patient pairs for therapy. In this connection, the discomforts of attendants in dealing with this group of patients is a source of continuing investigation and occasion for some discussion between physicians and attendants. Preliminary projects include a kind of group therapy seminar for the attendants.

Our emphasis on a purely psychological approach to therapy is based in part upon a review of the literature that has thus far disclosed no rationale for any specific physical therapy such as castration, hormonal injections, shock, insulin, or lobotomy.

GENERAL CHARACTERISTICS OF THE GROUP

Although the group is small and variegated and our period of observation brief, certain characteristics seem apparent in these people in their group functioning.

They are passively dependent, covertly and passively hostile characters. There is frequently exhibited an attitude of "injured innocence." Many of them are manipulative, rigid, and have a paradoxical pride in their status as sex deviants. This latter aspect may derive in part from their distortion of the hospital's interest.

By far the greater number are not currently amenable to a type of dynamic and insightful intensive psychotherapy. They are superficial and telegraphic in their communications, show little capacity for introspective or psychological thinking, and give only lip service to the attempts of the therapist to mobilize interest in surmounting their difficulties in living. The most frequent presentation is, "Well, if you say there is something wrong with me, suppose *you* do something about it." The idea of a collaborative effort is quite difficult to establish, although inexperienced therapists might be led astray by the ingratiating and agreeable manner of the manipulative members of the group. There is an unusually high degree of recourse to minimizing and defensive processes such as rationalization and projection. These individuals show a rather poor prognosis for psychotherapy because they almost invariably are unable to assume responsibility for their own treatment and continue indefinitely in a state of either strong latent negative resistance or of passive hostile dependence. There tends to be a marked absence of any "neurotic suffering" as a stimulus toward work in psychotherapy. Those who deny their dependency draw heavily on repressive mechanisms, which further defeats the attempts of the psychotherapist. Notwithstanding, a small proportion (about six) in our group have indicated some amenability to psychotherapy and are making slight progress.

THE PROBLEMS

The problem of how to deal with the sexual psychopath has some into considerable prominence in recent years. Tappan reports that habitual sex offenders have been the object of special laws in at least 13 jurisdictions in recent legislative sessions.

A number of clinical and administrative problems are created by this group. The law defines a sexual psychopath, requires commitment to Saint Elizabeths Hospital upon judicial determination, and provides that he is not to be released until certified as "sufficiently recovered so as not to be dangerous." Clinical questions as to the precise psychiatric definition of the term "sexual psychopath" are not within the scope of this paper. The type of therapy most appropriate to achieve the goal set by the law must be determined for the actual patients committed by the law. The decision of the court for commitment as a sexual psychopath is actually a "diagnosis" which is not reviewable by the psychiatrist responsible to the subsequent treatment.

The courts are understandably concerned with the preservation of public peace and the segregation of individuals who are considered dangerous to others. The psychiatrist as a physician is primarily interested in the treatment and amelioration of individual human distress. While these two objectives are not necessarily incompatible, it is our experience that they frequently are divergent and occasionally at cross purposes. If the consideration as to civic responsibility are rather heavily weighted in favor of detention and segregation, then the penologist or correction officer is a more efficient custodian than the psychiatrist.

Given the group of people described, what constitutes the most appropriate therapeutic approach? We believe that insufficient information is available to establish solely the efficacy of any particular psychotherapeutic procedure. It is our general opinion, however, that only a

dynamic and insightful type of intensive psychotherapy offers any prospect of modification of personality structure with some insurance against repetition of offense upon discharge of the patient. We recognize, however, that this is impossible in a general application because of (a) the prohibitive cost, (b) the lack of fully qualified personnel for the number of patients who are in need of such treatment, and (c) the type of patients being sent to us thus far. Lacking this, then, an alternate type of program expressing dynamically oriented attitudes toward the problem of psychotherapy seems essential.

We have described thus far an institutional program utilizing an already well-established program of group and individual psychotherapy. We have modified this program in some aspects to fit the special needs of this group but find that there are certain limitations to such modifications when operating within the facilities of an institution primarily designed for the care of psychotic individuals.

"SUFFICIENTLY RECOVERED"

The question of what constitutes cure again brings up the problem of whether cure is to be established only on the basis of a dynamic and insightful awareness plus actual personality change or whether cure can occur without "insight." It is recognized that a great many symptomatic improvements occur in such conditions as schizophrenia without the application of anything other than hospital atmosphere. Such cures are always fragile and not necessarily a protection against further difficulties.

Thus far we have not established any dependable set of criteria to use in predicting the future course of conduct or misconduct in our patients. It appears likely that a problem will eventually be occasioned by the collection of a residual group of individuals who we believe do not form particularly promising therapeutic risks and for whom little more than a high type of custodial care can be offered. In this connection there is a seeming disparity in that individuals who make "good hospital patients" are not infrequently those who form rather poor therapeutic risks. They may fit well into the standard hospital program and quickly assume a fixed, passive dependence. Although such individuals may adjust well in the hospital, this adjustment is no promonitor as to whether they could refrain from reestablishing their socially unwanted activities upon release. In other psychiatric conditions the psychiatrist finds himself, through long experience, with a much better defined set of criteria for predicting such things as suicide, combative behavior, and symptomatic exacerbation, and for evaluating recovery.

CONCLUSIONS

1. The group of patients reported is not statistically representative of the varieties of sexual offenders in the community.

2. It appears unlikely that very many of our group are sufficiently amenable to therapy so as to be "recovered" as required by law. In this connection, while we believe that their illnesses are psychodynamically determined, it is doubtful whether present techniques are equal to the task of cure.

3. Under the present law, the majority of the cases received have been exhibitionists Certain characteristics of this group have been described. It is questionable whether the exhibitionist is a sexual criminal of sufficient menace to justify indefinite commitment and whether the incidence of heinous sexual crimes will be reduced by his confinement. In our experience thus far, the exhibitionist is in general a relatively poor risk for intensive therapy and he is likely to remain indefinitely since he cannot be certified as "recovered" as required by law.

4. Considerably more research is needed into all phases of this problem, particularly with respect to the elaboration of criteria for prediction of behavior in these individuals before and after various therapies.

N. Wisconsin

The Wisconsin Sex Psychopathic Law, although of recent passage (1947 in regular session), is actually inoperative in that the institutions for the sex psychopath as provided by the statute have not been established. The 1950-51 legislature plans a review of proposals which have been offered by several committees and other groups as solutions to the present dilemma.

O. Current Terminology

The committee found terminology used in the field of its study inexact and often confusing. In Chapter II of the preliminary report it pointed out the variations in terms used in the statutory description of sex crimes. The preliminary report also discussed the problem of nomenclature, with respect to the person who has participated in a sex crime.

The committee finds that "sex offender" is the best term and the one most widely used for the person who has participated in sexual conduct which is contrary to the Penal Code It finds that such terms as "queer," "deviate," "pervert," etc , have not as much scientific value and accuracy in discussion of this subject as "sex offender."

The committee finds a widespread impression among authorities in the field that many sex offenders are suffering from some sort of mental illness which causes their conduct. When experts in mental diseases are pinned down, they state that this "mental illness" is often not of any type now categorized as a "neurosis," "psychosis," or "mental deficiency." It was to fill this vacancy in psychological terminology that the term "psychopathy" was designed. At the present time there is such widespread criticism of the term "sexual psychopath" that the duration of its usefulness may be limited.

"Psycho-sex offender" is an over-all term which the committee has found of value. It appears to be similar to, but more handy than a term used by the Group for the Advancement of Psychiatry: "psychiatrically deviated sexual offender."

"Psycho-sex offender" is a term that is relatively definable. An offender is one who has committed some act which, whether or not prosecuted or reported, is an offense against the criminal statutes. "Sex" is used as an adjective which limits the term to a person who has committed a sexual offense of some type. The prefix of "psycho" infers that the person who has offended against the sex crime statutes is suffering from some form of mental illness. This seems to be as far in definition as present

knowledge will allow one to go. More specific terms must await further research. In the meantime the term is meaningful and short enough to be usable.

The term "psycho-sex offender," it should be noted, excludes a person who has not yet participated in acts which constitute a sex offense. It thus differs from the term "potential sex offender" which could include a person from the day he is born. Both terms have this in common: As generally used, they are aimed at persons who, if not placed under supervision, are most likely to offend against the sex crime statutes. What is needed is a method of pointing out a person who is a "probable future sex offender" and then a term to describe such a person.

RECOMMENDATIONS

I

The California Legislative Sex Crime Research Project should be continued and extended

The present purpose of this research project is to plan and conduct scientific research into the causes and cures of sexual deviation and homosexuality and into methods of identifying potential sex offenders.

The committee recommends research into the deterrent and correctional effect of present methods of imprisonment and parole upon different types of sex offenders. This research is to be carried on with the cooperation of the Department of Correction of the Bureau of Parole.

II

Accent should be placed upon prevention in any planned attacks upon the problem of sex crimes in order best to protect the public

Frank acknowledgment should be made that the prevention of sex crimes is ultimately the responsibility of the individual citizens of the State of California.

Leaders of special interested groups should be encouraged to continue their preventive endeavors. These include education of children in our schools, special adult education, community activities for the improvement of family and home life, and the moralists' and religionists' approaches to the betterment of human souls Police departments should re-examine the quantity and qualification of personnel assigned to their sex crime detail. Furthermore, police should make use of all known modern techniques and facilities, whether local or state, in the investigation of reported sex crimes.

Dangerous sex offenders should be kept under custody or surveillance or constructive custody until they are considered by intelligent observers of behavior safe risks for free movement in society.

III

Greater adaptability or flexibility should be written into the sex crime statutory scheme by the Legislature

Sex crimes such as sodomy, fellatio, or cunnilingus should be differentiated into first or second degree crimes according to whether force or the threat of force is present in the act. Nonsexual crimes such as larceny, burglary or arson, where sexual conduct is significantly present, should be differentiated from the common law variety of larceny, burglary or arson.

IV

An alternative sentence for an indeterminate period of one day to life should be provided for certain convicted sex offenders

This indeterminate period should be an alternative to the regular sentence upon conviction and it should be optional with the judge. This committee recommends that such an alternative sentence be enacted for

the following crimes: lewd and lascivious conduct upon a child, a felony involving sexual significance, and any of the following crimes where force or the threat of force is involved: rape, sodomy, fellatio, or cunnilingus.

The committee recommends that after experience with this alternative sentence has been developed and sufficient personnel trained to handle its machinery, the Legislature consider extending this alternative sentence to convictions for certain misdemeanors such as exhibitionism, molesting children, etc.

V

It should be mandatory that before sentencing a convicted sex offender to the indeterminate sentence of from one day to life the judge should receive the advice and report of competent psychiatrists and sociological investigators who have examined the convicted defendant

VI

Measures should be adopted to protect the rights of a person who is sentenced for an indeterminate period of from one day to life. At least a two year periodic check should be made by the parole board of each case so sentenced

A person sentenced for an indeterminate period of from one day to life should receive whatever psychiatric or other treatment which is available, which he needs, and which he will accept.

Parole or constructive custody should be used wherever feasible in cases involving persons sentenced for an indeterminate period of from one day to life.

VII

Present legal institutions should be used wherever possible and when new techniques are developed they should be fitted into this framework of the past

VIII

A questionnaire poll of all California superior court and municipal court judges, parole and probation officers, should be made in 1952 concerning their experiences with legislation enacted to solve the sex crime problem

This information should be gained in order to provide suggestions for changes in the statutory scheme at that time. A report on this information is also needed so that the valuable experiences and techniques developed by a few of these judges, parole, and probation officials may be available for others.

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OPERATION OF THE SEXUAL PSYCHOPATH LAW OF CALIFORNIA *

The Sexual Psychopath Act as set forth in Section 5500 itself of the Welfare and Institutions Code of California has been in effect since October 1, 1939. During the 10-year period from its effective date to October 1, 1949, a total of 522 sexual psychopaths were committed to California State mental hospitals. No provision was made for separate facilities for the care and treatment of sexual psychopaths; they were admitted to the regular state mental hospitals. During the first eight years, the commitments averaged between 40 and 50 per year; however, in 1948 and 1949, the commitments increased to an average of 77 a year, and in the fiscal year ending June 30, 1950, commitments of sexual psychopaths increased to 116.

In 1945, there were several amendments to the act consisting of a change in the definition of the term "sexual psychopath" by eliminating the requirement that it be a sex offense against children, and a change in the liability for payment for hospital care and treatment by removing it from the county of residence and placing it upon the patient or his responsible relatives.

Significant amendments to the act were made in 1949 effective October 1, 1949, and in 1950, effective July 15, 1950; they can be briefly summarized as follows:

Conviction of Criminal Charge Required

The former law (Section 5501) stated that the court could hear a petition of sexual psychopathy either before or after adjudication of a criminal charge; the practice frequently was to suspend the charges and proceed with the sexual psychopathy hearing. The 1950 amendment provides that the person shall first be convicted of the criminal offense before steps can be taken in the proceedings before the court to determine whether or not the person is a sexual psychopath.

Misdemeanor and Felony Sex Offenses

The 1950 amendments further amended Section 5501 by adding provisions dealing specifically with sex offenses against children. It now provides that when a person is convicted of a misdemeanor sex offense involving a child under 14 years of age and the person has been previously convicted of a sex offense in this or any other state, the trial court (whether an inferior or superior court) is required to certify the person to the superior court for hearing and determination whether the person is a sexual psychopath within the meaning of the chapter. Provision is also made for the mandatory certification of all persons to the superior court for similar hearing and determination when a person is convicted of a first or subsequent felony sex offense involving a child under 14 years of age.

The wording of the section was further recast to make it clear that in other convictions the trial judge, on his own motion or on motion of the prosecuting attorney or on application by the defendant, may certify the person to the superior court for similar hearing and determination.

* Explanation prepared by A. Edward Nichols, Administrative Adviser, Department of Mental Hygiene.

Observation Placement Requirement

An important amendment was enacted in 1950 as set forth in Section 5512. It now provides that upon the hearing of sexual psychopathy in the superior court and after testimony of the court-appointed psychiatrists and other witnesses, if the judge of the superior court finds the person to be a sexual psychopath within the meaning of this chapter, he is required to order the person placed temporarily in a suitable psychiatric facility maintained by the county or by the state for observation and diagnosis for a period not to exceed 90 days. The section provides for a report, diagnosis, and recommendation to be made to the court by the institution within the 90-day period. The law further states that there shall be no indeterminate commitment of a sexual psychopath unless an observation placement has been made as required in this section.

Release From State Hospital

The former law in Section 5502.5 permitted the superintendent of a state hospital to parole a sexual psychopath if the person was considered to be no longer a menace to the health and safety of others, after having notified the court of the proposal to place the patient on parole, and if the court did not order the person to be returned to the court for further action. The superintendent could also return the sexual psychopath to the court for the further disposition of the case if the person had not recovered from his sexual psychopathy and would not benefit from further care and treatment in the hospital. The 1949 amendments removed the power of the hospital superintendent to parole sexual psychopaths and placed it solely in the courts.

By Way of Recapitulation

The following procedures are involved under the present law in the commitment and release of a sexual psychopath:

1. Upon conviction of a criminal offense, the trial court *may* adjourn the proceedings or suspend the sentence if there is probable cause for believing the defendant to be a sexual psychopath.
   (a) The trial judge may do so on his own motion, on motion of the prosecuting attorney, or on application by affidavit on behalf of the defendant.
   (b) If the trial court, whether it be an inferior or superior court, is satisfied of the probable cause he *may* then certify the person to the superior court for hearing and examination to determine whether the person is a sexual psychopath.
2. If the person is convicted of a sex offense involving a child under 14 years of age, there are two mandatory provisions imposed upon the trial court.
   (a) If it is a misdemeanor sex offense and the person has been previously convicted of a sex offense, then the trial court, whether it be an inferior or superior court, *must* adjourn the proceedings or suspend the sentence and *must* certify the person for hearing and examination by the superior court of the county to determine whether the person is a sexual psychopath.

(b) If the person is convicted of a felony sex offense, the mandatory requirement set forth above must be followed upon a first or subsequent conviction.

3. When the person is certified from the trial court to the superior court as indicated above, he is to be taken before a judge of the superior court and informed of the nature of the proceedings and his right to produce witnesses at the hearing to be held at such time and place as fixed by the court.
4. The court is required to appoint at least two qualified psychiatrists to make a personal examination of the alleged sexual psychopath. The psychiatrists are required to file a written report with the court and to testify at the hearing. The court may hear such other witnesses as are produced by either side.
5. The alleged sexual psychopath shall be present at the hearing and if he has no attorney, the judge may appoint an attorney to represent him.
6. After examination and hearing, if the judge finds the person not to be a sexual psychopath, the superior court shall return the person to the trial court in which the case originated for such disposition as that court may deem necessary and proper.
   After examination and hearing, if the judge finds the person to be a sexual psychopath within the meaning of the chapter, the court is required to order the person to be placed temporarily in a suitable psychiatric facility maintained by the county or by the State for observation and diagnosis for a period not to exceed 90 days.
7. The person in charge of the county or state facility is required to forward to the court within the 90-day period a report, diagnosis and recommendation concerning the alleged sexual psychopath's care, supervision and treatment.
8. The person is to be returned to the superior court for consideration of the report and further hearing. The sheriff of the county of commitment or any other peace officer designated by the court shall transport the person to or from the court.
9. At this further hearing, if the person is found not to be a sexual psychopath, he is to be returned to the trial court for disposition of the criminal charges. If the person, however, is found to be a sexual psychopath, the court may then commit him to the Department of Mental Hygiene for placement in a state hospital for an indeterminate period. No person shall be committed for an indeterminate period as a sexual psychopath unless an observation placement has been made and reported upon as required in Section 5512.
10. When the person is committed for an indeterminate period as a sexual psychopath, the sheriff or a peace officer is to deliver the person to the state hospital designated by the court. The superintendent and staff of the hospital are thereby empowered to undertake care and treatment of the sexual psychopath. At any time thereafter, if it is deemed advisable to release the patient from the state hospital, the superintendent of the institution and the Director of Mental Hygiene are required to certify the case to the committing court.

11. The certification is to include a report, diagnosis, and recommendation concerning the person's future care, supervision, or treatment, and is to contain an opinion (a) whether the patient has recovered from his sexual psychopathy and is considered to be no longer a menace to the health and safety of others; or (b) whether the person has been sufficiently treated in the hospital and is considered to be no longer a menace to the health and safety of others; or (c) whether the person has not recovered from his sexual psychopathy and is considered to still be a menace to the health and safety of others.
12. If the person is certified to the court under (a) or (b) as indicated above, he is to be returned to the court and the proceedings are to be resumed. The court, after considering the report and all other evidence, may place the person on probation for a period of not less than five years.

    If the person is certified to the court under (c) as not recovered and still a menace to the health and safety of others, the court is required to hold a further hearing, at which time the person is entitled to be represented by counsel and to present witnesses on his own behalf. If the court is satisfied after this further hearing that the person is not recovered from his sexual psychopathy and is still a menace, the court is required to recommit the person to an institutional unit for care and treatment of sexual psychopaths, which can be established on the grounds of a state institution under the jurisdiction of the Department of Corrections or the Department of Mental Hygiene. The person is then required to remain in such institution until he can be certified as no longer a menace to the health and safety of others.

Mentally Abnormal Sex Offenders

A measure enacted in 1949 (Chapter 1457, Statutes of 1949) provides for the civil commitment of mentally abnormal sex offenders on a voluntary basis as distinguished from the Sexual Psychopath Act which involves criminal charges against such persons. It is the consensus of advanced psychiatric thinking that the protection of society hinges just as much on provision for early treatment of such conditions as it does on strict custodial measures. This measure (Chapter 1457, Statutes of 1949) contains the following essential provisions:

1. A petition can be filed only by the person himself or by his parent, spouse or child. It must be accompanied by the written consent of the person himself, voluntarily requesting examination and hearing by the court.
2. The court will then proceed with the case, including the appointment of psychiatrists and the hearing of their testimony and of other witnesses.
3. If the court believes the person to be a mentally abnormal sex offender, he may order the person committed to a state hospital for a period not to exceed two years.
4. After the person is committed to a state hospital, the superintendent is given full power to treat the person medically, and to discharge him or place him on leave of absence under such conditions as the superintendent deems proper.

5. The court records of the case, as well as the hospital records, are to be kept confidential.
6. Proceedings cannot be brought under this chapter while a criminal charge is pending against the person.

Research

An important measure in this field was enacted at the 1950 Special Session of the Legislature. It appropriates the sum of $100,000 for a scientific study and research of the causes and cures of sexual deviation. The measure (Chapter 35, Statutes of 1950) designates the Department of Mental Hygiene to conduct the research project through the Langley Porter Clinic and authorizes contracts to be entered into with the Regents of the University of California for the conduct of all or any portion of the research projects.

Current Statistics

The following statistical data should also be of value concerning the number of cases received in our state hospitals under the sexual psychopath laws:

SEXUAL PSYCHOPATHS ADMITTED FROM 1939 TO 1950

Year ending June 30	*Admitted*	*Year ending June 30*	*Admitted*
1940	40	1946	37
1941	50	1947	44
1942	40	1948	78
1943	47	1949	77
1944	34	1950	116
1945	38		

The foregoing tabulation covers only those sexual psychopaths that were committed by the courts for an indeterminate period. After the amendment to Section 5512, providing for observation placements, which amendment became effective October 1, 1949, there were 14 observation commitments to our state hospitals up to October 1, 1950.

Under the provisions of the Mentally Abnormal Sex Offenders Act, Chapter 1437, Statutes of 1949, which also became effective October 1, 1949, there were 12 cases admitted to our state hospitals during the year ending October 1, 1950.

REPORT OF KARL M. BOWMAN, MEDICAL SUPERINTENDENT OF THE LANGLEY PORTER CLINIC

A. INTRODUCTION

The following is a report of the progress to date of the research into the problems of sex crimes. The law authorizing this study was passed in the 1950 Session of the State Legislature and approved by the Governor. One hundred thousand dollars was appropriated with the stipulation that not more than $50,000 should be spent during the Fiscal Year 1950-51; however, these funds were not available until August 15, 1950, so that it was impossible to start any work prior to that time. Accordingly only six months have passed since work has begun. However, as soon as the law was passed, in consultation with Dr. Frank Tallman, Director of the Department of Mental Hygiene, I started looking for persons to assist in the carrying out of this project. As far back as May, 1950, I started interviewing persons for positions in this research.

It was felt that one of the first things to be done was to make a survey of the literature and to prepare a report of what was known about this whole subject, what was unknown or controversial, and from that, what appeared to be suitable and profitable fields for future investigation. With this in mind I was able to secure a person well-qualified in this type of work who has now been working steadily for about five months on this project. Unfortunately this is too short a time to render any adequate report of the literature. Such a report is being delayed until a year from now and it is my feeling that it will be possible to present a suitable report by that time.

A great deal of time has been spent in looking for someone who could carry the general administration of the research and who was a scientist of the highest ability, able to spend most of his time on this research. I have finally secured Professor A. R. Mangus, Professor of Rural Sociology at Ohio State University. Professor Mangus is an extremely well-qualified sociologist and has done a great deal of work in the field of mental hygiene. He has agreed to secure leave of absence from Ohio State University and start work on this research as of July 1, 1951.

A number of other well-qualified persons were interviewed, but the war situation has made the securing of qualified personnel extremely difficult. In order to start some work immediately, two contracts were set up with the University of California. As one approach to this whole problem, a contract was signed under which the University of California School of Medicine at Los Angeles has undertaken a comprehensive research to investigate the urinary excretion pattern of sex and related steroids as well as proteolytic and other enzyme inhibitors in the blood serum of sexual psychopaths. These studies are being carried out on sexual psychopaths committed to the Norwalk State Hospital as well as some other patients at the Camarillo State Hospital. This research is discussed later on, together with the request for the budget for 1951-52. In addition, a second contract was set up with the University of California

under which the Regents of the University of California through the Division of Psychiatry at the University of California School of Medicine in San Francisco agreed to make certain appointments and furnish certain professional personnel of academic status and furnish funds for their official travel and expenses.

Because of the interest in the problem of sex crimes against small children, arrangements have been made and a study of this problem initiated at the San Francisco Juvenile Court and Youth Guidance Center. Under contract with the University of California, two half-time psychiatrists, a full-time psychologist, a full-time psychiatric social worker and a secretary have been employed and work has already started. This work is likewise discussed in further detail later on, together with budget request for next year.

In order to find quarters in which to house the sex research, it has been necessary to erect a steel building in the back of the Langley Porter Clinic, containing six offices plus a small library room. In order to carry out the abstracting of the literature, a suitable library on this subject is being accumulated and housed in the library room. This will make library facilities immediately available to all those persons who are working on the sex research.

The six months under which funds have been available for this research have been spent in initiating a review of the literature, financing a special research under the University of California School of Medicine at Los Angeles and setting up a research team at the San Francisco Juvenile Court and Youth Guidance Center. Additional plans for research have been worked out and are described in detail as specific items in the budget requested for 1951-52.

This report contains a paper entitled "The Problem of the Sex Offender," which was the Menas S Gregory lecture given at New York University College of Medicine, Bellevue Medical Center, on January 24, 1951. This paper is an extremely brief summary of the present-day thinking about the sex problems and suggestions as to the best methods of studying this problem. This is followed by a more detailed description of the projects already under way or contemplated to start July 1, 1951, together with a budget for each one of these projects. Following this are excerpts from the California state penal and other laws regarding sex offenders. After this, there is a discussion of the problem of the sexual psychopath by Mr. A. Edward Nichols of the State Department of Mental Hygiene, together with the excerpts from the laws on sexual psychopaths.

THE PROBLEM OF THE SEX OFFENDER [1]

KARL M. BOWMAN, M.D.[2] San Francisco, California

A sex offender is anyone who breaks a law relating to sex behavior. Various cultures have differed in regard to sex laws and customs. The ancient Egyptians favored incest in the royal families as did the Incas. The Greeks made a cult of homosexuality

Our own sex laws have been greatly influenced by the ancient Jewish and early Christian codes Today the statutes within our states vary

[1] The Menas S Gregory Lecture, given at New York University, Bellevue Medical Center, College of Medicine, January 24, 1951.

[2] Professor of Psychiatry, University of California School of Medicine, and Medical Superintendent, The Langley Porter Clinic.

widely. No states permit parent-child or brother-sister incest, but there is no agreement about legal sex relations between other close relatives. In homosexual relations, the maximum penalty for sodomy, defined as male intercourse per annum, varies from 60 years in North Carolina to three years in Delaware and Virginia. (1) New York and California are two of the 16 states (including District of Columbia) having special sex laws. Several others are considering such legislation. We find that, throughout history, all cultures have enforced some sex laws and taboos. It is a mistake to think that primitive cultures have the fewest restrictions; often they have the most.

People vary in their opinion as to what constitutes normal or abnormal sexual behavior; hence we find various definitions of normal sex behavior By some, normal sex behavior is thought of as ideal sex behavior; by others it is thought of as the average behavior of the entire population. Still others might approach it from the standpoint of health, defining normal sex behavior as behavior which is healthy. And finally, there is the legal definition that any sex behavior forbidden by law is abnormal sex behavior.

Much confusion in thinking results from a lack of understanding about these fundamental concepts. For example, ideal sex behavior may mean to one religious group heterosexual relations within marriage; to another religious group it may mean only heterosexual relations for procreation within marriage. It is doubtful if physicians, including psychiatrists and biologists, would all agree as to what is healthy sex behavior. Finally, the variations in laws among the different states indicate that the legal approach is subject to the same confusion of thinking.

Despite this complexity and confusion in sexual mores, there has been some progress in our approach and understanding of this most difficult problem Thirteen years ago I discussed this problem in a symposium held by the National Committee for Mental Hygiene at their annual luncheon in New York. (2) At that time I pointed out that there was no institute in the United States for the study of sex; that there was great resistance to scientific study of the subject; and that there was apparently only one institute of this sort in the entire world Today we find one of our state universities supporting the Institute of Sex Research, and the work of Kinsey and his associates has already added enormously to our knowledge about sex. A few other institutions have supported animal experimentation such as that of Beach at Yale. It is heartening to detect a change in the general attitude regarding this matter.

We find that state legislatures are beginning to realize the necessity for scientific study of the problem of sex behavior, and that some of them are prepared to spend money and obtain the services of trained persons to work on this whole problem and to report to the legislature better methods for dealing with sex offenses. A year ago the California State Legislature appropriated $100.000 as the beginning of a long-time research on this subject. If we are to make progress in the understanding of this subject and devise better ways of dealing with the problem of sex offenses, it is important to encourage scientific study of this problem and to review carefully what is known and what are likely fields for further study and investigation

The California Legislature passed "an act to provide for scientific research into the problem of sex crimes, including the causes and cure

of sex deviates, and making an appropriation." The ideas of the California Legislature are fairly clear from a reading of Section 1 of this law, which is as follows:

> "The Department of Mental Hygiene, acting through the Superintendent of the Langley Porter Clinic, shall plan, conduct, and cause to be conducted scientific research into the causes and cures of sexual deviation, including deviations conducive to sex crimes against children, and the causes and cures of homosexuality, and into methods of identifying potential sex offenders."

It is apparent that general concern about sex crimes is focused primarily on sex crimes against small children and sex crimes of violence, with homosexuality causing a variable amount of concern.

Some legislative groups have assumed that the solution to the problem is simply to pass more sex laws and make the penalties more severe. A Subcommittee of the United States Senate has made such recommendations. Most students of sex behavior do not feel that this method of dealing with the question is likely to be of any real value.

It is important to keep in mind that sex is only one aspect of the personality and that sex cannot be completely isolated and studied apart from the rest of the personality. The methods of psychiatry have much to offer in studying the total personality. It is perhaps wise to discuss briefly some of the more common types of sex offenses.

Exhibitionism

From the standpoint of arrests and convictions exhibitionism is number one in frequency. The vast majority of exhibitionists are relatively harmless offenders; mostly they are public nuisances and sources of embarrasssments, but there is a frequent and repetitious character which is worth noting. Exhibitionists are usually men, although now and then a rare case of female exhibitionism is reported.

The biologic basis for exhibitionism appears to be the tendency of male animals to strut and show off before the females, although in the higher apes there has been reported some exhibitionism of the genitals on the part of the female as an invitation to the male to carry out sexual intercourse. In human beings exhibitionism can be regarded as a normal part of sexual foreplay. In exhibitionism, in some way or other, the emphasis is displaced, and sexual exposure becomes of maximum or sole importance to the individual. It is an obsessive compulsive type of neurotic behavior for which psychoanalysis has offered specific interpretations. The urge to expose is closely associated with voyeurism—the wish to look as well as to be looked at—and tends to appear repeatedly in the same individual. The risk and danger of arrest seem to add spice to the desire to see and to be seen.

Exhibitionism and voyeurism are not dangerous unless they occur along with more serious types of sex behaviour. It should be stated explicitly that persons convicted of serious sex crimes do not commonly begin with voyeurism and exhibitionism and work up to crimes of violence and murder. Sex offenders have the same tendency as do other criminals to stick to similar types of offense It is well known that burglars seldom become forgers, and vice versa. Such criminals stick to a particualr type of criminal behaviour; the same is largely true of sex offenders.

Homosexuality

The problem of homosexuality is extremely complex, and opinions vary as to its importance in antisocial sex behaviour. American culture has given little attention to female homosexuality and has been overconcerned with male homosexual relations. There are many variations in homosexual behaviour. One group are normally heterosexual but resort to homosexual behaviour when a partner of the opposite sex is not available. Another group of individuals are ambisexual and regularly indulge in both hetero- and homo-sexual relations and do not seek one form of sex behaviour to the exclusion of the other. A third group desire only partners of their own sex. They can be divided into two groups. One group, the smaller, regard themselves as females and often ask for castrative operations. I have records of two males, both of whom have asked for complete castration, including amputation of the penis, construction of an artificial vagina and the administration of female sex hormones. I also have two cases of females who have requested a panhysterectomy and the amputation of their breasts, together with the giving of male sex hormones, in the hope that in some way the clitoris may finally develop into a penis. Male homosexuals of this type are called "queens" and seem to differ markedly from the main group of homosexuals who are more nearly like the average man. Here we have an extremely interesting field for further investigation.

We are therefore setting up a careful plan to study a group of these so-called "queens" carrying out the studies of body build as outlined by Kretschmer and Sheldon (3), making a thorough endocrine study, carrying out a thorough psychiatric history and a mental examination, including the use of the various psychologic tests such as Rorschach, Thematic Apperception Test, Minnesota Multiphasic Personality Inventory and several others. A physical or anatomic difference in this particular group still remains possible and study either to prove or disprove this point should be made.

Viewpoints as to the causes of homosexuality vary, with resulting differences in opinion as to the chances for successful treatment.

Freud felt that homosexuality is a disorder in psychosexual development In each case of homosexuality, at any point, the development could have taken a different turn if the situation had been different. However, because of many conditioning experiences, the condition of homosexuality became fixed and the chances for cure small. During a recent visit I made at the University of Indiana, Professor Kinsey gave me a letter which Freud had written to an American mother, with permission to use it as I saw fit. This letter has been reproduced, in Freud's own handwriting, in a recent issue of the American Journal of Psychiatry. It appears to me worthwhile to present it at this time as I think it gives an excellent summary of Freud's ideas and is a most human and interesting document.

Freud Letter

"DEAR MRS._____: I gather from your letter that your son is a homosexual I am most impressed by the fact that you do not mention this term yourself in your information about him. May I question you, why you avoid it? Homosexuality is assuredly no advantage but it is nothing to be ashamed of, no vice, no degradation, it cannot be classified as an illness; we consider it to be a variation of the sexual function produced by a certain arrest of sexual development. Many highly respectable individuals of ancient and modern times have been homosexuals, several of the greatest men among them. (Plato, Michelangelo, Leonardo da Vinci, etc.) It is a great injustice

to persecute homosexuality as a crime, and a cruelty, too. If you do not believe me, read the books of Havelock Ellis.

"By asking me if I can help you, you mean, I suppose, if I can abolish homosexuality and make normal heterosexuality take its place. The answer is, in a general way, we cannot promise to achieve it. In a certain number of cases we succeed in developing the blighted germs of heterosexual tendencies which are present in every homosexual, in the majority of cases it is no more possible. It is a question of the quality and the age of the individual. The result of treatment cannot be predicted.

"What analysis can do for your son runs in a different line. If he is unhappy, neurotic, torn by conflicts, inhibited in his social life, analysis may bring him harmony, peace of mind, full efficiency, whether he remains a homosexual or gets changed. If you make up your mind he should have analysis with me—I don't expect you will—he has to come over to Vienna. I have no intention of leaving here. However, don't neglect to give me your answer.

"Sincerely yours with kind wishes

FREUD

"P. S. I did not find it difficult to read your handwriting. Hope you will not find my writing and my English a harder task."

The other viewpoint is that homosexuality is a deeply fixed pattern, either inherited or determined very early in life by physiologic factors. Midway is the opinion that homosexuality is caused by combined psychologic and physiologic factors.

Ford and Beach (5) believe that sexual inversion reflects the essentially bisexual character of men's mammalian inheritance. In their book, "Patterns of Sexual Behaviour" (4), published by Harper on February 28, 1951, they report many observations on homosexual behaviour in animals. It is the only sexual expression in a few members of each species. It is common in male and very uncommon in female animals—facts that suggest a basic inherited potentiality for homosexual behaviour. Kallmann's (5) careful study of homosexuality in identical twins, reported recently at the New York Academy of Medicine, also favors the genetic determination of homosexuality. Beach disagrees with the idea that early conditioning and social pressures largely account for homosexual expressions. He finds that the large majority of subhuman mammals, regardless of conditioning, usually prefer heterosexual to homosexual relations, if given their choice.

Anatomic studies by Sheldon have shown no primary physical feminine characteristics in known male homosexuals, but these men do have feminine mannerisms and expressions in facial and body movements.

Some workers have observed an imbalance in the androgen-estrogen ratio in homosexuals, and on this premise have assumed an endocrine basis for homosexuality. (6) All sorts of anatomic and physiologic changes have been reported and considered as causal by various observers. These reports include such different findings as abnormalities of the central nervous system, disordered basal metabolism, hypoglycemic states, etc. (7) So far all of these ideas are still unproven theories. It seems important to determine whether or not some of these ideas are correct.

Accordingly I have arranged with the Steroid Laboratory of the University of California School of Medicine at Los Angeles, to carry out a study of certain steroids and anti-enzymes in the urine and blood of sexual deviates in two of the state hospitals near Los Angeles. These studies should yield us specific information concerning the possible relationship of these steroids and anti-enzymes to homosexuality. This research has been under way for less than six months and no material is yet available for publication.

It is of interest that some of our officials in Washington have the naive idea that excluding homosexuals from government service will do away with the problem of foreign spies securing secret information. Homosexuals are no more open to seduction than are heterosexuals, and history is full of accounts of beautiful female spies who have secured important secrets from other governments by their heterosexual seductions We find that some rulers in the past have tried to make their positions safe by surrounding themselves with eunuchs, but even this device did not prevent the rulers from betrayal at times. In view of the high incidence of some type of homosexual indulgence in American males as reported by Kinsey, there would seem to be little or no chance of keeping our government offices free of overt homosexuals. If one wishes to add the group of latent homosexuals, it is obvious that we are witnessing some of the wish fulfillment thinking, disassociated from reality, which we see in our schizophrenic patients.

An amusing article in *Science News Letter* for July 1, 1950, points out that, if we apply Kinsey's figures upon the incidence of homosexuality to Members of Congress and male civil service employees, we would assume that 192 white male Members of Congress and 525,279 male civil service employees are poor security risks for this reason. The facts are that the majority of homosexuals are no particular menace to society. A small number of them, like those who are heterosexual, will attempt to seduce or sexually assault others or try to initiate sex relations with small children They are undesirable persons in the community.

Society is entitled to protect itself against such individuals whether they are homosexual or heterosexual. Homosexual seduction of children is just as important as heterosexual seduction and perhaps even more serious in its effects. Society must and should guard against it rigidly. Certain dangerous acts do occur. Some overt homosexuals, in their hunt for partners, may be attracted to latent ones who greatly fear any homosexual expression. (8) Relations of this kind often end in atrocities which may be against children and youths.

Fetishism

Ordinarily the perversion of fetishism is harmless. There are occasions, however, where it appears to be the beginning of a more serious type of sex abnormality, in which murder and mutilation may occur.

It is not well understood in what situations fantasy passes over into action In the well known Chicago case, Heirens at age nine used female underclothing as a fetish. (9) Later, the act of *breaking through a window* to obtain feminine garments excited him greatly and often resulted in orgasm. By the age of 17 he had committed 25 burglaries, one robbery, one assault to murder and three murders, including a kidnaping. During these crimes the least noise might set him off; and he might kill. To Eissler (10) it is incredible that parents, teachers and priests did not suspect the many rich gifts, clearly beyond the youth's means, and that they ignored other signs. Heirens' wall daubing, "For heaven's sake, catch me before I kill more, I cannot control myself," Eissler considers a genuine plea for help.

Sex Offenses Against Young Children

Sex offenders against young children are a very serious social problem. In a very few cases the sexual attack on the child may be based on some superstition, as, for example, the idea that intercourse with a virgin, preferably a child under seven, cures venereal disease. (11) In the majority of cases, however, the men are over 40 years of age A large percentage of them are impotent, either relatively or absolutely. In many of these cases it appears that the individual feels inadequate to approach a full grown woman, but is able to get more or less vicarious sex pleasure through some kind of sex play with the small child. In homosexual acts with small children this may not be the case. In many of the older men involved in sex offenses toward little girls, it appears that the behavior is the evidence of an early senile or organic brain change, in which the ordinary controls and inhibitions are becoming lost. A great many of these men have had unblemished reputations so that these offenses could not have been anticipated

The harmful effects of such sexual relations to the child victim have been at times exaggerated. Bender and Blau's (12) excellent study at Bellevue Hospital of 16 children, aged 5 to 12, who had sex relations with adults showed less fear and guilt in the children than expected. The immediate harmful effect was mainly interference with the child's education and other juvenile interests The child's greater than usual preoccupation with sex hindered school advancement For later effects these writers cite Rasmussen's Danish study of 54 women who had been child victims of convicted sex offenders Only eight had serious emotional abnormalities in adult life and in these the early sexual trauma was not judged an important factor.

Incest, more common than generally thought, is most frequent between father and daughter and between brother and sister. It is extremely rare between mother and son Many reports stress such socioeconomic factors as very large families and bad living quarters as important causes.

The Victim

A study of sex crimes against children can achieve no adequate, complete understanding without a thorough psychiatric study of the child and the child's family, as well as a full study of the offender My own experience with these cases at Boston Psychopathic Hospital and at Bellevue Hospital, together with Doctor Bender's work, leads me to emphasize two ideas· first, that often the most harmful effect of sex offenses to the child is the attitude of the family and associates; second, the question whether the crime is 100 percent the fault of the offender or whether in a considerable number of cases the child may have contributed more or less to the situation and have some degree of responsibility for what occurs Bender noted that several of the 16 children in her study did not resist, but even invited or initiated sex relations In two studies (13) of statutory rape, the sexually delinquent minor girl was a more important psychiatric problem than the nonpsychotic male offender.

It is important that a number of cases from which to draw statistical conclusions about the effect of the sex experience on the child, and also the degree to which the child contributed to the act, be considered in a study.

In order to answer these questions, we are setting up the usual team of psychiatrist, psychologist, and psychiatric social worker in San Francisco's new Youth Guidance Center, which also houses the Juvenile Court.

The officials of this Juvenile Court, the Probation Department, and all those connected with this Youth Guidance Center have been most friendly and cooperative, and have indicated their desire to work with us and help solve these problems. We hope eventually to have some worthwhile statistics on this subject.

Murder

Observers estimate that genuine sex murder is rare, perhaps 25 to 100 cases a year in the whole Country. (14) In a few cases, as noted, homosexual panic may lead to a sudden homicidal assault, or assaults on children by adults may end in murder. Psychiatrists have noted that some passive, effeminate boys may try to assert themselves by criminally aggressive behavior. MacDonald (15) warns that superficial investigation often intensifies these impulses and may lead to murder This trigger-quick aggressiveness was found in a study of 14 male murderers of girls or women. (16) Cushing (17) points out that a sex case involving forceful rape or death after sexual relations is not, per se, a sexual offense, but primarily a crime of forceful assault or of murder.

Miscellany

Other sex offenses include sex relations with a corpse and bestiality Kinsey's figures (18) show that 8 percent of all males and more than half of the boys raised on farms have some type of sexual contact with animals. Frequencies vary from once or twice in a lifetime to several times a week for some years. The incidence is very high in some western areas. Legal codes usually rate these acts as sodomy; the penalties vary In California the maximum penalty is 20 years. This over-valuation of animals may have some connection with the fanaticism of antivivisection. It is possible that the same forces which cause antivivisectionists to attempt to stop medical progress and allow diseased children to die, rather than subject a few animals to laboratory investigation, likewise motivate the high penalties for bestiality.

Lack of time prevents a discussion of the types of heterosexual relations forbidden in many states, even if the couple is married and both are willing partners in the act. Such behavior is without effect on the rest of society and is even recommended as a part of the foreplay in most of the standard books regarding sex relations in marriage.

Diagnostic Tests

A small literature is accumulating on diagnostic tests helpful in differentiating sexual deviation. Several studies (19) have indicated that content analysis of Rorschach tests has value In male homosexuality, derealization and dehumanization, with confusion as to sex identification, appear; also human movement and a high percent of sexual content responses, along with responses concerning feminine apparel, behavior and attributes. A selective vocabulary test is claimed to score homosexuals significantly. (20)

Guttmacher (21) reports Rorschach studies, as yet unpublished, that delineate a passive approach in exhibitionists; color predominates over movement; and there are signs of a vague, uncreative personality, with

some depersonalization. In the rapist there is more control, surface restraint, with many movement responses and inner compulsiveness. The man is unsocial and allows tension to accumulate to the point of explosiveness. Fantasies of violent penetration and forced intercourse recur the test battery.

Some workers advocate the electroencephalograph as a diagnostic aid Significant correlation appeared between unspecific abnormal EEG's and the capacity to commit violent, apparently motiveless acts, although EEG's were normal in three cases of sex murder. (22) An epileptic equivalent is suspected in crimes of extreme cruelty committed late in life. (23) In a series of thefts of compulsive nature committed by homosexuals the EEG was thought to locate toxic-organic factors. (24) However, Giggs (25) and coworkers found that subclinical forms of epilepsy and organic brain disorder did not significantly contribute to crime in sane patients No correlation appeared between abnormal EEG's and sexual behavior disorders in a series of children's cases. (26)

Gioscia (27) claims that the absence of the gag reflex "in the absence of an organic lesion, hysteria, or paralysis, is a definite indication that fellatio has been practiced." In his figures, however, he reports a negative gag reflex in 36% of cases of drug addiction and 18% of cases of schizophrenia.

Treatment

All treatment must start with a thorough psychiatric study of the offender, and in many cases, of the victim. Sexual psychopathy is but one aspect of the whole personality and any type of treatment must take into account the total personality. At the present time it must be admitted that the results of treatment are, on the whole, unsatisfactory. There is great need of developing better and simpler techniques. If mere detention is society's main protection against the offender, then imprisonment is more efficient than hospitalization, as some criminologists have noted.

Attempts should be made to determine exactly what cases require institutionalization. Certain cases of fetishism, some of the aggressive, seductive homosexuals and sex offenders against children who show either the extreme compulsive, repetitive type of behavior or early signs of organic brain disease, should be segregated for the protection of society.

If one is interested in trying to help the offender to establish a more normal sex life, it is obvious that the ordinary imprisonment will not serve the purpose; particularly is this true in regard to homosexuality. Segregating a male homosexual for months or years in a prison where he will see only other men and where he will be often isolated with a group of other homosexuals can hardly result in anything but reinforcement of the homosexual tendencies.

In general, one may divide the methods of treatment into psychologic methods and physiologic methods. To those who feel that sex deviations are brought about according to Freud's ideas, an orthodox psychoanalysis may seem the best and, in fact, the only possible way of treating the patient successfully. Granting the most extreme claims of any of the Freudians, even assuming that they could cure every patient and increasing the number of psychoanalysts tenfold, one would find that even if the psychoanalysts devoted themselves exclusively to these problems, the

cures would be so few in number that the whole problem would be relatively unchanged.

Various types of short techniques and group psychotherapy have been tried by many with some varying results. Bromberg feels that he has been able to attain certain results with psychodrama where other techniques have failed. One might sum it up by saying that all the standard techniques of psychotherapy have been used in the treatment of sex offenders without a very impressive result. We have a second group who feel that the approach should be primarily physiologic and who have reported results of treatment by hormonal injections, castration, convulsive shock therapy and brain operations such as lobotomy. A variable degree of success is claimed by those reporting these types of treatment. It would seem somewhat easier to check the value or lack of value of these physical methods of therapy and it is suggested that a number of pieces of worthwhile research might be carried out in this field.

Since in California certain courts have agreed to place a sex offender on probation if he submits to castration, it seems to me that we have an excellent opportunity here to carry out a number of basic studies both psychologic and physiologic. If we can obtain a number of these prisoners prior to castration and carry out a most thorough and intensive psychiatric study, including the use of standard tests such as the Rorschach and Thematic Apperception tests, and if we also work with the endocrinologist who can carry out a most thorough endocrine study with hormone assays, we can then repeat all of these studies after castration and acquire a large number of data bearing on this whole subject.

Another point of special interest to the psychiatrist is to try to determine why one individual indulges in sex fantasies but does not carry them out in actual behavior, whereas in another individual the fantasies break through into overt acts. This may be closely linked up with the fact that the normal individual has a rich fantasy life, but never confuses fantasies with reality; whereas in certain mental disorders, particularly in schizophrenia, one often sees the fantasies breaking through with all the forces of reality, and the patient living out his fantasy life as if it were real. Determining what factors cause the difference between fantasy and overt behavior might be of great value in helping to solve this problem.

CONCLUSIONS

From my brief survey it is clear that the whole problem of the sex offender is a most complicated one and involves many fields. All attempts at better diagnosis, treatment and prevention will require many years of cooperative research by scientists from many different fields. There is no one over-all way of attacking the problem. Rather one must attack individual facets. It is possible to pose a series of specific questions to which there is reason to believe we can get specific answers. By setting up more and more of these researches which will attack limited phases of the problem and by securing answers to such phases, we can hope eventually to be able to throw these answers together and by combining them obtain a solution to this problem.

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ACT PROVIDING FOR SCIENTIFIC RESEARCH

An act to provide for scientific research into the problem of sex crimes, including the causes and cure of sex deviation, and making an appropriation.

Act 6265a. Sexual Deviation Research Act

Section 1. The Department of Mental Hygiene, acting through the Superintendent of the Langley Porter Clinic, shall plan, conduct, and cause to be conducted scientific research into the causes and cures of sexual deviation, including deviations conducive to sex crimes against children, and the causes and cures of homosexuality, and into methods of identifying potential sex offenders.

Sec. 2. Upon the recommendation of the Superintendent of the Langley Porter Clinic, the Department of Mental Hygiene may enter into contracts with the Regents of the University of California for the conduct, by either for the other, of all or any portion of the research provided for in this act.

Sec 3. It shall be the duty of each state agency to cooperate with the Superintendent of the Langley Porter Clinic, or with the University of California, as the case may be, to the fullest extent that the facilities of such state agency will permit without interfering with the carrying out of the primary purposes and functions of such state agency.

Sec. 4. The Superintendent of Langley Porter Clinic shall make a written and detailed report of the activities and studies under this act and his findings and recommendations relating thereto and file the same with the Governor and the Legislature not later than March 1, 1951. In this report said superintendent shall outline such further research program as he deems it desirable to undertake and shall outline the more promising avenues of research. Said superintendent may include in such report such bibliography of materials for study as he deems appropriate.

Sec. 5 The Department of Mental Hygiene with the approval of the Director of Finance may accept gifts or grants from any source for the accomplishment of the objects and purposes of this act. The provisions of Section 16302 of the Government Code do not apply to such gifts or grants and the money so received shall be expended to carry out the purposes of the act, subject to any limitation contained in such gift or grant.

Sec. 6 There is hereby appropriated out of the General Fund in the State Treasury one hundred thousand dollars ($100,000) to be expended by the Department of Mental Hygiene in carrying out the provisions of this act, not more than fifty thousand dollars ($50,000) of which shall be spent in any one fiscal year.

DESCRIPTION OF PROJECTS

1. Sociological Survey—Sex Research

A practical method, it seems to me, of dealing with the whole problem of sex offenses is to make a survey of exactly what is being done in the State of California at the various governmental levels.

As the Subcommittee on Sex Crimes pointed out in its preliminary report, the sexual psychopath laws have been very little used in the past 10 years. It suggested that attitudes of prosecuting officers and judges toward enforcement of the act; the sex offender's refusal to cooperate in medical and psychiatric examinations; the lack of available state institutional facilities for custody and treatment of sex offenders, and awareness of this fact by enforcement officers; and the difficulty of making a practical diagnosis of sexual psychopathy before one or two prior convictions are all reasons why the "sexual psychopath" acts have

been little used. Limiting operation of the law to second-conviction offenders has meant missing a large number of sex offenders, and this omission also affects the reported rates of recidivism or repeaters.

The subcommittee also stated that the first of three major areas for research in the sex crime problem was the administration of justice. The subcommittee noted that no information exists as to what is the reaction of the victim to a sex crime, what damage does he suffer, and what causes this damage. Are victims of sex crimes of any particular type of personality? Are crimes liable to occur in certain localities or danger spots in the community? These questions are without answers.

In considering the administration of justice, the subcommittee found also that enforcement officials behaved variously when faced with a sex crime. Some prosecuting officers and judges do not consider sex offenders as "patients needing treatment" and sexual psychopath laws may be used only when evidence is insufficient to support a criminal conviction. The methods of police in making arrests, the prosecution of sex offenders, with gathering of evidence and determination of charges, the handling of the few trials and the disposition of the convicted defendants—all these vary widely in different sections of the State.

It is not known what are the common types of sentences being used under the Indeterminate Sentence Law, nor what use is being made of probation and parole. It is especially important to find out which probation and parole practices are most successful, and what kind of personnel functions best in work with sex offenders

Finally, in the administration of justice, it is highly important to know how the offender reacts to arrest, prosecution, imprisonment or fine, probation, etc. A study might show which processes of law with accompanying treatments do most to deter the offender from further crime.

For these reasons I have arranged for an experienced sociologist to make an extensive survey of typical sections of the State, to see what are the actual situations and practices concerning sex offenses. Professor A. R. Mangus, of the Rural Sociology Department at Ohio State University, will be in charge of this work.

The subcommittee received various recommendations from outside sources during the hearings These recommendations centered on topics of research, education, possible changes in statutory law of sex crimes, better law enforcement and systems for detecting dangerous sex deviates

Numerous recommendations concerned ways in which parents, schools, physicians, judges and police officers might participate. It was felt that special training for teachers and police officers would help in spotting children with such personality disorders as require help of child guidance centers and counseling services Participation on these levels would help to develop in the American public a new attitude toward sexual matters and to educate the public in better cooperation with law enforcement officials.

I believe that no real advances can be made in either public attitudes toward the problem of sex crimes nor in adequate law enforcement until we know from thorough surveys of the subject exactly what the situation in California is.

The subcommittee concluded, as the result of its extensive investigations and hearings, that a number of factors interfere with successful law enforcement. Often the public, especially the victim's family and neighbors as well as the victim, fail to support law enforcement. They are unwilling to report sexual attacks or to give necessary evidence. Many law enforcement agencies lack the trained personnel to conduct proper investigations of sex offenses. The attitudes of judges and juries further affect the present low rate of convictions, it is believed.

It is especially important to know whether the Registration Act (California Penal Code, Section 290) is being utilized to keep track of offenders, and if not, what are the reasons for inadequate use. It would also be useful to know to what degree a resolution passed by Special Session of the Legislature in 1949 is being carried out. This resolution directed the Superintendent of Public Instruction to disseminate to school personnel, pupils, parent-teacher associations and other educational groups specific instructions regarding precautionary safeguards for children, against sex offenses.

The subcommittee concluded that the press can help greatly in cooperation with law enforcement and education agencies. A study might well be made to determine how well newspapers in the State have accepted their responsibility for better education of the public in what are the facts about sex crimes.

Another field for careful investigation is the attitude of judges, district attorneys and other law enforcement officials toward the question of minor sex crimes. As I pointed out in my Gregory lecture at Bellevue Medical Center, sex offenders do not begin with some minor sex offense or nuisance like exposure and work up to murder. Sex offenders, like other criminals, tend to stick to a particular type of offense. It would be wise to establish, by carefully validated follow up studies, this observation, so that such relatively minor offenses would not receive unduly harsh sentences as a prevention against the development into more serious crimes.

Related to this study would be that of the effects of treatment. It is the observation of experienced physicians that various minor sexual offenses committed by adolescents tend to resolve themselves without treatment other than that usually given by probation officers and the courts. A study of a sufficient number of such cases to see what are the after effects would be a valuable guide for courts in the future.

I feel that the different aspects of such a study of the various agencies in the State, to be undertaken by Professor Mangus, would greatly illuminate the problem of sex offenses and would bring to light many points on which we could concentrate in our program of research in diagnosis, treatment and prevention.

2. *Investigations in the UCLA Steroid Laboratory*

The extremely complex problem of homosexual relations has a variable amount of importance in the class of serious sex crimes.

Some investigators believe that homosexuality may become a fairly normal sexual expression in certain individuals if it is found without other marked mental or physical abnormality. American culture tends to give too little attention to female homosexuality and to overemphasize the dangers of male homosexuality.

A small number of homosexuals do commit serious sex crimes. Some of them attempt to seduce or sexually assault others; or try to induce small children to participate in some kind of sexual relationship. Studies have also shown that passive, effeminate youths in attempting to assert themselves and to overcome strong homosexual drives may engage in criminal aggressive behavior. There is also the danger that overt homosexuals, ordinarily harmless and friendly, may in their hunt for partners be attracted to latent homosexuals who both desire and fear homosexual expressions. Relations of this kind may end in atrocities and homicide, which may be against children or youths. Penologists have also found that in prisoners thrown together for long periods an occasional homosexual panic results from the prisoner's growing awareness of and defenses against his homosexual strivings, and murder may result.

Research has thus far failed to show the causes of homosexuality. Some studies point to inherited constitutional factors. A recent careful and detailed study of homosexuality in both identical and fraternal twins favors a genetic or hereditary determination of homosexuality. Other investigators have noted disorders of metabolism or physical abnormalities and diseases of the central nervous system as bases for homosexual behavior.

A great many studies have indicated some endocrine imbalance in homosexuals. The varying amounts of secretion by the sex glands; the chemical balance between the sex glands and other glands; and other studies in psychosomatic interrelations with homosexuality have led me to believe that disturbed gonadal secretion may be a possible factor in homosexual behavior. Refined methods of investigation offer a chance to bring in new and conclusive evidence in this much discussed somatic approach.

Study of Certain Steroids. I therefore arranged for biochemical and endocrine studies of certain steroids and antienzymes in the urine and blood of sex deviates in two state hospitals near Los Angeles. This work has proceeded for less than six months in the Steroid Laboratory, under the direction of Dr. Stafford Warren, Dean of the University of California Medical School at Los Angeles. Although the time is too short for conclusive results, the work already indicates certain trends.

Progress in these studies on certain steroids and antienzymes in the urine and blood of sex deviates has been reported by Dean Warren.

The object of the one study is to determine whether an imbalance between male and female hormonal substances exists in the urine and blood of sex deviates. This has involved the perfecting of more accurate methods than previously existed, for the extraction and measurement of hormonal substances.

A preliminary study has been carried out on the oxidation in the presence of light of three slightly different crystalline estrogens: estrone, estradiol and estriol—female hormonal substances found in differing quantities in both females and males. It has been demonstrated that crystalline estrogens are rapidly destroyed when they are exposed to light in the presence of such naturally occurring flavins (water-soluble pigments) as riboflavin, a part of the vitamin B complex The estrogenic steroids in the urine and blood are known to be mixed with appreciable quantities of flavins. Studies are now in progress to determine whether

these estrogenic substances, when they reach the urine and blood, are destroyed during oxidation in the presence of light.

This highly technical procedure means that unless the process of oxidation is specifically determined it is impossible to measure accurately the amounts of estrogenic substances excreted in urine and found in blood. These new and refined methods are being applied to the extraction and separation of estrogens in urine.

Application of the new extraction methods has so far shown that current methods for extracting and measuring estrogens and possibly other steroid substances in urine and blood are subject to errors. Some published studies have reported the absence of substances because the method used did not permit demonstrating their presence. It is thus impossible to attempt a clinical study of the biochemistry of sexual psychopaths or of homosexuals without perfecting accurate and reliable methods for determination of steroids in urine and blood.

In the last two months the investigators have developed a method for separating and measuring the quantities of the three natural estrogens. It involves passing the substances through a column of an organic resin on which they are selectively absorbed. Preliminary work shows that this selective technique can be used to purify not only the naturally occurring estrogens, but also certain related steroids.

Further application of the above technique for extracting from urine and measuring both estrogens and androgens (the male hormonal substance) is considered a part of the program for the coming year. Development of this method should prove most valuable in studying the excretions of both phenolic and neutral steroids by sexual psychopaths and homosexuals, in order to determine whether their biochemistry differs from that of normal individuals.

It is hoped that a thorough study of the variations in the quantity of these substances excreted over a period of time will show some correlation with the status of the mental and emotional disturbance. Such correlation would permit better understanding of causes and would offer a basis for possible treatment.

Enzyme Inhibitors Program. The second study concerns presence or absence of antienzymes in the blood that may distinguish mental disease.

Several studies are now in progress on sexual psychopathy, schizophrenic psychoses, psychoneurotic states and reactions to stress. They are being made at the University of California at Los Angeles and at two hospitals, Norwalk State Hospital and Long Beach Veterans Administration Hospital.

These studies are not yet complete, and sufficient control studies have not been carried out. Results so far indicate that methods are being obtained by which it will be possible to describe biochemically these specific personality disturbances and reactions. This means that standardization of the tests will enable one to determine the presence or absence of psychosis, psychopathic personality and psychoneurosis All studies have been carefully compared with those of control groups, with the exception of studies on a group of 30 sexual psychopaths at Norwalk State Hospital. In this group preliminary observations indicate a wide variation of mental and biochemical states.

In some 70 psychotic patients of several types, observations indicate a high correlation between the psychiatric and biochemical-enzymatic findings. These findings suggest an intimate relation to the field of stress physiology, especially as related to pituitary-adrenal metabolism.

There is good reason to think that more extensive studies of so important and heterogeneous a group as sexual psychopaths might very well produce information of significant diagnostic value. Such a diagnostic method would permit reliable separation of these individuals into definite groups for treatment.

The work of the two programs has also begun to show important correlations. For this reason, Dean Warren believes that continuation of the research programs for another year would be extremely worthwhile.

3. *Projected Plan for Endocrine and Metabolic Investigation of Sex Offenders*

Psychiatrists have pointed out possible psychologic causes for homosexuality, as for example an arrest in the individual's psychosexual development. It has long been noted that one group of individuals resort to homosexual behavior only if female partners are lacking and revert to heterosexual behavior as soon as females are available. Another group, apparently ambisexual, find satisfaction in either homosexual or heterosexual relations, without much preference The third group definitely desire partners of the same sex, but fall into two subgroups. The smaller group, if males, consider themslves female, and actively seek plastic surgery to make themselves over into women. A few parallel cases exist in women who try by Amazonian methods to amputate breasts and evolve male sex organs.

The male homosexuals of this subgroup are called "queens" and because of apparent differences from the main group of homosexuals offer an excellent field for further investigation. I am accordingly setting up a careful plan to study a group of these so-called "queens." The studies will include careful measurements of body build as outlined by Kretschmer and modified by Sheldon; thorough endocrine studies; an extensive psychiatric history and mental examination, including such psychometric and personality tests as Bellevue-Wechsler, Rorschach, Thematic Apperception, Minnesota Multiphasic Personality Inventory and several others. It is quite possible that definite anatomic, physiologic and other somatic differences exist in this group, and these studies may well prove to be of great importance not only in distinguishing this small group, but in throwing light on the mechanisms in other homosexual behavior.

Similar methods of endocrine and metabolic investigation should also be applied to castrates. Far too little is known about the immediate and later effects of castration. In addition such knowledge will help in the understanding of various sexual abnormalities.

Investigators in the departments of endocrinology and pharmacology at the University of California School of Medicine at San Francisco have already made a start in demonstrating effects of the sex hormonal substances upon measurable functions of the brain. It is now feasible to measure quantitatively the way in which brains of human subjects react to male and female hormonal substances. Observations are made after these compounds are administered intravenously by a new method.

The plan for endocrine examination of male homosexuals would involve examination of a large enough number of passive and active male homosexuals in penal institutions of the State to permit statistically valid evaluation of the endocrine constitution of this group. The careful physical examination would include data on the type of body build, photographic records and clinical evaluation by an experienced endocrinologist, to determine whether any physical trends diverge from the normal. The clinical examination would be based on measurement of hormonal substances by chemical methods; an ACTH test, to determine adrenal cortical reserve; observation of any qualitative differences in the direction of so-called feminine patterns; measurement of brain metabolism (oxygen, carbon dioxide, glucose, galactose and electrolytes); and responses of this measurable brain metabolism to three pure hormonal substances: male hormones (testosterone), female hormones (sodium estrone sulfate) and corticoid type (desoxycorticosterone glucoside).

Attempts will also be made to determine whether any of these objective facts can be correlated with the type of behavior shown by these subjects. In addition to the organic studies, psychologic and psychiatric evaluations will be made.

In the study of effects of sex hormones upon the metabolism of the human brain, preliminary studies have been carried out by Dr. Gilbert Gordan and coworkers. These investigatory studies progressed from observations on the rat brain in a test tube to those on intact rats and later to those in man. The lack of castrate men has hampered the study, as has the lack of technically suitable hormones, except for adrenal corticoids, which are water-soluble. Recently the use of pure sex hormonal substances has been made practical. A statistically significant group of castrate men has been located.

In the projected plan, the cerebral metabolism of sex offenders will be studied by the Kety technique. This includes studying the body's utilization of oxygen and glucose, the production of carbon dioxide and galactose and any electrolyte changes which may occur before and after castration. It is planned to study how the brain metabolism responds to male, female and corticoid hormones in individuals before castration; after the effects of castration have appeared; and after castrated patients have been maintained on short-term courses of hormones. Psychologic and psychiatric studies will accompany these studies at all stages. It might be desirable to include study of the effects of female hormones upon aggressive male offenders.

The purpose of the study is to correlate all the objective brain metabolic phenomena with the types of behavior and psychologic manifestations in male homosexuals. That is, there is already some indication that a person's behavior is directly related to the amounts of secretions of the several sex hormones and their interrelation with other glandular substances. It is believed that a more exact biochemical description of male homosexuals will go far toward the understanding and later toward the control of abnormal behavior in these persons

4. Psychiatric and Psychologic Study of the Juvenile Victim and His Immediate Environment

In talking with the legislative committee on this subject, I found that the members are concerned primarily with sex crimes of violence and with sex crimes against young children.

A large proportion of offenders against children are men above 40 or 45. In many cases the older man who approaches sexually small girls or boys has been of good reputation. The offense may be the first sign of certain organic senile changes which weaken inhibitions or cause feelings of inadequacy. The elderly man may then hunt out a small child as being less experienced and discriminating in sex relations than a grown woman would be.

From the very few careful studies on this subject and from my own considerable experience, two aspects of the problem strike me forcibly. The child may not always be an unwilling victim, or other factors in the child and his family situation may lead to his being approached. Second, even if the child is largely an accidental victim of sexual advances, the supposed harm to the child may be exaggerated.

Let us look for a moment at each one of these ideas

A few isolated studies have shown that the child victim of sexual approaches may be at times a not unwilling collaborator. At other times the child may play a more active part than is generally supposed Sometimes the family situation may influence the child to seek a type of sex adventure. In Bender's excellent study of 16 children seen at Bellevue Hospital who had had sex relations with adults, several children did not resist but even invited or initiated the sex contacts. In some cases the use of force did not fully account for the frequent repetition of the sexual acts. In one study of 250 nonpsychotic men charged with sex offenses, their psychiatric status seemed less abnormal than was that of the minor girls involved in the sex episode.

As to possible exaggeration of harm to the child victim, observers have noted less fear and guilt in child victims than might be expected. Bender noted in the 16 children of her study that the immediate harmful effect of sexual contacts with adults was interference with the child's training and education The child tended to become preoccupied with sex and to assert too early independence from parental or adult authority.

In a Scandinavian study of 54 adult women who had been child victims of convicted sex offenders, serious emotional disorders were seen in less than a seventh, and these could not be traced to the early sex trauma

With these facts in mind I have discussed this whole problem with the authorities at the San Francisco Juvenile Court and Youth Guidance Center. The authorities there have been most cooperative and as a result, we have set up a team, consisting of two half-time psychiatrists, a full-time psychologist, a full-time psychiatric social worker and a secretary Office space for this group is being furnished at the Youth Guidance Center.

The first study to be made will be an attempt to determine the role of the victim in the crime. To what extent did the child resist sex advances, passively accept them, or even initiate or aid in the sex behavior? Would an increased knowledge of the psychology of such children aid in the over-all prevention of such offenses? Male and female children in age groups of 5 to 13 will be studied. This group will include all children who

have been tampered with sexually by older persons, who have been forced to participate in some other way sexually with older persons, or who have been forced to witness sexual exposure or be themselves exposed. Attempts will be made to study the child's family setup, and if necessary, such important persons in the child's environment as teachers, friends, playmates and relatives. The psychologist will give a battery of tests, including both tests of intelligence and of personality. A special room has been set up for play technique studies with the child.

It is hoped to obtain cases to make careful observations and to draw statistical conclusions which should be an important and worthwhile contribution to this whole problem. It is anticipated that as time goes on, this research may extend to a further study of the sex offender and may include treatment for the child and his family and for the sex offender himself.

5. Abstract of the Literature

It seems wise to survey the entire field of a designated problem, in order to make clear just how much is known and how much is unknown. Often it is not clear at the start what the central point is and what are factors of less importance. It is also exceedingly valuable, in allocating workers and moneys, to confine investigations to those areas which have been little explored or in which few or no conclusive results have emerged.

I have therefore consulted with several directors of research in sex offenses in other states. In October I spent some time with Professor Kinsey in the Institute for Sex Research at the University of Indiana, and reviewed with him the many approaches to the problem that are now in progress. Insofar as possible I have avoided all duplication of other well-conducted studies.

One basis for studying the problem of sex offenders is a survey of the literature which has accumulated on this subject. An extensive review of the literature is now under way, and with a few interruptions has gone forward for about five months. The review has covered publications of about the last five or six years It is our intention to review all the pertinent work published in this Country and as much as possible of that abroad, during the past 20 or 25 years.

The material has been found to cover estimates of the incidence of sex offenses in the different states and countries. The type of legislation enacted and the enforcement of such enactments are discussed. A large amount of material has been found to cover the different types of sex offenses, graded as to degree of seriousness or danger to the community, with detailed discussions of all possible causes of such sexual misbehavior. Some valuable information concerns the biologic basis for the varied modes of sexual behavior in animals, particularly in the higher mammals, and the possible application of this knowledge to human expressions.

Perhaps the largest amount of material has to do with treatment. Physical therapy of the various sex offenses is shown to include administration of hormones; castration; brain surgery such as lobotomy, and insulin and electroshock treatments. The psychologic approach to treatment has centered mainly on psychotherapy of more or less extensive degree in intensity and length of treatment Many claims are found for the success of group psychotherapy. Different ways of combining sex offenders for group psychotherapy, psychodrama and other devices in

educational and occupational therapy are described. In the field of the different types of sexual behavior and their incidence, the work of Kinsey is of course monumental, and offers many valuable guides for comparisons between so-called normal and abnormal sex conduct

Collection of books for a small library on sex offenses has begun. It is planned to build up a small working library of important and basic books in the field. Subscriptions to several magazines on the subject have been sent in.

It is hoped to incorporate this review of the literature into a comprehensive survey of sex offenses, to be published later in monograph form. This study should cover the list of what comprises the important sex offenses, so far as the protection of society is concerned, what the various states and countries are doing about the problems, and what is so far known about their causes, treatments and prevention. Consideration of the survey, when it is completed, ought to point to neglected fields of exploration and to new and fruitful areas for further research.

6. General Executive and Administrative Setup

All the correspondence of the sex research unit, requisitions and ordering and checking of supplies are handled by a secretary-clerk. The work of ordering books and supplies for the sex research library and of maintaining this library is another duty. Under supervision, the secretary performs such varied clerical work as recording data, preparing reports and keeping extensive accounts. These include accounts of all general expenditures and other financial matters and records of the property of the sex research project.

Under direction, the secretary may write letters independently, meet the public and supervise small groups of clerical employees. Reports of state and university employees (except those in special projects), their working time and employment records, are kept by the secretary.

7. Research in Treatment of Homosexual Males (By the Department of Psychological Medicine, University of California, Berkeley)

The purpose of this research is to investigate such psychologic factors in homosexuality as the personal, familial, social and cultural histories of patients. Preliminary application of this method to a small group of homosexuals has demonstrated the practicality and worth of the study.

The methodology consists in verbatim recordings of all interviews with the patients, in order to avoid any distortion of the basic material. Study of an adequate number of patients would obtain useful facts that apply to large numbers of homosexuals. Previous studies have depended too greatly on intensive research of single cases. The same techniques would also be applied to a control group of nonhomosexuals. Comparisons between the two studies will thus allow compilation of useful data which apply only to male homosexuals Enough lines of approach will be used so as to cover the many different factors and their varying degrees of involvement.

A group of 30 homosexual men will constitute the study. Of these, 20 will be chosen from voluntary applicants at the clinic who wish treatment for homosexuality, and 10 will be selected from known homosexuals

in the Bay area. For controls, 20 voluntary applicants to the clinic who present a random group of other personality problems will be chosen.

Data to be collected from all subjects will include a comprehensive personal history, together with a most detailed study of all possible family attitudes and interrelationships, as well as the social, economic and educational status of the subject and his family. Because many hints appear as to the possible role of political and religious systems of value, or the racial or national background and other related social traditions, these topics will be thoroughly investigated, almost for the first time.

Psychologic tests will include the standard projective tests such as the Rorschach Test and Thematic Apperception Test, and also techniques of playing games that allow personality peculiarities to emerge. These permit evaluation of personality trends. The Minnesota Multiphasic Personality Inventory will be used as a standard means of helping to establish psychiatric diagnosis. A newer test which has great promise of distinguishing homosexuals from nonhomosexuals, regardless of the patient's wish to conceal his sexual tendencies, will also be used.

Thorough collection of these data upon a large enough number of cases would necessitate a three-year period of study, and would require a psychiatrist, two clinical psychologists, a half-time research assistant and a full-time transcriptionist.

Results of these studies should greatly add to the more accurate diagnosis of types of homosexuality and its treatment.

ANNOUNCEMENT

Mr. Geddes announced that on April 23d and 30th, workmen's compensation bills will be set for hearing in the Committee on Finance and Insurance.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—At 8 p.m.—

Education, in Room 432.
Municipal and County Government, in Room 426.

Today Upon Adjournment—

Conservation, Planning, and Public Works, in Room 426.
Manufacturing, Oil, and Mining Industry, in Room 432.
Subcommittee on Claims, in Room 430.
Governmental Efficiency and Economy, in Room 435.

Tomorrow, Thursday, April 12th, At 9.15 a.m.—

Subcommittee on Rules, in Room 319. Subject: Assembly Joint Resolution No. 38.

It was announced that the following committee would hold no meeting tonight:

Constitutional Amendments.

Next Wednesday, April 18th, At 8 p.m.—

Constitutional Amendments, in Room 435.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. McCollister, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. W. L. Lippincott of Santa Rosa, Mrs. David Davini of Cloverdale, and the following pupils from Sonoma County High Schools: Carmela Vella, Sonoma High School; Valerie Saput, Sebastopol High School; Joyce Russell, Santa Rosa High School; Ruth Oakleaf, Healdsburg High School; Edwina Gerrits, Petaluma High School; Eleanor Peterson, Cloverdale High School; Cordell Bertolone, Ursuline Convent, Santa Rosa; and Joan Davini, Cloverdale.

On request of Messrs. Parker and McFall, the usual courtesies of the Assembly for this day were unanimously extended to the following pupils of the Stockton College: Bill Bowerman, Sara Carreno, Stanley Duke, Harlean English, Susan Fosgate, Janet Hern, Donald Knutson, Elaine Low, Lillian Mayeda, Mary McCain, Richard Oswald, Barbara Peterson, Leila Reddin, Howell Runion, Ruth Rutledge, Charles Templin, Joan Valentine, Barbara Vote, Phyllis Walker, Melton Waller, Charles Wiseman, JoAnne Wong, Jack Devencenzi, Bob Day, Don Doss, Norman Kroll, Bernard Humphreys, Elsie Bamuelds, Wilma Cassidy, Huey Conner, Vernon Dander, Dolores DeCarli, Earline Flowers, Margaret Fujiliara, Oma Galfin, Max Griffin, Robert Hudson, Ella Mae Johnson, John Kim, Ronald Koon, Lois McGuire, Shirley Moody, Helen Mosqueda, Nancy Nishimoto, Barbara OKubo, Peter Palermo, Elsie Peterson, Ester Ramos, Betty Robinson, Virginia Sato, Deonne Scott, Leroy Shoeffer, Norma Slater, Alan Smith, and Singo Haukel.

On request of Messrs. Kirkwood and Gubser, the usual courtesies of the Assembly for this day were unanimously extended to Margaret Carroll, Lillian Hicks, Gertrude Kueffer, and Phoebe Mitchell, teachers, and the following pupils of the Woodrow Wilson Junior High School of San Jose: Joe Aparicio, Bob Arney, Louis Arnone, Jim Ballas, Concha Banalas, Lena Mae Barranti, Richard Bittick, Herschel Booth, Johanna Buck, Tom Cali, Dan Castro, Josephine Campagna, Susan Carstensen, Joe Crisafulli, Marie De la Rosa, Alice Dooley, Geraldine Ferraro, Joe Filice, Hilda Galvan, Sam Geraci, Patricia Golibart, Josephine Jaramillo, Colleen Kelly, Olga Kingman, Sam La Rocca, Carole La Forte, Carole Laws, Carolyn Lawson, Frances Leach, John Luth, Barbara Marshall, Beverly Mecklenburg, Mary Lou Mercado, Irma Mireles, Irene Morales, Clair Mullen, Carmen Munoz, Richard Paradiso, John Porrovecchio, Josephine Quartararo, Gloria Ramos, James Repko, Dorothy Roberts, David Rowe, Velia Salas, Tanasia Samaro, Ann Sartain, George Schoentelder, Billy Guzman, Gurley Henningsen, Eleanor Huizar; Phyllis Iannello, Louise Ira, Judy Jacobs, Shirley Scoggins, Barbara Searcy, Steve Snell, Fred Spitalere, Bill Stewart, Bill Taylor, Beverly Tobeck, Philomena Torre, Paul Villarruz, Carolyn Vitek, Donald Vitek, Karl Warkentin, Lois Ann Weldon, Juanita Ybarro, Leonora Ybarro, and Frances Young, and Harley Adair and Mary De Lucca, faculty advisors

On request of Messrs Moss and Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Irene Cloughley, teacher, and the following pupils of the H C Muddax School: Mary Jo Nichols, Mildred Paris, Isabelle Ramos, Patricia Torrey, Linda Spadarotto, Billie Fletcher, Joyce Conway, Jeanette Valine, Deonne Long, Telsie Welch, Clara Mamuyac, Dorinne Larson, Jenny Lee, Marina Galvez, Vivian Porter, Bruce Keyes, Joseph Mc. Charles, Johny Johnson, Ralph Evans, Lois Moody, and Stanley Kessler

On request of Mr. Lowrey, the usual courtesies of the Assembly for this day were unanimously extended to Hannah Secor, teacher, Inez Finch, Mrs. Verne Youngmark, Edna Cochran, Elizabeth Goodman, Vera Stout, Rose Ellis, Geneva Lell, Shirley Weidemier, and Mrs F. F. Redman, guests, and the following pupils of the Dunnigan School: Clifford Finch, Radford Wonderling, James Goodman, Arleen Finch, Bobby Scroggins, Beauford Wonderling, Mary Lynn Greiner, Virginia Whitesell, Roberta Ellis, Luis Moretto, Carolyn Lell, Brian Stout, Byford Wonderling, Susan Cochran, Thomas Ellis, Prisscilla Stout, Nila Finch, Janet Youngmark, Kenneth Rumsey, Marlies Schaad, and John Goodman.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to Margaret Johnson, Bernice Knowlton, and Morley Carrothers, teachers, Mrs. George Johnston, Mrs. C. J. Douglas, Mrs Frank Sisson, Mrs. Bernard Becker, Mr. and Mrs. Hans Forster, Mrs. Ray Selling, Mrs. Elton Wood, Mrs. Theron Beougher, and Mrs Gene Dotson, guests, and the following pupils of the Pleasant Hill School of Concord: Darrel Adams, Janet Arnold, Joanne Baker, Marilyn Becker, Martin Benson, Darryl Anne Beougher, Betty Biggs, Billy Bokelman, Norma Bray, Patty Brown, Bitsy Burns, Jackie Burris, Donald Butler, Louis Callies, Edward Cereda, Ed. Chauvaud, Robert Cohune, Dick Egan, Bobby Enge, Shirley Ercenbrack,

Wilda Flores, Raymond Forester, Leigh Franklin, Larry Freels, Norman Friborg, Norrine Funk, Nancy Jane Gartman, Jean Gauny, Nancy Goodart, Glenda Griffin, Leonard Griffiths, Jo Anne Grove, Jimmy Harpman, Donald Rae Hartdegen, Virginia Jones, Barbara Kavelman, Timothy Kelly, Fred Kitzmiller, Mildred Klaus, Roger Le Bare, Maxine Larson, Cathy Laub, Dick Lauffer, Carroll Loe, Richard Long, Bob Long, Alice Lucas, Edward Lugar, Larry Maker, Jerry Marcellino, Gerald Mann, Ernestine Cossey, Pat Cox, Carolyn DeBeaumont, Pat Dickinson, Caryl Dotson, Jimmy Douglas, Geraldee Dubail, Sue Edelman, Carol O'Brien, Robert O'Day, Gloria Osgood, Evelyn O'Shea, Jennifer Ousley, Deanne Pakin, Helen Peacock, Alfred Pereira, Bill Phillips, Carolyn Phillips, Star Plaskett, Richard Pratt, Gerald Rasmussen, Walter Reinhardt, Colleen Riggs, Gordon Reordan, Bob Rose, Jolene Sandra, Lyle Saunders, Mary Lou Schneringer, Stephen Selling, Sidney Smith, Robert Helling, Robert Hesse, Arlene Hines, Robert Horn, Jenean Humphrey, Mary Ellen Johnson, Gail Johnston, Bob Jones, Diane Melvin, Ina McCaffery, Diana McCosh, Nancy Mickelson, Dewey Montgomery, Clavin Moore, Ray Muzzi, Douglas Neufield, Joe Sisson, Alan Spears, Gene Speck, Moonyeen Spiker, Margaret Stokes, Paul Sutherland, Ardith Swanson, Jimmy Thompson, Charles Van Umerson, Joyce Vielbaum, Charles Wainwright, Anneka Walton, Tom Westoby, Janet Weisbrod, Marcia Weist, Carol Wheeler, Ernest Williams, Adah Willis, Irving Winters, Rita Wood, Charles Young, and Larry Ziedler.

On request of Mr Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to A. Novak, teacher, Mrs. Langstaff, Mrs. Jondahl, Mrs. Grant, Mrs. Menchinella, and Mrs. Williams, guests, and the following pupils of the Foresthill School: George Denson, Donald Hills, John Hughes, Donald Jones, Ola Lee Murchison, Robbie Rikard, Wayne Williams, James Huey, Glendol Thomason, Mattie Anderson, Catherine Jones, Joann Sindel, Faye Surratt, Minnie Sue Murchison, Cleva Bennett, Barbara Sue Davis, Michael Callahan, Steve Douglas, Kieran Grant, Curtis Hill, Matt Langstaff, Dick Williams, Jesse Rogers, Ruth Algea, Betty Anderson, Raelyn Anderson, Jerry Jondahl, Jackie Jondahl, Patsy McElroy, Carol Menchinella, and Mabel Porter.

On request of Messrs. Moss and Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Sisters Mary Evangelist, Benedicta, Celestine, teachers, and the following pupils of St. Joseph Academy High School: Estrella Algoso, Joan Alford, Teresa Allen, Jane Anicich, Patricia Barbeau, Carolyn Bolton, Nadia Byckoff, Emilie Cantu, Victorina Coquim, Anna Crocker, Patricia Dazzo, Gloria Demonti, Rosemary Falcon, Elisa Fernandez, Margaret Ann Frago, Schary Gowan, Ann Louise Green, Helen Hannon, Barbara Lane, Carolyn Logan, Joan Logan, Anita Lorenzi, Mary Jane Maldonado, Betty Mallett, Marjorie McDowell, Dorothy Mulloy, Antonia Nunez, Lorraine Perkins, Rosemary Pina, Antoinette Ratoni, Dorothy Rodrigues, Kay Shepard, Emily Sierra, Barbara Silva, Margaret Smith, Mary Stanich, Virginia Tobol, Lorraine Valine, Ventura Zuniga, Hope Harrington, Gloria Haynes, Charlotte Isbell, Nancy Lewis, JoAnn Machabee, Marcella Matule, Jeanne Anderson, Marilyn Anderson, Gail Armstrong, Lucille Arnold, Emma Lee August, Gloria Bertolani, Natasha Byckoff,

Jeannette Byer, Janet Cappello, Barbara Carvalho, Elvera Cerda, Margie Collins, Margaret Ann Cook, Claire Crocker, Dorothy Crocker, Ruth Curtis, Socorro Delgado, Darlene Enos, Ernestine Giles, Adele Meda, Jacqueline Miranda, Patricia Moniz, Jane Mullen, Kathleen Nagle, Lorene Norsworthy, Dolores Pacheco, Beatrice Pimental, Mary Ann Pisani, Sue Pruett, Jenny Radovanovich, Irene Ramos, Sally Renteria, Julia Resendez, Carol Rodrigues, Beverly Schiele, Eileen Schumacher, Barbara Seley, Betty Shanahan, Kathleen Sheehy, Shirley Sommers, Margaret Squires, Carmen Vejar, Virginia Wasgatt, Sharron Watson, Betty Anne Wahlen, Violet Wilson, and Jennie Zuniga.

On request of Mr. Lowrey, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Edith Gallup, Mrs. Eugene Winters, Mrs. Fred Rominger, teachers, and the following pupils of the Laugenour School of Woodland: Natividad Bacio, William Baker, Janet Barner, Daniel Bridgeman, Glenna Culley, Erlene Johnson, Carol Powning, Elizabeth Reiff, Randall Reiff, Richard Robinson, Gary Rominger, Mary Solis, Bobby Van Dalsen, Jerry Van Dalsen, and Patricia Winters.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Alan W. Ellsberg, teacher, and the following pupils of the Franklin Junior High School: Kenneth Anderson, Barbara Atchinson, Charles Bansuelo, Edgar Boot, Delores Bowker, Bennie Ellis, Eddie Watts, Goldie Hayes, Jerry Howell, John Johnson, Don Kinney, Delores Kirk, Noel Klaudt, Roger Maki, William Martin, Phillip Murray, Richard Neuman, Jack Parker, Wayne Peterson, Jimmy Redman, Richard Rimestad, Kenneth Roberts, Mary Jane Shearer, Richard Stacy, Newel Stanley, Joyce Terry, Bill Webb, Leta Weisner, Joan Wilson, Bud York, Sammie Glover, Lawrence Dokes, Ronald Aarset, Ray Aragon, Harry Axhelm, Jane Barnhizer, Ronald Buder, Darlene Clark, Pat Cochran, Bernard Dykes, Melvin Fuller, Ruth Hacking, Bob Harris, Ann Hicks, Shirley Higgins, Gail Jensen, Ray Lewis, Robert Loseth, Bob McElroy, Lula Mixon, Robert Peterson, Mary Richardson, Rexford Rusk, Dick Smart, Dick Tharp, Barbara Tintorri, Shiela Todd, Alice Riggott, Zelma Wales, Tom Gentry, Tom Miller, Richard Chance, Barbara Clark, and Mary Ramsey.

On request of Mr. Hagen, the usual courtesies of the Assembly for this day were unanimously extended to Donovan F. Cartwright of Tulare.

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to Aircraft Commander Lt. W. R. Moon of Oakland.

On request of Mr Luckel, the usual courtesies of the Assembly for this day were unanimously extended to Max Asslo and Pat Somerset of Hollywood, and Robert Ashe, and William P. Sutherland of San Francisco.

On request of Mr. Cooke and The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to "Hildegarde" of radio and stage.

On request of Mr. Lowrey, the usual courtesies of the Assembly for this day were unanimously extended to Howard Allard, and

Irving Esterkyn, Teachers; John Allard, Mrs. Howard Allard Jr, and the following pupils of the Willows School: James Axthelm, Jimmy Azevedo, Warren Bacon, Andy Baldonado, Allen Beck, Robert Benamati, John Brown, Warren Bruess, Theron Brummet, Jerrold Cawthra, Jimmy Chin, Dan Davis, Robert Dukatz, Jack Ewing, Raymond Farnsworth, Odas Goss, Gene Hardman, James Johnson, William Lambert, Clifford Larimer, Kenneth Peterson, Terry McLaughlin, Russell Moore, Bruce Mulderick, Edward Nolta, Andy Ponciano, Billy Qualls, Raymond Quint, William Quint, John Scalvini, Wayne Sharp, Harmon Smith, James Taylor, Herman Tompkins, Alton Vanderford, Clyde Wallace, Carl Warren, and Delbert Welker.

On request of Mrs Niehouse, the usual courtesies of the Assembly for this day were unanimously extended to Miss Victoria Schuck, Professor of Political Science, Mt. Holyoke College.

ADJOURNMENT

At 3.07 p.m , on motion of Mr. Dickey, the Speaker pro Tempore declared the Assembly adjourned until 9.30 a.m., Thursday, April 12, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

THIRTY-SIXTH LEGISLATIVE DAY

FORTY-EIGHTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, April 12, 1951

The Assembly met at 9.30 a m.

Hon. Sam L Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called. and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—74.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev Clarence A. Kircher:

Our Father, Which Art in Heaven, Hallowed be Thy name

Thy Providence has guided our Nation through every great crisis. Guide our leaders as they seek to express our desire for peace to the peoples of the world. Make us a united people in the support of every high ideal. Help us never to forget the sacrifices of our founding fathers who established a nation offering liberty and justice for all. We remember those who now are hazarding their lives in our defense Guide the President of the United States in the momentous decisions that must be made. Direct those who are in places of leadership in government.

"O beautiful, our country!
Be thine a nobler care
Than all thy wealth of commerce,
Thy harvests waving fair;
Be it thy pride to lift up
The manhood of the poor;
Be thou to the oppressed
Fair freedom's open door!"

In Jesus name.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr Klocksiem, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Butters, on motion of Mr. Cloyed.

Mr. Lipscomb, on motion of Mr. Cloyed.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 41: By Mr. Levering—Relative to improper legislative advocacy by employees of the State Compensation Insurance Fund.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 11, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No 167
Assembly Bill No 170
Assembly Bill No. 1090
Assembly Bill No. 1844

J A. BEEK, Secretary of the Senate
By C V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 11, 1950

MR. SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No 28
Assembly Bill No. 166
Assembly Bill No. 168
Assembly Bill No. 1905

And respectfully requests your honorable body to concur in said amendments.

J. A BEEK. Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file

UNFINISHED BUSINESS (BY UNANIMOUS CONSENT)

CONSIDERATION OF SENATE AMENDMENTS (BY UNANIMOUS CONSENT)

Assembly Bill No. 1905—An act to amend Section 54 of the Fish and Game Code, relating to game management areas.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1905?

Amendment No. 1

On page 1 of the printed bill, strike out lines 6 to 8, inclusive, and insert "except that pheasants may be shot only on the opening and closing days, Wednesdays, Saturdays, Sundays, and holidays within the season so fixed. The commission shall fix the total number of birds of"

Amendment No. 2

On page 1, line 5, of the printed bill, as amended in the Senate on April 4, 1951, strike out "within the period from October 1st to January 31st." and insert "the period from the Saturday nearest the first of November and continuously thereafter for 74 days."

Amendment No. 3

On page 1 of said bill, as amended, strike out lines 9 and 10; and in line 11, strike out "within the season so fixed."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1905 by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Lowrey, Luckel, McCarthy, McGee, McMillan, Meyers, Morris, Munnell, Parker, Porter, Shaw, Sherwin, Silliman, Stanley, and Mr. Speaker—48.

NOES—None

Assembly Bill No. 1905 ordered enrolled

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 11, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 291
Senate Bill No. 311
Senate Bill No. 426
Senate Bill No. 551
Senate Bill No. 739
Senate Bill No. 742
Senate Bill No. 802
Senate Bill No. 1659
Senate Bill No. 1660
Senate Bill No. 1661
Senate Bill No. 1662
Senate Bill No. 1744

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 291—An act making an appropriation for the purpose of increasing salaries of state employees, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 311—An act to add Section 400.1 to the Unemployment Insurance Act, relating to unemployment compensation disability benefits.

Referred to Committee on Finance and Insurance.

Senate Bill No. 426—An act to amend Section 1086.1 of the Military and Veterans Code, relating to the hospitalization and medical aid for physically ill members of the Woman's Relief Corps Home of California and for the reimbursement of hospitals and physicians rendering this aid.

Referred to Committee on Military Affairs.

Senate Bill No. 551—An act to amend Section 17953 of the Revenue and Taxation Code, pertaining to credits against net income of estates and trusts.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 739—An act to amend Sections 18632, 18633, and 18634 of the Business and Professions Code, continuing in existence the Athletic Commission Fund in the State Treasury, and making an appropriation.

Referred to Committee on Ways and Means.

Senate Bill No. 742—An act to add Section 13077 to the Government Code, relating to contracts between a nonprofit corporation or foundation and an educational institution maintained in whole or in part by state appropriation.

Referred to Committee on Finance and Insurance.

Senate Bill No. 802—An act to amend Sections 4011, 4013, 4036, 4048, 4162, and 4031 of, and add Sections 4034 and 4034.1 to, the Business and Professions Code, relating to pharmaceutical preparations, medicines, and poisons

Referred to Committee on Public Health.

Senate Bill No. 1659—An act to amend Sections 7524, 7525, 7526, 7528, 7551, 7552, and 7553 of the Business and Professions Code, relating to the regulation, registration, and licensing of private investigators and adjusters.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1660—An act to amend Sections 7500, 7503, 7504, 7510, 7514, 7520, 7529, 7533, 7534, 7536, 7538, 7541, 7543, 7545, and to repeal Sections 7506, 7529 5, 7530, 7537, and 7567 of, and to add Section 7530 to, the Business and Professions Code, relating to the regulation of licensees of the Bureau of Private Investigators and Adjusters.

Referred to Committee on Governmental Efficiency and Economy

Senate Bill No. 1661—An act to amend Section 7521 and 7522 of the Business and Professions Code, relating to private investigators and adjusters.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1662—An act to amend Sections 7580 and 7581 of the Business and Professions Code, relating to a schedule of license fees for private investigators and adjusters and creating a Private Investigator and Adjuster Fund.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1744—An act to add Section 679.1 to the Vehicle Code, relating to rules governing the loading and securement of logs and poles.

Referred to Committee on Transportation and Commerce.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 479—An act to repeal Section 170.5 of and to add Section 170.5 to the Code of Civil Procedure, relating to disqualification of judges.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 8, of the printed bill, strike out "part", and insert "party".

Amendment No. 2

On page 1 of said bill, strike out lines 19 and 20; and in line 21, strike out "the trial. Such", and insert "The".

Amendment No. 3

On page 2, line 1, of said bill, strike out ". If such", and insert "; provided, however, that where there is no master calendar and the judge assigned to try the case is known, the motion shall be made 10 days before the trial. If the".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1641—An act to amend Section 17 of the Municipal and Justice Court Act of 1949, relating to municipal court sessions.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2072—An act to repeal Section 929 of the Fish and Game Code, relating to the use of nets in Fish and Game District 118.5.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2692—An act to amend Sections 1261 and 1262 of the Fish and Game Code, relating to archery hunting licenses.

Bill read second time, and ordered engrossed.

Assembly Bill No. 187—An act to add Section 2598 to the Elections Code, relating to declaration of candidacy.

Bill read second time, and ordered engrossed.

Assembly Bill No. 199—An act to amend Sections 8137, 8140, and 10552, and to repeal Sections 8138 and 8139 of the Elections Code, relating to proceedings after announcement of election returns.

Bill read second time, and ordered engrossed.

Assembly Bill No. 225—An act to amend Section 5902 of the Elections Code, relating to the duty of the clerk in absent voting.

Bill read second time, and ordered engrossed.

Assembly Bill No. 489—An act to amend Section 14658 of, and to add Section 14661 to, the Health and Safety Code, relating to fire protection districts in one or more counties.

Bill read second time, and ordered engrossed.

Assembly Bill No. 661—An act to add Section 9483 to the Elections Code, relating to municipal elections.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2433—An act to repeal Sections 664, 665, 668, 668.5, 669, 670, 671, 672, 672.5, 673, 674, and 677, and to amend Section 681, of the Elections Code, relating to election officers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2436—An act to amend Section 7072 of the Elections Code, relating to canvass at the precincts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2437—An act to amend Sections 11108 and 11120 of the Elections Code, relating to municipal officers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1198—An act to amend Section 803.5 of the Agricultural Code, relating to nectarine standards, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3369—An act to add Sections 6489.5 and 6546 to the Health and Safety Code, relating to sanitary districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2332—An act to amend Section 12a of the Code of Civil Procedure, relating to computation of time as to holidays.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 26, of the printed bill, after "that", insert "for a period of time expiring".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, after line 29, insert

"SEC. 2. Section 12a of said code is amended to read:

12a. [As to any act provided or required by law to be performed within a specified period of time, such period of time is hereby extended—

(a) To and including the next day which is not a holiday (other than a special holiday), if the last day of such period falls upon a holiday; and

(b) By such number of days as equals the number of holidays (other than special holidays) appointed by the President or by the Governor and which occur within or during such period; and

(c) In any event, as to any such period of time which commenced prior to the date this act takes effect, but not less than ten days

The term "special holiday" is used herein in the same sense as used in Section 10 of the Political Code]

If the last day for the performance of any act provided or required by law to be performed within a specified period of time shall be a holiday, then such period is hereby extended to and including the next day which is not a holiday. The term "holiday" as used herein shall mean all holidays specified in Sections 6700 and 6701 of the Government Code and, to the extent provided in Section 12b of this code, all days which by terms of said Section 12b are required to be considered as holidays: provided, however, that for a period of time expiring prior to January 1, 1952, time

shall be computed and extended in accordance with the provisions of this section as they existed on January 1, 1951

SEC. 3. Section 2 of this act shall become operative only if Sections 10 and 10.2 of the Political Code are repealed by the Legislature at its 1951 General Session, and in such case at the same time as said repeal takes effect, at which time Section 1 of this act is repealed."

Amendments read, and adopted

Bill ordered reprinted, and engrossed

Assembly Bill No. 2070—An act to amend Section 1065 of the Fish and Game Code, relating to sardines

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In line 2 of the title of the printed bill, strike out the period, and insert "; declaring the urgency thereof."

Amendment No. 2

On page 1 of said bill, after line 15, insert

"SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Sardines are a much relied upon foodstuff of the people of California, and the taking, processing and packing of sardines provide a considerable industry within this State. In recent years a disastrous decline of this fish has occurred to such an extent that many packing plants have closed down. The controlled taking of sardines from the waters is necessary for the undisturbed continuance of that industry and consumption, while taking for reduction purposes is not as necessary to the public as taking for packing. Any period of lowered restriction upon the extraction of sardines from the waters, no matter how short, could drastically deplete sardine schools and disrupt natural increases. Present legislation protecting sardines is due to expire June 1, 1951, and in order to continue the uninterrupted protection, it is necessary that this act take effect immediately."

Amendments read, and adopted

Bill ordered reprinted, and engrossed.

Assembly Bill No. 59—An act to amend Section 6342 of the Elections Code, relating to voting machines.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 6, of the printed bill, before "additional", insert "one", and after "additional", strike out "judges", and insert "inspector or one additional judge"

Amendment No. 2

On page 1, line 7, of said bill, after "tional", insert "inspector or one additional"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 877—An act to amend Sections 11100 and 11101 of the Elections Code, relating to municipal elections.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

On page 1, line 13, of the printed bill, strike out "within each precinct which were".

Amendment No. 2

On page 1, line 15, of said bill, after the period, insert "The voters signing such petition shall include at least 25 percent of the entire number of votes cast within a majority of the separate precincts in the city."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 813—An act to amend Sections 7302, 7303, 7342, 7343, 7376, 7397, 7442 of, and to repeal Section 7344 of, and to add Sections 7339, 7344, 7345, 7346, 7347, 7393.1, and 7394.1 to, the Business and Professions Code, relating to the practice, regulation, and licensing of cosmetologists, hairdressers, and electrologists

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 2, line 13, of the printed bill, strike out "only", and insert "at least".

Amendment No. 2

On page 2, line 14, of said bill, strike out "may be appointed", and insert "shall be a licensed electrologist".

Amendment No. 3

On page 2, line 17, of said bill, strike out "and electrologist"

Amendment No. 4

On page 3 of said bill, strike out lines 16 and 17, and insert

"7344. For each licensed electrologist one licensed junior electrologist may engage in the occupation of an electrologist when under the supervision of such licensed".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2309—An act to amend Section 7372 of the Business and Professions Code, relating to the licensing of hairdressers, cosmeticians or cosmetologists

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health:

Amendment No. 1

On page 1 of the printed bill, strike out lines 13 to 17, inclusive, and insert "mechanical apparatus and electricity (with the exception of the wall plate and therapeutic lights) as applicable to the practice of the occupation of a hairdresser and cosmetician or cosmetologist"

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2370—An act to amend an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by the electors November 7, 1922, by amending Section 10 thereof, and adding Section 10 5 thereto, relating to the practice of chiropractic, said amendment to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 2, line 50, of the printed bill, strike out "advertisements making false or unethical", and insert "advertising which is untrue or misleading"

Amendment No. 2

On page 3, line 1, of said bill, strike out "claims".

Amendment No. 3

On page 3 of said bill, strike out lines 3 to 7, inclusive

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3020—An act to add Section 28322 to the Health and Safety Code, relating to misbranding food in package form

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 2, line 1, of the printed bill, as amended in the Assembly on April 6, 1951, after "carbonated", insert "non-alcoholic".

Amendment No. 2

On page 2, line 7, of said bill, after "carbonated", insert "non-alcoholic".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2430—An act to amend Sections 3709 and 3944 of the Elections Code, relating to the direct primary.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

On page 1, line 18, of the printed bill, strike out "15", and insert "10".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2300—An act to amend Section 767 of the Political Code and Section 59.1 of the Code of Civil Procedure, relating to officers and employees of the Supreme Court and of the district courts of appeal.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 8, of the printed bill, after "Court.", insert "Each of the persons so appointed is to serve in full time employment."

Amendment No. 2

On page 2, line 16, of said bill, after "year.", insert "Each of the persons so appointed is to serve in full time employment"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 2624—An act to add Section 736d to the Political Code and Section 78.2 to the Code of Civil Procedure and to repeal Sections 737a to 737fff, inclusive, of the Political Code and Sections 79.1 to 79.58, inclusive, of the Code of Civil Procedure, relating to superior courts and the judges thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 2 of the title of the printed bill, after "Procedure", insert ", to amend Section 736b of the Political Code and Section 79 of the Code of Civil Procedure".

Amendment No. 2

On page 1 of said bill, strike out lines 3 and 4, and insert "736d"

Amendment No. 3

On page 1, line 5, of said bill, before "superior", insert "minimum annual salary of the judge of the".

Amendment No. 4

On page 1, line 6, of said bill, strike out "a Class A superior court;" and insert "fifteen thousand dollars ($15,000)".

Amendment No. 5

On page 1, lines 8 and 9, of said bill, strike out ", the superior court is a Class B superior court;" and insert "as determined and certified by the Judicial Council, the minimum annual salary of the judge of the superior court is thirteen thousand five hundred dollars ($13,500)."

Amendment No. 6

On page 1, line 11, of said bill, strike out "superior court is a Class C superior court", and insert "minimum annual salary of the judge of the superior court is ten thousand dollars ($10,000)"

Amendment No. 7

On page 1 of said bill, strike out lines 12 to 16, inclusive

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 8

On page 1 of said bill, between lines 16 and 17, insert

"SEC. 2. Section 736b of said code is amended to read:

736b. The annual salary of each of the judges of the Superior Court of the State of California shall be such as has been or may be fixed by the Legislature, of which amount the State shall pay the sum of [five thousand seven hundred fifty dollars ($5,750)] *seven thousand five hundred dollars ($7,500)* and the remainder thereof, *but not less than the sum being paid on January 1, 1951,* shall be paid by the county or city and county in and for which the judge is elected or appointed. *If the total of the sums payable by the State and by the county or city and county under this section exceeds the minimum annual salaries payable to such judges, their salaries shall be increased in the amount of the excess* [The minimum annual salary of each judge of the superior court is the amount prescribed therefor as of January 1, 1947, plus the sum of one thousand five hundred dollars ($1,500)]"

Amendment No. 9

On page 1, line 17, of said bill, strike out "SEC. 2", and insert "SEC. 3."

Amendment No. 10

On page 1 of said bill, strike out lines 19 and 20, and insert "78 2."

Amendment No. 11

On page 1, line 21, of said bill, before "superior", insert "minimum annual salary of the judge of the".

Amendment No. 12

On page 1, line 22, of said bill, strike out "a Class A superior court," and insert "fifteen thousand dollars ($15,000)."

Amendment No. 13

On page 2, lines 2 and 3, of said bill, strike out ", the superior court is a Class B superior court," and insert "as determined and certified by the Judicial Council, the minimum annual salary of the judge of the superior court is thirteen thousand five hundred dollars ($13,500)".

Amendment No. 14

On page 2, line 5, of said bill, strike out "the superior court is a Class C superior", and insert "the minimum annual salary of the judge of the superior court is ten thousand dollars ($10,000)."

Amendment No. 15

On page 2 of said bill, strike out lines 6 to 10, inclusive, and insert

"SEC. 4. Section 79 of said code is amended to read

79. The annual salary of each of the judges of the superior court of the State shall be the amount fixed by this chapter, of which amount the State shall pay [five thousand seven hundred fifty dollars ($5,750)] *seven thousand five hundred dollars ($7,500)* and the remainder, *but not less than the amount being paid on January 1, 1951,* shall be paid by the county or city and county in and for which the judge is elected or appointed. *If the total of the sums payable by the State and by the county or city and county under this section exceeds the minimum salary payable to a judge, his salary shall be increased in the amount of the excess*"

Amendment No. 16

On page 2, line 11, of said bill, strike out "3", and insert "5".

Amendment No. 17

On page 2, line 13, of said bill, strike out "4", and insert "6".

Amendment No. 18

On page 2 of said bill, strike out line 15, and insert

"SEC. 7. Sections 3, 4 and 6 of this act become operative".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 2625—An act to amend Sections 736 and 736a of the Political Code and Sections 41 and 61 of the Code of Civil Procedure, relating to the salaries of Justices of the Supreme Court and of the district courts of appeal.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 13, of the printed bill, strike out "eighteen thousand dollars ($18,000)", and insert "nineteen thousand dollars ($19,000)".

Amendment No. 2

On page 1, lines 15 and 16, of said bill, strike out "seventeen thousand five hundred dollars ($17,500)", and insert "eighteen thousand five hundred dollars ($18,500)".

Amendment No. 3

On page 2, line 5, of said bill, strike out "eighteen thousand dollars ($18,000)", and insert "nineteen thousand dollars ($19,000)".

Amendment No. 4

On page 2, line 7, of said bill, strike out "seventeen thousand five hundred dollars ($17,500)", and insert "eighteen thousand five hundred dollars ($18,500)".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 2626—An act to amend Section 736b of the Political Code and Section 79 of the Code of Civil Procedure, relating to judges of the superior court.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "is", and insert "shall be".

Amendment No. 2

On page 1, lines 6 and 7, of said bill, strike out "five thousand seven hundred fifty dollars ($5,750)", and insert "seven thousand five hundred dollars ($7,500)".

Amendment No. 3

On page 1 of said bill, strike out line 11, and insert "1951, plus the sum of one thousand seven hundred fifty dollars ($1,750)."

Amendment No. 4

On page 1, line 15, of said bill, strike out "is", and insert "shall be".

Amendment No. 5

On page 1, lines 16 and 17, of said bill, strike out "five thousand seven hundred fifty dollars ($5,750)", and insert "seven thousand five hundred dollars ($7,500)".

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 589—An act to amend Section 9.3 of the Municipal Court Act of 1925, relating to the constitution of the court and to compensation of officials.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, after the comma, insert "and to add Section 30.1 to the Municipal and Justice Court Act of 1949,".

Amendment No. 2

Strike out lines 2 and 3 of the title of the bill, and insert "relating to courts."

Amendment No. 3

On page 1, line 1, of said bill, strike out "act cited in the title", and insert "Municipal Court Act of 1925"

Amendment No. 4

On page 1 of said bill, strike out lines 14 and 15, and insert "such compensation per annum, payable in equal monthly installments as is now or may hereafter be prescribed by law for municipal court judges in a city or city and county of the second and one-half class"

Amendment No. 5

On page 2 of said bill, after line 16, insert

"SEC. 2. Section 30.1 is added to the Municipal and Justice Court Act of 1949 to read:

Sec. 30.1 The municipal court in a judicial district embracing a city of the second and one-fourth class shall have six judges each of whom shall receive the salary per annum, payable in equal monthly installments as is now or may be hereafter prescribed by law for municipal court judges in judicial districts embracing a city of the second and one-half class."

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1045—An act to add Section 1188.2 to the Code of Civil Procedure, relating to priority of mechanics' liens.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 17, inclusive, and insert

"1188.2. If a good and sufficient bond be filed with the original contract as provided in Section 1185.1 of this code, or if the owner of the land or the holder of any mortgage, deed of trust, or other encumbrance thereon which otherwise would be inferior to the liens provided for in this chapter, shall procure or cause to be procured, a bond, with good and sufficient sureties, which shall be conditioned for the payment in full of the claims of all persons performing labor upon or furnishing materials to be used in, or furnishing appliances, teams or power contributing to, the building, improvement, structure, or work of improvement, in connection with which the lien claimant has done his work or furnished his material, then such mortgage, deed of trust, or other encumbrance shall be prior and paramount to the liens provided for in this chapter arising out of such building, improvement, structure, or work of improvement, irrespective of whether or not such mortgage, deed of trust, or other encumbrance attached before or after the time when such building, improvement, structure, or work of improvement was commenced

Such bond given under this section must be a bond with good and sufficient sureties in an amount not less than fifty (50) percent of the face principal amount of such mortgage, deed of trust, or encumbrance, and shall be given for the sole benefit of persons performing labor upon, or furnishing materials to be used in, or furnishing

appliances, teams or power contributing to the building, improvement, structure, or work of improvement to which said bond refers, and by its express terms shall give such persons a right to recover upon said bond in any suit brought to foreclose the liens provided for in this chapter, or in a separate suit brought on said bond. Either the contractor or the owner may be principal on such bond, and which bond must be filed in the office of the county recorder of the county where the property is situated before such building, improvement, structure, or work of improvement to which said bond refers is completed."

Amendment read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1049—An act to add Section 1193.2 to the Code of Civil Procedure, relating to mechanics' liens.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 1193.2 to", and insert "amend Section 1193.1 of"

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 19, inclusive, and insert

"SECTION 1. Section 1193.1 of the Code of Civil Procedure is hereby amended to read:

1193.1. (a) Every original contractor claiming the benefit of this chapter, within 60 days after the completion of his contract, and every person save the original contractor claiming the benefit of this chapter, at any time after he has ceased to perform labor or furnish material, or both, for any work of improvement mentioned in this chapter, and until 30 days after the completion of such work of improvement, as a whole, may record with the county recorder of the county or city and county in which such property or some part thereof is situated a claim of lien containing a statement of his demand after deducting all just credits and offsets, the name of the owner or reputed owner, if known, a general statement of the kind of work done or materials furnished by him, or both, the name of the person by whom he was employed or to whom he furnished the materials, and a description of the property sought to be charged with the lien sufficient for identification; which claim of lien must be verified by oath of claimant or some other person

(b) In all cases, any of the following shall be deemed equivalent to a completion for all the purposes of this chapter: The occupation or use of a building, improvement, or structure by the owner, or his representative, accompanied by cessation from labor thereon, or the acceptance by the owner, or said agent, of said building, improvement, or structure, or cessation from labor for 30 days upon any contract or upon any building, improvement, or structure, or the alteration, addition to, or repair thereof; the filing of the notice hereinafter provided for.

(c) The owner shall within 10 days after the completion of any contract or work of improvement provided for in this chapter, or within 10 days after there has been a cessation from labor thereon for a period of 30 days, file for record in the office of the county recorder of the county where the property is situated a notice setting forth the date when the same was completed, or on which cessation from labor occurred, together with his name, address, and the nature of his title, and a description of the property sufficient for identification, together with the name of the original contractor, if any, for the work of improvement as a whole, or if the notice is given only of the work under a particular contract, then the name of the contractor under such contract, which notice shall be signed and verified by the owner or by some other person on his behalf

(d) The word "owner" as used in this section is hereby defined to mean the owner who caused the building, improvement, or structure to be constructed, altered, or repaired (or his successor in interest at the date a notice of completion or cessation from labor is filed for record) whether the interest or estate of such owner be in fee, as

vendee under a contract of purchase, as lessee, or other interest or estate less than the fee; and where such interest or estate is held by several persons as joint tenants or tenants in common, any one or more of the cotenants may be deemed to be the "owner" within the meaning of this section; provided, any notice of completion or cessation from labor signed by less than all of such co-owners recites the names and addresses of all of such co-owners.

[(e) In case such notice be not so filed, then all persons claiming the benefit of this chapter, shall have 90 days after the completion of said work of improvement within which to file their claims of lien.]

(e) In case such notice be not so filed following the completion of all of a work of improvement done or made under one general contract, then all persons claiming the benefit of this chapter shall have 90 days after the completion of such work of improvement within which to record their claims of lien. If the owner has not made one general contract for the execution of the whole work of improvement, but has contracted with one or more persons for the execution of one or more parts or portions only thereof, and a notice of completion is not recorded within 10 days after the completion of any such particular contract, but a notice of completion is recorded for the whole work of improvement within 10 days after the completion of the whole work of improvement, then all persons claiming the benefit of this chapter shall have the same time in which to record their claims of lien as though their labor, materials or appliances had been applied to the work of improvement under one general contract for the whole thereof and not under a particular contract. If, however, in such case, no notice of completion is filed either within 10 days from the completion of the particular contract or within 10 days of the completion of the whole work of improvement, then all persons claiming the benefit of this chapter shall have 90 days after the completion of the whole work of improvement within which to record their claims of lien.

(f) In cases covered by Section 1184.1 where the improvement made or work done is subject to acceptance by any municipal board or officer, the time for filing claims of lien shall not commence to run until after such acceptance has been made.

(g) Any person who shall wilfully include in his claim of lien filed pursuant to this chapter work not performed upon, or materials or equipment not furnished for, the property described in such claim, shall thereby forfeit his lien."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1051—An act to add Article 1, comprising Sections 1181, 1182, 1183.1, 1184.1, 1185.1, 1186.1, 1187.1, 1188.1, and 1189.1, Article 2, comprising Sections 1190.1, 1191.1, and 1192.1, Article 3, comprising Sections 1193.1, 1194.1, and 1195.1, and Article 4, comprising Sections 1196.1, 1197.1, 1198.1, 1199.1, 1200, 1200.1, 1201.1, and 1202.1, to Chapter 2, Title 4, Part 3 of the Code of Civil Procedure; to add Section 1208.1 to said code; to repeal Sections 1183, 1184, 1184a, 1184b, 1184c, 1184d, 1184e, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1191a, 1191b, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1201, 1202, and 1203 of said code; and to add Section 5463 to the Health and Safety Code; to consolidate and clarify the law relating to mechanics' liens.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 5 of the title of the printed bill, after "1199.1," insert "1199.2,".

Amendment No. 2

In lines 7 and 8 of the title of said bill, strike out "Section 1208.1 to said code", and insert "Section 3060 to the Civil Code".

Amendment No. 3

On page 1, line 11, of said bill, strike out "equipment"

Amendment No. 4

On page 1, line 15, of said bill, strike out "equipment", and insert "appliances".

Amendment No. 5

On page 2, lines 3 and 4, of said bill, strike out "agent, contractor," and insert "contractor".

Amendment No. 6

On page 2 of said bill, strike out lines 21 to 29, inclusive, and insert

"1183 1 (a) The land upon which any building, improvement, well or structure is constructed, together with a convenient space about the same, or so much as may be required for the convenient use and occupation thereof, to be determined by the court on rendering judgment, is also subject to the lien, if at the commencement of the work, or of the furnishing of the material for the same, the land belonged to the person who caused said building, improvement, well or structure to be constructed, altered or repaired, but if such person, owned less than fee simple estate in such land, then only his interest therein is subject to such lien, except as provided in paragraph (b) of this section."

Amendment No. 7

On page 2 of said bill, strike out lines 30 to 46, inclusive, and insert

"(b) Every building or other improvement or work mentioned in any of the preceding sections of this chapter constructed, altered or repaired upon any land with the knowledge of the owner or of any person having or claiming any estate therein, and the work or labor done or materials furnished mentioned in any of said sections with the knowledge of the owner or persons having or claiming any estate in the land, shall be held to have been constructed, performed or furnished at the instance of such owner or person having or claiming any estate therein, and such interest owned or claimed shall be subject to any lien filed in accordance with the provisions of this chapter, unless such owner or person having or claiming any estate therein shall, within ten days after he shall have obtained knowledge of such construction, alteration or repair or work or labor, give notice that he will not be responsible for the same by posting a notice in writing to that effect in some conspicuous place upon the property, and shall also, within the same period, file for record a verified copy of said notice in the office of the county recorder of the said county in which said property or some part thereof is situated Said notice shall contain a description of the property affected thereby sufficient for identification, with the name, and the nature of the title or interest of the person giving the same, name of purchaser under contract, if any, or lessee if known; said copy so recorded may be verified by anyone having a knowledge of the facts, on behalf of the owner or person for whose protection the notice is given"

Amendment No. 8

On page 3, line 26, of said bill, strike out "recording", and insert "filing".

Amendment No. 9

On page 3, line 34, of said bill, strike out "recorded", and insert "filed"

Amendment No. 10

On page 3, lines 40 and 41, of said bill, strike out "equipment", and insert "appliances"

Amendment No. 11

On page 5, line 16, of said bill, strike out "or equipment", and insert ", appliances or power".

Amendment No. 12

On page 5, line 23, of said bill, strike out "this", and insert "that"

Amendment No. 13

On page 5, line 31, of said bill, strike out "this", and insert "that"

Amendment No. 14

On page 5, line 39, of said bill, strike out "this", and insert "that"

Amendment No. 15

On page 8, line 12, of said bill, strike out "chapter", and insert "article"

Amendment No. 16

On page 8, line 13, of said bill, strike out "a valid", and insert "such"

Amendment No. 17

On page 9 of said bill, strike out lines 9 and 10, and insert "with the public agency, body or officer by".

Amendment No. 18

On page 12, line 49, of said bill, after "improvement", insert a comma.

Amendment No. 19

On page 15 of said bill, between lines 4 and 5, insert

"1199.2. Whenever on the sale of the property subject to any of the liens provided for in this chapter, under the judgment or decree of foreclosure of such lien, there is a deficiency of proceeds, judgment for the deficiency may be entered against the party personally liable therefor in like manner and with like effect as in action for the foreclosure of mortgages."

Amendment No. 20

On page 15, line 41, of said bill, strike out "practised", and insert "practiced".

Amendment No. 21

On page 17 of said bill, strike out lines 45 to 47, inclusive, and insert

"1203.1. The county recorder shall number, index and preserve all contracts, plans, bonds and other papers presented to him for filing pursuant to this chapter, and shall number, index and transcribe into the official records in his office, in the same manner as a conveyance of land, all notices, claims of lien and other papers filed for record with him pursuant to this chapter. He shall receive there-".

Amendment No. 22

On page 18 of said bill, strike out lines 1 and 2, and insert

"SEC. 2. Section 3060 is hereby added to the Civil Code to read.".

Amendment No. 23

On page 18, line 3, of said bill, strike out "1208.1.", and insert "3060."

Amendment No. 24

On page 18, line 18, of said bill, after "section.", insert "The liens provided for by this section shall be enforced in the same manner as those provided for by Chapter 2 of Title 4, Part 3, of the Code of Civil Procedure."

Amendment No. 25

On page 18, line 30, of said bill, strike out "land", and insert "real estate".

Amendment No. 26

On page 18, line 40, of said bill, strike out "land", and insert "real estate"

Amendment No. 27

On page 18 of said bill, between lines 41 and 42, insert

"The liens provided for by this section shall be enforced in the same manner as those provided for by Chapter 2 of Title 4, Part 3 of the Code of Civil Procedure."

Amendment No. 28

On page 18 of said bill, after line 45, insert

"SEC. 5. It is the intent of the Legislature to accomplish by this act only a formal revision of the law relating to mechanics' liens. Nothing in this act contained shall be construed as an alteration in the public policy or legislative intent regarding such law, nor in the meaning or substance thereof."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1164—An act to amend Section 987a of the Penal Code, relating to the compensation of counsel appointed to defend persons charged with crime.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In the title of the printed bill, strike out lines 1 to 3, inclusive, and insert

"An act to amend Sections 859 and 987a of the Penal Code, relating to compensation of counsel appointed by any court to defend indigent persons charged with crime and compensation of public defenders in certain cases."

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 859 of the Penal Code is amended to read.

859. When the defendant is charged with the commission of a public offense, over which the superior court has original jurisdiction, by a written complaint subscribed under oath and on file in a court within the county in which the public offense is triable, he shall, without unnecessary delay, be taken before a magistrate of the court in which such complaint is on file. The magistrate shall immediately deliver to him a copy of the complaint, inform him of his right to the aid of counsel, and allow him a reasonable time to send for counsel; and the magistrate must, upon the request of the defendant, require a peace officer to take a message to any counsel whom the defendant may name in the city or township in which the court is situated. The officer must without delay and without fee, perform that duty.

If he desires and is unable to employ counsel, the court must assign counsel to defend him.

SEC. 2. Section 987a of said code is amended".

Amendment No. 3

On page 1, line 4, of said bill, strike out "In", and insert "The board of supervisors may by ordinance provide that in".

Amendment No. 4

On page 1, line 5, of said bill, after "crime", insert ", or is assigned in a municipal or justice's court, or justice court as established pursuant to the Municipal and Justice Court Act of 1949, to represent such a person on a preliminary examination in such a court".

Amendment No. 5

On page 1, line 7, of said bill, after "sel", insert ", upon recommendation of the court or a judge thereof, may".

Amendment No. 6

On page 1, line 8, of said bill, strike out "shall".

Amendment No. 7

On page 1, line 10, of said bill, strike out "court", and insert "supervisors".

Amendment No. 8

On page 1 of said bill, after line 13, insert

"The board of supervisors may by contract provide that any public defender duly appointed or elected may charge reasonable fees to the Department of Corrections for representing inmates of prisons under its control, and the Department of Corrections may upon approval by the court pay such fees into the county treasury to be placed in the general fund of the county."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1836—An act to amend Sections 1274c and 1445 of the Code of Civil Procedure, relating to the disposition of property left by deceased persons.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

Strike out lines 1 to 3, inclusive, of the title of the printed bill, and insert

"An act to amend Sections 1355, 1410, 1430, 1441, and 1463 of, and to add Section 1381 to, the Code of Civil Procedure, relating to the custody, management, disposal and escheat of unclaimed estates of deceased persons and various other classes of unclaimed property, to the possession of which the State is, or may become entitled"

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 24, inclusive; on page 2, strike out lines 1 to 52, inclusive; and on page 3, strike out lines 1 to 26, inclusive, and insert

"SECTION 1. Section 1355 of the Code of Civil Procedure is amended to read:

1355. Within five years after date of entry of judgment in any proceeding had under the provisions of Chapter 5, or within five years after completion of notice by publication in an escheat action taken under the provisions of Section 1415, a person not a party or privy to such proceeding or action, if not otherwise barred, may file a petition in the Superior Court of the County of Sacramento, or as provided in Section 401, showing his claim or right to the money or other property, or the proceeds thereof.

Said petition shall be verified; and, in a proceeding for the recovery by the petitioner as heir, devisee, or legatee, or the successor in interest of an heir, devisee or legatee, of money or other property received by the State from the estate of a decedent under the provisions of Article 1 of Chapter 6, such petition, among other things must state:

The full name, and the place and date of birth of the decedent whose estate, or any part thereof, is claimed.

The full name of such decedent's father and the maiden name of his mother, the places and dates of their respective births, the place and date of their marriage, the full names of all children the issue of such marriage, with the date of birth of each, and the place and date of death of all children of such marriage who have died unmarried and without issue.

Whether or not such decedent was ever married, and if so, where, when and to whom.

How, when and where such marriage, if any, was dissolved.

Whether or not said decedent was ever remarried, and, if so, where, when and to whom.

The full names, and the dates and places of birth of all lineal descendants, if any, of said decedent; the dates and places of death of any thereof who died prior to the filing of such petition; and the places of residence of all who are then surviving, with the degree of relationship of each of such survivors to said decedent

Whether any of the brothers or sisters of such decedent ever married, and, if so, where, when and whom.

The full names, and the places and dates of birth of all children who are the issue of the marriage of any such brother or sister of the decedent, and the date and place of death of all deceased nephews and nieces of said decedent

Whether or not said decedent, if of foreign birth, ever became a naturalized citizen of the United States, and, if so, when, where, and by what court citizenship was conferred.

The post-office names of the cities, towns or other places, each in its appropriate connection, wherein are preserved the records of the births, marriages and deaths hereinbefore enumerated, and, if known, the title of the public official or other person having custody of such records

If, for any reason, the petitioner is unable to set forth any of the matters or things hereinbefore required, he shall clearly state such reason in his petition.

At least 20 days before the hearing of the petition, a copy of the petition and notice of hearing must be served on the Attorney General and on the Controller, and the Attorney General may answer the same at his discretion.

If such claim includes a claim to real property or any interest therein, the petitioner shall record in the office of the County Recorder of the County in which the real property is situated, a notice of the pendency of the petition containing the object of the action and a description of the property in the county affected thereby. From the time of filing such notice for record only, shall a purchaser or encumbrancer of the property be deemed to have constructive notice of the pendency of the action, and only of its pendency against parties designated by their real names.

The court must thereupon try the issue as issues are tried in civil actions; and if it is determined that such person is entitled to the money or other property or the proceeds thereof, it must order the property, if it has not been sold, to be delivered to him, or if it has been sold and the proceeds thereof paid into the State Treasury, it must order the Controller to draw his warrant on the Treasurer for the payment of the same, but without interest or cost to the State. A copy of such order, under the seal of the court, shall be a sufficient voucher for drawing such warrant.

All persons who fail to appear and file their petitions within the time limited are forever barred; saving, however, to infants and persons of unsound mind, the right to appear and file their petitions at any time within the time limited, or within one year after their respective disabilities cease.

SEC. 2. Section 1410 of the Code of Civil Procedure is amended to read:

1410. The Attorney General shall, from time to time, commence actions on behalf of the State for the purpose of having it adjudged that title to unclaimed property to which the State has become entitled by escheat has vested in the State, and for the purpose of having it adjudged that property has been actually abandoned or

that the owner thereof has died and there is no person entitled thereto and the same has escheated and vested in the State Such actions shall be brought in the Superior Court for the County of Sacramento; except that if any real property covered by the petition is not situated in the County of Sacramento, an action respecting the real property shall be commenced in the superior court for the county in which such real property or any part thereof is situated. *The Attorney General shall cause to be recorded in the office of the county recorder of the county in which the real property is situated, a notice of the pendency of the petition containing the names of the parties, and the object of the action and a description of the property in the county affected thereby. From the time of filing such notice for record only, shall a purchaser or encumbrancer of the property affected thereby be deemed to have constructive notice of the pendency of the action, and only of the pendency against parties designated by their real names.*

Such action shall be commenced by filing a petition. The provisions of Section 1420, relating to the facts to be set forth in the petition, joinder of parties and causes of action, and the provisions of Section 1423, relating to appearances and pleadings, shall be applicable to any proceeding had under this section; and the provisions of Section 1420 relating to the facts to be set forth in the petition, joinder of parties and causes of action, and the provisions of Section 1423, relating to appearances and pleadings, shall, insofar as they are applicable, cover such actions.

Upon the filing of the petition, the court shall make an order requiring all persons interested in the property or estate to appear on a day not more than 90 days nor less than 60 days from the date of the order and show cause, if any they have, why title to the property should not vest in the State of California.

Service of process in such actions shall be made by delivery of a copy of the order, together with a copy of the petition, to each person who claims title to any property covered by the petition and who is known to the Attorney General or the Controller or who has theretofore filed in the office of the Controller a written request for such service of process, stating his name and address, including street number, or post-office box number, if any, and by publishing the order at least once a week for four consecutive weeks in a newspaper published in the county in which the action is filed, the last publication to be at least 10 days prior to the date set for the hearing.

Upon completion of the service of process, as provided in this section, the court shall have full and complete jurisdiction over the estate, the property, and the person of everyone having or claiming any interest in the property, and shall have full and complete jurisdiction to hear and determine the issues therein, and to render an appropriate judgment.

In addition to the foregoing publication of the order, a notice shall be given by publication, at least once a week for four successive weeks in a newspaper published in the county from which the property was forwarded to the State Treasury or is situated, of each estate and item of property from such county or situated in such county in excess of one thousand dollars ($1,000). Such notice shall state that a petition has been filed and an order made as hereinbefore provided and shall list each estate and item in excess of one thousand dollars ($1,000) and show the amount of the property, if money, or a description thereof, if other than money, and the name of the owner or claimant and his last known address Any omission or defect in the giving of such additional notice shall not affect the jurisdiction of the court

If it appears from the facts found or admitted that the State is entitled to the property or any part thereof mentioned in the petition, judgment shall be rendered that title to such property or part thereof, as the case may be, has vested in the State by escheat

No costs of suit shall be allowed against any party in any action or proceeding had under this section.

SEC 3 Section 1430 of the Code of Civil Procedure is amended to read:

1430. Upon the expiration of five years after the date of entry of judgment in any proceeding had under this chapter, or upon the expiration of five years after completion of notice by publication in an escheat action taken under the provisions of Section 1415, the property covered by such proceeding or action is permanently escheated to the State; saving however to infants, and persons of unsound mind, the right to appear and claim such property as provided in this title; but it shall be presumed that there are no such infants nor persons of unsound mind who are or will be entitled to claim such property unless and until they appear and claim such property as provided in this title *: provided, however, such presumption shall be conclusive in favor of any purchaser in good faith and for a valuable consideration from the State and everyone subsequently claiming under him, saving however, to infants and persons of unsound mind the right of recourse to the proceeds of any sale or other disposition of any such property by the State and as herein provided*.

SEC 4 Section 1441 of the Code of Civil Procedure is amended to read:

1441 Money or other property distributed to the State under Sections 1027 or 1144 of the Probate Code, if not claimed within five years from the date of the decree making such distribution, as provided in Chapter 3, is permanently escheated to the State without further proceeding; saving, however, to infants and persons of unsound

mind, the right to appear and file their claims within the time limited, or within one year after their respective disabilities cease ; *provided, however, that any such property shall be conclusively presumed to be permanently escheated to the State as to all persons in favor of a purchaser in good faith and for a valuable consideration from the State and anyone subsequently claiming under him, saving however, to infants and persons of unsound mind the right of recourse to the proceeds of any sale or other disposition of such property by the State and as herein provided.*

SEC. 5. Section 1463 of the Code of Civil Procedure is amended to read:

1463. Money or other property paid into the State Treasury pursuant to a judgment of abandonment under the provisions of Section 1475, if not claimed within five years from the date of entry of such judgment, is permanently escheated to the State without further proceeding; saving, however, to infants and persons of unsound mind, the right to appear and file their claims within the time limited, or within one year after their respective disabilities cease; but it shall be presumed that there are no such infants nor persons of unsound mind who are or will be entitled to claim such property unless and until they appear and claim such property as provided in this title*; provided, however, that any such property shall be conclusively presumed to be permanently escheated to the State as to all persons in favor of a purchaser in good faith and for a valuable consideration from the State and anyone subsequently claiming under him, saving however, to infants and persons of unsound mind the right of recourse to the proceeds of any sale or other disposition of such property by the State and as herein provided*

SEC. 6. Section 1381 is added to the Code of Civil Procedure, to read

1381. All sales, leases or other transactions entered into by the Controller pursuant to this chapter shall be conclusive against everyone, except a purchaser or encumbrancer who in good faith and for a valuable consideration acquires a title or interest by an instrument in writing that is first duly recorded.

SEC. 7. Sections 1, 2, 3, 4, 5, and 6 of this act become operative only if a new Title 10 of Part 3 of the Code of Civil Procedure is enacted by the Legislature at its 1951 Regular Session, and in such case, said sections of this act become operative at the same time as said new Title 10 of Part 3 of said code takes effect."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary

Assembly Bill No. 1868—An act to amend Section 4530 of the Penal Code, relating to escapes.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out line 8, and insert

"No additional probational report shall be required with respect to such offense."

Amendment read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 2018—An act to amend Sections 1184, 1184a and 1184b of the Code of Civil Procedure, relating to mechanics' liens, providing for notice of claim of lien to persons other than owner of property in which lien exists, providing for withholding of payments due a contractor, providing for distribution of sums so withheld, and providing for action to enforce liens.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 2 of the printed bill, strike out lines 20, 21, and 22, and insert "being done under a contract with any political subdivision of the State, such notice must be filed, within said time, in".

Amendment No. 2

On page 2, line 31, of said bill, after "troller", insert "In the case of any contract of the State by or through any other state department, board, commission or officer, such notice must be filed with the head of such department, board, commission or state officer and not with the State Controller."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 2459—An act to add Section 1238.3 to the Code of Civil Procedure, relating to the exercise of the right of eminent domain by nonprofit hospitals.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 6 and 7, and insert

"1. Property for the operation or expansion of a non-profit hospital then in existence and engaged in scientific research or an educational activity and the acquisition of which has been certified as necessary by the Director of the State Department of Public Health, except that property devoted to use for the relief, care, or treatment of the spiritual, mental, or physical illness or ailment of humans shall not be taken under this section"

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 3382—An act to add Section 683.2 to the Civil Code, relating to interests in property.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 4 to 15, inclusive, and insert "as provided in Section 683 of this code, by (a) devise to a husband and wife or to a husband and wife and others, or (b) a conveyance from a husband and wife when holding title as community property or otherwise to themselves or to themselves and others, or (c) a conveyance by a third person or to a husband and wife or to a husband and wife and others which conveyance contains a recital therein or endorsement thereon signed by the said husband and wife to the effect that they accept the interest conveyed to them as joint tenants and not as community property, then the nature of such ownership cannot be shown to".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1481—An act providing for the constitution of the municipal court in a district embracing the City of San Diego, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 5 to 12, inclusive, and insert "ipal court previously established in said city."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 2044—An act to add Section 1160 to the Fish and Game Code, relating to property damage by hunters.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In line 2 of the title of the printed bill, after "hunters", insert "and fishermen".

Amendment No. 2

On page 1, line 4, of said bill, after "mammal", insert "or while taking or attempting to take any fish".

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Fish and Game.

Assembly Bill No. 2045—An act to amend Section 1417 of the Fish and Game Code, relating to penalties for violation of said code.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1 of the printed bill, strike out lines 16 to 18, inclusive, and insert "of this code. The".

Amendment read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Fish and Game.

Assembly Bill No. 2049—An act to add Section 1152.1 to the Fish and Game Code, relating to unlawful use of vehicles in hunting.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "vehicles in hunting", and insert "vehicles or boats in hunting or fishing".

Amendment No. 2

On page 1, line 4, of said bill, strike out "with any", and insert "or to take or attempt to take any fish with any boat,".

Amendment No. 3

On page 1, line 5, of said bill, strike out "vehicle or", and insert "boat, vehicle,".

Amendment No. 4

On page 1, line 7, of said bill, after "illegally", insert "taken fish or illegally"

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Fish and Game.

Assembly Bill No. 50—An act to amend Sections 428 and 404 of the Fish and Game Code, relating to fishing licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 22, of the printed bill, after the period, insert "A license under this subdivision shall grant the privilege of taking fish from waters of the Pacific Ocean only."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 601—An act to amend Sections 160.1 and 160.6 of, and to add Sections 160.15, 160.16, and 160.65 to, the Agricultural Code, relating to agricultural pest control business.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1 of the printed bill, strike out line 18, and insert "any person while engaged in any of the following:
(a) Any activity defined as structural pest control and required to be licensed".

Amendment No. 2

On page 1 of said bill, between lines 20 and 21, insert
"(b) Preservative treatment of fabrics or structural materials.
(c) Household or industrial sanitation services."

Amendment No. 3

On page 1 of said bill, strike out line 24, and insert "surgery who remove diseased or infested tissues, apply disinfectants, or perform similar pest control operations incidental to".

Amendment No. 4

On page 2 of said bill, strike out lines 32 to 35, inclusive, and insert "accompanied by a renewal fee of five dollars ($5), within the calendar year next following the date of expiration."

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

Assembly Bill No. 1023—An act to amend Sections 1300.8 and 1300.9 of the Agricultural Code, relating to processors of farm products.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

Strike out line 1 of the title of the printed bill, and insert

"An act to amend Section 1300.8 of, and add Section 1300.95 to, the Agricultural".

Amendment No. 2

On page 1 of said bill, strike out lines 24 to 26, inclusive

Amendment No. 3

On page 2 of said bill, strike out lines 1 to 3, inclusive

Amendment No. 4

On page 2 of said bill, strike out lines 26 to 39, inclusive.

Amendment No. 5

On page 2 of said bill, after line 25, insert

"SEC. 2. Section 1300.95 is added to said code to follow Section 1300.9, to read:

Any producer may file with the director a request, containing his name and address and the name of the processor to whom he has delivered or intends to deliver any farm products subject to his lien as a producer, that he be notified of the filing of any such statement signed by such processor. The director shall, within three days after the filing of such request, mail to such producer a copy of each such statement then on file and unexpired as to effective period and shall, within three days after the subsequent filing of any such statement within a period of one year next following the date of filing such request, mail to such producer a copy of such statement. The fee for filing such request shall be one dollar ($1)."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

Assembly Bill No. 1549—An act to amend Section 19622 and to repeal Section 19626.5 of the Business and Professions Code, relating to the disposition of state revenues derived from the regulation and licensing of horse racing, horse racing meetings, and wagering on the results thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 1

Strike out lines 1 to 5, inclusive, of the title of the printed bill, and insert

"An act to amend Section 80 of the Agricultural Code, relating to agricultural districts."

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 24, inclusive

Amendment No. 3

On page 2 of said bill, strike out lines 1 to 33, inclusive, and insert

"SECTION 1. Section 80 of the Agricultural Code is amended to read

80. The several counties of this State constitute agricultural districts numbered as follows:

District 1. All that portion of the County of Alameda not included in Agricultural District Number 53.

District 1a. The City and County of San Francisco and the County of San Mateo.

District 2. The County of San Joaquin.

District 3. The County of Butte.

District 4. The Counties of Sonoma and Marin.

District 5. The County of Santa Clara.

District 6. All that portion of Los Angeles County not included in Agricultural District [Number] 48, Agricultural District 50, Agricultural District 51, Agricultural District 54, Agricultural District 55, and Agricultural District 56.

District 7. The County of Monterey.

District 8. The County of El Dorado.

District 9. The County of Humboldt.

District 10. The County of Siskiyou not included in District 10a.

District 10a. All that portion of Siskiyou and Modoc Counties described as follows:

Beginning at the intersection of the first range line east of the Mount Diablo meridian with the Oregon California boundary line, thence southerly along said range line to the ninth standard parallel north, thence easterly along said parallel to the point where it intersects the fifth range line east of the Mount Diablo meridian, thence northerly along said range line to the Oregon state line, thence westerly along said state line to the point of beginning.

District 11. The Counties of Plumas and Sierra. A fair shall be held in each county of this district alternately.

District 12. The County of Mendocino.

District 13. The Counties of Sutter and Yuba.

District 14. The County of Santa Cruz.

District 15. The County of Kern.

District 16. The County of San Luis Obispo.

District 17. The County of Nevada.

District 18. The Counties of Mono, Inyo, and Alpine.

District 19. All that portion of Santa Barbara County lying east of Gaviota and south of the Santa Ynez Mountains.

District 20. The County of Placer.

District 21. The County of Fresno.

District 21a. The County of Madera.

District 22. The County of San Diego.

District 23. *All that portion of* the County of Contra Costa, *not included in District 54*.

District 24. The County of Tulare.

District 24a. The County of Kings.

District 25. The County of Napa.

District 26. The County of Amador.

District 27. The County of Shasta.

District 28. The County of San Bernardino.

District 29. The County of Tuolumne.

District 30. The County of Tehama.

District 31. The County of Ventura.

District 32. The County of Orange
District 33. The County of San Benito.
District 34 All that portion of the County of Modoc not included in District 10a.
District 35. The County of Merced.
District 35a. The County of Mariposa.
District 36. The County of Solano.
District 37. All that portion of Santa Barbara County not included in Agricultural District Number 19
District 38 The County of Stanislaus.
District 39 The County of Calaveras
District 40. The County of Yolo.
District 41. The County of Del Norte.
District 42. The County of Glenn.
District 43 The County of Lassen
District 44 The County of Colusa.
District 45. The County of Imperial
District 46 The County of Riverside.
District 47. The County of Trinity.
District 48. All that portion of Los Angeles County described as follows:

Beginning at the intersection of a southerly extension of the east line of Avalon Boulevard with the Pacific Ocean, proceed north to the east line of Avalon Boulevard; thence north along the east line of Avalon Boulevard to its intersection with the south line of Slauson Avenue; thence west along the south line of Slauson Avenue to La Brea Boulevard; thence north along west line of La Brea Boulevard to north line of Exposition Boulevard; thence east along north line of Exposition Boulevard to west line of Crenshaw Boulevard, thence south along the west line of Crenshaw Boulevard to south line of Vernon Avenue, thence east along south line of Vernon Avenue to Main Street; thence north along the west line of Main Street to the north line of Valley Boulevard; thence east along the north line of Valley Boulevard to the east line of San Gabriel Boulevard; thence south along the east line of San Gabriel Boulevard to the north line of Whittier Boulevard; thence east along the north line of Whittier Boulevard to the Orange County line; thence south along the Orange County line to its intersection with the Pacific Ocean; thence west along the Pacific Coast to point of beginning, excepting therefrom the area included in District 54.

District 49 The County of Lake
District 50 All that portion of Los Angeles County lying north of the south line of Township 5 North, San Bernardino base
District 51 All that portion of Los Angeles County described as Assembly Districts 41 and 42 in subdivisions 41 and 42 of Section 491 of the Government Code as enacted by Chapter 134 of the Statutes of California, Fifty-fifth Regular Session, excepting therefrom any portion of the area so described lying in Agricultural District 50, all of the City of Burbank, and that portion of Assembly District 42 lying east of a line extended south from the center of the south line of T. 3 N., R. 14 W., S. B. B. & M.
District 52 The County of Sacramento
District 53. That portion of Alameda County comprising Murray, Washington, and Pleasanton Townships, and the following portion of Eden Township, as said townships were constituted on January 1, 1947 All of that portion of Eden Township lying south and east of a line commencing at the point where the boundary line common to Eden and Pleasanton Townships touches the boundary line common to Alameda and Contra Costa Counties, thence southwesterly to the most northerly point on the boundary of the Rancho Arroyo de la Alameda, thence westerly along and following Harder Road and a line projected as a continuation of said Harder Road to San Francisco Bay

District 54 All that portion of Contra Costa within the incorporated limits of the City of Walnut Creek."

Amendments read, and adopted

Bill ordered reprinted, engrossed and to be re-referred to the Committee on Agriculture

Assembly Bill No. 2125—An act to add Sections 262 and 263 to the Agricultural Code, relating to bovine brucellosis.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 262 and 263", and insert "Section 262".

Amendment No. 2

On page 1 of said bill, strike out lines 3 to 18, inclusive, and insert

"262. In addition to any other authority in this chapter available to the director for the purpose of preventing the spread of any disease of livestock, the director may promulgate regulations, after hearing to prevent the spread within this State of bovine brucellosis through limitations on movement of bovine animals or through such tests or vaccinations or other means as he may find and determine to be necessary and if similar regulations are found and determined to be necessary interstate he shall notify the Governor in order that the procedure set forth in Section 211 may be followed."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

Assembly Bill No. 3223—An act to promote the sale and transportation of agricultural and other products, to eliminate impediments in connection therewith and state the policy of the State concerning the same, to provide regulation and relief for farmers and other persons suffering damage therefrom, by repealing Chapter 8 of the Labor Code and adding a new Chapter 8 to that code.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "promote the sale and transportation of agricultural"; and strike out lines 2, 3, 4, and 5 of said title, and insert "repeal Chap".

Amendment No. 2

In line 6 of the title of said bill, after the first "8", insert ", comprising Sections 1131 to 1136, inclusive, of Part 3 of Division 2"

Amendment No. 3

In line 6 of the title of said bill, strike out "adding", and insert "to add"

Amendment No. 4

In line 6 of the title of said bill, strike out "that", and strike out line 7, and insert "Part 3 of Division 2 of that code, comprising Sections 1131 to 1140, relating to labor disputes and the policy of the State with respect to the conduct thereof, prohibiting certain types of activities and contracts in connection therewith, and providing injunctive and other relief for persons injured by violations thereof"

Amendment No. 5

On page 1 of said bill, strike out lines 1 to 8, inclusive.

Amendment No. 6

On page 4 of said bill, after line 37, insert

"1140. Nothing contained in this act shall be construed as prohibiting a strike or other concerted activity protected by the Labor Management Relations Act, 1947."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

Assembly Bill No. 2127—An act to add Section 657 to the Agricultural Code, relating to imitation milk and imitation cream.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in the Assembly on April 5, 1951, strike out "milk or", and insert "fresh whole milk or fresh whole".

Amendment No. 2

On page 1, line 6, of said bill, strike out "distributed, for", and insert "or distributed in".

Amendment No. 3

On page 1, line 9, of said bill, strike out "milk or", and insert "fresh whole milk or fresh whole".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

Assembly Bill No. 2484—An act to add Section 92.1 to the Agricultural Code, relating to district and county agricultural fairs.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 22, 1951, strike out "add Section 92.1 to", and insert "amend Section 80 of".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 12, inclusive, and insert

"SECTION 1. Section 80 of the Agricultural Code is amended to read:

80. The several counties of this State constitute agricultural districts numbered as follows:

District 1. All that portion of the County of Alameda not included in Agricultural District Number 53.

District 1a. The City and County of San Francisco and the County of San Mateo.

District 2. The County of San Joaquin.

District 3. The County of Butte.

District 4. The Counties of Sonoma and Marin.

District 5. The County of Santa Clara.

District 6. All that portion of Los Angeles County not included in Agricultural District Number 48, Agricultural District Number 50 and Agricultural District 51.

District 7. The County of Monterey.

District 8. The County of El Dorado.

District 9. The County of Humboldt.

District 10. *That portion of the* County of Siskiyou *not included in District 10a.*

District 10a. All that portion of Siskiyou and Modoc Counties described as follows:

Beginning at the intersection of the first range line east of the Mount Diablo meridian with the Oregon California boundary line, thence southerly along said range line to the Ninth Standard Parallel north, thence easterly along said parallel to the point where it intersects the fifth range line east of the Mount Diablo meridian, thence northerly along said range line to the Oregon state line, thence westerly along said state line to the point of beginning.

District 11. The Counties of Plumas and Sierra. A fair shall be held in each county of this district alternately.

District 12. The County of Mendocino.

District 13. The Counties of Sutter and Yuba.

District 14. The County of Santa Cruz.

District 15. The County of Kern.

District 16. The County of San Luis Obispo.

District 17. The County of Nevada.

District 18. The Counties of Mono, Inyo, and Alpine.

District 19. All that portion of Santa Barbara County lying east of Gaviota and south of the Santa Ynez Mountains.

District 20 The County of Placer
District 21. The County of Fresno.
District 21a. The County of Madera.
District 22. The County of San Diego.
District 23. The County of Contra Costa.
District 24. The County of Tulare.
District 24a. The County of Kings.
District 25. The County of Napa.
District 26. The County of Amador.
District 27. The County of Shasta.
District 28. The County of San Bernardino
District 29. The County of Tuolumne
District 30 The County of Tehama.
District 31. The County of Ventura.
District 32. The County of Orange.
District 33. The County of San Benito
District 34. The County of Modoc.
District 35. The County of Merced.
District 35a. The County of Mariposa.
District 36. The County of Solano.
District 37. All that portion of Santa Barbara County not included in Agricultural District Number 19
District 38. The County of Stanislaus.
District 39. The County of Calaveras.
District 40. The County of Yolo.
District 41. The County of Del Norte
District 42. The County of Glenn.
District 43. The County of Lassen.
District 44. The County of Colusa.
District 45. The County of Imperial.
District 46. The County of Riverside.
District 47. The County of Trinity.
District 48. All that portion of Los Angeles County described as follows:

Beginning at the intersection of a southerly extension of the east line of Avalon Boulevard with the Pacific Ocean, proceed north to the east line of Avalon Boulevard; thence north along the east line of Avalon Boulevard to its intersection with the south line of Slauson Avenue; thence west along the south line of Slauson Avenue to La Brea Boulevard; thence north along west line of La Brea Boulevard to north line of Exposition Boulevard; thence east along north line of Exposition Boulevard to west line of Crenshaw Boulevard; thence south along the west line of Crenshaw Boulevard to south line of Vernon Avenue; thence east along south line of Vernon Avenue to Main Street; thence north along the west line of Main Street to the north line of Valley Boulevard; thence east along the north line of Valley Boulevard to the east line of San Gabriel Boulevard; thence south along the east line of San Gabriel Boulevard to the north line of Whittier Boulevard; thence east along the north line of Whittier Boulevard to the Orange County line; thence south along the Orange County line to its intersection with the Pacific Ocean; thence west along the Pacific Coast to point of beginning.

District 49. The County of Lake.
District 50 All that portion of Los Angeles County lying north of the south line of Township 5 North, San Bernardino Base
District 51. All that portion of Los Angeles County described as Assembly Districts 41 and 42 in subdivisions 41 and 42 of Section 491 of the Government Code as enacted by Chapter 134 of the Statutes of California, Fifty-fifth Regular Session, excepting therefrom any portion of the area so described lying in Agricultural District 50, all of the City of Burbank, and that portion of Assembly District 42 lying east of a line extended south from the center of the south line of T. 3 N., R. 14 W., S. B. B. &. M.
District 52 The County of Sacramento.
District 53 That portion of Alameda County comprising Murray, Washington, and Pleasanton Townships, and the following portion of Eden Township, as said townships were constituted on January 1, 1947: All of that portion of Eden Township lying south and east of a line commencing at the point where the boundary line common to Eden and Pleasanton Townships touches the boundary line common to Alameda and Contra Costa Counties, thence southwesterly to the most northerly point on the boundary of the Rancho Arroyo de la Alameda, thence westerly along and following Harder Road and a line projected as a continuation of said Harder Road to San Francisco Bay"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

Assembly Bill No. 1145—An act to amend Sections 26472, 26519, 26580, 26617, 26621, and to add Sections 26518.5, 26530, and to repeal Section 26622 of the Health and Safety Code, relating to adulterations of meat, inspection of foods, records of food manufacture and disclosing of official information by inspectors; also relating to quarantining of adulterated, misbranded, or falsely advertised foods.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "26580,".

Amendment No. 2

In line 1 of the title of said bill, after "26617," insert "26618, 26620,".

Amendment No. 3

On page 2, line 14, of said bill, strike out "cattle", and insert "fresh beef".

Amendment No. 4

On page 2, line 16, of said bill, strike out "cattle", and insert "fresh beef".

Amendment No. 5

On page 2, line 38, of said bill, after "agent", insert "of the board".

Amendment No. 6

On page 2, line 42, of said bill, strike out "or to refuse"; and strike out lines 43 and 44, and insert "nor shall any person hinder, delay, obstruct or interfere with any such agent."

Amendment No. 7

On page 3 of said bill, strike out line 14, and insert "such inspector or as directed by the chief of the bureau or by a court of competent jurisdiction."

Amendment No. 8

On page 3 of said bill, strike out lines 15 to 25, inclusive.

Amendment No. 9

On page 3, line 26, of said bill, strike out "6", and insert "5".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 10

On page 3 of said bill, strike out lines 32 to 39, inclusive, and insert

"SEC. 6. Section 26618 of said code is amended to read:

26618. Within the territory over which a local division has jurisdiction, the health officer of any local food [protection] *inspection* and enforcement division and his deputies, shall have the same powers as are possessed by peace officers of this State.

SEC. 7. Section 26620 of said code is amended to read:

26620. The health officer of the local food [protection] *inspection* and enforcement division shall set a time for a hearing, at which the parties may be heard before him. At least 15 days' notice of such hearing shall be served upon the parties interested. The hearing shall be private and confined to questions of fact. Appearances may be made in person or by attorney and testimony may be taken and evidence introduced as to the correctness of the findings made by the person making the examination or performing the analysis."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 1147—An act to amend Sections 28282, 28294, 28312, 28314 and add Sections 28282.5, 28292, 28326, 28327 to the Health and Safety Code, relating to sanitation in food processing plants and packaging of and return of bakery products.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "28282, 28294, 28312, 28314", and insert "28281, 28282, 28294, 28312, 28314, and the heading of Chapter 7 of Division 21 of,".

Amendment No. 2

In line 2 of the title of said bill, strike out "28282.5, 28292, 28326, 28327", and insert "28280.1, 28282.5, 28292, and 28299 to,".

Amendment No. 3

On page 1, lines 3, 4, and 5, of said bill, strike out "establishment or place where food is produced, prepared for sale, manufactured, packed, stored, sold, or distributed", and insert "food processing establishment".

Amendment No. 4

On page 1, lines 11 and 12, of said bill, strike out ", as far as may be necessary, by all reasonable means"

Amendment No. 5

On page 2 of said bill, strike out lines 2 and 3, inclusive; and in line 4, strike out "apparel separate and apart from", and insert "or if they dress, undress, or leave or store their clothing in".

Amendment No. 6

On page 2, line 24, of said bill, strike out "family or domestic", and insert "residence or sleeping".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 7

On page 3 of said bill, strike out lines 4 to 19, inclusive, and insert

"SEC. 7. Section 28299 is added to said code to read:

28299. The sections contained in Article 1 of Chapter 7 of Division 21 of the Health and Safety Code are to be known as the California Food Sanitation Act.

SEC. 8. Section 28280.1 is added to said code to read:

28280.1. "Food processing establishment," except restaurants, as used in this chapter, shall mean any room, building or place or portion thereof, maintained, used or operated for the purpose of commercially storing, packaging, making, cooking, mixing, processing, bottling, canning, packing, slaughtering or otherwise preparing or handling food.

SEC. 9. Section 28281 of said code is amended to read:

28281. Every [building room, basement, or cellar occupied or used as a bakery, confectionery, cannery, packinghouse, slaughterhouse, restaurant, hotel, grocery, meat market, or other place used for the production, preparation for sale, manufacture, packing, storage, sale, or distribution of any food,] *food processing establishment* shall be properly lighted, drained, plumbed, and ventilated; and shall be conducted with strict regard to the influence of lighting, drainage, plumbing, and ventilation upon the health of persons therein employed, and upon the purity and wholesomeness of the food therein produced, prepared for sale, manufactured, packed, stored, kept, handled, sold, or distributed

SEC. 10. The heading of Chapter 7 of Division 21 of said code is amended to read:

CHAPTER 7. FOOD [PROCESSING] *SANITATION*".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 3364—An act to amend Section 7332 of the Business and Professions Code, relating to the practice of cosmetology.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 7332", and insert "Sections 7330, 7332, and 7334"

Amendment No. 2

On page 1, line 3, of said bill, strike out "must", and insert "shall".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, between lines 19 and 20, insert

"(3) Service for at least two years as a licensed junior operator in a licensed cosmetological establishment in which all of the occupations of a hairdresser and cosmetician or cosmetologist are practiced

(a) Every licensed establishment engaged in the training of a junior operator shall meet all requirements incumbent upon a cosmetology school engaged in the *training of a student of cosmetology, electrology, and special manicurist, including a* time clock

(b) No licensed establishment shall train a junior operator unless they have two or more licensed operators in the shop

(c) No shop at any time shall have more than two junior operators training at the same time

(d) Any person having had previous training in any branch of cosmetology in this State or any other State shall not be eligible to train for a junior operators license.

(e) A trainer must have had at least five years experience as an operator and have taken the examination by the State Board of Cosmetology and have had all the qualifications of an instructor except an instructers license required for cosmetological schools

(f) Any establishment violating the provisions of this section more than once shall not be permitted to train junior operators.

SEC. 2. Section 7330 of said code is amended to read:

7330. A hairdresser and cosmetician or cosmetologist is any person who engages [, under the immediate supervision of a licensed hairdresser and cosmetician or cosmetologist *manager operator*] *, in the practice of cosmetology,* except the branch of electrolysis

SEC. 3. Section 7334 of said code is amended to read

7334. A licensed junior operator may engage in any one or any combination of the occupations of a hairdresser and cosmetician or cosmetologist upon a patron who is paying for service or materials, under the immediate supervision of a licensed hairdresser and cosmetician [or cosmetologist manager operator] in a licensed cosmetological establishment only after he has had 350 hours of instruction.

Every junior operator shall secure his license as a hairdresser and cosmetician or cosmetologist within three years and six months of receiving his license as a junior operator"

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 888—An act to add Section 617 to the Military and Veterans Code, relating to the display of flags over public buildings.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

On page 1, line 13, of the printed bill, as amended in the Assembly on March 14, 1951, strike out "or", and insert a comma.

Amendment No. 2

On page 1, line 14, of said bill, after "California," insert "or the flag of any county, city or district,".

Amendment No. 3

On page 1, line 17, of said bill, strike out "to the dis-"; and strike out lines 18 and 19, and insert "to;

(a) flags or other decorations on district, county or state fair buildings, or upon publicly owned stadiums, auditoriums or coliseums

(b) flags displayed in connection with any holiday, athletic event or public celebration or the visit of any governmental official or foreign dignitary."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Military Affairs.

SECOND READING OF SENATE BILLS

Senate Bill No. 26—An act amending Section 1556 of, and to add Section 1556.1 to, the Probate Code, relating to guardianship proceedings, providing for the fixing and allowing of guardian's compensation

Bill read second time, and ordered to third reading.

Senate Bill No. 868—An act to amend Sections 860, 865, 880, and 903 and to repeal Sections 861 and 881 of the Fish and Game Code, relating to taking fish with nets.

Bill read second time, and ordered to third reading.

Senate Bill No. 105—An act to amend Sections 19622, 19626, and 19628 of the Business and Professions Code, relating to allocation of moneys in the Fair and Exposition Fund.

Bill read second time, and ordered to third reading

Senate Bill No. 106—An act to amend Section 5154 of the Public Resources Code, relating to county fairs.

Bill read second time, and ordered to third reading.

Senate Bill No. 221—An act to amend Section 734 of the Agricultural Code, relating to fees paid by manufacturers of frozen milk products.

Bill read second time, and ordered to third reading.

Senate Bill No. 563—An act to add Section 19629 to the Business and Professions Code, relating to the audit of fairs receiving money from the Fair and Exposition Fund.

Bill read second time, and ordered to third reading.

Senate Bill No. 1231—An act to amend Section 1079 of the Agricultural Code, relating to economic poisons.

Bill read second time, and ordered to third reading.

Senate Bill No. 1254—An act to amend Section 67 of the Agricultural Code, relating to the administration of the provision of said code.

Bill read second time, and ordered to third reading.

Senate Bill No. 1258—An act to amend Section 432 of the Agricultural Code, relating to livestock.

Bill read second time, and ordered to third reading.

Senate Bill No. 104—An act to amend Sections 88, 92, and 92.5 of the Agricultural Code, relating to district agricultural fairs.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on March 19, 1951, strike out "88,".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 23, inclusive

Amendment No. 3

On page 1, line 24, of said bill, strike out "SEC. 2.", and insert "SECTION 1."

Amendment No. 4

On page 2, line 30, of said bill, strike out "Article 5, Chapter 5, Part 2, Division 2, of Title 3", and insert "Sections 25450 to 25463, inclusive,".

Amendment No. 5

On page 3, line 6, of said bill, following "exhibits.", insert "Said rules and regulations and the maximum amount of premiums which may be offered and paid shall be exempt from the provisions of Section 11380 of the Government Code but may be filed with the Secretary of State under the provisions of Section 11385 of the Government Code."

Amendment No. 6

On page 4, line 31, of said bill, strike out "3", and insert "2".

Amendment No. 7

On page 4, line 38, of said bill, strike out "of the Agricultural Code".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading

Senate Bill No. 894—An act to add Section 88.2 to the Agricultural Code, relating to the extraction of mineral deposits from lands owned or controlled by district agricultural associations and providing for the disposition of the proceeds thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

On page 2, line 5, of the printed bill, as amended in the Senate on March 22, 1951, after "under", insert "paragraph (c)".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading

Senate Bill No. 789—An act to add Section 2838.5 to the Elections Code, relating to county control committees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Senate on March 21, 1951, after "county", insert "at the time of the election of the county committee".

Amendment No. 2

On page 1, line 4, of said bill, strike out "incumbent", and insert "holdover".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 99—An act to amend Section 32121 of the Health and Safety Code, relating to hospital districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert ", and add Sections 32107 and 32108 to,".

Amendment No. 2

On page 2 of said bill, after line 15, insert

"SEC. 2. Section 32107 is added to the Health and Safety Code to read.

32107. No member of the medical staff of a district hospital shall be eligible to serve as a member of the board of directors.

SEC. 3. Section 32108 is added to the Health and Safety Code to read:

32108. Any director or officer of the district who is in any manner interested in any contract awarded or to be awarded by the board, or in the profits to be derived from the contract, is guilty of a misdemeanor. Conviction shall also work a forfeiture of his office."

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Public Health.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1211

Mr. Clarke asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1211, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 1211

Senate Bill No. 1211—An act to amend Section 14254 of the Government Code, relating to state public works projects.

Bill read third time

Motion to Amend

Mr. Clarke moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on March 19, 1951, strike out "Section", and insert "Sections".

Amendment No. 2

In line 1 of the title of said bill, after "14254", insert "and 14256".

Amendment No. 3

On page 1 of said bill, following line 7, insert

"SEC. 2. Section 14256 of the Government Code is amended to read:

14256 [If the total cost of a project will not exceed ten thousand dollars ($10,000), or thirty-five thousand dollars ($35,000) if the project is for construction or improvement of fairgrounds for a district agricultural association, and] *Where* the nature of the work in the opinion of the department is such that its services in connection therewith are not required, it may, with the approval of the Department of Finance, authorizing the carrying out of the project directly by the State agency concerned therewith *if*

(a) the project is for construction or improvement of fairgrounds for a district agricultural association and the total cost will not exceed thirty-five thousand dollars ($35,000), or

(b) the project is for a state agency other than a district agricultural association and

(1) the project is for maintenance, maintenance replacement, non-structural alteration, or repair and the total cost will not exceed twenty-five thousand dollars ($25,000), or

(2) the project is not specifically mentioned above and the total cost will not exceed fifteen thousand dollars ($15,000)."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 2730—An act to add Section 20631 to the Government Code, relating to the State Employees' Retirement System in respect to withdrawal of additional contributions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Cooke, Davis, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Klocksiem, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McGee, Morris, Munnell, Niehouse, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stewart, Waters, and Mr. Speaker—52.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2282—An act to amend Section 28131 of the Government Code, relating to compensation for public services in counties of the thirty-first class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Levering, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McCollister, McGee, Morris, Munnell, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stewart, Waters, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2284—An act to amend Section 28144 of the Government Code, relating to compensation for public services in counties of the forty-fourth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Lowrey, Luckel, Lyon, McCarthy, McCollister, McGee, Morris, Munnell, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stewart, Waters, and Mr. Speaker—56.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2077—An act to amend Section 1900 of the Labor Code, relating to public agencies.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Burkhalter moved a call of the Assembly.

Motion carried. Time, 10 07 a m

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Babbage, Condon, Connolly, Conrad, Evans, Fleury, Grant, Gubser, Hagen, Kilpatrick, Kirkwood, Lincoln, McCollister, McFall, Moss, and Tomlinson—16

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr Geddes asked for, and was granted, unanimous consent that Assembly Rule No 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 676 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Morris asked for, and was granted, unanimous consent that Assembly Bill No 676 be withdrawn from the Committee on Industrial Relations, and be re-referred to the Committee on Finance and Insurance.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 2123, on motion of Mr. Hansen.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 229—An act to amend Sections 5565 and 5724 of the Elections Code, relating to the conduct of elections.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—68

NOES—None

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 835

And reports the same correctly re-engrossed

BURKE, Chairman

Above reported bill ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1951

MR SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 522
Assembly Bill No. 825
Assembly Bill No 908
Assembly Bill No. 1068

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1951

MR SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No 1667
Assembly Bill No. 2229
Assembly Bill No. 3029

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 355
Assembly Bill No. 2019
Assembly Bill No. 3396

Has had the same under consideration, and reports the same back with the recommendation: Do pass

STANLEY, Chairman

Above reported bills ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1951

MR SPEAKER Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 3066

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means

STANLEY, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1951

MR SPEAKER. Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 840
Assembly Bill No. 1719

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bills ordered to second reading

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 1560

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

DUNN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1951

MR. SPEAKER: Your Committee on Education, to which were referred.

Assembly Bill No. 467
Assembly Bill No. 1738

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Senate Bill No. 1424
Senate Bill No. 371
Senate Bill No. 504

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1951

MR SPEAKER: Your Committee on Education, to which was referred.

Assembly Bill No. 2499

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1951

MR SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 1891

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

DUNN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Senate Bill No. 413

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 1954

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

DUNN, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 497

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

ERWIN, Chairman

Above reported bill ordered to second reading.

Committee on Manufacturing, Oil, and Mining Industry

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1951

MR. SPEAKER: Your Committee on Manufacturing, Oil, and Mining Industry, to which were referred:

Assembly Bill No. 1289
Senate Bill No. 243
Senate Bill No. 207

Has had the same under consideration, and reports the same back with the recommendation: Do pass

MORRIS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1951

MR. SPEAKER: Your Committee on Manufacturing, Oil, and Mining Industry, to which was referred:

Senate Bill No. 917

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

MORRIS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1951

MR. SPEAKER: Your Committee on Manufacturing, Oil, and Mining Industry, to which was referred:

Assembly Bill No. 647

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

MORRIS, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2530—An act to add Sections 92.1 and 94.7 to the Agricultural Code, relating to fairs and expositions.

Bill read third time.

Motion to Amend

Messrs. Beck, McGee, Burkhalter, Clarke, Cooke, Silliman, McFall, Hinckley, Dunn, Grunsky, Crowley, George D Collins, Tomlinson.

Geddes, Hollibaugh, Evans, and Hagen moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on April 5, 1951, after the comma, insert "and to amend Section 19624 of the Business and Professions Code,".

Amendment No. 2

On page 1 of said bill, after line 24, insert

"SEC. 3. Section 19624 of the Business and Professions Code is amended to read:

19624. The first balance of the fund is hereby annually appropriated as follows: (a) 5 percent for payment to and use of those certain fruit fairs defined in Section 94 of the Agricultural Code, but not to district agricultural associations, district or county fairs, for the purpose of conducting and carrying on annually citrus fruit fairs and expositions to promote and encourage the citrus fruit industry of this State.

Of said 5 percent, one hundred thousand dollars ($100,000) thereof is appropriated and allocated annually to those certain citrus fruit fairs and expositions defined in Section 94 of the Agricultural Code held in counties having a population in excess of 160,000 as shown by the last federal census, according to population, and if there be but one of such fairs held in counties having a population in excess of 160,000 then the whole of said one hundred thousand dollars ($100,000) is appropriated and allocated to and for the use of such citrus fruit fair. The balance of said 5 percent is appropriated and allocated to the citrus fruit fairs defined in Section 94 of the Agricultural Code (if any there be), held in counties having a population of less than 160,000 and to those other citrus fruit fairs and expositions in such counties having a population of less than 160,000 which have been conducted and carried on annually for not less than twenty years by nonprofit associations or corporations for the purpose of promoting and encouraging the citrus fruit industry of California; each such citrus fruit fair held in counties having a population of less than 160,000 shall receive fifteen thousand dollars ($15,000) each year. The balance of the 5 percent remaining after the foregoing appropriations and allocations shall revert to and become a part of said first balance of the fund.

(b) Forty percent for the encouragement of county, district, or combined county and district agricultural fairs (exclusive of the State Fair, the Los Angeles County Fair, the Sixth District Agricultural Association and citrus fruit fairs) to be apportioned by and expended under the supervision of the Department of Finance in the manner and for the purpose prescribed by Section 92 of the Agricultural Code and other applicable provisions of law but no such county, district or combined county and district agricultural fair shall receive a sum greater than sixty-five thousand dollars ($65,000) under Section 92 of the Agricultural Code in any one year *; provided, however, in any year in which one or more fairs are not entitled to an apportionment of sixty-five thousand dollars ($65,000) there shall first be tentatively allocated to each fair a sum equivalent to the total amount available for apportionment divided by the number of eligible fairs. If as to any fair or fairs this does not produce the amount to which it is entitled for premiums paid not exceeding the maximum base of allocation for that year there shall be allocated such additional amount as may be necessary to bring the amount allocated to each such fair up to the amount to which it is so entitled and the allocation to the other fairs shall be reduced accordingly.*

If in any year the sum appropriated to county, district or combined county and district agricultural fairs under this section is less than two hundred twelve thousand one hundred seventy-two dollars and seventy-nine cents ($212,172.79), then during that year the apportionment to all fairs shall be made in the manner and upon the basis prescribed by Section 13 of Chapter 769 of the Statutes of 1933 and by Section 92 of the Agricultural Code."

Amendments read.

Motion That Assembly Bill No. 2530, and Proposed Amendments, Be Re-referred to Committee

Mr. Cooke moved that Assembly Bill No. 2530, and proposed amendments, be withdrawn from the third reading file, and be re-referred to the Committee on Agriculture.

Mr. Moss seconded the motion.

Roll Call Demanded

Messrs. Munnell, Rosenthal, and Beck demanded a roll call

The roll was called, and the motion to re-refer lost by the following vote:

AYES—Belotti, Brown, Cloyed, Coats, George D. Collins, Cooke, Davis, Dolwig, Fleury, Grunsky, Gubser, Henderson, Lowrey, Moss, Parker, and Stanley—16

NOES—Babbage, Beck, Berry, Brady, Burke, Burkhalter, Caldecott, Collier, Connolly, Conrad, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Luckel, Lyon, McCollister, McGee, McMillan, Meyers, Morris, Munnell, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, and Tomlinson—47.

The question being on the adoption of the amendments offered by Mr. Beck and others, to Assembly Bill No. 2530.

The roll was called, and the amendments adopted by the following vote:

AYES—Beck, Berry, Brady, Burke, Burkhalter, Chapel, Clarke, Collier, George D. Collins, Conrad, Crowley, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lyon, Maloney, McGee, McMillan, Meyers, Morris, Munnell, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—49

NOES—Babbage, Belotti, Brown, Cloyed, Coats, Cooke, Davis, Dolwig, Fleury, Gubser, Henderson, Lowrey, McCollister, Moss, and Parker—15

Notice of Motion to Reconsider Amendments to Assembly Bill No. 2530

Mr. Davis gave notice that on the next legislative day he would move to reconsider the vote whereby the amendments to Assembly Bill No. 2530 were this day adopted.

Assembly Bill No. 1317—An act to amend Sections 16430 and 16434 of the Education Code, relating to school safety patrols.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Henderson, Hollibaugh, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, and Stanley—54.

NOES—Clarke, Conrad, Gubser, Hansen, Hinckley, Kelly, Kirkwood, Lanterman, Levering, McCarthy, Shaw, Smith, Stewart, and Waters—14

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1218

Mr. Dickey asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1218, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1218

Senate Bill No. 1218—An act to add Section 10246 to the Government Code, relating to participation by the Legislative Counsel in judicial proceedings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 42: By Messrs. Sam L. Collins and Dickey—Relative to the intent of the Legislature with reference to its powers in connection with the enactment of Senate Bill No. 1218 which adds Section 10246 to the Government Code.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 42, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 42

Assembly Concurrent Resolution No. 42—Relative to the intent of the Legislature with reference to its powers in connection with the enactment of Senate Bill No. 1218 which adds Section 10246 to the Government Code.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—74.

NOES—None

Resolution ordered printed, and transmitted to the Senate.

Request for Unanimous Consent That Rush Order Be Placed Upon Printing of Assembly Concurrent Resolution No. 42

Mr. Dickey asked for, and was granted, unanimous consent that a rush order be placed upon the printing of Assembly Concurrent Resolution No. 42

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1676
Assembly Bill No. 3376

And reports the same correctly re-engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 763
Assembly Bill No. 1672
Assembly Bill No. 1674
Assembly Bill No. 1678
Assembly Bill No. 2307

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2077

At 11.05 a.m., on motion of Mr. Burkhalter, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 2077 passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Chapel, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Evans, Gaffney, Geddes, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lincoln, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, and Thomas—44.

NOES—Babbage, Burke, Caldecott, Clarke, Cloyed, Collier, Connolly, Conrad, Dolwig, Erwin, Fleury, Grunsky, Gubser, Hansen, Hinckley, Kirkwood, Lanterman, Levering, Lindsay, Lowrey, Lyon, McGee, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters—29.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1242—An act to amend Section 2235 of the Corporations Code, relating to cumulative voting for directors of corporations.

Bill read third time

Demand for Previous Question

Messrs. Waters, Silliman, McCarthy, Grant, and Hinckley demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1242.

The roll was called, and the bill passed by the following vote:

AYES—Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Collier, Connolly, Conrad, Dolwig, Doyle, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hansen, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Niehouse, Porter, Rumford, Sherwin, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—41

NOES—Babbage, Beck, Belotti, Brady, Burkhalter, Chapel, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Dickey, Dills, Elliott, Erwin, Geddes, Hagen, Hahn, Hawkins, Henderson, Hollibaugh, Klocksiem, Lowrey, McFall, Morris, Moss, Munnell, Parker, Rosenthal, Shaw, Silliman, Smith, and Stanley—34

Notice of Motion to Reconsider Assembly Bill No. 1242

Mr Coats gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1242 was this day passed.

REPORTS OF STANDING COMMITTEES

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which were referred:

Assembly Bill No. 449
Assembly Bill No 1529

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

NIEHOUSE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which were referred:

Assembly Bill No. 446
Assembly Bill No. 2343

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

NIEHOUSE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which were referred:

Assembly Bill No 447
Assembly Bill No. 667
Assembly Bill No. 670
Assembly Bill No 2203
Assembly Bill No. 3172

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

NIEHOUSE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which were referred:

Assembly Bill No. 668
Assembly Bill No. 669

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re referred to Committee on Ways and Means

NIEHOUSE, Chairman

Above reported bills ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1951

MR SPEAKER: Your Committee on Social Welfare, to which was referred:

Assembly Bill No. 448

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 10, 1951

MR SPEAKER: Your Committee on Social Welfare, to which were referred:

Assembly Bill No. 359
Assembly Bill No. 361
Assembly Bill No. 2039

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass, as amended

NIEHOUSE, Chairman

Above reported bills ordered to second reading

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 956

Mr. Luckel asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 956, temporarily passed on file, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 956

Assembly Bill No. 956—An act to amend Section 200 of the Labor Code, relating to the definition of the terms "wages," "labor," and "discharge," as used in Article 1, Chapter 1, Part 1, Division 2 of the Labor Code.

Bill read third time.

Motion to Amend

Mr. Levering moved the adoption of the following amendments:

Amendment No. 1

On page 1, lines 12 and 13, of the printed bill, strike out "other than a quit.", and insert "at the instance of the employer with or without cause, and shall include a layoff which extends beyond the next succeeding regular payday."

Amendment No. 2

At the end of the above amendment, insert

"(d) 'Quit' means a termination of employment at the instance of an employee, and shall include any termination of employment resulting from an employee's unexplained absence from his work."

Amendments read.

Division of the Question

Mr. Luckel asked for a division of the question.

Consideration of Amendment No. 1

Amendment No. 1

On page 1, lines 12 and 13, of the printed bill, strike out "other than a quit.", and insert "at the instance of the employer with or without cause, and shall include a layoff which extends beyond the next succeeding regular payday."

Amendment read, and adopted.

Consideration of Amendment No. 2

Amendment No. 2

At the end of the above amendment, insert

"(d) 'Quit' means a termination of employment at the instance of an employee, and shall include any termination of employment resulting from an employee's unexplained absence from his work."

Amendment read.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Clarke, Cloyed, Collier, Erwin, Geddes, Grant, Hansen, Kelly, Klocksiem, Lanterman, Levering, Lindsay, McCarthy, McGee, Morris, Sherwin, Silliman, Smith, Stanley, and Tomlinson—20.

NOES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hawkins, Henderson, Hollibaugh, Lincoln, Lowrey, Luckel, Maloney, McFall, McMillan, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stewart, and Thomas—46.

Bill ordered reprinted, and re-engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1813—An act to add Section 12419.5 to the Government Code, relating to claims against the State and the duties of the State Controller.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—74.

NOES—None

Bill ordered transmitted to the Senate.

MEMBER EXCUSED

At 11.40 a.m., Mr. Munnell asked for, and was granted, unanimous consent that Mr. Kilpatrick be excused, for the balance of the legislative day because of legislative business elsewhere, and that he desires to waive his per diem.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1971—An act to amend Sections 1b, 1c, and 2b of, to add Sections 2d and 5b to, and to repeal Section 1e of, the Municipal Improvement Act of 1913, relating to special assessment proceedings, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—69.

NOES—Klocksiem—1.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Connolly, Conrad, Cooke Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Holhbaugh, Kelly, Kirkwood, Lanterman, Levering, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith Stanley, Stewart, Thomas, Waters, and Mr Speaker—69.

NOES—Klocksiem—1

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 549
Assembly Bill No. 1116
Assembly Bill No. 1682
Assembly Bill No. 1901
Assembly Bill No. 3352

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1951

MR SPEAKER. Your Committee on Governmental Efficiency and Economy, to which were referred

Assembly Bill No. 1222
Assembly Bill No. 1698
Assembly Bill No 2003
Assembly Bill No. 2142
Assembly Bill No 2882

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 3096

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, do pass, as amended, and re-refer to Committee on Ways and Means.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO April 11, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 3036
Assembly Bill No. 3116

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

STEWART, Chairman

Above reported bills ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1068—An act to add Sections 9193 to 9196, inclusive, to the Education Code, relating to incidental fees in classes for adults.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Waters, and Mr Speaker—69

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1951

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 909

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the Committee on Ways and Means.

STEWART, Chairman

Above reported bill ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1951

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred

Senate Bill No 908

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1951

MR. SPEAKER Your Committee on Governmental Efficiency and Economy, to which were referred

Senate Bill No 489
Senate Bill No. 494
Senate Bill No 665

Has had the same under consideration, and reports the same back with the recommendation: Do pass

STEWART, Chairman

Above reported bills ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2078

Mr. Dunn asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2078, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2078

Assembly Bill No. 2078—An act to amend Section 209 of the Unemployment Insurance Act, relating to benefits during hospitalization.

Bill read third time.

Motion to Amend

Mr. Dunn moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 14, of the printed bill, strike out "that period", and insert "any 24 hour period, or part thereof."

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY JOINT RESOLUTION NO. 21

Mr. Kelly asked for, and was granted, unanimous consent that he be permitted to take up Assembly Joint Resolution No. 21, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 21

Assembly Joint Resolution No. 21—Relative to opposing an increase in the federal gasoline tax.

Resolution read.

Motion to Amend

Mr. Kelly moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed measure, strike out lines 10 to 14, inclusive.

Amendment No. 2

On page 1 of said measure, strike out lines 19 to 23, inclusive

Amendment No. 3

On page 2 of said measure, strike out lines 7 to 14, inclusive, and insert

"WHEREAS, The proposed increase in gasoline tax excises would not only increase the cost of operating passenger cars and privately owned commercial vehicles essential to the defense effort, but would add so much to the cost of bus and truck operation that higher fares and rates would result in ultimately higher prices to the consumer, thereby working a hardship and contributing to inflation; and

WHEREAS, The field of automotive taxation is one that historically and rightfully belongs to the States as it is their principal source of revenue for construction, maintenance and patrolling of highways, including matching of federal aid for highways; and

WHEREAS, Further encroachment by the Federal Government into this field of taxation would interfere with the taxing potential of the states for highway purposes essential to the economy and security of the State and Nation; and

WHEREAS, It is the opinion of this Legislature that all funds derived from the levy of gasoline taxes in this State should be available for use in correcting the present deficiencies in the System of Streets and Highways within".

Amendments read, and adopted

Resolution ordered reprinted and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1703

Mr Kirkwood asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 1703, out of order, for purpose of amendment, at this time

CONSIDERATION OF ASSEMBLY BILL NO. 1703

Assembly Bill No. 1703—An act to amend Sections 53630, 53651, 53657, 53661, 53662, 53670, 53672, 53673, 53674, 53675, 53676, 53677 and 53678 and to repeal Sections 53652, 53653, 53654, 53655, 53656, 53658, 53663, 53664, 53667 and 53668 of the Government Code, relating to the deposit of public moneys with banks

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—77.

NOES—None

Motion to Amend Title

Mr. Kirkwood moved the adoption of the following amendment to the title:

Amendment No. 1

In line 5 of the title of the printed bill, as amended in the Assembly on April 4, 1951, after "of", insert ", and to add Section 53655 to,".

Amendment read, and adopted.

Bill ordered reprinted, and transmitted to the Senate.

RECESS

At 11:51 a.m., on motion of Mr. Hollibaugh, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 528—An act to add Section 176 to the Revenue and Taxation Code, relating to property taxation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF HOUSE RESOLUTION NO. 94

By Mr Collier:

House Resolution No. 94

Relating to the necessity for installation of telephones along the Arroyo Seco Parkway

WHEREAS, The Arroyo Seco Parkway handles one of the largest traffic volumes in the world; and

WHEREAS, The Arroyo Seco Parkway, except at its entrances and exits, some of which are more than a mile apart, is enclosed by a wire fence; and

WHEREAS, Such fence and the small number of entrances and exits to Arroyo Seco Parkway cause considerable inconvenience to motorists whose automobiles come into disrepair or exhaust their fuel supplies upon the parkway by making it extremely difficult for such motorists to seek assistance; now, therefore, be it

Resolved by the Assembly of the State of California, That the California Highway Commission is requested to cause telephones to be installed at convenient locations along the Arroyo Seco Parkway for the use of motorists who may require them to call for emergency assistance in the operation of their vehicles along said parkway; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit copies of this resolution to the members of the California Highway Commission.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In the measure, as printed on page 1822 of Assembly Journal for March 21, 1951, strike out the first and second resolved clauses, and insert

"*Resolved by the Assembly of the State of California*, That the Cities of Los Angeles, Pasadena, and South Pasadena are hereby requested to cooperate and confer with the Division of Highways of the State of California, to the end that a uniform system may be worked out whereby an emergency telephone system will be installed by which motorists using the Arroyo Seco Parkway can summon aid when needed, and provide a system by which the summons may be properly serviced by the several agencies of government, including the contracting out of such services; and be it further

Resolved, That the Department of Public Works through its Division of Highways arrange for and hold a meeting with the above mentioned cities endeavoring to effect a proper handling of this problem; and that the Department of Public Works is hereby requested to hold such meeting and report its findings and recommendation to this session of the Legislature; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the California Highway Commission and to the governing bodies of the Cities of Los Angeles, Pasadena, and South Pasadena."

Amendment read, and adopted.

Consideration of House Resolution No. 94, as Amended

By Mr. Collier:

House Resolution No. 94

Relating to the necessity for installation of telephones along the Arroyo Seco Parkway

WHEREAS, The Arroyo Seco Parkway handles one of the largest traffic volumes in the world; and

WHEREAS, The Arroyo Seco Parkway, except at its entrances and exits, some of which are more than a mile apart, is enclosed by a wire fence; and

WHEREAS, Such fence and the small number of entrances and exits to Arroyo Seco Parkway cause considerable inconvenience to motorists whose automobiles come into disrepair or exhaust their fuel supplies upon the Parkway by making it extremely difficult for such motorists to seek assistance; now, therefore, be it

Resolved by the Assembly of the State of California, That the Cities of Los Angeles, Pasadena, and South Pasadena are hereby requested to cooperate and confer with the Division of Highways of the State of California, to the end that a uniform system may be worked out whereby an emergency telephone system will be installed by which motorists using the Arroyo Seco Parkway can summon aid when needed, and provide a system by which the summons may be properly serviced by the several agencies of government, including the contracting out of such services; and be it further

Resolved, That the Department of Public Works through its Division of Highways arrange for and hold a meeting with the above mentioned cities endeavoring to effect a proper handling of this problem; and that the Department of Public Works

is hereby requested to hold such meeting and report its findings and recommendation to this session of the Legislature; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the California Highway Commission and to the governing bodies of the Cities of Los Angeles, Pasadena, and South Pasadena

Resolution read, as amended.

Demand for Previous Question

Messrs. Lanterman, Luckel, Conrad, Lincoln, and Sillman demanded the previous question

Demand for previous question sustained.

The question being on the adoption of House Resolution No. 94, as amended.

Resolution adopted.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 531—An act to amend Section 16062 of the Revenue and Taxation Code, relating to gift tax liens.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Stanley, Stewart, Thomas, and Mr Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 532—An act to amend Section 3950 of the Revenue and Taxation Code, relating to actions to determine adverse claims to or clouds upon tax-sold or tax-deeded property purchased from the State.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Stanley, Stewart, Thomas, and Mr Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 881	Assembly Bill No 2598
Assembly Bill No. 885	Assembly Bill No 2685
Assembly Bill No. 1121	Assembly Bill No. 3179
Assembly Bill No 2261	Assembly Bill No 3187

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2061

And reports the same correctly re-engrossed

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 187
Assembly Bill No. 199
Assembly Bill No. 225
Assembly Bill No. 489
Assembly Bill No. 661
Assembly Bill No. 1198
Assembly Bill No. 1641
Assembly Bill No. 2072
Assembly Bill No. 2433
Assembly Bill No. 2436
Assembly Bill No. 2437
Assembly Bill No. 2692
Assembly Bill No. 3369

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 1121 re-referred to the Committee on Public Utilities and Corporations.

Assembly Bill No. 2061 re-referred to the Committee on Ways and Means.

Assembly Bills Nos. 2685 and 3187 re-referred to the Committee on Boards and Commissions.

Assembly Bills Nos. 881, 885, 2261, 2598, and 3179 re-referred to the Committee on Finance and Insurance.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 93—An act to amend Section 66 of the Code of Civil Procedure, relating to the number of Judges of the Superior Court in the County of Sonoma, and providing for the appointment of an additional judge and for compensation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, and Mr. Speaker—63.

NOES—George D. Collins and Luckel—2

Bill ordered transmitted to the Senate.

Assembly Bill No. 847—An act to add Sections 7.1 and 10.1 to the Alcoholic Beverage Control Act, relating to licenses for the sale of alcoholic beverages.

Bill read third time

Demand for Previous Question

Messrs. Doyle, Lyon, Hinckley, Shaw, and Hagen demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 847.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Clarke, Cloyed, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Gubser, Hagen, Hawkins, Henderson, Hollibaugh, Kelly, Lincoln, Luckel, Lyon, Maloney, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Porter, Rosenthal, Stanley, Stewart, Thomas, and Mr. Speaker—43

NOES—Brown, Collier, George D. Collins, Conrad, Grunsky, Hahn, Hansen, Kirkwood, Klocksiem, Lanterman, Lindsay, Rumford, Sherwin, and Silliman—14

Bill ordered transmitted to the Senate.

Assembly Bill No. 2777—An act to amend Section 53.6 of, and to add Section 53.7 to the Alcoholic Beverage Control Act, relating to alcoholic beverages

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Dickey, Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Parker, Rosenthal, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—55.

NOES—Cooke, Crowley, and Hagen—3

Bill ordered transmitted to the Senate.

Assembly Bill No. 1861—An act to amend Section 1260 of the Military and Veterans Code, relating to definitions of veterans' associations for purposes of public buildings, parks, and centers therefor.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 12, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No 1218

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 12, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 42

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1862—An act to add Section 18616 to the Education Code, relating to leases of school district property to veterans' associations.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloved, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 368—An act to amend Section 10203 of the Insurance Code, relating to group insurance policies

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloved, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate

REPORTS OF STANDING COMMITTEES

Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1951

MR. SPEAKER: Your Committee on Elections and Reapportionment to which was referred

Assembly Bill No. 1018

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WATERS, Chairman

Above reported bill ordered to second reading

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 520—An act to amend Sections 10492 and 10493 of the Insurance Code, relating to benefit and relief associations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—68.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 524—An act to amend Sections 10270, 10270.4, 10271, 10292, 10381, 10382, 10390, and 10400 of the Insurance Code; to add Sections 10273, 10274, 10275, 10309, 10329, 10359, 10369.50, 10381.5, and 10383 to said code; and to add Articles 3a, comprising Sections 10320 to 10328, inclusive, 4a, comprising Sections 10350 to 10350.12, inclusive, and 5a, comprising Sections 10369.1 to 10369.12, inclusive, to Chapter 4, Part 2, Division 2 of said code, relating to disability insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—71

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 554—An act to amend Section 21002 of the Government Code, relating to the State Employees' Retirement System in respect to state employment of persons who have attained the age of compulsory retirement.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—71

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1285

Mr. Davis asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1285, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1285

Assembly Bill No. 1285—An act to add Section 60 to, and to amend Section 710 of, the Vehicle Code, relating to equipment of vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Berry:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to extend the authority of cities, cities and counties and towns over airports owned by them situated beyond the limits of such cities, cities and counties and towns.

Respectfully submitted.

WILLIAM CLIFTON BERRY

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Berry.

An act to extend the authority of cities, cities and counties and towns over airports owned by them situated beyond the limits of such cities, cities and counties and towns.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, and Mr. Speaker—67.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3404: By Mr. Berry—An act to extend the authority of cities, cities and counties and towns over airports owned

by them situated beyond the limits of such cities, cities and counties and towns.

Referred to Committee on Municipal and County Government.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Beck:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1951

MR SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act adding Section 50478 to the Government Code, relating to the lease of publicly owned property for airports and related purposes

Respectfully submitted

JULIAN BECK

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1951

MR SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Beck:

An act adding Section 50478 to the Government Code, relating to the lease of publicly owned property for airports and related purposes

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, and Mr Speaker—67.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 3405: By Mr. Beck—An act to add Section 50478 to the Government Code, relating to the lease of publicly owned property for airports and related purposes.

Referred to Committee on Municipal and County Government.

Assembly Joint Resolution No. 27: By Mrs. Niehouse, Messrs. Hollibaugh, Luckel, Babbage, Belotti, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Sam L. Collins, Connolly, Dickey, Dolwig, Erwin, Fleury, Geddes, Grant, Gubser, Hahn, Hansen, Hinckley, Kelly Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lyon, Maloney, Morris, Silliman, Smith, Stanley, Stewart, and Waters—Relative to General Douglas MacArthur.

Referred to Committee on Rules.

RESOLUTIONS

The following resolutions were offered:

By Mr. Burkhalter:

House Resolution No. 114

WHEREAS, The State was required to lease office space in various cities throughout the State, to administer the provisions of Article XXV of the Constitution relating to Old Age Security and Security for the Blind; and

WHEREAS, Many of such leased premises are now vacant due to the curtailment of activities of the Department of Social Welfare since the repeal of said Article XXV; and

WHEREAS, The State, by reason of such vacancies is suffering an annual loss on rentals of some $101,143.56, which it is obligated to pay under lease contracts; and

WHEREAS, Many state agencies are in need of additional office space; now, therefore, be it

Resolved by the Assembly of the State of California, That no state agency in need of additional office space shall be authorized to lease additional office space until it has been determined that no space now under lease by the State is available or that such space, if available, is not practical for the use of such agency; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the Director of Finance, the Legislative Auditor, the Director of Motor Vehicles, the State Board of Equalization, the Director of Employment, and the Commissioner of the California Highway Patrol; and be it further

Resolved, That the Director of Finance is directed to transmit the substance of this resolution to all other state agencies which may have need of office space outside of Sacramento

Resolution read, and ordered referred to the Committee on Rules.

By Mr. McCollister:

House Resolution No. 115

Relating to investigation and study of licensing of masseurs and masseuses.

WHEREAS, There is no provision in California law for the licensing of masseurs and masseuses, but such persons are licensed in other states; and

WHEREAS, The American Association of Masseurs and Masseuses is a respected professional organization of masseurs and masseuses; and

WHEREAS, Assembly Bill No. 2326 has been introduced before this session of the Legislature, relating to the licensing of masseurs and masseuses; now, therefore, be it

Resolved by the Assembly of the State of California, That any interim committee of the Assembly which may be hereafter created for the investigation or study of public health is directed to consider the proposition of licensing masseurs and masseuses in California, to consult with the American Association of Masseurs and Masseuses in that matter, and to study the text of Assembly Bill No. 2326, introduced before this session of the Legislature

Resolution read, and ordered referred to the Committee on Rules.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 789—An act to amend Section 11580 of the Insurance Code, relating to liability insurance policies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lowrey, Luckel Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Mr Speaker—60

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 800—An act to amend Section 1664 of the Insurance Code, relating to insurance agents, brokers and solicitors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 828 BE RE-REFERRED TO COMMITTEE

Mr. Clarke asked for, and was granted, unanimous consent that Assembly Bill No. 828 be withdrawn from the third reading file, and be re-referred to the Committee on Ways and Means.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 829, on request of Mr. Clarke.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 43: By Mr. Brady—Relative to the creation of the Joint Interim Committee on Organized Crime

Referred to Committee on Rules.

NOTICE OF MOTION TO RECONSIDER LAPSED

Notice of motion to reconsider amendments to Assembly Bill No. 841 lapsed.

Assembly Bill No. 841 ordered reprinted, and re-engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 1519

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

SILLIMAN, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 2706

Has had the same under consideration, and reports the same back with the recommendation. Do pass, and be re-referred to Committee on Ways and Means

SILLIMAN, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Assembly Bill No. 1511
Assembly Bill No. 1515
Assembly Bill No. 1517
Assembly Bill No. 1539

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SILLIMAN, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred.

Assembly Bill No. 1584
Assembly Bill No. 2712

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

SILLIMAN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 1583

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee of Ways and Means

SILLIMAN, Chairman

Above reported bill ordered to second reading

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—At 8 p m.—

Industrial Relations, in Room 432.
Revenue and Taxation, in Room 435.
Judiciary, in Room 426.

Today Upon Adjournment—

Transportation and Commerce, in Room 432.
Special Committee on Legislative Representatives, in Room 3148.
Municipal and County Government, in Room 426

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr Stanley, the usual courtesies of the Assembly for this day were unanimously extended to Mrs Frances Scott, of Atlanta, Georgia

On request of Mr. Sherwin, the usual courtesies of the Assembly for this day were unanimously extended to J Walter Frates and Claire V Goodwin of Oakland.

On request of Mr. Kelly, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs Merle Taylor of Delano.

On request of Messrs. Beck, Fleury, and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Sally Eader and Gladys Cox of Sacramento.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Emory Kendall, teacher, and a group of pupils of the David Lubin School.

On request of Mr. Gubser, the usual courtesies of the Assembly for this day were unanimously extended to John Del Secco, Manuel E. Casho, Mrs Joseph Canciamilla, Mrs. Manuel Casho, Mrs. Lloyd Edwards, Mrs Thomas Fisher, Mrs. F. T. Hartwell, Mrs. Calvin Parker, Mrs. Roy Saltalamachia, and Mrs. John Zoria, guests, and the following pupils of the Evergreen School of San Jose: Barbara Casho, Joey Canciamilla, Jimmy Chilcote, Suzanne Edwards, Tommy Fisher, Amelia Gonzales, Jennie Gonzales, Wayne Gerkin, Carolyn Hartwell, Rose Heredia, Lloyd Marshall, Jess Martinez, Carolyn O'Connell, Marjorie Pape, David Parker, Diane Pettijohn, Joan Saltalamachia, Dale Smith, Sally Venegas, George Weisz, Johnny Zoria, James Wood, and Helen Jaramillo.

On request of Mr. Lowrey, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Robert Vincent, teacher, and the following pupils of the Clarksburg School. Don Tillis, Fletcher Tillis, Bobby Milligan, Bobby Wood, Larry Fiscus, Tony Gomez, Julian Martiney, Mary Lou Acuna, Joy Bunnell, Shirley Godfrey, Shirley Tomlinson, Marilyn Clark, Marilyn McDonall, Charlotte Samaniego, Barbara Hudson, Grace Rascon, Betty McClintic, Muriel Hinsdale, Josephine Salazar, Mary Ellen Taylor, Buddy Butler, Wayne Griess, Rosendo Mendoza, Billy Widener, Max Campbell, and Pat Hall.

On request of Mr. Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to V. Dean Close, Jr., teacher, Mrs. Dukeshire, Mrs Henson, and Mrs Metherd, guests, and the following pupils of Smith's Flat School: Steve Makis, Jimmy Condry, Edmond Bethelot, Eddie Jorgenson, Glenn Metherd, Tommy Condry, Lonnie West, Calvin Able, Jay Carter, Howard Montgomery, Mary Rogers, Ivy Rogers, Pat Burris, Phyllis Dukeshire, Delores Cramen, and Kathleen Makis.

On request of Mr Dunn, the usual courtesies of the Assembly for this day were unanimously extended to Orville Blose and Dorothy Engelund, teachers, and the following pupils of the San Lorenzo school: Rodger Anderson, Elaine Baptista, Darlene Broadbent, Joyce Bean, Carol Brotherton, Freda Dodge, Elaine Eala, Norma Esguerra, Patricia Falvey, Delia Gonzales, Patricia Judkins, Beverly Lay, Marguerite Lowe, Barbara McElroy, Diane Mauerer, Katie McKaige, Pat Nebrega, Barbara North, Yvonne Ortega, Tina Parodi, Deanna Pratt, Carol Ransom, Cheryl Steen, Sharon Wetteroth, Dorothy Whitmire, Jim Brumfield,

Mike Devlin, Earl Fisk, Dale Hukill, Richard King, Ricky King, Kenneth Linder, Bill MacIntosh, Barney Maciolek, Richard Martin, Allen Ream, George Saba, Dale Yuill, and Joe Hertl.

On request of Messrs. McFall and Parker, the usual courtesies of the Assembly for this day were unanimously extended to Leonard Beeman, teacher, Mrs. Paul Lutz, guest, and the following pupils of the Escalon High School: Betty Ambrose, Walter Blattler, Edna Boyd, Maurice Breshears, Darwyn Briggs, Sirethia Dutey, Sammy Firch, Mary Ann Fiori, Warren Johnson, Marlo Kerner, Gary Like, Dale Mueller, Albert Price, Jimmy Rose, Ralph Schmidt, Daniel Silva, Lorraine Vesia, Larry Wood, Russell Adams, Jeanette Anderson, Iris Barbee, Bob Brignolo, Thomas Boyd, Nancy Cavalieri, Darlene Chancellor, Della Coop, Nola Dickson, Pauline Law, Darrell MacDonald, Arthur Olive, Dorothy Polhemus, Janet Poynor, Ima Jean Roche, Bill Sanders, Glenda Sharp, Margaret Sipma, George Stone, John Venturella, Eddie Vieira, Carol Woirhaye, Joseph Xavier, Juanita Vieira, Sydna Ellis, Ruenell Knox, Marvin Dalander, Richard Synder, Jeanette Hof, Valerie Lichty, Leola Knox, and Emmett Chalk.

On request of Mr Coats, the usual courtesies of the Assembly for this day were unanimously extended to Willian Caven, Mrs Melba Bailey, E. G. England, teachers, and the following pupils of the Durham School: Gerald Allinger, Jay Allspaugh, Lester Atkins, Leon Bjerke, James Bodkin, Wendell Bonner, Robert Caswell, Allen Darby, David Dubose, Louis Florez, Clinton Goss, Roger Havins, Raymond Jenkins, Johnny Johnson, Charles Lindsay, John Mann, Mike Murphy, Harold Owen, Jimmy Pyle, George Scott, Billy Stephens, Daryl Talken, Thomas Wells, Barbara Baird, Leona Burnett, Mary Ruth Cline, Ethel Crowder, Nita Daniels, Bertha Hall, Vicky Hunt, Helen Jugum, Dorothy Kidd, Dorothy Lucero, Joyce McLane, Lucy Nield, Nancy Ray, Loretta Sager, Mary Ellen Sancomb, Leila Sanders, Carol Tvrdik, Sherry Walker, and Shirley VanGieson.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Dolores Dillon, teacher, and the following pupils of the Lincoln Jr. High School: Ralph Aldano, Sherman Chan, Robert Chavez, Raymond Dong, George Drew, John Enkiji, Prentice Gorman, Paul Keola, Herman Lee, Ronald Lim, Nick Madaloni, David Santini, Elizabeth Allen, Jane Asano, Ida Ishii, Reiko Moriya, Lola Sanchez, Marjorie Scheel, Imojean Shikasho, June Shimada, Judie Tanaka, Francella Turner, and Julie Ann Wong.

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to Mr. Turbovsky and Mr. Roberts, teachers, and the following pupils of the Bret Harte School: Leon Aldrich, Bert Bounds, Arthur Brandenburg, Jack Conway, Karl Haliday, Darrell Heinrich, Clifford Johnson, George LaGrace, Manuel Maldonado, Charles Minger, Tony Navarro, Martin Pittenger, Ronald Reno, Roland Richardson, Vincent Rodrigues, Frank Sawyer, LeRoy Smith, John Valin, Herman Vigil, Gerry Gouveia, Dick Gibson, June Berry, Hope Chavez, Beverly Carroll, Jean Davis, Dianna Discher, Mavis Griebrok, Arlene Hylton, Shirley Munch, Marjorie Pinheiro, Charmaine Rivers, Karryel Selzer, Lois White, Caroline Wilson, Margaret De Soto, Marylee Chavez, and Louise Rodriquez

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Edna Monson, and Alfred Harrison, teachers, and the following pupils of the Patterson Union High School: Roger Allen, Lois Bowers, Audrey Brunoni, Lauren Campbell, Nancy Carlson, Danny Dark, Charles Del Nero, Ruth Garcia, James Grimes, Wilma Hansen, Wanda Jordan, George Klopping, Jean Knutson, John Knutson, Joan Kolding, Ronald Kraus, Karen McBride, Betsy Mayfield, Janice Michaud, Don Parlier, Pauline Parlier, John Schuler, Basil Scott, Evelyn Silva, Irene Silva, Eleanor Simonic, Doris Spencer, Melvin Sperry, Lois Traver, Tony Trinta, Charles Verschelden, Robert Winegar, Lila Wood, David Petz, Davis Lee Ralston, Lila Richardson, and J. C. Ross

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Brother Eric and Roy Cortpassi, teachers, and the following pupils of the Christian Brothers School: A. Sauvageau, M. Yerkovich, G. Lynch, D. Kelly, R. Short, J. Bambery, V. Horton, C. Kessell, D. Carano, J. Seeber, H Paalman, D. Sozzi, A. Schuler, B. Wood, J. Kearns, B. Newberry, J. Winchell, B. Warmby, J. Cowan, V. Vlasich, C. Dressler, J. Gill, D. Butz, J. Compagno, S. Chima, M Hanly, H. Mather, G. Lee, R. Carissimi, D. Marty, R. Hansen, F. McNamara, D. Willows, J. Chavez, D. Lane, L. Signoratti, N. Slakey, E. Santos, R. Fisk, J. Mulligan, J. Revelino, J. Sheehan, P. Sapunor, A. Heistand, J. McCormack, P. O'Hare, L. Santos-Coy, R. Gloyd, and A. Smolich.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to C. R. Laudie, Mrs. M. Shanks, Lee Dopp, teachers, Mrs G. Ingles and Mrs. P. Stoner, guests, and the following pupils of the Concord School: Jim Blackburn, Tom Blackwell, Jerome Chrislock, Mike Cleary, Peter Cormack, Guy de Jong, Lee Dickenson, Fred Hanson, Jim Haskins, Dell Heter, Earl Humphrey, Bob Lichti, Norbert Olivera, Gordon Peterson, Russell Snook, Dawn Duell, Maurice Elmore, Susan Greenhalgh, Glenna Ingles, Ruth Kaundart, Mary Keith, Dorothy Lee, Maralyn Marshall, Emily Martin, Margaret Nicklaus, Kathleen Salt, Janet Tod, Sally Cureton, Rondell Hanson, Ronald Baldwin, Barbara Beers, Gladys Boe, Bill Dorville, Bessie Fleming, Raymond Ford, Sandra Fraser, Don Garlington, Carole Garren, Carol Gimble, Beatrice Gonzales, Ted Granlund, Paul Gwynne, David Harmacek, Leon Harvey, Paul Heck, Roy Hinkley, Jerry Jackson, Noel Kellogg, Janet Latter, Stan Lauderbach, Bill Leath, Janet Lee, Jimmy Mason, Norma Matlock, Karen Mitchell, Gary Myers, Charles Nance, Ruth Renfro, Walter Rieger, Albert Rorstrand, Beverley Sherman, Isabell Stahl, Janet Tompkins, Helen Vasquez, Geraldine Wright, Donald Stephens, George Stoner, Louie Thomas, Barbara Beelar, Gloria Bologina, Judith Campbell, Nancie Crump, Jim Bothe, Delores Barnes, Larry Boyd, James Boyer, Delores Cullison, LaVerne Argenta, Cleo Samarvea, Betty Edwards, Lois Neis, Jo Ann Reeves, Helen Calkins, Suzie Coombs, Flora Terrell, Juanita Remo, Diane Racine, Philys Chany, Walter Stublefield, Sherman Damm, Duane Waldrop, Bill McGregor, Billie DeWitt, Bill Erwin, John Bryan, Robert Yount, Don

Rawlinson, Shirley Murzwik, Robert Dickenson, Bob Hind, Harold Fienberg, J. D. Murphree, Martha Sullivan, Sharen Lee, Bill Ray, and Duncan Chivers.

On request of Mr. Henderson, the usual courtesies of the Assembly for this day were unanimously extended to Austin Healey and John W. Popovich of Fresno.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Charles F. Daley and Frank C. Chesebro of Vallejo.

ADJOURNMENT

At 3.04 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9.30 a m., Friday, April 13, 1951

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

THIRTY-SEVENTH LEGISLATIVE DAY

FORTY-NINTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, April 13, 1951

The Assembly met at 9:30 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding

Chief Clerk Arthur A. Ohnimus at the desk

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—73

Quorum present

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence A. Kircher:

O God, Light of the Hearts That See Thee. Life of all souls that love Thee, to whom to be turned is to arise and in whom to abide is to stand fast forever, we seek Thy presence for the duties of this day.

May we serve Thee with singleness of purpose that more and more, Thy will may be done in all the earth.

We pray for the President of the United States, the Governor of our Commonwealth, the Speaker of this Assembly, the members of this body, and all who are in places of responsibility in the State and Nation in these important days.

"Thou, too, sail on, O ship of State!
Sail on, O Union, strong and great!
Humanity with all its fears,
With all its hopes of future years,
Is hanging breathless on thy fate!
We know what Master laid thy keel,
What workman wrought thy ribs of steel,
Who made each mast, and sail, and rope,
What anvils rang, what hammers beat,
In what a forge and what a heat
Were shaped the anchors of thy hope!"

We pray in Jesus name—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Shaw, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Butters, on motion of Mr. Caldecott.

Mr. Lipscomb, on motion of Mr. Caldecott.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Lanterman, on motion of Mr. Caldecott.

Mr. Smith, on motion of Mr. Caldecott.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Kilpatrick, on motion of Mr. Caldecott.

COMMUNICATIONS

By Speaker Sam L. Collins:

A communication from the National Society of the Sons of the American Revolution, signed by Aaron M. Sargent, Counsel for the California Society, S.A.R., relative to Senate Bill No. 1666, which pertains to an Anti-Communist oath for members of the state bar, was received, and ordered noted in the Journal; and two attached resolutions ordered referred to the Special Committee on Legislative Representatives.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Joint Resolution No. 28: By Messrs. Luckel and Cooke—Relative to memorializing Congress to amend the Career Compensation Act of 1949 (63 Stat. 802) to authorize crediting service of cadets and midshipmen for purposes of pay and longevity.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 603—An act to amend Sections 1083.1, 1083.3, 1083.5, 1083.6, and 1089 of the Agricultural Code, relating to commercial feeding stuffs;

Assembly Bill No. 1035—An act to repeal Sections 10101, 10102, 10103, 10106, 10107, 10108, 10109, 10110, 10111, 10176, 10180, 10181, 10182, 10200, 10375, and 10579, to renumber and amend Sections 10104 and 10105, to amend Sections 10100, 10112, 10113, 10118, 10119, 10175, 10179, 10552, 10576, 10577, 10578, and 10630, and to add Sections 10103, 10121, 10200, 10278.5, 10375, and 10554, to the Health and Safety Code, relating to vital statistics and the registration of births, deaths and marriages;

Assembly Bill No. 1038—An act to repeal Section 7413 and to amend Section 7405 of the Health and Safety Code, relating to burial permits;

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of April, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 176—An act to repeal Section 7508 of the Welfare and Institutions Code, relating to actions against the Department of Mental Hygiene or its agencies;

Assembly Bill No. 259—An act making an appropriation to reimburse the Emergency Fund, Item 277, Budget Act of 1950, and providing for the reimbursement of the State Highway Fund, to take effect immediately;

Assembly Bill No. 366—An act amending Section 643 of the Welfare and Institutions Code, relating to probation officers' annual reports;

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of April, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 42—Relative to the intent of the Legislature with reference to its powers in connection with the enactment of Senate Bill No. 1218 which adds Section 10246 to the Government Code;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the thirteenth day of April, 1951, at 8 a.m.

BURKE, Chairman

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 13, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 2015

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 13, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 31
Senate Bill No. 89
Senate Bill No. 111
Senate Bill No. 357
Senate Bill No. 616
Senate Bill No. 456
Senate Bill No. 704
Senate Bill No. 706
Senate Bill No. 707
Senate Bill No. 708
Senate Bill No. 730
Senate Bill No. 737
Senate Bill No. 738
Senate Bill No. 957

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 31—An act to add Section 506 to the Fish and Game Code, relating to commercial fishing.

Referred to Committee on Fish and Game.

Senate Bill No. 89—An act to amend Sections 298, 307, and 502 of the Vehicle Code, relating to suspension of drivers' licenses

Referred to Committee on Judiciary.

Senate Bill No. 111—An act to amend Sections 736 and 737 of, and to add Sections 737.1, 737.2, and 737.3 to, the Vehicle Code, relating to procedure after arrest of persons charged with misdemeanor violations of the code.

Referred to Committee on Judiciary.

Senate Bill No. 357—An act to add Section 15256 to the Health and Safety Code, relating to housing.

Referred to Committee on Public Health.

Senate Bill No. 616—An act to add Section 485b to the Civil Code and Section 7659 to the Public Utilities Code, relating to railroad crossings.

Referred to Committee on Judiciary.

Senate Bill No. 456—An act to amend Sections 143 1, 143.2, and 188.4 of the Streets and Highways Code, relating to state highway revenues and expenditures, and the budgeting and reporting thereof.

Referred to Committee on Transportation and Commerce.

Senate Bill No. 704—An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the County of Napa, State of California.

Referred to Committee on Judiciary.

Senate Bill No. 706—An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the County of Napa, State of California.

Referred to Committee on Judiciary.

Senate Bill No. 707—An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the County of Napa, State of California

Referred to Committee on Judiciary.

Senate Bill No. 708—An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the County of Napa, State of California

Referred to Committee on Judiciary.

Senate Bill No. 730—An act to amend Section 6624 of the Welfare and Institutions Code, relating to sterilization of patients in state hospitals or state homes under the jurisdiction of the Department of Mental Hygiene.

Referred to Committee on Judiciary.

Senate Bill No. 737—An act to amend Section 1311 of the Fish and Game Code, relating to fur-bearing mammals

Referred to Committee on Fish and Game.

Senate Bill No. 738—An act to amend Section 1252 of the Fish and Game Code, relating to beaver.

Referred to Committee on Fish and Game.

Senate Bill No. 957—An act to amend Section 1525 of the Welfare and Institutions Code, relating to residence qualifications for aid to needy children.

Referred to Committee on Social Welfare

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 467—An act to amend Sections 20344 and 20344.1 of the Education Code, relating to the support of the public schools.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1738—An act to add Section 2211 to the Education Code, relating to the joint use and maintenance of school buildings and other school facilities by contiguous and coterminous school districts.

Bill read second time, and ordered engrossed

Assembly Bill No. 355—An act to add Section 7.1 to the Welfare and Institutions Code, relating to powers and duties of boards of supervisors in matters of public assistance

Bill read second time, and ordered engrossed.

Assembly Bill No. 2019—An act to amend Section 25150 of the Government Code, relating to proceedings of boards of supervisors.

Bill read second time, and ordered engrossed

Assembly Bill No. 3396—An act to amend Section 31157 of the Water Code, relating to county water district

Bill read second time, and ordered engrossed

Assembly Bill No. 1289—An act to amend Section 20800 of Chapter 7 of Division 8 of the Business and Professions Code, relating to petroleum.

Bill read second time, and ordered engrossed

Assembly Bill No. 447—An act to amend Section 7 of an act entitled "An act relating to the construction, installation, equipping, stocking, and operation of vending stands in public buildings of the State, counties, cities and counties, and cities, and providing for their operation by licensed blind persons," approved May 29, 1945, relating to vending stands in public educational institutions.

Bill read second time, and ordered engrossed.

Assembly Bill No. 667—An act to repeal Sections 3474 and 3474.1 of the Welfare and Institutions Code, relating to aid to partially self-supporting blind residents, to repeal the provisions for relatives' responsibility.

Bill read second time, and ordered engrossed

Assembly Bill No. 670—An act to repeal Sections 3088 and 3088.1 of the Welfare and Institutions Code, relating to aid to the needy blind, to repeal the provisions relating to relatives' responsibility.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2203—An act to amend Sections 2011, 2160, and 2181, and to repeal Sections 2181.01, 2224, 3088, 3088.1, 3474, and

3474.1 of the Welfare and Institutions Code, relating to public assistance, including aged aid, aid to the needy blind and aid to the partially self-supporting blind, in respect to the liability of responsible relatives of recipients thereof.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3172—An act to amend Section 2181.01 of the Welfare and Institutions Code, relating to old age security, in respect to responsibility of relatives.

Bill read second time, and ordered engrossed.

Assembly Bill No. 549—An act to amend Sections 35147, 35148, 35149, and 35150 of the Government Code, relating to annexation.

Bill read second time, and ordered engrossed

Assembly Bill No. 1116—An act to amend Section 2416 of the Labor Code, relating to bedding at labor camps.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1682—An act to amend Section 942 of the Insurance Code, relating to the liability of the State of California for the custody and safe return of securities.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1901—An act to add Section 2508 to the Welfare and Institutions Code, relating to work relief projects for persons receiving county aid and relief to indigents.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3352—An act to amend Sections 9906.1, as added by Chapter 66 of the Statutes of 1950, First Extraordinary Session, and 9906 and 9907, of the Government Code, relating to reports and statements of Legislative Representatives.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1891—An act to amend Sections 8723, 18461, and 18478 of, and to add Sections 18153, 18402.1, 18431, 18481 to, and to repeal Sections 18479 and 18480 of, the Education Code, all relating to sites for public schools.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 4 of the title of the printed bill, after "schools", insert ", declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 2 of said bill, following line 30, insert

"SEC. 9. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1, Article IV of the Constitution and shall, therefore, go into immediate effect. A statement of the facts constituting such necessity is as follows:

There are several school districts in the State, particularly in Kern County, which have lost their school sites as a result of condemnation proceedings instituted

by the Government of the United States of America. Said school districts must change the location of their school sites immediately and this cannot be accomplished under existing state laws. It is, therefore, necessary that this act take effect immediately."

Amendments read, and adopted

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1667—An act to add Sections 31047, 31048, and 31049 to the Water Code, relating to county water districts.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government.

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "reclaim,"

Amendment No. 2

On page 1, line 10, of said bill, strike out "the United States or any agency thereof,"

Amendment No. 3

On page 1, line 14, of said bill, strike out "reclamation".

Amendment No. 4

On page 2, line 4, of said bill, strike out "the United States or any agency thereof,".

Amendment No. 5

On page 2, line 7, of said bill, before "acquisition," insert "construction,".

Amendment No. 6

On page 2, line 8, of said bill, after "be", insert "constructed,"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2229—An act to amend Sections 30 and 89 of the Community Redevelopment Act, relating to community redevelopment.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1 of the printed bill, between lines 2 and 3, insert

"SEC. 30. Before any area is designated for redevelopment the community authorized to undertake such development shall comply with the requirements of Sections 31 and 32."

Amendment No. 2

On page 1 of said bill, strike out lines 3 to 9, inclusive

Amendment No. 3

On page 1 of said bill, strike out lines 17 and 18, and insert "act as the agency for all of the communities interested.

If one agency is designated, it shall obtain the report and recom-"

Amendment No. 4

On page 2 of said bill, strike out lines 1 to 20, inclusive, and insert

"The designated agency and each planning commission shall cooperate in formulating redevelopment plans.

The legislative body of a community may authorize the redevelopment of an area within its territorial limits by another community, provided that such area is contiguous to such other community. Such authorization shall be by ordinance enacted

by the legislative body which shall designate the community to undertake such redevelopment. Under such circumstances, the community so authorized may undertake the redevelopment of such area in all respects as though said area were within its territorial limits and the legislative body, agency and planning commission thereof shall have all the rights, powers and privileges with respect to said area as though it were within the territorial limits of the community so authorized. Neither the legislative body, agency, nor planning commission of the community so authorizing shall be required to comply with any requirements of this act except as set forth in this section and except that any redevelopment plan for such area shall be approved by ordinance enacted by the legislative body of the community so authorizing."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3029—An act to amend Section 4845.28 of the Health and Safety Code, relating to county sanitation districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 16, of the printed bill, as amended in the Assembly on April 6, 1951, strike out "registered voters", and insert "electors".

Amendment No. 2

On page 1 of said bill, strike out lines 12 and 13, and insert "filing with the district board a petition so requesting signed by persons owning real property representing more than fifty percent of the assessed valuation of real property in the part or portion to be annexed and the adoption of an order of annexation by the district board,".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 359—An act to add Section 1551.5 to the Welfare and Institutions Code, relating to aid to needy children.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "appears," and insert "is established".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 361—An act to add Section 2160.9 to the Welfare and Institutions Code, relating to old age security, in respect to recipients who have removed from the State of California.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1, lines 5, 6, and 7, of the printed bill, strike out "for a sufficient length of time to entitle them to receive old age security or similar benefits from such other state are presumed to have lost their residence for purposes of this chapter", and insert

"for a continuous period of one year or longer such absence shall be prima facie evidence of the intent of the recipient to have changed his residence to a place outside this State."

Amendment No. 2

On page 1, line 12, of the printed bill, strike out "indicates," and insert "establishes".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2039—An act to amend Section 6610.3 of, and to add Section 6612 to, the Welfare and Institutions Code, relating to the admission of persons believed to be mentally ill into mental institutions by application of a local health officer.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "as".

Amendment No. 2

On page 1, line 11, of said bill, strike out "shall", and insert "may"

Amendment No. 3

On page 2, line 3, of said bill, strike out "that facilities are available and".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 1222—An act to amend Sections 6736 and 6799 of the Business and Professions Code, relating to the practice of professional engineering.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 20, of the printed bill, as amended in the Assembly on March 23, 1951, after "corporation", insert ", other than by the use of the name or names of such individual or individuals in the partnership, firm, or corporate name,"

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1698—An act to amend Section 6810 of the Business and Professions Code, relating to the registration of professional engineers.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1 of the printed bill, beginning in line 8, strike out the comma and insert a period after "prescribed"; and strike out "at any time after the applicant

has completed four years of the required engineering experience as defined above or graduation from a reputable four-year curriculum in engineering approved by the California State Board of Education."

Amendment read, and adopted

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2003—An act to amend Sections 6855, 6858, 6861, 6862, 6863, 6875, 6876, 6877, 6878, 6881, 6885, 6886, 6891, 6906, 6908, 6913, 6914, 6915, 6921, 6922, 6923, 6925, 6931, 6948, and 6956, and to repeal Sections 6938, 6941, 6942, 6943, and 6944 of the Business and Professions Code, and to add thereto Section 6859, all relating to the licensing and regulation of collection agencies.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 11 of the printed bill, following line 9 and preceding line 10, insert "Adjudication as a bankrupt of a licensee or of a partner in a licensed copartnership constitutes ground for the institution of disciplinary proceedings and revocation of license or other disciplinary action."

Amendment read, and adopted

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2142—An act to add Section 1228 to, and Chapter 6, comprising Sections 6600 to 6607, inclusive, to Division 7, Title 1 of, the Government Code, and to repeal an act entitled "An act forbidding the employment of the inmates of state institutions in the manufacture, or production of articles, for the use of state officers, or the officers and employees of state institutions," approved March 19, 1903, and an act entitled "An act relating to certain funds and property of inmates of state homes, reformatories, hospitals, prisons and other institutions and the expenditure thereof," approved May 31, 1929, relating to the employment and property of inmates of state institutions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "6607", and insert "6608".

Amendment No. 2

On page 1, line 10, of said bill, strike out "6607", and insert "6608".

Amendment No. 3

On page 1 of said bill, strike out lines 15 and 16; and on page 2, strike out line 1, and insert

"6600. This chapter applies only to property and funds, and the disposition thereof, of inmates of any state home, reformatory, hospital, state prison, or other institution where the custody, management, and disposition of property and funds of inmates are not otherwise provided for by statute.

6601. When any person".

Amendment No. 4

On page 2, line 10, of said bill, strike out "6601", and insert "6602".

Amendment No. 5

On page 2, line 13, of said bill, strike out "6602", and insert "6603"

Amendment No. 6

On page 2, line 17, of said bill, strike out "6603", and insert "6604".

Amendment No. 7

On page 2, line 20, of said bill, strike out "6604", and insert "6605"

Amendment No. 8

On page 2, line 26, of said bill, strike out "6605", and insert "6606".

Amendment No. 9

On page 2, line 31, of said bill, strike out "6606", and insert "6607".

Amendment No. 10

On page 2, line 33, of said bill, strike out "6607", and insert "6608".

Amendments read, and adopted
Bill ordered reprinted, and engrossed.

Assembly Bill No. 2882—An act to add Chapter 6 to Part 1 of Division 3 of Title 2 of the Government Code, to amend Sections 12001, 12100, 12150, 12300, 12302, 12400, 13002, 14002, 15003, 15603, and 18650 of said code, to amend Section 21 of the Agricultural Code, to amend Sections 213 and 230 of the Banking Code, to amend Sections 151, 6512, 7011, 10055, 18626.5, and 19433 of the Business and Professions Code, to amend Section 25301 of the Corporations Code, to amend Sections 141, 144.2, 20924, and 22003 of the Education Code, to amend Sections 213, 230, and 5201 of the Financial Code, to amend Section 1732.6 of the Harbors and Navigation Code, to amend Sections 107.5 and 13101 of the Health and Safety Code, to amend Section 12902 of the Insurance Code, to amend Sections 51, 70.5, 775, 80, and 112 of the Labor Code, to amend Section 76 of the Military and Veterans Code, to amend Sections 5051 and 5076 of the Penal Code, to amend Section 3700 of the Political Code, to amend Section 501 of the Public Resources Code, to amend Section 304 of the Public Utilities Code, to amend Section 52 of the Streets and Highways Code, to amend Sections 105, 109, and 139.08 of the Vehicle Code, to amend Sections 130, 152, 1722, and 1723 of the Welfare and Institutions Code, to amend Section 10 of the Public Utilities Act, to amend Section 3 of the State Aeronautics Commission Act, to amend Sections 76 and 77 of the Unemployment Insurance Act, to amend Section 2 of an act entitled "An act to create the Franchise Tax Board, prescribing its powers, duties, jurisdictions, purposes, and functions and abolishing the office of Franchise Tax Commissioner," approved July 25, 1949; to amend Section 2 of an act entitled "An act to provide for the salaries and expenses of the Building and Loan Commissioner, his attorney, deputies, examiners, accountants, appraisers and other assistants; to provide for the disposition of moneys in the 'Building and Loan Inspection Fund' created by Chapter 354 of the Statutes of 1911, as amended; and of moneys collected under the Building and Loan Association Act; and otherwise relating to the Building and Loan Commissioner, his assistants and employees, and to the regulation of building and loan associations," approved June 12, 1931, relating to the salaries of state officers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 2 of the printed bill, between lines 22 and 23, insert "(c) Director of Social Welfare."

Amendment No. 2

On page 3 of said bill, between lines 3 and 4, insert "(o) Lieutenant Governor."

Amendment No. 3

On page 4 of said bill, strike out lines 3 to 8, inclusive.

Amendment No. 4

On page 4, line 9, of said bill, strike out "11566", and insert "11565".

Amendment No. 5

On page 4, line 15, of said bill, strike out "11567", and insert "11566".

Amendment No. 6

On page 4, line 21, of said bill, strike out "11568", and insert "11567".

Amendment No. 7

On page 4, line 26, of said bill, strike out "11569", and insert "11568".

Amendment No. 8

On page 5 of said bill, strike out lines 26 to 29, inclusive, and insert "his office."

Amendment No. 9

On page 6 of said bill, strike out lines 29 to 32, inclusive, and insert "and his compensation shall be fixed by the Attorney General. The deputy director shall be".

Amendment No. 10

On page 3 of said bill, strike out line 27.

Amendment No. 11

On page 3 of said bill, strike out line 45.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1018—An act to add Section 3928.1 to, and to amend Section 3946 of, the Elections Code, relating to direct primary ballots.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

On page 1, lines 7 and 8, of the printed bill, strike out "as a capital letter the first letter of"

Amendment No. 2

On page 1, line 10, of said bill, after the period, insert "The name of such political party may be abbreviated by printing not less than the first three letters of the name of such political party."

Amendment No. 3

On page 1, line 11, of said bill, strike out "letter" and insert "first three letters".

Amendment No. 4

On the ballot form numbered 1 attached to the bill, strike out the letter "R" wherever it appears following the name of a candidate, and insert "Rep."

Amendment No. 5

On the ballot form numbered 1 attached to the bill, strike out the letter "D" wherever it appears following the name of a candidate, and insert "Dem."

Amendment No. 6

On the ballot form numbered 1 attached to the bill, strike out the letter "S" wherever it appears following the name of a candidate, and insert "Soc"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 497—An act to add Section 429.6 to the Fish and Game Code, relating to the issuance of sporting fishing licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "may", and insert "shall, upon application therefor,".

Amendment No. 2

On page 1, line 5, of said bill, strike out "of the age of 65 or over", and insert "who is a recipient of aid to the needy aged under the provisions of the Welfare and Institutions Code, and".

Amendment No. 3

On page 1, line 8, of said bill, strike out "free of charge", and insert "upon the payment of a fee of fifty cents".

Amendment No. 4

On page 1, line 9, strike out "may", and insert "shall"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Fish and Game.

Assembly Bill No. 1560—An act to add Section 5050.3 to the Education Code, relating to state school building aid.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "5050.3", and insert "5050.4".

Amendment No. 2

In line 2 of the title of said bill, after "aid", insert ", declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 19, inclusive, and insert

"SECTION 1. Section 5050.4 is added to the Education Code, to read:

5050.4. Where a school district sells bonds after notice is given it that a portion of such district intends to withdraw pursuant to Section 1601.5, and such portion does withdraw within the time limit specified in such section, the district shall not be required to contribute toward the cost of any project approved under this chapter that amount of the proceeds from such sale that would be in excess of the amount of bonds that could have been legally sold by the district immediately after the withdrawal of such portion.

SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are:

Under the existing law it is necessary for a school district applying for state school building aid to issue bonds so that its total outstanding bonds exceed 95 percent

of the maximum amount allowed by law for school districts, which is 5 percent of the taxable property of the district. The proceeds of the bonds so issued must be applied to the project for which the district is seeking state aid. However, in some cases, after a district has sold the amount of bonds necessary to make it eligible for state school building aid, a portion of the district withdraws, reducing the amount of taxable property in the district to such an extent that, with the bonds sold by the district for state school building aid, the total amount of district bonds after the withdrawal exceeds the maximum which would have been allowed by law had the withdrawal occurred prior to the approval by the district electors of the amount of bonds so required to be issued and sold. If such a district is required to apply the proceeds of all the bonds sold to the project for which it is seeking state aid, the district will for many years be unable to raise money for district needs, however small, which are bound to arise and which other districts receiving state school building aid are able to meet with the margin of bonding capacity left after selling the bonds necessary for eligibility for the state aid. In order to cure such inequities, it is necessary that this act take effect immediately."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

Assembly Bill No. 647—An act adding Article 14 to Division 8, Chapter 7, of the Business and Professions Code, consisting of Sections 20990 to 21002, inclusive, defining re-refined oil and re-refiners, providing for the licensing of re-refiners, setting forth the powers of the Division of Weights and Measures of the Department of Agriculture and providing minimum specifications for re-refined oil.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Manufacturing, Oil, and Mining Industry:

Amendment No. 1

In the title of the printed bill, strike out lines 3 to 7, inclusive, and insert "20992, inclusive, relating to re-refined oil."

Amendment No. 2

On page 1, line 2, of said bill, strike out "21002", and insert "20992".

Amendment No. 3

On page 1 of said bill, strike out lines 11 to 14, inclusive, and insert "poses, and which has, in addition to any treatments to which said oil may be subjected in the reclamation thereof, undergone all of the following processes

(a) Dehydration

(b) Treatment with sulphuric acid or an equivalent process for the purpose of removing unstable hydrocarbons.

(c) Pressure contact with petroleum refining treating clay, Retrol, or its equivalent, with the use of a minimum of five sacks of clay per 1,000 gallons of oil being so treated.

(d) Distillation at temperatures not less than 525 degrees Fahrenheit.

(e) Filtration."

Amendment No. 4

On page 1 of said bill, strike out lines 15 to 20, inclusive

Amendment No. 5

On page 2, line 1, of said bill, strike out "20992", and insert "20991"

Amendment No. 6

On page 2, line 2, of said bill, strike out "or refer to"

Amendment No. 7

On page 2, line 4, of said bill, strike out "not".

Amendment No. 8

On page 2 of said bill, strike out line 5, and insert "motor oil, as defined in this article, except that the sign or label required shall consist of the word "rerefined" in letters of Gothic type with a stroke of not less than $\frac{1}{16}$ inch in width and not less than $\frac{1}{4}$ inch in height on containers of 2 gallons or less, and in letters in Gothic type with a stroke of not less than $\frac{3}{16}$ inch in width and not less than $\frac{1}{2}$ inch in height on containers of over 2 gallons.

20992. If any rerefined lubricating or motor oil is used in blending or compounding in unused petroleum products being sold, offered, kept or stored for sale, the fact of such blending or compounding shall be indicated on all containers as required by this article for containers of unblended rerefined lubricating or motor oil."

Amendment No. 9

On page 2 of said bill, strike out lines 6 to 52, inclusive; and on page 3, strike out lines 1 to 40, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Manufacturing, Oil, and Mining Industry.

Assembly Bill No. 448—An act to add Article 3.5, comprising Sections 190 to 194, to Chapter 1 of Division 1 of the Education Code, relating to vocational rehabilitation to establish a Section of Services for the Blind in the Bureau of Vocational Rehabilitation, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Social Welfare:

Amendment No. 1

On page 2, line 6, of the printed bill, after period, insert

"No rule or regulation shall compel a blind applicant who relies upon prayer or spiritual means for healing in the practice of religion to accept services of physical restoration, nor shall he be denied other services provided in this article because of refusal to accept services of physical restoration."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 446—An act to amend Section 2 of an act entitled "An act relating to the construction, installation, equipping, stocking and operation of vending stands in public buildings of the State, counties, cities and counties, and cities, and providing for their operation by licensed blind persons," approved May 29, 1945, relating to the construction, installation, and operation of vending stands and vending machines in public buildings.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1 of the printed bill, strike out lines 16 to 22, inclusive, and insert "any such vending stand for operation by or for the benefit of any person other than a licensed blind person, nor install or permit the installation of any automatic vending machine in any such building in which a vending stand is installed unless the customary commission on the profits of such automatic vending machine shall accrue

to the benefit of the licensed blind person operating such vending stand. The provisions of this section relating to automatic vending machines shall not apply to automatic vending machines dispensing sanitary supplies in rest rooms."

Amendment read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Social Welfare.

Assembly Bill No. 2343—An act to add Section 145 to the Welfare and Institutions Code, relating to public assistance, to provide for increase of assistance payments upon increase in costs of living.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "Chapter 1, of Part 2, of Division 2,".

Amendment No. 2

On page 1, line 6, of the printed bill, strike out "increased", and insert "adjusted".

Amendment No. 3

On page 1, line 7, of the printed bill, following "increases", insert "or decreases".

Amendment No. 4

On page 1, line 8, of the printed bill, strike out "maximum amounts inadequate to pro-", and insert "adjustments necessary".

Amendment No. 5

On page 1, line 9, of the printed bill, strike out "vide for the needs of recipients of aid or assistance. Increases", and insert "Adjustments".

Amendment No. 6

On page 1, line 10, of the printed bill, strike out "in", and insert "above".

Amendment No. 7

On page 1 of the printed bill, strike out lines 12 to 21, inclusive, and insert

"Within thirty (30) days after this act becomes operative, the State Department of Social Welfare shall determine the average of the latest "Consumers price Index for Moderate Income Families in San Francisco—All Items" issued by the Bureau of Labor Statistics of the United States Department of Labor and the comparable Index of the same date for Los Angeles.

If this average of the two index numbers exceeds the average of the comparable index numbers for San Francisco and Los Angeles for March 15, 1950, by one full point or more, then the monthly allowance to each recipient shall be increased in the amount of fifty cents ($0.50) for each full point by which the latest average index exceeds the average index for March 15, 1950. Such adjustment allowances shall become effective on the first of the month following the determination. During each January and July thereafter, the State Department of Social Welfare shall similarly determine the average of the latest index for San Francisco and the comparable index of the same date for Los Angeles. The monthly allowance to each recipient shall them be adjusted upward or downward in the amount of fifty cents ($0.50) for each full point of change upward or downward occuring subsequent to the last determination of the average index. In any such periodic adjustment there shall be taken into account the unapplied portion of the change in the average index which occurred in the previous adjustment, of less then one full point, which was not used in the calculation of the amount of such preceding change in the monthly payment as provided in this section.

If at any such adjustment date, the variation in such average price Index, taking into account the unapplied portion of the change which occurred in the average Index in the preceding adjustment, is less than one full point from the average index figure used in making the adjustment for the period immediately next preceding the period in question, then the amount of the allowance payable shall remain at the amount established at such preceding date. In any such periodic adjustment any decrease

therein which would bring the monthly allowance to less than the maximum amount prescribed in this code shall be ignored. Each such adjustment shall become effective as of the first day of the second calendar month next succeeding the month of adjustment."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Social Welfare.

Assembly Bill No. 3036—An act to add Section 6731.5 to the Business and Professions Code, relating to highway engineers in the state service.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In the title to the printed bill, strike out lines 1 and 2, and insert

"An act to amend Section 6715 of, and add Section 6744 to, the Business and Professions Code, relating to civil engineers."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 6, inclusive, and insert

"SECTION 1. Section 6715 of the Business and Professions Code is amended to read:

The board shall appoint an executive secretary at a salary to be fixed and determined by the board [with the approval of the Director of Finance] *and his salary shall not exceed ten thousand dollars ($10,000) per annum.*

SEC. 2. Section 6744 is added to said code to read

6744 Any person, firm, corporation, or public agency advertising, soliciting, or offering to employ one or more professional engineers to be in responsible charge of any engineering work shall state the requirement of registration under this chapter in such advertising, soliciting, or offering."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3116—An act to amend Section 14420 of the Government Code, relating to payments on state contracts, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, after "to", strike out "amend Section 14402 of", and insert "add Section 25464 to"; in line 2 of the title, after "payments on", strike out "state contracts, declaring the urgency"; and strike out lines 3 and 4 of the title, and insert "county construction contracts"

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 24; and on page 2, strike out lines 1 to 9, and insert

"SECTION 1. Section 25464 is added to the Government Code, to read:

25464. The method of payment for construction contracts shall be determined by the board, including progress payments for completed portions of the work and for materials delivered on the grounds or stored subject to the control of the board and unused."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3096—An act to provide for the acquisition of land and improvements in that part of the City of Los Angeles, County of Los Angeles, known as Olvera Street, the Los Angeles Plaza, and the Pico-Garner block as part of the State Park System and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 16, of the printed bill, strike out "_____ dollars ($_____)", and insert "seven hundred fifty thousand dollars ($750,000)".

Amendment No. 2

On page 1, line 13, of the printed bill, after the period, insert "A copy of each instrument conveying lands to the State pursuant to this act shall be transmitted to the State Lands Commission by the State Park Commission."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1584—An act to amend Section 26 of the Construction and Employment Act, relating to the State Allocation Board and to allocation of state funds to local agencies for the construction of public works, and making an appropriation

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "1951", and insert "1953".

Amendment No. 2

On page 1, line 12, of said bill, strike out "1952", and insert "1954".

Amendment No. 3

On page 1, line 15, of said bill, strike out "1952", and insert "1954".

Amendment No. 4

On page 1, line 17, of said bill, strike out "1953", and insert "1955".

Amendment No. 5

On page 1 of said bill, after line 17, insert

"SEC. 2. In appropriating the funds not obligated for expenditure or for which application is not made under the Construction and Employment Act, it is not the intent of the Legislature to preclude itself from further extending the time during which the funds can be obligated or application made."

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 2712—An act to add Sections 6 and 7 to an act entitled "An act providing for loans to municipalities and districts for sewerage and storm drainage facilities, prescribing the conditions under which such loans shall be made, creating the State Water Pollution Control Fund, and making an appropriation," approved July 28, 1949, relating to protection of quality of underground waters.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "_____ dollars ($_____)", and insert "one million dollars ($1,000,000)".

Amendment No. 2

On page 1, line 6, of said bill, strike out "projects", and insert "experimental and other projects which are found by the Department of Public Works acting through the State Engineer to be necessary and feasible"

Amendment No. 3

On page 1, line 12, of said bill, strike out "_____ dollars ($_____)", and insert "one hundred fifty thousand dollars ($150,000)".

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 1583—An act to amend Section 27 of an act entitled "An act making an appropriation for allocation to cities, counties, and cities and counties to develop a postwar public works program comprising the preparation of surveys and plans and specifications for proposed public works and the acquisition of rights-of-way and sites for major streets, roads, bridges, sewerage and other public facilities, and providing the procedure for making such allocations," approved June 20, 1944, relating to postwar public works programs, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 1, line 19, of the printed bill, as amended in the Assembly on April 9, 1951, strike out "1951", and insert "1953"

Amendment No. 2

On page 2, line 6, of said bill, strike out "1952", and insert "1954"

Amendment No. 3

On page 2, line 9, of said bill, after "SEC. 2", insert "In appropriating the funds not expended under the provisions of Chapter 47 of the 1944 (Fourth Extraordinary) Session, it is not the intent of the Legislature to preclude itself from further extending the time during which the funds can be expended

SEC. 3."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

SECOND READING OF SENATE BILLS

Senate Bill No. 413—An act to add Section 18236 to the Education Code, relating to personal liability of officers and employees of school districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 1424—An act to add Section 13802.1 to the Education Code, relating to the salaries of persons employed by school districts in positions requiring certification qualifications.

Bill read second time, and ordered to third reading.

Senate Bill No. 371—An act to amend Section 4941.2 of the Education Code, relating to elections in unified school districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 504—An act to amend Section 13425 of the Education Code, relating to the attendance of teachers upon institute.

Bill read second time, and ordered to third reading.

Senate Bill No. 243—An act to amend Section 20849 of the Business and Professions Code, relating to deliveries of motor vehicle fuels and lubricants

Bill read second time, and ordered to third reading.

Senate Bill No. 207—An act to amend Sections 6895 and 6897 of the Public Resources Code, relating to mineral leases on public lands.

Bill read second time, and ordered to third reading.

Senate Bill No. 489—An act to amend Section 26 of the Construction and Employment Act, relating to allocation of state funds to local agencies for the construction of public works.

Bill read second time, and ordered to third reading.

Senate Bill No. 494—An act to amend Section 27 of an act entitled "An act making an appropriation for allocation to cities, counties, and cities and counties to develop a postwar public works program comprising the preparation of surveys and plans and specifications for proposed public works and the acquisition of rights of way and sites for major streets, roads, bridges, sewerage, and other public facilities, and providing the procedure for making such allocations," approved June

20, 1944, relating to public works programs, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 665—An act to amend Section 26 of the Construction and Employment Act, relating to the allocation of state funds to local agencies for the construction of public works.

Bill read second time, and ordered to third reading.

Senate Bill No. 917—An act to add Section 6855 to the Public Resources Code, relating to the disposition of the proceeds of leases for the extraction of mineral deposits from state lands, other than public lands and tide and submerged lands under the jurisdiction of the State Lands Commission.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Manufacturing, Oil, and Mining Industry:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Senate on March 29, 1951, strike out "state lands, other than"; and strike out lines 4 and 5 of said title, and insert "certain state lands."

Amendment No. 2

On page 1, line 7, of said bill, after "commission," insert "property escheated to the State or held in trust, lands held by the State as tax deeded property."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 908—An act to amend Sections 14030 and 14034 of the Government Code and Section 2714 of the Penal Code, relating to expenditure of General Fund money in special revolving funds.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on March 19, 1951, after "14030", insert ", 14032".

Amendment No. 2

In line 2 of the title of said bill, strike out "ex-"; and strike out lines 3 and 4 of the title, and insert "special revolving funds and the expenditure of General Fund money therein and the disposition of the unencumbered balance of moneys from other sources transferred thereto."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, after line 26, insert

"SEC. 2. Section 14032 of said code is amended to read:

14032. The Division of Architecture shall keep a record of all expenditures chargeable against each specific portion of the Revolving Fund, and any [unused] *unencumbered* balance in any portion of the fund shall [on approval by the Department of Finance] *within three years from the time such portion was transferred or*

deposited therein be withdrawn from the Revolving Fund and transferred to the credit of the appropriation from which it was transferred or, as to funds from other than state appropriations, be paid out or refunded as provided in the agreement relating to the contributions *; provided, that on approval of the Department of Finance the time of such withdrawal may be extended* "

Amendment No. 4

On page 2, line 1, of said bill, strike out "SEC. 2", and insert "SEC. 3".

Amendment No. 5

On page 2, line 33, of said bill, strike out "SEC. 3", and insert "SEC. 4".

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Senate Bill No. 909—An act to amend Section 14032 of the Government Code, relating to the Division of Architecture Revolving Fund.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "to amend Section 14032 of the Government Code,"

Amendment No. 2

In line 2 of the title of said bill, after "Fund", insert ", ratifying and confirming certain transfers thereto from the Wildlife Restoration Fund, the encumbrance of the money so transferred for projects under the Wildlife Conservation Act of 1947 and for expenses incidental to said projects, and the projects for which such money was encumbered, authorizing the expenditure of the money so encumbered and declaring the urgency thereof, to take effect immediately"

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 14, inclusive, and insert

"SECTION 1. The transfer of the sum of eight hundred four thousand five hundred eight dollars and eighty-two cents ($804,508.82) of the transfers made on or before March 1, 1951 from the Wildlife Restoration Fund to the Division of Architecture Revolving Fund, the expenditure or encumbrance of said sum for projects under the Wildlife Conservation Act of 1947, and the contracts and projects for which said sum was expended or encumbered are hereby ratified and confirmed. Any part of said sum not heretofore expended may be expended for the purpose for which encumbered in accordance with applicable provisions of law.

SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall take effect immediately. The fact constituting such necessity are:

The Wildlife Conservation Act of 1947 provided for a program of acquisition of lands and facilities for recreational and wildlife conservation purposes. Money was appropriated to carry out said act and a program of acquisition of lands and facilities under said act was initiated. Litigation involving the validity of certain features of the Wildlife Conservation Act is now pending in the courts. The money referred to in this act has been either expended or committed for expenditure on a number of projects and construction of some projects is now under way pursuant to contracts between the State of California and a number of contractors. These contracts were entered into in good faith and unless they are permitted to be completed the State will lose a large part of the benefits thereof, will be subjected to multiple claims on behalf of the contracting parties, and will be placed in the position of having repudiated its contracts. In order that the faith and credit of the State of California shall not be put in question, it is necessary to remove any legal impediment which may exist or be found to exist to the payment of the obligations of the State in accordance with its agreements."

Amendments read, and adopted

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2882 BE RE-REFERRED TO COMMITTEE

Mr. Caldecott asked for, and was granted, unanimous consent that Assembly Bill No. 2882 be withdrawn from the third reading file, and be re-referred to the Committee on Ways and Means.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1211—An act to repeal Sections 2289 and 2293 of, and to amend Sections 2135, 2169, and 2287 of, the Business and Professions Code, relating to practitioners of the healing arts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1211?

Amendment No. 1

In line 2 of the title of the printed bill, strike out "and 2287", and insert "2287, and 2147.5".

Amendment No. 2

On page 2 of said bill, after line 8, insert

"SEC. 5. Section 2147.5 of the Business and Professions Code is amended to read:

2147.5. Any graduate student registered with the board and upon whom a degree of doctor of medicine, bachelor of medicine, or doctor of osteopathy has been conferred by a school, approved by the board, and any regularly matriculated student in a school approved by the board may, during and as a part of his course of study, but not for a period of more than two years, treat the sick and afflicted either as such student in a school approved by the board, teaching medicine, surgery or osteopathy in this State, or as an interne in a hospital approved for the training of internes, and may, for rendering such treatment, receive compensation therefor from the hospital or school. Hospitals functioning as a part of the teaching program of an approved school in this State may exchange instructors or resident or assistant resident physicians with an out-of-state approved school, *or may appoint a graduate of an approved school as a resident or assistant resident for postgraduate training*, and the exchange instructor, resident or assistant resident from such out-of-state school *or the resident or assistant resident for postgraduate training* may, for a period not exceeding one year, serve as an instructor, resident or assistant resident in such hospital in this State. Any person registered with the board and upon whom a degree of doctor of medicine or doctor of osteopathy has been conferred by a school approved by the board may act as a resident or assistant resident physician in any hospital approved for residencies or the training of internes, and may receive compensation therefor from the hospital; provided, that any such resident or assistant resident shall qualify for and take the next succeeding examination for a physician's and surgeon's certificate given by the board *or shall qualify for and receive a physician's and surgeon's certificate by one of the other methods specified in this chapter*. If he shall fail to pass such examination *or fail to receive a certificate by one of the other methods, pending the results of the examination*, all privileges under this section shall automatically cease.

Except to the extent authorized by this section, no graduate student or resident may treat the sick or afflicted or receive compensation therefor, or otherwise engage in or offer to engage in the practice of medicine or surgery; unless he shall hold a valid, unrevoked and unsuspended physician's and surgeon's certificate."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1211 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Kloksiem, Levering, Lindsay, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Stanley, Stewart, Tomlinson, Waters and Mr. Speaker—64

NOES—None.

Assembly Bill No. 1211 ordered enrolled.

Assembly Bill No. 28—An act making an appropriation to Mono County from the Emergency Fund specified in Item 277 of the Budget Act of 1950, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 28?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 21, 1951, strike out "to Mono County".

Amendment No. 2

On page 1, line 4, of said bill, as amended, after "sum of", insert "one hundred forty-five thousand five hundred dollars ($145,500) to the Department of Finance, to be expended for repair and restoration of property damaged by storms or floods,"

Amendment No. 3

On page 1, line 5, of said bill, as amended, after "($75,500)", insert ", or so much thereof as may be necessary, to be allocated".

Amendment No. 4

On page 1, lines 8 and 9, of said bill, as amended, strike out "necessitated by flood damage", and insert "and seventy thousand dollars ($70,000), or so much thereof as may be necessary, to be allocated to the Mariposa Public Utility District, to restore the Stockton Creek Dam in Mariposa County"

Amendment No. 5

On page 1 of said bill, as amended, strike out lines 10 to 13, inclusive; and in line 14 strike out "SEC. 3.", and insert

"SEC. 2."

Amendment No. 6

On page 1 of said bill, as amended, strike out lines 19 to 21, inclusive; and on page 2, strike out lines 1 to 6, inclusive, and insert

"Facilities for the furnishing of governmental services necessary to the public health and safety of the people of this State were damaged and destroyed by recent storms and floods In some areas, people have been isolated from their schools, stores, shops, and means of livelihood because of the destruction of and damage to bridges on county roads and in other areas, damage to the water supply and fire protection facilities has endangered the public health and safety.

In order that funds be made available for the immediate repair and restoration of these facilities and to remove a present threat to the public health and safety, it is necessary that this act take effect immediately."

Amendment No. 7

On page 1, line 2, of said bill, as amended, following "277", strike out "of".

Amendment No. 8

On page 2, line 7, of said bill, as amended, insert

"SEC. 3. It is the intent of the Legislature that the requirement of local matching for funds appropriated by Item 277 of the Budget Act of 1950 as amended is waived only for the purpose of alleviating extreme hardship in the case of two counties which, after investigation by the Department of Finance and the Legislative Auditor and the issuance of a letter by the Governor as to the emergency within Section 34 of Article IV of the Constitution, have been determined to be priority cases for aid in repair of flood damage and have been determined to be without the ability to provide such aid by local sources."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 28 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem,

Levering, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 28 ordered enrolled.

Assembly Bill No. 166—An act to add Section 14722.1 to the Education Code, relating to district retirement salary plans, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 166?

Amendment No. 1

On page 1, line 3, of the printed bill, after "benefit", insert ", payable upon receipt of proof of a member's death which occurred before the effective date of his retirement or before the date upon which a retirement allowance is granted to him, whichever is the later date, and within four months after the termination of the member's employment in a status requisite for membership in the retirement plan, in an amount".

Amendment No. 2

On page 1, line 9, of said bill, after the period, insert "Any plan which provides for such death benefit shall also provide that such benefit shall not be payable to the beneficiary of any member in respect to whom a death benefit is paid by the State Teachers' Retirement System under Section 14575 of this code, unless such death benefit paid under Section 14575 has been reduced by the amount of the death benefit otherwise payable under the district retirement plan."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 166 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 166 ordered enrolled.

Assembly Bill No. 168—An act to amend Sections 14728.3 and 14728.5 of the Education Code, relating to district retirement salary plans

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 168?

Amendment No. 1

On page 1, line 5, of the printed bill, after "months", and before the comma, insert "after such return of his contributions"

Amendment No. 2

On page 1, line 15, of said bill, strike out "re-entry", and insert "termination of service".

Amendment No. 3

On page 1, line 16, of said bill, before "pension benefits", insert "the right to".

Amendment No. 4

On page 1 of said bill, strike out lines 19 and 20, and insert "who redeposits his accumulated contributions as provided in Section 14728.3; but any member who re-enters the system more than 39 months after his contributions have been returned to him, or any member who re-enters the system within 39 months after his contributions have been returned to him and does not elect to redeposit his accumulated contributions with interest, as provided in Section 14728.3, or any member who re-enters

the system within 39 months after his contributions have been returned to him and, having elected to redeposit his accumulated contributions, with interest, as provided in Section 14728.3, subsequently does not make such redeposit, re-enters as a new member without credit for any service except the prior service credited to him before termination of his service, and his rate of contribution for future years is that for his age at re-entrance."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No 168 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Tomlinson, Waters, and Mr Speaker—65.

NOES—None.

Assembly Bill No. 168 ordered enrolled

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1242 WAIVED

Mr Coats waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1242 was passed.

Assembly Bill No 1242 ordered transmitted to the Senate

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO April 13, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 956
Assembly Bill No. 2078
Assembly Bill No 2120

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 479
Assembly Bill No. 2309
Assembly Bill No 2332

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading

ASSEMBLY CHAMBER SACRAMENTO, April 13, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Joint Resolution No. 21

And reports the same correctly re-engrossed

BURKE, Chairman

Above reported resolution ordered on file for adoption.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred

Assembly Bill No 961

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1951

MR SPEAKER: Your Committee on Judiciary, to which were referred

Assembly Bill No 475
Assembly Bill No. 1418
Assembly Bill No. 1477
Assembly Bill No 1506
Assembly Bill No. 1767
Assembly Bill No. 2722

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1951

MR SPEAKER: Your Committee on Judiciary, to which were referred

Assembly Bill No. 1
Assembly Bill No 625
Assembly Bill No 658
Assembly Bill No. 950
Assembly Bill No 1869

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1951

MR SPEAKER: Your Committee on Judiciary, to which were referred

Senate Bill No. 324
Senate Bill No 433
Senate Bill No. 476

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1951

MR SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 2664

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1951

MR SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 1653

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bill ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Senate Bill No. 479

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No 1176
Assembly Bill No 1299
Assembly Bill No 1616
Assembly Bill No 1839
Assembly Bill No 3384

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

BROWN, Chairman

Above reported bills ordered to second reading.

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Assembly Bill No. 1955

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

LUCKEL, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 1012
Assembly Bill No. 1947

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LUCKEL, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Assembly Bill No. 1829

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

LUCKEL, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1951

MR. SPEAKER. Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 1014
Assembly Bill No. 1284
Assembly Bill No. 1613
Assembly Bill No. 2663
Assembly Bill No. 3280

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

LUCKEL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Assembly Bill No. 178

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

LUCKEL, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 1011
Assembly Bill No. 1013
Assembly Bill No. 1642

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

LUCKEL, Chairman

Above reported bills ordered to second reading.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 654
Assembly Bill No. 1075
Assembly Bill No. 1315
Assembly Bill No. 1788
Assembly Bill No. 2211
Assembly Bill No. 2619

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Senate Bill No. 44
Senate Bill No. 45
Senate Bill No. 355
Senate Bill No. 515
Senate Bill No. 817
Senate Bill No. 910

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 1076
Assembly Bill No. 1803
Assembly Bill No. 2890

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

STANLEY, Chairman

Above reported bills ordered to second reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred

Senate Bill No. 480

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Senate Bill No. 818

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Senate Bill No. 150
Senate Bill No. 176
Senate Bill No. 554
Senate Bill No. 895
Senate Bill No. 921

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 567
Assembly Bill No. 576
Assembly Bill No. 3258

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No 245

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Davis to reconsider the vote whereby amendments to Assembly Bill No. 2530 were adopted was continued until the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 956—An act to amend Section 200 of the Labor Code, relating to the definition of the terms "wages," "labor," and "discharge," as used in Article 1, Chapter 1, Part 1, Division 2 of the Labor Code.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—65.

NOES—Levering—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1673—An act to amend Section 10202.8 of the Insurance Code, relating to group life insurance

Bill read third time

The roll was called, and the bill passed by the following vote.

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1675—An act to amend Section 10203.4 of the Insurance Code, relating to group life insurance

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—62

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1677—An act to amend Section 10206 of the Insurance Code, relating to group life insurance.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—59

NOES—Elliott and Henderson—2

Notice of Motion to Reconsider Assembly Bill No. 1677

Mr. Henderson gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1677 was this day passed.

Assembly Bill No. 1679—An act to amend Section 10270.5 of the Insurance Code, relating to group disability insurance.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—68

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1680—An act to amend Section 53200 of the Government Code, relating to group insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley,

Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sillman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2078—An act to amend Section 209 of the Unemployment Insurance Act, relating to benefits during hospitalization.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 908—An act to add Section 30.03 to the Public Utility District Act of 1921, authorizing public utility districts to accept loans and contributions from the State of California.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Crowley, Dickey, Dolwig, Doyle, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Klocksiem, Levering, Lincoln, Luckel, Lyon, Maloney, McCollister, McGee, McMillan, Meyers, Morris, Niehouse, Porter, Rumford, Sillman, Stanley, Stewart, Thomas, Tomlinson, and Mr Speaker—46.

NOES—Beck, Coats, George D. Collins, Condon, Conrad, Elliott, Fleury, Hagen, Henderson, Hinckley, Kirkwood, Lowrey, McFall, Moss, Munnell, and Parker—16.

Bill ordered transmitted to the Senate.

Assembly Bill No. 825—An act to amend Sections 102, 103, 146, 170, 188, 215, 254, 260, 262, 320, 321, 340, 394, 450, 451, 452, 457, 459, 461, 463, 464, 465, 550, 644, 644.1, 647, 648 and to add Section 213 of the Military and Veterans Code, and to amend Section 37892 of the Government Code, relating to the call of the militia to active service, federal service, the reduction of noncommissioned officers, the discharge of personnel, pay and allowances, disability benefits, courts-martial jurisdiction and procedure, disciplinary action and punishment, the admission to bail, Uniform Code of Military Justice, courts-martial process, confinement of minors, competitive exercises, discrimination against members of the National Guard, service awards, correction of orders and directives, emergency purchases and services, membership in the California Defense and Security Corps, reversion to state control, leasing of land for military purposes.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 522—An act to amend Section 1730 of, and to add Section 1734 to, the Insurance Code, relating to insurance and bail licensees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1672—An act to amend Section 10202 of the Insurance Code, relating to group life insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1674—An act to amend Section 10203 of the Insurance Code, relating to group life insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1678—An act to amend Section 1240 of the Insurance Code, relating to investments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1676—An act to amend Sections 10203.5, 10209 and 10213 of, and to add Section 10203.8 to, the Insurance Code, relating to group life insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—60

NOES—None

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 2041
Assembly Bill No. 3098

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bills ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2307

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2307, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2307

Assembly Bill No. 2307—An act to amend Section 209 of the Unemployment Insurance Act, relating to disability benefits.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—68

NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 763—An act to amend Sections 45007, 45008, and 45080 of, and to add Section 45083 to, the Government Code, relating to municipal personnel, merit and civil service systems, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 21—Relative to opposing an increase in the federal gasoline tax.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 856—An act to amend Sections 224, 224p, 226a, and 226b of the Civil Code, and to add Section 227d thereto, relating to the adoption of children.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kirkwood, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 135—An act to amend Sections 5503, 5553, 5805, and 5809 of the Elections Code, relating to elections.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Thomas, Tomlinson, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 657—An act to amend Section 10.2 of the Parking Law of 1949, relating to off-street parking facilities.

Bill read third time.

Motion to Amend

Mr. Brown moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 10, 1951, after "1949", insert "and Section 32951 of the Streets and Highways Code".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, after line 18, insert

"SEC. 2. Section 32951 of the Streets and Highways Code is amended to read.

32951. Property being used as a facility for the parking or storing of motor vehicles shall not be acquired by an authority, unless the project to be furnished or constructed which necessitates the acquisition of the existing facility [will encompass an area of land and] *when completed will provide a* parking area at least three times [that of] *the parking area provided by* the existing facility.

SEC. 3 Section 2 of this act becomes operative only if Division 18 of the Streets and Highways Code is enacted by the Legislature at its 1951 Regular Session, and in such case at the same time as said Division 18 takes effect, at which time Section 10.2 of the Parking Law of 1949 amended by this act is repealed"

Amendments read, and adopted

Bill ordered reprinted, and re-engrossed

Assembly Bill No. 542—An act to amend Section 3077 of the Labor Code, dealing with the Apprenticeship Labor Standards Act.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 545—An act to amend Section 6604 of the Labor Code, relating to workmen's safety.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—68

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 546—An act to add Section 1777.6 to the Labor Code, dealing with apprenticeship.

Bill read third time.

Motion to Amend

Mr. Levering moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, after line 5, insert "It shall also be unlawful for any labor union to refuse to admit any otherwise qualified person indentured as an apprentice or seeking employment as an indentured apprentice to membership in the

union solely on the ground of race, color, or creed, or to adopt any rule or practice which would discriminate against such person solely on the ground of race, color, or creed"

Amendment read, and adopted

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 2417—An act to amend Sections 2619, 2801, 2803, 2804, 3511, 3706, 3708.5, 3710, 3718, 3719, and to add Section 2705.5 to the Revenue and Taxation Code, relating to tax-sold and tax-deeded property, including the time of delinquency of real estate taxes, the payment of taxes on a portion of an assessment and the minimum bid on a sale of tax-deeded property.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr Speaker—69.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1024—An act to amend Sections 31521 and 31595 of the Government Code, relating to county retirement systems.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Thomas, Waters, and Mr. Speaker—69

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 479—An act to repeal Section 170.5 of and to add Section 170 5 to the Code of Civil Procedure, relating to disqualification of judges.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters and Mr Speaker—70

NOES—None

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1677 WAIVED

Mr. Henderson waived his notice of motion to reconsider the vote whereby Assembly Bill No 1677 was passed.

Assembly Bill No. 1677 ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 420 BE RE-REFERRED TO COMMITTEE

Mr. Silliman asked for, and was granted, unanimous consent that Assembly Bill No. 420 be withdrawn from the third reading file, and be re-referred to the Committee on Conservation, Planning, and Public Works

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1211

Mr. Clarke asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1211, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1211

Senate Bill No. 1211—An act to amend Section 14254 of the Government Code, relating to state public works projects.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr Speaker—70

NOES—None

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 167—An act to amend Sections 14702 and 14722 of the Education Code, relating to district retirement salary plans.

Assembly Bill No. 170—An act to add Section 9176.1 to the Education Code, relating to the administration of federal programs of education.

Assembly Bill No. 1090—An act to add Chapter 4, comprising Sections 2700 to 2702, inclusive, to Division 4 of the Welfare and Institutions Code, relating to reciprocal agreements for the interstate transportation and the support of poor and indigent persons;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirteenth day of April, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 1844—An act to add Sections 982.1, 4986.5, and 4986.6 to the Revenue and Taxation Code; to add Section 1028 to the Probate Code; and to amend Section 1325 of the Code of Civil Procedure; relating to the taxation of property which has escheated or been distributed to the State.

Assembly Bill No. 1905—An act to amend Section 54 of the Fish and Game Code, relating to game management areas;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirteenth day of April, 1951, at 11 a.m.

BURKE, Chairman

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 148

Mr. Erwin asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 148, out of order, at this time

CONSIDERATION OF SENATE BILL NO. 148

Senate Bill No. 148—An act to add Section 429.5 to the Fish and Game Code, relating to fishing by persons in the Armed Forces of the United States, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1231

Mr. Clarke asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1231, out of order, at this time

CONSIDERATION OF SENATE BILL NO. 1231

Senate Bill No. 1231—An act to amend Section 1079 of the Agricultural Code, relating to economic poisons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1254

Mr. Clarke asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1254, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1254

Senate Bill No. 1254—An act to amend Section 67 of the Agricultural Code, relating to the administration of the provision of said code.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1258

Mr. Clarke asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1258, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1258

Senate Bill No. 1258—An act to amend Section 432 of the Agricultural Code, relating to livestock

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 841

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 813	Assembly Bill No. 2370
Assembly Bill No. 877	Assembly Bill No 2430
Assembly Bill No. 2070	

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 105

Mr. McFall asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 105, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 105

Senate Bill No. 105—An act to amend Sections 19622, 19626, and 19628 of the Business and Professions Code, relating to allocation of moneys in the Fair and Exposition Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Thomas, Waters, and Mr. Speaker—70

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 106

Mr. McFall asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No 106, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 106

Senate Bill No. 106—An act to amend Section 5154 of the Public Resources Code, relating to county fairs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Thomas, Waters, and Mr. Speaker—70

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 563

Mr. Parker asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 563, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 563

Senate Bill No. 563—An act to add Section 19629 to the Business and Professions Code, relating to the audit of fairs receiving money from the Fair and Exposition Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Thomas, Waters, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 104

Mr. McFall asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 104, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 104

Senate Bill No. 104—An act to amend Sections 88, 92, and 92.5 of the Agricultural Code, relating to district agricultural fairs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Thomas, Waters, and Mr. Speaker—70

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 221

Mr. Moss asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 221, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 221

Senate Bill No. 221—An act to amend Section 734 of the Agricultural Code, relating to fees paid by manufacturers of frozen milk products.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Levering, Lincoln, Lindsay, Lowrey,

Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 894

Mr. Davis asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 894, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 894

Senate Bill No. 894—An act to add Section 88.2 to the Agricultural Code, relating to the extraction of mineral deposits from lands owned or controlled by district agricultural associations and providing for the disposition of the proceeds thereof

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—63.

NOES—Beck, Burkhalter, and McGee—3

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 376

Mr. Hagen asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 376, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 376

Senate Bill No. 376—An act to amend the heading of Chapter 2 of Part 6.5, Division 11 of the Water Code, to add a heading for Article 1 of, and to add Article 2 to, Chapter 2, Part 6.5, Division 11 of the Water Code, relating to distribution districts in irrigation districts, declaring the urgency thereof, to take effect immediately

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—71

NOES—None

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—71

NOES—None

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 2743

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

BROWN, Chairman

Above reported bill ordered to second reading.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 182
Assembly Bill No. 183

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bills ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 558

Mr. Hagen asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 558, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 558

Senate Bill No. 558—An act to add Section 23956 to the Water Code, relating to facilities use charges for irrigation district improvement districts and validating proceedings heretofore taken by district boards to establish such charges, and declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—71

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—71

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 666

Mr. Babbage asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 666, out of order, at this time

CONSIDERATION OF SENATE BILL NO. 666

Senate Bill No. 666—An act to amend Section 5062 of, to repeal Section 5063 of, and to add Section 5063 to, the Education Code, relating to state school building aid

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, and Mr. Speaker—66

NOES—None.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 402

Mr. Babbage asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 402, out of order, at this time

CONSIDERATION OF SENATE BILL NO. 402

Senate Bill No. 402—An act to amend Sections 14575 and 14632 of the Education Code, relating to retirement allowances under the State Teachers' Retirement System

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—66

NOES—None

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 453

Mr. Kelly asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 453, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 453

Senate Bill No. 453—An act to amend Section 4911.1 of the Education Code, relating to the reorganization of school districts

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—71

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 26

Mr. Crowley asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 26, out of order, at this time

CONSIDERATION OF SENATE BILL NO. 26

Senate Bill No. 26—An act amending Section 1556 of, and to add Section 1556.1 to, the Probate Code, relating to guardianship proceedings, providing for the fixing and allowing of guardian's compensation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 23

Mr. Brown asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 23, out of order, at this time

CONSIDERATION OF SENATE BILL NO. 23

Senate Bill No. 23—An act to add Chapter 3 to Part 1, Division 3 of the Government Code, consisting of Sections 36700 and 36701, relating to compensation of elective officers of counties, townships, and cities, declaring the urgency hereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote.

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—73.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 471

Mr. McFall asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 471, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 471

Senate Bill No. 471—An act to amend Section 820 of the Agricultural Code, relating to tomatoes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72

NOES—None.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 102

Mr McFall asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 102, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 102

Senate Bill No. 102—An act to amend Section 809 of the Agricultural Code, relating to walnut standards.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72

NOES—None

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 103

Mr. McFall asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 103, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 103

Senate Bill No. 103—An act to amend Section 1038 of the Agritural Code, relating to commercial fertilizer

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 470

Mr. McFall asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 470, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 470

Senate Bill No. 470—An act to amend Section 802.6 of the Agricultural Code, relating to containers for grapes

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Waters—67.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Waters—67

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE JOINT RESOLUTION NO. 26

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Senate Joint Resolution No. 26, out of order, at this time.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 26

Senate Joint Resolution No. 26—Relative to flood control studies.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

Resolution ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Mr. Sam L. Collins.

House Resolution No. 116

Relative to welcoming General Douglas MacArthur

WHEREAS, It has just been learned that General Douglas MacArthur is to return to the United States on Monday, April 16th, and will spend Monday night in San Francisco; and

WHEREAS, General Douglas MacArthur is one of the greatest military commanders of all time and it is fitting that the General be accorded a welcome in conformity with his place in history; now, therefore, be it

Resolved by the Assembly of the State of California, That in view of the fact that General Douglas MacArthur is to return to the United States by way of San Francisco on Monday, April 16th, the Speaker of the House is directed to invite him to visit Sacramento for an official welcome in the Assembly Chamber, and to appoint a Special Committee of five Members of the Assembly and himself for the purpose of greeting the General at the point of his arrival in this State and escorting him thence to Sacramento.

Resolution read, and ordered referred to the Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 13, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 43

J A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 43—Relative to adjournment out of respect to the passing of George C. Jackson.

Referred to Committee on Rules.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committee would hold a meeting:

Today, at 1 15 p.m.—

Rules, in Room 320.

RECESS

At 11.50 p m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p m, the Assembly reconvened.

Hon Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A Ohnimus at the desk

REPORTS OF STANDING COMMITTEES

Committee on Industrial Relations

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1951

MR. SPEAKER: Your Committee on Industrial Relations, to which were referred

Assembly Bill No. 543
Assembly Bill No. 3177

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

LEVERING, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1951

MR. SPEAKER: Your Committee on Industrial Relations, to which were referred:

Assembly Bill No 3045
Assembly Bill No. 3046
Assembly Bill No. 3049
Assembly Bill No. 3204
Assembly Bill No 3072
Assembly Bill No 980
Assembly Bill No 666

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LEVERING, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1951

MR. SPEAKER: Your Committee on Industrial Relations, to which were referred:

Assembly Bill No. 849
Assembly Bill No 3048

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

LEVERING, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1951

MR SPEAKER. Your Committee on Industrial Relations, to which was referred

Assembly Bill No 1980

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means

LEVERING, Chairman

Above reported bill ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No. 27

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1641—An act to amend Section 17 of the Municipal and Justice Court Act of 1949, relating to municipal court sessions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Cloyed, George D Collins, Condon, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Tomlinson, and Mr. Speaker—51.

NOES—Clarke and Lyon—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2692—An act to amend Sections 1261 and 1262 of the Fish and Game Code, relating to archery hunting licenses.

Bill read third time.

Motion to Amend

Mr. Lindsay moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 10, of the printed bill, after "regular", insert "deer"

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 187—An act to add Section 2598 to the Elections Code, relating to declaration of candidacy.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Fleury, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Stanley, Tomlinson, and Waters—60.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 2.05 p m., Hon Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 199—An act to amend Sections 8137, 8140, and 10552, and to repeal Sections 8138 and 8139 of the Elections Code, relating to proceedings after announcement of election returns.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Tomlinson, and Waters—65.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 883

Mr. Waters asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 883, temporarily passed on file, out of order, at this time

CONSIDERATION OF ASSEMBLY BILL NO. 883

Assembly Bill No. 883—An act to amend Section 1031 of the Insurance Code, relating to mutual debts or credits in liquidating proceedings

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Klocksiem, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Tomlinson, Waters, and Mr Speaker—61

NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 225—An act to amend Section 5902 of the Elections Code, relating to the duty of the clerk in absent voting.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D. Collins, Connolly, Conrad, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Tomlinson, and Waters—60

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 489—An act to amend Section 14658 of, and to add Section 14661 to, the Health and Safety Code, relating to fire protection districts in one or more counties

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Tomlinson, and Waters—67.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 661—An act to add Section 9483 to the Elections Code, relating to municipal elections.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, and Waters—67

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2436—An act to amend Section 7072 of the Elections Code, relating to canvass at the precincts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh,

Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, and Thomas—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2437—An act to amend Sections 11108 and 11120 of the Elections Code, relating to municipal officers

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, and Waters—64

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1198—An act to amend Section 803 5 of the Agricultural Code, relating to nectarine standards, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote·

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig Doyle, Dunn, Elliott, Fleury Gaffney, Geddes, Grant, Grunsky Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—68

NOES—None

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins Henderson Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers Moss Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Stanley Stewart Thomas, Tomlinson Waters, and Mr Speaker- 68

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 2070—An act to amend Section 1065 of the Fish and Game Code, relating to sardines

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote·

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Crowley, Davis Dickey, Dills, Dolwig, Doyle, Dunn Elliott, Erwin, Fleury, Gaffney, Geddes Grant, Grunsky Gubser Hahn Hawkins, Henderson, Hollibaugh, Kelly,

Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Waters—66

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Waters—66

NOES—None

Motion to Amend Title

Mr. Thomas moved the adoption of the following amendment to the title:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on April 12, 1951, after "thereof", insert ", to take effect immediately"

Amendment read, and adopted.

Bill ordered reprinted, and transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2072

Mr Thomas asked for and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2072, temporarily passed on file, out of order, at this time

CONSIDERATION OF ASSEMBLY BILL NO. 2072

Assembly Bill No. 2072—An act to repeal Section 929 of the Fish and Game Code, relating to the use of nets in Fish and Game District 118 5

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—66

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 877—An act to amend Sections 11100 and 11101 of the Elections Code, relating to municipal elections.

Bill read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Babbage, Burke, Cloyed, Collier, Connolly, Conrad, Dolwig, Erwin, Geddes, Grant, Hollibaugh, Levering, Maloney, McGee, Sherwin, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—20.

NOES—Beck, Belotti, Berry, Burkhalter, Chapel, Clarke, Coats, George D. Collins, Condon, Cooke, Davis, Dickey, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Kirkwood, Klocksiem, Lincoln, Lowrey, Luckel, Lyon, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, and Silliman—44

Notice of Motion to Reconsider Assembly Bill No. 877

Mr. Waters gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 877 was this day refused passage.

Assembly Bill No. 813—An act to amend Sections 7302, 7303, 7342, 7343, 7376, 7397, 7442 of, and to repeal Section 7344 of, and to add Sections 7339, 7344, 7345, 7346, 7347, 7393.1, and 7394.1 to, the Business and Professions Code, relating to the practice, regulation, and licensing of cosmetologists, hairdressers, and electrologists

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, and Mr. Speaker—64

NOES—None

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1951

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 27

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2309—An act to amend Section 7372 of the Business and Professions Code, relating to the licensing of hairdressers, cosmeticians or cosmetologists.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Levering,

Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, and Mr. Speaker—64.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 2430—An act to amend Sections 3709 and 3944 of the Elections Code, relating to the direct primary

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloved, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 2499—An act to amend Section 1503 of, and to add Section 1599.1 to, the Education Code, relating to the Public School System

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 840—An act to amend Section 4730 of the Health and Safety Code, relating to county sanitation districts.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, and Tomlinson—65

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1719—An act to add Sections 9.1, 27.1, and 27.2 to, and amend Section 14 of, the Vehicle Parking District Act of 1943 and to add Sections 31571, 31682, and 31683 to, and amend Sections 31530, 31776, and 31777 of, the Streets and Highways Code, relating to the formation and financing of vehicle parking districts, the qualifications of commissioners of such districts, the use for parking places of

lands already owned by the city, and the redemption of bonds issued under said act.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—64

NOES—Condon—1.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 3:07 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding

Assembly Bill No. 449—An act to amend Section 3079.5 of the Welfare and Institutions Code, relating to public assistance

Bill read third time

Point of Order

Mr. Sherwin arose to the following point of order: That the bill carries an appropriation, and should, pursuant to the Standing Rules, be re-referred to the Committee on Ways and Means

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken

Point of Order

Mr. Condon arose to the following point of order: That the appropriation has been amended out of Assembly Bill No. 449, and that the bill is properly before the House.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken, and announced that he had reversed his previous ruling

The question being on the passage of Assembly Bill No. 449.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Stanley, Thomas and Mr. Speaker—57.

NOES—Babbage, Conrad, Hagen, Kirkwood, Levering, Lowrey, McGee, and Morris—8.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1529 BE RE-REFERRED TO COMMITTEE

Mr. Gubser asked for, and was granted, unanimous consent that Assembly Bill No. 1529 be withdrawn from the third reading file, and be re-referred to the Committee on Judiciary.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 829 BE RE-REFERRED TO COMMITTEE

Mr. Clarke asked for, and was granted, unanimous consent that Assembly Bill No 829 be withdrawn from the third reading file, and be re-referred to the Committee on Ways and Means

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 841—An act to add Section 2000 of the Government Code, dealing with the filing of claims against the State, district, county, city, or city and county.

Bill read third time, and ordered passed on file

Assembly Bill No. 1511—An act to amend Section 7049 of the Business and Professions Code, relating to the construction of water wells

Bill read third time

The roll was called, and the bill passed by the following vote

AYES—Babbage, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, George D Collins, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Porter, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Waters—54.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1515—An act to add Section 276 to the Water Code, relating to quality of underground waters

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, and Tomlinson—64

NOES—Coats, George D. Collins, and Lowrey—3

Bill ordered transmitted to the Senate.

Assembly Bill No. 1517—An act to amend Sections 13020, 13040, 13052, 13054, 13055, and 13064 of, and to add Section 13026 to, the Water Code, relating to the control of water pollution

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, and Waters—63.

NOES—Lowrey—1

Bill ordered transmitted to the Senate

Assembly Bill No. 1539—An act to amend Sections 1, 2, 3, and 5 of, and to add Sections 3.5 and 4.5 to, an act entitled "An act providing for loans to municipalities and districts for sewerage and storm drainage facilities, prescribing the conditions under which such loans shall be made, creating the State Water Pollution Control Fund, and making an appropriation," approved July 28, 1949, relating to loans to, and purchase of bonds of, municipalities and districts for sewerage and storm drainage facilities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kirkwood, Klocksiem, Leverng, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, and Waters—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 910—An act to add Section 30.01 to the Public Utility District Act of 1921, authorizing the formation and operation of improvement districts

Bill read third time.

Motion to Amend

Mrs. Niehouse moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "2", and insert "11"

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

ANNOUNCEMENT

Mr. Maloney announced that on next Monday, April 16th, General Douglas MacArthur will arrive in San Francisco, from Japan, after an absence from the United States for some 14 years.

MOTION THAT SELECT COMMITTEE BE APPOINTED TO WELCOME GENERAL DOUGLAS MacARTHUR UPON HIS ARRIVAL IN SAN FRANCISCO

Mr. Maloney moved that Speaker Sam L. Collins be requested to head a delegation and to appoint five other members and two alternates as a Select Committee to Welcome General Douglas MacArthur upon his arrival in San Francisco, from Japan.

Mr. Doyle seconded the motion.

Request for Unanimous Consent That No Further Motions or Resolutions Be Considered Today

Mr. Beck asked for unanimous consent that no further motions or resolutions be considered today.

Messrs. Maloney and Waters withheld unanimous consent.

Substitute Motion That No Further Motions or Resolutions Be Considered Today

Mr. Beck moved, as a substitute motion, that no further motions or resolutions be considered today.

Mr. Rosenthal seconded the motion.

The roll was called, and the substitute motion lost by the following vote:

AYES—Beck, Berry, Burkhalter, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Dills, Doyle, Dunn, Elliott, Evans, Gaffney, Hagen, Hawkins, Henderson, Lowrey, McCarthy, McFall, McMillan, Meyers, Moss, Munnell, Parker, Rumford, and Shaw—28.

NOES—Babbage, Belotti, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Dickey, Dolwig, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCollister, McGee, Morris, Porter, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Waters—41.

The question being on the motion by Mr. Maloney that a Select Committee to welcome General Douglas MacArthur upon his arrival in San Francisco be appointed.

Point of Order

Mr. Beck arose to the following point of order: That motions and resolutions are not properly before the House at this time, and that the motion by Mr Maloney is not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

The question being on the motion by Mr. Maloney that a Select Committee to welcome General Douglas MacArthur upon his arrival in San Francisco be appointed.

Motion carried unanimously.

MOTION TO ADJOURN

At 3.55 p.m., Mr. Dickey moved that the Assembly do now adjourn until 10 a.m., Monday, April 16, 1951.

Motion died for lack of a second.

MOTION TO ADJOURN

At 3.56 p.m., Mr. Dunn moved that the Assembly do now adjourn until 10 a.m., Monday, April 16, 1951.

Mr. Moss seconded the motion.

Roll Call Demanded

Messrs. Silliman, Waters, and Geddes demanded a roll call.

The roll was called, and the motion by Mr. Dunn lost by the following vote:

AYES—Beck, Berry, Burkhalter, Chapel, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Dills, Doyle, Dunn, Elliott, Gaffney, Hagen, Hawkins, Henderson, Lowrey, Luckel, McCarthy, McFall, McMillan, Meyers, Moss, Munnell, Parker, Rumford, and Shaw—29.

NOES—Babbage, Burke, Caldecott, Clarke, Collier, Connolly, Conrad, Dickey, Dolwig, Fleury, Geddes, Grant, Gubser, Hahn, Hansen, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Lyon, Maloney, McCollister, McGee, Morris, Niehouse, Silliman, Stanley, Stewart, Tomlinson, and Waters—32

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY JOINT RESOLUTION NO. 27 AT THIS TIME

Mrs. Niehouse asked for unanimous consent to take up Assembly Joint Resolution No 27, at this time.

Messrs. Dunn and Beck withheld unanimous consent.

Motion to Temporarily Suspend the Rules

Mrs. Niehouse moved that the Rules be temporarily suspended for the purpose of considering Assembly Joint Resolution No 27, at this time.

The roll was called, and the motion for temporary suspension of the Rules lost by the following vote:

AYES—Babbage, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Dickey, Dolwig, Fleury, Geddes, Grant, Gubser, Hahn, Hansen, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lyon, Maloney, McCollister, McGee, Morris, Niehouse, Porter, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—39

NOES—Beck, Berry, Burkhalter, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Dills, Doyle, Dunn, Elliott, Gaffney, Hagen, Hawkins, Henderson, Lowrey, Luckel, McCarthy, McFall, McMillan, Meyers, Moss, Munnell, Parker, Rosenthal, Rumford, and Shaw—29.

APPOINTMENT OF SELECT COMMITTEE

Pursuant to the provisions of the motion by Mr. Maloney, Speaker Sam L. Collins announced his appointment, and the appointment of Messrs Maloney, McCarthy, Connolly, Berry, Dickey, Sherwin, and Dolwig, as members of said Select Committee to welcome General Douglas MacArthur in San Francisco

Resignation From Select Committee

Speaker Sam L. Collins announced the resignation of Mr Berry as a member of the above mentioned Select Committee, because of illness

Appointment to Select Committee

Speaker Sam L. Collins announced the appointment of Mr. Meyers as a member of the Select Committee to welcome General Douglas MacArthur, vice Mr. Berry, resigned.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 13, 1951

MR SPEAKER I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 20

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 13, 1951

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No 456
Assembly Bill No 556
Assembly Bill No. 557
Assembly Bill No 608
Assembly Bill No 628
Assembly Bill No 630
Assembly Bill No. 944
Assembly Bill No 1123
Assembly Bill No 2450
Assembly Bill No. 2733
Assembly Bill No 2734
Assembly Bill No 2810
Assembly Bill No 2920

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 50	Assembly Bill No. 2018
Assembly Bill No. 589	Assembly Bill No. 2044
Assembly Bill No. 601	Assembly Bill No. 2045
Assembly Bill No. 1023	Assembly Bill No. 2049
Assembly Bill No. 1045	Assembly Bill No. 2125
Assembly Bill No. 1049	Assembly Bill No. 2300
Assembly Bill No. 1051	Assembly Bill No. 2459
Assembly Bill No. 1145	Assembly Bill No. 2624
Assembly Bill No. 1147	Assembly Bill No. 2625
Assembly Bill No. 1164	Assembly Bill No. 2626
Assembly Bill No. 1481	Assembly Bill No. 3223
Assembly Bill No. 1549	Assembly Bill No. 3364
Assembly Bill No. 1868	Assembly Bill No. 3382

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 888
Assembly Bill No. 2127
Assembly Bill No. 2484

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1951

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which was referred

Assembly Bill No. 2923

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

EVANS, Chairman

Above reported bill ordered to second reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills Nos. 2300, 2624, 2625, 2626, and 50 re-referred to the Committee on Ways and Means.

Assembly Bills Nos. 589, 1045, 1049, 1051, 1164, 1868, 2018, 2459, 3382, and 1481 re-referred to the Committee on Judiciary.

Assembly Bills Nos. 2044, 2045, and 2049 re-referred to the Committee on Fish and Game.

Assembly Bills Nos. 601, 1023, 1549, 2125, 3223, 2127, and 2484 re-referred to the Committee on Agriculture.

Assembly Bill No. 888 re-referred to the Committee on Military Affairs.

Senate Bill No. 99 re-referred to the Committee on Public Health.

Assembly Bills Nos. 1145, 1147, and 3364 re-referred to the Committee on Public Health.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Smith, the usual courtesies of the Assembly for this day were unanimously extended to Edla C Magnuson, Sponsor, and the following Junior Statesmen of America: Bill Collyer, Bonnie Field, Larry Loudon, Arlene Roberts, and LuAnn Thorne, of the Herbert Hoover High School of Glendale; and John Albright, John Schuyler, Bill Ratcliffe and Harry Gage of the Glendale High School.

On request of Mr. Geddes, the usual courtesies of the Assembly for this day were unanimously extended to Mr and Mrs Scheel and the following Junior Statesmen of Monrovia-Arcadia Duarte High School: John Sturgeon, Dick Bolton, Mary Furgerson, Valerie Fulks, and Gretchen Kambeitz

On request of Mr Kelly, the usual courtesies of the Assembly for this day were unanimously extended to the following group of Junior Statesmen of Bakersfield. Paul Randour, Jim Oviatt, Jack Lollar, Shirley Kraschel, and Virginia Ricks

On request of Messrs Maloney, Rumford, and Hawkins, the usual courtesies of the Assembly for this day were unanimously extended to Tillie Toms of San Francisco.

On request of Messrs. Rumford and Caldecott, the usual courtesies of the Assembly for this day were unanimously extended to Citizen Participation Program under auspices of the Governmental Affairs Institute of the United States Department of State: German citizens from Pforzheim and Program Director, Richard Phipps, and the following students: Peter Gaupp, Friedrich Allinger, Heinz Link, Rosemarie Gottschald, Henry Koenig, and Werner Blum.

On request of Mr. Burke, the usual courtesies of the Assembly for this day were unanimously extended to John Joannis of Monterey Park, Carol Robinson of Alhambra, and Mary Smith of San Gabriel, Junior Statesman.

On request of Mr. McMillan, the usual courtesies of the Assembly for this day were unanimously extended to W. Victor Richards of Los Angeles.

On request of Mr. Kelly, the usual courtesies of the Assembly for this day were unanimously extended to Don Shaw, Ralph Guenther, and Ned Driggers, Junior Statesman, of Bakersfield.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to John Bauer of Sacramento.

On request of Mr. Shaw, the usual courtesies of the Assembly for this day were unanimously extended to Frank Mogle and Arthur Walker of San Bernardino.

On request of Mr. Gubser, the usual courtesies of the Assembly for this day were unanimously extended to Gerald Myers, David Ferweck, Robert Birk, Kenneth Madser, Bill Tanner, and Stuart Hall, Junior Statesmen, of San Jose.

On request of Mr. Tomlinson, the usual courtesies of the Assembly for this day were unanimously extended to Ethel Moss, teacher, Santa Barbara High School, the following Junior Statesmen Group: Glen Adams, Dawn Alexander, Marian Archer, Barbara Ball, Suzanne Bell, Fritz Benning, Adele Bowman, William Burtness, Sylvia Burnette, Joan Carroll, Virginia Castagnola, Jack Christofferson, Anthony Demourkas, Roxanne Eder, Diane Ellingen, Thomas Erickson, Fritz Ferger, Josephine Haight, Walter Hansen, Barbara Hatchett, Marjanna Hillman, Patricia Jennings, Anthony Kallas, Dick Kieding, Paul C. King, Stephen Klee, Robert Kleinpf, Elizabeth Koehler, Muriel Lauritson, Joseph Lewin, Joe Maguire, Mary Jane Monie, Mary Musser, Evelyn Ochoa, Nanette Osiel, Esterly Osterhaus, Stephen Porter, Julane Saunders, Nora Lee Shook, David Shoudy, Alan Swimmer, Arpad Szakacsy, Leroy Taylor, Richard Van Antwerp, Judy Van Horn, Clara Van Sickle, and Charlotte Yamada; and the following adults: J. Clayton Clark, Mrs. Floyd Shook, Robert Ritchie, and Mable Owen.

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to Frank Lucas and Wallace Perry, advisors, and the following group of Junior Statesmen, of Amador Valley High School of Pleasanton: Barbara York, Mary Van Matre, Elizabeth Snyder, Aileen Hurley, Janis Ader, Mary Beth Shamblin, Elaine Eastman, Janet Griffith, Dolores Newberry, Joan Lucas, Fae Cunningham, Eleanor De Tata, Bill Vertrees, Art McCarty, Philip Henry, Frank Viada, and Dick Dutra.

On request of Mr. Dolwig, the usual courtesies of the Assembly for this day were unanimously extended to the following Junior Statesmen from Burlingame High School: Jerry Jacobs, Tom MacArthur, Wayne Gerling, Fred Goldbaum, Neal Kleffel, Rand Plunkett, and Robert Webster.

On request of Mr. Kelly, the usual courtesies of the Assembly for this day were unanimously extended to Albert L. Lewis, adviser, and the following Junior Statesmen of Bakersfield: Danny Morgan, Dale Compton, Paul Newell, David Christiansen, Robert Orrick, Robert Davidson, John Talehi, Bruce Vogel, Robert Bayley, and Jim Waters.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to Bill Thompson, Merton Downing, Tom Ulelch, John Morken, Don Girard, Norman McDonald, Warren Sergeant, and Hugh Keating, Junior Statesmen of Martinez, and J. D. Tutt, sponsor.

On request of Mr Hollibaugh, the usual courtesies of the Assembly for this day were unanimously extended to Rowland Rice of Huntington Park.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to C. A. Jacobs and H. Owen, teachers and the following pupils of Dixon: Beverly Anderson, Lonnie Cagle, Lois Caldwell, Inez de la Cruz, Gloria Deanda, Carlene Fanning, Pat Graham, Irvin Grigsby, Del Holly, Laverne Kautz, Lois Jean Mace, Roland Mace, David Muller, Theodore Munoz, Ronnie Parkhurst, Gary Pichon, Mary Paschal, Ernest Lindholm, Darcy Reynolds, Mac Shreve, Mary Jane Thomas, Bobbie Younger, Lupe Boone, Marjorie Cantrell,

Va Dell Johnson, Joanne Larson, Stephonia Lombos, Charlie Miller, Jack Miller, Wendell Moore, Gerald Nunes, Dannee O'Bey, Jacquelyn Rogers, James Stipe, Dorothy Thompson, Jean Wong, Grady Fisher, Dulcie Bellnoe, Kenneth Kast, Judy Carter, Gloriane Cardoza, Eva Mae Germeshausen, and Harold Constant.

On request of Mr. Gubser, the usual courtesies of the Assembly for this day were unanimously extended to Sharon Hyslope, Alberta Woodworth, and Walter Linstedt, Junior Statesmen, of Gilroy.

On request of Mr. Rosenthal, the usual courtesies of the Assembly for this day were unanimously extended to Diane Raymond and Jackie MacNeil of Covina.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Alan Ellsberg and Carl Manner, teachers, and the following students of Franklin Junior High School of Vallejo: Katherine Andrews, Victoria Aragon, Mary Lou Ayola, Don Ballah, Beverly Barber, Elaine Burt, Harry Busselen, Neal Castagnoli, Mildred Earhard, Myrna Ehlert, Mitzi Fibillaran, Joan Fisch, Cary Gray, Phil Gurlin, Francine Haavisto, Joe Henderson, Shiela High, Gary Hinton, Joyce Hodge, Annie Johnson, Billy Klew, Dale Lingenfelder, Art Maupin, Roy Moore, Harold Murphy, Ray Palmer, Patricia Pannell, Dolores Perez, Joe Piccolo, Joyce Radford, Gary Renfro, Grace Scott, Ralph Spicer, Eleanor Torres, Joan Torykian, Milford Yoder, Joan Zalisky, Edith Shiell, Shirley Walker, Donna Davenport, Darrell DeWeese, Mackay Smith, Hubert Braden, Lavonne Peck, Frankie Mackey, Lydell Kreutz, Joan Mybre, Harold Hilbert, Jean McKinley, Arnold Bel, Ivan Stanton, Francis Luther, Jack Braden, Lodena Tintorri, Lois Passini, Sylvia Kerley, Bill Andrews, Carol Banne, Dianne Epps, Robert Koning, Bob Stacy, John Garvin, and Pamela Little.

On request of Mr. Munnell, the usual courtesies of the Assembly for this day were unanimously extended to Alfred Davenport of Los Angeles.

ADJOURNMENT

At 4.03 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Monday, April 16, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

THIRTY-EIGHTH LEGISLATIVE DAY

FIFTY-SECOND CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, April 16, 1951

The Assembly met at 10 a m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—75.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Our Heavenly Father, We thank Thee for this new day and every opportunity of service Let our light so shine among men that they will see our good work and glorify our Father in heaven We pray today for those who direct the destiny of our great Nation and for all who serve in our Armed Forces.

We look affectionately upon our Flag which has spoken so eloquently in peace and war, in liberty, and in justice. So may we ever be reminded of our individual privileges of patriotism.

"God bless our dear United States,
Preserve our land from evil fates,
Litt high her banner, fair and free,
And guard her bounds from sea to sea
Assailed by battle hosts of wrong,
God help our Country to be strong,
Assailed by falsehood's crafty crew,
God help our Country to be true
God hold the Nation's aim sincere,
God save her heart from coward's fear,
God prosper her in true success,
And crown her head with worthiness."

—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Erwin, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Butters, on motion of Mr. Geddes

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Hollibaugh, on motion of Mr. Geddes.

Mr. Grunsky, on motion of Mr. Hansen.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly then gave the pledge of allegiance to the Flag.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 446
Assembly Bill No. 1583

And reports the same correctly re-engrossed

BURKE, Chairman

Above reported bills ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 448
Assembly Bill No. 497
Assembly Bill No. 647
Assembly Bill No. 1560
Assembly Bill No. 1584
Assembly Bill No. 1836
Assembly Bill No. 2343
Assembly Bill No. 2712
Assembly Bill No. 2882
Assembly Bill No. 3036
Assembly Bill No. 3096
Assembly Bill No. 3116

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3020

And reports the same correctly re-engrossed

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 359
Assembly Bill No. 546
Assembly Bill No. 657
Assembly Bill No. 910
Assembly Bill No. 1222
Assembly Bill No. 2692
Assembly Bill No. 3029

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 361
Assembly Bill No. 1018
Assembly Bill No. 1698
Assembly Bill No. 1891
Assembly Bill No. 2003
Assembly Bill No. 2039
Assembly Bill No. 2229

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 59
Assembly Bill No. 355
Assembly Bill No. 447
Assembly Bill No. 467
Assembly Bill No. 549
Assembly Bill No. 667
Assembly Bill No. 670
Assembly Bill No. 1116
Assembly Bill No. 1682
Assembly Bill No. 1738
Assembly Bill No. 1901
Assembly Bill No. 2019
Assembly Bill No. 2203
Assembly Bill No. 3172
Assembly Bill No. 3352
Assembly Bill No. 3396

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading

COMMUNICATIONS

By Speaker Sam L. Collins:

A communication from Ray E. Lee, Chief Clerk of the Board of Supervisors, County of Los Angeles, and a report relative to a proposed freeway construction program by the Metropolitan Transportation Engineering Board, were received. The letter was ordered noted in the Journal, and the resolution ordered referred to the Committee on Conservation, Planning, and Public Works.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 13, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 587
Assembly Bill No. 600
Assembly Bill No. 831
Assembly Bill No. 2206
Assembly Bill No. 3021

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, April 13, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 215
Senate Bill No. 435
Senate Bill No. 508
Senate Bill No. 513
Senate Bill No. 539
Senate Bill No. 623
Senate Bill No. 663
Senate Bill No. 974
Senate Bill No. 676
Senate Bill No. 980
Senate Bill No. 1038
Senate Bill No. 1039
Senate Bill No. 1222
Senate Bill No. 1241
Senate Bill No. 1431
Senate Bill No. 1747

J. A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 215—An act to add Section 25826 to the Government Code, relating to fixing and collecting of fees for the use of public land for camping purposes.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 435—An act to amend Section 4127 of, and to add Section 4128 to, the Public Resources Code, relating to the closure to entry of lands during the existence of an extreme fire hazard emergency.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 508—An act to amend Sections 1621, 2301, and 2354 of, and to add Sections 103.1, 114.1, 129, 131, 132, and 133 to, the Welfare and Institutions Code, relating to the promulgation of rules, regulations and standards by the State Social Welfare Board and the Department of Social Welfare, and providing for an advisory council to represent the interests of the counties in connection with the promulgation of such rules, regulations and standards.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 513—An act to add Sections 5473 to 5473.11, inclusive, to the Health and Safety Code, relating to the authority of cities, cities and counties, sanitary districts, county sanitation districts, or sewer maintenance district to fix fees, tolls, rates, rentals, or other charges for sanitation and sewerage services and to make the amount of said fees, tolls, rates, rentals, and charges a lien upon lots or parcels of land to which services are furnished, and the use of the money received therefrom.

Referred to Committee on Municipal and County Government.

Senate Bill No. 539—An act to amend Section 11699 of the Insurance Code, relating to the business of workmen's compensation insurance.

Referred to Committee on Finance and Insurance.

Senate Bill No. 623—An act to amend Sections 9530 and 9590 of, and add Section 9598 to the State Board of Dry Cleaners and to, the Business and Professions Code, relating to the enforcement of cleaning, dyeing and pressing regulations.

Referred to Committee on Public Health.

Senate Bill No. 663—An act to authorize the sale of a part of the property used by the Mendocino State Hospital and to provide for the disposition of the proceeds from such sale.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 974—An act to amend Section 7300 of the Health and Safety Code, relating to embalming.

Referred to Committee on Public Health.

Senate Bill No. 676—An act to amend Sections 9765, 9769 and 9770 of the Business and Professions Code, relating to cemeteries.

Referred to Committee on Public Health.

Senate Bill No. 980—An act to add Article 11, comprising Sections 20621 and 20622, to Chapter 2 of Division 10 of the Education Code, relating to state college police.

Referred to Committee on Judiciary.

Senate Bill No. 1038—An act to repeal Sections 2620 and 2737 of the Political Code, to add Section 20 to the Streets and Highways Code, and to add Section 374d to the Penal Code, relating to streets and highways

Referred to Committee on Judiciary

Senate Bill No. 1039—An act to add Chapter 5, comprising Sections 8370 to 8374, inclusive, to Part 3, Division 9, of, and Sections 941.1, 941.2, 941.3, 1685, 1706, 50013, and Division 2.5, comprising Sections 1800 to 1903, inclusive, Division 11, comprising Sections 9000 to 9493, inclusive, and Division 18, comprising Sections 31500 to 34859, inclusive, to the Streets and Highways Code, thereby consolidating and revising the law pertaining to public ways and appurtenances thereto, and to repeal certain acts and parts of acts specified herein.

Referred to Committee on Transportation and Commerce.

Senate Bill No. 1222—An act to amend Sections 16307 and 16308 of the Business and Professions Code, relating to the administration of licensing provisions relating to itinerant merchants.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1241—An act to amend Section 684.5 of the Vehicle Code, relating to tank vehicles.

Referred to Committee on Transportation and Commerce.

Senate Bill No. 1431—An act authorizing suits against the State of California to quiet title against it as to certain real property situated in the County of Modoc, State of California.

Referred to Committee on Judiciary.

Senate Bill No. 1747—An act to amend Section 120 of the Insurance Code, relating to insurance.

Referred to Committee on Finance and Insurance.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1011—An act to amend Section 380 of the Vehicle Code, relating to fees to be paid for transfer of title or interest in a vehicle.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1013—An act to add Section 210.1 to the Vehicle Code, relating to registration on nonresident vehicles

Bill read second time, and ordered engrossed.

Assembly Bill No. 1642—An act to add Section 217.1 to the Motor Vehicle Code, relating to foreign vehicles

Bill read second time, and ordered engrossed.

Assembly Bill No. 1—An act to add Section 1256.1 to the Code of Civil Procedure, relating to condemnation proceedings.

Bill read second time, and ordered engrossed.

Assembly Bill No. 625—An act to add Section 101.5 to the Labor Code, relating to filing fees.

Bill read second time, and ordered engrossed

Assembly Bill No. 658—An act to amend and renumber Section 1714.5 of the Civil Code, relating to negligence as a matter of law, and defenses for acts or omissions in complying with orders or proclamations of military and civil authorities.

Bill read second time, and ordered engrossed.

Assembly Bill No. 950—An act to amend Section 1018 of the Penal Code, relating to pleadings and proceedings after indictment.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1809—An act to amend Section 1191 of the Penal Code, relating to judgments.

Bill read second time, and ordered engrossed.

Assembly Bill No. 654—An act to repeal Section 8352 of, and to add Section 8352 to, the Revenue and Taxation Code, and to amend Section 8 of an act entitled "An act to amend Section 8352 of, and to add Sections 8354 to 8358, inclusive, to, the Revenue and Taxation Code, relating to aviation and airports and the financing thereof, including revenue from taxes on motor vehicle fuel," approved July 29, 1949, relating to appropriation of the money in the Motor Vehicle Fuel Fund, and providing for the period of operation of the code provisions relative thereto.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1075—An act to add Section 14551 to the Health and Safety Code, relating to fire protection districts.

Bill read second time, and ordered engrossed

Assembly Bill No. 1215—An act to amend and renumber Section 25561 of the Government Code added to said code by an act entitled "An act to add Section 4041.5a to the Political Code, and Section 25561 to the Government Code, relating to the power of the board of supervisors to provide operas and other entertainment," approved July 10, 1947, relating to powers of boards of supervisors.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1788—An act to repeal Article 2 of Chapter 4 of Division 4 of Title 4 of the Government Code, relating to the authorization and issuance of bonds of cities.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2211—An act to amend Sections 8 and 11 of, and to add Section 11.1 to, the District Investigation Act of 1933, relating to districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2619—An act to amend Section 26020 of the Government Code, relating to the financing of airports by counties.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3045—An act to amend Section 1551 of the Labor Code, relating to employment agencies.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3046—An act to amend Section 1581 of the Labor Code, relating to employment agencies.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3049—An act to add Sections 1622.1 and 1622.2 to the Labor Code, relating to employment agencies.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3204—An act to add Section 1581.1 to the Labor Code, relating to employment agencies.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3072—An act to add Section 1590.5 to the Labor Code, relating to the regulation of employment agencies.

Bill read second time, and ordered engrossed.

Assembly Bill No. 980—An act to amend Section 6410 of the Labor Code, relating to the failure to report injuries and the penalty therefor.

Bill read second time, and ordered engrossed.

Assembly Bill No. 666—An act to add Section 272 of the Labor Code, relating to security for wages.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1014—An act to amend Section 320 of the Vehicle Code, relating to records.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1 of the printed bill, following line 29, insert

"Records which are not required to be maintained may be destroyed with the approval of the Department of Finance."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1284—An act to add Section 705.5 to the Vehicle Code, relating to transportation of saw logs

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 5, of the printed bill, after "logs", insert "if the Department of Public Works, as to state highways, and the legislative body of any county, city and county, or city, as to roads subject to its jurisdiction, has issued a permit as provided in this section".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1613—An act to add Section 372.4 to the Vehicle Code, relating to vehicle registration fees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 3, of the printed bill, after "paid", insert "for any current registration year".

Amendment No. 2

On page 1, line 6, of said bill, strike out "and", and insert a comma

Amendment No. 3

On page 1, line 8, of said bill, after "operations", insert ", and which was first registered at least 10 years prior to the current registration year".

Amendments read, and adopted

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2663—An act to amend Section 515 of the Vehicle Code, relating to speed limits per vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "45", and insert "50".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3280—An act to amend Section 44 of the Vehicle Code, relating to authorized emergency vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "44", and insert "681".

Amendment No. 2

In lines 1 and 2 of the title of said bill, strike out "authorized emergency vehicles", and insert "the use of sirens and red lights by privately-owned armored cars".

Amendment No. 3

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 681 of the Vehicle Code is amended to read:

681 Regulations Governing Armored Cars *(a)* No person shall operate on any highway any armored car unless a special permit to operate such car has first been obtained from the commissioner. The commissioner may issue a permit for the necessary and legitimate operation of an armored car and may revoke such permit if any unnecessary or illegal use is made of the armored car for which issued.

The commissioner shall maintain a record of all such permits issued and of all such permits revoked.

(b) *Such an armored car may be equipped with a siren and red lights which may be used while resisting armed robbery. At all other times the siren must be disconnected and the red lights unlighted. The authority to use a siren and red lights granted by this subdivision shall not constitute an armored car an authorized emergency vehicle and all other provisions of this code applicable to drivers of vehicles upon the highways shall apply to drivers of armored cars.*

(c) Any person violating the provisions of this section is guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding five hundred dollars ($500) or by imprisonment in the county jail for not to exceed six months or by both such fine and imprisonment."

Amendment No. 4

On page 1 of said bill, strike out lines 2 to 26, inclusive; and strike out page 2.

Amendments read, and adopted

Bill ordered reprinted, and engrossed

Assembly Bill No. 1955—An act to amend Section 694 of the Vehicle Code, relating to the size, weight, and loading of vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 25, of the printed bill, as amended in the Assembly on April 9, 1951, strike out "The above limitations as to width shall likewise not apply".

Amendment No. 2

On page 1 of said bill, after line 25, insert

"(e) The above limitations as to width shall likewise not apply".

Amendment No. 3

On page 2, line 1, of said bill, strike out "(e)", and insert "(f)".

Amendment No. 4

On page 2, line 5, of said bill, strike out "(f)", and insert "(g)".

Amendment No. 5

On page 2, line 18, of said bill, strike out "(g)", and insert "(h)".

Amendment No. 6

On page 2, line 9, of the printed bill, as amended in the Assembly on April 9, 1951, after the period, insert "Motor coaches or busses operated by common carriers of passengers for hire in urban or suburban service and not under the jurisdiction of the Public Utilities Commission may have a maximum outside width not exceeding 104 inches."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 2664—An act to amend Sections 3017 and 3019 of the Civil Code, and to add a new section numbered 3030, relating to the assignment of accounts receivable and giving notice thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 21, 1951, after "3017", insert ", 3108".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1176—An act to amend Sections 668, 3024, and 3045 of the Penal Code, relating to pleading and proof of prior convictions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 2 of the printed bill, between lines 31 and 32, insert

"(h) Any person serving a sentence the minimum term of which is prescribed by subdivisions (a), (b), (c), or (d) of this section shall not be paroled until he has served at least 20 months of such minimum term."

Amendment No. 2

On page 2 of said bill, strike out lines 33 to 45, inclusive, and insert

"3045. Any sentence based on conviction of crime of which the person was previously pardoned on the express ground that he was not guilty shall not be counted as a previous conviction."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1299—An act to amend Section 195 of the Vehicle Code, relating to chattel mortgages on vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 11, of the printed bill, after "ownership", strike out "and the last issued registration card".

Amendment read, and adopted

Bill ordered reprinted, and engrossed

Assembly Bill No. 1616—An act to amend Sections 633, 641, and 662 of the Welfare and Institutions Code, relating to institutions in which delinquent and other juveniles are housed, and to the powers and duties of probation officers and probation committees in connection therewith.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 14, of the printed bill, before "such", insert ", unless the board of supervisors otherwise provides.".

Amendment No. 2

On page 1, line 19, of said bill, after the period, insert 'If the board of supervisors so provides, such probation officer, without extra compensation therefor, shall have the management and control of the internal affairs of the detention home."

Amendment No. 3

On page 2, line 2, of said bill, strike out "The probation", and insert "Unless the board of supervisors otherwise provides, the probation".

Amendment No. 4

On page 2, line 8, of said bill, after the period, insert "If the board of supervisors so provides, the probation officer shall, with the advice and counsel of the probation committee, manage and control the internal affairs of the detention home."

Amendment No. 5

On page 2, line 18, of said bill, strike out "The", and insert "Unless the board of supervisors otherwise provides, the".

Amendment No. 6

On page 2, line 20, of said bill, after the period, insert "If the board of supervisors so provides, the internal affairs of the juvenile hall or branch juvenile hall shall be under the management and control of the probation officer of the county.

If the board of supervisors so provides, the probation committee shall function in an advisory capacity to the probation officer."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1839—An act to amend Sections 542, 689b, 690.24, and 690.26 of the Code of Civil Procedure, relating to supplementary proceedings.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, after "Sections", strike out "542, 689b,".

Amendment No. 2

Starting on page 1, line 1, of the printed bill, strike out pages 1, 2, 3, 4, 5, and lines 1 through 44 on page 6.

Amendment No. 3

On page 6, line 45, of the printed bill, strike out "SEC. 3.", and insert "SECTION 1."

Amendment No. 4

On page 6, line 50, of the printed bill, strike out "SEC. 4", and insert "SEC. 2"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3384—An act to amend Sections 337b and 337c of the Penal Code, relating to bribery in connection with sporting events, contests and exhibitions and punishment therefor.

Bill read second time

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, lines 20 and 21, of the printed bill, after "exceeding", strike out "20", and insert "five".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 1076—An act to amend Section 35311 of the Government Code, relating to the annexation of territory.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "once a week for"; and in line 5, strike out "the two weeks prior to the hearing", and insert "twice, but not oftener than once a week.".

Amendment No. 2

On page 1, line 6, of the printed bill, strike out "if there is none," and insert "also in a newspaper of general circulation published outside of the city but in the county in which is located the territory proposed to be annexed; publication to be complete at least 20 days prior to the date set for the hearing. If there is no newspaper of general circulation published within the annexing city,".

Amendment No. 3

On page 1, line 7, of the printed bill, strike out "not less than 10", and insert "of the resolution not less than 20".

Amendment No. 4

On page 1, line 11, of the printed bill, strike out "all owners of", and insert "each person to whom".

Amendment No. 5

On page 1 of the printed bill, strike out lines 12 and 13, and insert "posed to be annexed, is assessed in the last equalized county assessment roll available on the date the proceedings were initiated, at the address shown on said assessment roll or as known to said clerk, and to any person who has filed his name and address and the designation of the lands in which he has any interest, either legal or equitable, with said clerk."

Amendment No. 6

On page 1, line 20, of the printed bill, strike out "10", and insert "20".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 1803—An act to amend Section 19210 of the Streets and Highways Code, relating to highway lighting districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 21, of the printed bill, after "by", insert "15 or more but".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 2890—An act adding Section 5161 to the Public Resources Code, relating to the use of county parks

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "5161 to the Public Resources", and insert "25560.4 to the Government".

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "5161 is added to the Public Resources", and insert "25560.4 is added to the Government".

Amendment No. 3

On page 1, line 3, of the printed bill, strike out "5161", and insert "25560.4".

Amendment No. 4

On page 1 of the printed bill, strike out line 5; and in line 6, strike out "funds or acquired through", and insert "any land acquired by the county by means of".

Amendment No. 5

On page 1, line 7, of the printed bill, strike out "conducted by such board of supervisors", and insert "for park purposes".

Amendment No. 6

On page 1, line 10, of the printed bill, after "courts", insert "if the portion of the land to be so used or dedicated has not been used by the public for park purposes for a period of more than 10 years".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 849—An act to amend Sections 4, 6, and 11 of the Defense Production Act, relating to employment and working conditions of female employees

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Industrial Relations:

Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert ", and to add Section 4.5 to,".

Amendment No. 2

On page 1, line 4, of said bill, strike out "within 24 hours after", and insert "before".

Amendment No. 3

On page 1, lines 5 and 6, of said bill, strike out "or at such type of work or under such conditions", and insert "of work".

Amendment No. 4

On page 1, line 17, of said bill, strike out "If a permit is denied, it shall"; and strike out all of line 18

Amendment No. 5

On page 1, line 19, of said bill, strike out "statutory limits."

Amendment No. 6

On page 1 of said bill, between lines 20 and 21, insert

"SEC. 2. Section 4.5 is added to said act, to read.

Sec. 4.5. Notwithstanding any other provision of law the Governor may, in case of extreme emergency in connection with defense production, issue a temporary permit pending the processing of an application for a permit filed pursuant to Section 4 of this act"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3048—An act to amend Section 205 of the Labor Code, relating to the payment of wages

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Industrial Relations:

Amendment No. 1

On page 1, line 17, of the printed bill, after "the", insert "fourth"

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1829—An act to add Section 170 to the Vehicle Code, relating to special identification plates.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

In line 2 of the title of the printed bill, after "plates", insert ", and making an appropriation".

Amendment No. 2

On page 1 of said bill, strike out lines 4 to 18, inclusive, and insert "tion Operators. Owners of motor vehicles who are residents of this State, and who hold an unrevoked and unexpired official amateur radio station license issued by the Federal Communications Commission, upon application, accompanied by proof of ownership of such amateur radio station license, complying with the state motor vehicle laws relating to registration and licensing of motor vehicles, and upon the payment of the regular license fee for plates as prescribed by law, and the payment of an additional fee of three dollars ($3), shall be issued a license plate, as prescribed by law for private passenger cars, upon which in lieu of the numbers as prescribed by law shall be inscribed the official amateur radio call letters of such applicant as assigned by the Federal Communications Commission.

The Department of Motor Vehicles shall make such rules and regulations as necessary to ascertain compliance with all state license laws relating to use and operation of a private passenger car before issuing such plates in lieu of the regular California license plate, and all applications for such plates shall be made to the department.

The department shall furnish to the assessor of each county in the State an alphabetically arranged list of the names, addresses, and license plate letters of each person to whom a license plate is issued under the provisions of this section, and it shall be the duty of the assessors of the counties to maintain and keep current such lists for public information and inquiry.

This section is supplementary to the motor vehicle licensing laws of this State and nothing herein shall be construed as abridging or amending such laws.

All acts or parts of acts in conflict with the provisions of this section are hereby repealed.

SEC. 2. The sum of one thousand five hundred dollars ($1,500) is hereby appropriated out of the Motor Vehicle Fund to carry out the provisions of Section 170 of the Vehicle Code, to be expended during the 1951-1952 Fiscal Year."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

Assembly Bill No. 178—An act to amend Section 44.12 of the Vehicle Code, relating to authorized emergency vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 14, of the printed bill, after "vehicle.", insert "Whenever such vehicle is being used for purposes other than those specifically authorized herein, the siren must be disconnected and the red lights covered. Any violation of this provision shall constitute a misdemeanor and the permit granted hereunder shall be revoked."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

Assembly Bill No. 475—An act to amend Section 689b of the Code of Civil Procedure, relating to executions.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 10, inclusive, and insert

"689b. The officer levying on property on which there is a chattel mortgage must within 10 days after being served with written notice by the mortgagee containing a detailed statement thereof, pay or tender to the mortgagee full payment of the debt, with interest due the mortgagee to date of tender, or must deposit the amount thereof".

Amendment No. 2

On page 1, line 15, of the printed bill, after "interest.", insert "for 30 days following the personal service upon him by the levying officer of a written demand therefor, which service must be attested by the officer's certificate thereof, filed before the sale with the papers of the action wherein the attachment or execution was issued,".

Amendment No. 3

On page 2 of the printed bill, strike out lines 5 to 9, inclusive, and insert "Where the property levied upon is a vehicle required to be registered with the Department of Motor Vehicles, the officer shall forthwith determine from the department the name and address of the legal owner of the vehicle and shall notify any such legal owner who is not also the registered owner of such vehicle of the levy by registered mail or personal service."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1418—An act providing for the constitution of the municipal court in a district embracing the City of Glendale, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

Strike out the title of the printed bill, and insert

"An act prescribing the constitution of municipal courts in certain judicial districts in counties or cities and counties of the first class, providing for the number of judges, officers and attaches of such courts and fixing their compensation; also providing for the appointment of such officers and attaches, their tenure of office and for the preservation of their right of civil service status and retirement benefits"

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. The following provisions are made with respect to the establishment and constitution of municipal courts in counties of the first class, which municipal courts are provided for by the 1949 amendment of Section 11 of Article VI of the Constitution. Such courts will be referred to herein as the municipal courts.

SEC. 2. Should any section or provision of this act be held to be invalid such fact shall not affect any other section or provision of this act, as each section and provision is intended to be severable from each other section or provision.

SEC. 3. Wherever the salary or compensation of a judge, officer or attache is prescribed in this act, whether on a monthly or yearly basis, such compensation shall be payable in equal monthly installments on or before the tenth day of each calendar month.

SEC. 4 The judges of municipal courts mentioned in Section 1 hereof shall be given credit upon their right of retirement compensation under the Judges Retirement Act for the period of service in the courts superseded by the courts mentioned in Section 1 hereof.

SEC. 5. The officers and attaches of courts mentioned in Section 1 hereof shall be given credit on their civil service rights and status and their rights of retirement compensation under the civil service and retirement statutes of this State, for their time of service and rank in the courts superseded by the courts mentioned in Section 1 hereof.

SEC. 6. A municipal court such as mentioned in Section 1 hereof, which is in a judicial district wherein there is a city or cities of the fifth class, shall be constituted and the judges, officers and attaches of such court shall receive the compensation, and have the positions and duties as set forth in sections hereof numbered 6.1, 6 2, 6.3, 6.4, 6 5, and Sections 7, 7 1, 7 2, and 7 3 respectively.

SEC 6 1. There shall be two judges each of whom shall receive the salary of _____ dollars ($_____) per annum

SEC 6 2 There shall be one clerk, who also shall be secretary to the court, to be appointed by the judges of said court Said clerk shall receive a salary of six hundred sixty dollars ($660) per month.

SEC 6.3. The clerk may appoint the following attaches, whose positions and compensation shall be as follows:

One chief deputy clerk, who shall receive a salary of five hundred dollars ($500) monthly;

Three deputy clerks, each of whom shall receive a salary of four hundred dollars ($400) monthly;

Four deputy clerks, each of whom shall receive a salary of three hundred seventy-five dollars ($375) monthly;

Four deputy clerks, each of whom shall receive a salary of three hundred fifty dollars ($350) monthly;

Three deputy clerks, (stenographers), each of whom shall receive a salary of three hundred dollars ($300) monthly;

Three deputy clerks, (typists), each of whom shall receive a salary of two hundred seventy-five dollars ($275) monthly

SEC 6 4 The clerk and the officers and attaches of the clerk's office of the municipal court superseded by the court established in Section 6 hereof shall, without further examination or qualification, hold the equivalent positions, respectively, in the court established in Section 6 hereof, but at the salaries provided in Sections 6 2 and 6 3 hereof.

In addition to the salaries in this section above provided, the clerk and the officers and attaches of the clerk's office shall be allowed their reasonable and necessary expenses, which shall include necessary traveling expenses not exceeding seven cents ($0 07) per mile, when required by the business of the court.

SEC 6 5 Wherever a special assignment or branch of work is indicated herein for a particular deputy or position, the assignment so designated is not intended to be exclusive, but merely to designate the principal work incident to such deputy or position However, in order to equalize the work of the office of the clerk and to render

fast and efficient service to the public, it shall be the duty of each deputy clerk to perform such services in such office as may be directed by the clerk whether the work so directed to be done be within the scope of the special designation or not.

SEC. 7. There shall be one marshal, to be appointed by the judges of said court. Said marshal shall receive a salary of eight thousand ($8,000) per year.

SEC. 7.1. The marshal may appoint the following attaches, whose positions and compensation shall be as follows.

One chief deputy marshal, who shall receive a minimum salary of three hundred ninety-five dollars ($395) monthly, with annual increments of twenty-two dollars ($22), twenty-three dollars ($23), twenty-four dollars ($24), and twenty-five dollars ($25), to a maximum of four hundred eighty-nine dollars ($489) monthly;

Three deputy marshals, each of whom shall receive a minimum salary of three hundred three dollars ($303) monthly, with annual increments of sixteen dollars ($16), eighteen dollars ($18), eighteen dollars ($18), and twenty dollars ($20), to a maximum of three hundred seventy-five dollars ($375) monthly;

Two deputy marshals, each of whom shall receive a minimum salary of two hundred eighty-eight dollars ($288) monthly, with annual increments of fifteen dollars ($15), sixteen dollars ($16), eighteen dollars ($18), and eighteen dollars ($18), to a maximum of three hundred fifty-five dollars ($355) monthly;

One deputy marshal, who shall receive a minimum salary of two hundred fifty-nine dollars ($259) monthly, with annual increments of fourteen dollars ($14), fifteen dollars ($15), fifteen dollars ($15), and sixteen dollars ($16), to a maximum of three hundred nineteen dollars ($319) monthly;

Two deputy marshals, each of whom shall receive a minimum salary of two hundred forty-six dollars ($246) monthly, with annual increments of thirteen dollars ($13), fourteen dollars ($14), fifteen dollars ($15), and fifteen dollars ($15), to a maximum of three hundred three dollars ($303) monthly.

Ten deputies (custodians) at the fee allowed by law for keeping property. The deputy marshals serving as custodians shall be paid only for their actual service as keepers of property taken under legal process and shall be paid out of the funds deposited by the parties to the action in which such services are rendered.

SEC. 7.2. The marshal and the officers and attaches of the marshal's office of the municipal court superseded by the court established in Section 6 hereof shall, without further examination or qualification, hold the equivalent positions, respectively, in the court established in Section 6 hereof, but at the salaries provided in Sections 7 and 7.1 hereof.

SEC. 7.3. Wherever a special assignment or branch of work is indicated herein for a particular deputy or position, the assignment so designated is not intended to be exclusive, but merely to designate the principal work incident to such deputy or position. However, in order to equalize the work of the office of the marshal and to render fast and efficient service to the public, it shall be the duty of each deputy marshal to perform such services in such office as may be directed by the marshal whether the work so directed to be done be within the scope of the special designation or not.

SEC. 8. Should the number of attaches provided in Section 6.3 hereof, not be sufficient to meet the need of existing municipal courts as described in Section 6 hereof due to increased population, or work load of such courts, the clerks of the courts may appoint such additional attaches with the approval of the judges of such courts. However, such additional attaches, shall not receive salaries in excess of the minimum salary provided in Section 6 3 hereof. Such additional attaches must be selected as provided by civil service laws applicable to officers and attaches of such municipal courts.

SEC. 9. Should the number of attaches provided in Section 7.1 hereof, not be sufficient to meet the need of existing municipal courts as described in Section 6 hereof, due to increased population, or work load of such courts, the marshals of the courts may appoint such additional attaches with the approval of the judges of such courts However, such additional attaches, shall not receive salaries in excess of the minimum salary provided in Section 7.1 hereof. Such additional attaches must be selected as provided by civil service laws applicable to officers and attaches of such municipal courts.

SEC. 10. If in the changing, enlarging or formation of a judicial district there is annexed to the area comprising the district of any municipal court described in Section 6 hereof, territory in addition to that within the district limits of the superseded courts, additional judges for each court shall be selected in the manner provided in Section 3 of the Municipal and Justice Court Act of 1949, in the ratio of one additional judge for each 41,000 inhabitants in the additional territory so annexed. Each of such additional judges shall receive the same compensation as the other judges of the courts in such districts."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1477—An act providing for the constitution of municipal courts in districts in Riverside County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 4 and 5, and insert

"(1) There shall be two judges, each of whom shall receive nine thousand dollars ($9,000) per annum, payable in equal".

Amendment No. 2

On page 1 of said bill, after line 6, insert

"(2) There shall be one clerk to be appointed by the judges of the court who shall receive a minimum monthly salary of two hundred forty dollars ($240) with annual increments as provided in subdivision (6)

(3) The clerk may appoint the following:

Two deputy clerks who shall be court clerks and each of whom shall receive a minimum monthly salary of two hundred dollars ($200) with annual increments as provided in subdivision (6)

Two deputy clerks each of whom shall receive a monthly salary of one hundred seventy dollars ($170) with annual increments as provided in subdivision (6).

(4) There shall be one marshal to be appointed by the judges of the court who shall receive an annual salary of three thousand three hundred sixty dollars ($3,360) payable in equal monthly installments.

(5) The marshal may appoint two deputy marshals each of whom shall receive a monthly salary of two hundred ten dollars ($210) with annual increments as provided in subdivision (6).

(6) Each of the court attaches named above whose salaries are specified on a monthly basis shall receive annual increments of ten dollars ($10) per month for the first five years of employment, to take effect on July 1st of each such year. Such attaches who are employed at least six months prior to July 1st shall receive the annual increment provided for the first year of employment.

(7) Persons employed in the service on the effective date of the amendment to this section shall receive credit for prior service in the justice's court, police court or municipal court of the city and in the sheriff's department or constabulary of the county, and shall receive, in addition to the minimum rate, the annual increments commensurate with years of prior service up to the maximum rate set. Changes of title created in establishing the municipal court shall not detract from said years of prior service.

(8) The annual increments shall be dependent upon the employee maintaining the minimum efficiency rating designated by the appointing authority and at any time the efficiency rating falls below the minimum standard the appointing authority shall have the power to suspend all or any part of the annual increments."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1506—An act restricting the use of assumed or fictitious names.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In the title of the printed bill, strike out line 1, and insert

"An act to add Section 539 to the Penal Code, relating to the use of assumed or fictitious names; making violation a misdemeanor."

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1 Section 539 is added to the Penal Code, to read

539. Any person who wilfully uses a false, fictitious or different name, or assumes the name of another, for any of the following purposes and with the following respective intents, is guilty of a misdemeanor:

(a) 1 To deposit with, or transfer to, any bank or person, any money or property, with intent to defraud creditors

2 Or to keep money or property so deposited or transferred after three months from the effective date of this section, while retaining the right to withdraw or retransfer.

(b) To write an illegible name, with intent to defraud any party in regard to any cause of action

(c) To negotiate, after bankruptcy, insolvency or composition of creditors, in a different name for any credit under any agreement or transaction, unless such change of name appears in a duly recorded decree, or the name under which the bankruptcy, insolvency or composition was had is actually noticed by the other parties to such agreement or transaction, as having been a past name, with intent to deceive as to identity.

(d) To attempt to, or enter into, any anticipatory agreement by which title to money or property is taken in such name, while retaining or receiving, presently or in the future, the beneficial interest in the money or property, with intent to avoid present or potential liability, disability, or escheat.

(e) To take, without authority, possession from a bailor, bailee or depositary, of personal property or money, with intent to defraud.

(f) To marry, attempt to marry, promise to marry, or take a promise to marry, while the other party is known by such person to believe the name of the person as given is true, with the intent to deceive the other party as to personal history, pedigree, lineage, fame, fortune or felonious criminal record.

The use of a new or different name, taken for the sole purpose of shortening or contracting a longer name which is difficult to pronounce, or taken for the sole purpose of eliminating identification with any race, creed or nationality, shall not be considered as done with an intent to deceive in any respect under this subsection."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary

Assembly Bill No. 1767—An act providing for the constitution of the municipal court in a district embracing the City of Beverly Hills, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 5 to 7, inclusive, and insert

"(a) There shall be two judges, each of whom shall receive thirteen thousand five hundred dollars ($13,500) per annum, payable in equal monthly installments;

(b) There shall be one chief clerk, to be appointed by the judges of the court, who shall receive seven thousand two hundred dollars ($7,200) per annum, payable in equal monthly installments;

(c) The chief clerk may appoint the following:

One deputy chief clerk, who shall receive a minimum salary of three hundred fifty-five dollars ($355) monthly, with annual increments of twenty dollars ($20), twenty dollars ($20), twenty-two dollars ($22), and twenty-three dollars ($23) to a maximum of four hundred forty dollars ($440) monthly;

Two deputy clerks, each of whom shall receive a minimum salary of three hundred three dollars ($303) monthly, with annual increments of sixteen dollars ($16), eighteen dollars ($18), eighteen dollars ($18), and twenty dollars ($20) to a maximum of three hundred seventy-five dollars ($375) monthly;

Three deputy clerks, each of whom shall receive a minimum salary of two hundred forty-six dollars ($246) monthly, with annual increments of thirteen dollars ($13), fourteen dollars ($14), fifteen dollars ($15), and fifteen dollars ($15), to a maximum of three hundred three dollars ($303) monthly;

Three deputy clerks, each of whom shall receive a salary of one hundred eight-one dollars ($181) monthly, with annual increments of nine dollars ($9), ten dollars ($10), eleven dollars ($11), and ten dollars ($10), to a maximum of two hundred twenty-one dollars ($221) monthly.

(d) There shall be one marshal to be appointed by the judges of the court who shall receive a salary of six hundred dollars ($600) per month;

(e) The marshal may appoint four deputy marshals, each of whom shall receive four hundred forty dollars ($440) per month."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 2722—An act to add Sections 36.3 and 36.6 to the Municipal and Justice Court Act of 1949, relating to judges of justice courts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

Strike out the title of the printed bill, and insert

"An act to add Sections 36.3, 36.6, 36.8, and 36.9 to, and to amend Section 27 of, the Municipal and Justice Court Act of 1949, relating to judges and attaches of municipal and justice courts."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 2 of said bill, after line 14, insert

"SEC. 3. Section 36.8 is added to said act to read:

Sec. 36.8. The salary of a constable shall be fixed at not less than 75 percent of the salary of the judge of the same court but in any event, not less than one hundred dollars ($100) per month.

SEC. 4. Section 36.9 is added to said act to read:

Sec. 36.9. When a marshal succeeds to what was previously the office of constable he shall receive the same salary as the marshal of, and the number and compensation of the attaches in such marshal's department shall be the same as those of a fifth class city as provided in the Municipal Court Act of 1925.

SEC. 4. Section 27 of said act is amended to read:

Sec. 27. Marshals and constables shall charge and collect for their services the fees allowed by law to sheriffs, except insofar as other provision is made for constables in Chapter 2, Part 4, Division 2, Title 3, of the Government Code, and shall pay such fees into the county treasury on or before the fifth day of each month [, except where such fees or a percentage of them are allowed such officers] , *and no fee or percentage thereof shall be allowed to any such officer* ."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 961—An act to amend Section 640 of, and to add Section 640.1 to the Penal Code, relating to the detection or interception of telegraphic and telephonic communications.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, line 5, of the printed bill, as amended in the Assembly on April 6, 1951, strike out ", or of a subordinate of any of"; strike out line 6; and in line 7, strike out "ception".

Amendment No. 2

On page 2, line 12, of said bill, strike out "a felony may be thus obtained.", and insert "one of the following felonies may be thus obtained murder, extortion, mayhem, burglary, rape, arson, robbery, kidnapping, or sabotage."

Amendment No. 3

On page 2 of said bill, strike out lines 41 to 45, inclusive.

Amendment No. 4

On page 3 of said bill, strike out lines 1 and 2; and in line 3, strike out "Justice", and insert "the affidavit of the Attorney General".

Amendment No. 5

On page 3, line 8, of said bill, strike out "a felony may be thus obtained.", and insert "one of the following felonies may be thus obtained: murder, extortion, mayhem, burglary, rape, arson, robbery, kidnapping, or sabotage"

Amendment No. 6

On page 3 of said bill, strike out lines 37 to 41, inclusive, and insert

"(c) Nothing in this section shall prevent the recovery of damages from any person who obtains information by reason of the order and before such information becomes a public record discloses such information in a civil proceeding, for a private purpose, or for any other purpose not provided for in this section."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 245—An act to amend Section 4656.4 of and to add Section 2152.5 to, the Revenue and Taxation Code, relating to the distribution and computation of property taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 17, of the printed bill, as amended in the Assembly on April 2, 1951, strike out "fraction of a cent", and insert "cent not evenly divisible by two".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 567—An act to add Sections 18586.3 and 19053.8 to the Revenue and Taxation Code, relating to personal income tax, and providing that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, after "Sections", strike out "18586.3 and 19053.8", and insert "18811 and 26132.1".

Amendment No. 2

In line 2 of the title of the printed bill, after "to", strike out all remaining language in the title, and insert "state taxation and providing for the giving of notice to state agencies prior to presentation of claims to the State Controller"

Amendment No. 3

On page 1 of the printed bill, strike out lines 1 to 27, inclusive, and insert

"SECTION 1. Section 18811 is hereby added to the Revenue and Taxation Code to read

18811. Whenever, under any provision of this article, service upon the State of any notice to withhold, unless expressly exempted from the provisions of this section, such service to be effective must, in addition to any other requirements, be made on the state agency owing the obligation prior to the time such agency presents the claim for payment thereof to the State Controller.

SEC. 2. Section 26132.1 is hereby added to the Revenue and Taxation Code to read

26132.1. Whenever, under any provision of this article, service upon the State of any notice to withhold, unless expressly exempted from the provisions of this section, such service to be effective must, in addition to any other requirements, be made on the State agency owing the obligation prior to the time such agency presents the claim for payment thereof to the State Controller"

Amendment No. 4

On page 2 of the printed bill, strike out lines 1 to 14, inclusive

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation

Assembly Bill No. 576—An act to add Section 23852b to the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, after the first "to", insert "repeal Sections 25663, 25663 and 26421, and to".

Amendment No. 2

In line 1 of the title of the printed bill, after "Section", strike out "23852(b)"

Amendment No. 3

In line 1 of the title of the printed bill, after "Section", insert "s".

Amendment No. 4

In line 1 of the title of the printed bill, after "Section", insert "25663 and 25663(c)".

Amendment No. 5

On page 1 of the printed bill, strike out lines 1 to 24, inclusive.

Amendment No. 6

On page 1, line 1, of the printed bill, insert

"SECTION 1. Section 25663 is hereby added to the Revenue and Taxation Code to read:

25663. Except in the case of a fraudulent return, and except as otherwise provided in Sections 25663a and 25663b, every notice of additional tax proposed to be assessed shall be mailed to the taxpayer within four years after the return was filed. No deficiency shall be assessed or collected with respect to the year for which such return was filed unless the notice is mailed within the four-year period or as otherwise provided. For the purposes of this section a return filed before the last day prescribed by law for the filing thereof shall be considered as filed on that day.

SEC. 2. Section 25663(c) is hereby added to the Revenue and Taxation Code to read:

25663(c). If the taxpayer omits from gross income an amount properly includible therein which is in excess of 25 percent of the amount of gross income stated in the return, the tax may be assessed, or a proceeding in court for the collection of such tax may be begun without assessment, at any time within six years after the return was filed."

Amendment No. 7

On page 2 of the printed bill, strike out lines 1 to 6, inclusive, and insert

"SEC. 3. Section 26421 of the Revenue and Taxation Code is hereby repealed."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation

Assembly Bill No. 3258—An act to amend Section 105 of the Revenue and Taxation Code, relating to property taxes

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 4, of the printed bill, after "fixtures," insert "other than trade fixtures defined in subsection (c) of this section,"

Amendment No. 2

On page 1, line 15, of the printed bill, after "service," insert "business"

Amendment No. 3

On page 1, line 21, of the printed bill, strike out "by whoever installed", and insert "regardless of the person by whom installed or".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation

Assembly Bill No. 2041—An act to amend Sections 3.1, 3.2, and 3.3, and to add Sections 3.4, 3.5, and 3.6 to the Los Angeles County Flood Control Act, relating to the establishment of zones within the district.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, lines 9 and 10, of the printed bill, strike out "This water shall be conserved by the district in a manner beneficial to the zone."

Amendment No. 2

On page 1 of the printed bill, strike out lines 18, 19, and 20, and insert "No territory included within the corporate boundaries of any city or municipal water district shall be included within any zone established under this section unless there shall be filed with the board of supervisors a certified copy of a resolution adopted by the majority vote of the governing body of such city or municipal water district consenting to the inclusion of such territory within such zone."

Amendment No. 3

On page 1 of the printed bill, strike out lines 21 to 24; and strike out pages 2, 3, and 4.

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 3098—An act to amend Sections 3.1, 3.2, and 3.3 and to add Sections 3.4, 3.5, and 3.6 to the Los Angeles County Flood Control Act, relating to the establishment of zones within the district.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "and reclaimed water", and insert "or reclaimed water, or both".

Amendment No. 2

On page 1, line 11, of the printed bill, after "zone.", insert "Expenditures for the purpose of conserving water so acquired shall be made from funds derived from taxes levied pursuant to Section 14 of this act."

Amendment No. 3

On page 2, line 6, of the printed bill, strike out "for two consecu-"; and strike out line 7 thereof, and insert "at least 40 days prior thereto in five public places within said proposed zone".

Amendment No. 4

On page 2, line 8, of the printed bill, after "board", insert "Notice shall be given to all cities and public districts formed for the purpose of distributing water within the proposed zone by mailing a copy of the notice to the chairman of the governing bodies thereof at least 30 days prior to said hearing."

Amendment No. 5

On page 2 of the printed bill, strike out lines 9 to 28, inclusive, and insert "aries of the proposed zone and contain a statement whether it is proposed to acquire imported or reclaimed water, or both, and a general statement of the proposed method of conservation and shall contain a statement that written and oral protests against the formation of the zone or the inclusion of property therein will be considered at the time of the hearing, and that if sufficient written protests against the establishment of the zone are filed with the clerk of the board at least 15 days before the date set for the hearing, the proceeding shall be abandoned.

In sufficient written protests against the establishment of the proposed zone are filed with the clerk of the board at least 15 days prior to the date set in the notice for hearing, the proceedings shall be abandoned as hereinafter provided.

Protests by property owners shall give the name and address of the protestant and shall describe the taxable real property within the proposed zone assessed to such protestant. The clerk shall transmit such protests, or a list of such properties showing the protestant as to each such property, to the assessor, who shall certify to the board of supervisors whether such properties assessed to such protestants, as shown by the last equalized county assessment roll, have an assessed value in excess of 10 percent of the assessed value of all of the taxable real property within the proposed zone. If the protest is in excess of the said 10 percent, no further proceeding relating to such proposal may be had for at least six months after the date set in the notice for hearing.

Protests by cities and public districts formed for the purpose of distributing water shall be in the form of certified copies of resolutions of their governing bodies. If protests are filed which have been adopted by a majority vote of the governing bodies of cities or public districts formed for the purpose of distributing water within which there is property taxable for zone purposes equal to not less than 60 percent of the assessed value of all of the property taxable for zone purposes, as shown on the last equalized assessment roll, then no further proceedings relating to such proposal may be had for at least six months after the date set in the notice of hearing.

If the proceedings are not terminated by the protests of property owners or cities and public districts formed for the purpose of distributing water, as above provided, the board of supervisors may proceed with the hearing and shall consider such protests and any additional written or oral protests which may be made either against the establishment of the proposed zone or the inclusion therein of any property, or both. The hearing may be continued from time to time but not to exceed 60 days in the aggregate. Upon the conclusion of the hearing the board may abandon the proposal or may adopt the resolution establishing the zone for the purpose specified in the notice, including therein all properties within the described boundaries of the proposed zone which the board finds will be benefited thereby.

At the end of the fifth fiscal year during which taxes may be levied for zone purposes the zone shall terminate without hearing. During or subsequent to such

fifth fiscal year a new zone may be established including all or part of the original zone, subject to all of the provisions of this act for the establishment of zones.

A statement regarding the zone boundaries, or any change thereof, shall be filed as provided in Chapter 8, Part 1, Division 2, Title 5, of the Government Code. No additional statement shall be filed regarding the boundaries of cities or public districts formed for the purpose of distributing water or parts thereof within the zone, but such boundaries as are effective or become effective for assessment or taxation purposes shall be used for determining tax levies within the zone. Upon the filing of such statement the zone shall be created and no other statement, certificate, affidavit, or other document need be recorded or filed in any office."

Amendment No. 6

On page 2, line 31, of the printed bill, after "levied", insert "each year thereafter".

Amendment No. 7

On page 2, line 43, of the printed bill, strike out "and", and insert "or".

Amendment No. 8

On page 2, line 44, of the printed bill, after "water", insert ", or both".

Amendment No. 9

On page 2, line 45, of the printed bill, after "made", insert "by the district".

Amendment No. 10

On page 2, line 51, of the printed bill, strike out "municipal water district", and insert "public district formed for the purpose of distributing water".

Amendment No. 11

On page 2, line 52, of the printed bill, after "under", insert "Section 3 1 of".

Amendment No. 12

On page 3, line 1, of the printed bill, strike out "assessed", and insert "taxed".

Amendment No. 13

On page 3 of the printed bill, strike out lines 4 to 52, inclusive; and on page 4, strike out lines 1 to 8, inclusive, and insert "water imported from without the zone and used within the city or district or part thereof within the zone plus reclaimed water used within the city or district or part thereof within the zone, during the fiscal year immediately preceding the fiscal year for which the special tax is levied, bears to the total amount of water extracted by any public or private agency from the ground water basin or basins within the zone and used within the city or district or part thereof within the zone during the immediately preceding fiscal year plus the amount of water imported and reclaimed as aforesaid. Such a reduced rate shall be fixed only upon the filing with the board of supervisors, on or before the fifteenth of July of any year, of a certified copy of a resolution adopted by the governing body of said city or district requesting such rate reduction for the current fiscal year, which must be accompanied by an affidavit of an official of such city or district stating the amount of water thus extracted, reclaimed and imported during the preceding fiscal year. Such resolution and affidavit, in the absence of fraud, shall be conclusive proof of the facts. It is hereby found and determined that such reduction in rates in any fiscal year is in proportion to the reduction in benefits which will be received by the taxable real property within such city or district or part thereof within the zone during such fiscal year.

If rates are reduced for a portion of the zone as herein provided, the rates in other portions of the zone shall not be increased to compensate therefor, but the budget appropriation shall be reduced by an amount sufficient to compensate for such reduced revenue taking into consideration the anticipated delinquency as fixed by law or by the board."

Amendment No. 14

On page 4, line 14, of the printed bill, strike out "substantially and directly", and insert "specially".

Amendment No. 15

On page 4, lines 16 and 17, of the printed bill, strike out "benefited to the same extent as before the exclusion", and insert "specially benefited by remaining as a zone"

Amendment No. 16

On page 4 of the printed bill, strike out lines 21 to 23, inclusive, and insert "within the area described in the petition or upon receipt by the clerk of a resolution requesting exclusion, adopted by the majority vote of the governing body of any city or public district formed for the purpose of distributing water, all or any part of

which is included in the zone Said petition must contain a description of the property in which each signer claims ownership, sufficient to identify the same The clerk shall transmit such petition to the assessor who shall certify to the board of supervisors whether such properties assessed to such petitioners, as shown on the last equalized assessment roll, have an assessed value of 10 percent or more of the assessed value of all taxable real property within the area sought to be excluded "

Amendment No. 17

On page 4, line 30, of the printed bill, after "described ", insert "The hearing may be continued from time to time not to exceed 60 days in the aggregate."

Amendment No. 18

On page 4, line 39, of the printed bill, after "of the", insert " taxable"

Amendment No. 19

On page 4, line 41, of the printed bill, strike out "receipt by", and insert "filing with"

Amendment No. 20

On page 4, line 43, of the printed bill, strike out "municipal water district", and insert "public district formed for the purpose of distributing water".

Amendment No. 21

On page 4, line 44, of the printed bill, after "zone ", insert "The determination of the percentage of owners of real property signing the petition for termination shall be made and certified to by the assessor in the manner described in Section 3 5 "

Amendment No. 22

On page 4, line 50, of the printed bill, after "zone ", insert "The hearing may be continued from time to time not to exceed 60 days in the aggregate."

Amendment No. 23

On page 5, line 2, of the printed bill, after "zone," insert "or that the real property is no longer benefited"

Amendment No. 24

On page 5, line 3, of the printed bill, strike out "at" ; and strike out lines 4, 5, and 6, inclusive, and insert "for all purposes except those necessary to finance outstanding contracts. When such contracts have been satisfied the zone will forthwith terminate for all purposes

Such zone shall terminate without hearing at the end of the third or fourth fiscal year during which taxes may be levied for zone purposes if certified copies of resolutions requesting such termination are filed with the board of supervisors as hereinafter provided Such resolutions shall be sufficient if adopted by a majority vote of the governing bodies of cities or public districts formed for the purpose of distributing water within which there is property taxable for such zone purposes equal to not less than 35 percent of the assessed value of all of the property taxable for zone purposes, as shown by the equalized assessment roll of such fiscal year

Any remaining funds of a terminated zone shall be added to the general funds of the district and shall be expended by the district for water conservation in a manner beneficial to the area within the terminated zone in addition to that normally performed "

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government

Assembly Bill No 2743—An act to provide for leasing adequate facilities and service for the extension, maintenance, and operation of the teletypewriter system of communication by the State Department of Justice, and making an appropriation therefor

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 5, of the printed bill, after "County", insert "and the Fresno County Sheriff's Office".

Amendment No. 2

On page 1 of said bill, strike out line 6, and insert

"SEC. 2 The sum of three thousand eight hundred twelve dollars and forty-two cents ($3,812.42) is ap-".

Amendment No. 3

On page 1, line 10, of said bill, after the period, insert "Of the sum appropriated by this act, the amount of one thousand six hundred twenty-five dollars ($1,625) is to be used for connecting the sheriff's substation at Blythe, and the amount of two thousand one hundred eighty-seven dollars and forty-two cents ($2,187.42) is to be used for the purpose of connecting the Fresno County Sheriff's Office."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 182—An act providing for the issuance and sale of state bonds to create a fund for the purchase of bonds issued by any public agency of the State of California, including any county, city and county, city, political subdivision, municipal corporation, public corporation, public district, public board, commission, department, authority, officer, body or entity, or any other public agency, state-wide or local, or any combination of such public agencies; for public improvements; defining the powers and duties of state officers in respect to the administration of the provisions hereof; providing ways and means for the payment of the interest on such state bonds as such interest falls due, and also for the payment and discharge of the principal of such state bonds as such principal matures; and appropriating money for the payment of principal and interest of the bonds authorized hereby and for the payment of expenses incurred in, or as incidental to, the preparation, sale and issuance of the bonds authorized hereby and the administration of the said fund.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

Strike out line 27 of the title of the printed bill, as amended in the Assembly on March 16, 1951, and insert "cies, for any public improvement, building, work or undertaking; defining".

Amendment No. 2

On page 2 of said bill, strike out lines 17 and 18, and insert

"(d) "Public improvement" means any public improvement, building, work or undertaking, whether by original acquisition or con-".

Amendment No. 3

On page 2 of said bill, strike out lines 20 to 23, and insert "or betterment of, or addition to, any existing public improvement, building, work or undertaking, and shall include maintenance, repair and operation of any such public improvement, building, work or undertaking."

Amendment No. 4

On page 2 of said bill, strike out line 29, and insert "nesses, liability or liabilities, of the State of California, not exceed-".

Amendment No. 5

On page 4 of said bill, strike out line 38, and insert "sequence of the bonds maturing at each date of maturity, which".

Amendment No. 6

On page 4, line 41, of said bill, strike out "less", and insert "more".

Amendment No. 7

On page 4 of said bill, strike out lines 44 and 45, and insert

"3 Whether or not said bonds are to be subject to redemption at the option of the commission prior to maturity, and, if so, the provisions for such redemption, the manner of the call".

Amendment No. 8

On page 6 of said bill, strike out line 23, and insert "or stamped signatures, or at the date of authorizing the affixing".

Amendment No. 9

On page 7 of said bill, strike out line 50, and insert "Treasurer at the time so directed by the Governor, or at the time to which the sale shall have been so continued, at public sale,".

Amendment No. 10

On page 9 of said bill, strike out line 25, and insert "other purpose. No portion of such proceeds or of the fund shall be used for the purchase of general obligation bonds of the State "

Amendment No. 11

On page 10 of said bill, strike out line 3, and insert

"Before any bonds of a public agency are purchased by the commission it may require the public agency to".

Amendment No. 12

On page 11 of said bill, strike out line 16, and insert

"SEC. 37. All interests paid to the State by any public agency upon".

Amendment No. 13

On page 12, line 21, of said bill, strike out "Arcticle", and insert "Article".

Amendment No. 14

On page 13, line 10, of said bill, strike out "ury," and insert urer,".

Amendment No. 15

On page 13, line 28, of said bill, strike out "3", and insert "8".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 183—An act to add Chapter 5.5 to Part 1 of Division 2 of Title 5 of the Government Code, relating to the powers and duties of public agencies of the State, including any county, city and county, city, political subdivision, municipal corporation, public corporation, public district, public board, commission, department, authority, officer, body or entity, or any other public agency, state-wide or local, and the powers and duties of the legislative and governing bodies thereof, and authorizing the issuance and sale by such public agencies, or by any combination of such public agencies, of revenue bonds to finance public improvements, and expenditures incidental thereto.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In the title of the printed bill, as amended in the Assembly on March 26, 1951, strike out lines 27, 28, and 29, and insert "revenue bonds to finance any public improvement, building, work or undertaking, or expenditures incidental thereto."

Amendment No. 2

On page 2 of said bill, strike out lines 23 and 24, and insert "means any revenue producing public improvement, building, work or undertaking, whether by original acquisition or construction, or".

Amendment No. 3

On page 2 of said bill, strike out lines 26 to 28, inclusive, and insert "ment of, or addition to, any existing public improvement, building, work or undertaking, and shall include maintenance, repair and operation of any such public improvement, building, work or undertaking."

Amendment No. 4

On page 2 of said bill, strike out line 29, and insert

"54154. As used in this chapter, except as otherwise indicated in Section 54158, "legislative body" means".

Amendment No. 5

On page 2, line 43, of said bill, strike out "54175.2", and insert "54177".

Amendment No. 6

On page 3, line 15, of said bill, after "law", insert "or charter".

Amendment No. 7

On page 3, line 19, of said bill, after "54158.", insert "(a)".

Amendment No. 8

On page 3 of said bill, strike out lines 24 and 25, and insert "a majority of such electors voting upon the proposition.

(b) If the legislative body (as defined in this chapter) of such public agency is not invested with the power to call and conduct elections in such public agency, the appropriate legislative body (as commonly understood and not as so defined) invested with power to call elections within the area within which the public agency, or a portion thereof, lies, shall have power to, and upon the request of the legislative body (as so defined), shall, call, conduct and declare the result of such election, in accordance, as nearly as such body calling such election shall deem to be practicable, with the laws relating to the holding of elections within the area over which it has jurisdiction

If the public agency is a state agency, the appropriate legislative body, within the meaning of this section, shall be the State Legislature.

If the public agency is a local agency, the appropriate legislative body, within the meaning of this section, shall be as follows: (i) If the public agency lies within more than one county or city and county; the board of supervisors of the county or city and county of greatest population within which any part of the public agency lies; (ii) if the public agency is coterminus with any county or city and county; the board of supervisors of such county or city and county; (iii) if the public agency lies within a county but embraces less than the whole area thereof and consists in major part of territory not within any city; the board of supervisors of such county; (iv) if the public agency lies within a city and county but embraces less than the whole area thereof; the board of supervisors of such city and county; (v) if the public agency lies within a county but embraces less than the whole area thereof and consists in major part of territory within one or more cities, the legislative body (as commonly understood) of such city, if but one, or, if more than one, of the one of such cities having the greatest population.

For the purposes of this section population shall be determined by the latest Federal Census.

In the case of any public agency which has no defined area it shall be deemed for the purposes of this section to have an area coterminus with the State, if it is a state agency; with the county or city and county with respect to which it functions, if it is a county or city and county agency, or activated by action of the legislative body (as commonly understood) of a county or city and county; or with the city with respect to which it functions, if it is a city agency or activated by the legislative body (as so understood) of a city.

(c) Notwithstanding the provisions of subdivision (a) of this section in the case of any public agency which has".

Amendment No. 9

On page 3, line 35, of said bill, insert

"(d) If there is no procedure established by law or charter for invoking the right of referendum with respect to the action of the legislative body (as defined in this chapter) taken pursuant to subdivision (c) of this section, authorizing, subject to referendum, the issuance of revenue bonds, the provisions of law or charter relating to the exercising of the right of referendum with respect to the legislative acts of the appropriate legislative body, as specified in subdivision (b) of this section, shall apply to such action authorizing such bonds, as nearly as may be, but all of such provisions which relate to the qualifications of signers of a referendary petition, the

number of signatures required, and the right to vote at the election held pursuant thereto, shall be determined on the basis of the qualified electors residing within the area of the public agency proposing to issue the bonds."

Amendment No. 10

On page 3, line 40, of said bill, after "cost", insert ", or in the case of a joint undertaking, its share of the cost,".

Amendment No. 11

On page 3 of said bill, strike out lines 45 and 46, and insert "ing. Such bonds may be issued in an amount estimated to be sufficient to pay, and for the purpose of paying, the cost of such public improvement, or such share of such cost, including the cost of preliminary reports,".

Amendment No. 12

On page 4, line 12, of said bill, strike out "54160.1.", and insert "54161."

Amendment No. 13

On page 4 of said bill, strike out line 25, and insert "and that the approval by vote of the electors when required by Sec-"

Amendment No. 14

On page 4, line 32, of said bill, strike out "54161.", and insert "54162."

Amendment No. 15

On page 4, line 38, of said bill, strike out "54162.", and insert "54163."

Amendment No. 16

On page 5, line 5, of said bill, strike out "54163.", and insert "54164."

Amendment No. 17

On page 5, line 6, of said bill, strike out "a", and insert "an ordinance or".

Amendment No. 18

On page 5 of said bill, strike out lines 9 to 13, inclusive, and insert "and authorizing such project. The adoption of such ordinance or resolution shall be conclusive evidence of the making and sufficiency of such report. Subject to the provisions of Section 54158, the legislative body may thereupon authorize the issuance of revenue bonds for the purpose of obtaining funds required for the project, in an amount determined in accordance with the provisions of Section 54160."

Amendment No. 19

On page 5, line 14, of said bill, strike out "54169.", and insert "54165."

Amendment No. 20

On page 5, line 20, of said bill, strike out "54170.", and insert "54166."

Amendment No. 21

On page 5, line 26, of said bill, strike out "54173.", and insert "54167."

Amendment No. 22

On page 5, line 37, of said bill, strike out "54175.1.", and insert "54176."

Amendment No. 23

On page 6, line 1, of said bill, strike out "54175.2.", and insert "54177."

Amendment No. 24

On page 6, line 12, of said bill, strike out "54175.3.", and insert "54178."

Amendment No. 25

On page 6, line 34, of said bill, strike out "54176.", and insert "54179."

Amendment No. 26

On page 6 of said bill, strike out line 35, and insert "mine, by ordinance or resolution, or by indenture, contract or other agree-"

Amendment No. 27

On page 6, line 50, of said bill, strike out "54177.", and insert "54180."

Amendment No. 28

On page 6 of said bill, strike out lines 51 and 52, and insert "gate principal amount, date or dates, maturities, maximum interest rate, interest payment dates, denominations, and form of such".

Amendment No. 29

On page 7 of said bill, strike out line 8, and insert "legislative body may provide that any ordinance or ordinances, resolution or resolutions,"

Amendment No. 30

On page 7, line 12, of said bill, after "such", insert "ordinance or".

Amendment No. 31

On page 7, line 13, of said bill, after "such", insert "ordinance or"

Amendment No. 32

On page 7, line 28, of said bill, after "such", insert "ordinance or".

Amendment No. 33

On page 7, line 33, of said bill, strike out "54178 ", and insert "54181."

Amendment No. 34

On page 7, line 37, of said bill, strike out "54180 ", and insert "54182 "

Amendment No. 35

On page 7, line 43, of said bill, strike out "54181 ", and insert "54183 "

Amendment No. 36

On page 7, line 50, of said bill, strike out "54183 ", and insert "54184."

Amendment No. 37

On page 8, line 8, of said bill, strike out "54184 ", and insert "54185."

Amendment No. 38

On page 8, line 18, of said bill, strike out "54185 ", and insert "54186 "

Amendment No. 39

On page 8, line 47, of said bill, strike out "54185 1 ", and insert "54187."

Amendment No. 40

On page 9, line 4, of said bill, strike out "54186. ", and insert "54188."

Amendment No. 41

On page 9, line 19, of said bill, strike out "54187 ", and insert "54189."

Amendment No. 42

On page 9, line 24, of said bill, strike out "54188 ", and insert "54190 "

Amendment No. 43

On page 9, line 29, of said bill, strike out "54189 ", and insert "54191."

Amendment No. 44

On page 9, line 37, of said bill, strike out "54189 1 ", and insert "54192."

Amendment No. 45

On page 9, line 42, of said bill, strike out "54189 2 ", and insert "54193 "

Amendment No. 46

On page 9, line 49, of said bill, strike out "54190 ", and insert "54194."

Amendment No. 47

On page 10, line 3, of said bill, strike out "54191 ", and insert "54195."

Amendment No. 48

On page 10, line 6, of said bill, after "any", insert "ordinance,"

Amendment No. 49

On page 10, line 7, of said bill, strike out "54192.", and insert "54196."

Amendment No. 50

On page 10, line 8, of said bill, after "any", insert "ordinance or".

Amendment No. 51

On page 10, line 27, of said bill, strike out "54193.", and insert "54197."

Amendment No. 52

On page 10, line 31, of said bill, strike out "54194.", and insert "54198."

Amendment No. 53

On page 10, line 37, of said bill, strike out "54195.", and insert "54199."

Amendment No. 54

On page 10 of said bill, at the end of line 39, insert "ordinance or".

Amendment No. 55

On page 10, line 47, of said bill, strike out "54196.", and insert "54200."

Amendment No. 56

On page 11 of said bill, strike out line 8, and insert "54201. Bonds may be callable, at the option of the public agency, upon such terms and conditions,".

Amendment No. 57

On page 11, line 15, of said bill, strike out "54200.", and insert "54202."

Amendment No. 58

On page 11, line 20, of said bill, strike out "54201.", and insert "54203."

Amendment No. 59

On page 11, line 33, of said bill, strike out "54202 ", and insert "54204."

Amendment No. 60

On page 11, line 45, of said bill, strike out "54203.", and insert "54205."

Amendment No. 61

On page 12, line 2, of said bill, after "by", insert "ordinance or".

Amendment No. 62

On page 12, line 5, of said bill, after "any such", insert "ordinance or".

Amendment No. 63

On page 12, line 7, of said bill, strike out "in such resolution", and insert "therein".

Amendment No. 64

On page 12, line 12, of said bill, strike out "54207.", and insert "54206."

Amendment No. 65

On page 12, line 18, of said bill, strike out "54210.", and insert "54207."

Amendment No. 66

On page 12, line 23, of said bill, strike out "54162 and 54163", and insert "54163 and 54164".

Amendment No. 67

On page 12, line 29, of said bill, strike out "54211.", and insert "54208."

Amendment No. 68

On page 12, line 45, of said bill, strike out "54212.", and insert "54209."

Amendment No. 69

On page 12, line 47, of said bill, strike out "54213.", and insert "54210."

Amendment No. 70

On page 13, line 18, of said bill, strike out "54214.", and insert "54211."

Amendment No. 71

On page 13, line 27, of said bill, strike out "54185", and insert "54186".

Amendment No. 72

On page 13 of said bill, strike out lines 30 and 31, and insert "nant it may make, or obligation it may assume, pursuant to any provision of this chapter, and it shall be the duty of each and every officer, representative and employee of the public agency to do and perform each and every act necessary or appropriate for such keeping and performance by such public agency of every such covenant and obligation."

Amendment No. 73

On page 13, line 46, of said bill, after "agency", insert "under this chapter".

Amendment No. 74

On page 14, line 13, of said bill, after "to", insert "join or".

Amendment No. 75

On page 14, line 14, of said bill, after "for the", insert "establishment,".

Amendment No. 76

On page 14, line 17, of said bill, after "so", insert "join or".

Amendment No. 77

On page 15, line 20, of said bill, after the period, insert "Bonds, and coupons pertaining thereto, duly issued pursuant to this chapter shall be deemed to be orders of the legislative body, within the meaning of this section, and shall be payable upon presentation, when due, without further order or approval, subject only to the terms of the registration of such bonds, if registered."

Amendment No. 78

On page 15, line 21, of said bill, after "lieu of", insert "or in addition to".

Amendment No. 79

On page 15, line 50, of said bill, strike out "54256.", and insert "54257."

Amendment No. 80

On page 16, line 4, of said bill, strike out "54257.", and insert "54258."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government

Assembly Bill No. 543—An act to add Section 6404.1 to the Labor Code, dealing with safety devices and safeguards.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Industrial Relations:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 3, 1951, strike out lines 3 to 6, inclusive, and insert

"6404.1. (a) Any employer who causes or allows the use of any inflammable or combustible material for the installation acceptance pressure test of any gas house line or piping shall be conclusively presumed to be maintaining an unsafe place of employment.

(b) Any employer who causes or allows gas pipe lines to be tested with gas at pressures in excess of that permitted by applicable sections of the American Society of Mechanical Engineers Code for Pressure Piping shall be conclusively presumed to be maintaining an unsafe place of employment."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Industrial Relations

Assembly Bill No. 3177—An act to amend Section 1394 of the Labor Code, relating to employment of minors.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Industrial Relations:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 1394", and insert "Sections 1394 and 1395".

Amendment No. 2

In line 1 of the title of said bill, after "of ", insert ", and to add Section 1394.5 to,".

Amendment No. 3

Strike out line 2 of the title of said bill, and insert "child labor."

Amendment No. 4

On page 1, lines 3 and 4, of said bill, strike out "or Article 2 of Chapter 2 of this part"

Amendment No. 5

On page 1, line 7, of said bill, strike out "any"

Amendment No. 6

On page 1, line 9, of said bill, strike out "minors", and insert "any minor".

Amendment No. 7

On page 1, line 11, of said bill, strike out the second comma, and insert a period.

PRINTER'S NOTE—There being no 7-point strikeout type available the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 8

On page 1 of said bill, strike out lines 12 to 26, inclusive, and insert

"SEC. 2. Section 1394.5 is added to said code, to read:

1394.5. Nothing in this article or Article 2 of Chapter 2 of this part shall prohibit or prevent:

(a) The appearance of any minor in any church, school, community or charity entertainment, or performance arranged for the entertainment of children, where no admission fee is charged

(b) The appearance of any minor in any radio or television broadcasting exhibition, where the minor receives no compensation directly or indirectly therefor, and where the engagement of the minor is limited to a single appearance lasting not more than one hour, and where no admission fee is charged for the radio broadcasting or television exhibition.

SEC. 3. Section 1395 of said code is amended to read.

1395. If the written consent of the Labor Commissioner is first obtained, or if such consent is not required for radio or television by the provisions of subdivision [(e)] *(b)* of Section [1394] *1394.5*, nothing in this article or Article 2 of Chapter 2 of this part shall prohibit or prevent

(a) The employment of any minor, in the presentation of any drama, legitimate play, or in any radio broadcasting or television studio

(b) The employment of any minor 12 years of age or over in any other performance, concert or entertainment.

(c) Any minor over the age of eight years from appearing in any performance, concert, or entertainment during the public school vacation.

(d) Any minor between the ages of eight and 18 years, who is by any law of this State permitted to be employed as an actor, actress, or performer in a theater, motion picture studio, radio broadcasting studio, or television studio, before 10 o'clock p.m., in the presentation of a performance, play, or drama continuing from an earlier hour till after 10 o'clock p.m., from performing his part in such presentation between the hours of 10 and 12 o'clock p.m.

(e) The appearance of any minor in any entertainment which is noncommercial in nature and from which none of the proceeds are to inure directly or indirectly to the benefit of any individual or commercial enterprise

[(d)] *(f)* The employment of any minor artist in the making of phonograph recordings.

[(e)] *(g)* The employment of any minor as an advertising or photographic model."

Amendment No. 9

Strike out all of page 2 of said bill

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Industrial Relations

Assembly Bill No. 1980—An act to amend Sections 3202, 4053, 5705, 5708, and 5709 of the Labor Code, relating to Workmen's Compensation Insurance, and evidence in proceedings concerning benefits thereunder.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Industrial Relations:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 9, 1951, strike out lines 12 to 16, inclusive, and in line 17, strike out "California."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

SECOND READING OF SENATE BILLS

Senate Bill No. 324—An act to amend Sections 587 and 1515 of the Probate Code, relating to the dedication or conveyance of real property or interests therein of the estates of decedents and of wards.

Bill read second time, and ordered to third reading.

Senate Bill No. 433—An act to amend Section 1182 of the Penal Code, relating to the making of an application for a new trial.

Bill read second time, and ordered to third reading.

Senate Bill No. 476—An act to amend Section 1203.4 of the Penal Code, relating to probation.

Bill read second time, and ordered to third reading.

Senate Bill No. 44—An act to amend Section 16 of the District Investigation Act of 1933, and Section 58700 of the Government Code relating to the termination of proceedings upon the filing of written protests by a majority of property owners and authorizing withdrawals of protests prior to the time set for hearing thereon

Bill read second time, and ordered to third reading

Senate Bill No. 45—An act to repeal Section 74.1 to 74.10, inclusive, of the Orange County Water District Act, relating to the manner of excluding from the district lands annexed to a metropolitan water district organized under the Metropolitan Water District Act

Bill read second time, and ordered to third reading

Senate Bill No. 355—An act to amend Section 26749 of the Government Code, relating to transportation of prisoners or patients to state prisons, hospitals or other institutions.

Bill read second time, and ordered to third reading.

Senate Bill No. 515—An act to add Section 4766 to the Health and Safety Code, relating to the authority of a county sanitation district to adopt ordinances.

Bill read second time, and ordered to third reading.

Senate Bill No. 817—An act to add Section 4793.1 to the Health and Safety Code, relating to the proceeds of the sale of bonds of a county sanitation district.

Bill read second time, and ordered to third reading.

Senate Bill No. 910—An act to add Section 15106 to the Government Code, relating to the leasing of facilities for connection with the State's Teletypewriter System.

Bill read second time, and ordered to third reading.

Senate Bill No. 150—An act to amend Section 94.5 of the Agricultural Code, relating to the exemption of citrus fruit fairs from taxation.

Bill read second time, and ordered to third reading.

Senate Bill No. 176—An act to amend Section 17015 of the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 554—An act to amend Section 13988.1 of the Revenue and Taxation Code, relating to deduction or expenses and fees in computing inheritance taxes

Bill read second time, and ordered to third reading.

Senate Bill No. 895—An act to add Section 8.01 to the Bank and Corporation Franchise Tax Act and Section 7.01 to the Corporation Income Tax Act and Section 24202 to the Revenue and Taxation Code, relating to deductions in computing net income for taxation purposes, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 921—An act to add Section 17358 to the Revenue and Taxation Code, relating to the personal income tax, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 480—An act to amend Section 50662 of the Government Code, relating to revenue bonds, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 479—An act to amend Section 1203.7 of the Penal Code, and to amend Section 633 of the Welfare and Institutions Code, relating to the membership of the Board of Corrections.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, line 43, of the printed bill, strike out "and assist-".

Amendment No. 2

On page 2, line 44, of said bill, strike out "ant probation officers".

Amendment No. 3

On page 2, line 47, of said bill, strike out "and assistant probation officers".

Amendment No. 4

On page 2, line 50, of said bill, strike out "or assistant proba-".

Amendment No. 5

On page 2, line 51, of said bill, strike out "tion officer".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 818—An act to amend Sections 14796 and 14797 of the Revenue and Taxation Code, relating to inheritance tax commissions of county treasurers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, after "Sections", insert "14795,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 14795 of the Revenue and Taxation Code is amended to read:

14795. In addition to any other compensation to which he is entitled by law, for the services performed by him pursuant to this part, the county treasurer may retain out of the inheritance taxes paid to and accounted for by him each year commissions equal to the following:

(a) Three percent of the first [one hundred fifty thousand dollars ($150,000)]. *two hundred thousand dollars ($200,000)*

(b) Two percent of the next one hundred thousand dollars ($100,000).

(c) One percent of the amount exceeding [two hundred fifty thousand dollars ($250,000)]. *three hundred thousand dollars ($300,000)*

SEC. 2. Section 14796 of said".

Amendment No. 3

On page 1, line 6, of said bill, strike out "are as follows:", and insert "is five hundred dollars ($500)."

Amendment No. 4

Strike out all of lines 7, 8, 9, 10, and 11 of said bill.

Amendment No. 5

On page 1, line 16, of said bill, strike out "SEC. 2", and insert "SEC. 3"

Amendment No. 6

On page 1, line 29, of said bill, strike out "seven thousand five hundred dollars ($7,500)", and insert "ten thousand dollars ($10,000)"

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 1836 re-referred to the Committee on Judiciary.

Assembly Bills Nos. 2882, 448, 3096, 1584, 2712, and 1583 re-referred to the Committee on Ways and Means.

Assembly Bill No. 497 re-referred to the Committee on Fish and Game.

Assembly Bill No. 1560 re-referred to the Committee on Education.

Assembly Bill No. 647 re-referred to the Committee on Manufacturing, Oil, and Mining Industry.

Assembly Bills Nos. 446 and 2343 re-referred to the Committee on Social Welfare.

Assembly Bills Nos. 3036 and 3116 re-referred to the Committee on Governmental Efficiency and Economy.

Senate Bill No. 908 re-referred to the Committee on Governmental Efficiency and Economy.

Senate Bill No. 909 re-referred to the Committee on Ways and Means.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Davis to reconsider the vote whereby the amendments to Assembly Bill No. 2530 were adopted was continued until the next legislative day.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Waters to reconsider the vote whereby Assembly Bill No. 877 was refused passage, was continued until the next legislative day.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 2120—An act to add Chapter 3, comprising Sections 15700 to 15716, inclusive, to Part 9, Division 3, Title 2 of the Government Code, relating to payment of interest on money deposited with the State to secure obligations under tax laws and authorizing the investment of such money.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn,

Hansen, Hawkins, Henderson, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—62

NOES—Hinckley and Moss—2

Bill ordered transmitted to the Senate

Assembly Bill No. 546—An act to add Section 1777.6 to the Labor Code, dealing with apprenticeship.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—66

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 2692—An act to amend Sections 1261 and 1262 of the Fish and Game Code, relating to archery hunting licenses

Bill read third time.

The roll was called, and the bill passed by the following vote

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, and Waters—65.

NOES—Geddes and Mr Speaker—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 59—An act to amend Section 6342 of the Elections Code, relating to voting machines.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 3020—An act to add Section 28322 to the Health and Safety Code, relating to misbranding food in package form.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury,

Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 841 HOLD PLACE ON FILE

Mr. Hagen asked for, and was granted, unanimous consent that Assembly Bill No. 841 be passed on file, and hold its place on file on the next legislative day.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 910—An act to add Section 30.01 to the Public Utility District Act of 1921, authorizing the formation and operation of improvement districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Tomlinson, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 355—An act to add Section 7.1 to the Welfare and Institutions Code, relating to powers and duties of boards of supervisors in matters of public assistance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stewart, Tomlinson, and Waters—65.

NOES—George D. Collins—1.

Bill ordered transmitted to the Senate

Assembly Bill No. 2019—An act to amend Section 25150 of the Government Code, relating to proceedings of boards of supervisors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson,

Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters—72

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 3396—An act to amend Section 31157 of the Water Code, relating to county water district

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—72

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 447—An act to amend Section 7 of an act entitled "An act relating to the construction, installation, equipping, stocking, and operation of vending stands in public buildings of the State, counties, cities and counties, and cities, and providing for their operation by licensed blind persons," approved May 29, 1945, relating to vending stands in public educational institutions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—70

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 667—An act to repeal Sections 3474 and 3474.1 of the Welfare and Institutions Code, relating to aid to partially self-supporting blind residents, to repeal the provisions for relatives' responsibility

Bill read third time.

Point of Order

Mr. Sherwin arose to the following point of order: That Assembly Bill No. 667 carries an appropriation, and should be re-referred to the Committee on Ways and Means

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken

Point of Order

Mr. Conrad arose to the following point of order: That the bill is not in order as presently written.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

Request for Unanimous Consent That Assembly Bill No. 667 Be Re-referred to Committee

Mrs. Niehouse asked for, and was granted, unanimous consent that Assembly Bill No 667 be withdrawn from the third reading file, and be re-referred to the Committee on Ways and Means.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 670 BE RE-REFERRED TO COMMITTEE

Mrs. Niehouse asked for, and was granted, unanimous consent that Assembly Bill No. 670 be withdrawn from the third reading file, and be re-referred to the Committee on Ways and Means.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3172—An act to amend Section 2181.01 of the Welfare and Institutions Code, relating to old age security, in respect to responsibility of relatives.

Bill read third time

Point of Order

Mr. Sherwin arose to the following point of order: That Assembly Bill No. 3172 should be re-referred to the Committee on Ways and Means.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken

Assembly Bill No 3172 ordered re-referred to the Committee on Ways and Means

COMMUNICATIONS

By the Chief Clerk:

A communication from J. W. Huyssoon, Colonel, JAGC, Chief, Legislative Division, Department of the Army, Office of the Chief of Staff, Washington, D. C., relative to receipt by the Secretary of the Army of Assembly Joint Resolution No. 24, was received, and ordered filed with the Secretary of State

By the Chief Clerk:

A communication from Willis S. Matthews, Colonel, G. S. C., Executive to General Bradley, Washington, D. C., relative to the receipt of Assembly Joint Resolution No. 24, was received, and ordered filed with the Secretary of State.

By the Chief Clerk:

A communication from Harold B. Elliott, Butte County Assessor, relative to the receipt of Assembly Concurrent Resolution No. 34, was received, and ordered filed with the Secretary of State.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Joint Resolution No. 29: By Messrs. McCollister, Grant, Mrs. Niehouse, Messrs. Morris, and Dills—Relative to memorializing the

Congress of the United States in relation to the furnishing of federal assistance, including arms, ammunition, clothing and equipment, to the California Defense and Security Corps and/or the California National Guard Reserve.

Referred to Committee on Rules.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 549—An act to amend Sections 35147, 35148, 35149, and 35150 of the Government Code, relating to annexation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1116—An act to amend Section 2416 of the Labor Code, relating to bedding at labor camps.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Chapel, George D. Collins, Condon, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Gaffney, Geddes, Hagen, Hahn, Hawkins, Henderson, Kilpatrick, Klocksiem, Lincoln, Luckel, Maloney, McCarthy, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, and Waters—43.

NOES—Babbage, Burke, Cloyed, Collier, Erwin, Fleury, Grant, Gubser, Hansen, Hinckley, Kelly, Kirkwood, Lanterman, Levering, Lindsay, Lipscomb, Lyon, McGee, Sherwin, Silliman, Smith, Stewart, and Mr Speaker—23

Bill ordered transmitted to the Senate.

Assembly Bill No. 1901—An act to add Section 2508 to the Welfare and Institutions Code, relating to work relief projects for persons receiving county aid and relief to indigents.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Collier, Connolly, Conrad, Crowley, Dickey, Dills, Erwin, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—57.

NOES—George D. Collins, Condon, Dunn, Elliott, Hawkins, Henderson, Lincoln, and McMillan—8.

Bill ordered transmitted to the Senate

Assembly Bill No. 3352—An act to amend Sections 9906.1, as added by Chapter 66 of the Statutes of 1950, First Extraordinary Session, and 9906 and 9907, of the Government Code, relating to reports and statements of legislative representatives

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Coats, Collier, George D Collins, Condon, Connelly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1891—An act to amend Sections 8723, 18461, and 18478 of, and to add Sections 18153, 18402.1, 18431, 18481 to, and to repeal Sections 18479 and 18480 of, the Education Code, all relating to sites for public schools

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloved, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr Speaker—71

NOES—Lowrey—1.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloved, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr Speaker—71.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate

Assembly Bill No. 3029—An act to amend Section 4845.28 of the Health and Safety Code, relating to county sanitation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloved, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 359 BE RE-REFERRED TO COMMITTEE

Mr. Levering asked for, and was granted, unanimous consent that Assembly Bill No. 359 be withdrawn from the third reading file, and be re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 1	Assembly Bill No. 1642
Assembly Bill No. 625	Assembly Bill No. 1788
Assembly Bill No. 654	Assembly Bill No. 1869
Assembly Bill No. 658	Assembly Bill No. 2211
Assembly Bill No. 666	Assembly Bill No. 2619
Assembly Bill No. 950	Assembly Bill No 3045
Assembly Bill No 980	Assembly Bill No. 3046
Assembly Bill No. 1011	Assembly Bill No. 3049
Assembly Bill No 1013	Assembly Bill No. 3072
Assembly Bill No 1075	Assembly Bill No. 3204
Assembly Bill No. 1315	

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 361—An act to add Section 2160.9 to the Welfare and Institutions Code, relating to old age security, in respect to recipients who have removed from the State of California.

Bill read third time.

Demand for Previous Question

Messrs Geddes, Connolly, Silliman, Kirkwood, and Cloyed demanded the previous question

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 361.

The roll was called, and the bill passed by the following vote:

AYES—Babbage Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Gubser, Hahn, Hansen, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lapscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr Speaker—67

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2039—An act to amend Section 6610.3 of, and to add Section 6612 to, the Welfare and Institutions Code, relating to the admission of persons believed to be mentally ill into mental institutions by application of a local health officer

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Geddes,

Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters—66

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1222—An act to amend Sections 6736 and 6799 of the Business and Professions Code, relating to the practice of professional engineering.

Bill read third time, and ordered passed on file

ANNOUNCEMENT, RECORD EXPUNGED ON AMENDMENTS, AND ASSEMBLY BILL NO. 2923 RE-REFERRED TO COMMITTEE

Speaker Sam L. Collins announced that the amendments to Assembly Bill No. 2923 were not properly prepared; and requested, and was granted, unanimous consent to expunge the record and rescind the action whereby the amendments were adopted this morning, and that the bill and proposed amendments be re-referred to the Committee on Public Utilities and Corporations.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2003—An act to amend Sections 6855, 6858, 6861, 6862, 6863, 6875, 6876, 6877, 6878, 6881, 6885, 6886, 6891, 6906, 6908, 6913, 6914, 6915, 6921, 6922, 6923, 6925, 6931, 6948, and 6956, and to repeal Sections 6938, 6941, 6942, 6943, and 6944 of the Business and Professions Code, and to add thereto Section 6859, all relating to the licensing and regulation of collection agencies

Bill read third time.

Motion to Amend

Mr. Levering moved the adoption of the following amendments:

Amendment No. 1

On page 6, line 20, of the printed bill, as amended in the Assembly on April 13, 1951, strike out "1908", and insert "6908".

Amendment No. 2

On page 6, line 21, of said bill, strike out "1908", and insert "6908".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 1012—An act to amend Section 383.1 of the Vehicle Code, relating to refunds of registration fees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly,

Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Tomlinson, and Waters—68.

NOES—None

Bill ordered transmitted to the Senate.

MOTION TO APPROVE JOURNALS

Upon motion of Mr. Dickey, the Assembly Journals for Monday, April 9, 1951, Tuesday, April 10, 1951; Wednesday, April 11, 1951; Thursday, April 12, 1951; and Friday, April 13, 1951, were approved, as corrected by the Minute Clerk.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2360 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Shaw asked for, and was granted, unanimous consent that Assembly Bill No 2360 be withdrawn from the Committee on Municipal and County Government, and be re-referred to the Committee on Conservation, Planning, and Public Works.

ANNOUNCEMENTS

Mr. Fleury announced that at 2 p m , in Pioneer Camellia Grove in Capitol Park, a ceremony will take place, and another camellia shrub will be planted, and cordially invited all Members of the Assembly to be present, if possible.

Mr. Beck announced a luncheon meeting and Democratic Caucus, today, upon recess, at the Hotel Sacramento.

MEMBER EXCUSED

At 11 47 a m., Mr Porter asked for, and was granted, unanimous consent that Mr. Thomas be excused, for the balance of the legislative day, because of legislative business elsewhere.

RECESS

At 11.48 a m , on motion of Mr. Dickey, the Assembly recessed until 1.45 p.m.

REASSEMBLED

At 1.45 p.m., the Assembly reconvened.

Hon. Sam L Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A Ohnimus at the desk.

ABSENCE OF QUORUM SUGGESTED

Mr. Maloney suggested the absence of a quorum.

The roll was called.

Call of the Assembly

Mr. Maloney moved a call of the Assembly.

Motion carried. Time, 1.47 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Babbage, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Cooke, Crowley, Dickey, Dills, Dolwig, Gaffney, Geddes, Gubser, Hahn, Hansen, Henderson, Hinckley, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, McCollister, McFall, Meyers, Morris, Moss, Niehouse, Parker, Rosenthal, Shaw, Sherwin, Stanley, Stewart, and Waters—43.

Further Proceedings Under Call of the Assembly Dispensed With on Quorum Call

At 1.57 p.m., on motion of Mr. Maloney, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and by order of Speaker Sam L. Collins, the names of the absentees were listed below as follows:

Burke, Chapel, Collier, Cooke, Dills, Dolwig, Lindsay, Luckel, McFall, and Sherwin—10

The names of the absentees were again called, and the following responded when their names were called:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—66.

Quorum present.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1951

MR SPEAKER: Your Committee on Rules, to which was referred Assembly Bill No. 90

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DICKEY, Chairman

Above reported bill ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 90

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 90, without reference to file, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 90

Assembly Bill No. 90—An act to add Section 9912 to the Government Code, relating to the advocation of legislation by certain state officers and employees.

Bill read second time

Motion to Amend

Mr. McCollister moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 4, 1951, strike out lines 10 to 22, inclusive, and insert

"9912. No officer, employee, or attache of any state department, agency, bureau, board, or commission shall advocate the passage or defeat of legislation, except by appearance before a duly constituted committee of the Legislature. This section shall not prevent such officers, employees, or attaches from making reports to the Legislature or the members thereof, or from preparing legislation pertinent to their respective department, agency, bureau, board, or commission."

Amendment read, and adopted

Bill ordered reprinted, and engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 3376 HOLD PLACE ON FILE

Mr. Geddes asked for, and was granted, unanimous consent that Assembly Bill No. 3376 be passed on file, and hold its place on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2332—An act to amend Section 12a of the Code of Civil Procedure, relating to computation of time as to holidays.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Huckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1738

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 1738, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1738

Assembly Bill No. 1738—An act to add Section 2211 to the Education Code, relating to the joint use and maintenance of school buildings and other school facilities by contiguous and coterminous school districts.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Huckley, Kelly Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—67

NOES—None.

Motion to Amend Title

Mr. Fleury moved the adoption of the following amendment to the title:

Amendment No. 1

In line 3 of the title of the printed bill, strike out "and", and insert "or"

Amendment read, and adopted

Bill ordered reprinted, and transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 917

Mr. Davis asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No 917, out of order, at this time

CONSIDERATION OF SENATE BILL NO. 917

Senate Bill No. 917—An act to add Section 6855 to the Public Resources Code, relating to the disposition of the proceeds of leases for the extraction of mineral deposits from state lands, other than public lands and tide and submerged lands under the jurisdiction of the State Lands Commission.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE JOINT RESOLUTION NO. 25

Mr. Maloney asked for, and was granted, unanimous consent that he be permitted to take up Senate Joint Resolution No. 25, out of order, at this time.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 25

Senate Joint Resolution No. 25—Relative to memorializing Congress to enact H. R. 3110.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—68

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 243

Mr. Brown asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 243, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 243

Senate Bill No. 243—An act to amend Section 20849 of the Business and Professions Code, relating to deliveries of motor vehicle fuels and lubricants.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 207

Mr. Lowrey asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 207, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 207

Senate Bill No. 207—An act to amend Sections 6895 and 6897 of the Public Resources Code, relating to mineral leases on public lands.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Cloyed, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stewart, Waters, and Mr. Speaker—60.

NOES—None

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 28—An act making an appropriation from the Emergency Fund specified in Item 277 of the Budget Act of 1950, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 166—An act to add Section 14722.1 to the Education Code, relating to district retirement salary plans, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 168—An act to amend Sections 14728.3 and 14728.5 of the Education Code, relating to district retirement salary plans;

And reports that the same have been correctly enrolled, and presented to the Governor on the sixteenth day of April, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1211—An act to repeal Sections 2289 and 2293 of, and to amend Sections 2135, 2169, 2287, and 2147.5 of, the Business and Professions Code, relating to practitioners of the healing arts;

Assembly Bill No. 2015—An act to add Sections 2733.5 and 2750.5 to the Business and Professions Code, relating to the practice of the profession of nursing, declaring the urgency of this act, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the sixteenth day of April, 1951, at 2 p.m.

BURKE, Chairman

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 789

Mr. Hansen asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No 789, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 789

Senate Bill No. 789—An act to add Section 2838.5 to the Elections Code, relating to county control committees.

Bill read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Belotti, Berry, Brady, Burke, Collier, George D. Collins, Connolly, Dickey, Dolwig, Doyle, Dunn, Grant, Gubser, Hagen, Hansen, Hawkins, Kelly, Kleckstem, Maloney, McCarthy, McCollister, McMillan, Moss, Porter, Stanley, and Mr. Speaker—26

NOES—Beck, Brown, Burkhalter, Chapel, Clarke, Cloyed, Coats, Condon, Conrad, Cooke, Crowley, Davis, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Hahn, Hinckley, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, McFall, McGee, Morris, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Stewart, Tomlinson, and Waters—42

Notice of Motion to Reconsider Senate Bill No. 789

Mr Hansen gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 789 was this day refused passage.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3369

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3369, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3369

Assembly Bill No. 3369—An act to add Sections 6489.5 and 6546 to the Health and Safety Code, relating to sanitary districts.

Bill read third time.

Motion to Amend

Mr. McCollister moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, strike out lines 7 to 24, inclusive.

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Industrial Relations

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1951

MR. SPEAKER: Your Committee on Industrial Relations, to which was referred: Assembly Bill No. 3176

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

LEVERING, Chairman

Above reported bill ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 657

Mr. Brown asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 657, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 657

Assembly Bill No. 657—An act to amend Section 10.2 of the Parking Law of 1949, relating to off-street parking facilities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters—70.

NOES—None.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1653

Mr. Brown asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 1653, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1653

Assembly Bill No. 1653—An act to amend Sections 180.7 and 198 of the Vehicle Code, relating to chattel mortgages on vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters—70.

NOES—None.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 665

Mr. Hagen asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 665, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 665

Senate Bill No. 665—An act to amend Section 26 of the Construction and Employment Act, relating to the allocation of state funds to local agencies for the construction of public works.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lyon, Maloney, McCarthy, McCollister, McFall, McGee McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—69

NOES—None.

Bill ordered transmitted to the Senate.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 907, on request of Mrs Niehouse.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2904 BE WITHDRAWN FROM COMMITTEE FOR AMENDMENT, AND BE RE-REFERRED

Mr. Gaffney asked for, and was granted, unanimous consent that Assembly Bill No. 2904 be withdrawn from the Committee on Education, for purpose of amendment, and be re-referred to the Committee on Education.

CONSIDERATION OF ASSEMBLY BILL NO. 2904

Assembly Bill No. 2904—An act to amend Section 14632 of the Education Code, and to add Section 14633 thereto, relating to retirement allowances for teachers retired under the State Teachers' Retirement System.

Bill read second time.

Motion to Amend

Mr. Gaffney moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, strike out lines 7 and 8, and insert "amount which bears the same ratio to one hundred dollars ($100) as the number of years of service credited,".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

ANNOUNCEMENT

Mr. Stanley announced a breakfast meeting and Republican Caucus tomorrow morning at 7.30 a m., at Hart's Restaurant.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 3 p.m.—

Public Utilities and Corporations, in Room 432.
Boards and Commissions, in Room 426.
Ways and Means, in Room 435.

At 8 p.m.—

Finance and Insurance, in Room 432.

Tomorrow, Tuesday, April 17th, At 9.15 a.m —

Rules, in Room 320.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. McCollister, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs Calvin Collins, James Harrison, Sam J Moore of Santa Rosa, and Willard L. Collins of Camas, Washington.

On request of Mr. Clarke, the usual courtesies of the Assembly for this day were unanimously extended to M. M. Reinman of Planada.

On request of Mr. Hageu, the usual courtesies of the Assembly for this day were unanimously extended to Tom Hennion of Tulare.

On request of Messrs. Hansen and Henderson, the usual courtesies of the Assembly for this day were unanimously extended to Judge James G. Crichton of Fresno, former Assemblyman.

On request of Mr. Dills, the usual courtesies of the Assembly for this day were unanimously extended to Lew Guild, Paul Colaluca, Elmo W. Field, Dudley Gray, Robert Kane, and Adams Bolton of Gardena.

On request of Mr. Erwin, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Nushutz, Miss Martin, and Mrs Martin of Whittier.

On request of Messrs. Gubser and Kirkwood, the usual courtesies of the Assembly for this day were unanimously extended to the following members of the farm bureau, Santa Clara County · Mr. and Mrs. Frank Bishop, Mr. and Mrs. Frank Corbal, Mr and Mrs. Henry Emmanuel, Mr. and Mrs. Lucien Gassmann, Mr. and Mrs. Edwin B. Gould, Mr. and Mrs. John A. Mirassou, Mr. and Mrs. Ed Paul, Mr. and Mrs. Fred Porter, Mr. and Mrs Theo. C. Quamme, Mr. and Mrs. D. J. Kibisi, Mr. and Mrs. John Scorsur, Mr. and Mrs Lawrence Silva, Mr. and Mrs. Joe Sweaters, Mr. and Mrs. John Breeman, Mrs C. G. Miller, Mrs. G. "Pinky" Mancuso, Mr. and Mrs Fred Toste, Patsy Ellis, Shirley Porter, Gail Ribisi, Mr. and Mrs. Ferrari, Bozzo Galeb, and J. Winter Smith.

On request of Mr. Munnell, the usual courtesies of the Assembly for this day were unanimously extended to Howard H. Walshok, Florence N. Walshok, Sandra Ellen Walshok, and Marco Gary Walshok of Los Angeles.

On request of Mr. Coats, the usual courtesies of the Assembly for this day were unanimously extended to Dorothy H. Fox, teacher, and the following pupils of the Nuestro School: Virginia Woods, Vera Bergtholdt, Mary Cone, Bill Greene, James Shaffer, and Ralph Blenn.

ADJOURNMENT

At 2.40 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Tuesday, April 17, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

THIRTY-NINTH LEGISLATIVE DAY

FIFTY-THIRD CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, April 17, 1951

The Assembly met at 10 a.m.
Hon. Sam L. Collins, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—78

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

O God, From Whom Cometh All Good and Perfect Gifts. We enter Thy presence with grateful hearts. Help us to face life without fear or anxiety, with untroubled minds and trustful hearts. Teach us to be thoughtful and considerate day by day. Keep alive in our souls a deep sense of kinship with Thy children everywhere.

We pray for a safe journey for the distinguished military leader and his family returning today to their homeland. Bless those who are serving as the defenders of our Country. We pray for an era of good will among the nations of the earth and a just and lasting peace.

"Thou, Lord of Hosts, whose guiding hand
Has brought us here before Thy face.
Our spirits wait for Thy command,
Our silent hearts implore Thy peace."

Through Jesus Christ, our Lord—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. McGee, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Butters, on motion of Mr. Erwin.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Hollibaugh, on motion of Mr. Geddes.

The following member was granted leave of absence for the day:

Mr. Lowrey, on motion of Mr. Beck.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA, DEPARTMENT OF NATURAL RESOURCES
DIVISION OF FISH AND GAME
SACRAMENTO 14, CALIFORNIA, April 11, 1951

Honorable Sam L. Collins
Speaker of the Assembly
State Capitol, Sacramento, California

DEAR MR. COLLINS: In accordance with the request contained in House Resolution No. 17, adopted by the Assembly on January 10, 1951, the Fish and Game Commission herewith submits its written report and recommendations dealing with the conditions which exist in the vicinity of the Mount Tamalpais Game Refuge.

During the recent decade, this refuge and the laws governing the hunting therein have brought many problems to the residents of the area and to the Fish and Game Commission as a result of an overpopulation of deer in that area. This problem has been made unduly severe by overlapping jurisdiction of law enforcement agencies in towns which are included in or adjoin the refuge.

We have issued a number of deer damage complaint permits to residents within and without the refuge in order to take care of deer causing depredations to truck and flower gardens. Of recent years this situation has become unduly extreme and as a result a request from residents of the area to hold a special season for the expressed purpose of reducing the number of deer in this area was submitted to us. Several sections of the Fish and Game Code, notably Sections 273 and 274, preclude the commission taking any action to allow regulated control of deer numbers in this refuge. After due investigation and consultation with residents of Marin County, we submit to you the following recommendations with respect to the problem:

Strike out all of Section 151 of the Fish and Game Code starting with the word "beginning" on line 3, and insert the following new definition of the area and boundaries of the Mount Tamalpais Game Refuge:

> "Beginning at the intersection of the Bolinas-Fairfax Road and the Marin Municipal Water District's road known as the Pipe Line Road; thence following Bolinas-Fairfax Road in a westerly and southerly direction along northerly boundary line to the intersection with westerly boundary of the lands of the Marin Municipal Water District; thence southwesterly along boundary line of the land of the Marin Municipal Water District to its intersection with Ridgecrest Boulevard; thence following said Ridgecrest Boulevard in a southerly and easterly direction along westerly and southerly boundary line to the intersection of Southside Toll Road; thence continuing on the Ridgecrest Boulevard in an easterly direction along southerly boundary line to the Marin Municipal Water District's road known as the Eldridge Grade, near East Peak; thence following said Eldridge Grade on an easterly, then northerly course of the southerly and easterly boundary line to the intersection of the Marin Municipal Water District's road known as the Shaver Grade Road; thence in a northwesterly direction along northeasterly boundary line to the intersection of the Marin Municipal Water District's aforesaid Pipe Line Road; thence following said road in a northwesterly course along northeasterly boundary line to point of beginning."

It is further recommended that the Legislature repeal Sections 272, 273, and 274 of the Fish and Game Code in order that the commission may meet this problem in accordance with the wishes of local residents of Marin County.

Respectfully submitted,

E. L. MACAULAY, Executive Officer

ANNOUNCEMENT

Speaker Sam L. Collins announced the improvement of Mr. Butters, who has been very ill, and expressed to Members of the Assembly the expectation of Mr. Butters that soon he will be able to return to his work in the Capitol.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 2459

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

BROWN, Chairman

Above reported bill ordered to third reading.

THIRD READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 2459—An act to add Section 1238.3 to the Code of Civil Procedure, relating to the exercise of the right of eminent domain by nonprofit hospitals.

Bill read third time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 10, of the printed bill, as amended in the Assembly on April 12, 1951, insert "which is adjacent to said hospital" following the word "activity".

Amendment read, and adopted.

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 213
Assembly Bill No. 214
Assembly Bill No. 1377

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred.

Assembly Bill No. 1868

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 11
Assembly Bill No. 3056
Assembly Bill No. 3202
Assembly Bill No. 3372

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1938
Assembly Bill No. 2046

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1951

MR. SPEAKER Your Committee on Judiciary, to which was referred:

Assembly Bill No. 2026

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 2290

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

BROWN, Chairman

Above reported bill ordered to second reading.

Committee on Boards and Commissions

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred.

Assembly Bill No. 1748

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

McMILLAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred

Assembly Bill No. 1670

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

McMILLAN, Chairman

Above reported bill ordered to second reading.

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1951

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:

Assembly Bill No. 3374

Has had the same under consideration, and reports the same back with the recommendation. Do pass, and be re-referred to Committee on Ways and Means.

McCOLLISTER, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1951

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:

Assembly Bill No. 2886

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

McCOLLISTER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1951

MR. SPEAKER: Your Committee on Military Affairs, to which were referred:

Senate Bill No. 426
Senate Bill No. 1426

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McCOLLISTER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1951

MR. SPEAKER: Your Committee on Military Affairs, to which were referred:

Senate Bill No. 331
Senate Bill No. 427

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended

McCOLLISTER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1951

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:

Assembly Bill No. 3155

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

McCOLLISTER, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1951

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:

Assembly Bill No. 2075

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

McCOLLISTER, Chairman

Above reported bill ordered to second reading.

Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1951

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which was referred:

Senate Bill No. 352

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

EVANS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1951

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which were referred:

Assembly Bill No. 2955
Assembly Bill No. 2959
Assembly Bill No. 2960
Assembly Bill No. 2961
Assembly Bill No. 2962
Assembly Bill No. 2963
Assembly Bill No. 2964
Assembly Bill No. 2965
Assembly Bill No. 2966
Assembly Bill No. 2967
Assembly Bill No. 2968
Assembly Bill No. 2969
Assembly Bill No. 2970
Assembly Bill No. 2971
Assembly Bill No. 2973
Assembly Bill No. 2974

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

EVANS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1951

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which was referred:

Assembly Bill No. 909

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

EVANS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1951

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which was referred:

Assembly Bill No. 2923

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

EVANS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1951

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which were referred:

Assembly Bill No. 2956
Assembly Bill No. 2972

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

EVANS, Chairman

Above reported bills ordered to third reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1289
Assembly Bill No. 1667
Assembly Bill No. 2142

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 90
Assembly Bill No. 1955
Assembly Bill No. 2003
Assembly Bill No. 3369

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1076
Assembly Bill No. 1284
Assembly Bill No. 1299
Assembly Bill No. 1613

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2664

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 29

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Assembly Joint Resolution No. 28
Assembly Joint Resolution No. 29

Has had the same under consideration, and reports the same back with the recommendation: Be adopted

DICKEY, Chairman

Above reported resolutions ordered engrossed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 16, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 26
Assembly Bill No. 45
Assembly Bill No. 817
Assembly Bill No. 1146
Assembly Bill No. 1177

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, April 16, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 1211—An act to amend Section 14254 of the Government Code, relating to state public works projects.

And appointed Senators Hatfield, Parkman and Burns, as a Committee on Conference to meet a like committee from the Assembly

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 1211

The Speaker announced the appointment of Messrs. Silliman, Babbage, and Parker as a Committee on Conference concerning Senate Bill No. 1211.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 13, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended

Assembly Bill No. 235

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, April 16, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 23
Senate Bill No 104
Senate Bill No 148
Senate Bill No. 470
Senate Bill No. 894

J A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 16, 1951

MR SPEAKER. I am directed to inform your honorable body that the Senate on this day passed.

Assembly Bill No 34
Assembly Bill No 68
Assembly Bill No. 69
Assembly Bill No 70
Assembly Bill No 71
Assembly Bill No 104
Assembly Bill No 292
Assembly Bill No. 349
Assembly Bill No. 419
Assembly Bill No. 768
Assembly Bill No. 771
Assembly Bill No. 901
Assembly Bill No 902
Assembly Bill No. 1683

J A. BEEK, Secretary of the Senate
By C V TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 16, 1951

MR SPEAKER I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 41

J. A BEEK, Secretary of the Senate
By C. V TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read.

Senate Concurrent Resolution No. 41—Relative to urging the Regents of the University of California to appeal the decision relating to the loyalty statement.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 16, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 129
Senate Bill No 306
Senate Bill No. 382
Senate Bill No. 401
Senate Bill No. 667
Senate Bill No. 703
Senate Bill No. 1239
Senate Bill No. 1553
Senate Bill No. 1567
Senate Bill No. 1683
Senate Bill No. 1811

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 129—An act to add Section 212 to the Health and Safety Code, relating to the powers and duties of the State Department of Public Health, in respect to standards for public medical institutions.

Referred to Committee on Public Health.

Senate Bill No. 306—An act to repeal Sections 186 5 and 206 of the Streets and Highways Code, relating to state highways and the State Highway Fund

Referred to Committee on Transportation and Commerce

Senate Bill No. 382—An act to amend Section 53732 of the Government Code, relating to capital outlay funds of local agencies.

Referred to Committee on Municipal and County Government.

Senate Bill No. 401—An act to add Section 14314 to the Education Code, relating to the membership of the State Teachers' Retirement System in the National Council on Teacher Retirement

Referred to Committee on Education.

Senate Bill No. 667—An act to amend Sections 516 and 715 of the Vehicle Code, relating to speed and weight limitations on bridges and other elevated structures and tubes and tunnels constituting a part of a highway.

Referred to Committee on Transportation and Commerce.

Senate Bill No. 703—An act to add Section 617 to the Military and Veterans Code, relating to the display of the Flag of the United States.

Referred to Committee on Military Affairs.

Senate Bill No. 1239—An act to amend Section 736.3 of the Agricultural Code, relating to fluid milk and fluid cream.

Referred to Committee on Agriculture.

Senate Bill No. 1553—An act to add Section 10133 to the Insurance Code, relating to group disability insurance.

Referred to Committee on Finance and Insurance.

Senate Bill No. 1567—An act amending Sections 30200 and 30748 of the Water Code, relating to formation of county water districts.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1683—An act to amend Sections 38440, 38451, 38452, 38460, and 38461, and to repeal Sections 38453 to 38459, inclusive, of the Government Code, relating to discontinuance of municipal parks.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1811—An act to add Sections 9131, 9132 and 9133 to the Government Code, creating the Joint Committee on Interhouse Cooperation and to prescribe its membership, powers, and duties.

Referred to Committee on Rules.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 3176—An act to amend Section 2411 of the Labor Code, relating to labor camps.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Industrial Relations:

Amendment No. 1

Strike out line 1 of the title of the printed bill, and insert

"An act to add Section 2148 to, and amend Section 2411 of, the Labor Code, relating to".

Amendment No. 2

On page 1 of said bill, after line 8, insert

"SEC. 2. Section 2148 is added to said code, to read:

2148. The Division of Housing in the Department of Industrial Relations may encourage the use of this chapter in those areas of the state which the division deems deficient in the number or standard of labor camps needed to house agricultural employees. The division may initiate meetings of employers for this purpose."

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Industrial Relations.

UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 587—An act to amend Section 318.3 of the Agricultural Code, relating to meat inspection, marks, and labels.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 587?

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 7, inclusive, and insert

"318.3. It is unlawful for any person

(1) To forge, counterfeit, simulate, or falsely represent; or

(2) Without proper authority to use, fail to use, detach or fail to detach; or

(3) Knowingly or wrongfully to alter; or

(4) To deface or destroy, or fail to deface or destroy, any of the marks, stamps, tags, labels, or other identi-"

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 587 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 587 ordered enrolled.

Assembly Bill No. 600—An act to amend Section 100 of the Agricultural Code, relating to plant quarantine and pest control definitions.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 600?

Amendment No. 1

On page 1, line 9, of the printed bill, after "behavior," insert "which the director, after investigation and hearing, finds and determines to be".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 600 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—65

NOES—None

Assembly Bill No. 600 ordered enrolled

Assembly Bill No. 831—An act to amend Section 9608 of the Business and Professions Code, and to add Sections 9659 and 9660 to said code; and to amend the title to Chapter 5, and Articles 3 and 5 of Chapter 5, of Part 3 of Division 8 of the Health and Safety Code; and to amend Sections 7101, 7925, 7927, 7928, 8701, 8704, 8712, 8714, 8725, 8726, 8727, 8728, 8729, 8730, 8731, 8732, 8733.5, 8735, 8736, 8737, 8738, 8739, 8740, 8741, 8742, 8743, 8744, 8750, 8775, 8780, 9000, 9001, and 9005, and to add Sections 8726.1, 8738.1, 8747, 8751.1, and to repeal Sections 8727, 8734, and 8742, of said code, relating to cemeteries.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 831?

Amendment No. 1

In line 6 of the title of the printed bill, as amended in the Assembly on March 22, 1951, strike out "8727,"

Amendment No. 2

In line 7 of the title of said bill, as amended, strike out "8742,".

Amendment No. 3

On page 3, line 47, of said bill, as amended, strike out "endowment"

Amendment No. 4

On page 4, line 14, of said bill, as amended, strike out "endowment care", and insert "care, maintenance, and embellishment".

Amendment No. 5

On page 4, line 18, of said bill, as amended, after "Endowment", insert "and special".

Amendment No. 6

On page 4, line 43, of said bill, as amended, after "care," insert "maintenance, and embellishment".

Amendment No. 7

On page 6, line 51, of said bill, as amended, strike out "of offices where", and insert "or offices".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 831 by the following vote:

AYES—Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen,

Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—62

NOES—Beck—1.

Assembly Bill No 831 ordered enrolled.

Assembly Bill No. 2206—An act to amend Section 845 of the Fish and Game Code, relating to nets.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2206?

Amendment No. 1

On page 2, line 10, of the printed bill, after the period, insert "Within three days after the commission has been notified in writing that the vessel carrying said seized net has arrived in port, the commission shall remove said net from the vessel unless the owner has furnished a bond in accordance with Section 845 2. Said notice shall be sufficient when delivered to the patrol office of the commission nearest to the port at which the vessel has arrived."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2206 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Smith, Stewart, Thomas, and Tomlinson—57

NOES—Burkhalter, Erwin, Hagen, Hinckley, and Sherwin—5

Assembly Bill No. 2206 ordered enrolled.

Assembly Bill No. 3021—An act to amend the Fish and Game Code by adding thereto a new section designated 1204 to aid in relieving waterfowl depredation to agricultural crops by authorizing the issuance of licenses to feed migratory game birds.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3021?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend", and insert "to add Section 1204 to".

Amendment No. 2

In line 1 of the title of said bill, strike out "by adding thereto a"; strike out line 2 of the title; and in line 3 of the title, strike out "depredation to agricultural crops by authorizing", and insert "relating to".

Amendment No. 3

On page 1, lines 3 and 4, of said bill, strike out "In order to aid in relieving widespread waterfowl depredation to agricultural crops."

Amendment No. 4

On page 1, lines 5 and 6, of said bill, strike out "under such regulations as it may prescribe".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3021 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes,

Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, and Waters—67

NOES—None.

Assembly Bill No. 3021 ordered enrolled.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Waters to reconsider the vote whereby Assembly Bill No 877 was refused passage, was continued until the next legislative day.

RECONSIDERATION OF SENATE BILL NO. 789

In compliance with a notice given on a previous day, Mr. Hansen moved that the vote whereby Senate Bill No 789 was refused passage be reconsidered.

The roll was called, and Senate Bill No. 789 reconsidered by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—66.

NOES—None.

Senate Bill No. 789 ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT THAT COMMUNICATION BE PRINTED IN JOURNAL

Mr. Waters asked for, and was granted, unanimous consent that a communication from the State Franchise Tax Board be ordered printed in the Journal in 10 point type, as follows:

STATE OF CALIFORNIA
OFFICE OF FRANCHISE TAX BOARD
SACRAMENTO, March 27, 1951

Honorable Clarence C. Ward
Senate Chamber, State Capitol
Sacramento, California

DEAR SENATOR WARD:

RE: SENATE BILL NO. 176

It is understood some misunderstanding may have arisen concerning your proposal to amend Section 17015 of the Personal Income Tax Law.

Under the present section an individual who spends in the aggregate more than nine months of the taxable year within the State or maintains a permanent place of abode within the State is presumed to be a resident. The presumption may be overcome by satisfactory evidence that the individual is in the State for a temporary or transitory purpose. You propose to amend this section to eliminate the provision creating a presumption of residence because of the maintenance of a permanent

place of abode within the State. No other provisions of the section are to be changed, and the presumption of residence in the case of a person who spends more than nine months of a year within the State will remain in effect.

Mere ownership of residential property within a State is not a proper basis for the establishment of a domiciliary or residential status therein, nor has this office ever attempted to tax an individual as a resident merely because he owns property in California. In effect the maintenance of a place of abode in California is merely one factor in a determination of the residence question. In addition it is necessary to show that the person actually lived in California for a substantial portion of the year.

It is understood that many individuals living outside the State and making occasional visits to California have been deterred from acquiring residential property in this State because by doing so they would under the present law be presumed to be residents without further proof of having spent any time in California. While the present law has this effect, it seems clear that such a result was never intended and in order to alleviate any fears such persons may have in acquiring California property it is believed advisable to eliminate this provision from the Act.

Very truly yours

JOHN J. CAMPBELL, Executive Officer

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1018

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1018, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1018

Assembly Bill No. 1018—An act to add Section 3928.1 to, and to amend Section 3946 of, the Elections Code, relating to direct primary ballots.

Bill read third time.

Motion to Amend

Mr. Sam L. Collins moved the adoption of the following amendments:

Amendment No. 1

In the printed "Official Primary Election Ballot, Republican Party", as amended in the Assembly on April 13, 1951, above the perforated line, enclose "Absentee Ballots May Be Marked With Pen and Ink or Pencil" in parentheses, and delete the underlining under "May Be Marked With".

Amendment No. 2

In column 1 of said "Official Primary Election Ballot, Republican Party," strike out the line reading "Republican" after the name "JOHN TOURTILLOTTE"; and after said name in the same line, insert "Rep"

Amendment No. 3

In the printed "Official Primary Election Ballot, Nonpartisan Ballot," above the perforated line and below the line reading "Mark Crosses (+) on Ballot [*only with Rubber Stamp*]: never with pen or pencil", insert "(*ABSENTEE BALLOTS* MAY BE MARKED WITH *PEN AND INK OR PENCIL*)".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 841, on motion of Mr. Hagen.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 467—An act to amend Sections 20344 and 20344.1 of the Education Code, relating to the support of the public schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1289—An act to amend Section 20800 of Chapter 7 of Division 8 of the Business and Professions Code, relating to petroleum.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—68

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 10:41 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 1682—An act to amend Section 942 of the Insurance Code, relating to the liability of the State of California for the custody and safe return of securities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1667—An act to add Sections 31047, 31048, and 31049 to the Water Code, relating to county water districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—69.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Richard H. McCollister Presiding

At 10.45 a.m., Hon. Richard H. McCollister, Member of the Assembly from the Seventh District, presiding.

Assembly Bill No. 2003—An act to amend Sections 6855, 6858, 6861, 6862, 6863, 6875, 6876, 6877, 6878, 6881, 6885, 6886, 6891, 6906, 6908, 6913, 6914, 6915, 6921, 6922, 6923, 6925, 6931, 6948, and 6956, and to repeal Sections 6938, 6941, 6942, 6943, and 6944 of the Business and Professions Code, and to add thereto Section 6859, all relating to the licensing and regulation of collection agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2142—An act to add Section 1228 to, and Chapter 6, comprising Sections 6600 to 6607, inclusive, to Division 7, Title 1 of, the Government Code, and to repeal an act entitled "An act forbidding the employment of the inmates of state institutions in the manufacture, or production of articles, for the use of state officers, or the officers and employees of state institutions," approved March 19, 1903, and an act entitled "An act relating to certain funds and property of inmates of state homes, reformatories, hospitals, prisons and other institutions and the expenditure thereof," approved May 31, 1929, relating to the employment and property of inmates of state institutions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly,

Kilpatrick, Kirkwood, Lanterman, Levering, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—66.

NOES—None

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 10.52 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 3369—An act to add Sections 6489.5 and 6546 to the Health and Safety Code, relating to sanitary districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

Motion to Amend Title

Mr. McCollister moved the adoption of the following amendment to the title:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 16, 1951, strike out "and 6546".

Amendment read, and adopted.

Bill ordered reprinted, and transmitted to the Senate

Assembly Bill No. 1011—An act to amend Section 380 of the Vehicle Code, relating to fees to be paid for transfer of title or interest in a vehicle.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Doyle, Dunn, Elliott, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Thomas, Tomlinson, and Mr Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Stanford C. Shaw Presiding

At 10.58 a.m., Hon. Stanford C. Shaw, Member of the Assembly from the Seventy-second District, presiding.

Assembly Bill No. 1013—An act to add Section 210.1 to the Vehicle Code, relating to registration on nonresident vehicles

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—66.

NOES—Beck and Geddes—2.

Bill ordered transmitted to the Senate

Speaker Pro Tempore Presiding

At 11.05 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 625—An act to add Section 101.5 to the Labor Code, relating to filing fees.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 658—An act to amend and renumber Section 1714.5 of the Civil Code, relating to negligence as a matter of law, and defenses for acts or omissions in complying with orders or proclamations of military and civil authorities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Kelly, Kilpatrick, Kirkwood, Lanterman, Lincoln, Lindsay, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 950—An act to amend Section 1018 of the Penal Code, relating to pleadings and proceedings after indictment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Cloyed, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Elliott, Evans, Fleury, Gaffney, Grant, Hagen, Hahn, Hawkins, Henderson, Kilpatrick, Klocksiem, Lanterman, Luckel, McCarthy, McCollister, McFall, McGee,

Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Thomas, Tomlinson, and Waters—48.

NOES—Conrad, Grunsky, Hansen, Lindsay, Maloney, Sherwin, Silliman, and Stewart—8

Bill ordered transmitted to the Senate.

Assembly Bill No. 1075—An act to add Section 14551 to the Health and Safety Code, relating to fire protection districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67

NOES—Hagen—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1788—An act to repeal Article 2 of Chapter 4 of Division 4 of Title 4 of the Government Code, relating to the authorization and issuance of bonds of cities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—72.

NOES—None.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1315

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 1315, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1315

Assembly Bill No. 1315—An act to amend and renumber Section 25561 of the Government Code added to said code by an act entitled "An act to add Section 4041.5a to the Political Code, and Section 25561 to the Government Code, relating to the power of the board of supervisors to provide operas and other entertainment," approved July 10, 1947, relating to powers of boards of supervisors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney,

Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and MR. SPEAKER—70.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1951

MR SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 849
Assembly Bill No. 1014
Assembly Bill No. 1176
Assembly Bill No. 1616
Assembly Bill No. 1803
Assembly Bill No. 1839
Assembly Bill No. 2663
Assembly Bill No. 2890
Assembly Bill No. 3048
Assembly Bill No. 3280
Assembly Bill No. 3384

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 28
Assembly Joint Resolution No. 29

And reports the same correctly engrossed

BURKE, Chairman

Above reported resolutions ordered on file for adoption

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 1562
Assembly Bill No. 2196

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 3245

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Senate Bill No. 909

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 1541
Assembly Bill No. 3221

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred

Assembly Bill No. 2005

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SHERWIN, Chairman

Above reported bill ordered to second reading.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Senate Bill No. 185
Senate Bill No. 186
Senate Bill No. 187
Senate Bill No. 188
Senate Bill No. 191
Senate Bill No. 192
Senate Bill No. 193
Senate Bill No. 194
Senate Bill No. 195
Senate Bill No. 197
Senate Bill No. 198
Senate Bill No. 199
Senate Bill No. 200
Senate Bill No. 201
Senate Bill No. 202
Senate Bill No. 780

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No. 881

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Senate Bill No. 781
Senate Bill No. 782
Senate Bill No. 217

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 91
Assembly Bill No. 1523

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

GEDDES, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Senate Bill No. 196

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

GEDDES, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, April 16, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 1632

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

BROWN, Chairman

Above reported bill ordered to second reading.

Hon. Augustus F. Hawkins Presiding

At 11:21 a.m., Hon. Augustus F. Hawkins, Member of the Assembly from the Sixty-second District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2211—An act to amend Sections 8 and 11 of, and to add Section 11.1 to, the District Investigation Act of 1933, relating to districts.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Waters—70

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3045—An act to amend Section 1551 of the Labor Code, relating to employment agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Waters—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3046—An act to amend Section 1581 of the Labor Code, relating to employment agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Thomas, and Waters—67

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 3049—An act to add Sections 1622.1 and 1622.2 to the Labor Code, relating to employment agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, and Waters—73

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3204—An act to add Section 1581.1 to the Labor Code, relating to employment agencies

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—72

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 980—An act to amend Section 6410 of the Labor Code, relating to the failure to report injuries and the penalty therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Kelly, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—69.

NOES—None.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 44: By Mr. Waters—Approving 14 certain amendments to the charter of the City of Los Angeles, a municipal corporation, in the County of Los Angeles, State of California, voted for and ratified by the electors of said city at a general municipal election held therein on the third day of April, 1951.

Referred to Committee on Rules.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 666—An act to add Section 272 of the Labor Code, relating to security for wages.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Waters—67.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP MOTION TO RECONSIDER AMENDMENTS TO ASSEMBLY BILL NO. 2530

Mr. Davis asked for, and was granted, unanimous consent that he be permitted to take up his motion to reconsider amendments to Assembly Bill No. 2530, temporarily passed on the unfinished business file, out of order, at this time.

MOTION TO RECONSIDER AMENDMENTS TO ASSEMBLY BILL NO. 2530

In compliance with a notice given on a previous day, Mr. Davis moved that the vote whereby amendments to Assembly Bill No. 2530 were adopted be reconsidered.

Demand for Previous Question

Messrs. Hinckley, Waters, Silliman, Hansen, and Dickey demanded the previous question.

Demand for previous question sustained.

The question being on the motion by Mr. Davis to reconsider the vote whereby amendments to Assembly Bill No. 2530 were adopted.

Speaker Presiding

At 11.53 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Davis moved a call of the Assembly.

Motion carried. Time, 11.54 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brown, Condon, and McFall—3

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Connolly asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1951

MR SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 44

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 44

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

Request for Unanimous Consent to Take Up Assembly Concurrent Resolution No. 44

Mr. Waters asked for, and was granted, unanimous consent that he be permitted to take up Assembly Concurrent Resolution No. 44, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 44

Assembly Concurrent Resolution No. 44—Approving 14 certain amendments to the charter of the City of Los Angeles, a municipal corporation, in the County of Los Angeles, State of California, voted for and ratified by the electors of said city at a general municipal election held therein on the third day of April, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney,

McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1014—An act to amend Section 320 of the Vehicle Code, relating to records.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Lanterman, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—61

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1613—An act to add Section 372.4 to the Vehicle Code, relating to vehicle registration fees

Bill read third time.

Motion to Amend

Mr. Gubser moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in the Assembly on April 16, 1951, strike out "is not used or maintained", and insert "will not be used during the current registration year".

Amendment No. 2

On page 1, line 7, of said bill, strike out "occasionally in transporting property", and insert "only occasionally".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 2663—An act to amend Section 515 of the Vehicle Code, relating to speed limits per vehicles

Bill read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Babbage, Berry, Caldecott, Chapel, Cloyed, George D. Collins, Condon, Cooke, Dickey, Doyle, Dunn, Elliott, Evans, Gaffney, Gubser, Hagen, Hansen, Hawkins, Henderson, Kilpatrick, Kirkwood, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Porter, Rumford, Sherwin, Smith, Stanley, and Thomas—38

NOES—Beck, Belotti, Brady, Brown, Burke, Burkhalter, Coats, Collier, Connolly, Conrad, Crowley, Davis, Dolwig, Erwin, Fleury, Geddes, Grant, Grunsky, Hahn, Hinckley, Kelly, Klocksiem, Lanterman, Levering, Lowrey, McCarthy, McCollister, McFall, Moss, Parker, Rosenthal, Shaw, Stewart, Tomlinson, and Waters—35.

Notice of Motion to Reconsider Assembly Bill No. 2663

Mr. Chapel gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2663 was this day refused passage.

COMMUNICATIONS

By the Chief Clerk:

A communication from Russell C. Horstmann, Assessor of the County of Alameda, acknowledging receipt of Assembly Concurrent Resolution No 34, and reminding the Members of the Legislature that veterans of the Korean campaigns are not yet eligible for veterans' exemption, was received, ordered noted in the Journal, and the letter filed with the Secretary of State.

By the Chief Clerk:

A communication from Jack N. Bosboff, Assessor, County of Lassen, acknowledging receipt of Assembly Concurrent Resolution No. 34, and accepting the action of this resolution as a law for Korean War veterans' exemption, was received, ordered noted in the Journal, and the letter filed with the Secretary of State.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3280—An act to amend Section 44 of the Vehicle Code, relating to authorized emergency vehicles.

Bill read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Belotti, Berry, Brown, Caldecott, Chapel, Clarke, Coats, George D. Collins, Connolly, Cooke, Dolwig, Doyle, Erwin, Gaffney, Geddes, Gubser, Hagen, Klocksiem, Lindsay, Luckel, Lyon, Maloney, McCollister, Meyers, Niehouse, Parker, Rumford, Shaw, and Thomas—29.

NOES—Babbage, Beck, Brady, Burke, Burkhalter, Cloyed, Collier, Condon, Conrad, Dills, Dunn, Evans, Fleury, Grant, Grunsky, Hahn, Hansen, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Levering, Lipscomb, Lowrey, McCarthy, McFall, McGee, Moss, Munnell, Rosenthal, Sherwin, Smith, Stanley, Stewart, Tomlinson, and Waters—37.

Notice of Motion to Reconsider Assembly Bill No. 3280

Mr Dolwig gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No 3280 was this day refused passage.

Assembly Bill No. 1955—An act to amend Section 694 of the Vehicle Code, relating to the size, weight, and loading of vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2664—An act to amend Sections 3017 and 3019 of the Civil Code, and to add a new section numbered 3030, relating to the assignment of accounts receivable and giving notice thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—78.

NOES—None.

Motion to Amend Title

Mr. Connolly moved the adoption of the following amendment to the title:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 16, 1951, strike out "3108", and insert "3018".

Amendment read, and adopted.

Bill ordered reprinted, and transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON AMENDMENTS TO ASSEMBLY BILL NO. 2530

At 12.35 p.m., on motion of Mr. Davis, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and reconsideration of the vote whereby amendments to Assembly Bill No. 2530 were adopted was refused by the following vote:

AYES—Babbage, Belotti, Brady, Brown, Caldecott, Clarke, Cloyed, Coats, Condon, Cooke, Crowley, Davis, Dickey, Dolwig, Fleury, Grunsky, Gubser, Hagen, Hansen, Henderson, Kelly, Kirkwood, Lincoln, Lindsay, Lowrey, Luckel, McCollister, McFall, Moss, Niehouse, Parker, Rumford, Sherwin, Stanley, and Tomlinson—35.

NOES—Beck, Berry, Burke, Burkhalter, Chapel, Collier, George D. Collins, Connolly, Conrad, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Hahn, Hawkins, Hinckley, Kilpatrick, Klocksiem, Lanterman, Levering, Lipscomb, Lyon, Maloney, McCarthy, McGee, McMillan, Meyers, Morris, Munnell, Porter, Rosenthal, Shaw, Silliman, Smith, Stewart, Thomas, and Waters—42.

Bill ordered reprinted, and re-engrossed.

RECESS

At 12.39 p.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

RESOLUTIONS

The following resolution was offered:

By Mr. Morris:

House Resolution No. 117

Relative to the creation of the Assembly Committee on State-Federal Cooperation in the Discovery, Production, Transportation, Refining, and Use of Petroleum

WHEREAS, An Assembly interim committee on the subject of this resolution was first created in 1943, and committees thereon have subsequently been created; and

WHEREAS, There is a continuing need for legislative investigation, study, and fact-finding in this field; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Committee on State-Federal Cooperation in the Discovery, Production, Transportation, Refining, and Use of Petroleum Oil and Its Products is

hereby created and authorized and directed to ascertain, study, and analyze all facts relating to

(a) The subject (within the scope of legislative regulation and control) of attaining maximum efficiency and minimum waste at all the various phases of the discovery, production, transportation, refining, and use of oil, gas and other hydrocarbon substances, including production thereof from lands owned by the State, public agencies, and political subdivisions, cooperating therein to the fullest extent in every way with federal agencies; and

(b) The title of the State of California and its grantees in and to the tide, submerged and reclaimed lands lying within its borders and adjacent to its seacoast, the use, administration, and management thereof by the State and its grantees, any attacks by federal officials relating thereto, litigation with reference thereto, and legislation pending in Congress affecting such title, and any and all matters relating thereto or connected therewith or which affect the interests of the State therein, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the report its recommendations for appropriate legislation.

2. The committee shall consist of the Speaker of the Assembly and four Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To meet at the State Capitol or at any other place in this State or within the United States.

(f) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of _____ dollars ($_____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1176—An act to amend Sections 668, 3024, and 3045 of the Penal Code, relating to pleading and proof of prior convictions.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Brown moved a call of the Assembly.

Motion carried. Time, 2.04 p m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Babbage, Brady, Burke, Burkhalter, Caldecott, Chapel, Coats, Condon, Connolly, Cooke, Davis, Dickey, Dolwig, Dunn, Elliott, Evans, Fleury, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lipscomb, Lyon, McCarthy, McCollister, McGee, Meyers, Moss, Niehouse, Smith, Stewart, and Waters—41

Further Proceedings Under Call of the Assembly Dispensed With on Assembly Bill No. 1176

At 2 19 p.m., on motion of Mr. Brown, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1176 passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloved, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Crowley, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—68

NOES—None.

Bill ordered transmitted to the Senate

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 456—An act to amend Sections 1230, 1250, and 1340.5 of the Fish and Game Code, relating to predatory and protected mammals,

Assembly Bill No. 556—An act to amend Section 673 of the Agricultural Code, relating to reports of imitation milk products and oleomargarine;

Assembly Bill No. 557—An act to amend Section 682 of the Agricultural Code, relating to licenses for testers, samplers, weighers, and pasteurizers;

And reports that the same have been correctly enrolled, and presented to the Governor on the seventeenth day of April, 1951, at 2 p m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 608—An act to provide for the disposition of the unexpended balance of moneys in the Third San Francisco Seawall Fund,

Assembly Bill No. 628—An act to amend Section 806 of the Fish and Game Code, relating to shellfish;

Assembly Bill No. 630—An act to amend Section 432 6 of the Fish and Game Code, relating to licenses;

And reports that the same have been correctly enrolled, and presented to the Governor on the seventeenth day of April, 1951, at 2 p m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 944—An act to amend Section 1157 of the Fish and Game Code, relating to game birds and mammals;

Assembly Bill No. 1123—An act to amend Section 5006 of the Education Code, relating to bonding school district employees,

Assembly Bill No. 2450—An act to amend Section 1873 of the Civil Code, relating to unclaimed property;

And reports that the same have been correctly enrolled, and presented to the Governor on the seventeenth day of April, 1951, at 2 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 2733—An act to amend Section 971 of the Fish and Game Code, relating to traps and diving equipment,

Assembly Bill No. 2734—An act to amend Section 450 5 of the Fish and Game Code, relating to diving;

Assembly Bill No. 2810—An act to repeal Section 12024.4 of the Business and Professions Code, relating to the sale of poultry, fowl, and rabbits by weight, declaring the urgency thereof, to take effect immediately,

And reports that the same have been correctly enrolled, and presented to the Governor on the seventeenth day of April, 1951, at 2 p m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1951

MR SPEAKER Your Committee on Legislative Procedure has examined.

Assembly Bill No. 2920—An act to add Section 188 1 to the Streets and Highways Code, relating to the expenditure of state highway funds, declaring the urgency thereof, and providing that this act shall take effect immediately;

And reports that the same has been correctly enrolled, and presented to the Governor on the seventeenth day of April, 1951, at 2 p m

BURKE, Chairman

ASSEMBLY CHAMBER SACRAMENTO, April 17, 1951

MR SPEAKER Your Committee on Legislative Procedure has examined.

Assembly Joint Resolution No. 20—Relative to the use of federal gasoline tax money,

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the seventeenth day of April, 1951, at 2 p m

BURKE, Chairman

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 2061

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass, as amended

SHERWIN, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1299—An act to amend Section 195 of the Vehicle Code, relating to chattel mortgages on vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—*Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters,* and Mr Speaker—66

NOES—*None*

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1616 HOLD PLACE ON FILE

Mr. Crowley asked for, and was granted, unanimous consent that Assembly Bill No. 1616 be passed on file, and hold its place on file on the next legislative day.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1839—An act to amend Sections 542, 689b, 690.24, and 690.26 of the Code of Civil Procedure, relating to supplementary proceedings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3384—An act to amend Sections 337b and 337c of the Penal Code, relating to bribery in connection with sporting events, contests and exhibitions and punishment therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—73

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1076—An act to amend Section 35311 of the Government Code, relating to the annexation of territory.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Connolly, Cooke, Crowley, Dills, Dolwig, Doyle, Evans, Fleury, Gaffney, Geddes, Hahn, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, and Thomas—49.

NOES—Condon, Conrad, Dunn, Erwin, Grunsky, Hagen, Hansen, Hinckley, Kirkwood, Levering, Lindsay, Sherwin, Smith, Stewart, and Tomlinson—15.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1803—An act to amend Section 19210 of the Streets and Highways Code, relating to highway lighting districts.

Bill read third time.

Motion to Amend

Mr. Porter moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 21, of the printed bill, as amended in the Assembly on April 16, 1951, after "more", insert "property owners".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 2890—An act adding Section 5161 to the Public Resources Code, relating to the use of county parks.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—74.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 849—An act to amend Sections 4, 6, and 11 of the Defense Production Act, relating to employment and working conditions of female employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—George D. Collins—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3048—An act to amend Section 205 of the Labor Code, relating to the payment of wages.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—73.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 907—An act to amend Section 45 of the Public Utility District Act of 1921, relating to debts in excess of limits being void except in cases where district finances water works by bond issue paying indebtedness out of revenues, by authorizing district to issue such bonds and to pledge revenues of such water works to payment thereof.

Bill read third time.

Motion to Amend

Mrs. Niehouse moved the adoption of the following amendments:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "of 1921"

Amendment No. 2

On page 1, line 2, of said bill, strike out "of 1921"

Amendments read, and adopted

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2203 BE RE-REFERRED TO COMMITTEE

Mr. Elliott asked for, and was granted, unanimous consent that Assembly Bill No. 2203 be withdrawn from the third reading file, and be re-referred to the Committee on Ways and Means.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2229—An act to amend Sections 30 and 89 of the Community Redevelopment Act, relating to community redevelopment.

Bill read third time.

Motion to Amend

Mr. Condon moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on April 13, 1951, after "Act", insert "and to amend Sections 33330, 33333, and 33450 of the Health and Safety Code".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 2 of said bill, after line 35, insert

"SEC. 3. Section 33450 of the Health and Safety Code is amended to read

33450. Before any area is designated for redevelopment, [a] *the* community *authorized to undertake such development* shall comply with the requirements of this article.

SEC. 4. Section 33330 of said code is amended to read

33330. Two or more agencies within two or more communities may jointly exercise the powers granted under this part. In such case the agencies, the planning commissions, and the legislative bodies may hold joint hearings and meetings, or the legislative bodies of the communities acting separately may each designate the agency of one of the communities to act as the agency [of] *for* all of the interested communities.

SEC. 5. Section 33333 of said code is amended to read:

33333. [By resolution the legislative body of any community may consent to the inclusion of a part of the area under its jurisdiction in a contiguous project area to be developed by another community.] *By ordinance the legislative body of a community may authorize the redevelopment of an area within its territorial limits by another community if such area is contiguous to such other community. The ordinance*

shall designate the community to undertake such redevelopment. The community so authorized may undertake the redevelopment of such area in all respects as if the area was within its territorial limits and its legislative body, agency, and planning commission shall have all the rights, powers, and privileges with respect to such area as if it was within the territorial limits of the community so authorized. Neither the legislative body, agency, nor planning commission of the community so authorizing shall be required to comply with any requirements of this part except as set forth in this section. Any redevelopment plan for such area shall be approved by ordinance enacted by the legislative body of the community so authorizing.

SEC. 6. Sections 3, 4, and 5 of this act become operative only if Division 24 of the Health and Safety Code is enacted by the Legislature at its 1951 Regular Session, and in such case at the same time as said Division 24 takes effect, at which time Sections 30 and 89 of the Community Redevelopment Act are repealed."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 1222, on motion of Mr. Stewart.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1698—An act to amend Section 6810 of the Business and Professions Code, relating to the registration of professional engineers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, Waters, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Vote Be Changed Upon Roll Call

Mr. Fleury asked for, and was granted, unanimous consent that his vote be changed upon the roll call on Assembly Bill No. 1698, and that he be recorded as voting "Aye" instead of "No".

Assembly Joint Resolution No. 27—Relative to General Douglas MacArthur.

Resolution read.

Motion to Amend

Mr. McCarthy moved the adoption of an amendment:

Point of Order

Mr. Lyon arose to the following point of order: That Assembly Joint Resolution No. 27 is a joint resolution and it is questionable if an amendment is germane to the subject.

Ruling by Speaker

Speaker Sam L. Collins ruled the amendment germane, and the point of order not well taken.

Motion to Amend

Mr. McCarthy moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 18, of the printed measure, after "for", strike out "and great faith in, General Douglas MacArthur", and insert "General Douglas MacArthur's distinguished military record",

Amendment read, and adopted.

Request for Unanimous Consent to Take Up Assembly Joint Resolution No. 27, as Amended

Mr. Lyon asked for unanimous consent that he be permitted to take up Assembly Joint Resolution No. 27, as amended, at this time, without reference to reprint or file, and that the same be considered re-engrossed.

Mr. Cooke withheld unanimous consent.

Motion to Temporarily Suspend the Rules

Mr. Lyon moved that the Rules be temporarily suspended for the purpose of considering Assembly Joint Resolution No. 27, as amended, at this time, without reference to reprint or file, and that the same be considered re-engrossed.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr Speaker—66.

NOES—George D. Collins—1.

Consideration of Assembly Joint Resolution No. 27, as Amended

Assembly Joint Resolution No. 27—Relative to General Douglas MacArthur.

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—64.

NOES—George D. Collins and Cooke—2.

Resolution ordered reprinted, and transmitted to the Senate.

Explanation of Vote on Assembly Joint Resolution No. 27

I have great respect for General MacArthur, and would join wholeheartedly in commendation for many of his achievements, but I feel that this resolution is ill-timed. I recognize his great service and ability, but I have not had great faith in all of the General's actions. I voted "No."

JOHN B. COOKE

MOTION TO SET SPECIAL ORDER

Mr. Erwin moved that Assembly Bill No 868 be made a special order of business for Thursday, April 19, 1951, at 10.30 a.m.

Motion carried.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 3377 FROM COMMITTEE

Mr. Klocksiem gave notice that on the second legislative day he would move to withdraw Assembly Bill No. 3377 from the Committee on Boards and Commissions, and have it placed upon the file.

ANNOUNCEMENT

Mr. Dolwig announced that the second list of accredited legislative representatives has been completed, and that credential cards are available for those on said list, in Room 3149.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2943 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. George D. Collins asked for, and was granted, unanimous consent that Assembly Bill No. 2943 be withdrawn from the Committee on Municipal and County Government, and be re-referred to the Committee on Judiciary.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1616

Mr. Erwin asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 1616, passed on file, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1616

Assembly Bill No. 1616—An act to amend Sections 633, 641, and 662 of the Welfare and Institutions Code, relating to institutions in which delinquent and other juveniles are housed, and to the powers and duties of probation officers and probation committees in connection therewith.

Bill read third time.

Motion to Amend

Mr. Crowley moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended, after "officers", strike out "and"

Amendment No. 2

On page 1, line 4, of said bill, strike out "assistant probation officers".

Amendment No. 3

On page 1, line 7, of said bill, strike out "and assistant probation officers".

Amendment No. 4

On page 1, lines 10 and 11, of said bill, strike out "or assistant probation officer".

Amendment No. 5

On page 1, line 14, of said bill, strike out "unless the board of supervisors otherwise provides", and insert "in counties having a population in excess of two million".

Amendment No. 6

On page 1, line 19, of said bill, after "home", strike out the period, and insert "; and provided, further, that any probation officer may accept appointment as member of the Board of Corrections and serve in that capacity in addition to his duties as probation officer and may receive the per diem allowance authorized in Section 6025.1 of the Penal Code"

Amendment No. 7

On page 1, line 19, of said bill, strike out "If the board of supervisors so provides," and insert "In all counties except counties having a population in excess of two million".

Amendment No. 8

On page 1, line 22, of said bill, after "home", strike out the period, and insert "; provided, however, that, if the judge of the juvenile court so directs, the internal affairs of the juvenile hall shall be under the management and control of the probation committee of the county."

Amendment No. 9

On page 2, lines 2 and 3, of said bill, strike out "Unless the board of supervisors otherwise provides," and insert "In counties having a population in excess of two million".

Amendment No. 10

On page 2, line 8, of said bill, strike out "If the board of supervisors so provides," and insert "In all counties except counties having a population in excess of two million".

Amendment No. 11

On page 2, line 11, of said bill, strike out the period, and insert "; provided, however, that, if the judge of the juvenile court so directs, the internal affairs of the juvenile hall shall be under the management and control of the probation committee of the county."

Amendment No. 12

On page 2, lines 17 and 18, of said bill, strike out "Unless the board of supervisors otherwise provides," and insert "In all counties having a population in excess of two million"

Amendment No. 13

On page 2, line 20, of said bill, strike out "If the board of supervisors so provides," and insert "In all counties having a population in excess of two million".

Amendment No. 14

On page 2, line 23, of said bill, after "county", strike out the period, and insert "; provided, however, that, if the judge of the juvenile court so directs, the internal affairs of the juvenile hall shall be under the management and control of the probation committee of the county."

Amendment No. 15

On page 2, line 24, of said bill, strike out "If the board of supervisors so provides", and insert

"If the judge of the juvenile court so directs".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1951

MR SPEAKER: Your Committee on Military Affairs, to which was referred:

Assembly Bill No 2887

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

McCOLLISTER, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2530

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1951

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No. 40

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CROWLEY, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 178	Assembly Bill No. 961
Assembly Bill No. 245	Assembly Bill No. 1980
Assembly Bill No. 543	

And reports the same correctly re-engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 475	Assembly Bill No. 1767
Assembly Bill No. 567	Assembly Bill No. 1829
Assembly Bill No. 576	Assembly Bill No. 2041
Assembly Bill No. 1418	Assembly Bill No. 2743
Assembly Bill No. 1477	Assembly Bill No. 2904
Assembly Bill No. 1506	Assembly Bill No. 3177

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills Nos. 1829 and 178 re-referred to the Committee on Transportation and Commerce.

Assembly Bills Nos. 475, 1418, 1477, 1506, 1767, and 961 re-referred to the Committee on Judiciary.

Assembly Bills Nos. 245, 567, and 576 re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 2041 re-referred to the Committee on Municipal and County Government.

Assembly Bills Nos. 2743 and 1980 re-referred to the Committee on Ways and Means.

Assembly Bills Nos. 543 and 3177 re-referred to the Committee on Industrial Relations.

Assembly Bill No. 2904 re-referred to the Committee on Education.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 17, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted

Assembly Joint Resolution No. 27

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 3 p.m.—

Social Welfare, in Room 430.

At 8 p.m.—

Fish and Game, in Room 426.

Judiciary, in Room 435.

Today Upon Adjournment—

Public Health, in Room 426.

Agriculture, in Room 432.

Elections and Reapportionment, in Room 435.

Subcommittee on Judiciary, in Room 436. Subject: Mechanic's Lien Bills.

Special Committee on Televising Intercollegiate Games, in Room 319. Subject: Assembly Bill No. 224 and House Resolution No. 24.

Tomorrow, Wednesday, April 18th, at 9.30 a.m.—

Rules, in Room 319.

REQUEST FOR UNANIMOUS CONSENT REPORTS BE PRINTED IN JOURNAL

Mr. Dolwig asked for, and was granted, unanimous consent that the three following reports from the Assembly Committee on Legislative Representation be ordered printed in the Journal, in 10-point type:

REPORT OF ASSEMBLY COMMITTEE ON LEGISLATIVE REPRESENTATION

CALIFORNIA LEGISLATURE
ASSEMBLY COMMITTEE ON LEGISLATIVE REPRESENTATION
April 16, 1951

Honorable Sam L. Collins
Speaker of the Assembly
State Capitol, Sacramento, California

MR. SPEAKER: Your Committee on Legislative Representation at a meeting held on Thursday, April 12th, took under consideration the registration for certificate as legislative advocate of George McLain.

In conformity with the authority vested in it, your committee has reviewed the registration and reports of George McLain and has found that he has complied with the provisions of Chapter 8, Part 1, of Subdivision 2 of Title 2 of the Government Code. After five days from the filing of this report a certificate of registration as legislative advocate will be issued to him unless good cause to the contrary appears as provided by Government Code, Section 9909, Subdivision 3.

Respectfully submitted.

RICHARD J. DOLWIG, Chairman

REPORT OF ASSEMBLY COMMITTEE ON LEGISLATIVE REPRESENTATION

CALIFORNIA LEGISLATURE
ASSEMBLY COMMITTEE ON LEGISLATIVE REPRESENTATION
April 16, 1951

Honorable Sam L. Collins
Speaker of the Assembly
State Capitol, Sacramento, California

MR. SPEAKER: Your Committee on Legislative Representation at a meeting held on Thursday, April 12th, took under consideration the registration for certificate as legislative advocate of William H. Mattox.

In accordance with Section 9906 5 of the Government Code, and the rules of your committee, the certificate of William H. Mattox to act as legislative advocate was denied.

Respectfully submitted.

RICHARD J. DOLWIG, Chairman

REPORT OF ASSEMBLY COMMITTEE ON LEGISLATIVE REPRESENTATION

CALIFORNIA LEGISLATURE
ASSEMBLY COMMITTEE ON LEGISLATIVE REPRESENTATION
April 16, 1951

Honorable Sam L. Collins
Speaker of the Assembly
State Capitol, Sacramento, California

MR. SPEAKER: Your Committee on Legislative Representation at a meeting held on Thursday, April 12th, took under consideration the registration for certificate as legislative advocate of Arthur H Samish.

In accordance with Subsection 1, Section 9909 of the Government Code, and the rules of your committee, the certificate of Arthur H. Samish to act as legislative advocate was denied.

Respectfully submitted.

RICHARD J. DOLWIG, Chairman

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Belotti, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. J. C. Thornton, Mr. and Mrs. L L. Hughes, and Mr. and Mrs. Ray Ingels, of Potter Valley.

On request of Mr. Coats, the usual courtesies of the Assembly for this day were unanimously extended to Albert King of Oroville, former Assemblyman.

On request of Mr. Hahn, the usual courtesies of the Assembly for this day were unanimously extended to Brutus Hamilton of Berkeley, Al Masters of Palo Alto, and Wilbur Johns and Bill Nicolas of Los Angeles

On request of Mr. Dolwig, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. May B. Ripley and Lloyd Lynes, teachers, and the following pupils of the Hoover School: Carol

Baccigaluppi, John Burnett, Juanita Fay, Gordon Flynn, John Foley, Robert Gamette, Katharine Gilbreath, Connie Griggs, John Hansen, Thomas Hendrick, Nancy Jensen, Deanna Kendall, John Matthews, Diana Montgomery, Priscilla Morse, Roger Peterson, Joseph Tuoto, Sally Wolfe, Doris Potter, Kenneth Schiring, Marianne Smith, Norman Swift, and Linda Thorpe.

On request of Mr. Shaw, the usual courtesies of the Assembly for this day were unanimously extended to Mr and Mrs Ralph Shaw and Mrs Leila Shaw of Ontario

On request of Messrs McFall and Parker, the usual courtesies of the Assembly for this day were unanimously extended to James Eachus and Mrs Edna Foppiano, teachers, and the following pupils of the Woods School: Marcia Fry, Roselon Mustin, Mary Mettler, Stephanie Moore, Janice Miller, Wanda Redfearn, Norma Havel, Jo Ann Dawson, Wanda Palmer, Veralyn Bice, Maxine Horst, Sally Burnett, Danene Wencel, Ruth Corinth, Francisca Tuesada, Marlene Manna, Katherine Stevens, Shirley Nichols, Colette Christopherson, Mary Tsutaoka, Carmon Turner, Janet Lippert, Delfina Castellanos, Grant Young, Paul Long, Gerald Seibel, Freddie Nishizaki, Curtis Stewart, Ernie Decker, Donald Decker, Raymond Quesada, Keith Sawyer, Jimmy Wagner, Hubert Nordman, Ronald Liddicoat, Lynn Bowers, Marshall Fields, Richard Nickel, J. D. Jantzen, Donald Schmollinger, and Alan Rohnow.

On request of Mr Lincoln, the usual courtesies of the Assembly for this day were unanimously extended to S. W Johnson and J. D. Hardt, teachers, and the following pupils of the Golden Gate Academy of Oakland: Pat Mason, Peggy Stoner, LaVona Dick, Pearl Dean, Donald Hardt, Ronald Fasano, Pat Powell, Leah Riddell, Gladys Lyons, Dorothy Sanders, Jim Alldis, Kenneth Burt, and Elizabeth Costa-Reeve.

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to Mr. Cartwright and Mrs. Madsen, teacher, and the following pupils of the Bret Harte School: Agapito Buno, Gerald Crosby, Walter Daquioag, Edward Davis, Edwin Deselms, Jimmy Eddy, Roy Fuller, Richard Fulkerson, Weldon Gibbs, Lee Hawthorne, Robert Jensen, Eugene Kelley, William Rodriquez, Bernhard Stefanson, Paul Valdez, Gene Watson, Shirley Amiot, Virginia Andrew, Patricia Eastin, Barbara Garrison, Carolyn Graham, Jacqueline Harkness, Constance Hurschmann, Phyliss MacKay, Nelda Maddock, Frances Molina, Madeleine Oznua, Lois Pike, Sally Pike, Dolores Shoeman, Fabiola Tafoya, Bessie Underwood, Mona Underwood, and Greta Henry.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Lena B. Everett, teacher, and the following pupils of the Stanford Jr. High School: Richard Buchignani, Don Chaney, Gael Colby, Marilyn Collis, Clifford Dornberger, Jimmy Doull, Ronald Hampshire, Stanley Lunetta, Billy Lyons, Patricia Marcario, Yvonne Medin, Russell Merical, Joan Mintz, Virginia Abbott, Marjorie Baker, Dee Mull, Charles Perry, Patricia Ramsey, Ramona Reed, Ib Schmidt, June Sigler, Ellyn Spindler, Don Stevens, Terry Voet, Jilsephine VonKaufman, Arlene Williams, and Janice Yockey.

On request of Mr. Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to John C. McPherson, teacher, and the following pupils of the Alta School: Jack Bilderback, Connie Freeland, Beverly Kent, Sonja Wilson, Barbara White, and Faye Wortell.

On request of Mr. Porter, the usual courtesies of the Assembly for this day were unanimously extended to P. H. Van Horsen of Bellflower.

On request of Mr. McCollister, the usual courtesies of the Assembly for this day were unanimously extended to Wm. Milliken and 22 members of the Marin County Republican Central Committee

On request of Mr Hansen, the usual courtesies of the Assembly for this day were unanimously extended to Andy Tarailo, Alice Karsehen, Dorothy Richardson, Le Roy Bitter, Gary Richardson, Gerry Milnes, Irene Koller, and Glenn Koller of the Fresno County Farm Bureau Young Peoples Department.

On request of Mr. Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to John W. Woods and Mildred Barry, teachers, and the following pupils of the Lincoln School: Caroline F. Alvarez, Venora Larue Asay, Helen Kimiko Asazawa, James Francis Bachman, Joyce Faye Baxter, Gerald Star Benedict, Nancylee Bettencourt, Lawrence Dean Biddle, William Delmar Burrows, Patricia Carole Dalton, Eli Peter Demas, Ronald Gene Derobertis, Margaret Elizabeth Dettling, David Brown Dubin, Dale R. Eifertsen, Juanell Evans, Robert Arnold Flowers, Carl Bernard Flowers, Raymond James Fiorelli, Dixie Faye Foreman, Gail Leslie Foreman, FloraLee Harter, Suzanne Marie Hayward, Delbert Clarence Hedges, Helen Hopper, Sheryl Rae Hughes, James W Jones, Yuji Kaneko, Edmund M Layton, Charles Louis Leavell, Joe V. Lopez, Arthur C. Lucas, Jr., Susan Joyce Mason, Alice Margaret McCartney, David Theordor McCartney, David S Melendrez, Joanne Louise Menchinella, Marian Catherine Millikan, Ralph T. Mohammed, Roy Malcolm Moore, Jr, Eleanor Gertrude Muck, Belle Inez Newcomb, Patricia Medina Frausto, Charles Heston Fromer, Jr., Shirley Faye Goldsmith, Richardo Gomez, Isabel Marie Goncalves, Roberta Maxine Gray, Roy Lee Hall, Shirley Marie Hall, Bruce Seichi Haramoto, Bryan Newcomb, Anthony Rioz Nevarez, Harry S. Nightengale, George Masaichi Nii, Sheila M. Paul, Douglas Frank Perry, Ronald William Procissi, Jr, Clyde Eugene Reed, Nancy Darlene Sahota, Roberta Ann Schuyler, George Melton Schwartz, Doyle Glen Setzer, Franklin Earnest Sewell, Leroy Dean Short, Wilbur Eugene Slover, Sue Laurel Smith, Dale Walton Solander, Betty Gean Sorensen, Richard Lee Sorensen, Emma Jean Sorenson, Norlen Pressey Stockley, Jeanne Fumie Takemoto, Lessie Treat, Harriet Hiawatha Vares, Josephone Marie Vargas, A. William Vineyard, Mary Eleanor Wallace, Anna Grace Ward, Charles Allen Welch, John Willard Wilcox, Ann Judith Williams, Jackie Lee Williams, Franklin M. Wilson, Lois Amelia Wyatt, and John Amadeo Zugnoni.

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to M. B. Humphrey, Nevada State Legislature.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to the following pupils of the Lafayette School: Don Ackerman, Gloria Anderson, Joan Apostolo, Richard Ball, Mike Ballachey, Gerry Beck, Morris Bergesen, Jay Bloom, Peggy Boevers, John Bohn, Jimmy Boyd, Suzanne Bradbrook, Bob Brown, Jim Browning, Bob Christiansen, Bill Christner, George Coad, Lynn Cowling, Carol Creager, Parker Dinwiddie, Robert Effinger, Richard Emery, Eddie Ferro, Donalee Fey, Patty Firestone, Joe Foster, Natalie Fredman, Tim Freeman, Ellen Gardner, Billy Garrett, Celeste Graves, Celia Gray, Cathy Greub, Gary Gudnason, Jere Hageman, George Hampton, Ellen Hansen, Paul Hansen, Janet Hanson, Donna Hayward, Cassie Hinkle, Edwin Huebbe, Ronald Huffaker, Evelyn Ingwaldson, Linda Jacobsen, Penny Jeffries, John Jensen, Susan Johanson, Deanna Johnson, Victor Johnson, Warren Johnson, Charles Knobel, Hazel Knowlton, Donna Laney, John Larson, Barbara Lawrence, Keith Lescure, Fred Lincoln, Beth Maas, Dale Marcellini, Mary Matlock, Charlene Mendes, Marcia Miilu, Jerry Miller, Paul Miller, Don Mortara, Patricia Myers, Tommy McAllister, Nancy McCrum, Richard McDermed, Eric McKinley, Irma McLeod, Bob Neighbor, Robert Nielsen, Don Ong, Johnny Pahl, Perry Palin, Dick Pape, Pat Parker, James Phelps, Brenda Plant, Bob Roberts, John Ronald, Peter Sawyer, Joyce Schaefer, Howard Schirmer, Charles Schorr, Bill Shirling, Sharon Simms, Diane Snashall, Clifford Soares, Charlotte Spencer, Fred Stymans, Margot Swenson, Carol Thomas, Edward Timoney, Sara Tolles, Kathryn Trembath, Henry Warren, Bob Werner, Mary Westfall, Ronald Wilbur, Buzz Williams, Elizabeth Young, Karen Andree, Shirley Smith, Richard Jones, Wayne Keller, and Susan Kennedy.

On request of Mr Condon, the usual courtesies of the Assembly for this day were unanimously extended to William L. Graves, teacher, Mrs. Collins, Mrs. Littorno, Mrs. Johnson, Mrs. Sands, and Mrs. Graves, adults, and the following pupils of the Ygnacio Valley School: Raymond Avansino, Sandra Carpenter, Bobby Cooke, Carl Cooke, Arlene Darcey, David Fairchild, Gwen Hamilton, Charlotte Johnson, Mary Kanagaki, Gretchen Lais, Billy Littorno, Barbara Logan, Roger Lee, Kenneth Martin, Gordon May, Shirley Smith, Margaret Kelley, Kenneth Cooper, Earl Cooper, Craig Oliver, Fred Ramey, Murray Robertson, Reggie Shields, Melvin Strand, Carol Strobel, Carl Struby, Gerald Terhune, Virginia Vaughn, Frank Weiss, Larry Williams, Barbara Wahlborg, Janice Sampson, and Charles Green.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Richard Clement and Mrs. Mary Deming, teachers, Mrs. Alcuff, Mrs. Jennings, and Don Lee, guests, and the following pupils of the St. Helena Seventh Day Adventists School: Donald Lee, Warner Tuttle, Merlin Homer, Donald Homer, Donald Woodruff, James Davis, Marilyn Young, Vivian and Violet MacPhee, Douglas Hughes, Janil Davis, Hershull Woodruff, Larry Roth, Marilyn Hughes, Eugenia Hughes, Helen Knowles, Reta Knowles, Wanda Woodruff, Mary Davis, LaVonne Hurd, Elsie Trumble, Marilyn Hughes, Joan Kellogg, and Mary Hassel

On request of Mr. Luckel and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Dr. S. J. McClendon of San Diego.

On request of Mr. Coats, the usual courtesies of the Assembly for this day were unanimously extended to Mr. Speegle, teacher; Mrs Speegle, Mrs Dillard, Mrs. Vannote, and Mr. Driver, guests, and the following pupils of the Manzanita School: Charles Krusp, Jerry Little, Richard Adams, Malcolm Baker, Rafel Clark, Ruth Dillard, Pat Chism, Don Lewis, Bill Sexton, Ronnie Nelson, Pat Louton, Marlyn Quigg, Dorthey Wheeler, Charles Spradlin, Darlene Nielson, Patsy Jackson, Robert Rosen, Marion Yokotobi, Betty Capps, Pauline Lawrence, Beverly Vannote, Elaine Elder, Cora Dillard, and Victor Baker.

ADJOURNMENT

At 3.10 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a m , Wednesday, April 18, 1951.

SAM L. COLLLINS, Speaker

GERALDINE B HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FORTIETH LEGISLATIVE DAY

FIFTY-FOURTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, April 18, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Thomas, Tomlinson, Waters and Mr. Speaker—73

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

O Merciful God, Fountain of All Goodness, The thoughts of our hearts are known unto Thee.

Grant grace that we may accept the mystery of life with humble hearts and adore Thee with reverent minds that we may grow in the beauty of Thy holiness day by day.

Guide us in the experiences and responsibilities of this new day, so that we may show forth Thy glory before the world in good works.

"We thank Thee, Lord, Thy paths of service lead
To blazoned heights and down the slopes of need,
They reach Thy throne, encompass land and sea,
And he who journeys in them, walks with Thee."

In Jesus' name we pray.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Elliott, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Butters, on motion of Mr. Dickey.

Mr. Smith, on motion of Mr. Lipscomb.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Hollibaugh, on motion of Mr. Geddes.

Mr. Stewart, on motion of Mr. Cloyed.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Kilpatrick, on motion of Mr. Munnell.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 907	Assembly Bill No. 1616
Assembly Bill No. 1018	Assembly Bill No. 1803
Assembly Bill No. 1613	Assembly Bill No. 2229

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 1734
Assembly Bill No. 1735

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 2825

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Judiciary.

CLARKE, Chairman

Above reported bill ordered re-referred to the Committee on Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 601
Assembly Bill No. 1023

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CLARKE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR. SPEAKER: Your Committee on Agriculture, to which were referred

Assembly Bill No. 599
Assembly Bill No. 2122

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CLARKE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 2125
Assembly Bill No. 2128

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR. SPEAKER. Your Committee on Agriculture, to which was referred:

Assembly Bill No. 2127

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

CLARKE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR SPEAKER: Your Committee on Agriculture, to which were referred:

Senate Bill No. 160
Senate Bill No. 163
Senate Bill No. 241
Senate Bill No. 627
Senate Bill No. 628
Senate Bill No. 1257

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bills ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR. SPEAKER: Your Committee on Agriculture, to which were referred.

Assembly Bill No. 1736
Assembly Bill No. 1904
Assembly Bill No. 3316

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CLARKE, Chairman

Above reported bills ordered to second reading.

Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which were referred:

Assembly Bill No. 820
Assembly Bill No. 306
Assembly Bill No. 2574
Assembly Bill No 2220
Assembly Bill No. 2510

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WATERS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which was referred:

Assembly Bill No. 2575

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

WATERS, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 17, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 60
Assembly Bill No. 63
Assembly Bill No. 346
Assembly Bill No. 504

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 17, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Constitutional Amendment No. 1

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 17, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 1918

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, April 17, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 917

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 17, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 53
Senate Bill No. 64
Senate Bill No. 209
Senate Bill No. 210
Senate Bill No. 238
Senate Bill No. 872
Senate Bill No. 1213
Senate Bill No. 1579
Senate Bill No. 1610

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 53—An act to amend Section 1481 of the Government Code, relating to the use of a master official bond covering officers, employees or agents required to give official bond.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 64—An act to add Section 26153 to the Government Code, relating to accident prevention education.

Referred to Committee on Municipal and County Government.

Senate Bill No. 209—An act to amend the title of Article 3 of Chapter 4, Part 1, Division 6, and Section 6357 of the Public Resources

Code, relating to procedure on establishment of ordinary high-water and low-water marks.

Referred to Committee on Judiciary

Senate Bill No. 210—An act to amend Section 6301 of the Public Resources Code, relating to jurisdiction and authority of the State Lands Commission.

Referred to Committee on Judiciary.

Senate Bill No. 238—An act to amend Section 20357 of the Education Code and add Section 20358 of said code, relating to student housing facilities at state colleges.

Referred to Committee on Education

Senate Bill No. 872—An act to add Sections 8151.1, 13401.1, and 16276 to the Education Code, all relating to aid by the public schools in the harvesting of crops.

Referred to Committee on Education.

Senate Bill No. 1213—An act to repeal Section 1944.1 of, and to add Section 1944.1 to, the Labor Code, relating to the employment of certain aliens, declaring the urgency thereof to take effect immediately.

Referred to Committee on Rules.

Senate Bill No. 1579—An act to amend Section 2824 to the Elections Code, relating to procedure.

Referred to Committee on Elections and Reapportionment

Senate Bill No. 1610—An act to add Section 6018.1 to the Revenue and Taxation Code, relating to the sales and use tax.

Referred to Committee on Revenue and Taxation.

RESOLUTIONS

The following resolution was offered:

By Messrs. Sam L. Collins and Waters:

House Resolution No. 118

Relative to congratulating San Francisco on its recovery from its great disaster

WHEREAS, Today, April 18, is the Forty-fifth Anniversary of the great calamity which befell the City of San Francisco; and

WHEREAS, The Great Bay City has surmounted Nature's ravages and, through the courage and fortitude of its inhabitants, has become one of the foremost cities of the foremost Nation of the world; and

WHEREAS, The City of San Francisco and its inhabitants furnish an example of the spirit of the American people in their battles against adversity, illustrating their triumph against such adversities; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly hereby congratulates the City of San Francisco upon its magnificent accomplishments and recovery from the greatest disaster that has befallen a western city; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to send copies of this resolution to the Mayor and to each member of the Board of Supervisors of the City of San Francisco.

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 118, at this time, without reference to committee or file.

Resolution read, and adopted.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Burkhalter.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1951

MR. SPEAKER In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows.

An act to amend Section 39 6 of the Vehicle Code, relating to agricultural water-well boring rigs

Respectfully submitted

EVERETT BURKHALTER

Request referred to Committee on Legislative Procedure

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1951

MR. SPEAKER Your Committee on Legislative Procedure, to which was referred the following bill herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr Burkhalter:

An act to amend Section 39 6 of the Vehicle Code, relating to agricultural water-well boring rigs

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Stanley, Tomlinson, Waters, and Mr. Speaker—63.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3406: By Mr. Burkhalter—An act to amend Section 39 6 of the Vehicle Code, relating to agricultural water-well boring rigs.

Referred to Committee on Agriculture.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduced a bill was presented:

By Mr. Hahn:

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1951

MR. SPEAKER In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduced a bill, the title of which is as follows

An act to amend Section 220 of the Public Utilities Code, relating to common carriers

Respectfully submitted

GORDON R. HAHN

Request referred to Committee on Legislative Procedure

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Hahn:

An act to amend Section 220 of the Public Utilities Code, relating to common carriers.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Huckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Stanley, Tomlinson, Waters, and Mr. Speaker—63

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3407: By Mr. Hahn—An act to amend Section 220 of the Public Utilities Code, relating to common carriers.

Referred to Committee on Public Utilities and Corporations

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Bill No. 1811

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DICKEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred.

Senate Concurrent Resolution No. 41

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 40

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up Assembly Constitutional Amendment No. 40, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 40

Assembly Constitutional Amendment No. 40—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 16 to Article XVI thereof, relating to the issuance of bonds to provide farm and home aid for veterans.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Constitutional Amendments:

Amendment No. 1

On page 1, line 10, of the printed measure, strike out "million dollars ($100,000,000)", and insert "fifty million dollars ($150,000,000)".

Amendment No. 2

On page 1, line 12, of said measure, strike out "First".

Amendment No. 3

On page 1, line 15, of said measure, after "hundred", insert "fifty".

Amendment No. 4

On page 1, line 16, of said measure, strike out "($100,000,000)", and insert "($150,000,000)".

Amendment No. 5

On page 1, line 21, of said measure, strike out "First".

Amendments read, and adopted.

Resolution ordered reprinted, and engrossed.

Request for Unanimous Consent That Rush Order Be Placed Upon Printing of Assembly Constitutional Amendment No. 40

Mr. McCollister asked for, and was granted, unanimous consent that a rush order be placed upon the printing of Assembly Constitutional Amendment No. 40.

ANNOUNCEMENT

Mr. Lyon announced, on behalf of the Affiliated Teacher Organizations of Los Angeles, a luncheon meeting today, upon recess, in the Embassy Room of the Hotel Senator and reminded members of the Los Angeles and San Francisco Delegations that they have been invited as guests.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 2955—An act to repeal Section 7658 of the Public Utilities Code, relating to issuance of passenger tickets by railroad corporation, rights thereunder and damages in connection therewith.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2959—An act to repeal Section 7652 of the Public Utilities Code, relating to damages for failure of railroads to transport passengers or property.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2960—An act to repeal Section 7651 of the Public Utilities Code, relating to operation of railroads and sufficiency of their accommodations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2961—An act to repeal Section 7534 of the Public Utilities Code, relating to quality of rail used in construction of railroads.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2962—An act to amend Section 7532 of the Public Utilities Code, relating to the construction of railroads and the discontinuance of operation thereof.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2963—An act to amend Section 7528 of the Public Utilities Code, relating to the motive power of railroads.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2964—An act to amend Section 7527 of the Public Utilities Code, relating to the powers of railroad corporations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2965—An act to repeal Section 7510 of the Public Utilities Code, prescribing penalty for violations of Sections 7508 and 7509 thereof and authorizing prosecution of actions.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2966—An act to repeal Section 7509 of the Public Utilities Code, relating to increase in the rates and fares of railroad corporations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2967—An act to amend Section 7508 of the Public Utilities Code, relating to transfer of property of railroad corporations, consent of stockholders and recording and effect of conveyance.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2968—An act to repeal Section 7507 of the Public Utilities Code, relating to certificate of payment of fixed capital stock of railroad corporations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2969—An act to repeal Section 7506 of the Public Utilities Code, relating to the fixing of the capital stock of railroad corporations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2970—An act to repeal Section 7505 of the Public Utilities Code, relating to the conversion of bonds of railroad corporations into stock.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2971—An act to repeal Section 7504 of the Public Utilities Code, defining the crime of assenting to a debt of a railroad company in excess of its available means by an officer, agent or stockholder of such company and prescribing the penalty for such crime.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2973—An act to repeal Section 7502 of the Public Utilities Code, relating to the transfer of the capital stock of railroad corporations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2974—An act to repeal Section 7501 of the Public Utilities Code, relating to election of directors of railroad corporations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 11—An act to amend Section 1129 of, and to repeal Section 1605 of, the Probate Code, relating to transfer fees in probate proceedings.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3056—An act to amend Section 402 of the Vehicle Code, relating to the liability of owners of motor vehicles.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3202—An act to amend Section 209 of the Penal Code, relating to punishment for kidnaping.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3372—An act to add Section 291 to the Penal Code, relating to notices of arrest of public school teachers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1562—An act to amend Section 13842 of, and to add Section 13842.1 to, the Education Code, relating to the minimum annual salaries of persons employed by school districts in positions requiring certification qualifications.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2196—An act to amend Sections 2160.7 and 3044.1 of the Welfare and Institutions Code, relating to state reimbursement to counties for the cost of institutional care of certain aged and certain blind persons.

Bill read second time, and ordered engrossed

Assembly Bill No. 909—An act to add Section 30.02 to the Public Utility District Act of 1921, authorizing public utility districts to cooperate and contract with and to borrow or procure money from the United States.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Utilities and Corporations:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "30.02", and insert "30.06".

Amendment No. 2

On page 1, line 1, of said bill, strike out "30.02", and insert "30.06".

Amendment No. 3

On page 1, line 3, of said bill, strike out "30.02", and insert "30.06".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1938—An act to amend Section 1952 of the Code of Civil Procedure, relating to destruction of exhibits and depositions.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 3, of the printed bill, after the second comma, insert "by a written order signed by the judge and an entry thereof made in the register of actions,"

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2046—An act to add Section 1162 to the Fish and Game Code, relating to possession of firearms on highways or other public ways.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 7, of the printed bill, after "is", strike out "a", and insert "an unexpended".

Amendment No. 2

On page 1, line 9, of the printed bill, after the period, insert "The provisions of this section shall not apply to police officers, peace officers, or members of the armed forces of this State or the United States, while on duty or going to or returning from such duty."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3245—An act to amend Section 13116 to the Government Code, relating to the Department of Finance, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 2 of the title of the printed bill, after "Finance", and before the period, insert ", in respect to the investment of funds in certain public office buildings, and making an appropriation for the liquidation of such investment".

Amendment No. 2

On page 2, line 4, of said bill, strike out "as", and insert "at"

Amendment No. 3

On page 2 of said bill, following line 7, insert

"SEC. 3. Such amount as may be necessary to pay monthly the amount required for liquidation of the investment, with interest at the rate agreed upon between the parties, in any agreements entered into between the State Department of Motor Vehicles or the State Department of California Highway Patrol, and any other state agency, pursuant to the provisions of Sections 13115 and 13116 of the Government Code, is hereby appropriated each fiscal year from the Motor Vehicle Fund in the State Treasury The money herein appropriated shall be allotted to the State Department of California Highway Patrol or to the State Department of Motor Vehicles by the Director of Finance for support in such amounts as he may determine to be necessary, and shall become available only if the Department of Finance certifies to the State Controller that the amount required monthly to liquidate the investment, with interest at the rate agreed upon, has not been included in the Budget Act for such fiscal year for support of said departments."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1632—An act to amend Section 632 of the Code of Civil Procedure, relating to court procedure.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 20, of the printed bill, after "minutes.", insert "The court shall not be required to make any written findings of fact and conclusions of law in cases in which the amount of the demand, exclusive of interest and costs, or the value of the property in controversy, does not exceed five hundred dollars ($500)."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2061—An act to continue in effect Sections 1, 2, 3, 4, 6, 7, 8, 8.5, 8.6, 9, and 11.5 of an act entitled "An act to repeal Section 10 of an act entitled 'An act to repeal Chapters 2, 3, 4, 12, 13, 13.5, 13 6, 14, 15, 15.5, 16, and 16 5 of the Education Code; to add Chapters 2, 12, 13, 14, 15, and 16 to said code; to amend Section 8761 of said code; and to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately,' approved May 28, 1947 (Chapter 401, Statutes of 1947), to provide for the continuance in effect of an act entitled 'An act to amend Section 10 of an act entitled "An act to repeal Chapters 2, 3, 4, 12, 13, 13.5, 13.6, 14, 15, 15.5, 16, and 16.5 of the Education Code; to add Chapters 2, 12, 13, 14, 15, and 16 to said code; to amend Section 8761 of said code; and to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately," approved

May 28, 1947 (Chapter 401, Statutes of 1947); to repeal Sections 6713, 7039, 7052, 7064, 7068, 7117, 7126, 7128, and 7147 of the Education Code; to repeal Article 4 of Chapter 13, and Article 6 of Chapter 14, of Division 3 of said code; to add Article 4 to Chapter 13, Article 6 to Chapter 14, and Articles 1 and 13.5 to Chapter 15, of Division 3 of said code; to add Sections 5157, 7126, 7132, and 7151 to said code; to amend the headings of Articles 1 and 13 of Chapter 15 of Division 3 of said code; and to amend Sections 5152, 5153, 5156, 6703, 6714, 6812, 7002, 7012, 7023, 7032, 7033, 7034, 7035, 7036, 7037, 7038, 7041, 7061, 7062, 7063, 7067, 7081, 7091, 7092, 7094, 7095, 7101, 7103, 7111, 7112, 7113, 7114, 7115, 7116, 7121, 7122, 7124, 7130, 7146, 7146.1, 7148, 7149, 7150, 7208, 7231, and 9645 of said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately,' approved July 20, 1949 (Chapter 1017, Statutes of 1949) except Section 1 thereof; to repeal Sections 6714 and 7094 of the Education Code; to add Sections 5153.3 and 6904 to said code; and to amend Sections 7091, 7092, 7095, 7113, 7116, and 6951 of said code, to repeal Articles 2 and 3 of Chapter 15, Division 3 of said code and to add Articles 2 and 11.6 to Chapter 15, Division 3 of said code all relating to the Public School System," approved May 5, 1950 (Chapter 74, Statutes 1950 First Extraordinary Session); to repeal Sections 2.5, 5, 10, 12, and 13 of said act; to repeal Sections 5153.3, 6812, and 7091 of the Education Code; to repeal Articles 2, 3, and 11.6 of Chapter 15 of Division 3 of said code; to add Sections 5153.3, 6812, and 7091 to said code; and to add Articles 2 and 11.6 to Chapter 15 of Division 3 of said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 23 of the title of the printed bill, as amended in the Assembly on April 11, 1951, after "5157", insert "6804,"

Amendment No. 2

On page 3 of said bill, between lines 30 and 31, insert

"SEC. 5.3. Section 6804 is added to said code, to read:

6804. The days of attendance of pupils residing in territory of a district, hereinafter referred to as the "original district", in the regular day schools of such original district during the fiscal year immediately preceding the effective date of the inclusion of such territory in another district of the same type, hereinafter referred to as the "acquiring district", under or pursuant to any provision of law, shall be deemed to have been days of attendance in the regular day schools of the acquiring district and not days of attendance in the regular day schools of the original district, except that if the acquiring district was not in existence for all purposes during said preceding fiscal year, such days of attendance shall be deemed to be days of attendance in the regular day schools of the acquiring district during the first fiscal year of its existence for all purposes.

The days of attendance of pupils in the regular day junior colleges of a high school district during the fiscal year immediately preceding the effective date of the inclusion of such high school district in a junior college district shall be deemed to be days of attendance in regular day junior colleges of the junior college district during the first fiscal year of the existence of the junior college district for all purposes, and not days of attendance in the regular day junior colleges of the high school district during said preceding fiscal year.

For the purposes of this section all elementary school districts are districts of the same type, all high school districts are districts of the same type, and all junior college districts are districts of the same type.

The inclusion of the whole or a portion of an elementary school district, high school district, or junior college district in a unified school district shall be deemed to be the inclusion of such elementary school district, high school district, or junior college district or portion thereof in the elementary school district, high school district, or junior college district, as the case may be, within the unified school district.

The Superintendent of Public Instruction shall, and is authorized so to do, adopt such rules and regulations as in his judgment are necessary to give effect to this section."

Amendment No. 3

On page 3, line 31, of said bill, strike out "5.1", and insert "5.3".

Amendment No. 4

On page 8 of said bill, strike out lines 32 to 41, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2026—An act to amend Section 625a of the Penal Code, relating to the unlawful interference with fire-alarm apparatus and false alarms, providing punishment therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 15, of the printed bill, as amended in the Assembly on March 21, 1951, after "and", insert "great".

Amendment No. 2

On page 1, line 25, of said bill, strike out "felony", and insert "misdemeanor".

Amendment No. 3

On page 2, line 1, of said bill, strike out "in the state prison for not less than one year nor more than five years or".

Amendment No. 4

On page 1, line 7, of said bill, after "signal", insert "or by any other means or methods".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2075—An act to amend Sections 20890 and 20894.5 of the Government Code, and Sections 14449 and 14495.2 of the Education Code, relating to Public Retirement System in respect to absence of members in military service and contributions therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

On page 3 of the printed bill, between lines 24 and 25, insert

"A contracting agency which elects to be subject to the provisions of this section may, by the amendment to or provision in its contract making such election, provide that the provisions of this section shall apply only to its employees who enter or have entered military service after a date designated in such amendment or such provision."

Amendment No. 2

On page 4 of the printed bill, strike out lines 43 to 49, inclusive, and insert

"Contributions by the State and payments by the retirement system pursuant to, or as a result of, this section shall not be made for any period of time after January 1, 1950, for any member who has not returned to an employment required for membership

in this system prior to that date, except that contributions by the State pursuant to this section may be made for any member who returned to an employment required for membership in this system from military service prior to January 1, 1950, and subsequently re-entered or re-enters the military service and for any member who enters or has entered the military service on or after January 1, 1950, for the period of his military leave of absence."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Military Affairs.

Assembly Bill No. 2923—An act regulating the use of public highways for commercial purposes for the transportation of property for compensation; defining household goods carriers and permitting them to operate as common carriers on a state-wide basis, subject to regulation as provided herein; specifying the powers of the Public Utilities Commission; prescribing penalties for violations of this act; and repealing parts of acts inconsistent herewith.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Utilities and Corporations:

Amendment No. 1

In line 4 of the title of the printed bill, strike out "as common carriers on a state-wide basis".

Amendment No. 2

On page 2 of said bill, strike out lines 17 to 24, inclusive; and in line 25, strike out "(i)", and insert "(h)".

Amendment No. 3

On page 2 of said bill, strike out line 28, and in line 29, strike out "mon carrier,".

Amendment No. 4

On page 2, line 30, of said bill, strike out "only".

Amendment No. 5

On page 2, line 32, of said bill, strike out "and store", and insert ", store, and institution".

Amendment No. 6

On page 3, line 22, of said bill, strike out "and store", and insert ", store, and institution".

Amendment No. 7

On page 3 of said bill, strike out lines 26 to 40, inclusive, and insert

"(b) Any person or corporation who was operating as a household goods carrier on the effective date of this section and continuously thereafter may file with the commission prior to January 1, 1952, an application for a permit as provided in Section 9 and the commission shall upon satisfactory proof of such operation issue such permit without further proceedings. Pending the determination of any such application the continuance of such operation shall be lawful."

Amendment No. 8

On page 3, line 45, of said bill, strike out "and (c)".

Amendment No. 9

On page 4 of said bill, strike out lines 1 to 7, inclusive.

Amendment No. 10

On page 4, line 8, of said bill, strike out "12", and insert "11".

Amendment No. 11

On page 4, line 9, of said bill, strike out "and (c)".

Amendment No. 12

On page 4, line 15, of said bill, strike out "13", and insert "12".

Amendment No. 13

On page 5, line 9, of said bill, strike out "ten (10)", and insert "thirty (30)"

Amendment No. 14

On page 5, line 12, of said bill, strike out "14", and insert "13".

Amendment No. 15

On page 5, line 42, of said bill, strike out "15", and insert "14".

Amendment No. 16

On page 6, line 31, of said bill, strike out "16", and insert "15".

Amendment No. 17

On page 7, line 28, of said bill, strike out "17", and insert "16".

Amendment No. 18

On page 8, line 30, of said bill, strike out "18", and insert "17".

Amendment No. 19

On page 8, line 47, of said bill, strike out "19", and insert "18".

Amendment No. 20

On page 9 of said bill, strike out lines 9 to 18, inclusive, and insert

"Sec. 19. (a) Permits shall be effective from the dates specified therein and shall remain in effect until suspended or terminated as herein provided, except that a permit shall lapse and terminate if not exercised for a period of one year. Any permit may upon application of the holder thereof in the discretion of the commission be amended or revoked in whole or in part or may be suspended for a definite time, or upon complaint or upon the commission's own motion after notice and hearing be suspended, changed or revoked in whole or in part for wilful failure to comply with any provision of this act or with any lawful order, rule or regulation of the commission promulgated thereunder, or with any term, condition or limitation of such permit; provided, however, that no such permit shall be suspended or revoked, annulled or changed (except upon application of the holder) unless the holder thereof wilfully fails to comply within a reasonable time not less than 30 days to be fixed by the commission with a lawful order of the commission issued after notice and hearing demanding obedience to this act or to a rule or regulation of the commission thereunder or to the term or condition or limitation of such permit found by the commission to have been violated by such holder; provided, further, however, that the permit may be suspended by the commission upon reasonable notice but without hearing or other proceedings for failure to comply with and until compliance with the provisions of this act requiring insurance for the protection of the public.

(b) After the cancellation or revocation of said permit, or during the period of its suspension, it shall be unlawful for such carrier to conduct any operations as said carrier. The commission may, in its discretion, either grant or deny an application for a new permit or permits whenever it appears that a prior permit of the applicant has been canceled or revoked pursuant to paragraph (a) hereof.

(c) Such permit may be sold, leased, assigned or otherwise transferred or encumbered by the holder thereof upon authorization by the commission"

Amendment No. 21

On page 9, line 19, of said bill, strike out "21", and insert "20"

Amendment No. 22

On page 10, line 7, of said bill, strike out "22", and insert "21".

Amendment No. 23

On page 11, line 20, of said bill, strike out "23", and insert "22".

Amendment No. 24

On page 11, line 38, of said bill, strike out "24", and insert "23".

Amendment No. 25

On page 11 of said bill, after line 41, insert

"SEC. 24. It is hereby declared to be the legislative intent that the transportation of used and uncrated household goods, personal effects, office, store and institution furniture and fixtures in any truck or trailer for compensation over any public highway in this State is a highly specialized type of truck transportation and that the provisions of this act have been enacted for the limited purpose of providing necessary

regulation for said specialized type of truck transportation only, and are not to be construed for any purpose as a precedent for the extension of such regulation to any other type of truck transportation not presently so restricted"

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Utilities and Corporations.

Assembly Bill No. 1670—An act to amend Section 55.65 of the Alcoholic Beverage Control Act, relating to the sale of wine, the posting of prices and the making and filing of fair trade contracts in relation thereto, and governing the giving of discounts in connection with the sale of wine.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Boards and Commissions:

Amendment No. 1

On page 4 of the printed bill, make the following deletions and insertions. In line 46, strike out "2½", and insert "1"; in line 47, strike out "4", and insert "2"; in line 48, strike out "50", and insert "100"; and strike out "6", and insert "4"; in line 49, strike out "50", and insert "100"; in line 50, strike out "100", and insert "200"; and strike out "7½", and insert "6½"; and in line 51, strike out "100", and insert "200"; and strike out "9", and insert "10".

Amendment No. 2

On page 6, line 13, of said bill, after "publication", strike out the comma and the balance of line 13, all of line 14, and "at the time" in line 15, and insert ". If the affidavit prescribed herein is not filed before the date required for publication, the schedule, supplemental schedule or changes therein shall not become effective until"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Boards and Commissions.

Assembly Bill No. 1748—An act to amend Section 6.11 of the Alcoholic Beverage Control Act, relating to organizations, associations and clubs, and providing for the issuance of on-sale general licenses thereto.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Boards and Commissions:

Amendment No. 1

On page 2, line 20, of the printed bill, strike out "(e)", and insert "(f)"

Amendment No. 2

On page 2, line 22, of said bill, strike out the blank, and insert "200".

Amendment No. 3

On page 2 of said bill, between lines 25 and 26, insert

"(g) Any social club which is a nonprofit organization and which is organized and operated for the purposes of maintaining, restoring or preserving historical monuments, landmarks or buildings, which said club or organization has more than 150 bona fide members paying regular monthly dues and which club or organization owns

its own clubhouse and the real property upon which the clubhouse is situated, and which said clubhouse and/or real property constitute an historical monument, landmark or building."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Boards and Commissions.

Assembly Bill No. 2290—An act to amend Section 737y of the Political Code, relating to the compensation of Superior Judges in and for the County of Modoc.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, lines 4 and 5, of the printed bill, strike out "_____ dollars ($_____)", and insert "nine thousand five hundred dollars ($9,500)".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 213—An act to amend Section 204h of the Code of Civil Procedure, relating to the performance of commissioner's duties by judges' secretary, assistant secretary, and clerks.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 4, 1951, strike out lines 10 and 11, and insert "two million shall be nine hundred seventy eight dollars ($978) per month."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 214—An act to amend Section 261.5 of the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties, of 2,000,000 population or more.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on April 4, 1951, strike out lines 2 and 3, and insert "salary of three thousand six hundred thirty dollars ($3,630) per annum; two assistant jury super-".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1377—An act providing for the constitution of the municipal court in a district embracing the City of Modesto, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill as amended in the Assembly on March 22, 1951, strike out lines 5 and 6, and insert

"(1) There shall be two judges who shall receive eight thousand dollars ($8,000) per annum, payable in".

Amendment No. 2

On page 1, line 9, of said bill, strike out "_____ dollars ($_____)", and insert "two hundred ninety dollars ($290)".

Amendment No. 3

On page 1 of said bill, strike out lines 12 to 16, inclusive.

Amendment No. 4

On page 1, line 17, of said bill, strike out "_____", and insert "Two".

Amendment No. 5

On page 1 of said bill, strike out lines 18 to 20, inclusive; and on page 2, strike out lines 1 to 17, inclusive, and insert "of whom shall receive a minimum salary of two hundred forty-two dollars ($242) monthly with annual increments of eleven dollars ($11), twelve dollars ($12), thirteen dollars ($13), and thirteen dollars ($13), to a maximum of two hundred ninety-one dollars ($291) monthly.

One deputy clerk who shall receive a minimum salary of two hundred two dollars ($202) monthly with annual increments of nine dollars ($9), ten dollars ($10), ten dollars ($10), and eleven dollars ($11), to a maximum of two hundred forty-two dollars ($242) monthly.

Two deputy clerks, each of whom shall receive a minimum salary of one hundred ninety-three dollars ($193) monthly with annual increments of nine dollars ($9), nine dollars ($9), ten dollars ($10), and ten dollars ($10) to a maximum of two hundred thirty-one dollars ($231) monthly."

Amendment No. 6

On page 2, lines 19 and 20, of said bill, strike out "_____ dollars ($_____)", and insert "two hundred ninety dollars ($290)".

Amendment No. 7

On page 2 of said bill, strike out lines 23 to 39, inclusive, and insert

"One deputy marshal who shall be court bailiff, and who shall receive a minimum salary of two hundred forty-two dollars ($242) monthly with annual increments of eleven dollars ($11), twelve dollars ($12), twelve dollars ($12), and thirteen dollars ($13) to a maximum of two hundred thirty-one dollars ($231) monthly

Two deputies (custodians) at the fee allowed by law"

Amendment No. 8

On page 2, line 50, of said bill, strike out "_____ dollars ($_____)", and insert "four hundred dollars ($400)".

Amendment No. 9

On page 3, line 9, of said bill, strike out "_____ dollars ($_____)", and insert "fifteen dollars ($15)".

Amendment No. 10

On page 3, lines 22 and 23, of said bill, strike out "any county of the fifteenth class", and insert "the county".

Amendment No. 11

On page 1, line 5, of said bill, after "judges," strike out "who", and insert "each of whom".

Amendment No. 12

On page 1, lines 8 and 9, of said bill, after "clerk", strike out "to be appointed by the judges of the court,".

Amendment No. 13

On page 2, lines 18 and 19, of said bill, after "marshal", strike out "to be appointed by the judges of the court".

Amendment No. 14

On page 2 of said bill, strike out lines 41 to 44, inclusive.

Amendment No. 15

On page 3 of said bill, strike out lines 26 to 40, inclusive, and insert "(7) Persons who succeed to positions in the municipal court under provisions of the Municipal and Justice Court Act of 1949 shall receive credit for continuous prior service in superseded courts and in the sheriff's department or constabulary of the county, and shall receive, in addition to the minimum rate, the annual increments commensurate with such years of prior service up to the maximum rate set."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 2886—An act to add Article 5C (First Veterans Bond Act of 1951) to Chapter 6 of Division 4 of the Military and Veterans Code, authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of state bonds, to create a fund to provide farm and home aid for veterans in accordance with the provisions of the Veterans Farm and Home Purchase Act of 1943 and acts amendatory and supplemental thereto; defining the powers and duties of said committee and of the Department of Veterans Affairs and other state officers in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; and providing that this act shall take effect upon the adoption by the people of the State of California of an amendment to the Constitution of the State of California approving, adopting, legalizing, ratifying, validating and making fully and completely effective said First Veterans Bond Act of 1951.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "First"

Amendment No. 2

In line 20 of the title of said bill, strike out "First".

Amendment No. 3

On page 1, line 4, of said bill, strike out "First".

Amendment No. 4

On page 1, line 6, of said bill, strike out "First".

Amendment No. 5

On page 2, line 17, of said bill, after "hundred", insert "fifty".

Amendment No. 6

On page 2, line 18, of said bill, strike out "($100,000,000)", and insert "($150,000,000)".

Amendment No. 7

On page 8, line 25, of said bill, strike out "First".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Military Affairs.

Assembly Bill No. 91—An act to add Section 808 to the Insurance Code, relating to reduced rates of insurance to individuals of a group.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

Strike out the title of the printed bill, and insert

"*An act to add Section 11656.6 to the Insurance Code, relating to group workmen's compensation policies.*"

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 7, and insert

"SEC. 1. Section 11656.6 is added to the Insurance Code, to read

11656.6. An insurer shall not issue a policy insuring an organization or association of employers as a group unless such organization or association complies with the following conditions:

(a) Files with the commissioner or a licensed workmen's compensation rating organization designated by him;

(1) A copy of its articles of incorporation and by-laws or its agreement of association and rules and regulations governing the conduct of its business, all certified by the custodian of the originals thereof;

(2) A statement setting forth its reasons for desiring insurance as a group;

(3) A statement certifying that at least seventy-five per cent of its membership is engaged in a common trade or business and an agreement that such percentage of membership will be maintained during such time as a group workmen's compensation policy issued to such organization or association is in force;

(4) An agreement that only those members who are engaged in a common trade or business shall be named by the organization or association in any statement to the commissioner, a licensed workmen's compensation rating organization or insurer as eligible for insurance as a member of the group, and an agreement that it will immediately notify its insurer if any member of such organization fails to remain a member in good standing in accordance with the basic law, rules and regulations of such organization or association;

(5) An agreement in writing duly executed guaranteeing the payment of the premiums of all its members while insured under a group policy issued to the organization or association. A copy of the resolution of the governing board of such organization or association authorizing the execution of the guarantee agreement shall be filed with the commissioner or a licensed workmen's compensation rating organization designated by him and with any insurer issuing a group policy.

(b) "Common trade or business" as used in this article shall mean

(1) In agricultural enterprises, operations in which the principal payroll develops under any combination of the following classifications of the Manual of Rules, Classifications and Basic Rates for Workmen's Compensation Insurance approved by the commissioner: Dairy Farms and Sheep Raising; Field Crops and Stock Farms; Orchards and Poultry Farms, Truck Farms and Vineyards; Nurserymen; Florists, Cultivating or Gardening, and classifications embracing such other operations as may be conducted by a non-profit cooperative association composed of producer members and combinations of non-profit cooperative agricultural marketing associations having a central organization composed of member associations.

(2) In the building industry, operations in the construction or repair of commercial or residential buildings in which the principal payroll develops under any combination of the classifications applicable to such construction or repair as they appear in the Manual of Rules, Classifications and Basic Rates for Workmen's Compensation Insurance approved by the insurance commissioner.

(3) For all other enterprises, operations in which the principal payroll develops under a single manual classification.

(c) "Principal payroll", for the purpose of this section means not less than fifty-one per cent of the total payroll for the preceding policy year or in the case of an employer who has no preceding full year's payroll, not less than fifty-one per cent of his estimated annual payroll.

SEC 2. Each member of an organization insured under a group policy shall be treated as a single and separate entity as respects rates, classifications and rating plans;

Two or more policies which are endorsed for the purpose of combining the experience of policies so endorsed for any purpose whatsoever, shall be considered group insurance and subject to the provisions of this article unless employers insured by such policies are engaged in operations having a common payroll or where any rating plan or rating system and the rules applicable to them approved by the commissioner under the provisions of Article 2, Chapter 3, Part 3, Division 2 require or permit the insurance of more than one employer in a single policy.

SEC. 3. The commissioner may after notice and hearing promulgate such reasonable rules and regulations not inconsistent with the provisions of this article as may be necessary or desirable to control and regulate group workmen's compensation policies"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 1523—An act to amend Sections 202 and 12264 of the Revenue and Taxation Code, relating to the State Compensation Insurance Fund.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, after "202", insert ", 12003".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets

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Amendment No. 2

On page 1 of said bill, between lines 13 and 14, insert

"SEC. 1.5. Section 12003 of the Revenue and Taxation Code is amended to read:

12003. "Insurer" as used in this part includes insurance companies or associations [and], reciprocal or interinsurance exchanges, *and the State Compensation Insurance Fund*. As used in this section "companies" includes persons, partnerships, joint stock associations, companies and corporations."

Amendment No. 3

On page 1 of said bill, after line 20, insert

"SEC. 3. The Legislature hereby declares that the validity of the whole of this act is essential to the application of any of its parts. Consequently, if any provision of this act, or the application thereof, is held invalid, the remainder of this act shall also be deemed invalid."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 2005—An act to add Chapter 4 to Part 4 of Division 3 of Title 2 of the Government Code, relating to state-owned motor vehicles, and prescribing the powers and duties of the Department of Finance, the State Personnel Board and the State Board of Control with respect thereto.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 15, of the printed bill, after "collecting", insert "from the employee responsible for the misuse".

Amendment No. 2

On page 1, line 21, of said bill, after "keeping;" insert "provided that every state officer or employee who has operated a state-owned motor vehicle during the preceding month shall file a statement certifying under penalty of perjury that each such motor vehicle operated during the preceding month has not been used by him, or been permitted to be used by him, other than in the conduct of state business; any state officer or employee who has operated a state-owned motor vehicle in the preceding month and has not filed the reports and certification as provided in this section by the tenth day of the following month shall be suspended from service without pay until said reports and certification are filed; provided, however, that with the approval of the Director of Finance such reports and certification may be filed on behalf of any state employee by the employee's supervising officer in those cases where it is determined that there are valid reasons which would prevent the employee from complying with the certification and filing requirements of the act;".

Amendment No. 3

On page 2, line 12, of said bill, after "agency." insert "Any state officer or employee who interferes or obstructs the enforcement of this chapter shall be subject to punitive action prescribed in the State Civil Service Act.".

Amendment No. 4

On page 2, line 16, of said bill, strike out the period, and insert "; provided, however, that the first offense for misuse of a state-owned motor vehicle shall be punishable by 30 day suspension without pay and the second offense for misuse of a state-owned motor vehicle shall be punishable by dismissal from service.".

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 2887—An act to call a special election to be held throughout the State and to be consolidated with the direct primary election or with any other state-wide election held prior to said direct primary and to provide for the submission to the electors of this State at such special election of a constitutional amendment validating and declaring effective the First Veterans Bond Act of 1951, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Military Affairs:

Amendment No. 1

In line 6 of the title of the printed bill, strike out "First".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Military Affairs.

SECOND READING OF SENATE BILLS

Senate Bill No. 352—An act to add Section 35.5 to the Public Utilities Act, relating to regulation of state-owned railroads as to safety of operation.

Bill read second time, and ordered to third reading.

Senate Bill No. 426—An act to amend Section 1086.1 of the Military and Veterans Code, relating to the hospitalization and medical aid for physically ill members of the Woman's Relief Corps Home of California and for the reimbursement of hospitals and physicians rendering this aid.

Bill read second time, and ordered to third reading

Senate Bill No. 1426—An act authorizing the Director of Finance to convey certain property to the University of California.

Bill read second time, and ordered to third reading.

Senate Bill No. 781—An act to amend Section 6040 of the Insurance Code, relating to county mutual fire insurance.

Bill read second time, and ordered to third reading.

Senate Bill No. 782—An act to amend Section 6047 of the Insurance Code, relating to county mutual fire insurance.

Bill read second time, and ordered to third reading

Senate Bill No. 217—An act to add Section 11007.5 to the Government Code, relating to the insurance of state property.

Bill read second time, and ordered to third reading.

Senate Bill No. 185—An act to add Section 19.1 to the Check Sellers and Cashers Act, relating to the issuance of desist and refrain orders.

Bill read second time, and ordered to third reading

Senate Bill No. 186—An act to add Section 16.1 to the Escrow Act and Section 17416 to the Financial Code, relating to the issuance of desist and refrain orders by the Commissioner of Corporations.

Bill read second time, and ordered to third reading.

Senate Bill No. 187—An act to amend Section 25806 of the Corporations Code, relating to the renewal of investment counsels' certificates under the provisions of the Corporate Securities Law

Bill read second time, and ordered to third reading.

Senate Bill No. 188—An act to add Section 16.1 to the Check Sellers and Cashers Act, relating to advertising

Bill read second time, and ordered to third reading

Senate Bill No. 191—An act to amend Section 25603 of the Corporations Code, relating to advertising under the provisions of the Corporate Securities Law

Bill read second time, and ordered to third reading.

Senate Bill No. 192—An act to amend Section 13 of the Escrow Act, and Sections 17407 and 17408 of the Financial Code, relating to penalty for failure to file reports required by law, and payment of costs of investigations, inspections or examinations of escrow companies.

Bill read second time, and ordered to third reading.

Senate Bill No. 193—An act to amend Sections 7 and 12 of the California Small Loan Act, relating to the issuance, suspension or revocation of licenses.

Bill read second time, and ordered to third reading.

Senate Bill No. 194—An act to amend Section 201 of the California Small Loan Act, relating to the issuance of desist and refrain orders

Bill read second time, and ordered to third reading.

Senate Bill No. 195—An act to amend Section 5 of the Escrow Act and Section 17209 of the Financial Code, relating to financial responsibility of escrow companies.

Bill read second time, and ordered to third reading.

Senate Bill No. 197—An act to amend Section 8 of the Personal Property Brokers Act, relating to the issuance of licenses.

Bill read second time, and ordered to third reading.

Senate Bill No. 198—An act to amend Section 16 of the Industrial Loan Act, relating to the publication of financial information

Bill read second time, and ordered to third reading

Senate Bill No. 199—An act to amend Section 21.1 of the Personal Property Brokers Act, relating to the issuance of desist and refrain orders.

Bill read second time, and ordered to third reading.

Senate Bill No. 200—An act to amend Sections 4 and 9 of the Check Sellers and Cashers Act, relating to types of business licensed under said act.

Bill read second time, and ordered to third reading.

Senate Bill No. 201—An act to amend Section 6 of the Check Sellers and Cashers Act, relating to liquid assets.

Bill read second time, and ordered to third reading.

Senate Bill No. 202—An act to add Section 7.1 to the Check Sellers and Cashers Act, relating to fidelity bonds.

Bill read second time, and ordered to third reading.

Senate Bill No. 780—An act to amend Section 5050 of the Insurance Code, relating to county mutual fire insurance.

Bill read second time, and ordered to third reading.

Senate Bill No. 331—An act to amend Section 18973 of the Government Code, relating to civil service rights of veterans and widows of veterans.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

On page 2, line 15, of the printed bill, strike out "issued", and insert "authorized".

Amendment No. 2

On page 2, line 15, of said bill, strike out "Con-"; and in line 16, strike out "gress", and insert "Government".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 427—An act to amend Section 981.2 of the Military and Veterans Code, relating to educational assistance to veterans.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Military Affairs:

Amendment No. 1

On page 1, line 5, of the printed bill, after "fees", insert "other than for individual instruction or private lessons".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 196—An act to amend Section 13 of the Personal Property Brokers Act, relating to the suspension or revocation of license.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In lines 6 and 7 of the title of the printed bill, as amended in the Senate on March 22, 1951, strike out "Code, relating to the suspension or revocation of licenses".

Amendment No. 2

On page 1 of said bill, between lines 10 and 11, insert

"(b) The licensee has violated any provision of this act or any rule or regulation lawfully made by the commissioner under and within the authority of this act; or that

(c) Any fact or condition exists which, if it had existed at the time of the original application for such license, reasonably would have warranted the commissioner in refusing originally to issue such license.

The commissioner may upon three days' notice and a hearing, suspend any license for a period not exceeding 30 days, pending investigation.

Any licensee may surrender any license by delivering to the commissioner written notice that he thereby surrenders such license, but such surrender shall not affect such licensee's civil or criminal liability for acts committed prior to such surrender.

No revocation or suspension or surrender of any license shall impair or affect the obligation of any pre-existing lawful contract between the licensee and any borrower.

Every license issued hereunder shall remain in force and effect until the same shall have been surrendered, revoked, or suspended in accordance with the provisions of this act, unless application for renewal thereof for the succeeding calendar year is not filed with the commissioner on or before December 20th of the year preceding said calendar year for which such license is sought to be in effect.

Except in cases in which the time for setting the hearing is shortened as herein provided, the proceedings shall be conducted in accordance with Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code, and in all cases the commissioner shall have all the powers granted therein."

Amendment No. 3

On page 3 of said bill, strike out lines 37 to 50, inclusive; and strike out all of page 4.

Amendments read, and adopted

Bill ordered reprinted, and to third reading.

Senate Bill No. 909—An act to amend Section 14032 of the Government Code, relating to the Division of Architecture Revolving Fund.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 2, line 4, of the printed bill, as amended in the Assembly on April 13, 1951, after "1947", insert "and for expenses incidental to said projects".

Amendment No. 2

On page 2, line 5, of said bill, after "encumbered", insert a comma

Amendment No. 3

On page 2, line 6, of said bill, strike out "expended", and insert "disbursed".

Amendment No. 4

On page 2, line 7, of said bill, strike out "encumbered", and insert "obligated".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

ANNOUNCEMENT

Mr. Lowrey announced the receipt of several reports from the Department of Natural Resources, Division of Forestry, and briefly discussed their contents.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Waters to reconsider the vote whereby Assembly Bill No. 877 was refused passage, was continued until the next legislative day.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred

Assembly Bill No. 1047
Assembly Bill No. 1050
Assembly Bill No. 1194

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred

Assembly Bill No. 866
Assembly Bill No. 2581
Assembly Bill No 2693

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Senate Bill No. 126

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1045
Assembly Bill No. 1049

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 1051

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 383
Assembly Bill No. 384
Assembly Bill No. 2807
Assembly Bill No. 3068
Assembly Bill No. 3388

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Assembly Bill No 3222

Has had the same under consideration, and reports the same back with the recommendation Do pass

NIEHOUSE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Assembly Bill No. 100

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Senate Bill No. 1575

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 26—An act to amend Section 31679 of the Government Code, relating to the members of the County Employees' Retirement System.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 26?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 31679 of", and insert "add Section 31679.1 to".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 14, inclusive, and insert

"SECTION 1. Section 31679.1 is added to the Government Code, to read:

31679.1. Every current service pension and prior service pension payable for time commencing on the effective date of this section to any member who was retired prior to October 1, 1949, is hereby increased to the amount it would be if the provisions of Section 31679, as they exist on said effective date, had been in effect on the date of the actual retirement of the member; but this section does not authorize any decrease in any such pension, nor does this section give any such retired member, or his successors in interest, any claim against the county or district for any increase in any pension paid or payable for time prior to its effective date. Calculations of pensions under this section shall be made on the basis of current interest rate and mortality tables

This section shall not apply to any retirement system established under the provisions of this chapter, nor to the members or retired members of any such system unless and until the governing board of the county or district covered by such retirement system elects to be subject to the provisions of this section in the manner provided by Article 2 of this chapter with respect to the establishment of a retirement system hereunder; except that an election among the employees is not required."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No 26 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—63.

NOES—None.

Assembly Bill No. 26 ordered enrolled

Assembly Bill No. 45—An act to amend Sections 984 and 985 of the Military and Veterans Code, relating to farm and home purchases by veterans.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 45?

Amendment No. 1

On page 1 of the printed bill, strike out line 13, and insert

"(a) "Board" and "department" means the Department of Veterans Affairs."

Amendment No. 2

On page 2 of said bill, strike out lines 18 to 21, inclusive, and insert "States during the period June 27, 1950 to a future date to be established by proclamation of the Governor, and receives an honorable discharge therefrom or is".

Amendment No. 3

On page 2 of said bill, after line 27, insert

"Whenever the Governor, after June 27, 1950, finds that the United States is no longer engaged in any type of campaign involving persons in active duty in the armed forces, he shall issue a proclamation establishing the date after which persons on active duty in the armed forces shall not be considered veterans for the purposes of this article

(j) As used in this article, "Progress Payment Plan" means payment by the department for improvements on real property in installments as work progresses."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 45 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Stanley, Tomlinson, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 45 ordered enrolled.

Assembly Bill No. 1146—An act to amend the title of Article 2 and to add Articles 3 and 4 to Chapter 5.5 of Division 21 of the Health and Safety Code, relating to low-acid frozen foods

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1146?

Amendment No. 1

In line 3 of the title of the printed bill, strike out the period, and insert "in hermetically sealed containers"

Amendment No. 2

In line 4 of said bill, after "Food", insert "in hermetically sealed containers."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1146 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Stanley, Tomlinson, and Mr. Speaker—62.

NOES—None

Assembly Bill No. 1146 ordered enrolled.

Assembly Bill No. 1177—An act to add Section 1190.1 to the Civil Code, relating to the acknowledgment of instruments.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1177?

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Assembly on March 21, 1951, after "domestic," insert "by its president and secretary,".

The roll was called, and the Assembly refused to concur in Senate amendment to Assembly Bill No. 1177 by the following vote:

AYES—Evans, Geddes, and McFall—3

NOES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Stanley, Tomlinson, and Mr. Speaker—56.

Appointment of Committee on Conference Concerning Assembly Bill No. 1177

The Speaker announced the appointment of Messrs. Brown, McFall, and Shaw as a Committee on Conference concerning Assembly Bill No. 1177.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Chapel to reconsider the vote whereby Assembly Bill No. 2663 was refused passage was continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 235

Mr. Silliman asked for, and was granted, unanimous consent that he be permitted to take up the consideration of Senate amendments to Assembly Bill No. 235, temporarily passed on the unfinished business file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 235—An act to amend Sections 812.4, 812.6, 814, 828.6, 828.7, 829.35, and 829.4 of the Agricultural Code, relating to containers for lettuce and carrots.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 235?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "812.4, 812.6, 814," and insert "811, 812.4, 812.6, 814, 828.55,".

Amendment No. 2

In line 3 of the title of said bill, strike out "for lettuce and carrots", and insert "for lettuce, carrots and cantaloupes, declaring the urgency of this act, to take effect immediately".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 3 of the printed bill, after line 18, insert

"SEC. 8. Section 811 of said code is amended to read:

811. Cantaloupes shall be mature but not over-ripe, not poorly netted, and free from mold, decay, and insect injury which has penetrated or damaged the edible portion of the cantaloupe; and free from serious damage, due to bruises, sunburn, growth cracks, cuts, sponginess, flabbiness, wilting, or other causes. Damage to any one cantaloupe is not serious unless it affects the edible portion of the individual cantaloupe.

Not more than 10 percent, by count, of the cantaloupes in any one container or bulk lot may be below these requirements, but not to exceed one-half of this tolerance shall be allowed for any one cause.

Cantaloupes when packed shall be virtually uniform in size and there shall be the same numerical count of uniformly sized cantaloupes in each layer throughout the container.

"Mature" in the case of cantaloupes means that the appearance of the outside indicates maturity and the arils which surround the seed during the development of maturity have been absorbed and, in addition, that the juice of the edible portion shall contain not less than 8 percent soluble solids as determined by the Balling or Brix scale hydrometer In view of differences in climatic and other natural conditions prevailing south and east of San Gorgonio Pass, which result in the cantaloupes grown in that area having, at maturity, a higher percentage of soluble solids than the mature cantaloupes grown in the area north and west of San Gorgonio Pass, mature in the case of cantaloupes produced in the area south and east of San Gorgonio Pass, means, in addition to the maturity requirements herein specified, that the juice of the edible portion shall contain not less than 10 percent soluble solids, as determined by the Balling or Brix scale hydrometer or that the cantaloupes have been separated from the vine by a "full slip" which indicates full maturity on the vine.

All closed containers of packed cantaloupes shall bear upon them in plain sight and in plain letters on one outside end, the name of the person who first packed or authorized the packing of the cantaloupes, or the name under which such packer is engaged in business, together with a sufficiently explicit address to permit ready location of such packer. All containers of cantaloupes in which the pack does not conform to the standard pack provisions for cantaloupes in Section [829] *829 3* shall be conspicuously marked in letters not less than one-half inch in height "irregular pack."

SEC. 9. Section 828.55 of said code is amended to read:

828 55.	39 Standard cantaloupe crate	12	12	*21⅞ or*	*22⅛*
	40 Pony cantaloupe crate	11	11	*21⅞ or*	*22⅛*
	41 Jumbo cantaloupe crate	13	13	*21⅞ or*	*22⅛*
	42 Standard cantaloupe flat	4	12	*21⅞ or*	*22⅛*
	43 Special cantaloupe flat	4½	13½	*21⅞ or*	*22⅛*
	44 Special cantaloupe flat	5	14½	*21⅞ or*	*22⅛*

SEC. 10. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are

Experimental use of cantaloupe containers with a slightly shorter length than now provided by law has shown that such crates can more efficiently be loaded into railroad cars and with less breakage of crates in transit In order to permit the use of crates with the shorter dimension for shipment of the current season's crop of cantaloupes most of which will be marketed prior to the time this act would otherwise become effective it is necessary that it take effect immediately "

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 235 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Stanley, Tomlinson, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 235 ordered enrolled.

Hon. Richard H. McCollister Presiding

At 10.40 a.m., Hon. Richard H. McCollister, Member of the Assembly from the Seventh District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1018—An act to add Section 3928.1 to, and to amend Section 3946 of, the Elections Code, relating to direct primary ballots.

Bill read third time.

Motion to Amend

Mr. Coats moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 17, 1951, strike out "Section 3928.1", and insert "Sections 53 and 3928.1".

Amendment No. 2

In line 2 of the title of said bill, strike out "direct primary".

Amendment No. 3

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 53 is added to the Elections Code, to read:

53. On the ballots for any special election at which a partisan office is to be filled there shall be printed in the manner prescribed by Section 3928.1 after the name of each partisan candidate the designation of the party with which such candidate is affiliated.

SEC. 2. Section 3928.1 is added to said code."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Speaker Presiding

At 10.41 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Assembly Bill No. 1613—An act to add Section 372.4 to the Vehicle Code, relating to vehicle registration fees.

Bill read third time.

Motion That Assembly Bill No. 1613 Be Re-referred to Committee

Mr. Sherwin moved that Assembly Bill No. 1613 be withdrawn from the third reading file, and be re-referred to the Committee on Revenue and Taxation.

Mr. Geddes seconded the motion.

Roll Call Demanded

Messrs. Cooke, Lowrey, and Lyon demanded a roll call.

The roll was called, and the motion lost by the following vote:

AYES—Babbage, Burke, Caldecott, Collier, George D. Collins, Connolly, Conrad, Dickey, Dolwig, Doyle, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Lincoln, Lipscomb, Luckel, Lyon, McGee, McMillan, Morris, Munnell, Rosenthal, Sherwin, Tomlinson, and Waters—28.

NOES—Beck, Belotti, Berry, Brown, Burkhalter, Chapel, Clarke, Cloyed, Coats, Condon, Cooke, Crowley, Davis, Dills, Fleury, Gubser, Hagen, Hansen, Henderson, Hinckley, Kelly, Klocksiem, Levering, Lindsay, Lowrey, McCollister, McFall, Meyers, Moss, Parker, Porter, Rumford, Shaw, and Silliman—34.

The question being on the passage of Assembly Bill No. 1613.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burkhalter, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Evans, Fleury, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Kelly, Kirkwood, Lindsay, Lyon, McCollister, McFall, McGee, McMillan, Meyers, Munnell, Parker, Rosenthal, Shaw, Silliman, Stanley, and Thomas—41.

NOES—Babbage, Burke, Caldecott, Collier, Conrad, Doyle, Geddes, Hahn, Levering, Lincoln, Lipscomb, Luckel, Morris, Rumford, and Sherwin—15.

Bill ordered transmitted to the Senate.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills Nos. 2722 and 2459 re-referred to the Committee on Judiciary.

Assembly Bills Nos. 3098, 182, and 183 re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 3258 re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 3176 re-referred to the Committee on Industrial Relations.

Hon. Marvin Sherwin Presiding

At 10.59 a.m., Hon. Marvin Sherwin, Member of the Assembly from the Sixteenth District, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 3123

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

ERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 2044
Assembly Bill No. 2045

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ERWIN, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which were referred.

Assembly Bill No. 2048
Assembly Bill No. 2068

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Senate Bill No. 1715
Senate Bill No. 1716
Senate Bill No. 1718

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ERWIN, Chairman

Above reported bills ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2722
Assembly Bill No. 3098
Assembly Bill No. 3176
Assembly Bill No. 3258

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 182
Assembly Bill No. 183
Assembly Bill No. 2459

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 44

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1616—An act to amend Sections 633, 641, and 662 of the Welfare and Institutions Code, relating to institutions in which delinquent and other juveniles are housed, and to the powers and duties of probation officers and probation committees in connection therewith.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Tomlinson, Waters, and Mr. Speaker—62

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Assembly Bill No. 1803 Hold Place on File

Mr. Porter asked for, and was granted, unanimous consent that Assembly Bill No. 1803 be passed on file, and hold its place on file on the next legislative day.

Assembly Bill No. 907—An act to amend Section 45 of the Public Utility District Act of 1921, relating to debts in excess of limits being void except in cases where district finances water works by bond issue paying indebtedness out of revenues, by authorizing district to issue such bonds and to pledge revenues of such water works to payment thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Stanley, Thomas, Tomlinson, and Waters—60.
NOES—None.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)
NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Dolwig to reconsider the vote whereby Assembly Bill No. 3280 was refused passage was continued until the next legislative day.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2229—An act to amend Sections 30 and 89 of the Community Redevelopment Act, relating to community redevelopment.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Thomas, Waters, and Mr. Speaker—62.
NOES—None.

Bill ordered transmitted to the Senate.

Requests for Unanimous Consent That Names Be Placed Upon Roll Call

Mr. Erwin asked for, and was granted, unanimous consent that his name be placed upon the roll call, on Assembly Bill No. 2229, and that he be recorded as voting "Aye".

Mr. Morris asked for, and was granted, unanimous consent that his name be placed upon the roll call, on Assembly Bill No. 2229, and that he be recorded as voting "Aye".

Speaker Presiding

At 11.10 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Assembly Joint Resolution No. 28—Relative to memorializing Congress to amend the Career Compensation Act of 1949 (63 Stat. 802) to authorize crediting service of cadets and midshipmen for purposes of pay and longevity.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Cloyed, Coats, Collier, George D Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hahn,

Hansen, Hawkins, Henderson, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—58.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 480

Mr. Dickey asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 480, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 480

Senate Bill No. 480—An act to amend Section 50662 of the Government Code, relating to revenue bonds, declaring the urgency thereof, to take effect immediately

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—68

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Joint Resolution No. 29—Relative to memorializing the Congress of the United States in relation to the furnishing of federal assistance, including arms, ammunition, clothing and equipment, to the California Defense and Security Corps and/or the California National Guard Reserve.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln,

Lindsay, Lipscomb, Lowrey, Luckel, Lyon, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None

Resolution ordered transmitted to the Senate.

Assembly Bill No. 881—An act to add Section 1101.1 to the Insurance Code, and to amend Section 1106 of such code, relating to brokerage commissions on reinsurance, and penalties therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1541—An act to repeal Chapter 3, comprising Sections 1200 to 1304, inclusive, of Division 2 of the Business and Professions Code, and to add Chapter 3, comprising Sections 1200 to 1322, inclusive, to Division 2 of said code, relating to the regulation of clinical laboratories, clinical laboratory technologists, clinical laboratory technicians, and clinical laboratory technician trainees, and making an appropriation.

Bill read third time, and passed on file.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 1541, on motion of Mr. Connolly.

Assembly Bill No. 3221, on motion of Mr. Sherwin.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2530 BE RE-REFERRED TO COMMITTEE

Mr. Davis asked for, and was granted, unanimous consent that Assembly Bill No. 2530 be withdrawn from the third reading file, and be re-referred to the Committee on Ways and Means.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1868—An act to amend Section 4530 of the Penal Code, relating to escapes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Kelly, Kirkwood,

Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1—An act to add Section 1256.1 to the Code of Civil Procedure, relating to condemnation proceedings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Cloyed, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1869—An act to amend Section 1191 of the Penal Code, relating to judgments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Thomas, Tomlinson, and Waters—63

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 654—An act to repeal Section 8352 of, and to add Section 8352 to, the Revenue and Taxation Code, and to amend Section 8 of an act entitled "An act to amend Section 8352 of, and to add Sections 8354 to 8358, inclusive, to, the Revenue and Taxation Code, relating to aviation and airports and the financing thereof, including revenue from taxes on motor vehicle fuel," approved July 29, 1949, relating to appropriation of the money in the Motor Vehicle Fuel Fund, and providing for the period of operation of the code provisions relative thereto.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Tomlinson, Waters, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2619—An act to amend Section 26020 of the Government Code, relating to the financing of airports by counties

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, George D. Collins, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Thomas, Waters, and Mr Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3072—An act to add Section 1590.5 to the Labor Code, relating to the regulation of employment agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1284—An act to add Section 705.5 to the Vehicle Code, relating to transportation of saw logs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 188
Assembly Bill No 497
Assembly Bill No 925
Assembly Bill No. 2052
Assembly Bill No. 3403

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

ERWIN, Chairman

Above reported bills ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1951

MR SPEAKER. Your Committee on Judiciary, to which were referred.

Assembly Bill No. 1088
Assembly Bill No. 2454

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

BROWN, Chairman

Above reported bills ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 90—An act to add Section 9912 to the Government Code, relating to the advocation of legislation by certain state officers and employees.

Bill read third time.

Motion to Amend

Mr. McCollister moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 18, of the printed bill, as amended in the Assembly on April 16, 1951, strike out "by appearance before a".

Amendment No. 2

On page 1, line 19, of the printed bill, strike out "duly constituted".

Amendment No. 3

On page 1, line 18, of the printed bill, after "except", insert "at the request of a member or a".

Amendments read, and adopted

Bill ordered reprinted, and re-engrossed.

RESOLUTIONS

The following resolution was offered:

By Messrs. Rosenthal, Beck, Kilpatrick, Doyle, Clayton A Dills, Hawkins, Porter, Elliott, Burkhalter, Thomas, Munnell, Shaw, Cooke, and McMillan:

House Resolution No. 119

Relative to the marriage of Michael D. Fanning, Postmaster of Los Angeles

WHEREAS, Michael D Fanning, Postmaster of Los Angeles, was married to Mrs Marguerite Scully, widow of Thomas P. Scully, on Saturday, April 14th, at Santa Barbara; and

WHEREAS, Michael D. Fanning is a prominent Democrat in California and was recently honored by a testimonial dinner on the fifth anniversary of his service as Postmaster at Los Angeles; and

WHEREAS, The bride is also an outstanding Democratic leader, being General Vice Chairman for the Jefferson-Jackson Day Dinner to be held in Los Angeles; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly hereby extend their best wishes to this outstanding couple; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to send suitably prepared copies of this resolution to Mr and Mrs. Michael D. Fanning.

Resolution read, and ordered referred to the Committee on Rules.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Silliman:

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to authorize the Director of Finance to sell and convey, subject to the terms, conditions, and covenants as in his judgment are in the public interest, a portion of the Napa State Farm, as defined in Section 19130 of the Government Code

Respectfully submitted.

JAMES W. SILLIMAN

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Silliman:

An act to authorize the Director of Finance to sell and convey, subject to the terms, conditions, and covenants as in his judgment are in the public interest, a portion of the Napa State Farm, as defined in Section 19130 of the Government Code

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloved, Coats, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—67.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3408: By Mr. Silliman—An act to authorize the Director of Finance to sell and convey, subject to such terms, conditions, and covenants as in his judgment are in the public interest, a portion of the Napa State Farm, as defined in Section 13190 of the Government Code.

Referred to Committee on Governmental Efficiency and Economy.

RECESS

At 11 52 a m., on motion of Mr. Dickey, the Assembly recessed until 2 p m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILLS NOS. 1730 AND 1731 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Clarke asked for, and was granted, unanimous consent that Assembly Bills Nos. 1730 and 1731 be withdrawn from the Committee on Agriculture, and be re-referred to the Committee on Conservation, Planning, and Public Works.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 355

Mr. Caldecott asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No 355, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 355

Senate Bill No. 355—An act to amend Section 26749 of the Government Code, relating to transportation of prisoners or patients to state prisons, hospitals or other institutions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Caldecott, Clarke, Cloyed, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Luckel, Lyon, McCollister, McGee, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Silliman, Stanley, and Tomlinson—53

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 44

Mr. Stanley asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 44, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 44

Senate Bill No. 44—An act to amend Section 16 of the District Investigation Act of 1933, and Section 58700 of the Government Code, relating to the termination of proceedings upon the filing of written protests by a majority of property owners and authorizing withdrawals of protests prior to the time set for hearing thereon.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Caldecott, Cloyed, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Luckel, Lyon, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Stanley, Tomlinson, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 45

Mr. Stanley asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 45, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 45

Senate Bill No. 45—An act to repeal Section 74.1 to 74.10, inclusive, of the Orange County Water District Act, relating to the manner of excluding from the district lands annexed to a metropolitan water district organized under the Metropolitan Water District Act.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Caldecott, Clarke, Cloyed, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Tomlinson, and Mr. Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 817

Mr Cloyed asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No 817, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 817

Senate Bill No. 817—An act to add Section 4793.1 to the Health and Safety Code, relating to the proceeds of the sale of bonds of a county sanitation district.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, George D. Collins, Connolly, Conrad, Cooke, Crowley, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Henderson, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lyon, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Silliman, Stanley, and Tomlinson—50.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 818

Mr. Cloyed asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 818, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 818

Senate Bill No. 818—An act to amend Sections 14796 and 14797 of the Revenue and Taxation Code, relating to inheritance tax commissions of county treasurers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Henderson, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, McCollister, McFall, McGee, McMillan, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Tomlinson, Waters, and Mr Speaker—60

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Joint Resolution No. 27—Relative to General Douglas MacArthur,

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the eighteenth day of April, 1951, at 2 p m.

BURKE, Chairman

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 433

Mr. Babbage asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 433, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 433

Senate Bill No. 433—An act to amend Section 1182 of the Penal Code, relating to the making of an application for a new trial.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky Gubser, Hagen, Hahn, Hansen, Henderson, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Tomlinson, Waters, and Mr. Speaker—61.

NOES—None

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 413

Mr. Kirkwood asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 413, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 413

Senate Bill No. 413—An act to add Section 18236 to the Education Code, relating to personal liability of officers and employees of school districts

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Evans, Geddes, Grant, Grunsky,

Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, McCollister, McFall, McGee, McMillan, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Tomlinson, Waters, and Mr Speaker—59

NOES—Hagen—1

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 371

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 371, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 371

Senate Bill No. 371—An act to amend Section 4941.2 of the Education Code, relating to elections in unified school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Tomlinson, Waters, and Mr Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 504

Mr Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 504, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 504

Senate Bill No. 504—An act to amend Section 13425 of the Education Code, relating to the attendance of teachers upon institute

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Lyon, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Tomlinson, Waters, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 324

Mr. Tomlinson asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 324, out of order, at this time

CONSIDERATION OF SENATE BILL NO. 324

Senate Bill No. 324—An act to amend Sections 587 and 1515 of the Probate Code, relating to the dedication or conveyance of real property or interests therein of the estates of decedents and of wards.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Tomlinson, Waters, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 11	Assembly Bill No 2966
Assembly Bill No. 1562	Assembly Bill No. 2967
Assembly Bill No. 2196	Assembly Bill No. 2968
Assembly Bill No. 2955	Assembly Bill No. 2969
Assembly Bill No. 2959	Assembly Bill No 2970
Assembly Bill No. 2960	Assembly Bill No. 2971
Assembly Bill No. 2961	Assembly Bill No 2973
Assembly Bill No 2962	Assembly Bill No. 2974
Assembly Bill No 2963	Assembly Bill No. 3056
Assembly Bill No. 2964	Assembly Bill No. 3202
Assembly Bill No. 2965	Assembly Bill No. 3372

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No 40

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bill was withdrawn from the file, and re-referred as follows:

Assembly Constitutional Amendment No. 40 re-referred to the Committee on Constitutional Amendments.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 479

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 479, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 479

Senate Bill No. 479—An act to amend Section 1203.7 of the Penal Code, and to amend Section 633 of the Welfare and Institutions Code, relating to the membership of the Board of Corrections.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—65.

NOES—Cloyed—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 476

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 476, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 476

Senate Bill No. 476—An act to amend Section 1203.4 of the Penal Code, relating to probation.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1424

Mr. Dunn asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No 1424, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1424

Senate Bill No. 1424—An act to add Section 13802.1 to the Education Code, relating to the salaries of persons employed by school districts in positions requiring certification qualifications.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, McCollister,

McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

MEMBERS EXCUSED

At 2 26 p m., Mr. Meyers asked for, and was granted, unanimous consent that Messrs Maloney and McCarthy be excused, for the balance of the legislative day, because of legislative business elsewhere.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 176

Mr. Waters asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 176, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 176

Senate Bill No. 176—An act to amend Section 17015 of the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Silliman, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—57

NOES—Coats, George D. Collins, Condon, and Hagen—4

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 554

Mr. Tomlinson asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 554, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 554

Senate Bill No. 554—An act to amend Section 13988.1 of the Revenue and Taxation Code, relating to deduction or expenses and fees in computing inheritance taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Collier, Connolly, Conrad, Dickey, Dolwig, Doyle, Fleury, Geddes, Grant, Grunsky, Gubser, Hahn, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, McCollister, McFall, McGee, Morris, Munnell, Niehouse, Shaw, Stanley, Thomas, Tomlinson, and Mr Speaker—41.

NOES—Coats, George D. Collins, Condon, Davis, Dunn, Elliott, Evans, Gaffney, Hagen, Henderson, Lowrey, Luckel, McMillan, Moss, Parker, and Rumford—16

Bill ordered transmitted to the Senate.

ANNOUNCEMENT

Mr. Geddes announced that tomorrow morning, Thursday, April 19th, from 9.30 a.m., until 10 a.m., he will have at his desk the Child Care Centers Bill; and that anyone desirous of becoming a co-author on said bill may do so by affixing his signature, at that time.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 3 p.m.—

Governmental Efficiency and Economy, in Room 435.
Manufacturing, Oil, and Mining Industry, in Room 432.
Conservation, Planning, and Public Works, in Room 426.

At 8 p.m.—

Education, in Room 432.
Municipal and County Government, in Room 426.
Constitutional Amendments, in Room 435.

Tomorrow, Thursday, April 19th—At 9.15 a.m.—

Rules, in Room 319.

REPORTS OF STANDING COMMITTEES

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 298
Assembly Bill No. 803
Assembly Bill No. 1030

Has had the same under consideration, and reports the same back with the recommendation: Do pass

CONNOLLY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR. SPEAKER. Your Committee on Public Health, to which were referred:

Assembly Bill No. 1053
Assembly Bill No. 1109
Assembly Bill No. 1221

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

CONNOLLY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Assembly Bill No. 1669

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended, and re-refer to Committee on Ways and Means.

CONNOLLY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR SPEAKER: Your Committee on Public Health, to which was referred:

Assembly Bill No. 2040

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to Committee on Judiciary.

CONNOLLY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR SPEAKER: Your Committee on Public Health, to which was referred:

Senate Bill No. 560

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

CONNOLLY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Senate Bill No. 1502
Senate Bill No. 1602

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CONNOLLY, Chairman

Above reported bills ordered to second reading.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Judge Lowell of San Diego.

On request of Messrs. Gubser and Kirkwood, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Lindsay, Mr. Stroschein, Mr. McKeown, and Lawrence C. Curtis, teachers, and the following pupils of the Jefferson Union Elementary School: Rosemary Appio, Betty Nan Bissell, Sonya Elizabeth Bracher, Frances Mary Burriesci, Barbara Jean Cabral, Patricia Ann Cabral, Teresa Ann Carli, Daniel Carvo, Alfred N. Clark, Betty Carolyn Dawson, Richard Della Maggiore, Rudolph Steve Espinoza, Marian Faught, Mary Lucille Faught, Glendon Jay Hall, Vernas Hamilton, Verna Hamilton, Nancy Lynn Harris, Lee Hays, Wayne O'Dell, Masaru Otsuji, Carl Park, Marcellino Rivas, Jr., Alice Sakamoto, Ralph L. Standiford, Stanley Roy Svensen, Melva Marie Turner, Geoffrey Willis, Charles Alvin Johnson, Jimmie Keeth, Robert John Keith, Patricia Kubo, Thomas LeVasseur, Arthur Martinez, Helen Nance, Kenneth Okubo, Frank Palacios, Arlene Powers, Margaret Diane Price, Gay Rader, Mary Rodriguez, Roberta Kem Shillington, Joe Silva, Irvin Solus, Gail Youko Taketa, Walter Tranchina, Walter Uyeda, Carol Wishon, Roxie Wagner, Lupe Angelo, Melva Verzola Barreras, Theresa Barreras, Larry Cardoza, Wilene Chewning, Jacqueline Gayle Coleman, Frances Pearl Copeland, Josephine Dias, Betty Lorraine Dove, Rudy Duarte, Robert Emmons, Ramona Macias Gonzales, Alden Max Hall, Johnny Ray Haws, Florence Hayashi, Earl Jackson, Louise Jauch, Jimmy Kelley, Sherrie Lander, Wilfred Eugene LeVasseur, Neil McKillop, Frank Ike Martinez, Joyce Yoko Nishimura, and Clarence Richard Nunes.

On request of Mr Condon, the usual courtesies of the Assembly for this day were unanimously extended to the following pupils of the Acalanes High School: Jayne Kirk, Jim Klick, Don Kun, Judy Lee, Jim Lohstroh, Harvey Lowthian, Shirley Lundquist, Allen Marson, Ted Merry, Gordon Miller, Carol Minor, Bob Moore, Bruce Morgan, Charlie Ostrom, Karl Ours, Teanne Pasquini, Pat Patten, Ralph Paul, Bill Peare, Beth Pendelton, Carl Peters, Gary Pinnella, Carol Rucker, Walter Rugh, Ann Seulburger, Art Siler, Bill Smith, Erna Soder, Bob Stewart, Jerry Tanner, Gloria Trimble, Dick Van Nest, Jerry Vurek, Jim Keefe, Bill Matheson, Eddie Ambrose, Allen Ames, Howard Andrew, David Arvidson, Court Bacon, John Barnett, Bob Bennett, Bob Borgaesani, Shirly Borglin, Vinian Brohman, Ed Broome, Jeanette Busch, Neil Caldwell, John Cashman, Bill Claiche, Al Culp, John Daniel, Margaret Downs, Susan Ehman, Mike Elvidge, Gary Estes, Dorothy Floyd, Jack Greenlaw, Ed Greub, Elmer Grimes, Sven Groennings, Pat Hoge, Lucie Hendrix, Jackie Irving, Rod Iverson, Margaret Jesse, Walter Johnson, and Jim King

On request of Messrs Moss and Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Emma Franklin and Lloyd F Krelle, teachers, and the following pupils of the Galt School. Donna Beach, Robert Boone, Donald Campbell, LeRoy Clement, Dorene Doering, Lester Fuqua, Leota Geurin, Minnie Greenwood, JoAnn Harrison, Johnny Howe, Gladys Keller, Ida May Lavagnino, Jewel Loll, David Mansur, Vernon Meisch, Pauline Morales, Elvin Mullen, Robert Nelson, Elroy Oswald, Charles Patton, David Rochester, Joanne Schoolleman, Herbert Schramm, Roy Moore, Alfred Sienega, Paul Stimson, Jackie Strange, Betty Jo Sutten, Robert Taunton, Pete Weinzheimer, Shirley Wilkerson, Marie Immoos, Willie Fuhrman, Jimmie Dukes, Beverly Gouzene, Blanche Brokaw, Ronald Delk, Vernon Ratlief, Carol Azevedo, Phyllis Broux, Charles Carver, Ronald Casado, Jack Fautt, Ruby Field, Ruth Gray, Nila Hanson, Chlele Hauck, Janet Jacobsen, Grandin Martin, Joyce McFadin, Margie Melhaff, Juanita Norton, Joyce Miller, Marlene Nitchke, Jessie Ojeda, Kay Plumlee, Charles Reece, Ruby Roach, LaRue Schock, Launy Schwartzman, Kenneth Smith, Lemoa Starnes, Sue Thomas, Peggy Thompson, Joan Vossler, Oma Weatherman, Shirley Weaver, Charlene Weinberger, Lowell Werre, Gary White, Gonzalo Zavalo, Herbert Steiner, Esther Gomez, Janice Ghormley, and Claudette Reis.

On request of Messrs. McFall and Parker, the usual courtesies of the Assembly for this day were unanimously extended to Faye M. Barkley, teacher; R. W. Rydquist, Mr. Harry Rivinius, Mr. Carl Jorgensen, trustees; Roy Marshall, bus driver, and the following pupils of the Van Allen School: Sam Amador, Darlene Anderson, Wilbur Birchler, Calvin Cardoza, Annette Cortese, Richard Dawson, Robert Degerman, Elvera Fiori, Daniel Hernandez, Mary Louise Hernandez, Carol Johnson, Niels Jorgensen, Gene Karr, Lorraine Mathews, Joseph Martin, Juanita Melton, Marie Melton, Ruben Moreno, Arline Ostini, Delbert Rydquist, Evelyn Sherrod, Armando Valdez, Gloria Valdez, Ruth Venturella, Donald Wendland, Ella Pauley, Shirley Pauley, Marie Pereira, Jane Peters, Bonnie Robinson, and Virginia Rocha.

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to Jack MacGregor, Henry Fenton, Mrs. Flater, Mrs Jibson, teachers; Frank Melhase, John Santos, guests; and the following pupils of the Newark School: Audrey Adamson, Wanda Mara, Edwina Knox, Pat Spurgeon, Frances Detrant, Delores Blythe, Shirley Adkins, Frances Huizar, Mary Lopez, Shirley Spense, Maralene Maughan, Vernon Conyers, Gabriel Ormonde, Joseph Wiltz, Robert O'Bryant, Georld Wiltz, David Hempleman, Robert Beck, Amelia Vasquz, Marlene Silva, Donna Cole, George Perry, Edwin Meneze, Dominic Nunes, Johnny Marchy, Frankie Adams, Dewane Potts, Willian Nunes, Roland Rego, Tommy O'Bryant, and Leonard Holt

On request of Messrs. Lincoln and Rumford, the usual courtesies of the Assembly for this day were unanimously extended to Wayne Welch, Robert Lamp, Katherine Alexander, teachers, and the following pupils of the Fremont School: Norman Ashcraft, George Buice, Barbara Cabral, Art Chapman, Jeanne Black, Diane Clark, Harold Cole, Phil Collins, Anita Curtis, Mary Dillon, Jim Durflinger, Frank Ehrhardt, Al Federov, George Futas, Milton Gassoumis, Joyce Hewitt, Frank Howard, Mike Jordan, Ken Knowles, Sally Kreutzberg, John Lewis, Henri Minjou, Marjorie Morris, Marie Naumann, Jim Anthony, Jim Barthman, Jimmy Bowen, Ronald Crabtree, Bill Davis, Henry Junier, Mike Lawless, Lester McDonald, Ronnie Morris, Barbara Vincent, Jerry De Bene, Ken Grove, Fred McAndrew, Yvonne LaBruzzi, Enedina Quintinella, James Herndon, Dudley Ahlf, Evelyn Bagley, Arlene Barney, Barbara Jean De Perriera, John De Ridder, Joyce Fosgett, Sally Jensen, Emma Kruger, David Planer, Carolyn Ward, Beverly Dunn, Margaret Ludwig, Joan Peterson, Patricia Snyder, Bob Hurd, Lillian Lucas, Alma Miller, Nancy Wilson, August Ozolin, Willard Retelle, Beverly Silva, Matthew Stolz, Ken Thompson, Leona Wichman, Joan Willebrands, Helen Pope, Bill Churchill, Nena Hansen, Bob Douglas, Pat Sperry, Margaret Dorr, Helene Witter, Joan Farrar, Lois Fraisland, Pat Brenzel, Florimel Forster, Janet Blaine, Janet Consterdine, Dudley Ahlf, Joan Allen, Evelyn Bagley, Arlene Barney, Frank Bienati, Phil Bova, Beatrice Brandt, Grace Brown, Bernard Brown, Nancy Camacho, Carol Cochran, Dick Corville, Clarence Crew, Bruce Davis, Laverne De Costa, Barbara De Perriera, John de Ridder, Louise Di Merourio, Marilyn Donicht, Beverly Dunn, Verna Evans, Linda Farrell, Joyce Fosgett, Alice Hall, Carole Henninger, Geraldine Hudson, Robert Hurd, Lynn Ireland, Sally Jansen, Margery Kaulback, Emma Kruger, Margaret Ladwig, Diane Landis, Jeanne Larson, Lillian Lucas, Pamela McCaslin, Anna Miller, Joy Mitchell, Jack Moore, Elaine Paiva, Joan Peterson, David Planer, Donna Porter, Jo Ann Scopal, Ella Sherer, Paul Sherrill, Keitha Sigman, Peggy Silva, Patricia Snyder, Willard Soberanes, Fred Sutter, Lupe Taros, Carol Voightlander, Carolyn Ward, Charlotte Watts, and Erma Weyant.

On request of Messrs. Moss and Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Mrs Schwenck, Leah Hinshaw, and Mrs. Eleanor Harshner, teachers, and the following pupils of the Carmichael School: Gilbert Cipolla, Dudley Newton, Teddy Patterson, Audrey Burright, Joanne Alt, Rose Mary Wellner,

Carolynn Martin, Jackie Waltrip, Donald McBride, Paul MacMillan, Virginia Jessup, Betty Jarwin, Margie Donald, Judith Robertson, Beverly Cline, Richard Richmond, Teddy Bishop, Claudia Rhea, Glen Courtney, Ronald Senneff, Drusilla Bryans, George Fritzsche, Elton Sapp, Bobby Hall, Jerry Moon, Roger Silk, LaVonne Murray, Lester Sanders, Bill Wolfe, Herschel Smittle, Reckey Seaman, Gladys Nichols, Ray Willis, Elaine Gray, Gerald Le Lay, Jane Baxter, Dee Anne Stark, Shirley Jordan, Lynette Alton, Bobby Marks, William Wagoner, Ruby Atkinson, Beverly Andregg, Judy Gibson, Judy Cheney, Nancy Luce, Barbara Hard, Jerrie Lee Houseworth, Karen Johnson, Sally Hines, Carol Hilzer, Jeanette Gardetto, Marie Larson, Marie Mooreman, Patty Jo Lilleland, Levila Griffis, Sharon Bradon, Carole Hendrickson, Marilyn Hardwick, Jo Ann Cunningham, Corolu Palmer, Margaret Hinshaw, Janice Whitaker, Lee Ann Woodard, Mary Miller, John Biggs, Donald Johnson, George Comte, Ricky Jamison, Franklyn Marek, Paul Lloyd, Jimmy Sanifice, David Scott, Rex Eaton, Ken Nelson, Alvin Kellogg, Benny Kuykendall, Ronnie Hendrickson, Fred Snyder, Richard Garcia, Richard Hoffman, Richard Johnloz, Tommy Maudlin, James Ferguson, Robert Howlon, Verna Tucker, Charles Garrison, Nicky Tinling, Richard Shackelford, Marjie Sides, Don Ford, Robert Scollard, Rose Bockman, Leon Garrison, Barbara Seymour, Shirley Flinn, Marlene Gutenberger, Roger Mead, Edith Moreland, Marguerite Eckdahl, Judy Davidson, Barbara Rinear, Jack Grimes, Joann Becker, Joann McAdams, Bill McAdams, Jackie Jacques, Jim West, Jim Mills, Joyce Dynes, Janeth Thompson, Judith Schutz, Carol Heil, Warren Steenes, Mary Davis, Robert Hart, James Greene, Dwain Becthold, John Bidwell, Don Jessee, James Dykes, Mary Jo Jacobs, Cleo Nedwed, Kathryn Beauchamp, Katherine Green, Betty James, Penny Pelton, Donna Quarles, Alvin Cole, Joe Ranos, Kenneth Rieck, Mike Mattice, Myrle Smith, Ted Berhdil, Bobby Whilhelm, Joe Gray, Scott Wickett, Larry Hines, and Gerald Joseph.

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to Florence Brown, C. O. Blose, Mark Hite, teachers, and the following pupils of the Sunset School: Peggy Jean Aubrey, Judith Bliss, Charles Bond, Noel Bragg, Patricia Brazda, Walter Bright, Gary Broveleit, Ronald Buck, William Burge, Barbara Calibo, Sammie Chisom, James Collins, Lorene Coppes, Rex Daniels, Shirley Frye, Manuel Gonzales, Jr., Arlyne Hamby, Barbara Hasbrook, Gary Hooper, Joan Hosford, Susan Jennings, Marian Kimball, Ronald Kirk, Gilbert Ludtke, Rex McCulloch, Samuel McKibbin, Richard Medrano, Sharon Miller, Evert Nygren, Leroy Morgan, Steven Mitchell, Anthony Lopes, Larry Porter, Linda Vickerson, Sharon Groves, and Guy Larsen.

On request of Mr. Kelly, the usual courtesies of the Assembly for this day were unanimously extended to Keith McCormack of Bakersfield.

On request of Mr. Rumford, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Harry Bartell of Alameda.

ADJOURNMENT

At 2.32 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Thursday, April 19, 1951

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FORTY-FIRST LEGISLATIVE DAY

FIFTY-FIFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, April 19, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Huckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—76

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence Kircher:

Almighty and Everlasting God, Who hast revealed Thy glory by Christ among the nations, preserve the work of Thy mercy. We thank Thee for the ideals of the statesman now called to his Heavenly reward, seeking peace and understanding among the people of the world.

Grant direction to the leaders of our great Nation, now seeking light, for the future and public opinion taking form to determine our destiny. Bless the Governor of our State, the Speaker of our Assembly, the Members of this Legislature and all who are in places of leadership and authority.

"Lord of all truth and right,
In whom alone is might,
On Thee we call!
And may the nations see
That men should brothers be,
And form one family!
God save us all!"

In Jesus name—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Munnell, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Butters, on motion of Mr. Geddes.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Stewart, on motion of Mr. Waters

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Lincoln, on motion of Mr. Caldecott.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2206—An act to amend Section 845 of the Fish and Game Code, relating to nets;

Assembly Bill No. 3021—An act to add Section 1204 to the Fish and Game Code, relating to the issuance of licenses to feed migratory game birds.

And reports that the same have been correctly enrolled, and presented to the Governor on the eighteenth day of April, 1951, at 3 p.m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 901—An act to amend Sections 6087 and 6100 of the Business and Professions Code, relating to discipline of attorneys;

Assembly Bill No. 902—An act to amend Section 117r of the Code of Civil Procedure, relating to small claims;

Assembly Bill No. 1683—An act to add Sections 6064.1 and 6106.1 to the Business and Professions Code, relating to admission and discipline of attorneys;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighteenth day of April, 1951, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 768—An act to amend Section 6103 of the Government Code, relating to fees for official services;

Assembly Bill No. 771—An act to amend Section 688 of the Code of Civil Procedure, relating to supplementary proceedings;

Assembly Bill No. 831—An act to amend Section 9608 of the Business and Professions Code, and to add Sections 9659 and 9660 to said code; and to amend the title to Chapter 5, and Articles 3 and 5 of Chapter 5, of Part 3 of Division 8 of the Health and Safety Code; and to amend Sections 7101, 7925, 7927, 7928, 8701, 8704, 8712, 8714, 8725, 8726, 8728, 8729, 8730, 8731, 8732, 8733.5, 8735, 8736, 8737, 8738, 8739, 8740, 8741, 8743, 8744, 8750, 8775, 8780, 9000, 9001, and 9005, and to add Sections 8726.1, 8738.1, 8747, 8751.1, and to repeal Sections 8727, 8734 and 8742, of said code, relating to cemeteries;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighteenth day of April, 1951, at 3 p.m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 419—An act to amend Section 7056, Public Resources Code, relating to oil, gas and mineral leases by counties and other public or quasi-public corporations, bodies or agencies;

Assembly Bill No. 587—An act to amend Section 318.3 of the Agricultural Code, relating to meat inspection, marks, and labels;

Assembly Bill No. 600—An act to amend Section 100 of the Agricultural Code, relating to plant quarantine and pest control definitions;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighteenth day of April, 1951, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 292—An act to add Section 985.4 to the Military and Veterans Code, relating to farm and home purchases by veterans;

Assembly Bill No. 349—An act to amend the title and Sections 3 and 5 of an act entitled "An act to appropriate the sum of $24,000 to be used in construction, renewal, and repair of works for restraining, impounding and control of debris resulting from mining operations and other causes along the Yuba River, to provide for the manner of expending such appropriation, to create the Yuba River Debris Control Fund, and to provide for the deposit in said fund of any unexpended balances of previous appropriations made for this purpose," being Chapter 686, Statutes of 1935, approved July 16, 1935, relating to construction, renewal, and repair of works for restraining, impounding and control of debris resulting from mining operations and other causes along the Yuba River;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighteenth day of April, 1951, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 70—An act to add Section 8557 to the Business and Professions Code, relating to licensees of the Structural Pest Control Board entering the Armed Forces, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 71—An act to repeal Section 114 of the Business and Professions Code, and to add Section 114 to the Business and Professions Code, relating to reinstatement of licenses by persons serving in the Armed Forces;

Assembly Bill No. 104—An act to amend Section 57.7 of the Unemployment Insurance Act, relating to the benefit rights of trainees,

And reports that the same have been correctly enrolled, and presented to the Governor on the eighteenth day of April, 1951, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 34—An act to add Section 9612 to the Government Code, relating to the interpretation of statutes referring to military service and specified branches thereof;

Assembly Bill No. 68—An act to add Section 5082.6 to the Business and Professions Code, relating to the application of persons serving in the Armed Forces for registration as public accountant, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 69—An act to add Sections 9541.1 and 9544.1 to the Business and Professions Code, relating to licensees of the State Board of Dry Cleaners, declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighteenth day of April, 1951, at 3 p.m.

BURKE, Chairman

COMMUNICATIONS

By the Chief Clerk:

A resolution from the Greater Bakersfield Chamber of Commerce, relative to the reallocation of funds for priorities other than for defense purposes, was received, and ordered referred to the Committee on Military Affairs.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were offered:

Assembly Concurrent Resolution No. 45: By Mr. Hagen—Approving an amendment to the charter of the City of Porterville, a municipal corporation in the County of Tulare, State of California, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the third day of April, 1951.

Referred to Committee on Rules.

Assembly Constitutional Amendment No. 54: By Mr. Hollibaugh—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 8a to Article XI thereof, relating to the charters of cities and cities and counties.

Referred to Committee on Constitutional Amendments.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 909
Assembly Bill No. 1632
Assembly Bill No. 1938
Assembly Bill No. 2046
Assembly Bill No. 3245

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 90
Assembly Bill No. 1018
Assembly Bill No. 2026

And reports the same correctly re-engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR SPEAKER: Your Committee on Education, to which were referred:

Senate Bill No 107
Senate Bill No 155
Senate Bill No 260
Senate Bill No. 262
Senate Bill No. 888

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 2310

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DUNN, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 18, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 66
Assembly Bill No. 74
Assembly Bill No 525
Assembly Bill No. 558
Assembly Bill No. 560
Assembly Bill No. 561
Assembly Bill No. 562
Assembly Bill No. 564
Assembly Bill No. 568
Assembly Bill No. 569
Assembly Bill No. 571
Assembly Bill No. 572
Assembly Bill No 580
Assembly Bill No. 605
Assembly Bill No. 612
Assembly Bill No. 613
Assembly Bill No. 615
Assembly Bill No. 659
Assembly Bill No. 957
Assembly Bill No. 1033
Assembly Bill No. 1124
Assembly Bill No. 1988
Assembly Bill No. 2341
Assembly Bill No 2342
Assembly Bill No 2647
Assembly Bill No 2674
Assembly Bill No. 2676
Assembly Bill No. 2677
Assembly Bill No. 2678
Assembly Bill No. 2679
Assembly Bill No. 2899
Assembly Bill No. 3083

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 18, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Ward, Regan, and Hoffman as a Committee on Conference concerning:

Assembly Bill No. 1177—An act to add Section 1190 1 to the Civil Code, relating to the acknowledgment of instruments

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 18, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Constitutional Amendment No 29
Assembly Joint Resolution No. 44

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 18, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 606
Assembly Bill No. 2791

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, April 18, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 19
Senate Bill No. 416
Senate Bill No. 668
Senate Bill No. 745
Senate Bill No 1074
Senate Bill No. 1443
Senate Bill No 1573

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 19—An act making an appropriation for flood protection works at the California Vocational Institution, Department of Corrections, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Ways and Means.

Senate Bill No. 416—An act making an appropriation for the surveys, plans, estimates of cost, specifications and other engineering expenses for the construction of a toll bridge or other toll highway crossing the Bay of San Francisco from the County of Marin to the County of Contra Costa, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 668—An act to amend Sections 1593, 2561, and 2802 of the Education Code, relating to the formation of school districts.

Referred to Committee on Education.

Senate Bill No. 745—An act to amend Sections 13660, 13661, 13662, 13663, 13664, and 13667 of, and to add Sections 13660.5, 13665.5, 13667.5, and 13669 to, the Government Code, relating to state publications.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1074—An act to amend Sections 27174 and 27177 of the Streets and Highways Code, relating to rules of the board of directors of a bridge and highway district and the enforcement of such rules.

Referred to Committee on Transportation and Commerce.

Senate Bill No. 1443—An act to amend Section 118 of the Welfare and Institutions Code, relating to the use of information and records pertaining to public assistance.

Referred to Committee on Social Welfare.

Senate Bill No. 1573—An act to add Section 7.1 to the Unemployment Insurance Act, relating to individuals required to be licensed by state law, and who are remunerated solely by way of commission.

Referred to Committee on Finance and Insurance.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 820—An act to amend Section 3041 of the Elections Code, relating to independent nominations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 306—An act to amend and renumber Section 4571 of the Elections Code, relating to election campaigns.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2574—An act to amend Section 21658 of the Water Code, relating to nominating petitions, their form and time for filing for elections in irrigation districts.

Bill read second time, and ordered engrossed

Assembly Bill No. 2220—An act to amend Section 5932 of the Elections Code and to repeal Sections 5882 and 7791.5, and Article 3a of Chapter 5 of Division 8 of said code, relating to absent voting.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2510—An act to amend Section 8510 of, and to add Section 8606 to, the Elections Code, relating to election contests

Bill read second time, and ordered engrossed.

Assembly Bill No. 1734—An act to add Sections 21386 and 21387 to the Water Code, relating to irrigation districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1735—An act to amend Section 26078 of the Water Code, relating to irrigation districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 383—An act to add Section 1130 to the Probate Code, relating to vouchers filed by trustees

Bill read second time, and ordered engrossed.

Assembly Bill No. 384—An act to add Section 31648.1 to the Government Code, relating to the retirement of county employees and officers and attaches of the superior court.

Bill read second time.

Motion to Amend

Mr. Dickey moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 10, of the printed bill, after "employee", strike out "or", and insert "and".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 2807—An act to amend Section 14290 of the Business and Professions Code, relating to trademarks.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3068—An act to amend Section 28103 of the Government Code, relating to jurors' fees in counties of the third class.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3388—An act to amend Section 16 of the Municipal Court Act of 1925, relating to the terms of office of municipal court judges, declaring the urgency thereof, to take effect immediately

Bill read second time, and ordered engrossed.

Assembly Bill No. 2048—An act to add Section 1161 to the Fish and Game Code, relating to hunting while intoxicated.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2068—An act to add Section 1163 to the Fish and Game Code, relating to shooting near dwellings.

Bill read second time, and ordered engrossed.

Assembly Bill No. 298—An act to amend Section 2206 of the Health and Safety Code, relating to mosquito abatement districts.

Bill read second time, and ordered engrossed

Assembly Bill No. 803—An act to amend Section 203 of the Welfare and Institutions Code, relating to establishment and operation of county hospitals

Bill read second time, and ordered engrossed

Assembly Bill No. 1030—An act to amend Sections 5750.5 and 5708 of the Welfare and Institutions Code, relating to records of patients in private mental institutions

Bill read second time, and ordered engrossed.

Assembly Bill No. 2575—An act to amend Section 21802 of the Water Code, relating to elections in irrigation districts.

Bill read second time

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

On page 1, line 14, of the printed bill, strike out "25", and insert "10".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 1736—An act to amend Section 21120 of the Water Code, relating to irrigation districts.

Bill read second time

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

On page 1 of the printed bill, beginning in line 4, after "collector," strike out the rest of line 4 and all of line 5, and insert "and treasurer *The board may consolidate any two or more of the positions of secretary, engineer, manager, assistant engineer or assistant manager, and may combine any one or more of these positions with the offices of assessor, collector or treasurer*"

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1904—An act to add Section 1104.2 to the Agricultural Code, relating to eggs.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 1104.2 to", and insert "amend Section 1105.7 of".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 6, inclusive, and insert

"SECTION 1. Section 1105.7 of the Agricultural Code is amended to read:

1105.7. It is unlawful to make any statement, representation or assertion orally, by public outcry or proclamation, or in writing, or by any other manner or means whatever concerning the quality, size, weight, condition [of], *source, origin* or any other matter relating to eggs, which is false, deceptive or misleading in any particular."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3316—An act to amend Section 626 of the Agricultural Code, relating to skim milk.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 16, of the printed bill, insert a period following "width", and strike out the remainder of the line.

Amendment No. 2

On page 1 of the printed bill, strike out lines 17 to 19, inclusive, and insert "On and after July 1, 1952 containers other than glass containers shall be labeled with the words "skim milk" or "nonfat milk" in capital letters not less than one-quarter inch in height and one-eighth inch in width."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2127—An act to add Section 657 to the Agricultural Code, relating to imitation milk and imitation cream.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 12, 1951, after "657 to", insert ", and to amend Section 639 of,".

Amendment No. 2

In the title of said bill, strike out line 2, and insert "milk and milk products and imitations thereof."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 639 of the Agricultural Code is amended to read

639. [Dessert] *Whip cream* topping is a product packaged and dispensed from a pressurized hermetically sealed container, complying with the provisions of subdivision (c) of Section 701 of this code. It shall be made from cream which contains not more than 150,000 bacteria per milliliter with or without added nonfat milk solids, sweetening and harmless edible stabilizer not exceeding one-half of 1 percent. It shall contain not less than 20 percent of milk fat and shall contain not more than 30,000 bacteria per milliliter after pasteurization. It shall be charged with nitrous oxide or other inert harmless gas approved by the director. Harmless flavoring or coloring may be added and the product shall be manufactured and processed in a milk products plant, licensed by the Department of Agriculture. It shall be labeled with the term "[dessert] *whip cream* topping" and with the name and address of the manufacturer.

Milk and milk products used in the manufacture of [dessert] *whip cream* topping shall be pasteurized

SEC. 2. Section 657 is added to said code".

Amendment No. 4

On page 1, line 4, of said bill, after "cream", insert ", or any imitation milk product in a fluid state,".

Amendment No. 5

On page 1, lines 7 and 8, of said bill, strike out "; and it", and insert "provided, however, such products shall not be displayed for sale with any milk, cream, or fluid derivatives thereof It".

Amendment No. 6

On page 1, line 9, of said bill, after "cream", insert ", or any imitation milk product in a fluid state,".

Amendment No. 7

On page 1, line 11, of said bill, strike out the period, and insert "except, that imitation cream, containing 80 percent or more of milk or milk products may be made, sold and delivered at wholesale in bulk containers to the baking trade."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2581—An act to amend Section 4 of an act entitled "An act to provide for the establishment and quieting of title to real property in case of the loss or destruction of public records," approved June 16, 1906 (Chapter 59, Statutes of 1906 First Extraordinary Session), relating to the establishment and quieting of title to real property in case of the loss or destruction of public records.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 2 of the printed bill, strike out line 10.

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2693—An act to add Section 435 to the Penal Code, relating to health insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "435 to the Penal", and insert "1672 to the Civil".

Amendment No. 2

On page 1, line 1, of said bill, strike out "435 is added to the Penal", and insert "1672 is added to the Civil"

Amendment No. 3

On page 1, line 3, of said bill, strike out "435", and insert "1672".

Amendment No. 4

On page 2 of said bill, between lines 6 and 7, insert

"(g) An attorney when acting for or on behalf of a client within the scope of his professional practice."

Amendment No. 5

On page 2, line 10, of said bill, after "persons", insert "other than members of the offeror's family".

Amendment No. 6

On page 2, lines 12 and 13, of said bill, strike out "by the Attorney General or any district attorney or".

Amendment No. 7

On page 2, line 1, of said bill, strike out "or insurance agent"

Amendments read, and adopted

Bill ordered reprinted, and engrossed.

Assembly Bill No. 100—An act to add Sections 104.1, 104.2, and 104.3 to, to amend Sections 2182, 3088.5, and 3474.5, and to repeal Sections 1551, 2182.1, 3086, 3086.1, and 3473.1 of, the Welfare and Institutions Code, relating to public assistance, in respect to appeals by applicants for or recipients of aid.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

On page 2, lines 6 and 7, of the printed bill, strike out "conditionally".

Amendment No. 2

On page 2, line 39, of said bill, strike out "wrongfully".

Amendment No. 3

On page 3, line 19, of said bill, strike out "wrongfully".

Amendment No. 4

On page 4, line 9, of said bill, strike out "wrongfully".

Amendment No. 5

On page 4, line 51, of said bill, strike out "wrongfully".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 188—An act to amend Section 925 of the Fish and Game Code, relating to purse and round haul nets.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 4, of the printed bill, after "seines", insert "or ring nets".

Amendment No. 2

On page 1, line 7, of said bill, after "County", insert "from April 1st to September 31st, inclusive".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 497—An act to add Section 429.6 to the Fish and Game Code, relating to the issuance of sporting fishing licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 13, 1951, strike out lines 12 to 15, inclusive.

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 925—An act to add Section 482.5 to the Fish and Game Code, relating to obstructions in streams.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 12, of the printed bill, as amended in the Assembly on April 5, 1951, after "commission", insert ", subject to review by the courts"

Amendment read and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2052—An act to amend Section 1151 of the Fish and Game Code, relating to the use of lights.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 3, of the printed bill, after "1151.", insert "It is unlawful to use an artificial light to assist in the taking of game birds or mammals, or game fish for which a license is required"

Amendment No. 2

On page 1, line 21, of said bill, strike out "mammal", and insert "animal".

Amendment No. 3

On page 1, line 23, of said bill, strike out "mammal", and insert "animal".

Amendment No. 4

On page 1, line 24, of said bill, strike out "mammal", and insert "game animal".

Amendment No. 5

On page 1, line 25, of said bill, strike out "attacked", and insert "pursued".

Amendment No. 6

On page 1, line 27, of said bill, strike out "mammal", and insert "game animal".

Amendment No. 7

On page 1, line 29, of said bill, strike out "mammal", and insert "game animal"

Amendments read, and adopted

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3403—An act to amend Sections 50, 51, 53, 54, and 55 of, and to add Section 55.5 to, the Fish and Game Code, relating to game management areas.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 2, line 5, of the printed bill, following "maximum", insert "daily".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 599—An act to amend Sections 787.5, 795, and 796.1 of the Agricultural Code, relating to fruit and vegetable standardization.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 2 of the printed bill, strike out lines 11 to 16, inclusive.

Amendment No. 2

On page 2 of said bill, between lines 26 and 27, insert

"In any season in which freezing damage to oranges has occurred, the extent of damage by freezing shall be determined as follows:

(a) By examination for damage on the segment walls from and after the time when the oranges were first exposed to freezing temperatures to the date, herein designated as Date A, when the director shall determine and by regulation declare that the drying process has developed to such extent as to furnish additional evidence of the extent of actual damage to the fruit.

(b) By examination of the exposed pulp on a transverse cut through the center, from and after the date, herein designated as Date B, when the director shall determine and by regulation declare that the drying process has developed to such extent as to permit reasonably accurate determination of the full extent of freezing damage by such examination, without regard to damage on the segment walls

(c) Either by examination for damage on the segment walls or by examination of the exposed pulp on a transverse cut through the center, or by both such examinations, during the period from Date A to Date B. In no event shall the interval from Date A to Date B exceed three weeks."

Amendment No. 3

On page 3, line 37, of said bill, after "oranges", insert "(except tangerines and mandarins)".

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

Assembly Bill No. 2122—An act to amend Section 260.1 of the Agricultural Code, relating to bovine brucellosis control.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 260.1 of", and insert "add Section 228.2 to".

Amendment No. 2

In line 2 of the title of said bill, strike out "brucellosis", and insert "tuberculosis".

Amendment No. 3

On page 1, line 1, of said bill, strike out "260.1 of the Agricultural Code is", and insert "228.2 is added to the Agricultural Code".

Amendment No. 4

On page 1, line 2, of said bill, strike out "amended".

Amendment No. 5

On page 1 of said bill, strike out lines 3 to 17, inclusive, and insert

"228.2. It is a misdemeanor punishable by imprisonment in the county jail for not less than 90 days, without the alternative of a fine in any case, to obstruct, defeat or interfere with or to attempt to obstruct, defeat or interfere with a tuberculin test by transporting from a premises or by hiding away or sequestering any bovine animal therefrom or by bringing substitute bovine animals onto such premises after receipt of notification by the owner or person in charge of such animals thereon from the department or from an approved veterinarian conducting tuberculin tests, stating that the animals or herd on such premises will be tuberculin tested on or before a certain date or will be under tuberculin test for a stated period and that such animals or herd shall be held on the stated premises for a specified period.

Permission in writing may be obtained from the department or the approved veterinarian conducting the tuberculin tests to allow any necessary movement of such animals. Upon completion of the tuberculin test or tests referred to in the notification, the department or the approved veterinarian shall issue a written release from the holding requirements of the notice."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

Assembly Bill No. 601—An act to amend Sections 160.1 and 160.6 of, and to add Sections 160.15, 160.16, and 160.65 to, the Agricultural Code, relating to agricultural pest control business.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 2, line 21, of the printed bill, as amended in the Assembly on April 12, 1951, after "control.", insert

"The director may issue an apprentice certificate of qualification upon documentary evidence proving that (a) applicant will be employed by a person holding a license for agricultural pest control, with said license currently in effect, and (b) applicant will be employed under the direct and personal supervision of an individual holding a pilot's certificate of qualification, and (c) applicant has demonstrated to the director his ability to conduct pest control operations and his knowledge of the nature and effect of materials used in pest control, for those pest control materials which he is employed to apply. Applicant shall be permitted to apply only those pest control materials for which he has qualified by passing a written examination, and his apprentice certificate of qualification shall list in writing thereon the specific materials he is authorized to apply."

Amendment No. 2

On page 2, line 25, of said bill, after "director," insert "on or before the last day of January next following the date of expiration,"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

Assembly Bill No. 1023—An act to amend Section 1300.8 of, and add Section 1300.95 to, the Agricultural Code, relating to processors of farm products.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 2, lines 33 and 34, of the printed bill, as amended in the Assembly on April 12, 1951, strike out "subject to his lien as a producer".

Amendment No. 2

On page 2, line 35, of said bill, strike out "signed by such processor".

Amendment No. 3

On page 2 of said bill, strike out lines 37 to 42, inclusive, and insert "producer, advice or notice, in such form as he may adopt, indicating whether or not such a statement has been filed."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

Assembly Bill No. 1047—An act to add Section 1188.3 to the Code of Civil Procedure, relating to the time of commencement of works of improvement.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 1188.3 to", and insert "amend Section 1182 of".

Amendment No. 2

On page 1, line 1, of said bill, strike out lines 1 and 2, and insert
"SECTION 1. Section 1182 of the Code of Civil Procedure is amended to read:".

Amendment No. 3

On page 1, line 3, of said bill, strike out "1188.3 ", and insert
"1182."

Amendment No. 4

On page 1 of said bill, strike out lines 15 to 20, inclusive; and on page 2, strike out lines 1 to 3, inclusive, and insert

"(b) For the purposes of this chapter, except as otherwise provided herein, "work of improvement" and "improvement" mean the entire structure or scheme of improvement as a whole, provided, however, that where an original contract between the owner and contractor for a work of improvement is filed in the office of the recorder of the county in which the land affected is situated before the commencement of such work, the work of improvement provided for in such contract shall, for the purposes of this chapter, be deemed to be a work of improvement separate from any work of improvement done or made upon other land of the owner or any subsequent work of

improvement upon the same land provided for in another contract or other contracts; provided, further, that such contract must be for all of such work of improvement and not for only a particular part or portion thereof."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1050—An act to add Section 1190.2 to the Code of Civil Procedure, relating to mechanics' liens.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 1190.2 to", and insert "repeal Section 1183.1 of, and add a new Section 1183.1 to,".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 10, inclusive, and insert

"SECTION 1. Section 1183.1 of the Code of Civil Procedure is repealed.

SEC. 2. Section 1183.1 is added to the Code of Civil Procedure, to read

1183.1. (a) The land upon which any building, improvement, well or structure is constructed, together with a convenient space about the same, or so much as may be required for the convenient use and occupation thereof, to be determined by the court on rendering judgment, is also subject to the lien, if at the commencement of the work, or of the furnishing of the material for the same, the land belonged to the person who caused said building, improvement, well or structure to be constructed, altered or repaired, but if such person owned less than fee-simple estate in such land, then only his interest therein is subject to such lien, except as provided in subdivision (d) of this section.

(b) If the work of improvement is made by a lessee of such land, and if the owner of the fee shall have made such lease, either basing the rental payable thereunder, wholly or in part, upon a percentage basis, or requiring that the lessee shall make such improvement then the interest of the owner of the fee in the land necessary for the convenient use and occupation of the work of improvement shall likewise be subject to such lien and no notice of non-responsibility under Section 1183.1 (d) shall affect such lien.

(c) If the work of improvement is made by a purchaser under contract, of the land upon which the improvement is made, and the owner of the fee shall have made such contract of sale either contemplating or requiring that such improvement be made then the interest in such land held by the legal owner making such sale shall likewise be subject to such lien and no notice of non-responsibility under Section 1183.1 (d) shall affect such lien.

(d) Every building or other improvement or work mentioned in any of the preceding sections of this chapter constructed, altered or repaired upon any land with the knowledge of the owner or of any person having or claiming any estate therein, and the work or labor done or materials furnished mentioned in any of said sections with the knowledge of the owner or persons having or claiming any estate in the land, shall be held to have been constructed, performed or furnished at the instance of such owner or person having or claiming any state therein, and such interest owned or claimed shall be subject to any lien filed in accordance with the provisions of this chapter, unless such owner or person having or claiming any estate therein shall, within ten days after he shall have obtained knowledge of such construction, alteration or repair or work or labor, give notice that he will not be responsible for the same by posting a notice in writing to that effect in some conspicuous place upon the property, and shall also, within the same period, file for record a verified copy of said notice in the office of the county recorder of the said county in which said property or some part thereof is situated.

Said notice shall contain a description of the property affected thereby sufficient for identification, with the name, and the nature of the title or interest of the person giving the same, name of purchaser under contract, if any, or lessee if known; said copy so recorded may be verified by anyone having a knowledge of the facts, on behalf of the owner or person for whose protection the notice is given."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1194—An act to amend Section 29 of the Municipal and Justice Court Act of 1949, relating to municipal and justice courts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 29", and insert "Sections 2, 3, 4, 5, 8, 13, 14, 20, 30, 33, 35, and 38".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 9, inclusive, and insert

"SECTION 1. Section 2 of the Municipal and Justice Court Act of 1949 is amended to read:

Sec. 2. On January 1, 1952, and thereafter upon the establishment of a municipal or justice court, the judges or justices of existing courts inferior to the superior court in any city, township or judicial subdivision situated in whole or in part within the district or city and county for which a municipal or justice court is established shall, if [qualified] *eligible*, become and be the judges of such municipal or justice court until the election or appointment and qualifications of their successors as hereinafter provided. If, however, the number of incumbent judges or justices who are eligible to become judges of a municipal or justice court *and who have not by written statement filed with the county clerk on or before December 30, 1951, disclaimed their desire to succeed to office* exceeds the number of judicial offices provided by law for such municipal or justice court, said incumbents shall not automatically succeed to judicial positions in the municipal or justice court, and the existing courts shall continue to function within the district until the first judge or judges of said municipal or justice court shall be elected by the qualified electors of the district at the first general state election held following the expiration of 90 days and qualify.

Whenever the judge *or justice* of an existing court would be [eligible] *entitled* under the provisions of this act to become the judge of more than one court, he shall, *by written statement filed with the county clerk on or before December 30, 1951*, elect the judicial office to which he will assert his claim of eligibility. *Failure to file such a statement shall be deemed an election by the judge or justice to assert his claim of eligibility to office in the court of the district wherein the existing court is located.*

SEC. 2. Section 3 of said act is amended to read:

Sec. 3. On January 1, 1952, notwithstanding anything in this act to the contrary, the judges, *officers and attaches* of a municipal court heretofore established under the Municipal Court Act of 1925 shall become and be the judges, *officers and attaches* of the municipal court established for the city and county or district embracing the city wherein they were elected or appointed to serve *until the election or appointment and qualification of their successors as hereinafter provided*.

If there be annexed to a district or city wherein a municipal court is established and functioning, territory in which another court or courts inferior to the superior court are established, such other court or courts shall, on January 1, 1952, and thereafter upon any such annexation, cease to exist in the territory so annexed; and, if an additional judicial office or offices have been provided by law for the municipal court by reason of annexation of territory or increase in population, the incumbent judges or justices of the court or courts superseded in whole or in part shall, if qualified, automatically succeed to the additional judicial position or positions in said municipal court until the election or appointment and qualification of their successors as hereinafter provided. If, however, the number of qualified incumbent judges or justices of existing courts in the territory so annexed exceeds the number of additional judicial offices provided for said municipal court, said incumbents shall not automatically succeed to such additional offices, and the existing courts shall continue to function within the annexed territory until the first judge or judges shall be elected to the additional judicial position or positions in the municipal court at the first general state election held following the expiration of 90 days and qualify.

SEC. 3. Section 4 of the Municipal and Justice Court Act of 1949 is amended to read:

Sec. 4. The clerk, or chief clerical officer by whatever name known, his deputies and other attaches in his office, the marshal or constable, or similar official, his deputies

and attaches, and all other officers or employees of each court superseded in whole or in part by a municipal or justice court, shall become the clerk, his deputies and attaches, the marshal or constable, his deputies and attaches, and officers or employees of such municipal or justice court upon its organization, so far as such positions are provided by law. *The judge or justice of an existing court who does not succeed to judicial office shall be deemed to be a clerk or chief clerical officer within the meaning of this section.*

All such persons shall be deemed to be appointed upon the organization of the court and to have met all of the requirements for appointment to permanent positions as hereinafter provided and shall be removed only for the causes and in the manner provided for the removal of officers and attaches; provided, that when a constable who has been elected becomes a marshal, he shall continue in office until his successor is elected and qualifies, and in such cases the marshal shall be elected by the electors of the judicial district at the general state election for a term of six years from and including the first Monday in January after the first day in January next succeeding his election; provided, however, that the first election of marshals under this act shall take place at the general state election held in the year 1954; provided, further, that any police officer appointed and acting as bailiff in any court superseded by a municipal or justice court shall be deemed to be appointed ex officio a deputy marshal or deputy constable subject to the same conditions under which he shall have been first appointed, without prejudice, however, to his rights by virtue of his employment as such police officer; provided, also, that in any city or city and county having a consolidated city and county government, the sheriff of the city and county and his deputies shall be ex officio the marshal and deputy marshals of the municipal court and shall perform all the duties imposed and exercise all the powers conferred upon the marshal and deputy marshals of the municipal court; and provided, further, that persons succeeding hereunder to the office of constable of a justice court shall continue in office until their successors are elected or appointed and qualify as hereafter provided.

SEC. 4. Section 5 of said act is amended to read:

Sec. 5. If it appears that two or more clerks, marshals or constables, deputies and other officers or attaches are equally entitled by virtue of the office held in any superseded court, to any one office in the municipal or justice court, the judge or a majority of the judges or the judge senior in service when there is an equal division of the judges shall determine which person is entitled to the office in which the conflict exists, except that if the office in which the conflict exists is that of constable of a justice court, the board of supervisors of the county in which the court is situated shall determine which person is entitled to said office.

Upon the organization of the court, the clerks, deputies and attaches or employees of the superseded court or courts shall be assigned, as far as practical, to positions in the municipal or justice court similar in duties and compensation to the positions held in any such superseded court. Every person who succeeds to any office or position in the municipal or justice court by virtue of any of the provisions of this act shall be entitled to all of the benefits and privileges, not inconsistent herewith, which attached to such person by virtue of his office or position in any superseded court.

Whenever a special assignment or branch of work is indicated for a particular deputy or position in the clerk's or marshal's office, except that of custodian, the assignment so designated is not intended to be exclusive, but merely to designate the principal work incident to such deputy or position. In order to equalize the work of the office of the clerk or marshal and to render prompt and efficient service to the public, it shall be the duty of each deputy clerk, deputy marshal or attache to perform such service as may be directed by the clerk or marshal, whether the work so directed to be done be within the scope of the special designation or not.

SEC. 5. Section 8 of said act is amended to read.

Sec 8 Judges of the municipal court and justice court shall be elected at the general state election; provided, however, that the first election of judges under this act shall take place at the general state election held in the year 1952. *There shall be elected at said election in 1952 successors to judges of a municipal or justice court who automatically succeeded to offices under the provisions of this act, except so far as other provision is made herein for judges who were incumbents of a municipal court established under the Municipal Court Act of 1925, and the first judge or judges of a municipal or justice court in which there was no automatic succession to office*

The provisions of the Elections Code respecting the nomination and election of judicial officers are applicable to the judges of municipal and justice courts *No judge shall be deemed to have qualified before the date fixed for the commencement of his term of office*

The term of office of judges of municipal and justice courts shall be six years from and including the first Monday of January after the first day of January next succeeding their election. Judges shall hold office until their successors are elected and qualify, but the office shall be deemed to be vacant upon the expiration of the fixed term for the purpose of selecting a successor.

Nothing in this act shall affect the term of office of any incumbent judge of a municipal court heretofore established pursuant to the provisions of the Municipal Court Act of 1925, and if the time fixed for the election of his successor is at a time when no general state election is held, such judge shall continue to hold office until his successor has been elected and qualifies, said election to be held at the general state election next succeeding the expiration of his term.

SEC. 6. Section 13 of said act is amended to read:

Sec. 13. The judges of a municipal court and the judges, officers, and attaches of a justice court shall be electors of the judicial district or city and county in which they are elected or appointed[.] *; provided that this requirement shall not affect the right of any person to automatically succeed to an office or position under Sections 2, 3, and 4 of this act.*

No person shall be eligible to the office of judge of a justice court unless he either has been admitted to practice before the Supreme Court of this State or has passed a qualifying examination under regulations prescribed by the Judicial Council, provided, that this requirement shall not apply to the incumbent of a superseded inferior court who succeeds to the office of judge of a justice court or is elected thereto at the first election of judges under this act or who seeks reelection to such office.

Sec. 7. Section 14 of said act is amended to read:

Sec. 14. The clerk of the court, his deputies and attaches, the marshal and his deputies and attaches, and other appointive officers or attaches of the court who were appointed from civil service lists or who are entitled to the rights and privileges of one so appointed under the provisions of this act or other law shall hold office during good behavior and may be discharged by the appointing authority only for the good of the service. The reasons for the discharge shall be filed with the secretary of the court, or if there be no secretary of the court, with the clerk of the court, at least ten days before the discharge shall be effective. Upon the filing of the reasons, the person proposed to be discharged may be suspended from duty either with or without pay, pending his final discharge. The person against whom charges have been filed may within 10 days file his reply thereto. At the end of the 10 days the person shall be either reinstated or discharged unless an additional time for investigation is desired by the appointing officer. The determination of the appointing authority to discharge the person against whom charges have been filed shall be final and conclusive, except that nothing herein contained shall limit the right of any person to the benefits of the civil service provisions of the charter of the county or city and county wherein any such court is situated, or of the rules of the civil service commission having jurisdiction of such person, respecting suspensions and dismissals.

The clerk or marshal of a municipal court shall have the power to lay off and suspend a deputy or employee or deputies and employees because of lack of work requiring the service of existing personnel of the office or department. The clerk or marshal may also require a deputy or employee or deputies or employees to work temporarily in the office of clerk or marshal of another municipal court situated in the same county if a request for assistance has been made by such other court. The temporary assignment of a deputy or employee to the clerk's office or marshal's office of another municipal court shall not affect his compensation, except as provided in Section 32 of this act.

SEC. 8. Section 20 of said act is amended to read:

Sec. 20. Marshals and constables shall attend all municipial and justice courts of the district in which they are appointed or elected to act whenever so required, and within their counties shall execute, serve and return all writs, processes and notices directed or delivered to them by municipal and justice courts or by other competent authority. *A constable of a justice court, or a marshal of a municipal court who is authorized by law to appoint not more than four deputies shall not be required to travel outside of his district to serve any civil process or notice.*

SEC. 9. Sec. 30 of said act is amended to read:

Sec. 30. Each municipal court shall have such number of judges, officers and attaches, who shall receive such compensation, as the Legislature may provide.

Whenever provision is made by law for annual increments in the salary of an officer or attache of a municipal court, such annual increments shall be dependent upon the employee maintaining the minimum efficiency rating designated by the appointing authority and at any time the efficiency rating falls below the minimum standard the appointing authority shall have the power to suspend all or any part of the annual increments.

SEC. 10. Section 33 of said act is amended to read:

Sec. 33. The marshals, assistants and deputies of municipal courts, except those designated [herein] as custodians, shall be allowed, in addition to their salaries, their actual and necessary incidental expenses incurred in the actual performance of their duties, including traveling expenses. At the option of the county board of supervisors, they may be furnished with automobiles at public expense or allowed traveling expenses at the rate per mile fixed by the board of supervisors for the operation of automobiles actually used in performance of their duty on public business or paid for such other method of transportation as they may adopt.

The deputy marshals serving as custodians shall be paid only for their actual services as keepers of property taken under legal process and shall be paid out of funds deposited by the parties to the action in which such services are rendered.

SEC. 11. Section 35 of said act is amended to read:

Sec. 35. If an increase in business of any municipal court, or other emergency, shall require a greater number of employees for the prompt and faithful discharge of the business of such court than the number expressly provided by law, or shall require the performance of duties of positions in the lowest salary bracket where all such positions have been filled, the clerk or the marshal of such court, or both, as the occasion may require, may, with the approval of the judge or judges, appoint as many additional deputies as will enable them to promptly and faithfully discharge the duties of their respective offices.

Such additional deputies shall be selected in the same manner as those for whom express provision is [herein] made, and they shall receive compensation from the same source and in the same amount as the lowest salary provided by law for the position of deputy clerk or deputy marshal of such court, respectively, but may hold office by virtue of such appointment not longer than ninety (90) days after the adjournment of the next regular session of the Legislature. No deputy so temporarily appointed shall be eligible for reappointment under the provisions of this section

SEC. 12. Section 38 of said act is amended to read:

Sec. 38 In addition to the salaries, compensation and allowances provided [in this act], there shall be allowed to the marshal, constable, deputy marshals, and deputy constables *the privilege and right to a pension or retirement annuity in the same* manner and in the same amount and under the same terms and conditions as may have been or may be provided by law for county and township peace officers; provided, however, that no deputy marshal or constable shall be entitled to such pension or annuity unless he shall be actively employed in the performance of duties as deputy marshal or constable, and other employees, such as clerks, bookkeepers, stenographers or persons who may be appointed deputy marshal or constable but who do not perform the duties of such office, and persons holding honorary appointments as deputies but who receive no compensation therefor and who do not regularly perform official duties, shall not be included. The purpose of this provision is to recognize a public obligation to such marshal, constable, deputy marshals and deputy constables whose duties expose them to more than ordinary risk and this provision is designed to provide an additional element of compensation in consideration for the duties performed by such persons

Where there has been established or may be established a county and township peace officers' retirement or pension system, the marshal, constable, deputy marshals and deputy constables, as above defined, shall be included in such system and shall, for the purpose of carrying out this provision and enabling such municipal and justice court officers to benefit thereby, be deemed to be county employees for this purpose and the pension therein provided and payable to the marshal, constable, deputy marshals and deputy constables as herein provided shall be a legal charge against the county, subject to the provision of such county and township peace officers' retirement or pension system

The retirement annuity or pension provided by this section shall be granted to the persons therein designated only in the event that in the county where such municipal or justice court is located there shall have been established or provided, or shall be established or provided, a retirement annuity or pension for county and township peace officers who perform duties of the same character as those performed by the marshal, constable, deputy marshals and deputy constables"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1045—An act to add Section 1188.2 to the Code of Civil Procedure, relating to priority of mechanics' liens.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, line 9, of the printed bill, as amended in the Assembly on April 12 1951, strike out the comma after "ment", and insert "for labor, materials, appliances or power furnished subsequent to the recording of such bond".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1049—An act to amend Section 1193.1 of the Code of Civil Procedure, relating to mechanics' liens.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on April 12, 1951, strike out lines 15 to 23, inclusive, and insert

"(b) In all cases, any of the following shall be deemed equivalent to a completion for all the purposes of this chapter. (1) the occupation or use of a work of improvement by the owner or his agent, accompanied by cessation from labor thereon, (2) the acceptance by the owner, or his agent, of the work of improvement; (3) cessation from labor for a continuous period of 60 days; (4) cessation from labor for a period of 30 days, accompanied by the filing of the notice of cessation hereinafter provided for; (5) the filing of the notice of completion hereinafter provided for."

Amendment No. 2

On page 2 line 37, of said bill, strike out the period, and insert ", provided, that if such notice sets forth a sufficient legal description of the property in addition to a street address, the validity of the notice shall not be affected by the fact that the street address recited is erroneous

If the owner fails to file for record such notice within 10 days after completion but does file such notice within 30 days after completion, or if the date of completion recited in such notice filed within 30 days after completion is erroneous but completion did in fact occur prior to the date of filing such notice, such notice shall nevertheless be valid and the lien period shall commence to run upon the date of filing such notice of completion"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 3123—An act to add Section 1243 to the Water Code, relating to better recreational angling in streams with seasonal low water and/or streams with flow depletion.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 5, 1951, strike out lines 11 to 16, inclusive, and insert

"1243. The storage of water in reservoirs and by means of check dams and the release thereof during the low water season for the maintenance and betterment of fish life in streams is a beneficial use of water for which appropriations may be made Such water shall be and remain subject to appropriation for higher purposes in accordance with this code"

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Fish and Game

Assembly Bill No. 1088—An act to amend Section 362 of, and to add Chapter 4a, comprising Sections 455 to 455 14, inclusive, to Division 3 of, the Probate Code, relating to ancillary administration of estates.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "362 of, and to add Chapter 4a, *com-*"; and strike out line 2, and insert "680 of".

Amendment No. 2

On page 1, line 1, of said bill, strike out "362", and insert "680".

Amendment No. 3

On page 1 of said bill, between lines 2 and 3, insert

"680. The widow, *widowe*) and minor children are entitled to such reasonable allowance out of the estate as shall be necessary for their maintenance according to their circumstances, during the progress of the settlement of the estate, which, in case of an insolvent estate, must not continue longer than one year after granting letters. Such allowance must be paid in preference to all other charges, except funeral charges, expenses of the last illness and expenses of administration, and may, in the discretion of the court or judge granting it, take effect from the death of the decedent."

Amendment No. 4

On page 1 of said bill, strike out lines 3 to 24, inclusive; and strike out pages 2 to 5, inclusive

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 2454—An act to amend Sections 1305 and 1306 of the Penal Code, relating to bail.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 12, of the printed bill, strike out "appears", and insert "and his bail appear".

Amendment No. 2

On page 1, line 13, of the printed bill, strike out "excuses the defendant's neglect, or", and insert "excuse the defendant's neglect, and".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 2040—An act to amend Section 1027 of the Penal Code and Sections 5504 and 5507 of the Welfare and Institutions Code, relating to the appointment of alienists or psychiatrists and providing for the payment of fees for services of medical staff members of state hospitals.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 7, of the printed bill, after "shall", insert "select and".

Amendment No. 2

On page 1 of said bill, strike out lines 12, 13, and 14, and insert "disease for a period of not less than five years, and at least one of whom shall be selected from the medical staffs of a state institution, state clinic, or county hospital, to examine the defend-".

Amendment No. 3

On page 2, line 7, of said bill, strike out "hospital is"; and strike out lines 8 and 9, and insert "state institution or state clinic is selected or appointed under this section he shall render such services in the course of his official duties, and any fees allowed him under this section shall be paid to the State Treasury".

Amendment No. 4

On page 2, line 11, of said bill, strike out "hospital", and insert "institution or state clinic".

Amendment No. 5

On page 2 of said bill, after line 24, insert

"Any information obtained by an alienist or psychiatrist so appointed by the court during or as a result of his examination, observation or diagnosis of the defendant shall be admissible as evidence only in the proceeding under this code in which the sanity of the defendant is in question and shall not be admissible in any other proceeding without the consent of said defendant."

Amendment No. 6

On page 2 of said bill, strike out lines 32, 33, and 34, and insert "not less than five years, and at least one of whom shall be from the medical staffs of a state institution, state clinic, or county hospital, to make a personal".

Amendment No. 7

On page 2, line 46, of said bill, strike out "hospital is"; and strike out lines 47 and 48, and insert "state institution or state clinic is selected or appointed under this section he shall render such services in the course of his official duties, and any fees allowed him under this section shall be paid to the State Treasury".

Amendment No. 8

On page 2, line 50, of said bill, strike out "hospital", and insert "institution or state clinic".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1669—An act to add Chapter 12 (comprising Sections 28700 to 28724, inclusive) to Division 21 of the Health and Safety Code, relating to the regulation of the premises and operations of plants for the preparation and storage of frozen foods, and the licensing of the personnel thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 3, line 45, of the printed bill, strike out "and the", and insert a period

Amendment No. 2

On page 3 of said bill, strike out lines 46 to 49, inclusive.

Amendment No. 3

On page 4, lines 49 and 50, of said bill, strike out "chill room, aging room, freeze room, or locker room of any".

Amendment No. 4

On page 5, line 15, of said bill, strike out "Before"; and strike out lines 16 to 19, inclusive, and insert "The proceedings under this section shall be conducted in accordance with Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code, and the department shall have all the powers granted therein."

Amendment No. 5

On page 5, lines 21 and 22, of said bill, strike out "petition for a writ of certiorari for review of such order", and insert "obtain judicial review of such order by filing a petition for a writ of mandate in accordance with the provisions of the Code of Civil Procedure".

Amendment No. 6

On page 2 of said bill, strike out lines 30, 31, 32, and 33, and insert "plant shall be thirty-five dollars ($35)".

Amendment No. 7

On page 5 of said bill, between lines 36 and 37, insert

"28725. Inspectors of the department shall have free access at all reasonable times to any locker for the purpose of inspecting the material contained therein."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 1053—An act to add Article 5, Division 2, Part 9, consisting of Sections 2450 and 2450.1 to the Labor Code, relating to sanitary conditions on construction sites.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 14, of the printed bill, strike out "but", and insert "or"; and strike out "may be allowed"

Amendment No. 2

On page 1, line 15, of the printed bill, strike out "it", and insert "a pit privy."

Amendment No. 3

On page 1 of the printed bill, strike out lines 19 and 20.

Amendment No. 4

On page 1, line 21, of the printed bill, strike out "(d)", and insert "(c)", and after "constructed", insert a comma, and insert "located."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 1109—An act to amend Section 26209, 26233, 26235, 26252, 26253, 26272, 26273, 26274, 26275, 26360, of, and to add Sections 26202.5, 26202.7, 26286.5, 26286.6, 26293.5, 26305, to, and to repeal Sections 26251, and 26271, of the Health and Safety Code, relating to adulterating, misbranding, and advertising of drugs and devices

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

Strike out line 2 of the title of the printed bill, and insert "26271(a), 26272, 26273, 26274, 26275, 26288, 26290, 26292, and 26360 of, and to add Sections".

Amendment No. 2

In line 3 of the title of said bill, after "26202.7," insert 26211.5,".

Amendment No. 3

On page 1, line 5, of said bill, after "pain", insert ", deformity, disease, disfigurement, injury, or other mental or physical condition".

Amendment No. 4

On page 1, line 10, of said bill, after "condition", insert ", deformity, disease, disfigurement, injury, or other mental or physical condition".

Amendment No. 5

On page 1 of said bill, between lines 18 and 19, insert

"SEC. 3.5. Section 26211.5 is added to said code, to read

26211.5 "Prescription" means an order given individually for the person for whom prescribed, directly from the prescriber to the furnisher or indirectly by means of an order signed by the prescriber and shall bear the name and address of the prescriber, his license classification, the name and address of the patient, name and quantity of drug or drugs prescribed, directions for use and the date of issue"

Amendment No. 6

On page 2, line 15, of said bill, strike out "quantity, or".

Amendment No. 7

On page 2, line 16, of said bill, strike out "or quantity,".

Amendment No. 8

On page 2, line 20, of said bill, strike out "written prescription signed by", and insert "prescription of".

Amendment No. 9

On page 2, line 34, of said bill, strike out "or quantity,".

Amendment No. 10

On page 2, line 35, of said bill, strike out "or quantity"

Amendment No. 11

On page 2, line 36, of said bill, strike out "written"

Amendment No. 12

On page 2, line 44, of said bill, strike out "written prescription signed by", and insert "prescription of".

Amendment No. 13

On page 2, line 46, of said bill, strike out "or quantity,".

Amendment No. 14

On page 2 of said bill, strike out line 48, and insert "ity, or brand of the drug prescribed in such".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 15

On page 3 of said bill, between lines 1 and 2, insert

"SEC. 9.5. Section 26271(a) of said code is renumbered and amended to read

[26271(a)] *26271.* No person shall compound for, give, or sell to any person any drugs, medicines, or other substances advertised, called for, labeled, or to be used for, the cure or treatment of gonorrhea, syphilis, chancroid, lymphogranuloma inguinale, or granuloma inguinale except upon [written order] *prescription* of a duly licensed physician. Such [order] *prescription* shall not be transferable to any person except the patient whose name appears thereon, and shall be kept on file by the person, or firm providing the drug, medicine, or substance for two years during which it shall be open to inspection by any authorized agent of the State Department of Public Health. Prescriptions containing sulphanilamide, its compounds or derivatives, issued under this section, cannot be refilled without the order of the physician who prescribed same."

Amendment No. 16

On page 3, line 8, of said bill, after "State," insert "and authorized by such license to use such drug, devices, or treatments, or method of treatment, diagnosis, or method of diagnosis in their practice,".

Amendment No. 17

One page 3, line 40, of said bill, after "treatment", insert "represented".

Amendment No. 18

On page 3, lines 44, 45, strike out "cholecystitia" and insert "cholecystitis"

Amendment No. 19

On page 4, between lines 9 and 10, insert:

"SEC. 15.2. Section 26288 of said code is amended to read:

26288. [No person shall sell, deliver, offer for sale, hold for sale, or give away] *The sale, offering for sale, holding for sale, delivering or giving away of* any new drug *or device is unlawful and prohibited* unless (1) an application with respect thereto has become effective under Section 505 of the Federal act, or (2) if the drug *or device* is not subject to the Federal act unless such drug *or device* has been tested and has not been found to be unsafe for use under the conditions prescribed, recommended, or suggested in the labeling thereof, and prior to selling or offering for sale such drug *or device* there has been filed with the board an application setting forth:

(a) Full reports of investigations which have been made to show whether or not such drug *or device* is safe for use;

(b) A full list of the articles used as components of such drug;

(c) [A full statement of the composition of such drug] *A full statement of the theory and use of such device, and acceptable substantiating proof of the therapeutic effects on which claims for the device are predicated*;

(d) A full description of the methods used in, and the facilities and controls used for, the manufacture, processing and packing of such drug, *or the controls used and the methods employed in determining the efficacy of such device*;

(e) Such samples of such drug *or device* and of the articles used as components [thereof] *of the drug* as the board may require; and

(f) Specimens of the labeling proposed to be used for such drug *or device*.

SEC. 15.5. Section 26290 of said code is amended to read:

26290. If the board finds after due notice to the applicant and giving him an opportunity for a hearing, that the drug *or device* is not safe for use under the conditions prescribed, recommended or suggested in the proposed labeling thereof, the board shall, prior to the effective date of the application, issue an order refusing to permit the application to become effective.

SEC. 15.8. Section 26292 of said code is amended to read:

26292. Section 26288 shall not apply—

(1) To a drug *or device* intended solely for investigational use by experts qualified by scientific training and experience to investigate the safety in drugs *or devices* if the drug *or devices* [is] *are* plainly labeled "For investigational use only"; or

(2) To a drug *or device* sold in this State at and time prior to the effective date of this chapter or introduced into interstate commerce at any time prior to the enactment of the Federal act; or

(3) To any drug which is licensed under the Federal Virus, Serum, and Toxin Act of July 1, 1902."

Amendment No. 20

On page 4, line 12, of said bill, after "agent", insert "of the board".

Amendment No. 21

On page 4, line 13, of said bill, after "establishment", insert "or premises".

Amendment No. 22

On page 4, line 16, of said bill, before the period, insert "; nor shall any person hinder, delay, obstruct, or interfere with any such agent in the performance of his duty".

Amendment No. 23

On page 3 of said bill, strike out lines 26 to 37, inclusive

Amendment No. 24

On page 4 of said bill, strike out lines 4 to 9, inclusive, and all of lines 17 to 39, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 1221—An act to add Chapter 10, consisting of Sections 4500 to 4628, inclusive, to Division 2 of the Business and Professions Code, to amend Section 101 of the Business and Professions

Code and Section 11501 of the Government Code, relating to the regulation and licensure of practical nurses, and administration thereof, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In the heading of the printed bill, strike out "(By Request)"

Amendment No. 2

On page 1 of said bill, strike out lines 17 to 22, inclusive

Amendment No. 3

On page 2, line 9, of said bill, after "hospitals", insert ", who shall not be either physicians or surgeons or registered nurses"

Amendment No. 4

On page 2 of said bill, strike out lines 10 to 12, inclusive, and insert "Three physicians and surgeons, licensed under the provisions of Chapter 5 of Division 2 of the Business and Professions Code, who are in private practice"

Amendment No. 5

On page 2, line 19, of said bill, after the period, insert "The practical nurse members of the board shall not be or ever have been registered as registered professional nurses.".

Amendment No. 6

On page 2 of said bill, strike out lines 27 to 33, inclusive

Amendment No. 7

On page 3, line 8, of said bill, strike out "The executive", and insert "The executive secretary shall be a member of the board. The executive secretary shall receive compensation for services performed under this chapter, and such compensation shall be the same as paid to the Executive Secretary of the Board of Nurse Examiners The salary payable to the executive secretary shall be paid from the Board of Practical Nurses Fund."

Amendment No. 8

On page 3 of said bill, strike out lines 9 to 14, inclusive

Amendment No. 9

On page 4, line 25, of said bill, strike out "and".

Amendment No. 10

On page 4, line 26, of said bill, after "Examiners", insert ", and the Secretary-Treasurer of the Board of Osteopathic Examiners".

Amendment No. 11

On page 5 of said bill, strike out lines 5 to 9, inclusive.

Amendment No. 12

On page 5, lines 29 and 30, of said bill, strike out "within 12 months after the effective date of this chapter", and insert "prior to January 1, 1954".

Amendment No. 13

On page 5, line 43, of said bill, strike out "operation prior to January 1, 1951", and insert "before the effective date of this chapter, the training of persons to practice practical nursing".

Amendment No. 14

On page 5, line 46, of said bill, strike out "of two licensed doctors", and insert "of one physician and surgeon".

Amendment No. 15

On page 6 of said bill, strike out lines 8 to 18, inclusive.

Amendment No. 16

On page 6, line 37, of said bill, strike out "of (a), (b), (c) and (g), and either (d), (e) or (f)".

Amendment No. 17

On page 7 of said bill, strike out lines 6 to 19, inclusive, and insert

"4555. Examinations shall be written, oral, and practical, and it shall be mandatory upon the board to ascertain that each practical nurse shall have been taught the fundamentals of basic bedside nursing, and including cooking and the preparation of standard simple diets for the sick; room cleaning and arrangement of the sickroom in the home and hospital; bed making, bathing and the personal care of patients; cleansing and care of utensils used by the sick; the simple principles of hygiene and sanitation; the methods of taking and recording temperature, pulse rate, respirations, blood pressure readings, fluid intake and output measurements, the administration of drugs by mouth, rectum, subcutaneous, hypodermic injection.

Such examinations by the board shall be limited to ascertaining that the applicant shall have a basic and fundamental knowledge of the above procedures and practices of basic bedside nursing."

Amendment No. 18

On page 10 of said bill, strike out lines 42 to 51, inclusive, and insert

"4613. Under this chapter, fees shall be paid as fixed by the board in amounts not exceeding the following figures:

(a) Ten dollars ($10) upon application for a license.

(b) Two dollars ($2) upon the annual renewal of a license.

No further fee shall be required for a license, or renewal thereof, other than is prescribed by this chapter."

Amendment No. 19

On page 11 of said bill, strike out lines 1 to 3, inclusive.

Amendment No. 20

On page 11, line 7, of said bill, strike out "1951", and insert "1953"

Amendment No. 21

On page 11, lines 10 and 11, of said bill, strike out "for appointment to the board before January 15, 1953".

Amendment No. 22

On page 11, line 12, of said bill, strike out "1951", and insert "1953".

Amendment No. 23

On page 11, line 17, of said bill, after "Any", insert "practical nurse"

Amendment No. 24

On page 11, line 18, of said bill, strike out "1951", and insert "1953".

Amendment No. 25

On page 11, line 19, of said bill, strike out "1951", and insert "1953".

Amendment No. 26

On page 11 of said bill, strike out lines 21 to 27, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

SECOND READING OF SENATE BILLS

Senate Bill No. 160—An act to amend Section 637.5 of the Agricultural Code, relating to yogurt.

Bill read second time, and ordered to third reading.

Senate Bill No. 163—An act to amend Section 681 of the Agricultural Code, relating to licenses.

Bill read second time, and ordered to third reading.

Senate Bill No. 241—An act to add Article 14, consisting of Section 20985, to Chapter 7 of Division 8 of the Business and Professions Code, relating to disposition and use of certain moneys in the Department of Agriculture Fund.

Bill read second time, and ordered to third reading.

Senate Bill No. 627—An act to amend Section 526 of the Agricultural Code, relating to milk products plants.

Bill read second time, and ordered to third reading.

Senate Bill No. 628—An act to amend Section 606 of the Agricultural Code, relating to whole milk cheese.

Bill read second time, and ordered to third reading.

Senate Bill No. 1257—An act to amend Section 205.5 of the Agricultural Code, relating to livestock, including provisions for the protection thereof.

Bill read second time, and ordered to third reading.

Senate Bill No. 1811—An act to add Sections 9131, 9132 and 9133 to the Government Code, creating the Joint Committee on Interhouse Cooperation and to prescribe its membership, powers, and duties.

Bill read second time, and ordered to third reading.

Senate Bill No. 1575—An act to add Article 1.3, constituting Sections 3210 through 3216, to Chapter 2 of Division 5 of the Welfare and Institutions Code, relating to the establishment of a Coordinating Board on State Programs for the Blind.

Bill read second time, and ordered to third reading.

Senate Bill No. 1715—An act to add Section 1078 to the Fish and Game Code, relating to commercial fishing.

Bill read second time, and ordered to third reading.

Senate Bill No. 1716—An act to add Section 850 to the Fish and Game Code, relating to nets.

Bill read second time, and ordered to third reading.

Senate Bill No. 1718—An act to add Section 958 to the Fish and Game Code, relating to nets.

Bill read second time, and ordered to third reading

Senate Bill No. 1502—An act to amend Sections 9604, 9605, 9675, 9677 and 9715, and to add Sections 9608.5, 9686, 9687, 9688, 9700.5, 9700.6, 9702.1, 9702.2 and 9702.3 to the Business and Professions Code of the State of California, relating to cemetery brokers.

Bill read second time, and ordered to third reading

Senate Bill No. 1602—An act to amend Section 2008 of the Business and Professions Code, relating to professional rights, privileges or powers.

Bill read second time, and ordered to third reading.

Senate Bill No. 126—An act to amend Section 1203(b) of the Penal Code, relating to probation and misdemeanor cases.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 3, of the printed bill, after "All", strike out "municipal and justice".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 560—An act to repeal Section 12006 of, and to add Section 12351.5 to, the Health and Safety Code, relating to the purchase and possession of explosives, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 13, of the printed bill, as amended in the Senate on March 21, 1951, strike out the period, and insert ", or".

Amendment No. 2

On page 1 of said bill, between lines 13 and 14, insert
"(c) By a public agency."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1866 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Sam L. Collins asked for, and was granted, unanimous consent that Assembly Bill No. 1866 be withdrawn from the Committee on Boards and Commissions, and be re-referred to the Committee on Governmental Efficiency and Economy.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

RECONSIDERATION OF ASSEMBLY BILL NO. 877

In compliance with a notice given on a previous day, Mr. Waters moved that the vote whereby Assembly Bill No. 877 was refused passage be reconsidered.

Assembly Bill No. 877 reconsidered by the following vote:

AYES—Babbage, Berry, Burke, Caldecott, Chapel, Clarke, Cloyed, Connolly, Conrad, Dickey, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lyon, McCarthy, McMillan, Meyers, Morris, Niehouse, Rumford, Sherwin, Silliman, Smith, Thomas, Tomlinson, Waters, and Mr Speaker—41.

NOES—Beck, Belotti, Burkhalter, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Doyle, Dunn, Elliott, Hagen, Hawkins, Henderson Lowrey, Luckel, Maloney, McCollister, McFall, Moss, Munnell, Parker, Rosenthal, and Shaw—25

Assembly Bill No. 877 ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 183

Has had the same under consideration, and reports the same back with the recommendation: Be re-referred to Committee on Ways and Means.

STANLEY, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 381

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 407

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 1810

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 313
Assembly Bill No. 1789
Assembly Bill No. 1903
Assembly Bill No. 2042
Assembly Bill No. 982

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bills ordered to second reading.

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Senate Constitutional Amendment No. 3

Has had the same under consideration, and reports the same back with the recommendation: Be adopted, and be re-referred to Committee on Ways and Means.

CROWLEY, Chairman

Above reported resolution ordered re-referred to the Committee on Ways and Means.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 37

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DOYLE, Vice Chairman

Above reported resolution ordered engrossed.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 2086

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

DUNN, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 2254

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

DUNN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 1259
Assembly Bill No. 1687
Assembly Bill No. 1873
Assembly Bill No. 2939

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 2696

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means

DUNN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR. SPEAKER: Your Committee on Education, to which were referred

Assembly Bill No. 380
Assembly Bill No. 1756

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DUNN, Chairman

Above reported bills ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 817—An act to add Section 768 to the Insurance Code, in relation to prohibiting the designation of particular

insurance agents or brokers by persons, firms and corporations loaning money in the security of personal and real property.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 817?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 28, 1951, strike out "Section 768 to", and insert "Article 5.5 to Chapter 1 of Part 2 of Division 1 of".

Amendment No. 2

On page 1, line 1, of said bill, as amended, after "1.", strike out "Section 768 is added to the Insurance Code", and insert "Article 5.5 is added to Chapter 1 of Part 2 of Division 1 of the Insurance Code".

Amendment No. 3

On page 1 of said bill, as amended, between lines 2 and 3, insert

"Article 5.5. Insurance in Connection with Sales and Loans

770. No person engaged in the business of financing the purchase of real or personal property or of lending money on the security of real or personal property and no trustee, director, officer, agent or other employee, or affiliate of, any such person shall require, as a condition precedent to financing the purchase of such property or to loaning money upon the security thereof, or as a condition prerequisite for the renewal or extension of any such loan or for the performance of any other act in connection therewith, that the person for whom such purchase is to be financed or to whom the money is to be loaned or for whom such extension, renewal or other act is to be granted or performed negotiate any insurance or renewal thereof covering such property through a particular insurance agent or broker.

771. Section 770 shall not prevent:

(a) The exercise by any person engaged in such business of his right to approve or disapprove of the insurer selected to underwrite the insurance, nor of his right to furnish such insurance or to renew any insurance required by the contract of sale or trust deed or other loan agreement if the borrower, or purchaser shall have failed to furnish the insurance or renewal thereof within such reasonable time or form as may be specified in the sale or loan agreement.

(b) Any lender from recommending to any borrower or prospective borrower the placing of insurance with a specified insurer or through a specified insurance agent or broker as long as such recommendation does not violate the provisions of Section 770 or of any other section of this code.

(c) The free choice of insurance agent or broker by any borrower or purchaser at any time, and he may revoke any designation of insurance agent or broker at any time irrespective of the provisions of any loan or purchase agreement or trust deed.

772. In any trial, hearing or proceeding to determine a violation of this article a written statement signed by the person for whom any purchase is financed, to whom any money is loaned or for whom any extension, renewal or other act in connection with a loan is to be granted or performed, declaring that such person voluntarily chooses the insurance agent or broker through whom the insurance or its renewal was transacted, and that the choice of such insurance agent, or broker was not made a condition precedent to such purchase, loan, extension, renewal or other act shall be prima facie evidence that no violation of Section 770 has occurred if the borrower or purchaser in his own handwriting shall have written the name of his chosen insurance agent or broker into an authorization of such insurance agent or broker.

773. The commissioner may, pursuant to Section 1731, and in accordance with the procedure specified therein, suspend or revoke any license held by any person who violates Section 770.

774. The commissioner, after hearing upon notice, may issue a cease and desist order to any person if he finds that such person has, in more than one transaction, violated Section 770. The violation of such a cease and desist order is a misdemeanor.

775. The commissioner may investigate any person, whether licensed or not, for the purpose of determining if there has been any violation of this article, however, if such investigation be upon a complaint, the complainant must be a party to the contract of sale, trust deed, or loan agreement and must make such complaint within three months of the execution or any modification thereof."

Amendment No. 4

On page 1 of said bill, as amended, strike out lines 3 to 20, inclusive, and on page 2, strike out lines 1 to 40, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 817 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

Assembly Bill No. 817 ordered enrolled.

RECONSIDERATION OF ASSEMBLY BILL NO. 2663

In compliance with a notice given on a previous day, Mr. Chapel moved that the vote whereby Assembly Bill No. 2663 was refused passage be reconsidered.

Point of Order

Mr. Collier arose to the following point of order: That Mr. Lyon is not speaking to the question.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The question being on the motion to reconsider the vote whereby Assembly Bill No. 2663 was refused passage.

The roll was called, and Assembly Bill No. 2663 reconsidered by the following vote:

AYES—Berry, Brady, Burke, Caldecott, Chapel, Clarke, Cloyed, Condon, Connolly, Dickey, Dolwig, Dunn, Elliott, Erwin, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kirkwood, Klocksiem, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCollister, McGee, McMillan, Meyers, Morris, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, and Thomas—42

NOES—Beck, Belotti, Coats, Collier, George D. Collins, Crowley, Davis, Fleury, Geddes, Grunsky, Kelly, Lanterman, Lowrey, McCarthy, McFall, Moss, and Parker—17.

Assembly Bill No. 2663 ordered to third reading.

Explanation of Vote on Reconsideration of Assembly Bill No. 2663

I was unavoidably absent from the Chamber when the vote was called on the motion to reconsider the vote whereby Assembly Bill No. 2663 had been refused passage. Had I been present I would have voted "Aye."

J. D. BABBAGE

ANNOUNCEMENTS

Mr. Kirkwood announced that the gifts of Sunsweet prunes, and Sunsweet prune juice, on all desks, are given by the California Prune and Apricot Growers' Association of San Jose, with compliments and best wishes to Members of the Assembly.

Mr. Gubser announced that the above mentioned gifts have been received through the courtesy of Mr. Vince Garrett.

Speaker Sam L. Collins announced, on behalf of the Members of the Assembly, appreciation for this thoughtful annual consideration.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 3406 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Clarke asked for, and was granted, unanimous consent that Assembly Bill No. 3406 be withdrawn from the Committee on Agriculture, and be re-referred to the Committee on Transportation and Commerce.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Dolwig to reconsider the vote whereby Assembly Bill No. 3280 was refused passage was continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2629 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Caldecott asked for, and was granted, unanimous consent that Assembly Bill No. 2629 be withdrawn from the Committee on Public Utilities and Corporations, and be re-referred to the Committee on Conservation, Planning, and Public Works.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1918—An act to amend the Building and Loan Association Act by amending Section 6.01 thereof, relating to withdrawals.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1918?

Amendment No. 1

In line 2 of the title of the printed bill, after "thereof," insert "and to amend Section 8102 of the Financial Code,".

Amendment No. 2

On page 1, line 4, of said bill, strike out "it", and insert "its".

Amendment No. 3

On page 1, line 25, of said bill, strike out "it", and insert "its".

Amendment No. 4

On page 4 of said bill, after line 29, insert

"SEC. 2. Section 8102 of the Financial Code is amended to read

8102 All certificates issued after August 14, 1931, evidencing shares or investment certificates shall state the period of notice required to withdraw and shall also state that the right of the holder to withdraw funds is subject to the provisions of this chapter *or that such right is subject to the provisions of the Building and Loan Association Law governing withdrawals*.

SEC 3. Section 2 of this act becomes operative only if Division 2 of the Financial Code is enacted by the Legislature at its 1951 Regular Session, and in such case at the same time as said Division 2 takes effect, at which time Section 6.01 of the Building and Loan Association Act as amended by this act is repealed."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1918 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley,

Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

Assembly Bill No. 1918 ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Senate Constitutional Amendment No. 16

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

CROWLEY, Chairman

Above reported resolution ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No. 19

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and be adopted, as amended.

CROWLEY, Chairman

Above reported resolution ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred

Assembly Constitutional Amendment No. 40

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

CROWLEY, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Bill No. 2305

Has had the same under consideration, and reports the same back with the recommendation Do pass.

CROWLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR. SPEAKER: Your Committee on Constitutional Amendments, to which were referred:

Assembly Constitutional Amendment No. 8
Assembly Constitutional Amendment No. 20
Assembly Constitutional Amendment No. 24
Assembly Constitutional Amendment No. 52

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

CROWLEY, Chairman

Above reported resolutions ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No. 5

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

CROWLEY, Chairman

Above reported resolution ordered on file.

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR. SPEAKER. Your Committee on Conservation, Planning, and Public Works, to which were referred:

Assembly Bill No. 340
Assembly Bill No. 1540
Assembly Bill No. 3390

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SILLIMAN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Senate Bill No. 1087
Senate Bill No. 1088

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

SILLIMAN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 2531

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SILLIMAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Assembly Bill No. 1633
Assembly Bill No. 1634

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SILLIMAN, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Assembly Bill No. 1155
Assembly Bill No. 1732

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SILLIMAN, Chairman

Above reported bills ordered to second reading.

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Senate Bill No. 868 was taken up.

Senate Bill No. 868—An act to amend Sections 860, 865, 880, and 903 and to repeal Sections 861 and 881 of the Fish and Game Code, relating to taking fish with nets.

Bill read third time.

Motion to Amend

Mr. Lyon moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Senate on March 21, 1951, strike out ", except those portions of said district"; strike out lines 4 to 7, inclusive; and in line 8, strike out "Van Sickle Island".

Amendment No. 2

On page 1, line 17, of said bill, strike out "except those por-"; and strike out lines 18 to 23, inclusive, and insert "except that part of District 12B which lies from the Antioch Bridge across the San Joaquin River upriver to the boundaries of said district and also excluding all sloughs except Broad Slough, between March 15th and May 15th."

Amendment No. 3

On page 2, line 4, of said bill, strike out ", except those portion of said district"; strike out lines 5 to 8, inclusive; and in line 9, strike out "Creek to Van Sickle Island,".

Amendment No. 4

On page 2 of said bill, between lines 20 and 21, insert

"(c) Gill nets may not be used in that portion of District 12B lying from the Antioch Bridge over the San Joaquin River upriver to the boundaries of the district."

Amendment No. 5

On page 2, line 23, of said bill, strike out ", except those portions of said district"; strike out lines 24 to 27, inclusive; and in line 28, strike out 'Sickle Island,"

Amendment No. 6

On page 2 of said bill, after line 38, insert

"(c) Trammel nets may not be used in that portion of District 12B lying from the Antioch Bridge over the San Joaquin River upriver to the boundaries of the district."

Amendments read.

Hon. Richard J. Dolwig Presiding

At 11.18 a.m., Hon. Richard J. Dolwig, Member of the Assembly from the Twenty-seventh District, presiding.

Demand for Previous Question

Messrs. Hahn, Lanterman, Hinckley, Morris, and Silliman demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendments offered by Mr. Lyon to Senate Bill No. 868.

Speaker Presiding

At 11.24 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

The question being on the adoption of the amendments offered by Mr. Lyon to Senate Bill No. 868.

Roll Call Demanded

Messrs. Lyon, Davis, and Condon demanded a roll call.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Beck, Belotti, Berry, Brady, George D. Collins, Condon, Connolly, Cooke, Crowley, Dills, Dolwig, Doyle, Elliott, Evans, Gaffney, Geddes, Hawkins, Henderson, Lanterman, Luckel, Lyon, Maloney, McCarthy, McMillan, Morris, Rosenthal, Shaw, and Thomas—28

NOES—Babbage, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Davis, Dickey, Dunn, Erwin, Fleury, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lipscomb, Lowrey, McCollister, McFall, McGee, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Smith, Stanley, Tomlinson, and Mr. Speaker—42.

The question being on the passage of Senate Bill No. 868.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Davis, Dickey, Dolwig, Dunn, Erwin, Fleury, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, and Mr. Speaker—53.

NOES—Belotti, Brady, George D. Collins, Condon, Cooke, Crowley, Elliott, Evans, Gaffney, Geddes, Hawkins, Luckel, Lyon, Maloney, McCarthy, McMillan, Thomas, and Tomlinson—18.

Notice of Motion to Reconsider Senate Bill No. 868

Mr. Condon gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 868 was this day passed.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 8
Assembly Constitutional Amendment No. 20
Assembly Constitutional Amendment No. 24
Assembly Constitutional Amendment No. 52

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolutions ordered on file for adoption.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 1166
Assembly Bill No. 1939

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

HINCKLEY, Vice Chairman

Above reported bills ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 1241

Has had the same under consideration, and reports the same back with the recommendation: Do pass

HINCKLEY, Vice Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No 222
Assembly Bill No. 223
Assembly Bill No. 296
Assembly Bill No 1545
Assembly Bill No. 1856
Assembly Bill No 2669

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

HINCKLEY, Vice Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Senate Bill No. 477
Senate Bill No. 1106
Senate Bill No. 1572

Has had the same under consideration, and reports the same back with the recommendation: Do pass

HINCKLEY, Vice Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 189

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

HINCKLEY, Vice Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 2139
Assembly Bill No. 2451

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

HINCKLEY, Vice Chairman

Above reported bills ordered to second reading.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1951

MR SPEAKER: Your Committee on Municipal and County Government, to which was referred

Assembly Bill No. 182

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means

STANLEY, Chairman

Above reported bill ordered to second reading.

ANNOUNCEMENT AND RECORD EXPUNGED ON AMENDMENTS TO ASSEMBLY BILL NO. 866

Speaker Sam L. Collins announced that the amendments to Assembly Bill No 866 were not properly prepared; and requested, and was granted, unanimous consent to expunge the record and rescind the action whereby the amendments were adopted this morning, and that the bill and proposed amendments be re-referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred

Assembly Bill No. 555

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 2001

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

ANNOUNCEMENT

Mr. Conrad announced that the address by General Douglas MacArthur, delivered today before the Congress of the United States, will be re-broadcast in the Assembly Chamber at 1:45 p.m. for the benefit of all who were unable to hear it this morning.

RECESS

At 11:48 a.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ANNOUNCEMENT

Mr. Maloney, in speaking on the condition of the file, stated that today there are 148 bills on file; that in the 1949 Session, on this date, there were 226 bills on file; and that in the 1947 Session, on this date, there were 263 bills on file.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 2061

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

RESOLUTIONS

The following resolution was offered:

By Mr. Maloney:

House Resolution No. 120

Relative to congratulating Albert I. Stewart

WHEREAS, Albert I. Stewart was first elected to the Assembly in 1944 and has served continuously in this body since 1945; and

WHEREAS, He was Chairman of the Interim Committee on Governmental Efficiency and Economy, during which period he made several investigations and introduced and had passed such constructive and progressive legislation which has been of great benefit to the State, including his fight against smog; and

WHEREAS, He is Chairman of the Assembly Committee on Governmental Efficiency and Economy, and as such is continuing in his aid to the people of this State; and

WHEREAS, He was a Director of the League of California Cities for 12 years and is a former president of that organization, and has represented municipal government both in Sacramento and in Washington, appearing before legislative bodies therefor; and

WHEREAS, He coined the word "Safeway" and organized the Safeway Chain of Stores, serving at various times as Director, General Superintendent, and Public Relations Counsel for that organization; and

WHEREAS, He has been Director of the Department of Professional and Vocational Standards and the Public Relations Counsel for the Civil Defense Program; and

WHEREAS, He has served for 20 years as a member of the Board of City Directors of Pasadena, having been chairman of the board with the title of Mayor of Pasadena; and

WHEREAS, These impressive accomplishments took place despite physical incapacity which would have discouraged a lesser man, which incapacities prevented him from being a lawyer or from continuing in military service, necessitating a change in plan for his entire life; and

WHEREAS, He is the husband of Laura Mendenhall Fiske Stewart and the father of Harold Stewart, who lives in Pasadena and who served during the last war; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly hereby extend their congratulations to Albert I. Stewart for his civic accomplishments upon the occasion of his retirement from the Pasadena Board of Directors; *and be it further*

Resolved, That the Chief Clerk of the Assembly is directed to transmit suitable engrossed copies of this resolution to Mr. Albert I. Stewart, Mrs. Stewart, Mr Harold Stewart, and to the Board of Directors of the City of Pasadena

Resolution read, and ordered referred to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 46: By Messrs. Gaffney, Waters, Dickey, Maloney, Munnell, Beck, Berry, Brady, Brown, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Sam L Collins, Condon, Connolly, Cooke, Crowley, Dolwig, Doyle, Dunn, Evans, Klocksiem, Fleury, Gubser, Geddes, Grunsky, Hagen, Hahn, Hawkins, Hinckley, Hollibaugh, Chapel, Kirkwood, Levering, Kelly, Lindsay, Lipscomb, Lowrey, Lyon, Luckel, McCarthy, McCollister, Meyers, Morris, Moss, Mrs. Niehouse, Messrs. Parker, Porter, Shaw, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Lanterman, Tomlinson, Belotti, McGee, and McFall—Relative to the centennial of the arrival of Notre Dame nuns of California.

Referred to Committee on Rules.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Lindsay:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1951

MR SPEAKER In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title to which is as follows:

An act to create the Sierra Water Conservation District, prescribing its powers and duties, providing for its organization, operation, and management, and authorizing the acquisition of property and works to carry out the purposes of the district, authorizing the incurrence of indebtedness, providing for issuance of bonds, providing for the levy and collection of taxes for the payment of such indebtedness, providing for the issuing of bonds payable solely from revenues of the district, declaring the urgency thereof, to take effect immediately.

Respectfully submitted,

FRANCIS C. LINDSAY

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Lindsay:

An act to create the Sierra Water Conservation District, prescribing its powers and duties, providing for its organization, operation, and management, and authorizing the acquisition of property and works to carry out the purposes of the district, authorizing the incurrence of indebtedness, providing for issuance of bonds, providing for the levy and collection of taxes for the payment of such indebtedness, providing for the issuing of bonds payable solely from revenues of the district, declaring the urgency thereof, to take effect immediately.

BURKE, Chairman

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Silliman moved a call of the Assembly.

Motion carried. Time, 2.01 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brady, Clarke, Cloyed, Coats, Condon, Crowley, Dills, Dolwig, Dunn, Elliott, Fleury, Geddes, Gubser, Hawkins, Henderson, Hinckley, Kilpatrick, Klocksiem, Lanterman, Lyon, McCollister, McFall, Smith, Thomas, and Tomlinson—25.

Further Proceedings Under Call of the Assembly Dispensed With on Permission to Introduce a Bill

At 2 12 p m , on motion of Mr. Silliman, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and permission granted to Mr. Lindsay to introduce a bill by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Waters, and Mr. Speaker—66.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3409: By Mr. Lindsay—An act to create the Sierra Water Conservation District, prescribing its powers and duties, providing for its organization, operation, and management, and authorizing the acquisition of property and works to carry out the purposes of the district, authorizing the incurrence of indebtedness, providing for issuance of bonds, providing for the levy and collection of taxes for the payment of such indebtedness, providing for the issuing of bonds payable solely from revenues of the district, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Conservation, Planning, and Public Works.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Geddes:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 19601, 19601.5, 19601.6, 19608, 19611, 19613, and 19613.7 of, to add Sections 19601.7 and 19607.1 to, and to repeal Section 19617 of, the Education Code, relating to child care centers, making an appropriation and declaring the urgency thereof, to take effect immediately.

Respectfully submitted.

ERNEST R. GEDDES

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Geddes:

An act to amend Sections 19601, 19601.5, 19601.6, 19608, 19611, 19613, and 19613.7 of, to add Sections 19601.7 and 19607.1 to, and to repeal Section 19617 of, the Education Code, relating to child care centers, making an appropriation and declaring the urgency thereof, to take effect immediately.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Waters, and Mr. Speaker—66.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3410: By Mr. Geddes (By request of Mr. Dunn, Mrs. Niehouse, Messrs. Doyle, Beck, Burke, Burkhalter, George D. Collins, Connolly, Conrad, Elliott, Grant, Hahn, Hawkins, Henderson, Hollibaugh, Luckel, Morris, Munnell, Porter, and Rosenthal—An act to amend Sections 19601, 19601.5, 19601.6, 19608, 19611, 19613, and 19613.7 of, and to add Sections 19601.7 and 19607.1 to, and to repeal Section 19617 of, the Education Code, relating to child care centers, making an appropriation and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Request for Unanimous Consent That 500 Additional Copies of Assembly Bill No. 3410 Be Printed

Mr. Geddes asked for, and was granted, unanimous consent that 500 additional copies of Assembly Bill No. 3410 be ordered printed.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Cooke:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 25464 to the Government Code, relating to contracts for public works.

Respectfully submitted.

J. B. COOKE

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it

By Mr. Cooke:

An act to add Section 25464 to the Government Code, relating to contracts for public works

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Waters, and Mr. Speaker—66.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3411: By Mr. Cooke—An act to add Section 25464 to the Government Code, relating to contracts for public works.

Referred to Committee on Municipal and County Government.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1803—An act to amend Section 19210 of the Streets and Highways Code, relating to highway lighting districts

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr Speaker—66

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2955—An act to repeal Section 7658 of the Public Utilities Code, relating to issuance of passenger tickets by railroad corporations, rights thereunder and damages in connection therewith.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—73.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2959—An act to repeal Section 7652 of the Public Utilities Code, relating to damages for failure of railroads to transport passengers or property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lindsay,

Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2960—An act to repeal Section 7651 of the Public Utilities Code, relating to operation of railroads and sufficiency of their accommodations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 2961—An act to repeal Section 7534 of the Public Utilities Code, relating to quality of rail used in construction of railroads.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2962—An act to amend Section 7532 of the Public Utilities Code, relating to the construction of railroads and the discontinuance of operation thereof

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2963—An act to amend Section 7528 of the Public Utilities Code, relating to the motive power of railroads.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2964—An act to amend Section 7527 of the Public Utilities Code, relating to the powers of railroad corporations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2965—An act to repeal Section 7510 of the Public Utilities Code, prescribing penalty for violations of Sections 7508 and 7509 thereof and authorizing prosecution of actions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2966—An act to repeal Section 7509 of the Public Utilities Code, relating to increase in the rates and fares of railroad corporations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans,

Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2967—An act to amend Section 7508 of the Public Utilities Code, relating to transfer of property of railroad corporations, consent of stockholders and recording and effect of conveyance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Manufacturing, Oil, and Mining Industry

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1951

MR. SPEAKER: Your Committee on Manufacturing, Oil, and Mining Industry, to which was referred:

Assembly Bill No. 2376

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

MORRIS, Chairman

Above reported bill ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 2314
Assembly Bill No. 1892

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

DUNN, Chairman

Above reported bills ordered to second reading

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2968—An act to repeal Section 7507 of the Public Utilities Code, relating to certificate of payment of fixed capital stock of railroad corporations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans,

Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2969—An act to repeal Section 7506 of the Public Utilities Code, relating to the fixing of the capital stock of railroad corporations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2970—An act to repeal Section 7505 of the Public Utilities Code, relating to the conversion of bonds of railroad corporations into stock.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2971—An act to repeal Section 7504 of the Public Utilities Code, defining the crime of assenting to a debt of a railroad company in excess of its available means by an officer, agent or stockholder of such company and prescribing the penalty for such crime.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2973—An act to repeal Section 7502 of the Public Utilities Code, relating to the transfer of the capital stock of railroad corporations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2974—An act to repeal Section 7501 of the Public Utilities Code, relating to election of directors of railroad corporations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—69

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 2.37 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 213
Assembly Bill No. 2005

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 91
Assembly Bill No. 1523
Assembly Bill No. 1670
Assembly Bill No. 1748
Assembly Bill No. 2075
Assembly Bill No. 2290
Assembly Bill No. 2886
Assembly Bill No. 2887
Assembly Bill No. 2923

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1018

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1018, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1018

Assembly Bill No. 1018—An act to add Section 3928.1 to, and to amend Section 3946 of, the Elections Code, relating to direct primary ballots.

Bill read third time.

Hon. Arthur H. Connolly, Jr., Presiding

At 2.40 p.m., Hon. Arthur H. Connolly, Jr., Member of the Assembly from the Twenty-first District, presiding.

Motion to Amend

Mr. Beck moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 14, of the printed bill, as amended in the Assembly on April 18, 1951, after "printed", strike out "the", and insert "in full the complete".

Amendment No. 2

On page 1, line 16, of said bill, strike out "The name of such political"; and strike out lines 17 to 22, inclusive.

Amendment No. 3

On the ballot form numbered 1 attached to the printed bill, as amended, strike out "Rep." wherever it appears following the name of a candidate, and insert "Republican"

Amendment No. 4

On the ballot form numbered 1 attached to the printed bill, as amended, strike out "Dem." wherever it appears following the name of a candidate, and insert "Democrat".

Amendment No. 5

On the ballot form numbered 1 attached to the printed bill, as amended, strike out "Prohi" wherever it appears following the name of a candidate, and insert "Prohibition".

Amendment No. 6

On the ballot form numbered 1 attached to the printed bill, as amended, strike out "Prog." wherever it appears following the name of a candidate, and insert "Progressive".

Amendment No. 7

On the ballot form numbered 1 attached to the printed bill, as amended, strike out "Soc." wherever it appears following the name of a candidate, and insert "Socialist".

Amendments read.

Speaker Pro Tempore Presiding

At 2.45 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Demand for Previous Question

Messrs. Dills, Caldecott, Dolwig, Shaw, and Connolly demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendments offered by Mr. Beck to Assembly Bill No. 1018.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Beck, Berry, Brady, Brown, Burkhalter, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Dills, Doyle, Dunn, Elliott, Gaffney, Hagen, Hawkins, Henderson, Klocksiem, Lowrey, Luckel, McCarthy, McFall, McMillan, Meyers, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, and Thomas—33.

NOES—Babbage, Belotti, Burke, Caldecott, Chapel, Clarke, Cloyed, Connolly, Conrad, Dickey, Dolwig, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lindsay, Lipscomb, Lyon, Maloney, McCollister, McGee, Morris, Niehouse, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—40.

The question being on the passage of Assembly Bill No. 1018.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Moss, Niehouse, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—62.

NOES—Beck, Davis, Hagen, Henderson, Lowrey, McFall, Munnell, Parker, and Rosenthal—9.

Bill ordered transmitted to the Senate.

Explanation of Vote on Assembly Bill No. 1018

We believe that Assembly Bill No 1018 providing that the abbreviations, Dem , Rep., Prog , Prohi, etc , be placed with the name of a candidate on the primary election ballot to indicate the candidate's party affiliation is a step in the direction of honest information to the voter.

We believe the voter would be better informed if the full name of the political party to which the candidate is affiliated were spelled out. We believe that the greatest possible service which could be rendered to the electorate in terms of straightforward honest information, would be passage of the initiative proposed by the people and presented to the 1951 Session of the Legislature repealing the cross filing provisions of the Elections Code.

FRANCIS DUNN, JR
STANFORD C. SHAW
EDWARD E ELLIOTT
W. BYRON RUMFORD
LESTER T. DAVIS
CLAYTON A. DILLS
RALPH M. BROWN
GEORGE D. COLLINS, JR
ROBERT I. MCCARTHY
BERNARD R. BRADY
EDWARD M. GAFFNEY
EVERETT G. BURKHALTER
J. B. COOKE

MEMBER EXCUSED

At 3.07 p.m., Mr. Munnell asked for, and was granted, unanimous consent that Mr Kilpatrick be excused for the balance of the legislative day, because of legislative business elsewhere, and that he desires to waive his per diem.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills Nos. 2075, 2886, and 2887 re-referred to the Committee on Military Affairs.

Assembly Bill No. 2923 re-referred to the Committee on Public Utilities and Corporations.

Assembly Bills Nos. 1670 and 1748 re-referred to the Committee on Boards and Commissions.

Assembly Bills Nos 2290 and 213 re-referred to the Committee on Judiciary.

Assembly Bills Nos 91 and 1523 re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 2005 re-referred to the Committee on Ways and Means.

RESOLUTIONS

The following resolution was offered:

By Messrs Morris, Dunn, Crowley, and Dolwig:

House Resolution No. 121

Relative to the death of Senator Arthur H Vandenberg

WHEREAS, The Members of the Assembly have learned with deepest regret of the untimely passing in his sixty-eighth year of the Honorable Arthur H Vandenberg, distinguished United States Senator from the State of Michigan; and

WHEREAS, Senator Vandenberg during his long career as a working newspaperman in the State of Michigan and as a Member of the United States Senate contributed greatly to the public discussion and formulation of the foreign policies of the United States; and

WHEREAS, He represented our Country in the United Nations General Assembly and was a participant in meetings of the Big Four Foreign Ministers in times crucial to the whole world; and

WHEREAS, Senator Vandenberg subordinated personal ambition to the service of his Country and the world, so that this day the world may mourn the loss of an effective leader and worker in the cause of peace; and

WHEREAS, Senator Vandenberg is survived by a son and two daughters; now, therefore, be it

Resolved by the Assembly of the State of California, That when the Assembly adjourn this day the members do so out of respect for the memory of Senator Vandenberg and extend their condolences to his family; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit suitable copies of this resolution to Arthur H Vandenberg, Jr., Mrs John W. Bailey, and Mrs Elizabeth Pfeiffer, the children of the Senator

Resolution read, and ordered referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, April 17, 1951

MR SPEAKER: Your Committee on Social Welfare, to which was referred Assembly Bill No 2343

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, do pass, as amended, and re-refer to Committee on Ways and Means

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 63—An act to add Section 105 to the Military and Veterans Code, relating to exemptions to instrumentalities of the Armed Forces of the United States, to take effect immediately;

Assembly Bill No. 235—An act to amend Sections 811, 812.4, 812.6, 814, 828.55, 828.6, 828.7, 829.35, and 829.4 of the Agricultural Code, relating to containers for lettuce, carrots and cantaloupes, declaring the urgency of this act, to take effect immediately;

Assembly Bill No. 346—An act to amend Section 1431 of the Probate Code, relating to compromise of disputed claims of minors;

And reports that the same have been correctly enrolled, and presented to the Governor on the nineteenth day of April, 1951, at 2 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 26—An act to add Section 31679.1 to the Government Code, relating to the members of the County Employees Retirement System;

Assembly Bill No. 45—An act to amend Sections 984 and 985 of the Military and Veterans Code, relating to farm and home purchases by veterans;

Assembly Bill No. 60—An act to add Article 8.5, comprising Sections 31690 to 31692, inclusive, to Chapter 3 of Part 3 of Division 4 of Title 3 of the Government Code, relating to the members of county employees' retirement systems in respect to employment of persons who have attained the age of compulsory retirement, and declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the nineteenth day of April, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 8 of Article XI thereof, relating to the charters of cities and cities and counties;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the nineteenth day of April, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 504—An act to amend Section 28.6 of, and to add Section 34.6 to, the Agricultural Code, relating to the identification of root or top stock of fruit and nut trees;

Assembly Bill No. 1146—An act to amend the title of Article 2 and to add Articles 3 and 4 to Chapter 5.5 of Division 21 of the Health and Safety Code, relating to low-acid frozen foods in hermetically sealed containers;

And reports that the same have been correctly enrolled, and presented to the Governor on the nineteenth day of April, 1951, at 2 p.m.

BURKE, Chairman

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 121

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3056—An act to amend Section 402 of the Vehicle Code, relating to the liability of owners of motor vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—69

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 2844

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

HINCKLEY, Vice Chairman

Above reported bill ordered to second reading

ANNOUNCEMENT

Mr. Dickey announced that the Board of Control has increased the per diem of every elective officer in the State. Under the provisions of Joint Rule No. 35, the per diem of Members of the Legislature will be increased to $14 per day.

Speaker Presiding

At 3.20 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3202—An act to amend Section 209 of the Penal Code, relating to punishment for kidnaping.

Bill read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Babbage, Berry, George D. Collins, Condon, Cooke, Crowley, Davis, Dills, Dunn, Elliott, Gaffney, Hagen, Hahn, Hawkins, Henderson, Hollibaugh, McFall, McMillan, Morris, Rosenthal, Shaw, Sherwin, and Thomas—23.

NOES—Belotti, Brady, Burkhalter, Chapel, Cloyed, Collier, Connolly, Conrad, Dickey, Dolwig, Doyle, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McGee, Moss, Munnell, Niehouse, Silliman, Smith, Stanley, and Tomlinson—38.

Notice of Motion to Reconsider Assembly Bill No. 3202

Mr. Hagen gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 3202 was this day refused passage.

Request for Unanimous Consent

Mr. Morris asked for, and was granted, unanimous consent to take up House Resolution No. 121, at this time, without reference to file.

CONSIDERATION OF HOUSE RESOLUTION NO. 121

By Messrs. Morris, Dunn, Crowley, and Dolwig:

House Resolution No. 121

Relative to the death of Senator Arthur H. Vandenberg

WHEREAS, The Members of the Assembly have learned with deepest regret of the untimely passing in his sixty-eighth year of the Honorable Arthur H. Vandenberg, distinguished United States Senator from the State of Michigan; and

WHEREAS, Senator Vandenberg during his long career as a working newspaperman in the State of Michigan and as a Member of the United States Senate contributed greatly to the public discussion and formulation of the foreign policies of the United States; and

WHEREAS, He represented our Country in the United Nations General Assembly and was a participant in meetings of the Big Four Foreign Ministers in times crucial to the whole world; and

WHEREAS, Senator Vandenberg subordinated personal ambition to the service of his Country and the world, so that this day the world may mourn the loss of an effective leader and worker in the cause of peace; and

WHEREAS, Senator Vandenberg is survived by a son and two daughters; now, therefore, be it

Resolved by the Assembly of the State of California, That when the Assembly adjourn this day the members do so out of respect for the memory of Senator Vandenberg and extend their condolences to his family; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit suitable copies of this resolution to Arthur H Vandenberg, Jr., Mrs. John W. Bailey, and Mrs. Elizabeth Pfeiffer, the children of the Senator.

Resolution read, and adopted unanimously.

ANNOUNCEMENT

Speaker Sam L. Collins announced that a Chamber of Commerce breakfast will be held tomorrow morning, Friday, April 20th, at 7.30 a.m., at the Hotel El Rancho, and that members are invited to be present as guests.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Hollibaugh:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 6019 to the Revenue and Taxation Code, relating to the production of X-ray films and declaring the urgency thereof, to take effect immediately

Respectfully submitted.

JONATHAN J. HOLLIBAUGH

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Hollibaugh:

An act to add Section 6019 to the Revenue and Taxation Code, relating to the production of X-ray films and declaring the urgency thereof, to take effect immediately

BURKE, Chairman

The roll was called, and permission granted by the following vote.

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloved, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—69.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3412: By Mr Hollibaugh—An act to add Section 6019 to the Revenue and Taxation Code, relating to the production of X-ray films and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Lyon:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows.

An act to add Section 19561.5 to the Business and Professions Code, relating to horse racing and authorizing the California Horse Racing Board to provide for the exclusion or ejection from the inclosures of licensed horse racing establishments of persons whose presence therein is inimical to the interests of the State or legitimate horse racing.

Respectfully submitted.

CHARLES W. LYON

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Lyon:

An act to add Section 19561.5 to the Business and Professions Code, relating to horse racing and authorizing the California Horse Racing Board to provide for the exclusion or rejection from the inclosures of licensed horse racing establishments of persons whose presence therein is inimical to the interests of the State or legitimate horse racing.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—69.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3413: By Mr. Lyon—An act to add Section 19561.5 to the Business and Professions Code, relating to horse racing and authorizing the California Horse Racing Board to provide for the

exclusion or ejection from the inclosures of licensed horse racing establishments of persons whose presence therein is inimical to the interests of the State or legitimate horse racing.

Referred to Committee on Boards and Commissions.

REPORTS OF STANDING COMMITTEES

Committee on Boards and Commissions

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 1670

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McMILLAN, Chairman

Above reported bill ordered to third reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 37

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 298
Assembly Bill No. 306
Assembly Bill No 383
Assembly Bill No. 803
Assembly Bill No. 820
Assembly Bill No. 1030
Assembly Bill No. 1734
Assembly Bill No. 1735
Assembly Bill No 2048
Assembly Bill No 2068
Assembly Bill No 2220
Assembly Bill No. 2510
Assembly Bill No 2574
Assembly Bill No. 3068
Assembly Bill No. 3388

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—at 8 p.m.—

Revenue and Taxation, in Room 435
Civil Service and State Personnel, in Room 426.
Industrial Relations, in Room 432

Today Upon Adjournment—

Municipal and County Government, in Room 426.
Transportation and Commerce, in Room 432.

Tomorrow, Friday, April 20th, at 9 a.m.—

Rules, in Room 319.

REQUEST FOR UNANIMOUS CONSENT THAT REPORT BE PRINTED IN THE JOURNAL

Mr. Dolwig asked for, and was granted, unanimous consent that a report by the Assembly Committee on Legislative Representation be ordered printed in the Journal, in 10 point type, as follows:

REPORT OF ASSEMBLY COMMITTEE ON LEGISLATIVE REPRESENTATION

LETTER OF TRANSMITTAL

CALIFORNIA LEGISLATURE
ASSEMBLY COMMITTEE ON LEGISLATIVE REPRESENTATION
April 18, 1951

Honorable Sam L. Collins
Speaker of the Assembly
Assembly Chamber, Sacramento, California

MR. SPEAKER: In conformity with the authority vested in it, your committee has reviewed the statements and reports of the persons hereinafter named who have filed as legislative advocates and has found that all of the persons named in this report have complied with the provisions of Chapter 8, Part 1 of Subdivision 2 of Title 2 of the Government Code.

After five days from the filing of this report a certificate of registration as legislative advocate will be issued to each person named in this report unless good cause to the contrary appears as provided by Government Code 9909, Section 3.

The names of persons who have filed as legislative advocates but do not appear on the following list have been withheld by your committee because of technical defects in the application, for further information or for further consideration by your committee.

All registrants whose names have been withheld will be notified and will be given an appropriate opportunity to conform with the requirements of the law.

Respectfully submitted.

BERNARD R. BRADY
H. ALLEN SMITH
FRANK P. BELOTTI
WILLIAM H. ROSENTHAL
RICHARD J. DOLWIG, Chairman

APPLICATIONS APPROVED AS OF APRIL 17, 1951

Ashbaugh, F. G., 1005 Eighth St., Sacramento
Pacific Union Conference of Seventh Day Adventists
Backman, Betty L., 552 N. Hobart, Los Angeles
California Parents Assn, for Child Care
Beard, Francis, 269 So. Rosemead Blvd., Pasadena
California Water Association
Braden, Wallace, 133 N. Broadway, Los Angeles
LA County Employees Assn.
Bramkamp, Lynn, 610-16th St., Oakland
Associated Dairymen

Burrell, Howard, Subway Terminal Bldg., Los Angeles
Association of California Hospitals
Carter, Francis E., 703 Subway Terminal Bldg., Los Angeles
California Retailers Assn.
Clish, Herbert C., 93 Grove St., San Francisco
San Francisco Board of Education
Coneghan, James A., 1104 Latham Square Bldg., Oakland
Alameda County Milk Dealers Assn.
Conner, Elbert S., 19 E. Canon Pendido, Santa Barbara
Society of American Accountants
Cornell, M. A., Jr., 210 W. 7th St., Los Angeles
UCD Self-Insurers Assn., of California
Corpstein, Susie A , 90 Westwood Drive, San Francisco
Retired Teachers Assn., of S. F.
Creede, Frank J., 1217 Mills Tower, San Francisco
California Inspection Rating Bureau
Dinkelspiel, John Walton, 333 Montgomery St., San Francisco
California State Sheriff's Assn.
Dinkelspiel, Richard C., 333 Montgomery St., San Francisco
California State Sheriffs Assn., LA
Deputy Sheriffs Assn., Oakland
Dodds, Ruth (Miss), 1614 - 26th St., Sacramento
California State Division American Assn., of University Women
Dunn, Margaret L., 970 Chestnut St., San Francisco
Retired Teachers Assn., of S. F.
Eckart, Harold, 821 Market St., San Francisco
California Federated Institute, Inc.
Edises, Bertram, 1440 Broadway, Oakland
United Electrical, Radio and Machine Workers of America,
UE District Council No. 10
Edwards, Lawrence, Belding Bldg., Stockton
Pacific Coast Quarter Horse Racing Assn., Inc.
Fisher, Lewis A., 5567 No. Rosemead Blvd., Temple City
Water Well Drillers Assn.
Forbes, Walter D., 368 Hazelwood Ave , San Francisco
Retired Teachers Assn., of San Francisco
Fosette, Carl, 1233 Hermosa Ave., Hermosa Beach
West Basin Water Assn.
Garibaldi, James D., 510 W. Sixth St., Los Angeles
Hollywood Turf Club
Garrett, Leroy A., 621 S. Spring St , Los Angeles
Sutter Basin Corporation, Ltd.
Getz, Clyde, 3100 W. Adams Blvd., Los Angeles
Childrens Home Society of California
Haggott, Ben, 1233 Hermosa Ave., Hermosa Beach
West Basin Water Assn.
Hotchkiss, Dr. Carl E., 5648 Hollywood Blvd , Los Angeles
Naturopathic Physicians Assn., of California
Huscher, Carroll D , 129 E. Hawthorn St., Fallbrook
California Refrigerated Locker Assn., Inc.

Jackson, Eleanor V. (Miss), 250 N. Hope St , Los Angeles
California Institute of Social Welfare
McFarland, John P., 155 Montgomery St., San Francisco
American Reciprocal Assn , Kansas City, Mo.
California Casualty Indemnity Exchange of Calif.
Industrial Indemnity Company, S. F.
State Farm Mutual Insurance Companies, Bloomington, Ill.
McKenzie, J. F., 1050 So. Prarie Ave., Inglewood
Hollywood Turf Club
McKesson, Florence C., 1151 So. Broadway, Los Angeles
California Congress of Parents & Teachers
O'Donovan, Patrick J., 3923 W. 6th St., Los Angeles
California State Apartment Conference
Ramuglia, Anthony, 117 W. 9th St , Los Angeles
California Industrial Union Council
Reagan, Bruce V., 575 E. Green St , Pasadena
San Francisco Stock Exchange
Selig, Gail B., 650 So. Grand, Los Angeles
California Cosmetic Assn.
Shelton, Robert H., 400 Forum Bldg., Sacramento
County Supervisors Assn., of California
Taft, Perry H., 315 Montgomery St , San Francisco
Association of Casualty & Surety Companies
Thomas, Breckinridge, Rowell Bldg , Fresno
Paraco, Inc., Fresno
Wray, Mrs. Franklin P., 521 First St., Davis
California Federation of Women's Clubs
White, Charles L , 2812 Emerson St., San Diego
San Diego Commercial Fishing Boat Owners, Inc.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Speaker Sam L. Collins, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Leo Firris of Anaheim.

On request of Mr. Gubser, the usual courtesies of the Assembly for this day were unanimously extended to Anthony Anastasi, Joseph Puppo, and Carmen Patane of Santa Clara County.

On request of the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to David Bird of San Diego.

On request of Speaker Sam L Collins and Mr. Erwin, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Harold Welton of Fullerton.

On request of Mr. Cooke, the usual courtesies of the Assembly for this day were unanimously extended to David S. Licker of Santa Barbara.

On request of Mr. Burke, the usual courtesies of the Assembly for this day were unanimously extended to Talmage V. Burke of Alhambra.

On request of Mr. Coats, the usual courtesies of the Assembly for this day were unanimously extended to Marion C. Bew and Mrs. Marianna Bew of Marysville.

On request of Mr. McCollister, the usual courtesies of the Assembly for this day were unanimously extended to Mrs Flora Anderson and Mrs. Shirley Borland, teachers; W. Paul Harris, Mrs August Albertsen, Mrs. W. B. King, and Mrs Rodolph Lange, guests; and the following pupils of the Cinnabar School of Petaluma: Dan Bostrom, Melvin Feinstein, Gary Graves, Robert Green, William Harris, John Harris, Eddie Johnson, Johnnie Johnson, Andrew Rossen, Roberta Barker, Josephine Caquatte, Marye Hennes, Marcialea Lehman, Beverly Muelrath, Gloria Ann Sturm, Beverly Nancy Tiger, Jerry Conroy, Martin Conroy, Manuel Fernandez, Larry Noakes, Raymond Philps, Steven Butterfield, Henriette Albertsen, Janet Johnson, Joyce Petersen, Geraldine Kirkman, Savonia Walker, Tamra Baker, Patrick Swinhart, Michael Swinhart, Judy Adams, Jackie Cowart, Nancy Evans, Teresa Keiser, Geno Dinelli, Einer Elbeck, Lynn Noakes, Edmund Weber, Gary Haer, James Haer, Anna Lee Caldwell, Merle King, Diane Lange, Judy Lechau, Teressa Simms, Nancy Smith, Douglas Smith, Patricia Keiser, Marshall Barlas, Jack Farris, Carl Jensen, and Alexander Rasoumoff.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Sister M. Manuela, Sister M. Peter, Sister M. Roswitha, and Sister M. Consolata, and the following pupils of St. Francis High School: Aimee Bridges, Vanita Brown, Barbara Bush, Rosemary Caughey, Diane Cecchetini, Virginia Corbett, Marilyn DeGregoria, Rose Dieterle, Kathleen Domich, Marlene Engardt, Dolores Espindle, Pat Giorgi, Waltraut Grewe, Cordelia Gutierrez, Helen Hagel, Joan Hawkins, Claire Heffernan, Romelia Hernandez, Kathleen Herzog, Beverly House, Joan Jastraub, Carole Kelly, Carole Keenan, Shirley Leventon, Carol Louden, Barbara Micchiavelli, Bonnie Marden, Mary Ann Mason, Bernadette Mento, Noralee Messner, Joanne Moriarity, Mary Ann Morris, Marilyn Murphy, Marjorie McCarty, Loretta McCormack, Sandra McKinley, Diane Pechacek, Carol Popesco, Ann Puccinelli, Kathryn Rasmussen, Ramona Risse, Lily Tamaki, Barbara Wakefield, Mary Ann Whalen, Nancy Williams, Joyce Williamson, Mary Baughman, Jo Ann Benetti, Teresa Burich, Maggie Cavanaugh, Anne Chester, Charlene Coleman, Connie Cooper, Joyce Caulfield, Pat Dillon, Eileen Donoghue, Shirley Doyle, Dorothy Dumbra, Genevieve Eberhard, Vivianne Elorga, Mary Gemsch, Eleanor Genshlea, Maureen Gilson, Joanne Ghebe, Rowena Gutierrez, Sue Anne Hale, Mimi Hardesty, Mary Harrison, Helen House, Pat Kane, Carolyn Knight, Barbara Kovach, Eileen McCormick, Florence McDonough, Kathleen McDougall, Joan Mangan, Lois Matushak, Bertha Mooney, Dorothy Napier, Gladys Neely, Jean Neuman, Mary Oehlrich, Emily Palazzini, Rosemary Parker, Evelyn Porter, Dorothy Ragusa, Mildred Radonich, Mary Ann Reissig, Nena Richeson, Barbara Smith, Carol Soto, Mary Turnacliff, Jean Ward, Margie Wilkins, Anita Jara, Eileen Kaiser, Katherine Kinter, Marianne Klutz, Karen Lagergren, and Shirley Lewis.

On request of Messrs Gubser and Kirkwood, the usual courtesies of the Assembly for this day were unanimously extended to William L Pierce, Charles R. Reynolds, Mrs. Gertrude Le Fevre, Mrs. Katherine Robinson, Mrs. Emily Rudd, and Mrs. Clara McLeod, and the following pupils of the Franklin School: Consuelo Aranda, Joe Barron, Paul

Bender, Frances Benitez, Ronnie Bernal, Beverly Bernard, Susan Briseno, Ralph Castellanos, Dale Clark, Darlene Clark, Stella Cordero, Robert Corl, Melvin Couchman, Sammy Cruz, Dolores Daunt, Joseph Deck, Vallie Jean Dill, Helen Dimas, Jesse Donohue, Barbara Ferreira, William Gibson, Betty Gratton, Maura Guerra, Joanne Hamlet, Ronald Henderson, William Henderson, Carmen Hernandez, David Hernandez, Daryl Heyne, Sumiya Higashi, Lawrence Higashihara, David Hirst, Susie Hughes, Kenneth Krause, Richard Krause, Irene Lopez, Vera Lopez, Joan Maggiore, Kenneth Martin, Shirley Martin, Charles Mattoon, Johnny McKinney, Darrell McLeod, Virgil Melton, Darlene Miles, David Moseley, Yvonne Morrell, Raymond Munoz, James Nimmo, Frances Palacios, Sally Parsons, Eddie Perales, Delton Perry, Aaron Powell, Rachel Ramirez, Francine Rivera, Melvin Robinson, Isabel Rodriguez, Truman Rossetta, Gary Rudd, Sharron Scholes, Anna Sears, Cathleen Silva, Gloria Silva, James Souza, Loretta Sowers, Phyllis Velasco, Theron Warning, and Leo Welch.

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to Richard M. Moon, Mrs. R. M. Moon, Herman L. Dorion, Mrs. Herman L. Dorion, Mr. Eldon Mahoney, teachers, and the following pupils of the Waterford School: Dorothy Bray, Walter Bray, Barbara Breshears, Beverly Breshears, Mark Calhoun, Helen Carson, Teddy Casey, Jesse Chappell, Boyd Cline, Kenneth Colbert, Billy Cole, Laurence Coleman, Virginia Coleman, Carol Cossey, Opal Coulter, Delores Crawford, Jerry Cudd, Lula Faries, Rachel Faultner, Richard Fernandes, Alanna Freitas, Anna German, Joy Lee Hall, Carlos Harper, Roy Hartman, Donald Herbert, Donald Jones, Gilford Keeney, Joe Little, Loyazelle McCloud, Joe McClure, Betty Joe Miller, Louella Miller, Robert Miller, Jimmy Murray, Wanda Murry, Karen O'Brien, Buddy Owens, Gary Ownby, Carl Parrish, Patsy Pevehouse, Annette Rash, Marjorie Reid, Nancy Reynolds, George Roberts, Kenneth Sauls, Robert Schmidt, Harvey Scott, Larry Sharp, Elzora Shehan, Billy Shockley, Bob Shockley, Jane Small, Barbara Smith, Eugene Story, Euelda Stuart, Phyllis Wild, and Robert Wild.

On request of Messrs. McFall and Parker, the usual courtesies of the Assembly for this day were unanimously extended to J. L. Scott, teacher; Mrs. Cullum, Dan Braddock, chaperons; Rev. Carden, driver, and the following pupils of the Lone Tree School: Billie Augusto, Paul Jones, Delbert Nichelson, Teddy Norgard, Rosemary Espinola, Linda Mendenhall, Janet Jones, Merlene Nowell, Margaret Price, Lloyd Anderson, Vannie Cullum, Johnnie Langum, Winford Nowell, Emory Wheeler, Joan Benedix, Velma Cardoza, Jeanette Van Wyk, Jay Dean Jones, Paul Langum, Barney Nichelson, Milton Nowell, Mayetta Bradfute, Karen Johnson, Shila Norgard, and Carol Lee Taylor.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to Wilbur Twining and William Ross, teachers; and the following pupils of the Acalanes High School, Lafayette: Owen Babcock, Don Badgley, Janet Bailey, George Blodgett, Albert Capri, Nancy Carlson, Ann Champlin, Diana Christiansen, Robert Crall, Loretta Dalbey, Leonard Derrick, Bob Diehl, Richard Dickie,

Myron Dmoski, Beatrice Dugan, Don Fibush, Carol Flores, Larry Gilhaus, Jean Gordon, Joan Gordon, Marilyn Hansen, Hugh Harris, Sylvia Harris, Dennis Hassler, Bob Keller, Pete Law, Bernice Lawrence, Ellen Johnston, Shirley Machado, Jerry Moran, Ardeth Navé, Janice Passur, Ray Piona, Phyllis Pyle, Joan Raspillar, Tom Roemer, Peggy Shelver, Alice Spencer, Ed Tazer, and Donna Townsend

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to the following pupils of the Napa Union High School: Lavonne Aldredge, Sally Hammerich, Elizabeth Goodwin, Mona Browder, Norma Stukey, Lily Low, Susan Battaglia, Eleanor Forden, Audrey Philbrick, Jerry Carle, Ward Healy, Dick Pancoast, John Triplett, Robert Flory, Lee Chouinard, Emil White, Bill Faulconer, Bruce Peterson, Cyrus Vahabzadeh, Frank Perata, Del Akers, Richard Kuehle, Norma Cox, Nancy Bryan, William Breaw, Ray Kiser, Ging Chan, Jim Jeffers, Bruce Wilson, Vivian Emmons, Lois Lieding, Delora Santoni, Jacqueline Soito, Ed. Brovelli, Duncan Coleman, Lois Bauman, William Bishop, Joan Stewart, Joan Dark, Mary Ferrero, Shirley Showalter, Buddy Benthien, Elizabeth Partridge, Clara Potts, Ray Cuffman, Cecil Grimes, and Judy King.

On request of Mr Lowrey, the usual courtesies of the Assembly for this day were unanimously extended to E Harold Langdon, teacher, and the following pupils of the Arbuckle School: Bob Arens, Marsha Bingaman, Nettie Bruffett, Joe Carbsjal, Wanda Dodson, Patricia Fleharty, Maurice Gonzalez, Fritz Grimmer, David Haynes, Norma Hoffman, Walter Lovall, Bobby Lytal, Eddie Martinez, Charles Pratt, Eddie Roberts, Donald Simpson, Kenneth Tucker, Iantha Tyler, Jimmy Wade, Nancy Watson, Molly Wright, and Bill Young

On request of the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Frank Gibson of San Diego.

On request of Mr. Hinckley, the usual courtesies of the Assembly for this day were unanimously extended to S. W. Break of San Bernardino

On request of Mr. Dunn and the Alameda Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Clifford Wixson of Alameda, former Assemblyman.

On request of Messrs. Hollibaugh and Porter, the usual courtesies of the Assembly for this day were unanimously extended to Mayor Weaver and Councilman Dellman of South Gate

On request of Mr. Brady, the usual courtesies of the Assembly for this day were unanimously extended to Sister St Joseph, and the following pupils of the Star of the Sea Academy: Lillian Harrington, Eileen Mellon, Cynthia Brown, Lois Quinn, Stephanie Cabrinha, Genevieve Dias, Shirley Murphy, Chrissie Newell, Carol O'Marie, Anne Reed, Patricia Kroesen, Patricia Concannon, Mary Ellen Winters, Catherine Kyne, Margaret Minjiras, Adele Bautista, Lorraine Lessman, Suzanne Daneman, Rosalie Breslin, Cathy Creedon, Janice Sullivan, Rose Boito, Tania Greff, Patricia Clark, Eloise Pereira, Mary Abbott, Lillian Ong, Joan Goulden, Christine Soulis, Barbara Amador, Delia Mock, Marian Schlarmann, Eugenia Vignalou, Beverly Baker, Noreen Duryea, Marilyn

Mackay, Betty Geaney, Marilyn Murphy, Kathleen Corbett, Rosemary Hill, and Reina Martinez.

On request of Mr Coats, the usual courtesies of the Assembly for this day were unanimously extended to Leo Buchla and the following pupils of Palermo School: Betty Jo Thomas, Mary Lou Drown, Allegra Medina, Janice Allman, Kenneth Conn, Peggy Metsker, Diane Lockwood, Mildred Armstrong, Donna Linton, Annie Taylor, Lucille Shaw, Aleta Pryde, Deanna McGuire, Gifford Naseath, Gene Merian, Richard Rucker, Kenneth Jackson, Rickey Leahy, Dennis Robblee, Jerome Rucker, Robert Grimes, Dale Pritchard, Edward Foreman, Donald Calkins, Tim Oberholtzer, Robert Armitage, Lloyd Pickering, William Massey, Darrel Burns, Richard Atkins, Ted Shepherd, Boyd Crook, James MacDonald, Kenneth Thompson, Henry Harvey, James Olds, and Gerald Eads.

On request of Messrs. McFall and Parker, the usual courtesies of the Assembly for this day were unanimously extended to Kenneth L. Culver, teacher, and the following pupils of the Banta School: Rosa Lie Standen, Arlene Castodio, Opal Farrington, Mary Eska, Ralph Cundiff, Pat Rogers, Wayne Cowen, John Narducci, and William Borges.

On request of Mr. Belotti, the usual courtesies of the Assembly for this day were unanimously extended to Erwin Hadley of Eureka.

On request of Mr. Geddes, the usual courtesies of the Assembly for this day were unanimously extended to Miss Catherine Gow, formerly of Claremont.

On request of Mr. Hansen, the usual courtesies of the Assembly for this day were unanimously extended to Chas. Moran and Ed Taylor of Fresno State College.

On request of Mr. Tomlinson, the usual courtesies of the Assembly for this day were unanimously extended to C A. Bradbury, R. B. MacClellan, Paul E. Stewart, William Hollister, Homer Thompson, Andrew Birk, Horace Rupp, and Albert Eaves, of Santa Barbara.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Sister M. Reginald and the following pupils of the Holy Angels School: Lionel August, Sam Barajas, Joseph Cabral, Joseph Hoshall, Martin Jennings, Wayne Miller, Jerry Nevis, Robert Proaps, Russell Van Dewark, George Villalobos, Jacqueline Basich, Lola Bianchi, Lou Jean Burnside, Connie Chacon, Gloria Chavez, Lynette Choy, Rachel Duarte, Claudia Fernandes, Sophie Gonzales, Kathleen Hall, Margaret Harris, Mary Ann Hrepich, Marianne Lew, Margaret Lazano, Petra Martinez, Joan McBride, Connie Morser, Julia Ortega, Darlene Perella, Beatrice Patino, Concepcion Perez, Margaret Selby, Marlene Thompson, Carolyn Vincent, Barbara Watson, Linda Lee Watson, Sandra Wright, and Mary Zivkovich.

On request of Messrs. Parker and McFall, the usual courtesies of the Assembly for this day were unanimously extended to the following pupils of the Linden Union High School: Paul Polk, John Vasquez, Bill Vavuris, Richard Maragliano, Marvin Franklin, Jimmy Caminata, Robert Masudo, Douglas McCutcheon, Fred Croce, Robert Marciano, Eddie Giannecchini, Richard Staples, Tony Munz, Mr. Vern Mudgett,

Miss Fay Long, Ayoho Ayoma, Mryoki Metoike, Betty Peterson, Davie Golden, Nedra Lee, Janice Hays, Jewel Shelton, Laura Lee Needham, Katherine Kiehn, Marie Urrutia, Josephine De Martini, Joan Freeman, Jacquie Short, Jackie Tone, and Edna Arnpriester.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Sister M. Leanda and the following pupils of Holy Angels School: Robert Balassi, Antoinette Basich, Eleanore Bianchi, Jan Bush, John Carvalho, Arthur Chavez, Marston Chavez, Marilia Coquin, Lena Cordano, John Giordano, Richard Hannaford, Irene Jennings, Loretta Lew, Joann Machado, Sandra Mallett, Clara McGee, Edward Middleton, Marlene Munizich, Pauline Ostoja, Frances Radovanovich, Antoinette Ratoni, Patricia Roy, Joyce Smith, Janet Steinbacher, Norma Swaney, Veronica Townsend, Betty Venesio, Mary Ann Wallace, and Edith Wolfe.

On request of Messrs. McFall and Parker, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. H. W. Newton, teacher; Mrs. Pellegri, Mrs. Picchi, Mrs. Lucero, Mrs. Griffith, Mrs. Roza, and Mrs. Thompson, guests; and the following pupils of the David Bixler School, Stockton: Jammie Fugii, Diana Pellegri, Angela Casali, Violet Menconi, Angela Petrini, Frank Yagi, Nick Herreria, Reggie Mescralo, Robert Day, Donald Griffith, Marie Berticcelli, Joanne Roza, and Arlene Roza.

On request of Mr. Lowrey, the usual courtesies of the Assembly for this day were unanimously extended to J. M. Burchfield, Mrs. Sophia Mace, Earl McDowell, and Mrs Claire E. Pence, teachers; Frank Ferraiuolo, bus driver; Mrs. Campbell, guest; and the following pupils of the Colusa School: Gerald Bailey, Frances Benoit, Jacklyn Benoit, Darlene Berlin, Garvin Boggs, Rosetta Bosen, Anna Bruce, Iris Burgess, Jacklyn Burton, Rita Castanon, Kenneth Comfort, Rose Coronado, Mary Day, Richard Dokken, David Dow, Diane Dunphy, Jerd Ferraiuolo, Nancy Flaming, Shirley Forney, Phil Freed, Roxanna Grenfell, Judy Hageman, Craig Hurni, Sharon Huston, Rei Kagehiro, Standish King, Robert McKinnis, Fred Main, Douglas Mayberry, Arline Meadows, Arlin Millen, Laurence Millsap, William Millsap, Harold Mitchell, Robert Mitchell, Gordene Mondo, Billy Moore, Marilyn Morley, Verne Mross, Barbara Nelson, Daisy Nelson, Larry O'Rourke, Ann Poage, Joyce Rhandolph, Jim Rhoades, Robert Shippen, Patricia Smith, Patricia Stites, Phil St. Louis, Robert Tennant, Dale Townzen, May Warren, Beverly Whitehall, Harvey Yamamoto, Darrell Young, Eugene Young, and Ida Yungling.

ADJOURNMENT

At 3.34 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned out of respect to the memory of the late United States Senator, Hon. Arthur H. Vandenberg, until 9.30 a.m., Friday, April 20, 1951

SAM L. COLLINS, Speaker

GERALDINE B HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FORTY-SECOND LEGISLATIVE DAY

FIFTY-SIXTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, April 20, 1951

The Assembly met at 9.30 a m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—72

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A Kircher:

Our Heavenly Father, We enter into Thy presence through the ever-open gateway of prayer.

We thank Thee for a new day, its path untrod, its life untasted, and its record for our making. Forgetting those things which are behind and reaching forth unto those things which are before, help us as we press toward the mark for the prize of the high calling of God in Christ Jesus.

We claim Thy blessed promise: "Commit thy way unto the Lord; trust also in Him; and He shall bring it to pass."

"And all is well, tho' faith and form
Be sundered in the night of fear;
Well roars the storm to those that hear
A deeper voice across the storm."

In Jesus name.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Babbage, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Butters, on motion of Mr. Erwin.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Stewart, on motion of Mr. Erwin.

Mr. Lanterman, on motion of Mr. Stanley.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Kilpatrick, on motion of Mr. Erwin.

COMMUNICATIONS

By the Chief Clerk:

A communication from A. R. Mackey, Acting Commissioner, United States Department of Justice, Immigration and Naturalization Service, Washington, D. C., relative to revision of the laws pertaining to deportation of undesirable aliens who have obtained naturalization by fraud, was received, and ordered filed with the Secretary of State.

REPORTS OF STANDING COMMITTEES

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Assembly Bill No. 171

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LUCKEL, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 2464
Assembly Bill No. 2870

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

LUCKEL, Chairman

Above reported bills ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 19, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 49
Assembly Bill No. 421
Assembly Bill No. 1094
Assembly Bill No. 1107

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 19, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 479
Senate Bill No. 818

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 11, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 291

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, April 19, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 1890
Assembly Bill No. 2675

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, April 19, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 87
Senate Bill No. 284
Senate Bill No. 526
Senate Bill No. 543
Senate Bill No. 640
Senate Bill No. 1059
Senate Bill No 1446
Senate Bill No. 1633
Senate Bill No. 1644

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 87—An act to amend Sections 629 and 659 of the Code of Civil Procedure, relating to judgments notwithstanding the verdict.

Referred to Committee on Judiciary.

Senate Bill No. 284—An act to add Section 20372.5 to the Education Code, relating to separation from service of state college employees.

Referred to Committee on Education.

Senate Bill No. 526—An act to amend Section 221 of, and to add Section 227p to the Civil Code, relating to the adoption of adults

Referred to Committee on Judiciary.

Senate Bill No. 543—An act to amend Sections 671, 689, 777, 778, 781, 782, 783, 784, 784a, 785, 786, 789, 791, 792, 794, 795, 802, 806, 813, 814, 815, 816, 826, 827, 828, 829, 949, 950, 953, 954, 955, 957, 958, 959, 960, 961, 963, 964, 966, 967, 968, 969, 969c, 970, 971, 976, 977, 979, 980, 983, 988, 989, 990, 1004, 1005, 1007, 1008, 1009, 1010, 1012, 1016, 1017, 1019, 1021, 1022, 1023, 1024, 1025, 1033, 1043, 1053, 1057, 1059, 1093, 1095, 1099, 1100, 1119, 1127, 1130, 1135, 1136, 1138, 1150, 1151, 1155, 1157, 1158, 1159, 1160, 1164, 1165, 1180, 1181, 1185, 1186, 1187, 1191, 1193, 1195, 1196, 1197, 1198, 1199, 1205, 1207, 1213, 1235, 1237, 1238, 1243, 1262, 1326, 1382, 1385, 1387, 1427, 1428, 1429, 1447, 1449, 1458, 1461, 1466, and 1468 and the headings of Title 3, Chapter 3 of

Title 3, Title 4, Title 5, Chapter 2 of Title 5, Title 6, Chapter 2 of Title 6, Chapter 3 of Title 6, Chapter 4 of Title 7, Title 9, Chapter 8 of Title 10, Title 11, and of Chapter 1 of Title 11, of Part 2 of the Penal Code, to renumber the headings of Chapters 2 and 3 of Title 4 of Part 2 of said code and to repeal the heading of Title 2, Part 2 and Sections 809, 810, 811, 812, 818, Chapter 1, consisting of Sections 888 to 890, inclusive, of Title 4, Part 2, Sections 1011, 1144, 1247e, 1426, 1426.1, 1428.1, 1428.2, 1428.3, 1430, 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1446, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1459, 1460, 1461a, and 1467, of said code, and to add Sections 690, and 691, a new Title 2, consisting of Sections 737 to 740, inclusive, to Part 2 of said code, and Sections 777a, 973, 1167, and 1467 to said code, relating to proceedings in criminal cases.

Referred to Committee on Judiciary.

Senate Bill No. 640—An act to amend Sections 5, 6, and 7 of, and to add Section 3¼ to, the Highway Carriers' Act, relating to highway carriers.

Referred to Committee on Transportation and Commerce

Senate Bill No. 1059—An act to add Sections 483.1, 483.2, and 483.3 to the Civil Code, relating to first-aid kits on trains.

Referred to Committee on Public Utilities and Corporations.

Senate Bill No. 1446—An act to amend Section 929 of the Fish and Game Code, relating to sardines.

Referred to Committee on Fish and Game.

Senate Bill No. 1633—An act to amend Sections 9403, 9405, 9406, 9407, 9408, 9410, 9411, and 9412 of the Government Code, relating to witnesses before legislative committees

Referred to Committee on Judiciary

Senate Bill No. 1644—An act to add Section 714.5 to the Vehicle Code, relating to weight capacity on county bridges

Referred to Committee on Transportation and Commerce.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 19, 1951

MR SPEAKER I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No 8

J. A. BEEK, Secretary of the Senate
By C V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Joint Resolution No. 8—Relative to requesting the Congress of the United States to propose an amendment to the Constitution.

Referred to Committee on Rules

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 384
Assembly Bill No. 1736
Assembly Bill No. 1904
Assembly Bill No. 2052
Assembly Bill No. 2807

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 1526

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 2907

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 1054
Assembly Bill No. 1739

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1951

MR SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Senate Bill No. 1023
Senate Bill No. 1024
Senate Bill No. 1025
Senate Bill No. 1027
Senate Bill No. 1091
Senate Bill No. 1119
Senate Bill No. 1122

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 550
Assembly Bill No. 811
Assembly Bill No. 1651
Assembly Bill No. 2137
Assembly Bill No. 2528
Assembly Bill No. 2909

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bills ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred

Assembly Concurrent Resolution No. 45

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 2279
Assembly Bill No. 2838

Has had the same under consideration, and reports the same back with the recommendation: That the text of the bills be referred to Interim Committee on Transportation and Commerce.

LUCKEL, Chairman

Above reported texts of bills ordered re-referred to the Interim Committee on Transportation and Commerce, and the bills ordered filed.

MOTION THAT ASSEMBLY BILL NO. 3223 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Geddes moved that Assembly Bill No. 3223 be withdrawn from the Committee on Agriculture, and be re-referred to the Committee on Industrial Relations.

Mr. Rumford seconded the motion.

Substitute Motion

Mr. Levering moved, as a substitute motion, that Assembly Bills Nos. 3223 and 2921 be re-referred to the Committee of the Whole, and that they be considered on next Thursday evening, April 26th.

Mr. Collier seconded the substitute motion.

Point of Order

Mr. Doyle arose to the following point of order: That the Assembly may not be in session on next Thursday evening, and the motion is not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken because the Assembly may set a time for reconvening which is definite.

Point of Order

Mr. Fleury arose to the following point of order: That under Rule 35 such a motion as Mr. Levering has offered is not debatable.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken because said rule is not applicable to the business before the House.

Point of Order

Mr. Dunn arose to the following point of order: That the motion by Mr. Levering is not in order, at this time.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

Point of Order

Mr. Lowrey arose to the following point of order: That if this motion carries the Committee of the Whole will take precedence over the Committee on Agriculture.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken as the members serving on both committees involved are members of the Committee of the Whole.

Division of the Question

Mr. Lowrey asked for a division of the question

(1) Upon withdrawal

(2) The motion to set as a special order.

Substitute Motion Withdrawn

Mr. Collier withdrew his second.

Mr. Levering withdrew his substitute motion.

The question being on the motion by Mr. Geddes that Assembly Bill No. 3223 be withdrawn from the Committee on Agriculture, and be re-referred to the Committee on Industrial Relations.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Geddes moved a call of the Assembly.

Motion carried. Time, 10.15 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brown, Coats, Condon, Conrad, Dills, Doyle, Hagen, Kirkwood, McFall, Meyers, Morris, Rosenthal, and Waters—13.

REQUEST FOR UNANIMOUS CONSENT FOR TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Dickey asked for unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

Mr. Silliman withheld unanimous consent.

Motion to Temporarily Suspend the Rules

Mr. Maloney moved that the Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

Mr. Dickey seconded the motion.

Objections Withdrawn

Mr. Silliman withdrew his objections to the request for unanimous consent by Mr. Dickey that Rule 85 be temporarily suspended.

Unanimous Consent Withheld

Mr. Lowrey withheld unanimous consent to the request for unanimous consent by Mr. Dickey that Rule 85 be temporarily suspended.

The question being on the motion by Mr. Maloney that the Rules be temporarily suspended.

Demand for Previous Question

Messrs. Hinckley, Luckel, Morris, Dickey, and Silliman demanded the previous question.

Demand for previous question sustained.

The question being on the motion by Mr. Maloney that the Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

The roll was called, and the motion carried by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Lincoln, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Smith, Stanley, and Tomlinson—55.

NOES—Cloyed, Hansen, Klocksiem, Levering, Lindsay, Lowrey, and Silliman—7.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY

ANNOUNCEMENT

Mr. Collier announced that he is holding an Assembly concurrent resolution at his desk relative to commending the Mayor and the City of San Francisco for the cordial welcome extended to General Douglas MacArthur; and that anyone desiring to be a co-author may come to his desk, at this time, and affix his signature to the resolution

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1259—An act to add Section 20338 to the Government Code, relating to the State Employees' Retirement System in respect to state college extension service teachers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1687—An act to add Section 7144.1 to the Education Code, relating to school districts constituting component parts of school districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1873—An act to add Section 24205.3 to the Education Code, relating to the conferring of degrees by schools and colleges.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2939—An act to amend Section 2421 of the Education Code, relating to school districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2305—An act to add Section 481 to the Government Code, relating to Members of the Senate.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1810—An act to amend Section 29(c) of the "Community Redevelopment Act," relating to employees benefits.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2531—An act to add Section 548 to the Streets and Highways Code, relating to the State Highway System, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 222—An act to amend Section 5007 of the Education Code, relating to the investment of school district funds.

Bill read second time, and ordered engrossed.

Assembly Bill No. 223—An act to amend Section 18478 of the Education Code, relating to change of location of a high school.

Bill read second time, and ordered engrossed.

Assembly Bill No. 296—An act to amend Section 2248 of the Health and Safety Code, relating to compensation and expenses of board members.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1545—An act to amend Section 5053 of the Business and Professions Code, relating to the State Board of Accountancy.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1856—An act to amend Sections 154, 6500, and 7000 of the Welfare and Institutions Code and to amend and renumber Section 6500.3 to be Section 7000.5 thereof and to amend the heading of Chapter 3 of Part 4 of Division 6 thereof, relating to state institutions under the jurisdiction of the Department of Mental Hygiene.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2669—An act to amend Section 17502 of the Business and Professions Code, relating to false advertising offenses and exceptions therefrom.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2310—An act to amend Section 14071 of the Education Code, relating to leaves of absence for noncertificated employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "and vacations".

Amendment No. 2

On page 1, line 6, of said bill, after "provided", insert "in Sections 13672 and 13841".

Amendment No. 3

On page 1, line 7, of said bill, before the period, insert "and may grant vacation with pay to employees in positions not requiring certification qualifications".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 380—An act to repeal Article 3, comprising Sections 400 to 459, inclusive, of Chapter 2, Division 1 of, and to add Article 3, comprising Sections 400 to 409, inclusive, to Chapter 2, Division 1 of, the Education Code, relating to the county superintendents of schools.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 3, line 2, of the printed bill, as amended in the Assembly on March 16, 1951, strike out "Five (5)", and insert "Four (4)".

Amendment read, and adopted

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1756—An act to add Section 54.1 to the Civil Code, relating to admission to schools.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "business, vocational", and insert "vocational, business".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1155—An act to amend Section 54 and to add Section 60 to the State Water Resources Act of 1945, relating to flood control, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 23, 1951, strike out "Section 54 and to add Section 60 to", and insert "Sections 36, 37 and 54 of, and to add Sections 27a, 28.1, 39.1, and 39.2 to,".

Amendment No. 2

In lines 3 and 4 of the title of said bill, strike out ", declaring the urgency thereof, to take effect immediately", and insert "and water conservation".

Amendment No. 3

On page 1 of said bill, strike out lines 3 and 4, and insert

"SECTION 1. Section 27a is added to the State Water Resources Act of 1945, to read:

Sec. 27a. The project for construction of flood control protection along the Santa Clara River, and its tributaries, California, is hereby approved and authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 443, Eightieth Congress, First Session, and authorized by act of Congress approved June 30, 1948, Public Law 858, Eightieth Congress, Second Session, at an estimated cost to the State of such sum as may be appropriated for state cooperation by the Legislature upon approval of the general plan of improvement by, and the recommendation of the State Water Resources Board, when funds for carrying out said project are appropriated by Congress.

SEC. 2. Section 28.1 is added to said act, to read:

Sec. 28.1. The plan of improvement for flood control in the Santa Ana River Basin, California, is hereby adopted and authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 135, Eighty-first Congress, First Session, and authorized by act of Congress approved May 17, 1950, Public Law 516, Eighty-first Congress, Second Session, at an estimated cost to the State of such sum as may be appropriated for state cooperation by the Legislature upon approval of the general plan of improvement by, and the recommendation of, the State Water Resources Board, when funds for carrying out said project are appropriated by Congress.

SEC. 3 Section 36 of said act is amended to read:

Sec. 36. The Ventura County Flood Control District shall give assurances satisfactory to the Secretary of War that the local cooperation, required by Section 3 of the act of Congress, approved December 22, 1944, (Public, Numbered 534, Seventy-eighth Congress, Second Session) will be furnished by Ventura County Flood Control District in connection with the flood control project adopted and authorized in Section 27 of this act.

The Ventura County Flood Control District shall give assurances satisfactory to the Secretary of the Army that local cooperation, required by Section 201 of the act of Congress, approved June 30, 1948, (Public, Numbered 858, Eightieth Congress, Second Session) will be furnished by Ventura County Flood Control District in connection with the flood control project adopted and authorized in Section 27a of this act.

SEC. 4. Section 37 of said act is amended to read:

Sec. 37. It shall be the duty of the Ventura County Flood Control District, in conjunction with the War Department, to execute the plans and projects referred to in Section s 27 *and 27a* of this act and exercise all powers granted to it in the Ventura County Flood Control Act, and said district may make modifications and amendments to said plans as may be necessary to execute the same for the purposes of this act.

SEC. 5 Section 39.1 is added to said act, to read:

Sec. 39.1. The San Bernardino County Flood Control District and the Riverside County Flood Control and Water Conservation District shall give assurances satisfactory to the Secretary of the Army that the local cooperation, required by Section 201 of the act of Congress approved May 17, 1950, Public Law 516, Eighty-first Congress, Second Session, will be furnished by said districts in connection with the plan of improvement for flood control adopted and authorized in Section 28.1 of this act.

SEC. 6. Section 39.2 is added to said act, to read:

Sec. 39.2. It shall be the duty of the San Bernardino County Flood Control District and the Riverside County Flood Control and Water Conservation District, in conjunction with the Department of the Army, to execute the plan of improvement for flood control referred to in Section 28.1 of this act and exercise all powers granted by law to said districts, and said districts may make modifications and amendments to said plan as may be necessary to execute the same for the purposes of this act.

SEC. 7. Section 54 of said act is amended to read:"

Amendment No. 4

On page 1 of said bill, strike out lines 16 to 23, inclusive; and on page 2, strike out lines 1 to 10, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1732—An act to amend Sections 10501, 10503 and 10504 of the Water Code, relating to priority of applications to appropriate water filed by the Department of Finance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 26, of the printed bill, after "application", insert ", whether heretofore or hereafter assigned,".

Amendment No. 2

On page 1 of said bill, after line 28, insert " 'Assignee' as used herein includes, but is not limited to, state agencies, commissions and departments, and the United States of America or any of its departments or agencies.

SEC. 4. Section 3 of this act shall become operative on October 1, 1951 "

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Constitutional Amendment No. 19—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Section 8 of Article XIII of said Constitution, relating to property tax returns.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Constitutional Amendments:

Amendment No. 1

On page 1, line 10, of the printed bill, after "statement," insert "either by oath or be verified by a written declaration that it is made under the penalties of perjury,".

Amendment read, and adopted.

Resolution ordered reprinted, and engrossed.

Assembly Bill No. 2001—An act to amend Section 22280 of, and add Section 22281.1 to, the Water Code, relating to charges in irrigation districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1 of the printed bill, after line 29, insert

"The connection charge shall be as nearly as possible an amount equal to that portion of the cost of construction of the new pipeline or extension that the area to be served by the connection bears to the total area to be served by the new pipeline or extension."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2314—An act to amend Section 1501 of the Education Code, relating to contracts for service by county superintendent of schools.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 10, of the printed bill, after the period, insert "The agreement shall provide for the payment for the supervision of instruction of an amount not less than the cost of providing such service."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1892—An act to amend Sections 1593, 2561, and 2802 of the Education Code, relating to the formation of school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "and 2802 of", and insert "2802, and 2833 of, and to add Sections 2561.1, 2802.1, and 2833.1 to".

Amendment No. 2

On page 2, line 1, of said bill, strike out "(i)", and insert "(j)".

Amendment No. 3

On page 2, line 7, of said bill, before "electors", insert "registered".

Amendment No. 4

On page 2, line 15, of said bill, before "electors", insert "registered".

Amendment No. 5

On page 2, line 17, of said bill, after "districts," insert "or both,".

Amendment No. 6

On page 2, line 22, of said bill, strike out "each", and insert "such".

Amendment No. 7

On page 2, line 25, of said bill, after the period, insert "Nothing herein shall be construed to prohibit the formation of a union elementary school district as hereinbefore provided comprising one or more school districts and one or more union elementary school districts."

Amendment No. 8

On page 2, line 28, of said bill, strike out "or, if the districts are union"; and strike out lines 29 and 30, and insert "to conduct the election."

Amendment No. 9

On page 2, line 33, of said bill, after "election", insert "and, in such case, shall appoint three qualified electors in each precinct to conduct the election".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 10

On page 2 of said bill, after line 33, insert

"SEC. 4. Section 2833 of said code is amended to read:

2833. *(a)* A majority of the *registered* electors residing in two or more contiguous school districts *of any kind or class, or any combination thereof,* not all in the same county, and who have children attending the schools in the district as shown by the teachers' registers *or other records of the district* for the current or next preceding school [term] *year or, (b) if any of such districts has an average daily attendance of 300 or more, a majority of the members of the governing board of such district*, may unite in a petition to the county superintendents of their respective counties for the formation of a joint union school district, to comprise the districts petitioning. *Nothing herein shall be construed to prohibit the formation of a joint union school district as hereinbefore provided comprising one or more union school districts or one or more joint union school districts, or both, and one or more school districts of any other kind or class, or comprising one or more joint union school districts and one or more union school districts, or comprising two or more joint union school districts or two or more union school districts.* Each of the superintendents shall, within 20 days after receiving the petition, call an election in the district or districts in his county petitioning, for the determination of the question and shall appoint three qualified electors in each of the petitioning districts, to conduct the election. *The county superintendent of schools may divide any school district in which the election is held into precincts for such election and in such case, shall appoint three qualified electors in each precinct to conduct the election.*

SEC. 5. Section 2802.1 is added to said code to read:

2802.1. The persons securing the signatures to the petition shall attach an affidavit thereto that all persons who sign the petition did so in the presence of the affiant and that each signature is a genuine signature of the person whose name it purports to be. No petition shall be accepted by the superintendent of schools after December 15th of any fiscal year.

SEC. 6. Section 2561.1 is added to said code to read:

2561.1. The persons securing the signatures to the petition shall attach an affidavit thereto that all persons who sign the petition did so in the presence of the affiant and that each signature is a genuine signature of the person whose name it purports to be. No petition shall be accepted by the superintendent of schools after December 15th in any fiscal year.

SEC. 7. Section 2833.1 is added to said code to read:

2833.1. The persons securing the signatures to the petition shall attach an affidavit thereto that all persons who sign the petition did so in the presence of the affiant and that each signature is a genuine signature of the person whose name it purports to be. No petition shall be accepted by the superintendent of schools after December 15th of any fiscal year."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2844—An act to add Section 15002.5 to the Government Code, and to amend Section 11103 of the Health and Safety Code, relating to the organization of the Department of Justice and its constituent agencies.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 5, of the printed bill, after "bureaus", strike out "and offices", and insert "branches, sections or units."

Amendment No. 2

On page 1, line 9, of the printed bill, after "bureau", strike out "or office", and insert "branch, section or unit."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2696—An act making an appropriation to the State Department of Education for major construction, improvement, and repair, California School for the Deaf.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 1 of the printed bill, strike out line 4, and insert "sum of eight hundred and seventy-five thousand dollars ($875,000)."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 2254—An act to amend Section 20945 of the Education Code, relating to California School for the Blind.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 20945", and insert "Sections 20945 and 20795".

Amendment No. 2

In line 2 of the title of said bill, before the period, insert "and the California School for the Deaf".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 15, inclusive, and insert

"20945. All money expended under the authority of any such certificate for clothing and transportation, necessary dental work, eye care, operations and hospitalization, and all money expended by the Department of Education for expenses incurred by it in providing dental work, eye care, operations, or hospitalization for the child in an emergency for which the State Department of Education can not be reimbursed by the parent or guardian of the child as shown by the certificate, constitute a legal charge against the county from which the certificate is issued. Expenditures for clothing and transportation shall not exceed the sum of one hundred twenty-five dollars ($125) a year.

SEC. 2. Section 20795 of said code is amended to read:

20795. All money expended under the authority of any such certificate for clothing and transportation, [and not to exceed the sum of seventy-five dollars ($75) per annum for] necessary dental work, eye care, operations, and hospitalization, and all money expended by the State Department of Education for expenses [not to exceed seventy-five dollars ($75) per annum] incurred by it in providing dental work, eye care, operations, or hospitalization for the child in an emergency for which the State Department of Education can not be reimbursed by the parent or guardian of the child as shown by the certificate, constitutes a legal charge against the county from which the certificate is issued. *Expenditures for clothing and transportation shall not exceed the sum of one hundred twenty-five dollars ($125) a year.*"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

Assembly Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 17 to Article XVI thereof, authorizing the issuance of bonds to create a fund for the purchase of bonds issued by any public agency of the State of California, including any county, city and county, city, political subdivision, municipal corporation, public corporation, public district, public board, commission, department, authority, officer, body or entity, or any other public agency, state-wide or local, or by any combination of such public agencies, for public improvements.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Constitutional Amendments:

Amendment No. 1

Strike out line 19 of the title of the printed measure, as amended in the Assembly on March 23, 1951, and insert "agencies, for any public improvement, work or undertaking."

Amendment No. 2

On page 2, line 6, of said measure, strike out "one billion dollars ($1,000,000,000)", and insert "two hundred million dollars ($200,000,000)".

Amendment No. 3

On page 2 of said measure, strike out line 15, and insert "public agencies, for any public improvement, building, work or undertaking."

Amendment No. 4

On page 2 of said measure, strike out line 50, and insert "ments, buildings, works or undertakings as rapidly as possible, and at the lowest cost consistent".

Amendment No. 5

On page 3 of said measure, strike out lines 2 and 3, and insert "improvements, buildings, works or undertakings of state and local public agencies issued therefor"

Amendments read, and adopted.

Resolution ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 313—An act to amend Section 1 and Section 14½ of an act entitled "County Waterworks District Act," relating to waterworks districts, and to add Sections 6.1 and 2.1 thereto, relating to establishment of zones within county waterworks districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 1 and Section", and insert "Sections 1, 3 and".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "relating to waterworks districts,".

Amendment No. 3

In lines 3 and 4 of the title of the printed bill, strike out "establishment of zones within".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1, line 18, of the printed bill, after "thereof", strike out the period, and insert ", except that no parcel of noncontiguous territory which contains less than 10 privately owned acres may be included in any district."

SEC. 1.5. Section 3 of the County Waterworks District Act is amended to read:

Sec. 3. Such petition must be presented at a regular meeting of said board of supervisors, and the board shall thereupon fix a time for hearing the same, and protests of interested parties, not less than 21, nor more than 30 days after the date of presentation thereof. The clerk of said board shall thereupon cause notices of the filing and hearing of such petition to be posted in three of the most public places in said district. Said notice shall be headed 'Notice of the formation of _____ County Waterworks District No. _____' (stating name of county in which the district is located and the number of the proposed district) in letters not less than one inch in length, and shall, in legible characters, state the fact and date of the filing of such petition, the date and hour set for hearing such petition and protests, briefly describe the proposed improvement, specify the exterior boundaries of the district to be benefited by such improvement and to be taxed to provide for such improvement, and refer to said petition, map and general description of the proposed improvement for further particulars. The said clerk shall also cause a notice, similar in substance, to be published at least once a week for two consecutive weeks in a newspaper of general circulation printed and published in the county in which the proposed district

is located, and designated by said board for that purpose. [Said notice must be posted and published, as above provided, at least ten days before the date set for the hearing of said petition] *The date set for the hearing shall be at least thirteen days after the date of such posting and the date of last publication of said notice.*"

Amendment No. 5

On page 2, line 8, of the printed bill, after "thereof", strike out the period, and insert ", and further provided that no parcel of noncontiguous territory which contains less than 10 privately owned acres may be annexed to any district."

Amendment No. 6

On page 5, line 44, of the printed bill, after "by", insert "owners representing at least 25 percent of the total assessed valuation of the real property within the proposed zone as shown by the last equalized assessment roll of the county, or by".

Amendment No. 7

On page 6, line 33, of the printed bill, strike out "; and"; and strike out lines 34 and 35, and insert ". The date set for the hearing shall be at least thirteen days after the date of such posting and the date of last publication of said notice"

Amendment No. 8

On page 6, line 37, of the printed bill, strike out "any time", and insert "least two weeks".

Amendment No. 9

On page 7, line 36, of the printed bill, after "by", insert "owners representing at least 60 percent of the total assessed valuation of the real property within the proposed zone as shown by the last equalized assessment roll of the county, or by".

Amendment No. 10

On page 7, line 44, of the printed bill, after "by", insert "owners representing less than 60 percent of the total assessed valuation of the real property within the proposed zone as shown by the last equalized assessment roll of the county, and by".

Amendment No. 11

On page 8 of the printed bill, strike out lines 7 and 8; and in line 9, strike out "election.", and insert "proposed zone. The date set for said election shall be at least 13 days after the date of such posting and the date of last publication of said notice"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 1789—An act to amend Sections 5025, 5119, 5125, 5180, 5182, 5190, 5194, 5195, 5266, 5294, 5295, 5296, 5305, 5342, 5343, 5366, 5372, 5391, 5392, 6463, 6464 of, to add Section 5302.5 to, and to repeal Section 5193 of, the Streets and Highways Code, relating to the Improvement Act of 1911 and public works and improvements thereunder.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 2, line 16, of the printed bill, strike out "recording", and insert "confirming".

Amendment No. 2

On page 2, line 17, of said bill, strike out "or any reassessment"

Amendment No. 3

On page 3, line 1, of said bill, strike out "protests must be filed", and insert "any person interested may file a protest".

Amendment No. 4

On page 3, line 43, of said bill, strike out "shall", and insert "may".

Amendment No. 5

On page 4, line 6, of said bill, strike out "Said bond shall extinguish and"; strike out line 7; and in line 8, strike out "under the provisions of this chapter."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 6

On page 4, line 13, of said bill, strike out "Any assessment upon the property of any of the"; strike out lines 14 to 39, inclusive, and insert

"If the legislative body, in the resolution of intention, declares that any lot or parcel of land owned and used as provided in Section 5301 shall be included in the assessment, or if no declaration is made respecting any such lot or parcel of land then any assessment upon such lot or parcel of land, except any lot or parcel owned by the United States or any department thereof or by the State of California or any department thereof, shall be an enforceable obligation against the owner of such property and shall be paid, within 30 days after the date of recording the assessment, by the officer, officers, or board having charge of the disbursement of the funds of the owner of such lot or parcel of land and, if not paid within said 30 days, shall bear interest until paid at the rate stated in the resolution of intention for the bonds proposed to be issued, and if no bonds are proposed to be issued then at the rate of six percent (6%) per annum; provided however that if said assessment is not paid within said 30 day period the city shall at the expiration thereof, forthwith advance the necessary sum and pay the assessment and shall collect the amount of said assessment and interest thereon from the said obligated owner, and may enforce the collection thereof by writ of mandate or other proper remedy. If for any reason there are no moneys available for the payment of said assessment, then the officer, officers or board whose duty it is to levy taxes for said obligated owner shall include in the next tax levy an amount, in addition to moneys for all other purposes, sufficient to pay the amount of said assessment and said interest thereon, and when the moneys received from said tax levy are available the amount of said assessment and such interest thereon shall be paid by the officer, officers or board having charge of the disbursement of the funds of the owner of such land to the city as reimbursement for the payment made by the city or to the owner of said assessment if the city has failed to pay said assessment

SEC. 15. Section 5303 of said code is amended to read:

5303. If the legislative body, in the resolution of intention, declares that any [such lots] *lot* or [parcels] *parcel* of land [owned and] used as provided in Section 5301 *and owned by the United States or any department thereof or the State of California or any department thereof* shall be included in the assessment, or if no declaration is made respecting any such [lots] *lot* or [parcels] *parcel* of land, then the city shall be liable for such [sums] *sum* as may thereafter be assessed against such [lots] *lot* or [parcels] *parcel* of land *and which is unpaid after 30 days from the recordation of the assessment*. [The assessment] *Such sum* shall be payable by the city out of the general fund unless the legislative body shall in its resolution of intention designate another fund. [Any sums which may be assessed against any such lots or parcels of land shall not be payable by the city when such sums are paid by the owner of or the governing body controlling such lots or parcels of land.]"

Amendment No. 7

On page 5, line 32, of said bill, strike out "at any hour of the day".

Amendment No. 8

On page 5, line 33, of said bill, after "streets", insert "and may be recorded at any hour of the calendar day".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 1903—An act to amend Section 8 of an act entitled "An act to provide for the acquisition of temporary and emergency housing facilities for veterans and families of servicemen by joint action of the State and local agencies, providing for the operation of such facilities, making an appropriation, and declaring the urgency thereof,

to take effect immediately," approved February 15, 1946, as amended, extending the period of availability of moneys appropriated therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 8 of", and insert "Sections 2 and 8 of, and to add Section 4.1 to,".

Amendment No. 2

In line 7 of the title of said bill, after "amended," insert "relating to eligible tenants and".

Amendment No. 3

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 2 of the act cited in the title hereof is amended to read:

SEC. 2. As used in this act.

(a) 'Local agency' means any county, city and county, city, local housing authority, district of the State, or any college or university operated by the State or by any state agency. All acts required to be done herein by a local agency shall be performed by the governing body thereof by resolution or ordinance unless otherwise specified In instances where the local agency does not have a governing body such acts shall be performed in writing signed by the person charged with the administration of the local agency.

(b) 'Housing' means any temporary housing (intact or in panels suitable for reuse) made available by the National Housing Administrator, or any other federal agency having to do with the disposal of such housing, for the purpose of providing temporary housing for veterans and their families and for families of servicemen

(c) Insofar as permitted by federal law and regulations, and unless prohibited thereby, 'veterans' includes any person who has served in the military or naval forces or the Merchant Marine of the United States and who has been discharged or released therefrom under conditions other than dishonorable.

(d) Insofar as permitted by federal law and regulations, and unless prohibited thereby, 'families of servicemen' includes the family of any person who is serving in the Military or Naval Forces or the Merchant Marine of the United States and the unmarried widow of a deceased veteran.

(e) 'Families' is limited to the spouse and legal dependents who are members of the household.

(f) 'Director' means the Director of the State Department of Finance.

(g) 'Defense workers' means workers engaged or to be engaged in industries connected with and essential to the war or national defense.

SEC 2. Section 4 1 is added to the act cited in the title hereof, to read:

Sec. 4.1. Notwithstanding any provisions of this act to the contrary, local agencies administering housing facilities acquired pursuant to this act may let or lease accommodations therein to defense workers and their families; provided, however, that in filling vacancies in such projects, preference shall be given to veterans and their families and to families of servicemen

SEC. 3. Section 8 of the act cited in the title hereof is amended to read:".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 2042—An act to amend Section 15 of the Los Angeles County Flood Control Act, relating to the duties of the purchasing agent of the district.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 13¾ and".

Amendment No. 2

In lines 2 and 3 of the title of the printed bill, strike out "the duties of the purchasing agent of the district", and insert "district works and improvements including storm drain improvements and drainage systems".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1, line 1, of the printed bill, after "SECTION 1.", insert "Section 13¾ of the Los Angeles County Flood Control Act is amended to read:

Sec. 13¾. The board of supervisors of the Los Angeles County Flood Control District shall have power to accept on behalf of said district a transfer and conveyance of storm drain improvements and drainage systems lying within the territorial limits of said district and which have been constructed prior to [July 1, 1945,] *July 1, 1951*, whenever the governing body of any public agency owning or exercising jurisdiction over such storm drain and drainage improvements, by resolution describing them, requests the said Los Angeles County Flood Control District to accept the same or when the owner of such storm drain improvement or drainage system tenders a conveyance thereof. Upon such acceptance, the board of supervisors of said district shall thereupon assume sole control and jurisdiction over such storm drain and drainage systems and shall there after provide for the operation, maintenance, repair and improvement thereof, except that such flood control district shall not assume or be liable for any bonded indebtedness that may be against the said storm drain or drainage systems. Any city or county within whose limits any storm drain or drainage system has been constructed, and which storm drain or drainage system also lies within the territorial limits of said Los Angeles County Flood Control District, may, by a four-fifths vote of the legislative body of such city or county, transfer and convey to said flood control district any such storm drain or drainage systems for future operation, maintenance, repair and improvement, and upon acceptance of any storm drain improvement under this section the board of supervisors of said flood control district shall have power, and it shall be its duty, to levy a special tax each year upon the taxable real property in said district sufficient to pay the cost and expense of operating, maintaining, repairing and improving such storm drain and drainage systems so transferred and accepted, excepting only the payment of interest and principal on any outstanding bonds for which the said district shall not be liable Said tax shall be levied and collected at the same time and in the same manner as the general tax for county purposes, and the revenue derived from from said tax shall be paid into the county treasury to the credit of said flood control district and said board of supervisors shall have the power to control and order the expenditure thereof for said purposes. Taxes levied under authority of this section shall be separate and distinct from, and shall be in addition to, the taxes authorized to be levied under Section 14 of this act but may be levied with the taxes authorized under Section 13¾ of this act"

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 982—An act to add Sections 34303.5 and 35002 to the Government Code, relating to cities.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, after "35002 to" insert ", and to amend Sections 35101 and 35301 of".

Amendment No. 2

On page 1, line 4, of the printed bill, after "be", insert "circulated or".

Amendment No. 3

On page 1, line 7, of said bill, after "upon", insert "to the proponents".

Amendment No. 4

On page 1 of the printed bill, strike out lines 8 to 12, inclusive, and insert "commission of the county with respect to the definiteness and certainty of the proposed boundaries."

Amendment No. 5

On page 1, line 16, of the printed bill, after "be", insert "circulated or".

Amendment No. 6

On page 1, line 17, of the printed bill, after "filing." insert "nor shall any legislative body initiate proceedings to annex on its own motion,".

Amendment No. 7

On page 1, line 18, of the printed bill, after "upon", insert "to the proponents".

Amendment No. 8

On page 1 of the printed bill, strike out lines 19 to 23, inclusive, and insert "boundary commission of the county with respect to the definiteness and certainty of the proposed boundaries."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 9

On page 1 of the printed bill, following line 23, insert

"SEC. 3. Section 35101 of the Government Code is amended to read:

35101. When any proceedings for the annexation of territory to a city are commenced pursuant to this article, the provisions of this article *and of Article 1 of this chapter* alone apply.

SEC. 4. Section 35301 of the Government Code is amended to read:

35301. When proceedings for the annexation of territory to a city are commenced pursuant to this article, *the provisions of* this article *and of Article 1 of this chapter* alone *apply.* [applies to such proceedings.]"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 340—An act creating a district to be called "Kings River Conservation District"; providing for its organization, operation, maintenance and government, for the inclusion of lands therein and the exclusion of lands therefrom; providing for the acquisition, construction, maintenance and operation of works and property for the purposes of the district, including the storage, conservation, distribution and sale of water, the development, distribution and sale of electric power, the drainage, reclamation and protection of land and prescribing and defining the powers, duties, purposes and responsibilities of said district.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 67 of the printed bill, between lines 3 and 4, insert

"SEC. 41.5. For the purpose of any tax or assessment authorized by this act, "land" includes only the value of the surface rights in agricultural land."

Amendment No. 2

On page 42, lines 31 to 35, inclusive, of the printed bill, strike out "that the Flood Control Act of 1944 authorized the construction of said dam and provides for the acquisition of rights to storage by the owners of rights to the waters of said river or by a responsible public agency on their behalf;".

Amendment No. 3

On page 42, line 38, of said bill, after "be", insert "most".

Amendment No. 4

On page 46 of said bill, strike out lines 48 to 52, inclusive; and on page 47, strike out lines 1 to 7, inclusive, and insert

"SEC. 19. Within 30 days after the organization of the board appointed by the Governor, it shall by resolution provide for the holding of a special district election for the purpose of submitting to the voters the question of whether the organization of the district as provided herein shall be ratified and confirmed, and shall fix a date upon which such special district election shall be held, which date shall be not less than 30 nor more than 40 days after the adoption of such resolution. Such special district election shall be called and held in accordance with the provisions of Section 24 hereof insofar as the same may be applicable, but in addition to the matters and things required to be set forth in the proclamation therein provided for, such proclamation shall likewise set for the proposition to be submitted to the voters. The proposition shall be submitted in substantially the following form: "Shall the organization of Kings River Conservation District as provided in the act adopted by the Legislature at its last regular session, known as Kings River Conservation District Act, be ratified and confirmed?' Opposite shall be the word "Yes" followed by a square wherein to mark the cross, and also opposite shall be the word "No" followed by a square wherein to mark the cross. The returns of the election shall be made to and the votes canvassed by the board on the first Tuesday which is six or more days after the election, and the results of the election shall be ascertained and declared in accordance with the provisions of Section 24 hereof If such proposition is approved by a majority of the voters voting thereon at such election, the president and secretary of the board shall file, or cause to be filed, with the Secretary of State, and shall record, or cause to be recorded in the office of the county recorder of each county within which any portion of the district lies, a certificate stating the result of such election, the formation of the district under the provisions thereof, and its boundaries. Upon receipt of the certificate, the Secretary of State shall, within 10 days, issue his certificate reciting that the district has been duly incorporated. A copy of this certificate shall be transmitted to and filed with the county clerk of each county within which any portion of the district lies.

In the event a majority of the votes cast on the proposition are against the proposition, then the board appointed by the Governor shall wind up the affairs of the district and enter an order dissolving the same, as hereinafter provided, but shall not exercise any powers herein granted except to the extent required to wind up such affairs and dissolve the district, nor shall any general or special district elections be called or held. The board shall dispose of and sell any property belonging to the district and shall, pursuant to Sections 37, 38, and 39, cause a tax to be levied sufficient to pay the expenses and claims against the district, including the estimated cost and expense of winding up the affairs of the district. When all the obligations of the district have been paid, the board by resolution shall so declare and shall also declare that the district is dissolved, and thereupon the district shall be deemed duly and regularly dissolved. Any funds remaining on hand at the time of the dissolution shall be paid by the board into the general funds of each county in which any portion of the district lies in the proportion that the assessed valuation of lands within the district within each county bears to the total assessed valuation of the lands within the district. Any delinquent taxes from any levy made by the board and not collected prior to the dissolution of the district shall be retained by the county collecting the same and paid into its general funds."

Amendment No. 5

On page 47 of said bill, strike out line 8, and insert

"SEC. 20. In the event the formation of the district is ratified and confirmed at the election, as soon thereafter as practicable".

Amendment No. 6

On page 53, lines 22 and 23, of said bill, strike out "or which is beneficial or appurtenant to any land situated therein".

Amendment No. 7

On page 53, line 32, of said bill, strike out "or to", and strike out lines 33 and 34, and insert "or a common benefit to lands within the district or to its inhabitants."

Amendment No. 8

On page 53, line 49, of said bill, after "act", insert "except that the district shall not have power to acquire by condemnation any property held or used for the development, storage, or distribution of water for public use"

Amendment No. 9

On page 54, line 10, of said bill, after "district", insert ", subject, however, to the provisions of Chapter 5, Part 2, Division 6, of the Public Resources Code".

Amendment No. 10

On page 54, line 51, of said bill, after "contract", insert ", nor shall it impair, restrict, or provide for the control of any right in or to water or the use thereof without the consent of the owner of such right".

Amendment No. 11

On page 55, line 12, of said bill, after "system", insert ", subject, however, to the limitations provided in Section 37 of this act".

Amendment No. 12

On page 55, line 50, of said bill, after "board", insert "and the owner".

Amendment No. 13

On page 56, line 3, of said bill, after "board", insert "if conserved and stored on behalf of the owner".

Amendment No. 14

On page 56 of said bill, between lines 47 and 48, insert

"The board may prescribe methods for the construction of works and the furnishing of materials, equipment and supplies and for the letting of contracts therefor, provided, however, that any such contract requiring the expenditure of ten thousand dollars ($10,000), or more, shall be subject to competitive bidding, after advertisement therefor, and awarded to the lowest responsible bidder, except where the construction or work is to be done or performed by the district with its own forces upon force account."

Amendment No. 15

On page 59, line 25, of said bill, strike out "with-", and insert a period.

Amendment No. 16

On page 59 of said bill, strike out lines 26 to 31, inclusive, and insert

"The board, if it deems it necessary to issue such revenue bonds, shall by resolution so declare and state the purpose or purposes for which the revenue bonds are proposed to be issued, the principal amount of the bonds to be issued therefor, the maximum amount of interest to be paid on such bonds, which shall not exceed 5½ percent, payable annually or semiannually, and the proposition to be submitted to the voters of the district, and said resolution shall also state that such bonds are to be revenue bonds, the principal and interest of which are payable only from the revenues from the use or operation of the works for the construction of which such bonds are to be issued and are not to be secured by the taxing power of the district. The board shall fix a date upon which an election shall be held for the purpose of authorizing the issuance of such revenue bonds. Notice of the election shall be given, the election held and the result determined substantially in the manner provided for the incurring of a bonded indebtedness as provided in Section 29 hereof. If from the returns it appears that more than two-thirds of the votes cast at such election were in favor of the issuance of such revenue bonds, the board may by resolution provide for the issuance thereof."

Amendment No. 17

On page 59 of said bill, strike out line 34, and insert "Bonds." In the resolution providing for the issuance of such bonds, the".

Amendment No. 18

On page 63, line 4, of said bill, strike out "the principal or interest", and insert "any payment or charge".

Amendment No. 19

On page 63, line 7, of said bill, strike out "and interest", and insert ", interest, payment, or charge".

Amendment No. 20

On page 63, line 27, of said bill, strike out "or", and insert "and payments or charges".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1540—An act to amend Sections 2500, 2501, 2553 and 2601 of the Water Code, relating to determination of water rights.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in the Assembly on April 9, 1951, strike out "all underground waters", and insert "including any underground waters which contribute to the system or to which the system contributes".

Amendment No. 2

On page 1, line 9, of said bill, after "tem", insert "or such portion thereof as may be determined by the department to be practicable".

Amendment No. 3

On page 1, lines 9 and 10, of said bill, strike out "overlying right, or", and insert "or any".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

Request for Unanimous Consent That Rush Order Be Placed Upon Printing of Assembly Bill No. 1540

Mr. Dickey asked for, and was granted, unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 1540.

Assembly Bill No. 3390—An act creating the "Yolo County Flood and Water Conservation District" for the controlling, conservation, diversion, storage and disposition of storm, flood, and other surface waters, prescribing the boundaries, organization, operation, management, financing and powers and duties of the district.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 15, line 45, of the printed bill, after "zone.", strike out "There-"; strike out lines 46 and 47; and in line 48, strike out "spectively, of said County of Yolo"

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2139—An act to amend Sections 1770, 1971.1, 1990, and 3137 and to add Section 2077 and to repeal Section 1780 of the Harbors and Navigation Code, relating to the San Francisco Harbor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 3, of the printed bill, after "leases", insert "and subject to such jurisdiction as the City and County of San Francisco may have in the public streets within the area hereinafter described".

Amendment No. 2

On page 4, lines 28 and 29, strike out "shore line of 1850 as located by the State Land Commissioners of 1853", and insert "northerly line of Tide Land Survey No 15, San Francisco County patented by the State of California to the North San Francisco Homestead and Railroad Association on June 23, 1864; thence easterly along said northerly line to the northeasterly corner of the lands patented to said Association; thence southerly along the easterly line, and the extension thereof, to the shore line of San Francisco Bay as said shore line existed in 1850;"

Amendment No. 3

On page 5, line 8, of said bill, after "Kearny Street to the", insert "shore line of 1850: thence southerly along the shore line of 1850 to the".

Amendment No. 4

On page 6, line 12, of said bill, strike out "high water mark", and insert "line of ordinary high tide".

Amendment No. 5

On page 6, line 13, of said bill, after "Board of Tideland Commissioners," insert "between Butte, now Nineteenth, Street and Napa, now Twentieth, Street in".

Amendment No. 6

On page 6, line 28, of said bill, strike out "shore line of 1850", and insert "line of ordinary high tide of 1868,".

Amendment No. 7

On page 6, lines 29 and 30, of said bill, strike out "shore line of 1850", and insert "said line of ordinary high tide of 1868".

Amendment No. 8

On page 6, lines 34 and 35, of said bill, strike out ", as established by the Board of Tideland Commissioners".

Amendment No. 9

On page 6, line 39, of said bill, after "easterly line of", insert "Alvord Street; thence southerly along the easterly line of Alvord Street to the southwesterly line of Wallace Street; thence northwesterly along the southwesterly line of Wallace Street to the easterly line of".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2451—An act to add Chapter 20 to Division 3 of the Business and Professions Code, relating to auctioneers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 8, of the printed bill, after "created", insert "in the Department of Professional and Vocational Standards".

Amendment No. 2

On page 2, line 15, of said bill, after "be", insert "paid the sum of twelve dollars ($12) for each day actually spent in the discharge of their official duties and shall be".

Amendment No. 3

On page 2 of said bill, between lines 19 and 20, insert

"(i) The board for the purpose of transacting its business shall meet at least once every three months at such time and place as it may designate."

Amendment No. 4

On page 2 of said bill, between lines 28 and 29, insert

"(e) The secretary shall receive an annual salary of four thousand eight hundred dollars ($4,800).

Amendment No. 5

On page 4, line 45, of said bill, strike out "; and", and insert a period.

Amendment No. 6

On page 4 of said bill, strike out line 46, and insert

"9820.5. The initial fee for a certificate of registration shall be one hundred dollars ($100), and the annual renewal fee shall be fifty dollars ($50)."

Amendment No. 7

On page 5, line 8, of said bill, strike out "; and", and insert a period.

Amendment No. 8

On page 5 of said bill, strike out line 9.

Amendment No. 9

On page 6 of said bill, strike out lines 4 to 11, inclusive.

Amendment No. 10

On page 6, line 36, of said bill, strike out "article.", and insert "chapter in accordance with Chapter 4 of Part 1 of Division 3 of Title 2 of the Government Code"

Amendment No. 11

On page 6 of said bill, strike out lines 37 to 52, inclusive.

Amendment No. 12

On page 7 of said bill, strike out lines 1 to 10, inclusive.

Amendment No. 13

On page 8 of said bill, strike out lines 37 to 52, inclusive, and insert

"9862. The board shall conduct all proceedings for the denial, suspension, or revocation of any certificate issued under this chapter, in accordance with Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code, and the board shall have all the powers granted therein."

Amendment No. 14

On page 9 of said bill, strike out lines 1 to 49, inclusive.

Amendment No. 15

On page 10 of said bill, srike out lines 1 to 27, inclusive.

Amendment No. 16

On page 10, line 28, of said bill, strike out "9879", and insert "9863".

Amendment No. 17

On page 10, line 32, of said bill, strike out "9880", and insert "9864".

Amendment No. 18

On page 10, line 41, of said bill, strike out "9881", and insert "9865".

Amendment No. 19

On page 10, line 45, of said bill, strike out "9882", and insert "9866".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 182—An act providing for the issuance and sale of state bonds to create a fund for the purchase of bonds issued by any public agency of the State of California, including any county, city and county, city, political subdivision, municipal corporation, public corporation, public district, public board, commission, department, authority, officer, body or entity, or any other public agency, state-wide or local, or any combination of such public agencies; for public improvements; defining the powers and duties of state officers in respect to the administration of the provisions hereof; providing ways and means for the payment of the interest on such state bonds as such interest falls due, and also for the payment and discharge of the principal of such state bonds as such principal matures; and appropriating money for the payment of principal and interest of the bonds authorized hereby and for the payment of expenses incurred in, or as incidental to, the preparation, sale and issuance of the bonds authorized hereby and the administration of the said fund.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 2, lines 30 and 31, of the printed bill, as amended in the Assembly on April 16, 1951, strike out "one billion dollars ($1,000,000,000)", and insert "two hundred million dollars ($200,000,000)"

Amendment No. 2

On page 3, line 18, of said bill, strike out "_____ dollars ($_____)", and insert "twenty-five thousand dollars ($25,000)".

Amendment No. 3

On page 3, line 25, of said bill, strike out "_____ dollars ($_____)", and insert "twenty-five thousand dollars ($25,000)"

Amendment No. 4

On page 13, lines 42 and 43, of said bill, strike out "one billion dollars ($1,000,000,000)", and insert "two hundred million dollars ($200,000,000)"

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 555—An act to amend Sections 31905, 31931, 32022, 32050, 32055, and 32056, to amend and renumber Section 30236, and to repeal Sections 32051 and 32062, of the Government Code, relating to retirement benefits of members of the County Peace Officers' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 30, 1951, strike out "31931,".

Amendment No. 2

On page 1 of said bill, strike out lines 8 to 20, inclusive

Amendment No. 3

On page 2, line 37, of said bill, strike out "five percent (5%) of"; and strike out lines 38 to 41, inclusive, and insert "he shall be paid a sum equal to all of his accumulated contributions to the fund"

Amendment No. 4

On page 2 of said bill, strike out lines 45 to 50, inclusive.

Amendment No. 5

On page 3, line 3, of said bill, after "herein," insert "and have reached his fifty-fifth (55) birthday, or who shall have completed twenty-five (25) years of creditable service, and have reached his fiftieth (50) birthday, whichever is the lesser,".

Amendment No. 6

On page 3 of said bill, strike out lines 9 to 26, inclusive, and insert "For twenty (20) years service at the age of fifty-five (55) or for twenty-five (25) years service at the age of fifty (50), 50 percent (50%) of his terminal salary and in addition thereto one and two-thirds percent (1⅔%) of his terminal salary for each year of such service after he became eligible for such service pension, up to a maximum of two-thirds (⅔) of his terminal salary; and the pensioner's widow or widower shall be paid a sum equal to 80 percent (80%) of the amount to which the said pensioner would be entitled"

Amendment No. 7

On page 4, line 9, of said bill, after "widow," insert "or widower,".

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 2343—An act to add Section 145 to the Welfare and Institutions Code, relating to public assistance, to provide for increase of assistance payments upon increase in costs of living.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on April 13, 1951, after line 46, insert

"This section shall remain in force and effect until the ninety-first (91st) day after the final adjournment of the Regular 1953 Session of the Legislature of the State of California."

Amendment No. 2

On page 2 of said bill, after line 46, insert

"The monthly grants-of-aid or assistance as provided for in this section shall be paid commencing on the first day of the first month next succeeding the effective date of this act, unless such effective date is the first day of a calendar month, in which event these payments shall be made on the effective date of this act.

This section shall remain in force and effect until the ninety-first (91st) day after the final adjournment of the Regular 1953 Session of the Legislature of the State of California."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 2376—An act to add Section 2607 to the Public Resources Code, relating to surface mining.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Manufacturing, Oil, and Mining Industry:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "surface".

Amendment No. 2

On page 1, lines 3 and 4, of the printed bill, strike out "dredge mining or other surface mining", and insert "gold, dredge or placer mining".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Manufacturing, Oil, and Mining Industry.

SECOND READING OF SENATE BILLS

Senate Bill No. 107—An act to add Article 13.5 to Chapter 11 of Division 2 of the Education Code, relating to the annexation of territory of a joint elementary school district to a high school district.

Bill read second time, and ordered to third reading.

Senate Bill No. 155—An act to amend Section 409 of the Education Code, relating to the salary and credential of county superintendents of schools.

Bill read second time, and ordered to third reading.

Senate Bill No. 260—An act to amend Section 9485 of the Education Code, relating to the sale or other disposition of property of emergency schools.

Bill read second time, and ordered to third reading.

Senate Bill No. 262—An act to amend Section 4103 of the Education Code, relating to the election of members of governing boards of junior college districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 888—An act to amend Sections 20371 and 20372 of the Education Code, relating to the appointment of state college employees.

Bill read second time, and ordered to third reading.

Senate Bill No. 1087—An act to amend and renumber Section 6210.6 of, to add a new Section 6210.6 to, the Public Resources Code, and to repeal an act entitled "An act granting to roads and highways a right of way over the public lands of this State," approved April 2, 1866, relating to public lands.

Bill read second time, and ordered to third reading.

Senate Bill No. 1088—An act to consolidate and revise the law relating to natural resources, the conservation, utilization, and supervision thereof, and matters incidental thereto, by renumbering Division X and Sections 10001 to 10018, inclusive, of, and adding Section 50020 and Division 10, relating to resort districts to, the Public Resources Code, and repealing certain acts and parts of acts specified herein.

Bill read second time, and ordered to third reading.

Senate Bill No. 477—An act to amend Section 1760.7 of the Welfare and Institutions Code, relating to the duties of the Director of the Youth Authority.

Bill read second time, and ordered to third reading.

Senate Bill No. 1106—An act to amend Section 14402 of the Government Code, relating to payments on state contracts, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 1572—An act to amend Section 11611 of the Business and Professions Code, relating to subdivision maps.

Bill read second time, and ordered to third reading.

Senate Bill No. 381—An act to add Section 14074.5 to the Health and Safety Code, relating to contracts for exchange of services between contiguous fire protection districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, after "to", insert ", and amend Section 14075 of,".

Amendment No. 2

In lines 2 and 3 of the title of said bill, strike out "contracts for exchange of services between contiguous".

Amendment No. 3

In line 3 of the title of said bill, after "districts", insert ", declaring the urgency thereof, to take effect immediately".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, after line 6, insert

"SEC. 2. Section 14075 of said code is amended to read:

14075. The district board shall purchase and maintain all necessary and convenient engines, hose, hose carts, or carriages, and other appliances and supplies for the full equipment of a fire company or department, may purchase and maintain ambulances, and shall appoint fire company officers and employees sufficient to maintain and operate equipment purchased for such district

The board is authorized, but not required, by resolution thereof, to provide for payment to each officer and employee of such fire department [the sum of not more than one dollar ($1) for each fire attended by such officer or employee].

SEC. 3. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

That the public health, welfare, and safety demand that exchange of services by contiguous fire protection districts not be delayed. Undue delay in authorizing exchange of services by fire protection districts may be expected to cause the destruction of valuable property in this State and needlessly endanger human life and health. Also, in order to facilitate the exchange of services of fire officers and employees it is necessary that districts be allowed to pay greater compensation than one dollar

per fire This is made necessary by the increased population of areas served by fire protection districts, the consequent increased fire hazards, and the general transition from volunteer to professional fire departments."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 189—An act to add Section 13.1 to the Escrow Act and Section 17415 to the Financial Code, relating to powers and duties of the Commissioner of Corporations in connection with escrow companies.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, lines 17 and 18, of the printed bill, as amended in the Senate on March 29, 1951, strike out "by reason of payment or delivery in accordance with escrow instructions", and insert "for failure to comply with such order".

Amendment No. 2

On page 1, line 20, of said bill, strike out "held", and insert "commenced".

Amendment No. 3

On page 2, lines 18 and 19, of said bill, strike out "by reason of payment or delivery in accordance with escrow instructions", and insert "for failure to comply with such order".

Amendment No. 4

On page 2, line 22, of said bill, strike out "held", and insert "commenced".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Constitutional Amendment No. 16—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 8 of Article VI thereof, relating to the filling of vacancies in the office of judge of the superior court.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, line 32, of the printed measure, as amended in the Senate on March 29, 1951, after "and", and before "prior", insert "not less than 10 days".

Amendment No. 2

On page 2, line 34, of said measure, strike out "required", and insert "permitted".

Amendments read, and adopted.

Resolution ordered reprinted, and on file for adoption.

Senate Bill No. 407—An act to amend Section 6862 of the Harbors and Navigation Code, relating to contracts of river port districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 1

On page 1 of the printed bill, strike out lines 1 to 15, inclusive, and insert

"SECTION 1. Section 6862 of the Harbors and Navigation Code is amended to read:

6862. Contracts for the doing of any work or the purchase of any supplies, the cost of which exceeds [one thousand five hundred dollars ($1,500)] *three thousand dollars ($3,000)*, shall be let by the board, to the lowest responsible bidder.

Notice of the proposed letting of a contract shall be given by publication at least once in a paper published in the counties in which the district is located, at least five days before the time fixed for opening bids. Bidding shall be by sealed proposals filed with the district, under such rules and regulations as the board prescribes. All bids shall be publicly opened and declared and the award of the contracts shall be made in open session of the board to the lowest and best responsible bidder. The board may reject any and all bids and readvertise in its discretion."

Amendment read, and adopted.

Bill ordered reprinted, and re-referred to the Committee on Municipal and County Government.

REQUEST FOR UNANIMOUS CONSENT THAT PARTIAL REPORT BE PRINTED IN JOURNAL

Mr. Dickey asked for, and was granted, unanimous consent that a Partial Report of the Interim Committee on Air and Water Pollution be ordered printed in the Journal, in 10 point type.

(Above mentioned report will appear prior to the motion to adjourn.)

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 909

Mr. Sherwin asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 909, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 909

Senate Bill No. 909—An act to amend Section 14032 of the Government Code, relating to the Division of Architecture Revolving Fund.

Bill read third time.

Motion to Amend

Mr. Sherwin moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 10, of the printed bill, as amended in the Assembly on April 18, 1951, strike out "expended", and insert "disbursed".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading

Request for Unanimous Consent That Rush Order Be Placed Upon Printing of Senate Bill No. 909

Mr. Sherwin asked for, and was granted, unanimous consent that a rush order be placed upon the printing of Senate Bill No. 909.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS
NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Dolwig to reconsider the vote whereby Assembly Bill No. 3280 was refused passage was continued until the next legislative day.

NOTICE OF MOTION TO WITHDRAW CONTINUED

By unanimous consent, the notice of motion to withdraw Assembly Bill No. 3377 from committee, given by Mr. Klocksiem, was continued until the next legislative day.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Condon to reconsider the vote whereby Senate Bill No. 868 was passed was continued until the next legislative day.

Speaker Pro Tempore Presiding

At 10.35 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 606—An act to amend Section 1714.5 of the Civil Code, relating to liability of one who owns or maintains any building or premises designated as a shelter from enemy attacks, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 606?

Amendment No. 1

On page 1, line 12, of the printed bill, as amended in the Assembly on March 22, 1951, after the comma, insert "or in any way arising from the designation of such premises as a shelter,".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 606 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Holhbaugh, Kelly, Lincoln, Landsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Munnell, Nichouse, Parker, Porter, Rumford, Sherwin, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 606 ordered enrolled.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Hagen to reconsider the vote whereby Assembly Bill No. 3202 was refused passage was continued until the next legislative day.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 909—An act to add Section 30.02 to the Public Utility District Act of 1921, authorizing public utility districts to cooperate and contract with and to borrow or procure money from the United States.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, and Tomlinson—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1938—An act to amend Section 1952 of the Code of Civil Procedure, relating to destruction of exhibits and depositions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, and Tomlinson—67.

NOES—None.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 47: By Messrs. Collier, Thomas, Porter, Gaffney, Grant, Beck, Brady, Burke, Connolly, Dickey, Doyle, Elliott, Erwin, Evans, Geddes, Hawkins, Hinckley, Hollibaugh, Lipscomb, Luckel, Maloney, McGee, Mrs. Niehouse, Messrs. Smith, Stanley, and Tomlinson—Relating to the reception given General Douglas MacArthur by the City of San Francisco.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 47

Has had the same under consideration, and reports the same back with the recommendation: Be adopted

DICKEY, Chairman

Request for Unanimous Consent

Mr. Collier asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 47, at this time, without reference to print or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 47

Assembly Concurrent Resolution No. 47: By Messrs. Collier, Thomas, Porter, Gaffney, Grant, Beck, Brady, Burke, Connolly, Dickey, Doyle, Elliott, Erwin, Evans, Geddes, Hawkins, Hinckley, Hollibaugh, Lipscomb, Luckel, Maloney, McGee, Mrs. Niehouse, Messrs. Smith, Stanley, and Tomlinson—Relating to the reception given General Douglas MacArthur by the City of San Francisco.

Resolution read, and adopted unanimously.

Resolution ordered printed, and transmitted to the Senate.

ANNOUNCEMENT

Mr. Maloney announced that the Select Committee appointed to welcome General Douglas MacArthur in San Francisco, upon his arrival there from Japan desired to report that said occasion made each and every one proud to be an American; and that he had appeared on television and on four national radio broadcasts and extended to General MacArthur the best wishes of Speaker of the Assembly, the Hon. Sam L. Collins, the Members of the Legislature, and the people of California.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2196

Mr. Levering asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2196, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2196

Assembly Bill No. 2196—An act to amend Sections 2160.7 and 3044.1 of the Welfare and Institutions Code, relating to state reimbursement to counties for the cost of institutional care of certain aged and certain blind persons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Collier, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2046—An act to add Section 1162 to the Fish and Game Code, relating to possession of firearms on highways or other public ways.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Chapel, Clarke, Cloyed, George D. Collins, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley,

Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Smith, Thomas, and Mr. Speaker—54.

NOES—Burkhalter, Geddes, Hagen, and Tomlinson—4.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1632—An act to amend Section 632 of the Code of Civil Procedure, relating to court procedure.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Klocksiem, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, and Mr. Speaker—55.

NOES—George D. Collins, Connolly, and Hagen—3

Bill ordered transmitted to the Senate.

CHIEF CLERK INSTRUCTED TO WRITE LETTER

Speaker pro Tempore Maloney, on behalf of the Members of the Assembly, instructed the Chief Clerk to write a letter to the Chamber of Commerce of Sacramento and express appreciation for their breakfast, given this morning at the Hotel El Rancho, in honor of Members of the Legislature.

Hon. Richard H. McCollister Presiding

At 10.50 a.m., Hon. Richard H. McCollister, Member of the Assembly from the Seventh District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2026—An act to amend Section 625a of the Penal Code, relating to the unlawful interference with fire-alarm apparatus and false alarms, providing punishment therefor.

Bill read third time.

Demand for Previous Question

Messrs. Caldecott, Connolly, Lyon, Lincoln, and Grunsky demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2026.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brown, Burke, Burkhalter, Caldecott, George D. Collins, Connolly, Cooke, Davis, Doyle, Dunn, Elliott, Evans, Fleury, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Kelly, Kirkwood, Klocksiem, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Parker, Porter, Shaw, Stanley, and Thomas—41.

NOES—Belotti, Chapel, Clarke, Collier, Condon, Crowley, Dickey, Dills, Erwin, Grant, Henderson, Hinckley, Hollibaugh, Levering, Lincoln, Lyon, McGee, Munnell, Niehouse, Rumford, Sherwin, Silliman, and Tomlinson—23.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2791

Mr. Evans asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 2791, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2791—An act to amend Section 31676.7 of the Government Code, relating to retirement.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2791?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 31676.6 of", and insert "add Section 31676.8 to".

Amendment No. 2

In line 2 of the title of said bill, after "retirement", and before the period, insert "allowances of retired county employees".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 9, inclusive, and insert

"SECTION 1. Section 31676.8 is added to the Government Code, to read:

31676.8. In any county in which Section 31676.1 applies, any member who was retired after May 6, 1949, and before the date on which Section 31676.9 took effect, and who has not elected to have his retirement allowance recalculated pursuant to Section 31676.1, may elect to have his retirement allowance recalculated pursuant to Section 31676.9, and increased to the amount it would be if Section 31676.9 had been in effect on the date of his retirement.

This section shall be retroactively applied so as to extend its benefits to every such member in respect to all payments for time after the effective date of his retirement and prior to the effective date of this section, as well as to payments for time after the effective date of this section."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2791 by the following vote:

AYES—Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, and Thomas—54.

NOES—None.

Assembly Bill No. 2791 ordered enrolled.

MEMBER EXCUSED

At 11.08 a.m., Mr. Crowley asked for, and was granted, unanimous consent that he be excused for the balance of the legislative day, for the purpose of attending the dedication ceremony of a new airbase at Suisun-Fairfield.

Speaker Presiding

At 11.10 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

ANNOUNCEMENT

Speaker Sam L. Collins announced that Dr. Buichi Oishi who is a Member of the House of Representatives of the Japanese Diet is sitting in the rear of the Assembly Chamber. He further announced that Dr. Oishi succeeded his father, who had been a Member of the House of

Representatives in the Japanese Diet for 16 years; that Dr. Oishi is in the United States on a 90 day fellowship under the auspices of the Supreme Commander of Allied forces in the Pacific; that he is a member of the Welfare and Public Health Committee of the Japanese Diet, a Doctor of Medicine, and was formerly an assistant professor in the Tokyo University.

RECESS

At 11.13 a.m., on motion of Mr. Geddes, the Assembly recessed until 11 15 a.m., to hear remarks from Dr. Buichi Oishi, Member of the House of Representatives of the Japanese Diet.

REASSEMBLED

At 11.15 a.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2125—An act to add Section 262 to the Agricultural Code, relating to bovine brucellosis.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Chapel, Clarke, Cloved, Collier, George D Collins, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 100
Assembly Bill No. 188
Assembly Bill No. 2575
Assembly Bill No. 2581
Assembly Bill No 2693
Assembly Bill No 3316
Assembly Bill No. 3403

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 497
Assembly Bill No. 925
Assembly Bill No 2127

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Civil Service and State Personnel

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1951

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which were referred:

Assembly Bill No. 1256
Assembly Bill No. 1928

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CALDECOTT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1951

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which was referred:

Assembly Bill No. 759

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CALDECOTT, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1951

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which were referred:

Senate Bill No. 497
Senate Bill No. 970

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CALDECOTT, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1951

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which were referred:

Assembly Bill No. 1263
Assembly Bill No. 1278

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

CALDECOTT, Chairman

Above reported bills ordered to second reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1951

MR SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 3258

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 567
Assembly Bill No. 1314

Has had the same under consideration, and reports the same back with the recommendation: Do pass

HOLLIBAUGH, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1951

MR SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Senate Bill No. 132

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 245

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 1286

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 1990

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

Committee on Industrial Relations

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1951

MR. SPEAKER: Your Committee on Industrial Relations, to which was referred.

Assembly Bill No. 2488

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

LEVERING, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1951

MR. SPEAKER Your Committee on Industrial Relations, to which was referred:

Assembly Bill No. 798

Has had the same under consideration, and reports the same back with amendments with the recommendation · Amend, and re-refer to the committee.

LEVERING, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1951

MR. SPEAKER: Your Committee on Industrial Relations, to which were referred.

Assembly Bill No. 3176
Assembly Bill No. 543

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LEVERING, Chairman

Above reported bills ordered to third reading.

Hon. Richard H. McCollister Presiding

At 11.18 a.m., Hon. Richard H. McCollister, Member of the Assembly from the Seventh District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2128—An act to add Section 644.2 to the Agricultural Code, relating to colored oleomargarine.

Bill read third time.

Demand for Previous Question

Messrs. Dolwig, Evans, Geddes, Burkhalter, and McCarthy demanded the previous question

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2128.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, Condon, Davis, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lowrey, McCollister, McFall, McGee, Moss, Munnell, Parker, Porter, Shaw, Silliman, Stanley, Thomas, and Tomlinson—46

NOES—Berry, George D. Collins, Connolly, Dunn, Elliott, Gaffney, Geddes, Hawkins, Levering, Luckel, Maloney, McCarthy, Meyers, Morris, Niehouse, Rumford, and Sherwin—17.

Motion to Amend Title

Mr. Gubser moved the adoption of the following amendment to the title:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on March 29, 1951, strike out "colored".

Amendment read, and adopted.

Bill ordered reprinted, and transmitted to the Senate.

Assembly Bill No. 1051—An act to add Article 1, comprising Sections 1181, 1182, 1183 1, 1184 1, 1185 1, 1186.1, 1187.1, 1188.1, and 1189.1, Article 2, comprising Sections 1190.1, 1191.1, and 1192.1, Article 3, comprisings Sections 1193.1, 1194 1, and 1195 1, and Article 4, comprising Sections 1196 1, 1197.1, 1198.1, 1199.1, 1199.2, 1200, 1200 1, 1201.1, and 1202.1, to Chapter 2, Title 4, Part 3 of the Code of Civil Procedure; to add Section 3060 to the Civil Code; to repeal Sections 1183, 1184, 1184a, 1184b, 1184c, 1184d, 1184e, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1191a, 1191b, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1201, 1202, and 1203 of said code; and to add Section 5463 to the Health and Safety Code; to consolidate and clarify the law relating to mechanics' liens.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2044—An act to add Section 1160 to the Fish and Game Code, relating to property damaged by hunters and fishermen.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Thomas, and Tomlinson—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2045—An act to amend Section 1417 of the Fish and Game Code, relating to penalties for violation of said code.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Thomas, and Tomlinson—61.

NOES—None.

Bill ordered transmitted to the Senate.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 3222, on motion of Mr. Sherwin.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2956—An act to amend Section 7655 of the Public Utilities Code, relating to handling of baggage by railroad corporations and damages in connection therewith.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin Evans, Gaffney, Geddes, Grant, Grunsky,

Gubser, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Munnell, Nicholse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, and Thomas—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2972—An act to amend Section 7503 of the Public Utilities Code, relating to borrowing of money by railroad corporations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Parker, Porter, Rumford, Silliman, Smith, Stanley, Thomas, and Tomlinson—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 820—An act to amend Section 3041 of the Elections Code, relating to independent nominations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Collier, Cooke, Dickey, Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Morris, Moss, Munnell, Porter, Shaw, Silliman, Smith, Stanley, Thomas, and Tomlinson—48.

NOES—Beck, Burkhalter, George D. Collins, Condon, Dunn, Elliott, Evans, Hawkins, and Rumford—9.

Bill ordered transmitted to the Senate.

Assembly Bill No. 306—An act to amend and renumber Section 4571 of the Elections Code, relating to election campaigns.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, and Tomlinson—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2574—An act to amend Section 21658 of the Water Code, relating to nominating petitions, their form and time for filing for elections in irrigation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2510—An act to amend Section 8510 of, and to add Section 8606 to, the Elections Code, relating to election contests.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Thomas, and Tomlinson—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1734—An act to add Sections 21386 and 21387 to the Water Code, relating to irrigation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1735—An act to amend Section 26078 of the Water Code, relating to irrigation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 383—An act to add Section 1130 to the Probate Code, relating to vouchers filed by trustees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 384—An act to add Section 31648.1 to the Government Code, relating to the retirement of county employees and officers and attaches of the superior court.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kirkwood, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, and Thomas—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2807—An act to amend Section 14290 of the Business and Professions Code, relating to trademarks.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Rumford, Shaw, Sherwin, Stanley, Thomas, and Tomlinson—63

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3068—An act to amend Section 28103 of the Government Code, relating to jurors' fees in counties of the third class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, and Tomlinson—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3388—An act to amend Section 16 of the Municipal Court Act of 1925, relating to the terms of office of municipal court judges, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—69.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—69.

NOES—None.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO RE-REFER ASSEMBLY BILL NO. 3223

At 12.07 p.m., on motion of Mr. Geddes, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the motion by Mr. Geddes to withdraw Assembly Bill No. 3223 from the Committee on Agriculture, and re-refer it to the Committee on Industrial Relations, carried by the following vote:

AYES—Beck, Berry, Brady, Brown, Burkhalter, Chapel, Coats, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Lincoln, Luckel, Maloney, McCarthy, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, and Thomas—42.

NOES—Babbage, Belotti, Burke, Caldecott, Clarke, Cloyed, Collier, Connolly, Dolwig, Erwin, Grant, Grunsky, Gubser, Hagen, Hansen, Kelly, Klocksiem, Levering, Lindsay, Lipscomb, Lowrey, Lyon, McCollister, McGee, Sherwin, Silliman, Smith, Stanley, and Tomlinson—29

Notice of motion to reconsider above re-reference given later in day.

ANNOUNCEMENT

Mr. Dickey announced that an afternoon session, and possibly an evening session, will be held in an endeavor to avoid holding a Saturday session; and that a call of the House will be moved if members are absent.

RECESS

At 12.11 p.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened

Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Joint Resolution No. 30: By Messrs. Morris, Hollibaugh, Geddes, Dunn, Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Moss, Munnell, Mrs. Niehouse, Messrs. Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, and Tomlinson—Relative to the Central Arizona Project.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 19, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 50

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 50—Relative to honoring the memory of Benedict V. DeBellis, Grand Venerable of the Sons of Italy in America.

Referred to Committee on Rules.

MEMBERS EXCUSED

At 2.02 p.m., Speaker pro Tempore Maloney announced that Messrs. Conrad, Waters, and Coats have been absent from the Assembly Chamber today because they are attending a reapportionment meeting of the Senate Committee on Elections; and asked for, and was granted, unanimous consent that they be excused for the balance of the legislative day.

At 2.03 p.m., Mr. Beck asked for, and was granted, unanimous consent that Mr. Rosenthal be excused, for the balance of the legislative day, because of legislative business elsewhere.

At 2.04 p.m., Mr. Sam L. Collins asked for, and was granted, unanimous consent that Mr. Morris be excused, for the balance of the legislative day, because of legislative business elsewhere.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2048—An act to add Section 1161 to the Fish and Game Code, relating to hunting while intoxicated.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Cooke, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Evans, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Moss, Parker, Porter, Smith, and Tomlinson—46.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2068—An act to add Section 1163 to the Fish and Game Code, relating to shooting near dwellings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Cooke, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Evans, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McFall, McGee, McMillan, Moss, Munnell, Parker, Porter, Rumford, Sherwin, and Stanley—47.

NOES—Burkhalter—1.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Vote Be Changed Upon Roll Call

Mr. Clarke asked for, and was granted, unanimous consent that his vote be changed upon the roll call on Assembly Bill No. 2068, and that he be recorded as voting "Aye", instead of "No."

Assembly Bill No. 298—An act to amend Section 2206 of the Health and Safety Code, relating to mosquito abatement districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D Collins, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Moss, Munnell, Parker, Porter, Rumford, Sherwin, Smith, Stanley, and Thomas—51.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 803—An act to amend Section 203 of the Welfare and Institutions Code, relating to establishment and operation of county hospitals.

Bill read third time.

Motion to Amend

Mr. Lipscomb moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "Section".

Amendment No. 2

On page 1, line 5, of said bill, strike out the second "and", and insert a comma.

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 1030—An act to amend Sections 5750.5 and 5708 of the Welfare and Institutions Code, relating to records of patients in private mental institutions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Munnell, Parker, Porter, Rumford, Smith, Stanley, and Thomas—53.

NOES—Hagen—1.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1540

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered re-referred to the Committee on Conservation, Planning, and Public Works.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1736—An act to amend Section 21120 of the Water Code, relating to irrigation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Munnell, Parker, Porter, Rumford, Sherwin, Smith, Stanley, and Thomas—54.

NOES—None.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF SENATE BILL NO. 909

Mr. Sherwin asked for, and was granted, unanimous consent that he be permitted to take up further consideration of Senate Bill No. 909, out of order, at this time.

FURTHER CONSIDERATION OF SENATE BILL NO. 909

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Senate Bill No. 909:

STATE OF CALIFORNIA
GOVERNOR'S OFFICE, SACRAMENTO, April 18, 1951

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

Senate Bill No. 909, "An act relating to the Division of Architecture Revolving Fund, ratifying and confirming certain transfers thereto from the Wildlife Restoration Fund, the encumbrance of the money so transferred for projects under the Wildlife Conservation Act of 1947 and for expenses incidental to said projects, and the projects for which such money was encumbered, authorizing the expenditure of the moneys so encumbered, and declaring the urgency thereof, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This measure seeks to clarify the position of contractors doing work for the State on fish and game projects in view of the question as to the status of the Wildlife Conservation Board. It is only technically an appropriation bill. In seeking to ratify existing contracts and to permit existing construction to continue, it should be considered at the earliest possible moment.

I therefore recommend consideration of Senate Bill No. 909 as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor

Senate Bill No. 909—An act to amend Section 14032 of the Government Code, relating to the Division of Architecture Revolving Fund.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—*Babbage, Beck, Belotti,* Berry, *Brown, Burke, Burkhalter, Caldecott,* Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—61.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Parker, Porter, Rumford, Sherwin, *Silliman, Smith, Stanley, Thomas, and Tomlinson*—61

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1904—An act to add Section 1104.2 to the Agricultural Code, relating to eggs

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Thomas, and Tomlinson—62.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3316—An act to amend Section 626 of the Agricultural Code, relating to skim milk.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Thomas, and Tomlinson—62.
NOES—Burke—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2127—An act to add Section 657 to the Agricultural Code, relating to imitation milk and imitation cream.

Bill read third time.

Motion That Assembly Bill No. 2127 Be Re-referred to Committee

Mr. Gubser asked for, and was granted, unanimous consent that Assembly Bill No. 2127 be withdrawn from the third reading file, and be re-referred to the Committee on Agriculture.

Mr. Tomlinson seconded the motion.

Motion carried.

Assembly Bill No. 2581—An act to amend Section 4 of an act entitled "An act to provide for the establishment and quieting of title to real property in case of the loss or destruction of public records," approved June 16, 1906 (Chapter 59, Statutes of 1906 First Extraordinary Session), relating to the establishment and quieting of title to real property in case of the loss or destruction of public records.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, George D. Collins, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—57
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1562

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1562, temporarily passed on file, out of order, at this time.

Hon. Francis Dunn, Jr., Presiding

At 2.40 p.m., Hon. Francis J. Dunn, Jr., Member of the Assembly from the Thirteenth District, presiding.

CONSIDERATION OF ASSEMBLY BILL NO. 1562

Assembly Bill No. 1562—An act to amend Section 13842 of, and to add Section 13842.1 to, the Education Code, relating to the minimum annual salaries of persons employed by school districts in positions requiring certification qualifications.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D Collins, Condon, Cooke, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Silliman, Smith, Stanley, Thomas, and Tomlinson—60.

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr. Brady asked for, and was granted, unanimous consent that his name be placed upon the roll call on Assembly Bill No. 1562, and that he be recorded as voting "Aye".

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 100—An act to add Sections 104.1, 104.2, and 104.3 to, to amend Sections 2182, 3088.5, and 3474.5, and to repeal Sections 1551, 2182.1, 3086, 3086.1, and 3473.1 of, the Welfare and Institutions Code, relating to public assistance, in respect to appeals by applicants for or recipients of aid.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Cooke, Davis, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, and Thomas—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 497—An act to add Section 429.6 to the Fish and Game Code, relating to the issuance of sporting fishing licenses.

Bill read third time.

Demand for Previous Question

Messrs. Sherwin, Lyon, McCarthy, Kelly, and Silliman demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 497.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burkhalter, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lincoln, Luckel, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Silliman, Stanley, Thomas, and Tomlinson—51.

NOES—Babbage, Burke, Caldecott, Erwin, Kirkwood, Lipscomb, Lowrey, McFall, McGee, Sherwin, and Smith—11.

Bill ordered transmitted to the Senate.

Assembly Bill No. 925—An act to add Section 482.5 to the Fish and Game Code, relating to obstructions in streams.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Connolly, Davis, Dickey, Dills, Dolwig, Elliott, Erwin, Evans, Gaffney, Grant, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Klocksiem, Levering, Lincoln, Lindsay, Lyon, Maloney, McCollister, McFall, McMillan, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Smith, Stanley, and Thomas—45.

NOES—Babbage, Brady, Doyle, Dunn, Fleury, Geddes, Kirkwood, Lowrey, and McCarthy—9.

Bill ordered transmitted to the Senate.

MEMBER EXCUSED

At 3.18 p m., Mr. Beck asked for, and was granted, unanimous consent that Mr. Cooke be excused, for the balance of the legislative day, because of legislative business elsewhere.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2052—An act to amend Section 1151 of the Fish and Game Code, relating to the use of lights.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, and Thomas—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 20—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Section 3 of Article XIII of said Constitution, relating to description of property for assessment.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—57.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 40—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 16 to Article XVI thereof, relating to the issuance of bonds to provide farm and home aid for veterans.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Moss, Munnell, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr Speaker—62

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 1633—An act to amend Sections 51440 and 51441, and to repeal Sections 50915, 51442, 51443, 51444, and 51445, of the Water Code, relating to reclamation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1634—An act to amend Section 51686 of, and to add Section 51685.5 to, the Water Code, relating to reclamation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant,

Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1670—An act to amend Section 55.65 of the Alcoholic Beverage Control Act, relating to the sale of wine, the posting of prices and the making and filing of fair trade contracts in relation thereto, and governing the giving of discounts in connection with the sale of wine.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—61.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 3.32 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 11—An act to amend Section 1129 of, and to repeal Section 1605 of, the Probate Code, relating to transfer fees in probate proceedings.

Bill read third time.

Motion to Amend

Mr. George D. Collins moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, after "Code," insert "and amend Section 26822 of the Government Code,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 2 of said bill, after line 18, insert

"SEC. 3. Section 26822 of the Government Code is amended to read:

26822. The fee for filing the papers transmitted from another court on the transfer of a civil action or a special proceeding [, except an adoption proceeding,] is eight dollars ($8)."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Hon. Richard J. Dolwig Presiding

At 3.37 p.m., Hon. Richard J. Dolwig, Member of the Assembly from the Twenty-seventh District, presiding.

THIRD READING OF SENATE BILLS

Senate Bill No. 515—An act to add Section 4766 to the Health and Safety Code, relating to the authority of a county sanitation district to adopt ordinances.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—64

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 150

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 150, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 150

Senate Bill No. 150—An act to amend Section 94.5 of the Agricultural Code, relating to the exemption of citrus fruit fairs from taxation

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—62

NOES—None.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 910

Mr. Sherwin asked for, and was granted unanimous consent that he be permitted to take up Senate Bill No. 910, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 910

Senate Bill No. 910—An act to add Section 15106 to the Government Code, relating to the leasing of facilities for connection with the State's Teletypewriter System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly,

Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—63.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILLS NOS. 895 AND 921

Mr. Sherwin asked for, and was granted, unanimous consent that he be permitted to take up Senate Bills Nos. 895 and 921, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 895

Senate Bill No. 895—An act to add Section 8.01 to the Bank and Corporation Franchise Tax Act and Section 7 01 to the Corporation Income Tax Act and Section 24202 to the Revenue and Taxation Code, relating to deductions in computing net income for taxation purposes, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote·

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—63

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF SENATE BILL NO. 921

Senate Bill No. 921—An act to add Section 17358 to the Revenue and Taxation Code, relating to the personal income tax, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Collier, George D Collins, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—59

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 489

Mr. Maloney asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 489, temporarily passed on file, out of order, at this time

CONSIDERATION OF SENATE BILL NO. 489

Senate Bill No. 489—An act to amend Section 26 of the Construction and Employment Act, relating to allocation of state funds to local agencies for the construction of public works.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Silliman, Smith, Stanley, Thomas, and Tomlinson—58.

NOES—George D. Collins and Sherwin—2.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 494

Mr. Maloney asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 494, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 494

Senate Bill No. 494—An act to amend Section 27 of an act entitled "An act making an appropriation for allocation to cities, counties, and cities and counties to develop a postwar public works program comprising the preparation of surveys and plans and specifications for proposed public works and the acquisition of rights of way and sites for major streets, roads, bridges, sewerage, and other public facilities, and providing the procedure for making such allocations," approved June 20, 1944, relating to public works programs, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Silliman, Smith, Stanley, and Thomas—62.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Silliman, Smith, Stanley, and Thomas—62.

NOES—None.

Bill ordered transmitted to the Senate.

ANNOUNCEMENT

Mr. Dickey announced that several Assistant Sergeants-at-Arms will be available tomorrow for the purpose of moving the furniture and belongings of members from the old building to the new annex, and requested all members to check their assigned offices for furniture needs.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE CONCURRENT RESOLUTION NO. 29 HOLD PLACE ON FILE

Mr. Lyon asked for, and was granted, unanimous consent that Senate Concurrent Resolution No. 29 be passed on file, and hold its place on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Concurrent Resolution No. 41—Relative to urging the Regents of the University of California to appeal the decision relating to the loyalty statement.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Collier, Connolly, Dickey, Dolwig, Doyle, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hollibaugh, Kelly, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McGee, Meyers, Munnell, Niehouse, Porter, Shaw, Sherwin, Smith, and Stanley—45.

NOES—George D. Collins, Condon, Davis, Dunn, Elliott, Evans, McMillan, Moss, and Parker—9

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 780

Mr. Hansen asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 780, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 780

Senate Bill No. 780—An act to amend Section 5050 of the Insurance Code, relating to county mutual fire insurance.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hollibaugh, Kelly, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, and Tomlinson—58.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 599	Assembly Bill No. 1221
Assembly Bill No. 1047	Assembly Bill No. 1669
Assembly Bill No 1050	Assembly Bill No. 2040
Assembly Bill No 1088	Assembly Bill No. 2122
Assembly Bill No. 1109	Assembly Bill No. 2454
Assembly Bill No. 1194	

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 214	Assembly Bill No. 1049
Assembly Bill No. 601	Assembly Bill No. 1053
Assembly Bill No 1023	Assembly Bill No. 1377
Assembly Bill No 1045	Assembly Bill No 3123

And reports the same correctly re-engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills Nos. 214, 1377, 1047, 1050, 1194, 1045, 1049, 1088, 2454, and 2040 re-referred to the Committee on Judiciary.

Assembly Bills Nos. 599, 2122, 601, and 1023 re-referred to the Committee on Agriculture.

Assembly Bills Nos. 1053, 1109, and 1221 re-referred to the Committee on Public Health.

Assembly Bill No. 3123 re-referred to the Committee on Fish and Game.

Assembly Bill No. 1669 re-referred to the Committee on Ways and Means.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 781—An act to amend Section 6040 of the Insurance Code, relating to county mutual fire insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hollibaugh, Kelly, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, and Tomlinson—58.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 782—An act to amend Section 6047 of the Insurance Code, relating to county mutual fire insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hollibaugh, Kelly, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sillman, Smith, Stanley, Thomas, and Tomlinson—58

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 352

Mr. Maloney asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 352, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 352

Senate Bill No. 352—An act to add Section 35.5 to the Public Utilities Act, relating to regulation of state-owned railroads as to safety of operation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Landsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Thomas, and Tomlinson—61.

NOES—None

Bill ordered transmitted to the Senate.

Hon. Francis Dunn, Jr., Presiding

At 4.07 p.m., Hon. Francis Dunn, Jr., Member of the Assembly from the Thirteenth District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 217—An act to add Section 11007.5 to the Government Code, relating to the insurance of state property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Niehouse, Parker, Porter, Rumford, Sherwin, Sillman, Smith, Stanley, Thomas, and Tomlinson—61.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 185—An act to add Section 19.1 to the Check Sellers and Cashers Act, relating to the issuance of desist and refrain orders.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—61.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 186—An act to add Section 16.1 to the Escrow Act and Section 17416 to the Financial Code, relating to the issuance of desist and refrain orders by the Commissioner of Corporations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—61.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 187—An act to amend Section 25806 of the Corporations Code, relating to the renewal of investment counsels' certificates under the provisions of the Corporate Securities Law.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—61.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 188—An act to add Section 16.1 to the Check Sellers and Cashers Act, relating to advertising.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—63.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 191—An act to amend Section 25603 of the Corporations Code, relating to advertising under the provisions of the Corporate Securities Law.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—63.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 192—An act to amend Section 13 of the Escrow Act, and Sections 17407 and 17408 of the Financial Code, relating to penalty for failure to file reports required by law, and payment of costs of investigations, inspections or examinations of escrow companies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—63.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Richard J. Dolwig Presiding

At 4.15 p.m., Hon. Richard J. Dolwig, Member of the Assembly from the Twenty-seventh District, presiding.

Senate Bill No. 193—An act to amend Sections 7 and 12 of the California Small Loan Act, relating to the issuance, suspension or revocation of licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—63.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 194—An act to amend Section 201 of the California Small Loan Act, relating to the issuance of desist and refrain orders.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—63.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 195—An act to amend Section 5 of the Escrow Act and Section 17209 of the Financial Code, relating to financial responsibility of escrow companies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—63.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 197—An act to amend Section 8 of the Personal Property Brokers Act, relating to the issuance of licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—63.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 198—An act to amend Section 16 of the Industrial Loan Act, relating to the publication of financial information.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—63.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 199—An act to amend Section 21.1 of the Personal Property Brokers Act, relating to the issuance of desist and refrain orders.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Nichouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—63

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 200—An act to amend Sections 4 and 9 of the Check Sellers and Cashers Act, relating to types of business licensed under said act.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Nichouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—63.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 201—An act to amend Section 6 of the Check Sellers and Cashers Act, relating to liquid assets.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Nichouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—63.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 202—An act to add Section 7.1 to the Check Sellers and Cashers Act, relating to fidelity bonds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Nichouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—63

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 196

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 196, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 196

Senate Bill No. 196—An act to amend Section 13 of the Personal Property Brokers Act, relating to the suspension or revocation of license.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—63.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 331—An act to amend Section 18973 of the Government Code, relating to civil service rights of veterans and widows of veterans.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—63.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Mr. Dickey:

House Resolution No. 122

Resolved, That the Controller be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

The Pacific Telephone and Telegraph Co. (tolls)	$277.50
The Pacific Telephone and Telegraph Co. (service, equipment and tolls)	84.70
The Shasta Water Company (drinking water)	9.27
Sacramento Glass and Crockery Co. (supplies)	10.71
Department of Finance (supplies)	91.73

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 122, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant,

Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Levering, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Thomas, and Tomlinson—60.

NOES—None

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Stanley:

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Sections 108 and 109 to the Water Code, relating to water rights, declaring the severability of the provisions of this act, declaring the urgency thereof, to take effect immediately.

Respectfully submitted.

EARL W. STANLEY

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1951

MR SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Stanley:

An act to add Sections 108 and 109 to the Water Code, relating to water rights, declaring the severability of the provisions of this act, declaring the urgency thereof, to take effect immediately.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Levering, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Thomas, and Tomlinson—60.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3414: By Mr. Stanley—An act to add Sections 108 and 109 to the Water Code, relating to water rights, declaring the severability of the provisions of this act, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 160—An act to amend Section 637.5 of the Agricultural Code, relating to yogurt.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, and Thomas—60.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 163—An act to amend Section 681 of the Agricultural Code, relating to licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, and Thomas—60.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 627—An act to amend Section 526 of the Agricultural Code, relating to milk products plants.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—63

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 628—An act to amend Section 606 of the Agricultural Code, relating to whole milk cheese.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, and Thomas—61

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 222	Assembly Bill No. 1856
Assembly Bill No. 223	Assembly Bill No. 1873
Assembly Bill No. 296	Assembly Bill No. 2305
Assembly Bill No. 1259	Assembly Bill No. 2531
Assembly Bill No. 1545	Assembly Bill No. 2669
Assembly Bill No. 1687	Assembly Bill No 2939
Assembly Bill No. 1810	

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 45

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1257—An act to amend Section 205.5 of the Agricultural Code, relating to livestock, including provisions for the protection thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, and Thomas—61

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1811—An act to add Sections 9131, 9132 and 9133 to the Government Code, creating the Joint Committee on Interhouse Cooperation and to prescribe its membership, powers, and duties.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D Collins Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, and Thomas—61.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1715—An act to add Section 1078 to the Fish and Game Code, relating to commercial fishing.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, and Thomas—61.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1716—An act to add Section 850 to the Fish and Game Code, relating to nets.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, and Thomas—61.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1718—An act to add Section 958 to the Fish and Game Code, relating to nets.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, and Thomas—61
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1602—An act to amend Section 2008 of the Business and Professions Code, relating to professional rights, privileges or powers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, and Thomas—61.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1575

Mr Coats asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1575, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1575

Senate Bill No. 1575—An act to add Article 1.3, constituting Sections 3210 through 3216, to Chapter 2 of Division 5 of the Welfare and Institutions Code, relating to the establishment of a Coordinating Board on State Programs for the Blind.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, and Thomas—61

NOES—None.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Joint Resolution No. 31: By Mr. Chapel—Relative to the impeachment of Secretary of State Dean Acheson.

Referred to Committee on Rules

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 3376, on request of Mr. Geddes.

NOTICE OF MOTION TO RECONSIDER THE RE-REFERENCE OF ASSEMBLY BILL NO. 3223

Mr. Sherwin gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 3223 was this day withdrawn from the Committee on Agriculture, and re-referred to the Committee on Industrial Relations.

Motion to Take Up Notice of Motion to Reconsider at This Time

Mr. Geddes moved that the notice of motion to reconsider, by Mr. Sherwin, be taken up, at this time.

Mr. Beck seconded the motion.

Point of Order

Mr. Sherwin arose to the following point of order: That it is necessary to suspend the Rules if his notice of motion is taken up at this time, and that the motion by Mr. Geddes is not in order.

Ruling by Speaker

Acting Speaker Dolwig ruled, pursuant to the provisions of Rule 84, the point of order not well taken.

The question being on the motion by Mr. Geddes.

The roll was called, and the motion by Mr. Geddes to take up the notice of motion to reconsider by Mr. Sherwin lost by the following vote:

AYES—Beck, Berry, Brady, Brown, Burkhalter, Chapel, Coats, George D. Collins, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Geddes, Hahn, Hawkins, Henderson, Hollibaugh, Maloney, McCollister, McFall, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, and Thomas—31.

NOES—Belotti, Burke, Clarke, Cloyed, Collier, Connolly, Erwin, Grant, Grunsky, Hagen, Hansen, Kelly, Klocksiem, Levering, Lindsay, Lipscomb, Lowrey, McGee, Sherwin, Smith, and Stanley—21.

Point of Order

Mr. Sherwin arose to the following point of order: That Mr. Beck is not in order, as he has not appealed from the decision of the Chair.

Ruling by Speaker

Acting Speaker Dolwig ruled the point of order well taken.

Point of Order

Mr. Lowrey arose to the following point of order: That, as there is nothing before the House, Mr. Beck is not in order.

Ruling by Speaker

Acting Speaker Dolwig ruled the point of order well taken.

Motion to Expunge Record and Rescind Action on Motion by Mr. Geddes

Mr. Doyle moved to expunge the record, and rescind the action whereby the Assembly, on this day, defeated the motion by Mr. Geddes that the notice of motion to reconsider, by Mr. Sherwin, be taken up, at this time.

Mr. Henderson seconded the motion.

Roll Call Demanded

Messrs. Lowrey, Collier, and Sherwin demanded a roll call.

The roll was called, and the motion by Mr. Doyle lost by the following vote:

AYES—Beck, Berry, Brown, Burkhalter, Chapel, Coats, George D. Collins, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Geddes, Hahn, Hawkins, Henderson, Maloney, McCollister, McFall, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, and Thomas—28.

NOES—Belotti, Burke, Cloyed, Collier, Connolly, Erwin, Grant, Grunsky, Hansen, Klocksiem, Levering, Lindsay, Lipscomb, Lowrey, Lyon, McGee, Sherwin, Smith, Stanley, and Tomlinson—20.

ANNOUNCEMENT

Mr. Dickey expressed appreciation to the Members of the Assembly for working so diligently today that it will be unnecessary to hold a Saturday session.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committee would hold a meeting:

Next Thursday, April 26th—

Upon adjournment of meeting of Committee on Ways and Means, in Room 435. Subcommittee on Education. Subject: Assembly Bill No. 1985.

PARTIAL REPORT OF INTERIM COMMITTEE ON AIR AND WATER POLLUTION

LETTER OF TRANSMITTAL

April 20, 1951

Hon. Sam L. Collins
Speaker of the Assembly
State Capitol, Sacramento, California

MR. SPEAKER: It is my pleasure to report to you and to the Members of the Assembly that favorable action has been taken by the Surgeon General of the United States Public Health Service upon the request transmitted by Assembly Joint Resolution No. 4, adopted unanimously at the First Extraordinary Session of 1950.

That resolution asked that our State Water Pollution Control Board be designated the *state water pollution agency* of California for the purposes of the Federal Pollution Control Act. This was a matter of great importance because of the need for practical and effective coordination of our pollution control activities with those of the Federal Government.

Following adoption of this resolution, Mr. Geraghty, Secretary of our Interim Committee on Air and Water Pollution, conferred with officials of the United States Public Health Service in Washington, and at my direction he also presented this matter (along with others) to the President's Water Resources Policy Commission at their public hearings in Berkeley.

Early in this year the State Water Pollution Control Board transmitted to the Governor its own resolution supporting the request, along with an opinion and careful analysis of the matter prepared by Mr. Leonard M. Friedman in the office of the California Attorney General. The Governor added his request in transmitting the file to the Surgeon General.

In the attached letters we are now informed by General Warren T. Hannum, Chairman of the State Water Pollution Control Board, that this board has been officially designated as the single California agency through which the Federal Government will act on in matters relating to water pollution. This is a major forward step, in that it enables us to proceed in full cooperation with the federal officials in preparing the comprehensive plans provided in the federal law without conflict and with full protection of our established state policy. It will likewise assist to a large extent in administration of our research projects in these problems.

Respectfully submitted,

RANDAL F. DICKEY, Chairman
Interim Committee on Air and Water Pollution

STATE OF CALIFORNIA
STATE WATER POLLUTION CONTROL BOARD
SACRAMENTO, CALIFORNIA, April 19, 1951

Honorable Randal F. Dickey, Chairman
Assembly Interim Fact-Finding Committee
on Air and Water Pollution
Room 319, State Capitol
Sacramento, California

DEAR MR. DICKEY: General Warren T. Hannum has requested me to advise you, by means of a copy of the enclosed letter, of the designation by the Surgeon General of the United States Public Health Service on March 30, 1951, of the State Water Pollution Control Board as the "State water pollution agency" for California for the purposes of the Federal Water Pollution Control Act (Public Law 845, 80th Congress).

Very truly yours,

VINTON W. BACON
Executive Officer

VWB:ln
Enclosure
In duplicate

(COPY)

FEDERAL SECURITY AGENCY
PUBLIC HEALTH SERVICE
WASHINGTON 25, D. C., March 30, 1951

MY DEAR GOVERNOR WARREN: This is to advise you, in response to your letter of March 15, 1951, that the State Water Pollution Control Board of California is hereby designated the state water pollution agency for California for the purposes of the Federal Water Pollution Control Act (Public Law 845, 80th Congress); the designation of the State Department of Public Health as such agency is hereby revoked.

In your letter of March 15th, requesting this action, you called our attention to Assembly Joint Resolution No. 4, passed by the California Legislature at its First Extraordinary Session of 1950, and the letter of the State Attorney General to the Chairman of the Water Pollution Control Board under date of February 7, 1951.

As you know, Section 10 (a) of the Federal Act states that:

"The term 'State water pollution agency' means the state health authority, except that, in the case of any state in which there is a single state agency, other than the state health authority, charged with responsibility for enforcing state laws relating to the abatement of water pollution, it means such other state agency;"

This definition requires that the state water pollution agency shall be the state health authority, unless the exception clause is applicable. The exception clause refers to that one agency in a State which has comprehensive powers for enforcing state laws relating to the abatement of water pollution. For such powers to be comprehensive, they must be broad and general, must cover the geographical area of the entire state to which the state pollution laws generally apply, and must be greater than those of any other agency in the state.

The California Attorney General, in his opinion of February 7, 1951, referred to above, expressed the view that the California water pollution control legislation of 1949, while in some respects dividing authority for water pollution control among different agencies, has established the State Water Pollution Control Board as a single state agency having an ultimate over-all power and responsibility for enforcing state laws relating to the abatement of water pollution in all parts of the State On this basis, the State Water Pollution Control Board meets the criteria of a state water pollution agency as defined in section 10 (a) of the Federal Act.

Sincerely yours,

/S/ LEONARD A. SCHEELE
Surgeon General

The Honorable
Earl Warren
Governor of California
Sacramento, California
MS .CMH :cfr/ldr

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Belotti, the usual courtesies of the Assembly for this day were unanimously extended to Carl Brown of Fortuna.

On request of Mr. Beck, the usual courtesies of the Assembly for this day were unanimously extended to George Luckey of Brawley, former Senator.

On request of Mr. Tomlinson, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. David Shicker of Santa Barbara.

On request of Mr. Henderson, the usual courtesies of the Assembly for this day were unanimously extended to Joseph Dixon, Jr, Berge Bulbulian, and Jesse Perry, Jr., of Fresno.

On request of Mr. Sherwin, the usual courtesies of the Assembly for this day were unanimously extended to John F. Borum, Raymond Jung, G. E. Moore, Hugh Penman, Mrs. Charles Rummel, and Edna Vienop, teachers; and the following pupils of the Claremont Junior High School: Gwendolme Adams, Beverly Ahart, Meredith Akey, Miles Anderson, Sharon Anderson, Richard Armstrong, Walter Barkas, John Barta, Brenda Barnett, Alan Beals, Paula Bennett, Marilyn Bertrand, Louis Bignami, Robert Birch, Beverly Bonneville, Dave Bruno, Patsy Burchard, Bob Butler, Joenne Cannon, Lea Carzoli, Connie Clark, Elaine Clifton, Alan Coffin, Carol Coleman, Lawrence Conte, Jay Corsaut, Bob Crawford, Nancy Dalson, Harvey Dickman, Jane Diddle, Jo Ann Drayer, Jim Dunn, Dick Edeen, David Evans, Jim Farnsworth, Terry Ferris, Bill Ferris, John Gerstl, Margo Glatt, Dick Goetze, Leta Green, Robert Gretzner, Dixie Goulart, Kathleen Hadden, Alistair Hannon, Tim Hannon, Ken Hapke, David Heine, Dick Helms, David Hickman, Herbert Hickman, Bob Hittle, Vivian Hunter, Richard Jacobsen, Glenn Jamieson, Paula Jansen, David Johnson, Johnny Jones, Pat Kachman, Shirley Kalgaard, Sandra Kallunki, Dagmar Kochendorfer, Alan Kruse, Bob Lanza, Carol Latimer, Barbara Lewis, Bob Libby, Dennis Lid, Edith Lieberman,

Carl Long, Margaret Long, Jim Lopizich, Ken Mallory, Sally McCollough, Mazie McCoy, Marsha Mitchell, Pat Mittig, Janice Nelson, Peter Nelson, Joyce Neuns, Jo Ann Ortman, Fred Pape, Jim Parish, Enis Phillips, Eugene Pittell, Jerry Pizzagoni, Marjorie Powles, Norman Proffitt, Pat Proffitt, Bill Reed, Barbara Reynolds, Diane Rich, Sig Rogers, Harrison Ryker, Ruth Salvatore, Bruce Simon, Anne Lee Smith, Diana Smith, Robert Smith, Bernie Stockwell, Greg Stone, Ardath Swobe, Gonzalo Trimbach, Clayton Williams, and Ann Worsham.

On request of Mr. Clarke, the usual courtesies of the Assembly for this day were unanimously extended to Fritz Rollins, Milton Baty, and Velma Clark, teachers, and the following pupils of the Weaver Union School: Romona Byrd, Jack Lee, Dolores Flores, Kenneth Huckabee, Priscilla Thomas, Leroy Johnson, William Amis, Daton Clement, John Kirk, Billy Hogan, John Broadstock, Barbara Sharp, Darlene Oldham, Eugene Mitchell, Robert Rogers, Larry D, Mary Lou D, Donald M., Tommy C., Betty Van S., Janice T, Marlene T., Bruce B., Delores F., Mary Cox, Emilio M., Serjio H., Raymond M., Ernie V., Ransome F., Billy A., John T., Frances C, Jeneen B., Robert D., Billy T., Mary Ann B, Frank S., Ada K., Richard H, John P. H., Sammy L., John O., Neal J., So Far, Shirley S., Mary T., Mancy Pyle, Chester, Donald H., Donna May, and Fred J.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to R. J. Bernard, teacher; and the following pupils of the Napa College: Keith Harris, George Peres, Lloyd Gimple, Bud Dresel, Vince Lyons, Melvin Elicker, Jean Gustin, Bernice Reidenbach, Willie Hamamoto, Bernardine Place, Beverly McCord, Elma Ransford, Jacqueline DeVita, Pat Augustiny, Robert Dodds, John Lambert, Will Sinclair, Bette Mae Weaver, Dianne Phillips, Marge Cole, Dorothy J. Maher, Richard Murray, Darlene Brown, John Lund, Jery Kilker, Hariett Abbott, June Fletcher, Evelyn Woessner, Woodrow Smith, Cecil Grimes, and Wayne Coe.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Eleanor Condon and Melissa Condon of Walnut Creek.

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to W. W. Coats, Rose Dyer, Alice Lonergan, teachers; and the following pupils of the Loyalton School: Lynn Allen, William France, Allard Gardner, Kenneth Gilmer, Shirley Gourdin, Jerry Hudson, Carol Huntley, Grace Little, Thomas Lonergan, Robert McGarr, Arlene Perkins, Joyce Vallery, Catherine Vanetti, Ora Mae Walker, Constance Wily, Lowell Wright, Joan Sinnott, and Ronald Walstrom.

On request of Messrs. Connolly and Maloney, the usual courtesies of the Assembly for this day were unanimously extended to Alvin Derre and Ross Buell of San Francisco.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to Congressman Sam Yorty of Los Angeles.

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Fontes and Mr. Notley, teachers; and the following pupils of the Bret Harte School: Carolyn Berck, Glenda Blodgett, Esther Bowers, Cecelia Braun, Jane Buck, Ruth Hague, Marilyn Hamer, Shirley Kendall, Carolyn Moore, Harriet Nobriga, Barbara Rainey, Joan Rogers, Donna Ross, JoAnne Silva, Joan Tucker, Sybil Walkup, Patricia Barrett, Gary Alves, Antonio Cafeterio, Frank Dickenson, Jack Donovan, Bruce Edman, Vernon Gonsalves, Robert Hoffman, Billy Krehemker, Floyd Moody, Ira Morris, Roy Olivera, Hector Pena, Peter Rodrigues, Charles Rose, Chris Silva, Larry Stahl, Donald Sweet, and Joe Vejar.

On request of the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to David Bird of San Diego.

On request of Messrs. McFall and Parker, the usual courtesies of the Assembly for this day were unanimously extended to M. O. Morganti, teacher, Mrs. S. Corbar and Mrs. M. Silveira, guests; and the following pupils of the Naglee School of Tracy: Robert Corbar, Peter Crist, Shirley Crist, Nancy Martin, Geraldine Dushell, John Massella, Melvin Silveira, Althea Picard, Dan Ciabattari, Jeanne Itoda, Edna Arnavdo, Harry Crist, Bill Eskue, Gene Eskue, and Leslie Borges.

On request of Mr. Hahn, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Daniel A. Terry, Mrs. Ellen Razor, and Judy Razor of Biggs.

On request of Messrs. McFall and Parker, the usual courtesies of the Assembly for this day were unanimously extended to students and teachers of the New Jeruselum School, San Joaquin County.

On request of Mr. Maloney and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mrs Beatrice K. Hesselberg, teacher, and the following pupils of the Laurel Village School: Jim Romlein, Alfred Allina, Peter Klein, Herbert Weiner, Ellice Monasch, Martha Laredo, Tommy Hurwitz, David Rude, and David Tucker.

On request of Mr Davis, the usual courtesies of the Assembly for this day were unanimously extended to Herbert Tatten, of Pittville.

ADJOURNMENT

At 4.55 p m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a m., Monday, April 23, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FORTY-THIRD LEGISLATIVE DAY

FIFTY-NINTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, April 23, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—68.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A Kircher:

O Thou Who Art Our Strength and Our Redeemer, Grant us Thy guidance for the duties that lie before us. Bless and protect those who serve upon our far-flung battlefields, and grant wisdom to all who stand in places of leadership and responsibility.

In our service, give us even tempers, noble ambitions, and unwavering faithfulness that we may serve Thee better day by day.

"Thy love divine hath led us in the past,
In this free land by Thee our lot is cast;
Be Thou our Ruler, Guardian, Guide and Stay,
Thy word our law, Thy paths our chosen way."

—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Hahn, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Butters, on motion of Mr. Erwin.

Mr. Cooke, on motion of Mr. Erwin.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. McMillan, on motion of Mr. Evans.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Shaw, on motion of Mr. McGee.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly then gave the pledge of allegiance to the Flag.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 19

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 5

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 182
Assembly Bill No. 555
Assembly Bill No. 2343

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 313
Assembly Bill No. 1789
Assembly Bill No. 1903
Assembly Bill No. 2042
Assembly Bill No. 2254
Assembly Bill No. 2376
Assembly Bill No. 2451
Assembly Bill No. 2696
Assembly Bill No. 3390

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 11
Assembly Bill No. 380
Assembly Bill No. 803
Assembly Bill No. 1155
Assembly Bill No. 1756

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1732
Assembly Bill No. 1892
Assembly Bill No. 2001
Assembly Bill No. 2314
Assembly Bill No. 2844

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

COMMUNICATIONS

By the Chief Clerk:

A communication and a resolution from Samuel W. Karnes, Jr., City Clerk of the City of Montebello, requesting the Legislature to provide three judges for the proposed East Los Angeles Municipal Court, were received, and ordered referred to the Committee on Judiciary.

By the Chief Clerk:

A communication from Mrs. Marion S. Alderton of Palo Alto, relative to Assembly Joint Resolution No. 15, relative to the Korean conflict, was received, and ordered filed with the Secretary of State.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 20, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 270
Assembly Bill No. 273
Assembly Bill No. 300
Assembly Bill No. 496
Assembly Bill No. 586
Assembly Bill No. 616
Assembly Bill No. 1009
Assembly Bill No. 1010
Assembly Bill No. 1031
Assembly Bill No. 1500
Assembly Bill No. 1617
Assembly Bill No. 1638
Assembly Bill No. 1666
Assembly Bill No. 1668
Assembly Bill No. 1672
Assembly Bill No. 1673
Assembly Bill No. 1674
Assembly Bill No. 1675
Assembly Bill No. 1676
Assembly Bill No. 1677
Assembly Bill No. 1678
Assembly Bill No. 1679
Assembly Bill No. 1726
Assembly Bill No. 1811
Assembly Bill No. 1859
Assembly Bill No. 1860
Assembly Bill No. 2258
Assembly Bill No 2412
Assembly Bill No. 2718
Assembly Bill No. 2796

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 20, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 909

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 20, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 271
Assembly Bill No. 342
Assembly Bill No. 583
Assembly Bill No. 2715
Assembly Bill No. 2930

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, April 20, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 110
Senate Bill No. 165
Senate Bill No. 598
Senate Bill No. 1137
Senate Bill No 1109

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 110—An act to amend Section 736 of, and to add Section 737.5 to, the Vehicle Code, relating to procedure after arrest for a violation of the Vehicle Code.

Referred to Committee on Judiciary.

Senate Bill No. 165—An act to amend Section 5073 of the Public Resources Code, relating to the California Riding and Hiking Trails Advisory Committee, to change the membership of the committee from six to seven.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 598—An act to amend Section 12465 of the Government Code, relating to the destruction of records in the custody of the Controller.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1137—An act to amend Section 19533 of the Business and Professions Code, relating to licenses to conduct horse race meetings.

Referred to Committee on Boards and Commissions.

Senate Bill No. 1109—An act to amend Section 28131 of the Government Code, relative to compensation for public services in counties.

Referred to Committee on Municipal and County Government.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 20, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 1450
Senate Bill No. 1554

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 1450—An act to amend Section 1145 of the Agricultural Code, relating to imported egg products.

Referred to Committee on Agriculture.

Senate Bill No. 1554—An act to add Section 1155 to the Insurance Code, relating to restrictions on activities of insurers.

Referred to Committee on Finance and Insurance.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 20, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 47
Senate Concurrent Resolution No. 51

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolutions were read:

Senate Concurrent Resolution No. 47—Relative to the Central Valley Project.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 51—Relative to approving the charter of the City of Santa Clara, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the second day of April, 1951.

Referred to Committee on Rules.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 171—An act to amend Section 356 of the Streets and Highways Code, relating to the State Highway System.

Bill read second time, and ordered engrossed.

Assembly Bill No. 550—An act to amend Section 194 of the Streets and Highways Code and to amend Section 11005 of the Revenue and Taxation Code, relating to the population of cities.

Bill read second time, and ordered engrossed.

Assembly Bill No. 811—An act to amend Section 36509 of the Government Code, relating to cities of the sixth class.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1651—An act to amend Section 31676.9 of the Government Code, relating to the retirement of public employees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2137—An act to declare that certain land situated in the City and County of San Francisco is no longer necessary for navigation, commerce, fisheries or street uses, and authorizing the Board of State Harbor Commissioners for San Francisco Harbor to sell or exchange such lands.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2528—An act to amend Sections 12512 and 12550 of the Water Code, pertaining to the Colorado River Board.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2909—An act to amend Sections 39560 and 39566 of, to add Section 39587 to, and to repeal Article 2 of Chapter 13, Part 2, Division 3 of the Government Code, comprising Sections 39520 through 39531, relating to municipal weed abatement.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1054—An act to add Chapter 1.5 to Part 2, Division 5 of the Health and Safety Code, relating to garbage and refuse disposal districts, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 14, of the printed bill, as amended in the Assembly on April 6, 1951, after "noncontiguous", insert "but if noncontiguous each portion shall contain at least 10 privately owned acres,".

Amendment No. 2

On page 8 of said bill, between lines 4 and 5, insert "but if noncontiguous each portion shall contain at least 10 privately owned acres,".

Amendment No. 3

On page 8, line 29, of said bill, after "the", strike out "contiguous".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1739—An act to amend Section 20026 of, and add Article 6 to, Chapter 1, Part 1, Division 14 of the Health and Safety Code, relating to police protection districts in unincorporated towns.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 6 of the title of the printed bill, as amended in the Assembly on April 6, 1951, strike out "Section 20026 of, and add Article 6 to," and insert "the title of Article 2, Chapter 1, Part 1, Division 14 of the Health and Safety Code, and to amend Sections 20034, 20036, 20061, 20062, and 20065 of the Health and Safety Code, and to repeal Sections 20035 and 20037 of the Health and Safety Code, and to add Articles 2.5 and 2.6 to,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out line 2, and insert "The title of Article 2, Chapter 1, Part 1, Division 14 of the Health and Safety Code is amended to read:

Article 2. [Formation] *Petition and Formation*

SEC. 2. Section 20034 of said code is amended to read:

20034. Within 30 days after acquiring jurisdiction to proceed further, the board shall by resolution [order the establishment of the district] *call an election as provided in Article 2.5 of this chapter*.

SEC 3. Section 20036 of the said code is amended to read:

20036. The order establishing the district shall be entered in the minutes of the board and shall be prima facie evidence of:

(a) The presentation of a proper petition to the board.

(b) The fact that at the time he signed the petition and at the time of its presentation each petitioner was a taxpayer and resident of the territory occupied by the district.

(c) The fact and regularity of all prior proceedings required by this article.

[(d) The existence and validity of the district.]

SEC 4. Sections 20035 and 20037 of the said code are repealed.

SEC. 5. Article 2.5 is added to Chapter 1, Part 1, Division 14 of said code, to read:

Article 2.5. Election on Formation

20040. The board shall call and give notice of an election to be held in the proposed district to determine whether the district shall be formed, and to elect the commissioners who shall serve as the first district board.

20041. The notice of the formation election shall contain:

(a) The date of the election.

(b) A description of the boundaries of the proposed district.

(c) The name of the proposed police protection district, which shall contain the words "Police Protection District of _____ County" (stating the name of the county in which the district is to be located).

(d) A statement that the commissioners who will serve as the first district board will be elected.

20042. The county clerk shall publish the notice of election once a week for at least two weeks prior to the formation election, in a newspaper printed and published in the district, if any, and if none, shall give such notice by posting the notice in three public places within the district for at least three weeks immediately preceding the election.

20043. At the formation election the first directors shall be elected and the following measure shall be submitted: "Shall the proposition to form _____ police protection district of _____ county be adopted?"

20044. No person shall be a candidate for the district board unless he is a resident within the boundaries of the proposed district.

20045. The election shall be conducted, candidates nominated, the votes canvassed, and the results declared as provided by the Elections Code for election of county officers, insofar as applicable and not inconsistent with this chapter. Each person voting at the formation election shall be entitled to cast three votes for candidates for members of the first district board. The three candidates receiving the highest number of votes shall be elected as the first district board if the district is formed.

20046. If a majority of votes cast are in favor of forming the district, the board of supervisors shall by an order entered on its minutes declare the district formed under the name designated for it.

20047. No person is entitled to vote on the question of formation of a district, or for the first board of commissioners, unless such person is a voter within the meaning of the Elections Code, and a resident within the boundaries of the proposed district.

SEC. 6. Section 20061 of the said code is amended to read:

20061. [Within 30 days after acquiring jurisdiction to proceed further, and at the same time as, or after, the adoption of the order establishing the district, the board shall appoint the first commissioners of the district.] Each of such commissioners shall hold office [until the second Monday in April next after his appointment, and] until his successor is elected and has qualified pursuant to this article.

SEC. 7. Section 20062 of the said code is amended to read:

20062. [The immediate successors of the first commissioners shall be selected at an election on the first Monday of April following the appointment of the first commissioners, for terms commencing on the next succeeding Monday of the same month. These] *The* commissioners *first elected* shall at their first meeting so classify themselves by lot that one of their number shall go out of office on the second Monday of April of the year next succeeding the election; one on the second Monday of April

of the second year succeeding the election; and one on the second Monday of April of the year succeeding the election

SEC. 8. Section 20065 of the said code is amended to read:

20065. The district board *shall call an election and* shall post notices of the election in three public places within the district for at least two weeks before the day of the election.

SEC. 9. Article 2.6 is added to Chapter 1, Part 1, Division 14 of said code, to read:

Article 2.6. Annexation

20050. Any territory which is not a part of another police protection district, and which is contiguous to an existing district in the same county, may be annexed to that district.

20051. Proceedings for annexation of territory to a district shall be initiated by filing with the board a petition signed by at least 10 percent of the qualified electors residing in the territory proposed to be annexed. Such petition shall designate specifically the boundaries of the territory proposed to be annexed, state its assessed valuation as shown by the last equalized assessment roll, and request that the territory be annexed to the district

20052. The petition shall be published at least once each week for two weeks in a newspaper of general circulation within the county, together with a notice stating the time and place at which the petition will be presented to the board and that all persons interested may appear and be heard.

20053. At the time specified for the hearing the board shall hear the petition and may adjourn the hearing from time to time. The board shall not modify the boundaries of the territory proposed to be annexed as set forth in the petition so as to exclude any area that would be benefited by annexation to the district, nor shall any area that will not be benefited by annexation be included within the boundaries of the territory proposed to be annexed

20054. Upon the final hearing of the petition the board, if it approves the petition as originally presented or in a modified form, shall make an order describing the exterior boundaries of the territory proposed to be annexed and ordering that an election be held for the purpose of determining whether or not the territory shall be annexed to the district.

20055. The order shall fix the day of the election, which shall be within 60 days from the date of the order, and shall show the boundaries of the territory proposed to be annexed to the district This order shall be entered in the minutes and is conclusive evidence of the due presentation of a proper petition, and of the fact that each of the petitioners was at the time of the signing and presentation of the petition qualified to sign.

20056 If a majority of the votes in the district and a majority of the votes in the territory proposed to be annexed are in favor of annexation, the board shall by resolution make an order annexing the territory to the district. The order shall be entered in the minutes of the board and be prima facie evidence of regularity of all prior proceedings relating to the annexation

20057. If the result of the election is against annexation the board shall, by order, disapprove the petition and enter the order in its minutes. No other proceedings shall be taken in relation thereto until the expiration of one year from the presentation of the petition."

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 21, inclusive; and strike out all of pages 2 and 3.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1263—An act to add Section 20130.2 to the Government Code and to amend Sections 20037, 20230, 20564, and 20867 thereof, relating to the State Employees' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "20564," and insert "20563, 20564, 20565.".

Amendment No. 2

On page 1, line 3, of said bill, after "designated", insert "by a member".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 2 of said bill, betweeen lines 9 and 10, insert

"SEC. 4. Section 20563 of said code is amended to read:

20563. Upon the termination of a contract, the board shall hold for the benefit of the members of this system who are credited with service rendered as employees of the contracting agency and for the benefit of beneficiaries of this system who are entitled to receive benefits on account of such service such portion of the accumulated contributions then held by this system and credited to or as having been made by [it] *the agency* [as is in excess of] *as does not exceed* the difference between *(1)* an amount actuarially equivalent, as determined by the actuary and approved by the board, to all the system is obligated to pay after the effective date of termination to or on account of persons who are or have been employed by, and on account of service rendered by them [,] to , the agency, and *(2)* the contributions, with credited interest thereon, then held by this system as having been made by such persons *as employees of the agency* ."

Amendment No. 4

On page 2, line 10, of said bill, strike out "SEC 4 ", and insert

"SEC. 5."

Amendment No. 5

On page 2 of said bill, strike out lines 11 to 13, inclusive, and insert

"20564. If, at the date of termination, the sum of the accumulated contributions credited to, or held as having been made by, the contracting agency and the accumulated contributions credited to or held as having been made by persons who are or have been employed by the agency, as employees of the agency, is less than the actuarial equivalent specified in clause (1) of Section 20563, the"

Amendment No. 6

On page 2 of said bill, strike out lines 20 to 23, inclusive, and insert "that such sum is less than the actuarial equivalent as of the date the board declared the default. If the sum of such accumulated contributions is greater than the actuarial equivalent,".

Amendment No. 7

On page 2 of said bill, between lines 28 and 29, insert

"SEC. 6. Section 20565 of said code is amended to read:

20565 Upon the termination of a contract, all memberships in this system existing because of that contract continue in existence to the extent that there are accumulated contributions to the credit of each such local member, but any such member may elect to withdraw his accumulated contributions. The status of any such member who does not withdraw his accumulated contributions shall be the same as if the public agency had continued as a contracting agency. The portion of the contributions of the contracting agency held under Section 20563 to the credit of each member shall be determined by the board, and may be adjusted from time to time prior to termination of membership. A member whose membership continues under this section is subject to the same age and incapacity requirements as apply to other members for service or for disability retirement, but he is not subject to a minimum service requirement. He shall receive such retirement benefits as his accumulated contributions, together with such portion of the excess of the contributions of the contracting agency as are credited to him, will provide, as determined by the board, but the provisions of this part relative to minimum retirement allowances shall not apply to him, *nor shall such benefits exceed the benefits provided by the contract prior to its termination*. Upon the death of such a member the basic death benefit shall be his accumulated contributions."

Amendment No. 8

On page 2, line 29 of said bill, strike out "SEC. 5.", and insert

"SEC. 7."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1278—An act to amend Sections 19533, 19533.2, 19534, 19535, 19536, 19537, and 19397 of, to add Section 19533.3 to, and repeal Section 19533.1 of, the Government Code, relating to layoff or demotion in the state civil service.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

In line 1 of the title of the printed bill, after "19533," insert "19533.1".

Amendment No. 2

In line 2 of the title of said bill, after "19397 of," insert "and".

Amendment No. 3

In lines 2 and 3 of the title of said bill, strike out "and repeal Section 19533.1 of,".

Amendment No. 4

On page 1, line 11, of said bill, strike out "employee's present".

Amendment No. 5

On page 1, line 11, of said bill, after "class", insert "of layoff or demotion".

Amendment No. 6

On page 1, line 11, of said bill, after "and", insert "in".

Amendment No. 7

On page 1, line 11, of said bill, strike out "with", and insert "that, at the time notice of layoff is given, have".

Amendment No. 8

On page 1, line 16, of said bill, after the semicolon, insert "(c) the seniority credit to be granted for service in a class that has been abolished, combined, divided, or otherwise altered under the authority of Section 18802; (d) the basis of determining the sequence of layoff whenever the class and subdivision of layoff includes employees whose service is less than full time;".

Amendment No. 9

On page 1, line 16, of said bill, strike out "(c)", and insert "(e)".

Amendment No. 10

On page 1, line 17, of said bill, after "necessary", insert "or advisable".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 11

On page 2, line 13, of said bill, strike out "is repealed", and insert "is amended to read.

19533.1. [If layoff becomes] *Separations that are* necessary by reason of reinstatement of an employee or employees after recognized military service as provided for in Section 19390 [, or by reason of demotion, caused by reinstatement of employee or employees after recognized military service as provided in Section 19535 employees] shall be [laid off] *made by layoff* [from the class in reverse order to the order in which they first began employment in the class; provided, that duration appointees shall in all instances be the first to be laid off] *In making such separations, the regular method of determining the order of layoff shall be used unless this would result in the layoff of an employee who has been reinstated in the class and subdivision of layoff under the provisions of Section 19390, and in the retention of an employee who was appointed in the class and subdivision of layoff during the time such a reinstated employee was on military leave. Under such circumstances, seniority shall not be counted as provided in Section 19533. Instead, service in the subdivision of layoff that qualifies under Section 19533 for credit at the rate of one point a month is the only state service that shall be counted.*

Whenever such a layoff results in the demotion to a lower class of an employee who has been reinstated after recognized military service as provided in Section 19390, the resulting layoff, if any, in the lower class shall be made as though that reinstated employee had been in that lower class at the time he went on military leave.

Until such time as the next regular report of performance has been filed for him, an employee reinstated as provided in Section 19390 shall be presumed, only for purposes of layoff determinations, to have an efficiency rating equal to the highest efficiency rating of any employee in the class and subdivision of layoff.

[In case of layoff except as occurring under conditions set forth in paragraph one above, a veteran, except a veteran who was on military leave from state service during the period of a state military emergency as proclaimed by the Governor, shall have seniority credits equal to the period of service in the armed forces One-sixth point shall be granted for each full month of such service. A credit shall not be allowed unless the veteran enters state service within a period of one year after date of discharge, or if more than one year has elapsed, there has been no intervening employment other than seasonal or temporary work In case of a tie in the combined scores for seniority and efficiency the person who entered recognized military service would have preference and layoff shall be made in the above order.]

Any layoff occurring within one year after reinstatement of an employee after recognized military service shall be presumed to have been necessary by reason of reinstatement of an employee or employees under Section 19390."

Amendment No. 12

On page 2, line 22, of said bill, after "credit for", insert "recognized".

Amendment No. 13

On page 2, line 25, of said bill, after "discharge or", insert "the end of the national emergency or the end of the state military emergency, whichever of these dates is the earlier, or".

Amendment No. 14

On page 2, line 25, of said bill, after "if within", insert "that"

Amendment No. 15

On page 2, lines 25 and 26, of said bill, strike out "after date of discharge".

Amendment No. 16

On page 2, line 31, of said bill, after "Such credit for", insert "recognized".

Amendment No. 17

On page 2, line 34, of said bill, after "state service", insert "following recognized military service."

Amendment No. 18

On page 3, line 13, of said bill, strike out "(1)", and insert "(a)".

Amendment No. 19

On page 3, line 15, of said bill, strike out "(2)", and insert "(b)".

Amendment No. 20

On page 3, line 17, of said bill, after "the board.", strike out "The", and insert "Whenever such a demotion requires a layoff in the lower class, the seniority score for the".

Amendment No. 21

On page 3, line 18, of said bill, strike out "replace the employee having the lowest score for efficiency and seniority in that class, if such score is lower than that of the employee being demoted ", and insert "be recomputed in the lower class "

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 245—An act to amend Section 4656.4 of and to add Section 2152.5 to, the Revenue and Taxation Code, relating to the distribution and computation of property taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Assembly on April 16, 1951, following "basis of the ", insert "average".

Amendment No. 2

On page 1, line 5, of said bill, strike out "fiscal year", and insert "three fiscal years".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2488—An act to add Section 6405.5 to the Labor Code, relating to safety in employment.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Industrial Relations:

Amendment No. 1

On page 1, line 4, of the printed bill, after "tetrachloride", insert "or liquid containing carbon tetrachloride".

Amendment read, and adopted

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1990—An act to amend Sections 6005, 6070, 6702, 6777, and 7056 of the Revenue and Taxation Code, relating to sales and use taxes, and providing that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, after "6005," insert "6019,".

Amendment No. 2

On page 1, line 3, of the printed bill, after "receiver," insert "assignee for the benefit of creditors,".

Amendment No. 3

On page 1 of the printed bill, between lines 9 and 10, insert

"SEC 1.5 Section 6019 is added to said code to read:

6019. Every individual, firm, copartnership, joint venture, trust, business trust, syndicate, association or corporation making more than two retail sales of tangible personal property during any 12-month period, including sales made in the capacity of assignee for the benefit of creditors, receiver, or trustee in bankruptcy, shall be considered a retailer within the provisions of this part in his or its individual, firm, copartnership, joint venture, trust, business trust, syndicate, associate or corporate capacity."

Amendment No. 4

On page 2, line 19, of the printed bill, after the period, insert

"In the case of any state officer, department or agency, the notice shall be given to such officer, department or agency prior to the time it presents the claim of the delinquent taxpayer to the State Controller."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2464—An act to add Section 604.14 to the Vehicle Code, relating to ambulance drivers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 604.14", and insert "Sections 604.14, 604.15, 604.16, and 604.17".

Amendment No. 2

In line 2 of the title of said bill, strike out "ambulance drivers", and insert "operation of ambulances".

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 6, inclusive, and insert

"604.14. Operation of Ambulances. It is unlawful to operate or permit to be operated an ambulance over any highway as an authorized emergency vehicle unless the driver thereof or an attendant therein holds a certificate of completion of a standard Red Cross first aid course or other equivalent course or unless there is a doctor, interne, or graduate nurse in the ambulance.

604.15. First Aid Equipment. Every ambulance operated over any highway as an authorized emergency vehicle shall be equipped with reasonable and adequate first aid equipment to handle emergency cases

604 16. Age of Ambulance Drivers. No person shall drive an ambulance operated over any highway as an authorized emergency vehicle unless he shall have attained his twenty-first birthday.

604 17. Operation of Ambulances During a Period of a State of Extreme Emergency. During a period of a state of extreme emergency, as defined in Section 1506 of the Military and Veterans Code, an ambulance may be operated without complying with Sections 604.14 and 604 16 of this code if such operation is necessary. The Department of the California Highway Patrol may require a report setting forth the circumstances surrounding, and the necessity for, such operation."

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

Assembly Bill No. 2870—An act to amend Section 267 of the Vehicle Code, relating to operators' and chauffeurs' licenses

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 267 of", and insert "add Sections 258.1 and 259.1 to".

Amendment No. 2

In line 2 of the title of said bill, strike out "' and", and insert "of school buses and temporary issuance of".

Amendment No. 3

In line 2 of the title of said bill, after "licenses", insert "therefor, and declaring the urgency thereof, to take effect immediately"

Amendment No. 4

On page 1 of said bill, strike out lines 1 to 7, inclusive, and insert

"SECTION 1. Section 258.1 is added to the Vehicle Code to read:

258.1. Chauffeurs' Licenses for School Bus Drivers During Existing National Defense Emergency. Chauffeurs' licenses may be issued to persons 17 years of age or over permitting such persons to drive school buses.

SEC 2. Section 259.1 is added to said code to read:

259.1. Age of School Bus Drivers During Existing National Defense Emergency. It is unlawful for any person under the age of 17 years to drive a school bus transporting pupils to or from school.

SEC. 3. The sections of the Vehicle Code added by this act shall remain in effect until the ninety-first day after the final adjournment of the 1953 Regular Session of the Legislature or until the termination of the existing national defense emergency as evidenced by cessation of compulsory military service in the Armed Forces of the United States by citizens of this State, and as found and declared by proclamation issued by the Governor, whichever first occurs. While these sections are in effect they shall supersede any existing provisions of law which are in conflict with these sections; but such provisions are not repealed by these sections and after these sections are no longer effective shall have the same force as though these sections had not been enacted.

SEC. 4. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

It is the custom in many school districts to employ 18 and 19 year old student drivers of school buses. This custom results in the saving of about half the expense of operating such buses by employing as the school bus driver the student otherwise qualified living the farthest from the school on a particular route so that he may pick up other students on his route while he drives to school and discharge them on his return home. Because of the drafting, or imminent drafting, of 18 and 19 year old students in the present national defense emergency, it is becoming difficult to furnish adequate school transportation service, and the situation will be extremely critical in many school districts by the opening of schools this fall unless 17 year old student drivers can be made available by that time."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

Assembly Bill No. 2907—An act to add Sections 14259 and 14260 to, to amend Section 14540 of, and to repeal Sections 14541, 14542, 14543, 14544, 14545, 14546, and 14547 of the Health and Safety Code, relating to fire protection districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "and"; insert a comma after "14260", and insert ", 14810 and 14811".

Amendment No. 2

In line 3 of the title of the printed bill, after the comma, strike out "and"; and after "14547", insert ", 14810, 14811 and 14812".

Amendment No. 3

On page 1 of said bill, after line 21, insert

"SEC. 5. Section 14810 is added to the Health and Safety Code, to read:

14810 Whenever any portion of a district is included within a city by reason of incorporation, annexation, or otherwise, such portion shall be withdrawn from the district."

SEC 6. Section 14811 is added to the Health and Safety Code, to read:

14811. Upon the withdrawal of any territory of a district included within a city all property required for the district and all funds remaining on hand on the date of withdrawal shall be divided between the city and the remaining district in proportion to the assessed value of the real property of the territory so withdrawn and the portion remaining. All taxes collected by the district after the date of withdrawal on real property so withdrawn shall be paid over to the city."

Amendment No. 4

On page 1, line 21, of said bill, strike out "and"; and after "14547", insert ", 14810, 14811 and 14812".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 759—An act to amend Section 20392 of the Education Code, relating to dismissal of state college employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

Strike out line 1 of the title of the printed bill, and in line 2 of said title, and strike out "2, the Education Code," and insert "an act to add Section 20392.5 to the Education Code".

Amendment No. 2

In line 2 of the title of said bill, after "dismissal", insert "and re-employment".

Amendment No. 3

On page 1 of said bill, strike out lines 7 to 29, inclusive, and insert

"SEC. 2. Section 20392.5 is hereby added to the Education Code, to read:

When the dismissal of employees is for reasons of lack of funds or lack of work, the determination of which employees are to be dismissed in each college shall, as nearly as practicable, be based on seniority. The Director of Education shall prescribe rules for determining seniority for the purpose of determining which employee shall be dismissed.

The Director of Education shall establish a re-employment list upon which list shall be placed the names of those persons dismissed for lack of funds or lack of work. The names on said list shall have priority on the basis of seniority for work comparable to that from which they were dismissed over any person whose name is not on such list.

The Director of Education shall prescribe such rules and regulations as may be necessary governing the re-employment of persons whose names are on such list.

Prior to prescribing any rules or regulations as herein provided the Director of Education shall give reasonable notice of the proposed rule or regulation and shall afford each employee affected by any proposed rule or regulation an opportunity to be heard."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Civil Service and State Personnel.

Assembly Bill No. 3258—An act to amend Section 105 of the Revenue and Taxation Code, relating to property taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 6, of the printed bill, after "except", strike out "(1)".

Amendment No. 2

On page 1 of said bill, strike out lines 7 and 8, and insert "graph lines."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 798—An act to amend Section 53 of the Unemployment Insurance Act, relating to benefit payments.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Industrial Relations:

Amendment No. 1

On page 1, line 3, of the printed bill, after "53.", insert "An individual cannot establish a valid claim or a benefit year during which any benefits are payable unless he has during his base period been paid wages for employment by employers of not less than three hundred dollars ($300) "

Amendment No. 2

On page 1, line 13, of said bill, strike out the period, and insert "provided, that in no case is the total amount of benefits payable more than one half the total wages paid such individual during his base period; and provided further, that if such benefit is not a multiple of one dollar ($1) it shall be computed to the next higher multiple of one dollar ($1).

For the purpose of this section and Section 54, wages due to any individual but unpaid within the time limit provide by law, shall be deemed wages paid to such individual "

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Industrial Relations.

Assembly Bill No. 1286—An act to amend Section 7651 of, and to repeal Sections 7453, 7454, 7455, and 7456 and Article 4, comprising Section 7916, of Chapter 6 of Part 2 of Division 2 of, the Revenue and Taxation Code; relating to returns and bonds under the Motor Vehicle Fuel License Tax Law.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1 of the printed bill, strike out lines 18 to 20, inclusive

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

SECOND READING OF SENATE BILLS

Senate Bill No. 1023—An act to add Section 38304 to the Government Code, and to repeal an act entitled "An act to authorize cities and towns owning public parks outside of their limits, to lay out, construct, and maintain roads, streets, and boulevards from the boundaries of such cities or towns to, into, and through such parks, and to acquire lands for that purpose," effective March 1, 1897, without the Governor's approval, relating to access to city parks.

Bill read second time, and ordered to third reading.

Senate Bill No. 1024—An act to add Article 5 5, comprising Sections 38750 to 38759, inclusive, to Chapter 10, Part 2, Division 3, Title 4 of the Government Code, and to repeal an act entitled "An act to enable municipal corporations to sell, lease, or otherwise transfer the control or management of waterworks or parts thereof belonging to such municipalty to municipal water districts," approved May 15, 1923, relating to the transfer of city waterwork systems.

Bill read second time, and ordered to third reading.

Senate Bill No. 1025—An act to amend and renumber Section 39793 of, to add a new Section 39793 to, the Government Code, and to repeal an act entitled "An act authorizing municipal corporations to lease, purchase, own, and operate gravel beds and quarries, and to transport gravel and rock therefrom to such municipal corporations, for the purpose of making, improving, and repairing roads," approved March 27, 1897, relating to facilities in aid of city works and improvements.

Bill read second time, and ordered to third reading.

Senate Bill No. 1027—An act to add Title 6 and Section 500048 to the Government Code, to consolidate and revise the law relating to the organization, operation, and maintenance of a system of state and local government, and to repeal acts specified therein.

Bill read second time, and ordered to third reading.

Senate Bill No. 1091—An act to consolidate and revise the law relating to the organization, operation, and maintenance of a system of state and local government, by adding Section 500049 and Title 7, relating to planning and conservation, to the Government Code, and repealing the Conservation and Planning Act

Bill read second time, and ordered to third reading.

Senate Bill No. 1119—An act to add Division 15 to the Water Code, to consolidate and revise the law relating to reclamation districts, and to repeal enumerated sections of the Political Code and acts specified therein.

Bill read second time, and ordered to third reading.

Senate Bill No. 1122—An act to add Section 8678 to the Water Code and to repeal Section 692 5 of the Political Code, relating to the approval of agreements of the Reclamation Board, relating to real property.

Bill read second time, and ordered to third reading

Senate Bill No. 497—An act to amend Section 9355.1 of, and to add Sections 9355.6 and 9356 2 to, the Government Code, relating to the retirement of state legislators and officers, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading

Senate Bill No. 970—An act to amend Sections 11270 and 11271 and to repeal Sections 18750, 18751, 18752, 18753 of the Government Code, relating to charges for administrative costs.

Bill read second time, and ordered to third reading.

Senate Bill No. 132—An act to amend Section 9763 of the Government Code, relating to the preparation of the statutes.

Bill read second time, and ordered to third reading.

Senate Bill No. 1526—An act to amend Section 5546.5 of the Health and Safety Code, relating to county sewerage and water districts, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 14, of the printed bill, after the period, insert "The charges fixed for public agencies shall not be higher proportionately than the rates fixed for similar use by other users."

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were offered:

Assembly Concurrent Resolution No. 48: By Mr. Dolwig—Relative to approving amendments to the charter of the City of San Mateo, a municipal corporation in the County of San Mateo, State of California, voted for and ratified by the qualified electors of said city at a regular municipal election held therein on the third day of April, 1951.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 49: By Mr. Caldecott—Relative to approving amendments to the charter of the City of Berkeley, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at the regular municipal election held therein on the third day of April, 1951.

Referred to Committee on Rules.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS
NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Dolwig to reconsider the vote whereby Assembly Bill No. 3280 was refused passage was continued until the next legislative day.

MOTION TO SET SPECIAL ORDER

Mr. Klocksiem moved that his notice of motion to withdraw Assembly Bill No. 3377 from committee be made a special order of business for Wednesday, April 25, 1951, at 10.30 a.m.

Mr. Lanterman seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Niehouse, Parker, Porter, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—56.

NOES—None.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2675—An act to amend Sections 2191 and 2192 of the Business and Professions Code, relating to qualification for admittance to examination.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2675?

Amendment No. 1

On page 2, line 28, of the printed bill, as amended, after "and", insert "prior to".

Amendment No. 2

On page 2, line 29, of said bill, as amended, strike out the period, and insert "; provided, that a certificate shall not be issued to any applicant until satisfactory evidence is filed with the board that a degree has been issued to him by the school."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2675 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Niehouse, Parker, Porter, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 2675 ordered enrolled.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Sherwin to reconsider the vote whereby Assembly Bill No. 3223 was re-referred to the Committee on Industrial Relations, was continued until the next legislative day.

NOTICE OF MOTION TO RECONSIDER SENATE BILL NO. 868 WAIVED

Mr. Condon waived his notice of motion to reconsider the vote whereby Senate Bill No. 868 was passed.

Senate Bill No. 868 ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 291

Mr. Tomlinson asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 291, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 291—An act to amend Section 19437 of the Education Code, relating to civic centers.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 291?

Amendment No. 1

On page 1 of the printed bill, after line 7, insert

"In determining such fees the governing board shall consider the cost to the district for the supplies, utilities, and salaries paid district employees as a result of the use of the district school houses, property, and grounds pursuant to this chapter."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 291 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Niehouse, Parker, Porter, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr Speaker—60

NOES—Elliott—1.

Assembly Bill No. 291 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 3372—An act to add Section 291 to the Penal Code, relating to notices of arrest of public school teachers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McGee, Morris, Moss, Niehouse, Porter, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 803—An act to amend Section 203 of the Welfare and Institutions Code, relating to establishment and operation of county hospitals.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Niehouse, Parker, Porter, Rumford, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 11—An act to amend Section 1129 of, and to repeal Section 1605 of, the Probate Code, relating to transfer fees in probate proceedings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Niehouse, Parker, Porter, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—62.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 1259—An act to add Section 20338 to the Government Code, relating to the State Employees' Retirement System in respect to state college extension service teachers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—64.

NOES—None

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 895 BE WITHDRAWN FROM COMMITTEE FOR AMENDMENT, AND BE RE-REFERRED

Mr. Burkhalter asked for, and was granted, unanimous consent that Assembly Bill No. 895 be withdrawn from the Committee on Public Health for purpose of amendment, and be re-referred to the Committee on Public Health.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 895—An act to add Sections 8527.5, 8527.6, and 8527.7 to, and Article 5.5, comprising Sections 8595 to 8601, inclusive, to Chapter 14 of Division 3 of, the Business and Professions Code, relating to structural pest control.

Bill read second time.

Motion to Amend

Mr. Burkhalter moved the adoption of the following amendments:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "add Sections 8527.5, 8527.6, and 8527.7 to, and Article 5.5, comprising Sections 8595 to 8601, inclusive," and insert "amend Sections 8525, 8529, and 8674 of, and to add Section 8529.5 and Article 3.5, comprising Sections 8558 and 8559.".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 8, inclusive, and insert

"SECTION 1. Section 8525 of the Business and Professions Code is amended to read:

8525. (a) The board, subject to the approval of the director, may adopt and enforce reasonable rules and regulations relating to the practice of pest control and its various branches as established by Section 8560 and the administration of this chapter.

The board, subject to the approval of the director, shall adopt, promulgate and enforce (1) reasonable standards for the performance of work relating to the control, elimination and prevention of wood destroying organisms, and (2) reasonable rules and regulations for the administration of Article 3.5 of this chapter.

Such rules and regulations shall become effective after reasonable notice of not less than 30 days has been given to all persons licensed under this chapter.

(b) Whenever any licensee shall inspect any property relating to structural pest control, if request is made therefor by the person who employed such licensee to make such inspection, such licensee shall deliver to the requester a report in writing signed by the licensee, which report shall set forth the following matters: (1) the date of the report; (2) the date or dates of the inspection; (3) the name of the place with street address or other sufficient identification of the premises inspected; (4) the name of the owner, if known, of the premises inspected; (5) the name of the person for whom said inspection was made; (6) a general description of the building or premises inspected; (7) the conditions found relating to pests referred to in Section 8505 found in or upon the buildings or premises, including the substructures, foundation walls and footings, porches, patios and steps, air vents, clearance under building or structures, soil condition, debris, pegs and form lumber, tree stumps, pilasters, abutments, attic spaces and all other parts exposed to deterioration by termites or fungi, designating the kinds of woodboring insects, termites and infection of fungi, and the extent of the infestation, infection or damage; (8) a foundation diagram or sketch of the structure or structures inspected, designating thereon the approximate location of found infestations of woodboring insects or termites and infections of fungi; (9) a recommendation for treatment, repair, and correction of conditions relating to such premises for the control, elimination, and prevention of such pests as may be found by such inspection. Such report shall also state specifically when any guarantee for the work is made and, if so, the specific terms of the guarantee and the period of time for which the guarantee shall be in effect. The provisions of this subdivision shall only apply to inspection reports in connection with termites, fungi, and woodboring insects.

SEC. 2. Section 8529 of said code is amended to read:

8529. The registrar with the approval of the board and of the director, and subject to the provisions of the State Civil Service Act, [may] *shall* appoint and fix the compensation of such [other] assistants as may be necessary [.] *as may be necessary to administer and enforce the provisions of this Chapter.*

SEC. 3. Section 8674 of said code is amended to read:

8674. The amount of the fees prescribed by this chapter is that fixed by the following schedules:

Duplicate license		$1.00
Change of name		1.00
	Minimum	Maximum
Operator's examination	$10.00	$25.00
Operator's license	25.00	50.00
Renewal operator's license	25.00	50.00
Branch office registration	10.00	25.00
Renewal branch office registration	10.00	25.00
Field representative's examination	5.00	15.00
Field representative's license	5.00	15.00
Renewal field representative's license	5.00	15.00
Registration under Article 3.5—1% of the total charge made for an inspection and report or for work done, but not less than $1.00		

In the foregoing schedule, where a minimum and maximum amount is set forth, the board with the approval of the director shall determine and set the fee to be paid.

SEC. 4. Section 8529.5 is added to said code, to read:

8529.5. The registrar shall investigate all violations of the provisions of this chapter which shall come to his attention, and shall present his findings to the board in such form and manner as shall be designated

SEC. 5. Article 3.5, comprising Sections 8558 and 8559, is added to Chapter 14, Division 3 of said code, to read:

Article 3.5. Registration

8558. Within five days after issuing or delivering any document attesting to the absence of wood destroying organisms in or upon inspected premises, or issuing or delivering any document denying the need of remedial repair or treatment to control or eliminate wood destroying organisms in or upon inspected premises, licensees shall register with the board, a copy of such document, and pay the registration fee.

8559. Within five days after completing any work relating to the control, elimination, or prevention of wood destroying organisms, licensees shall register with the board a copy of the inspection report and recommendations covering the premises where the work was done, and a copy of the document issued or delivered attesting to the completion of such work, and pay the registration fee."

Amendment No. 3

On page 1 of said bill, strike out lines 9 to 17, inclusive.

Amendment No. 4

On page 2 of said bill, strike out lines 1 to 36, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1873—An act to add Section 24205.3 to the Education Code, relating to the conferring of degrees by schools and colleges.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2939—An act to amend Section 2421 of the Education Code, relating to school districts.

Bill read third time.

Motion to Amend

Mr. Caldecott moved the adoption of the following amendment:

Amendment No. 1

On page 1, lines 3 and 4, of the printed bill, strike out "unless subdivided by the legislative authority thereof, or".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

Speaker Pro Tempore Presiding

At 10.38 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 2305—An act to add Section 481 to the Government Code, relating to Members of the Senate.

Bill read third time

Demand for Previous Question

Messrs. Levering, Hinckley, Evans, Burke, and Silliman demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2305

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Beck moved a call of the Assembly.

Motion carried. Time, 10 52 a.m.

The Speaker pro Tempore directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brady, Brown, Crowley, Dills, Hagen, Kilpatrick, Lowrey, McFall, Munnell, Rosenthal, and Waters—11

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Sam L Collins asked for, and was granted, unanimous consent that Assembly Rule No 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3403

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3403, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3403

Assembly Bill No. 3403—An act to amend Sections 50, 51, 53, 54, and 55 of, and to add Section 55.5 to, the Fish and Game Code, relating to game management areas.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Assembly Concurrent Resolution No. 48
Assembly Concurrent Resolution No. 49

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Request for Unanimous Consent

Mr. Dolwig asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 48, at this time, without reference to print or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 48

Assembly Concurrent Resolution No. 48—Relative to approving amendments to the charter of the City of San Mateo, a municipal corporation in the County of San Mateo, State of California, voted for and ratified by the qualified electors of said city at a regular municipal election held therein on the third day of April, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—63.

NOES—None.

Resolution ordered printed, and transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Caldecott asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 49, at this time, without reference to print or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 49

Assembly Concurrent Resolution No. 49—Relative to approving amendments to the charter of the City of Berkeley, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at the regular municipal election held therein on the third day of April, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—63.

NOES—None.

Resolution ordered printed, and transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 51

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Request for Unanimous Consent

Mr. Kirkwood asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 51, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 51

Senate Concurrent Resolution No. 51—Relative to approving the charter of the City of Santa Clara, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the second day of April, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—63.

NOES—None.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1810—An act to amend Section 29(c) of the "Community Redevelopment Act," relating to employees benefits.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Silliman, Smith, Thomas, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 222—An act to amend Section 5007 of the Education Code, relating to the investment of school district funds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser,

Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lockslem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Meyers, Morris, Moss, Niehouse, Porter, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—61.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 223—An act to amend Section 18478 of the Education Code, relating to change of location of a high school.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lockslem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Meyers, Morris, Moss, Niehouse, Porter, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1545—An act to amend Section 5053 of the Business and Professions Code, relating to the State Board of Accountancy.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lockslem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Niehouse, Parker, Porter, Rumford, Silliman, Stanley, Stewart, and Thomas—59.

NOES—None.

Bill ordered transmitted to the Senate.

ANNOUNCEMENT

Speaker pro Tempore Maloney announced that William Kyne has invited the Members of the Assembly to be his guests at the fights in the "Cow Palace" in San Francisco on next Friday evening, and to be his guests at luncheon and at the races at Bay Meadows Rack Track on next Saturday, April 28th. He further announced that if everyone works diligently during the week it may be possible to accept this invitation

MEMBER EXCUSED

Speaker pro Tempore Maloney announced that Mr Waters has been absent from the Assembly Chamber today because he is attending a reapportionment meeting of the Senate Committee on Elections; and asked for, and was granted, unanimous consent that he be excused for the balance of the legislative day.

Speaker Presiding

At 11.05 a m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1856—An act to amend Sections 154, 6500, and 7000 of the Welfare and Institutions Code and to amend and renumber Section 6500.3 to be Section 7000.5 thereof and to amend the heading of Chapter 3 of Part 4 of Division 6 thereof, relating to state institutions under the jurisdiction of the Department of Mental Hygiene.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Silliman, Smith, Stanley, Stewart, and Thomas—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2669—An act to amend Section 17502 of the Business and Professions Code, relating to false advertising offenses and exceptions therefrom.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—64.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 380 BE RE-REFERRED TO COMMITTEE

Mr. Dunn asked for, and was granted, unanimous consent that Assembly Bill No. 380 be withdrawn from the third reading file, and be re-referred to the Committee on Ways and Means.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1155—An act to amend Section 54 and to add Section 60 to the State Water Resources Act of 1945, relating to flood control, declaring the urgency thereof, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser,

Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Niehouse, Parker, Porter, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—61.
NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr. Chapel asked for, and was granted, unanimous consent that his name be placed upon the roll call on Assembly Bill No. 1155, and that he be recorded as voting "Aye".

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1687

Mr. Babbage asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1687, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1687

Assembly Bill No. 1687—An act to add Section 7144.1 to the Education Code, relating to school districts constituting component parts of school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—65.
NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Constitutional Amendment No. 19—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Section 8 of Article XIII of said Constitution, relating to property tax returns.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—63.
NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1732

Mr. Brown asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1732, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1732

Assembly Bill No. 1732—An act to amend Sections 10501, 10503 and 10504 of the Water Code, relating to priority of applications to appropriate water filed by the Department of Finance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2001—An act to amend Section 22280 of, and add Section 22281.1 to, the Water Code, relating to charges in irrigation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2314—An act to amend Section 1501 of the Education Code, relating to contracts for service by county superintendent of schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—65.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1892—An act to amend Sections 1593, 2561, and 2802 of the Education Code, relating to the formation of school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Connolly, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Parker, Rumford, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—56.

NOES—Belotti, Davis, Lowrey, and Silliman—4.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1256—An act to amend Sections 20024, 20025.2, 20105, 20107, 20165, 20208, 20303, 20304, 20393, 20523, 20524, 20602, 20602.5, 20602.7, 20603, 20603.1, 20603.2, 20606, 20607, 20607.5, 20611, 20652, 20654, 20654.6, 20654.9, 20655, 20656, 20754, 20862, 20863, 20890, 20921.1, 20922, 21023, 21028, 21204, 21250, 21300, 21331, 21360, 21361, 21362, 21453 of the Government Code, to amend and renumber Section 21262 thereof (as added by Chapter 1498 of the Statutes of 1949), to repeal Sections 20654.7 and 21030 thereof, and to add Sections 20609.2, 20655.1, 21257.2, and 21365.1 thereto, relating to the State Employees' Retirement System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Parker, Porter, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—66.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1928—An act to amend Section 20606 of, and to add Sections 20019.1, 20019.2, 20461.1, 20606.1, and 20608.1 to, the Government Code, relating to the State Employees' Retirement System, in respect to members who are local motor coach operators.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Chapel, Clarke, Coats, George D. Collins, Condon, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Fleury, Gaffney, Geddes, Grant, Hahn, Hawkins, Henderson, Hollibaugh, Lindsay, Lowrey, Maloney, McCollister, McFall, McGee, Meyers, Moss, Niehouse, Parker, Porter, Rumford, Stanley, Thomas, and Mr. Speaker—41

NOES—Babbage, Cloved, Collier, Grunsky, Gubser, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Luckel, Silliman, Smith, Stewart, and Tomlinson—18.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3176—An act to add Section 2148 to, and amend Section 2411 of, the Labor Code, relating to labor camps.

Bill read third time.

Point of Order

Mr. Silliman arose to the following point of order: That Assembly Bill No. 3176 is an appropriation bill, and should be re-referred to the Committee on Ways and Means.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Assembly Bill No. 3176 Re-referred to Committee

Assembly Bill No. 3176 ordered re-referred to the Committee on Ways and Means.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 567

Mr. Waters asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 567, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 567

Assembly Bill No. 567—An act to add Sections 18811 and 26132.1 to the Revenue and Taxation Code, relating to state taxation and providing for the giving of notice to state agencies prior to presentation of claims to the State Controller.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Parker, Porter, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2305

At 11.40 a.m., on motion of Mr. Beck, further proceedings under the call of the Assembly were dispensed with.

Request for Unanimous Consent to Expunge Record, and Rescind Action on Assembly Bill No. 2305

Mr. Beck asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on this day, refused passage to Assembly Bill No. 2305.

Assembly Bill No. 2305 ordered to third reading.

Request for Unanimous Consent That Assembly Bill No. 2305 Be Re-referred to Committee

Mr. Beck asked for, and was granted, unanimous consent that Assembly Bill No. 2305 be withdrawn from the third reading file, and be re-referred to the Committee on Constitutional Amendments.

MEMBER EXCUSED

At 11.41 a.m., Mr. Condon asked for, and was granted, unanimous consent that Mr. Hagen be excused, for the balance of the legislative day, because of legislative business elsewhere.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, upon the request of Mr. Condon, the notice of motion by Mr. Hagen to reconsider the vote whereby Assembly Bill No. 3202 was refused passage was continued until the next legislative day.

MEMBERS EXCUSED

At 11.42 a.m., Mr. Beck asked for, and was granted, unanimous consent that Messrs. Munnell and Rosenthal be excused, for the balance of the legislative day, because of legislative business elsewhere; and that Mr. Kilpatrick be excused for the balance of the legislative day, and that he desires to waive his per diem.

At 11.43 a.m., Mr. Dickey asked for, and was granted, unanimous consent that Mr. Crowley be excused, for the balance of the legislative day, because of legislative business elsewhere.

REQUEST FOR UNANIMOUS CONSENT THAT OPINION OF LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Mr. Geddes asked for, and was granted, unanimous consent that an opinion of the Legislative Counsel, relative to a motion to re-refer a bill from one committee to another committee, be ordered printed in the Journal, in 10 point type, as follows:

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, April 19, 1951

Honorable Ernest R. Geddes
Assembly Chamber

MOTION TO RE-REFER BILL FROM ONE COMMITTEE TO ANOTHER COMMITTEE—No. 7432

DEAR MR. GEDDES:

Question

You call our attention to Rule 81, which reads:

"A motion to withdraw a bill or resolution from committee, or to re-refer a bill or resolution from one committee to another committee may be made during the regular order of business. A motion to re-refer shall only be debatable as to the propriety of such reference, and shall require a recorded vote of a majority of the elected members.

"No bill or resolution shall be withdrawn from committee and placed upon the file except upon two days' notice thereof and except by a recorded vote of a majority of the elected members."

In this connection you ask:

"1. Does this language mean that the discussion is confined to whether or not the bill which is sought to be re-referred has been

referred to the proper committee in the first instance, or may the debate go beyond such question?

"2. In determining whether a bill has been referred to a proper committee, would Rules of the Assembly or Joint Rules of the Assembly and the Senate determine whether a particular bill has been properly or improperly referred to a specific committee?

"3. With respect to the reference of bills to committee, is there any limitation as to the committee to which a particular bill may be referred and with respect to this limitation if it exists, what is its nature and extent?"

Opinion

1. The making of the motion does not authorize debate on the merits of the bill. The subject of debate is limited as to the propriety of the proposed re-reference.

2. The question of the appropriate committee to which a bill should be referred is determined by the Rules of the Assembly and the precedents established by that body.

3. We find no limitations in the Assembly Rules or in parliamentary practice as to the committee to which a bill may be referred or to the number of committees to which it may be successively referred except the requirement for the consideration of certain bills by the Committee on Ways and Means.

Analysis

As to the first question, the subject of debate is the propriety of re-reference of the bill to the second committee. The question is not whether the original reference was improper. It should be noted that except for the provisions of Rule 45, requiring certain bills to be referred to the Committee on Ways and Means, the Assembly Standing Rules do not impose restrictions upon original reference of bills. Rule 35 provides in part that immediately following its first reading the Speaker shall refer each bill to "a committee," unless upon motion the Assembly, by a majority vote of its entire elected membership, shall refer it to some other committee.

The practice of the Assembly of referring particular bills to particular committees is governed by precedent and custom and is not fixed by the Rules. Hence, the motion to re-refer a bill involves essentially the question as to whether the committee to which it is proposed to be re-referred is a proper one to consider the particular bill. Rule 81 specifically limits debate to the propriety of such reference and precludes discussion of the merits of the bill.

As to the second question, the only provision in the Joint Rules of the Senate and Assembly relating to standing committees of the houses is contained in Joint Rule 1, which provides that each house shall appoint such standing committees as the business of the house may require, the committees, the number of members and the manner of selection to be determined by the Rules of each house.

As stated above, the Standing Rules of the Assembly do not contain specific provisions regarding reference of bills to particular committees except with reference to the Committee on Ways and Means. While custom and precedent indicate that certain bills are normally referred to certain

committees, the propriety of consideration of any bill by a particular committee is one reserved for determination by the House itself.

As to the third question, we find no limitations imposed upon reference of bills to particular committees nor any provision that would preclude the House from causing a particular bill to be considered by more than one committee.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By LAWRENCE G. ALLYN,
Deputy

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 543—An act to add Section 6404.1 to the Labor Code, dealing with safety devices and safeguards.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Parker, Porter, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2220—An act to amend Section 5932 of the Elections Code and to repeal Sections 5882 and 7791.5, and Article 3a of Chapter 5 of Division 8 of said code, relating to absent voting.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Colher, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Moss, Parker, Porter, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

ANNOUNCEMENT

Mr. Brady announced, on behalf of Mr. Beck, a Democratic luncheon meeting and Caucus upon recess today, at the Hotel Sacramento.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 171
Assembly Bill No. 550
Assembly Bill No. 811
Assembly Bill No. 1651
Assembly Bill No. 2137
Assembly Bill No. 2528
Assembly Bill No. 2909

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 66—An act to amend Section 1535.4 of the Military and Veterans Code, relating to civil defense;

Assembly Bill No. 74—An act to amend Section 970 of the Military and Veterans Code, relating to county service officers;

Assembly Bill No. 525—An act to add Article 5, comprising Sections 16485 to 16490, inclusive, to Chapter 3 of Part 2 of Division 4 of Title 2 of the Government Code, relating to interfund purchases, sales and transfers of bond investments;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of April, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 558—An act to amend Sections 18301 and 18302 of, and to add Sections 17784.4, 18168, and 18301.1 to, and to repeal Section 18304.1 of, the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately;

Assembly Bill No. 560—An act to amend Section 23332 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act take effect immediately.

Assembly Bill No. 561—An act to amend Section 26132 of the Revenue and Taxation Code, relating to taxation of banks, corporations, Massachusetts trusts and associations;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of April, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 562—An act to amend Section 26105 of the Revenue and Taxation Code, relating to taxation of banks, corporations, Massachusetts trusts and associations;

Assembly Bill No. 564—An act to add Section 26163 to the Revenue and Taxation Code, relating to taxation of banks, corporations, Massachusetts trusts and associations;

Assembly Bill No. 568—An act to add Section 18933 to the Revenue and Taxation Code, relating to personal income taxes;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of April, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 569—An act to amend Sections 18807 and 18808 of the Revenue and Taxation Code, relating to personal income taxes;

Assembly Bill No. 571—An act to amend Sections 17003, 17013, 17521, 18405, 18431, 18554, 18584, 18590, 18687, 18689, 18802, 19086, 19254, 19451, and 19452 of, and to add Sections 17012.5 and 17522 to, the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately;

Assembly Bill No. 572—An act to amend Section 23253 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of April, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 580—An act to amend Section 23153 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act take effect immediately;

Assembly Bill No. 605—An act to amend Sections 403.5 and 765 of the Vehicle Code, relating to violations of the Vehicle Code in order to comply with regulations promulgated under Civil Defense Act of 1950, or the California Disaster Act;

Assembly Bill No. 612—An act to provide for the disposition of the unexpended balance of moneys in the California State Building Fund of 1925;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of April, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 613—An act to add Section 12463.2 to, and to repeal Section 12461.5 of, the Government Code, relating to the duties of the Controller;

Assembly Bill No. 615—An act to amend Sections 11251, 11252, and 17242 of the Government Code, relating to reimbursement warrants and plans of financial adjustment covering reimbursements between state agencies;

Assembly Bill No. 659—An act to amend Section 27 of the Probate Code, relating to those who may take by will;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of April, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 817—An act to add Article 5.5 to Chapter 1 of Part 2 of Division 1 of the Insurance Code, in relation to prohibiting the designation of particular insurance agents or brokers by persons, firms and corporations loaning money on the security of personal and real property;

Assembly Bill No. 957—An act to amend Section 11041 of the Government Code, relating to legal services for the Division of Labor Law Enforcement;

Assembly Bill No. 1033—An act to amend Sections 17090 and 17091 of, and to add Section 17096 to, the Government Code, and to amend Section 141 of the Welfare and Institutions Code, relating to the issuance of duplicate warrants by the State Controller;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of April, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1124—An act to amend Sections 131.5 and 133 of the Civil Code, relating to interlocutory and final judgments of divorce;

Assembly Bill No. 1918—An act to amend the Building and Loan Association Act by amending Section 6.01 thereof, and to amend Section 8102 of the Financial Code, relating to withdrawals;

Assembly Bill No. 1988—An act to repeal Chapters 12, 13, and 14 of Division 3 of the Education Code; to repeal Articles 2 and 3 of Chapter 16 of Division 3 of said code; to repeal Sections 9614, 9615, 9616, 9642, 16486, and 16486a of said code; to repeal Sections 671 and 671.1 of the Welfare and Institutions Code; to add Chapters 12, 13, and 14 to Division 3 of the Education Code; to add Articles 2 and 3 to Chapter 16 of Division 3 of said code; and to add Sections 8704 and 8761 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of April, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2341—An act to amend Section 84 of the Civil Code, relating to award of custody of children of annulled marriage;

Assembly Bill No. 2342—An act to add Section 88 to the Civil Code, relating to restoration of name in action to annul or void marriage,

Assembly Bill No. 2647—An act to amend Sections 963 and 983 of the Code of Civil Procedure, relating to appeals;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of April, 1951, at 11 a m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2674—An act to amend Section 2142 of the Business and Professions Code, relating to violations under the chapter on medicine and surgery;

Assembly Bill No. 2676—An act to amend Section 2385 of the Business and Professions Code, relating to the grounds for denial, suspension or revocation of certificates issued under the chapter on medicine of the Business and Professions Code;

Assembly Bill No. 2677—An act to amend Section 2288 of the Business and Professions Code, relating to subjects of examination for a physician's and surgeon's certificate;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of April, 1951, at 11 a m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2678—An act to amend Section 2435 of the Business and Professions Code, relating to the practice of the healing arts;

Assembly Bill No. 2679—An act to amend Section 2193 of the Business and Professions Code, relating to applicants for a physician's and surgeon's certificate;

Assembly Bill No. 2899—An act to amend Section 13290 of the Government Code, relating to the State Accounting System and the fiscal affairs of the State;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of April, 1951, at 11 a m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3083—An act to amend Section 6107 of the Government Code, relating to issuance of certified copies of public records to veterans;

And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-first day of April, 1951, at 11 a m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 29—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1½ of Article XIII thereof, relating to taxation;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twenty-first day of April, 1951, at 11 a m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 44—Approving 14 certain amendments to the Charter of the City of Los Angeles, a municipal corporation, in the County of Los Angeles, State of California, voted for and ratified by the electors of said city at a general municipal election held therein on the third day of April, 1951;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twenty-first day of April, 1951, at 11 a m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1094—An act to add Section 19301 1 to the Education Code, relating to cafeterias in public schools,

Assembly Bill No. 1107—An act to amend Section 1303 of the Education Code, relating to superintendents of schools;

Assembly Bill No. 2791—An act to add Section 31676.8 to the Government Code, relating to retirement allowances of retired county employees;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of April, 1951, at 11 a m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 49—An act to amend Section 795.1 of the Agricultural Code, relating to oranges;

Assembly Bill No. 421—An act to amend Section 18852 of the Education Code, relating to school supplies and equipment;

Assembly Bill No. 606—An act to amend Section 1714 5 of the Civil Code, relating to liability of one who owns or maintains any building or premises designated as a shelter from enemy attacks, declaring the urgency thereof, to take effect immediately,

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of April, 1951, at 11 a m.

BURKE, Chairman

RECESS

At 11 46 a m , on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding

Chief Clerk Arthur A Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 340

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills Nos 2696, 182, and 2343 re-referred to the Committee on Ways and Means

Assembly Constitutional Amendment No 5 re-referred to the Committee on Ways and Means.

Assembly Bill No. 2254 re-referred to the Committee on Education.

Assembly Bills Nos. 313, 1789, 1903, 2042, and 555 re-referred to the Committee on Municipal and County Government

Assembly Bills Nos. 340 and 3390 re-referred to the Committee on Conservation, Planning, and Public Works

Assembly Bill No. 2451 re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2376 re-referred to the Committee on Manufacturing, Oil, and Mining Industry.

Senate Bill No. 407 re-referred to the Committee on Municipal and County Government.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2061

Mr. Kirkwood asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2061, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2061

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 2061:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, April 20, 1951

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

Assembly Bill No. 2061, "An act to continue in effect Sections 1, 2, 3, 4, 6, 7, 8, 8.5, 8 6, 9 and 11.5 of an act entitled 'An act to repeal Section 10 of an act entitled, "An act to repeal Chapters 2, 3, 4, 12, 13, 13.5, 13.6, 14, 15, 15.5, 16, and 16.5 of the Education Code; to add Chapters 2, 12, 13, 14, 15, and 16 to said code; to amend Section 8761 of said code; and to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately," approved May 28, 1947 (Chapter 401, Statutes of 1947), to provide for the continuance in effect of an act entitled "An act to amend Section 10 of an act entitled 'An act to repeal Chapter 2, 3, 4, 12, 13, 13.5, 13 6, 14, 15, 15.5, 16, and 16 5 of the Education Code; to add Chapters 2, 12, 13. 14, 15, and 16 to said code; to amend Section 8761 of said code; and to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately,' approved May 28, 1947 (Chapter 401, Statutes of 1947); to repeal Sections 6713, 7039, 7052, 7064, 7068, 7117, 7126, 7128, and 7147 of the Education Code; to repeal Article 4 of Chapter 13, and Article 6 of Chapter 14, of Division 3 of said code; to add Article 4 to Chapter 13, Article 6 to Chapter 14, and Articles 1 and 13 5 to Chapter 15, of Division 3 of said code; to add Sections 5157, 7126, 7132, and 7151 to said code; to amend the headings of Articles 1 and 13 of Chapter 15 of Division 3 of said code; and to amend Sections 5152, 5153, 5156, 6703, 6714, 6812, 7002, 7012, 7023, 7032, 7033, 7034, 7035, 7036, 7037, 7038, 7041, 7061, 7062, 7063, 7067, 7081, 7091, 7092, 7094, 7095, 7101, 7103, 7111, 7112, 7113, 7114, 7115, 7116, 7121, 7122, 7124, 7130, 7146, 7146 1, 7148, 7149, 7150, 7208, 7231, and 9645 of said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately," approved July 20, 1949 (Chapter 1017, Statutes of 1949) except Section 1 thereof; to repeal Sections 6714 and 7094 of the Education Code; to add Sections 5153 3 and 6904 to said code; and to amend Sections 7091, 7092, 7095, 7113, 7116, and 6951 of said code, to repeal Articles 2 and 3 of Chapter 15, Division 3 of said code and to add Articles 2 and 11 6 to Chapter 15, Division 3 of said code all relating to the Public School System,' approved May 5, 1950 (Chapter 74, Statutes 1950 First Extraordinary Session); to repeal Sections 2 5, 5, 10, 12, and 13 of said act; to repeal Sections 5153 3, 6812 and 7091 of the Education Code; to repeal Articles 2, 3 and 11 6 of Chapter 15 of Division 3 of said code; to add Sections 5153 3, 6804, 6812 and 7091 to said code; and to add Articles 2 and 11 6 to Chapter 15 of Division 3 of said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

In making their financial plans for the next fiscal year school districts need to know as soon as practicable what revenue can be counted on. This is particularly

true of those districts which have to meet the problems involved in coping with rapidly increasing enrollments Some of such districts are contemplating the calling of special elections to permit an increase in their tax rates because of the costs involved in meeting large increases in attendance The voters are entitled to know the base on which state apportionments will be paid when voting on such proposals, and the districts need the same information in determining whether or not to call such elections.

I therefore recommend consideration of Assembly Bill No. 2061 as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor

Assembly Bill No. 2061—An act to continue in effect Sections 1, 2, 3, 4, 6, 7, 8, 8.5, 8.6, 9, and 11.5 of an act entitled "An act to repeal Section 10 of an act entitled 'An act to repeal Chapters 2, 3, 4, 12, 13, 13.5, 13.6, 14, 15, 15.5, 16, and 16.5 of the Education Code; to add Chapters 2, 12, 13, 14, 15, and 16 to said code; to amend Section 8761 of said code; and to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately,' approved May 28, 1947 (Chapter 401, Statutes of 1947), to provide for the continuance in effect of an act entitled 'An act to amend Section 10 of an act entitled "An act to repeal Chapters 2, 3, 4, 12, 13, 13.5, 13 6, 14, 15, 15.5, 16, and 16.5 of the Education Code; to add Chapters 2, 12, 13, 14, 15, and 16 to said code; to amend Section 8761 of said code; and to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately," approved May 28, 1947 (Chapter 401, Statutes of 1947); to repeal Sections 6713, 7039, 7052, 7064, 7068, 7117, 7126, 7128, and 7147 of the Education Code; to repeal Article 4 of Chapter 13, and Article 6 of Chapter 14, of Division 3 of said code; to add Article 4 to Chapter 13, Article 6 to Chapter 14, and Articles 1 and 13 5 to Chapter 15, of Division 3 of said code; to add Sections 5157, 7126, 7132, and 7151 to said code; to amend the headings of Articles 1 and 13 of Chapter 15 of Division 3 of said code; and to amend Sections 5152, 5153, 5156, 6703, 6714, 6812, 7002, 7012, 7023, 7032, 7033, 7034, 7035, 7036, 7037, 7038, 7041, 7061, 7062, 7063, 7067, 7081, 7091, 7092, 7094, 7095, 7101, 7103, 7111, 7112, 7113, 7114, 7115, 7116, 7121, 7122, 7124, 7130, 7146, 7146.1, 7148, 7149, 7150, 7208, 7231, and 9645 of said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately,' approved July 20, 1949 (Chapter 1017, Statutes of 1949) except Section 1 thereof; to repeal Sections 6714 and 7094 of the Education Code; to add Sections 5153.3 and 6904 to said code; and to amend Sections 7091, 7092, 7095, 7113, 7116, and 6951 of said code, to repeal Articles 2 and 3 of Chapter 15, Division 3 of said code and to add Articles 2 and 11.6 to Chapter 15, Division 3 of said code all relating to the Public School System," approved May 5, 1950 (Chapter 74, Statutes 1950 First Extraordinary Session); to repeal Sections 2.5, 5, 10, 12, and 13 of said act; to repeal Sections 5153.3, 6812, and 7091 of the Education Code; to repeal Articles 2, 3, and 11 6 of Chapter 15 of Division 3 of said code; to add Sections 5153.3, 6812, and 7091 to said code; and to add Articles 2 and 11.6 to Chapter 15 of Division 3 of said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. McGee moved the adoption of the following amendments:

Amendment No. 1

On page 9 of the printed bill, as amended in the Assembly on April 18, 1951, after line 12, insert

"7018.1. In addition to all other amounts allowed to a school district under this article, the Superintendent of Public Instruction shall allow to each school district an amount equal to the cost to the district during the preceding fiscal year of transporting blind, deaf, cerebral palsied, and orthopedically handicapped minor pupils to and from special day classes but not in excess of three hundred fifty dollars ($350) for each unit of average daily attendance of such pupils during the next preceding fiscal year resulting from the attendance of such pupils on the special day classes to and from which they were transported by the district.

7018.2. The Superintendent of Public Instruction shall allow to the county school service fund of each county an amount equal to the cost to the county superintendent of schools during the preceding fiscal year of transporting blind, deaf, cerebral palsied, and orthopedically handicapped minor pupils to and from special day classes but not in excess of three hundred fifty dollars ($350) for each unit of average daily attendance during the next preceding year resulting from the attendance of such pupils on the special day classes to and from which they were transported by the county superintendent of schools."

Amendment No. 2

On page 9, line 29, of said bill, after "($3)", insert "and adding the amounts allowed under Sections 7018.1 and 7018.2".

Amendments read.

Roll Call Demanded

Messrs. McGee, Beck, and Lyon demanded a roll call.

The roll was called, and the amendments adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Collier, George D. Collins, Condon, Connolly, Conrad, Dickey, Evans, Gaffney, Grant, Hahn, Henderson, Holbrbaugh, Kelly, Klocksiem, Lanterman, Levering, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Morris, Niehouse, Parker, Porter, Rumford, Smith, Stewart, Thomas, and Waters—40.

NOES—Babbage, Caldecott, Clarke, Cloved, Coats, Davis, Dolwig, Erwin, Fleury, Gubser, Hagen, Hansen, Hinckley, Kirkwood, Lincoln, Lindsay, Lowrey, Moss, and Tomlinson—19.

Consideration of Further Amendments

Motion to Amend Title

Mr. Kirkwood moved the adoption of the following amendments to the title:

Amendment No. 1

In line 23 of the title of the printed bill, as amended in the Assembly on April 18, 1951, strike out "6408,".

Amendment No. 2

In line 45 of the title of said bill, after "5153.3," insert "6804,".

Amendments read, and adopted

Bill ordered reprinted, re-engrossed, and to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 188—An act to amend Section 925 of the Fish and Game Code, relating to purse and round haul nets.

Bill read third time.

Motion to Amend

Mr. Stanley moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 7, of the printed bill, as amended in the Assembly on April 19, 1951, strike out "31st", and insert "30th".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2663 HOLD PLACE ON FILE

Mr. Chapel asked for, and was granted, unanimous consent that Assembly Bill No. 2663 be passed on file, and hold its place on file on the next legislative day.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 985 BE WITHDRAWN FROM COMMITTEE FOR AMENDMENT, AND BE RE-REFERRED

Mr. Stewart asked for, and was granted, unanimous consent that Assembly Bill No. 985 be withdrawn from the Committee on Governmental Efficiency and Economy for purpose of amendment, and be re-referred to the Committee on Governmental Efficiency and Economy.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 985—An act to amend Section 18100 of Division 13, Part 2 of the Health and Safety Code, relating to auto courts and resorts, auto and trailer parks.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In the title of the printed bill, strike out lines 1 and 2, and insert

"An act to amend Sections 18100.5, 18104.5, 18105, 18107.1, 18108, 18109, 18200, 18201, 18202, 18203, 19302, 18303, 18304, 18306, 18308, 18432, 18435, 18450, 18455.5, 18460, 18462, 18466.8, 18467, 18470, and 18470.5 of the Health and Safety Code; to amend and renumber Section 18100 thereof; to amend the title of Part 2, Division 13 thereof, and the title of Chapter 4, Part 2, Division 13 thereof; to add Sections 18100, 18104.7, 18105.1, 18105.2, 18106.6, 18107.2, 18110, 18110.5, 18200.2, 18200.3, 18200.4, 18200.6, 18200.8, 18300.5, 18301.5, 18307, 18450.5, 18453, 18460.1, 18466.9, 18470.1, and 18470.2 thereto, Articles 4 and 5 to Chapter 4, Part 2, Division 13 thereof, and Chapter 5 to Part 2, Division 13 thereof; to repeal Sections 18101, 18102, 18102.5, 18103, 18300, and 18301, and Chapters 5, 5.5, 6, and 7 of Part 2, Division 13 therefrom, relating to auto courts, motels, and resorts, and".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. The heading of Part 2, Division 13 of the Health and Safety Code is amended to read:

Part 2. *The State* Auto Court [s], *Motel* and Resort [s,] *Act* [Auto and Trailer Parks]

SEC. 2. Section 18100 of said code is amended and renumbered to read:

[18100.] *18100.1.* "Auto Court" [and] *or* "resort" [as used in this part] means any area, place, or tract of land where two or more single **family** dwellings, or

a building containing two or more apartments designed, used, or intended wholly or in part for the accommodation of transients, are located and offered for hire, rent or lease by any person, firm or corporation. Auto court [and] *or* resort also includes any motel.

SEC. 3. Section 18100 is added to said code, to read:

18100. This part may be cited as the "State Auto Court, Motel and Resort Act."

SEC. 4. Section 18100.5 of said code is amended to read:

18100.5. "Motel" [as used in this part,] means a building of not more than one story containing six or more guest rooms or apartments, or combinations thereof, each of which has a separate, individual entrance leading directly from the outside of the building and is designed, used or intended wholly or in part for the accommodation of [automobile] transients.

SEC. 5. Sections 18101, 18102, 18102.5 and 18103 of said code are hereby repealed.

SEC. 6. Section 18104.5 of said code is amended to read:

18104.5. "Approved" when used in connection with any material, [appliance or construction] *method or type of construction or appliance*, means meeting the [requirements and approval of the Division of Housing of the Department of Industrial Relations of the State of California] *approval of the enforcement agency as the result of investigation and tests conducted by the agency, or by reason of accepted principles or tests by national authorities, technical, health or scientific organizations or agencies*.

SEC. 7. Section 18104.7 is added to said code, to read:

18104.7. "Approved agency" means an established and recognized agency regularly engaged in conducting tests or furnishing services, when such agency has been approved by the enforcement agency.

SEC. 8. Section 18105 of said code is amended to read:

18105. "Building" [as used in this part] means a tent, tent-house, single and multifamily dwelling, *motel*, public toilets, public baths, and laundry rooms or other structures [and a compartment containing a toilet or bath, or both, constructed for the exclusive use of an occupant of a campsite].

SEC. 9. Section 18105.1 is added to said code, to read:

18105.1. "Building department" means the Division of Housing in the Department of Industrial Relations or the officer, department, or agency of a county charged with the enforcement of the provisions of this part pertaining to the erection, construction, reconstruction, demolition, movement, conversion, enlargement, alteration, or arrangement of, or the installation of plumbing or gas appliances or the installation of electrical wiring, fixtures, and appliances in, buildings, structures, or premises within the county.

SEC. 10. Section 18105.2 is added to said code, to read:

18105.2. "Building department, duly established" means a department that enforces the provisions of this part

SEC. 11. Section 18106.6 is added to said code, to read:

18106.6. "Health department" means the health officer of a county or health district or his regularly authorized representative.

SEC. 12. Section 18107.1 of said code is amended to read:

18107.1. "Liquefied petroleum gas" means petroleum hydrocarbons or mixtures thereof, in liquid or gaseous state, having a vapor pressure in excess of 26 psi at a temperature of 100 degrees F. Whenever the symbol ["LPC"] *"LPG"* is used it shall mean liquefied petroleum gas.

SEC. 13. Section 18107.2 is added to said code, to read:

18107.2. "Fire department" means the chief of a county or fire district fire department or his regularly authorized representative.

SEC. 14. Section 18108 of said code is amended to read:

18108. In an auto court, *motel or* [and] resort [or auto and trailer camp], "nuisance" includes any of the following:

(a) Any public nuisance known at common law or in equity jurisprudence.

(b) Whatever is dangerous to human life or is detrimental to health.

(c) The overcrowding of any room with occupants.

(d) Insufficient ventilation or illumination of any room.

(e) Inadequate or insanitary sewage or plumbing facilities.

(f) Whatever renders air, food, or drink unwholesome, or detrimental to the health of human beings.

SEC. 15. Section 18109 of said code is amended to read:

18109. The provisions of this part relating to auto courts, *motels, or* [and] resorts apply only in the unincorporated areas of this State. [The provisions of this part relating to auto and trailer camps apply to all parts of the State except within cities and cities and counties that have enacted and are enforcing local ordinances regulating auto and trailer camps and such ordinances prescribe minimum standards equal to or greater than the provisions of this part relating to auto and trailer camps. The provisions of this part shall not prevent authorities of any city, county, or city and county, within the reasonable exercise of the police power, from prohibiting auto

and trailer camps within such city, county, or city and county, or from adopting rules and regulations, by ordinance or resolution, prescribing higher standards of sanitation, health and safety for auto and trailer camps and requiring a local health permit to maintain and conduct any such auto and trailer camp within such city, county, or city and county.] *Nothing in this act shall prohibit health departments from enforcing in auto courts, motels or resorts the general provisions of state laws and local ordinances pertaining to public health.*

SEC. 16. Section 18110 is added to said code, to read:

18110. The provisions of this part are not intended to prevent the use of any material, appliance, installation, device, arrangement, or method of construction not specifically prescribed by this part, if such alternate has been approved.

The building department may approve any such alternate if it finds that the proposed design is satisfactory and that the material, appliance, device, arrangement, or method of work offered is, for the purpose intended, at least the equivalent of that prescribed in this part in quality, strength, effectiveness, fire resistance, durability, safety, and for the protection of life and health.

The building department may require that sufficient evidence or proof be submitted to substantiate any claims that may be made regarding its use.

SEC. 17. Section 18110.5 is added to said code, to read:

18110.5 Whenever there is evidence that any material, appliance, installation, device, arrangement, or method of construction does not conform to the requirements of this part, or in order to substantiate claims for the alternates, the building department may require tests as proof of compliance to be made at the expense of the owner or his agent by an approved agency.

The building department shall determine the test procedure. Copies of the results of all such tests shall be kept on file in the office of the building department for a period of not less than two years after the acceptance of the building.

SEC. 18. Section 18200 of said code is amended to read:

18200 [The California Highway Patrol shall enforce the provisions of Section 18602. The Division of Housing in the Department of Industrial Relations shall enforce every other provision of this part; provided, however, that the health officer of the county or of the city in which an auto and trailer park, is situated, may enforce the provisions of Articles 3, 4 and 5 of Chapter 5 of this code.]

The Division of Housing in the Department of Industrial Relations shall enforce all of the provisions of this part except as otherwise provided herein; provided however that the division shall give written notice to the county building, health or fire department, as the case may be, of the existence of any violation of this part.

Construction fees provided for in this part shall be payable to the division in the absence of a duly established county building department.

The officers or agents of [the Division, or the county health officer, or a city health officer] *the designated enforcement agency* may:

(a) Enter public or private property to determine whether there exists any auto court, [and] *motel or* resort [, auto camp or trainer camp] to which this part applies.

(b) Enter and inspect all auto courts, *motels or* [and] resorts, [auto camps or trailer camps,] wherever situated, and inspect all accommodations, equipment, or paraphernalia used in connection therewith, including the right to examine any registers of occupants maintained therein in order to secure enforcement of the provisions of this part.

SEC. 19. Section 18200.2 is added to said code, to read:

18200.2. The building department of every county, that has a duly established building department, shall enforce within the unincorporated area of the county, all the provisions of this part pertaining to the construction or alteration of an auto court, motel or resort.

SEC. 20. Section 18200.3 is added to said code, to read:

18200.3. In every county which does not have a duly established building department, the Division of Housing in the Department of Industrial Relations shall enforce in the unincorporated area of such county all of the provisions of this part pertaining to the construction or alteration of an auto court, motel or resort.

SEC. 21. Section 18200.4 is added to said code, to read:

18200.4. County building departments shall file with the Division of Housing on or before the tenth day of each month the name and address of the owner or operator, the address or location of the auto court, motel or resort and the number of apartments or units and sanitary facilities permitted during the preceding month.

SEC. 22. Section 18200.6 is added to said code, to read:

18200.6 The health department of every county may enforce all of the provisions of this part pertaining to the maintenance and sanitation of an existing auto court, motel or resort.

SEC. 23. Section 18200.8 is added to said code, to read:

18200.8. The fire department of every county, that has an established fire department, may enforce all of the fire-safety provisions of this part in an existing auto court, motel or resort.

SEC. 24. Section 18201 of said code is amended to read:

18201. The owner or operator of the auto court, *motel or* [and] resort [or an auto and trailer camp] shall abate any nuisance in the court, *motel or* [and] resort [or camp] within five days, or within such longer period of time as may be allowed by the [Division of Immigration and Housing,] *enforcement agency*, after he has been given written notice by the [division] *agency* to remove the nuisance. If he fails to do so within that time, the district attorney of the county in which the auto court, *motel or* [and] resort [or camp], or the greater portion of the auto court, *motel or* [and] resort [or camp], is situated shall bring a civil action to abate the nuisance in the superior court of the county in the name of the people of the State of California.

SEC. 25. Section 18202 of said code is amended to read:

18202. In any action or proceeding to abate a nuisance in an auto court, *motel* [and] *or* resort [or auto and trailer camp], proof of the following facts is sufficient for a judgment or order for the abatement of the operation of the auto court, *motel or* [and] resort [or auto and trailer camp]:

(a) Previous conviction of the owner or operator of the auto court, *motel or* [and] resort [or auto and trailer camp] of a violation of this part which constitutes a nuisance.

(b) Failure on the part of the owner or operator to correct the violations after the conviction

(c) The violation is the basis for the proceeding

SEC. 26. Section 18203 of said code is amended to read:

18203. For the purpose of securing the enforcement of this part the officers or agents of the [Division of Housing] *enforcement agency* shall have the authority of peace officers, including authority to make arrests, to serve any process or notice throughout the State, and generally such other authority of peace officers as may be necessary in order to secure enforcement of this part.

SEC. 27. Section 18300 of said code is hereby repealed.

SEC. 28. Section 18300.5 is added to said code, to read:

18300.5. It is unlawful for any person to do any of the following unless he first makes application in writing to the Division of Housing or to a county building department, as the case may be, and obtains a permit therefor:

(a) Construct an auto court, motel, or resort in an unincorporated area of a county, or portion of a county, not having a duly established building department without first obtaining a construction permit from the Division of Housing.

(b) Construct additional buildings or reconstruct or move buildings in an existing auto court, motel, or resort in an unincorporated area of a county, or portion of a county, not having a duly established building department without first obtaining a construction permit from the Division of Housing.

(c) Operate, or rent, lease, sublease, let, or hire out for occupancy any building in an auto court, motel or resort that has been constructed, reconstructed or altered or moved without having obtained a permit to operate from the Division of Housing.

(d) Operate an auto court, motel or resort, for which a fee of one hundred dollars ($100) has never been paid to the Division of Housing for construction or operation, provided, however, that this provision shall not apply to any auto court, motel or resort to which a valid construction or operation permit has been issued by the division.

(e) Construct an auto court, motel or resort in an unincorporated area of a county having a duly established building department without first obtaining a construction permit from the county building department

(f) Construct additional buildings or reconstruct or move buildings in an existing auto court, motel or resort in an unincorporated area of a county having a duly established building department without first obtaining a construction permit from the county building department

SEC. 29. Section 18301 of said code is hereby repealed.

SEC. 30. Section 18301.5 is added to said code, to read:

18301.5. In the case of a new auto court, motel or resort, the application shall be accompanied by:

(a) A description of the grounds upon which the auto court, motel or resort is to be constructed.

(b) Plans and specifications of the proposed construction

(c) A description of the water supply, ground drainage, and method of sewage disposal

(d) A fee of one hundred dollars ($100) when and where the Division of Housing has jurisdiction or the fee required by local ordinance when and where a county building department has jurisdiction.

SEC. 31. Section 18302 of said code is amended to read:

18302. In the case of an existing auto court, *motel* [and] *or* resort [or auto and trailer camp,] the application shall be accompanied by:

(a) A description of the grounds upon which buildings are to be added or reconstructed, or to which buildings are to be moved [, or which is to be used for camping purposes].

(b) Plans and specifications of the proposed addition, reconstruction or movement.

(c) A description of the water supply, ground drainage, and method of sewage disposal

(d) In *the case of* an auto court, *motel* [and] *or* resort [or a motel] *which is located in an unincorporated area of a county that does not have a duly established county building department, a* fee of [two dollars ($2)] *ten dollars ($10) payable to the Division of Housing* for every apartment in a building which is added or reconstructed or moved, and provided, however, that no fee greater than [twenty-five dollars ($25)] *one hundred dollars ($100)* shall be required. *The fee in a county having a duly established county building department shall be as established by county ordinance*

[(e) In an auto and trailer park a fee of two dollars ($2) for each additional camp site; provided, however, that no fee greater than twenty-five dollars ($25) shall be required.]

SEC. 32. Section 18303 of said code is amended to read:

18303. [Within 10 days] After the application, descriptions, plans and specifications, and required fee, if any, are filed and paid, an inspector of the Division of [Immigration and] Housing *or of a county building department* shall inspect the grounds upon which the applicant proposes to do the work for which he seeks a permit. The division *or county building department* shall issue a written permit *to construct* to the applicant if, in its opinion:

(a) The grounds are satisfactory for the work proposed.

(b) The descriptions, [and] plans and specifications filed indicate that the work proposed will meet the requirements of this part.

It is provided, however, that in counties served by a county health department receiving State and Federal subsidy funds, the division or county building department shall require the applicant to obtain from such health department prior approval of the method of sewage disposal, the source, safety, adequacy, and potability of the water supply, vector control and garbage and refuse disposal

SEC. 33. Section 18304 of said code is amended to read:

18304. The Division of Housing shall be notified by the new owner or operator *or lessee* of any auto court, *motel* [and] *or* resort [or auto and trailer camp] of any change in [the name of or the] ownership or possession thereof. [Said] *The* notice shall be in written form and shall be furnished within 30 days from and after any such [change in name or] transfer of ownership or possession. The notice shall be accompanied by a transfer fee of ten dollars ($10).

SEC. 34. Section 18306 of said code is amended to read:

18306. All permits as required in this chapter for construction or reconstruction of an auto court [and], *motel or* resort [or auto and trailer camp] shall automatically expire [within] six months from the date of the issuance thereof in those cases where the construction or reconstruction has not been [completed] *started* within said period [; provided, however, that]. The Division of [Immigration and] Housing *or the county building department* may extend the expiration date of said permit for a reasonable time.

SEC. 35. Section 18307 is added to said code, to read

18307. All permits as required in this chapter for the operation of an auto court, motel or resort shall expire 30 days after notice in writing to the owner or operator from the Division of Housing that the occupancy of the auto court, motel or resort is not as defined in Section 18100.1 of this part

SEC. 36. Section 18308 of said code is amended to read:

18308. In the event that any person holding a permit *to operate* issued by the Division of Housing under [Chapters 3, 4 and 5 of Part 2, Division 13,] the provisions of this [code,] *Part* violates any of the provisions of the [said] permit or of [the said chapters] *this part, or of any county, health or building ordinance*, the permit may be subject to suspension as provided in this chapter.

SEC. 37. The heading of Chapter 4 of Part 2, Division 13 of said code is amended to read:

CHAPTER 4. [AUTO COURTS AND RESORTS] *GENERAL PROVISIONS*

SEC. 38. Section 18432 of said code is amended to read:

18432. Every living room [,] *or* sleeping room[, or kitchen] in every building in any auto court, *motel* and resort shall be provided with one or more windows having an aggregate area of not less than one-eighth the floor area of the room, or not less than 12 square feet, whichever is the greater.

Every bath or water closet compartment shall be provided with one or more windows having an aggregate area of not less than six square feet

Every kitchen shall be provided with at least one or more windows having an aggregate area of not less than one-eighth of the floor area of the room or not less than 9 square feet, whichever is greater. All window openings shall be equipped with fly-tight screens.

SEC. 39. Section 18435 of said code is amended to read:

18435. Any window required by this article may open through a roofed porch which:

[(a) Does not exceed seven feet in depth.]

[(b)] *(a)* Has one side or one end abutting a street, or a yard or court not less than four feet in width. Such street, yard or court shall be directly opposite the windows served.

[(c)] *(b)* Has a ceiling height of not less than seven feet.

The open and unobstructed side and end of the porch may be covered with *fly-tight* metal screening [of at least 16 mesh].

SEC. 40. Section 18450 of said code is amended to read:

18450. No [window] *opening* from any building shall open into a garage *except an opening equipped with an approved fire-resistive door*.

SEC. 41. Section 18450.5 is added to said code, to read:

18450.5. Walls and partitions separating a garage from a room used for living or sleeping purposes shall be protected with no less fire resistive material than metal lath plastered not less than three-quarters inch thick on the garage side. Such walls or partitions shall extend to the ceiling or to the roof if there is no ceiling. Ceilings, if installed, shall be no less fire resistive than such walls or partitions.

SEC. 42. Section 18453 is added to said code, to read:

18453. An approved 2½ gallon portable fire extinguisher or such other equipment as approved by the enforcement agency shall be installed within 75 feet of any roofed or enclosed car storage space.

SEC. 43. Section 18455.5 of said code is amended to read:

18455.5. Unit masonry walls used in the construction of any building in an auto court, *motel* [and] *or* resort [, or any building in an auto and trailer park shall be constructed as follows:]

[(a) Bearing walls and bearing partitions shall be not less than eight inches in width.]

[(b) All masonry units shall be laid up in cement-mortar.]

[(c) Bearing walls shall be so designed and constructed to withstand the vertical line and dead loads placed on them and to withstand a horizontal force from any direction of 15 pounds per square feet of wind pressure on the vertical projection of the exposed surface of the walls.]

[(d) Walls as described above] shall be so designed as to admit of a rational analysis in accordance with established principles of mechanics.

SEC. 44. Section 18460 of said code is amended to read:

18460. [One water closet for each sex shall be provided in a separate compartment for every 10 apartments or fractional part thereof in an auto court and resort not provided with a private water closet; provided, however, that the enforcement agency may authorize other types of toilet facilities in its discretion.]

One water closet for each sex shall be provided in a separate compartment for the first five apartments or fractional part thereof and one water closet for each sex for the second five apartments or fractional part thereof and one water closet for each sex for each additional ten apartments or fractional part thereof in an auto court, motel or resort not provided with a private water closet; provided, however, that the enforcement agency may authorize other types of toilet facilities in its discretion. Each toilet shall be for the exclusive use of the occupants of the auto court, motel or resort. Elongated bowls and seats shall be installed for all flush water type water closets.

SEC. 45. Section 18460.1 is added to said code, to read:

18460.1. One lavatory for each sex shall be installed in every public utility building for every 10 apartments or fraction thereof.

SEC. 46. Section 18462 of said code is amended to read:

18462. The floor *and walls* of every water closet and shower bath compartment *and of a public utility building* shall be constructed, and shall be maintained in a waterproof condition by the use of cement, concrete, or other approved waterproof material. The waterproof material shall be applied upward on the interior walls of the shower bath compartment *or those of a public utility building* to a height of not less than six feet above the floor.

SEC. 47. Section 18466.8 of said code is amended to read:

18466.8. Whenever any plumbing fixtures *or drain* becomes insanitary, *damaged, or fouled* the enforcement agency may require its removal and replacement by a fixture *or material*, conforming to the provisions of this part.

SEC. 48. Section 18466.9 is added to said code, to read:

18466.9. All material used in a plumbing system shall be approved material.

SEC. 49. Section 18467 of said code is amended to read:

18467. If it is impracticable to connect the plumbing fixtures affecting the sanitary drainage system with municipal or sanitary district sewer, sewage or waste may be discharged into a [cesspool or into a septic tank] *private sewage disposal system* constructed and maintained [to the satisfaction of the enforcement agencies] *in an approved manner*.

SEC. 50. Section 18470 of said code is amended to read:

18470. [Every gas water heater, and every other gas-fire appliance used for the purpose of heating a building, except gas plates and gas ranges, in every auto court and resort apartment shall be an approved vented type appliance and shall be so vented as to effectively discharge the flue gases therefrom through a sheet metal or other approved vent pipe not less than the area of the vent outlet on the appliance but in no case less than two and one-half inches in internal diameter, which vent pipe shall be connected to a vertical, or substantially vertical flue or chimney leading to the outer air above the roof. A model or sample of every such gas water heater and every other gas-fire appliance used for the purpose of heating a building, except gas plates and gas ranges, shall have been tested and approved by a nationally recognized standard or nationally recognized testing laboratory and such appliance shall have attached thereto an insignia of approval by such standard or testing laboratory. The flue or chimney shall be either terra cotta, brick, fire clay, or other approved product, having a wall thickness of adequate insulating value, and which will not disintegrate from the effects of the products of combustion. The internal area of the flue or chimney shall be at least 12 square inches]

[All gas appliances subject to the provisions of this section and all gas plates and gas ranges shall be rigidly connected with metal piping directly to the gas service outlet.]

Every gas burning appliance shall be approved by a nationally recognized testing agency. Every gas burning appliance, except ranges, hot plates, and refrigerators approved by such agencies for unvented use, shall be connected to an effective flue or vent leading to the outside air not less in size than the vent collar on the appliance. Vents or flues for all appliances except those with forced draft or sealed combustion chambers shall extend one (1) foot above the highest portion of any building within fifteen (15) feet horizontally of the vent termination. Every vent or flue extending above the roof line shall terminate in a cap with a vent capacity of not less than that of the flue or vent. Appliances with forced draft or sealed combustion chambers shall be vented in accordance with the manufacturer's instructions.

SEC. 51. Section 18470.1 is added to said code, to read:

18470.1. (a) The flue or chimney shall be either terra cotta, brick, fire clay, or other approved products, having a wall thickness of adequate insulating value, and which will not disintegrate from the effects of the products of combustion. The internal area of the flue or chimney shall be at least 12 square inches.

(b) Combustible construction material shall not be placed closer than two inches (2") from any gas flue or chimney.

(c) All gas appliances shall be rigidly connected with approved metal piping directly to the gas outlet.

(d) Every gas appliance except gas plates, hereafter installed, shall be provided with a thermostatic pilot.

SEC. 52. Section 18470.2 is added to said code, to read:

18470.2. No gas burning water heater or other gas fired appliance shall be installed or maintained in a garage or private toilet, bath or shower compartment.

SEC. 53. Section 18470.5 of said code is amended to read:

18470.5. There shall be installed in the ceiling over any gas cooking appliance an opening not less than six by eight inches, connected to a vertical duct leading to the outer air above the roof *or an approved mechanical exhaust ventilating device*.

SEC. 54. Article 4 is added to Chapter 4, Part 2, Division 13 of said code, to read:

Article 4. Liquefied Petroleum Gas

18480. Location of Storage and Utilization Vessels and Regulators.

(a) No cylinder shall be located within a building enclosed on four sides, nor within five (5) feet of a source of ignition, nor below ground, nor below ground level, nor with the outlet less than five (5) feet away from any building opening which is below the level of such outlet.

The discharge from safety valves shall be vented in such a manner as to prevent any impingement of escaping LPG upon the vessel, and such discharge shall be not less than five (5) feet, measured horizontally from any building opening which is below such discharge.

(b) Each tank shall be located with respect to the nearest source of ignition or line of property adjoining, which may be built upon in accordance with the following table. Vessels and first-stage regulating equipment carrying more than 20 psi pressure shall be located outside the buildings, or except as hereinafter provided. Each individual vessel shall be located with respect to the nearest important building or group of buildings or line of property adjoining, which may be built upon, in accordance with the following table:

Volumetric capacity of vessels (in U. S. gallons)	Minimum distance
Not more than 500 U. S. Gallons	10 feet
501 to 1,200 U. S. Gallons	25 feet
Over 1,200 U. S. Gallons	50 feet

(c) Regulating or filling equipment on tanks filled on consumers' premises shall not be less than 15 feet from any opening into or under a building where such opening is below the level of the outlets of such regulating or filling equipment.

(d) Readily ignitable material shall not be permitted within ten (10) feet of any vessel, regulator, or vaporizer.

(e) No tank shall be located less than ten (10) feet from the nearest street or road line or sidewalk or less than fifty (50) feet from the nearest rail of any railroad main line.

18480.1 No cylinder shall be charged within ten (10) feet of any building in an auto court, motel or resort.

18480.2. Warning signs:

(a) Every vessel shall have painted, where readily visible, the word "Inflammable", having a height of letters at least one-sixth of the diameter of the tank but need not be in excess of 12 inches.

(b) Warning signs with the following words, "No smoking or open flame permitted within _____ feet" shall be painted in letters at least 1½ inches high of red on a white or aluminum background on the tank or a sign posted adjacent to the tank The distance designated shall be that shown in Section 18480 of this part.

This section shall not apply to a vessel having not over 1,000 pounds water capacity.

18480.3 Installation of storage tanks. (a) Tanks installed above ground shall be provided with substantial masonry, concrete, or steel structural supports encased in concrete, on firm masonry or concrete foundations.

(b) Above ground stationary storage tanks shall be protected by suitable curbs, fences, or posts and railing from impact of trucks, tractors, or other similar equipment where such impact is possible or likely.

SEC. 55 Article 5 is added to Chapter 4, Part 2, Division 13 of said code, to read:

Article 5. Miscellaneous

18490. In every auto court, motel or resort, electric wiring fixtures, and equipment shall be installed and maintained in accordance with the provisions of the Electrical Safety Orders of the Division of Industrial Safety in the Department of Industrial Relations.

18491 In every auto court, motel or resort there shall be installed and kept burning from sunset to sunrise sufficient artificial light to illuminate adequately every building containing public toilets and public showers, and the area or tract of land containing the auto court, motel or resort

18492 Dogs shall not be permitted to run at large in any auto court, motel or resort. Barnyard animals and poultry are prohibited therein.

18493. Every person who owns or operates an auto court, motel or resort shall keep a register in which shall be entered.

(a) The name and address of each guest who is the owner or operator of an automobile, and the name and address of each member of his party, for which accommodations are afforded in an auto court, motel or resort.

(b) The make, type and license number of the automobile, and the state in which such vehicle or vehicles is or are registered and the year of registration.

18494. (a) This part does not apply to any hotel which is subject to the provisions of Part 1 of this division. A "motel" as defined in Section 18100.5 shall not be considered subject to Part 1.

(b) This part does not apply to any apartment house which is over one story in height and which is subject to the provisions of Part 1 of this division.

(c) No provision of this part shall be construed to require a structural addition, structural alteration or a structural change in or on an existing building where such is not required by law prior to the effective date of this part.

(d) This part does not apply to a labor camp as defined in Division 2, Part 9, Chapter 1, Article 4 of the Labor Code.

18495 It is unlawful for any person to operate or maintain, or cause or permit to be operated or maintained, an auto court, motel or resort unless there is a caretaker on the premises at all times. The caretaker shall enforce the provisions of this part governing the operation and maintenance of auto courts, motels and resorts.

18496 Every owner, operator, lessee, or other person in charge of any auto court, motel or resort, or any occupant thereof, who becomes aware of any fire or smouldering combustion of an unwarranted or insidious nature which is not confined within equipment designed for fire or which is a hazard to the auto court, motel or resort, shall report the matter without delay to the local fire department

18497. The telephone number of the nearest fire department station shall be posted conspicuously near telephones in auto courts, motels, and resorts.

18498. The Division of Housing is authorized to cancel existing permits to operate as provided in this part, and reissue new permits under a different series without requiring an additional fee

SEC. 56 Chapter 5 of Part 2, Division 13 of said code is hereby repealed.

SEC. 57. Chapter 5 is added to Part 2, Division 13 of said code, to read:

CHAPTER 5. VIOLATIONS

18500 Any person who violates any of the provisions of this part is guilty of a misdemeanor, punishable by a fine not exceeding two hundred dollars ($200) or by imprisonment not exceeding 30 days, or by both such fine and imprisonment

SEC. 58. Chapters 5.5, 6, and 7 of Part 2, Division 13 of said code are hereby repealed

SEC. 59. This act does not become effective unless an act entitled "An act to add Part 2.5, comprising Sections 18600 to 18950, inclusive, to Division 13 of the Health and Safety Code, relating to Auto and trailer parks," is adopted by the Legislature at its 1951 Regular Session."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 9, inclusive

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2693

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2693, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2693

Assembly Bill No. 2693—An act to add Section 435 to the Penal Code, relating to health insurance.

Bill read third time.

Motion to Amend

Mr George D. Collins moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on April 19, 1951, after "code," insert "and to add Section 10310.5 to the Insurance Code."

Amendment No. 2

On page 2 of said bill, after line 17, insert

"SEC. 2 Section 10310.5 is added to the Insurance Code to read:

10310.6 If any disability policy contains a provision relative to cancellation of the policy at the instance of the insurer or a provision specifying a maximum age limit, or if the acceptance of renewal premiums is optional with the insurer, a statement or statements to that effect shall be printed as part of the brief description of the policy on its first page and on a filing back in type with the face not smaller than 14 point."

Amendments read

Amendments Withdrawn

Mr. George D. Collins withdrew his amendments.

The question being on the passage of Assembly Bill No. 2693.

The roll was called, ~~and the bill passed by the following vote:~~

PRINTER'S NOTE—There being no 7-point strikeout type available, the following roll call, which should appear in strikeout type, is indicated by being enclosed within brackets.

[AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Gubser, Hagen, Hahn, Hansen, Henderson, Holibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney,

McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—62]
[NOES—None.]

~~Bill ordered transmitted to the Senate.~~

On June 5th, Assembly Bill No. 2693 was recalled from the Senate (page 5137). On June 7th, the Senate returned the bill (page 5232); and on the same day the Assembly rescinded the action whereby Assembly Bill No. 2693 was this day passed (page 5278).

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1314

Mr. Hollibaugh asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1314, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1314

Assembly Bill No. 1314—An act to amend Sections 14345 and 14347 of the Revenue and Taxation Code, relating to the withholding of moneys and property belonging to a decedent.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, and Mr. Speaker—59.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 45

Mr. Hagen asked for, and was granted, unanimous consent that he be permitted to take up Assembly Concurrent Resolution No. 45, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 45

Assembly Concurrent Resolution No. 45—Approving an amendment to the charter of the City of Porterville, a municipal corporation in the County of Tulare, State of California, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the third day of April, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D. Collins, Connolly, Crowley, Davis, Dickey, Dolwig, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—63.
NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2575

Mr. McFall asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2575, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2575

Assembly Bill No. 2575—An act to amend Section 21802 of the Water Code, relating to elections in irrigation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Silliman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—61.

NOES—George D. Collins—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1241

Mr. Stewart asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1241, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1241

Assembly Bill No. 1241—An act to amend Sections 18532, 18537, 18544, 18803, 18903, 18950, 19054, 19100, 19120, 19503, 19570. 19572, 19575, 19582, to add Sections 18532.1 and 19082 and to repeal Sections 18598 and 18599 of the Government Code, relating to state employment and disciplinary proceedings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 895

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered re-referred to the Committee on Public Health.

ANNOUNCEMENT

Mr. Stanley announced a breakfast meeting and Republican Caucus tomorrow morning, Tuesday, April 24th, at 7.30 a.m., at Hart's restaurant.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 3 p.m.—

Public Utilities and Corporations, in Room 432.

At 8 p.m.—

Finance and Insurance, in Room 432.
Judiciary, in Room 435

Today Upon Adjournment—

Ways and Means, in Room 435.

Tomorrow, Tuesday, April 24th at 9.15 a.m.—

Rules, in Room 319.

Next Monday, April 30th—

At 3 p.m.—

Boards and Commissions, in Room 426.

At 8 p.m.—

Military Affairs, in Room 426.

It was announced that the following committees would hold no meetings today:

Military Affairs.
Boards and Commissions.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mrs. Niehouse, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. L. L. McBroom of Los Angeles.

On request of the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Lillian Johnson and Mrs. M. L. Thompson of San Diego.

On request of Mr. Geddes, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Margaret Geddes Boyd, Sydney Ann, and John, of Pomona.

On request of Messrs. Hansen and Henderson, the usual courtesies of the Assembly for this day were unanimously extended to W. C. Crossland and W. C. Crossland, Jr., of Fresno.

On request of Mr. Lowrey, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Erma Dillard, teacher, and the following pupils of the Codora School: Mardell Calvert, Lillian Gomes, Tommy Elephante, Richard Torres, Lila Banett, and Fern Troby.

On request of Mr. Henderson, the usual courtesies of the Assembly for this day were unanimously extended to Chet Cary of Fresno.

On request of Mr. Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Eunice Wilson, teacher, and the following pupils of the Roseville School: Evelyn Byfield, Robert Carpineta, Necke Chuchas, Irma Cons, Jack Franklin, Martha Georgis, Jean Glasco, Dena Gori, Dorothy Green, Georgia Harris, Eddie Herbst, Mary Hernandez, Lorita Haskey, Kenneth Iwasali, Glen Jones, Darlene Kuykendall, Dickie Krueger, Liane Lenzi, Louis Linarez, Bob McAndrew, Jerry McCard, Jean Miller, Walter Moore, Linda Neel, Lena Peacock, Manuel Perez, Carl Peterson, Mary Rodriguez, Richard Roth, Rosemare Schlechter, Gerald Scherer, Arden Stull, Madine Waltrip, Karen White, Nancy Willeford, Molly Young, Toby McFarlane, and Larry Martinez.

On request of Mr. Lowrey, the usual courtesies of the Assembly for this day were unanimously extended to Mark Fisher and Mrs. Muriel Bernard, teachers; Mrs. Cecil Wellborn, Mrs. Harry Argo, and John Hillis, adults; and the following pupils of the Princeton School: Herbert Carriere, Esther Aldama, Allen Rankin, Shirley Polander, Eddie Poiz, Nancy English, Amanda Gutierrez, Yvonne Olear, George Kneeland, Jane Campbell, Larry Maloney, Frank Argo, Frank Codorniz, Marlin Bryant, Richard Mendivel, Alfred Massa, Pat Berry, Glenn Wellborn, Raymond Zaragosa, Darla Cornwell, Allen Jones, Ted Azevedo, David Bernard, Arvilla Bradford, Genevieve Fonseca, John Young, Elenore Roberts, Charlotte Shuman, Kenneth Kneeland, Betty Lou Hollis, Bobby Ferriera, Lewis Simmons, James Bradford, Patsy Burgess, Tony Zaragosa, Lewis Aldama, Dolene Shuman, Patsy Argo, Eleanore Aldama, Norma Dowden, Bernoy Bradford, Joanne Reusser, Fern Simmons, Kieth Rankin, Bonnie Codorniz, Betty Ferriera, and Nellie Gutierrez

ADJOURNMENT

At 2.53 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Tuesday, April 24, 1951.

SAM L. COLLINS, Speaker

GERALDINE B HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FORTY-FOURTH LEGISLATIVE DAY

SIXTIETH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, April 24, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Our Father, Which Art in Heaven, Hallowed be Thy name

Thou hast bidden us to walk humbly with Thee, to act justly with others and to seek peace with our fellowmen. We pray for Thy direction for our Nation in hours that seem so decisive in world history. May our leaders hear Thy voice and know Thy will. Bless the members of our Armed Forces and all those who fight for the preservation of our liberties. Kindle within our hearts visions that shall never fade and open for our waiting feet the ways of purity, peace and power.

"Lord, give us faith and strength and the road to build,
To see the promise of the day fulfilled.
When wars shall be no more and strife shall cease
Upon the highway of the Prince of Peace."

—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Waters, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Cooke, on motion of Mr. Beck.

Mr. Butters, on motion of Mr. Beck.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Munnell, on motion of Mr. Beck.

Mr. Rosenthal, on motion of Mr. Beck.

Mr. Waters, on motion of Mr. Stewart.

ANNOUNCEMENT

Speaker Sam L. Collins announced that Mr. Butters has had a relapse and has been taken back to the hospital in Long Beach.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Sherwin (By request of Mr. Silliman).

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 758, 759, 792, 793, 2152, 2601, and 2603 of the Revenue and Taxation Code and to add Sections 759.5, 759.6, 794, 2152.5, 2601.5, 2601.6, and 2601.7 to that code, all relating to property taxes.

Respectfully submitted.

MARVIN SHERWIN

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Sherwin (By request of Mr. Silliman):

An act to amend Sections 758, 759, 792, 793, 2152, 2601, and 2603 of the Revenue and Taxation Code and to add Sections 759.5, 759.6, 794, 2152.5, 2601.5, 2601.6, and 2601.7 to that code, all relating to property taxes.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, George D. Collins, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Lyon, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—60.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3415: By Mr. Sherwin (By request of Mr. Silliman)—An act to amend Sections 758, 759, 792, 793, 2152, 2601, and

2603 of the Revenue and Taxation Code and to add Sections 759.5, 759.6, 794, 2152.5, 2601.5, 2601.6, and 2601 7 to that code, all relating to property taxes.

Referred to Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 2459

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 196
Senate Bill No. 331

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 45

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 574
Assembly Bill No. 2760

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, April 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 8
Senate Bill No. 409
Senate Bill No. 410
Senate Bill No. 411
Senate Bill No. 913
Senate Bill No. 914
Senate Bill No. 915
Senate Bill No. 927
Senate Bill No. 966
Senate Bill No. 988
Senate Bill No 1159
Senate Bill No. 1160
Senate Bill No. 1168
Senate Bill No. 1174
Senate Bill No. 1186
Senate Bill No. 1498
Senate Bill No. 1685
Senate Bill No. 1686
Senate Bill No. 1732

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 8—An act to amend Section 788 of the Fish and Game Code, relating to crabs.

Referred to Committee on Fish and Game.

Senate Bill No. 409—An act to amend Section 29802 of the Government Code, relating to county warrants.

Referred to Committee on Municipal and County Government.

Senate Bill No. 410—An act to amend Section 4 of an act entitled "An act to provide for the assessment of property in cities governed under freeholders' charters, framed under the provisions of the Constitution of this State, for the municipal taxes of such cities, and for the equalization and correction of such assessment by county officers, for the collection and enforcement of the payment of such taxes, including delinquent taxes, by such officers, for the sale and redemption from sale of property sold for the non-payment of such taxes, and for the performance by county officers of the duties of officers of such cities respecting said matters; and to provide for the compensation to be paid to counties by such cities for the services performed by such county officers for such cities under the provisions of this act." approved June 6, 1913, relating to the collecting of taxes by counties for cities governed by freeholders' charters.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 411—An act to amend Sections 3 and 4 of an act entitled "An act to provide for the levy and collection of taxes by and for the use of municipal corporations and cities incorporated under the laws of the State of California, except municipal corporations of the first class, and to provide for the consolidation and abolition of certain municipal offices, and to provide that their duties may be performed by certain officers of the county, and fixing the compensation to be allowed for such county officers for the services so rendered to such municipal corporations," approved March 27, 1895, relating to the collecting of taxes by counties for municipalities and cities.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 913—An act to amend Section 28121 of the Government Code, relating to counties of the twenty-first class.

Referred to Committee on Municipal and County Government.

Senate Bill No. 914—An act to amend Section 37101 of the Government Code, relating to powers of cities of the fifth and sixth classes.

Referred to Committee on Municipal and County Government.

Senate Bill No. 915—An act to amend Section 43068 of the Government Code, relating to powers of cities of the fifth and sixth classes.

Referred to Committee on Municipal and County Government.

Senate Bill No. 927—An act to amend Section 11736 of the Insurance Code, relating to the issuance and approval of workmen's compensation insurance premium rates.

Referred to Committee on Finance and Insurance.

Senate Bill No. 966—An act to repeal Section 28483 of, and to add a new Section 28483 to the Health and Safety Code, relating to packing of olive oil and distribution records of olive oil processors.

Referred to Committee on Public Health.

Senate Bill No. 988—An act to amend Sections 6231 and 6264 of the Public Utilities Code, relating to local franchises for public utilities.

Referred to Committee on Public Utilities and Corporations

Senate Bill No. 1159—An act to amend Section 868 of the Fish and Game Code, relating to nets.

Referred to Committee on Fish and Game.

Senate Bill No. 1160—An act to amend Section 919 of the Fish and Game Code, relating to nets.

Referred to Committee on Fish and Game.

Senate Bill No. 1168—An act to add Section 31a to an act entitled "An act prescribing the regulation, government, procedure and jurisdiction of the municipal and justice courts, and providing for the election and appointment of the judges, officers and attaches of such courts, their terms of office, qualifications and compensation," approved July 27, 1949, relating to traveling expenses of assigned judges.

Referred to Committee on Judiciary.

Senate Bill No. 1174—An act to amend Section 117d of the Code of Civil Procedure, relating to time for appearance and notice thereof to defendant.

Referred to Committee on Judiciary.

Senate Bill No. 1186—An act to amend Section 7a of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks, and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to attaches in municipal courts in cities of the first and one-half class.

Referred to Committee on Judiciary.

Senate Bill No. 1498—An act to add Section 25508 to the Government Code, relating to county purchasing agents.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1685—An act to add Sections 20(b)(10) and 21(a)(20) to the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1686—An act to add Section 17688 and Section 17758 to the Revenue and Taxation Code, relating to personal income taxes.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1732—An act to add Section 1033.5 to the Penal Code, relating to change of venue in criminal proceedings.

Referred to Committee on Judiciary.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 19

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Joint Resolution No. 19—Relative to federal support for vocational training.

Referred to Committee on Rules.

Speaker Pro Tempore Presiding

At 10.12 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE

UNFINISHED BUSINESS

RECONSIDERATION OF ASSEMBLY BILL NO. 3280

In compliance with a notice given on a previous day, Mr. Dolwig moved that the vote whereby Assembly Bill No. 3280 was refused passage be reconsidered.

The roll was called, and Assembly Bill No. 3280 reconsidered by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, and Tomlinson—51.

NOES—None.

Assembly Bill No. 3280 ordered to third reading.

NOTICE OF MOTION TO RECONSIDER WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 3223 WAIVED

Mr. Sherwin waived his notice of motion to reconsider the vote whereby Assembly Bill No. 3223 was withdrawn from the Committee on Agriculture, and ordered re-referred to the Committee on Industrial Relations.

Assembly Bill No. 3223 ordered re-referred to the Committee on Industrial Relations.

Speaker Presiding

At 10.15 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 342—An act to regulate sales of motor vehicles, and for that purpose to add Chapter 1a to the Business and Professions Code and to amend Section 2982 of the Civil Code.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 342?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on March 28, 1951, after "to", insert "Division 8 of".

Amendment No. 2

On page 3, line 21, of said bill, as amended, after "accidental", insert "or".

Amendment No. 3

On page 1, line 15, of said bill, as amended, strike out "and if no payments are due, the", and insert "or".

Amendment No. 4

On page 2, line 13, of said bill, as amended, after "shall", insert "refund to the buyer or"

Amendment No. 5

On page 2, line 16, of said bill, as amended, after the period, insert "Failure of the dealer to comply with the foregoing provision shall in no way affect the validity or enforceability of the conditional sale contract."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 342 by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, George D. Collins, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—57.

NOES—None.

Assembly Bill No. 342 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1970 BE WITHDRAWN FROM COMMITTEE FOR AMENDMENT, AND BE RE-REFERRED

Mr. Lyon asked for unanimous consent that Assembly Bill No. 1970 be withdrawn from the Committee on Municipal and County Government for purpose of amendment, and be re-referred to the Committee on Transportation and Commerce.

Messrs. Kirkwood and Dunn withheld unanimous consent.

Request for Unanimous Consent That Assembly Bill No. 1970 Be Withdrawn From Committee, and Be Re-referred

Mr. Lyon asked for, and was granted, unanimous consent that Assembly Bill No. 1970 be withdrawn from the Committee on Municipal and County Government, and be re-referred to the Committee on Transportation and Commerce.

MEMBER EXCUSED

At 10 20 a.m., Mr. Fleury asked for, and was granted, unanimous consent that Mr. Hagen be excused, for the balance of the legislative day, because of legislative business elsewhere.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 583—An act to amend Sections 509 and 510 of the Agricultural Code, relating to market milk inspection.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 583?

Amendment No. 1

On page 1 of the printed bill, between lines 9 and 10, insert

"An area in which the inspection and/or grading service is established and conducted by the director and wherein such service is not conducted under an "approved milk inspection service," as defined in Section 490, shall be known as an "established milk inspection area." "

Amendment No. 2

On page 2, line 21, of said bill, after "establish", insert "and conduct".

Amendment No. 3

On page 2, line 23, of said bill, strike out "the", and insert "such".

Amendment No. 4

On page 2, line 29, of said bill, after 'such", insert "graded"

Amendment No. 5

On page 2 of said bill, following line 32, insert

"If within the 30-day period prior to withdrawal of such graded inspection service petitions are filed with the director by fifty-one percent (51%) or more of the persons engaged in the business of producing, processing, selling or distributing graded market milk within the area, praying that the graded inspection service be continued and agreeing to pay the added cost of maintaining such service within the area, the director shall, after hearing, establish the amount necessary for augmentation of the inspection fees for producers and distributors within the area, which fees shall be reasonably calculated to defray the additional cost of maintaining such graded inspection service, and shall continue such service so long as the funds derived from the area are sufficient to defray the cost of such inspection "

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 583 by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—63.

NOES—None.

Assembly Bill No. 583 ordered enrolled.

Assembly Bill No. 2715—An act to provide for the reimbursement of State Employees Retirement System contributions.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2715?

Amendment No. 1

On page 1, line 2, of the printed bill, strike out "from".

Amendment No. 2

On page 1, line 3, of said bill, strike out "the State Highway Fund".

Amendment No. 3

On page 1, line 4, of said bill, before "Chapter 23", strike out "and".

Amendment No. 4

On page 1, line 4, of said bill, after "1948," insert "Chapter 700, Statutes of 1949, and Chapter 2, Statutes of 1950,".

Amendment No. 5

On page 1, line 6, of said bill, strike out "the State Highway Fund", and insert "the fund out of which the contributions were paid".

Amendment No. 6

On page 1, line 6, of said bill, after "proceeds of", insert "the first issue of".

Amendment No. 7

On page 1 of said bill, after line 7, insert "In the event revenue bonds are not issued and sold for the construction of such new toll crossings, contributions shall be repaid from the tolls and revenues of the existing San Francisco-Oakland Bay Bridge, but only after all revenue bonds issued and sold by the California Toll Bridge Authority for the construction of said bridge or for the refunding of the indebtedness thereon, have been fully redeemed and repaid and all other obligations of the bridge have been fully satisfied, including the repayment of any other sums presently required by law to be repaid to the State Treasury. The California Toll Bridge Authority is hereby authorized to continue to fix and collect tolls on said bridge for the purpose of repayment of contributions as required by this act."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2715 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—64.

NOES—None.

Assembly Bill No. 2715 ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 263
Assembly Bill No. 970
Assembly Bill No. 978
Assembly Bill No. 1521

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended.

GEDDES, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 977
Assembly Bill No. 979

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bills ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:
Senate Bill No. 19

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:
Senate Constitutional Amendment No. 3

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:
Assembly Bill No. 611
Assembly Bill No. 1784

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:
Assembly Bill No. 2624
Assembly Bill No. 2625
Assembly Bill No. 2626
Assembly Bill No. 2882

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:
Assembly Bill No. 2300

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:
Senate Bill No. 94

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:
Senate Bill No. 143

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means

BROWN, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Senate Bill No 141
Senate Bill No. 142
Senate Bill No. 730

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 465

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 996
Assembly Bill No. 997
Assembly Bill No. 998
Assembly Bill No. 1000
Assembly Bill No 1001
Assembly Bill No. 1392
Assembly Bill No. 1464

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 464
Assembly Bill No. 3379

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Senate Bill No. 147
Senate Bill No. 884
Senate Bill No. 976
Senate Bill No. 977

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 589

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bill ordered to third reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1054

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2310

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 188
Assembly Bill No. 2939

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2930—An act to amend Sections 4663, 4911.1, 4912, and 4912.2 of the Education Code, relating to school districts, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2930?

Amendment No. 1

On page 1, line 23, of the printed bill, as amended in the Assembly on April 2, 1951, after the first "the", insert "State Board of Education, the".

Amendment No. 2

On page 1, line 23, of said bill, after "supervisors", insert a comma.

Amendment No. 3

On page 2, line 1, of said bill, after "schools", insert ", as the case may be".

Amendment No. 4

On page 2, line 1, of said bill, strike out "Thereupon the", and insert "The".

Amendment No. 5

On page 2, line 4, of said bill, after "thereby", insert "of its action".

Amendment No. 6

On page 2 line 4, of said bill, strike out "proceedings for the".

Amendment No. 7

On page 2, line 9, of said bill, after "schools", insert ", except that no action required by any other provision of this code shall be necessary to give the board of supervisors or county superintendent of schools jurisdiction in the matter".

Amendment No. 8

On page 2, line 48, of said bill, strike out the comma, and insert "on school district organization, after following the procedure prescribed by Chapter 16 of this division,".

Amendment No. 9

On page 3, line 14, of said bill, strike out "whenever a"; and strike out all of lines 15, 16, and 17, and insert a period.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2930 by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem,

Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Parker, Porter, Rumford, Shaw, Sherwin, Sillman, Stanley, Stewart, Thomas, and Mr. Speaker—59

NOES—None.

Assembly Bill No. 2930 ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1951

MR SPEAKER: Your Committee on Public Utilities and Corporations, to which was referred:

Assembly Bill No 492

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

EVANS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 23, 1951

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which was referred:

Assembly Bill No. 2923

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

EVANS, Chairman

Above reported bill ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 120

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 46

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolution ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Senate Concurrent Resolution No. 43
Senate Concurrent Resolution No. 47
Senate Concurrent Resolution No. 50

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 2939—An act to amend Section 2421 of the Education Code, relating to school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, George D Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2663—An act to amend Section 515 of the Vehicle Code, relating to speed limits per vehicles.

Bill read third time.

Demand for Previous Question

Messrs. Shaw, Luckel, Dolwig, Hinckley, and Lanterman demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2663.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Chapel moved a call of the Assembly.

Motion carried. Time, 11.05 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Cloyed, Condon, Doyle, Elliott, Gubser, Hansen, Hawkins, and Lindsay—8.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Lyon asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1739

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1278
Assembly Bill No. 2488

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2310

Mrs. Niehouse asked for, and was granted, unanimous consent that she be permitted to take up Assembly Bill No 2310, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2310

Assembly Bill No. 2310—An act to amend Section 14071 of the Education Code, relating to leaves of absence for noncertificated employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brown, Burke, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Crowley, Davis, Dickey, Dills, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—56.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 171 BE RE-REFERRED TO COMMITTEE

Mr Maloney asked for, and was granted, unanimous consent that Assembly Bill No 171 be withdrawn from the third reading file, and be re-referred to the Committee on Ways and Means.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 550—An act to amend Section 194 of the Streets and Highways Code and to amend Section 11005 of the Revenue and Taxation Code, relating to the population of cities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 811—An act to amend Section 36509 of the Government Code, relating to cities of the sixth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser,

Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1651—An act to amend Section 31676.9 of the Government Code, relating to the retirement of public employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, and Waters—61.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 1263
Assembly Bill No. 1990

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 245

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2490 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Conrad asked for, and was granted, unanimous consent that Assembly Bill No. 2490 be withdrawn from the Committee on Elections and Reapportionment, and be re-referred to the Committee on Governmental Efficiency and Economy.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2137—An act to declare that certain land situated in the City and County of San Francisco is no longer necessary for navigation, commerce, fisheries or street uses, and authorizing the Board of State Harbor Commissioners for San Francisco Harbor to sell or exchange such lands.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Coats, Collier, George D Collins, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr Speaker—62

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2528—An act to amend Sections 12512 and 12550 of the Water Code, pertaining to the Colorado River Board.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2909—An act to amend Sections 39560 and 39566 of, to add Section 39587 to, and to repeal Article 2 of Chapter 13, Part 2, Division 3 of the Government Code, comprising Sections 39520 through 39531, relating to municipal weed abatement.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D Collins, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1054—An act to add Chapter 15 to Part 2, Division 5 of the Health and Safety Code, relating to garbage and refuse disposal districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Silliman moved the adoption of the following amendment:

Amendment No. 1

On page 4, line 9, of the printed bill, after the period, insert "The county tax collector shall collect the district taxes at the same time and in the same manner as the county taxes are collected. All money collected for district purposes shall be paid into the county treasury and paid out on warrants of the county auditor drawn on the county treasurer, upon order of the district board."

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 1263—An act to add Section 20130.2 to the Government Code and to amend Sections 20037, 20230, 20564, and 20867 thereof, relating to the State Employees' Retirement System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Coats, Collier, George D. Collins, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1278—An act to amend Sections 19533, 19533.2, 19534, 19535, 19536, 19537, and 19397 of, to add Section 19533.3 to, and repeal Section 19533.1 of, the Government Code, relating to layoff or demotion in the state civil service.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—62

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 245—An act to amend Section 4656.4 of and to add Section 2152.5 to, the Revenue and Taxation Code, relating to the distribution and computation of property taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2531—An act to add Section 548 to the Streets and Highways Code, relating to the State Highway System, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Request for Unanimous Consent That Assembly Bill No. 2531 Be Re-referred to Committee

Mr. Davis asked for, and was granted, unanimous consent that Assembly Bill No. 2531 be withdrawn from the third reading file, and be re-referred to the Committee on Ways and Means.

Assembly Bill No. 296—An act to amend Section 2248 of the Health and Safety Code, relating to compensation and expenses of board members.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Coats, Collier, George D. Collins, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Porter, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—57.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2844—An act to add Section 15002.5 to the Government Code, and to amend Section 11103 of the Health and Safety Code, relating to the organization of the Department of Justice and its constituent agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hahn, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2663

At 11.32 a.m., on motion of Mr. Chapel, further proceedings under the call of the Assembly were dispensed with.

The name of the absentees were called, and Assembly Bill No. 2663 passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Burkhalter, Caldecott, Chapel, George D. Collins, Connolly, Crowley, Dickey, Dills, Dolwig, Dunn, Erwin, Evans, Gaffney, Grant, Hahn, Henderson, Hollibaugh, Kilpatrick, Kirkwood, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCollister, McGee, McMillan, Meyers, Morris, Niehouse, Porter, Rumford, Sherwin, Smith, Stanley, Thomas, and Tomlinson—41.

NOES—Belotti, Brown, Burke, Clarke, Coats, Collier, Conrad, Davis, Fleury, Geddes, Grunsky, Hinckley, Kelly, Klocksiem, Lanterman, Levering, Lowrey, McCarthy, McFall, Moss, Parker, Shaw, Silliman, and Stewart—24.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1990

Mr. Lyon asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1990, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1990

Assembly Bill No. 1990—An act to amend Sections 6005, 6070, 6702, 6777, and 7056 of the Revenue and Taxation Code, relating to sales and use taxes, and providing that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Parker, Porter, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—62.

NOES—None.

Motion to Amend Title

Mr. Lyon moved the adoption of the following amendments to the title:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 23, 1951, strike out "6019,".

Amendment No. 2

In line 2 of the title of said bill, after "of", insert ", and to add Section 6019 to,".

Amendments read, and adopted.

Bill ordered reprinted, and transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1951

MR SPEAKER: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No. 30

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and be adopted, as amended

DICKEY, Chairman

Above reported resolution ordered on file

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1087

Mr. Sillman asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1087, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1087

Senate Bill No. 1087—An act to amend and renumber Section 6210 6 of, to add a new Section 6210 6 to, the Public Resources Code, and to repeal an act entitled "An act granting to roads and highways a right of way over the public lands of this State," approved April 2, 1866, relating to public lands.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln,

Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—60.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1088

Mr. Silliman asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1088, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1088

Senate Bill No. 1088—An act to consolidate and revise the law relating to natural resources, the conservation, utilization, and supervision thereof, and matters incidental thereto, by renumbering Division X and Sections 10001 to 10018, inclusive, of, and adding Section 50020 and Division 10, relating to resort districts to, the Public Resources Code, and repealing certain acts and parts of acts specified herein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—60.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 477

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 477, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 477

Senate Bill No. 477—An act to amend Section 1760.7 of the Welfare and Institutions Code, relating to the duties of the Director of the Youth Authority.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—62.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1106

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1106, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1106

Senate Bill No. 1106—An act to amend Section 14402 of the Government Code, relating to payments on state contracts, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—62.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1023

Mr. Stanley asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1023, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1023

Senate Bill No. 1023—An act to add Section 38304 to the Government Code, and to repeal an act entitled "An act to authorize cities and towns owning public parks outside of their limits, to lay out, construct, and maintain roads, streets, and boulevards from the boundaries of such cities or towns to, into, and through such parks, and to acquire lands for that purpose," effective March 1, 1897, without the Governor's approval, relating to access to city parks.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman,

Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—65

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1024

Mr. Stanley asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1024, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1024

Senate Bill No. 1024—An act to add Article 5.5, comprising Sections 38750 to 38759, inclusive, to Chapter 10, Part 2, Division 3, Title 4 of the Government Code, and to repeal an act entitled "An act to enable municipal corporations to sell, lease, or otherwise transfer the control or management of waterworks or parts thereof belonging to such municipality to municipal water districts," approved May 15, 1923, relating to the transfer of city waterwork systems.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1025

Mr. Stanley asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1025, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1025

Senate Bill No. 1025—An act to amend and renumber Section 39793 of, to add a new Section 39793 to, the Government Code, and to repeal an act entitled "An act authorizing municipal corporations to lease, purchase, own, and operate gravel beds and quarries, and to transport gravel and rock therefrom to such municipal corporations, for the purpose of making, improving, and repairing roads," approved March 27, 1897, relating to facilities in aid of city works and improvements.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister,

McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1027

Mr. Stanley asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1027, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1027

Senate Bill No. 1027—An act to add Title 6 and Section 500048 to the Government Code, to consolidate and revise the law relating to the organization, operation, and maintenance of a System of State and Local Government, and to repeal acts specified therein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—65

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1091

Mr. Stanley asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1091, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1091

Senate Bill No. 1091—An act to consolidate and revise the law relating to the organization, operation, and maintenance of a System of State and Local Government, by adding Section 500049 and Title 7, relating to planning and conservation, to the Government Code, and repealing the Conservation and Planning Act.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1572

Mr. Stanley asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No 1572, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1572

Senate Bill No. 1572—An act to amend Section 11611 of the Business and Professions Code, relating to subdivision maps.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Niehouse, Parker, Porter, Rumford, Shaw, Sillman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 970

Mr Henderson asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No 970, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 970

Senate Bill No. 970—An act to amend Sections 11270 and 11271 and to repeal Sections 18750, 18751, 18752, 18753 of the Government Code, relating to charges for administrative costs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Erwin, Evans, Gaffney, Grunsky, Gubser, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Niehouse, Parker, Porter, Rumford, Shaw, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1119

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1119, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1119

Senate Bill No. 1119—An act to add Division 15 to the Water Code, to consolidate and revise the law relating to reclamation districts, and to repeal enumerated sections of the Political Code and acts specified therein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1122

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1122, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1122

Senate Bill No. 1122—An act to add Section 8678 to the Water Code and to repeal Section 692.5 of the Political Code, relating to the approval of agreements of the Reclamation Board, relating to real property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—61

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 120, at this time, without reference to file

CONSIDERATION OF HOUSE RESOLUTION NO. 120

By Mr. Maloney:

House Resolution No. 120

Relative to congratulating Albert I Stewart

WHEREAS, Albert I Stewart was first elected to the Assembly in 1944 and has served continuously in this body since 1945; and

WHEREAS, He was Chairman of the Interim Committee on Governmental Efficiency and Economy, during which period he made several investigations and introduced and had passed such constructive and progressive legislation which has been of great benefit to the State, including his fight against smog; and

WHEREAS, He is Chairman of the Assembly Committee on Governmental Efficiency and Economy, and as such is continuing in his aid to the people of this State; and

WHEREAS, He was a Director of the League of California Cities for 12 years and is a former president of that organization; and has represented municipal government both in Sacramento and in Washington, appearing before legislative bodies therefor; and

WHEREAS, He coined the word "Safeway" and organized the Safeway chain of stores, serving at various times as Director, General Superintendent, and Public Relations Counsel for that organization; and

WHEREAS, He has been Director of the Department of Professional and Vocational Standards and the Public Relations Counsel for the Civil Defense Program; and

WHEREAS, He has served for 20 years as a member of the Board of City Directors of Pasadena, having been chairman of the board with the title of Mayor of Pasadena; and

WHEREAS, These impressive accomplishments took place despite physical incapacity which would have discouraged a lesser man, which incapacities prevented him from being a lawyer or from continuing in military service, necessitating a change in plan for his entire life; and

WHEREAS, He is the husband of Laura Mendenhall Fiske Stewart and the father of Harold Stewart, who lives in Pasadena and who served during the last war; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly hereby extend their congratulations to Albert I. Stewart for his civic accomplishments upon the occasion of his retirement from the Pasadena Board of Directors; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit suitably engrossed copies of this resolution to Mr. Albert I. Stewart, Mrs. Stewart, Mr. Harold Stewart, and to the Board of Directors of the City of Pasadena.

Resolution read, and adopted unanimously.

MOTION TO APPROVE JOURNALS

Upon motion of Mr. Dickey, the Journals for Monday, April 16, 1951; Tuesday, April 17, 1951; Wednesday, April 18, 1951; Thursday, April 19, 1951, and Friday, April 20, 1951, were approved as corrected by the Minute Clerk.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED IN JOURNAL

Mr. Dunn asked for, and was granted, unanimous consent that a letter of trasmittal and a Second Report of the Assembly Interim Committee on Public Education be ordered printed in the Journal in 10 point type; that the letter and report be printed as a separate document; and that 150 copies be printed.

(Above mentioned letter of transmittal and report will appear prior to the motion to adjourn.)

RECESS

At 12 m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1502

Mr. Caldecott asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1502, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1502

Senate Bill No. 1502—An act to amend Sections 9604, 9605, 9675, 9677 and 9715, and to add Sections 9608.5, 9686, 9687, 9688, 9700.5, 9700.6, 9702.1, 9702.2 and 9702.3 to the Business and Professions Code of the State of California, relating to cemetery brokers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Burke, Caldecott, Chapel, Clarke, Collier, George D. Collins, Conrad, Crowley, Davis, Dickey, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Waters, and Mr. Speaker—50.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 132

Mr. Sherwin asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 132, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 132

Senate Bill No. 132—An act to amend Section 9763 of the Government Code, relating to the preparation of the statutes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Crowley, Davis, Dickey, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, McGee, McMillan, Morris, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Waters, and Mr. Speaker—51.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1426

Mr. Kirkwood asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1426, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1426

Senate Bill No. 1426—An act authorizing the Director of Finance to convey certain property to the University of California.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Crowley, Davis, Dickey, Dunn, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Morris, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Waters, and Mr. Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 888

Mr. Kirkwood asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 888, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 888

Senate Bill No. 888—An act to amend Sections 20371 and 20372 of the Education Code, relating to the appointment of state college employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Burke, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dunn, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Morris, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stewart, and Mr. Speaker—52.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 107

Mr. McFall asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 107, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 107

Senate Bill No. 107—An act to add Article 13.5 to Chapter 11 of Division 2 of the Education Code, relating to the annexation of territory of a joint elementary school district to a high school district.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Crowley, Davis, Dickey, Dunn, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Morris, Niehouse, Parker, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 155

Mr. Kelly asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 155, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 155

Senate Bill No. 155—An act to amend Section 409 of the Education Code, relating to the salary and credential of county superintendents of schools.

Bill read third time.

Request for Unanimous Consent to Expunge Record, and Rescind Action on Senate Bill No. 155

Mr. Kelly asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on this day, passed Senate Bill No. 155.

Senate Bill No. 155 ordered to third reading.

Bill Withdrawn From Active File

Senate Bill No. 155 ordered to the inactive file, by unanimous consent.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 260

Mr. Coats asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 260, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 260

Senate Bill No. 260—An act to amend Section 9485 of the Education Code, relating to the sale or other disposition of property of emergency schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dunn, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 126

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 126, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 126

Senate Bill No. 126—An act to amend Section 1203(b) of the Penal Code, relating to probation and misdemeanor cases.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dunn, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 189

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 189, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 189

Senate Bill No. 189—An act to add Section 13.1 to the Escrow Act and Section 17415 to the Financial Code, relating to powers and duties of the Commissioner of Corporations in connection with escrow companies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dunn, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hahn, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, and Stewart—57.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 426

Mr. Babbage asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 426, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 426

Senate Bill No. 426—An act to amend Section 1086.1 of the Military and Veterans Code, relating to the hospitalization and medical aid for physically ill members of the Woman's Relief Corps Home of California and for the reimbursement of hospitals and physicians rendering this aid.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Caldecott, Chapel, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stewart, and Mr. Speaker—57

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 427

Mr. Babbage asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 427, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 427

Senate Bill No. 427—An act to amend Section 981.2 of the Military and Veterans Code, relating to educational assistance to veterans.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stewart, Tomlinson, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 262

Mr. Dunn asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 262, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 262

Senate Bill No. 262—An act to amend Section 4103 of the Education Code, relating to the election of members of governing boards of junior college districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Tomlinson, Waters, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1890

Mr. Meyers asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 1890, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1890—An act to repeal Section 232 of the Banking Code, relating to the taking of the constitutional oath of office by deputies and examiners.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1890?

Amendment No. 1

In the first line of the title of the printed bill, following "Code", insert "and to repeal Section 232 of the Financial Code".

Amendment No. 2

On page 1 of said bill, following line 1, insert

"SEC. 2. Section 232 of the Financial Code is repealed

SEC. 3. Section 2 of this act becomes operative only if Division 1 of the Financial Code is enacted by the Legislature at the 1951 Regular Session, and in such case at the same time as said Division 1 takes effect, at which time Section 1 of this act is hereby repealed."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1890 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Coats, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 1890 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1756

Mr. Rumford asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1756, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1756

Assembly Bill No. 1756—An act to add Section 54.1 to the Civil Code, relating to admission to schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, George D. Collins, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stewart, and Waters—60.

NOES—None.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 24, 1951

MR SPEAKER I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 48

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 53

J. A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 53—Relative to approving amendments to the charter of the City of Chico, County of Butte, State of California, voted for and ratified by the qualified electors of said city

at a general municipal election held therein on the ninth day of April, 1951.

Referred to Committee on Rules.

UNFINISHED BUSINESS (RESUMED)

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, upon the request of Mr. Fleury, the notice of motion by Mr. Hagen to reconsider the vote whereby Assembly Bill No. 3202 was refused passage was continued until the next legislative day.

MEMBER EXCUSED

At 2.29 p.m., Mr. Fleury asked for, and was granted, unanimous consent that Mr. Condon be excused, for the balance of the legislative day, because of legislative business elsewhere, and stated that he desires to waive his per diem.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal:

ASSEMBLY CHAMBER, April 24, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred various bills dealing with workmen's compensation begs to report as follows:

Assembly Bill No. 263 was amended by the author in conformity with agreement reached by representatives of labor, industry, and insurance carriers, and after the bill had been amended and voted with a "Do Pass" from the committee, the parties interested stipulated that the bills herein enumerated would go off calendar for the balance of this session; and the chairman of your committee was instructed by the members thereof to report this matter for the information of the Members of the Assembly, the Senate, and those of the public interested.

Assembly Bill 261	Assembly Bill 401	Senate Bill 139
262	402	140
264	403	224
265	404	225
266	405	226
267	541	530
268	544	540
275	1572	541
276	1729	587
277	2006	588
278	2504	787
279	2738	788
281	2739	1519
350	2797	1520
351	2798	1521
373		1522
374		614
414		615
415		1049
416		1765
538		
744		
745		
746		
752		
973		
975		

Mr. Condon also requested that

Assembly Bill No. 506
508
509
512 and
513 also go off calendar.

Respectfully submitted.

GEDDES, Chairman

REQUEST FOR UNANIMOUS CONSENT THAT 500 ADDITIONAL COPIES OF ASSEMBLY BILL NO. 263 BE PRINTED

Mr. Maloney asked for, and was granted, unanimous consent that 500 additional copies of Assembly Bill No. 263 be ordered printed.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE BILL NO. 789 HOLD PLACE ON FILE

Mr. Henderson asked for, and was granted, unanimous consent that Senate Bill No. 789 be passed on file, and hold its place on file on the next legislative day.

MEMBER EXCUSED

At 2.32 p.m., Mr. Evans asked for, and was granted, unanimous consent that Mr. Doyle be excused, for the balance of the legislative day, because of legislative business elsewhere; and stated that he desires to waive his per diem.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 29

Mr. Lanterman asked for, and was granted, unanimous consent that he be permitted to take up Senate Concurrent Resolution No. 29, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 29

Senate Concurrent Resolution No. 29—Relative to the establishment of "I Love You, California," as the State Song.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Coats, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None.

Resolution ordered transmitted to the Senate.

MOTION THAT WORDS AND MUSIC OF "I LOVE YOU, CALIFORNIA", BE PRINTED IN THE JOURNAL

Mr. Dunn moved that the words and music of "I Love You, California", (the new State Song), be ordered printed in the Journal.

Mr. Lyon seconded the motion.

Motion carried.

I LOVE YOU, CALIFORNIA

Words by
F. B. SILVERWOOD

Music by
A. F. FRANKENSTEIN

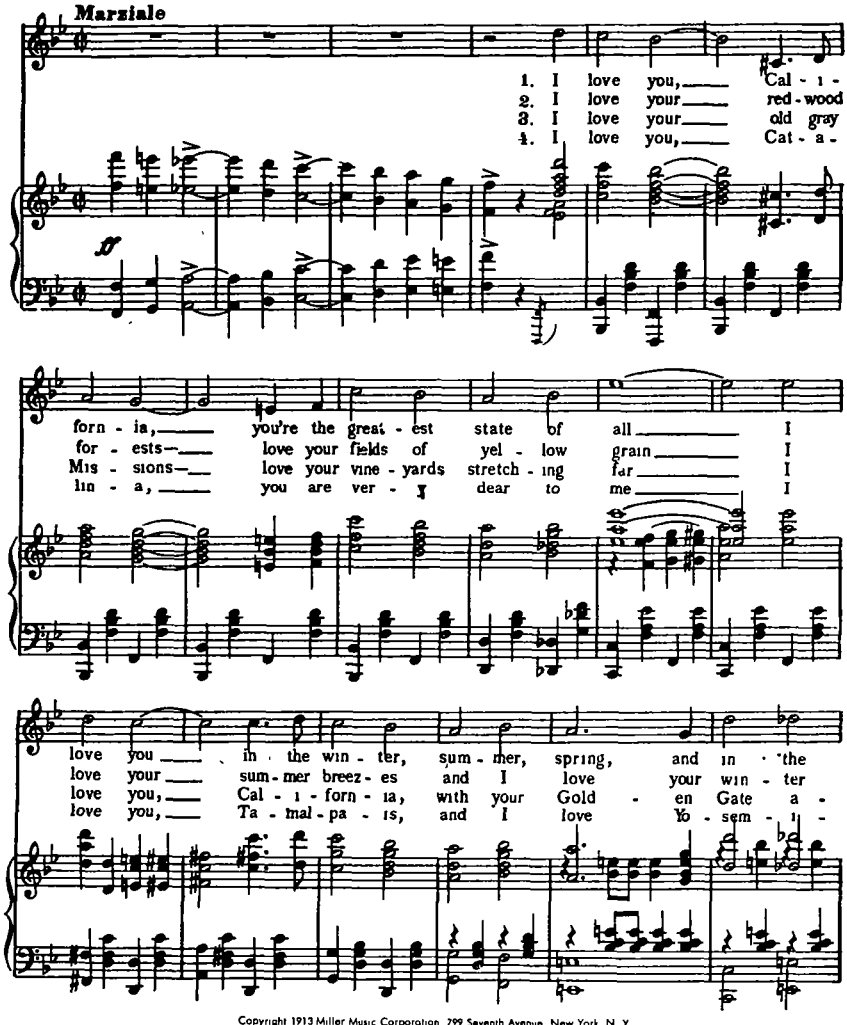

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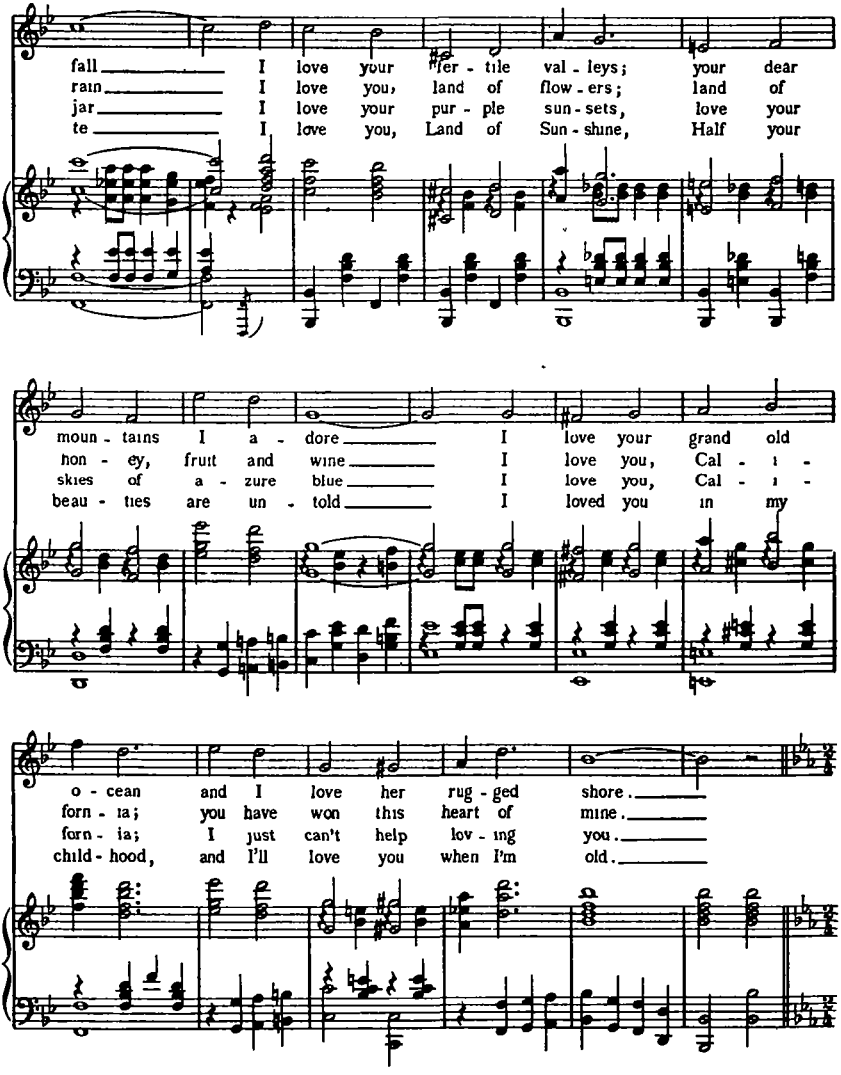
fall I love your fer - tile val - leys; your dear
rain I love you, land of flow - ers; land of
jar I love your pur - ple sun - sets, love your
te I love you, Land of Sun - shine, Half your
moun - tains I a - dore I love your grand old
hon - ey, fruit and wine I love you, Cal - i -
skies of a - zure blue I love you, Cal - i -
beau - ties are un - told I loved you in my
o - cean and I love her rug - ged shore.
forn - ia; you have won this heart of mine.
forn - ia; I just can't help lov - ing you.
child - hood, and I'll love you when I'm old.

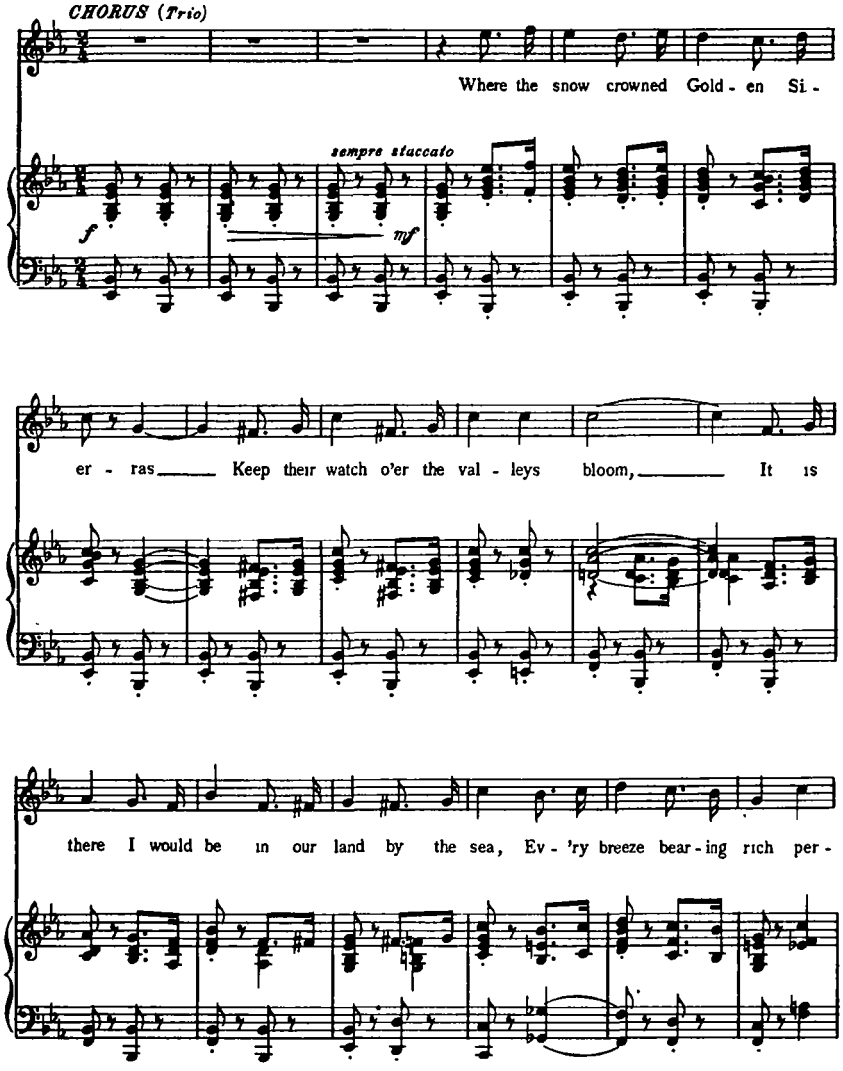
CHORUS (Trio)
Where the snow crowned Gold - en Si -
sempre staccato
f
mf
er - ras Keep their watch o'er the val - leys bloom, It is
there I would be in our land by the sea, Ev - 'ry breeze bear - ing rich per -

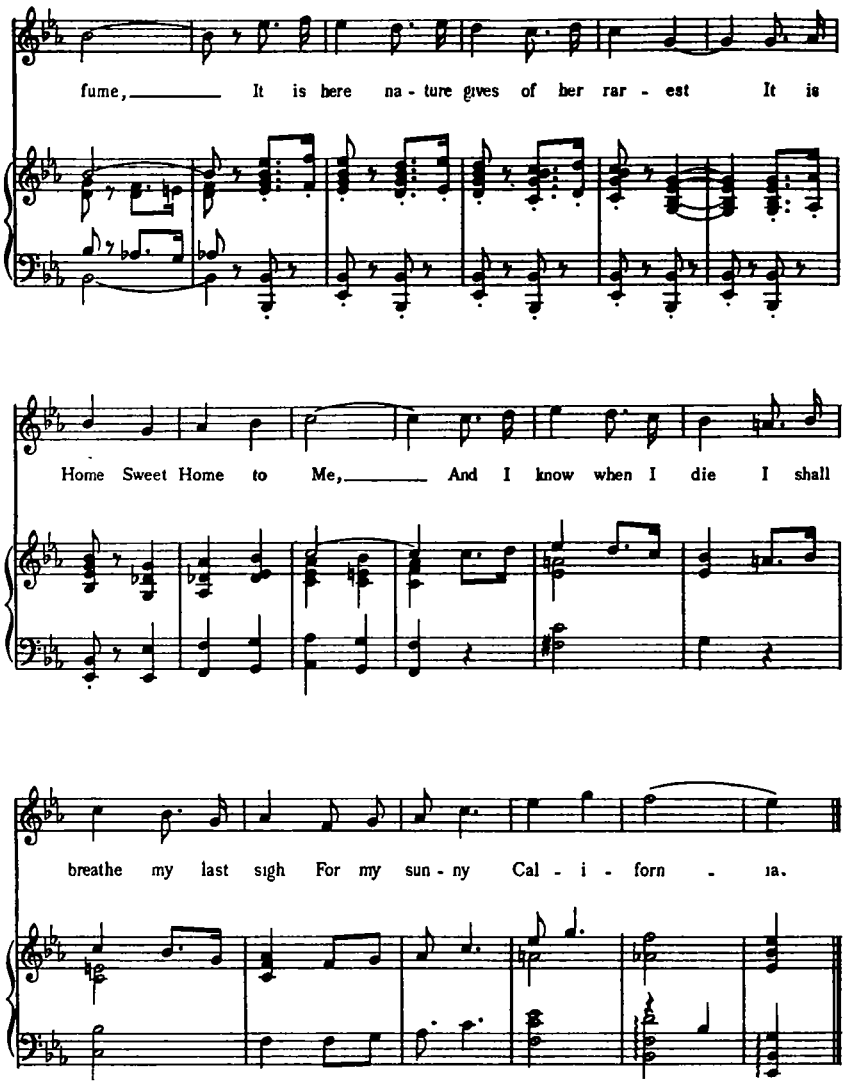
fume, It is here na - ture gives of her rar - est It is
Home Sweet Home to Me, And I know when I die I shall
breathe my last sigh For my sun - ny Cal - i - forn - ia.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3258

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 759
Assembly Bill No. 798
Assembly Bill No. 982
Assembly Bill No. 1286
Assembly Bill No. 2139
Assembly Bill No. 2464
Assembly Bill No. 2870
Assembly Bill No. 2907

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills Nos. 982 and 2907 re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 2139 re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bills Nos. 2464 and 2870 re-referred to the Committee on Transportation and Commerce.

Assembly Bills Nos. 3258 and 1286 re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 759 re-referred to the Committee on Civil Service and State Personnel.

Assembly Bill No. 798 re-referred to the Committee on Industrial Relations.

ANNOUNCEMENT

Speaker Sam L. Collins announced, on behalf of Mr. Klocksiem, that 50 additional maps entitled "Roads To Romance," which cover interesting descriptive trips throughout Southern California, are at his desk awaiting distribution to those who desire them.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Grunsky:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 821.15 and 823 of the Agricultural Code, relating to apple containers.

Respectfully submitted.

DONALD GRUNSKY

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Grunsky:

An act to amend Sections 821.15 and 823 of the Agricultural Code, relating to apple containers.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lauterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced and read the first time:

Assembly Bill No. 3416: By Mr. Grunsky—An act to amend Sections 821.15 and 823 of the Agricultural Code, relating to apple containers.

Referred to Committee on Agriculture.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Burke:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1951

MR SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 7155.5 to, and to amend the heading of, Article 2 of Chapter 1, Part 3, Division 5 of the Labor Code, relating to safety in employment.

Respectfully submitted.

MONTIVEL A. BURKE

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Burke:

An act to add Section 7155.5 to, and to amend the heading of, Article 2 of Chapter 1, Part 3, Division 5 of the Labor Code, relating to safety in employment.

GRUNSKY, Vice Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant,

Grunsky, Gubser, Hahn, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3417: By Mr. Burke—An act to add Section 7155.5 to, and to amend the heading of, Article 2 of Chapter 1, Part 3, Division 5 of the Labor Code, relating to safety in employment.

Referred to Committee on Industrial Relations.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Belotti

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 28124 of the Government Code, relating to compensation for public service in counties of the twenty-fourth class

Respectfully submitted

F. P. BELOTTI

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Belotti:

An act to amend Section 28124 of the Government Code, relating to compensation for public service in counties of the twenty-fourth class.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3418: By Mr. Belotti—An act to amend Section 28124 of the Government Code, relating to compensation for public service in counties of the twenty-fourth class.

Referred to Committee on Municipal and County Government.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 789

Mr. Henderson, on behalf of Mr. Hansen, asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 789, temporarily passed on file, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 789

Senate Bill No. 789—An act to add Section 2838.5 to the Elections Code, relating to county control committees.

Bill read third time.

Motion to Amend

Mr. Hansen moved the adoption of the following amendments:

Amendment No. 1

On page 1, lines 3 and 4, of the printed bill, as amended in the Assembly on April 12, 1951, strike out "at the time of the election of the county committee".

Amendment No. 2

On page 1, line 8, of said bill, after "nominee", insert "or holdover State Senator".

Amendment No. 3

On page 1, line 9, of said bill, strike out "resides", and insert "or holdover State Senator resides. No person shall be so appointed unless he has been registered as affiliated with the party of the county central committee to which he is appointed for one year prior to his appointment. Each such appointment shall be made following the direct primary and prior to the second Tuesday in July following said primary and the members so appointed shall hold office until the next succeeding direct primary."

Amendment No. 4

On page 1, line 13, of said bill, after the period, insert "As used in this section "nominee" means either a person who was nominated at the direct primary or a person appointed to fill a vacancy on the ballot for the general election."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

ANNOUNCEMENT

Mr. Brown announced that the schedule set for the Committee on Judiciary for next Thursday night, April 26th, will be continued for one week, and that these scheduled bills will be heard on May 3d.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 3 p.m.—

Public Health, in Room 426.
Agriculture, in Room 432.
Elections and Reapportionment, in Room 435.
Social Welfare, in Room 430.

At 8 p.m.—

Judiciary, in Room 435.
Fish and Game, in Room 426.

Tomorrow, Wednesday, April 25th, at 9.15 a.m.—

Rules, in Room 319.

SECOND REPORT OF THE ASSEMBLY INTERIM COMMITTEE ON PUBLIC EDUCATION

Letter of Transmittal

ASSEMBLY, CALIFORNIA LEGISLATURE, April 24, 1951

Hon. Sam L. Collins
Speaker of the Assembly
State Capitol, Sacramento, California

DEAR MR SPEAKER: I herewith submit the Second Report of the Assembly Interim Committee on Public Education created by House Resolution No 242, 1949 Regular Session.

This report is confined to a description of the Cooperative Committee on School Finance, how it was organized, its membership, whom they represent, and the main purposes of the committee.

No recommendations are submitted at this time.

Respectfully submitted,

FRANCIS DUNN, JR., Chairman

Second Report of the Assembly Interim Committee on Public Education—HR 242

The meeting of the Assembly Interim Committee on Public Education was held in Room 426, State Capitol, August 4 and 6, 1950. Members present August 4th were:

Kirkwood, Levering, Rumford, and Dunn, Chairman

OPENING STATEMENT

Chairman Dunn opened the meeting stating that he had received a letter from Mr. Geddes, a member of this committee, informing the chairman that he will not be in Sacramento until this evening, and one from Mrs. Niehouse, vice chairman of the committee, stating that she will not be able to attend the meeting.

DUNN: There are now present at the meeting, Mr. Levering, Mr. Kirkwood, Mr. Rumford and myself, chairman. Mr. Kirkwood is in the building and will be here shortly. So, under those circumstances we will function as a subcommittee to take testimony on the matters that are before us Some matters that have been referred to the committee, I think we can dispense with until all members of the committee are present. I refer to the matters referred to the committee by the Legislature in regard to the San Diego and San Jose State Colleges and the question of a state college in Kern County and some letters that we have received from people interested in matters pertaining to public education. We should go right to the 10 items on the agenda with reference to the cooperative committee.

I THINK FOR THE BENEFIT OF THE MEMBERS OF THIS COMMITTEE AND THE MEMBERS OF THE LEGISLATURE WHO WILL, I HOPE, FOLLOW THE REPORT OF THE COMMITTEE, WE SHOULD CALL UPON SOMEONE TO DESCRIBE TO US THE FORMATION OF THE COOPERATIVE COMMITTEE, WHO IT CONSISTS OF AND WHAT ITS MEMBERS ATTEMPT TO DO.

MY OWN INFORMATION ON IT IS THAT I WAS REQUESTED TO ATTEND A MEETING CALLED BY THE SUPERINTENDENT OF PUBLIC INSTRUCTION, DR. SIMPSON, IN SEPTEMBER OF 1947. I WAS PRESENT AT THAT MEETING ALONG WITH SENATOR DILWORTH, MR. WM. SCHMELZLE OF THE SENATE REVENUE AND TAXATION COMMITTEE AND OTHERS. WE WERE INFORMED THEN IT WAS THE PURPOSE OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION TO FORM A COMMITTEE TO STUDY THE NEEDS OF PUBLIC EDUCATION, TO RETAIN SOME EXPERT PERSONNEL, AND TO PUT THE WHOLE FORCE OF THE EDUCATIONAL SYSTEM OF THE STATE BEHIND THIS EXPERT PERSONNEL FOR THE PURPOSE OF DEVELOPING INFORMATION ON THE NEEDS OF THE PUBLIC SCHOOL SYSTEM OF CALIFORNIA AND THAT WAS THE BEGINNING OF THE FORMATION OF THE COOPERATIVE COMMITTEE.

Several members of this interim committee, Mr. Kirkwood, and Mr. Geddes particularly, as well as myself, have attended many meetings of that committee and have been cognizant of what they were doing prior to the 1949 Session of the Legislature when the committee's efforts resulted in the program presented at that time in Assembly Bill No. 2120 and in the bills for re-organization of school districts; the question of equalization of local assessments; and several other things, so the major educational legislation that was before us in 1949 was in the main the product of that Cooperative Committee. The Cooperative Committee is still in existence, and I would like to call on Mr. Hogan, Deputy Superintendent of Public Instruction who is here in the absence of Doctor Simpson to describe to this committee how the Cooperative Committee was actually formed, and what is being done at the present time. Afterwards, I will call on Mr. Arthur Corey, who is the representative of the California Teachers Association to supplement what Mr. Hogan has to say. Mr. Hogan . . .

THE COOPERATIVE COMMITTEE ON EDUCATION

HOGAN: Mr. Chairman, and members of the committee, my name is George Hogan, State Department of Education. The Cooperative Committee, as Mr. Dunn has stated, was planned for in 1947. In March, 1946, a year prior to that time, there was a meeting called to discuss the various problems which should be considered by school administrators with reference to the equalized distribution of the State Apportionment Fund and to discuss with school superintendents; representatives of all of the professional organizations; the Parent Teachers Associations and others, the problems involved in financing public education. This device was a very effective one in ironing out a lot of controversial problems and issues, involved in preparing recommendations to the Legislature in the form to become legislation which would guide the apportionment of the funds for public education. The Cooperative Committee as such was appointed at its first meeting, February 4, 1948, and it was truly as the committee name indicates, a cooperative one, one which the State Department of Education and the California Teachers Association jointly planned for. Representing the State Department of Education there are six people on the Cooperative Committee. Representing the California

Teachers Association there are six people; representing the State Educational Associations there are 10, and I thought you might be interested in knowing just what associations are represented in this committee They are,

The Association of California County Superintendents.
The California Association of Adult Education Administrators.
The California Association for Childhood Education.
The California Association of Public School Business Officials.
The California Association of Secondary School Administrators.
California Congress of Parents and Teachers.
California Elementary School Principals Association.
California Junior College Association.
California School of Trustees Association.

The members at large are representative of city districts; rural districts; large districts and small districts. There are 14 representatives at large. That totals on the committee itself, 36 members. In addition to the members of the committee there have always been invited those people who have been active in professional organizations that were concerned with financing public education, and also Members of the Assembly Education Committee and Senate committees have been invited to attend the meeting.

Superintendent Simpson serves as chairman of the meeting. Mr. Frank Wright, Associate Superintendent, serves as vice chairman. Meetings of the committee have been called by the Superintendent when the need has arisen. Prior to the convening of the Legislature, when changes were considered necessary in the apportionment bill, there have been meetings at which time this group of people have discussed the various phases of the Apportionment Bill, and it has from the very beginning and up to the present time been a cooperative type of committee, each member trying to understand the other fellow's problems and to come out with some type of recommendation to the Legislature which they all could stand behind.

The last meeting of this committee was held just last month and the most of the business at that particular time was taken up in considering the bill that passed the last Legislature, Assembly Bill No. 65, and the effects it would have when financing public education for this current year. Are there any questions that you gentlemen have? I believe I have stressed on the formation and who are members of the committee. Are there any additional things, Mr. Dunn, you believe I should have brought out?

DUNN: One question I might ask, in addition to the people invited, who were representatives for the professional administrative point of view did you ever invite, for instance, representatives of Taxpayers' Association, Chambers of Commerce, Labor organizations, and so on.

HOGAN: Not to my knowledge, Mr. Dunn. I know the Legislators, Assemblymen and Senators, those particularly on the Education Committee have been invited, but I do not believe there were others representing those other groups invited to sit with the committee.

DUNN: I seem to recall that Mr. Alden Fensel (Director of Research, California State Chamber of Commerce, S. F.) was present at some meetings.

HOGAN: Yes, Mr. Fensel has been present, that's true.

DUNN: In other words if they came they were welcome. Who voted on the decisions that were made?

HOGAN: The people, the 36 members I enumerated; six from the State Department of Education, six from the California Teachers Association; the 10 representing the professional organizations, and the 14 from at large were the voting members of the committee.

DUNN: Any members of the committee have any questions now? (No further questions) Well then, suppose we hear from Mr. Corey to supplement what Mr. Hogan just said and then we can ask questions from both of them. (To Mr. Kirkwood entering the meeting.—Mr. Dunn stated that Mr. Hogan had just given us a brief outline of the formation of the Cooperative Committee)

COREY: My name is Arthur F. Corey, Executive Secretary of the California Teachers Association. In supplementing the answer to the immediately previous question, regarding voting in the Cooperative Committee, I would like to add that in all of the activities of the committee the idea has been prevalent that the purpose of the committee was not just to decide things by majority votes but was rather not to accept the decision until we could find a meeting of the minds that would be pretty unanimously accepted. On any committee involving state-wide participation with 36 members, it is obvious that all 36 are not present at any one meeting. We would have normally in attendance 30-31 people up to 36 and we always have operated on the rule which is a rule of the committee that *no motion can be passed without 21 affirmative votes which means it is essentially a two-third's vote.*

I would like to go back for a minute to supplement what Mr. Hogan had to say about the formation of the committee. In December, 1947, following the initial application of the constitutional amendment which provided $120 per child on A.D.A. of state funds, the original application of that amendment in the distribution of those funds followed a pattern which was recommended by Doctor Strayer in a study which was set up under funds which were appropriated by the Legislature.

DUNN: We had better clarify that now, Mr. Corey, and say the study was set up under funds appropriated by the Legislature in the Special Session of 1944 and the distribution of state funds on an equalization basis was made effective by legislation, passed in 1945.

COREY: All right . . . .

DUNN: . . . . so that we don't get confused with the other 1947-48 Strayer Report, which is confusing enough in itself.

COREY: The point I wanted to make, I believe, Mr. Chairman, is still essentially true—the work was done under funds provided by the Legislature. By December, 1947, it had become obvious that that plan was not adequate The State Council of Education, which is the representative group composed of representatives of the whole profession in this State and is the legislative group of the California Teachers Association, passed a motion requesting the State Superintendent of Public Instruction to set up a state-wide committee; there were no stipulations with regard to how it should be done,—how big it should be or who should be on it, but that the committee should be set up by the Superintendent to make an adequate study over a long term basis of the financial needs of the public schools and to be prepared at the appropriate time to report.

I met with Dr. Roy Simpson at his request, and we set up the skeleton of the committee as it was described to you by Mr. Hogan. The only direct representatives of the California Teachers Association on that committee through the intervening years have been the six persons representing our Finance Committee, and I should like to emphasize, the character of our personnel. I was named as one of the members. John Alltucker, Superintendent of Schools of Vallejo; Emmett Barry, Superintendent of Schools of Porterville, who by the way, is still a member of the committee representing the California Teachers Association although now he is a member of the State Department of Education staff; Dr. Will Crawford, Superintendent of Schools San Diego; Charles S Morris, District Superintendent of the San Mateo Junior College district; Dr. C. C. Trillingham, County Superintendent of the Schools Los Angeles County.

Those were the people—have been the people who have represented the California Teachers Association on this committee through all of this time.

DUNN: They are all administrators . . . .

COREY: Yes. They are all administrators.

DUNN: They are in effect, employers rather than employees . . . .

COREY: That is right. Although, in the total make-up of the committee there were, I think, four classroom teachers and have been through the years. This committee has been essentially a committee of administrators and there is a reason for that. Because administrators by training and experience are the people working in the Public School System who had been trained—know something about school finance They are the people most capable in our profession of sitting together and working out plans of financing the schools.

That emphasizes too that, the California Teachers Association is a kind of organization which represents the whole profession—represents classroom teachers—represents supervisors—administrators—all those who work in the public school professionally. Then the organization representatives were not chosen by the committee, by Doctor Simpson or by the California Teachers Association. They were chosen by the organizations they represent. And through the intervening years there has been some change in the personnel. In other words, some of those, one of them I recall at the moment, the California Association of School Administrators, has changed at one time its representatives from the committee, and I think one or two others have done so Then we come to the members at large. I believe there were 14 named as was said by the previous Speaker—those were jointly selected by the Board of Directors of the California Teachers Association, *but all subject to the approval of Doctor Simpson.*

I should also like to emphasize that the principal participation of the California Teachers Association in this committee has been to pay the bill. You don't get 36 people from all areas of this big State together frequently without somebody paying their expenses to come. Many of the members of the committee have had their expenses paid by the organizations they represent. But those members of the committee for whom there was no other way to pay their expenses, the California Teachers Association has always done so.

Then, during the first year and half or two years of the operation of the committee it was felt necessary, as it will in the future if the committee continues, to have the best available assistance in the way of counseling that we could obtain in the United States.

For about fifteen or eighteen months, we had the services on a part-time basis of Dr. John Norton, Teachers College, Columbia University, a native of California, and Dr. Lawler of Northwestern University. I should like to state here that for the record, in order that there be no misunderstanding that during those months of operation of the committee, the California Teachers Association invested something over $13,000. Not only in the expense of holding the meetings, but in the payment of the consulting fees to these two men who did the work.

I want to emphasize at the same time that at no time were the consultants or the committee responsible to the California Teachers Association for what they did. So far as the California Teachers Association is concerned, any pronouncement or recommendation of the Cooperative Committee has not become a recommendation or a policy of the California Teachers Association unless it were subsequently approved after discussion by our Finance and Legislative Committees and by our State Council of Education.

This is a group in which we have participated, which we have helped finance for the good work they could do, and for the advantage of the facts they could work out which could not be worked out in the very nature of things by the type of committees which we are able to have from our council.

Now I think several of you, if not all of you, present have seen the first report, which was issued in January, 1949, of the Cooperative Committee upon which was based recommendations to the Legislature covering the two general areas. First, the school building construction aid, and, second, general state aid for the program of the public elementary and secondary schools, namely, the Apportionment Bill. That study was divided into many, many subdivisions which I will not take time to go through. Rather I think it would be better for me to take a few minutes you perhaps are willing to give to this, to outline some of the areas of study which seemed to appropriate to the committee in their meeting last month which they are undertaking at the moment and which should be available this fall. There has considerable time elapsed, 20 months, since the first report. Therefore, some of the facts in the report, some of the statistics, some of the recommendations, in the opinion of the committee, are no longer good—they are no longer authentic because facts and conditions have changed.

Therefore, at the last meeting a month ago, the committee undertook a new program of study with the assignment of these areas of research to various agencies equipped to do the work. I'll go over the program briefly.

I might say that that's exactly the way the committee has always worked The committee has not, except during the few months when we had available the two experts I mentioned,—has not had a staff—a paid staff to work. The individual studies have been assigned to agencies existing with research staffs, and then have been reported back to the committee and consolidated into those reports which the committee has

issued. The first program of study being undertaken, and it is already under way, has been assigned to the California Association of School Administrators. They have appointed some months ago, a special committee to undertake this study, and I might say the personnel of that committee largely duplicates the personnel of the Cooperative Committee. I mean some of the members of the Cooperative Committee are on that committee of the CASA,—they have retained for the purposes of advising them on this study, Doctor Morphet of the University of California, a man who only recently came to the University of California and who has had rather wide experience in the United States in consultation with states and with school districts on the matter of school finance programs.

The character of this first study is this. It is, to undertake not in terms of someone's idea, but in terms of actual cost at the moment—to arrive at a defensible foundation program for the elementary and secondary school. By a foundation program I mean simply this. A program which would be defensible as a minimum program of educational opportunity in any district in the State for the children of California. What that program should be—what is defensible to be in it, and if we had that kind of a program for a child in any school district in this State, what that program would cost at the elementary level and at the secondary level—that means elementary schools, highschools and junior colleges. That's the first area of study which is under way.

DUNN: Mr. Corey. Could you identify this California Association of School Administrators? Who is eligible for membership in that?

COREY: Any person serving in a administrative capacity in the public schools. Elementary school principal, high school principal, superintendent, county superintendent, city superintendent. Does that answer your question, Mr. Dunn?

DUNN: Yes.

COREY: The second area of study being undertaken is an attempt to isolate in the educational program what is going on in the State at the present time. Those elements of service and expense which might be interpreted as not being directly educational. There is a feeling on the part of some of our school people, on the part of many of our parents and taxpayers that there are many things going on in the public schools, although they may be very good in themselves, which are being directly charged against education which primarily, are not educational but some of them are other worth while public functions. We might call them community services.

I might give a few examples of what such services are. We have many school districts where cooperative programs of community recreation have been worked out between the district and the city. Where, under the joint support of the school district and the city there is a recreational program which operates not only during the school year on the school ground, but uses the school facilities for a public recreational program in the summer time. Now that expense is charged against the schools, that portion which the school district are paying. We might call it a recreational expense. Many school people feel that it is not an expenditure which ought to be directly charged against what we are calling a foundation program of minimum educational opportunity for the children. Then we have the Civic Center Act. An act very good in itself which

provides that the school buildings are to be made available for all sorts of community uses, not directly connected with the school. An act which within itself being good, still does charge against the school district, considerable expense which shown in any report of educational expenditures is charged back against the expense per pupil for operating the schools and has nothing directly to do with the instruction of the child each day during the school year.

Then we have the child care centers Child care centers are now being supported by the State and to some extent by local school districts. Those expenditures being reported by the school districts, tend to reflect in what appear to be increased costs for the regular educational program; driver education is an example of the new element of the school program at the high school level which has been introduced by law, by action of the Legislature, teaching these children who wish to learn how to drive. Very good!! We have no criticism of it, but is not the kind of thing which we normally have considered to be a part of the foundation program of the high school. So this Number Two item, in the present study, is going to attempt to isolate in the schools of the State those items of expenditure which normally have not been considered to be direct education but rather community services,—see how big they are—see how much they reflect themselves in the apparent increased cost of education We may find that a considerable segment of the apparent increased cost in the operation of the schools is because of those services which are being rendered to the community in general.

KIRKWOOD: Mr. Chairman, may I ask Mr. Corey a question?

DUNN: Mr. Kirkwood.

KIRKWOOD: Mr. Corey, what consideration is being given along that line to the adult education program and the use of that as a means of building up ADA and the outside services that are being performed in that program that may not be strictly educational?

COREY: I couldn't answer that question in terms of this specific study.

KIRKWOOD: Well, will it be included? That's all I wanted to know.

COREY: I believe it was mentioned in that meeting as being a part of the program but it certainly can be included.

KIRKWOOD: You have an offsetting factor there of means that has been discovered of getting more money apparently for some districts, I'm wondering shouldn't come along at the same time perhaps . . . .

COREY: I might say that this particular study,—because the facts and figures in the analyzing of the individual district budgets for this study are in possession of the State Department of Education. They have been asked to have ready for us at our next meeting, some analysis of this particular problem.

Number Three problem has to do with revenues which are available for school districts other than State and district funds. For a long time there has been some money available to some school districts from sources other than their own district taxation and State funds. There are other, newer sources which have developed in recent years. This study has also been undertaken by the State Department of Education. We are going to try to arrive at whether or not these other sources of funds are significant enough that they should be taken into consideration in our overall plan for the distribution of state aid.

The first of these funds I might mention,—and these are merely illustrative, are the funds which for many years have been available from the Federal Government to assist in the education of Indian children in those districts where there are poor Indian children. Then we have others which came up only in recent years. Certain types of property operated by the Federal Government, if those properties are deemed to be in competition with private business,—such as housing projects. The Federal Government makes a payment which would be considered in lieu of a tax payment they would make if they were subject to taxation. And in some school districts where such projects are extensive, there is considerable money available in that field. There are limited funds available in some of our rural areas because of the money which is derived from the Federal Government for grazing of cattle on public lands, that is, on federal lands. Then in recent years, since the war, particularly, in some of the junior colleges there has been made available, considerable money in the form of tuition for students who are being educated under the GI Bill of Rights. Those are some illustrations of these particular types of income from other than state and local taxes, an analysis of which, so far as I know, has never been made in total for the school districts of the State.

DUNN: Now, may I interrupt Mr. Corey?

An offsetting factor there might also be considered, with reference to—let us say, state or federally owned property which houses children going to the public schools. The Ione situation is what I had in mind particularly, where a large number of the children going to the school in that particular district are housed in state-owned buildings, state-owned residences, where the people working at Ione live, and from which no income is derived to the local school district. Is that to be considered also in that study?

COREY: I don't believe that the problem of children residing on state-owned property was mentioned. The problem however, of large numbers of children who are residents in local school districts because of federal activity has been mentioned and contemplated for study,—that is part of this program.

DUNN: There are only a few isolated instances it is true, but they are very definite handicaps to the development of a program in a district where the State operates an institution like Ione.

COREY: It might be of interest to the committee to know too that the so-called Bailey Bill HR 7940, (now Public Law 874 approved September 30, 1950) has passed the House and it is considered probable it will pass the Senate which attempts to do something about this particular problem you brought up in those areas where the federal activity has borne heavily on the local school district. That bill would assist materially in a place like Mariposa County where the federal employees of the Park Service living in Mariposa County compose a very significant segment of the whole school population of the county. And yet although a large area of that county is owned by the Federal Government the Federal Government makes no contribution at all. That bill would provide for a contribution on the part of the Federal Government to assist in the education of those children. There is some hope therefore in the immediate future there will be some relief for this problem as regard to the Federal Government.

KIRKWOOD: Now Mr. Corey, as far as the state contribution is concerned, the Cooperative Committee's study would develop, if you went into it, that, if you have proper program of equalization and an adequate foundation program, that as far as the State is concerned, it pretty much equalizes itself out, to see just how far it does equalize is important.

COREY: As far as the foundation program . . . .

DUNN: I think the point that Mr. Lindsay intended to make in his bill (AB 67 in the 1949 Session) with reference to the Ione situation, and to my mind it would seem quite pertinent, is that there is nothing left beyond the foundation program—the spread between whatever is the local tax and the maximum tax such as is available to other districts is not available in situations like that.

COREY: Of course if we were to assume in the first place, and I assume that Mr. Kirkwood in his question meant that, even if the foundation program were adequate and could be defensible as being adequate, then it would pretty much take care of itself May I go on to the next problem?

DUNN: Yes, proceed.

COREY: The next problem has to do with an analysis of the tax structure of this State as it compares to other states And I might say that this attempt will be the first attempt on the part of a professional group representing education to get into the study of tax purposes. We have felt, and the Cooperative Committee felt in it's last meeting, although the Cooperative Committee previously has not undertaken any study of this kind, that with the best available assistance and facts we can get, we must be prepared to understand what the tax structure in this State is, whether it is distributing the tax load relatively equally and with fairness and how it compares to the tax structure in other States, and that problem was assigned to the Research Department of our organization, the California Teachers Association.

DUNN: Are there questions on that before we go on? (no questions).

COREY: The next problem has to do with population One of the principal studies involved in this original report was a very difficult study and one which our Research Department in the California Teachers Association worked on for months. It had to do with an attempt to project into the future the school population of this State. And it is a different sort of study than just a plain population study. There have been many studies made which attempted to estimate, as of a given time, how much the total population of California would be.

But to break that down and say how many of the 13 million who may be here in 1960 would be in the first grade, for instance, is a different problem entirely and quite difficult. That attempt was made of this study, I think with relative success, the best methods statistically that could be found from study were used. Now, this next project in the immediate future, and it has also been assigned to Dr. Kenneth Brown of our Research Staff because he is the man who has given most study to this problem, is to try and bring those figures up to date. In line of what's actually happened in the State in the last two years,—what corrections must we apply to those original estimates in the report to make the figures accurate for today,—the best estimate we can give.

Problem Six has to do with an attempt to analyze the whole program of service now being rendered by the offices of the county superintendent

of schools. That means both the services which we call supervision of instruction in those schools of under 300, or under 900, and also those programs of service which have been financed in recent years out of what we have called the County Service Fund. Those funds being apportioned by the State, and coming from the State, this will be undertaken by a Joint Committee of the School of Administrators Association and the County Superintendents Association.

Number Seven is a further study of the whole problem of trying to arrive at a reasonable and workable method of taking care of the growth in enrollment situation. A study of whether or not the legislation enacted by the 1950 Session is going to,—reasonably meet the need? Whether it is adequate? Whether it isn't—if it isn't, what would be adequate.

And the last problem set up for study is a continuation of the study which has been going on for a number of years on district organization. It is the feeling of the Cooperative Committee that it will be utterly impossible for us ever, so long as we have anything like the present district organization in this State to disregard district organization when we are studying school finance. There are the two problems that are tied together just as surely as can be. The possibility of setting up a separate foundation program for unified districts was discussed by the committee and will be a part of this study as to whether it will be feasible.

Many of our states, a State like New York for instance, where they don't face the problem we face at all, with a given community having two school boards, one for elementary and one for high and with a completely different administration, and a different school finance set-up for elementary schools and for high schools. They have their foundation programs set on the basis of what we would call a unified district. A foundation program to cover the whole program from the first to the twelfth grades. And, as I said a minute ago, the second aspect of that continuing study on district organization is a study of those items where the method of distributing state funds impinges directly on the character of the organization we find at the local district level, it's perpetuation, it's abolition, a study of what is going to happen to the present district organization because of the way we distribute funds.

Now that is a listing You will note two of the problems I have put as sub-problems under two of the major ones, so there are eight major problem areas, two of the original problem areas being included as subareas in these eight. There is the program upon which the Cooperative Committee is embarked at the moment, how long it will take to get these facts we do not know, some of these areas are tremendous areas, but each one has been assigned to a particular agency for work and will have preliminary reports at the meeting of the Cooperative Committee, I believe, it is the thirtieth of August, a meeting to which I am sure the members of this committee will be invited.

KIRKWOOD: Mr. Chairman.

DUNN: Mr. Kirkwood.

KIRKWOOD: Mr. Corey, I would think it would be much more useful for our consideration of the program later, which I think is the end, the purpose of this material—if it could be prepared in such a way that it would be brought before us so that our Legislative Auditor or some representative of this committee as a Legislative Representative would understand it, would know that the facts he wanted to see were there. Would

it be possible and helpful at this stage of the game to have someone, I would think from the Legislative Auditor's office, check the material that is being developed, or the manner in which it is being developed, and they have a chance to say what the purposes of the development are, so that we are sure we are collecting all the useful material; I would think it would be very desirable, particularly on your population study for example.

COREY: As far as our organization is concerned and these studies which have been assigned to us, I am sure that that would be perfectly possible between now and September, but there being no meeting of the committee between now and, well it's about three weeks from now, and these reports at this next meeting will be very preliminary, and I am sure that after that there will be plenty of time . . . .

KIRKWOOD: . . . . a preliminary report of that sort is almost necessary to determine what final course of the study is going to take. But, I would think at that time if the Legislative auditor or if the committee felt that someone else should do it, someone else have a part in determining the way in which the material is to be developed and presented.

RUMFORD: My question, Mr. Corey, just how far will the State Department of Education go in formulating these policies and the program after this preliminary study has been made.

COREY: I'm not sure whether I understand just what you mean. But if you mean by the State Department of Education formulating the policy, will there be specific legislation drawn as a result of some of these studies . . . .

RUMFORD: . . . . as a result of this study. Then who compiles it and says, well, this particular group has a certain end point somewhere and from that point it will be given to the Legislature to formulate the bills, etc.

COREY: WELL, OF COURSE I THINK WE SHOULD ADMIT IMMEDIATELY THAT THE ULTIMATE OBJECTIVE OF ALL OF THIS IS NECESSARY AND DESIRABLE LEGISLATION. ANYTHING UPON WHICH WE CAN GET 21 OR MORE VOTES IN THE COOPERATIVE COMMITTEE, WHICH THAT COMMITTEE FEELS SHOULD BE SUBMITTED IN LEGISLATION. I SUSPECT THAT THE STATE DEPARTMENT OF EDUCATION WOULD FEEL BECAUSE THEY HAVE HAD SUCH A LARGE PART IN THE FORMULATION OF IT IN THE COMMITTEE IN THE LEGISLATION TO BE INTRODUCED.

DUNN: Mr Corey. Was that true of the legislation which was presented in 1949, in Assembly Bill 2120 for instance?

COREY: Yes. I think we should say it was. AB 2120 was as exactly as we could make it, the recommendation of the Cooperative Committee as to what should be introduced. After the Cooperative Committee agreed on it, it was drafted by the state department into legislation,— was subsequently approved by our organization (California Teachers Association) so that we pushed it in the Legislature. AB 2120 was the result of the recommendation of this Cooperative Committee Does that answer your question?

And I would suspect that any of these items on which we find sufficient meeting of the minds, and by that I mean *not just a majority vote* but a real meeting of the minds in that group, as being a feasible answer

to any one of these problems, it probably would be drafted into legislation. And I should like to emphasize at this point, that it is not easy to get a meeting of the minds on any one of these problems. If I went over the personnel of the committee, person by person, describing to you the type of school situations represented by that person you would see how difficult it is in a State with the variety of school situations we have, to find methods of financing the schools which will be satisfactory, for instance, to Los Angeles City and which can still be supported by a rural high school district in Inyo County.

DUNN: Now Mr. Corey, that is one of the reasons I wanted Mr. Hogan and you here, because Mr. Kirkwood and myself have seen the disparity of opinion between various types of school organizations, some of us just say educators, and think they are all alike.

I would like to refer back to this question of the county superintendents' program and suggest that under the study of the county superintendents' program of service special attention be given to the money that is now allocated for supervision of instruction in districts of less than 300 ADA and of less than 900 ADA because of the criticism of that particular item of expense because some counties have a large number of districts of that character and consequently receiving what seems to be an inordinate amount of money for supervision of instruction.

I hope the Cooperative Committee is going to study that question. I think it is one of the weak spots at the present time in financing public education. It should be better balanced than it is.

KIRKWOOD: May I ask one more thing Mr. Corey?

DUNN: Mr. Kirkwood.

KIRKWOOD: I don't know whether I read something into Mr. Dunn's question there a minute ago that wasn't intended. The recommendations were those of the Cooperative Committee rather than the Department of Education. Now as I understand it, the Department of Education does have representation on the Cooperative Committee . . .

COREY: Six members.

KIRKWOOD: Six members. I have sensed at times at least on the part of certain members of the Department of Education, that they felt bound by the findings of the Cooperative Committee even though they were actually in the minority there. Now I don't know that that is too healthy a thing for a department of State Government or a too healthy a way for a department of State Government to act.

I think I sensed in Mr. Dunn's question, whether the department also independently recommended this bill as its recommendation, and I am wondering whether it shouldn't be in a position to make an independent representation or recommendation without any feeling of overruling in which it was a minority member.

COREY: Of course I would prefer the department answer that question themselves. However, I would make a comment on it for whatever it is worth. *This is just my opinion.* My opinion is, so long as we have a Department of Education headed by a man who is politically elected you will always have a situation where the department will be unwilling to come out on any matter as controversial as an apportionment measure,—unless they have already gone through the machinery of assessing pretty well whether or not it will meet the general approval of some large group representative of the whole profession. Therefore, probably under the

present set-up a type of thing such as the Cooperative Committee is about the only feasible method of getting a strong recommendation from a group such as the Department of Education so long as it is set up as it is at the present time.

KIRKWOOD: I agree with you. There isn't much difference in the long run, but I am wondering . . . .

COREY: . . . . looks better on paper.

KIRKWOOD: . . . . Might not look better.

RUMFORD: Mr. Chairman, I just wanted to say something about responsibility there in that particular case. Where does the responsibility lie?

COREY: If the Department of Education and the Superintendent of Public Instruction makes a definite recommendation to support a bill the responsibility rests with them no matter who originated the bill or how it was developed, certainly.

LEVERING: Mr. Chairman.

DUNN: Mr. Levering.

LEVERING: Mr. Corey, going back to the make-up of this Cooperative Committee. Mr. Hogan testified a while ago something about these 14 members at large. Can you tell us who these 14 members at large are? I don't mean their name,—what do they represent.

COREY: By telling you the kind of people they are without giving their names?

DUNN: Before you go into that, Mr. Corey, I think for the record we should have this said, that the 1945 Strayer Report did recommend changing the system of choosing the Superintendent of Public Instruction from elective to appointive, with an elective State Board of Education. The constitutional amendment which was proposed to the Legislature to bring that about was defeated in, I think, probably the last action of the 1945 Session of the Legislature.[a]

Even in those days we were cognizant of the problem and attempted to solve it. We couldn't quite do it. I would like you, Mr. Corey, in

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[a] Chapter 36, Statutes of 1944 provided the sum of $20,000 appropriated to the State Reconstruction and Reemployment Commission for the purpose of making a study of the administration, organization and financial support of the Public School System of the State.

This work was performed by Dr. George Strayer of Columbia University, under the direction of the Citizens Advisory Committee on Readjustment Education. The report became known as the 1945 "Strayer" Report. Amongst the recommendations in this report we find the following:

(1) The State Superintendent of Public Instruction should rank with the President of the State University.
(2) The State Board of Education should select the State Superintendent of Public Instruction.
(3) The State Board of Education should be appointed by the Governor and should serve all overlapping terms.

Assembly Constitutional Amendment #16 also introduced in the 1945 Session provided for appointment by the Governor the State Board of Education for ten year terms and for ratification by the voters of the appointment at the ensuing general election.

The proposed Constitutional Amendment provided for appointment of the Superintendent of Public Instruction by the State Board of Education This Constitutional amendment passed the Assembly with more than the required 2/3'rds majority and also passed the Senate with only minor amendments.

Next to the last action of the Assembly in the 1945 Session, the Constitutional Amendment was refused passage by its failing to get the required 2/3'rds majority for concurrence in the Senate amendment. (See Page 208, Assembly Journal, June 16, 1945)

answering Mr. Levering's question to go into some detail as to these people who are on the Cooperative Committee and the type of district or organization they represent, and the conflicts between these various people on this thing, so that the members of the committee will be able to see not just a group of educators getting together but rather a group of people representing specific problems on education.

COREY: Do you see any objection Mr. Chairman to my mentioning them by name? Also, the kind of people they are and who they represent? If you don't, I would rather do it that way because there is nothing to hide. This is a public matter, and it would be a little easier . . .

LEVERING: . . . a subsequent question that Mr. Dunn had referred to a little bit ago. I just wanted to ask another question after I get this information.

COREY: All right. The first is, Mr. George J. Badura, District Superintendent, Fortuna Union High School District in Humboldt County, way up in the northwest corner of the State. A rural area, a small town, a union high school district extending out into a rural area.

(2) Wm. J. Bauer, District Superintendent of Lone Pine Union High School District, a district which has perhaps the greatest dispersion of population in the State, and I think I should say here that Mr. Bauer on the committee very definitely represented the interests of the small high school districts. I mean in the discussion, we expected him to bring out the needs and the problems of the small high school districts.

(3) Then we have, Mr. C. J. Bentley, a classroom teacher from Salinas Union High School.

(4) Mr. Wm. Burkhard, City Superintendent of Schools, Sacramento.

(5) Herbert C. Clish, Superintendent of Schools, San Francisco.

(6) Herschel R. Griffin, Executive Secretary of the Affiliated Teacher Organizations in Los Angeles City, representing a teacher organization,—a local one.

(7) Dr. H. Fred Heisner, District Superintendent of the Centinella Valley Union High School District, Inglewood. That is the Inglewood Union High School District, one of the large Union High School districts in the State.

(8) Dr. Harry Howell, (Assistant Superintendent of Schools, City of LA) I need not tell you who he is.

(9) Charles Kranz, District Superintendent, the Mt. View District at El Monte. That is a relatively large but very poor elementary district, so he represents a particular type of district there.

(10) Mrs. Illa S. Lawson, a classroom teacher in the El Cajon School District in San Diego County.

(11) Miss Mary Virginia Morris, a classroom teacher in Los Angeles.

(12) Dr D. Lloyd Nelson is Associate Professor of Education now full professor of education in the University of So. California, Professor of School Administration.

(13) Henry E. Newbold, Principal of Gustine Union High School, a relatively small rural high school.

(14) Wm. R. Odell, former member of the committee, City Superintendent of Schools of Oakland, and now has been replaced by Doctor Berg, the new Superintendent in Oakland.

And that is the list.

LEVERING: That gives me some more light on the subject. Now that makes it necessary perhaps for another question. Do you think along with what Mr. Dunn said a minute ago that this committee could be better rounded out, might be able to do a better job and might also be able to have more influence on the passage of legislation if you had such people as Mr. Dunn mentioned on their committee—representatives of labor, representatives of the taxpayers' association. Would that help the program?

COREY: It might. Probably would, and yet I would be very frank with the committee as to the reason why they were not included.

LEVERING: Why not?

COREY: . . . . a practical problem. We surveyed it, we attempted to in making the decision in the formulation of the committee to begin with simply the practical problem that, once you opened it up and invite a few people, and by a few I mean 12 or 15,—where do you stop?

We have 50 or 60 state-wide organizations that once you begin to include them in an organization of this kind somebody calls up and says, why wasn't I included too. And, essentially this committee is a committee to gather information and to study the problems; to make recommendations It is not a selling committee by and large. *It is a committee which largely from a professional standpoint is trying to arrive at what the right answer ought to be.* And in my judgment, and I say this, knowing that it might be misunderstood by sone, I doubt the ability of the type of representation we would get, even from some of the organizations that were mentioned, to make a real contribution to the answers here. However, I'm frank to say that if we had a way of doing it practically, I would like to have them there.

LEVERING: Well, it would just seem to me that, if you could include some of those groups we might get the same thing we are trying to get in our Legislature, the checks, the balances of the two houses, because I think one of the criticisms about this Cooperative Committee is the fact that, it is practically 100 percent a professional group, and I readily agree, the professional groups are the only ones that can present certain aspects of it, perhaps it might be worth considering, checks and balances on it might make it easier to pass through this legislation. Do you get my point?

COREY: Yes.

LEVERING: Thank you. I only offer it as a suggestion. That's all. I don't know if it is worth anything or not.

COREY: May I say in conclusion in regard to the participation of the California Teachers Association in this whole program of the Cooperative Committee,—somebody, whether it be the California Teachers Association or someone else, has to be in a position to make a continuing study of school finance who is to be made to pay the cost of it? I think the committee should face frankly that one, and perhaps the best alternative, and the alternative which has been used in many other states, to having some private group paying the cost of such studies in education, *is to have that cost provided by the State itself.*

Now if there is objection, as some have said that there was, to the Cooperative Committee in that it represents certain interests which are private, then if the State were providing periodic studies, and paying the cost of them no such criticism could be made.

DUNN: Thank you, Mr. Corey.

Any more questions? (no comment)

Well, unless you have anything else to offer on the subject, Mr. Corey, we thank you for your contribution. We may feel inclined to call you back later.

COREY: Thank you very much, Mr. Chairman.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Speaker Sam L. Collins, the usual courtesies of the Assembly for this day were unanimously extended to Clem McColloch of Placentia.

On request of the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mrs J. J. Sheridan of San Diego.

On request of Mr. Brown and the Democratic Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. India Edwards, Vice Chairman of the Democratic National Committee, Washington, D. C.; and Ruth Dodds, Womens Vice Chairman of the Democratic Central Committee.

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Brauer and Mr. Notley, teachers; and the following pupils of the Bret Harte School: Paul Burns, Jerry Carbone, Daniel Cedarholm, Joseph Cunha, George Doyle, Joe Grasso, Charles Hutzler, Carl Jensen, Eddie Kibbe, Tony Madden, Jerry Newby, LeRoy Pegis, Michael Provonsha, Clarence Record, Dorwin Reis, Bill Terry, David Trent, Joan Britt, Gaylor Debalto, Beverly Dittberner, Judith Engelhardt, Carol Furtado, Marian Goodban, Barbara Jaeger, Claudia Larsen, Virginia Marques, Betty Mikesell, Nola McKee, Shirley O'Connor, Patsy Palmer, Ada Phariss, Sandra Smith, Martha Stephenson, Virginia Valente, and Connie Zaccaria.

On request of Mr. Coats, the usual courtesies of the Assembly for this day were unanimously extended to Allen Larner, teacher, and the following pupils of the Wheatland School: Sammy Beach, Jean Barnes, Patricia Brown, Leroy Clayton, Freddie Clements, Joy Casey, Jeraldine Coker, Ralph Deeds, Eugene Foster, Violet Foster, Mary Foster, Roger Goforth, Bill Hulsey, Leroy Hulsey, Joanne Hudson, Elva Lucas, Bill Middleton, Tommy Peardon, Jack Spradley, Carol Tull, Alton Whiteside, and Charlotte Westmoreland.

On request of Mr. Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Marilyn Fenno, teacher, and the following pupils of the Roseville School: Janet Alway, Barbara Lewis, Sally Monahan, Evelyn Morris, Florence Hays, Myrtle Driver, Rosie Chávez, Nettie Rossi, Fernanda Maffei, Marian Bermudez, Olga E. Zent, Mildred Clarkston, Bonnie Lee Noakes, Loyce Johnson, Sharon Leavitt, Richard Lowe, Glendalie Pierce, Sharon Hardison, Sandra Taylor, Dennis Baggett, Terry Freymiller, Houston Amick, Danny Blakely, Charles Asbill, Louis Allen, Richard Damitz, Allan Roth, Noel Wilson, Marlyn Layton, Betty Lozano, Lovelli Gostlin, John Montero, Arthur Dickens, Chauncey Laube, Leonard Newstrum, and Eddie Korte.

On request of Mr. Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Warren, Mrs. Larson, and Mr. Reeves, teachers; and the following pupils of the Camino School of Placerville: Jeanne Baltee, Carol Becker, Alice Mae Himmil, Bernice Burley, Karmen Hacker, Howard Miller, Frank Murphy, Stanley Langworthy, Russell Lane, Roswell Larson, Wesley Hicks, James Keller, Deloy McCullough, Jan Davidian, and Bobby Knipple.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to Miss Virginia Lee Mabey, teacher, and the following pupils of the Pittsburg High School: Marlene Adams, Salvatore Aiello, Antoinette Alaimo, Mary Bokinskie, Anthony Bruno, Theresa Capeto, Dominic Confetti, Doris Creswell, Harry Dillon, Kathryn Davi, James Elizondo, Ernest Fernandez, Rose Gonzalez, Theresa Gonzalez, Mildred Gore, Donald Gray, Mary Hatch, Jacqueline Lewis, Kathleen Lucido, Mary Lucido, Ray Lucido, Rose Lucido, Richard Lynch, Jean Macchi, Sylvia Martinez, Alex Molina, Adelaide Murguia, Carlotta Narez, Barbara Petrovay, Bertha Renz, Barbara Romero, John Sandercock, Charlotte Smith, Roberta Stephens, Edna Walden, Virginia Walker, Maurine Wells, Dale Yocum, and Deane Zamora.

On request of Mr. Conrad, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Steadman G. Smith of Hollywood.

On request of Messrs. McFall and Parker, the usual courtesies of the Assembly for this day were unanimously extended to Dwight W. Curtis, teacher, and the following pupils of the Stockton College: Delores Reed, Robert McTeer, Louise Johnson, Martha Hacker, Janet Gall, Camilla Hibbard, Marlene Tressler, Kathern Holliger, Joanne Turner, Marilyn Thomas, Marlene Thompson, Richard Knight, Fred Riolo, Reba Loveday, Fred Schooley, Lois Craft, Sylvia Slatkin, Ramon Roxas, Sharon Abbott, Beverly Browning, Philamena Cashiero, Carrie Brooks, Della Ciampaglia, Melvin Nicholsen, Zelda Moor, Lee LaVerne, Joanne Franzoi, Joyce Pollow, Mary Viola Lossman, Tommy Gaines, Peggy Freer, Ray Barsby, and Evangeline Elimidolan.

ADJOURNMENT

At 2.45 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Wednesday, April 25, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FORTY-FIFTH LEGISLATIVE DAY

SIXTY-FIRST CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, April 25, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—78.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

O God, the Source of Truth and Knowledge, Thy Kingdom is an everlasting Kingdom. Enlighten our souls with the brightness of Thy presence that we may more perfectly know Thy will and be enabled to perform it.

Our hearts are saddened by the death of our much beloved colleague in this Assembly. We pray for comfort to the bereaved family. May we all be inspired by his example of fidelity and consecration.

"We pray Thee for the stalwart faith,
Which gives unto us, whilst still we live here amongst men,
The facts and substance of eternal life
In a reality far beyond all other reality,
In a knowledge far transcending the knowledge of the touch and sight."

'We ask it humbly in Jesus' Name—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Hollibaugh, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Condon, on motion of Mr. Fleury.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 985

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bill was withdrawn from the file, and re-referred as follows:

Assembly Bill No. 985 re-referred to the Committee on Governmental Efficiency and Economy.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

Letter of Transmittal

April 24, 1951

To: Honorable Arthur A. Ohnimus
Chief Clerk of the Assembly
State Capitol, Sacramento, California

SUBJECT: REPORTS ON PROPERTY TAX ASSESSMENT UNDER SECTION 3693 OF THE POLITICAL CODE

From: State Board of Equalization
Dixwell L. Pierce, Secretary

Pursuant to Section 3693 of the Political Code, I am transmitting herewith for filing with the Assembly copies of surveys which have been completed under that section with respect to property tax administration in the Counties of Plumas, Monterey, and San Benito.

Similar reports have been submitted to the Legislature heretofore with respect to the Counties of Riverside, Imperial, Marin, Siskiyou, Solano, Alameda, Alpine, Amador, Calaveras, Inyo, Mariposa, Mono, Placer, Santa Cruz, Santa Barbara, Lassen, and Contra Costa.

DIXWELL L. PIERCE

Above transmitted copies of surveys ordered referred to the Committee on Revenue and Taxation.

By the Chief Clerk:

A communication from O. C. Pogge, Director, Federal Security Agency, Social Security Administration, Baltimore, Maryland, relative to House Resolution No. 87, was received, ordered noted in the Journal, and filed with the Secretary of State.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 50: By Messrs. Erwin, Sam L. Collins, Clarke, Hinckley, Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier,

George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Mrs. Niehouse, Messrs. Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—Relative to the death of Honorable George R. Butters, Assemblyman from the Seventy-seventh District, Imperial County, and to adjournment of the Legislature in respect to the memory of Assemblyman George R. Butters.

Request for Unanimous Consent

Mr. Erwin asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 50, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 50

Assembly Concurrent Resolution No. 50: By Messrs. Erwin, Sam L. Collins, Clarke, Hinckley, Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Mrs. Niehouse, Messrs. Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—Relative to the death of Honorable George R. Butters, Assemblyman from the Seventy-seventh District, Imperial County, and to adjournment of the Legislature in respect to the memory of Assemblyman George R. Butters.

Resolution read, and adopted unanimously by a rising vote.

Resolution ordered transmitted to the Senate.

Request for Unanimous Consent That Names of All Members of the Assembly Be Placed Upon Assembly Concurrent Resolution No. 50 as Co-authors

Speaker Sam L. Collins asked for, and was granted, unanimous consent that the names of all Members of the Assembly be placed upon Assembly Concurrent Resolution No. 50 as co-authors.

REMARKS BY SPEAKER SAM L. COLLINS IN MEMORY OF ASSEMBLYMAN GEORGE R. BUTTERS

George Butters is gone. An able legislator, most conscientious member, regular and punctual. The State has lost a most valuable public servant. We of the Legislature have lost a friend and assistant. The tanned face, garlanded with mirth, had the kingliest smile on earth. George is gone but his memory will forever linger on.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 24, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 54

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 54—Relative to the illness of Joseph L. Knowles.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 24, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 43
Assembly Bill No. 438
Assembly Bill No. 1089
Assembly Bill No. 1180
Assembly Bill No. 1812
Assembly Bill No. 1813
Assembly Bill No. 1831
Assembly Bill No. 1832
Assembly Bill No. 1833
Assembly Bill No 2311
Assembly Bill No. 2312
Assembly Bill No. 2315
Assembly Bill No. 2318
Assembly Bill No. 2319
Assembly Bill No 2321
Assembly Bill No. 3383

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 24, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 49

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 24, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 437
Assembly Bill No. 578
Assembly Bill No. 1828
Assembly Bill No. 2313
Assembly Bill No. 3347

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, April 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 307

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

Senate Bill No. 307—An act to add Section 111.5 to the Streets and Highways Code, relating to the adoption of city streets as a part of the State Highway System.

Referred to Committee on Municipal and County Government.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 24, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Constitutional Amendment No. 5

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Constitutional Amendment No. 5—Proposed amendment to Article XIII of the Constitution, relative to the taxation of insurance companies and banks.

Referred to Committee on Constitutional Amendments.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 24, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 92
Senate Bill No. 213
Senate Bill No. 319
Senate Bill No. 326
Senate Bill No. 505
Senate Bill No. 506
Senate Bill No. 901
Senate Bill No. 1461
Senate Bill No. 1668
Senate Bill No. 1813

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 92—An act to add Article 13 to Chapter 11 of Division 2 of the Education Code, relating to the annexation of territory to high school districts.

Referred to Committee on Education.

Senate Bill No. 213—An act to add Section 6358 to the Public Resources Code, relating to the surveys of state lands granted by the Legislature.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 319—An act to add Section 8275 to the Education Code, relating to the teaching of Communism upon any property belonging to any agencies included in the Public School System.

Referred to Committee on Education.

Senate Bill No. 326—An act to amend Section 16271 of the Education Code, relating to the use of school busses.

Referred to Committee on Education.

Senate Bill No. 505—An act to amend Sections 14441, 14449.1, 14449.2, 14452, 14638, 14641, 14680, 14681, and 14683 of the Education Code, relating to the State Teachers' Retirement System.

Referred to Committee on Education.

Senate Bill No. 506—An act to amend Section 14634 of the Education Code, relating to the computations of service of members of the State Teachers' Retirement System, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Senate Bill No. 901—An act to amend Section 11291 of the Education Code, relating to the distribution of textbooks published by the State Board of Education.

Referred to Committee on Education.

Senate Bill No. 1461—An act to amend Sections 11184 and 11272 of the Education Code, relating to textbooks.

Referred to Committee on Education.

Senate Bill No. 1668—An act to amend Sections 803.5 and 828.85 of the Agricultural Code, relating to nectarines.

Referred to Committee on Agriculture.

Senate Bill No. 1813—An act to amend Sections 28020, 28023 to 28078, inclusive, 28105, 28107 to 28113, inclusive, 28115 to 28119, inclusive, 28121, 28123-28141, inclusive, 28144, 28145, 28147 to 28149, inclusive, and 28151 to 28154, inclusive, of the Government Code, and to amend Sections 405, 407 to 413, inclusive, 415 to 419, inclusive, 421, 423 to 426, inclusive, 428 to 437, inclusive, 439 to 441, inclusive, 444, 445, 447 to 449, inclusive, and 451 to 454, inclusive, of the Education Code, relating to the classification of the counties of California and providing for compensation for public service in such counties as so classified.

Referred to Committee on Municipal and County Government.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1054
Assembly Bill No. 2061

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Joint Resolution No. 19

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 53

Has had the same under consideration, and reports the same back with the recommendation: Be adopted

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 30
Assembly Bill No. 767
Assembly Bill No. 773
Assembly Bill No. 1160
Assembly Bill No. 1952

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 1254

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Senate Bill No. 118
Senate Bill No. 881

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 482
Assembly Bill No. 775
Assembly Bill No. 1052
Assembly Bill No. 1542

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Senate Bill No. 91
Senate Bill No. 880

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred

Assembly Bill No. 1377

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 774
Assembly Bill No. 1358

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

BROWN, Chairman

Above reported bills ordered to second reading.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which were referred.

Assembly Bill No. 1074
Assembly Bill No. 1039
Assembly Bill No. 3398

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

ERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Senate Bill No. 9
Senate Bill No. 468

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which was referred.

Assembly Bill No. 945

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ERWIN, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 464—An act to amend Section 303 of the Probate Code, relating to disqualification of judges.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3379—An act to amend Section 204a of the Code of Civil Procedure, relating to jury commissioners in counties or cities and counties having a population of 60,000 or more.

Bill read second time, and ordered engrossed.

Assembly Bill No. 611—An act to provide for the transfer to the School Land Fund of the unexpended balance remaining on deposit in the School Land Deposit Fund, and making an appropriation.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1784—An act to amend Section 775 of the Political Code and Section 58.6 of the Code of Civil Procedure, relating to the salary of the Clerk of the Supreme Court and ex officio Secretary of the Judicial Council.

Bill read second time, and ordered engrossed.

Assembly Bill No. 977—An act to add Section 3715 to the Labor Code, relating to workmen's compensation awards against uninsured employers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 979—An act to amend Section 3710 of, to add Sections 3710.1 and 3710.2 to, and to repeal Section 3714 of, the Labor Code, relating to workmen's compensation.

Bill read second time, and ordered engrossed.

Assembly Bill No. 492—An act to add Chapter 4, comprising Sections 4400 to 4405, inclusive, to Part 8 of Division 1 of Title 1 of the Corporations Code, relating to corporations, and providing for the effectuation of plans of reorganization under any applicable statute of the United States.

Bill read second time, and ordered engrossed.

Assembly Bill No. 465—An act to amend Section 108 of the Civil Code, relating to divorce.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 18, of the printed bill, after "granted", strike out the period, and insert ", and the court may make such order for support, or require a bond therefor, as the circumstances require"

Amendment No. 2

On page 1, line 27, of the printed bill, after "upon", insert "the insane spouse and".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2459—An act to add Section 1238.3 to the Code of Civil Procedure, relating to the exercise of the right of eminent domain by nonprofit hospitals.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Assembly on April 17, 1951, following "Property", insert "immediately adjacent to and necessary".

Amendment No. 2

On page 1, line 8, of the printed bill, as amended, strike out "which is adjacent to said hospital".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2300—An act to amend Section 767 of the Political Code and Section 59.1 of the Code of Civil Procedure, relating to officers and employees of the Supreme Court and of the district courts of appeal.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 12, 1951, strike out "Section" following "and", and insert "Sections 59 and".

Amendment No. 2

On page 1, line 4, of said bill, as amended, strike out "not more than three"; and strike out lines 5 to 7, inclusive, and insert "such other assistance as required shall be appointed by the Supreme Court The salary of the reporter of the decisions of the Supreme Court and of the district courts of appeal is ten thousand dollars ($10,000) per annum The salaries of the assistants shall be established in accordance with Section 18004 of the Government Code".

Amendment No. 3

On page 1, line 8, of said bill, as amended, strike out "of the Supreme Court".

Amendment No. 4

On page 1 of said bill, as amended, strike out lines 10 to 19, inclusive.

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 5

On page 1 of said bill, as amended, after line 19, insert

"SEC. 2. Section 59 of the Code of civil Procedure is amended to read:

59 The reporter of the decisions of the Supreme Court and of the district courts of appeal [and not more than three assistant reporters] *and such other assistance as required* shall be appointed by the Supreme Court. [The Supreme Court shall also appoint a clerk and a secretary to the reporter. Each of these officers shall be removable at the pleasure of the Supreme Court.] "

Amendment No. 6

On page 2, line 1, of said bill, as amended, strike out "2", and insert "3".

Amendment No. 7

On page 2, line 5, of said bill, as amended, strike out "assistant re-", and insert "assistants shall be established in accordance with Section 18004 of the Government Code."

Amendment No. 8

On page 2 of said bill, as amended, strike out lines 6 to 11, inclusive; and in line 12, strike out "($3,600) a year".

Amendment No. 9

On page 2 of said bill, as amended, strike out line 14, and insert

"SEC. 4. Sections 2 and 3 of this act become operative only if".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 263—An act to amend Sections 4452, 4453, and 4656 of the California Labor Code, dealing with workmen's compensation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "4452 ,4453, and 4656", and insert "3208, 4452, 4453, 4458, 4460, 4600, 4702, and 5952".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 25, inclusive; and on page 2, strike out lines 1 to 26, inclusive, and insert

"SECTION 1. Section 3208 of the Labor Code is amended to read:

3208. "Injury" includes any injury or disease arising out of the employment, including injuries to artificial members, *dentures,* eye glasses and medical braces of all types; provided, however, that eye glasses will not be replaced, repaired, or otherwise compensated for, unless injury to them is incident to an injury causing disability in excess of [seven] *three* days.

SEC. 2. Section 4452 of the Labor Code is amended to read:

4452. Four times the average annual earnings shall be taken at not less than one thousand dollars ($1,000) nor more than [seven thousand two hundred dollars ($7,200)] *eight thousand four hundred dollars ($8,400)* in disability cases, and in death cases shall be taken at not less than the minimum nor more than the maximum limits as provided in Section 4702 of this code.

SEC. 3. Section 4453 of the Labor Code is amended to read.

4453. *In computing average annual earnings for purposes of temporary disability indemnity only, the average weekly earnings shall be taken at not less than fifteen dollars ($15) nor more than fifty-three dollars and eighty-five cents ($53.85).* In computing average annual earnings *for purposes of permanent disability indemnity*, the average weekly earnings shall be taken at not less than fifteen dollars ($15) nor more than forty-six dollars and sixteen cents ($46.16). Between these limits the average weekly earnings, except as provided in Sections 4456 to 4459, shall be arrived at as follows:

(a) Where the employment is for 30 or more hours a week and for five or more working days a week, the average weekly earnings shall be 95 percent of the number of working days a week times the daily earnings at the time of the injury.

(b) Where the employee is working for two or more employers at or about the time of the injury, the average weekly earnings shall be taken as 95 percent of the aggregate of such earnings from all employments computed in terms of one week; but the earnings from employments other than the employment in which the injury occurred shall not be taken at a higher rate than the hourly rate paid at the time of the injury.

(c) If the earnings are at an irregular rate, such as piecework, or on a commission basis, or are specified to be by the week, month, or other period, then the average weekly earnings mentioned in subdivision (a) above shall be taken as 95 percent of the actual weekly earnings averaged for such period of time, not exceeding one year, as may conveniently be taken to determine an average weekly rate of pay.

(d) Where the employment is for less than 30 hours per week, or where for any reason the foregoing methods of arriving at the average weekly earnings cannot reasonably and fairly be applied, the average weekly earnings shall be taken at 95 percent of the sum which reasonably represents the average weekly earning capacity of the injured employee at the time of his injury, due consideration being given to his actual earnings from all sources and employments.

SEC. 4. Section 4458 of the Labor Code is amended to read:

4458. If a male member registered as an active fire fighting member of any regularly organized volunteer fire department as described in Section 3361 suffers injury or death while in the performance of his duty as fireman, then, irrespective of his remuneration from this or other employment or from both, his average weekly earnings [shall be taken as thirty-eight dollars and forty-six cents ($38.46)] *for purposes of determining temporary disability indemnity shall be taken at fifty-three dollars and eighty-five cents ($53.85) and for purposes of determining permanent disability indemnity shall be taken at forty-six dollars and sixteen cents ($46.16)* [Three] *Four* times his average annual earnings shall be taken as [five thousand nine hundred ninety-nine dollars and seventy-six cents ($5,999.76)] *eight thousand four hundred dollars ($8,400)* in disability cases, [and three and one half times his average annual earnings as a maximum of six thousand dollars ($6,000) in the event of death] *and in death cases shall be taken at not less than the minimum nor more than the maximum limits as provided in Section 4702 of this code.*

SEC. 5. Section 4460 of the Labor Code is amended to read:

4460. *For the purpose of computing the temporary disability indemnity payable to any employee who sustains an original injury causing temporary disability, the maximum average weekly earnings shall be taken at fifty-three dollars and eighty-five cents ($53.85).* For the purpose of computing the [temporary or] permanent disability indemnity payable to any employee [, including "volunteer firemen" as defined in Section 3361,] who sustains an original injury causing [temporary or] permanent disability, the maximum average weekly earnings shall be taken at forty-six dollars and sixteen cents ($46.16).

Every computation made pursuant to this section shall be made only with reference to temporary disability or such permanent disability resulting from an original injury sustained after this section becomes effective; provided, however, that all rights presently existing under this section shall be continued in force.

SEC. 6. Section 4600 of the Labor Code is amended to read:

4600. Medical, surgical, and hospital treatment, including nursing, medicines, medical and surgical supplies, crutches, and apparatus, including artificial members, which is reasonably required to cure or relieve from the effects of the injury shall be provided by the employer. In the case of his neglect or refusal seasonably to do so, the employer is liable for the reasonable expense incurred by or on behalf of the employee in providing treatment.

In accordance with the rules of practice and procedure of the commission, the employee, or the dependents of a deceased employee, shall be reimbursed for expenses reasonably, actually, and necessarily incurred for X-rays, *laboratory fees*, and medical reports required to successfully prove a contested claim.

SEC. 7. Section 4702 of the Labor Code is amended to read:

4702. The death benefit shall be a sum sufficient to equal:

(a) In a case of total dependency, four times the average annual earnings of the deceased employee.

(b) In a case of partial dependency only, four times the amount annually devoted to support of the dependents by the employee.

The death benefit shall be paid in installments in the same manner and amounts as disability indemnity, payments to be made at least twice each calendar month, unless the commission otherwise orders. Except as provided in the next paragraph, the death benefit, when added to all accrued disability indemnity, shall not exceed four times the average annual earnings of the employee, nor exceed the sum of [six thousand dollars ($6,000)] *seven thousand dollars ($7,000)*, except in the case of a surviving widow and one or more dependent minor children, in which case the death benefit shall be increased 25 percent, but not to exceed [seven thousand five hundred dollars ($7,500)] *eight thousand seven hundred fifty dollars ($8,750)* and, except as otherwise provided in Sections 4553 and 4554. For a total dependency the minimum death benefit shall be three thousand dollars ($3,000.).

Disability indemnity shall not be deducted from the death benefit and shall be paid in addition to the death benefit when the original injury resulting in death occurs after the effective date of the amendment to this section adopted at the 1949 Regular Session of the Legislature.

Every computation made pursuant to this section shall be made only with reference to death resulting from an original injury sustained after this section as amended during the 1949 Regular Session of the Legislature becomes effective; provided, however, that all rights presently existing under this section shall be continued in force.

SEC. 8. Section 5952 of the Labor Code is amended to read:

5952. The review by the court shall not be extended further than to determine, *based upon the entire record which shall be certified by the commission*, whether:

(a) The commission acted without or in excess of its powers.

(b) The order, decision, or award was procured by fraud

(c) The order, decision, or award was unreasonable.

(d) The order, decision, or award was not supported by substantial evidence.

[(d)] *(e)* If findings of fact are made, such findings of fact support the order, decision, or award under review.

SEC. 9. Nothing in Section 8 of this bill shall permit the court to hold a trial de novo, to take evidence, or to exercise its independent judgment on the evidence.

SEC. 10. Every computation made pursuant to Sections 2, 3, 4, 5, and 7 of this bill with respect to temporary disability indemnity or death shall be made only with reference to such temporary disability or death resulting from an original injury sustained after the amendments contained in this bill become effective; provided, however, that all rights presently existing shall be continued in force."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 970—An act to add Section 3212.7 to the Labor Code, relating to workmen's compensation.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 9, of the printed bill, after "sick leave," insert "retirement,".

Amendment read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 978—An act to add Section 3760 to the Labor Code, relating to workmen's compensation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 7, of the printed bill, after "injury", and before the period, insert "has been reported to the employer."

Amendment No. 2

On page 1, line 10, of the printed bill, after "days", and before the period, insert "after service of the order."

Amendments read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 1521—An act to amend Section 1672 of the Insurance Code, relating to the issuance of licenses to act as insurance brokers or agents to nonresidents.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 1672", and insert "Sections 1648.5, 1672, and 1711.2".

Amendment No. 2

In line 3 of the title of said bill, after "agents", insert "or life agents".

Amendment No. 3

On page 1 of said bill, before line 1, insert

"*SECTION 1. Section 1648.5 of the Insurance Code is amended to read:*

1648.5. *Except as provided in Section 1672,* the commissioner shall not grant a license to act as an *insurance* agent or broker:

(a) To any individual who is neither a citizen or national of the United States nor an applicant for such citizenship who has lawfully and properly filed a proper declaration or application therefor in a court constituted by a law of the United States, unless such person is licensed under this chapter when this section takes effect

(b) To any minor.

(c) To any copartnership, association or corporation if any person named in the application to exercise agency or brokership powers can not be licensed under subdivision (a) or (b) of this section."

Amendment No. 4

On page 1, line 1, of said bill, strike out "SECTION 1", and insert "SEC. 2".

Amendment No. 5

On page 1 of said bill, strike out lines 15 and 16, and insert "shall an applicant who is both a resident and a citizen of Canada be subject to subsection (a) of Section 1648.5.

If after receipt of a license a nonresident becomes a resident of this State he shall surrender all licenses received as a nonresident. He may reacquire such licenses as a resident only upon satisfying all the requirements therefor including, if he has not already done so, the passing of this State's qualifying examinations.

SEC. 3. Section 1711.2 of the Insurance Code is amended to read:

1711.2 The commissioner may, in his discretion, enter into a reciprocal arrangement with the officer having supervision of insurance business in any other state whose qualification standards for life agents are substantially the same as or in excess of those of this State, to accept in lieu of examination of an applicant residing therein, a certificate of such officer to the effect that the applicant is licensed as a life agent in such state and has complied with its said qualification standards in respect to the following:

(a) Experience or training.

(b) Reasonable familiarity with the broad principles of insurance licensing and regulatory laws and with the provisions, terms and conditions of the insurance which the applicant proposes to transact.

(c) A fair and general understanding of the obligations and duties of a life agent.

If after receipt of a license a nonresident becomes a resident of this State he shall surrender all licenses received as a nonresident. He may reacquire such licenses as a resident only upon satisfying all the requirements therefor including, if he has not already done so, the passing of this State's qualifying examinations."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Concurrent Resolution No. 46—Relative to the centennial of the arrival of Notre Dame nuns of California.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

On page 2 of the printed measure, strike out lines 13, 14, 15, and 16, and insert "extend their heartfelt gratitude to the Sisters of Notre Dame de Namur for founding these educational institutions, which were created and nurtured under rigorous and almost insurmountable circumstances; and be it further".

Amendment No. 2

On page 2, line 22, of said measure, strike out the second "the".

Amendments read, and adopted.

Resolution ordered reprinted, and engrossed.

Assembly Bill No. 2923—An act regulating the use of public highways for general purposes for the transportation of property for compensation; defining household goods carriers and permitting them to operate subject to regulation as provided herein; specifying the powers of the Public Utilities Commission; prescribing penalties for violations of this act; and repealing parts of acts inconsistent herewith.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Utilities and Corporations:

Amendment No. 1

On page 9 of the printed bill, as amended in the Assembly on April 18, 1951, strike out lines 28 to 51, inclusive.

Amendment No. 2

On page 10 of said bill, strike out lines 1 to 12, inclusive, and insert

"SEC. 19. (a) The commission may, at the request of any household goods carrier, suspend the operating permit of the carrier for a definite time during which it is unlawful for the carrier to conduct any operations as a household goods carrier.

Upon such suspension of a permit the commission shall thereupon require the removal from any vehicle operated thereunder and the surrender to the commission of any distinctive symbols or license plates which have been issued therefor.

Upon the termination of the period of suspension the commission shall restore the permit and return to the carrier the distinctive symbols or license plates surrendered or issue such other symbols or license plates as are necessary.

(b) The commission may cancel, revoke, or suspend the operating permit or permits of any household goods carrier upon any of the following grounds:

(1) Any illegally conducted household goods carrier operations.

(2) The violation of any of the provisions of this act or of any operating permit issued thereunder

(3) The violation of any order, decision, rule, regulation, direction, demand, or requirement established by the commission pursuant to this act

(4) The conviction of the household goods carrier of any misdemeanor under this act.

(5) The rendition of a judgment against the household goods carrier for any penalty imposed under this act.

(6) The failure of a household goods carrier to pay any fee imposed upon the carrier within the time required by law.

(c) After the cancellation or revocation of a permit or during the period of its suspension, it is unlawful for a household goods carrier to conduct any operations as such a carrier The commission may either grant or deny an application for a new permit whenever it appears that a prior permit of the applicant has been canceled or revoked pursuant to subdivision (b) hereof, or whenever it appears, after hearing, that as a prior permit holder, the applicant engaged in any of the unlawful activities set forth in subdivision (b) hereof for which his permit might have been canceled or revoked."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Joint Resolution No. 30—Relative to the Central Arizona Project.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

On page 2 of the printed measure, strike out lines 2 to 4, inclusive, and insert "all of California's Congressmen, the congressional measure which would".

Amendment read, and adopted.

Resolution ordered reprinted, and engrossed.

Assembly Bill No. 996—An act providing for the organization of municipal courts in counties or cities and counties of the first class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

Strike out line 2 of the title of the printed bill, and insert "Los Angeles County".

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Municipal Court judicial districts in Los Angeles County shall be combined into nine groups, each group being designated as a division of the Los Angeles County Municipal Court System.

The municipal court districts comprising each division and the number of the division are as follows:

Municipal Court Districts	Division Number
Compton, Downey and Los Cerritos	1
Pasadena, Santa Anita and San Jose	2
Alhambra, El Monte and Whittier	3
Glendale and Burbank	4
Santa Monica and Beverly Hills	5
Inglewood and South Bay	6
East Los Angeles and Los Angeles	7
San Antonio and South Gate	8
Long Beach	9

SEC. 2. Each division shall have one clerk and one marshall to be appointed by the judges of the courts included therein. Except in Division 7, each clerk and each marshall shall receive a salary of seven hundred seventy dollars ($770) per month.

In Division 7, the clerk and marshall respectively, shall receive a salary of nine hundred dollars ($900) per month.

SEC. 3. The clerk in each division, except Division 7, may appoint the following:

One chief deputy clerk who shall receive a salary of five hundred sixty dollars ($560) per month.

One deputy clerk (chief clerk of the civil department) who shall receive a salary of five hundred twenty-five dollars ($525) per month.

One deputy clerk (chief clerk of the criminal department) who shall receive a salary of five hundred twenty-five dollars ($525) per month.

One deputy clerk (chief clerk of the traffic department) who shall receive a salary of five hundred twenty-five dollars ($525) per month.

One deputy clerk (jury secretary) who shall receive a salary of five hundred twenty-five dollars ($525) per month.

One deputy clerk (cashier-bookkeeper) who shall receive a salary of five hundred twenty five dollars ($525) per month.

Ten deputy clerks each of whom shall receive a salary of three hundred sixty dollars ($360) per month.

Two deputy clerks each of whom shall receive a salary of three hundred forty dollars ($340) per month.

Three deputy clerks each of whom shall receive a salary of three hundred twenty dollars ($320) per month.

Six deputy clerks (stenographers) each of whom shall receive a salary of three hundred dollars ($300) per month.

Five deputy clerks (typists) each of whom shall receive a salary of two hundred seventy-five dollars ($275) per month.

SEC. 4. The clerk of each division, except Division 7, may also appoint one deputy clerk for each department of the courts in the division at a salary of four hundred twenty-five dollars ($425) per month.

SEC. 5. The clerk of Division 7 may appoint the following:

SEC. 5.5. The clerk and the employees in his office shall be allowed their necessary traveling and other expenses including traveling expenses not exceeding seven cents ($0.07) per mile, when required by the business of the court.

SEC. 6. The marshal in each division, except Division 7, may appoint the following:

One deputy marshal (chief deputy marshal of the civil department), who shall receive five hundred twenty-five dollars ($525) per month;

One deputy marshal (chief deputy marshal of the criminal department), who shall receive five hundred twenty-five dollars ($525) per month;

Two deputy marshals, who shall each receive four hundred twenty-five dollars ($425) per month;

Seven deputy marshals, who shall each receive three hundred twenty-five dollars ($325) per month;

Four deputy marshals, who shall each receive three hundred dollars ($300) per month;

Ten deputies (custodians) at the fee allowed by law for keeping property. The deputy marshals serving as custodians shall be paid only for their actual service as keepers of property taken under legal process and shall be paid out of the funds deposited by the parties to the action in which such services are rendered.

All marshals, assistants and deputies, shall be allowed in addition to their salaries, their actual and necessary incidental expenses incurred in the actual performance of their duties, including traveling expenses to be allowed at the rate per mile fixed by the county board of supervisors for the operation of automobiles actually used in performance of their business on public duty or to pay for such other method of transportation as they may adopt.

SEC. 7. The marshal of each division, except Division 7, may also appoint the following number of deputy marshals each of whom shall receive three hundred seventy-five dollars ($375) per month, one of whom shall be designated from time to time to act as bailiff in each department of the court or courts in the division:

Division 1	nine	deputies
Division 2	nine	deputies
Division 3	nine	deputies
Division 4	seven	deputies
Division 5	seven	deputies
Division 6	eleven	deputies
Division 8	nine	deputies
Division 9	nine	deputies

SEC. 8. The marshal of Division 7 may appoint the following:

SEC. 9. The salaries prescribed by this act shall be paid on or before the tenth calendar day of each month.

SEC. 11. The officers and attaches first appointed in each division shall be selected from the officers and attaches of the courts superseded by the courts included in the district.

They shall be given credit on their civil service rights and status of retirement compensation under the appropriate civil service and retirement statutes, ordinances or charter provisions.

SEC. 12. This act shall not become operative until January 1, 1953, as to any division containing a municipal court judicial district in which the court is not established until January 1, 1953.

Until that date the number and compensation of officers and attaches in the remaining municipal courts shall be as prescribed in the Municipal Court Act of 1925 for the municipal court for the city which is included in the municipal court district.

In any such remaining municipal court district which does not include such a city the number and compensation of officers and attaches shall be as prescribed in the Municipal Court Act of 1925 for municipal courts in cities of the fifth class.

SEC. 13. Wherever a special assignment or branch of work is indicated herein for a particular deputy or position, the assignment so designated is not intended to be exclusive, but merely to designate the principal work incident to such deputy or position. However, in order to equalize the work of the offices of the clerk and the marshal and to render fast and efficient service to the public, it shall be the duty of each deputy clerk or deputy marshal to perform such services in these offices as may be directed by the clerk or marshal whether the work so directed to be done be within the scope of the special designation or not.

SEC. 14. Should the number of attaches provided in this act be insufficient to meet the needs of the courts in a division the clerk or marshal of the division may appoint such additional attaches, with the approval of the judges of the court in the division as may be necessary; provided, such additional attaches shall not receive compensation in excess of the minimum salaries provided in that class of attache. Such additional attaches shall be selected as provided by civil service laws applicable to attaches of the court in which the appointment is made."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 25, inclusive; and strike out the remainder of the bill.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 997—An act to provide for the government, procedure, and jurisdiction of municipal and justice courts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

Strike out the title of the printed bill, and insert

"An act to provide for the number of judges in municipal court judicial districts in Los Angeles County."

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Each of the Los Angeles County municipal courts shall have the number of judges set out below opposite the name of the judicial district over which such court has jurisdiction:

Whittier Municipal Court District	2
San Antonio Municipal Court District	3
East Los Angeles Municipal Court District	3
Inglewood Municipal Court District	3
South Bay Municipal Court District	3
Compton Municipal Court District	3
Downey Municipal Court District	1
Los Angeles Municipal Court District	42
Santa Anita Municipal Court District	1
Alhambra Municipal Court District	2
Los Cerritos Municipal Court District	1
Long Beach Municipal Court District	5
Beverly Hills Municipal Court District	2
Santa Monica Municipal Court District	2
Burbank Municipal Court District	2
Glendale Municipal Court District	2
Pasadena Municipal Court District	3
El Monte Municipal Court District	1
San Jose Municipal Court District	1
South Gate Municipal Court District	2"

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 24, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 998—An act to provide for the government, procedure, and jurisdiction of municipal and justice courts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

Strike out the title of the printed bill, and insert

"An act to add Section 8.1 to the Municipal and Justice Court Act of 1949, relating to the government, procedure, and jurisdiction of municipal and justice courts, and the election of judges thereof."

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 8.1 is added to the act cited in the title to read:

Sec. 8.1. The provisions of the Elections Code pertain-".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1000—An act to amend Section 13 of the Municipal and Justice Court Act of 1949, relating to municipal and justice courts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 4, of the printed bill, after "justice court", insert ", except incumbents in office on the effective date of this act,".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1001—An act to amend Section 25 of the Municipal and Justice Court Act of 1949, relating to municipal and justice courts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 7, of the printed bill, after the period, insert "A list showing the amount of compensation of such judges, clerks, marshals, constables, and other officers and attaches shall be certified to the county auditor, each month, by the clerk of each court."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1392—An act providing for the constitution of the municipal court in a district embracing the City of Fresno, and prescribing the number and compensation of the judges, officers, and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 1 to 7, inclusive, and insert

"SECTION 1. The municipal court established in a district embracing the City of Fresno shall be constituted, and the judges, officers, and attaches thereof shall receive compensation as herein provided

(1) There shall be four judges, each of whom shall receive seven thousand two hundred dollars ($7,200) per annum, payable in equal monthly installments;

(2) There shall be one clerk, who shall be the secretary of the court, and who shall receive a minimum salary of three hundred thirteen dollars ($313) monthly, with annual increments of seventeen dollars ($17), seventeen dollars ($17), nineteen dollars ($19), and nineteen dollars ($19), to a maximum of three hundred eighty-five dollars ($385) monthly, and who may appoint the following.

One chief deputy, who shall receive a minimum salary of two hundred sixty-eight dollars ($268) monthly, with annual increments of fourteen dollars ($14), fifteen dollars ($15), sixteen dollars ($16), and seventeen dollars ($17), to a maximum of three hundred thirty dollars ($330) monthly;

One senior deputy, who shall receive a minimum salary of two hundred fifty-five dollars ($255) monthly, with annual increments of thirteen dollars ($13), fourteen dollars ($14), fifteen dollars ($15), and sixteen dollars ($16), to a maximum of three hundred thirteen dollars ($313) monthly;

Four deputy clerks (court clerks), each of whom shall receive a minimum salary of two hundred fifty-five dollars ($255) monthly, with annual increments of thirteen dollars ($13), fourteen dollars ($14), fifteen dollars ($15), and sixteen dollars ($16), to a maximum of three hundred thirteen dollars ($313) monthly;

One deputy clerk (senior account clerk) who shall receive a minimum salary of two hundred fifty-five dollars ($255) monthly, with annual increments of thirteen dollars ($13), fourteen dollars ($14), fifteen dollars ($15), and sixteen dollars ($16), to a maximum of three hundred thirteen dollars ($313) monthly;

One deputy clerk (small claims clerk) who shall receive a minimum salary of two hundred forty-two dollars ($242) monthly, with annual increments of thirteen dollars ($13), thirteen dollars ($13), fourteen dollars ($14), and fifteen dollars ($15), to a maximum of two hundred ninety-seven dollars ($297) monthly;

One deputy clerk (traffic clerk) who shall receive a minimum salary of two hundred thirty dollars ($230) monthly, with annual increments of twelve dollars ($12), thirteen dollars ($13), thirteen dollars ($13), and fourteen dollars ($14), to a maximum of two hundred eighty-two dollars ($282) monthly;

One deputy clerk (intermediate stenographer) who shall receive a minimum salary of two hundred nineteen dollars ($219) monthly, with annual increments of eleven dollars ($11), twelve dollars ($12), thirteen dollars ($13), and thirteen dollars ($13), to a maximum of two hundred sixty-eight dollars ($268) monthly;

One deputy clerk (intermediate typist) who shall receive a minimum salary of two hundred eight dollars ($208) monthly, with annual increments of eleven dollars ($11), eleven dollars ($11), twelve dollars ($12), and thirteen dollars ($13), to a maximum of two hundred fifty-five dollars ($255) monthly;

One deputy clerk (junior typist) who shall receive a minimum salary of one hundred eighty-eight dollars ($188) monthly, with annual increments of ten dollars ($10), ten dollars ($10), eleven dollars ($11), and eleven dollars ($11), to a maximum of two hundred thirty dollars ($230) monthly;

(3) There shall be one marshal who shall receive a salary of three hundred seventy-five dollars ($375) monthly, and who may appoint the following:

One chief deputy who shall receive a minimum salary of two hundred sixty-eight dollars ($268) monthly, with annual increments of fourteen dollars ($14), fifteen dollars ($15), sixteen dollars ($16), and seventeen dollars ($17), to a maximum of three hundred thirty dollars ($330) monthly;

Four deputy marshals, each of whom shall receive a minimum salary of two hundred fifty-five dollars ($255) monthly, with annual increments of thirteen dollars ($13), fourteen dollars ($14), fifteen dollars ($15), and sixteen dollars ($16), to a maximum of three hundred thirteen dollars ($313) monthly;

Two deputy marshals (bailiffs), each of whom shall receive a minimum salary of two hundred forty-two dollars ($242) monthly, with annual increments of thirteen dollars ($13), thirteen dollars ($13), fourteen dollars ($14), and fifteen dollars ($15), to a maximum of two hundred ninety-seven dollars ($297) monthly;

One deputy marshal (intermediate stenographer clerk) who shall receive a minimum salary of two hundred nineteen dollars ($219) monthly, with annual increments of eleven dollars ($11), twelve dollars ($12), thirteen dollars ($13), and thirteen dollars ($13), to a maximum of two hundred sixty-eight dollars ($268) monthly;

Ten deputy marshals (custodians), at the fee allowed by law for keeping property.

(4) Persons who succeed to positions in the municipal court under provisions of the Municipal and Justice Court Act of 1949 shall receive credit for continuous prior service in superseded courts and in the sheriffs' department or constabulary of the county, and shall receive in addition to the minimum rate, the annual increments commensurate with such years of prior service up to the maximum rate set."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1464—An act providing for the constitution of the municipal court in a district embracing the City of Long Beach, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

Strike out the title of the printed bill, and insert

"An act to amend Sections 7, 7a, 7b, 10, 10a, 10b, 11 and 11d of the Municipal Court Act of 1925, relating to certain municipal courts, and prescribing the number, compensation and duties of the officers and attaches thereof."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 10a of the act cited in the title is amended to read:

Sec. 10a The clerk [shall] *may* appoint the following:

One chief deputy clerk, who shall receive [five hundred twenty-five dollars ($525)] *five hundred sixty dollars ($560)* per month;

One deputy clerk (chief clerk of the civil department), who shall receive [four hundred fifty dollars ($450)] *five hundred twenty-five dollars ($525)* per month;

One deputy clerk (chief clerk of the criminal department), who shall receive [four hundred fifty dollars ($450)] *five hundred twenty-five dollars ($525)* per month;

One deputy clerk (chief clerk of the traffic department), who shall receive [four hundred fifty dollars ($450)] *five hundred twenty-five dollars ($525)* per month;

One deputy clerk (jury secretary), who shall receive [four hundred fifty dollars ($450)] *five hundred twenty-five dollars ($525)* per month;

One deputy clerk (cashier-bookkeeper), who shall receive [four hundred fifty dollars ($450)] *five hundred twenty-five dollars ($525)* per month;

Five deputy clerks, who shall each receive [three hundred eighty dollars ($380)] *four hundred twenty-five dollars $425)* per month;

Ten deputy clerks, who shall each receive [three hundred twenty-five dollars ($325)] *three hundred sixty dollars ($360)* per month;

Two deputy clerks, who shall each receive [three hundred dollars ($300)] *three hundred forty dollars ($340)* per month;

Three deputy clerks, who shall each receive [two hundred seventy-five dollars ($275)] *three hundred twenty dollars ($320)* per month;

Six deputy clerks (stenographers), who shall each receive [two hundred fifty dollars ($250)] *three hundred dollars ($300)* per month;

[Two] *Five* deputy clerks (typists), who shall each receive [two hundred thirty-three dollars ($233)] *two hundred seventy-five dollars ($275)* per month.

[Three deputy clerks (typists), who shall each receive two hundred twenty-five dollars ($225) per month.]

Wherever a special assignment or branch of work is indicated herein for a particular deputy or position, the assignment so designated is not intended to be exclusive, but merely to designate the principal work incident to such deputy or position. However, in order to equalize the work of the office of the clerk and to render fast and efficient service to the public, it shall be the duty of each deputy clerk to perform such service in this office as may be directed by the clerk whether the work so directed to be done be within the scope of the special designation or not.

All persons appointed by the clerk and holding positions by virtue of such appointment on the effective date of this section as amended shall continue to hold the same or substantially equivalent positions, respectively, without further examination or appointment, but they shall receive the compensation provided by this section.

SEC. 2 Section 10b of said act is amended to read:

Sec. 10b The marshal [shall] *may* appoint the following:

One deputy marshal (chief deputy marshal of the civil department), who shall receive [four hundred fifty dollars ($450)] *five hundred twenty-five dollars ($525)* per month;

One deputy marshal (chief deputy marshal of the criminal department), who shall receive [four hundred fifty dollars ($450)] *five hundred twenty-five dollars ($525)* per month;

Two deputy marshals, who shall each receive [three hundred eighty-five dollars ($385)] *four hundred twenty-five* dollars ($425) per month;

[Four] *Nine* deputy marshals, who shall each receive [three hundred nineteen dollars ($319)] *three hundred seventy-five dollars ($375)* per month[;]. *From the nine deputy marshals one shall be selected from time to time in each department of the court.*

[Five deputy marshals to act as bailiffs of the courts, who shall each receive two hundred seventy-five dollars ($275) per month;]

Four deputy marshals, who shall each receive [two hundred seventy-five dollars ($275)] *three hundred twenty-five dollars ($325) per* month;

Three deputy marshals, who shall each receive [two hundred fifty dollars ($250)] *three hundred twenty five dollars ($325)* per month;

Four deputy marshals, who shall each receive [two hundred twenty-five dollars ($225)] *three hundred dollars ($300)* per month;

Ten deputies (custodians) at the fee allowed by law for keeping property. The deputy marshals serving as custodians shall be paid only for their actual service as keepers of property taken under legal process and shall be paid out of the funds deposited by the parties to the action in which such services are rendered.

All marshals, assistants and deputies, shall be allowed in addition to their salaries, their actual and necessary incidental expenses incurred in the actual performance of their duties, including traveling expenses to be allowed at the rate per mile fixed by the county board of supervisors for the operation of automobiles actually used in performance of their business on public duty or to pay for such other method of transportation as they may adopt *; and the clerk and deputy clerks designated in Sections 10 and 10a shall be allowed in addition to their salaries, their reasonable and necessary expenses, which shall include necessary traveling expenses not exceeding seven cents ($0.07) per mile when required by the business of the court*.

Wherever a special assignment or branch of work is indicated herein for a particular deputy or position, the assignment so designated is not intended to be exclusive, but merely to designate the principal work incident to such deputy or position. However, in order to equalize the work of the office of the marshal and to render prompt and efficient service to the public, it shall be the duty of each deputy marshal to perform such service in the office or in the field, as may be directed by the marshal, whether the work so directed to be done be within the scope of the special designation or not.

All persons appointed by the marshal and holding positions by virtue of such appointment on the effective date of this section as amended shall continue to hold the same or substantially equivalent positions, respectively, without further examination or appointment, but they shall receive the compensation provided in this section

SEC. 3. Section 11 of said act is amended to read:

Sec. 11. The municipal court in a city or city and county of the second and three-fourths class shall be constituted, and the judges, officers and attaches thereof shall receive compensation as follows:

(a) There shall be two judges, each of whom shall receive thirteen thousand five hundred dollars ($13,500) per annum, payable in equal monthly installments;

(b) There shall be one clerk, to be appointed by the judges of the court, who shall receive [seven thousand two hundred dollars ($7,200) per annum, payable in equal monthly installments] *seven hundred seventy dollars ($770) monthly*;

(c) The clerk may appoint the following:

One chief deputy clerk, who shall receive a [minimum salary of three hundred fifty-five dollars ($355)] *five hundred dollars ($500)* monthly [, with annual increments of twenty dollars ($20), twenty dollars ($20), twenty-two dollars ($22), and twenty-three dollars ($23), to a maximum of four hundred forty dollars ($440) monthly];

[Two] *Five* deputy clerks, each of whom shall receive a [minimum salary of three hundred three dollars ($303)] *four hundred dollars ($400)* monthly [, with annual increments of sixteen dollars ($16), eighteen dollars ($18), eighteen dollars ($18), and twenty dollars ($20), to a maximum of three hundred seventy-five dollars ($375) monthly];

[Two] *Six* deputy clerks each of whom shall receive a [minimum] salary of [two hundred forty-six dollars ($246)] *three hundred seventy-five dollars ($375)* monthly [, with annual increments of thirteen dollars ($13), fourteen dollars ($14), fifteen dollars ($15), and fifteen dollars ($15), to a maximum of three hundred three dollars ($303) monthly];

[Two] *Six* deputy clerks, each of whom shall receive a [minimum] salary of [two hundred dollars ($200)] *three hundred fifty dollars ($350)* monthly [, with annual increments of eleven dollars ($11), ten dollars ($10), twelve dollars ($12), and thirteen dollars ($13), to a maximum of two hundred forty-six dollars ($246) monthly];

[Six] *Five* deputy clerks *(stenographers)*, each of whom shall receive a salary of [one hundred eighty-one dollars ($181)] *three hundred dollars ($300)* monthly [, with annual increments of nine dollars ($9), ten dollars ($10), eleven dollars ($11), and ten dollars ($10), to a maximum of two hundred twenty-one dollars ($221) monthly.];

Five deputy clerks (typists), each of whom shall receive two hundred seventy-five dollars ($275) per month.

In addition to the salaries provided in this section, the clerk and deputy clerks shall be allowed their reasonable and necessary expenses, which shall include necessary traveling expenses not exceeding seven cents ($0.07) per mile, when required by the business of the court.

(d) There shall be one marshal, to be appointed by the judges of the court, who shall receive a [minimum] salary of [seven thousand two hundred dollars ($7,200) per annum, payable in equal monthly installments] *seven hundred seventy dollars ($770) per month*;

The marshal may appoint the following:

One chief deputy marshal, who shall receive a [minimum] salary of [three hundred fifty-five dollars ($355)] *five hundred dollars ($500)* monthly [, with annual increments of twenty dollars ($20), twenty dollars ($20), twenty-two dollars ($22), and twenty-three dollars ($23), to a maximum of four hundred forty dollars ($440) monthly];

Two deputy marshals, each of whom shall receive a [minimum] salary of [two hundred seventy-three dollars ($273)] *four hundred dollars ($400)* monthly[, with annual increments of fifteen dollars ($15), fifteen dollars ($15), sixteen dollars ($16) and eighteen dollars ($18), to a maximum of three hundred thirty-seven dollars ($337) monthly];

Two deputy marshals, each of whom shall receive a [minimum] salary of [two hundred fifty-nine dollars ($259)] *three hundred seventy-five dollars ($375) monthly*[, with annual increments of fourteen dollars ($14), fifteen dollars ($15), fifteen dollars ($15) and sixteen dollars ($16), to a maximum of three hundred nineteen dollars ($319) monthly];

[One deputy marshal, who] *Four deputy marshals, each of whom* shall receive a [minimum] salary of [two hundred thirty-three dollars ($233)] *three hundred fifty dollars ($350)* monthly [with annual increments of thirteen dollars ($13), thirteen dollars ($13), fourteen dollars ($14), and fifteen dollars ($15), to a maximum of two hundred eighty-eight dollars ($288) monthly];

[One deputy marshal, who] *Four deputy marshals, each of whom* shall receive a [minimum] salary of [two hundred twenty-one dollars ($221)] *three hundred twenty-five dollars ($325)* monthly[, with annual increments of twelve dollars ($12), thirteen dollars ($13), thirteen dollars ($13), and fourteen dollars ($14), to a maximum of two hundred seventy-three dollars ($273) monthly].

Two deputy marshals, each of whom shall receive three hundred dollars ($300) per month;

Ten deputies (custodians) at the fee allowed by law for keeping property. The deputy marshals serving as custodians shall be paid only for their actual service as keepers of property taken under legal process and shall be paid out of the funds deposited by the parties to the action in which such services are rendered.

[(e) Persons employed in the service on the effective date of the amendment to this section shall receive credit for prior service in the justice's court, police court or municipal court of the city and in the sheriff's department or constabulary of the county, and shall receive, in addition to the minimum rate, the annual increments commensurate with years of prior service up to the maximum rate set. Changes of title created in establishing the municipal court shall not detract from said years of prior service.

(f) The annual increments shall be dependent upon the employee maintaining the minimum efficiency rating designated by the appointing authority and at any time the efficiency rating falls below the minimum standard the appointing authority shall have the power to suspend all or any part of the annual increments]

(e) Wherever a special assignment or branch of work is indicated herein for a particular deputy or position, the assignment so designated is not intended to be exclusive, but merely to designate the principal work incident to such deputy or position. However, in order to equalize the work of the offices of the clerk and the marshal, and to render fast and efficient service to the public, it shall be the duty of each deputy to perform such service in these offices as may be directed by the clerk or the marshal in their respective offices, whether the work so directed to be done be within the scope of the special designation or not.

(f) All persons appointed by the clerk or by the marshal and holding positions by virtue of such appointment on the effective date of this section as amended shall continue to hold the same or substantially equivalent positions, respectively, without further examination or appointment, but they shall receive the compensation provided in this section

SEC. 4 Section 11d of said act is amended to read:

Sec. 11d. The municipal court in a city or city and county of the fifth class shall be constituted, and the judges, officers and attaches thereof shall receive compensation as follows:

(a) There shall be two judges, each of whom shall receive thirteen thousand five hundred dollars ($13,500) per annum, payable in equal monthly installments;

(b) There shall be one clerk, to be appointed by the judges of the court, who shall receive [seven thousand two hundred dollars ($7,200) per annum payable in equal monthly installments] *seven hundred seventy dollars ($770) monthly* ;

(c) The clerk may appoint the following:

One chief deputy clerk, who shall receive a [minimum] salary of [three hundred fifty-five dollars ($355)] *five hundred dollars ($500) monthly* [, with annual increments of twenty dollars, twenty dollars ($20), twenty-two dollars ($22), and twenty-three dollars ($23) to a maximum of four hundred forty dollars ($440) monthly] ;

[Two] *Five* deputy clerks, each of whom shall receive a [minimum] salary of [three hundred three dollars ($303)] *four hundred dollars ($400)* monthly [, with annual increments of sixteen dollars ($16), eighteen dollars ($18), eighteen dollars ($18), and twenty dollars ($20), to a maximum of three hundred seventy-five dollars ($375) monthly;]

[Two] *Six* deputy clerks, each of whom shall receive a [minimum] salary of [two hundred forty-six dollars ($246)] *three hundred seventy-five ($375)* monthly [,

with annual increments of thirteen dollars ($13), fourteen dollars ($14), fifteen dollars ($15), and fifteen dollars ($15), to a maximum of three hundred three dollars ($303) monthly] ;

[Two] *Six* deputy clerks, each of whom shall receive a [minimum] salary of [two hundred dollars ($200)] *three hundred fifty dollars ($350)* monthly [, with annual increments of eleven dollars ($11), ten dollars ($10), twelve dollars ($12), and thirteen dollars ($13), to a maximum of two hundred forty-six dollars ($246) monthly] ;

[Six] *Five* deputy clerks *(stenographers)*, each of whom shall receive a salary of [one hundred eighty-one dollars ($181)] *three hundred dollars ($300)* monthly [, with annual increments of nine dollars ($9), ten dollars ($10), eleven dollars ($11), and ten dollars ($10), to a maximum of two hundred twenty-one dollars ($221) monthly] .

Five deputy clerks (typists), each of whom shall receive two hundred seventy-five dollars ($275) per month.

In addition to the salaries provided in this section, the clerk and deputy clerks shall be allowed their reasonable and necessary expenses, which shall include necessary traveling expenses not exceeding seven cents ($0.07) per mile, when required by the business of the court.

(d) There shall be one marshal, to be appointed by the judges of the court, who shall receive a [minimum] salary of [seven thousand two hundred dollars ($7,200) per annum, payable in equal monthly installments] *seven hundred seventy dollars ($770) per month* ;

The marshal may appoint the following :

One chief deputy marshal, who shall receive a [minimum] salary of [three hundred fifty-five dollars ($355)] *five hundred dollars ($500)* monthly [, with annual increments of twenty dollars ($20), twenty dollars ($20), twenty-two dollars ($22), and twenty-three dollars ($23), to a maximum of four hundred forty dollars ($440) monthly] ;

Two deputy marshals, each of whom shall receive a [minimum] salary of [two hundred seventy-three dollars ($273)] *four hundred dollars ($400)* monthly [, with annual increments of fifteen dollars ($15), fifteen dollars ($15), sixteen dollars ($16), and eighteen dollars ($18), to a maximum of three hundred thirty-seven dollars ($337) monthly] ;

Two deputy marshals each of whom shall receive a [minimum] salary of [two hundred fifty nine dollars ($259)] *three hundred seventy-five dollars ($375)* monthly [, with annual increments of fourteen dollars ($14), fifteen dollars ($15), fifteen dollars ($15), and sixteen dollars ($16), to a maximum of three hundred nineteen dollars ($319) monthly] ;

[One deputy marshal, who] *Four deputy marshals, each of whom* shall receive a [minimum] salary of [two hundred thirty-three dollars ($233)] *three hundred fifty dollars ($350)* monthly [, with annual increments of thirteen dollars ($13), thirteen dollars ($13), fourteen dollars ($14), and fifteen dollars ($15), to a maximum of two hundred eighty-eight dollars ($288) monthly] ;

[One deputy marshal, who] *Four deputy marshals, each of whom* shall receive a [minimum] salary of [two hundred twenty-one dollars ($221)] *three hundred twenty-five dollars ($325)* monthly [with annual increments of twelve dollars ($12), thirteen dollars ($13), thirteen dollars ($13), and fourteen dollars ($14), to a maximum of two hundred seventy-three dollars ($273) monthly.] ;

Two deputy marshals, each of whom shall receive three hundred dollars ($300) per month ;

Ten deputies (custodians) at the fee allowed by law for keeping property. The deputy marshals serving as custodians shall be paid only for their actual service as keepers of property taken under legal process and shall be paid out of the funds deposited by the parties to the action in which such services are rendered

[(e) Persons employed in the service of a municipal court in a city or city and county of the fifth class, shall receive credit for prior service in the justice's court, police court, police department, or municipal court of the city and in the sheriff's department or constabulary of the county, and shall receive, in addition to the minimum rate, the annual increments commensurate with years of prior service up to the maximum rate set. Changes of title created in establishing the municipal court shall not detract from said years of prior service.]

[(f) The annual increments shall be dependent upon the employee maintaining the minimum efficiency rating designated by the appointing authority and at any time the efficiency rating falls below the minimum standard the appointing authority shall have the power to suspend all or any part of the annual increments]

(e) Wherever a special assignment or branch of work is indicated herein for a particular deputy or position, the assignment so designated is not intended to be exclusive, but merely to designate the principal work incident to such deputy or position. However, in order to equalize the work of the offices of the clerk and the marshal, and to render fast and efficient service to the public, it shall be the duty of each deputy to perform such service in these offices as may be directed by the clerk or the marshal in their respective offices, whether the work so directed to be done be within the scope of the special designation or not.

(f) All persons appointed by the clerk or by the marshal and holding positions by virtue of such appointment on the effective date of this section as amended shall continue to hold the same or substantially equivalent positions, respectively, without further examination or appointment, but they shall receive the compensation provided in this section.

SEC. 5. Section 10 of said act is amended to read:

Sec. 10. The municipal court in a city or city and county of the second and one-half class shall be constituted, and the judges, officers and attaches thereof shall be as herein and in Sections 10a and 10b enumerated and shall receive compensation as provided in this section and Sections 10a and 10b.

There shall be five judges, each of whom shall receive thirteen thousand five hundred dollars ($13,500) annually, payable in equal monthly installments; one clerk to be appointed by the judges of the court, who shall receive seven hundred *seventy* dollars [($700)] ($770) per month; one marshal, to be appointed by the judges of the court, who shall receive seven hundred *seventy* dollars [($700)] *($770)* per month.

SEC. 6. Section 7 of said act is amended to read:

Sec. 7. The municipal court in a city or city and county of the first and one-half class shall be constituted, and the judges, officers and attaches thereof shall be as herein enumerated and shall have the qualifications and shall receive the compensation herein affixed, as follows:

There shall be 40 judges, who must be registered and qualified electors of the city wherein they are to serve and shall have been admitted to practice before the Supreme Court of the State for a period of at least five years immediately preceding election or appointment to such office and each of whom shall receive thirteen thousand five hundred dollars ($13,500) per annum, payable in equal monthly installments; one clerk to be appointed by the judges of the court who shall receive [eight] *nine* hundred dollars [($800)] *($900)* per month; one marshal to be appointed by the judges of the court, who shall receive [eight] *nine* hundred dollars [($800)] *($900)* per month; one referee to be appointed by the judges of the court who shall receive five hundred *fifty* dollars [($500)] *($550)* per month.

SEC. 7. Section 7a of said act is amended to read:

Sec. 7a. The clerk of the municipal court in cities of the first and one-half class shall appoint the following deputies and attaches who shall each receive as monthly compensation the sum set opposite the title of their respective offices or positions:

One deputy clerk (chief clerk, traffic department), [five hundred forty five dollars ($545)] *six hundred dollars ($600)* ;

One deputy clerk (chief clerk, civil department), [five hundred forty five dollars ($545)] *six hundred dollars ($600)* ;

One deputy clerk (chief clerk, criminal department), [five hundred forty-five dollars ($545)] *six hundred dollars ($600)* ;

One deputy clerk (chief clerk, accounting department), [five hundred forty-five dollars ($545)] *six hundred dollars ($600)* ;

Four deputy clerks, four hundred [forty-five] *ninety* dollars [($445)] *($490)* ;

Twelve deputy clerks, four hundred *forty* dollars [($400)] *($440)* ;

Forty deputy clerks, [three hundred eighty dollars ($380)] *four hundred eighteen dollars ($418)* ;

Five deputy clerks, three hundred [twenty-five] *fifty-eight* dollars [($325)] *($358)* ;

Twenty deputy clerks, [two hundred ninety] *three hundred nineteen* dollars [($290)] *($319)* ;

Sixteen deputy clerks, two hundred [seventy] *ninety-seven* dollars [($270)] *($297)* ;

Forty deputy clerks, two hundred [fifty] *seventy-five* dollars [($250)] *($275)* ;

Thirty-five deputy clerks, two hundred [twenty-five] *forty-eight* dollars [($225)] *($248)* ;

Thirty deputy clerks, [one hundred ninety] *two hundred nine* dollars [($190)] *($209)* ;

Fifty deputy clerks, one hundred [eighty] *ninety-eight* dollars [($180)] *($198)* ;

In addition to the salaries in this section above provided, the clerk and deputy clerks shall be allowed their reasonable and necessary expenses, when required by the business of the court.

SEC. 8. Section 7b of said act is amended to read:

Sec. 7b. The marshal of the municipal court in cities of the first and one-half class shall appoint the following deputies and attaches who shall receive as monthly compensation the sums set opposite the title of their respective offices or positions:

One assistant marshal at [five hundred fifty] *six hundred five* dollars [($550)] *($605)* ;

One deputy (chief clerk) at [four hundred seventy-five] *five hundred twenty-three* dollars [($475)] *($523)* ;

Three deputies (captains) at four hundred [seventeen] *fifty-nine* dollars [($417)] *($459)* ;

Four deputies (lieutenants) at [three hundred eighty-five] *four hundred twenty-four* dollars [($385)] *($424)* ;

Twenty deputies at three hundred [fifty-five] *ninety-one* dollars [($355)] *($391)* ;

Fifty deputies at three hundred [nineteen] *fifty-one* dollars [($319)] *($351)* ;

One deputy (senior clerk) at [two hundred seventy-three] *three hundred* dollars [($273)] ($300) ;

One deputy (bookkeeping machine operator) at two hundred [fifty-nine] *eighty-five* dollars [($259)] *($285)* ;

Two deputies at two hundred [thirty-three] *fifty-six* dollars [($233)] *($256)* ;

Six deputies at two hundred [thirty-three] *fifty-six* dollars [($233)] *($256)* ;

Three deputies at two hundred [eleven] *thirty-two* dollars [($211)] *($232)* ;

One hundred deputies (custodians) at the fee allowed by law for keeping property

The deputy marshals serving as custodians shall be paid only for their actual services as keepers of property taken under legal process and shall be paid out of the funds deposited by the parties to the action in which such services are rendered.

In addition to the salaries in this section above provided, the marshal and deputy marshal shall be allowed their necessary incidental expenses, incurred in the performance of their duty. They may be furnished with automobiles at public expense for use in the service of writs and processes or may in lieu of the traveling expenses be allowed not to exceed six cents ($0.06) per mile for the operation of automobiles furnished by themselves while actually used on public business in the performance of their duty.

Sec. 9 If there is enacted at the 1951 Session of the Legislature an act providing for the number and compensation of attaches of municipal courts in Los Angeles County, this act shall have no further force or effect as to such officers and attaches from the time such act becomes operative as to such officers and attaches."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 5, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

SECOND READING OF SENATE BILLS

Senate Bill No. 147—An act to amend Sections 2722 and 2724 of the Penal Code, relating to the sale of jute goods.

Bill read second time, and ordered to third reading.

Senate Bill No. 884—An act amending Sections 5050, 5050.1, 5050.2, and 5050.5 of the Welfare and Institutions Code, relating to procedure for examination of the mental health of a person alleged to be mentally ill and to court orders concerning such procedures.

Bill read second time, and ordered to third reading.

Senate Bill No. 976—An act to amend Section 27293 of the Government Code, relating to the recording of instruments in foreign language.

Bill read second time, and ordered to third reading.

Senate Bill No. 977—An act to add Section 13920.1 to, and to amend Section 1094 of, the Government Code, relating to the powers of the State Board of Control and the use of certificates under penalty of perjury in lieu of affidavits.

Bill read second time, and ordered to third reading.

Senate Bill No. 141—An act to add Section 3405 to the Penal Code, relating to temporary action taken by a member of the Board of Trustees of the California Institution for Women.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, lines 12 and 13, of the printed bill, as amended in the Senate on March 21, 1951, strike out "the next succeeding", and insert "that".

Amendment No. 2

On page 1, line 13, of said bill, strike out "the next succeeding", and insert "that".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 142—An act to amend Sections 1213, 1216 and 3400 of, and to add Section 1213.5 to, the Penal Code, relating to persons convicted of crime.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "upon the minutes,".

Amendment No. 2

On page 1, line 6, of said bill, strike out "to".

Amendment No. 3

On page 1, line 7, of said bill, strike out "judge and".

Amendment No. 4

On page 1, line 7, of said bill, after "court," insert "or by the judge or justice if there is no clerk,".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 730—An act to amend Section 6624 of the Welfare and Institutions Code, relating to sterilization of patients in state hospitals or state homes under the jurisdiction of the Department of Mental Hygiene.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, line 48, of the printed bill, as amended in the Senate on April 6, 1951, strike out "operating", and insert "operation".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 19—An act making an appropriation for flood protection works at the California Vocational Institution, Department of Corrections, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 8, of the printed bill, as amended in the Senate on April 10, 1951, strike out "3", and insert "2".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 94—An act to amend Section 817 of the Penal Code, relating to peace officers.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, line 1, of the printed bill, as amended in the Senate on April 5, 1951, after the comma, insert "the chief and inspectors of the Bureau of Food and Drug Inspections,".

Amendment read, and adopted.

Bill ordered reprinted, and re-referred to the Committee on Judiciary.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1951

MR SPEAKER: The Committee on Conference concerning.

Assembly Bill No. 1177—An act to add Section 1190.1 to the Civil Code, relating to the acknowledgment of instruments.

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows.

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in the Senate on April 13, 1951, after "president", insert "or vice president".

Amendment No. 2

On page 1, line 5, of the printed bill, as amended in the Senate on April 13, 1951, after "secretary", insert "or assistant secretary".

REGAN	BROWN
WARD	McFALL
HOFFMAN	SHAW
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Cloved, Coats, George D. Collins, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Maloney, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Tomlinson, and Mr. Speaker—61.

NOES—None.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 574—An act to add Sections 23222a, 24121k.1, and 25295a to, and to amend Sections 23222, 24121k, 25101a, 25295, 25662, and 25701 of, Part 11 of Division 2 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act shall take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 574?

Amendment No. 1

On page 3, line 3, of the printed bill, as amended in the Assembly on March 26, 1951, strike out the first "of", and insert "or".

Amendment No. 2

On page 5, line 39, of said bill, strike out "as".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 574 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kloeksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, and Tomlinson—68

NOES—None.

Assembly Bill No. 574 ordered enrolled.

Assembly Bill No. 2760—An act to add Section 628.1 to the Penal Code, relating to giving aid to persons accidentally shot.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2760?

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Assembly on March 26, 1951, strike out "fail", and insert "fails".

Amendment No. 2

On page 1, line 4, of the printed bill, as amended in the Senate on April 13, 1951, after "firearm", insert ", bow and arrow, spear, slingshot, or other weapon or device used in hunting".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No 2760 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, George D Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kloeksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, and Mr Speaker—63

NOES—None.

Assembly Bill No. 2760 ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1951

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Senate Bill No. 676

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and re-refer to Committee on Ways and Means.

CONNOLLY, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1739—An act to amend Section 20026 of, and add Article 6 to, Chapter 1, Part 1, Division 14 of the Health and Safety Code, relating to police protection districts in unincorporated towns.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hahn, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, and Thomas—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2488—An act to add Section 6405.5 to the Labor Code, relating to safety in employment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, and Tomlinson—62.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1951

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 1023
Assembly Bill No. 2122

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1951

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Senate Bill No. 1239
Senate Bill No. 1259

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 601

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CLARKE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 943

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Senate Bill No. 1252

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CLARKE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 2763

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

CLARKE, Chairman

Above reported bill ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 54

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

MEMBER EXCUSED

At 11.14 a.m. Mr. Hinckley asked for, and was granted, unanimous consent that Mr. Erwin be excused, for the balance of the legislative day, because of illness.

REPORTS OF STANDING COMMITTEES

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1951

MR SPEAKER: Your Committee on Public Health, to which was referred:

Senate Bill No. 99

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended.

CONNOLLY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1951

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Senate Bill No. 821
Senate Bill No. 822
Senate Bill No. 971

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CONNOLLY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1951

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Assembly Bill No. 407

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

CONNOLLY, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1951

MR SPEAKER: Your Committee on Public Health, to which was referred:

Assembly Bill No. 3279

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CONNOLLY, Chairman

Above reported bill ordered to second reading.

Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1951

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which was referred:

Assembly Bill No. 1069

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to committee.

WATERS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1951

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which were referred:

Senate Bill No. 397
Senate Bill No. 1579

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WATERS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1951

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which were referred:

Assembly Bill No. 1520
Assembly Bill No. 2788
Assembly Bill No. 417

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WATERS, Chairman

Above reported bills ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 464
Assembly Bill No. 492
Assembly Bill No 611
Assembly Bill No. 977
Assembly Bill No. 979
Assembly Bill No. 1784
Assembly Bill No. 3379

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 270—An act to amend Section 602 of the Welfare and Institutions Code, relating to compensation and expenses of the Probation Committee;

Assembly Bill No. 291—An act to amend Section 19437 of the Education Code, relating to civic centers;

Assembly Bill No. 300—An act relating to the financing, construction, maintenance and operation of sanitary sewerage and storm drainage systems for the Cities of Fairfield and Suisun City, creating the Fairfield-Suisun Sewer District and prescribing its boundaries, change of boundaries, organization, operation, management, financing and powers, declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of April, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 496—An act to amend Section 736 of the Fish and Game Code, relating to fish, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 586—An act to amend Sections 274, 275, 276, and 285.3 of, and to add Section 275.5 to, the Agricultural Code, relating to apiary inspection and equipment brands;

Assembly Bill No. 616—An act to amend Section 2 of an act entitled "An act to make an appropriation to provide housing and equipment for the education of cerebral palsied children," approved July 25, 1949, relating to audit of expenditures from such appropriation;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of April, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1009—An act to amend Section 179 of the Vehicle Code, relating to the transfer and renewal of licenses for vehicles;

Assembly Bill No. 1010—An act to amend Section 248 of the Vehicle Code, relating to automobile wreckers;

Assembly Bill No. 1031—An act authorizing the investment of moneys derived from rentals, royalties, and other payments received by the State from lessees of tide and submerged lands lying along the Coast of California and impounded in the Special Deposit Fund in the State Treasury pursuant to stipulations between the State of California and the United States of America; providing for the disposition of interest earned or other increment derived from such investments; making an appropriation; and declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of April, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 1500—An act to amend Sections 160 and 161 of the Welfare and Institutions Code, relating to the return of mental patients to the states of their residence;

Assembly Bill No. 1617—An act to amend Section 2804 of the Streets and Highways Code, relating to special assessment proceedings for financing the cost of local improvements;

Assembly Bill No. 1638—An act to add Section 32131 to the Health and Safety Code, relating to the powers of local hospital districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of April, 1951, at 11 a.m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1666—An act to repeal Section 32401 and to amend Section 32441 of the Water Code, relating to county water districts;

Assembly Bill No. 1668—An act to amend Sections 30507 and 30508 of the Water Code, relating to county water districts;

Assembly Bill No. 1672—An act to amend Section 10202 of the Insurance Code, relating to group life insurance;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of April, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1673—An act to amend Section 10202.8 of the Insurance Code, relating to group life insurance;

Assembly Bill No. 1674—An act to amend Section 10203 of the Insurance Code, relating to group life insurance;

Assembly Bill No. 1676—An act to amend Sections 10203.5, 10209 and 10213 of, and to add Section 10203.8 to, the Insurance Code, relating to group life insurance;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of April, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1677—An act to amend Section 10206 of the Insurance Code, relating to group life insurance;

Assembly Bill No. 1678—An act to amend Section 1240 of the Insurance Code, relating to investments;

Assembly Bill No. 1679—An act to amend Section 10270.5 of the Insurance Code, relating to group disability insurance;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of April, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1726—An act to add Sections 13560 and 13085.1 to the Education Code, relating to certificated employees of school districts;

Assembly Bill No. 1811—An act to add Section 37394 to the Government Code, relating to the leasing of property for off-street parking purposes, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1859—An act to amend Sections 5058 and 5105.1 of, and to add Section 5103.1 to, the Education Code, relating to state school building aid;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of April, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1951

MR SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1860—An act to amend Section 5103 of the Education Code, relating to state school building aid;

Assembly Bill No. 2258—An act to amend Section 818 of the Agricultural Code, relating to standards for potatoes, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 2412—An act to add Section 28231 to the Health and Safety Code, relating to bread and its preparation;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of April, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2675—An act to amend Sections 2191 and 2192 of the Business and Professions Code, relating to qualification for admittance to examination;

Assembly Bill No. 2718—An act to amend Section 11044 of the Government Code, relating to charges for services against agencies supported other than from the General Fund;

Assembly Bill No. 2796—An act to add Section 3354 to the Welfare and Institutions Code, relating to the sale of raw materials purchased for state institutions for the blind;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of April, 1951, at 11 a.m.

BURKE, Chairman

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, the notice of motion by Mr. Klocksiem to withdraw Assembly Bill No. 3377 from committee was taken up.

Assembly Bill No. 3377—An act to amend Section 330 of the Penal Code, relating to gaming.

Motion to Withdraw Assembly Bill No. 3377 From Committee

In compliance with a notice given on a previous day, Mr. Klocksiem moved that Assembly Bill No. 3377 be withdrawn from the Committee on Boards and Commissions, and be placed upon the file.

Point of Order

Mr. Doyle arose to the following point or order: That Mr. Klocksiem is speaking on the merits of the bill, and not upon the motion to withdraw the bill from committee.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Point of Order

Mr. Elliott arose to the following point of order: That Mr. Lanterman is not speaking to the motion.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Point of Order

Mr. Collier arose to the following point of order: That Mr. Doyle is not speaking to the motion.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Point of Order

Mr. Moss arose to the following point of order: That Mr. Doyle is not speaking to the question.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Demand for Previous Question

Messrs. Hinckley, Conrad, Grant, McGee, and Shaw demanded the previous question.

Demand for previous question sustained.

The question being on the motion by Mr. Klocksiem to withdraw Assembly Bill No. 3377 from committee.

The roll was called, and the motion carried by the following vote:

AYES—Babbage, Beck, Brown, Burke, Burkhalter, Caldecott, Chapel, Coats, Collier, George D. Collins, Conrad, Cooke, Davis, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Henderson, Hinckley, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Rosenthal, Shaw, Sherwin, Smith, Stanley, Tomlinson, and Waters—46.

NOES—Belotti, Berry, Brady, Connolly, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Geddes, Hawkins, Hollibaugh, Lyon, McCollister, McMillan, Porter, and Thomas—20.

Assembly Bill No. 3377 ordered to third reading.

Statement of Vote on Motion to Withdraw Assembly Bill No. 3377

For reasons stated during the debate, I vote to uphold committees when full hearing has been accorded and a vote taken. Therefore I voted against the withdrawal, even though I shall vote for the bill.

ERNEST R. GEDDES

RESOLUTIONS

The following resolution was offered:

By Messrs. Munnell, Hollibaugh, Hawkins, Elliott, Thomas, Porter, Grant, Smith, Lipscomb, Rosenthal, Beck, and Kilpatrick:

House Resolution No. 123

Relative to leasing State-owned property.

WHEREAS, The State of California owns a substantial amount of property in the southern part of the State, and engages in leases of said property; and

WHEREAS, Leasing arrangements may be complicated and protracted, and almost invariably require meetings of the parties involved; and

WHEREAS, Many requests have been made by private individuals, real estate firms, and representatives of local and federal agencies, for the establishment of a permanent office in Southern California where such negotiations could be effected; now, therefore, be it

Resolved by the Assembly of the State of California, That the Department of Finance be and hereby is requested to establish a permanent office in Southern California to facilitate leasing negotiations concerning state property

Resolution read, and ordered referred to the Committee on Rules.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3280—An act to amend Section 44 of the Vehicle Code, relating to authorized emergency vehicles.

Bill read third time.

Demand for Previous Question

Messrs. Lanterman, Hinckley, Collier, Hahn, and Shaw demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 3280.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Burke, Chapel, Clarke, Cloyed, Coats, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Elliott, Gaffney, Geddes, Grant, Hawkins, Hollibaugh, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCollister, McGee, McMillan, Meyers, Morris, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, and Thomas—41.

NOES—Babbage, Beck, Brady, Burkhalter, Collier, George D. Collins, Conrad, Fleury, Grunsky, Hahn, Hansen, Hinckley, Kelly, Lipscomb, McCarthy, McFall, Moss, Munnell, Smith, Stewart, Tomlinson, and Waters—22.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE BILL NO. 1813 BE SET FOR HEARING IN COMMITTEE TONIGHT

Mr. Stanley asked for, and was granted, unanimous consent that he be permitted to set Senate Bill No. 1813 for hearing, tonight, in the Committee on Municipal and County Government, without the usual three day notice, because of the urgency of the measure.

RECESS

At 12.01 p.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p m., the Assembly reconvened.

Hon Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Constitutional Amendment No. 55: By Mr. Stewart—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding to Article XIII thereof a new section to be numbered 19, relating to the proceeds of taxes levied on property in a redevelopment project under the Community Redevelopment Act.

Referred to Committee on Constitutional Amendments.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1951

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 1017

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

STEWART, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 589—An act to amend Section 9.3 of the Municipal Court Act of 1925, and to add Section 30.1 to the Municipal and Justice Court Act of 1949, relating to courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Connolly, Cooke, Crowley, Davis, Dolwig, Doyle, Dunn, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hansen, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Maloney, McCarthy, McGee, Morris, Niehouse, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—44.

NOES—Luckel—1.

Bill ordered transmitted to the Senate.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 736, on request of Mr. Tomlinson.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 736 BE RE-REFERRED TO COMMITTEE

Mr. Tomlinson asked for, and was granted, unanimous consent that Assembly Bill No. 736 be withdrawn from the third reading file, and be re-referred to the Committee on Ways and Means.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 25, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 50

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS

Senate Bill No. 789—An act to add Section 2838.5 to the Elections Code, relating to county control committees.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Hansen moved a call of the Assembly.

Motion carried. Time, 2.22 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brown, Butters, Collier, Crowley, Dickey, Dills, Hahn, Hawkins, Hollibaugh, Lipscomb, Lyon, Meyers, Sherwin, Thomas, and Waters—15.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Connolly asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2624

Mr. Grunsky asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2624, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2624

Assembly Bill No. 2624—An act to add Section 736d to the Political Code and Section 78.2 to the Code of Civil Procedure, to amend Section 736b of the Political Code and Section 79 of the Code of Civil Procedure and to repeal Sections 737a to 737fff, inclusive, of the Political Code and Sections 79.1 to 79.58, inclusive, of the Code of Civil Procedure, relating to superior courts and the judges thereof.

Bill read third time.

Demand for Previous Question

Messrs. Hinckley, Evans, Luckel, Geddes, and Levering demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2624.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Caldecott, Clarke, Connolly, Conrad, Cooke, Crowley, Dickey, Dolwig, Doyle, Elliott, Evans, Gaffney, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem, Lanterman, Landsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Tomlinson, and Mr Speaker—48.

NOES—Burkhalter, Chapel, Cloyed, George D Collins, Dunn, Geddes, Hahn, Hinckley, Hollibaugh, Kirkwood, Levering, Lincoln, Lowrey, Luckel, McMillan, Moss, Parker, and Thomas—18.

Notice of Motion to Reconsider Assembly Bill No. 2624

Mr. Kirkwood gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2624 was this day passed.

Statement of Vote on Assembly Bill No. 2624

Was called to phone and failed to vote on Assembly Bill No. 2624 Had I been present, I would have voted "Aye."

MARVIN SHERWIN

REPORTS OF STANDING COMMITTEES

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which were referred:

Senate Bill No 956
Senate Bill No. 957

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

NIEHOUSE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1951

MR SPEAKER: Your Committee on Social Welfare, to which were referred:

Assembly Bill No 2054
Assembly Bill No. 2057
Assembly Bill No. 2058

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

NIEHOUSE, Chairman

Above reported bills ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1951

MR. SPEAKER. Your Committee on Social Welfare, to which were referred:

Assembly Bill No. 354
Assembly Bill No. 1690

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

NIEHOUSE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 24, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Assembly Bill No. 2064

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and re-refer to Committee on Ways and Means.

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 789

At 3.06 p.m., on motion of Mr. Hansen, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 789 passed by the following vote:

AYES—Belotti, Berry, Brady, Burkhalter, Chapel, Clarke, Cloyed, George D Collins, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lincoln, Lindsay, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Munnell, Niehouse, Porter, Rosenthal, Smith, Stanley, and Mr. Speaker—48.

NOES—Babbage, Beck, Burke, Caldecott, Coats, Conrad, Cooke, Grant, Hinckley, Kirkwood, Lanterman, Levering, Lipscomb, Lowrey, Luckel, McFall, McGee, Morris, Parker, Rumford, Shaw, Silliman, Stewart, Thomas, and Tomlinson—25.

Bill ordered transmitted to the Senate.

MEMBER EXCUSED

At 3.08 p.m., Mr. Dills asked for, and was granted, unanimous consent that Mr. Brown be excused, for the balance of the legislative day, because of legislative business elsewhere.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Hagen to reconsider the vote whereby Assembly Bill No 3202 was refused passage was continued until the next legislative day.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 8 p.m —

Education, in Room 432

Municipal and County Government, in Room 426.

Upon Adjournment—

Conservation, Planning, and Public Works, in Room 426.

Governmental Efficiency and Economy, in Room 435.

Tomorrow, Thursday, April 26th—

At 9.30 a.m.—

Rules, in Room 3186.

Upon Adjournment of the Committee on Ways and Means—

Subcommittee of Ways and Means on Education, in Room 435.

It was announced that the following committee would hold no meeting today:

Constitutional Amendments.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Dolwig, the usual courtesies of the Assembly for this day were unanimously extended to Marilyn Ferguson of Redwood City; Claire Sirex and Marjan Yaeger of San Carlos, J. R. Guptil of San Francisco, and Robert Klassen of San Carlos.

On request of Mr. Moss, the usual courtesies of the Assembly for this day were unanimously extended to Alice E. West and Minnie Lee Vest of Sacramento.

On request of Mr. McCollister, the usual courtesies of the Assembly for this day were unanimously extended to Mr Maher, teacher, and the following pupils of the Adeline E. Kent School: Elaine Gaetjen, Susan Rigsbee, Bobbie Holton, Jerry Crews, Jo Anne Smith, Penny Blackfield, Bourn Hayne, Benjy Anixter, Bonnie Ryder, Joan Ruby, Nancy Simons, Dennis Paull, Gary Dale, Sydney Cox, Gary Allen, Ray Micheletti, Carol Girot, Dan Drath, Jon Erickson, John Peck, James Hobart, Nadine Moore, Agnes Waldbillig, Joyce Birse, Martha Dettner, John Moore, Patty Jo Keilholtz, James Facer, Shirley Wachsman, Tom Swan, Dave Parle, Bobbie Trumbull, Andy White, Bruce Owen, and Judy Scott.

On request of Mr. Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to Beth Mooney, teacher, and the following pupils of the Atlantic Street School of Roseville: Julian Assad, Derrol Byfield, Frank Duran, Jim Eberly, Lee Elam, Tony Gullion, Marion Johnson, Rex Langley, Reinhold Lerch, Charles Lutz, Charles Maggiore, Patrick Martin, Ronald Matson, Leonard Newstrum, Wayne Sharp, Brian Shoemaker, Jimmy Tripp, Bobby Tucker, Billy Williamson, Noel Wilson, Ronnie Wilson, Adrian Gudino, Barbara Alexander, Sandra Campbell, Sharon Christianson, Lillian Contreras, Jeanne Donaldson, Joy Empey, Carolyn Ferguson, Carol Jean Hanger, Carol Ann Hickerson, Trenna Jones, Gloria Le Doux, Diane Macario, Mary Perez, Arleta Torres, Mariona Wallis, JoAnn Wilbur, and Trudy Caddel.

On request of Mr. Kelly, the usual courtesies of the Assembly for this day were unanimously extended to Emmy Lou Barbe, and Glenda Liddell, teachers; Mrs. Clyde Downing and Herbert Wooley, adults; and the following pupils of the Belridge School District: Bill Salyards, Verna Downing, Ollie Mae Phillips, Bill Caddell, Elliot Mallon, Dennis Ryman, Nancy Forgie, Bernice Smith, Louella Stanton, Alberta Caddell, Margaret Ann Myers, Ned Curry, Richard Duffin, Bob McLean, Norma Jean Coffman, Carol Jones, and Mary Sue Smith.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Ernest G. Zimmerman, teacher, and the following pupils of the Edward Kelly School: Charlotte Zimmerman, Lauren Layton, Richard Kersey, Jean Keffer, Jeanette Keffer, David Satow, Roy Thomson, Frances Tamano, Robert Baba, Teddy Satow, Henry Takamoto, Betty Cabral, Constance Kawamura, and Joelene Huntsman.

On request of Messrs. Gubser and Kirkwood, the usual courtesies of the Assembly for this day were unanimously extended to Adah Mae Rhoads, teacher, and the following pupils of the Edwin Markham Jr. High School: Sharon Adcock, Barbara Bertholf, Jimmy Burns, Jerry Clinton, Sylvia Goudie, Noel Greenwood, Jo Anna Hilby, Katherine Kincaid, Jerry Laub, Lou Ella Lotz, Colleen Moore, Kathleen Orr, Gary Prickett, Bernardine Sands, Pat Semichy, Kathleen Slater, Tom Struthers, Lloyd Devore, Beverly Anderson, Floyd Bolton, Karen Clarke, Anna Enman, Barbara Graff, Russell Grove, Diane Kennedy, Carolyn Koech, Bobby Levin, Marilyn McGowan, Richard Newgren, Lynne Phillips, Sharon Riley, Shirley Ann Sanfillipo, Ronnie Shank, Carole Sosnich, Marlene Canzano, and Elilu Galanza; and Robert W. Goldstein, student teacher.

On request of Messrs. McFall and Parker, the usual courtesies of the Assembly for this day were unanimously extended to Donald McCormick, Wendell Broom, and G. Ellis Griffith, teachers, and the following pupils of the New Hope School of Thornton: David Cameron, Richard Cheshire, Rex Gore, James Guillermo, Billy Jarrett, Tony Lerma, John Lerma, Curtis Mattice, John Ratola, Ray Dean Roberson, Walter Robison, Charles Smith, Wayland Summers, Bobby Joe Teague, Allen Thomas, Edmund Weathers, Rex Young, Jeanette Barber, Neona Brand, Bobbie June Cain, Bonnie Coleman, Ellen Dambacher, Betty Lou Daniel, Veneda Daniel, Rose Marie Frey, Melva Gates, Barbara Hessler, Dolores Lota, Gloria Lota, Jeanne Lucas, Annabelle Simmons, Betsy Vetter, Ronald Cowley, John Little, Manson Parker, Wendell Stallings, Thom Stokes, Delbert Stottlemyre, Albert Weller, Millich Yoka, Abe Chavez, Henry Cabarruhio, Billy Casteel, John Slaughterbach, Geraldine Combs, Barbara East, Bernadine Feagan, Beverly Gallagher, Norma Gipson, Alice Gisler, Bernice Higgs, Selma Jarrett, Theresa Ratola, Mamie Rooker, Beverly Sweet, Della Wade, and Wanda Welch.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to the Citizenship class of Leatha Stockman, Napa and Vallejo: Lucile Gracy, Eunice Krug, Annie Stromer, Annie Poledari, Elodie Rossi, Judy Rossi, Mary Simone, Louise Hernandez, Mamerto Calise, Kathryn King, Emelia Lopez, Inez Imbernon,

Elizabeth Hall, Isabelle La Butte, Margaret Pendleton, Maria Zacante, Ellen Croughly, and Lenore Varilla.

On request of Mr. Hansen, the usual courtesies of the Assembly for this day were unanimously extended to R. Cosgrave, James Barstow, Henry Karrer, Geo. N. Skoegard, Geo. Mosgrove, Philip A. Gordon, Chas. Kaupke, Robt. Johnson, Gilbert Jertberg, Wm. Martin, Kirby Hansen, and Dick Shore of Fresno.

On request of Mr. Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to Sister Mary Olga, Sister Mary Geraldine, Sister Mary Paola, and Sister Mary Clarita, teachers, and the following pupils of Holy Rosary Academy, Woodland: Shirley Aiston, Amelia Benedict, Ida Bettencourt, Valerie Brook, Blanche Casari, Carolee Cohn, Dorothy Dahler, Mary Gatterer, Margaret Harris, Theresa Haugh, Patricia Holland, Mary Lou Hubbard, Betty Jauch, Marlene Kappeler, Jean Ann Leonesio, Mary Pat Mitchell, Shirley Perasco, Doris Pradelli, Nancy Rominger, Alice Salazar, Olivia Salazar, Josephine Schuh, Mary Lou Snipes, Patricia Tallman, Stella Tafoya, and Eleanor Van Deelen.

On request of Mr. Hagen for Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to Ruth Webb and David Stewart, teachers, and the following pupils of Acalanes High School of Lafayette: Johanna Allen, Shirley Marie Allen, Don Bearden, Wayne Brannen, Pat Cavallera, Gary Coad, Sylvia Costa, Jody Eaton, Phil Erickson, Peggy Everest, Charlotte Ferrell, Sally Fleager, Lois Galbraith, Charles Gee, Dorothy Hanawalt, Marilyn Harris, Hugh Haskell, Robin Hooper, Chris Johnson, Jim Keefe, Jackie Kennerley, Mike Klement, Bob Kleekner, Shirley Knipe, Tom Koenig, Charles Leach, Peggy Lorenzen, Pat Meyers, Joyce Moss, Joanne Newman, Jack Ogden, Ronnie Talin, Jim Patts, Dolores Pescio, Jim Peters, Bill Powers, Elaine Ranker, Mike Schaeffer, Gary Shallenberger, Bob Silvera, Barbara Springston, Allen Stanley, Mary Thies, Paula Timmons, Ann Wagner, Toni West, Bob Westlund, Dick Whitcomb, Alan White, Shryle White, John Williams, Shirley Williams, Walt Williams, Dick Huback, Joanne Jensen, Connie Wollam, Janet Wright, Mary Zbavitel, and Bob Sanders.

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to Eleanore McKnight Haines and E. L. Fulfer, teachers; Mary E. Dias, Charlie Hansen, and John Hensley, adults, and the following pupils of the Ceres School: Leslie Baker, Robert Calton, Lynn Chidester, Bert Conover, Alan Corn, Paul Crouch, Joseph Cusenza, Robert Evans, Harold French, Malcolm Graham, Stewart Holt, Jerry Johnson, Thomas Johnson, Jerry Langley, Paul Sneed, Bruce Stevens, Wayne Thompson, Freddie Waldo, Donald Young, Mary Ann Abernathy, Frances Bakeman, Jean Coleman, Aldena Dias, Eva Dias, Betty Faught, Pauline Haney, Maggy Long, Louise Miller, Oma Murphy, Unell Robison, Rosie Sousa, Betty Surrett, Vesta Ward, Juanita White, and Noma Murphy.

On request of Messrs. Dunn and Lincoln, the usual courtesies of the Assembly for this day were unanimously extended to Vashte Kornhaus, teacher, and the following pupils of the Castlemont High School: Jim

Andreason, Janet Apedaile, Barbara Baker, Marna Berset, Bob Bingaman, Ina Bloom, Pat Bolin, Betty Branch, Diane Brown, Peggy Brush, Jeann Brunold, Jackie Camara, Johanna Castelein, Elwood Christensen, Jim Condreay, Margie Cooper, Ernest Cordiero, Barbara Jean Creacy, Mary Lou Creamer, Brush Dana, Christine Farley, Dorothy Farinha, Eleanor Fikse, Rita Fletcher, Bill Fobian, Don Fornal, Richard Goldstein, Donna Hammond, Rosaline Himenes, Barbara Isham, Katharyn Jackson, Thad Jackson, Roberta Jacons, Virginia Kendrick, Betty Kinsey, Jerry LaFevers, Pat Landreth, Carol Larsen, Corine Lewright, Clarita Lewis, Paul Lindevald, Donnella Luce, Joe Lynch, Carolme Martin, Edward Middleton, Diane Mondoza, Nancy Nevis, Barbara Newman, Joyce Nunnemaker, Donna O'Hair, Dale Osmond, Bob Owens, Eleanor Pagnuccio, Toni Pirrollo, Phyllis Powell, Beverly Reisbig, Marilyn Reitman, Marilyn Rice, Wayne Rishel, Arne Solberg, Don St. Claire, Maxine Suddeth, Doreen Thatcher, Pat Thomason, Bob Thurston, Betty Van Hooser, Edna Wills, Tom Wilson, Doris Witt, Richard Hayes, Donna Haynes, Les Perry, and Lucille Peske.

On request of Mr. Hagen for Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to Natale De Geobbi and Marjorie Doss, teachers, Donald G. Mitchell, Tholbert Honea, and Pauline Keemer; and the following pupils of the Pittsburg Jr. High School: Helen Buffo, Pedro Ciabad, Margaret Carnaghi, Richard Cerda, Charlotte Dishon, Patsy Enea, Donald Gentile, Juanita Guturrez, Loann Harrison, Jeanette James, Pat Lynch, Joseph Lucido, Caroline Noon, John Orlando, Sylvia Paradise, Germaine Rainero, Gordon Rhodes, Bobby Robinson, Martha Rodriguez, Thomas Simone, Dorothy Smith, Herman White, Virginia Milano, Gerald Belleci, Russell Belleci, Zelda Le Frak, Peter Cardinale, Sal Lujon, Maggie Morrison, Janet Rudkin, Calvin Sabo, Joseph Siino, Sal San Fillippo, Vincent Scotto, David Severns, Carl Straub, Willie Bartley, Connie Mesa, James Modkins, Artie Sanchez, Joan Shelley, Andrew Trinidad, Robert Yocum, Carolyn Yoggerst, Audrey Pryor, Geraldine Tennant, Wanda Stephens, Angie Seeno, Essie Jiles, Richard Arroya, Mary Ann Belleci, David Borrelli, Agnes Buccellato, Willie Bartley, Connie Mesa, James Modkins, Andrew Trinidad, Carolyn Yoggerst, Audrey Pryor, Pat Aiello, Jesse Alexander, Joyce Baker, Gene Booth, Joanne Bruno, Marilyn Burlessas, Josephine Camero, David Creswell, Mathew Di Mercurio, Frank Evans, Jean Ferrante, James Garvella, Elaine Gibaldi, Joseph Gonzales, Otis Harris, Jesse Leber, Mary Lopez, Virginia Mendozai, Rachel Murillo, Antoinette Propersi, Jack Rowlett, Frank Acker, Anthony Alaimo, Warren Baker, John Billeci, Frank Briggs, Violet Bruno, Eddie Carbin, Gerry Cardinale, Clifford Carpenello, Richard Castro, Delores Cross, Bertha DeLa'O, Howard Hill, Charles Jackson, Janice Johnson, Paul Krey, Jack Lanter, Marva Lea, Thomas Leitz, Gay Lewis, Teddy Lichti, Yvonne Mercurio, Fred Merritt, Margaret Norman, Pauline Parga, Bonnie Peterson, Joe Rosalez, Donald Sims, Vincent Sposito, Isabelle Verduzco, Natalie Villa, Jerry Baker, Marian Pardi, Fred Pizzuto, Antonia Adame, Edward Aguilar, Richard Battaglia, Bethyl Block, John Campbell, Betty Carpenello, L. D. Cobb, Marilyn Davis, Kenneth Delonoy, Ida Estrada, Henry Fernandez, Betty Frost, Beatrice Gomez, David Grillo, Ella Guerriere, Zeke Jaime, Yvonne

Kennedy, Kay Lane, Charles Hill, John Manyon, Eleanor Mercurio, Wallace Myers, David Quesada, David Rouner, Joseph Siino, Leslie Trapp, Eugene Wilson, John Vasquez, Adele Confort, Dominic D'Angelica, Jennie Madama, Fred Miller, Joe Murguia, Toni Propersi, Virginia Rasanen, Diane Taylor, Andrew Begley, Darlene Thornton, Bobby McClain, Marie Aiello, Marlene Berg, John Chambers, Javier Chavez, Manuel Covarrubias, Alvin Ehlers, Bella Fuhrer, Lucy Garcia, Carlos Jaramillo, Robert Jiles, Dorothy Joe, Harry Joe, Claudette Kerns, Anita Lane, Joe V. Lucido, Donald Luper, Pauline Malfitano, Sal Mayjoffo, Gloria McCarty, Mary McDermott, Cathy Mercurio, Cathy Moriel, Pauline Mussetti, Bog Myers, Esperanza Pena, Alma Pierce, Nellie Richardson, Paul Roa, Anita Sharrock, Pat Shields, Joann Thilgen, Theresa Barriga, Marie Medford, and Marie Rodriguez.

On request of Mr. McMillan, the usual courtesies of the Assembly for this day were unanimously extended to Rev. Edmund R. Warne of Reseda, Rev. C. L. Palmer of Canoga Park, Rev. Edwin E. Krapf of Los Angeles, and Rev. Harlan R. Waite of Ventura.

On request of Messrs. Burke and Hawkins, the usual courtesies of the Assembly for this day were unanimously extended to Sam Phillips of San Gabriel.

On request of the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. E. M. Hamilton of San Diego.

ADJOURNMENT

At 3.12 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Thursday, April 26, 1951, out of respect to the memory of the late Honorable George R. Butters of Brawley.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FORTY-SIXTH LEGISLATIVE DAY

SIXTY-SECOND CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, April 26, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Our Father, Which art in Heaven, Hallowed be Thy name.

We thank Thee for bringing us to the light of this new day, and for the challenge of its duties and responsibilities. Fulfill in us, a portion of the genius of our Republic, in a service that knows malice toward none and charity for all. Bless our Nation and all that are in places of authority that we may be guided in paths of righteousness and peace. Keep us aware of the sacrifices of blood in Korea and inspire us to such a full measure of devotion that their service shall not be in vain.

"Lord of the nations, thus to Thee
Our country we commend;
Be Thou her refuge and her trust,
Her everlasting friend."

In Jesus name—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Lyon, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Sherwin, on motion of Mr. Kirkwood.

The following member was granted leave of absence for the day, and desired to waive his per diem.

Mr. Kilpatrick, on motion of Mr. Munnell.

COMMUNICATIONS

By the Chief Clerk:

A communication from Stokes A. Bennett and Louella P. Bennett of Los Angeles, relative to voicing opposition to Assembly Bill No. 3383, was received, and ordered filed with the Secretary of State.

By the Chief Clerk:

A communication from W. W. Campbell of Los Angeles, relative to alcoholic ads over the air, was received, and ordered filed with the Secretary of State.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 465
Assembly Bill No 978
Assembly Bill No. 1521

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2300
Assembly Bill No. 2459

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 46

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Senate Bill No 219
Senate Bill No 329
Senate Bill No. 513
Senate Bill No. 1813

Has had the same under consideration, and reports the same back with the recommendation Do pass.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 407

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1951

MR SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 2704

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1951

MR SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Senate Bill No. 408
Senate Bill No. 1484
Senate Bill No. 1567

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 982
Assembly Bill No. 313

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bills ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 25, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No 565
Assembly Bill No 570
Assembly Bill No. 1068
Assembly Bill No. 2522
Assembly Bill No 2820
Assembly Bill No. 2823

And respectfully requests your honorable body to concur in said amendments.

J A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, April 25, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 2386
Assembly Bill No. 2387
Assembly Bill No. 2389
Assembly Bill No. 2390

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 25, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 347
Assembly Bill No. 434
Assembly Bill No. 435
Assembly Bill No. 436
Assembly Bill No. 441
Assembly Bill No. 442
Assembly Bill No. 563
Assembly Bill No. 1528
Assembly Bill No. 2388
Assembly Bill No. 2391
Assembly Bill No. 2518
Assembly Bill No. 2900
Assembly Bill No. 3240

J. A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 25, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 1680

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time:

Senate Bill No. 1680—An act to amend Sections 9351, 9351.3, 9353.6, 9359.1, and 9359.8 of, and to add Section 9355.45 to, the Government Code, relating to the Legislators' Retirement System, and providing for the inclusion of officers of the Senate and of the Assembly therein.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 25, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 896
Senate Bill No. 945
Senate Bill No. 946
Senate Bill No. 951
Senate Bill No. 952
Senate Bill No. 955
Senate Bill No. 973
Senate Bill No 987
Senate Bill No. 1534

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 896—An act to repeal Section 8968 of the Business and Professions Code, relating to moneys in the Yacht and Ship Brokers Fund.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 945—An act to amend Section 1500 of the Welfare and Institutions Code, relating to aid to needy children in respect to the definition of needy child.

Referred to Committee on Social Welfare.

Senate Bill No. 946—An act to amend Section 1503 and to repeal Section 1507 of the Welfare and Institutions Code, relating to aid to needy children.

Referred to Committee on Social Welfare.

Senate Bill No. 951—An act to add Section 1523.5 to the Welfare and Institutions Code, relating to aid to needy children in respect to acceptance of rehabilitative training.

Referred to Committee on Social Welfare.

Senate Bill No. 952—An act to amend Sections 1521 and 1521.2 of the Welfare and Institutions Code, relating to property qualifications for aid to needy children.

Referred to Committee on Social Welfare.

Senate Bill No. 955—An act to add Section 1523.5 to the Welfare and Institutions Code, relating to aid to needy children.

Referred to Committee on Social Welfare.

Senate Bill No. 973—An act to amend Sections 7619, 7641, and 7665 of, and to add Sections 7610 and 7708 to, the Business and Professions Code, relating to the regulation of funeral directors and embalmers.

Referred to Committee on Public Health.

Senate Bill No. 987—An act to establish a Public Utilities Code, thereby consolidating and revising the law relating to and regulating public utilities and other regulated businesses and matters incidental thereto, the powers and duties of the Public Utilities Commission, local utility franchises, and publicly owned utilities, and repealing certain acts and parts of acts specified herein.

Referred to Committee on Public Utilities and Corporations.

Senate Bill No. 1534—An act to add Section 35561.1 to the Government Code, relating to withdrawal of territory from cities.

Referred to Committee on Municipal and County Government.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 45—Approving an amendment to the charter of the City of Porterville, a municipal corporation in the County of Tulare, State of California, voted for and ratified by the qualified electors of said city at the general election held therein on the third day of April, 1951;

Assembly Concurrent Resolution No. 48—Approving amendments to the charter of the City of San Mateo, a municipal corporation in the County of San Mateo, State of California, voted for and ratified by the qualified electors of said city at a regular municipal election held therein on the third day of April, 1951;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the twenty-sixth day of April, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1675—An act to amend Section 10203.4 of the Insurance Code, relating to group life insurance;

Assembly Bill No. 1890—An act to repeal Section 232 of the Banking Code and to repeal Section 232 of the Financial Code, relating to the taking of the constitutional oath of office by deputies and examiners;

Assembly Bill No. 2715—An act to provide for the reimbursement of State Employees' Retirement System contributions;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-sixth day of April, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2930—An act to amend Sections 4663, 4911.1, 4912, and 4912.2 of the Education Code, relating to school districts, declaring the urgency thereof, to take effect immediately;

And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-sixth day of April, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 273—An act to amend Sections 667.1 and 960 of the Welfare and Institutions Code, and to add Section 961 to said code, all relating to the establishment and maintenance of public schools;

Assembly Bill No. 342—An act to regulate sales of motor vehicles, and for that purpose to add Chapter 1a to Division 8 of the Business and Professions Code and to amend Section 2982 of the Civil Code;

Assembly Bill No. 583—An act to amend Sections 509 and 510 of the Agricultural Code, relating to market milk inspection;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-sixth day of April, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3383—An act to amend Section 214 of the Revenue and Taxation Code, relating to the welfare exemption;

And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-fifth day of April, 1951, at 3 30 p m.

BURKE, Chairman

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 3377—An act to amend Section 330 of the Penal Code, relating to gaming.

Bill read second time, and ordered engrossed.

Assembly Bill No. 482—An act to amend Section 432 of the Probate Code, relating to the administration of estates of decedents

Bill read second time, and ordered engrossed.

Assembly Bill No. 775—An act to amend Section 139.44 of the Vehicle Code, relating to the service of warrants by members of the California Highway Patrol.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1052—An act to amend Section 11616 of the Business and Professions Code, relating to the dedication of streets, and the abandonment of an offer of dedication of said streets.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1542—An act to amend Section 1325 of the Penal Code, relating to immunity of witnesses from criminal prosecution.

Bill read second time, and ordered engrossed.

Assembly Bill No. 945—An act to amend Section 954 of the Fish and Game Code, relating to nets.

Bill read second time, and ordered engrossed.

Assembly Bill No. 943—An act to amend Sections 26075 and 26076 of the Water Code, relating to assessments by irrigation districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3279—An act to add Section 7209 to the Health and Safety Code, relating to bodies of deceased persons.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1520—An act to add Sections 2842.5 and 2842.6 to the Elections Code, relating to county central committees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2788—An act to add Section 8657 to the Elections Code, relating to contest of primary elections.

Bill read second time, and ordered engrossed.

Assembly Bill No. 417—An act to amend Sections 8530, 8550, 8602, 8625, 8642, and 8645 of the Elections Code, relating to election contests.

Bill read second time, and ordered engrossed.

Assembly Bill No. 30—An act to amend Section 19432 of the Education Code, relating to use of school property.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Amend Section 19432 of", and insert "add Sections 19440 and 19441 to".

Amendment No. 2

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 19440 is added to the Education Code, to read.".

Amendment No. 3

On page 1, line 3, of said bill, strike out "19432", and insert "19440".

Amendment No. 4

On page 1, lines 6 and 7, of said bill, strike out "the advocacy of, or".

Amendment No. 5

On page 2, lines 18 and 19, of said bill, strike out "advocates, or".

Amendment No. 6

On page 2 of said bill, after line 23, insert

"SEC. 2. Section 19441 is added to said code, to read

19441. No governing board of a school district shall grant the use of any school property to any person or organization for any use in violation of Section 19440.

For the purpose of determination by such governing board whether or not any person or organization applying for the use of such school property intends to violate Section 19440, the governing board may require the making and delivery to such governing board, by such person or organization, of affidavits in form prescribed by such governing board, stating facts showing that such school property is not to be used for the commission of any act intended to further any program or movement the purpose of which is to accomplish the overthrow of the government by force, violence or other unlawful means."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 767—An act to amend Sections 26725, 26726, 26730, 26732, 26735, 26736, 26737, 26738, 26741 of the Government Code, relating to fees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "26737,".

Amendment No. 2

On page 2 of said bill, strike out lines 16 to 18, inclusive.

Amendment No. 3

On page 2, line 19, of said bill, strike out "8", and insert "7".

Amendment No. 4

On page 2, line 26, of said bill, strike out "9", and insert "8".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 773—An act to amend Section 538 of the Code of Civil Procedure, relating to affidavit for attachment.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 16, of printed bill, strike out "one hundred ($100)", and insert "thirty ($30)".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1160—An act to add Section 789 to the Probate Code, relating to the sale of real property.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 3 of the printed bill, strike out "Upon" and insert "If the sale has not been vacated in accordance with the provisions prescribed in Section 788, then upon"

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1952—An act to add Section 171c to the Civil Code, relating to the management and control of community property.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 4, of the printed bill, after "code," insert "and subject to the provisions of Sections 164 and 169 of this code,".

Amendment No. 2

On page 1, line 5, of said bill, strike out "of", and insert ", other than testamentary except as otherwise permitted by law, of community property".

Amendment No. 3

On page 1, line 5, of said bill, after "or", insert "community property".

Amendment No. 4

On page 1, lines 6, 7, and 8, of said bill, strike out "so long as such money is retained in that form by her or is on deposit in her name alone and until it is converted by her into other property or", and insert "until it is".

Amendment No. 5

On page 1, line 9, of said bill, after "property", insert ", except that the husband shall have management, control, and disposition of such money damages to the extent necessary to pay for expenses incurred by reason of the wife's personal injuries".

Amendment No. 6

On page 1 of said bill, after line 14, insert

"This section shall not be construed as making such money the separate property of the wife, nor as changing the respective interests of the husband and wife in such money, as defined in Section 161a of this code."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1254—An act to amend Sections 6060 and 6062, and to repeal Sections 6060.5, 6060.6, 6060.7, and 6061 of the Business and Professions Code, relating to requirements for admission to practice law.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on April 5, 1951, strike out "Sections 6060 and 6062, and to repeal Sections 6060.5, 6060.6, 6060.7, and 6061 of", and insert "*Section 6060 of, and to add Section 6060.1 to,*".

Amendment No. 2

On page 1 of the printed bill, as amended, strike out lines 12 to 24, inclusive.

Amendment No. 3

On page 2 of the printed bill, as amended, strike out lines 1 to 7, inclusive, and insert

"*(e) Before beginning the study of law, have completed at least two years of college work or have reached the age of 25 years,*".

Amendment No. 4

On page 2 of the printed bill, as amended, strike out lines 13 to 22, inclusive, and insert

"*(1) Graduated from a law school that is accredited by the examining committee, as provided in Section 6060.1 of this code, and requires class-room attendance, and is authorized by law to confer professional degrees, and requires substantially the full time of its students for three years, or a part only of their time for four years, or*

(2) Graduated from a law school not accredited by the examining committee, that requires class-room attendance, and is authorized by law to confer professional degrees, and requires at least a part of the time of its students for four years, or

(3) Commenced the study of law and registered as a law student as provided in subdivision (f) hereof prior to January 1, 1953, and completed four years of law study, diligently and in good faith, in a law school or by correspondence, or in a law office, or privately, or by a combination of any two or more of these methods."

Amendment No. 5

On page 2 of the printed bill, as amended, between lines 24 and 25, insert

"(i) Have passed during the period of his law study such preliminary examinations as may be required by the examining committee. This requirement does not apply to students of law schools accredited by the examining committee."

Amendment No. 6

On page 2 of the printed bill, as amended, strike out lines 25 to 51, inclusive; and on page 3, strike out lines 1 to 11, inclusive, and insert

"SEC. 2. Section 6060.1 is added to the Business and Professions Code, to read:

6060.1. Any rules or regulations adopted by the examining committee for accreditation of law schools in California pursuant to provision (1) of subsection (g) of Section 6060 of this code shall be consistent with the requirements hereinafter set forth, as follows:

(a) For the purpose of accreditation of law schools an applicant who has taken or is taking the examination given by the State Bar of California for admission to the practice of law, shall be allocated to a law school only in the event that the said applicant shall have been graduated from the said law school and shall have received a degree therefrom.

(b) Any total cumulative percentage of success at the bar examination required by the examining committee in order that a law school shall become or remain accredited shall not exceed three years and shall be not more than 50 percent of the applicants allocated to the said law school under subsection (a) of this section who are taking the examination for the first time.

(c) Should the aforesaid total three year cumulative percentage of success at the bar examination of an accredited law school fall below 50 percent, the said law school shall be placed on probation for a period of two years, during which period of time the said law school shall remain accredited; provided, however, that during the said probationary period the said law school is prohibited from advertising in any manner or form that it is a law school accredited by the State Bar of California. In the event that the said law school at the termination of the probationary period fails to have a total cumulative percentage of success at the bar examination of at least 50 percent, the said law school shall lose its standing as being accredited in the State of California; provided further, however, that the said law school may then petition the said committee to undertake an investigation to determine whether the said law school should nevertheless remain accredited, the cost of said investigation to be paid by the law school investigated, but in no event shall the cost of such an investigation exceed the sum of one thousand dollars ($1,000). At the conclusion of the said investigation the examining committee may retain or deny accreditation for the investigated school on such terms as said examining committee shall prescribe."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 601—An act to amend Sections 160.1 and 160.6 of, and to add Sections 160.15, 160.16, and 160.65 to, the Agricultural Code, relating to agricultural pest control business.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on April 19, 1951, strike out line 14, and insert "(a) a valid certificate of qualification issued by the director or (b) a valid apprentice certificate issued by the director. A fee".

Amendment No. 2

On page 2 of said bill, strike out line 16, and insert "for each such certificate. Before a certificate of qualification may be issued,".

Amendment No. 3

On page 2 of said bill, strike out line 20, and insert "control.

In the case of applicants for apprentice certificate, the examination shall be designed to demonstrate the candidate's ability to conduct the specific pest control operations listed in his application. Successful candidates for apprentice certificates shall be authorized to conduct only the specific kinds of pest control operations for which they are found to be qualified and such operations shall be listed on their apprentice certificates.

The applicant for an apprentice certificate shall satisfy the director, through documentary evidence or other suitable information, that he will be employed by a person holding a license currently in effect and that he will be employed under the direct and personal supervision of a person holding a valid certificate of qualification."

Amendment No. 4

On page 2 of said bill, strike out lines 21 to 33, inclusive, and insert "All certifi-".

Amendment No. 5

On page 2 of said bill, strike out lines 38 and 39, and insert "application to the director, accompanied by a renewal".

Amendment No. 6

On page 2 of said bill, between lines 48 and 49, insert

"It is unlawful for the holder of an apprentice certificate to conduct pest control operations in accordance with the provisions of his certificate unless he is employed under the direct and personal supervision of a person holding a valid certificate of qualification."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1017—An act to repeal Articles 4 and 6 of Chapter 3, Part 2, Division 3, Title 2 of the Government Code, and to add a new Article 6 to said chapter, relating to the state archives and the State Record Depository.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 4 of the printed bill, between lines 34 and 35, insert

"12284. This article, except Section 12285 hereof does not apply to the public record of any city or county which affects or may affect title to real property and no such public record shall be deposited with the archives or considered as archive material."

Amendment No. 2

On page 4, line 35, of said bill, strike out "12284 and insert "12285".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 354—An act to add Section 2181.05 to the Welfare and Institutions Code, relating to old age security, in respect to statements required concerning the granting of aid.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1, lines 8 and 9, of the printed bill, strike out "is guilty of a felony, and upon conviction thereof, he".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1690—An act to add Chapter 3.4 consisting of Sections 6605 to 6605.6 to Part 4 of Division 6 of the Welfare and Institutions Code, relating to temporary admission to state hospitals of persons who are believed to be mentally ill and providing for their release within ninety (90) days after admission.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 9, of the printed bill, after "admission", strike out the comma, and insert "or for whom no such objection is made by a member of his family, relative, or friend,".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1377—An act providing for the constitution of the municipal court in a district embracing the City of Modesto, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 18, 1951, strike out lines 10 to 13, inclusive, and insert

"(2) There shall be one clerk who shall receive a minimum salary of two hundred ninety dollars ($290) monthly, with annual increments of fourteen dollars ($14), fourteen dollars ($14), fifteen dollars ($15), and sixteen dollars ($16) to a maximum of three hundred forty-nine dollars ($349) monthly."

Amendment No. 2

On page 2 of said bill, strike out lines 18 to 20, inclusive, and insert "dollars ($11), twelve dollars ($12), twelve dollars ($12), and thirteen dollars ($13) to a maximum of two hundred ninety dollars ($290) monthly."

Amendment No. 3

On page 2 of said bill, strike out lines 32 to 34, inclusive, and insert "who shall receive a salary of two hundred ninety dollars ($290) monthly, with annual increments of fourteen dollars ($14), fourteen dollars ($14), fifteen dollars ($15), and sixteen dollars ($16) to a maximum of three hundred forty-nine ($349) monthly."

Amendment No. 4

On page 3, line 6, of said bill, strike out "two hundred thirty-one dollars ($231)", and insert "two hundred ninety dollars ($290)".

Amendment No. 5

On page 3 of said bill, between lines 7 and 8, insert

"One deputy marshal who shall receive a minimum salary of one hundred ninety-three dollars ($193) monthly with annual increments of nine dollars ($9), nine dollars ($9), ten dollars ($10), and ten dollars ($10) to a maximum of two hundred thirty-one dollars ($231) monthly."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 774—An act to amend Section 517 of the Code of Civil Procedure, relating to the jurisdiction and venue of the small claims court.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

Strike out line 2 of the title of the printed bill, and insert "relating to seizure of property in building, enclosure or dwelling; authority of officer."

Amendment No. 2

On page 1, line 3, of said bill, strike out "dwelling,".

Amendment No. 3

On page 1, line 6, of said bill, strike out "dwelling,".

Amendment No. 4

On page 1, line 8, of said bill, after "county", insert "; if the property be in a dwelling, the sheriff, constable, or marshal shall not be required to break into the dwelling unless there is in the dwelling a person of 21 years or over, or who reasonably appears to be of such age, who fails to give the sheriff, constable, or marshal admittance".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1358—An act providing for the constitution of the municipal court in a district embracing the City of Oakland, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

Strike out the title of the printed bill, and insert

"An act to amend Section 8.1 of the Municipal Court Act of 1925, relating to municipal courts."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 8.1 of the act cited in the title is amended to read:

Sec 8.1. The judges of the municipal court in a city of the second class shall appoint one clerk who shall act as secretary to the judges of said court and who shall receive a monthly salary of [five hundred] *six hundred and fifty* dollars [($500)] *($650)*. Such clerk, when directed by the court, shall also act as jury commissioner.

(a) The clerk of the municipal court in a city of the second class shall appoint the following deputies and attaches who shall each receive the monthly compensation set opposite the title of their respective offices or positions; the persons first appointed to such positions shall be the persons succeeding by operation of law to such positions and all vacancies thereafter occurring in such positions shall be filled in the manner provided in Section 18.

CRIMINAL [DEPARTMENTS] *DIVISION*

Four deputy clerks, each four hundred *and fifty* dollars [($400)] *($450) per month* ;

Three deputy assistant clerks, each three hundred *and fifty* [five] dollars [($305)] *($350) per month* ;

Four deputy assistant clerks, each *three hundred and twenty-five* [two hundred seventy-five] dollars [($275)] *($325) per month* ;

One legal stenographer, three hundred dollars ($300) per month ;

One typist clerk, [one hundred ninety dollars ($190)] *who shall receive a minimum salary of one hundred and ninety-six dollars ($196) monthly during the first year of such service with annual increments of ten dollars ($10), ten dollars ($10), ten dollars ($10), and twelve dollars ($12), per month, during the second, third, fourth and fifth years respectively of such service, to a maximum of two hundred and thirty-eight dollars ($238) monthly .*

OFFICE OF BAIL AND FINES

One deputy senior clerk (cashier-bookkeeper), [three hundred fifteen] *four hundred and fifty* dollars [($315)] *($450) per month* ;

Two deputy clerks, each two hundred [forty-five] *and sixty-five* dollars [($245)] *($265) per month* ;

One deputy clerk, two hundred [fifteen] *and forty-five* dollars [($215)] *($245) per month* ;

[One deputy clerk (bail office teller), two hundred seventy-five dollars ($275) ;]

[Five] *Seven* deputy clerks (bail office tellers), each [two] *three* hundred [sixty-five] dollars [($265)] *($300) per month* ;

[One deputy clerk (bail office teller), two hundred forty-five dollars ($245) ;]

[One typist clerk, two hundred thirty dollars ($230) ;]

[Four] *Five* typist clerks, each [one hundred ninety dollars ($190) ;] *of whom shall receive a minimum salary of one hundred and ninety-six dollars ($196) monthly during the first year of such service with annual increments of ten dollars ($10), ten dollars ($10), ten dollars ($10), and twelve dollars ($12), per month, during the second, third, fourth and fifth years respectively of such service, to a maximum of two hundred and thirty-eight dollars ($238) monthly ;*

One file clerk, [one] *two* hundred [eighty] *and thirty* dollars [($180)] *($230) per month .*

CIVIL [DEPARTMENTS] *DIVISION*

One senior deputy clerk, five hundred dollars ($500) per month ;

[Two] *One* senior deputy clerk[s] , [each of whom] *who* shall receive a [minimum] salary of *four hundred and fifty* [two hundred ninety-one] dollars [($291)] *($450) per month ;* [monthly during the first year of such service with annual increments of seventeen dollars ($17), sixteen dollars ($16), seventeen dollars ($17) and nineteen dollars ($19) per month during the second, third, fourth and fifth years respectively of such service to a maximum of three hundred sixty dollars ($360) monthly ;]

[Six] *Seven* deputy clerks, each of whom shall receive a [minimum] salary of *three hundred and fifty* [two hundred sixty-four] dollars [($264)] *($350) per month* ; [during the first year of such service with annual increments of twelve dollars ($12), fifteen dollars ($15), seventeen dollars ($17), and sixteen dollars ($16) per month, during the second, third, fourth and fifth years respectively of such service, to a maximum of three hundred twenty-four dollars ($324) monthly ;]

One stenographer who shall receive a minimum salary of *two hundred and six* [one hundred ninety-six dollars ($196)] *($206)* monthly during the first year of such service with annual increments of ten dollars ($10), ten dollars ($10), [ten] *twelve* dollars [($10)] *($12)* and twelve dollars ($12) per month, during the second, third, fourth and fifth years respectively of such service, to a maximum of two hundred [thirty-eight] *fifty* dollars [($238)] *($250)* monthly ;

One junior stenographer who shall receive a minimum salary of one hundred [seventy-nine] *eighty-eight* dollars [($179)] *($188)* monthly during the first year of such service with annual increments of [nine] *eight* dollars [($9)] *($8)* , [eight] *ten* dollars [($8)] *($10)* , ten dollars ($10), and ten dollars ($10) per month, during the second, third, fourth and fifth years respectively of such service, to a maximum salary of two hundred [sixteen] *and twenty-six* dollars [($216)] *($226)* monthly.

(b) All persons succeeding by operation of law to any of the aforesaid positions at the time such municipal court is established, shall continue to hold the same or the substantially ~~equi~~valent positions, respectively, with credit for prior service in such positions, but without further examination or appointment They shall receive, however, the compensation provided for by this section, and shall receive in addition to the minimum rate, the annual increments provided for herein commensurate with years of service including prior service up to the maximum rate

Whenever a special assignment or branch of work is indicated herein for a particular deputy or position, the assignment so designated is not intended to be exclusive, but merely to designate the principal work incident to such deputy or position. However, in order to equalize the work of the office of the clerk and to render prompt and

efficient service to the public, it shall be the duty of each deputy clerk or attache to perform such service as may be directed by the clerk, whether the work so directed to be done be within the scope of the special designation or not. The clerk shall have the power to lay off any employee [or employees] because of lack of the type of work which such employee was appointed to perform.

Persons succeeding by operation of law to any of the aforesaid positions upon the establishment of such municipal court, shall remain members of the classified civil service systems of the city or county of which they were members immediately prior thereto, and persons succeeding to positions of the court as hereinabove provided, who are not at such time members of either classified civil service system, shall upon succeeding to such positions, become members of the classified civil service of such city; provided, that either the governing body of such city or county may by the adoption of an ordinance, and with the consent of the other governing body, expressed by an ordinance, provide for the inclusion by the city or county, as the case may be, of all such persons in its classified civil service system.

For purposes of determining vacations, leaves of absence, sick benefits, compensation for death or injuries, including benefits under workmen's compensation laws, and other benefits and privileges, such officers and attaches shall be deemed employees of the city or county to which civil service systems they respectively belong.

Any appointive officer or employee of the municipal court, holding any of the aforesaid positions mentioned in Section 8.1 (a), who becomes a candidate for election by the people to any other public office or position shall automatically forfeit such office or employment.

(c) Notwithstanding any provisions of the County Employees Retirement Law of 1937, as it now reads or as same may be hereafter amended, whenever a municipal court is established in a city of the second class in a county in which there is in effect a retirement system established under the County Employees Retirement Law of 1937, all employees of the county in which such court is established, except elective officers, who succeed by operation of law to positions in such municipal court upon its establishment and who were on such date members of a retirement system established under the County Employees Retirement Law of 1937 shall remain members of such retirement system without prejudice to any of their prior or future rights therein; all employees of the city in which such court is established, except elective officers, who succeed by operation of law to positions in such municipal court upon its establishment and who were not on such date members of any retirement system of such city shall upon the first day of the month after entrance into the service of such court become members of such retirement system established in such county under the County Employees Retirement Law of 1937; all persons appointed to positions, except elective offices, in such municipal court after its establishment, other than persons who succeed by operation of law to such positions and other than officers and members of the police department of such city acting as ex officio marshal, ex officio deputy marshals or ex officio assistant marshals of such court, shall upon the first day of the month after entrance into the service of such court become members of such retirement system established in such county under the County Employees Retirement Law of 1937; all officers and members of the police department of such city in which such court is established acting as ex officio marshal, ex officio deputy marshals or ex officio assistant marshals of such court, and all other employees of such city who succeed by operation of law to positions in such municipal court upon its establishment, and who were on such date members of any retirement system or police relief and pension fund of such city, shall remain members of such retirement system or police relief and pension fund without prejudice to any of their prior or future rights therein, and no such city employees, or officers or members of the police department of such city, shall become members of such retirement system established under the County Employees Retirement Law of 1937.

(d) The presiding judge of such municipal court shall require each of the persons succeeding by operation of law to, or appointed to, the positions of clerk, deputy clerks, or deputy senior clerks, and each of the persons appointed to serve as ex officio deputy marshals or ex officio assistant marshals, and also such other employees or attaches of the court as the presiding judge shall designate, to give a surety bond in an amount to be fixed by the presiding judge of such municipal court conditioned for the faithful performance of the duties of his position. Such bond shall be payable to the State of California and shall be obligatory upon the principal and surety to and for the use and benefit of all persons, including the county and city in which such municipal court is established, and the sheriff of the county and the chief of police of the city in which such municipal court is established, who may be injured or aggrieved by the wrongful act or default of such principal in his official capacity. Any person so injured or aggrieved may bring suit on the bond in his own name without assignment thereof. Such bonds shall be approved and filed in the same manner as are bonds of county and township officers. The premium or charge for bonds given by surety companies for such employees and attaches of such municipal court shall not exceed one-half of 1 percent on the amount of the bond and shall be paid by the county in which such municipal court is established."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 5, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1074—An act to add Section 49.5 to the Fish and Game Code, relating to closure of extreme fire hazard areas to hunting and fishing.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In the title of the printed bill, strike out lines 2 and 3, and insert "to hunting and fishing seasons."

Amendment No. 2

On page 1 of said bill, strike out lines 3 to 26, inclusive, and insert

"49.5. Whenever any area is closed to entry to the public by any order or proclamation issued or concurred in by the Governor which order or proclamation is made due to extreme fire hazard, the commission may establish a season for hunting and/or fishing within the area which had been closed, which season shall commence upon or after the expiration or termination of such closure and shall correspond in length of time as nearly as may be possible to the time during which such area was closed to hunting or fishing."

Amendment No. 3

On page 2 of said bill, strike out lines 1 to 15, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Fish and Game.

Assembly Bill No. 1039—An act to repeal Section 955.5 of the Fish and Game Code, relating to the use of trawl nets.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "repeal", and insert "amend".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1, line 2, of said bill, strike out "repealed.", and insert "amended to read:

955.5. In Districts 6, 7 and 10, trawl nets may be used [in waters not less than three nautical miles from the nearest point of land on the mainland shore] ."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Fish and Game.

Assembly Bill No. 3398—An act to amend Section 1066 of the Fish and Game Code, relating to sardines.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "39½", and insert "17½".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Fish and Game.

Assembly Bill No. 2763—An act to add Article 4 to Chapter 3 of Division 1 of the Agricultural Code, relating to agricultural fairs.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, after "An act to", insert "amend Section 58 of, and to".

Amendment No. 2

In line 2 of the title of said bill, strike out "agricultural fairs", and insert "agriculture".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out all of lines 1 and 2, and insert

"SECTION 1. Section 58 of the Agricultural Code is amended to read:

58. Upon petition of twenty-five resident freeholders of any county, [each of whom is possessed of an orchard, greenhouse or nursery] *the principal business of each of whom is the production of agricultural commodities*, or upon satisfactory evidence presented to the director that the commissioner of such county is guilty of neglect of duty, incompetence or misconduct in office, the trial board hereinafter provided for shall hold a hearing or hearings at such times and places as it shall provide.

SEC. 2. Article 4 is added to Chapter 3 of Division 1 of the Agricultural Code, to read:".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

Assembly Bill No. 1069—An act to amend Section 1 of an act entitled "An act to add Sections 48, 49, 50, 51, 132.6, 293.5, 296.5, 5901.5, 5904 5, 5931.6, 5932 5, 5935.5, 5936.5, 7801 5, and 7842.5 to the Elections Code, relating to elections, declaring the urgency thereof, to take effect immediately," approved October 4, 1950, relating to elections.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

In line 6 of the title of the printed bill, after "1950," insert "and to add Sections 7964.1, 7970.5, 7971.5, and 7972.5 to the Elections Code,".

Amendment No. 2

On page 1 of said bill, after line 10, insert

"SEC. 2. *Section 7964.1 is added to the Elections Code, to read:*

7964.1. The date for the completion of the canvass referred to in Section 7964 shall not be later than six o'clock in the afternoon of the twenty-fifth day following the primary election.

SEC. 3. Section 7970.5 is added to said code, to read:

7970.5. The returns to the Secretary of State referred to in Section 7970, subdivision (c) shall be sent separately within 25 days after the date of the election.

SEC. 4. Section 7971.5 is added to said code, to read.

7971.5. The compilation of the returns referred to in Section 7971 shall be made by the Secretary of State not later than the thirty-fourth day after any primary election.

SEC. 5. *Section 7972.5 is added to said code, to read:*

7972.5. The compilation of the returns for the presidential primary shall be made not less than the thirty-fourth day after the election."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Elections and Reapportionment.

Assembly Bill No. 2064—An act to add Article 5 to Chapter 3, Part 1, Division 1 of the Health and Safety Code, relating to ill and infirm aged persons, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1, line 15, of the printed bill, as amended in the Assembly on March 22, 1951, after the period, insert "For the purposes of this article, ill and infirm aged persons include those persons who may have marked loss of memory, may be childish, irritable, restless at night, careless in toilet habits, or who may be bedridden by the infirmities of old age, or who may be troublesome nursing problems, but do not include those who have become markedly delirious, depressed, destructive, paranoid or threatening"

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

SECOND READING OF SENATE BILLS

Senate Bill No. 91—An act to add Section 742.5 to the Vehicle Code, relating to the issuance of warrants.

Bill read second time, and ordered to third reading.

Senate Bill No. 880—An act to amend Sections 5517 and 5518 of the Welfare and Institutions Code, relating to sexual psychopaths and providing for their return to court from state hospitals.

Bill read second time, and ordered to third reading.

Senate Bill No. 9—An act to add Section 790.1 to the Fish and Game Code, relating to the possession and sale of crabs and crab meat.

Bill read second time, and ordered to third reading.

Senate Bill No. 468—An act to amend Section 1159 of the Fish and Game Code, relating to the establishment of cooperative hunting areas.

Bill read second time, and ordered to third reading.

Senate Bill No. 1239—An act to amend Section 736.3 of the Agricultural Code, relating to fluid milk and fluid cream.

Bill read second time, and ordered to third reading.

Senate Bill No. 1259—An act to amend Section 464.5 of the Agricultural Code, relating to milk and milk products.

Bill read second time, and ordered to third reading.

Senate Bill No. 821—An act to amend Section 17702.5 of the Health and Safety Code, relating to health and safety in housing.

Bill read second time, and ordered to third reading.

Senate Bill No. 822—An act to amend Section 20703 of the Health and Safety Code, relating to poisons.

Bill read second time, and ordered to third reading.

Senate Bill No. 971—An act to amend Section 1001 of the Business and Professions Code, relating to the chiropractic directory.

Bill read second time, and ordered to third reading.

Senate Bill No. 397—An act to add Section 1005.1 to the Elections Code, relating to consolidation of elections.

Bill read second time, and ordered to third reading.

Senate Bill No. 1579—An act to amend Section 2824 to the Elections Code, relating to procedure.

Bill read second time, and ordered to third reading.

Senate Bill No. 956—An act to amend Section 1520 of the Welfare and Institutions Code, relating to aid to needy children in respect to real property qualifications for aid.

Bill read second time, and ordered to third reading.

Senate Bill No. 957—An act to amend Section 1525 of the Welfare and Institutions Code, relating to residence qualifications for aid to needy children.

Bill read second time, and ordered to third reading.

Senate Bill No. 118—An act to add Sections 737.2, 737.4, and 737.6 to the Vehicle Code, relating to the release on bail of persons charged with misdemeanor violations of the code.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out line 19.

Amendment No. 2

On page 1, line 20, of the printed bill, before "six", insert "Every".

Amendment No. 3

On page 1, line 20, of the printed bill, after "months", strike out "thereafter".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 881—An act to amend Sections 7066, 7067, and 7059 of the Welfare and Institutions Code, relating to defective and psychopathic delinquents and providing for their parole or return to court from state institutions.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 2 of the printed bill, as amended in the Senate on March 28, 1951, strike out lines 22 and 23, and insert "to the court. The person shall be entitled to a court hearing and to present witnesses in his own behalf, to be represented by counsel and to cross-examine any witness who testifies against him. After considering all the evidence before it, the court may make such further order or commitment with reference to such person as may be authorized by law."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 99—An act to amend Section 32121 of the Health and Safety Code, relating to hospital districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on April 12, 1951, strike out lines 16, 17, 18, 19, and 20.

Amendment No. 2

On page 2, line 21, of said bill, strike out "SEC. 3", and insert "SEC. 2".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1252—An act to amend Sections 654 and 655 of Article 7 of the Agricultural Code, relating to imitation milk and imitation cream.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on April 6, 1951, strike out "of Article 7".

Amendment No. 2

In line 3 of the title of said bill, preceding the period, insert "and immitation milk products".

Amendment No. 3

On page 1, line 4, of said bill, preceding the comma, insert "or imitation milk product".

Amendment No. 4

On page 1, line 5, of said bill, preceding "or", insert ", cream".

Amendment No. 5

On page 1, line 12, of said bill, preceding "in", insert "or 'imitation milk product', as the case may require,".

Amendment No. 6

On page 1, line 21, of said bill, preceding "and", insert "or imitation milk product".

Amendment No. 7

On page 2, line 2, of said bill, preceding "shall", insert "or imitation milk product".

Amendment No. 8

On page 2, line 3, of said bill, immediately preceding "printed", insert "or 'imitation milk product', as the case may require,".

Amendment No. 9

On page 2, line 14, of said bill, preceding the last comma, insert "or imitation milk product".

Amendment No. 10

On page 2 of said bill, strike out line 17, and insert "tation milk used and served here' or 'Imitation cream used and served here' or 'Imitation milk product used and served here', as the case may require, in black-".

Amendment No. 11

On page 2, line 20, of said bill, after "cream", insert "or imitation milk product".

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Agriculture.

Senate Bill No. 676—An act to amend Sections 9765, 9769 and 9770 of the Business and Professions Code, relating to cemeteries.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health:

Amendment No. 1

On page 2, lines 3 and 4, of the printed bill, as amended in the Senate on March 30, 1951, strike out "Section 8751 of the Health and Safety Code", and insert "law".

Amendment read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 437—An act to amend Sections 17313, 17315, 17318.2, 17711, 17721, 17782, 17817.1, and 18132 of, and to add Sections 17109, 17110, 17161.1, 17301.1, 17315.5, 17318.6 to and to add Article 2.5, consisting of Sections 17691, 17692, 17693, 17694, 17695, 17696, 17697, and 17698, and Article 3.5, consisting of Sections 17731, 17732, and 17733, to Chapter 6, Part 10 of Division 2 of, and to add Section 17784.6 to, and to add Article 1.5, consisting of Sections 18121, 18122, 18122.1, 18122.2, 18122.3, 18122.4, 18122.5, 18122.6, 18122.7, 18122.8, 18123, 18123.1, 18123.2, 18123.3, and 18123.4 to Chapter 8, Part 10 of Division 2 of, and to add Sections 18132.1, 18132.2, 18132.3, 18132.4, 18132.5, 18132.6, 18132.7, 18132.8, 18132.9, 18132.10, 18132.11, and 18132.12 to, the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 437?

Amendment No. 1

On page 17, line 10, of the printed bill, after "charitable," strike out "etc.," and insert "religious, scientific, literary, or educational".

Amendment No. 2

On page 17, line 24, of said bill, after "scientific," strike out "etc.," and insert "literary, or educational".

Amendment No. 3

On page 18, line 12, of said bill, after "charitable," strike out "etc.," and insert "religious, scientific, literary, or educational".

Amendment No. 4

On page 18, line 17, of said bill, after "charitable," strike out "etc.," and insert "religious, scientific, literary, or educational".

Amendment No. 5

On page 18, line 20, of said bill, after "charitable," strike out "etc.," and insert "religious, scientific, literary, or educational".

Amendment No. 6

On page 18, line 23, of said bill, after "charitable," strike out "etc.," and insert "religious, scientific, literary, or educational".

Amendment No. 7

On page 18, line 25, of said bill, after "charitable," strike out "etc.," and insert "religious, scientific, literary, or educational".

Amendment No. 8

On page 18, line 29, of said bill, after "charitable," strike out "etc.," and insert "religious, scientific, literary, or educational".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 437 by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 437 ordered enrolled.

Assembly Bill No. 578—An act to amend Sections 23004, 23031, 23041, 23184, 23301, 23363, 23562, 23851, 23851a, 23852a, 23881b, 24121c, 24301, 24303, 25071s, 25232b, 25232c, 25232d, 25261, 25403, 25664, 25666, 25702, 25731a, 25901a, 25901c, 26078, 26104, 26131, 26422, 26423, 26424 of, and to renumber and amend Section 25203b of, and to add Sections 23043, 23854, 23854.1, 25101d to, and to repeal Sections 24302 and 26131a of, the Revenue and Taxation Code, relating to taxation of banks, corporations, associations and Massachusetts trusts, and providing that this act shall take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 578?

Amendment No. 1

On page 3, line 1, of the printed bill, after "interest", insert "or penalty".

Amendment No. 2

On page 7 of said bill, after line 21, insert "In either of the above cases, the change to, and the use of the different method shall be in accordance with such regulations as the Franchise Tax Board may prescribe as necessary in order that the use of such method may clearly reflect income."

Amendment No. 3

On page 8, line 38, of said bill, strike out "with", and insert "within".

Amendment No. 4

On page 10, line 13, of said bill, after "refund", insert "or an appeal from the denial of a claim for refund".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 578 by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 578 ordered enrolled.

Assembly Bill No. 1828—An act to amend Section 4707 of the Labor Code, relating to workmen's compensation benefits.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1828?

Amendment No. 1

On page 1, line 3, of the printed bill, after "burial", insert "not exceeding $400".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1828 by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 1828 ordered enrolled.

Assembly Bill No. 2313—An act to amend Section 8404 of the Education Code, relating to age of pupils for admission to kindergarten.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2313?

Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert ", and to add Section 8406.1 to,".

Amendment No. 2

In line 2 of the title of said bill, strike out "age of pupils for admission to".

Amendment No. 3

On page 1 of said bill, following line 17, insert

"SEC. 2. Section 8406.1 is added to said code, to read:

8406.1. If the minimum age fixed by Section 8404, as amended by Chapter 1236 of the Statutes of 1945, at which children may be admitted to kindergarten is increased, the provisions of Section 8406 shall not apply to any kindergarten the average daily attendance of which for the first school year in which such increase becomes effective is 10 or less, and the governing board of the district maintaining the kindergarten may, in its discretion, continue to maintain the kindergarten."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2313 by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky,

Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 2313 ordered enrolled.

Assembly Bill No. 3347—An act to amend Section 18004 of, and to add Section 18004.1 to, the Education Code, relating to improvement of public streets and places by school boards, the construction of sewers, water pipes, pedestrian walks and tunnels, the acquisition of easements and rights of way for such purposes and appropriating money for such purposes, declaring the urgency of this act and providing that it shall take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 3347?

Amendment No. 1

On page 2, line 13, of the printed bill, as amended in the Assembly on March 27, 1951, after the period, insert "Such pedestrian walks, foot bridges, and pedestrian tunnels shall be constructed, and such easements or rights of way for such purposes shall be acquired, within one mile of the school for the pupils of which such walks, bridges, and tunnels are necessary."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 3347 by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—63.

NOES—None.

Assembly Bill No. 3347 ordered enrolled.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 464—An act to amend Section 303 of the Probate Code, relating to disqualification of judges.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Bill No. 2923
And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Bill No. 263
Assembly Bill No. 970
And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3379—An act to amend Section 204a of the Code of Civil Procedure, relating to jury commissioners in counties or cities and counties having a population of 60,000 or more.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sillman, Stanley, Thomas, and Waters—60

NOES—Lowrey, Luckel, and Tomlinson—3

Bill ordered transmitted to the Senate.

On June 1st, **Assembly Bill No. 611** was recalled from the Senate (page 5041). On June 4th, the Senate returned the bill; and on the same day the Assembly expunged the record and rescinded the action whereby the Assembly, on this day, passed Assembly Bill No. 611 (page 5060).

Assembly Bill No. 1784—An act to amend Section 775 of the Political Code and Section 58 6 of the Code of Civil Procedure, relating to the salary of the Clerk of the Supreme Court and ex officio Secretary of the Judicial Council.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D Collins, Connolly, Cooke, Crowley, Dickey,

Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—65.

NOES—Lowrey and Luckel—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 977—An act to add Section 3715 to the Labor Code, relating to workmen's compensation awards against uninsured employers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, and Waters—67.

NOES—Tomlinson—1.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1951

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 30

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 672
Assembly Bill No. 1249

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 29
Assembly Bill No. 1217

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 1643
Assembly Bill No. 3198
Assembly Bill No. 3410

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and re-refer to Committee on Ways and Means.

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 2904

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

DUNN, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Senate Bill No. 401

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 2254

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bill ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 492—An act to add Chapter 4, comprising Sections 4400 to 4405, inclusive, to Part 8 of Division 1 of Title 1 of the Corporations Code, relating to corporations, and providing for the effectuation of plans of reorganization under any applicable statute of the United States.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Holibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Nichouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—69.

NOES—None.

Bill ordered transmitted to the Senate.

MEMBER EXCUSED

At 10.37 a.m., Mr. Belotti asked for, and was granted, unanimous consent that Mr. Condon be excused, for the balance of the legislative day, because of legislative business elsewhere, and stated that he desires to waive his per diem.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 465—An act to amend Section 108 of the Civil Code, relating to divorce.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2300—An act to amend Section 767 of the Political Code and Section 59.1 of the Code of Civil Procedure, relating to officers and employees of the Supreme Court and of the district courts of appeal.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lipscomb, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Parker, Porter, Rosenthal, Shaw, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—57

NOES—Hinkley, Lowrey, Luckel, and Silliman—4.

Bill ordered transmitted to the Senate.

Assembly Bill No. 263—An act to amend Sections 4452, 4453, and 4656 of the California Labor Code, dealing with workmen's compensation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 984

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 2139

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 745

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1951

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 1060
Assembly Bill No. 2472

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 1879
Assembly Bill No. 2133

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STEWART, Chairman

Above reported bills ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2459

Mr. Lyon asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2459, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2459

Assembly Bill No. 2459—An act to add Section 1238.3 to the Code of Civil Procedure, relating to the exercise of the right of eminent domain by nonprofit hospitals.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—63.

NOES—Hagen, Hinckley, Lowrey, Moss, and Silliman—5.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 978—An act to add Section 3760 to the Labor Code, relating to workmen's compensation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 979 BE RE-REFERRED TO COMMITTEE

Mr. Maloney asked for, and was granted, unanimous consent that Assembly Bill No. 979 be withdrawn from the third reading file, and be re-referred to the Committee on Ways and Means.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1521—An act to amend Section 1672 of the Insurance Code, relating to the issuance of licenses to act as insurance brokers or agents to nonresidents.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel,

Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 1216

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and re-refer to Committee on Ways and Means.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 1931

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and re-refer to Committee on Ways and Means.

STEWART, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Concurrent Resolution No. 46—Relative to the centennial of the arrival of the Notre Dame nuns of California.

Resolution read.

The roll was called, and resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

Resolution ordered transmitted to the Senate.

Request for Unanimous Consent That Assembly Bill No. 2923 Hold Place on File

Mr. Morris asked for, and was granted, unanimous consent that Assembly Bill No. 2923 be passed on file, and hold its place on file on the next legislative day.

Assembly Joint Resolution No. 30—Relative to the Central Arizona Project.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 1023—An act to amend Section 1300.8 of, and add Section 1300.95 to, the Agricultural Code, relating to processors of farm products.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, and Thomas—58

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Manufacturing, Oil, and Mining Industry

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1951

MR. SPEAKER: Your Committee on Manufacturing, Oil, and Mining Industry, to which was referred:

Assembly Bill No. 647

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

MORRIS, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2122—An act to add Section 228.2 to the Agricultural Code, relating to bovine tuberculosis control.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1054—An act to add Chapter 1.5 to Part 2, Division 5 of the Health and Safety Code, relating to garbage and refuse disposal districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2625—An act to amend Sections 736 and 736a of the Political Code and Sections 41 and 61 of the Code of Civil Procedure, relating to the salaries of Justices of the Supreme Court and of the district courts of appeal.

Bill read third time.

Demand for Previous Question

Messrs. Hinckley, Lyon, Kirkwood, Kelly, and Dolwig demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2625.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Caldecott, George D Collins, Connolly, Conrad, Cooke, Crowley, Dickey, Dolwig, Elliott, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Henderson, Kelly, Klocksiem, Lincoln, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Moss, Niehouse, Rumford, Shaw, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—42

NOES—Brady, Burkhalter, Chapel, Clarke, Cloyed, Collier, Dunn, Erwin, Geddes, Hahn, Hansen, Hinckley, Hollibaugh, Lanterman, Levering, Lowrey, Luckel, Morris, Parker, Silliman, and Thomas—21.

Notice of Motion to Reconsider Assembly Bill No. 2625

Mr. Lowrey gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2625 was this day passed.

REPORTS OF STANDING COMMITTEES

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1951

MR. SPEAKER. Your Committee on Conservation, Planning, and Public Works, to which were referred.

Senate Bill No. 436
Senate Bill No 1121
Senate Bill No. 1123
Senate Bill No 1124
Senate Bill No. 380
Senate Bill No. 674

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SILLIMAN, Chairman

Above reported bills ordered to second reading.

ANNOUNCEMENTS

Mr. Maloney announced that Mr. William Kyne, who has invited Members of the Assembly to be his guests at the fights at the Cow Palace in San Francisco on tomorrow night, Friday, April 27th, and to luncheon and the races at Bay Meadows Race Track on Saturday, April 28th, must know at once how many guests to expect so that he may complete arrangements; and that all members desiring to accept this invitation should see him, at his desk, and so indicate, immediately upon recess.

APPOINTMENT OF SELECT COMMITTEE

Speaker Sam L. Collins announced the appointment of Messrs. Geddes, Huckley, and Babbage as a Select Committee to attend the funeral services of the late Assemblyman, the Hon. George Butters, at Todd's Funeral Home, in Pomona.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 996
Assembly Bill No. 997
Assembly Bill No. 998
Assembly Bill No. 1000
Assembly Bill No. 1001
Assembly Bill No. 1392
Assembly Bill No. 1464

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills Nos. 996, 997, 998, 1000, 1001, 1392, and 1464 re-referred to the Committee on Judiciary.

Senate Bill No. 94 re-referred to the Committee on Judiciary.

RECESS

At 12.04 p.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 417	Assembly Bill No. 1520
Assembly Bill No. 482	Assembly Bill No. 1542
Assembly Bill No. 775	Assembly Bill No. 2788
Assembly Bill No. 943	Assembly Bill No. 3279
Assembly Bill No. 945	Assembly Bill No. 3377
Assembly Bill No. 1052	

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 141

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 141, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 141

Senate Bill No. 141—An act to add Section 3405 to the Penal Code, relating to temporary action taken by a member of the Board of Trustees of the California Institution for Women.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Fleury moved a call of the Assembly.

Motion carried. Time, 2.04 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Belotti, Brady, Burkhalter, Chapel, Clarke, Coats, George D. Collins, Davis, Gaffney, Hahn, Hinckley, Kelly, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lvon, McCollister, McFall, McGee, McMillan, Parker, Rosenthal, Rumford, Smith, Stanley, Stewart, Thomas, and Tomlinson—30.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Dolwig asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 142

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 142, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 142

Senate Bill No. 142—An act to amend Sections 1213, 1216 and 3400 of, and to add Section 1213.5 to, the Penal Code, relating to persons convicted of crime.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Cloyed, Collier, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Klocksiem, Levering, Lincoln, Lipscomb, Luckel, Maloney, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Stanley, and Mr. Speaker—51.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 976

Mr. Henderson asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 976, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 976

Senate Bill No. 976—An act to amend Section 27293 of the Government Code, relating to the recording of instruments in foreign language.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Cloyed, Collier, Connolly, Conrad, Cooke, Crowley, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, and Thomas—55

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 147

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 147, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 147

Senate Bill No. 147—An act to amend Sections 2722 and 2724 of the Penal Code, relating to the sale of jute goods.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Klocksiem, Levering, Lincoln, Lindsay, Luckel, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Stewart, and Thomas—59.

NOES—Silliman—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 381

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 381, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 381

Senate Bill No. 381—An act to add Section 14074.5 to the Health and Safety Code, relating to contracts for exchange of services between contiguous fire protection districts.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—64.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—64.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 497

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 497, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 497

Senate Bill No. 497—An act to amend Section 9355.1 of, and to add Sections 9355.6 and 9356.2 to, the Government Code, relating to the retirement of state legislators and officers, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—64

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb,

Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—64.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1526

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1526, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1526

Senate Bill No. 1526—An act to amend Section 5546.5 of the Health and Safety Code, relating to county sewerage and water districts, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, and Tomlinson—62.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, and Tomlinson—62.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 47

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Senate Concurrent Resolution No. 47, out of order, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 47

Senate Concurrent Resolution No. 47—Relative to the Central Valley Project.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, George D. Collins, Connolly, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hollibaugh, Kirkwood, Klocksiem, Levering, Lincoln,

Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stewart, Thomas, Tomlinson, and Mr. Speaker—59.

NOES—Cloyed and Silliman—2.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 560

Mr. Tomlinson asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 560, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 560

Senate Bill No. 560—An act to repeal Section 12006 of, and to add Section 12351.5 to, the Health and Safety Code, relating to the purchase and possession of explosives, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Tomlinson, and Mr. Speaker—68.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Tomlinson, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 241

Mr. Brown asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 241, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 241

Senate Bill No. 241—An act to add Article 14, consisting of Section 20985, to Chapter 7 of Division 8 of the Business and Professions Code, relating to disposition and use of certain moneys in the Department of Agriculture Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONSTITUTIONAL AMENDMENT NO. 16

Mr. Brown asked for, and was granted, unanimous consent that he be permitted to take up Senate Constitutional Amendment No. 16, out of order, at this time.

CONSIDERATION OF SENATE CONSTITUTIONAL AMENDMENT NO. 16

Senate Constitutional Amendment No. 16—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 8 of Article VI thereof, relating to the filling of vacancies in the office of judge of the superior court.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—65.
NOES—None.

Resolution ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 141

At 2.25 p.m., on motion of Mr. Fleury, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 141 passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate.

MEMBERS EXCUSED

At 2.30 p.m., Mr. Connolly asked for, and was granted, unanimous consent that Messrs. McCollister and Waters be excused, for the balance of the legislative day, because of legislative business elsewhere.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 19

Mr. McFall asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 19, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 19

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Senate Bill No. 19:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, April 26, 1951.

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

Senate Bill No. 19, "An act making an appropriation for flood protection works at the California Vocational Institution, Department of Corrections, declaring the urgency thereof, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

It is necessary that flood protection work on this institution be commenced as early as possible in order that it may be completed before the next winter season.

I therefore recommend consideration of Senate Bill No. 19 as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor

Senate Bill No. 19—An act making an appropriation for flood protection works at the California Vocational Institution, Department of Corrections, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—63.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—63.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 1152
Assembly Bill No. 1864
Assembly Bill No. 2529
Assembly Bill No. 2922

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bills ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 53

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up Senate Concurrent Resolution No. 53, out of order, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 53

Senate Concurrent Resolution No. 53—Relative to approving amendments to the charter of the City of Chico, County of Butte, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on the ninth day of April, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Cooke, Crowley, Davis, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, Tomlinson, and Mr. Speaker—65.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 54

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up Senate Concurrent Resolution No. 54, out of order, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 54

Senate Concurrent Resolution No. 54—Relative to the illness of Joseph L. Knowles.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Cooke, Crowley, Davis, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly,

Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—66.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2626

Mr. Grunsky asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2626, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2626

Assembly Bill No. 2626—An act to amend Section 736b of the Political Code and Section 79 of the Code of Civil Procedure, relating to judges of the superior court.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Connolly, Cooke, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Kelly, Klocksiem, Lanterman, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, Meyers, Morris, Munnell, Niehouse, Rosenthal, Rumford, Shaw, Smith, Stewart, Tomlinson, and Mr Speaker—48.

NOES—Burkhalter, Cloyed, George D. Collins, Erwin, Henderson, Hinckley, Hollibaugh, Levering, Lowrey, Silliman, and Thomas—11.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2882

Mr. Caldecott asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2882, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2882

Assembly Bill No. 2882—An act to add Chapter 6 to Part 1 of Division 3 of Title 2 of the Government Code, to amend Sections 12001, 12100, 12150, 12300, 12302, 12400, 13002, 14002, 15003, 15603, and 18650 of said code, to amend Section 21 of the Agricultural Code, to amend Sections 213 and 230 of the Banking Code, to amend Sections 151, 6512, 7011, 10055, 18626.5, and 19433 of the Business and Professions Code, to amend Section 25301 of the Corporations Code, to amend Sections 141, 144.2, 20924, and 22003 of the Education Code, to amend Sections 213, 230, and 5201 of the Financial Code, to amend Section 1732.6 of the Harbors and Navigation Code, to amend Sections 107.5 and 13101 of the Health and Safety Code, to amend Section 12902 of the Insurance Code, to amend Sections 51, 70.5, 775, 80, and 112 of the Labor Code, to amend Section 76 of the Military and Veterans Code, to amend Sections 5051 and 5076 of the Penal Code, to amend Section 3700 of the Political Code, to amend Section 501 of the Public Resources Code, to amend Section 304 of the Public Utilities Code, to amend Section 52 of the Streets and Highways Code, to amend Sections 105, 109, and 139.08 of the Vehicle

Code, to amend Sections 130, 152, 1722, and 1723 of the Welfare and Institutions Code, to amend Section 10 of the Public Utilities Act, to amend Section 3 of the State Aeronautics Commission Act, to amend Sections 76 and 77 of the Unemployment Insurance Act, to amend Section 2 of an act entitled "An act to create the Franchise Tax Board, prescribing its powers, duties, jurisdictions, purposes, and functions and abolishing the office of Franchise Tax Commissioner," approved July 25, 1949; to amend Section 2 of an act entitled "An act to provide for the salaries and expenses of the Building and Loan Commissioner, his attorney, deputies, examiners, accountants, appraisers and other assistants; to provide for the disposition of moneys in the 'Building and Loan Inspection Fund' created by Chapter 354 of the Statutes of 1911, as amended; and of moneys collected under the Building and Loan Association Act; and otherwise relating to the Building and Loan Commissioner, his assistants and employees, and to the regulation of building and loan associations," approved June 12, 1931, relating to the salaries of state officers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Henderson, Hinckley, Kelly, Kirkwood, Lincoln, Landsay, Lyon, Maloney, McCarthy, McFall, Meyers, Moss, Munnell, Rosenthal, Smith, Stanley, Stewart, Tomlinson, and Mr. Speaker—43.

NOES—Beck, Burkhalter, Chapel, Clarke, Cloyed, Dills, Elliott, Evans, Gubser, Hahn, Hansen, Hawkins, Hollibaugh, Klocksiem, Lanterman, Levering, Lowrey, Luckel, McMillan, Morris, Niehouse, Parker, Rumford, Shaw, and Sillman—25.

Notice of Motion to Reconsider Assembly Bill No. 2882

Mr. Evans gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2882 was this day passed.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Kirkwood to reconsider the vote whereby Assembly Bill No. 2624 was passed, was continued until the next legislative day.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Hagen to reconsider the vote whereby Assembly Bill No. 3202 was refused passage was continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT THAT OPINION BE PRINTED IN JOURNAL

Mr. Rosenthal asked for, and was granted, unanimous consent that an opinion of the Legislative Counsel, relative to the California Dis-

trict Court of Appeal, Third Appellate District, be ordered printed in the Journal, in 10 point type, as follows:

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, April 17, 1951

Honorable William H. Rosenthal
Assembly Chamber

Tolman et al. vs. *Underhill et al.*, California District Court of Appeal, Third Appellate District—No. 7180

DEAR MR ROSENTHAL: Pursuant to your request, we have prepared and enclose herewith an analysis of the above titled case, and its effect upon the so-called "loyalty oath." A copy of the opinion of the court in that case is also enclosed.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By RICHARD M. GROSSBERG, Deputy

Analysis

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, April 18, 1951

Analysis of Tolman et al. vs. *Underhill et al.*, California District Court of Appeal, Third Appellate District—No. 7180

Petitioners, faculty members with tenure at the University of California, refused to sign a supplemental affirmation required by the Board of Regents as a condition precedent to their reappointment. Upon reconsideration following an initial hearing which resulted in their reappointment, they were denied reappointment for their failure to comply. In this suit, petitioners seek a writ of mandate to compel their reappointment despite failure to execute the new affirmation.

The court decides that petitioners are persons holding an office or public trust within the meaning of the California Constitution, that the supplemental affirmation is invalid, and that the write of mandate should issue.

In deciding that petitioners hold an office or public trust within the meaning of the California Constitution, Section 3, Article XX [1], the court bases its conclusion upon an interrelation between that section and Section 9, Article IX [2], which creates the University as a public trust

[1] This section reads as follows "Members of the Legislature, and all officers, executive and judicial, except such inferior officers as may be by law exempted, shall, before they enter upon the duties of their respective offices, take and subscribe the following oath or affirmation

"'I do solemnly swear (or affirm, as the case may be) that I will support the Constitution of the United States and the Constitution of the State of California, and that I will faithfully discharge the duties of the office of _____, according to the best of my ability'

And no other oath, declaration, or test, shall be required as a qualification for any office or public trust"

[2] The pertinent portion of this section reads as follows. "The University shall be entirely independent of all political or sectarian influence and be kept free therefrom in the appointment of its regents and in the administration of its affairs, and no person shall be debarred admission to any department of the University on account of sex."

and which requires that it be kept free from political and sectarian influences. By construing these sections together, the court concludes that the faculty members, as well as the regents, are charged with executing the latter section; thus, they fall within the classes of persons mentioned in the former section. Therefore, the court concludes, Section 3 of Article XX applies, and no supplemental affirmation may validly be required from petitioners.

The court further decides that the supplemental affirmation is invalid by its terms. This determination is reached by considering the purposes and intent of Section 3, Article XX. By a comparison with clause 3, Article VI, of the Federal Constitution [3], and by a review of certain cases arising thereunder, the court expressly concludes that any oath which makes a requirement additional to the pledge to support the Constitutions of this State and Nation is invalid, quoting with approval the language of Mr Justice Douglas in *Girouard* vs. *United States*, 328 U. S. 61 at 69:

"The test oath is abhorrent to our tradition."

Also decided by the court are the following additional points:

1. That no change has been made in the 1920 resolution of the Regents of the University by which tenure was guaranteed to associate and full professors, and whereby they were protected from arbitrary dismissal.

2. That the regents have broad governmental powers with respect to the University, subject only to legislative inquiry with regard to endowments and security of funds; that therefore the court should interfere only when the regents have acted unlawfully.

3. That the regents may adopt reasonable rules of tenure, but where proof of an abuse of discretion on their part is shown, the court may grant relief.

4. That the petitioners must execute the constitutional oath of office as a condition precedent to reappointment.

From the language of the court, the inescapable conclusions are:

1. That the list of public officials set forth in Section 3, Article XX of the State Constitution is not exclusive, but merely illustrative.

2. That any oath which departs from the traditional language of Section 3, Article XX, by making new or additional requirements or setting forth different tests is unconstitutional and invalid as applied to any person falling within the class defined as those holding an office or public trust.

RALPH N. KLEPS, Legislative Counsel
By CHAS. W. JOHNSON, Chief Deputy

[3] "The Senators and Representatives before mentioned, and the members of the several state legislatures, and of executive and judicial officers, both of the United States and of the several states, shall be bound by oath or affirmation, to support this Constitution, but no religious test shall ever be required as a qualification to any office or public trust under the United States." (Section 3, Article VI, Federal Constitution)

Opinion

In the District Court of Appeal of the State of California
In and for the Third Appellate District.

EDWARD C. TOLMAN, ARTHUR H. BRAYFIELD, HUBERT S. COFFEY, LEONARD A. DOYLE, LUDWIG EDELSTEIN, EDWIN S. FUSSELL, MARGARET T. HODGEN, ERNST H. KANTOROWICZ, HAROLD W. LEWIS, HANS LEWY, JACOB LOEWENBERG, CHARLES S. MUSCANTINE, JOHN M. O'GORMAN, STEFAN PETERS, BREWSTER ROGERSON, EDWARD HETZEL SCHAFER, PAULINE SPERRY, and GIAN CARLO WICK,

Petitioners,

vs.

ROBERT M. UNDERHILL, as Secretary and Treasurer of The Regents of the University of California; THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, a public corporation established by Article IX, Section 9, of the Constitution of the State of California, EARL WARREN, GOODWIN J. KNIGHT, SAM L. COLLINS, ROY E. SIMPSON, ARTHUR J. McFADDEN, WILLIAM G MERCHANT, ROBERT GORDON SPROUL, EDWARD AUGUSTUS DICKSON, JOHN FRANCIS NEYLAN, SIDNEY M. EHRMAN, FRED MOYER JORDAN, EDWIN W. PAULEY, BRODIE E. AHLPORT, EDWARD H. HELLER, NORMAN F. SPRAGUE, MAURICE E. HARRISON, VICTOR R. HANSEN, FARNHAM P. GRIFFITHS, EARL J. FENSTON, CHESTER W. NIMITZ, JESSE STEINHART, C. J HAGGERTY and JOHN E. CANADAY, each and all as members of said corporation, The Regents of the University of California, and each as a Regent of the University of California,

Respondents.

3 Civ. No. 7946
Filed: Apr. 6, 1951

This is an original proceeding for a writ of mandate to compel the Board of Regents of the University of California and Robert M. Underhill, as Secretary and Treasurer thereof, to issue to petitioners herein letters of appointment to positions as members of the faculty of the University for the academic year of July 1, 1950 to June 30, 1951.

The petition alleges that petitioners are members of the faculty of the University of California of Academic Senate rank; that respondents are each members of a public corporation known as the Regents of the University of California; that the Regents, in accordance with authority granted to them by the State Constitution, have established an Academic

Senate vested with certain powers relating to appointment, tenure and dismissal of faculty members; that the Regents on April 21, 1950, adopted a resolution (more particularly set forth hereinafter) carrying out certain recommendations of the California Alumni Association relative to the signing of a so-called "Loyalty Oath" by the faculty of the University; that each of the petitioners (all of whom are non-signers thereof), pursuant to the resolution, petitioned the President of the University for a review of his case by the Committee on Privilege and Tenure of the Academic Senate; that each petitioner appeared before the said committee which, after full investigation, recommended the appointment of each petitioner to his regular post on the faculty of the University; that on July 21, 1950, upon the recommendation of the President of the University, the Regents by resolution appointed each of the petitioners to his respective post; that notwithstanding their appointments, respondent Underhill refused to transmit letters of appointment to petitioners; that subsequently on August 25, 1950, the Regents refused to recognize the appointment of petitioners; that if respondent Underhill is not ordered by this court to transmit the letters of appointment, irreparable injury to both petitioners and the people of the State of California will result; that petitioners have no plain, speedy or adequate remedy at law.

To this petition respondents filed their general and special demurrer and answer. This court on September 1, 1950, ordered that respondents take no action to enforce any resolution with respect to the non-appointment of petitioners or termination of their posts and that the ten day period granted petitioners by respondents should not expire until ten days following any further order of this court specifying that such period shall commence to run.

Before discussing the facts of the dispute which culminated in the filing of this petition it is important to note by way of background, that the Regents of the University in 1920 by resolution provided "that appointment as associate or full professor carries with it the security of tenure in the full academic sense." At no time prior to the present controversy was that resolution superseded or modified. It further appears that since 1920 the Regents and the faculty of the University have considered professors of the designated rank as not subject to arbitrary dismissal and entitled to all the incidents of tenure as it is commonly understood in American universities.

The record further discloses that for approximately a year and a half prior to April 21, 1950, the Regents, the faculty and the Alumni Association had considered the question of ways and means to implement the stated policy of the Regents of barring members of the Communist Party from employment at the University by means of a "Loyalty Oath". These discussions culminated in a meeting held on April 21, 1950, at which the Regents passed a resolution providing that after July 1, 1950, the beginning date of the new academic year, conditions precedent to employment or renewal of employment at the University would be (1) execution of the constitutional oath required of public officials of the State of Cali-

fornia, and (2) acceptance of appointment by a letter which contained the following provision:

> "Having taken the constitutional oath of office required of public officials of the State of California, I hereby formally acknowledge my acceptance of the position and salary named, and also state that I am not a member of the Communist Party or any other organization which advocates the overthrow of the government by force or violence, and that I have no commitments in conflict with my responsibilities with respect to impartial scholarship and free pursuit of truth. I understand that the foregoing statement is a condition of my employment and a consideration of payment of my salary."

The resolution further provided that,

> "In the event that a member of the faculty fails to comply with any foregoing requirement applicable to him he shall have the right to petition the President of the University for a review of his case by the Committee on Privilege and Tenure of the Academic Senate, including an investigation of and full hearing on the reasons for his failure so to do. Final action shall not be taken by the Board of Regents until the Committee on Privilege and Tenure, after such investigation and hearing, shall have had an opportunity to submit to the Board, through the President of the University, its findings and recommendations. It is recognized that final determination in each case is the prerogative of the Regents."

Some thirty-nine professors at the University who refused to sign the affirmation set forth in the Regents' resolution accepted what they apparently believed to be the alternative to the signing of the oath as set forth in the resolution and petitioned the President of the University for a hearing before the Committee on Privilege and Tenure of the Academic Senate. The hearing resulted in favorable findings and recommendations by that committee as to each of the professors. On July 21, 1950, the Regents met and by a vote of 10 to 9 accepted those recommendations and appointed the non-signing professors to the faculty for the coming academic year. Following the passage of the resolution one of the Regents gave notice that he would change his vote from "No" to "Aye" and move to reconsider at the next meeting. At the next meeting of the Regents, on August 25, 1950, a motion to reconsider the matter of the appointments was passed by a vote of twelve to ten (one absent member stated by telegram that he would vote "no" if he were present), and the resolution adopting the recommendations of the Committee on Privilege and Tenure and appointing the professors to the faculty was defeated by a like vote of twelve to ten. Following this a motion was unanimously carried granting the non-signing professors ten days in which to comply by signing the statement prescribed in the resolution of April 21.

Petitioners herein were among those professors who refused to sign the so-called "loyalty" statement. All of the petitioners are scholars of recognized ability and achievement in their respective fields. Additionally it should be noted that it is conceded that none of the petitioners has

been charged with being a member of the Communist Party or in any way subversive or disloyal.

Article IX of the Constitution which declares the policy of this state as to education provides at the outset in Section 1 thereof that education is "essential to the preservation of the rights and liberties of the people . . ." Section 9 of that article establishes the University of California as a "public trust, to be administered by the existing corporation known as 'The Regents of the University of California,' with full powers of organization and government, subject only to such legislative control as may be necessary to insure compliance with the terms of the endowments of the University and the security of its funds." Thereafter follow detailed provisions relating to the membership of the Board of Regents and their powers and duties. The section concludes with this provision: "The university shall be entirely independent of all political or sectarian influence and kept free therefrom in the appointment of its regents and in the administration of its affairs. . . ."

It is evident therefrom that the Constitution has conferred upon the Regents broad powers with respect to the government of the University, subject only to such legislative control as may be necessary to insure compliance with the terms of the endowments of the University and the security of its funds. (*Hamilton* vs. *Regents of the University of California*, 219 Cal. 663; *Wall* vs. *Board of Regents*, 38 Cal. App. 2d 698.) It follows that this court may not inquire lightly into the affairs of the Regents, and should exercise jurisdiction only where the Regents have acted without power in contravention of law.

The validity of the action taken by the Regents on August 25, 1950 is first challenged by petitioners on the ground that the affirmative statement demanded as a condition to their continued employment is a violation of Section 3 of Article XX of the Constitution which prescribes the form of oath for all officers, executive and judicial, and concludes with the prohibition that "no other oath, declaration or test, shall be required as a qualification for any office or public trust."

Respondents' answer to this argument is that the constitutional provision is not here applicable because members of the faculty of the University do not hold office or positions of public trust. In support of their position respondents place great reliance on *Leymel* vs. *Johnson*, 105 Cal. App. 694. There it was held that Section 19 of Article IV of the Constitution, which provides that "No Senator or Member of Assembly shall, during the term for which he shall have been elected, hold or accept any office, trust, or employment under this State; provided, that this provision shall not apply to any office filled by election by the people," did not preclude a member of the legislature from also holding a position as a teacher in the public schools of the city of Fresno. The court's holding was that the position of instructor in a public school was not an "office, trust, or employment under this State", as those terms are used in Section 19 of Article IV of the Constitution.

That the decision is limited to the particular provision of the Constitution there in question is indicated by the fact that the court gave

serious consideration to the purposes of the people in adopting that section of the Constitution, citing *Chenoweth* vs. *Chambers*, 33 Cal. App. 104, where this court held that the intent and purpose of said section was that "those who execute the laws should not be the same individuals as those who make the laws."

There is nothing either in the *Leymel* case or any other case cited by respondents which is conclusive of the status of petitioners with respect to the constitutional oath of office as set forth in Section 3 of Article XX. Furthermore it is necessary in this case, as it was in the Leymel case, in dealing with another provision of the Constitution, to consider the purposes and intent of the people of California in adopting said Section 3 of Article XX. While the courts of this state have had no occasion in the past to discuss specifically the purposes behind this section, the history of the English and American peoples in their struggle for political and religious freedom offers ample testimony to the aims which motivated the adoption of the provision.

A similar provision is found in Clause 3 of Article 6 of the Federal Constitution where it is stated that all legislative, executive and judicial officers, both of the United States and of the several states, shall be bound by oath or affirmation to support the Constitution; but no religious test shall ever be required as a qualification to any office or public trust under the United States. Speaking of this provision, Mr. Chief Justice Hughes, in his dissenting opinion in *United States* vs. *Macintosh*, 283 U S. 605, 631, 75 Law Ed. 1302, 1313, which views were later upheld in *Girouard* vs. *United States*, 328 U S. 61, 90 L. Ed. 1084, said:

> "I think that the requirement of the oath of office should be read in the light of our regard from the beginning for freedom of conscience . . . To conclude that the general oath of office is to be interpreted as disregarding the religious scruples of these citizens and as disqualifying them for office because they could not take the oath with such an interpretation would, I believe, be generally regarded as contrary not only to the specific intent of the Congress but as repugnant to the fundamental principle of representative government."

Again, in the case of *United States* vs. *Schwimmer*, 279 U.S. 644, 73 L Ed. 889, Mr. Justice Holmes, whose dissenting views were likewise upheld in the *Girouard* case, said at page 654, " . . . if there is any principle of the Constitution that more imperatively calls for attachment than any other it is the principle of free thought—not free thought for those who agree with us but freedom for the thought that we hate."

In the *Girouard* case, which was the last in this line of cases involving aliens who had been barred from naturalization because their then religious beliefs would not permit them to bear arms to defend the country, Mr. Justice Douglas, speaking for the court in approving the views expressed by Hughes and Holmes and holding that such aliens were not barred from citizenship, succinctly stated at page 69: "The test oath is abhorrent to our tradition."

This basic principle was also discussed by Mr. Justice Jackson in *West Virginia State Board of Education* vs. *Barnette*, 319 U. S. 624, 87

L. Ed. 1628, the last of the "flag salute" cases where, in speaking for the court he said, at page 642:

> "But freedom to differ is not limited to things that do not matter much. That would be a mere shadow of freedom. The test of its substance is the right to differ as to things that touch the heart of the existing order.
>
> "If there is any fixed star in our constitutional constellation, it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion or force citizens to confess by word or act their faith therein."

At this late date it is hardly open to question but that the people of California in adopting Section 3 of Article XX also meant to include in our state Constitution that fundamental concept of what Mr. Chief Justice Hughes referred to as "freedom of conscience" and Mr. Justice Holmes called the "principle of free thought." Paraphrasing their words we conclude that the people of California intended, at least, that no one could be subjected, as a condition to holding office, to any test of political or religious belief other than his pledge to support the Constitutions of this state and of the United States; that that pledge is the highest loyalty that can be demonstrated by any citizen, and that the exacting of any other test of loyalty would be antithetical to our fundamental concept of freedom. Any other conclusion would be to approve that which from the beginning of our government has been denounced as the most effective means by which one special brand of political or economic philosophy can entrench and perpetuate itself to the eventual exclusion of all others; the imposition of any more inclusive test would be the forerunner of tyranny and oppression.

It is a well established principle of constitutional interpretation that the meaning of any particular provision is to be ascertained by considering the Constitution as a whole and that the duty of the court in interpreting the Constitution is to harmonize all its provisions. (*In re Oliverez,* 21 Cal. 415; *Edler* vs. *Hollopeter,* 214 Cal. 427.) A strikingly analogous application of this principle of construction is found in *West Virginia State Board of Education* vs. *Barnette, supra,* where Mr. Justice Jackson said at page 639:

> "In weighing arguments of the parties it is important to distinguish between the due process clause of the Fourteenth Amendment as an instrument for transmitting the principles of the First Amendment and those cases in which it is applied for its own sake. The test of legislation which collides with the Fourteenth Amendment, because it also collides with principles of the First, is much more definite than the test when only the Fourteenth is involved. *Much of the vagueness of the due process clause disappears when the specific prohibitions of the First become its standard.*" (Emphasis ours.)

In the problem of interpretation with which we are presently confronted, we find in the specific mandate of Section 9 of Article IX of

our Constitution, providing that the University shall be entirely independent of all political or sectarian influence, a standard by which to decide the question of whether or not the petitioners herein are to be included within the term "office or public trust" as used in Section 3 of Article XX. It goes without saying that in the practical conduct of the affairs of the University the burden of so preserving it free from sectarian and political influence must be bourne by the faculty as well as by the Regents. Hence, if the faculty of the University can be subjected to any more narrow test of loyalty than the constitutional oath, the constitutional mandate in Section 9 of Article IX would be effectively frustrated, and our great institution now dedicated to learning and the search for truth reduced to an organ for the propagation of the ephemeral political, religious, social and economic philosophies, whatever they may be, of the majority of the Board of Regents of that moment.

It must be concluded that the members of the faculty of the University, in carrying out this most important task, fall within the class of persons to whom the framers of the Constitution intended to extend the protection of Section 3 of Article XX.

While this court is mindful of the fact that the action of the Regents was at the outset undoubtedly motivated by a desire to protect the University from the influences of subversive elements dedicated to the overthrow of our constitutional government and the abolition of our civil liberties, we are also keenly aware that equal to the danger of subversion from without by means of force and violence is the danger of subversion from within by the gradual whittling away and the resulting distintegration of the very pillars of our freedom.

It necessarily follows that the requirement that petitioners sign the form of contract prescribed in the Regents' resolution of April 21, 1950, was and is invalid, being in violation both of Section 3 of Article XX and Section 9 of Article IX of the Constitution of the State of California, and that petitioners cannot be denied reappointment to their posts solely because of their failure to comply with the invalid condition therein set forth.

Subject to such reasonable rules of tenure as the Regents may adopt, the appointment and dismissal of professional personnel of the University is a matter largely within the discretion of the Regents. (*Wall* vs. *Board of Regents, supra.*) Nevertheless, in the event of proof of an abuse of discretion the "propriety of the remedy . . . is clear." (*Landsborough* vs. *Kelly*, 1 Cal. 2d 739.) Thus in the present case the imposition of the oath in question being violative of the applicable constitutional provisions, the abuse of discretion is clear, and hence this court may compel the reinstatement of petitioners to their respective positions. (See also *Inglin* vs. *Hoppin*, 156 Cal. 483.)

In view of the foregoing it is unnecessary to consider the further contentions of petitioners that the resolution of July 21, 1950 constituted an irrevocable appointment of the petitioners, and that the action of the Regents constituted an arbitrary dismissal in violation of petitioners' tenure rights.

Therefore, since the letters of appointment issued to petitioners following the Regents' resolution of April 21, 1950 were subject to the condition that the petitioners sign letters of acceptance of appointment containing the affirmative statement, the requirement of which we have held to be invalid, it is the order of this court that the writ issue directing respondents by their secretary, respondent Underhill, to issue to each of the petitioners a letter of appointment to his regular post on the faculty of the University, which appointment shall not be subject to the aforementioned invalid condition. Provided that, if any of petitioners has not yet executed the constitutional oath of office as provided in the said resolution of April 21, 1950, the respondents may require that such petitioner, as a condition precedent to his appointment, execute said constitutional oath.

Let the writ issue.

PEEK, J.

We concur:

ADAMS, P. J.
VAN DYKE, J.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 3024 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Morris asked for, and was granted, unanimous consent that Assembly Bill No. 3024 be withdrawn from the Committee on Municipal and County Government, and be re-referred to the Committee on Civil Service and State Personnel.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Evans:

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 2468 of the Civil Code, relating to the use of fictitious names by persons and partnerships transacting business.

Respectfully submitted.

JOHN W. EVANS

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Evans:

An act to amend Section 2468 of the Civil Code, relating to the use of fictitious names by persons and partnerships transacting business.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, McCarthy, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, Tomlinson, and Mr. Speaker—63.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3419: By Mr. Evans—An act to amend Section 2468 of the Civil Code, relating to the use of fictitious names by persons and partnerships transacting business.

Referred to Committee on Judiciary.

RESOLUTIONS

The following resolution was offered:

By Mr. Dickey:

House Resolution No. 124

MR. SPEAKER: Your Committee on Rules respectfully begs to report that it has carefully considered the applications for the various positions and desires to submit the following resolution:

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their respective names, payable weekly, and the Controller is hereby directed to draw his warrants in favor of the respective persons in the said amounts and the Treasurer is hereby directed to pay the same:

Commencing Thursday, April 26, 1951	*Per day*
Chief Clerk, Arthur A. Ohnimus	$30.00
Minute Clerk, Geraldine B. Hadsell	18.00
Sergeant-at-Arms, Wilkie Ogg	18.00
Chaplain, Dr. Clarence A. Kircher	7.50
Assistant Chief Clerk, Harold F. Lewright	18.00
Engrossing-Enrolling Clerk, Charles W. Robbins	17.00
History Clerk, Ethel E. Brockelbank	15.75
File Clerk, Ruth Riley	14.50
Assistant Clerk, John R. Wendt	14.50
Assistant Clerk, Paul F. Crum	14.50
Assistant Clerk, Robert W. Crown	14.50
Journal Clerk, Walter W. Feeley	14.50
Assistant at Desk, William J. Greene	13.50
Chief Assistant Sergeant-at-Arms, Andrew J. Cecchettini	16.00

Resolved, That the compensation of the above named attaches shall be on a seven-day week basis.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 124, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—60.

NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 3017

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STEWART, Chairman

Above reported bill ordered to second reading.

COMMUNICATIONS

By the Chief Clerk:

A communication from Assemblyman Gordon R. Hahn, relative to the adoption of Senate Concurrent Resolution No. 29, making "I Love You California" the State Song, and a song by Assemblyman Geddes, were received, and ordered noted in the Journal. The words of the Geddes song were ordered printed in the Journal, as follows:

SONG OF ANGUISH

(Geddes)

(Or Better Known as "Dry Your Tears My Friend")

I'll be with you till the roll call, dear old friend.
I'll be on your side until the end
On this promise you can well depend
Though debate should last all night
I will back you in your fight
Yes! I'm with you till the roll call, dear old friend.
I'll be with you till the roll call, dear old friend.
Remember that you have my word
When the lights flash on the board
If the light that's seen
Is red instead of green—
I'll be with you *only* till the roll call, dear old friend.

QUESTION OF PERSONAL PRIVILEGE

Mr. Lindsay arose to a question of personal privilege.

REQUEST FOR UNANIMOUS CONSENT THAT STATEMENT BE PRINTED IN JOURNAL

Mr. Lindsay asked for, and was granted, unanimous consent that the following statement be ordered printed in the Journal, in 10 point type, as follows:

Statement by Mr. Lindsay

SACRAMENTO 14, CALIFORNIA
April 26, 1951

Joint Legislative Budget Committee
State Capitol
Sacramento, California

ATTENTION: *Honorable Ben Hulse, Chairman*

GENTLEMEN: I have in my possession a copy of a report entitled "Survey of Activities of the Soil Conservation Equipment Pool," prepared by the Legislative Auditor and dated January 1, 1951. This report, while being exceedingly malicious and vicious in its criticism of the equipment pool and the management thereof, presents a completely biased and colored picture of the pool operations. It, I believe, is serious enough to warrant a request for a hearing before the Joint Budget Committee, but a much more serious charge is included in this report which the Legislative Auditor informs me gives me the unqualified privilege of demanding a full dress hearing before the committee.

The report, on page 19, charges the directors of the Placer County District with a felonious action by soliciting a rebate to themselves from the Marysville Tractor Company. Mr. Dan Beatie, the owner of the Marysville Tractor Company, has informed me he made no such statement to the representatives of the Legislative Auditor. The Board of Directors of the District did confer with Mr. Beatie on the possibility of a 5 percent rebate to the district. All of the directors of the district were present at the meeting, as well as Mr. Beatie, his son, Mr. Luppe of the Roseville branch of the Marysville Tractor Company, and Mr. Beatie's partner, Mr. McClung.

The Legislative Auditor's report, while supposedly being of a confidential nature, has been widely quoted in the newspapers of this State as fact, thereby doing the directors of the Placer County Soil Conservation District and myself as an Assemblyman an unrepairable harm. In the absence of time to call a formal meeting of the board of directors, but after conferring with them, I hereby respectfully request an immediate hearing before the committee, and request the committee to subpena the representatives of the Marysville Tractor Company to appear before the committee at the hearing, along with the Legislative Auditor and those of his staff members who prepared the report. I further believe that the Secretary of the State Soil Conservation Commission and the equipment supervisors of the Soil Conservation Commission should be present at the hearing, as the equipment was purchased under their direction.

Sincerely yours,

FRANCIS C. LINDSAY, Member
Assembly, Sixth District

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY REQUEST HEARING

Mr. Beck asked for, and was granted, unanimous consent that, pursuant to the provisions of the above statement by Mr. Lindsay, the Assembly request that the Joint Budget Committee hold a hearing, as desired by Mr. Lindsay.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 8 p.m.—

Revenue and Taxation, in Room 3186-3188.
Industrial Relations, in Room 432.

Upon Adjournment—

Transportation and Commerce, in Room 432.
Municipal and County Government, in Room 3186.
Ways and Means, in Room 435.

Upon Adjournment of Ways and Means—

Subcommittee of Ways and Means on Education, in Room 435.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Messrs. McCollister, Lyon, McMillan, and The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to (Major) Eva V. Alexander (Reserve), formerly hostess for SCAP to VIPs visiting headquarters in Japan, and Mrs Lydia Grey of Mill Valley.

On request of Mr. George D. Collins and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Lawrence Palacios of San Francisco.

On request of Mr. Maloney, the usual courtesies of the Assembly for this day were unanimously extended to Milton Golden of Hollywood, former Assemblyman.

On request of Messrs. McFall and Parker, the usual courtesies of the Assembly for this day were unanimously extended to Charles F. Finney, teacher; Vernon B. Mudgett, driver; and the following pupils of the Delphi School of Stockton: Remo Bofico, Frankie Castleman, Susie Castleman, Ann Christen, May Christen, Darlene Grupe, Jimmy Devincenzi, Buddy Engstrom, Elbert Fair, Bobby Ghio, Grace Combs, C. J. Hall, Roy Honda, Edward Johnson, Dick Masuda, Virginia Nakyo, Marie Omlin, Louis Sanquinetti, and Jessie Torres.

On request of Mr. Geddes, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. S. M. Fields of Claremont.

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Iva Venable, Mrs Lillian Warren, and Walter White, teachers; and the following pupils of Ceres School: Gerald Stone, Jim Hume, Robert Dunlap, Lloyd Houlden, Donald Garriott, Benny Alonzo, Charles Peek, Gus Kisst, Boyd Overturf, William Mathis, Jack Nugent, Leon McCluskey, James Oxford, Bobbie Robertson, Jerry Hancock, Harold Wilson, Thomas Eskew, Tommy Keener, Viola Savage, Dorothy Burgett, Cleta Bryan, Joyce Griswold, Ruby Yarbrough, Shirley Smith, Shirley Robinson, Helen Burden, Nancy Booth, Loretta Sullivan, Nina Meyers, Donna Allen, Ellen Hackett, Otta Marie Pack, Betty Henley, Marion Welborn, Nancy Terry, Patricia Webb, and Esther Johnson.

On request of Mr Hagen for Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to John Nelson and Jack Wilde, teachers, and the following pupils of the El Cerrito High School: Jerry Abbott, Angelo Bardine, Dean Brightman, John Catlett, Bettie Day, D'Anna Eastridge, Bud Fitzgerald, Nancy Gabeau, Betty Gains, Patricia Giblin, Les Greatbanks, Pat Hall, Peter Hansen, Doris Hilty, Josephine Hodges, Rosetta Holder, Grace Jones, Don Lasson, Dorothy Matsunaga, Suzanne Milligan, Don Parkin, Joan Pelkey, Arlene Pief, Gordon Ragan, John Reiss, Barbara Reynolds, Ted Ruff, Ed Schaefer, Betty Shjandemaar, Ronald Silveira, Beverly Stallard, Kirk Thompson, Loretta Tuck, Ed Van Eckhardt, Betty Wada, Dick Varone, and Darl McFall.

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to Miss Esto Broughton, former Assemblywoman, from Stanislaus County.

On request of Mr. Hahn, the usual courtesies of the Assembly for this day were unanimously extended to Miss Carol Terry, Pandita Ramabai Mukti Mission, Kedgaon, Poona District, India.

On request of Mr. Meyers and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Frankie Rehan, Mrs. Mary J. Collins, Mrs. J. W. Brown, and Mrs Elizabeth Kelly of San Francisco.

On request of Mr. Hagen for Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to Miss Pembroke, Mr. Twining, teachers, and the following pupils of the Acalanes High School, Walnut Creek: Leroy Atkinson, Ann Bronson, Bob Cappa, Nancy Carroll, Anita Cianfichi, Fay Cooper, Paula Cory, Carl Drews, Art Dull, Carol Eisen, June Foskett, Oral Gibson, Diana Green, Joyce Guldenzoph, Eric Hubach, John Jordan, Frances Largeson, Donna Lavezzola, Dick Lee, Norman Lescure, Roger Linn, Pat Malvey, Kathleen Manning, Mike McFarland, Linda Meade, Beverly Mumford, Gerrie Nardini, Eleanore Neldham, Marilyn Orr, Beverly Panfili, Evelyn Platner, Don Reid, Barbara Smith, Don Smith, Nick Snel, Rosemary Sorge, Marion Troyer, Buddy Turner, Lowell Wendell, Sandra White, Margie Winterton, Dwan Floyd, and Ned Davis.

On request of Mr. Hagen for Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to thirty Golden Agers, Salvation Army of Richmond.

On request of Mr. Kelly, the usual courtesies of the Assembly for this day were unanimously extended to Dr. De Fernando, and Mrs. H. O. Duncan, "Owner of Blue Jeans Ranch for Boys," Ridgecrest.

On request of Mr. Chapel, the usual courtesies of the Assembly for this day were unanimously extended to Rev. Charles Robertson, Director; Gunda Robertson, R. E. Legant, Secretary-Treasurer, of Los Angeles; R. L. Meuer of Randsburg, E. R. Tolin of Santa Monica, and Hal Jenks of Los Angeles, and members of the American Anti-Communist League.

ADJOURNMENT

At 3.17 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9 30 a m., Friday, April 27, 1951.

SAM L. COLLINS, Speaker.

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FORTY-SEVENTH LEGISLATIVE DAY

SIXTY-THIRD CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, April 27, 1951

The Assembly met at 9.30 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—73.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Our Father in Heaven, Hallowed Be Thy Name. May Thy Kingdom come here on earth even as in heaven.

Fill our minds that we may serve seeking that which is just, pure, honest, and of good report.

We pray for our President, our Governor, the Speaker of this Assembly, and all who serve in places of leadership and responsibility.

Bless our families, our loved one, those who are fighting for the preservation of our Nation, and those with whom we serve within these walls. Give us

Love that knows no barrier,
Courage that cannot be shaken,
Faith strong enough for darkness,
Loyalty to Thy Kingdom's goal,
Wisdom to meet life's complexities,
And power to lift others unto Thee.

This we ask in Jesus name.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. McCollister, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Sherwin, on motion of Mr. Dickey.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Lyon, on motion of Mr. Dickey.

Mr. McMillan, on motion of Mr. Dickey.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 43—An act to amend Section 13145 of the Government Code, relating to refunds by state agencies;

Assembly Bill No. 438—An act to amend Section 24121h of, and to add Section 23702 to, and to amend and renumber Section 25121c-(1) of, and to add Article 2, consisting of Sections 23731, 23731a, 23731b, 23732, 23732a, 23732b, 23732c, 23732d, 23732e, 23732f, 23732g, 23732h, 23733, 23734, 23735, 23735a, 23735b, 23735c, 23736, 23736.1, 23736.2, 23736.3, 23736.4, and 23737 to Chapter 4 of Part 11 of Division 2 to, and to add Article 3, consisting of Sections 23771 and 23772 to Chapter 4 of Part 11 of Division 2 to, and to add Sections 23881g, 24121k.5, 24121o.1, 24121q, and 24201g to, the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-sixth day of April, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 574—An act to add Sections 23222a, 24121k.1, and 25295a to, and to amend Sections 23222, 24121k, 25101a, 25295, 25662, and 25701 of, Part 11 of Division 2 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act shall take effect immediately.

Assembly Bill No. 1089—An act to add Article 6, comprising Sections 1953i to 1953*l*, inclusive, to Chapter 3 of Title 2, Part 4 of the Code of Civil Procedure, relating to the use of photographic copies of business and public records as evidence in judicial and administrative proceedings;

Assembly Bill No. 1180—An act to amend Sections 18661, 18662, 18671, 18672, 18674, and 18675 of the Education Code, relating to the sale, lease, dedication, grant, quitclaim and conveyance of real property of school districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-sixth day of April, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1812—An act to add Section 16009 to the Government Code, relating to claims against the State, and providing a procedure for the United States Government to reach net amounts owing by the State to debtors of the United States;

Assembly Bill No. 1813—An act to add Section 12419.5 to the Government Code, relating to claims against the State and the duties of the State Controller;

Assembly Bill No. 1831—An act to amend Section 739 of the Probate Code, relating to the disposition of claims against estates of deceased persons which are unpaid because the claimant cannot be found;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-sixth day of April, 1951, at 4 p.m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1832—An act to amend Section 1274.10a of the Code of Civil Procedure, relating to abandoned property or escheated property;

Assembly Bill No. 1833—An act to amend Section 1272a of the Code of Civil Procedure, relating to the procedure for the recovery of property in the possession of the State, to which claimants are entitled,

Assembly Bill No. 2311—An act to amend Section 9607 1 of the Education Code, relating to contracts for education of physically handicapped minors;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-sixth day of April, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2312—An act to amend Section 8503 of the Education Code, relating to age of pupils for admission to first grade;

Assembly Bill No. 2315—An act to amend Section 9601 2 of the Education Code, relating to contracts for education of physically handicapped minors;

Assembly Bill No. 2318—An act to add Article 3 to Chapter 1, Part 1, Division 4 of the Fish and Game Code, relating to a means of providing reciprocity in the issuance of sport fishing licenses;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-sixth day of April, 1951, at 4 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2319—An act to add Section 441 to the Fish and Game Code, authorizing reciprocity between California and Arizona in the issuance of sporting fishing licenses;

Assembly Bill No. 2321—An act authorizing reciprocal agreements between this State and adjoining states, relating to reciprocity in the use of sporting fishing licenses;

Assembly Bill No. 2760—An act to add Section 628.1 to the Penal Code, relating to giving aid to persons accidentally shot;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-sixth day of April, 1951, at 4 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 49—Approving amendments to the charter of the City of Berkeley, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at the regular municipal election held therein on the third day of April, 1951;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twenty-sixth day of April, 1951, at 4 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 30
Assembly Bill No. 767

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 26, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 42
Assembly Bill No. 141
Assembly Bill No. 389
Assembly Bill No. 422
Assembly Bill No. 698
Assembly Bill No. 699
Assembly Bill No. 825
Assembly Bill No. 1268
Assembly Bill No 1269
Assembly Bill No. 1565
Assembly Bill No. 1618
Assembly Bill No. 1701
Assembly Bill No. 1709
Assembly Bill No. 1822
Assembly Bill No. 1823
Assembly Bill No. 1824
Assembly Bill No. 1908
Assembly Bill No. 2361
Assembly Bill No. 2620
Assembly Bill No. 3369
Assembly Bill No. 3370

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 26, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 189
Senate Bill No. 427

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 26, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 41
Assembly Bill No. 246
Assembly Bill No. 348
Assembly Bill No. 700
Assembly Bill No. 1825
Assembly Bill No. 2516

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, April 26, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No 252
Senate Bill No. 320
Senate Bill No. 646
Senate Bill No. 1031

J A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 252—An act to add Section 534.1 to the Fish and Game Code, relating to the obstruction, diversion, or prevention of the natural flow of streams.

Referred to Committee on Fish and Game.

Senate Bill No. 320—An act to amend Section 44.12 of the Vehicle Code, relating to authorized emergency vehicles.

Referred to Committee on Transportation and Commerce.

Senate Bill No. 646—An act to amend Section 476a of the Penal Code, relating to certain instruments.

Referred to Committee on Judiciary.

Senate Bill No. 1031—An act to consolidate and revise the law relating to community redevelopment and housing for the preservation of the public health and safety, and the formation, regulation, and operation of corporations therefor, by adding Division 24 and Section 40021 to the Health and Safety Code, and repealing certain acts specified herein.

Referred to Committee on Municipal and County Government.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 2704—An act to add Section 30 to the American River Flood Control District Act, relating to the acquisition of additional flood control works for operation, repair, and maintenance and the assessment of property benefited by those works.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "29", and insert "30".

Amendment No. 2

On page 1, line 15, of said bill, after "lands", insert "are".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 672—An act to amend Section 16482 of the Education Code, relating to the testing of the sight and hearing of public school pupils.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 1, line 8, of the printed bill, strike out "persons", and insert "duly qualified supervisors of health employed by the district, or by certificated employees of the district or of the county superintendent of schools".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1249—An act to amend Sections 14376.3 and 14610 of the State Teachers' Retirement Law, relating to other employment by members of the State Teachers' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Government", and insert "Education".

Amendment No. 2

On page 1, line 1, of said bill, strike out "Government", and insert "Education".

Amendment No. 3

On page 1 of said bill, beginning in line 14, strike out "the State Teachers' Retirement Law", and insert "said code".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1879—An act to repeal Chapter 7 of Division 3 of, and to add Chapter 7 of Division 3, comprising Sections 6700 to 6799, inclusive, to, the Business and Professions Code, relating to professional engineers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 2, line 15, of the printed bill, after "training", strike out the comma, and insert a period.

Amendment No. 2

On page 2, line 15, of said bill, commencing with "except", strike out the remainder of the line; and strike out lines 16 and 17 and line 18 to and including the period, and insert "The provisions of this act pertaining to registration of professional engineers in the branches of chemical, electrical, mechanical, and petroleum engineering do not apply to employees in the communication industry; nor to the employees of contractors while engaged in work on communication equipment; provided, that such employees may not use the title unless registered."

Amendment No. 3

On page 6 of said bill, after line 44, insert

"6746. Plans, specifications, reports and documents relating to communication lines and equipment prepared by employees of the communication industry, and by employees of contractors while engaged in work on communication equipment for the communication industry, are not subject to the provisions of this chapter."

Amendment No. 4

On page 11, line 38, of said bill, strike out the period, and insert ", except that as to any person who is the holder of a current certificate as an engineer-in-training, the fee for filing an application for registration as a professional engineer is ten dollars ($10)."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2133—An act to amend Sections 5600 and 5604 of the Business and Professions Code, relating to the practice of architecture.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 2, line 19, of the printed bill, strike out "twenty-five dollars ($25)", and insert "twenty dollars ($20)".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2139—An act to amend Sections 1770, 1971.1, 1990, and 3137 and to add Section 2077 and to repeal Section 1780 of the Harbors and Navigation Code, relating to the San Francisco Harbor.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in the Assembly on April 20, 1951, after "described", insert "and subject to the present occupancy and use of land and air space by the San Francisco-Oakland Bay Bridge under the jurisdiction of the California Toll Bridge Authority and the Department of Public Works".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 29—An act to amend Sections 12142 and 12144 of the Education Code, relating to psychological services in the schools.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 12142 and", and insert "Section".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 23 inclusive; and on page 2, strike out lines 1 to 14, inclusive, and insert

"SECTION 1. Section 12144 of the Education Code is amended".

Amendment No. 3

On page 2, line 22, of said bill, strike out "shall", and insert "may".

Amendment No. 4

On page 2, line 25, of said bill, strike out "(a)".

Amendment No. 5

On page 2, line 26, of said bill, after "abilities," insert "personality traits,".

Amendment No. 6

On page 2 of said bill, strike out lines 28 to 38, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

Assembly Bill No. 1217—An act to amend Section 1599 of the Education Code, relating to the disposition of, and payment for, school district property located in territory taken from a school district and annexed to another school district.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 1599 of", and insert "add Section 1596.2 to, and amend Section 4630 of".

Amendment No. 2

Strike out lines 2 to 4, inclusive, of the title of said bill, and insert "relating to school sites, declaring the urgency thereof, to take effect immediately."

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 22, inclusive; and on page 2, strike out lines 1 to 29, inclusive, and insert

"SECTION 1. Section 1596.2 is added to the Education Code to read:

1596.2. Notwithstanding anything in Section 1596.1 to the contrary, no school site heretofore or hereafter acquired in a county other than that in which the district is located in whole or in part shall become a part of the district.

SEC. 2. Section 4630 of said code is amended to read:

4630. The governing board of a unified school district may acquire property, construct buildings, and maintain classes outside its boundaries on sites immediately adjacent to school sites of the district within its boundaries *or on sites contiguous to the boundaries of the district either in the same or in an adjoining county provided that no school site heretofore or hereafter acquired in a county other than that in which the district is located in whole or in part shall become a part of the district*.

SEC. 3. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

Under the existing law if a unified school district has acquired or acquires a school outside of, but adjoining, its boundaries in another county, a serious question would arise as to what type of school district would result. In order to avoid this complication in a situation where the only property in the adjoining county is the school site purchased by the school district, it seems highly desirable not to have such property become a part of the district. In order that such complication may be eliminated at the earliest possible moment as to situations now existing, it is necessary that this act take effect immediately."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

Assembly Bill No. 1643—An act to add Article 4 to Chapter 4 of Division 10 of the Education Code, relating to the education of deaf children.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 1 of the printed bill, after line 26, insert

"20824. Nothing in this article and no rule or regulation established thereunder shall authorize the compulsory physical examination or medical treatment of any child or minor if the parent or guardian objects on the ground that such examination or treatment is contrary to the religious beliefs of such parent or guardian."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 3198—An act to amend Sections 14479, 14632, and 14635 of the Education Code, relating to the State Teachers' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 11, of the printed bill, strike out "1951", and insert "1952".

Amendment No. 2

On page 2, line 24, of said bill, strike out "1951", and insert 1952".

Amendment No. 3

On page 2, line 43, of said bill, strike out "1951", and insert "1952".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 3410—An act to amend Sections 19601, 19601.5, 19601.6, 19608, 19611, 19613, and 19613.7 of, to add Sections 19601.7 and 19607.1 to, and to repeal Section 19617 of, the Education Code, relating to child care centers, making an appropriation and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 2, line 5, of the printed bill, strike out "skilled".

Amendment No. 2

On page 2, line 29, of the printed bill, strike out "in a hospital".

Amendment No. 3

On page 2, line 30, of the printed bill, strike out "head or director", and insert "employer"; and on line 31, strike out, "of the hospital".

Amendment No. 4

On page 2 of the printed bill, between lines 42 and 43, insert

"Except as provided in (b) above no child shall continue to be admitted to a child care center on any day or days when the parent having care of the child is not working".

Amendment No. 5

On page 3, line 32, of the printed bill, strike out "normal".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1060—An act to add Part 11, comprising Sections 15800 to 15826, inclusive, to Division 3, Title 2 of the Government Code, relating to the creation of a State Public Works Authority as a body corporate and politic with power to construct, improve, and operate projects, and to lease them and to fix and collect fees, rentals, and charges for the use thereof; and authorizing and regulating the issuance of revenue bonds by the authority, and providing for the payment of the bonds and the rights of the holders of the bonds; and granting the right of eminent domain; and increasing the powers and duties of the Division of Architecture, Department of Public Works; and providing that no debt of the State shall be incurred in the exercise of any of the powers granted under this act; and making an appropriation to the authority to pay expenses incident to its formation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 3 of the printed bill, as amended in the Assembly on April 6, 1951, strike out lines 32 to 34, inclusive, and insert

"15805. The authority is created for the purpose of constructing, improving, maintaining, operating, furnishing, and equipping, for use by state agencies, such public works as the Legislature may from time to time authorize, by act other than this part, for construction or other acquisition by the authority under this part."

Amendment No. 2

On page 3 of said bill, strike out lines 37 and 38, and insert

"Without limiting the generality of the foregoing statement of purposes, and subject to the above limitation that no project shall be acquired or undertaken under this part unless authorized by act of the Legislature other than this part, the authority may:".

Amendment No. 3

On page 11 of said bill, strike out line 50, and insert

"SEC 2. The sum of ten thousand dollars ($10,000) or so".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2472—An act to amend Sections 4303 and 4304 of the Government Code, relating to public contracts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In the title of the printed bill, as amended in the Assembly on March 23, 1951, strike out lines 1 to 5, inclusive, and insert

"An act to amend Section 4301 of the Government Code relating to public purchases of American-made materials."

Amendment No. 2

On page 1, line 1, of said bill, after "Section 1.", insert "Section 4301 of the Government Code is amended to read:

4301. This article does not apply to materials which are of a class or kind which are not, or which are manufactured from materials which are not, produced in the United States *; nor does this article apply to manufactured materials produced in Great Britain or Canada when materials of the same class or kind produced in the United States are not available and cannot be procured or when such manufactured materials produced in Great Britain or Canada possess useful features or capabilities not possessed by manufactured materials produced in the United States, although of the same class or kind*."

Amendment No. 3

On page 1, line 5, of said bill, strike out "Sec-"; strike out lines 6 to 21, inclusive; and strike out all of page 2.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 984—An act to add Part 2.5, comprising Sections 18600 to 18950, inclusive, to Division 13 of the Health and Safety Code, relating to auto and trailer parks.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 2, line 3, of the printed bill, strike out "as used in this part".

Amendment No. 2

On page 2, lines 6 and 7, of said bill, strike out "containing toilet or bath, compartment or other structure".

Amendment No. 3

On page 3, line 1, of said bill, strike out "relating to auto and"; and strike out all of line 2, and insert "apply to all parts of the State except within cities or counties".

Amendment No. 4

On page 3, line 4, of said bill, strike out "from adopt-"; strike out line 5; and in line 6, strike out "relating to auto and trailer parks", and insert "and where such ordinances prescribe minimum standards equal to or greater than the provisions of this part".

Amendment No. 5

On page 3, line 9, of said bill, after "county", insert "or".

Amendment No. 6

On page 3, line 14, of said bill, strike out "act", and insert "part".

Amendment No. 7

On page 3, line 15, of said bill, after "in", insert "auto and".

Amendment No. 8

On page 5, line 4, of said bill, strike out "disrict", and insert "district".

Amendment No. 9

On page 5, line 43, of said bill, strike out "18620", and insert "18609".

Amendment No. 10

On page 9, line 8, of said bill, strike out "camp", and insert "park".

Amendment No. 11

On page 9, line 12, of said bill, strike out "one", and insert "two"; and strike out "closet", and insert "closets".

Amendment No. 12

On page 9, line 13, of said bill, strike out "five", and insert "fifteen".

Amendment No. 13

On page 9, line 14, of said bill, strike out "and one water closet for each".

Amendment No. 14

On page 9, line 15, of said bill, strike out "sex for the second five camp sites or fractional part thereof".

Amendment No. 15

On page 9, line 24, of said bill, strike out "100", and insert "200".

Amendment No. 16

On page 10, line 3, of said bill strike out "10", and insert "15".

Amendment No. 17

On page 10, line 4, of said bill, strike out "10", and insert "15".

Amendment No. 18

On page 10, line 8, of said bill, strike out "100", and insert "200".

Amendment No. 19

On page 10, line 50, of said bill, strike out "parks", and insert "toilets".

Amendment No. 20

On page 11, line 25, of said bill, strike out "cesspool or into a septic tank", and insert "private sewage disposal system".

Amendment No. 21

On page 12, line 11, of said bill, strike out "covered cesspool or septic tank", and insert "approved private sewage disposal system".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1931—An act to add Section 5003.1 to the Public Resources Code, relating to the establishment and maintenance of roadside parks by the State Park Commission, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "_____ dollars ($_____)", and insert "fifty thousand dollars ($50,000)".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1216—An act to add Part 2, comprising Chapter 1, Sections 4000 to 4192, inclusive, to Division 5 of the Welfare and Institutions Code, to amend Sections 7.5, 103.5, 104.6, 114.5, 118.2, 119.5, 124, 145, 145.1, and 145.4 thereof, and to amend Section 29802 of the Government Code, relating to a program of aid to the needy permanently and totally disabled in accordance with Title XIV of the Federal Social Security Act, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 14 of the printed bill, as amended in the Assembly on March 16, 1951, after line 7, insert

"SEC. 15. This act shall remain in effect until the ninety-first day after final adjournment of the 1953 Regular Session of the Legislature."

Amendment No. 2

On page 14, line 6, of said bill, strike out the blank, and insert "six million twenty-two thousand".

Amendment No. 3

On page 14, line 7, of said bill, strike out the blank, and insert "($6,022,000)".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 647—An act to add Article 14 to Division 8 of Chapter 7 of the Business and Professions Code, consisting of Sections 20990 to 20992, inclusive, relating to re-refined oil.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Manufacturing, Oil, and Mining Industry:

Amendment No. 1

On page 1, line 15, of the printed bill, as amended in the Assembly on April 13, 1951, strike out ", in addition to any treatments to which said oil may be sub-"; and strike out lines 16 and 17, and insert "been produced in a petroleum re-refining plant, fully equipped to treat, and treating its total lubricating oil production with all of the following processes, in addition to any treatments to which said oil may be subjected in the reclamation thereof:".

Amendment No. 2

On page 2, line 2, of said bill, strike out "five", and insert "250 pounds".

Amendment No. 3

On page 2, line 3, of said bill, strike out "sacks".

Amendment No. 4

On page 2, line 19, of said bill, strike out "word "re-refined" in letters of Gothic"; and strike out lines 20 to 24, inclusive, and insert "words "this oil has been re-refined from previously used stocks," in letters of Gothic type, not less than one-eighth inch in height, and with a clearly legible stroke, at least as wide as that of any other one-eighth inch letter on said container."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Manufacturing, Oil, and Mining Industry.

Assembly Bill No. 1152—An act to create a flood control district to be called Contra Costa County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, harbors, public highways, life and property from damage or destruction from such waters; to prevent the waste of water or the diminution of the water supply in, or the exportation of water from said district, and to import water into said district and to obtain, retain and reclaim drainage, storm, flood and other waters and to save and conserve all or any of such waters for beneficial use in said district; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district; to define the powers of said district and its officers, including the power to engage in recreational activities incidental to and in connection with said purposes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In lines 19 to 21, inclusive, of the title of the printed bill, strike out ", including the power to engage in recreational activities incidental to and in connection with said purposes".

Amendment No. 2

On page 2, line 11, of said bill, after the period, insert "Such zones shall, as far as practicable, include complete watersheds."

Amendment No. 3

On page 2 of said bill, strike out lines 17 to 28, inclusive, and insert "tion 11 of this act."

Amendment No. 4

On page 2, lines 43 and 44, of said bill, strike out ", and to engage in recreation activities incidental to and in connection with such purposes".

Amendment No. 5

On page 4, line 24, of said bill, after "Costa", insert "or adjacent counties".

Amendment No. 6

On page 7 of said bill, strike out lines 1 to 24, inclusive.

Amendment No. 7

On page 7, lines 45 to 47, inclusive, of said bill, strike out ", to assist and advise said board in the institution of projects or works of improvement, and", and insert ". The board may delegate any or all of its powers to the commission."

Amendment No. 8

On page 7, line 51, of said bill, strike out "advisory".

Amendment No. 9

On page 15, lines 25 to 28, inclusive, of said bill, strike out "Any bonds issued under the provisions of this act shall be a lien upon all property of the zone of issuance, and the lien for the bonds of any issue shall be a preferred lien to that of any subsequent issue."

Amendment No. 10

On page 16 of said bill, between lines 13 and 14, insert

"SEC. 18.5. The total amount of taxes and assessments levied on property within any zone shall not exceed twenty cents ($0.20) on each one hundred dollars ($100) of the assessed values of property within the zone."

Amendment No. 11

On page 16, line 15, of said bill, strike out "Alameda", and insert "Contra Costa".

Amendment No. 12

On page 17 of said bill, between lines 24 and 25, insert

"SEC. 19.1. A zone formed or proposed to be formed under this act, or the acquisition of any property or the construction of any improvement thereby, shall not be subject to any of the provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931."

Amendment No. 13

On page 19 of said bill, between lines 23 and 24, insert

"SEC. 25.5. The board may, with the consent of any holder or holders of outstanding bonds of the district, exchange refunding bonds bearing a lower rate of interest for such outstanding bonds.

Whenever any holder of outstanding bond or bonds shall have consented to such exchange, the board may, by resolution entered in its minutes, order the refunding of such bonds. The resolution shall designate the numbers, denominations, dates of maturity and aggregate principal amounts of the bonds so to be refunded and shall provide for the issuance of refunding bonds in exchange therefor, the form, numbers, denominations, dates of maturity and aggregate principal amounts of which shall be the same as the bonds so to be refunded. The resolution shall also fix the rate of interest said refunding bonds shall bear, which rate shall be less than the rate provided in the bonds to be refunded. The resolution shall also fix the form of the interest coupons attached to said refunding bonds, which shall be the same as the bonds so to be refunded, excepting that the rate and amounts of interest shall be less as hereinabove provided.

The refunding bonds shall be signed by the chairman of the board or such other member of the board as said board may by resolution designate, and shall be countersigned by the treasurer of the district, and the seal of said district shall be affixed thereto. The interest coupons shall be numbered consecutively and signed by the treasurer of said district by his engraved or lithographed signature. In case any officer whose signature or countersignature appears on said bonds or coupons shall cease to be such officer before the delivery of such bonds to the purchaser, such signature or countersignature shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until the delivery of the bonds.

Each refunding bond may be exchanged for its corresponding outstanding bond as the board by agreement with the holder of such outstanding bond may determine, except that in effecting such exchange, any and all matured coupons on said refunding bonds shall be detached and canceled and the principal and accrued interest of both

issues shall be accepted at par value and the district shall pay said holder in cash out of moneys in the bond interest fund of the district an amount equal to the difference between the interest on the outstanding bond and on the refunding bond accrued to the date of such exchange.

When any refunding bonds shall have been exchanged, taxes shall be levied and collected to pay the principal and interest thereof as provided by Section 17, all the provisions of which section shall apply to said refunding bonds to the same extent as to original issues.

The refunding bonds shall also be legal investments for fiduciaries and others as provided in Section 20."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 1864—An act to amend Section 37100 of the Government Code, relating to the powers of cities.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 37100", and insert "Sections 37202 and 37203".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. Section 37202 of the Government Code is amended to read:

37202. The legislative body shall *approve or reject* [audit] demands *only after such demands have been audited in the manner prescribed by ordinance or resolution. Such audited demands may be submitted separately or a register of audited demands may be submitted to the legislative body for approval or rejection and shall have attached thereto the affidavit of the officer submitting the demands certifying as to the accuracy of the demands and the availability of funds for payment thereof.*

SEC. 2. Section 37203 of said code is amended to read:

37203. Upon allowing a demand *or approving a register of audited demands*, the mayor shall draw a warrant upon the city treasurer specifying the purpose for which it is drawn and the fund from which it is to be paid. The city clerk shall countersign the warrant. *The legislative body, by ordinance or resolution, may prescribe an alternative method of drawing warrants and checks; provided, however, that such method shall require the manual signature of at least one municipal officer who has executed an official bond to the city covering the faithful performance by such officer of the duties of his office.*"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 2529—An act to amend Section 11 and to add Section 11.1 to the County Water Authority Act, Chapter 545, Statutes of 1943 as amended, relating to county water authorities.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 1

On page 1 of the printed bill, strike out lines 1 to 26, inclusive; strike out pages 2 and 3; and on page 4, strike out lines 1 to 18, inclusive, and insert

"SECTION 1. Section 11 of the County Water Authority Act is amended to read:

Sec. 11. (a) Exclusion of territory from any county water authority may be effected by either of the following methods:

(1) Territory excluded from that portion of the corporate area of any public agency which lies within the exterior boundaries of a county water authority, said public agency being a unit of said authority, and which exclusion occurs in accordance with the provisions of law applicable to such exclusions, shall thereby be excluded from and shall no longer be a part of such authority; provided, that the taxable property within such excluded territory shall continue taxable by such county water authority for the purpose of paying the bonded or other indebtedness outstanding or contracted for at the time of such exclusion and until such bonded or other indebtedness shall have been satisfied; provided, further, that if the taxable property within such excluded territory or any part thereof shall be, at the time of such exclusion, subject to special taxes levied, or to be levied, by such county water authority pursuant to terms and conditions theretofore fixed under the provisions of paragraph (c) or paragraph (d) of Section 10 of this act for the annexation of such excluded territory or part thereof to such county water authority, the taxable property within such excluded territory or part thereof so subject to such special taxes shall continue taxable by such county water authority for the purpose of raising the aggregate sum or sums to be raised by the levy of special taxes upon taxable property within the respective annexing area or areas pursuant to terms and conditions for such annexation or annexations as so fixed and until such aggregate sum or sums shall have been so raised by such special tax levied.

(2) Any public agency whose corporate area *as a unit shall have* [has] become or is a part of any *county water* authority may *obtain the exclusion of such area* [withdraw] therefrom in the following manner:

The governing body of any such public agency may submit to the electors thereof at any general or special election the proposition of [withdrawing] *excluding* from *such county* [any] *water* authority [incorporated thereunder] *the corporate area of such public agency*. Notice of such election shall be given in the manner provided in *paragraph (c)* [subdivision (b)] of Section 10 hereof. Such election shall be conducted and the returns thereof canvassed in the manner provided by law for *the* conduct of elections in said public agency. In the event that the majority of [the] electors voting thereon vote in favor of such withdrawal, the result thereof shall be certified by the governing body of such public agency to the board of directors of the *county water* authority. A certificate of the proceedings hereunder shall be made by the secretary of the *county water* authority and filed with the Secretary of State [,] *;* and upon the filing of such certificate the *corporate* area of *such* [the] public agency [so withdrawing] shall be excluded from the said *county water* authority [,] and shall no longer be a part thereof; provided, [however,] that the *taxable* property within [the said public agency as it shall exist at the time of such exclusion] *such excluded area* shall continue taxable *by said county water authority* for the purpose of paying [said] *the* bonded and other indebtedness *of said county water authority* outstanding or contracted for [,] at the time of such exclusion and until such bonded or other indebtedness shall have been satisfied [.] *; provided, fur- ther, that if the taxable property within such excluded area or any part thereof shall be, at the time of such exclusion, subject to special taxes levied or to be levied by said county water authority pursuant to terms and conditions theretofore fixed under the provisions of paragraph (c) or paragraph (d) of Section 10 of this act for the annexation of such excluded area or part thereof to said county water authority, the taxable property within such excluded area or part thereof so subject to such special taxes shall continue taxable by said county water authority for the purpose of raising the aggregate sum or sums to be raised by the levy of special taxes upon taxable property within the respective annexing area or areas pursuant to terms and conditions for such annexation or annexations as so fixed and until such aggregate sum or sums shall have been so raised by such special tax levies. Upon the filing in his office of the aforesaid certificate of*

proceedings the Secretary of State shall, within 10 days, issue his certificate, reciting the filing of said papers in his office and the exclusion of the corporate area of such public agency from such county water authority. The Secretary of State shall transmit the original of his said certificate to the secretary of such county water authority and shall forward a certified copy thereof to the county clerk of the county in which such county water authority is situated.

(b) Whenever territory is excluded from any public agency in accordance with the provisions of subparagraph (1) of paragraph (a) of this section, the governing body, or clerk, of such public agency shall file with the board of directors of such county water authority a statement of the change of boundaries of such public agency, setting forth the legal description of the boundaries of such public agency, as so changed, and of the part thereof within such county water authority, which statement shall be accompanied by a map or plat indicating such boundaries.

(c) Whenever any territory shall have been excluded from any public agency prior to the effective date of this section, under conditions which would have resulted in the exclusion of said territory from a county water authority had the provisions of subparagraph (1) of paragraph (a) of said section then been in effect, upon compliance with the following provisions of this paragraph (c), such territory shall be excluded from and shall no longer be a part of, said authority, the last-mentioned provisions being as follows:

(1) The governing body of such public agency, at any time after the effective date of this subparagraph (1) may adopt an ordinance which, after reciting that such territory has been excluded from such public agency by proceedings theretofore taken under statutory authority, and after referring to the applicable statutes and to the date or dates upon which such exclusion became effective, shall describe said territory and shall determine and declare that said territory shall be, and thereby is, excluded from such county water authority.

(2) The governing body, or clerk thereof, of such public agency shall file a certified copy of such ordinance with the Secretary of State of the State of California. Upon the filing of said certified copy of such ordinance in the office of the Secretary of State, such territory shall be excluded from and shall no longer be a part of, said county water authority; provided, that the taxable property within such excluded territory shall continue taxable by such county water authority for the purpose of paying the bonded or other indebtedness outstanding or contracted for at the time of such exclusion, and until such bonded or other indebtedness shall have been satisfied; provided, further, that if the taxable property within such excluded territory or any part thereof shall be, at the time of such exclusion, subject to special taxes levied or to be levied by such county water authority pursuant to terms and conditions theretofore fixed under the provisions of paragraph (c) or paragraph (d) of Section 10 of this act for the annexation of such excluded territory or part thereof to such county water authority, the taxable property within such excluded territory or part thereof so subject to such special taxes shall continue taxable by such county water authority for the purpose of raising the aggregate sum or sums to be raised by the levy of special taxes upon taxable property within the respective annexing area or areas pursuant to terms and conditions for such annexation or annexations as so fixed, and until such aggregate sum or sums shall have been so raised by such special tax levies.

(3) Upon the filing in his office of the aforesaid certified copy of such ordinance, the Secretary of State shall, within ten days, issue his certificate, describing such territory, reciting the filing of said certified copy of such ordinance in his office and the exclusion of said territory from such county water authority, and declaring that the said territory is no longer a part of said county water authority. The Secretary of State shall transmit the original of his said certificate to the secretary of such county water authority and shall forward a certified copy of his said certificate to the county clerk of the county in which such county water authority is situated.

SEC. 2. Section 11.1 is added to said act, to read:".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 2922—An act to amend Section 418 of the Education Code, relating to compensation of the county superintendent of schools in a county of the eighteenth class.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "_____ dollars ($_____)", and insert "seven thousand five hundred dollars ($7,500)".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 3017—An act to add Article 5, to Chapter 5, Part 2, Division 3, Title 2, and to repeal Sections 16396 and 18002, of the Government Code, relating to state employment, in respect to pay roll procedure.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on April 6, 1951, between lines 19 and 20, insert

"No rule, regulation, order, procedure, or form, adopted by the Controller pursuant to this article other than those relating to the internal management of his office, shall be effective until approved by the Director of Finance, or until the sixteenth day from the date on which it is submitted to the director for approval. The director may within such 15 day period submit any such matter to the State Board of Control in which event the proposed action shall not be effective until the Board of Control shall have considered the matter and issued its findings either approving, modifying or rejecting the matter."

Amendment No. 2

On page 2, line 26, of said bill, strike out "shall", and insert "may".

Amendment No. 3

On page 2 of said bill, strike out lines 41 to 49, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

SECOND READING OF SENATE BILLS

Senate Bill No. 219—An act to add Section 6498 to the Health and Safety Code, relating to recall of members of the governing boards of sanitary districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 329—An act to add Article 2.5 to Chapter 5, Part 1, Division 6 of the Health and Safety Code, relative to sanitary district.

Bill read second time, and ordered to third reading.

Senate Bill No. 513—An act to add Sections 5473 to 5473.11, inclusive, to the Health and Safety Code, relating to the authority of cities, cities and counties, sanitary districts, county sanitation districts, or sewer maintenance district to fix fees, tolls, rates, rentals, or other charges for sanitation and sewerage services and to make the amount of

said fees, tolls, rates, rentals, and charges a lien upon lots or parcels of land to which services are furnished, and the use of the money received therefrom.

Bill read second time, and ordered to third reading.

Senate Bill No. 1813—An act to amend Sections 28020, 28023 to 28078, inclusive, 28105, 28107 to 28113, inclusive, 28115 to 28119, inclusive, 28121, 28123-28141, inclusive, 28144, 28145, 28147 to 28149, inclusive, and 28151 to 28154, inclusive, of the Government Code, and to amend Sections 405, 407 to 413, inclusive, 415 to 419, inclusive, 421, 423 to 426, inclusive, 428 to 437, inclusive, 439 to 441, inclusive, 444, 445, 447 to 449, inclusive, and 451 to 454, inclusive, of the Education Code, relating to the classification of the counties of California and providing for compensation for public service in such counties as so classified, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 401—An act to add Section 14314 to the Education Code, relating to the membership of the State Teachers' Retirement System in the National Council on Teacher Retirement.

Bill read second time, and ordered to third reading.

Senate Bill No. 436—An act to amend Sections 2 and 5 and to repeal and add Sections 6 and 7 of an act entitled "An act to provide for forest practices which will promote the maximum sustained productivity of the forest lands of California," approved April 23, 1945 (Ch. 85, Stats. 1945), relating to forest practices.

Bill read second time, and ordered to third reading.

Senate Bill No. 1121—An act to add Section 9048 to the Water Code and to repeal Section 3466c of the Political Code, relating to the Sutter-Butte By-pass Assessment No. 6.

Bill read second time, and ordered to third reading.

Senate Bill No. 1123—An act to add Division 13 to the Water Code, to consolidate and revise the law relating to California water districts, and to repeal certain acts specified herein.

Bill read second time, and ordered to third reading

Senate Bill No. 1124—An act to add Division 14 to the Water Code, thereby revising and consolidating the law relating to water storage districts, including provisions for the supervision, regulation, and conduct of such districts, and to repeal the California Water Storage District Act.

Bill read second time, and ordered to third reading.

Senate Bill No. 380—An act to amend Sections 10501, 10503, and 10504 of the Water Code, relating to priority of applications to appropriate water by the Department of Finance.

Bill read second time, and ordered to third reading.

Senate Bill No. 674—An act to add Chapter 5 to Part 5 of Division 14 of the Water Code and to add Section 19.1 to the California Water Storage District Act, relating to water storage districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 408—An act to amend Section 6861 of the Harbors and Navigation Code, relating to grants of franchises and leases by river port districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Senate on March 29, 1951, strike out "Any", and insert
"6861. Any".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1484—An act to add Section 6497 to the Health and Safety Code, relating to the reimbursement of county officers for expenses incurred by them in acting as officers of sanitary districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on April 5, 1951, strike out "6497", and insert "6499".

Amendment No. 2

On page 1, line 1, of said bill, strike out "6497", and insert "6499".

Amendment No. 3

On page 1, line 3, of said bill, strike out "6497", and insert
"6499".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1567—An act amending Sections 30200 and 30748 of the Water Code, relating to formation of county water districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, as amended in the Senate on April 12, 1951, strike out "formation of".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 745—An act to amend Sections 13660, 13661, 13662, 13663, 13664, and 13667 of, and to add Sections 13660.5, 13665.5, 13667.5, and 13669 to, the Government Code, relating to state publications.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Senate on April 9, 1951, strike out "and", and insert a comma.

Amendment No. 2

In line 3 of the title of said bill, after "13669", insert "and 13670".

Amendment No. 3

On page 3 of said bill, after line 40, insert

"SEC. 11. Section 13670 is added to said code, to read:

13670 Nothing herein contained shall be construed to prevent the Legislature, or either house thereof, from publishing, printing and distributing legislative publications in accordance with the provisions of the Standing Rules of the Senate or Assembly, or the Joint Rules, or resolutions adopted by the Legislature, or either house thereof."

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Governmental Efficiency and Economy.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 570—An act to repeal Article 3 of Chapter 10, Part 10 of Division 2, consisting of Sections 18451, 18452, 18453, and 18454 of, and to add Article 3 of Chapter 10, Part 10 of Division 2, consisting of Section 18451 to, and to amend Section 18581 of, and to add Section 18586.2 to, the Revenue and Taxation Code, relating to personal income taxes.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 570?

Amendment No. 1

On page 2, line 16, of the printed bill, after "collected", strike out "at any time.", and insert "within four years after said change, correction or amended return is reported to or filed with the Federal Government."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 570 by the following vote:

AYES—Beck, Belotti, Berry, Burke, Caldecott, Clarke, Cloyed, Conrad, Crowley, Dickey, Dolwig, Doyle, Elliott, Erwin, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McFall, Morris, Moss, Parker, Porter, Rosenthal, Shaw, Smith, Stewart, Thomas, Tomlinson, and Mr. Speaker—45.

NOES—None.

Assembly Bill No. 570 ordered enrolled.

Assembly Bill No. 565—An act to amend the title of Article 2 of Chapter 10 of, and to repeal Section 25431 of, and to add Sections 25432

and 25673 to, the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 565?

Amendment No. 1

On page 2, line 8, of the printed bill, after "collected", strike out "at any time", and insert "within four years after said change, correction or amended return is reported to or filed with the Federal Government"

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 565 by the following vote:

AYES—Beck, Belotti, Berry, Burke, Caldecott, Clarke, Cloyed, Conrad, Crowley, Dickey, Dolwig, Doyle, Elliott, Erwin, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McFall, Morris, Moss, Parker, Porter, Rosenthal, Shaw, Smith, Stewart, Thomas, Tomlinson, and Mr. Speaker—45.

NOES—None.

Assembly Bill No. 565 ordered enrolled.

Assembly Bill No. 1068—An act to add Sections 9193 to 9196, inclusive, to the Education Code, relating to incidental fees in classes for adults.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1068?

Amendment No. 1

On page 1, line 10, of the printed bill, as amended in the Assembly on April 10, 1951, strike out "classes for adults", and insert "such classes for adults as the governing board may determine. The fee collected from each pupil shall".

Amendment No. 2

On page 1, line 13, of said bill, insert a comma after "materials, services".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1068 by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Caldecott, Cloyed, Conrad, Crowley, Dickey, Dolwig, Doyle, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Shaw, Smith, Stewart, Thomas, Tomlinson, and Mr. Speaker—49.

NOES—None.

Assembly Bill No. 1068 ordered enrolled.

Assembly Bill No. 2522—An act to amend Section 14852 of the Financial Code and Section 4 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to the corporate powers of credit unions.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2522?

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on March 21, 1951, strike out line 26, and insert

"3. Impose fines:".

Amendment No. 2

On page 2 of the printed bill, as amended in the Senate on April 5, 1951, strike out line 16.

Amendment No. 3

On page 2, line 17, of said bill, as amended, strike out "In", and insert "3. Impose fines in".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2522 by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Conrad, Crowley, Dickey, Dolwig, Doyle, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Shaw, Sillman, Smith, Stewart, Thomas, Tomlinson, and Mr. Speaker—51.

NOES—None.

Assembly Bill No. 2522 ordered enrolled.

Assembly Bill No. 2820—An act to amend Section 22 of the Industrial Loan Act and/or Section 18650 of the Financial Code, relating to industrial loan companies and penalties for overcharge.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2820?

Amendment No. 1

On page 1 of the printed bill, strike out lines 23 to 27, inclusive, and insert "SEC. 3. Section 2 of this act becomes operative only if Division 7 of the Financial Code is enacted by the Legislature at its 1951 Regular Session and in such case at the same time as said Division 7 takes effect, at which time Section 1 of this act is repealed."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2820 by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Conrad, Crowley, Dickey, Dolwig, Doyle, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Shaw, Sillman, Smith, Stewart, Thomas, Tomlinson, and Mr. Speaker—51.

NOES—None.

Assembly Bill No. 2820 ordered enrolled.

Assembly Bill No. 2823—An act to amend Section 4 of the Industrial Loan Act and/or subdivisions (a), (b), (c), and (d) of Section 18401, Sections 18405, 18663, 18664 and 18665 of the Financial Code, relating to penalties and powers applicable to industrial loan companies.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2823?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 21, 1951, strike out "Section", and insert "Sections 1, 2, and".

Amendment No. 2

In the title of said bill, as amended, strike out line 2, and insert "Loan Act and".

Amendment No. 3

In line 3 of the title of said bill, as amended, strike out "Section 18401, Sections", and insert "Sections 18003, 18401,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, as amended, strike out line 1, and insert

"SECTION 1. Section 1 of the Industrial Loan Act is amended to read:

Section 1. The term "industrial loan company" as used in this act means any corporation which in the regular course of its business loans money and issues its own *choses in action* [installment investment certificates with loans] under the provisions of this act.

SEC. 2. Section 2 of the Industrial Loan Act is amended to read:

Sec. 2. Corporations may be incorporated under and by virtue of this act in the same manner as corporations under and by virtue of [Chapter 2 of Title 1 of Part 4, Division 1 of the Civil Code], *Division 1 of Title 1 of the Corporations Code*, except as otherwise herein provided, but there shall be set forth in the articles of incorporation a statement that such corporation is incorporated under and by virtue of this act.

SEC. 3. Section 4 of the Industrial".

Amendment No. 5

On page 1, line 6, of said bill, as amended, strike out "1.", and insert "First—".

Amendment No. 6

On page 2, line 8, of said bill, as amended, strike out 'the", and insert "The".

Amendment No. 7

On page 4 of said bill, as amended, strike out line 1, and insert

"SEC. 4. Section 18003 of the Financial Code is amended to read:

18003. "Industrial loan company" or "company" means any corporation which in the regular course of business loans money and issues its own [installment investment certificates with loans] *choses in action* under the provisions of this division.

SEC. 5. Section".

Amendment No. 8

On page 4, line 2, of said bill, as amended, strike out "are", and insert "is".

Amendment No. 9

On page 4, line 8, of said bill, as amended, strike out "SEC. 3," and insert "SEC. 6".

Amendment No. 10

On page 4, line 15, of said bill, as amended, strike out "SEC. 4", and insert "SEC. 7".

Amendment No. 11

On page 4, line 19, of said bill, as amended, strike out "SEC. 5", and insert "SEC. 8".

Amendment No. 12

On page 4, line 27, of said bill, as amended, strike out "SEC. 6", and insert "SEC. 9".

Amendment No. 13

On page 4 of said bill, as amended, strike out line 39, and insert

"SEC. 10. Sections 4 to 9, inclusive, of this act become".

Amendment No. 14

On page 4 of said bill, as amended, strike out line 43, and insert

"Sections 1, 2 and 4 of the Industrial Loan Act, as amended by this act, are repealed."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2823 by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Conrad, Crowley, Dickey, Dolwig, Doyle, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Shaw, Sillman, Smith, Stewart, Thomas, Tomlinson, and Mr. Speaker—51.

NOES—None.

Assembly Bill No. 2823 ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 879

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 2042

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 1098
Assembly Bill No. 1841
Assembly Bill No. 2379

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No 1789

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred.

Assembly Bill No. 880
Assembly Bill No. 972

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bills ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 601
Assembly Bill No. 1254

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 773	Assembly Bill No. 1160
Assembly Bill No. 1017	Assembly Bill No. 1952

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 482—An act to amend Section 432 of the Probate Code, relating to the administration of estates of decedents.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Shaw, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—53.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 775—An act to amend Section 139.44 of the Vehicle Code, relating to the service of warrants by members of the California Highway Patrol.

Bill read third time, and ordered passed on file.

Assembly Bill No. 1052—An act to amend Section 11616 of the Business and Professions Code, relating to the dedication of streets, and the abandonment of an offer of dedication of said streets.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, George D. Collins, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1542—An act to amend Section 1325 of the Penal Code, relating to immunity of witnesses from criminal prosecution.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, Meyers, Moss, Munnell, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 354
Assembly Bill No. 1690

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 943—An act to amend Sections 26075 and 26076 of the Water Code, relating to assessments by irrigation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloved, Coats, Collier, George D Collins, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Thomas, Waters, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1520—An act to add Sections 2842.5 and 2842.6 to the Elections Code, relating to county central committees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Erwin, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 417—An act to amend Sections 8530, 8550, 8602, 8625, 8642, and 8645 of the Elections Code, relating to election contests.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 945

Mr. Erwin asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 945, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 945

Assembly Bill No. 945—An act to amend Section 954 of the Fish and Game Code, relating to nets.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Thomas, Tomlinson, Waters, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 30—An act to amend Section 19432 of the Education Code, relating to use of school property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 10.08 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 767—An act to amend Sections 26725, 26726, 26730, 26732, 26735, 26736, 26737, 26738, 26741 of the Government Code, relating to fees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, Tomlinson, and Waters—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 773—An act to amend Section 538 of the Code of Civil Procedure, relating to affidavit for attachment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, Tomlinson, and Waters—61

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1160—An act to add Section 789 to the Probate Code, relating to the sale of real property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, Waters, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1952—An act to add Section 171c to the Civil Code, relating to the management and control of community property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, Waters, and Mr Speaker—63

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1017—An act to repeal Articles 4 and 6 of Chapter 3, Part 2, Division 3, Title 2 of the Government Code, and to add a new Article 6 to said chapter, relating to the State Archives and the State Record Depository.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, Waters, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1254

Mr. Connolly asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1254, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1254

Assembly Bill No. 1254—An act to amend Sections 6060 and 6062, and to repeal Sections 6060.5, 6060.6, 6060.7, and 6061 of the Business and Professions Code, relating to requirements for admission to practice law.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Collier, George D Collins, Connolly, Conrad, Crowley, Dickey, Dills, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—53.

NOES—Cloyed, Coats, Elliott, Gubser, Hahn, Hawkins, Henderson, Landsay, Morris, and Silliman—10.

Bill ordered transmitted to the Senate.

MEMBERS EXCUSED

At 10.25 a.m., Mr. McCollister asked for, and was granted, unanimous consent that Mr. Dolwig be excused, for the balance of the legislative day, because of legislative business elsewhere.

At 10.26 a.m., Mr. Munnell asked for, and was granted, unanimous consent that Mr. Kilpatrick be excused, for the balance of the legislative day, because of legislative business elsewhere, and stated that he desires to waive his per diem.

At 10.27 a.m., Mr. Geddes asked for, and was granted, unanimous consent that he be excused, for the balance of the legislative day, because of legislative business elsewhere.

Speaker Presiding

At 10.29 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 354—An act to add Section 2181.05 to the Welfare and Institutions Code, relating to old age security, in respect to statements required concerning the granting of aid.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel,

Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Thomas, and Waters—64.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 601

Mr. Lowrey asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 601, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 601

Assembly Bill No. 601—An act to amend Sections 160.1 and 160.6 of, and to add Sections 160.15, 160.16, and 160.65 to, the Agricultural Code, relating to agricultural pest control business.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Shaw, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—62

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 970

Mr. Condon asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 970, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 970

Assembly Bill No. 970—An act to add Section 3212.7 to the Labor Code, relating to workmen's compensation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—65

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1690—An act to add Chapter 3.4 consisting of Sections 6605 to 6605.6 to Part 4 of Division 6 of the Welfare and Institutions Code, relating to temporary admission to state hospitals of persons

who are believed to be mentally ill and providing for their release within ninety (90) days after admission.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Davis, Dickey, Dills, Doyle, Dunn, Erwin, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, Waters, and Mr. Speaker—59.

NOES—Elliott and Niehouse—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 982—An act to add Sections 34303.5 and 35002 to, and to amend Sections 35101 and 35301 of the Government Code, relating to cities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Silliman, Stewart, Thomas, and Tomlinson—59.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 16
Assembly Bill No. 1519
Assembly Bill No. 1583
Assembly Bill No. 1584

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LOWREY, Vice Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1951

MR SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 2712

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

LOWREY, Vice Chairman

Above reported bill ordered to second reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 3412

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 576
Assembly Bill No. 1286

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 387

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Senate Bill No. 551
Senate Bill No. 1610

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 986
Assembly Bill No. 1970

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

LUCKEL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Assembly Bill No. 1015

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended.

LUCKEL, Chairman

Above reported bill ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Senate Bill No. 280
Senate Bill No. 417
Senate Bill No. 1039

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LUCKEL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Senate Bill No. 108
Senate Bill No. 279
Senate Bill No. 1744

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

LUCKEL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Senate Bill No. 1074
Senate Bill No. 1075

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LUCKEL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Assembly Bill No. 1829

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

LUCKEL, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Senate Bill No. 282

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

LUCKEL, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Assembly Bill No. 178

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

LUCKEL, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 313—An act to amend Sections 1, 3 and 14½ of the County Waterworks District Act, and to add Sections 6.1 and 2.1 thereto, relating to county waterworks districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn,

Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Silliman, Thomas, Tomlinson, and Mr. Speaker—59.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2254—An act to amend Sections 20945 and 20795 of the Education Code, relating to California School for the Blind and the California School for the Deaf.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, Tomlinson, and Mr. Speaker—61.
NOES—None.

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS

Senate Bill No. 977—An act to add Section 13920.1 to, and to amend Section 1094 of, the Government Code, relating to the powers of the State Board of Control and the use of certificates under penalty of perjury in lieu of affidavits.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Thomas, Tomlinson, and Mr. Speaker—59.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 9—An act to add Section 790.1 to the Fish and Game Code, relating to the possession and sale of crabs and crab meat.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Thomas, and Mr. Speaker—65.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly,

Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sillman, Smith, Thomas, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONSTITUTIONAL AMENDMENT NO. 3

Mr. Grunsky asked for, and was granted, unanimous consent that he be permitted to take up Senate Constitutional Amendment No. 3, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE CONSTITUTIONAL AMENDMENT NO. 3

Senate Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 1a to Article XVIII thereof, relating to proposed constitutional amendments requiring the expenditure of state funds.

Resolution read, and ordered passed on file.

RESOLUTIONS

The following resolution was offered:

By Messrs. Hawkins and Elliott:

House Resolution No. 125

Relative to the applications of the Los Angeles Transit Lines and the Pacific Electric Railway for increase in rates

WHEREAS, On April 20, 1951, the Los Angeles Transit Lines and the Pacific Electric Railway made applications to the State Public Utilities Commission to increase all single zone streetcar and bus fares in the City of Los Angeles to 15 cents; and

WHEREAS, Just five years ago the fare on Los Angeles Transit Lines' yellow cars and busses was 7 cents and the fare on Pacific Electric Railway local cars was 5 cents and increases have been granted since then; and

WHEREAS, The inauguration on December 10, 1950, of the zoning system, with short rides at 10 cents and longer ones at 15 and 20 cents, was intended to establish the policy of "the longer the ride, the higher the fare" and was purported to be the end of fare increases; and

WHEREAS, Another rate increase at this time cannot be justified in view of the recently adopted policy and the very recent rate increase which was granted less than five months ago; now, therefore, be it

Resolved by the Assembly of the State of California, That the State Public Utilities Commission is urged to refuse to grant the rate increase requested by the Los Angeles Transit Lines and the Pacific Electric Railway; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the Public Utilities Commission of California.

Resolution read, and ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 91

Mr. Grunsky asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 91, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 91

Senate Bill No. 91—An act to add Section 742.5 to the Vehicle Code, relating to the issuance of warrants.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Smith, Thomas, Tomlinson, and Waters—66.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Kirkwood to reconsider the vote whereby Assembly Bill No. 2624 was passed, was continued until the next legislative day.

By unanimous consent, the notice of motion by Mr. Lowrey to reconsider the vote whereby Assembly Bill No. 2625 was passed, was continued until the next legislative day.

By unanimous consent, the notice of motion by Mr. Evans to reconsider the vote whereby Assembly Bill No. 2882 was passed was continued until the next legislative day.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 118—An act to add Sections 737.2, 737.4, and 737.6 to the Vehicle Code, relating to the release on bail of persons charged with misdemeanor violations of the code.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fluery, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Silliman, Smith, Stewart, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 822

Mr. Rumford asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 822, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 822

Senate Bill No. 822—An act to amend Section 20703 of the Health and Safety Code, relating to poisons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sillman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Senate Bill No. 1222

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 50—Relative to the death of Honorable George R. Butters, Assemblyman from the Seventy-seventh District, Imperial County, and to adjournment of the Legislature in respect to the memory of Assemblyman George R. Butters;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twenty-seventh day of April, 1951, at 11 a.m.

BURKE, Chairman

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 881—An act to amend Sections 7066, 7067, and 7059 of the Welfare and Institutions Code, relating to defective and psychopathic delinquents and providing for their parole or return to court from state institutions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sillman, Smith, Stewart, Thomas, Waters, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 971

Mr. Connolly asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 971, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 971

Senate Bill No. 971—An act to amend Section 1001 of the Business and Professions Code, relating to the chiropractic directory.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 956

Mr. Kirkwood asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 956, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 956

Senate Bill No. 956—An act to amend Section 1520 of the Welfare and Institutions Code, relating to aid to needy children in respect to real property qualifications for aid.

Bill read third time, and ordered passed on file.

RECONSIDERATION OF ASSEMBLY BILL NO. 3202

In compliance with a notice given on a previous day, Mr. Hagen moved that the vote whereby Assembly Bill No. 3202 was refused passage be reconsidered.

The roll was called, and Assembly Bill No. 3202 reconsidered by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, Tomlinson, and Waters—62.

NOES—None.

Assembly Bill No. 3202 ordered to third reading.

Request for Unanimous Consent That Assembly Bill No. 3202 Be Re-referred to Committee

Mr. Hagen asked for, and was granted, unanimous consent that Assembly Bill No. 3202 be withdrawn from the third reading file, and be re-referred to the Committee on Judiciary.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1239

Mr. Clarke asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1239, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1239

Senate Bill No. 1239—An act to amend Section 736.3 of the Agricultural Code, relating to fluid milk and fluid cream.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr. Henderson asked for, and was granted, unanimous consent that his name be placed upon the roll call, on Senate Bill No. 1239, and that he be recorded as voting "Aye."

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1259

Mr. Clarke asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1259, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1259

Senate Bill No. 1259—An act to amend Section 464.5 of the Agricultural Code, relating to milk and milk products.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 50

Mr. George D. Collins asked for, and was granted, unanimous consent that he be permitted to take up Senate Concurrent Resolution No. 50, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 50

Senate Concurrent Resolution No. 50—Relative to honoring the memory of Benedict V. DeBellis, Grand Venerable of the Sons of Italy in America.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—63.

NOES—None

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 468

Mr. Hagen asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 468, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 468

Senate Bill No. 468—An act to amend Section 1159 of the Fish and Game Code, relating to the establishment of cooperative hunting areas.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, Waters, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 26, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No 56

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 56—Relative to approving certain amendments to the charter of the City of San Diego, a municipal corporation in the County of San Diego, State of California, voted for and ratified by the qualified electors of said city at the municipal general election held therein on the seventeenth day of April, 1951.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Industrial Relations

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1951

MR. SPEAKER: Your Committee on Industrial Relations, to which were referred:

Assembly Bill No. 2515
Assembly Bill No. 3177

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

LEVERING, Chairman

Above reported bills ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 56

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Request for Unanimous Consent

Mr. Cloyed asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 56, at this time, without reference to print or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 56

Senate Concurrent Resolution No. 56—Relative to approving certain amendments to the charter of the City of San Diego, a municipal corporation in the County of San Diego, State of California, voted for and ratified by the qualified electors of said city at the municipal general election held therein on the seventeenth day of April, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—62.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Dills:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 2½ of the Public Utilities Act and Section 239 of the Public Utilities Code, relating to public utilities.

Respectfully submitted.

CLAYTON A. DILLS

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Dills:

An act to amend Section 2½ of the Public Utilities Act and Section 239 of the Public Utilities Code, relating to public utilities.

GRUNSKY, Vice Chairman

The roll was called, and permission granted by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, Waters, and Mr. Speaker—60.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3420: By Mr. Dills—An act to amend Section 2½ of the Public Utilities Act and Section 239 of the Public Utilities Code, relating to public utilities.

Referred to Committee on Public Utilities and Corporations.

MEMBERS EXCUSED

At 11.25 a.m., Mr. Rosenthal asked for, and was granted, unanimous consent that he and Messrs. Stanley and Cooke be excused, for the balance of the legislative day, because of illness.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 2706

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

LOWREY, Vice Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 774	Assembly Bill No. 1074
Assembly Bill No. 1039	Assembly Bill No. 1358
Assembly Bill No. 1069	Assembly Bill No. 2763

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1377
Assembly Bill No. 2064

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ANNOUNCEMENT

Mr. Maloney again announced the arrangements made by William Kyne for Members of the Assembly who plan to be his guests at the fights at the Cow Palace tonight, and at luncheon and the races at the Bay Meadows Race Track tomorrow in San Francisco. Mr. Maloney instructed everyone to go to the gate and announce himself to the attendant.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 27, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended.

Assembly Bill No. 3388

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills Nos. 1377, 774, and 1358 re-referred to the Committee on Judiciary.

Assembly Bills Nos. 1074 and 1039 re-referred to the Committee on Fish and Game.

Assembly Bill No. 2763 re-referred to the Committee on Agriculture.

Assembly Bill No. 1069 re-referred to the Committee on Elections and Reapportionment.

Assembly Bill No. 2064 re-referred to the Committee on Ways and Means.

Senate Bill No. 1252 re-referred to the Committee on Agriculture.

Senate Bill No. 676 re-referred to the Committee on Ways and Means.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Maloney, the usual courtesies of the Assembly for this day were unanimously extended to Captain and Mrs. Jack Andreassen, of San Francisco.

On request of Mr. Porter, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. James R. Gentry of Los Angeles, and Mr. and Mrs. W. A. Smitherman of San Diego.

On request of the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to A. P. Dessoulavy of San Francisco.

On request of Mr. McCollister, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Letha F. Jenkins,

teacher; P. M. Bliss, Mrs. Frederick Woods, Mrs. Matthew Hazeltine, Mrs Robert Van Schaick, Mrs. Douglas Dorn, adults; and the following pupils of the Ross School of Marin County: Tom Brown, Don Cockburn, Dick Codding, Donald Davis, Carolyn Dorn, Tom Hazeltine, Mary Hosmer, Connie King, Lenore Young, Craig Mahony, Joan Matischek, David Russell, Carole Sloat, Mary Spalding, Susan Spalding, Sandra Van Schaick, and Jim Woods.

On request of Messrs Parker and McFall, the usual courtesies of the Assembly for this day were unanimously extended to E. C. Brommer, teacher, Mrs. Hazel Gullicksen, Mrs Eliz Hall, Mrs. Clara Sobkowsky, Mrs. Hulda Stirm, Mrs. Evelyn Heinitz, Clifford E. Hall, and Carl Will, adults, and the following pupils of St. Peter's Lutheran School of Lodi: Marlene Hoffman, Donna Spitzer, Velma Freed, Donna Andrews, Peggy Mehlhoff, Theodora Gullicksen, Eileen Moser, Reta Sobkowsky, Mary Sobkowsky, La Mae Goehring, Karen Gierhart, Eunice Hatch, Lorreen Nussing, Barbara Zielske, Virginia Seeman, Evelyn Harmon, Rita Howard, Jerry Sperling, Tony Sperling, Vernon Heinitz, Gary Tobick, Elbert Sampson, Glenn Sampson, Wayne Caldwell, Warren Wolberd, Donald McClung, Clifford Hall, David Hatch, James Barth, Ivan McDougal, and Ronald Eichler.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to Dr. Herman H. Chrisman, teacher, and the following pupils of the East Contra Costa Junior College: Norman P. Handy, Jr., Richard D. Mueller, Boncil deRoco, Robert L. Harmacek, Gladys Martineau, Gene Balocco, John Oderda, D. C. Edminster, II, Pat Herrick, Barry J. Larrieo, Yvonne Massone, Wallace Johnston, Willoughby Cuppy, James R. Choate, Donald W. Schmidt, Herman D. De Piero, Jr., Shirley A. Van Cleave, Betty Prestidge, Winifred M. Lytle, Everett Clift, Stan Miller, Mildred Jones, Barbara Lee, and Nancy Woolum.

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to Mrs Foster and Mr. Roberts, teachers, and the following pupils of the Bret Harte School: Joan Brown, Joyce Dattke, Faith De Muri, Joyce Downs, Sheila Goutierrez, Gail Jamison, Barbara Kissinger, Jeanette Mix, Delores Oaker, Barbara Papa, Nancy Recitti, Donna Schlitzer, Jeanette Stratton, Pat Ulrich, Betty Lange, Bill Callow, Elwyn Carlson, Ray Chambliss, Dick Dailey, Wesley Gordon, Tony Ferreira, John Furtado, Douglas Petri, Bob Reed, Bob Santee, Jack Stoces, Charles Stoddard, Ronald Tucker, Kenny Turpin, Jon Wilcox, Roger Yorton, R. C. Cox, Carl Rollins, David Moreno, John Chavarria, Peter De Angelo, and Bob Welborn.

ADJOURNMENT

At 11.30 a.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a m., Monday, April 30, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FORTY-EIGHTH LEGISLATIVE DAY

SIXTY-SIXTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, April 30, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—70.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Almighty God, We come before Thee at the beginning of this new day and express our thanks for every blessing that comes with it. Teach us love, understanding, self-control and all the virtues that are offered to enrich our lives and promote human happiness.

Move upon the council of men that Thy sovereign will may be made manifest upon the earth. Deepen our faith so that we may do our part in the healing of a wounded world. Bless those who struggle in Korea for the ideals of a free world and a better day. Be Thou our Light in darkness and our Eternal Hope

"Sun of our life, Thy quickening ray
Sheds on our path the glow of day;
Star of our hope, Thy softened light
Cheers the long watches of the night.
Lord of all life, below, above,
Whose light is truth, whose warmth is love,
Before Thy ever blazing throne
We ask no luster of our own"

Through Jesus Christ, Our Lord—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Porter, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Hansen, on motion of Mr. McCarthy.
Mr. Hagen, on motion of Mr. Chapel.
Mr. Cloyed, on motion of Mr. Evans.
Mr. Hinckley, on motion of Mr. Evans.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly then gave the pledge of allegiance to the Flag.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 29	Assembly Bill No. 1931
Assembly Bill No. 984	Assembly Bill No. 2529
Assembly Bill No. 1152	Assembly Bill No. 2922
Assembly Bill No. 1217	Assembly Bill No. 3198
Assembly Bill No. 1643	Assembly Bill No 3398
Assembly Bill No. 1864	Assembly Bill No. 3410

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 647	Assembly Bill No. 2472
Assembly Bill No. 1060	Assembly Bill No. 3017
Assembly Bill No. 1216	

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 3398 re-referred to the Committee on Fish and Game.

Assembly Bills Nos. 29 and 1217 re-referred to the Committee on Education.

Assembly Bills Nos. 1643, 3198, 3410, 1931, and 1216 re-referred to the Committee on Ways and Means.

Assembly Bills Nos. 1060, 2472, 984, and 3017 re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 647 re-referred to the Committee on Manufacturing, Oil, and Mining Industry.

Assembly Bills Nos. 1152, 1864, 2529, and 2922 re-referred to the Committee on Municipal and County Government.

Senate Bill No. 745 re-referred to the Committee on Governmental Efficiency and Economy.

COMMUNICATIONS

By the Chief Clerk:

A communication and a resolution from A. M. Morris, Assistant City Clerk of the City of Los Angeles, relative to voicing protest over the passage of Assembly Bill No. 2832, were received, and ordered referred to the Committee on Education.

RECESS

At 10.07 a.m., on motion of Mr. Dickey, the Assembly recessed until 10.10 a.m. to welcome Dr. Kyung Chik Han, Presbyterian Pastor from Seoul, Korea, and Bishop Hyungki J. Lew, Acting Methodist Bishop of Korea, and to hear remarks by them.

REASSEMBLED

At 10.10 a.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3240—An act to amend Sections 10051, 10052, and 10053 of the Education Code, relating to courses of study;

Assembly Bill No. 3347—An act to amend Section 18004 of, and to add Section 18004.1 to, the Education Code, relating to improvement of public streets and places by school boards, the construction of sewers, water pipes, pedestrian walks and tunnels, the acquisition of easements and rights of way for such purposes and appropriating money for such purposes, declaring the urgency of this act and providing that it shall take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-eighth day of April, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2391—An act to amend and renumber Section 118 and to amend Section 3515 of the Financial Code, relating to banking;

Assembly Bill No. 2518—An act to amend Sections 15811 and 15812 of the Financial Code, and Section 23.4 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to taking possession of and liquidating credit unions;

Assembly Bill No. 2900—An act to amend the title to Chapter 3, Part 2, Division 2, and to amend Sections 51, 120, 422, 550, 562, 565, 640, and 643.1, of the Military and Veterans Code, relating to the change of the name of the California Defense and Security Corps to California National Guard Reserve and to disability and death benefits for the state military forces, and declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-eighth day of April, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2388—An act to add Article 4.5 to Chapter 5, Division 1 of the Financial Code, relating to banks having no capital stock and prescribing a procedure for the issuance of such stock and the determination of the interests in the stock, and to repeal Sections 29 and 29a of the Bank Act (Chapter 76 of the Statutes of 1909),

Assembly Bill No. 2389—An act to add Sections 274 and 275 to the Financial Code, relating to the State Banking Fund and the Revolving Fund in the State Banking Department;

Assembly Bill No. 2390—An act to add Section 3166 to the Financial Code, relating to the payment of claims to trust property or money deposited with the State Treasurer;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-eighth day of April, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1828—An act to amend Section 4707 of the Labor Code, relating to workmen's compensation benefits;

Assembly Bill No. 2313—An act to amend Section 8404 of, and to add Section 8406.1 to, the Education Code, relating to kindergarten;

Assembly Bill No. 2387—An act to add Article 1.5 to Chapter 17, Division 1, of the Financial Code, relating to the liability of stockholders in California state banks, and to provide for the enforcement and collection of such liability, and to repeal an act entitled "An act to define the liability of stockholders in California state banks and to provide for the enforcement and collection of that liability by the Superintendent of Banks of the State of California" (Chapter 196 of the Statutes of 1931);

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-eighth day of April, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 563—An act to amend Sections 23701 and 23701a of, and to renumber Sections 23701b, 23701c, 23701d, 23701e, 23701f, and 23701h of, and to add Sections 23701b, 23701f, 23701i, and 23701j, and 23701*l* to, and to repeal Article 2 of Chapter 4, consisting of Sections 23731, 23731a, 23731b, 23731c, 23731d and 23731e of Part 11 of Division 2 of the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act shall take effect immediately;

Assembly Bill No. 578—An act to amend Sections 23004, 23031, 23041, 23184, 23301, 23303, 23562, 23851, 23851a, 23852a, 23881b, 24121c, 24301, 24303, 25071s, 25232b, 25232c, 25232d, 25261, 25403, 25664, 25666, 25702, 25731a, 25901a, 25901c, 26078, 26104, 26131, 26422, 26423, 26424 of, and to renumber and amend Section 25203b of, and to add Sections 23043, 23854, 23854.1, 25101d to, and to repeal Sections 24302 and 26131a of, the Revenue and Taxation Code, relating to taxation of banks, corporations, associations and Massachusetts trusts, and providing that this act shall take effect immediately;

Assembly Bill No. 1528—An act to repeal Sections 6654, 5105.5, and 5105.6 of the Welfare and Institutions Code, relating to reports by district attorneys and orders of committing courts concerning the financial ability of persons committed to state hospitals or their relatives to pay the cost of care, maintenance or transportation;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-eighth day of April, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 437—An act to amend Sections 17313, 17315, 17318.2, 17711, 17721, 17782, 17817.1, and 18132 of, and to add Sections 17109, 17110, 17161.1, 17301.1, 17315.5, 17318.6 to, and to add Article 2.5, consisting of Sections 17691, 17692, 17693, 17694, 17695, 17696, 17697, and 17698, and Article 3.5, consisting of Sections 17731, 17732 and 17733, to Chapter 6, Part 10 of Division 2 of, and to add Section 17784.6 to, and to add Article 1.5, consisting of Sections 18121, 18122, 18122.1, 18122.2, 18122.3, 18122.4, 18122.5, 18122.6, 18122.7, 18122.8, 18123, 18123.1, 18123.2, 18123.3, and 18123.4 to Chapter 8, Part 10 of Division 2 of, and to add Sections 18132.1, 18132.2, 18132.3, 18132.4, 18132.5, 18132.6, 18132.7, 18132.8, 18132.9, 18132.10, 18132.11, and 18132.12 to, the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately;

Assembly Bill No. 442—An act to amend Section 25961 of, and to add Section 25962 to the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing for the imposition of criminal penalties upon persons wilfully filing false returns for such organizations,

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-eighth day of April, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 435—An act to amend Section 17014 of the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately,

Assembly Bill No. 436—An act to amend Sections 19082 and 19083 of, and to repeal Section 19084 of, the Revenue and Taxation Code, relating to personal income taxes;

Assembly Bill No. 441—An act to amend Sections 26102, 26103, and 26103a of the Revenue and Taxation Code, relating to taxation of banks, corporations, Massachusetts trusts and associations;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-eighth day of April, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 347—An act to amend an act entitled "An act to provide for the rights, powers, privileges, exemptions and immunities of federal savings and loan associations, incorporated under the provisions of the Home Owners' Loan Act of 1933, which are doing business in the State of California, and for the rights, powers, privileges, exemptions and immunities of the holders of shares or share accounts issued by any such association," approved June 13, 1939, as amended, by amending Sections 2, 3, and 4 thereof, and adding to said act three new sections, to be numbered respectively Sections 5, 6, and 7, and to amend Sections 11200, 11203, 11204 and 11205 of, and to add Sections 11208, 11209, 11210 and 11211 to the Financial Code, all relating to federal savings and loan associations;

Assembly Bill No. 434—An act to repeal Section 18431.1 of, and to add Section 19405 to the Revenue and Taxation Code, relating to personal income taxes, and providing for the imposition of criminal penalties on persons filing false returns;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-eighth day of April, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2139

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 672
Assembly Bill No. 1249
Assembly Bill No. 2133
Assembly Bill No. 2704

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Senate Bill No. 306

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LUCKEL, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 27, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 19
Senate Bill No. 789
Senate Bill No. 1526

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 27, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning

Assembly Bill No. 1177—An act to add Section 1190.1 to the Civil Code, relating to the acknowledgment of instruments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 27, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 303
Assembly Bill No. 304
Assembly Bill No. 472
Assembly Bill No. 883
Assembly Bill No. 1703
Assembly Bill No. 2615
Assembly Bill No. 2777
Assembly Bill No. 2903
Assembly Bill No. 3375

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 27, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 898
Assembly Bill No. 1680
Assembly Bill No. 1790
Assembly Bill No. 1886
Assembly Bill No. 1887
Assembly Bill No. 1888
Assembly Bill No. 3108

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, April 27, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 44
Senate Concurrent Resolution No. 45
Senate Concurrent Resolution No. 46
Senate Joint Resolution No. 28

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolutions were read:

Senate Concurrent Resolution No. 44—Relative to Sequoia gigantea groves.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 45—Relative to flood control measures on the San Joaquin River System.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 46—Relative to the Merced County Stream Group Project.

Referred to Committee on Rules.

Senate Joint Resolution No. 28—Relative to flood control measures on the San Joaquin River System.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 27, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 287
Senate Bill No. 288
Senate Bill No. 392
Senate Bill No. 393
Senate Bill No. 394
Senate Bill No. 396
Senate Bill No. 441
Senate Bill No. 458
Senate Bill No. 959
Senate Bill No. 961
Senate Bill No. 1242
Senate Bill No. 1429
Senate Bill No. 1524
Senate Bill No. 1677
Senate Bill No. 1736

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 287—An act to amend Section 1025 of the Agricultural Code, relating to statements of chemical analysis of agricultural minerals.

Referred to Committee on Agriculture.

Senate Bill No. 288—An act to amend Section 1061 of the Agricultural Code, relating to definitions of economic poisons.

Referred to Committee on Agriculture.

Senate Bill No. 392—An act to add Section 6005.5 to the Government Code, relating to newspapers.

Referred to Committee on Judiciary.

Senate Bill No. 393—An act to repeal Section 6006 of the Government Code, relating to newspapers.

Referred to Committee on Judiciary.

Senate Bill No. 394—An act to amend Section 6003 of, and add Section 6003.5 to, the Government Code, relating to newspapers.

Referred to Committee on Judiciary.

Senate Bill No. 396—An act to amend Section 6027 of the Government Code, relating to newspapers.

Referred to Committee on Judiciary.

Senate Bill No. 441—An act to add Chapter 9.5, comprising Sections 27179 to 27179.4, inclusive, to Part 3, Division 16, of the Streets and Highways Code, relating to the acquisition, construction, maintenance, and operation of toll roads by bridge and highway districts, and the issuance and sale of revenue bonds for such purposes.

Referred to Committee on Transportation and Commerce.

Senate Bill No. 458—An act to amend Section 1 of an act entitled "An act to provide a stenographer and typist for judges of the superior courts and providing for their salaries and the payment thereof," approved May 31, 1927, relating to superior court stenographers and secretaries.

Referred to Committee on Judiciary.

Senate Bill No. 959—An act to amend Sections 1101 and 1107 of the Agricultural Code, relating to eggs.

Referred to Committee on Agriculture.

Senate Bill No. 961—An act to amend Section 204f of, and to add Section 204g to, the Code of Civil Procedure, relating to secretaries of the superior court and fixing salaries.

Referred to Committee on Judiciary.

Senate Bill No. 1242—An act to repeal Section 1881.3 of the Civil Code, relating to private bulk storage of grain, and extending indefinitely the effective period of the chapter of said code relating to such storage.

Referred to Committee on Agriculture.

Senate Bill No. 1429—An act to amend Section 395 of and to add Sections 389, 395.01, 395.02, 395.03, 395.04, 395.05, and 395.06 to the Military and Veterans Code, relating to the absence of public officers and employees engaged in ordered military or naval duty, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Military Affairs.

Senate Bill No. 1524—An act to amend Sections 70 and 70.1 of the Streets and Highways Code, relating to the California Highway Commission.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1677—An act to amend Section 50022 of the Government Code, relating to fire prevention codes.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1736—An act to add Section 545 to the Municipal Utility District Act and Section 12106 to the Public Utilities Code, relating to municipal utility districts, declaring the urgency hereof to take effect immediately.

Referred to Committee on Public Utilities.

REPORT OF SELECT COMMITTEE

Mr. Geddes reported that he and Messrs. Hinckley and Babbage, the Select Committee appointed to attend the funeral services, in Pomona, of the late Assemblyman George R. Butters, have completed their duties, and quoted the minister conducting the services as saying "The State of California would be better off if the Legislature had more men like George Butters in its body." Mr. Geddes further announced that Senator Watson had served as a Select Committee to represent the Senate.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1098—An act to amend Section 14549 of the Health and Safety Code, relating to fire protection districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1841—An act to amend Section 4850 of the Labor Code, relating to leave of absence with pay in lieu of disability payments.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2379—An act to amend Sections 49, 72, and 74 of the Conservation and Planning Act, and to amend Sections 65252, 65253, 65254, 65301, 65331, and 65332 of the Government Code, relating to planning commissions.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3412—An act to add Section 6019 to the Revenue and Taxation Code, relating to the production of X-ray films and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 879—An act to add Sections 31627.1, 31629, 31671.1, 31765, and 31784 to, and to amend Sections 31527, 31552, 31591, 31602, 31628, 31642, 31649, 31652, and 31700 of, and to repeal Section 31560 and Article 13 consisting of Sections 31800, 31801, 31802, 31803, 31804, and 31805, of Chapter 3 of Part 3 of Division 4 of Title 3 of, the Government Code, relating to retirement of county employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 2 of the title of the printed bill, after "31552," insert "31553, 31554, 31555, 31557,".

Amendment No. 2

On page 2 of the printed bill, strike out lines 7, 8, 9, and 10, and insert "calendar month following the expiration of 30 days after his entrance into the service.

SEC. 2.1. Section 31553 of the Government Code is amended to read:

31553. Elective officers become members of the retirement association on the first day of the *calendar* month *following the expiration of 30 days* after filing a declaration with the board to become a member. The declaration shall be filed within 90 days after:

(a) First taking office.

(b) The effective date of a system established pursuant to this chapter.

(c) *First being brought within the field of membership.*

Every such declaration filed prior to May 21, 1946, is validated, confirmed, and declared to be of full force and effect from and after the date on which it was filed.

SEC. 2.2. Section 31554 of the Government Code is amended to read:

31554. All officers and attaches of the superior court established within the county, except judges and participants in any other pension system, become members of the association on the first day of the *calendar* month *following the expiration of 30 days* after the board of supervisors adopts by four-fifths vote a resolution providing for their inclusion. Thereafter each person entering such employ becomes a member on the first day of the *calendar* month *following the expiration of 30 days* after his entrance into the service of the court.

In this section "officer or attache of the superior court" includes all commissioners, phonographic reporters who are paid salaries or per diems by the county and whose contributions are based upon such salaries or per diems, secretaries, stenographers, investigators, messengers, or other employees of the court.

SEC. 2.3. Section 31555 of the Government Code is amended to read:

31555. All officers and attaches of any municipal court established within the county under the Municipal Court Act of 1925 *or Municipal and Justice Court Act of 1949*, except judges and officers or attaches who are participants in any system established pursuant to Chapter 4, become members of the association on the first day of the *calendar* month *following the expiration of 30 days* after the board of supervisors adopts by four-fifths vote a resolution providing for their inclusion Thereafter each person entering such employ becomes a member on the first day of the *calendar* month *following the expiration of 30 days* after his entrance into the service of the court.

SEC. 2.4 Section 31557 of the Government Code is amended to read:

31557 All officers and employees of any district become members of the association on the first day of the *calendar* month *following the expiration of 30 days* after the board of supervisors adopts by four-fifths vote, or in the case of districts for which the board of supervisors is not the governing body, after the governing body adopts by a two-thirds vote, a resolution providing for the inclusion of the district in the retirement association Thereafter each person entering such employ becomes a member on the first day of the *calendar* month *following the expiration of 30 days* after his entrance into the service.".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2042—An act to amend Sections 13¾ and 15 of the Los Angeles County Flood Control Act, relating to district works and improvements including storm drain improvements and drainage systems.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 2, line 15, of the printed bill, as amended in the Assembly on April 20, 1951, strike out the second "from".

Amendment No. 2

On page 2, line 23, of said bill, strike out "Section", and insert "SEC. 2. Section".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2712—An act to add Sections 6 and 7 to an act entitled "An act providing for loans to municipalities and districts for sewerage and storm drainage facilities, prescribing the conditions under which such loans shall be made, creating the State Water Pollution Control Fund, and making an appropriation," approved July 28, 1949, relating to protection of quality of underground waters.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 11, of the printed bill, as amended in the Assembly on April 13, 1951, after the period insert "Expenditure of allocations to local agencies shall be audited by the State Controller. Of the money appropriated by this section, 1 per cent, or so much thereof as may be necessary, is hereby made available for expenses of the State Controller in carrying out the duties imposed by this act."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 576—An act to repeal Sections 25663, 25663 and 26421, and to add Sections 25663 and 25663(e) to the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 16, 1951, after the stricken language in line 1, insert

"SECTION 1. Sections 25663 and 25663 of the Revenue and Taxation Code are hereby repealed."

Amendment No. 2

On page 1, line 2, of the printed bill, as amended, strike out "SECTION 1." at the beginning of said line 2, and insert

"SEC. 2."

Amendment No. 3

On page 1, line 14, of the printed bill, as amended, after "Sec.", strike out "2", and insert "3".

Amendment No. 4

On page 2, line 29, of the printed bill, as amended, after "Sec.", strike out "3", and insert "4"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1286—An act to amend Section 7651 of, and to repeal Sections 7453, 7454, 7455, and 7456 and Article 4, comprising Section 7916, of Chapter 6 of Part 2 of Division 2 of, the Revenue and Taxation Code; relating to returns and bonds under the Motor Vehicle Fuel License Tax Law.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In the first, second, and third lines of the title of the printed bill, as amended in the Assembly on April 23, 1951, strike out ", and to repeal Sections 7453, 7454, 7455, and 7456 and Article 4, comprising Section 7916, of Chapter 6 of Part 2 of Division 2 of,".

Amendment No. 2

In line 4 of the title of said bill, strike out "and bonds".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1015—An act to amend Section 419 of the Vehicle Code, relating to financial responsibility.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 2, line 18, of the printed bill, after "chapter", insert "including insurance information forms and the total amounts of security required for deposit as *determined by the department from such reports*".

Amendment No. 2

On page 2, line 22, of the printed bill, after "reports", insert "and security deposit records:".

Amendment No. 3

On page 2 of the printed bill, strike out lines 28 to 33, inclusive, and insert

"4. The exemption from security requirement which has been established under Section 422

5 That security has been deposited or that suspension action has been taken by the department."

Amendment No. 4

On page 2, line 36, of the printed bill, after "involved, or the", insert "employer,".

Amendment No. 5

On page 2, line 38, of the printed bill, strike out "a driver", and insert "any person involved in the accident"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 880—An act to add Section 31765 to the Government Code, relating to retirement of county employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, after "Section", insert "s 31470 1, 31470.2, 31470 3, 31470.4, 31470.5, 31470 6, 31503.9, 31504.9, 31558, 31720 5, 31726.5, 31727.2, 31727.4,".

Amendment No. 2

In line 1 of the title of the printed bill, strike out the "to" which follows "31765", and insert "31785, 31786, 31787, 31788, and Article 6 5 and 7 5 to Chapter 3 of Part 3 of Division 4 of Title 3 of the Government Code, to repeal Section 31558 and to amend Sections 31454 5, 31470, 31504, 31505, 31552, 31553, 31554, 31555, 31557, 31581, 31582, 31583, 31621, 31622, 31623, 31624, 31627, 31676 2 and 31676.4 of".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1, line 1, of the printed bill, after the period which follows "1", insert "Section 31558 of the Government Code is repealed.

SEC. 2. Section 31454 5 of the Government Code is amended to read:

31454 5. In any county subject to the provisions of Section 31676.1 the board of supervisors may make an additional appropriation sufficient to fund over a period of 30 years any deficit which may result to the system because of the adoption of Section 31676.1 *or by the adoption of Article 6.5 and 7.5*. The board of supervisors may

make such additional appropriation whether recommended by the board or not and is not required to make such additional appropriation even if such additional appropriation is recommended by the board.

SEC. 3. Section 31470 of the Government Code is amended to read:

31470. "Member" means any person included in the membership of the retirement association pursuant to Article 4 *and includes safety members as defined in Sections 31470.1, 31470.2, and 31470.4*, or any person who has elected in writing to come within the provisions of Article 9.

SEC. 4. Section 31470.1 is added to the Government Code to read:

31470.1. "Safety member" means any person who is either:

(a) A member of a pension system established pursuant to either Chapter 4 or Chapter 5, who, on or before December 31, 1951, elects by written notice filed with the board, to become a safety member, or

(b) Any person employed by a county, district, or court whose principal duties consist of active law enforcement or active fire suppression as described in Section 31470.2 or 31470.4.

SEC. 5. Section 31470.2 is added to the Government Code to read:

31470.2. All sheriffs, undersheriffs, chief deputies sheriff, jailers, turnkeys, deputies sheriff, bailiffs, process servers, constables, deputies constable, motorcycle officers, heads and assistant heads of all divisions of the office of the sheriff, detectives and investigators in the office of the district attorney, marshals and all regularly appointed deputies marshals are eligible.

SEC. 6. Section 31470.3 is added to the Government Code to read:

31470.3. Clerks, bookkeepers, stenographers, and other employees who may have been appointed as deputies sheriff or deputies marshal but who do not perform the duties of any of the peace officers enumerated and honorary deputies sheriff or other persons holding appointments as deputies sheriff who receive no compensation therefor who do not regularly perform official duties and those whose principal duties clearly do not fall within the scope of active law enforcement, even though such a person is subject to occasional call, or is occasionally called upon, to perform duties within the scope of active law enforcement are ineligible.

SEC. 7. Section 31470.4 is added to the Government Code to read:

31470.4. All county foresters, county firewardens, deputies or assistant county foresters, deputies or assistant county fire-wardens, fire apparatus engineers, fire prevention inspectors, forest firemen, fire patrolmen, and foremen assigned to fire suppression crews, all other personnel assigned to active fire suppression in any county forester's or county firewarden's department and all officers, engineers, and firemen of any county fire protection district, and all other personnel assigned to active fire suppression in any county fire protection district are eligible.

SEC. 8. Section 31470.5 is added to the Government Code to read:

31470.5. Bookkeepers, stenographers, cooks, laborers, county fire protection district fire foremen, call firemen, and volunteer employees, honorary deputies county foresters or honorary deputies county firewardens, or voluntary firewardens holding appointment as such but receiving no compensation therefor who do not regularly perform official duties and those whose principal duties clearly do not fall within the scope of active fire suppression, even though such person is subject to occasional call, or is occasionally called upon, to perform duties within the scope of active fire suppression are ineligible.

SEC. 9. Section 31470.6 is added to the Government Code to read:

31470.6. In cases of doubt as to whether a person is eligible to become a safety member, the board shall decide.

SEC. 10. Section 31503.9 is added to the Government Code to read:

31503.9. When a pension system established pursuant to either Chapter 4 or Chapter 5 is abolished by order of the board of supervisors under authority of Sections 31931 or 32231 of the Government Code, the contributions of each member of such abolished system, with interest, shall be transferred to this retirement system as normal contributions of the member.

SEC. 11. Section 31504 of the Government Code is amended to read:

31504. The contributions of each member of an existing *retirement* system superseded by this chapter, except those of members previously retired for age or disability *from a system not established pursuant to either Chapter 4 or Chapter 5*, shall be transferred to this *retirement* system. *Funds transferred from a system not established pursuant to either Chapter 4 or Chapter 5 shall be credited* as additional contributions of the member.

SEC. 12. Section 31504.9 is added to the Government Code to read:

31504.9. The assets and records of a pension system established under either Chapter 4 or Chapter 5 and abolished by the board of supervisors under authority of Sections 31931 or 32231 shall become the assets and records of this retirement system and pensions then in effect for all previously retired members or any retirement allowance that may become effective pursuant to the provisions of Section 31785 shall be paid by this retirement system.

SEC. 13. Section 31505 of the Government Code is amended to read:

31505. The assets and records of a superseded system shall become the assets and records of this *retirement* system, but there shall be left to the superseded system

not established pursuant to either Chapter 4 or Chapter 5, sufficient assets, according to tables adopted by the board of supervisors, to pay all retirement payments or annuities to persons who have been retired under the superseded *retirement* system.

SEC. 14 Section 31552 of the Government Code is amended to read:

31552. All existing officers and employees of the county become members of *the association on the day the retirement system becomes operative*, and thereafter each person entering the county employ becomes a member on the first day of the *calendar* month *following the expiration of 30 days* after his entrance into the service.

SEC. 15 Section 31553 of the Government Code is amended to read:

31553. Elective officers become members of the retirement association on the first day of the *calendar* month *following the expiration of 30 days* after filing a declaration with the board to become a member. The declaration shall be filed within 90 days *after*:

(a) First taking office.

(b) The effective date of a system established pursuant to this chapter.

(c) First being brought within the field of membership

Every such declaration filed prior to May 21, 1946, is validated, confirmed, and declared to be of full force and effect from and after the date on which it was filed.

SEC 16 Section 31554 of the Government Code is amended to read:

31554 All officers and attaches of the superior court established within the county, except judges and participants in any other pension system, become members of the association on the first day of the *calendar* month *following the expiration of 30 days* after the board of supervisors adopts by four-fifths vote a resolution providing for their inclusion. Thereafter each person entering such employ becomes a member on the first day of the *calendar* month *following the expiration of 30 days* after his entrance into the service of the court.

In this section "officer or attache of the superior court" includes all commissioners, phonographic reporters who are paid salaries or per diems by the county and whose contributions are based upon such salaries or per diems, secretaries, stenographers, investigators, messengers, or other employees of the court.

SEC. 17. Section 31555 of the Government Code is amended to read:

31555. All officers and attaches of any municipal court established within the county under the Municipal Court Act of 1925 *or Municipal and Justice Court Act of 1949*, except judges and officers or attaches who are participants in any system established pursuant to Chapter 4, become members of the association on the first day of the *calendar* month *following the expiration of 30 days* after the board of supervisors adopts by four-fifths vote a resolution providing for their inclusion. Thereafter each person entering such employ becomes a member on the first day of the *calendar* month *following the expiration of 30 days* after his entrance into the service of the court.

SEC. 18. Section 31557 of the Government Code is amended to read:

31557 All officers and employees of any district become members of the association on the first day of the *calendar* month *following the expiration of 30 days* after the board of supervisors adopts by four-fifths vote, or in the case of districts for which the board of supervisors is not the governing body, after the governing body adopts by a two-thirds vote, a resolution providing for the inclusion of the district in the retirement association. Thereafter each person entering such employ becomes a member on the first day of the *calendar* month *following the expiration of 30 days* after his entrance into the service.

SEC 19 Section 31558 is added to the Government Code to read:

31558. All existing members of a pension system established pursuant to either Chapter 4 or Chapter 5 and all employees eligible as safety members who at the time of entering service elected to become members of this system who, on or before December 31, 1951, elect by written notice filed with the board to become safety members, shall become safety members on January 1, 1952, and thereafter each person not over 35 years of age when entering county service, whose principal duties consist of active law enforcement or active fire suppression, as defined in Section 31470.1, 31470.2, and 31470.4, shall become a safety member on the first day of the calendar month following the expiration of 30 days after his entrance into the service. The sheriff or undersheriff shall become a safety member on the first day of the calendar month following the expiration of 30 days after his entrance into the service, regardless of age.

SEC 20. *Section 31581 of the Government Code is amended to read:*

31581. After the date a system becomes operative the board of supervisors shall, in the preparation and adoption of the county budget, add to the appropriation for salaries and wages and include therein an appropriation determined pursuant to Sections 31453 and 31454. Until such determination the additional appropriations shall equal *23.77 percent of the total compensation provided for all safety members covered by Article 7.5 and* 8.85 percent of the total compensation provided for *all other* employees who are members of the retirement association.

SEC. 21. Section 31582 of the Government Code is amended to read:

31582. The county auditor shall certify to the board of supervisors at the end of each month *the total amount of compensation paid safety members of the retirement system covered by Article 7.5, and* the total amount of compensation paid *all other*

members of the retirement system, and the board of supervisors shall thereupon transfer from the appropriation to the retirement fund the percentage of this amount determined pursuant to Sections 31453 and 31454. Until such determination the amount of the transfer shall be *23.77 percent of the total compensation of all safety members covered by Article 7.5 and* 8.85 percent of the total amount of compensation *of all other members*.

SEC. 22. Section 31583 of the Government Code is amended to read:

31583. For the purpose of computing the total amounts of compensation of members, pursuant to Sections 31581 to 31587, inclusive, the compensation of every member *not covered by either Article 7.5 or Section 31676.1* who receives in excess of seven hundred dollars ($700) per month shall be computed at seven hundred dollars ($700) per month.

SEC. 23. Section 31621 of the Government Code is amended to read:

31621. The normal rates of contribution *except for members covered by Article 6.5* shall be such as will provide an average annuity at age 60 equal to one one-hundredtwentieth of the final compensation of members *not covered by Article 6.5*, according to the tables adopted by the board of supervisors, for each year of service rendered after entering the system.

SEC. 24. Section 31622 of the Government Code is amended to read:

31622. Until revised pursuant to Sections 31453 and 31454, the rate of contribution of each member *not covered by Article 6.5* is that percentage of his earnable compensation shown in the following tables according to age and sex at the time of entry into the retirement system:

Age of entry into system	Percentage of contribution, Male	Percentage of contribution, Female
16	6.55	7.02
17	6.59	7.07
18	6.63	7.13
19	6.67	7.19
20	6.71	7.25
21	6.75	7.31
22	6.80	7.38
23	6.85	7.45
24	6.90	7.52
25	6.96	7.61
26	7.01	7.69
27	7.07	7.78
28	7.14	7.87
29	7.20	7.96
30	7.27	8.06
31	7.34	8.16
32	7.42	8.26
33	7.49	8.37
34	7.58	8.48
35	7.66	8.58
36	7.75	8.69
37	7.84	8.80
38	7.93	8.92
39	8.02	9.03
40	8.12	9.15
41	8.22	9.27
42	8.33	9.38
43	8.43	9.51
44	8.54	9.63
45	8.64	9.75
46	8.75	9.88
47	8.86	10.00
48	8.97	10.13
49	9.08	10.26
50	9.20	10.39
51	9.31	10.52
52	9.42	10.65
53	9.54	10.79
54	9.65	10.93
55	9.76	11.07
56	9.88	11.21
57	10.00	11.35
58	10.12	11.49
59	10.25	11.64
60	----	----

SEC. 25. Section 31623 of the Government Code is amended to read:

31623. The normal rate of contribution established for age 59 is the rate for any member *not covered by Article 6.5* who has attained a greater age before entrance into the retirement system, and that established for age 16 is the rate for any member *not covered by Article 6.5* who enters the retirement system at a lesser age.

SEC. 26. Section 31624 of the Government Code is amended to read:

31624. The rate of contribution applies only to so much of the earnable compensation of each member *who is not covered either by Article 6.5 or by Section 31676.1* as does not exceed seven hundred dollars ($700) a month.

SEC. 27. Section 31627 of the Government Code is amended to read:

31627. Subject to the regulations prescribed by the board, any member who is not subject to the provisions of *either Article 6.5* or Section 31676.1 may elect to make additional contributions at rates in excess of his normal contributions, for the purpose of providing additional benefits. The exercise of this privilege by a member does not require the county or district to make any additional contributions. Upon application, the board shall furnish to the member information concerning the nature and amount of additional benefits to be obtained by the additional contributions.

SEC. 28. Article 6.5 is added to Chapter 3 of Part 3 of Division 4 of Title 3 of the Government Code to read:

31630. This article shall apply only in a county subject to the provisions of Section 31676.1.

31631. The normal rates of contribution of safety members shall be based on age at the nearest birthday at the time of entrance into the retirement system.

31632. The normal rates of contribution shall be such as will provide an average annuity at age 55 equal to one one-hundredth of the final compensation of safety members, according to the tables adopted by the board of supervisors, for each year of service rendered after entering the system.

31633. Until revised pursuant to Sections 31453 and 31454, the rate of contribution of each safety member is that percentage of his earnable compensation shown in the following tables according to age at the time of entry into the retirement system:

Age	*Percentage*
21	7.24
22	7.50
23	7.78
24	8.08
25	8.41
26	8.76
27	9.15
28	9.56
29	10.02
30	10.52
31	11.06
32	11.65
33	12.30
34	13.02
35	13.80
36	13.34
37	12.88
38	12.43
39	11.98
40	11.54

31634. The normal rate of contribution established for age 40 is the rate for any safety member who has attained a greater age before entrance into the retirement system, and that established for age 21 is the rate for any safety member who enters the retirement system at a lesser age.

31635. In any county operating under this Article any limitation in Section 31583 and 31624 or in any other provisions of this chapter upon the amount of compensation used for computing rates of contributions shall be disregarded.

SEC. 29. Article 7.5 is added to Chapter 3 of Part 3 of Division 4 of Title 3 of the Government Code to read:

31662. This article shall apply only in a county subject to the provisions of Section 31676.1.

31662.2. Retirement of a safety member in a county subject to the provisions of Section 31676.1 who has met the requirements for age and service shall be made by the board pursuant to this article.

31662.4. At the expiration of two years after a retirement system pursuant to this chapter becomes operative, or on January 1, 1954, whichever is later, every safety member except an elective officer, the sheriff and undersheriff, who has attained age 60 shall be retired forthwith. On the said date a sheriff who is a safety member, is not an elective officer, and who has attained age 70 and an undersheriff who is a safety member and who has attained age 70 shall be retired forthwith.

31662.6. After January 1, 1954, or two years after a retirement system established by this chapter becomes operative, whichever is later, a safety member except an elective officer, the sheriff and undersheriff, shall be retired as of the first day of the calendar month next succeeding that in which he attains age 60.

31662.8 Every safety member holding an elective office shall be retired at the end of the first term to which he is elected which expires on a date following his seventieth birthday, except that if the term expires within two years after the date on which a retirement system becomes operative or prior to January 1, 1954, whichever is later, he shall be retired at the end of the next term to which he is elected.

31663. After January 1, 1954, or two years after a retirement system established by this chapter becomes operative, whichever is later, a sheriff who is a safety member and not elective, and an undersheriff, who is a safety member shall be retired as of the first day of the calendar month next succeeding that in which he attains age 70.

31663.2. Any safety member entering the retirement association with credit for prior service who has completed 20 years of continuous service and who has reached the age of 55 may be retired upon filing with the board a written application, setting forth the date upon which he desires his retirement to become effective which shall be not more than sixty days after the date of filing the application

31664 Notwithstanding any other provisions of this chapter, the current service pension or the current service pension combined with the prior service pension is an additional pension for safety members purchased by the contributions of the county or district sufficient when added to the service retirement annuity to equal the fraction of one-fiftieth of his final compensation set forth opposite his age at retirement taken to the preceding completed quarter year in the following table, multiplied by the number of years of current service or years of current and prior service with which he is entitled to be credited at retirement, but in no event shall the total retirement allowance exceed the limitation of the safety member's final compensation as set forth in Section 31676.1 as it now reads or may hereafter be amended to read:

AGE AT RETIREMENT	FRACTION
55	1.0000
55¼	1.0130
55½	1.0259
55¾	1.0387
56	1.0516
56¼	1.0656
56½	1.0796
56¾	1.0937
57	1.1078
57¼	1.1231
57½	1.1384
57¾	1.1538
58	1.1692
58¼	1.1859
58½	1.2028
58¾	1.2195
59	1.2336
59¼	1.2547
59½	1.2730
59¾	1.2915
60	1.3099

The fraction herein set forth at ages other than 55 shall be used until adjusted by each board for its retirement system in accordance with the interest and mortality tables adopted by each such board

Contributions shall not be made by safety members having credit for 30 years of continuous service.

31664.1. Notwithstanding any other provisions of this chapter, a safety member who enters the system with credit for prior service and retires upon completion of 20 years of continuous service after attaining age 55, whose retirement allowance is less than one-half of his final compensation, his prior service pension shall be increased so as to cause his total retirement allowance to amount to one-half of such final compensation.

31664.2 When the compensation of a safety member subject to the provisions of this article is a factor in any computation to be made under this chapter, there shall be excluded from such computation, for any period of service prior to January 1, 1952, any compensation earned since the establishment of the retirement system in such county upon which compensation the member has not paid contributions into the retirement fund because of the provisions of Sections 32024 or 32322, unless prior to January 1, 1952, such member shall elect, by written notice filed with the board to pay into the retirement fund, by lump sum payment or by payroll deduction over a period not exceeding 60 months and prior to the effective date of his retirement, and thereafter pays into the retirement fund within the period specified, (1) such additional amount

as he would have contributed as a part of his normal contributions, assuming the entire compensation earnable by him was subject to normal contributions during the entire period of his membership in the system since its establishment in such county; and (2) an amount equal to the additional interest which would have been credited to his account under such assumption. At the time of filing the notice of election, as herein provided, any such member may elect to apply toward the additional amount payable by him pursuant to such election, any accumulated contributions with which he is entitled to be credited.

The entire compensation of a member shall be included in any computation to be made under this article for any period of county service on and after January 1, 1952, but if such election is not made or such amounts are not paid, there shall be excluded from the total payments made as current service pension, prior service pension and service retirement annuity, twice the actuarial equivalent at the time of retirement of such amounts plus regular interest thereon If a member subject to the provisions of this article makes the election and payment as provided in this section, his entire compensation shall be included in any computation to be made under this chapter for the entire period of service with which he is entitled to be credited at retirement.

31664.3 A safety member shall receive no credit for prior service subsequent to June 30, 1921, and prior to January 1, 1938, in calculating a retirement allowance pursuant to this article unless prior to January 1, 1952, he files with the board his written election to pay into the retirement fund six dollars ($6) for each month of prior service for which he claims credit. If a safety member files an election pursuant to this section and has accumulated contributions to his credit as of December 31, 1937, which with interest to December 31, 1951, are less than payments due for prior service credit subsequent to June 30, 1921, the amount due or balance thereof shall be paid by additional salary deductions in the amounts specified by the member but in no case less than six dollars ($6) per month The total amount due shall be paid prior to the effective date of his retirement. If the accumulated contributions with interest exceed the amount due for prior service credit the balance shall be refunded.

31664.4. Any person who elects to become a safety member who was a former member of the retirement system established pursuant to Chapter 5 shall have his contributions to the retirement association for membership service prior to January 1, 1952, calculated by the same rates as those applicable to a member of the retirement system established pursuant to Chapter 4

SEC. 30 Section 31676.2 of the Government Code is amended to read:

31676.2. When the compensation of a member subject to the provisions of Section 31676.1 is a factor in any computation to be made under this chapter, there shall be excluded from such computation, for any period of county service prior to [the first day of the first month next succeeding the ninetieth day after the final adjournment of the 1949 Regular Session of the Legislature] *October 1, 1949*, any compensation earned since the establishment of the retirement system in such county upon which compensation the member has not paid contributions into the retirement fund because of the provisions of Sections 31583 or 31624, unless, prior to [July] *January* 1, [1950] *1952, and prior to retirement* such member shall elect, by written notice filed with the board, to pay into the retirement fund, by lump-sum payment or by pay roll deductions over a period not exceeding 36 months and prior to effective date of his retirement, and thereafter pays into the retirement fund within the period specified, (1) such additional amount as he would have contributed as a part of his normal contributions, assuming the entire compensation earnable by him was subject to normal contributions during the entire period of his membership in the system since its establishment in such county; and (2) an amount equal to the additional interest which would have been credited to his account under such assumption. At the time of filing the notice of election, as herein provided, any such member may elect to apply toward the additional amount payable by him pursuant to such election, any additional accumulated contributions with which he is entitled to be credited.

The entire compensation of a member shall be included in any computation to be made under Section 31676.1 for any period of county service on and after [the first day of the first month next succeeding the ninetieth day after the final adjournment of the 1949 Regular Session of the Legislature] *October 1, 1949, but if such election is not made or such amounts are not paid, there shall be excluded from the total payments made as current service pension, prior service pension and service retirement annuity, twice the actuarial equivalent at the time of retirement of such amounts plus regular interest thereon*. If a member subject to the provisions of Section 31676.1 makes the election and payment as provided in this section, his entire compensation shall be included in any computation to be made under this chapter for the entire period of service with which he is entitled to be credited at retirement.

SEC. 31. Section 31676.4 of the Government Code is amended to read:

31676.4. If a member in a system *established pursuant to either Chapter 4 or Chapter 5 who will become a member of a retirement system* subject to the provisions of Section 31676.1 who *does not elect to become a safety member, or any person already a member of such a retirement system who* [has any accumulated additional contributions to his credit, whether made pursuant to Section 31504 or Section 31627, or both, within ninety days of the effective date of this section] *prior to January 1, 1952,*

files a written election with the board not to come under Section 31676.1, then Sections 31676.1, 31676.2, 31676.3, 31676.5, 31676.6 and this section shall not apply to such member and he shall be entitled upon retirement to his service retirement annuity, his current service pension and his prior service pension, if any, as if this section and Sections 31676.1, 31676.2, 31676.3, 31676.5, and 31676.6 had not been added to this chapter.

SEC. 32. Section 31720.5 is added to the Government Code to read:

31720.5. If a safety member who has completed 15 years or more of service under a pension system established pursuant to Chapter 4 or under a pension system established pursuant to Chapter 5 or both or under this retirement system and develops heart trouble, it shall be presumed in any proceeding under this chapter, by the board and the court in the absence of evidence to the contrary, that such heart trouble is an injury or disease occuring in and arising out of his employment.

SEC. 33. Section 31726.5 is added to the Government Code to read:

31726.5. Upon retirement for disability a safety member who has attained age 55 shall receive his service retirement allowance. Every safety member under age 55 who is retired for disability shall receive a disability retirement allowance which shall consist of:

(a) An annuity which is the actuarial equivalent of his accumulated contributions at the time of his retirement.

(b) If, in the opinion of the board, his disability is not due to intemperate use of alcoholic liquor or drugs, wilful misconduct, or violation of law on his part, a disability retirement pension purchased by contributions of the county or district.

SEC. 34. Section 31727.2 is added to the Government Code to read:

31727.2. The disability retirement pension for a safety member shall be such an amount as with that portion of his annuity provided by his accumulated normal contributions, will make his disability retirement allowance, exclusive of the annuity provided by his accumulated additional contributions, equal:

(a) Ninety percent of one-fiftieth of his final compensation multiplied by the number of years of service credited to him, if such disability retirement allowance exceeds one-fourth of his final compensation.

(b) If the disability retirement allowance computed under (a) does not exceed one-fourth of his final compensation, 90 percent of one-fiftieth of his final compensation multiplied by the number of years of service which would be creditable to him were his service to continue until attainment by him of age 55, but in such case the retirement allowance shall not exceed one-fourth of his final compensation.

SEC. 35. Section 31727.4 is added to the Government Code to read:

31727.4. Upon retirement of a safety member for service connected disability, he shall receive an annual retirement allowance payable in monthly installments, equal to one-half of his final compensation. Notwithstanding any other provisions of this chapter, a safety member upon retirement for service connected disability shall receive a current service pension or a current service pension combined with a prior service pension purchased by the contributions of the county or district sufficient which when added to the service retirement annuity will equal one-half of his final compensation, or, if qualified for a service retirement, he shall receive his service retirement allowance if such allowance is greater but in no event shall it exceed the limitation as set forth in Section 31676.1 as it now reads or may hereafter be amended to read.

SEC. 36".

Amendment No. 4

On page 1 of the printed bill, following line 14, insert

"SEC. 37. Section 31785 is added to the Government Code to read:

31785. Upon the death of a safety member after retirement for service or for non-service connected disability, one-half of his retirement allowance as it was at his death, shall be continued to his surviving spouse throughout life or until remarriage. If there be no surviving spouse entitled to an allowance hereunder or if she or he dies or remarries before every child of such deceased safety member attains the age of 18 years, then the allowance which the surviving spouse would have received had she or he lived and not remarried, shall be paid to his child or children under said age, collectively, to continue until every such child dies or attains said age provided that no child shall receive any allowance after marrying or attaining the age of 18 years. No allowance, however, shall be paid under this section to a surviving spouse unless she or he was married to the safety member at least five years prior to the date of his retirement.

Any qualified surviving spouse or children of a member of a pension system established pursuant to either Chapter 4 or Chapter 5, who shall have been retired on or before December 31, 1951, shall be paid a retirement allowance pursuant to the provisions of this section. In cases where the death of the member occurred prior to January 1, 1952, the payment of the retirement allowance to the qualified surviving spouse, or children shall be made effective on January 1, 1952.

SEC. 38. Section 31786 is added to the Government Code to read:

31786. Upon the death of a safety member after retirement for service connected disability, his retirement allowance as it was at his death, shall be continued to his surviving spouse throughout life or until remarriage. If there be no surviving

spouse entitled to an allowance hereunder or if she or he dies or remarries before every child of such deceased safety member attains the age of 18 years, then the allowance which the surviving spouse would have received had she or he lived and not remarried, shall be paid to his child or children under said age, collectively, to continue until every such child dies or attains said age provided that no child shall receive any allowance after marrying or attaining the age of 18 years. No allowance, however, shall be paid under this section to a surviving spouse unless she or he was married to the safety member prior to the date of his retirement.

SEC. 39. Section 31787 is added to the Government Code to read:

31787. In addition to the death benefit provided for in Section 31781, if such member was a safety member survived by a spouse or unmarried child under the age of 18 years, and such death was the result of injury or disease arising out of and in the course of his employment there shall be added an amount sufficient when added to the amount of the death benefit under Section 31781 to provide when applied according to the tables adopted by the board, a monthly death allowance, equal to one-half his final compensation, payable to the surviving spouse to whom she or he was married prior to sustaining the injury or disease resulting in death until she or he dies or remarries; or, if there is no qualified surviving spouse, or, if the surviving spouse dies or remarries before all children of the deceased safety member attains age 18, to his children under age 18 collectively until every child dies, marries or attains age 18.

The death benefit provided for by this section shall be known as "the special death benefit".

SEC. 40. Section 31788 is added to the Government Code to read:

31788. If the payment of the special death benefit is stopped because of remarriage of the surviving spouse or attainment of the age of 18 years by a child or children, before the sum of the monthly payments made equals the death benefit provided for under Section 31781, a lump sum equal to the difference shall be paid the remarried surviving spouse, or if there is no such surviving spouse, to the surviving children of the deceased safety member, share and share alike."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 972—An act to add Article 3 to Chapter 17, Part 2, Division 3, Title 4 of the Government Code, relating to the population of cities.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1 of the printed bill, strike out lines 4 to 26, inclusive, and insert

"Article 3. Census

40300. All allocations made under Section 194 of the Streets and Highways Code and all payments made under Section 11005 of the Revenue and Taxation Code for any allocation to cities and cities and counties made subsequent to May 31, 1951 and prior to official publication of the 1950 determination of population by the United States Bureau of Census shall be based upon the population determined by said bureau in its publication, "1950 Census, Preliminary Counts, September 28, 1950 Series PC-2, No 48", except as otherwise provided in Section 40301.

40301. Allocations under Section 40300 to cities the population of which is not determined by the United States Bureau of Census in its publication, "1950 Census, Preliminary Counts, September 28, 1950 Series PC-2, No 48", shall be based upon the last available special or decennial Federal Census used by the Department of Public Works and the State Controller on April 1, 1951.

SEC. 2. During the effective period of this act its provisions shall control over any inconsistent provisions of law

SEC. 3. This act shall cease to be effective upon official publication of the 1950 determination of population by the United States Bureau of Census.

SEC 4. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows.

The defense activities of the United States Government again are causing tremendous increases in the number of persons employed by defense plants and industries and increases in the population of a number of cities in California. This increase in population is creating grave and serious problems for the affected cities and cities and counties If this act be made effective prior to the fiscal year beginning July 1, 1951, it will provide immediate relief for this situation without upsetting or delaying the allocation of such state funds to the cities and cities and counties of the State. If this act be made effective immediately, it will provide the necessary continuity of the relief heretofore provided for this situation by the Legislature during and following World War II Cities and cities and counties will be better able to take care of the greatly expanded traffic and law enforcement problems brought about as a result of such increase in population It is therefore necessary that this act go into immediate effect."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 1789—An act to amend Sections 5025, 5119, 5125, 5180, 5182, 5190, 5194, 5195, 5266, 5294, 5295, 5296, 5303, 5342, 5343, 5366, 5372, 5391, 5392, 6463, 6464 of, and to add Section 5302.5 to, and to repeal Section 5193 of, the Streets and Highways Code, relating to the Improvement Act of 1911 and public works and improvements thereunder.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on April 20, 1951, strike out "5392,".

Amendment No. 2

In line 3 of the title of said bill, strike out the comma following "6463".

Amendment No. 3

In line 3 of the title of said bill, strike out "6464".

Amendment No. 4

On page 3, line 27, of said bill, before "Title", insert "Part 3,".

Amendment No. 5

On page 6, line 12, of said bill, following "such", insert "appeal,".

Amendment No. 6

On page 6, line 14, of said bill, following "which", insert "objection,".

Amendment No. 7

On page 6 of said bill, strike out lines 40 to 45, inclusive.

Amendment No. 8

On page 6, line 46, of said bill, strike out "Sec. 22", and insert "SEC. 21".

Amendment No. 9

On page 7 of said bill, strike out lines 8 to 16, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 387—An act to add Section 214.5 to the Revenue and Taxation Code, relating to exemption from property taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 3, of the printed bill, after "214.5.", strike out the balance of line 3; and strike out lines 4 to 10 inclusive, and insert "No home for the aged shall be entitled to the exemption provided in Section 214 of this code if the contributions from the inmates of the home, whether denominated gifts, or charges for board, room, and other services, or consideration for life care contracts, exceed 75 percent of the annual income of such institution. Annual income shall include net income from investments, endowments, or business activities, gifts from all sources less the expense of soliciting such gifts and gross income from all operations of the home.

Every home for the aged, claiming exemption under Section 214 shall keep accurate books of account, showing the source of all its receipts, on either a cash or accrual basis and may not change such basis without the approval of the county assessor of the county in which the property is located."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 986—An act to add Section 459.6 to the Vehicle Code, relating to jurisdiction of the State Department of Public Works over boundary line streets and highways and vehicles using the same

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

Strike out line 2 of the title of the printed bill.

Amendment No. 2

On page 1, line 3, of said bill, strike out "Jurisdiction of Department of Public Works Over".

Amendment No. 3

On page 1 of said bill, strike out lines 6 to 16, inclusive, and insert "different jurisdictions, no rule or regulation adopted under Section 459 shall be effective unless and until all authorities having jurisdiction of any portion of the street or highway concerned have approved the same."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

Assembly Bill No. 1970—An act to amend Section 713 of the Vehicle Code, relating to the powers of local authorities with respect to state highways.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 24, of the printed bill, after the period, insert "In submitting such a proposed ordinance to the department for approval, the governing body of such local authority shall designate, in writing, an alternate route or routes for the use of such vehicles which shall remain unrestricted by any local regulation as to weight limits or types of vehicles so long as the ordinance proposed shall remain in effect. The approval of such proposed ordinance by the Department of Public Works shall constitute an approval by the department of such alternate route or routes so designated."

Amendment No. 2

On page 1 of said bill, strike out lines 26 to 29, inclusive, and insert "prohibit any commercial vehicles coming from an unrestricted street having ingress and egress by direct route to and from such restricted streets when necessary for the purpose of making pickups or deliveries of goods, wares and merchandise from or to any building or structure located on such restricted streets or for the purpose of delivering materials to be used in the actual and bona fide repair, alteration, remodeling or construction of any building or structure upon such restricted street for which a building permit has previously been obtained therefor."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

Assembly Bill No. 2515—An act to amend Section 2654 of the Labor Code, relating to industrial homework.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Industrial Relations:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 2654", and insert "Sections 2654 and 2657".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1, line 20, of said bill, strike out the period, and insert ", except as may be otherwise provided in the order pursuant to the provisions of Section 2657 of this code, and no permit issued under this part shall be deemed thereafter to authorize the furnishing of materials or articles for industrial homework prohibited by such order.

SEC. 2. Section 2657 of said code is amended to read:

2657. If the division finds that as a result of a prohibitory order undue hardship will ensue to homeworkers in the industry who because of advanced age or other disability are unable to adjust to factory employment, the order, if the division determines that it is not inconsistent with the purposes of this part, may permit limited distribution of industrial homework, under such terms and conditions as the division may prescribe, to any person engaged in the industry as a homeworker [on or prior to the effective date of such order] (1) who because of old age or physical or mental disability or injury is unable to adjust himself to factory employment; or (2) who is unable to leave home because his services are essential to care for an invalid in the home."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Industrial Relations.

Assembly Bill No. 3177—An act to amend Sections 1394 and 1395 of, and to add Section 1394.5 to, the Labor Code, relating to child labor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Industrial Relations:

Amendment No. 1

On page 1, line 12, of the printed bill, as amended in the Assembly on April 16, 1951, after "hours", insert ", when the work performed is for or under the control of his parent or guardian and is performed upon or in connection with premises owned, operated or controlled by the parent or guardian; but nothing herein shall permit children under school age to work at such occupations, while the public schools are in session"

Amendment No. 2

On page 2, line 12, of said bill, after "church," insert "public or religious".

Amendment No. 3

On page 2, line 13, of said bill, strike out "community or charity entertainment, or performance arranged", and strike out line 14, and insert "or community entertainment; or in any entertainment for charity or for children for which no admission fee is".

Amendment No. 4

On page 2, line 45, of said bill, after "nature", insert a period.

Amendment No. 5

On page 2, line 45, of said bill, strike out "and from which none of the"; and strike out lines 46 and 47.

Amendment No. 6

On page 2 of said bill, after line 51, insert

"(h) The employment or appearance of any minor pursuant to a contract approved by the superior court under the provisions of Section 36 of the Civil Code"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Industrial Relations.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2706 HOLD PLACE ON SECOND READING FILE

Mr. Dickey asked for, and was granted, unanimous consent that Assembly Bill No. 2706 be passed on the second reading file, and hold its place on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF SENATE BILLS

Senate Bill No. 551—An act to amend Section 17953 of the Revenue and Taxation Code, pertaining to credits against net income of estates and trusts.

Bill read second time, and ordered to third reading.

Senate Bill No. 1610—An act to add Section 6018.1 to the Revenue and Taxation Code, relating to the sales and use tax.

Bill read second time, and ordered to third reading.

Senate Bill No. 280—An act to add Section 477.5 to the Vehicle Code, relating to traffic signals at school approaches.

Bill read second time, and ordered to third reading.

Senate Bill No. 417—An act amending Section 30354 of the Streets and Highways Code, to except a bridge or other highway crossing between the County of Marin and the County of Contra Costa from the limitations of Sections 30350 and 30351.

Bill read second time, and ordered to third reading.

Senate Bill No. 1039—An act to add Chapter 5, comprising Sections 8370 to 8374, inclusive, to Part 3, Division 9, of, and Sections 941.1, 941.2, 941.3, 1685, 1706, 50013, and Division 2.5, comprising Sections 1800 to 1903, inclusive, Division 11, comprising Sections 9000 to 9493, inclusive, and Division 18, comprising Sections 31500 to 34859, inclusive, to the Streets and Highways Code, thereby consolidating and revising the law pertaining to public ways and appurtenances thereto, and to repeal certain acts and parts of acts specified herein.

Bill read second time, and ordered to third reading.

Senate Bill No. 1074—An act to amend Sections 27174 and 27177 of the Streets and Highways Code, relating to rules of the board of directors of a bridge and highway district and the enforcement of such rules.

Bill read second time, and ordered to third reading.

Senate Bill No. 1075—An act to amend Section 27154 of the Streets and Highways Code, relating to the investment of surplus funds, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 282—An act relating to the determination of the population of cities or cities and counties for purposes of allocation of moneys from the State Highway Fund and from the Motor Vehicle License Fee Fund.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

In line 4 of the title of the printed bill, as amended in the Senate on April 6, 1951, before the period, insert a comma and "declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 2 of said bill, after line 25, insert

"SEC. 7. All allocations made under Section 194 of the Streets and Highways Code and all payments made under Section 11005 of the Revenue and Taxation Code for any allocation to cities and cities and counties made subsequent to May 31, 1951 and prior to official publication of the 1950 determination of population by the United States Bureau of Census shall be based upon the population determined by said Bureau in its publication, "1950 Census, Preliminary Counts, September 28, 1950 Series PC-2, No. 48", except as otherwise provided in Section 8

SEC. 8. Allocations under Section 7 to cities the population of which is not determined by the United States Bureau of Census in its publication, "1950 Census, Preliminary Counts, September 28, 1950 Series PC-2, No. 48", shall be based upon the last available special or decennial Federal Census used by the Department of Public Works and the State Controller on April 1, 1951.

SEC. 9. Sections 7 and 8 of this act shall cease to be effective upon official publication of the 1950 determination of population by the United States Bureau of Census. Sections 1 to 6 of this act shall not become operative until the United States Bureau of Census has made official publication of the final figures for the 1950 determination of population.

SEC. 10. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

The defense activities of the United States Government again are causing tremendous increases in the number of persons employed by defense plants and industries and increases in the population of a number of cities in California. This increase in population is creating grave and serious problems for the affected cities and cities and counties. If this act be made effective prior to the fiscal year beginning July 1, 1951, it will provide immediate relief for this situation without upsetting or delaying the allocation of such state funds to cities and cities and counties of the State. If this act be made effective immediately, it will provide the necessary continuity of the relief heretofore provided for this situation by the Legislature during and following World War II. Cities and cities and counties will be better able to take care of the greatly expanded traffic and law enforcement problems brought about as a result of such increase in population. It is therefore necessary that this act go into immediate effect."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1222—An act to amend Sections 16307 and 16308 of the Business and Professions Code, relating to the administration of licensing provisions relating to itinerant merchants.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 9, of the printed bill as amended in the Senate on March 26, 1951, after "Means", insert "secretary of".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 108—An act to add Section 718 to the Vehicle Code, relating to penalties for overloading vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on April 9, 1951, strike out lines 11 to 20, inclusive; and on page 2, strike out lines 1 to 4, inclusive, and insert

"Pounds of Excess Weight	*Fine*
0— 500	$2.50
501— 1,000	5.00
1,001— 1,500	10.00
1,501— 2,000	15.00
2,001— 2,500	20.00
2,501— 3,000	25.00
3,001— 3,500	30.00
3,501— 4,000	35 00
4,001— 4,250	40.00
4,251— 4,500	55.00
4,501— 4,750	70 00
4,751— 5,000	85 00
5,001— 5,250	100.00
5,251— 5,500	120.00
5,501— 5,750	140 00
5,751— 6,000	160.00

Pounds of Excess Weight	*Fine*
6,001— 6,250	$180.00
6,251— 6,500	205.00
6,501— 6,750	230 00
6,751— 7,000	255 00
7,001— 7,250	280 00
7,251— 7,500	310 00
7,501— 7,750	340.00
7,751— 8,000	370 00
8,001— 8,250	400 00
8,251— 8,500	435.00
8,501— 8,750	470 00
8,751— 9,000	505 00
9,001— 9,250	540 00
9,251— 9,500	580 00
9,501— 9,750	620.00
9,751—10,000	660 00
10,001—10,250	700.00
10,251—10,500	730.00
10,501—10,750	760 00
10,751—11,000	790 00
11,001—11,250	820 00
11,251—11,500	850 00
11,501—11,750	880 00
11,751—12,000	910 00
12,001—12,250	940 00
12,251—12,500	970 00
12,501—and over	1,000.00"

Amendment No. 2

On page 2 of said bill, as amended, strike out lines 10 to 14, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Transportation and Commerce.

Senate Bill No. 279—An act to add Sections 685, 685.1, and 685.2 to the Vehicle Code, relating to equipment of vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on April 9, 1951, strike out "685, 685.1, and 685.2", and insert "687, 687.1, and 687.2".

Amendment No. 2

On page 1, line 1, of said bill, strike out "685", and insert "687".

Amendment No. 3

On page 1, line 3, of said bill, strike out "685", and insert "687".

Amendment No. 4

On page 1, line 9, of said bill, strike out "685.1 and 685.2", and insert "687.1 and 687.2".

Amendment No. 5

On page 1 of said bill, strike out lines 10 and 11, and insert "tively Load binders for logs or poles shall be not less than five-sixteenths inch ($\frac{5}{16}$") high test steel chains, or three-eighths inch ($\frac{3}{8}$") wire".

Amendment No. 6

On page 1, line 15, of said bill, after the period, insert "Load binders for lumber shall be not less than five-sixteenths inch ($\frac{5}{16}$") high test steel chains, three-eighths inch ($\frac{3}{8}$") wire cable, plow steel or better, or one and one-quarter inch ($1\frac{1}{4}$") diameter manila rope (knot free), or a combination of such specified binders Wire cable or manila rope binders shall be maintained in good condition and shall not be used when any strands are broken. Whenever manila rope is used it shall be protected by corner irons or a similar device to prevent fraying."

Amendment No. 7

On page 1, lines 16 and 17, of said bill, strike out "685.1 and 685.2", and insert "687.1 and 687.2".

Amendment No. 8

On page 1, line 20, of said bill, strike out "685.1", and insert "687.1".

Amendment No. 9

On page 1, line 21, of said bill, strike out "685.1", and insert "687.1".

Amendment No. 10

On page 1, line 23, of said bill, strike out "long", and insert "log".

Amendment No. 11

On page 1, line 28, of said bill, strike out "public utility maintenance vehicles", and insert "a public utility maintenance vehicle".

Amendment No. 12

On page 1, line 29, of said bill, strike out "vehicles", and insert "vehicle".

Amendment No. 13

On page 2, line 12, of said bill, strike out "685.2", and insert "687.2".

Amendment No. 14

On page 2, line 13, of said bill, strike out "685.2", and insert "687.2".

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Transportation and Commerce.

Senate Bill No. 1744—An act to add Section 679.1 to the Vehicle Code, relating to rules governing the loading and securement of logs and poles.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 3 of the printed bill, as amended in the Senate on April 10, 1951, strike out lines 45 to 52, inclusive; and on page 4, strike out lines 1 to 10, and insert "*pole shall be secured with one binder. Each end of such binder shall be secured to the trailer bunk.*

b. Loads two (2) and three (3) logs or poles in height shall have two (2) binders around load, one near each bunk.

c. Loads four (4) and five (5) logs or poles in height shall have three (3) binders around load, one near each bunk and one at the approximate load center.

d. Loads six (6) logs or poles in height shall have four (4) binders around load, equally spaced.

e. Loads over six (6) logs or poles in height shall have six (6) binders, including gut wrappers, equally spaced. (See Rule 1. f.)

f. Short logs on top of load shall be secured to the load by one (1) of the binders specified herein."

Amendment read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Transportation and Commerce.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 178—An act to add Section 44.8 to, and to amend Section 44.12 of, the Vehicle Code, relating to authorized emergency vehicles

Bill read second time.

Assembly Bill No. 178, with proposed committee amendments ordered re-referred to the Committee on Transportation and Commerce.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 271—An act to amend Sections 631, 632, 633, 635, and 637 of the Welfare and Institutions Code, relating to the appointment and removal of probation officers, assistant probation officers, and deputy probation officers.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 271?

Amendment No. 1

On page 2, line 10, of the printed bill, after "home", strike out the period, and insert "; and provided, further, that any probation officer may accept appointment as member of the Board of Corrections and serve in that capacity in addition to his duties as probation officer and may receive the per diem allowance authorized in Section 6025.1 of the Penal Code"

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 271 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Tomlinson, Waters, and Mr. Speaker—54.

NOES—None.

Assembly Bill No. 271 ordered enrolled.

Assembly Bill No. 41—An act to repeal existing Section 491 of, and to add new Section 491, to the Government Code, relating to the division of the State into assembly districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 41?

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on March 23, 1951, strike out lines 28 to 35, inclusive, and insert

"10. *All that portion of the County of Contra Costa not included within the* Eleventh Assembly District, as fixed and defined by this section, shall constitute the Tenth Assembly District

11. All that portion of the County of Contra Costa included in and comprising the first supervisorial district as the same existed on January 1, 1951, with the exception of South Berkeley Park Precinct and Kensington Precincts 1 to 8, inclusive, shall constitute the Eleventh Assembly District"

Amendment No. 2

On page 4, line 42, of said bill, as amended, strike out "enter", and insert "center".

Amendment No. 3

On page 5, line 15, of said bill, as amended, strike out "City", and insert "County".

Amendment No. 4

On page 8, line 47, of said bill, as amended, strike out "Market", and insert "Church, Church to 19th, 19th to Douglas, Douglas to Romain, Romain to Market".

Amendment No. 5

On page 9, line 13, of said bill, as amended, strike out "to 17th", and insert "to Romain, Romain to Douglas, Douglas to 19th, 19th to Church, Church to 17th".

Amendment No. 6

On page 10 of said bill, as amended, strike out lines 16 to 52; and on page 11, strike out lines 1 to 21, inclusive, and insert

"26 All that portion of the County of San Mateo not included within the Twenty-fifth Assembly District, as fixed and defined by this section, shall constitute the Twenty-sixth Assembly District."

Amendment No. 7

On page 12 of said bill, as amended, strike out lines 20 to 52, inclusive; strike out all of page 13; and on page 14, strike out lines 1 to 7, inclusive, and insert

"Beginning at the northeast corner of Section 1, Township 25 South, Range 27 East, M. D. M., said northeast corner being a point on the north boundary line of the County of Kern and running thence south along section lines 18 miles to the southeast corner of Section 36, Township 27 South, Range 27 East, M. D. M.; thence west along section lines 2 miles to the northwest corner of Section 2, Township 28 South, Range 27 East, M. D. M.; thence south along section lines 6 miles to the southeast corner of Section 34, Township 28 South, Range 27 East, M. D. M., said corner being on the Seventh standard parallel; thence west along the said Seventh standard parallel to intersect the main line of the Southern Pacific Railroad, said intersection being a point on the north boundary line of Section 4, Township 29 South, Range 27 East, M. D. M.; thence southeasterly along the main line of said Southern Pacific Railroad to intersect the westerly extension of the north boundary line of 34th Street, said intersection being a point on the corporate limits of the City of Bakersfield; thence east along the westerly extension of the north boundary line of said 34th Street and said corporate limits to the center line of Chester Avenue; thence south along the center of said Chester Avenue and said corporate limits to intersect the westerly extension of the south boundary line of 34th Street; thence easterly on and along the said westerly extension and the south boundary of said 34th Street and the said corporate limits of the City of Bakersfield to intersect the west boundary line of Union Avenue; thence south along the said west boundary line and said corporate limits to intersect the westerly extension of the south boundary line of Bernard Street; thence east along the said westerly extension of Bernard Street to the center line of Union Avenue; thence south along the center line of said Union Avenue to intersect the center line of California Avenue, said intersection being a point on the corporate limits of the City of Bakersfield; thence westerly along the center line of said California Avenue and said corporate limits to the west boundary line of Union Avenue; thence south along the west boundary line of Union Avenue and said corporate limits of the City of Bakersfield to the north boundary line of Brundage Lane; thence continuing south along said west boundary line of Union Avenue to the center line of said Brundage Lane, said center line being the north boundary line of Section 6, Township 30 South, Range 28 East, M. D. M.; thence east along the said center line to the northeast corner of said Section 6; thence south along section line 1 mile to the northwest corner of Section 8, Township 30 South, Range 28 East, M. D. M.; thence east along the north boundary line of said Section 8, to the center line of Lotus Lane; thence south along the center line of said Lotus Lane to the south boundary line of said Section 8; thence west along the south boundary line of said Section 8 to the northwest corner of Section 17, Township 30 South, Range 28 East, M. D. M.; thence south along the west boundary line of said Section 17 a distance of 1 mile to the southwest corner of said Section 17; thence east along the north boundary line of Section 20, Township 30 South, Range 28 East, M. D. M., to the center line of Garber Way; thence south along the center line of said Garber Way and extension thereof to the south boundary line of Section 20 of said township; thence west along the south boundary line of said Section 20 to the northwest corner of Section 29, Township 30 South, Range 28 East, M. D. M.; thence south along section lines 3 miles to the southeast corner of Section 6, Township 31 South, Range 28 East, M. D. M.; thence west along the south boundary line of said Section 6 one mile to the northwest corner of Section 7, Township 31 South, Range 28 East, M. D. M.; thence south along section lines 5 miles to the southwest corner of Section 31, Township 31 South, Range 28 East, M. D. M.; thence east along section lines 3 miles to the northeast corner of Section 4, Township 32 South, Range 28 East, M. D. M.; thence south along section lines 6 miles to the southeast corner of Section 33, Township 32 South, Range 28 East, M. D. M., said corner being a point on the Eighth standard parallel; thence east along the Eighth standard parallel to the northeast corner of Fractional Section 25, Township 12 North, Range 20 West, S. B. M., thence south along section lines to the northwest corner of Section 18, Township 11 North, Range 19 West, S. B. M.; thence easterly along the north boundary line of said Section 18 to the northeast corner thereof; thence south along section lines 4 miles more or less to the southwest corner of Section 32, Township 11 North, Range 19 West, S. B. M.; thence east along the south boundary line of said Township 11 North, Range 19 West, S. B. M., to the southeast corner of said township; thence south along the southerly extension of the east boundary line of Township 11 North, Range 19 West, S. B. M., to intersect the easterly extension of the north boundary line of Township 9 North,

Range 19 West, S. B. M.; thence east along the easterly extension of said north boundary line to intersect the northerly extension of the east boundary line of Township 9 North, Range 19 West, S. B. M.; thence south along the said east boundary line and northerly extension of Township 9 North, Range 19 West, S. B. M., to the southeast corner of Township 9 North, Range 19 West, S. B. M.; being a point on the south boundary line of the County of Kern; thence east to the southeast corner of said County of Kern; thence north along the easterly boundary of said county to the northeast corner thereof; thence westerly along the northerly boundary of said county to the point of beginning, shall constitute the Thirty-eighth Assembly District."

Amendment No. 8

On page 14 of said bill, as amended, strike out lines 16 to 22, inclusive, and insert "ter line of said parkway and the center line of the Santa Ana Parkway to the center line of the Ramona Parkway; thence northeasterly along the center line of the Ramona Parkway to the southerly prolongation of the center line of Daly Street; thence northerly along said prolongation of the".

Amendment No. 9

On page 14, line 36, of said bill, as amended, after "courses", insert "to the center line of Marianna Avenue; thence northerly and northeasterly along the center line of Marianna Avenue to the center line of Seigneur Avenue; thence southerly along the center line of Seigneur Avenue to the center line of O'Sullivan Drive; thence northeasterly along the center line of O'Sullivan Drive to the center line of Heidleman Road; thence southerly along the center line of Heidleman Road to the center line of Heidleman Walk; thence easterly along the center line of Heidleman Walk to the center line of Landsdowne Avenue; thence northeasterly along the center line of Lansdowne Avenue to the center line of Barnett Road; thence southerly along the center line of Barnett Road to the center line of Farquhar Street; thence easterly along the center line of Farquhar Street to the center line of McGhie Avenue; thence southerly along the center line of McGhie Avenue to the southerly boundary of the aforesaid City of Los Angeles; thence easterly along the boundary of said city".

Amendment No. 10

On page 14, line 38, of said bill, as amended, strike out the comma, and insert "and".

Amendment No. 11

On page 14, line 39, of said bill, as amended, strike out "and the southerly prolongation thereof,".

Amendment No. 12

On page 15, line 13, of said bill, as amended, strike out "Figueroa", and insert "Hill".

Amendment No. 13

On page 15, line 14, of said bill, as amended, strike out "Figueroa", and insert "Hill".

Amendment No. 14

On page 15, line 14, of said bill, as amended, strike out "Eighth", and insert "Fifth".

Amendment No. 15

On page 15, line 15, of said bill, as amended, strike out "Eighth Street to", and insert "Fifth Street and its northwesterly prolongation thereof".

Amendment No. 16

On page 15 of said bill, as amended, strike out lines 16 to 19, inclusive, and insert "to the".

Amendment No. 17

On page 15, line 21, of said bill, as amended, strike out "Huntley Drive", and insert "Fifth Street".

Amendment No. 18

On page 15 of said bill, as amended, strike out lines 22 and 23, and insert "thence northwesterly along the center line of Fifth Street to the center line of Lucas Avenue; thence southwesterly along the center line of Lucas Avenue to the center line of Fifth Street; thence northwesterly along the center line of Fifth Street to the center line of Witmer Street; thence southwesterly along the center line of Witmer Street to the center line of Sixth Street; thence northwesterly along the center line of Sixth Street to the center line of Columbia Avenue; thence northerly along the center line of Columbia Avenue to the center line of Fourth Street; thence northwesterly along the center line of Fourth Street to the center line of Loma Drive; thence northwesterly along the center line of Loma Drive to the center line of Fourth Street; thence northwesterly along the center line of Fourth Street to the center line of Union Avenue (from the northeast); thence northeasterly along the center line of Union Avenue to center line of Beverly Boulevard; thence southeasterly along the center line of Beverly Boulevard

to the northwesterly prolongation of the center line of Second Street; thence southeasterly along said prolongation and the center line of Second Street to the southwesterly prolongation".

Amendment No. 19

On page 15, line 25, of said bill, as amended, after "Street", insert "and the northeasterly prolongation of Boylston Street".

Amendment No. 20

On page 16, line 33, of said bill, as amended, strike out "westerly", and insert "northwesterly".

Amendment No. 21

On page 17, line 8, of said bill, as amended, strike out ", Sunland Boulevard, Clybourn Avenue".

Amendment No. 22

On page 17, line 13, of said bill, as amended, strike out "westerly line of the southerly prolongation", and insert "southerly prolongation of the westerly line".

Amendment No. 23

On page 17, line 15, of said bill, as amended, strike out "line", and insert "lines".

Amendment No. 24

On page 19, line 32, of said bill, as amended, strike out "to the westerly"; and strike out lines 33 to 43, inclusive, and insert "and the southeasterly prolongation thereof to the center line of Arroyo Seco Parkway; thence northeasterly along the center line of said parkway to the center line of Hermon Avenue; thence easterly along the center line of Hermon Avenue to the center line of Bushnell Way; thence southwesterly along the center line of Bushnell Way to the center line of Pullman Street; thence southeasterly along the center line of Pullman Street to the center line of Armour Avenue; thence southwesterly along the center line of Armour Avenue to the center line of Burr Street; thence southeasterly along the center line of Burr Street to the center line of Lomitas Drive; thence southwesterly along the center line of Lomitas Drive to the center line of Monterey Road; thence southerly along the center line of Monterey Road (easterly roadway) to the center".

Amendment No. 25

On page 20 of said bill, as amended, strike out lines 4 to 11, inclusive, and insert "its various courses to the westerly boundary of the City of Alhambra as the same existed March 1, 1951; thence southerly along the boundary of said city and following the same in all its various courses to the southerly prolongation of the center line of Hathaway Walk; thence southerly along the southerly prolongation of the center line of Hathaway Walk; thence southerly along the southerly prolongation of the center line of Hathaway Walk to the southerly boundary of the City of Alhambra, as same existed March 1, 1951; thence easterly along the boundary of said city and following same in all its various courses to an angle point in said boundary on the easterly line of Hathaway Walk; thence due south".

Amendment No. 26

On page 20, lines 12 and 13, of said bill, as amended, strike out "and northeasterly".

Amendment No. 27

"On page 20, line 40, of said bill, as amended, after "the", insert "southerly".

Amendment No. 28

On page 20, line 43, of said bill, as amended, after "city", insert "to the center line of McGhie Avenue; thence northerly along the center line of McGhie Avenue to the center line of Farquhar Street; thence westerly along the center line of Farquhar Street to the center line of Barnett Road; thence northerly along the center line of Barnett Road to the center line of Lansdowne Avenue; thence southwesterly along the center line of Lansdowne Avenue to the center line of Heidleman Walk; thence westerly along the center line of Heidleman Walk to the center line of Heidleman Road; thence northerly along the center line of Heidleman Road to the center line of O'Sullivan Drive, thence southwesterly along the center line of O'Sullivan Drive to the center line of Seigneur Avenue; thence northerly along the center line of Seigneur Avenue to the center line of Marianna Avenue; thence southwesterly and southerly along the center line of Marianna Avenue to the southerly boundary of the City of Los Angeles as same existed on above mentioned date; thence westerly along the boundary of said last mentioned city and following the same in all its various courses"

Amendment No. 29

On page 20, line 52, of said bill, as amended, strike out "thence", and insert "thence southerly along the southerly prolongation of the center line of Daly Street to the center line of Ramona Parkway; thence southwesterly along the center line of Ramona Parkway to the center line of the Santa Ana Parkway; thence northwesterly along the center line of the Santa Ana Parkway and".

Amendment No. 30

On page 21 of said bill, as amended, strike out lines 1 to 6, inclusive, and insert "the center line of".

Amendment No. 30a

On page 21 of said bill, as amended, strike out lines 17 to 27, inclusive, and insert

"Beginning at the intersection of the southwesterly prolongation of the center line of that portion of Culver Boulevard lying between Trolley Way and Ocean Front Walk with the southwesterly boundary of the County of Los Angeles; thence northeasterly along said southwesterly prolongation and center line of Culver Boulevard and following the same in all its various courses to the center line of Pershing Drive (from the northwest); thence northwesterly along the center line of Pershing Drive to the northwesterly boundary of the City of Los Angeles as same existed on March 1, 1951; thence northeasterly along the boundary of said city and following the same in all its various courses to its first intersection with the center line of the Pacific Electric Railway Company's right-of-way; thence southeasterly along said last mentioned center line and following the same in all its various courses to its first intersection with the boundary of the City of Los Angeles as same existed on above mentioned date; thence southerly"

Amendment No. 31

On page 23 of said bill, as amended, strike out lines 44, 45, and 46, and insert "the center line of Las Tunas Drive to the easterly boundary of the City of San".

Amendment No. 32

On page 23, lines 47 and 48, of said bill, as amended, strike out "westerly and".

Amendment No. 33

On page 24, line 10, of said bill, as amended, strike out "or", and insert "of".

Amendment No. 34

On page 24, line 16, of said bill, as amended, strike out "lines", and insert "line".

Amendment No. 35

On page 24, line 24, of said bill, as amended, after "1951", strike out the comma, and insert a semicolon.

Amendment No. 36

On page 24, line 25, of said bill, as amended, strike out "the said last mentioned boundary", and insert "the boundary of said last mentioned city".

Amendment No. 37

On page 24, line 29, of said bill, as amended, strike out "Sixth", and insert "Second".

Amendment No. 38

On page 24, line 30, of said bill, as amended, strike out "said last mentioned boundary", and insert "the boundary of said last mentioned city".

Amendment No. 39

On page 24, line 52, of said bill, as amended, strike out "said last mentioned boundary", and insert "the boundary of said last mentioned city".

Amendment No. 40

On page 25, line 3, of said bill, as amended, strike out "northerly", and insert "westerly".

Amendment No. 41

On page 25, line 4, of said bill, as amended, strike out "southeasterly along said last mentioned boundary", and insert "southerly along the boundary of said last mentioned city".

Amendment No. 42

On page 25, lines 7 and 8, of said bill, as amended, strike out "said last mentioned boundary", and insert "the boundary of said last mentioned city".

Amendment No. 43

On page 25, line 10, of said bill, as amended, strike out "boundary", and insert "city".

Amendment No. 44

On page 25, line 29, of said bill, as amended, after "with the", insert "easterly".

Amendment No. 45

On page 26, line 27, of said bill, as amended, strike out "northerly", and insert "southerly".

Amendment No. 46

On page 29, line 36, of said bill, as amended, after "Avenue", insert "thence southerly along the center line of Luitwieler Avenue".

Amendment No. 47

On page 32, line 20, of said bill, as amended, strike out "the center"; strike out lines 21 to 23, inclusive; and in line 24, strike out "westerly", and insert "the southerly prolongation of the center line of Hathaway Walk; thence northerly along said prolongation of Hathaway Walk to the southerly".

Amendment No. 48

On page 32, line 52, of said bill, as amended, after "Main Line", insert "to Yuma".

Amendment No. 49

On page 33 of said bill, as amended, strike out lines 12 to 22, inclusive, and insert "center line of Monterey Road; thence northerly along the center line of Monterey Road to the center line of Lomitas Drive; thence northerly along the center line of Lomitas Drive to the center line of Burr Street; thence northwesterly along the center line of Burr Street to the center line of Armour Avenue; thence northeasterly along the center line of Armour Avenue to the center of Pullman Street; thence northwesterly along the center line of Pullman Street to the center line of Bushnell Way; thence northeasterly long the center line of Bushnell Way to the center line of Hermon Avenue; thence westerly along the center line of Hermon Avenue to the center line of the Arroyo Seco Parkway; thence southwesterly along the center line of the Arroyo Seco Parkway to the southerly prolongation of the center line of Avenue 45; thence northwesterly along said prolongation and cen-".

Amendment No. 50

On page 34, line 10, of said bill, as amended, strike out "Florence", and insert "Manchester".

Amendment No. 51

On page 34, line 11, of said bill, as amended, after "Street;", insert "Thence easterly along the center line of Manchester Avenue to the intersection with the boundary of the City of Los Angeles as same existed March 1, 1951, said point of intersection being at or near the intersection of the center lines of Manchester Avenue and Central Avenue; thence northerly along the boundary of said City of Los Angeles to the center line of Florence Avenue;".

Amendment No. 52

On page 35 of said bill, as amended, strike out lines 6 to 11, inclusive; and in line 12, strike out "to the center line".

Amendment No. 53

On page 36 of said bill, as amended, strike out lines 5 to 22, inclusive, and insert "line of Glendale Boulevard to the center line of Beverly Boulevard; thence northwesterly along the center line of Beverly Boulevard to the center line of Union Avenue; thence southwesterly along the center line of Union Avenue to the center line of Fourth Street; thence southeasterly along the center line of Fourth Street to the center line of Loma Drive; thence southeasterly along the center line of Loma Drive to the center line of Fourth Street, thence southeasterly along the center line of Fourth Street to the center line of Columbia Avenue; thence southerly along the center line of Columbia Avenue to the center line of Sixth Street; thence southeasterly along the center line of Sixth Street to the center line of Witmer Street; thence northeasterly along the center line of Witmer Street to the center line of Fifth Street; thence southeasterly along the center line of Fifth Street to the center line of Lucas Avenue; thence northeasterly along the center line of Lucas Avenue to the center line of Fifth Street; thence southeasterly along the center line of Fifth Street to the center line of Boylston Street; thence southwesterly along the center line of Boylston Street to the northwesterly prolongation of the center line of Fifth Street (from the southeast); thence southeasterly along said prolongation of Fifth Street and the center line of Fifth Street to the center line of Hill Street; thence southwesterly along the center line of Hill Street to the center line of Ninth Street; thence northwesterly along the center line of Ninth Street to the center line of Figueroa

Street; thence southwesterly along the center line of Figueroa Street to the center line of Ninth Street; thence northwesterly along the center line of Ninth Street to the center line of Hoover Street; thence northerly along the center line of Hoover Street to the center line of Ninth Street; thence westerly along the center line of Ninth Street".

Amendment No. 54

On page 36, line 23, of said bill, as amended, strike out "Street".

Amendment No. 54-a

On page 37, lines 18 and 19, of said bill, as amended, strike out "said last mentioned boundary of the City of Los Angeles", and insert "the boundary of said last mentioned city".

Amendment No. 55

On page 37, line 26, of said bill, as amended, strike out "said last mentioned boundary", and insert " the boundary of said last mentioned city".

Amendment No. 56

On page 38 of said bill, as amended, strike out lines 7 to 10, inclusive, and insert "of Vermont Avenue to the center line of Ninth Street;".

Amendment No. 57

On page 38, line 18, of said bill, as amended, strike out "Vincente", and insert "Vicente".

Amendment No. 58

On page 38, line 24, of said bill, as amended, after "to", insert "the center line of".

Amendment No. 59

On page 39, line 42, of said bill, as amended, strike out "southeasterly", and insert "southerly".

Amendment No. 60

On page 40, line 6, of said bill, as amended, after "thence", insert "northwesterly".

Amendment No. 61

On page 41, lines 29 and 30, of said bill, as amended, strike out "and following the same in all its various courses".

Amendment No. 62

On page 41, line 35, of said bill, as amended, after "line of", insert "21st Street; thence easterly along the center line of 21st Street to the center line of Vineyard Avenue; thence southerly along the center line of Vineyard Avenue to the center line of 23d Street; thence easterly along the center line of 23d Street to the center line of Hillcrest Drive; thence southwesterly along the center line of Hillcrest Drive to the center line of Adams Boulevard; thence easterly along the center line of Adams Boulevard to the center line of Crenshaw Boulevard; thence southerly along the center line of Crenshaw Boulevard to the center line of".

Amendment No. 63

On page 41, lines 42 and 43, of said bill, as amended, strike out "last mentioned easterly boundary", and insert "the boundary of said city".

Amendment No. 64

On page 42, line 24, of said bill, as amended, strike out "northerly", and insert "northwesterly".

Amendment No. 65

On page 42, line 47, of said bill, as amended, after "of", insert "the center line of".

Amendment No. 66

On page 43, lines 3 and 4, of said bill, as amended, strike out "and northerly".

Amendment No. 67

On page 43, line 14, of said bill, as amended, strike out "Eighth", and insert "Ninth".

Amendment No. 68

On page 43 of said bill, as amended, strike out line 15, and insert "center line of Ninth Street,".

Amendment No. 69

On page 43, line 16, of said bill, as amended, strike out "various courses".

Amendment No. 70

On page 43, line 17, of said bill, as amended, strike out "southwesterly", and insert "northeasterly".

Amendment No. 71

On page 43, line 20, of said bill, as amended, after "to the", insert "southerly".

Amendment No. 72

On page 44, line 8, of said bill, as amended, strike out "Vincente", and insert "Vicente".

Amendment No. 73

On page 44, line 36, of said bill, as amended, strike out "northeasterly", and insert "northerly".

Amendment No. 74

On page 44, line 42, of said bill, as amended, after "line of", insert "Crenshaw Boulevard; thence northerly along the center line of Crenshaw Boulevard to the center line of Adams Boulevard; thence westerly along the center line of Adams Boulevard to the center line of Hillcrest Drive; thence notheasterly along the center line of Hillcrest Drive to the center line of 23d Street; thence westerly along the center line of 23d Street to the center line of Vineyard Avenue; thence northerly along the center line of Vineyard Avenue to the center line of 21st Street; thence westerly along the center line of 21st Street to the center line of".

Amendment No. 75

On page 45, line 45, of said bill, as amended, strike out "Westmoreland Avenue", and insert "Hoover Street".

Amendment No. 76

On page 45 of said bill, as amended, strike out lines 46 to 50, inclusive, and insert "thence southerly along the center line of Hoover Street to the ".

Amendment No. 77

On page 45, line 51, of said bill, as amended, strike out 'Eighth", and insert "Ninth".

Amendment No. 78

On page 45, line 52, of said bill, as amended, strike out "Eighth", and insert "Ninth".

Amendment No. 79

On page 46, line 1, of said bill, as amended, strike out "southeasterly", and insert "southwesterly".

Amendment No. 80

On page 46, line 32, of said bill, as amended, after "to", insert "its first intersection with the boundary of the City of Los Angeles as same existed March 1st, 1951; thence southerly along the boundary of said city to its first intersection with the center line of Manchester Avenue; thence westerly along the center line of Manchester Avenue to".

Amendment No. 81

On page 46 of said bill, as amended, strike out lines 42 to 52, inclusive, and on page 47, strike out lines 1 to 7, inclusive, and insert "southerly prolongation of the center line of Freeman Boulevard; thence northerly along said last mentioned prolongation to an angle point in the boundary of the aforesaid City of Inglewood at or near the intersection of Augusta Street and Freeman Boulevard; thence northerly along the boundary of said last mentioned city to its intersection with the center line of the Pacific Electric Railway Company's right of way (Redondo Branch); thence northwesterly along the center line of said right of way to its intersection with the".

Amendment No. 82

On page 47 of said bill, as amended, strike out lines 37 to 42, inclusive, and insert "line of 94th Street to the center line of Main Street; thence southerly along the center line of Main Street to the southerly boundary of the said last".

Amendment No. 82a

On page 48 of said bill, as amended, strike out lines 12 to 18, inclusive, and insert "courses to the center line of Flagler Lane; thence northerly along the center line of Flagler Lane".

Amendment No. 83

On page 48, line 22, of said bill, as amended, after "date," insert "at or near the intersection of the center lines of Aviation Boulevard and Redondo Beach Boulevard;".

Amendment No. 84

On page 49, line 29, of said bill, as amended, after "the", insert "boundary of the".

Amendment No. 85

On page 49 of said bill, as amended, strike out lines 30 to 33, inclusive, and insert "date; thence easterly along the boundary of said last mentioned city to its first intersection with the boundary of Annexation No. 80 to the City of Compton as per resolution No. 5550; thence southerly along the boundary of said Annexation and following the same in all its various courses to an angle point in the boundary of the City of Long Beach as same existed on above mentioned date near the intersection of Gardner Avenue and Delta Avenue; thence easterly along the boundary of said last mentioned".

Amendment No. 86

On page 50, line 13, of said bill, as amended, strike out "Los Angeles", and insert "Torrance".

Amendment No. 87

On page 51, line 45, of said bill, as amended, strike out "at or near"; strike out lines 46 and 47, and insert "near the intersection of Gardner Avenue and Delta Avenue, said angle point also being a point in the boundary of Annexation No 80 to the City of Compton as per resolution No 5550; thence southerly along said last mentioned boundary and following the same in all its various courses to its first intersection with the southerly boundary of".

Amendment No. 88

On page 54, line 4, of said bill, as amended, strike out the first "the", and insert "this".

Amendment No. 89

On page 54, line 13, of said bill, as amended, strike out "most southwesterly", and insert "prolongation of the southerly".

Amendment No. 90

On page 54, line 14, of said bill, as amended, after "along", insert "said prolongation and".

Amendment No. 91

On page 54, line 17, of said bill, as amended, strike out "said".

Amendment No. 92

On page 54 of said bill, as amended, strike out line 18, and insert "ary lines of Spring Valley Precincts 6 and 2 to their intersection with".

Amendment No. 93

On page 54, line 19, of said bill, as amended, strike out "6", and insert "2".

Amendment No. 94

On page 54, line 21, of said bill, as amended, strike out "6", and insert "2".

Amendment No. 95

On page 54, line 25, of said bill, as amended, strike out "6", and insert "2".

Amendment No. 96

On page 54, line 25, of said bill, as amended, strike out "northerly", and insert "westerly".

Amendment No. 97

On page 54, line 27, of said bill, as amended, strike out "cincts 6 and 1", and insert "cincts 2 and 1 and southerly line of Helix Precinct 1".

Amendment No. 98

On page 54, lines 39 and 40, of said bill, as amended, strike out ", easterly and westerly along the", and insert "along the most".

Amendment No. 99

On page 54, line 44, of said bill, as amended, after "1951," insert "and including the United States Military Reservation Santa Margarita y las Flores".

Amendment No. 100

On page 55, line 32, of said bill, as amended, strike out "and".

Amendment No. 101

On page 56 of said bill, as amended, strike out line 4, and insert "included within the Seventy-seventh and Seventy-eighth Assembly Districts as fixed".

Amendment No. 102

On page 56, line 10, of said bill, as amended, after the first "the", insert "boundary lines of the".

Amendment No. 103

On page 56, line 16, of said bill, as amended, after "and", insert "the United States Military Reservation of".

Amendment No. 104

On page 2, line 19, of the printed bill, as amended in the Senate on April 10, 1951, strike out "easterly", and insert "westerly".

Amendment No. 105

On page 6, line 25, of said bill, as amended, after "to", insert "the center line of".

Amendment No. 106

On page 6, line 26, of said bill, as amended, after "easterly", insert "along the center line of Derby Street".

Amendment No. 107

On page 7, line 17, of said bill, as amended, after "westerly", insert "along the center line of Dwight Way".

Amendment No. 108

On page 7, line 18, of said bill, as amended, after "northerly", insert "along the center line of San Pablo Avenue".

Amendment No. 109

On page 23, lines 30 and 31, of said bill, as amended, strike out "thence southerly along the southerly prolongation of the center line of Hathaway Walk;"

Amendment No. 110

On page 23 of said bill, as amended, strike out lines 33 to 37, inclusive, and insert "line of Hathaway Walk".

Amendment No. 111

On page 24 of said bill, as amended, strike out lines 1 and 2, and insert "mentioned boundary and the center line of Pomona Boulevard to an angle point in the".

Amendment No. 112

On page 24, line 35, of said bill, as amended, strike out "and following the same in all its various courses".

Amendment No. 113

On page 25, line 43, of said bill, as amended, strike out "Agusta", and insert "Augusta".

Amendment No. 114

On page 33, line 32, of said bill, as amended, after "of", insert "the City of".

Amendment No. 115

On page 36, line 50, of said bill, as amended, strike out "northerly", and insert "westerly".

Amendment No. 116

On page 47, line 11, of said bill, as amended, strike out "southwesterly", and insert "southeasterly".

Amendment No. 117

On page 47, line 12, of said bill, as amended, after "last", insert "mentioned".

Amendment No. 118

On page 49, line 26, of said bill, as amended, strike out "center".

Amendment No. 119

On page 49 of said bill, as amended, strike out line 27.

Amendment No. 120

On page 49, line 28, of said bill, as amended, strike out "Main Street", and insert "first intersection with the boundary of the aforesaid City of Los Angeles; thence northerly along the boundary of said city".

Amendment No. 121

On page 55 of said bill, as amended, strike out lines 18 and 19, and insert "to the easterly boundary".

Amendment No. 122

On page 55, line 21, of said bill, as amended, after "city", insert "and following the same in all its various courses".

Amendment No. 123

On page 57, line 20, of said bill, as amended, strike out "Avalon", and insert "El Segundo".

Amendment No. 124

On page 59, line 19, of said bill, as amended, strike out "the north line of Section 28", and insert " a westerly extension of the north line of Section 29".

Amendment No. 125

On page 59 of said bill, as amended, strike out lines 50 and 51, and insert "line to the".

Amendment No. 126

On page 60, line 18, of said bill, as amended, strike out "north line of aforesaid Section 28", and insert "westerly extension of the north line of aforesaid Section 29".

Amendment No. 127

On page 53, line 28, of the printed bill, as amended in Senate April 19, 1951, strike out "a westerly extension of the north line of Section 29", and insert "the north line of Section 30".

Amendment No. 128

On page 54, lines 27 and 28, of said bill, as amended, strike out "westerly extension of the north line of aforesaid Section 29", and insert "north line of aforesaid Section 30".

Amendment No. 129

On page 56, line 27, of said bill, as amended, after "line", strike out all of the remaining portion of the paragraph to and including "Freeway", in line 43 on said page 56.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 41 by the following vote:

AYES—Babbage, Belotti, Berry, Burke, Caldecott, Chapel, Clarke, Collier, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCollister, McGee, Morris, Porter, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—45.

NOES—Beck, Brady, Burkhalter, Condon, Crowley, Davis, Elliott, Henderson, Kilpatrick, McCarthy, McFall, Moss, Parker, and Shaw—14.

Assembly Bill No. 41 ordered enrolled.

Assembly Bill No. 700—An act to amend Section 439 of the Vehicle Code, relating to reporting of vehicles known or suspected to have been abandoned or unlawfully stored.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 700?

Amendment No. 1

On page 1, line 6, of the printed bill, after "park", insert "or public parking area maintained by a bridge and highway district".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 700 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hawkins, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 700 ordered enrolled.

Assembly Bill No. 1825—An act to amend Sections 1242, 1243, and 1265 of the Civil Code and Sections 660 and 663 of the Probate Code, relating to homesteads.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1825?

Amendment No. 1

On page 3, line 5, of the printed bill, after "decedent", insert "as hereinabove provided".

Amendment No. 2

On page 3, line 6, of said bill, strike out "any", and insert "either".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1825 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—62.
NOES—None.

Assembly Bill No. 1825 ordered enrolled.

Assembly Bill No. 2516—An act to add Section 15104 to the Financial Code and to add Section 23.6 to "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to credit unions.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2516?

Amendment No. 1

In the title of the printed bill, strike out line 1, and insert
"An act to amend Sections 14804 and 14805 of, and to add Section 15104 to, the Financial Code, and to amend Sections 1 and 3 of, and to add".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert
"SECTION 1. Section 1 of the act cited in the title hereof is amended to read:
Section 1. A credit union is a cooperative corporation, organized for the twofold purpose of promoting thrift among its members and creating a source of credit for them at legal rates of interest for provident purposes.
Corporations may be incorporated under and by virtue of this act in the same manner as corporations under and by virtue of [Title 1 of Part 4, Division 1 of the Civil Code of the State of California, including any amendment or revision thereof, or any sections hereafter enacted in lieu thereof,] *the General Corporation Law of this State* except as otherwise herein provided. The articles of incorporation shall set forth the following:
1. The name of the corporation, which shall include the words "credit union."
2. If the corporation be formed without authorized shares of stock the authorized number of members or memberships or that the number thereof is unlimited.
SEC. 2. Section 3 of the act cited in the title is amend to read:
Sec 3. Every credit union shall have the power:
1. To admit to membership, those persons qualified for membership, upon payment of an entrance fee.
2. To issue shares to any qualified member and to issue such shares in joint tenancy with any person designated by such member.
3. To charge a reasonable fee for the transfer of its shares.

4. To receive money and accumulate funds to be loaned and to loan the same to members and to execute certificates for the money received, which shall specify the date, amount, rate of interest, and when the principal and interest are payable.

5 To make loans to its members upon such terms and conditions as the by-laws provide and as the credit committee shall approve. The rate of interest which may be charged for any loan shall not exceed 1 percentum per month, inclusive of all charges incident to the making of such loans; provided, however, that the cost of any insurance and any cost of acknowledgment, certification, registration, or recordation actually paid by the credit union used in connection with such loan shall not be deemed to be a charge incident to the making of such loan; and, provided further, that a service charge not to exceed twenty-five cents ($0.25) may be made for any loan of fifty dollars ($50) or less which is repaid before the end of the first full month.

6. To deposit and invest any money received by it and not loaned to its members as provided in Section 6 and Section 6a of this act.

7 To borrow money from any source in an aggregate amount not to exceed 50 percentum of the paid-in and unimpaired capital and surplus of such corporation.

8. To fine members for failure to meet punctually obligations to such credit union.

9. To expel members, as provided in Section 12 of this act.

10. To impress a lien upon the shares and dividends of any member to the extent of any loans made to him and for any dues or fines payable by him.

11. To cancel the shares of any member who withdraws or is expelled, and apply value thereof to the liquidation of such member's indebtedness to the corporation.

12. To purchase, hold, or sell a lot and building such as shall be necessary for the transaction of the business of the credit union, furniture and fixtures, vaults and other personal property such as may be necessary or proper to carry on its business and no credit union shall hereafter invest more than one-fifth of its paid-in unimpaired capital and surplus in such lot and building and equipment Any credit union may purchase a lot and building and necessary equipment individually or jointly with other credit unions [of] *or* affiliated organizations

13 In addition to the powers herein enumerated, every credit union shall have the general powers conferred upon corporations by [Chapter 10, Title 1, Part 4, Division 1 of the Civil Code,] *the General Corporation Law of this State* except as herein otherwise provided.

SEC 3. Section 23.6 is added to the act cited in the".

Amendment No. 3

On page 1 of said bill, between lines 14 and 15, insert:

"SEC. 4 Section 14804 of the Financial Code is amended to read:

14804. Every credit union may purchase and hold, either individually or jointly with other credit unions [of] *or* affiliated organizations, a lot and building necessary for the transaction of business. The credit union may sell such lot and building.

SEC. 5. Section 14805 of the Financial Code is amended to read:

14805. Every credit union may purchase and hold, either individually or jointly with other credit unions [of] *or* affiliated organizations, furniture, fixtures, vaults, and other personal property necessary or proper to carry on its business. The credit union may sell such personal property."

Amendment No. 4

On page 1, line 15, of said bill, strike out "SEC. 2", and insert "SEC. 6".

Amendment No. 5

On page 2, line 7, of said bill, strike out "SEC. 3. Section 2", and insert "SEC. 7. Sections 4, 5, and 6".

Amendment No. 6

On page 2, lines 10 and 11, of said bill, strike out "Section 1 of this act is", and insert "Sections 1, and 3 of the act cited in the title hereof, as amended by this act, and Section 23.6 of the act cited in the title hereof, as added by this act are".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2516 by the following vote:

AYES—Babbage, Beck, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Smith, Stewart, Tomlinson, Waters, and Mr. Speaker—57.

NOES—None.

Assembly Bill No. 2516 ordered enrolled.

Assembly Bill No. 3388—An act to amend Section 16 of the Municipal Court Act of 1925, relating to the terms of office of municipal court judges, declaring the urgency thereof, to take effect immediately.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—64.

NOES—None.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 3388?

Amendment No. 1

On page 2, lines 13 and 14, of the printed bill, strike out "necessary", and insert "necessity".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 3388 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—64.

NOES—None.

Assembly Bill No. 3388 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 246

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 246, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 246—An act to repeal Section 4338, Chapter 1 (consisting of Sections 4651 to 4663, inclusive) of Part 8 of Division 1, and Section 4670, and to add Chapters 1, 1a, 1b, and 1c (consisting of Sections 4651 to 4657.6, inclusive) to Part 8 of Division 1, of the Revenue and Taxation Code, relating to the distribution of property taxes.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 246?

Amendment No. 1

On page 3, line 16, of the printed bill, strike out "to the county general fund.", and insert "to each fund in an amount equal to the installment plan interest collected on the unpaid taxes levied for the fund."

Amendment No. 2

On page 3, line 19, of said bill, strike out "to the county general fund", and insert "as if paid for redemption,".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 246 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 246 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 775 HOLD PLACE ON FILE

Mr. Crowley asked for, and was granted, unanimous consent that Assembly Bill No. 775 be passed on file, and hold its place on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 3279—An act to add Section 7209 to the Health and Safety Code, relating to bodies of deceased persons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Burke, Burkhalter, Chapel, Clarke, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stewart, Tomlinson, and Waters—55.

NOES—Kirkwood—1

Bill ordered transmitted to the Senate.

Assembly Bill No. 2704—An act to add Section 30 to the American River Flood Control District Act, relating to the acquisition of additional flood control works for operation, repair, and maintenance and the assessment of property benefited by those works.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Parker, Porter, Rumford, Shaw, Smith, and Waters—55.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1249—An act to amend Sections 14376.3 and 14610 of the State Teachers' Retirement Law, relating to other employment by members of the State Teachers' Retirement System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Munnell, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Waters, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1879—An act to repeal Chapter 7 of Division 3 of, and to add Chapter 7 of Division 3, comprising Sections 6700 to 6799, inclusive, to, the Business and Professions Code, relating to professional engineers.

Bill read third time, and ordered passed on file.

Assembly Bill No. 2133—An act to amend Sections 5600 and 5604 of the Business and Professions Code, relating to the practice of architecture.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Waters, and Mr Speaker—56

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2139—An act to amend Sections 1770, 1971.1, 1990, and 3137 and to add Section 2077 and to repeal Section 1780 of the Harbors and Navigation Code, relating to the San Francisco Harbor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Waters, and Mr. Speaker—59.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILLS NOS. 16 AND 1519 HOLD PLACES ON FILE

Mr. Dickey asked for, and was granted, unanimous consent that Assembly Bills Nos 16 and 1519 be passed on file, and hold their places on file on the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 672

Mrs. Niehouse asked for, and was granted, unanimous consent that she be permitted to take up Assembly Bill No. 672, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 672

Assembly Bill No. 672—An act to amend Section 16482 of the Education Code, relating to the testing of the sight and hearing of public school pupils.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lancoln, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Stewart, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1583—An act to amend Section 27 of an act entitled "An act making an appropriation for allocation to cities, counties, and cities and counties to develop a postwar public works program comprising the preparation of surveys and plans and specifications for proposed public works and the acquisition of rights-of-way and sites for major streets, roads, bridges, sewerage and other public facilities, and providing the procedure for making such allocations," approved June 20, 1944, relating to postwar public works programs, and making an appropriation, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, and Tomlinson—54.

NOES—Beck, Belotti, Collier, Conrad, Grunsky, and Maloney—6.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, and Tomlinson—54.

NOES—Beck, Belotti, Collier, Conrad, Grunsky, and Maloney—6.

Bill ordered transmitted to the Senate

Assembly Bill No. 1584—An act to amend Section 26 of the Construction and Employment Act, relating to the State Allocation Board and to allocation of state funds to local agencies for the construction of public works, and making an appropriation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sillman, Smith, Stanley, Stewart, and Tomlinson—54.

NOES—Beck, Belotti, Collier, Conrad, Grunsky, and Maloney—6.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3377

Mr. Klocksiem asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3377, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3377

Assembly Bill No. 3377—An act to amend Section 330 of the Penal Code, relating to gaming.

Bill read third time.

Motion to Amend

Mr. Dills moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 7, of the printed bill, after "draw poker", insert "(except as hereinafter provided)".

Amendment No. 2

On page 1, line 15, of said bill, after the period, insert "Nothing in this section shall prohibit or apply to the conduct or playing of draw poker games in any premises licensed for such purpose by any county, city and county, or city."

Amendments read.

Roll Call Demanded

Messrs. Dills, Lincoln, and Moss demanded a roll call.

The roll was called, and the amendments offered by Mr. Dills refused adoption by the following vote:

AYES—Brady, Crowley, Dills, Evans, Hollibaugh, and McMillan—6.

NOES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Connolly, Conrad, Cooke, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Henderson, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sillman, Smith, Stanley, Stewart, Tomlinson, and Waters—55.

The question being on the passage of Assembly Bill No. 3377.

Consideration of Further Amendments
Motion to Amend

Mr. Doyle moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 11, of the printed bill, after "games," insert "and every person who wagers by the pari mutuel or mutual system of wagering on the result of any horse race conducted by a licensee of the California Horse Racing Board whether or not such wager is made within the enclosure of the race track of such licensee,".

Amendment read.

Point of Order

Mr. Klocksiem arose to the following point of order: That the amendment being proposed by Mr. Doyle is not germane to the bill.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

Demand for Previous Question

Messrs. Kirkwood, Silliman, Caldecott, McCollister, and McCarthy demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendment offered by Mr. Doyle to Assembly Bill No. 3377.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Brady, George D. Collins, Condon, Crowley, Dickey, Dills, Doyle, Elliott, Henderson, Hollibaugh, Lowrey, McCarthy, McMillan, and Mr. Speaker—14.

NOES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, Connolly, Conrad, Cooke, Davis, Dolwig, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Moss, Munnell, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, and Waters—50.

The question being on the passage of Assembly Bill No. 3377.

Consideration of Further Amendments
Motion to Amend

Mr. Dills moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 7, of the printed bill, after "draw poker", insert "canasta, bridge, rummy,".

Amendment read.

Motion to Table Amendment

Mr. Beck moved that the amendment offered by Mr. Dills to Assembly Bill No. 3377 be laid upon the table.

Mr. Collier seconded the motion.

Motion carried.

The question being on the passage of Assembly Bill No. 3377.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, McGee.

Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—61.

NOES—Brady, Condon, Crowley, Dills, Elliott, Evans, Lyon, McCollister, and McMillan—9.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Vote Be Changed Upon Roll Call

Mr. George D. Collins asked for, and was granted, unanimous consent that his vote be changed upon the roll call on Assembly Bill No. 3377, and that he be recorded as voting "Aye" instead of "Nay".

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Constitutional Amendment No. 56: By Messrs. Morris, Levering, and Evans—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1a of Article XIII thereof, relating to the taxation of property of educational institutions of collegiate grade.

Referred to Committee on Constitutional Amendments.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1098	Assembly Bill No. 2379
Assembly Bill No. 1841	Assembly Bill No. 3412

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

COMMUNICATIONS

By Speaker Sam L. Collins:

A communication and a resolution from E. T. Johnson, Executive Secretary of the Merced County Farm Bureau, relative to a proposed investigation of the operations of the Merced County Hospital, were received, and ordered referred to the Committee on Municipal and County Government.

By Speaker Sam L. Collins:

A letter of transmittal from Ellen D. Smythe, Clerk of the Senate, Legislature of the Territory of Hawaii, and a Senate concurrent resolution adopted by the Legislature of the Territory of Hawaii, relative to thanking the Legislature of the State of California for appropriating moneys for the investigation and control of the Oriental fruitfly in the Territory of Hawaii, were received, and ordered referred to the Committee on Agriculture.

By Speaker Sam L. Collins:

A letter of transmittal from Guy K. Horton, Chief Clerk of the House of Representatives, State of Oklahoma, and a House concurrent resolution adopted by the House of Representatives, State of Oklahoma, relative to memorializing Congress to repeal those parts of Social Security

Amendments of 1939 which require restrictions on use or disclosure of names of welfare recipients, were received, and ordered referred to the Committee on Social Welfare.

By Speaker Sam L. Collins:

A letter of transmittal from Melvin D. Snyhorst, Secretary of State, State of Iowa, and a Senate concurrent resolution adopted by the Legislature, State of Iowa, relative to making application to the Congress of the United States for the calling of a convention to propose an amendment to the Constitution of the United States to place some restraint upon present unrestrained exercise of the taxing power by the Federal Government, were received, and ordered referred to the Committee on Revenue and Taxation.

MEMBERS EXCUSED

At 11.45 a.m., Mr. Dickey asked for, and was granted, unanimous consent that Messrs. Dunn, Lindsay, Sherwin, and Thomas be excused, for the balance of the legislative day, because of legislative business elsewhere.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Kelly:

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act making an appropriation for expenses of members of the Assembly to take effect immediately.

Respectfully submitted.

H. W. KELLY

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Kelly.

An act making an appropriation for expenses of Members of the Assembly to take effect immediately.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3421: By Mr. Kelly—An act making an appropriation for expenses of Members of the Assembly to take effect immediately.

Referred to Committee on Rules.

ANNOUNCEMENT

Mr. Dickey announced, on behalf of Mr. Beck, a Democratic luncheon and Caucus at the Hotel Sacramento upon recess today.

RECESS

At 11.48 a.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

BILLS WITHDRAWN FROM INACTIVE FILE

The following resolution was withdrawn from the inactive file, and placed upon file for adoption:

Assembly Concurrent Resolution No. 37, on request of Mr. Maloney.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3388—An act to amend Section 16 of the Municipal Court Act of 1925, relating to the terms of office of municipal court judges, declaring the urgency thereof, to take effect immediately;

And reports that the same has been correctly enrolled, and presented to the Governor on the thirtieth day of April, 1951, at 11.30 a.m.

BURKE, Chairman

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS

Senate Bill No. 1121—An act to add Section 9048 to the Water Code and to repeal Section 3466c of the Political Code, relating to the Sutter-Butte By-pass Assessment No. 6.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Moss, Munnell, Niehouse, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, and Mr. Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1123—An act to add Division 13 to the Water Code, to consolidate and revise the law relating to California water districts, and to repeal certain acts specified herein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Stanley, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1124—An act to add Division 14 to the Water Code, thereby revising and consolidating the law relating to water storage districts, including provisions for the supervision, regulation, and conduct of such districts, and to repeal the California Water Storage District Act.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Sherwin, Silliman, and Stanley—58.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 380—An act to amend Sections 10501, 10503, and 10504 of the Water Code, relating to priority of applications to appropriate water by the Department of Finance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Cooke, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Smith, and Stanley—52.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1567—An act amending Sections 30200 and 30748 of the Water Code, relating to formation of county water districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem,

Lanterman, Lincoln, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, and Stanley—56.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 340

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SILLIMAN, Chairman

Above reported bill ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 401

Mr. Babbage asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 401, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 401

Senate Bill No. 401—An act to add Section 14314 to the Education Code, relating to the membership of the State Teachers' Retirement System in the National Council on Teacher Retirement.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, and Mr Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 884

Mr. Gubser asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 884, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 884

Senate Bill No. 884—An act amending Sections 5050, 5050.1, 5050.2, and 5050.5 of the Welfare and Institutions Code, relating to procedure for examination of the mental health of a person alleged to be mentally ill and to court orders concerning such procedures.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley,

Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Lanterman, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Tomlinson, and Mr Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 880

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 880, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 880

Senate Bill No. 880—An act to amend Sections 5517 and 5518 of the Welfare and Institutions Code, relating to sexual psychopaths and providing for their return to court from state hospitals.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Cooke, Crowley, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 821

Mr. Luckel asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 821, temporarily passed on file, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 821

Senate Bill No. 821—An act to amend Section 17702.5 of the Health and Safety Code, relating to health and safety in housing.

Bill read third time.

Motion to Amend

Mr. Luckel moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 10, of the printed bill, as amended in the Senate on March 15, 1951, strike out "living or".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 397

Mr. Stanley asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 397, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 397

Senate Bill No. 397—An act to add Section 1005.1 to the Elections Code, relating to consolidation of elections.

Bill read third time, and ordered passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 513

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 513, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 513

Senate Bill No. 513—An act to add Sections 5473 and 5473.11, inclusive, to the Health and Safety Code, relating to the authority of cities, cities and counties, sanitary districts, county sanitation districts, or sewer maintenance district to fix fees, tolls, rates, rentals, or other charges for sanitation and sewerage services and to make the amount of said fees, tolls, rates, rentals, and charges a lien upon lots or parcels of land to which services are furnished, and the use of the money received therefrom.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1484

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1484, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1484

Senate Bill No. 1484—An act to add Section 6497 to the Health and Safety Code, relating to the reimbursement of county officers for expenses incurred by them in acting as officers of sanitary districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1579

Mr. Sherwin asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1579, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1579

Senate Bill No. 1579—An act to amend Section 2824 to the Elections Code, relating to procedure.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dolwig, Doyle, Dunn, Erwin, Evans, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Henderson, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, and Waters—56.

NOES—Chapel, George D. Collins, Elliott, Fleury, Hawkins, Hollibaugh, Levering, Lowrey, and Mr. Speaker—9.

Notice of Motion to Reconsider Senate Bill No. 1579

Mr. Hawkins gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 1579 was this day passed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 674

Mr. Hagen asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 674, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 674

Senate Bill No. 674—An act to add Chapter 5 to Part 5 of Division 14 of the Water Code and to add Section 19 1 to the California Water Storage District Act, relating to water storage districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Waters, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Kirkwood to reconsider the vote whereby Assembly Bill No. 2624 was passed, was continued until the next legislative day.

By unanimous consent, the notice of motion by Mr. Lowrey to reconsider the vote whereby Assembly Bill No. 2625 was passed, was continued until the next legislative day.

By unanimous consent, the notice of motion by Mr. Evans to reconsider the vote whereby Assembly Bill No. 2882 was passed was continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1879

Mr. Stewart asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1879, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1879

Assembly Bill No. 1879—An act to repeal Chapter 7 of Division 3 of, and to add Chapter 7 of Division 3, comprising Sections 6700 to 6799, inclusive, to, the Business and Professions Code, relating to professional engineers.

Bill read third time, and ordered passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 348

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 348, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 348—An act to amend the Building and Loan Association Act by amending Section 1 01 thereof, relating to definitions, Section 1.03 thereof, relating to agents, agencies, salesmen, collectors and branches, Section 2 05 thereof, relating to changes of name, Section 2.07 thereof, relating to branches, Section 7.06 thereof, relating to assessments to restore impaired capital, Section 8.03 thereof, relating to minors and married women, Section 8.04 thereof, relating to joint tenants, Section 8 05 thereof, relating to trustees and guardians, Section 9.02 thereof, relating to investments, Section 9 17 thereof, relating to forbidden loans and penalties therefor, Section 10 03a thereof, relating to federal insurance reserve account, Section 12.09 thereof, relating to leases on office premises, Section 13 13 thereof, relating to powers of the Building and Loan Commissioner upon taking possession of an association, and Section 13.16 thereof, relating to powers of such commissioner upon liquidation; and adding to said act four new sections, to be numbered, respectively, Section 2.11, relating to change of location, Section 8.14, relating to adverse claims, Section 11.06, relating to the office of an agent, salesman or collector, and Section 12.13, relating to activities limited to the principal office or branch of an association and to amend Sections 5051, 5651, 6001, 6702, 6703, 6704, 7600, 7602, 7603, 7606, 8500, and 9069 of, and to add Sections 6010, 6203.5, 6411, 7612, 7613, 7614, 9013, 9055.5 and Article 5 comprising Section 5700 to Chapter 3 of Division 2 of the Financial Code, all relating to building and loan associations.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 348?

Amendment No. 1

In line 18 of the title of the printed bill, as amended in the Assembly on March 30, 1951, strike out "four", and insert "five".

Amendment No. 2

In line 22 of the title of said bill, as amended, strike out "and".

Amendment No. 3

In line 23 of the title of said bill, as amended, after "association", insert ", and Section 13.21, relating to review of acts of said commissioner,".

Amendment No. 4

In line 26 of the title of said bill, as amended, after "Sections", insert "5258,".

Amendment No. 5

On page 18 of said bill, as amended, between lines 39 and 40, insert

"SEC. 17.5. Section 13.21 is added to said act, to read.

Sec. 13.21. Review of Acts of Commissioner. Every order, decision, approval, certificate, license, permit or other official act of the commissioner provided for in Sections 2.04, 2.05, 2.06, 2.07, 2.09, 4.02, and 12.02 of this act is subject to judicial review in accordance with law. Except for review of proceedings conducted in accordance with Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code, an action or proceeding for judicial review of any order, decision, approval, certificate, license, permit or other official act of the commissioner provided for in said sections of this act, or for judicial review of any denial by the commissioner of an approval, certificate, license or permit under such sections, must be commenced within 60 days after the issuance of such order, decision, approval, certificate, license or permit or within 60 days after such denial or other official act, or within 60 days after the effective date of this section, whichever is the later date."

Amendment No. 6

On page 20, line 5, of said bill, as amended, strike out "who is 14 years of age or over".

Amendment No. 7

On page 22, line 17, of said bill, as amended, after "capital", insert "federal insurance reserve, loan reserve,".

Amendment No. 8

On page 22, line 30, of said bill, as amended, after "capital", insert "federal insurance reserve, loan reserve,".

Amendment No. 9

On page 24 of said bill, as amended, strike out line 44, and insert

"SEC. 39. Section 5258 is added to the Financial Code, to read:

5258. Every order, decision, approval, certificate, license, permit, or the denial of any approval, certificate, license or permit, or other official act of the commissioner provided for in Articles 2 and 4 of Chapter 3, Chapter 5, Sections 6450 to 6455, inclusive, and Article 1, Chapter 18, of this division is subject to judicial review in accordance with law. Except for review of proceedings conducted in accordance with Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code, an action or proceeding for judicial review pursuant to this section must be commenced within 60 days after the issuance of such order, decision, approval certificate, license or permit, or within 60 days after such denial, or other official act, or within 60 days after the effective date of this section, whichever is the later date.

SEC. 40. Sections 18 to 39, inclusive, of this act become".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 348 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—73.

NOES—None.

Assembly Bill No. 348 ordered enrolled.

ANNOUNCEMENT

Speaker Sam L. Collins announced that whenever the printing plant makes a mistake in the printing of a bill which is on the third reading file, that a rush order must be placed upon the reprinting of the bill, by the desk, for the purpose of avoiding a delay in the consideration of the daily file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2788

Mr. McGee asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2788, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2788

Assembly Bill No. 2788—An act to add Section 8657 to the Elections Code, relating to contest of primary elections.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, and Waters—64.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF SENATE BILL NO. 397

Mr. Stanley asked for, and was granted, unanimous consent that he be permitted to take up further consideration of Senate Bill No. 397, temporarily passed on file, out of order, at this time.

FURTHER CONSIDERATION OF SENATE BILL NO. 397

Senate Bill No. 397—An act to add Section 1005.1 to the Elections Code, relating to consolidation of elections.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2923 HOLD PLACE ON FILE

Mr. Morris asked for, and was granted, unanimous consent that Assembly Bill No. 2923 be passed on file, and hold its place on file on the next legislative day.

ANNOUNCEMENT

Mr. Stanley announced a Republican breakfast and Caucus tomorrow morning, Tuesday, May 1st, at 7 30 a m , at Hart's restaurant.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 3 p m.—

Ways and Means, in Room 435.
Subcommittee on Education, in Room 426.
Public Utilities and Corporations, in Room 432.

At 8 p.m.—

Finance and Insurance, in Room 432.
Judiciary, in Room 435 Subject: Consideration of amendments to Municipal Court Bills and salaries of court attaches.

Today Upon Adjournment—

Boards and Commissions, in Room 3186.
Legislative Representation, in Room 3148.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Speaker Sam L. Collins, the usual courtesies of the Assembly for this day were unanimously extended to Dr. Kyung Chik Han, Presbyterian Pastor, of Seoul, Korea; and Bishop Hyungki J. Lew, Acting Methodist Bishop, of Korea.

On request of Mr. Luckel and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Arthur L. Chytrus and J. R. Goodbody of Coronado, and Donald E. Hanson of San Diego.

On request of Speaker Sam L. Collins, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Nelson Launer of La Habra and Mrs. E. R. Berry of Sacramento.

On request of Mr. Erwin, the usual courtesies of the Assembly for this day were unanimously extended to Judge Guenado and Ralph Thymes of Whittier.

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Dehard Johnson, teacher; Alfred Jorge, Manuel Gonsalves, Mr. and Mrs. Jeffrey Vieira, Mrs. Joe Enos, Mrs. Verne Crowell, Mrs. Joe Johnson, and Mrs. Emery Wallin, adults, and the following pupils of the Monte Vista School of Turlock: Richard Dias, Lawrence Vieira, John Johnson, Agnes Eshoo, Lynne Crowell, Carolyn Wallin, Sharon Johnson, Billie Zigenis, Ronald Gonsalves, Kathleen Vieira, Tony Macedo, Michael Crowell, Alfred Enos, Peggy Huffman, Kenneth Vieira, and Billie Joe Brocky.

On request of Mr. Coats, the usual courtesies of the Assembly for this day were unanimously extended to Henry Gustafson, teacher, and the following pupils of Sutter High School: Rhada Smith, Dolores Spence, Marion Hubbart, Gracie Salisbury, Ann LeBaron, Carolyn Wiechert, LaVern Reische, Janice Tarke, William Perkins, Beaven Hemphill, Judy Thrash, Pat Long, Eddie Bergthogt, Gordon Raub, Kate Ozawa, Daryl Ettl, Daryl Thompson, Donald Young, Don Cardoza, and Aloha Dedker.

On request of Mr. Cooke, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Niel Anderson of Venture.

On request of Mr. Luckel, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Shelley Higgins of San Diego.

On request of Mr. McMillan, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. James Maas of Culver City, Julia Kagen, Mary Saks, Lena Weiner, Muriel Goldsmith, Mr. and Mrs. Ted Lishner, Mr. and Mrs. Peter, Schecter, Frances Walsh, and Lillian Mold of Los Angeles; and Hanna Lamm and Virginia R. Cann of Venice.

ADJOURNMENT

At 2.40 p.m., on motion of Mr. Hollibaugh, the Speaker declared the Assembly adjourned until 10 a m., Tuesday, May 1, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FORTY-NINTH LEGISLATIVE DAY

SIXTY-SEVENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, May 1, 1951

The Assembly met at 10 a.m.

Hon Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—74.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

O Father of All, Who art Wisdom and Beauty and Goodness, whose Spirit ever strives in the souls of mankind, grant the gift of Thy presence for the duties of this new day. In the beauty of all that surrounds us, help us to see the beauty of Thy holiness.

Create in us clean hearts, O God, and renew a willing spirit within us.

Bless those who are serving in our Armed Forces in the struggle for the preservation of our liberties Grant guidance to all those who lead us in State and Nation and in the United Nations

"Spirit of God, descend upon my heart;
Wean it from earth; through all its pulses move;
Stoop to my weakness, mighty as Thou art,
And make me love Thee as I ought to love."

We pray in Jesus name—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Erwin, further reading of the Journal of the previous legislative day was dispensed with.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 42—An act to repeal existing Section 470 of, and to add new Section 470 to, the Government Code, relating to the division of the State into congressional districts;

Assembly Bill No. 141—An act to amend Section 480 of the Government Code, relating to the division of the State into senatorial districts;

Assembly Bill No. 389—An act to amend Section 51 of the Public Utilities Act and Section 851 of the Public Utilities Code, relating to public utilities;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of April, 1951, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 422—An act to amend Section 6a of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts;

Assembly Bill No. 565—An act to amend the title of Article 2 of Chapter 10 of, and to repeal Section 25431 of, and to add Sections 25432 and 25673 to, the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations;

Assembly Bill No. 570—An act to repeal Article 3 of Chapter 10, Part 10 of Division 2, consisting of Sections 18451, 18452, 18453, and 18454 of, and to add Article 3 of Chapter 10, Part 10 of Division 2, consisting of Section 18451 to, and to amend Section 18581 of, and to add Section 18586.2 to, the Revenue and Taxation Code, relating to personal income taxes;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of April, 1951, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 698—An act to amend Section 650.6 of the Vehicle Code, relating to equipment of vehicles;

Assembly Bill No. 699—An act to amend Section 650.5 of the Vehicle Code, relating to equipment of vehicles;

Assembly Bill No. 1068—An act to add Sections 9193 to 9196, inclusive, to the Education Code, relating to incidental fees in classes for adults;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of April, 1951, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 825—An act to amend Sections 102, 103, 146, 170, 188, 215, 254, 260, 262, 320, 321, 340, 394, 450, 451, 452, 457, 459, 461, 463, 464, 465, 550, 644, 644.1, 647, 648 of, and to add Section 213 to, the Military and Veterans Code, and to amend Section 37392 of the Government Code, relating to the call of the militia to active service, federal service, the reduction of noncommissioned officers, the discharge of personnel, pay and allowances, disability benefits, courts-martial jurisdiction and procedure, disciplinary action and punishment, the admission to bail, Uniform Code of Military Justice, courts-martial process, confinement of minors, competitive exercises, discrimination against members of the National Guard, service awards, correction of orders and directives, emergency purchases and services, membership in the California Defense and Security Corps, reversion to state control, leasing of land for military purposes, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1268—An act to amend Section 378 of the Vehicle Code, relating to delinquent fees of vehicle registration;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of April, 1951, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1269—An act to amend Section 132 of the Vehicle Code, relating to granting or refusing applications for registration and transfers of title of vehicles;

Assembly Bill No. 1565—An act to amend Section 2980 of the Civil Code, relating to the recording of conditional sales contracts of animate chattels and of mining machinery and oil drilling equipment, and to add Section 2980.5 to the Civil Code, relating to the recording of conditional sales contracts and feeding agreements covering livestock and animate chattels;

Assembly Bill No. 1618—An act to amend Sections 625, 640, 645, 660, and 675.5 of the Vehicle Code, relating to equipment of vehicles;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of April, 1951, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1701—An act to amend Section 533 of the Vehicle Code, relating to school busses;

Assembly Bill No. 1709—An act to amend Section 1647 of the Revenue and Taxation Code, relating to taxation;

Assembly Bill No. 1822—An act to amend Section 1183.5 of the Civil Code, relating to the acknowledgment of instruments;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of April, 1951, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1823—An act to amend Section 1245.3 of the Code of Civil Procedure, relating to proceedings in eminent domain;

Assembly Bill No. 1824—An act to amend Sections 2924c and 2924b of the Civil Code, relating to mortgages and deeds of trust;

Assembly Bill No. 1908—An act to provide for a compact between the State of California and the State of Arizona in relation to fish and game and to provide for reciprocal hunting and fishing licenses and privileges for the residents of said states;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of April, 1951, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2361—An act to amend Section 5047 of the Welfare and Institutions Code, relating to the procedure and examination of the mental health of a person alleged to be mentally ill, in respect to the liability of persons filing petitions for such examination;

Assembly Bill No. 2522—An act to amend Section 14852 of the Financial Code and Section 4 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to the corporate powers of credit unions;

Assembly Bill No. 2620—An act to repeal Section 27289 of the Government Code, relating to the recording of documents;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of April, 1951, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2820—An act to amend Section 22 of the Industrial Loan Act and/or Section 18650 of the Financial Code, relating to industrial loan companies and penalties for overcharge;

Assembly Bill No. 2823—An act to amend Sections 1, 2, and 4 of the Industrial Loan Act and Sections 18003, 18401, 18405, 18663, 18664 and 18665 of the Financial Code, relating to penalties and powers applicable to industrial loan companies;

Assembly Bill No. 3369—An act to add Section 6489.5 to the Health and Safety Code, relating to sanitary districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of April, 1951, at 3 p.m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2386—An act to establish a Financial Code, relating to the organization, regulation, and supervision of financial institutions and financial transactions, and matters incidental thereto, consolidating and revising the law relating thereto, and repealing certain sections, acts, and parts of acts specified therein;

And reports that the same has been correctly enrolled, and presented to the Governor on the thirtieth day of April, 1951, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1879

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1286
Assembly Bill No 2042
Assembly Bill No. 2712

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 576

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 37

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 30, 1951

MR SPEAKER I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 118
Senate Bill No. 381

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 30, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 255
Assembly Bill No. 423
Assembly Bill No 617
Assembly Bill No. 618
Assembly Bill No 795
Assembly Bill No. 1277
Assembly Bill No. 1792
Assembly Bill No. 1835
Assembly Bill No. 1872
Assembly Bill No. 1907
Assembly Bill No. 2136
Assembly Bill No. 2332
Assembly Bill No 2508
Assembly Bill No. 2752

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 30, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 8

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 30, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 503
Assembly Bill No. 2507

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, April 30, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 21

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Joint Resolution No. 21—Relative to memorializing Congress to appropriate money for the construction of the Buchanan Dam and Reservoir on Chowchilla River.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 30, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 95
Senate Bill No. 261
Senate Bill No. 272
Senate Bill No 386
Senate Bill No. 414
Senate Bill No. 521
Senate Bill No. 572
Senate Bill No 1514
Senate Bill No. 1808

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 95—An act to add Section 44.8 to the Vehicle Code, relating to authorized emergency vehicles.

Referred to Committee on Transportation and Commerce.

Senate Bill No. 261—An act to amend Section 22257 of the Water Code, relating to water distribution by irrigation districts.

Referred to Committee on Agriculture.

Senate Bill No. 272—An act to amend Section 12155 of the Revenue and Taxation Code, relating to the taxation of marine insurance.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 386—An act to amend Section 6060 and to add Section 6060.1 to the Business and Professions Code, relating to qualifications of applicants to the practice of law, and the accreditation of law schools in California.

Referred to Committee on Judiciary.

Senate Bill No. 414—An act to amend Sections 15000, 15004, 15154, 15254, 16900, 16906, 16950, 16953, 16959, 17000, 17001, 17080, and 17088 of, to add Sections 15004.2, 15151.3, 15159, 15160, 15161, 17000.1, 17000.2, 17000.3, 17000.4, 17080.1, 17080.2, 17080.3, and 17085.5 to, and to repeal Sections 16951, 16952, 16954, 16955, 16956, 16958, 17081, 17082, 17083, 17084, 17086, and 17087, and Articles 2, 3, and 4 of Chapter 22 of Part 1 of Division 13 of, the Health and Safety Code, relating to health and safety requirements for housing.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 521—An act to repeal Section 28431 and add Section 28431 to the Health and Safety Code, relating to inspection legends on canned food packed under cannery inspection supervision.

Referred to Committee on Public Health.

Senate Bill No. 572—An act to amend Sections 70, 504, 1181, and 1865 of the Civil Code, relating to courts of justice, various officers thereof, and judicial districts.

Referred to Committee on Judiciary.

Senate Bill No. 1514—An act to add Section 25371 to the Government Code, relating to the leasing of county real property.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1808—An act to amend Sections 10270.7 and 10270.4 of the Insurance Code, relating to insurance.

Referred to Committee on Finance and Insurance.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 2706—An act to add Section 17.1 to the State Water Resources Act of 1945, authorizing the State Water Resources Board to contract with public and private organizations and persons for research work relative to the production and control of rainfall by artificial means, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 9, of the printed bill, strike out "_____ dollars ($_____)", and insert "fifty thousand dollars ($50,000)".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 340—An act creating a district to be called "Kings River Conservation District"; providing for its organization, operation, maintenance and government, for the inclusion of lands therein and the exclusion of lands therefrom; providing for the acquisition, construction, maintenance and operation of works and property for the purposes of the district, including the storage, conservation, distribution and sale of water, the development, distribution and sale of electric power, the drainage, reclamation and protection of land and prescribing and defining the powers, duties, purposes and responsibilities of said district.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 18 of the printed bill, as amended in the Assembly on April 20, 1951, between lines 47 and 48, insert

"5. Fresno Municipal Farm being the west half of Section 21, Township 14 South, Range 19 East, M. D. B. & M., and the northwest quarter of Section 21, Township 14 South, Range 19 East, M. D B. & M., the east half of Section 21, Township 14 South, Range 19 East, M D. B. & M., the northwest quarter portion of the north half of the northwest quarter of the southwest quarter of Section 22, Township 14 South, Range 19 East, M. D. B. & M., the northwest quarter Section 27, Township 14 South, Range 19 East, M D. B. & M., and the northeast quarter of Section 28, Township 14 South, Range 19

6. That portion of land used as a garbage fill and reclaimed by the City of Fresno being the north half of lots 13 and 14, Union Colony, in Section 19, Township 14 South, Range 20 East, M. D B & M., and portion of northeast quarter of Section 19, Township 14 South, Range 20 East, M. D. B. & M."

Amendment No. 2

On page 44, line 4, of said bill, after "elector", insert ", landowner,".

Amendment No. 3

On page 44, line 5, of said bill, after "resident", insert ", landowner,".

Amendment No. 4

On page 59, line 19, of said bill, strike out "The"; and strike out lines 20 to 34, inclusive, and insert "If the board by such resolution determines that only a portion of the district will be benefited and creates an improvement district as hereinabove provided, it shall adjourn the hearing for not less than 40 nor more than 70 days Within 10 days after such order of adjournment, the secretary shall publish once in one newspaper of general circulation, printed and published in each county within which any portion of the improvement district lies, a notice stating the time and place fixed for the adjourned hearing, and that at or prior to such hearing any person owning land in said improvement district may file written protest to the incurring of the proposed bonded indebtedness by such improvement district, and at the time and place fixed any person interested may appear and be heard on the question of whether such bonded indebtedness should be incurred by such improvement district If at or prior to the adjourned hearing written objections to the incurring of the proposed bonded indebtedness by such improvement district, signed by the owners of the majority of the acreage of land within such improvement district are filed with the secretary, then the board, by resolution adopted at the hearing, shall abandon proceedings for the proposed bond issue. The last equalized assessment roll of each county containing land within such improvement district is prima facie evidence of ownership of land in that county. If the proceedings are not abandoned as hereinabove provided, the board, if it deem it necessary to incur such bonded indebtedness, shall by a resolution so declare and state the purpose for which the proposed debt is to be incurred, whether or not the whole of the district is to be benefited thereby or only a portion thereof, and if only a portion thereof a description of such portion sufficient for identification and the designation thereof, all in accordance with the determination of the board as expressed in its previous resolution, the amount of the debt to be incurred, the maximum term the bonds to be issued shall run before maturity, which shall not exceed 40 years, and the amount or rate of interest to be paid, which shall not exceed 5 per cent, payable annually or semi-annually, and the proposition to be submitted to the voters of the district or of the improvement district, as the case may be."

Amendment No. 5

On page 61, line 3, of said bill, after "in", insert "Section 13 of Article XI and Section 1¾ of Article XIII of the Constitution of the State of California and".

Amendment No. 6

On page 61 of said bill, between lines 3 and 4, insert

"Bonds of the district shall be legal investments for all trust funds and for the funds of all insurance companies, banks, both commercial and savings, trust companies, and for school funds. Whenever any money or funds may by law now or hereafter enacted be invested in bonds of cities, cities and counties, counties, school districts, or municipalities in the State of California, such money or funds may be invested in bonds of the district, issued in accordance with the provisions of this act. Whenever bonds of cities, cities and counties, counties, school districts, or municipalities may by any law now or hereafter enacted be used as security for the performance of any act, the bonds of the district may be so used."

Amendment No. 7

On page 66 of said bill, between lines 15 and 16, insert

"SEC. 39 1. No tax or assessment shall be levied or assessed against any mineral interest which has a separate valuation on the assessment roll, but such tax shall be levied and assessed against the land exclusive of such mineral interest."

Amendment No. 8

On page 69 of said bill, strike out lines 14 to 16, inclusive.

Amendment No. 9

On page 69, line 30, of said bill, strike out "one hundred dollars ($100)", and insert "five hundred dollars ($500)".

Amendment No. 10

On page 69 of said bill, between lines 32 and 33, insert

"Upon the filing of the petition, the secretary shall transmit a copy thereof to the Department of Public Works, Division of Water Resources, which acting by and through the state engineer shall make an investigation and determine whether the lands proposed to be excluded, or some portion thereof, will not be substantially benefited by their continued inclusion in the district. Upon completing such investigation, the department shall file its report with the secretary, which shall describe specifically the lands, if any, which will not be so benefited. The cost and expense of such investigation and report shall be a charge against the district and against the deposit made by the petitioners."

Amendment No. 11

On page 69, line 33, of said bill, strike out "petition", and insert "report".

Amendment No. 12

On page 69, line 34, of said bill, strike out "same", and insert "petition and report".

Amendment No. 13

On page 69, line 36, of said bill, strike out "petition", and insert "report".

Amendment No. 14

On page 69, line 40, of said bill, after "petition", insert "and the date of the filing of the report".

Amendment No. 15

On page 69, line 41, of said bill, strike out "the same to the board and that the same", and insert "them to the board and that they".

Amendment No. 16

On page 70, line 4, of said bill, after "district", insert "(and lands which the report of the Department of Public Works states will not be so benefited shall be included as such lands by the board in making its determination)".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 306—An act to repeal Sections 186.5 and 206 of the Streets and Highways Code, relating to state highways and the State Highway Fund.

Bill read second time, and ordered to third reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 51: By Mr. Sam L. Collins—Relative to congratulating George Mercer Stout on his forthcoming retirement from the state service.

Referred to Committee on Rules.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1951

MR. SPEAKER: The Committee on Conference concerning:

Senate Bill No. 1211—An act to amend Section 14254 of the Government Code, relating to state public works projects;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 1, line 16, of the printed bill, strike out "authoriz-".

Amendment No. 2

On page 1, line 17, of said bill, strike out "ing", and insert "authorize".

Amendment No. 3

On page 1 of said bill, strike out lines 24 to 28, inclusive, and insert "the total cost will not exceed twenty thousand dollars ($20,000).

This section shall remain in effect until the ninety-first day after final adjournment of the 1953 Regular Session of the Legislature."

HATFIELD	SILLIMAN
PARKMAN	BABBAGE
BURNS	PARKER
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, ~~and the report adopted by the following vote:~~

PRINTER'S NOTE—There being no 7-point strikeout type available, the following roll call, which should appear in strikeout type is indicated by being enclosed within brackets.

[AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Connolly, Conrad, Cooke, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lowrey, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—59.]

[NOES—None.]

On May 10, 1951, the Assembly rescinded the above action whereby the report of the Committee on Conference concerning Senate Bill No. 1211 was adopted. See Assembly Journal for May 10th, page 4102.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 52: By Mr. Levering—Relative to approving an amendment to the charter of the City of Santa Monica, a municipal corporation in the County of Los Angeles, State of

California, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the tenth day of April, 1951.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 879

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1358
Assembly Bill No. 1377
Assembly Bill No. 1392

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 1361

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1326
Assembly Bill No. 1354
Assembly Bill No. 1355
Assembly Bill No. 1359
Assembly Bill No. 1371
Assembly Bill No. 1373
Assembly Bill No. 1382
Assembly Bill No. 1400
Assembly Bill No. 1466
Assembly Bill No. 1467
Assembly Bill No. 1468

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 996
Assembly Bill No. 997
Assembly Bill No. 1464
Assembly Bill No. 1477

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 37
Assembly Bill No. 61
Assembly Bill No. 212
Assembly Bill No. 1376
Assembly Bill No. 2605
Assembly Bill No. 2627

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1418
Assembly Bill No. 1850
Assembly Bill No. 2018

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

BROWN, Chairman

Above reported bills ordered to second reading.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 2599

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bill ordered to second reading.

Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1951

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which were referred:

Assembly Bill No. 1126
Assembly Bill No. 3407

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

EVANS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1951

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which were referred:

Assembly Bill No. 906
Assembly Bill No. 3399

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

EVANS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1951

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which was referred:

Senate Bill No. 1059

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

EVANS, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 30, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 1793

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 898—An act to amend Sections 1356, 1357, 1359, 1362, 1363, 1364, 1366, 1367, and 3396 of the Banking Code, to add Section 1371, and to renumber and amend Section 1371, relating to investments by savings banks, securing of information pertinent to the qualification of bonds of political subdivisions by the superintendent from officials of such political subdivisions, and to the making of representations that securities are a legal investment for savings banks.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 898?

Amendment No. 1

On page 4, line 46, of the printed bill, as amended in the Assembly on March 22, 1951, strike out "Section 110(h) of the", and insert "the United States".

Amendment No. 2

On page 4, line 47, of said bill, as amended, strike out "1949", and insert "1937, as amended".

Amendment No. 3

On page 5, line 10, of said bill, as amended, after "Administration", insert "if such contract shall contain the covenant by the Public Housing Administration".

Amendment No. 4

On page 5, line 11, of said bill, as amended, strike out "(G)", and insert "(b)".

Amendment No. 5

On page 5, line 14, of said bill, as amended, strike out "(G)", and insert "(b)".

Amendment No. 6

On page 6, line 26, of said bill, as amended, strike out "and", second appearing therein, and insert "and/or".

Amendment No. 7

On page 6, line 34, of said bill, as amended, strike out "and", and insert "and/or".

Amendment No. 8

On page 6, line 42, of said bill, as amended, strike out "gas and electric company", and insert "gas and/or electric companies".

Amendment No. 9

On page 13, line 41, of said bill, as amended, strike out "Section 110(h) of the Housing Act of 1949", and insert "the United States Housing Act of 1937, as amended".

Amendment No. 10

On page 14, line 5, of said bill, as amended, after "Administration", insert "if such contract shall contain the covenant by the Public Housing Administration".

Amendment No. 11

On page 14, line 6, of said bill, as amended, strike out "(G)", and insert "(b)".

Amendment No. 12

On page 14, line 8, of said bill, as amended, strike out "(G)", and insert "(b)".

Amendment No. 13

On page 19 of said bill, as amended, following line 12, insert

"Nothing in this act shall be deemed to repeal or otherwise affect the provisions of Chapters 107 and 108 of the Statutes of 1951."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 898 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick,

Kirkwood, Klocksiem, Lanterman, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None.

Assembly Bill No. 898 ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

An editorial appearing in the Imperial Valley Press of Thursday, April 26, 1951, relative to the death of the Honorable George R. Butters

Has had the same under consideration, and reports the same back with the recommendation: That said editorial be printed in the Assembly Daily Journal.

DICKEY, Chairman

IMPERIAL VALLEY PRESS
THURSDAY, APRIL 26, 1951

EDITORIAL

Good Citizen Has Departed

George Butters is dead. With the death of the Brawley Assemblyman a vacancy has been created which will be difficult to fill His passing came so suddenly that it is still hard to believe.

George was tough. He was tough physically with that wiry health which came from 38 years of dirt farming here in Imperial Valley.

He was tough in character with a native honesty which brooked no compromise with those principles by which he lived his life. He was tough with a will to live which had surmounted personal tragedy and personal injury.

George was a gentleman with none of the artificialities which sometimes cloud the real meaning of that term. It is easy to say he had many friends. It is far broader, and just as true, to say he had no enemies. For George had a loveable blind spot which allowed him to see only the good in those he knew.

George Butters is dead, and something real, and good, and big has gone out of the lives of all of us here in Imperial Valley and throughout California. God grant that when the time comes for each of us we will have lived a little better for having known him.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 2882

Mr. Evans asked for, and was granted, unanimous consent that he be permitted to take up his notice of motion to reconsider Assembly Bill No. 2882, temporarily passed on the unfinished business file, out of order, at this time.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 2882

In compliance with a notice given on a previous day, Mr. Evans moved that the vote whereby Assembly Bill No. 2882 was passed be reconsidered.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Evans moved a call of the Assembly.

Motion carried. Time, 10.25 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brady, Davis, Dills, Fleury, Grant, Gubser, Hagen, Lincoln, Meyers, Rumford, and Silliman—11.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Lyon asked for, and was granted, unanimous consent that Assembly Rule No 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1680—An act to amend Section 53200 of the Government Code, relating to group insurance.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1680?

Amendment No. 1

On page 1 of the printed bill, after line 9, insert

"SEC. 2. The amendments to Section 53200 of the Government Code contained herein are in no way intended to and shall not be construed to permit any local agency to abolish any existing retirement program."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1680 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—69.

NOES—None.

Assembly Bill No. 1680 ordered enrolled.

Assembly Bill No. 1790—An act to repeal Section 263 and to amend Sections 256 and 257 of the Health and Safety Code, and to provide for the reversion to the General Fund of the unexpended balance of the Physically Defectives' Revolving Fund, relating to physically handicapped children.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1790?

Amendment No. 1

In the first line of the title of the printed bill, strike out "and 257", and insert ", 257 and 258".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 2 of said bill, after line 10, insert

"SEC. 3.5. Section 258 of the Health and Safety Code is amended to read:

258. [It] *The State Department* may, without the possession of an authorization, pay the expenses for services required by any physically handicapped child out of any funds received by it through gift, devise, or bequest or from private, state, federal or other grant or source. *Upon the request of another state or of a federal agency, it may pay the expenses of services required by any physically handicapped child, who is not a resident of this State, provided that the cost of such services is fully covered by special grants or allotments received from such state or federal agency for that purpose.*"

Amendment No. 3

In line 2 of the title of the printed bill, as amended, between "257" and "258", strike out "and", and insert a comma.

Amendment No. 4

In line 2 of the title of said bill, after "of", insert ", and to add Section 258.5 to,".

Amendment No. 5

On page 2, line 1, of said bill, strike out "3.5", and insert "4".

Amendment No. 6

On page 2, line 7, of said bill, after the period, begin a new paragraph, and insert "SEC. 5. Section 258.5 is added to the Health and Safety Code, to read: 258.5".

Amendment No. 7

On page 2 of said bill, between lines 12 and 13, insert

"This section shall remain in effect until the ninety-first day after final adjournment of the 1953 Regular Session of the Legislature."

Amendment No. 8

On page 2, line 13, of said bill, strike out "4", and insert "6".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1790 by the following vote:

AYES—Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Holibaugh, Kelly, Kilpatrick, Kirkwood, Lincoln, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

Assembly Bill No. 1790 ordered enrolled.

Assembly Bill No. 1886—An act to amend Section 271 of the Banking Code, relating to assessments upon national banks by the Superintendent of Banks.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1886?

Amendment No. 1

In line 1 of the title of the printed bill, after "code", insert "and Section 271 of the Financial Code".

Amendment No. 2

On page 1, line 9, of said bill, strike out "trust", and insert "trusts".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, after line 10, insert

"SEC. 2. Section 271 of the Financial Code is amended to read:

271. The superintendent shall annually collect from national banking associations operating trust departments in this State an annual assessment to meet expenses of the department not exceeding one one-hundredth of 1 percent of the [value of the funds] *amount required by law to be* deposited with the State Treasurer as surety for the faithful performance and execution of all court and private trusts accepted by them [plus reserve accounts allocated to trust operations].

SEC. 3. Section 2 of this act becomes operative only if Division 1 of the Financial Code is enacted by the Legislature at its 1951 Regular Session, and in such case, at the same time as said division takes effect, at which time Section 1 of this act is hereby repealed."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1886 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—74.

NOES—None.

Assembly Bill No. 1886 ordered enrolled.

Assembly Bill No. 1887—An act to amend Section 3370 of the Banking Code, relating to loans to corporations in which an officer is an officer, stockholder or director.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1887?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 14, 1951, after "Code", insert "and Section 3370 of the Financial Code,".

Amendment No. 2

On page 1, line 16 of said bill, as amended, after "officer", insert "is a director of such corporation or".

Amendment No. 3

On page 1 of said bill, as amended, after line 20, insert

"SEC. 2. Section 3370 of the Financial Code is amended to read:

3370 A bank shall not make any loan to any officer of the bank, directly or indirectly, or to any corporation in which such officer is a stockholder, *director*, officer, or employee or to any partnership of which such officer is a partner, or for the benefit of such officer or on the endorsement, surety, or guaranty of such officer, except as follows:

A loan may be made to a corporation of which the officer is a *director or* a minority stockholder if:

(a) The loan is authorized or is confirmed within 40 days after the same is made by a majority of all of the directors of such bank and the affirmative vote of all directors of such bank present at the meeting authorizing or confirming such loan; and

(b) If the officer *is a director of such corporation or* owns, directly or indirectly, more than 10 percent of the stock of such corporation or if two or more directors or officers of the bank own more than 20 percent of the capital stock of such corporation, the loan is reported to the superintendent in the manner provided in Section 3374

SEC. 3. Section 2 of this act becomes operative only if the Financial Code is enacted by the Legislature at the 1951 General Session, and in such case at the same time as said Financial Code takes effect, at which time Section 1 of this act is hereby repealed."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No 1887 by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

Assembly Bill No. 1887 ordered enrolled.

Assembly Bill No. 1888—An act to amend Section 753 of the Banking Code, relating to investments in bank premises.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1888?

Amendment No. 1

In line 1 of the title of the printed bill, after "Code", insert "and Section 753 of the Financial Code".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, after line 17, insert

"SEC. 2. Section 753 of the Financial Code is amended to read:

753. The aggregate investment of a [bank or] *commercial bank, of a savings bank or of a* trust company in real property held pursuant to subdivision (a) of Section 750 of this chapter, in furniture and fixtures, vaults, safe deposit boxes, and other personal property, in the stock of one or more corporations authorized by Section 752 of this chapter, in the stock of one or more corporations authorized by Section 758 of this chapter, in the bonds or other obligations of such corporations, and in all loans or extensions of credit made by the bank or trust company to such corporations or upon the security of the stock thereof, shall not exceed in the aggregate at any time 50 percent of its capital and surplus, unless the superintendent shall approve a larger investment and unless such larger investment is approved by a vote of two-thirds of all of the directors of the bank or trust company.

SEC 3. Section 2 of this act becomes operative only if Division 1 of the Financial Code is enacted by the Legislature at its 1951 Regular Session and in such case at the same time as said division takes effect at which time Section 1 of this act is hereby repealed."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1888 by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

Assembly Bill No. 1888 ordered enrolled.

Assembly Bill No. 3108—An act to amend Sections 2090, 2095, and 3011 of, and to add Sections 3013, 3014, and 3015 to, the Banking Code, and to amend Sections 2090, 2095, and 3011 of, and to add Sections 3013, 3014, and 3015 to, the Financial Code, relating to conversion of

state banks into national banking associations, to the transfer of trust assets upon purchase by a national banking association, and to continuance of corporate existence upon conversion, merger or consolidation of state banks and national banking associations.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3108?

Amendment No. 1

In the first line of the title of the printed bill, strike out "2090,".

Amendment No. 2

In the third line of the title of said bill, strike out "2090,".

Amendment No. 3

On page 1 of said bill, strike out all of lines 1 to 7, inclusive.

Amendment No. 4

On page 1, line 8, of said bill, strike out "SEC. 2", and insert "SECTION 1".

Amendment No. 5

On page 2, line 31, of said bill, strike out "3" first appearing therein, and insert "2".

Amendment No. 6

On page 3, line 45, of said bill, strike out "4", and insert "3".

Amendment No. 7

On page 4, line 6, of said bill, strike out "5", and insert "4".

Amendment No. 8

On page 4, line 18, of said bill, strike out "6", and insert "5".

Amendment No. 9

On page 4 of said bill, strike out all of lines 32 to 39, inclusive.

Amendment No. 10

On page 4, line 40, of said bill, strike out "8", and insert "6".

Amendment No. 11

On page 5, line 29, of said bill, strike out "9", and insert "7".

Amendment No. 12

On page 6, line 46, of said bill, strike out "10", and insert "8".

Amendment No. 13

On page 7, line 6, of said bill, strike out "11", and insert "9".

Amendment No. 14

On page 7, line 18, of said bill, strike out "12", and insert "10".

Amendment No. 15

On page 7, line 32, of said bill, strike out "13", and insert "11".

Amendment No. 16

On page 7, line 32, of said bill, strike out "Sections 7, 8, 9, 10, 11, and 12", and insert "Sections 6, 7, 8, 9, and 10".

Amendment No. 17

On page 7, line 36, of said bill, strike out "5, and 6", and insert "and 5".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3108 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman,

Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72

NOES—None.

Assembly Bill No. 3108 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1689 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Kirkwood asked for, and was granted, unanimous consent that Assembly Bill No. 1689 be withdrawn from the Committee on Governmental Efficiency and Economy, and be re-referred to the Committee on Social Welfare.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 53: By Messrs. Sherwin, Stewart, Fleury, and Moss—Relative to merit awards to state employees.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1015

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Senate Bill No. 268
Senate Bill No. 270
Senate Bill No. 269
Senate Bill No. 271
Senate Bill No. 311
Senate Bill No. 500
Senate Bill No. 542
Senate Bill No. 927
Senate Bill No. 1554
Senate Bill No. 1573
Senate Bill No. 1747

Has had the same under consideration, and reports the same back with the recommendation: Do pass

GEDDES, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 911
Assembly Bill No. 912
Assembly Bill No. 1727

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

GEDDES, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Senate Bill No. 1553
Senate Bill No. 1748

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

GEDDES, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 1523
Assembly Bill No. 2598

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bills ordered to third reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Joint Resolution No. 28.

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Senate Concurrent Resolution No. 45
Senate Concurrent Resolution No. 46

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 1531
Assembly Bill No. 1669
Assembly Bill No. 3096

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 1166
Assembly Bill No. 1939

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Senate Bill No. 676

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bill ordered to second reading.

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1951

MR. SPEAKER: Your Committee on Military Affairs, to which were referred:

Assembly Bill No. 2075
Assembly Bill No. 2886

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McCOLLISTER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1951

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:

Senate Bill No. 1429

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McCOLLISTER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1951

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:

Senate Bill No. 703

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McCOLLISTER, Chairman

Above reported bill ordered to second reading.

Committee on Boards and Commissions

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1951

MR SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No 3413

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McMILLAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Senate Bill No. 740

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McMILLAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Senate Bill No. 897

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McMILLAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Senate Bill No. 1137

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McMILLAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 1248

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

McMILLAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred.

Assembly Bill No. 3071

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

McMILLAN, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 30, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 59

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 59—Approving certain amendments to the charter of the City of San Diego, a municipal corporation in the County of San Diego, State of California, voted for and ratified by the qualified electors of said city at the municipal and general election held therein on the seventeenth day of April, 1951.

Referred to Committee on Rules.

Speaker Pro Tempore Presiding

At 10.35 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 2923—An act regulating the use of public highways for general purposes for the transportation of property for compensation; defining household goods carriers and permitting them to operate

subject to regulation as provided herein; specifying the powers of the Public Utilities Commission; prescribing penalties for violations of this act; and repealing parts of acts inconsistent herewith.

Bill read third time.

Speaker Presiding

At 10.38 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Point of Order

Mr. Smith arose to the following point of order: That Assembly Bill No. 2923, under Standing Rule No. 45, should be referred to the Committee on Ways and Means.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

The question being on the passage of Assembly Bill No. 2923.

Hon. Gordon A. Fleury Presiding

At 10.46 a.m., Hon. Gordon A. Fleury, Member of the Assembly from the Eighth District, presiding.

Point of Order

Mr. Beck arose to the following point of order: That because of confusion, no one can hear the debate by Mr. Morris, and time is being wasted.

Ruling by Speaker

Acting Speaker Fleury ruled the point of order well taken.

Speaker Presiding

At 10.51 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Point of Order

Mr. McCollister arose to the following point of order: That Mr. Morris has exceeded his time.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The question being on the passage of Assembly Bill No 2923.

Demand for Previous Question

Messrs. Kirkwood, Geddes, Waters, Lincoln, and Hansen demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2923.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Luckel, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stewart, Thomas, Waters, and Mr. Speaker—62.

NOES—Brown, Conrad, Henderson, Levering, Lipscomb, Lowrey, McGee, McMillan, Munnell, Smith, Stanley, and Tomlinson—12.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Boards and Commissions

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1951

MR SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 3070

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

McMILLAN, Chairman

Above reported bill ordered to second reading.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO RECONSIDER ASSEMBLY BILL NO. 2882

At 11.18 a.m., on motion of Mr. Evans, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 2882 refused reconsideration by the following vote:

AYES—Beck, Belotti, Brady, Burkhalter, Chapel, Cloyed, Condon, Crowley, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Gaffney, Hahn, Hawkins, Hollibaugh, Kelly, Kilpatrick, Levering, Lowrey, Lyon, McCollister, McGee, McMillan, Meyers, Morris, Niehouse, Parker, Porter, Rosenthal, Stewart, and Thomas—34.

NOES—Babbage, Berry, Brown, Burke, Caldecott, Clarke, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Dunn, Erwin, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McFall, Moss, Munnell, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, and Waters—41.

Assembly Bill No. 2882 ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 2624 WAIVED

Mr. Kirkwood waived his notice of motion to reconsider the vote whereby Assembly Bill No. 2624 was passed.

Assembly Bill No. 2624 ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Lowrey to reconsider the vote whereby Assembly Bill No. 2625 was passed, was continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILLS NOS. 2420 AND 2421 BE WITHDRAWN FROM COMMITTEE FOR AMENDMENT, AND BE RE-REFERRED

Mr. Waters asked for unanimous consent that Assembly Bills Nos. 2420 and 2421 be withdrawn from the Committee on Boards and Commissions, for purpose of amendment, and be re-referred to the Committee on Boards and Commissions.

Messrs. Geddes and Hollibaugh withheld unanimous consent.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL BE PRINTED IN THE JOURNAL

Mr. Silliman announced that copies of the First Partial Report of the Assembly Interim Committee on Governmental Reorganization, printed as a separate document, have been placed upon the desks of

all members; and asked for, and was granted, unanimous consent that the letter of transmittal be printed in the Journal, in 10 point type, as follows:

LETTER OF TRANSMITTAL

Mr Speaker and Members of the Assembly:

Your committee presents the following report of its director of research and staff on governmental reorganization.

At the 1949 Session of the Legislature this Assembly pursuant to House Resolution No. 222 authorized an Interim Committee on Governmental Reorganization

> "* * * to ascertain, study and analyze all facts relating to the departments, commissions, boards, authorities, divisions, bureaus, offices, and other units thereof, the relationship of such units to one another, the internal organization thereof, their methods of operation, their cost to the State, the necessity or desirability of their continuance, the existence of duplicating, overlapping, or needless functions, the desirability of centralizing and coordinating related activities, modernizing techniques and proceedings, and all facts and matters relating to the nature and extent of governmental activities and operations, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation. * * *"

The committee took into account that the scope of its study was rather broad and decided to divide the study into two distinct phases: the initial phase to deal with matters of governmental organization and structure, and the second phase to deal with administrative procedure and the effectiveness of administration. This report comprises the first phase, the examination of the structural aspects of the State Government.

The studies embraced in this report were considered by the committee to be the principal "problem areas." They include Fiscal Management and Controls; Personnel Administration; such administrative and housekeeping services as Purchasing, Printing, Information Services, Records Management, Buildings and Grounds and Traffic Management; other studies include Field Services; Public Safety; Public Health Services; Recreational Services; Education; Alcoholic Beverage Control; Administrative Organization for Business Regulation; Natural Resources and Public Works.

The staff approached the various studies with the following questions:

1. Is the arrangement of departments for the administration of major functions of State Government structurally sound? Does it lend itself to the application of improved procedures?
2. Is the number of major departments small enough to permit effective executive supervision and control?
3. Are relationships clearly defined?
4. Are grouping of functions logical?
5. Are adequate staff services provided?

6. To what extent have "independent areas of authority" developed?
7. Are there areas where greater centralization of authority should be achieved?
8. Are there areas of authority now centralized where advantages would accrue from greater decentralization?
9. Does the same justification exist now which existed at the time departments, bureaus, boards, or agencies were created?

Logical arguments can be given for almost endless shifting of functions, but whether a shift is to be recommended depends upon what the move is expected to achieve. "Streamlining" in itself is not a valid objective of reorganization. Emphasis can be placed upon immediate economy in State Government, or economy can be assigned a secondary value. Emphasis can be placed upon increasing executive control, or it can be placed upon methods of sharing responsibility for policy. It can be placed upon elimination of duplicate and overlapping activities, consolidation of services, the tightening of fiscal controls, the establishment of greater accountability. Thus it is apparent that intention must be clearly defined.

The objectives of reorganization proposals have been determined with particluar reference to developments in California State Government within recent years. During the past 10 years constitutional and statutory enactments have effected approximately 160 administrative changes, adding new departments, divisions and agencies, and shifting functions and responsibilities In the light of these changes, the committee has set down the following objectives:

1. Institute economies by the elimination of duplicate activities.
2. Reduce the number of major departments to correspond to major functions of State Government.
3. Integrate similar functions within one department or agency.
4. Establish clear lines of authority and responsibility within one department or agency.
5. Establish a structure which will tend to reduce the development of independent areas of authority.
6. Provide adequate supervision and staff services.
7. Provide for adequate controls and responsibility to the Executive and to the Legislature.

The committee has relied on a review of the subject matter by the staff which included public administration experts especially familiar with administrative affairs of State Government. Their findings and recommendations involve such subjects as the abolishing of some departments or functions, creation of new departments out of existing departments, consolidation of departments or functions in several departments, transfer of functions, reorganization of departments, elimination of functions and improvements in organization.

The staff findings evidence a state of confusion in the administrative and advisory agencies as a result of a lack of proper responsibilities and controls. We feel that this has resulted to a great extent from the failure of the Legislature to provide itself with an adequate consulting service in considering measures affecting state organization and administration.

We believe that a thorough study should be made of the advisability of providing the Legislature with an adequate staff of highly trained and specially qualified persons who have the ability to evaluate measures effecting organization as they are proposed and advise the Legislature of their affect upon the structure of State Government, its organization, the various departments, or their administration.

The studies in this report, to date, are sufficiently thorough to convince us that the study of the reorganization of State Government by the Legislature should be continued and should cover in detail all aspects of structure, organization, operation and procedure.

Respectfully submitted.

JAMES W. SILLIMAN, *Chairman*
ROBERT C. KIRKWOOD, *Vice Chairman*
ARTHUR W. COATS, JR.
JOHN B. COOKE
L. STEWART HINCKLEY
JONATHAN J. HOLLIBAUGH
HAROLD K. LEVERING
WILLIAM BYRON RUMFORD
MARVIN SHERWIN
H. ALLEN SMITH
VINCENT THOMAS

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 775—An act to amend Section 139.44 of the Vehicle Code, relating to the service of warrants by members of the California Highway Patrol.

Bill read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Burkhalter, Condon, Crowley, Dills, Evans, Hagen, Hollibaugh, McFall, Parker, *and Thomas*—10.

NOES—Beck, Belotti, Berry, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Dickey, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Henderson, Kelly, Kirkwood, Lockslem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Sherwin, Silliman, Smith, Stewart, Tomlinson, Waters, and Mr. Speaker—50.

Notice of Motion to Reconsider Assembly Bill No. 775

Mr. Crowley gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 775 was this day refused passage.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 59

Has had the same under consideration, and reports the same back with the recommendation: Be adopted

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, April 30, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1472
Assembly Bill No. 1474

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 1126—An act to amend Sections 1 and 3 of an act entitled "An act relating to fees to be paid to the Railroad Commission by railroad corporations, express corporations, freight forwarders, persons, or corporations operating vessels, and persons or corporations owning or operating motor vehicles in the transportation of property for hire upon the public highways under the jurisdiction of the Railroad Commission of the State of California, providing for the collection thereof by the Railroad Commission, and providing penalties for the violation of this act," approved July 16, 1935, relating to fees payable by such persons and corporations for deposit in the Railroad Commission Transportation Rate Fund.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1361—An act providing for the constitution of the Municipal Court in the City and County of San Francisco, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3407—An act to amend Section 220 of the Public Utilities Code, relating to common carriers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3413—An act to add Section 19561.5 to the Business and Professions Code, relating to horse racing and authorizing the California Horse Racing Board to provide for the exclusion or ejection from the inclosures of licensed horse racing establishments of persons whose presence therein is inimical to the interests of the State or legitimate horse racing.

Bill read second time, and ordered engrossed.

Assembly Bill No. 996—An act providing for the organization of municipal courts in Los Angeles County.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 4 of the printed bill, as amended in the Assembly on April 25, 1951, strike out lines 16 through 24.

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 997—An act to provide for the government, procedure, and jurisdiction of municipal and justice courts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on April 25, 1951, after "number", insert "and succession".

Amendment No. 2

On page 1 of said bill, after line 25, insert

"In any municipal court judicial district which includes a city and township which contains a population of 40,000 or less inhabitants, which city might be constituted a separate municipal court judicial district pursuant to Article VI, Section 11 of the Constitution, there shall be a regular session of the court in such city and the incumbent inferior court judges in such city and township shall, if qualified, become judges of the municipal court in the district including such city, provided the number of positions to be filled exceeds the number of municipal judges entitled to succeed to judgeships in such district."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1464—An act to amend Sections 7, 7a, 7b, 10, 10a, 10b, 11, and 11d of the Municipal Court Act of 1925, relating to certain municipal courts, and prescribing the number, compensation and duties of the officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 25, 1951, strike out "7, 7A, 7B,".

Amendment No. 2

On page 9 of said bill, strike out lines 10 to 50, inclusive; strike out all of page 10; and strike out lines 1 to 7, inclusive, on page 11, and insert

"SEC. 6. If there is enacted at the 1951 Session of the".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1477—An act providing for the constitution of municipal courts in districts in Riverside County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, lines 9 and 10, of the printed bill, as amended in the Assembly on April 16, 1951, strike out "to be appointed by the judges of the court".

Amendment No. 2

On page 1 of said bill, strike out lines 12 through 24 inclusive; and on page 2, strike out lines 1 to 26, inclusive, and insert "vided in subdivision (4). The clerk may appoint the following:

Two deputy clerks (court clerks), each of whom shall receive a minimum salary of two hundred forty dollars ($240) monthly with annual increments as provided in subdivision (4);

Two deputy clerks, each of whom shall receive a minimum salary of one hundred seventy dollars ($170) monthly with annual increments as provided in subdivision (4);

(3) There shall be one marshal who shall receive an annual salary of three thousand three hundred sixty dollars ($3,360) payable in equal monthly installments. The marshal may appoint the following:

Two deputy marshals, each of whom shall receive a minimum salary of two hundred ten dollars ($210) monthly with annual increments as provided in subdivision (4);

Six deputies (custodians) at the fee allowed by law for keeping property.

(4) Each of the court attaches named above whose salaries are specified on a monthly basis shall receive annual increments of ten dollars ($10) per month for the first five years of employment, to take effect on July 1st of each year. Such attaches who are employed at least six months prior to July 1st shall receive the annual increment provided for the first year of employment.

(5) Persons who succeed to positions in the municipal court under provisions of the Municipal and Justice Court Act of 1949 shall receive credit for continuous prior service in superseded courts and in the sheriff's department or constabulary of the county, and shall receive, in addition to the minimum rate, the annual increments commensurate with such years of prior service up to the maximum rate set."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 1326—An act providing for the constitution of the municipal court in a district embracing the City of Vallejo, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 4 to 7, inclusive, and insert "as herein provided.

(1) There shall be one judge who shall receive ten thousand dollars ($10,000) per annum, payable in equal monthly installments;

(2) There shall be one clerk who shall receive three thousand eight hundred forty dollars ($3,840) per annum, payable in equal monthly installments, and who may appoint the following:

Two deputy clerks, each of whom shall receive two hundred thirty-one dollars ($231) monthly;

One deputy clerk who shall receive one hundred ninety-five dollars ($195) monthly;

(3) There shall be one marshal who shall receive three thousand eight hundred forty dollars ($3,840) per annum, payable in equal monthly installments, and who may appoint the following:

One deputy marshal who shall receive two hundred fifty-eight dollars ($258) monthly;

Three deputies (custodians) at the fee allowed by law for keeping property."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1354—An act providing for the constitution of the municipal court in a district embracing the City of Stockton, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 5 to 7, inclusive, and insert

"(1) There shall be four judges, each of whom shall receive nine thousand six hundred dollars ($9,600) per annum, payable in equal monthly installments;

(2) There shall be one clerk who shall receive a minimum salary of three hundred three dollars ($303) monthly with annual increments of seventeen dollars ($17), seventeen dollars ($17), and nineteen dollars ($19) to a maximum of three hundred fifty-six dollars ($356) monthly, and who may appoint the following:

Four deputy clerks, each of whom shall receive a minimum salary of two hundred forty-six dollars ($246) monthly with annual increments of thirteen dollars ($13), fourteen dollars ($14), and fifteen dollars ($15) to a maximum of two hundred eighty-eight dollars ($288) monthly;

One deputy clerk (senior cashier) who shall receive a minimum salary of two hundred forty-six dollars ($246) monthly with annual increments of thirteen dollars ($13), fourteen dollars ($14), and fifteen dollars ($15) to a maximum of two hundred eighty-eight dollars ($288) monthly;

Two deputy clerks (senior stenographers), each of whom shall receive a minimum salary of two hundred thirty-three dollars ($233) monthly with annual increments of thirteen dollars ($13), thirteen dollars ($13), and fourteen dollars ($14) to a maximum of two hundred seventy-three dollars ($273) monthly;

Three deputy clerks (intermediate stenographers), each of whom shall receive a minimum salary of two hundred ten dollars ($210) monthly with annual increments of eleven dollars ($11), twelve dollars ($12), and thirteen dollars ($13) to a maximum of two hundred forty-six dollars ($246) monthly;

(3) There shall be one marshal who shall receive four hundred dollars ($400) per month, and who may appoint the following

Three deputy marshals, each of whom shall receive a minimum salary of two hundred seventy-three dollars ($273) monthly, with annual increments of fifteen dollars ($15), fifteen dollars ($15), and seventeen dollars ($17) to a maximum of three hundred twenty dollars ($320) monthly;

One deputy marshal (senior stenographer) who shall receive a minimum salary of two hundred thirty-three dollars ($233) monthly with annual increments of thirteen dollars ($13), thirteen dollars ($13), and fourteen dollars ($14) to a maximum of two hundred seventy-three dollars ($273) monthly;

One deputy marshal (intermediate stenographer) who shall receive a minimum salary of two hundred ten dollars ($210) monthly with annual increments of eleven dollars ($11), twelve dollars ($12), and thirteen dollars ($13) to a maximum of two hundred forty-six dollars ($246) monthly;

_____ deputies (custodians) at the fee allowed by law for the keeping of property.

(4) Persons who succeed to positions in the municipal court under provisions of the Municipal and Justice Court Act of 1949 shall receive credit for continuous prior service in superseded courts and in the sheriff's department or constabulary of the county, and shall receive in addition to the minimum rate, the annual increments commensurate with such years of prior service up to the maximum rate set."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 1355—An act providing for the constitution of the municipal court in a district embracing the City of Hayward, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 5 to 7, inclusive, and insert

"(1) There shall be two judges, each of whom shall receive thirteen thousand five hundred dollars ($13,500) per annum payable in equal monthly installments;

(2) There shall be one clerk who shall receive five hundred dollars ($500) per month, and who may appoint the following:

One chief deputy who shall receive four hundred fifty dollars ($450) monthly;

Four deputy clerks each of whom shall receive a minimum salary of two hundred sixty-four dollars ($264) monthly with annual increments of ten dollars ($10), to a maximum of three hundred fourteen dollars ($314) monthly.

(3) The sheriff and his deputies shall act ex officio as marshal and deputy marshals of the court.

(4) Persons who succeed to positions in the municipal court under provisions of the Municipal and Justice Court Act of 1949 shall receive credit for continuous prior service in superseded courts and in the sheriff's department or constabulary of the county, and shall receive, in addition to the minimum rate, the annual increments commensurate with such years of prior service up to the maximum rate set.

SEC. 2 Whenever a special assignment or branch of work is indicated herein for a particular deputy or position, the assignment so designated is not intended to be exclusive, but merely to designate the principal work incident to such deputy or position. However, in order to equalize the work of the office of the clerk and to render prompt and efficient service to the public, it shall be the duty of each deputy clerk or attache to perform such service as may be directed by the clerk, whether the work so directed to be done be within the scope of the special designation or not. The clerk shall have the power to lay off any employee because of lack of the type of work which such employee was appointed to perform."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1371—An act providing for the constitution of the municipal court in a district embracing the City of Mountain View, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 5, 6, and 7, and insert

"(1) There shall be one judge who shall receive a salary of ten thousand dollars ($10,000) per annum, payable in equal monthly installments.

(2) There shall be one clerk who shall receive a minimum salary of two hundred fifty-five dollars ($255) monthly with annual increments of twelve dollars ($12), twelve dollars ($12), twelve dollars ($12), and twelve dollars ($12) to a maximum of three hundred three dollars ($303), monthly.

The clerk may appoint one deputy (court clerk) at a minimum salary of two hundred twenty-five dollars ($225) monthly with annual increments of ten dollars ($10), eleven dollars ($11), ten dollars (10), and eleven dollars ($11) to a maximum of two hundred sixty-seven dollars ($267), monthly;

Two deputy clerks (typists) at a minimum salary of one hundred eighty-five dollars ($185) monthly with annual increments of eleven dollars ($11), seven dollars ($7), seven dollars ($7), and seven dollars ($7) to a maximum of two hundred twenty-seven dollars ($227), monthly.

(3) There shall be one marshal who shall receive a minimum salary of two hundred sixty-five dollars ($265) monthly with annual increments of twelve dollars ($12), thirteen dollars ($13), twelve dollars ($12), and thirteen dollars ($13) to a maximum of three hundred fifteen dollars ($315), monthly.

The marshal may appoint:

One deputy at a minimum salary of two hundred forty dollars (240) monthly with annual increments of eleven dollars ($11), eleven dollars ($11), eleven dollars ($11), and twelve dollars ($12) to a maximum of two hundred eighty-five dollars ($285), monthly;

Two deputies (custodians) at the fee allowed by law for keeping property.

(4) Persons who succeed to positions in the municipal court under provisions of the Municipal and Justice Court Act of 1949 shall receive credit for continuous prior service in superseded courts and in the sheriff's department or constabulary of the county, and shall receive, in addition to the minimum rate, the annual increments commensurate with such years of prior service up to the maximum rate set."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1359—An act providing for the constitution of the municipal court in a district embracing the City of Alameda, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 5 to 7, inclusive, and insert

"(1) There shall be two judges, each of whom shall receive thirteen thousand five hundred dollars ($13,500) per annum, payable in equal monthly installments;

(2) There shall be one clerk who shall receive five hundred dollars ($500) monthly, and who may appoint the following:

One chief deputy (criminal division) who shall receive a minimum salary of three hundred dollars ($300) monthly with annual increments of ten dollars ($10), to a maximum of three hundred fifty dollars ($350) monthly;

One chief deputy (civil division) who shall receive a minimum salary of three hundred dollars ($300) monthly with annual increments of ten dollars ($10), to a maximum of three hundred fifty dollars ($350) monthly;

Two deputy clerks who shall receive a minimum salary of two hundred fifty dollars ($250) monthly with annual increments of ten dollars ($10), to a maximum of three hundred dollars ($300) monthly.

(3) The sheriff and his deputies shall act ex officio as marshal and deputy marshals.

(4) Persons who succeed to positions in the municipal court under provisions of the Municipal and Justice Court Act of 1949 shall receive credit for continuous prior service in superseded courts and in the sheriff's department or constabulary of the county, and shall receive, in addition to the minimum rate, the annual increments commensurate with such years of prior service up to the maximum rate set.

SEC 2. Whenever a special assignment or branch of work is indicated herein for a particular deputy or position, the assignment so designated is not intended to be exclusive, but merely to designate the principal work incident to such deputy or position. However, in order to equalize the work of the office of the clerk and to render prompt and efficient service to the public, it shall be the duty of each deputy clerk or attache to perform such service as may be directed by the clerk, whether the work so directed to be done be within the scope of the special designation or not. The clerk shall have the power to lay off any employee because of lack of the type of work which such employee was appointed to perform."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1373—An act providing for the constitution of the municipal court in a district embracing the City of San Jose, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 5, 6, and 7 and insert

"(1) There shall be three judges, each of whom shall receive ten thousand dollars ($10,000) per annum payable in equal monthly installments

(2) There shall be one clerk who shall receive a minimum salary of three hundred fifty dollars ($350) monthly with annual increments of sixteen dollars ($16), seventeen dollars ($17), seventeen dollars ($17), and seventeen dollars ($17) to a maximum of four hundred seventeen dollars ($417), monthly.

The clerk may appoint:

Three deputy clerks (court clerks), each of whom shall receive a minimum salary of two hundred fifty-five dollars ($255) monthly with annual increments of

twelve dollars ($12), twelve dollars ($12), twelve dollars ($12), and twelve dollars ($12) to a maximum of three hundred three dollars ($303), monthly;

Six deputy clerks (typists), each of whom shall receive a minimum salary of one hundred eighty-five dollars ($185) monthly with annual increments of eleven dollars ($11), seven dollars ($7), seven dollars ($7), and seven dollars ($7) to a maximum of two hundred twenty-seven dollars ($227), monthly.

(3) There shall be one marshal who shall receive a minimum salary of three hundred fifteen dollars ($315) monthly with annual increments of fifteen dollars ($15), fifteen dollars ($15), fifteen dollars ($15), and fifteen dollars ($15) to a maximum of three hundred seventy-five dollars ($375), monthly.

The marshal may appoint four deputies, each of whom shall receive a minimum salary of two hundred forty dollars ($240) monthly with annual increments of eleven dollars ($11), eleven dollars ($11), eleven dollars ($11), and twelve dollars ($12) to a maximum of two hundred eighty-five dollars ($285), monthly; and

Four deputies (custodians) at the fee allowed by law for keeping property

(4) Persons who succeed to positions in the municipal court under provisions of the Municipal and Justice Court Act of 1949 shall receive credit for continuous prior service in superseded courts and in the sheriff's department or constabulary of the county, and shall receive, in addition to the minimum rate, the annual increments commensurate with such years of prior service up to the maximum rate set."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1382—An act providing for the constitution of the municipal courts in districts in Santa Cruz County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 4, 5, and 6 and insert

"(1) There shall be two judges each of whom shall receive ten thousand dollars ($10,000) per annum, payable in equal monthly installments;

(2) There shall be one clerk who shall receive a minimum salary of two hundred forty dollars ($240) monthly with annual increments of twelve dollars ($12), twelve dollars ($12), twelve dollars ($12), and twelve dollars ($12) to a maximum of two hundred eighty-eight dollars ($288) monthly.

The clerk may appoint the following:

One chief deputy clerk who shall receive a minimum salary of two hundred thirty dollars ($230) monthly with annual increments of twelve dollars ($12), fourteen dollars ($14), eleven dollars ($11), and nine dollars ($9) to a maximum of two hundred seventy-six dollars ($276) monthly;

Two deputy clerks each of whom shall receive a minimum salary of one hundred eighty dollars ($180) monthly with annual increments of nine dollars ($9), nine dollars ($9), nine dollars ($9), and nine dollars ($9) to a maximum of two hundred sixteen dollars ($216) monthly

(3) The sheriff of the county shall be ex officio marshal of the court and may appoint two of his deputies to act as ex officio deputy marshals of the court.

(4) Persons who succeed to positions in the municipal court under the provisions of the Municipal and Justice Court Act of 1949 shall receive credit for continuous prior service in superseded courts and in the sheriff's department or constabulary of the county, and shall receive, in addition to the minimum rate, the annual increments commensurate with such years of prior service up to the maximum rate set."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1400—An act providing for the constitution of the municipal court in a district embracing the City of Santa Barbara, and prescribing the number and compensation of the judges, officers, and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 5, 6, and 7 and insert

"(1) There shall be one judge who shall receive eight thousand seven hundred dollars ($8,700) per annum, payable in equal monthly installments,

(2) There shall be one clerk who shall receive four thousand five hundred dollars ($4,500) per annum, payable in equal monthly installments, and who may appoint the following

One chief deputy clerk who shall receive a salary of three thousand six hundred dollars ($3,600) per annum, payable in equal monthly installments;

Two deputy clerks each of whom shall receive a salary of two thousand seven hundred dollars ($2,700) per annum, payable in equal monthly installments.

(3) There shall be one marshal who shall receive a salary of four thousand two hundred dollars ($4,200) per annum, payable in equal monthly installments; and

One deputy marshal who shall receive a salary of three thousand three hundred dollars ($3,300) per annum payable in equal monthly installments;

(4) All fees collected by court officers and attaches for official duties shall be deposited in the county treasury.

(5) All officers and attaches of the court shall devote their full time to the performance of their duties."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1466—An act providing for the constitution of the municipal court in a district embracing the City of San Bernardino, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 5 to 7, inclusive, and insert

"(1) There shall be two judges each of whom shall receive seven thousand two hundred dollars ($7,200) per annum, payable in equal monthly installments;

(2) There shall be one clerk who shall receive a minimum salary of two hundred eighty-nine dollars ($289) monthly with increments of thirteen dollars ($13) after six months, fourteen dollars ($14) after one and one-half years, fifteen dollars ($15) after two and one-half years, sixteen dollars ($16) after four and one-half years, and sixteen dollars ($16) after six and one-half years, to a maximum of three hundred sixty-three dollars ($363) monthly.

The clerk may appoint the following:

Two clerks at a minimum salary of two hundred twenty dollars ($220) monthly, with increments of ten dollars ($10) after six months, eleven dollars ($11) after one and one-half years, eleven dollars ($11) after two and one-half years, twelve dollars ($12) after four and one-half years, and twelve dollars ($12) after six and one-half years, to a maximum of two hundred seventy-six dollars $276) monthly.

Three clerks at a minimum salary of one hundred eighty-four dollars ($184) monthly, with increments of eight dollars ($8) after six months, nine dollars ($9) after one and one-half years, nine dollars ($9) after two and one-half years, ten dollars ($10) after four and one-half years, and ten dollars ($10) after six and one-half years, to a maximum of two hundred thirty dollars ($230) monthly;

One clerk at a minimum salary of one hundred sixty-nine dollars ($169) monthly, with increments of seven dollars ($7) after six months, eight dollars ($8) after one and one-half years, eight dollars ($8) after two and one-half years, nine dollars ($9) after four and one-half years, and nine dollars ($9) after six and one-half years, to a maximum of two hundred and ten dollars ($210).

(3) There shall be one marshal who shall receive a salary of three hundred dollars ($300) per month, and who may appoint the following.

Two deputies, each of whom shall receive a minimum salary of two hundred thirty dollars ($230) monthly, with increments of eleven dollars ($11) after six months, eleven dollars ($11) after one and one-half years, twelve dollars ($12) after two and one-half years, twelve dollars ($12) after four and one-half years, and thirteen

dollars ($13) after six and one-half years, to a maximum of two hundred eighty-nine dollars ($289);

One deputy (bailiff) who shall receive a minimum salary of two hundred one dollars ($201) monthly, with increments of nine dollars ($9) after six months, ten dollars ($10) after one and one-half years, ten dollars ($10) after two and one-half years, eleven dollars ($11) after four and one-half years, and eleven dollars ($11) after six and one-half years, to a maximum of two hundred fifty-two dollars ($252).

(4) Persons who succeed to positions in the municipal court under provisions of the Municipal and Justice Court Act of 1949 shall receive credit for continuous prior service in superseded courts and in the sheriff's department or constabulary of the county, and shall receive, in addition to the minimum rate, the annual increments commensurate with such years of prior service up to the maximum rate set."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1467—An act providing for the constitution of the municipal court in a district embracing the City of Ontario, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 5 to 7, inclusive, and insert

"(1) There shall be one judge who shall receive a salary of seven thousand two hundred dollars ($7,200) per annum, payable in equal monthly installments.

(2) There shall be one clerk who shall receive a minimum salary of two hundred forty-one dollars ($241) per month with increments of eleven dollars ($11) after six months, twelve dollars ($12) after one and one-half years, twelve dollars ($12) after two and one-half years, thirteen dollars ($13) after four and one-half years, and thirteen dollars ($13) after six and one-half years, to a maximum of three hundred two dollars ($302).

The clerk may appoint the following:

Two deputy clerks, each of whom shall receive a minimum salary of one hundred eighty-four dollars ($184) monthly with increments of eight dollars ($8) after six months, nine dollars ($9) after one and one-half years, nine dollars ($9) after two and one-half years, ten dollars ($10) after four and one-half years, and ten dollars ($10) after six and one-half years, to a maximum of two hundred thirty dollars ($230) monthly.

(3) There shall be one marshal who shall receive three hundred dollars ($300) monthly and who may appoint one deputy at a minimum salary of two hundred forty-one dollars ($241) monthly with increments of eleven dollars ($11) after six months, twelve dollars ($12) after one and one-half years, twelve dollars ($12) after two and one-half years, thirteen dollars ($13) after four and one-half years, and thirteen dollars ($13) after six and one-half years, to a maximum of three hundred two dollars ($302) monthly.

(4) Persons who succeed to positions in the municipal court under provisions of the Municipal and Justice Court Act of 1949 shall receive credit for continuous prior service in superseded courts and in the sheriff's department or constabulary of the county, and shall receive, in addition to the minimum rate, the annual increments commensurate with such years of prior service up to the maximum rate set."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1468—An act providing for the constitution of the municipal court in a district embracing the City of Upland, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "Upland", and insert "Redlands".

Amendment No. 2

On page 1 of said bill, strike out lines 5 to 7, inclusive, and insert

"(1) There shall be one judge who shall receive a salary of seven thousand two hundred dollars ($7,200) per annum, payable in equal monthly installments

(2) There shall be one clerk who shall receive a minimum salary of two hundred twenty dollars ($220) monthly with increments of ten dollars ($10) after six months, eleven dollars ($11) after one and one-half years, eleven dollars ($11) after two and one-half years, twelve dollars ($12) after four and one-half years, and twelve dollars ($12) after six and one-half years to a maximum of two hundred seventy-six dollars ($276).

The clerk may appoint one deputy clerk who shall receive a minimum salary of one hundred eighty-four dollars ($184) monthly with increments of eight dollars ($8) after six months, nine dollars ($9) after one and one-half years, nine dollars ($9) after two and one-half years, ten dollars ($10) after four and one-half years, and ten dollars ($10) after six and one-half years to a maximum of two hundred thirty dollars ($230) monthly.

(3) There shall be one marshal who shall receive three hundred dollars ($300) monthly and who may appoint one deputy at a minimum salary of two hundred forty-one dollars ($241) monthly with increments of eleven dollars ($11) after six months, twelve dollars ($12) after one and one-half years, twelve dollars ($12) after two and one-half years, thirteen dollars ($13) after four and one-half years, and thirteen dollars ($13) after six and one-half years, to a maximum of three hundred two dollars ($302) monthly

(4) Persons who succeed to positions in the municipal court under provisions of the Municipal and Justice Court Act of 1949 shall receive credit for continuous prior service in superseded courts and in the sheriff's department or constabulary of the county, and shall receive, in addition to the minimum rate, the annual increments commensurate with such years of prior service up to the maximum rate set."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 912—An act to amend Section 11789 of the Insurance Code, relating to the State Compensation Insurance Fund.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 7, of the printed bill, after "moneys", insert "within the intent of Section 16305.2 of the Government Code".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1727—An act to amend Section 41.5 of the Unemployment Insurance Act, relating to transfer of employers' reserve accounts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 13, of the printed bill, after "acquisition," insert "an application may be made within 90 days of such acquisition for transfer of reserve account by setting forth the name and address of the predecessor, the date of acquisition, the

name of the successor, the number of employees prior to and subsequent to the date of acquisition, and, in case of severable portions, such payroll data as may be required by the Department to determine the proper amount to be transferred, whereupon".

Amendment No. 2

On page 2 of said bill, strike out lines 9 through 18, and insert

"The provisions of this section shall also apply to applications for transfer of reserve accounts made after the 90 day period beginning with the date of acquisition but prior to the cancellation of the reserve account as provided in Section 40 if such reserve account has not been reacquired by the predecessor on re-entering business or, in the case of distinct and severable portions, if the predecessor did not continue in business and, provided further, that any amendment of the contribution rate shall be made as of the first day of the calendar quarter next succeeding the date of such application.

The provisions of this section relating to a specific application for transfer of reserve account shall not apply as to any successor who through error or inadvertence continued to file contribution reports and pay contributions for the account and at the rate determined by the Department to apply to the predecessor employer, but such reporting and payment shall be deemed to be in lieu of such application and shall be given the same effect as though a specific application had been filed during the 90 day period beginning with the date of acquisition"

Amendment No. 3

On page 2, line 49, of said bill, after "venture", insert "each participating employer may make application within 90 days for the transfer of his proportionate share of the reserve account whereupon".

Amendment No. 4

On page 3, line 1, of said bill, after "the", strike out 'participating".

Amendment No. 5

On page 3, line 3, of said bill, after "employers", insert "making such application".

Amendment No. 6

On page 3, line 36, of said bill, strike out "1950", and insert "1952."

Amendment No. 7

On page 3, line 36, of said bill, after the period, strike out "It is the intent of the Legislature that this subsection, as amended in the 1951 Regular Session of the Legislature, be retroactive to January 1, 1950."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1939—An act to add Sections 11007.5 and 11030.5 to the Government Code, relating to travel on state business.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "nonscheduled", and insert "state-owned or leased".

Amendment No. 2

On page 1, line 6, of the printed bill, after "business", insert "subject to rules and regulations prescribed by the Board of Control".

Amendment No. 3

On page 1, line 9, of the printed bill, after "in", strike out "non-".

Amendment No. 4

On page 1, line 10, of the printed bill, strike out "scheduled", and insert "state owned or leased".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1166—An act to provide for the compilation, publication and distribution of state laws relating to publishing and publications, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1 of the printed bill, strike out lines 1 and 2, and insert

"SECTION 1 The Legislative Counsel shall compile and index all laws of this State governing and relating to the".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 911—An act to amend Sections 115, 5001, 5301, 5302, 5309, 5310, 5800, 5900, 5901, 5902, 5903, 5904, 5905, 5909, 5910, and 5952 of the Labor Code; to repeal Sections 5313, 5314, 5906, 5907, 5908, and 5950 of said code and add new Sections 5313, 5314, 5906, 5907, 5908, and 5950 to said code; to repeal Section 5315 of said code; and to amend the titles of Division 4, Part 4, Chapter 7 and Division 4, Part 4, Chapter 7, Article 1 of said code, all relating to workmen's compensation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

Strike out lines 1 to 5, inclusive, of the title of the printed bill, and insert

"An act to amend Sections 115, 5001, 5301, 5309, 5310, 5315, 5709, 5800, 5900, 5901, 5902, 5903, 5904, 5905, 5907, 5909, and 5910 of the Labor Code; to repeal Sections 5313, 5314, 5906, 5908, and 5950 of said code; and add Sections 5313, 5906, 5908, 5908.5, and 5950 to said code; and to".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 21, inclusive; strike out pages 2, 3, 4, and 5; and on page 6, strike out lines 1 to 35, inclusive, and insert

"*SECTION 1. Section 115 of the Labor Code is amended to read:*

115 Except as otherwise expressly provided, a majority of a panel shall constitute a quorum for the transaction of business, or the exercise of any power of the commission.

Any investigation, inquiry, or hearing which the commission has power to undertake or to hold, and which has been assigned or transferred to a panel may be undertaken or held by any commissioner of that panel or any referee attached to the headquarters of that panel to whom the matter is assigned.

Every finding, order, decision, or award made and filed by a panel pursuant to such investigation, inquiry, or hearing is the finding, order, decision or award of the commission

Every finding, order, decision, or award made *and filed* by any commissioner or referee pursuant to such investigation, inquiry or hearing[, when approved and confirmed and ordered filed by a panel,] is the finding, order, decision, or award of the commission[.] *unless reconsideration is had in accordance with the provisions of Article 1, Chapter 7, Part 4, Division 4 of this code.*

SEC. 2. Section 5001 of said code is amended to read:

5001. Compensation is the measure of the responsibility which the employer has assumed for injuries or deaths which occur to employees in his employment when subject to this division. No release of liability or compromise agreement is valid unless it is approved by the commission *as a whole or a panel thereof*.

SEC. 3. Section 5301 of said code is amended to read:

5301. The commission is vested with full power, authority and jurisdiction to try and determine finally all the matters specified in Section 5300 subject only to the review by the courts as specified in this division. Such jurisdiction may be exercised by the commission [through either of its panels] as described in Section 115 [or, subject to the approval by the panel of the order, decision, or award, through a commissioner or referee].

SEC. 4. Section 5309 of said code is amended to read:

5309. The commission may, *in accordance with rules of practice and procedure which it shall adopt and* upon the agreement of the parties, on the application of either, or of its own motion, and with or without notice, direct and order a [reference in the following cases] *commissioner or a referee*;

(a) To try the issues in any proceeding before it, whether of fact or of law, and [to report] *make and file* a finding, order, decision, or award based thereon.

(b) To *hold hearings and* ascertain [a fact] *facts* necessary to enable the commission to determine any proceeding [before it] or [necessary] to make any order, decision, or award that the commission is authorized to make under Divisions 4 or 5, or necessary for the information of the commission.

SEC. 5. Section 5310 of said code is amended to read:

5310. The commission *or a panel* may appoint one or more referees in any proceeding, as it may deem necessary or advisable and may refer, [matters arising out of the same proceeding to different referees] *remove to itself, or transfer to another commissioner or referee the proceedings on any claim*. The commission may appoint general referees. Any referee appointed by the commission has the powers, jurisdiction, and authority granted by law, by the order of appointment, and by the rules of the commission. The compensation for his services shall be fixed by the commission.

SEC. 6. Sections 5313 and 5314 of said code are repealed.

SEC. 7. Section 5313 is added to said code to read:

5313. The commission, a panel, every referee or commissioner shall, within 30 days after the testimony is closed, make and file findings upon all facts involved in the controversy and an award, order, or decision stating the determination as to the rights of the parties, and in addition thereto and concurrently therewith shall make and file a written report. Such report shall separately state the findings of fact and conclusions of law. The findings, decision, order, or award and the accompanying report shall, if made by the commission or a panel, be signed by a majority of the commission or the panel.

SEC. 8. Section 5315 of said code is amended to read:

5315. [Upon the filing of the report of the referee, the] *The* commission may confirm, adopt, modify or set aside [the same or any part thereof] *the findings, order, decision, or award of a commissioner or referee* and may, with or without further proceedings, and with or without notice, enter its order, findings, decision, or award based [in whole or in part upon the report of the referee, or] upon the record in the case.

SEC. 9. Section 5709 of said code is amended to read:

5709. No informality in any proceeding or in the manner of taking testimony shall invalidate any order, decision, award, or rule made [, approved, or confirmed by the commission or a panel thereof] *and filed as specified in this division*. No order, decision, award, or rule shall be invalidated because of the admission into the record, and use as proof of any fact in dispute, of any evidence not admissible under the common law or statutory rules of evidence and procedure.

SEC. 10. Section 5800 of said code is amended to read:

5800. [After final hearing by the commission, it shall, within 30 days, make and file:]

[(a) Its findings upon all facts involved in the controversy.]

[(b) Its order, decision, or award stating its determination as to the rights of the parties.] All awards of the commission either for the payment of compensation or for the payment of death benefits, shall carry interest at the same rate as judgments in civil actions on all due and unpaid payments from the date of the making and filing of said award. Such interest shall run from the date of making and filing of an award, as to amounts which by the terms of the award are payable forthwith. As to amounts which under the terms of the award subsequently become due in installments or otherwise, such interest shall run from the date when each such amount becomes due and payable.

SEC. 11. The title of Chapter 7 of Part 4 of Division 4 of said code is amended to read:

Chapter 7. [REHEARINGS] *RECONSIDERATION* AND JUDICIAL REVIEW

SEC. 12. The title of Article 1 of Chapter 7 of Part 4 of Division 4 of said code is amended to read:

Article 1. [Rehearings] *Reconsideration*

SEC. 13. Section 5900 of said code is amended to read:

5900. Any person aggrieved directly or indirectly by any final order, decision, or award [of the commission made or entered] *and filed by a commissioner or a referee* under any provision contained in this division, may petition the commission for [a rehearing] *reconsideration* in respect to any matters determined or covered by the final order, decision, or award, and specified in the petition for [rehearing] *reconsideration*. Such petition shall be made only within the time and in the manner specified in this chapter.

SEC. 14. Section 5901 of said code is amended to read:

5901. No cause of action arising out of any final order, decision or award *made and filed by a commissioner or a referee* shall accrue in any court to any person until and unless *the commission on its own motion sets aside such final order, decision, or award and removes such proceeding to itself or* such person files a petition for [rehearing] *reconsideration*, and such [petition] *reconsideration* is granted or denied. Nothing herein contained shall prevent the enforcement of any such final order, decision, or award, in the manner provided in this division.

SEC. 15. Section 5902 of said code is amended to read:

5902. The petition for [rehearing] *reconsideration* shall set forth specifically and in full detail the grounds upon which the petitioner considers the final order, decision or award *made and filed by a commissioner or a referee* to be unjust or unlawful, and every issue to be considered by the commission. The petition shall be verified upon oath in the manner required for verified pleadings in courts of record and shall contain a general statement of any evidence or other matters upon which the applicant relies in support thereof.

SEC. 16. Section 5903 of said code is amended to read:

5903. At any time within 20 days after the service of any final order, decision, or award [of the commission] *made and filed by a commissioner or a referee* granting or denying compensation, or arising out of or incidental thereto, any person aggrieved thereby may petition for [a rehearing] *reconsideration* upon one or more of the following grounds and no other.

(a) That *by such order, decision, or award made and filed by a commissioner or referee,* the commission acted without or in excess of its powers.

(b) That the order, decision, or award was procured by fraud.

(c) That the evidence does not justify the findings of fact.

(d) That the petitioner has discovered new evidence material to him, which he could not, with reasonable diligence, have discovered and produced at the hearing.

(e) That the findings of fact do not support the order, decision, or award.

Nothing contained in this section shall limit the grant of continuing jurisdiction contained in sections 5803 to 5805 inclusive.

SEC. 17. Section 5904 of said code is amended to read:

5904. The petitioner for [rehearing] *reconsideration* shall be deemed to have finally waived all objections, irregularities, and illegalities concerning the matter upon which the [rehearing] *reconsideration* is sought other than those set forth in the petition for [rehearing] *reconsideration*.

SEC. 18. Section 5905 of said code is amended to read:

5905. A copy of the petition for [rehearing] *reconsideration* shall be served forthwith upon all adverse parties by the person petitioning for [rehearing] *reconsideration*. Any adverse party may file an answer thereto within 10 days thereafter. Such answer shall likewise be verified. The commission may require the petition for [rehearing] *reconsideration* to be served on other persons designated by it.

SEC. 19 Section 5906 of said code is repealed.

SEC. 20 Section 5906 is added to said code to read:

5906. Upon the filing of a petition for reconsideration, or upon its own motion, the commission as a whole or a panel thereof may affirm, rescind, alter, or amend the order, decision, or award made and filed by a commissioner or referee on the basis of the evidence previously submitted in the case, or may grant reconsideration and direct the taking of additional evidence. Notice of the time and place of any hearing on reconsideration shall be given to the petitioner and adverse parties and to such other persons as the commission orders.

SEC. 21. Section 5907 of said code is amended to read:

5907. If at the time of granting [a rehearing] *reconsideration*, it appears to the satisfaction of the commission that no sufficient reason exists for taking further testimony, the commission may reconsider and redetermine the original cause without setting a time and place for further [re] hearing.

SEC. 22. Section 5908 of said code is repealed.

SEC. 23. Section 5908 is added to said code to read:

5908. After the taking of additional evidence and a consideration of all of the facts the commission may affirm, rescind, alter, or amend the original order, decision, or award. An order, decision, or award made following reconsideration which affirms, rescinds, alters, or amends the original order, decision, or award shall be made by the commission as a whole or a panel thereof but shall not affect any right or the enforcement of any right arising from or by virtue of the original order, decision, or award, unless so ordered by the commission.

SEC. 24. Section 5908.5 is added to said code to read:

5908.5. Any decision of the commission as a whole or of a panel thereof denying a petition for reconsideration or affirming, rescinding, altering, or amending the original order, decision, or award following reconsideration shall be in writing, signed by a majority of the commission or of the panel and shall contain findings of fact and conclusions of law.

SEC. 25. Section 5909 of said code is amended to read:

5909 A petition for [a rehearing] *reconsideration* is deemed to have been denied by the commission unless it is acted upon within thirty days from the date of filing. The commission may, upon good cause being shown therefor, extend the time within which it may act upon such petition for not exceeding 30 days.

SEC 26 Section 5910 of said code is amended to read.

5910. The filing of a petition for [a rehearing] *reconsideration* shall suspend for a period of 10 days the order, decision, or award affected, insofar as it applies to the parties to the petition, unless otherwise ordered by the commission. The commission upon the terms and conditions which it by order directs, may stay, suspend, or postpone the order, decision, or award during the pendency of the [rehearing] *reconsideration*.

SEC. 27. Section 5950 of said code is repealed

SEC. 28. Section 5950 is added to said code to read:

5950. Any person affected by an order, decision, or award of the commission may, within the time limits specified in this section, apply to the supreme court or to the district court of appeal for the appellate district in which he resides, for a writ of review, for the purpose of inquiring into and determining the lawfulness of the original order, decision, or award or of the order, decision, or award following reconsideration. In the event the original order, decision, or award is made by the commission as a whole or by a panel, such application for writ of review must be made within 30 days after the making of such order, decision or award. In the event the original order, decision, or award is made and filed by a commissioner or a referee, such application for writ of review must be made within 30 days after the petition for reconsideration is denied, or, if the petition is granted or reconsideration is had on the commission's own motion, within 30 days after the rendition of the order, decision, or award following reconsideration."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1472—An act providing for the constitution of the municipal court in a district embracing the City of Santa Ana, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 5 to 7, inclusive, and insert

"(1) There shall be one judge who shall receive a salary of nine thousand dollars ($9,000) per annum, payable in equal monthly installments

(2) The judge may appoint:

Two clerks, each at a monthly salary of two hundred fifty dollars ($250); and

One stenographer-clerk at a monthly salary of one hundred ninety dollars ($190).

(3) The judge may appoint one marshal at a monthly salary of three hundred dollars ($300).

(4) The marshal may appoint:

One deputy marshal at a monthly salary of two hundred fifty dollars ($250); and

One stenographer-clerk at a monthly salary of one hundred ninety dollars ($190)."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1474—An act providing for the constitution of the municipal court in a district embracing the City of Fullerton, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 5 to 7, inclusive, and insert

"(1) There shall be one judge who shall receive a salary of nine thousand dollars ($9,000) per annum, payable in equal monthly installments.

(2) The judge may appoint:

Two clerks, each at a monthly salary of two hundred fifty dollars ($250); and

One stenographer-clerk at a monthly salary of one hundred ninety dollars ($190)

(3) The judge may appoint one marshal at a monthly salary of three hundred dollars ($300).

(4) The marshal may appoint:

One deputy marshal at a monthly salary of two hundred fifty dollars ($250); and

One stenographer-clerk at a monthly salary of one hundred ninety dollars ($190)."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1418—An act prescribing the constitution of municipal courts in certain judicial districts in counties or cities and counties of the first class, providing for the number of judges, officers and attaches of such courts and fixing their compensation; also providing for the appointment of such officers and attaches, their tenure of office and for the preservation of their right of civil service status and retirement benefits.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 16, 1951, strike out the title, and insert

"An act providing for the constitution of the municipal court in a district embracing the City of Glendale, and prescribing the number and compensation of the judges, officers and attaches thereof."

Amendment No. 2

On page 1 of said bill, strike out lines 6 to 11, inclusive; on page 2, strike out lines 1 to 51, inclusive; on page 3, strike out lines 1 to 32, inclusive; and on page 4, strike out lines 1 to 48, inclusive, and insert

"SECTION 1. The municipal court in a district embracing the City of Glendale shall be constituted, and the judges, officers and attaches thereof shall receive compensation as herein provided.

(1) There shall be two judges, each of whom shall receive thirteen thousand five hundred dollars ($13,500) per annum, payable in equal monthly installments;

(2) There shall be one clerk, who also shall be secretary to the court, and who shall receive a salary of six hundred sixty dollars ($660) monthly. The clerk may appoint the following:

One chief deputy clerk, who shall receive a salary of five hundred dollars ($500) monthly;

Three deputy clerks, each of whom shall receive a salary of four hundred dollars ($400) monthly;

Four deputy clerks, each of whom shall receive a salary of three hundred seventy-five dollars ($375) monthly;

Four deputy clerks, each of whom shall receive a salary of three hundred fifty dollars ($350) monthly;

Three deputy clerks (stenographers), each of whom shall receive a salary of three hundred dollars ($300) monthly;

Three deputy clerks (typists), each of whom shall receive a salary of two hundred seventy-five dollars ($275) monthly.

(3) There shall be one marshal who shall receive a salary of eight thousand dollars *($8,000) per year, payable in equal monthly installments. The marshal may* appoint the following:

One chief deputy who shall receive a minimum salary of three hundred ninety-five dollars ($395) monthly, with annual increments of twenty-two dollars ($22), twenty-three dollars ($23), twenty-four dollars ($24), and twenty-five dollars ($25), to a maximum of four hundred eighty-nine dollars ($489) monthly;

Three deputy marshals, each of whom shall receive a minimum salary of three hundred three dollars ($303) monthly, with annual increments of sixteen dollars ($16), eighteen dollars ($18), eighteen dollars ($18), and twenty dollars ($20), to a maximum of three hundred seventy-five dollars ($375) monthly;

Two deputy marshals, each of whom shall receive a minimum salary of two hundred eighty-eight ($288) monthly, with annual increments of fifteen dollars ($15), sixteen dollars ($16), eighteen dollars ($18), and eighteen dollars ($18), to a maximum of three hundred fifty-five dollars ($355) monthly;

One deputy marshal, who shall receive a minimum salary of two hundred fifty-nine dollars ($259) monthly, with annual increments of fourteen dollars ($14), fifteen dollars ($15), fifteen dollars ($15), and sixteen dollars ($16), to a maximum of three hundred nineteen dollars ($319) monthly;

Two deputy marshals, each of whom shall receive a minimum salary of two hundred forty-six dollars ($246) monthly, with annual increments of thirteen dollars ($13), fourteen dollars ($14), fifteen dollars ($15) and fifteen dollars ($15), to a maximum of three hundred three dollars ($303) monthly;

Ten deputies (custodians) at the fee allowed by law for keeping property.

(4) Persons who succeed to positions in the municipal court under provisions of the Municipal and Justice Court Act of 1949 shall receive credit for continuous prior service in superseded courts and in the sheriff's department or constabulary of the county, and shall receive, in addition to the minimum rate, the annual increments commensurate with such years of prior service up to the maximum rate set."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1850—An act to amend Sections 551, 553, 560.1, and 562 of, and to repeal Section 561 of, the Vehicle Code, relating to traffic rules.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "551,".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 16, inclusive.

Amendment No. 3

On page 1, line 17, of said bill, strike out "SEC. 2", and insert "SECTION 1".

Amendment No. 4

On page 2, line 5, of said bill, strike out "SEC. 3", and insert "SEC. 2".

Amendment No. 5

On page 2, line 16, of said bill, strike out "SEC. 4", and insert "SEC. 3".

Amendment No. 6

On page 2, line 17, of said bill, strike out "SEC. 5", and insert "SEC. 4".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 2018—An act to amend Sections 1184, 1184a and 1184b of the Code of Civil Procedure, relating to mechanics' liens, providing for notice of claim of lien to persons other than owner of property in which lien exists, providing for withholding of payments due a contractor, providing for distribution of sums so withheld, and providing for action to enforce liens.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In the title of the printed bill, strike out lines 1 to 6, inclusive, and insert "An act to amend Section 1190.1 of the Code of Civil Procedure, relating to mechanics liens."

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 1190.1 of the Code of Civil Procedure is amended to read:

1190.1. (a) Any of the persons mentioned in Sections 1181 and 1184.1, except the contractor, and all persons, firms and corporations, excluding the contractor, performing work or furnishing materials, or both, upon any public improvement, including highways, streets, wagon roads, viaducts or sewers, may at any time, prior to the expiration of the period within which claims of lien must be filed for record, as prescribed by the provisions of Section 1193 1 of this code, give to the owner, a notice that they have performed labor or furnished materials, or both, to the contractor or other person acting by the authority of the owner, or that they have agreed to do so, stating in general terms the kind of labor and materials and the name of the person to or for whom the same was done or furnished, or both, and the amount in value, as near as may be, of that already done or furnished, or both, and of the whole agreed to be done or furnished, or both, and any of said persons who shall on the written demand of the owner refuse to give such notice shall thereby deprive himself of the right to claim a lien under this chapter

(b) Such notice must be verified by the claimant, or by some person acting in his behalf, and may be given by delivering the same to said owner, personally, or by leaving it at his residence or place of business with some person in charge, or by delivering it to his architect, if any; provided, however, that in all cases in which said work is being done under a contract with the State, or with any public board, commission, or officer thereof, or with any political subdivision thereof, such notice must be filed, within said time, in the Office of the Controller, auditor, or other public disbursing officer whose duty it is to make payments under the provisions of such contract, or with the commissioners, managers, trustees, officers, board of supervisors, board of trustees, common council or other body by whom the contract for the improvement was awarded. In the case of any contract of the State by or through the Department of Public Works, such notice must be filed with the Director of Public Works, and not with the State Controller. In the case of any contract of the State by or through any other state department, board, commission, or officer, such notice must be filed within said time with the head of such state department, board, commission, or officer and not with the State Controller No such notice shall be invalid by reason of any defect in form; provided, it is sufficient to inform the owner of the substantial matters herein provided for.

(c) Upon such notice being given it shall be the duty of the person to whom such notice is given to, and he shall withhold from his contractor or from any person acting under his authority and to whom said labor or materials, or both have been furnished, or agreed to be furnished, sufficient money or sufficient bonds, where bonds are to be issued in lieu of money by the political subdivision which contracted for said work, due or that may become due to such contractor, to answer such claim and any lien that may be filed therefor, and, if the owner is a public body whose property, by reason of public policy or otherwise, is not subject to the liens in this chapter provided for, also the reasonable cost of any litigation thereunder

Provided, however, that if in connection with any private work of improvement, any statutory labor and material bond has been furnished under Section 1185 1 of this code complying with the provisions of such last mentioned section and has been filed in the office of the county recorder, as in said section, provided, then in said event, it shall not be the duty of the person to whom such notice is given to withhold any moneys pursuant to such notice but such moneys may be withheld by such person to whom such notice is given.

(d) In the event the moneys so withheld or required to be withheld shall be insufficient to pay in full the valid demands of all persons by whom such notices were given, the same shall be distributed among such persons in the same ratio that their

respective claims bear to the aggregate of such valid demands. Such pro rata distribution of said moneys shall be made among the persons entitled to share therein, without regard to the order of priority in which their respective notices may have been given or their respective actions, if any, commenced

(e) Any person who shall wilfully give a false notice of his claim to the owner or who shall wilfully include in his claim work or materials not performed upon or furnished for the property described in such notice shall forfeit all right to participate in the pro rata distribution of such moneys and all right to any lien under this chapter.

(f) Nothing in this article contained shall be construed to impair in any manner the right of any person by whom such notice has been given to recover from the contractor or his sureties any deficit that may remain unpaid after such pro rata distribution in an action upon the bond provided for by Section 4200 of the Government Code.

(g) The word "owner" as used in this action, includes the State, or any public board, commission, or officer, thereof, or any political subdivision thereof, whether the said work be done by or under the direction of said State, public board, commission, or officer thereof, or any political subdivision thereof.

(h) Any of the persons mentioned in Section 1181 and 1184.1, except the contractor at any time prior to the expiration of the period within which claims of lien must be filed for record, as prescribed by the provisions of Section 1193.1 of this code, may, in any instance in which the funds with which the cost of the work of improvements are, wholly or in part, to be defrayed from the proceeds of a building loan, give to the mortgagee, beneficiary under deed of trust, or assignee or successor in interest of either, or to any escrow holder or other party holding any funds furnished or to be furnished by the owner or lender or any other person as a fund from which to pay construction costs or arising out of a construction or building loan, a notice similar to the one provided for in subdivision (a) of this section, whereupon the person so given such notice under this subsection may withhold funds to answer such claims and any lien that may be filed therefor.

Provided, further, that if such person entitled to file such claim under this subsection files with the person holding such funds as a fund from which to pay such construction costs, a bond with good and sufficient sureties in a penal sum equal to one and one-quarter times the amount of such claim, undertaking that if the defendant recovers judgment in an action brought on said verified claim or on the lien filed by the claimant, the lien claimant will pay all costs that may be awarded to the owner, contractor, or person holding such funds, or any of them, and all damages that such owner, contractor, or person holding such funds may sustain by reason of the equitable garnishment effected by the claim or by reason of the lien, not exceeding the sum specified in the undertaking, then the person holding such funds must withhold from the borrower or other person to whom said owner may be obligated to make payments or advancements out of said fund sufficient money to answer such claim, and any lien that may be filed therefor. No assignment by the owner or contractor of construction loan funds, whether made before a verified claim is filed, or after such claim is filed shall be held to take priority over claims filed under this subsection (h) and such assignment shall have no binding force insofar as the rights of claimants who file claims hereunder are concerned.

(i) If the contractor, subcontractor, or any other person against whom any claim is filed under subsection (h) above, or if the owner, mortgagee, beneficiary under deed of trust, escrow holder or any other person, disputes the correctness or validity of any claim so filed on private construction work, the contractor, subcontractor, owner or any such other person disputing such claim, may file with the custodian of such fund a bond executed by good and sufficient sureties in a penal sum equal to one and one-quarter times the amount of such claim, which bond shall guarantee the payment of any sum not exceeding the penal obligation of the bond, which the claimant may recover on the claim, together with his costs of suit in the action, if he recovers therein. Upon the filing of such last mentioned bond the funds withheld to respond to the verified claim shall forthwith be released.

(j) Subsections (h) and (i) above shall not apply to public work; nor shall either of such sections be applicable if in connection with a private work of improvement any statutory labor and material bond has been furnished under Section 1185.1 of this code complying with the provisions of such Section 1185.1, and has been filed in the office of the county recorder at any time prior to the filing of the first verified claim or notice to withhold.

(k) To be effective any verified claim or notice to withhold filed under subsection (h) served upon a banking corporation or association, building and loan association, title insurance company, escrow holder or other person holding such construction funds, and maintaining branch offices must be given to or served upon the manager or other responsible officer or person at the office or branch thereof administering or holding such construction funds.

(l) Any verified claim or notice to withhold may be served by registered mail with the same effect as by personal service.

(m) If the person holding the funds objects to the sufficiency of the sureties on the bond referred to in subsection (h) above, he must give notice in writing to the

claimant within 20 days after the service of such notice that he so objects, in which event the claimant may within 20 days after the receipt of such written objection substitute for the bond so objected to a similar bond in like amount executed by a corporate surety licensed to write such bonds in the State of California, and if the claimant fails to do so the party served with such verified claim or notice to withhold may disregard the same and release all funds withheld in response thereto."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 21, inclusive; and strike out all of pages 2, 3, and 4.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 37—An act to amend Sections 1732, 1744, 1745, 1760, 1761, 1763, 1768, 1769, 1770, 1771, and 1772 and the addition of Sections 1773 and 1774 respectively of the Code of Civil Procedure, relating to the conciliation court in counties of 900,000 population or more.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "1744,".

Amendment No. 2

Strike out lines 2 and 3 of the title of said bill, and insert "1768, 1769, and 1772 of, and to add Section 1773 to, and to repeal Sections 1770 and 1771 of, the Code of Civil Procedure, relating to".

Amendment No. 3

In lines 4 and 5 of the title of said bill, strike out "in counties of 900,000 population or more".

Amendment No. 4

On page 1, line 4, of said bill, strike out the colon, and insert a semicolon.

Amendment No. 5

On page 1, line 6, of said bill, strike out "and as applicable only to this".

Amendment No. 6

On page 1, line 10, of said bill, strike out "'child" is and shall".

Amendment No. 7

On page 1, line 11, of said bill, strike out "include both child and children:".

Amendment No. 8

On page 1 of said bill, strike out lines 18 to 23, inclusive.

Amendment No. 9

On page 2 of said bill, strike out lines 1 to 27, inclusive.

Amendment No. 10

On page 2, line 28, of said bill, strike out "3", and insert "2".

Amendment No. 11

On page 2, line 35, of said bill, strike out "directors", and insert "directions".

Amendment No. 12

On page 2, line 37, of said bill, strike out "Exercise", and insert "Exercise".

Amendment No. 13

On page 3, line 4, of said bill, strike out "4", and insert "3".

Amendment No. 14

On page 3, line 28, of said bill, strike out "5", and insert "4".

Amendment No. 15

On page 3, line 43, of said bill, strike out "or she".

Amendment No. 16

On page 3, line 44, of said bill, strike out "or her".

Amendment No. 17

On page 4, line 20, of said bill, strike out "6", and insert "5".

Amendment No. 18

On page 4, line 24, of said bill, strike out "(or parents) and requests", and insert "or parents, and request".

Amendment No. 19

On page 4, line 27, of said bill, strike out "effected", and insert "affected".

Amendment No. 20

On page 4, line 33, of said bill, strike out "(c)", and insert "(e)".

Amendment No. 21

On page 4, line 38, of said bill, strike out "7", and insert "6".

Amendment No. 22

On page 5, line 1, of said bill, strike out "8", and insert "7".

Amendment No. 23

On page 5, line 3, of said bill, after "hearing", insert a comma.

Amendment No. 24

On page 5, line 5, of said bill, after "ject", insert "matter".

Amendment No. 25

On page 5, line 10, of said bill, strike out "9", and insert "8".

Amendment No. 26

On page 5, line 12, of said bill, strike out "10", and insert "9".

Amendment No. 27

On page 5, line 14, of said bill, strike out "11", and insert "10".

Amendment No. 28

On page 5, line 22, of said bill, after "court", insert a comma.

Amendment No. 29

On page 5, line 27, of said bill, after "in the", insert "same".

Amendment No. 30

On page 6 of said bill, strike out lines 17 to 21, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 61—An act relating to notaries public.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 8 to 16, inclusive, and insert

"(e) Have satisfactorily answered under oath a written questionnaire on a form prescribed by the Governor to determine the fitness of the person to exercise the functions of the office of notary public. The questionnaire shall be answered and the oath taken before any notary public who shall be entitled to a fee of two dollars ($2) for his services with respect thereto. The Secretary of State shall examine the completed

form and shall certify the fitness of any person satisfactorily answering the questionnaire to the Governor."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 212—An act to amend Section 1744 of the Code of Civil Procedure, relating to attaches of the conciliation court in counties of 900,000 population or more.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out line 9, and insert "six thousand six hundred dollars ($6,600)".

Amendment No. 2

On page 1, line 16, of said bill, strike out "three thousand dollars ($3,000)", and insert "three thousand six hundred dollars ($3,600)".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1376—An act providing for the constitution of municipal courts in districts in Stanislaus County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 2 of the title of the printed bill, after "county", insert "other than the district embracing the City of Modesto".

Amendment No. 2

On page 1, line 2, of said bill, after "county", insert "other than the district embracing the City of Modesto".

Amendment No. 3

On page 1 of said bill, strike out lines 4 to 6, inclusive, and insert

"(1) There shall be one judge who shall receive eight thousand four hundred dollars ($8,400) per annum payable in equal monthly installments;

(2) There shall be one clerk who shall receive two hundred ninety dollars ($290) monthly, and who may appoint the following:

One chief deputy who shall receive a minimum salary of two hundred forty dollars ($240) monthly with annual increments of eleven dollars ($11), twelve dollars ($12), thirteen dollars ($13) and thirteen dollars ($13) to a maximum of two hundred ninety-one dollars ($291) monthly;

Two deputy clerks each of whom shall receive a minimum salary of one hundred ninety-three dollars ($193) monthly with annual increments of nine dollars ($9), nine dollars ($9), ten dollars ($10) and ten dollars ($10) to a maximum of two hundred thirty-one dollars ($231) monthly;

(3) There shall be one marshal who shall receive two hundred ninety dollars ($290) monthly and who may appoint the following:

One deputy who shall receive a minimum salary of two hundred forty-two dollars ($242) monthly with annual increments of eleven dollars ($11), twelve dollars ($12), twelve dollars ($12) and thirteen dollars ($13) to a maximum of two hundred thirty-one dollars ($231) monthly;

Two deputies (custodians) at the fee allowed by law for the keeping of property;

(4) Persons who succeed to positions in the municipal court under provisions of the Municipal and Justice Court Act of 1949 shall receive credit for continuous

prior service in superseded courts and in the sheriff's department or constabulary of the county, and shall receive, in addition to the minimum rate, the annual increments commensurate with such years of prior service, up to the maximum rate set."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 2605—An act to amend Section 758 of the Political Code and Section 61 6 of the Code of Civil Procedure, relating to salaries of the clerks of each of the district courts of appeal.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, strike out "salaries of the clerks of each of the district courts of appeal", and insert "the salary of the clerk of each district court of appeal".

Amendment No. 2

On page 1 of said bill, strike out lines 3 to 8, inclusive, and insert

"758 The salary per month of the clerk of each district court of appeal shall be within the following range: five hundred dollars ($500), six hundred dollars ($600), seven hundred dollars ($700), eight hundred dollars ($800), nine hundred dollars ($900)."

Amendment No. 3

On page 1 of said bill, strike out lines 11 to 19, inclusive, and insert

"61.6 The salary per month of the clerk of each district court of appeal shall be within the following range: five hundred dollars ($500), six hundred dollars ($600), seven hundred dollars ($700), eight hundred dollars ($800), nine hundred dollars ($900)."

Amendment No. 4

On page 1, line 20, of said bill, strike out "effective", and insert "operative".

Amendment No. 5

On page 1, line 22, of said bill, strike out "the 1951 Regular Session", and insert "its 1951 Regular Session,".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 906—An act to amend Section 51a of the Public Utility District Act of 1921, relating to annexation of unincorporated contiguous territory so as to authorize annexation of territory whether contiguous or not.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Utilities and Corporations:

Amendment No. 1

In the title of the printed bill, strike out lines 2 to 4, inclusive, and insert ", relating to public utility districts."

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 51d is added to the Public Utility District Act, to read:

Any districts, whose powers and functions are included within the powers and functions set forth in subdivision fifth of Section 30 of this act, may be consolidated with a public utility district organized pursuant to the provisions of this act

(1). Whenever a petition containing the names of the districts to be consolidated, a description of the exterior boundaries of each district, and the functions then being performed by each district, is signed by fifty-five percent (55%) of the registered voters in one of the districts, authorized by this act to consolidate, and is presented to the clerk of said district, hereinafter referred to as District A, requesting that District A be consolidated with another district authorized by this act to consolidate, said other district hereinafter being referred to as District B, then the clerk shall immediately proceed to examine and verify the signatures to such petition and he shall certify the result of such examination to the Board of Directors of District A.

(2). If, by the certificate of the District Clerk of District A, any petition hereinabove provided for, is found to be insufficient, he shall certify to the number of qualified electors required to make such petition sufficient, in addition to the signatures already thereon and verified by him, and said petition may then be amended by filing a supplemental petition within ten days from the date of such certificate. The District Clerk of District A shall within ten (10) days after the filing of such supplemental petition make a like examination of the same and certify to the results of such examination, as herein provided. If this certificate shall show any such petition as amended to be insufficient, it shall be filed by him in his office and kept as a public record, without prejudice, however, to the filing of any other petition to the same effect at some future time not less than six (6) months thereafter But if by such certificate such petition, or such petition as amended, is shown to be sufficient, the Clerk of District A shall present the same to the Board of Directors of District A, without delay, with his certificate attached thereto and properly dated. If any supplemental petition be filed, all signatures appended to the petition and to the supplemental petition shall be considered in determining the number of qualified electors signing the petition

(3). When the petition has been certified as herein provided, it shall be presented to the Board of Directors of District A at its next regular meeting, and the Board of Directors of District A shall, if it determines that said petition complies with the requirements hereinabove set forth, have a copy of said petition, certified by the Clerk of District A, forwarded to the Clerk of the Board of Directors of District B. At the next regular meeting of the Board of Directors of District B, the clerk shall present the certified copy of the petition to the Board of Directors of District B. The Board of Directors of District B shall thereupon, after notice as hereinafter provided, hold a hearing on the question of the consolidation referred to in the petition.

(4). The Board of Directors of District B shall give notice of such hearing by publication in at least one issue of a newspaper of general circulation printed and published in each District, or if no such newspaper is printed and published in each District, then in some newspaper printed in the county and circulated in each District. The Clerk of the Board of Directors of District B shall notify in writing the Clerk of the Board of Directors of District A of the time, place and purpose of the hearing.

(5). The notice shall specify the time and place of hearing and that the hearing shall be on the question of consolidation of District B with District A, both of which shall be designated by name or otherwise identified in the notice.

(6). At the time and place of hearing, as stated in the notice, the board of District B shall hear the evidence for and against the proposal, and if the Board of Directors of District B determines that the consolidation would not be for the best interests of said districts, or either of them, then said board shall make its findings and conclusions and the Clerk of District B shall forthwith file a certified copy of said findings and conclusions with the Clerk of District A and the proceedings shall terminate.

(7). If the Board of Directors of District B determines, after such hearing, that the consolidation would be for the best interest of Districts A and B, said board shall have prepared and filed with the Clerk of District A, a certified copy of an order setting forth the findings and conclusions of the Board of District B The order shall also set a date and place for the holding of a consolidated meeting of the Boards of Directors of Districts A and B

(8). At the consolidated meeting the President of the Utility District shall act as presiding officer and the Clerk of the Utility District shall prepare the minutes of the consolidated meeting and shall supply certified copies for the records of both District A and B Each district shall have three votes to be divided equally or prorated among the directors of each district. The purpose of the consolidated meeting shall be to prepare the terms and conditions, if any, upon which the consolidation shall be made In the terms and conditions so determined, provision may be made, among other things, for the payment of special taxes within any one district, or portion thereof, in addition to the regular taxes provided for in this act, which shall govern the consolidated district, the fixing of rates, rentals and charges differing in different portions of the district to be created by the consolidation, the incurring or assumption of indebtedness or the making of a payment or payments, or the transfer of property, real or personal, or other assets to the district as consolidated, in such manner as the boards of directors shall deem just for the purpose of equalizing the proportionate obligation, expenditures and costs of operation of the utilities in the districts being consolidated The above enumeration of proposed terms and conditions shall not be construed to eliminate other terms and conditions which the boards of directors deem reasonable and proper. The separate Boards of Directors of Districts A and B shall

continue to govern each district separately and individually for all business of each district, with the exception only that all matters dealing with the consolidation of the two districts shall be determined by the consolidated board as herein in this subsection provided.

(9). If, after the fixing of the terms and conditions, the consolidation is approved by a written consent containing the description of the proposed district as consolidated, and setting forth the terms and conditions, if any, agreed upon by the consolidated boards of directors of the districts at the consolidated meeting, above referred to, signed by a majority of the elector in each separate district, who were registered in the territory within the district at the date of the original petition requesting the consolidation of the districts, which written consent is filed with the clerks of the respective boards of directors, who shall thereupon verify the signatures thereon in the same manner as the signatures to the petition for the consolidation is required to be verified, then the consolidated board of directors provided for in subdivision 8 hereof, shall make an order of consolidation setting forth the new boundaries of the consolidated district, the name of the consolidated district, and the terms and conditions upon which consolidation was approved.

(10). Upon the determination that the consolidation of Districts A and B would be for the best interests of each district, and the fixing of the terms and conditions of consolidation, if any, by the consolidated board of directors of the districts, the consolidated board of directors shall then call a special election in each district to determine if the consolidation on the terms and conditions as agreed upon or as approved at the meeting called pursuant to subdivision 8 hereof, shall be approved.

In calling such election the board shall fix the time at which such election shall be held and cause notice thereof to be given and published. Such notice shall be given and published and such election shall be held and conducted and the returns thereof shall be made and canvassed and the results of the election ascertained and declared, and all things pertaining thereto conducted in the manner prescribed by this Act for the holding of special elections in a utility district. The ballots cast at such election shall contain the words "for consolidation" and "against consolidation" or words equivalent thereto. The notice of election shall describe the boundaries of the proposed consolidated district and in general terms the terms and conditions agreed to or determined.

At such election, only electors registered at the time of the filing of the original petition requesting consolidation shall be qualified to vote. If at such election a majority of all the votes cast in each district shall be in favor of such consolidation, then the consolidated board shall thereupon make an order of consolidation in the manner provided in subdivision 9 of this section. If at such election a majority of votes cast in either district shall be against the consolidation, then the consolidated board shall thereupon make an order stating the results of such election and declaring that the proposed consolidation of the two districts is terminated and the consolidated board shall adjourn to meet later as the separate boards of the two separate districts. If the results of said election are opposed to the proposed consolidation, no further proceeding shall be commenced for the consolidation of the districts as proposed until the lapse of at least one (1) year from the date of the special election.

(11). If, prior to the holding of the special elections called for in subdivision 10, hereof, the written consent, referred to in subdivision 9 hereof is filed with the clerk of the respective boards of directors of the districts, or either of them, then after verifying the signatures of the signers of said consent, and if the clerk finds and certifies to the board of directors of the districts, or either of them, that said consent has been signed by the requisite number of qualified voters of the Districts, or either of them, then, and in that event the board of directors of the district or districts so qualifying shall cancel the special election called for in subdivision (10) hereof by posting in at least three public places in the district a notice of cancellation and stating the reason for the cancellation. The board of directors of the district or districts, as the case may be, shall thereupon forward a certified copy of the written consent to the consolidated board of directors, who shall accept said certified copy of the written consent in place and instead of the required vote in favor of consolidation for the district or districts making the written consent.

(12). The consolidated board shall forthwith cause to be made duplicate copies of said order of consolidation, certified by the officials of each district, and stamped with the official seal of each district, if any, and one of said orders shall, by the consolidated board, be caused to be forthwith deposited and filed in the office of the Secretary of State, and the other, after being recorded in the office of the recorder of each county in which any part of said consolidated district is situated, shall be filed in the office of the county clerk of the county wherein the consolidated district, or the greater portion thereof in point of population, is situated. Upon receipt of said duplicate order by the Secretary of State, he shall issue his certificate reciting that said duplicate order is filed in his office and that the newly created district, naming it, is incorporated as a district under the provisions of the Public Utility District Act, which said certificate shall be forwarded to the said consolidated board of directors of the district. No charge shall be made by either the Secretary of State or any county recorder or county clerk for the services required of him under the provisions of this section. From and after the date of the filing of said duplicate order of consolidation with the

Secretary of State, the district created as a result of the consolidation shall be deemed incorporated as a district under and pursuant to the provisions of the Public Utility District Act.

(13). Upon the consolidation of such districts the consolidated district shall be governed by the board of directors of the utility district until the next ensuing election, at which election a new Board for the consolidated district shall be elected and the terms of office of the members of the board of directors of the utility district prior to consolidation shall terminate upon the qualification and the taking of office by the new directors. At the first regular meeting of the newly elected Board, the directors shall classify themselves as provided in Section 14 of this Act.

(14). The consolidation of two districts shall not release either district, or any portion thereof, of any validly contracted bond, note or other debt, and the board of directors of the consolidated district shall assume and exercise all rights and duties of the board of any district, which at the time of consolidation, had any outstanding debts and obligations."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 25, inclusive; and strike out all of pages 2 to 5, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Utilities and Corporations.

Assembly Bill No. 2627—An act to add Section 6f to the Municipal Court Act of 1925, relating to the judges of the municipal courts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 4 and 5, and insert "the minimum annual salary of a judge of a municipal court is ten thousand dollars ($10,000)."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 3399—An act to add Chapter 6, comprising Sections 875 and 876, to Part 2 of Division 2 of the Labor Code, relating to compensation of public utility employees.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Utilities and Corporations:

Amendment No. 1

On page 1, line 7, of the printed bill, after "State", insert ", other than a public utility engaged in transportation of passengers or freight,".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Utilities and Corporations.

Assembly Bill No. 2599—An act to amend Section 6 of the Metropolitan Water District Act, relating to the government and management of metropolitan water districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 6 of", and insert "*add Sections 5.2 and 5.3 to, and to amend Section 6 of.*"

Amendment No. 2

In line 2 of the title of said bill, after "relating to", insert "*the issuance of refunding bonds for the purpose of refunding bonds issued pursuant to the provisions of said Metropolitan Water District Act, and*".

Amendment No. 3

In line 3 of the title of said bill, strike out the period, and insert "*and declaring the severability of the provisions hereof.*"

Amendment No. 4

On page 1 of said bill, strike lines 1 and 2, and insert

"*SECTION 1. Section 5.2 is added to the Metropolitan Water District Act, to read* :

Sec. 5.2. Any district incorporated as herein provided also shall have power to issue refunding bonds, from time to time, for the purpose of refunding any bonds issued pursuant to the provisions of subsection (12) of Section 5 or of Section 7 or of Section 7 1, of this act.

(a) Whenever the board of directors, by resolution adopted by a vote of two-thirds of the total vote of the board, shall find and determine that the interests of the district and the public interest require that the principal, or a part of the principal, of bonds as such bonds mature or are redeemed pursuant to call therefor, or are purchased upon tenders, pursuant to notice inviting such tenders, should be paid from moneys derived from the issuance and sale of refunding bonds, said board of directors may authorize the issuance and sale of refunding bonds for that purpose. The issuance of refunding bonds under this section shall not be construed as incurring or increasing indebtedness within the meaning of this act and approval of the voters is not required for the issuance of such refunding bonds.

(b) The board of directors may also, by resolution adopted by a vote of two-thirds of the total vote of the board, find and determine that the interests of the district and the public interest require the issuance and sale of refunding bonds only if approved by the qualified voters of such district in the manner hereinafter provided, and said board thereupon may order the submission of the proposition of issuing such refunding bonds to the qualified voters of such district, at an election to be held for that purpose. The declaration of public interest and the provision for the holding of such election may be included within one and the same resolution and such election may be held separately, or may be held concurrently with any other election authorized by law at which the qualified voters of the district are entitled to vote or may be consolidated therewith The resolution calling such election shall state the years in which the bonds proposed to be refunded will mature, the aggregate amount of the principal of the refunding bonds proposed to be issued, the maximum rate of interest to be borne by the refunding bonds, and the manner of voting for or against the proposition of issuing such bonds.

If such election be called to be held concurrently with any other election at which the qualified voters of the district are entitled to vote or shall be consolidated therewith, the resolution calling the election hereunder need not designate the precincts or polling places or the names of the officers of election, but may refer therefor to any ordinance, resolution, or order calling such other election and fixing the precincts and polling places and appointing election officers therefor, or may refer to any order or notice posted or published which contains a list of the precincts, polling places, and the officers appointed for such other election, and in such event the notice of such other election, posted or published in the manner required by law for such other election, shall constitute and be adequate notice of the precincts, polling places, and the election officers for the election called by the board of directors pursuant to this subsection (b). If the territory of the district lies in more than one county, the resolution calling the election hereunder may refer to such ordinance, resolution or order calling such other election, or to such posted or published order or notice in each such county, and the notice of such other election posted or published in the manner required by law in each county shall constitute and be adequate notice of the precincts, polling places and election officers in each such county for such election called hereunder. Such resolution calling the election hereunder shall be published once at least ten (10) days before the date of the election therein called, in a newspaper of general circulation printed and published within the district, and if the district lies in more than one county, such resoluton shall be so published in each such county, and except as provided in this subsection (b)

no other or further notice of such election, or publication of the names of election officers, or of the precincts or polling places need be given or made.

The resolution calling the election hereunder, if said election is not to be held concurrently with such other election or consolidated therewith, shall designate the precincts and polling places and shall appoint the officers of such election, who shall consist of one inspector, one judge, and two clerks; and such resolution shall be published once, at least ten days before the date of the election therein called, in a newspaper of general circulation printed and published within the district, and if the district lies in more than one county, such resolution shall be so published in each such county, and no other or further notice of such election or publication of the names of election officers or of the precincts or polling places need be given or made. The voting precincts for any such election may be established and the boundaries thereof fixed and described by the board, or such voting precincts may consist of either the regular election precincts or portions thereof within the district established for holding state or county elections, or a consolidation of such regular election precincts or portions thereof last established The respective election boards shall conduct the election in their respective precincts in the manner prescribed by the Elections Code for the holding of general elections, and shall make their returns to the secretary of the district. The returns of such election shall be made, the votes canvassed by said board of directors within seven days following said election, and the results thereof ascertained and declared in accordance with the provisions of the Elections Code, so far as they may be applicable, except as in this act otherwise provided.

In the event that any election held hereunder shall be held concurrently with another election authorized by law at which the qualified voters of the district are entitled to vote or shall be consolidated therewith, and the proposition submitted pursuant to this section shall be printed upon a ballot containing other propositions or the names of candidates for office, the returns of the election held hereunder shall be made with the returns of such other election to the boards of supervisors or other bodies whose duty it shall be to canvass the returns thereof, and the results of the election held hereunder shall be canvassed at the time and in the manner provided by law for the canvass of the returns of such other election, and it shall be the duty of such canvassing bodies promptly to certify and transmit to the board of directors of the district a statement of the result of the vote upon a proposition submitted hereunder; upon receipt of such certificates, it shall be the duty of the board of directors to tabulate and declare the results of the election held hereunder

In the event that it shall appear from said returns that a majority of the voters voting on any proposition submitted hereunder voted in favor of such proposition, the board of directors shall be empowered from time to time to authorize and provide for the issuance and sale of refunding bonds of the district in the aggregate principal amount and for the purpose and at a rate of interest not exceeding the rate stated in the resolution of the board calling such election.

SEC. 2 Section 5 3 is added to said bill to read:

Sec. 5.3 (a) All refunding bonds issued pursuant to the provisions of subsection (a) or of subsection (b) of Section 5.2 hereof shall be payable, or if said bonds are issued in divisions or series, then each division or series shall be payable, substantially in the following manner: A part to be determined by the board of directors, which shall not be less than one-fiftieth (1/50) part of the amount of the refunding bonds, or the division or series thereof to be issued, shall be payable each and every year on a date, and at a place or places to be fixed by said board, together with the interest on all sums unpaid at such date; provided, however, that said board may, in its discretion, determine and fix the date for the earliest maturity of the principal of any such issue of refunding bonds, not more than fifteen (15) years from the date of such issue, but, in this event, the amount of such issue of refunding bonds must be made payable in substantially equal annual parts in not to exceed fifty (50) years from the date of the issue of such refunding bonds.

(b) All such refunding bonds shall be issued in such denominations as the board of directors may determine, except that no refunding bonds shall be of less denomination than one hundred dollars ($100), nor of a greater denomination than fifty thousand dollars ($50,000), and they shall be payable on the date and at the place or places fixed in such refunding bonds and bear interest at the rate specified therein, which shall be payable semiannually.

(c) The board of directors may provide for the call and redemption of any or all of such refunding bonds on any interest payment date prior to their fixed maturity, at their par value plus a specified premium, if any, and accrued interest Such provisions shall be set forth on the face of the bond. Notice of redemption shall be published once a week for three successive weeks in a newspaper of general circulation printed and published in the county wherein the principal place of business of the district shall be located. First publication of notice shall be not less than thirty days nor more than ninety days prior to the date fixed for redemption. Interest on such refunding bonds shall cease after the date fixed for redemption

(d) All such refunding bonds shall be signed by the chairman of said board of directors, or by such other officer as said board of directors shall, by resolution adopted by a majority vote of its members, authorize and designate for that purpose, and they

shall also be signed by the Controller, or Assistant Controller, and countersigned by the secretary of said board of directors. The coupons of said refunding bonds shall be numbered consecutively, and signed by said Controller, or Assistant Controller. All such signatures and countersignatures excepting that of the Controller, or Assistant Controller, on said refunding bonds, may be printed, lithographed or engraved.

(e) The provisions of paragraphs (f), (j), (k), and (l) of Section 7 of this act shall apply to refunding bonds issued pursuant to the provisions of sub-section (a) or of sub-section (b) of Section 5.2 hereof.

(f) Said refunding bonds may be sold by the board of directors as it shall determine, in the manner and in accordance with the provisions of paragraph (g) of Section 7 of this act, and the proceeds of the sale of such refunding bonds, except premium and accrued interest, shall be placed in the treasury of the district and shall be applied only to the payment at maturity, or redemption pursuant to call or purchase upon tenders pursuant to notice inviting such tenders, such notice to be published once, at least ten (10) days before the date fixed for receiving such tenders, in a newspaper of general circulation and published within the city wherein is located the principal place of business of the district, of the bonds so refunded. Premium and accrued interest shall be placed in the fund to be applied to the payment of interest on, and the retirement of, the refunding bonds so sold.

(g) The board of directors may, within ninety (90) days from the date of any resolution authorizing the issuance of refunding bonds, or a division or series thereof, pursuant to the provisions of subsection (a) or of subsection (b) of Section 5.2 hereof, cause to be brought in the name of the district an action in the superior court of the county in which said district, or the greater portion of the property subject to taxation by said district, according to the most recent assessment, is located, to determine the validity of such refunding bonds, or division or series thereof, and the sufficiency of the provision for the collection of an annual tax sufficient to pay the interest on such refunding bonds as it falls due and to constitute a sinking fund for the payment of the principal of such refunding bonds on or before maturity. Such action shall be in the nature of a proceeding in rem, and jurisdiction of all parties interested may be had by publication of summons for at least once a week for three (3) weeks in some paper of general circulation published in the county where the action is pending, such paper to be designated by the court having jurisdiction of the proceedings. Jurisdiction shall be complete within ten (10) days after the full publication of such summons in the manner herein provided. Anyone interested may at any time before the expiration of said ten (10) days appear and by proper proceedings contest the validity of such refunding bonds and the sufficiency of the provision for the collection of an annual tax sufficient to pay the interest on such refunding bonds as it falls due and to constitute a sinking fund for the payment of the principal of such refunding bonds on or before maturity. Any such action, or actions, so caused to be brought by said board, shall be speedily tried and judgment rendered declaring such refunding bonds to be valid or invalid, and declaring the provision for the collection of an annual tax for said purposes, to be sufficient or insufficient. Either party may have the right to appeal to the Supreme Court at any time within thirty (30) days after the rendition of such judgment, which appeal must be heard and determined within three months from the time of taking such appeal. After the expiration of ninety (90) days from the date of any resolution authorizing the issuance of an installment of such refunding bonds, no action may be brought to contest or question the validity of such refunding bonds, or division or series thereof, and proceedings in relation thereto or the sufficiency of the provision for the collection of an annual tax sufficient to pay the interest on such refunding bonds as it falls due and to constitute a sinking fund for the payment of the principal of such refunding bonds on or before maturity. If there be more than one action or proceeding involving the validity of such refunding bonds, or division or series thereof, or the sufficiency of the provision for the collection of an annual tax sufficient for the said purposes, they shall be consolidated and tried together. The court hearing any proceeding or action inquiring into the regularity, legality or correctness of the proceedings leading up to the issuance of such refunding bonds, or division or series thereof, or the validity of such refunding bonds or the sufficiency of such provision for the collection of an annual tax, must disregard any error, irregularity or omission which does not affect substantially the rights of the parties to said action or proceeding. The rules of pleading and practice provided by the Code of Civil Procedure, which are not inconsistent with the provisions of this act, are applicable to all actions or proceedings herein provided for. Any motion for a new trial of any such action or proceeding must be heard and determined within ten (10) days from the filing of the notice of intention. The costs on any proceeding or action herein provided for may be allowed and apportioned between the parties or taxed to the losing party, in the discretion of the court.

SEC. 3. Section 6 of said act is amended to read:

Amendment No. 5

On page 4 of said bill, immediately following line 6, insert

"SEC. 4. If any section, subsection, sentence, clause or phrase of this act, or of the act or acts of which this act is amendatory or supplemental, is for any reason

held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act, and each section, sub-section, sentence, clause and phrase thereof, irrespective of the fact that any one or more other sections, sub-sections, sentences, clauses or phrases of this act, or acts of which this act is amendatory or supplemental, be declared unconstitutional."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 1248—An act to amend Section 19539 of the Business and Professions Code, relating to harness horse racing.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Boards and Commissions:

Amendment No. 1

On page 1, line 13, of the printed bill, strike out the second "70", and insert "30".

Amendment No. 2

On page 1, line 15, of the printed bill, after "racing" strike out the balance of line 15; and strike out "racing", first occurring in line 16.

Amendment No. 3

On page 1, line 17, of the printed bill, strike out "such".

Amendment No. 4

On page 1, lines 18 and 19, of the printed bill, strike out "remainder" beginning at the end of line 18 and ending on line 19, and insert "and the remaining 35 days of harness racing".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Boards and Commissions.

Assembly Bill No. 3070—An act to amend Section 61 of the Alcoholic Beverage Control Act, relating to the sale and purchase of alcoholic beverages.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Boards and Commissions:

Amendment No. 1

On page 1, line 10, of the printed bill, after "misdemeanor", strike out the balance of said line; and strike out lines 11 to 13, inclusive.

Amendment No. 2

On page 1, line 19, of said bill, after "misdemeanor", strike out the balance of said line; and strike out lines 20, 21, and 22.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Boards and Commissions.

Assembly Bill No. 3071—An act to add Section 38.1 to the Alcoholic Beverage Control Act, relating to distances between licensed premises.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Boards and Commissions:

Amendment No. 1

On page 1, line 3, of the printed bill, after "license", insert "in any city of 150,000 or more population".

Amendment No. 2

On page 1, line 6, of said bill, after the period, insert "Except that any "C" general licensee who is forced to vacate his premises by reason of expiration of his lease may transfer his "C" general license within 1500 feet of any other "C" general license located within the vicinity of the premises to be vacated because of such lease expiration"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Boards and Commissions.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 740—An act to add Section 18652 to the Business and Professions Code, relating to boxing and wrestling.

Bill read second time, and ordered to third reading.

Senate Bill No. 897—An act to amend Section 19598 of the Business and Professions Code, relating to disposition of unclaimed wager tickets.

Bill read second time, and ordered to third reading.

Senate Bill No. 1137—An act to amend Section 19533 of the Business and Professions Code, relating to licenses to conduct horse race meetings.

Bill read second time, and ordered to third reading.

Senate Bill No. 1429—An act to amend Section 395 of and to add Sections 389, 395.01, 395.02, 395.03, 395.04, 395.05, and 395.06 to the Military and Veterans Code, relating to the absence of public officers and employees engaged in ordered military or naval duty, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 268—An act to amend Sections 700.01, 700.05, 1582, 1594, 12360 and 12441 of the Insurance Code, all relating to insurance.

Bill read second time, and ordered to third reading.

Senate Bill No. 703—An act to add Section 617 to the Military and Veterans Code, relating to the display of the Flag of the United States.

Bill read second time, and ordered to third reading.

Senate Bill No. 269—An act to amend Sections 1153 and 1153.5 of the Insurance Code, both relating to insurance.

Bill read second time, and ordered to third reading.

Senate Bill No. 270—An act to add Sections 1373.1 and 1373.2 to the Insurance Code, relating to insurance.

Bill read second time, and ordered to third reading.

Senate Bill No. 311—An act to add Section 400.1 to the Unemployment Insurance Act, relating to unemployment compensation disability benefits.

Bill read second time, and ordered to third reading.

Senate Bill No. 271—An act to amend Section 1703 of the Insurance Code, relating to insurance.

Bill read second time, and ordered to third reading.

Senate Bill No. 500—An act to amend Section 4753 of the Labor Code, relating to workmen's compensation and insurance, in respect to deductions in the computation of subsequent injuries payments.

Bill read second time, and ordered to third reading.

Senate Bill No. 542—An act to add Sections 1257 and 1437 to the Banking Code, relating to reserves.

Bill read second time, and ordered to third reading.

Senate Bill No. 927—An act to amend Section 11736 of the Insurance Code, relating to the issuance and approval of workmen's compensation insurance premium rates.

Bill read second time, and ordered to third reading.

Senate Bill No. 1554—An act to add Section 1155 to the Insurance Code, relating to restrictions on activities of insurers.

Bill read second time, and ordered to third reading.

Senate Bill No. 1573—An act to add Section 7.7 to the Unemployment Insurance Act, relating to individuals required to be licensed by state law, and who are remunerated solely by way of commission.

Bill read second time, and ordered to third reading.

Senate Bill No. 1747—An act to amend Section 120 of the Insurance Code, relating to insurance.

Bill read second time, and ordered to third reading.

Senate Bill No. 1553—An act to add Section 10133 to the Insurance Code, relating to group disability insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Senate on April 12, 1951, strike out "at the time of or after the origin of a", and insert "with respect to a particular".

Amendment No. 2

On page 1, line 5, of said bill, after "benefits", insert "contingent upon, or".

Amendment No. 3

On page 1, line 6, of said bill, after "of ", insert a comma.

Amendment No. 4

On page 1, line 10, of said bill, strike out "herein", and insert "in this section".

Amendment No. 5

On page 1, line 11, of said bill, strike out "nurses,".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1748—An act to amend Sections 1191 and 1192, of, to repeal Section 1199 of, and to add Sections 1192.4 and 1199 to, the Insurance Code, relating to insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 2, line 22, of the printed bill, as amended in the Senate on April 5, 1951, after "no", insert "such".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1059—An act to add Sections 483.1, 483.2, and 483.3 to the Civil Code, relating to first-aid kits on trains.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Utilities and Corporations:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on April 18, 1951, after the third comma, insert "and to add Sections 7609, 7610, and 7611 to the Public Utilities Code,".

Amendment No. 2

On page 1 of said bill, between lines 25 and 26, insert

"SEC. 4. Section 7609 is added to the Public Utilities Code, to read:

7609. Every railroad company, or the receiver or receivers thereof, operating trains in whole or in part within this State, shall provide an emergency first-aid kit on each caboose, locomotive, motor or diesel engine. The emergency first-aid kit shall be used only to render first medical or surgical aid to injured passengers, employees, or other injured persons requiring such aid at the first possible moment.

SEC. 5. Section 7610 is added to said code, to read:

7610. The employee of any railroad company, or the receiver or receivers thereof, having charge of any passenger train, caboose, locomotive, motor or diesel engine shall report in writing as soon as possible to the office or officer designated by the company or receiver for such purpose, whenever any emergency first-aid kit has been used or has been found missing.

SEC. 6. Section 7611 is added to said code, to read:

7611. Any person or any employee of any railroad company, or the receiver or receivers thereof, who removes, carries away from its proper place, or uses any emergency first-aid kit, except for the purpose of administering first-aid in the event of injury to any passenger, employee, or other person, is guilty of a misdemeanor, and is punishable by a fine of not less than twenty-five dollars ($25).

SEC. 7. Sections 4, 5, and 6 of this act become effective only if Division 4 of the Public Utilities Code is enacted by the Legislature at its 1951 Regular Session, and in such case at the same time as said Division 4 takes effect, at which time Sections 483.1, 483.2, and 483.3 added to the Civil Code by this act are repealed."

Amendment No. 3

On page 1, line 26, of said bill, strike out "SEC. 4", and insert "SEC. 8".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1879—An act to repeal Chapter 7 of Division 3 of, and to add Chapter 7 of Division 3, comprising Sections 6700 to 6799, inclusive, to, the Business and Professions Code, relating to professional engineers.

Bill read third time.

The roll was called, ~~and the bill passed by the following vote:~~

PRINTER'S NOTE—There being no 7-point strikeout type available, the following roll call, which should appear in strike out type is indicated by being enclosed within brackets.

[AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72.]

[NOES—None.]

~~Bill ordered transmitted to the Senate.~~

On May 22d, the Assembly requested the Senate to return Assembly Bill No. 1879 (page 4589). On May 24th, the Senate returned the bill (page 4650); and on the same day, the Assembly rescinded the action whereby Assembly Bill No. 1879 was this day passed (page 4686).

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILLS NOS. 16 AND 1519 HOLD PLACES ON FILE

Mr. Dickey asked for, and was granted, unanimous consent that Assembly Bills Nos. 16 and 1519 be passed on file, and hold their places on file on the next legislative day.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 54: By Messrs. Lyon, Doyle, Evans, Rosenthal, Beck, Burke, Burkhalter, Chapel, Collier, Sam L. Collins, Conrad, Dills, Elliott, Erwin, Geddes, Grant, Hahn, Henderson, Hollibaugh, Kilpatrick, Klocksiem, Lanterman, Levering, McGee, McMillan, Morris, Porter, Smith, Stewart, Thomas, and Waters—Relative to the death of the Honorable William E. Simpson.

Referred to Committee on Rules.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 188, on request of Mr. Stanley.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1098—An act to amend Section 14549 of the Health and Safety Code, relating to fire protection districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson,

Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1841—An act to amend Section 4850 of the Labor Code, relating to leave of absence with pay in lieu of disability payments.

Bill read third time.

Motion to Amend

Mr. Dolwig moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed bill, strike out line 25; and on page 2, strike out lines 1 to 6, inclusive, and insert "enforcement service. It shall also apply to city firemen who".

Amendment No. 2

On page 2 of said bill, after line 16, insert

"The commission, upon application of anyone properly entitled, shall determine and award the benefits provided by this article."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 3412—An act to add Section 6019 to the Revenue and Taxation Code, relating to the production of X-ray films and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—71.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2042—An act to amend Sections 13¾ and 15 of the Los Angeles County Flood Control Act, relating to district works and improvements including storm drain improvements and drainage systems.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—71

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2712 HOLD PLACE ON FILE

Mr. Dickey asked for, and was granted, unanimous consent that Assembly Bill No. 2712 be passed on file, and hold its place on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 576—An act to repeal Sections 25663, 25663 and 26421, and to add Sections 25663 and 25663(c) to the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 879

Mr. Waters asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 879, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 879

Assembly Bill No. 879—An act to add Sections 31627.1, 31629, 31671.1, 31675, and 31784 to, and to amend Sections 31527, 31552, 31591, 31602, 31628, 31642, 31649, 31652, and 31700 of, and to repeal Section 31560 and Article 13 consisting of Sections 31800, 31801, 31802, 31803, 31804, and 31805, of Chapter 3 of Part 3 of Division 4 of Title 3 of, the Government Code, relating to retirement of county employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—74

NOES—None.

Bill ordered transmitted to the Senate.

REMARKS ON THE CONDITION OF THE FILE

Mr. McCollister spoke on the condition of the file.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 387
Assembly Bill No. 972
Assembly Bill No. 986
Assembly Bill No. 1970
Assembly Bill No. 2515

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1789
Assembly Bill No 3177

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills Nos. 972 and 1789 re-referred to the Committee on Municipal and County Government.

Assembly Bills Nos. 986 and 1970 re-referred to the Committee on Transportation and Commerce.

Assembly Bills Nos. 2515 and 3177 re-referred to the Committee on Industrial Relations.

Assembly Bill No. 387 re-referred to the Committee on Revenue and Taxation.

Senate Bills Nos. 108, 279, and 1744 re-referred to the Committee on Transportation and Commerce.

RECESS

At 11.55 a m , on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

RESOLUTIONS

The following resolution was offered:

By Mrs. Niehouse, Messrs. Levering, Crowley, Cooke, and Lipscomb.

House Resolution No. 126

Relative to the continuation of the Assembly Interim Committee on Social Welfare

WHEREAS, The Assembly Interim Committee on Social Welfare, created by House Resolution No. 71, First Extraordinary Session, 1950, has reported to the Assembly on the Social Welfare Program and has made specific recommendations for a complete and searching analysis of the administration of the social welfare program; and

WHEREAS, It has been demonstrated that substantial savings in costs, improved services to the people of the State, and more accurate presentation of issues as a basis for determination of legislative policy can be achieved through improved administration and research by the operating agencies; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Social Welfare is hereby continued and is authorized and directed to ascertain, study and analyze all aspects of administration by the State and the counties of the social welfare program, including the division of basic responsibilities and authority, methods of achieving greater uniformity in administrative practice, efficiency and effectiveness of administration including personnel policies and use of staff, methods of carrying on operating and program research, administrative policies and procedures in effect, reorganization and simplification of the Welfare and Institutions Code, methods of financing the social welfare programs, and any and all other matters relating to the administration of these programs, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1952 Regular Session, with authority to file its final report not later than April 30, 1952.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of twenty-five thousand dollars ($25,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Joint Resolution No. 32: By Messrs. Dills, Burkhalter, Morris, Rosenthal, Beck, Burke, Doyle, Elliott, Evans, Geddes, Grant, Hahn, Hawkins, Hollibaugh, Klocksiem, Lanterman, Levering, Lipscomb, McMillan, Munnell, Porter, Smith, Stewart, Thomas, and Waters—Relative to memorializing Congress to take necessary action to provide a national cemetery in the vicinity of Los Angeles.

Referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT THAT SUBJECT MATTER RELATIVE TO THE MERCED COUNTY HOSPITAL BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Stanley asked for, and was granted, unanimous consent that subject matter relative to the Merced County Hospital be withdrawn from the Committee on Municipal and County Government, and be re-referred to the Committee on Governmental Efficiency and Economy.

Speaker Pro Tempore Presiding

At 2.03 p.m., Hon. Thomas A Maloney, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1286—An act to amend Section 7651 of, and to repeal Sections 7453, 7454, 7455, and 7456 and Article 4, comprising Section 7916, of Chapter 6 of Part 2 of Division 2 of, the Revenue and Taxation Code; relating to returns and bonds under the Motor Vehicle Fuel License Tax Law.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dolwig, Doyle, Elliott, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Parker, Porter, Sherwin, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 2.04 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Assembly Bill No. 1015—An act to amend Section 419 of the Vehicle Code, relating to financial responsibility.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dolwig, Doyle, Elliott, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Lipscomb, Lowrey,

Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Parker, Porter, Sherwin, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—54.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 37—Relative to the naming of the James Lick Memorial Freeway.

Resolution read.

Motion to Amend

Mr. Maloney moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed measure, strike out lines 10 to 16, inclusive, and insert "*Senate thereof concurring*, That the certain portions of the Freeway in the State Highway System now being and in future to be developed in the City and County of San Francisco, as specifically authorized and described in resolutions of the California Highway Commission, adopted April 15, 1948 and February 16, 1949 to determine, locate and realign the construction of said freeway from connection points with Routes 2 and 68, respectively, and to extend therefrom in a generally southwesterly course to the northerly boundary of San Mateo County, be and is hereby named the James Lick Memorial Freeway; and be it further".

Amendment read, and adopted.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 37, as amended, at this time, without reference to reprint or file, and that the same be considered re-engrossed.

Consideration of Assembly Concurrent Resolution No. 37, as Amended

Assembly Concurrent Resolution No. 37—Relative to the naming of the James Lick Memorial Freeway.

Resolution read, as amended, and adopted unanimously.

Resolution ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS

Senate Bill No. 99—An act to amend Section 32121 of the Health and Safety Code, relating to hospital districts.

Bill read third time.

Motion to Amend

Mr. Silliman moved the adoption of the following amendment:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 26, 1951, strike out "Sections 32107 and", and insert "Section".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 43

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up Senate Concurrent Resolution No. 43, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 43

Senate Concurrent Resolution No. 43—Relative to adjournment out of respect to the passing of George C. Jackson.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—61.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 821

Mr. Luckel asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No 821, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 821

Senate Bill No. 821—An act to amend Section 17702.5 of the Health and Safety Code, relating to health and safety in housing.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Niehouse, Parker, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 407—An act to amend Section 6862 of the Harbors and Navigation Code, relating to contracts of river port districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Morris, Moss, Niehouse, Parker, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Mr. Speaker—56.

NOES—Dunn, Geddes, and McCarthy—3.

Bill ordered transmitted to the Senate.

Senate Bill No. 219—An act to add Section 6498 to the Health and Safety Code, relating to recall of members of the governing boards of sanitary districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—58.

NOES—George D. Collins—1

Bill ordered transmitted to the Senate.

Senate Bill No. 329—An act to add Article 2.5 to Chapter 5, Part 1, Division 6 of the Health and Safety Code, relative to sanitary district.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—60

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1813—An act to amend Sections 28020, 28023 to 28078, inclusive, 28105, 28107 to 28113, inclusive, 28115 to 28119, inclusive, 28121, 28123-28141, inclusive, 28144, 28145, 28147 to 28149, inclusive, and 28151 to 28154, inclusive, of the Government Code, and to amend Sections 405, 407 to 413, inclusive, 415 to 419, inclusive, 421, 423 to 426, inclusive, 428 to 437, inclusive, 439 to 441, inclusive, 444, 445, 447 to 449, inclusive, and 451 to 454, inclusive, of the Education Code, relating to the classification of the counties of California and providing for compensation for public service in such counties as so classified, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—63

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 408—An act to amend Section 6861 of the Harbors and Navigation Code, relating to grants of franchises and leases by river port districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—61.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 551—An act to amend Section 17953 of the Revenue and Taxation Code, pertaining to credits against net income of estates and trusts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Niehouse, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—62.

NOES—George D. Collins—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 1039—An act to add Chapter 5, comprising Sections 8370 to 8374, inclusive, to Part 3, Division 9, of, and Sections 941.1, 941.2, 941.3, 1685, 1706, 50013, and Division 2 5, comprising Sections 1800 to 1903, inclusive, Division 11, comprising Sections 9000 to 9493, inclusive, and Division 18, comprising Sections 31500 to 34859, inclusive, to the Streets and Highways Code, thereby consolidating and revising the law pertaining to public ways and appurtenances thereto, and to repeal certain acts and parts of acts specified herein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lukcel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1074—An act to amend Sections 27174 and 27177 of the Streets and Highways Code, relating to rules of the board of directors of a bridge and highway district and the enforcement of such rules.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hager, Hahn, Hansen, Hawkins, Hinckley Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1075—An act to amend Section 27154 of the Streets and Highways Code, relating to the investment of surplus funds, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—Evans—1.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67

NOES—Evans—1.

Bill ordered transmitted to the Senate.

Senate Bill No 1222—An act to amend Sections 16307 and 16308 of the Business and Professions Code, relating to the administration of licensing provisions relating to itinerant merchants.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh,

Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 282

Mr. Crowley asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 282, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 282

Senate Bill No. 282—An act relating to the determination of the population of cities or cities and counties for purposes of allocation of moneys from the State Highway Fund and from the Motor Vehicle License Fee Fund.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mrs. Niehouse asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 59, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 59

Senate Concurrent Resolution No. 59—Approving certain amendments to the charter of the City of San Diego, a municipal corporation in the County of San Diego, State of California, voted for and ratified by the qualified electors of said city at the municipal general election held therein on the seventeenth day of April, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagel, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Thomas, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None.

Resolution ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 54

Has had the same under consideration, and reports the same back with the recommendation: Be adopted

DICKEY, Chairman

Request for Unanimous Consent

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 54, at this time, without reference to print or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 54

Assembly Concurrent Resolution No. 54—Relative to the death of the Honorable William E. Simpson.

Resolution read and adopted unanimously by a rising vote.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 956

Mr. Kirkwood asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 956, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 956

Senate Bill No 956—An act to amend Section 1520 of the Welfare and Institutions Code, relating to aid to needy children in respect to real property qualifications for aid.

Bill read third time.

Motion to Amend

Mr. Kirkwood moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 11 of the printed bill, after the period, insert "No child shall be disqualified for aid if such property is not available for sale or use."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Senate Bill No 957, on motion of Mr. Kirkwood.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 280

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 280, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 280

Senate Bill No. 280—An act to add Section 477.5 to the Vehicle Code, relating to traffic signals at school approaches.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Messrs. Rumford, Lincoln, Caldecott, Dunn, Dickey, and Sherwin:

House Resolution No. 127

Relating to dedication of Jack London Square in the City of Oakland

WHEREAS, The beautiful and historical city of Oakland is commemorating its ninety-ninth anniversary of the signing of the Oakland Town charter, on May 1, 1852, by Governor John Bigler; and

WHEREAS, This progressive city and its waterfront was the setting and hangout of the adventurous and famous Jack London, author of "Call of the Wild," "The Sea Wolf" and many other stories; and

WHEREAS, The "First and Last Chance Saloon," where London jotted down notes on the exploits of sailors, fishermen, oyster pirates and other characters of the waterfront, is to be dedicated as part of Jack London Square; and

WHEREAS, Joseph R. Knowland, Chairman of the Historical Landmarks Committee of the Native Sons of the Golden West, will install the bronze placque designating the square; now, therefore, be it

Resolved by the Assembly of the State of California, That the California State Legislature acknowledge and congratulate the people of the City of Oakland, the Oakland City Council, the Alameda County Board of Supervisors, and the Oakland Board of Port Commissioners on this Charter Birthday and the dedication of its historical site; and be it further

Resolved, That a copy of this resolution be sent to the Oakland City Council and the Oakland Board of Port Commissioners by the Chief Clerk of the Assembly.

Request for Unanimous Consent

Mr. Rumford asked for, and was granted, unanimous consent to take up House Resolution No. 127, at this time, without reference to committee or file.

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONSTITUTIONAL AMENDMENT NO. 3

Mr. Maloney asked for, and was granted, unanimous consent that he be permitted to take up Senate Constitutional Amendment No. 3, temporarily passed on file, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE CONSTITUTIONAL AMENDMENT NO. 3

Senate Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 1a to Article XVIII thereof, relating to proposed constitutional amendments requiring the expenditure of state funds.

Resolution read.

Motion to Amend

Mr. Maloney moved the adoption of the following amendments:

Amendment No. 1

On page 1, lines 11 and 12, of the printed measure as amended in the Senate on April 3, 1951, strike out "Legislative Auditor", and insert "Legislature may, by concurrent resolution, designate a state officer or employee, irrespective of any other duties imposed upon said officer or employee under the Constitution and laws of this State, who".

Amendment No. 2

On page 1, line 20, of said measure, strike out "Legislative Auditor", and insert "state officer or employee so designated".

Amendments read, and adopted.

Resolution ordered reprinted, and on file for adoption.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 1222, on request of Mr. Stewart.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2379 HOLD PLACE ON FILE

Mr. Burkhalter asked for, and was granted, unanimous consent that Assembly Bill No. 2379 be passed on file, and hold its place on file on the next legislative day.

RESOLUTIONS

The following resolution was offered:

By Mr. Morris

House Resolution No. 128

Relative to the creation of the Assembly Committee on State-Federal Cooperation in the Discovery, Production, Transportation, Refining, and Use of Petroleum and Minerals

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Committee on State-Federal Cooperation in the Discovery, Production, Transportation, Refining, and Use of Petroleum and Minerals is hereby created and authorized and directed to ascertain, study, and analyze all facts relating to

(a) The subject (within the scope of legislative regulation and control) of attaining maximum efficiency and minimum waste at all the various phases of the discovery, production, transportation, refining, and use of oil, gas and other hydrocarbon substances, including production thereof from lands owned by the State, public agencies, and political subdivisions, cooperating therein to the fullest extent in every way with federal agencies; and

(b) The title of the State of California and its grantees in and to the tide, submerged and reclaimed lands lying within its borders and adjacent to its seacoast, the use, administration, and management thereof by the State and its grantees, any attacks by federal officials relating thereto, litigation with reference thereto, and legislation pending in Congress affecting such title, and any and all matters relating thereto or connected therewith or which affect the interests of the State therein; and

(c) The subject (within the scope of legislative regulation and control) of attaining maximum efficiency and minimum waste at all the various phases of the discovery, production, transportation, refining and use of minerals, including production

thereof from lands owned by the State, public agencies, and political subdivisions, cooperating therein to the fullest extent in every way with federal agencies; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the report its recommendations for appropriate legislation.

2. The committee shall consist of the Speaker of the Assembly and four Members of the Assembly, appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To meet at the State Capitol or at any other place in this State or within the United States.

(f) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of _____ dollars ($_____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Hawkins to reconsider the vote whereby Senate Bill No. 1579 was passed, was continued until the next legislative day.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1126	Assembly Bill No. 3407
Assembly Bill No 1361	Assembly Bill No. 3413

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE BILLS NOS. 730, 436, 1610, AND 417, AND SENATE JOINT RESOLUTION NO. 19 HOLD PLACES ON FILE

Speaker Sam L Collins asked for, and was granted, unanimous consent that Senate Bills Nos. 730, 436, 1610, and 417 and Senate Joint Resolution No. 19 be passed on file, and hold their places on file on the next legislative day.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA
SACRAMENTO 14
INTER-DEPARTMENTAL COMMUNICATION

Date: April 27, 1951

To: Honorable Arthur A. Ohnimus
Chief Clerk of the Assembly
State Capitol
Sacramento, California

SUBJECT: REPORTS ON PROPERTY TAX ASSESSMENT UNDER SECTION 3693 OF THE POLITICAL CODE

From: State Board of Equalization
Dixwell L. Pierce, Secretary

Pursuant to Section 3693 of the Political Code, I am transmitting herewith for filing with the Assembly copies of surveys which have been completed under that section with respect to property tax administration in the Counties of Kings and Merced

Similar reports have been submitted to the Legislature heretofore with respect to the Counties of Alameda, Alpine, Amador, Calaveras, Contra Costa, Imperial, Inyo, Lassen, Marin, Mariposa, Mono, Monterey, Placer, Plumas, Riverside, San Benito, Santa Barbara, Santa Cruz, Siskiyou and Solano

DIXWELL L. PIERCE

Above transmitted copies of the surveys on Kings and Merced Counties ordered filed with the Secretary of State.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 3 p.m.—

Social Welfare, in Room 426.
Agriculture in Room 432.
Public Health, in Room 3186.
Elections and Reapportionment, in Room 435.

At 8 p.m.—

Fish and Game, in Room 3186.
Judiciary, in Room 435. Subject: Further consideration of amendments to Municipal Court Bills and salaries of court attaches.

Tomorrow, Wednesday, May 2d, at 9 a.m.—

Rules, in Room 3186

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Speaker Sam L. Collins and The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to former Assemblyman Carl Fletcher of Long Beach.

On request of Messrs Hansen and Henderson, the usual courtesies of the Assembly for this day were unanimously extended to Judge Leonard Meyers and Judge James G. Crichton of Fresno.

On request of Mr. Kelly, the usual courtesies of the Assembly for this day were unanimously extended to Steve Strelich of Fresno.

On request of Mr. Coats, the usual courtesies of the Assembly for this day were unanimously extended to Jack Wren, teacher, the following pupils of the Meridian School: Robert Barr, Delwin Rockholt, Shirley Umfress, Charlene Foster, Judith Lemos, Lorena McVey, Wilma Bagley; Mrs. Marion Le Baron, Merle Russell the following pupils of the Britton School: Ross Archer, Jr. Barnes, Donald Burke, Robert Brown, Peggy Brown, Autumn Cull, Edgar, Davis, Diane Dill, Jerry De Groodt, Carl Fryman, Anice Elliott, Harry Goldberg, Paul Kimble, Jon Perky, Lynton Phillips, Neil Schellenger, Dollie Sutton, Frankie Lou Treat, Margaret Ward, Carl Wold, Roy Wold, Dale Young, Harold Owen, Nadine Metzger, Corene McPherrin, Marion Le Baron, Karen Olson, Louie Orzalli, Jerry Smith, Jack McCurry, and Jerry Smith; and Delbert Bressler of the Slough School; and the following pupils of the Franklin School: John Bodle, Raskirl Murdock, Virgil Sweetwood, Joe Alexander, Raymond Carrothers, J. L. Hargis, Ronald McMahon, Dudley Halzer, Griffin Palmer, Sally Frye, Joan Schuler, Nelwin Klein, Lily Fulfer, and Laura Reese.

On request of Mr. Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Ethel Germaine, Janet Snider, and James Dokken, teachers, and the following pupils of the Del Paso Heights School: Larry Almeida, Harry Bennett, Roy Bennett, Harry Cappell, Alleice Carson, Donald Cummins, Omer Davis, Frances Eckerman, Edward Gallagher, Tommy Green, Victor Helmer, Peggy Hershman, Robert Miller, Travis Montue, Eva Quinones, Norma Seher, Ida Shannon, Betty Shaw, Lila Shoff, Robert Smith, Oliver Stevenson, John Townsend, June Stratton, LaVerne Weber, Steven Weber, Shelby Aleger, Dale Chaney, Hazel Clark, Valdora Clarkson, Sandra Cridlebaugh, Eugene Dickason, June Eades, Elizabeth Harvey, Janice Haskell, Stewart Helmar, Myrna Herrin, Wanda Hopkins, Donna Jones, Gale Killough, Marcella May, Ben Puccio, Genevieve Quinones, Bob Seher, Kenneth Shock, Donna Smith, Anna Simmons, Kenneth Stilwell, Eldon Stultz, Henry Swarn, Wayne Teeter, Phyllis Thomas, Marva Austin, Paul Austin, Shu Chan, Kay Cobb, Billy Dozier, Wanda Flack, Georgia Falconer, Bessie Green, Glenn Harelson, Fred Hawks, Diana Herrin, Barbara Hord, Dorothy Johnson, Johnnie King, Barbara Lang, Barbara Meadows, Jimmy McCullough, Earline Moore, Harold Perry, Amelie Sanchez, Sylvia Shepard, Larry Teeter, Rubin Torres, Dennis Wells, Carolyn Williams, and John Woosley.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to Frank Young and James Moore, teachers, Mrs. Preston Robbins and Irene Gattis, adults, and the following pupils of the Bay Point School of Point Richmond: Sam Arnold, Jim Bates, Alfred Berry, Dan Colchico, Curtis Easter, Mural Estes, Bob Glessman, Wm. Jeffrey, Ronald Johnson, David Krowell, Bill Rood, Rodney Sexton, Manuel Tarango, Billy Winneford, Lynda Anderson, Donna Brier, Frankie DeVore, Jackie Gattis, Adrienne Krowell, Joyce Ledger, Shirley Ludricks, Wanda Owens, Paula Pierce, Mary Regester, Jerry Robbins, Juanita Sexton, Valorie Terry, Billie Trimble, and Anne White.

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to John Hannah and Joseph

Sparks, teachers; Mrs. W. M. Romesha, Mrs. G. R. Western, and John Hensley, adults, and the following pupils of the Ceres School: Earlen Cooksey, Herbert Carman, Earl Dykes, Bobby Flemming, Billy Fultz, Buddy Green, Donald Hayes, Bobby Hayworth, Delbert Loveland, Bobby Parker, Jay W. Pittman, James Pollard, Jimmy Roberts, Danny Soderlund, Wesley Thompson, Billy Turner, Jimmy Walls, Leon Zirkle, Harrel O'Roark, Lore Appel, Edith Burleson, Rosanna Dodson, Shirley Ellis, Joan Freitas, Delores Garcia, Frances Harriman, Joyce Holton, Jearlene Hueitt, Charlene Loffoon, Evelyn Lemmons, Letha Romesha, Sylvia St. John, Fred Waldo, and Frances Barber.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Ralph Ingols, teacher, and the following pupils of the St. Helena High School: Richard Anderson, Carol Alexander, Galand Bowers, Richard Del Porto, Patsy Gluck, Doris Hudson, Marilyn Hardin, Teddy Mensch, Johnny Mayfield, Shirley Plemer, Smith Monta, Richard Thomas, Joan Vasconi, Albertine Volpur, Glenda White, Beverly Borges, Frank Beyer, Frank Martinez, Bob Gagetta, Larry Burroughs, Louis Moore, Anavon Nissen, and Dorothy Walker.

On request of Mr. Rumford, the usual courtesies of the Assembly for this day were unanimously extended to Mr. Moore and following students of Government from Japan, project sponsored by University of California: Senzo Nakura, Chairman; Masaya Mori, Kensaku Mino, Sokichi Takahata, Saburo Kase, and Kiyoyuki Matsumura.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Laura Johnson, teacher, and the following pupils of the Nichols School: Donna Dixon, John Bomben, Edward Bailey, Charles Kirkhouse, Anna Miller, and Jo Ann Vreonis.

ADJOURNMENT

At 2.53 p.m., on motion of Mr. McCollister, the Speaker declared the Assembly adjourned out of respect to the memory of the late William E. Simpson, former Assemblyman, and late District Attorney of Los Angeles County, until 10 a.m., Wednesday, May 2, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FIFTIETH LEGISLATIVE DAY

SIXTY-EIGHTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, May 2, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—74.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Our Father, Which Art in Heaven, Hallowed Be Thy Name. We seek Thy guidance in the life of our Nation. Guide those who are in places of leadership, our Speaker and the Members of this Assembly, our Governor, our President, all leaders in the Nation and United Nations. Direct us in our duties with such unfailing loyalty that we may move toward the high purposes and holy destiny of our calling. Help us recognize the vastness of our responsibilities, the depth of our privileges and the infinitude of our rewards.

"Thy love divine hath led us in the past,
In this free land, by Thee our lot is cast;
Be Thou our Ruler, Guardian, Guide and Stay,
Thy word our law, Thy paths our chosen way."

—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. McMillan, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Rosenthal, on motion of Mr. Beck.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Tomlinson, on motion of Mr. Cooke.

Mr. Chapel, on motion of Mr. Cooke.

The following members were granted leaves of absence for the day, and desired to waive their per diems:

Mr. Brown, on motion of Mr. Grunsky.

Mr. Kilpatrick, on motion of Mr. Grunsky.

COMMUNICATIONS

By Speaker Sam L. Collins:

A communication and a resolution from the Long Beach Bar Association, relative to urging defeat of Assembly Bill No. 2527, were received. The communication was ordered noted in the Journal, and the resolution ordered referred to the Committee on Judiciary.

By Speaker Sam L. Collins:

A communication and a resolution from John J. Amaral, Secretary of the Pleasanton Chamber of Commerce, relative to proposing a plan for financing future highway construction, were received, and ordered referred to the Committee on Conservation, Planning, and Public Works.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 246—An act to repeal Section 4338, Chapter 1 (consisting of Sections 4651 to 4663, inclusive) of Part 8 of Division 1, and Section 4670, and to add Chapters 1, 1a, 1b, and 1c (consisting of Sections 4651 to 4657.6, inclusive) to Part 8 of Division 1, of the Revenue and Taxation Code, relating to the distribution of property taxes;

Assembly Bill No. 271—An act to amend Sections 631, 632, 633, 635, and 637 of the Welfare and Institutions Code, relating to the appointment and removal of probation officers, assistant probation officers and deputy probation officers;

Assembly Bill No. 303—An act to amend Section 29747 of the Government Code, relating to records of the county auditor;

And reports that the same have been correctly enrolled, and presented to the Governor on the first day of May, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 304—An act to amend Section 4790 of the Health and Safety Code, relating to signatures on county sanitation district bonds and interest coupons;

Assembly Bill No. 472—An act to amend Section 18104.5 of the Government Code, relating to sick leaves or vacations of state officers and employees;

Assembly Bill No. 700—An act to amend Section 439 of the Vehicle Code, relating to reporting of vehicles known or suspected to have been abandoned or unlawfully stored;

And reports that the same have been correctly enrolled, and presented to the Governor on the first day of May, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 883—An act to amend Section 1031 of the Insurance Code, relating to mutual debts or credits in liquidating proceedings;

Assembly Bill No. 1703—An act to amend Sections 53630, 53651, 53657, 53661, 53662, 53670, 53672, 53673, 53674, 53675, 53676, 53677 and 53678 and to repeal Sections 53652, 53653, 53654, 53655, 53656, 53658, 53663, 53664, 53667 and 53668 of, and to add Section 53655 to, the Government Code, relating to the deposit of public moneys with banks;

Assembly Bill No. 1825—An act to amend Sections 1242, 1243 and 1265 of the Civil Code and Sections 660 and 663 of the Probate Code, relating to homesteads;

And reports that the same have been correctly enrolled, and presented to the Governor on the first day of May, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2615—An act to add Chapter 9, comprising Sections 5700 to 5830.08, inclusive, to Part 3, Division 5 of the Health and Safety Code and to repeal the Joint Municipal Sewage Disposal District Act (Chapter 322 of the Statutes of 1941), relating to the organization, government, and powers of joint municipal sewerage disposal districts;

Assembly Bill No. 2777—An act to amend Section 53.6 of, and to add Section 53.7 to the Alcoholic Beverage Control Act, relating to alcoholic beverages;

Assembly Bill No. 2903—An act to amend Sections 2617, 2619, and 2704 of, and to add Section 2705.5 to, the Revenue and Taxation Code, relating to the time of delinquency of real estate taxes;

And reports that the same have been correctly enrolled, and presented to the Governor on the first day of May, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3370—An act to amend Section 1593 of, and to add Section 1593.1 to, the Education Code, relating to the formation and changes in territory and status of school districts, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 3375—An act to amend Section 1 of an act entitled "An act granting to the City of Los Angeles the tidelands and submerged lands of the State within the boundaries of said city," approved June 3, 1929, relating to tidelands and submerged lands;

And reports that the same have been correctly enrolled, and presented to the Governor on the first day of May, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 912
Assembly Bill No. 1166
Assembly Bill No. 1326
Assembly Bill No. 1354
Assembly Bill No. 1355
Assembly Bill No. 1359
Assembly Bill No. 1373
Assembly Bill No. 1400
Assembly Bill No. 1466
Assembly Bill No. 1472
Assembly Bill No. 1474
Assembly Bill No. 1939
Assembly Bill No. 2706

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 997
Assembly Bill No. 1477
Assembly Bill No. 1841

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1467
Assembly Bill No. 1468
Assembly Bill No. 1727

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1001
Assembly Bill No. 1194

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Senate Bill No. 1186

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 2096

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 2095
Assembly Bill No. 2097

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 866
Assembly Bill No. 1408
Assembly Bill No. 1426
Assembly Bill No. 1432
Assembly Bill No. 1433
Assembly Bill No. 1436
Assembly Bill No. 1437
Assembly Bill No. 1440
Assembly Bill No. 1443
Assembly Bill No. 2111

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

BROWN, Chairman

Above reported bills ordered to second reading.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 599

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 818
Assembly Bill No. 1999
Assembly Bill No. 2456
Assembly Bill No. 3416

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CLARKE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 585
Assembly Bill No. 2763

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CLARKE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Senate Bill No. 1668

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CLARKE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 2355

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CLARKE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Senate Bill No. 1252
Senate Bill No. 1450

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bills ordered to second reading.

Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which were referred:

Assembly Bill No. 1005
Assembly Bill No. 3341
Assembly Bill No. 3342
Assembly Bill No. 3075

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WATERS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which were referred:

Assembly Bill No. 14
Assembly Bill No. 494
Assembly Bill No. 3159

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

WATERS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which was referred:

Assembly Bill No. 1069

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

WATERS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which was referred:

Assembly Bill No. 2665

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WATERS, Chairman

Above reported bill ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Bill No. 3421

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

DICKEY, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 1, 1951

To the Honorable Members of the Assembly
State of California
Sacramento, California

GREETINGS: I am returning herewith, without my signature,

Assembly Bill No. 63, entitled. "An act to add Section 105 to the Military and Veterans Code, relating to exemptions to instrumentalities of the Armed Forces of the United States, to take effect immediately."

My objections to this bill are as follows:

This bill provides that no excise taxes of this State, direct or indirect, other than those on distilled spirits or wine, shall be imposed on the sale, use, delivery, or storage of merchandise to any instrumentality of the Armed Forces of this Country engaged in resale activities, except those which may be specifically authorized by the various acts of Congress.

The Attorney General reports to me that this bill could apply only to the excise tax on beer and the motor vehicle fuel license tax. He questions the propriety of placing a tax exemption for beer in the Military and Veterans Code rather than in the Alcoholic Beverage Control Act. With reference to the exemption addressed to excise taxes which may be exempted by acts of Congress, he states that this is an unlawful delegation of legislative power of this State to Congress He also states that the bill would result in a prohibition of delivery of beer to such instrumentalities of the Federal Government because of the provision in the Alcoholic Beverage Control Act relative to the delivery of alcoholic beverages to non-licensees. Only tax paid beer may be so delivered, and if the beer were tax exempt there would be no provision permitting such delivery.

The State Controller urges that this measure jeopardizes a large source of the State's revenue derived under the motor vehicle fuel license tax. He states that under the present law fuel sold to the Armed Forces is subject to tax unless it is for use in ships or aircraft or is for export. While congressional authority is not necessary for the imposition of our motor vehicle fuel tax on motor vehicle fuel sold to instrumentalities of the United States, because the tax is imposed on the distributor and not on the sale, Congress has provided an exemption only to fuel sold through post exchanges. There are situations where the Armed Forces purchase gasoline and then resell it to private contractors working for the Armed Forces, and such sales are not made through post exchanges. The collection of taxes on such sales would be jeopardized by this bill.

The Secretary of the Board of Equalization raises a question as to the placing of this measure in the Military and Veterans Code rather than the Alcoholic Beverage Control Act. He also points out that this measure would jeopardize the collection of the motor vehicle fuel tax, and concurs in the view that it would make it impossible to deliver beer to the non-licensed agencies of the United States. He points out that amendments to the Alcoholic Beverage Control Act have been proposed and are pending providing exemption of beer sold through military establishments of the United States.

The Director of Finance opposes the measure on the basis that it jeopardizes the excise tax on gasoline. He also points out that it will invite further exemptions and that tax exemptions should not be encouraged.

The Legislative Auditor questions the propriety of attempts to limit the State's taxing power by amendments to the Military and Veterans Code, and he also points out that the indirect effect of an excise tax is impossible to follow and to control legislatively, and a provision of this kind might conceivably have effects that were not anticipated or intended by the Legislature.

Because of the objections to this measure, I am returning it without my approval.

Respectfully submitted.

EARL WARREN, Governor

Acknowledgment of Receipt of Assembly Bill No. 63

May 1, 1951

I acknowledge receipt this first day of May, 1951, at 5 o'clock p m , of Assembly Bill No. 63 without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

ARTHUR A. OHNIMUS

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 2, 1951

To the Assembly of the State of California
Sacramento, California

GENTLEMEN: I am transmitting to you herewith a copy of a message with reference to Assembly Bill No. 63, entitled, "An act to add Section 105 to the Military and Veterans Code, relating to exemptions to instrumentalities of the Armed Forces of the United States, to take effect immediately."

This bill, with my message relative thereto, I (through my Legislative Secretary) delivered to Arthur A. Ohnimus, Chief Clerk of the Assembly, at 5 o'clock p m. on the first day of May, 1951, at which time your honorable body had adjourned for the day but not for the session.

Respectfully submitted.

EARL WARREN, Governor

CONSIDERATION OF GOVERNOR'S VETO (BY UNANIMOUS CONSENT)

Assembly Bill No. 63—An act to add Section 105 to the Military and Veterans Code, relating to exemptions to instrumentalities of the Armed Forces of the United States, to take effect immediately.

Governor's message stating his objections read.

The question being: Shall Assembly Bill No 63 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.

NOES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—62.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 1, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 308
Assembly Bill No. 309
Assembly Bill No. 528
Assembly Bill No. 531
Assembly Bill No. 532
Assembly Bill No. 635
Assembly Bill No. 663
Assembly Bill No. 913
Assembly Bill No 1693
Assembly Bill No. 1710
Assembly Bill No. 1711
Assembly Bill No. 1971
Assembly Bill No 1979
Assembly Bill No. 2131
Assembly Bill No. 2416
Assembly Bill No. 2418
Assembly Bill No 2705
Assembly Bill No. 2855
Assembly Bill No. 3386

J. A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

On this day Assembly Bill No. 2131 was recalled from enrollment, and, pursuant to the request of the Senate, returned to that body. (See page 3741.)

SENATE CHAMBER, SACRAMENTO, May 1, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 141
Senate Bill No. 142
Senate Bill No. 1484
Senate Bill No. 1567

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 1, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Constitutional Amendment No. 20
Assembly Joint Resolution No. 21

J A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 1, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended.

Assembly Bill No. 123
Assembly Bill No. 381
Assembly Bill No. 837
Assembly Bill No. 1697
Assembly Bill No. 2856
Assembly Bill No. 3107

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 1, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 46
Senate Bill No. 58
Senate Bill No. 212
Senate Bill No. 223
Senate Bill No. 314
Senate Bill No. 528
Senate Bill No. 529
Senate Bill No. 638
Senate Bill No. 639
Senate Bill No. 920
Senate Bill No. 1055
Senate Bill No. 1076
Senate Bill No. 1563
Senate Bill No. 1605
Senate Bill No. 1814

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 46—An act to add Section 1953.6 to the Government Code relating to the liability of a county officer for the acts of any deputy or employee serving under him.

Referred to Committee on Municipal and County Government.

Senate Bill No. 58—An act to add Section 1593.4 to the Education Code, relating to the formation, annexation, and change of boundaries of school districts declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Senate Bill No. 212—An act to amend Section 6504 of the Public Resources Code, relating to execution of leases on public lands.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 223—An act to amend Sections 1, 2, 10, and the heading of Division 1 of, to repeal Sections 13 and 1420 of, and to add Sections 13, 13.1, and 13.2 to, the Fish and Game Code, relating to the enforcement and administration of the laws relating to fish and game, abolishing the Division of Fish and Game in the Department of Natural Resources, establishing a Department of Fish and Game and prescribing the duties, powers, and jurisdiction of said department and the Fish and Game Commission, and to amend Section 12040 of the Government Code, placing the Director of Fish and Game on the Governor's Council.

Referred to Committee on Fish and Game.

Senate Bill No. 314—An act to add Sections 5026.3 and 5049.1 to the Education Code, relating to state school building aid declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Senate Bill No. 528—An act to amend Section 13842 of the Revenue and Taxation Code, relating to exemptions from inheritance tax, including the exemption of nonprofit membership hospital associations or corporations.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 529—An act to amend Section 15442 of the Revenue and Taxation Code, relating to exemptions from gift tax, including the exemption of nonprofit membership hospital associations or corporations.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 638—An act to amend Sections 50¾ and 57½ of the Public Utilities Act, and to amend Section 1906 of, and to add Section 1073 to, the Public Utilities Code, relating to public utilities.

Referred to Committee on Public Utilities and Corporations.

Senate Bill No. 639—An act to amend Sections 4, 5, and 6 of the City Carriers' Act and Sections 3631, 3632, and 3634 of the Public Utilities Code, relating to city carriers.

Referred to Committee on Public Utilities and Corporations.

Senate Bill No. 920—An act to add Section 988 to the Revenue and Taxation Code, relating to the assessment of mineral rights.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1055—An act to add Section 6906 to the Education Code, relating to the crediting of average daily attendance to school districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Senate Bill No. 1076—An act to add Section 13845 to the Education Code, relating to the Public School System of the State of California.

Referred to Committee on Education.

Senate Bill No. 1563—An act to provide for the placing in civil service of employees of certain local agencies

Referred to Committee on Municipal and County Government.

Senate Bill No. 1605—An act to add Sections 14745 and 14684 to the Education Code, relating to the termination of local district retirement systems in districts having an average daily attendance of less than 70,000 pupils and providing for the transfer of the funds of the teachers in such systems to the State Teachers' Retirement System.

Referred to Committee on Education.

Senate Bill No. 1814—An act to amend Section 19539 of the Business and Professions Code, relating to horse racing, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Boards and Commissions.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 1, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 29

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Joint Resolution No. 29—Relative to the American Indian.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 30, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 58

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 58—Relative to approving certain amendments to the charter of the City of Oakland, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the seventeenth day of April, 1951.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 1, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 1827

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

CONSIDERATION OF DAILY FILE

UNFINISHED BUSINESS

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Lowrey to reconsider the vote whereby Assembly Bill No. 2625 was passed, was continued until the next legislative day.

RECONSIDERATION OF SENATE BILL NO. 1579

In compliance with a notice given on a previous day, Mr. Hawkins moved that the vote whereby Senate Bill No. 1579 was passed be reconsidered.

Senate Bill No. 1579 reconsidered by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burkhalter, Cloyed, George D. Collins, Condon, Cooke, Davis, Dickey, Dolwig, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, McFall, McGee, McMillan, Morris, Munnell, Niehouse, Parker, Shaw, Silliman, Smith, Stewart, Thomas, and Mr. Speaker—44.

NOES—Burke, Caldecott, Clarke, Coats, Collier, Connolly, Crowley, Doyle, Dunn, Gubser, Kelly, Lincoln, Luckel, Lyon, Maloney, McCarthy, McCollister, Moss, Rumford, Sherwin, Stanley, and Waters—22.

Senate Bill No. 1579 ordered to third reading.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2507—An act to add Section 31030 to the Water Code, relating to powers of county water districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2507?

Amendment No. 1

In line 1 of the title of the printed bill, after "31030", insert "Article 7, comprising Section 31120,".

Amendment No. 2

On page 1 of said bill, after line 7, insert

"SEC. 2. Article 7 is added to Chapter 1, Part 5, Division 12 of the Water Code, to read:

Article 7. Fire Protection Facilities

31120. A district may acquire, construct, and operate facilities for providing fire protection to the district and its inhabitants, including buildings, engines, hose, hose carts, or carriages, and other appliances and supplies for the full equipment of a fire company or department."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2507 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—67.

NOES—None.

Assembly Bill No. 2507 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 503

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 503, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 503—An act to add Section 597g to the Penal Code, defining the crime of poling of horses and prescribing the penalty for such crime.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 503?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 5, 1951, after the enacting clause and before line 1, insert

"SECTION 1. Section 597g is added to the Penal Code, to read:".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 503 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey,

Luckel, Lyon, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—66.

NOES—None.

Assembly Bill No. 503 ordered enrolled.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Crowley to reconsider the vote whereby Assembly Bill No. 775 was refused passage was continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILLS NOS. 16, 1519, 2712, AND 2706 HOLD PLACES ON FILE

Mr. Dickey asked for, and was granted, unanimous consent that Assembly Bills Nos. 16, 1519, 2712, and 2706 be passed on file, and hold their places on file on the next legislative day.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 55: By Mr. Henderson—Relative to approving certain amendments to the charter of the City of Fresno, in the County of Fresno, State of California, voted for and ratified by the electors of said city at a special election held therein on the ninth day of April, 1951.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 1074

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

ERWIN, Chairman

Above reported bill ordered to second reading.

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 1145
Assembly Bill No. 2840

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

CONNOLLY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Senate Bill No. 805

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CONNOLLY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Senate Bill No. 129
Senate Bill No. 357
Senate Bill No. 623
Senate Bill No. 806
Senate Bill No. 974

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CONNOLLY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Senate Bill No. 802

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CONNOLLY, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1841—An act to amend Section 4850 of the Labor Code, relating to leave of absence with pay in lieu of disability payments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Caldecott, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Klocksiem, Lanterman, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Stewart, Thomas, and Waters—56.

NOES—Hollibaugh—1.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Vote Be Changed Upon Roll Call

Mr. Babbage asked for, and was granted, unanimous consent that his vote be changed upon the roll call on Assembly Bill No. 1841, and that he be recorded as voting "Aye" instead of "No."

Assembly Bill No. 2379—An act to amend Sections 49, 72, and 74 of the Conservation and Planning Act, and to amend Sections 65252, 65253, 65254, 65301, 65331, and 65332 of the Government Code, relating to planning commissions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Smith, Stanley, Stewart, Thomas, and Waters—58.

NOES—None.

Bill ordered transmitted to the Senate.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 3096, on motion of Mr. Hollibaugh.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2598—An act to add Section 2058 to the Banking Code, relating to the purchase of all of the stock of a bank or trust company by another bank or trust company.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Silliman, Smith, Stewart, Thomas, Waters, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1371
Assembly Bill No. 1382

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2075—An act to amend Sections 20890 and 20894.5 of the Government Code, and Sections 14449 and 14495.2 of the Education Code, relating to public retirement systems in respect to absence of members in military service and contributions therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Landsay, Lipscomb, Lowrey, Luckel, Lyon, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No. 32

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 52

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Joint Resolution No. 21

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 340

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2886—An act to add Article 5c (Veterans Bond Act of 1951) to Chapter 6 of Division 4 of the Military and Veterans Code, authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of state bonds, to create a fund to provide farm and home aid for veterans in accordance with the provisions of the Veterans Farm and Home Purchase Act of 1943 and acts amendatory and supplemental thereto; defining the powers and duties of said committee and of the Department of Veterans Affairs and other state officers in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; and providing that this act shall take effect upon the adoption by the people of the State of California of an amendment to the Constitution of the State of California approving, adopting, legalizing, ratifying, validating and making fully and completely effective said Veterans Bond Act of 1951.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—67.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 3413—An act to add Section 19561.5 to the Business and Professions Code, relating to horse racing and authorizing the California Horse Racing Board to provide for the exclusion or ejection from the inclosures of licensed horse racing establishments of persons whose presence therein is inimical to the interests of the State or legitimate horse racing.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Senate Bill No. 1443

Has had the same under consideration, and reports the same back with the recommendation: Re-refer subject matter to Assembly Interim Committee on Social Welfare.

NIEHOUSE, Chairman

Above reported bill ordered filed.

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which were referred:

Assembly Bill No. 3053
Assembly Bill No. 3057

Has had the same under consideration, and reports the same back with the recommendation: Re-refer subject matter to Assembly Interim Committee on Social Welfare.

NIEHOUSE, Chairman

Above reported bills ordered filed.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 188—An act to amend Section 925 of the Fish and Game Code, relating to purse and round haul nets.

Bill read third time.

Motion to Amend

Mr. Stanley moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 7, of the printed bill, as amended in the Assembly on April 23, 1951, strike out "April 1st to September 30th", and insert "May 1st to September 10th".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 1222—An act to amend Sections 6736 and 6799 of the Business and Professions Code, relating to the practice of professional engineering.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, McMillan, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—60.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1326—An act providing for the constitution of the municipal court in a district embracing the City of Vallejo, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

Point of Order

Mr. George D. Collins arose to the following point of order: That Assembly Bill No. 1326 carries an implied appropriation and should be re-referred to the Committee on Ways and Means.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Motion to Temporarily Suspend the Rules

Mr. Beck moved that Rule No. 45 be temporarily suspended for the purpose of considering the Municipal Court Bills, at this time.

Mr. Dunn seconded the motion.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Connolly, Cooke, Crowley, Dickey, Dills, Doyle, Dunn, Erwin, Gaffney, Geddes, Grant, Grunsky, Hansen, Henderson, Hollibaugh, Kelly, Lincoln, Lipscomb, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stewart, and Thomas—44.

NOES—Collier, George D. Collins, Conrad, Davis, Elliott, Fleury, Hagen, Hahn, Kirkwood, Klocksiem, Levering, Lowrey, Luckel, and Moss—14.

The question being on the passage of Assembly Bill No. 1326.

Assembly Bill No. 1326 ordered passed on file.

REPORTS OF STANDING COMMITTEES

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 1032
Assembly Bill No. 1053
Assembly Bill No 1144
Assembly Bill No. 1148
Assembly Bill No. 1579
Assembly Bill No. 2011
Assembly Bill No 2252

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CONNOLLY, Chairman

Above reported bills ordered to second reading.

MESSAGES FROM THE SENATE

SENATE, CALIFORNIA LEGISLATURE, May 2, 1951

Hon. Arthur A. Ohnimus
Chief Clerk of the Assembly
Sacramento, California

DEAR MR. OHNIMUS: This is to inform you that Assembly Bill No 2131 was sent to you due to an error at the Senate Desk, and to respectfully request you to return it to the Senate for further consideration.

Very truly yours,

J. A. BEEK, Secretary of the Senate

UNANIMOUS CONSENT GRANTED TO RECALL ASSEMBLY BILL NO. 2131 FROM ENROLLMENT AND RETURN TO THE SENATE

Mr. Waters asked for, and was granted, unanimous consent that the request of the Senate be complied with, that Assembly Bill No. 2131 be withdrawn from enrollment, and that the Chief Clerk be instructed to return the bill to the Senate for further consideration.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 877, on request of Mr. Waters.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1523

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1523, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1523

Assembly Bill No. 1523—An act to amend Sections 202, 12003, and 12264 of the Revenue and Taxation Code, relating to the State Compensation Insurance Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel,

Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1468

Mr. Shaw asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1468, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1468

Assembly Bill No. 1468—An act providing for the constitution of the municipal court in a district embracing the City of Upland, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

Motion to Amend

Mr. Shaw moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 2, of the printed bill, as amended in the Assembly on May 1, 1951, after "of", strike out "Upland", and insert "Redlands".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1361

Mr. Maloney asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1361, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1361

Assembly Bill No. 1361—An act providing for the constitution of the municipal court in the City and County of San Francisco, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time, and ordered held on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1669

Mr. Grunsky asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1669, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1669

Assembly Bill No. 1669—An act to add Chapter 12 (comprising Sections 28700 to 28724, inclusive) to Division 21 of the Health and Safety Code, relating to the regulation of the premises and operations of

plants for the preparation and storage of frozen foods, and the licensing of the personnel thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Clarke, Cloyed, Collier, George D. Collins, Condon, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Lincoln, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Sherwin, Smith, Stanley, and Thomas—46.

NOES—Burke, Burkhalter, Crowley, Erwin, Evans, Fleury, Geddes, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lowrey, Luckel, McGee, Niehouse, Stewart, and Waters—19.

Notice of Motion to Reconsider Assembly Bill No. 1669

Mr. Fleury gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1669 was this day passed.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 996
Assembly Bill No. 1464

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 32

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1531

Mr. Gubser asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1531, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1531

Assembly Bill No. 1531—An act to amend Sections 6726 and 7012 5 of the Welfare and Institutions Code and to amend and renumber Section 5701.5 thereof to be Section 6726 5, relating to private family care homes and the support of mental patients therein, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Waters, and Mr. Speaker—73.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloved, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Waters, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 51

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolution ordered on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1126

Mr. Brady asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1126, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1126

Assembly Bill No. 1126—An act to amend Sections 1 and 3 of an act entitled "An act relating to fees to be paid to the Railroad Commission by railroad corporations, express corporations, freight forwarders, persons, or corporations operating vessels, and persons or corporations owning or operating motor vehicles in the transportation of property for hire upon the public highways under the jurisdiction of the Railroad Commission of the State of California, providing for the collection thereof by the Railroad Commission, and providing penalties for the violation of this act," approved July 16, 1935, relating to fees payable by such persons and corporations for deposit in the Railroad Commission Transportation Rate Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloved, Collier, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—61.

NOES—George D. Collins, Levering, and Waters—3.

Bill ordered transmitted to the Senate.

MOTION TO APPROVE JOURNALS

Upon motion of Mr. Dickey, the Journals for Monday, April 23, 1951; Tuesday, April 24, 1951; Wednesday, April 25, 1951; Thursday, April 26, 1951 and Friday, April 27, 1951 were approved as corrected by the Minute Clerk.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 1, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No 60
Senate Concurrent Resolution No. 61

J A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolutions were read:

Senate Concurrent Resolution No. 60—Relative to approving an amendment to the charter of the City of Santa Cruz, a municipal corporation in the County of Santa Cruz, State of California, voted for and ratified by the qualified electors of said city at an election held therein on the tenth day of April, 1951

Referred to Committee on Rules.

Senate Concurrent Resolution No. 61—Relative to approving amendments to the charter of the City of San Buenaventura, a municipal corporation in the County of Ventura, State of California, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the tenth day of April, 1951.

Referred to Committee on Rules

ANNOUNCEMENTS

Mr. Dickey announced that all but eight Assemblymen have been accommodated in offices located in the new annex, but that adequate accommodations will be provided as soon as the new building is completed; that he, Speaker Sam L Collins, and Messrs Lowrey and Davis, are the only members so far accommodated in the new building who have not as yet moved; that Wilkie Ogg, Jr, is making a survey of all new offices for missing articles of furniture which will rapidly be provided; that additional secretaries are being employed to facilitate the problem of work occasioned by the location of the offices of members in the old and new buildings; and that if continued patience is accorded members of the Committee on Rules until all details relative to moving are completed, results satisfactory to all are promised.

Mr. Dickey announced that several committee secretaries have made inquiries relative to the assignment of committee rooms. He further announced that assignments to use the committee rooms in the new building are just tentative, and that a permanent committee room schedule will be worked out as soon as all new committee rooms are completed and it is no longer necessary for some committees to continue meeting in the old building.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Doyle (By request):

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows

"An act to amend Sections 14112, 14114, 14116, 14121, 14123, 14136, 14137, 14138, and 14142 of the Education Code, relating to the merit system for noncertificated school employees"

Respectfully submitted.

THOMAS J. DOYLE

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Doyle (By request):

"An act to amend Sections 14112, 14114, 14116, 14121, 14123, 14136, 14137, 14138, and 14142 of the Education Code, relating to the merit system for noncertificated school employees."

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—68.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3422: By Mr. Doyle (By request of Mr. Hollibaugh)—An act to amend Sections 14112, 14114, 14116, 14121, 14123, 14136, 14137, 14138, and 14142 of the Education Code, relating to the merit system for noncertificated school employees.

Referred to the Committee on Education.

RESOLUTIONS

The following resolution was offered:

By Mr. Porter:

House Resolution No. 129

Relative to the creation of the Assembly Fact-Finding Committee on Highways, Streets and Bridges and the allocation of costs for the construction, maintenance and improvement thereof.

WHEREAS, The public highways, streets and bridges of California are useful, necessary and indispensable arteries of travel and commerce and have been constructed and improved at great public expense; and

WHEREAS, Such facilities have been built and are maintained by the use of funds derived from taxes on property, from federal aid, and from registration fees, gasoline taxes and other fees collected as compensation for road use; and

WHEREAS, The development and growth of this State during and since the war have subjected the streets and highways of this State to unusual and destructive burdens; and

WHEREAS, It is recognized that pavements and other highway improvements are not permanent, but must be rebuilt, resurfaced and modernized, indicating the need of foresight in the treatment of financial problems in connection with the inevitable program of reconstruction; and

WHEREAS, The planning and construction of highways, streets and bridges in California must include a complete analysis of all the problems involved, including the fullest economic development of the State by opening up under-developed areas to economic opportunity and to provide proper transportation to meet changing economic and industrial conditions; and

WHEREAS, Careful study is required to determine whether the funds contributed for highway, street and bridge construction and maintenance have been levied equitably either on property or business in relation to its benefits or upon the users in direct proportion to their use; and

WHEREAS, Complete information should be available to the Legislature as to the actual annual cost of roads and streets and the fair apportionment of such costs between those who use them; and to that end the Legislature is in need of data as to the total mileage of roads and streets, the capital investment therein, the total sum which should be collected each year in road use charges or other fees in order to maintain, replace and modernize the same, and the proper amount which should be paid each year by users of public thoroughfares to meet the total annual cost of all public roads and streets; and

WHEREAS, The Legislature is in need of additional information on the foregoing matters, including (a) the present status of the highway system, state, county and local, (b) existing deficiencies therein to meet present demands, (c) a schedule of progressive improvements necessary to keep abreast of future demands, (d) a schedule of maintenance to keep the capital investment up to standard, (e) a schedule of improvements necessary to develop areas of the State that should be opened up to economic opportunity, (f) special problems relating to highways and matters incidental thereto, (g) the financing of highways and the administration of the highway system including alternate plans to those heretofore proposed for financing a highway construction program with the purpose of reducing as much as is equitable the burden of taxation which the motorist of the next decade must bear, (h) the inter-relationship between State and local Governments in relation to the foregoing and the inter-relationship of the State and Federal Government, and (i) the control of traffic on the highways in the interest of safety, which information should include so far as feasible both present needs and future needs for a period of at least 10 years; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Fact-Finding Committee on Highways, Streets and Bridges is hereby created and appointed and authorized and directed to ascertain, study and analyze all facts and matters relating or pertaining to the subjects set forth in the foregoing recitals, including but not limited to all facts relative to the cost of constructing, maintaining and improving public highways, streets and bridges in the State, the need and cost for bringing them up to acceptable standards, the cost of maintaining them in such condition, and the need and cost of expanding the Highway System of the State to meet the increasing demands for travel, the demands arising from changing economic and industrial conditions, and the opening up of undeveloped areas, the use now and hereafter to be made of such highways, streets and bridges, and the proper distribution and allocation of the cost and burden of construction and maintenance in proportion to benefits both to users and to property as demonstrated by impartial engineering studies, and also including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Legislature, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five Members of the Assembly, one of which shall be the Speaker of the Assembly, appointed by the Speaker thereof. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power. The chairman shall be appointed by the Speaker.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the next regular general session, with authority to file its final report not later than the fifteenth legislative day of the next regular general session. The committee may prepare and submit preliminary reports containing such information and data as then may be available to it to be submitted to the Legislature and the Governor during any recess or at the next regular budget session or at any extraordinary session which is convened to act upon problems bearing upon or related to the subject of this resolution.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session,

which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter, within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution

6. The committee is authorized to meet in the State Capitol, or at any other place within this State or within the United States, and to expend the funds made available to it by this resolution for charges, expenses, or claims incurred or expended for traveling, living or other expenses within or outside the limits of the State of California

7. The sum of _____ dollars ($_____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its employees, and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund, and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No 52

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

RECESS

At 11.53 a.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 23 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Clarke asked for, and was granted, unanimous consent that Assembly Bill No. 23 be withdrawn from the Committee on Agriculture, and be re-referred to the Committee on Conservation, Planning, and Public Works.

Speaker Pro Tempore Presiding

At 2.02 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 897—An act to amend Section 19598 of the Business and Professions Code, relating to disposition of unclaimed wager tickets.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dolwig, Doyle, Elliott, Erwin, Evans, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCollister, McFall, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Waters, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 2.07 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 956

Mr. Kirkwood asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 956, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 956

Senate Bill No. 956—An act to amend Section 1520 of the Welfare and Institutions Code, relating to aid to needy children in respect to real property qualifications for aid.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Cloyed, Collier, Connolly, Cooke, Crowley, Dolwig, Doyle, Erwin, Evans, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Waters, and Mr. Speaker—54.

NOES—George D. Collins and Condon—2.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT OPINION FROM THE LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Mr. Lyon asked for, and was granted, unanimous consent that an opinion of the Legislative Counsel, relative to bills pertaining to municipal court judges and attaches, be ordered printed in the Journal, in 10 point type, as follows:

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, May 2, 1951

Honorable Randal F. Dickey
Assembly Chamber

DEAR MR. DICKEY:

Question

You have requested our opinion with reference to the bills increasing the compensation of municipal court judges and attaches. You ask whether such bills:

1. Must be referred, under Assembly Standing Rule 45 of the 1951 Regular Session, to the Committee on Ways and Means; and

2. Whether such bills may be enacted prior to final passage of the Budget Bill.

Opinion

Our conclusions are:

1. Such bills need not be referred to the Assembly Committee on Ways and Means.

2. Such bills, inasmuch as they do not involve an appropriation of state moneys, may be passed prior to final enactment of the Budget Bill.

Analysis

Under Section 25 of the Municipal Court Act of 1949 (Deering's General Laws Act No. 1880) and under Sections 11c and 22 of the Municipal Court Act of 1925 (Deering Act No. 5238) the salaries of the judges and attaches of the municipal courts are payable from county funds. Both acts expressly provide that such compensation shall be paid either from the salary fund or the general fund of the county. Therefore the bills which are now pending do not involve an appropriation of money by the Legislature and do not involve the expenditure of state money in any fashion.

Assembly Standing Rule 45 applies only to express appropriations and to implied appropriations of "state moneys." Since the bills in question do not make an appropriation and do not involve an expenditure of state moneys such bills are not subject to the provisions of Assembly Standing Rule 45.

Section 34 of Article IV of the State Constitution relates entirely to the "proposed expenditures of the State" and provides that with certain exceptions all of such expenditures shall be included in a "Budget Bill." It further provides:

> "Until the Budget Bill has been finally enacted, neither house shall place upon final passage any other appropriation bill, except emergency bills recommended by the Governor, or appropriations for the salaries, mileage and expenses of the Senate and Assembly."

Since the Municipal Court Bills do not make an appropriation this provision is obviously inapplicable to them and they may be passed prior to final enactment of the Budget Bill.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By CHAS. W. JOHNSON, Chief Deputy

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 1326

Mr. Crowley asked for, and was granted, unanimous consent that he be permitted to take up the further consideration of Assembly Bill No. 1326, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1326

Assembly Bill No. 1326—An act providing for the constitution of the municipal court in a district embracing the City of Vallejo, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, Waters, and Mr. Speaker—57.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 1361

Mr. Maloney asked for, and was granted, unanimous consent that he be permitted to take up further consideration of Assembly Bill No. 1361, temporarily passed on file, out of order, at this time.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 1361

Assembly Bill No. 1361—An act providing for the constitution of the municipal court in the City and County of San Francisco, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Clarke, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dolwig, Doyle, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—60.

NOES—Luckel—1.

Bill ordered transmitted to the Senate.

MEMBER EXCUSED

At 2.18 p.m., Mr. Lowrey asked for, and was granted, unanimous consent that Mr. Davis be excused, for the balance of the legislative day, because of illness.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1354—An act providing for the constitution of the municipal court in a district embracing the City of Stockton, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Clarke, Cloyed, Collier, Connolly, Conrad, Cooke, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—62.

NOES—Lowrey and Luckel—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1355—An act providing for the constitution of the municipal court in a district embracing the City of Hayward, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

Point of Order

Mr. Dunn arose to the following point of order: That Mr. Grunsky's time has expired.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The question being on the passage of Assembly Bill No. 1355.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, Waters, and Mr. Speaker—58

NOES—Babbage, Conrad, Grunsky, Gubser, Hinckley, Kirkwood, Klocksiem, Lowrey, Luckel, and Moss—10.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1359—An act providing for the constitution of the municipal court in a district embracing the City of Alameda, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Crowley, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, McCarthy, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, Waters, and Mr. Speaker—56.

NOES—Babbage, Conrad, Gubser, Hinckley, Kirkwood, Klocksiem, Lowrey, Luckel, and Moss—9.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, May 1, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which were referred:

Assembly Bill No. 3051
Assembly Bill No. 3058

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

NIEHOUSE, Chairman

Above reported bills ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Senate Concurrent Resolution No. 58
Senate Concurrent Resolution No. 60
Senate Concurrent Resolution No. 61

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1371—An act providing for the constitution of the municipal court in a district embracing the City of Mountain View, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sillman, Smith, Stewart, Thomas, Waters, and Mr. Speaker—62.

NOES—Evans, Hinckley, Lowrey, and Luckel—4

Bill ordered transmitted to the Senate.

Assembly Bill No. 1373—An act providing for the constitution of the municipal court in a district embracing the City of San Jose, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Crowley, Dickey, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sillman, Smith, Stewart, Thomas, Waters, and Mr. Speaker—59.

NOES—Evans, Hinckley, Lowrey, and Luckel—4.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1382—An act providing for the constitution of the municipal courts in districts in Santa Cruz County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Crowley, Dickey, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman,

Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, Waters, and Mr Speaker—61.

NOES—Evans, Hinckley, Lowrey, and Luckel—4.

Bill ordered transmitted to the Senate.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bills Nos. 1466 and 1467, on motion of Mr. Shaw.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 996—An act providing for the organization of municipal courts in Los Angeles County.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Sherwin, Smith, Stewart, Thomas, and Mr. Speaker—56

NOES—Babbage, Evans, Gubser, Hinckley, Lowrey, and Luckel—6.

Bill ordered transmitted to the Senate.

Assembly Bill No. 997—An act to provide for the government, procedure, and jurisdiction of municipal and justice courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Connolly, Cooke, Crowley, Dickey, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stewart, Thomas, and Mr. Speaker—55.

NOES—Evans, Gubser, Hinckley, Lowrey, and Luckel—5

Bill ordered transmitted to the Senate.

Assembly Bill No. 1464—An act to amend Sections 7, 7a, 7b, 10, 10a, 10b, 11, and 11d of the Municipal Court Act of 1925, relating to certain municipal courts, and prescribing the number, compensation and duties of the officers and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burkhalter, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Crowley, Dickey, Doyle, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McGee, McMillan, Meyers, Morris, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stewart, Thomas, and Mr. Speaker—51.

NOES—Evans, Gubser, Hinckley, Lowrey, Luckel, and Moss—6.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1477—An act providing for the constitution of municipal courts in districts in Riverside County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Crowley, Dickey, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Smith, Stewart, Thomas, Waters, and Mr. Speaker—56.

NOES—Evans, Hinckley, Lowrey, and Luckel—4.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 3.10 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 1472—An act providing for the constitution of the municipal court in a district embracing the City of Santa Ana, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Crowley, Dickey, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McGee, McMillan, Morris, Moss, Munnell, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Thomas, Waters, and Mr. Speaker—55.

NOES—Evans, Hinckley, and Lowrey—3.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1474—An act providing for the constitution of the municipal court in a district embracing the City of Fullerton, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Dickey, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Mr Speaker—61.

NOES—Evans, Hinckley, Lowrey, and Luckel—4.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 3.16 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1727

Mr. Morris asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1727, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1727

Assembly Bill No. 1727—An act to amend Section 41.5 of the Unemployment Insurance Act, relating to transfer of employers' reserve accounts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lapscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolutions were offered:

By Messrs. Rosenthal, Beck, Munnell, Waters, and Geddes:

House Resolution No. 130

Relative to congratulating Superior Court Judge Brand on the occasion of his retirement

WHEREAS, Superior Court Judge Edward R. Brand of Los Angeles County is retiring from the bench, where he has served faithfully and ably since 1936; and

WHEREAS, For two years Judge Brand was the Presiding Judge of the Criminal Division of the Los Angeles Superior Court; and

WHEREAS, Judge Brand was re-elected four times to the superior court, evidencing the high regard of the people of Los Angeles County for his integrity and devotion to duty; and

WHEREAS, Judge Brand is held in high esteem by the members of the bench and bar; and

WHEREAS, Judge Brand has contributed unselfishly and unstintedly of his time and effort in behalf of community enterprises and worthy civic causes; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly hereby congratulate Judge Edward R. Brand upon his long and valuable service on the bench and wish him future happiness and success; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to Judge Brand

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Belotti:

House Resolution No. 131

Relative to requesting the Adjutant General to investigate and report as to the need for a National Guard Armory at Eureka

WHEREAS, The City of Eureka is the westernmost city in the United States and is the urban center for a large area of the northwestern portion of this State; and

WHEREAS, There is no National Guard Armory in either Eureka or in that area, although a number of National Guard units have been organized therein; and

WHEREAS, The nearest armory is located about 225 miles south of Eureka; and

WHEREAS, It appears that a choice of sites for an armory may be made available at no cost to the State together with a sufficient area of land to allow National Guard units to use their equipment for practical drills; and

WHEREAS, Units of the National Guard now organized in Eureka and the vicinity are handicapped in their training by lack of proper facilities; now, therefore, be it

Resolved by the Assembly of the State of California, That the Adjutant General of the State of California is hereby requested to investigate and determine the need for a National Guard Armory in the City of Eureka and to report his findings and conclusion thereon to the Assembly at the earliest feasible date; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit a copy of this resolution to the Adjutant General.

Resolution read, and ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT

Mr. Lincoln asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 58, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 58

Senate Concurrent Resolution No. 58—Relative to approving certain amendments to the charter of the City of Oakland, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the seventeenth day of April, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Grunsky asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 60, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 60

Senate Concurrent Resolution No. 60—Relative to approving an amendment to the charter of the City of Santa Cruz, a municipal corporation in the County of Santa Cruz, State of California, voted for and ratified by the qualified electors of said city at an election held therein on the tenth day of April, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Cooke asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 61, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 61

Senate Concurrent Resolution No. 61—Relative to approving amendments to the charter of the City of San Buenaventura, a municipal corporation in the County of Ventura, State of California, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the tenth day of April, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1715 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Levering asked for, and was granted, unanimous consent that Assembly Bill No. 1715 be withdrawn from the Committee on Industrial Relations, and be re-referred to the Committee on Finance and Insurance.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Concurrent Resolution No. 51—Relative to congratulating George Mercer Stout on his forthcoming retirement from the state service.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

On page 1, line 11, of the printed measure, after "State", insert "Veterans' ".

Amendment No. 2

On page 1, line 12, of said measure, strike out "1932", and insert "1922".

Amendment No. 3

On page 1 of said measure, between lines 14 and 15, insert

"WHEREAS, He served in the United States Army and California National Guard with distinction, entering the service as a Private and retiring as a Major; and

WHEREAS, He is a member of Sigma Chi fraternity, Masonic orders, the American Legion, the Elks, and the Del Paso Country Club; and".

Amendment No. 4

On page 1, line 20, of said measure, strike out "on", and insert "as the chairman of".

Amendments read, and adopted.

Resolution ordered reprinted, and re-engrossed.

ANNOUNCEMENT

Speaker Sam L. Collins announced that the Committee on Agriculture has tabled over two dozen bills, has only 12 more bills pending for hearing before the committee, and that one author has requested no hearing for a series of 22 bills. He further announced that, with the major portion of its work completed, this committee will be able to complete its work prior to the deadline, and cited this record as an example for other committees to follow.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 37	Assembly Bill No. 2599
Assembly Bill No. 61	Assembly Bill No. 2605
Assembly Bill No. 212	Assembly Bill No. 2627
Assembly Bill No. 880	Assembly Bill No. 3070
Assembly Bill No. 906	Assembly Bill No. 3071
Assembly Bill No. 1376	Assembly Bill No. 3399

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1248	Assembly Bill No. 1850
Assembly Bill No. 1418	Assembly Bill No. 2018

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills Nos. 906 and 3399 re-referred to the Committee on Public Utilities and Corporations.

Assembly Bills Nos. 37, 61, 212, 1376, 2605, 2627, 1418, 1850, and 2018 re-referred to the Committee on Judiciary.

Assembly Bills Nos. 3071, 1248, and 3070 re-referred to the Committee on Boards and Commissions.

Assembly Bills Nos. 880 and 2599 re-referred to the Committee on Municipal and County Government.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—At 8 p.m.—

Municipal and County Government, in Room 426.

Education, in Room 432.

Subcommittee on Ways and Means, in Room 319. Subject: Assembly Bill No. 1954.

Constitutional Amendments, in Room 3186.

Today Upon Adjournment—

Governmental Efficiency and Economy, in Room 3186.
Manufacturing, Oil, and Mining Industry, in Room 432.
Conservation, Planning, and Public Works, in Room 426.

Tomorrow, Thursday, May 3d, at 9:30 a.m.—

Rules, in Room 319.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED IN JOURNAL

Mr. Hollibaugh asked for, and was granted, unanimous consent that a letter of transmittal and a Progress Report of the Assembly Interim Committee on State and Local Taxation as to Horse Racing in California be ordered printed in the Journal in 10 point type, as follows:

LETTER OF TRANSMITTAL

ASSEMBLY CHAMBER
SACRAMENTO, CALIFORNIA, May 2, 1951

Hon. Sam L. Collins, Speaker,
and Members of the Assembly

GENTLEMEN AND MRS. NIEHOUSE: Your Assembly Interim Committee on State and Local Taxation submits herewith a progress report on its findings and recommendations, in accordance with the direction of the standing Committee on Revenue and Taxation of 1949 to investigate the taxation of horse racing.

Respectfully submitted.

JONATHAN J. HOLLIBAUGH, Chairman,
Assembly Interim Committee on
State and Local Taxation

PROGRESS REPORT OF ASSEMBLY INTERIM COMMITTEE ON STATE AND LOCAL TAXATION AS TO HORSE RACING IN CALIFORNIA

DIRECTION TO THIS COMMITTEE TO INVESTIGATE THE TAXATION OF HORSE RACING

During the 1949 Session of the Legislature, a number of bills were introduced in the Assembly (and some in the Senate) seeking to change either the rate of taxation of horse racing or the disposition of funds derived from such taxation, or both.

Senate Bill No. 1404, of the 1949 Session, would have increased the State's portion of the pari-mutuel "take" at the expense of the two major race tracks, passed the Senate and was referred to the Assembly Committee on Revenue and Taxation for consideration.

The several Assembly bills on this subject were all referred to a subcommittee of the Assembly Revenue and Taxation Committee, consisting of Assemblyman Ernest R. Geddes, Chairman; Assemblymen Clayton A. Dills, and Augustus F. Hawkins.

This subcommittee held a lengthy hearing on June 14, 1949, and rendered a written report to the committee as a whole, recommending that the entire subject matter was one that might properly come before an Interim Committee on State and Local Taxation. This report appears in the 1949 Assembly Journal, page 4739.

Senate Bill No. 1404 (1949 Session), after passing the Senate, was heard before the full Assembly Revenue and Taxation Committee on June 23, 1949. It was estimated that this bill would have taken $1,200,000, or more, from the two larger Southern California tracks (Santa Anita and Hollywood) and would not have affected any of the tracks in the northern part of the State. The author stated before the committee that the purpose of his bill was to receive revenue and to alleviate public opinion in California against gambling.

After a full hearing on this bill, it was referred to the Assembly Interim Committee on State and Local Taxation for study, as had the Assembly bills.

HEARINGS BY, AND DATA COMPILED BY, THE INTERIM COMMITTEE ON STATE AND LOCAL TAXATION

This Assembly Interim Committee on State and Local Taxation held two public hearings, one in Los Angeles January 27, 1950, and one in San Francisco March 2, 1950, at which hearings representatives of the race tracks in the south and north, respectively, were heard.

This committee received various financial statements from the representatives of the several race tracks, thereafter required and received a number of reports as to the operations of the principal race tracks during the past two years, the pari-mutuel handle, expenses, profits, charitable contributions, and other data.

Additionally, the committee has received reports and data from the California Horse Racing Board, the California Thoroughbred Breeders' Association, and the Horsemen's Benevolent and Protective Association, the latter a charitable organization of horse owners and trainers.

In February, 1950, this committee compiled and published a document entitled "Memorandum in re: Taxation of Pari-Mutuel Betting at Horse Races—Disposition of Funds and Trend of Revenues."

The information received at said hearings and from the data received just referred to, has been studied and is the basis of this report.

As part of this report, the committee includes a "Brief Summary of Tax Methods By States" of the several race track states, which is hereto attached as Exhibit A. This document was obtained from a statistical report for the year 1950, published by the National Association of State Racing Commissioners.

HORSE BREEDING IN CALIFORNIA

When Senate Bill No. 1404 came before the Assembly Committee on June 23, 1949, the author informed the committee that, whereas the constitutional amendment authorizing horse racing and pari-mutuel wagering had been adopted by the people upon the assumption that racing was going to improve horse breeding in California, this had been a false premise.

The committee has investigated this subject, and we are advised by the California Thoroughbred Breeders' Association, an organization, as its name signifies, of those engaged in breeding and raising horses in California, of the following facts:

This association has 511 horse breeders in California as members (being the largest association of its kind in its existence).

About 75 percent of these own their own breeding farms; the others board their breeding stock at farms operated by other persons.

Thoroughbred breeding farms in California (including lands, buildings, stock, etc.) represent an estimated value of around $75,000,000.

Three hundred twenty-nine stallions are registered in the State.

Two thousand mares (approximately) are on these farms.

About 1,400 thoroughbred foals were registered with the Jockey Club of New York (official registration place for thoroughbreds) in one recent year, out of a total of 8,000 for the United States, Canada, Cuba and Mexico, or 17 percent of the total. California was the second largest production center of thoroughbred horses on the North American Continent.

The growth to the position just outlined of the thoroughbred breeding industry has been from practically nil in 1933, when racing was authorized in California.

California-bred horses win a majority of the thoroughbred races in California. For the fiscal year July, 1949-June, 1950, at the six major race tracks, California-bred horses won 1,337 races out of a total of 2,311.

These horse-breeding activities are a source of much local revenue to the counties in which the same are carried on.

RACE TRACKS IN CALIFORNIA

There are six principal race tracks in California, as follows:

Name of Track	*Company Operating*	*Near What City*
Santa Anita	Los Angeles Turf Club	Los Angeles
Hollywood Park	Hollywood Turf Club	Los Angeles
Bay Meadows	California Jockey Club	San Francisco
Tanforan	Turf Co., Ltd.	San Francisco
Golden Gate	Pacific Turf Club	Oakland and S. F.
Del Mar	Del Mar Turf Club	San Diego

A total of 273 days of thoroughbred racing at these six tracks occurred in the year 1950.

Additionally, thoroughbred racing is carried on at a number of fairs, there having been 79 days of fair racing in 1950.

Harness races are conducted at most of the fairs, and the Western Harness Association conducted a 40-day meeting in Southern California in 1950 (at the Santa Anita Race Track) Such harness racing being operated by a different company from the Santa Anita operating company, the Harness Association uses the track on a rental basis. A harness meet is conducted by that association at Santa Anita Race Track and Hollywood Race Track, in alternate years.

THE "TAKE" BY THE STATE AND RACE TRACKS FROM THE WAGERS OF THE PUBLIC

The relative importance of race tracks in the matter of taxation is based on the amount of gambling at the various race meetings.

A total of 13 percent is taken from the amount wagered by the public at any given meeting, and this 13 percent is divided as between the State of California and the particular race track as follows:

	Percent to State	*Percent to Track*
First $10,000,000 wagered	4%	9%
Second $10,000,000 wagered	5%	8%
Over $20,000,000 wagered	6%	7%

This is provided for in the Business and Professions Code, Sections 19485 and 19597.

Additionally, in paying off the public, the amount is calculated to 5 cents on each dollar wagered so that payment is not in odd cents; this results in an overage which is called "breakage", which is quite substantial.

"Breakage" on the first $27,000,000 wagered at any particular meeting goes to the particular track "Breakage" on all amounts over $27,000,000 goes to the State, into a special fund designated as the "State College Fund" (Bus. & Prof. Code, Sec. 19620.1).

Prior to 1947, all "breakage" went to the tracks. The two large Southern California tracks were the principal losers by the 1947 Amendment, which gave the State "breakage" on amounts over $27,000,000.

The State of California is thus a definite partner in this large-scale gambling enterprise. Our laws make betting on a horse race inside a race track, through the pari-mutuel machine where the race is about to be run, legal—to bet or take bets on such a race otherwise than through the pari-mutuel machine is illegal.

The interest of the State in having all gambling conducted within the track enclosure and through the pari-mutuel machine is obvious, likewise the interest of the track. Each gets a percentage of such bets, but nothing on illegal bets.

The partners in this gambling field are the State of California and the track, the State furnishing the permission to operate a gambling enterprise that would otherwise be illegal The track furnishes the racing plant, purses, etc., expecting to make money from its share of the pari-mutuel "take", and its admissions, concessions, etc.

Additionally, the State receives various license fees, and all unclaimed good pari-mutuel tickets. The amount of uncashed good pari-mutuel tickets is astonishing. The revenue to the State from this source in 1950 was $152,391.05.

COMPARISON OF RETURN TO STATE, PROFITS OF RACE TRACKS, PURSES TO HORSE OWNERS

The California Horse Racing Board has furnished the following figures as to the amount wagered, amount returned to the public, and the state revenues, all for the year 1950:

Place (Running races)	*Racing dates*	*Pool (wagered)*	*Returned to public*	*Total revenue to State*
Santa Anita, L. A. Turf Club	12-26-49– 3- 4-50	$77,981,791.00	$67,322,652.65	$4,739,845.00
Tanforan Co Ltd., Tanforan	3- 7-50– 4-29-50	25,672,773.00	22,138,185.75	1,259,435.13
Pac. Turf Club, Inc. Golden Gate	5- 3-50– 6-24-50	31,711,059.00	27,332,309.60	1,666,575.27
Hollywood Turf Club, Hollywood Park	6-27-50– 7-22-50	29,059,741.00	25,046,974.85	1,471,588.49
Del Mar Turf Club, Del Mar	7-25-50– 9- 9-50	22,348,365.00	19,271,466.50	1,054,890.80
Cal. Jockey Club, Bay Meadows	9-16-50–11-18-50	23,120,112.00	19,939,083.75	1,100,540.72
Hollywood Turf Club, Hollywood Park	11- 7-50–12-16-50	39,220,321 00	33,825,316.20	2,683,129.24
Total running races		$249,114,162.00	$214,875,989.30	$13,976,004.65
(Harness Meetings)				
Western harness (S A.)	4-21-50– 6-17-50	$13,494,370.00	$11,626,367.45	$582,578.50
Total harness meetings		$13,494,370.00	$11,626,367.45	$582,578.50
(Fairs)				
Alameda Co. Fair, Pleasanton	6-28-50– 7- 8-50	$1,972,504 00	$1,699,235.70	$82,260.61
San Diego Co. Fair, Del Mar	6-30-50– 7- 8-50	197,730.00	170,446.05	8,376.65
Sacramento Co. Fair, Galt	7-14-50– 7-22-50	610,395 00	526,367.65	25,406 30
Sonoma Co. Fair, Santa Rosa	7-25-50– 8- 5-50	1,275,834.00	1,099,733.20	52,945.46
Humboldt Co. Fair, Ferndale	8- 9-50– 8-12-50	162,433.00	139,756.35	6,962.22
San Joaquin Co. Fair, Stockton	8-19-50– 8-26-50	815,234.00	702,951.15	34,028.96
Cal. State Fair, Sacramento	8-31-50– 9- 9-50	2,579,148 00	2,223,860.65	106,537.92
San Mateo Co. Fair, Bay Meadows	9- 9-50– 9-14-50	916,916.00	790,511.45	37,344.79
Los Angeles Co. Fair, Pomona	9-15-50– 9-30-50	6,053,286.00	5,214,502.70	247,092.44
Fresno Dist. Fair, Fresno	9-30-50–10- 7-50	799,124.00	688.037 20	34,355.31
Total fairs		$15,382,604 00	$13,255,402.10	$635,310.66
Grand totals		$277,991,136 00	$239,757,758.85	$15,193,893.81

Considering only the six principal tracks, the following is a comparison of:

(1) The state "take" in taxes from each meeting;

(2) The profit of the particular track for the year; and

(3) The gross amount to horse owners in purses (for the year 1950, except as noted)

Track	*Total Revenue to State*	*Track Profit*	*Total of Purses to Horse Owners*
Santa Anita	$4,739,845.00	$1,034,673.25	$2,203,500.00
Tanforan	1,259,435.13	462,414.89	811,900.00
Golden Gate	1,666,575.27	369,920.15[1]	922,650.00
Hollywood Park	4,154,717.73	971,155.00[2]	1,738,000.00
Del Mar	1,054,890.80	210,302.64	803,900.00
Bay Meadows	1,100,540.72	----[3]	839,900.00
	$13,976,004.65	$3,048,465.93	$7,319,850.00

[1] Fiscal year ending Nov 30, 1950
[2] Fiscal year ending March 31, 1950, includes $119,209 collected from use and occupancy insurance policy
[3] Figures for 1950 were requested, but not furnished

The State is clearly the most favored one in this deal. Its taxes are collected at comparatively little expense to the State. (Proposed in 1951-52 Budget $209,999, an increase of $80,628 over the budget for the previous year, because of the desire of the Racing Board to pay stewards and veterinaries representing the Racing Commission.)

The printed argument to the voters in favor of the constitutional amendment authorizing pari-mutuel betting, prophesied an income to the State of California of $1,000,000 a year if the amendment was approved by the people.

The current report of the California Horse Racing Board gives the amount of revenue as received by the State of California in each fiscal year since racing was legalized in California, as follows:

1933-1934	$259,657.36
1934-1935	1,005,103.36
1935-1936	1,587,373 44
1936-1937	1,933,259.84
1937-1938	2,661,142.32
1938-1939	3,030,689.56
1939-1940	2,832,230.66
1940-1941	3,799,115.10
1941-1942	1,515,435.18
1942-1943	1,077,685.21
1943-1944	2,375,186.16
1944-1945	8,258,568.58
1945-1946	22,779,402.22
1946-1947	18,741,499.55
1947-1948	20,117,506.78
1948-1949	17,091,734.69
1949-1950	14,813,984.21
Total Revenue to State	$123,879,574.22

In creating this revenue, the public has wagered over $2,300,000,000 through pari-mutuel machines at the various race tracks.

The operations at the six principal tracks from 1933 to 1950 have resulted in revenue to the State of California as follows:

Track	*Total Revenue to State*
Santa Anita	$45,506,637.47
Hollywood	38,985,216.73
Bay Meadows	17,350,504.58
Del Mar	7,538,135.20
Tanforan	7,294,422.62
Golden Gate	6,583,125.83

CONSIDERATION OF THE PROFITS AND POSITION OF EACH OF THE SIX PRINCIPAL RACE TRACKS

The committee has requested from each of the six principal race tracks financial statements and other data, and we briefly summarize the same here:

Santa Anita
(Operated by Los Angeles Turf Club)

This company was the principal target of the author of the Senate Bill No. 1404 at the 1949 Session, due to large profits made by this company.

The company operates one of the two largest and most pretentious tracks in the State, on a large tract of land near the City of Los Angeles, and in the City of Arcadia

The land used for this track is, obviously, worth an enormous amount of money, and is now surrounded by developed property.

This track has emphasized to the committee that they pursue a policy of putting a substantial part of their profits back into improvements.

This company has advised the committee of the following:

Profit of race meeting for year ending 11/30/50	$1,034,673.25
This compared to	1,284,555.78
for the previous year	
The value of the plant, real estate, etc., estimated at between $10,000,000 and $12,000,000 with additional improvements planned.	

The volume of betting at this track has been decreasing for the past several years as follows:

1946-1947	$123,436,852 00
1947-1948	108,727,729.00
1948-1949	87,419,464 00
1949-1950	77,981,791.00
1950-1951	75,946,261.00

This track advises that, while the pari-mutuel income has been decreasing, other income items, such as admissions and concessions, have decreased, while wages and other expense items have increased.

Santa Anita has made the largest distribution to horse owners of purses, and this has not been decreased. The importance of purses to the

breeding industry and the continuance of horse racing is hereafter discussed.

Santa Anita has also called our attention to the fact that racing was shut down at Santa Anita from December, 1941, to 1944. The race meeting scheduled to begin in December, 1941, was cancelled, due to war; again in December, 1944, a scheduled meeting was cancelled by order of war authorities. The United States Government used the property and facilities as a Japanese Assembly Center, and for other war operations. The company sustained an operating loss during these years of about $1,000,000 The facilities of Santa Anita are available in the event of another war emergency.

Hollywood Park
(Operated by the Hollywood Turf Club)

This track is the second largest in point of pari-mutuel betting and revenue accruing to the State from horse racing.

It is situated in the City of Inglewood, at the outskirts of the City of Los Angeles

Its grandstand and club house were destroyed by fire in the Spring of 1949, and the Assembly Revenue and Taxation Committee knew that the question of whether the plant would be rebuilt or the land on which the track was situated be used for other purposes, would be affected by the disposition of the various bills pending to increase the State's "take" at the expense of the two larger tracks.

Hollywood Park occupies a large area of land that is now surrounded by homes and other development, and, like the land on which Santa Anita is situated, is clearly of great value

The company estimates that the value of its plant, lands, buildings, etc., is approximately $11,000,000.

The grandstand and club house and other buildings destroyed by fire were rebuilt at a cost of $3,172,000

The profit of this company for its fiscal year ending March 31, 1950, was $971,155, which included $117,209 collected on a use and occupancy insurance policy as the result of the fire.

The pari-mutuel handle of this track has been declining much the same as Santa Anita's. The figures are:

Year	*Pari-mutuel Handle*
1946	$125,819,342
1947	102,733,154
1948	95,683,124
1949	70,350,567
1950	68,280,062

The purse distribution to horse owners at Hollywood has been second only to Santa Anita.

The purse distribution from this track in the year 1950 was $1,738,000. (Santa Anita's for 1950 was $2,203,500.)

Golden Gate Fields
(Operated by the Pacific Turf Club, Albany, California)

This track is located on the Oakland side of the San Francisco Bay, in an industrial district The current balance sheet as of November 30, 1950, shows total assets of $2,742,402.56. Its earnings for the year ending November 30, 1950 (before federal income taxes) was $611,867.49,

and, after taxes, $369,920.15. This is to be compared to profits after taxes for the previous year of $385,650.70. First distributions for 1950 were a little below the "4-3-2" Plan hereafter referred to. The total amount of the purses, $921,900.

This is the third largest track in point of pari-mutuel handle, the amount for the 1950 race meeting being $31,711,059. For the previous fiscal year the pari-mutuel handle at this track was $35,935,955.

Del Mar Race Track
(Operated by the Del Mar Turf Club, a Corporation)

This race track is located in the small town of Del Mar, about 20 miles north of the City of San Diego. Its patronage is drawn from the City of San Diego, from the City of Los Angeles, and towns adjacent to Del Mar.

For the year ending December 31, 1950, it reports profits after taxes of $210,302.64 (before income taxes, $343,302.64). For the previous year it reported profits after taxes of $318,663.81 (before income taxes, $528,-663.81).

It distributed in purses at its 1950 meeting $718,100. Its pari-mutuel handle for the meeting was $22,348,565 For the previous year the pari-mutuel handle was $24,577,243.

Tanforan Race Track
(Operated by Tanforan Company, Ltd., a Corporation)

This track is located at San Bruno, just outside the City of San Francisco, on a large tract of valuable land.

Its financial report at December 31, 1950, shows earnings for 1950 before taxes of $797,267.06, and after income taxes a net profit of $462,-414.89. This was a substantial increase over the previous year, when net profits for the year were $187,289.28.

The pari-mutuel handle at this track in 1950 was $25,672,773, as against a handle in 1949 of $20,640,727. Purse distribution was exactly at the "4-3-2" Plan. As hereafter noted, it would appear that purse distribution of this track was insufficient in relation to the earnings.

Bay Meadows
(Operated by California Jockey Club, Inc., a Corporation)

This track is located at San Mateo, just outside of San Francisco, on a tract of land which has great value, the surrounding area having been developed in recent years.

A financial statement as of the end of 1950 has not been made available, although requested by the committee.

Pari-mutuel "take" for 1950 has been received by the committee at $23,120,112, as compared to $24,492,190 for the previous year.

In 1950, the race meeting was 46 days as compared to 41 days for the previous year. Purse distribution in 1950 was $842,500.

CONSIDERATION OF PURSES AND BREEDERS' AWARDS TO HORSEMEN

The California Horse Racing Board is charged with the duty of passing on and approving the purse program of any race meet. Race horses are necessary to any race meet, and the rewards to horse owners must be considered.

The State's "take" from race tracks is practically all net revenue. The several race tracks operate (and must operate) at a profit.

The foundation of any horse breeding farm must be that the horses raced have a substantial value, which, in turn, depends on whether the opportunity to earn substantial returns in racing be available to such horses, to the end that the owners may hope for a profit on their operation.

Breeders of California horses that win races receive a breeder's bonus or fee of 10 percent of the amount of the winning purse in any race won in this State. This is paid by the track at which the race is won (Bus. & Prof. Code, Sec. 19562.)

These awards in 1950 totaled $259,272.98.

We have been furnished with statistics (by the Horsemen's Benevolent and Protective Association) giving a division of pari-mutuel income between the horsemen and tracks, after State and local taxes—showing percentage relationship between the horsemen and tracks—at 22 larger race tracks throughout the Country in 1950. Those statistics appear in the following table:

DIVISION OF PARI-MUTUEL INCOME BETWEEN HORSEMEN AND TRACKS AFTER STATE AND LOCAL TAXES

Showing Percentage Relationships 1950 Meetings at 22 Major U. S. Tracks

Track	*Average daily handle*	*Track (% of pool + break. less dist.)*	*Horsemen (purses & stakes)*	*Total to track & horsemen*	*Track as % of total*	*Horsemen as % of total*
California						
Santa Anita	$1,559,636	$3,705,787	$2,203,500	$5,909,287	63%	37%
Hollywood Park	1,365,600	3,543,104	1,739,000	5,282,104	67%	33%
Bay Meadows *	597,370	1,322,943	375,200	2,106,143	60%	40%
Golden Gate Fields	689,370	1,796,824	925,450	2,722,274	66%	34%
Tanforan	641,819	1,484,690	810,450	2,295,140	65%	35%
Del Mar	545,082	1,109,299	802,700	1,911,999	58%	42%
New York						
Belmont Park	1,753,957	1,157,525	1,180,500	2,338,025	50%	50%
Aqueduct	1,567,716	634,236	714,000	1,348,236	47%	53%
Saratoga	964,540	347,109	1,146,000	1,493,109	23%	77%
Florida						
Hialeah Park	1,092,435	1,792,819	1,266,000	3,058,819	59%	41%
Gulf Stream Park	698,753	1,150,920	854,500	2,005,420	57%	43%
Tropical Park	438,984	597,583	662,300	1,259,883	47%	53%
Illinois						
Arlington Park	810,844	1,435,959	1,118,200	2,554,159	56%	44%
Lincoln Fields	611,066	973,880	576,700	1,550,580	63%	37%
Washington Park	744,231	1,095,126	923,600	2,018,726	54%	46%
New Jersey						
Garden State Park	1,196,924	1,095,386	700,000	1,795,386	61%	39%
Monmouth Park	1,010,735	1,679,227	1,096,000	2,775,227	61%	39%
Others						
Suffolk Downs, Mass.	691,691	586,986	917,400	1,504,386	39%	61%
Delaware Park, Del	711,305	752,728	897,500	1,650,228	46%	54%
Narragansett Park, R. I.	659,358	579,961	488,200	1,068,161	54%	46%
Detroit Park, Mich.	429,799	400,900	614,500	1,015,400	39%	61%
Rockingham Park, N. Hamp.	562,995	617,162	484,900	1,102,062	56%	44%

* 1949 meeting.

This same association advises that the costs of maintaining race horses are at peak levels, with no indications that such costs will diminish, that in the aggregate horse owners in California operate at a deficit of several million dollars a year.

The California Horse Racing Board has set a minimum amount of the pari-mutuel "take" at any principal race meet which must be divided in purses. This has been set at 4 percent of the first $10,000,000, 3 percent of the next $10,000,000, and 2 percent thereafter of all amounts wagered through the pari-mutuel machines.

This is called the "4-3-2" Plan. Two of the six principal tracks (Tanforan and Golden Gate) appear to follow this plan exactly, while the other four distribute purses in excess of the requirements of this "4-3-2" Plan.

Tanforan Race Track advised the committee that the "4-3-2" Plan required it to pay $813,455 to horsemen in 1950, and that it actually paid $813,450 (yet this track earned $462,414.89 after taxes in 1950, its earnings before income taxes being $797,267.26).

Golden Gate in 1950, on a pari-mutuel handle of $31,711,000, paid out in purses $921,900. Its earnings for 1950 before income taxes were $611,867.49, and after taxes, $369,920.15.

From the table of comparison between California tracks and Eastern tracks, it appears to be a question whether the California purse distributions are sufficiently high. The California Horse Racing Board, in its most recent report to the Governor and Legislature, states the following on this subject:

> "(f) The board has attempted to protect the horsemen by adopting a so-called 4-3-2 Rule. This rule provides there should be paid in purses and stakes not less and 4 percent of the first $10,000,000, 3 percent of the next $10,000,000, and 2 percent thereafter, of the amounts wagered through the pari-mutuel machines.
>
> "Historically, in comparison to tracks in the East, California tracks pay less to the horsemen than the tracks elsewhere of comparable prominence. The 4-3-2 Rule is not entirely satisfactory. It has been proposed by many horsemen that the Legislature should adopt a formula or set forth a rule by which horsemen would be assured of purses adequate to pay expenses. While the board feels that it can handle the matter and that it should remain flexible, inasmuch as it is a matter of urgent concern to so many in the business, we wish here to call it to your attention for whatever action may be deemed desirable."

So long as the State of California is to be a partner in these gambling concessions, and derive the revenue it does therefrom, it is highly important to the State that the owners of horses (without whom this activity cannot exist) be protected. This duty at present rests with the California Horse Racing Board, and, specific legislation being absent as to the amount of pari-mutuel "take" to be distributed in purses, the Racing Board should be diligent to see that a fair distribution is made to horse owners.

CHARITABLE ACTIVITIES OF RACE TRACKS

The various race tracks are substantial donors to charitable activities. Several members of the committee evinced an interest in these activities of the tracks, and we called upon all of the tracks to furnish us information on this subject.

Section 19538 of the Business and Professions Code provides that the Racing Board may allow not to exceed five additional racing days, to be known as "Charity Days." Where such days are allowed, the profits to go to non-profit organizations and corporations engaged in charitable and benevolent work selected by the track and approved by the board.

Most of the six major tracks run a number of "Charity Days," usually five days during a meeting, for the purpose of having the profits of these meetings distributed to charity.

In several instances, the charity end is handled by a separate foundation or charitable organization. Some of the tracks make charitable donations direct without the intervention of a foundation.

We will briefly discuss the charitable activity of each of the principal tracks:

Santa Anita

Very substantial charitable donations are made, some directly, and some through the "Santa Anita Foundation." Details of the charitable activities of this track for two years have been furnished the committee, and are hereto attached, as Exhibit B.

The committee is advised that the reserve for possible income taxes applicable to the profits of the charity days, as shown in this exhibit, will be available to charity, as the income tax authorities have ruled the profits not taxable.

Hollywood

This track's charities are substantial, and are handled through the "Hollywood Turf Club Associated Charities, Inc.," a separate charitable corporation.

The activities of this charitable organization are explained in the letter of the organization dated March 9, 1950, with a list of the donations for the past two years, all of which is attached to this report as Exhibit C.

Golden Gate

For the year ending November 20, 1950, this track made contributions of $14,579.79, of which $3,662.67 is stated as going to the "Golden Gate Fields Foundation," a charitable corporation, and $10,759 for restoration of the Santa Barbara Mission. This amount appears disproportionate to the earnings of this track ($611,867.49 before income taxes, and $369,920.15 after income taxes).

Tanforan

This track, for the year ending December 31, 1949, lists no contributions For the year ending December 31, 1950, an item of $8,985 appears as "Contributions." Clearly, this is out of proportion to other tracks. (Tanforan's earnings after taxes in 1950 were $462,414.89.)

Del Mar.

This track operates five days for charity, profits going to "Del Mar Charities", a non-profit charitable organization. These profits for 1948 were $41,279; for 1949, $42,041; for 1950, $20,331.70.

Bay Meadows

This track has furnished this committee with a statement of its charitable donations for 1950, written January 2, 1951, signed by W. P. Kyne, Chairman-manager, a copy of which is included in this report as Exhibit D.

The outstanding item of this report of contributions is one of $10,000 (out of a total of $27,000 distributed to charity) to an American Legion Post at Yreka, California.

While this American Legion Post at Yreka is undoubtedly a worthy organization, there must be many other Legion posts and charitable institutions equally worthy, and many located in the vicinity of San Francisco that would seem to have a prior call on charitable donations made by a race track dependent upon San Francisco people for patronage.

Stricter supervision by the Racing Board of charitable contributions appears to be proper and necessary.

Legislation to more carefully regulate charity days at the various race tracks, containing provisions to eliminate any revenue to the State from such charity days, is pending in this 1951 Session. Strict regulation of these activities by the State is essential and should be spelled out carefully in a statute. Such legislation as presently proposed contemplates that the State shall yield its revenue on such charity days. This committee recommends against the State yielding any part of its revenue. It is obvious that the purpose of such charity days by the tracks is to create goodwill towards the race tracks, and to soften criticism of this form of gambling. An examination of the list of beneficiaries of the charity donations shows a wide range, from many Community Chests, religious organizations, and in the Los Angeles area substantial contributions to charities connected with the metropolitan newspapers, all calculated to create goodwill for the race tracks. This committee sees no reason at this time for the State to yield its revenue on such charity days, to enable the tracks to distribute larger sums in these goodwill efforts.

CONCLUSIONS AND RECOMMENDATIONS

The committee concludes that the State of California's share of race track betting is a fair one, that the fable of "killing the goose that lays the golden egg" would seem to apply to this situation, that race tracks and horse owners must make money or the State cannot derive the revenue it does from this source, and that for the State to take too much would end racing. The question of whether to end racing in California or continue it is not the problem for a committee on taxation to consider. Our problem has been to consider whether the "take" of the State from this gambling enterprise is a fair one. It is clear that the State of California is the chief beneficiary from these race track operations.

The committee recommends as follows:

(1) That there be no change in the amount of the pari-mutuel "take" to the State of California.

(2) That the California Horse Racing Board exercise vigilance to see that horse owners are awarded a fair amount of the profits of racing at the several tracks from the purses awarded in the various races run. The Racing Board should scrutinize carefully the proposed distributions by the tracks in an endeavor to have the race tracks in California make

purse distributions comparable to the other race tracks throughout the country, consistent with a fair profit to the race track.

(3) That charitable distributions of the tracks from charity days be carefully scrutinized and be not made until after approval by the Racing Board. The racing days designated as charity days by the board should be strictly regulated by the State, to the end that the profits from these charity days actually go to charitable purposes. The Committee recommends that the State do not yield its revenue from the charity days to enlarge the sums which race tracks have for goodwill purposes.

Respectfully submitted.

JONATHAN J. HOLLIBAUGH, Chairman
ERNEST R. GEDDES
AUGUSTUS F. HAWKINS
VINCENT THOMAS
G. DELBERT MORRIS
GORDON R. HAHN
JOHN W. EVANS
THOMAS J. DOYLE
ARTHUR H. CONNOLLY, JR.
CLAYTON A. DILLS
MARVIN SHERWIN

Exhibit A

BRIEF SUMMARY OF TAX METHOD BY STATES

State	
Arizona	Total take-out permitted 14%; 9% to associations and 5% to state. Breakage figured to the dime.
Arkansas	Total take-out 15%; 5% pari-mutuel to state; $500 daily license; 10c tax on admissions; breaks to 5c; breakage all to state.
California	Total take-out 13%; state receives 4% pari-mutuel on first $10,000,000; 5% on next $10,000,000; 6% all over $20,000,000; employees licenses; law provides breaks to 5c and total amount of breakage above $27,000,000 to be paid to Board as part of license fee.
Colorado	Total take-out 15%; 10% to associations, 5% to State. All breaks to 10c on the dollar paid to state; license fees.
Delaware	Total take-out 10%; 3½% to state; $5,000 per season license; 20c on admissions; breaks to 5c, all to associations.
Florida	Total take-out 15% divided as follows: 7% to association; 3% and admission taxes to be divided equally between each county after racing commission expenses are deducted; 5% to state for Old Age Benefit; breaks to 5c, all to state for Old Age Benefit.
Illinois	THOROUGHBRED: Daily license fees $500 to $2,500; tax on admissions 20c; horsemen's license fees; total take-out 13% (Fairmount Park 14%) of total mutuel handle, plus breakage to 10c, subject to payment to state of a tax of 4% and 1% of total mutuel handle, plus ½ of breakage. As of April 1st each year, proceeds from uncashed pari-mutuel tickets sold during previous year are payable to state for the Illinois Veterans Rehabilitation Fund. HARNESS: Daily license $50 per day. Total take-out 14%; 5% to state. Breaks to dime, all to association. As of April 1st each year, proceeds from uncashed pari-mutuel tickets sold during previous year are payable to the Agricultural Premium Fund of the State Treasury.
Kentucky	Total take-out 13% (Keeneland 10%); 3% pari-mutuel to state; daily license $500 to $2,500; 15c on admissions; breaks to 10c, all to associations.
Louisiana	Total take-out 13%; state receives 2% first $100,000; 5% next $50,000; 6% next $50,000; 7% all over $200,000; 10c tax on admissions; license fees and fines. Breaks to 10c, all to association.
Maine	THOROUGHBRED. Total take-out 15%; 10% to association and 5% to state; breaks to dime, one-half each to state and association; license fee $5,000 annually. (1950 was first year of thoroughbred racing in Maine.) HARNESS: 15% tax on all pari-mutuel pools; 9½% to association; ½% to State Agriculture Stipend Fund; 5% to State General Fund. Breakage to 5c retained by association; out-ticket balance held by state for redemption 90 days, then balance refunded to association.
Maryland	Total take-out 10%; MILE TRACKS—license fee $1,000 per day, 4% to state and ½ breakage. Breaks to 10c. COUNTY FAIRS—First $500,000 of money wagered exempt; 1% next $500,000; 2% next $500,000; 4% all over $1,500,000; ½ breakage. HARNESS TRACKS—license fee of $25 per night; 4% money wagered to state; breaks to 10c.
Massachusetts	THOROUGHBRED MILE TRACKS; Total take-out 12%. State receives, Daily Handle to $700,000—5½%; 6¾% $700,000 to $800,000; 7¼% $800,000 to $900,000; 7¾% $900,000 and over. License fee $600. Breakage to 10c ½ to state. HARNESS: Total take-out 17%; paid to state daily 5½% handle to $400,000; 6¾% $400,000 to $450,000; 7¼% $450,000 to $500,000; 7¾% $500,000 to $550,000; 8¼% $550,000 to $600,000; 8¾% $600,000 to $650,000; 9¼% $650,000 and over; $200 per day license fee; breakage to 10c, half to state. FAIRS: Total take-out 15%; 3½% to state of any amount over $65,000 handled daily; $50 per day license fee; breakage to 10c, half to state.

Michigan	11% take-out (THOROUGHBRED: 6% to association, 5% to state). (HARNESS: 9% to association, 2% to state); breaks to the dime, split equally. License fee, $500 in city area, $100 otherwise.
Nebraska	All profits must be expended for improvement of grounds of association or for payment of premiums for livestock shows conducted by association. For this reason, state takes no pari-mutuel tax, a percentage of breaks or any other taxation, with the exception of 15% on all paid admissions in counties of a certain size (Ark-Sar-Ben only); daily license $200 (fairs $15-$50). No pari-mutuel system allowed except for Thoroughbred racing.
New Hampshire	THOROUGHBRED. 11½% take-out, plus breakage, with 5% and ½ breakage to state; 6½ plus ½ breakage to association. No license fee but a bond not exceeding $50,000 is required. (HARNESS: 15% take-out with 10% to association). Breaks to 10c; one quarter of 1% of pari-mutuel pools allocated among agricultural fairs of state in accordance with competitive or educational premiums paid.
New Jersey	THOROUGHBRED: 12% take-out with 6% to state and 6% to association up to $40,000,000. Above that 7% to state and 5% to track. State receives all the breaks, all fines, under-pay and all monies held for outstanding winning tickets uncashed at expiration of statutory 60-day holding period HARNESS: 16% take-out with 6% to state and 10% to track. Breaks to 10c, all to association. All under-pay to the state, all outstanding tickets to state, all fines to the U. S. Trotting Association.
New Mexico	15% total take-out. 15% of total plus breakage retained, with one-third of this amount going to purses, or 5% of each pool. Association pays to state ½ of 1% of gross pool in taxes, also a daily license fee of $50 per day and 10% of the net amount retained on admissions.
New York	15% take-out; breaks to 5c. FLAT RACING · $25 per day license fees; 15% tax on admissions; 60% breaks to state; 6% pools to state; 5% pools to municipalities; Saratoga same except 5% pools and 50% breakage to state. (Pari-mutuel law on flat racing changed 1950, to become effective in 1952 when the municipal and county tax of 5% will be decreased yearly by 1%.) HARNESS: $100 per day license fees. Of 15% take-out, state receives 5% on first $200,000; 6% from $201,000 to $550,000; 7% all over $550,000. Breakage ½ to state
Ohio	10% total take-out; state receives 10% first $1,000; 15% next $4,000; 20% next $5,000; 22½% next $5,000; 25% next $5,000; 30% over $20,000. Breaks to 10c, all to association.
Oregon	Total take-out 12½%; state receives 3% on first $66,000; 4% on next $67,000; 5% on next $67,000; 6% on all over $200,000 wagered any one day. License fee. $300 per day. Breaks to 5c, all to association.
Rhode Island	Total take-out 11%; 5% to state, 6% to association of total amount wagered, plus ½ the breakage to both state and association. Breaks to 10c.
South Dakota	Total take-out 12%; 3% to state; 9% to association; $15 per day license fee; breaks to 10c, all to association.
Washington	15% take-out with 5% to state; breaks to 5c, all to association
West Virginia	12% take-out with 3% to state; 9% and breakage to dime to track; uncashed tickets redeemable from racing association one year and redeemable from commission following year, after which funds not claimed revert to state; daily license fee for tracks less than one mile $250 and for tracks one mile or over $500.

Exhibit B

DISTRIBUTIONS BY SANTA ANITA FOUNDATION AS AUTHORIZED BY BOARD OF DIRECTORS OF SANTA ANITA FOUNDATION AND APPROVED BY CALIFORNIA HORSE RACING BOARD

1949

American Cancer Society, Inc.	$2,500.00
The California Turf Foundation	12,291.55
Daily News Foundation, Inc.	25,000.00
Federation of Jewish Welfare Organizations of Los Angeles	25,000.00
Hospitals United of Los Angeles County	5,000.00
Los Angeles Times Charities, Inc.	25,000.00
Marion Davies Foundation	25,000.00
Marion Davies Foundation	25,000.00
Roman Catholic Archbishop of Los Angeles	25,000.00
Saint Sophia Church Fund	10,000.00
Community Chest of Los Angeles Area	39,910.20
American National Red Cross, Los Angeles Chapter	8,800.15
Community Chests in various cities in Los Angeles County	30,090.00

Exhibit C

HOLLYWOOD TURF CLUB ASSOCIATED CHARITIES, INC.

1947 and 1948 Seasons

CHARITY DAYS FUND

(Statutory)

For Fiscal Year Ending March 31, 1949

American Legion, Los Angeles County Council	$78,000.00
American Red Cross, Los Angeles Chapter	75,000.00
American Society for the Control of Cancer, Inc.	5,000.00
Braille Institute of America, Inc.	1,500.00
City of Inglewood Committee	4,100.00
Disabled American Veterans, Los Angeles Chapter 5	2,000.00
Helping Hand of Los Angeles	1,000.00
Los Angeles Area Building Funds, Inc.	25,000.00
Los Angeles Community Welfare Federation	150,000.00
Los Angeles Florence Crittenton Home Association	2,000.00
Motion Picture Relief Fund, Inc.	2,000.00
National Foundation for Infantile Paralysis, Inc.	10,000.00
Orange County Federation of Community Chests	5,000.00
Orange County American Legion Disaster & Relief Commission	2,500.00
Salvation Army, Inc.	4,000.00
Salvation Army Boys and Girls Committee	4,000.00
South District Community Health Association, Inc.	2,000.00
United Jewish Welfare Fund of Los Angeles	5,000.00
Ventura County Community Chest, Inc.	2,000.00
Veterans of Foreign Wars of the United States, Los Angeles County Council, Inc.	2,000.00
West View Hospital, Inc.	3,000.00
American Red Cross, Los Angeles Chapter	48,750.00
American Society for the Control of Cancer, Inc.	1,625.00

Boy and Girl Scouts	$16,250.00
Braille Institute of America, Inc.	975 00
Child Welfare Fund	32,500.00
Disabled American Veterans, Chapter 5	1,300.00
Los Angeles Area Building Funds, Inc.	16,250.00
Los Angeles County Council of the American Legion	48,750.00
Los Angeles County Council of the American Legion for Brentwood Snack Bar	1,625.00
Los Angeles County Council, Veterans of Foreign Wars	1,300.00
Los Angeles Florence Crittenton Home Assn., Inc.	1,300.00
Motion Picture Relief Fund, Inc.	1,300 00
National Foundation for Infantile Paralysis	6,500.00
Occal Relco	1,300.00
Orange County Federation of Community Chests, Inc.	3,250.00
Salvation Army, Inc.	2,600.00
South District Community Health Assn., Inc.	650.00
Ventura County Community Chest, Inc.	1,300.00
United Jewish Welfare Fund	10,000.00
Los Angeles Community Welfare Federation	97,500.00
American Women's Voluntary Services	1,500 00
California Turf Foundation	11,068.56
Hawthorne-Lawndale Coordinating Council	5,000 00
Inglewood Kiwanis Club Foundation	1,000.00
Los Angeles Daily News Foundation, Inc.	25,000.00
Los Angeles Times Charities, Inc.	25,000.00
Marion Davies Foundation (Los Angeles Evening Herald and Express)	25,000.00
Marion Davies Foundation (Los Angeles Examiner)	25,000.00
Child Welfare Fund	82,175.00
Daily News Foundation, Inc.	12,500.00
Marion Davies Foundation (Examiner)	12,500.00
Marion Davies Foundation (Herald)	12,500.00
Los Angeles Times Charities, Inc. (Former Pfaffinger Foundation)	12,500.00
Southern California Symphony Association	5,000.00

Exhibit D

California Jockey Club INCORPORATED operating Bay Meadows

WILLIAM P. KYNE
TREASURER & GENERAL MANAGER

WILLIAM B. HORNBLOWER
PRESIDENT
JOSEPH COHEN
VICE PRESIDENT
EDWARD J. BENN
SECRETARY
DOROTHY S. KYNE
DIRECTOR

P. O. BOX 870 — TELEPHONE FIRESIDE 8-1661
SAN MATEO, CALIFORNIA

January 2, 1951

Assemblyman Jonathan J. Hollibough
State Capitol
Sacramento, California

Dear Asserblyman Hollibough:

Enclosed please find Balance Sheet of 1949 Meeting and we will forward the 1950 Balance Sheet just as soon as available.

The Pari-mutuel take this year consisting of 46 days was $23,120,112.00 as compared with the 41 day Meeting last year which was $24,492,190. Our business was down approximately 16%.

The total amount of Purses were $842,500.00 and the purse program compared with the Pari-mutuel Play was 3.64%.

Up to the present day for the year 1950 we have contributed to charity and welfare organizations the following amounts:

American Legion, Yreka, California, Randolph Collier, Trustee	$10,000.00
American Red Cross	5,000.00
Eagles Youth Guidance & Veteran's Orphan Fund	5,000.00
Boy Scouts of the San Francisco Bay Area	1,500.00
Maimonides Health Center	1,000.00
Cancer Fund	2,500.00
The 91st Veteran's Division	1,000.00
Various Church Organizations	1,000.00.
It is our intentions to distribute approximately $5,000.00 additional to various welfare and Veterans organizations.	5,000.00

I sincerely hope this letter will meet with your requirements for the present and if you need additional information please advise me.

Very truly yours,

CALIFORNIA JOCKEY CLUB

Wm. P. Kyne,
General Manager

WPK:mf

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to A. P. Beleal, E. M. Walker, Jorgen E. Damsbo, and P. D. Powers of San Diego.

On request of Mr. Burke, the usual courtesies of the Assembly for this day were unanimously extended to L. B. White of San Gabriel.

On request of Mr. Maloney, the usual courtesies of the Assembly for this day were unanimously extended to John Young, Umpire, Pacific Coast League.

On request of Messrs. Grant and Klocksiem, the usual courtesies of the Assembly for this day were unanimously extended to Burton Chase, Irving Smith, Ray Keeler, Clarence Wagner, Carl Fletcher, Sam Vickers, Fred Dean, E. Amar, R. W. Martin, and Pat Elliott of Long Beach.

On request of Messrs. McFall and Parker, the usual courtesies of the Assembly for this day were unanimously extended to Marcus A. Williams, teacher, Ida Belle Beck and Noel Cardir, adults, and the following pupils of the Farmington School: Antoinette Rodrigues, Lucile Nichols, Ellsworth Olive, Robert Mobley, Robert Parsons, Gene Bartolomei, Geraldine Bonora, Melvin Riley, Kenneth Beck, Barbara Malspina, Antoinette Malspina, William Vasquez, Lee Rigg, Verna Sanders, Mary Fowler, Judith Mohr, John Echand, Rose Marie Echand, Shirley Smallwood, Jack Kilgore, Phyllis Hutcheson, Tommy Hutcheson, Irene Faulong, and Kathleen Swan.

On request of Mr. Coats, the usual courtesies of the Assembly for this day were unanimously extended to Neal Fenton, Al King, and Mr. Kempton, adults, and the following pupils of the Jay Hamilton School of Chico: Ronald Strang, Gene Stowie, Wallace Smith, David King, Gary Nock, Joe DeBock, Leroy Borrowman, Franklin Larrabee, Larry Pannell, Bill Ruff, Richard Hill, Ray Lambert, Bob Speegle, Donald Donner, James Guthrie, David Wiebe, James Mewes, Jeanette Schliep, Betty Brown, Dolores Blaser, Marsha Pine, Carolyn Schaller, Carol Martin, Elaine Grider, Barbara Hyde, Barbara Edlefsen, Margaret Bell, Norma Billings, Mary Wisa, Patsy Gates, Norma Marion, Carol Sheldon, Sue Kavar, Glenda Frost, Jennie Meyer, Luane Dever, Dorthy Stafford, and Merelen Glumac.

On request of Messrs. Gubser and Kirkwood, the usual courtesies of the Assembly for this day were unanimously extended to the following pupils of the Notre Dame High School of San Jose: Dolores Aranda, Mary Benson, Beverly Blockie, Geraldine Brancato, Mary Ellen Buckley, Linda Dimas, Darlene Fawl, Joan Flannery, Jeannette Francis, Anita Francisconi, Joel Harger, Della Hickey, Janet Hogan, Marlene Luchessi, Mary Ann Magliocco, Marie Louise Mainero, Thelma Marsh, Louise McBride, Eva Medrano, Rose Marie Miranda, Gladys Nakashima, Dolores Naso, Dora Navarro, Mary Ann Niggemann, Patricia Pedro, Margaret Pfaff, Norene Pfeiffer, Irene Ponciano, Diane Rieder, Mary Jane Rodrigues, Lilia Sanchez, Marie Saso, Lupe Saucedo, Barbara Silva, Anna Marie Simas, Claire Toupal, Joan Trombatore, Nancy Tutman, Carolyn Wallace, Patricia Welter, Josephine Anzalene, Joanne Athenour, May Balzer, Joan Bernal, Therese Cadena, Mary Childrey,

Jacqueline Cogno, Marlene DeNardo, Elizabeth Frasse, Margaret Gretz, Hortensia Gutierrez, Virginia Heenan, Adele Jacklin, Barbara Matasci, Geraldine Mayle, Mary Mello, Doris McBride, Charlotte Pacheco, Jacqueline Padilla, Marlene Perreira, Dorothy Picetti, Concha Saucedo, Mary Anna Watanabe, and Darlene Young.

On request of Messrs. McFall and Parker, the usual courtesies of the Assembly for this day were unanimously extended to Albert Kornblit, Marion Gerham, Edwin Lamoreau, and Angelo F. Milani, teachers, and the following pupils of the West Park School of Tracy: Roberta Elizabeth Ach, Emily Victoria Alves, Deanna Carolyn Anderson, Shirley Lee Arrasmith, Klee Barrow, Barbara Adelia Blair, Betty Joyce Centoni, Jo Ann Cocanour, Robbie Estelle Copeland, Elizabeth Marie Costa, Wanda Rose Henry, Alexandria Isabel Hernandez, Caroline Lupe Hernandez, Marlene Isbell, Sally Jones, Mary Juarez, Sharon Kelly, LeMuriel Kleinschmidt, Susie Lee, Joanne Leigeois, Carol Lewis, Colene Lynn, LaVerne Machado, Johanna Mattson, Gay Maxwell, Marilyn Irene McClellan, Pat McDermott, Angie Mello, Charlene Mencer, Margaret Miller, Marilyn Miller, Barbara Mills, Betty Morris, Barbara Louise Newbury, Adeline Elsie Nielsen, Theresa Marie Ortega, Nancy Joan Ramirez, Carol Annette Randall, Shirley Jean Reynolds, Phillip Joseph Abelar, Gilbert Joseph Arevalo, Felix Jujior Avalos, Robert Matthews Banfill, John Joseph Baylis, Bernard Philip Bellport, Edward Kelly Biggs, Robert Lee Boarts, Lloyd Daniel Borden, John Cabral, Harold Joseph Cardoza, Leyvone Carter, Calvin Chester Cearley, Jr., Kenneth Torno Chapman, Fredrick Arlen Cline, Mathew Larry Costa, Charles George Cross, Robert Clay Croxton, John Harold Deaver, Delbert Gollihar, Thomas Jeter, Robert Junge, Ronald Kesterson, Nick Kouretas, Robert Lea, Wayne Lee, Donald Linley, Michael Allen Luxford, Dennis McGirk, Leonard Moreno, Blair Machlan, Robert Morris, Barry Maurice Napoleon, Jerry Charles Quintana, Julian Rifo Ramirez, Lenvil Glen Richisen, Clayton Jack Riggins, David Murrie Robinson, Frank Saenz, Roy Snead Sebern, Joseph Phillip Serpa, Manuel V. Simas, Jr., Terry Stuva, Jerry Dean Sumner, Ronald Usher, Max Sigala, Carol Ellen Rogers, Patricia Diann Root, Marlene Cathryn Siebler, Judith Margaret Simms, June Carol Spencer, Charlene Louise Stille, and Arlene Marion Stormes.

On request of Mr. Lowrey, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Dorothy Pugh, teacher, Mrs. Antonio Martin, adult, and the following pupils of the Winters School: James Sobba, LeRoy Joerger, John Mathies, Jimmy West, Billy Ramos, Jerry Gimenez, Howard Draper, Richard Crites, Bill Hailey, Karl Chulick, Dwayne Wynes, Isabel Valadez, Martha McLaughlin, Tom Dote, Jimmy McCoey, Billy Moore, Peggy Bannister, Leila Arnold, Janet Martin, Janice Roberts, Barbara Redmill, Trini Ramos, Elena Martin, Claire Adams, Dorothy Felix, Jane Lopez, Patricia Salmon, Gary Tanner, and Janice Hornsby.

On request of Messrs. Hansen, Kelly, Brown (by unanimous consent) and Henderson, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Catherine Everett of Modesto and Chas. N. Whitmore of Ceres.

On request of Mr. Erwin, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Loyd Dancer and Mrs. Keenen of Puente.

On request of Mr. Dunn and the Alameda Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Cliff Wixson, former Assemblyman, and Harry Bartell, of Alameda.

On request of Mr. Burkhalter, the usual courtesies of the Assembly for this day were unanimously extended to Professor and Mrs. Merrick Riggle of North Hollywood.

On request of Mr. Meyers and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Adolph Schaunloeffel and Theodore Fischer of San Francisco and William Drowe of Sacramento.

On request of Mr. Cooke, the usual courtesies of the Assembly for this day were unanimously extended to James Reese and Lester Cook of San Diego.

On request of San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Edwin E. Pumala and Dan Rossi of San Diego.

ADJOURNMENT

At 3.25 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Thursday, May 3, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FIFTY-FIRST LEGISLATIVE DAY

SIXTY-NINTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, May 3, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Nicholson, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

O God, Father of Us All, We thank Thee for the wonders of Thy creation.

"God of the quiet mountain tops,
Dwell in my heart today.
I must go down to the city streets,
To the rush of the busy fray.
Speak in the cadence of my voice,
Shine through my happy eyes
Let the steady clasp of a friendly hand
Bring the peace of the mountain skies."

"The heavens declare the glory of God; and the firmament showeth His handywork. Day unto day uttereth speech, and night unto night showeth knowledge." Sunshine and rain, springtime and harvest, all belong to Thee.

In the beauty of this new day, show us the Beauty of Thy Holiness.

Grant this, we pray, through Jesus Christ, our Lord—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Hahn, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Davis, on motion of Mr. Lowrey.

Mr. Klocksiem, on motion of Mr. McGee.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Kilpatrick, on motion of Mr. Lowrey.

COMMUNICATIONS

By the Chief Clerk:

A communication from Martin Ostrow of Alhambra, relative to passing legislation which will accord law students, returned to the armed services of our Country just as they are ready to take bar examinations, certain merited consideration, was received, and ordered referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 911

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 188
Assembly Bill No. 1468

And reports the same correctly re-engrossed.

BURKE, Chairman

Assembly Bill No. 188 ordered to third reading.

Assembly Bill No. 1468 ordered to inactive file.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 54

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 126
Senate Bill No. 407
Senate Bill No. 408
Senate Bill No. 821
Senate Bill No. 1222

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 125
Assembly Bill No. 134
Assembly Bill No. 243
Assembly Bill No. 244
Assembly Bill No. 658
Assembly Bill No. 732
Assembly Bill No. 1586
Assembly Bill No. 1587
Assembly Bill No. 1653
Assembly Bill No. 3379

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning.

Senate Bill No. 1211—An act to amend Section 14254 of the Government Code, relating to state public works projects.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 627
Assembly Bill No. 900
Assembly Bill No. 1504
Assembly Bill No. 1532
Assembly Bill No. 1616
Assembly Bill No. 1641
Assembly Bill No. 1691
Assembly Bill No. 1977
Assembly Bill No. 2026
Assembly Bill No. 2142
Assembly Bill No. 2417
Assembly Bill No. 2794
Assembly Bill No. 2842
Assembly Bill No. 2857

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 48

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 48—Relative to Central Valley Project investigation and studies.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 184
Senate Bill No. 321
Senate Bill No. 364
Senate Bill No. 365
Senate Bill No. 609
Senate Bill No. 610
Senate Bill No. 645
Senate Bill No. 749

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 184—An act to amend Section 457 of the Education Code, relating to county school superintendents' salaries and qualifications in counties of its fifty-seventh class.

Referred to Committee on Education.

Senate Bill No. 321—An act to amend Sections 2601 and 2619 of the Elections Code, relating to declaration of candidacy.

Referred to Committee on Elections and Reapportionment.

Senate Bill No. 364—An act to amend Section 261b of the Code of Civil Procedure as added by Chapter 1039 of the Statutes of 1943, and to add Section 260 to said code, relating to court commissioners.

Referred to Committee on Judiciary.

Senate Bill No. 365—An act to amend Section 204a of the Code of Civil Procedure, relating to jury commissioners.

Referred to Committee on Judiciary.

Senate Bill No. 609—An act to amend Section 19578 of the Government Code, relating to disciplinary proceedings for state civil service employees.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 610—An act creating the Interim San Francisco Bay Ports Commission, describing its powers and duties, and making an appropriation therefor.

Referred to Committee on Boards and Commissions.

Senate Bill No. 645—An act to add Chapter 4.5 to Division 4 of the Water Code, relating to the alteration, diversion or deflection of streams.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 749—An act to amend Sections 13122 and 13144 of the Health and Safety Code, relating to the duties of the State Fire Marshal.

Referred to Committee on Public Utilities and Corporations.

REPORTS OF STANDING COMMITTEES

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 1789

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 2041
Assembly Bill No. 3098

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Senate Bill No. 409
Senate Bill No. 647

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 1807

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 1696
Assembly Bill No. 1871
Assembly Bill No. 2218
Assembly Bill No. 2892

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 1865
Assembly Bill No. 1864
Assembly Bill No. 2529

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bills ordered to third reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 2249
Assembly Bill No. 1290

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 867
Assembly Bill No. 2224
Assembly Bill No 2493
Assembly Bill No. 3199

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Senate Bill No. 92
Senate Bill No. 319
Senate Bill No. 901

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bills ordered to second reading.

Committee on Manufacturing, Oil, and Mining Industry

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Manufacturing, Oil, and Mining Industry, to which was referred:

Senate Bill No. 204

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

MORRIS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Manufacturing, Oil, and Mining Industry, to which was referred:

Senate Bill No. 205

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MORRIS, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Concurrent Resolution No. 51

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

RESOLUTIONS

The following resolutions were offered:

By Mr. Dickey:

House Resolution No. 132

Resolved by the Assembly of the State of California, That the Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly in favor of the Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same in the sum of thirty-eight hundred seventy-five dollars ($3,875), said amount being for the purchase of United States postage stamps to be used by the Members of the Assembly for official mail Due to the illness and death of Assemblyman George R. Butters, $75 in United States postage stamps purchased for him pursuant to House Resolutions Nos 55, 74, and 113 were not delivered to Mr. Butters and are now available for delivery to Members of the Assembly; therefore be it further

Resolved, That the Chief Clerk be and he is hereby directed to purchase postage stamps in such amounts and denominations not to exceed thirty-eight hundred seventy-five dollars ($3,875) in the aggregate as shall be necessary for use of the Members of

the Assembly for official mail, and he is authorized and directed to deliver the seventy-five dollars ($75) in United States postage stamps heretofore purchased for Mr Butters to the Members of the Assembly; and be it further

Resolved, That the amount of stamps requisitioned by any one Member of the Assembly for official mail shall not exceed the sum of fifty dollars ($50).

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 132, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—61.

NOES—None.

By Mr. Dickey:

House Resolution No. 133

Resolved by the Assembly of the State of California, That the State Controller be and he is hereby authorized and directed to draw his warrants on the Contingent Fund of the Assembly in favor of Arthur A. Ohnimus, Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, for the sum of one hundred fifty dollars ($150), said amount being for the payment of postage, telegraphing, expressage, and incidental expenses of the Chief Clerk's Office.

Request for Unanimous Consent

Mr Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 133, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—61.

NOES—None.

By Mr. Dickey:

House Resolution No. 134

Resolved, That the Controller be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same

Department of Finance (supplies)	$173 00
Department of Finance (pro-rata cost of telephone service)	161 13
Department of Finance (tolls)	1 80
Western Manufacturing Company (brief cases)	796 71

Request for Unanimous Consent

Mr Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 134, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—61.

NOES—None.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 2095—An act to amend Section 7f of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to traffic commissioner.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2097—An act to amend Section 7c of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to commissioners.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1005—An act to amend Section 2540 of the Elections Code, relating to parties qualified to participate in a primary election.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3341—An act to amend Section 690 of the Elections Code, relating to the compensation of members of the precinct boards.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3342—An act to add Section 5505.5 to the Elections Code, relating to polling places.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3075—An act to add Section 7610 to the Elections Code, relating to canvass of votes for judicial offices.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3421—An act making an appropriation for expenses of Members of the Assembly to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2096—An act to amend Section 7e of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to secretary and jury commissioner.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "nine", and insert "eight".

Amendment No. 2

On page 1, line 6, of the printed bill, after "hundred", insert "fifty".

Amendment No. 3

On page 1, line 7, of the printed bill, strike out "$900", and insert "$850".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 818—An act to amend Section 637.5 of the Agricultural Code, relating to milk products.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 4, of the printed bill, after the second "or", insert "market".

Amendment No. 2

On page 1, line 14, of said bill, after "manufacturer", insert "or distributor. It shall contain not less than 3.5 percent milk fat when made from market milk. It may contain less than 3.5 percent milk fat when made from market skim milk but in such case the container in which it is sold shall be so labeled."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1999—An act to amend Sections 353.10, 351.9, 357.1, and 357.2 of, and to add Sections 352 and 358 to, the Agricultural Code, relating to animals, including provisions relative to slaughter, hides, inspections, and meats thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 6, of the printed bill, after "shall", insert ", except in the case of a licensed slaughterer,".

Amendment No. 2

On page 1, line 7, of said bill, strike out "slaughterer", and insert "person who slaughtered such animals,".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2456—An act to repeal Section 1142, to amend Section 1143(a) and to add Sections 1142, 1142.1, 1142.2, 1142 3, and 1142.4 to the Agricultural Code, relating to processing of eggs and egg products, eggs shipped into California both from within the United States and from outside the United States; also relating to the inspection and certificates of egg products shipped into California.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "processing of eggs or egg prod-", and all of line 7, and insert "liquefying, freezing, dehydration or importing into this State of egg products".

Amendment No. 2

On page 1 of said bill, after the period in line 9, insert "The provisions of this section shall not apply to the cracking of eggs for immediate use by any bakery or restaurant."

Amendment No. 3

On page 1, line 11, of said bill, after "issue", insert "to each plant so engaged"

Amendment No. 4

On page 1, lines 21 and 22, of said bill, strike out "The floor shall be of waterproof construction, with a suitable drain."

Amendment No. 5

On page 2, line 39, of said bill, strike out "room".

Amendment No. 6

On page 2, line 40, of said bill, strike out "room", and insert "area shall be separate and apart and",

Amendment No. 7

On page 2, line 41, of said bill, strike out "hot and cold water and live steam" and insert "hot and cold running water. The hot water to be not less than 160° F."

Amendment No. 8

On page 2 of said bill, strike out lines 49 and 50, and insert "shall be provided for the prompt cooling or freezing of liquid egg products Liquid eggs intended for immediate sale or use shall be properly cooled and delivery made within 24 hours after cracking."

Amendment No. 9

On page 3 of said bill, strike out lines 1, 2, and 3.

Amendment No. 10

On page 3, line 19, of said bill, strike out "eggs", and insert "egg products".

Amendment No. 11

On page 3, line 18, of said bill, strike out "sumhitted", and insert "submitted".

Amendment No. 12

On page 3 of said bill, strike out lines 21, 22, and 23

Amendments read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 3416—An act to amend Sections 821.15 and 823 of the Agricultural Code, relating to apple containers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 2 of the title of the printed bill, after "containers", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 2 of said bill, after line 7, insert

"Apples of the Lady variety, regardless of the method of packing, may be placed in containers with a depth of 8¾ inches, width 10 inches and length 16 inches, all inside measurements.

SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Research and experiment has shown that containers of the dimensions provided for in this bill will greatly aid in the packing, loading, transporting, and marketing of apples. In order to permit the use of the containers herein provided for shipment of the current season's crop of apples, most of which will be marketed prior to the time this act would otherwise become effective, it is necessary that it take effect immediately."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 585—An act to amend Sections 1300.12, 1300.13, 1300.15, 1300.16, 1300.17, 1300.18, and 1300.19 of the Agricultural Code, relating to administration of the California Marketing Act of 1937 and the enforcement of marketing orders thereunder, declaring the urgency thereof to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on April 5, 1951, strike out "1300.18,".

Amendment No. 2

On page 21 of said bill, strike out lines 32 to 46, inclusive.

Amendment No. 3

On page 21, line 47, of said bill, strike out "7", and insert "6".

Amendment No. 4

On page 25 of said bill, strike out lines 1 to 50, inclusive, and insert

"(o) Any enforcing officer of the department in the discharge of his duties, if he has reason to believe that a lot of any agricultural commodity subject to a marketing order is not in compliance with the requirements of such marketing order, or of marketing rules and regulations issued pursuant thereto, as to size, pack, grade, other quality specifications, labeling or markings, may hold such lot for a reasonable period of time sufficient to enable such officer to ascertain whether such lot complies with such requirements, but in any event not to exceed 72 hours. Any such lot which is found not to be in compliance with such requirements is hereby declared to be a public nuisance, and may be held by the officer for an additional time, pending proceedings to condemn and abate such nuisance, as herein provided.

The officer may affix to any lot so held an official notice, warning tag or other appropriate marking, warning that the lot is held and stating the reasons therefor. It is unlawful for any person other than an authorized inspector or enforcing officer to detach, alter, deface or destroy any such official notice, warning tag or marking affixed to any lot or to remove or dispose of such lot in any manner or under conditions other than as prescribed in such notice, except upon written permission of an authorized enforcing officer or by order of court.

(p) If the director determines that any such lot is not in compliance with the requirements of the marketing order, he shall cause notice of noncompliance to be

served upon the person in possession of said lot, the owner if known, and upon any other person known to the director to claim an interest therein.

At the time of giving such notice of noncompliance the authorized inspector or enforcing officer shall grant a specified period of time within which said lot may be reconditioned or other deficiency corrected so as to bring said lot into compliance. If the owner elects not to recondition or otherwise correct the deficiency applicable to said lot within such specified period of time the director, with the consent of the owner, is hereby authorized to destroy any such lot, or otherwise to abate the nuisance.

If the owner fails or refuses either to recondition the lot or correct the deficiency applicable to said lot or to consent to the destruction or abatement thereof within such specified period of time, then the notice of noncompliance shall become effective and the director within a period of five (5) days from the date said notice of noncompliance becomes effective may file a petition in the proper court with an order to show cause returnable in five (5) days why the lot should not be abated; likewise, the owner or person in possession within the same period of time may file a petition in the proper court with an order to show cause returnable in five (5) days why said lot should not be released to petitioner and any warning tags previously affixed, removed therefrom, provided further that final determination by said court in either case shall be within a period of not to exceed twenty (20) days from the date said petition was filed

The court may order that the lot be reconditioned or any deficiency applicable to said lot corrected with the consent of the owner thereof.

Notice required to be given by this subdivision may be made by personal service or by registered mail addressed to the person to be served at his last known address."

Amendment No. 5

On page 26 of said bill, strike out lines 1 to 52, inclusive; and on page 27, strike out lines 1 to 24, inclusive.

Amendment No. 6

On page 27, line 30, of said bill, strike out "8", and insert "7".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2763—An act to amend Section 58 of, and to add Article 4 to Chapter 3 of Division 1 of the Agricultural Code, relating to agriculture.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on April 26, 1951, strike out ", and to add Article 4 to Chapter 3 of Division 1 of".

Amendment No. 2

On page 1 of said bill, strike out lines 14 to 26, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2665—An act to amend Section 5699 of the Elections Code, relating to casting of ballots.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

On page 1, line 19, of the printed bill, insert "such notice shall not be required unless the employee has been scheduled to work on election day for at least two days prior thereto."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1069—An act to amend Section 1 of an act entitled "An act to add Sections 48, 49, 50, 51, 132.6, 293 5, 296.5, 5901.5, 5904 5, 5931 6, 5932.5, 5935 5, 5936 5, 7801.5, and 7842.5 to the Elections Code, relating to elections, declaring the urgency thereof, to take effect immediately," approved October 4, 1950, and to add Sections 7964.1, 7970.5, 7971 5, and 7972.5 to the Elections Code, relating to elections.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

On page 2, line 7, of the printed bill, as amended in the Assembly on April 26, 1951, strike out "thirty-fourth", and insert "twenty-first".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1074—An act to add Section 49.5 to the Fish and Game Code, relating to hunting and fishing seasons.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 26, 1951, strike out "49.5", and insert "39.3".

Amendment No. 2

On page 1, line 1, of said bill, strike out "49.5", and insert "39.3".

Amendment No. 3

On page 2, line 1, of said bill, strike out "49.5", and insert "39.3".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1145—An act to amend Sections 26472, 26519, 26617, 26618, 26620, 26621, and to add Sections 26518.5, 26530, and to repeal Section 26622 of the Health and Safety Code, relating to adulterations of meat, inspection of foods, records of food manufacture and disclosing of official information by inspectors; also relating to quarantining of adulterated, misbranded, or falsely advertised foods.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on April 12, 1951, strike out "26621,".

Amendment No. 2

On page 2, line 24, of said bill, strike out "and nitrate of soda", and insert ", nitrite of soda and potassium nitrite".

Amendment No. 3

On page 3 of said bill, strike out lines 10 to 20, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2840—An act to amend Section 6535 of the Business and Professions Code, relating to barbers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 9, of the printed bill, strike out "nine", and insert "eighteen", and strike out "eight", and insert "forty"

Amendment No. 2

On page 1, line 10, of said bill, strike out "working day", and insert "week."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 866—An act to amend Sections 1184, 1184d, and 1184e of the Code of Civil Procedure, relating to mechanics liens.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "and 1184e", and insert "1184e, 1190.1, 1191.1, and 1192.1".

Amendment No. 2

In line 2 of the title of said bill, strike out "relating to mechanics' liens.", and insert "and to add Section 16009.5 to the Government Code, relating to mechanics' liens, and the service of notices and liens upon the State."

Amendment No. 3

On page 5 of said bill, after line 20, insert

"SEC. 4. Section 16009.5 is added to the Government Code, to read:

16009.5. Whenever under any provision of law service upon a State agency of any notice of mechanics' lien, withhold notice, or other notice or levy of distraint or lien is authorized, unless expressly exempted from the provisions of this section, such service to be effective must, in addition to any other requirements, be made on the state agency owing the obligation and not upon the State Controller

SEC. 5. Section 1190.1 of the Code of Civil Procedure is amended to read:

1190.1. (a) Any of the persons mentioned in Section 1181 and 1184.1 except the contractor, and all persons, firms, and corporations, excluding the contractor, performing work or furnishing materials, or both, upon any public improvement, including highways, streets, wagon roads, viaducts, or sewers, may at any time prior to the expiration of the period within which claims of lien must be filed for record, as prescribed by the provisions of Section 1193.1 of this code, give to the owner a notice that they have performed labor or furnished materials, or both, to the contractor or other person acting by the authority of the owner, or that they have agreed to do so, stating in general terms the kind of labor and materials and the name of the person to or for whom the same was done or furnished, or both, and the amount in value, as near as may be, of that already done or furnished, or both, and of the whole agreed to be done or furnished, or both, and any of said persons who shall on the written demand of the owner refuse to give such notice shall thereby deprive himself of the right to claim a lien under this chapter.

(b) Such notice must be verified by the claimant, or by some person acting in his behalf, and may be given by delivering the same to said owner personally, or by leaving it at his residence or place of business with some person in charge, or by delivering it to his architect, if any; provided, however, that in all cases in which said work is being done under a contract with the State, or with any public board, commission, or officer thereof, or with any political subdivision thereof, such notice must

be filed, within said time, in the office of the controller, auditor, or other public disbursing officer whose duty it is to make payments under the provisions of such contract or with the commissioner, managers, trustees, officers, board of supervisors, board of trustees, common council, or other body by whom the contract for the improvement was awarded. In the case of any contract of the State by or through the Department of Public Works, such notice must be filed with the Director of Public Works and not with the State Controller. *In the case of any contract of the State by or through any other state department, board, commission or officer, such notice must be filed with the head of such department, board, commission or state officer and not with the State Controller.* No such notice shall be invalid by reason of any defect in form, provided it is sufficient to inform the owner of the substantial matters herein provided for.

(c) Upon such notice being given it shall be lawful for the owner to withhold, and in the case of property which, for reasons of public policy or otherwise, is not subject to liens in this chapter provided for, the owner or person who contracted with the contractor shall withhold, from his contractor sufficient money, and bonds, where bonds are to be issued in lieu of money by the political subdivision which contracted for such work, due or that may become due to such contractor to answer such claim and any lien that may be filed therefor, including the reasonable costs of any litigation thereunder.

(d) In the event the moneys so withheld by the owner shall be insufficient to pay in full the valid demands of all the persons by whom such notices were given, the same shall be distributed among such persons in the same ratio that their respective claims bear to the aggregate of such valid demands. Such pro rata distribution of said moneys shall be made among the persons entitled to share therein without regard to the order of priority in which their respective notices may have been given or their respective actions, if any, commenced

(e) Any person who shall wilfully give a false notice of his claim to the owner or who shall wilfully include in his claim work or materials not performed upon or furnished for the property described in such notice shall forfeit all right to participate in the pro rata distribution of such moneys and all right to any lien under this chapter.

(f) Nothing in this article contained shall be construed to impair in any manner the right of any person by whom such notice has been given to recover from the contractor or his sureties any deficit that may remain unpaid after such pro rata distribution in an action upon the bond provided for by Section 4200 of the Government Code.

(g) The word "owner" as used in this section, includes the State, or any public board, commission, or officer thereof, or any political subdivision thereof, whether the said work be done by or under the direction of said State, public board, commission, or officer thereof, or any political subdivision thereof.

SEC. 6. Section 1191.1 of said code is amended to read:

1191.1. If the contractor, subcontractor, or other person against whom any claim is filed, as provided in the preceding section or as provided in Section 1192.1 of this code, shall dispute the correctness or validity of any claim so filed, it shall be lawful for the public agency, body, or disbursing officer concerned, at its or his discretion, to permit the contractor to whom said contract was awarded to deliver to such public agency, body, or officer a bond executed by some corporation authorized to issue surety bonds in this State, in a penal sum equal to one and one-fourth times the amount of said claim, which bond shall guarantee the payment of any sum which said claimant may recover on said claim together with his costs of suit in said action, if he shall recover therein, and upon filing of said bond by and with such agency, body, or officer, then such agency, body, or officer shall not withhold any moneys from such contractor on account of such claim. In the case of a contract with the State entered into by or through the Department of Public Works, the bond shall be filed with the Director of Public Works and not with the State Controller. *In the case of a contract with the State entered into by or through any other state department, board, commission or officer, the bond shall be filed with the head of such department, board, commission or officer and not with the State Controller.* The sureties upon said bond shall be jointly and severally liable to said claimant with the sureties upon the bond given in accordance with the provisions of Chapter 3, Division 5, Title 1 of the Government Code.

SEC. 7. Section 1192.1 of said code is amended to read:

1192.1. (a) Any materialman or person furnishing materials, provisions, provender, or other supplies used in, upon, for, or about the performance of work contracted to be executed or performed to which Chapter 3 of Division 5, Title 1 of the Government Code applies, or any person renting or hiring teams or implements or machinery for or contributing to the work to be done, or any person who performed work or labor upon the same or any person who supplies both work and materials, and whose claim has not been paid by the contractor or person to whom the contract has been awarded, or by the subcontractors of the contractor or person, may at any time prior to the expiration of the period within which claims of lien must be filed for record as prescribed by this section or by Section 1193.1 file with the public agency, body or officer by whom the contract was awarded, or with the controller, auditor, or other public disbursing officer whose duty it is to make payments under the provisions of such contract a verified statement of such claims, together with a statement that the same

have not been paid. *In case of a contract with the State entered into by or through any state department, board, commission or officer, such statement shall be filed with the head of such department, board, commission or officer and not with the State Controller.*

(b) Except as to contracts awarded under the State Contract Act, Chapter 3, Part 5, Division 3, Title 2 of the Government Code, within 10 days after the completion of any contract, structure, or work of improvement to which Chapter 3 of Division 5, Title 1 of the Government Code applies, or within 10 days after there has been a cessation from labor thereon for a period of 30 days, the State, or any public board, commission, or officer thereof, or any political subdivision thereof, may file for record in the office of the county recorder of the county or counties where the property is situated a notice setting forth the date when the same was completed or on which cessation from labor occurred, together with the name of the state or such public board, commission, or officer thereof, or such political subdivision thereof, and a description of the property or public work or structure sufficient for identification, and the name of the contractor or contractors, and the names of the sureties, if any. In the case of any contract awarded under the provisions of the State Contract Act, such notice, if filed, shall be filed within 10 days after acceptance of the project, and as to such contracts verified statements of claims may be filed within 30 days after the filing for record of such notice, or if such notice is not so filed, within 90 days after the acceptance of the project. The notice shall be verified by some officer of the State or some member of such board, commission, or officer thereof, or of such political subdivision thereof. If the notice is not so filed, the failure to do so has the same effect as is provided in Section 1193.1 with reference to the "owner."

(c) Actions against the State, public board, commission, or officer thereof, or the political subdivision of the State, or the disbursing officer whose duty it is to make payments under the provisions of the contract for the public improvement in question, brought by any claimant who has filed claim under this section, or his assign, shall be governed by the provisions of Sections 1190.1 and 1197.1 and the verified notice provided for in those sections is equivalent for all purposes to the verified claim provided for herein.

(d) No assignment by the contractor of the whole or any part of the money due him or to be due him under the contract, or for "extras" in connection therewith, whether made before a verified claim is filed as provided for herein or after the claim is filed, takes priority over claims filed under this section and such assignment has no binding force insofar as the rights of the claimants who file claims hereunder, or their assigns, are concerned.

(e) This section does not prohibit the payment of any money to the contractor to his assigns, so long as no verified claim is on file before the disbursing officer has actually surrendered possession of the warrant, checks, bonds, or money or the payment to the contractor or his assigns of any money due him or his assigns over and above the total amount of the claims filed at that time plus such interest and court costs as might be reasonably anticipated in connection with the claims.

(f) If the contractor, subcontractor, or other person against whom any claim is filed as provided in this section disputes the correctness or validity of any claim so filed, the controller, auditor, or other public disbursing officer whose duty it is to make payments under the provisions of such contract or the commissioner, managers, trustees, officers, board of supervisors, board of trustees, common council, or other body by whom the contract for the improvement was awarded, in its or his discretion, may permit the contractor to whom the contract was awarded to deliver to such board, commission, or officer a bond executed by some corporation authorized to issue surety bonds in the State of California, in a penal sum equal to one and one-fourth times the amount of the claim, which bond shall guarantee the payment of any sum which the claimant may recover on the claim together with his costs of suit in the action, if he recovers therein. *In case of a contract with the State entered into by or through any state department, board, commission or officer, the bond shall be delivered to the head of such department, board, commission or state officer and not to the State Controller.* Upon the filing of the bond by and with the consent of such board, commission or officer, then such board, commission or officer shall not withhold any moneys from the contractor on account of the claim. The sureties upon the bond are jointly and severally liable to the claimant with the sureties upon the contractor's bond given in accordance with Chapter 3 of Division 5, Title 1 of the Government Code.

SEC. 8. Sections 5, 6 and 7 of this act become operative only if Articles 1 to 4, inclusive, of Chapter 2 of Title 4, Part 3 of the Code of Civil Procedure are enacted by the Legislature at its 1951 Regular Session, in such case at the same time as said Articles 1 to 4, inclusive, of Chapter 2, Title 4, Part 3 of the Code of Civil Procedure takes effect, at which time Sections 1184, 1184d, and 1184e of the Code of Civil Procedure as amended by this act are repealed."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1408—An act providing for the constitution of municipal courts in Los Angeles County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

Strike out the title of the printed bill, and insert

"An act to amend Section 11 of the Municipal Court Act of 1925, relating to municipal courts."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 8, inclusive, and insert

"SECTION 1 Section 11 of the act cited in the title is amended to read:

Sec. 11. The municipal court in a city or city and county of the second and three-fourths class shall be constituted, and the judges, officers and attaches thereof shall receive compensation as follows:

(a) There shall be [two] *three* judges, each of whom shall receive [thirteen thousand five hundred dollars ($13,500) per annum, payable in equal monthly installments] *the same salary, and which salary shall be the same as now or hereafter provided*;

(b) The additional judge provided for in this act shall be appointed by the Governor within 30 days after the effective date of the act and shall serve until the election and qualification of his successor at the next general election;

[(b)] *(c)* There shall be one clerk, to be appointed by the judges of the court, who shall receive seven thousand two hundred dollars ($7,200) per annum, payable in equal monthly installments;

[(c)] *(d)* The clerk may appoint the following:

One chief deputy clerk, who shall receive a minimum salary of three hundred fifty-five dollars ($355) monthly, with annual increments of twenty dollars ($20), twenty dollars ($20), twenty-two dollars ($22), and twenty-three dollars ($23), to a maximum of four hundred forty dollars ($440) monthly;

Two deputy clerks, each of whom shall receive a minimum salary of three hundred three dollars ($303) monthly, with annual increments of sixteen dollars ($16), eighteen dollars ($18), eighteen dollars ($18), and twenty dollars ($20), to a maximum of three hundred seventy-five dollars ($375) monthly;

Two deputy clerks each of whom shall receive a minimum salary of two hundred *forty-six dollars ($246) monthly, with annual increments of thirteen dollars* ($13), fourteen dollars ($14), fifteen dollars ($15), and fifteen dollars ($15), to a maximum of three hundred three dollars ($303) monthly;

Two deputy clerks, each of whom shall receive a minimum salary of two hundred dollars ($200) monthly, with annual increments of eleven dollars ($11), ten dollars ($10), twelve dollars ($12), and thirteen dollars ($13), to a maximum of two hundred forty-six dollars ($246) monthly;

Six deputy clerks, each of whom shall receive a salary of one hundred eighty-one dollars ($181) monthly, with annual increments of nine dollars ($9), ten dollars ($10), eleven dollars ($11), and ten dollars ($10), to a maximum of two hundred twenty-one dollars ($221) monthly.

[(d)] *(e)* There shall be one marshal, to be appointed by the judges of the court, who shall receive a minimum salary of seven thousand two hundred dollars ($7,200) per annum, payable in equal monthly installments;

The marshal may appoint the following

One chief deputy marshal, who shall receive a minimum salary of three hundred fifty-five dollars ($355) monthly, with annual increments of twenty dollars ($20), twenty dollars ($20), twenty-two dollars ($22), and twenty-three dollars ($23), to a maximum of four hundred forty dollars ($440) monthly;

Two deputy marshals, each of whom shall receive a minimum salary of two hundred seventy-three dollars ($273) monthly, with annual increments of fifteen dollars ($15), fifteen dollars ($15), sixteen dollars ($16) and eighteen dollars ($18), to a maximum of three hundred thirty-seven dollars ($337) monthly;

Two deputy marshals, each of whom shall receive a minimum salary of two hundred fifty-nine dollars ($259) monthly, with annual increments of fourteen dollars,

($14), fifteen dollars ($15), fifteen dollars ($15) and sixteen dollars ($16), to a maximum of three hundred nineteen dollars ($319) monthly;

One deputy marshal, who shall receive a minimum salary of two hundred thirty-three dollars ($233) monthly with annual increments of thirteen dollars ($13), thirteen dollars ($13), fourteen dollars ($14), and fifteen dollars ($15), to a maximum of two hundred eighty-eight dollars ($288) dollars monthly;

One deputy marshal, who shall receive a minimum salary of two hundred twenty-one dollars ($221) monthly, with annual increments of twelve dollars ($12), thirteen dollars ($13), thirteen dollars ($13), and fourteen dollars ($14), to a maximum of two hundred seventy-three dollars ($273) monthly

Ten deputies (custodians) at the fee allowed by law for keeping property. The deputy marshals serving as custodians shall be paid only for their actual service as keepers of property taken under legal process and shall be paid out of the funds deposited by the parties to the action in which such services are rendered.

[(e)] *(f)* Persons employed in the service on the effective date of the amendment to this section shall receive credit for prior service in the justice's court, police court or municipal court of the city and in the sheriff's department or constabulary of the county, and shall receive, in addition to the minimum rate, the annual increments commensurate with years of prior service up to the maximum rate set. Changes of title created in establishing the municipal court shall not detract from said years of prior service.

[(f)] *(g)* The annual increments shall be dependent upon the employee maintaining the minimum efficiency rating designated by the appointing authority and at any time the efficiency rating falls below the minimum standard the appointing authority shall have the power to suspend all or any part of the annual increments."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1426—An act providing for the constitution of the municipal court in a district embracing the City of Sierra Madre, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "Sierra Madre", and insert "Pasadena".

Amendment No. 2

On page 1, line 2, of said bill, strike out "Sierra Madre", and insert "Pasadena".

Amendment No. 3

On page 1 of said bill, strike out lines 5 and 6, and insert

"(a) There shall be three judges, each of whom shall receive as compensation per annum, payable in equal".

Amendment No. 4

On page 1, line 7, of said bill, strike out the period, and insert ", a sum equal to fifteen hundred dollars ($1,500) less than the total annual compensation or salary now or hereafter prescribed by law for each of the judges of the Superior Court in and for the County of Los Angeles.

(b) There shall be one clerk, to be appointed by the judges of the court, who shall receive eight thousand dollars ($8,000) per annum, payable in equal monthly installments

(c) The clerk may appoint the following attaches, whose positions and compensation shall be as follows:

One chief deputy clerk, who shall receive a minimum salary of three hundred ninety-five dollars ($395) monthly, with annual increments of twenty-two dollars ($22), twenty-three dollars ($23), twenty-four dollars ($24), and twenty-five dollars ($25), to a maximum of four hundred eighty-nine dollars ($489) monthly;

Three deputy clerks who shall be court clerks, and each of whom shall receive a minimum salary of three hundred thirty-seven dollars ($337) monthly, with annual increments of eighteen dollars ($18), twenty dollars ($20), twenty dollars ($20), and twenty-two dollars ($22), to a maximum of four hundred seventeen dollars ($417) monthly;

Four deputy clerks, each of whom shall receive a minimum salary of three hundred three dollars ($303) monthly, with annual increments of sixteen dollars ($16), eighteen dollars $18), eighteen dollars ($18), and twenty dollars ($20), to a maximum of three hundred seventy-five dollars ($375) monthly;

Four deputy clerks, each of whom shall receive a minimum salary of two hundred eighty-eight dollars ($288) monthly, with annual increments of fifteen dollars ($15), sixteen dollars ($16), eighteen dollars ($18), and eighteen dollars ($18), to a maximum of three hundred fifty-five dollars ($355) monthly;

Four deputy clerks, each of whom shall receive a minimum salary of two hundred forty-six dollars ($246) monthly, with annual increments of thirteen dollars ($13), fourteen dollars ($14), fifteen dollars ($15), and fifteen dollars ($15), to a maximum of three hundred three dollars ($303) monthly;

Four deputy clerks, each of whom shall receive a minimum salary of two hundred twenty-one dollars ($221) monthly, with annual increments of twelve dollars ($12), thirteen dollars ($13), thirteen dollars ($13), and fourteen dollars ($14), to a maximum of two hundred seventy-three dollars ($273) monthly;

(d) There shall be one marshal to be appointed by the judges of the court who shall receive a salary of eight thousand dollars ($8,000 00) per annum, payable in equal monthly installments.

(e) The marshal may appoint the following:

One chief deputy marshal who shall receive a minimum salary of three hundred ninety-five dollars ($395) monthly, with annual increments of twenty-two dollars ($22), twenty-three dollars ($23), twenty-four dollars ($24), and twenty-five dollars ($25), to a maximum of four hundred eighty-nine dollars ($489) monthly;

Three deputy marshals, each of whom shall receive a minimum salary of three hundred three dollars ($303) monthly, with annual increments of sixteen dollars ($16), eighteen dollars ($18), eighteen-dollars ($18), and twenty dollars ($20), to a maximum of three hundred seventy-five dollars ($375) monthly;

Three deputy marshals, each of whom shall receive a minimum salary of two hundred eighty-eight dollars ($288) monthly, with annual increments of fifteen dollars ($15), sixteen dollars ($16), eighteen dollars ($18), and eighteen dollars ($18), to a maximum of three hundred fifty-five dollars ($355) monthly;

One deputy marshal who shall receive a minimum salary of two hundred fifty-nine dollars ($259) monthly, with annual increments of fourteen dollars ($14), fifteen dollars ($15), fifteen dollars ($15), and sixteen dollars ($16), to a maximum of three hundred nineteen dollars ($319) monthly;

Two deputy marshals, each of whom shall receive a minimum salary of two hundred forty-six dollars ($246) monthly, with annual increments of thirteen dollars ($13), fourteen dollars ($14), fifteen dollars ($15), and fifteen dollars ($15), to a maximum of three hundred three dollars ($303) monthly;

Ten deputy marshals (custodians) at the fee allowed by law for keeping property. The deputy marshals serving as custodians shall be paid only for their actual service as keepers of property taken under legal process and shall be paid out of the funds deposited by the parties to the action in which such services are rendered.

(f) Wherever a special assignment or branch of work is indicated herein for a particular deputy or position, the assignment so designated is not intended to be exclusive, but merely to designate the principal work incident to such deputy or position. *However, in order to equalize the work of the offices of the clerk and marshal, and* to render fast and efficient service to the public, it shall be the duty of each deputy clerk and each deputy marshal to perform such services in their respective offices, as may be directed by the clerk or marshal, whether the work so directed to be done be within the scope of the special designation or not

(g) One official reporter in such municipal court described in this section, appointed as provided in Sections 274c and 274d of the Code of Civil Procedure, shall be an attache of such court and in lieu of any other compensation provided by law for his services in reporting testimony and proceedings in such court, shall receive a salary of five hundred dollars ($500) per month, which shall be a charge against the general fund of the county.

In conformity with the provisions of Section 274c of the Code of Civil Procedure, the judges of such court may appoint as many additional reporters as the business of the court may require, who shall be known as official reporters pro tempore, and who shall serve without salary but shall receive the fees provided by Section 274 of the Code of Civil Procedure, except that in lieu of the per diem fees provided in said section for reporting testimony and proceedings, said official reporters pro tempore shall in all cases receive twenty dollars ($20) per day, which shall upon order of the court be a charge against the general fund of the said county

Fees for transcription of testimony and proceedings in such court shall be paid by the litigants to official reporters and otheral reporters pro tempore as otherwise provided by law In all cases where by law, the court may direct the payment of transcription fees out of the county treasury, such fees shall, upon order of the court, be paid from the general fund including fees for transcription of testimony and proceedings in criminal cases as provided in Section 274 of the Code of Civil Procedure which shall be paid from the county treasury.

Official reporters of such court shall be members of any retirement system maintained by the county in which they are employed. For the purpose of such retirement system the salary herein provided for such reporters shall be deemed their entire compensation.

(h) Persons employed in the service on the effective date of the amendment to this section shall receive credit for prior service in the justice's court, police court or municipal court of the city and in the sheriff's department or constabulary of the county, and shall receive, in addition to the minimum rate, the annual increments commensurate with years of prior service up to the maximum rate set. Changes of title created in establishing the municipal court shall not detract from said years of prior service.

(i) The annual increments shall be dependent upon the employee maintaining the minimum efficiency rating designated by the appointing authority and at any time the efficiency rating falls below the minimum standard the appointing authority shall have the power to suspend all or any part of the annual increments."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1432—An act providing for the constitution of the municipal court in a district embracing the City of Monrovia, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 5 to 7, inclusive, and insert

"(1) There shall be one judge who shall receive thirteen thousand five hundred dollars ($13,500) per annum, payable in equal monthly installments;

(2) There shall be one clerk who shall receive a minimum salary of three hundred fifty-five dollars ($355) monthly with annual increments of twenty five dollars ($25), twenty dollars ($20), twenty dollars ($20), and twenty dollars ($20) to a maximum of four hundred forty dollars ($440) monthly, and who may appoint the following

One deputy clerk who shall receive a minimum salary of two hundred fifty-nine dollars monthly with annual increments of fifteen dollars ($15), fifteen dollars ($15), fifteen dollars ($15), and fifteen dollars ($15) to a maximum of three hundred nineteen dollars ($319) monthly;

Two deputy clerks, each of whom shall receive a minimum salary of two hundred twenty-one dollars ($221) with annual increments of fifteen dollars ($15), fifteen dollars ($15), eleven dollars ($11), and eleven dollars ($11) to a maximum of two hundred seventy-three dollars ($273) monthly;

(2) There shall be one marshal who shall receive a minimum salary of three hundred nineteen dollars ($319) monthly with annual increments of twenty dollars ($20), twenty dollars ($20), eighteen dollars ($18), and eighteen dollars ($18) to a maximum of three hundred ninety-five dollars ($395) monthly, and who may appoint the following:

One deputy marshal who shall receive a minimum salary of two hundred seventy-three dollars ($273) monthly with annual increments of seventeen dollars ($17), seventeen dollars ($17), fifteen dollars ($15), and fifteen dollars ($15) to a maximum of three hundred thirty-seven dollars ($337) monthly,

One deputy marshal (clerk) who shall receive a minimum salary of two hundred eleven dollars ($211) monthly with annual increments of twelve dollars ($12), twelve dollars ($12), twelve dollars ($12), and twelve dollars ($12) to a maximum of two hundred fifty-nine dollars ($259) monthly;

Four deputies (custodians) at the fee allowed by law for the keeping of property.

(4) Persons who succeed to positions in the municipal court under provisions of the Municipal and Justice Court Act of 1949 shall receive credit for continuous prior service in superseded courts and in the sheriff's department or constabulary of the county, and shall receive, in addition to the minimum rate, the annual increments commensurate with such years of prior service up to the maximum rate set."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1433—An act providing for the constitution of the municipal court in a district embracing the City of Pomona, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 5 to 7, inclusive, and insert

"(1) There shall be one judge who shall receive thirteen thousand five hundred dollars ($13,500) per annum, payable in equal monthly installments;

(2) There shall be one clerk who shall receive a minimum salary of three hundred fifty-five dollars ($355) monthly with annual increments of twenty-five dollars ($25), twenty dollars ($20), twenty dollars ($20), and twenty dollars ($20) to a maximum of four hundred forty dollars ($440) monthly, and who may appoint the following:

One deputy clerk who shall receive a minimum salary of two hundred fifty-nine dollars ($259) monthly with annual increments of fifteen dollars ($15), fifteen dollars ($15), fifteen dollars ($15), and fifteen dollars ($15) to a maximum of three hundred nineteen dollars ($319) monthly;

One deputy clerk who shall receive a minimum salary of two hundred twenty-one dollars ($221) monthly, with annual increments of fifteen dollars ($15), fifteen dollars ($15), eleven dollars ($11), and eleven dollars ($11) to a maximum of two hundred seventy-three dollars ($273) monthly;

One deputy clerk who shall receive a minimum salary of two hundred dollars ($200) monthly with annual increments of twelve dollars ($12), twelve dollars ($12), eleven dollars ($11), and eleven dollars ($11) to a maximum of two hundred forty-six dollars ($246) monthly;

(3) There shall be one marshal who shall receive a minimum salary of three hundred nineteen dollars ($319) monthly with annual increments of twenty dollars ($20), twenty dollars ($20), eighteen dollars ($18), and eighteen dollars ($18) to a maximum of three hundred ninety-five dollars ($395) monthly, and who may appoint the following:

One deputy marshal who shall receive a minimum salary of two hundred seventy-three dollars ($273) monthly with annual increments of seventeen dollars ($17), seventeen dollars ($17), fifteen dollars ($15), and fifteen dollars to ($15) to a maximum of three hundred thirty-seven dollars ($337) monthly;

One deputy marshal (clerk) who shall receive a minimum salary of two hundred eleven dollars ($211) monthly with annual increments of twelve dollars ($12), twelve dollars ($12), twelve dollars ($12) and twelve dollars ($12) to a maximum of two hundred fifty-nine dollars ($259) monthly;

Three deputies (custodians) at the fee allowed by law for keeping property.

(4) Persons who succeed to positions in the municipal court under provisions of the Municipal and Justice Court Act of 1949 shall receive credit for continuous prior service in superseded courts and in the sheriff's department or constabulary of the county, and shall receive, in addition to the minimum rate, the annual increments commensurate with such years of prior service up to the maximum rate set"

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1436—An act providing for the constitution of the municipal court in a district embracing the City of Whittier, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 5 to 7, inclusive, and insert

"(1) There shall be two judges each of whom shall receive thirteen thousand five hundred dollars ($13,500) per annum, payable in equal monthly installments;

(2) There shall be one clerk who shall receive a minimum salary of three hundred fifty-five dollars ($355) monthly with annual increments of twenty-five dollars ($25), twenty dollars ($20), twenty dollars ($20), and twenty dollars ($20) to a maximum of four hundred forty dollars ($440) monthly and who may appoint the following:

One deputy clerk (bookkeeper and secretary) who shall receive a minimum salary of two hundred fifty-nine dollars ($259) monthly with annual increments of fifteen dollars ($15), fifteen dollars ($15), fifteen dollars ($15) and fifteen dollars ($15) to a maximum of three hundred nineteen dollars ($319) monthly;

Two deputy clerks, each of whom shall receive a minimum salary of two hundred twenty-one dollars ($221) monthly with annual increments of fifteen dollars ($15), fifteen dollars ($15), eleven dollars ($11) and eleven dollars ($11) to a maximum of two hundred seventy-three dollars ($273) monthly;

Two deputy clerks each of whom shall receive a minimum salary of two hundred dollars ($200) monthly with annual increments of twelve dollars ($12), twelve dollars ($12), twelve dollars ($12) and ten dollars ($10) to a maximum of two hundred forty-six dollars ($246) monthly;

(3) There shall be one marshal who shall receive a minimum salary of three hundred nineteen dollars ($319) with annual increments of twenty dollars ($20), twenty dollars ($20), twenty dollars ($20) and sixteen dollars ($16) to a maximum of three hundred ninety-five dollars ($395) monthly, and who may appoint the following:

One deputy marshal who shall receive a minimum salary of two hundred seventy-three dollars ($273) monthly with annual increments of nineteen dollars ($19), fifteen dollars ($15), fifteen dollars ($15) and fifteen dollars ($15) to a maximum of three hundred thirty-seven dollars ($337) monthly;

One deputy marshal (clerk) who shall receive a minimum salary of two hundred eleven dollars ($211) monthly with annual increments of fifteen dollars ($15), eleven dollars ($11), eleven dollars ($11) and eleven dollars ($11) to a maximum of two hundred fifty-nine dollars ($259) monthly;

Four deputies (custodians) at the fee allowed by law for the keeping of property;

(4) Persons who succeed to positions in the municipal court under provisions of the Municipal and Justice Court Act of 1949 shall receive credit for continuous prior service in superseded courts and in the sheriff's department or constabulary of the county, and shall receive, in addition to the minimum rate, the annual increments commensurate with such years of prior service, up to the maximum rate set."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1437—An act providing for the constitution of the municipal court in a district embracing the City of El Monte, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 5 to 7, inclusive, and insert

"(1) There shall be one judge who shall receive thirteen thousand five hundred dollars ($13,500) per annum, payable in equal monthly installments;

(2) There shall be one clerk who shall receive a minimum salary of three hundred fifty-five dollars ($355) monthly with annual increments of twenty-five dollars ($25), twenty dollars ($20), twenty dollars ($20), and twenty dollars ($20) to a maximum of four hundred forty dollars ($440) monthly and who may appoint the following:

One deputy clerk (bookkeeper and secretary) who shall receive a minimum salary of two hundred fifty-nine dollars ($259) monthly with annual increments of fifteen dollars ($15), fifteen dollars ($15), fifteen dollars ($15) and fifteen dollars ($15) to a maximum of three hundred nineteen dollars ($319) monthly;

Two deputy clerks, each of whom shall receive a minimum salary of two hundred twenty-one dollars ($221) monthly with annual increments of fifteen dollars ($15), fifteen dollars ($15), eleven dollars ($11) and eleven dollars ($11) to a maximum of two hundred seventy-three dollars ($273) monthly;

One deputy clerk who shall receive a minimum salary of two hundred dollars ($200) monthly with annual increments of twelve dollars ($12), twelve dollars ($12),

twelve dollars ($12) and ten dollars ($10) to a maximum of two hundred forty-six dollars ($246) monthly,

(3) There shall be one marshal who shall receive a minimum salary of three hundred nineteen dollars ($319) with annual increments of twenty dollars ($20), twenty dollars ($20), twenty dollars ($20) and sixteen dollars ($16) to a maximum of three hundred ninety-five dollars ($395) monthly, and who may appoint the following:

One deputy marshal who shall receive a minimum salary of two hundred seventy-three dollars ($273) monthly with annual increments of nineteen dollars ($19), fifteen dollars ($15), fifteen dollars ($15) and fifteen dollars ($15) to a maximum of three hundred thirty-seven dollars ($337) monthly;

One deputy marshal (clerk) who shall receive a minimum salary of two hundred eleven dollars ($211) monthly with annual increments of fifteen dollars ($15), eleven dollars ($11), eleven dollars ($11) and eleven dollars ($11) to a maximum of two hundred fifty-nine dollars ($259) monthly;

Four deputies (custodians) at the fee allowed by law for the keeping of property;

(4) Persons who succeed to positions in the municipal court under provisions of the Municipal and Justice Court Act of 1949 shall receive credit for continuous prior service in superseded courts and in the sheriff's department or constabulary of the county, and shall receive, in addition to the minimum rate, the annual increments commensurate with such years of prior service, up to the maximum rate set."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1440—An act providing for the constitution of the municipal court in a district embracing the Town of Belvedere, Los Angeles County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "Town of", and insert "Towns of East Los Angeles and".

Amendment No. 2

On page 1, line 2, of said bill, strike out "Town of", and insert "Towns of East Los Angeles and".

Amendment No. 3

On page 1 of said bill, strike out lines 5 to 7, inclusive, and insert

"(1) There shall be three judges each of whom shall receive thirteen thousand five hundred dollars ($13,500) per annum, payable in equal monthly installments;

(2) There shall be one clerk who shall receive a minimum salary of three hundred fifty-five dollars ($355) monthly with annual increments of twenty-five dollars ($25), twenty dollars ($20), twenty dollars ($20), and twenty dollars ($20) to a maximum of four hundred forty dollars ($440) monthly, and who may appoint the following:

One deputy clerk (bookkeeper and secretary) who shall receive a minimum salary of two hundred fifty-nine dollars ($259) monthly with annual increments of fifteen dollars ($15), fifteen dollars ($15), fifteen dollars ($15) and fifteen dollars ($15) to a maximum of three hundred nineteen dollars ($319) monthly;

Two deputy clerks, each of whom shall receive a minimum salary of two hundred twenty-one dollars ($221) monthly with annual increments of fifteen dollars ($15), fifteen dollars ($15), eleven dollars ($11) and eleven dollars ($11) to a maximum of two hundred seventy-three dollars ($273) monthly;

Three deputy clerks each of whom shall receive a minimum salary of two hundred dollars ($200) monthly with annual increments of twelve dollars ($12), twelve dollars ($12), twelve dollars ($12) and ten dollars ($10) to a maximum of two hundred forty-six dollars ($246) monthly;

(3) There shall be one marshal who shall receive a minimum salary of three hundred nineteen dollars ($319) monthly; with annual increments of twenty dollars ($20), twenty dollars ($20), twenty dollars ($20) and sixteen dollars ($16) to a maximum of three hundred ninety-five dollars ($395) monthly, and who may appoint the following:

One deputy marshal who shall receive a minimum salary of two hundred seventy-three dollars ($273) monthly with annual increments of nineteen dollars ($19),

fifteen dollars ($15), fifteen dollars ($15) and fifteen dollars ($15) to a maximum of three hundred thirty-seven dollars ($337) monthly;

One deputy marshal (clerk) who shall receive a minimum salary of two hundred eleven dollars ($211) monthly with annual increments of fifteen dollars ($15), eleven dollars ($11), eleven dollars ($11) and eleven dollars ($11) to a maximum of two hundred fifty-nine dollars ($259) monthly;

Four deputies (custodians) at the fee allowed by law for the keeping of property;

(4) Persons who succeed to positions in the municipal court under provisions of the Municipal and Justice Court Act of 1949 shall receive credit for continuous prior service in superseded courts and in the sheriff's department or constabulary of the county, and shall receive, in addition to the minimum rate, the annual increments commensurate with such years of prior service, up to the maximum rate set."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1443—An act providing for the constitution of the municipal court in a district embracing the City of Huntington Park, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "City of Huntington Park", and insert "Cities of Huntington Park and Bell".

Amendment No. 2

On page 1, line 2, of said bill, strike out "City of Huntington Park", and insert "Cities of Huntington Park and Bell".

Amendment No. 3

On page 1 of said bill, strike out lines 5 to 7, inclusive, and insert

"(1) There shall be three judges each of whom shall receive thirteen thousand five hundred dollars ($13,500) per annum, payable in equal monthly installments;

(2) There shall be one clerk who shall receive a minimum salary of three hundred fifty-five dollars ($355) monthly with annual increments of twenty-five dollars ($25), twenty dollars ($20), twenty dollars ($20), and twenty dollars ($20) to a maximum of four hundred forty dollars ($440) monthly, and who may appoint the following:

One deputy clerk (bookkeeper and secretary) who shall receive a minimum salary of two hundred fifty-nine dollars ($259) monthly with annual increments of fifteen dollars ($15), fifteen dollars ($15), fifteen dollars ($15) and fifteen dollars ($15) to a maximum of three hundred nineteen dollars ($319) monthly;

Two deputy clerks, each of whom shall receive a minimum salary of two hundred twenty-one dollars ($221) monthly with annual increments of fifteen dollars ($15), fifteen dollars ($15), eleven dollars ($11) and eleven dollars ($11) to a maximum of two hundred seventy-three dollars ($273) monthly;

Three deputy clerks each of whom shall receive a minimum salary of two hundred dollars ($200) monthly with annual increments of twelve dollars ($12), twelve dollars ($12), twelve dollars ($12) and ten dollars ($10) to a maximum of two hundred forty-six dollars ($246) monthly;

(3) There shall be one marshal who shall receive a minimum salary of three hundred nineteen dollars ($319) monthly with annual increments of twenty dollars ($20), twenty dollars ($20), twenty dollars ($20) and sixteen dollars ($16) to a maximum of three hundred ninety-five dollars ($395) monthly, and who may appoint the following:

One deputy marshal who shall receive a minimum salary of two hundred seventy-three dollars ($273) monthly with annual increments of nineteen dollars ($19), fifteen dollars ($15), fifteen dollars ($15) and fifteen dollars ($15) to a maximum of three hundred thirty-seven dollars ($337) monthly;

One deputy marshal (clerk) who shall receive a minimum salary of two hundred eleven dollars ($211) monthly with annual increments of fifteen dollars ($15), eleven dollars ($11), eleven dollars ($11) and eleven dollars ($11) to a maximum of two hundred fifty-nine dollars ($259) monthly;

Four deputies (custodians) at the fee allowed by law for the keeping of property;

(4) Persons who succeed to positions in the municipal court under provisions of the Municipal and Justice Court Act of 1949 shall receive credit for continuous prior service in superseded courts and in the sheriff's department or constabulary of the county, and shall receive, in addition to the minimum rate, the annual increments commensurate with such years of prior service, up to the maximum rate set."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 2111—An act to amend Section 7b of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to attaches in municipal courts in cities of the first and one-half class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 3, of the printed bill, after "Sec. 7b.", insert "The judges of the municipal court in cities of the first and one-half class shall appoint one marshal who shall receive a salary of nine hundred dollars ($900) per month."

Amendment No. 2

On page 1, line 8, of the printed bill, strike out "thirty-four dollars ($634)", and insert "dollars ($600)."

Amendment No. 3

On page 1, line 9, of the printed bill, insert "One deputy marshal (chief clerk) at four hundred seventy-five dollars ($475);".

Amendment No. 4

On page 1, line 13, of the printed bill, strike out "forty-six dollars ($546)", and insert "sixteen dollars ($516)."

Amendment No. 5

On page 1, line 16, of the printed bill, strike out "fifty-five dollars ($455)", and insert "forty dollars ($440)."

Amendment No. 6

On page 1, line 18, of the printed bill, strike out "Twenty", and insert "Nineteen."

Amendment No. 7

On page 2, line 2, of the printed bill, strike out "Sixty", and insert "Fifty-two," and strike out "(court officers)".

Amendment No. 8

On page 2 of the printed bill, strike out lines 13 to 27, inclusive, and insert

"Two deputy marshals (principal clerks and stenographers) at three hundred twenty-five dollars ($325);

Two deputy marshals (senior clerks) at two hundred ninety-eight dollars ($298);

Eight deputy marshals (senior clerks and stenographers) at two hundred sixty-eight dollars ($268);

Fourteen deputy marshals (clerks and stenographers) at two hundred eleven dollars ($211) first year of service, two hundred twenty-seven dollars ($227) second year of service, two hundred forty-three dollars ($243) third and each subsequent year of service;".

Amendment No. 9

On page 2 of the printed bill, strike out lines 37 to 43, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 2355—An act to add Section 450.5 to the Agricultural Code, relating to milk and dairy products.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "450.5 to", and insert "*635.1 and to amend Section 735.3 of*".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. Section 635.1 is added to the Agricultural Code, to read:

Sec. 635.1. Concentrated milk is market milk from which a considerable portion of the moisture has been removed. The labeling provisions of this division for market milk shall apply to concentrated milk. The composition and bacteria standards for concentrated milk shall be established by the director after hearing duly called and interested parties notified thereof.

SEC. 2. Section 735.3 of said code is amended to read.

Sec. 735.3. As used in this chapter:

(a) "Board" means any local control board created as herein authorized.

(b) "Fluid milk" means any and all whole milk that is produced in conformity with applicable health regulations for market milk of the place where such milk is consumed and for the purpose of this chapter fluid milk may be classified as follows:

Class 1 Any fluid milk or the cream therefrom that is supplied to consumers as market milk or market cream *or concentrated milk* or any combination of market milk and market cream, or any market milk which is not packaged in hermetically-sealed containers, or any other dairy product in which the use of market milk is required by the provisions of this code, or any fluid milk or the cream therefrom which is used in standardizing market milk.

Class 2 Any such milk or the cream derived therefrom, as cream is defined in this code, that is sold or disposed of by distributors in any form not included in Classes 1 or 3

Class 3 Any such milk or the cream derived therefrom, as cream is defined in this code, that is used by distributors in the manufacture of butter and cheese other than cottage cheese.

In the establishment of the minimum prices for one or more of the respective classes separate prices may be established for the milk fat contained in such milk or the skim milk contained in such milk or a combination of the milk fat and the skim milk contained in such milk.

In designating and prescribing or providing methods for designating and prescribing minimum price to be paid by distributors to producers for Classes 1, 2 or 3 fluid milk, the director may take into consideration the market price of all milk which may be used for the same purposes set forth in such respective classes.

(c) "Fluid cream" means cream as defined in this code, and any combination of cream and milk, or any fluid product of milk or cream sold under any trade name whatsoever, which is not packaged in hermetically-sealed containers and which contains more than 11 6 percent milk fat and conforms to the health and sanitary regulations of the place where sold or disposed of for human consumption

(d) "Dairy products" includes any product manufactured from milk or any derivative or product of milk

(e) "Producer" means any person who produces fluid milk from five or more cows or goats in conformity with the applicable health regulations of the place in which it is sold, and whose fluid milk or fluid cream is received or handled by any distributor. "Producer" includes any association of producers.

(f) "Distributor" means any person, whether or not such person is a producer or an association of producers, who purchases or handles fluid milk or fluid cream for sale, including brokers, agents, copartnerships, cooperative corporations and incorporated and unincorporated associations. The definition of "distributor" shall not include any of the following: (1) Any retail store that is not engaged in processing and packaging fluid milk or fluid cream, (2) any establishment where fluid milk or fluid cream is sold only for consumption on the premises, that is not engaged in

processing and packaging fluid milk or fluid cream, (3) any person owned or controlled by one or more retail stores, or owned or controlled by one or more establishments where fluid milk or fluid cream is sold for consumption on the premises which person is not actively and directly engaged in the processing and packaging of fluid milk or fluid cream, (4) any producer who delivers fluid milk or fluid cream only to a distributor

(ff) "Producer-distributor" means any person who is both a producer and a distributor of fluid milk or fluid cream. For the purposes of this chapter a producer-distributor shall be deemed to be a producer in any transaction involving the delivery of fluid milk or fluid cream produced by him to a distributor, and shall be deemed to be a distributor in any transaction involving the delivery of fluid milk or fluid cream to a person who is not a distributor as defined in this section.

(g) "Retail store" means any person or persons owning or operating a retail grocery store, restaurant, confectionery, or other similar business, where fluid milk or fluid cream is sold to the general public for consumption off the premises.

(h) "Marketing area" is any area within this State declared to be such in the manner prescribed in this chapter

(i) "Stabilization and marketing plan" means any plan formulated and made effective by the director within the legislative standards provided by this chapter and shall include, among other things, the establishing of prices to be paid by distributors for any or all of the various classes of fluid milk or fluid cream.

(j) "Consumer" means any person who purchases fluid milk, fluid cream or dairy products for consumption

(k) "Person" means any individual, firm, corporation, association or any other business unit."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

Assembly Bill No. 14—An act to amend Sections 2799, 2800, 2802, 2805, 2815, 2816, 2831, 2832, 2840, 2841, 2842, and 2843 of the Elections Code, relating to political parties, and including provisions relating to the selection, organization, meetings, and functions of state conventions and state and county central committees thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "2816," and insert "and 2816".

Amendment No. 2

Strike out line 2 of the title of said bill, and insert "of the Elections".

Amendment No. 3

In line 5 of the title of said bill, strike out "and county central".

Amendment No. 4

On page 4 of said bill, strike out lines 28 to 49, inclusive; and strike out pages 5 and 6, and insert

"SEC. 7. The first organization of state central committees pursuant to this act shall be in January, 1953, at which time, notwithstanding any provision of law to the contrary, each committee may or may not retain its chairman in office. Each officer other than chairman shall continue in office."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Elections and Reapportionment.

Assembly Bill No. 494—An act to add Section 5011 to the Elections Code, relating to offenses against candidates.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "injuring the reputation, or promoting the defeat," and insert "promoting the nomination, election or defeat of any candidate, publishes, displays or orally utters any matter falsely stating or falsely indicating that such candidate has the support of any certain person, party, committee, corporation, association, or organization"

Amendment No. 2

On page 1 of said bill, strike out lines 5 to 28, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Elections and Reapportionment.

Assembly Bill No. 3159—An act to amend Section 4802 of the Elections Code, relating to purity of elections.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "4802 of", and insert "4532 of, and to add Section 4532.5 to,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 26, inclusive; and strike out page 2, and insert

"SECTION 1. Section 4532 of the Elections Code is amended to read:

4532 All candidates for either nomination or election shall file their campaign statements [within fifteen days] *between the fifteenth and twenty-fifth days, inclusive,* after the election or primary.

SEC. 2 Section 4532.5 is added to said code, to read:

4532.5. Every person, including a committee treasurer, who makes any expenditure in one or more items, aggregating more than fifty dollars ($50), to promote the nomination or election of a candidate, other than by contribution directly to such candidate or his campaign committee, shall report such expenditure in detail to such candidate not later than the twelfth day after the election or primary"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Elections and Reapportionment.

Assembly Bill No. 1032—An act to amend Section 9550 of the Business and Professions Code, relating to operator in charge of cleaning, dyeing, spotting, and pressing establishments and schools.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health:

Amendment No. 1

On page 1 of the printed bill, strike out lines 10 to 12, inclusive, and insert "done. This section shall not be construed to prevent the temporary absence of a registered operator from the premises for any reasonable cause for a period of time not to exceed

24 hours, nor the temporary absence of such operator for a period of two calendar weeks for a cause beyond the control of such operator; provided that no registered operator shall be deemed to be in charge of more than one establishment at one time."

Amendment read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 1053—An act to add Article 5, Division 2, Part 9, consisting of Sections 2450 and 2450.1 to the Labor Code, relating to sanitary conditions on construction sites

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1 of the printed bill, strike out lines 8 and 9, and insert "struction job site."

Amendment No. 2

On page 1, line 15, of the printed bill, after the period, insert "With the approval of the enforcement agency other types of toilet facilities may be allowed."

Amendment No. 3

On page 1 of the printed bill, strike out lines 18 and 19, and insert

"*(c) For the purpose of this article the term construction site shall mean the location on which actual construction of a building is in progress*"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 1144—An act to amend Sections 28007 and 28010, of the Health and Safety Code, relating to retail outlets dealing in uninspected and inspected horsemeat.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "28007 and 28010", and insert "28000, 28004, 28007, 28010, and 28014".

Amendment No. 2

On page 1, line 1, of said bill, strike out "28007 is amended to read as follows:", and insert "28000 is amended to read as follows:

28000. As used in this chapter, horse meat shall mean the *cooked and/or* uncooked flesh of the horse and/or mule and/or burro or their by-products, *except that cooked horsemeat packaged in hermetically sealed containers is not included.*

SEC. 2. Section 28007 is amended to read as follows:".

Amendment No. 3

On page 1, line 5, of said bill, after "sign", insert "which reads "Horse meat not inspected. For animal consumption only." "

Amendment No. 4

On page 1, line 8, of said bill, strike out "which reads"; and strike out line 9, and insert a period.

Amendment No. 5

On page 2, line 4, of said bill, after "from", insert "uninspected".

Amendment No. 6

On page 2, line 14, of said bill, strike out "Sec 2", and insert "SEC. 3".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 7

On page 2 of said bill, after line 23, insert

"SEC. 4. Section 28014 of said code is amended to read

28014 Any person [whether] *who, as principal or agent,* [employer or employee, who shall] adulterate *s any* other meat[s] or meat food product[s] with horse meat , or [who shall fraudulently keep, offer for sale or sell as beef, meat, pork, lamb or mutton, which is so adulterated] *represents horse meat to be any other meat or meat food product*, shall be guilty of a felony punishable [upon conviction] by a fine of not less than ten thousand dollars ($10,000) or by imprisonment in the state prison for not less than *one year, or by both [such fine and imprisonment]*.

SEC. 5. Section 28004 of said code is amended to read

28004. Only inspected horse meat shall be sold or offered for sale for human consumption.

When horse meat is offered for sale for human consumption there shall be displayed prominently in connection therewith and immediately adjacent thereto a sign with letters not less than eight (8) inches in height and not less than three (3) inches in width, bearing the words "horse meat for human consumption."

The keeping for sale, offering for sale, or the sale of horse meat for human consumption shall only be from premises devoted exclusively to that purpose and nothing contained in this chapter shall be construed to permit the sale of horse meat for human consumption from premises where horse meat is sold for pet food. In any premises where horse meat is sold for pet food a sign shall be prominently displayed which reads, "horse meat sold here is for animal consumption only".

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 1148—An act to amend Sections 28230, 28250, and 28251 and to repeal Section 28190 of the Health and Safety Code to control the return of all bakery products and making provisions for enforcement of the Bakery Act by city and county health departments.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Sections 28230 28250, and 28251 and to repeal"; and strike out lines 2 to 5, inclusive, and insert "repeal and add Chapter 6 to Division 21 of the Health and Safety Code relating to bakeries and sanitary conditions therein and products thereof."

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

SEC. 1. Chapter 6 of Division 21 of the Health and Safety Code is repealed

SEC. 2. Chapter 6 is added to Division 21 of the Health and Safety Code to read:

CHAPTER 6. BAKERY SANITATION

28190. "Bakery" shall mean any building, room, premises, or location in which bakery products are manufactured, produced, compounded, baked, packed, wrapped, kept, or offered for sale; except that the term "bakery" shall not be construed to include any restaurant or other public eating place wherein any such bakery product is prepared to be used, and is used exclusively with meals served in or from such restaurant or other public eating place, or any grocery, meat market, distribution depot, or where bakery products are not baked or cooked

28191. "Bakery Products" shall mean edible food products, consisting of bread, pies, cakes, cookies, and doughnuts, which are composed of a combination of any of the following ingredients: Flour, sugar, milk, eggs, shortening, fruits, coloring, water or substitutes therefor, or other ingredients, which combination is then subjected to, or intended for, a baking or cooking process.

28192. "Baker" shall mean any person engaged directly or indirectly in the manufacture of bakery products.

28193. "Person" means any person, firm, association, organization, partnership, business trust, corporation or company.

28194. (1) "Health Officer" shall mean the authorized and duly appointed health officer of the State of California or of any county, city and/or city and county or their authorized representatives.

(2) Except for the construction or conversion of premises for baking or cooking purposes or as provided in this chapter, no county, city, and/or city and county shall enact or make any ordinance, law, resolution, rule, or order affecting the matters covered by this chapter.

(3) Nothing in this chapter shall be so construed as to prevent the local health department of any county, city, and city and/or county from making inspections for the purpose of enforcing this Act, and the rules and regulations promulgated by the said State Board of Public Health.

(4) The State Board of Public Health shall make such reasonable rules as may be necessary for carrying into effect the provisions of this chapter.

28195. Floors:

The floors of all rooms where bakery products are manufactured, prepared, compounded, baked, or stored shall be smooth, impermeable, and rodent proofed, and may be constructed of hard wood, tile, cement, or other impervious material. Areas which will be used or are used for processes which necessitate flushing or steaming of floors for thorough and efficient cleaning, or where liquids do or are apt to accumulate on floors, shall be impervious to moisture and sloped to adequate and sufficient floor drains.

28196. Walls and Ceilings:

The walls and ceilings of all rooms in which bakery products are prepared, processed, or stored or in which bakery utensils are washed, shall have a smooth and washable surface which shall be finished in a color sufficiently light to give adequate reflecting surface, and shall be rodent proofed.

28197. Lighting:

In all rooms in which bakery products are manufactured, prepared or in which utensils are washed, sufficient natural or artificial lighting shall be provided to produce an intensity of not less than ten (10) foot candles at thirty (30) inches from the floor. In rooms where bakery products are stored, lighting shall be provided to produce an intensity of not less than four (4) foot candles thirty (30) inches from the floor.

28198. Ventilation:

All baking or cooking units shall be properly ventilated to the outside air. All rooms in which bakery products are prepared, manufactured or stored, or in which utensils are washed shall be properly ventilated.

28199 Doors and Windows:

Except where other effective means are employed, screens shall be installed in all openings to prevent the entrance of flies, other insects, or rodents. Doors leading from processing rooms to the outside shall be self-closing, or kept closed except when in use.

28200 Water Supply:

Adequate and potable hot and cold running water shall be easily accessible to all rooms in which bakery products are processed or manufactured or in which utensils are washed.

28201 Premises, Construction, Utensils and Equipment:

The entire premises, including floors, walls, ceilings, fixtures, baking utensils, apparatus, devices, machines, counters, shelves, tables, refrigeration, and other parts of bakery building or facilities, equipment, etc., shall be so constructed and so located as to facilitate easy cleaning, and shall be kept clean and in sanitary condition, and free from vermin and rodents A metal sink of adequate size provided with metal drain boards, with hot and cold running water, shall be provided for the washing of pots, pans and other utensils No wood shall be used around a sink where it may become saturated or collect mold and/or grease. No receptacles shall be used for mixing any ingredients except those used exclusively for that purpose and which are so constructed as to be easily cleaned.

28202. Toilets:

1. Adequate and sufficient toilets shall be provided for each sex, and shall be separate and apart from any room or rooms where bakery products are produced, prepared, or handled When the total number of employees of both sexes does not exceed four (4), one toilet shall be considered adequate

2. Toilet rooms shall not open directly into any room where bakery products are prepared, produced, stored, or handled, or where utensils are washed or stored, and shall be provided with self-closing doors.

3. No toilet room shall be used for the storage of garments, food products, utensils or packaging and/or wrapping materials.

4. Toilets shall have separate ventilating flues or adequate windows to the outside air.

5. Lavatories shall be provided in toilet rooms or adjacent to toilet rooms which shall be provided with soap, hot and cold running water, and towels, and shall be maintained in a clean and sanitary condition. The use of common or community towels is hereby prohibited

6. Toilet room floors shall be of non-absorbent and impervious material.

28202 5. Garbage Containers:

Adequate and sufficient metal cans with tight-fitting lids shall be provided for the collection of rubbish and garbage. Such waste materials shall be removed daily and the cans shall be washed so as to be maintained in a clean condition, and shall be kept covered.

28203. Storage:

1. All flour, cereals, sugar, and other food ingredients shall be stored at least four (4) inches off the floor. All cartons, sacks and boxes used in the packaging of any bakery products shall be protected at all times from dust, dirt, flies and other forms of contamination. Closed containers shall be provided for the storage of flours, colors, and other ingredients.

2. No insecticide or other poisonous or deleterious substance shall be stored in any food preparation room nor in any room where food products are kept, stored or served, except in a separate cabinet provided for that purpose. Detergents and chemicals, other than food products and similar materials, shall be kept in distinctly labeled containers to reduce the possibility of being mistaken for foods. All insecticides and similar material shall be kept in properly labeled containers and such materials shall be so used as to prevent the contamination of food, food products, or food preparation surfaces or utensils.

28204. Clothing:

Employees while engaged in the work of baking, preparing, or producing bakery products shall wear clean, washable outer garments, shall wear adequate hair covering, and shall not expectorate or use tobacco in any form while so engaged. Rooms shall be provided for the changing and hanging of wearing apparel apart and separate from the work rooms, and shall be kept clean at all times.

28205. Washing Hands:

Before beginning the work of preparing, mixing or handling the ingredients used in baking, and immediately after visiting a toilet, every person shall wash his hands and arms thoroughly and rinse them in clean water. Appropriate notice to this effect shall be posted in each toilet and dressing room.

28205 5. Animals or Fowl:

No animal or fowl shall be kept or allowed in any bakery or other place where bread or other bakery product is produced or stored.

28206. Tables, Benches, etc.:

No employee or other person shall sit or lie, stand or walk, upon any table, bench, trough, shelf or other equipment which is intended for use with any dough or bakery product Nor shall any person sit, lie, walk or stand upon any ingredient, or raw material used in any bakery product.

28207. Disease:

No employee or other person affected with a disease or infection in a communicable or transmissable stage shall be permitted to work in any bakery or handle any of the products therein.

28208 Sleeping Quarters:

No room of any bakery or any room opening into any bakery room shall be used as sleeping or living rooms.

28209. Refrigeration:

The State Board of Public Health shall prescribe by regulation a method or methods of refrigeration for the proper storage of bakery products subject to bacterial contamination

28210 Receptacles:

The vehicles, boxes, baskets, and other receptacles in which bread, cake, pie, or other bakery products are transported shall be kept in a clean and sanitary condition at all times, and kept free from dust, flies, and other contamination All showcases, shelves, or other places where bakery products are sold shall be kept well covered, properly ventilated, well protected from dust and flies, and in a sweet, clean and sanitary condition at all times Boxes or other receptacles used by a retail store or selling place for the storing or receiving of bread and other bakery products before and after the store or selling place is open, shall be so constructed and placed as to be free from the contamination of streets, alleys, and sidewalks. Such boxes or receptacles shall be kept at least ten (10) inches above the surface of any sidewalk or ground level outside the store when in use prior to the opening or after the closing of the store. They shall be kept clean and sanitary. No bread shall be placed in them along with any article of food other than a bakery product.

28211. Bread Wrappings, Exemption Hearth Baked Loaves, Rolls and Other Bakery Products:

Every loaf of bread made or procured for the purpose of sale which is sold or offered for sale, except when sold directly by a manufacturer to the consumer, shall have a protective wrapping which shall bear a label which complies with the labeling requirements as stated in Article 3, Chapter 3, Division 21 of the Health and Safety Code. Hearth baked loaves and/or rolls, or other bakery products shall be considered properly wrapped if an open end bag of sufficient size is used, or in lieu of such wrapping, if such hearth baked loaves and/or rolls, or other bakery products are securely protected from dust, dirt and flies or other contamination.

28212. All products produced, prepared, packed, sold or offered for sale by or at any bakery shall comply with the provisions of Chapter 3, Division 21 of this code, otherwise known as the California Pure Foods Act. The enforcement of the provisions of this section relating to standards of identity and labeling shall be vested in the State Department of Public Health, Bureau Food and Drug Inspections.

28213. Inspection:

The health officer or his agents shall have free access at all reasonable hours for the purpose of examining and inspecting any bakery to determine compliance with the provisions of this chapter. If it is found that any bakery is being operated in violation of any provisions of this chapter, the health officer or his agent may report such facts to the district attorney of the county where the law is violated. As an alternative method of procedure, the health officer may notify the proprietor in writing, stating the particulars in which the bakery is not being properly conducted, and fixing a reasonable time in which the condition shall be remedied. If the requirements of the notice are not complied with, the health officer shall order the bakery closed and may take all necessary steps to enforce such order. If any person feels aggrieved by any order of the health officer, he may appeal to the superior court of the county in which the bakery is located within a period of 30 days from the date of the order.

28214. No person, baker or dealer shall directly or indirectly accept any return or make any exchange of bakery products other than bakery products so packed or sealed in a wrapper or container at the place or production as to fully protect the freshness and wholesomeness of the product and to protect it from contamination, adulteration, deterioration, and fraud in the channels of trade, and which remains in the original unbroken package in which it has been packed.

28215. Any person who violates any of the provisions of this chapter is guilty of a misdemeanor, and upon conviction shall be subject to a fine of not less than twenty-five dollars ($25) nor more than five hundred dollars ($500) or imprisonment in the county jail for a term not to exceed six months or by both such fine and imprisonment.

28216. The authority to promulgate regulations for the efficient enforcement of this chapter is vested in the State Board of Public Health. The board shall promulgate regulations only after giving appropriate notice to the baking industry and authorized and duly appointed health officers, stating the time and place for the hearing.

The regulation or regulations so promulgated shall become effective on a date fixed by the Board which date shall not be less than 90 days after the promulgation of the regulation. Such regulation may be amended or repealed in the same manner as is provided for its adoption. The violation of a regulation promulgated under this chapter shall be deemed to be a violation of this chapter.

28217. Nothing contained in this chapter shall be deemed to prevent or prohibit any local enforcement agency from requiring any license or permit for any bakery or distributor of bakery products to engage in any activity as covered by this chapter.

28218. The sections contained in Chapter 6 of Division 21 of the Health and Safety Code may be known as the California Uniform Bakery Sanitation Act."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 23, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 1579—An act to amend Section 4032 of the Business and Professions Code, relating to the sale of drugs, chemicals and medicines.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1 of the printed bill, strike out lines 20 to 23, inclusive, and insert

"(b) This chapter does not apply to the sale of any intravenous solution of 150 cubic centimeters or over; cold sterilizing solutions; sterilized sutures; hypodermic needles and syringes; sterile distilled water, United States Pharmacopoeia, sterile normal saline solution; laboratory chemicals and reagents; stains and dyes; chemicals and drugs used as indicators in diagnostic and xray examinations; soaps, detergents, and tincture of green soap, United States Pharmacopoeia; medicinal gases; ether, chloroform and ethyl chloride; injectable anaesthetics of the procaine series; sulfa creams, ointments, and jellies used for introduction into the vaginal tract; and medicated dressings; where such sale is made to any of the following ".

Amendment No. 2

On page 2 of said bill, strike out lines 6 to 16, inclusive.

Amendment No. 3

On page 2, line 17, of said bill, strike out "8", and insert "3".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 2011—An act to add Chapter 5.6, comprising Sections 2600 to 2640, inclusive, to Division 2 of the Business and Professions Code, and to amend Section 11501 of the Government Code, relating to the practice of physical therapy, schools of physical therapy, and the registration of physical therapists, creating the Board of Physical Therapy Examiners and declaring the powers and duties of such board and prescribing penalties for violations hereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "5 6, comprising Sections 2600 to 2640", and insert "5.7, comprising Sections 2650 to 2694".

Amendment No. 2

In the title of said bill, strike out line 3, and insert "Code,".

Amendment No. 3

In line 5 of the title of said bill, strike out "registration", and insert "licensing".

Amendment No. 4

In lines 6 and 7 of the title of said bill, strike out "creating the Board of Physical Therapy Examiners and declaring the powers and duties of such board".

Amendment No. 5

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Chapter 5 7 comprising Sections 2650 to 2694 inclusive, is added to Division 2, of the Business and Professions Code to read as follows:

CHAPTER 5.7 PHYSICAL THERAPY

Article 1. Administration

2650. "Board" as used in this chapter means the Board of Medical Examiners of the State of California which shall enforce and administer the provisions of this chapter.

2651. There is hereby created within the jurisdiction of the board, a Physical Therapy Examining Committee, hereinafter referred to as the Examining Committee.

2652. The members of the Examining Committee shall be the following: A physician and surgeon duly licensed by the board, but not a member of the board; three

physical therapists, and the first three appointed shall have practiced physical therapy for five years and those appointed thereafter shall have practiced physical therapy for five years and shall be licensed by the board.

2653. The members of the Examining Committee shall be appointed by the Governor, from a list submitted by the board, for a term of three years. The terms of the members first appointed under this chapter shall expire as follows: one on January 15, 1952; one on January 15, 1953; one on January 15, 1954; one on January 15, 1955.

No person may serve as a member of the Examining Committee for more than two consecutive terms.

2654. It shall be the duty of the Examining Committee to examine applicants for a license as provided by this chapter, at such places and at such times as shall be designated by the board in its discretion. It may employ licensed physical therapists to aid it in such examination. The examination shall embrace the following subjects: anatomy, pathology, physiology, psychology, physics, electrotherapy, radiation therapy, hydrotherapy, massage, therapeutic exercise, physical therapy as applied to medicine, neurology, orthopedics, surgery, psychiatry, and technical procedures in the practice of physical therapy.

2655. Each member of the Examining Committee shall receive the sum of twenty-five dollars ($25) per diem for each day spent in the discharge of official duties. In addition, each member shall be reimbursed for his necessary travel and other expenses incurred in the performance of his official duties.

2656. The board may employ, subject to law, such inspectors, special agents, investigators, clerical assistants and other employees as it may deem necessary to carry out its powers and duties.

2657. The procedure in all matters and proceedings relating to the denial, suspension, or revocation of licenses under this chapter shall be governed by the provisions of Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code of the State of California.

2658. The board shall have power to issue, suspend, and revoke licenses to practice physical therapy as herein provided.

2659. On or before the first day of January of each year the board shall transmit to the Governor a full and true report of all its receipts and disbursements.

Article 2. General Provisions.

2660. The term "physical therapy" shall mean the treatment of any bodily or mental condition of any person by the use of the physical, chemical, and other properties of heat, light, water, electricity, massage, and active, passive, and resistive exercise, and the application of iontophoresis only when such application has been prescribed by a physician and surgeon. The use of roentgen rays and radium, for diagnostic and therapeutic purposes, and the use of electricity for surgical purposes, including cauterization, are not authorized under the term "physical therapy" as used herein, and a license issued hereunder shall not authorize the diagnosis of disease.

2661. "Physical therapist" or "physiotherapist" or "physical therapy technician" shall mean a person who practices physical therapy. For all purposes of this chapter the term "physical therapy" and "physiotherapy" shall be deemed identical and interchangeable.

Article 3. Licensing of Practitioners

2665. One year from the effective date of this act, no person not licensed under this chapter shall practice physical therapy in this State for compensation received or expected; provided, however, that this prohibition shall not apply to any of the following:

(a) Any activities authorized by their licenses on the part of any persons licensed under this code;

(b) Registered physical therapists;

(c) The practice of physical therapy procedures by registered nurses when such practice is incidental to their conventional nursing duties and is performed under the direct orders and supervision of a person licensed in one of the healing arts;

(d) Any activities of nonregistered nurses permitted by Section 2731 of this code;

(e) Any person employed by any agency, bureau or division of the Government of the United States, while performing the duties of such employment;

(f) The demonstration of any physical therapy equipment by a salesman or merchant engaged in selling such equipment;

(g) The administration of massage, external baths or normal exercise.

2666. All licenses for the practice of physical therapy in this State shall be issued by the board and all applications for such licenses shall be filed with the board.

Each application shall be accompanied by a fee of twenty-five dollars ($25), shall be signed by the applicant, and shall contain a statement under oath of the facts entitling the applicant to receive a license without examination or to take an examination.

2667. A person holding a license as a physical therapist issued by the board may use the title "licensed physical therapist" or the letters "L.P.T.," or any other words, letters or figures which indicate that the person using same is a California licensed

physical therapist. No other person shall be so designated or shall use the term licensed physical therapist, licensed physiotherapist or licensed physical therapy technician. The license as a physical therapist shall not authorize the use of the prefix "Dr.," the word "doctor," or any suffix or affix indicating or implying that the licensed person is a doctor or a physician or surgeon.

2668. The following persons shall be entitled to receive licenses under this chapter without examination and without compliance with Section 2680 of this code; provided, they comply with the requirements of Section 2670 and file their applications on or before one year from the effective date of this act:

(a) All persons who have administered physical therapy as commissioned or noncommissioned officers, or both, in the Medical Corps of the United States Army or in the Medical Service Corps of the United States Navy for a period of one year or more within the last three years prior to the effective date of this act.

(b) All persons who for a period of one year or more within the last three years prior to the effective date of this act have been applying to human patients in this State the following modalities, to wit: electrotherapy, light therapy, hydrotherapy, and therapeutic exercise.

(c) All persons who have been residents of this State for a period of one year or more immediately prior to the effective date of this act, and who were enrolled as resident students of physical therapy on or before the effective date of this act, in a school, college or department of physical therapy which requires for graduation a resident course of at least "750" hours and who graduate therefrom on or before October 31, 1952.

2669. The Examining Committee shall have full authority to investigate each and every applicant for a license without examination or who take an examination, before a license is issued, in order to determine whether or not such applicant has in fact the qualifications required by this chapter

2670. Every applicant for a license under this chapter must at the time of application be a resident of this State and a person over 21 years of age, of good moral character, not addicted to the intemperate use of alcohol or any narcotic drug; and every person applying for a license under this chapter otherwise than under the provisions of Section 2668 must, in addition, have successfully completed courses of training equivalent to the minimum standard established in this chapter for approval by the board.

2671. Except as provided in Section 2668 of this code no person shall receive a license under this chapter without first successfully passing an examination given under the direction of the Examining Committee Such examination must be in writing and shall be conducted by such persons and in such manner and under such rules and regulations as shall be prescribed by the Examining Committee but must be so conducted that the identity of each applicant taking an examination will be unknown to all of the examiners until all of the papers have been graded.

2672. Every applicant who is otherwise qualified as provided in this chapter and who receives an average grade of 75 percent and does not receive grades below 65 percent in any two subjects shall be granted a license.

2673. Any applicant who fails to pass the examination given by the Examining Committee may take another examination in the subjects in which he failed without payment of an additional application fee, but must be so re-examined not less than six months or more than 12 months after the unsuccessful examination. Upon failure of an applicant to pass a second examination the board may require him to complete additional courses of study designated by the board, in which case he shall be required before taking another examination to present to the board satisfactory evidence of having completed the required additional courses and shall pay an additional fee equal to the fee required for filing the original application.

2674. Licenses issued under this chapter shall be valid unless sooner revoked or suspended, for the current calendar year in which issued and shall expire on December 31st of such year but shall be renewable upon payment of a renewal fee of five dollars ($5) not later than February 15th of any such succeeding year. Failure to pay the renewal fee within the prescribed time shall result in the automatic forfeiture of the license.

2675. On or before November 1st of each year the executive secretary of the board shall mail to each licensee hereunder, at the latest address furnished by such licensee to such secretary, a notice that the renewal fee, stating the amount, will be due on or before December 31st of the then current year and that failure to pay the fee by February 15th of the following year will result in forfeiture of the license.

Article 4 Educational Standards.

2680 Except as otherwise provided in this chapter all applicants for licenses under this chapter must meet one of the following qualifications.

(a) Graduation from a school of nursing approved by the Board of Nurses Examiners of the State of California;

(b) Graduation from a school of physical education;

(c) Two years of college training in an accredited school or accredited schools including courses in biological and physical sciences; and in addition all applicants shall have successfully completed, in schools approved by the Board, and conducted

under the supervision of a physician and surgeon licensed under the board, or approved by the board, courses of instruction equivalent to the following minimum standards:

A course of not less than 1,200 hours (reasonably distributed), provided that the minimum length of full time training shall be 36 weeks, and including the following subjects taught by instructors having the following qualifications:

Subject	*Qualification of instructors*
(a) Applied sciences Anatomy Pathology Physiology Psychology Physics, correlated with other subjects	Physician and surgeon or other instructor qualified in specialty
(b) Procedures Electrotherapy Radiation therapy (not including X-Ray or Radium therapy Hydrotherapy Massage Therapeutic Exercise	Licensed or registered physical therapist
(c) Physical Therapy as applied to Medicine Neurology Orthopedics Surgery Psychiatry	For theory, physician and surgeon or other instructor qualified in specialty. For practice, licensed or registered physical therapist
(d) Ethics and Administration	Licensed or registered physical therapist
(e) Electives	Licensed or registered physical therapist
(f) Clinical practice	A physician and surgeon and a licensed or registered physical therapist.

2681. All schools whether situated in this State or not, furnishing courses of study meeting the minimum standard required by Section 2680 of the code shall be approved by the board and shall be entitled to compel such approval, if the same is denied, by action in the superior court of the State of California, the procedure and power of the court in which action shall be the same as provided in Section 2173 of this code.

Article 5 Suspension, Revocation and Reinstatement of License

2685. The board shall have the power in its discretion, after appropriate proceedings under the Administrative Procedure Act, to suspend for not more than 12 months or to revoke any license issued under this chapter for any of the following causes

(a) Advertising in violation of Section 2691 of this code;
(b) Fraud in the procurement of any license under this chapter;
(c) Procuring or aiding or offering to procure or aid in criminal abortion;
(d) Conviction of a felony or other crime involving moral turpitude;
(e) Impersonating or acting as a proxy for an applicant in any examination given under this chapter;
(f) Habitual intemperance;
(g) Addiction to the excessive use of any habit-forming drug;
(h) Insanity.

2686 Any license forfeited under this chapter for failure of the license holder to pay a renewal fee may be reinstated by the board at any time on payment of a reinstatement fee of twenty-five dollars ($25)

2687 Any license revoked by the board for cause may be reinstated by the board, in its discretion, after one year, upon payment of a reinstatement fee of twenty-five dollars ($25).

Article 6. Offenses and Enforcement

2690 Any person who violates any of the provisions of this chapter shall be guilty of a misdemeanor, punishable by a fine not exceeding five hundred dollars ($500) or imprisonment in a county jail not exceeding six months, or by both.

2691 No holder of a license issued under this chapter shall advertise for patients, but the use of professional cards professional announcements, reasonable window signs and reasonable office signs designed for the identification of the certificate holder and his office shall not be deemed advertising. The board shall have power to make reasonable rules and regulations concerning the application of this section

Article 7. Fiscal Administration.

2692 The board shall keep a record of its proceedings under this chapter, and a register of all persons licensed under it. The register shall show the name of every

living licensee, his last known place of residence, and the date and number of his license as a licensed physical therapist. The board shall, during the month of March of every year in which the renewal of license is required, compile a list of licensed physical therapists authorized to practice physical therapy in the State. Any interested person in the State is entitled to obtain a copy of that list upon application to the board and payment of such amount as may be fixed by the board, which amount shall not exceed the cost of the list so furnished

2693. Within 10 days after the beginning of each calendar month the board shall report to the State Controller the amount and source of all collections made under the provisions of this chapter and at the same time pay all such sums into the State Treasury, where they shall be credited to the Physical Therapy Fund, which is hereby created.

2694. There is established in the State Treasury the Physical Therapy Fund. All collections under this chapter shall be paid by the board into such fund after report to the State Controller at the beginning of each month of the amount and source of the collections. All money in the Physical Therapy Fund is appropriated to carry out the purposes of this chapter.

SEC. 2. If any section, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act and each section, sentence, clause and phrase hereof irrespective of the fact that any one or more sections, sentences, clauses or phrases be declared unconstitutional."

Amendment No. 6

On page 1 of said bill, strike out lines 2 to 20, inclusive.

Amendment No. 7

Strike out pages 2 to 11, inclusive, of said bill

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 2252—An act to amend Sections 29001, 29007, 29012, 29014, 29020, and 29021 of, and to add Sections 29003.5 and 29003.6 to, the Health and Safety Code, relating to dangerous drugs.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on April 9, 1951, strike out line 9.

Amendment No. 2

On page 2, line 10, of said bill, strike "(l)", and insert "(k)".

Amendment No. 3

On page 2, line 12, of said bill, strike out "(m)", and insert "(l)".

Amendment No. 4

On page 2, line 14, of said bill, after "ounce", insert ", and except estrogenic and androgenic preparations designed for the purpose of treating animals (other than man) or poultry and so labeled".

Amendment No. 5

On page 3, line 38, of said bill, strike out "chapter", and insert "division".

Amendment No. 6

On page 3, line 40, of said bill, strike out "administering", and insert "who administers".

Amendment No. 7

On page 3 of said bill, strike out line 45, and insert "stating"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 3051—An act to add Sections 2160.1 and 3052 to the Welfare and Institutions Code, relating to eligibility for public assistance, including aid to the aged and aid to the needy blind.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 12, inclusive, and insert "2160.1. Any assignment or transfer of property in violation of subsection (g) of Section 2160 of this code results in ineligibility for a period of time, the duration of which shall be based upon the period that a reasonable return for the grantor's equity in the property, had it been sold, would have supported the grantor and those dependent upon him."

Amendment No. 2

On page 1, lines 16 to 23, inclusive, of said bill, strike out "Any assignment or transfer of property made without consideration or for a consideration less than the fair market value of the property at the time the assignment or transfer was made shall be considered to have been made for the purpose of qualifying for aid under this chapter if the person making the assignment or transfer applies for aid under this chapter within three years after making the assignment or transfer.", and insert "Any such assignment or transfer of property results in ineligibility for a period of time, the duration of which shall be based upon the period that a reasonable return for the grantor's equity in the property, had it been sold, would have supported the grantor and those dependent upon him."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Social Welfare.

Assembly Bill No. 3058—An act to add Section 1511.1, relating to supervision of grants of aid to needy children.

Bill read second time

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 11, inclusive, and insert "1511.1. Wilful application of funds received by the custo-".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Social Welfare.

SECOND READING OF SENATE BILLS

Senate Bill No. 1450—An act to amend Section 1145 of the Agricultural Code, relating to imported egg products.

Bill read second time, and ordered to third reading.

Senate Bill No. 129—An act to add Section 212 to the Health and Safety Code, relating to the powers and duties of the State Department of Public Health, in respect to standards for public medical institutions.

Bill read second time, and ordered to third reading.

Senate Bill No. 357—An act to add Section 15256 to the Health and Safety Code, relating to housing.

Bill read second time, and ordered to third reading

Senate Bill No. 623—An act to amend Sections 9530 and 9590 of, and add Section 9598 to the State Board of Dry Cleaners and to, the Business and Professions Code, relating to the enforcement of cleaning, dyeing and pressing regulations

Bill read second time, and ordered to third reading.

Senate Bill No. 806—An act to amend Sections 7330, 7373, and 7382 of the Business and Professions Code, relating to the practice of cosmetology.

Bill read second time, and ordered to third reading.

Senate Bill No. 974—An act to amend Section 7300 of the Health and Safety Code, relating to embalming.

Bill read second time, and ordered to third reading.

Senate Bill No. 1668—An act to amend Sections 803.5 and 828.85 of the Agricultural Code, relating to nectarines.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

On page 3, line 2, of the printed bill, as amended in the Senate on April 23, 1951, after "inches", insert "(d) Depth inside, 9¾ inches; width inside, 11 inches; length inside, 20⅝ inches."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 805—An act to amend Section 7303 of the Business and Professions Code, relating to the State Board of Cosmetology.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 6 of the printed bill, as amended in the Senate on April 2, 1951, strike out "succeed himself", and insert "serve as a member of the board for more than two consecutive terms."

Amendment No. 2

Strike out lines 14 and 15 of said bill, and insert "Vacancies occurring shall be filled by appointment within 60 days, and vacancies occurring during a term shall be filled for the unexpired term"

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1186—An act to amend Section 7a of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks, and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to attaches in municipal courts in cities of the first and one-half class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on April 20, 1951, strike out lines 5, 6, and 7, and insert "a salary of nine hundred dollars ($900) a month, and one referee who shall receive a salary of six hundred twenty-five dollars ($625) a month The clerk of the municipal court in cities"

Amendment No. 2

On page 1, lines 12 and 13, of said bill, strike out "six hundred dollars ($600)", and insert "six hundred twenty-five dollars ($625)".

Amendment No. 3

On page 1, lines 14 and 15, of said bill, strike out "six hundred dollars ($600)", and insert "six hundred twenty-five dollars ($625)".

Amendment No. 4

On page 1, lines 16 and 17, of said bill, strike out "six hundred dollars ($600)", and insert "six hundred twenty-five dollars ($625)"

Amendment No. 5

On page 1, lines 18 and 19, of said bill, strike out "six hundred dollars ($600)", and insert "six hundred twenty-five dollars ($625)".

Amendment No. 6

On page 1 of said bill, after line 19, insert
"One deputy clerk (referee), six hundred twenty-five dollars ($625)"

Amendments read and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

Senate Bill No. 802—An act to amend Sections 4011, 4013, 4036, 4048, 4162, and 4031 of, and add Sections 4034 and 4034.1 to, the Business and Professions Code, relating to pharmaceutical preparations, medicines, and poisons.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In the title of the printed bill, as amended in the Senate on April 10, 1951, strike out line 2, and on line 3 strike out "to," and insert "4031 of, and add Sections 4034, 4034.1, 4034.2, 4038, 4038.1, 4038.2, 4038.3, and 4039 to, and repeal Sections 4038 and 4039 of,".

Amendment No. 2

On page 2, line 2, of said bill, strike out "emergency".

Amendment No. 3

On page 2, line 23, of said bill, after the period, insert "The provisions of this section shall not apply to chemicals, drugs, or medicines exempted by Sections 4032 and 4044"

Amendment No. 4

On page 3, lines 10 and 11, of said bill, strike out "enumerated in", and insert "exempted by".

Amendment No. 5

On page 3 of said bill, after line 12, insert
"SEC. 8. Section 4034.1 is added to said code, to read
4034.1. The furnishing, dispensing, or vending of any chemicals, drugs, or medicines, other than those exempted in Sections 4032 and 4044, by a wholesaler shall be under the immediate supervision and direction of a registered pharmacist.
SEC. 9. Section 4034.2 is added to said code, to read:
4034.2. No wholesaler shall sell any chemicals, drugs, or medicines, other than those exempted by Sections 4032 and 4044, to anyone not authorized by law to use, dispense, furnish, compound, or resell such chemicals, drugs, or medicines.

SEC. 10. Sections 4038 and 4039 of said code are repealed.

SEC. 11. Section 4038 is added to said code, to read:

4038. It is unlawful for any person to conduct a pharmacy in the State of California unless he has obtained a permit from the board. Each permit shall be issued to a specific person and for a specific location. Separate permits shall be issued for each of the premises of any business establishment having more than one location.

SEC. 12. Section 4038.1 is added to said code, to read:

4038.1. Each application to conduct a pharmacy shall be made on a form furnished by the board. Upon approval of such application by the board and payment of the fee required by this chapter for each pharmacy, the secretary of the board shall issue a permit to conduct a pharmacy if the applicant has complied with all the provisions of this chapter. The permit shall be renewed annually on or before November 1st and shall not be transferrable.

SEC. 13. Section 4038.2 is added to said code, to read:

4038.2. If a pharmacy is moved from one location to another or the name only of a pharmacy is changed, the licensee shall notify the board within thirty (30) days after the change, and shall return the permit to the board for correction.

SEC. 14. Section 4038.3 is added to said code, to read:

4038.3. Any person who enters into an agreement to purchase a pharmacy shall at once notify the board in writing, giving his name and address. Such person shall file his application to conduct a pharmacy upon a form furnished by the board. Upon approval of the application by the board, payment of the fee, and compliance with the provisions of this chapter, the secretary of the board shall issue to the applicant a permit to conduct a pharmacy and the permit of the vendor of such pharmacy shall be returned to the board for cancellation.

SEC. 15. Section 4039 is added to said code, to read:

4039. "Person" means any person, firm, association, organization, partnership, business trust, corporation or company."

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Public Health.

REPORTS OF STANDING COMMITTEES

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No. 35

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

CROWLEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Bill No. 2199

Has had the same under consideration, and reports the same back with the recommendation: Be re-referred to Committee on Ways and Means.

CROWLEY, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 830	Assembly Bill No. 2553
Assembly Bill No. 2275	Assembly Bill No. 2573

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

STANLEY, Chairman

Above reported bills ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 55

Has had the same under consideration, and reports the same back with the recommendation. Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No 1914
Assembly Bill No. 2479
Assembly Bill No. 2727
Assembly Bill No. 2806
Assembly Bill No. 3210
Assembly Bill No 3213

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 425
Assembly Bill No. 3400

Has had the same under consideration, and reports the same back with the recommendation: Do pass

STEWART, Chairman

Above reported bills ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 3116

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Senate Bill No. 312
Senate Bill No 911

Has had the same under consideration, and reports the same back with the recommendation: Do pass

STEWART, Chairman

Above reported bills ordered to second reading

MOTION TO RECONSIDER ASSEMBLY BILL NO. 2625

In compliance with a notice given on a previous day, Mr. Lowrey moved that the vote whereby Assembly Bill No. 2625 was passed be reconsidered.

Assembly Bill No. 2625 refused reconsideration by the following vote:

AYES—Belotti, Burkhalter, Chapel, Cloved, George D. Collins, Dills, Dunn, Geddes, Gubser, Hahn, Henderson, Levering, Lipscomb, Lowrey, Luckel, McMillan, Morris, Moss, and Parker—19.

NOES—Babbage, Beck, Berry, Brady, Brown, Burke, Caldecott, Clarke, Connolly, Conrad, Cooke, Crowley, Dickey, Dolwig, Elliott, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hansen, Hawkins, Kelly, Kirkwood, Lanterman, Lincoln,

Lindsay, Lyon, Maloney, McCarthy, McCollister, McGee, Meyers, Munnell, Niehouse, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—46.

Assembly Bill No. 2625 ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 775 WAIVED

Mr. Crowley waived his notice of motion to reconsider the vote whereby Assembly Bill No. 775 was refused passage.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 123—An act to add Section 2208.5 to the Education Code, relating to the powers and duties of the governing boards of city school districts.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 123?

Amendment No. 1

On page 1 of the printed bill, following line 5, insert

"Nothing in this section shall authorize the preparation or dissemination of information for the purpose of influencing the electors in the district in voting at any school district election or in voting upon any proposition affecting the public schools of the district."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 123 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None.

Assembly Bill No. 123 ordered enrolled.

Assembly Bill No. 381—An act to amend Section 11 of an act entitled "An act to restrict the running of dogs at large; to protect livestock from depredation of dogs; to provide for the issuance of dog license tags by counties, and the disposition of funds received as fees therefor; making the violation of the provisions of this act a misdemeanor and providing penalties therefor, and providing for the collection of damages by owners of livestock injured by dogs," (Chapter 757, Statutes of 1921), approved June 3, 1921, relating to the protection of livestock, including rabbits.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 381?

Amendment No. 1

On page 1, line 9, of the printed bill, as amended in the Assembly on March 22, 1951, after "expenses", strike out the first "of", and insert ", or".

Amendment No. 2

On page 2, line 7, of said bill, as amended, after "domestic", insert "fowls and".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 381 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes,

Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Holibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—71.

NOES—None.

Assembly Bill No. 381 ordered enrolled.

Assembly Bill No. 837—An act to amend Section 8205 of the Government Code, relating to notary public.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 837?

Amendment No. 1

On page 1 of the printed bill, after line 15, insert

"(c) To take depositions and affidavits, and administer oaths and affirmations, in all matters incident to the duties of the office, or to be used before any court, judge, officer, or board in this State. Any deposition, affidavit, oath or affirmation shall be signed by him in his own handwriting".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 837 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Holibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

Assembly Bill No. 837 ordered enrolled.

Assembly Bill No. 1697—An act to amend Section 13275 of the Education Code, relating to annual reports of high school principals.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1697?

Amendment No. 1

On page 1, line 6, of the printed bill, after "the", insert "Superintendent of Public Instruction and to the".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1697 by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, George D. Collins, Condon, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Holibaugh, Kelly, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—65.

NOES—None.

Assembly Bill No. 1697 ordered enrolled.

Assembly Bill No. 2856—An act to add Article 4 to Chapter 1 of Part 1 of Division 2 of Title 5 of the Government Code, relating to contracts for special services.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2856?

Amendment No. 1

On page 1, line 6, of the printed bill, after "public", insert "or municipal".

Amendment No. 2

On page 1 of said bill, strike out lines 7 to 9, inclusive, and insert "district may contract with and employ any persons for the furnishing to the corporation or district special services and advice in financial, economic, accounting, engineering, legal, or administrative matters if such persons are specially trained and experienced and competent to perform the special services required.

The legislative body of the corporation or district may pay from any available funds such compensation to such persons as it deems proper for the services rendered."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2856 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, George D. Collins, Condon, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None.

Assembly Bill No. 2856 ordered enrolled.

Assembly Bill No. 3107—An act to amend Sections 275, 350, 601, 640, 641, 643, 644, 661, 871, 1223, 1224, 1780, and 3150 of the Banking Code, and to add a new section numbered 954, relating to deposit of moneys in the State Banking Fund, contents of articles of incorporation of banks, approval of by-laws of banks, assessment of bank shares, payment of dividends by banks, giving of notice of dormant accounts, definition of secured obligation, loan limits of banks, licensing of bank representatives, recognition of rights of depositors located in occupied countries, and payment of deposits on liquidation.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3107?

Amendment No. 1

In line 2 of the title of the printed bill, strike out "the Banking Code".

Amendment No. 2

In line 3 of the title of said bill, after "954", insert "to the Banking Code, and to amend Sections 275, 350, 601, 640, 641, 643, 644, 661, 871, 1223, 1224, 1780, and 3150 of, and to add Section 954 to, the Financial Code".

Amendment No. 3

On page 5 of said bill, strike out line 5, and insert

"SEC. 14. Section 954 is added to the Banking Code, to read .".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 5 of said bill, after line 44, insert

"SEC. 15. Section 275 of the Financial Code is amended to read:

275. The superintendent shall deliver all money collected by him pursuant to Sections 270, 271, and 272 *or pursuant to any other provision of this code* to the State Treasurer who shall deposit the money to the credit of the State Banking Fund. The superintendent may withdraw from the fund and retain and maintain in his possession and under his control the sum of fifteen thousand dollars ($15,000), to be used by him as a revolving fund in the operation of the department.

SEC. 16. Section 350 of the Financial Code is amended to read:

350. When authorized by the superintendent as provided in this chapter a corporation may be formed by three or more persons in accordance with the laws of this State for the purpose of conducting a commercial banking business, a savings

banking business, a trust business, or any two or all of them. The articles of incorporation shall provide that the common shares of the corporation shall be subject to assessment by the board of directors *upon order of the superintendent for the purpose of restoring an impairment or reduction of capital in the manner and to the extent provided in this code. They may also provide that such shares are subject to assessment by the board of director in its discretion, but if such discretionary power is granted the articles shall provide that it may be exercised only with the approval of the superintendent and may provide other limitations thereon* The Corporate Securities Law shall not apply to securities issued by and representing an interest in or a direct obligation of a bank or trust company incorporated under the laws of this State

SEC. 17. Section 601 of the Financial Code is amended to read:

601. The by-laws of a bank or trust company and any amendment thereto shall become effective only when approved by the superintendent, *for which approval no fee shall be charged*, and when a copy thereof certified by the secretary or assistant secretary of the bank or trust company has been filed with the superintendent.

SEC. 18. Section 640 of the Financial Code is amended to read:

640. A bank or trust company may declare [cash] dividends subject to the limitations of this article, but only out of net profits.

SEC 19. Section 641 of the Financial Code is amended to read:

641. Until the amount of the surplus of a *commercial or savings* bank [or trust company] is at least equal to the amount of its capital, the bank [or trust company] shall not declare any dividend unless it has previously transferred to surplus at least one-tenth of its net profits *earned since the enactment of this code*.

SEC 20. Section 643 of the Financial Code is amended to read.

643. A bank or trust company may transfer surplus to capital at any time but if the transfer would reduce the surplus to less than 25 percent of its capital, it shall first obtain the written approval of the superintendent. Thereafter, until the amount of its surplus equals its capital, a *commercial or savings* bank [or trust company] shall transfer to surplus one-tenth of its net profits pursuant to Section 641 of this chapter before declaring dividends

SEC 21. Section 644 of the Financial Code is amended to read:

644 A bank or trust company may charge losses sustained by it in excess of its undivided profits to its surplus, except that if the charge would reduce its surplus to an amount less than 25 percent of its capital, the consent of the superintendent shall be first obtained. Thereafter, until the amount of its surplus equals is capital, a *commercial or savings* bank [or trust company] shall transfer to surplus one-tenth of its net profits pursuant to Section 641 of this code before declaring dividends.

SEC. 22. Section 661 of the Financial Code is amended to read.

661. Whenever it appears that the capital of a bank or trust company is impaired or reduced below the amount required by law, the superintendent shall order the bank to restore its capital within 60 days of the date of his order. The directors of the bank or trust company to which the order is issued, unless the capital is otherwise restored, shall levy and collect an assessment upon its common shares pursuant to Title 1, Division 1, Part 5, Chapter 3 of the Corporations Code. The common [capital stock] *shares* of every corporation doing a banking business in this State [is] *are* subject to *such* assessment [as provided in that chapter], whether or not the fact that the [stock is] *shares are* subject to *such* assessment is noted on the face of the certificates representing such [stock] *shares, and if the shares are subject to assessment only upon order of the superintendent as provided in this section no statement of that fact need be noted on the certificates.*

SEC 23 Section 871 of the Financial Code is amended to read:

871. Every bank, before the first day of March of every odd numbered year, shall return to the superintendent a sworn statement prepared as of the first day of January of that year showing the names of depositors who are known to be dead or who have not made any further deposits or any withdrawals during the preceding 10 years and are not known to be living and the amount of whose deposit is more than ten dollars ($10). The statement shall show the amount in the account, the depositor's last known place of business or post-office address, and the fact of death, if known The bank shall give notice of these deposits by publication in one or more newspapers of general circulation published in the city in which the bank has its principal place of business, unless no newspaper is published in that city, and then in a newspaper published in the county in which the bank has its principal place of business at least once [a week for four consecutive weeks]. The cost of such publication may be charged pro rata against the unclaimed deposits of which notice is given in such publication

SEC 24 Section 1223 of the Financial Code is amended to read:

1223 An obligation shall not be deemed secured by personal property or collateral unless the personal property or collateral held as security is of a kind which has not been declared ineligible by the superintendent and unless it has a market value at least 15 percent greater than the amount of the obligations secured thereby The superintendent may by general regulation declare any particular kinds or classes of personal property ineligible as security An obligation shall not be deemed secured by real property unless the obligation and the lien securing the same conform to the

provisions of Section 1227 or Section 1228 Secured and unsecured loans shall be represented by separate notes and shall not be combined in any way within one note or notes.

The guaranty or other secondary liability for the performance of another obligation shall be deemed a secured obligation if such other obligation is secured as herein defined.

SEC. 25. Section 1224 of the Financial Code is amended to read:

1224. In addition to the limitations contained in Sections 1221 and 1222 a commercial bank may *issue letters of credit and may* accept drafts or bills of exchange drawn upon it having not more than six months' sight to run, exclusive of days of grace, which grow out of transactions involving the importation or exportation of goods; or which grow out of transactions involving the domestic shipment of goods provided shipping documents conveying or securing title are attached at the time of acceptance; or which are secured at the time of acceptance by a warehouse receipt or other such document conveying or securing title covering readily marketable staples. A commercial bank shall not *issue such letters of credit or* accept such drafts or bills in the aggregate to an amount exceeding 50 percent of its paid-up capital and surplus or, when authorized by the superintendent, to an amount exceeding 100 percent of its paid-up capital and surplus nor *issue such letters of credit or* accept such drafts or bills for any one person to an amount exceeding 10 percent of its paid-up capital and surplus, unless the bank is and remains secured by either attached documents or some other actual security growing out of the same transaction as the acceptance

SEC. 26. Section 1780 of the Financial Code is amended to read:

1780. An individual may establish and maintain an office *or offices* in this State as representative of [a] *one or more* foreign banking [corporation] *corporations* but only upon first obtaining a license from the superintendent The application for such license shall be in such form and shall set forth such information as the superintendent may require. The superintendent may grant or refuse the application in his discretion and may at any time in his discretion revoke any such license Such representative shall pay an annual license fee of two hundred fifty dollars ($250) for each such office. *If more than one individual representative of the same foreign banking corporation uses the same office the annual license fee for such office shall be two hundred fifty dollars ($250) plus twenty-five dollars ($25) for each individual representative over one using the same office*

SEC. 27. Section 3150 of the Financial Code is amended to read

3150. Any bank which voluntarily has ceased to do a banking business shall immediately notify the superintendent thereof and shall then proceed to liquidate its affairs Any deposit or other sum which has not been paid to the person entitled thereto within six months after the bank ceased to conduct a banking business *except when such bank has sold all or substantially all of its assets to another bank and the purchasing bank has assumed the liability for such deposits,* shall be paid into the State Treasury in the manner and for the purposes provided in Section 3121 If the superintendent has reason to conclude that the liquidation of such bank is not being safely or expeditiously conducted he may take possession of the business and property of such bank in the same manner and with the same effect and subject to the same rights accorded the bank as if he had taken possession pursuant to the provisions of Article 1 of this chapter and proceed to liquidate its affairs in the same manner as provided in Article 1 of this chapter When such bank has been completely liquidated its corporate existence shall be dissolved in the manner provided by law

SEC. 28. Section 954 is added to the Financial Code, to read:

954. A bank need not recognize or give any effect to (1) any claim to a deposit of cash or securities standing on its books to the credit of, or held by it for the account of, any corporation, firm or association in occupied territory or (2) any advice, statute, rule or regulation purporting to cancel or to give notice of the cancellation of the authority of any person at the time appearing on the books of such bank as authorized to withdraw or otherwise dispose of cash or securities of such corporation, firm or association, unless such bank is required so to do by appropriate process procured against it in a court of competent jurisdiction in the United States in a cause therein instituted by or in the name of such corporation, firm or association, or unless the person making such claim or giving such advice or invoking such statute, rule or regulation as the case may be shall execute to such bank, in form and with sureties acceptable to it, a bond indemnifying it from any and all liability, loss, damage, costs and expenses for and on account of recognizing or giving any effect to such claim advice, statute, rule or regulation

For the purposes of this section (1) the term "occupied territory" shall mean territory occupied by a dominant authority asserting governmental, military or police powers of any kind in such territory, but not recognized by the United States as the de jure government of such territory, and (2) the term "corporation, firm or association in occupied territory" shall mean a corporation, firm or association which has, or at any time has had, a place of business in territory which has at any time been occupied territory

The provisions of this section shall be effective only in cases where (1) such claim or advice purports or appears to have been sent from or is reasonably believed to

have been sent pursuant to orders originating in such occupied territory during the period of occupation, or (2) such statute, rule or regulation appears to have emanated from such dominant authority and purports to be or to have been in force in such occupied territory during the period of occupation.

This section applies to claims, advices, statutes, rules or regulations given or invoked either before or after the effective date of this section.

SEC. 29 Sections 15 to 28 inclusive of this act become operative only if Division 1 of the Financial Code is enacted by the Legislature at its 1951 Regular Session, and in such case at the same time as said Division 1 takes effect, at which time Sections 275, 350, 601, 640, 641, 643, 644, 661, 871, 1223, 1224, 1780, and 3150 of the Banking Code as amended by this act, and Section 954 of said code as added by this act are repealed."

Amendment No. 5

In the second line of the title of the printed bill, as amended in the Senate on April 5, 1951, strike out "871,".

Amendment No. 6

In the fifth line of the title of said bill, strike out "871,"

Amendment No. 7

On page 3 of said bill, strike out lines 17 to 34, inclusive.

Amendment No. 8

On page 3, line 35, of said bill, strike out "10", and insert "9".

Amendment No. 9

On page 4, line 1, of said bill, strike out "11", and insert "10".

Amendment No. 10

On page 4, line 23, of said bill, strike out "12", and insert "11"

Amendment No. 11

On page 4, line 38, of said bill, strike out "13", and insert "12".

Amendment No. 12

On page 5, line 8, of said bill, strike out "14", and insert "13".

Amendment No. 13

On page 5, line 49, of said bill, strike out "15", and insert "14".

Amendment No. 14

On page 6, line 7, of said bill, strike out "16", and insert "15".

Amendment No. 15

On page 6, line 27, of said bill, strike out "17", and insert "16".

Amendment No. 16

On page 6, line 35, of said bill, strike out "18", and insert "17"

Amendment No. 17

On page 6, line 40, of said bill, strike out "19", and insert "18".

Amendment No. 18

On page 7, line 1, of said bill, strike out "20", and insert "19".

Amendment No. 19

On page 7, line 11, of said bill, strike out "21", and insert "20".

Amendment No. 20

On page 7, line 21, of said bill, strike out "22", and insert "21".

Amendment No. 21

On page 7 of said bill, strike out lines 39 to 51, inclusive.

Amendment No. 22

On page 8 of said bill, strike out lines 1 to 7, inclusive

Amendment No. 23

On page 8, line 8, of said bill, strike out "24", and insert "22".

Amendment No. 24

On page 8, line 26, of said bill, strike out "25", and insert "23".

Amendment No. 25

On page 8, line 48, of said bill, strike out "26", and insert "24".

Amendment No. 26

On page 9, line 12, of said bill, strike out "27", and insert "25".

Amendment No. 27

On page 9, line 33, of said bill, strike out "28", and insert "26".

Amendment No. 28

On page 10, line 23, of said bill, strike out "29", and insert "27".

Amendment No. 29

On page 10, line 16, of the printed bill, as amended in the Senate on April 26, 1951, strike out "15", and insert "14".

Amendment No. 30

On page 10, line 16, of said bill, as amended, strike out "28", and insert "27".

Amendment No. 31

On page 10, line 20, of said bill, as amended, strike out "871,".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3107 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

Assembly Bill No 3107 ordered enrolled.

THIRD READING OF ASSEMBLY BILLS

Request for Unanimous Consent That Assembly Bill No. 16 Hold Place on File

Mr. Dickey asked for, and was granted, unanimous consent that Assembly Bill No. 16 be passed on file, and hold its place on file on the next legislative day.

Bills Withdrawn From Active File, and Placed on the Inactive File

Assembly Bills Nos. 1519 and 2712, on motion of Mr. Dickey.

Assembly Bill No. 2706—An act to add Section 17.1 to the State Water Resources Act of 1945, authorizing the State Water Resources Board to contract with public and private organizations and persons for research work relative to the production and control of rainfall by artificial means, and making an appropriation therefor.

Bill read third time.

Motion to Amend

Mr. Dickey moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in the Assembly on May 1, 1951, strike out "and experimentation".

Amendment No. 2

On page 1, line 10, of said bill, strike out "and experimentation".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Bill Withdrawn From Active File, and Placed on the Inactive File

Assembly Bill No. 2706, on motion of Mr. Dickey.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1827

Mr. McFall asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 1827, temporarily passed on the unfinished business file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1827—An act to amend Sections 801.3 and 801.9 of the Code of Civil Procedure, relating to the determination of interests in and liens on real property.

The question being, Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1827?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 18, 1951, strike out lines 5 and 6, and insert "to borrow or procure money from the United States for the purpose of obtaining and supplying water for domestic, irrigation and fire protection purposes in the same manner and under the same procedures that irrigation districts are now".

Amendment No. 2

In line 1 of the title of the printed bill, as amended in the Senate on April 25, 1951, strike out "and 801.9", and insert ", 801.9 and 801.11".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1827 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—73.

NOES—None.

Assembly Bill No. 1827 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1377—An act providing for the constitution of the municipal court in a district embracing the City of Modesto, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—64

NOES—Lowrey and Luckel—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 188—An act to amend Section 925 of the Fish and Game Code, relating to purse and round haul nets.

Bill read third time.

Speaker Pro Tempore Presiding

At 10.47 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Speaker Presiding

At 10.58 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

The question being on the passage of Assembly Bill No. 188.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Stanley moved a call of the Assembly.

Motion carried. Time, 11.08 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brady, Chapel, Cloyed, Coats, Collier, Dickey, Doyle, Dunn, Gubser, Hinckley, Levering, Lowrey, Lyon, McMillan, and Morris—15.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Hinckley asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 1360

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Senate Bill No. 208
Senate Bill No. 214

Has had the same under consideration, and reports the same back with the recommendation: *Do pass.*

SILLIMAN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 248

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SILLIMAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Assembly Bill No. 1730
Assembly Bill No. 1731
Assembly Bill No. 3145
Assembly Bill No. 2914

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SILLIMAN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Senate Bill No. 213

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SILLIMAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Senate Bill No. 215

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SILLIMAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Assembly Bill No. 3409
Assembly Bill No. 1070
Assembly Bill No. 2910
Assembly Bill No. 2629

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SILLIMAN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 1540

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SILLIMAN, Chairman

Above reported bill ordered to third reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 426
Assembly Bill No. 3385

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

STEWART, Chairman

Above reported bills ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred.

Assembly Bill No 3017

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 2946

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended, and re-refer to the Committee on Ways and Means.

STEWART, Chairman

Above reported bill ordered to second reading.

Committee on Manufacturing, Oil, and Mining Industry

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Manufacturing, Oil, and Mining Industry, to which was referred:

Assembly Bill No. 3113

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

MORRIS, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1400—An act providing for the constitution of the municipal court in a district embracing the City of Santa Barbara, and prescribing the number and compensation of the judges, officers, and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Cooke, Crowley, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—63.

NOES—Lowrey and Luckel—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1166—An act to provide for the compilation, publication and distribution of state laws relating to publishing and publications, and making an appropriation therefor.

Bill read third time, and ordered placed on the inactive file.

Assembly Bill No. 1939—An act to add Sections 11007.5 and 11030.5 to the Government Code, relating to travel on state business.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—69.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 911—An act to amend Sections 115, 5001, 5301, 5302, 5309, 5310, 5800, 5900, 5901, 5902, 5903, 5904, 5905, 5909, 5910, and 5952 of the Labor Code; to repeal Sections 5313, 5314, 5906, 5907, 5908, and 5950 of said code and add new Sections 5313, 5314, 5906, 5907, 5908, and 5950 to said code, to repeal Section 5315 of said code, and to amend the titles of Division 4, Part 4, Chapter 7 and Division 4 Part 4, Chapter 7, Article 1 of said code, all relating to workmen's compensation.

Bill read third time.

Motion to Amend

Mr. Geddes moved the adoption of the following amendment:

Amendment No. 1

On page 7, line 49, of the printed bill, as amended in the Assembly on May 1, 1951, strike out "The", and insert "Within sixty (60) days after the filing of the findings, decision, order or award and the accompanying report, the".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 912—An act to amend Section 11789 of the Insurance Code, relating to the State Compensation Insurance Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Connolly, Conrad, Crowley, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—62.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1001—An act to amend Section 25 of the Municipal and Justice Court Act of 1949, relating to municipal and justice courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—67.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1194—An act to amend Sections 2, 3, 4, 5, 8, 13, 14, 20, 30, 33, 35, and 38 of the Municipal and Justice Court Act of 1949, relating to municipal and justice courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sillman, Smith, Stewart, Thomas, Waters, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 599—An act to amend Sections 787.5, 795, and 796.1 of the Agricultural Code, relating to fruit and vegetable standardization.

Bill read third time.

Motion to Amend

Mr. Clarke moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 12, of the printed bill, as amended in the Assembly on April 19, 1951, strike out "blossom", and insert "stylar".

Amendment No. 2

On page 1, line 14, of said bill, strike out "blossom", and insert "stylar".

Amendment No. 3

On page 2, line 46, of said bill, strike out "blossom", and insert "stylar".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Concurrent Resolution No. 52—Relative to approving an amendment to the charter of the City of Santa Monica, a municipal corporation in the County of Los Angeles, State of California, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the tenth day of April, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sullman, Stewart, Thomas, Waters, and Mr. Speaker—68.

NOES—None.

Resolution ordered transmitted to the Senate

Speaker Pro Tempore Presiding

At 11.25 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Joint Resolution No. 32—Relative to memorializing Congress to take necessary action to provide a national cemetery in the vicinity of Los Angeles.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—69

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 51—Relative to congratulating George Mercer Stout on his forthcoming retirement from the state service.

Resolution read, and adopted

Resolution ordered transmitted to the Senate.

Assembly Bill No. 877—An act to amend Sections 11100 and 11101 of the Elections Code, relating to municipal elections.

Bill read third time.

Motion to Amend

Mr. Waters moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 12, 1951, strike out "Sections 11100 and 11101", and insert "Section 11101".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 8, inclusive, and insert "SECTION 1. Section 11101 of the Elections Code is amended to read:".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Speaker Presiding

At 11.28 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Assembly Bill No. 1358—An act to amend Section 8.1 of the Municipal Court Act of 1925, relating to municipal courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Assembly Bill No. 1392 Hold Place on File

Mr. Hansen asked for, and was granted, unanimous consent that Assembly Bill No. 1392 be passed on file, and hold its place on file on the next legislative day.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1005
Assembly Bill No. 2095
Assembly Bill No. 2097
Assembly Bill No. 3075
Assembly Bill No. 3341
Assembly Bill No. 3342
Assembly Bill No. 3421

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 35

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 55

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS

Senate Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 1a to Article XVIII thereof, relating to proposed constitutional amendments requiring the expenditure of state funds.

Resolution read.

Point of Order

Mr. Dunn arose to the following point of order: That, pursuant to the provisions of Rule 45, Senate Constitutional Amendment No. 3 should be re-referred to the Committee on Ways and Means, and is not properly before the House.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken because the resolution has previously been referred to the Committee on Ways and Means.

The question being on the adoption of Senate Constitutional Amendment No. 3.

Demand for Previous Question

Messrs. Lanterman, Lincoln, Hinckley, Hahn, and Luckel demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Senate Constitutional Amendment No. 3.

The roll was called, and the resolution refused adoption by the following vote:

AYES—Babbage, Belotti, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, Connolly, Conrad, Dills, Dolwig, Erwin, Fleury, Grant, Grunsky, Gubser, Hansen, Hinckley, Kelly, Kirkwood, Lanterman, Leverng, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McGee, Shaw, Sherwin, Silliman, Smith, Tomlinson, Waters, and Mr. Speaker—37.

NOES—Beck, Berry, Brady, Brown, Chapel, Coats, George D. Collins, Condon, Cooke, Crowley, Doyle, Dunn, Elliott, Gaffney, Geddes, Hagen, Hahn, Hawkins, Henderson, Holbbaugh, McCollister, McFall, Morris, Moss, Munnell, Niehouse, Parker, Porter, and Rumford—29.

Notice of Motion to Reconsider Senate Constitutional Amendment No. 3

Mr. Collier gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Constitutional Amendment No. 3 was this day refused adoption.

Statement of Vote on Senate Constitutional Amendment No. 3

Although we believe the public should be given all information relative to amendments to the Constitution which entail the expenditure of public funds, we question whether a state officer or employee is the proper person to furnish this information. One individual, who could be biased, and subject to legislative pressure, should not be granted such an important power which could sway the voters to vote either for or against a proposition.

JULIAN BECK
RALPH M. BROWN
GORDON HAHN

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1669 WAIVED

Mr. Fleury waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1669 was passed.

Assembly Bill No. 1669 ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 417

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 417, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 417

Senate Bill No. 417—An act amending Section 30354 of the Streets and Highways Code, to except a bridge or other highway crossing between the County of Marin and the County of Contra Costa from the limitations of Sections 30350 and 30351.

Bill read third time.

Motion to Amend

Mr. McCollister moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 11, of the printed bill, after "other", strike out "highway".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 3253 FROM COMMITTEE

Mr. Rosenthal gave notice that on the second legislative day he would move to withdraw Assembly Bill No. 3253 from the Committee on Public Utilities and Corporations, and have it placed upon the file.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 188

At 11.58 a.m., on motion of Mr. Stanley, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 188 passed by the following vote:

AYES—Babbage, Beck, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, Connolly, Conrad, Dickey, Dills, Dolwig, Erwin, Fleury, Geddes, Hagen, Hahn, Hansen, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lyon, McCarthy, McCollister, McFall, McGee, Munnell, Niehouse, Shaw, Sherwin, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—41.

NOES—Belotti, Berry, Brown, George D. Collins, Condon, Cooke, Crowley, Dunn, Elliott, Evans, Gaffney, Grant, Grunsky, Hawkins, Henderson, Lipscomb, Luckel, Maloney, Meyers, Moss, Parker, Porter, Rosenthal, Rumford, Silliman, and Thomas—26.

Notice of Motion to Reconsider Assembly Bill No. 188

Mr. Thomas gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 188 was this day passed.

ANNOUNCEMENT

Mr. Hollibaugh announced a luncheon meeting for the members of the Los Angeles Delegation to be held today, upon recess, at the Hotel Senator.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 41—An act to repeal existing Section 491 of, and to add new Section 491 to, the Government Code, relating to the division of the State into assembly districts;

Assembly Bill No. 348—An act to amend the Building and Loan Association Act by amending Section 1.01 thereof, relating to definitions, Section 1.03 thereof, relating to agents, agencies, salesman, collectors and branches, Section 2.05 thereof, relating to changes of name, Section 2.07 thereof, relating to branches, Section 7.06 thereof, relating to assessments to restore impaired capital, Section 8.03 thereof, relating to minors and married women, Section 8.04 thereof, relating to joint tenants, Section 8.05 thereof, relating to trustees and guardians, Section 9.02 thereof, relating to investments, Section 9.17 thereof, relating to forbidden loans and penalties therefor, Section 10.03a thereof, relating to federal insurance reserve account, Section 12.09 thereof, relating to leases on office premises, Section 13.13 thereof, relating to powers of the Building and Loan Commissioner upon taking possession of an association, and Section 13.16 thereof, relating to powers of such commissioner upon liquidation; and adding to said act five new sections, to be numbered, respectively, Section 2.11, relating to change of location, Section 8.14, relating to adverse claims, Section 11.06, relating to the office of an agent, salesman or collector, Section 12.13, relating to activities limited to the principal office or branch of an association, and Section 13.21, relating to review of acts of said commissioner, and to amend Sections 5051, 5651, 6001, 6702, 6703, 6704, 7600, 7602, 7603, 7606, 8500 and 9069 of, and to add Sections 5258, 6010, 6203.5, 6411, 7612, 7613, 7614, 9013, 9055.5 and Article 5 comprising Section 5700 to Chapter 3 of Division 2 of the Financial Code, all relating to building and loan associations;

And reports that the same have been correctly enrolled, and presented to the Governor on the third day of May, 1951, at 11 a.m.

BURKE, Chairman

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 1291
Assembly Bill No. 1566
Assembly Bill No. 2863
Assembly Bill No. 3389

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DUNN, Chairman

Above reported bills ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Bill No. 1680

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

DICKEY, Chairman

Above reported bill ordered to second reading.

STATEMENT OF VOTE ON ASSEMBLY BILLS NOS. 996 AND 997

It was my understanding that Assembly Bill No. 996 and Assembly Bill No. 997 would not be taken up on May 2, 1951, during my absence.

While these bills affect only Los Angeles County, I would have noted "no," because of the affect these bills may have on the entire reorganization plan of the inferior courts in California.

These bills do not represent the views of the Los Angeles Supervisors or the Judicial Council.

Assembly Constitutional Amendment No. 49 proposed that local home rule would be considered, and that the courts would not be stacked with new departments or attaches.

These bills would increase the cost of the reorganization plan for Los Angeles by nearly $430,000 and completely offsets the possibility of having an economical Inferior Court System in California.

The people have a right to expect that we will go slowly in forming new courts.

RALPH M. BROWN

RECESS

At 12 m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

MEMBERS EXCUSED

At 2.01 p.m., Mr. Babbage asked for, and was granted, unanimous consent that Messrs. Smith and Lipscomb be excused, for the balance of the legislative day, because of legislative business elsewhere.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1553—An act to add Section 10133 to the Insurance Code, relating to group disability insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Cooke, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins,

Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lindsay, Lyon, Maloney, McCollister, McFall, McGee, Morris, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Waters, and Mr. Speaker—48.
NOES—Henderson—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1554

Mr. Morris asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1554, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1554

Senate Bill No. 1554—An act to add Section 1155 to the Insurance Code, relating to restrictions on activities of insurers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Connolly, Cooke, Dickey, Dills Dolwig, Doyle, Elliott, Erwin, Fleury, Geddes, Grant, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Morris, Moss, Niehouse, Parker, Porter, Rumford, Silliman, Stanley, Tomlinson, Waters, and Mr. Speaker—50.
NOES—Hagen—1.

Bill ordered transmitted to the Senate.

MEMBER EXCUSED

At 2 05 p.m., Mr. Dolwig asked for, and was granted, unanimous consent that Mr. Connolly be excused, for the balance of the legislative day, because of legislative business elsewhere.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 703—An act to add Section 617 to the Military and Veterans Code, relating to the display of the Flag of the United States.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Tomlinson, Waters, and Mr. Speaker—55.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1429

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1429, temporarily passed on file, out of order, for purpose of amendment, at this time

CONSIDERATION OF SENATE BILL NO. 1429

Senate Bill No. 1429—An act to amend Section 395 of and to add Sections 389, 395.01, 395.02, 395 03, 395 04, 395 05, and 395 06 to the Military and Veterans Code, relating to the absence of public officers and employees engaged in ordered military or naval duty, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr McCollister moved the adoption of the following amendment:

Amendment No. 1

On page 3, line 48, of the printed bill, as amended in the Senate on April 26, 1951, after the comma, insert "and for a period not to exceed 30 calendar days,"

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1573

Mr. Kelly asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1573, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1573

Senate Bill No. 1573—An act to add Section 7.7 to the Unemployment Insurance Act, relating to individuals required to be licensed by state law, and who are remunerated solely by way of commission.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hahn, Hansen, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sillman, Stanley, Tomlinson, and Waters—49.

NOES—Condon, Elliott, and Hagen—3.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 676

Mr. Caldecott asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 676, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 676

Senate Bill No. 676—An act to amend Sections 9765, 9769, and 9770 of the Business and Professions Code, relating to cemeteries.

Bill read third time, and ordered passed on file.

Speaker Pro Tempore Presiding

At 2.12 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 268

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 268, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 268

Senate Bill No. 268—An act to amend Sections 700.01, 700.05, 1582, 1594, 12360, and 12441 of the Insurance Code, all relating to insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Cooke, Crowley, Dickey, Dills, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Tomlinson, Waters, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 99

Mr. Silliman asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 99, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 99

Senate Bill No. 99—An act to amend Section 32121 of the Health and Safety Code, relating to hospital districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Cooke, Crowley, Dickey, Dolwig, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rumford, Shaw, Silliman, Stanley, Tomlinson, Waters, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 270

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No 270, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 270

Senate Bill No. 270—An act to add Sections 1373.1 and 1373.2 to the Insurance Code, relating to insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Tomlinson, and Waters—61.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 269

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 269, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 269

Senate Bill No. 269—An act to amend Sections 1153 and 1153.5 of the Insurance Code, both relating to insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Tomlinson, and Waters—61.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 271

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take Senate Bill No. 271, temporariy passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 271

Senate Bill No. 271—An act to amend Section 1703 of the Insurance Code, relating to insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Tomlinson, Waters, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 311

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 311, temporarily passed on file, out of order, at this time.

Speaker Presiding

At 2.20 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

CONSIDERATION OF SENATE BILL NO. 311

Senate Bill No. 311—An act to add Section 400.1 to the Unemployment Insurance Act, relating to unemployment compensation disability benefits.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Tomlinson, Waters, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 542

Mr. Tomlinson asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 542, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 542

Senate Bill No. 542—An act to add Sections 1257 and 1437 to the Banking Code, relating to reserves.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Tomlinson, and Waters—66.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 927

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 927, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 927

Senate Bill No. 927—An act to amend Section 11736 of the Insurance Code, relating to the issuance and approval of workmen's compensation insurance premium rates.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Tomlinson, Waters, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1610

Mr. Hollibaugh asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1610, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1610

Senate Bill No. 1610—An act to add Section 6018.1 to the Revenue and Taxation Code, relating to the sales and use tax.

Bill read third time.

Demand for Previous Question

Messrs. Klocksiem, Evans, Luckel, Rosenthal, and Kirkwood demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 1610.

The roll was called, and the bill refused passage by the following vote:

AYES—Babbage, Clarke, Coats, Dickey, Dills, Dolwig, Erwin, Fleury, Grant, Gubser, Hahn, Hansen, Hollibaugh, Kelly, Kirkwood, Lincoln, Landsay, Lyon, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Porter, Rumford, Stanley, and Mr Speaker—28

NOES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, George D. Collins, Condon, Conrad, Cooke, Doyle, Dunn, Elliott, Evans, Gaffney, Geddes, Hagen, Hawkins, Henderson, Hinckley, Klocksiem, Lanterman, Levering, Lowrey, Luckel, Maloney, McFall, McGee, McMillan, Munnell, Parker, Rosenthal, Shaw, Stewart, Thomas, and Tomlinson—38.

Notice of Motion to Reconsider Senate Bill No. 1610

Mr. Hollibaugh gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 1610 was this day refused passage.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 255—An act to amend Sections 2223 and 2223.5 of the Welfare and Institutions Code, relating to recovery of old age security aid received in violation of the law;

Assembly Bill No. 423—An act to add Section 6c to an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts;

Assembly Bill No. 617—An act to amend Sections 950 and 951 of the Probate Code, relating to preferred labor claims for wages;

And reports that the same have been correctly enrolled, and presented to the Governor on the third day of May, 1951, at 3 p m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 618—An act to amend Sections 1204 and 1206 of the Code of Civil Procedure, relating to claims and liens for labor;

Assembly Bill No. 795—An act to add Section 11374 to the Government Code, relating to regulations and the scope and validity of regulations adopted by state agencies;

Assembly Bill No. 898—An act to amend Sections 1356, 1357, 1359, 1362, 1363, 1364, 1366, 1367, and 3396 of the Banking Code and Sections 1356, 1357, 1359, 1362, 1363, 1364, 1366, 1367, and 3396 of the Financial Code, to add Section 1371, to, and to amend and renumber Section 1371 of the Banking Code, and to add a new Section 1371 to, and to amend and renumber Section 1371 of the Financial Code, relating to investments by savings banks, securing of information pertinent to the qualification of bonds of political subdivisions by the superintendent from officials of such political subdivisions, and to the making of representations that securities are a legal investment for savings banks;

And reports that the same have been correctly enrolled, and presented to the Governor on the third day of May, 1951, at 3 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1177—An act to add Section 1190.1 to the Civil Code, relating to the acknowledgment of instruments;

Assembly Bill No. 1277—An act to amend Section 103½ of the Code of Civil Procedure, relating to justice's clerks in cities and towns;

Assembly Bill No. 1680—An act to amend Section 53200 of the Government Code, relating to group insurance;

And reports that the same have been correctly enrolled, and presented to the Governor on the third day of May, 1951, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1790—An act to repeal Section 263 and to amend Sections 256, 257, 258 of, and to add Section 258.5 to, the Health and Safety Code, and to provide for the reversion to the General Fund of the unexpended balance of the Physically Defectives' Revolving Fund, relating to physically handicapped children;

Assembly Bill No. 1792—An act to amend Section 261e of, and to add Section 263 to, the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties;

Assembly Bill No. 1793—An act to amend Section 204e of the Code of Civil Procedure, relating to the duties and compensation of the secretary and jury commissioner of the superior court, and assistants;

And reports that the same have been correctly enrolled, and presented to the Governor on the third day of May, 1951, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1835—An act to amend Section 5061 of, and to add Sections 5062, 5063, 5064, 5065, and 5066 to, the Penal Code; to amend Sections 166 and 1015 of, and to add Sections 166.1, 166.2, 166.3, 166.4, 166.5, 1016, 1017, 1018, 1019, and 1020 to, the Welfare and Institutions Code, relating to the disposition of unclaimed property of deceased, discharged, escaped or paroled prisoners and inmates of state institutions subject to the jurisdiction of the Director of Corrections, Department of Mental Hygiene, and Youth Authority;

Assembly Bill No. 1872—An act to amend Section 18 of the County Waterworks District Act, relating to the government of the district;

Assembly Bill No. 1886—An act to amend Section 271 of the Banking Code and Section 271 of the Financial Code, relating to assessments upon national banks by the Superintendent of Banks;

And reports that the same have been correctly enrolled, and presented to the Governor on the third day of May, 1951, at 3 p m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1887—An act to amend Section 3370 of the Banking Code, and Section 3370 of the Financial Code, relating to loans to corporations in which an officer is an officer, stockholder or director;

Assembly Bill No. 1888—An act to amend Section 753 of the Banking Code and Section 753 of the Financial Code, relating to investments in bank premises;

Assembly Bill No. 1907—An act to add Article 3 to Chapter 1 of Part 1 of Division 4 of the Fish and Game Code, relating to reciprocal licenses;

And reports that the same have been correctly enrolled, and presented to the Governor on the third day of May, 1951, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2136—An act to amend Section 16024 of the Government Code, relating to the automatic denial of claims against the State of California where the liability of the State is insured;

Assembly Bill No. 2332—An act to amend Section 12a of the Code of Civil Procedure, relating to computation of time as to holidays;

Assembly Bill No. 2508—An act to add Section 12a to the County Water Works District Act, relating to the powers of the governing boards of county water works districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the third day of May, 1951, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2516—An act to amend Sections 14804 and 14805 of, and to add Section 15104 to, the Financial Code, and to amend Sections 1 and 3 of, and to add Section 23 6 to "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to credit unions;

Assembly Bill No. 2752—An act to repeal Section 26907 of the Government Code, relating to the destruction of public records;

Assembly Bill No. 3108—An act to amend Sections 2095 and 3011 of, and to add Sections 3013, 3014, and 3015 to, the Banking Code, and to amend Sections 2095 and 3011 of, and to add Sections 3013, 3014, and 3015 to, the Financial Code, relating to conversion of state banks into national banking associations, to the transfer of trust assets upon purchase by a national banking association, and to continuance of corporate existence upon conversion, merger or consolidation of state banks and national banking associations;

And reports that the same have been correctly enrolled, and presented to the Governor on the third day of May, 1951, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 8—Relative to a moratorium on federal income tax payments for persons in the Armed Forces;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the third day of May, 1951, at 3 p m.

BURKE, Chairman

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 1567

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

DUNN, Chairman

Above reported bill ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 340

Mr. Henderson asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 340, temporarily passed on file, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 340

Assembly Bill No. 340—An act creating a district to be called "Kings River Conservation District"; providing for its organization, operation, maintenance and government, for the inclusion of lands therein and the exclusion of lands therefrom; providing for the acquisition, construction, maintenance and operation of works and property for the purposes of the district, including the storage, conservation, distribution and sale of water, the development, distribution and sale of electric power, the drainage, reclamation and protection of land and prescribing and defining the powers, duties, purposes and responsibilities of said district.

Bill read third time.

Motion to Amend

Mr. Henderson moved the adoption of the following amendments:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on April 20, 1951, strike out "Conservation", and insert "Water and Power".

Amendment No. 2

On page 1, line 2, of said bill, strike out "Conservation", and insert "Water and Power".

Amendment No. 3

On page 1, line 5, of said bill, strike out "Conservation", and insert "Water and Power".

Amendment No. 4

On page 16, line 42, of said bill, strike out "present".

Amendment No. 5

On page 17 of said bill, between lines 19 and 20, insert

"And further excepting therefrom areas adjacent to the above cities which through the process of annexation become a part of such cities, upon such annexation.

And further excepting therefrom the underground reservoirs of the above cities and the areas adjacent to the above cities which are supplied with water by such cities."

Amendment No. 6

On page 43, line 6, of said bill, strike out "Conservation", and insert "Water and Power".

Amendment No. 7

On page 43, line 39, of said bill, strike out "Conservation", and insert "Water and Power".

Amendment No. 8

On page 44, line 28, of said bill, strike out "Conservation", and insert "Water and Power".

Amendment No. 9

On page 47, line 23, of said bill, strike out "Conservation", and insert "Water and Power".

Amendment No. 10

On page 47, lines 24 and 25, of said bill, strike out "Conservation", and insert "Water and Power"

Amendment No. 11

On page 49, line 46, of said bill, strike out "Conservation", and insert "Water and Power".

Amendment No. 12

On page 50, line 26, of said bill, strike out "Conservation", and insert "Water and Power".

Amendment No. 13

On page 50, line 46, of said bill, strike out "Conservation", and insert "Water and Power".

Amendment No. 14

On page 50, line 49, of said bill, strike out "Conservation", and insert "Water and Power".

Amendment No. 15

On page 52, line 42, of said bill, strike out "Conservation", and insert "Water and Power".

Amendment No. 16

On page 59, line 14, of said bill, strike out "Conservation", and insert "Water and Power".

Amendment No. 17

On page 61, line 1, of said bill, strike out "Conservation", and insert "Water and Power".

Amendment No. 18

On page 61, lines 41 and 42, of said bill, strike out "Conservation", and insert "Water and Power".

Amendment No. 19

On page 65, line 19, of said bill, strike out "Conservation", and insert "Water and Power".

Amendment No. 20

On page 65, line 20, of said bill, strike out "Conservation", and insert "Water and Power".

Amendment No. 21

On page 65, line 31, of said bill, strike out "Conservation", and insert "Water and Power".

Amendment No. 22

On page 68, lines 28 and 29, of said bill, strike out "Conservation", and insert "Water and Power".

Amendment No. 23

On page 70, line 46, of said bill, after the period, insert "It is not the purpose of this act to allow the district to claim any underground waters lying within the boundaries of the incorporated municipality therein or to control the use thereof."

Amendment No. 24

On page 71, line 6, of said bill, strike out "Conservation", and insert "Water and Power".

Amendments read.

Point of Order

Mr. McCollister arose to the following point of order: That Mr. Henderson is not speaking to the amendments.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The question being on the adoption of the admendments offered by Mr. Henderson.

Division of the Question

Messrs. Henderson and Brady asked for a division of the question.

Division of the Question

Consideration of Amendment No. 1

Motion to Amend

Mr. Henderson moved the adoption of the following amendment:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on April 20, 1951, strike out "Conservation", and insert "Water and Power".

Amendment read.

Roll Call Demanded

Messrs. Hansen, Hagen, and Henderson demanded a roll call.

The roll was called, and Amendment No. 1 refused adoption by the following vote:

AYES—Beck, Berry, Brady, Burkhalter, Coats, George C. Collins, Condon, Cooke, Crowley, Dills, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Hagan, Hawkins, Henderson, McCarthy, McCollister, McFall, Meyers, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, and Thomas—31.

NOES—Babbage, Belotti, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Conrad, Dickey, Erwin, Grant, Gubser, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Luckel, Lyon, Maloney, McGee, McMillan, Morris, Porter, Sherwin, Silliman, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—37.

Consideration of Amendment No. 5

Motion to Amend

Mr. Henderson moved the adoption of the following amendment:

Amendment No. 5

On page 17 of said bill, between lines 19 and 20, insert

"And further excepting therefrom areas adjacent to the above cities which through the process of annexation become a part of such cities, upon such annexation.

And further excepting therefrom the underground reservoirs of the above cities and the areas adjacent to the above cities which are supplied with water by such cities."

Amendment read.

The roll was called, and Amendment No. 5 refused adoption by the following vote:

AYES—Beck, Berry, Brady, Brown, Burkhalter, Coats, George D. Collins, Condon, Cooke, Dills, Doyle, Elliott, Evans, Fleury, Geddes, Grant, Hawkins, Henderson, Luckel, McFall, Meyers, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, and Thomas—28.

NOES—Babbage, Belotti, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Conrad, Dickey, Erwin, Gaffney, Gubser, Hagen, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Lyon, McCollister, McGee, Morris, Niehouse, Porter, Silliman, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—37.

Consideration of Amendment No. 23
Motion to Amend

Mr. Henderson moved the adoption of the following amendment:

Amendment No. 23

On page 70, line 46, after the period, insert:
"It is not the purpose of this act to allow the district to claim any underground waters lying within the boundaries of the incorporated municipality therein or to control the use thereof."

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Beck, Berry, Brady, Burkhalter, Coats, George D. Collins, Condon, Cooke, Crowley, Dills, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Henderson, Lowrey, Luckel, McFall, McMillan, Meyers, Moss, Munnell, Parker, Rumford, Shaw, and Thomas—33.

NOES—Babbage, Belotti, Burke, Chapel, Clarke, Cloyed, Collier, Conrad, Erwin, Gubser, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lyon, McCollister, McGee, Morris, Sherwin, Silliman, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—31.

The question being on the adoption of Amendments Nos. 2, 3, 4, 6 to 22, inclusive, and 24, offered by Mr. Henderson to Assembly Bill No. 340.

Consideration of Amendments Nos. 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, and 24

Amendment No. 2

On page 1, line 2, of said bill, strike out "Conservation", and insert "Water and Power".

Amendment No. 3

On page 1, line 5, of said bill, strike out "Conservation", and insert "Water and Power".

Amendment No. 4

On page 16, line 42, of said bill, strike out "present".

Amendment No. 6

On page 43, line 6, of said bill, strike out "Conservation", and insert "Water and Power".

Amendment No. 7

On page 43, line 39, of said bill, strike out "Conservation", and insert "Water and Power".

Amendment No. 8

On page 44, line 28, of said bill, strike out "Conservation", and insert "Water and Power".

Amendment No. 9

On page 47, line 23, of said bill, strike out "Conservation", and insert "Water and Power".

Amendment No. 10

On page 47, lines 24 and 25, of said bill, strike out "Conservation", and insert "Water and Power".

Amendment No. 11

On page 49, line 46, of said bill, strike out "Conservation", and insert "Water and Power".

Amendment No. 12

On page 50, line 26, of said bill, strike out "Conservation", and insert "Water and Power".

Amendment No. 13

On page 50, line 46, of said bill, strike out "Conservation", and insert "Water and Power".

Amendment No. 14

On page 50, line 49, of said bill, strike out "Conservation", and insert "Water and Power".

Amendment No. 15

On page 52, line 42, of said bill, strike out "Conservation", and insert "Water and Power".

Amendment No. 16

On page 59, line 14, of said bill, strike out "Conservation", and insert "Water and Power".

Amendment No. 17

On page 61, line 1, of said bill, strike out "Conservation", and insert "Water and Power".

Amendment No. 18

On page 61, lines 41 and 42, of said bill, strike out "Conservation", and insert "Water and Power".

Amendment No. 19

On page 65, line 19, of said bill, strike out "Conservation", and insert "Water and Power".

Amendment No. 20

On page 65, line 20, of said bill, strike out "Conservation", and insert "Water and Power".

Amendment No. 21

On page 65, line 31, of said bill, strike out "Conservation", and insert "Water and Power".

Amendment No. 22

On page 68, lines 28 and 29, of said bill, strike out "Conservation", and insert "Water and Power".

Amendment No. 24

On page 71, line 6, of said bill, strike out "Conservation", and insert "Water and Power".

Amendments read, and refused adoption.

Bill ordered reprinted, and re-engrossed.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 56: By Mr. Sam L. Collins—Relative to extending condolences on the death of Lotus H. Loudon.

Referred to Committee on Rules.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Lincoln:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 2160 and 2350 of the Welfare and Institutions Code, relating to old age security to inmates of private institutions.

Respectfully submitted.

L. H. LINCOLN

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Lincoln:

An act to amend Sections 2160 and 2350 of the Welfare and Institutions Code, relating to old age security to inmates of private institutions.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3423: By Mr. Lincoln—An act to amend Sections 2160 and 2350 of the Welfare and Institutions Code, relating to Old Age Security to inmates of private institutions.

Referred to Committee on Social Welfare.

REQUEST FOR UNANIMOUS CONSENT THAT STATEMENT RELATIVE TO THE MERIT AWARD PROGRAM BE PRINTED IN JOURNAL

Mr. Sherwin asked for, and was granted, unanimous consent that a statement relative to the merit award program be ordered printed in the Journal, in 10 point type, as follows:

Statement Relative to Merit Award Program

STATE OF CALIFORNIA
STATE BOARD OF CONTROL
SACRAMENTO, CALIFORNIA, May 2, 1951

To the State Assembly:

GENTLEMEN: Section 13926 of the Government Code authorizes the State Board of Control to make awards to state employees who propose new procedures, or propose changes in existing procedures, which will result in eliminating or reducing state expenditures, provided such procedures are placed in effect.

The merit award program was put into effect December 1, 1950, and the first award was made in January, 1951. In order that you may be informed of the initial results of this program there is listed below the awards which have been made or which have been recommended for state employees during January 1 to April 15, 1951.

Name	*Department*	*Amount of award*	*Suggestion*	*Estimated minimum annual savings*
Nick Dedier, Jr., Tabulating Machine Operator	Motor Vehicles	$50.00	Improved process of separating carbons from automobile registration tabs to double capacity of machine	$2,675
Donald L. Miller, Jr., Tabulating Machine Operator	Motor Vehicles	50.00		
Mrs. Geneva Harvey	State Lands—Cert. of Comm.		Clerical employees handbook.	
Joseph F. Fitzgerald, Claims Examiner	Employment	5.00	Elimination of Claim Transfer form	50
Arvid L. Anderson, Chief Clerk	Highways	21.00		
Ed. L. Malloy, Asst. Highway Mech. Foreman	Highways	21.00	Adaptation and use of Pres-to-Line on bookkeeping machines; reduces time required to post cost accounting records	620
Miss Aurelia Rinderneck, Sr. Account Clerk	Highways	21.00		
Miss Helen Watson, Occupational Analyst, Gr. 1	Employment	5.00	Use of leather luggage tags on stop-watches; reduces breakage	30
Charles E. VanWinkle, Hospital Attendant	Mental Hygiene—Cert. of Comm.		Improvement in patients' wearing apparel.	
Wesley K. Daniels, Asst. State Architect	Architecture—Cert. of Comm.		Improved method of handling travel advances to state employees.	
Harry, A. Dull, Intermediate Clerk	Industrial Relations—Cert. of Comm.		New method of securing repairs on discarded office equipment such as punches, staplers, etc.	
John D. Nelson, Sr Account Clerk	Corrections—Cert. of Comm.		For a method to expedite payment to vendors offering discount for prompt payment.	
Amelia E Bucek, Inter. Steno-Clerk	Franchise Tax—Cert. of Comm.		For suggesting continuous cash receipts rather than in groups of four to expedite collection of personal income taxes.	
Mrs Olga Stanley, Junior Clerk	Insurance Department	$15.00	For a consolidated mailing procedure on agents' appointments	445
* Arthur Bloom, Assoc. Architectural Draftsman	Architecture	100.00	For suggesting use of a special pencil cloth and eliminate inking of working drawings	5,000
Ellis G. Savides, Personnel Training Officer	Corrections—Cert. of Comm.		Recording sick leave on employees attendance summary.	
Lester C. Vaughn, Intermediate Account Clerk	Highways	10.00	Method of expediting typing of Highway pay roll checks	375
Mrs. Gertrud E. Clemans, Intermediate Typist-Clerk	Equalization—Cert. of Comm.		Recommended better grade of paper on field audit reports.	

** Julius Ban, Sr. Architect Draftsman	Architecture	50.00	
** Stanley B. Collins, Assoc. Architect Draftsman	Architecture	50.00	
Miss Grace B. Pallissier, Sr. Typist-Clerk	Natural Resources	20.00	
Rex C. Farmer, Maintenance Foreman	Highways	5.00	
† A. W. Gysen, Upholsterer	Mental Hygiene	100.00	
† Eugene Streed, Automobile Mechanic	Mental Hygiene	50.00	
† A. W. Gysen, Upholsterer	Mental Hygiene	50.00	
†† Earl D Hawkins, Highway Foreman	Highways	25.00	
Mr. Poy C. Ho, Asst. Highway Engineer	Highways	Cert. of Comm.	
‡ Herman D. Feder, Sr. Typist-Clerk	Equalization	50.00	
Wetherby Boorman, Highway Field Office Assistant	Highways	Cert. of Comm	
Carl V. Jansen, Supervisor Batching & Control Sub-Unit	Employment	40.00	
Ralph Doyle, Locomotive Machinist	Harbor Commission	12.50	
Total		$750.50	
Addition awards recommended		645 00	
Totals		$1,395.50	

Printed title block and marginal lines on final working drawings	3,450
Eliminate spelling out of totals on approximately 8,000 claims per month	216
Placing tire brands on dual-tired trucks to expedite	50
Development of hair mattress filling machine for remaking mattresses	1,000
Design and development of mattress tufting machine	1,000
For design of a power attachment to a foot treadle operated broom winder for rewinding rotary street sweepers	260
Use of a gummed sticker to show lubrication record on speedometer.	
Rescheduling of liquor violation and investigation cases so officers involved would not spend too many days in court	500
Improvement of catalog of Highway Service & Supply Department.	
New method of processing wage corrections—disability claims	400
Relining suspension bearings—State Belt Railroad cutting cost one-half	125
	$13,521

* Recommended that Legislature award an additional $400 by concurrent resolution Savings may run between $10,000 and $20,000 annually
** Recommended that Legislature award an additional $245 to be divided equally between employees
† Savings based upon one hospital alone When used in all hospitals, correctional institutions, veterans homes, and schools for blind savings may well exceed $20,000 annually
†† Savings based upon cost in Highway District VII Has application to other 10 highway districts.
‡ Preliminary estimate only To be evaluated at end of year for determination of final savings and award

The Merit Award Board has adopted the policy that awards should be limited to 10 percent of the saving for the first year which will result from the adoption of a suggestion. While the minimum annual savings for the suggestions which were acted upon up to April 15, 1951, total $13,521, the probable savings, when the suggestions have been put into effect by the state agencies where applicable, will result in an annual saving of between $60,000 and $70,000. The awards which have been paid and recommended total $1,395.50.

JAMES S. DEAN, Chairman
State Board of Control

ANNOUNCEMENTS

Mr. Levering announced that he desires all authors with bills pending for hearing in the Committee on Industrial Relations to see him at once and set them for hearing.

Speaker Sam L. Collins announced a request to committee chairmen that they appoint subcommittees to hear bills if committee schedules are behind, for the purpose of assisting committees in promptly completing work.

Mr. Stewart announced that out of an original 334 bills assigned to the Committee on Governmental Efficiency and Economy that 220 are still to be heard, and urged that all authors of said bills immediately request that they be set for hearing.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—At 8 p.m.—

Revenue and Taxation, in Room 3186.
Industrial Relations, in Room 432.
Civil Service and State Personnel, in Room 426.

Today Upon Adjournment—

Transportation and Commerce, in Room 432.
Ways and Means, in Room 435.
Municipal and County Government, in Room 3186.

Tomorrow, Friday, May 4th, at 9:30 a.m.—

Rules, in Room 319.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Speaker Sam L. Collins, the usual courtesies of the Assembly for this day were unanimously extended to Jodeane Collins and Nick Stein of Fullerton.

On request of Mr. Waters, the usual courtesies of the Assembly for this day were unanimously extended to Marilyn Carlson of Beverly Hills, and Mary Waters of Los Angeles.

On request of Messrs. McFall and Parker, the usual courtesies of the Assembly for this day were unanimously extended to Howard McCuistion and James Glaab, teachers, and the following pupils of the West Park School: Norman Thomas Blair, Joseph Costa, Vernon Davis, Francis Dennett, Daniel Dompe, Stanley Ellis Dorsett, Larry Dyke, Charles Ray Freeman, Alfonso Gomez, Peter Edward Gonos, Feburcio Tito Gonzales, Salvador Samuel Grandinetti, Donald Keith Green, Lawrence Richard Guillen, Russell Don Halford, Earl Dean Hall, Richard Alvin Hamilton,

George Leland Haugh, Wallace Vincent Hill, Ramon Pantoja, Jr., Clayton Grant Patterson, Edwin Parriera, Robert Dean Penland, Robert Peter Perez, Jr., Herbert Arthur Peters, Jr., Leory Dean Plummer, Joe Taylor, John M. Thompson, Louis William Toepfer, Leland Walters, Robert Williams, David Willis, Mildred Irene Angle, Adelia Chaparro, Enedina Cibrian, Wanda Darr, Harriet Davanis, Carol Davis, Frankie Davis, Joan Deaver, Janice DeFaria, Claudia Joan Frame, Mary Ann Francesco, Linda Fulcher, Rosemary Garcia, Mary Elaine Gonos, Alice Gonzales, Mary Ann Grandinetti, Rita Joyce Hall, Diane Ruth Harris, Gwenneth Udell Hattervig, Carol Ann Herndon, Katherine Marie Holland, Barbara Nielson, Nellie Joyce Patton, Marolyn Elizabeth Pimentel, Carolme Josephine Plasencia, Sarah Jean Reymundo, Emily Taylor, Gene Elizabeth Tinder, Lennie Tomlinson, Ann Traylor, Epifania Vasquez, Janice Wilcox, Barbara Jean Wilson, Martha Ann Willis, Eddie Jo Yates, and Carol Young.

On request of Mr. Dolwig, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. E. F. Chapman, Dorothy Chapman, and Bonnie Terry of San Carlos.

On request of Mr. Clarke, the usual courtesies of the Assembly for this day were unanimously extended to Wm. H. Graham, teacher, and the following pupils of the Livingston High School: Earnest Ratzlaff, John Frietas, Charles Mancebo, Arthur Barrigar, and Roger Corkery.

On request of Mr. Lowrey, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. A. M. Ward, teacher, Hadwick Thompson, adult, and the following pupils of the Glenn County High School of Willows: Arlene Corson, Orval Chenoweth, Jane Fischer, Thomas Fox, Don Goodman, August Hoever, Jr., Carolyn Hyde, Harry Jones, Diane Kingsbury, Evelyn Lewis, June Billington, Joann Bell, Joann Boyd, Mary Love, Betty Vickery, Frances Lewis, Lila McKelvey, Sadie McKee, Jack Mead, Carmel Moore, Dolores Minton, Joel Pacheco, Jim Pool, Patricia Riley, Dorothy Roberts, Lois Schaad, Dick Smith, Rae Stormer, Bill Spence, George Litty, Marylu Johnson, and Lucy Fernandes.

On request of Mr. Burkhalter, the usual courtesies of the Assembly for this day were unanimously extended to Courtland Grass and John Canaday of Burbank.

On request of Mr. Beck, the usual courtesies of the Assembly for this day were unanimously extended to Walter Rueff, Harold Allen, and Harry Waite of San Fernando.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Lincoln Mers, Mrs. Loren L. Moorhead, Mrs. Howard F. Pettit, Mrs. Cecil Reichman, Mrs. George H. Hansen, and Mrs. J. A. Vincent, Jr., members of the League of Women Voters of Richmond.

On request of Mr. Lowrey, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Elsie Hartwell, teacher; Mrs. T. A. Brooks, Mrs. S. A. Peoples, Mrs J. E. Eckert, Mrs. M. Salas, and Mrs. Carl Becker, adults; and the following pupils of the Davis School: Charles Anderson, Carol Ann Bailey, Glen Baxter, Donna Becker, Brenda Brooks, Leah Creitz, Shirley Davis, Jean Eckert, Kay Fentzling, Margery Fissell, Juanita Galindo, Milton Gregory, Mary Jane Hamel, Janice Hansen, Dee Harper, Gelene Jones, Norma Laraway,

Florence Lucas, Carolyn Macklin, Bill McGhee, Edward McKown, Darrel McMurtry, Judy Peoples, Elaine Perry, Edward Raubach, Alberta Salas, Wayne Shumate, Georgianna Stockman, Deanna Suneson, Sara Thomas, Pat Westergaard, Saraanne Whitmire, Max Yeh, and Richard Zscheile.

On request of Messrs. McFall and Parker, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Jack Hayer, Mrs. Howard Frey, Mrs. Jeannette Martin, Mrs. Roessler, Mrs W. Honn, Mrs. Lillian Smith, Bob Schobert, and J. Lehfeldt, adults, and the following pupils of the Lathrop School: Marvin Niemi, Joe Sanchez, Roger Benedite, Eddren Evens, Kathleen Roessler, Gerald Rose, Tommy Bishop, Joe Medina, Donald Lueveno, Jack Hayre, Edna Schobert, Carl Enos, Cannie Rafael, Charles Grissom, Marvin Craig, Judith Geiger, Dorthea Whitesel, Clarencene Kendrick, Constance Courtwright, Lois McCaw, Jeanne Frey, Esther Yepez, Gus Aista, Mary Jane Cox, Elizabeth Smith, Larry Mullins, Leroy Krause, Nancy Wells, Geraldine Lucas, Ruby Brumley, Harold Hand, and Betty DuVall.

On request of Mr. Coats, the usual courtesies of the Assembly for this day were unanimously extended to Donald Thieler, and the following pupils of the Lincoln School: Patricia Sanders, Norma Keen, Dorothy Pryde, Janet Gould, Dealla House, Virginia Lucero, Adeline Ariyama, Merlene Greathouse, Wilson Sipe, Normand Westmore, Lineer Richins, Robert Long, Sammy Stowell, Floyd Hawkins, Ronald Castle, Thad Smith, Norman Keen, Carl Miller, Allen Nylund, Clinton De Witt, James McDaniel, and William Chandler.

On request of Messrs. Meyers and McCarthy, the usual courtesies of the Assembly for this day were unanimously extended to Rev. and Mrs. Walter Carl Subke of San Francisco.

On request of Mr. Luckel and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to B. Kenneth Goodman of San Diego.

On request of the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Miss Jean Halstead and Donald Haile of San Francisco.

ADJOURNMENT

At 3.25 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Friday, May 4, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FIFTY-SECOND LEGISLATIVE DAY

SEVENTIETH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, May 4, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at he desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

O Thou Eternal Light, Shine into our hearts today. We thank Thee for the work we are privileged to do and for the zest that comes from doing it We are grateful for the perpetual touch of the Divine in life and for the image of Thyself in the souls of man. Bless our families and our loved ones. Protect those who defend our Country.

Direct our thoughts and purposes for the fulfillment of Thy holy will in the destiny of our Nation and its place of leadership among the nations of the world.

"O beautiful for heroes proved
In liberating strife,
Who more than self their country loved
And mercy more than life!
America! America!
May God thy gold refine
Till all success be nobleness
And every gain divine!

Through Christ the Lord —AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mrs. Niehouse, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Smith, on motion of Mr. Stanley.
Mr. Lipscomb, on motion of Mr. Stanley.
Mr. Lincoln, on motion of Mr. Connolly.
Mr. Davis, on motion of Mr. Lowrey.
Mr. Sherwin, on motion of Mr. Connolly.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Kilpatrick, on motion of Mr. Connolly.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Constitutional Amendment No. 57: By Mr. Morris—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding to Article VI thereof a new section to be numbered 27, relating to candidates for judicial office.

Referred to Committee on Constitutional Amendments.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 599
Assembly Bill No. 877
Assembly Bill No 911

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 1752
Assembly Bill No. 2374

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

LUCKEL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Assembly Bill No. 2474

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and re-refer to Committee on Ways and Means.

LUCKEL, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Assembly Bill No. 1997

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LUCKEL, Chairman

Above reported bill ordered to second reading.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 2690
Assembly Bill No. 3405
Assembly Bill No. 3411

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 2599

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 3414

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Senate Bill No. 733
Senate Bill No. 1498

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bills ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1819
Assembly Bill No. 2874
Assembly Bill No. 3031

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1187
Assembly Bill No. 2212
Assembly Bill No. 2755

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 370
Assembly Bill No. 962
Assembly Bill No. 2207
Assembly Bill No. 2512
Assembly Bill No. 3392

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Senate Bill No. 1038
Senate Bill No. 552
Senate Bill No. 616

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Senate Bill No. 111
Senate Bill No. 1012
Senate Bill No. 1013

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1164
Assembly Bill No. 1088

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 2605

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bill ordered to third reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 308—An act to amend Sections 5505 and 5508, and to repeal Section 5562 of the Elections Code, relating to the conduct of elections;

Assembly Bill No. 309—An act to amend Sections 1708 and 1709 of the Elections Code, relating to municipal initiative elections;

Assembly Bill No. 503—An act to add Section 597g to the Penal Code, defining the crime of poling of horses and prescribing the penalty for such crime;

And reports that the same have been correctly enrolled, and presented to the Governor on the third day of May, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 528—An act to add Section 176 to the Revenue and Taxation Code, relating to property taxation;

Assembly Bill No. 531—An act to amend Section 16062 of the Revenue and Taxation Code, relating to gift tax liens;

Assembly Bill No. 532—An act to amend Section 3950 of the Revenue and Taxation Code, relating to actions to determine adverse claims to or clouds upon tax-sold or tax-deeded property purchased from the State;

And reports that the same have been correctly enrolled, and presented to the Governor on the third day of May, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 635—An act to amend Section 1501a of the Probate Code, relating to preference of wage claims;

Assembly Bill No. 663—An act to amend Section 96 of the Labor Code, relating to assignment of claims;

Assembly Bill No. 913—An act to amend Section 11792 of the Insurance Code, relating to the Revolving Fund of the State Compensation Insurance Fund;

And reports that the same have been correctly enrolled, and presented to the Governor on the third day of May, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1693—An act to amend Section 24201 of the Education Code, relating to corporations for establishing, conducting, and maintaining colleges or seminaries of learning;

Assembly Bill No. 1710—An act to amend Sections 3720, 3721, 3724, 3793.5, and 3808 of the Revenue and Taxation Code, relating to taxation;

Assembly Bill No. 1711—An act to amend Sections 2921.5 and 2922 of the Revenue and Taxation Code, relating to taxation;

And reports that the same have been correctly enrolled, and presented to the Governor on the third day of May, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1971—An act to amend Sections 1c and 2b of, to add Sections 2d and 5b to, and to repeal Section 1e of, the Municipal Improvement Act of 1913, relating to special assessment proceedings, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1979—An act to amend Section 6580 of the Health and Safety Code, relating to date of election of officers of sanitary districts;

Assembly Bill No. 2416—An act to amend Sections 3803 and 3807 of the Revenue and Taxation Code, relating to the termination of the right of redemption of tax-deeded property sold to taxing agencies;

And reports that the same have been correctly enrolled, and presented to the Governor on the third day of May, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2418—An act to validate certain acts of taxing agencies and revenue districts and of their officers, relating to the taxation of property;

Assembly Bill No. 2507—An act to add Section 31030 Article 7, comprising Section 31120, to the Water Code, relating to powers of county water districts;

Assembly Bill No. 2705—An act to amend Section 6103.5 of the Government Code, relating to filing fees;

And reports that the same have been correctly enrolled, and presented to the Governor on the third day of May, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2855—An act to amend Section 4951 of the Health and Safety Code, relating to revenue bonds;

Assembly Bill No. 3386—An act to add Section 6516 to the Revenue and Taxation Code, relating to assessments for sales and use taxes;

And reports that the same have been correctly enrolled, and presented to the Governor on the third day of May, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 20—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Section 3 of Article XIII of said Constitution, relating to description of property for assessment;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the third day of May, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 21—Relative to opposing an increase in the federal gasoline tax;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the third day of May, 1951, at 4 p.m.

BURKE, Chairman

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 298
Assembly Bill No. 418
Assembly Bill No. 607
Assembly Bill No. 925
Assembly Bill No. 1030
Assembly Bill No. 1178
Assembly Bill No. 1271
Assembly Bill No. 1274
Assembly Bill No. 2131
Assembly Bill No. 3020

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 35
Senate Bill No. 459
Senate Bill No. 648
Senate Bill No. 1549
Senate Bill No. 1560
Senate Bill No. 1578
Senate Bill No. 1719

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 35—An act making an appropriation in augmentation of the appropriation in Item 5 of the Budget Act of 1950, for expenses of Members of the Senate, to take effect immediately.

Referred to Committee on Rules.

Senate Bill No. 459—An act to add Section 459.6 to the Vehicle Code, relating to jurisdiction of the State Department of Public Works over boundary lines, streets and highways and vehicles using the same.

Referred to Committee on Transportation and Commerce.

Senate Bill No. 648—An act to repeal Education Code Sections 20379, 20344.1, and 20344.2 and to add Chapter 1.5 to Division 10 of said code, relating to schools and colleges under the jurisdiction of the Department of Education.

Referred to Committee on Education.

Senate Bill No. 1549—An act to amend Section 1462.2 of the Penal Code, relating to procedure after arrests for misdemeanors.

Referred to Committee on Judiciary.

Senate Bill No. 1560—An act to amend Section 3440 of, and add Sections 3440.1 and 3440.5 to, the Civil Code, relating to transfers of particular personal property without delivery.

Referred to Committee on Judiciary.

Senate Bill No. 1578—An act to add Section 707.5 to the Streets and Highways Code, relating to removals and relocations of utility facilities to accommodate state freeways.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 1719—An act to amend Section 924 of the Fish and Game Code, relating to nets, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Fish and Game.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 3, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 1646

And respectfully requests your honorable body to concur in said amendments.

J. A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 881
Senate Bill No. 956

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Constitutional Amendment No. 16—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 8 of Article VI thereof, relating to the filling of vacancies in the office of judge of the superior court.

And appointed Senators Hatfield, Ward, and Regan, as a Committee on Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE CONSTITUTIONAL AMENDMENT NO. 16

The Speaker announced the appointment of Messrs. Brown, Clarke, and McGee as a Committee on Conference concerning Senate Constitutional Amendment No. 16.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 282—An act relating to the determination of the population of cities or cities and counties for purposes of allocation of moneys from the State Highway Fund and from the Motor Vehicle License Fee Fund.

And appointed Senators Gibson, Sutton, and Parkman, as a Committee on Conference to meet a like committee from the Assembly

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 282

The Speaker announced the appointment of Messrs Waters, Hollibaugh, and Munnell as a Committee on Conference concerning Senate Bill No. 282.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1696—An act to amend Section 1652 of the Education Code and to repeal Section 1653 of said code, relating to the jurisdiction of county superintendents of schools over school districts lying in more than one county.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1871—An act to amend Section 6407 of the Health and Safety Code, relating to sanitary districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2218—An act to add Section 14074.5 to the Health and Safety Code, relating to the powers and duties of boards of fire commissioners of fire protection districts, in respect to civil service.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2892—An act to add Section 1g to the Municipal Improvement Act of 1913, relating to municipal improvements.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2249—An act to add Section 6360 to the Education Code, relating to school district taxes.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1290—An act to amend Section 18051 of the Education Code, relating to the letting of contracts by school districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 425—An act to add Section 225q to the Civil Code, relating to the adoption of children.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3400—An act declaring portions of revenue derived from lands conveyed to the City of Long Beach by an act entitled "An act granting to the City of Long Beach the tidelands and submerged lands of the State of California within the boundaries of the said city," approved May 1, 1911, and by an act entitled "An act granting certain tidelands and submerged lands of the State of California to the City of Long Beach upon certain trusts and conditions," approved April 28, 1925, as amended by an act entitled "An act to amend Section 1 of an act entitled 'An act granting certain tidelands and submerged lands of the State of California to the City of Long Beach upon certain trusts and conditions,' approved April 28, 1925, relating to the use of such tidelands and submerged lands," approved May 7, 1935, to be free from the public trust for navigation, commerce and fisheries, and from such uses, trusts, conditions and restrictions as are imposed by said acts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3409—An act to create the Sierra Water Conservation District, prescribing its powers and duties, providing for its organization, operation, and management, and authorizing the acquisition of property and works to carry out the purposes of the district, authorizing the incurrence of indebtedness, providing for issuance of bonds, providing for the levy and collection of taxes for the payment of such indebtedness, providing for the issuing of bonds payable solely from revenues of the district, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1070—An act to add Section 1383 to the Water Code, relating to appropriation of water.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2910—An act to add Section 27179 to the Streets and Highways Code, relating to police protection of bridge and highway district facilities.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2629—An act to amend Sections 25051, 25320, 25321, 25520, and 25521 of the Streets and Highways Code, and to add Sections 130.1 and 130.2 to said code, relating to joint highway districts and the construction of state highways.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1360—An act providing for the constitution of the municipal court in a district embracing the City of Berkeley, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "City of Berkeley", and insert "Cities of Berkeley and Albany".

Amendment No. 2

On page 1, line 2, of said bill, strike out "City of Berkeley", and insert "Cities of Berkeley and Albany".

Amendment No. 3

On page 1 of said bill, strike out lines 5, 6, and 7, and insert

"(1) There shall be two judges each of whom shall receive thirteen thousand five hundred dollars ($13,500) per annum, payable in equal monthly installments;

(2) There shall be one clerk who shall receive six hundred dollars ($600) per month, and who may appoint the following:

Two chief deputies, each of whom shall receive a minimum salary of three hundred dollars ($300) monthly with annual increments of ten dollars ($10) to a maximum of three hundred fifty dollars ($350) monthly;

Six deputy clerks, each of whom shall receive a minimum salary of two hundred seventy-five dollars ($275) monthly with annual increments of ten dollars ($10) to a maximum of three hundred twenty-five dollars ($325) monthly;

One deputy clerk, who shall receive a minimum salary of two hundred fifty dollars monthly with annual increments of ten dollars ($10) to a maximum of three hundred dollars ($300) monthly;

Four deputy clerks, each of whom shall receive a minimum salary of two hundred twenty-five dollars ($225) monthly with annual increments of ten dollars ($10) to a maximum of two hundred seventy-five dollars ($275) annually;

(3) Persons who succeed to positions in the municipal court under provisions of the Municipal and Justice Court Act of 1949 shall receive credit for continuous prior service in superseded courts and shall receive, in addition to the minimum rate, the annual increments commensurate with such years of prior service up to the maximum rate set."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 248—An act to amend Section 1 of an act entitled: "An act making an appropriation to the Emergency Fund specified in Item 277 of the Budget Act of 1950, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, declaring the urgency thereof, to take effect immediately," approved February 2, 1951, relating to repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, and declaring the urgency hereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on March 16, 1951, strike out lines 39 to 47, inclusive, and insert "of the State Government. Money apportioned to a county out of the Highway Users Tax Fund shall not be considered to be

funds from the State Treasury or funds of any agency which is a part of the Executive Department of the State Government and may be used by such county for matching purposes under this act."

Amendment No. 2

On page 3 of said bill, strike out lines 1 to 7, inclusive, and insert "contract "

Amendment No. 3

On page 3 of said bill, strike out lines 18 to 32, inclusive, and insert

"Funds have already been appropriated for the repair and restoration of the damaged property and the amendments contained in this act make specific certain provisions of the law with regard to which some misunderstanding now exists. It is important that the law be clarified in these regards in order that every applicant for assistance under the act will have the same understanding of its application as every other such applicant. Inasmuch as the repair of such flood damaged property must be performed at once it is necessary in the interest of public health and safety that this act take effect immediately."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3017—An act to add Article 5, to Chapter 5, Part 2, Division 3, Title 2, and to repeal Sections 16396 and 18002, of the Government Code, relating to state employment, in respect to pay roll procedure.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 2, line 26, of the printed bill, as amended in the Assembly on April 6, 1951, strike out "may", and insert "shall".

Amendment No. 2

On page 2, line 34, of said bill, strike out "shall", and insert "may".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1291—An act to amend Section 5901 of the Education Code, relating to school district emergency cash funds.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "emergency", and insert "revolving".

Amendment No. 2

On page 1, line 5, of said bill, strike out "emergency", and insert "revolving".

Amendment No. 3

On page 1, line 8, of said bill, strike out "emergency", and insert "revolving".

Amendment No. 4

On page 1, line 9, of said bill, strike out "emergency", and insert "revolving".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1566—An act to amend Section 7403 of the Education Code, to repeal Section 7409 of said code, and to add Section 7461.5 to said code, relating to the authorization and issuance of bonds of school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 12, of the printed bill, strike out "rate of interest, or".

Amendment No. 2

On page 1, line 15, of said bill, strike out "the whole or any part of".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2863—An act to add Sections 2107 and 2108 to the Education Code, relating to boards of education of chartered cities.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 18, of the printed bill, strike out "four", and insert "three".

Amendment No. 2

On page 1, line 23, of said bill, strike out "for three years".

Amendment No. 3

On page 2 of said bill, strike out line 1, and insert "the city board of education, two to serve for three years, and one to serve for two years; at the second".

Amendment No. 4

On page 2, line 3, of said bill, strike out "one year", and insert "three years".

Amendment No. 5

On page 2, line 4, of said bill, strike out "four", and insert "three".

Amendment No. 6

On page 2, line 5, of said bill, strike out "second".

Amendment No. 7

On page 1 of said bill, beginning in line 8, strike out "comprising all or a part of the city", and insert "within which the city is located or with which the city is coterminous".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3389—An act to add Article 3.5 to Chapter 1, Division 5 of the Education Code, relating to outdoor science education and conservation education.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 4, of the printed bill, after "programs", insert "and Classes".

Amendment No. 2

On page 1, line 8, of said bill, after "programs", insert "and classes".

Amendment No. 3

On page 1, line 15, of said bill, after "grams", insert "and classes".

Amendment No. 4

On page 2, line 1, of said bill, after "programs", insert "and classes".

Amendment No. 5

On page 2, line 6, of said bill, after "programs", insert "and classes".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2041—An act to amend Sections 3.1, 3.2, and 3.3, and to add Sections 3.4, 3.5, and 3.6 to the Los Angeles County Flood Control Act, relating to the establishment of zones within the district.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on April 16, 1951, strike out "3.4,".

Amendment No. 2

On page 1 of said bill, strike out lines 5 and 6, and insert "for the purpose of financing the acquisition of imported or reclaimed water, or both, which acquisition the".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out lines 9 to 19, inclusive, and insert "Water so acquired shall be conserved by the district in a manner beneficial to the zone. Expenditures for the purpose of conserving water so acquired may be made from funds derived from taxes levied pursuant to Section 14 of this act but such expenditures therefrom shall not exceed an amount equal to the amounts levied within the zone under the provisions of said Section 14. Such zone shall be accurately described and shall be designated by a zone number by said resolution, and shall include all territory which will be specially benefited by the conservation of the water so acquired and conserved

As used in Sections 3.1 to 3.6 of this act, the term "public district" shall not include metropolitan water districts, but shall include all other public districts; the term "imported water" shall mean water imported from a source which is not tributary to the ground water supply in the zone; and the term "reclaimed water" shall include water reclaimed from sewage or other wastes, but shall not include waters recaptured or re-used by the owners or producers thereof.

SEC. 2. Section 3.2 of said act is amended to read:

Sec. 3.2. *Prior to the hearing on the proposal to establish any zone, as hereinafter provided, the board of supervisors shall by resolution direct the chief engineer of the district to make and file a report with said board of supervisors which shall show:*

(1) A general description of the work to be done by the district in conserving water acquired.

(2) A general description of the lands, rights of way, easements and property to be taken, acquired or injured in carrying out such work.

(3) An estimate of the cost of such work, including an estimate of the cost of lands, rights of way, easements and property proposed to be taken, acquired or injured in carrying out said work, and also of all incidental expenses and of all operating, maintenance and other costs likely to be incurred in connection therewith.

(4) The proposed boundaries of the zone. For the purposes of the notice of hearing, the proposed boundaries shall be described to include all properties which may be benefited by the proposed zone without regard to the current or proposed use of imported or reclaimed waters on said properties, other than as a result of the work proposed to be done by the district.

The report shall be considered by the board of supervisors which may by resolution either adopt the same as filed or refer the report back to the chief engineer of the district for modification or change. When a report satisfactory to said board of supervisors has been filed with such board as aforesaid, the board by resolution shall adopt the report and shall estimate the amounts of all capital expenditures and of all operating, maintenance and other costs necessary to conserve water within the proposed zone.

Before establishing any zone under Section 3.1 of this act, the board of supervisors shall hold a public hearing upon the proposal. Notice of the hearing shall be published once a week for two consecutive weeks, *the date of the second publication to be at least 30 days* prior to said hearing, in a newspaper of general circulation *published* within the proposed zone, if there be such newspaper, and if there be no such newspaper then by posting notice of the hearing [for two consecutive weeks] *at least 40 days* prior thereto in five public places, within said *proposed* zone, as designated by the board. *Notice shall be given to all cities and to all public districts formed for the purpose of supplying water within the proposed zone by mailing a copy of the notice to the chairman of the governing bodies thereof at least thirty days prior to said hearing.* Said notice shall describe the boundaries of the proposed zone, *shall state whether it is proposed to acquire imported or reclaimed water or both, shall refer to the report of the chief engineer as adopted by the board, shall* [and] contain a general statement of the [nature of the activity] proposed *method of conservation as described in said report, and shall set forth the amounts of all capital expenditures and of all operating, maintenance and other costs necessary to conserve water within such proposed zone as so estimated by the board.* [At the hearing, any person owning real property within the proposed zone may appear and protest the establishment of the zone or the proposed project or system.] *Said notice also shall contain a statement that written and oral protests against the formation of the zone or the inclusion of property therein will be considered at the time of the hearing, and that if sufficient written protests against the establishment of the zone are filed with the clerk of the board at least 15 days before the date set for the hearing, the proceeding shall be abandoned.*

If sufficient written protests against the establishment of the proposed zone are filed with the clerk of the board at least 15 days prior to the date set in the notice for the hearing, the proceedings shall be abandoned as hereinafter provided.

Written protests by property owners shall give the name and address of the protestant and shall describe the taxable real property within the proposed zone assessed to such protestant. The clerk shall transmit such protests, or a list of such properties showing the protestant as to each such property, to the assessor, who shall certify to the board of supervisors whether such properties assessed to such protestants, as shown by the last equalized county assessment roll, have an assessed value in excess of 10 percent of the assessed value of all of the taxable real property within the proposed zone. If the protest is in excess of the said 10 percent the proceedings shall be abandoned and no further proceeding relating to the creation of a zone affecting such property may be had for at least six months after the date set in the notice for the hearing.

Protests by cities and by public districts formed for the purpose of supplying water shall be in the form of certified copies of resolutions of their governing bodies. If protests are filed which have been adopted by a majority vote of the governing bodies of cities or of public districts formed for the purpose of supplying water, within which cities or public districts or both, there is taxable real property situated within the proposed zone as described in the notice of hearing, having an assessed value equal to not less than 60 percent of the assessed value of all of the taxable real property within the proposed zone as described in said notice of hearing, as shown on the last equalized assessment roll, then the proceedings shall be abandoned and no further proceedings relating to the creation of a zone affecting such property may be had for at least six months after the date set in the notice of hearing.

If the proceedings are not terminated by the protests of property owners or by the protests of cities or of public districts formed for the purpose of supplying water, as above provided, the board of supervisors may proceed with the hearing and shall consider such protests and any additional written or oral protests which may be made either against the establishment of the proposed zone or the inclusion therein of any property, or both. The hearing may be continued from time to time but not to exceed 60 days in the aggregate Upon the conclusion of the hearing [,] the board may abandon the proposal [, or proceed therewith unless prior to the conclusion of the hearing a written

protest against the proposal, signed by a majority in number of the owners of real property within the proposed zone, be filed with the board, in which case no further proceedings relating to such proposal may be had for at least six months after the conclusion of the hearing.] *may adopt a resolution establishing the zone for the purpose specified in the notice, including therein all properties within the described boundaries of the proposed zone which the board finds will be specially benefited thereby.*

In determining the properties which will be specially benefited by inclusion in the proposed zone the board shall consider the availability to such properties, other than as a result of said work so proposed to be done by the district, of imported or reclaimed water and the present and contemplated use of such water, thereon.

A statement regarding the zone boundaries, or any change thereof, shall be filed as provided in Chapter 8, Part 1, Division 2, Title 5, of the Government Code

SEC. 3. Section 3.3 of said act is amended, to read:

Sec. 3.3. Whenever any zone is established pursuant to Section 3.1 of this act, a special tax may be levied *each year thereafter* by the board of supervisors upon the taxable real property within said zone to defray the cost of [any of the activities] *acquiring the water* for which the zone is established. Said tax in any one fiscal year shall not exceed [two cents ($0.02)] *five cents ($0.05)* on each one hundred dollars ($100) of assessed valuation. It shall be in addition to any other taxes provided for by this act, and shall be levied and collected at the same time and in the same manner as such other taxes. All funds collected by reason of said tax shall be expended only on behalf of the zone and only for the purpose [s] *of acquiring water or for the purpose of conserving such acquired water, as* set forth in the notice of hearing upon the proposal to establish the zone.

Expenditures for the purpose [s] *of acquiring imported or reclaimed water, or both, as* set out in Section 3.1 [,] of this act, may be made *by the district* from funds derived from the special tax or taxes levied pursuant to this section [,] upon the taxable real property within such zone established under said Section 3.1, but not from any other funds. *No contract for the acquisition of imported or reclaimed water, or both, shall be entered into by the district which does not provide, that, unless sooner terminated, all obligations thereunder shall terminate at the end of any fiscal year during or at the end of which the zone within which the water is to be conserved, is terminated.*

SEC. 4. Section 3.5 is added to said act, to read:

Sec. 3.5. Any part of the land included within an established zone may be excluded therefrom by the board of supervisors if at a hearing on the matter it determines that the exclusion would be for the best interests of the zone, or that the land would no longer be specially benefited by its continued inclusion in the zone and that the land remaining in the zone would continue to be specially benefited by remaining as a zone. The board may order such hearing on its own motion and shall do so upon a petition for exclusion being filed with the clerk of the board, signed by the owners of ten per cent in assessed value of the real property within the area described in the petition or upon receipt by the clerk of a resolution requesting exclusion, adopted by the majority vote of the governing body of any city, or of any public district formed for the purpose of supplying water, all or any part of which is included in the zone. Petitions of property owners must contain a description of the property in which each signer claims ownership, sufficient to identify the same. The clerk shall transmit such petition to the assessor who shall certify to the board of supervisors whether such properties assessed to such petitioners, as shown on the last equalized assessment roll, have an assessed value of ten per cent or more of the assessed value of all taxable real property within the area sought to be excluded.

Notice of such hearing shall be given in the manner described in Section 3.2 and shall contain a description of the land sought to be excluded and a statement of the purpose of the hearing.

At the hearing, evidence may be presented concerning either or both of the elements to be determined by the board as a prerequisite to the exclusion of the land described. The hearing may be continued from time to time not to exceed sixty days in the aggregate. If the board so determines, it shall thereupon by resolution declare such land excluded from the zone.

SEC. 5 Section 3.6 is added to said act, to read:

Sec. 3.6. Any zone established pursuant to Section 3.1 of this act may be terminated by the board of supervisors after a public hearing on the matter. Such hearing may be ordered upon motion of the board, and shall be ordered upon a petition for termination being filed with the clerk of the board, signed by the owners of 10 percent of the taxable real property within the zone as ascertained by reference to the last equalized county assessment roll, or upon the filing with the clerk of a resolution requesting termination adopted by a majority vote of the governing body of any city, or of any public district formed for the purpose of supplying water, all or any part of which is included within the zone. The determination of the percentage of owners of real property signing the petition for termination shall be made and certified to by the assessor in the manner described in Section 3.5.

Notice of such hearing shall be given in the manner described in Section 3.2. The notice shall contain a description of the zone, a general statement of its activities, and the purpose of the hearing.

At the hearing, evidence may be presented concerning the necessity, or lack thereof, for continuing the zone. The hearing may be continued from time to time not to exceed 60 days in the aggregate. If the board determines that such necessity no longer exists, or that the public interest otherwise requires the termination of the zone, or that the real property is no longer benefited, the board shall thereupon by resolution declare the zone terminated for all purposes except those necessary to finance outstanding contracts. When such contracts have been satisfied the zone will terminate for all purposes, effective at the close of the then current fiscal year.

Such a zone shall terminate without hearing at the end of the third or fourth fiscal year during which taxes were, or could have been, levied for zone purposes if certified copies of resolutions requesting such termination are filed with the board of supervisors, as hereinafter provided, on or before 60 days prior to the date of the requested termination. Such resolutions shall be sufficient if adopted by a majority vote of the governing bodies of cities or of public districts formed for the purpose of supplying water within which cities or public districts or both, there is taxable real property situated within the zone having an assessed value equal to not less than 35 percent of the assessed value of all of the taxable real property within the zone, as shown by the equalized assessment roll of such fiscal year.

If not sooner terminated, such zone shall terminate without hearing at the end of the fifth fiscal year during which taxes were, or could have been, levied for zone purposes. A new zone comprising or including all or any part of an original zone which has been terminated pursuant to the provisions of this section, shall not be established if protests are filed with the clerk of the board, at least fifteen (15) days prior to the date set for hearing thereon, which protests have been adopted by a majority vote of the governing bodies of cities or of public districts formed for the purpose of supplying water, within which cities or public districts or both, there is taxable real property situated within the proposed zone as described in the notice of hearing, having an assessed value equal to not less than 35 percent of the assessed value of all of the taxable real property within the proposed zone as described in said notice of hearing, as shown on the last equalized assessment roll.

Any remaining funds of a terminated zone shall be added to the general funds of the district and shall be expended by the district for water conservation in a manner beneficial to the area within the terminated zone in addition to that normally performed."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 3098—An act to amend Sections 3.1, 3.2, and 3.3, and add Sections 3.4, 3.5, and 3.6 to the Los Angeles County Flood Control Act, relating to the establishment of zones within the district.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on April 16, 1951, strike out "Sections 3.1, 3.2, and 3.3, and to add Sections 3.4, 3.5, and 3.6 to", and insert "Section 17 of".

Amendment No. 2

In the title of said bill, strike out lines 3 and 4, and insert "Act, relating to the Los Angeles County Flood Control District."

Amendment No. 3

On page 1, line 1, of said bill, strike out "3.1", and insert "17".

Amendment No. 4

On page 1 of said bill, between lines 2 and 3, insert

"SEC. 17. Said board of supervisors of said district shall have full power and authority to cooperate with and to act in conjunction with the State of California, or any of its engineers, officers, boards, commissions, departments or agencies, or with the Government of the United States, or any of its engineers, officers, boards, commissions, departments or agencies, or with any public or private corporation, in the construction, *operation and maintenance* of any work for the controlling of flood or storm waters of said district, or for the protection of property, or any of the harbors,

channels, waterways, roads or highways in said district, or for the purpose of conserving said waters *or waters imported from without the district or waters reclaimed from sewage or other wastes when such imported or reclaimed waters are furnished without cost to the district, including, but not limited to, surface and subsurface storage,* for beneficial use and to adopt a definite plan or system of work for such purpose, and when so adopted no substantial change affecting their interest shall thereafter be made in the same without the express consent of the officer, board, commission, department or agency of the state or federal government, or public or private corporation, in conjunction with which the same was originally adopted. *Expenditures for the purpose of conserving such imported or reclaimed waters may be made from funds derived from taxes levied pursuant to Section 14 of this act but such expenditures therefrom shall not exceed an amount equal to the amounts levied under the provision of said Section 14 within the area specially benefited by the conservation of such imported or reclaimed waters.*

Said board of supervisors of said district shall have full power and authority to contract with any municipality, irrigation district, or metropolitan water district, for the construction by such municipality, irrigation district, or metropolitan water district, at its own expense under plans approved by said flood control district, of works for the enlargement and increase of storage capacity of any reservoir, work, or structure used or to be used for the controlling and conservation of flood or storm waters of said flood control district, and to authorize by contract, or otherwise, the use by any such municipality, irrigation district or metropolitan water district of said enlarged and increased storage capacity or space thereby created, of such reservoir, work, or structure in excess of that now designed and approved for controlling and conserving the flood or storm waters, of said Los Angeles County Flood Control District, and for the storage and release of waters coming entirely from points outside of said flood control district; provided, however, such use of such enlarged and increased space or storage capacity shall at all times be subject to the use and control of said Los Angeles County Flood Control District for the controlling or conservation of such flood or storm waters by the said flood control district."

Amendment No. 5

On page 1 of said bill, strike out lines 3 to 25, inclusive; on page 2, strike out lines 1 to 50, inclusive; on page 3, strike out lines 1 to 51, inclusive; on page 4, strike out lines 1 to 52, inclusive; on page 5, strike out lines 1 to 52, inclusive; on page 6, strike out lines 1 to 50, inclusive; and on page 7, strike out lines 1 to 36, inclusive"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 1789—An act to amend Sections 5025, 5119, 5125, 5180, 5182, 5190, 5194, 5195, 5266, 5294, 5295, 5296, 5303, 5342, 5343, 5366, 5372, 5391, 5392, 6463, 6464 of, to add Section 5302.5 to, and to repeal Section 5193 of, the Streets and Highways Code, relating to the Improvement Act of 1911 and public works and improvements thereunder.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on April 30, 1951, strike out "6463," and insert "5395, 6463, 8620, 8621, 8622, 8623, and 8650".

Amendment No. 2

In line 5 of the title of said bill, strike out "the Improvement Act of 1911 and".

Amendment No. 3

In line 6 of the title of said bill, strike out "thereunder".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 4

On page 6 of said bill, between lines 14 and 15, insert

"SEC. 20.5. Section 5395 of said code is amended to read:

5395. After the filing of the contractor's written statement of payments, all amounts remaining due on any assessment shall draw interest at the rate of 1 percent per month until paid, the interest to be computed from the [date of the filing of the contractor's statement; provided, however, that when payments are made to the superintendent of streets pursuant to Section 5396 of this division said interest shall be computed from the] thirty-first day after the recordation of the warrant."

Amendment No. 5

On page 6 of said bill, after line 38, insert

"SEC. 22. Section 8620 of said code is amended to read:

8620. [All of the decisions and determinations of the legislative body upon the objections and matters submitted at the hearing, shall be final and conclusive upon all persons who were entitled to appear at the hearing.] *After confirmation of the assessment by the legislative body and after the return of the warrant attached thereto and after the filing of the statement of payments received upon the assessment by the contractor as provided by law pursuant to which the work was done, or after 30 days from the date of the first publication of the notice of recording the assessment, if the work was done under the Street Opening Act of 1903, the street superintendent shall make and file with the treasurer a complete list of all unpaid assessments, upon the assessment.*

SEC. 23. Section 8621 of said code is amended to read:

8621. [Upon the conclusion of the hearing the legislative body may remedy and correct any error or informality in the proceedings and revise and correct any of the acts or determinations previously had relating to the work, and it may thereupon determine the assessments which are unpaid and the aggregate amount of the same.] *The treasurer shall determine the assessments which are unpaid and the aggregate amount thereof.*

SEC. 24. Section 8622 of said code is amended to read:

8622. The [legislative body] *treasurer* shall prescribe the denominations of the bonds, which shall be in convenient amounts, not necessarily equal, and shall provide for their issuance.

SEC. 25. Section 8623 of said code is amended to read:

8623. The bonds shall be immediately delivered to the contractor *or his assigns* in satisfaction of the balance due him upon his assessment and warrant, or, if the work was done under the Street Opening Act of 1903, the bonds shall be sold to the highest cash bidder after advertising for bids. The advertisement for bids shall be published for at least three times in a daily newspaper published and circulated in the city, or if there is no such daily newspaper, then the advertisement shall be published once in a weekly or semiweekly newspaper so published and circulated. [The bonds shall not be sold for less than par.]

SEC. 26. Section 8650 of said code is amended to read:

8650. The bonds shall be issued in series and an even annual proportion of the aggregate principal sum thereof shall be payable on the second day of July every year succeeding the first 10 months after their date, until the whole is paid. The bonds shall bear interest at a rate not in excess of 6 percent per annum from [the date of filing the unpaid assessment list with the clerk, or from] 30 days after [the first publication of the notice of] recording the assessment[, if the work was done under the Street Opening Act of 1903], on all sums unpaid, until the whole of the principal sum and interest are paid. However, bonds issued in place of bonds issued prior to August 27, 1937, may bear interest at a rate not exceeding 8 percent per annum on all sums unpaid.

Interest shall be payable semiannually by coupon, on the second day of January and July, respectively, of each year. The first payment of interest shall not become due until six months before the maturity of the first series of bonds."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 867—An act to add Section 3577 to the Education Code, relating to the Public School System, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "3577", and insert "16277".

Amendment No. 2

In line 2 of the title of said bill, strike out ", declaring the urgency thereof," and insert a period.

Amendment No. 3

Strike out line 3 of the title of said bill.

Amendment No. 4

On page 1, line 1, of said bill, strike out "3577", and insert "16277".

Amendment No. 5

On page 1 of said bill, strike out lines 3 to 23, inclusive; and strike out page 2, and insert

"16277. As used in this section "school bus" means a school bus as defined in Section 16273, and also a motor vehicle which is regularly used for the transportation of pupils of private schools and which otherwise comes within the definition contained in Section 16273

Each school bus shall be equipped with a stop arm. The driver of the school bus shall raise the movable stop arm to a position at a right angle to the side of the bus whenever the bus stops to receive or discharge passengers. The stop arm shall meet all of the following requirements:

(a) The arm shall be fastened on the left side of the bus;

(b) The arm shall be at least two feet long;

(c) The sign at the end of the arm shall be octagon in shape and at least 14 inches at its greatest height and breadth;

(d) The word "stop" shall be printed on the sign in letters at least 10 inches high;

(e) The arm shall be controlled by a devise to be used by the driver."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

Assembly Bill No. 2224—An act to add Sections 1306.1 and 1306.2 to the Education Code, relating to contracts of employment of superintendents of school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "1306.1 and 1306.2", and insert "1303.1, 1303.2, and 1303.3".

Amendment No. 2

In line 2 of the title of said bill, strike out "contracts of".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 16, inclusive, and insert

"SECTION 1. Section 1303.1 is added to the Education Code to read.

1303.1. The governing board of any school district, with the consent of the employee concerned, may at any time terminate, effective on the next succeeding first day of July, the term of employment of, and any contract of employment with, the superintendent of schools, or any associate, deputy, or assistant superintendent of schools of the district, and re-elect or re-employ the employee, on such terms and conditions as may be mutually agreed upon by the board and the employee, for a new term to commence on the effective date of the termination of the existing term of employment.

SEC. 2. Section 1303.2 is added to said code to read:

1303.2. In the event the governing board of a school district determines the superintendent of schools of the district is not to be re-elected or re-employed as such superintendent upon the expiration of his term, the superintendent of schools shall be

given written notice thereof by the governing board at least one year in advance of the expiration of his term. In the event the governing board of a district fails to re-elect or re-employ the superintendent of schools of the district as such superintendent and the written notice herein provided for has not been given, the superintendent of schools shall be deemed re-elected for a term of the same length as the one completed.

SEC. 3. Section 1303.3 is added to said code to read:

1303.3. Prior to the beginning of the fourth year of the first term of employment of a city superintendent of schools, the term of employment may by mutual consent become a continuing term of employment which may be terminated by the governing board at any time upon giving the superintendent written notice of at least one year of its intention to terminate his employment. The salary of a city superintendent of schools having a continuing term of employment may be changed at any time by mutual consent of the governing board and the city superintendent of schools. The governing board of a district employing a city superintendent of schools on a continuing term may with the consent of the superintendent terminate such continuing employment and elect the superintendent for a term of four years which shall have the effect of an initial employment of four years."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

Assembly Bill No. 2493—An act to amend Section 3892 of the Education Code, relating to the Public School System of the State of California.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, after "to", strike out "amend Section 3892 of", and insert "add Section 18061 to"; and in line 2 of the title, strike out "Public School System of the State of California", and insert "payment of construction contracts".

Amendment No. 2

On page 1 of said bill, strike out lines 1 through 5, inclusive, and insert

"SECTION 1. Section 18061 is added to the Education Code, to read:

18061. The governing board of any school district shall determine the method of payment for construction contracts, including progress payments for completed portions of the work or for materials delivered on the ground or stored subject to the control of the board and unused "

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

Assembly Bill No. 3199—An act to amend Sections 14479, 14632, and 14635 of the Education Code, relating to the State Teachers' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 14479, 14632, and 14635", and insert "Section 14722".

Amendment No. 2

In lines 2 and 3 of the title of said bill, strike out "the State Teachers' Retirement System", and insert "District Retirement Systems".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 14722 of the Education Code is amended to read:

14722. The plan may provide that the retirement salary shall be a stipulated monthly sum, or that all benefits under the retirement feature of the plan shall be based upon the monthly salary for each year of future active service in the district earned by the employee up to the date of retirement and upon the average monthly salary earned by the teacher or other eligible employee during the year immediatly preceding the adoption of the plan and the number of years of past active service of the employee in the district, and subject to such provisions as are made in the plan for minimum benefits. No employee with less than 15 years' service in the district prior to normal retirement age shall receive the benefit of the minimum. [In no instance shall the retirement benefits be based upon or allowed for any amount of salary in excess of the sum of six thousand dollars ($6,000) per annum.]"

Amendment No. 4

On page 1 of said bill, strike out lines 2 to 23, inclusive; and strike out page 2.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

Assembly Bill No. 830—An act to amend Section 1303 of the Education Code, relating to terms of office of school superintendents and deputy and assistant superintendents.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 1302 and".

Amendment No. 2

In line 2 of the title of said bill, strike out "terms of office of school superintendents", and insert "the employment of associate superintendents of schools and the terms of office of school superintendents, associate superintendents,".

Amendment No. 3

On page 1, line 1, of said bill, strike out "1303", and insert "1302".

Amendment No. 4

On page 1 of said bill, between lines 2 and 3, insert

"1302. In each city school district governed by a city board of education, the board may employ a city superintendent of schools and such *associate superintendents of schools, and* deputy or assistant city superintendents *of schools* as it deems necessary, and may fix and order paid their compensation, unless otherwise prescribed by law.

SEC. 2. Section 1303 of said code is amended to read:".

Amendment No. 5

On page 1, line 5, of said bill, after "schools", insert ", associate superintendent of schools,".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 2275—An act to add Chapter 7 to Title 6 of the Government Code, relating to urban districts, providing for the organization, operation and government of such districts, and defining their powers and duties.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 19, of the printed bill, after "county", insert "and to and from cities adjacent to such districts.

Article 2. Petition and Hearing

60510. Urban districts consisting of all or any part of the unincorporated territory of a county may be formed in the manner provided for in this chapter.

60511. Proceedings for the formation of a district shall be commenced by petition addressed to and filed with the board of supervisors of the county within which the district is proposed to be established and signed by not less than 5 percent of the registered voters residing within the boundaries of the proposed district, if the district contains five hundred or more registered voters, or by the assessees of property representing at least 5 percent of the assessed value, according to the last equalized assessment-roll, of all the property within the boundaries of the proposed district, if the district contains less than 500 registered voters.

60512. The petition may be filed in sections each of which must comply with all the requirements of the petition except that a section need not contain the total number of signatures required for the petition.

60513. The petition must:

(a) State the proposed name for the district in substantially the following form: _____(filling in the blank) Urban District of _____ (filling in the blank) County;

(b) Set forth the boundaries of the proposed district or describe the lands to be situated therein; and

(c) Request that the district be formed under the terms of this chapter.

60514. Upon the filing of the petition, the board of supervisors shall fix a time and place for the hearing of the petition. The hearing shall not be less than 30 days nor more than 60 days after such filing.

60515. Notice of such hearing shall be given by the clerk of the board of supervisors by publication of a notice of hearing at least once in a newspaper of general circulation published within the boundaries of the proposed district, or if there be none, then in a newspaper of general circulation published in the county.

60516. The notice of hearing shall:

(a) State the name of the proposed district;

(b) State that the petition for the formation of the same is available for inspection at the office of the clerk of the board of supervisors;

(c) Designate the boundaries of the proposed district;

(d) State the time and place for the hearing;

(e) State that at said hearing protests will be considered by the board of supervisors; and

(f) State that at said hearing requests in writing for the exclusion from or inclusion of lands in the proposed district will also be heard and considered by the board of supervisors.

60517. The board of supervisors shall not be deprived of jurisdiction to proceed with the hearing nor shall any action on the petition be invalidated by any clerical error in the published notice.

60518. At the hearing protests may be made orally or in writing by any person interested in the formation of the proposed district. Any protest pertaining to the regularity or sufficiency of the proceedings must be in writing and must clearly set forth the irregularities and defects to which objection is made. All written protests must be filed with the clerk of the board of supervisors on or before the time fixed for the final hearing. The hearing may be continued from time to time not exceeding ninety days.

60519. The proceeding shall terminate if prior to the time the board of supervisors determines the district shall be formed written protests against the formation of the district are filed with the clerk of the board of supervisors either by a majority of the registered voters residing within the boundaries of the proposed district, if it is proposed to organize the district by a petition signed by not less than 5 percent of the registered voters residing within the boundaries of the proposed district, or by the

assessees of property representing a majority of the assessed value, according to the last equalized assessment roll, of all the property within the boundaries of the proposed district, if it is proposed to organize the district by a petition signed by the assessees of property representing at least 5 percent of the assessed value, according to the last equalized assessment roll, of all the property within the boundaries of the proposed district.

Article 3. Formation of District

60530. If, after the hearing provided for above, the board of supervisors determines that the organization of the district is in the public interest, it shall fix the boundaries of the proposed district, including therein any territory within the boundaries of the district covered by the petition or by any written requests for inclusion which it determines will be benefited by inclusion in the district and excluding therefrom any such territory which it determines will not be benefited by inclusion in the district.

60531. If the board of supervisors determines that the district should be established, it shall by resolution declare the district established, fix and describe its boundaries and designate a name thereof which name may be that proposed in the petition or such other name as the board of supervisors may select.

60532. Upon the adoption of the resolution declaring the district organized, the organization of the district shall be complete; and the clerk of the board of supervisors shall file a certified copy of the resolution in the office of the county recorder and in the office of the Secretary of State

60533. The county in which an urban district is organized as herein provided shall pay from its general fund all fees required by the organization or dissolution of the district.

Article 4. Powers of District

60540. Any urban district incorporated, as herein provided, shall have power:

First: To have perpetual succession.

Second: To hold title to a community building and appurtenant structures within the district; and to provide for the maintenance thereof and to establish rules and regulations governing its use and charges therefor, or to contract with the board of supervisors for the joint use of a community building with other county agencies or urban districts on a rental or ownership basis.

Third: To contract, either alone or in conjunction with other urban districts within the county, with the board of supervisors or with special districts organized within the county or with a city or cities within the county, for the furnishing to such urban district or urban districts, of such special services as may be required by the urban district or urban districts. As used in this subdivision and elsewhere in this chapter "special services" shall mean such services as are in addition to those which the county or special district is legally obligated to provide within the territory comprising the urban district or urban districts

Fourth: To cause the board of supervisors to be advised of the needs of the district.

Fifth: To adopt a seal and alter it at pleasure.

Sixth: To sue and be sued, except as otherwise provided by law, in all actions and proceedings, in all courts and tribunals of competent jurisdiction.

Seventh: To appoint an executive secretary and such other employees as may be required.

Article 5. Board of Selectmen

60550. A board of selectmen consisting of five members and having the powers and duties hereinafter specified shall be elected for the district.

60551. Each selectman shall serve for a term of four years except that two of the members of the first board of selectmen shall serve for a term ending on the second day of January following the next succeeding general election held after their election and three members of the first board of selectmen shall serve for a term ending on the second day of January next succeeding the second general election held after their election.

60552. At the time of the adoption of the resolution declaring the district organized, the board of supervisors shall by resolution call an election to be held within the district for the election of the first members of the board of selectmen.

The first election shall be held not less than 60 nor more than 120 days after the organization of the district.

60553. Of the five members first elected to the board of selectmen the two receiving the lowest number of votes shall serve for the term expiring on the second day of January following the next succeeding general election held after their election. The remaining three members of the board shall serve for the term ending on the second day of January following the second general election held after their election.

60554. Not more than 45 days prior to the date of the first election and not less than 30 days prior thereto, nominating petitions for one or more candidates for the office of selectman may be filed with the county clerk or the registrar of voters in counties having a registrar of voters. Such nominating petitions shall be signed by not less than 25 registered voters residing within the boundaries of the district.

60555. The first election for selectmen shall be conducted within the district by the county clerk or registrar of voters of the county, as the case may be. For the purposes of the election the county clerk or registrar of voters may divide the district into precincts, establish polling places in such precincts and appoint election officers to conduct the election in each such precinct. The election officers so appointed shall not exceed three in number. The county clerk or registrar of voters as the case may be shall give notice of the election by publication The notice shall be published at least once in a newspaper of general circulation published or circulated in the district and shall specify the date and purpose of the election, the hours during which the polls will be open and shall contain a list of the precincts together with the polling place in each such precinct.

60556. At the first election the ballot shall be in the following form.

For selectmen, _____ Urban District; vote for five.

_____ ☐
_____ ☐
_____ ☐
_____ ☐
_____ ☐
_____ ☐

The five candidates receiving the highest number of votes shall be elected for the terms hereinabove specified.

60557. Vacancies in the office of selectman existing during the term thereof shall be filled by appointment by the board of selectmen from among the registered voters of the district and the person so appointed shall serve until the expiration of the term of office of his predecessor.

60558. Not more than 90 nor less than 60 days before each general election following the first election of a board of selectmen in the district, nominating petitions signed by not less than 25 registered voters residing within the district may be filed with the county clerk or registrar of voters, as the case may be, requesting that the name or names of those persons specified in the petition be placed on the ballot as candidates for the offices of selectman for the term commencing on the following January 2nd. The names proposed by the petitions so filed and no others shall be printed on the general election ballot to be used in the district, but there shall be sufficient blank spaces provided in which electors may write other names if they so desire.

Article 6. Powers and Duties of Selectmen

60560. The powers of the district shall be exercised through the board of selectmen.

60561. The board of selectmen shall hold meetings at least once a month and shall elect from among their number a chairman who shall hold office for one year from the date of his election, or until his successor is elected.

60562. Three members of the board of selectmen shall constitute a quorum, and not less than three votes shall be required to adopt any resolution or take any action.

60563. The board of selectmen shall determine the special service needs of the district and the extent thereof for fire protection and prevention, police protection, public health protection, sewage and sanitation, garbage and waste disposal, street and highway lighting, parks and local recreational facilities, and libraries.

The board may, on behalf of the district, enter into contracts with the county, with any special district organized within the county or with any city in the county to furnish to the district the special services required and any such public agency is authorized to furnish such service to the district as it is authorized by law to furnish within its own territorial jurisdiction.

60564. In matters pertaining to zoning, roads and streets, flood control, building and alterations, permits, licenses, and other matters of local concern, the board of selectmen shall advise the board of supervisors as to the needs and desires of the district and, acting under such administrative authority as may be delegated to them by the board of supervisors, shall act as the representatives of the board of supervisors within the district.

60565. The board of selectmen shall prepare and submit to the board of supervisors by the first of February of each year a budget stating the amount necessary to be levied against all the taxable property within the district to provide for the expenses of the district for the next fiscal year; and it shall be the duty of the board of supervisors to levy a tax to be known as the "(name of the district) urban district tax" against all the taxable property within the district at the time of levying county taxes to raise the amount of the budget. The tax so levied shall be computed by the county auditor and shall be collected at the same time and in the same manner as county taxes and when collected shall be paid to the county treasurer for the use of said district. In the event that such budget is not submitted it shall be the duty of the board of supervisors to require the immediate submission thereof. If the budget exceeds the amount that the board of supervisors feel should reasonably be collected for the purposes of the district, they shall require that the budget be reduced to an amount and in the manner as directed by them.

60566. The county treasurer and the county auditor shall be ex officio treasurer and auditor of the district. All claims and demands against the district shall, when approved by the board of selectmen, be paid by district warrant drawn by the auditor against the funds of the district in the county treasury.

Article 7. District Investigation Act

60570. Districts formed or proposed to be formed under the provisions of this act are not subject to any provisions of the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931" or the "District Investigation Act of 1933"

Article 8. Changes In District Boundaries

60580. Any unincorporated territory within the county may be annexed to or excluded from a district in the manner provided by this article.

60581. A petition shall be addressed to and filed with the board of selectmen of the district, signed by at least 10 percent of the registered voters residing in, or by the assessees of property representing at least 10 percent of the assessed value, according to the last equalized assessment roll, of all the property within, the territory seeking annexation to or exclusion from the district.

60582. The petition shall state the reasons for annexation or exclusion of the tract of land, describe its boundaries and include the consent of the petitioners to such annexation or exclusion.

60583. The board of selectmen shall consider the petition for annexation or exclusion and within 30 days after the filing thereof shall send it to the board of supervisors with the recommendation of the board of selectmen with respect thereto.

60584. Upon the filing of the petition, the board of supervisors shall fix a time and place for the hearing thereof and shall cause a notice of the filing of the petition and of the time and place of the hearing to be published at least once in a newspaper of general circulation published within the boundaries of the district, or if there be none, then in a newspaper of general circulation published in the county; provided, however, that the time of such hearing shall be not less than 90 days nor more than six months after the first publication of the aforesaid notices.

60585. The notice shall state:

(a) The date of filing of the petition;

(b) That the petition is available for inspection at the office of the clerk of the board of supervisors;

(c) The location and boundaries of the land described in the petition;

(d) The prayer of the petition;

(e) The time and place fixed for the hearing thereof;

(f) That petitions stating that the proposed annexation or exclusion is protested may be filed with the board of supervisors by registered voters of the district or by the assessees of property in the district, as the case may be, at any time before the time fixed for the hearing; and

(g) That all persons interested in or affected by such change in the boundaries of the district may appear and show cause why such change should not be made

60586. At the hearing the board of supervisors shall hear all relevant evidence in support of or in opposition to the petition; provided, however, that if a majority of the registered voters of the district, if the district was organized by a petition signed by not less than 5 percent of the registered voters thereof, or if assessees of property representing a majority of the assessed value, according to the last equalized assessment roll, of all the property within the district, if the district was organized by a petition signed by the assessees of property representing at least 5 percent of the assessed value, according to the last equalized assessment roll, of all the property within the district, file petitions protesting the annexation or exclusion, as the case may be, of the territory seeking annexation or exclusion, the proceeding shall terminate, and the board of supervisors shall take no further action with respect to such proceeding at said hearing

60587 If the proceedings are not terminated as provided in Section 60586, and if the board of supervisors determines that the territory seeking annexation or exclusion will be benefited by such annexation or exclusion and that it is for the best interest of the district that the boundaries thereof be changed by annexing or excluding such territory or any part thereof, the board of supervisors shall by resolution annex or exclude the tract of land described in the petition or any part thereof and shall describe the altered boundaries of the district as so changed

60588. A resolution of annexation or exclusion adopted by the board of supervisors as provided for in Section 60587, describing the altered boundaries of the district as changed, shall be entered in the minutes of the board of supervisors, and a certified copy of such resolution shall be immediately filed in the office of the county recorder of the county in which the district is situated and thereafter a certified copy of the same shall promptly be filed in the office of the Secretary of State. Upon the filing of the aforesaid copy with the Secretary of State the annexation or exclusion of the territory shall be deemed complete.

Article 9. Dissolution of District

60590. An urban district may be dissolved in the manner provided in this article.

60591. Upon the filing of a petition with the board of supervisors signed either by:

(a) Five percent or more of the registered voters residing within the boundaries of the district, if the district contains five hundred or more registered voters; or

(b) The assessees of property representing at least 5 percent of the assessed value, according to the last equalized assessment roll, of all the property within the boundaries of the proposed district if the district contains less than 500 registered voters,

the board of supervisors shall fix a time and place for a hearing upon the question of the dissolution of the district.

60592. A petition for the dissolution of the district may be filed in sections, provided that all sections must be filed at one time, and the total number of signatures on all sections must be equal or exceed the total number of signatures required.

60593. The hearing upon the dissolution of the district shall be set for a time not less than 30 or more than 60 days after the filing of the petition.

60594. Notice of the hearing shall be given by the clerk of the board of supervisors by publication of a notice of hearing at least once in a newspaper of general circulation published within the boundaries of the proposed district, or if there be none, then in a newspaper of general circulation published in the county.

60595. The notice of hearing shall:

(a) State the name of the district;

(b) State that a petition for the dissolution of the district has been filed and is available for inspection at the office of the clerk of the board of supervisors;

(c) State that a hearing on the question of dissolution will be held at the time and place fixed therefor by the board of supervisors;

(d) State that at the hearing protests either for or against the dissolution of the district will be considered by the board of supervisors.

60596. At the hearing protests may be made orally or in writing either for or against the dissolution of the district by any interested person. Any protest pertaining to the regularity or sufficiency of the proceedings must be in writing and must clearly set forth the irregularities and defects to which objection is made. All written protests must be filed with the clerk of the board of supervisors on or before the time fixed for the final hearing. The hearing may be continued from time to time not exceeding 90 days.

60597. If after the hearing the board of supervisors determines that the public interest requires the dissolution of the district it shall, by resolution, declare the district dissolved.

60598. Immediately after the adoption of the resolution declaring the district dissolved, the clerk of the board of supervisors shall file a certified copy of such resolution for record in the office of the county recorder and thereafter shall file a certified copy of the same with the Secretary of State. Upon the filing of the certified copy with the Secretary of State the dissolution of the district shall be complete.

60599. Upon the dissolution of the district all property, both real and personal, owned by the district shall become the property of the county in which the district is located.

60600. If the board of supervisors determines that the continued existence of the district is in the public interest it shall, by order, deny the petition for dissolution. If a petition for dissolution is denied a new petition for dissolution may not be filed until at least six months has elapsed from the date of the action of the board of supervisors in denying the last petition filed for that purpose.

60601. No territory included in any district may be annexed to any city until that territory has been excluded from the district in the manner provided for herein or until the dissolution of the district."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 2553—An act to add Section 4742.5 to the Health and Safety Code, relating to the powers of a county sanitation district, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 4742.5 to", and insert "amend Sections 4618, 4621, 4622, 4988, 5581, and 5588 of, and to add Sections 4624, 4739.5, 4802, 4803, 4995, 4996, 5565, 5602, 5603, and 6655 to,".

Amendment No. 2

In line 2 of the title of said bill, strike out "of a county sanitation district", and insert "and bonds of county sanitation and other sewer districts".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 11, inclusive, and insert

"SECTION 1. Section 4618 of the Health and Safety Code is amended to read.

4618. The maximum rate of interest to be paid on the bonded indebtedness shall be 6 percentum per annum, *and shall, after the first principal maturity, be* payable semiannually.

Bonds may be made payable on a date subsequent to the time fixed for the collection of the second installment of general district taxes In such event the first interest coupons shall be for interest from the date of said bonds to the maturity date of said coupons.

SEC. 2. Section 4621 of said code is amended to read:

4621. All bonds issued under this chapter shall be issued in the name of the city in which the district has been formed, and shall be payable in the [following] manner[: A part to be] determined by the city governing body, [which part shall not be less than one-fortieth part of the whole amount of the indebtedness, shall be payable every year on a day and date, and] at a place within the United States, to be fixed by the governing body and designated in the bonds, together with the interest on all sums unpaid at that date, until the whole of the indebtedness has been paid.

SEC. 3. Section 4622 of said code is amended to read:

4622 The bonds shall be issued in such denominations as the governing body determines, except that no bonds shall be of a less denomination than one hundred dollars ($100) nor greater than one thousand dollars ($1,000). [The interest rate shall be specified in the bonds, and shall be payable semiannually.]

The bonds shall be signed by any officer of the city, designated for that purpose by the governing body by resolution adopted by a two-thirds vote of all of its members, and shall also be signed by the city treasurer and countersigned by the city clerk.

The coupons of the bonds shall be numbered consecutively and signed by the treasurer.

If any officer whose signature or countersignature appears on the bonds or coupons ceases to be an officer before the delivery of the bonds to the purchaser, his signature or countersignature is as valid and sufficient for all purposes, as if he had remained in office.

SEC. 4. Section 4624 is added to said code, to read:

4624. If the result of any election upon the question of the issuance of bonds is in favor of issuance, the board may, in its discretion, commence in the superior court of the county, a special proceeding to determine its right to issue the bonds and their validity, similar to the proceeding in relation to irrigation bonds, provided for by the "Irrigation District Law", and all supplementary acts, and all their provisions apply to and govern the proceedings to be commenced by the board, so far as applicable

The judgment has the same effect as a judgment in relation to irrigation bonds under the provisions of that act.

SEC. 5. Section 4739.5 is added to said code, to read:

4739 5. It may sue and be sued.

SEC. 6. Section 4802 is added to said code, to read:

4802. Bonds may be made payable on a date subsequent to the time fixed for the collection of the second installment of general district taxes with which the first levy of taxes for the payment of the principal and interest of said bonds is to be collected. In such event, the first interest coupons shall be for interest from the date of said bonds of such issue or series or division to the maturity date of said coupons.

SEC. 7. Section 4803 is added to said code, to read:

4803. If the result of any election upon the question of the issuance of bonds is in favor of issuance, the board may, in its discretion, commence in the superior court of

the county, a special proceeding to determine its right to issue the bonds and their validity, similar to the proceeding in relation to irrigation bonds, provided for by the "Irrigation District Law", and all supplementary acts, and all their provisions apply to and govern the proceedings to be commenced by the board, so far as applicable.

The judgment has the same effect as a judgment in relation to irrigation bonds under the provisions of that act.

SEC. 8. Section 4988 of said code is amended to read:

4988. The bonds shall bear interest, as the governing body shall determine, at a rate not to exceed 6 percent per annum, *and shall, after the first principal maturity, be* payable semiannually by coupon.

SEC. 9. Section 4995 is added to said code, to read:

4995. Bonds may be made payable on a date subsequent to the time fixed for the collection of the second installment of general district taxes with which the first levy of taxes for the payment of the principal and interest of said bonds is to be collected. In such event, the first interest coupons shall be for interest from the date of said bonds of such issue or series or division to the maturity date of said coupons.

SEC. 10. Section 4996 is added to said code, to read:

4996. If the result of any election upon the question of the issuance of bonds is in favor of issuance, the board may, in its discretion, commence in the superior court of the county, a special proceeding to determine its right to issue the bonds and their validity, similar to the proceeding in relation to irrigation bonds, provided for by the "Irrigation District Law", and all supplementary acts, and all their provisions apply to and govern the proceedings to be commenced by the board, so far as applicable.

The judgment has the same effect as a judgment in relation to irrigation bonds under the provisions of that act.

SEC. 11. Section 5565 is added to said code, to read:

5565. Any work recommended to be done in the report approved and adopted by the district board shall be done in conformity with the general plans and specifications contained in the report unless the district board, by a four-fifths vote, adopts a resolution declaring that the public interest requires a modification of or departure from the plans and specifications, which resolution shall contain a statement of the manner in which the modification is required or departure is to be made.

SEC. 12 Section 5581 of said code is amended to read:

5581. The resolution shall state all of the following:

(a) The general objects and purposes for which it is proposed to incur an indebtedness.

(b) A reference to the report filed with the district board for particulars.

(c) The type of bonds proposed to be issued, whether revenue bonds or general obligation bonds.

(d) The amount of the bonds proposed to be issued.

[(e) The part of the principal to be paid each year, which part shall not be less than the part specified in this chapter.]

(e) [(f)] The rate of interest or a maximum rate of interest to be paid, which rate shall not be more than the rate specified in this chapter, payable at the times specified in this chapter.

(f) [(g)] The date of the election.

(g) [(h)] The election precincts, polling places, and election officers.

SEC 13. Section 5588 of said code is amended to read:

5588. The district board shall prescribe by resolution the form of the bonds, and interest coupons. The bonds shall be payable substantially in the [following] manner [: A part to be] determined by the district board, [which shall not be less than one-fortieth part of the whole amount of the indebtedness, shall be payable each and every year on a day and date,] and at a place to be fixed by the board, and designated in the bonds, together with interest on all sums unpaid on that date until the whole of the indebtedness has been paid.

SEC. 14. Section 5602 is added to said code, to read:

5602. Bonds may be made payable on a date subsequent to the time fixed for the collection of the second installment of general district taxes with which the first levy of taxes for the payment of the principal and interest of said bonds is to be collected. In such event, the first interest coupons shall be for interest from the date of said bonds of such issue or series or division to the maturity date of said coupons.

SEC 15. Section 5603 is added to said code, to read:

5603. If the result of any election upon the question of the issuance of bonds is in favor of issuance, the board may, in its discretion, commence in the superior court of the county, a special proceeding to determine its right to issue the bonds and their validity, similar to the proceeding in relation to irrigation bonds, provided for by the "Irrigation District Law", and all supplementary acts, and all their provisions apply to and govern the proceedings to be commenced by the board, so far as applicable.

The judgment has the same effect as a judgment in relation to irrigation bonds under the provisions of that act.

SEC. 16 Section 6655 is added to said code, to read:

6655. Bonds may be made payable on a date subsequent to the time fixed for the collection of the second installment of general district taxes with which the first levy of taxes for the payment of the principal and interest of said bonds is to be collected. In such event, the first interest coupons shall be for interest from the date of said bonds of such issue or series or division to the maturity date of said coupons."

Amendment No. 4

On page 1, line 12, of said bill, strike out "2", and insert "17".

Amendment No. 5

On page 1 of said bill, strike out lines 17 to 28, inclusive, and insert

"The rapid growth of the population of the State during and since World War II has resulted in increased congestion of people in unincorporated areas which are wholly without adequate sewerage facilities. The State Board of Public Health has found it necessary to require the treatment of sewage before it is deposited in the streams and waters and in the Pacific Ocean. This has resulted in greatly increased numbers and activities of sanitary districts. In order to adequately provide and administer sanitation in such areas, and to cooperate with the State Board of Public Health in carrying out its orders, it is necessary that the laws of sanitary districts be more complete, comprehensive and adequate for such purposes. The provisions of this bill has as its purpose making such laws more comprehensive and it is necessary and urgent that the provisions thereof become law at once"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 2573—An act to amend Section 20045 of the Water Code, relating to certification of bond issues.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 20045 of the Water", and insert "add Section 216 to the Revenue and Taxation".

Amendment No. 2

In line 2 of the title of said bill, strike out "certification of bond issues", and insert "tax assessments".

Amendment No. 3

On page 1, line 1, of said bill, strike out "20045 of the Water Code is amended", and insert "216 is added to the Revenue and Taxation Code, to read:

216. Water rights devoted to agricultural purposes shall not be assessed separately from the land upon which the water is used."

Amendment No. 4

On page 1 of said bill, strike out lines 2 to 17, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 1914—An act to amend Section 1722 of the Welfare and Institutions Code, relating to the salary of members of the Youth Authority.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 1722 of the Welfare and Institutions"; and strike out lines 2 and 3, and insert "add Section 1755.3 to the Welfare and Institutions Code, relating to the Youth Authority."

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 6, inclusive, and insert

"SECTION 1. Section 1755.3 is added to the Welfare and Institutions Code to read:

1755.3. Whenever any person under the jurisdiction of the Youth Authority is in need of medical, surgical, or dental care, the Youth Authority may, upon the recommendation of the attending physician, authorize the performance of such necessary medical, surgical, or dental service."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2479—An act to amend Section 19538 of, and to add Sections 19538.1, 19538.2, and 19485.5 to the Business and Professions Code, relating to horse racing.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "19538.2 and 19485.5", and insert "and 19538.2".

Amendment No. 2

On page 3 of said bill, strike out lines 18 to 31, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2727—An act to amend Sections 5, 14, 29, 34, and 35.3 and to repeal Sections 12 and 33 of the Community Redevelopment Act, relating to redevelopment.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "5, 14, 29, 34, and 35.3", and insert "2, 2.1, 5, 14, 29, 34, 35.3, and 45.7".

Amendment No. 2

In line 2 of the title of said bill, after "Act," insert "and to amend Sections 33003, 33004, 33013, 33047, 33048, 33267, 33500, and 33885 of, to repeal Section 33011 and Article 2 and renumber Articles 3, 4 and 5 of Chapter 3 of Part 1 of Division 24 of, and to add Section 33004.5 to, the Health and Safety Code,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 3 of said bill, between lines 22 and 23, insert

"(i) To develop as a building site or sites any real property owned or acquired by it, and in this connection to cause streets and highways to be laid out and graded, and pavements or other road surfacing, sidewalks and curbs, and public utilities of every kind to be constructed and installed

(j) To operate a rehousing bureau for the purpose of assisting site occupants in obtaining adequate temporary or permanent housing and to incur such expenses as are necessary in connection therewith.

(k) To invest any funds held in reserves or sinking funds or any funds not required for immediate disbursement, in property or securities in which savings banks may legally invest funds subject to their control; to purchase its bonds at a price not more than the principal amount thereof and accrued interest, all bonds so purchased to be canceled.

(l) To obligate lessees or purchasers of property acquired in a redevelopment project: (1) to use such property for the purpose designated in the redevelopment plans; (2) to begin the redevelopment of the project area within a period of time which the agency fixes as reasonable; and (3) to comply with such other conditions as in the opinion of the redevelopment agency are necessary to carry out the purposes of this act. The agency, by provision in the contract, may make any of the purchaser's obligations, covenants or conditions running with the land, whose breach shall cause the fee to revert to the agency.

(m) To exercise all or any part or combination of the powers herein granted.

(n) Nothing herein contained shall authorize such redevelopment agency to construct or rehabilitate any of the buildings for residential, commercial, industrial, or other use contemplated by the redevelopment plan, and nothing contained in this act shall authorize such redevelopment agency to sell, lease, grant or donate public property to a housing authority or to any public agency for low-rent housing projects.

(o) The agency shall not acquire, without the consent of the owner, any real property on which buildings are located, where such buildings are to be continued on their present site and in their present form and use, unless such buildings require alterations, improvement, modernization, or rehabilitation under the redevelopment plan and the owner fails or refuses to agree to participate in the redevelopment plan as provided in Sections 47 and 72."

Amendment No. 4

On page 3 of said bill, strike out lines 33 to 38, inclusive, and insert "A project area to be designated in a redevelopment plan is to be selected as follows.

(a) Of its own motion or at the request of the agency or at the direction of the legislative body the planning commission shall select one or more project areas and formulate a preliminary plan for the redevelopment of such project area.

(b) The owners in fee of a majority in area of any proposed project area, excluding that portion thereof in public ownership or dedicated to a public use, may request the planning commission to select such a proposed project area as a project area, and to formulate a preliminary plan for the redevelopment of such project area

(c) Any person, groups, association or corporation, may in writing, request the planning commission to select a proposed project area as a project area and to formulate a preliminary plan for the redevelopment of such project area."

Amendment No. 5

On page 4 of said bill after line 21, insert

"SEC. 8. Section 2 of said act is amended to read:

Sec. 2. It is hereby found and declared that there exist in many communities in this State blighted areas which constitute either social or economic liabilities, or both, requiring redevelopment in the interest of the health, safety and general welfare of the people of the communities in which they exist and of the people of this State generally. These blighted areas are characterized by one or more of the following conditions:

(a) The existence of buildings and structures, either used or intended to be used for living, commercial, industrial or other purposes, or any combination of such uses, which by reason of defective design and character of physical construction, faulty interior arrangement and exterior spacing, high density of population and overcrowding, inadequate provision for ventilation, light, sanitation, open spaces and recreation facilities, age, obsolescence, deterioration, dilapidation, mixed character or shifting of uses to which they are put, or any combination of such factors and characteristics, are unfit or unsafe to occupy for residential, commercial, industrial or other purposes and are conducive to ill health, transmission of disease, infant mortality, juvenile delinquency and crime.

(b) An economic dislocation, deterioration or disuse, as a result of faulty planning, the subdividing and the sale of lots of irregular form and shape and inadequate size for proper usefulness and development, the laying out of lots in disregard of the contours and other physical characteristics of the ground and surrounding conditions, or the existence of inadequate streets, open spaces and utilities, or of lots or other areas which are subject to being submerged by water.

(c) A prevalence of depreciated values, impaired investments and social and economic maladjustment to such an extent that there exists a reduced capacity to pay taxes and consequent inadequacy of tax receipts in relation to the cost of public services rendered.

(d) A growing and in some instances a total lack of proper utilization of areas, resulting in a stagnant and unproductive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare; and in other areas a loss of population and reduction of useful utilization of the area, resulting in the further deterioration thereof and in added costs to the taxpayer supporting governmental entities for the creation of new public facilities and services elsewhere.

It is further found and declared that the existence of blighted areas characterized by any or all of such conditions, separately or collectively, constitutes a serious and growing menace which is hereby condemned as injurious and inimical to the public health, safety and welfare of the people of the communities in which they exist and of the people of the State generally; that such areas present difficulties and handicaps which are beyond remedy and control solely by regulatory processes in the exercise of the police power; that they contribute substantially and increasingly to the problems of, and necessitate excessive and disproportionate expenditures for, crime prevention, correction, prosecution and punishment, the treatment of juvenile delinquency, the preservation of the public health and safety and the maintaining of adequate police, fire and accident protection and other public services and facilities; that this menace is becomingly increasingly direct and substantial in its significance and effect; that the benefits which will result from the remedying of these conditions and the redevelopment of these areas of blight will accrue to all the inhabitants and property owners of the communities in which they exist.

It is further found and declared that such conditions of blight tend to further obsolescence, deterioration and disuse because of the lack of incentive to the individual landowner and his inability to improve, modernize or rehabilitate his own particular property while the condition of the neighboring properties remains unchanged; that as a consequence the process of deterioration of a blighted area frequently can not be halted or corrected except by redeveloping the entire area, or substantial portions thereof; that such conditions of blight are chiefly found in areas which have been subdivided into small parcels, that in most instances the lands are held in divided and widely scattered ownerships, frequently under defective titles, that in many such instances the private assembly of the lands in blighted areas for purposes of redevelopment is so difficult and costly that it is uneconomic and as a practical matter impossible for individual owners independently or collectively to undertake to remedy such conditions because of lack of the legal power necessary for, and the excessive costs involved in, the private acquisition of the real property of the area; that the remedying of such conditions may require the public acquisition at fair prices of adequate areas, the clearance of the areas through demolition of existing obsolete, inadequate, unsafe and insanitary buildings and the redevelopment of the areas suffering from such conditions under proper supervision, with appropriate planning, and continuing land use and construction policies.

For these reasons it is hereby declared to be the policy of this State to protect and promote the sound development and redevelopment of blighted areas within this State and the general welfare of the inhabitants of the communities in which they exist by remedying such injurious conditions through the employment of all means appropriate for that purpose; that whenever the redevelopment of blighted areas can not be accomplished by private enterprise alone, without public participation and assistance in the acquisition of land, in planning and in the financing of land assembly, in the work of clearance and in the making of improvements necessary therefor, it is in the public interest to employ the power of eminent domain, to advance or expend public funds for these purposes and to provide a means whereby the blighted areas within this State may be redeveloped or rehabilitated; that the redevelopment of such blighted areas and the provision for appropriate continuing land use and construction policies therein, constitute public uses and purposes for which public money may be advanced or expended and private property acquired, and are governmental functions of State concern in the interest of the health, safety and welfare of the people of the State generally and particularly of the people of the communities of the State in which such areas exist; [that it is in the public interest that work on such projects be commenced as soon as possible in order to create postwar employment;] and that the necessity in the public interest for the provisions hereinafter enacted is hereby declared to be a matter of legislative determination.

SEC. 9. Section 2 1 of said act is amended to read:

Sec. 2.1. It is hereby found and declared that blighted areas [shall] *may* include housing areas constructed as *temporary government-owned* wartime housing

projects, and it is further found and declared that such areas [are] *may be* characterized by one or more of the conditions enumerated in Section 2 of this act.

SEC. 10. Section 45.7 of said act is amended to read:

Sec. 45.7. No property, real or personal, improved or unimproved, or any interest therein, acquired or constructed in whole or in part with moneys from the Redevelopment Revolving Fund shall be sold or leased [at a price or encumbered (whether by mortgage, deed of trust or otherwise)] for an amount less than its fair value for uses in accordance with the redevelopment plan *as determined by resolution or ordinance of the legislative body*. All moneys received by the agency from the sale, lease or encumbering of property acquired with moneys from the Redevelopment Revolving Fund in excess of the money required to replay the loans and interest thereon authorized by this act shall be redeposited in the fund. All other provisions of this act that relate to financing shall be subject to the provisions of this section. Nothing contained in this section shall authorize a redevelopment agency to construct any buildings, but such redevelopment agency shall be subject to the limitations imposed by the provisions of Section 29 of this act. If any property acquired in whole or in part from the Redevelopment Revolving Fund is to be sold or leased by the redevelopment agency, the sale or lease must first be approved by the legislative body. Such approval by the legislative body shall be by resolution adopted after public hearing. Notice of the time and place of such hearing shall be published once in the official newspaper of the community at least one week prior to such time. Such resolution shall be adopted by a majority vote unless the legislative body shall have provided by ordinance for a two-thirds vote for such purpose.

SEC. 11. Section 33003 of the Health and Safety Code is amended to read:

33003. ["Redevelopment] *Project* area" means an area of a community which the [legislative body finds to be] *is* a blighted area whose redevelopment is necessary to effectuate the public purposes declared in this part.

SEC. 12. Section 33004 of said code is amended to read:

33004. A [redevelopment] *project* area need not be restricted to buildings, improvements, or lands which are detrimental or inimical to the public health, safety, or welfare, but may consist of an area in which such conditions predominate and injuriously affect the entire area. A [redevelopment] *project* area may include lands, buildings, or improvements which are not detrimental to the public health, safety or welfare, but whose inclusion is found necessary for the effective redevelopment of the area of which they are a part.

SEC. 13. Section 33004.5 is hereby added to said code to read:

33004.5. A project area shall comprise either (1) at least one block bounded on all sides by public highways as shown on the official map of the community or (2) where no official map exists, an area of not less than 90,000 square feet, including any highways, streets, or alleys.

SEC. 14. Section 33011 of said code is hereby repealed.

SEC. 15. Section 33013 of said act is amended to read:

33013. "Redevelopment" means the planning, development, replanning, redesign, clearance, reconstruction, or rehabilitation, or any combination of these, of all or part of a [redevelopment] *project* area, and the provision of such residential, commercial, industrial, public, or other structures or spaces as may be appropriate or necessary in the interest of the general welfare, including recreational and other facilities incidental or appurtenant to them.

It does not exclude the continuance of existing buildings or uses whose demolition and rebuilding or change of use are not deemed essential to the redevelopment and rehabilitation of the area. It includes:

(a) The alteration, improvement, modernization, reconstruction, or rehabilitation, or any combination of these, of existing structures in a project area.

(b) Provisions for open space types of use, such as streets and other public grounds and space around buildings, and public or private buildings, structures and improvements, and improvements of public or private recreation areas and other public grounds.

(c) The replanning or redesign or original development of undeveloped areas as to which either of the following conditions exist:

(1) The areas are stagnant or improperly utilized because of defective or inadequate street layout, faulty lot layout in relation to size, shape, accessibility, or usefulness, or for other causes.

(2) The areas require replanning and land assembly for reclamation or development in the interest of the general welfare because of widely scattered ownership, tax delinquency, or other reasons.

SEC. 16. Section 33267 of said act is amended to read:

33267. Within the [redevelopment] *project* area or for purposes of redevelopment an agency may:

(a) Purchase, lease, obtain option upon, acquire by gift, grant, bequest, devise, or otherwise, any real or personal property, any interest in property, and any improvements on it.

(b) Acquire real property by eminent domain.

(c) Clear buildings, structures, or other improvements from any real property acquired.

(d) Sell, lease, exchange, subdivide, transfer, assign, pledge, encumber by mortgage, deed of trust, or otherwise, or otherwise dispose of any real or personal property or any interest in property.

(e) Insure or provide for the insurance of any real or personal property or operations of the agency against risks or hazards.

(f) Rent, maintain, manage, operate, repair, and clear such real property.

SEC. 17. Article 2, Chapter 3, comprising Sections 33480, 33481, and 33482 of said code is hereby repealed.

SEC. 18. Section 33500 of said code is amended to read:

33500. [Of its own motion or at the request of the agency the planning commission may, or at the direction of the legislative body, or upon the written petition of the owners in fee of a majority in area of any redevelopment area, excluding publicly owned areas or areas dedicated to a public use, the planning commission shall, select one or more project areas comprising all or part of such redevelopment area, and formulate a preliminary plan for the redevelopment of such project area.] *A project area to be designated in a redevelopment plan is to be selected as follows:*

(a) Of its own motion or at the request of the agency or at the direction of the legislative body the planning commission shall select one or more project areas and formulate a preliminary plan for the redevelopment of such project area.

(b) The owners in fee of a majority in area of any proposed project area, excluding that portion thereof in public ownership or dedicated to a public use, may request the planning commission to select such a proposed project area as a project area, and to formulate a preliminary plan for the redevelopment of such project area.

(c) Any person, group, association or corporation, may in writing, request the planning commission to select a proposed project area as a project area and to formulate a preliminary plan for the redevelopment of such project area.

SEC. 19. Section 33047 of said code is amended to read:

33047. For these reasons it is declared to be the policy of the State:

(a) To protect and promote the sound development and redevelopment of blighted areas and the general welfare of the inhabitants of the communities in which they exist by remedying such injurious conditions through the employment of all appropriate means.

(b) That whenever the redevelopment of blighted areas cannot be accomplished by private enterprise alone, without public participation and assistance in the acquisition of land, in planning and in the financing of land assembly, in the work of clearance, and in the making of improvements necessary therefor, it is in the public interest to employ the power of eminent domain, to advance or expend public funds for these purposes, and to provide a means by which blighted areas may be redeveloped or rehabilitated.

(c) That the redevelopment of blighted areas and the provision for appropriate continuing land use and construction policies in them constitute public uses and purposes for which public money may be advanced or expended and private property acquired, and are governmental functions of state concern in the interest of health, safety, and welfare of the people of the State and of the communities in which the areas exist.

[(d) That it is in the public interest that work on such projects be commenced as soon as possible in order to create postwar employment.]

[(e)] *(d)* That the necessity in the public interest for the provisions of this part is declared to be a matter of legislative determination.

SEC. 20. Section 33048 of said code is amended to read:

33048. It is found and declared that blighted areas *may* include housing areas constructed as *temporary government-owned* wartime housing projects, and that such areas *may be* [are] characterized by one or more of the conditions enumerated in Sections 33041 to 33044, inclusive.

SEC. 21. Section 33885 of said code is amended to read:

33885. No real or personal property, or any interest therein, acquired or constructed in whole or in part with money from the Redevelopment Revolving Fund shall be sold or leased [at a price or encumbered by mortgage, deed of trust, or otherwise] for an amount less than its fair value for uses in accordance with the redevelopment plan *as determined by resolution or ordinance of the legislative body*.

SEC. 22. The heading of Article 3 of Chapter 3 of Division 24 of Part 1 of said code is amended to read:

Article [3] *2*. Selection of Project Area and Formulation of Preliminary Plans and Tentative Plans

SEC. 23. The heading of Article 4 of Chapter 3 of Division 24 of Part 1 of said code is amended to read:

Article [4] *3*. Hearing on Tentative Plans

SEC. 24. The heading of Article 5 of Chapter 3 of Division 24 of Part 1 of said code is amended to read:

Article [5] *4*. Adoption of Tentative Plan

SEC. 25. Sections 11 to 24, inclusive, of this act becomes operative only if Division 24 of the Health and Safety Code is enacted by the Legislature at its 1951

Regular Session, and in such case at the same time as said Division 24 takes effect, at which time Sections 2, 2.1 and 45.7 of the Community Redevelopment Act are repealed."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2806—An act to amend Sections 3, 4, 5, 6, 9, 10, 10.2, 10.3, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 33, 34, 37, 38, 39, 40, 41, 43, 44, 46, 48, 49, 50, 51, 52, 54, and 59 of, and to repeal Sections 20, 35, 36, 42, 53, 55, 56, and 57 of the Parking Law of 1949, relating to off-street parking.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "5,".

Amendment No. 2

In line 3 of the title of said bill, after "54," insert "58,".

Amendment No. 3

In line 4 of the title of said bill, after "42," insert "47,".

Amendment No. 4

In line 5 of the title of said bill, strike out "of the", and insert "of, and to add Section 4.1 to, the".

Amendment No. 5

On page 2, line 24, of said bill, after the period, insert "The determination as to whether there is need for an authority to function may be made by the legislative body on its own motion or upon the filing of a petition signed by 100 residents of the city, asserting that there is need for an authority to function in such city and requesting that the legislative body so declare."

Amendment No. 6

On page 2, line 52, of said bill, strike out "legislative body", and insert "city".

Amendment No. 7

On page 3 of said bill, strike out lines 13 to 39, inclusive, and insert

"In lieu of the submission of such question the legislative body may from time to time so submit to such electors the proposition of the issuance, by the authority or the city, pursuant to this act, of revenue bonds in a specific amount, to finance a specific project or specific projects. If at any such election a majority of the voters voting upon the proposition vote in favor thereof, the power to issue revenue bonds as provided in this act shall be operative as to the bonds so specified, and the authority, or the city, as may have been so specified, may from time to time issue revenue bonds in accordance with the provisions of this act in an amount or amounts not exceeding the amount so specified for the project or projects so specified."

SEC. 3. Section 4.1 is added to said act to read:

SEC. 4.1. Cooperation of City Officers and Departments; Payments in Lieu of Taxation: In order that there may be no unnecessary duplication of effort or expense, the authority may provide for the furnishing of services by and the use of facilities of, any department, office or agency of the city in lieu of, or in conjunction with, the direct provision by the authority of services and the use of facilities through employment or purchase or other means. The furnishing of such services and the use of such facilities of any such department, office or agency shall be upon such terms and conditions as may be approved by the authority and the legislative body of the city, and subject to reimbursement of the appropriate funds of the city for the reasonable value thereof. The legislative body may, from time to time, by resolution, provide for the making by the authority to the city, annually, of a payment, the amount of which shall be determined in a manner provided by such legislative body, but which shall not exceed the amount the authority would be required to pay to the city in ad valorem taxes if it were a private entity owning the same property."

Amendment No. 8

On page 4, line 11, of said bill, strike out the semicolon ; and strike out the balance of said line, and all of lines 12 to 15, inclusive, and insert a period.

Amendment No. 9

On page 4, line 39, of said bill, strike out "or" ; strike out line 40 ; and in line 41, strike out "lative body shall be exofficio the members of the authority,".

Amendment No. 10

On page 4 of said bill, strike out line 45, and insert "to function provided for by Section 4 of this act ; provided, however, that if such termination of any such suspension occurs within the term for which any member or members of the authority has or have been appointed, such member or members whose terms have not expired, shall ipso facto by such termination be restored to office as such member or members, and shall serve for the remainder of his or their unexpired term or terms, as if such suspension had not occurred."

Amendment No. 11

On page 6 of said bill, between lines 40 and 41, insert

"To fix, prescribe and collect fees, tolls, rentals and other charges in connection with the services and facilities furnished from any properties operated by such authority, and to fix, prescribe and collect rentals and other charges for properties operated by others as lessees for contractors with the authority, and also to fix and prescribe all fees, tolls, rentals and other charges to be collected by any lessee or operator of any properties under the control of the authority ;".

Amendment No. 12

On page 7 of said bill, strike out lines 5 to 13, inclusive, and insert

"To lease for commercial purposes surplus space or space which it is not economic to use for parking purposes and, as an incident to the operation of any parking facility, to devote a portion of any such property to uses such as retail stores, bus terminal, gasoline service station, helicopter landing area, or any other commercial use, when in the judgment of the authority it is convenient or necessary to conduct or permit such use in order to utilize properly such land as a parking facility ; provided, however, that such incidental use or uses must be secondary to the primary use as a parking facility, and in any event the portion of the land devoted to such incidental use or uses shall not exceed 25 percent of the surface area of such property ; and if a building is erected on such property for the purpose of parking motor vehicles, then such incidental use or uses of such building shall not occupy more than 25 percent of the floor area ; provided, further, that neither the authority nor the city may manage or operate surplus space devoted to commercial purposes other than parking of vehicles, but shall lease such space to private operators ; and".

Amendment No. 13

On page 7 of said bill, strike out lines 49 and 50, and insert "parking capacity not less than three (3) times the parking capacity provided by the existing parking".

Amendment No. 14

On page 8, line 21, of said bill, strike out "if no bid" ; and strike out lines 22 and 23, and insert "that if no bid which the authority finds to be reasonable and valid is received upon such original advertising, it need not readvertise. If no such bid is received upon such original advertising, or if the authority readvertises and no such bid is".

Amendment No. 15

On page 8 of said bill, strike out lines 29 to 31, inclusive, and insert

"SEC 11. Planning, Zoning and Building Laws. All parking facilities of an authority shall be sub-"

Amendment No. 16

On page 8, line 39, of said bill, after the period, strike out the balance of line 39 ; and strike out lines 40 to 51, inclusive ; and on page 9 of said bill, strike out lines 1 to 11, inclusive.

Amendment No. 17

On page 9 of said bill, strike out line 22 ; and in line 23, strike out "name", and insert "The authority shall have power to borrow money to provide funds for any project and to issue in its name revenue bonds to evidence the indebtedness created by such borrowing."

Amendment No. 18

On page 9, line 25, of said bill, after "payable", insert a comma and "both as to principal and interest, and as to any premiums upon the redemption of any thereof,".

Amendment No. 19

On page 9 of said bill, strike out lines 40 to 48, inclusive, and insert "Federal Governments, or from any other source, in aid of such projects; (b) exclusively from the income and revenues of certain designated parking facilities whether or not they are financed in whole or in part with the proceeds of such bonds, and including income or revenue from any future extension or betterment of, or addition to, any such parking facilities thereafter to be established; (c) from its revenues generally; (d) from any contributions or other financial assistance from the city, the State or Federal Governments, or from any other source; (e) from parking meter revenues of the city which may be appropriated by the governing body of the city; or (f) from any combination of these sources. Any such bonds may be additionally secured by".

Amendment No. 20

On page 10 of said bill, between lines 5 and 6, insert

"Nothing in this act, nor in the specification, in the proceedings for the issuance of any bonds, of the sources of payment thereof, shall preclude

(a) The payment of interest on or principal of any such bonds out of sums received as premiums or accrued interest on the sale thereof;

(b) The payment of principal of or interest on, or premiums on the redemption of, any such bonds out of the proceeds of the sale of refunding bonds issued for that purpose;

(c) The payment of any interest on any such bonds accruing during, and for not to exceed two years after, the period of the construction of a project on account of which they were issued, or for any other reasonably limited period, out of the proceeds of the sale of such bonds;

(d) The payment of any principal of, interest on, or premiums on the redemption of, any such bonds by the purchasers thereof, or by any entity other than the authority issuing the same, in any case where such purchasers or entity may have guaranteed such payment; or

(e) The application to the payment of any principal of, interest on, or premiums on the redemption of, any such bonds of any funds which the authority may lawfully so apply."

Amendment No. 21

On page 10, line 11, of said bill, strike out "used", and insert "issued".

Amendment No. 22

On page 10 of said bill, strike out lines 27 and 28; and in line 29, strike out "bonds and coupons, and the", and insert "date or dates, maturities, interest rate or rates, interest payment dates, denominations and form of such bonds, and may provide for the issuance thereof as serial bonds or sinking fund bonds, as payable to bearer or to named payees, or as registered bonds, and for the issuance thereof with or without coupons, and for the subsequent registration of bonds, and for the transfer and interchange of such bonds and for all other".

Amendment No. 23

On page 11, line 39, of said bill, after "revenues", insert "of".

Amendment No. 24

On page 12 of said bill, strike out line 3, and insert "or might otherwise impair or impede".

Amendment No. 25

On page 12 of said bill, strike out lines 10 to 21, inclusive, and insert "prescribe and collect, with respect to any or all properties, any revenues of which are charged with the payment of any bonds in connection with which such covenant is made, fees, tolls, rentals or other charges in connection with the services and facilities furnished from any such properties operated by it, and to fix and collect rentals or other charges for any such properties leased by it to others for operation, sufficient, with such".

Amendment No. 26

On page 12, line 30, of said bill, strike out the period, and insert a comma and "and all other charges payable out of any revenues charged with the payment of the bonds.

The authority may also provide for the making of a covenant requiring the fixing and prescribing by it and the collection by any lessee or operator of any or all facilities and properties, any revenues of which are charged with the payment of any bonds in connection with which such covenant is made, of all fees, tolls, rentals, or other charges in connection with the services and facilities furnished by such lessee or operator, sufficient to assure the payment by such lessee or operator to such authority of the rentals or other charges payable by such lessee or operator to such authority."

Amendment No. 27

On page 12, line 46, of said bill, after "bonds", strike out the comma.

Amendment No. 28

On page 12, line 48, of said bill, after "reserve", insert a comma and "sinking, or other special".

Amendment No. 29

On page 13, line 23, of said bill, strike out "as", and insert "or".

Amendment No. 30

On page 13, line 27, of said bill, after "insurance", insert a comma.

Amendment No. 31

On page 13, line 37, of said bill, strike out "events", and insert "event".

Amendment No. 32

On page 14 of said bill, strike out lines 2 to 5, inclusive, and insert "outstanding Such provision may authorize meetings of bondholders and specify the manner in which the consent of the bondholders may be given Such provision shall specifically state the effect of such amendment, modification or waiver upon the rights of the holders of all".

Amendment No. 33

On page 14 of said bill, strike out lines 9 to 15, inclusive, and insert

"The provisions for such procedure may include an agreement that bonds held by the authority, the city, or by any other person or entity who or which the authority may determine to be so interested in the matter as to make it proper, shall not be counted as outstanding bonds, and that the holders thereof shall not be entitled to vote or assent with respect to such amendment, modification or waiver, but shall nevertheless be subject thereto."

Amendment No. 34

On page 14, line 19, of said bill, strike out "may", and insert "it may deem to".

Amendment No. 35

On page 14 of said bill, strike out lines 34 to 35, inclusive, and insert

"SEC. 34. Same. The authority may provide for the issuance of bonds in series, and for the division of any issue into two or more divisions, and may fix".

Amendment No. 36

On page 14, line 40, of said bill, strike out "be of", and insert "bear".

Amendment No. 37

On page 14, line 41, of said bill, strike out the comma, and insert a period; and strike out line 42.

Amendment No. 38

On page 14, line 46, of said bill, strike out "issue", and insert "issuance".

Amendment No. 39

On page 14, line 50, of said bill, after "premium", insert a comma and "if any,".

Amendment No. 40

On page 15, line 23, of said bill, strike out "remained in office", and insert "continued to hold their respective offices or positions".

Amendment No. 41

On page 15, line 51, of said bill, strike out the period, and insert a comma and "or for any other reasonably limited period."

Amendment No. 42

On page 16, line 6, of said bill, strike out "reserves or bonds", and insert "revenues or funds".

Amendment No. 43

On page 16, line 18, of said bill, strike out the period, and insert a semicolon and "provided, however, that, even if the alternative method provided for in Section 4 of this act of submitting to the electors the question of issuing bonds in a specific amount has been followed, without the submission of the question of adopting the revenue bond method of financing, no submission to the electors of the proposition of issuing refunding bonds shall be required as a prerequisite to the issuance of such refunding bonds; and that if the proposition of adopting the revenue bond method of financing has been submitted and carried, it shall be full authority for the issuance of refunding bonds."

Amendment No. 44

On page 16, line 48, of said bill, after "to", insert "22674, inclusive, and 22676 to".

Amendment No. 45

On page 16, line 50, of said bill, after "apply to", strike out "all".

Amendment No. 46

On page 16, line 51, of said bill, strike out the period, and insert a semicolon and "provided, however, that in so applying said provisions, all references to a district shall be understood as references to the authority; all references to any assessment or the levying thereof shall be disregarded, and the provisions of Section 22681 relating to the exchanging of bonds for property shall be understood as relating to the exchanging of refunding bonds for bonds to be refunded thereby."

Amendment No. 47

On page 17 of said bill, strike out lines 34 to 36, inclusive, and insert

"Power and Duty to Perform Covenants. The authority shall have power, and it shall be its duty, fully and faithfully to keep and perform any covenant it may make pursuant to Section 23 of this act".

Amendment No. 48

On page 17 of said bill, strike out lines 39 to 41, inclusive, and insert "charges, and each and every other covenant it may make, or obligation it may assume, pursuant to any provision of this act, and it shall be the duty of each and every officer, representative and employee of the authority to do and perform each and every act necessary or appropriate for such keeping and performance by such authority of every such covenant and obligation."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 49

On page 18 of said bill, between lines 8 and 9, insert

"SEC. 44.1. Section 58 of said act is amended to read:

Sec. 58. Power [of Authority.] *to accept aid.* In addition to the powers conferred upon an authority by other provisions of this act, an authority is empowered to borrow money or accept financial or other assistance from the city, the Federal or State Governments for or in aid of any parking facility within its area of operation, and to such ends comply with any conditions attached thereto. *An authority may also accept financial or other assistance from any other source.*"

Amendment No. 50

On page 18, line 24 of said bill, after "42," insert "47,".

Amendment No. 51

On page 18 of said bill, after line 25, insert

"SEC. 47. Nothing in this act shall in anywise invalidate any step or proceeding whatsoever heretofore taken, or in process of being taken, under the Parking Law of 1949. Without limiting the generality of the foregoing provision nothing herein shall require any new election in the case of any city in which an election has been held pursuant to Section 4 of said Parking Law of 1949 on the question as to whether or not the legislative body, or the authority, or both, shall be authorized to adopt the revenue bond method of financing projects provided for in said law, and at such election a majority of the voters voting upon the proposition shall have voted in favor of such proposition."

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3210—An act to amend the title, and Sections 2, 2.1, 21, 33, and 45.7, and to repeal Section 68 of the Community Redevelopment Act, and to amend Sections 33047, 33048, 33231, and 33885, and to repeal Sections 33480, 33481, 33738, 33739, and 33740 of the Health and Safety Code, relating to the redevelopment of blighted areas.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 4, line 2, of the printed bill, strike out "are", and insert "may be".

Amendment No. 2

On page 4, line 39, of said bill, strike out "at a price".

Amendment No. 3

On page 4, line 42, of said bill, after "plan", insert "as determined by resolution or ordinance of the legislative body".

Amendment No. 4

On page 5, line 46, of said bill, strike out "are", and insert "may be".

Amendment No. 5

On page 6, line 8, of said bill, strike out "at a price".

Amendment No. 6

On page 6, line 10, of said bill, after "plan", insert "as determined by resolution or ordinance of the legislative body".

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3213—An act to add Chapter 9 to Part 3, Division 13 of the Health and Safety Code, relating to building regulations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1 of the printed bill, strike out line 6, and insert

"19825. (a) The provisions of Part 1 of this division and of Chapter 1, Chapter 2 and Chapter 3 of Part 3 of this division relating to design, construction, reconstruction, movement, conversion or alteration of buildings shall not apply".

Amendment No. 2

On page 1, line 7, of said bill, after "having", insert "and enforcing".

Amendment No. 3

On page 1, line 8, of said bill, strike out "the", and insert "such".

Amendment No. 4

On page 1 of said bill, insert a semicolon at the end of line 8; and strike out line 9, and insert "provided, however, such provisions of Part 1 of this division, which are presently applicable to buildings erected prior to the adoption of a local ordinance, shall apply to such buildings.

(b) No provision of this chapter shall be construed to authorize a reduction in or exemption from the provisions of Chapters 3 and 4 of Part 1 of this division or a reduction in the maintenance, sanitation or occupancy provisions of Part 1 of this division.

(c) The provisions of this chapter shall be effective only in a city where the legislative body determines that an ordinance described in subdivision (a) of this section is in force and effect and so notifies the state department presently charged with enforcement of the provisions of this division if a state department be so charged."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1730—An act to amend the Flood Control Fund Act of 1946 (Chapter 142, Stats. First Extra Session 1946), as amended, by amending Sections 1, 3, 5 and 6 thereof, relating to state assistance on flood control projects.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In the title of the printed bill, strike out lines 1 to 3, inclusive, and insert "An act to amend Sections 1, 3, 4 and 6 of the Flood Control Fund Act of 1946, relating to".

Amendment No. 2

On page 1 of said bill, strike out lines 4 to 9, inclusive, and insert "State Water Resources Act of 1945, the Legislature finds a state interest in cooperating with public agencies of this State in the construction of projects designed in whole or in part for flood control and in assuming the cost of cooperation by the State with the United States in the construction of such projects to the extent provided in said act."

Amendment No. 3

On page 1 of said bill, strike out lines 20 to 24, inclusive, and insert "The State Water Resources Act of 1945, necessary in connection with the construction of projects designed in whole or in part for flood control, adopted and authorized by the Congress and by the Legislature for state assistance, and also in connection with such projects".

Amendment No. 4

On page 2, line 3, of said bill, after the comma, strike out "and".

Amendment No. 5

On page 2 of said bill, strike out lines 6 to 14, inclusive, and insert "funds are made available for their construction; provided, that no allocation shall be made from the Flood Control Fund of 1946 for the acquisition of lands, easements, and rights of way for dams or reservoirs, nor for any construction costs, other than for projects for which funds have been appropriated by the Legislature, or as otherwise specifically provided by the Legislature."

Amendment No. 6

On page 2 of said bill, strike out lines 17 to 20, inclusive, and insert "any project designed in whole or in part for flood control adopted and authorized by the Congress requiring local cooperation for flood control purposes, or adopted and authorized by the Legislature for".

Amendment No. 7

On page 2 of said bill, strike out lines 27 and 28, and insert "or by other legislation, and in connection with any flood control project ap-".

Amendment No. 8

On page 2 of said bill, strike out line 41, and insert "cation."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1731—An act to amend The State Water Resources Act of 1945 (Chapter 1514, Stats. 1945), as amended, by amending Sections 18 and 20 thereof, relating to state assistance on flood control projects.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

Strike out lines 1 and 2 of the title of the printed bill; and in line 3, strike out "18 and 20 thereof", and insert

"An act to amend Sections 18 and 20 of the State Water Resources Act of 1945".

Amendment No. 2

On page 1, lines 5 and 6, of said bill, strike out "heretofore or hereafter".

Amendment No. 3

On page 1, line 9, of said bill, strike out "subdivision (d) of".

Amendment No. 4

On page 1, line 15, of said bill, after "the", insert "total estimated".

Amendment No. 5

On page 2, line 7, of said bill, strike out "heretofore".

Amendment No. 6

On page 2, line 9, of said bill, strike out "heretofore".

Amendment No. 7

On page 2, line 16, of said bill, strike out "heretofore".

Amendment No. 8

On page 2, line 22, of said bill, strike out "by subdivision (d) of", and insert "in".

Amendment No. 9

On page 2, line 27, of said bill, after the semicolon, insert "lands,".

Amendment No. 10

On page 2, line 29, of said bill, after "rectifications", insert ", including those necessary".

Amendment No. 11

On page 2, line 43, of said bill, after "project", insert "authorized and adopted by Congress".

Amendment No. 12

On page 2, line 51, of said bill, after "for", insert "flood control and for".

Amendment No. 13

On page 3 of said bill, strike out lines 5 to 17, inclusive, and insert

"Prior to recommending to the Legislature the approval for state assistance of any project, designed in whole or in part for flood control, adopted and authorized by Congress, and prior to the submission to the Legislature of an estimate of the total cost to the State therefor, and prior to recommending an appropriation by the State in aid of any such project approved for state assistance by the Legislature, the Water Resources Board shall obtain from the appropriate agency of the Federal Government an estimate of the total cost of such project and the cost and benefit ratio thereof, based upon then current construction costs and values, and shall submit the same to the Legislature."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 3145—An act adding Section 10505.5 to the Water Code, relating to release of priority to, or assignment of, appropriated water.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Assembly on April 9, 1951, strike out "deprive", and insert "result in any deprivation contrary to the provisions of Section 11460 or 11463 or of any provision of law extending the application of such sections to the construction or operation of the Central Valley Project by any agency of the State or Federal Government."

Amendment No. 2

On page 1 of said bill, strike out lines 7 to 11, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2914—An act to amend Section 27281 of the Streets and Highways Code, relating to toll charges of highway districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "Section 27281 of the Streets and Highways Code, relating to toll charges of", and insert "Sections 27281 and 27300a of the Streets and Highways Code, relating to bridge and".

Amendment No. 2

On page 1, line 14, of said bill, before "principal", insert "entire".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, after line 26, insert

"SEC. 2. Section 27300a of the Streets and Highways Code is amended to read:

27300a. The board shall in each fiscal year after the bonded indebtedness of the district has been retired set aside in separate funds out of the revenues of the works a sufficient sum to:

(a) *First*, pay the operating expenses of the district [.] ;

(b) *Second*, provide for repairs and depreciation of the works [.] ; *and*

(c) *Third*, pay any indebtedness or lien that may exist against the district or any of its property.

After the bonded indebtedness of the district has been retired, the revenues of the works are hereby pledged to the aforesaid purposes."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2946—An act making an appropriation for the purchase of property adjacent to the campus of San Diego State College.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 6, of the printed bill, after the period, insert "When title to any land is acquired by the State pursuant to this act, the Department of Education shall deliver a copy of the instrument of conveyance thereof to the State Lands Commission."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 3113—An act to add Section 6855 to the Public Resources Code, relating to the preferential right to an oil and gas lease of the owner of lands that have been sold by the State with reservation to the State of the minerals and oil and gas in such lands.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Manufacturing, Oil, and Mining Industry:

Amendment No. 1

On page 1, line 8, of the printed bill, strike out "have the preferential right to"; and strike out lines 9 to 21, inclusive, and insert "be notified that bids are being accepted, and shall have the right to bid therefor. When the bids are opened, and if the commission does not reject the bids, the commission shall thereupon award the lease to the highest qualified bidder. If the owner of the surface rights has bid an amount at least equal to that of the highest qualified bidder, and if his bid otherwise qualifies, he shall be awarded the lease."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Manufacturing, Oil, and Mining Industry.

Assembly Bill No. 1567—An act to add Section 112.5 to the Education Code, relating to the teaching of trades and crafts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Assembly on April 6, 1951, strike out "in"; and strike out lines 5 and 6, and insert "which is primarily devoted to giving instruction in any trade or craft shall be subject to".

Amendment No. 2

On page 1, line 17, of said bill, after the period, insert "This section does not apply to schools to which Section 16624 applies or to instruction in or in connection with shorthand, typewriting, bookkeeping or other usual business subjects, or in the arts or sciences."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

SECOND READING OF SENATE BILLS

Senate Bill No. 409—An act to amend Section 29802 of the Government Code, relating to county warrants.

Bill read second time, and ordered to third reading.

Senate Bill No. 647—An act to amend Section 28109 of the Government Code, relating to compensation for public services in counties of the ninth class.

Bill read second time, and ordered to third reading.

Senate Bill No. 92—An act to add Article 13 to Chapter 11 of Division 2 of the Education Code, relating to the annexation of territory to high school districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 319—An act to add Section 8275 to, and to amend Section 13521 of, the Education Code, relating to the teaching of Communism upon any property belonging to any agencies included in the Public School System.

Bill read second time, and ordered to third reading.

Senate Bill No. 901—An act to amend Section 11291 of the Education Code, relating to the distribution of textbooks published by the State Board of Education.

Bill read second time, and ordered to third reading.

Senate Bill No. 205—An act to amend Section 6827 of the Public Resources Code, relating to oil and gas leases.

Bill read second time, and ordered to third reading.

Senate Bill No. 312—An act to amend Sections 5312, 5324, and 5325 of the Business and Professions Code, relating to outdoor advertising.

Bill read second time, and ordered to third reading.

Senate Bill No. 911—An act to add Section 16376 to the Government Code, relating to funds deposited in trust in the State Treasury for the California State Historical Association.

Bill read second time, and ordered to third reading.

Senate Bill No. 208—An act to add Section 6501.1 to and to amend Section 6502 of, the Public Resources Code, relating to the leasing of public lands.

Bill read second time, and ordered to third reading.

Senate Bill No. 214—An act to authorize the exchange by the State Park Commission with the Forest Service, United States Department of Agriculture, of certain lands in the Pfeiffer Big Sur State Park for lands of at least equal value adjacent to said state park.

Bill read second time, and ordered to third reading.

Senate Bill No. 1807—An act to amend Section 28126 of the Government Code, relating to public service in counties of the twenty-sixth class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "28126", and insert "28125".

Amendment No. 2

In line 2 of the title of said bill, strike out "twenty-sixth", and insert "twenty-fifth".

Amendment No. 3

On page 1, line 1, of said bill, strike out "28126", and insert "28125".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, strike out lines 3 to 28, inclusive; and strike out page 2, and insert

"28125. In a county of the twenty-fifth class the following shall receive as compensation for the services required of them by law or by virtue of their offices the following sums:

(a) The auditor, five thousand dollars ($5,000) a year.

(b) The district attorney, five thousand dollars ($5,000) a year.

(c) The chairman of the board of supervisors, two hundred *fifty* dollars [($200)] ($250) a month, and each other supervisor, [one hundred fifty dollars ($150)] *two hundred dollars ($200)* a month. Each supervisor shall also be furnished with necessary transportation while engaged in the business of the county. Whenever it is necessary for any supervisor to leave the county for the purpose of performing any of his duties, he shall be allowed his actual expenses. While acting as road commissioners, supervisors shall give their personal attention to the repair, maintenance, construction, and improvement of all roads under their supervision.

(d) Grand jurors and trial jurors in the superior court shall receive three *dollars ($3) for each day's attendance, and ten cents ($0.10) for each mile actually* and necessarily traveled from their residence to the county seat, in going only, to be allowed but once during each session the jurors are required to attend.

Any officer entitled to receive mileage for distances traveled by him in the discharge of his official duties shall receive mileage at the rate of five cents ($0.05) in a mile traveled.

The salaries and fees provided in this section are in full compensation for all services of every kind and description rendered by the officers named, either as officers or ex officio officers, their deputies and assistants. All fees, commissions, per diem, and expenses provided for by law, and all other money coming into the hands of the officers mentioned, no matter from what source derived or received, shall be the property of the county, and shall be paid into the county treasury by such officers at the same time and in the same manner that other money is required by law to be paid into the county treasury, except, that the district attorney is expressly exempted from this provision, and shall receive the salaries, fees, and commissions, provided by law.

The compensation provided by this section shall be payable to incumbent officers.

SEC. 2. If it is not legally competent to pay the compensation provided by this act to incumbent officers on the effective date of this act, such increase in compensation shall nevertheless be payable to the officers designated in this act as soon as it is legally competent to do so."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 204—An act to amend Section 6813 of the Public Resources Code, relating to agreements with adverse claimants of oil and gas lands.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Manufacturing, Oil, and Mining Industry:

Amendment No. 1

On page 1, line 22, of the printed bill, as amended in the Senate on April 9, 1951, strike out "and the Attorney General".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 215—An act to add Section 25826 to the Government Code, relating to fixing and collecting of fees for the use of public land for camping purposes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in the Senate on April 12, 1951, strike out the first "and", and insert a comma.

Amendment No. 2

On page 1, line 5, of said bill, strike out the second "and", and insert "or".

Amendment No. 3

On page 1 of said bill, strike out line 6; and in line 7, strike out "which the city is situated".

Amendment No. 4

On page 1, line 9, of said bill, after the period, insert "City-owned land located in the county within which the city is situated and regularly established city-owned camps having sanitary facilities are not subject to the provisions of this section."

Amendments read, and adopted.

Consideration of Further Amendments

Motion to Amend

Mr. Lowrey moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Senate on April 12, 1951, after "fee", insert "from each camper".

Amendment No. 2

On page 1, line 9, of said bill, strike out "tax", and insert "fee".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 213—An act to add Section 6358 to the Public Resources Code, relating to the surveys of state lands granted by the Legislature.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 6358", and insert "Sections 6308 and 6358".

Amendment No. 2

In line 2 of the title of said bill, strike out "the surveys of".

Amendment No. 3

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 6308 is added to the Public Resources Code, to read:

6308. Whenever an action or proceeding is commenced against a county, city, or other political subdivision or agency of the State involving the title to or the boundaries of tidelands or submerged lands that have been or may hereafter be granted to it in trust by the Legislature, the State of California shall be joined as a necessary party defendant in such action or proceeding. Service of summons shall be made upon the chairman of the State Lands Commission and upon the Attorney General, and the Attorney General shall represent the State in all such actions or proceedings. If judgment is given against the State in any such action or proceeding, no costs can be recovered from the State thereunder.

SEC. 2. Section 6358 is added to said".

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

Senate Bill No. 1680—An act to amend Sections 9351, 9351.3, 9353.6, 9359.1, and 9359.8 of, and to add Section 9355.45 to, the Government Code, relating to the Legislators' Retirement System, and providing for the inclusion of officers of the Senate and of the Assembly therein.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Senate on April 24, 1951, after "Section", insert "9351.5 and".

Amendment No. 2

In lines 4 and 5 of the title of said bill, strike out "officers of the Senate and of the Assembly", and insert "legislative officers and employees".

Amendment No. 3

On page 1, lines 7 and 8, of said bill, strike out "an officer of the Senate or Assembly who is elected by vote of the members", and insert "a legislative officer or employee".

Amendment No. 4

On page 1, lines 12 and 13, of said bill, strike out "or an officer of the Senate or Assembly who is elected by vote of the members".

Amendment No. 5

On page 1 of said bill, between lines 13 and 14, insert

"SEC. 3. Section 9351.5 is added to said code, to read:

9351.5. "Legislative officer or employee" means an officer of the Senate or Assembly who is elected by vote of the members, any officer other than the Chaplains selected by vote of the Members of the Senate and of the Assembly, or any person employed to render full time service by either or both houses of the Legislature, or by any committee of either house, or by any joint legislative committee, who has been so employed continuously for at least two years."

Amendment No. 6

On page 1, line 14, of said bill, strike out the first "3", and insert "4".

Amendment No. 7

On page 1, line 17, of said bill, strike out "officer", and insert "legislative officer or employee".

Amendment No. 8

On page 1, line 19, of said bill, strike out "officer", and insert "legislative officer or employee".

Amendment No. 9

On page 2, line 2, of said bill, strike out "officer", and insert "legislative officer or employee".

Amendment No. 10

On page 2, line 6, of said bill, strike out the first "4", and insert "5".

Amendment No. 11

On page 2, lines 7 and 8, of said bill, strike out "officer of the Senate or Assembly who is elected by vote of the members and who is in office", and insert "legislative officer or employee holding a position as such".

Amendment No. 12

On page 2, line 10, of said bill, after "date", insert "of this section".

Amendment No. 13

On page 2, line 11, of said bill, strike out "officer elected", and insert "legislative officer or employee appointed or elected".

Amendment No. 14

On page 2, lines 13 and 14, of said bill, strike out "election by vote of the Members of the Senate or Assembly", and insert "appointment or election".

Amendment No. 15

On page 2, line 17, of said bill, strike out the first "5", and insert "6".

Amendment No. 16

On page 2, lines 27 and 28, of said bill, strike out "an officer of the Senate or Assembly elected by vote of the members", and insert "a legislative officer or employee".

Amendment No. 17

On page 2, lines 33 and 34, of said bill, strike out "officers of the Senate or Assembly elected by vote of the members", and insert "legislative officers and employees".

Amendment No. 18

On page 2, line 36, of said bill, strike out "officer holding the legislative office", and insert "person holding the legislative office or employment".

Amendment No. 19

On page 2, lines 41 and 42, of said bill, strike out "officers of the Senate or Assembly elected by vote of the members", and insert "legislative officers and employees".

Amendment No. 20

On page 2, line 46, of said bill, strike out "6", and insert "7".

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Rules.

ANNOUNCEMENT

Speaker Sam L. Collins announced that he had admonished all committee chairmen to have proposed amendments checked for errors by the office of the Legislative Counsel, as all too many amendments are being presented over the desk which are not properly prepared; and that such errors cause the desk force and the printer additional work.

REQUEST FOR UNANIMOUS CONSENT THAT CHIEF CLERK BE INSTRUCTED TO CORRECT AMENDMENTS

Mr. Beck asked for, and was granted, unanimous consent that the Chief Clerk be authorized from this date to the end of the 1951 Session,

to correct amendments to bills to comply with accepted legislative form, and to make such corrections as may be necessary, but in no way to change the text or substance or meaning of any amendment or bill.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 627—An act to amend Sections 3102, 3104, and 3107 of the Government Code, relating to an oath or affirmation of allegiance for civil defense workers and public employees, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 627?

Amendment No. 1

On page 2, line 12, of the printed bill, as amended in the Assembly on March 28, 1951, after "city", insert "or county".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 627 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Cloyed, Collier, Connolly, Conrad, Cooke, Crowley, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lowrey, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—58.

NOES—George D. Collins, Condon, Elliott, and Henderson—4.

Assembly Bill No. 627 ordered enrolled.

Assembly Bill No. 900—An act to add Section 10206 to the Education Code, relating to insurance against liability arising from courses in driver education and training.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 900?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 9, 1951, strike out "10206", and insert "10211".

Amendment No. 2

On page 1, line 1, of said bill, as amended, strike out "10206", and insert "10211".

Amendment No. 3

On page 1, line 3, of said bill, as amended, strike out "10206", and insert "10211".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 900 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lowrey, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—64.

NOES—None.

Assembly Bill No. 900 ordered enrolled.

Assembly Bill No. 1504—An act to add Chapter 2.5 consisting of Sections 5300 to 5302 to Part 1 of Division 6 of and to add Sections 5250.5 and 5250.6 to the Welfare and Institutions Code, relating to the care and treatment of epileptic persons in state institutions under the jurisdiction of the Department of Mental Hygiene.

The question being: Shall the Asesmbly concur in the following Senate amendments to Assembly Bill No. 1504?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 6, 1951, strike out "5302", and insert "5303".

Amendment No. 2

On page 2 of said bill, as amended, between lines 2 and 3, insert

"5303. No person who is being treated by prayer or spiritual means in the practice of the religion of any well-recognized church, sect, denomination, or organization, shall be ordered detained or committed under the provisions of this chapter unless the court shall determine that he is or would likely become dangerous to himself or to the person or property of others, or unless, being an adult, he shall consent to such detention or commitment, or, being a minor, his parents or guardian having custody of his person shall consent thereto."

Amendment No. 3

In line 2 of the title of the printed bill, as amended in the Senate on April 23, 1951, strike out "Sections", and insert "Section"; and in line 3 of the title, strike out "and 5250.6".

Amendment No. 4

On page 2, line 8 of said bill, as amended, after "chapter", insert "or under Chapter 2 of this Part".

Amendment No. 5

On page 2 of said bill, as amended, strike out lines 17 to 26, inclusive.

Amendment No. 6

On page 1, lines 7 and 8, of said bill, as amended, strike out "or admitted".

Amendment No. 7

On page 1, lines 11 and 12, of said bill, as amended, strike out "or admitted".

Amendment No. 8

On page 1, line 17, of said bill, as amended, strike out "or admitted".

Amendment No. 9

On page 2, line 1, of said bill, as amended, strike out "or admitted".

The roll was called, and the Asesmbly concurred in Senate amendments to Assembly Bill No. 1504 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Collier, George D. Collins, Conrad, Cooke, Crowley, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lowrey, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sillman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 1504 ordered enrolled.

Assembly Bill No. 1532—An act to amend Section 5701 of and to add Section 5701.3 to the Welfare and Institutions Code, relating to private mental institutions and private family care homes, and providing for their license fees and regulation.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1532?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 6, 1951, after "5701.3", insert "and Section 5701.4".

Amendment No. 2

On page 1 of said bill, as amended, strike out lines 15 to 20, inclusive.

Amendment No. 3

On page 2 of said bill, as amended, after line 37, insert

"SEC. 3. Section 5701.4 is added to said code, to read:

5701.4. The provisions of this chapter do not apply to any private institution conducted by and for persons who adhere to the faith of any well recognized church or religious denomination for the purpose of providing facilities for the care or treatment of the sick who rely upon prayer or spiritual means for healing in the practice of the religion of such church or denomination."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1532 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Conrad, Cooke, Crowley, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—63.

NOES—None.

Assembly Bill No. 1532 ordered enrolled.

Assembly Bill No. 1616—An act to amend Sections 633, 641, and 662 of the Welfare and Institutions Code, relating to institutions in which delinquent and other juveniles are housed, and to the powers and duties of probation officers and probation committees in connection therewith.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1616?

Amendment No. 1

On page 1, line 19, of the printed bill, as amended in the Assembly on April 17, 1951, strike out "detention home", and insert "juvenile hall".

Amendment No. 2

On page 2, line 8, of said bill, as amended, strike out "detention home", and insert "juvenile hall".

Amendment No. 3

On page 2, lines 19 and 20, of said bill, as amended, strike out "detention home", and insert "juvenile hall".

Amendment No. 4

On page 2, line 24, of said bill, as amended, strike out "detention home", and insert "juvenile hall".

Amendment No. 5

On page 2, line 11, of said bill, as amended, strike out the period, and insert "; and provided further, that such probation committee, with the approval of said judge, may direct the probation officer to administer, subject to the supervision and direction of the probation committee, without extra compensation therefor, the management and control of the internal affairs of the juvenile hall."

Amendment No. 6

On page 2, line 38, of said bill, as amended, after "counties", insert "except counties".

Amendment No. 7

On page 2, line 42, of said bill, as amended, after "juvenile hall", insert "or branch juvenile hall".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1616 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood,

Klocksiem, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—64.

NOES—None.

Assembly Bill No. 1616 ordered enrolled.

Assembly Bill No. 1641—An act to amend Section 17 of the Municipal and Justice Court Act of 1949, relating to municipal court sessions.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1641?

Amendment No. 1

On page 1, line 3, of the printed bill, after "17.", strike out "Sessions."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1641 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—64.

NOES—None.

Assembly Bill No. 1641 ordered enrolled.

Assembly Bill No. 1977—An act to amend Section 6494 of the Health and Safety Code, relating to election of sanitary district assessors.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1977?

Amendment No. 1

On page 1, line 8, of the printed bill, after "elected", insert "until it shall again elect the use of its own tax roll".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1977 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

Assembly Bill No. 1977 ordered enrolled.

Assembly Bill No. 2417—An act to amend Sections 2619, 2801, 2803, 2804, 3511, 3706, 3708.5, 3710, 3718, 3719, and to add Section 2705.5 to the Revenue and Taxation Code, relating to tax-sold and tax-deeded property, including the time of delinquency of real estate taxes, the payment of taxes on a portion of an assessment and the minimum bid on a sale of tax-deeded property.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2417?

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Assembly on April 9, 1951, strike out "5th", and insert "10th".

Amendment No. 2

On page 1, line 7, of said bill, as amended, strike out "5th", and insert "10th".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2417 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lowrey, Luckel, Maloney, McCarthy, McFall, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—61.
NOES—None.

Assembly Bill No. 2417 ordered enrolled.

Assembly Bill No. 2794—An act to add Section 9148 to the Education Code, relating to field officers or teachers for the adult blind.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2794?

Amendment No. 1

On page 1, line 7, of the printed bill, after the first word "and", insert "with the approval of the Department of Finance may".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2794 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—65.
NOES—None.

Assembly Bill No. 2794 ordered enrolled.

Assembly Bill No. 2842—An act to amend Sections 2621 and 2706 of the Revenue and Taxation Code, relating to payment of costs on tax delinquent property.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2842?

Amendment No. 1

On page 1, line 1, of the printed bill, strike out "Government", and insert "Revenue and Taxation".

Amendment No. 2

On page 1, line 13, of said bill, strike out "Government", and insert "Revenue and Taxation".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2842 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.
NOES—None.

Assembly Bill No. 2842 ordered enrolled.

Assembly Bill No. 2857—An act to amend Sections 54307 and 54310 of, and to add Section 54479 to, the Government Code, relating to revenue bonds.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2857?

Amendment No. 1

On page 1, in the title of the printed bill, strike out "and to add Section 54479 to,".

Amendment No. 2

On page 1, line 8, of said bill, after "both", insert ", except irrigation districts".

Amendment No. 3

On page 1 of said bill, strike out lines 22 to 27, inclusive.

Amendment No. 4

In line 1 of the title of the printed bill, as amended in the Senate on April 26, 1951, after the comma, insert "and to add Section 54388 to,".

Amendment No. 5

On page 1 of said bill, as amended, after line 22, insert

"SEC. 3. Section 54388 is added to said code, to read:

54388 Before selling the bonds, or any part thereof, the legislative body shall give notice inviting sealed bids in such manner as the legislative body may prescribe. If satisfactory bids are received, the bonds offered for sale shall be awarded to the highest responsible bidder. If no bids are received, or if the legislative body determine that the bids received are not satisfactory as to price or responsibility of the bidders, the legislative body may reject all bids received, if any, and either readvertise or sell the bonds at private sale."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2857 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—64.

NOES—None.

Assembly Bill No. 2857 ordered enrolled.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Hollibaugh to reconsider the vote whereby Senate Bill No. 1610 was refused passage was continued until the next legislative day.

By unanimous consent, the notice of motion by Mr. Thomas to reconsider the vote whereby Assembly Bill No. 188 was passed was continued until the next legislative day.

By unanimous consent, the notice of motion by Mr. Collier to reconsider the vote whereby Senate Constitutional Amendment No. 3 was refused adoption was continued until the next legislative day.

REPORTS OF STANDING COMMITTEES

Committee on Industrial Relations

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: Your Committee on Industrial Relations, to which was referred: Senate Bill No. 3314

Respectfully reports the same back without recommendation, and be re-referred to Committee on Ways and Means.

LEVERING, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: Your Committee on Industrial Relations, to which were referred:

Assembly Bill No. 3307
Assembly Bill No. 3310
Assembly Bill No. 3311
Assembly Bill No. 3312

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

LEVERING, Chairman

Above reported bills ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2142

Mr. Waters asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 2142, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2142—An act to add Section 1228 to, and Chapter 6, comprising Sections 6600 to 6607, inclusive, to Division 7, Title 1 of, the Government Code, and to repeal an act entitled "An act forbidding the employment of the inmates of state institutions in the manufacture, or production of articles, for the use of state officers, or the officers and employees of state institutions," approved March 19, 1903, and an act entitled "An act relating to certain funds and property of inmates of state homes, reformatories, hospitals, prisons and other institutions and the expenditure thereof," approved May 31, 1929, relating to the employment and property of inmates of state institutions.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2142?

Amendment No. 1

On page 1, line 7, of the printed bill, as amended in the Assembly on April 13, 1951, strike out "the employment of any inmate in making".

Amendment No. 2

On page 1, line 8, of said bill, as amended, strike out "repairs", and insert "repairing".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2142 by the following vote:

AYES—Babbage, Beck Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh,

Kelly, Kirkwood, Klocksiem, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 2142 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Request for Unanimous Consent That Assembly Bill No. 16 Hold Place on File

Mr. Dickey asked for, and was granted, unanimous consent that Assembly Bill No. 16 be passed on file, and hold its place on file on the next legislative day.

Assembly Bill No. 911—An act to amend Sections 115, 5001, 5301, 5302, 5309, 5310, 5800, 5900, 5901, 5902, 5903, 5904, 5905, 5909, 5910, and 5952 of the Labor Code; to repeal Sections 5313, 5314, 5906, 5907, 5908, and 5950 of said code and add new Sections 5313, 5314, 5906, 5907, 5908, and 5950 to said code, to repeal Section 5315 of said code, and to amend the titles of Division 4, Part 4, Chapter 7 and Division 4 Part 4, Chapter 7, Article 1 of said code, all relating to workmen's compensation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 585
Assembly Bill No. 1069
Assembly Bill No. 1074

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Assembly Concurrent Resolution No. 56
Assembly Concurrent Resolution No. 53

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DOYLE, Vice Chairman

Above reported resolutions ordered engrossed.

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Assembly Bill No. 178

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

LUCKEL, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Senate Bill No. 279
Senate Bill No. 1744

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

LUCKEL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Senate Bill No. 1241

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LUCKEL, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 986
Assembly Bill No. 1970

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LUCKEL, Chairman

Above reported bills ordered to third reading.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 3217

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 599—An act to amend Sections 787.5, 795, and 796.1 of the Agricultural Code, relating to fruit and vegetable standardization.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant,

Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sillman, Stanley, Stewart, Thomas, Tomlinson, and Waters—65.

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Assembly Bill No. 877 Hold Place on File

Mr. Waters asked for, and was granted, unanimous consent that Assembly Bill No. 877 be passed on file, and hold its place on file on the next legislative day.

MEMBER EXCUSED

At 10 38 a.m., Mr. Hansen, asked for, and was granted, unanimous consent that Mr. Grunsky be excused, for the balance of the legislative day, because of legislative business elsewhere.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1392—An act providing for the constitution of the municipal court in a district embracing the City of Fresno, and prescribing the number and compensation of the judges, officers, and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lowrey, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—62.

NOES—Luckel—1.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Assembly Bill No. 1005 Hold Place on File

Mr. Grant asked for, and was granted, unanimous consent that Assembly Bill No. 1005 be passed on file, and hold its place on file on the next legislative day.

Assembly Bill No. 3341—An act to amend Section 690 of the Elections Code, relating to the compensation of members of the precinct boards.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Thomas, Waters, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Assembly Bill No. 3342 Hold Place on File

Mr. Dunn asked for, and was granted, unanimous consent that Assembly Bill No. 3342 be passed on file, and hold its place on file on the next legislative day.

Speaker Pro Tempore Presiding

At 10.45 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Civil Service and State Personnel

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which was referred:

Assembly Bill No. 2217

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CALDECOTT, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which was referred:

Assembly Bill No. 2931

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CALDECOTT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which was referred:

Senate Bill No. 389

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CALDECOTT, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which was referred:

Assembly Bill No. 682

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

CALDECOTT, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which were referred:

Assembly Bill No. 759
Assembly Bill No. 1568
Assembly Bill No. 3060

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CALDECOTT, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which were referred:

Assembly Bill No. 1912
Assembly Bill No. 2800
Assembly Bill No. 3024

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CALDECOTT, Chairman

Above reported bills ordered to second reading.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 880

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 2907

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 386

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Senate Bill No. 410
Senate Bill No. 411
Senate Bill No. 1685
Senate Bill No. 1686

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Senate Bill No. 272

Has had the same under consideration, and reports the same back with the recommendation: Be re-referred to Committee on Finance and Insurance.

HOLLIBAUGH, Chairman

Above reported bill ordered re-referred to the Committee on Finance and Insurance.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 130

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DOYLE, Vice Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Joint Resolution No. 29

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DOYLE, Vice Chairman

Above reported resolution ordered on file for adoption.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3075—An act to add Section 7610 to the Elections Code, relating to canvass of votes for judicial offices.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Waters moved a call of the Assembly.

Motion carried. Time, 11 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brady, Brown, Clarke, Sam L. Collins, Dickey, Hinckley, Hollibaugh, Lindsay, Tomlinson—9.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. McCollister asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3421—An act making an appropriation for expenses of Members of the Assembly to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stewart, Thomas, and Waters—65

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Ernest R. Geddes Presiding

At 11.05 a.m., Hon. Ernest R. Geddes, Member of the Assembly from the Forty-ninth District, presiding.

Assembly Bill No. 2096—An act to amend Section 7e of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to secretary and jury commissioner.

Bill read third time.

Urgency Clause

Urgency clause read.

Assembly Bill No. 2096 ordered passed on file.

Assembly Bill No. 585—An act to amend Sections 1300.12, 1300.13, 1300.15, 1300.16, 1300.17, 1300.18, and 1300.19 of the Agricultural Code, relating to administration of the California Marketing Act of 1937 and the enforcement of marketing orders thereunder, declaring the urgency thereof to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

Assembly Bill No. 585 ordered passed on file, and to hold its place on file on the next legislative day, by unanimous consent.

Assembly Bill No. 1069—An act to amend Section 1 of an act entitled "An act to add Sections 48, 49, 50, 51, 132.6, 293.5, 296.5, 5901.5, 5904.5, 5931.6, 5932.5, 5935.5, 5936.5, 7801.5, and 7842.5 to the Elections Code, relating to elections, declaring the urgency thereof, to take effect immediately," approved October 4, 1950, and to add Sections 7964.1, 7970.5, 7971.5, and 7972.5 to the Elections Code, relating to elections.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, and Thomas—67.

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Assembly Bill No. 2840 Hold Place on File

Mr. Doyle asked for, and was granted, unanimous consent that Assembly Bill No 2840 be passed on file, and hold its place on file on the next legislative day.

Assembly Concurrent Resolution No. 55—Relative to approving certain amendments to the charter of the City of Fresno, in the County

of Fresno, State of California, voted for and ratified by the electors of said city at a special election held therein on the ninth day of April, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, and Tomlinson—66.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 2529—An act to amend Section 11 and to add Section 11.1 to the County Water Authority Act, Chapter 545, Statutes of 1943 as amended, relating to county water authorities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, and Tomlinson—65.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1145

Mr. Connolly asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1145, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1145

Assembly Bill No. 1145—An act to amend Sections 26472, 26519, 26617, 26618, 26620, 26621, and to add Sections 26518.5, 26530, and to repeal Section 26622 of the Health and Safety Code, relating to adulterations of meat, inspection of foods, records of food manufacture and disclosing of official information by inspectors; also relating to quarantining of adulterated, misbranded, or falsely advertised foods.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3116—An act to add Section 25464 to the Government Code, relating to payments on county construction contracts.

Bill read third time, and ordered passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 818

Mr. Maloney asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 818, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 818

Assembly Bill No. 818—An act to amend Section 637.5 of the Agricultural Code, relating to milk products.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stewart, Thomas, Tomlinson, and Waters—61.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1077 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Caldecott asked for, and was granted, unanimous consent that Assembly Bill No. 1077 be withdrawn from the Committee on Governmental Efficiency and Economy, and be re-referred to the Committee on Education.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 3116

Mr. Maloney asked for, and was granted, unanimous consent that he be permitted to take up further consideration of Assembly Bill No. 3116, temporarily passed on file, out of order, at this time.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 3116

Assembly Bill No. 3116—An act to add Section 25464 to the Government Code, relating to payments on county construction contracts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister,

McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Waters—65.

NOES—None.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 3075

At 11.30 a.m., on motion of Mr. Waters, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 3075 passed by the following vote:

AYES—Babbage, Belotti, Berry, Burke, Caldecott, Chapel, Cloyed, Collier, Connolly, Conrad, Crowley, Dolwig, Doyle, Dunn, Erwin, Geddes, Grant, Gubser, Hagen, Hansen, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Morris, Porter, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—42.

NOES—Beck, Burkhalter, Coats, George D. Collins, Condon, Cooke, Dills, Elliott, Evans, Fleury, Gaffney, Hahn, Hawkins, Henderson, Hollibaugh, Lowrey, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, and Rosenthal—24.

Notice of Motion to Reconsider Assembly Bill No. 3075

Mr. George D. Collins gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 3075 was this day passed.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Request for Unanimous Consent That Assembly Bill No. 1540 Hold Place on File

Mr. Dickey asked for, and was granted, unanimous consent that Assembly Bill No. 1540 be passed on file, and hold its place on file on the next legislative day.

Assembly Constitutional Amendment No. 35—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 7 of Article IV, relating to the powers of each house of the Legislature in respect to its members.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—62.

NOES—George D. Collins—1.

Resolution ordered transmitted to the Senate.

Request for Unanimous Consent That Assembly Bill No. 3407 Hold Place on File

Mr. Hahn asked for, and was granted, unanimous consent that Assembly Bill No. 3407 be passed on file, and hold its place on file on the next legislative day.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Bill No. 2096
And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Bill No. 340
And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Bill No. 1145
Assembly Bill No. 2706
Assembly Bill No. 2840
And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Bill No. 818
Assembly Bill No. 1999
And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:
Senate Bill No. 1461
Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bill ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:
Senate Bill No. 35
Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DICKEY, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Senate Bill No. 417—An act amending Section 30354 of the Streets and Highways Code, to except a bridge or other highway crossing between the County of Marin and the County of Contra Costa from the limitations of Sections 30350 and 30351.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Stanley, Stewart, Thomas, Tomlinson, and Waters—66.

NOES—Henderson and Silliman—2.

Bill ordered transmitted to the Senate.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Senate Bill No. 676:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 3, 1951

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

Senate Bill No. 676, "An act to amend Sections 9765, 9769, and 9770 of the Business and Professions Code, relating to cemeteries,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

The funds which would be made available by Section 9 of this bill are necessary to provide for the continued operation of the Cemetery Board during the balance of the present fiscal year.

I therefore recommend consideration of Senate Bill No. 676 as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor

Senate Bill No. 676—An act to amend Sections 9765, 9769, and 9770 of the Business and Professions Code, relating to cemeteries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Stewart, Thomas, Tomlinson, and Waters—65.

NOES—None.

Motion to Amend Title

Mr. Caldecott moved the adoption of the following amendment to the title:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on April 26, 1951, after "cemeteries", insert "and making an appropriation, to take effect immediately".

Amendment read, and adopted.

Bill ordered reprinted, and transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2095

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2095, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2095

Assembly Bill No. 2095—An act to amend Section 7f of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to traffic commissioner.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Stewart, Thomas, Tomlinson, and Waters—65.

NOES—Luckel—1

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2097

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2097, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2097

Assembly Bill No. 2097—An act to amend Section 7c of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to commissioners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, Condon, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Landsay, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—59.

NOES—Luckel—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2096

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2096, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2096

Assembly Bill No. 2096—An act to amend Section 7e of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to secretary and jury commissioner.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Lanterman, Lindsay, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—62.

NOES—Luckel—1

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 3364 BE WITHDRAWN FROM COMMITTEE FOR AMENDMENT, AND BE RE-REFERRED

Mr. Gaffney asked for unanimous consent that Assembly Bill No. 3364 be withdrawn from the Committee on Public Health for purpose of amendment, and be re-referred to the Committee on Public Health.

Mr. Kirkwood withheld unanimous consent.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1429—An act to amend Section 395 of and to add Sections 389, 395.01, 395.02, 395.03, 395 04, 395.05, and 395.06 to the Military and Veterans Code, relating to the absence of public officers and employees engaged in ordered military or naval duty, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle; Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay,

Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1059—An act to add Sections 483.1, 483.2, and 483.3 to the Civil Code, relating to first-aid kits on trains.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 740

Mr. Parker asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 740, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 740

Senate Bill No. 740—An act to add Section 18652 to the Business and Professions Code, relating to boxing and wrestling.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 56

And reports the same correctly engrossed.

BURKE, Chairman

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 56, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 56

Assembly Concurrent Resolution No. 56—Relative to extending condolences on the death of Lotus H. Loudon.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—67.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 45

Mr. McFall asked for, and was granted, unanimous consent that he be permitted to take up Senate Concurrent Resolution No. 45, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 45

Senate Concurrent Resolution No. 45—Relative to flood control measures on the San Joaquin River System.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stewart, Thomas, Waters, and Mr Speaker—67.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE JOINT RESOLUTION NO. 28

Mr. McFall asked for, and was granted, unanimous consent that he be permitted to take up Senate Joint Resolution No. 28, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 28

Senate Joint Resolution No. 28—Relative to flood control measures on the San Joaquin River System.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—67.

NOES—None.

Resolution ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2456
Assembly Bill No. 2665
Assembly Bill No 3416

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1252—An act to amend Sections 654 and 655 of Article 7 of the Agricultural Code, relating to imitation milk and imitation cream.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 46

Mr. Clarke asked for, and was granted, unanimous consent that he be permitted to take up Senate Concurrent Resolution No. 46, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 46

Senate Concurrent Resolution No. 46—Relative to the Merced County Stream Group Project.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—68.

NOES—None.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 357—An act to add Section 15256 to the Health and Safety Code, relating to housing.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, and Waters—64.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 623—An act to amend Sections 9530 and 9590 of, and add Section 9598 to the Business and Professions Code, relating to the State Board of Dry Cleaners and to the enforcement of cleaning, dyeing and pressing regulations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, and Waters—65.

NOES—McCarthy—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 806—An act to amend Sections 7330, 7373, and 7382 of the Business and Professions Code, relating to the practice of cosmetology.

Bill read third time, and ordered passed on file, and to hold its place on file on the next legislative day, by unanimous consent.

Senate Bill No. 805—An act to amend Section 7303 of the Business and Professions Code, relating to the State Board of Cosmetology.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Silliman, Stewart, Thomas, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 974

Mr. Connolly asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 974, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 974

Senate Bill No. 974—An act to amend Section 7300 of the Health and Safety Code, relating to embalming.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Stewart, Thomas, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 12.20 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE JOINT RESOLUTION NO. 21

Mr. Clarke asked for, and was granted, unanimous consent that he be permitted to take up Senate Joint Resolution No. 21, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 21

Senate Joint Resolution No. 21—Relative to memorializing Congress to appropriate money for the construction of the Buchanan Dam and Reservoir on Chowchilla River.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Stewart, Thomas, Waters, and Mr. Speaker—58.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 129

Mrs. Niehouse asked for, and was granted, unanimous consent that she be permitted to take up Senate Bill No. 129, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 129

Senate Bill No. 129—An act to add Section 212 to the Health and Safety Code, relating to the powers and duties of the State Department of Public Health, in respect to standards for public medical institutions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney,

McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Thomas, Waters, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE JOINT RESOLUTION NO. 19

Mr. Dunn asked for, and was granted, unanimous consent that he be permitted to take up Senate Joint Resolution No. 19, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 19

Senate Joint Resolution No. 19—Relative to federal support for vocational training.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Thomas, Waters, and Mr. Speaker—63.

NOES—None.

Resolution ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 57: By Messrs. Maloney, Sam L. Collins, Gaffney, Meyers, Brady, Berry, Caldecott, George D. Collins, Connolly, Dolwig, Levering, McCarthy, McGee, Stewart, Thomas, and Waters—Relative to congratulating the University of San Francisco for establistment of a compulsory course in the evils of Communism.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2763

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

RESOLUTIONS

The following resolution was offered:

By Messrs. Rosenthal, Beck, Geddes, Munnell, and Hawkins:

House Resolution No. 135—Extending felicitous greetings to the Republic of Mexico upon the occasion of its national holiday, Cinco de Mayo.

Request for Unanimous Consent

Mr. Rosenthal asked for, and was granted, unanimous consent to take up House Resolution No. 135, at this time, without reference to committee or file.

Request for Unanimous Consent That Names of All Members Present Be Placed Upon House Resolution No. 135 as Co-authors

Mr. Hahn asked for, and was granted, unanimous consent that the names of all members present be placed upon House Resolution No. 135 as co-authors.

Roll Call

The roll was called, and the following members indicated a desire to become co-authors of House Resolution No. 135:

By Messrs. Rosenthal, Geddes, Beck, Munnell, Hawkins, Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Sam L. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Mrs. Niehouse, Messrs. Parker, Porter, Rumford, Shaw, Silliman, Stanley, Thomas, and Waters:

House Resolution No. 135

Extending felicitous greetings to the Republic of Mexico upon the occasion of its national holiday, Cinco de Mayo

Cinco de Mayo has been a date revered in Mexico since that day in 1862 when Ignacio Zarogoza and his men, greatly outnumbered, defeated the French in the Battle of Guadalupe, near Puebla, to set a valiant example for the people of Mexico through the hard struggle which was to follow, that the flaming love for freedom in the hearts of the people should never dim, nor courage falter, until the spirit that won the Battle of Guadalupe should emerge eternally triumphant in the establishment of national independence and freedom

As the people of Mexico celebrate the national holiday of Cinco de Mayo, the people of the State of California join in spirit with our good friends and nearest neighbors in homage to the courage and love of freedom of those who fought the battles against foreign domination and whose vigilance and wisdom guarded and guided the infant nation so well that today Mexico shares with the rest of this hemisphere a common heritage of freedom and independence, and speaks with a firm voice in world councils for the maintenance of freedom and peace for all the peoples of the earth; now, therefore, be it.

Resolved by the Assembly of the State of California, That the Members of this Assembly, on behalf of the people of the State of California, extend to the people of Mexico felicitous greetings upon the occasion of the celebration of their great national holiday, Cinco de Mayo, conveying to them expressions of warm friendship and good will; and be it further

Resolved, That the Chief Clerk of the Assembly send a suitably engrossed copy of this resolution to His Excellency, the President of the Republic of Mexico.

Resolution read, and adopted unanimously.

MOTION TO PRINT SPANISH TRANSLATION OF HOUSE RESOLUTION NO. 135

Mr. Shaw moved that House Resolution No. 135 be translated into Spanish, and that 1,000 copies be printed as a separate document.

Mr. Rosenthal seconded the motion.

Substitute Motion

Mr. Waters moved that the remarks by Mr. Geddes relative to House Resolution No. 135 be ordered printed in the Journal, in 10 point type.

Mr. Doyle seconded the motion.

Substitute motion carried.

REMARKS BY MR. GEDDES RELATIVE TO HOUSE RESOLUTION NO. 135

Mr. Speaker and Members: Joining with Mr. Rosenthal in presenting this resolution in observance of the Cinco De Mayo, I do so because of an obligation which I feel that I should discharge at every opportunity to show my gratitude to the people of our sister Republic for the manifold kindnesses and courtesies which they have extended me during the years that I lived in the Republic of Mexico. For 16 years as a boy and afterwards for two years as a grown man I learned that our Mexican brothers are people unfailing in their courtesy and understanding. There are those perhaps who may regard Mexico as a backward nation but I declare to you that it is not so. In many ways we may measure Mexico as having been before the people of this Country in establishing and using things that are modern. May I call to your attention that Mexico was already established as a Crown Colony of Spain when the Pilgrims were still on their way to settle on the New England shores from England. May I remind you that the first Lodge of Freemasons was established in Mexico before there was a corresponding Lodge in the English Colony. It is a known fact that the first air mail service between regular designated termini was established in Mexico before this Country had established air mail routes, and also that that great mark of civilization, the printing press, functioned in Mexico before it did in the northern colonies which later became part of the United States.

The Cinco De Mayo as is explained in the resolution is a date of significance to a people who have not only fought their own battle for freedom and thereby won our admiration, but have continued to utilize that freedom and today are a friendly neighbor and one which will aid us in our undertakings whereby we seek to establish a better world in which free people may dwell.

MOTION BY MR. SHAW ORDERED REFERRED TO THE COMMITTEE ON RULES

By unanimous consent, the motion by Mr. Shaw, that House Resolution No. 135 be translated into Spanish, be printed as a separate document, and that 1,000 copies be printed, was ordered referred to the Committee on Rules for consideration, with instructions to Mr. Hollibaugh to present the motion.

ANNOUNCEMENT

Mr. Geddes announced that Assembly Bill No. 817 has been signed by the Governor.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 14
Assembly Bill No. 494
Assembly Bill No. 866
Assembly Bill No. 1032
Assembly Bill No. 1144
Assembly Bill No. 1148
Assembly Bill No. 1408
Assembly Bill No. 1426
Assembly Bill No. 1432
Assembly Bill No. 1433
Assembly Bill No. 1436
Assembly Bill No. 1437
Assembly Bill No. 1440
Assembly Bill No. 1443
Assembly Bill No. 1579
Assembly Bill No. 2011
Assembly Bill No. 2111
Assembly Bill No. 2355
Assembly Bill No. 3051
Assembly Bill No. 3058
Assembly Bill No. 3159

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 1053
Assembly Bill No. 2252

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No 2355 re-referred to the Committee on Agriculture.

Assembly Bills Nos. 3051 and 3058 re-referred to the Committee on Social Welfare.

Assembly Bills Nos. 14, 494 and 3159 re-referred to the Committee on Elections and Reapportionment.

Assembly Bills Nos. 1032, 1053, 1144, 1148, 1579, 2011, and 2252 re-referred to the Committee on Public Health.

Assembly Bills Nos. 866, 1408, 1426, 1432, 1433, 1436, 1437, 1440, 1443 and 2111 re-referred to the Committee on Judiciary

Senate Bill No. 1186 re-referred to the Committee on Judiciary.

Senate Bill No. 802 re-referred to the Committee on Public Health.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committee would hold a meeting:

Today, at 2 p.m.—

Subcommittee on Governmental Efficiency and Economy, in Room 4130. Subject: Assembly Bill No. 1060.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Dolwig, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Raymond Peterson and son James Peterson of Redwood City

On request of Messrs. Chapel, Hawkins, and Elliott, the usual courtesies of the Assembly for this day were unanimously extended to John Frey of Los Angeles.

On request of Mr. Cooke, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Robert W. LeFever of Ventura.

On request of Mr. Hollibaugh, the usual courtesies of the Assembly for this day were unanimously extended to Miss Carrie Boehler and Edward Boehler of Huntington Park.

On request of Mr. McCollister, the usual courtesies of the Assembly for this day were unanimously extended to Mr. Salander and Mr. Sisk, teachers; and Mrs. Nelson and the following pupils of the Fairfax School: Janet Chisholm, Carol Simpson, Joan Ainino, Edith Eskenberry, Avon Harris, Paula Johns, Ruth Johnson, Carole Leavitt, Donna Piecznski, Doyle Purdom, Darlene Shawver, Lois Sturges, Linda Taylor, Dorothy Trumbly, Margaret Waldie, Marilyn Arp, Judy Biss, Josephine Corwin, Sally Dade, Delores Estudillo, Debora Dean, Micky Fessier, Danny Anderson, Dick Cady, Jack Capurro, Robert Davis, Bob Farris, Tom Forester, Steven Grundhauser, James McAsey, Ronald Murry, Dustin Silver,

Robert Swan, Larry Vivier, Pat Kennedy, David Allen, Ray Dallara, Roy Domke, Ronald Gaither, Leland Moon, Ronnie Kauffman, Authur Olden, Tony Rader, Joseph Rizzo, Lois Levy, Catherine Porcilei, Deanne Sherman, Nancy Silva, Elaine Silveria, Gino Stefani, Norman Taylor, Teddy Watson, and Stanley Wisness.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Mr. Johnson, teacher, and the following pupils of the Franklin School: Carol Ann Hensley, Joanne Hirasz, Deane Nicolaus, Gladys Ramlier, Barbara Roman, Nancy Schmalt, and Delores Wolff.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to a group of students from the El Portal School of San Pablo.

On request of Mr. Rumford, the usual courtesies of the Assembly for this day were unanimously extended to Miss Ethel Rose Taylor, teacher, and the following adult pupils of Golden Gate and Longfellow Schools of Oakland: Mrs. Caroline Accomasso, Miss Anna Accomasso, Mrs. Isabella Anderson, Mrs. Amelia Avery, Mrs. Olga Berg, Miss Ernestine Blake, Mrs. Marina Bonvicino, Mrs. Betty Buchenbucher, Mrs. Pearl Cooper, Mrs. Marjorie De Shay, Mrs. Mary Filippi, Mrs. Charlie Mae Gaines, Miss Sophie Galvez, Mrs. Florence Hill, Mrs. Katie Johnson, Bug Johnson, Mrs. Clara Kander, Mrs. Marjorie Ledford, Mrs. Maria Pauli, Mrs. Pearl Ramirez, Mrs. Vera Ramirez, Mrs. Frances Rosa, Mrs. Mary Correia, Mrs. Fanny Schultz, Mrs Justitia Scott, Mrs. Mary Silva, Mrs. Mary L. Spinner, Mrs. Angela Viale, Frank Viale, Mrs. Lindy Wolff, and Mrs. Sena De Marchi.

On request of Messrs. Moss and Fleury, the usual courtesies of the Assembly for this day were unanimously extended to J. H. Swan and the following pupils of the Sacramento Junior College: Leslie Harper, Fred Benton, Don Link, Lu Magennis, Nathalie Grout, Marilyn Johnson, Barbara Stucker, Demaris Krause, Arleen Rodda, Yvetti Elorga, Dolores Linggi, Patricia Cole, Barbara Foskett, and Jim Fairbairn.

On request of Mr. Kelly, the usual courtesies of the Assembly for this day were unanimously extended to Don Maupin and Fred Patterson of Bakersfield.

On request of Mr. Maloney, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. E. M. McMurry and Barbara Van Camp of Alameda.

ADJOURNMENT

At 12.40 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Monday May 7, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FIFTY-THIRD LEGISLATIVE DAY

SEVENTY-THIRD CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, May 7, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—74.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Our Father Which Art in Heaven, Hallowed be Thy name.

We thank You for the call of duty and privilege. Hold before us the prayer of challenge.

God, give us men! A time like this demands
Strong minds, great hearts, true faith and ready hands;
Men whom the lust of office does not kill;
Men whom the spoils of office can not buy;
Men who have honor; men who will not lie;
Men who can stand before a demagogue
And damn his treacherous flatteries without winking!
Tall men, sun-crowned, who live above the fog
In public duty, and in private thinking."

In Jesus' name we pray.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Lanterman, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Stewart, on motion of Mr. Levering.
Mr. Hansen, on motion of Mr. Erwin.
Mr. Hagen, on motion of Mr. Erwin.
Mr. Lindsay, on motion of Mr. Erwin.
Mr. Cloyed, on motion of Mr. Erwin.
Mr. Tomlinson, on motion of Mr. Levering.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly then gave the pledge of allegiance to the Flag.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: You Committee on Legislative Procedure has examined:

Assembly Bill No. 830	Assembly Bill No. 2553
Assembly Bill No. 867	Assembly Bill No. 2573
Assembly Bill No. 1730	Assembly Bill No. 2727
Assembly Bill No. 1731	Assembly Bill No. 2806
Assembly Bill No. 1914	Assembly Bill No. 2914
Assembly Bill No. 2224	Assembly Bill No. 2946
Assembly Bill No. 2275	Assembly Bill No. 3113
Assembly Bill No. 2479	Assembly Bill No. 3210
Assembly Bill No. 2493	Assembly Bill No. 3213

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1567	Assembly Bill No. 3098
Assembly Bill No. 1789	Assembly Bill No. 3145
Assembly Bill No. 2041	

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1291	Assembly Bill No. 2863
Assembly Bill No. 1360	Assembly Bill No. 3389
Assembly Bill No. 1566	

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 425	Assembly Bill No. 2249
Assembly Bill No. 1070	Assembly Bill No. 2629
Assembly Bill No. 1290	Assembly Bill No. 2892
Assembly Bill No. 1696	Assembly Bill No. 2910
Assembly Bill No. 1871	Assembly Bill No. 3400
Assembly Bill No. 2218	Assembly Bill No. 3409

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 53

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 248
Assembly Bill No. 3017

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No 218
Senate Bill No. 220
Senate Bill No. 953
Senate Bill No. 1695

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 218—An act to amend Section 6518 of the Health and Safety Code, relating to the laying of sewers and drains in public streets and roads by sanitary districts.

Referred to Committee on Municipal and County Government.

Senate Bill No. 220—An act to amend Sections 736.1-1 and 736.11 of the Agricultural Code, relating to stabilization and marketing of fluid milk and fluid cream.

Referred to Committee on Agriculture.

Senate Bill No. 953—An act to add Section 1552.2 to the Welfare and Institutions Code, relating to aid to needy children in respect to payments in kind.

Referred to Committee on Social Welfare.

Senate Bill No. 1695—An act to add Section 6304.5 to the Public Resources Code, relating to cooperation by the State Lands Commission with the Federal Government in the development and maintenance of small boat harbors.

Referred to Committee on Conservation, Planning, and Public Works.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 478
Assembly Bill No. 520
Assembly Bill No. 524
Assembly Bill No. 637
Assembly Bill No. 640
Assembly Bill No. 642
Assembly Bill No. 789
Assembly Bill No. 800
Assembly Bill No. 847
Assembly Bill No. 881
Assembly Bill No. 965
Assembly Bill No. 1024
Assembly Bill No. 1079
Assembly Bill No. 1199
Assembly Bill No. 2044
Assembly Bill No. 2068
Assembly Bill No. 2890
Assembly Bill No. 2938
Assembly Bill No. 3032

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 47
Assembly Concurrent Resolution No. 55
Assembly Joint Resolution No. 28
Assembly Concurrent Resolution No. 56

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 99
Assembly Bill No. 522
Assembly Bill No. 636
Assembly Bill No. 638
Assembly Bill No. 639
Assembly Bill No. 641
Assembly Bill No. 657
Assembly Bill No. 742
Assembly Bill No. 1198
Assembly Bill No. 2052
Assembly Bill No. 2724

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1819—An act to amend Section 1241 of the Civil Code, relating to homesteads.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2874—An act to amend Section 647a of the Penal Code, relating to vagrancy.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3031—An act to amend Sections 26721, 26722, 26725, 26728, 26729, 26731, 26733, 26734, 26735, 26736, 26738, 26740, 26741, 26743, and 26746 of the Government Code, relating to the fees of sheriffs and marshals.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1997—An act to amend Section 417.1 of the Vehicle Code, relating to the privilege of operating a motor vehicle.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2690—An act to repeal and add Section 63 to the California Water District Act, relating to revenue bonds of districts organized under said act, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3405—An act to add Section 50478 to the Government Code, relating to the lease of publicly owned property for airports and related purposes.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3411—An act to add Section 25464 to the Government Code, relating to contracts for public works.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2217—An act to add Section 21263 to the Government Code, relating to retirement allowances of local safety members of the State Employees' Retirement System.

Bill read second time, and ordered engrossed.

Assembly Bill No. 386—An act to amend Section 6366 of the Revenue and Taxation Code, relating to exemptions of aircraft from the sales and use tax.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1164—An act to amend Sections 859 and 987a of the Penal Code, relating to compensation of counsel appointed by any court to defend indigent persons charged with crime and compensation of public defenders in certain cases.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 2 of the printed bill, strike out lines 14 and 15.

Amendment No. 2

On page 2, line 2, of the printed bill, strike out "the", and insert "Except in a county, or city and county, in which there is a public defender, the".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1088—An act to amend Section 680 of the Probate Code, relating to ancillary administration of estates.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 19, 1951, strike out "Section", and insert "Sections".

Amendment No. 2

In the title of said bill, strike out lines 3 and 4, and insert "680, 682, and 684 of the Probate Code, relating to family allowances from estates."

Amendment No. 3

On page 1 of said bill, between lines 12 and 13, insert

"SEC. 2. Section 682 of the Probate Code is amended to read:

682. If the widow, *widower*, or any minor child has a reasonable maintenance derived from other property, and there are other persons entitled to a family allowance, the allowance shall be granted only to those who have not such maintenance.

SEC. 3. Section 684 of the Probate Code is amended to read:

684. No stay shall be had of payment of any family allowance, or of any installment thereof, pending appeal from an order relating thereto, even though the court, acting under the provisions of Section 946 of the Code of Civil Procedure, shall dispense with or limit the security required of an appellant, if the person in whose favor the allowance is made shall, at any time before the making of such payment, execute and file a good and sufficient written undertaking, with two or more sureties, to the effect that they are bound in double the amount of such payment or payments, and that if the judgment or order appealed from, or any part thereof, be so modified or reversed that such payment, or any part thereof, proves to be unwarranted, the same shall, unless deducted from any final or partial distribution ordered in favor of the widow, *widower*, or minor child from whom such allowance was awarded, be repaid and refunded into said estate, and, if not so repaid and refunded within 30 days after the trial court shall so order following such modification or reversal, judgment may be entered therefor, on motion of the personal representative of said estate, in favor of the said personal representative and against the principal and sureties on such undertaking, for such amount, together with interest and costs, not exceeding the amount of such undertaking."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 370—An act to add Section 360.5 to the Code of Civil Procedure, relating to statutes of limitations.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 10, of the printed bill, strike out "three", and insert "four".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 962—An act to amend Section 4300*l* of the Political Code, and Section 32 of the Municipal Court Act of 1925, relating to municipal court fees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 2 of the printed bill, strike out line 6, and insert "one dollar ($1).

Amendment No. 2

On page 2, line 13, of said bill, strike out "two dollars ($2)", and insert "one dollar ($1)".

Amendment No. 3

On page 3, line 44, of said bill, strike out "two dollars ($2)", and insert "one dollar ($1)".

Amendment No. 4

On page 3, line 51, of said bill, strike out "two dollars ($2)", and insert "one dollar ($1)".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2207—An act to amend Section 20 of the Municipal Court Act of 1925, relating to municipal courts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

Strike out line 1 of the title of the printed bill, and insert
"An act to add Section 18.5 to the Municipal and Justice Court Act of 1949,".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 6, inclusive, and insert
"SECTION 1. Section 18.5 is added to the act cited in the title, to read:
Sec. 18.5 In any judicial district containing a city of the first and one-half class in which a municipal court is established and where a session of the court is held at a place more than 20 miles from the principal office of such court, a majority of the judges of the court may establish an area surrounding the place where such session is being held comprising a population of at least 10,000, from which trial jurors for such session of the court shall be selected."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2512—An act to amend Section 2616 of the Code of Civil Procedure, as added by Chapter 1031 of the Statutes of 1943, relating to phonographic reporters.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out line 5, and insert "lation of not less than 234,000 nor more than 250,000, as determined by".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3392—An act to amend Section 117j of the Code of Civil Procedure, relating to small claims.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "registered".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1752—An act to amend Section 1908 of the Harbors and Navigation Code, relating to contracts for fire boat services and payment for services of firemen.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 12, of the printed bill, strike out "_____ dollars ($_____)", and insert "Three hundred thousand dollars ($300,000)".

Amendment No. 2

On page 2, line 3, of the printed bill, strike out "_____ dollars ($_____)", and insert "thirty thousand dollars ($30,000)".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2374—An act to add Section 532 to the Streets and Highways Code, relating to the State Highway System.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, lines 4 and 5, of the printed bill, strike out "Gif-ford", and insert "Gilford".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3414—An act to add Sections 108 and 109 to the Water Code, relating to water rights, declaring the severability of the provisions of this act, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "108 and 109", and insert "1005.1 and 1005.2".

Amendment No. 2

On page 1, line 1, of said bill, strike out "108", and insert "1005.1".

Amendment No. 3

On page 1, line 3, of said bill, strike out "108", and insert "1005.1".

Amendment No. 4

On page 1, line 5, of said bill, strike out "nontributary source", and insert "source referred to in Section 1005 of this code".

Amendment No. 5

On page 1, line 13, of said bill, strike out "109", and insert "1005.2".

Amendment No. 6

On page 1, line 15, of said bill, strike out "109", and insert "1005.2".

Amendment No. 7

On page 1, line 16, of said bill, strike out "109", and insert "1005.2".

Amendment No. 8

On page 1, line 18, of said bill, strike out "an interstate river", and insert "a source referred to in Section 1005 of this code".

Amendment No. 9

On page 2, lines 16 and 17, of said bill, strike out "in this State have depleted ground water basins", and insert "have depleted certain ground water basins in the southern part of this State".

Amendment No. 10

On page 2, line 21, of said bill, strike out "from other sources", and insert "available to these basins from sources referred to in Section 1005 of the Water Code".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 759—An act to add Section 20392.5 to the Education Code, relating to dismissal and re-employment of state college employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

On page 2, line 16, of the printed bill, as amended in the Assembly on April 23, 1951, after "list", insert "*for each college*".

Amendment No. 2

On page 2, line 19, of said bill, after "were dismissed", insert ", *in the college from which they were dismissed,*".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1568—An act to add Section 20020.5 to the Government Code, relating to the State Employees' Retirement System in respect to law enforcement personnel of juvenile bureaus of contracting agencies.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

On page 1, line 16, of the printed bill, after "20461.5", insert "; except that an election is required only among the employees to whom the provisions of Section 20020.5 apply".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3060—An act to add Section 19368.7 to the Government Code, relating to layoff.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

Strike out the title of the printed bill, and insert

"*An act to amend Section 19368 of the Government Code relating to employees in the State Civil Service*".

Amendment No. 2

Strike out lines 1 to 13, inclusive, of said bill, and insert

"*SECTION 1. Section 19368 of the Government Code is amended to read:*

19368. Whenever any position is changed by the adoption of new, different or additional machines or processes while the purpose or product is the same or similar in nature, any civil service employee affected shall be given reasonable opportunity without change in class, status or salary to learn to do the work with the new machine or process and to qualify for status in the different class of position required for such work; provided, that an employee may not be promoted to a higher class under the provisions of this section. An employee who qualifies for appointment in the different class shall be deemed to possess the specific education, experience or other requirements for such class and shall be appointed thereto with the same status and seniority which he last had in his previous class.

An employee shall be deemed to be affected under this section if the adoption of such new, different or additional machines or processes results in his being laid off and if laid off such employee shall have the same opportunity to qualify for appointment to any vacancy in the same class or any new class created because of the adoption of such new, different or additional machines or processes as any other employee affected by the provisions in this section who was not laid off.

The board may prescribe rules and procedures and make determinations for carrying out the provisions of this section including provisions for such examinations and tests of fitness as are deemed appropriate."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 880—An act to add Sections 31470.1, 31470.2, 31470.3, 31470.4, 31470.5, 31470.6, 31503.9, 31504.9, 31558, 31720.5, 31726.5, 31727.2, 31727.4, 31765, 31785, 31786, 31787, 31788, and Article 6.5 and 7.5 to Chapter 3 of Part 3 of Division 4 of Title 3 of the Government Code, to repeal Section 31558 and to amend Sections 31454.5, 31470, 31504, 31505, 31552, 31553, 31554, 31555, 31557, 31581, 31582, 31583, 31621, 31622, 31623, 31624, 31627, 31676.2 and 31676.4 of the Government Code, relating to retirement of county employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on April 30, 1951, after "31504.9," insert "31520.1,".

Amendment No. 2

In line 7 of the title of said bill, after "31505," insert "31521,".

Amendment No. 3

On page 3 of said bill, between lines 48 and 49, insert

"SEC. 13.4 Section 31520.1 is added to the Government Code to read:

31520.1. In any county subject to the provisions of Articles 6.5 and 7.5, the Board of Retirement shall consist of seven members, one of whom shall be the county treasurer. The second and third members of the board shall be members of the association, other than safety members, elected by such members within 30 days after the retirement system become operative in a manner determined by the board of supervisors. The fourth, fifth and sixth members shall be qualified electors of the county who are not connected with the county government in any capacity, except one may be a supervisor, and shall be appointed by the board of supervisors. The seventh member shall be a

safety member of the association elected by the safety members. The first persons chosen as the second and fourth members shall serve for a term of two years beginning with the date the system become operative, the third and fifth members shall serve for a term of three years beginning with that date, and the sixth and seventh members shall serve for a term of two years beginning January 1, 1952, or the date on which a retirement system established by this chapter becomes operative, whichever is the later. Thereafter the terms of office of the six elected members are three years.

SEC. 13 5 Section 31521 of the Government Code is amended to read:

31521. The board of supervisors *may provide that the fourth and fifth members, and in counties having a board consisting of seven members, the fourth, fifth and sixth members,* shall receive compensation at a rate of not more than ten dollars ($10) a meeting for not more than two meetings per month."

Amendment No. 4

On page 10, line 42, of said bill, strike out "60", and insert "120"

Amendment No. 5

On page 14, line 20, of said bill, strike out "one-half", and insert "60 percent".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 2907—An act to add Sections 14259, 14260, 14810 and 14811 to, to amend Section 14540 of, and to repeal Sections 14541, 14542, 14543, 14544, 14545, 14546, 14547, 14810, 14811 and 14812 of the Health and Safety Code, relating to fire protection districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 23, 1951, strike out "14259, 14260", and insert 14258 5, 14258.6".

Amendment No. 2

In line 2 of the title of said bill, after "repeal Sections", insert "14008,".

Amendment No. 3

On page 1, line 1, of said bill, strike out "14259", and insert "14258 5".

Amendment No. 4

On page 1, line 3, of said bill, strike out "14259", and insert "14258.5".

Amendment No. 5

On page 1, line 6, of said bill, strike out "14260", and insert "14258 6"

Amendment No. 6

On page 1, line 7, of said bill, strike out "14260", and insert "14258.6"

Amendment No. 7

On page 1, line 19, of said bill, after "Sections", insert "14008,".

Amendments read, and adopted

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3307—An act to add Section 4708 to the Labor Code, relating to workmen's compensation.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Industrial Relations:

Amendment No. 1

On page 1, line 9, of the printed bill, strike out "9359.8", and insert "21364".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3310—An act to amend Section 4800 and to repeal Section 4801 of the Labor Code, relating to workmen's compensation.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Industrial Relations:

Amendment No. 1

On page 1, line 18, of the printed bill, after "service.", insert "This section refers to temporary disability only."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3311—An act to amend Section 5704 of the Labor Code, relating to workmen's compensation.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Industrial Relations:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "evidence", and insert "testimony".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3312—An act to amend Section 4850 and to repeal Section 4851 of the Labor Code, relating to workmen's compensation.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Industrial Relations:

Amendment No. 1

On page 1, line 8, of the printed bill, after "salary", insert "as temporary disability payments".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1187—An act to add Sections 447, 448, 449, 450, 451, and 452 to the Penal Code, and to repeal Sections 447a, 448a, 449a, 600, and 600.5 thereof, relating to the burning of property.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 5, of the printed bill, after the second "any", insert "dwelling house of any sort whatsoever, or any portion of any".

Amendment No. 2

On page 1, line 5, of said bill, after "building", strike out the comma, and insert "or".

Amendment No. 3

On page 1, line 6, of said bill, strike out "or fixture whatsoever", and insert "affixed to the realty".

Amendment No. 4

On page 1, line 17, of said bill, strike out "arson", and insert "a felony".

Amendment No. 5

On page 1, line 21, of said bill, after "less," insert "every such person".

Amendment No. 6

On page 2, line 31, of said bill, strike out "Section 448,".

Amendment No. 7

On page 2, line 44, of said bill, strike out "convicted of", and insert "who pleads guilty to, or is convicted of,".

Amendment No. 8

On page 2, line 45, of said bill, strike out "been".

Amendment No. 9

On page 2, line 45, of said bill, after "previously", insert "pleaded guilty to or have been".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 2212—An act to add Section 1429.5 to the Penal Code, relating to criminal proceedings.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, between lines 2 and 3, insert

"1429.5. When a defendant pleads not guilty by reason of insanity to a misdemeanor charge, and also joins with it another plea or pleas, he shall first be tried as if he had entered such other plea or pleas only, and in such trial he shall be conclusively presumed to have been sane at the time the offense is alleged to have been committed. If the defendant shall be found guilty, or if the defendant pleads only not guilty by reason of insanity, then the defendant shall be certified to the superior court of the county for prompt trial to determine the question whether the defendant was sane or insane at the time the offense was committed. The superior court shall proceed as provided in Sections 1026 and 1027. If the verdict or finding be that the defendant was sane at the time the offense was committed the superior court shall remand the defendant to the court from which he was certified which court shall sentence the defendant as provided by law. If the verdict or finding be that the defendant was insane at the time the offense was committed the superior court shall proceed as provided in Section 1026."

Amendment No. 2

On page 1 of the printed bill, strike out lines 3, 4, and 5.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 2755—An act to amend Section 115 of the Code of Civil Procedure, relating to justice courts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "115", and insert "109".

Amendment No. 2

On page 1, line 1, of said bill, strike out "115", and insert "109".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 6, inclusive, and insert

"109. No [justice of the peace] *judge of a justice court* who is paid a salary, shall draw or receive any monthly salary unless he shall make and subscribe an affidavit before an officer entitled to administer oaths, that no cause in his court, which has been submitted for decision for a period of 30 days, remains pending and undecided, [and] that he has complied with the provisions of Section 744 of the Vehicle Code [.] *and that he has reported to the Judicial Council at such times and in such manner as requested by the chairman of the council respecting the condition, and manner of disposal, of judicial business in his court*

SEC. 2. The provisions of this act relating to judges of justice courts shall become operative and apply to such judges upon the establishment of justice courts, and until the time of the establishment of said justice courts, such provisions shall be operative and apply to justices of the peace with the same force and effect as if said justices were herein specifically mentioned."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 2474—An act to make an appropriation for the improvement of certain streets in Los Angeles County.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "Sunset Boulevard", and insert "Route 60".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 178—An act to add Section 44.8 to, and to amend Section 44.12 of, the Vehicle Code, relating to authorized emergency vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 16, 1951, strike out ", and to amend Section 44.12 of,".

Amendment No. 2

On page 1 of said bill, between lines 17 and 18, insert

"This section shall remain in effect until the ninety-first day after the final adjournment of the 1953 Regular Session of the Legislature or until the termination of the existing national defense emergency as evidenced by cessation of compulsory military service in the Armed Forces of the United States by citizens of this State, and as found and declared by proclamation issued by the Governor, whichever first occurs. While this section is in effect it shall supersede any existing provisions of law which are in conflict with this section; but such provisions are not repealed by this section and after this section is no longer effective shall have the same force as though this section had not been enacted."

Amendment No. 3

On page 1 of said bill, strike out lines 18 to 27, inclusive; and strike out page 2.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

Assembly Bill No. 3217—An act to add Chapter 3.5 to Part 2, Division 2 of the Government Code consisting of Sections 25275-25290 inclusive, relating to urban unincorporated areas.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, after "add", strike out "Chapter 3.5 to Part 2, Division 2 of the Govern-"; and strike out line 2 of the title, and insert "Chapters 3.3 and 3.5 to Part 2, Division 2 of, and to add Chapter 7 to Title 6 of the Government Code,".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 25, inclusive; and strike out pages 2 and 3, and insert

"SECTION 1. The Legislature hereby finds and declares that unprecedented growth in California, particularly since 1940, has created many new and difficult problems of government. One such problem has arisen in the unincorporated areas of many counties where, as a result of large population growth and extensive residential, commercial and industrial development, these areas require governmental services commonly provided by cities. Many of these areas do not now choose to incorporate or annex to cities.

At the present there is no adequate method of providing efficient and economical performance of multiple urban services in such areas. Boards of supervisors throughout the state, faced with the demand for services from these areas and recognizing the need, have been obliged either to require such areas to create numerous overlapping special purpose districts or to provide the services directly through the county departments. In these circumstances the tendency of many boards of supervisors has been, and increasingly is, to provide these services directly. The law, however, makes no provision for assessment of the cost of such direct county services against the benefited persons and property. Such expenditures are made from the county general fund to which both city and rural property owners contribute through general county taxes. Thus a serious tax inequity has arisen.

The residents and property owners of such unincorporated urban areas of the county are entitled to have made available to them reasonable alternative methods of providing or securing the urban services they require and to choose among the alternatives the method best suited to their local circumstances. Equity requires, in addition, that the inhabitants and property owners of such areas pay for such urban

services rather than to continue to receive them as a result of taxes paid largely by others.

It is, therefore, the purpose of this act to provide additional alternative methods for the provision of such urban services in urban unincorporated areas; to require the payment of such costs by the benefited persons and property; and to establish procedures for the determination and payment of such costs.

SEC. 2. Chapter 3.3 is added to Part 2, Division 2 of the Government Code, to read:

CHAPTER 3.3. URBAN UNINCORPORATED AREAS

25260. On or before March 31, 1953, the board of supervisors of each county shall classify all real property located in the unincorporated area of the county as: (1) urban; or (2) rural.

25261. Real property shall be classified as urban:

(a) If the established or rapidly developing type of land use in the area represents such a degree of residential, commercial or industrial development, or a combination of such uses, as to establish the urban character of the area, as distinguished from those unincorporated areas of the county where the nature of land use and the degree and density of development are such as clearly to retain a rural agricultural character; and

(b) If the nature and extent of such development requires urban services commonly provided within cities, because of population and land use density, which services are not commonly provided or provided to such an extent in the rural agricultural areas of the county.

25262. All unincorporated areas of the county not classified as urban shall be classified as rural.

25263. In classifying any parcel of real property as urban or rural, the board of supervisors shall be guided by the predominant character of land use in the area; provided, however, that as to unimproved property lying along the exterior boundaries of an urban unincorporated area, the board of supervisors shall take into account whether the present or immediately intended use of the land is urban or rural and shall be guided in the classification by such use or intention.

25264. 'Urban Services', as distinguished from 'county standards of service", mean those governmental functions or facilities provided in the unincorporated area of the county which are made necessary as to kind, quality, extent, standard or degree by the urban nature of land use in the area. In determining services which are urban, each board of supervisors first shall identify the services and activities of county government which are performed only in the unincorporated areas of the county. Determination shall then be made of the standards of such services and activities provided in the rural agricultural areas. These are the standards or degrees of service which would be provided throughout the unincorporated area of the county except for the factor of urban development. The board shall then take into account in connection with its determination of each urban service provided in the urban unincorporated areas, the extent to which the county actually provides at county expense or makes direct financial contributions to the support of the same service within all the cities of the county. Services provided or supported in the urban unincorporated area of the county and not provided or supported in the rural area or within cities, and standards or degrees of service provided in the urban unincorporated areas of the county higher than the standards of service provided in the rural agricultural areas and not provided or supported to a like extent within the cities, are hereby defined as and declared to be special urban services by the county to unincorporated urban areas.

25265. On and after July 1, 1953, unincorporated urban areas shall be required to pay all costs, direct and indirect, of urban services provided by the county. Between March 31, 1953, and July 1, 1953, the board of supervisors of each county, after public hearing, shall determine in the manner above provided the extent and cost of urban services being provided urban unincorporated areas and shall cause notice to be given to the inhabitants and property owners of such areas in order that steps may be taken by the inhabitants and property owners of such areas to select and arrange for the method by which they choose to provide and pay for such services.

SEC. 3. Chapter 3 5 is added to Part 2, Division 2 of said code, to read:

CHAPTER 3.5. URBAN SERVICE ZONES

25270. As a method of assessing such costs upon persons and property within the urban unincorporated areas served, the board of supervisors may establish an urban service zone or zones in the urban unincorporated area of the county in the manner provided in this chapter and levy taxes upon taxable property within any such zone or zones as hereinafter provided.

25271 The board of supervisors may commence proceedings for the establishment of an urban service zone or zones within the urban unincorporated area of a county by the adoption of a resolution of its intention to establish such a zone or zones, and setting a time and place for public hearing on the creation of such zones. The hearing shall be not less than 30 days nor more than 60 days after publication of the resolution.

25272. Notice of such hearing shall be given by the clerk of the board of supervisors by publication of a notice of hearing and the resolution of intention at least once in a newspaper of general circulation published in the county.

25273. In addition to the resolution of intention the notice of hearing shall:

(a) State that the proceedings are conducted pursuant to this chapter.

(b) State the time and place for the hearing.

(c) State that at the hearing the testimony of all interested persons will be heard.

(d) State that the purpose of the hearing is to create and establish urban service zones within which taxes will be levied to pay the costs of urban services provided such zones by the county.

(e) Include a tentative map or maps of proposed urban unincorporated areas and a list of urban services and approximate tax rates applicable thereto.

(f) State that at said hearing protests will be considered by the board of supervisors.

(g) State that at said hearing requests in writing for the exclusion from or inclusion in any of the proposed zones will be considered by the board of supervisors.

25274. At the hearing the board of supervisors shall hear all testimony and consider documents, maps or exhibits introduced by any interested person. The board may continue the hearing from time to time not exceeding 60 days.

25275. At the hearing protests may be made orally or in writing by any interested person. Any protest pertaining to the regularity or sufficiency of the proceeding must be in writing and must clearly set forth the irregularities and defects to which objection is made. All written protests must be filed with the clerk of the board of supervisors on or before the time fixed for the final hearing. Written protests may be withdrawn in writing at any time before the hearing.

25276. If the board determines that all urban services rendered by the county are uniformly provided to one or more urban unincorporated areas of the county it may establish such urban unincorporated area or areas of the county as a single urban service zone.

25277. If the board determines that only certain urban services rendered by the county, but not all such services, are uniformly provided to all urban unincorporated areas of the county, it may establish all such urban unincorporated areas of the county as a single urban service zone with respect to such services. In such case the board shall establish other zones defining the areas which receive the balance of the urban services rendered by the county in urban unincorporated areas.

25278. The board of supervisors shall not be deprived of jurisdiction to proceed with the hearing, nor shall the proceeding be invalidated by any clerical error in the published notice.

25279. At the conclusion of the hearing the board shall deny or allow all protests and requests for exclusion from or inclusion in urban service zones, and shall by resolution finally determine and establish the boundaries of such zones within the county. A map showing the boundaries of the urban service zone or zones as finally established in substantially the same form as the tentative map shall be published at least once in a newspaper of general circulation published in the county within two weeks after the adoption of the resolution of final determination. From the date of the adoption of the resolution finally determining and establishing the urban service zone or zones within the county, the zone or zones thereby established shall be and constitute the official urban service zone or zones of the county, until modified by proceedings taken pursuant to Section 25280, or inclusion within an incorporated city, urban district or district.

25280. Proceedings for modifications of the boundaries of urban service zones to meet changed conditions may be undertaken by the board of supervisors in the same manner as proceedings for the original establishment of zones; provided that no change in boundaries shall be effective for purposes of taxation for the fiscal year following the change in boundaries unless completed prior to the first Monday in February.

25281. After the establishment of an urban service zone or zones within a county the board of supervisors shall annually levy and collect, at the same time and in the same manner as other county taxes are levied and collected, a tax upon all taxable property within each urban service zone in the county in an amount sufficient to pay all costs, direct and indirect, of urban services furnished by the county within such zone. If more than one zone is established in a county, the zones may be given consecutive numbers for convenience of reference.

25282. Whenever any portion of an urban service zone is included with a city by reason of incorporation, annexation or otherwise such portion shall be withdrawn. All urban service zone taxes collected by the county after the date of withdrawal on property so withdrawn shall be paid over to the city.

25283. Whenever any portion of an urban service zone is included within an urban district by formation, annexation or otherwise, such portion shall be withdrawn. All urban service zone taxes collected by the county after the date of withdrawal on property so withdrawn shall be credited by the county to the urban district.

25284. Whenever any portion of an urban service zone is included within a district by incorporation, formation, annexation or otherwise, authorized by law to

perform any of the special services for which the county has levied an urban service zone tax, the county shall immediately undertake proceedings for the modification of the boundaries of such zone pursuant to Section 25280. That portion of urban service zone taxes collected on property so included which is deemed by the board to represent the saving, if any, to the county resulting from such inclusion shall be paid over to the district as the case may be.

SEC. 4. Chapter 7 is added to Title 6 of said code, to read:

CHAPTER 7. URBAN DISTRICTS

Article 1. Petition and Hearing

60510. Urban districts consisting of all or any part of the unincorporated territory of a county and containing not less than 300 inhabitants may be formed in the manner provided for in this chapter.

60511. Proceedings for the formation of a district shall be commenced by petition addressed to and filed with the board of supervisors of the county within which the district is proposed to be established and signed by not less than 5 percent of the registered voters residing within the boundaries of the proposed district, or by the assessees of property representing at least 5 percent of the assessed value, according to the last equalized assessment roll of all the property within the boundaries of the proposed district.

60512. The petition may be filed in sections each of which must comply with all the requirements of the petition except that a section need not contain the total number of signatures required for the petition.

60513. The petition must:

(a) State the proposed name for the district in substantially the following form: _____ (filling in the blank) Urban District of _____ (filling in the blank) county.

(b) Set forth the boundaries of the proposed district or describe the lands to be situated therein; and

(c) Request that the district be formed under the terms of this chapter.

60514. Upon the filing of the petition, the board of supervisors shall fix a time and place for the hearing of the petition. The hearing shall be not less than thirty days nor more than sixty days after such filing.

60515 Notice of such hearing shall be given by the clerk of the board of supervisors by publication of a notice of hearing at least once in a newspaper of general circulation published within the boundaries of the proposed district, or if there be none, then in a newspaper of general circulation published in the county.

60516. The notice of hearing shall:

(a) State the name of the proposed district.

(b) State that the petition for the formation of the same is available for inspection at the office of the clerk of the board of supervisors

(c) Designate the boundaries of the proposed district.

(d) State the time and place for the hearing.

(e) State that at said hearing protests will be considered by the board of supervisors.

(f) State that at said hearing requests in writing for the exclusion from or inclusion of lands in the proposed district will also be heard and considered by the board of supervisors.

60517. The board of supervisors shall not be deprived of jurisdiction to proceed with the hearing nor shall any action on the petition be invalidated by any clerical error in the published notice.

60518. At the hearing protests may be made orally or in writing by any person interested in the formation of the proposed district. Any protests pertaining to the regularity or sufficiency of the proceedings must be in writing and must clearly set forth the irregularities and defects to which objection is made. All written protests must be filed with the clerk of the board of supervisors on or before the time fixed for the final hearing Protests in writing may be withdrawn in writing at any time before the hearing.

60519 The proceeding shall terminate if prior to the time the board of supervisors determines that the district shall be formed written protests against the formation of the district are filed with the clerk of the board of supervisors either by a majority of the registered voters residing within the boundaries of the proposed district, or by the assessees of property representing a majority of the assessed value, according to the last equalized assessment roll, of all the property within the boundaries of the proposed district.

Article 2. Formation of District

60530. If, after the hearing provided for above, the board of supervisors determines that the organization of the district is in the public interest, it shall fix the boundaries of the proposed district, including therein any property within the boundaries of the district covered by the petition or by any written requests for inclusion which it determines will be benefited by inclusion in the district and excluding therefrom any such property which it determines will not be benefited by inclusion in the district.

60531. If the board of supervisors determines that the district should be established it shall by resolution declare the district established, fix and describe its boundaries and designate a name thereof which name may be that proposed in the petition or such other name as the board of supervisors may select.

60532. Upon the adoption of the resolution declaring the district organized, the organization of the district shall be complete; and the clerk of the board of supervisors shall file a certified copy of the resolution in the office of the county recorder and in the office of the Secretary of State.

60533. The persons filing the petition shall pay all fees required for the organization of the district.

Article 3. Board of Directors

60540. A board of directors consisting of five members and having the powers and duties hereinafter specified shall be elected for the district.

60541. Each director shall serve for a term of four years except that two of the members of the first board of directors shall serve for a term ending on the 2nd day of January following the next succeeding general election held after their election and three members of the first board of directors shall serve for a term ending on the second day of January next succeeding the second general election held after their election.

60542. At the time of the adoption of the resolution declaring the district organized, the board of supervisors shall by resolution call an election to be held within the district for the election of the first members of the board of directors. The first election shall be held not less than 60 nor more than 120 days after the organization of the district.

60543. Of the five members first elected to the board of directors the two receiving the lowest number of votes shall serve for the term expiring on the second day of January following the next succeeding general election held after their election. The remaining three members of the board shall serve for the term ending on the second day of January following the second general election held after their election.

60544. Not more than 45 days prior to the date of the first election and not less than 30 days prior thereto, nominating petitions for one or more candidates for the office of director may be filed with the county clerk or the registrar of voters in counties having a registrar of voters. Such nominating petitions shall be signed by not less than 25 registered voters residing within the boundaries of the district.

60545. The first election for board of directors shall be conducted within the district by the county clerk or registrar of voters of the county, as the case may be. For the purposes of the election the county clerk or registrar of voters may divide the district into precincts, establish polling places in such precincts and appoint election officers to conduct the election in each such precinct. The election officers so appointed shall not exceed three in number. The county clerk or registrar of voters as the case may be shall give notice of the election by publication. The notice shall be published at least once in a newspaper of general circulation published or circulated in the district and shall specify the date and purpose of the election, the hours during which the polls will be open, and shall contain a list of the precincts together with the polling place in each such precinct.

60546. At the first election the ballot shall be in the following form:

For board of directors: _____ Urban district; vote for five.

_____ ☐
_____ ☐
_____ ☐
_____ ☐
_____ ☐
_____ ☐
_____ ☐

The five candidates receiving the highest number of votes shall be elected for the terms hereinabove specified.

60547. Vacancies in the office of director existing during the term thereof shall be filled by appointment by the board of directors from among the registered voters of the district and the person so appointed shall serve until the expiration of the term of office of his predecessor.

60548. Not more than 90 nor less than 60 days before each general election following the first election of a board of directors in the district, nominating petitions signed by not less than 25 registered voters residing within the district may be filed with the county clerk or registrar of voters, as the case may be, requesting that the name or names of those persons specified in the petition be placed on the ballot as candidates for the offices of director for the term commencing on the following January 2nd. The names proposed by the petitions so filed and no others shall be printed on the general election ballot to be used in the district, but there shall be sufficient blank spaces provided in which electors may write other names if they so desire.

Article 4. Powers of District

60550. Any urban district incorporated, as herein provided, shall have power:

First: To have perpetual succession.

Second: To hold title to buildings and appurtenant structures within the district; and to provide for the maintenance thereof and to establish rules and regulations governing use and charges therefor, or to contract with the board of supervisors for the joint use of buildings with other county agencies or urban districts on a rental or ownership basis; and to incur indebtedness for such buildings and appurtenant structures, after a hearing on the question of incurring such indebtedness is noticed and held by the board of directors and no protest by the owners of a majority of the assessed valuation as shown by the last equalized assessment roll is made at such hearing.

Third: To contract, either alone or in conjunction with other urban districts within the county, with the board of supervisors or with special districts organized within the county or with a city or cities within the county, for the furnishing to such urban district or urban districts, of such urban services as may be required by the urban district or urban districts. As used in this subdivision and elsewhere in this chapter 'urban services' mean those services defined in Section 25264 of this code; provided that all such contracts for urban services not involving expenditures for capital outlays shall be on an annual basis, subject to renewal each year prior to the submission of the district budget to the board of supervisors.

Fourth: To adopt a seal and alter it at pleasure.

Fifth: To sue and be sued, except as otherwise provided by law, in all actions and proceedings, in all courts and tribunals.

Sixth. To appoint a district manager and such other employees as may be required; provided that employees other than the district manager shall be recruited and appointed in accordance with all requirements of any county ordinance establishing a civil service or personnel system, so far as practicable

Article 5 Powers and Duties of Board of Directors

60560 The powers of the district shall be exercised through the board of directors.

60561 The board of directors shall hold meetings at least once a month and shall elect from among their number a chairman who shall hold office at the pleasure of the board of directors, or until his successor is elected.

60562. Three members of the board of directors shall constitute a quorum, and not less than three votes shall be required to adopt any resolution or take any action

60563 The board of directors shall determine the urban service needs of the district and may, on behalf of the district, enter into annual contracts with the county, with any special district organized within the county, with any city in the county or with any state or local public agency to furnish to the district the special services required and any such public agency is authorized to furnish such service to the district at not less than the actual costs, direct and indirect, as it is authorized by law to furnish within its own territorial jurisdiction.

60564 The board of directors shall inform the county board of supervisors of the needs of the district for regulatory measures pertaining to zoning, subdivisions, roads, streets and traffic, flood control, building standards, permits and licenses, and other matters affecting public health, safety and welfare

60565 The board of directors shall prepare and submit to the board of supervisors by the first of February of each year a budget stating the amount necessary to provide for payment of district overhead and administrative costs, payments of principal and interest due on indebtedness incurred for capital outlays, and payments required under annual urban service contracts of the district for the next fiscal year; and it shall be the duty of the board of supervisors to levy a tax to be known as the '(name of the district) urban service district tax' against all the taxable property within the district at the time of levying county taxes to raise the amount of the budget The tax so levied shall be computed by the county auditor and shall be collected at the same time and in the same manner as county taxes and, when collected, shall be paid to the county treasurer for the use of said district In the event that such budget is not submitted, it shall be the duty of the board of supervisors to require the immediate submission thereof. If the overhead and administrative portion of the budget exceeds the amount that the board of supervisors feel should reasonably be collected for the purposes of the district, they shall require that that portion of the budget be reduced to an amount and in the manner as directed by them Copies of all annual service contracts and any other contractual obligations of the district shall be filed and submitted as a part of the budget

60566 The county treasurer and the county auditor shall be ex officio treasurer and auditor of the district All claims and demands against the district shall, when approved by the board of directors, be paid by district warrant drawn by the auditor against the funds of the district in the county treasury.

Article 6 District Investigation Act

60570. Districts formed or proposed to be formed under the provisions of this act are not subject to the provisions of the 'District Investigation Act of 1933'.

Article 7. Changes in District Boundaries

60580. Any unincorporated territory within the county may be annexed to or excluded from a district in the manner provided by this article.

60581. A petition shall be addressed to and filed with the board of directors of the district, signed by at least 5 percent of the registered voters residing in, or by the assessees of property representing at least 5 percent of the assessed value, according to the last equalized assessment roll, of all the property within the territory seeking annexation to or exclusion from the district.

60582. The petition shall state the reasons for annexation or exclusion of the tract of land, describe its boundaries and include the consent of the petitioners to such annexation or exclusion.

60583. The board of directors shall consider the petition for annexation or exclusion and, within 30 days after the filing thereof, shall send it to the board of supervisors with the recommendation of the board of directors with respect thereto.

60584. Upon the filing of the petition, the board of supervisors shall fix a time and place for the hearing thereof and shall cause a notice of the filing of the petition and of the time and place of the hearing to be published at least once in a newspaper of general circulation published within the boundaries of the district, or if there be none, then in a newspaper of general circulation published in the county; provided, however, that the time of such hearing shall be not less than 90 days nor more than six months after the first publication of the aforesaid notices.

60585. The notice shall state:

(a) The date of filing of the petition;

(b) That the petition is available for inspection at the office of the clerk of the board of supervisors;

(c) The location and boundaries of the land described in the petition;

(d) The prayer of the petition;

(e) The time and place fixed for the hearing thereof;

(f) That petitions stating that the proposed annexation or exclusion is protested may be filed with the board of supervisors by registered voters of the district or by assessees of property in the district, as the case may be, at any time before the time fixed for the hearing; and

(g) That all persons interested in or affected by such change in the boundaries of the district may appear and show cause why such change should not be made.

60586. At the hearing the board of supervisors shall hear all relevant evidence in support of or in opposition to the petition, provided, however, that if a majority of the registered voters of the district, if the district was organized by a petition signed by not less than 5 percent of the registered voters thereof, or of assessees of property representing a majority of the assessed value, according to the last equalized assessment roll, of all the property within the district, if the district was organized by a petition signed by the assessees of property representing at least 5 percent of the assessed value, according to the last equalized assessment roll, of all the property within the district, file petitions protesting the annexation or exclusion, as the case may be, of the territory seeking annexation or exclusion, the proceeding shall terminate, and the board of supervisors shall take no further action with respect to such proceeding for a period of six months.

60587. If the proceedings are not terminated as provided in Section 60586, and if the board of supervisors determines that the territory seeking annexation or exclusion will be benefited by such annexation or exclusion and finds that the annexation or exclusion will have no material adverse effect on the district, the board of supervisors shall by resolution annex or exclude the tract of land described in the petition or any part thereof and shall describe the altered boundaries of the district as so changed.

60588. A resolution of annexation or exclusion adopted by the board of supervisors as provided for in Section 60587, describing the altered boundaries of the district as changed, shall be entered in the minutes of the proceedings of the board of supervisors, and a certified copy of such resolution shall be immediately filed in the office of the county recorder of the county in which the district is situated, and, thereafter, a certified copy of the same shall promptly be filed in the office of the Secretary of State. Upon the filing of the aforesaid copy with the Secretary of State, the annexation or exclusion of the territory shall be deemed complete.

60589. If any territory included within an urban district is annexed to or incorporated within any city, the territory shall be automatically excluded from the urban district upon the effective date of the annexation to the city, and this article shall have no application with respect to such annexations or incorporations.

Article 8. Dissolution of District

60590. An urban district may be dissolved in the manner provided in this article.

60591. Upon the filing of a petition with the board of supervisors signed either by:

(a) Five percent or more of the registered voters residing within the boundaries of the district; or

(b) The assessees of property representing at least 5 percent of the assessed value, according to the last equalized assessment roll, of all the property within the boundaries of the proposed district:
the board of supervisors shall fix a time and place for a hearing upon the question of the dissolution of the district.

60592. A petition for the dissolution of the district may be filed in sections, provided that all sections must be filed at one time, and the total number of signatures on all sections must be equal or exceed the total number of signatures required.

60593. The hearing upon the dissolution of the district shall be set for a time not less than 30 or more than 60 days after the filing of the petition.

60594 Notice of the hearing shall be given by the clerk of the board of supervisors by publication of a notice of hearing at least once in a newspaper of general circulation published within the boundaries of the proposed district; or if there be none, then in a newspaper of general circulation published in the county.

60595. The notice of hearing shall:

(a) State the name of the district;

(b) State that a petition for the dissolution of the district has been filed and is available for inspection at the office of the clerk of the board of supervisors;

(c) State that a hearing on the question of dissolution will be held at the time and place fixed therefor by the board of supervisors;

(d) State that at the hearing protests either for or against the dissolution of the district will be considered by the board of supervisors.

60596. At the hearing protests may be made orally or in writing either for or against the dissolution of the district by any interested person. Any protest pertaining to the regularity or sufficiency of the proceedings must be in writing and must clearly set forth the irregularities and defects to which objection is made. All written protests must be filed with the clerk of the board of supervisors on or before the time fixed for the final hearing. The hearing may be continued from time to time not exceeding 90 days.

60597. If after the hearing the board of supervisors determines that the public interest requires the dissolution of the district, it shall, by resolution, declare the district dissolved.

60598 Immediately after the adoption of the resolution declaring the district dissolved, the clerk of the board of supervisors shall file a certified copy of such resolution for record in the office of the county recorder and, thereafter, shall file a certified copy of the same with the Secretary of State. Upon the filing of the certified copy with the Secretary of State, the dissolution of the district shall be complete.

60599. Upon the dissolution of the district all property, both real and personal, owned by the district shall become the property of the county in which the district is located.

60600. If the board of supervisors determines that the continued existence of the district is in the public interest, it shall, by order, deny the petition for dissolution. If the petition for dissolution is denied, a new petition for dissolution may not be filed until at least six months have elapsed from the date of the action of the board of supervisors in denying the last petition filed for that purpose.

60601. A district is dissolved upon its complete territorial inclusion within the limits of an incorporated city, whether by incorporation, annexation or otherwise, and all property, both real and personal, owned by the district shall become the property of the city in which the district is located."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 682—An act to amend Section 20831 of the Government Code, relating to the State Employees' Retirement System in respect to credit for prior service.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 9, 1951, after "of", insert ", and to add Sections 20831.1, 20834.1 and 20834.2 to,".

Amendment No. 2

On page 1, line 7, of said bill, strike out ", or who, on", and insert ". Credit for prior service shall be granted to each state member who, on ".

Amendment No. 3

On page 1 of said bill, after line 10, insert

"The status under this system of each state member who qualifies for credit for prior service under this section shall be adjusted to what it would have been if the prior service had been credited to such member at the date he became a member of this system."

Amendment No. 4

On page 1, line 15, of said bill, after "any", insert "state".

Amendment No. 5

On page 1 of said bill, after line 25, insert

"SEC. 3. Section 20834.1 is added to the Government Code, to read:

20834.1. Credit for prior service shall be granted to each local member who, on or before the effective date of his retirement under this system, becomes entitled to be credited with 10 years or more of current service.

The status under this system of each local member who qualifies for credit for prior service under this section shall be adjusted to what it would have been if the prior service had been credited to such member at the date he became a member of this system.

This section shall not apply to the employees of any contracting agency nor to any such agency unless and until the agency elects to be subject to its provisions by amendment to its contract with the board, made as provided in Section 20461.5, or by express provision in its contract with the board.

SEC. 4. Section 20834.2 is added to the Government Code, to read:

20834.2. Every prior service pension and disability retirement pension payable for time commencing on the effective date of this section to any local member who was retired prior to said effective date is hereby increased to the amount it would be if the provisions of Section 20834.1, as they exist on said effective date, had been in effect on the date of the actual retirement of the member; but this section does not authorize any decrease in any such pension, nor does this section give any such retired member, or his successors in interest, any claim against the State for any increase in any pension paid or payable for time prior to its effective date. Calculation of pensions under this section shall be made on the basis of current interest rate and mortality tables."

Amendment No. 6

On page 2, line 8, of said bill, strike out "3", and insert "5".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1912—An act to amend Sections 21251.1, 21253, 21296, and 21298 of, and to add Sections 21251.11, 21251.5, and 21253.01 to, the Government Code, relating to the State Employees' Retirement System in respect to pensions payable to retired members thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

On page 5 of the printed bill, as amended in the Assembly on April 9, 1951, strike out lines 5 to 7, inclusive, and insert "completed quarter year, in the following table, as adjusted, in the column applicable to his sex, multiplied by the number of years of prior service,".

Amendment No. 2

On page 5 of said bill, strike out line 10, and insert "which he is entitled to be credited at retirement:

Age of Retirement	*Fraction*	
	Men	*Women*
55	.6879856	.7215644
55¼	.7005907	.7330584
55½	.7131958	.7445523
55¾	.7258010	.7560463
56	.7384061	.7675403
56¼	.7523068	.7800926
56½	.7662075	.7926449
56¾	.7801082	.8051973
57	.7940089	.8177496
57¼	.8094005	.8315137
57½	.8247922	.8452778
57¾	.8401839	.8590419
58	.8555755	.8728060
58¼	.8726676	.8879249
58½	.8897597	.9030438
58¾	.9068518	.9181627
59	.9239439	.9332817
59¼	.9429579	.9499612
59½	.9619720	.9666408
59¾	.9809860	.9833204
60	1.0000000	1.0000000
60¼	1.0143189	1.0144384
60½	1.0286377	1.0288769
60¾	1.0429566	1.0433153
61	1.0572754	1.0577538
61¼	1.0726679	1.0733538
61½	1.0880603	1.0889539
61¾	1.1034527	1.1045539
62	1.1188451	1.1201540
62¼	1.1354716	1.1370926
62½	1.1520981	1.1540313
62¾	1.1687245	1.1709699
63	1.1853510	1.1879086
63¼	1.2032919	1.2063002
63½	1.2212328	1.2246919
63¾	1.2391737	1.2430836
64	1.2571146	1.2614752
64¼	1.2764797	1.2814969
64½	1.2958448	1.3015185
64¾	1.3152099	1.3215402
65 and over	1.3345750	1.3415618

The fractions herein set forth at ages other than age 60 are based on the interest rate and mortality tables used under the State Employees' Retirement System with respect to state miscellaneous members on January 1, 1947, and shall be adjusted by the board in accordance with such interest and mortality tables as the board may adopt with respect to such members."

Amendment No. 3

On page 6 of said bill, strike out lines 37 and 38, and insert "completed quarter year, in the following table, as adjusted, in the column applicable to his sex, multiplied by".

Amendment No. 4

On page 6 of said bill, strike out line 42, and insert "credited at retirement:

Age of Retirement	*Fraction*	
	Men	*Women*
55	.6879856	.7215644
55¼	.7005907	.7330584
55½	.7131958	.7445523
55¾	.7258010	.7560463
56	.7384061	.7675403
56¼	.7523068	.7800926
56½	.7662075	.7926449
56¾	.7801082	.8051973
57	.7940089	.8177496
57¼	.8094005	.8315137
57½	.8247922	.8452778

Age of Retirement	*Fraction* *Men*	*Women*
57¼	.8401839	.8590419
58	.8555755	.8728060
58¼	.8726676	.8879249
58½	.8897597	.9030438
58¾	.9068518	.9181627
59	.9239439	.9332817
59¼	.9429579	.9499612
59½	.9619720	.9666408
59¾	.9809860	.9833204
60	1.0000000	1.0000000
60¼	1.0143189	1.0144384
60½	1.0286377	1.0288769
60¾	1.0429566	1.0433153
61	1.0572754	1.0577538
61¼	1.0726679	1.0733538
61½	1.0880603	1.0889539
61¾	1.1034527	1.1045539
62	1.1188451	1.1201540
62¼	1.1354716	1.1370926
62½	1.1520981	1.1540313
62¾	1.1687245	1.1709699
63	1.1853510	1.1879086
63¼	1.2032919	1.2063002
63½	1.2212328	1.2246919
63¾	1 2391737	1.2430836
64	1.2571146	1.2614752
64¼	1.2764797	1.2814969
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64¾	1.3152099	1.3215402
65 and over	1.3345750	1.3415618

The fractions herein set forth at ages other than age 60 are based on the interest rate and mortality tables used under the State Employees' Retirement System with respect to state miscellaneous members on January 1, 1947, and shall be adjusted by the board in accordance with such interest and mortality tables as the board may adopt with respect to such members."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Civil Service and State Personnel.

Assembly Bill No. 2800—An act to add Section 19572.5 to the Government Code, relating to state civil service.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 19572.5 to", and insert "amend Section 19583 5 of".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 4, inclusive, and insert

"SECTION 1. Section 19583.5 of the Government Code is amended to read:

19583 5. Any person with the consent of the board [or] *and of* the appointing power may file charges against an employee requesting that punitive action be taken for one or more causes for discipline specified in this article. In all such cases the board

shall conduct a hearing and if it finds that the charges are true it shall have the power to take such punitive action as in its judgment is just and proper."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Civil Service and State Personnel.

Assembly Bill No. 3024—An act relating to benefits for members of the fire departments of state institutions.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

On page 1 of the printed bill, strike out lines 1 to 3, inclusive, and insert

"SECTION 1. (a) The provisions of the Labor Code applicable to members of volunteer fire departments, as designated in Section 3361 of that code, shall also apply to employees of State institutions who are volunteer members of the fire fighting organizations of such institutions, except those employees whose principal duties consist of the prevention and fighting of fires.

(b) The provisions of the Labor Code applicable to paid members of local fire departments shall also apply to employees of state institutions whose principal duties consist of the prevention and fighting of fires.

SEC. 2. Employees of state institutions who are members of the fire fighting organizations of such institutions on a full time basis shall be deemed to be, and shall have the rights and privileges of 'local safety members' under the State Employees' Retirement Law."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Civil Service and State Personnel.

SECOND READING OF SENATE BILLS

Senate Bill No. 1038—An act to repeal Sections 2620 and 2737 of the Political Code, to add Section 30 to the Streets and Highways Code, and to add Section 374d to the Penal Code, relating to streets and highways.

Bill read second time, and ordered to third reading.

Senate Bill No. 552—An act to amend Section 771 of the Probate Code, relating to surrender of stock for redemption or conversion by executors and administrators.

Bill read second time, and ordered to third reading.

Senate Bill No. 616—An act to add Section 485b to the Civil Code and Section 7659 to the Public Utilities Code, relating to railroad crossings.

Bill read second time, and ordered to third reading.

Senate Bill No. 733—An act to amend Section 25150 of the Government Code, relating to proceedings of boards of supervisors.

Bill read second time, and ordered to third reading.

Senate Bill No. 1498—An act to add Section 25508 to the Government Code, relating to county purchasing agents.

Bill read second time, and ordered to third reading.

Senate Bill No. 1241—An act to amend Section 684.5 of the Vehicle Code, relating to tank vehicles.

Bill read second time, and ordered to third reading.

Senate Bill No. 389—An act to add Section 20983.1 to the Government Code, relating to retirement of local members of the State Employees' Retirement System, declaring the urgency hereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 410—An act to amend Section 51550 of the Government Code, relating to municipal taxes.

Bill read second time, and ordered to third reading.

Senate Bill No. 411—An act to amend Sections 51510 and 51511 of the Government Code, relating to municipal taxes.

Bill read second time, and ordered to third reading.

Senate Bill No. 1685—An act to add Sections 25031j and 25071t to the Revenue and Taxation Code, relating to bank and corporation taxes.

Bill read second time, and ordered to third reading.

Senate Bill No. 1686—An act to add Section 17688 and Section 17758 to the Revenue and Taxation Code, relating to personal income taxes.

Bill read second time, and ordered to third reading.

Senate Bill No. 1461—An act to amend Sections 11184 and 11272 of the Education Code, relating to textbooks.

Bill read second time, and ordered to third reading.

Senate Bill No. 35—An act making an appropriation in augmentation of the appropriation in Item 5 of the Budget Act of 1950, for expenses of Members of the Senate, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 111—An act to amend Sections 736 and 737 of, and to add Sections 737.1, 737.2, and 737.3 to, the Vehicle Code, relating to procedure after arrest of persons charged with misdemeanor violations of the code.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "and 737 of," and insert ", 737, 738, 739, and 743 6 of, to amend and renumber Sections 737.2, 737.4, and 737.6 of,".

Amendment No. 2

On page 1, line 3, of said bill, strike out "Immediately", and insert "Without Unnecessary Delay".

Amendment No. 3

On page 1, line 6, of said bill, strike out "immediately taken", and insert "taken without unnecessary delay".

Amendment No. 4

On page 2, line 3, of said bill, strike out "Immediately".

Amendment No. 5

On page 2, line 6, of said bill, strike out "immediately", and insert "without unnecessary delay".

Amendment No. 6

On page 2, lines 8 and 9, of said bill, strike out "immediately taken", and insert "taken without unnecessary delay".

Amendment No. 7

On page 2 of said bill, between lines 35 and 36, insert

"(j) When the person arrested has attempted to evade arrest".

Amendment No. 8

On page 3, lines 12 and 13, of said bill, strike out "Within 60 days of the effective date of this act and at least every six months thereafter", and insert "Every six months".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 9

On page 3 of said bill, after line 31, insert

"SEC. 6. Section 737.2 of said code is amended and renumbered to read:

[737.2.] *737.1. Clerk of Magistrate or* Jail Custodian May Accept Bail. (a) When an arresting officer attempts to take a person arrested for a misdemeanor violation of this code before a magistrate as provided in Sections 736 and 737 and no such magistrate or person authorized to act for him is available, the arresting officer shall take the person arrested before *the clerk of the magistrate or* the officer in charge of the most accessible county jail, city jail or other place of detention within the county, who shall admit him to bail in accordance with a schedule, fixed as provided in Section [737.4] *737.2*.

(b) The authority to admit to bail as provided in subdivision (a) shall include authority to approve the same, to issue and sign an order for the release of the person arrested, and to set a time and place for his appearance before the appropriate magistrate.

(c) Any jail custodian authorized to accept bail by this section who is not already bonded shall give a bond in such sum as the board of supervisors, or the governing body of the city in the case of a city jail, shall prescribe.

SEC. 7. Section 737.4 of said code is amended and renumbered to read:

[737.4.] *737.2.* Bail Schedule Fixed by County Magistrates. (a) Every six months there shall be held a meeting of the magistrates in each county having jurisdiction over misdemeanor violations of this code at which a schedule of the amount of bail to be set for the release of persons charged with such violations when taken before *a clerk of a magistrate or* an officer in charge of a county jail, city jail or other place of public detention as provided in [Section 737.2] *Section 737.1* shall be adopted, approved, or revised.

(b) In any court within the county having more than one judge or justice, one such judge or justice shall be selected to represent that court.

(c) The meetings shall be held at the time and place specified by the judge of the superior court of the county, or if there be more than one, then by a majority of such judges.

SEC. 8. Section 737.6 of said code is amended and renumbered to read:

[737.6] *737.3*. Schedule to Be Sent to *Clerks of Magistrates and* Jail Custodians. A copy of the schedule mentioned in Section [737.4] *737.2* shall be sent forthwith to each *clerk of a magistrate in the county and to each* officer in the county in charge of a county jail, city jail or other place of detention.

SEC. 9. Section 738 of said code is amended to read:

738. Court Procedure Where Person Arrested for Misdemeanor is [Immediately] Taken Before Magistrate. (a) Whenever a person is arrested for a misdemeanor and is [immediately] taken before a magistrate, the arresting officer shall file with said magistrate a complaint stating the offense with which said person is charged.

(b) The person so taken before a magistrate shall be entitled to at least five day's continuance of his case in which to plead and prepare for trial or be tried within said five days unless he waives such time in writing or in open court.

(c) The person so taken before a magistrate shall thereupon be released from custody upon his own recognizance or upon such bail as the magistrate may fix.

SEC. 10. Section 739 of said code is amended to read:

739. When Person Arrested to Be Given Notice to Appear in Court. (a) Whenever a person is arrested for any violation of this code, not declared herein to be a felony, and such person is not [immediately] taken before a magistrate as hereinbefore required or permitted, the arresting officer shall prepare in duplicate a written notice to appear in court containing the name and address of such person, the license number of his vehicle if any, the offense charged and the time and place when and where such person shall appear in court.

(b) The time specified in said notice to appear must be at least five days after such arrest.

(c) The place specified in such notice to appear shall be either:

(1) Before a magistrate within the county in which the offense charged is alleged to have been committed and who has jurisdiction of the offense and is nearest or most accessible with reference to the place where said arrest is made; or

(2) Upon demand of the person arrested, before a municipal court judge or other magistrate having jurisdiction of such offense at the county seat of the county in which such offense is alleged to have been committed or before a magistrate in the township in which the offense is alleged to have been committed.

(3) Before an officer authorized by the city, county, or city and county, to receive a deposit of bail.

(d) Said officer shall deliver one copy of said notice to appear to the arrested person and said arrested person in order to secure release must give his written promise so to appear in court by signing the duplicate notice which shall be retained by said officer. Thereupon the arresting officer shall forthwith release the person arrested from custody.

(e) Said officer shall, as soon as practicable, file said duplicate notice with the magistrate specified therein. Thereupon the magistrate shall fix the amount of bail which in his judgment, in accordance with the provisions of Section 1275 of the Penal Code, will be reasonable and sufficient for the appearance of the defendant and shall indorse upon said notice a statement signed by him in the form set forth in Section 815a of the Penal Code. The defendant may, prior to the date upon which he promised to appear in court, deposit with the magistrate the amount of bail thus set. Thereafter, at the time when the case is called for arraignment before the magistrate, if the defendant shall not appear, either in person or by counsel, the magistrate may declare the bail forfeited, and may in his discretion order that no further proceedings shall be had in such case.

Upon the making of such order that no further proceedings be had, all sums deposited as bail shall forthwith be paid into the city or county treasury, as the case may be.

(f) No warrant shall issue on such charge for the arrest of a person who has given such written promise to appear in court, unless and until he has violated such promise or has failed to deposit bail, to appear for arraignment, trial or judgment, or to comply with the terms and provisions of the judgment, as required by law.

SEC. 11. Section 743.6 of said code is amended to read:

743.6. Procedure Upon Arrest Discretionary in Certain Cases Whenever any person is arrested by any member of the California Highway Patrol for any violation of any state law regulating the operation of vehicles or the use of the highways declared to be a misdemeanor but which offense is not specified in this code, such person shall, in the judgment of the arresting officer, either be given a five-day notice to appear in the manner hereinbefore provided or be [immediately] taken *without unnecessary delay* before a magistrate within the county in which the offense charged is alleged to have been committed and who has jurisdiction of such offense and is nearest or most accessible with reference to the place where said arrest is made, or, upon demand of the person arrested, before a magistrate in the township in which the offense is alleged to have been committed.

SEC. 12. Sections 6, 7 and 8 of this act become operative only if Senate Bill No. 118 is enacted at the 1951 Regular Session, in which case Sections 737.1, 737.2, and 737.3 added to the Vehicle Code by Sections 3, 4, and 5 of this act shall not become operative."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1012—An act to consolidate and revise the law relating to the organization, operation, and maintenance of a System of State and Local Government, by adding Sections 22, 22.1, 22.2, and 23 to 23.6, inclusive, to the Civil Code, by adding Chapter 2.5, comprising Sections 39 to 39.6, inclusive, to Title 1, Part 1 of the Code of Civil Procedure; by adding Sections 12b, 41, 58 to 58.8, inclusive, 59 to 59.8, inclusive, 60 to 60.4, inclusive, 61 to 61.8, inclusive, 62, 62.1, 65.1, 65.2,

78, 78.1, 79 to 79.58, inclusive, 98 to 98.7, inclusive, 196 and 196.1, 262 to 262.10, inclusive, 268, 304 to 304.4, inclusive, 537.5, 577.5, and 1885 to 1885.2, inclusive, to the Code of Civil Procedure; by adding Sections 1225 and 1227 to the Government Code; by adding Chapter 7, comprising Sections 6700 to 6706, inclusive, Chapter 8, comprising Sections 6800 to 6807, inclusive, and Chapter 9, comprising Sections 6850 to 6851, inclusive, to Division 7, Title 1 of the Government Code; by adding Article 8, comprising Sections 13240 and 13241, to Chapter 2, Part 3, Division 3, Title 2 of the Government Code; by adding Chapter 2, comprising Sections 15100 to 15105, inclusive, to Part 6, Division 3, Title 2 of the Government Code; by adding Part 9, comprising Sections 15600 to 15645, inclusive, to Division 3, Title 2 of the Government Code; by adding Section 24350.5 to the Government Code; by adding Section 8154.1 to the Education Code; by adding Sections 29, 30, and 31 to the Revenue and Taxation Code; by adding Part 12, comprising Sections 28001 to 28208, inclusive, to Division 2 of the Revenue and Taxation Code; by adding Sections 1039 and 1039.1 to the Penal Code; by adding Section 6210.1 to the Public Resources Code; by adding Sections 32 to 37, inclusive, to the Municipal Court Act of 1925; and by repealing an act entitled "An act creating an additional district court of appeal known as the District Court of Appeal for the Fourth Appellate District, redividing the State into appellate districts, providing for the maintenance and operation of said court, and making an appropriation therefor," approved June 5, 1929, and sections of the Political Code specified herein.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 24, line 20, of the printed bill, strike out "purposes", and insert "purpose".

Amendment No. 2

On page 24, line 51, of said bill, after "to", insert "study or".

Amendment No. 3

On page 25, line 2, of said bill, strike out "of any assessor", and insert ", including any registration fees for institutes or conferences, of any assessor or member of his staff".

Amendment No. 4

On page 26, line 23, of said bill, after "person", insert "who is or".

Amendment No. 5

On page 31, line 12, of said bill, strike out "collections", and insert "collection".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1013—An act to repeal Chapter 6, comprising Sections 3136 to 3158, inclusive, of Title 7, Part 3 of the Political Code and to add Chapter 4, comprising Sections 2080 to 2082, inclusive, to Title 6, Part 4, Division 3 of the Civil Code, consolidating and revising the law, relating to lost and unclaimed property.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, line 12, of the printed bill, strike out "book." ', and insert "book" or in the "official records." '.

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 279—An act to add Sections 685, 685.1, and 685.2 to the Vehicle Code, relating to equipment of vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 10, of the printed bill, as amended in the Assembly on April 30, 1951, strike out "five-sixteenths inch (5/16")", and insert "three-eighths inch (⅜")".

Amendment No. 2

On page 1, line 15, of said bill, strike out "five-sixteenths inch (5/16")", and insert "three-eighths inch (⅜")".

Amendment No. 3

On page 2 of said bill, strike out lines 18 to 23, inclusive, and insert "cured by four binders as evenly spaced as possible but with one binder firmly attached to the rear bunk."

Amendment No. 4

On page 2 of said bill, strike out lines 25 to 27, inclusive, and insert "logs or poles, any such short log or pole shall be secured to the logs or poles by at least two (2) of the load binders."

Amendment No. 5

On page 2 of said bill, strike out lines 29 and 30, and insert

"687.2. Loads of lumber being moved from its source or origin at sawmill, remanufacturing plant, or dry yard shall be secured in the following manner:

A. Loading Methods:

1. At least one load carrying roller shall be locked or blocked.

B. Binder and Strapping Minimum Requirements:

1. ⅜" Wire Rope, plow steel or better, or

2 ⅜" Steel Chain, hi-test, or

3. 1¼" Manila Rope, knot free.

4. Metal Strapping, ¾" x .035" or the equivalent of 2,900 pounds breaking strength, plus or minus ten per cent, when used for binding packages.

C. Kinds of Loads:

1. Surfaced Lumber.

(a) Package Loads—5' high and under: Entire load secured to the truck with not less than three binders.

(b) Package Loads—Above 5' high: Top and bottom packages separated with adequate stickers Entire load secured to the truck with not less than three binders. One additional center binder around lumber load free from truck attachment or applied and secured to the truck in regular binder manner. When packages are bound with two or more metal straps, use of center binder is not required.

(c) Solid Loads—5' high and under: Entire load secured to the truck with not less than three binders.

(d) Solid Loads—Above 5' high: Entire load secured to the truck with not less than three binders.

2. Rough Lumber

(a) Package Loads—5' High and under: Entire load secured to the truck with not less than three binders.

(b) Package Loads—Above 5' high: Top and bottom packages, separated with adequate stickers. Entire load secured to the truck with not less than three binders.

(c) Solid Loads—5' high and under: Entire load secured to the truck with not less than three binders.

(d) Solid Loads—Above 5' high: Entire load secured to the truck with not less than three binders.

D. Bunks and Chock Blocks

(a) Chock block shall extend to not less than eight inches (8") above the top edge of the bunk except when hauling poles less than twenty-five inches (25") in diameter at the chock.

(b) Chock block chains shall be not less than one-half inch (½") high test steel chain.

(c) No portion of chock blocks shall extend beyond the ends of the bunks to a point where tilting occurs.

(d) Bunks shall have reasonably sharp top edges to minimize load end shift.

(e) Bunks and chock blocks shall be maintained to operate freely without binding.

(f) Bunks shall not be bent down in excess of one inch (1") at either end."

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Transportation and Commerce.

Senate Bill No. 1744—An act to add Section 679.1 to the Vehicle Code, relating to rules governing the loading and securement of logs and poles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 13, of the printed bill, as amended in the Assembly on April 30, 1951, strike out "Five-sixteenths inch (5/16")", and insert "Three-eighths inch (3/8")".

Amendment No. 2

On page 4, line 10, of said bill, strike out "and three (3)", and insert "or more".

Amendment No. 3

On page 4 of said bill, strike out lines 11 to 16, inclusive, and insert "have four (4) binders around load as evenly spaced as possible but with one binder firmly attached to the rear bunk"

Amendment No. 4

On page 4, line 17, of said bill, strike out "e", and insert "c"

Amendment No. 5

On page 4, line 20, of said bill, strike out "f", and insert "d"

Amendment No. 6

On page 4, line 21, of said bill, strike out "one (1)", and insert "two (2)".

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Transportation and Commerce.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 5, 1951

To the Honorable Members of the Assembly
State of California
Sacramento, California

GREETINGS: I am returning herewith, without my signature,

Assembly Bill No. 2318, entitled: "An act to add Article 3 to Chapter 1, Part 1, Division 4 of the Fish and Game Code, relating to a means of providing reciprocity in the issuance of sport fishing licenses."

My objections to this bill are as follows:

This measure deals with reciprocal fishing licenses between the State of California and the States of Nevada and Arizona. I am today approving Assembly Bill No. 1908 authored by Assemblymen Erwin and Hinckley and the late Assemblyman Butters, which deals with both reciprocal fishing licenses and reciprocal hunting licenses between

this State and the State of Arizona. I am also signing Assembly Bill No. 2321 authored by Assemblyman McCollister, dealing with the subject of reciprocal fishing licenses between the State of California and any adjoining state By approving these two bills the broadest scope is given to this subject. No necessity remains for the approval of this measure, which would not provide anything that is not provided by the approval of the two bills which I have mentioned.

For the above reasons I am returning this bill without my approval.

Respectfully submitted.

EARL WARREN, Governor

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 5, 1951

To the Assembly of the State of California
Sacramento, California

GENTLEMEN: I am transmitting to you herewith a copy of a message with reference to **Assembly Bill No. 2318** entitled: "An act to add Article 3 to Chapter 1, Part 1, Division 4 of the Fish and Game Code, relating to a means of providing reciprocity in the issuance of sport fishing licenses"

This bill, with my message relative thereto, I (through my Legislative Secretary) delivered to Carley V. Porter, Member of the Assembly, at 6 40 o'clock p m on the fifth day of May, 1951, at which time your honorable body had adjourned for the day but not for the session.

Respectfully submitted

EARL WARREN, Governor

Acknowledgment of Receipt of Assembly Bill No. 2318

May 5, 1951

I acknowledge receipt this fifth day of May, 1951, at 6 40 o'clock p m, of Assembly Bill No 2318 without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

CARLEY V. PORTER

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 2318—An act to add Article 3 to Chapter 1, Part 1, Division 4 of the Fish and Game Code, relating to a means of providing reciprocity in the issuance of sport fishing licenses.

Governor's message stating his objections read.

The question being: Shall Assembly Bill No. 2318 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.

NOES—Babbage, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sillman, Smith, Stanley, Thomas, and Mr. Speaker—56.

REQUEST FOR UNANIMOUS CONSENT THAT AMENDMENT BE CORRECTED

Mr. Henderson asked for, and was granted, unanimous consent that Amendment No. 23, adopted on May 3d, to Assembly Bill No. 340 as amended in the Assembly on April 20th, be corrected to show that the amendment is to Assembly Bill No. 340 as amended in the Assembly on May 1st, which was properly before the House.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 5, 1951

To the Honorable Members of the Assembly
State of California
Sacramento, California

GREETINGS: I am returning herewith, without my signature,

Assembly Bill No. 1890, entitled: "An act to repeal Section 232 of the Banking Code and to repeal Section 232 of the Financial Code, relating to the taking of the constitutional oath of office by deputies and examiners."

My objections to this bill are as follows:

This bill repeals the present requirement of the Banking Code that certain employees in the office of the Superintendent of Banks take the constitutional oath. This repeal has been suggested for the reason that the same employees are required to take the oath which the Legislature adopted as a measure connected with civil defense. The constitutionality of this last requirement has been attacked in our courts and it would be a mistake to repeal the present law until the constitutionality of the second oath has been determined.

Furthermore, the second oath was required by the Legislature upon recommendation of the President of the United States as a measure connected with civil defense. When the present crisis is past and the civil defense effort is abandoned, it may be deemed wise to repeal the present temporary oath provision. In such case there would be no reason for the repeal of the oath sought to be effected by this bill.

For these reasons I am returning this bill without my approval.

Respectfully submitted.

EARL WARREN, Governor

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 5, 1951

To the Assembly of the State of California
Sacramento, California

GENTLEMEN: I am transmitting to you herewith a copy of a message with reference to **Assembly Bill No. 1890** entitled: "An act to repeal Section 232 of the Banking Code and to repeal Section 232 of the Financial Code, relating to the taking of the constitutional oath of office by deputies and examiners."

This bill, with my message relative thereto, I (through my Legislative Secretary) delivered to Carley V. Porter, Member of the Assembly, at 6.40 o'clock p.m. on the fifth day of May, 1951, at which time your honorable body had adjourned for the day but not for the session.

Respectfully submitted.

EARL WARREN, Governor

Acknowledgment of Receipt Assembly Bill No. 1890

May 5, 1951

I acknowledge receipt this fifth day of May, 1951, at 6.40 o'clock p.m., of Assembly Bill No 1890 without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

CARLEY V. PORTER

Assembly Bill No. 1890 ordered to unfinished business.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 5, 1951

To the Honorable Members of the Assembly
State of California
Sacramento, California

GREETINGS: I am returning herewith, without my signature,

Assembly Bill No. 2319, entitled: "An act to add Section 441 to the Fish and Game Code, authorizing reciprocity between California and Arizona in the issuance of sporting fishing licenses."

My objections to this bill are as follows:

This measure deals with reciprocal fishing licenses between the State of California and the State of Arizona. I am today approving Assembly Bill No. 1908 authored by Assemblymen Erwin and Hinckley and the late Assemblyman Butters, which deals with both reciprocal fishing licenses and reciprocal hunting licenses between this State and the State of Arizona. I am also signing Assembly Bill No. 2321 authored by Assemblyman McCollister, dealing with the subject of reciprocal

fishing licenses between the State of California and any adjoining State. By approving these two bills the broadest scope is given to this subject. No necessity remains for the approval of this measure, which would not provide anything that is not provided by the approval of the two bills which I have mentioned.

For the above reasons I am returning this bill without my approval.

Respectfully submitted.

EARL WARREN, Governor

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 5, 1951

To the Assembly of the State of California
Sacramento, California

GENTLEMEN: I am transmitting to you herewith a copy of a message with reference to **Assembly Bill No. 2319** entitled: "An act to add Section 441 to the Fish and Game Code, authorizing reciprocity between California and Arizona in the issuance of sporting fishing licenses."

This bill, with my message relative thereto, I (through my Legislative Secretary) delivered to William S. Grant, Member of the Assembly, at 6.40 o'clock p.m. on the fifth day of May, 1951, at which time your honorable body had adjourned for the day but not for the session.

Respectfully submitted.

EARL WARREN, Governor

Acknowledgment of Receipt of Assembly Bill No. 2319

May 5, 1951

I acknowledge receipt this fifth day of May, 1951, at 6.40 o'clock p.m., of Assembly Bill No. 2319 without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

WILLIAM S. GRANT

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 2319—An act to add Section 441 to the Fish and Game Code, authorizing reciprocity between California and Arizona in the issuance of sporting fishing licenses.

Governor's message stating his objections read.

The question being: Shall Assembly Bill No 2319 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.

NOES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, and Mr. Speaker—57.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 4, 1951

To the Honorable Members of the Assembly
State of California
Sacramento, California

GREETINGS: I am returning herewith, without my signature

Assembly Bill No. 1107, entitled: "An act to amend Section 1303 of the Education Code, relating to superintendents of schools."

My objections to this bill are as follows:

I have been informed by the Department of Education that this bill contains technical errors and that it will not accomplish the purpose for which it was introduced This matter has been discussed with the author of the measure and is being returned with his consent.

Respectfully submitted.

EARL WARREN, Governor

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 5, 1951

To the Assembly of the State of California
Sacramento, California

GENTLEMEN: I am transmitting to you herewith a copy of a message with reference to **Assembly Bill No. 1107** entitled: "An act to amend Section 1303 of the Education Code, relating to superintendents of schools."

This bill, with my message relative thereto, I (through my Legislative Secretary) delivered to Arthur A. Ohnimus, Chief Clerk of the Assembly, at 5 50 o'clock p.m on the fourth day of May, 1951, at which time your honorable body had adjourned for the day but not for the session.

Respectfully submitted.

EARL WARREN, Governor

Acknowledgment of Receipt of Assembly Bill No. 1107

I acknowledge receipt this fourth day of May, 1951, at 5.50 o'clock p.m., of Assembly Bill No. 1107 without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

ARTHUR A. OHNIMUS

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 1107—An act to amend Section 1303 of the Education Code, relating to superintendents of schools.

Governor's message stating his objections read.

The question being: Shall Assembly Bill No. 1107 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.

NOES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, and Mr. Speaker—58.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 5, 1951

To the Honorable Members of the Assembly
State of California
Sacramento, California

GREETINGS: I am returning herewith, without my signature,

Assembly Bill No. 291, entitled: "An act to amend Section 19437 of the Education Code, relating to civic centers."

My objections to this bill are as follows:

The Civic Center Act has been in existence in California since 1913 and has been integrated into the civic life of our State. The people of California have come to depend upon the use of these school properties for educational, cultural and recreational purposes I believe the act has filled a real need in the life of our State and has not as presently written done an injustice to the taxpayers of the school districts. I believe it would be a mistake to discourage the use of our schools for the purposes of the Civic Center Act. This bill is subject also to the objection that it could be used to freeze organizations which might not be particularly in the favor of the school boards, out of the use of our schools. This can be accomplished under Assembly Bill No. 291 because no uniformity for charging is provided for. The school board could charge those organizations that it chose to charge, and could permit free use of school properties by organizations that it chose to favor. Even among those that it would charge, no uniformity is required. It could charge a large fee to one and a nominal fee to another group, although the use might be identical.

I do not believe that it was ever intended that the Civic Center Act should be on such a narrow or preferential basis. It was, on the contrary, designed to encourage people, both minors and adults, to make use of school properties for wholesome civic purposes

when they were not required for purposes of instruction. We have expended many hundreds of millions of dollars in the construction of public schools and it would seem that in order for the public to receive the maximum benefit from them that they should be made available as much as possible for the advancement of civic interests.

I have received objections to the signing of the bill from the California Congress of Parents and Teachers, the Superintendent of Recreation of the City and County of San Francisco, the County of San Mateo, the City of San Mateo and the City of Turlock, the Boy Scouts of America, the Welfare Council of Metropolitan Los Angeles and other civic organizations.

For the above reasons I am returning this bill without my approval.

Respectfully submitted.

EARL WARREN, Governor

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 5, 1951

To the Assembly of the State of California
Sacramento, California

GENTLEMEN: I am transmitting to you herewith a copy of a message with reference to **Assembly Bill No. 291** entitled: "An act to amend Section 19437 of the Education Code, relating to civic centers.

This bill, with my message relative thereto, I (through my Legislative Secretary) delivered to William S. Grant, Member of the Assembly, at 6 40 p m on the fifth day of May, 1951, at which time your honorable body had adjourned for the day but not for the session.

Respectfully submitted.

EARL WARREN, Governor

Acknowledgment of Receipt of Assembly Bill No. 291

May 5, 1951

I acknowledge receipt this fifth day of May, 1951, at 6.40 o'clock p m., of Assembly Bill No 291 without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

WILLIAM S. GRANT

Assembly Bill No. 291 ordered to unfinished business.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1691—An act to add Section 6357.2 to the Education Code, relating to school district tax rates.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1691?

Amendment No. 1

On page 1 of the printed bill, after line 9, insert

"The increase provided by this section shall not exceed five cents ($0.05) per each one hundred dollars ($100) of the assessed value of property within the district.

If at the end of any school year there is on hand any balance derived from the increase hereby provided, such balance shall be used exclusively in the following school year for the expenditures of the school district during that year required or authorized by Chapter 9 of Division 9 and Chapter 4 of Division 12 of this code"

Amendment No. 2

In line 1 of the title of the printed bill, as amended in the Assembly on April 23, 1951, after "6357.2 to", insert ", and to amend Section 19437 of,".

Amendment No. 3

In line 2 of the title of said bill, as amended, strike out "tax rates", and insert "facilities".

Amendment No. 4

On page 1, line 7, of said bill, as amended, strike out the comma.

Amendment No. 5

On page 1, line 9, of said bill, as amended, after "district", insert ", less any unencumbered balances remaining at the end of the preceding school year derived from the revenue from the increase in the rate of tax provided by this section".

Amendment No. 6

On page 1 of said bill, as amended, beginning in line 13, strike out "is on hand any balance derived from the increase", and insert "remains an unencumbered balance derived from the revenue of the increase in tax rate".

Amendment No. 7

On page 1 of said bill, as amended, following line 18, insert

"SEC. 2. Section 19437 of said code is amended to read:

19437. The use of schoolhouses, property, and grounds pursuant to this chapter shall be granted free, *except as otherwise provided by Section 19438, to organizations, clubs, or associations organized for general character building or welfare purposes.*

For any other use of schoolhouses, property, and grounds pursuant to this chapter, including uses for which charges may be made under Section 19438, the governing board of any school district may charge not to exceed an amount sufficient to pay the cost to the district of supplies, utilities, and salaries paid school district employees necessitated by such use of schoolhouses, property, and grounds of the district."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1691 by the following vote:

AYES—Babbage, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Gubser, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 1691 ordered enrolled.

MOTION TO SET SPECIAL ORDER

Mr. Rosenthal moved that his notice of motion to withdraw Assembly Bill No. 3253 from committee be made a special order of business for Wednesday, May 7, 1951, at 10 30 a.m.

The roll was called, and the motion lost by the following vote:

AYES—Babbage, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Kelly, Kirkwood, Klocksiem, Lanterman, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, and Thomas—51.

NOES—Dickey, Dunn, Geddes, and Hollibaugh—4.

Notice of Motion to Withdraw Assembly Bill No. 3253 From Committee Continued

By unanimous consent, the notice of motion by Mr. Rosenthal to withdraw Assembly Bill No. 3253 from committee was continued until the next legislative day.

MOTION TO RECONSIDER SENATE CONSTITUTIONAL AMENDMENT NO. 3

In compliance with a notice given on a previous day, Mr. Collier moved that the vote whereby Senate Constitutional Amendment No. 3 was refused adoption be reconsidered.

Senate Constitutional Amendment No. 3 refused reconsideration by the following vote:

AYES—Babbage, Berry, Burke, Burkhalter, Caldecott, Clarke, Collier, Connolly, Conrad, Dolwig, Erwin, Gaffney, Grant, Grunsky, Gubser, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McGee, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Waters—34

NOES—Chapel, Coats, Condon, Cooke, Crowley, Dickey, Dills, Dunn, Elliott, Evans, Fleury, Geddes, Hahn, Hawkins, Henderson, Hollibaugh, McCollister, McFall, Morris, Moss, Munnell, Niehouse, Parker, Porter, and Rosenthal—25.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1646—An act to amend Section 205 of the Revenue and Taxation Code, relating to the veterans' exemption, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 1646?

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on April 2, 1951, between lines 26 and 27, insert

"The following are campaigns under Section 1¼ of Article XIII of the Constitution:

(a) First Nicaraguan campaign.

(b) Second Nicaraguan campaign

(c) Yangtze River campaign in China

(d) All other campaigns for service in which a medal has been issued by the Congress of the United States."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1646 by the following vote:

AYES—Beck, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 1646 ordered enrolled.

THIRD READING OF ASSEMBLY BILLS

Request for Unanimous Consent That Assembly Bill No. 16 Hold Place on File

Mr. Dickey asked for, and was granted, unanimous consent that Assembly Bill No. 16 be passed on file, and hold its place on file on the next legislative day.

Bill Withdrawn From Active File, and Placed on the Inactive File

Assembly Bill No. 877, on motion of Mr. Waters.

Assembly Bill No. 3342—An act to add Section 5505.5 to the Elections Code, relating to polling places.

Bill read third time.

Motion to Amend

Mr. Dunn moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 7, of the printed bill, after "heater", insert "for any election held between November 1st and April 1st".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 3416—An act to amend Sections 821.15 and 823 of the Agricultural Code, relating to apple containers.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Beck, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Waters, and Mr. Speaker—62.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Waters, and Mr. Speaker—62.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2763—An act to amend Section 58 of, and to add Article 4 to Chapter 3 of Division 1 of the Agricultural Code, relating to agriculture.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—61.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1074—An act to add Section 49.5 to the Fish and Game Code, relating to hunting and fishing seasons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Thomas, Waters, and Mr. Speaker—59.
NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 1243
Assembly Bill No. 3066
Assembly Bill No. 3198

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bills ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2840—An act to amend Section 6535 of the Business and Professions Code, relating to barbers.

Bill read third time.

Demand for Previous Question

Messrs. Geddes, Hinckley, Evans, Morris, and Lipscomb demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2840.

The roll was called, and the bill passed by the following vote:

AYES—Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Fleury, Gaffney, Geddes, Grant, Gubser, Hawkins, Henderson, Hinckley, Hollibaugh, Lanterman, Lipscomb, Luckel, Lyon, Maloney, McCollister, McMillan, Moss, Niehouse, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, and Mr. Speaker—45.

NOES—Beck, Belotti, Coats, Conrad, Davis, Erwin, Evans, Hahn, Kelly, Kirkwood, Klocksiem, Levering, McCarthy, McFall, McGee, Munnell, Parker, Rosenthal, Sherwin, and Waters—20.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1871—An act to amend Section 6407 of the Health and Safety Code, relating to sanitary districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2218—An act to add Section 14074.5 to the Health and Safety Code, relating to the powers and duties of boards of fire commissioners of fire protection districts, in respect to civil service.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, and Waters—64.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2892—An act to add Section 1g to the Municipal Improvement Act of 1913, relating to municipal improvements.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2249—An act to add Section 6360 to the Education Code, relating to school district taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Smith, Thomas, Waters, and Mr. Speaker—59.
NOES—Luckel—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1290—An act to amend Section 18051 of the Education Code, relating to the letting of contracts by school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Thomas, Waters, and Mr. Speaker—65.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 425—An act to add Section 225q to the Civil Code, relating to the adoption of children.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3400—An act declaring portions of revenue derived from lands conveyed to the City of Long Beach by an act entitled "An act granting to the City of Long Beach the tidelands and submerged lands of the State of California within the boundaries of the said city," approved May 1, 1911, and by an act entitled "An act granting certain tidelands and submerged lands of the State of California to the City of Long Beach upon certain trusts and conditions," approved April 28, 1925, as amended by an act entitled "An act to amend Section 1 of an act entitled 'An act granting certain tidelands and submerged lands of the State of California to the City of Long Beach upon certain trusts and conditions,' approved April 28, 1925, relating to the use of such tidelands and submerged lands," approved May 7, 1935, to be free from the public trust for navigation, commerce and fisheries, and from such uses, trusts, conditions and restrictions as are imposed by said acts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kloeksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Thomas, Waters, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2910—An act to add Section 27179 to the Streets and Highways Code, relating to police protection of bridge and highway district facilities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Thomas, and Waters—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2629—An act to amend Sections 25051, 25320, 25321, 25520, and 25521 of the Streets and Highways Code, and to add Sections 130.1 and 130.2 to said code, relating to joint highway districts and the construction of state highways.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Bill Withdrawn From Active File, and Placed on the Inactive File

Assembly Bill No. 1360, on motion of Mr. Caldecott.

Assembly Bill No. 248—An act to amend Section 1 of an act entitled "An act making an appropriation to the Emergency Fund specified in Item 277 of the Budget Act of 1950, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, declaring the urgency thereof, to take effect immediately," approved February 2, 1951, relating to repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, and declaring the urgency hereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, **Thomas, and Mr. Speaker—67.**

NOES—None.

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr. Condon asked for, and was granted, unanimous consent that his name be placed upon the roll call, on the urgency clause to Assembly Bill No. 248, and that he be recorded as voting "Aye".

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3017—An act to add Article 5, to Chapter 5, Part 2, Division 3, Title 2, and to repeal Sections 16396 and 18002, of the Government Code, relating to state employment, in respect to pay roll procedure.

Bill read third time.

Motion to Amend

Mr. Silliman moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 17, of the printed bill, as amended in the Assembly on May 4, 1951, strike out "a designated day", and insert "staggered pay roll periods, and designated days".

Amendment No. 2

On page 1, line 19, of said bill, strike out ", which date", and insert ". Such pay dates".

Amendment No. 3

On page 2, line 1, of said bill, strike out ". Such pay dates", and insert ", and".

Amendment No. 4

On page 2, line 18, of said bill, strike out "sixteenth", and insert "thirty-first".

Amendment No. 5

On page 2, line 20, of said bill, strike out "15", and insert "30".

Amendment No. 6

On page 2, line 40, of said bill, strike out "and the State Pay Roll Revolving Fund", and insert ", the State Pay Roll Revolving Fund, and related records of state agencies within the Uniform State Pay Roll System".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 1291—An act to amend Section 5901 of the Education Code, relating to school district emergency cash funds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1566—An act to amend Section 7403 of the Education Code, to repeal Section 7409 of said code, and to add Section 7461.5 to said code, relating to the authorization and issuance of bonds of school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb,

Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: *Your Committee on Legislative Procedure has examined:*

Assembly Bill No. 386	Assembly Bill No. 2874
Assembly Bill No. 1819	Assembly Bill No. 3031
Assembly Bill No. 1997	Assembly Bill No. 3405
Assembly Bill No. 2217	Assembly Bill No. 3411
Assembly Bill No. 2690	

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2863—An act to add Sections 2107 and 2108 to the Education Code, relating to boards of education of chartered cities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3389—An act to add Article 3.5 to Chapter 1, Division 5 of the Education Code, relating to outdoor science education and conservation education.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Sherwin, Smith, Stanley, Thomas, and Waters—59.

NOES—Gubser and Luckel—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2605—An act to amend Section 758 of the Political Code and Section 61 6 of the Code of Civil Procedure, relating to the salary of the clerk of each district court of appeal.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, and Waters—66.

NOES—Luckel—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 986—An act to add Section 459.6 to the Vehicle Code, relating to boundary line streets and highways and vehicles using the same.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Thomas, Waters, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1970—An act to amend Section 713 of the Vehicle Code, relating to the powers of local authorities with respect to state highways.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT NAME BE PLACED UPON HOUSE RESOLUTION NO. 130 AS CO-AUTHOR

Mr. Evans asked for, and was granted, unanimous consent that his name be placed upon House Resolution No. 130 as a co-author.

CONSIDERATION OF HOUSE RESOLUTION NO. 130

By Messrs. Rosenthal, Beck, Munnell, Waters, Geddes, and Evans:

House Resolution No. 130

Relative to congratulating Superior Court Judge Brand on the occasion of his retirement

WHEREAS, Superior Court Judge Edward R. Brand of Los Angeles County is retiring from the bench, where he has served faithfully and ably since 1936; and

WHEREAS, For two years Judge Brand was the Presiding Judge of the Criminal Division of the Los Angeles Superior Court; and

WHEREAS, Judge Brand was re-elected four times to the superior court, evidencing the high regard of the people of Los Angeles County for his integrity and devotion to duty; and

WHEREAS, Judge Brand is held in high esteem by the members of the bench and bar; and

WHEREAS, Judge Brand has contributed unselfishly and unstintedly of his time and effort in behalf of community enterprises and worthy civic causes; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly hereby congratulate Judge Edward R. Brand upon his long and valuable service on the bench and wish him future happiness and success; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to Judge Brand.

Resolution read, and adopted.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1865—An act to amend Section 53601 of the Government Code, relating to the powers of cities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1864—An act to amend Section 37202 and 37203 of the Government Code, relating to the powers of cities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 2005

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bill ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 53

Mr. Sherwin asked for, and was granted, unanimous consent that he be permitted to take up Assembly Concurrent Resolution No. 53, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 53

Assembly Concurrent Resolution No. 53—Relative to merit awards to state employees.

Resolution read.

Request for Unanimous Consent to Temporarily Suspend Rule No. 45

Mr. Dunn asked for, and was granted, unanimous consent that Rule No 45 be temporarily suspended for the purpose of considering Assembly Concurrent Resolution No. 53, at this time.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—72.

NOES—None.

Resolution ordered transmitted to the Senate.

ANNOUNCEMENT

Mr. Dickey announced, on behalf of Mr. Beck, a Democratic luncheon meeting and Caucus, upon recess, today, at the Hotel Sacramento.

RECESS

At 11.50 p.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Lyon:

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 1278 and 1287 of the Penal Code, relating to form of bail bonds.

Respectfully submitted.

C. W. LYON

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Lyon:

An act to amend Sections 1278 and 1287 of the Penal Code, relating to form of bail bonds.

BURKE, Chairman

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Beck moved a call of the Assembly.

Motion carried. Time, 2.01 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Clarke, Collier, George D. Collins, Connolly, Crowley, Davis, Dickey, Dolwig, Doyle, Fleury, Gaffney, Grant, Gubser, Hinckley, Kilpatrick, Lyon, McCarthy, McCollister, McGee, Meyers, Morris, Shaw, and Waters—23.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Kirkwood asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 54—Relative to the death of the Honorable William E. Simpson;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the seventh day of May, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 123—An act to add Section 2208.5 to the Education Code, relating to the powers and duties of the governing boards of city school districts;

Assembly Bill No. 125—An act making an appropriation in augmentation of the appropriation in Item 11 of the Budget Act of 1950 for legislative printing, binding, mailing, etc., to take effect immediately;

Assembly Bill No. 134—An act to add Section 16271.1 to the Education Code, relating to the use of school busses;

And reports that the same have been correctly enrolled, and presented to the Governor on the seventh day of May, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 243—An act to amend Section 27285 of the Government Code, relating to the recording of documents;

Assembly Bill No. 244—An act to amend Section 27287 of the Government Code, relating to the recordation of instruments;

Assembly Bill No. 381—An act to amend Section 11 of an act entitled "An act to restrict the running of dogs at large; to protect livestock from depredation of dogs; to provide for the issuance of dog license tags by counties, and the disposition of

funds received as fees therefor; making the violation of the provisions of this act a misdemeanor and providing penalties therefor, and providing for the collection of damages by owners of livestock injured by dogs," (Chapter 757, Statutes of 1921), approved June 3, 1921, relating to the protection of livestock, including rabbits;

And reports that the same have been correctly enrolled, and presented to the Governor on the seventh day of May, 1951, at 2 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 658—An act to amend and renumber Section 1714.5 of the Civil Code, relating to negligence as a matter of law, and defenses for acts or omissions in complying with orders or proclamations of military and civil authorities;

And reports that the same has been correctly enrolled, and presented to the Governor on the seventh day of May, 1951, at 2 p m.

BURKE, Chairman

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 58: By Mr. Geddes—Relative to approving the charter of the City of Arcadia, County of Los Angeles, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the twenty-fourth day of April, 1951.

Referred to Committee on Rules.

RESOLUTIONS

The following resolution was offered:

By Messrs. Grant, Porter, Maloney, Chapel, Rosenthal, Thomas Berry, Klocksiem, Condon, Cooke, Burkhalter, Doyle, Geddes, Erwin, Hinckley, Clarke, McCollister, and Conrad:

House Resolution No. 136

Relating to wishing former Governor Merriam a rapid recovery from his illness

WHEREAS, News has reached us of the illness of former Governor Frank F. Merriam, much to the individual and sincere disquiet of the Members of the Legislature, who recall his contributions to adapting government to meet human needs; and

WHEREAS, Frank F. Merriam began his career as a public servant in the Iowa Legislature, in which he served two terms, and then four years as the auditor of that State; and

WHEREAS, He was a modern pioneer of the West from the days he operated a newspaper in the Territory of Oklahoma, to the days of his civic leadership in Long Beach, California, when for the second time a popular demand arose for his entrance into state service. He became a Member of the Assembly in 1917, where he was to serve for the 10 years following. As Chief of the Republican Party in California he successfully directed the election of a fellow Californian to the Presidency of the United States; and

WHEREAS, Such experience in journalism, pioneering and civic development, and his ability in working with all people's problems cried for broader fields to cultivate and harvest, in the tradition of his farming forbears, the people elected him Lieutenant Governor in 1930; and

WHEREAS, It would seem that by Providence a man of his solid and certain character was to be the State's Chief Executive after the collapse of national finance and distribution and during the State's struggle for economic rehabilitation, Governor Frank Merriam fulfilled the highest demands of the day in relief emergencies and kindred problems. A man of conservative views, he successfully met the challenges of the hour with liberal administration; and

WHEREAS, The State will ever be grateful for the willingness of his abundant heart and his distinguished personal presence in all forms of public endeavor; and

WHEREAS, He has been basking in the sunshine of a California he helped build and guide; now, therefore, be it

Resolved by the Assembly of the State of California, That there be wished for him a rapid recovery and the best of health; and be it further

Resolved, That the Chief Clerk transmit a suitably prepared copy of this resolution to our colleague, at 20 Lindero Avenue, Long Beach.

Resolution read, and ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1696

Mr. Kirkwood asked for, and was granted unanimous consent that he be permitted to take up Assembly Bill No. 1696 temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1696

Assembly Bill No. 1696—An act to amend Section 1652 of the Education Code and to repeal Section 1653 of said code, relating to the jurisdiction of county superintendents of schools over school districts lying in more than one county.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Coats, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Grunsky, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Joint Resolution No. 33: By Mr. Cloyed, Mrs. Niehouse, and Mr. Luckel—Relative to the completion of the San Diego Aqueduct.

Referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 585

Mr. Lowrey asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 585 temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 585

Assembly Bill No. 585—An act to amend Sections 1300.12, 1300.13, 1300.15, 1300.16, 1300.17, and 1300.19 of the Agricultural Code, relating to administration of the California Marketing Act of 1937 and the enforcement of marketing orders thereunder, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Condon, Conrad, Cooke, Crowley, Davis, Dills, Doyle, Dunn, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hahn, Henderson, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney,

McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Mr. Speaker—57.

NOES—George D. Collins—1.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Condon, Conrad, Cooke, Crowley, Davis, Dills, Doyle, Dunn, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hahn, Henderson, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Mr. Speaker—57.

NOES—George D. Collins—1.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Mr. Rosenthal:

House Resolution No. 137

Relating to the construction of a passageway over Ramona Freeway in the City of Los Angeles

WHEREAS, The construction and improvement of the Ramona Freeway in the City of Los Angeles has resulted in a cul-de-sac at the place where Ramona Freeway intervents Evergreen Avenue; and

WHEREAS, To traverse Ramona Freeway it is now necessary for the residents in the vicinity of Evergreen Avenue to travel several miles eastward or westward from Evergreen Avenue to either Soto Street or City Terrace Drive; and

WHEREAS, The rapid development of the Ramona area means that several thousands of persons are required to make this circuitous trip to use the schools, shopping centers, business district, doctors, dentists, post office, and the community center; and

WHEREAS, It is necessary for the well-being, health, safety, and welfare of the people in the Ramona area that some means of crossing the Ramona Freeway at the point of Evergreen Avenue be constructed immediately; now, therefore, be it

Resolved by the Assembly of the State of California, That the Department of Public Works take such steps as may be necessary to immediately construct a footbridge over Ramona Freeway at Evergreen Avenue in the City of Los Angeles; and be it further

Resolved, That the Department of Public Works commence construction of a vehicle overpass over Ramona Freeway at Evergreen Avenue at the earliest possible date, in accordance with the agreement between the City of Los Angeles and the Division of Highways, and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the California Highway Commission and to the Director of the Department of Public Works.

Resolution read, and ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2456

Mr Lyon asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2456, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2456

Assembly Bill No. 2456—An act to repeal Section 1142, to amend Section 1143(a) and to add Sections 1142, 1142.1, 1142.2, 1142.3, and 1142.4 to the Agricultural Code, relating to processing of eggs and egg products, eggs shipped into California both from within the United States and from outside the United States; also relating to the inspection and certificates of egg products shipped into California.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1005

Mr. Grant asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1005, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1005

Assembly Bill No. 1005—An act to amend Section 2540 of the Elections Code, relating to parties qualified to participate in a primary election.

Bill read third time.

Demand for Previous Question

Messrs. Collier, Hinckley, Evans, Geddes, and Hahn demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1005.

The roll was called, and the bill refused passage by the following vote:

AYES—Belotti, Caldecott, Chapel, Clarke, Collier, Conrad, Dolwig, Erwin, Grant, Grunsky, Gubser, Hinckley, Kelly, Kirkwood, Lincoln, McCollister, McMillan, Porter, and Sherwin—19.
NOES—Beck, Berry, Brown, Burke, Burkhalter, Coats, George D. Collins, Cooke, Crowley, Davis, Dills, Doyle, Dunn, Evans, Fleury, Gaffney, Geddes, Hahn, Henderson, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Smith, Thomas, and Waters—41.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 1814

Has had the same under consideration, and reports the same back with amendments *with the recommendation: Amend, and re-refer to the committee.*

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS

Senate Bill No. 730—An act to amend Section 6624 of the Welfare and Institutions Code, relating to sterilization of patients in state

hospitals or state homes under the jurisdiction of the Department of Mental Hygiene.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—64.

NOES—Evans and Maloney—2.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3199

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3407

Mr. Hahn asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3407, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3407

Assembly Bill No. 3407—An act to amend Section 220 of the Public Utilities Code, relating to common carriers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Thomas, Waters, and Mr. Speaker—56.

NOES—Dills, Geddes, Luckel, and Lyon—4

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1747—An act to amend Section 120 of the Insurance Code, relating to insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly,

Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stanley, Thomas, Waters, and Mr Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1748—An act to amend Sections 1191 and 1192 of, to repeal Section 1199 of, and to add Sections 1192 4 and 1199 to, the Insurance Code, relating to insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Thomas, and Waters—65.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1579—An act to amend Section 2824 to the Elections Code, relating to procedure.

Bill read third time.

Motion to Amend

Mr. Hawkins moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Senate on April 16, 1951, strike out "Sturgis"; and strike out line 5.

Amendment No. 2

On page 1, line 6, of said bill, strike out "rules of order, or such other", and insert "any".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 92—An act to add Article 13 to Chapter 11 of Division 2 of the Education Code, relating to the annexation of territory to high school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, Waters, and Mr Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT OPINION OF LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Mr. Grunsky asked for, and was granted, unanimous consent that an opinion of the Legislative Counsel, relative to judicial salaries, be ordered printed in the Journal, in 10 point type, as follows:

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, May 7, 1951

Honorable Donald L. Grunsky
Assembly Chamber

ASSEMBLY BILLS 2624, 2625, AND 2626 RE JUDICIAL SALARIES—No. 7950

DEAR MR. GRUNSKY: You have asked our opinion whether the above bills can be enacted prior to the Budget Bill in view of the provision in Section 34 of Article IV that until the Budget Bill has been finally enacted neither house shall place upon final passage any other appropriation bill, except emergency bills recommended by the Governor, or appropriations for the salaries, mileage, and expenses of the Senate and Assembly. The bills in question increase the salaries of the judges of the superior and appellate courts and also increase the amount paid by the State as its share of the salaries of the superior court judges.

It is our opinion that none of these bills contains an appropriation and hence they may be properly enacted prior to the Budget Bill.

The sections affected by these bills are contained in Chapter 5 of Title 1 of Part 3 of the Political Code. Section 737 of that chapter provides that the provisions thereof prescribing salaries do not effect an appropriation of money and shall not be construed as making an appropriation or appropriations therefore, and that such salaries shall be payable only from such funds as may be made available under other provisions of law. The provisions of this chapter would be transferred to the Code of Civil Procedure by A. B. 2626, now pending before the Legislature, and the bills in question are addressed both to the Political Code and to the proposed new provisions of the Code of Civil Procedure.

We believe that the provisions of Section 737 are controlling as to the legislative intent regarding these bills and that the section negatives any possibility that the bills make appropriations. The section appears also to be applicable to the provision in Assembly Bill No. 2626 that increases the State's share of the salaries of the judges of the superior court. So far as we are aware, this provision has never been considered to be an appropriation. The appropriation to pay the State's share of the salaries of judges of the superior court has always been contained in the Budget Bill or in some other bill making a specific appropriation for that purpose. The current appropriation is contained in Item 379 of the pending Budget Bill.

Since the only limitation upon the enactment of bills prior to the Budget Bill is the one regarding appropriation bills, we know of no

reason passage of these bills should await the enactment of the Budget Bill.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By LAWRENCE G. ALLYN, Deputy

Two copies to Honorable Thomas Caldecott pursuant to Joint Rule 34.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 319—An act to add Section 8275 to, and to amend Section 13521 of, the Education Code, relating to the teaching of Communism upon any property belonging to any agencies included in the Public School System.

Bill read third time.

Demand for Previous Question

Messrs. Lanterman, Luckel, Morris, Hinckley, and Grant demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 319.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—66.

NOES—George D. Collins, Condon, Davis, Dunn, Elliott, Hawkins, McFall, McMillan, Parker, and Rosenthal—10.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1999

Mr. Cloyed asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1999, temporarily passed on file, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1999

Assembly Bill No. 1999—An act to amend Sections 353.10, 351.9, 357.1, and 357.2 of, and to add Sections 352 and 358 to, the Agricultural Code, relating to animals, including provisions relative to slaughter, hides, inspections, and meat thereof.

Bill read third time.

Motion to Amend

Mr. Cloyed moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on May 3, 1951, strike out "Sections 352 and 358", and insert "Section 352".

Amendment No. 2

On page 1 of said bill, strike out lines 3 to 10, inclusive, and insert

"351.9. Every person not a licensed slaughterer who slaughters any cattle or calves, except calves marketed with the hides on, shall keep in his possession the hide thereof, with the brands attached thereto, without any alteration or disfiguration thereof, until said hide is inspected or released, and shall exhibit said hide to any inspector or peace officer on demand."

Amendment No. 3

On page 1, line 13, of said bill, strike out "cattle or calves".

Amendment No. 4

On page 1 of said bill, strike out lines 15 to 22, inclusive, and insert "unless he has in his possession and exhibits to any inspector or peace officer on demand either:

(a) The hide or hides of the animal or animals from which the meat was obtained, with ears and brands attached thereto, without alteration or disfiguration; or

(b) A certificate of inspection or release of the hide or of the carcass with the hide on, issued under the provisions of this article; or

(c) A bill of sale, memorandum or sale, or other written instrument, signed by the seller or donor of the meat, showing the name and address of the seller or donor."

Amendment No. 5

On page 2, line 1, of said bill, strike out ", except", and insert ". No fee shall be charged for".

Amendment No. 6

On page 2, line 3, of said bill, after "and", insert "when".

Amendment No. 7

On page 2 of said bill, strike out lines 25 to 29, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 901—An act to amend Section 11291 of the Education Code, relating to the distribution of textbooks published by the State Board of Education.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 205—An act to amend Section 6827 of the Public Resources Code, relating to oil and gas leases.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall,

McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 911—An act to add Section 16376 to the Government Code, relating to funds deposited in trust in the State Treasury for the California State Historical Association.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 208—An act to add Section 6501.1 to and to amend Section 6502 of, the Public Resources Code, relating to the leasing of public lands.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

Bill Withdrawn From Active File, and Placed on the Inactive File

Senate Bill No. 806, on motion of Mrs. Niehouse.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON REQUEST BY MR. LYON FOR PERMISSION TO INTRODUCE BILL

At 3 17 p.m., on motion of Mr. Lyon, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and permission to introduce a bill was granted to Mr. Lyon by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—76.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3424: By Mr. Lyon—An act to amend Sections 1278 and 1287 of the Penal Code, relating to form of bail bonds.

Referred to Committee on Judiciary.

ANNOUNCEMENTS

Mr. Stanley announced a Republican breakfast and Caucus tomorrow morning, Tuesday, May 8th, at 7 30 a.m., at Hart's Restaurant.

Mr. McCollister announced that the Committee on Military Affairs has cleared its calendar.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. George D. Collins to reconsider the vote whereby Assembly Bill No. 3075 was passed, was continued until the next legislative day.

By unanimous consent, the notice of motion by Mr. Thomas to reconsider the vote whereby Assembly Bill No. 188 was passed was continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1540 HOLD PLACE ON FILE

Mr. Dickey asked for, and was granted, unanimous consent that Assembly Bill No. 1540 be passed on file, and hold its place on file on the next legislative day.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Hollibaugh to reconsider the vote whereby Senate Bill No. 1610 was refused passage was continued until the next legislative day.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 56—Relative to extending condolences on the death of Lotus H. Loudon;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the seventh day of May, 1951, at 3 p m.

BURKE, Chairman

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills Nos. 2041, 3098, 1789, 830, 2275, 2553, and 2573 re-referred to the Committee on Municipal and County Government.

Assembly Bills Nos. 867, 2224, 2493, 3199, and 1567 re-referred to the Committee on Education.

Assembly Bills Nos. 1914, 2479, 2727, 2806, 3210, and 3213 re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bills Nos. 1730, 1731, 3145, and 2914 re-referred to the Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2946 re-referred to the Committee on Ways and Means.

Assembly Bill No. 3113 re-referred to the Committee on Manufacturing, Oil, and Mining Industry.

Senate Bill No. 213 re-referred to the Committee on Conservation, Planning, and Public Works.

Senate Bill No. 1680 re-referred to the Committee on Rules.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 4.30 p.m.—

Subcommittee on Fish and Game, in Room 4144. Subject: Yellowtail Fish Bills.

At 8 p.m.—

Judiciary, in Room 432.

Finance and Insurance, in Room 3186.

Today Upon Adjournment—

Public Utilities and Corporations, in Room 432.

Boards and Commissions, in Room 426.

Ways and Means, in Room 435 Subject: Assembly Bill No. 1985.

Tomorrow, Tuesday, May 8th, at 9.30 a.m.—

Rules, in Room 3186.

It was announced that the following committee would hold no meeting today:

Military Affairs

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Messrs Smith and Lipscomb, the usual courtesies of the Assembly for this day were unanimously extended to J. Don Wise of Glendale.

On request of Mr. Geddes, the usual courtesies of the Assembly for this day were unanimously extended to Mr and Mrs. Robert W. Dukes and son Bobby, of Claremont.

On request of The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Luke White of Honolulu.

On request of Mr. Klocksiem, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs John Klocksiem of Los Angeles.

On request of Mr. Lanterman, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. E. J. Krause of La Canada.

On request of The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. James Boyle of Los Angeles.

On request of Messrs. Rosenthal and Munnell, the usual courtesies of the Assembly for this day were unanimously extended to Larry Simon of Los Angeles.

On request of Mr. Munnell, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Harold Smith and Mrs. May Krenston of Los Angeles.

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to Lee Holland of Alturas.

On request of Mr. Lowrey, the usual courtesies of the Assembly for this day were unanimously extended to Ben F. King, teacher, and the following pupils of the Esparto Union High School: Douglas Carleton, Ernest Covington, Albert Errington, Darleen Gans, Artis Jager, Dolores McCampbell, John McCants, Barbara McGrew, Catherine Manas, Felix Mata, Hunow Mata, Claire Mefford, Nancy Monroe, Catherine Nichols, Dorothy Schaupp, Sue Shaw, Jean Sroff, Dick Stephens, Betty Tandy, Evelyn Truitt, Sue Vance, Donna Walker, and Isao Yamamoto.

On request of Mr. Belotti, the usual courtesies of the Assembly for this day were unanimously extended to Paul Ely of Arcata.

On request of the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Agnes Hilary, Barbara Beebe, and Dr. Wm. C. Jordan, teachers, and the following pupils of the Fairmont School: Antonette Arnold, Claudette Battezatti, Harvey Brink, Theodore Cano, Guy Eddy, Larry Edwards, Le Roy Clarke, Ford James, Billy Foy, Nancy Hage, Boyd Johnson, Martha Johnson, Jean Johnston, Carl Jones, Gerald Keenan, Gloria Lawson, Leland Lum, Carol Malispina, Olga Mendola, Darrell Mulloy, Wayne Murray, Randy Newman, James Nolan, Diana Pelfini, Salvador Ramierz, Michael Russ, Nancy Ruzich, Carmen Sato, Gail Standler, Fraiser Francis, Frances Ramierz, Donna La Roche, Ronald Long, Pauline Medina, Norma Areneda, Dorothy Batistach, Joe Belli, Dorene Bergstrom, Thelma Bernard, Ronald Boone, Richard Carlson, Roberta Dominick, Margaret Eadis, Ronald Escalante, Leo Gomez, Patsy Howard, Charles Kent, Judith Martin, Francis McIntyre, Richard Milat, Joy Mitchell, Joan Murphy, Richard Neuman, Pat Nickolin, George Nolan, Luccelli Ortega, Joyce Porter, Robert Priola, Ann Shirley, Jerry Souza, James Vance, John Vance, Jerry Vagir, Gordan Younger, Lee Younger, Henry Bernard, Antonet Ortiega, and Kathleen Neuman.

ADJOURNMENT

At 3.23 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Tuesday, May 8, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FIFTY-FOURTH LEGISLATIVE DAY

SEVENTY-FOURTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, May 8, 1951

The Assembly met at 10 a.m.

Hon. Sam. L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gafney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niebouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—78.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

O God, Protector and Helper of All Thy Children, Comforter of the solitary, we commend unto Thee those who serve our Nation upon the land or sea or in the air.

We pray for guidance for those who are responsible for the decisions of the United Nations and our own beloved land.

Give us an awareness of our individual responsibilities so that we may be inclined to all justice, to love mercy and demean ourselves with that pacific temper of mind which characterized the Divine Author of our blessed religion.

"Our Saviour King, defend us,
And guide where we should go;
Forth with Thy message send us,
Thy love and light to show,
Till, fired with true devotion
Enkindled by Thy word,
From ocean unto ocean
Our land shall own Thee Lord."

—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Beck, further reading of the Journal of the previous legislative day was dispensed with.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following communication and resolution were received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA
SACRAMENTO 14
INTER-DEPARTMENTAL COMMUNICATION

Date: May 7, 1951

To: Honorable Sam L. Collins
Speaker of the Assembly
State Capitol
Sacramento, California

SUBJECT: TRANSFER OF LIQUOR CONTROL

From: State Board of Equalization
Dixwell L. Pierce, Secretary

At its meeting in Los Angeles on May 4, 1951, the State Board of Equalization, upon motion of Honorable Jerrold L. Seawell, adopted the enclosed resolution regarding the transfer of the administrative responsibility for alcoholic beverage control from the board to a separate agency of the State Government.

This resolution was adopted by the unanimous vote of all five members of the board By their direction, I am sending you this copy in order that the Assembly may be informed of the action of the board. A similar communication and enclosure are being sent to the President of the Senate, so that that legislative body may also be informed of the views of the board members on this subject.

DIXWELL L. PIERCE

STATE BOARD OF EQUALIZATION

Resolution Regarding Transfer of Liquor Control
Introduced by Jerrold L. Seawell
Unanimously Adopted, May 4, 1951

WHEREAS, Proposed constitutional amendments are now pending before the California State Legislature proposing to separate the administration of alcoholic beverages from the tax administration functions of the State Board of Equalization; and

WHEREAS, There are many people and organizations who believe a separate alcoholic beverage control authority, protected in every possible way from political influences and having wide authority over liquor law administration, will promote public welfare; and

WHEREAS, Those who believe in the separation of liquor law administration from tax administration base their contention that the rapidly increasing population of California, with the attendant increase in permits, revenues, valuations, and hearings and litigation in connection therewith, merit the full attention of the State Board of Equalization; and that such separation of control will improve the administration of both state services from social, political and economic standpoints; and

WHEREAS, Since the Board of Equalization believes that over a period of 17 years it has performed its constitutional duties to the best of its ability with the facilities made available to it to perform this function, it has no objection to the transfer of the enforcement of the provisions of the Alcoholic Beverage Control Act to another state agency if it is believed such action would better the public welfare; now, therefore, be it

Resolved by the Members of the Board of Equalization, That if the Legislature believes the separation of liquor control enforcement from the Board of Equalization would be conducive to better government they respectfully recommend to the Legislature that it take action at the 1951 Session appropriate to achieve the objectives contained in this resolution; and be it further

Resolved, That if a constitutional amendment is submitted by the Legislature to the people that it should contain the following objectives:

1. The creation of an Alcoholic Beverage Commission consisting of members whose responsibility it shall be to administer the laws of California pertaining to the regulation of the manufacture and sale of such beverages;

2. Inclusion in the proposed amendment of provision that the commissioners, to be appointed by the Governor with the confirmation of the Senate, shall serve for

six-year terms, expiring at two-year intervals, to assure their independence of action, continuity of service, and freedom from disruptive political influences;

3. Inclusion in the proposal of provision for judicial review of the acts of the Alcoholic Beverage Commission, thus assuring that there may be speedy access to the courts to determine the lawfulness of its orders, and insuring against the possibility of arbitrary exercise of its powers; and

4. Enactment of legislation to effectuate the purpose of the constitutional amendment by providing, upon its adoption, for the transfer of regulatory responsibility under the Alcoholic Beverage Control Act from the State Board of Equalization to the Alcoholic Beverage Commission, together with the removal from the act of its excise tax provisions to the end that they may be administered thereafter as a part of the Revenue and Taxation Code by the State Board of Equalization.

Above subject matter ordered referred to the Committee on Constitutional Amendments.

By Speaker Sam L. Collins:

A communication from Lewis B. Hershey, Director, National Headquarters, Selective Service System, Washington, D. C., relative to the Selective Service Act was received, and ordered referred to the Committee on Military Affairs.

By Speaker Sam L. Collins:

A resolution from Phyllis A. Croll, Secretary, Planning Commission of City of Montebello, urging the passage of Assembly Bill No. 1250, was received, and ordered referred to the Committee on Municipal and County Government.

By the Chief Clerk:

A communication from Harold F. Greek of Ontario, relative to the hardships of veterans who have been disfigured in battle, was received, and ordered referred to the Committee on Military Affairs.

REQUEST FOR UNANIMOUS CONSENT THAT CORRECTIONS BE MADE IN JOURNAL

Mr. McCollister asked for, and was granted, unanimous consent that page 3994 of the Assembly Journal for Monday, May 7, 1951, be corrected in four places to show the action was on "Assembly Bill No. 585," instead of "Assembly Bill No. 2665."

Messrs. Hinckley and McCollister asked for, and were granted, unanimous consent that page 3996 of the Assembly Journal for Monday, May 7, 1951, be corrected to show that Assembly Bill No. 1005 was refused passage by a vote of "Ayes—19; Noes—41," as the "Ayes" and "Noes" were inadvertently reversed in printing.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 370

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1999
Assembly Bill No. 3017
Assembly Bill No. 3342

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1088
Assembly Bill No. 1164

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1827—An act to amend Sections 801.3, 801.9 and 801.11 of the Code of Civil Procedure, relating to the determination of interests in and liens on real property;

Assembly Bill No. 2856—An act to add Article 4 to Chapter 1 of Part 1 of Division 2 of Title 5 of the Government Code, relating to contracts for special services;

Assembly Bill No. 3379—An act to amend Section 204a of the Code of Civil Procedure, relating to jury commissioners in counties or cities and counties having a population of 60,000 or more;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1587—An act to add Section 14122.6 and to amend Sections 14112, 14122, 14122.5, 14127, 14131, and 14135.1 of the Education Code, relating to school district merit systems for noncertificated employees;

Assembly Bill No. 1653—An act to amend Sections 180.7 and 198 of the Vehicle Code, relating to chattel mortgages on vehicles;

Assembly Bill No. 1697—An act to amend Section 13275 of the Education Code, relating to annual reports of high school principals;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 732—An act to amend Sections 14½ and 14¾ of the County Waterworks District Act, relating to the annexation of territory to county waterworks districts;

Assembly Bill No. 837—An act to amend Section 8205 of the Government Code, relating to notary public;

Assembly Bill No. 1586—An act to add Section 14122.1 to the Education Code, relating to school district merit systems for noncertificated employees, declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighth day of May, 1951, at 10 a.m.

BURKE, Chairman

Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which was referred:

Assembly Bill No. 1121

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

EVANS, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which was referred:

Assembly Bill No. 1981

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

EVANS, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 2611

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and re-refer to Ways and Means.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 302

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Senate Bill No. 980

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means

BROWN, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 61

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Senate Bill No. 704
Senate Bill No. 706
Senate Bill No. 707
Senate Bill No. 708

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 866
Assembly Bill No. 1029
Assembly Bill No. 1836

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1293
Assembly Bill No. 1490
Assembly Bill No. 2453
Assembly Bill No. 2725

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Senate Bill No. 348

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 591
Assembly Bill No. 1369
Assembly Bill No. 2597

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Senate Bill No. 94

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 2079

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SHERWIN, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 99
Senate Bill No. 417
Senate Bill No. 676
Senate Bill No. 805
Senate Bill No. 1059
Senate Bill No. 1252
Senate Bill No. 1429
Senate Bill No. 1553

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 46
Assembly Constitutional Amendment No. 19

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 263
Assembly Bill No. 839
Assembly Bill No. 943
Assembly Bill No. 1736
Assembly Bill No. 2506
Assembly Bill No. 2669

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 1810
Assembly Bill No. 2859
Assembly Bill No. 2860

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 55
Senate Constitutional Amendment No. 25

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolutions were read:

Senate Concurrent Resolution No. 55—Relative to amending the Joint Rules of the Senate and Assembly by adding Rule 30.5, relating to conference committee reports.

Referred to Committee on Rules.

Senate Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 3a to Article VI thereof, relating to advisory opinions of the Justices of the Supreme Court.

Referred to Committee on Constitutional Amendments.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 71
Senate Bill No. 72
Senate Bill No. 145
Senate Bill No. 267
Senate Bill No. 954
Senate Bill No. 1062
Senate Bill No. 1212
Senate Bill No. 1250
Senate Bill No. 1544
Senate Bill No. 1589

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 71—An act to amend the Water Conservation Act of 1931 by adding thereto new sections designated 3.1, 30.1, 36.1, 56.1, 61.1, 67.1, and 77.1, relating to the authorization, issuance, and payment

of bonds of water conservation districts and improvement districts created under said act and the levy of assessments upon real property for the payment thereof, repealing Chapter 63 of the Statutes of the 1950 First Extraordinary Session, and validating districts organized pursuant to said Water Conservation Act of 1931, as amended by said Chapter 63.

Referred to Committee on Agriculture.

Senate Bill No. 72—An act to amend the Water Conservation Act of 1931 by adding thereto new sections designated 30.2 and 35.1, relating to the authorization and levy of annual assessments and special assessments upon real property within water conservation districts and improvement districts created therein.

Referred to Committee on Municipal and County Government.

Senate Bill No. 145—An act to amend Section 32355 of the Government Code, relating to retirement systems benefits in county fire service.

Referred to Committee on Municipal and County Government.

Senate Bill No. 267—An act to amend Section 2 of the Water Conservation Act of 1927, relating to the powers of districts formed under said act.

Referred to Committee on Municipal and County Government.

Senate Bill No. 954—An act to add Section 1508 to the Welfare and Institutions Code, relating to aid to needy children, in respect to the obligations of step-fathers to support needy children.

Referred to Committee on Social Welfare.

Senate Bill No. 1062—An act to amend Sections 16305, 16322, 16349, 16350, 16390, 16391, 16392, 16430, and 16451 of the Business and Professions Code, and to add Sections 16304.1 and 16320.1 thereto, relating to itinerant merchants.

Referred to Committee on Agriculture

Senate Bill No. 1212—An act to amend Sections 1394 and 1395 of, and to add Section 1394.5 to, the Labor Code, relating to child labor.

Referred to Committee on Industrial Relations.

Senate Bill No. 1250—An act to add Sections 262 and 263 to the Agricultural Code, relating to bovine brucellosis.

Referred to Committee on Agriculture.

Senate Bill No. 1544—An act to add Section 7.1 to the Alcoholic Beverage Control Act, relating to transfer of licenses.

Referred to Committee on Boards and Commissions.

Senate Bill No. 1589—An act to amend Sections 25008 and 25102 of the Corporation Code, relating to securities.

Referred to Committee on Finance and Insurance.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 2005—An act to add Chapter 4 to Part 4 of Division 3 of Title 2 of the Government Code, relating to state-owned motor vehicles, and prescribing the powers and duties of the Department of Finance, the State Personnel Board and the State Board of Control with respect thereto.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, line 3, of the printed bill, as amended in the Assembly on April 18, 1951, after "business", strike out "any"; strike out lines 4, 5, 6, and 7, and in line 8, strike out "until said reports and certification are filed;".

Amendment No. 2

On page 2, line 30, of said bill, strike out "section", and insert "chapter".

Amendment No. 3

On page 2, line 32, of said bill, strike out all of line 32 following "code"; and strike out lines 33, 34, 35, and 36.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1814—An act to amend Sections 8604, 8608 and 9256 of, and to add Sections 8610, 8611, 8651.5, 8706, 9257, 9258, 9259, 9260, 9261, 9262 and 9263 of, and to repeal Part 4, Division 2, of the Revenue and Taxation Code, relating to state taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

Strike out lines 4 to 6, inclusive, of the title of the printed bill, as amended in the Assembly on March 26, 1951, and insert "9257, 9258 and 9655 to, the Revenue and Taxation Code, and to add Section 372.1 to the Vehicle Code, relating to the use fuel tax, the motor vehicle transportation license tax and weight fees on commercial vehicles, and providing that this act shall take effect immediately."

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "8651.1", and insert "8651.5".

Amendment No. 3

On page 1 of the printed bill, strike out lines 3 to 10, inclusive, and insert "8651.5. A supplemental excise tax is hereby imposed at the rate of four and one-half cents ($0.04½) per gallon on the use in any heavy motor vehicle of fuel by any user thereof."

Amendment No. 4

On page 2, line 8, of the printed bill, strike out "commercial", and insert "heavy motor".

Amendment No. 5

On page 2 of the printed bill, strike out lines 13 to 17, inclusive, and insert "8610. "Heavy motor vehicle" means

(a) any motor vehicle having an unladen weight of 6001 pounds or more, and

(b) any truck tractor having an unladen weight of 5001 pounds or more designed, used or maintained primarily for the transportation of property."

Amendment No. 6

On page 2, line 24, of the printed bill, strike out "commercial", and insert "heavy motor".

Amendment No. 7

On page 2, line 45, of the printed bill, strike out "commercial", and insert "heavy motor".

Amendment No. 8

On page 3 of the printed bill, strike out lines 3 to 52, inclusive; and on page 4, strike out lines 1 to 11, inclusive, and insert

"9258. The board, by contract with the Department of Agriculture, may make such arrangements as may be feasible for the use of the facilities and personnel of the department's border quarantine stations in the enforcement of the provisions of this part with respect to the operations of foreign heavy motor vehicles and that department shall enforce such provisions in accordance with such contractual arrangements.

SEC. 10. Section 9655 is added to the Revenue and Taxation Code, to read:

9655. This part does not apply to operators engaged exclusively in the transportation of property.

The tax does not apply to the gross receipts derived from the transportation of

(a) property in vehicles designed, used or maintained primarily for the transportation of property, or

(b) persons in vehicles designed, used or maintained primarily for the transportation of property and with respect to the use of fuel in which the tax imposed by Section 8651.5 is applicable

SEC. 11. Section 372.1 is added to the Vehicle Code, to read:

372.1. (a) In lieu of the fees imposed in subdivision (c) of Section 372, there shall be paid fees for the registration of any truck tractor having an unladen weight of 5,001 pounds or more and for any motor vehicle having an unladen weight of 6,001 pounds or more having not more than two axles and designed, used or maintained primarily for the transportation of property and with respect to the use of fuel in which the tax imposed by Section 8651.5 of the Revenue and Taxation Code is applicable, according to the following schedule:

	Unladen Weight	Fee
(1)	5,001 lbs. to and including 7,000 lbs.	$10.00
(2)	7,001 lbs. to and including 8,000 lbs.	15.00
(3)	8,001 lbs. to and including 9,000 lbs.	20.00
(4)	9,001 lbs. to and including 10,000 lbs.	25.00
(5)	10,001 lbs. to and including 11,000 lbs.	30.00
(6)	11,001 lbs. to and including 12,000 lbs.	40.00
(7)	12,001 lbs. to and including 13,000 lbs.	50.00
(8)	13,001 lbs. to and including 14,000 lbs.	60.00
(9)	14,001 lbs. and over	70.00

(b) In lieu of the fees imposed in subdivision (d) of Section 372, there shall be paid fees for the registration of any truck tractor having an unladen weight of 5,001 pounds or more and for any motor vehicle having an unladen weight of 6,001 pounds or more having three or more axles and designed, used or maintained primarily for the transportation of property and with respect to the use of fuel in which the tax imposed under Section 8651.5 of the Revenue and Taxation Code is applicable, according to the following schedule:

(1)	5,001 lbs. to and including 7,000 lbs.	$15.00
(2)	7,001 lbs. to and including 8,000 lbs.	22.00
(3)	8,001 lbs. to and including 9,000 lbs.	30.00
(4)	9,001 lbs. to and including 10,000 lbs.	37.00
(5)	10,001 lbs. to and including 11,000 lbs.	45.00
(6)	11,001 lbs. to and including 12,000 lbs.	60.00
(7)	12,001 lbs. to and including 13,000 lbs.	75.00
(8)	13,001 lbs. to and including 14,000 lbs.	90.00
(9)	14,001 lbs. to and including 15,000 lbs.	105.00
(10)	15,001 lbs. and over	120.00".

Amendment No. 9

On page 4, line 12, of the printed bill, strike out "16", and insert "12".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2026—An act to amend Section 625a of the Penal Code, relating to the unlawful interference with fire-alarm apparatus and false alarms, providing punishment therefor.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2026?

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on April 18, 1951, strike out lines 1 to 11, inclusive.

The roll was called, and the Assembly refused to concur in Senate amendment to Assembly Bill No. 2026 by the following vote:

AYES—Evans, Fleury, Gaffney, and Tomlinson—4.

NOES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dills, Dolwig, Elliott, Erwin, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Levering, Lipscomb, Lowrey, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Shaw, Silliman, Smith, Stanley, Stewart, and Thomas—54.

Appointment of Committee on Conference Concerning Assembly Bill No. 2026

The Speaker announced the appointment of Messrs. George D. Collins, Fleury, and Gaffney as a Committee on Conference concerning Assembly Bill No. 2026.

ANNOUNCEMENT

Mr. Beck announced that it has just been announced over the newswires that Ernest Roll, Chief Deputy in the office of the District Attorney of Los Angeles County, has succeeded the late District Attorney, the Honorable William Simpson, having just been appointed District Attorney of Los Angeles County.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 3253 FROM COMMITTEE CONTINUED

By unanimous consent, the notice of motion by Mr. Rosenthal to withdraw Assembly Bill No. 3253 from committee was continued until the next legislative day.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 657—An act to amend Section 10.2 of the Parking Law of 1949 and Section 32951 of the Streets and Highways Code, relating to off-street parking facilities.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 657?

Amendment No. 1

On page 1, line 14, of the printed bill, as amended in the Assembly on April 13, 1951, strike out "area", and insert "capacity".

Amendment No. 2

On page 1, line 15, of said bill, as amended, strike out "area", and insert "capacity".

Amendment No. 3

On page 2, line 3, of said bill, as amended, strike out "area", and insert "capacity".

Amendment No. 4

On page 2, line 4, of said bill, as amended, strike out "area", and insert "capacity"

Amendment No. 5

On page 2 of the printed bill, as amended in the Senate on May 2, 1951, between lines 8 and 9, insert

"If this section is held invalid, no existing parking facility may be acquired by an authority."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 657 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Parker, Porter, Rosenthal, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 657 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 636

Mr Evans asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 636, temporarily passed on the unfinished business file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 636—An act to add Section 31765 to the Government Code, relating to the retirement of county employees.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 636?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on April 3, 1951, strike out "the retirement of", and insert "benefits payable by retirement systems for".

Amendment No. 2

On page 1 of said bill, as amended, strike out lines 3 to 13, inclusive, and insert

"31765. Upon the death of a member who was eligible to retire, or who had 30 years or more of county service, in circumstances in which a death benefit is payable under Article 12, if the deceased member has designated as beneficiary his spouse who survives him by not less than 30 days, such surviving spouse may elect, at any time before acceptance of any benefits from the retirement system, to receive, in lieu of the death benefit otherwise payable under Article 12, the same retirement allowance as that".

Amendment No. 3

On page 1, line 16, of said bill, as amended, strike out "in lieu of the death benefit under Article 12".

Amendment No. 4

On page 1, line 17, of said bill, as amended, strike out "annuity", and insert "allowance to the surviving spouse".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 636 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury,

Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

Assembly Bill No. 636 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 638

Mr. Evans asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendment to Assembly Bill No 638, temporarily passed on the unfinished business file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 638—An act to add Section 31652.1 to the Government Code, relating to the retirement of county employees.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 638?

Amendment No. 1

On page 1, line 13, of the printed bill, as amended in the Assembly on March 30, 1951, strike out "reinstatement", and insert "his return to county service".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 638 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

Assembly Bill No. 638 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 639

Mr. Evans asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 639, temporarily passed on the unfinished business file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 639—An act to amend Section 31560 of, and to add Section 31641.5 to, the Government Code, relating to retirement of county employees.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 639?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend", and insert "repeal".

Amendment No. 2

On page 1 of said bill, strike out line 2, and insert "repealed."

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 20, inclusive.

Amendment No. 4

On page 1, lines 24 and 25, of said bill, strike out "but subsequent to the establishment of the system".

Amendment No. 5

On page 2, line 1, of said bill, strike out "who", and insert "shall have the right to receive credit in the retirement association for all or any part of the county service he rendered during the time he was in county service before becoming a member if".

Amendment No. 6

On page 2, line 2, of said bill, strike out "pays", and insert "he elects to pay, and thereafter pays, in accordance with such election, and prior to retirement.".

Amendment No. 7

On page 2 of said bill, strike out lines 3 to 6, inclusive, and insert "fund an amount equal to the contributions he would have made to the retirement fund if he had been a member during the time for which he has elected to receive credit, computed by applying the contribution rate first applicable to him upon becoming a member to the aggregate compensation he actually received during the time he was in county service and for which he has elected to receive credit, together with interest at the current rate on that amount from the time he became a member until completion of payment Such payment may be made by lump sum or by installment payments over a period not to exceed the length of time for which the member has elected to receive credit, in such manner and at such times as the board may by rule prescribe. No member shall receive credit under this section for any service for which he has not completed payment pursuant to this section before the effective date of his retirement. A member who has elected to make such payment by installment payments may complete payment thereof by lump sum payment at any time prior to the effective date of his retirement. Any sums paid by a member pursuant to this section shall be considered to be and administered as normal contributions by the member.

Where county service prior to membership was rendered on a part-time basis, the member may receive credit for such proportion of the time he held the part-time position as the time he was actu-".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 639 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

Assembly Bill No. 639 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 641

Mr. Evans asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 641, temporarily passed on the unfinished business file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 641—An act to amend Section 31627 of, and to add Sections 31469.5, 31557.5, and 31585.5 to, the Government Code, relating to retirement of county employees.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 641?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 31627", and insert "Sections 31460 and 31468".

Amendment No. 2

In lines 1 and 2 of the title of said bill, strike out "Sections 31469.5, 31557.5, and 31585.5", and insert "Section 31469.5".

Amendment No. 3

In line 3 of the title of said bill, strike out "retirement of".

Amendment No. 4

In line 3 of the title of said bill, strike out the period, and insert "retirement systems, and providing for the inclusion therein of officers and employees of certain organizations of public employees."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 5

On page 1 of said bill, strike out lines 1 and 2 and insert

"SECTION 1. Section 31460 of the Government Code is amended to read:

31460. (a) "Compensation" means the remuneration paid in cash out of county or district funds controlled by the board of supervisors plus the monetary value, as determined by the board, of board, lodging, fuel, laundry, and other advantages furnished to a member in payment for his services.

(b) In respect to employees of districts as defined in [subdivision (e)] *subdivisions (c) and (d)* of Section 31468, "compensation" means the remuneration paid in cash out of funds of the district plus the monetary value, as determined by the board, of board, lodging, fuel, laundry, and other advantages furnished to a member in payment for his services.

SEC. 2. Section 31468 of said code is amended to read:

31468. (a) "District" means a district, other than school district, formed under the laws of the State, and required by law to deposit its funds in the county treasury.

(b) "District" also includes any institution operated by two or more counties, in one of which there has been adopted an ordinance placing this chapter in operation.

(c) "District" also includes any organization or association authorized by Chapter 26, Statutes of 1935, as amended by Chapter 30, Statutes of 1941, or by Section 50024 of this code, which organization or association is maintained and supported entirely from funds derived from counties, and the board of any retirement system is authorized to receive the officers and employees of such organization or association into the retirement system managed by the board

(d) "District" also includes any organization of public employees not less than one-half of the members of which are members of the county employees' retirement association, and the membership of which includes at least one-half of the members of the county employees' retirement association.

SEC. 3. Section 31469.5 is added to said code, to read:".

Amendment No. 6

On page 1 of said bill, strike out line 4, and insert "person employed by a district as defined in subdivision (d) of Section 31468 and whose compensation is paid from funds of the district."

Amendment No. 7

On page 1 of said bill, strike out lines 5 to 25, inclusive; and on page 2, strike out lines 1 to 14, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 641 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

Assembly Bill No 641 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 742

Mr. Evans asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendment to Assembly Bill No. 742, temporarily passed on the unfinished business file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 742—An act to amend Sections 31679 and 31681 of the Government Code, relating to retirement systems.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 742?

Amendment No. 1

On line 15 of the printed bill, as amended, strike out, beginning with "Each", through and including "1947", on line 18.

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 742 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

Assembly Bill No. 742 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 99

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 99, temporarily passed on the unfinished business file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 99—An act to amend Section 6.11 of the Alcoholic Beverage Control Act, relating to organizations, associations and clubs, and providing for the issuance of on-sale general licenses thereto.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 99?

Amendment No. 1

On page 2, line 10, of the printed bill, as amended in the Assembly on March 28, 1951, strike out the period, and insert "; or any trap or skeet club which is a nonprofit organization having at least three permanent trap houses or two permanent skeet fields and having at least 100 members, which is organized and operated according to accepted national regulations and which has been for a period of at least one year certified, either by a national trap or skeet association operating actively in at least 25 states or by one operating actively in all three West Coast states, as eligible to hold regular trap or skeet shoots, and which has been in existence for more than one year, and which owns, leases, operates or maintains the land upon which said trap houses or skeet fields are located and a club house adjacent to said trap houses or skeet fields."

Amendment No. 2

On page 2 of said bill, as amended, between lines 35 and 36, insert

"(h) Any society or association which has been in existence for not less than twenty (20) years which is nonsectarian and nonpolitical and the purpose of which is to provide social and cultural benefits to its members, who must be American citizens or have signified their intention of becoming citizens, are not less than one hundred (100) in number, which is affiliated with a state-wide organization of similar societies or associations, and which owns the premises where it maintains a club room or rooms for its members, and where admission to the club room or rooms is restricted to members and their bona fide guests, and which has operated or maintained such club room or rooms for not less than one year.

(i) Any bona fide nonprofit corporation, which is a bona fide horse riding club and which has more than 25 bona fide regular members which owns, maintains or operates a regular riding club together with a clubhouse thereon and has operated such establishment for not less than five years.

(j) Any social club which is a nonprofit organization and which is organized and operated for the purposes of maintaining, restoring or preserving historical monuments, landmarks or buildings, which said club or organization has more than 150 bona fide members paying regular monthly dues and which club or organization owns its own clubhouse and the real property upon which the clubhouse is situated, and which said clubhouse and/or real property constitute an historical monument, landmark or building."

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 99 by the following vote:

AYES—Belotti, Brady, Condon, Cooke, Crowley, Dickey, Dolwig, Gubser, Hinckley, Hollibaugh, Kelly, Lyon, Maloney, McCollister, Morris, Stanley, and Thomas—17.

NOES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Conrad, Davis, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Henderson, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, McCarthy, McFall, McGee, McMillan, Meyers, Moss, Munnell, Parker, Rosenthal, Shaw, Silliman, Smith, Stewart, Tomlinson, and Waters—49.

Appointment of Committee on Conference Concerning Assembly Bill No. 99

The Speaker announced the appointment of Messrs. McCollister, Doyle, and Lyon as a Committee on Conference concerning Assembly Bill No. 99.

Explanation of Vote on Assembly Bill No. 99

I voted in favor of concurrence in Senate amendments on this bill in order to have an opportunity to be appointed to the "Free Conference Committee"

G. DELBERT MORRIS

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 188

Mr. Thomas asked for, and was granted, unanimous consent that he be permitted to take up his notice of motion to reconsider Assembly Bill No. 188, temporarily passed on the unfinished business file, out of order, at this time.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 188

In compliance with a notice given on a previous day, Mr. Thomas moved that the vote whereby Assembly Bill No. 188 was passed be reconsidered.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Stanley moved a call of the Assembly

Motion carried. Time, 10.58 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Cloyed, Coats, Evans, Gubser, Kilpatrick, and Niehouse—6.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Hinckley asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 1985—An act to repeal Chapters 2 and 15 of Division 3 of the Education Code, to repeal Article 1 of Chapter 16 of Division 3 of said code, to repeal Section 6851.1 of said code, to amend Section 6841 of said code, to add Chapters 2 and 15 to Division 3 of said code, to add Article 1 to Chapter 16 of Division 3 of said code, and to add Section 6905 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments, proposed by the Committee on Ways and Means, were ordered printed in the Journal, without action at this time:

Amendments Proposed by Committee on Ways and Means

Amendment No. 1

In line 6 of the title of the printed bill, as amended in the Assembly on April 10, 1951, strike out "and".

Amendment No. 2

In line 7 of the title of said bill, after "code," insert "and to add Part 12, comprising Sections 27000 to 28179, inclusive, to Division 2 of the Revenue and Taxation Code,".

Amendment No. 3

On page 26 of said bill, between lines 18 and 19, insert

"SEC. 9. Part 12, comprising Sections 27000 to 28179, inclusive, is added to Division 2 of the Revenue and Taxation Code, to read:

PART 12. CIGARETTE TAX

CHAPTER 1. DEFINITIONS

27000. This part is known and may be cited as the "Cigarette Tax Law."

27001. Except where the context otherwise requires, the definitions given in this chapter govern the construction of this part.

27002. "Cigarette" means any roll for smoking, made wholly or in part of tobacco, irrespective of size or shape and irrespective of whether the tobacco is flavored, adulterated or mixed with any other ingredient, where such roll has a wrapper or cover made of paper or any other material, except where such wrapper is wholly or in the greater part made of tobacco.

27003. "Person" includes any individual, firm, copartnership, joint adventure, association, social club, fraternal organization, corporation, estate, trust, business trust, receiver, syndicate, this State, any county, city and county, municipality, district, or other political subdivision thereof or any other group or combination acting as a unit and also an executor, administrator, receiver, trustee or other fiduciary.

27004. "Sale" and "sold" mean any transfer, exchange, or barter, with or without compensation, in any manner or by any means whatever.

27005. "'Package" means the individual package, box, or other container in or from which retail sales of cigarettes are normally made or intended to be made.

27006. "Vendor" means any person who comes into possession of cigarettes for the purpose of sale, use or distribution within this State.

27007. "Agent" means any person authorized by the board to purchase and affix adhesive or meter stamps under this part

27008. "Stamp" means the stamp or stamps authorized by the board, by use of which the tax levy under this part is paid.

27009. "Board" means the State Board of Equalization.

CHAPTER 2. IMPOSITION OF TAX

27050. From and after the first day of July, 1951, there is hereby levied, and there shall be collected as provided in this part, an excise tax upon all cigarettes

possessed in this State by any person for sale, use, consumption, handling or distribution in an amount equal to three cents ($0.03) for each 20 cigarettes or fraction thereof.

27051. Cigarettes sold under such circumstances that this State is without power to impose such tax or sold to or by a voluntary unincorporated organization of army or navy personnel operating a place for the sale of goods pursuant to regulations promulgated by the Secretary of War or the Secretary of the Navy are exempted from the taxes imposed by this part.

27052. Any vendor engaged in interstate business who shall furnish surety bond in a sum satisfactory to the board may set aside such part of his stock as may be necessary for the conduct of such interstate business without affixing the stamps required under this part. Such interstate stock shall be kept separate and apart from all other stocks of cigarettes. Such vendor shall at the time of shipping or delivering any cigarettes make a true and duplicate invoice of the same which shall show full and complete details of the sale or delivery and shall retain the same subject to the use and inspection of the board.

27053. It shall be presumed for the purposes of this part that all cigarettes manufactured in this State, delivered to or possessed by any person on and after July 1, 1951, are subject to tax under this part until the contrary is established, and the burden of proof that any cigarettes are not taxable under this part shall be upon the person claiming the exemption.

CHAPTER 3. PAYMENT OF TAX

27075. Vendors and agents shall be liable to the State as taxpayers for the payment of the tax imposed under this part and shall pay the tax by purchasing adhesive or meter stamps from the board of such design and denomination as it may prescribe

27076. Every vendor within 24 hours of the receipt of any cigarettes shall cause to be affixed on every package of such cigarettes on which the tax required under this part has not previously been paid as evidenced by stamps affixed thereto, stamps of an amount equal to the tax due thereon before such person sells, offers for sale, uses, consumes, handles, removes or distributes such cigarettes in this State.

27077. Stamps shall be affixed to each package of cigarettes of an aggregate denomination not less than the amount of tax upon the contents therein, and shall be affixed in such manner as to be visible to the purchaser and that they cannot be removed from the package or container without being mutilated or destroyed.

27078. The board may require returns to be filed with it at such times and containing such information as it may prescribe.

27079 The board shall prescribe, prepare and furnish stamps of such denominations and quantities as may be necessary for the payment of the tax imposed by this part, and may from time to time and as often as it deems advisable provide for the issuance and exclusive use of stamps of a new design and forbid the use of stamps of any other design The board shall make provisions for the sale of such stamps at such places and at such times as it may deem necessary.

27080. The board may appoint dealers in cigarettes, manufacturers of cigarettes, and other persons within or without the State as agents to buy or affix stamps to be used in paying the tax required under this part. An agent shall at all times have the right to appoint the person in his employ who is to affix the stamps to any cigarettes under the agent's control. Whenever the board shall sell and deliver stamps to any such agent, he shall be entitled to receive as compensation for his services and expenses as such agent in purchasing and affixing the stamps, and to retain out of the money to be paid by him for the stamps, a commission on the par value thereof. The board may prescribe a schedule of commissions, not exceeding 3 per centum allowable to such agent for buying and affixing such stamps. Such schedule shall be uniform with respect to the different types of stamps used, and may be on a graduated scale with respect to the number of stamps purchased.

27081. The board may, in its discretion, permit an agent to pay for such stamps within 30 days after the date of purchase provided a bond satisfactory to the board in an amount not less than the sale price for such stamps shall have been filed with the board conditioned upon payment for the stamps

27082. The board may authorize the use of meter stamping machines for imprinting stamps, which imprinted stamps shall be in lieu of those otherwise provided for in this part, and shall prescribe reasonable rules and regulations with respect to the use thereof

CHAPTER 4. RECORDS

28000 At the time of delivering cigarettes to any person in this State each agent shall make a true duplicate invoice showing the date of delivery, the number of packages and number of cigarettes contained therein, in each shipment of cigarettes delivered, and the name of the purchaser to whom delivery is made, and shall retain the same for a period of three years subject to the use and inspection of the board

28001 Each vendor shall procure and retain invoices showing the number of packages and number of cigarettes contained therein, in each shipment of cigarettes received by him, the date thereof, and the name of the shipper, and shall retain the same for a period of three years subject to the use and inspection of the board.

28002. The board by regulation may provide that whenever cigarettes are shipped into the State, the railroad company, express company, trucking company or other public carrier transporting any shipment thereof shall file with the board a copy of the freight bill within 10 days after the delivery in the State of each shipment All vendors shall maintain and keep for a period of three years such other records of cigarettes received, sold or delivered within the State as may be required by the board.

28003. Every person who shall possess or transport any unstamped packages of cigarettes shall be required to have in his actual possession invoices or delivery tickets for such cigarettes. The absence of such invoices or delivery tickets shall be prima facie evidence that such person is a vendor in this State and subject to the provisions of this part.

CHAPTER 5. DETERMINATIONS

28025. If any person fails to pay the tax required under this part the board shall make an estimate of the quantity of cigarettes sold, used, consumed, handled or distributed by such person in this State on which the tax was not paid The estimate shall be based upon any information which is in the board's possession or may come in its possession Upon the basis of this estimate the board shall compute and determine the amount required to be paid to the State, adding to the sum thus arrived at a penalty of an amount equal to the total tax computed, and interest on the amount of the tax at the rate of 1 percent for each 30 days or fraction thereof from the date the tax should have been paid until the date of payment.

28026. Promptly after making its determination the board shall give to the person written notice of the estimate, determination, and penalty, the notice to be served personally or by mail; if by mail, service shall be made pursuant to Section 1013 of the Code of Civil Procedure.

CHAPTER 6. COLLECTIONS

Article 1. Seizure and Sale

28050. Whenever the board shall discover any cigarettes, subject to tax under this part, and upon which the tax has not been paid or the stamps affixed as herein required, it is hereby authorized and empowered to seize and take possession of such cigarettes together with any vending machine or receptacle in which they are held for sale. Such seized cigarettes, vending machine or receptacle shall be deemed to be forfeited to the State

28051 The board may, within a reasonable time after a seizure of cigarettes pursuant to this chapter, by a public notice at least five days before the day of sale, sell such forfeited cigarettes at a place to be designated by it and from the proceeds of such sale shall collect the tax due thereon and all other unpaid cigarette taxes found to be due from the vendor by the board together with a penalty of an amount equal to the taxes due and interest at the rate of 1 percent for each 30 days or fraction thereof from the date the tax should have been paid until the date of payment and the costs incurred in such proceedings The board shall pay the balance, if any, to the person in whose possession such forfeited cigarettes were found

28052. The board, in lieu of the sale of cigarettes as provided in this chapter, may permit the person from whom any cigarettes were seized to redeem the cigarettes, and any vending machine or receptacle seized therewith, by the payment of the taxes due together with a penalty of an amount equal to the tax due thereon, interest on the amount of the tax at the rate of 1 percent for each 30 days or fraction thereof from the date the tax should have been paid until the date of payment, and the costs incurred in such proceeding, which total payment shall not be less than five dollars ($5).

28053. The seizure and sale or redemption of cigarettes shall not be deemed to relieve any person from fine or imprisonment provided herein for violation of any provision of this part

28054 When the board has good reason to believe that any cigarettes are being kept, sold, or offered for sale, in violation of the provisions of this part or its regulations it may make an affidavit of such fact, describing the place or thing to be searched, before any justice of peace, or judge of any court in this State, and such justice or judge shall issue a search warrant directed to the sheriff, any constable, police officer, or duly authorized agent of the board commanding him diligently to search any building, room, place, or vehicle as may be designated in the affidavit and search warrant, and to seize such cigarettes so possessed and to hold the same until disposed of by law, and to arrest the person in possession or control of the same. If upon the return of such warrant, it shall appear that any of the cigarette, unlawfully possessed, were seized, the same shall be sold as provided in this part.

Article 2. Civil Action

28075. If any person is delinquent in the payment of any obligation imposed under this part, the board may transmit notice of the delinquency to the Attorney General who shall at once proceed by appropriate legal action to collect all sums due the State

28076 In the action a writ of attachment may issue, and no bond or affidavit previous to the issuing of the attachment is required

28077. In the action a certificate by the board showing the delinquency shall be prima facie evidence of the levy of the tax, of the delinquency of the amount of tax,

interest and penalties set forth in the certificate, and of compliance by the board with all provisions of this part in relation to the assessment of the property and computation and levy of the tax.

CHAPTER 7 REFUNDS

28100. The board may issue regulations providing for the refund to agents and vendors of the cost of stamps affixed to packages of cigarettes, which by reason of damage become unfit for sale or use and are destroyed by the vendor or agent, or are returned to the manufacturer or jobber In the case of any packages to which stamps have been affixed, and which packages have been sold and shipped to a regular dealer in cigarettes in another state, the seller in this State shall be entitled to a refund of the actual amount of the stamps so affixed, upon condition that the seller in this State shall file an affidavit that the packages were sold and shipped outside of the State and that he has received from the purchaser outside the State a written acknowledgment that he has received such packages with the amount of stamps affixed thereto, together with the name and address of such purchaser No refund shall be made under this section unless the stamps so affixed for which the refund is claimed have been marked void by the seller in this State with the name and address of the seller stamped thereon

28101. The board is authorized to redeem any unused stamps purchased from it at the face value thereof less any discount allowed upon their purchase, as an agent's commission.

28102. No person shall sell or offer for sale any stamp or stamps issued under this part except by written permission of the board

CHAPTER 8. ADMINISTRATION

28125. The board shall enforce the provisions of this part and may issue regulations relating to the administration and enforcement of this part.

28126. The board may employ accountants, auditors, investigators, assistants and clerks necessary for the efficient administration of this part.

28127. Every person dealing in, transporting or storing cigarettes in the State shall keep such records, receipts, invoices, and other pertinent papers with respect thereto, and in such form, as the board may require.

28128. The board or its authorized representative may examine the books, records, papers, stock in trade, and equipment of any person dealing in, transporting, or in possession of, cigarettes, and may investigate the character of the disposition which such person makes of the cigarettes in order to ascertain whether all excise taxes due under this part have been properly paid

28129. It is unlawful for the board of any person having an administrative duty under this part to make known in any manner whatever other than in the discharge of official duties the business affairs, operations, or information obtained by an investigation of records and equipment of any person visited or examined in the discharge of an official duty, or the amount or source of income, profits, losses, expenditures or any particular thereof, set forth or disclosed in any report or copy thereof, or any book containing any abstract or particulars thereof to be seen or examined by any person. However, the Governor may, by general or special order, authorize examination of the reports by other state officers, by tax officers of another state, by the Federal Government if a reciprocal arrangement exists, or by any other person.

CHAPTER 9. DISPOSITION OF PROCEEDS

28150 All moneys and remittances received by the State Board of Equalization in pursuance of the provisions of this act shall be transferred promptly to the State Treasurer, and copies of the schedules covering such transmittals shall be furnished at the same time to the State Controller. All moneys so received and so transmitted shall be deposited in the State Treasury and credited to the "Cigarette Tax Fund," which fund is hereby created, to be used for the expenses of the board in administering this act At the end of each fiscal year the surplus remaining in such fund shall be transferred to the General Fund If at any time the Legislature shall appropriate funds for the expenses of the board in administering this act then all money received by the board under this act and transmitted to the State Treasurer shall be deposited in the General Fund.

CHAPTER 10. VIOLATIONS

28175. It is a felony for any person falsely or fraudulently to make, forge, alter or counterfeit any stamp prescribed by the board under the provisions of this part, or to cause or procure to be falsely or fraudulently made, forged, altered or counterfeited any such stamp, or to knowingly and wilfully use, utter, purchase, pass or tender as true any such false, altered or counterfeited stamp.

28176. It is a misdemeanor for any person to fail, neglect, or refuse to comply with, or to violate any provision of this part or any regulation issued by the board under this part.

28177. It is a misdemeanor for any person to possess or transport unstamped packages of cigarettes in this State for the purpose of sale, or to sell or offer for sale unstamped packages of cigarettes in violation of the provisions of this part

28178. All agents, employees and others who aid, abet, or otherwise participate in any way in the violation of the provisions of this part, shall be guilty and punishable as principals.

28179. It is presumed that persons other than vendors and agents who purchase or receive shipments of unstamped cigarettes do so to avoid payment of the tax imposed under this part.

SEC. 11. It is the intent of the Legislature in enacting Part 12 of Division 2 of the Revenue and Taxation Code that the proceeds of the taxes levied by that part shall be devoted to the support of public education as provided in Chapters 2, 12, 14, 15, and 16 of Division 3 of the Education Code to the extent that such cost is not required to be provided for by Section 6 of Article IX of the Constitution and for the payment of interest and principal of any bonds issued pursuant to Section 15 of Article XVI of the Constitution. This section shall not be construed to set aside in any manner the specific proceeds of the taxes levied under Part 12, but such proceeds shall be applied as provided in Section 28150 of the Revenue and Taxation Code."

Amendment No. 4

On page 26, line 19, of said bill, strike out "9", and insert "10".

Amendment No. 5

On page 21, line 35, of said bill, strike out "to", and insert "during".

Amendment No. 6

On page 21 of said bill, between lines 36 and 37, insert

"For the purposes of this section: (1) in making any computation under Section 7091, the assessed valuation in the district as shown by the equalized assessment roll of the district for the current school year shall be used in lieu of the assessed valuation prescribed by said section and (2) Sections 7104 and 7105 shall not be applicable."

Amendment No. 7

On page 26, line 15, of said bill, strike out "and", and insert "if".

Amendment No. 8

On page 6 of said bill, strike out lines 10 and 11, and insert "determining the total current expenses of a district for transportation."

Amendment No. 9

On page 6 of said bill, strike out lines 14 and 15, and insert

"(d) Establish and prescribe formulae for the sole purpose of computing financial allowances under which school busses may be acquired in accordance with the provisions of Section 7037."

Amendment No. 10

On page 6 of said bill, strike out line 18, and insert

"(f) Establish and prescribe formulae for the sole purpose of computing financial allowances for reimbursement of replacement expenses incurred by a school district in replacing school busses."

Assembly Bill No. 1985 ordered to third reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 59: By Messrs. Hawkins and Dunn—Relative to the sixty-seventh birthday of the Honorable Harry S Truman.

Referred to Committee on Rules.

APPOINTMENT OF SELECT COMMITTEE

Speaker Sam L. Collins announced the appointment of Messrs. Cooke and Maloney as a Select Committee to escort Rear Admiral Bertram J. Rodgers, U.S.N., Commandant of the 12th Naval District, to the rostrum.

RECESS

At 11 a.m., on motion of Mr. Cooke, the Assembly recessed until 11.05 a.m. to hear remarks from Rear Admiral Bertram J. Rodgers, U.S.N., Commandant of the 12th Naval District.

REASSEMBLED

At 11.05 a.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 1985

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Revenue and Taxation.

SHERWIN, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1752
Assembly Bill No. 2374
Assembly Bill No. 3392

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3310
Assembly Bill No. 3311

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1568
Assembly Bill No. 3060
Assembly Bill No. 3307

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 59

Has had the same under consideration, and reports the same back with the recommendation. Be adopted.

DICKEY, Chairman

Request for Unanimous Consent

Mr. Hawkins asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 59, at this time, without reference to print or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 59

Assembly Concurrent Resolution No. 59—Relative to the sixty-seventh birthday of the Honorable Harry S Truman.

Resolution read.

Request for Unanimous Consent That Names of All Members Present, So Desiring, Be Placed Upon Assembly Concurrent Resolution No. 59 as Co-authors

Mr. Hawkins asked for, and was granted, unanimous consent that the names of all members present, so desiring, be placed upon Assembly Concurrent Resolution No. 59 as co-authors.

Roll Call

The roll was called, and the following members indicated a desire to become co-authors of Assembly Concurrent Resolution No. 59:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, George D. Collins, Condon, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lowrey, Luckel, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Stewart, Thomas, and Waters—55.

Further Consideration of Assembly Concurrent Resolution No. 59

Assembly Concurrent Resolution No. 59: By Messrs. Hawkins, Dunn, Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, George D. Collins, Condon, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lowrey, Luckel, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Stewart, Thomas, and Waters—Relative to the sixty-seventh birthday of the Honorable Harry S Truman.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, George D. Collins, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Klocksiem, Lincoln, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stewart, Thomas, Waters, and Mr. Speaker—56.

NOES—None.

Notice of Motion to Reconsider Assembly Concurrent Resolution No. 59

Mr. McGee gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Concurrent Resolution No. 59 was this day adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2052—An act to amend Section 1151 of the Fish and Game Code, relating to the use of lights.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2052?

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in the Assembly on April 19, 1951, after "required", insert ", except that this section shall not apply to sport fishing in ocean waters nor to commercial fishing".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2052 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—69.

NOES—None.

Assembly Bill No. 2052 ordered enrolled.

Assembly Bill No. 2724—An act to amend Sections 3301, 3305, 6403, 6405, 6406, 6407, 6409, 6500, 6501, and 6502 of the Corporations Code, to add Sections 3301.5, 3301.6, 3301.7, 3301.8, 6403.5, and 6403.6 thereto, and to repeal Section 6410 thereof, all relating to corporations.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2724?

Amendment No. 1

On page 2, line 29, of the printed bill, as amended in the Assembly on March 29, 1951, after "to", insert "this".

Amendment No. 2

On page 2, line 30, of said bill, as amended, strike out "3301 or 6403".

Amendment No. 3

On page 7 of said bill, as amended, strike out lines 8 to 31, inclusive, and insert

"6500 Delivery by hand of a copy of any process against a foreign corporation (a) to the president or other head of the corporation, a vice president, a secretary, an assistant secretary, the general manager in this State, or if the corporation be a bank to a cashier or an assistant cashier, (b) to any natural person designated by it as agent for the service of process, or (c), if the corporation has designated a corporate agent, at the office of such corporate agent in the city, town or village named in the statement filed by the corporation pursuant to Section 6403 to any person at such office named in the certificate of such corporate agent filed pursuant to Section 3301.5 or 6403.5, if such certificate has not been superseded, or otherwise to any person at such office named in the last certificate filed pursuant to Section 3301.6 or 6403.6, shall constitute valid service on the corporation."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2724 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—68.

NOES—None.

Assembly Bill No. 2724 ordered enrolled.

RESOLUTIONS

The following resolution was offered:

By Messrs. Hahn, Beck, Rosenthal, and Munnell:

House Resolution No. 138

Relative to the appointment of Ernest Roll as District Attorney of Los Angeles County

WHEREAS, The Board of Supervisors of Los Angeles County did this day appoint a new district attorney by reason of the death of William Simpson, the incumbent; and

WHEREAS, Ernest Roll, Chief Deputy in the office of the district attorney, was selected by the board of supervisors for this appointment, because of his outstanding performance in exercising the responsibilities of chief deputy; now, therefore, be it

Resolved by the Assembly of the State of California, That the members thereof hereby extend to Ernest Roll their congratulations upon his appointment; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit suitably prepared copies of this resolution to Ernest Roll, District Attorney of Los Angeles County.

Resolution read, and ordered referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 138

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Request for Unanimous Consent

Mr. Hahn asked for, and was granted, unanimous consent to take up House Resolution No. 138, at this time, without reference to file.

CONSIDERATION OF HOUSE RESOLUTION NO. 138

By Messrs. Hahn, Beck, Rosenthal, and Munnell:

House Resolution No. 138

Relative to the appointment of Ernest Roll as District Attorney of Los Angeles County

WHEREAS, The Board of Supervisors of Los Angeles County did this day appoint a new district attorney by reason of the death of William Simpson, the incumbent; and

WHEREAS, Ernest Roll, Chief Deputy in the office of the district attorney, was selected by the board of supervisors for this appointment, because of his outstanding performance in exercising the responsibilities of chief deputy; now, therefore, be it

Resolved by the Assembly of the State of California, That the members thereof hereby extend to Ernest Roll their congratulations upon his appointment; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit suitably prepared copies of this resolution to Ernest Roll, District Attorney of Los Angeles County.

Resolution read, and adopted unanimously.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1198

Mr. Hansen asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 1198, temporarily passed on the unfinished business file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1198—An act to amend Section 803.5 of the Agricultural Code, relating to nectarine standards, declaring the urgency thereof and providing that this act shall take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1198?

Amendment No. 1

In line 2 of the title of the printed bill, after "nectarine", insert "and pear".

Amendment No. 2

On page 2 of said bill, between lines 26 and 27, insert

"SEC. 2. Section 828.45 of said code is amended to read:

828.45.

28	Special sawdust pack chest	$7\frac{3}{4}$	$14\frac{15}{16}$	$18\frac{5}{8}$
29	Special sawdust pack lug	$7\frac{3}{4}$	$13\frac{1}{2}$	$16\frac{1}{8}$
29A	Special lug box	$6\frac{1}{2}$ *or* $7\frac{3}{16}$	$13\frac{1}{2}$	$20\frac{5}{8}$
30	Special lug box	$8\frac{1}{2}$	14	$22\frac{3}{4}$
30A	Special lug box	$4\frac{7}{8}$	15	$22\frac{1}{8}$

Container number 29A with an end piece $7\frac{3}{16}$ inches in depth shall be considered standard only when the inside depth of the container to the top of the side pieces or slats is $6\frac{1}{2}$ inches and when cleats are not placed on top of the end pieces."

Amendment No. 3

On page 2, line 27, of said bill, strike out "2", and insert "3".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1198 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Waters, and Mr. Speaker—71.

NOES—None.

Assembly Bill No. 1198 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 16—An act relating to research in air pollution problems, making an appropriation therefor, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Dickey moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Assembly on April 6, 1951, strike out ", particularly".

Amendment No. 2

On page 1, line 7, of said bill, strike out the comma.

Amendment No. 3

On page 1, line 15, of said bill, strike out "an air pollution research project", and insert "a research project as to the effect of air pollution on public health".

Amendment No. 4

On page 1, line 16, of said bill, strike out "an executive officer", and insert "a research director".

Amendment No. 5

On page 1 of said bill, strike out lines 21 to 23, inclusive, and insert "all existing information and shall conduct a program of continued research relative to the".

Amendment No. 6

On page 2, line 6, of said bill, strike out "Council", and insert "Commission".

Amendment No. 7

On page 2, line 7, of said bill, strike out "or their nominees".

Amendment No. 8

On page 2 of said bill, strike out lines 10 to 25, inclusive, and insert

"(c) The Director of Industrial Relations;
(d) Two members of the medical profession;
(e) Two representatives of industry;
(f) One representative of the Conference of Local Health Officers;
(g) Four persons, one from each of four different California institutions engaged in research;

The members described in paragraphs (d) (e) (f) and (g) shall be appointed by the Governor and shall serve at his pleasure."

Amendment No. 9

On page 2, line 26, of said bill, strike out "executive officer", and insert "research director".

Amendment No. 10

On page 2, line 27, of said bill, strike out "council", and insert "commission".

Amendment No. 11

On page 2, line 29, of said bill, strike out "council", and insert "commission".

Amendment No. 12

On page 2, line 33, of said bill, strike out "council", and insert "commission".

Amendment No. 13

On page 2, line 38, of said bill, following "to", insert "such".

Amendment No. 14

On page 2, line 39, of said bill, strike out "council", and insert "commission".

Amendment No. 15

On page 2 of said bill, strike out lines 40 to 43, inclusive, and insert "Health, shall appoint a research director of the project, who shall be experienced in the field of human toxicology, at an annual salary not to exceed twelve thousand dollars ($12,000) who shall be exempt from civil service and shall serve in a confidential capacity and at the pleasure of the commission."

Amendment No. 16

On page 2, line 46, of said bill, strike out "Council the executive officer", and insert "Commission the research director".

Amendments read, and adopted
Bill ordered reprinted, and re-engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Boards and Commissions

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 3033

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

McMILLAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Senate Bill No. 610

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

McMILLAN, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 2421

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

McMILLAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 3070

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McMILLAN, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 2420

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

McMILLAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 1748

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

McMILLAN, Chairman

Above reported bill ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 58

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred.

Senate Joint Resolution No. 8

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER Your Committee on Rules, to which was referred:

House Resolution No. 136

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 962
Assembly Bill No. 2207
Assembly Bill No. 2512

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 759
Assembly Bill No. 2907

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No. 250

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

GEDDES, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 516
Assembly Bill No. 884
Assembly Bill No. 991

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

GEDDES, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No. 2502

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No. 2261

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bill ordered to third reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1365
Assembly Bill No. 1366
Assembly Bill No. 1368

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP NOTICE OF MOTION TO RECONSIDER SENATE BILL NO. 1610

Mr. Hollibaugh asked for, and was granted, unanimous consent that he be permitted to take up his notice of motion to reconsider vote on Senate Bill No. 1610, temporarily passed on the unfinished business file, out of order, at this time.

RECONSIDERATION OF SENATE BILL NO. 1610

In compliance with a notice given on a previous day, Mr. Hollibaugh moved that the vote whereby Senate Bill No. 1610 was refused passage be reconsidered.

Senate Bill No. 1610 reconsidered by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Dickey, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Grant, Gubser, Hahn, Hollibaugh, Kelly, Klocksiem, Luckel, Lyon, Maloney, McCollister, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Smith, Stewart, Thomas, Waters, and Mr. Speaker—43.

NOES—Beck, Burkhalter, Chapel, George D. Collins, Condon, Elliott, Geddes, Hagen, Hawkins, Henderson, Hinckley, Levering, Lincoln, McFall, McMillan, and Shaw—16.

Senate Bill No. 1610 ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 340—An act creating a district to be called "Kings River Conservation District"; providing for its organization, operation, maintenance and government, for the inclusion of lands therein and the exclusion of lands therefrom; providing for the acquisition, construction, maintenance and operation of works and property for the purposes of the district, including the storage, conservation, distribution and sale of water, the development, distribution and sale of electric power, the drainage, reclamation and protection of land and prescribing and defining the powers, duties, purposes and responsibilities of said district.

Bill read third time.

Motion to Amend

Mr. Brady moved the adoption of the following amendments:

Amendment No. 1

On page 70, line 3, of the printed bill, as amended in the Assembly on May 3, 1951, strike out "and no longer", and insert "not".

Amendment No. 2

On page 70, line 25, of said bill, after the period, insert

"In making a determination upon any such petition for exclusion of lands the board and the State Engineer shall exercise their own independent judgment as to whether the lands described in the petition for exclusion will be substantially benefited by remaining in the district, and neither the board nor the State Engineer shall be bound or controlled, directly or indirectly, by the findings of the Legislature in this act with respect thereto."

Amendments read.

Question of Personal Privilege

Mr. Hagen arose to a question of personal privilege.

Ruling by Speaker

Speaker Sam L. Collins ruled the question of personal privilege not well taken.

The roll was called, and the amendments offered by Mr. Brady to Assembly Bill No. 340 refused adoption by the following vote:

AYES—Beck, Berry, Brady, Coats, George D. Collins, Condon, Connolly, Crowley, Dickey, Elliott, Fleury, Hagen, Henderson, Hollibaugh, Lowrey, Maloney, McFall, McMillan, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, and Shaw—25.

NOES—Babbage, Belotti, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Conrad, Dolwig, Doyle, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, McCollister, McGee, Morris, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr Speaker—41.

The question being on the passage of Assembly Bill No. 340.

Consideration of Further Amendments

Motion to Amend

Mr. Brady moved the adoption of the following amendment:

Amendment No. 1

On page 59, line 30, of the printed bill, as amended in the Assembly on May 3, 1951, strike out "only", and insert "all or".

Amendment read.

Amendment Withdrawn

Mr. Brady withdrew his amendment.

The question being on the passage of Assembly Bill No. 340.

Consideration of Further Amendments

Motion to Amend

Mr. Brady moved the adoption of the following amendment:

Amendment No. 1

On page 11, of the corrected printed bill, as amended in the Assembly on May 3, 1951, after line 52, insert

"Nothing in this act contained shall authorize or be deemed to authorize or permit the Kings River Conservation District to control, regulate, divert, conserve, store or take any water or waters lying or flowing beneath the surface of the land, either within the boundaries of the district or elsewhere, except such water as the district itself may lawfully acquire by purchase, gift or condemnation, as herein provided."

Amendment read.

Speaker Pro Tempore Presiding

At 11.58 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Speaker Presiding

At 12 m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

The roll was called, and the amendment offered by Mr. Brady refused adoption by the following vote:

AYES—Berry, Brady, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dunn, Elliott, Fleury, Hagen, Hawkins, Henderson, Hollibaugh, Lowrey, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, and Shaw—27.

NOES—Babbage, Belotti, Burke, Burkhalter, Chapel, Clarke, Cloyed, Collier, Conrad, Dolwig, Doyle, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McGee, Morris, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—41.

The question being on the passage of Assembly Bill No. 340.

Consideration of Further Amendments
Motion to Amend

Mr. Brady moved the adoption of the following amendment:

Amendment No. 1

On page 66, line 9, of the printed bill, as amended in the Assembly on May 3, 1951, after the period, insert

"Each such tax shall be levied on such lands in proportion to the benefits derived or to be derived by such lands from the project and facilities constructed or acquired with the proceeds of such bonds or under the terms of such contract, and such benefits shall be apportioned among such lands by three disinterested commissioners to be appointed by the State Engineer upon request of the board."

Amendment read.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Berry, Brady, Burkhalter, George D. Collins, Condon, Cooke, Crowley, Dills, Dunn, Elliott, Hagen, McFall, McMillan, Meyers, Munnell, Parker, Rosenthal, Rumford, Shaw, and Thomas—20

NOES—Babbage, Belotti, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Conrad, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Morris, Moss, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—47.

The question being on the passage of Assembly Bill No. 340.

Consideration of Further Amendments
Motion to Amend

Mr. Brady moved the adoption of the following amendment:

Amendment No. 1

On page 71 of the printed bill, as amended in the Assembly on May 3, 1951, between lines 23 and 24, insert

"SEC. 42.5. If any irrigation district, water storage district, or other district or any individual, association, mutual water company, or corporation owning water rights upon the Kings River shall at any time more than three years after the effective date of this act file a petition with the board setting forth (a) that the petitioner has not made any contract with the Kings River Conservation District or with the United States for the use or acquisition of storage space in the Pine Flat Reservoir on the Kings River, (b) that the petitioner does not desire or intend to make any such contract, (c) that the petitioner desires that all lands owned by the petitioner and all lands served by the petitioner with water obtained by petitioner from the Kings River, which lands shall be described in the petition, shall be excluded from the Kings River Conservation District, and (d) that the owners of at least two-thirds in area and two-thirds in assessed value of said lands so served by petitioner have consented to the exclusion of said lands from the Kings River Conservation District, then, within 50 days after the filing of such petition the board shall make an order that the lands described in said petition be excluded from the district. From the time of the making of such order the lands so excluded shall be deemed no longer included in the Kings River Conservation District, but such order of exclusion shall not invalidate in any manner any tax theretofore levied against the lands so excluded under the provisions of Section 37 of this act for the year in which such order is made. The president and secretary of the board shall certify that such order has been adopted to the Secretary of State and to the county recorder of each county within which any portion of said district is located. Upon receipt of the certificate, the Secretary of State shall, within 10 days, issue his certificate reciting the adoption of such order and the exclusion of the area from the district. A copy of such certificate shall be transmitted to and filed with the county clerk of each county in which any portion of the district is situated."

Amendment read.

Motion to Table Amendment

Mr. Collier moved that the amendment being offered by Mr. Brady to Assembly Bill No. 340 be laid upon the table.

Point of Order

Mr. Doyle arose to the following point of order: That the amendment being discussed has not been read, and is not properly before the House.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

Point of Order

Mr. Dunn arose to the following point of order: That the motion by Mr. Collier is not in order as Mr. Brady has the floor and the Rules state that two people may not be given the floor at the same time.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The question being on the adoption of the amendment offered by Mr. Brady.

Motion to Table Amendment

Mr. Collier moved that the amendment just offered by Mr. Brady to Assembly Bill No. 340 be laid upon the table.

Mr. Levering seconded the motion.

Roll Call Demanded

Messrs. Lowrey, Brady, and Hagen demanded a roll call.

The roll was called, and the motion by Mr. Collier lost by the following vote:

AYES—Belotti, Brown, Burke, Chapel, Clarke, Cloyed, Collier, Conrad, Cooke, Dolwig, Erwin, Geddes, Grunsky, Gubser, Hahn, Hansen, Hinckley, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, McCollister, Morris, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters—34.

NOES—Babbage, Beck, Berry, Brady, Burkhalter, Caldecott, Coats, George D. Collins, Condon, Crowley, Davis, Dills, Doyle, Dunn, Elliott, Fleury, Gaffney, Grant, Hagen, Hawkins, Henderson, Klocksiem, Lowrey, Maloney, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, and Thomas—37.

The question being on the adoption of the amendment offered by Mr. Brady to Assembly Bill No. 340.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Beck, Berry, Brady, Burkhalter, Coats, George D. Collins, Condon, Connolly, Crowley, Davis, Dills, Dunn, Elliott, Fleury, Hagen, Henderson, Lowrey, Maloney, McFall, McMillan, Meyers, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, and Thomas—28.

NOES—Babbage, Belotti, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Conrad, Cooke, Dickey, Dolwig, Doyle, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, McCollister, McGee, Morris, Niehouse, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—45.

The question being on the passage of Assembly Bill No. 340.

Consideration of Further Amendments

Motion to Amend

Mr. Brady moved the adoption of the following amendment:

Amendment No. 1

On page 49 of the printed bill, as amended in the Assembly on May 3, 1951, strike out lines 24 to 29, inclusive, and insert

"SEC. 24. Only the holders of title or evidence of title to lands situated within the district shall be entitled to vote at any election under this act, and every such

holder of title or evidence of title shall be entitled to vote, in person or as hereinafter provided, in each precinct in which any of the lands so owned by him and affected by such election are situated and to cast one vote for each one hundred dollars ($100), or fraction thereof, worth of such land exclusive of improvements, minerals, and mineral rights therein so owned by him. The title to and value of land shall be determined by the county assessment roll last equalized at the time of the election in the county in which such land is situated. Each male or female voter over the age of 21 years shall be entitled to vote in person or by proxy. Any guardian, administrator, or executor, of a person or estate owning land within the district shall be considered the holder of title or evidence of title to such lands for the purposes of this act, where the owner in fee is not entitled to vote. Any corporation holding title or evidence of title to lands within the district shall be entitled to vote as such land owner through any officer or agent thereunto duly authorized in writing under the seal of the corporation. No person shall vote by proxy unless his authority to cast such vote shall be evidenced by an instrument in writing duly acknowledged and certified in the same manner as grants of real property and filed with the board of election. Except as herein otherwise provided, the provisions of the Elections Code relating to the qualifications of voters, the manner of voting, the duties of election officers, the canvassing of returns and all other particulars with respect to the management of general elections so far as may be applicable shall govern all district elections; provided, however,"

Amendment read.

Amendment Withdrawn

Mr. Brady withdrew his amendment.

The question being on the passage of Assembly Bill No. 340.

Consideration of Further Amendments

Motion to Amend

Mr. Hagen moved the adoption of the following amendments:

Amendment No. 1

On page 54, line 48, of the printed bill, as amended, in the Assembly on May 3, 1951, after "use", insert "; but no prescriptive right shall be acquired in ground water by use adverse to the rights of beneficial use on the land under which said water is or flows".

Amendment No. 2

On page 56, line 1, of said bill, strike out "recapturing,".

Amendment No. 3

On page 57 of said bill, strike out lines 34 to 40, inclusive, and insert "fixed by the board and the owner; and the district may contract with".

Amendments read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Hagen moved a call of the Assembly.

Motion carried. Time, 12.38 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brown, Dickey, Evans, Hawkins, Hollibaugh, Kilpatrick, and Niehouse—7.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO RECONSIDER ASSEMBLY BILL NO. 188

At 12.39 p.m., on motion of Mr. Stanley, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 188 refused reconsideration by the following vote:

AYES—Berry, Brady, George D. Collins, Condon, Crowley, Dills, Doyle, Dunn, Elliott, Gaffney, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Klocksiem,

Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Thomas, and Tomlinson—38.

NOES—Babbage, Beck, Belotti, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, Connolly, Conrad, Cooke, Davis, Dickey, Dolwig, Erwin, Fleury, Geddes, Hahn, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Lincoln, Lindsay, McCarthy, McGee, Rosenthal, Sherwin, Smith, Stanley, Stewart, Waters, and Mr Speaker—36.

Assembly Bill No. 188 ordered transmitted to the Senate.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Dunn asked for, and was granted, unanimous consent that Assembly Rule No 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

Speaker Pro Tempore Presiding

At 12 45 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3342—An act to add Section 5505.5 to the Elections Code, relating to polling places.

Bill read third time.

Speaker Presiding

At 1.04 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Demand for Previous Question

Messrs. Kirkwood, Hinckley, Burke, Silliman, and Gaffney demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 3342.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burkhalter, Chapel, Coats, George D. Collins, Condon, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Gubser, Hahn, Hawkins, Henderson, Hollibaugh, Klocksiem, Luckel, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Thomas, and Mr. Speaker—41

NOES—Babbage, Brown, Burke, Caldecott, Clarke, Cloyed, Collier, Connolly, Conrad, Crowley, Erwin, Grant, Grunsky, Hinckley, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McGee, Sherwin, Silliman, Smith, Tomlinson, and Waters—31.

Bill ordered transmitted to the Senate.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 1293—An act to add Section 189.7 to the Code of Civil Procedure, relating to destruction of court and other public records.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1490—An act to amend Section 8 of the Deadly Weapons Control Law, relating to the issuance of licenses to carry concealed pistols, revolvers and other firearms.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2453—An act to amend Section 1295 of the Penal Code, relating to bail and deposits instead of bail.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2725—An act to amend Section 1018 of the Code of Civil Procedure, relating to service of process in actions to enforce tax liability.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1981—An act to amend Section 43 of the Public Utilities Act, relating to public utilities.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2502—An act to add Section 52.6 to the Unemployment Insurance Act, relating to the computation and payment of benefits.

Bill read second time, and ordered engrossed.

Assembly Bill No. 591—An act to amend Section 9.5 of the Municipal Court Act of 1925, relating to compensation of officials of the municipal court.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 27, inclusive; and on page 2, strike out lines 1 to 51, inclusive, and insert

"SEC. 9.5. The officers and attaches of the municipal court in a city, or city and county of the second and one-fourth class shall receive compensation as follows:

(a) There shall be one clerk, who shall also serve as secretary, to be appointed by the judges of the court, who shall receive [four hundred fifty dollars ($450)] *seven hundred dollars ($700)* per month;

(b) The clerk may appoint the following:

One chief deputy clerk, who shall receive [three hundred seventy-five dollars ($375)] *five hundred dollars ($500)* per month.

One deputy clerk (chief clerk of the civil division), who shall receive four hundred dollars ($400) per month;

One deputy clerk (chief clerk of the criminal division), who shall receive four hundred dollars ($400) per month;

One deputy clerk (chief clerk of the traffic division), who shall receive four hundred dollars ($400) per month;

[Eight] *Ten* deputy clerks [(court clerks)], each of whom shall receive [three hundred ten dollars ($310)] *three hundred sixty dollars ($360)* per month;

[One deputy clerk (supervising clerk), who shall receive three hundred thirty-five dollars ($335) per month;]

[One deputy clerk (senior account clerk), who shall receive two hundred eighty-five dollars ($285) per month;]

[Two] *Four* deputy clerks [(junior court clerks)], each of whom shall receive [two hundred fifty dollars ($250)] *three hundred twenty-five dollars ($325)* per month;

[Four] *Ten* deputy clerks [(bail clerks)], each of whom shall receive [two hundred fifty dollars ($250)] *three hundred dollars ($300)* per month;

Six deputy clerks, each of whom shall receive two hundred seventy-five ($275) per month;

[Nine] *Six* deputy clerks [(general clerks)], each of whom shall receive [two hundred thirty dollars ($230)] *two hundred fifty dollars ($250)* per month;

[Seven] *Nine* [deputy clerks (junior clerks)] *typists*, each of whom shall receive [two hundred dollars ($200)] *two hundred twenty-five dollars ($225)* per month;

(c) There shall be one marshal to be appointed by the judges of the court who shall receive [four hundred fifty dollars ($450)] *seven hundred dollars ($700)* per month;

(d) The marshal may appoint the following:

One assistant marshal, who shall receive [three hundred seventy-five ($375)] *five hundred dollars ($500)* per month;

One chief deputy marshal, who shall receive [three hundred fifty dollars ($350)] *four hundred dollars ($400)* per month;

[Four] *Seven* deputy marshals, Grade 1, each of whom shall receive [three hundred ten dollars ($310)] *three hundred sixty dollars ($360)* per month;

[Seven] *Ten* deputy marshals, Grade 2, each of whom shall receive [two hundred ninety-five dollars ($295)] *three hundred forty-five dollars ($345)* per month;

[One deputy marshal (bookkeeper) who shall receive two hundred ninety-five dollars ($295) per month;]

[One] *Two* [deputy marshal (stenographer)] *stenographers*, [who] *each of whom* shall receive [two hundred fifty dollars ($250)] *two hundred seventy-five dollars ($275)* per month;

(e) There shall be one court matron, who shall also serve as court probation officer, to be appointed by the judges of the court, who shall receive [two hundred fifty dollars ($250)] *two hundred seventy-five dollars ($275)* per month;

[Any person who has been in the same class for two and one-half years shall receive the maximum salary for that class.]

The appointing authority, which appointing authority within the meaning of this section, is hereby defined to be the person having the power in the first instance to select the employee from an eligible list provided for that purpose, [may fix the compensation of such employee, within the limits hereinbefore set forth for the position to which appointment is made, and may thereafter grant increases in compensation within such limits upon the basis of efficiency and seniority records, all in strict conformity with existing rules and regulations of the city civil service commission. The appointing authority] shall [further] have the power to lay off and suspend an employee or employees because of lack of work requiring the service of the existing personnel of such office or department.

Any appointive officer or employee of the municipal court in cities or cities and counties of the second and one-fourth class who becomes a candidate for election by the people to any other public office or position shall automatically forfeit such office or employment."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1369—An act providing for the constitution of the municipal court in a district embracing the City of Palo Alto, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 5, 6, and 7, and insert

"(1) There shall be one judge who shall receive a salary of ten thousand dollars ($10,000) per annum, payable in equal monthly installments.

(2) There shall be one clerk who shall receive a minimum salary of two hundred fifty-five dollars ($255) monthly with annual increments of twelve dollars ($12), twelve dollars ($12), twelve dollars ($12), and twelve dollars ($12) to a maximum of three hundred three dollars ($303), monthly.

The clerk may appoint one deputy (court clerk) at a minimum salary of two hundred twenty-five dollars ($225) monthly with annual increments of ten dollars ($10), eleven dollars ($11), ten dollars ($10), and eleven dollars ($11) to a maximum of two hundred sixty-seven dollars ($267), monthly;

Two deputy clerks (typists) at a minimum salary of one hundred eighty-five dollars ($185) monthly with annual increments of eleven dollars ($11), seven dollars ($7), seven dollars ($7), and seven dollars ($7) to a maximum of two hundred twenty-seven dollars ($227), monthly.

(3) There shall be one marshal who shall receive a minimum salary of two hundred sixty-five dollars ($265) monthly with annual increments of twelve dollars ($12), thirteen dollars ($13), twelve dollars ($12), and thirteen dollars ($13) to a maximum of three hundred fifteen dollars ($315), monthly.

The marshal may appoint.

One deputy at a minimum salary of two hundred forty dollars ($240) monthly with annual increments of eleven dollars ($11), eleven dollars ($11), eleven dollars ($11), and twelve dollars ($12) to a maximum of two hundred eighty-five dollars ($285), monthly;

Two deputies (custodians) at the fee allowed by law for keeping property.

(4) Persons who succeed to positions in the municipal court under provisions of the Municipal and Justice Court Act of 1949 shall receive credit for continuous prior service in superseded courts and in the sheriff's department or constabulary of the county, and shall receive, in addition to the minimum rate, the annual increments commensurate with such years of prior service up to the maximum rate set."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2597—An act to amend Section 261 of the Code of Civil Procedure, relating to court commissioners of the superior court in counties, or cities and counties, having a population of 2,000,000 inhabitants and over.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "ten", and insert "nine".

Amendment No. 2

On page 1, line 7, of said bill, strike out "($10,000)", and insert "($9,000)".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 61—An act relating to notaries public.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 20, of the printed bill, as amended in the Assembly on May 1, 1951, after the period, strike out the remainder of the line and all of lines 21 through 25.

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1748—An act to amend Section 6.11 of the Alcoholic Beverage Control Act, relating to organizations, associations and clubs, and providing for the issuance of on-sale general licenses thereto.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Boards and Commissions:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 18, 1951, strike out line 1, and insert

"SECTION 1. Section 6.11 of the Alcoholic Beverage Control Act is amended to read:

Sec. 6.11. For the purposes of this section "club" means any of the following:

(a) Any chapter, aerie, parlor, lodge, or other local unit of an American national fraternal organization which has as the owner, lessee, or occupant thereof operated an establishment for fraternal purposes for not less than one year. An American national fraternal organization as used in this subsection must actively operate in not less than [thirty-six (36)] *twenty-four (24)* states of the Union and have not less than five hundred (500) local units in said [thirty-six (36)] *twenty-four (24)* states and which has been in active continuous existence for not less than twenty (20) years.

(b) Any hall or building association of such a local unit as is mentioned in subdivision (a) above, all of the capital stock of which is owned by the local unit or the members thereof, and which operates the clubroom facilities of such local unit.

(c) Any golf club which has more than 100 bona fide members, which owns, maintains or operates a regular golf links together with a clubhouse thereon, and which has operated such establishment for not less than one year; or any swimming and tennis club which maintains a standard AAU swimming pool and not less than five regulation tennis courts, together with the necessary facilities and clubhouse, which has 200 members or more paying regular monthly dues, and which has been in existence for not less than two years.

(d) Any yacht club which is a nonprofit organization and is a regular member of a recognized national nonprofit yachting organization having a membership of not less than 200 member yacht clubs, and which has more than 100 bona fide regular members, and which owns, maintains or operates a clubhouse and which has operated such clubhouse for not less than one year [.] *; or any trap or skeet club which is a nonprofit organization having at least three permanent trap houses or two permanent skeet fields and having at least 100 members, which is organized and operated according to accepted national regulations and which has been for a period of at least one year certified, either by a national trap or skeet association operating actively in at least 25 states or by one operating actively in all three west coast states, as eligible to hold regular trap or skeet shoots, and which has been in existence for more than one year, and which owns, leases, operates or maintains the land upon which said trap houses or skeet fields are located and a clubhouse adjacent to said trap houses or skeet fields.*

(e) Any bar association having an authorized delegate to the American Bar Association and composed entirely of attorneys at law, duly admitted, licensed and qualified to practice as such within the State of California, which has a bona fide membership of more than 1,000 members and has been in existence for a period of more than 20 years and which owns, leases, operates or maintains a club room or rooms for its membership and which has operated such club room or rooms for a period of not less than five years.

(f) Any chapter or local unit of a state-wide nonprofit organization of reserve peace officers, which chapter or local unit has been established for at least three years and which owns the premises in which it maintains a club room or rooms for its members, and where admission to the premises is restricted to members of the organization and their bona fide guests.

(g) Any technical professional society or a section thereof which is a nonprofit organization composed of members engaged in the practice of one of the sciences or in other work which contributes to the practice or advancement of one of the sciences, which has a bona fide membership of more than 500 members in a local area, which has a national bona fide membership of 8,000 or more members, which society has been in existence for not less than 10 years and has owned, operated or maintained for a period of not less than one year a club room or rooms as a meeting place for its membership.

(h) Any society or association which has been in existence for not less than twenty (20) years which is nonsectarian and nonpolitical and the purpose of which is to provide social and cultural benefits to its members, who must be American citizens or have signified their intention of becoming citizens, are not less than one hundred (100) in number, which is affiliated with a state-wide organization of similar

societies or associations, and which owns the premises where it maintains a club room or rooms for its members, and where admission to the club room or rooms is restricted to members and their bona fide guests, and which has operated or maintained such club room or rooms for not less than one year.

(i) Any bona fide nonprofit corporation, which is a bona fide horse riding club and which has more than 25 bona fide regular members which owns, maintains or operates a regular riding club together with a clubhouse thereon and has operated such establishment for not less than five years.

(j) Any social club which is a nonprofit organization and which is organized and operated for the purposes of maintaining, restoring or preserving historical monuments, landmarks or buildings, which said club or organization has more than 150 bona fide members paying regular monthly dues and which club or organization owns its own clubhouse and the real property upon which the clubhouse is situated, and which said clubhouse and/or real property constitute an historical monument, landmark or building.

(k) Any social club which is a nonprofit organization and which devotes a substantial portion of its revenue to charitable purposes, which has more than 200 bona fide members paying regular monthly dues, which has been in existence for more than five years, and which owns its clubhouse and the real property upon which the clubhouse is situated

A club as herein defined is a bona fide club within the meaning of Section 22 of Article XX of the Constitution of California.

The board may issue one "club license" to any club as herein defined. The fee for a club license shall be seventy-five dollars ($75) per year, plus an additional fee as set by the board for the distilled spirits privileges of the license. The fee for a club license shall not exceed the fee for an on-sale general license in the locality where the club is maintained

The holder of a club license is authorized to exercise all of the rights and privileges permitted by an on-sale general license, except that the holder of such license is authorized to sell and serve alcoholic beverages for consumption within the licensed establishment owned, leased, or occupied by the club only to bona fide members of the club and their bona fide guests. A club license is not transferable from person to person The provisions of Section 38f do not apply to club licenses issued or to be issued pursuant to this section.

Any club which holds an on-sale general license on or after April 1, 1947, and which transfers its on-sale general license to another person on or after that date shall not be eligible to apply for a club license for a period of at least one year following the date of the transfer of its on-sale general license

If any provision in this section which is reasonably separable from the remainder of the section is held invalid, such remainder of the section shall not be affected thereby."

Amendment No. 2

On page 1 of said bill, strike out lines 2 to 23, inclusive; on page 2, strike out lines 1 to 52; and on page 3, strike out lines 1 to 8

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 250—An act to amend Sections 6, 24, 27, 37, 39, 45, 45 5, 45 6, 45.7, 45.8, 45.10, 45 11, and 46 1 of the Unemployment Insurance Act, relating to a System of Unemployment and Disability Insurance

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 11 of the printed bill, as amended in the Assembly on March 14, 1951, after line 11, insert

"(d) In case of the State, the notice shall be given to the state department, board, office or commission prior to the time it presents the claim of such person or employing unit to the State Controller."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1365—An act providing for the constitution of the municipal court in a district embracing the City of San Mateo, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "City of", and insert "Cities of Burlingame and".

Amendment No. 2

On page 1, line 2, of said bill, strike out "City of", and insert "Cities of Burlingame and".

Amendment No. 3

On page 1 of said bill, strike out lines 5, 6, and 7, and insert

"(1) There shall be one judge, who shall receive a salary of ten thousand dollars ($10,000) per annum, payable in equal monthly installments;

(2) There shall be one clerk who shall receive three hundred forty-five dollars ($345) per month and who may appoint the following:

One deputy clerk who shall receive a salary of two hundred seventy-five dollars ($275) per month;

One deputy clerk who shall receive a salary of two hundred forty-five dollars ($245) per month;

One deputy clerk who shall receive a salary of two hundred ten dollars ($210) per month;

(3) The sheriff shall be ex officio marshal and his designated deputies shall be ex officio deputy marshals of the court."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1366—An act providing for the constitution of the municipal court in a district embracing the City of Redwood City, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "City of", and insert "Cities of San Carlos and".

Amendment No. 2

On page 1, line 2, of said bill, strike out "City of", and insert "Cities of San Carlos and".

Amendment No. 3

On page 1 of said bill, strike out lines 5, 6, and 7 and insert

"(1) There shall be two judges, each of whom shall receive ten thousand dollars ($10,000) per annum, payable in equal monthly installments;

(2) There shall be one clerk who shall receive three hundred forty-five dollars ($345) per month, and who may appoint the following:

Two deputy clerks each of whom shall receive two hundred seventy-five dollars ($275) monthly;

One deputy clerk who shall receive two hundred forty-five dollars ($245) monthly;

Two deputy clerks, each of whom shall receive two hundred ten dollars ($210) monthly;

(3) The sheriff shall be ex officio marshal and his designated deputies shall be ex officio deputy marshals of the court."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1368—An act providing for the constitution of the municipal court in a district embracing the City of South San Francisco, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "City of", and insert "Cities of Daly City and".

Amendment No. 2

On page 1, line 2, of said bill, strike out "City of", and insert "Cities of Daly City and".

Amendment No. 3

On page 1 of said bill, strike out lines 5, 6, and 7 and insert

"(1) There shall be one judge, who shall receive a salary of ten thousand dollars ($10,000) per annum, payable in equal monthly installments;

(2) There shall be one clerk who shall receive three hundred forty-five dollars ($345) per month and who may appoint the following:

One deputy clerk who shall receive a salary of two hundred seventy-five dollars ($275) per month;

One deputy clerk who shall receive a salary of two hundred forty-five dollars ($245) per month;

One deputy clerk who shall receive a salary of two hundred ten dollars ($210) per month;

(3) The sheriff shall be ex officio marshal and his designated deputies shall be ex officio deputy marshals of the court."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 302—An act to add Chapter 20 to Division 3 of the Business and Professions Code, relating to the regulation and licensing of shorthand reporters.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, strike out "relating to the regulation and licensing of", and insert "and to amend Section 261b, as added by Chapter 1031 of the Statutes of 1943, of, and to add Section 261h to, the Code of Civil Procedure, relating to".

Amendment No. 2

On page 4 of said bill, after line 35, insert

"SEC. 3 Section 261b, as added by Chapter 1031 of the Statutes of 1943, of the Code of Civil Procedure is amended to read:

261b In each county, or city and county, having a population of 275,000 inhabitants or over, as determined by the federal census taken in 1940, the judges of the superior court in and for such county, or city and county, a majority concurring, to assist the court in the transaction of the judicial business of said court, by having performed the duties of phonographic reporters as elsewhere in this code defined, may appoint as many regular official phonographic reporters as may be necessary to report the proceedings in said court and to perform such duties, except that the number of reporters so appointed shall not exceed at any one time the number of offices of judge provided by law for said court, said reporters to hold office during the pleasure of the judges of said court, a majority concurring.

When needed in order that the judicial business of the superior court in such county, or city and county, may be diligently carried on and a particular matter or matters may proceed to trial or hearing without delay, a pro tempore official reporter may be appointed to perform the duties of a phonographic reporter in such matter or matters, or until a regular official reporter becomes available for such service. A pro tempore official reporter for such service may be appointed by the presiding judge

of the court and the judge presiding in the department where such reporter will serve, but when such appointment is made for service in a contested matter, it shall be made only pursuant to a written stipulation of the parties appearing at the trial or hearing or other proceeding to be reported by such pro tempore reporter.

Each of said regular official reporters shall be paid a salary of six thousand dollars ($6,000) per annum, and each of said pro tempore official reporters shall be paid twenty dollars ($20) per day for the days he actually is on duty under order of the court.

No further fee than that hereinabove provided shall be collected from, or assessed against, any party to any proceeding for the services of a phonographic reporter in taking down in shorthand the testimony and other proceedings in the trial or hearing of any matter as required by law or by order of the court; but a phonographic reporter shall be allowed, and shall receive, unless waived by him, the fees now, or that may hereafter be, allowed by law for transcribing his shorthand notes of the testimony and proceedings reported by him, and such fees for transcriptions shall be paid as provided by Section 274 of the Code of Civil Procedure and by any other law of this State pertinent to the case

The salaries in this section provided shall be paid in monthly installments out of the salary fund of the county, or city and county, and shall be allowed and audited in the same manner as other salary demands against the county, or city and county, are required by law to be allowed and audited.

In addition to a fee or fees required by other law or laws, *in counties of 275,000 inhabitants and up to 700,000*, a fee of three dollars ($3), *and in counties of 700,000 inhabitants or more, a fee of five dollars ($5)*, shall be paid to the county clerk of such a county, or city and county, by each party, or jointly by parties appearing jointly, in each of the following instances:

(1) Where Section 4300a of the Political Code requires such party or parties to pay said clerk a fee for the filing of the first paper in a civil action or in a special proceedings, except in an appeal from an inferior court

(2) Where Section 4300a of the Political Code requires such party or parties to pay said clerk a fee for filing papers transmitted from another court on the transfer of a civil action or special proceeding from another court, except in an appeal from an inferior court.

(3) Where Section 4300a of the Political Code requires such party or parties to pay said clerk a fee on the appearance in a civil action or special proceeding of a defendant, intervenor, respondent, correspondent or adverse party, except in an appeal from an inferior court; provided, however, if any of the parties named in this paragraph shall appear jointly they shall pay but one such additional fee of three dollars ($3) *or five dollars ($5)* as in this section provided.

(4) Where Section 4300a of the Political Code requires such party or parties to pay said clerk a fee for the filing of a petition or other paper in a probate or guardianship matter.

The fee so required shall be taxed as costs in favor of any party paying the same and to whom costs are awarded by the judgment of the court. Such fee shall not be subject to the provisions of Section 6103 of the Government Code.

The county clerk shall, on or before the first day of each calendar month, transmit to the county treasurer, or city and county treasurer, all moneys paid to him under the provisions of this section during the preceding calendar month, or up to the day immediately preceding the day on which he transmits such moneys, and such moneys shall be deposited in the salary fund of said county, or city and county.

SEC 4. Section 261h is added to the Code of Civil Procedure, to read:

261h. Notwithstanding the provisions of Section 261b, or any other section in conflict herewith, in each county, or city and county, having a population of 700,000 inhabitants or over, as determined by the 1950 Census, the salary of the regular official phonographic reporters shall be the sum of seventy-five hundred dollars ($7,500) per annum, and the compensation of official phonographic reporters pro tempore shall be at the rate of twenty-five dollars ($25) per day."

Amendment No. 3

On page 3, line 41, of said bill, strike out "2", and insert "3".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 2611—An act to add Section 9.5 to an act entitled "An act relating to the rights, powers, and disabilities of aliens and of certain companies, associations, and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holdings

to facilitate the enforcement of this act, prescribing penalties for violation of the provisions hereof, and repealing all acts and parts of acts inconsistent or in conflict herewith," approved as an initiative measure by the electors on November 2, 1920, relating to the ownership, use, and enjoyment of real property or of rights or interests therein.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 10, of the printed bill, strike out "amount of loss"; and strike out lines 11 to 16, inclusive, and insert "total amount paid by the defendant to the State under compromise or realized by the State under escheat proceedings. When the Controller verifies the identity of the citizen claimant or his successor in interest and the total amount involved, he shall draw his warrant for its payment out of funds created as a repository for these moneys and the deficiency out of the General Funds of the State Treasury The payments shall bear interest at the rate of 6 percent per annum from the day the State received such funds."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 2079—An act to amend Sections 13776, 13777, 13778, 13779, 13780, and 13781 of, and to add Sections 13782, 13783, 13784, 13785, 13786, 13787, 13788, and 13789 to, Chapter 8, Part 3, Division 3, Title 2 of the Government Code, relating to social security coverage for employees of public agencies, making an appropriation and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 23, 1951, after "Sections", insert "13775,".

Amendment No. 2

On page 4 of said bill, after line 52, insert

"SEC. 15. Section 13775 of said code is amended to read:

13775. As used in this chapter:

(a) "Public agency" means any city, county, city and county, district, municipal or public corporation or any instrumentality thereof, *and boards and committees established under Chapter 10 of Division 6 of the Agricultural Code, Chapter 754 of Statutes of 1933, as amended, or Chapter 307 of the Statutes of 1935, as amended,* the employees of which constitute a coverage group.

(b) "Coverage group" has the meaning given that term by the provisions of Section 218 of Title 2 of the Social Security Act and applicable federal regulations adopted pursuant thereto."

Amendment No. 3

On page 5, line 1, of said bill, strike out "SEC. 15", and insert "SEC. 16."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 2420—An act to amend Section 19511 of the Business and Professions Code, relating to the regulation of horse racing.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Boards and Commissions:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 19511", and insert "Sections 19512 and 19513".

Amendment No. 2

In line 2 of the title of said bill, after "racing", insert ", providing for the suspension and revocation of licenses".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 9, inclusive, and insert

"SECTION 1. Section 19512 of the Business and Professions Code is amended to read:

19512. All licenses issued under this article are subject to *suspension or* revocation and no person shall be eligible to or permitted to participate in any horse racing meeting unless at the time he holds a valid and unrevoked license for that form of participation. *A license may be suspended by the board for such period as it may determine, which period may extend beyond the expiration date of the license. When a license is revoked the board may, for just cause, make an order that no such license shall subsequently be issued to the person whose license is revoked, in which case the board shall cause an entry of its reasons for so doing to be made on the minute book of the board.*

SEC. 2. Section 19513 is amended to read:

19513. No qualified person shall be refused a license under this article nor shall a license be *suspended or* revoked without just cause."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Boards and Commissions.

Assembly Bill No. 2421—An act to amend Section 19431 of the Business and Professions Code, relating to the regulation of horse racing.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Boards and Commissions:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 19431 of", and insert "add Section 19430.5 to".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 10, inclusive, and insert

"SECTION 1. Section 19430.5 is added to the Business and Professions Code, to read:

19430.5. The board may appoint a commissioner to conduct any hearing or make any investigation which the board itself might conduct or make. The board may authorize such commissioner to administer oaths, issue subpenas and take such other action as is necessary to effectively conduct such hearing. Any person who fails to appear before the commissioner at the time and place specified in a subpena issued in connection with such investigation and hearing, or who, appearing, refuses to testify is guilty of a misdemeanor. The commissioner shall have no authority to make a final decision in any such matter but shall submit his report to the board including in his report his findings on the matter. The board may, after study of such report, accept the findings and recommendations of the commissioner, or reject the same, or refer the matter back for further hearing or investigation."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Boards and Commissions.

Assembly Bill No. 3033—An act to amend Sections 21, 39, and 41 of the Alcoholic Beverage Control Act, relating to administrative procedure of the State Board of Equalization.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Boards and Commissions:

Amendment No. 1

In line 2 of the title of the printed bill, after "Act", insert "and Section 2377 of the Business and Professions Code".

Amendment No. 2

In line 2 of the title of said bill, strike out "of"; and strike out line 3.

Amendment No. 3

On page 3 of said bill, after line 12, insert

"SEC. 4 Section 2377 of the Business and Professions Code is amended to read:

Sec. 2377. The procuring or aiding or abetting or attempting or agreeing or offering to procure a criminal abortion constitutes unprofessional conduct within the meaning of this chapter [.] *; but no license shall be suspended or revoked for a violation of this section upon the uncorroborated testimony of the woman upon or with whom the offense was committed.*"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Boards and Commissions.

Assembly Bill No. 516—An act to amend Sections 700.01, 700.05, 1582, 1594, 12360 and 12441 of the Insurance Code, relating to insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "Sections 700.01, 700.05, 1582, 1594, 12360, and 12441", and insert "Section 5050.5".

Amendment No. 2

On page 1, line 1, of said bill, strike out "700.01", and insert "5050.5"

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 25, inclusive, and all of pages 2, 3, and 4, and insert

"5050.5. Any county mutual fire insurer heretofore or hereafter incorporated and doing business under the provisions of this chapter may, if it has issued an insurance policy against fire, and as long as it maintains an excess of admitted assets over liabilities of at least fifty thousand dollars ($50,000), indorse such policy to extend the coverage thereof to include loss or damage caused by windstorm, cyclone, tornado and hail, explosion, riot, riot attending a strike, aircraft, vehicles, and smoke, and to include [waiver of the fallen building clause] *breakage of glass*.

[As used in this section "explosion" does not include explosions (a) of any boiler, heater or other fired pressure vessel, caused by pressure of contents, (b) of any unfired pressure vessel or of any piping caused by pressure of contents or vacuum, (c) of any engine, turbine, compressor, pump or wheel, (d) of any electrical apparatus, or (e) of any other machine having moving or rotating parts. This restricted definition of "explosion" does not exclude loss or damage by fire only where fire ensues. As used in this paragraph, the terms "boiler," "heater," and "pressure vessel," do not include hot water heaters used solely to provide hot water for delivery to faucets for domestic purposes and having a storage capacity of not more than 50 gallons.]"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 884—An act to amend Section 1730 of, and to add Section 1734 to the Insurance Code, relating to receipt and holding of fiduciary funds by insurance and bail licensees

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "to amend Section 1730 of, and to add Section 1734", and insert "to add Section 1730.6".

Amendment No. 2

In line 3 of the title of said bill, strike out "insurance and bail licensees", and insert "*managing general agents*".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 25, inclusive; and on page 2, strike out lines 1 to 36, inclusive, and insert

"SECTION 1. Section 1730.6 is added to the Insurance Code, to read.

Section 1730.6. As used in this section a managing general agent is a licensed insurance agent who, (1) has a written management contract with one or more admitted insurers covering business transacted by the insurer in a substantial portion of the State of California; (2) under such contract manages the transaction of either all or one or more of the classes of insurance written by such insurers in that territory or the transactions therein by such insurers under a specified fictitious underwriter's name; (3) has the power to appoint, supervise and terminate the appointment of local agents in such territory; (4) has the power to accept or decline risks; and (5) collects premium moneys from producing agents and brokers and remits such moneys to such insurers pursuant to the account current system

Any such managing general agent may, with respect to any principals for whom fiduciary funds are held, either comply with Section 1730.5 or with respect to such principals as have in writing specifically waived the segregation requirements of said section, comply with this section. A managing general agent electing to comply with this Section may commingle the funds of any such principal with his own funds to an unlimited extent and shall maintain such fiduciary funds held for such principals at all times in a bank account or depository in an amount equal to the net aggregate for all such principals of the premiums and return premiums, net of commissions, received by him and unpaid to the persons entitled thereto or, at their direction or pursuant to written contract, for the account of such persons. In computing such net aggregate any balance owed to such managing general agent by any principal may be deducted only if (1) such balance will, in the normal course of business and pursuant to written contract, be paid or allowed to such managing general agent by such principal and (2) such principal is not in liquidation or conservation in any jurisdiction and is not the subject of voluntary or involuntary receivership proceedings."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 991—An act to amend Section 10494.5 of the Insurance Code, relating to disability insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Amend Section 10494.5", and insert "Add Section 10494.6".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 16, and insert

"SECTION 1. Section 10494.6 is added to the Insurance Code, to read:

Section 10494.6 Any employer who qualifies for a certificate of exemption under Section 10494.5 by virtue of which certificate he maintains a plan for furnishing disability benefits to his employees may, if he elects, make available for the related

dependents of his employees, comprising wives, husbands and unmarried dependent children living in the same household, a supplemental plan of disability benefits containing any or all of the following benefits, hospital, surgical and medical, provided that as to the supplemental plan the Insurance Commissioner finds that all of the following exists:

(a) The supplemental plan shall be separately stated, setting out all of the provisions of coverage among which shall be a provision limiting the amount an individual may receive as a result of a single disability to not more than one thousand dollars ($1,000).

(b) The plan shall set out the respective contributions of the employer and employees. All contributions of employees received or retained by the employer shall be in the nature of trust funds and shall be separately accounted for by the employer and may not inure to the benefit of the employer in any manner whatsoever.

(c) The plan permits the disabled individual a free choice of physician and hospital.

(d) The employer agrees to assume some portion of the cost of maintaining the plan and he further agrees to underwrite the benefits if the contributions required for the supplementary benefits are not sufficient to pay the cost of same.

The Insurance Commission shall have authority to promulgate reasonable regulation applicable to all matters covered by this section and may in addition require an employer to post with the commissioner security in an amount not to exceed twenty-five thousand dollars ($25,000), in the form of a bond of an admitted surety insurer conditioned on the payment by the employer of his obligations under the plan, or deposits with the commissioner securities approved by the commissioner to secure the payment of such obligations."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 348—An act to amend Section 27322 of the Government Code, relating to recordation of instruments.

Bill read second time, and ordered to third reading.

Senate Bill No. 94—An act to amend Section 817 of the Penal Code, relating to peace officers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 15, of the printed bill, as amended in the Assembly on April 25, 1951, after "inspectors", insert "and investigators".

Amendment No. 2

On page 1, line 19, of said bill, after "inspectors", insert "and investigators".

Amendment No. 3

On page 1, lines 20 and 21, of said bill, strike out "special agents and assistant special agents", and insert "investigators".

Amendment No. 4

On page 1, lines 23 and 24, of said bill, strike out "an inspector", and insert "investigators".

Amendment No. 5

On page 1, line 22, of said bill, strike out "an inspector", and insert "special investigators".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 704—An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the County of Napa, State of California.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 3 of the title of the printed bill, after "California", insert ", and the disposal of any right, title, or interest of the State of California therein".

Amendment No. 2

On page 2 of said bill, after line 12, insert

"SEC. 5. The Department of Finance with the approval of the Attorney General is authorized to dispose of any right, title, or interest of the State of California in and to the real property described in this act by quit claim deed or otherwise."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 706—An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the County of Napa, State of California.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 3 of the title of the printed bill, after "California", insert ", and the disposal of any right, title, or interest of the State of California therein".

Amendment No. 2

On page 2 of said bill, after line 9, insert

"SEC. 5. The Department of Finance with the approval of the Attorney General is authorized to dispose of any right, title, or interest of the State of California in and to the real property described in this act by quit claim deed or otherwise."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 707—An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the County of Napa, State of California.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 3 of the title of the printed bill, after "California", insert ", and the disposal of any right, title, or interest of the State of California therein".

Amendment No. 2

On page 1 of said bill, after line 25, insert

"SEC. 5. The Department of Finance with the approval of the Attorney General is authorized to dispose of any right, title, or interest of the State of California in and to the real property described in this act by quit claim deed or otherwise."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 708—An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the County of Napa, State of California.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 3 of the title of the printed bill, after "California", insert ", and the disposal of any right, title, or interest of the State of California therein".

Amendment No. 2

On page 2 of said bill, after line 19, insert

"SEC. 5. The Department of Finance with the approval of the Attorney General is authorized to dispose of any right, title, or interest of the State of California in and to the real property described in this act by quit claim deed or otherwise."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Joint Resolution No. 8—Relative to requesting the Congress of the United States to propose an amendment to the Constitution.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

On page 2 of the printed measure, strike out lines 10 to 14, inclusive, and insert

"3. The Supreme Court shall have original and exclusive jurisdiction of all actions or proceedings brought on behalf of the United States or on behalf of a State involving the validity of any treaty or executive agreement; and".

Amendment read, and adopted.

Resolution ordered reprinted, and on file for adoption.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1540—An act to amend Sections 2500, 2501, 2553 and 2601 of the Water Code, relating to determination of water rights.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Silliman, Smith, Stanley, and Thomas—54.

NOES—Babbage, Beck, Belotti, Brown, Clarke, Cloyed, Coats, Collier, Conrad, Erwin, Fleury, Hinckley, Lowrey, Shaw, and Tomlinson—15.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON AMENDMENTS OFFERED BY MR. HAGEN TO ASSEMBLY BILL NO. 340

At 1.26 p.m., on motion of Mr. Hagen, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the amendments offered by Mr. Hagen to Assembly Bill No. 340 refused adoption by the following vote:

AYES—Beck, Berry, Brady, Brown, Burkhalter, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dunn, Elliott, Evans, Fleury, Gaffney, Hagen, Hawkins, Henderson, Lanterman, Lowrey, Maloney, McCarthy, McFall, McMillan, Meyers, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, and Thomas—36.

NOES—Babbage, Belotti, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Conrad, Dolwig, Doyle, Erwin, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, McCollister, McGee, Morris, Niehouse, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—41.

The question being on the passage of Assembly Bill No. 340.

Point of Order

Mr. Hahn arose to the following point of order: That Mr. Brady has exceeded his time.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Motion That Additional Time Be Granted Mr. Brady

Mr. Dills moved that Mr. Brady be granted additional time for debate on Assembly Bill No. 340.

Mr. Elliott seconded the motion.

Motion lost.

The question being on the passage of Assembly Bill No. 340.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Crowley, Dickey, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Meyers, Morris, Munnell, Niehouse, Porter, Rumford, Sherwin, Silliman, Smith, Stewart, Tomlinson, Waters, and Mr. Speaker—57.

NOES—Brady, Coats, George D. Collins, Condon, Davis, Dunn, Elliott, Henderson, McFall, McMillan, Moss, Parker, Shaw, and Thomas—14.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day adopted, as amended:

Assembly Joint Resolution No. 30

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered to unfinished business file.

MEMBER EXCUSED

At 1.45 p.m., Mr. Munnell asked for, and was granted, unanimous consent that Mr. Kilpatrick, be excused, for the balance of the legislative day, and for yesterday, Monday, May 7th, because of personal business elsewhere, and stated that he desires to waive his per diems.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bills were withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 3376, on request of Mr. Geddes.

Assembly Bill No. 1466, on request of Mr. Shaw.

RESOLUTIONS

The following resolution was offered:

By Mr. Silliman:

House Resolution No. 139

Relative to the augmentation of funds of the Assembly Interim Committee on Conservation, Planning, and Public Works

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available to the Assembly Interim Committee on Conservation, Planning, and Public Works (created by House Resolution No 212, 1949 Regular Session), the sum of one thousand five hundred dollars ($1,500), or so much thereof as may be necessary, is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims incurred or to be incurred under said resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. George D. Collins to reconsider the vote whereby Assembly Bill No. 3075 was passed, was continued until the next legislative day.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 880

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1187
Assembly Bill No. 2212
Assembly Bill No 2474
Assembly Bill No 2755
Assembly Bill No. 2800
Assembly Bill No. 3024
Assembly Bill No 3217

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 178
Assembly Bill No. 682
Assembly Bill No. 1912

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills Nos. 1187, 2212, and 2755 re-referred to the Committee on Judiciary.

Assembly Bills Nos. 1912, 2800, and 3024 re-referred to the Committee on Civil Service and State Personnel.

Assembly Bills Nos. 2474 and 682 re-referred to the Committee on Ways and Means.

Assembly Bill No. 178 re-referred to the Committee on Transportation and Commerce.

Assembly Bill No. 3217 re-referred to the Committee on Municipal and County Government.

Senate Bills Nos. 279 and 1744 re-referred to the Committee on Transportation and Commerce.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was anounced that the following committees would hold meetings:

Today—

At 3 p.m.—

Agriculture, in Room 432.
Social Welfare, in Room 426.
Public Health, in Room 3186.

At 3.15 p.m.—

Subcommittee on Governmental Efficiency and Economy, in Room 430. Subject: Assembly Bill No. 1060.

At 4.15 p.m.—

State Capitol Committee, in office of the Speaker.

At 4.30 p.m.—

State Capitol Committee, in Room 3044.

At 8 p.m.—

Fish and Game, in Room 3186.
Judiciary, in Room 435. Subject: Superior court salaries and the creation of new judicial departments.

Tomorrow, Wednesday, May 9th, at 9 a.m.—

Rules, in Room 3186.

It was announced that the following committee would hold no meeting today:

Elections and Reapportionment.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Cooke, the usual courtesies of the Assembly for this day were unanimously extended to Rear Admiral Bertram J. Rodgers, U. S. N., Commandant, 12th Naval District.

On request of Mr. Belotti, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Ruth W. Fuller and Mrs. John S. Ross of Fort Bragg.

On request of Messrs. Moss and Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Miss Davidson, teacher, and the following pupils of the Marshall School: Stephen Alderson, Dickie Brady, Bennen Beede, Chris Morgese, Rozelle Aullo, Alyn Goldsmith, Kenneth Savage, Joe Pinon, Ronnie Ralph, Eugene Harris, William Richards, Rickie Massie, Clinton Foster, Katherine Gomez, Conrad Ament, Otto Trimble, Gary Basich, John Forsberg, Sandra Munn, Marilyn Rice, Sharon Elliott, Irmgard Haag, Diane Romanslia, Dale Lohrey, Louise Smith, Ronnie Ralph, Bobbie Baxter, Chris Morgese, Nagja Ren, Ann Sandstrom, Marjorie Plummer, Elisa Mora, and Katherine Hester.

On request of Mr. Cooke, the usual courtesies of the Assembly for this day were unanimously extended to Miss Cornelia Cooke and Miss Anne Cooke, State Department, just returned from Hong Kong and Formosa.

On request of Mr. Lyon, the usual courtesies of the Assembly for this day were unanimously extended to Fred J. Desch of Los Angeles.

On request of Messrs. Parker and McFall, the usual courtesies of the Assembly for this day were unanimously extended to J. D. Norris and Adelaide Mudgott, teachers, and the following pupils of the Chartville School: Dolores Jennings, Rosie Lucchesi, Vera Mae Anderson, Iona Mae Simpson, Bernice Dondero, Gerald McCutcheon, Ann Tagorio, Jerry Martin, James Anderson, Beverly Larson, Timmy Martin, Charles Sharp, Gale Lawrence, Betty Lou Fuller, Estelle Watters, Elaine Burger, Claudette Newsom, Sharon Mullins, Howard Ricketts, George Kiehn, Armeda Sarraraz, Johnny Sarraraz, Albert Gauger, Bob Winder, Richard Stockton, George Whitehouse, and Henry Munog.

On request of Messrs. Maloney and Connolly, the usual courtesies of the Assembly for this day were unanimously extended to the following Young Republicans of San Francisco: Martha V. Bruce, Jessie W. Sheehan, Abraham Lincoln, Melba Montrose, Juanda Loysen, Roberta Colaw, Dean Folger, Elise Gould, Mrs. Stephen Malatesta, Stephen Malatesta, John F. Waters, Josephine W. Conway, Betty Crites, E. Frederic Gillen, Trafton D. Muller, Naida L. Thornton, and Robert Sherwood.

On request of Mr. Evans, the usual courtesies of the Assembly for this day were unanimously extended to Alfred Casali, Neil Hutchens, Edwin Carter, and Stanley Van de Berg, of the U. S. Air Force, en route to Oregon.

On request of Mr. Dolwig, the usual courtesies of the Assembly for this day were unanimously extended to the following pupils of the Sequoia High School of Redwood City: Jeanette Baccei, Diana Grohs, Robert Berglund, Don McGee, Joe Green, and Nancy Cross.

On request of Mr. McCollister, the usual courtesies of the Assembly for this day were unanimously extended to Madeline Waddell and Jean Stover, teachers; Mrs. Elsie Meagor and Mrs. Lucille Stover, adults, and the following pupils of the Brookside School of San Anselmo: Marie Nevi, Barbara Archer, Nancy Edwards, Janet Laster, Pam Patton, Kenny Berger, Ed Bertrand, June Holaday, Will Fisher, Jim Chilberg, Barbara Christie, Barbara Mani, Joseph Meagor, Bill Taylor, Shirley

Foppiani, Kenny LaBoube, Bob Rosenhahr, Rodney Levin, Jim Menlove, Bill Hilton, Rose Anne Bernhardy, Steve Jones, Carol Andersen, and Don Cordy.

On request of Messrs. McFall and Parker, the usual courtesies of the Assembly for this day were unanimously extended to Anna Belle Danver, teacher, Mrs. W. Gillespie, Mrs. L. Coil, Mrs. M. Locke, and Mrs. Geo. Meier, adults, and the following pupils of the Lockeford School: June Bishop, Marilyn Coil, Nancy Gillespie, Eugene Hausauer, Jacqueline Hensel, Mario Jurin, Pat Lewis, Ronald Meier, Janice Mohrmann, Barbara Monk, Norma Netz, Donald Neu, Eddie Smith, Nick Spanos, LeRoy Waldo, Harold Womack, Bob Yamate; and Shirley G. Steely, teacher, and the following pupils of Clements Union School: Mildred Adams, Raymond Lucas, Betty Lou Ming, Huey Thornburg, and Joan Young.

On request of Mr. Belotti, the usual courtesies of the Assembly for this day were unanimously extended to L. Carrar of Plainfield, New Jersey, and George Carrar of Redwood City.

On request of Messrs. Parker and McFall, the usual courtesies of the Assembly for this day were unanimously extended to Edna P Gehlken, teacher, and the following pupils of the College of the Pacific: Norma Barner, Billie Carson, Frances Chisholm, Doenda Hammond, Howard Hill, Isabella King, Helen Moore, Arla Nagel, Luramae Sanders, Barbour Scott, Carolyn Stevens, Suzanne Thorpe, Beverley Vowel, Mary Lou Young, Margaret Delphrey, and Carolyn Smith.

On request of Messrs. Parker and McFall, the usual courtesies of the Assembly for this day were unanimously extended to Frances Ewy and Ruth Saw, teachers, and the following pupils of the Stockton College: Donald Latimer, Norma Ledbetter, Freddy Lee, Ray Luna, Pat Meath, Janet McFall, Jack Moffat, Al Molina, Kiyoshi Morodomi, Norma Payne, Elaine Pilon, Juanita Powers, Patty Ramos, Alan Reyburn, Fred Ritter, Frances Santinoni, Tom Scott, Betty Shepard, John Sibole, Lanny Simpson, Carol Smith, Merle Smith, Ken Solari, Bob Strand, Max Thomas, Wanda Thomas, Joanne Thompson, Marian Van Camp, Richard Vote, Oma Ward, Tom Wester, Derith White, Marguerite White, Earl Willens, Carol Young, Delores Beyett, Inez Bishop, Ray Brown, Patricia Cade, Raul Calderon, Yvonne Cataldo, Dean Catlett, Nellie Catlett, Nancy Collis, Amandina Constancio, Doralee Corren, Imelda Cummings, Jackie DeLane, Johnnie Elliott, Angie Estrada, Kathryn Eybs, Evelyn Fontes, Donald Fox, Donna Frazier, Bill Freitas, Ross Gannon, Sam Garcia, Connie Gauger, Saul Gong, Pat Goodland, Arlen Gray, Joel Hansen, Norma Harrelson, Lyle Harrison, Pat Hinkle, Barbara Hostetter, Jill Hubbard, Burton Kay, Louis Kotez, and Emery Lally.

ADJOURNMENT

At 1.46 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Wednesday, May 9, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FIFTY-FIFTH LEGISLATIVE DAY

SEVENTY-FIFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, May 9, 1951

The Assembly met at 10 a.m.
Hon. Sam L. Collins, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sullivan, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Almighty God, King of Kings, and Lord of Lords, From whom proceeds all power and dominion in Heaven and earth, we beseech Thee to look with favor upon Thy servants. Bless and guide the President of the United States, the Governor of this Commonwealth, the presiding officer and Members of this Assembly, and all who are in authority. Imbue them with the spirit of wisdom, goodness, and truth, that law and order, justice and righteousness may prevail.

"Teach us, O God,
To serve Thee as Thou deservest—
To give and not count the cost,
To fight and not heed the wounds,
To toil and not cry for rest,
To labor and not seek undue reward
Save that of knowing that we have done Thy will."

We ask it in the name of Jesus, the Author and Finisher of our faith.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Sherwin, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Lindsay, on motion of Mr. Hansen.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Kilpatrick, on motion of Mr. Munnell.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 591
Assembly Bill No. 1365
Assembly Bill No. 1366
Assembly Bill No. 1368
Assembly Bill No. 1369
Assembly Bill No. 2597
Assembly Bill No. 3312
Assembly Bill No. 3414

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 61
Assembly Bill No. 250
Assembly Bill No. 1748
Assembly Bill No. 2005

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 58

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 8, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Regan, Busch, and O'Gara as a Committee on Conference concerning.

Assembly Bill No. 2026—An act to amend Section 625a of the Penal Code, relating to the unlawful interference with fire-alarm apparatus and false alarms, providing punishment therefor.

J A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Way, Burns, and Desmond as a Committee on Conference concerning:

Assembly Bill No. 99—An act to amend Section 6.11 of the Alcoholic Beverage Control Act, relating to organizations, associations and clubs, and providing for the issuance of on-sale general licenses thereto.

J A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 33
Assembly Bill No. 1256
Assembly Bill No. 1259
Assembly Bill No. 1263
Assembly Bill No. 1289
Assembly Bill No. 1861
Assembly Bill No. 1862
Assembly Bill No. 1916
Assembly Bill No. 2314
Assembly Bill No 2499
Assembly Bill No. 2790

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 730
Senate Bill No. 1748

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No 245
Assembly Bill No. 1317
Assembly Bill No. 1742
Assembly Bill No. 1743
Assembly Bill No. 2310
Assembly Bill No. 2320
Assembly Bill No. 2347
Assembly Bill No. 3368

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 57

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 57—Relative to the construction of the Buchanan Dam and Reservoir on Chowchilla River.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 28
Senate Bill No. 1085

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 28—An act to add Sections 14152, 14152.1, 14152.2, 14152.3, 14152.4, 14153, 14153.1, 14154, 14154.1, 14155, and 14156 to, and repeal Sections 14152, 14153, 14154, 14155, and 14156 of the Health

and Safety Code, relating to fire protection districts, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1085—An act to amend Sections 65131 and 65270 of the Government Code, relating to conservation and planning.

Referred to Committee on Conservation, Planning, and Public Works.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1293	Assembly Bill No. 2453
Assembly Bill No. 1490	Assembly Bill No. 2502
Assembly Bill No. 1981	Assembly Bill No. 2725

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 925—An act to add Section 482.5 to the Fish and Game Code, relating to obstructions in streams;

Assembly Bill No. 1030—An act to amend Sections 5750.5 and 5708 of the Welfare and Institutions Code, relating to records of patients in private mental institutions;

Assembly Bill No. 1178—An act to amend Sections 296.2 and 296.4 of, and to add Sections 296.41 and 296.42 to, the Probate Code, relating to the estates of deceased persons and the determination of simultaneous death;

And reports that the same have been correctly enrolled, and presented to the Governor on the ninth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 298—An act to amend Section 2206 of the Health and Safety Code, relating to mosquito abatement districts;

Assembly Bill No. 418—An act to amend Sections 154 and 6500 of the Welfare and Institutions Code, relating to state hospitals for the care and treatment of the insane, the mentally ill, and the mentally disordered;

Assembly Bill No. 607—An act to repeal the Automobile Parking District Act of 1941 and to repeal an act entitled "An act to provide for the formation of, government of, issuance of bonds by and assessment in motor vehicle parking districts," approved July 12, 1941, relating to automobile and vehicle parking districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the ninth day of May, 1951, at 10 a.m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3020—An act to add Section 28322 to the Health and Safety Code, relating to misbranding food in package form;

Assembly Bill No. 3107—An act to amend Sections 275, 350, 601, 640, 641, 643, 644, 661, 1223, 1224, 1780, and 3150 of, and to add a new section numbered 954 to the Banking Code, and to amend Sections 275, 350, 601, 640, 641, 643, 644, 661, 1223, 1224, 1780, and 3150 of, and to add Section 954 to, the Financial Code, relating to deposit of moneys in the State Banking Fund, contents of articles of incorporation of banks, approval of by-laws of banks, assessment of bank shares, payment of dividends by banks, giving of notice of dormant accounts, definition of secured obligation, loan limits of banks, licensing of bank representatives, recognition of rights of depositors located in occupied countries, and payment of deposits on liquidation;

And reports that the same have been correctly enrolled, and presented to the Governor on the ninth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1271—An act to amend Sections 420, 421, 422, 422.3, and 422.5 of the Vehicle Code, relating to financial responsibility;

Assembly Bill No. 1274—An act to amend Section 423 of the Vehicle Code, relating to financial responsibility;

Assembly Bill No. 2131—An act to amend Sections 1, 1.5, and 4 of, and to add Sections 1.1, 1.2, 1.3, and 1.4 to, the Judges' Retirement Act, and to amend Section 2 of, and to add Sections 4.7 and 7.5 to, the Judges' Retirement Fund Act, relating to the State System for the Retirement of Judges and Justices;

And reports that the same have been correctly enrolled, and presented to the Governor on the ninth day of May, 1951, at 10 a.m.

BURKE, Chairman

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Senate Bill No. 8
Senate Bill No. 737
Senate Bill No. 738
Senate Bill No. 1446

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Senate Bill No. 223

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and re-refer to Committee on Ways and Means.

ERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 2902
Assembly Bill No. 3229
Assembly Bill No. 3254

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

ERWIN, Chairman

Above reported bills ordered to second reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were offered:

Assembly Constitutional Amendment No. 58: By Mr. Hawkins—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 22 of Article IV thereof, relating to public money.

Referred to Committee on Constitutional Amendments.

Assembly Concurrent Resolution No. 60: By Mr. McCollister—Approving amendments to the charter of the City of San Rafael, a municipal corporation in the County of Marin, State of California, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the ninth day of April, 1951.

Referred to Committee on Rules.

CONSIDERATION OF DAILY FILE

UNFINISHED BUSINESS

MOTION TO WITHDRAW ASSEMBLY BILL NO. 3253 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Rosenthal moved that Assembly Bill No. 3253 be withdrawn from the Committee on Public Utilities and Corporations, and be placed upon the file.

Point of Order

Mr. Morris arose to the following point of order: That Mr. Hagen is not speaking to the motion, and is not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Demand for Previous Question

Messrs. Cloyed, Grant, Waters, Doyle, and Geddes demanded the previous question.

Demand for previous question sustained.

The question being on the motion by Mr. Rosenthal to withdraw Assembly Bill No. 3253 from committee

The roll was called, and the motion lost by the following vote:

AYES—Coats, George D. Collins, Condon, Cooke, Davis, Elliott, Fleury, Hagen, Henderson, McFall, McMillan, Moss, Munnell, Parker, Rosenthal, Rumford, and Shaw—17.

NOES—Babbage, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Collier, Connolly, Conrad, Crowley, Dickey, Doyle, Dunn, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Luckel, Lyon, McCarthy, McCollister, McGee, Meyers, Morris, Niehouse, Porter, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—48.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 522—An act to amend Section 1730 of, and to add Section 1730.5 to, the Insurance Code, relating to insurance and bail licensees.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 522?

Amendment No. 1

On page 2, line 20, of the printed bill, as amended in the Assembly on April 11, 1951, after "person", insert "who does not make immediate remittance of all funds received as premium to the insurer entitled thereto".

Amendment No. 2

On page 2, line 30, of said bill, as amended, after "thereto", insert "or, at their direction or pursuant to written contract, for the account of such persons".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 522 by the following vote:

AYES—Babbage, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Luckel, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—62.

NOES—George D. Collins—1.

Assembly Bill No. 522 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF CONFERENCE REPORT CONCERNING SENATE BILL NO. 282

Mr. Waters asked for, and was granted, unanimous consent that he be permitted to take up consideration of the conference report concerning Senate Bill No. 282, temporarily passed on the unfinished business file, out of order, at this time.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1951

MR. SPEAKER: The Committee on Conference concerning:

Senate Bill No. 282 (As amended in Assembly April 30, 1951)—An act relating to the determination of the population of cities or cities and counties for purposes of allocation of moneys from the State Highway Fund and from the Motor Vehicle License Fee Fund, declaring the urgency thereof, to take effect immediately;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows:

Amendments to Senate Bill No. 282 as Amended in Assembly April 30, 1951

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on April 30, 1951, strike out lines 39 to 41, inclusive, and insert "the preliminary 1950 population figures of the United States Bureau of Census for incorporated cities having less than 1,000 inhabitants".

GIBSON	WATERS
SUTTON	HOLLIBAUGH
PARKMAN	MUNNELL
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb Luckel, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—62.

NOES—None.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 291—An act to amend Section 19437 of the Education Code, relating to civic centers.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 291 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.

NOES—Babbage, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Luckel, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—63.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Joint Resolution No. 30—Relative to the Central Arizona Project.

The question being. Shall the Assembly concur in the following Senate amendment to Assembly Joint Resolution No. 30?

Amendment No. 1

On page 2, line 5, of the printed measure, as amended in the Assembly on April 25, 1951, after "Congressmen", insert ", and particularly the members of the Interior and Insular Affairs Committee".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Joint Resolution No. 30 by the following vote:

AYES—Babbage, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Collier, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Levering, Lincoln, Lipscomb, Luckel, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—61.

NOES—None.

Assembly Joint Resolution No. 30 ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 131
House Resolution No. 137
House Resolution No. 139

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No. 33

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 39

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolution ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER. Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 55

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which was referred.

Assembly Bill No. 1041

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

ERWIN, Chairman

Above reported bill ordered to second reading.

Committee on Manufacturing, Oil, and Mining Industry

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Manufacturing, Oil, and Mining Industry, to which was referred:

Assembly Bill No. 3175

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

MORRIS, Chairman

Above reported bill ordered to second reading

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 2484

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

CLARKE, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred.

Assembly Bill No. 3165

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

CLARKE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 3037

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CLARKE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Agriculture, to which were referred

Senate Bill No. 959

Senate Bill No. 1242

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CLARKE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 2127

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CLARKE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Senate Bill No. 287
Senate Bill No. 288

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bills ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 68

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 68—Approving amendments to the charter of the City of San Rafael, a municipal corporation in the County of Marin, State of California, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the ninth day of April, 1951.

Referred to Committee on Rules.

RECONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 59

In compliance with a notice given on a previous day, Mr. McGee moved that the vote whereby Assembly Concurrent Resolution No. 59 was adopted be reconsidered.

Point of Order

Mr. Cooke arose to the following point of order: That Mr. McGee did not vote on the adoption of Assembly Concurrent Resolution No. 59 yesterday, and, pursuant to the provisions of the Rules, was not in order in giving notice of motion to reconsider the vote whereby Assembly Concurrent Resolution No. 59 was yesterday adopted.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken, and ruled the notice of motion to reconsider the vote whereby Assembly Concurrent Resolution No. 59 was yesterday adopted the property of the House, at this time.

Motion to Reconsider Assembly Concurrent Resolution No. 59

The notice of motion to reconsider Assembly Concurrent Resolution No. 59 being the property of the House, Mr. Collier moved that the vote whereby Assembly Concurrent Resolution No. 59 was adopted yesterday be reconsidered.

Point of Order

Mr. Doyle arose to the following point of order: That, as Mr. McGee did not vote on the adoption of Assembly Concurrent Resolution No. 59, the motion to reconsider is not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken as this point has been previously ruled upon.

Point of Order

Mr. Moss arose to the following point of order: That Mr. Collier is not speaking to the motion.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

Point of Order

Mr. Coats arose to the following point of order: That Mr. Collier did not vote upon the adoption of Assembly Concurrent Resolution No. 59 yesterday, and is not in order in moving reconsideration or in speaking to the motion.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken, as the motion is the property of the House; and that such an objection as Mr. Coats is now raising is not well taken because not made yesterday, as was proper.

Point of Order

Mr. George D. Collins arose to the following point of order: That Mr. Collier is not in order because he did not vote upon the adoption of Assembly Concurrent Resolution No. 59.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

Point of Order

Mr. Cooke arose to the following point of order: That Mr. Collier is not speaking to the motion.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

Point of Order

Mr. Doyle arose to the following point of order: That the motion now being discussed is not properly before the House.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

Point of Inquiry

Mr. Hahn arose to the following point of inquiry: Can or cannot Mr. McGee speak to this motion?

Ruling by Speaker

Speaker Sam L. Collins ruled that Mr. McGee had no right to author the original motion so it was not in order for him to speak first, but that, when his turn arrives and he is recognized, he may speak to the motion.

Point of Order

Mr. Gaffney arose to the following point of order: That Mr. Collier is not speaking to the motion.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

Points of Order

Mr. Condon arose to the following points of order: That, pursuant to the Rules, a definite reason for reconsideration must be stated, and that, as none has been stated, Mr. Collier is not in order; and that, further, he is reading from printed material and is not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the points of order well taken.

Point of Order

Mr. McMillan arose to the following point of order: That Mr. Collier is not speaking to the motion.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

Point of Order

Mr. Lowrey arose to the following point of order: That Mr. Collier did not vote upon the adoption of Assembly Concurrent Resolution No. 59, and is out of order in speaking on the motion.

Ruling by Speaker

Speaker Sam L. Collins repeated his ruling which was that such an objection should have been raised yesterday, and that, as the notice of motion to reconsider the vote whereby Assembly Concurrent Resolution No. 59 was yesterday adopted became the property of the House, the point of order is not well taken.

Point of Inquiry

Mr. Coats arose to the following point of inquiry: Why was Mr. Collier in order when he moved to reconsider Assembly Concurrent Resolution No. 59?

Ruling by Speaker

Speaker Sam L. Collins ruled that, pursuant to the provisions of Rule No. 84, Mr. Collier was in order.

Motion to Lay Motion on Table

Mr. Condon moved that the motion to reconsider, by Mr. Collier, be laid upon the table.

Mr. Hagen seconded the motion.

Point of Order

Mr. Sherwin arose to the following point of order: That, pursuant to the provisions of the Rules, two members may not have the floor at the same time, and that Mr Condon's motion is not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Point of Order

Mr. Hagen arose to the following point of order: That Mr. Collier has exceeded his time.

Ruling by Speaker

Speaker Sam L. Collins ruled that so many interruptions have consumed the time of Mr. Collier that the point of order is not well taken.

Point of Order

Mr. McMillan arose to the following point of order: That Mr. Collier has exceeded his time.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

Motion to Lay Motion to Reconsider on Table

Mr. Condon moved that the motion by Mr. Collier to reconsider the vote whereby Assembly Concurrent Resolution No. 59 was adopted be laid upon the table.

Mr. Hagen seconded the motion.

Point of Inquiry

Mr. Crowley arose to the following point of inquiry: Does this coming roll call carry with it the question of the adoption of the resolution, or just the question of reconsideration?

Ruling by Speaker

Speaker Sam L. Collins ruled that only the motion to reconsider is presently before the House, and that the roll call does not pertain to any other issue.

Roll Call Demanded

Messrs. Grunsky, Crowley, and Cooke demanded a roll call.

The roll was called, and the motion by Mr. Condon to table the motion to reconsider lost by the following vote:

AYES—Beck, Berry, Brown, Burkhalter, Coats, George D. Collins, Condon, Crowley, Davis, Dills, Doyle, Elliott, Evans, Gaffney, Geddes, Hagen, Hawkins, Henderson, Lowrey, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, and Thomas—32.

NOES—Babbage, Belotti, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Cooke, Dickey, Erwin, Fleury, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Luckel, Lyon, McGee, Morris, Niehouse, Sherwin, Silliman, Smith, Stewart, Tomlinson, and Waters—38.

The question being on the motion to reconsider.

Demand for Previous Question

Messrs. Cooke, Grunsky, Geddes, Hinckley, and Luckel demanded the previous question.

Demand for previous question lost.

The question being on the motion, by Mr. Collier, to reconsider the vote whereby Assembly Concurrent Resolution No. 59 was yesterday adopted.

Demand for Previous Question

Messrs. Doyle, Hinckley, Gubser, Silliman, and Lincoln demanded the previous question.

Demand for previous question sustained.

The question being on the motion, by Mr. Collier, to reconsider the vote whereby Assembly Concurrent Resolution No. 59 was yesterday adopted.

The roll was called, and reconsideration refused by the following vote:

AYES—Babbage, Belotti, Burke, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Erwin, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, McGee, Morris, Sherwin, Silliman, Smith, Stanley, Tomlinson, and Waters—33.

NOES—Beck, Berry, Brady, Brown, Burkhalter, Caldecott, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Evans,

Gaffney, Geddes, Hagen, Hawkins, Henderson, Hollibaugh, Lowrey, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, and Thomas—39.

Assembly Concurrent Resolution No. 59 ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Assembly Bill No. 1689

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and re-refer to Committee on Ways and Means.

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 302
Assembly Bill No. 516
Assembly Bill No. 884
Assembly Bill No. 2420
Assembly Bill No. 2421
Assembly Bill No. 2611
Assembly Bill No. 3033

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 991
Assembly Bill No. 1814
Assembly Bill No. 2079

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills Nos. 516, 884, and 991 re-referred to the Committee on Finance and Insurance.

Assembly Bills Nos. 3033, 2421, and 2420 re-referred to the Committee on Boards and Commissions.

Assembly Bills Nos. 2611 and 2079 re-referred to the Committee on Ways and Means.

Assembly Bill No. 1814 re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 302 re-referred to the Committee on Judiciary.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1810

Mr. George D. Collins asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 1810, temporarily passed on the unfinished business file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1810—An act to amend Section 29(c) of the "Community Redevelopment Act," relating to employees benefits.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1810?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 29 (c)", and insert "Section 29".

Amendment No. 2

In line 2 of the title of said bill, strike out "Act," " and insert "Act" and Section 33265 of the Health and Safety Code,".

Amendment No. 3

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 29 of the Community Redevelopment Act is amended to read:

Sec. 29. Each redevelopment agency shall constitute a public body, corporate and politic, exercising public and essential governmental functions, and, subject to the limitations imposed by this act, shall have the following powers in addition to the others herein granted:

(a) To sue and be sued; to have a seal; to make and execute contracts and other instruments necessary or convenient to the exercise of its powers.

(b) To make, and from time to time amend and repeal by-laws, rules and regulations not inconsistent with this act to carry into effect the powers and purposes hereof.

(c) To obtain, hire, purchase or rent office space, equipment, supplies, insurance and services and to authorize and pay the expenses of travel by members of the agency and its officers, agents, counsel, and employees on business of the agency. In order that there may be no unnecessary duplication of effort or expense, the agency shall have access for the purposes of the agency to the services and facilities of the planning commission, the city engineer and such other departments and offices of the community as may be appropriate therefor.

(d) To select, appoint and employ such officers, agents, counsel and employees, permanent and temporary, as it may require, and determine their qualifications, duties, *benefits* and compensation, subject only to the conditions and restrictions imposed by the legislative body on the expenditure or incumbrance of the budgetary funds appropriated to the community redevelopment agency administrative fund as provided by Section 26.

(e) To prepare from time to time plans for the improvement, rehabilitation, and redevelopment of blighted areas.

(f) To disseminate redevelopment information.

(g) To accept financial or other assistance from any source, public or private, for or in aid of the agency's activities, powers and duties and to expend any funds so received for any of the purposes of this act.

(h) Within the redevelopment area or for purposes of redevelopment: To purchase, lease, obtain option upon, acquire by gift, grant, bequest, devise or otherwise, any real or personal property, or any interest therein, together with any improvements thereon; to acquire by the exercise of the power of eminent domain any real property; to clear any or all buildings, structures or other improvements from any real property so acquired; to sell, lease, exchange, subdivide, transfer, assign, pledge, encumber (by mortgage, deed of trust or otherwise), or otherwise dispose of any real or personal property or any interest therein; to insure or provide for the insurance of any real or personal property or operations of the agency against risks or hazards; and to rent, maintain, manage, operate, repair, and clear, such real property. Any such lease or sale may be made without public bidding but only after a public hearing by the agency upon the proposed lease or sale and the provisions thereof.

(i) To develop as a building site or sites any real property owned or acquired by it, and in this connection to cause streets and highways to be laid out and graded, and pavements or other road surfacing, sidewalks and curbs, and public utilities of every kind to be constructed and installed.

(j) To operate a rehousing bureau for the purpose of assisting site occupants in obtaining adequate temporary or permanent housing and to incur such expenses as are necessary in connection therewith.

(k) To invest any funds held in reserves or sinking funds or any funds not required for immediate disbursement, in property or securities in which savings banks may legally invest funds subject to their control; to purchase its bonds at a price not more than the principal amount thereof and accrued interest, all bonds so purchased to be canceled.

(*l*) To obligate lessees or purchasers of property acquired in a redevelopment project: (1) to use such property for the purpose designated in the redevelopment plans; (2) to begin the redevelopment of the project area within a period of time which the agency fixes as reasonable; and (3) to comply with such other conditions as in the opinion of the redevelopment agency are necessary to carry out the purposes of this act. The agency, by provision in the contract, may make any of the purchaser's obligations, covenants or conditions running with the land, whose breach shall cause the fee to revert to the agency.

(m) To exercise all or any part or combination of the powers herein granted.

(n) Nothing herein contained shall authorize such redevelopment agency to construct or rehabilitate any of the buildings for residential, commercial, industrial, or other use contemplated by the redevelopment plan, and nothing contained in this act shall authorize such redevelopment agency to sell, lease, grant or donate public property to a housing authority or to any public agency for low-rent public housing projects.

(o) The agency shall not acquire, without the consent of the owner, any real property on which buildings are located, where such buildings are to be continued on their present site and in their present form and use, unless such buildings require alteration, improvement, modernization, or rehabilitation under the redevelopment plan and the owner fails or refuses to agree to participate in the redevelopment plan as provided in Sections 47 and 72.

SEC. 2. Section 33265 of the Health and Safety Code is amended to read:

33265. An agency may select, appoint, and employ such permanent and temporary officers, agents, counsel, and employees as it requires, and determine their qualifications, duties, *benefits*, and compensation, subject only to the conditions and restrictions imposed by the legislative body on the expenditure or incumbrance of the budgetary funds appropriated to the community redevelopment agency administrative fund.

SEC. 3. Section 2 of this act becomes operative only if Division 24 of the Health and Safety Code is enacted by the Legislature at its 1951 Regular Session, and in such case at the same time as said Division 24 takes effect, at which time Section 29 of the Community Redevelopment Act is repealed."

Amendment No. 4

On page 1 of said bill, strike out lines 3 to 10, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1810 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

Assembly Bill No. 1810 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 2599—An act to add Sections 5.2 and 5.3 to, and amend Section 6 of the Metropolitan Water District Act, relating to the issuance of refunding bonds for the purpose of refunding bonds issued pursuant to the provisions of said Metropolitan Water District Act, and the government and management of metropolitan water districts and declaring the severability of the provisions hereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lipscomb, Lowrey, Luckel, Lyon,

Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Parker, Porter, Rumford, Shaw, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—65.

NOES—None

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which were referred:

Assembly Bill No. 2067
Assembly Bill No. 3055

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

NIEHOUSE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR SPEAKER: Your Committee on Social Welfare, to which was referred:

Assembly Bill No. 3423

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

NIEHOUSE, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which were referred:

Senate Bill No. 952
Senate Bill No. 955

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

NIEHOUSE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which were referred:

Senate Bill No. 946
Senate Bill No. 951

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

NIEHOUSE, Chairman

Above reported bills ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER Your Committee on Judiciary, to which were referred:

Assembly Bill No. 3323
Assembly Bill No. 1775

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

BROWN, Chairman

Above reported bills ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1999—An act to amend Sections 353.10, 351.9, 357.1, and 357.2 of, and to add Sections 352 and 358 to, the Agricultural

Code, relating to animals, including provisions relative to slaughter, hides, inspections, and meat thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1819—An act to amend Section 1241 of the Civil Code, relating to homesteads.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Senate Bill No. 89	Senate Bill No. 883
Senate Bill No. 110	Senate Bill No. 961

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 461	Assembly Bill No 2216
Assembly Bill No. 584	Assembly Bill No. 2818
Assembly Bill No. 1118	Assembly Bill No. 3357

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 212	Assembly Bill No. 475
Assembly Bill No. 214	Assembly Bill No. 2040
Assembly Bill No. 215	

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1495
Assembly Bill No. 2113
Assembly Bill No. 2513
Assembly Bill No. 3419

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 213
Assembly Bill No. 2290

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2874—An act to amend Section 647a of the Penal Code, relating to vagrancy.

Bill read third time, and ordered passed on file.

Assembly Bill No. 3031—An act to amend Sections 26721, 26722, 26725, 26728, 26729, 26731, 26733, 26734, 26735, 26736, 26738, 26740, 26741, 26743, and 26746 of the Government Code, relating to the fees of sheriffs and marshals.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—64.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1997—An act to amend Section 417.1 of the Vehicle Code, relating to the privilege of operating a motor vehicle.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 16

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 33

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 282
Assembly Bill No. 287
Assembly Bill No 288

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CONNOLLY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 895
Assembly Bill No 896
Assembly Bill No. 1221

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CONNOLLY, Chairman

Above reported bills ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2690—An act to repeal and add Section 63 to the California Water District Act, relating to revenue bonds of districts organized under said act, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sillman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—65.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—65

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3405—An act to add Section 50478 to the Government Code, relating to the lease of publicly owned property for airports and related purposes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3411—An act to add Section 25464 to the Government Code, relating to contracts for public works.

Bill read third time.

Motion to Amend

Mr. Cooke moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "25464", and insert "25465".

Amendment No. 2

On page 1, line 1, of said bill, strike out "25464", and insert "25465".

Amendment No. 3

On page 1, line 3, of said bill, strike out "25464", and insert "25465".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

MOTION TO APPROVE JOURNALS

Upon motion of Mr. Dickey, the Journals for Monday, April 30, 1951; Tuesday, May 1, 1951; Wednesday, May 2, 1951; Thursday, May 3, 1951, and Friday, May 4, 1951, were approved, as corrected by the Minute Clerk.

RECESS

At 11.50 a.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2217—An act to add Section 21263 to the Government Code, relating to retirement allowances of local safety members of the State Employees' Retirement System.

Bill read third time, and ordered passed on file.

Assembly Bill No. 386—An act to amend Section 6366 of the Revenue and Taxation Code, relating to exemptions of aircraft from the sales and use tax.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Cooke, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—62.
NOES—Hagen, Lowrey, McCarthy, and Moss—4.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1164—An act to amend Sections 859 and 987a of the Penal Code, relating to compensation of counsel appointed by any court to defend indigent persons charged with crime and compensation of public defenders in certain cases.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Cooke, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—65.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1088—An act to amend Sections 680, 682, and 684 of the Probate Code, relating to family allowances from estates.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 370—An act to add Section 360.5 to the Code of Civil Procedure, relating to statutes of limitations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 962—An act to amend Section 4300*l* of the Political Code, and Section 32 of the Municipal Court Act of 1925, relating to municipal court fees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2207—An act to add Section 18.5 to the Municipal and Justice Court Act of 1949, relating to municipal courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2512—An act to amend Section 2616 of the Code of Civil Procedure, as added by Chapter 1031 of the Statutes of 1943, relating to phonographic reporters.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, and Waters—63.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2859

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 2859, temporarily passed on the unfinished business file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2859—An act to add Article 9 to Chapter 5 of Part 3 of Division 5 of the Health and Safety Code, relating to revenue bonds.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2859?

Amendment No. 1

On page 1, lines 8 and 9, of the printed bill, strike out "services, facilities, or water of the enterprise", and insert "works".

Amendment No. 2

On page 1, lines 9 and 10, of said bill, strike out "its pro-rata share of".

Amendment No. 3

On page 1, lines 10 and 11, of said bill, strike out "pursuant hereto", and insert "for the use and maintenance of the works".

Amendment No. 4

On page 1, line 14, of said bill, after "chapter," insert "and which territory continues to use the works,".

Amendment No. 5

On page 1, line 15, of said bill, strike out "pursuant hereto", and insert "for the use and maintenance of the works".

Amendment No. 6

On page 1, line 19, of said bill, after "chapter," insert "and which territory continues to use the works,".

Amendment No. 7

On page 1, line 20, of said bill, after "sum", insert "or sums".

Amendment No. 8

On page 1, lines 21 and 22, of said bill, strike out "of the pro-rata share of said territory".

Amendment No. 9

On page 1, line 23, of said bill, strike out "pursuant hereto", and insert "for the use and maintenance of the works".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2859 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—71.

NOES—None.

Assembly Bill No. 2859 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2860

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 2860, temporarily passed on the unfinished business file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2860—An act to add Article 12 to Chapter 6 of Division 2 of Title 5 of the Government Code, relating to revenue bonds.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2860?

Amendment No. 1

On page 1, lines 9 and 10, of the printed bill, strike out "its pro-rata share of".

Amendment No. 2

On page 1, lines 10 and 11, of said bill, strike out "pursuant hereto", and insert "for such use".

Amendment No. 3

On page 1, line 14, of said bill, after "chapter," insert "and which territory shall continue to use the services, facilities, or water of the enterprise,".

Amendment No. 4

On page 1, lines 14 and 15, of said bill, strike out "its pro-rata share of".

Amendment No. 5

On page 1, lines 15 and 16, of said bill, strike out "pursuant hereto", and insert "for such use".

Amendment No. 6

On page 1, line 20, of said bill, after "chapter," insert "and which territory shall continue to use the services, facilities, or water of the enterprise,".

Amendment No. 7

On page 1, line 21, of said bill, after "sum", insert "or sums".

Amendment No. 8

On page 1, line 23, of said bill, strike out "pro-rata share of said territory of the".

Amendment No. 9

On page 1, line 24, of said bill, strike out "pursuant hereto", and insert "for such use".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2860 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—73.

NOES—None.

Assembly Bill No. 2860 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO EXPUNGE RECORD, AND RESCIND ACTION ON ADOPTION OF CONFERENCE REPORT CONCERNING SENATE BILL NO. 1211

Mr. Silliman asked for unanimous consent to expunge the record, and rescind the action whereby the Assembly, on Tuesday, May 1st, adopted the report of the Committee on Conference concerning Senate Bill No. 1211.

Mr. Waters withheld unanimous consent.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3392—An act to amend Section 117j of the Code of Civil Procedure, relating to small claims.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—70

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1752—An act to amend Section 1908 of the Harbors and Navigation Code, relating to contracts for fire boat services and payment for services of firemen.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 44

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolution ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 57

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolution ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 68

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Public Health, to which were referred

Assembly Bill No. 284
Assembly Bill No. 289
Assembly Bill No. 1032
Assembly Bill No. 1053
Assembly Bill No. 1109
Assembly Bill No. 1147
Assembly Bill No. 3364

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CONNOLLY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR SPEAKER: Your Committee on Public Health, to which was referred:

Assembly Bill No. 3183

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

CONNOLLY, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2374—An act to add Section 532 to the Streets and Highways Code, relating to the State Highway System.

Bill read third time.

Point of Order

Mr. Lowrey arose to the following point of order: That, pursuant to the provisions of Rule No 45, Assembly Bill No. 2374 should be re-referred to the Committee on Ways and Means.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Assembly Bill No. 2374 ordered re-referred to the Committee on Ways and Means.

Assembly Bill No. 3414—An act to add Sections 1005.1 and 10052 to the Water Code, relating to water rights, declaring the severability of the provisions of this act, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—66.

NOES—Lowrey and Silliman—2.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel,

Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Stewart, Thomas, and Waters—65.

NOES—Silliman and Tomlinson—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 759—An act to add Section 20392.5 to the Education Code, relating to dismissal and re-employment of state college employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, and Waters—68.

NOES—Levering—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. McCollister asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 68, at this time, without reference to print or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 68

Senate Concurrent Resolution No. 68—Approving amendments to the charter of the City of San Rafael, a municipal corporation in the County of Marin, State of California, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the ninth day of April, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—70.

NOES—None.

Resolution ordered transmitted to the Senate.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Senate Bill No. 1610, on motion of Mr. Hollibaugh.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 58

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Assembly Concurrent Resolution No. 58, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 58

Assembly Concurrent Resolution No. 58—Relative to approving the charter of the City of Arcadia, County of Los Angeles, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the twenty-fourth day of April, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2874

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2874, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2874

Assembly Bill No. 2874—An act to amend Section 647a of the Penal Code, relating to vagrancy.

Bill read third time.

Demand for Previous Question

Messrs. Doyle, Lyon, Luckel, Geddes, and Lanterman demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2874.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Henderson, Hinckley, Kelly, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—56.

NOES—Brady, Burkhalter, Condon, Elliott, Hawkins, Levering, and McMillan—7.

Bill ordered transmitted to the Senate.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bills were withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bills Nos. 1467 and 1468, on request of Mr. Shaw.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE BILL NO. 71 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Clarke asked for, and was granted, unanimous consent that Senate Bill No. 71 be withdrawn from the Committee on Agriculture, and be re-referred to the Committee on Municipal and County Government.

REQUEST FOR UNANIMOUS CONSENT THAT NOTICE OF MOTION TO RECONSIDER BE CONTINUED

Mr. George D. Collins asked for unanimous consent that his notice of motion to reconsider the vote on Assembly Bill No. 3075 be continued until the next legislative day.

Mr. Dickey withheld unanimous consent.

Objections Withdrawn

Mr. Dickey withdrew his objections.

Notice of Motion to Reconsider Continued

By unanimous consent, the consideration of notice of motion to reconsider vote on Assembly Bill No. 3075 was continued until the next legislative day.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Thomas:

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 845.1 to the Fish and Game Code, relating to nets.

Respectfully submitted.

VINCENT THOMAS

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Thomas:

An act to add Section 845.1 to the Fish and Game Code, relating to nets.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—68.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3425: By Mr. Thomas—An act to add Section 845.1 to the Fish and Game Code, relating to nets.

Referred to Committee on Fish and Game.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Munnell:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 23 and 24 of the Alcoholic Beverage Control Act, relating to excise taxes on alcoholic beverages, to take effect immediately.

Respectfully submitted.

WM. A. MUNNELL

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Munnell:

An act to amend Sections 23 and 24 of the Alcoholic Beverage Control Act, relating to excise tax on alcoholic beverages, to take effect immediately.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—68.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3426: By Mr. Munnell—An act to amend Sections 23 and 24 of the Alcoholic Beverage Control Act, relating to excise taxes on alcoholic beverages, to take effect immediately.

Referred to Committee on Boards and Commissions.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Parker:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 105 of the Harbors and Navigation Code, relating to navigable streams and public waterways

Respectfully submitted.

H. Q. PARKER

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Parker:

An act to amend Section 105 of the Harbors and Navigation Code, relating to navigable streams and public waterways

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—68.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 3427: By Mr. Parker (By request of Mr. McFall)—An act to amend Section 105 of the Harbors and Navigation Code, relating to navigable streams and public waterways.

Referred to Committee on Municipal and County Government.

Assembly Constitutional Amendment No. 59: By Messrs. Maloney and Elliott—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by repealing Article XIX thereof, relating to Chinese.

Referred to Committee on Constitutional Amendments.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today, at 8 p.m.—

Constitutional Amendments, in Room 3186.
Municipal and County Government, in Room 426.
Education, in Room 432.
Subcommittee on Ways and Means, in Room 319. Subject: Assembly Bill No. 1954.

Today Upon Adjournment—

Governmental Efficiency and Economy, in Room 435.
Conservation, Planning, and Public Works, in Room 3186.

Tomorrow, Thursday, May 10th, at 9 a.m.—

Rules, in Room 3186.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Dickey, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Mabel Crown of Alameda.

On request of Mr. McCollister, the usual courtesies of the Assembly for this day were unanimously extended to Frank Pensar, teacher, J. A. McNaught, adult, and the following pupils of El Verano School: Patsy Ward, Rebecca Patterson, Jimmy Saunders, Manual Katrones, Arthur Morgan, Louis Haas, Donald Kohler, Robert Fassio, Robert Larsen, Stanley Flandi, Barry Maslin, Paul Freidrichsen, Barbara Pellandini, Violet De Martini, Gayle Vandergrift, Kirk Williams, Barbara Pellandini, Jeanetta Cheary, Thelma Cummins, Thaddeus Harvey, Judy Thomas, Clara Fernandez, Kay Williams, Julianna Setenga, and Louise Bowman.

On request of Mr. Lowrey, the usual courtesies of the Assembly for this day were unanimously extended to Frank Lovoi, teacher, Mildred Tandy, adult, and the following pupils of the Esparto School: Marguerite Gwerder, Virginia Praeter, Arthurene Johnson, Wayne Johnson, Mona Hamblet, Barry Bowles, Duane Tandy, Diane Parker, Nancy Morris, Bob Criner, Penelope Welch, Betty Ann Jaeger, John Stephens, John McDonald, Celia Geusalia, Mary Scott, Cordell Karlstad, James Owens, Charles Bertram, Lola Gross, Frances Yarbrough, Bonnie Bourland, Phyllis Hill, Patricia Power, Kathlee Mata, Sharon Messmer, Jo Ann Bender, Mary Anne Lewis, Dorothy Cobb, Annabelle Lopez, Jane Phillips, Kathy Weyant, and Pauline Long.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to Rev. Alfred Broccardo, teacher, and the following pupils of the Salesian High School of Richmond: Robert Anthony, John O'Brien, Anthony Freitas, Joe Pasquale, Joe Tuso, James Madison, Peter Sausedo, Paul Landis, Roland L'Heureux, Larry King, Frank Nakagaki, Manuel Barbariol, Martin Zitzelberger, and James Bordoli.

On request of Messrs. McFall and Parker, the usual courtesies of the Assembly for this day were unanimously extended to Lowell L. Gates, teacher, John Dudley, adult, and the following pupils of the Lammersville School of Tracy: Mary Adams, Anita Bruce, Jackie Briscoe, Kendal Clay, Wilma Cook, Leroy Cook, Bob Dobbins, Barbara Edrington, Jesse Eddings, Pauline Kreiberg, Ralph McGee, Alfred Henriques, Lynn Bedford, Ronald Keeler, Chris Parreira, Leamon Thomas, Erwin Thomas, Stanley Rippin, Robert Treat, Myril Dee Willis, Rondie Price, and John Jordan.

On request of Mr. Coats, the usual courtesies of the Assembly for this day were unanimously extended to Mr. McGie, Mr. McClelland, Mr. Shenkel, Mr. Jeffers, Mr. Vonasek, and Mrs. Albrecht, teachers, and the following pupils of the Sycamore School: Verle Tolley, Bobbie Tescher, Jerry Wilson, Janet Lee, Lillian Scott, Betty Martin, Jessie Glover, Doyle Wright, Betty Mohler, Melvin Morris, Gary Justeson, Donald Pinion, Polly Winters, Berrie Clement, Marna Todd, Donna Donworth, Pat Dewitt, Jeri Ann Jensen, Joyce Stohlman, Anita Branch, Shirley Tabor, Lary Dunning, Bob Bate, Leon Marshall, Bob Fisher, Billy Pierce, Donald Mitchell, Don McCutcheon, Gary Fagan, Bob Baker, Jim Mund, Sherry Richens, Margaret Reimes, Robert Brownly, Shirley Mayberry, Sue Ann Adams, Allen Sparks, Elden Martin, Priscilla Oakley, Illene Lowery, Kathryn Jones, Carla Jones, Annette Bassette, Dona Abshire, Bob Onstead, Jimmy Pendergreft, LeRoy Hepworth, Billy Alexander, Virginia Din, Crystal Wright, Ione Sorenson, Gloria Hudson, La Tresa, Viola Estes, Betty Sanderson, Sharron Kast, Jackie Cummings, James Brock, David Burge, Hubert Greene, Chuck La Violette, Rodger Cooper, Raymond Pantaleoni, Elmer Smith, Donald Lockhart, Dale Hood, Harold Haury, Marvin Short, Gary Hepworth, Jerry Menker, John Gilford, Dan Fukushima, Gay Anderson, Shirley Sample, Margie Mattos, Delfina Ageuar, Daisy Dunlap, Yvonne Rogers, Tiny Whiteside, Norita Stewart, Carole Hinkle, R. C. Whitten, Allen Hill, Cleo Water, Bud Edwards, Harry Winters, Helon Carter, Addine Louis, Rosey Louis, LaVaughn Wilson, Una Brooks, Dart Shelton, Juanita Dillard, Imogene Hancock, Madiline Homesley, Beverly Mauer, Helen Gerger, Rowena Vaca, Fred Brokaw, LaVern Sowers, Kenneth Keen, Rodger Shefflet, Ival Stone, Leonard Kolnesberg, Bob Allen, Gary Little, and Richard Adamsicyke.

On request of Messrs. Moss and Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Mary H. Drake, teacher, Mrs. Ralph Grovannoni, Mrs. Ralph Smith, Mrs. Reginald Sturtz, Mrs. Vincent Gemignani, and Mrs. Paul Martin, adults, and the following pupils of the Beaver School of Ryde: Mary Candelaria, Lorraine Gemignani, Barbara Meyer, Deanna Peters, Carolyn Rorman, Robert Goodman, Johnnie Malta, Jr., Donald Maria, Luther Walker, Richard Azevedo, Rufus Valadez, Arthur Fevereira, Fay Grovannoni, Roberta Goodman, Janice Smith, Jennie Luna, Geraldine Fanning, Donnavean Walsh, Jackie Martin, Glenn Sturtz, Phillip Sullivan, Billie Wyatt, and Stephen De Louize.

On request of Messrs. McFall and Parker, the usual courtesies of the Assembly for this day were unanimously extended to Florence W. Moore, teacher, R. J. Marraccini, B. D. Herrin, Mrs. R. J. Marraccini,

adults, and the following pupils of the Jefferson School: Mary Anastasio, Genevieve Borba, Lois Cantwell, Maybelle Castro, Stuart Clever, James Collins, Coby Dykzeul, Carol Ebell, Doyle Edwards, Bernard Elissogaray, Orval Farmer, Donald Hill, Merilyn Kellogg, John Jardine, Patricia Mowrey, Ronald Marcyes, Catalina Payan, Jesus Payan, Liliane Petricorena, and Rodger Rolicheck.

On request of Mr. Beck, the usual courtesies of the Assembly for this day were unanimously extended to Harry Lewis of Lake Hughes.

On request of Speaker Sam L. Collins, the usual courtesies of the Assembly for this day were unanimously extended to Judge Fred Wood of San Francisco.

On request of the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Russell Stowell, Dr. Cecil Hardesty, Francis Darby, J. C. Landerbach, and E. L. Freeland of San Diego.

ADJOURNMENT

At 3.21 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9.30 a.m., Thursday, May 10, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FIFTY-SIXTH LEGISLATIVE DAY

SEVENTY-SIXTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, May 10, 1951

The Assembly met at 9.30 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—77.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

We thank Thee, Eternal Spirit, For giving us this new day. Guide us with wisdom and understanding, patience and forgiveness, courage and strength. As we face perplexities and responsibilities, inspire us to be pure and gentle, truthful and high-minded, courageous and just Grant us the peace of the poet who prayed:

"Yet in the maddening maze of things,
And tossed by storm and flood,
To one fixed trust my spirit clings;
I know that God is good."

Through Jesus Christ, our Lord.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Kelly, further reading of the Journal of the previous legislative day was dispensed with.

REPORTS OF STANDING COMMITTEES

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1951

MR SPEAKER. Your Committee on Municipal and County Government, to which were referred:

Senate Bill No. 330
Senate Bill No. 1534

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1951

MR SPEAKER Your Committee on Municipal and County Government, to which were referred

Senate Bill No. 64
Senate Bill No 1031
Senate Bill No. 1060
Senate Bill No 1677

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred.

Assembly Bill No. 1877

Has had the same under consideration, and reports the same back with the recommendation Do pass

STANLEY, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 3411

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 354
Assembly Bill No 838
Assembly Bill No 1542
Assembly Bill No. 1906
Assembly Bill No. 1938

J A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 479
Assembly Bill No. 1176
Assembly Bill No. 1227
Assembly Bill No 1721
Assembly Bill No. 2717

And respectfully requests your honorable body to concur in said amendments.

J A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No 211
Senate Bill No. 302
Senate Bill No. 928
Senate Bill No. 942
Senate Bill No. 1217
Senate Bill No. 1666

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 211—An act to amend Section 126 of, and to add Section 127 to, the Government Code, relating to the acquisition of land in this State by the United States and records and indices thereof maintained by the State Lands Commission.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 302—An act to add Section 417 to the Code of Civil Procedure, relating to civil actions

Referred to Committee on Judiciary.

Senate Bill No. 928—An act to add Article 3 to Chapter 3 of Part 3, Division 2 and to amend Section 1282 of the Insurance Code, relating to the regulation of workmen's compensation insurance, rating and other organizations.

Referred to Committee on Finance and Insurance.

Senate Bill No. 942—An act to amend Section 7431.1 of, and to add Section 7431.2 to, the Education Code, relating to the computation of bonded indebtedness of school districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Senate Bill No. 1217—An act to amend Sections 3082 and 3471 of the Welfare and Institutions Code, relating to aid to the blind, in respect to evidence of eligibility for aid.

Referred to Committee on Social Welfare.

Senate Bill No. 1666—An act to add Article 10, comprising Sections 6175 to 6180, inclusive, to Chapter 4, Division 3, of the Business and Professions Code, relating to loyalty of attorneys.

Referred to Committee on Judiciary.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 789—An act to add Section 2838 5 to the Elections Code, relating to county central committees.

And appointed Senators Burns, Regan, and Dilworth, as a Committee on Conference to meet a like committee from the Assembly.

J. A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 789

The Speaker announced the appointment of Messrs. Lyon, McCollister, and Brady as a Committee on Conference concerning Senate Bill No. 789.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day rescinded its action whereby the Conference Committee report submitted May 1st, affecting Senate Bill No. 1211 was adopted, and to respectfully request your honorable body to take the same action.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON CONFERENCE REPORT CONCERNING SENATE BILL NO. 1211

Mr. Davis asked for, and was granted, unanimous consent to rescind the action whereby the Assembly, on Tuesday, May 1st, adopted the report of the Committee on Conference concerning Senate Bill No. 1211.

Senate Bill No. 1211 ordered to unfinished business.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1495—An act to add Section 1035 to the Code of Civil Procedure, relating to costs.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2113—An act to amend Section 869 of the Penal Code, relating to the preparation of daily transcripts and the costs thereof.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2513—An act to amend Sections 402 and 422.5 of the Vehicle Code, relating to civil liability and financial responsibility of owners and operators of vehicles.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3419—An act to amend Section 2468 of the Civil Code, relating to the use of fictitious names by persons and partnerships transacting business.

Bill read second time, and ordered engrossed.

Assembly Bill No. 282—An act to add Sections 9518.1 and 9522.18 to the Business and Professions Code, relating to dry cleaning.

Bill read second time, and ordered engrossed.

Assembly Bill No. 287—An act to add Sections 9510.1 and 9598.5 to the Business and Professions Code, relating to advertising in the dry cleaning industry.

Bill read second time, and ordered engrossed.

Assembly Bill No. 288—An act to add Section 9594.9 to the Business and Professions Code, relating to disciplinary action by the State Board of Dry Cleaners.

Bill read second time, and ordered engrossed.

Assembly Concurrent Resolution No. 39—Relative to the support of the old age assistance program by the Legislature of the State of California.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

On page 1, line 11, of the printed measure, strike out "and", and insert "now, therefore, be it".

Amendment No. 2

On page 1 of said measure, strike out lines 12 to 27, inclusive; and on page 2, strike out lines 1 to 6, inclusive.

Amendment No. 3

On page 2, line 7, of said measure, after "Resolved", insert "by the Assembly of the State of California, the Senate thereof concurring".

Amendment No. 4

On page 2, line 9, of said measure, after "Welfare", insert "with instructions that the same be copied and mailed to all recipients of old age assistance".

Amendments read, and adopted.

Resolution ordered reprinted, and engrossed.

Assembly Bill No. 2127—An act to add Section 657 to, and to amend Section 639 of, the Agricultural Code, relating to milk and milk products and imitations thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 19, 1951, strike out "to add Section 657 to, and".

Amendment No. 2

In lines 2 and 3 of the title of said bill, strike out "and imitations thereof".

Amendment No. 3

On page 2 of said bill, strike out lines 1 to 16, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3037—An act to add Section 941 to the Agricultural Code, relating to cotton.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 941 to", and insert "repeal Article 2 of Chapter 5 of Division 5 of".

Amendment No. 2

In line 2 of the title of said bill, strike out "cotton", and insert "cottonseed certification".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 4, inclusive, and insert

"SECTION 1. Article 2 of Chapter 5 of Division 5 of the Agricultural Code, comprised of Sections 931 to 940, inclusive, is repealed."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 212—An act to amend Section 1744 of the Code of Civil Procedure, relating to attaches of the conciliation court in counties of 900,000 population or more.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 1, 1951, strike out lines 12 to 14, inclusive, and insert "(b) One counselor of conciliation who shall receive a salary of five thousand four hundred dollars ($5,400) per annum, whose duties shall be to provide supervision and counsel in conciliation matters and such other duties as the Judge of the conciliation court may direct."

Amendment No. 2

On page 1 of said bill, strike out lines 17 to 22, inclusive, and insert "sand three hundred dollars ($3,300) per annum."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 214—An act to amend Section 261.5 of the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties, of 2,000,000 population or more.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on April 18, 1951, strike out line 4, and insert "thousand nine hundred dollars ($3,900) per annum; two".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 215—An act to amend Section 261a of the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties, of 900,000 population or more.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 9, of the printed bill, as amended in the Assembly on April 4, 1951, strike out "assistant", and insert "supervisor".

Amendment No. 2

On page 1, line 19, of said bill, strike out "junior"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 475—An act to amend Section 689b of the Code of Civil Procedure, relating to executions.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 16, 1951, strike out lines 12 to 16, inclusive, and insert "chattel mortgage must within five days after being served with written notice by the mortgagee containing a statement of the mortgage, make demand by registered mail on the plaintiff or his attorney for the amount of the debt and interest due the mortgagee to date of tender, and the plaintiff shall deposit with the officer the amount of such debt and interest within five days after the receipt of such demand, and within five days after receipt by him of said amount the officer must pay or tender same to the mortgagee or must deposit said amount with the county clerk or treas-".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2040—An act to amend Section 1027 of the Penal Code and Sections 5504 and 5507 of the Welfare and Institutions Code, relating to the appointment of alienists or psychiatrists and providing for the payment of fees for services of medical staff members of state hospitals.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Assembly on April 19, 1951, after "appoint", strike out "not".

Amendment No. 2

On page 2 of said bill, strike out line 11.

Amendment No. 3

On page 2, line 14, of said bill, after "fees", insert "and traveling expenses".

Amendment No. 4

On page 2, line 15, of said bill, strike out "current appropriation"; and strike out all of lines 16 and 17, and insert "General Fund of the State."

Amendment No. 5

On page 3 of said bill, strike out line 12.

Amendment No. 6

On page 3, line 15, of said bill, after "fees", insert "and traveling expenses".

Amendment No. 7

On page 3, line 16, of said bill, strike out "current appropriation"; and strike out all of lines 17 and 18, and insert "General Fund of the State."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 461—An act to amend Section 737rr of the Political Code, and 79.44 of the Code of Civil Procedure, relating to superior judges' salaries.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 2 of the title of the printed bill, after "superior", insert "court".

Amendment No. 2

On page 1 of said bill, strike out line 5, and insert "fifteen thousand dollars ($15,000)."

Amendment No. 3

On page 1 of said bill, strike out line 10, and insert "fifteen thousand dollars ($15,000)."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 584—An act to amend Section 737s of the Political Code, relating to the salary of judges of the superior court.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out line 5, and insert "seventeen thousand five hundred dollars ($17,500)."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1118—An act to amend Section 73700 of the Political Code and Section 79.41 of the Code of Civil Procedure, relating to superior judges' salaries.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "73700", and insert 737oo".

Amendment No. 2

On page 1, line 1, of said bill strike out "73700", and insert "737oo".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out line 3, and insert
"737oo. The annual salary of each [of the judges] *judge* of the".

Amendment No. 4

On page 1 of said bill, strike out line 5, and insert "fifteen thousand dollars ($15,000)."

Amendment No. 5

On page 1, line 8, of said bill, strike out "of the judges", and insert "judge".

Amendment No. 6

On page 1 of said bill, strike out line 10, and insert "fifteen thousand dollars ($15,000)".

Amendment No. 7

On page 1, line 12, of said bill, strike out "73700", and insert "737oo".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2216—An act to amend Sections 737hh of the Political Code and 79.34 of the Code of Civil Procedure, relating to superior judges' salaries.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 5, of the printed bill, before "dollars", insert "fifteen thousand".

Amendment No. 2

On page 1, line 5, of said bill, after "$", insert "15,000".

Amendment No. 3

On page 1, line 10, of said bill, before "dollars", insert "fifteen thousand".

Amendment No. 4

On page 1, line 10, of said bill, after "$", insert "15,000".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2818—An act to amend Section 737LL of the Political Code, relating to salaries of Superior Judges in the City and County of San Francisco.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 1

Strike out lines 1 to 3, inclusive, of the title of the printed bill, and insert

"An act to amend Sections 737a, 737kk, and 737*ll* of the Political Code, and Sections 79.1, 79.37, and 79.38 of the Code of Civil Procedure, relating to salaries of superior court judges."

Amendment No. 2

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 737a of the Political Code is amended to read:

737a. The annual salary of [each of] the Judges of the Superior Court in and for the County of Alameda is [fifteen thousand dollars ($15,000)] *seventeen thousand five hundred dollars ($17,500)*.

SEC. 2. Section 737kk of the Political Code is amended to read:

737kk. The annual salary of [each of] the Judges of the Superior Court in and for the County of San Diego is [fifteen thousand dollars ($15,000)] *seventeen thousand five hundred dollars ($17,500)*.

SEC. 3. Section 737*ll* of said code is amended to read:".

Amendment No. 3

On page 1, line 3, of said bill, strike out "each of".

Amendment No. 4

On page 1 of said bill, after line 6, insert

"SEC. 4. Section 79 1 of the Code of Civil Procedure is amended to read:

79.1. The annual salary of each [of the judges] *Judge* of the Superior Court in and for the County of Alameda is [fifteen thousand dollars ($15,000)] *seventeen thousand five hundred dollars ($17,500)*.

SEC. 5. Section 79.37 of the Code of Civil Procedure is amended to read:

79 37. The annual salary of each [of the judges] *Judge* of the Superior Court in and for the County of San Diego is [fifteen thousand dollars ($15,000)] *seventeen thousand five hundred dollars ($17,500)*.

SEC. 6. Section 79.38 of the Code of Civil Procedure is amended to read:

79.38. The annual salary of each [of the judges] *Judge* of the Superior Court in and for the City and County of San Francisco is [fifteen thousand dollars ($15,000)] *seventeen thousand five hundred dollars ($17,500)*.

SEC. 7. Sections 4, 5 and 6 of this act become operative only if Sections 737a, 737kk and 737*ll* of the Political Code are repealed by the Legislature at the 1951 Regular Session and in such case at the same time as said repeals take effect."

Amendments read, and adopted

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3357—An act to amend Section 204e of the Code of Civil Procedure, relating to the duties and compensation of the secretary and jury commissioner of the superior court, and assistants.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "500,000", and insert "600,000".

Amendment No. 2

On page 1, lines 11 and 12, of said bill, strike out "nine hundred dollars ($900)", and insert "one thousand dollars ($1,000)".

Amendment No. 3

On page 1, line 13, of said bill, strike out "500,000", and insert "600,000".

Amendment No. 4

On page 1, line 16, of said bill, strike out "600,000", and insert "750,000".

Amendment No. 5

On page 1, line 21, of said bill, strike out "_____ dollars ($_____)", and insert "four hundred fifty dollars ($450)".

Amendment No. 6

On page 1, line 22, of said bill, strike out "500,000", and insert "700,000".

Amendment No. 7

On page 1, lines 22 and 23, of said bill, strike out "600,000", and insert "750,000".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1041—An act to add Section 725.5 to the Fish and Game Code, relating to sturgeon.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 3, of the printed bill, after "sturgeon", insert "or parts thereof".

Amendment No. 2

On page 1, line 3, of said bill, after "be", insert "imported,".

Amendment No. 3

On page 1, line 4, of said bill, after "State", strike out "when the same are inspected and".

Amendment No. 4

On page 1 of said bill, strike out lines 5 to 8, inclusive, and insert "under regulations which the commission is hereby authorized to prescribe."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Concurrent Resolution No. 57—Relative to congratulating the University of San Francisco for establishment of a compulsory course in the evils of Communism.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

On page 1, line 13, of the printed measure, strike out the dash, and insert ", such as".

Amendment No. 2

On page 1, line 14, of said measure, after "Appeal," insert "and".

Amendment No. 3

On page 1, line 15, of said measure, strike out "—among others".

Amendments read, and adopted.

Resolution ordered reprinted, and engrossed.

Assembly Bill No. 284—An act to add Section 9540.7 to the Business and Professions Code, relating to the issuance of licenses by the State Board of Dry Cleaners.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 6, of the printed bill, after "fee", insert ", except that any person whose failure to appear for examination is due to service in any branch of the Armed Forces of the United States during a period of war as defined in Section 18 of the Military and Veterans Code shall, upon application made not later than one year from the date of discharge or return to inactive military service, and upon the filing of an affidavit showing the date of entrance into service, whether still in service, or the date of discharge or return to inactive status, be restored to the eligible list and permitted to take the examination without payment of further examination fee".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 289—An act to add Sections 9594.1, 9594.2, 9594.3, 9594.4, 9594.5, 9594.6, 9594.7, 9594.75, 9594.8, and 9594.85 to the Business and Professions Code, relating to dry cleaning.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "9594.1,".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 7, inclusive, and insert "SECTION 1. Section 9594.2 is added to the Business and Professions Code, to read:".

Amendment No. 3

On page 1, line 13, of said bill, strike out "SEC. 3", and insert "SEC. 2".

Amendment No. 4

On page 1, line 24, of said bill, strike out "SEC. 4", and insert "SEC. 3".

Amendment No. 5

On page 2, line 5, of said bill, strike out "SEC. 5", and insert "SEC. 4".

Amendment No. 6

On page 2, line 10, of said bill, after "been", insert "or will be".

Amendment No. 7

On page 2, line 13, of said bill, strike out "SEC. 6", and insert "SEC. 5".

Amendment No. 8

On page 2, line 18, of said bill, strike out "SEC. 7", and insert "SEC. 6".

Amendment No. 9

On page 2, line 26, of said bill, strike out "SEC. 8", and insert "SEC. 7".

Amendment No. 10

On page 2, line 30, of said bill, strike out "SEC. 9", and insert "SEC. 8".

Amendment No. 11

On page 2, line 31, of said bill, strike out "doing", and insert "commission".

Amendment No. 12

On page 2, line 32, of said bill, after "licensee", insert "in the course of his business".

Amendment No. 13

On page 2, line 34, of said bill, strike out "SEC. 10", and insert "SEC. 9".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1032—An act to amend Section 9550 of the Business and Professions Code, relating to operator in charge of cleaning, dyeing, spotting, and pressing establishments and schools.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 3, 1951, strike out lines 15 to 17, inclusive, and insert ". No".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1053—An act to add Article 5, Division 2, Part 9, consisting of Sections 2450 and 2450.1 to the Labor Code, relating to sanitary conditions on construction sites.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

Strike out the title of the printed bill, as amended in the Assembly on May 3, 1951, and insert

"An act to add Section 5416 to the Health and Safety Code, relating to sanitary conditions on construction sites."

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. Section 5416 is added to the Health and Safety Code to read:".

Amendment No. 3

On page 1, line 6, of said bill, strike out "2450", and insert "5416".

Amendment No. 4

On page 1, line 14, of said bill, strike out "effectively".

Amendment No. 5

On page 1, line 15, of said bill, strike out "screened and".

Amendment No. 6

On page 1, line 17, of said bill, strike out "enforcement agency", and insert "local health officer".

Amendment No. 7

On page 1, line 17, of said bill, after "facilities", insert "or modifications of those specified".

Amendment No. 8

On page 1, line 21, of said bill, strike out "article", and insert "section".

Amendment No. 9

On page 2 of said bill, strike out lines 1 to 11, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1109—An act to amend Sections 26209, 26233, 26235, 26252, 26253, 26271(a), 26272, 26273, 26274, 26275, 26288, 26290, 26292, and 26360 of, and to add Sections 26202.5, 26202.7, 26211.5, 26286.5, 26286.6, 26293.5, 26305, to and to repeal Sections 26251, 26271, of the Health and Safety Code, relating to adulterating, misbranding, and advertising of drugs and devices.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 5 of the title of the printed bill, as amended in the Assembly on April 19, 1951, strike out "26293.5".

Amendment No. 2

On page 2, line 26, of said bill, strike out ", or brand".

Amendment No. 3

On page 2, line 27, of said bill, strike out ", or brand".

Amendment No. 4

On page 2, line 45, of said bill, strike out ", or brand (if such there be)".

Amendment No. 5

On page 2, line 46, of said bill, strike out ", or brand".

Amendment No. 6

On page 3, line 11, of said bill, strike out ", or brand (if such there be)"

Amendment No. 7

On page 3, line 13, of said bill, strike out ", or brand".

Amendment No. 8

On page 5 of said bill, strike out lines 40 to 49, inclusive.

Amendment No. 9

In line 3 of the title of said bill, strike out "26275, 26288, 26290, 26292," and insert "26288, 26290, and 26292".

Amendment No. 10

In line 4 of the title of said bill, strike out "and 26360"

Amendment No. 11

In line 5 of the title of said bill, strike out "26286.5, 26286.6, 26293.5, 26305", and insert "and 26286.5".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1147—An act to amend Sections 28281, 28282, 28294, 28312, 28314, and the heading of Chapter 7 of Division 21 of, and add Sections 28280.1, 28282.5, 28292, and 28299 to the Health and Safety Code, relating to sanitation in food processing plants and packaging of and return of bakery products.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on April 12, 1951, strike out "28294,".

Amendment No. 2

On page 2 of said bill, strike out lines 21 to 29, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3364—An act to amend Sections 7330, 7332, and 7334 of the Business and Professions Code, relating to the practice of cosmetology.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on April 12, 1951, strike out ", 7332, and 7334", and insert "and 7332".

Amendment No. 2

On page 2 of said bill, strike out lines 6 and 7, and insert

"(b) Each shop may employ one junior operator and shops employing more than three registered cosmetologists may employ one additional junior operator for each two registered cosmetologists after the first two. Junior operators may not be employed otherwise than to the extent provided in this section."

Amendment No. 3

On page 2 of said bill, strike out lines 8 and 9.

Amendment No. 4

On page 2, line 10, of said bill, strike out "(d)", and insert "(c)".

Amendment No. 5

On page 2, line 10, of said bill, strike out "training", and insert "experience".

Amendment No. 6

On page 2, line 11, of said bill, strike out "in this State or any other state".

Amendment No. 7

On page 2, line 13, of said bill, strike out "(e)", and insert "(d)".

Amendment No. 8

On page 2, line 18, of said bill, strike out "(f)", and insert "(e)".

Amendment No. 9

On page 2 of said bill, strike out lines 23 to 25, inclusive, and insert "any person who engages, under the immediate supervision of a licensed hairdresser and cosmetician or cosmetologist manager operator, in the practice of cosmetology, except the branch of".

Amendment No. 10

On page 2 of said bill, strike out lines 27 to 37, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3175—An act to amend Section 3227 of the Public Resources Code, relating to the statement filed by persons producing oil or gas.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Manufacturing, Oil, and Mining Industry:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 3227", and insert "Sections 3215, 3227, and 3605".

Amendment No. 2

In line 2 of the title of said bill, strike out "the statement filed by persons producing".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 3215 of the Public Resources Code is amended to read:

3215. Upon the completion of any well or upon the suspension of operations upon any well, for a period of six months[,] if it is a prospect well, or for a period of thirty days[,] if it is in proved territory, copies of the log, *electrical log*, core record, and history, in duplicate and in such form as the supervisor may direct, shall be filed with the district deputy within 10 days after such completion, or after the expiration of said *six-month or* 30-day period Like copies shall be filed upon the completion of [any] additional work in [the deepening of] any well

SEC. 2. Section 3227 of said code is".

Amendment No. 4

On page 1 of said bill, after line 27, insert

"(e) "Pool" means an underground reservoir containing a common accumulation of crude petroleum oil or natural gas or both. Each zone of a general structure which is separated from any other zone in the structure is a separate pool.

SEC. 3. Section 3605 of said code is amended to read:

3605. The provisions of this chapter do not apply to any [field] *pool* producing oil or gas on August 14, 1931."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Manufacturing, Oil, and Mining Industry.

Assembly Bill No. 3165—An act to amend Section 67 of the Agricultural Code, relating to agriculture.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "amend Section 67 of the Agricultural Code, relating to agriculture", and insert "add Section 12516 to the Business and Professions Code, relating to weighing of livestock".

Amendment No. 2

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 12516 is added to the Business and Professions Code, to read:

12516 It shall be unlawful for any person auctioning or selling livestock on the basis of weight to position or locate a weighing device so that its indications cannot be readily and accurately observed during the weighing operation by any person buying or bidding to buy livestock."

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 14, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

Assembly Bill No. 1689—An act to add Chapter 2, consisting of Sections 6100 to 6106 to Part 3 of Division 6 of the Welfare and Institutions Code, relating to state grants-in-aid to counties for the care and treatment in county hospitals of persons suffering from mental illness, mental disease, or mental disorder, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

On page 3, lines 27 and 28, of the printed bill, strike out "two dollars and sixty cents ($2.60)", and insert "five dollars ($5)".

Amendment No. 2

On page 3, line 31, of said bill, strike out "two dollars and thirty cents ($2.30)", and insert "four dollars and fifty cents ($4.50)".

Amendment No. 3

On page 3, lines 51 and 52, of said bill, strike out "two hundred eighty-six thousand five hundred dollars ($286,500)", and insert "five hundred fifty-eight thousand five hundred thirty dollars ($558,530)".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 2067—An act to add Sections 1511.1, 2020.1, and 3080.01 to the Welfare and Institutions Code, relating to public assistance, in respect to the income of applicants or recipients.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 9, inclusive, and insert

"1511.1. Lump sum income received and available for the support of a needy child, which has accrued over a period of two or more months and may be expected to be repeated in the future, shall be utilized to meet the needs of such needy child. No portion thereof shall be considered personal property."

Amendment No. 2

On page 1 of said bill, strike out lines 11 to 17, inclusive, and insert

"2020.01. Lump sum income received by a recipient which has accrued over a period of two or more months and may be expected to be repeated in the future shall be utilized by the recipient to meet his needs. No portion thereof shall be considered as personal property."

Amendment No. 3

On page 1 of said bill, strike out lines 19 to 25, inclusive, and insert

"3080.01. Lump sum income received by a recipient which has accrued over a period of two or more months and may be expected to be repeated in the future shall be utilized by the recipient to meet his needs. No portion thereof shall be considered as personal property. Provisions of this section shall not apply to earned income which is exempt under Section 3084.3."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Social Welfare.

Assembly Bill No. 3055—An act to add Section 1508 to the Welfare and Institutions Code, relating to applicants residing with a stepparent.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 10, inclusive, and insert

"1508. Notwithstanding the provisions of Section 209 of the Civil Code, a husband is bound to support, if he is able to do so, his wife's children by a former husband, if such children are recipients of aid under this chapter or if such children are likely to become eligible for aid under this chapter. Nothing in this section shall be construed to alter the legal obligations of a natural father to support his children."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Social Welfare.

Assembly Bill No. 3323—An act to amend Section 270 of the Code of Civil Procedure, relating to the qualifications of official reporter.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "270 of", and insert "261b of and to add Section 261h to".

Amendment No. 2

In line 2 of the title of said bill, strike out "the qualifications of official reporter", and insert "phonographic reporters. Salary: Fees: Taxation of fees as costs: Transmission of fees to treasurer".

Amendment No. 3

On page 1, line 1, of said bill, strike out "270", and insert "261b".

Amendment No. 4

On page 1 of said bill, strike out all of lines 3 to 25, inclusive, and insert

"261b. In each county, or city and county, having a population of 275,000 inhabitants or over, as determined by the Federal Census taken in 1940, the judges of the superior court in and for such county, or city and county, a majority concurring, to assist the court in the transaction of the judicial business of said courts, by having performed the duties of phonographic reporters, as elsewhere in this code defined, may appoint as many regular official phonographic reporters as may be necessary to record the proceedings in said court and to perform such duties, except that the number of reporters so appointed shall not exceed at any one time the number of offices of judge provided by law for said court, said reporters to hold office during the pleasure of the judges of said court, a majority concurring.

When needed in order that the judicial business of the superior court in such county, or city and county, may be diligently carried on and a particular matter or matters may proceed to trial or hearing without delay, a pro tempore official reporter may be appointed to perform the duties of a phonographic reporter in such matter or matters, or until a regular official reporter becomes available for such service. A pro tempore official reporter for such service may be appointed by the presiding judge of the court and the judge presiding in the department where such reporter will serve, but when such appointment is made for service in a contested matter, it shall be made only pursuant to a written stipulation of the parties appearing at the trial or hearing or other proceeding to be reported by such pro tempore reporter.

Each of said regular official reporters shall be paid a salary of six thousand dollars ($6,000) per annum, and each of said pro tempore official reporters shall be paid twenty dollars ($20) per day for the days he actually is on duty under order of the court.

No further fee than that hereinabove provided shall be collected from, or assessed against, any party to any proceeding for the services of a phonographic reporter in taking down in shorthand the testimony and other proceedings in the trial or hearing of any matter as required by law or by order of the court; but a phonographic reporter shall be allowed, and shall receive, unless waived by him, the fees now, or that may hereafter be, allowed by law for transcribing his shorthand notes of the testimony and proceedings reported by him, and such fees for transcriptions shall be paid as provided by Section 274 of the Code of Civil Procedure and by any other law of this State pertinent to the case.

The salaries in this section provided shall be paid in monthly installments out of the salary fund of the county, or city and county, and shall be allowed and audited in the same manner as other salary demands against the county, or city and county, are required by law to be allowed and audited.

In addition to a fee or fees required by any other law or laws, *in counties of 275,000 inhabitants and up to 760,000*, a fee of three dollars ($3), *and in counties of 760,000 and less than 1,000,000 inhabitants, as determined by the 1950 census, a fee of five dollars ($5)* shall be paid to the county clerk of such a county, or city and county, by each party, or jointly by parties appearing jointly, in each of the following instances:

(1) Where Section 4300a of the Political Code requires such party or parties to pay said clerk a fee for the filing of the first paper in a civil action or in a special proceeding, except in an appeal from an inferior court.

(2) Where Section 4300a of the Political Code requires such party or parties to pay said clerk a fee for filing papers transmitted from another court on the transfer of a civil action or special proceeding from another court, except in an appeal from an inferior court.

(3) Where Section 4300a of the Political Code requires such party or parties to pay said clerk a fee on the appearance in a civil action or special proceeding of a defendant, intervener, respondent, corespondent or adverse party, except in an appeal from an inferior court; provided, however, if any of the parties named in this paragraph shall appear jointly they shall pay but one such additional fee of three dollars ($3), *or five dollars ($5)*, as in this section provided.

(4) Where Section 4300a of the Political Code requires such party or parties to pay said clerk a fee for the filing of a petition or other paper in a probate or guardianship matter.

The fee so required shall be taxed as costs in favor of any party paying the same and to whom costs are awarded by the judgment of the court. Such fee shall not be subject to the provisions of Section 6103 of the Government Code.

The county clerk shall, on or before the first day of each calendar month, transmit to the county treasurer, or city and county treasurer, all moneys paid to him under the provisions of this section during the preceding calendar month, or up to the day immediately preceding the day on which he transmits such moneys, and such moneys shall be deposited in the salary fund of said county, or city and county.

SEC. 2. Section 261h is added to the Code of Civil Procedure, to read:

261h. Notwithstanding the provisions of Section 261b, or any other section in conflict herewith, in each county, or city and county, having a population of over 760,000 and less than 1,000,000 inhabitants, as determined by the 1950 Census, the salary of the regular official phonographic reporters shall be the sum of seventy-five hundred dollars ($7,500) per annum, and the compensation of official phonographic reporters pro tempore shall be at the rate of twenty-five dollars ($25) per day."

Amendment No. 5

Strike out all of page 2 of said bill.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1775—An act to amend Section 4 of "An act providing for the division of counties into judicial districts and for the determination of the population of said districts, and repealing Sections 27800, 27801, 27802, and 27803 of the Government Code" approved July 27, 1949, relating to judicial districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 8, of the printed bill, before "census", insert "subsequent".

Amendment No. 2

On page 1 of said bill, after line 15, insert "The inhabitants of a military camp or reservation situated within a judicial district, who are serving in the armed forces, shall be excluded in determining the population of said district

If a judicial district is formed from part of an existing township or district, or from parts of existing townships or districts, the population thereof may be determined according to the figures shown by the Federal Census for census tracts or other units recognized by the Bureau of Census which are located within said district."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 2902—An act to add Section 1069 to the Fish and Game Code, relating to sardines.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "Not", and insert "No one company or corporation or its subsidiaries may can or pack".

Amendment No. 2

On page 1, line 4, of said bill, strike out "may be taken".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Fish and Game.

Assembly Bill No. 3254—An act to add Section 515 to the Public Resources Code, relating to access to public hunting and fishing grounds.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "515 to the Public Resources", and insert "48.5 to the Fish and Game".

Amendment No. 2

On page 1, line 1, of said bill, strike out "515 is added to the Public Resources", and insert "48.5 is added to the Fish and Game".

Amendment No. 3

On page 1 of said bill, strike out lines 3 and 4; and in line 5, strike out "the Governor," and insert

"48 5. The commission".

Amendment No. 4

On page 1, line 9, of said bill, strike out "Fish and Game Commission", and insert "commission".

Amendment No. 5

On page 1, line 10, of said bill, strike out "be secured by con-"; and strike out lines 11 to 14, inclusive, and insert "not be acquired by eminent domain proceedings."

Amendment No. 6

On page 1 of said bill, strike out lines 15 to 17, inclusive, and insert "The commission may construct or".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Fish and Game.

Assembly Bill No. 3229—An act to amend Section 50 of the Fish and Game Code, relating to game management area.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend section 50 of", and insert "add Section 51.5 to".

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 51.5 is added to the Fish and Game Code, to read:

51.5. Licenses issued prior to the ninety-first day after final adjournment of the 1951 Regular Session of the Legislature shall be valid thereafter until the period for which they were issued expires. The holder of such a license shall continue to have any right to take or cause to be taken quail or pheasants or both which may have accrued under subdivision (d) of Section 51 prior to its amendment at said 1951 Regular Session. Otherwise the holder of such license shall be subject to the provisions of this chapter as amended."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 26, inclusive; and strike out all of page 2.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Fish and Game.

Assembly Bill No. 895—An act to amend Sections 8525, 8529, and 8674 of, and to add Section 8529.5 and Article 3.5, comprising Sections 8558 and 8559, to Chapter 14 of Division 3 of, the Business and Professions Code, relating to structural pest control.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 23, 1951, strike out lines 17 to 19, inclusive, and insert "adopt, promulgate, and enforce reasonable".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 896—An act to amend Sections 8525, 8635, 8636, 8642, 8643, 8644, 8645, 8646 and 8648 of, and to add Sections 8613, 8614, 8615, 8616, 8617, and 8618 to, the Business and Professions Code, relating to structural pest control.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Sections 8525, 8635, 8636, 8642, 8643, 8644," ; strike out line 2 of the title ; and in line 3 of the title, strike out "8615, 8616, 8617, and 8618 to," and insert "add Section 8525.1 to".

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 8525.1 is added to the Business and Professions Code, to read:

8525.1. Whenever corrective or preventive work relating to wood destroying organisms is done, it shall comply with the minimum standards of the applicable provision of this section.

The board, subject to approval by the director, may adopt reasonable rules and regulations implementing this section.

(a) Foundations, Footings, and Grade Levels:

The top of a foundation or masonry footing, or its attached flash wall, if present, must be above the exterior grade level. If the top is below the grade, or if there is any evidence of loose stucco, spongy concrete, evidence of moisture in the adjacent timbers, or active insect or fungus infestation, a recommendation shall be made as follows (1) To extend the existing foundation or footing to a safe level with poured concrete or masonry set in cement mortar; (2) if drainage and slope stability is satisfactory or if a back fill curb is installed, to lower the grade to a safe level; (3) to construct a concrete flash wall, or (4) if the top of the foundation or footing is even with, or one inch or less above the grade, the licensee may or may not recommend correction, depending on the location of the hazard with respect to the slope of the soil, age of the structure and freedom from wood destroying organisms.

(b) Flash Walls: Stucco shall be broken or chipped off at the sill line Wood siding and framing shall be covered with a metal or felt flashing. Concrete shall be poured against the old foundation after brush coating with bonding cement or wet dusting with dry cement, and shall be properly anchored to insure against shrinking away The flash wall shall not be less than three inches in thickness, with the top, properly sloped to drain water away from the walls of the building, and shall extend from a point not less than four inches below the top of the foundation to a point not less than three inches above the natural grade.

(c) Debris: When present, cellulose debris of a size readily removable by tossing or raking shall be removed from the sub-floor area and removed from the premises.

(d) Earth Contact: Recommendation shall be made to eliminate earth-wood contacts of any nature, whether described in this section or not.

(e) Porches and Terraces: Under the following conditions recommendation shall be made to seal off earth filled porches and slabs with a four inch thick barrier wall constructed of poured concrete or masonry set in cement mortar:

(1) When earth fill has contact with any part of the adjoining wood framing, and such contact can be determined.

(2) When earth to wood contact is prevented only by loose, broken, or porus stucco.

(3) When earth to wood contact is prevented by defective flashing

(4) When visible evidence of wood destroying organisms is present and traceable to the source

(f) Concrete Porch Over Wood Framing: If fungus is present, a recommendation shall be made to correct the cause of such infection.

(g) Plastered Fences, Patio Walls, Porch Rails, or any Other Appurtenance of Like Kind: Where no footing exists, or where the footing is even with or below the grade or top of the adjoining slab, a recommendation shall be made to separate the wood framing in the appurtenance from the adjoining wood framing with a poured concrete plug, or wood framing shall be placed on a footing constructed, or poured concrete or masonry set in cement mortar, the top of which shall extend to the top of the adjoining slab and shall extend a minimum of four inches above the grade.

(h) Arch Columns, Portecochere Columns and Walls, Columns, Pilasters, Buttresses, and all Other Appurtenances of Like Kind: Where no footing exists, or where the footing is even with or below the grade or top of the adjoining slab, a recommendation shall be made to place wood framing in the appurtenance on a footing constructed of poured concrete or masonry set in cement mortar, the top of which shall extend to the top of the adjoining slab and shall not be less than four inches above the grade."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 22, inclusive; on page 2, strike out lines 1 to 52, inclusive; on page 3, strike out lines 1 to 52, inclusive; and on page 4, strike out lines 1 to 33, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 1221—An act to add Chapter 10, consisting of Sections 4500 to 4628, inclusive, to Division 2 of the Business and Professions Code, to amend Section 101 of the Business and Professions Code and Section 11501 of the Government Code, relating to the regulation and licensure of practical nurses, and administration thereof, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 2, line 6, of the printed bill, as amended in the Assembly on April 19, 1951, strike out "nine", and insert "seven".

Amendment No. 2

On page 2, line 7, of said bill, strike out "Three", and insert "Four".

Amendment No. 3

On page 2 of said bill, strike out lines 9 and 10, and insert "One administrator of a county hospital who shall not be either a physician or surgeon or practical nurse; and".

Amendment No. 4

On page 2, line 14, of said bill, strike out "Three", and insert "Two".

Amendment No. 5

On page 2, line 26, of said bill, strike out "three", and insert "four".

Amendment No. 6

On page 3, line 43, of said bill, strike out "Five", and insert "Four".

Amendment No. 7

On page 5, line 43, of said bill, strike out "1954", and insert "1955".

Amendment No. 8

On page 6, line 2, of said bill, strike out "six months", and insert "one year".

Amendment No. 9

On page 7, line 39, of said bill, strike out "cooking and the".

Amendment No. 10

On page 7, line 45, of said bill, strike out "blood pressure readings,".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 3183—An act to add Chapter 5.5 to Part 2, Division 1 of the Health and Safety Code, relating to public health.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Chapter 5.5 to Part 2, Division 1 of", and insert "amend Section 4014 of, and add Section 4017 to,".

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 4014 of the Health and Safety Code is amended to read:

4014. Upon receipt of a petition filed pursuant to this chapter the board shall make a thorough investigation of the proposed or existing plant, works, system, or water supply, and all other circumstances and conditions which it deems material. *As a part of such investigation it may cause special studies and examinations to be made, including but not limited to fluoridation and treatment of public domestic water supplies, not only for the purpose of rendering domestic water supplies potable, but also for the purpose of determining the advisability of adding substances to the domestic water supply in the interest of advancing dental health and the public health generally. It may also investigate and advise public authorities upon procedures to be used in connection with the foregoing matters*

The board may for good cause grant a temporary permit to any person who has filed a petition for a permit as provided in this chapter upon such terms as it shall determine are in the public interest pending the completion of the investigation required by this section of the proposed or existing plans, works, system or water supply which temporary permit shall terminate upon the date therein specified. Said temporary permit may be revoked or suspended as provided in this code with respect to the revocation or suspension of a permit as provided in this chapter.

SEC. 2 Section 4017 is added to said code to read:

4017. All public or private utilities which shall be engaged in the storage or distribution of water for domestic consumption, including particularly all county water districts, municipal water districts, public utility districts, municipal utility districts, metropolitan water districts, irrigation districts, and all cities and counties, shall be, and they are hereby, authorized and empowered to treat water intended for domestic consumption and to introduce into such water fluorine or other materials if done under permit from the board

In the absence of negligence or willful misconduct, no such public or private utility, city, county, or district shall be liable, nor shall any stockholder, director, officer, agent, servant or employee thereof be liable, to any person on account of any monetary or other damage which may be suffered or sustained by reason of the treatment of such water or by reason of the introduction of such substance into such water if and when done in accordance with the provisions of a valid permit from the board."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 26, inclusive; and strike out all of page 2

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

SECOND READING OF SENATE BILLS

Senate Bill No. 8—An act to amend Section 788 of the Fish and Game Code, relating to crabs.

Bill read second time, and ordered to third reading.

Senate Bill No. 737—An act to amend Section 1311 of the Fish and Game Code, relating to fur-bearing mammals.

Bill read second time, and ordered to third reading.

Senate Bill No. 738—An act to amend Section 1252 of the Fish and Game Code, relating to beaver

Bill read second time, and ordered to third reading.

Senate Bill No. 1446—An act to amend Section 929 of the Fish and Game Code, relating to sardines.

Bill read second time, and ordered to third reading.

Senate Bill No. 287—An act to amend Section 1025 of the Agricultural Code, relating to statements of chemical analysis of agricultural minerals.

Bill read second time, and ordered to third reading.

Senate Bill No. 288—An act to amend Section 1061 of the Agricultural Code, relating to definitions of economic poisons.

Bill read second time, and ordered to third reading.

Senate Bill No. 952—An act to amend Sections 1521 and 1521.2 of the Welfare and Institutions Code, relating to property qualifications for aid to needy children.

Bill read second time, and ordered to third reading.

Senate Bill No. 955—An act to add Section 1523.5 to the Welfare and Institutions Code, relating to aid to needy children.

Bill read second time, and ordered to third reading.

Senate Bill No. 959—An act to amend Sections 1101 and 1107 of the Agricultural Code, relating to eggs.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

On page 3, lines 11 and 12, of the printed bill, as amended in the Senate on April 26, 1951, strike out "Department of Agriculture", and insert "General".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1242—An act to repeal Section 1881.3 of the Civil Code, relating to private bulk storage of grain, and extending indefinitely the effective period of the chapter of said code relating to such storage.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "repeal", and insert "amend".

Amendment No. 2

In line 2 of the title of said bill, strike out "indefinitely".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1, line 1, of said bill, strike out "repealed.", and insert "amended to read: 1181 3. The provisions of this chapter shall have no force and effect after December 31, [1951] *1953*."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 946—An act to amend Section 1503 and to repeal Section 1507 of the Welfare and Institutions Code, relating to aid to needy children.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1, line 14, of the printed bill, as amended in the Senate on April 17, 1951, strike out "and relatives".

Amendment No. 2

On page 1, line 17, of said bill, strike out "and relatives".

Amendment No. 3

On page 1 of said bill, after line 19, insert

"For the purposes of this chapter the value of supplies, equipment and other items which are a part of a program to assist in the maintenance and self-support shall not be considered as personal property as established by Section 1521."

Amendment No. 4

On page 1 of said bill, strike out lines 20 and 21.

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 951—An act to add Section 1523.5 to the Welfare and Institutions Code, relating to aid to needy children in respect to acceptance of rehabilitative training.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Senate on April 24, 1951, strike out "or stepparent".

Amendment No. 2

On page 1, line 12, of said bill, strike out "or stepparent".

Amendment No. 3

On page 1, line 20, of said bill, strike out "or stepparents".

Amendment No. 4

On page 1, line 22, of said bill, strike out "1521.2", and insert "1521".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 89—An act to amend Sections 298, 307, and 502 of the Vehicle Code, relating to suspension of drivers' licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on April 11, 1951, strike out "Sections 298, 307 and 502" and insert "Section 307".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 13, inclusive.

Amendment No. 3

On page 1, line 14, of said bill, strike out "SEC 2", and insert "SECTION 1".

Amendment No. 4

On page 1, line 24, of said bill, after "conviction", insert "other than under Section 501".

Amendment No. 5

On page 1, line 25, of said bill, strike out "45", and insert "90".

Amendment No. 6

On page 1, lines 25 and 26, of said bill, strike out "unless otherwise hereinafter provided and".

Amendment No. 7

On page 1, line 27, of said bill, after "292", insert "or recommends no such suspension".

Amendment No. 8

On page 2, line 5, of said bill, after "second", strike out "such".

Amendment No. 9

On page 2, line 5, of said bill, after "years", insert ", of any offense involving driving a motor vehicle while under the influence of intoxicating liquor,".

Amendment No. 10

On page 2, lines 9 and 10, of said bill, strike out "within seven years".

Amendment No. 11

On page 2, line 11, of said bill, strike out "two", and insert "three".

Amendment No. 12

On page 2, line 27, of said bill, after "shall", insert ", unless the court recommends to the department that there be no license suspension,".

Amendment No. 13

On page 2 of said bill, strike out lines 30 to 50, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 110—An act to amend Section 736 of, and to add Section 737.5 to, the Vehicle Code, relating to procedure after arrest for a violation of the Vehicle Code.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, line 15, of the printed bill, as amended in the Senate on April 18, 1951, strike out "or", and insert "and".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 883—An act to amend Sections 5050.8 and 5125 of the Welfare and Institutions Code, relating to court procedures and court orders in determining the mental health of a person alleged or found to be mentally ill.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Senate on April 6, 1951, strike out "five", and insert "four".

Amendment No. 2

On page 1, line 7, of said bill, strike out "five-day", and insert "four-day".

Amendment No. 3

On page 2, line 14, of said bill, strike out "30", and insert "10".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 961—An act to amend Section 204f of, and to add Section 204g to, the Code of Civil Procedure, relating to secretaries of the superior court and fixing salaries.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on April 25, 1951, strike out "amend Section 204f of, and to".

Amendment No. 2

In line 2 of the title of said bill, strike out the first comma.

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 14, inclusive.

Amendment No. 4

On page 1, line 15, of said bill, strike out "SEC. 2", and insert "SECTION 1".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Concurrent Resolution No. 44—Relative to Sequoia Gigantea groves.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

On page 1, line 13, of the printed measure, after "possibility", insert a comma.

Amendment No. 2

On page 1, line 14, of said measure, strike out "and".

Amendment No. 3

On page 1, line 14, of said measure, after "desirability", insert "unit and total cost".

Amendment No. 4

On page 1 of said measure, after line 19, insert

"*Resolved*, That the State Park Commission and the State Forester are requested to furnish a copy of their report to each Member of the Legislature, including therein a listing of Sequoia Gigantea groves that have heretofore been taken into public ownership showing, unit and total cost, and location; and be it further

Amendments read, and adopted.

Resolution ordered reprinted, and on file for adoption.

Senate Bill No. 223—An act to amend Sections 1, 2, 10, and the heading of Division 1 of, to repeal Sections 13 and 1420 of, and to add Sections 13, 13.1, and 13.2 to, the Fish and Game Code, relating to the enforcement and administration of the laws relating to fish and game, abolishing the Division of Fish and Game in the Department of Natural Resources, establishing a Department of Fish and Game and prescribing the duties, powers, and jurisdiction of said department and the Fish and Game Commission, and to amend Section 12040 of the Government Code, placing the Director of Fish and Game on the Governor's Council.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 4 of the printed bill, after line 42, insert

"SEC. 12. This act shall be known and may be cited as the Charles Brown Fish and Game Reorganization Act of 1951."

Amendment read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1742—An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, as herein defined.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1742?

Amendment No. 1

On page 3 of the printed bill, between lines 28 and 29, insert

"(e) This act shall not operate to confirm, validate or legalize a contract between any district and the United States if a court determination of the validity of the contract is provided for by the state or federal laws under which the contract has been negotiated."

Amendment No. 2

On page 4 of said bill, strike out lines 1 to 4, inclusive, and insert

"SEC. 8. As used in this act, the word "now" means the date on which the Governor approves this act; the word "heretofore" means any time prior to and including such date of approval; and the word "hereafter" means any time subsequent to such date of approval."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1742 by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lipscomb, Lowrey, Lyon, McCarthy, McCollister, McGee, McMillan, Morris, Munnell, Niehouse, Porter, Rosenthal, Shaw, Sillman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—56.

NOES—None.

Assembly Bill No. 1742 ordered enrolled.

Assembly Bill No. 1743—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, declaring the urgency of this act, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1743?

Amendment No. 1

On page 3 of the printed bill, between lines 29 and 30, insert

"(e) This act shall not operate to confirm, validate, or legalize a contract between any district and the United States if a court determination of the validity of the contract is provided for by the state or federal laws under which the contract has been negotiated."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1743 by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D Collins, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, McCarthy, McCollister, McGee, McMillan, Morris, Munnell, Niehouse, Porter, Rosenthal, Shaw, Sillman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—54.

NOES—None.

Assembly Bill No. 1743 ordered enrolled.

Assembly Bill No. 2310—An act to amend Section 14071 of the Education Code, relating to leaves of absence for noncertificated employees.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2310?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on April 20, 1951, after "absence", insert "and vacations".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2310 by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lipscomb, Lowrey, Luckel, Lyon,

McCarthy, McCollister, McGee, McMillan, Morris, Munnell, Niehouse, Porter, Rosenthal, Shaw, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—54.
NOES—None.

Assembly Bill No. 2310 ordered enrolled.

Assembly Bill No. 2320—An act to amend Sections 6500 and 6502 of the Government Code, relating to the joint exercise of powers by public agencies.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2320?

Amendment No. 1

On page 1, lines 9 and 10, of the printed bill, strike out "Public agencies may agree to exercise powers *jointly*."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2320 by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, McCarthy, McCollister, McGee, McMillan, Morris, Munnell, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr Speaker—57.
NOES—None.

Assembly Bill No. 2320 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1317

Mr. Dunn asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 1317, temporarily passed on the unfinished business file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1317—An act to amend Sections 16430 and 16434 of the Education Code, relating to school safety patrols.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1317?

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "16340", and insert "16430".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1317 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Munnell, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—59.
NOES—None.

Assembly Bill No. 1317 ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Senate Joint Resolution No. 22
Senate Joint Resolution No. 24

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolutions ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Senate Concurrent Resolution No. 48
Senate Concurrent Resolution No. 57

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Assembly Bill No. 2193
Assembly Bill No. 2194
Assembly Bill No. 2511
Assembly Bill No. 2721

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-ferred to Committee on Ways and Means.

SILLIMAN, Chairman

Above reported bills ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Assembly Bill No. 23
Assembly Bill No. 3391

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SILLIMAN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Senate Bill No. 645
Senate Bill No. 1601

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SILLIMAN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 2720

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

SILLIMAN, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Senate Bill No. 238
Senate Bill No. 505
Senate Bill No. 506
Senate Bill No. 648
Senate Bill No. 1076

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 1217
Assembly Bill No 2493

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

DUNN, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 1567

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

DUNN, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No 741
Senate Bill No 872
Assembly Bill No. 1561
Assembly Bill No. 1577
Assembly Bill No. 2929

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

DUNN, Chairman

Above reported bills ordered to second reading.

NOTE: Through inadvertance Assembly Bill No. 872 was reported out on this report instead of Senate Bill No. 872. See page 4238 for authority to correct.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 3199

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DUNN, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1568—An act to add Section 20020.5 to the Government Code, relating to the State Employees' Retirement System in respect to law enforcement personnel of juvenile bureaus of contracting agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood,

Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Munnell, Niehouse, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3060—An act to amend Section 19368 of the Government Code, relating to employees in the state civil service.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, George D. Collins, Connolly, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 880—An act to add Sections 31470.1, 31470.2, 31470.3, 31470.4, 31470.5, 31470.6, 31503.9, 31504.9, 31558, 31720.5, 31726.5, 31727.2, 31727.4, 31765, 31785, 31786, 31787, 31788, and Article 6.5 and 7.5 to Chapter 3 of Part 3 of Division 4 of Title 3 of the Government Code, to repeal Section 31558 and to amend Sections 31454.5, 31470, 31504, 31505, 31552, 31553, 31554, 31555, 31557, 31581, 31582, 31583, 31621, 32622, 31623, 31624, 31627, 31676.2 and 31676.4 of the Government Code, relating to retirement of county employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3307—An act to add Section 4708 to the Labor Code, relating to workmen's compensation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Lanterman, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Munnell, Niehouse, Porter, Rosenthal, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, and Waters—55.

NOES—Hinckley, Kirkwood, and Smith—3.

Notice of Motion to Reconsider Assembly Bill No. 3307

Mr. Kirkwood gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 3307 was this day passed.

Assembly Bill No. 3310—An act to amend Section 4800 and to repeal Section 4801 of the Labor Code, relating to workmen's compensation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Munnell, Niehouse, Porter, Rosenthal, Shaw, Sherwin, Stanley, Stewart, Thomas, and Tomlinson—54.

NOES—Cloyed, Hinckley, Kirkwood, Lanterman, Levering, Smith, and Waters—7

Notice of Motion to Reconsider Assembly Bill No. 3310

Mr. Kirkwood gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 3310 was this day passed.

Assembly Bill No. 3311—An act to amend Section 5704 of the Labor Code, relating to workmen's compensation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, Meyers, Munnell, Niehouse, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Waters, and Mr Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3312—An act to amend Section 4850 and to repeal Section 4851 of the Labor Code, relating to workmen's compensation.

Bill read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Berry, Brown, Coats, George D. Collins, Condon, Connolly, Crowley, Dickey, Dills, Elliott, Gaffney, Geddes, Hawkins, Henderson, Hollibaugh, Lyon, Maloney, McMillan, Morris, Niehouse, Porter, Rumford, and Shaw—23

NOES—Babbage, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, Conrad, Erwin, Fleury, Grant, Grunsky, Gubser, Hagen, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, McCarthy, McGee, Moss, Munnell, Rosenthal, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—35.

Notice of Motion to Reconsider Assembly Bill No. 3312

Mr. Morris gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 3312 was this day refused passage.

Assembly Bill No. 1243—An act to add Section 18105 to, and to amend Sections 18050, 18051, 18052, and 18100 of, the Government Code, relating to vacation and sick leave for state employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 3066, on motion of Mr. Lindsay.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 478—An act to add Section 25369.5 to the Government Code, relating to the powers of boards of supervisors;

Assembly Bill No. 520—An act to amend Sections 10492 and 10493 of the Insurance Code, relating to benefit and relief associations;

Assembly Bill No. 524—An act to amend Sections 10270, 10270.4, 10271, 10292, 10381, 10382, 10390, and 10400 of the Insurance Code; to add Sections 10273, 10274, 10275, 10309, 10329, 10359, 10369.50, 10381.5, and 10383 to said code; and to add Articles 3a, comprising Sections 10320 to 10328, inclusive, 4a, comprising Sections 10350 to 10350.12, inclusive, and 5a, comprising Sections 10369.1 to 10369.12, inclusive, to Chapter 4, Part 2, Division 2 of said code, relating to disability insurance;

And reports that the same have been correctly enrolled, and presented to the Governor on the tenth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 627—An act to amend Sections 3102, 3104 and 3107 of the Government Code, relating to an oath or affirmation of allegiance for civil defense workers and public employees, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 637—An act to amend Section 31462 of the Government Code, relating to the retirement of county employees;

Assembly Bill No. 640—An act to add Section 31784 to the Government Code, relating to the retirement of county employees;

And reports that the same have been correctly enrolled, and presented to the Governor on the tenth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 642—An act to amend Sections 31676.1, 31676.2, and 31676.4 of, and to add Section 31676.55 to, the Government Code, relating to the retirement of county employees;

Assembly Bill No. 1504—An act to add Chapter 2.5 consisting of Sections 5300 to 5303 to Part 1 of Division 6 of, and to add Section 5250.5 to, the Welfare and Institutions Code, relating to the care and treatment of epileptic persons in state institutions under the jurisdiction of the Department of Mental Hygiene;

Assembly Bill No. 1532—An act to amend Section 5701 of and to add Section 5701.3 and Section 5701.4 to the Welfare and Institutions Code, relating to private mental institutions and private family care homes, and providing for their license fees and regulation;

And reports that the same have been correctly enrolled, and presented to the Governor on the tenth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1616—An act to amend Sections 633, 641, and 662 of the Welfare and Institutions Code, relating to institutions in which delinquent and other juveniles are housed, and to the powers and duties of probation officers and probation committees in connection therewith;

Assembly Bill No. 1641—An act to amend Section 17 of the Municipal and Justice Court Act of 1949, relating to municipal court sessions;

Assembly Bill No. 1977—An act to amend Section 6494 of the Health and Safety Code, relating to election of sanitary district assessors;

And reports that the same have been correctly enrolled, and presented to the Governor on the tenth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2044—An act to add Section 1160 to the Fish and Game Code, relating to property damage by hunters and fishermen;

Assembly Bill No. 2068—An act to add Section 1163 to the Fish and Game Code, relating to shooting near dwellings;

Assembly Bill No. 2142—An act to add Section 1228 to, and Chapter 6, comprising Sections 6600 to 6608, inclusive, to Division 7, Title 1 of, the Government Code, and to repeal an act entitled "An act forbidding the employment of the inmates of state institutions in the manufacture, or production of articles, for the use of state officers, or the officers and employees of state institutions," approved March 19, 1903, and an act entitled "An act relating to certain funds and property of inmates of state homes, reformatories, hospitals, prisons and other institutions and the expenditure thereof," approved May 31, 1929, relating to the employment and property of inmates of state institutions;

And reports that the same have been correctly enrolled, and presented to the Governor on the tenth day of May, 1951, at 10 a.m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 47—Relating to the reception given General Douglas MacArthur by the City of San Francisco;

Assembly Concurrent Resolution No. 55—Relative to approving certain amendments to the charter of the City of Fresno, in the County of Fresno, State of California, voted for and ratified by the electors of said city at a special election held therein on the ninth day of April, 1951;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the tenth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 28—Relative to memorializing Congress to amend the Career Compensation Act of 1949 (63 Stat 802) to authorize crediting service of cadets and midshipmen for purposes of pay and longevity;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the tenth day of May, 1951, at 10 a.m.

BURKE, Chairman

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 784

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and be re-referred to Committee on Ways and Means.

SILLIMAN, Chairman

Above reported bill ordered to second reading.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 1152

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3198—An act to amend Sections 14479, 14632, and 14635 of the Education Code, relating to the State Teachers' Retirement System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Portel, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1070—An act to add Section 1383 to the Water Code, relating to appropriation of water.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hollibaugh, Kelly, Kirkwood, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCollister, McMillan, Meyers, Morris, Niehouse, Porter, Sherwin, Sillman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—47.

NOES—Beck, Burkhalter, George D Collins, Elliott, Fleury, Hagen, Henderson, Klocksiem, Moss, Munnell, Parker, and Shaw—12

Bill ordered transmitted to the Senate

Assembly Bill No. 2931—An act to add Section 1157.1 to the Government Code, relating to public agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, and Waters—60

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2005—An act to add Chapter 4 to Part 4 of Division 3 of Title 2 of the Government Code, relating to state-owned motor vehicles, and prescribing the powers and duties of the Department of Finance, the State Personnel Board and the State Board of Control with respect thereto.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1293—An act to add Section 189.7 to the Code of Civil Procedure, relating to destruction of court and other public records.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2453—An act to amend Section 1295 of the Penal Code, relating to bail and deposits instead of bail.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2725—An act to amend Section 1018 of the Code of Civil Procedure, relating to service of process in actions to enforce tax liability.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney,

Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Constitutional Amendments, to which were referred:

Assembly Constitutional Amendment No. 2
Assembly Constitutional Amendment No 51

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended

CROWLEY, Chairman

Above reported resolutions ordered on file.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Senate Bill No. 231
Senate Bill No. 370
Senate Bill No. 876

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bills ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 866—An act to amend Sections 1184, 1184d, 1184e, 1190 1, 1191.1, and 1192 1 of the Code of Civil Procedure, and to add Section 16009 5 to the Government Code, relating to mechanics' liens, and the service of notices and liens upon the State.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1836—An act to amend Sections 1274c and 1445 of the Code of Civil Procedure, relating to the disposition of property left by deceased persons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

MEMBERS EXCUSED

At 10.45 a.m., Mr. Parker asked for, and was granted, unanimous consent that Mr. McFall be excused, for the balance of the legislative day, because of personal business elsewhere, and stated that he desires to waive his per diem.

At 10.46 a.m., Mr. Munnell asked for, and was granted, unanimous consent that Mr. Kilpatrick be excused, for the balance of the legislative day, because of personal business elsewhere, and stated that he desires to waive his per diem.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1981—An act to amend Section 43 of the Public Utilities Act, relating to public utilities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—68

NOES—None.

Notice of Motion to Reconsider Assembly Bill No. 1981

Mr. George D. Collins gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1981 was this day passed.

Assembly Bill No. 1121—An act to amend Sections 1709, 1713, 3630, 3671, 3800, 4103, 4110, 4113, 4603, 4619, 5204, 6202, 6502, 9304, and 9305 of the Corporations Code; to add thereto Section 3802; to repeal Section 9700 thereof; and to re-entitle Article 5 of Chapter 1, Part 8, Division 1, Title 1 of said code, all relating to corporations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay,

Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3070—An act to amend Section 61 of the Alcoholic Beverage Control Act, relating to the sale and purchase of alcoholic beverages.

Bill read third time.

Motion to Amend

Mr. McMillan moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 1, 1951, strike out lines 23 to 26, inclusive.

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 3270

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 410

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 234

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 984
Assembly Bill No. 985

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 1234
Assembly Bill No. 1235
Assembly Bill No. 1311
Assembly Bill No. 1526
Assembly Bill No. 2695

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STEWART, Chairman

Above reported bills ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)

CONSIDERATION OF HOUSE RESOLUTION NO. 136

By Messrs. Grant, Porter, Maloney, Chapel, Rosenthal, Thomas, Berry, Klocksiem, Condon, Cooke, Burkhalter, Doyle, Geddes, Erwin, Hinckley, Clarke, McCollister, and Conrad:

House Resolution No. 136

Relating to wishing former Governor Merriam a rapid recovery from his illness

WHEREAS, News has reached us of the illness of former Governor Frank F. Merriam, much to the individual and sincere disquiet of the Members of the Legislature, *who recall his contributions to adapting government to meet human needs*; and

WHEREAS, Frank F. Merriam began his career as a public servant in the Iowa Legislature, in which he served two terms, and then four years as the auditor of that State, and

WHEREAS, He was a modern pioneer of the West from the days he operated a newspaper in the Territory of Oklahoma, to the days of his civic leadership in Long Beach, California, when for the second time a popular demand arose for his entrance into state service He became a Member of the Assembly in 1917, where he was to serve for the 10 years following As chief of the Republican Party in California he successfully directed the election of a fellow Californian to the Presidency of the United States; and

WHEREAS, Such experience in journalism, pioneering and civic development, and his ability in working with all people's problems cried for broader fields to cultivate and harvest, in the tradition of his farming forbears, the people elected him Lieutenant Governor in 1930; and

WHEREAS, It would seem that by Providence a man of his solid and certain character was to be the State's Chief Executive after the collapse of national finance and distribution and during the State's struggle for economic rehabilitation, Governor Frank Merriam fulfilled the highest demands of the day in relief emergencies and kindred problems A man of conservative views, he successfully met the challenges of the hour with liberal administration; and

WHEREAS, The State will ever be grateful for the willingness of his abundant heart and his distinguished personal presence in all forms of public endeavor; and

WHEREAS, He *has been basking in the sunshine of a California he helped build* and guide; now, therefore, be it

Resolved by the Assembly of the State of California, That there be wished for him a rapid recovery and the best of health; and be it further

Resolved, That the Chief Clerk transmit a suitably prepared copy of this resolution to our colleague, at 20 Lindero Avenue, Long Beach

Resolution read, and adopted unanimously.

REQUEST FOR UNANIMOUS CONSENT TO EXPUNGE RECORD, AND RESCIND ACTION ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 3368

Mr. McCollister asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on this day concurred in Senate amendments to Assembly Bill No. 3368.

FURTHER CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 3368

Assembly Bill No. 3368—An act conveying certain tidelands and lands lying under inland navigable waters, situate in San Francisco Bay to the City of Sausalito, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof, reserving rights to the State.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3368?

Amendment No. 1

On page 2, line 26, of the printed bill, as amended in the Assembly on April 6, 1951, after "city", insert "within 10 years of the effective date of this act".

Amendment No. 2

On page 3 of said bill, as amended, after line 10, insert

"SEC. 2 The State Lands Commission shall, at the cost of the grantee, survey, monument, plat, and record in the office of the recorder of Marin County, the area of state lands described in this act."

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 3368 by the following vote:

AYES—Brady, Dolwig, Grant, Shaw, and Waters—5.

NOES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, and Tomlinson—64.

Appointment of Committee on Conference Concerning Assembly Bill No. 3368

The Speaker announced the appointment of Messrs. McCollister, Grant, and Dolwig as a Committee on Conference concerning Assembly Bill No. 3368.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2502—An act to add Section 52.6 to the Unemployment Insurance Act, relating to the computation and payment of benefits.

Bill read third time.

Motion to Amend

Mr. Dolwig moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "earned", and insert "paid".

Amendment No. 2

On page 1, line 5, of said bill, strike out "earned", and insert "paid".

Amendment No. 3

On page 1, line 8, of said bill, strike out "subsequent to", and insert "within the 12-month period following".

Amendment No. 4

On page 1, line 9, of said bill, strike out "has earned", and insert "was paid".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 591—An act to amend Section 9.5 of the Municipal Court Act of 1925, relating to compensation of officials of the municipal court.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1369—An act providing for the constitution of the municipal court in a district embracing the City of Palo Alto, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2597—An act to amend Section 261 of the Code of Civil Procedure, relating to court commissioners of the superior court in counties, or cities and counties, having a population of 2,000,000 inhabitants and over.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—59.

NOES—Luckel—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 61—An act relating to notaries public.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy,

McCollister, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, and Tomlinson—62.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 250—An act to amend Sections 6, 24, 27, 37, 39, 45, 45.5, 45.6, 45.7, 45.8, 45.10, 45.11, and 46.1 of the Unemployment Insurance Act, relating to a System of Unemployment and Disability Insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Chapel Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—66.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3376—An act to amend Sections 151, 203, 208, 209 of, and to add Sections 209.1, 310, 310.5, and 452.5 to the Unemployment Insurance Act, relating to unemployment compensation disability insurance.

Bill read third time.

Motion to Amend

Mr. Geddes moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on April 11, 1951, strike out "310,".

Amendment No. 2

On page 2 of said bill, strike out lines 35 to 52, inclusive; and on page 3, strike out lines 1 to 11, inclusive, and insert "wages paid to such individual for employment by employers during the quarter of his base period in which such wages were the highest:

A Amount of wages in highest quarter	B Weekly benefit amount
$75-$579.99	As provided in Section 54
580- 611.99	$25
612- 643.99	26
644- 675.99	27
676- 707.99	28
708- 739.99	29
740 and over	30".

Amendment No. 3

On page 3, lines 15, 16, and 17, of said bill, strike out "who would have been paid unemployment compensation disability benefits for any week except for his receipt of", and insert "otherwise eligible for benefits who is receiving".

Amendment No. 4

On page 3, line 19, of said bill, strike out "such week", and insert "any day".

Amendment No. 5

On page 3, line 20, of said bill, strike out "any", and insert "one-seventh (1/7) of the".

Amendment No. 6

On page 3, line 21, of said bill, strike out "such week", and insert "for the calendar week containing such day".

Amendment No. 7

On page 4 of said bill, strike out lines 3 to 51, inclusive; and on page 5, lines 1 to 6, inclusive.

Amendment No. 8

On page 5, line 7, of said bill, strike out "7", and insert "6".

Amendment No. 9

On page 5, line 15, of said bill, strike out "8", and insert "7".

Amendment No. 10

On page 6, line 7, of said bill, strike out "9", and insert "8".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 1466—An act providing for the constitution of the municipal court in a district embracing the City of San Bernardino, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

Motion to Amend

Mr. Shaw moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 8, of the printed bill, as amended in the Assembly on May 1, 1951, strike out "two", and insert "three".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

CONSIDERATION OF HOUSE RESOLUTION NO. 131

By Mr. Belotti:

House Resolution No. 131

Relative to requesting the Adjutant General to investigate and report as to the need for a National Guard Armory at Eureka

WHEREAS, The City of Eureka is the westernmost city in the United States and is the urban center for a large area of the northwestern portion of this State; and

WHEREAS, There is no National Guard Armory in either Eureka or in that area, although a number of National Guard units have been organized therein; and

WHEREAS, The nearest armory is located about 225 miles south of Eureka; and

WHEREAS, It appears that a choice of sites for an armory may be made available at no cost to the State together with a sufficient area of land to allow National Guard units to use their equipment for practical drills; and

WHEREAS, Units of the National Guard now organized in Eureka and the vicinity are handicapped in their training by lack of proper facilities; now, therefore, be it

Resolved by the Assembly of the State of California, That the Adjutant General of the State of California is hereby requested to investigate and determine the need for a National Guard Armory in the City of Eureka and to report his findings and conclusion thereon to the Assembly at the earliest feasible date; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit a copy of this resolution to the Adjutant General.

Resolution read, and adopted.

CONSIDERATION OF HOUSE RESOLUTION NO. 137

By Mr. Rosenthal:

House Resolution No. 137

Relating to the construction of a passageway over Ramona Freeway in the City of Los Angeles

WHEREAS, The construction and improvement of the Ramona Freeway in the City of Los Angeles has resulted in a cul-de-sac at the place where Ramona Freeway intervents Evergreen Avenue; and

WHEREAS, To traverse Ramona Freeway it is now necessary for the residents in the vicinity of Evergreen Avenue to travel several miles eastward or westward from Evergreen Avenue to either Soto Street or City Terrace Drive; and

WHEREAS, The rapid development of the Ramona area means that several thousands of persons are required to make this circuitous trip to use the schools, shopping centers, business district, doctors, dentists, post office, and the community center; and

WHEREAS, It is necessary for the well-being, health, safety, and welfare of the people in the Ramona area that some means of crossing the Ramona Freeway at the point of Evergreen Avenue be constructed immediately; now, therefore, be it

Resolved by the Assembly of the State of California, That the Department of Public Works take such steps as may be necessary to immediately construct a footbridge over Ramona Freeway at Evergreen Avenue in the City of Los Angeles; and be it further

Resolved, That the Department of Public Works commence construction of a vehicle overpass over Ramona Freeway at Evergreen Avenue at the earliest possible date, in accordance with the agreement between the City of Los Angeles and the Division of Highways, and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the California Highway Commission and to the Director of the Department of Public Works.

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1365

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1365, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1365

Assembly Bill No. 1365—An act providing for the constitution of the municipal court in a district embracing the City of San Mateo, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sillman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1366

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1366, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1366

Assembly Bill No. 1366—An act providing for the constitution of the municipal court in a district embracing the City of Redwood City, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1368

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1368, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1368

Assembly Bill No. 1368—An act providing for the constitution of the municipal court in a district embracing the City of South San Francisco, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)

CONSIDERATION OF HOUSE RESOLUTION NO. 139

By Mr. Silliman:

House Resolution No. 139

Relative to the augmentation of funds of the Assembly Interim Committee on Conservation, Planning, and Public Works

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available to the Assembly Interim Committee on Conservation, Planning, and Public Works (created by House Resolution No. 212, 1949 Regular Session), the sum of one thousand five hundred dollars ($1,500), or so much thereof as may be necessary, is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims incurred or to be incurred under said resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Gaffney, Grant, Grunsky, Hagen, Hansen, Hawkins, Kelly, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Lyon, Maloney, McGee, McMillan, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—52.

NOES—Geddes, Hinckley, Luckel, and McCarthy—4.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 282
Assembly Bill No. 287
Assembly Bill No. 288
Assembly Bill No 1495
Assembly Bill No. 2113
Assembly Bill No. 2513
Assembly Bill No. 3419

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 30—Relative to the Central Arizona Project;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the tenth day of May, 1951, at 11 a.m.

BURKE, Chairman

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Joint Resolution No. 33—Relative to the completion of the San Diego Aqueduct.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 213—An act to amend Section 204h of the Code of Civil Procedure, relating to the performance of commissioner's duties by judges' secretary, assistant secretary, and clerks.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—67.

NOES—Luckel—1.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr. Rosenthal asked for, and was granted, unanimous consent that his name be placed upon the roll call on Assembly Bill No. 213, and that he be recorded as voting "Aye".

Assembly Bill No. 2290—An act to amend Section 737y of the Political Code, relating to the compensation of Superior Judges in and for the County of Modoc.

Bill read third time, and ordered passed on file.

Assembly Bill No. 1467—An act providing for the constitution of the municipal court in a district embracing the City of Ontario, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1468—An act providing for the constitution of the municipal court in a district embracing the City of Redlands, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 2217, on motion of Mr. Fleury.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1029

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1029, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1029

Assembly Bill No. 1029—An act to amend Section 3024.5 of the Penal Code, relating to term of imprisonment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloved, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3411

Mr Cooke asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3411, temporarily passed on file, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3411

Assembly Bill No. 3411—An act to add Section 25464 to the Government Code, relating to contracts for public works.

Bill read third time.

Motion to Amend

Mr. Cooke moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 10, of the printed bill, strike out "or", and insert "and".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 1360, on request of Mr. Caldecott.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF SENATE BILLS

Senate Bill No. 409—An act to amend Section 29802 of the Government Code, relating to county warrants.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1038—An act to repeal Sections 2620 and 2737 of the Political Code, to add Section 30 to the Streets and Highways Code, and to add Section 374d to the Penal Code, relating to streets and highways.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER. Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 964

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means

STEWART, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 963

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and re-refer to Committee on Ways and Means.

STEWART, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 389—An act to add Section 20983.1 to the Government Code, relating to retirement of local members of the State Employees' Retirement System, declaring the urgency hereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—74.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—74.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 410—An act to amend Section 51550 of the Government Code, relating to municipal taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—70.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 411—An act to amend Sections 51510 and 51511 of the Government Code, relating to municipal taxes.

Bill read third time, and ordered passed on file.

Senate Bill No. 1685—An act to add Sections 25031j and 25071t to the Revenue and Taxation Code, relating to bank and corporation taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—72.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1686—An act to add Section 17688 and Section 17758 to the Revenue and Taxation Code, relating to personal income taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson,

Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—72

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1012—An act to consolidate and revise the law relating to the organization, operation, and maintenance of a System of State and Local Government, by adding Sections 22, 22.1, 22.2, and 23 to 23.6, inclusive, to the Civil Code; by adding Chapter 2.5, comprising Sections 39 to 39.6, inclusive, to Title 1, Part 1 of the Code of Civil Procedure; by adding Sections 12b, 41, 58 to 58.8, inclusive, 59 to 59.8, inclusive, 60 to 60.4, inclusive, 61 to 61.8, inclusive, 62, 62.1, 65 1, 65.2, 78, 78.1, 79 to 79.58, inclusive, 98 to 98.7, inclusive, 196 and 196.1, 262 to 262.10, inclusive, 268, 304 to 304.4, inclusive, 537.5, 577.5, and 1885 to 1885.2, inclusive, to the Code of Civil Procedure; by adding Sections 1225 and 1227 to the Government Code; by adding Chapter 7, comprising Sections 6700 to 6706, inclusive, Chapter 8, comprising Sections 6800 to 6807, inclusive, and Chapter 9, comprising Sections 6850 to 6851, inclusive, to Division 7, Title 1 of the Government Code; by adding Article 8, comprising Sections 13240 and 13241, to Chapter 2, Part 3, Division 3, Title 2 of the Government Code; by adding Chapter 2, comprising Sections 15100 to 15105, inclusive, to Part 6, Division 3, Title 2 of the Government Code; by adding Part 9, comprising Sections 15600 to 15645, inclusive, to Division 3, Title 2 of the Government Code; by adding Section 24350.5 to the Government Code; by adding Section 8154.1 to the Education Code; by adding Sections 29, 30, and 31 to the Revenue and Taxation Code; by adding Part 12, comprising Sections 28001 to 28208, inclusive, to Division 2 of the Revenue and Taxation Code; by adding Sections 1039 and 1039 1 to the Penal Code; by adding Section 6210.1 to the Public Resources Code; by adding Sectins 32 to 37, inclusive, to the Municipal Court Act of 1925; and by repealing an act entitled "An act creating an additional district court of appeal known as the District Court of Appeal for the Fourth Appellate District, redividing the State into appellate districts, providing for the maintenance and operation of said court, and making an appropriation therefor," approved June 5, 1929, and sections of the Political Code specified herein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1013—An act to repeal Chapter 6, comprising Sections 3136 to 3158, inclusive, of Title 7, Part 3 of the Political Code and to add Chapter 4, comprising Sections 2080 to 2082, inclusive, to Title 6,

Part 4, Division 3 of the Civil Code, consolidating and revising the law, relating to lost and unclaimed property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 704—An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the County of Napa, State of California.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 706—An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the County of Napa, State of California.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 707—An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the County of Napa, State of California.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins,

Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 708—An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the County of Napa, State of California.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 306

Mr. Davis asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 306, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 306

Senate Bill No. 306—An act to repeal Sections 186.5 and 206 of the Streets and Highways Code, relating to state highways and the State Highway Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr. Gaffney asked for, and was granted, unanimous consent that his name be placed upon the roll call, on Senate Bill No. 306, and that he be recorded as voting "Aye."

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 500

Mr. Grunsky asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 500, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 500

Senate Bill No. 500—An act to amend Section 4753 of the Labor Code, relating to workmen's compensation and insurance, in respect to deductions in the computation of subsequent injuries payments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Waters, and Mr Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 647

Mr Kelly asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 647, temporarily passed on file, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 647

Senate Bill No. 647—An act to amend Section 28109 of the Government Code, relating to compensation for public services in counties of the ninth class.

Bill read third time.

Motion to Amend

Mr. Kelly moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on April 3, 1951, strike out "28109", and insert "28111".

Amendment No. 2

In line 3 of the title of said bill, strike out "ninth", and insert "eleventh".

Amendment No. 3

On page 1 of said bill, strike out lines 1 and 2.

Amendment No. 4

On page 2 of said bill, strike out line 4, and insert

"SECTION 1. Section 28111 of the Government Code is amended to read 28111. In a county of the eleventh class the following shall".

Amendment No. 5

On page 2 of said bill, between lines 31 and 32, insert

"For attending as trial juror, in the municipal court for each day's actual attendance, five dollars ($5), and fifteen cents ($0.15) for each mile actually traveled in going only."

Amendment No. 6

On page 2 of said bill, after line 38, insert

"The compensation provided by this section shall be payable to incumbent officers.

SEC. 2. If it is not legally competent to pay the compensation provided by this act to incumbent officers on the effective date of this act, such increase in compensation shall nevertheless be payable to the officers designated in this act as soon as it is legally competent to do so."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1807

Mr. Grunsky asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1807, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1807

Senate Bill No. 1807—An act to amend Section 28126 of the Government Code, relating to public service in counties of the twenty-sixth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 215

Mr. Davis asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 215, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 215

Senate Bill No. 215—An act to add Section 25826 to the Government Code, relating to fixing and collecting of fees for the use of public land for camping purposes.

Bill read third time, and ordered passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 204

Mr. Lowrey asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 204, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 204

Senate Bill No. 204—An act to amend Section 6813 of the Public Resources Code, relating to agreements with adverse claimants of oil and gas lands.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering,

Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—73.
NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 552

Mr. Tomlinson asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 552, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 552

Senate Bill No. 552—An act to amend Section 771 of the Probate Code, relating to surrender of stock for redemption or conversion by executors and administrators.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76.
NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT OPINION OF LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Mr. Hinckley asked for, and was granted, unanimous consent that an opinion of the Legislative Counsel relative to railroads be ordered printed in the Journal in 10 point type, as follows:

OPINION OF LEGISLATIVE COUNSEL

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, April 4, 1951

Honorable Edwin J. Regan
Senate Chamber

RAILROADS—No. 6483

DEAR SENATOR REGAN: Senate Bill No. 616, if enacted, would add Section 485b to the Civil Code, or, in the event the Public Utilities Act is enacted by the Legislature at this session, Section 7659 to the Public Utilities Code. The two sections are identical and read as follows:

> "Notwithstanding any city ordinance to the contrary, no railroad conductor or engineer, who, while operating a train, obstructs a railroad crossing, shall be subject to any criminal penalty, where he has no physical control over the situation causing the obstruction, or where the train cannot be moved without endangering the safety of the passengers or freight."

You have asked our opinion as to the validity of Senate Bill No. 616. With respect to the effect of Senate Bill No. 616, you have asked:

(1) Could a municipality enact an ordinance to subject a railroad corporation to criminal penalties for obstructing a railroad crossing, even though the engineer or conductor operating the train would not be subject to criminal penalties by reason of the provisions of Senate Bill No. 616?

(2) In the event a railroad engineer or conductor is liable because his acts are not excused by Senate Bill No. 616, could a railroad corporation also be made liable?

Opinion

It is our opinion that:

(1) The bill is valid.

(2) The answers to your two questions are in the affirmative.

Analysis

(1) Validity of Senate Bill No. 616

Section 11, Article XI of the State Constitution provides:

> "Sec. 11. Any county, city, town or township may make and enforce within its limits all such local, police, sanitary and other regulations are are not in conflict with general laws."

The power so conferred is as broad as that possessed by the Legislature itself, subject, however, to this exception: its exercise by any city must be confined to the municipality and must not conflict with the general law of the State (*Pasadena School District* vs. *Pasadena* (1913), 166 Cal. 7).

Since Senate Bill No. 616 purports merely to limit the power of cities to enact ordinances imposing criminal penalties upon railroad conductors or engineers for the obstruction of a railroad crossing while operating a train, we need not consider the extent of the power of the municipality to enact such legislation.

The power of the Legislature to enact such legislation limiting the power of the cities depends upon whether this is a matter of statewide concern or a "municipal affair." Where a particular matter is outside the limited group of "municipal affairs," it is clear that local regulations upon the subject may be enforced only if they "are not in conflict with general laws." (*Pipoly* vs. *Benson* (1942), 20 Cal. 2d 366.)

The regulation of traffic upon the streets of a city was held not to be one of those municipal affairs over which the local authorities are given power superior to that of the Legislature in *Ex Parte Daniels* (1920), 183 Cal. 636.

In a recent case, *Northwestern Pacific R. R. Co.* vs. *Superior Court* (1949), 34 Cal. 2d 454, the California Supreme Court, in deciding whether the condemnation of a right of way for a street across a railroad within a city was a matter of statewide concern or a municipal affair, said:

> "In other words, although the city may have control over municipal affairs under its charter and thereby have the right to bring a condemnation action to obtain a crossing of a railroad, it is only entitled to such relief where the crossing may be constructed without disturbing the public use and enjoyment of the utility. If the proposed crossing, whether lateral or longitudinal, would substantially interfere with the use of the facilities of the utility, then

the matter becomes one of statewide concern, rather than a 'municipal affair' * * * ." (p. 458).

The regulation by municipalities of the movement of trains within its limits, in our opinion, would substantially interfere with the use of the facilities of the railroad, and, hence, is a matter of statewide concern, rather than a "municipal affair." Being a matter of statewide concern, it follows that the power of the local authorities to enact such ordinances must yield to the superior power of the Legislature to enact general laws upon the subject.

(2) Liability of a Railroad Corporation Where Senate Bill No. 616 Exempts the Employee From Liability

It is to be noted that Senate Bill No. 616 purports to limit the power of municipalities only with respect to the imposition of criminal penalties upon railroad conductors and engineers in certain instances. It does not purport to limit the power of a municipality with respect to the imposition of criminal penalties upon the railroad corporation. Thus it appears that a municipal ordinance to impose such liability upon the corporation would not be subject to attack on the ground that it conflicted with the general law of the State.

The liability of the corporation can be based upon the general rule that a corporation may be criminally liable for the acts of an officer or agent, assumed to be done by him when exercising authorized powers, and without proof that his act was expressly authorized or approved by the corporation (*New York C. & H. R. R. Co.* vs. *United States* (1909), 212 U.S. 481).

(3) Liability of a Railroad Corporation When Senate Bill No. 616 Does Not Exempt the Employee From Liability

Senate Bill No. 616 purports to exempt a railroad engineer or conductor from criminal liability for the obstruction of a railroad crossing only under certain specified circumstances, namely, "where he has no physical control over the situation causing the obstruction, or where the train cannot be moved without endangering the safety of the pasesngers or freight." It does not purport to exempt such persons from criminal liability for acts not so specified. Hence it appears that a municipal ordinance to impose criminal liability upon such persons for acts not covered by Senate Bill No. 616 would not be subject to attack on the ground that it conflicted with the general law of the State.

The fact that a municipal ordinance makes the railroad engineer or conductor liable for acts not within the scope of Senate Bill No. 616 does not preclude the municipality from also passing ordinances making the corporation liable. The acts of a railroad engineer or conductor, acting within the scope of his employment, can be imputed to the employing corporation, thus subjecting the corporation to criminal penalties also (*New York C. & H. R. R. Co.* vs. *United States*, supra).

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By DELBERT E. WONG, Deputy

Two copies to Honorable James E. Cunningham, pursuant to Joint Rule 34.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 616

Mr. Hinckley asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 616, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 616

Senate Bill No. 616—An act to add Section 485b to the Civil Code and Section 7659 to the Public Utilities Code, relating to railroad crossings.

Bill read third time.

Demand for Previous Question

Messrs. Gubser, Kirkwood, Lindsay, Silliman, and Luckel demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 616.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—68.

NOES—Beck, Cloyed, Hahn, Lipscomb, and Smith—5.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1241

Mr. Clarke asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1241, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1241

Senate Bill No. 1241—An act to amend Section 684.5 of the Vehicle Code, relating to tank vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3017

Mr. Silliman asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3017, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3017

Assembly Bill No. 3017—An act to add Article 5, to Chapter 5, Part 2, Division 3, Title 2, and to repeal Sections 16396 and 18002, of the Government Code, relating to state employment, in respect to pay roll procedure.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. George D. Collins to reconsider the vote whereby Assembly Bill No. 3075 was passed, was continued until the next legislative day.

NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 416 FROM COMMITTEE

Mr. Condon gave notice that on the second legislative day he would move to withdraw Senate Bill No. 416 from the Committee on Conservation, Planning, and Public Works, and have it placed upon the file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3409

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 3409, temporarily passed on file, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3409

Assembly Bill No. 3409—An act to create the Sierra Water Conservation District, prescribing its powers and duties, providing for its organization, operation, and management, and authorizing the acquisition of property and works to carry out the purposes of the district, authorizing the incurrence of indebtedness, providing for issuance of bonds, providing for the levy and collection of taxes for the payment of such indebtedness, providing for the issuing of bonds payable solely from the revenues of the district, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Lindsay moved the adoption of the following amendments:

Amendment No. 1

In lines 9 and 10 of the title of the printed bill, strike out "declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 2, line 1, of said bill, after "Sec 5.", insert "Within 30 days after the act becomes operative the board shall by resolution provide for the holding of a special district election for the purpose of submitting to the voters the question of whether the organization of the district as provided herein shall be ratified and confirmed, and shall fix a date upon which such special district election shall be held. Such special district election shall be called and held within a period of time not to exceed 180 days from the effective date of this act in accordance with the provisions of Section 104, but in addition to the matters and things required to be set forth in the proclamation therein provided for, such proclamation shall likewise set forth the proposition to be submitted to the voters The proposition shall be submitted in substantially the following form: "Shall the organization of Sierra Conservation District as provided in the act adopted by the Legislature at its last regular session, known as Sierra Conservation District Act, be ratified and confirmed?" Opposite shall be the word "Yes" followed by a square wherein to mark the cross, and also opposite shall be the word "No" followed by a square wherein to mark the cross. The returns of the election shall be made to and the votes canvassed by the board on the first Tuesday which is six or more days after the election, and the results of the election shall be ascertained and declared in accordance with the provisions of Section 105 hereof. If such proposition is approved by a majority of the voters voting thereon at such election, the chairman and vice chairman of the board shall file, or cause to be filed, with the Secretary of State, and shall record, or cause to be recorded in the office of the county recorder of each county within which any portion of the district lies, a certificate stating the result of such election, the formation of the district under the provisions thereof, and its boundaries. Upon receipt of the certificate, the Secretary of State shall, within 10 days, issue his certificate reciting that the district has been duly incorporated. A copy of this certificate shall be transmitted to and filed with the county clerk of each county within which any portion of the district lies.

In the event a majority of the votes cast on the proposition are against the proposition, then the board shall wind up the affairs of the district and enter an order dissolving the same, as hereinafter provided, but shall not exercise any powers herein granted except to the extent required to wind up such affairs and dissolve the district, nor shall any general or special district elections be called or held. Nothing in this section shall preclude the board from holding a single election at which both the proposition of ratification and the proposition of the issuance of bonds shall be submitted to the voters In the event that such an election is held, the provisions of this act relative to the submission of each of the propositions shall govern the submission of that proposition insofar as practicable.

The expenses of the election provided by this section shall be a proper charge against the counties.

SEC. 6."

Amendment No. 3

On page 3, line 6, of said bill, after "pipes", insert "water".

Amendment No. 4

On page 3, line 11, of said bill, insert

"(k) "Property" includes all property, real and personal

(l) "Operate" includes, but is not limited to, use, maintenance, repair and additions to existing and future conservation works"

Amendment No. 5

On page 3 of said bill, between lines 28 and 29, insert

"The board shall take no action unless authorized by ordinance or resolution adopted by a majority of the directors from each of the counties."

Amendment No. 6

On page 3, line 35, of said bill, insert

"SEC. 47 No director shall be liable for any act or omission of any appointee or employee appointed or employed by him in his official capacity, whether such employment or appointment was made singly or in conjunction with other members of the board, and no officer, agent or employee of the district shall be liable for any act or omission of any agent or employee appointed or employed by him except when the director or the officer or agent making such appointment or employment knew or had actual notice that the person appointed or employed was inefficient or incompetent to perform or render the services for which he was appointed or employed, or shall retain such inefficient or incompetent person after knowledge or notice of such inefficiency or incompetency.

SEC. 48. Nothing contained in Section 47 shall be considered as creating any liability or responsibility unless the same would have existed without the enactment of said section, nor shall the provisions of said section or either or any of them be deemed to amend, modify or repeal the provisions of Chapter 6, Division 4, Title 1 of the Government Code.

SEC 49 If a director, officer, agent, or employee of the district shall be held liable for any act or omission in his official capacity, except in case of actual fraud or actual malice, and any judgment shall be rendered thereon, the district shall pay such judgment without obligation for repayment thereof by such director, officer, agent, or employee.

SEC. 50. No director shall in any manner be interested directly or indirectly in any contract awarded or to be awarded by the board or in the profits to be derived therefrom, and for any violation of this provision such party shall be guilty of a misdemeanor, and upon conviction thereof he shall be punished by a fine not exceeding five hundred dollars ($500) or by imprisonment in a county jail not exceeding six months, or by both such fine and imprisonment, and such conviction shall by operation of law work a forfeiture of his office; provided, that this section shall not be construed to apply to any contract made with a corporation for the general benefit of such corporation where such director is a minority stockholder therein."

Amendment No. 7

On page 5 of said bill, strike out lines 1 to 7, inclusive, and insert

"8. To acquire, store, and distribute water to any entity for any beneficial use, including, but not limited to its use for domestic, irrigation, industrial and municipal purposes and for the generation of electrical energy.

9. To provide for the acquisition, operation, leasing, and control of plants for the generation, transmission and wholesaling of electric energy."

Amendment No. 8

On page 6, line 29, of said bill, strike out "executive secretary", and insert "secretary-manager".

Amendment No. 9

On page 6 of said bill, between lines 36 and 37, insert

"The secretary-manager, subject to the control and approval of the board, shall have full charge and control of the maintenance, operation and construction of the works and property of the district and shall have full power and authority to employ and discharge all employees and assistants, prescribe their duties and fix and alter their compensation. He shall perform such other duties as may be imposed by the board and report to the board in accordance with such rules and regulations as it may adopt. The auditor shall install and maintain a system of auditing and accounting that shall completely and at all times show the financial condition of the district. He shall draw warrants, which must be countersigned by the chairman or vice chairman, to pay demands made against the district when such demands have been approved or authorized by the board. The board shall also designate a depository or depositories to have custody of the funds of the district, all of which depositories shall give security sufficient to secure the district against possible loss and who shall pay the warrants drawn by the auditor for demands against the district under such rules as the directors may prescribe."

Amendment No. 10

On page 6, line 38, of said bill, after "investigations", insert ", elections, or other acts".

Amendment No. 11

On page 10, line 42, of said bill, after "in", insert "each county of".

Amendment No. 12

On page 10, line 48, of said bill, strike out "published", and insert "posted".

Amendment No. 13

On page 11, line 2, of said bill, strike out "thereat", and insert "in each of the counties".

Amendment No. 14

On page 11, line 10, of said bill, strike out "bonds", and insert "bond".

Amendment No. 15

On page 12, line 47, of said bill, after "voters", insert "in either of the counties".

Amendment No. 16

On page 13, line 11, of said bill, strike out ":", and insert "and,".

Amendment No. 17

On page 13, line 11, of said bill, strike out "(a)".

Amendment No. 18

On page 13, line 12, of said bill, after "cast", insert "in each of the counties"

Amendment No. 19

On page 13, line 15, of said bill, strike out ", or", and insert a period.

Amendment No. 20

On page 13 of said bill, strike out lines 16 to 20, inclusive.

Amendment No. 21

On page 20 of said bill, strike out lines 32 to 48, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

ANNOUNCEMENT

Mr. Maloney announced that the South of Market Boys Association will hold a Mother's Day breakfast at the Palace Hotel in San Francisco next Sunday morning, May 13th, and that all Members of the Assembly are invited as his personal guests. (Note: Mr. Maloney is a past president of the above mentioned organization.)

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2665 HOLD PLACE ON FILE

Mr. Connolly asked for, and was granted, unanimous consent that Assembly Bill No. 2665 be passed on file, and hold its place on file on the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 35

Mr. Dickey asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 35, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 35

Senate Bill No. 35—An act making an appropriation in augmentation of the appropriation in Item 5 of the Budget Act of 1950, for expenses of Members of the Senate, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1461

Mr. Sherwin asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1461, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1461

Senate Bill No. 1461—An act to amend Sections 11184 and 11272 of the Education Code, relating to textbooks.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—73.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 245

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 245, temporarily passed on the unfinished business file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 245—An act to amend Section 4656.4 of and to add Section 2152.5 to, the Revenue and Taxation Code, relating to the distribution and computation of property taxes.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 245?

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Assembly on April 23, 1951, strike out "for which".

Amendment No. 2

On page 1, line 4, of said bill, as amended, strike out "they were levied".

Amendment No. 3

On page 1, line 6, of said bill, as amended, after "as the", insert "average".

Amendment No. 4

On page 1, line 7, of said bill, as amended, after "total", insert "average".

Amendment No. 5

On page 1, line 7, of said bill, as amended, strike out "applicable for", and insert "applicable"

Amendment No. 6

On page 1 of said bill, as amended, strike out all of lines 8 to 10, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No 245 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw,

Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—73

NOES—None.

Assembly Bill No. 245 ordered enrolled

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2347

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 2347, temporarily passed on the unfinished business file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2347—An act to amend Sections 50013, 50101, 50110, 50152, 50332, 50401, 50600, 50601, 50602, 50603, 50609, 50631, 50654, 50657, 50659, 50700, 50730, 50731, 50901, 50951, 50953, 50954, 50958, 51324, 51337, 51338, 51339, 51340, 51341, 51346, 51347, 51348, 51349, 51360, 51362, 51364, 51365, 51424, 51480, 51513, 51601, 51661, 51850, 52223, 52224, 52302, 53072, and 53092 of and to add Sections 50014, 51332.1, 51332.2 to, and to repeal Section 50733 of, the Water Code, relating to reclamation districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2347?

Amendment No. 1

On page 2, line 52, of the printed bill, as amended in the Assembly on April 6, 1951, strike out "he", and insert "the".

Amendment No. 2

On page 3, line 18, of said bill, as amended, strike out "resolving", and insert "revolving".

Amendment No. 3

On page 3, line 33, of said bill, as amended, strike out "designed", and insert "designated".

Amendment No. 4

On page 6, line 30, of said bill, as amended, after "credit", insert "of the".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2347 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—72

NOES—None.

Assembly Bill No. 2347 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Concurrent Resolution No. 55—Relative to amending the Joint Rules of the Senate and Assembly by adding Rule 30.5, relating to Conference Committee reports.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.
NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1668

Mr. Hansen asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1668, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1668

Senate Bill No. 1668—An act to amend Sections 803.5 and 828.85 of the Agricultural Code, relating to nectarines.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF SENATE BILL NO. 411

Mr. Moss asked for, and was granted, unanimous consent that he be permitted to take up further consideration of Senate Bill No. 411, passed on file, out of order, at this time.

FURTHER CONSIDERATION OF SENATE BILL NO. 411

Senate Bill No. 411—An act to amend Sections 51510 and 51511 of the Government Code, relating to municipal taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—73.
NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO SET SPECIAL ORDER

Mr. Dunn moved that Assembly Bill No. 1985 be made a special order of business for Monday, May 14, 1951, at 11 a.m.

Motion carried.

REQUEST FOR UNANIMOUS CONSENT THAT OPINION OF LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Mr. Dolwig asked for, and was granted, unanimous consent that an opinion of the Legislative Counsel, relative to registration of legislative representatives, be ordered printed in the Journal, in 10 point type, as follows:

Opinion of Legislative Counsel

(COPY)

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, April 23, 1951

Honorable Frank Lanterman
Assembly Chamber

REGISTRATION OF LEGISLATIVE REPRESENTATIVES—No. 6651

DEAR MR. LANTERMAN: You ask whether a general counsel, executive, or employee of a corporation would be required to register as a legislative representative under Section 9906 of the Government Code if on behalf of the corporation, and as a part of his duties as such counsel, executive, or employee, he writes letters to, or telephones, or telegraphs a Member of the Legislature in an attempt to influence the passage or defeat of legislation.

Section 9906 of the Government Code reads in part:

> "9906. (a) Any person who shall engage himself for pay or for any consideration for the purpose of attempting to influence the passage or defeat of any legislation * * * shall, before doing anything in furtherance of such object, register * * *."

"Engage" is defined by Webster's New International Dictionary (Second Edition) as:

> "1. To promise or pledge oneself; to enter into an obligation; to become bound; to warrant * * *.
> **Syn.** See PROMISE."
>
> "*Syn.* PROMISE, ENGAGE, PLEDGE. PROMISE is the general term; ENGAGE adds the implication of a binding agreement * * *."

Under this definition of the word "engage," it appears to us that if a person is employed as general counsel, executive, or employee of a corporation, and a part of his duties include the writing a letter to, telephoning to, or telegraphing to a Member of the Legislature in an attempt to influence the passage or defeat of legislation, such person would have engaged "himself for pay" within the meaning of Section 9906.

On the other hand, if such person on his own behalf, and not as a part of his duties for which he receives pay or any consideration from the corporation or any other person, were to write, telephone or telegraph a Member of the Legislature in an attempt to influence the passage or

defeat of legislation, he clearly would not be required to register as he has not engaged himself for pay or for any consideration for the purpose of attempting to influence the passage or defeat of any legislation within the meaning of Section 9906.

Whether a person acting as a general counsel, executive, or employee of a corporation has engaged himself for pay or for any consideration for the purpose of influencing legislation is a question of fact which will need be determined as to each particular person, considering the terms of his employment and the duties which are assigned to such person within the scope of his employment.

When it is concluded that such person has so engaged himself, the statute then requires such person to register "before doing *anything* in furtherance of such object." We see no reason why the phrase "before doing anything" would be given a restrictive interpretation. As we interpret "anything" it would include the making of phone calls, writing letters, or sending telegrams for the purpose of attempting to influence the passage or defeat of legislation.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By LOUIS A. BOLI III, Deputy

REQUEST FOR UNANIMOUS CONSENT THAT A THIRD REPORT OF THE ASSEMBLY COMMITTEE ON LEGISLATIVE REPRESENTATION BE PRINTED IN JOURNAL

Mr. Dolwig asked for, and was granted, unanimous consent that a Third Report of the Assembly Committee on Legislative Representation be ordered printed in the Journal, in 10 point type, as follows:

THIRD REPORT OF THE ASSEMBLY COMMITTEE ON LEGISLATIVE REPRESENTATION

Letter of Transmittal

Assembly Committee on Legislative Representation, May 3, 1951

Hon. Sam L. Collins
Speaker of the Assembly
Assembly Chamber, Sacramento, California

MR. SPEAKER: In conformity with the authority vested in it, your committee has reviewed the statements and reports of the persons hereinafter named who have filed as legislative advocates and has found that all of the persons named in this report have complied with the provisions of Chapter 8, Part 1 of Subdivision 2 of Title 2 of the Government Code.

After five days from the filing of this report, a certificate of registration as legislative advocate will be issued to each person named in this report unless good cause to the contrary appears as provided by Government Code 9909, Section 3.

The names of persons who have filed as legislative advocates but do not appear on the list have been withheld by your committee because of technical defects in the application for further information or for further consideration by your committee.

All registrants whose names have been withheld will be notified and will be given an appropriate opportunity to conform with the requirements of the law.

Respectfully submitted.

WILLIAM H. ROSENTHAL
H. ALLEN SMITH
FRANK P. BELOTTI
BERNARD R. BRADY
RICHARD J. DOLWIG, Chairman

Third Report of Assembly Committee on Legislative Representation

APPLICATIONS APPROVED AS OF MAY 3, 1951
LIST NO. 4

Name	Address	Represents
Vincent Kennedy, Hotel Senator, Sacramento		
		California Retailers Association, Subway Terminal Building, Los Angeles
William C. Anderson, 660 17th St., Merced		
		Western Dairymen's Association, 660 17th St., Merced
Charles L. Belden, 2728 Upas St., San Diego 4		
		Corporation Counseling Service, 5140 Crenshaw Blvd., Los Angeles 43 (R. G. Fjellstrom, Pres.)
John M. Welsh, 419 Capitol National Bank Bldg., Sacramento, California		
		California Allied Printing Trades Conference, San Francisco
		California Conference of Typographical Unions, San Francisco
		Southern California Typographical Conference, Los Angeles
		Southern California Allied Printing Trades Conference, Los Angeles
		Sacramento Pressmen and Assistants, Union No. 60, Sacramento
		Sacramento Bookbinders Local 35, Sacramento
		International Typographical Union 46, Sacramento
Roy J. Nielsen, 309 Bank of America Building, Sacramento		
		California Council of Business Schools, 406 Sutter St., San Francisco
Milo V. Olson, 737 Pacific Mutual Building, Los Angeles		
		Serve Yourself Gasoline Stations Association, Inc., 3238 Wilshire Blvd., Los Angeles
Hugh F. Richards, Route 7, Box 1396, Modesto		
		The California Jersey National Cattle Club, President V. J. Lancaster, Route 4, Box 40, Turlock
Ray Stone, Route 1, Box 783, Fair Oaks		
		California State Horsemen's Association, Rt. 1, Box 783, Fair Oaks
Lydia Wood (Mrs. E. H.), 8589 Burton Way, Los Angeles 48		
		Women's Christian Temperance Union of Southern California, 551 S. Kingsley Drive, Los Angeles 5
		Southern California Council of Church Women, 944 S. Hudson Ave., Los Angeles 6
Herbert M. Baus, 2796 W. Eighth St., Los Angeles 5		
		Los Angeles Junior Chamber of Commerce, 1151 S. Broadway, Los Angeles 15

Cal. F. Brumbaugh, 1213 I St, Sacramento
California Association of Highway Patrolmen, Sacramento, California Association, 1213 I St., Sacramento

James M. Conners, 444 Market St., San Francisco
Board of Trade of San Francisco, 444 Market St., San Francisco

Clarence A. DeWitt, 10912 Lemoli Ave., Inglewood 2
Ocean Fish Protective Association, P. O. Box 15851, Crenshaw Station, Los Angeles

Lynette M. Messer, 124 Buchanan, San Francisco
Association for Nursery Education of Northern California; President, Mrs. Marion J. Post, 2356 Corona Court, Berkeley 8

Nellie Miller, 268 Market St., San Francisco
Women's Christian Temperance Union (same address)

James B. McNally, 705 Bay Front, Balboa
Ocean Fish Protective Association, P. O. Box 15851, Crenshaw Station, Los Angeles

Anita M. Truman, 2503 Turk St., San Francisco
Retired Teachers Association of San Francisco, 465 Post St., Suite 211, San Francisco

John B. Long, c/o Clarence H. Hoiles, President, Santa Ana Register, Santa Ana
California Newspaper Publishers Association, Santa Ana

Robert W. Jones, 1405 E. 22d St., Merced
Order of Repeatermen and Toll Testboardmen, 2270 Bullard Ave., Los Angeles

Otto E. Never, 474 Valencia St., San Francisco 3
State Building and Construction Trades of California, 474 Valencia St., Room 2, San Francisco 3

Leslie Monahan, 2270 Bullard Ave., Los Angeles 32
Order of Repeatermen and Toll Testboardmen, 2270 Bullard Ave., Los Angeles

Glenn M. Farley, 162 E. Base Line, San Bernardino
California State Association of Journeymen Barbers and Beauticians, 3096 H St., San Bernardino

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 2.30 p.m.—

Subcommittee on Education. Subject: Assembly Bill No. 869, in Room 4017.

At 3 p.m.—

Municipal and County Government, in Room 3186.
Transportation and Commerce, in Room 432.
Ways and Means, in Room 435.

At 8 p.m.—

Industrial Relations, in Room 432.
Revenue and Taxation, in Room 3186.

Tomorrow, Friday, May 11th, at 9 a.m.—

Rules, in Room 3186.

It was announced that the following committee would hold no meeting today:

Civil Service and State Personnel.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Lanterman, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Grafton Burke of Los Angeles, and Mrs. Bruce Reagan and Mrs. Swartz of Altadena.

On request of Messrs. Caldecott and Rumford, the usual courtesies of the Assembly for this day were unanimously extended to Professor May, Political Science Professor of Japan, and the following delegation: Masamichi Royama, Hiroshi Kaneko, Tadashi Yoshimura, Kiyoaki Tsuji, Masatoshi Nagahama, Tatsuo Takenaka, and Tadao Adachi.

On request of Messrs. Caldecott and Rumford, the usual courtesies of the Assembly for this day were unanimously extended to the following German officials from Kerfeld, Germany: Dr. Alex Kehrmann, Dr. Otto Erich Wedekind, Dr. Bernhard Franz Roessler, Miss Margarete Porten, Theodor Plueckebaum, Adolph Friedrich Markard, and Mrs. Marianne Gatzke.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Rear Admiral Frank E. Beatty, U.S.N.

On request of Mr. McCollister, the usual courtesies of the Assembly for this day were unanimously extended to John G. Terry, Ernest Neitzke, and William W. Wyman, masters, and the following pupils of the Tamalpais School for Boys, San Rafael: Robert Borden, John Bradley, Alex Browne, Alex Bryant, Clinton Childs, Ross Christiansen, Richard Duff, Tony Falconi, Kenneth Gabriel, Ted Graupner, Joe Hickingbotham, Gary Mulkey, Gary Scales, Stephen Tonarelli, Robert Westphall, and Raynor Whiting.

On request of Messrs. Parker and McFall, the usual courtesies of the Assembly for this day were unanimously extended to Floyd Swagerty and Thomas Olaeta, teachers, and the following pupils of the Dent School: David Abernathy, Roger Albin, Donald Anderson, Marlys Blomquist, Ronald Bonzi, LaVerne Bunch, Joann Davis, Marvin Dole, Delwin Eliason, Larry Boeken, Karen Heurlin, Harold Hodges, Eileen Johnson, Fred Johnson, Darlene Kalbach, David League, Glenda Light, Dolly Lindman, John Nunes, Bobby Loureiro, Merlin Murkin, Billy Nelson, Don Oliver, Betty Jean Oswald, Nancy Parsons, Paul Reichmuth, Jackie Rose, Elaine Runsten, Sharon Schramm, Dyan Shugart, Mona Simmons, Bonnie Skiles, Mary Jo Smith, Dale Steelman, Raymond Welch, Tommy Williams, LaVonne Wolf, Lynne Wood, and Ellen Wood.

On request of Mr. Dolwig, the usual courtesies of the Assembly for this day were unanimously extended to James R. Tormey and Dr. Byron Clyde Curry of San Mateo County.

ADJOURNMENT

At 12.34 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9.30 a.m., Friday, May 11, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FIFTY-SEVENTH LEGISLATIVE DAY

SEVENTY-SEVENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, May 11, 1951

The Assembly met at 9 30 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Our Loving Heavenly Father, We thank Thee for placing the crown of jewels upon the name of mother, making it the sweetest name of all earth's treasures. Today we pause in reverence and sacred tribute, bringing to Thy throne of grace in prayer our mothers. Our debt could never be paid to the one who soothed our childish sorrows, and guided our hearts to the first altar of devotion By her faith the home remains strong and the heart of our Republic secure. May the example of Jesus, who gave always tender concern for His dear mother, rise up within our hearts, that we, too, may call her "blessed".

"So 'mid earth's rush, and clash, and strife,
It's daily drive and stress,
Keep those who guard the founts of life,
Dear God, each mother bless."

—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mrs. Niehouse, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Lanterman, on motion of Mr. McGee.

Mr. Lindsay, on motion of Mr. Gubser.

Mr. Lipscomb, on motion of Mr. Smith.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Kilpatrick, on motion of Mr. Munnell.

REQUEST FOR UNANIMOUS CONSENT THAT NAME OF MEMBER ATTENDING MEETING OF SUBCOMMITTEE ON WAYS AND MEANS BE PLACED UPON MORNING ROLL CALL

Mr. Clarke asked for, and was granted, unanimous consent that the name of a member attending the meeting of the subcommittee on Ways and Means, at this time, be placed upon the morning roll call as follows:

Mr. Sherwin.

REQUEST FOR UNANIMOUS CONSENT THAT NAMES OF MEMBERS ATTENDING MEETING OF COMMITTEE ON ELECTIONS AND REAPPORTIONMENT BE PLACED UPON MORNING ROLL CALL

Mr. Clarke asked for, and was granted, unanimous consent that the names of all members attending the meeting of the Committee on Elections and Reapportionment, at this time, be placed upon the morning roll call as follows:

Messrs. Waters and Conrad.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal:

SACRAMENTO, CALIFORNIA, May 10, 1951

Honorable Sam L. Collins
Speaker of the Assembly

MR. SPEAKER: We cordially extend an invitation to the Members of the Assembly to attend the Kern Crossroads Celebration, Sunday, May 13, 1951, in Delano, commemorating the arrival of Friant Kern Canal water at its terminus in Kern County.

The occasion of this celebration is the culmination of the dream of many thousands of Californians for the delivery of water for the lands of the South San Joaquin Valley.

It was initially with the help of the California Legislature that the Central Valley Project was given a childhood, and at this date the efforts of the Legislature have resulted in a manful deployment of California surplus waters to areas less supplied with the lifeblood of an agricultural community.

The celebration from 9:30 a.m. until 4 p.m. will provide entertainment and a source of pride to all attending. The County of Kern extends an individual invitation to each Member of the Assembly and its attaches to attend with their families and friends.

Very truly yours,

H. W. KELLY
Member of the Assembly

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 284
Assembly Bill No. 289
Assembly Bill No 461
Assembly Bill No. 584
Assembly Bill No. 1041
Assembly Bill No. 1118

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 212
Assembly Bill No. 214
Assembly Bill No. 215
Assembly Bill No. 475
Assembly Bill No 1032
Assembly Bill No. 1053
Assembly Bill No. 1109
Assembly Bill No. 1147
Assembly Bill No. 2502
Assembly Bill No 3070

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1951

MR SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 1998
Assembly Bill No 3406

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass, as amended.

LUCKEL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1951

MR SPEAKER: Your Committee on Transportation and Commerce, to which were referred.

Senate Bill No. 441
Senate Bill No. 454
Senate Bill No. 640

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LUCKEL, Chairman

Above reported bills ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1951

MR SPEAKER. Your Committee on Transportation and Commerce, to which was referred:

Assembly Bill No 2870

Has had the same under consideration, and reports the same back with the recommendation: Do pass

LUCKEL, Chairman

Above reported bill ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1951

MR SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Senate Bill No. 108
Senate Bill No 279
Senate Bill No. 1744

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass, as amended

LUCKEL, Chairman

Above reported bills ordered to second reading

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER. Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 2448

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 2487

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 10, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 58

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 10, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 665
Assembly Bill No. 803
Assembly Bill No. 855
Assembly Bill No. 856
Assembly Bill No. 907
Assembly Bill No. 945
Assembly Bill No. 1007
Assembly Bill No. 1008
Assembly Bill No. 1855
Assembly Bill No. 3068

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 10, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 449
Assembly Bill No. 567
Assembly Bill No. 664
Assembly Bill No. 910
Assembly Bill No. 1091
Assembly Bill No. 3279

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 10, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 32

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Joint Resolution No. 32—Relative to the supply of sulphuric acid for fertilizers.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 10, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No 293	Senate Bill No 820
Senate Bill No. 297	Senate Bill No 949
Senate Bill No. 298	Senate Bill No. 1092
Senate Bill No. 294	Senate Bill No. 1745

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 293—An act to add Section 1384.6 to the Fish and Game Code, relating to the importation of carcasses or parts thereof of domesticated game birds.

Referred to Committee on Fish and Game.

Senate Bill No. 297—An act to amend Section 1281 of the Fish and Game Code, relating to deer.

Referred to Committee on Fish and Game.

Senate Bill No. 298—An act to amend Section 1201.9 of the Fish and Game Code, relating to pheasant license tags.

Referred to Committee on Fish and Game.

Senate Bill No. 294—An act to repeal Section 1290 of, and to add new Section 1290 to, the Fish and Game Code, relating to deer hides.

Referred to Committee on Fish and Game.

Senate Bill No. 820—An act to amend Section 11166.12 of the Health and Safety Code, relating to narcotics.

Referred to Committee on Public Health.

Senate Bill No. 949—An act to repeal Sections 1510, 1511, and 1512 of the Welfare and Institutions Code, and to add Sections 1510, 1511, 1511.3, 1511.5, 1511.7, and 1512 thereto, relating to aid to needy children, in respect to the amount of aid.

Referred to Committee on Social Welfare.

On May 16, 1951, the Senate requested the return of Senate Bill No. 949, so the bill was withdrawn from committee and returned to the Senate on the same day.) (Page 4326.)

Senate Bill No. 1092—An act to add Section 1508 to the Welfare and Institutions Code, relating to aid to needy children and failure to report the return of an absent parent.

Referred to Committee on Social Welfare.

Senate Bill No. 1745—An act to add Sections 679.2 and 679.3 to the Vehicle Code, relating to rules governing the loading and securement of lumber and lumber products and hay in bales.

Referred to Committee on Transportation and Commerce.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1877—An act to amend Sections 43610, 43627, and 43628 of the Government Code, relating to the authorization and issuance of bonds of cities.

Bill read second time, and ordered engrossed.

Assembly Bill No. 23—An act to amend Section 25656 of the Water Code, relating to assessments in irrigation districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3391—An act to amend Section 3.3 of the Mount San Jacinto Winter Park Authority Act, relating to the Mount San Jacinto Winter Park Authority.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3199—An act to amend Section 14722 of the Education Code, relating to district retirement systems.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 4, 1951, strike out "Section", and insert "Sections".

Amendment No. 2

In line 2 of the title of the printed bill, after "14722", insert "and 14720 1".

Amendment No. 3

In line 2 of the title of the printed bill, strike out the comma, and insert "and to add Section 14720 2 to said code, all".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of the printed bill, after line 15, insert

"SEC. 2 Section 14720 1 of said code is amended to read:

14720 1 Every cafeteria employee of a school district which has adopted, or adopts, a plan for district retirement who is a member or becomes a member of said plan, shall be entitled to the benefits and be bound by the burdens of this article and shall receive full credit for his service as a school cafeteria employee rendered before he became a member of the plan to the pupils of any of the districts under the same governing board which governs the district of which he is now an employee, whether such service was paid for by the school districts or otherwise. For purposes of computing benefits for service credited as provided in this section, the average monthly salary earned by a cafeteria employee during the year 1944-45 shall be used. [At the time of retirement of any school district employee entitled to credit for service under this section, the school district shall pay into the district retirement fund such sum as may be necessary to provide both annuity and pension benefits in respect to such credited service.]

SEC. 3. Section 14720.2 is added to the Education Code to read:

14720.2. Every employee of a student body of a school in a school district which has adopted a plan for district retirement, who is or becomes a member of said plan by virtue of employment by the school district, and who is employed full time jointly by the student body and the school district, shall be entitled to the benefits and be bound by the burdens of this article and shall contribute to said district retirement plan on the basis of the total combined salary received jointly from the student body and the school district and shall receive retirement benefits from the district retirement plan on the basis of the total of such combined salary and shall receive full credit for his service as a school student body employee and a school district employee, rendered before he became a member of the plan to the pupils of any of the districts under the same governing board which governs the district of which he is now an employee, whether such service was paid for by the school district or otherwise. For purposes of computing benefits for service rendered prior to becoming a member of said district retirement plan, the average combined monthly salary earned as a student body employee and a school district employee during the year 1946-47 shall be used."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1152—An act to create a flood control district to be called Contra Costa County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, harbors, public highways, life and property from damage or destruction from such waters; to prevent the waste of water or the diminution of the water supply in, or the exportation of water from said district, and to import water into said district and to obtain, retain and reclaim drainage, storm, flood and other waters and to save and conserve all or any of such waters for beneficial use in said district; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district; to define the powers of said district and its officers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 2, line 30, of the printed bill, as amended in the Assembly on April 27, 1951, after "act", insert "; provided, that before acquiring authority to proceed with the establishment of any zone the exterior boundaries of which will include any land lying within the exterior boundaries of any chartered or incorporated city within the district, the board of supervisors shall first obtain the concurrence of such city to conduct such proceedings, such concurrence to be evidenced by a resolution or ordinance adopted by a majority of the members of the city council of such city, or by a vote of a majority of the qualified electors residing in such city or portion thereof to be included in said zone voting at any regular or special election on said proposition; said election shall in all particulars be held as provided by law for holding a municipal election in said city and the cost thereof shall be a city charge".

Amendment No. 2

On page 17 of said bill, strike out lines 39 and 40, and insert "provisions of the District Investigation Law of 1933"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 8 of Article I thereof, relating to grand juries.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Constitutional Amendments:

Amendment No. 1

On page 2 of the printed measure, strike out lines 24 to 32, inclusive, and insert "and summoned in each county for the year following the adoption of this amendment and for each year thereafter which shall consist of not less than three nor more than nine members of the immediately preceding grand jury who shall serve for that year only and such additional members as are required to provide the total membership. No grand juror shall serve for more than two consecutive years, nor serve as foreman of a grand jury for more than one year. The provisions of this paragraph are self-executing but legislation not in conflict herewith may be enacted to facilitate its operation."

Amendment read, and adopted.

Resolution ordered reprinted, and engrossed.

Assembly Constitutional Amendment No. 51—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 of Article IV thereof, relating to initiative measures presented to the Legislature.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Constitutional Amendments:

Amendment No. 1

On page 2 of the printed measure, strike out lines 26 to 29, inclusive, and insert "time it is received by the Legislature. If".

Amendment read, and adopted.

Resolution ordered reprinted, and engrossed.

Assembly Bill No. 410—An act to amend Section 1630.1 of the Labor Code, relating to employment agencies.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, lines 6 and 7, of the printed bill, strike out "and the conditions of employment in existence there", and insert "and whether union membership is required."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 984—An act to add Part 2.5, comprising Sections 18600 to 18950, inclusive, to Division 13 of the Health and Safety Code, relating to auto and trailer parks.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 22, of the printed bill, as amended in the Assembly on April 27, 1951, strike out "as used in this part".

Amendment No. 2

On page 1, line 24, of said bill, strike out "two or more owners or users of", and insert "the owners or users of two or more".

Amendment No. 3

On page 1, line 25, of said bill, strike out "or tent", and insert "or to two or more tent".

Amendment No. 4

On page 2, line 1, of said bill, strike out "two or more", and insert "the".

Amendment No. 5

On page 2 of said bill, strike out line 2, and insert "of two or more trailer coaches or tents for the purpose of securing their trade."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 985—An act to amend Sections 18100.5, 18104.5, 18105, 18107.1, 18108, 18109, 18200, 18201, 18202, 18203, 18302, 18303, 18304, 18306, 18308, 18432, 18435, 18450, 18455 5, 18460, 18462, 18466 8, 18467, 18470, and 18470.5 of the Health and Safety Code; to amend and renumber Section 18100 thereof; to amend the title of Part 2, Division 13 thereof, and the title of Chapter 4, Part 2, Division 13 thereof; to add Sections 18100, 18104.7, 18105.1, 18105.2, 18106.6, 18107 2, 18110, 18110.5, 18200.2, 18200.3, 18200.4, 18200.6, 18200.8, 18300 5, 18301.5, 18307, 18450.5, 18453, 18460.1, 18466.9, 18470 1, and 18470.2 thereto, Articles 4 and 5 to Chapter 4, Part 2, Division 13 thereof, and Chapter 5 to Part 2, Division 13 thereof; to repeal Sections 18101, 18102, 18102.5, 18103, 18300, and 18301, and Chapters 5, 5.5, 6, and 7 of Part 2, Division 13 therefrom, relating to auto courts, motels, and resorts, and auto and trailer parks.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 11, line 44, of the printed bill, as amended in the Assembly on April 23, 1951, strike out ", hereafter in-"; and strike out line 45, and insert "and top burner sections of gas ranges hereafter installed shall be provided with an automatic pilot device."

Amendment No. 2

On page 11, line 48, of said bill, strike out "garage or".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 741—An act to repeal Section 13043 of the Education Code, relating to the Public School System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "repeal Section 13043 of", and insert "add Section 7190 to".

Amendment No. 2

In line 2 of the title of said bill, strike out "Public School System", and insert "apportionment of the State School Fund".

Amendment No. 3

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 7190 is added to the Education Code to read:

7190. If during any fiscal year there is apportioned to a school district or to any fund from the State School Fund more or less than the amount to which the district or fund was entitled, the Superintendent of Public Instruction during the next or any succeeding fiscal year shall withhold from, or add to, the apportionment made during such next or succeeding fiscal year, the amount of such excess or deficiency, as the case may be.

When any judgment has been rendered which requires the apportionment from the State School Fund to any school district, to any other agency, or to any fund for any fiscal year of more than the amount actually apportioned thereto during such fiscal year, the difference shall be apportioned to the district, agency, or fund by the Superintendent of Public Instruction from the State School Fund during the fiscal year following that in which the judgment becomes final before any other apportionment from the State School Fund is made. Upon the becoming final of any judgment which requires the apportionment from the State School Fund to any school district, to any other agency, or to any fund for any fiscal year of less than the amount actually apportioned thereto during any fiscal year, the difference shall be deducted from the apportionment made to such district, agency, or fund by the Superintendent of Public Instruction from the State School Fund during the fiscal year following that in which the judgment becomes final."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

Assembly Bill No. 1561—An act to add Section 5050.3 to the Education Code, relating to state school building aid.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 5050.3 to", and insert "amend Section 5049 of".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 5049 of the Education Code is amended to read:

5049. No apportionment shall be made for new construction which when added to the area of adequate school construction existing in the applicant school district at the time of application, will provide a total area of school building construction per pupil of the estimated enrollment in excess of that computed under the following schedule:

Type of school	Enrollment	Sq. Ft. per pupil
Elementary school comprising kindergarten and Grades 1 to 6, inclusive	300 or more	55
Elementary school comprising Grades 7 and 8	750 or more	75
Junior high school comprising Grades 7 to 9, inclusive	750 or more	75

Type of school	Enrollment	Sq. Ft. per pupil
Junior high school comprising Grades 7 to 10, inclusive	750 or more	75
High school comprising Grades 7 to 12, inclusive	750 or more	80
High school comprising Grades 9 to 12, inclusive	750 or more	80
High school comprising Grades 10 to 12, inclusive	750 or more	80
Junior college comprising Grades 13 and 14	750 or more	80
Junior college comprising Grades 11 to 14, inclusive	750 or more	80

The maximum total building areas per pupil allowed to applicants having schools with smaller estimated enrollments than shown in the above schedule shall be determined by the Department of Education, and shall be building areas to provide comparable facilities to those enumerated above, and shall be the least building area required to house adequately the estimated enrollment and the normal instructional and other services.

[No estimate of enrollment made by an applicant for the purpose of justifying an apportionment shall be made for a longer time than the second fiscal year beyond the fiscal year in which an application is made, and in no case shall be given effect unless approved by the Department of Education.]

For the purpose of justifying an apportionment, any applicant school district shall be entitled to make an estimate of enrollment for a period ending October 31, 1952. Any school district which has submitted its application prior to the effective date of the amendment to this section enacted at the 1951 Regular Session may amend its application for the purpose of estimating enrollment for such period. Any such estimate shall not be given effect unless approved by the Department of Education."

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 13, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

Assembly Bill No. 1577—An act to repeal Section 13582 and to amend Section 13583 of the California Education Code, relating to probationary employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "repeal Section 13582 and to amend Section 13583", and insert "amend Section 13083".

Amendment No. 2

In lines 2 and 3 of the title of said bill, strike out "probationary employees.", and insert "the discretion of governing boards in certain districts to classify employees as permanent."

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 11, inclusive, and insert

"SECTION 1. Section 13083 of the Education Code is amended to read as follows:

13083. At the discretion of the governing board of a district with 60,000 average daily attendance or more every employee of the district who, after having been employed by the district for two consecutive school years in a position or positions requiring certification qualifications, is reelected for the next succeeding school year to a position requiring certification qualifications may, at the commencement of the succeeding school year, be classified as and become a permanent employee of the district. *If such board is the governing board of more than one district it may exercise the discretionary power given it by this section in each district under its jurisdiction, whether or not each of such districts has 60,000 average daily attendance.*"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

Assembly Bill No. 2929—An act to amend Section 3691 of the Education Code, relating to the exclusion of school districts from high school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 3691 of the Education Code, relating"; and strike out lines 2 and 3, and insert "Sections 4663, 4911.1, 4912, and 4912.2 of, and to add Section 4663.1 to, the Education Code, relating to school districts, declaring the urgency thereof, to take effect immediately."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 18, inclusive, and insert

"SECTION 1. Section 4911.1 of the Education Code is amended to read:

4911.1. In the event the county committee transmits plans and recommendations to the State Board of Education, pursuant to Section 4902, for the reorganization of the school districts in the county other than the formation of a unified school district [or the expansion of an existing unified school district], the proposed reorganization, if approved by the State Board of Education, shall be deemed to be the filing of a petition with the State Board of Education, the appropriate board of supervisors, or with the county superintendent of schools, as the case may be. The State Board of Education shall notify the board of supervisors and the county superintendent of schools having jurisdiction over the school districts affected thereby of its action, and the proposed reorganization of the school districts shall then be held and conducted in accordance with the applicable provisions of this code as though such petition had been originally filed with such board of supervisors or with the county superintendent of schools, except that no action required by any other provision of this code shall be necessary to give the board of supervisors or county superintendent of schools jurisdiction in the matter.

SEC. 2. Section 4912 of said code is amended to read:

4912. [The] *Except as otherwise provided in Section 4912.2 the* county superintendent of schools of the county in which the greater part of such area is located shall cause to be held a special election in the elementary school district or unified school district, or [those portions of the] districts affected [,] for the purpose of adopting or rejecting the plans and recommendations of the county committee or committees. The county committee or committees shall hold, following the approval by the State Board of Education of the recommendations of the county committee, one (1) or more public hearings at least ten (10) days prior to such election within the area affected by a proposal for unification. The county committee or committees may designate any member to hold and conduct any public hearing required to be held. Such election shall be held between July 1st and December 31st of the year in which the county superintendent of schools was given notice by the State Board of Education under Section 4911 except that if such notice is not received on or before November 1st, the election shall be held between July 1st and December 31st of the following year.

SEC. 3. Section 4912.2 of said code is amended to read:

4912.2. In the event the plans and recommendations of a county committee for an area provide for the exclusion of territory from a school district, the county committee [shall] *may* determine [whether] *that as to said district* the election shall be held only in said territory. [The] *In the event the county committee makes such determination, the plans and recommendations formulated by the county committee shall include recommendations with respect thereto and upon approval thereof by the State Board of Education the* county superintendent of schools shall as to said district call the election [as determined by the county committee] *only in said territory*.

SEC. 4. Section 4663 of said code is amended to read:

4663. [Upon approval of the county committee on school district organization, after following the procedure prescribed by Chapter 16 of this division, one] *One* or more contiguous elementary or high school districts, [or portions thereof,] one of which is contiguous to a unified school district, may be annexed to the unified school district not later than the first day of February in any school year by the board of supervisors of the county having jurisdiction over the unified school district whenever a majority

of the qualified electors in each of the elementary or high school districts voting at an election held for that purpose vote in favor of the annexation and the governing board of the unified school district has filed its approval of the annexation, in writing, with the board of supervisors. [The annexation of such elementary or high school district or districts, or portions thereof, to a unified school district may be effected without such elementary or high school districts or portions thereof first withdrawing from an elementary or high school district of which it is a part.] The election shall be called by the county superintendent of schools having jurisdiction over the unified school district *whenever a majority of the electors residing in each of the elementary or high school districts petition the county superintendent of schools to call the election*.

No petition shall be accepted by the county superintendent of schools after December 15th in any fiscal year.

SEC. 5. Section 4663.1 is added to said code to read:

4663.1. When an election is called for the annexation of one or more contiguous elementary or high school districts, one of which is contiguous to a unified school district, after the approval by the State Board of Education of plans and recommendations of a county committee for the reorganization of school districts, the election shall be held and conducted in accordance with the provisions of this article and the annexation of such elementary or high school districts to a unified school district may be effected without such elementary or high school districts first withdrawing from any school district.

SEC. 6. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

Under the existing law, there is no method by which an elementary school district which is a part of a city high school district may be annexed to a contiguous unified school district, nor is there any procedure prescribed whereby an elementary or high school district which is a part of another district may be annexed to a contiguous unified school district without first withdrawing from the district of which it is a part. This act would eliminate delay in annexations to a unified school district by allowing annexations in all such cases without the initiation of withdrawal proceedings.

It is therefore necessary that this act take effect immediately in order for unified school districts to make plans for necessary new sites and buildings, based on the new boundaries, rather than the present boundaries, of the district, so that the schools built in the unified district through the state school building aid program will be situated so as to serve the needs of the reorganized district."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

Assembly Bill No. 784—An act making an appropriation to the Department of Public Works to be expended in the prevention of further salt water intrusion into the water bearing aquifers of West Coast Basin, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "in the prevention of further salt", and insert "for investigational work and study with the objective of formulating plans and design criteria for correction or prevention of damage to underground waters of the State by sea".

Amendment No. 2

In lines 3, 4, and 5, of the title of said bill, strike out "into the water bearing aquifers of West Coast Basin, declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 1 of said bill, between lines 2 and 3, insert "ury not otherwise appropriated, the sum of seven hundred fifty thousand dollars ($750,000), to be available for expenditure by the Department of Public Works, acting through the State Engineer, for investigational work and study with objective of formulating plans and design criteria for correction or prevention of damage to underground waters of the State by sea water intrusion in the West Coast Basin of Los Angeles County and other critical coastal areas. The cost of such investigation and study shall include the cost

of providing water injection wells, observation wells, water spreading grounds, pipe lines, equipment, rights of way, and other facilities necessary to introduce water into the water bearing aquifers. The department is authorized to cooperate and contract with the Los Angeles County Flood Control District, the West Basin Municipal Water District, and any other public or private corporation or agency for the purpose of this act."

Amendment No. 4

On page 1 of said bill, strike out lines 3 to 26, inclusive; and on page 2, strike out lines 1 to 50, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1234—An act to amend Sections 8525, 8568, 8635, 8641, 8642, 8644, and 8651 of the Business and Professions Code, relating to structural pest control.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, after "8568," insert "8624,".

Amendment No. 2

In line 2 of the title of the printed bill, after "of", insert ", and to add Sections 8653 and 8654 to,".

Amendment No. 3

On page 1 of the printed bill, strike out lines 11 to 26, inclusive.

Amendment No. 4

On page 2 of the printed bill, strike out lines 1 to 19, inclusive.

Amendment No. 5

On page 2 of the printed bill, strike out lines 31 to 48, inclusive, and insert

"(a) Knowingly committed or aided and abetted the commission of any illegal act which, if committed by a licensee, would be ground for suspension or revocation of a license under this chapter.

(b) While unlicensed, knowingly committed or aided and abetted the commission of any act for which a license is required under this chapter.

(c) While acting as a partner, officer, or managing employee of a firm, partnership, or corporation, had guilty knowledge of and participated in the commission of any act resulting in the suspension or revocation of a license.

(d) Been convicted of a felony or a crime involving moral turpitude."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 6

On page 2 of the printed bill, after line 52, insert

"SEC. 3 Section 8624 of said code is amended to read:

8624. The suspension or revocation of an operator's license has the same effect on each branch office registration issued under the name of the operator.

[No violation of any of the provisions of this chapter on the part of any licensee shall cause the revocation or suspension of the license of the employer of such licensee whether such employer be an operator, copartnership or corporation, unless it shall appear upon a hearing had in accordance with the provisions of this chapter, that said employer, operator, copartnership, or corporation had guilty knowledge of such violation.]

The performance by any partnership, corporation, firm or association of any act or omission which is a ground for disciplinary action likewise is a ground for disciplinary action against any licensee who is a member, officer, director, associate or responsible managing employee of such partnership, corporation, firm or association, and who had guilty knowledge of and participated in such prohibited act or omission."

Amendment No. 7

On page 3, line 1, of the printed bill, strike out "SEC. 3", and insert "SEC. 4".

Amendment No. 8

On page 3, line 5, of the printed bill, strike out the remainder of the line after the comma; and strike out all of lines 6 and 7, and line 8 to and including "specifications".

Amendment No. 9

On page 3, line 9, of the printed bill, strike out "SEC. 4", and insert "SEC. 5".

Amendment No. 10

On page 3, line 13, of the printed bill, after "premises", insert "for wood destroying pests or organisms,".

Amendment No. 11

On page 3, line 15, of the printed bill, strike out "SEC. 5", and insert "SEC. 6".

Amendment No. 12

On page 3, line 16, of the printed bill, strike out "doing", and insert "commission".

Amendment No. 13

On page 3, line 16, of the printed bill, after "any", insert "grossly".

Amendment No. 14

On page 3, line 20, of the printed bill, strike out "SEC. 6", and insert "SEC. 7".

Amendment No. 15

On page 3, line 21, of the printed bill, after "or", insert "willful".

Amendment No. 16

On page 3, line 23, of the printed bill, after "infection", insert "of wood destroying pests or organisms".

Amendment No. 17

On page 3, line 25, of the printed bill, strike out "SEC. 7", and insert "SEC 8".

Amendment No. 18

On page 3, line 28, of the printed bill, strike out "other".

Amendment No. 19

On page 3, line 28, of the printed bill, after "control", insert "other".

Amendment No. 20

On page 3 of the printed bill, after line 30, insert

"SEC. 9 Section 8653 is added to said code to read.

8653. The willful or deliberate failure of any licensee or agent or officer thereof, to pay any monies due for any materials or services rendered in connection with his operations as a pest control operator, when he has the ability to pay or when he has received sufficient funds therefor as payment for the particular pest control work, project, or operation for which the services or materials were rendered or purchased, is a ground for disciplinary action, as is the false denial of any such indebtedness or of the validity of the claim thereof with intent to secure for himself, his employer, or other person any discount upon such indebtedness or with intent to hinder, delay, or defraud the person to whom such indebtedness is due.

SEC. 10. Section 8654 is added to said code to read.

8654 Any person who has been denied a license for any of the reasons specified in Section 8568, or who has had his license revoked, or whose license is under suspension, or who has failed to renew his license while it was under suspension, or who has been a member, officer, director, associate or responsible managing employee of any partnership, corporation, firm, or association whose application for a license has been denied for any of the reasons specified in Section 8568, or whose license has been revoked as a result of disciplinary action, or whose license is under suspension, or who has failed to renew a license while it was under suspension, and while acting as such member, officer, director, associate or responsible managing employee had knowledge of or participated in any of the prohibited acts for which the license was denied, suspended or revoked, shall be prohibited from serving as an officer, director, associate, partner or responsible managing employee of a licensee, and the employment, election or association of such person by a licensee is a ground for disciplinary action."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1235—An act to amend Section 8624 of the Business and Professions Code, relating to structural pest control.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 8624", and insert "Sections 8514 and 8522".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 12, inclusive, and insert

"SECTION 1. Section 8514 of the Business and Professions Code is amended to read:

8514. Notwithstanding any provision of this chapter, after an inspection has been made a licensee who holds a group license for the control of household pests, or wood destroying pests or organisms, but whose group license restricts the method of eradication or control permitted, may recommend and enter into a contract for the eradication or control of pests within the scope of his group license, provided he subcontracts in writing the actual performance of the work to a licensee who holds a group license authorizing the particular method to be used

A licensee may in writing subcontract any pest control work for which he is licensed in any group or groups to a licensee holding a valid group license to do such work.

Nothing herein contained shall permit or authorize any licensee to perform, attempt to perform, advertise or hold out to the public or to any person that he is authorized, qualified or licensed to perform, pest control work in any branch or group, or by any method, for which he is not licensed.

Subcontracting of work, as permitted herein, shall not relieve the prime contractor or the subcontractor from responsibility for, or from disciplinary action because of, any act or omission on his part, which would otherwise be a ground for disciplinary action.

SEC. 2. Section 8522 of said code is amended to read:

8522. Members of the board shall be appointed by the Governor for a term of four years, subject to removal by him at his pleasure.

The terms of the members of the board in office when this chapter takes effect shall expire as follows:

Two members, January 15, 1942; one member, January 15, 1943; one member, January 15, 1944; and one member, January 15, 1945.

The terms shall expire in the same relative order as to each member as the terms for which he holds office before this chapter takes effect.

Vacancies shall be filled by the Governor for the unexpired term.

No member shall be appointed to more than two consecutive terms."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1311—An act to add Part 7 to Division 5 of the Labor Code, relating to safety in forest products industries.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 9, of the printed bill, strike out "Board", and insert "Section".

Amendment No. 2

On page 1, line 11, of the printed bill, strike out "board", and insert "section".

Amendment No. 3

On page 1, line 14, of the printed bill, strike out "and statutes".

Amendment No. 4

On page 1, line 15, of the printed bill, strike out ", compile", and insert a period.

Amendment No. 5

On page 1 of the printed bill, strike out line 16; and in line 17, strike out "equipment, processes or practices as affect this industry," and insert "It shall".

Amendment No. 6

On page 1, line 22, of the printed bill, strike out "personnel", and insert "safety engineers and inspectors".

Amendment No. 7

On page 1, line 24, of the printed bill, after "tion", insert "pursuant to the State Civil Service Act".

Amendment No. 8

On page 1 of the printed bill, strike out lines 26 and 27.

Amendment No. 9

On page 2 of the printed bill, strike out lines 1 to 6, inclusive.

Amendment No. 10

On page 2 of the printed bill, strike out line 16, and insert "tories, wooden venetian blind factories, wooden battery separa-".

Amendment No. 11

On page 2, lines 18 and 19, of the printed bill, strike out "and any other; or other manufacturing or distributing or processing procedure".

Amendment No. 12

On page 2 of the printed bill, strike out lines 22 to 33, inclusive

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1526—An act to add Section 8652 to the Business and Professions Code, relating to the discipline of licensees of the Structural Pest Control Board.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

Strike out line 1 of the title of the printed bill, and insert

"An act to amend Sections 8561, 8569, and 8570 of, and to add Sections 8516, 8517, and 8652 to, the Business and Professions".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 9, inclusive, and insert

"SECTION 1. Section 8561 of the Business and Professions Code is amended to read:

8561. Any person may apply for an operator's license:

(a) If the applicant is an individual, he shall possess the qualifications and be examined as hereinafter prescribed. If such individual qualifies for an operator's license, as herein prescribed, the board shall issue to him an operator's license.

(b) If the applicant is a partnership, it shall designate a partner to be licensed and such partner shall possess the qualifications and be examined as hereinafter prescribed. If such partner qualifies for an operator's license as herein prescribed, the board shall issue an operator's license to the partnership, naming therein the partner licensed with the partnership. Such partner may engage in pest control on behalf of the partnership only, so long as he remains a partner thereof, *but he may become associated with another partnership, or with a firm or corporation, in a capacity other than as a qualifying partner, operator, or officer*.

(c) If the applicant is an association or corporation, it shall designate an officer thereof or a responsible natural person employed or to be employed by it to be licensed. Such officer or responsible natural person shall possess the qualifications and be examined as hereinafter prescribed. If such officer or responsible natural person qualifies for an operator's license as herein prescribed, the board shall issue an operator's license to the association or corporation, as the case may be, naming therein the officer or responsible natural person licensed with such association or corporation. Such officer

or responsible natural person may engage in pest control on behalf of the association or corporation only so long as he remains in such capacity for the association or corporation, *but he may become associated with another association or corporation, or with a firm or partnership, in a capacity other than as a qualifying officer, operator, or partner.*

SEC. 2. Section 8569 of said code is amended to read:

8569. In addition to the partner licensed as operator upon the application of the partnership, if other partners desire to actively engage in pest control in behalf of the partnership each shall be required to qualify for and to be licensed as an operator.

Upon being licensed as an operator, such other partner may engage in pest control only on behalf of the partnership of which he is a member, as long as he remains a partner thereof, *but he may become associated with another partnership, or with a firm or corporation, in a capacity other than as a qualifying partner, operator, or officer.*

SEC. 3. Section 8570 of said code is amended to read:

8570. In addition to the officer of, or responsible natural person employed by an association or corporation licensed as operator upon the application of the association or corporation, if any other officers desire to actively engage in pest control in behalf of the association or corporation, each shall be required to qualify for and to be licensed as an operator.

Upon being licensed as an operator, such officer may engage in pest control only on behalf of the association or corporation of which he is an officer, so long as he remains an officer thereof, *but he may become associated with another association or corporation, or with a firm or partnership, in a capacity other than as a qualifying officer, operator, or partner.*

SEC. 4. Section 8516 is added to said code to read:

8516. (a) The provisions of this section shall apply only to wood destroying pests or organisms.

(b) No licensee shall commence work on a contract, or sign, issue or deliver any documents expressing an opinion or statement relating to the absence or presence of wood destroying pests or organisms until an inspection has been made. A written inspection report conforming to this section shall be prepared and delivered to the person requesting the inspection or his designated agent before the work is completed. When an inspection is made and a report is issued, the following shall be set forth in the report:

1. The date of the inspection.
2. The name of the person or firm ordering the report.
3. The address or location of the property.
4. A general description of the building or premises inspected.
5. A foundation diagram or sketch of the structure or structures or portions of such structure or structures inspected, indicating thereon the approximate location of any infested or infected areas evident, and the parts of the structure where conditions exist which would ordinarily subject such parts to attack by wood destroying pests or organisms.
6. Information regarding the substructure, foundation walls and footings, porches, patios and steps, air vents, abutments, attic spaces or other parts subject to attack by wood destroying pests or organisms. Conditions usually deemed likely to lead to infestation or infection, such as earth contacts, excessive cellulose debris, faulty grade levels, excessive moisture conditions and insufficient ventilation are to be reported.
7. Indication or description of any areas normally subject to damage which are inaccessible or for other reason not inspected, with suggestion for further inspection if practicable. If, after the report has been made in compliance with the provisions of this section, authority is given later to open inaccessible areas, a supplementary report on conditions in these areas shall be made
8. Recommendations for corrective measures.

(c) Such report and any contract entered into shall also state specifically when any guarantee for the work is made, and if so, the specific terms of the guarantee and the period of time for which the guarantee shall be in effect.

(d) Control service is defined as the regular reinspection of a property after a report has been made in compliance with the provisions of this section and such corrections as have been agreed upon have been completed. Under a control service agreement a licensee shall refer to the original report and contract in such manner as to identify them clearly, and said report shall be assumed to be a true report of conditions as originally issued, except as it may be modified after a control service inspection. A licensee is not required to issue a report as outlined in subsections 1 to 8 inclusive after each control service inspection If after control service inspection, no modification of the original report is made in writing, then it will be assumed that conditions are as originally reported. A control service contract shall state specifically the particular wood destroying pests or organisms and the portions of the buildings or structures covered by such contract.

SEC 5. Section 8517 is added to said code to read:

8517. Any work, contract, billing, agreement, letter of work completed, or other correspondence or document expressing an opinion or making a statement relating to the presence or absence of wood destroying pests or organisms, except a control service

report, shall refer to the report defined in subsections 1 to 8 inclusive of Section 8516. Such documents shall indicate specifically whether all of the recommended work as set forth in the inspection report was completed, or if not, it shall indicate specifically which recommendations were not completed.

SEC. 6. Section 8652 is added to said code to read:

8652 Failure of an operator to make and keep all inspection reports, contracts, documents, and records, for a period of not less than two years after completion of any work or operation for the control of wood destroying pests or organisms, is a ground for disciplinary action. Only records pertinent to a complaint shall be made available to the registrar during business hours."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2695—An act to add Section 118.1 to the Welfare and Institutions Code, relating to public assistance in respect to compilation or possession of lists of recipients thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 118.1 to", and insert "amend Section 118 of".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 118 of the Welfare and Institutions Code is amended to read:

118. Except as otherwise provided in this section, all applications and records concerning any individual made or kept by any public officer or agency in connection with the administration of any provision of this code relating to any form of public assistance for which grants in aid are received by this State from the United States Government shall be confidential, and shall not be open to examination for any purpose not directly connected with the administration of such provision of this code.

Except as otherwise provided in this section, no person shall publish or disclose or permit or cause to be published or disclosed any list of persons receiving any such public assistance. Except for purposes directly connected with the administration of such public assistance, no person shall publish, disclose, or use or permit or cause to be published, disclosed, or used any confidential information pertaining to an applicant or recipient. Any violation of this section is a misdemeanor.

The State Department of Social Welfare may make rules and regulations governing the custody, use and preservation of all records, papers, files and communications pertaining to the administration of the public assistance laws. The rules and regulations shall be binding on all departments, officials and employees of the State, or of any political subdivision of the State and may provide for giving information to or exchanging information with public agencies or private social welfare or health agencies for their use in relation to cases in which such agencies, as a part of their usual duties, are making social investigations for the purpose of rendering social services, and for making case records available for research purposes provided that such research will not result in the disclosure of the identity of applicants for public assistance.

Any person, including every public officer and employee, who secures, or possesses, other than in the course of official duty, a list, published or disclosed in violation of this section, of persons who have applied for or who have been granted any form of public assistance for which state assistance is made available to the counties of the State, including but not limited to aid to the aged, aid to needy children, aid to needy blind, and aid to partially self-supporting blind residents, is guilty of a misdemeanor."

Amendment No. 3

On page 1 of the printed bill, strike out lines 3 to 10, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3270—An act to regulate the practice of psychology prescribing the terms upon which licenses may be issued to practitioners of psychology, creating a State Board of Psychological Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent with each and all or any of the provisions contained herein.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on March 23, 1951, strike out "regulate the practice of psychology", and insert "license psychologists,".

Amendment No. 2

On page 1 of said bill, strike out lines 3 to 12, inclusive, and insert "ferred to as the board.

The board shall consist of the following seven members:

Two persons who are licensed under subdivision (a), Section 2135 of the Business and Professions Code.

Five practicing psychologists who possess the degree of Ph. D with a major in psychology from a state accredited college or university and who possess the necessary qualifications for a license under this act.

Each member of the board shall be a citizen and resident of the State of California."

Amendment No. 3

On page 2 of said bill, strike out lines 3 to 10, inclusive, and insert

"SEC. 2. The members of the board shall be appointed by the Governor for a term of three years and they shall serve until the appointment and qualification of their successors, except the members of the board first to be appointed under this act shall hold office, two for a term of one year, two for a term of two years, and three for a term of three years, as designated by the Governor.

The first appointments shall be made by the Governor within thirty days of the effective date of this act.

Vacancies occurring shall be filled by appointment for the unexpired term."

Amendment No. 4

On page 2, line 17, of said bill, after "of", insert "a president and".

Amendment No. 5

On page 2, lines 27 and 28, of said bill, strike out "a salary to be fixed by the board, together with".

Amendment No. 6

On page 2, line 32, of said bill, strike out "at times".

Amendment No. 7

On page 2, line 39, of said bill, strike out "to".

Amendment No. 8

On page 2, line 47, of said bill, strike out "to practice psychology,".

Amendment No. 9

On page 2, line 49, of said bill, strike out "its duties", and insert "this act".

Amendment No. 10

On page 3 of said bill, strike out line 4, and insert a period.

Amendment No. 11

On page 3 of said bill, strike out lines 9 and 10, and insert

"SEC. 5. The practice of psychology for the purposes of this act shall be defined as the use of "psychotechnology", which is the body of general principles of psychology as applied to practical ends, and refers to specific procedures which are:

(a) Testing by interviewing persons.

(b) Giving verbal, written, or mechanical tests for the purpose of determining a person's emotional, vocational, social, adjustments or maladjustments, aptitudes, attitudes, capacities, or intelligence.

(c) The use of methods of re-education, persuasion, analysis, guidance, suggestion, and interpretation for the purposes of readjustment."

Amendment No. 12

On page 3 of said bill, strike out lines 21 to 52, inclusive; strike out all of page 4; and on page 5, strike out lines 1 to 18, inclusive, and insert

"SEC. 6. (a) Persons wishing to take the examination for licensing under this act shall make application to the board 15 days prior to any meeting thereof upon such form and in such manner as may be provided by the board. Each application must be accompanied by a license fee of fifty dollars ($50) and a certificate showing good moral character of the applicant."

Amendment No. 13

On page 5, line 19, of said bill, strike out "SEC. 6. (a)", and insert "(b)".

Amendment No. 14

On page 5, line 28, of said bill, strike out "(b)", and insert "(c)".

Amendment No. 15

On page 5 of said bill, strike out lines 31 to 43, inclusive, and insert

"(d) All examinations shall be prepared by the board, shall be in writing, shall be practical in character, and shall be designed to ascertain the fitness of the applicant for licensing under this act.

(e) The examination shall measure the applicant's knowledge of psychological theories and techniques as taught in the approved schools and colleges and shall be divided into six sections. The first section of the examination shall measure the applicant's knowledge of psychological theories and techniques as taught in the first two undergraduate years in an approved school or college. The second section shall measure the applicant's knowledge of psychological theories and techniques as taught in the third undergraduate year in an approved school or college. The third section shall measure the applicant's knowledge of psychological theories and techniques as taught in the fourth undergraduate year in an approved school or college. The fourth, fifth and sixth sections shall measure the applicant's ability to apply his knowledge to general and specific psychological problems which may occur within the function or application of psychotechnology as defined in this act.

(f) A license shall be issued to any applicant who shall make a general average of 75 percent and shall not fall below 60 percent in more than two sections of the examination. Any applicant failing to meet the required standards shall be given credit for the sections passed and may, without further costs, take an examination upon the other sections at any subsequent regular examination.

(g) Any applicant who possesses the degree A B. with a major in psychology from a school or college approved by the board shall not be required to take the first three sections of such examination. Any applicant who possesses the degree M A. with a major in psychology from a school or college approved by the board shall not be required to take the first four sections of such examination. Any applicant who possesses the degree Ph D with a major in psychology from a school or college approved by the board shall not be required to take the first five sections of such examination. Any applicant may elect to take one or more sections of such examination at any regularly scheduled examination given by the board."

Amendment No. 16

On page 5 of said bill, strike out line 44, and insert "SEC. 7. One".

Amendment No. 17

On page 5, lines 46 and 47, of said bill, strike out "designated "license to practice psychology," " and insert "entitled "licensed psychologist," ".

Amendment No. 18

On page 5, line 48, of said bill, after "psychology", insert "as defined in this act and to hold himself out to the public as a "licensed psychologist" ".

Amendment No. 19

On page 5 of said bill, between lines 49 and 50, insert

"Nothing in this act shall be construed to limit or to prevent the practice of psychology by any person not licensed under this act if such person does not represent himself to be a "licensed psychologist." "

Amendment No. 20

On page 5 of said bill, strike out lines 51 and 52; and on page 6, strike out lines 1 to 39, inclusive, and insert "as defined in this act for a period of three years prior to the enactment of this act, shall be given a license, provided he shall present to the board proof of such practice in the form of two references signed by persons licensed under subdivision (a), Section 2135 of the Business and Professions Code, which recommendations shall state that to the best of the signator's knowledge and belief the applicant has for a period of three years employed in such practice methods

included in the definition of psychology as set forth in this act, and that the applicant is of good moral character, and further provided that application for said license is made within six months of the date upon which this act takes effect, and that each applicant shall pay the secretary of the board the sum of fifty dollars ($50)."

Amendment No. 21

On page 6, line 46, of said bill, strike out "to practice psychology".

Amendment No. 22

On page 6, line 49, of said bill, strike out "psychological practitioners", and insert "licensed psychologists".

Amendment No. 23

On page 6, line 52, of said bill, strike out "to practice psychology in this State".

Amendment No. 24

On page 7, line 1, of said bill, strike out "grounds, to wit", and insert "following grounds".

Amendment No. 25

On page 7, line 6, of said bill, strike out "ardent spirits", and insert "alcoholic beverages"

Amendment No. 26

On page 7, line 8, of said bill, strike out "; the advertising"; strike out lines 9 to 19, inclusive; and in line 20, strike out "tion so advertising", and insert "; or engaging in his profession in a negligent or wrongful manner".

Amendment No. 27

On page 7, line 52, of said bill, strike out "psychology", and insert "as a licensed psychologist".

Amendment No. 28

On page 8, line 3, of said bill, strike out "psychology".

Amendment No. 29

On page 8, line 12, of said bill, strike out "psychology", and insert "as a licensed psychologist".

Amendment No. 30

On page 8, line 23, of said bill, strike out "to practice".

Amendment No. 31

On page 8 of said bill, strike out lines 47 to 52, inclusive; and on page 9, strike out lines 1 to 16, inclusive, and insert

"SEC. 14. Any person who shall buy, sell, or fraudulently obtain a license, whether recorded or not, or who shall use the title "licensed psychologist" without first complying with the provisions of this act shall be".

Amendment No. 32

On page 9, line 24, of said bill, strike out "apply to any"; strike out lines 25 to 28, inclusive; and in line 29, strike out "State; nor shall this act".

Amendment No. 33

On page 9 of said bill, strike out lines 39 to 46, inclusive, and insert

"SEC. 16. Licensees under this act who treat patients for more than one treatment in any calendar month must require the patient to furnish for the licensee's permanent files a comprehensive case history form, designated by the board, signed by a physician and surgeon licensed under Chapter 5, Division 2 of the Business and Professions Code. Such form shall state that the patient in the opinion of the signator does not suffer from any mental disease. No licensee under this act shall treat or offer to treat any person who suffers from a mental disease except under the direction or supervision, or on prescription, of a physician and surgeon licensed under Chapter 5, Division 2 of the Business and Professions Code.

SEC 17. The confidential relations and communications between licensed psychologists and patient are placed on the same basis as those provided by law between physician and patient, and nothing in this act shall be construed to require any such privileged communication to be disclosed."

Amendment No. 34

On page 9, line 47, of said bill, strike out "17", and insert "18".

Amendment No. 35

On page 10 of said bill, strike out lines 1 to 6, inclusive, and insert

"SEC. 19. All acts and parts of acts which may conflict with the provisions of this act as applied to persons licensed under this act are hereby repealed insofar as this act is concerned."

Amendment No. 36

On page 10, line 7, of said bill, strike out "19", and insert "20".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

SECOND READING OF SENATE BILLS

Senate Bill No. 64—An act to add Section 26153 to the Government Code, relating to accident prevention education.

Bill read second time, and ordered to third reading.

Senate Bill No. 1031—An act to consolidate and revise the law relating to community redevelopment and housing for the preservation of the public health and safety, and the formation, regulation, and operation of corporations therefor, by adding Division 24 and Section 40021 to the Health and Safety Code, and repealing certain acts specified herein.

Bill read second time, and ordered to third reading.

Senate Bill No. 1060—An act to add Article 10 to Chapter 3, Part 3, Division 5 of the Health and Safety Code, relating to county sanitation districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 1677—An act to amend Section 50022 of the Government Code, relating to fire prevention codes.

Bill read second time, and ordered to third reading.

Senate Bill No. 645—An act to add Chapter 4.5 to Division 4 of the Water Code, relating to the alteration, diversion or deflection of streams.

Bill read second time, and ordered to third reading.

Senate Bill No. 1691—An act to amend Section 5425 of the Public Resources Code, relating to recreation park and parkway districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 238—An act to amend Section 20357 of the Education Code and add Section 20358 of said code, relating to student housing facilities at state colleges.

Bill read second time, and ordered to third reading.

Senate Bill No. 505—An act to amend Sections 14441, 14449.1, 14449.2, 14452, 14638, 14641, 14680, 14681, and 14683 of, and to add Section 14575.1 to, the Education Code, relating to the State Teachers' Retirement System.

Bill read second time, and ordered to third reading.

Senate Bill No. 506—An act to amend Section 14634 of the Education Code, relating to the computations of service of members of the State Teachers' Retirement System, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 648—An act to repeal Education Code Sections 20379, 20344.1, and 20344.2 and to add Chapter 1.5 to Division 10 of said code, relating to schools and colleges under the jurisdiction of the Department of Education.

Bill read second time, and ordered to third reading.

Senate Bill No. 1076—An act to add Section 13845 to the Education Code, relating to the Public School System of the State of California.

Bill read second time, and ordered to third reading.

Senate Bill No. 231—An act to amend Section 1159 of the Harbors and Navigation Code, relating to the Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun.

Bill read second time, and ordered to third reading.

Senate Bill No. 370—An act to amend Sections 1090, 1091, 1092, 36525, 36526, and 36527 of the Government Code, relating to contracts of public officers.

Bill read second time, and ordered to third reading.

Senate Bill No. 876—An act to add Section 13011 to the Government Code, relating to the powers and duties of the Director of Finance.

Bill read second time, and ordered to third reading.

Senate Bill No. 330—An act to add Section 6515.5 to the Health and Safety Code, relating to sanitary districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Senate on April 5, 1951, strike out the second "of", and insert "in".

Amendment No. 2

On page 1 of said bill, after line 10, insert

"If more than one bid is received, the board shall award a contract, as specified in the notice requesting bids, to the lowest responsible bidder. If only one bid is received, the board may either accept the bid or reject it and enter into a contract as provided in Section 6515.5 or order the work done by day's work. If no bids are received, the board may either enter into a contract as provided in Section 6515.5 or order the work done by day's work

This section shall have no application where the work is done pursuant to those acts set forth in Sections 6541 and 6541.5 of this code.

Any contract to which this section applies that is not let pursuant to this section is void."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1534—An act to add Section 35561.1 to the Government Code, relating to withdrawal of territory from cities.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 2 of the printed bill, as amended in the Senate on April 23, 1951, after line 20, insert

"The provisions of this section shall not apply to annexation proceedings heretofore approved by a final decision of a court of record in this State."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Joint Resolution No. 22—Relative to memorializing Congress to consider the use of the Georgetown to Wentworth Springs and Chambers Lodge at Lake Tahoe on Highway 89 as a principal East-West traffic artery for civil and military defense.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In line 4 of the title of the printed measure, as amended in the Senate on April 4, 1951, strike out "a principal", and insert "an".

Amendment No. 2

In line 5 of the title of said measure, after "defense", insert "in case of emergency."

Amendment No. 3

On page 2, line 6, of said measure, strike out "a principal", and insert "an".

Amendment No. 4

On page 2, line 7, of said measure, after "fense", insert "in case of emergency".

Amendments read, and adopted.

Resolution ordered reprinted, and on file for adoption.

Senate Joint Resolution No. 24—Relative to memorializing Congress to consider the use of California State Highway Sign Route No. 88 as a principal East-West traffic artery for civil and military defense.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In line 3 of the title of the printed measure, strike out "a principal", and insert "an".

Amendment No. 2

In line 4 of the title of said measure, after "defense", insert "in case of emergency".

Amendment No. 3

On page 1, line 21, of said measure, strike out "a principal", and insert "an".

Amendment No. 4

On page 1, line 22, of said measure, after "defense", insert "in case of emergency".

Amendments read, and adopted.

Resolution ordered reprinted, and on file for adoption.

Senate Bill No. 234—An act to amend Sections 4303 and 4304 of the Government Code, relating to public contracts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In the title of the printed bill, as amended in the Senate on March 22, 1951, strike out lines 1 and 2, and insert

"An act to amend Section 4301 of the Government Code relating to public purchases of American-made materials."

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 25, inclusive

Amendment No. 3

On page 2 of said bill, strike out lines 1 to 6, inclusive, and insert

"SECTION 1. Section 4301 of the Government Code is amended to read.

4301. This article does not apply to materials which are of a class or kind which are not, or which are manufactured from materials which are not, produced in the United States *; nor does this article apply to manufactured materials produced in Great Britain or Canada when materials of the same class or kind produced in the United States are not available and cannot be procured or when such manufactured materials produced in Great Britain or Canada possess useful features or capabilities not possessed by manufactured materials produced in the United States, although of the same class or kind.*"

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Senate Bill No. 963—An act to add Section 11011 to the Government Code, relating to the payment of commissions to licensed real estate brokers upon the sale of state-owned land.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 4, of the printed bill, after "property", insert ", except property acquired for state highway purposes,".

Amendment read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Senate Bill No. 872—An act to add Sections 8151.1, 13401.1, and 16276 to the Education Code, all relating to aid by the public schools in the harvesting of crops.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in the Senate on April 16, 1951, after the comma, strike out "the governing"; and all of line 6, and insert "upon a finding by the California Department of Employment that spoilage of a perishable crop will result because of a critical shortage of farm labor the governing board of a school district in which such crop is located may maintain the schools of the dis-".

Amendment No. 2

On page 2 of said bill, between lines 12 and 13, insert

"Nothing in this section shall permit or allow any student under the age of fourteen (14) to harvest such crops nor shall any student be permitted or allowed to use or to be in a position to use any dangerous equipment."

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Education.

RESOLUTIONS

The following resolution was offered:

By Messrs. Maloney and Sam L. Collins:

House Resolution No. 140—Relative to Mother's Day.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 140, at this time, without reference to committee or file.

Resolution read.

Request for Unanimous Consent That Names of All Members Present Be Placed Upon House Resolution No. 140 as Co-authors

Mr. Maloney asked for, and was granted, unanimous consent that the names of all members present be placed upon House Resolution No. 140 as co-authors.

Roll Call

The roll was called, and the following members indicated a desire to become co-authors of House Resolution No. 140:

Maloney, Sam L. Collins, Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lowrey, Luckel, Lyon, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—71.

Further Consideration of House Resolution No. 140

By Messrs. Maloney, Sam L. Collins, Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lowrey, Luckel, Lyon, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Mrs. Niehouse, Messrs. Parker,

Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson:

House Resolution No. 140

Relative to Mother's Day

WHEREAS, In the year 1914, by an act of Congress, and the President of the United States, the second Sunday in May has been established as Mother's Day, a day set aside to observe and pay a just tribute to Mother's love; and

WHEREAS, This day, sanctified and enriched with all of its friendly associations, has taken its place foremost in earth's tribute to man's greatest friend and benefactor, "Mother"; and

WHEREAS, While we in America dedicate this day to our own Mothers, we also dedicate it to the Mothers of the World, all of whom, no matter in what country they may be, share the same love and affection, the same burdens, and sorrow, and pain, as do the Mothers of this great and glorious Nation, the United States of America; and

WHEREAS, The chords of memory swell within the heart of each of us as we contemplate all the love that one lady, "Your Mother," has given to you, and we recall the words of Abraham Lincoln when he said, "All that I am and all that I ever hope to be, I owe to my angel Mother"; now, therefore, be it

Resolved, That the State Assembly extend to the living Mothers of California our sincere and best wishes for a happy Mother's Day, and we pay a solemn tribute to those Mothers who have gone to their Eternal Reward, remembering these solemn words:

"The bravest battle ever fought,
Shall I tell you where and when?
On the map of the World you will find it not
'Twas fought by the Mothers of men."

Resolution read, and adopted unanimously.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 2026—An act to amend Section 625a of the Penal Code, relating to the unlawful interference with fire alarm apparatus and false alarms, providing punishment therefor;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 1, line 15, of the printed bill, as amended in the Senate on May 1, 1951, after "bodily injury", insert "or death".

REGAN	GEORGE D. COLLINS
BUSCH	GAFFNEY
O'GARA	FLEURY
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lowrey, Luckel, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, Tomlinson, and Mr. Speaker—63.

NOES—None.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. George D. Collins to reconsider the vote whereby Assembly Bill No. 3075 was passed, was continued until the next legislative day.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 479—An act to repeal Section 170.5 of and to add Section 170.5 to the Code of Civil Procedure, relating to disqualification of judges.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 479?

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in the Assembly on April 12, 1951, strike out the "(1)", and insert "170.5. (1)".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 479 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lowrey, Luckel, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, Tomlinson, and Mr. Speaker—64

NOES—None.

Assembly Bill No. 479 ordered enrolled.

Assembly Bill No. 1176—An act to amend Sections 668, 3024, and 3045 of the Penal Code, relating to pleading and proof of prior convictions.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1176?

Amendment No. 1

On page 2, line 26, of the printed bill, as amended in the Assembly on April 16, 1951, strike out "shall", and insert "may".

Amendment No. 2

On page 2 of said bill, as amended, strike out lines 28 and 31, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1176 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, Tomlinson, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 1176 ordered enrolled.

Assembly Bill No. 1227—An act to amend Sections 9036 and 9039 of the Business and Professions Code, relating to the fees of social workers.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1227?

Amendment No. 1

On page 1, line 8, of the printed bill, after "fee", insert "of five dollars ($5)".

Amendment No. 2

On page 1, line 10, of said bill, strike out "for more than one year".

Amendment No. 3

On page 1, lines 11 and 12, of said bill, strike out "for each year plus delinquent fees for each year", and insert "plus the delinquency fee".

Amendment No. 4

On page 1, line 16, of said bill, after the period, strike out the remainder of the line; and strike out all of lines 17, 18, and 21.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1227 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 1227 ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: *Your Committee on Legislative Procedure has examined:*

Assembly Bill No. 1466
Assembly Bill No. 2040
Assembly Bill No. 3376
Assembly Bill No 3411

And reports the same correctly re-engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2216

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2717—An act to amend Section 656 of the Agricultural Code, relating to purchase of oleomargarine for state institutions.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2717?

Amendment No. 1

On page 1, line 8, of the printed bill, as amended in the Assembly on April 5, 1951, after "limitation", strike out "of".

Amendment No. 2

On page 1, line 10, of said bill, as amended, strike out "unable".

Amendment No. 3

On page 1 of said bill, as amended, strike out all of line 11; and on line 12, strike out "ernment", and insert "informed in writing that government holdings of butter cannot be purchased or acquired by the State".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2717 by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney,

Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, and Mr Speaker—66.

NOES—None.

Assembly Bill No. 2717 ordered enrolled.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. George D. Collins to reconsider the vote whereby Assembly Bill No. 1981 was passed, was continued until the next legislative day.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 3312 WAIVED

Mr. Morris waived his notice of motion to reconsider the vote whereby Assembly Bill No. 3312 was refused passage.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 3307 WAIVED

Mr. Kirkwood waived his notice of motion to reconsider the vote whereby Assembly Bill No. 3307 was passed.

Assembly Bill No. 3307 ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 3310 WAIVED

Mr. Kirkwood waived his notice of motion to reconsider the vote whereby Assembly Bill No. 3310 was passed.

Assembly Bill No. 3310 ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 3411—An act to add Section 25465 to the Government Code, relating to contracts for public works.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Thomas, Tomlinson, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Assembly Bill No. 2011

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and re-refer to Committee on Ways and Means.

CONNOLLY, Chairman

Above reported bill ordered to second reading.

Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which was referred:

Senate Bill No. 987

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

EVANS, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 7, 1951

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which was referred:

Senate Bill No. 988

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

EVANS, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3070—An act to amend Section 61 of the Alcoholic Beverage Control Act, relating to the sale and purchase of alcoholic beverages.

Bill read third time.

Motion to Amend

Mr. Kelly moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 10, 1951, between lines 16 and 17, insert

"(d) Any person under the age of 21 years who has any alcoholic beverage in his possession on any street or highway or in any public place is guilty of a misdemeanor. This subdivision shall not apply to possession by a person under the age of 21 years making a delivery of such alcoholic beverage in pursuance of the order of his parent or in pursuance of his employment."

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 1466—An act providing for the constitution of the municipal court in a district embracing the City of San Bernardino, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Levering, Luckel, Lyon, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1495—An act to add Section 1035 to the Code of Civil Procedure, relating to costs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Klocksiem, Levering, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2127
Assembly Bill No. 3364

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 789—An act to amend Section 11580 of the Insurance Code, relating to liability insurance policies;

Assembly Bill No. 800—An act to amend Section 1664 of the Insurance Code, relating to insurance agents, brokers and solicitors;

Assembly Bill No. 847—An act to add Sections 7.1 and 10.1 to the Alcoholic Beverage Control Act, relating to licenses for the sale of alcoholic beverages;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of May, 1951, at 10 a m.

BURKE, Chairman

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Senate Bill No. 333
Senate Bill No. 382
Senate Bill No. 915
Senate Bill No. 1683

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 2041
Assembly Bill No. 3098

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 3239

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 830

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 101

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 1789

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 914

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Constitutional Amendments, to which were referred:

Assembly Constitutional Amendment No. 36
Assembly Constitutional Amendment No. 41

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, be adopted, as amended, and re-refer to Committee on Ways and Means.

CROWLEY, Chairman

Above reported resolutions ordered on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3376

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3376, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3376

Assembly Bill No. 3376—An act to amend Sections 151, 203, 208, 209 of, and to add Sections 209.1, 310, 310.5, and 452.5 to the Unemployment Insurance Act, relating to unemployment compensation disability insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, and Mr Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2113—An act to amend Section 869 of the Penal Code, relating to the preparation of daily transcripts and the costs thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Klocksiem, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2513—An act to amend Sections 402 and 422.5 of the Vehicle Code, relating to civil liability and financial responsibility of owners and operators of vehicles.

Bill read third time.

Motion to Amend

Mr. Dolwig moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 402 and 422.5", and insert "Section 402".

Amendment No. 2

In lines 2 and 3 of the title of said bill, strike out "and financial responsibility of owners and operators", and insert "of owners".

Amendment No. 3

On page 2 of said bill, strike out lines 42 to 51, inclusive; and strike out page 3.

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 282—An act to add Sections 9518.1 and 9522.18 to the Business and Professions Code, relating to dry cleaning.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker,

Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—68

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 881—An act to add Section 1101.1 to the Insurance Code and to amend Section 1106 of such code, relating to brokerage commissions on reinsurance, and penalties therefor;

Assembly Bill No. 900—An act to add Section 10211 to the Education Code, relating to insurance against liability arising from courses in driver education and training;

Assembly Bill No. 965—An act to amend Section 5828.1 of the Streets and Highways Code, relating to county maintenance districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 1024—An act to amend Sections 31521 and 31595 of the Government Code, relating to county retirement systems;

Assembly Bill No. 1079—An act to add Sections 31627.1, 31629, and 31671.1 to, and to amend Sections 31527, 31591, 31628, 31642, 31649, 31652, and 31700 of, and to repeal Section 31560 and Article 13 consisting of Sections 31800, 31801, 31802, 31803, 31804, and 31805, of Chapter 3 of Part 3 of Division 4 of Title 3 of, the Government Code, relating to retirement of county employees;

Assembly Bill No. 1199—An act to add Sections 31114 and 31115 to the Government Code and to add Article 6, comprising Sections 45200, 45201, and 45210 to Chapter 1, Division 5, Title 4 of the Government Code, relating to city and county civil service;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2417—An act to amend Sections 2619, 2801, 2803, 2804, 3511, 3706, 3708.5, 3710, 3718, 3719, and to add Section 2705.5 to the Revenue and Taxation Code, relating to tax-sold and tax-deeded property, including the time of delinquency of real estate taxes, the payment of taxes on a portion of an assessment and the minimum bid on a sale of tax-deeded property;

Assembly Bill No. 2794—An act to add Section 9148 to the Education Code, relating to field officers or teachers for the adult blind;

Assembly Bill No. 2842—An act to amend Sections 2621 and 2706 of the Revenue and Taxation Code, relating to payment of costs on tax-delinquent property;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3037

And reports the same correctly engrossed

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3409

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Senate Bill No. 326
Senate Bill No. 509
Senate Bill No. 1605

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DUNN, Chairman

Above reported bills ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 287—An act to add Sections 9510.1 and 9598.5 to the Business and Professions Code, relating to advertising in the dry cleaning industry.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Levering, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stewart, Thomas, Tomlinson, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 288—An act to add Section 9594.9 to the Business and Professions Code, relating to disciplinary action by the State Board of Dry Cleaners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2127—An act to add Section 657 to, and to amend Section 639 of, the Agricultural Code, relating to milk and milk products and imitations thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lincoln, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stewart, Thomas, and Tomlinson—60.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2857—An act to amend Sections 54307 and 54310 of, and to add Section 54388 to, the Government Code, relating to revenue bonds;

Assembly Bill No. 2890—An act adding Section 25560.4 to the Government Code, relating to the use of county parks;

Assembly Bill No. 2938—An act to amend Section 160.93 of the Agricultural Code, relating to the agricultural pest control business;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3032—An act to add Section 27645 to the Government Code, relating to the duties of county counsels;

And reports that the same has been correctly enrolled, and presented to the Governor on the eleventh day of May, 1951, at 10 a.m.

BURKE, Chairman

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 1984
Assembly Bill No. 2850

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 529

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Senate Bill No. 528
Senate Bill No. 529

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3037—An act to add Section 941 to the Agricultural Code, relating to cotton.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant,

Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 212—An act to amend Section 1744 of the Code of Civil Procedure, relating to attaches of the conciliation court in counties of 900,000 population or more.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Klocksiem, Levering, Lincoln, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—62.

NOES—George D. Collins, Kirkwood, and Lowrey—3.

Bill ordered transmitted to the Senate.

Assembly Bill No. 214—An act to amend Section 261.5 of the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties, of 2,000,000 population or more.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Klocksiem, Lincoln, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—59.

NOES—Gubser, Kirkwood, and Lowrey—3.

Bill ordered transmitted to the Senate.

Assembly Bill No. 215—An act to amend Section 261a of the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties, of 900,000 population or more.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Klocksiem, Lincoln, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, and Mr Speaker—59.

NOES—Gubser, Kirkwood, Lowrey, and Silliman—4.

Bill ordered transmitted to the Senate.

Assembly Bill No. 475—An act to amend Section 689b of the Code of Civil Procedure, relating to executions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burkhalter, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lowrey, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2040—An act to amend Section 1027 of the Penal Code and Sections 5504 and 5507 of the Welfare and Institutions Code, relating to the appointment of alienists or psychiatrists and providing for the payment of fees for services of medical staff members of state hospitals.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—65

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 461—An act to amend Section 737rr of the Political Code, and 79.44 of the Code of Civil Procedure, relating to superior judges' salaries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Caldecott, Clarke, Collier, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lyon, Maloney, McCarthy, McCollister, McFall, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr Speaker—57.

NOES—Burkhalter and George D. Collins—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1118—An act to amend Section 73700 of the Political Code and Section 79.41 of the Code of Civil Procedure, relating to superior judges' salaries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Collier, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Kelly, Klocksiem, Lincoln, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—54.

NOES—George D. Collins and Luckel—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2216—An act to amend Sections 737hh of the Political Code and 79.34 of the Code of Civil Procedure, relating to superior judges' salaries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Collier, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Kelly, Klocksiem, Lincoln, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—54.

NOES—Burkhalter, George D. Collins, and Luckel—3.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3357—An act to amend Section 204e of the Code of Civil Procedure, relating to the duties and compensation of the secretary and jury commissioner of the superior court, and assistants.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Kelly, Klocksiem, Lincoln, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—57.

NOES—Luckel—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1041—An act to add Section 725.5 to the Fish and Game Code, relating to sturgeon.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 57—Relative to congratulating the University of San Francisco for establishment of a compulsory course in the evils of Communism.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—64.

NOES—None.

Resolution ordered transmitted to the Senate.

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr. Silliman asked for, and was granted, unanimous consent that his name be placed upon the roll call, on Assembly Concurrent Resolution No. 57, and that he be recorded as voting "Aye".

Assembly Bill No. 284—An act to add Section 9540.7 to the Business and Professions Code, relating to the issuance of licenses by the State Board of Dry Cleaners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Mr. Speaker—60

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 289—An act to add Sections 9594.1, 9594.2, 9594.3, 9594.4, 9594.5, 9594.6, 9594.7, 9594.75, 9594.8, and 9594.85 to the Business and Professions Code, relating to dry cleaning.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Mr Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1032—An act to amend Section 9550 of the Business and Professions Code, relating to operator in charge of cleaning, dyeing, spotting, and pressing establishments and schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Niehouse, Parker, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1053—An act to add Article 5, Division 2, Part 9, consisting of Sections 2450 and 2450.1 to the Labor Code, relating to sanitary conditions on construction sites.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant,

Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Mr. Speaker—62

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 2818
Assembly Bill No 3357

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 39
Assembly Concurrent Resolution No. 57

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolutions ordered on file for adoption.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Senate Bill No. 610

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 2531

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

SHERWIN, Chairman

Above reported bill ordered to second reading.

Committee on Industrial Relations

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: Your Committee on Industrial Relations, to which was referred:

Assembly Bill No. 3177

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

LEVERING, Chairman

Above reported bill ordered to second reading.

ANNOUNCEMENT

Speaker Sam L. Collins reminded the members of the special order of business pending upon the file on Assembly Bill No. 1985, and announced that it has been recommended that proposed committee amendments, exclusive of the proposed cigarette tax amendment, be adopted, at this time, for the purpose of ordering the bill to be reprinted today, in the interest of time.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1985 BE WITHDRAWN FROM FILE, AND BE RE-REFERRED TO COMMITTEE

Mr. Sherwin asked for unanimous consent that Assembly Bill No. 1985 be withdrawn from the special order file, and be re-referred to the Committee on Revenue and Taxation with proposed amendments by the Committee on Ways and Means.

Mr. Lowrey withheld unanimous consent.

Motion That Proposed Amendments Be Adopted and That Assembly Bill No. 1985 Be Re-referred to the Committee on Revenue and Taxation

Mr. Sherwin moved that amendments being proposed by the Committee on Ways and Means to Assembly Bill No. 1985, exclusive of the proposed cigarette tax amendment, be adopted, at this time; and that the bill, as amended, be re-referred to the Committee on Revenue and Taxation.

Mr. Collier seconded the motion.

Point of Order

Mr. Lowrey arose to the following point of order: That, as the proposed amendments are not yet in the bill, Mr. Sherwin's motion is not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

Division of the Question

Mr. Lowrey asked for a division of the question, as follows:

(1) Consideration of proposed committee amendments, exclusive of the proposed cigarette tax amendment; and

(2) Consideration of the motion to re-refer the bill, as amended, to the Committee on Revenue and Taxation.

Division of the Question Agreed Upon by Unanimous Consent

By unanimous consent, a division of the question was agreed upon.

Division of the Question

The question being on the consideration of proposed committee amendments to Assembly Bill No. 1985.

Consideration of Committee Amendments

Assembly Bill No. 1985—An act to repeal Chapters 2 and 15 of Division 3 of the Education Code, to repeal Article 1 of Chapter 16 of Division 3 of said code, to repeal Section 6851.1 of said code, to amend Section 6841 of said code, to add Chapters 2 and 15 to Division 3 of said code, to add Article 1 to Chapter 16 of Division 3 of said code, and to add Section 6905 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately.

Bill read second time.

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 6 of the printed bill, as amended in the Assembly on April 10, 1951, strike out lines 10 and 11, and insert "determining the total current expenses of a district for transportation."

Amendment No. 2

On page 6 of said bill, strike out lines 14 and 15, and insert

"(d) Establish and prescribe formulae for the sole purpose of computing financial allowances under which school busses may be acquired in accordance with the provisions of Section 7037."

Amendment No. 3

On page 6 of said bill, strike out line 18, and insert

"(f) Establish and prescribe formulae for the sole purpose of computing financial allowances for reimbursement of replacement expenses incurred by a school district in replacing school busses."

Amendment No. 4

On page 21, line 35, of said bill, strike out "to", and insert "during".

Amendment No. 5

On page 21 of said bill, between lines 36 and 37, insert

"For the purposes of this section: (1) in making any computation under Section 7091, the assessed valuation in the district as shown by the equalized assessment roll of the district for the current school year shall be used in lieu of the assessed valuation prescribed by said section and (2) Sections 7104 and 7105 shall not be applicable."

Amendment No. 6

On page 26, line 15, of said bill, strike out "and", and insert "if".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Motion That Assembly Bill No. 1985, as Amended, Be Re-referred to the Committee on Revenue and Taxation

Mr Sherwin moved that Assembly Bill No. 1985, as amended, be re-referred to the Committee on Revenue and Taxation.

Mr. Collier seconded the motion.

Ruling by Speaker

Speaker Sam L. Collins ruled the motion by Mr. Sherwin not in order, as the bill has been ordered reprinted, and is not available for consideration, at this time.

Remarks on Condition of the File

Mr. Dunn spoke on the condition of the file.

Point of Order

Mr. Grunsky arose to the following point of order: That Mr. Dunn is not in order to speak on the condition of the file, at this time.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Point of Order

Mr. Doyle arose to the following point of order: That there is nothing before the House.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Request for Unanimous Consent That Rush Order Be Placed Upon Printing of Assembly Bill No. 1985

Mr. Sherwin asked for, and was granted, unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 1985.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1147—An act to amend Sections 28281, 28282, 28294, 28312, 28314, and the heading of Chapter 7 of Division 21 of, and add Sections 28280.1, 28282.5, 28292, and 28299 to the Health and Safety

Code, relating to sanitation in food processing plants and packaging of and return of bakery products.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lockslem, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—58

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2818

Mr. Lyon asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2818, temporarily passed on file, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2818

Assembly Bill No. 2818—An act to amend Section 737LL of the Political Code, relating to salaries of Superior Judges in the City and County of San Francisco.

Bill read third time

Motion to Amend

Mr. Lyon moved the adoption of the following amendments:

Amendment No. 1

In line 4 of the title of the printed bill, as amended in the Assembly on May 10, 1951, after "737a," insert "737s,".

Amendment No. 2

In line 6 of the title of said bill, after "79.1," insert "79 19,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets

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Amendment No. 3

On page 1 of said bill, after line 18, insert

"SEC. 3 5. Section 737s of said code is amended to read:

737s The annual salary of each of the Judges of the Superior Court in and for the County of Los Angeles is [fifteen thousand dollars ($15,000)] *seventeen thousand five hundred dollars ($17,500)*."

Amendment No. 4

On page 2 of said bill, between lines 18 and 19, insert

"SEC. 6 5 Section 79 19 of the Code of Civil Procedure is amended to read:

79 19. The annual salary of each Judge of the Superior Court in and for the County of Los Angeles is [fifteen thousand dollars ($15,000)] *seventeen thousand five hundred dollars ($17,500)*."

Amendment No. 5

On page 2, line 19, of said bill, strike out "and 6", and insert ", 6, and 6 5".

Amendment No. 6

On page 2, line 20, of said bill, after "737a," insert "737s,".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3419

Mr. Evans asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3419, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3419

Assembly Bill No. 3419—An act to amend Section 2468 of the Civil Code, relating to the use of fictitious names by persons and partnerships transacting business.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Munnell, Parker, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—56

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2502 HOLD PLACE ON FILE

Mr. Dolwig asked for, and was granted, unanimous consent that Assembly Bill No. 2502 be passed on file, and hold its place on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3364—An act to amend Sections 7330, 7332, and 7334 of the Business and Professions Code, relating to the practice of cosmetology.

Bill read third time, and ordered passed on file.

Assembly Bill No. 1217—An act to add Section 1596.2 to, and amend Section 4630 of the Education Code, relating to school sites, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Collier, George D Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Munnell, Parker, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, and Mr. Speaker—54.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grunsky, Gubser, Hagen,

Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Munnell, Parker, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2493—An act to add Section 18061 to the Education Code, relating to the payment of construction contracts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Moss, Munnell, Parker, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1360—An act providing for the constitution of the municipal court in a district embracing the City of Berkeley, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

Motion to Amend

Mr. Caldecott moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 17, of the printed bill, as amended in the Assembly on May 4, 1951, strike out "Six", and insert "Five".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 2907—An act to add Sections 14258.5, 14258.6, 14810 and 14811 to, to amend Section 14540 of, and to repeal Sections 14008, 14541, 14542, 14543, 14544, 14545, 14546, 14547, 14810, 14811 and 14812 of the Health and Safety Code, relating to fire protection districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Munnell, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

MEMBERS EXCUSED

At 11.38 a.m., Mr. Grant asked for, and was granted, unanimous consent that Messrs. Morris and Porter be excused, for the balance of the legislative day, because of legislative business elsewhere.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1490—An act to amend Section 8 of the Deadly Weapons Control Law, relating to the issuance of licenses to carry concealed pistols, revolvers and other firearms.

Bill read third time.

Motion to Amend

Mr. George D. Collins moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "the Deadly Weapons", and insert "the Dangerous Weapons' ".

Amendment No. 2

On page 1, line 1, of said bill, strike out "the Deadly Weapons", and insert "the Dangerous Weapons' ".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

BILL WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 2290, on motion of Mr. Davis.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2665 HOLD PLACE ON FILE

Mr. Connolly asked for, and was granted, unanimous consent that Assembly Bill No. 2665 be passed on file, and hold its place on file on the next legislative day.

RESOLUTIONS

The following resolutions were offered:

By Mr. Dickey:

House Resolution No. 141

Resolved, That the Controller be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Department of Finance (typewriter service)	$20.85
Clark Water Company (drinking water)	9.66
Cascade Towel Supply (towel service)	77 50
Specialized Office Equipment Co. (supplies)	188 55
Chalton Florist (floral piece, Assemblyman George R. Butters)	20.70

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 141, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel Clarke, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, Meyers, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—59.

NOES—None.

By Messrs. Lyon and Maloney:

House Resolution No. 142

Relating to J. Earl Esola

WHEREAS, J. Earl Esola is retiring from his position in the office of the State Controller after 29 years of faithful service with the State; and

WHEREAS, J. Earl Esola, better known to his many friends as "Chief," has endeared himself in the hearts of the Members of the Legislature and of his many acquaintances by his activities both as a true servant of the people of the State and as a benefactor and friend of his fellow citizens; and

WHEREAS, The Chief, prior to his 15 years of service in the State Controller's office, was employed by the State Reclamation Board; and

WHEREAS, He has throughout his life maintained his great interest in athletics arising from his activities as a professional baseball player in which he distinguished himself as a shortstop in the Coast League and with the San Francisco Seals Baseball Team; and

WHEREAS, His activities in basketball and football as a player led him later to be active as a referee in such games; and

WHEREAS, The Chief was one of the earliest camera men in the motion picture industry prior to his entry into state service, and has since maintained his interest in motion pictures and is now considered one of the outstanding amateur motion picture enthusiasts; and

WHEREAS, The Chief has become one of the leading "hams" in the field of amateur radio and was one of the first amateur radio operators to be licensed to operate a short wave radio; and

WHEREAS, His interest in athletics and in the youth of this State led him to be active in organizing and coaching the first American Legion Junior Baseball Team in Sacramento; and

WHEREAS, He and his wife, Ethel M Esola, have purchased a home on the McKenzie River in Oregon; and

WHEREAS, His many activities and close contact with the Legislature have instilled a firm affection for him in the hearts of all of the members of this body; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly extends to Chief Esola its heartiest congratulations for his many successes in life and in his chosen work with the State of California and its best wishes that his retirement will prove long and pleasant but will not keep him from coming frequently to these legislative halls to renew his old acquaintances; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to prepare a suitably engrossed copy of this resolution and transmit it to J. Earl Esola.

Resolution read, and ordered referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 142

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Request for Unanimous Consent

Mr. Lyon asked for, and was granted, unanimous consent to take up House Resolution No. 142, at this time, without reference to file.

CONSIDERATION OF HOUSE RESOLUTION NO. 142

By Messrs. Lyon and Maloney:

House Resolution No. 142

Relating to J. Earl Esola

WHEREAS, J. Earl Esola is retiring from his position in the office of the State Controller after 29 years of faithful service with the State; and

WHEREAS, J. Earl Esola, better known to his many friends as "Chief," has endeared himself in the hearts of the Members of the Legislature and of his many acquaintances by his activities both as a true servant of the people of the State and as a benefactor and friend of his fellow citizens; and

WHEREAS, The Chief, prior to his 15 years of service in the State Controller's office, was employed by the State Reclamation Board; and

WHEREAS, He has throughout his life maintained his great interest in athletics arising from his activities as a professional baseball player in which he distinguished himself as a shortstop in the Coast League and with the San Francisco Seals Baseball Team; and

WHEREAS, His activities in basketball and football as a player led him later to be active as a referee in such games; and

WHEREAS, The Chief was one of the earliest camera men in the motion picture industry prior to his entry into state service, and has since maintained his interest in motion pictures and is now considered one of the outstanding amateur motion picture enthusiasts; and

WHEREAS, The Chief has become one of the leading "hams" in the field of amateur radio and was one of the first amateur radio operators to be licensed to operate a short wave radio; and

WHEREAS, His interest in athletics and in the youth of this State led him to be active in organizing and coaching the first American Legion Junior Baseball Team in Sacramento; and

WHEREAS, He and his wife, Ethel M. Esola, have purchased a home on the McKenzie River in Oregon; and

WHEREAS, His many activities and close contact with the Legislature have instilled a firm affection for him in the hearts of all of the members of this body; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly extends to Chief Esola its heartiest congratulations for his many successes in life and in his chosen work with the State of California and its best wishes that his retirement will prove long and pleasant but will not keep him from coming frequently to these legislative halls to renew his old acquaintances; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to prepare a suitably engrossed copy of this resolution and transmit it to J. Earl Esola.

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1721

Mr. Stanley asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 1721, temporarily passed on the unfinished business file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1721—An act to amend Section 28111 of the Government Code, relating to compensation for public service in counties of the eleventh class.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1721?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "28111", and insert "28112"

Amendment No. 2

In line 3 of the title of said bill, strike out "eleventh", and insert "twelfth".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 24, inclusive; and on page 2, strike out lines 1 to 6, inclusive, and insert

"SECTION 1 Section 28112 of the Government Code is amended to read:

28112 In a county of the twelfth class the following shall receive as compensation for the services required of them by law or by virtue of their office the following sums:

(a) The auditor, [six thousand nine hundred dollars ($6,900)] *seven thousand five hundred dollars ($7,500)* a year.

(b) The district attorney [seven thousand eight hundred dollars ($7,800)] *eight thousand four hundred dollars ($8,400)* a year for his full-time services. He shall not engage in the private practice of law.

(c) Each supervisor, [three thousand six hundred dollars ($3,600)] *four thousand two hundred dollars ($4,200)* a year and the necessary and actual expenses incurred in the performance of the duties of his office.

(d) Grand jurors and trial jurors in superior courts shall receive for each day's attendance in court, upon regularly called jury meetings, committee meetings, or when appointed by the foreman of a grand jury to make individual investigations three dollars ($3) a day. In justices' courts in civil cases, jurors shall receive for each day's attendance, two dollars ($2). In justices' courts and city courts in criminal cases jurors shall receive for each day's attendance, one dollar and fifty cents ($1.50). All jurors shall receive ten cents ($0.10) for each mile actually and necessarily traveled from their residences to the places of service, in going only, mileage to be allowed but once in any one day, during any session of the court where the jurors serve. The fees of all trial jurors in civil cases shall be paid by the litigants as other costs are paid, and jurors in criminal cases in a city court shall be paid by the city in which the court is established.

The compensation provided by this section shall be payable to incumbent officers.

SEC. 2. If it is not legally competent to pay the compensation provided by this act to incumbent officers on the effective date of this act, such increase in compensation shall nevertheless be payable to the officers designated in this act as soon as it is legally competent to do so."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1721 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lincoln, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 1721 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS

Senate Bill No. 737—An act to amend Section 1311 of the Fish and Game Code, relating to fur-bearing mammals.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Luckel, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Munnell, Parker, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—54.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 738—An act to amend Section 1252 of the Fish and Game Code, relating to beaver.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Chapel, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Moss, Munnell, Parker, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—52.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1446—An act to amend Section 929 of the Fish and Game Code, relating to sardines.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Moss, Munnell, Parker, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—59.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Moss, Munnell, Parker, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—59

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 287—An act to amend Section 1025 of the Agricultural Code, relating to statements of chemical analysis of agricultural minerals.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 1216

Assembly Bill No. 3410

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bills ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 288—An act to amend Section 1061 of the Agricultural Code, relating to definitions of economic poisons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 959—An act to amend Sections 1101 and 1107 of the Agricultural Code, relating to eggs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Mr Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 883—An act to amend Sections 5050.8 and 5125 of the Welfare and Institutions Code, relating to court procedures and court orders in determining the mental health of a person alleged or found to be mentally ill.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Caldecott, Chapel, Clarke, Collier, George D Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Moss, Munnell, Parker, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1579

Mr. Sherwin asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1579, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1579

Senate Bill No. 1579—An act to amend Section 2824 to the Elections Code, relating to procedure.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brady, Burke, Caldecott, Clarke, Collier, George D. Collins, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lowrey, Luckel,

Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Parker, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—55.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 214

Mr. Silliman asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 214, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 214

Senate Bill No. 214—An act to authorize the exchange by the State Park Commission with the Forest Service, United States Department of Agriculture, of certain lands in the Pfeiffer Big Sur State Park for lands of at least equal value adjacent to said state park.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, and Mr. Speaker—60.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 8

Mr. Belotti asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 8, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 8

Senate Bill No. 8—An act to amend Section 788 of the Fish and Game Code, relating to crabs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Munnell, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—57.

NOES—Hahn—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 89

Mr. Grunsky asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 89, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 89

Senate Bill No. 89—An act to amend Sections 298, 307, and 502 of the Vehicle Code, relating to suspension of drivers' licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Collier, George D Collins, Connolly, Cooke, Crowley, Davis, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Moss, Munnell, Parker, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, and Tomlinson—53.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 2827
Assembly Bill No. 2828

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bills ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 110—An act to amend Section 736 of, and to add Section 737 5 to, the Vehicle Code, relating to procedure after arrest for a violation of the Vehicle Code.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brady, Burke, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Parker, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—56.

NOES—Belotti—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 39

Mr. Collier asked for, and was granted, unanimous consent that he be permitted to take up Assembly Concurrent Resolution No. 39, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 39

Assembly Concurrent Resolution No. 39—Relative to the support of the old age assistance program by the Legislature of the State of California.

Point of Order

Mr. Dunn arose to the following point of order: That, pursuant to the provisions of Rule 45, Assembly Concurrent Resolution No. 39 should be re-referred to the Committee on Ways and Means

Ruling by Speaker

After discussion on the issue involved, Speaker Sam L. Collins ruled the point of order not well taken.

The question being on the adoption of Assembly Concurrent Resolution No. 39.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Collier, Connolly, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Moss, Parker, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—52.

NOES—None

Resolution ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Messrs. Elliott, Rosenthal, McMillan, and Hawkins:

House Resolution No. 143

Relating to the commendation to the people of California of support of the "Forest of the Six Million"

WHEREAS, The new nation of Israel began in March, 1951, a great memorial project to plant a woodland along the 40 mile corridor between the ancient city of Jerusalem and the modern metropolis of Tel Aviv each tree therein to commemorate a Jewish person slain by the Nazis and such memorial project to constitute an international shrine to be known as the "Forest of Six Million"; and

WHEREAS, Each tree will rise from the soil of Palestine along the Tel Aviv-Jerusalem way symbolic of mankind's triumph over those barbaric and genocidal forces that perpetrated the atrocities of Dachau, Belsen, and Lidice, and conspired to exterminate peoples and to turn back the clock to a new Dark Age; and

WHEREAS, Concomitant with the symbolic beauty of this memorial will be a practical service of reclamation and industrial purposes which it will serve; and

WHEREAS, This "Forest of Six Million" will rise as a shrine for all peoples of all races and creeds to them a remembrance of the tragic trials endured by our civilization during the sanguinary conflicts to defeat Nazism and as a resplendent testimonial for "peace on earth, good will toward men"; and

WHEREAS, It is most appropriate that the people of California participate in this project for the creation of this international memorial; now, therefore, be it

Resolved by the Assembly of the State of California, That the members commend to the people of the State of California the support of the program toward the furnishing of trees from Americans for the "Forest of Six Million".

Resolution read, and ordered referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 896	Assembly Bill No 3165
Assembly Bill No. 1689	Assembly Bill No. 3175
Assembly Bill No. 1775	Assembly Bill No. 3183
Assembly Bill No. 2067	Assembly Bill No. 3229
Assembly Bill No. 2902	Assembly Bill No. 3254
Assembly Bill No. 3055	Assembly Bill No 3323

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 895
Assembly Bill No. 1221

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 3175 re-referred to the Committee on Manufacturing, Oil, and Mining Industry.

Assembly Bill No. 3165 re-referred to the Committee on Agriculture.

Assembly Bill No. 1689 re-referred to the Committee on Ways and Means

Assembly Bills Nos. 2067 and 3055 re-referred to the Committee on Social Welfare.

Assembly Bills Nos. 3323 and 1775 re-referred to the Committee on Judiciary.

Assembly Bills Nos. 2902, 3254, and 3229 re-referred to the Committee on Fish and Game.

Assembly Bills Nos. 895, 896, 1221, and 3183 re-referred to the Committee on Public Health.

Senate Bill No. 223 re-referred to the Committee on Ways and Means.

ANNOUNCEMENT

Mr. Hollibaugh announced that a luncheon meeting for the Members of the Los Angeles Delegation and the Members of the Los Angeles County Board of Supervisors will be held upon adjournment today at the Hotel Senator.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committee would hold a meeting:

Today—At 3 p.m.—

Ways and Means, in Room 435.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Speaker Sam L. Collins and Mr. Hollibaugh, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. James D. Olson of Salem, Oregon.

On request of Messrs Dickey and Chapel, the usual courtesies of the Assembly for this day were unanimously extended to Lt. Sylvia Wood, Lt. Lorella Smith, and Miss Ann Wursten, of Travis Field.

On request of Messrs. Erwin and Burke, the usual courtesies of the Assembly for this day were unanimously extended to Ethel Johnson Rowley of Alhambra.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Geraldine Mickelsen and Carmel Arthur, teachers, and the following pupils of the Marshall School: Reita Radcliff, Lois Peaslee, Jerry Sugar, Nadja Kerr, Emily Van Dyke, Susan Arnold, Maureen Crump, Larry Wiest, Judy Crossley, Wendy Renwick, Harriet Hemphill, Peter Miller, David Kelly, Becky Baboulas, Richard Wantz, Rayda Weser, Carolyn Rowe, Roselle Cuilla, Richard Placencia, Judy Davis, Howard Markham, Betty Phoenix, Marlene Marich, Gary Wantz, Martin Grinbergs, O. J. Solander, Shirley Johnson, Gilbert Ketcherside, Jerry Casey, and Marialyce Smith.

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to Leslie H. Maffey, Melvin Silva, and John H. Bond, adults, and the following pupils of the Alvarado School: Leonard Barrera, Lupe Bueno, Joyce Ann Caldeira, Jeany Cheng, John Corrales, Archie Delao, Johnny Gualeo, Eddie Maldonado, Sammy Muela, Albert Hernandez, Andrew Pimentel, Mervin Pinto, Conrad Preciado, Lupe Ramirez, Albert Rede, and Mercedes Rigmaiden.

On request of Mr. Cloyed and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. John Marken and sons, Craig and Paul, of Escondido.

On request of Messrs. Moss and Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Virginia Hubach, Alice Gayner, and Betty Lore, teachers, and the following pupils of the New Pacific School: Gladys Anderson, Barbara Berry, Wallena Brown, Roselene Marie Correia, Richard J. Dean, Linda Lou DeClusin, Anna Marie Dobrin, Jerry C. Edmondson, Ruby Joyce Foster, Bobby Grisso, Geraldine Harwood, Fred Hellyer, Myrtledean Horsley, Charles Huffhines, Louie Imada, Noriko Kurasawa, Nancy Leek, Rosie Lopez, Billy Maness, Dolores Manriquez, Louis Morgan, Robert Neves, Orene Ochikubo, Carol Penny, Mary Pinedo, Verna Powers, David Roberts, Janice Shepard, Richard Sherman, Fumiye Shimazu, John Sommers, James Stephens, Terry Teasley, Rose Marie Thomas, Carl Turpin, Paul Turpin, Lial Wagner, Patty Wagner, and Earl White.

On request of Mr. Dickey, the usual courtesies of the Assembly for this day were unanimously extended to C. R. Holmes and Charles Manterfield of Alameda.

On request of Messrs. Fleury and Moss and The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Helen Hartong of Sacramento.

On request of Mr. Henderson, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Charles Clough and sons, Stanley and Robby, of Fresno.

On request of Mr. Hollibaugh and the Los Angeles Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Art Hewitt, Don Kirby, Gus Borio, Walter Shaeffer, Charles Wathey, and Morrie Beam of Los Angeles.

On request of Mr. Clarke, the usual courtesies of the Assembly for this day were unanimously extended to Caroll Welch, teacher, and the following pupils of the Hilmar Unifield Schools: Billy Dean Anderson,

Earl Rudolph Anderson, William Stanley Avilla, Daniel Anthony Azevedo, Leslie Anthony Baptista, Jo Ann Beaty, Willia Frank Bernhardt, Mary Euleen Brown, Nancy Fay Brunelle, Betty Burnam, Thurman Canada, Charlon Rose Christy, Wilma Carol Conner, James Bryan Coop, Margaret Mary Cordero, John Gilliam Cowger, Kenneth Ray Crandell, Margaret Bernice Crawford, Beverly True Crumm, Darrel Charles Dahlquist, Russell Avila Dutra, Jacqueline Ann Elliott, Gary Oren Erickson, Clifford Rodger Falk, Tommy Ray Figley, Sammy Lane Freeman, Jo Ann Marie Furtado, Loretta Mae Garrett, Ernestine Gonzales, Marilyn Cholan Goodell, Gene Green, Cecile Elaine Hansten, Edward Gale Hass, Jean Lorraine Hayes, Joan Elaine Hayes, Frederick Heins, Raymond Hobbs, Dorothy Ann Hoffman, Harvel Holland, Clarence Raymond House, Clayton Henry House, Kathy Roberta Isbell, Larue Dwane Kinerson, Imogene Louise Leach, Kenneth Henry Lundell, Carolyn Louise McDonald, Barbara Ann McHughes, Elsie Margaret Mendes, Frances Margaret Mendes, Tony Raymond Mendes, Patricia Carolene Meyer, Charlene Joann Moore, Adrienne Joyce Nelson, Carl Edward Nielsen, Michael Alan Novo, Lloyd Elwin Nyman, Alma Patricia O'Connor, Barbara Jean Pettit, Raymond Ernest Pierce, Lester Paul Prehm, Loretta Elaine Rearick, Patricial Ann Reece, Pauline Clair Reece, Clyde Leroy Rhodes, Doris Jean Santi, Manuel Joseph Santos, William Henry Schmidt, Barbara Jean Serpa, Bonnie Sue Shipman, Dorothy Joanne Slate, Loretta Joyce Soares, Stanley Marks Souza, Patricia Faye Strickland, La Val Marie Swanson, Evelyn Tariman, Eva Tatarakis, Darlene Eloise Tell, Stanley Eugene Thiessen, Phyllis Ann Turner, James Philip Vargas, Betty Jean Vickroy, Howell Virgo Jr., Larnel Carson Waterson, Eunice Marlene Wickstrom, Carl Adam Zentner, and Maniard Eugene Zentner.

On request of Messrs. McFall and Parker, the usual courtesies of the Assembly for this day were unanimously extended to Ben Renz, teacher, Estelle Rasmussen, adult; the following pupils of Ripon School: Mary Barela, Barbara Bledsoe, Karla Boaz, Janet Brooks, Robert Cabral, Wilma Carroll, Eileen Christensen, William Colbert, Leroy Cole, David Eckhoff, Janice Fairbanks, Alvin Fredericksen, Betty Funari, Raymond George, Darlene Hagenow, Jon Holmquist, Ray Hyde, Raymond Johnson, David Lawton, Marie Leon, Shirley Medford, William Nyquist, Esther Picanso, Sharon Porteous, Rob Roy Rackley, Freda Rasmussen, Margie Reeves, Charles Saarloos, William Scharmann, Donald Sikkema, Joan Sinarle, Donald Silva, Leona Smith, Jerry Watson, Richard Whitmore, Paul Whittle, Angie Ynzunza, and David Zellmer; and Arnold De, Weerd, Tanya Hansen, Merilyn Hansen, and Frank Vieira of the San Joaquin School.

On request of Mr Luckel and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Bernard R. Carman and Gerald Christensen of San Diego.

On request of Messrs. Grant and Klocksiem, the usual courtesies of the Assembly for this day were unanimously extended to Mary Devett and Bob Devett of Long Beach.

On request of Mr. Coats, the usual courtesies of the Assembly for this day were unanimously extended to Sister Agnes Joseph and Sister Loretta Joan, teachers, Mrs. A. D. Atterbury, and Mrs. F. Tredway,

adults; and the following pupils of the Notre Dame High School of Marysville: Barbara Forness, Jean Smith, Mary Ann Staudenraus, Ellen Street, Lucy Tores, Jeanette Tredway, Mary Ann Waite, Virginia Atterbury, Beverly Gouge, Erma Sutfin, Irene Creps, Donna Edwards, Georgia Heisinger, and Barbara Kolos.

ADJOURNMENT

At 12.05 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Monday, May 14, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FIFTY-EIGHTH LEGISLATIVE DAY

EIGHTIETH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, May 14, 1951

The Assembly met at 10 a.m.
Hon. Sam L. Collins, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sullman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—79.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Almighty and Eternal God, Father of all nations, Creator and Preserver of mankind, we assemble again in Thy holy sight. Within these hallowed precincts, we seek Thy presence and Thy guidance. As we look upon the Flag, remind us of our duty to God and our Country. Help us lift our labor out of the realm of the ordinary, so that we may see opportunities for service in that which otherwise would be drab routine. Grant us Thy presence throughout this day that we may live without strain, face our problems without fear, meet our temptations without dishonor, bear our burdens without complaint.

"O Lord, who knowest every need of mine,
Help me to bear each cross and not repine,
Grant me fresh courage every day,
Help me to do my work always
Without complaint."

In Jesus' name.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Hinckley, further reading of the Journal of the previous legislative day was dispensed with.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly then gave the pledge of allegiance to the Flag.

COMMUNICATIONS

By the Chief Clerk:

A communication from E. J. Overley, Assistant to the Secretary, Department of Agriculture, Washington, D. C., relative to having received a copy of Assembly Joint Resolution No. 24 pertaining to assistance in continuing availability of trained manpower in agricultural aviation, was received, and ordered filed with the Secretary of State.

By the Chief Clerk:

A communication from Claire V. Goodwin, President, Board of Port Commissioners, Port of Oakland, acknowledging receipt of a copy of House Resolution No. 127, was received, and ordered filed with the Secretary of State.

REQUEST FOR UNANIMOUS CONSENT TO CORRECT JOURNAL

Speaker Sam L. Collins asked for, and was granted, unanimous consent that the record whereby Assembly Bill No. 872 was reported back to the Assembly by the Committee on Education, as printed on page 4130 of the Assembly Journal for Thursday, May 10th, be corrected to show Senate Bill No. 872 as being the proper measure; and that the amendments adopted to Assembly Bill No. 872, as printed on page 4184 of the Assembly Journal for Friday, May 11th, be shown as properly being adopted to Senate Bill No. 872.

Assembly Bill No. 872 ordered re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 33—An act to amend Sections 20013 and 20014 of and to add Sections 20017.7, 21020.7, 21290.7, 21292.7, and 21363.7 to the Government Code, relating to the State Employees' Retirement System, in respect to the law enforcement personnel of the Division of Narcotic Enforcement, Department of Justice;

Assembly Bill No. 263—An act to amend Sections 3208, 4452, 4453, 4458, 4460, 4600, 4702, and 5952 of the Labor Code, relating to workmen's compensation;

Assembly Bill No. 522—An act to amend Section 1730 of, and to add Section 1730.5 to, the Insurance Code, relating to insurance and bail licensees;

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 636—An act to add Section 31765 to the Government Code, relating to benefits payable by retirement systems for county employees;

Assembly Bill No. 638—An act to add Section 31652.1 to the Government Code, relating to the retirement of county employees;

Assembly Bill No. 639—An act to repeal Section 31560 of, and to add Section 31641.5 to, the Government Code, relating to retirement of county employees;

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 641—An act to amend Sections 31460 and 31468 of, and to add Section 31469.5 to, the Government Code, relating to county employees retirement systems, and providing for the inclusion therein of officers and employees of certain organizations of public employees;

Assembly Bill No. 657—An act to amend Section 10.2 of the Parking Law of 1949 and Section 32951 of the Streets and Highways Code, relating to off-street parking facilities;

Assembly Bill No. 742—An act to amend Sections 31679 and 31681 of the Government Code, relating to retirement systems;

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 839—An act to amend Section 37904 of the Government Code, relating to city public works contracts;

Assembly Bill No. 943—An act to amend Sections 26075 and 26076 of the Water Code, relating to assessments by irrigation districts;

Assembly Bill No. 1198—An act to amend Section 803.5 of the Agricultural Code, relating to nectarine and pear standards, declaring the urgency thereof and providing that this act shall take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1256—An act to amend Sections 20024, 20025.2, 20105, 20107, 20165, 20208, 20303, 20304, 20393, 20523, 20524, 20602, 20602.5, 20602.7, 20603, 20603.1, 20603.2, 20606, 20607, 20607.5, 20611, 20652, 20654, 20654.6, 20654.9, 20655, 20656, 20754, 20862, 20863, 20890, 20921.1, 20922, 21023, 21028, 21204, 21250, 21300, 21331, 21360, 21361, 21362, 21453 of the Government Code, to amend and renumber Section 21262 thereof (as added by Chapter 1498 of the Statutes of 1949), to repeal Sections 20654.7 and 21030 thereof, and to add Sections 20609.2, 20655.1, 21257.2, and 21365.1 thereto, relating to the State Employees' Retirement System;

Assembly Bill No. 1259—An act to add Section 20338 to the Government Code, relating to the State Employees' Retirement System in respect to state college extension service teachers;

Assembly Bill No. 1263—An act to add Section 20130.2 to the Government Code and to amend Sections 20037, 20230, 20563, 20564, 20565, and 20867 thereof, relating to the State Employees' Retirement System;

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1289—An act to amend Section 20800 of the Business and Professions Code, relating to petroleum;

Assembly Bill No. 1646—An act to amend Section 205 of the Revenue and Taxation Code, relating to the veterans' exemption, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1691—An act to add Section 6357.2 to, and to amend Section 19437 of, the Education Code, relating to school district facilities;

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1736—An act to amend Section 21120 of the Water Code, relating to irrigation districts;

Assembly Bill No. 1810—An act to amend Section 29 of the "Community Redevelopment Act" and Section 33265 of the Health and Safety Code, relating to employees benefits;

Assembly Bill No. 1861—An act to amend Section 1260 of the Military and Veterans Code, relating to definitions of veterans' associations for purposes of public buildings, parks, and centers therefor;

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1862—An act to add Section 18616 to the Education Code, relating to leases of school district property to veterans' associations;

Assembly Bill No. 1916—An act to add Sections 31026, 31027, 31028, and 31029 to the Water Code, relating to county water districts, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 2052—An act to amend Section 1151 of the Fish and Game Code, relating to the use of lights;

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2314—An act to amend Section 1501 of the Education Code, relating to contracts for service by county superintendent of schools;

Assembly Bill No. 2499—An act to amend Section 1503 of, and to add Section 1599.1 to, the Education Code, relating to the Public School System;

Assembly Bill No. 2506—An act to amend Section 29191 of the Government Code, relating to district budgets;

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2669—An act to amend Section 17502 of the Business and Professions Code, relating to false advertising offenses and exceptions therefrom;

Assembly Bill No. 2724—An act to amend Sections 3301, 3305, 6403, 6405, 6406, 6407, 6409, 6500, 6501, and 6502 of the Corporations Code, to add Sections 3301.5, 3301.6, 3301.7, 3301.8, 6403.5, and 6403.6 thereto, and to repeal Section 6410 thereof, all relating to corporations;

Assembly Bill No. 2790—An act to add Section 6a to the Alcoholic Beverage Control Act, relating to sale of beer to instrumentalities of the Armed Forces of the United States maintained on United States Government military or naval reservations, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2859—An act to add Article 9 to Chapter 5 of Part 3 of Division 5 of the Health and Safety Code, relating to revenue bonds;

Assembly Bill No. 2860—An act to add Article 12 to Chapter 6 of Division 2 of Title 5 of the Government Code, relating to revenue bonds,

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 19—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Section 8 of Article XIII of said Constitution, relating to property tax returns;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twelfth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 46—Relative to the centennial of the arrival of Notre Dame nuns of California;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twelfth day of May, 1951, at 10 a.m.

BURKE, Chairman

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Senate Bill No. 223

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bill ordered to third reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 984
Assembly Bill No. 985
Assembly Bill No. 1152
Assembly Bill No. 1360
Assembly Bill No. 1490
Assembly Bill No. 2513
Assembly Bill No. 2818
Assembly Bill No. 3070
Assembly Bill No. 3199

And reports the same correctly re-engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 23
Assembly Bill No. 1877
Assembly Bill No. 3391

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 2
Assembly Constitutional Amendment No. 51

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 741
Assembly Bill No. 784
Assembly Bill No. 1235
Assembly Bill No. 1311
Assembly Bill No. 1526
Assembly Bill No. 1561
Assembly Bill No. 1577
Assembly Bill No. 2695
Assembly Bill No. 2929

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 3270

And reports the same correctly re-engrossed

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 410

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1985

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 32
Assembly Concurrent Resolution No. 51
Assembly Concurrent Resolution No. 52

J. A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 11, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 550
Assembly Bill No. 601
Assembly Bill No 763
Assembly Bill No. 1023
Assembly Bill No 1667
Assembly Bill No. 1682
Assembly Bill No. 1719
Assembly Bill No. 1734
Assembly Bill No. 1735
Assembly Bill No. 1904
Assembly Bill No. 1928
Assembly Bill No. 2039
Assembly Bill No. 2122
Assembly Bill No. 2125
Assembly Bill No. 2528

J. A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

On May 21, 1951, Assembly Bill No. 550 was recalled from enrollment. (See page 4520.)

SENATE CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to.

Senate Bill No. 704
Senate Bill No. 706
Senate Bill No. 707
Senate Bill No. 708
Senate Bill No. 1012
Senate Bill No. 1013
Senate Bill No 1807

J. A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended.

Assembly Bill No 696
Assembly Bill No. 755
Assembly Bill No. 909
Assembly Bill No. 2909

And respectfully requests your honorable body to concur in said amendments.

J A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 671
Senate Bill No. 1065
Senate Bill No. 1626

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 671—An act to add an article heading and Article 2 to Chapter 4, Title 6 of the Government Code, relating to districts.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1065—An act to amend Section 28113 of the Government Code and Section 413 of the Education Code, relating to compensation for public service in counties of the thirteenth class.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1626—An act to add Section 7.4 to the Unemployment Insurance Act, relating to agricultural labor.

Referred to Committee on Finance and Insurance.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 31
Senate Joint Resolution No. 33

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolutions were read:

Senate Joint Resolution No. 31—Relating to the National Forest Highway System in California.

Referred to Committee on Rules.

Senate Joint Resolution No. 33—Relative to foot and mouth disease.

Referred to Committee on Rules:

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 2487—An act to add Section 12607.5 to the Business and Professions Code, relating to designated weight of baled wiping rags.

Bill read second time, and ordered engrossed.

Assembly Bill No. 101—An act to amend Section 9 of the Riverside County Flood Control and Water Conservation District Act, relating to the powers of the Riverside County Flood Control and Water Conservation District.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1998—An act to amend Section 307 of the Vehicle Code, relating to drivers' licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 12, of the printed bill, strike out "such".

Amendment No. 2

On page 1, line 12, of the printed bill, after "conviction", insert "other than under Section 501 of this code".

Amendment No. 3

On page 1, line 14, of the printed bill, strike out "unless otherwise hereinafter provided and".

Amendment No. 4

On page 1, line 15, of the printed bill, following "Section 292", insert "or recommends no suspension".

Amendment No. 5

On page 1, line 21, of the printed bill, strike out "such".

Amendment No. 6

On page 1, line 22, of the printed bill, following "conviction", insert "of any offense involving driving a motor vehicle while under the influence of intoxicating liquor."

Amendment No. 7

On page 2, line 9, of the printed bill, strike out "such"

Amendment No. 8

On page 2, line 9, of the printed bill, following "conviction", insert "of any offense involving driving a motor vehicle while under the influence of intoxicating liquor"

Amendment No. 9

On page 2 of the printed bill, at the end of line 17, insert "by it".

Amendment No. 10

On page 2, line 30, of the printed bill, after "shall", insert ", unless the court recommends to the department that there be no such license suspension,".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3406—An act to amend Section 39.6 of the Vehicle Code, relating to agricultural water-well boring rig.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out the first "Agricultural".

Amendment No. 2

On page 1, lines 3 and 4, of the printed bill, strike out "Agricultural".

Amendment No. 3

On page 1, line 5, of the printed bill, after "water-wells", insert "and which is self-propelled".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3239—An act to amend Section 31526 of the Government Code, relating to retirement of county employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, lines 15, 16, and 17, of the printed bill, strike out "or to a position the compensation of which is fixed at a rate by the day or hour,".

Amendment No. 2

On page 1 of the printed bill, after the comma in line 19, insert "or to a position the compensation of which is fixed at a rate by the day or hour,"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1789—An act to amend Sections 5025, 5119, 5125, 5180, 5182, 5190, 5194, 5195, 5266, 5294, 5295, 5296, 5303, 5342, 5343, 5366, 5372, 5391, 5395, 6463, 8620, 8621, 8622, 8623, and 8650 of, to add Section 5302.5 to, and to repeal Section 5193 of, the Streets and Highways Code, relating to public works and improvements.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on May 4, 1951, strike out "5190, 5194, 5195,".

Amendment No. 2

Strike out line 4 of the title of said bill, and insert "8650 of, and to add Section 5302.5 to,".

Amendment No. 3

In line 5 of the title of said bill, strike out "of,".

Amendment No. 4

On page 2 of said bill, strike out lines 44 to 51, inclusive.

Amendment No. 5

On page 3 of said bill, strike out lines 1 to 9, inclusive.

Amendment No. 6

On page 3, line 10, of said bill, strike out "SEC. 10", and insert "SEC. 6"

Amendment No. 7

On page 3, line 18, of said bill, strike out "SEC 11", and insert "SEC. 7".

Amendment No. 8

On page 3, line 32, of said bill, strike out "SEC. 12", and insert "SEC. 8".

Amendment No. 9

On page 3, line 40, of said bill, strike out "SEC. 13", and insert "SEC. 9".

Amendment No. 10

On page 4, line 1, of said bill, strike out "SEC. 14", and insert "SEC. 10".

Amendment No. 11

On page 4, line 35, of said bill, strike out "SEC. 15", and insert "SEC. 11".

Amendment No. 12

On page 4, line 47, of said bill, strike out "SEC 16", and insert "SEC. 12".

Amendment No. 13

On page 5, line 1, of said bill, strike out "SEC. 17", and insert "SEC. 13".

Amendment No. 14

On page 5, line 16, of said bill, strike out "SEC. 18", and insert "SEC. 14".

Amendment No. 15

On page 5, line 36, of said bill, strike out "SEC. 19", and insert "SEC. 15".

Amendment No. 16

On page 5, line 48, of said bill, strike out "SEC. 20", and insert "SEC. 16".

Amendment No. 17

On page 6, line 9, of said bill, strike out "SEC. 20.5", and insert "SEC. 17".

Amendment No. 18

On page 6, line 18, of said bill, strike out "SEC 21", and insert "SEC. 18".

Amendment No. 19

On page 6, line 32, of said bill, strike out "SEC 22", and insert "SEC. 19".

Amendment No. 20

On page 6, line 46, of said bill, strike out "SEC. 23", and insert "SEC. 20".

Amendment No. 21

On page 7, line 3, of said bill, strike out "SEC. 24", and insert "SEC. 21".

Amendment No. 22

On page 7, line 8, of said bill, strike out "SEC. 25", and insert "SEC. 22".

Amendment No. 23

On page 7, line 19, of said bill, strike out "SEC 26", and insert "SEC. 23".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 529—An act to amend Section 327 of the Revenue and Taxation Code, relating to property taxation.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 8, of the printed bill, after "renumber", strike out "of", and insert "or".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3177—An act to amend Sections 1394 and 1395 of, and to add Section 1394.5 to, the Labor Code, relating to child labor.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Industrial Relations:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Assembly on April 30, 1951, after "article", insert "or Article 2 of Chapter 2 of this part".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1216—An act to add Part 2, comprising Chapter 1, Sections 4000 to 4192, inclusive, to Division 5 of the Welfare and Institutions Code, to amend Sections 7.5, 103.5, 104.6, 114.5, 118.2, 119.5, 124, 145, 145.1, and 145.4 thereof, and to amend Section 29802 of the Government Code, relating to a program of aid to the needy permanently and totally disabled in accordance with Title XIV of the Federal Social Security Act, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 19, of the printed bill, as amended in the Assembly on April 27, 1951, after the period, insert "For purposes of this chapter habitual use of alcohol or narcotics shall not be deemed a permanent disability."

Amendment No. 2

On page 2 of said bill, between lines 6 and 7, insert

"The definitions of terms as provided for in this section shall not be liberally construed as if such terms were used in contracts, but the definitions of such terms shall be strictly construed in order to carry out the purposes of this act with the limited appropriation therefor."

Amendment No. 3

On page 3, line 19, of said bill, strike out "Each", and insert

"When state and federal funds are available for this program each".

Amendment No. 4

On page 4 of said bill, between lines 47 and 48, insert

"Absence from the State of recipients of aid under this chapter who have remained outside the State for a continuous period of one year or longer shall be prima facie evidence of the intent of the recipient to have changed his residence to a place outside this State The county granting the aid shall make inquiry from such persons as to their intent to remain residents of California or to become residents of another state, and shall redetermine the residence of such persons for purposes of this chapter In any case where the inquiry made under this section establishes that the recipient is no longer a resident of this State, his aid shall be terminated immediately."

Amendment No. 5

On page 5 of said bill, strike out lines 37 to 40, inclusive

Amendment No. 6

On page 6, lines 9 and 10, of said bill, strike out "one thousand two hundred dollars ($1,200)", and insert "six hundred dollars ($600)".

Amendment No. 7

On page 6, lines 14 and 15, of said bill, strike out "three thousand five hundred dollars ($3,500)", and insert "three thousand dollars ($3,000)".

Amendment No. 8

On page 6, lines 21 and 22, of said bill, strike out "three thousand five hundred dollars ($3,500)", and insert "three thousand dollars ($3,000)".

Amendment No. 9

On page 12 of said bill, strike out lines 26 to 52, inclusive.

Amendment No. 10

On page 13 of said bill, strike out lines 1 and 2.

Amendment No. 11

On page 14, line 6, of said bill, before the second "the", insert "and for the support of the Department of Social Welfare".

Amendment No. 12

On page 14, line 8, of said bill, before the period, insert ", of which not more than one hundred thousand dollars ($100,000) shall be expended for the support of the Department of Social Welfare".

Amendment No. 13

On page 14, line 9, of said bill, before "ninety", insert "first of the month following the".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3410—An act to amend Sections 19601, 19601.5, 19601.6, 19608, 19611, 19613, and 19613.7 of, to add Sections 19601.7 and 19607.1 to, and to repeal Section 19617 of, the Education Code, relating to child care centers, making an appropriation and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 4, line 33, of the printed bill, as amended in the Assembly on April 27, 1951, strike out "seven million", and insert "six million twenty-seven thousand", and strike out "($7,000,000)", and insert "($6,027,000)".

Amendment No. 2

On page 4, line 16, of said bill, strike out "annually", and after "Legislature" in the same line, insert "at the beginning of the 1952 Budget Session its estimate of the amount necessary for the continuance of this program to its terminal date June 30, 1953 and".

Amendment No. 3

On page 2, line 31, of said bill, strike out "Director of Industrial Relations"; and in line 32, strike out "or the".

Amendment No. 4

On page 3, line 20, of said bill, after "basis", insert "or if either parent is a worker in industry essential to the mobilization effort as set forth in subdivision (f) of Section 19601.5".

Amendment No. 5

On page 2 of said bill, between lines 37 and 38, insert

"The need for child care of a parent and child who come within (a) of this section shall take precedence over the need for child care of a parent, or parents, and child who come within (b) to (g), inclusive, of this section

The need for child care of a parent, or parents, and child who come within (b) of this section shall take precedence over the need for child care of a parent, or parents, and child who come within (c) to (g) of this section"

Amendment No. 6

On page 3, line 14, of said bill, after "earnings", insert "of any member of the child's immediate family".

Amendment No. 7

On page 3, line 16, of said bill, after "week", insert "if the employer of such person certifies to said governing board that the work week of such person is five days or more".

Amendment No. 8

On page 4, line 41, of said bill, after "need", insert "of which not to exceed forty-four thousand dollars ($44,000) may be expended by the Department of Education for making apportionments and for supervision of child care centers".

Amendment No. 9

On page 4, line 4, of said bill, strike out "Each person employed by a state college", and insert

"Any employee of a school district heretofore excluded from membership in the State Employees' Retirement System or a district retirement system by the provisions of this section as it has heretofore read, shall become a member of such system on the effective date of this amendment without credit for previous service.

Each person employed by a state college".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2827—An act to amend Section 28141 of the Government Code, relating to compensation for public service in counties of the forty-first class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "28141", and insert "28140".

Amendment No. 2

In line 3 of the title of said bill, strike out "forty-first", and insert "fortieth".

Amendment No. 3

On page 1, line 1, of said bill, strike out "28141", and insert "28140"

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, strike out lines 3 to 17, inclusive, and insert

"28140 In a county of the fortieth class the annual salary of each supervisor is [one thousand two hundred dollars ($1,200)] *two thousand four hundred dollars ($2,400)*. All other officers shall receive as compensation for the services required of them by law or by virtue of their offices the salaries and fees fixed pursuant to the charter of the county

Grand jurors and trial jurors in the superior court shall receive three dollars ($3) a day for each day's attendance and mileage at the rate of fifteen cents ($0.15) a mile for each mile necessarily traveled in attending court, in going only. In criminal cases the fees and mileage of the trial jurors in the superior court shall be paid by the treasurer out of the general fund of the county upon warrants drawn by the auditor on the written order of the judge of the court in which the jurors were in attendance, and the treasurer shall pay the warrants

The compensation provided by this section shall be payable to incumbent officers.

SEC. 2 If it is not legally competent to pay the compensation provided by this act to incumbent officers on the effective date of this act, such increase in compensation shall nevertheless be payable to the officers designated in this act as soon as it is legally competent to do so"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2828—An act to amend Section 28143 of the Government Code, relating to compensation for public services in counties of the forty-third class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, lines 6 and 7, of the printed bill, strike out "three thousand six hundred dollars ($3,600)", and insert "four thousand two hundred dollars ($4,200)".

Amendment No. 2

On page 1 of said bill, after line 22, insert

"The compensation provided by this section shall be payable to incumbent officers.

SEC. 2. If it is not legally competent to pay the compensation provided by this act to incumbent officers on the effective date of this act, such increase in compensation shall nevertheless be payable to the officers designated in this act as soon as it is legally competent to do so."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2448—An act to repeal Sections 5536 and 5537 of, and to add Sections 5503, 5536, 5537, and 5542 to, the Business and Professions Code, relating to the practice of architecture.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "and 5542", and insert "5542, 5543, and 5544".

Amendment No. 2

On page 1, lines 10 and 11, of said bill, strike out "one thousand dollars ($1,000)", and insert "five hundred dollars ($500)".

Amendment No. 3

On page 1, line 11, of said bill, strike out "one", and insert "six".

Amendment No. 4

On page 1, line 12, of said bill, strike out "year", and insert "month".

Amendment No. 5

On page 2, line 9, of said bill, strike out the colon; and strike out lines 10 to 15, inclusive, and insert "from furnishing services to other persons for plans, drawings, specifications, instruments of service, or other data for:".

Amendment No. 6

On page 2 of said bill, strike out line 17, and insert "more than two stories".

Amendment No. 7

On page 2, line 23, of said bill, strike out "masonry".

Amendment No. 8

On page 2, line 25, of said bill, after "to", insert ", or at the time of,".

Amendment No. 9

On page 2 of said bill, strike out lines 31 to 34, inclusive.

Amendment No. 10

On page 2 of said bill, after line 40, insert

"SEC. 6. Section 5543 is added to said code, to read:

5543. This chapter does not prevent any person who is an employee of an architect from acting under his employer's instructions, control and supervision in the practice of architecture.

SEC. 7. Section 5544 is added to said code, to read:

5544. A civil engineer who holds a certificate to practice civil engineering in this State under the provisions of Chapter 7 of Division 3 or of any other act to regulate the practice of civil engineering, insofar as he practices civil engineering in its various branches, is exempt from the provisions of this chapter."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2011—An act to add Chapter 5.7, comprising Sections 2650 to 2694, inclusive, of Division 2 of the Business and Professions Code, relating to the practice of physical therapy, schools of physical therapy, and the licensing of physical therapists, and prescribing penalties for violations hereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 2, line 25, of the printed bill, as amended in the Assembly on May 3, 1951, strike out "In addition, each".

Amendment No. 2

On page 2 of said bill, strike out lines 26 and 27.

Amendment No. 3

On page 4 of said bill, strike out lines 13 to 17, inclusive, and insert

"(b) All persons who have practiced physical therapy for at least three years, including at least one year in this State, within the last five years prior to the effective date of this act, or who have graduated from a school or department of physical therapy within three years prior to December 1, 1951, and have resided in this State for at least one year and commenced the practice of physical therapy in this State prior to December 1, 1951; provided, however, that for the purposes of this section the mere administration of massage, external baths and normal exercise shall not be deemed to constitute the practice of physical therapy."

Amendment No. 4

On page 4 of said bill, strike out lines 22 to 24, inclusive, and insert "school, college or department of physical therapy approved by the board. Such school, college or department of physical therapy shall meet all requirements of Article 4 of this chapter."

Amendment No. 5

On page 4, line 29, of said bill, after the period, insert "The examining committee in cases of doubt, may require that applications for a license without examination must be accompanied by a verified statement of a physician and surgeon, licensed under Chapter 5 of this code, stating that to his knowledge the applicant is qualified to practice and has practiced physical therapy as defined in Section 2660, and has practiced in this State for at least the minimum period of time required by Section 2668."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Constitutional Amendment No. 36—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 16 to Article XVI thereof, relating to the issuance of bonds to provide for the construction of grade separations.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Constitutional Amendments:

Amendment No. 1

On page 1, lines 9 and 10, of the printed measure, strike out "five hundred million dollars ($500,000,000)", and insert "two hundred fifty million dollars ($250,000,000)".

Amendment read, and adopted.

Resolution ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Constitutional Amendment No. 41—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding to Article IV thereof a new section to be numbered 31e, relating to bonuses to members of the Armed Forces and providing for a tax on cigarettes and tobacco products to provide funds therefor.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Constitutional Amendments:

Amendment No. 1

In lines 5 to 7, inclusive, of the title of the printed measure, strike out "and providing for a tax on cigarettes and tobacco products to provide funds therefor".

Amendment No. 2

On page 2 of said measure, strike out lines 15 to 20, inclusive.

Amendment No. 3

On page 2 of said measure, strike out lines 15 to 20, inclusive, and insert

"Bonds of the State of California shall be prepared, issued, and sold in the amount of _____ dollars ($_____), in such denominations, to be numbered, to bear such dates, and to bear such rate of interest as shall be determined by the Legislature.

The proceeds of such bonds shall be used:

(a) To provide a fund to be used in carrying out the provisions of this section.

(b) To pay the expenses that may be incurred in preparing, advertising, issuing and selling the bonds, and in administering and directing the expenditure of the moneys realized from the sale of such bonds.

The issuance, signing, countersigning, endorsing, and selling of the bonds herein provided for, and the interest coupons thereon, the place and method of payment of principal and interest thereon, the procedure for initiating, advertising, and holding sales thereof, the performance by the several state boards and state officers of their respective duties in connection therewith, and all other provisions, terms, and conditions relating to the bonds shall be as provided by the Legislature.

The Legislature shall pass all laws, general or special, necessary or convenient to carry into effect the provisions of this section."

Amendments read, and adopted.

Resolution ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1984—An act to provide for the Public School System and the raising of revenue therefor, and for that purpose to repeal Chapters 2 and 15 of Division 3 of the Education Code, to repeal Article 1 of Chapter 16 of Division 3 of said code, to repeal Section 6851.1 of said code, to amend Section 6841 of said code, to add Chapters 2 and 15 to Division 3 of said code, to add Article 1 to Chapter 16 of Division 3 of said code, to add Sections 6711.5 and 6905 to said code, and to add Part 12, comprising Sections 27000 to 28179, inclusive, to the

Revenue and Taxation Code, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 8 of the title of the printed bill, strike out "Sections 6711.5 and", and insert "Section".

Amendment No. 2

Strike out lines 10 and 11 of the title of said bill, and insert "the Revenue and Taxation Code."

Amendment No. 3

On page 5, lines 18 and 19, of said bill, strike out "ninety-seven dollars ($97)", and insert "one hundred dollars ($100)".

Amendment No. 4

On page 6 of said bill, strike out lines 17 and 18, and insert "determining the total current expenses of a district for transportation."

Amendment No. 5

On page 6 of said bill, strike out lines 21 and 22, and insert

"(d) Establish and prescribe formulae for the sole purpose of computing financial allowances under which school busses may be acquired in accordance with the provisions of Section 7037."

Amendment No. 6

On page 6 of said bill, strike out line 25, and insert

"(f) Establish and prescribe formulae for the sole purpose of computing financial allowances for reimbursement of replacement expenses incurred by a school district in replacing school busses."

Amendment No. 7

On page 11 of said bill, between lines 7 and 8, insert

"7047.5. The amount by which the foundation program computed under this article for an elementary school district having an average daily attendance of less than 100 exceeds the foundation program which would have been computed for such district by multiplying the number of units of average daily attendance of such district by one hundred eighty-five dollars ($185) shall, beginning with the Fiscal Year 1953-1954, be reduced by an amount equal to 20 percent of the amount of such excess and for each of the four succeeding fiscal years by an additional 20 percent except as to any elementary school district in which any one or more of the following conditions obtain:

(a) If not less than five pupils residing in the district and attending grades kindergarten to eight, inclusive, would be required to travel more than 10 miles one way from a point on a well-traveled road nearest their home to the nearest other public elementary school, or

(b) If not less than 15 pupils residing in the district and attending grades kindergarten to eight, inclusive, would be required to travel more than five miles one way from a point on a well-traveled road nearest their home to the nearest other public elementary school

If topographical or other conditions exist in a district which would impose unusual hardships if the number of miles specified was required to be traveled or if during the fiscal year the roads which would be traveled have been impassible for more than an average of two weeks per year for the preceding five years, the governing board of the district may, on or before April 1st, request the Superintendent of Public Instruction, in writing, for an exemption from such requirements or for a reduction in the miles required The request shall be accompanied by a statement of the conditions upon which such request is based, giving such information in such form as the Superintendent of Public Instruction may require. The Superintendent of Public Instruction shall cause an investigation to be made, and he shall either grant such request to the extent deemed necessary by him or deny the request."

Amendment No. 8

On page 11, line 10, of said bill, strike out "325", and insert "301".

Amendment No. 9

On page 11, line 17, of said bill, strike out "hundred twenty-fourth", and insert hundredth".

Amendment No. 10

On page 11, line 21, of said bill, strike out "325", and insert "301".

Amendment No. 11

On page 11, line 27, of said bill, strike out "dollars ($200)", and insert "ten dollars ($210)".

Amendment No. 12

On page 11, line 37, of said bill, strike out "1951", and insert "1952".

Amendment No. 13

On page 11, lines 42 and 43, of said bill, strike out "325 or more by two hundred dollars ($200)", and insert "301 or more by two hundred ten dollars ($210)".

Amendment No. 14

On page 11 of said bill, between lines 43 and 44, insert

"7050.5 The amount by which the foundation program computed under Section 7048 or Section 7049 for a high school district exceeds the foundation program which would have been computed for such district by multiplying the number of units of average daily attendance of such district by two hundred ten dollars ($210) shall, beginning with the Fiscal Year 1954-1956, be reduced by an amount equal to 20 percent of the amount of such excess and for each of the four succeeding fiscal years by an additional 20 percent except as to any high school district in which any one or more of the following conditions obtain

(a) If as many as five pupils residing in the district and attending Grades 9 to 12, inclusive, would be required to travel more than 30 miles one way from a point on a well-traveled road nearest their home to the nearest other public high school, or

(b) If as many as 10 pupils residing in the district and attending Grades 9 to 12, inclusive, would be required to travel more than 20 miles one way from a point on a well-traveled road nearest their home to the nearest other public high school, or

(c) If as many as 40 pupils residing in the district and attending Grades 9 to 12, inclusive, would be required to travel more than 15 miles one way from a point on a well-traveled road nearest their home to the nearest other public high school.

If topographical or other conditions exist in a district which would impose unusual hardships if the number of miles specified was required to be traveled or if during the fiscal year the roads which would be traveled have been impassable for more than an average of two weeks per year for the preceding five years, the governing board of the district may, on or before April 1st, request the Superintendent of Public Instruction, in writing, for an exemption from such requirements or for a reduction in the miles required. The request shall be accompanied by a statement of the conditions upon which such request is based, giving such information in such form as the Superintendent of Public Instruction may require. The Superintendent of Public Instruction shall cause an investigation to be made, and he shall either grant such request to the extent deemed necessary by him or deny the request."

Amendment No. 15

On page 12, line 6, of said bill, strike out "Ninety-seven dollars ($97)", and insert "One hundred dollars ($100)".

Amendment No. 16

On page 12, lines 37 and 38, of said bill, strike out "ninety-seven dollars ($97)", and insert "one hundred dollars ($100)".

Amendment No. 17

On page 13, lines 6 and 7, of said bill, strike out "ninety-seven dollars ($97)", and insert "one hundred dollars ($100)".

Amendment No. 18

On page 20, lines 35 and 36, of said bill, strike out "ninety-seven dollars ($97)", and insert "one hundred dollars ($100)".

Amendment No. 19

On page 21, lines 31 and 32, of said bill, strike out "ninety-seven dollars ($97)", and insert "one hundred dollars ($100)".

Amendment No. 20

On page 24 of said bill, strike out lines 40 to 52, inclusive, and insert

"SEC. 7. Section 6905 is added to said code, to read:

6905. In computing the average daily attendance of any district, school, or class for the Fiscal Year 1951-1952 and thereafter under any section which requires the divisor used to be the number of days school was actually taught in the regular day schools of the district during the preceding fiscal year, and the number of days actually taught in the regular day schools of the district was 175 or more, the divisor shall be 175."

Amendment No. 21

On page 25, line 1, of said bill, strike out "9", and insert "8".

Amendment No. 22

On page 25, line 2, of said bill, strike out "10", and insert "9".

Amendment No. 23

On page 31, line 46, of said bill, strike out "11", and insert "10".

Amendment No. 24

On page 32 of said bill, strike out lines 7 to 19, inclusive, and insert

"SEC. 11. If this act requires the performance of any duty between July 1, 1951, and the effective date of this act, such duty shall be performed within 10 days after such effective date."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 2850—An act to amend Section 110 of the Revenue and Taxation Code, relating to property taxation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 110 of", and insert "add Section 110.8 to".

Amendment No. 2

On page 1, lines 1 and 2, of said bill, strike out "110 of the Revenue and Taxation Code is amended", and insert "110.8 is added to the Revenue and Taxation Code,".

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 9, inclusive, and insert

"110.8. In determining the "value," "full cash value," or "cash value" of a building or improvement specifically designed for non-profit purposes and not susceptible to conversion to ordinary residential, commercial or industrial uses without substantial alteration or reconstruction, exclusively owned and operated for such non-profit purposes by a community chest, fund, foundation or non-profit corporation, and not used or operated by the owner or other person for profit, its value in use, if any, to the owner shall not be considered but only the price which a buyer, willing but not compelled to buy, would pay for such building or improvement to a seller, willing but not compelled to sell, considering all the uses to which such building or improvement may be adapted

In determining the price which such a buyer would pay, full effect shall be given to the following:

(a) Ability or inability to operate such building or improvement at a profit for the purposes for which it was designed, profit being defined to mean an excess of earned income, excluding gifts, donations and endowment income, over all expenses, including reasonable amortization of investment in such building or improvement

(b) Practical, legal and other restrictions upon conversion to ordinary residential, commercial or industrial use, including but not limited to, the following: zoning and other legal restrictions; lack of access to public highways and other facilities; suitability of location for such use; and features of physical construction, design or fixed equipment installed therein

(c) Cost of conversion to ordinary residential, commercial or industrial use

(d) All other elements which might affect the price which a buyer would pay under the circumstances for such building or improvement.

In determining the "value," "full cash value," or "cash value" of any such building or improvement, the assessor shall take into account, except as in this section provided, the existence of any custom or common method, if any, in arriving at the full cash value of other buildings and improvements

SEC. 2. The Legislature hereby declares that the addition by this act of Section 110.8 to the Revenue and Taxation Code is not a substantive change in the law but merely declaratory of existing law."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 2531—An act to add Section 548 to the Streets and Highways Code, relating to the State Highway System, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "add Section 548 to the Streets and Highways Code, relating to the State Highway System", and insert "provide for the construction of a public highway necessary to the national defense".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. The Department of Public Works, through the Division of Highways is authorized to construct as a state highway, a road from State Highway Route 29 at a point about two miles north of Doyle, to the Sierra Ordnance Depot, traversing the westerly side of the Western Pacific Railroad tracks. The highway, when constructed shall not be a part of the State Highway System, but may be maintained by the Department of Public Works, through the Division of Highways. No money shall be expended by the Department of Public Works for the construction or maintenance of such highway except that received from the Federal Government or appropriated by the Legislature especially for that purpose."

Amendment No. 3

On page 1, lines 17 and 18, of said bill, strike out "make this proposed road a portion of the State Highway System", and insert "give the Department of Public Works the power and authority to construct and maintain such highway when and if funds are made available for the construction and maintenance".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

SECOND READING OF SENATE BILLS

Senate Bill No. 441—An act to add Chapter 9.5, comprising Sections 27179 to 27179.4, inclusive, to Part 3, Division 16, of the Streets and Highways Code, relating to the acquisition, construction, maintenance, and operation of toll roads by bridge and highway districts, and the issuance and sale of revenue bonds for such purposes.

Bill read second time, and ordered to third reading.

Senate Bill No. 454—An act to amend Section 459 of the Vehicle Code, relating to the powers of local authorities respecting highways and the use thereof.

Bill read second time, and ordered to third reading.

Senate Bill No. 640—An act to amend Sections 5, 6, and 7 of, and to add Section 3¼ to, the Highway Carriers' Act, relating to highway carriers.

Bill read second time, and ordered to third reading.

Senate Bill No. 988—An act to amend Sections 6231 and 6264 of the Public Utilities Code, relating to local franchises for public utilities.

Bill read second time, and ordered to third reading.

Senate Bill No. 333—An act to amend Section 5470 of the Health and Safety Code, relating to sewer rental charges and the use of moneys received therefrom.

Bill read second time, and ordered to third reading.

Senate Bill No. 382—An act to amend Section 53732 of the Government Code, relating to capital outlay funds of local agencies.

Bill read second time, and ordered to third reading.

Senate Bill No. 915—An act to amend Section 43068 of the Government Code, relating to powers of cities of the fifth and sixth classes.

Bill read second time, and ordered to third reading.

Senate Bill No. 1683—An act to amend Sections 38440, 38451, 38452, 38460, and 38461, and to repeal Sections 38453 to 38459, inclusive, of the Government Code, relating to discontinuance of municipal parks.

Bill read second time, and ordered to third reading.

Senate Bill No. 528—An act to amend Section 13842 of the Revenue and Taxation Code, relating to exemptions from inheritance tax, including the exemption of nonprofit membership hospital associations or corporations.

Bill read second time, and ordered to third reading.

Senate Bill No. 529—An act to amend Section 15442 of the Revenue and Taxation Code, relating to exemptions from gift tax, including the exemption of nonprofit membership hospital associations or corporations.

Bill read second time, and ordered to third reading.

Senate Bill No. 610—An act creating the Interim San Francisco Bay Ports Commission, describing its powers and duties, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

Senate Bill No. 108—An act to add Section 718 to the Vehicle Code, relating to penalties for overloading vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on April 30, 1951, strike out lines 6 and 7.

Amendment No. 2

On page 2, line 8, of said bill, strike out "1,001", and insert "1,000".

Amendment No. 3

On page 3, line 4, of said bill, after "suspended", insert "upon a second or subsequent conviction of a violation of any weight limitation provision of this chapter or of a violation of Section 731 of this code for requiring operation of a vehicle upon a highway in violation of any weight limitation provision of this chapter".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 279—An act to add Sections 685, 685.1, and 685.2 to the Vehicle Code, relating to equipment of vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 12, of the printed bill, as amended in the Assembly on May 7, 1951, after the period following "unloaded", insert "*Trucks and trailers transporting logs or poles shall be equipped with bunks and chock blocks as herein specified. (a) Chock blocks shall extend to not less than eight inches (8") above the top edge of the bunk except when hauling poles less than twenty-five inches (25") in diameter at the chock.*

(b) Chock block chains shall be not less than one-half inch (½") high test steel chain.

(c) No portion of chock blocks shall extend beyond the ends of the bunks to a point where tilting occurs.

(d) Bunks shall have reasonably sharp top edges to minimize load end shift

(e) Bunks and chock blocks shall be maintained to operate freely without binding.

(f) Bunks shall not be bent down in excess of one inch (1") at either end."

Amendment No. 2

On page 2 of said bill, strike out lines 9 to 14, inclusive, and insert "*bunk, firmly attached to said bunk.*"

Amendment No. 3

On page 3 of said bill, strike out lines 19 to 32, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1744—An act to add Section 679.1 to the Vehicle Code, relating to rules governing the loading and securement of logs and poles.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 4 of the printed bill, as amended in the Assembly on May 7, 1951, strike out lines 13 to 16, inclusive.

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 914—An act to amend Section 37101 of the Government Code, relating to powers of cities of the fifth and sixth classes.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 9, of the printed bill, as amended in the Senate on April 19, 1951, after "tax", insert "at the same rate".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 326—An act to amend Section 16271 of the Education Code, relating to the use of school busses.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 9, of the printed bill, after the second "or", insert "may use such busses to transport graduating twelfth grade pupils, teachers, or other employees employed by the district".

Amendment No. 2

On page 1, line 9, of said bill, strike out "or nations".

Amendment No. 3

On page 1, line 10, of said bill, after the period, insert "In computing the average daily attendance of a school district, there shall be excluded the attendance of graduating twelfth grade pupils while being transported on educational excursions."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 509—An act to add Section 18236 to the Education Code, relating to use of school buildings declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 1, line 8, of the printed bill, as amended in the Senate on April 9, 1951, strike out "with"; and on page 1, line 9, strike out "the approval of the Department of Education,".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1605—An act to add Section 14745 to the Education Code, relating to the termination of local district retirement systems in districts having an average daily attendance of less than 70,000 pupils.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Senate on April 30, 1951, after "any", insert "unified".

Amendment No. 2

On page 2, line 2, of said bill, strike out "made".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Gubser:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the City of Santa Clara, County of Santa Clara, State of California.

Respectfully submitted.

CHARLES S. GUBSER

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR SPEAKER Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Gubser:

An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the City of Santa Clara, County of Santa Clara, State of California

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lockslem, Lanterman, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—63.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3428: By Mr. Gubser—An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the City of Santa Clara, County of Santa Clara, State of California.

Referred to Committee on Judiciary.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 416 FROM COMMITTEE WAIVED

Mr. Condon waived his notice of motion that Senate Bill No. 416 be withdrawn from the Committee on Conservation, Planning, and Public Works, and be placed upon the file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 449—An act to amend Section 3079.5 of the Welfare and Institutions Code, relating to public assistance.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 449?

Amendment No. 1

On page 1, lines 3 and 4, of the printed bill, as amended in the Assembly on April 6, 1951, strike out "one hundred fifty (150)", and insert "two hundred fifty (250)".

Amendment No. 2

On page 1, line 9, of said bill, as amended, strike out "shall", and insert "may".

Amendment No. 3

On page 1, line 15, of said bill, as amended, strike out "shall", and insert "may".

Amendment No. 4

On page 1 of said bill, as amended, strike out lines 18 and 19.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 449 by the following vote:

AYES—Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Conrad, Cooke, Crowley, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sillman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—61

NOES—None.

Assembly Bill No. 449 ordered enrolled.

Assembly Bill No. 567—An act to add Sections 18811 and 26132.1 to the Revenue and Taxation Code, relating to state taxation and providing for the giving of notice to state agencies prior to presentation of claims to the State Controller.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 567?

Amendment No. 1

On page 2, line 9, of the printed bill, as amended in the Assembly on April 16, 1951, after "service", insert "is authorized".

Amendment No. 2

On page 2, line 18, of said bill, as amended, after "service", insert "is authorized"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 567 by the following vote:

AYES—Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Conrad, Cooke, Crowley, Dickey, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sillman, Smith, Thomas, Tomlinson, Waters, and Mr. Speaker—60.

NOES—None

Assembly Bill No. 567 ordered enrolled.

Assembly Bill No. 910—An act to add Section 30.01 to the Public Utility District Act of 1921, authorizing the formation and operation of improvement districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 910?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on April 13, 1951, after "1921," insert "relating to the powers of public utility districts and".

Amendment No. 2

In line 3 of the title of said bill, as amended, after "districts", insert "by public utility districts".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 910 by the following vote:

AYES—Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sillman, Smith, Thomas, Tomlinson, Waters, and Mr Speaker—62.

NOES—None.

Assembly Bill No. 910 ordered enrolled.

Assembly Bill No. 3279—An act to add Section 7209 to the Health and Safety Code, relating to bodies of deceased persons.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3279?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 7209 to the Health and Safety Code, relat-", and insert "amend Section 207 of the Welfare and Institutions Code, relat-".

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 207 of the Welfare and Institutions Code is amended to read:

207. The board may provide for the burial or cremation of the indigent dead *However, nothing in this code shall prohibit the authorities in any city, city and county, or county, responsible for the handling of the indigent dead, in which is located a duly recognized and approved college of mortuary science from entering into a contract with such college of mortuary science to dispose of the indigent dead occurring in that city, city and county, or county, provided the contractee is licensed as a funeral director by the State Board of Funeral Directors and Embalmers and provided that the contractee shall not receive any compensation other than the contract price. Such contract may permit embalming, restorative art, and the holding of funeral services, as well as interment of such bodies.*

Bodies of the unclaimed dead shall be made available to the State Department of Public Health in accordance with the provisions of Sections 7200 to 7208 of the Health and Safety Code."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 10, inclusive

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3279 by the following vote:

AYES—Beck, Belotti, Berry, Burke, Burkhalter, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Luckel,

Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sillman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 3279 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 664

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendment to Assembly Bill No. 664, temporarily passed on the unfinished business file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 664—An act to amend Section 453 of the Vehicle Code, relating to the applicability of the provisions of said code to public employees and publicly owned motor vehicles and other equipment during the installation, removal, repair or maintenance of traffic signs, signals or other traffic control devices.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 664?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on March 29, 1951, after line 19, insert

"(c) The provisions of this division of the code shall not apply to the duly authorized representatives of any public agency while actually engaged in performing any of the work described in subdivision (b) hereof but shall apply to such persons when traveling to and from such work."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 664 by the following vote:

AYES—Beck, Belotti, Berry, Burke, Burkhalter, Chapel, Clarke, Cloved, Coats, Collier, Condon, Connolly, Cooke, Crowley, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 664 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 2513—An act to amend Sections 402 and 422.5 of the Vehicle Code, relating to civil liability and financial responsibility of owners and operators of vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Chapel, Cloved, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Moss, Parker, Porter, Shaw, Sherwin, Stanley, Tomlinson, Waters, and Mr. Speaker—52.

NOES—Beck, Burkhalter, Conrad, Dunn, Evans, Hahn, Henderson, Klocksiem, Levering, McCarthy, Morris, Rosenthal, Smith, and Thomas—14.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2665

Mr. Dunn asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2665, temporarily passed on file, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2665

Assembly Bill No. 2665—An act to amend Section 5699 of the Elections Code, relating to casting of ballots.

Bill read third time.

Motion to Amend

Mr. Dunn moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in the Assembly on May 3, 1951, after "hours", insert ", at least one hour of which shall be exclusive of the normal time required by him to travel to or from his place of employment and his home,".

Amendment No. 2

On page 1, line 11, of said bill, after "hours", insert ", at least one hour of which shall be exclusive of the normal time required by him to travel to or from his place of employment and his home,".

Amendments read.

Roll Call Demanded

Messrs. Dunn, Gaffney, and McFall demanded a roll call.

The roll was called, and the amendments offered by Mr. Dunn to Assembly Bill No. 2665 adopted by the following vote:

AYES—Beck, Berry, Brady, Brown, Burkhalter, Cloyed, Coats, Collier, George D. Collins, Condon, Crowley, Davis, Dills, Doyle, Dunn, Elliott, Gaffney, Geddes, Gubser, Hagen, Hahn, Hawkins, Henderson, Kilpatrick, Lincoln, Maloney, McFall, McMillan, Meyers, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Stanley, and Thomas—37.

NOES—Babbage, Belotti, Burke, Chapel, Connolly, Conrad, Dickey, Erwin, Evans, Fleury, Grant, Grunsky, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Luckel, Lyon, McCarthy, McCollister, McGee, Morris, Moss, Porter, Sherwin, Silliman, Smith, Stewart, Tomlinson, Waters, and Mr. Speaker—36.

Request for Unanimous Consent That Vote Be Changed Upon Roll Call

Mr. Stanley asked for unanimous consent that his vote be changed upon the roll call on the amendments offered by Mr. Dunn to Assembly Bill No. 2665, and that he be recorded as voting "No", instead of "Aye".

Mr. Beck withheld unanimous consent.

Consideration of Further Amendments by Unanimous Consent

By unanimous consent, it was agreed that consideration of further amendments to Assembly Bill No. 2665 will be taken up, at this time, prior to sending the bill to be reprinted.

Consideration of Further Amendments

Motion to Amend

Mr. Condon moved the adoption of the following amendments:

Amendment No. 1

On page 1, lines 17 and 18, of the printed bill, as amended in the Assembly on May 3, 1951, strike out "not less than two working days".

Amendment No. 2

On page 1 of said bill, strike out lines 19 to 21, inclusive, and insert "time of absence."

Amendments read.

Roll Call Demanded

Messrs. Condon, Hagen, and McFall demanded a roll call.

The roll was called, and the amendments offered by Mr. Condon to Assembly Bill No. 2665 refused adoption by the following vote:

AYES—Beck, Berry, Burkhalter, Coats, George D. Collins, Condon, Davis, Doyle, Dunn, Elliott, Gaffney, Hagen, Hawkins, Henderson, Kilpatrick, Maloney, McFall, McMillan, Meyers, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, and Thomas—26

NOES—Babbage, Belotti, Brady, Burke, Caldecott, Chapel, Cloyed, Collier, Connolly, Conrad, Dickey, Dolwig, Erwin, Evans, Fleury, Geddes, Grunsky, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lipscomb, Luckel, Lyon, McCarthy, McCollister, McGee, Morris, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—40.

Consideration of Further Amendments

Motion to Amend

Mr. Doyle moved the adoption of the following amendment:

Amendment No. 1

On page 1, lines 17 and 18, of the printed bill, as amended in the Assembly on May 3, 1951, strike out "not less than two working days prior to such absence", and insert "and furnishes evidence of having in fact exercised his franchise by voting".

Amendment read.

The roll was called, and the amendment refused adoption by the following vote:

AYES—George D. Collins, Davis, Dills, Doyle, Dunn, Elliott, Hagen, Kilpatrick, Maloney, McFall, McMillan, Munnell, Niehouse, and Parker—14.

NOES—Babbage, Brady, Burke, Caldecott, Chapel, Cloyed, Coats, Collier, Connolly, Conrad, Dickey, Dolwig, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, McCarthy, McGee, Morris, Moss, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—48.

Notice of Motion to Reconsider Amendments Offered by Mr. Dunn to Assembly Bill No. 2665

Mr. Fleury gave notice that on the next legislative day he would move to reconsider the vote whereby the amendments offered by Mr. Dunn to Assembly Bill No. 2665 were this day adopted.

Motion to Take Up Notice of Motion to Reconsider, at This Time

Mr. Grunsky moved that the notice of motion to reconsider, given by Mr. Fleury, be taken up, at this time.

Mr. Brady seconded the motion.

Motion carried.

The question being on the motion to reconsider the vote whereby the amendments offered by Mr. Dunn to Assembly Bill No. 2665 were adopted.

The roll was called, and reconsideration granted by the following vote:

AYES—Babbage, Belotti, Burke, Caldecott, Chapel, Cloyed, Collier, Connolly, Conrad, Cooke, Dickey, Dolwig, Erwin, Evans, Fleury, Grant, Grunsky, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, McCarthy, McCollister, McGee, Morris, Porter, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—43

NOES—Beck, Berry, Brady, Brown, Burkhalter, Coats, George D. Collins, Condon, Crowley, Davis, Dills, Doyle, Dunn, Elliott, Gaffney, Geddes, Hagen, Hawkins, Henderson, Kilpatrick, Lincoln, Lowrey, Maloney, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, and Shaw—33.

Further Consideration of Amendments by Mr. Dunn

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in the Assembly on May 3, 1951, after "hours", insert ", at least one hour of which shall be exclusive of the normal time required by him to travel to or from his place of employment and his home,".

Amendment No. 2

On page 1, line 11, of said bill, after "hours", insert ", at least one hour of which shall be exclusive of the normal time required by him to travel to or from his place of employment and his home,".

Amendments read.

Point of Order

Mr. Brady arose to the following point of order: That the hour for the special order of business having arrived, the matter now under discussion is not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled that the point of order is not well taken because the House is engaged in debate, at this time.

The question being on the adoption of the amendments offered by Mr. Dunn to Assembly Bill No. 2665.

Roll Call Demanded

Messrs. Dunn, Cooke, and George D. Collins demanded a roll call.

The roll was called, and the amendments offered by Mr. Dunn to Assembly Bill No. 2665 refused adoption by the following vote:

AYES—Beck, Berry, Brady, Brown, Burkhalter, Coats, George D. Collins, Condon, Crowley, Davis, Dills, Doyle, Dunn, Elliott, Gaffney, Geddes, Gubser, Hagen, Hawkins, Henderson, Lincoln, Lowrey, Luckel, Maloney, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, and Thomas—35

NOES—Babbage, Belotti, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Dickey, Dolwig, Erwin, Evans, Fleury, Grant, Grunsky, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lyon, McCarthy, McCollister, McGee, Morris, Potter, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr Speaker—42.

Notice of Motion to Reconsider the Amendments Offered by Mr. Condon to Assembly Bill No. 2665

Mr. Coats gave notice that on the next legislative day he would move to reconsider the vote whereby the amendments offered by Mr. Condon to Assembly Bill No. 2665 were this day refused adoption.

Motion to Take Up Notice of Motion to Reconsider at This Time

Mr. Grunsky moved that the notice of motion to reconsider, given by Mr. Coats, be taken up, at this time.

Mr. Brady seconded the motion.

Motion carried.

The question being on the motion to reconsider the amendments offered by Mr. Condon to Assembly Bill No. 2665.

Demand for Previous Question

Messrs. Levering, Connolly, Hansen, Silliman, and Collier demanded the previous question.

Demand for previous question sustained.

The question being on the motion to reconsider the amendments offered by Mr. Condon to Assembly Bill No. 2665.

The roll was called, and reconsideration refused by the following vote:

AYES—Beck, Berry, Burkhalter, Coats, George D. Collins, Condon, Davis, Doyle, Dunn, Elliott, Gaffney, Hagen, Hawkins, Henderson, Kilpatrick, Lowrey, Maloney, McFall, McMillan, Moss, Munnell, Parker, Rumford, and Shaw—24.

NOES—Babbage, Belotti, Brady, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Dickey, Dolwig, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Luckel, Lyon, McCarthy, McCollister, McGee, Meyers, Morris, Niehouse, Porter, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—47.

Notice of Motion to Reconsider the Amendments Offered by Mr. Dunn to Assembly Bill No. 2665

Mr. Dunn gave notice that on the next legislative day he would move to reconsider the vote whereby his amendments to Assembly Bill No. 2665 were this day refused adoption.

Point of Order

Mr. Silliman arose to the following point of order: That the notice of motion to reconsider, given by Mr. Dunn, is not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Request for Unanimous Consent That Chief Clerk Be Instructed to Get Opinion From Legislative Counsel

Mr. Dunn asked for, and was granted, unanimous consent that the Chief Clerk be instructed to obtain an opinion relative to the above ruling by the Speaker, and that it be ordered printed in the Journal.

The question being on the passage of Assembly Bill No. 2665.

Point of Order

Mr. Brady arose to the following point of order: That the hour for the special order of business has arrived, and the business now before the House is not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken because the House is in the midst of debate.

Notice of Motion to Reconsider Amendment Offered by Mr. Doyle to Assembly Bill No. 2665

Mr. Coats gave notice that on the next legislative day he would move to reconsider the vote whereby the amendment offered by Mr. Doyle to Assembly Bill No. 2665 was this day refused adoption.

Ruling by Speaker

Speaker Sam L. Collins ruled the notice of motion to reconsider, given by Mr. Coats, a dilatory motion.

The question being on the passage of Assembly Bill No. 2665.

Demand for Previous Question

Messrs Levering, Collier, Lanterman, Hinckley, and Silliman demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2665.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Burke, Caldecott, Clarke, Cloyed, Collier, Connolly, Conrad, Dickey, Dolwig, Erwin, Evans, Fleury, Grant, Gubser, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, McCarthy, McCollister, McGee, Morris, Porter, Sherwin, Sillman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—41.

NOES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Chapel, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Doyle, Dunn, Elliott, Gaffney, Geddes, Hagen, Hawkins, Henderson, Kilpatrick, Lowrey, Luckel, Maloney, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, and Thomas—36.

Request for Unanimous Consent That Vote Be Changed Upon Roll Call

Mr. Doyle asked for, and was granted, unanimous consent that his vote be changed upon the roll call on Assembly Bill No. 2665, and that he be recorded as voting "No", instead of "Aye."

Notice of Motion to Reconsider Assembly Bill No. 2665

Mr. Maloney gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2665 was this day passed.

ANNOUNCEMENT

Mr. Dickey announced, on behalf of Mr. Beck, a Democratic luncheon and Caucus today, upon recess, at the Hotel Sacramento.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 101
Assembly Bill No 2487

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1234

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 71

Has had the same under consideration, and reports the same back with the recommendation Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 71

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 71—Relative to approving amendments to the charter of the City of Pacific Grove, a municipal corporation in the County of Monterey, State of California, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the ninth day of April, 1951.

Referred to Committee on Rules.

RECESS

At 11.58 a.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 245—An act to amend Section 4656.4 of and to add Section 2152.5 to, the Revenue and Taxation Code, relating to the distribution and computation of property taxes;

Assembly Bill No. 354—An act to add Section 2181.05 to the Welfare and Institutions Code, relating to old age security, in respect to statements required concerning the granting of aid;

Assembly Bill No. 479—An act to repeal Section 170.5 of and to add Section 170.5 to the Code of Civil Procedure, relating to disqualification of judges;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of May, 1951, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 665—An act to amend Section 588 of the Vehicle Code, relating to additional parking regulations;

Assembly Bill No. 803—An act to amend Section 203 of the Welfare and Institutions Code, relating to establishment and operation of county hospitals;

Assembly Bill No. 838—An act to amend Section 1719 of, and to add Section 9709 to, the Elections Code, relating to municipal elections;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of May, 1951, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 855—An act to amend Section 226 of the Civil Code, relating to adoption of children;

Assembly Bill No. 856—An act to amend Sections 224, 224p, 226a, and 226b of the Civil Code, and to add Section 227d thereto, relating to the adoption of children;

Assembly Bill No. 907—An act to amend Section 45 of the Public Utility District Act, relating to debts in excess of limits being void except in cases where district finances water works by bond issue paying indebtedness out of revenues, by authorizing district to issue such bonds and to pledge revenues of such water works to payment thereof.

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of May, 1951, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 945—An act to amend Section 954 of the Fish and Game Code, relating to nets;

Assembly Bill No. 1007—An act to amend Section 175 of the Vehicle Code, relating to signatures required when transferring title or interest in a vehicle;

Assembly Bill No. 1008—An act to amend Section 176 of the Vehicle Code, relating to dating, endorsing, and delivering of certificates of ownership to motor vehicles;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of May, 1951, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1176—An act to amend Sections 668, 3024, and 3045 of the Penal Code, relating to pleading and proof of prior convictions;

Assembly Bill No. 1227—An act to amend Sections 9036 and 9039 of the Business and Professions Code, relating to the fees of social workers;

Assembly Bill No. 1317—An act to amend Sections 16430 and 16434 of the Education Code, relating to school safety patrols;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of May, 1951, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1542—An act to amend Section 1325 of the Penal Code, relating to immunity of witnesses from criminal prosecution;

Assembly Bill No. 1721—An act to amend Section 28112 of the Government Code, relating to compensation for public service in counties of the twelfth class;

Assembly Bill No. 1742—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of May, 1951, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1743—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined, declaring the urgency of this act, to take effect immediately;

Assembly Bill No. 1855—An act to amend Section 678 of the Vehicle Code, relating to tire equipment;

Assembly Bill No. 1906—An act to amend Section 5511 of, and to add Section 5512.5 to, the Welfare and Institutions Code, relating to right to jury trial of persons committed as sexual psychopaths;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of May, 1951, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1938—An act to amend Section 1952 of the Code of Civil Procedure, relating to destruction of exhibits and depositions;

Assembly Bill No. 2310—An act to amend Section 14071 of the Education Code, relating to leaves of absence and vacations for noncertificated employees;

Assembly Bill No. 2320—An act to amend Sections 6500 and 6502 of the Government Code, relating to the joint exercise of powers by public agencies;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of May, 1951, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2347—An act to amend Sections 50013, 50101, 50110, 50152, 50332, 50401, 50600, 50601, 50602, 50603, 50609, 50631, 50654, 50657, 50659, 50700,

50730, 50731, 50901, 50951, 50953, 50954, 50958, 51324, 51337, 51338, 51339, 51340, 51341, 51346, 51347, 51348, 51349, 51360, 51362, 51364, 51365, 51424, 51480, 51513, 51601, 51661, 51850, 52223, 52224, 52302, 53072, and 53092 of, and to add Sections 50014, 51332.1, 51332.2 to, and to repeal Section 50733 of, the Water Code, relating to reclamation districts;

Assembly Bill No. 2717—An act to amend Section 656 of the Agricultural Code, relating to purchase of oleomargarine for state institutions;

Assembly Bill No. 3068—An act to amend Section 28103 of the Government Code, relating to jurors' fees in counties of the third class;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of May, 1951, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 58—Approving the charter of the City of Arcadia, County of Los Angeles, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the twenty-fourth day of April, 1951;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the fourteenth day of May, 1951, at 1 p.m.

BURKE, Chairman

RESOLUTIONS

The following resolutions were offered:

By Mr. McCollister:

House Resolution No. 144

Relative to requesting the Assembly Interim Committee On Interstate Cooperation to ascertain facts relating to motor vehicle registration

WHEREAS, The Assembly Interim Committee On Interstate Cooperation created by House Resolution No. 216, 1949 Regular Session, was directed to and did study and investigate facts relating to the development of a System of Registration of Motor Vehicles on a monthly basis; and

WHEREAS, It appears that certain additional facts are necessary in order that the Assembly may intelligently legislate upon this complicated subject, particularly facts relating to the operation of the so-called "staggered system" of vehicle registration now in use in the States of Oregon, Missouri, and Wisconsin, and the problems which may have arisen in connection therewith; and

WHEREAS, A new committee on Interstate Cooperation has been created by House Resolution No. 105 of this 1951 General Session of the Legislature and it appears that the experience gained by the members thereof qualify this committee for the task of ascertaining such additional facts, now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee On Interstate Cooperation, (created by House Resolution No. 105, 1951 General Session) be and it hereby is authorized and directed to ascertain, study and analyze all facts relating to the development of a System of Registration of Motor Vehicles on a monthly basis so as to permit, as far as possible, uniform distribution of the work of registration throughout each month of the calendar year and the establishment of 12 registration periods of 12 months duration, and particularly all facts relating to the systems of this nature now in use in the States of Oregon, Missouri, and Wisconsin, including but not limited to the operation, effect, administration, and enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in its report its recommendations for appropriate legislation; and be it further

Resolved, That in carrying out the duties imposed upon it by this resolution the committee shall have all the powers and duties prescribed in said House Resolution No. 105 (1951 General Session) and particularly shall be authorized to make this study in conjunction with the Department of Motor Vehicles and to contract with the Department of Motor Vehicles for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes of this resolution; and be it further

Resolved, That in addition to any money heretofore made available the sum of two thousand five hundred dollars ($2,500) or so much thereof as may be necessary is hereby made available to the committee from the unallocated balance of the money previously made available to the Committee On Interstate Cooperation by House Resolution No. 216 of the 1949 Regular Session, for the expenses of the Assembly Committee on Interstate Cooperation (created by House Resolution No. 105, 1951 General Session) and its members, and for any charges, expenses, or claims it may incur under

this resolution, to be paid from the Contingent Fund of the Assembly and disbursed after certification by the chairman of the committee, upon warrants drawn by the State Controller on the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Brown:

House Resolution No. 145

Relating to studies of the feasibility of location of a state college at Modesto

WHEREAS, There is before the Legislature Assembly Bill 4 which proposes to establish a four-year state college in or near Modesto; and

WHEREAS, Senate Concurrent Resolution 40 has been introduced proposing to create a Joint Legislative Committee to Study the Building Program Problems at Presently Established State Colleges; and

WHEREAS, It would seem more efficient to begin dispersal of college locations throughout the State in certain cases, rather than only expanding facilities at the present 10 locations; and

WHEREAS, The location of a four-year state college at Modesto would be readily accessible to the increasing number of present and potential students in that area and relieve pressure on colleges in the Bay area and Central Valley; now, therefore, be it

Resolved by the Assembly of the State of California, That the State Council of Educational Planning and Coordination, the Regents of the University of California, the Department of Education, and the joint legislative committee when created, are requested and authorized to cooperate in the formulation of a study or studies of the feasibility of location of a four-year state college at Modesto, and be it further

Resolved, That a report of these studies be made to the Legislature not later than 10 days after convening of the 1952 Session, and be it further

Resolved, That copies of this resolution be transmitted by the Chief Clerk of the Assembly to each of the participants in the studies.

Resolution read, and ordered referred to the Committee on Rules.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Collier:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 2008.5 of the Welfare and Institutions Code relating to the acceptance or solicitation of compensation or funds from aged persons for assisting persons to obtain aid or to influence the enactment of legislation relating to state aid to the aged.

Respectfully submitted.

JOHN L. E. COLLIER

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Collier:

An act to amend Section 2008.5 of the Welfare and Institutions Code relating to the acceptance or solicitation of compensation or funds from aged persons for assisting persons to obtain aid or to influence the enactment of legislation relating to state aid to the aged.

BURKE, Chairman

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Collier moved a call of the Assembly.

Motion carried. Time, 2.03 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Babbage, Brown, Burke, Conrad, Davis, Dills, Gaffney, Grunsky, Gubser, Hinckley, Lanterman, Lincoln, Lindsay, Luckel, Maloney, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Silliman, Stewart, Tomlinson and Waters—25.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr Hagen asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

ANNOUNCEMENT

Speaker Sam L Collins again announced that amendments which are not in order, are daily being placed across the desk by committee chairmen, and again urged that all proposed amendments be checked with the Legislative Counsel prior to being placed across the desk in an effort to eliminate unnecessary work.

REQUEST FOR UNANIMOUS CONSENT THAT CHIEF CLERK BE AUTHORIZED TO PUT AMENDMENTS IN ORDER

Mr. Henderson asked for, and was granted, unanimous consent that the Chief Clerk be authorized to put the amendments to Assembly Bill No. 3177, which were adopted this morning on second reading, in order.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 23

Mr. Hagen asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 23, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 23

Assembly Bill No. 23—An act to amend Section 25656 of the Water Code, relating to assessments in irrigation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1091

Mr. Brown asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 1091, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1091—An act to add Title 11, comprising Sections 1300 to 1331, inclusive, to Part 3 of the Code of Civil Procedure, providing a uniform civil and criminal procedure for enforcement of the duties of support.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1091?

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on March 22, 1951, strike out "uniform".

Amendment No. 2

On page 1, line 4, of said bill, as amended, strike out "Uniform"

Amendment No. 3

On page 1, line 9, of said bill, as amended, strike out "Uniform".

Amendment No. 4

In the title of the printed bill, as amended in the Senate on May 8, 1951, strike out line 1, and insert "An act to add Title 10a, comprising Sections 1650 to 1681,".

Amendment No. 5

In line 2 of the title of said bill, strike out "sive,".

Amendment No. 6

On page 1, line 1, of said bill, strike out "11", and insert "10a".

Amendment No. 7

On page 1, line 4, of said bill, strike out "11", and insert "10a".

Amendment No. 8

On page 1, line 9, of said bill, strike out "1300", and insert "1650".

Amendment No. 9

On page 1, line 11, of said bill, strike out "1301", and insert "1651".

Amendment No. 10

On page 1, line 14, of said bill, strike out "1302", and insert "1652".

Amendment No. 11

On page 2, line 13, of said bill, strike out "1303", and insert "1653".

Amendment No. 12

On page 2, line 15, of said bill, strike out "1304", and insert "1654".

Amendment No. 13

On page 2, line 18, of said bill, strike out "1320", and insert "1670".

Amendment No. 14

On page 2, line 24, of said bill, strike out "1310", and insert "1660".

Amendment No. 15

On page 2 of said bill, strike out line 41, and insert
"1661. Any obligor contemplated by Section 1660, who".

Amendment No. 16

On page 2, line 49, of said bill, strike out "1320", and insert "1670".

Amendment No. 17

On page 3, line 3, of said bill, strike out "1321", and insert "1671".

Amendment No. 18

On page 3, line 8, of said bill, strike out "1322", and insert "1672".

Amendment No. 19

On page 3, line 12, of said bill, strike out "1323", and insert "1673".

Amendment No. 20

On page 3, line 16, of said bill, strike out "1324", and insert "1674".

Amendment No. 21

On page 3, line 24, of said bill, strike out "1325", and insert "1675"

Amendment No. 22

On page 3, line 30, of said bill, strike out "1326", and insert "1676".

Amendment No. 23

On page 3, line 34, of said bill, strike out "1327", and insert "1677".

Amendment No. 24

On page 3, line 38, of said bill, strike out "1328", and insert "1678".

Amendment No. 25

On page 4, line 5, of said bill, strike out "1329", and insert "1679".

Amendment No. 26

On page 4, line 13, of said bill, strike out "1330", and insert "1680".

Amendment No. 27

On page 4, line 18, of said bill, strike out "1331", and insert "1681".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1091 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Smith, Thomas, Tomlinson, and Mr. Speaker—64

NOES—None.

Assembly Bill No. 1091 ordered enrolled.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON PERMISSION TO INTRODUCE A BILL

At 2.10 p.m., on motion of Mr. Collier, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Mr. Collier was granted permission to introduce a bill by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3429: By Mr. Collier—An act to amend Section 2008.5 of the Welfare and Institutions Code relating to the acceptance or solicitation of compensation or funds from aged persons for assisting persons to obtain aid or to influence the enactment of legislation relating to state aid to the aged.

Referred to Committee on Governmental Efficiency and Economy.

Point of Order

Mr. Dunn arose to the following point of order: That the hour for the special order of business has arrived.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bill No. 1985 was taken up.

Assembly Bill No. 1985—An act to repeal Chapters 2 and 15 of Division 3 of the Education Code, to repeal Article 1 of Chapter 16 of Division 3 of said code, to repeal Sections 6851.1 of said code, to amend Section 6841 of said code, to add Chapters 2 and 15 to Division 3 of said code, to add Article 1 to Chapter 16 of Division 3 of said code, and to add Section 6905 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Request for Unanimous Consent That Proposed Amendments Be Considered Out of Order

Mr. Dunn asked for, and was granted, unanimous consent that his proposed amendments to Assembly Bill No. 1985 be taken up, out of order, at this time; and that the amendments being offered by the Committee on Ways and Means be considered prior to the sending of the bill to be reprinted. (Note: Mr. Sherwin joined with Mr. Dunn in this unanimous consent request.)

Consideration of Amendments
Motion to Amend

Mr. Dunn moved the adoption of the following amendments:

Amendment No. 1

In lines 7 and 8 of the title of the printed bill, as amended in the Assembly on May 11, 1951, strike out ", declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 26 of said bill, strike out lines 18 to 31, inclusive, and insert

"SEC. 9. If this act requires the performance of any duty between July 1, 1951, and the effective date of this act, such duty shall be performed within 10 days after such effective date."

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 6 of the title of the printed bill, as amended in the Assembly on May 11, 1951, strike out "and".

Amendment No. 2

In line 7 of the title of said bill, after "code," insert "and to add Part 12, comprising Sections 27000 to 28179, inclusive, to Division 2 of the Revenue and Taxation Code,".

Amendment No. 3

On page 26 of said bill, between lines 17 and 18, insert

"SEC. 9. Part 12, comprising Sections 27000 to 28179, inclusive, is added to Division 2 of the Revenue and Taxation Code, to read.

PART 12. CIGARETTE TAX

CHAPTER 1. DEFINITIONS

27000. This part is known and may be cited as the "Cigarette Tax Law."

27001. Except where the context otherwise requires, the definitions given in this chapter govern the construction of this part.

27002. "Cigarette" means any roll for smoking, made wholly or in part of tobacco, irrespective of size or shape and irrespective of whether the tobacco is flavored, adulterated or mixed with any other ingredient, where such roll has a wrapper or cover made of paper or any other material, except where such wrapper is wholly or in the greater part made of tobacco.

27003. "Person" includes any individual, firm, copartnership, joint adventure, association, social club, fraternal organization, corporation, estate, trust, business trust, receiver, syndicate, this State, any county, city and county, municipality, district, or other political subdivision thereof or any other group or combination acting as a unit and also an executor, administrator, receiver, trustee or other fiduciary.

27004. "Sale" and "sold" mean any transfer, exchange, or barter, with or without compensation, in any manner or by any means whatever.

27005. "Package" means the individual package, box, or other container in or from which retail sales of cigarettes are normally made or intended to be made.

27006. "Vendor" means any person who comes into possession of cigarettes for the purpose of sale, use or distribution within this State.

27007. "Agent" means any person authorized by the board to purchase and affix adhesive or meter stamps under this part.

27008. "Stamp" means the stamp or stamps authorized by the board, by use of which the tax levy under this part is paid.

27009. "Board" means the State Board of Equalization.

CHAPTER 2. IMPOSITION OF TAX

27050. From and after the first day of July, 1951, there is hereby levied, and there shall be collected as provided in this part, an excise tax upon all cigarettes possessed in this State by any person for sale, use, consumption, handling or distribution in an amount equal to three cents ($0.03) for each 20 cigarettes or fraction thereof.

27051. Cigarettes sold under such circumstances that this State is without power to impose such tax or sold to or by a voluntary unincorporated organization of army or navy personnel operating a place for the sale of goods pursuant to regulations promulgated by the Secretary of War or the Secretary of the Navy are exempted from the taxes imposed by this part.

27052. Any vendor engaged in interstate business who shall furnish surety bond in a sum satisfactory to the board may set aside such part of his stock as may be necessary for the conduct of such interstate business without affixing the stamps required under this part. Such interstate stock shall be kept separate and apart from all other stocks of cigarettes. Such vendor shall at the time of shipping or delivering any cigarettes make a true and duplicate invoice of the same which shall show full and complete details of the sale or delivery and shall retain the same subject to the use and inspection of the board.

27053. If shall be presumed for the purposes of this part that all cigarettes manufactured in this State, delivered to or possessed by any person on and after July 1, 1951, are subject to tax under this part until the contrary is established, and the burden of proof that any cigarettes are not taxable under this part shall be upon the person claiming the exemption.

CHAPTER 3. PAYMENT OF TAX

27075. Vendors and agents shall be liable to the State as taxpayers for the payment of the tax imposed under this part and shall pay the tax by purchasing adhesive or meter stamps from the board of such design and denomination as it may prescribe.

27076. Every vendor within 24 hours of the receipt of any cigarettes shall cause to be affixed on every package of such cigarettes on which the tax required under this part has not previously been paid as evidenced by stamps affixed thereto, stamps of an amount equal to the tax due thereon before such person sells, offers for sale, uses, consumes, handles, removes or distributes such cigarettes in this State.

27077. Stamps shall be affixed to each package of cigarettes of an aggregate denomination not less than the amount of tax upon the contents therein, and shall

be affixed in such manner as to be visible to the purchaser and that they cannot be removed from the package or container without being mutilated or destroyed.

27078. The board may require returns to be filed with it at such times and containing such information as it may prescribe.

27079. The board shall prescribe, prepare and furnish stamps of such denominations and quantities as may be necessary for the payment of the tax imposed by this part, and may from time to time and as often as it deems advisable provide for the issuance and exclusive use of stamps of a new design and forbid the use of stamps of any other design. The board shall make provisions for the sale of such stamps at such places and at such times as it may deem necessary.

27080. The board may appoint dealers in cigarettes, manufacturers of cigarettes, and other persons within or without the State as agents to buy or affix stamps to be used in paying the tax required under this part. An agent shall at all times have the right to appoint the person in his employ who is to affix the stamps to any cigarettes under the agent's control. Whenever the board shall sell and deliver stamps to any such agent, he shall be entitled to receive as compensation for his services and expenses as such agent in purchasing and affixing the stamps, and to retain out of the money to be paid by him for the stamps, a commission on the par value thereof. The board may prescribe a schedule of commissions, not exceeding 3 per centum allowable to such agent for buying and affixing such stamps. Such schedule shall be uniform with respect to the different types of stamps used, and may be on a graduated scale with respect to the number of stamps purchased.

27081. The board may, in its discretion, permit an agent to pay for such stamps within 30 days after the date of purchase provided a bond satisfactory to the board in an amount not less than the sale price for such stamps shall have been filed with the board conditioned upon payment for the stamps.

27082. The board may authorize the use of meter stamping machines for imprinting stamps, which imprinted stamps shall be in lieu of those otherwise provided for in this part, and shall prescribe reasonable rules and regulations with respect to the use thereof.

CHAPTER 4. RECORDS

28000. At the time of delivering cigarettes to any person in this State each agent shall make a true duplicate invoice showing the date of delivery, the number of packages and number of cigarettes contained therein, in each shipment of cigarettes delivered, and the name of the purchaser to whom delivery is made, and shall retain the same for a period of three years subject to the use and inspection of the board

28001. Each vendor shall procure and retain invoices showing the number of packages and number of cigarettes contained therein, in each shipment of cigarettes received by him, the date thereof, and the name of the shipper, and shall retain the same for a period of three years subject to the use and inspection of the board

28002. The board by regulation may provide that whenever cigarettes are shipped into the State, the railroad company, express company, trucking company or other public carrier transporting any shipment thereof shall file with the board a copy of the freight bill within 10 days after the delivery in the State of each shipment All vendors shall maintain and keep for a period of three years such other records of cigarettes received, sold or delivered within the State as may be required by the board

28003. Every person who shall possess or transport any unstamped packages of cigarettes shall be required to have in his actual possession invoices or delivery tickets for such cigarettes. The absence of such invoices or delivery tickets shall be prima facie evidence that such person is a vendor in this State and subject to the provisions of this part.

CHAPTER 5. DETERMINATIONS

28025 If any person fails to pay the tax required under this part the board shall make an estimate of the quantity of cigarettes sold, used, consumed, handled or distributed by such person in this State on which the tax was not paid. The estimate shall be based upon any information which is in the board's possession or may come in its possession. Upon the basis of this estimate the board shall compute and determine the amount required to be paid to the State, adding to the sum thus arrived at a penalty of an amount equal to the total tax computed, and interest on the amount of the tax at the rate of 1 percent for each 30 days or fraction thereof from the date the tax should have been paid until the date of payment.

28026 Promptly after making its determination the board shall give to the person written notice of the estimate, determination, and penalty, the notice to be served personally or by mail; if by mail, service shall be made pursuant to Section 1013 of the Code of Civil Procedure.

CHAPTER 6. COLLECTIONS

Article 1. Seizure and Sale

28050. Whenever the board shall discover any cigarettes, subject to tax under this part, and upon which the tax has not been paid or the stamps affixed as herein required, it is hereby authorized and empowered to seize and take possession of such cigarettes together with any vending machine or receptacle in which they are held for

sale. Such seized cigarettes, vending machine or receptacle shall be deemed to be forfeited to the State.

28051. The board may, within a reasonable time after a seizure of cigarettes pursuant to this chapter, by a public notice at least five days before the day of sale, sell such forfeited cigarettes at a place to be designated by it and from the proceeds of such sale shall collect the tax due thereon and all other unpaid cigarette taxes found to be due from the vendor by the board together with a penalty of an amount equal to the taxes due and interest at the rate of 1 percent for each 30 days or fraction thereof from the date the tax should have been paid until the date of payment and the costs incurred in such proceedings. The board shall pay the balance, if any, to the person in whose possession such forfeited cigarettes were found.

28052. The board, in lieu of the sale of cigarettes as provided in this chapter, may permit the person from whom any cigarettes were seized to redeem the cigarettes, and any vending machine or receptacle seized therewith, by the payment of the taxes due together with a penalty of an amount equal to the tax due thereon, interest on the amount of the tax at the rate of 1 percent for each 30 days or fraction thereof from the date the tax should have been paid until the date of payment, and the costs incurred in such proceeding, which total payment shall not be less than five dollars ($5).

28053 The seizure and sale or redemption of cigarettes shall not be deemed to relieve any person from fine or imprisonment provided herein for violation of any provision of this part.

28054. When the board has good reason to believe that any cigarettes are being kept, sold, or offered for sale, in violation of the provisions of this part or its regulations it may make an affidavit of such fact, describing the place or thing to be searched, before any justice of peace, or judge of any court in this State, and such justice or judge shall issue a search warrant directed to the sheriff, any constable, police officer, or duly authorized agent of the board commanding him diligently to search any building, room, place, or vehicle as may be designated in the affidavit and search warrant, and to seize such cigarettes so possessed and to hold the same until disposed of by law, and to arrest the person in possession or control of the same. If upon the return of such warrant, it shall appear that any of the cigarette, unlawfully possessed, were seized, the same shall be sold as provided in this part.

Article 2. Civil Action

28075. If any person is delinquent in the payment of any obligation imposed under this part, the board may transmit notice of the delinquency to the Attorney General who shall at once proceed by appropriate legal action to collect all sums due the State

28076 In the action a writ of attachment may issue, and no bond or affidavit previous to the issuing of the attachment is required.

28077. In the action a certificate by the board showing the delinquency shall be prima facie evidence of the levy of the tax, of the delinquency of the amount of tax, interest and penalties set forth in the certificate, and of compliance by the board with all provisions of this part in relation to the assessment of the property and computation and levy of the tax.

CHAPTER 7. REFUNDS

28100. The board may issue regulations providing for the refund to agents and vendors of the cost of stamps affixed to packages of cigarettes, which by reason of damage become unfit for sale or use and are destroyed by the vendor or agent, or are returned to the manufacturer or jobber. In the case of any packages to which stamps have been affixed, and which packages have been sold and shipped to a regular dealer in cigarettes in another state, the seller in this State shall be entitled to a refund of the actual amount of the stamps so affixed, upon condition that the seller in this State shall file an affidavit that the packages were sold and shipped outside of the State and that he has received from the purchaser outside the State a written acknowledgment that he has received such packages with the amount of stamps affixed thereto, together with the name and address of such purchaser. No refund shall be made under this section unless the stamps so affixed for which the refund is claimed have been marked void by the seller in this State with the name and address of the seller stamped thereon.

28101. The board is authorized to redeem any unused stamps purchased from it at the face value thereof less any discount allowed upon their purchase, as an agent's commission

28102 No person shall sell or offer for sale any stamp or stamps issued under this part except by written permission of the board.

CHAPTER 8. ADMINISTRATION

28125. The board shall enforce the provisions of this part and may issue regulations relating to the administration and enforcement of this part.

28126. The board may employ accountants, auditors, investigators, assistants and clerks necessary for the efficient administration of this part.

28127. Every person dealing in, transporting or storing cigarettes in the State shall keep such records, receipts, invoices, and other pertinent papers with respect thereto, and in such form, as the board may require.

28128. The board or its authorized representative may examine the books, records, papers, stock in trade, and equipment of any person dealing in, transporting, or in possession of, cigarettes, and may investigate the character of the disposition which such person makes of the cigarettes in order to ascertain whether all excise taxes due under this part have been properly paid

28129. It is unlawful for the board or any person having an administrative duty under this part to make known in any manner whatever other than in the discharge of official duties the business affairs, operations, or information obtained by an investigation of records and equipment of any person visited or examined in the discharge of an official duty, or the amount or source of income, profits, losses, expenditures or any particular thereof, set forth or disclosed in any report or copy thereof, or any book containing any abstract or particulars thereof to be seen or examined by any person However, the Governor may, by general or special order, authorize examination of the reports by other state officers, by tax officers of another state, by the Federal Government if a reciprocal arrangement exists or by any other person

CHAPTER 9. DISPOSITION OF PROCEEDS

28150 All moneys and remittances received by the State Board of Equalization in pursuance of the provisions of this act shall be transferred promptly to the State Treasurer, and copies of the schedules covering such transmittals shall be furnished at the same time to the State Controller. All moneys so received and so transmitted shall be deposited in the State Treasury and credited to the "Cigarette Tax Fund," which fund is hereby created, to be used for the expenses of the board in administering this act. At the end of each fiscal year the surplus remaining in such fund shall be transferred to the General Fund. If at any time the Legislature shall appropriate funds for the expenses of the board in administering this act then all money received by the board under this act and transmitted to the State Treasurer shall be deposited in the General Fund.

CHAPTER 10 VIOLATIONS

28175 It is a felony for any person falsely or fraudulently to make, forge, alter or counterfeit any stamp prescribed by the board under the provisions of this part, or to cause or procure to be falsely or fraudulently made, forged, altered or counterfeited any such stamp, or to knowingly and wilfully use, utter, purchase, pass or tender as true any such false, altered or counterfeited stamp.

28176. It is a misdemeanor for any person to fail, neglect, or refuse to comply with, or to violate any provision of this part or any regulation issued by the board under this part

28177. It is a misdemeanor for any person to possess or transport unstamped packages of cigarettes in this State for the purpose of sale, or to sell or offer for sale unstamped packages of cigarettes in violation of the provisions of this part

28178. All agents, employees and others who aid, abet, or otherwise participate in any way in the violation of the provisions of this part, shall be guilty and punishable as principals.

28179. It is presumed that persons other than vendors and agents who purchase or receive shipments of unstamped cigarettes do so to avoid payment of the tax imposed under this part.

SEC. 11. It is the intent of the Legislature in enacting Part 12 of Division 2 of the Revenue and Taxation Code that the proceeds of the taxes levied by that part shall be devoted to the support of public education as provided in Chapters 2, 12, 14, 15, and 16 of Division 3 of the Education Code to the extent that such cost is not required to be provided for by Section 6 of Article IX of the Constitution and for the payment of interest and principal of any bonds issued pursuant to Section 15 of Article XVI of the Constitution. This section shall not be construed to set aside in any manner the specific proceeds of the taxes levied under Part 12, but such proceeds shall be applied as provided in Section 28150 of the Revenue and Taxation Code."

Amendment No. 4

On page 26, line 18, of said bill, strike out "9", and insert "10".

Amendments read.

Motion That Bill With Proposed Amendments Be Re-referred to the Committee on Revenue and Taxation

Mr. Sherwin moved that Assembly Bill No. 1985, with above proposed committee amendments, be re-referred to the Committee on Revenue and Taxation for consideration prior to action being taken upon the amendments.

Messrs Doyle and Collier seconded the motion.

Substitute Motion

Mr. Hollibaugh moved, as a stubstitute motion, that Assembly Bill No. 1985, with proposed amendments offered by the Committee on Ways and Means, be re-referred to the Committee on Ways and Means.

Mr. Brady seconded the substitute motion.

Point of Inquiry

Mr Lowrey arose to the following point of inquiry: Is it a fact that Assembly Bill No. 1985 at present carries no cigarette tax in it?

Ruling by Speaker

Speaker Sam L Collins ruled this point of inquiry correct.

Demand for Previous Question

Messrs Waters, Hinckley, Luckel, McGee, and Grant demanded the previous question.

Demand for previous question sustained.

The question being on the substitute motion by Mr. Hollibaugh to re-refer Assembly Bill No 1985, with proposed amendments, to the Committee on Ways and Means.

Substitute Motion Withdrawn

Mr. Brady withdrew his second.

Mr. Hollibaugh withdrew his substitute motion.

The question being on the motion by Mr. Sherwin that Assembly Bill No. 1985, with the amendments being proposed by the Committee on Ways and Means, be re-referred to the Committee on Revenue and Taxation.

Demand for Previous Question

Messrs. Silliman, Dolwig, Kirkwood, Waters, and Sherwin demanded the previous question.

Demand for previous question sustained.

The question being on the motion by Mr. Sherwin.

Point of Inquiry

Mr. Lyon arose to the following point of inquiry: Am I correct in assuming that Assembly Bill No. 1985, with the proposed amendments which have to do with revenue and taxation, will now be considered by the Committee on Revenue and Taxation when the amendments, not yet adopted by this body, do not now present a problem of revenue and taxation?

Ruling by Speaker

Speaker Sam L. Collins ruled this point of inquiry correct.

The question being on the motion by Mr. Sherwin.

The roll was called, and the motion by Mr. Sherwin carried by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall,

McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—74.

NOES—Condon and Elliott—2.

Assembly Bill No. 1985, with amendments being proposed by the Committee on Ways and Means, ordered re-referred to the Committee on Revenue and Taxation.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2502

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2502, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2502

Assembly Bill No. 2502—An act to add Section 52.6 to the Unemployment Insurance Act, relating to the computation and payment of benefits.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Dickey, Dills, Dolwig, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, McCollister, McGee, Morris, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—43.

NOES—Beck, Berry, Brady, Burkhalter, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Dunn, Elliott, Gaffney, Hagen, Hawkins, Henderson, Hollibaugh, Kilpatrick, Maloney, McCarthy, McMillan, Meyers, Moss, Munnell, Parker, Rumford, Shaw, and Thomas—28.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Vote Be Changed Upon Roll Call

Mr. Crowley asked for, and was granted, unanimous consent that his vote be changed upon the roll call on Assembly Bill No. 2502, and that he be recorded as voting "No", instead of "Aye".

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2818—An act to amend Sections 737a, 737kk, 737*ll* of the Political Code, and Sections 79.1, 79.37, and 79 38 of the Code of Civil Procedure, relating to salaries of superior court judges.

Bill read third time.

Demand for Previous Question

Messrs. Waters, Geddes, Hinckley, Lanterman, and Hansen demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2818.

The roll was called, and the bill refused passage by the following vote:

AYES—Beck, Berry, Caldecott, Connolly, Crowley, Dickey, Dolwig, Doyle, Gaffney, Lindsay, Lyon, Maloney, McCarthy, McGee, Meyers, Munnell, Niehouse, Rosenthal, Rumford, and Smith—20.

NOES—Babbage, Belotti, Burke, Burkhalter, Chapel, Clarke, Cloyed, Collier, George D. Collins, Conrad, Dills, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, McMillan, Morris, Moss, Parker, Porter, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—46.

Notice of Motion to Reconsider Assembly Bill No. 2818

Mr. Lyon gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2818 was this day refused passage.

Explanation of Vote on Assembly Bill No. 2818

On voting on Assembly Bill No. 2818, I was under the impression the bill affected only San Francisco County, as the matter appeared on the Daily File It was not my intention to vote a blanket increase in judges' compensation. The pay increase was approved by official bodies, and others interested, in that county.

JULIAN BECK

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. George D. Collins to reconsider the vote whereby Assembly Bill No. 3075 was passed, was continued until the next legislative day.

By unanimous consent, the notice of motion by Mr. George D. Collins to reconsider the vote whereby Assembly Bill No. 1981 was passed, was continued until the next legislative day.

ANNOUNCEMENTS

Mr. Stanley announced a Republican breakfast and Caucus tomorrow morning, Tuesday, May 15th, at 7.30 a.m., at Hart's restaurant.

Mr. Babbage announced that the oranges being distributed to the members are gifts from the Public Affairs Department of the Kiwanis Club of Riverside.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Hawkins:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 25208 to the Government Code, relating to the organization, government, and powers of counties, cities, and other agencies.

Respectfully submitted

AUGUSTUS F. HAWKINS

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Hawkins:

An act to add Section 25208 to the Government Code, relating to the organization, government, and powers of counties, cities, and other agencies

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury,

Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sillman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—70.

NOES—Waters—1.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3430: By Mr. Hawkins (By Request of Messrs. Brady, Chapel, George D. Collins, Condon, Dills, Dunn, Elliott, Evans, Geddes, Henderson, Kilpatrick, McMillan, Munnell, Parker, Porter, Rosenthal, and Thomas)—An act to add Section 25208 to the Government Code, relating to the organization, government, and powers of counties, cities, and other agencies.

Referred to Committee on Municipal and County Government.

RESOLUTIONS

The following resolution was offered:

By Mr. Lyon:

House Resolution No. 146

Relative to requesting the California Highway Commission to cause to be made a preliminary survey and preliminary plans and estimate of costs for the improvement of Santa Monica Boulevard between Croft Avenue and Doheny Boulevard, in the County of Los Angeles

WHEREAS, Santa Monica Boulevard between Croft Avenue and Doheny Boulevard is now a state highway, being a portion of Route 162, in the County of Los Angeles; and

WHEREAS, The said Santa Monica Boulevard between Croft Avenue and Doheny Boulevard is now divided and separated into two roadways by the unimproved right of way of the Pacific Electric Company; and

WHEREAS, The unimproved right of way of the Pacific Electric Company, including utility poles, exposed rails and ties, and separating curbings, constitutes an unsafe and unsightly obstruction to the traveling public, as well as to the merchants and residents of the immediate area; and

WHEREAS, It may become necessary to seek special funds for the alleviation of said condition, and for that purpose it is desirable that a preliminary survey be made and preliminary plans and estimate of costs be developed; now, therefore, be it

Resolved by the Assembly of the State of California, That the California Highway Commission be, and is hereby, requested to cause to be made a preliminary survey and preliminary plans and estimate of costs for the improvement of the said Santa Monica Boulevard between Croft Avenue and Doheny Boulevard, in the County of Los Angeles, which improvement shall include the relocation of utility poles, the removal of curbings which now separate the roadways from the Pacific Electric unimproved right of way, and the paving of the entire surface of said Santa Monica Boulevard, including the area within the unimproved Pacific Electric right of way and between the rails therein, the said rails to be at the same grade as the adjoining highway pavement; and be it further

Resolved, That the California Highway Commission report to the Assembly on this matter not later than five days after the commencement of the Budget Session of 1952

Resolution read, and ordered referred to the Committee on Rules.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills Nos. 741, 1561, 1577, and 2929 re-referred to the Committee on Education.

Assembly Bill No. 784 re-referred to the Committee on Ways and Means

Assembly Bills Nos. 1234, 1235, 1311, 1526, 2695, and 3270 re-referred to the Committee on Governmental Efficiency and Economy.

Senate Bill No. 234 re-referred to the Committee on Governmental Efficiency and Economy.

Senate Bill No. 963 re-referred to the Committee on Ways and Means.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators McCarthy, Miller and Burns, as a Committee on Conference concerning:

Assembly Bill No. 3368—An act conveying certain tidelands and lands lying under inland navigable waters, situate in San Francisco Bay to the City of Sausalito, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof, reserving rights to the State.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 89
Senate Bill No. 110
Senate Bill No. 204

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—At 8 p.m.—

Judiciary, in Room 2170.
Finance and Insurance, in Room 3186

Today Upon Adjournment—

Boards and Commissions, in Room 426
Public Utilities and Corporations, in Room 432.
Ways and Means, in Room 435.

Tomorrow, Tuesday, May 15th, at 9 a.m.—

Subcommittee on Education, in Room 315. Subject: Assembly Bill No. 3109.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Speaker Sam L. Collins, the usual courtesies of the Assembly for this day were unanimously extended to Reverend and Mrs. O. Scott McFarland of Santa Ana and Sally Alley of Los Angeles.

On request of Mr. Conrad, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Charles F. Sarver of Hollywood.

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to Miss Doris Johnson, teacher, and the following pupils of the Denair High School: Helen Brown, Virginia

Patterson, Glenn Ratcliff, Clifford Hamlow, Beverly May, Betty Thornton, Wayne Haile, Richard Nelson, and Bince Murphy.

On request of Mr. Shaw, the usual courtesies of the Assembly for this day were unanimously extended to "Nate" Rose, Truatt Westbrook, and Harold Cox of San Bernardino.

On request of Mr. Shaw, the usual courtesies of the Assembly for this day were unanimously extended to Rev. Alvin C. Burkholder of Upland College, Upland.

On request of Mr. Beck, the usual courtesies of the Assembly for this day were unanimously extended to Roseanne Jones of Los Angeles.

On request of Mr. Coats, the usual courtesies of the Assembly for this day were unanimously extended to Harold G. Engstrom, teacher, and the following pupils of the Central Gaither Union School: Betty Baker, Jimmie Carpenter, Louise Case, Marilyn Combs, Jeanie Elder, Everett Flanagan, Claudeen Hively, Jerry Hood, Jerry Hyde, Edgar Kendrix, Roberta Klemm, Noreen Miller, Leon Pack, Roberta Pearce, Kenneth Phillips, Ronald Schuler, Johnny Simpson, and Marlena Stevenson.

ADJOURNMENT

At 3.27 p.m., on motion of Mr. Hollibaugh, the Speaker declared the Assembly adjourned until 9.30 a.m., Tuesday, May 15, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FIFTY-NINTH LEGISLATIVE DAY

EIGHTY-FIRST CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, May 15, 1951

The Assembly met at 9.30 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—77.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

O Thou Who Art Our Strength and Our Redeemer, Grant us Thy guidance for the duties that lie before us. Bless and protect those who serve upon our far-flung battlefields, and grant heavenly wisdom to all who stand in places of leadership and responsibility.

"I know not what the future hath
Of marvel or surprise,
Assured alone that life and death
His mercy underlies.
And if my heart and flesh are weak
To bear an untried pain,
The bruised reed He will not break
But strengthen and sustain."

We ask it all through Jesus Christ our Lord.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Collier, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Rosenthal, on motion of Mr. Beck.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Lipscomb, on motion of Mr. Smith.

REQUEST FOR UNANIMOUS CONSENT THAT NAMES OF MEMBERS ATTENDING MEETING OF SUBCOMMITTEE ON EDUCATION BE PLACED UPON MORNING ROLL CALL

Mr. Smith asked for, and was granted, unanimous consent that the names of all members attending the meeting of the Subcommittee on Education, at this time, be placed upon the morning roll call as follows:

Messrs. Caldecott, Fleury, Klocksiem, and Moss.

REPORTS OF STANDING COMMITTEES

Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which was referred:

Senate Bill No. 1736

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

EVANS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which were referred:

Senate Bill No. 638
Senate Bill No. 639

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

EVANS, Chairman

Above reported bills ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 42

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 14, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted.

Senate Concurrent Resolution No. 62
Senate Concurrent Resolution No. 63
Senate Concurrent Resolution No. 64
Senate Concurrent Resolution No 65
Senate Concurrent Resolution No. 66
Senate Concurrent Resolution No 67

J. A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolutions were read:

Senate Concurrent Resolution No. 62—Relative to Reports of the Annual Conventions of the American Legion.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 63—Relative to Reports of the Department Encampments and the Annual Encampments or Conventions of the United Spanish-American War Veterans.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 64—Relative to the Report of the Annual Convention of the Disabled American Veterans of the Department of California.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 65—Relative to Reports of the Annual Conventions of the American Veterans of World War II (AMVETS).

Referred to Committee on Rules.

Senate Concurrent Resolution No. 66—Relative to Reports of the Annual Conventions or Encampments of the Veterans of Foreign Wars of the Department of California.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 67—Relative to scarcity of skilled milkers.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 432
Senate Bill No. 1576

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 432—An act to amend Section 4458 of the Labor Code, relating to volunteer firemen.

Referred to Committee on Industrial Relations.

Senate Bill No. 1576—An act to add Article 12 5, comprising Sections 9181 to 9188 inclusive, to Chapter 7 of Division 4 of the Education Code, to amend the title of Article 2 of Chapter 2 of Part 1 of Division 5 of the Welfare and Institutions Code, to add Article 7, comprising Sections 3361 to 3364 inclusive, to Chapter 2 of Part 1 of Division 5 of the Welfare and Institutions Code, to repeal Sections 3250 to 3261 inclusive and 3302 3 thereof, to add Sections 3250, 3305, 3306, 3353, thereto, and to amend Sections 3300, 3301, 3302, 3302.5, 3303, 3330, 3331, and 3351 thereof, relating to state institutions for the

blind, to provide for orientation centers and California industries for the blind and for state purchase of products made in institutions for the blind.

Referred to Committee on Social Welfare.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 15, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 37
Assembly Joint Resolution No. 29

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 15, 1951

MR SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day adopted, as amended:

Assembly Concurrent Resolution No. 59

And respectfully requests your honorable body to concur in said amendments.

J A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered to unfinished business file

SENATE CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 911	Assembly Bill No. 2672
Assembly Bill No. 1160	Assembly Bill No. 2694
Assembly Bill No. 2284	Assembly Bill No. 2809

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 15, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 959

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

CONSIDERATION OF DAILY FILE

UNFINISHED BUSINESS

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1951

MR. SPEAKER: The Committee on Conference concerning:

Senate Constitutional Amendment No. 16—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 8 of Article VI thereof, relating to the filling of vacancies in the office of judge of the superior court;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 1 of the printed measure, as amended in the Assembly on April 20, 1951, strike out lines 11 to 20, inclusive; and on page 2, strike out lines 1 to 5, inclusive, and

insert "A vacancy in such office shall be filled by the election of a judge for a full term at the next general state election after the first day of January next succeeding the accrual of the vacancy; except that if the term of an incumbent, elective or appointive, is expiring at the close of the year of a general state election and a vacancy accrues after the commencement of that year and prior to the commencement of the ensuing term, the election to fill the office for the ensuing full term shall be held in the closing year of the expiring term in the same manner and with the same effect as though such vacancy had not accrued. In the event of any vacancy, the Governor shall appoint a person to hold the vacant office until the commencement of the term of the judge elected to the office as herein provided."

HATFIELD
REGAN
Senate Committee on Conference

BROWN
CLARKE
McGEE
Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lanterman, Levering, Lindsay, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Munnell, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—54.

NOES—None.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. George D. Collins to reconsider the vote whereby Assembly Bill No. 1981 was passed, was continued until the next legislative day.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 696—An act to amend Section 5024 of the Streets and Highways Code, relating to the definition of incidental expenses as used in the Improvement Act of 1911.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 696?

Amendment No. 1

On page 2, line 2, of the printed bill, strike out "Federal Housing Administration".

Amendment No. 2

On page 2, line 4, of said bill, strike out "required by the various lending agencies".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No 696 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Lanterman, Levering, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Parker, Porter, Rumford, Shaw, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—53.

NOES—None.

Assembly Bill No. 696 ordered enrolled.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Lyon to reconsider the vote whereby Assembly Bill No. 2818 was refused passage, was continued until the next legislative day.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 3364—An act to amend Sections 7330, 7332, and 7334 of the Business and Professions Code, relating to the practice of cosmetology.

Bill read third time, and ordered passed on file.

Assembly Bill No. 1877—An act to amend Sections 43610, 43627, and 43628 of the Government Code, relating to the authorization and issuance of bonds of cities.

Bill read third time.

Motion to Amend

Mr. Hollibaugh moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 15, of the printed bill, after "bonds.", insert "Further, when such purpose and object have been accomplished and all principal and interest on the bonds have been paid, any balance of money then remaining shall be transferred to the general fund."

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 3199—An act to amend Sections 14722 and 14720.1 of the Education Code and to add Section 14720.2 to said code, all relating to district retirement systems.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Gaffney, Geddes, Grant, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sillman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred.

Senate Bill No. 458
Senate Bill No. 392

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1152—An act to create a flood control district to be called Contra Costa County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, harbors, public highways, life and property from damage or destruction from such

waters; to prevent the waste of water or the diminution of the water supply in, or the exportation of water from said district, and to import water into said district and to obtain, retain and reclaim drainage, storm, flood and other waters and to save and conserve all or any of such waters for beneficial use in said district; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof, to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district; to define the powers of said district and its officers

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 8 of Article I thereof, relating to grand juries.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Coats, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—62

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 51—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 of Article IV thereof, relating to initiative measures presented to the Legislature.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Thomas, and Tomlinson—59.

NOES—Collier and Sherwin—2.

Resolution ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1216
Assembly Bill No. 1789
Assembly Bill No. 3177

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred.

Assembly Bill No. 782
Assembly Bill No. 1529

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 914
Assembly Bill No. 1389
Assembly Bill No. 1390
Assembly Bill No. 2648
Assembly Bill No. 2770
Assembly Bill No. 2942
Assembly Bill No. 2943

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1045
Assembly Bill No. 1049
Assembly Bill No. 2018

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 2363

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 2755

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred.

Assembly Bill No. 454
Assembly Bill No. 2941
Assembly Bill No. 2002

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Senate Bill No. 393
Senate Bill No. 1026

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 984—An act to add Part 2.5, comprising Sections 18600 to 18950, inclusive, to Division 13 of the Health and Safety Code, relating to auto and trailer parks.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—62.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 985—An act to amend Sections 18100.5, 18104.5, 18105, 18107.1, 18108, 18109, 18200, 18201, 18202, 18203, 18302, 18303, 18304, 18306, 18308, 18432, 18435, 18450, 18455.5, 18460, 18462, 18466.8, 18467, 18470, and 18470.5 of the Health and Safety Code; to amend and renumber Section 18100 thereof; to amend the title of Part 2, Division 13 thereof, and the title of Chapter 4, Part 2, Division 13 thereof; to add Sections 18100, 18104.7, 18105.1, 18105.2, 18106.6, 18107.2, 18110, 18110.5, 18200 2, 18200 3, 18200.4, 18200.6, 18200.8, 18300.5, 18301.5, 18307, 18450.5, 18453, 18460.1, 18466.9, 18470.1, and 18470.2 thereto, Articles 4 and 5 to Chapter 4, Part 2, Division 13 thereof, and Chapter 5 to Part 2, Division 13 thereof; to repeal Sections 18101, 18102, 18102.5, 18103, 18300, and 18301, and Chapters 5, 5 5, 6, and 7 of Part 2, Division 13 therefrom, relating to auto courts, motels, and resorts, and auto and trailer parks.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Erwin, Grant, Grunsky, Gubser, Hansen, Henderson, Hollibaugh, Kelly, Kirkwood,

Lanterman, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McMillan, Munnell, Niehouse, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, and Thomas—46.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3410

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3406

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

Committee on Boards and Commissions

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 2686

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

McMILLAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No 2688

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

McMILLAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 1248

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

McMILLAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Senate Bill No. 1814

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

McMILLAN, Chairman

Above reported bill ordered to second reading.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No 251
Assembly Bill No. 3387

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No. 885

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

GEDDES, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 830—An act to amend Sections 1302 and 1303 of the Education Code, relating to the employment of associate superintendents of schools and the terms of office of school superintendents, associate superintendents, and deputy and assistant superintendents.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Collier, Condon, Conrad, Crowley, Davis, Dickey, Dills, Dunn, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lanterman, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McMillan, Meyers, Munnell, Niehouse, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, and Mr. Speaker—53.

NOES—Kirkwood—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2041—An act to amend Sections 3.1, 3.2, and 3.3, and to add Sections 3.5, and 3.6 to the Los Angeles County Flood Control Act, relating to the establishment of zones within the district.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—64.

NOES—Smith—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3098—An act to amend Section 17 of the Los Angeles County Flood Control Act, relating to the Los Angeles County Flood Control District.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—64.

NOES—Smith—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3409—An act to create the Sierra Water Conservation District, prescribing its powers and duties, providing for its organization, operation, and management, and authorizing the acquisition of property and works to carry out the purposes of the district, authorizing the incurrence of indebtedness, providing for issuance of bonds, providing for the levy and collection of taxes for the payment of such indebtedness, providing for the issuing of bonds payable solely from revenues of the district, declaring the urgency thereof, to take effect immediately.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Lindsay moved a call of the Assembly.

Motion carried. Time, 10.26 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Coats, Dickey, Hagen, Hinckley, Kilpatrick, McCarthy, Meyers, Morris, Porter, Shaw, and Waters—11.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Maloney asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 519	Assembly Bill No. 2936
Assembly Bill No. 1715	Assembly Bill No. 2496

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

GEDDES, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Senate Bill No. 1808

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

GEDDES, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No. 2562

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

GEDDES, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Senate Bill No. 272
Senate Bill No. 742
Senate Bill No. 1589

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bills ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Senate Bill No. 143

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 2795
Assembly Bill No. 3423

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Senate Bill No. 739
Senate Bill No. 980

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 359
Assembly Bill No. 682
Assembly Bill No. 1643
Assembly Bill No 2079

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 2086

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 2808

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1998
Assembly Bill No 3239

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 529
Assembly Bill No. 2827

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 101—An act to amend Section 9 of the Riverside County Flood Control and Water Conservation District Act, relating to the powers of the Riverside County Flood Control and Water Conservation District.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, and Thomas—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1998—An act to amend Section 307 of the Vehicle Code, relating to drivers' licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood,

Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Moss, Munnell, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3406—An act to amend Section 39.6 of the Vehicle Code, relating to agricultural water-well boring rig.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Niehouse, Parker, Rumford, Shaw, Smith, Stanley, Thomas, and Waters—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3239—An act to amend Section 31526 of the Government Code, relating to retirement of county employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1789—An act to amend Sections 5025, 5119, 5125, 5180, 5182, 5190, 5194, 5195, 5266, 5294, 5295. 5296, 5303, 5342, 5343, 5366, 5372, 5391, 5395, 6463, 8620, 8621, 8622, 8623, and 8650 of, to add Section 5302.5 to, and to repeal Section 5193 of, the Streets and Highways Code, relating to public works and improvements.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 529—An act to amend Section 327 of the Revenue and Taxation Code, relating to property taxation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3177—An act to amend Sections 1394 and 1395 of, and to add Section 1394.5 to, the Labor Code, relating to child labor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Waters—67.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted.

Senate Concurrent Resolution No. 73
Senate Concurrent Resolution No. 75

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolutions were read:

Senate Concurrent Resolution No. 73—Relative to expressing regret at the passing of John F. Dalton.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 75—Relating to Henry H. Benedict.

Referred to Committee on Rules.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 1216, on motion of Mr. Maloney.

Assembly Bill No. 3410, on motion of Mr. Geddes.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2827—An act to amend Section 28141 of the Government Code, relating to compensation for public service in counties of the forty-first class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Cooke, Crowley, Davis, Dills, Dolwig, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hansen, Hawkins, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Thomas, Tomlinson, and Mr Speaker—51.

NOES—Doyle, Dunn, Geddes, and Levering—4.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3070—An act to amend Section 61 of the Alcoholic Beverage Control Act, relating to the sale and purchase of alcoholic beverages.

Bill read third time.

Motion to Amend

Mr. Hahn moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 8, of the printed bill, as amended in the Assembly on May 11, 1951, strike out "or attempts to purchase".

Amendment read.

Demand for Previous Question

Messrs. Hansen, Silliman, McCollister, Lincoln, and Geddes demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendment offered by Mr. Hahn to Assembly Bill No. 3070.

Roll Call Demanded

Messrs. Hahn, Moss, and Cooke demanded a roll call.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Babbage, Beck, Brown, Burke, Burkhalter, George D. Collins, Conrad, Fleury, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Kirkwood, Klocksiem, Lanterman, Lindsay, Luckel, Moss, Munnell, Shaw, Sherwin, and Smith—24.

NOES—Belotti, Berry, Brady, Chapel, Clarke, Cloyed, Condon, Cooke, Crowley, Dickey, Doyle, Dunn, Elliott, Evans, Gaffney, Hagen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Levering, Lowrey, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Niehouse, Parker, Porter, Rumford, Stanley, Thomas, Tomlinson, and Mr. Speaker—38.

The question being on the passage of Assembly Bill No. 3070.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, George D. Collins, Condon, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Mr. Speaker—63.

NOES—None.

Notice of Motion to Reconsider Assembly Bill No. 3070

Mr. McCarthy gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 3070 was this day passed.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL BE PRINTED IN JOURNAL

Mr. Burkhalter asked for, and was granted, unanimous consent that a letter of transmittal from the Assembly Interim Committee for Investigation of Traffic Control be ordered printed in the Journal, in 10 point type, as follows:

LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE, May 8, 1951

Honorable Sam L. Collins, Speaker
Assembly Chamber, Sacramento, California

DEAR MR. COLLINS: The Assembly Interim Committee for Investigation of Traffic Control, created by House Resolution No. 233, Regular Legislative Session 1949, and House Resolution No. 60, First Extraordinary Session 1950, herewith presents its final report.

Thanking you, I am

Yours very truly,

EVERETT G. BURKHALTER, Chairman
EDWARD E ELLIOTT
VERNON KILPATRICK

REQUEST FOR UNANIMOUS CONSENT THAT REPORT BE PRINTED AS SEPARATE DOCUMENT AND THAT 1,000 COPIES BE PRINTED

Mr. Burkhalter asked for, and was granted, unanimous consent that the Final Report of the Assembly Interim Committee for Investigation of Traffic Control be printed as a separate document, and that 1,000 copies be printed.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Joint Resolution No. 34: By Mr. Chapel—Relative to memorializing the President and the Congress of the United States to survey the nature, extent and efficacy of the participation of the United States in the United Nations.

Referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 909

Mrs. Niehouse asked for, and was granted, unanimous consent that she be permitted to take up consideration of Senate amendments to Assembly Bill No. 909, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 909—An act to add Section 30.02 to the Public Utility District Act of 1921, authorizing public utility districts to cooperate and contract with and to borrow or procure money from the United States.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 909?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 18, 1951, strike out lines 5 and 6, and insert "to borrow or procure money from the United States for the purpose of obtaining and supplying water for domestic, irrigation and fire protection purposes in the same manner and under the same procedures that irrigation districts are now".

Amendment No. 2

On page 1, line 3, of the printed bill, as amended in the Senate on April 25, 1951, strike out "Public", and insert "For the purpose of obtaining and supplying water for domestic, irrigation and fire protection purposes, public".

Amendment No. 3

On page 1, line 7, of said bill, as amended, strike out "for the purpose of obtain-"; strike out all of line 8, and in line 9, strike out "tection purposes".

Amendment No. 4

In lines 1 and 2 of the title of the printed bill, as amended in the Senate on May 9, 1951, strike out "of 1921".

Amendment No. 5

On page 1, line 2, of said bill, as amended, strike out "of 1921".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 909 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Waters—65.

NOES—None.

Assembly Bill No. 909 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Senate Bill No. 952—An act to amend Sections 1521 and 1521.2 of the Welfare and Institutions Code, relating to property qualifications for aid to needy children.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Cloyed, Condon, Connolly, Conrad, Cooke, Davis, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—60.

NOES—George D. Collins—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 955—An act to add Section 1523.5 to the Welfare and Institutions Code, relating to aid to needy children.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—65.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 1242—An act to repeal Section 1881.3 of the Civil Code, relating to private bulk storage of grain, and extending indefinitely the effective period of the chapter of said code relating to such storage.

Bill read third time.

Motion to Amend

Mr. Clarke moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Assembly on May 10, 1951, strike out "1181.3", and insert "1881.3".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

Senate Bill No. 946—An act to amend Section 1503 and to repeal Section 1507 of the Welfare and Institutions Code, relating to aid to needy children.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—66.

NOES—Elliott—1.

Motion to Amend Title

Mr. Kirkwood moved the adoption of the following amendment to the title:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 10, 1951, strike out "and to repeal Section 1507".

Amendment read, and adopted.

Bill ordered reprinted, and transmitted to the Senate.

Senate Bill No. 951—An act to add Section 1523.5 to the Welfare and Institutions Code, relating to aid to needy children in respect to acceptance of rehabilitative training.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—68.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1031—An act to consolidate and revise the law relating to community redevelopment and housing for the preservation of the public health and safety, and the formation, regulation, and operation of corporations therefor, by adding Division 24 and Section 40021 to the Health and Safety Code, and repealing certain acts specified herein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1677—An act to amend Section 50022 of the Government Code, relating to fire prevention codes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—66.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 648—An act to repeal Education Code Sections 20379, 20344.1, and 20344.2 and to add Chapter 1.5 to Division 10 of said code, relating to schools and colleges under the jurisdiction of the Department of Education.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh,

Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3391

Mr. Babbage asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3391, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3391

Assembly Bill No. 3391—An act to amend Section 3.3 of the Mount San Jacinto Winter Park Authority Act, relating to the Mount San Jacinto Winter Park Authority.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1076—An act to add Section 13845 to the Education Code, relating to the Public School System of the State of California.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloved, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—71.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 231—An act to amend Section 1159 of the Harbors and Navigation Code, relating to the Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloved, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley,

Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 370—An act to amend Sections 1090, 1091, 1092, 36525, 36526, and 36527 of the Government Code, relating to contracts of public officers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Chapel, Clarke, Cloyed, Collier, Connolly, Crowley, Dickey, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Niehouse, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—49

NOES—George D Collins, Condon, Cooke, Dills, Elliott, Geddes, Hagen, Lowrey, Moss, Shaw, and Sherwin—11

Bill ordered transmitted to the Senate

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 3409

At 12 m., on motion of Mr. Lindsay, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 3409 passed by the following vote.

AYES—Babbage, Belotti, Brown, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Crowley, Dickey, Dolwig, Erwin, Evans, Grant, Grunsky, Gubser, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCollister, McGee, Morris, Niehouse, Porter, Sherwin, Silliman, Smith, Stanley, Waters, and Mr Speaker—42.

NOES—Beck, Berry, Brady, Burke, Burkhalter, George D Collins, Condon, Cooke, Davis, Dills, Doyle, Dunn, Elliott, Fleury, Gaffney, Geddes, Hagen, Hahn, Hawkins, Henderson, Hollibaugh, McCarthy, McFall, McMillan, Meyers, Moss, Munnell, Parker, Rumford, Stewart, Thomas, and Tomlinson—32

Notice of Motion to Reconsider Assembly Bill No. 3409

Mr Hagen gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 3409 was this day passed.

RECESS

At 12.02 p.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2828

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1985
Assembly Bill No. 2011
Assembly Bill No. 2531

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1984
Assembly Bill No. 2448
Assembly Bill No. 2850

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 36
Assembly Constitutional Amendment No. 41

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolutions ordered on file for adoption.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 2448 re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bills Nos. 2011, 2531, Assembly Constitutional Amendments Nos. 36 and 41 re-referred to the Committee on Ways and Means.

Assembly Bills Nos. 1985, 1984, and 2850 re-referred to the Committee on Revenue and Taxation.

Senate Bill No. 872 re-referred to the Committee on Education.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 2026—An act to amend Section 625a of the Penal Code, relating to the unlawful interference with fire alarm apparatus and false alarms, providing punishment therefor.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Assembly Bill No. 2026 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Concurrent Resolution No. 71—Relative to approving amendments to the charter of the City of Pacific Grove, a municipal corporation in the County of Monterey, State of California, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the ninth day of April, 1951.

Resolution read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Silliman moved a call of the Assembly.

Motion carried. Time, 2.02 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Beck, Brady, Burkhalter, Chapel, George D. Collins, Connolly, Conrad, Cooke, Crowley, Dunn, Elliott, Evans, Fleury, Geddes, Gubser, Hawkins, Hinckley, Kelly, Lindsay, McFall, Meyers, Moss, Munnell, Niehouse, Parker, Shaw, Sherwin, Smith, Thomas, and Tomlinson—30

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Grunsky asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2870

Mr. Grunsky asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2870, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2870

Assembly Bill No. 2870—An act to add Sections 258.1 and 259.1 to the Vehicle Code, relating to operators of school busses and temporary issuance of chauffeurs' licenses therefor, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stewart, Tomlinson, Waters, and Mr. Speaker—56.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stewart, Tomlinson, Waters, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 876—An act to add Section 13011 to the Government Code, relating to the powers and duties of the Director of Finance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stewart, Tomlinson, Waters, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

PETITIONS

By Speaker Sam L Collins:

A petition from Annie Ellenburger of Hayward, relative to impeachment, was received, and ordered referred to the Committee on Judiciary.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 330—An act to add Section 6515.5 to the Health and Safety Code, relating to sanitary districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, George D Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott Erwin, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stewart, Waters, and Mr Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 915—An act to amend Section 43068 of the Government Code, relating to powers of cities of the fifth and sixth classes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No. 91

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

GEDDES, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1683—An act to amend Sections 38440, 38451, 38452, 38460, and 38461, and to repeal Sections 38453 to 38459, inclusive, of the Government Code, relating to discontinuance of municipal parks.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 528—An act to amend Section 13842 of the Revenue and Taxation Code, relating to exemptions from inheritance tax, including the exemption of nonprofit membership hospital associations or corporations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Silliman, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 529—An act to amend Section 15442 of the Revenue and Taxation Code, relating to exemptions from gift tax, including the exemption of nonprofit membership hospital associations or corporations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Silliman, Stanley, Stewart, Tomlinson, Waters, and Mr Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 108—An act to add Section 718 to the Vehicle Code, relating to penalties for overloading vehicles.

Bill read third time.

Motion to Amend

Mr. Dunn moved the adoption of the following amendments:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on May 14, 1951, strike out lines 5 to 13, inclusive, and insert "up to 4,000 pounds, one-half cent per pound".

Amendment No. 2

On page 3 of said bill, after line 4, insert "50 percent of the above penalties shall apply on axle overloads".

Amendments read.

Amendments Ruled Not in Order

Speaker Sam L. Collins ruled the above amendments not in order.

Request for Unanimous Consent That Amendments Be Withdrawn

Mr. Dunn asked for, and was granted, unanimous consent that his amendments be withdrawn, at this time, for purpose of correction.

Consideration of Further Amendments

Motion to Amend

Mr. Davis moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on May 14, 1951, after line 45, insert

"This section is applicable only if a maximum weight limitation prescribed by this code has been exceeded by more than 10 percent of the amount of the limitation."

Amendment read.

Roll Call Demanded

Messrs. Davis, Dunn, and Lincoln demanded a roll call.

The roll was called, and the amendment offered by Mr. Davis refused adoption by the following vote:

AYES—Berry, Chapel, Clarke, George D. Collins, Crowley, Davis, Dickey, Doyle, Dunn, Gaffney, Gubser, Hahn, Henderson, Hollibaugh, Lincoln, Lyon, Maloney, McCollister, Meyers, Porter, and Rumford—21.

NOES—Beck, Belotti, Burke, Burkhalter, Caldecott, Cloyed, Collier, Conrad, Cooke, Dills, Erwin, Fleury, Geddes, Grunsky, Hagen, Hansen, Hinckley, Kelly, Kirkwood, Lanterman, Levering, Lowrey, McFall, McGee, Moss, Munnell, Niehouse, Parker, Shaw, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—34.

The question being on the passage of Senate Bill No. 108.

Further Consideration of Amendments by Mr. Dunn

Motion to Amend

Mr. Dunn moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 14, 1951, strike out lines 12 to 19, inclusive, and insert "up to 4,000 pounds, one-half cent per pound".

Amendment No. 2

On page 2 of said bill, after line 45, insert "50 percent of the above penalties shall apply on axle overloads".

Amendments read.

Division of the Question

Mr. Dunn asked for a division of the question.

Consideration of Amendment No. 1

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 14, 1951, strike out lines 12 to 19, inclusive, and insert "up to 4,000 pounds, one-half cent per pound"

Amendment read.

Roll Call Demanded

Messrs Dunn, Davis, and Condon demanded a roll call.

The roll was called, and Amendment No. 1 offered by Mr. Dunn refused adoption by the following vote:

AYES—Berry, Brady, George D. Collins, Condon, Crowley, Davis, Dickey, Doyle, Dunn, Gaffney, Gubser, Hollibaugh, Lincoln, Lyon, Maloney, McCollister, Meyers, Morris, and Rumford—19

NOES—Babbage, Beck, Belotti, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Cooke, Dills, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Hinckley, Kelly, Kirkwood, Lanterman, Levering, McGee, Moss, Munnell, Parker, Porter, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—42.

Consideration of Amendment No. 2

Amendment No. 2

On page 2 of said bill, after line 45, insert "50 percent of the above penalties shall apply on axle overloads".

Amendment read.

The roll was called, and Amendment No. 2 offered by Mr. Dunn refused adoption by the following vote:

AYES—Berry, Brady, Coats, George D. Collins, Condon, Davis, Dickey, Doyle, Dunn, Gaffney, Gubser, Hagen, Henderson, Hollibaugh, Kelly, Lincoln, Lindsay, Lyon, Maloney, McCarthy, McCollister, Meyers, Morris, Niehouse, Porter, Rumford, and Thomas—27.

NOES—Babbage, Beck, Belotti, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Cooke, Dills, Dolwig, Erwin, Evans, Fleury, Geddes, Grunsky, Hahn, Hansen, Hawkins, Hinckley, Kilpatrick, Kirkwood, Lanterman, Levering, Lowrey, McFall, McGee, Moss, Munnell, Parker, Shaw, Silliman, Stewart, Tomlinson, Waters, and Mr. Speaker—40

The question being on the passage of Senate Bill No. 108.

Consideration of Further Amendments

Motion to Amend

Mr. Lyon moved the adoption of the following amendments:

Amendment No. 1

On page 1, lines 8 and 9, of the printed bill, as amended in the Assembly on May 14, 1951, strike out "shall be punished by a fine which shall equal", and insert "may be punished by a fine which shall not exceed".

Amendment No. 2

On page 2, line 40, of said bill, strike out "the penalties prescribed by this section", and insert "any penalty imposed pursuant to this section".

Amendments read.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Berry, Brady, Chapel, George D. Collins, Condon, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Evans, Gaffney, Gubser, Hagen, Henderson, Hollibaugh, Lincoln, Lowrey, Lyon, Maloney, McCollister, Meyers, Morris, and Niehouse—25.

NOES—Babbage, Beck, Belotti, Brown, Burke, Burkhalter, Caldecott, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Erwin, Fleury, Geddes, Grant, Grunsky,

Hahn, Hawkins, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, McCarthy, McFall, McGee, Moss, Munnell, Parker, Porter, Shaw, Silliman, Stewart, Tomlinson, Waters, and Mr. Speaker—41.

The question being on the passage of Senate Bill No. 108.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Cooke, Crowley, Dills, Dolwig, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—54

NOES—Brady, Burkhalter, Coats, Condon, Davis, Doyle, Dunn, Gaffney, Gubser, Hagen, Henderson, Hollibaugh, Lincoln, Lyon, Maloney, and Meyers—16.

Notice of Motion to Reconsider Senate Bill No. 108

Mr. McCarthy gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 108 was this day passed.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 51—Congratulating George Mercer Stout on his forthcoming retirement from the state service;

Assembly Concurrent Resolution No. 52—Approving an amendment to the charter of the City of Santa Monica, a municipal corporation in the County of Los Angeles, State of California, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the tenth day of April, 1951;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the fifteenth day of May, 1951, at 3 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 32—Relative to memorializing Congress to take necessary action to provide a national cemetery in the vicinity of Los Angeles;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the fifteenth day of May, 1951, at 3 p m.

BURKE, Chairman

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2828

Mr. Lowrey asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2828, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2828

Assembly Bill No. 2828—An act to amend Section 28143 of the Government Code, relating to compensation for public services in counties of the forty-third class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1360

Mr. Caldecott asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 1360, temporarily passed on file, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1360

Assembly Bill No. 1360—An act providing for the constitution of the municipal court in a district embracing the City of Berkeley, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

Motion to Amend

Mr. Caldecott moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on May 11, 1951, after line 6, insert

"(4) The sheriff and his deputies shall act ex officio as marshal and deputy marshals."

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2261

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2261, temporarily passed on file, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2261

Assembly Bill No. 2261—An act to amend Section 44 of and to add Section 45.2 to the Unemployment Insurance Act, relating to unemployment insurance.

Bill read third time.

Motion to Amend

Mr. Lindsay moved the adoption of the following amendments:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on April 11, 1951, strike out "Section 44 of and to add Section 45.2", and insert "Sections 44 and 45.5 of".

Amendment No. 2

On page 2, line 17, of said bill, after "contributions", insert "based on services performed in the employ of a bona fide owner or tenant of a farm,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 2 of said bill, strike out lines 43 to 51, inclusive; and on page 3, strike out lines 1 and 2, and insert

"SEC. 2. Section 45.5 of said act is amended to read:

Sec. 45.5. (a) If any employing unit fails to make a return as required by this act the commission shall make an estimate based upon any information in its possession or that may come into its possession of the amount of wages paid for employment in

the period or periods for which no return was filed and upon the basis of such estimate shall compute and assess the amounts of employer and worker contributions payable by the employing unit, adding thereto a penalty of 10 percent of the amount of contributions.

(b) If the commission is not satisfied with the return or returns made by any employing unit of the amount of employer or wage earner contributions, it may compute the amount required to be paid upon the basis of facts contained in the return or returns or upon the basis of any information in its possession or that may come into its possession and make an assessment of the amount of the deficiency. If any part of the deficiency is due to negligence or intentional disregard of this act or the authorized rules and regulations, a penalty of 10 percent of the amount of the deficiency shall be added thereto.

(c) If the failure of the employing unit to file a return within the time required by this act and authorized regulations or if any part of the deficiency for which an assessment is made is due to fraud or an intent to evade this act or the authorized rules and regulations, a penalty of 25 percent of the amount of contributions assessed shall be added thereto.

(d) The amount of each assessment exclusive of penalty shall bear interest at the rate of one-half percent (½%) per month or fraction thereof from and after the last day of the month following the close of the calendar quarter for which the contributions should have been returned until the date of payment.

(e) One or more assessments may be made for the amount due for one or for more than one period and overpayments may be offset against underpayments. The commission shall give to the employing unit against whom an assessment is made a written notice of the assessment. The notice may be served personally or by mail; if by mail, service of the notice of any assessment in excess of three hundred dollars ($300) shall be made by registered mail, otherwise such service shall be made pursuant to Section 1013 of the Code of Civil Procedure and shall be addressed to the employing unit at its address as it appears in the records of the commission. In case of service by mail of any notice required by this section, the service is complete at the time of deposit in the United States post office.

(f) Except in the case of failure without good cause to file a return, fraud or intent to evade this act or the authorized rules and regulations, every notice of assessment shall be made within three years after the last day of the month following the close of the calendar quarter during which the contribution liability included in the assessment accrued or within three years after the deficient return is filed, whichever period expires the later[.] *; provided that every notice of assessment based upon services performed in the employ of a bona fide owner or tenant of a farm shall be made within one year after the last day of the month following the close of the calendar quarter during which the contribution liability included in the assessment accrued or within one year after the deficient return is filed, whichever period expires the later.*

An employing unit, however, may waive the limitation period herein prescribed or may consent to its extension.

(g) Any employing unit against whom an assessment is made under this section or any person directly interested may petition for reassessment within 30 days after service of notice of the assessment; provided, that an additional 30 days for the filing of a petition may for good cause be granted by the commission. If a petition for reassessment is not filed within the thirty-day period, or within the additional period granted by the commission, the assessment becomes final at the expiration of the period. If a petition is filed within the time herein prescribed, the appeals board shall review the assessment and if requested by the petitioner shall, unless a hearing has previously been afforded petitioner on the same grounds as set forth in the petition for reassessment, grant a hearing before the appeals board or its duly authorized representatives, giving 10 days' notice of the time and place of the hearing. The appeals board may decrease or increase the amount of the assessment but the amount may be increased only if a 10-day notice of the increase is given by the appeals board with opportunity for hearing before the appeals board with respect to such increase. The order or decision of the appeals board upon the petition for reassessment and the assessment becomes final 30 days after service upon the petitioner of notice of the order or decision. Notices shall be served in the same manner as notices of assessment.

(h) Assessments under this section become delinquent if not paid on or before the date they become final. There shall be added to the amount of each delinquent assessment a penalty of ten percent (10%) of the amount thereof exclusive of interest and penalties.

(i) The commission may cancel any assessment or portion thereof which it finds to have been erroneously made; provided, however, that with respect to an assessment which has become final such a cancellation shall be made only upon the approval of the Appeals Board.

Amendments read.

Roll Call Demanded

Messrs. Maloney, Lindsay, and Brady demanded a roll call.

The roll was called, and the amendments offered by Mr. Lindsay adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, Waters, and Mr. Speaker—59.

NOES—None.

Bill ordered reprinted, and re-engrossed.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 15, 1951

To the Honorable Members of the Assembly
State of California
Sacramento, California

GREETINGS: I am returning herewith, without my signature

Assembly Bill No. 1792, entitled: "An act to amend Section 261e of, and to add Section 263 to, the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties."

My objections to this bill are as follows:

This bill is intended to apply to the salaries of certain attaches of the Superior Court in the County of San Francisco. Inadvertently it has been made applicable to the County of Alameda as well. It is not desired in the County of Alameda and for that reason the author of the bill has consented to my returning it without my approval.

Respectfully submitted.

EARL WARREN, Governor

Acknowledgment of Receipt of Assembly Bill No. 1792

May 15, 1951

I acknowledge receipt this fifteenth day of May, 1951, at 2.30 o'clock p m., of Assembly Bill No. 1792 without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

ARTHUR A. OHNIMUS

Assembly Bill No. 1792 ordered to unfinished business.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 14, 1951

To the Honorable Members of the Assembly
State of California
Sacramento, California

GREETINGS: I am returning herewith, without my signature,

Assembly Bill 1793, entitled "An act to amend Section 204e of the Code of Civil Procedure, relating to the duties and compensation of the secretary and jury commissioner of the superior court, and assistants."

My objections to this bill are as follows:

This bill is intended to apply to the salaries of certain attaches of the Superior Court in the Counties of San Francisco and Alameda. Inadvertently, it has been made applicable to the County of San Diego as well. It is not desired in the County of San Diego and for that reason, the author of the bill has consented to my returning it without my approval.

Respectfully submitted.

EARL WARREN, Governor

Acknowledgment of Receipt of Assembly Bill No. 1793

I acknowledge receipt this fifteenth day of May, 1951, at 2.30 o'clock p m., of Assembly Bill No. 1793 without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

ARTHUR A. OHNIMUS

Assembly Bill No. 1793 ordered to unfinished business.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Crowley:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 737q of the Political Code and Section 79.17 of the Code of Civil Procedure, relating to the salary of the Superior Court Judge of Lake County.

Respectfully submitted.

ERNEST C. CROWLEY

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Crowley.

An act to amend Section 737q of the Political Code and Section 79.17 of the Code of Civil Procedure, relating to the salary of the Superior Court Judge of Lake County.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 3431: By Mr. Crowley—An act to amend Section 737q of the Political Code and Section 79.17 of the Code of Civil Procedure, relating to the salary of the Superior Court Judge of Lake County.

Referred to Committee on Judiciary.

Assembly Joint Resolution No. 35: By Mr. Henderson—Relative to tariffs on wine.

Referred to Committee on Rules.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Maloney to reconsider the vote whereby Assembly Bill No 2665 was passed, was continued until the next legislative day.

By unanimous consent, the notice of motion by Mr. George D. Collins to reconsider the vote whereby Assembly Bill No 3075 was passed, was continued until the next legislative day.

By unanimous consent, the notice of motion by Mr. George D. Collins to reconsider the vote whereby Assembly Bill No. 1981 was passed, was continued until the next legislative day.

ANNOUNCEMENT

Mr. Geddes announced that all members who have bills pending in the Committee on Finance and Insurance which have not been set for hearing are urged to see him at once so these bills may be set as promptly as possible.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE CONCURRENT RESOLUTION NO. 71

At 3.37 p.m., on motion of Mr. Silliman, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Concurrent Resolution No. 71 adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

Resolution ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Boards and Commissions

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 305

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

McMILLAN, Chairman

Above reported bill ordered to second reading.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Senate Bill No. 988, on motion of Mr. Kelly.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 16 HOLD PLACE ON FILE

Mr. Dickey asked for, and was granted, unanimous consent that Assembly Bill No. 16 be passed on file, and hold its place on file on the next legislative day.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—At 8 p.m.—

Judiciary, in Room 2170.
Fish and Game, in Room 3186.

Today Upon Adjournment—

Public Health, in Room 3186.
Agriculture, in Room 2170.
Elections and Reapportionment, in Room 435.
Social Welfare, in Room 426.
Rules, in Room 319.

It was announced that the following committee would hold no meeting today:

Subcommittee on Governmental Efficiency and Economy considering Assembly Bill No. 1060.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Meyers, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Alfred C. Shelton of Binghamton, New York.

On request of Mr. Luckel and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to William J. Martell and Frank E. Curran of San Diego.

On request of Mr. Lowrey, the usual courtesies of the Assembly for this day were unanimously extended to Miss Reinero and Mr. Russell, teachers, and the following pupils of Orland Joint Union High School: Gracie Erickson, Barbara Holt, Beverly Howard, Dick Keene, Daryl McGuire, Clarice Knecht, Paulla Roberds, Gerald Gallo, Ruth Young, Doris Osborn, Don Keene, Careen Forbes, Joan Cleek, Joanne Levet, Joyce Iverson, Alice Bostrom, Peggy Lou Johnson, Sophie Johnson, Dorothy Schroeder, Robin Russell, and Evelyn James.

On request of Messrs. Cooke, Tomlinson, and Hinckley, the usual courtesies of the Assembly for this day were unanimously extended to T. B Rice of Rancho San Miquel Helendale.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Victor Baciarini of Suisun and Frank Borel of San Francisco.

On request of Messrs. Hollibaugh and Porter, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Wallace Sampler of Maywood and Mr. and Mrs George De Penna of Compton.

On request of Mr. Lowrey, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Doris V. Hage, teacher, and the following pupils of the Fairfield School of Davis: Harvey Parke, Gary Parke, Patsy Parke, Betty Oeste, Mildred Hargis, Neva Hargis, Richard Sauers, William Pinnell, Joseph Ayres, Jay Farnsworth, Bonnie Farnsworth, Wendy Cassady, Terry Schnitter, Virginia Beoshanz, Edward Beoshanz, Sue Ann Floyd, and Sharon Floyd.

On request of Mr. McCollister, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Gordon Cory, Mrs. Robert Neill, Mrs. B. S. Robinson, Mrs. Laura Preston, and Leslie Lowry, adults, and the following pupils of the Geyserville High School: Rosalyn Brown, Cesare Ciatti, Eugene Buckingham, Richard Cory, Donald Domenichelli, Betty Eagle, Vesta Ford, Alexandro Gori, Melford Greenup, Joe Hagins, Dolores Mazzoni, Robert Neill, Eddie Perotti, Joe Pieroni, Betty Jo Robinson, Clifford Smalley, and Eleanor Trusendi.

On request of Messrs. McFall and Parker, the usual courtesies of the Assembly for this day were unanimously extended to Hamilton Hodgson, teacher, Mrs. Eph Zimbelmann, Mrs. Le Tay Lindeman, and Mrs. Wm. Carroll, adults, and the following pupils of the Live Oak School: Wanda Kenny, Imagene Meeks, Robinette Zimbelmann, Margaret Sloan, Norma Mills, Hazel Taylor, Pauline Flewellen, Donna Berg, Elenora Loduca, Patty Pechin, Milton Hempel, Johnny Quaschnick, Mike Lindeman, Howard Kishida, Philip Yoakum, Jun Tanimoto, Arlo Brodehl, Crayal Coblentz, Donald Pritchard, Thomas Addington, Phillip Snyder, Arthur McKelroy, and Donald Mencarini.

On request of Messrs. McFall and Parker, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Seaman and Mrs. Battee, teachers, Mrs. John Laugero, Mrs. Ralph Oswald, Mrs. Marvin Hidman, Mrs. Harley Sawyer, Mrs. Clarence Peters, Mrs. Omar Ihrig, and Mrs. Michael DeRuosi, adults, and the following pupils of the Dent Union School: Karen Bishop, Donald Bonzi, Daryl Capps, Lloyd Foutch, Tommy Gibson, Michael Gonzalez, Gerry Griffith, Sheila Hanson, Evelyn Heffner, Marvin Hickman, Jerry Kerner, Ruth Knox, Jean Laugero, Vicky Lindman, Dianne McCollum, Jerry McLaughlin, Lynn Olivieri, Larry Olson, Dorothy Piccoli, Tommy Sawyer, Robert Sharp, Jack Thomas, Patsy Oswald, Eric Todd, Betty Jean Baker, Martin Barber, Ruth Bedlan, Shirley Crowe, Jimmie DeRuosi, Doraine Frisk, Eugene Fusi, Jeanie Hooper, Barbara Ihrig, Bruce King, Marlene Lial, Norvell McDonald, Rodney Peters, Deanna Puccetti, Glenda Russell, Joan Sedain, Johnny Silva, James Vaughn, Mary Ann Wolf, Jacqueline Senter, and Gerald McClanahan.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to Jim Murphy, Mrs. Lima, Bettencourt, Mrs. Faria, Mrs. Machado, Mrs. Ruby Bellah, and Mr. Henning, adults, and the following pupils of the Byron Union School: Albino Ambriz, Jean Beck, Janice Bellah, Paul Bettencourt, Charles Chacon, Raymond Coelho, LaVonne Donovan, Stanley Elkins, Marjie Faria, Frank Furtado, Teresa Furtado, Peggy Heiser, Nancy Lewis, Charles Cann, Bob Machado, Elbert McCord, Marcella McCord, Larry Norick, Donald Rennels, Doris Rennels, Gloria Sani, Ernestina Santos, Leroy Schoonover, Buddy Warren, Edward Wilson, Myra Sawtelle, Gloria Murphy, Carole Warren, Pat Long, Glen Bellah, Mary Lou Refuerzo, Ellis Cecchini, Harry Geddes, Dixie Allen, Virginia Lima, Louella McDowell, and Dennis Hamlin.

ADJOURNMENT

At 3.40 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9.30 a.m., Wednesday, May 16, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SIXTIETH LEGISLATIVE DAY

EIGHTY-SECOND CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, May 16, 1951

The Assembly met at 9.30 a m.
Hon Sam L. Collins, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Our Father, which art in Heaven,
Hallowed be Thy name
We pray today for our Nation, our President, our Governor, our Speaker, the Members of this Legislature, and all who are in authority in State and Nation Bless those who serve our Country upon the field of battle. Grant unto each one of us a consciousness of Thy Providential care. We acknowledge the teaching of Thy Holy Book—"Righteousness exalteth a Nation, but sin is a reproach to any people" We pray for a righteous victory in the conflict which has come upon us and for a just and durable peace for the days to come

"From ocean unto ocean
Our land shall own Thee Lord;
And, filled with true devotion
Obey Thy Sovereign word;
Our prairies and our mountains,
Forest and fertile field,
Our rivers, lakes and fountains,
To Thee shall tribute yield"—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Collier, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Lowrey, on motion of Mr. Beck.

Mr. Lipscomb, on motion of Mr. Smith.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Kilpatrick, on motion of Mr. Munnell.

MESSAGES FROM THE SENATE

SENATE, CALIFORNIA LEGISLATURE
SENATE CHAMBER, SACRAMENTO, May 15, 1951

Hon. Arthur A. Ohnimus
Chief Clerk of The Assembly
Sacramento, California

DEAR SIR: I am directed by the Senate to respectfully request that Senate Bill No. 949 be returned to the Senate for further action.

Very truly yours,

J. A. BEEK, Secretary of the Senate

REQUEST FOR UNANIMOUS CONSENT THAT SENATE BILL NO. 949 BE WITHDRAWN FROM COMMITTEE

Mrs. Niehouse asked for, and was granted, unanimous censent that Senate Bill No. 949 be withdrawn from the Committee on Social Welfare, and be returned to the desk.

Senate Bill No. 949 Returned to Senate

Senate Bill No. 949 ordered returned to the Senate by unanimous consent.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 454—An act to amend Section 737g of the Political Code and Section 79.7 of the Code of Civil Procedure, relating to the salaries of superior court judges.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2941—An act to add Section 585.4 to the Vehicle Code, relating to the removal of vehicles parked upon streets or highways by local authorities.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2002—An act to add Section 73g of the Code of Civil Procedure, relating to superior courts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 251—An act to amend Sections 151.1, 201, 207, 302, 303, 307, and 311 of the Unemployment Insurance Act, relating to a System of Unemployment and Disability Insurance.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3387—An act to amend Sections 18002 and 18003 of the Education Code, relating to insurance of school districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2795—An act to amend Section 16091 of the Education Code, relating to readers for blind students, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3423—An act to amend Sections 2160 and 2350 of the Welfare and Institutions Code, relating to old age security to inmates of private institutions.

Bill read second time, and ordered engrossed.

Assembly Bill No. 914—An act to amend Section 717.1 of the Code of Civil Procedure, relating to supplementary proceedings.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 7, of the printed bill, after "reside", insert "or have a place of business".

Amendment No. 2

On page 1, line 10, of the printed bill, after "resides", insert "or has a place of business".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1389—An act providing for the constitution of the municipal court in a district embracing the City of Salinas, and prescribing the number and compensation of the judges, officers, and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 5, 6, and 7, and insert

"(1) There shall be one judge, who shall receive eight thousand dollars ($8,000) per annum, payable in equal monthly installments;

(2) There shall be one clerk, who shall receive a minimum salary of three hundred eight dollars ($308) monthly with annual increments of seventeen dollars ($17), seventeen dollars ($17), nineteen dollars ($19) and nineteen dollars ($19) to a maximum of three hundred eighty dollars ($380), monthly and who may appoint the following:

One deputy (principal clerk) who shall receive a minimum salary of two hundred ninety-three dollars ($293) monthly with annual increments of fifteen dollars ($15), seventeen dollars ($17), seventeen dollars ($17) and nineteen dollars ($19) to a maximum of three hundred sixty-one dollars ($361) monthly;

Two deputies (senior account clerk and court clerk), each of whom shall receive a minimum salary of two hundred fifty-one dollars ($251) monthly with annual increments of thirteen dollars ($13), fourteen dollars ($14), fifteen dollars ($15), and fifteen dollars ($15) to a maximum of three hundred eight dollars ($308) monthly;

Two deputies (intermediate clerks), each of whom shall receive a minimum salary of two hundred five dollars ($205) monthly with annual increments of ten

dollars ($10), eleven dollars ($11), twelve dollars ($12), and thirteen dollars ($13) to a maximum of two hundred fifty-one dollars ($251) monthly;

(3) There shall be one marshal who shall receive a minimum salary of three hundred sixty-one dollars ($361) monthly with annual increments of nineteen dollars ($19), twenty-one dollars ($21), twenty-two dollars ($22), and twenty-three dollars ($23), to a maximum of four hundred forty-six dollars ($446) monthly, and who may appoint the following:

One deputy, who shall receive a minimum salary of two hundred ninety-three dollars ($293) monthly with annual increments of fifteen dollars ($15), seventeen dollars ($17), seventeen dollars ($17), and nineteen dollars ($19) to a maximum of three hundred sixty-one dollars ($361) monthly;

One deputy (junior typist clerk) who shall receive a minimum salary of one hundred ninety-five dollars ($195) monthly with annual increments of ten dollars ($10), ten dollars ($10), eleven dollars ($11), and twelve dollars ($12) to a maximum of two hundred thirty-eight dollars ($238) monthly.

(4) Persons who succeed to positions in the municipal court under provisions of the Municipal and Justice Court Act of 1949 shall receive credit for continuous prior service in superseded courts and in the sheriff's department or constabulary of the county, and shall receive, in addition to the minimum rate, the annual increments commensurate with such years of prior service up to the maximum rate set."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1390—An act providing for the constitution of the municipal court in a district embracing the City of Monterey, and prescribing the number and compensation of the judges, officers, and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "City of", and insert "Cities of Carmel and".

Amendment No. 2

On page 1, line 2, of said bill, strike out "City of", and insert "Cities of Carmel and".

Amendment No. 3

On page 1 of said bill, strike out lines 5, 6, and 7, and insert

"(1) There shall be one judge, who shall receive eight thousand dollars ($8,000) per annum, payable in equal monthly installments;

(2) There shall be one clerk, who shall receive a minimum salary of three hundred eight dollars ($308) monthly with annual increments of seventeen dollars ($17), seventeen dollars ($17), nineteen dollars ($19) and nineteen dollars ($19) to a maximum of three hundred eighty dollars ($380), monthly and who may appoint the following:

One deputy (principal clerk) who shall receive a minimum salary of two hundred ninety-three dollars ($293) monthly with annual increments of fifteen dollars ($15), seventeen dollars ($17), seventeen dollars ($17) and nineteen dollars ($19) to a maximum of three hundred sixty-one dollars ($361) monthly;

Two deputies (senior account clerk and court clerk), each of whom shall receive a minimum salary of two hundred fifty-one dollars ($251) monthly with annual increments of thirteen dollars ($13), fourteen dollars ($14), fifteen dollars ($15), and fifteen dollars ($15) to a maximum of three hundred eight dollars ($308) monthly;

Two deputies (intermediate clerks), each of whom shall receive a minimum salary of two hundred five dollars ($205) monthly with annual increments of ten dollars ($10), eleven dollars ($11), twelve dollars ($12), and thirteen dollars ($13) to a maximum of two hundred fifty-one dollars ($251) monthly;

(3) There shall be one marshal who shall receive a minimum salary of three hundred sixty-one dollars ($361) monthly with annual increments of nineteen dollars ($19), twenty-one dollars ($21), twenty-two dollars ($22), and twenty-three dollars ($23), to a maximum of four hundred forty-six dollars ($446) monthly, and who may appoint the following:

One deputy, who shall receive a minimum salary of two hundred ninety-three dollars ($293) monthly with annual increments of fifteen dollars ($15), seventeen

dollars ($17), seventeen dollars ($17), and nineteen dollars ($19) to a maximum of three hundred sixty-one dollars ($361) monthly;

One deputy (junior typist clerk) who shall receive a minimum salary of one hundred ninety-five dollars ($195) monthly with annual increments of ten dollars ($10), ten dollars ($10), eleven dollars ($11), and twelve dollars ($12) to a maximum of two hundred thirty-eight dollars ($238) monthly

(4) Persons who succeed to positions in the municipal court under provisions of the Municipal and Justice Court Act of 1949 shall receive credit for continuous prior service in superseded courts and in the sheriff's department or constabulary of the county, and shall receive, in addition to the minimum rate, the annual increments commensurate with such years of prior service up to the maximum rate set"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2648—An act to amend Section 386 of the Code of Civil Procedure, relating to interpleader.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, line 13, of the printed bill, strike out "Conflicting", and insert "*Except in cases where by the law a right to a jury trial is now given, conflicting*".

Amendment No. 2

On page 2, line 15, of said bill, strike out "shall first be determined. Thereafter, in", and insert "*may be first tried. In*".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2770—An act to amend Section 11b of the Municipal Court Act of 1925, relating to municipal courts in cities of the second and three-eighths class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 12 and 13, and insert "shall receive five hundred dollars ($500) per month;".

Amendment No. 2

On page 2, lines 13 and 14, of said bill, strike out "four hundred fifty dollars ($450)", and insert "five hundred dollars ($500)".

Amendments read, and adopted

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2942—An act to amend Section 586 of the Vehicle Code, relating to the prohibited places where vehicles may stop, stand or park.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, line 8, of the printed bill, after "authorities", insert "by ordinance".

Amendment No. 2

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 472 and".

Amendment No. 3

Strike out line 2 of the title of said bill, and insert "stopping, standing, or parking of vehicles."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, strike out lines 1 to 3, inclusive, and insert

"SECTION 1. Section 472 of the Vehicle Code is amended to read:

472. Curb Markings to Indicate Parking Regulations. Whenever local authorities enact local parking regulations and indicate them by the use of paint upon curbs, the following colors only shall be used and such colors indicate as follows:

(a) Red indicates no stopping, standing or parking, whether the vehicle is attended or unattended [,] *; except that a bus may stop in a red zone marked or signposted as a bus loading zone ; and except that a vehicle may stop, for the purpose of depositing mail, in a red zone marked or signposted for the purpose of permitting such deposit in a mailbox so placed that an occupant of a vehicle is able to deposit mail therein without leaving the vehicle.*

(b) Yellow indicates stopping only for the purpose of loading or unloading passengers or freight for such time as may be specified by local ordinance.

(c) White indicates stopping only for loading or unloading of passengers for such time as may be specified by local ordinance.

(d) Green indicates time limit parking specified by local ordinance.

Regulations indicated as above provided shall be effective upon such days and during such hours or times as may be prescribed by local ordinances.

SEC. 2. Section 586 of said code is amended to read:

586. Stopping, Standing or Parking Prohibited in Specified Places. No person shall stop, park or leave standing any".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2943—An act to amend Section 459 of the Vehicle Code, relative to the powers of local authorities to make rules and regulations concerning the regulation of traffic.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 2 of the printed bill, between lines 3 and 4, insert

"(i) Closing particular streets during regular school hours for the purpose of conducting automobile driver training programs in secondary schools of this State."

Amendment No. 2

On page 2, line 4, of said bill, strike out "(i)", and insert "(j)".

Amendment No. 3

On page 2, line 9, of said bill, strike out "or (h)", and insert ", (h), (i) or (j)".

Amendment No. 4

On page 2 of said bill, strike out lines 14 to 20, inclusive, and insert

"No ordinance or resolution proposed to be enacted under subdivisions (d), (e), (f), (g), (h), (i) or (j) hereof shall be effective with respect to any highway which is not under the exclusive jurisdiction of the local authority enacting the same; *provided, that as to any state highway, if prior to the enactment of such ordinance or* resolution, the legislative body of the local authority proposing to enact the same shall submit to the Department of Public Works such ordinance or resolution in complete draft form, and the said department gives its approval in writing to the application thereof to such state highways or parts thereof as the department shall specify in

said approval, then said ordinance or resolution shall upon its enactment be effective as to such State highways or parts thereof as the department shall have specified in its said approval."

Amendments read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 782—An act to amend Section 19a of the Penal Code, and Section 1 of an act entitled "An act to provide for the creation of a Board of Parole Commissioners for each county in this State, for the paroling of prisoners confined in county jails, and authorizing and empowering such boards to make rules and regulations in relation thereto," approved March 25, 1909, relating to paroles.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, line 38, of the printed bill, as amended in the Assembly on March 28, 1951, after "prisoner", insert "with his approval".

Amendment read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 1529—An act to amend Section 5050.3 of the Welfare and Institutions Code, relating to emergency admission to institutions of persons who are believed to be mentally ill and to require immediate care and treatment.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 3, line 19, of the printed bill, as amended in the Assembly on April 6, 1951, after "exceed", strike out "five (5) days", and insert "seventy-two (72) hours".

Amendment No. 2

On page 3, lines 19 and 20, of said bill, after "said", strike out "five (5) days", and insert "seventy-two (72) hours".

Amendments read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 2688—An act relating to the operation of off-street parking facilities.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Boards and Commissions:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "chauffeur's", and insert "operators' ".

Amendment No. 2

On page 1 of said bill, after line 5, insert

"SEC. 2. Section 1 of this act shall apply only to the County of Los Angeles.

SEC. 3 If any provision of this act is for any reason held to be invalid, such invalidity shall not affect other provisions of the act which can be given effect without the invalid provision, and to this end the provisions of this act are declared to be severable."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2562—An act to amend Section 207 of the Unemployment Insurance Act, relating to a System of Unemployment Compensation Disability Insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 13, of the printed bill, as amended in the Assembly on April 4, 1951, after "under", insert "a workmen's compensation law, or employer's liability law of this State, or of any other state, or of the Federal Government"

Amendment No. 2

On page 1, line 16, of said bill, strike out "the California Workmen's Compensation Law."

Amendment No. 3

On page 3 of said bill, strike out lines 4 to 23, both inclusive

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2808—An act authorizing and directing the Department of Public Works, acting through the State Engineer, to make an investigation of and report on the water supplies of the Putah Creek Cone and adjacent areas in the Counties of Solano and Yolo, and making appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 16, of the printed bill, as amended in the Assembly on March 23, 1951, strike out ", without regard to"; and in line 17, strike out "fiscal years,".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2086—An act to amend Sections 12202 and 12203 of, and to add Section 8052 to, the Education Code, relating to practice teaching for students enrolled in teacher training curricula of teacher education institutions.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 12, of the printed bill, after "dered", insert "or such agreement may provide for the rendering of services to the school district of a value not to exceed the actual cost to the school district of the services rendered".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 305—An act to add Section 172b to the Penal Code, relating to selling, giving away, or exposing intoxicating liquors for sale in the vicinity of the University of California at Los Angeles, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Boards and Commissions:

Amendment No. 1

In line 2 of the title of the printed bill, strike out ", giving away,".

Amendment No. 2

On page 1, line 5, of said bill, after "Angeles", insert "on which the principal administrative offices of the university are located".

Amendment No. 3

On page 1, line 5, of said bill, strike out ", gives away,".

Amendment No. 4

On page 1 of said bill, strike out lines 11 to 17, inclusive.

Amendment No. 5

On page 1, line 18, of said bill, strike out "3", and insert "2".

Amendment No. 6

On page 1, line 23, of said bill, strike out "4", and insert "3".

Amendment No. 7

On page 2, line 1, of said bill, strike out "5", and insert "4".

Amendment No. 8

On page 2 of said bill, strike out lines 6 to 9, inclusive, and insert "of this section do not prohibit the transfer of any license from one premises to another within the prescribed area if the premises to which the license is transferred are not located more than 500 feet nearer to the grounds belonging to the University of California at Los Angeles than the premises from which the license is transferred, except that no license shall be transferred to any premises within an area where the sale of intoxicating liquor is prohibited by Section 172."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2363—An act to add Sections 715.1 and 715.2 to the Civil Code, and to amend Sections 716 and 773 of said code, and to repeal Sections 715 and 772 of said code, relating to the rules against remoteness in vesting and against suspension of the power of alienation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 2 of the title of the printed bill, between "716" and "and", insert ", *771*".

Amendment No. 2

In line 3 of the title of the printed bill, strike out "and 772", and insert ", *772 and 776*".

Amendment No. 3

On page 1, line 13, of the printed bill, between "vest" and "not", insert ", *if at all,*".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 2 of the printed bill, between lines 10 and 11, insert

"*SEC. 4. Section 771 of the Civil Code is amended to read:*

771. Suspension by trust. The suspension of all power to alienate the subject of a trust, other than a power to exchange it for other property to be held upon the same trust, or to sell it and reinvest the proceeds to be held upon the same trust, is a suspension of the power of alienation, within the meaning of section [seven hundred and fifteen] *715.1*"

Amendment No. 5

On page 2, line 11, of the printed bill, strike out "SEC. 4.", and insert

"*SEC. 5.*"

Amendment No. 6

On page 2, line 21, of the printed bill, strike out "SEC. 5. Sections 715 and 772", and insert

"*SEC. 6. Sections 715, 772 and 776*".

Amendment No. 7

On page 2 of the printed bill, immediately following line 22, insert

"SEC. 7. *This act shall not invalidate any part of any will or other instrument executed prior to the effective date of this act and any such part which would have been valid prior to said effective date shall be valid irrespective of the provisions of this act. The republication of a will executed prior to the effective date of this act by a codicil executed after said date shall not constitute execution of the will after said date within the meaning of this section. No trust heretofore or hereafter created forming part of a retirement system established pursuant to the laws of California authorizing such systems shall be deemed invalid as violating Sections 715.1 or 715.2 of this code; and the income arising from such property, real or personal, held in such trust may be permitted to accumulate until the fund is sufficient, in the opinion of the trustee or trustees thereof, to accomplish the purposes of the trust.*"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1045—An act to add Section 1188.2 to the Code of Civil Procedure, relating to priority of mechanics' liens.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 19, 1951, strike out lines 3 to 24 inclusive; and, on page 2, strike out lines 1 to 14 inclusive, and insert

"1188.2. In the event the holder of any mortgage or deed of trust which otherwise would be inferior to the liens provided for in Articles 1 to 4, inclusive, of Chapter 2, Title 4, Part 3 of the Code of Civil Procedure, which liens arise out of a work of

improvement upon the property to which the mortgage or deed of trust attaches, shall procure or cause to be procured a bond with good and sufficient sureties which complies with the requirements of this section and shall file such bond in the office of the county recorder of the county in which the property is situated either concurrently with or after the filing for record of such mortgage or deed of trust, then such mortgage or deed of trust shall be prior and paramount to the liens of all persons arising out of such work of improvement for work done or materials furnished subsequent to the time such bond is filed as herein provided. Such bond, upon which either the contractor or owner may be the principal, must comply with the following requirements: (1) it must be in an amount not less than seventy-five (75) percent of the face principal amount of such mortgage or deed of trust, (2) it must refer to the mortgage or deed of trust in connection with which the bond is given, and (3) it must be conditioned for the payment in full of the claims of all persons performing labor upon or furnishing materials to be used in, or furnishing appliances, teams, or power contributing to such work of improvement, and there must be incorporated in said bond a provision by its express terms making it inure to the sole benefit of any and all persons who perform labor upon, or furnish materials to be used in, or furnish appliances, teams, or power contributing to such work of improvement, so as to give such persons a right to recover upon said bond in any suit to foreclose such liens, or in a separate suit brought on said bond

The provisions of this section shall not apply to liens provided for by Section 1184 1 of the Code of Civil Procedure, the priority of such liens being as provided by Section 1189.1 (b) of the Code of Civil Procedure."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1049—An act to amend Section 1193.1 of the Code of Civil Procedure, relating to mechanics' liens.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 19, 1951, strike out "amend Section 1193.1 of", and insert "add Section 1193.1 to".

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 1193.1 is added to the Code of Civil Procedure to read:

1193 1. (a) Every original contractor claiming the benefit of this chapter, after the completion of his contract and within the periods of time as provided in this section, and every person, other than an original contractor, claiming the benefit of this chapter, after he has ceased to perform labor or furnish material, or both, for any work of improvement and within the periods of time as provided in this section, may file for record with the county recorder of the county in which the property is situated a claim of lien as provided in subdivision (j) of this section.

(b) Where the work of improvement is not made pursuant to one original contract for the work of improvement but is made in whole or in part pursuant to two or more original contracts each covering a particular portion of the work of improvement, the owner may within 10 days after completion of any such contract for a particular portion of the work of improvement file for record a notice of completion thereof as provided in subdivision (f) of this section. If such notice be so filed, then the original contractor under the contract covered by such notice must within 60 days after the date of filing for record such notice, and all other persons claiming the benefit of this chapter for work done or materials furnished under such contract, must within 30 days after the date of filing for record such notice, file for record his claim of lien. If such notice be not so filed, then the period for filing claims of lien shall be as provided in subdivision (c) of this section.

(c) The owner shall within 10 days after the completion of the work of improvement file for record a notice of completion as provided in subdivision (f) of this section. If such notice be so filed, then, except as to any persons who were required to file a claim of lien as provided in subdivision (b) of this section, every original contractor must within 60 days after the date of filing for record such notice, and every person, other than an original contractor, claiming the benefit of this chapter must within 30 days after the date of filing for record such notice, file for record his claim of lien. If such notice be not so filed, then, except as to any persons who were required to file for record

claims of lien as provided in subdivision (b) of this section, all persons claiming the benefit of this chapter shall have 90 days after the completion of such work of improvement within which to file their claims of lien

(d) In all cases, except as provided in subdivision (e) of this section, any of the following shall be deemed equivalent to a completion: (1) the occupation or use of a work of improvement by the owner, or his agent, accompanied by cessation from labor thereon; (2) the acceptance by the owner, or his agent, of the work of improvement, or (3) after the commencement of a work of improvement, a cessation of labor thereon for a continuous period of 60 days, or a cessation of labor thereon for a continuous period of 30 days or more if the owner files for record a notice of cessation as provided for in subdivision (h) of this section, except that the time for and manner of filing claims of lien where there has been such a cessation of labor shall be as provided in subdivision (g) and (h) of this section.

(e) If a work of improvement is of the character referred to in Section 1184.1 of this code and is subject to acceptance by any public or governmental authority, the completion of such work of improvement shall be deemed to be the date of such acceptance.

(f) The notice of completion provided for in this section shall be filed in the office of the county recorder of the county in which the property is situated, shall be signed and verified by the owner or some other person on behalf of the owner, and shall set forth the following: (1) the date of completion of such work of improvement or of such particular portion of the work of improvement, provided that the recital of an erroneous date of completion shall not affect the validity of the notice if the true date of completion is within 10 days preceding the date of filing for record such notice; (2) the name and address of such owner, (3) the nature of the interest or estate of such owner; (4) a description of the property sufficient for identification, which description shall contain the street address of such property if any such street address shall have been given to such property by any competent public or governmental authority, provided that if a sufficient legal description of the property is given in addition to a street address, the validity of the notice shall not be affected by the fact that the street address recited is erroneous; (5) the name of the original contractor, if any, for the work of improvement, or if the notice is given only of completion of a contract for a particular portion of such work of improvement as provided in subdivision (b) of this section, then the name of the original contractor under such contract, and a general statement of the kind of work done or materials furnished pursuant to such contract.

(g) If, after the commencement of a work of improvement, there shall be a cessation of labor thereon for a continuous period of 60 days, then all persons claiming the benefit of this chapter shall within 90 days from the expiration of such 60 day period file for record their claims of lien; provided that if, after there shall be a cessation of labor thereon for a continuous period of 30 days or more, the owner files for record a notice of cessation as provided in subdivision (h) of this section, every original contractor must within 60 days after the date of filing for record such notice, and every other person claiming the benefit of this chapter must within 30 days after the date of filing for record such notice, file for record his claim of lien. Nothing contained in this subdivision shall, however, extend the time for the filing for record of a claim of lien required to be filed for record by reason of the filing for record prior to cessation of a notice of completion as provided in subdivision (b).

(h) The notice of cessation provided for in subdivision (g) of this section shall be filed for record in the office of the county recorder of the county in which the property is situated, shall be signed and verified by the owner or someone on behalf of the owner, and shall set forth the following: (1) the date on or about when the cessation from labor commenced; (2) a statement that such cessation continued until the giving of such notice of cessation; (3) the name and address of the owner; (4) the nature of the interest or estate of such owner; (5) a description of the property sufficient for identification, which description shall contain the street address of such property if any such street address shall have been given to such property by any competent public or governmental authority, provided that if a sufficient legal description of the property is given in addition to a street address, the validity of the notice shall not be affected by the fact that the street address recited is erroneous; (6) the name of the original contractor, if any, for the work of improvement as a whole.

(i) The word "owner" as used in subdivisions (f) and (h) of this section is hereby defined to mean the owner who caused the building, improvement, or structure, to be constructed, altered, or repaired (or his successor in interest at the date a notice of completion or cessation from labor is filed for record) whether the interest or estate of such owner be in fee, as vendee under a contract of purchase, as lessee or other interest or estate less than the fee; and where such interest or estate is held by several persons as joint tenants or tenants in common, any one or more of the co-tenants may be deemed to be the "owner" within the meaning of this section, provided, that any notice of completion or cessation from labor signed by less than all of such co-owners shall recite the names and addresses of all of such co-owners.

(j) A claim of lien filed for record by any person claiming the benefit of this chapter shall be signed and verified by the claimant or by some person on his behalf

and shall contain the following: (1) a statement of his demand after deducting all just credits and offsets; (2) the name of the owner or reputed owner, if known; (3) a general statement of the kind of work done or materials furnished by him, or both; (4) the name of the person by whom he was employed or to whom he furnished the materials; (5) a description of the property sought to be charged with the lien sufficient for identification.

(k) Any person who shall wilfully include in his claim of lien filed for record pursuant to this chapter work not performed upon, or materials, appliances or power not furnished for, the property described in such claim, shall thereby forfeit his lien."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 25, inclusive.

Amendment No. 4

Strike out all of pages 2 and 3 of said bill.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 2018—An act to amend Section 1190.1 of the Code of Civil Procedure, relating to mechanics' liens.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, line 16, of the printed bill, as amended in the Assembly on May 1, 1951, strike out "Office of the Con-", and insert "office of the con-".

Amendment No. 2

On page 3, line 43, of said bill, strike out the period, and insert ", but shall be under no obligation to do so unless a bond is furnished as hereinafter provided"

Amendment No. 3

On page 3, line 44, of said bill, strike out "Provided further, that if", and insert "If".

Amendment No. 4

On page 3, line 51, of said bill, strike out "to", and insert "against".

Amendment No. 5

On page 4, line 49, of said bill, strike out "such notice", and insert "the notice provided for in subsection (h)".

Amendment No. 6

On page 4, line 50, of said bill, strike out "20", and insert "10"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 2686—An act to add Section 12215 to the Business and Professions Code, relating to county sealers of weights and measures.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Boards and Commissions:

Amendment No. 1

On page 1 of the printed bill, after line 7, insert "This section shall be applicable only as to off-street parking facilities having space for 20 or more motor vehicles and regularly serving the public five or more days per week.

SEC. 2. Section 1 of this act shall apply only to the County of Los Angeles.
SEC. 3. If any provision of this act is for any reason held to be invalid, such invalidity shall not affect other provisions of the act which can be given effect without the invalid provision, and to this end the provisions of this act are declared to be severable."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Boards and Commissions.

Assembly Bill No. 1248—An act to amend Section 19539 of the Business and Professions Code, relating to harness horse racing.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Boards and Commissions:

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in the Assembly on May 1, 1951, after "harness racing and", insert ", except in counties of the first class,".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Boards and Commissions.

Assembly Bill No. 885—An act to amend Sections 922.1, 922.2, and 1591, to renumber and amend Section 922.5 and to repeal Sections 922.3 and 922.4 of, and to add Sections 922.3, 922.4, 922.5, 922.6, 922.7, and 922.8 to, the Insurance Code, relating to financial statements of insurers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In the first line of the title of the printed bill, as amended in the Assembly on April 11, 1951, strike out "renumber".

Amendment No. 2

In the second line of the title of said bill, as amended, strike out the word "and" before the word "amend", and, before the word "to", insert "*renumber it Section 922.8 and*".

Amendment No. 3

In the third line of the title of said bill, as amended, after "922.6", strike out ", 922.7,".

Amendment No. 4

In the fourth line of the title of said bill, as amended, strike out "922.8", and insert "922.7".

Amendment No. 5

On page 1, line 4, of said bill, as amended, strike out "922.9", and insert "922.8".

Amendment No. 6

On page 1, line 17, of said bill, as amended, strike out "922.9", and insert "922.8".

Amendment No. 7

On page 2, line 12, of said bill, as amended, strike out "unless".

Amendment No. 8

On page 2, line 30, of said bill, as amended, strike out "*or* where the reinsurer", and insert a period; and strike out lines 31 to 35, inclusive.

Amendment No. 9

On page 3, line 3, of said bill, as amended, after "reinsurance", and before the period, insert "*, or in a specific agreement between the reinsurer and the original insured or policyholder*".

Amendment No. 10

On page 3, lines 6 and 7, of said bill, as amended, strike out "922 9", and insert "922.8".

Amendment No. 11

On page 3, line 37, of said bill, as amended, after "alien", insert "reinsurer"; strike out "only"; and after "allowed", and before the colon, insert "only".

Amendment No. 12

On page 4, line 4, of said bill, as amended, strike out "only"; and after "allowed", and before the colon, insert "only".

Amendment No. 13

On page 4 of said bill, as amended, strike out lines 32 to 48, inclusive; and in line 49, strike out "922.8", and insert
"922.7".

Amendment No. 14

On page 5, line 12, of said bill, as amended, strike out "11", and insert "10".

Amendment No. 15

On page 6, line 3, of said bill, as amended, strike out "922.9", and insert "922.8".

Amendment No. 16

On page 6, line 20, of said bill, as amended, strike out "922.9", and insert "922.8".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 519—An act to add Sections 1373.1 and 1373.2 to the Insurance Code, relating to insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In the first line of the title of the printed bill, strike out "add Sections 1373.1 and 1373.3 to", and insert "amend Section 1198 of".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 27; and strike out all of page 2, and insert

"SECTION 1. Section 1198 of the Insurance Code is amended to read:

1198. Excess funds investments shall not be made in purchases of or loans upon shares of the capital stock of any one corporation in an amount exceeding 25 percent of the *excess of the admitted assets of the investing insurer over the liabilities of such insurer* [capital stock and surplus of the investing insurer]."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 1715—An act to amend Section 58 of the Unemployment Insurance Act, relating to disqualification for benefits.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 58 of", and insert "add Section 58.1 to".

Amendment No. 2

On page 1, line 1, of said bill, strike out "58 of the Unemployment Insurance", and insert "58.1 is added to the California Unemployment Insurance Act, to read.

Sec. 58.1. Notwithstanding any other provision of this act, a female employee who leaves her employment to be married or to accompany her husband to or join him at a place from which it is impractical to commute to such employment or whose marital or domestic duties conflict with and causes her to resign from her employment shall not be eligible for benefits until she has earned wages of one hundred dollars ($100) in an employment occurring subsequent to employment which she left for such reason."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 24, inclusive; and on page 2, strike out lines 1 to 29, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 2936—An act to add Section 7.4 to the Unemployment Insurance Act, relating to agricultural labor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "7.4", and insert "7.7".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 13, inclusive, and insert

"SECTION 1. Section 7.7 is added to the Unemployment Insurance Act, to read.

Sec. 7.7. Agricultural labor includes all services performed

(a) On a farm in the employ of any person:

(1) *In connection with the preparation, care and treatment of farm land,* including leveling, plowing, discing, and fertilizing the soil;

(2) In connection with the sowing and planting of any agricultural or horticultural commodity;

(3) In connection with the care of any agricultural or horticultural commodity. As used in this subdivision "care" includes, but is not limited to, cultivation, irrigation, weed control, thinning, heating, fumigating, spraying, and dusting;

(4) *In connection with the harvesting of any agricultural or horticultural commodity.* As used in this subdivision "harvesting" includes, but is not limited to, picking, cutting, threshing, knocking off, field chopping, bunching, baling, field packing, and placing in field containers or in the vehicle in which the commodity will be hauled on the farm or to the place of first processing. By way of illustration, the placing of cotton in picking bags or other containers or vehicles, the field packing of berries and table and shipping grapes, the field packing of lettuce and other vegetables, the sacking of *grain and the sowing of such sacks of grain, the threshing of rice and other grains and* beans, is included within the term "harvesting" as used in this subdivision;

(5) In connection with the assembly and storage of any agricultural or horticultural commodity. As used in this subdivision "assembly and storage" includes, but is not limited to, loading, roadsiding, banking, stacking, binning, piling, and hauling to the point of first processing.

(6) In connection with the raising, feeding and management of livestock, poultry and bees, *including, but not limited to, herding, housing, hatching, milking,* shearing, handling eggs and extracting honey.

(b) In the employ of the owner, tenant or operator of a farm:

(1) In connection with the drying, processing, packing, packaging, handling, grading, storing, freezing, transporting to delivery point, and marketing of any agricultural or horticultural commodity the major part of which was produced by such owner, tenant or operator.

(2) In connection with the operation, management, conservation, improvement or maintenance of such farm and its tools and equipment if the major part of such services are performed on a farm

(3) The provisions of paragraphs (1) and (2) are not applicable with respect to services performed in connection with commercial canning or commercial freezing operations or in connection with any agricultural or horticultural commodity after its delivery to a terminal market for distribution for consumption

(c) As used in this section, the term "farm" includes, among others, stock, dairy, poultry, fruit and truck farms, plantations, ranches, ranges, apiaries, orchards, vineyards, nurseries, greenhouses, or other similar structures used primarily for the raising of agricultural or horticultural commodities."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 2496—An act to repeal Chapter 10 of, and to add Chapter 10 to, Part 2 of Division 2 of the Insurance Code, relating to fraternal benefit societies.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1 of the printed bill, between lines 16 and 17, insert
"*(d) Those provisions specifically referred to in this chapter to the extent made necessary by such reference.*"

Amendment No. 2

On page 4, line 7, of said bill, after "directors", insert "*if the board of directors is itself elected by the supreme legislature or governing body.*"

Amendment No. 3

On page 4 of said bill, strike out lines 16 and 17

Amendment No. 4

On page 4, line 18, of said bill, strike out "(1)", and insert
"*11010*".

Amendment No. 5

On page 4, line 41, of said bill, strike out "(2)", and insert
"*11011*"

Amendment No. 6

On page 5, line 9, of said bill, strike out "(3) No", and insert
"*11012. No such*".

Amendment No. 7

On page 5, lines 9 and 10, of said bill, strike out "*granted under the provisions of this section*".

Amendment No. 8

On page 5, line 21, of said bill, strike out "(4)", and insert
"*11013.*"

Amendment No. 9

On page 5, line 39, of said bill, after "insurability", insert "*meeting the established underwriting standards of the society*".

Amendment No. 10

On page 5, lines 39 and 40, of said bill, strike out "chief medical examiner of the".

Amendment No. 11

On page 6, line 10, of said bill, strike out "5", and insert
"*11014.*"

Amendment No. 12

On page 6, line 21, of said bill, strike out "(6)", and insert
"*11015.*"

Amendment No. 13

On page 6, line 29, of said bill, strike out "11011", and insert "*11016*".

Amendment No. 14

On page 6, lines 35 and 36, strike out "11012. After one year from the effective date of this chapter", and insert "*11017. After September 21, 1952*".

Amendment No. 15

On page 6, line 37, of said bill, after "State", insert "*as a fraternal benefit society under this chapter*".

Amendment No. 16

On page 7, line 7, of said bill, strike out "11013", and insert "*11018*".

Amendment No. 17

On page 7, line 14, of said bill, strike out "11014", and insert "*11019*".

Amendment No. 18

On page 7, line 32, of said bill, before "If", "*11020.*"

Amendment No. 19

On page 7, line 32, of said bill, strike out "the" following "that", and insert "*such*".

Amendment No. 20

On page 7, line 33, of said bill, strike out "section", and insert "*chapter*".

Amendment No. 21

On page 7, line 34, of said bill, after "correct", insert "*, that under it the interests of the certificate holders of the parties are properly protected*".

Amendment No. 22

On page 7, line 45, of said bill, strike out "it has been approved by"; and strike out all of lines 46, 47, and 48, inclusive, and insert "*the supervising insurance official of such state or territory has advised the commissioner that he has no objection to such consolidation or merger.*"

Amendment No. 23

On page 7, line 49, of said bill, before "Upon", insert "*11021.*"

Amendment No. 24

On page 7, lines 49 and 50, of said bill, strike out "as herein provided".

Amendment No. 25

On page 8, line 3, of said bill, strike out "shall", and insert "*may*".

Amendment No. 26

On page 8, line 10, of said bill, strike out "The affidavit", and insert "*11022. The affidavit*".

Amendment No. 27

On page 8, line 15, of said bill, strike out "11015", and insert "*11023*".

Amendment No. 28

On page 8, line 20, of said bill, after "society", insert "*in accordance with its established underwriting standards*".

Amendment No. 29

On page 8, line 25, of said bill, before "Any", insert "11024."; and after "admitted", insert "*to benefit membership in such society*".

Amendment No. 30

On page 8, line 30, of said bill, strike out "A society may also accept".

Amendment No. 31

On page 8, line 31, of said bill, before "general", insert "*11025. A society may accept*".

Amendment No. 32

On page 8, line 33, of said bill, strike out "11016", and insert "*11026*".

Amendment No. 33

On page 8, line 47, of said bill, before "No", insert "*11027.*"

Amendment No. 34

On page 9, line 10, of said bill, before "Within", insert "*11028.*"

Amendment No. 35

On page 9, line 19, of said bill, before "Every", insert "*11029.*"

Amendment No. 36

On page 9, line 23, of said bill, before "Printed", insert "*11030.*"

Amendment No. 37

On page 9, line 27, of said bill, strike out "11017. It shall be lawful for a society to", and insert "*11031. A society may*".

Amendment No. 38

On page 9, line 36, of said bill, before "Maintenance", insert "*11032.*"

Amendment No. 39

On page 9, line 41, of said bill, strike out "11110 of this chapter", and insert "*11120*".

Amendment No. 40

On page 9 of said bill, after line 47, insert

"*11033. A society maintaining special funds of the nature set forth in Section 11122 may make payments from such funds to its members compatible with the type thereof, provided that if such payments are of such a nature that they could constitute benefits within the classes of insurance set forth in Section 11041, the society making such payments may not:*

(a) Make any separate charge therefor.

(b) Promise to make such payments in its constitution, by-laws, certificates or any other document or advertise such payments as insurance payments or as payments to which the member has any vested right.

No such special funds shall be an admitted asset of the society for insurance purposes. The society shall maintain a separate accounting of any disbursements under this section and report them in its annual statement."

Amendment No. 41

On page 10 of said bill, strike out lines 8 to 21, inclusive, and insert

"*11041. An admitted society may, by the issuance of certificates, provide for its payment to its members of insurance benefits contained within the following classes:*

(a) All forms of life insurance as defined in Section 101.

(b) All forms of disability insurance as defined in Section 106, except benefits for loss of time as a result of disease occurring after the sixty-fifth birthday of the member.

Except as otherwise provided in this chapter, such benefits may be paid in any manner compatible with their nature If such certificate constitutes a funeral insurance contract as defined in Chapter 3 of this part, such certificate must comply with such chapter."

Amendment No. 42

On page 10, line 25, of said bill, after "age", insert "*and under the minimum age for adult membership under the laws of the society*".

Amendment No. 43

On page 10, line 28, of said bill, strike out "of this chapter".

Amendment No. 44

On page 10, lines 50 and 51, of said bill, strike out "one year from the effective date of this chapter", and insert "*September 21, 1952*".

Amendment No. 45

On page 10, line 52, of said bill, strike out "commissioners", and insert "*Commissioners*".

Amendment No. 46

On page 11, lines 21 and 22, of said bill, strike out "one year from the effective date of this chapter", and insert "*September 21, 1952*".

Amendment No. 47

On page 11, line 23, of said bill, strike out "commissioners", and insert "*Commissioners*".

Amendment No. 48

On page 12, line 5, of said bill, before "All", insert "*11061.*"

Amendment No. 49

On page 12, line 8, of said bill, before "Any", insert "*11062.*"

Amendment No. 50

On page 12, line 19, of said bill, before "Copies", insert *11063.*"; and strike out "this section", and insert "*Sections 11060 and 11062*".

Amendment No. 51

On page 12, line 22, of said bill, before "A", insert "*11064.*"

Amendment No. 52

On page 12, line 30, of said bill, before "Every", insert "*11065.*"

Amendment No. 53

On page 12 of said bill, strike out lines 36 and 37, and insert "*11066. After September 21, 1952, no life insurance benefit*".

Amendment No. 54

On page 12, line 42, of said bill, after "shall", insert "*have a title clearly and correctly describing its form on the face and filing back and*".

Amendment No. 55

On page 12 of said bill, strike out lines 49 and 50

Amendment No. 56

On page 12, line 51, of said bill, strike out "(b)", and insert "*(a)*".

Amendment No. 57

On page 13, line 4, of said bill, strike out "The word", and strike out all of lines 5, 6, and 7.

Amendment No. 58

On page 13, line 8, of said bill, strike out "(c)", and insert "*(b)*".

Amendment No. 59

On page 13, lines 12 and 13, of said bill, strike out ", but in case the certificate becomes a claim", and insert ". *However such certificate may provide that in case a claim is filed*".

Amendment No. 60

On page 13, line 16, of said bill, strike out "(d)", and insert "*(c)*".

Amendment No. 61

On page 13, line 30, of said bill, strike out "(e)", and insert "*(d)*".

Amendment No. 62

On page 13, line 40, of said bill, strike out "(f)", and insert "*(e)*".

Amendment No. 63

On page 13, line 47, of said bill, strike out "(g)", and insert "*(f)*".

Amendment No. 64

On page 13, lines 49 and 50, of said bill, strike out "three years from the effective date of this code", and insert "*September 21, 1954*".

Amendment No. 65

On page 14, line 6, of said bill, strike out "(h)", and insert "*(g)*".

Amendment No. 66

On page 14, line 14, of said bill, strike out "(i)", and insert "*(h)*".

Amendment No. 67

On page 14, line 32, of said bill, strike out "(j)", and insert "*(i)*".

Amendment No. 68

On page 14, line 45, of said bill, strike out "(k)", and insert "*(j)*".

Amendment No. 69

On page 15, line 3, of said bill, after the period, insert "*The word 'premium' as used in this section means premiums, rates or other required contributions, by whatever name known.*"

Amendment No. 70

On page 15 of said bill strike out all of line 4; and in line 5, strike out "no life insurance benefit, pure endowment or annuity", and insert

"*11067. After September 21, 1952 no life insurance benefit*".

Amendment No. 71

On page 15 of said bill, strike out lines 27 and 28, and insert

"*11068. After September 21, 1954 no life insurance benefit*".

Amendment No. 72

On page 15, line 33, of said bill, strike out "11062", and insert

"*11069*".

Amendment No. 73

On page 16, line 10, after the period, insert "*All rules and regulations made, altered or superseded by the commissioner pursuant to the authority granted in this section shall be in accordance with Chapter 4 of Part 2, Division 3, Title 2 of the Government Code.*"

Amendment No. 74

On page 16 of said bill, strike out line 11; and in line 12, strike out "chapter", and insert

"*11070. After September 21, 1954*".

Amendment No. 75

On page 16, line 15, of said bill, strike out "11064", and insert

"*11071*".

Amendment No. 76

On page 16, line 21, of said bill, strike out "11065", and insert

"*11072*".

Amendment No. 77

On page 16 of said bill, strike out lines 39 to 50, inclusive, and insert

"*11090. Societies which on the effective date of this chapter are authorized to transact business in this State may continue such business until July 1, 1952. The authority of such societies and all societies receiving certificates of authority after the effective date of this chapter may be renewed annually, but in all such cases to terminate on the first day of each succeeding July. However, a certificate of authority so issued shall, if a proper renewal application is filed with the Commissioner before the June 15th preceding the period for which the renewal is sought, continue in full force and effect until the new license is issued or specifically refused. For filing an application for each certificate of authority or renewal thereof the society shall pay to the Commissioner twenty dollars ($20). A duly certified copy or duplicate of such certificate of authority shall be prima facie evidence that the holder is a fraternal benefit society within the meaning of this chapter.*"

Amendment No. 78

On page 16, line 52, of said bill, strike out "license", and insert "*certificate of authority*".

Amendment No. 79

On page 17, line 1, of said bill, strike out "be licensed", and insert "*receive a certificate of authority*".

Amendment No. 80

On page 17, line 2, of said bill, after "upon" insert "*a showing that its assets are invested in accordance with the provisions of this chapter and*"

Amendment No. 81

On page 17, line 8, of said bill, strike out "11096", and insert

"*11104*".

Amendment No. 82

On page 17, line 15, of said bill, strike out "11112", and insert

"*11133*".

Amendment No. 83

On page 17 of said bill, strike out lines 23 and 24.

Amendment No. 84

On page 17 of said bill, strike out line 32, and insert

"*11092. The commissioner shall act as prescribed in Section 11093 when upon investigation he finds*".

Amendment No. 85

On page 17, line 39, of said bill, strike out "or more".

Amendment No. 86

On page 17 of said bill, strike out lines 43 to 45, inclusive, and insert

"*11093. If the commissioner finds that any of the conditions set forth in Section 11092 exist in respect to a domestic society, he shall, in an order to show cause, notify the society of his findings and the manner in which such acts have occurred and shall set a date after a reasonable period of time on which it shall show cause why it*"

Amendment No. 87

On page 18, line 5, of said bill, strike out "officers of the".

Amendment No. 88

On page 18 of said bill, strike out lines 9 to 13, inclusive, and insert

"*11094 If the court orders the society enjoined, the commissioner shall suspend its certificate of authority. Thereafter such society shall have no authority to do business in this State until:*

(a) The commissioner finds that the overt act or violation complained of has been corrected;

(b) The costs of such action, if any, have been paid by the society;

(c) The court has dissolved its injunction; and

(d) The commissioner has reinstated the certificate of authority."

Amendment No. 89

On page 18, line 14, of said bill, before "If", insert

"*11095.*"

Amendment No. 90

On page 18, line 15, of said bill, strike out "buisness", and insert "*business*".

Amendment No. 91

On page 18 of said bill, strike out lines 21 to 25, inclusive.

Amendment No. 92

On page 18 of said bill, strike out line 26, and insert

"*11096. The provisions of Sections 11093 to 11095 relating to hearing by the*".

Amendment No. 93

On page 18 of said bill, strike out line 31, and insert

"*11097. The commissioner shall act as prescribed in Section 11098 when upon investigation he finds*".

Amendment No. 94

On page 18 of said bill, strike out lines 40 to 42, inclusive; and in line 43 strike out "license", and insert

"*11098. If the commissioner finds that any of the conditions set forth in Section 11097 exist in respect to a foreign or alien society, he shall, in an order to show cause, notify the society of his findings and the manner in which such acts have occurred and shall set a date after a reasonable period of time on which it shall show cause why its certificate of authority*".

Amendment No. 95

On page 18, line 47, of said bill, strike out "license", and insert "*certificate of authority*".

Amendment No. 96

On page 19 of said bill, between lines 2 and 3, insert

"*11099. The provisions of Article 14, Chapter 1, Part 2, Division 1 of this code shall be applicable to any society except as otherwise provided in this chapter.*"

Amendment No. 97

On page 19, line 3, of said bill, strike out "11095. (1)", and insert

"*11100.*"

Amendment No. 98

On page 19 of said bill, strike out line 6; and in line 7, strike out "(4) hereof", and insert

"*11101. Except as otherwise provided in Sections 11102 and 11103*".

Amendment No. 99

On page 19, line 15, of said bill, strike out "(3)", and insert

"*11102.*"

Amendment No. 100

On page 19, line 19, of said bill, strike out "*(i)*" and "(ii)", and insert "*(1)*" and "*(2)*", respectively.

Amendment No. 101

On page 19, line 22, strike out "subsection (2) hereof, and (iii)", and insert "*Section 11101, and (3)*".

Amendment No. 102

On page 19, line 28, of said bill, strike out "subdivision of".

Amendment No. 103

On page 19, line 29, of said bill, strike out "(3)".

Amendment No. 104

On page 19, line 30, of said bill, strike out "subsection (2)", and insert "*Section 11101*".

Amendment No. 105

On page 19, line 44, of said bill, strike out "(4) The", and insert
"*11103. Insofar as his license to represent a fraternal benefit society is concerned the*".

Amendment No. 106

On page 20, line 19, of said bill, strike out "11096", and insert
"*11104*".

Amendment No. 107

On page 20, line 24, of said bill, strike out "or", and insert "*on*".

Amendment No. 108

On page 20, line 31, of said bill, before "Service", insert
"*11105*".

Amendment No. 109

On page 20, line 32, of said bill, insert "a comma" after "deputy".

Amendment No. 110

On page 20, line 45, of said bill, strike out "11097", and insert
"*11106*".

Amendment No. 111

On page 20 of said bill, between lines 48 and 49, insert
"*11107. A fraternal benefit society, its members, employees, agents, delegates, directors and officers by whatever name known are subject to Sections 12923 and 12924 of this code.*"

Amendment No. 112

On page 20, line 49, of said bill, strike out "11098" and "or", and insert "*11108*" and "*and*", respectively.

Amendment No. 113

On page 20, line 52, of said bill, strike out the semicolon, and insert a comma; and strike out the comma after "provided".

Amendment No. 114

On page 21 of said bill, between lines 28 and 29, insert
"*11109. On such conversion:*
(a) Except as provided in (b) hereof all funds, assets and liabilities of any nature which theretofore were the funds, assets or liabilities of such society shall become the funds, assets and liabilities of such mutual life insurance company. In determining whether such mutual life insurance company meets the minimum capital and surplus requirements of this code, the commissioner shall consider such funds to be those of such mutual life insurance company Such conversion shall likewise extinguish the assessment liability, if any, of the members, certificate holders or beneficiaries of such society.
(b) If by reason of any contract right in any member, certificate holder or beneficiary which exists on the effective date of this chapter, the transfer of such funds or assets would violate such right then the assets or funds as to which such contract right pertains shall be segregated and held to discharge the liabilities of such mutual life insurance company to the persons entitled thereto. In this case such separate funds shall not be considered by the commissioner in determining if such society meets minimum capital and surplus requirements, and the assessment liability, if any, of such member, certificate holder or beneficiary is not extinguished."

Amendment No. 115

On page 21, line 29, of said bill, strike out "11099", and insert
"*11110*".

Amendment No. 116

On page 21, line 36, of said bill, strike out "11110. (1)", and insert "*11120.*"

Amendment No. 117

On page 21, line 46, of said bill, strike out "subsection", and insert "*Section*".

Amendment No. 118

On page 21, line 47, of said bill, strike out "subsection (2) hereof", and insert "*Section 11121*".

Amendment No. 119

On page 21, line 48, of said bill, strike out "(2)" and "subsection (1) hereof", and insert "*11121.*" and "*11120*", respectively.

Amendment No. 120

On page 22, line 2, of said bill, strike out "if", and insert "*of*".

Amendment No. 121

On page 22, line 7, of said bill, strike out "(3)", and insert "*11122.*"

Amendment No. 122

On page 22, line 13, of said bill, strike out "(4)", and insert "*11123.*"

Amendment No. 123

On page 22, line 17, of said bill, strike out "purpose", and insert "*purposes*".

Amendment No. 124

On page 22, line 18, of said bill, strike out "(5)", and insert "*11124.*"

Amendment No. 125

On page 22, line 23, of said bill, strike out "11111 (1)", and insert "*11125.*"

Amendment No. 126

On page 22, line 25, of said bill, strike out "nonassessible", and insert "*non-assessable*".

Amendment No. 127

On page 22, line 29, of said bill, strike out "(2)", and insert "*11126.*"

Amendment No. 128

On page 22, line 34, of said bill, strike out "(3)", and insert "*11127.*"

Amendment No. 129

On page 22, lines 38 and 39, of said bill, strike out "subsection (4) hereof", and insert "*Section 11128*".

Amendment No. 130

On page 22, line 40, of said bill, strike out "(4)", and insert "*11128.*"

Amendment No. 131

On page 22, lines 40 and 41, of said bill, strike out "subsection (3) hereof", and insert "*Section 11127*".

Amendment No. 132

On page 22, line 47, of said bill, strike out "11112", and insert "*11133*".

Amendment No. 133

On page 23, line 3, of said bill, strike out "(5)", and insert "*11129.*"

Amendment No. 134

On page 23, line 4, of said bill, strike out "subsection (3)", and insert "*Section 11127*".

Amendment No. 135

On page 23, line 5, of said bill, strike out "subsections (3) and (4)", and insert "*Sections 11127 and 11128*".

Amendment No. 136

On page 23, line 6, of said bill, strike out "(6)", and insert "*11130.*"

Amendment No. 137

On page 23, line 7, of said bill, strike out "subsection (3)", and insert "*Section 11127*".

Amendment No. 138

On page 23, line 12, of said bill, strike out "11112", and insert "*11131*".

Amendment No. 139

On page 23, line 26, of said bill, strike out "every", and insert "*any*".

Amendment No. 140

On page 23, line 32, of said bill, strike out "(2)", and insert "*11132.*"

Amendment No. 141

On page 23, line 39, of said bill, strike out "(3)", and insert "*11133.*"

Amendment No. 142

On page 24, line 16, of said bill, strike out "(4)", and insert "*11134*"

Amendment No. 143

On page 24, lines 48 and 49, of said bill, strike out "preceding paragraph", and insert "*first paragraph of this section*".

Amendment No. 144

On page 25, line 1, of said bill, strike out "(5)", and insert "*11135.*"

Amendment No. 145

On page 25, line 5, of said bill, strike out "(6)", and insert "*11136.*"

Amendment No. 146

On page 25, line 7, of said bill, strike out "department of insurance", and insert "*insurance supervisory official*".

Amendment No. 147

On page 25, line 11, of said bill, strike out "one year after the effective date of this chapter", and insert "*September 22, 1952*".

Amendment No. 148

On page 25, lines 16 and 17, of said bill, strike out "one year from the effective date of this chapter", and insert "*September 21, 1952*".

Amendment No. 149

On page 25, line 32, of said bill, before "1937", insert "*the*".

Amendment No. 150

On page 25, line 35, of said bill, strike out "III", and insert "*3*".

Amendment No. 151

On page 25, line 36, of said bill, before "be", insert "*shall*"

Amendment No. 152

On page 25, line 45, of said bill, after "certificates", insert "__"; and strike out "III" and insert "*3*".

Amendment No. 153

On page 26, line 5, of said bill, strike out "accordance", and insert "*according*"

Amendment No. 154

On page 26 of said bill, strike out line 7, and insert "*tional reserves when in his judgment deemed necessary on*".

Amendment No. 155

On page 26, line 9, of said bill, strike out "(6)".

Amendment No. 156

On page 26, line 10, of said bill, strike out "(6)".

Amendment No. 157

On page 26, line 11, of said bill, strike out "commissioner of insurance", and insert "*insurance supervisory official*".

Amendment No. 158

On page 26, line 16, of said bill, strike out "11113", and insert "*11137*".

Amendment No. 159

On page 26, line 40, of said bill, strike out "license", and insert "*certificate of authority*".

Amendment No. 160

On page 26, line 41, of said bill, strike out "license", and insert "*certificate of authority*".

Amendment No. 161

On page 26, line 42, of said bill, strike out "11114", and insert "*11138*".

Amendment No. 162

On page 27, line 12, of said bill, after "examiners", insert a comma.

Amendment No. 163

On page 27, line 15, of said bill, strike out "11115", and insert "*11139*".

Amendment No. 164

On page 27, line 18, of said bill, strike out "11117", and insert "*11141*".

Amendment No. 165

On page 27, line 28, of said bill, strike out "11113", and insert "*11137*".

Amendment No. 166

On page 27, line 32, of said bill, strike out "11116", and insert "*11140*".

Amendment No. 167

On page 27, line 48, of said bill, strike out "1117", and insert "*11141*".

Amendment No. 168

On page 27, line 51, of said bill, strike out "a".

Amendment No. 169

On page 28, line 6, of said bill, strike out "1118", and insert "*11142*".

Amendment No. 170

On page 28, line 8, of said bill, strike out "(1)", and insert "*(a)*".

Amendment No. 171

On page 28, line 14, of said bill, strike out "(2)", and insert "*(b)*".

Amendment No. 172

On page 28, line 17, of said bill, strike out "(3)", and insert "*(c)*".

Amendment No. 173

On page 28, line 21, of said bill, before "A", insert "*11143.*"

Amendment No. 174

On page 28, line 27, of said bill, strike out the semicolon, and insert a period.

Amendment No. 175

On page 28, line 29, of said bill, strike out "or", and insert "*11144 A comparison of insurance contracts is incomplete*".

Amendment No. 176

On page 28, line 35, of said bill, before "In", insert "*11145.*"

Amendment No. 177

On page 28, line 39, of said bill, before "Any", insert "*11146.*"; and strike out "this section", and insert "*Sections 11142 to 11145*".

Amendment No. 178

On page 28 of said bill, after line 44, insert

"Article 8. Violations and Penalties

11160. Compensation shall not be paid to any employee or officer by whatever name known of either of the parties to any contract of merger, consolidation or reinsurance for directly or indirectly aiding in effecting such contract. Except as fully expressed in such contract or itemized statement of expenses approved by the supervising

insurance authorities, compensation for negotiating, aiding or promoting such a consolidation, merger or reinsurance shall not be paid to any person.

11161. Any person violating Section 11160 is guilty of a felony and punishable by a fine not exceeding five thousand dollars ($5,000) or imprisonment in the state prison not exceeding five (5) years, or both.

11162. It is a felony for any officer, director, agent or employee of any fraternal benefit society to, directly or indirectly, for himself or as partner or agent of others:

(a) Borrow any of the funds of such society.

(b) Become indorser or surety for loans by the society to others.

(c) In any manner be obligor for moneys borrowed or loaned by such society.

11163. It is a felony for any officer, trustee, agent or employee of a fraternal benefit society to ask, receive, or consent or agree to receive anything of value for procuring or endeavoring to procure a loan to any person from the trust funds of, or funds belonging to, a fraternal benefit society.

11164. Any person not authorized pursuant to Section 11013 who solicits membership for, or in any manner assists in procuring membership in, any nonadmitted fraternal benefit society is guilty of a misdemeanor and punishable by fine not less than fifty dollars ($50) nor more than two hundred dollars ($200).

11165. Any person who knowingly or wilfully makes any false or fraudulent statement or representation in or with reference to any application for membership, or for the purpose of obtaining money or benefit from any fraternal benefit society is guilty of a misdemeanor and punishable by fine not less than one hundred dollars ($100) nor exceeding five hundred dollars ($500), or imprisonment in the county jail not less than 30 days nor exceeding one year, or both."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 91—An act to add Section 11656.6 to the Insurance Code, relating to group workmen's compensation policies.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on April 18, 1951, strike out "Section 11656.6", and insert "Sections 11656.6, 11656.7, and 11656.8".

Amendment No. 2

On page 1, line 10, of said bill, after "issue a", insert "workmen's compensation".

Amendment No. 3

On page 2, line 1, of said bill, after "its", insert "regular".

Amendment No. 4

On page 2, line 26, of said bill, strike out "of the fol-", strike out lines 27 to 31, inclusive; and in line 32, strike out "dening", and insert "of the classifications of the Manual of Rules, Classifications and Basic Rates of Workmen's Compensation Insurance approved by the Insurance Commissioner as applicable to farms; nurserymen; cultivating or gardening of flowers".

Amendment No. 5

On page 3, line 1, of said bill, after "SEC. 2.", insert "Section 11656.7 is added to said code, to read:
11656.7."

Amendment No. 6

On page 3, line 14, of said bill, after "SEC. 3", insert "Section 11656 8 is added to said code, to read:
11656 8."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

SECOND READING OF SENATE BILLS

Senate Bill No. 638—An act to amend Sections 50¾ and 57½ of the Public Utilities Act, and to amend Section 1906 of, and to add Section 1073 to, the Public Utilities Code, relating to public utilities.

Bill read second time, and ordered to third reading.

Senate Bill No. 639—An act to amend Sections 4, 5, and 6 of the City Carriers' Act and Sections 3631, 3632, and 3634 of the Public Utilities Code, relating to city carriers.

Bill read second time, and ordered to third reading.

Senate Bill No. 1736—An act to add Section 545 to the Municipal Utility District Act and Section 12106 to the Public Utilities Code, relating to municipal utility districts, declaring the urgency hereof to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 458—An act to amend Section 1 of an act entitled "An act to provide a stenographer and typist for judges of the superior courts and providing for their salaries and the payment thereof," approved May 31, 1927, relating to superior court stenographers and secretaries.

Bill read second time, and ordered to third reading.

Senate Bill No. 392—An act to add Section 6005.5 to the Government Code, relating to newspapers.

Bill read second time, and ordered to third reading.

Senate Bill No. 272—An act to amend Section 12155 of the Revenue and Taxation Code, relating to the taxation of marine insurance.

Bill read second time, and ordered to third reading.

Senate Bill No. 742—An act to add Section 13077 to the Government Code, relating to contracts between a nonprofit corporation or foundation and an educational institution maintained in whole or in part by state appropriation.

Bill read second time, and ordered to third reading.

Senate Bill No. 1589—An act to amend Sections 25008 and 25102 of the Corporation Code, relating to securities.

Bill read second time, and ordered to third reading.

Senate Bill No. 739—An act to amend Sections 18632, 18633, and 18634 of the Business and Professions Code, continuing in existence the Athletic Commission Fund in the State Treasury, and making an appropriation.

Bill read second time, and ordered to third reading.

Senate Bill No. 980—An act to add Article 11, comprising Sections 20621 and 20622, to Chapter 2 of Division 10 of the Education Code, relating to state college police.

Bill read second time, and ordered to third reading.

Senate Bill No. 393—An act to repeal Section 6006 of the Government Code, relating to newspapers.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out line 11, and insert "the effective date of this act."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1026—An act to add Section 6102.5 to the Government Code and to repeal Section 4295a of the Political Code, relating to fees for official services.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "6102.5", and insert "6103.1".

Amendment No. 2

On page 1, line 1, of said bill, strike out "6102.5", and insert "6103.1".

Amendment No. 3

On page 1 of said bill, strike out lines 3 and 4, and insert

"6103.1 Section 6103 does not apply to any fee or charge for official services required by Parts 3 and 4 of Division 2 of the Water Code".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1814—An act to amend Section 19539 of the Business and Professions Code, relating to horse racing, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Boards and Commissions:

Amendment No. 1

On page 1, line 5, of the printed bill, after "racing", insert "only, except that at such harness meetings, the licensee may run one or more quarter horse races as approved by the board"

Amendment No. 2

Strike out all of lines 17 to 21, inclusive, and insert "harness races and also authorizes quarter horse races in addition to the customary number of harness races but because of language inadvertently placed in the law in the 1949 Session of the Legislature legal uncertainty has developed as to whether this provision of the law can be put into effect thereby preventing carrying out the intent of the Legislature in permitting quarter horse racing with harness racing. It has been demonstrated that programs of harness races with quarter horse races are popular and that such mixed programs would".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1808—An act to amend Sections 10270.7 and 10270.4 of the Insurance Code, relating to insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 2, line 24, of the printed bill, as amended in the Senate on April 26, 1951, strike out "Sections 10270.7 and 10270.8(b)", and insert "Section 10270.7 and Subdivision (b) of Section 10270.8".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 143—An act to amend Section 5075 and to add Sections 5076.1 and 5076.2 to the Penal Code, relating to the Adult Authority.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on March 21, 1951, strike out "Sections", and insert "Section".

Amendment No. 2

In lines 1 and 2 of the title of said bill, strike out "and 5076.2".

Amendment No. 3

On page 1, line 28, of said bill, strike out "Two", and insert "The Adult Authority may meet and transact business in panels. Each Adult Authority panel shall consist of at least two members of the authority. Two".

Amendment No. 4

On page 2 of said bill, strike out lines 1 to 5, inclusive.

Amendment No. 5

On page 2, line 6, of said bill, strike out "4", and insert "3".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 61: By Mr. Chapel—Relative to approving amendments to the charter of the City of Redondo Beach, a municipal corporation in the County of Los Angeles, State of California, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the tenth day of April, 1951.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2261

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1360
Assembly Bill No. 1877

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Senate Bill No. 87
Senate Bill No. 209
Senate Bill No. 526
Senate Bill No. 646
Senate Bill No. 1549

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 723
Assembly Bill No. 805
Assembly Bill No. 1658
Assembly Bill No. 1783

Has had the same under consideration, and reports the same back wtih the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 146
Assembly Bill No. 147
Assembly Bill No. 149
Assembly Bill No. 150
Assembly Bill No. 151
Assembly Bill No. 152
Assembly Bill No. 153
Assembly Bill No. 154
Assembly Bill No. 156
Assembly Bill No. 157
Assembly Bill No. 165
Assembly Bill No. 195
Assembly Bill No. 196
Assembly Bill No. 197
Assembly Bill No. 198
Assembly Bill No 199
Assembly Bill No. 200
Assembly Bill No. 202
Assembly Bill No. 203
Assembly Bill No. 204
Assembly Bill No. 205
Assembly Bill No 1512
Assembly Bill No. 1893
Assembly Bill No. 2378
Assembly Bill No. 2436
Assembly Bill No. 2437
Assembly Bill No. 2807

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 883

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Constitutional Amendment No. 26

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Constitutional Amendment No. 26—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1a of Article XIII thereof, relating to the taxation of property of educational institutions of collegiate grade.

Referred to Committee on Constitutional Amendments.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 297
Assembly Bill No. 355
Assembly Bill No. 3403

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 149
Senate Bill No. 301
Senate Bill No. 644
Senate Bill No. 693
Senate Bill No. 1077

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 149—An act to amend Section 2791 of the Elections Code, relating to state conventions of political parties.

Referred to Committee on Elections and Reapportionment.

Senate Bill No. 301—An act to amend Section 9809 of the Education Code, relating to the computation of excess cost of educating mentally retarded pupils.

Referred to Committee on Education.

Senate Bill No. 644—An act to amend Sections 12130.1 and 12131.2 of the Education Code, relating to the standards for provisional credentials authorizing service in the public schools.

Referred to Committee on Education.

Senate Bill No. 693—An act to add Section 2003 to the Government Code, relating to claims against the State, district, county, city, or city and county.

Referred to Committee on Judiciary.

Senate Bill No. 1077—An act to amend Section 13093 of the Education Code, relating to the Public School System of the State of California.

Referred to Committee on Education.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 15, 1951

To the Honorable Members of the Assembly
State of California
Sacramento, California

GREETINGS: I am returning without my signature

Assembly Bill No. 3386 entitled: "An act to add Section 6516 to the Revenue and Taxation Code, relating to assessments for sales and use taxes."

My objections to this bill are as follows:

This bill provides that in the event of any failure to file a return under the Sales or Use Tax Law for any reason other than fraud or an intent to evade, any determination pursuant to the article shall be mailed within three years of the time for which the determination is made. This in effect establishes a statute of limitations on claims by the State for taxes where the taxpayer has failed to file a return, except in those cases where the failure is due to a fraudulent intent to evade the payment of the tax.

I have received serious objections to this bill from the Attorney General, the Board of Equalization, and the Department of Finance. Its provisions interpreted in connection with existing law establish a premium on not filing a return and make the position of the taxpayer who has not filed better than the position of a taxpayer who files his return late. Existing law provides a statute of limitations of three years from and after the time of the filing of the return. Thus, if a taxpayer should file his return two years late, the statute of limitations would not run until five years after the accrual of the tax; whereas, if he did not file a return at all, the statute of limitations would run three years after the date that the tax became due. This would result in a longer period of limitations for the taxpayer who filed a return than for the taxpayer who did not; thus placing a premium on not filing returns.

It is pointed out by the Attorney General that this result would introduce an absurdity into our law. The Board of Equalization calls attention to the fact that this would give an advantage to the person who fails to file a return over a person who complies with his obligation, even though belatedly, and that this seems to be an utterly unreasonable and unsound provision and tends toward placing a premium on the avoidance of a statutory duty.

It is pointed out by the Director of Finance that this encourages failure to file a return, inasmuch as the person who fails to file a return merely risks a penalty and interest charge against the chance that his books will not be audited within the period of limitations.

In the second place, this measure introduces a change into our existing law, although it recites that it does not do so. Both the Attorney General and the Board of Equalization point out clearly that the measure, despite its recital, introduces a decided change into our existing law. The existing law does not provide any period of limitations to protect the taxpayer who fails to file any return at all. The Board of Equalization reports that the period of limitations prescribed by this bill is new and not contained in existing law, despite the recital of the bill to the contrary.

In the third place, the measure would result in a loss of revenue to the State. The Director of Finance reports that he estimates that if this bill becomes law, the General Fund will lose at least $500,000 annually. Between $500,000 and $600,000 of audit assessments are now being made, which would be outlawed under this bill. He further points out that if this bill can be validly applied retroactively to assessments already made, it would be necessary to vacate assessments totalling approximately $333,000.

In the fourth place, this bill is objectionable in that it provides a protection to non-filing taxpayers that is not extended in the case of any other self-assessed tax imposed by the State. The Attorney General states that there is no similar provision in the federal income tax statute. He also points out that in none of the other self-assessed taxes imposed by the State is there any statute of limitations in the case of

failure to file a return. This is true of the motor vehicle fuel license tax, the use fuel tax, the motor vehicle transportation license tax, the gift tax, the personal income tax, the bank and corporation franchise tax, the corporation income tax, and the tax imposed in the Alcoholic Beverage Control Act.

It should also be noted, as has been pointed out by the Board of Equalization, that that board has sponsored a measure establishing a statute of limitations in the cases outlined by this law, but without the objectionable features which have been designated. The measure which has been introduced by the Board of Equalization establishes a period of limitations of eight years in the case of failure to make a return.

A measure similar to this reached me in 1949. I refer to Assembly Bill No. 2308. This measure was introduced with the sponsorship of the Board of Equalization for the purpose of providing a statute of limitations of eight years for sales and use taxes under the circumstances described by this bill. Assembly Bill No. 2308 was amended in the course of its passing two years ago, to provide a five year period of limitation. When the objections similar to those to which I have referred in this message were called to the attention of the author of that measure, he concurred in a request that the bill should be vetoed.

For the reasons that I have stated, I am returning the bill without my signature.

Respectfully submitted.

EARL WARREN, Governor

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO 14, May 16, 1951

To the Assembly of the State of California
Sacramento, California

GENTLEMEN: I am transmitting to you herewith a copy of a message with reference to **Assembly Bill No. 3386** entitled: "An act to add Section 6516 to the Revenue and Taxation Code, relating to assessments for sales and use taxes."

This bill, with my message relative thereto, I (through my Legislative Secretary) delivered to Arthur A. Ohnimus, Chief Clerk of the Assembly, at 4:05 o'clock p.m. on the fifteenth day of May, 1951, at which time your honorable body had adjourned for the day but not for the session.

Respectfully submitted.

EARL WARREN, Governor

Acknowledgment of Receipt of Assembly Bill No. 3386

I acknowledge receipt this fifteenth day of May, 1951, at 4:05 o'clock p.m. of Assembly Bill No. 3386 without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

ARTHUR A. OHNIMUS

Assembly Bill No. 3386 ordered to unfinished business.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS
NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. George D. Collins to reconsider the vote whereby Assembly Bill No. 1981 was passed, was continued until the next legislative day.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 755—An act to add Section 111.5 to the Streets and Highways Code, relating to the adoption of city streets as a part of the State Highway System.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 755?

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Assembly on April 6, 1951, strike out "two city streets, or".

Amendment No. 2

On page 1, lines 10 and 11, of said bill, as amended, strike out "both said city streets, or of".

Amendment No. 3

On page 1, line 23, of said bill, as amended, after the period, insert "If any city street which has become a portion of the State Highway System pursuant to this section ceases to be a one-way street because the ordinance declaring such street to be a one-way street is rescinded, repealed, revoked, or amended, such city street, or the portion thereof that is no longer restricted to one-way traffic, shall by operation of law revert to the status of a city street and cease to be a portion of the State Highway System."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 755 by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, Cooke, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—59

NOES—None.

Assembly Bill No. 755 ordered enrolled.

Assembly Bill No. 2909—An act to amend Sections 39560 and 39566 of, to add Section 39587 to, and to repeal Article 2 of Chapter 13, Part 2, Division 3 of the Government Code, comprising Sections 39520 through 39531, relating to municipal weed abatement.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2909?

Amendment No. 1

In line 3 of the title of the printed bill, after "3", insert ", Title 4".

Amendment No. 2

In line 4 of the title of said bill, after "weed", insert "and rubbish".

Amendment No. 3

On page 2, line 10, of said bill, strike out the second "and", and insert "are".

Amendment No. 4

On page 2, line 23, of said bill, after "3", insert ", Title 4".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2909 by the following vote:

AYES—Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, Connolly, Cooke, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stewart, Thomas, Waters, and Mr Speaker—59.

NOES—None.

Assembly Bill No. 2909 ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Senate Bill No. 1560

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

BROWN, Chairman.

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No 302

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 710
Assembly Bill No. 971
Assembly Bill No. 3326

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Senate Bill No. 210
Senate Bill No. 365
Senate Bill No. 572

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 766

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No 424

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 1775

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bill ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Lyon to reconsider the vote whereby Assembly Bill No. 2818 was refused passage, was continued until the next legislative day.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Concurrent Resolution No. 59—Relative to the sixty-seventh birthday of the Honorable Harry S Truman.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Concurrent Resolution No. 59?

Amendment No. 1

On page 2, line 4, of the printed bill, strike out "and".

Amendment No. 2

On page 2 of said bill, strike out lines 5 to 8, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Concurrent Resolution No. 59 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Cooke, Davis, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—55.
NOES—None.

Assembly Concurrent Resolution No. 59 ordered enrolled.

Assembly Bill No. 911—An act to amend Sections 115, 5001, 5301, 5309, 5310, 5315, 5709, 5800, 5900, 5901, 5902, 5903, 5904, 5905, 5907, 5909, and 5910 of the Labor Code; to repeal Sections 5313, 5314, 5906, 5908, and 5950 of said code; and add Sections 5313, 5906, 5908, 5908.5, and 5950 to said code; and to amend the titles of Chapter 7, and Article 1 of Chapter 7, of Part 4 of Division 4 of said code, all relating to workmen's compensation.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 911?

Amendment No. 1

In line 5 of the title of the printed bill, as amended in the Assembly on May 3, 1951, after "5908.5", insert "5911,".

Amendment No. 2

On page 2, line 20, of said bill, as amended, after "order", insert "a commissioner or a referee".

Amendment No. 3

On page 3, line 39, of said bill, as amended, after "5900", insert "(a)".

Amendment No. 4

On page 3 of said bill, as amended, between lines 46 and 47, insert

"(b) At any time within 60 days after the filing of an order, decision, or award made by a commissioner or a referee and the accompanying report, the commission may, on its own motion, grant reconsideration."

Amendment No. 5

On page 5, line 3, of said bill, as amended, before "upon its own motion", insert "having granted reconsideration".

Amendment No. 6

On page 5, line 4, of said bill, as amended, after "may", insert ", with or without further proceedings and with or without notice".

Amendment No. 7

On page 5 of said bill, as amended, strike out all of lines 15 and 16, and insert "affirm, rescind, alter or amend the order, decision, or award made and filed by a commissioner or referee and may, without further proceedings, without notice, and without setting a time and place for further hearing, enter its findings, order, decision, or award based upon the record in the case."

Amendment No. 8

On page 5 of said bill, as amended, after line 48, insert

"SEC. 27. A new section 5911 is added to said code, to read:

5911. Nothing contained in this article shall be construed to prevent the commission, on petition of an aggrieved party or on its own motion, from granting reconsideration of an original order, decision, or award made and filed by the commission or a panel thereof, within the same time specified for reconsideration of an original order, decision, or award made and filed by a commissioner or a referee."

Amendment No. 9

On page 6, line 1, of said bill, as amended, strike out "27", and insert "28".

Amendment No. 10

On page 6, line 2, of said bill, as amended strike out "28", and insert "29".

Amendment No. 11

On page 6, line 9, of said bill, as amended, strike out "In the event", and strike out all of lines 10, 11, 12, 13, and 14, and insert "The".

Amendment No. 12

On page 6 of said bill, as amended, strike out all of line 16, and insert "a petition for reconsideration is denied, or, if a petition is".

Amendment No. 13

On page 6, line 18, of said bill, as amended, strike out "rendition", and insert "filing".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No 911 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Cooke, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Klocksiem, Lanterman, Levering, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—60.

NOES—None

Assembly Bill No. 911 ordered enrolled.

Assembly Bill No. 1160—An act to add Section 789 to the Probate Code, relating to the sale of real property.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1160?

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "30", and insert "45".

Amendment No. 2

On page 1, line 16 of said bill, strike out "30", and insert "45".

Amendment No. 3

In line 1 of the title of the printed bill, as amended in the Assembly on April 26, 1951, after "Section 789 to", insert ", and to amend Section 1170 of,".

Amendment No. 4

In line 1 of the title of said bill, as amended, strike out the last "the", appearing therein.

Amendment No. 5

In line 2 of the title of said bill, as amended, strike out "sale of".

Amendment No. 6

On page 1 of said bill, as amended, after line 17, insert

"SEC. 2. Section 1170 of said code is amended to read:

1170. Whenever title to or an interest in real property is affected by the death of any person, any person who claims any interest in such real property, which interest is affected by the death of such person, may, *and is surviving joint tenant or surviving joint tenants must,* file in the superior court of the county of which the decedent was a

resident at the time of his death, or in any county in which any part of the real property is situated, a verified petition setting forth those facts, and particularly describing the real property and his interest therein.

In the event of no opposition to, or contest of, such petition, the same, or affidavits in support thereof, may be received in evidence and acted upon by the court with the same force and effect as if the petitioner or affiants were personally present and testified to the facts set forth."

Amendment No. 7

In line 1 of the title of the printed bill, as amended in the Senate on May 9, 1951, after "789 to", insert ", and to amend Section 1170 of,".

Amendment No. 8

In line 1 of the title of said bill, as amended, strike out "and to".

Amendment No. 9

In line 2 of the title of the said bill, as amended, strike out "amend Section 1170 of,".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1160 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Cooke, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 1160 ordered enrolled.

Assembly Bill No. 2284—An act to amend Section 28144 of the Government Code, relating to compensation for public services in counties of the forty-fourth class.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2284?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 9, 1951, strike out "28144", and insert "28145".

Amendment No. 2

In line 3 of the title of said bill, as amended, strike out "forty-fourth", and insert "forty-fifth".

Amendment No. 3

On page 1, line 1, of said bill, as amended, strike out "28144", and insert "28145".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, as amended, strike out lines 3 to 16, inclusive, and insert

"28145. In a county of the forty-fifth class the following shall receive as compensation for the services required of them by law or by virtue of their offices the following sums:

(a) The auditor, [one thousand four hundred dollars ($1,400)] *two thousand dollars ($2,000)* a year.

(b) The district attorney, three thousand dollars ($3,000) a year.

(c) Each supervisor, [two thousand four hundred dollars ($2,400)] *three thousand dollars ($3,000)* a year and mileage from his residence to the county seat at each sitting of the board, twenty cents ($0.20) a mile, such compensation to be in full for services either as supervisor or for mileage as road commissioner.

(d) Grand and trial jurors, [three dollars ($3)] *five dollars ($5)* per day and such mileage fees as are allowed by law.

The compensation provided by this section shall be payable to incumbent officers.

SEC. 2. If it is not legally competent to pay the compensation provided by this act to incumbent officers on the effective date of this act, such increase in compensation shall nevertheless be payable to the officers designated in this act as soon as it is legally competent to do so."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No 2284 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Cooke, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—59.

NOES—None.

Assembly Bill No. 2284 ordered enrolled.

NOTICE OF MOTION TO RECONSIDER SENATE BILL NO. 108 WAIVED

Mr. McCarthy waived his notice of motion to reconsider the vote whereby Senate Bill No. 108 was passed.

Senate Bill No. 108 ordered transmitted to the Senate.

CONSIDERATION OF GOVERNOR'S VETOES

Assembly Bill No. 1792—An act to amend Section 261e of, and to add Section 263 to, the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 1792 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—Brady, Burkhalter, and Hansen—3.

NOES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—59.

Assembly Bill No. 1793—An act to amend Section 204e of the Code of Civil Procedure, relating to the duties and compensation of the secretary and jury commissioner of the superior court, and assistants.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 1793 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—Brady—1.

NOES—Babbage, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—64.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILLS NOS. 2720 AND 2721 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Silliman asked for, and was granted, unanimous consent that Assembly Bills Nos. 2720 and 2721 be withdrawn from the Committee on Ways and Means, and be re-referred to the Committee on Conservation, Planning, and Public Works.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1360—An act providing for the constitution of the municipal court in a district embracing the City of Berkeley, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Levering, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1877—An act to amend Sections 43610, 43627, and 43628 of the Government Code, relating to the authorization and issuance of bonds of cities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

MEMBER EXCUSED

At 10.05 a.m., Mr. Hollibaugh asked for, and was granted, unanimous consent that Mr. Evans be excused, for the balance of the legislative day, because of legislative business elsewhere.

REPORTS OF STANDING COMMITTEES

Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which was referred:

Senate Bill No. 321

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WATERS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which was referred:

Assembly Bill No. 14

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WATERS, Chairman

Above reported bill ordered to third reading.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No. 521

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

GEDDES, Chairman

Above reported bill ordered to second reading.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Senate Bill No. 220
Senate Bill No. 261
Senate Bill No. 1062

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No 540
Assembly Bill No. 1183

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CLARKE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 1265
Assembly Bill No. 1266
Assembly Bill No. 1267

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 1611

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CLARKE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 3165

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bill ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 410—An act to amend Section 1630.1 of the Labor Code, relating to employment agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, and Waters—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 359—An act to add Section 1551.5 to the Welfare and Institutions Code, relating to aid to needy children.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Doyle, Dunn, Erwin, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—62.

NOES—George D. Collins and Gaffney—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 682—An act to amend Section 20831 of, and to add Sections 20831.1, 20834.1, and 20834.2 to, the Government Code, relating to the State Employees' Retirement System in respect to credit for prior service.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 2079, on motion of Mr. Fleury.

Speaker Pro Tempore Presiding

At 10.16 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1490—An act to amend Section 8 of the Dangerous Weapons Control Law, relating to the issuance of licenses to carry concealed pistols, revolvers and other firearms.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—60.

NOES—Cloyed, Erwin, Klocksiem, Luckel, McCollister, McGee, and Thomas—7.

Bill ordered transmitted to the Senate.

MEMBER EXCUSED

At 10.20 a.m., Mr. Geddes asked for, and was granted, unanimous consent that he be excused, for the balance of the legislative day, because of legislative business elsewhere.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2672

Mr. Connolly asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 2672, temporarily passed on the unfinished business file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2672—An act to add Section 1013 to the Business and Professions Code, relating to the definition of the words "diagnose" and "diagnosis."

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2672?

Amendment No. 1

In line 20 of the printed bill, as amended, strike out "specified", and insert "psychological".

Amendment No. 2

In line 21 of said bill, as amended, strike out "diagnosis within the mean-"; and strike out line 22, and insert "violation of this chapter."

Amendment No. 3

In line 15 of the printed bill, as amended in the Senate on April 13, 1951, strike out "chapter", and insert "section".

Amendment No. 4

In line 21 of said bill, as amended, after the period, insert "Testing and guidance programs in schools, colleges and universities and physical fitness tests given by public or private agencies in connection with employment or issuance or renewal of licenses or permits do not constitute diagnoses within the meaning or intent of this section"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2672 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury,

Gaffney, Grant, Grunsky, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Klocksiem, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, and Tomlinson—59.

NOES—None.

Assembly Bill No. 2672 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2694

Mr. Connolly asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 2694, temporarily passed on the unfinished business file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2694—An act to amend Section 2383 of the Business and Professions Code, relating to unprofessional conduct.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2694?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on March 29, 1951, after line 18, insert

"SEC. 2. Section 2384 of the Business and Professions Code is amended to read:

2384. The conviction of or cash compromise of a charge of violation of the Harrison Act regulating narcotics, or the conviction of a violation of the statutes of this State, regulating narcotics, or dangerous drugs, constitutes unprofessional conduct within the meaning of this chapter. The record of the conviction or compromise is conclusive evidence of such unprofessional conduct. *A plea or verdict of guilty or a conviction following a plea of nolo contendere is deemed to be a conviction within the meaning of this section. The board may order the license suspended or revoked, or may decline to issue a license, when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal or when an order granting probation is made suspending the imposition of sentence, irrespective of a subsequent order under the provisions of Section 1203.4 of the Penal Code allowing such person to withdraw his plea of guilty and to enter a plea of not guilty, or setting aside the verdict of guilty, or dismissing the accusation, information or indictment.*"

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2694 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Klocksiem, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, and Tomlinson—59.

NOES—None.

Motion to Amend Title

Mr. Connolly moved the adoption of the following amendment to the title:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on May 11, 1951, strike out "Section 2383", and insert "Sections 2383 and 2384".

Amendment read, and adopted.

Assembly Bill No. 2694 ordered reprinted, and enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2755

Mr. Shaw asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2755, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2755

Assembly Bill No. 2755—An act to amend Section 109 of the Code of Civil Procedure, relating to justice courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Morris, Moss, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 16

Mr. Dickey asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 16, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 16

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 16:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 12, 1951

To the Honorable Members of the Assembly
State of California

GENTLEMEN:

Assembly Bill No. 16, "An act relating to research in air pollution problems, making an appropriation therefor, declaring the urgency thereof, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill appropriates $150,000 for research concerning the effect of air pollution on public health. This is a serious problem confronting our State and the beginning of such research should not be delayed.

I therefore recommend consideration of Assembly Bill No. 16 as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor

Assembly Bill No. 16—An act relating to research in air pollution problems, making an appropriation therefor, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—66.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—66.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Senate Joint Resolution No. 31
Senate Joint Resolution No. 32
Senate Joint Resolution No. 33

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Senate Concurrent Resolution No. 67
Senate Concurrent Resolution No. 73

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 115
House Resolution No. 144
House Resolution No. 146

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Senate Bill No. 1719

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which was referred. Assembly Bill No. 3254

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended

ERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which was referred: Assembly Bill No. 3229

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ERWIN, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR SPEAKER: Your Committee on Fish and Game, to which was referred: Assembly Bill No. 3425

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ERWIN, Chairman

Above reported bill ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3364

Mr. Gaffney asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3364, temporarily passed on file, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3364

Assembly Bill No. 3364—An act to amend Sections 7330, 7332, and 7334 of the Business and Professions Code, relating to the practice of cosmetology.

Bill read third time.

Motion to Amend

Mr. Gaffney moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 10, 1951, strike out "Sections 7330 and", and insert "Section".

Amendment No. 2

On page 2 of said bill, strike out lines 1 to 5, inclusive.

Amendment No. 3

On page 2, line 8, of said bill, strike out "(b)".

Amendment No. 4

On page 2 of said bill, strike out lines 15 to 17, inclusive.

Amendment No. 5

On page 2, line 18, of said bill, strike out "(d)".

Amendment No. 6

On page 2, line 23, of said bill, strike out "(e)".

Amendment No. 7

On page 2 of said bill, strike out lines 26 to 32, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1643

Mr. Caldecott asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1643, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1643

Assembly Bill No. 1643—An act to add Article 4 to Chapter 4 of Division 10 of the Education Code, relating to the education of deaf children.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Morris:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 5804 of the Labor Code, relating to workmen's compensation awards.

Respectfully submitted.

G. DELBERT MORRIS

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Morris:

An act to amend Section 5804 of the Labor Code, relating to workmen's compensation awards.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3432: By Mr. Morris—An act to amend Section 5804 of the Labor Code, relating to workmen's compensation awards.

Referred to Committee on Finance and Insurance.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Sherwin:

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Chapter 1.5 to Division 1 of the Welfare and Institutions Code, relating to solicitation of funds for charitable purposes.

Respectfully submitted.

MARVIN SHERWIN

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Sherwin:

An act to add Chapter 1.5 to Division 1 of the Welfare and Institutions Code, relating to solicitation of funds for charitable purposes.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Holhbaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Luckel, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—65.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3433: By Mr. Sherwin—An act to add Chapter 1.5 to Division 1 of the Welfare and Institutions Code, relating to solicitation of funds for charitable purposes.

Referred to Committee on Social Welfare.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 1109, on request of Mr. Rumford.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 449—An act to amend Section 3079.5 of the Welfare and Institutions Code, relating to public assistance;

Assembly Bill No. 550—An act to amend Section 194 of the Streets and Highways Code and to amend Section 11005 of the Revenue and Taxation Code, relating to the population of cities;

Assembly Bill No. 567—An act to add Sections 18811 and 26132.1 to the Revenue and Taxation Code, relating to state taxation and providing for the giving of notice to state agencies prior to presentation of claims to the State Controller;

And reports that the same have been correctly enrolled, and presented to the Governor on the sixteenth day of May, 1951, at 10 a.m.

BURKE, Chairman

On May 18, 1951, the Assembly requested the Governor to return Assembly Bill No. 550 for further consideration (page 4463). On May 21st the Governor returned the bill to the Assembly, and on the same day the bill was recalled from enrollment (page 4520). On May 21st the bill was returned from enrollment, and returned to the Senate with the request that the Senate rescind the action whereby it passed Assembly Bill No. 550 (page 4542).

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 601—An act to amend Sections 160.1 and 160.6 of, and to add Sections 160.15, 160.16, and 160.65 to, the Agricultural Code, relating to agricultural pest control business;

Assembly Bill No. 664—An act to amend Section 453 of the Vehicle Code, relating to the applicability of the provisions of said code to public employees and publicly owned motor vehicles and other equipment during the installation, removal, repair or maintenance of traffic signs, signals or other traffic control devices;

Assembly Bill No. 763—An act to amend Sections 45008, and 45080 of, and to add Section 45083 to, the Government Code, relating to municipal personnel, merit and civil service systems, declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the sixteenth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 910—An act to add Section 30.01 to the Public Utility District Act of 1921, relating to the powers of public utility districts and authorizing the formation and operation of improvement districts by public utility districts;

Assembly Bill No. 1023—An act to amend Section 1300.8 of, and add Section 1300.95 to, the Agricultural Code, relating to processors of farm products;

Assembly Bill No. 1091—An act to add Title 10a, comprising Sections 1650 to 1681, to Part 3 of the Code of Civil Procedure, providing a civil and criminal procedure for enforcement of the duties of support;

And reports that the same have been correctly enrolled, and presented to the Governor on the sixteenth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1667—An act to add Sections 31047, 31048, and 31049 to the Water Code, relating to county water districts;

Assembly Bill No. 1682—An act to amend Section 942 of the Insurance Code, relating to the liability of the State of California for the custody and safe return of securities;

Assembly Bill No. 1719—An act to add Sections 9.1, 27.1, and 27.2 to, and amend Section 44 of, the Vehicle Parking District Act of 1943, and to add Sections 31571, 31682, and 31683 to, and amend Sections 31530, 31776, and 31777 of, the Streets and Highways Code, relating to the formation and financing of vehicle parking dis-

tricts, the qualifications of commissioners of such districts, the use for parking places of lands already owned by the city, and the redemption of bonds issued under said act;

And reports that the same have been correctly enrolled, and presented to the Governor on the sixteenth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1734—An act to add Sections 21386 and 21387 to the Water Code, relating to irrigation districts;

Assembly Bill No. 1735—An act to amend Section 26078 of the Water Code, relating, to irrigation districts;

Assembly Bill No. 1904—An act to amend Section 1105.7 of the Agricultural Code, relating to eggs;

And reports that the same have been correctly enrolled, and presented to the Governor on the sixteenth day of May, 1951, at 10 a.m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1928—An act to amend Section 20606 of, and to add Sections 20019.1, 20019.2, 20461.1, 20606.1 and 20608.1 to, the Government Code, relating to the State Employees' Retirement System in respect to members who are local motor coach operators;

Assembly Bill No. 2039—An act to amend Section 6610.3 of, and to add Section 6612 to, the Welfare and Institutions Code, relating to the admission of persons believed to be mentally ill into mental institutions by application of a local health officer;

Assembly Bill No. 2122—An act to add Section 228.2 to the Agricultural Code, relating to bovine tuberculosis control;

And reports that the same have been correctly enrolled, and presented to the Governor on the sixteenth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2528—An act to amend Sections 12512 and 12550 of the Water Code, pertaining to the Colorado River Board;

Assembly Bill No. 3279—An act to amend Section 207 of the Welfare and Institutions Code, relating to bodies of deceased persons;

And reports that the same have been correctly enrolled, and presented to the Governor on the sixteenth day of May, 1951, at 10 a.m

BURKE, Chairman

Speaker Presiding

At 10.40 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Senate Bill No. 223—An act to amend Sections 1, 2, 10, and the heading of Division 1 of, to repeal Sections 13 and 1420 of, and to add Sections 13, 13.1, and 13.2 to, the Fish and Game Code, relating to the enforcement and administration of the laws relating to fish and game, abolishing the Division of Fish and Game in the Department of Natural Resources, establishing a Department of Fish and Game and prescribing the duties, powers, and jurisdiction of said department and the Fish and Game Commission, and to amend Section 12040 of the Government Code, placing the Director of Fish and Game on the Governor's Council.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly,

Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—68

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 436

Mr. Davis asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No 436, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 436

Senate Bill No. 436—An act to amend Sections 2 and 5 and to repeal and add Sections 6 and 7 of an act entitled "An act to provide for forest practices which will promote the maximum sustained productivity of the forest lands of California," approved April 23, 1945 (Ch. 85, Stats. 1945), relating to forest practices.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 62

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted as amended

DICKEY, Chairman

Above reported resolution ordered on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1534

Mr. Lanterman asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1534, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1534

Senate Bill No. 1534—An act to add Section 35561.1 to the Government Code, relating to withdrawal of territory from cities

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney,

McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

Notice of Motion to Reconsider Senate Bill No. 1534

Mr. Beck gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 1534 was this day passed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 610

Mr. Maloney asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 610, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 610

Senate Bill No. 610—An act creating the Interim San Francisco Bay Ports Commission, describing its powers and duties, and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lincoln, Lindsay, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—66

NOES—None.

Motion to Amend Title

Mr. Maloney moved the adoption of the following amendment to the title:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, as amended in the Senate on April 10, 1951, strike out ", and making an appropriation therefor".

Amendment read, and adopted.

Bill ordered reprinted, and transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Assembly Bill No. 2056

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

NIEHOUSE, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Assembly Bill No. 2067

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

NIEHOUSE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Senate Bill No. 1217

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means

NIEHOUSE, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 15 1951

MR. SPEAKER: Your Committee on Social Welfare, to which was referred.

Senate Bill No. 953

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and re-refer to Committee on Ways and Means.

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Senate Bill No. 945

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

COMMUNICATIONS

By the Chief Clerk:

A communication from George Sehlmeyer, Master of the California State Grange, Sacramento, acknowledging receipt of Assembly Joint Resolution No. 30, previously adopted by the Legislature, was received, and ordered filed with the Secretary of State.

By the Chief Clerk:

A resolution from the Calexico Chamber of Commerce, signed by George Johnson, President, urging the passage of Senate Bill No. 1228 and Assembly Bill No. 2921, was received, and ordered referred to the Committee on Agriculture.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE JOINT RESOLUTION NO. 8

Mr. Collier asked for, and was granted, unanimous consent that he be permitted to take up Senate Joint Resolution No. 8, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 8

Senate Joint Resolution No. 8—Relative to requesting the Congress of the United States to propose an amendment to the Constitution.

Resolution read.

Motion to Amend

Mr. Kirkwood moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed measure, as amended in the Assembly on May 8, 1951, strike out line 1, and insert

"WHEREAS, The decisions of the Supreme Court of the United States and of certain state courts have caused uncertainty in the minds of lawyers and of the public generally concerning the effect of treaties and executive agreements on our Federal and State Constitutions and laws; and

WHEREAS, Such uncertainty should immediately be clarified; now, therefore, be it".

Amendment No. 2

On page 1 of said measure, strike out lines 2 to 15, inclusive.

Amendment No. 3

On page 1 of said measure, strike out lines 22 to 25, inclusive, and insert

"1. The representative form of Federal Government, consisting of the Congress, the Executive, and the Judiciary, the sovereignty of the governments of the several states, the express limitations on the powers of Congress, the guarantees of individual liberties, and the independence of the federal judiciary, contained and guaranteed in and by this Constitution and in particular the first 10 amendments thereto, shall not be abolished nor altered by any treaty or executive agreement."

Amendment No. 4

On page 2 of said measure, strike out lines 1 to 6, inclusive.

Amendments read.

Point of Inquiry

Mr. Conrad arose to the following point of inquiry: Is it the sense of the Chair that this is more than a resolution, and can compel Congress to act?

Ruling by Speaker

Speaker Sam L. Collins ruled that Senate Joint Resolution No. 8 is still a resolution and, if adopted, will not compel Congress to act.

Point of Inquiry

Mr. Elliott arose to the following point of inquiry: If two-thirds of the states adopt such a resolution, will Congress be compelled to call a constitutional convention for the purpose of amending the Constitution of the United States?

Ruling by Speaker

Speaker Sam L. Collins ruled that the proposed resolution is permissive legislation, and that it will be but a directive to Congress, if adopted.

Motion That Senate Joint Resolution No. 8, With Proposed Amendments by Mr. Kirkwood, Be Re-referred to Committee on Judiciary

Mr. McCarthy moved that Senate Joint Resolution No. 8 be withdrawn from the file, and be re-referred to the Committee on Judiciary with the amendments proposed by Mr. Kirkwood, at this time.

Messrs. Fleury and Moss seconded the motion.

Point of Order

Mr. Hinckley arose to the following point of order: That Mr Thomas is not speaking to the question.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Point of Order

Mr. Doyle arose to the following point of order: That Mr. Collier is not speaking to the question.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Demand for Previous Question

Messrs. Moss, Henderson, Gubser, Hansen, and Doyle demanded the previous question.

Demand for previous question sustained.

The question being on the motion to re-refer by Mr. McCarthy.

The roll was called, and the motion carried by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen,

Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Luckel, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Thomas—58.

NOES—Chapel, Collier, Dickey, Dolwig, Hollibaugh, Levering, Lyon, and McGee—8.

Senate Joint Resolution No. 8, with amendments proposed by Mr. Kirkwood, ordered re-referred to the Committee on Judiciary.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 44

Mr. Hagen asked for, and was granted, unanimous consent that he be permitted to take up Senate Concurrent Resolution No. 44, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 44

Senate Concurrent Resolution No. 44—Relative to Sequoia Gigantea groves.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 64

Mr Gubser asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 64, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 64

Senate Bill No. 64—An act to add Section 26153 to the Government Code, relating to accident prevention education.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—67.

NOES—Silliman—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 645

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 645, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 645

Senate Bill No. 645—An act to add Chapter 4.5 to Division 4 of the Water Code, relating to the alteration, diversion or deflection of streams.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—63.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 238

Mr. Silliman asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 238, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 238

Senate Bill No. 238—An act to amend Section 20357 of the Education Code and add Section 20358 of said code, relating to student housing facilities at state colleges.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1691

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1691, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1691

Senate Bill No. 1691—An act to amend Section 5425 of the Public Resources Code, relating to recreation park and parkway districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell,

Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE JOINT RESOLUTION NO. 22

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Senate Joint Resolution No. 22, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 22

Senate Joint Resolution No. 22—Relative to memorializing Congress to consider the use of the Georgetown to Wentworth Springs and Chambers Lodge at Lake Tahoe on Highway 89 as a principal East-West traffic artery for civil and military defense.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.
NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE JOINT RESOLUTION NO. 24

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Senate Joint Resolution No. 24, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 24

Senate Joint Resolution No. 24—Relative to memorializing Congress to consider the use of California State Highway Sign Route No. 88 as a principal East-West traffic artery for civil and military defense.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.
NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 454

Mr. Stanley asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 454, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 454

Senate Bill No. 454—An act to amend Section 459 of the Vehicle Code, relating to the powers of local authorities respecting highways and the use thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—73.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 333

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 333, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 333

Senate Bill No. 333—An act to amend Section 5470 of the Health and Safety Code, relating to sewer rental charges and the use of moneys received therefrom.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 279

Mr. Belotti asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 279, temporarily passed on file, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 279

Senate Bill No. 279—An act to add Sections 685, 685.1, and 685.2 to the Vehicle Code, relating to equipment of vehicles.

Bill read third time.

Motion to Amend

Mr. Lincoln moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Assembly on May 14, 1951, after "lumber", insert "from its source of origin at sawmill, remanufacturing plant, or dry yard".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 914

Mr. Hollibaugh asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 914, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 914

Senate Bill No. 914—An act to amend Section 37101 of the Government Code, relating to powers of cities of the fifth and sixth classes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stewart, Thomas, Waters, and Mr. Speaker—66.

NOES—Luckel—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 509

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 509, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 509

Senate Bill No. 509—An act to add Section 18236 to the Education Code, relating to use of school buildings declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

Demand for Previous Question

Messrs Doyle, Hinckley, Levering, Burke, and Kelly demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the urgency clause to Senate Bill No. 509.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Dickey, Dills,

Dolwig, Doyle, Dunn, Erwin, Fleury, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lyon, McCollister, McFall, McGee, McMillan, Meyers, Morris, Parker, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—55.

NOES—Beck, Caldecott, George D. Collins, Elliott, Gaffney, Hawkins, Henderson, Luckel, Maloney, Moss, Munnell, Niehouse, Porter, and Thomas—14.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lyon, McCollister, McFall, McGee, McMillan, Meyers, Morris, Parker, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—55.

NOES—Beck, Caldecott, George D. Collins, Elliott, Gaffney, Hawkins, Henderson, Luckel, Maloney, Moss, Munnell, Niehouse, Porter, and Thomas—14.

Bill ordered transmitted to the Senate.

Explanation of Vote on Senate Bill No. 509 by Francis Dunn, Jr.

I voted for Senate Bill No 509 with some misgivings and only because of the great need for shortage of school housing and because I know that a very thorough study of the subject has been made between March 14th and May 9th, 1951 by a Subcommittee of the Assembly Committee on Education

It is my hope that if and when the governing board of any school district submits to the electors of the district a proposal to use a school building which otherwise would be abandoned as unsafe, that the best possible information as to the actual structural strength of the building be made available to the voters, and that every effort within the financial ability of the district be taken to make the building safe.

FRANCIS DUNN, JR.

REPORTS OF STANDING COMMITTEES

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 951	Assembly Bill No. 895
Assembly Bill No. 1144	Assembly Bill No. 1579
Assembly Bill No. 1534	

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CONNOLLY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Senate Bill No. 27	Senate Bill No. 966
Senate Bill No. 521	Senate Bill No. 973

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CONNOLLY, Chairman

Above reported bills ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 454	Assembly Bill No. 2941
Assembly Bill No. 2002	Assembly Bill No 3387
Assembly Bill No. 2795	Assembly Bill No 3423

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1605

Mrs. Niehouse asked for, and was granted, unanimous consent that she be permitted to take up Senate Bill No. 1605, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1605

Senate Bill No. 1605—An act to add Section 14745 to the Education Code, relating to the termination of local district retirement systems in districts having an average daily attendance of less than 70,000 pupils.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Landsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Concurrent Resolution No. 42—Relative to the passing of Clyde L. Wymore.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Lanterman, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—68.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 961

Mr. Brown asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 961, temporarily passed on file, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 961

Senate Bill No. 961—An act to amend Section 204f of, and to add Section 204g to, the Code of Civil Procedure, relating to secretaries of the superior court and fixing salaries.

Bill read third time.

Motion to Amend

Mr. Brown moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 10, 1951, after the second "to", insert ", and to repeal Section 204f of,".

Amendment No. 2

On page 1, line 18, of said bill, strike out "60,000 and not over 290,000", and insert "550,000 and not over 600,000".

Amendment No. 3

On page 1, line 24, of said bill, strike out "60,000 and not over 290,000", and insert "550,000 and not over 600,000".

Amendment No. 4

On page 2 of said bill, after line 8, insert
"SEC. 2. Section 204f of the Code of Civil Procedure is repealed."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 215

Mr. Davis asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 215, temporarily passed on file, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 215

Senate Bill No. 215—An act to add Section 25826 to the Government Code, relating to fixing and collecting of fees for the use of public land for camping purposes.

Bill read third time.

Motion to Amend

Mr. Davis moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Assembly on May 4, 1951, after "camper", insert "or party of two or more campers".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE JOINT RESOLUTION NO. 29

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Senate Joint Resolution No. 29, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 29

Senate Joint Resolution No. 29—Relative to the American Indian.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 111

Mr. Grunsky asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 111, temporarily passed on file, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 111

Senate Bill No. 111—An act to amend Sections 736 and 737 of, and to add Sections 737 1, 737.2, and 737.3 to, the Vehicle Code, relating to procedure after arrest of persons charged with misdemeanor violations of the code.

Bill read third time.

Motion to Amend

Mr. Grunsky moved the adoption of the following amendments:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on May 7, 1951, between lines 49 and 50, insert

"(b) Any bail deposited with an officer in charge of the most accessible county jail, city jail or other place of detention within the county shall be transmitted to a magistrate having jurisdiction over the offense, or to the clerk of such magistrate, not later than the next business day."

Amendment No. 2

On page 2, line 50, of said bill, strike out "(b)", and insert "(c)".

Amendment No. 3

On page 3, line 3, of said bill, strike out "(c)", and insert "(d)".

Amendment No. 4

On page 3, line 17, of said bill, after "revised", insert "by the majority vote of such magistrates".

Amendment No. 5

On page 3, line 22, of said bill, strike out "superior court of the county", and insert "municipal or justice court situated at the county seat".

Amendment No. 6

On page 3 of said bill, between lines 41 and 42, insert

"(b) Any bail deposited with an officer in charge of the most accessible county jail, city jail or other place of detention within the county shall be transmitted to a magistrate having jurisdiction over the offense, or to the clerk of such magistrate, not later than the next business day."

Amendment No. 7

On page 3, line 42, of said bill, strike out "(b)", and insert "(c)".

Amendment No. 8

On page 3, line 47, of said bill, strike out "(c)", and insert "(d)".

Amendment No. 9

On page 4, line 11, of said bill, after "revised", insert "by the majority vote of such magistrates".

Amendment No. 10

On page 4, line 16, of said bill, strike out "superior court of the county", and insert "municipal or justice court situated at the county seat".

Amendment No. 11

On page 4, line 34, of said bill, after "trial", insert "and said person shall not be required to plead".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 94

Mr. Waters asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 94, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 94

Senate Bill No. 94—An act to amend Section 817 of the Penal Code, relating to peace officers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1060

Mr. McFall asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1060, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1060

Senate Bill No. 1060—An act to add Article 10 to Chapter 3, Part 3, Division 5 of the Health and Safety Code, relating to county sanitation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—73.

NOES—None.

Notice of Motion to Reconsider Senate Bill No. 1060

Mr. Brady gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 1060 was this day passed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 348

Mr. Davis asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 348, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 348

Senate Bill No. 348—An act to amend Section 27322 of the Government Code, relating to recordation of instruments.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 2665

Mr. Maloney asked for, and was granted, unanimous consent that he be permitted to take up his notice of motion to reconsider Assembly Bill No. 2665, temporarily passed on the unfinished business file, out of order, at this time.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 2665

In compliance with a notice given on a previous day, Mr. Maloney moved that the vote whereby Assembly Bill No. 2665 was passed be reconsidered.

Demand for Previous Question

Messrs. Klocksiem, Silliman, Hinckley, McGee, and Lincoln demanded the previous question.

Demand for previous question sustained.

The question being on the motion by Mr. Maloney to reconsider the vote whereby Assembly Bill No. 2665 was passed.

The roll was called, and reconsideration refused by the following vote:

AYES—Beck, Berry, Burkhalter, Coats, George D. Collins, Condon, Cooke, Davis, Dills, Doyle, Dunn, Elliott, Gaffney, Hagen, Hawkins, Henderson, Maloney, McFall, McMillan, Meyers, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, and Thomas—27.

NOES—Belotti, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Crowley, Dickey, Dolwig, Erwin, Fleury, Grant, Grunsky, Gubser, Hahn, Hansen, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Lyon, McCarthy, McCollister, McGee, Morris, Niehouse, Porter, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Mr. Speaker—40.

Assembly Bill No. 2665 ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 3070

Mr. McCarthy asked for, and was granted, unanimous consent that he be permitted to take up his notice of motion to reconsider Assembly Bill No. 3070, temporarily passed on the unfinished business file, out of order, at this time.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 3070

In compliance with a notice given on a previous day, Mr. McCarthy moved that the vote whereby Assembly Bill No. 3070 was passed be reconsidered.

The roll was called, and Assembly Bill No. 3070 refused reconsideration by the following vote:

AYES—Babbage, Beck, Berry, Brady, Coats, Collier, George D. Collins, Conrad, Davis, Fleury, Gaffney, Grunsky, Gubser, Hahn, Hansen, Kirkwood, Klocksiem, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Shaw, Sherwin, Smith, and Tomlinson—30.

NOES—Belotti, Burke, Burkhalter, Chapel, Clarke, Cloyed, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Geddes, Grant, Hagen, Henderson, Hinckley, Hollibaugh, Kelly, Levering, Lindsay, Luckel, Lyon, McCollister, McMillan, Niebouse, Porter, Rumford, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—36.

Assembly Bill No. 3070 ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1744

Mr. Belotti asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1744, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1744

Senate Bill No. 1744—An act to add Section 679.1 to the Vehicle Code, relating to rules governing the loading and securement of logs and poles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niebouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 62: By Mr. Luckel—Relating to percentage reductions in the next annual budget estimates of state departments.

Referred to Committee on Rules.

MOTION TO APPROVE JOURNALS

Upon motion of Mr. Dickey, the Journals for Monday, May 7, 1951; Tuesday, May 8, 1951; Wednesday, May 9, 1951; Thursday, May 10, 1951 and Friday, May 11, 1951 were approved as corrected by the Minute Clerk.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Hagen to reconsider the vote whereby Assembly Bill No. 3409 was passed, was continued until the next legislative day.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 3 p.m.—

Governmental Efficiency and Economy, in Room 3186.
Conservation, Planning, and Public Works, in Room 2170.
Manufacturing, Oil, and Mining Industry, in Room 432.

At 8 p.m.—

Education, in Room 432.
Constitutional Amendments, in Room 3186.
Municipal and County Government, in Room 2170.

Tomorrow, Thursday, May 17th, At 9.15 a.m.—

Rules, in Room 3186.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Stewart, the usual courtesies of the Assembly for this day were unanimously extended to Joseph C. Bender of New Jersey and Puerto Rico.

On request of Speaker Sam L. Collins, the usual courtesies of the Assembly for this day were unanimously extended to Rev. Arthur Kent White, of Denver, and a group of churchmen.

On request of Mr. Silliman, the usual courtesies of the Assembly for this day were unanimously extended to Former Assemblyman and Mrs. A. B. Green of San Luis Obispo.

On request of Mr. Kirkwood, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. F. M. Iwerks of Palo Alto.

On request of Mr. Shaw, the usual courtesies of the Assembly for this day were unanimously extended to Eugene Nesbet and Richard Manley of Upland.

On request of Mr. Beck, the usual courtesies of the Assembly for this day were unanimously extended to Val Lawson of Lancaster.

On request of Messrs. Hahn and Morris, the usual courtesies of the Assembly for this day were unanimously extended to George Cronk of Los Angeles.

On request of Mr. Henderson, the usual courtesies of the Assembly for this day were unanimously extended to Maurice Billet of Los Angeles.

On request of Messrs. Kirkwood and Connolly, the usual courtesies of the Assembly for this day were unanimously extended to Miss Ulla Grill, and Miss Vera Johansson, of Stockton, and Mrs. John R. Page, John Page, Jr., and Mrs. Harley Stevens of San Francisco.

On request of Mr. Smith, the usual courtesies of the Assembly for this day were unanimously extended to Paul L. Burkhard of Glendale.

On request of Mr. Burkhalter, the usual courtesies of the Assembly for this day were unanimously extended Howard Steitz and Floyd Jolley of Burbank.

On request of Mr. Hansen, the usual courtesies of the Assembly for this day were unanimously extended to Gordon Dunn, Gilbert Jertberg, and Phil C. Gardner of Fresno.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to Catherine Young, teacher, Mrs. W. A. Gaunt, Mrs L. R. McGuire, and Mrs R. M. Small, adults, and the following pupils of the Concord School: Patsy Draper, Carole Souder, Fred Cree, Doreen Smith, Lorraine Offield, Ed Ulrich, Robert Clugston, Richard Small, Richard Noerenberg, Mike Barry, Gerald Broyles, Clifford Smith, Fergus Quigley, Shirley Warner, Kathy Millham, Gerry Kennon, Sally Warner, Neil Francis, Mary Bergum, Arlene Fambrini, Tommie Jane Grisham, Robert Warren, Hugh Gaunt, Ronald August, Larry Hoppe, Jody Edwards, Ronald Cook, Keith Blair, Rosalind Fowler, Sherry McGuire, Dolores Rose, Deanna Wylie, Kent Barber, Gilbert Barton, John, Bengston, Yvonne Blythe, Jim Brooks, Gordon Buckmaster, Betty Chrisp, Le Vonne De Frates, Joann Donaldson, Betty Duncan, Glenet Fairchild, Glenn Fisher, Bill Frazier, Maxine Futs, Frank Holland, James Kelly, Gayle Lee, Rosalyn Loving, Ralph Nichols, Janice Oldershaw, David Parker, Steve Patterson, Carol Polk, Robert Quigly, LeVern Sharper, Cherie Seaman, Maureen Shea, Marlene Smith, Dorothy Torres, Beverly Tune, Bob Wallace, Dan White, Greta Youngberg, Bill Chase, and Barbara Bowman.

On request of Mr Brown, the usual courtesies of the Assembly for this day were unanimously extended to Paul Hudleson, Fred Hill, Harold Parsons, Ben Hudleson, Ed. Olander, and John Hochstatter of Modesto.

On request of Mr. Hagen, the usual courtesies of the Assembly for this day were unanimously extended to Fred Giagomazz and Cal Champlin of Hanford.

On request of Mr. Dolwig, the usual courtesies of the Assembly for this day were unanimously extended to Miss Chloe Lancaster of San Carlos, and Mrs. Austin Davis of Belmont.

On request of Mr. Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Alice Morateur, Mrs. Merle Houser, Miss Matie Luther, Mrs. Margaret Larsen, and Clay Caldwell, teachers, and the following pupils of the J. S. Hennessy School: Marilyn Abraham, Janice Andrews, Richard Arant, Florence Atterberry, Frank Barghoorn, Roxanne Barnes, Marlene Berry, Jo Ann Brock, Helen Bryd, Gene Carley, Ruth Carter, Ruth Cartwright, Arlene Cartwright, Elsie Casner, George Clanton, Georgia Clanton, Jane Cox, Robert Cox, Norma Lee Cramer, Scott Cramer, Bradley Crase, Shirley Daniels, Otis Davis, Patrick Day, Neita Derby, Timothy Dermody, Norman Donnenwirth, Jon Droivold, Betty Jean Dwyer, Patricia Earl, George Eisner, Carol Farnsworth, Donald Fassino, Donnie Fields, Rose Marie Flynn, Wanda Friant, Gloria Garcia, David Gaskins, Frank Goldsberry, Louis Gray, Carroll Greentree, Beverly Gregory, Jeanette Harris, Henry Hartung, Rena Mae Hayden, Rose Louise Helback, Billy Hooper, Donald Hovie, Eddie Hugi, Bryson Huiting, John Hutchins, Lynn Hutchinson, Betty Jenkins, Ruth Jensen, Mary Louise Johnson, Sharon King, Joann LaValley, Joanne Lee, Louis LeDuc, Allan Lowrie, James Macfarlane, Donna Mapes, Georgia Ann Markell, Marian Mawby, Jo Marie Matthews,

Ardith May, Bruce McDonald, Michael McGagin, Burl McLaughlin, Joanne McNally, Kay McNally, Billy Merchant, Maralyn Merritt, Ella Mae Michael, William Mill, Loretta Morandi, Larry Mowry, Neil Mulch, Mickey Mulligan, Doris Narred, Karl Nelson, Bernice Nichols, Orville Nicholson, Bob Pence, Donald Percy, Janet Qualls, Barbara Randall, Patsy Roberts, Sarah Rooks, Donald Rossi, John Rua, Richard Ruiz, Vernon Sandall, James Seley, Ann Sheldon, Sue Shepherd, Billy Smethers, Dick Smith, Kenneth Smith, Eddie Strain, Marlene Strick, Jeanne Stemple, Jeanette Temple, Everett Thompson, Helen Thorn, Marvin Tittle, Wade Todd, Bob Tremewan, Marilyn Turner, Ausma Upenieks, Jacqueline Vesley, Jimmy Wasley, Esther Watson, Clifford Weeks, Wayne Wergeland, Sharon Wexelberger, Paul Wilson, and Alvin Wood.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Charles Sullivan, Miss Bernice Lindsey, and Miss Frances Hall, teachers, Mrs. Geraldine Daggett, Mrs. Opal Lemmons, Mrs. Jeanne Hannigan, Mrs. Clara Clift, Mrs. Hazel Chandler, Mrs. Eleanor Sivasey, Mrs. J. M. Riggan, Mrs. Lois Wright, Mrs. Elvira Dorris, Mrs. Sarah Willis, Roy Gene Wells, Mrs. Nancy Wells, Mr. Charlie Wells, Mrs. Rosamae Nicholson, and Mrs. Haskell Sitton, adults, and the following pupils of the Fairfield School: Linda Riggan, Andrea Stanley, Joyce Stephens, Janice Stickles, Mittie Sitton, Delores Fillmen, Vetha Wells, Billie Jo Willson, Joe Barboza, Tommy Bautista, Joe Bertholdi, Joe Danielson, Wallen Durham, Gary Falati, Abraham Flores, Tom Hannigan, Don Huffman, Jerry, Hunter, Richard Ketron, Boyd Littlejohn, Richard Lockwood, Charles Oliver, Mervyn Regan, Michael Ricker, Michal Roach, Richard Sims, Gary Swasey, Dickie Alexander, Marvin Anderson, J. M. Brown, Rex Clift, Donald Foster, Robert Lambro, Paul McKee, Charles Nicholson, Chuck Serpas, Jackie Stossel, Billy Turnbull, Howard Pangburn, Marvin Walker, Bernard Willis, Carol Jane Bennett, Carol Susan Bennett, Barbara Brown, Jeanette Chandler, Mary Daggett, Susan Hindman, Geraldine Jennings, Yvonne Kuehner, Gail Lambro, Frances Morilla, Mary Noonan, Phyllis O'Connell, Shelby Rice, Dorothy Anderson, Deanna Durham, Mary Gayler, Mary Groves, Joan Hart, Carolyn Lacy, Betty Lu Lemmons, Evanelle Monson, Launa Nashland, Joy Niles, Patsy Pretel, Jenell Rushing, Barbara Santaella, Joyce Scrivner, Evelyn Vallera, Rachel Vargas, and Barbara Dorris.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to Francis Harris, Bob Fairchild, and Ivan D. Chappell, adults, and the following pupils of the Danville School: Claudia Andreasen, James Andreasen, Ann Armstrong, Clemens Arrasmith, Tommy Bacon, Janet Barrett, Yvonne Berger, Bob Blachley, Donald Brazil, Chris Christofferson, Marjorie Corum, Guy Cox, Ruth Cox, Sally Cox, Garry Cunningham, Dawn Doorley, Neil Fereira, Phoebe Force, Logan Franklin, Peter Grady, Margrethe Hansen, Billy Helfrich, Jackie Hough, Anna May Juul, Soren Knudsen, Arlene Lambert, Bonnie Lee, Peggy Macedo, Betty Mattos, Katherine Miller, Clark Mitchell, Dominic Pappalardo, Carmen Pleshe, Janet Reinstein, Betty Jean Rose, Steve Salter, Kenny Sandy, Mary Santiago, Cleo Sheppard, Shirley Silva, Norma Steadham, Gary Soto, Kenny

Soto, John Strong, Jonne Sullivan, Ridley Taylor, Cornell Ullman, Jack Votion, Nancy Weisend, Carole Wendling, Wendy White, Robert Williams, and Billy Williamson.

On request of Mrs. Niehouse, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. J. J. Sheridan and Mrs. Ed. Petty of San Diego.

On request of Mr. Geddes, the usual courtesies of the Assembly for this day were unanimously extended to Clarence B. Beckett of Calais, Maine.

On request of Mr. Porter, the usual courtesies of the Assembly for this day were unanimously extended to Ed. Kennedy of Bellflower.

On request of Mr. Silliman, the usual courtesies of the Assembly for this day were unanimously extended to Ralph B. Smith, teacher, and the following pupils of Monterey: Barbara Bebb, Glenn Lagree, Harold Taylor, E. W. Fales, John Weeks, Charles Beebe, Jerry Cummings, William Golden, Mary Ortman, Evelyn Cooksey, Wesley Semple, Hunter Lauer, Mary Gordon, John Hunt, William Pierce, Jess Smith, Lillian Sedler, Barbara Hollenberg, Bob Feliciano, Marvin Terry, William Todd, Barbara Verga, Joe Hugvelet, Ann Wilcox, Warren Edlavitch, Ardith Morrisseau, and Dick Viall.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to the following pupils of the Pacific Union College of Angwin: Berna Abbott, Rolland Bivens, Robert Fischer, Harry Lee Sackett, Marlene Davis, Lynn Lee, Janine McCaffery, Wanda Messer, Wanda Robinson, Stanley Payne, Phoebe Hopp, Harold Hartley, Betty Lou Preyer, Eugene Rau, Gordon Wheeler, Meryl Sprengel, Kenneth Grenz, Rose Spaulding, Andreva Schultz, Mona Stutchman, and Bruce Chittenden.

On request of Messrs. Parker and McFall, the usual courtesies of the Assembly for this day were unanimously extended to the following pupils of the Stockton College: Fernando Becerra, Melva Beilby, Arlen Besecker, Robert Bietz, Duane Blasl, Duska Bailey, Agnes Beaulieu, Thomas Chan, Betty Chapman, Jack Dokey, Everett Eiselen, Jim Evans, Carole Grainger, Barbara Green, Frank Harvey, Carrol Heynen, Marilyn Holman, Eiko Morita, Marian Mayeda, Betty Meyer, Laura Piggee, Marilyn Reeves, Joanna Roek, Joe Sanford, Milo Terzich, Doris Van Airsdale, Frances Kenoyer, Luvenia Cheeks, Theresa Passadore, Lolita Clark, Joy Whisenhunt, Richard Batres, George Costa, Donald Pleau, Loretto Vallem, Lorna Bonds, Gloria Bethel, Barbara Edwards, Lois Reitner, Jennifer Hanke, Delia Villavicencio, Margie Jensen, Jean Goddard, Virginia Zambra, Ken Poirier, Ken Parker, Robert Ingram, Pauline Stockman, Jimmy Delaney, Arthur Naftel, and Jerry Moore.

ADJOURNMENT

At 12.39 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Thursday, May 17, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SIXTY-FIRST LEGISLATIVE DAY

EIGHTY-THIRD CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, May 17, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names.

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—77.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Eternal and Loving Heavenly Father, Grant us Thy prevailing presence.

"Teach us that
The power that holds the planets in their courses,
That places limits on the restless sea,
Holds our lives within its mighty keeping—
Always holding you and me."

And now unto Him that is able to keep us from falling and present us faultless before the presence of His glory with exceeding joy, to the only wise God, our Saviour, be glory and majesty, dominion and power, both now and evermore —AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Doyle, further reading of the Journal of the previous legislative day was dispensed with.

REQUEST FOR UNANIMOUS CONSENT THAT NAMES OF MEMBERS ATTENDING MEETING OF INTERIM COMMITTEE ON GOVERNMENTAL REORGANIZATION BE PLACED UPON MORNING ROLL CALL

Mr. Lincoln asked for, and was granted, unanimous consent that the names of all members attending the meeting of the Interim Committee on Governmental Reorganization, at this time, be placed upon the morning roll call as follows:

Messrs. Kirkwood, Silliman, and Sherwin.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 251
Assembly Bill No. 305
Assembly Bill No 914
Assembly Bill No. 1389
Assembly Bill No. 1390
Assembly Bill No. 2086
Assembly Bill No. 2648
Assembly Bill No. 2688
Assembly Bill No. 2770
Assembly Bill No. 2942
Assembly Bill No. 2943

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 782
Assembly Bill No. 1529
Assembly Bill No. 2562
Assembly Bill No. 2808
Assembly Bill No. 3364

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 1561

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

DUNN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 741
Assembly Bill No. 1577

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bills ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 223

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 946
Senate Bill No. 951
Senate Bill No. 1668

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 1
Assembly Bill No. 30
Assembly Bill No. 129
Assembly Bill No. 148
Assembly Bill No. 222
Assembly Bill No. 661
Assembly Bill No. 666
Assembly Bill No. 773
Assembly Bill No. 904
Assembly Bill No. 1286
Assembly Bill No. 1299
Assembly Bill No. 1377
Assembly Bill No. 1868
Assembly Bill No. 1738
Assembly Bill No. 2046
Assembly Bill No. 2220
Assembly Bill No. 2309
Assembly Bill No. 2459
Assembly Bill No. 2939
Assembly Bill No. 3072
Assembly Bill No. 3227
Assembly Bill No. 3412
Assembly Bill No. 3421

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Constitutional Amendment No. 16—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 8 of Article VI thereof, relating to the filling of vacancies in the office of judge of the superior court.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 39
Assembly Bill No. 489
Assembly Bill No. 576
Assembly Bill No. 813
Assembly Bill No. 849
Assembly Bill No. 1069
Assembly Bill No. 1082
Assembly Bill No. 1158
Assembly Bill No. 1651
Assembly Bill No. 2048
Assembly Bill No. 3226

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 70

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 70—Relative to congratulating Santa Clara University on its one hundredth anniversary.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 16, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No 228
Senate Bill No. 465
Senate Bill No 1586
Senate Bill No. 1587
Senate Bill No 1592

J A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 228—An act to amend Section 3045 of the Welfare and Institutions Code, relating to aid to the needy blind.

Referred to Committee on Social Welfare.

Senate Bill No. 465—An act to amend Chapter 8 of Division 10 of the Education Code, relating to establishing 24-hour schools to be known as California academies for dependent, neglected, and homeless children who require special care and supervision, and providing for the government and administration thereof.

Referred to Committee on Education.

Senate Bill No. 1586—An act to add Section 103.3 to, and to repeal Sections 1507, 2003, 3001, and 3401 of, the Welfare and Institutions Code, relating to public assistance in respect to the construction and administration of the laws relating thereto.

Referred to Committee on Social Welfare.

Senate Bill No. 1587—An act to add Section 103.4 to the Welfare and Institutions Code, relating to absence of recipients of public assistance from the State.

Referred to Committee on Social Welfare.

Senate Bill No. 1592—An act to add Chapter 1.3, comprising Sections 144 to 144.11, inclusive, to add Section 118.3 thereto, to Division 1 of the Welfare and Institutions Code, and to repeal Sections 1504, 1506, 2007, 2222, 2223, 2223.5, 3006, 3405, and 3406 thereof, relating to public assistance, including the recovery of amounts to which the recipients were not legally entitled.

Referred to Committee on Social Welfare.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 723—An act to amend Section 780 of the Probate Code, relating to sale of real property in estates.

Bill read second time, and ordered engrossed

Assembly Bill No. 805—An act to amend Section 31555 of the Government Code, relating to the retirement of officers and attaches of municipal and justice courts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1658—An act to amend Section 1463 of the Penal Code, relating to fines and forfeitures.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1783—An act to amend Section 6 of the Judges' Retirement Act, relating to assignment of retired judges.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1265—An act to amend the heading of Article 5 of Chapter 1, Part 3, Division 11, and Section 21188, of the Water Code, relating to deputies and employees of irrigation districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1266—An act to amend Section 26881 of the Water Code, relating to irrigation districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1267—An act to add Section 21190 to the Water Code, relating to deputies and employees of irrigation districts.

Bill read second time, and ordered engrossed

Assembly Bill No. 3425—An act to add Section 845.1 to the Fish and Game Code, relating to nets.

Bill read second time, and ordered engrossed.

Assembly Bill No. 424—An act to amend Sections 6 and 7 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 4, 1951, strike out "Sections 6 and 7", and insert "Section 6".

Amendment No. 2

On page 1 of said bill, strike out lines 10 and 11; and in line 12, strike out "the City and County of San Francisco", and insert "fifteen thousand dollars ($15,000) per annum".

Amendment No. 3

On page 1 of said bill, strike out lines 14 to 19, inclusive; and strike out all of page 2

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 766—An act to amend Sections 737q, 737bb, and 737vv of the Political Code, relating to superior judges' salaries.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 737q, 737bb, and 737vv", and insert "Section 737bb".

Amendment No. 2

In line 2 of the title of said bill, strike out "Sections 79 17, 79.28, and 79.48", and insert "Section 79.28".

Amendment No. 3

In line 3 of the title of said bill, strike out "superior judges' salaries", and insert "the salary of superior court judge in Napa County".

Amendment No. 4

On page 1 of said bill, strike out lines 1 to 11, inclusive, and insert "SEC. 1. Section 737bb of the Political Code is amended".

Amendment No. 5

On page 1, line 15, of said bill, strike out "_____ dollars ($_____)", and insert "fifteen thousand dollars ($15,000)".

Amendment No. 6

On page 1, line 16, of said bill, strike out "SEC. 4", and insert "SEC. 2".

Amendment No. 7

On page 1, line 18, of said bill, after "salary", strike out "of the judge".

Amendment No. 8

On page 1, line 20, of said bill, strike out "_____ dollars ($_____)", and insert "fifteen thousand dollars ($15,000)".

Amendment No. 9

On page 1 of said bill, strike out lines 21 to 25, inclusive; and on page 2, strike out lines 1 to 9, inclusive, and insert

"SEC. 3. Section 2 of this act becomes operative only if Section 737bb of the Political Code is repealed by the Legislature at the 1951 Regular Session and in such case at the same time such repeal takes effect."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1611—An act to add Section 3 to an act entitled "An act relating to the application, acceptance and use of funds or assets of the California Rural Rehabilitation Corporation from the trustee thereof" (Chapter 414, Statutes 1949), relating to the purposes for which funds may be used.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 3 to", and insert "amend Section 2 of, and to add Section 3 to,".

Amendment No. 2

On page 1, line 1, of said bill, strike out "Section 3 is added to", and insert "Section 2 of".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, between lines 1 and 2, insert "title hereof is amended to read:

SEC 2. Any such trust assets referred to in Section 1 of this act which may be *transferred or* returned to this State or to the duly designated agency or official thereof shall be deposited in the State Treasury to the credit of said California Farm Debt Adjustment Commission or to the credit of the Department of Agriculture Fund, as the case may require Such funds or other assets shall be used *by the aforesaid designated agency or official* for the purpose of conducting rural rehabilitation work or for any purpose similar thereto [engaged in by the aforesaid designated agency or official] *or in accordance with Section 3 of this act. No liability shall accrue to the United States or to the Secretary of Agriculture thereof by virtue of any transfer made pursuant to Section 1 of this act.*

SEC. 2. *Section 3 is added to the act referred to in the*".

Amendment No. 4

On page 1, line 6, of said bill, after "act", insert "in accordance with and".

Amendment No. 5

On page 1, line 9, of said bill, after "Session", insert ", approved May 3, 1950".

Amendments read, and adopted.

Bill order reprinted, and engrossed.

Assembly Bill No. 3254—An act to add Section 48.5 to the Fish and Game Code, relating to access to public hunting and fishing grounds.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 11, of the printed bill, as amended in the Assembly on May 10, 1951, strike out "may", and insert "shall".

Amendment No. 2

On page 1, line 22 of said bill, after "Fund", insert "or other funds available to the commission".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 710—An act to amend Section 548 of the Probate Code, relating to executors and administrators.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "548", and insert "902"

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "548", and insert "902".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of the printed bill, between lines 2 and 3, insert

"902. Such further allowances may be made as the court may deem just and reasonable for any extraordinary services, such as sales or mortgages of real or personal property, contested or litigated claims against the estate, the preparation of estate, inheritance, income, sales or other tax returns [which require the appointment of a tax counsel, tax auditor or other tax expert for the preparation thereof] , *or* the adjustment *or litigation or* [and] payment of *any of said taxes* [extensive or complicated estate or inheritance taxes] , litigation in regard to the property of the estate, the carrying on of the decedent's business pursuant to an order of the court, and such other litigation or special services as may be necessary for the executor or administrator to prosecute, defend, or perform.

The executor or administrator when authorized by order of the court may also employ or retain tax counsel, tax auditors, accountants, or other tax experts for the performance of any action in the computation, reporting, or making tax returns, negotiations or litigation which may be necessary for the final determination and payment of taxes, and pay from the funds of the estate for such services."

Amendment No. 4

On page 1 of the printed bill, strike out lines 3 to 19, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 971—An act to repeal Sections 241 and 242 of, and to add Sections 241 and 242 to, the Code of Civil Procedure, relating to grand jurors.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 10 and 11, and insert "persons to be called which shall be not less than 20 nor more than 25 The order shall also specify the number of members of the immediately preceding grand jury, which shall be not less than three nor more than nine, who shall be members of the grand jury to be impaneled."

Amendment No. 2

On page 1, line 22, of said bill, strike out "nine", and insert "the number specified in the order of the court".

Amendment No. 3

On page 1, line 23, of said bill, strike out "nine such persons", and insert "the number specified".

Amendment No. 4

On page 1, line 25, of said bill, strike out "nine"; and on page 2, line 1, strike out "of them", and insert "the number specified".

Amendment No. 5

On page 2, line 4, of said bill, strike out "10", and insert "a number which, when added to the number impaneled from the immediately preceding grand jury, equals 19".

Amendment No. 6

On page 2 of said bill, strike out line 5, and insert "jury. If more than such number are present and not excused, such number shall be".

Amendment No. 7

On page 2, line 8, of said bill, strike out "nine members", and insert "the number of members specified in the order of the court".

Amendment No. 8

On page 2, line 9, of said bill, strike out "10", and insert "the required number".

Amendment No. 9

On page 2 of said bill, after line 13, insert

"SEC. 4. This act shall take effect only if the amendments to Section 8 of Article I of the Constitution proposed at the 1951 Regular Session of the Legislature are adopted by the voters, and in such case this act shall take effect at the same time such amendments take effect."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 3326—An act to add Section 274d to the Code of Civil Procedure, relating to phonographic reporters, and declaring the urgency of this act.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "274d", and insert "261i".

Amendment No. 2

On page 1, line 1, of said bill, strike out "274d", and insert "261i".

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 17, inclusive, and insert

"261i. In each county, or city and county having a population of more than 288,000 and less than 400,000 inhabitants, as determined by the Federal Census taken in 1950, the judges of the superior court in and for such county, or city and county, a majority concurring, to assist the court in the transaction of the judicial business of said court by having performed the duties of phonographic reporters as elsewhere in this code defined, may appoint as many regular official phonographic reporters as may be necessary to report the proceedings in said court and to perform such duties, except that the number of reporters so appointed shall not exceed at any one time the number of offices of judge provided by law for said court, said reporters to hold office during the pleasure of the judges of said court, a majority concurring.

When needed in order that the judicial business of the superior court in such county, or city and county, may be diligently carried on and a particular matter or matters may proceed to trial or hearing without delay, a pro tempore official reporter may be appointed to perform the duties of a phonographic reporter in such matter or matters, or until a regular official reporter becomes available for such service. A pro tempore official reporter for such service may be appointed by the presiding judge of the court and the judge presiding in the department where such reporter will serve, but when such appointment is made for service in a contested matter, it shall be made only pursuant to a written stipulation of the parties appearing at the trial or hearing or other proceeding to be reported by such pro tempore reporter.

Each of said regular official reporters shall be paid a salary of six thousand dollars ($6,000) per annum, and each of said pro tempore official reporters shall be paid twenty dollars ($20) per day for the days he actually is on duty under order of the court.

No further fee than that hereinabove provided shall be collected from, or assessed against, any party to any proceeding for the services of a phonographic reporter in taking down in shorthand the testimony and other proceedings in the trial or hearing of any matter as required by law or by order of the court; but a phonographic reporter shall be allowed, and shall receive, unless waived by him, the fees now, or that may hereafter be, allowed by law for transcribing his shorthand notes of the testimony and proceedings reported by him, and such fees for transcriptions shall be paid as provided by Section 274 of the Code of Civil Procedure and by any other law of this State pertinent to the case.

The salaries in this section provided shall be paid in monthly installments out of the salary fund of the county, or city and county, and shall be allowed and audited in the same manner as other salary demands against the county, or city and county, are required by law to be allowed and audited.

In addition to a fee or fees required by any other law or laws, a fee of three dollars ($3) shall be paid to the county clerk of such a county, or city and county, by each party, or jointly by parties appearing jointly, in each of the following instances:

(1) Where Section 26821 of the Government Code requires such party or parties to pay said clerk a fee for the filing of the first paper in a civil action or in a special proceeding, except in an appeal from an inferior court.

(2) Where Section 26822 of the Government Code requires such party or parties to pay said clerk a fee for filing papers transmitted from another court on the transfer of a civil action or special proceeding from another court, except in an appeal from an inferior court.

(3) Where Section 26826 of the Government Code requires such party or parties to pay said clerk a fee on the appearance in a civil action or special proceeding of a defendant, intervenor, respondent, correspondent or adverse party, except in an appeal from an inferior court; provided, however, if any of the parties named in this paragraph shall appear jointly they shall pay but one such additional fee of three dollars ($3) as in this section provided.

(4) Where Section 26827 of the Government Code requires such party or parties to pay said clerk a fee for the filing of a petition or other paper in a probate or guardianship matter.

The fee so required shall be taxed as costs in favor of any party paying the same and to whom costs are awarded by the judgment of the court. Such fee shall not be subject to the provisions of Section 6103 of the Government Code.

The county clerk shall, on or before the first day of each calendar month, transmit to the county treasurer, or city and county treasurer, all moneys paid to him under the provisions of this section during the preceding calendar month, or up to the day immediately preceding the day on which he transmits such moneys, and such moneys shall be deposited in the salary fund of said county, or city and county."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 302—An act to add Chapter 20 to Division 3 of the Business and Professions Code, relating to the regulation and licensing of shorthand reporters.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In lines 1, 2, and 3 of the title of the printed bill, as amended in the Assembly on May 8, 1951, strike out "to add Chapter 20 to Division 3 of the Business and Professions Code, and".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 19, inclusive; strike out all of pages 2 and 3; and on page 4, strike out lines 1 to 43, inclusive.

Amendment No. 3

On page 4, line 44, of said bill, strike out "SEC. 3", and insert "SECTION 1".

Amendment No. 4

On page 5 of said bill, strike out lines 45 to 49, inclusive, and insert "there shall be paid to the county clerk of such county, by each party, or jointly by the parties appearing jointly, a fee of three dollars ($3), except that in counties, or cities and counties, of 750,000 inhabitants or over, as determined by the 1950 Federal Census, the fee shall be five dollars ($5), in each of the following instances:"

Amendment No. 5

On page 6, line 1, of said bill, strike out "proceedings", and insert "proceeding".

Amendment No. 6

On page 6, line 14, of said bill, after "($3)", insert a comma.

Amendment No. 7

On page 6, line 15, of said bill, after "($5)", insert "in counties, or cities and counties, of 750,000 inhabitants or over, as determined by the 1950 Federal Census."

Amendment No. 8

On page 6, line 30, of said bill, strike out "4", and insert "2".

Amendment No. 9

On page 6, line 32, of said bill, strike out "621b", and insert "261b".

Amendment No. 10

On page 6, line 34, of said bill, strike out "700,000", and insert "750,000".

Amendment No. 11

On page 6, line 35, of said bill, after "1950", insert "federal".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 521—An act to amend Sections 1153 and 1153.5 of the Insurance Code, relating to insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 1153 and 1153.5", and insert "*Section 10292*".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 25, inclusive, and lines 1 to 20, inclusive, on page 2, and insert

"*SECTION 1. Section 10292 of the Insurance Code is amended to read:*

10292. A supplemental contract of the kind mentioned in Section 10271 shall not be delivered or issued for delivery to any person in this State until a copy of the form thereof is submitted to and approved by the commissioner. If such supplemental contract is an integral part of a contract of life insurance, the entire contract shall be submitted to the commissioner but his power of approval or disapproval is limited to the supplemental portion described in such section and such other portions as relate to such supplemental portion. The commissioner may make reasonable rules and regulations concerning the provisions in such contracts and their submission to and approval by him as are necessary, advisable or convenient to enforce the [applicable] standards set forth in this chapter *found by him to be applicable to any such supplemental contract; provided, however, that none of the standards set forth in Section 10291.5 except those in subsections (a) and (b) (1) thereof, shall be deemed applicable to such supplemental contract.*"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 540—An act to amend Sections 493 and 494 of, and to add Section 449 to, the Agricultural Code, relating to qualifications of persons regularly engaged in the enforcement of laws, rules, regulations and ordinances pertaining to milk and milk products.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 11, of the printed bill, following "by", insert "the State of California or".

Amendment No. 2

On page 1, line 11, of the printed bill, following "city", insert "or city and county".

Amendment No. 3

On page 1, line 15, of the printed bill, strike out "four", and insert "two".

Amendment No. 4

On page 1 of the printed bill, strike out lines 20 to 23, inclusive, and insert "(a) Graduation either from an agricultural college with specialization in studies relating to dairy farms or milk and milk products; or graduation from a veterinary college of recognized standing at time of graduation and one year of experience in the production, processing, or inspection of milk or milk products; or".

Amendment No. 5

On page 2 of the printed bill, strike out lines 1 to 2, inclusive

Amendment No. 6

On page 2, line 10, of the printed bill, following "experience", insert "with an approved milk inspection service".

Amendment No. 7

On page 2, line 12, of the printed bill, strike out "within the State of California".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

Assembly Bill No. 1183—An act to add Section 19 to the Agricultural Code, relating to claims against bonded licensees.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "report on or before the thir-"; and strike out lines 5 to 13, inclusive, and insert "as a condition to the enforcement of any claims under said bond file a verified statement with the department covering any delinquent amount owed such producer. Said verified statement must be filed by such producer within a period of one year from the date the amount has become delinquent."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

Assembly Bill No. 951—An act to amend Sections 4030, 4032, and 4040 of, and to add Section 4034 to, the Business and Professions Code, relating to pharmacy.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

Strike out line 1 of the title of the printed bill; and in line 2 of the title, strike out "Section 4034 to," and insert

"An act to amend Sections 4013, and 4162 of, and add Sections 4034, 4034.2, 4038, 4038.1, 4038.2, 4038.3, and 4039 to, and repeal Sections 4038 and 4039 of,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1. Section 4013 of the Business and Professions Code is amended to read:

4013. The members of the board shall each be paid the sum of [ten dollars ($10)] *twenty-five dollars ($25)* per diem for every meeting of the board which they attend, and for each day engaged in rating examination papers based upon one per diem for each 20 papers or fraction thereof, and shall be further entitled to their actual travel and other necessary expenses incurred in the performance of their duties.

SEC. 2. Section 4162 of said code is amended to read:

4162. The provisions of this article with reference to hypodermic syringes and needles do not apply to the sale at wholesale by drug jobbers, drug wholesalers and drug manufacturers or manufacturers and [wholesalers of] *dealers in* surgical instruments to any of the following:

(a) Pharmacies as defined in the Business and Professions Code.
(b) Physicians.
(c) Dentists.
(d) Chiropodists.
(e) Veterinarians.
(f) Other jobbers, wholesalers or manufacturers.
(g) Persons to whom a permit has been issued.
(h) Funeral directors and embalmers.

Nor do such provisions apply to the sale at retail by persons to whom a permit has been issued to any of the following.

(a) Pharmacists.
(b) Physicians.
(c) Dentists.
(d) Chiropodists.
(e) Veterinarians.
(f) Licensed medical technicians or technologists.
(g) Nurses.
(h) Hospital research teaching or clinical laboratories.
(i) Other permittees.
(j) Funeral directors and embalmers.

SEC. 3. Section 4034 is added to said code, to read:

4034. The furnishing, dispensing, or vending of any chemicals, drugs, or medicines, other than those exempted in Sections 4032 and 4044, by a wholesaler shall be under the immediate supervision and direction of a registered pharmacist.

SEC. 4. Section 4034.2 is added to said code, to read.

4034.2. No wholesaler shall sell any chemicals, drugs, or medicines, other than those exempted by Sections 4032 and 4044, to anyone not authorized by law to use, dispense, furnish, compound, or resell such chemicals, drugs, or medicines.

SEC. 5. Sections 4038 and 4039 of said code are repealed.

SEC. 6. Section 4038 is added to said code, to read:

4038. It is unlawful for any person to conduct a pharmacy in the State of California unless he has obtained a permit from the board. Each permit shall be issued to a specific person and for a specific location. Separate permits shall be issued for each of the premises of any business establishment having more than one location.

SEC. 7. Section 4038.1 is added to said code, to read

4038.1. Each application to conduct a pharmacy shall be made on a form furnished by the board. Upon approval of such application by the board and payment of the fee required by this chapter for each pharmacy, the secretary of the board shall issue a permit to conduct a pharmacy if the applicant has complied with all the provisions of this chapter. The permit shall be renewed annually on or before November 1st and shall not be transferable.

SEC. 8. Section 4038.2 is added to said code, to read:

4038.2. If a pharmacy is moved from one location to another or the name only of a pharmacy is changed, the licensee shall notify the board within thirty (30) days after the change, and shall return the permit to the board for correction.

SEC. 9. Section 4038.3 is added to said code, to read:

4038.3. Any person who enters into an agreement to purchase a pharmacy shall at once notify the board in writing, giving his name and address. Such person shall file his application to conduct a pharmacy upon a form furnished by the board. Upon approval of the application by the board, payment of the fee, and compliance with the provisions of this chapter, the secretary of the board shall issue to the applicant a permit to conduct a pharmacy and the permit of the vendor of such pharmacy shall be returned to the board for cancellation.

SEC. 10. Section 4039 is added to said code, to read:

4039. "Person" means any person, firm, association, organization, partnership, business trust, corporation or company."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 24, inclusive; and on page 2, strike out lines 1 to 17, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 1144—An act to amend Sections 28000, 28004, 28007, 28010, and 28014 of the Health and Safety Code, relating to retail outlets dealing in uninspected and inspected horse meat.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

Strike out the title of the printed bill, as amended in the Assembly on May 3, 1951, *appearing on page 1 thereof, and insert*

"An act to amend Sections 28000, 28004, 28007, 28010, 28014 and to add Section 28000½ to the Health and Safety Code relating to horse, mule and/or burro meat and their by-products and animal food"

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 6, inclusive, and insert

"SECTION 1. Section 28000 is amended to read as follows:

28000. As used in this chapter:

(a) Horse meat shall mean the uncooked muscle tissue of the horse and/or mule and/or burro which is skeletal, with or without the accompanying and overlying fat, and the portion of sinews, nerves and blood vessels which normally accompany the muscle tissue and which are not separated from it in the process of dressing.

(b) By-products of the horse and/or mule and/or burro shall mean the parts other than horse meat which has been derived from said animals, or either of them.

(c) Except where otherwise provided herein 'horse meat' shall include horse meat and the by-products of the horse and/or mule and/or burro as said terms are defined in subsections (a) and (b) of this Section 28000.

SEC. 2. Section 28000½ is added and shall read as follows:

It is unlawful for any person, firm, corporation or association, or any employee thereof, to sell, offer for sale or have in possession for sale as horse meat, any such meat as defined in Section 28000(a) of this chapter, mixed in any manner whatsoever with by-products as said term is defined in Section 28000(b) of this chapter."

Amendment No. 3

On page 1, line 7, of said bill, strike out "SEC. 2.", and insert "SEC. 3."

Amendment No. 4

On page 2, line 15, of said bill, strike out "uninspected."

Amendment No. 5

On page 2, line 21, of said bill, after "consumption.", insert

"Each container in which dog and/or pet food manufactured from horse meat and/or horse meat by-products and/or meat and/or meat food products is packed shall have affixed thereto a label bearing the following information in addition to all other

information required by law to appear thereon; (1) the name of the food, such as 'Dog Food,' 'Cat Food,' 'Dog and Cat Food,' 'Fox Food,' 'Pet Food' or 'Animal Food' in letters not less than one-half inch in height; (2) the word 'ingredients' followed by a complete list of the ingredients of the food in the order of their predominence and by their common or usual names in letters not more than one-fourth of an inch in height."

Amendment No. 6

On page 2, line 24, of said bill, strike out "SEC. 3.", and insert "SEC. 4."

Amendment No. 7

On page 2, line 32, of said bill, strike out "SEC. 4.", and insert "SEC. 5."

Amendment No. 8

On page 2, line 34, of said bill, before "adulterates", insert "employer or employee,".

Amendment No. 9

On page 2, line 43, of said bill, strike out "SEC. 5.", and insert "SEC. 6."

Amendment No. 10

On page 3 of said bill, strike out lines 1 to 8, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 1534—An act to amend Section 2175 of the Business and Professions Code, relating to persons authorized to practice medicine and surgery in institutions under the jurisdiction of the Department of Mental Hygiene.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "2175", and insert "2137.1"; in line 3, after "in", insert "state"; and in lines 3 and 4, strike out "under the jurisdiction of the Department of Mental Hygiene".

Amendment No. 2

On page 1, line 1, of said bill, strike out "2175", and insert "2137.1".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 19, inclusive, and insert

"2137.1. Subject to the provisions of the State Civil Service Act, any person who is licensed to practice medicine in any other state and who complies with each and all of the requirements of Section 2147.5 with respect to registration with the board and graduation from a school approved by the board, may be appointed to a medical staff within a state institution and, under supervision of a licensed physician and surgeon, may treat persons under the jurisdiction of any such state institution for a period not exceeding one year or until October 1, [1951] *1953* whichever is later; provided, that qualified physicians and surgeons cannot be recruited in the State of California. At the end of such time he must have secured a physician's and surgeon's certificate in order to continue as a member of such medical staff. Until such person has obtained a physician's and surgeon's certificate he shall not engage in the practice of medicine and surgery in this State except to the extent expressly herein permitted. The provisions of this section shall terminate on October 1, [1951] *1953*."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 895—An act to amend Sections 8525, 8529, and 8674 of, and to add Section 8529.5 and Article 3.5, comprising Sections 8558 and 8559, to Chapter 14 of Division 3 of, the Business and Professions Code, relating to structural pest control.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health:

Amendment No. 1

On page 3 of the printed bill, as amended in the Assembly on May 10, 1951, strike out lines 10 to 13, inclusive, and insert

"8529.5. The registrar shall direct, during each calendar year, the inspection of not less than one (1) of each ten (10) premises covered by inspection reports or documents registered under Article 3.5 of this chapter by each person licensed under this chapter. The registrar shall make and keep records of all such inspections for a period of two (2) years, and shall cite violations of this chapter to the board."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 1579—An act to amend Section 4032 of the Business and Professions Code, relating to the sale of drugs, chemicals and medicines.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 3, 1951, after line 19, insert

"(b) This chapter does not apply to the sale of any packaged, bottled or nonbulk drugs, medicines, poisons or chemicals when sold in the original container as received from the manufacturer or distributor where such sale is made to any of the following:

1. A physician, dentist, chiropodist, veterinarian, pharmacist, medical technician or medical technologist holding a currently valid and unrevoked license to practice his profession.

2. A clinic, hospital, institution or establishment holding a currently valid and unrevoked license or permit under Division 2 of the Health and Safety Code, or under Part 3 of Division 2, Chapter 2 of Division 3, or Part 2 of Division 6 of the Welfare and Institutions Code.

3. A pharmacy registered with the State Board of Pharmacy.

4. A research, testing, teaching or clinical laboratory.

5. A bona fide nonprofit teaching or educational institution

6. A hospital or medical department wholly or partly maintained by an employer for the purpose of furnishing his own employees with medical or surgical examination or treatment under the supervision of a licensed physician

7. The United States, a state, city or county, or any political subdivision, department, bureau or commission thereof, or hospital or institution operated by any of them

8. An exporter for export outside the United States where such drugs, medicines, poisons or chemicals are actually shipped outside the United States."

Amendment No. 2

On page 2 of said bill, strike out lines 1 to 36, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

SECOND READING OF SENATE BILLS

Senate Bill No. 87—An act to amend Sections 629 and 659 of the Code of Civil Procedure, relating to judgments notwithstanding the verdict.

Bill read second time, and ordered to third reading.

Senate Bill No. 209—An act to amend the title of Article 3 of Chapter 4, Part 1, Division 6, and Section 6357 of the Public Resources Code, relating to procedure on establishment of ordinary high-water and low-water marks.

Bill read second time, and ordered to third reading.

Senate Bill No. 526—An act to amend Section 221 of, and to add Section 227p to the Civil Code, relating to the adoption of adults.

Bill read second time, and ordered to third reading.

Senate Bill No. 646—An act to amend Section 476a of the Penal Code, relating to certain instruments.

Bill read second time, and ordered to third reading.

Senate Bill No. 1549—An act to amend Section 1462.2 of the Penal Code, relating to procedure after arrests for misdemeanors.

Bill read second time, and ordered to third reading.

Senate Bill No. 220—An act to amend Sections 736.1-1 and 736.11 of the Agricultural Code, relating to stabilization and marketing of fluid milk and fluid cream.

Bill read second time, and ordered to third reading.

Senate Bill No. 261—An act to amend Section 22257 of the Water Code, relating to water distribution by irrigation districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 1062—An act to amend Sections 16305, 16322, 16349, 16350, 16390, 16391, 16392, 16430, and 16451 of the Business and Professions Code, and to add Sections 16304.1 and 16320.1 thereto, relating to itinerant merchants.

Bill read second time, and ordered to third reading.

Senate Bill No. 1719—An act to amend Section 924 of the Fish and Game Code, relating to nets, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 27—An act to add Section 1919 to the Health and Safety Code, relating to the control of rabid animals.

Bill read second time, and ordered to third reading.

Senate Bill No. 521—An act to repeal Section 28431 and add Section 28431 to the Health and Safety Code, relating to inspection legends on canned food packed under cannery inspection supervision.

Bill read second time, and ordered to third reading.

Senate Bill No. 966—An act to repeal Section 28483 of, and to add a new Section 28483 to the Health and Safety Code, relating to packing of olive oil and distribution records of olive oil processors.

Bill read second time, and ordered to third reading.

Senate Bill No. 973—An act to amend Sections 7619, 7641, and 7665 of, and to add Sections 7610 and 7708 to, the Business and Professions Code, relating to the regulation of funeral directors and embalmers.

Bill read second time, and ordered to third reading.

Senate Bill No. 210—An act to amend Section 6301 of the Public Resources Code, relating to jurisdiction and authority of the State Lands Commission.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, after line 18, insert

"The provisions of this section do not apply to land of the classes described in Section 6403, as added by Chapter 227 of the Statutes of 1947."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 365—An act to amend Section 204a of the Code of Civil Procedure, relating to jury commissioners.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 19, of the printed bill, as amended in the Senate on April 25, 1951, strike out the semicolon, and insert a period.

Amendment No. 2

On page 1, line 19, of said bill, strike out "except that in", and insert "In".

Amendment No. 3

On page 2, line 4, of said bill, after "courts", insert "and municipal courts".

Amendment No. 4

On page 2, line 5, of said bill, after "compensation", insert "and help".

Amendment No. 5

On page 2, line 6, of said bill, after "which", insert ", and the number thereof,".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 572—An act to amend Sections 70, 504, 1181, and 1865 of the Civil Code, relating to courts of justice, various officers thereof, and judicial districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "and 1865 of the Civil", and insert "1865, and 3440 of the Civil Code and Sections 502, 739, 743 6, and 744 of the Vehicle".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 2 of said bill, after line 23, insert

SEC. 5. Section 3440 of the Civil Code is amended to read:

3440. Every transfer of personal property, other than a thing in action, or a ship or cargo at sea or in a foreign port, and every lien thereon, other than a mortgage, when allowed by law, and a contract of bottomry or respondentia, is conclusively presumed if made by a person having at the time the possession or control of the property, and not accompanied by an immediate delivery, and followed by an actual and continued change of possession of the things transferred, to be fraudulent, and therefore void, against those who are his creditors while he remains in possession, and the successors in interest of such creditors, and against any persons on whom his estate devolves in trust for the benefit of others than himself, and against purchasers or encumbrancers in good faith subsequent to the transfer; provided, however, that the provisions of this section shall not apply to the transfers of wines in the wineries or wine cellars of the makers or owners thereof, or other persons having possession, care, and control of the same, and the pipes, casks and tanks in which the said wines are contained, which transfers shall be made in writing, and certified and verified in the same form as provided for chattel mortgages, and which shall be recorded in the book of official records in the office of the county recorder of the county in which the same are situated; provided, also, that the sale, transfer or assignment of a stock in trade, in bulk, or a substantial part thereof otherwise than in the ordinary course of trade and in the regular and usual practice and method of business of the vendor, transferor, or assignor, and the sale, transfer, assignment or mortgage of the fixtures or store equipment of a baker, cafe or restaurant owner, garage owner, machinist, cleaner and dyer, or retail or wholesale merchant, will be conclusively presumed to be fraudulent and void as against the existing creditors of the vendor, transferor, assignor or mortgagor, unless at least 10 days before the consummation of such sale, transfer, assignment or mortgage, the vendor, transferor, assignor or mortgagor, or the intended vendee, transferee, assignee or mortgagee, shall record in the office of the county recorder in the county or counties in which the said stock in trade, fixtures or equipment are situated a notice of said intended sale, transfer, assignment or mortgage, stating the name and address of the intended vendor, transferor, assignor or mortgagor and the name and address of the intended vendee, transferee, assignee or mortgagee, and a general statement of the character of the merchandise or property intended to be sold, assigned, transferred or mortgaged, and the date when and the place where the purchase price or consideration, if any there be, is to be paid; and shall publish a copy of such notice in a newspaper of general circulation published in the [township] *judicial district* in which such stock in trade, fixtures or equipment are situated, if there be one, and if there be none in such [township] *judicial district*, then in such a newspaper in the county embracing such [township] *judicial district*, at least once, which publication shall be completed not less than five days before the date of such intended sale, transfer, assignment or mortgage; provided, nevertheless, that if such intended sale is to be at public auction the notice above required to be recorded and published shall state that fact, the time, terms, and place of said sale, the names and addresses of the vendor and auctioneer, and a general statement of the character of the merchandise or property intended to be sold; but such sale shall in no event occur within 10 days of the date of recordation of said notice; and any auctioneer selling said stock in trade or fixtures and store equipment of a baker, cafe or restaurant owner, garage owner, machinist, cleaner and dyer, or retail or wholesale merchant shall be personally liable for all damages incurred by any creditor of said merchant in the event said notice is not recorded and published as aforesaid; provided further, that the provisions of this section shall not apply or extend to any sale, transfer, or assignment of a stock in trade nor to any sale, transfer, assignment or mortgage of the fixtures, or store equipment, of a baker, cafe or restaurant owner, garage owner, machinist, cleaner and dyer, or retail or wholesale merchant made under the direction or order of a court of competent jurisdiction or by any executor, administrator, guardian, receiver,

or other officer or person acting in the regular and proper discharge of official duty, or in the discharge of any trust imposed upon him by law, nor to any transfer or assignment, statutory or otherwise, made for the benefit of creditors generally, nor by any assignee acting under such an assignment for the benefit of creditors generally nor to any mortgage or chattel mortgage made for the benefit of creditors generally, nor to any sale, transfer, assignment or mortgage of any property exempt *from execution*.

SEC. 6. Section 502 of the Vehicle Code is amended to read:

502 When Person Driving Under Influence of Liquor Guilty of Misdemeanor. (a) It is unlawful for any person who is under the influence of intoxicating liquor to drive a vehicle upon any highway. Any person convicted under this section shall be punished upon a first conviction by imprisonment in the county jail for not less than thirty days nor more than six months or by fine of not less than fifty dollars ($50) nor more than five hundred dollars ($500) or by both such fine and imprisonment and upon a second or any subsequent conviction by imprisonment in the county jail for not less than ninety days nor more than one year or by a fine of not less than two hundred dollars ($200) nor more than one thousand dollars ($1,000) or by both such fine and imprisonment.

(b) Whenever any person is convicted of a violation of this section it is the duty of the judge [or justice], unless, under the provisions of Section 307, the court recommends that there be no license suspension, to require the surrender to him of any operator's or chauffeur's license of such person and to forward the same to the department with the abstract of conviction as provided in Section 744 hereof, and the department shall suspend the driving privilege of any person so convicted as provided in Section 307

SEC. 7. Section 739 of the Vehicle Code is amended to read:

739. When Person Arrested to Be Given Notice to Appear in Court. (a) Whenever a person is arrested for any violation of this code, not declared herein to be a felony, and such person is not immediately taken before a magistrate as hereinbefore required or permitted, the arresting officer shall prepare in duplicate a written notice to appear in court containing the name and address of such person, the license number of his vehicle if any, the offense charged and the time and place when and where such person shall appear in court.

(b) The time specified in said notice to appear must be at least five days after such arrest.

(c) The place specified in said notice to appear shall be either:

(1) Before a magistrate within the county in which the offense charged is alleged to have been committed and who has jurisdiction of the offense and is nearest or most accessible with reference to the place where said arrest is made; or

(2) Upon demand of the person arrested, before a municipal court judge or other magistrate having jurisdiction of such offense at the county seat of the county in which such offense is alleged to have been committed or before a magistrate in the [township] *judicial district* in which the offense is alleged to have been committed.

(3) Before an officer authorized by the city, county, or city and county, to receive a deposit of bail.

(d) Said officer shall deliver one copy of said notice to appear to the arrested person and said arrested person in order to secure release must give his written promise so to appear in court by signing the duplicate notice which shall be retained by said officer Thereupon the arresting officer shall forthwith release the person arrested from custody.

(e) Said officer shall, as soon as practicable, file said duplicate notice with the *magistrate specified therein*. Thereupon the magistrate shall fix the amount of bail which in his judgment, in accordance with the provisions of Section 1275 of the Penal Code, will be reasonable and sufficient for the appearance of the defendant and shall indorse upon said notice a statement signed by him in the form set forth in Section 815a of the Penal Code. The defendant may, prior to the date upon which he promised to appear in court, deposit with the magistrate the amount of bail thus set Thereafter, at the time when the case is called for arraignment before the magistrate, if the defendant shall not appear, either in person or by counsel, the magistrate may declare the bail forfeited, and may in his discretion order that no further proceedings shall be had in such case

Upon the making of such order that no further proceedings be had, all sums deposited as bail shall forthwith be paid *into the city or county treasury, as the case* may be.

(f) No warrant shall issue on such charge for the arrest of a person who has given such written promise to appear in court, unless and until he has violated such promise or has failed to deposit bail, to appear for arraignment, trial or judgment, or to comply with the terms and provisions of the judgment, as required by law.

SEC. 8. Section 743.6 of the Vehicle Code is amended to read:

743.6 Procedure Upon Arrest Discretionary in Certain Cases. Whenever any person is arrested by any member of the California Highway Patrol for any violation of any State law regulating the operation of vehicles or the use of the highways declared to be a misdemeanor but which offense is not specified in this code, such person shall, in the judgment of the arresting officer, either be given a five-day notice to appear

in the manner hereinbefore provided or be immediately taken before a magistrate within the county in which the offense charged is alleged to have been committed and who has jurisdiction of such offense and is nearest or most accessible with reference to the place where said arrest is made, or, upon demand of the person arrested, before a magistrate in the [township] *judicial district* in which the offense is alleged to have been committed.

SEC. 9. Section 744 of the Vehicle Code is amended to read:

744 Conviction to Be Reported to Department (a) Every [justice of the peace, magistrate or] judge of a court not of record shall keep a full record of every case in which a person is charged with any violation of this code.

(b) Within ten days after the conviction of a person for any violation of this code, excepting violations of Sections 586, 587 and 588 of this code relating to the improper parking of vehicles, every [justice of the peace, magistrate or] judge of a court not of record and every clerk of a court of record in which such conviction was had, shall prepare and immediately forward to the department at its office at Sacramento an abstract of the record of said court covering the case in which said person was so convicted which abstract must be certified by the person so required to prepare the same to be true and correct.

(c) Said abstract must be made upon a form furnished by the department and shall contain all necessary information as to the parties to the case, the nature of the offense, the date of hearing, the plea, the judgment and the amount of the fine or forfeiture, as the case may be

(d) The failure, refusal or neglect of any such judicial officer to comply with any of the requirements of this section shall constitute misconduct in office and shall be ground for removal therefrom.

(e) The department shall keep all abstracts received hereunder at its office in Sacramento and the same shall be open to public inspection during reasonable business hours

(f) For the purposes of this section, a forfeiture of bail shall be equivalent to a conviction."

Amendment No. 3

On page 2, line 25, of said bill, strike out "5", and insert "10".

Amendment No. 4

On page 2 of said bill, strike out line 30, and insert "5, 1953 by the same laws and with the same force as if this".

Amendment No. 5

On page 2 of said bill, strike out line 34, and insert "until January 5, 1953."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 321—An act to amend Sections 2601 and 2619 of the Elections Code, relating to declaration of candidacy.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

On page 2, line 2, of the printed bill, as amended in the Senate on April 27, 1951, strike out the first "the", and insert "any".

Amendment No. 2

On page 3, line 7, of said bill, strike out the first "the", and insert "any".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 945—An act to amend Section 1500 of the Welfare and Institutions Code, relating to aid to needy children in respect to the definition of needy child.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1, line 11, of the printed bill, strike out ", divorce".

Amendment No. 2

On page 1, line 12, of the printed bill, strike out "six," and insert "three".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1560—An act to amend Section 3440 of, and add Sections 3440.1 and 3440.5 to, the Civil Code, relating to transfers of particular personal property without delivery.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on May 1, 1951, strike out line 19, and insert

"(d) Wines or brandies in the wineries or distilleries or wine cellars of the makers or".

Amendment No. 2

On page 1, line 20, of said bill, after "wines", insert "or brandies".

Amendment No. 3

On page 1, line 21, of said bill, after "wines", insert "or brandies".

Amendment No. 4

On page 1, line 22, of said bill, after "wines", insert "or brandies".

Amendment No. 5

On page 2, line 2, of said bill, after "wines," insert "brandies,".

Amendment No. 6

On page 2, line 21, of said bill, strike out "assignee", and insert "assignor".

Amendment No. 7

On page 2, line 30, of said bill, after "character", insert "and location".

Amendment No. 8

On page 2, line 31, of said bill, after "date", insert "when".

Amendment No. 9

On page 2, line 32, of said bill, strike out "the purchase price or consideration is to be paid", and insert "said sale, assignment, transfer, or mortgage is to be completed, and except in the case of a mortgage, the name and address of the escrow holder hereinafter required".

Amendment No. 10

On page 3, line 2, of said bill, after "transaction;" insert "provided however, if any claim presented is disputed, the escrow holder shall withhold a sufficient amount to pay said claim as presented until the correct amount of the claim is determined; and further".

Amendment No. 11

On page 3, line 37, of said bill, strike out "not", and insert "nor".

Amendment No. 12

On page 3 of said bill, between lines 40 and 41, insert

"(d) Wines or brandies in the wineries, distilleries or wine cellars of the makers or owners of the wines or brandies, or other persons having possession, care, and control of the wines or brandies and the pipes, casks, and tanks in which the wines or brandies are contained, if the transfers are made in writing and certified and verified

in the same form as provided for chattel mortgages, and if the transfers are recorded in the book of official records in the office of the county recorder of the county in which the wines, brandies, pipes, casks and tanks are situated."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 953—An act to add Section 1552.2 to the Welfare and Institutions Code, relating to aid to needy children in respect to payments in kind.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1, lines 7, 8, 9, and 10, of the printed bill, as amended in the Senate on May 3, 1951, strike out "Aid in kind shall be paid pursuant to rules and regulations of the State Department of Social Welfare which shall provide for such aid in accordance with minimum standards of adequate care.", and insert "The State Department of Social Welfare shall make and promulgate rules and regulations for the payment of aid under this section, so that such aid will be paid only in cases wherein it is shown to be necessary. Aid under this section shall be paid in accordance with minimum basic standards of adequate care as prescribed by Section 1511.5 of this code."

Amendment read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 2922

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Senate Bill No. 1109
Senate Bill No. 1514

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 46

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 15	Assembly Bill No 2022
Assembly Bill No. 593	Assembly Bill No. 2281
Assembly Bill No. 765	Assembly Bill No 3418

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bills ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No 55

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

DUNN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR SPEAKER: Your Committee on Education, to which was referred:

Senate Bill No. 314

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DUNN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Senate Bill No. 1055

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

DUNN, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Lyon to reconsider the vote whereby Assembly Bill No. 2818 was refused passage, was continued until the next legislative day.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2809—An act to amend Sections 339.3, 339.4, and 353.10 of the Agricultural Code, relating to fees for cattle brands and brand inspection.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2809?

Amendment No. 1

On page 2, line 4, of the printed bill, after "cattle", insert "or for the inspection of the hides thereof".

Amendment No. 2

On page 2, line 1, of the printed bill, as amended in the Senate on April 12, 1951, after "cattle", insert "originating".

Amendment No. 3

On page 2, line 3, of said bill, as amended, strike out ", except that the fee for the", and lines 4 to 7, inclusive, and insert a period.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2809 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Niehouse, Parker, Porter, Rosenthal, Shaw, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 2809 ordered enrolled.

Assembly Bill No. 297—An act to amend Section 650.6 of the Vehicle Code, relating to special restrictions on lamps.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 297?

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "beam of light", and insert "lamps".

Amendment No. 2

On page 1, line 13, of said bill, after "regulation", insert ", and tow cars to the extent as provided in Section 586.5".

Amendment No. 3

On page 2, line 5, of said bill, strike out "five-tenths", and insert ".05".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 297 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—64.

NOES—None.

Assembly Bill No. 297 ordered enrolled.

Assembly Bill No. 355—An act to add Section 7.1 to the Welfare and Institutions Code, relating to powers and duties of boards of supervisors in matters of public assistance.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 355?

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 9, inclusive, and insert

"7.1. The authority of a county board of supervisors to grant, deny, terminate, increase or decrease aid as provided in Chapter 1 of Part 2 of Division 2, Chapter 1 of Division 3, Chapter 2 of Division 4 or Division 5 of this code may be exercised by an agent when duly authorized by resolution of such board."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 355 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Levering,

Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Stewart, Thomas, and Tomlinson—57.

NOES—None.

Assembly Bill No. 355 ordered enrolled.

Assembly Bill No. 3403—An act to amend Sections 50, 51, 53, 54, and 55 of, and to add Section 55.5 to, the Fish and Game Code, relating to game management areas.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 3403?

Amendment No. 1

On page 2, line 3, of the printed bill, as amended in the Assembly on April 19, 1951, strike out "less", and insert "more".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 3403 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Lanterman, Lindsay, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Thomas, Tomlinson, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 3403 ordered enrolled.

NOTICE OF MOTION TO RECONSIDER SENATE BILL NO. 1534 WAIVED

Mr. Beck waived his notice of motion to reconsider the vote whereby Senate Bill No. 1534 was passed.

Senate Bill No. 1534 ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER SENATE BILL NO. 1060 WAIVED

Mr. Brady waived his notice of motion to reconsider the vote whereby Senate Bill No. 1060 was passed.

Senate Bill No. 1060 ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No 61

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No. 35

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Constitutional Amendments, to which were referred:

Assembly Constitutional Amendment No. 16
Assembly Constitutional Amendment No. 34
Assembly Constitutional Amendment No. 57
Assembly Constitutional Amendment No. 59

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

CROWLEY, Chairman

Above reported resolutions ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Senate Constitutional Amendment No 26

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

CROWLEY, Chairman

Above reported resolution ordered on file for adoption.

Speaker Pro Tempore Presiding

At 10.30 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 3364—An act to amend Sections 7330, 7332, and 7334 of the Business and Professions Code, relating to the practice of cosmetology.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Munnell, Parker, Porter, Rumford, Smith, Stewart, Thomas, Tomlinson, and Waters—58.

NOES—Burke and Hagen—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 454—An act to amend Section 737g of the Political Code and Section 79.7 of the Code of Civil Procedure, relating to the salaries of superior court judges.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Levering, Lincoln, Lindsay, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Smith, Stewart, Thomas, and Waters—55.

NOES—Cloyed, Dunn, and Luckel—3.

Bill ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Waters:

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Article 1.5, comprising Sections 215 through 218, inclusive, to Chapter 2, Division 1 of the Streets and Highways Code, relating to the creation of a fund for the acquisition of property for highway purposes, and making an appropriation therefor.

Respectfully submitted.

LAUGHLIN E. WATERS

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Waters:

An act to add Article 1.5, comprising Sections 215 through 218, inclusive, to Chapter 2, Division 1 of the Streets and Highways Code, relating to the creation of a fund for the acquisition of property for highway purposes, and making an appropriation therefor.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—65.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3434: By Mr. Waters—An act to add Article 1.5, comprising Sections 215 through 218, inclusive, to Chapter 2, Division 1 of the Streets and Highways Code, relating to the creation of a fund for the acquisition of property for highway purposes, and making an appropriation therefor.

Referred to Committee on Conservation, Planning, and Public Works.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2941—An act to add Section 585.4 to the Vehicle Code, relating to the removal of vehicles parked upon streets or highways by local authorities.

Bill read third time.

Motion to Amend

Mr. George D. Collins moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "during hours", and insert "between the hours of 7 a.m. and 7 p m."

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 2002—An act to add Section 73g of the Code of Civil Procedure, relating to superior courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Niehouse, Parker, Porter, Rosenthal, Rumford, Smith, Stanley, Thomas, Tomlinson, and Waters—62.

NOES—None.

On May 30, 1951, the Assembly requested the Senate to return Assembly Bill No. 251 (page 4913), and the Senate returned the bill on June 1st (page 4986).

On June 1, 1951, the record was expunged, and the action rescinded whereby the Assembly, on this day, passed **Assembly Bill No. 251** (page 4986).

REPORTS OF STANDING COMMITTEES

Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which was referred:

Assembly Bill No 3159

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WATERS, Chairman

Above reported bill ordered to second reading.

Committee on Boards and Commissions

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 2880

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

McMILLAN, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3387—An act to amend Sections 18002 and 18003 of the Education Code, relating to insurance of school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Stanley, Thomas, Tomlinson, and Waters—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2795—An act to amend Section 16091 of the Education Code, relating to readers for blind students, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Sherwin, Smith, Stanley, Thomas, Tomlinson, and Waters—68.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Sherwin, Smith, Stanley, Thomas, Tomlinson, and Waters—68.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 10.52 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Assembly Bill No. 914—An act to amend Section 717.1 of the Code of Civil Procedure, relating to supplementary proceedings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey,

Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2648—An act to amend Section 386 of the Code of Civil Procedure, relating to interpleader.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT RESOLUTION BE PRINTED IN THE JOURNAL AND THAT SUBJECT MATTER BE RE-REFERRED TO THE COMMITTEE ON RULES

Mr. Dills asked for, and was granted, unanimous consent that a resolution be ordered printed in the Journal, in 10 point type, as follows, and that the subject matter be ordered referred to the Committee on Rules:

Resolution

WHEREAS, It has come to the attention of the California Press Club that certain Members of the State Senate and Assembly, including but not limited to Assembly Speaker pro Tempore Thomas A. Maloney, profess to excel at the ancient and honorable Scottish game of golf; and

WHEREAS, The California Press Club has good cause to believe that no such condition obtains in either house, and, to the contrary, many members have basic misconceptions of the game and the implements used in playing it; now, therefore, be it

Resolved, That the California Press Club does hereby challenge the California Senate and Assembly to a golf tournament on Sunday, June 10th, for the purpose of correcting a deplorable situation in which:

Assemblyman Earl Stanley believes a driver is what every high school student should learn to be;

Senator John F. McCarthy is of the opinion that a green is what Irishmen wear on St. Patrick's Day;

Assemblyman Richard Dolwig thinks a sandtrap is a subject for investigation by his committee on tideland and reclamation;

Assemblyman Patrick McGee presumes a mashie to be a female masher;

Senator Paul Byrne concludes that a putter is something you do while waiting for a quorum;

Assemblyman John L. E. (Bud) Collier would use a spoon as an ingredient in delectable southern spoon bread;

Senator Luther Gibson relates that a tee is a formation in football;

Assemblyman Lester McMillan is convinced that out of bounds is what minors should be when they attempt to buy liquor;

Senator George Miller, with eloquence—will debate that an Acushnet is a device used for taking acushes in the Sacramento River;

Assemblyman Maloney contends a bad lie is what Los Angeles says about San Francisco;

Senator Hugh Burns believes irons are what all Communists should be put in;

Assemblyman Thomas Doyle will testify a bag boy is a youthful collector for a crooked politician; and, be it further,

Resolved, That the Senate and Assembly are hereby authorized to recruit members of the Pal's Club to round out their team if they find themselves short of suitable material.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 63: By Mr. Waters—Relative to maps of assembly, senatorial, and congressional districts.

Referred to Committee on Rules.

MEMBERS EXCUSED

At 11.07 a.m., Mr. Smith asked for, and was granted, unanimous consent that Mr. Lipscomb be excused, for the balance of the legislative day, because of legislative business elsewhere.

At 11.08 a.m., Mr. Munnell asked for, and was granted, unanimous consent that Mr. Kilpatrick be excused, for the balance of the legislative day, because of personal business elsewhere, and stated that he desires to waive his per diem.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2942—An act to amend Section 586 of the Vehicle Code, relating to the prohibited places where vehicles may stop, stand or park.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, George D Collins, Connolly, Conrad, Cooke, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Stanley, Stewart, Thomas, Tomlinson, and Waters—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2943—An act to amend Section 459 of the Vehicle Code, relative to the powers of local authorities to make rules and regulations concerning the regulation of traffic.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2770

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2770, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2770

Assembly Bill No. 2770—An act to amend Section 11b of the Municipal Court Act of 1925, relating to municipal courts in cities of the second and three-eighths class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Lanterman, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1529—An act to amend Section 5050.3 of the Welfare and Institutions Code, relating to emergency admission to institutions of persons who are believed to be mentally ill and to require immediate care and treatment.

Bill read third time.

Motion to Amend

Mr. Gubser moved the adoption of the following amendments:

Amendment No. 1

On page 1, lines 10 and 11, of the printed bill, as amended in the Assembly on May 16, 1951, strike out "regularly licensed hospital, sanitarium,".

Amendment No. 2

On page 1, line 15, of said bill, strike out "the person to be", and insert ", as a result of his personal observation, that the person is".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 2688—An act relating to the operation of off-street parking facilities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stewart, Thomas, Tomlinson, and Waters—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2562—An act to amend Section 207 of the Unemployment Insurance Act, relating to a System of Unemployment Compensation Disability Insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Thomas, Tomlinson, Waters, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 2808, on motion of Mr. Lowrey.

Assembly Bill No. 2086, on motion of Mr. Grant.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1775—An act to amend Section 4 of "An act providing for the division of counties into judicial districts and for the determination of the population of said districts, and repealing Sections 27800, 27801, 27802, and 27803 of the Government Code" approved July 27, 1949, relating to judicial districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Mr. Speaker—63.

NOES—Cloyed and Luckel—2.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Manufacturing, Oil, and Mining Industry

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER: Your Committee on Manufacturing, Oil, and Mining Industry, to which was referred:

Assembly Bill No. 3175

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

MORRIS, Chairman

Above reported bill ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 305

Mr. Levering asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 305, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 305

Assembly Bill No. 305—An act to add Section 172b to the Penal Code, relating to selling, giving away, or exposing intoxicating liquors for sale in the vicinity of the University of California at Los Angeles, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Nichouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Nichouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1109—An act to amend Sections 26209, 26233, 26235, 26252, 26253, 26271(a), 26272, 26273, 26274, 26275, 26288, 26290, 26292, and 26360 of, and to add Sections 26202.5, 26202.7, 26211.5, 26286.5, 26286.6, 26293.5, 26305, to and to repeal Sections 26251, 26271, of the Health and Safety Code, relating to adulterating, misbranding, and advertising of drugs and devices.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1389

Mr. Silliman asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1389, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1389

Assembly Bill No. 1389—An act providing for the constitution of the municipal court in a district embracing the City of Salinas, and prescribing the number and compensation of the judges, officers, and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Dolwig, Doyle, Dunn, Elliott, Erwin, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Thomas—53

NOES—Condon, Evans, Hahn, Hinckley, McMillan, Morris, and Waters—7.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1390

Mr. Silliman asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1390, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1390

Assembly Bill No. 1390—An act providing for the constitution of the municipal court in a district embracing the City of Monterey, and prescribing the number and compensation of the judges, officers, and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—64.

NOES—Hahn, Luckel, and Morris—3.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 11 36 a.m., Hon. Thomas A Maloney, Speaker pro Tempore of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 782

Mr. Babbage asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 782, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 782

Assembly Bill No. 782—An act to amend Section 19a of the Penal Code, and Section 1 of an act entitled "An act to provide for the creation of a Board of Parole Commissioners for each county in this State, for the paroling of prisoners confined in county jails, and authorizing and empowering such boards to make rules and regulations in relation thereto," approved March 25, 1909, relating to paroles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, and Waters—69.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 2457

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

STEWART, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 2457—An act to repeal Chapter 2 of Division 5 of Title 1 of the Government Code, relating to contracts for public works and the subletting of contracts or subcontracting of portions of such works.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

Strike out line 1 of the title of the printed bill, and insert
"An act to add Section 4109 to the Gov-".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 3, inclusive, and insert

"SECTION 1. Section 4109 is added to the Government Code to read:

4109 The provisions of this chapter shall apply only with respect to subcontractors who have filed with the general contractor, at least 24 hours before the opening of bids a bond in an amount not less that the amount payable to the subcontractor under the bid. The bond shall be executed by either two or more good and sufficient sureties or by a corporate surety, as provided by law, in an amount not less that the sum specified in the bond. The bond shall be in favor of the contractor and shall be conditioned upon the faithful performance of the work bid upon and shall provide that if the subcontractor fails to pay for any materials, provisions, provender, or other supplies, or teams, used in, upon, for or about the performance of the work contracted to be done, or for any work of labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to such work or labor, that the surety or sureties will pay for the same, in an amount not exceeding the sum specified in the bond, and shall also provide, in case suit is brought upon the bond, a reasonable attorney's fee, to be fixed by the court.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Request for Unanimous Consent That Rush Order Be Placed Upon Printing of Assembly Bill No. 2457

Mr. Lyon asked for, and was granted, unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 2457.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3165—An act to add Section 12516 to the Business and Professions Code, relating to weighing of livestock.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Thomas, Tomlinson, and Waters—70.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Senate Bill No. 211	Senate Bill No. 1578
Senate Bill No. 213	Senate Bill No. 1695

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SILLIMAN, Chairman

Above reported Senate Bills Nos. 211, 1578, and 1695 ordered to second reading.

Above reported Senate Bill No. 213 ordered to third reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 16
Assembly Constitutional Amendment No. 34
Assembly Constitutional Amendment No. 57
Assembly Constitutional Amendment No 59

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 61

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 35

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 2914

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

SILLIMAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 3390

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

SILLIMAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Assembly Bill No. 1153
Assembly Bill No. 3145

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SILLIMAN, Chairman

Above reported bills ordered to third reading.

Committee on Industrial Relations

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER: Your Committee on Industrial Relations, to which was referred:

Assembly Bill No. 3417

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

LEVERING, Chairman

Above reported bill ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 53

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 663

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 3101

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 2601
Assembly Bill No. 2802

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

STEWART, Chairman

Above reported bills ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 2069
Assembly Bill No. 2366

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

STEWART, Chairman

Above reported bills ordered to second reading.

RECESS

At 11.50 a.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Clarke:

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1951

MR SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Chapter 11, comprising Sections 1300.50 to 1300.56, inclusive, to Division 6 of the Agricultural Code, prescribing specified concerted interferences with the transportation, processing or marketing of perishable agricultural commodities, by labor organizations, declaring the public policy of the State with respect thereto and providing for injunctive and other relief therefrom

Respectfully submitted.

GEORGE A. CLARKE

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Clarke:

An act to add Chapter 11, comprising Sections 1300.50 to 1300.56, inclusive, to Division 6 of the Agricultural Code, prescribing specified concerted interferences with the transportation, processing or marketing of perishable agricultural commodities, by labor organizations, declaring the public policy of the State with respect thereto and providing for injunctive and other relief therefrom.

BURKE, Chairman

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Clarke moved a call of the Assembly.

Motion carried. Time, 2.01 p m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brown, Coats, Condon, Conrad, Davis, Dickey, Dunn, Elliott, Gaffney, Geddes, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Klocksiem, Levering, Lyon, McMillan, Moss, Niehouse, Parker, Stanley, Stewart, Thomas, Tomlinson, and Waters—28.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Doyle asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

ANNOUNCEMENT

Speaker Sam L. Collins announced that word has been received from the Senate that Senators are waiting for explanations of Assembly bills now pending on their file, and urged all members to cooperate by immediately supplying said explanations for their bills.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2067—An act to add Sections 1511.1, 2020.1, and 3080.01 to the Welfare and Institutions Code, relating to public assistance, in respect to the income of applicants or recipients.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Erwin, Evans, Fleury, Grant, Grunsky, Hagen, Hansen, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Tomlinson, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF HOUSE RESOLUTION NO. 115

By Mr. McCollister:

House Resolution No. 115

Relating to investigation and study of licensing of masseurs and masseuses

WHEREAS, There is no provision in California law for the licensing of masseurs and masseuses, but such persons are licensed in other states; and

WHEREAS, The American Association of Masseurs and Masseuses is a respected professional organization of masseurs and masseuses; and

WHEREAS, Assembly Bill No. 2326 has been introduced before this session of the Legislature, relating to the licensing of masseurs and masseuses; now, therefore, be it

Resolved by the Assembly of the State of California, That any interim committee of the Assembly which may be hereafter created for the investigation or study of public health is directed to consider the proposition of licensing masseurs and masseuses in California, to consult with the American Association of Masseurs and Masseuses in that matter, and to study the text of Assembly Bill No. 2326, introduced before this session of the Legislature.

Resolution read, and adopted.

CONSIDERATION OF HOUSE RESOLUTION NO. 144

By Mr. McCollister:

House Resolution No. 144

Relative to requesting the Assembly Interim Committee on Interstate Cooperation to ascertain facts relating to motor vehicle registration

WHEREAS, The Assembly Interim Committee on Interstate Cooperation created by House Resolution No. 216, 1949 Regular Session, was directed to and did study and investigate facts relating to the development of a System of Registration of Motor Vehicles on a monthly basis; and

WHEREAS, It appears that certain additional facts are necessary in order that the Assembly may intelligently legislate upon this complicated subject, particularly facts relating to the operation of the so-called "staggered system" of vehicle registration now in use in the States of Oregon, Missouri, and Wisconsin, and the problems which may have arisen in connection therewith; and

WHEREAS, A new committee on Interstate Cooperation has been created by House Resolution No. 105 of this 1951 General Session of the Legislature and it appears that the experience gained by the members thereof qualify this committee for the task of ascertaining such additional facts; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee On Interstate Cooperation, (created by House Resolution No. 105, 1951 General Session) be and it hereby is authorized and directed to ascertain, study and analyze all facts relating to the development of a System of Registration of Motor Vehicles on a monthly basis so as to permit, as far as possible, uniform distribution of the work of registration throughout each month of the calendar year and the establishment of 12 registration periods of 12 months duration, and particularly all facts relating to the systems of this nature now in use in the States of Oregon, Missouri, and Wisconsin, including but not limited to the operation, effect, administration, and enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in its report its recommendations for appropriate legislation; and be it further

Resolved, That in carrying out the duties imposed upon it by this resolution the committee shall have all the powers and duties prescribed in said House Resolution No. 105 (1951 General Session) and particularly shall be authorized to make this study in conjunction with the Department of Motor Vehicles and to contract with the Department of Motor Vehicles for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes of this resolution; and be it further

Resolved, That in addition to any money heretofore made available the sum of two thousand five hundred dollars ($2,500) or so much thereof as may be necessary is hereby made available to the committee from the unallocated balance of the money previously made available to the Committee on Interstate Cooperation by House Resolution No. 216 of the 1949 Regular Session, for the expenses of the Assembly Committee on Interstate Cooperation (created by House Resolution No. 105, 1951 General Session) and its members, and for any charges, expenses, or claims it may incur under this resolution, to be paid from the Contingent Fund of the Assembly and disbursed after certification by the chairman of the committee, upon warrants drawn by the State Controller on the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Gaffney, Grant, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Lanterman, Lincoln, Lindsay, Lowrey, Maloney, McCollister, McFall, McMillan, Meyers, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, and Thomas—45.

NOES—Beck, George D. Collins, Conrad, Erwin, Grunsky, Hahn, Hinckley, Kirkwood, Klocksiem, McCarthy, McGee, Moss, and Rosenthal—13.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 723	Assembly Bill No. 1267
Assembly Bill No. 805	Assembly Bill No. 1658
Assembly Bill No. 1265	Assembly Bill No. 1783
Assembly Bill No. 1266	Assembly Bill No. 3425

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)

CONSIDERATION OF HOUSE RESOLUTION NO. 62

By Mr. Condon:

House Resolution No. 62

WHEREAS, The Attorney General of California is the legal adviser for state agencies and in that capacity prepares and issues official opinions of importance to such agencies and to the legislative body; and

WHEREAS, Such opinions are regularly published and available at the rate of $29 per annual subscription (plus tax) and at the rate of $150 per set (plus tax) for complete sets of the back numbers of the bound volumes; now, therefore, be it

Resolved, That the Clerk of the Assembly be and he is hereby directed to purchase from the publisher of such opinions and for the use of Members of the Assembly a total

of 81 subscriptions for the biennium beginning January 1, 1951 at an aggregate cost of $4,698, plus tax; and be it further

Resolved, That the Clerk of the Assembly be and he is hereby directed to purchase from the publisher of such opinions for the use of new Members of the Assembly 13 sets of back numbers of the bound volumes of such opinions at an aggregate cost of $1,950, plus tax.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In the measure, as printed in the Assembly Journal of January 23, 1951, page 973, in the second "Whereas" clause, in the second line, after "subscription (plus tax)", strike out "and at the rate of $150 per set (plus tax) for complete sets of the back numbers of the bound volumes".

Amendment No. 2

In said measure, as printed, strike out all of the first and second "Resolved" clauses, and insert

"*Resolved*, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to purchase from the publisher of such opinions for the use of the Members of the Assembly, upon request, a total not to exceed eighty-one (81) subscriptions for the biennium beginning January 1, 1951, at an aggregate cost not to exceed five thousand dollars ($5,000); and, be it further

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrants upon the Contingent Fund of the Assembly in favor of the publisher of said opinions in payment of these bills when properly presented, not to exceed a total amount of five thousand dollars ($5,000)."

Amendments read, and adopted.

Consideration of House Resolution No. 62, as Amended

By Mr. Condon:

House Resolution No. 62

WHEREAS, The Attorney General of California is the legal adviser for state agencies and in that capacity prepares and issues official opinions of importance to such agencies and to the legislative body; and

WHEREAS, Such opinions are regularly published and available at the rate of $29 per annual subscription (plus tax); now, therefore, be it

Resolved, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to purchase from the publisher of such opinions for the use of the Members of the Assembly, upon request, a total not to exceed eighty-one (81) subscriptions for the biennium beginning January 1, 1951, at an aggregate cost not to exceed five thousand dollars ($5,000); and, be it further

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrants upon the Contingent Fund of the Assembly in favor of the publisher of said opinions in payment of these bills when properly presented, not to exceed a total amount of five thousand dollars ($5,000)."

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Thomas, and Tomlinson—61.

NOES—Luckel and Sherwin—2.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2261—An act to amend Sections 44 and 45.5 of to the Unemployment Insurance Act, relating to unemployment insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2487—An act to add Section 12607.5 to the Business and Professions Code, relating to designated weight of baled wiping rags.

Bill read third time.

Motion to Amend

Mr. Rosenthal moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 and 4; and in line 5, strike out "the quantity of the commodity shall be the", and insert "Baled wiping rags may be sold by the gross weight of the container and contents. The".

Amendment No. 2

On page 1, line 6, of said bill, strike out ", which", and insert "and contents".

Amendment No. 3

On page 1, line 8, of said bill, strike out ", provided, that there", and insert ". There".

Amendment No. 4

On page 1, line 9, of said bill, after "at", insert "no more than".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON REQUEST FOR PERMISSION TO INTRODUCE BILL

At 2.26 p.m., on motion of Mr. Clarke, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and permission granted Mr. Clarke to introduce a bill by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—71.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3435: By Mr. Clarke—An act to add Chapter 11, comprising Sections 1300.50 to 1300.56, inclusive, to Division 6 of the Agricultural Code, prescribing specified concerted interferences with the

transportation, processing or marketing of perishable agricultural commodities, by labor organizations, declaring the public policy of the State with respect thereto and providing for injunctive and other relief therefrom.

Referred to Committee on Agriculture.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Senate Bill No. 1498—An act to add Section 25508 to the Government Code, relating to county purchasing agents.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Elliott, Evans, Fleury, Gaffney, Grant, Grunsky, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—60.

NOES—Condon, Cooke, Geddes, and Hagen—4.

Bill ordered transmitted to the Senate

Senate Bill No. 111—An act to amend Sections 736 and 737 of, and to add Sections 737.1, 737.2, and 737.3 to, the Vehicle Code, relating to procedure after arrest of persons charged with misdemeanor violations of the code.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 326—An act to amend Section 16271 of the Education Code, relating to the use of school busses.

Bill read third time.

Motion to Amend

Mr. Geddes moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 14, 1951, strike out "amend Section 16271", and insert "add Section 16271.2".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 16, inclusive, and insert

"SECTION 1. Section 16271.2 is added to the Education Code to read:

16271.2. The governing board of any school district may use school busses to transport graduating twelfth grade pupils attending the schools of the district and teachers or other employees employed by the district to and from other states for educational excursions. The transportation may be provided on any day or days throughout the school year.

In computing the average daily attendance of a school district, there shall be excluded the attendance of such pupils while being transported on such educational excursions.

Any school district which transports graduating twelfth grade pupils attending the schools of the district, or teachers or other employees of the district to and from other states for educational excursions shall report to the Superintendent of Public Instruction on forms prescribed by him the total mileage of school busses used in connection with such educational excursions. In computing the additional allowance to such school district for transportation there shall be deducted therefrom an amount equal to the depreciation of school busses used for such transportation in accordance with rules and regulations adopted by the Superintendent of Public Instruction."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1736—An act to add Section 545 to the Municipal Utility District Act and Section 12106 to the Public Utilities Code, relating to municipal utility districts, declaring the urgency hereof to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott Chapel, Clarke, Cloyed, Collier, George D Collins, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 272—An act to amend Section 12155 of the Revenue and Taxation Code, relating to the taxation of marine insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 458

Mr. Cooke asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 458, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 458

Senate Bill No. 458—An act to amend Section 1 of an act entitled "An act to provide a stenographer and typist for judges of the superior courts and providing for their salaries and the payment thereof," approved May 31, 1927, relating to superior court stenographers and secretaries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—61

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 742—An act to add Section 13077 to the Government Code, relating to contracts between a nonprofit corporation or foundation and an educational institution maintained in whole or in part by state appropriation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1589—An act to amend Sections 25008 and 25102 of the Corporation Code, relating to securities.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Silliman moved a call of the Assembly.

Motion carried. Time, 2.55 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Beck, Brown, Cloyed, Coats, Davis, Hollibaugh, Kelly, Luckel, McMillan, Morris, Niehouse, Rosenthal, Shaw, and Stewart—14.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Parker asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 739—An act to amend Sections 18632, 18633, and 18634 of the Business and Professions Code, continuing in existence the Athletic Commission Fund in the State Treasury, and making an appropriation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burkhalter, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—66

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 980—An act to add Article 11, comprising Sections 20621 and 20622, to Chapter 2 of Division 10 of the Education Code, relating to state college police.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sillman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1026—An act to add Section 6102 5 to the Government Code and to repeal Section 4295a of the Political Code, relating to fees for official services.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—72

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 75

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 869
Assembly Bill No. 2372

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

DUNN, Chairman

Above reported bills ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT

Mr Chapel asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 61, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 61

Assembly Concurrent Resolution No. 61—Relative to approving amendments to the charter of the City of Redondo Beach, a municipal corporation in the County of Los Angeles, State of California, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the tenth day of April, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 215

Mr. Davis asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 215, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 215

Senate Bill No. 215—An act to add Section 25826 to the Government Code, relating to fixing and collecting of fees for the use of public land for camping purposes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1242

Mr. Clarke asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1242, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1242

Senate Bill No. 1242—An act to repeal Section 1881.3 of the Civil Code, relating to private bulk storage of grain, and extending indefinitely the effective period of the chapter of said code relating to such storage.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 48

Mr. Clarke asked for, and was granted, unanimous consent that he be permitted to take up Senate Concurrent Resolution No. 48, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 48

Senate Concurrent Resolution No. 48—Relative to Central Valley Project investigation and studies.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Cooke, Crowley, Dickey, Dolwig, Doyle, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—60.

NOES—George D. Collins, Condon, Dunn, Elliott, Evans, Henderson, and McMillan—7.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 57

Mr. Clarke asked for, and was granted, unanimous consent that he be permitted to take up Senate Concurrent Resolution No. 57, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 57

Senate Concurrent Resolution No. 57—Relative to the construction of the Buchanan Dam and Reservoir on Chowchilla River.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—64.

NOES—None.

Resolution ordered transmitted to the Senate.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Senate Bill No. 733, on motion of Mr. Lindsay.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 505

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 505, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 505

Senate Bill No. 505—An act to amend Sections 14441, 14449.1, 14449.2, 14452, 14638, 14641, 14680, 14681, and 14683 of, and to add Section 14575.1 to, the Education Code, relating to the State Teachers' Retirement System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 506

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 506, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 506

Senate Bill No. 506—An act to amend Section 14634 of the Education Code, relating to the computations of service of members of the State Teachers' Retirement System, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 279

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 279, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 279

Senate Bill No. 279—An act to add Sections 685, 685.1, and 685.2 to the Vehicle Code, relating to equipment of vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 1589

At 3.16 p.m., on motion of Mr. Silliman, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 1589 passed by the following vote:

AYES—Babbage, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Collier, Connolly, Conrad, Davis, Dickey, Dolwig, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McGee, Meyers, Morris, Moss, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—46.

NOES—Belotti, Brady, Burkhalter, Chapel, George D. Collins, Condon, Cooke, Crowley, Dills, Doyle, Dunn, Elliott, Evans, Gaffney, Hawkins, Henderson, McCollister, McFall, McMillan, Munnell, Parker, Porter, Rumford, and Thomas—24.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Concurrent Resolution No. 73—Relative to expressing regret at the passing of John F. Dalton.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—70

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 146

Mr. Lyon asked for, and was granted, unanimous consent that he be permitted to take up House Resolution No. 146, temporarily passed on file, out of order, at this time.

CONSIDERATION OF HOUSE RESOLUTION NO. 146

By Mr. Lyon:

House Resolution No. 146

Relative to requesting the California Highway Commission to cause to be made a preliminary survey and preliminary plans and estimate of costs for the improvement of Santa Monica Boulevard between Croft Avenue and Doheny Boulevard, in the County of Los Angeles

WHEREAS, Santa Monica Boulevard between Croft Avenue and Doheny Boulevard is now a state highway, being a portion of Route 162, in the County of Los Angeles, and

WHEREAS, The said Santa Monica Boulevard between Croft Avenue and Doheny Boulevard is now divided and separated into two roadways by the unimproved right of way of the Pacific Electric Company; and

WHEREAS, The unimproved right of way of the Pacific Electric Company, including utility poles, exposed rails and ties, and separating curbings, constitutes an unsafe and unsightly obstruction to the traveling public, as well as to the merchants and residents of the immediate area; and

WHEREAS, It may become necessary to seek special funds for the alleviation of said condition, and for that purpose it is desirable that a preliminary survey be made and preliminary plans and estimate of costs be developed; now, therefore, be it

Resolved by the Assembly of the State of California, That the California Highway Commission be, and is hereby, requested to cause to be made a preliminary survey and preliminary plans and estimate of costs for the improvement of the said Santa Monica Boulevard between Croft Avenue and Doheny Boulevard, in the County of Los Angeles, which improvement shall include the relocation of utility poles, the removal of curbings which now separate the roadways from the Pacific Electric unimproved

right of way, and the paving of the entire surface of said Santa Monica Boulevard, including the area within the unimproved Pacific Electric right of way and between the rails therein, the said rails to be at the same grade as the adjoining highway pavement; and be it

Resolved further, That the California Highway Commission report to the Assembly on this matter not later than five days after the commencement of the Budget Session of 1952.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—64.

NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 519	Assembly Bill No. 2496
Assembly Bill No. 1715	Assembly Bill No. 2686
Assembly Bill No. 2363	Assembly Bill No. 2936

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 91	Assembly Bill No. 1049
Assembly Bill No. 885	Assembly Bill No. 1248
Assembly Bill No. 1045	Assembly Bill No. 2018

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills Nos. 2363, 1045, 1049, and 2018 re-referred to the Committee on Judiciary.

Assembly Bills Nos. 2686 and 1248 re-referred to the Committee on Boards and Commissions.

Assembly Bills Nos 885, 519, 1715, 2936, 2496, and 91 re-referred to the Committee on Finance and Insurance.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1981

Mr. George D. Collins asked for, and was granted, unanimous consent that he be permitted to take up his notice of motion to reconsider Assembly Bill No. 1981, temporarily passed on the unfinished business file, out of order, at this time.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 1981

In compliance with a notice given on a previous day, Mr. George D. Collins moved that the vote whereby Assembly Bill No. 1981 was passed be reconsidered.

Demand for Previous Question

Messrs. Hinckley, Doyle, Burke, Morris, and Levering demanded the previous question.

Demand for previous question sustained.

The question being on the motion by Mr. George D. Collins to reconsider the vote whereby Assembly Bill No. 1981 was passed.

The roll was called, and reconsideration refused by the following vote:

AYES—Babbage, Burkhalter, Caldecott, Chapel, Coats, George D. Collins, Condon, Cooke, Elliott, Gaffney, Gubser, Hagen, Henderson, Hinckley, Klocksiem, Lyon, McFall, Meyers, Moss, Rosenthal, Shaw, Smith, Stewart, and Waters—24.

NOES—Berry, Brady, Burke, Clarke, Cloyed, Collier, Connolly, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Holibaugh, Kelly, Lanterman, Levering, Lincoln, Lindsay, Luckel, Maloney, McCarthy, McCollister, McGee, Morris, Munnell, Niehouse, Porter, Rumford, Sherwin, Silliman, Thomas, Tomlinson, and Mr. Speaker—40.

Assembly Bill No. 1981 ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. George D. Collins to reconsider the vote whereby Assembly Bill No. 3075 was passed, was continued until the next legislative day.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were offered:

Assembly Joint Resolution No. 36: By Mr. Levering—Relative to prohibiting payment of federal public funds to certain persons.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 64: By Messrs. Elliott and George D. Collins—Relative to amending the Joint Rules of the Senate and Assembly.

Referred to Committee on Rules.

NOTICE OF MOTION TO RECONSIDER LAPSED

Notice of motion to reconsider Assembly Bill No. 3409 lapsed.

Assembly Bill No. 3409 ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2457

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bill was withdrawn from the file, and re-referred as follows:

Assembly Bill No. 2457 re-referred to the Committee on Governmental Efficiency and Economy.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today, at 8 p.m.—

Revenue and Taxation, in Room 3184.
Civil Service and State Personnel, in Room 426.

Today Upon Adjournment—

Ways and Means, in Room 435. Subject: Capital Outlay Bills.
Municipal and County Government, in Room 2170.
Transportation and Commerce, in Room 3184.

Tomorrow, Friday, May 18th, at 9 a.m.—

Rules, in Room 3186.

Next Monday, May 21st, at 8 p.m.—

Judiciary, in Room 435. Subject: Senate Joint Resolution No. 8.

It was announced that the following committee would hold no meeting tonight:

Industrial Relations.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Hinckley, the usual courtesies of the Assembly for this day were unanimously extended to Hon. J. J. Prendergast of Redlands, former Member of the Legislature.

On request of Messrs. Connolly and Condon, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. W. C. Judge of Orinda.

On request of Mr. Maloney, the usual courtesies of the Assembly for this day were unanimously extended to Miss Marian M. Latchie of San Francisco.

On request of Mr. Clarke, the usual courtesies of the Assembly for this day were unanimously extended to C. J. Carpenter, Sponsor, Mrs. Ruby B. Campodonica, adult, and the following Junior Statesmen of Livingston School: Eleanor Campodonica, Marilyn Barnes, Mary Ann Klimas, Jean De Vere, Doris Thompson, Gloria Nash, Billy Pickle, Dan Wilkinson, Richard Picton, Richard Biggers, Bruce Prine, Shirley Struckman, Shirley Brazil, Robert Nash, Max Dahlgren, Jack Robberson, Kathleen Valladao, and Beverly Tuoto.

On request of Mr. Rumford, the usual courtesies of the Assembly for this day were unanimously extended to Miss Jackson, teacher, and the following pupils of the McClymond School: Jeannette Addison, Pauline Andrews, Robert Brown, Rosita Canonizado, Carol Chinn, Julia Clark, Velma Cobb, Earlene Dokes, Paul Ebisui, Ray Goodwin, Mildred Harris, Morris Hill, Lyman Hollins, James Jackson, Joe Jacobs, Roy

Johnson, Willie King, Katie Long, Yvonne McElroy, Bruce McMahon, Willie Rock, Ruth Scott, Claudette Smith, Thurston Suber, Theodore Taylor, Geraldine Thompson, Velma Turner, Martha Walker, Jeff Ward, Jeff Warren, Kathryn Washington, Archie Whitley, Charlotte Williams, Clementine Williams, James Mepore, and Othella Young.

On request of Mr. Lowrey, the usual courtesies of the Assembly for this day were unanimously extended to W. Ray Miller, teacher, and the following pupils of the Winters School: Joan Alexander, Patricia Baker, Bertie Birdwell, Leo Blaylock, John Brinck, Nelda Burket, Kay Butler, Shirley Cannon, Colleen Clayton, Victoria Cole, Joe Crites, John Echols, Barbara Graf, Otis Griffin, Byron Hartzog, Joseph Hesseltine, Louis Invernon, Robert Islip, Mary Lou Kidder, Delbert Mayer, Wanda McDowell, Roselee Partain, Marilyn Potter, Richard Rojo, Roy Rose, Richard Snow, Katherine Sparks, Barbara Stiles, Noboru Takahashi, Anita Underwood, Jimmy Lawrence, and Pearl Martin.

On request of Mrs. Niehouse, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Florence Petty and Mr. and Mrs. James Sheridan of San Diego.

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to Tommy Davis, U. S. N.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Mr. De La Kocha, teacher, and the following pupils of the Franklin School: Bob McCain, Wayne Hansen, Lynn Kloss, Allen Sprock, Larry Saner, Bob Fernandes, Eddie Horat, Richard Fogg, Toni Watson, Gary Roger, Walter Hoppe, Don Veninga, Tom Watson, Angy Rogers, Dale Sassman, Vernon Schultz, Tom Kamerir, Ben Stephens, Sally Sims, Bonnie Lillico, Joyce Rau, Ernest Buda, Leon Stocker, Lorn Schmidt, Rena Garavalia, Luella Kammerer, Joann Lapp, Henrietta Hoppe, Sharon Koster, Darlene King, Peggy Nevin, Joanne Baron, Janice Kelly, Mary Soares, Jeanette Mantz, Joan Sprock, Kenny Buscher, Clyde Stribbling, and Tyrone Schultz.

On request of Mr Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to Harry J. Burcell, teacher, and the following pupils of the Loomis School: Isabel Arellano, Gail Florese Ackerley, Alethia Thelma Bailon, Ruth Willeen Beaver, Joanie Colleen Beckett, Patsy Ruth Brown, Richard Eugene Carl, Clay Carter, Eugene Duane Classon, Eugene Franklin Dolce, Charlotte Evelyn Eubank, John M. Farmer, Mervin Doyle Frost, Peter E. Gieck, Eddie Ray Harris, Aiko Hashiyama, Patricia Lucille Hicks, Jeffrey Dickson Hood, Robert Hutt, Robert Lee Kaufman, Donald Kelly, Arthur H. Krueger Jr., Ruth Carol Madden, Edward Tellez Leighton, Chesney Lee Mahlberg, James Charles McMaster, Setsuko Morimoto, Charles Teruo Nomura, LaVonne D. Peek, Suzanne Reyen Poirier, Alfred Lawrence Porter, Verna L Postell, Michael Lee Simpson, Leonard Alan Smith, Roberta Marie St. Jeor, Frank Vega, Barbara Jean Warren, and Jacqueline Irene Watts.

On request of Mr Rumford, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Bernice Melin, Mrs. Mary Mathews, and Miss Irene Allyn, teachers, and the following pupils

of the Lincoln School: Carolyn Boyer, Arthur Chin, Janet Chinn, Shirley Chin, Ken Tate Chong, Ivan Chou, Bok Fong Chu, Sylvia Chun, Robert Der, Eddie Fong, May Fong, Miriam Fong, Corinne Garcia, Roderic Gue, Henry Jue, Herman Ju, Patricia Kinehan, Reiko Kuritsubo, Danny Lee, Harvey Lee, Janet Lee, Jeff Lee, William Leung, Deanna Lim, Tin Lee, Tony Lee, Mayflower Louie, Margaret Lum, Sung Sing Soo Hoo, Rosita Mateo, Marianne Ong, Leticia Sanano, Florence Wong, Jack Wong, Robert Wong, June Yamane, Jim Foon Yee, and May Yee.

On request of Mr. Henderson, the usual courtesies of the Assembly for this day were unanimously extended to Gordon Dunn, W J Garrett, and M. A. Meyer of Fresno.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Charles L. Sullivan, Miss Theresa Murphy, and William Martin, teachers, Mrs. Louis Little, Mrs. Martin Anderson, Mrs. John Dorris, Mrs Lambrecht, Mr and Mrs Charles Wells, James Pulson, Mrs. Schwartz, and Mrs Dorothy Dellagana, adults, and the following pupils of the Fairfield School: Robert Alexander, Dennis Anderson, Floyd Ray Banks, Johnny Dorris, Joseph Flores, Gene Garriot, Pat Garriot, David Graves, Billy Letterman, Wayne Little, Ronald Molesworth, Jack Piper, Verlen Reeves, Vernon Rogers, Norman Scott, Ronald Westphal, Jim Wilson, Kathleen Bartley, Lillian Cox, Dorothy Danielson, Luann Finn, Alta Gimlin, Martha Huffman, Jo Ann Maltagliati, Jeannette Rellis, Violet Rushing, Carolyn Williams, Juanita Scrivner, Doreen Simmers, Lillian Morene Smith, Betty Sue Whitaker, Beverly Tillman, Joyce Zumpano, Wanda Conner, Jo Anne DeBoyce, Dorothy Inman, Donna Lambrecht, Charlotte Lockwood, Barbara Naugle, Beatrice Naugle, Mary Parkenson, Jacquelyn Witt, Marcia Blaisdell, Wenda Chapman, Melisse Jewette, Edna Escano, Mary Ann LeComte, Mary McKee, Betty Porter, Eleanor Rogers, Ada Tillotson, Janice Walton, Veta Wells, and Evelyn Wheatley.

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to L. C. De Armond of Portola and H. O. Williams of Quincy.

On request of Mr. Meyers and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Barbara Jean Nevil, Carol Ann Nevil and Mr. and Mrs. James A. Nevil of San Francisco.

On request of Mr. Kelly, the usual courtesies of the Assembly for this day were unanimously extended to Miss Josie Bishop of Mojave.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to Ruth Martin and Floyd Buchanan, teachers, Mr. and Mrs. Reese Hays, Mrs. Martin Hansen, Mrs. Theodore Smith, Mrs. Joseph Crouch, and Spencer Reeves, adults, and the following pupils of the Adams School: Norbert Anderson, Tom Beach, Robert Bechtel, Dennis Bushman, Marlen Clough, Gary Marshall, Steve Nelson, Jerry Newstrom, Tom Reeves, Susan Crouch, Pat Glenn, Kay Gustafsen, Lynne Hutchison, Stephanie Lawson, Virginia Mitchell, Betsy Nield, Janice Paine, Valerie Sneeringer, Ronald Allen, Bruce Edwards, John Fraser, Richard Hays, Warren Jones, Leonard Gothrick, Timothy Matthews, Adolph Mello, John Schwammel, Donald Smith, Donald

Stewart, James Timmis, Deanna Conner, Darlene Lindsey, Elizabeth Scholz, Ima June Shockley, Marlene Shahbazian, Cheryl Wulfing, and Phyllis White.

ADJOURNMENT

At 3.57 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9.30 a.m., Friday, May 18, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SIXTY-SECOND LEGISLATIVE DAY

EIGHTY-FOURTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, May 18, 1951

The Assembly met at 9.30 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—77.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Grant us, O Heavenly Father, Strength and wisdom for the duties of this new day. Guide all who are in authority in our Nation. Enrich our lives with those virtues that fill the long day with satisfaction, and endow us with the treasures of keener understanding and diviner strength of character. Bless our families and loved ones We thank Thee for the forces that make up our democracy.

"Lord, let me not be too content,
With life in trifling service spent—
Make me aspire!
When days with petty cares are filled
Let me with fleeting thoughts be thrilled
Of something higher!"

In Jesus' name.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Cloyed, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Lyon, on motion of Mr. Clarke.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Kilpatrick, on motion of Mr. Munnell.

REQUEST FOR UNANIMOUS CONSENT THAT NAMES OF MEMBERS ATTENDING MEETING IN SENATE BE PLACED UPON MORNING ROLL CALL

Mr. Cloyed asked for, and was granted, unanimous consent that the names of members attending a meeting in the Senate, at this time, be placed upon the morning roll call as follows:

Mrs. Niehouse and Mr. Luckel.

REQUEST FOR UNANIMOUS CONSENT TO USE ASSEMBLY CHAMBER

Mr. Dickey asked for, and was granted, unanimous consent that the Fourteenth Session of the California Boys' State, sponsored by the American Legion, Department of California, be permitted to use the Assembly Chamber on Thursday, June 28th, for the purpose of holding inaugural ceremonies.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 1954

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

SHERWIN, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 1954—An act to add Chapter 12 to Division 4 of the Education Code, relating to mentally handicapped minors.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

In Section 9819, on page 3, paragraph 2, line 16, strike out the word "extended"

In Section 9819, page 3, paragraph 3, line 25, strike out the words "if agreeable with the parent or guardian."

Amendment read ~~, and adopted.~~

~~Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.~~

Request for Unanimous Consent to Rescind Action on Amendment on Assembly Bill No. 1954

Mr. Sherwin asked for, and was granted, unanimous consent to rescind the action whereby the Assembly, on this day, adopted the amendment offered by the Committee on Ways and Means to Assembly Bill No. 1954.

Further Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Chapter 12 to Division 4 of", and insert "amend Sections 9801, 9802, 9807, 9807.1, 9807.2, 9808, 5153.5, 7102.1 and 7104 of, and to add Sections 9801.1, 9801.2, 7102.2 and 7104.1 to,".

Amendment No. 2

In line 2 of the title of said bill, strike out "handicapped", and insert "retarded".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 26, inclusive; and strike out all of pages 2, 3, and 4 of said bill, and insert

"SECTION 1. Section 9801 of the Education Code is amended to read:

9801. "Mentally retarded minors" means all minors [of compulsory school age] who because of retarded intellectual development as determined by individual psychological examination are incapable of being educated profitably and efficiently through ordinary classroom instruction [but who may be expected to benefit from special educational facilities designed to make them economically useful and socially adjusted].

SEC. 2. Section 9801.1 is added to said code to read:

9801.1. The education of mentally retarded minors who are of compulsory school age and who may be expected to benefit from special educational facilities designed to make them economically useful and socially adjusted shall be provided for in the manner set forth in this chapter.

SEC. 3. Section 9801.2 is added to said code to read:

9801.2. The education of mentally retarded minors who do not come within the provisions of Section 9801.1, who are five or more, and less than ten, years of age, and who may be expected to benefit from special educational facilities designed to educate and train them to further their individual acceptance, social adjustment, and economic usefulness in their homes and within a sheltered environment, may be provided for in the manner set forth in this chapter.

Each school district or county superintendent of schools maintaining special training schools or classes for such mentally retarded minors may limit the number of minors to be admitted to such schools or classes.

Any such minor who becomes ten (10) years of age while in attendance upon a special training school or class shall be permitted to continue to attend thereon for the remainder of the time such school or class is maintained during the then current school year.

SEC. 4. Section 9802 of said code is amended to read:

9802. The governing board of any elementary or unified school district which has an average daily attendance of nine hundred or more shall provide for the education *in special training schools or classes* of mentally retarded minors residing [therein] *in the district who come within the provisions of Section 9801.1* and who are not in attendance upon *other* special training schools or classes maintained [by a high school district, either in special training schools or classes maintained by such district or, as provided in this chapter, in special training schools or classes maintained by another such district or by a county superintendent of schools] *under the provisions of this chapter*.

The governing board of any elementary or unified school district may provide for the education of mentally retarded minors residing in the district who come within the provisions of Section 9801.2.

SEC. 5. Section 9807 of said code is amended to read:

9807. County superintendents of schools shall establish and maintain special *training schools or classes for mentally retarded minors who reside in the county and* in *elementary or unified school* districts which have an average daily attendance of less than nine hundred *and who come within the provisions of Section 9801.1*. Such schools and classes shall be established at centrally located places, and the county superintendent of schools shall provide transportation to the pupils attending them. All costs incurred by the county superintendent of schools under this chapter shall be paid by him from the county school service fund.

County superintendents of schools may establish and maintain special training schools or classes for mentally retarded minors who reside in the county and who come within the provisions of Section 9801.2.

SEC. 6. Section 9807.1 of said code is amended to read:

9807.1. The governing board of any school district otherwise required *or authorized* to maintain special training schools and classes under [Section 9802] *Sections 9802 and 9802.1* for mentally retarded minors may provide for the education of such minors in, and for the transportation of such minors to, special training schools or classes maintained by another school district or by a county superintendent of schools under this chapter, subject to such terms and conditions as may be agreed upon.

SEC. 7. Section 9807.2 of said code is amended to read:

9807.2. Any county superintendent of schools otherwise required *or authorized* to maintain special training schools and classes under Section 9807 for mentally retarded minors may provide for the education of such minors in, and for the transportation of such minors to, special training schools or classes maintained by a school district or by a county superintendent of schools under this chapter, subject to such terms and conditions as may be agreed upon

SEC. 8. Section 9808 of said code is amended to read:

9808. The county superintendent of schools shall on or before July 15th of each year, certify to the county auditor and the board of supervisors the amount of money required to be raised by a county tax for the education of mentally retarded minors *who come within the provisions of Section 9801.1* and for rental of property by the county superintendent of schools *for special training schools or classes for such minors. The county superintendent of schools shall also on or before July 15th of each year, certify to the county auditor and the board of supervisors the amount of money required to be raised for the education of mentally retarded minors who come within the provisions of Section 9801.2*. The amount shall be determined by subtracting from the total cost of the education of such minors, including transportation, to the county superintendent of schools the total amount to be apportioned by the Superintendent of Public Instruction to the county school service fund for the education of mentally retarded minors and by adding to the result the amount required for rental of property. The board of supervisors may include in such amount a sum for capital outlay.

The board of supervisors shall at the time of levying other county taxes levy a county tax for the education of mentally retarded minors *who come within the provisions of Section 9801.1* upon the taxable property of the county sufficient to produce the amount required *and may increase such tax in such amount as will produce the amount required for the education of mentally retarded minors who come within the provisions of Section 9801.2*. The amount received from this tax shall be deposited in the county school service fund.

SEC. 9. Section 5153.5 of said code is amended to read:

5153.5. (a) In addition there shall be provided such [sum] *sums* as the Superintendent of Public Instruction shall [certify as necessary to reimburse school districts for 75 percent of the excess cost of educating mentally retarded minors, including transportation, during the preceding fiscal year, but not in excess of one hundred dollars ($100) for each unit of average daily attendance during the preceding school year of mentally retarded minors given instruction by the district in special schools or classes.]

[(b) In addition there shall be provided such amount as the Superintendent of Public Instruction shall certify as necessary to reimburse the county school service fund of each county for 75 percent of the excess cost to the county superintendent of schools of each county of educating mentally retarded minors, including transportation, during the preceding fiscal year, but not in excess of one hundred dollars ($100) for each unit of average daily attendance during the preceding school year of mentally retarded minors given instruction by the county superintendent of schools in special schools or classes] *allow to school districts and county school service funds under Sections 7102.1 and 7104*.

SEC. 10. Section 7102.1 of said code is amended to read:

7102.1. The Superintendent of Public Instruction shall allow to each school district an amount equal to 75 percent of the excess cost, *including transportation*, to the school district [educating mentally retarded minors, including transportation,] *of educating mentally retarded minors who come within the provisions of Section 9801.1* during the preceding fiscal year in special schools or classes but not in excess of one hundred dollars ($100) per unit of average daily attendance of such minors.

SEC. 11. Section 7102.2 is added to said code to read:

7102.2. The Superintendent of Public Instruction shall allow to each school district an amount equal to the excess cost to the district, including transportation, of educating mentally retarded minors who come within the provisions of Section 9801.2 during the preceding fiscal year but not in excess of two hundred dollars ($200) per unit of average daily attendance of such minors.

SEC. 12. Section 7104 of said code is amended to read:

7104. The Superintendent of Public Instruction shall allow to the county school service fund of each county an amount equal to 75 percent of the excess cost, *including transportation*, to the county superintendent of schools of education of mentally retarded minors[, including transportation,] *coming within the provisions of Section*

9801.1, during the preceding fiscal year in special schools or classes but not in excess of one hundred dollars ($100) per unit of average daily attendance of such minors.

SEC. 13. Section 7104.1 is added to said code to read:

7104.1. The Superintendent of Public Instruction shall allow to each county school service fund an amount equal to the excess cost to the county superintendent of schools, including transportation, of educating mentally retarded minors who come within the provisions of Section 9801.2 during the preceding fiscal year but not in excess of two hundred dollars ($200) per unit of average daily attendance of such minors.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 424
Assembly Bill No. 1529
Assembly Bill No. 2487
Assembly Bill No. 2941
Assembly Bill No. 3254

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 766
Assembly Bill No. 1611

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER. Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 733

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 2553

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

STANLEY, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 37

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 1111

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 218

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 1072

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

STANLEY, Chairman

Above reported bill ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Joint Resolution No 23

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 94
Senate Bill No. 108
Senate Bill No. 509
Senate Bill No. 610
Senate Bill No. 914
Senate Bill No. 1579
Senate Bill No. 1605
Senate Concurrent Resolution No. 44
Senate Joint Resolution No. 22
Senate Joint Resolution No. 24

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 492
Assembly Bill No. 652
Assembly Bill No. 672
Assembly Bill No. 747
Assembly Bill No. 754
Assembly Bill No. 980
Assembly Bill No. 1014
Assembly Bill No. 1015
Assembly Bill No. 1314
Assembly Bill No. 1873
Assembly Bill No. 2012
Assembly Bill No. 3407

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 11
Assembly Bill No. 75
Assembly Bill No. 383
Assembly Bill No. 653
Assembly Bill No. 1869
Assembly Bill No. 1990

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 296
Senate Bill No. 596
Senate Bill No. 1107

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 296—An act to amend Section 1277 of the Fish and Game Code, relating to deer.

Referred to Committee on Fish and Game.

Senate Bill No. 596—An act to amend Section 696 of the Fish and Game Code, relating to striped bass.

Referred to Committee on Fish and Game.

Senate Bill No. 1107—An act to add Sections 100.6, 822.5, and 1670 of, and add Section 1626 to, the Streets and Highways Code, relating to highways and trails on or crossing county or state boundary lines.

Referred to Committee on Transportation and Commerce.

REQUEST FOR UNANIMOUS CONSENT THAT GOVERNOR BE REQUESTED TO RETURN ASSEMBLY BILL NO. 550

Mr. Stewart asked for, and was granted, unanimous consent that the Chief Clerk be instructed to request the Governor to return Assembly Bill No. 550, to the Assembly, for further consideration.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 3101—An act to add Section 7026.5 to the Business and Professions Code, dealing with the Contractors' State License Act.

Bill read second time, and ordered engrossed.

Assembly Bill No. 55—An act to amend Sections 18055 and 18057 of the Education Code, relating to repairs and alterations of school buildings.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 1, line 8, of the printed bill, after "make", insert "repairs,".

Amendment read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 3159—An act to amend Section 4532 of, and to add Section 4532.5 to, the Elections Code, relating to purity of elections.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

On page 2, line 21, of the printed bill, as amended in the Assembly on May 3, 1951, after "report", insert "under oath".

Amendment read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 2914—An act to amend Sections 27281 and 27300a of the Streets and Highways Code, relating to bridge and highway districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on May 4, 1951, after "27281", insert ", 27281a,".

Amendment No. 2

In line 3 of the title of said bill, after "of", insert ", and to repeal Sections 27302 and 27303 of,".

Amendment No. 3

On page 2, line 15, of said bill, after "property", insert "or revenues".

Amendment No. 4

On page 2 of said bill, after line 18, insert

"SEC. 3. Section 27302 of the Streets and Highways Code is repealed.

SEC. 4. Section 27303 of the Streets and Highways Code is repealed.

SEC. 5. Section 27281a of the Streets and Highways Code is amended to read:

27281a. After the bonded indebtedness of the district has been retired, the general manager shall furnish the board with an estimate of the tolls necessary to pay the obligations of the district. The board shall, upon the recommendation of the general manager, or such modifications thereof as it may adopt, fix such tolls as will:

(a) Pay the operating expenses of the district.

(b) Provide for repairs and depreciation of works, owned or operated by it.

(c) Pay any indebtedness or lien that may exist against the district or any of its property *or revenues*."

Amendments read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 2601—An act to amend Section 7044 of the Business and Professions Code, relating to the licensing of contractors.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "; provided, however," and insert "if the structure is occupied and used by the owner upon completion and is not offered for sale prior to completion.".

Amendment No. 2

On page 1 of said bill, strike out lines 6 to 12, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2802—An act to provide for funds for the construction of a tube under the estuary between Oakland and Alameda in the refinancing of the San Francisco-Oakland Bay Bridge.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 3 of the title of the printed bill, after "Bridge", insert ", or from tolls thereon".

Amendment No. 2

On page 1 of the printed bill, strike out all of line 1; and in line 2, strike out "San Francisco-Oakland Bay Bridge," and insert

"SECTION 1. The California Toll Bridge Authority is authorized and directed to investigate the feasibility of refinancing the San Francisco-Oakland Bay Bridge, and, if in its judgment, refinancing of said bridge is feasible and practical, to make arrangements therefor. In any such arrangements,".

Amendment No. 3

On page 1 of said bill, after line 5, insert

"SEC. 2. Upon the retirement of all indebtedness evidenced by outstanding revenue bonds secured by revenues of the San Francisco-Oakland Bay Bridge and the repayment of all the sums required by law to be repaid to the State of California, including such repayments as may be provided by any act of the 1951 Regular Session of the Legislature, tolls shall continue to be collected on said bridge for the purpose of providing use and occupancy insurance thereon and for the acquisition of rights of way for and the construction of, including all necessary engineering expenses, a tube under the estuary between the Cities of Oakland and Alameda, in the County of Alameda, with necessary connections to the approaches to the San Francisco-Oakland Bay Bridge. Said tube and connections are hereby declared to be necessary as approaches to said bridge. If no other proceedings, as hereinafter provided, are taken, such revenues shall be used by the Department of Public Works for the construction of such tube and necessary connections as soon as sufficient revenues have been collected therefor. Such revenues as collected shall be paid into the State Highway Fund and credited to a separate account therein for said purpose and shall not be subject to any other provision relative to allocations from the State Highway Fund

SEC 3. The California Toll Bridge Authority is authorized, if it finds such proceedings feasible, to issue new revenue bonds secured by said tolls for the purpose of expediting the construction of said tube with necessary connections to said approaches, and if bonds are so issued all of the provisions of the California Toll Bridge Authority Act concerning the issuance, sale, and payment of principal and interest on said bonds, and the rights of holders of said bonds, shall apply.

SEC 4 If by negotiation with the holders of outstanding bonds on the San Francisco-Oakland Bay Bridge arrangements can be made whereby portions of existing revenues can be devoted to the construction of said tube with necessary connections to said approaches prior to the retirement of all outstanding bonds, the California Toll Bridge Authority is authorized to enter into such arrangements if it determines that the best interests of the State will be served and the construction of said tube and necessary connections to said approaches accelerated.

SEC 5. The Department of Public Works is directed to proceed with the construction of said tube and necessary connections to said approaches as soon as anticipated revenues for such purpose will permit contracts to be let and progress payments to be made from such revenues."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 15—An act to amend Section 28140 of the Government Code, relating to compensation for public service in counties of the fortieth class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 28140 of the Government", and insert "Sections 441, 445, and 451 of the Education".

Amendment No. 2

In lines 2 and 3 of the title of said bill, strike out "in counties of the fortieth class".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 26, inclusive; and on page 2, strike out lines 1 to 6, inclusive, and insert

"SECTION 1. Section 441 of the Education Code is amended to read:

441. The annual salary of the county superintendent of schools of a county of the forty-first class is [four thousand five hundred dollars ($4,500)] _____ dollars ($_____), and he shall possess a valid elementary or secondary administrative credential issued by the State Board of Education.

SEC. 2. Section 445 of the Education Code is amended to read:

445. The annual salary of the county superintendent of schools of a county of the forty-fifth class is [four thousand two hundred dollars ($4,200)] _____ dollars ($_____), and he shall possess a valid elementary or secondary teaching credential issued by the State Board of Education.

SEC. 3. Section 451 of the Education Code is amended to read:

451. The annual salary of the county superintendent of schools of a county of the fifty-first class is [four thousand two hundred dollars ($4,200)] _____ dollars ($_____), and he shall possess a valid elementary or secondary teaching credential issued by the State Board of Education."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 593—An act to amend Section 28136 of the Government Code, relating to compensation for public services in counties of the thirty-sixth class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "28136", and insert "28134".

Amendment No. 2

In line 3 of the title of said bill, strike out "thirty-sixth", and insert "thirty-fourth".

Amendment No. 3

On page 1, line 1, of said bill, strike out "28136", and insert "28134".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, between lines 2 and 3, insert

"28134. In a county of the thirty-fourth class the following shall receive as compensation for the services required of them by law or by virtue of their offices the following sums:

(a) The auditor, [three thousand five hundred dollars ($3,500)] *five thousand dollars ($5,000)* a year.

(b) The district attorney, [five thousand dollars ($5,000)] *seven thousand five hundred dollars ($7,500)* a year.

(c) Each supervisor, for all services required of him as supervisor [two thousand four hundred dollars ($2,400)] *three thousand dollars ($3,000)* a year. He shall also receive the following mileage and traveling expenses: When using a privately owned automobile, six cents ($0.06) for each mile actually traveled each way: (1) in going to and from his residence to the courthouse in attending each day's session of the regular and special meetings of the board of supervisors and in attending each day's session of the meetings of the board of supervisors when the board convenes as a board of equalization, and (2) in the county in the performance of his duties as supervisor and as a member of the county board of equalization. When traveling in a privately owned automobile each member of the board of supervisors shall also be allowed mileage at the rate of six cents ($0.06) a mile or railroad or bus fare, together with other traveling expenses incurred in traveling to and from places outside of the county when he is on county business authorized by the board of supervisors.

(d) For attending as a juror in the superior court, the justices' courts, and in city courts in cities of the sixth class, each juror shall be paid three dollars ($3) for each day's attendance upon the court and six cents ($0.06) a mile for each mile actually traveled each way in attending each day's session of the court.

For serving as a grand juror, each grand juror shall be paid three dollars ($3) for each day's attendance upon the duly called sessions of the grand jury and the meetings of committees appointed by the foreman of the grand jury and for each day's service when authorized in writing by the foreman to make individual investigations. When using a privately owned automobile, each grand juror shall also be allowed six cents ($0.06) a mile for each mile actually traveled by him each way in attending each day's sessions of the grand jury and meetings of committees appointed by the foreman of the grand jury and when making individual investigations upon being authorized in writing to make such investigations by the foreman.

The fees and traveling expenses shall be paid out of the general fund of the county upon warrants drawn by the county auditor upon the written order of the judge of the superior court in the case of grand jurors and jurors attending the superior court, and upon written order of the judge of the court in which the juror was in attendance in the case of jurors attending the justices' courts.

The fees and mileage shall be paid to jurors attending city courts of cities of the sixth class by the treasurer of the city in which the jurors' services were rendered out of the general fund of the city upon warrants drawn by the city auditor upon the written order of the judge of the court in which the jurors were in attendance.

The compensation provided by this section shall be payable to incumbent officers.

SEC. 2. If it is not legally competent to pay the compensation provided by this act to incumbent officers on the effective date of this act, such increase in compensation shall nevertheless be payable to the officer designated in this act as soon as it is legally competent to do so."

Amendment No. 5

On page 1 of said bill, strike out lines 3 to 26, inclusive; and on page 2, strike out lines 1 to 35, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 765—An act to amend Sections 28123, 28132, and 28151 of the Government Code, relating to compensation for public services in counties.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 28123, 28132, and 28151", and insert "Section 28130".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 25, inclusive; and on page 2, strike out lines 1 to 32, inclusive, and insert

"SECTION 1. Section 28130 of the Government Code is amended to read:

28130. In a county of the thirtieth class the following shall receive as compensation for the services required of them by law or by virtue of their offices the following sums:

(a) The auditor, [four thousand two hundred dollars ($4,200)] *six thousand six hundred dollars ($6,600)* a year.

(b) The district attorney, three thousand six hundred dollars ($3,600) a year.

(c) Each supervisor, one thousand eight hundred dollars ($1,800) a year which shall be in full for all services rendered as supervisor.

(d) Grand jurors and trial jurors in the superior court, three dollars ($3) for each day's attendance, and mileage at the rate of fifteen cents ($0.15) for each mile necessarily traveled in attending court or in attending sessions of the grand jury, in going only. In criminal actions the fees and mileage of trial jurors shall be paid by the treasurer out of the general funds of the county upon warrants drawn by the auditor, who shall draw the warrants upon the written order of the judge of the superior court in which the jurors were in attendance

The compensation provided by this section shall be payable to incumbent officers.

SEC. 2. If it is not legally competent to pay the compensation provided by this act to incumbent officers on the effective date of this act, such increase in compensation shall nevertheless be payable to the officers designated in this act as soon as it is legally competent to do so."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 2022—An act to repeal Division 9 of, and to add Division 9 to, the Public Resources Code, relating to soil conservation, prescribing the duties and functions of the State Soil Conservation Commission, and regulating the organization, operation, finances, and functions of soil conservation districts and providing for the discontinuance or change in boundaries of such districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 21 of the printed bill, strike out lines 30 to 39, inclusive, and insert

"9306 In addition to the authority granted in Section 9290 to request the inclusion of a tract in the district, 25 percent of the landowners of any tract of land, who own 50 percent or more of the total acreage of the tract, may petition the board

of supervisors of the principal county requesting the inclusion of the tract in the district. The petition shall describe the boundaries of the tract proposed to be included."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 2281—An act to amend Section 28130 of the Government Code, relating to compensation for public services in counties of the thirtieth class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "28130", and insert "28135".

Amendment No. 2

In line 3 of the title of said bill, strike out "thirtieth", and insert "thirty-fifth".

Amendment No. 3

On page 1, line 1, of said bill, strike out "28130", and insert "28135".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, between lines 2 and 3, insert

"28135. In a county of the thirty-fifth class the following shall receive as compensation for the services required of them by law or by virtue of their offices the following sums:

(a) The auditor, [three thousand six hundred dollars ($3,600)] *four thousand eight hundred dollars ($4,800)* a year, which shall include compensation for the compilation of the annual financial report and classified annual pay roll of the county.

(b) The district attorney, [three thousand six hundred dollars ($3,600)] *five thousand four hundred dollars ($5,400)* a year.

(c) Each supervisor, [two thousand four hundred dollars ($2,400)] *three thousand six hundred dollars ($3,600)* a year and ten cents ($0.10) [a mile, one way between his residence and the county seat,] *for each mile necessarily traveled in the performance of his official duties* [attending upon all regular, special, or adjourned meetings of the board of supervisors]. The chairman of the board of supervisors may receive twenty-five cents ($0.25) a mile, one way, between his residence and the county seat, when attending at the county seat for the single purpose of counting the money in the county treasury as required by law

(d) Grand jurors in grand jury duty shall receive six dollars ($6), and trial jurors in the superior court shall receive five dollars ($5) for each day's attendance, and grand jurors and trial jurors shall receive ten cents ($0.10) for each mile necessarily traveled in attendance. In justices' courts the jurors shall receive five dollars ($5) for each day's attendance and ten cents ($0.10) for each mile necessarily traveled in attendance.

The compensation provided by this section shall be payable to incumbent officers.

SEC. 2. If it is not legally competent to pay the compensation provided by this act to incumbent officers on the effective date of this act, such increase in compensation shall nevertheless be payable to the officers designated in this act as soon as it is legally competent to do so."

Amendment No. 5

On page 1 of said bill, strike out lines 3 to 26, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 3418—An act to amend Section 28124 of the Government Code, relating to compensation for public service in counties of the twenty-fourth class.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 2 of the printed bill, after line 17, insert

"The compensation provided by this section shall be payable to incumbent officers.

SEC 2. If it is not legally competent to pay the compensation provided by this act to incumbent officers on the effective date of this act, such increase in compensation shall nevertheless be payable to the officers designated in this act as soon as it is legally competent to do so."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 2922—An act to amend Section 418 of the Education Code, relating to compensation of the county superintendent of schools in a county of the eighteenth class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 27, 1951, strike out "418", and insert "28121 of the Government Code and Section 421".

Amendment No. 2

In line 2 of the title of said bill, strike out "of the county superintendent of schools", and insert "for public service".

Amendment No. 3

In line 3 of the title of said bill, strike out "eighteenth", and insert "twenty-first".

Amendment No. 4

On page 1, line 1, of said bill, strike out "418", and insert "421".

Amendment No. 5

On page 1, line 3, of said bill, strike out "418", and insert "421".

Amendment No. 6

On page 1, line 4, of said bill, strike out "eighteenth", and insert "twenty-first".

Amendment No. 7

On page 1, line 5, of said bill, strike out "five hundred dollars ($7,500)", and insert "two hundred dollars ($7,200)".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 8

On page 1 of said bill, after line 7, insert

"SEC 2. Section 28121 of the Government Code is amended to read:

28121. In a county of the twenty-first class the following shall receive as compensation for the services required of them by law or by virtue of their offices, the following sums:

(a) The auditor, [six thousand nine hundred dollars ($6,900)] *seven thousand five hundred dollars ($7,500)* a year. He shall devote his full working time to the duties of his office.

(b) The district attorney, [eight thousand four hundred dollars ($8,400)] *nine thousand six hundred dollars ($9,600)* a year for all services. He shall devote his entire time during office hours to the duties of his office and shall not engage in private law practice during his term of office.

(c) Each supervisor, for all services required of him as supervisor and ex officio road commissioner, four thousand two hundred dollars ($4,200) a year. If necessary official business requires any supervisor to travel beyond the boundaries of the county, he shall receive actual necessary traveling expenses incurred therefor. No other mileage or remuneration and no other traveling expenses shall be allowed.

(d) Grand jurors and trial jurors in the superior court, three dollars ($3), and trial jurors in courts of justices of the peace, two dollars ($2), for each day's attendance. In addition, mileage fees shall be allowed all jurors at the rate of fifteen cents ($0.15) for each mile traveled in attending court or in attending sessions of the grand jury, in going only.

The compensation provided by this section shall be payable to incumbent officers.

SEC. 3. If it is not legally competent to pay the compensation provided by this act to incumbent officers on the effective date of this act, such increase in compensation shall nevertheless be payable to the officers designated in this act as soon as it is legally competent to do so."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 1561—An act to amend Section 5049 of the Education Code, relating to state school building aid.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on May 11, 1951, strike out lines 14 to 16, inclusive, and insert

"No estimate of enrollment made by an applicant for the purpose of justifying an apportionment shall be made for a longer time than the second fiscal year beyond the fiscal year in which an application is made, and in no case shall be given effect unless approved by the Department of Education; provided, however, that the board may by rule prescribe that (1) any applicant school district shall be entitled to make an estimate of enrollment for a period ending October 31, 1952, and (2) any school".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

Assembly Bill No. 2880—An act to add Section 55.8 to the Alcoholic Beverage Control Act, relating to sales of distilled spirits at wholesale and at retail.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Boards and Commissions:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 55.8 to", and insert "amend Sections 7, 19, 23b, 24.2, 24.26, 24.27, 27b, 27c, 38.2, 39, 55.7, 59, and 59.5 of, and to add Sections 53.4 and 55.8 to,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 7 of the Alcoholic Beverage Control Act is amended to read:

Sec. 7. Each license issued under this act shall be issued to a specific person, and, except in the case of licenses authorizing the sale of alcoholic beverages on trains

or boats, shall be issued for a specific location, the principal address of which shall be indicated on the license. Separate licenses shall be issued for each of the premises of any business establishment having more than one location except as provided for in Section 6, subdivisions (o) and (p), and except that the holder of a public warehouse license maintaining or operating more than one public warehouse in this State shall be required to obtain but one license for all of his public warehouse establishments. A copy of the original public warehouse license issued to a public warehouseman maintaining or operating more than one public warehouse in this State shall be posted in each of his public warehouse establishments. A charge of one dollar ($1) shall be made by the board for each copy of a public warehouse license issued to such public warehouseman.

Wine stored in a winery, wine storeroom, or field warehouse bonded under the internal revenue laws of the United States, and brandy in bulk stored in an internal revenue bonded warehouse may be stored by or for any licensee under this act without the necessity of any license by the party furnishing or providing the storage space, beer and wine upon which excise taxes have been paid to the State at the rate fixed under this act, may be stored by or for any licensee under this act in any private or public warehouse or elsewhere in this State without the necessity of any license by the party furnishing or providing the storage space, or any special additional license being required by such licensee; provided, however, that any other alcoholic beverage may without the necessity of any additional license be stored by or for a licensee in private warehouses approved by the board if within the limits of the county in which such licensees licensed premises are located, or in a public warehouse within such county, or may be stored in bond in a public warehouse outside such county where such warehouse is also a United States Customs bonded warehouse, or a United States Internal Revenue bonded warehouse or United States bonded storeroom.

Any licensee under an on-sale general license or an on-sale distilled spirits license for seasonal business who maintains upon or within the premises for which such license is issued more than one room in which there is regularly maintained a fixed counter or service bar at which distilled spirits are served for consumption within the licensed premises shall obtain from the board, and the board shall upon request issue a duplicate of his original license for each room, in excess of one, containing such fixed counter or service bar and shall post a duplicate of his original license in each such room. He shall pay to the board at the time of application for each such duplicate license an amount equal to the license fee payable for a like period for the distilled spirits privileges of the original on-sale general license or on-sale distilled spirits license for seasonal business. Failure to obtain such duplicate license or licenses and to pay such fees and renewal fees therefor shall subject such licensee to the penalties imposed by this act for failure to obtain an original license or to pay the renewal fees therefor.

Licenses for trains and boats shall be based on the average number in actual operation, during the license year, of each class of operating units, viz., trains and boats upon which the license privileges are exercised, such average number to be determined as the board may prescribe.

Each license issued under this act is separate and distinct and shall be transferable from the person to whom issued or by whom renewed to another person upon the approval of the board as provided in this act and upon the payment of a transfer fee equal to the fee payable upon an original application as provided under Section 5 of this act; provided, that the license or licenses of one spouse may be transferred to the other spouse when the application for transfer is made prior to the entry of a final decree of divorce, and the license or licenses of a decedent, minor ward, incompetent person, bankrupt person, *person for whose estate a receiver is appointed,* or assignor for the benefit of creditors may be transferred by or to the surviving partner or partners of a deceased licensee, the executor, administrator, or guardian of an estate of a licensee, the surviving spouse of a deceased licensee in the event that the deceased licensee leaves no estate to be administered, the trustee of a bankrupt estate of a licensee, a receiver of the estate of a licensee, or an assignee for the benefit of creditors of a licensee with the consent of the assignor, or a transfer between partners where no new partner is being licensed, and the fee for transfer for each license in such case shall be twenty-five dollars ($25).

Each license issued under this act shall be transferable from the premises for which issued upon the approval of the board and upon the payment of a transfer fee of twenty-five dollars ($25) and upon compliance with the provisions of this act relating to the issuance of an original license.

In no case shall a fee be charged for the transfer of an importer's license. If the annual fee for a license is less than twenty-five dollars ($25), the fee to be charged for the transfer thereof in any case shall be in the amount of the fee payable upon an original application as provided under Section 5 of this act

Whenever a license certificate issued under the act is in effect and is lost or destroyed, the board shall issue a duplicate license upon the payment of a fee of five dollars ($5).

SEC. 2. Section 19 of said act is amended to read:

Sec. 19. A wine grower's license shall only be issued to, or held by, a person qualified to operate or operating a winery, wine storeroom or field warehouse bonded under the Internal Revenue Laws of the United States. Every person operating, *or authorized under the Internal Revenue Laws of the United States to operate*, a winery or wine storeroom bonded under the Internal Revenue Laws of the United States shall apply for, and hold, a wine grower's license.

SEC. 3. Section 23b of said act is amended to read:

Sec. 23b It shall be presumed, for the purposes of this act, that all beer [manufactured in this state by a manufacturer, or delivered to a manufacturer here,] *removed from the internal revenue bonded premises of a beer manufacturer* has been sold in this State by such manufacturer unless proven to the satisfaction of the board, in reports on forms prescribed by the board, that such [alcoholic beverage (1) is still in the possession of such licensee or (2) has been sold and delivered to another manufacturer of such alcoholic beverage or (3) has been exported without this State or sold for export by the licensee making the report, or (4) prior to the termination of possession has been lost through unintentional destruction, or (5) was spoiled beer which was destroyed in the presence of a representative of the board or of the United States Bureau of Internal Revenue, or (6) prior to the termination of possession has been unaccountably lost, but such unaccounted for loss shall not exceed a tolerance to be fixed by the board; or (7) is beer] *beer (1) has been exported from this State or sold for export by the beer manufacturer making the report and actually exported from this State, or (2) has been sold and delivered in internal revenue bond to another licensed beer manufacturer in this State, or (3) is* otherwise exempted from taxation under this act.

[No excise tax mentioned in Section 23 hereof shall be or is imposed by this act upon any beer exported by a licensed manufacturer from within this State to any place without the State or sold by a licensed manufacturer for export from within this State to any place without the State and actually exported from this State or upon any beer specifically mentioned in any subdivision (1) to (7) of this section, and no excise tax mentioned in Section 23 hereof shall be or is imposed by this act upon any transaction whereby any beer is sold by the licensed manufacturer to another licensed manufacturer.

Any claim for exemption from excise tax under this section must be made to the board, in such manner as the board shall prescribe]

In the event excise taxes under this act have been paid on beer subsequently exported from the State or sold for export and actually thereafter exported from this State *or subsequently destroyed under the supervision of a board representative*, a taxpayer may claim and shall be allowed credit with respect to such tax in any report filed or assessment made under this act.

SEC. 4. Section 24 2 of said act is amended to read:

Sec. 24 2. It shall be presumed that all distilled spirits acquired by any taxpayer have been sold in this State by him unless proven to the satisfaction of the board, in reports on forms prescribed by the board, that such distilled spirits are (1) still in the possession of such licensee, or (2) that such distilled spirits have been sold or delivered to another licensed distilled spirits manufacturer, rectifier, importer or wholesaler, or (3) that such distilled spirits have been exported without this State or sold for export by the licensee making the report and actually exported from this State within [30] *90* days from the date of such sale, or (4) that prior to the termination of possession such distilled spirits have been lost through unintentional destruction, or (5) that prior to the termination of possession there has been an unaccounted for loss, but such unaccounted for loss shall not exceed a tolerance to be fixed by the board, or (6) that such distilled spirits are otherwise exempt from taxation under this act.

SEC. 5. Section 24 26 of said act is amended to read

Sec. 24.26. In addition to the other privileges exercised under a wholesaler's or rectifier's license, a wholesaler or rectifier may sell the alcoholic beverage mentioned in his license to persons who take delivery of such alcoholic beverages within this State for delivery or use without the State within [30] *90* days from the date of such sale in accordance with rules and regulations prescribed by the board

SEC. 6 Section 24 27 of said act is amended to read:

Sec. 24 27 Any person may, in accordance with rules and regulations to be prescribed by the board, purchase and take delivery of alcoholic beverages within this State for delivery or use without the State and may, without obtaining any license in this State export the same from this State within [30] *90* days from the date of such purchase

Licensees of other states may purchase bulk brandy produced in this State and stored in an internal revenue bonded warehouse in this State or warehouse receipts covering such brandy for storage in this State Such licensees of other states may subsequently, without obtaining any license therefor in this State, export such brandy in accordance with the rules and regulations prescribed by the board. The sale of brandy or warehouse receipts pursuant to this paragraph by a taxpayer to the pur-

chasing licensee of another state shall be exempt from the excise tax levied by Section 24 of this act.

SEC. 7. Section 27b of said act is amended to read:

Sec. 27b. [If the excise tax is not paid to the board within the time prescribed for the payment of the tax, a penalty of 5 percent of the amount of the excise tax shall be added thereto on account of such delinquency

Except as provided in Section 27c, a penalty of five dollars ($5) shall be imposed on any taxpayer who shall fail to file a tax return within the time prescribed for the filing of the return; provided, however, that the penalty imposed for the failure to file a tax return on or before the time prescribed for the filing of the return, shall not be in addition to the 5 percent penalty provided under this section for the late payment of tax if such 5 percent penalty exceeds five dollars ($5).]

Except as provided in Section 27c, if any taxpayer shall fail to file a tax return within the time prescribed for the filing of the return or shall fail to pay the excise tax to the board within the time prescribed for the payment of the tax, a penalty of five dollars ($5) or 5 percent of the amount of the excise tax, whichever is greater, shall be imposed on such taxpayer.

SEC. 8. Section 27c of said act is amended to read:

Sec. 27c. The board for good cause may extend for not to exceed [15] *30* days the time for making any report or paying any tax required under the provisions of [Section] *Sections 23 and* 24 hereof.

Any person to whom such extension is granted and who pays the excise tax within the period for which the extension is granted shall pay, in addition to the excise tax, interest at the rate of 6 percent per annum from the date the excise tax would have been due without such extension to the date of payment.

SEC. 9. Section 38.2 of said act is amended to read:

Sec. 38.2. The board shall adopt such rules and regulations as may be necessary to coordinate the system of *beer and* wine taxation imposed by this act with the system of *beer and* wine taxation imposed by the Internal Revenue Laws of the United States.

SEC. 10. Section 39 of said act is amended to read:

Sec. 39. A written report of a member of the board or of an employee of the board engaged in the enforcement of this act disclosing that an applicant for a license or the premises for which a license is applied are not qualified for a license under this act shall constitute grounds for the denial of an application for a license.

Immediately upon the denial of any application for a license the board shall notify the applicant thereof in writing. Within 10 days after mailing the notice the applicant may present his written petition for a license to the board.

Upon receipt by the board of a petition for a license in proper form it shall be referred to a representative of the board for hearing.

Protests may be made to the board at any time prior to the issuance of a license against [either] the original issuance of a license [or the renewal of a license].

A protest made by any person other than an employee of the board or a public officer shall be verified. Verification may be on information and belief.

If a license has been issued to the applicant before receipt of the protest by the board, the protest shall be considered as a complaint against the licensee and a hearing had thereon as if a complaint had been filed.

The proceedings under this section shall be conducted in accordance with Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code, and the board shall have all the powers granted therein.

SEC. 11. Section 53.4 is added to said act, to read:

Sec. 53.4. No beer manufacturer or beer and wine wholesaler shall sell to any retail licensee any beer bottled under a private label exclusively for a particular retail licensee or for a particular group or association of retail licensees.

SEC. 12. Section 55.7 of said act is amended to read:

Sec. 55.7. No licensee, *or agent or employee or such licensee,* shall, directly or indirectly, give any premium gift, or free goods in connection with the sale of any alcoholic beverage. Any person violating the provisions of this section shall be guilty of a misdemeanor.

SEC. 13. Section 59 of said act is amended to read:

Sec. 59. Every on- or off-sale licensee, *or agent or employee of such licensee,* who sells, gives away or furnishes any alcoholic beverage in any election district or precinct in any county in the State where an election is in progress, during the hours when by law the polls are required to be kept open for voting shall be guilty of a misdemeanor.

SEC. 14. Section 59.5 of said act is amended to read:

Sec. 59.5. Any on- or off-sale licensee, *or agent or employee of such licensee,* who sells, gives, or delivers to any person any alcoholic beverage between the hours of 2 o'clock a.m. and 6 o'clock a.m. of the same day, is guilty of a misdemeanor.

SEC. 15. Section 55.8 is added to said act, to read:".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Boards and Commissions.

Assembly Bill No. 3175—An act to amend Section 3227 of the Public Resources Code, relating to the statement filed by persons producing oil or gas.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Manufacturing, Oil, and Mining Industry:

Amendment No. 1

On page 1, line 7, of the printed bill, as amended in the Assembly on May 10, 1951, after "log", insert "if any be made".

Amendment No. 2

On page 2, line 8, of said bill, strike out "for the previous month,".

Amendment No. 3

On page 2 of said bill, after line 19, insert

"SEC. 4. The provisions of this act shall not become operative until January 1, 1952."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Manufacturing, Oil, and Mining Industry.

Assembly Bill No. 3390—An act creating the "Yolo County Flood Control and Water Conservation District" for the controlling, conservation, diversion, storage and disposition of storm, flood, and other surface waters, prescribing the boundaries, organization, operation, management, financing and powers and duties of the district.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on April 20, 1951, after "the", insert "acquisition,".

Amendment No. 2

On page 4 of said bill, between lines 4 and 5, insert

"(q) To do any and every lawful act necessary to be done that sufficient water may be available for any present or future beneficial use or uses of the lands or inhabitants within the district, including but not limited to, the acquisition, storage, and distribution for irrigation, domestic, fire protection, muncipal, commercial, industrial, and all other beneficial uses."

Amendment No. 3

On page 4, line 5, of said bill, strike out "(q)", and insert

"(r)".

Amendment No. 4

On page 4 of said bill, strike out lines 13 to 18, inclusive, and insert "from floods within the district."

Amendment No. 5

On page 4, line 19, of said bill, strike out "(r)", and insert

"(s)".

Amendment No. 6

On page 4, line 31, of said bill, strike out "(s)", and insert

"(t)".

Amendment No. 7

On page 5 of said bill, strike out lines 25 to 31, inclusive, and insert

"SEC. 4. On or before January 1, 1956, the Board of Supervisors of Yolo County shall appoint a district board of directors of five members which shall exercise

the powers of the district enumerated in this act, except as otherwise provided, and may perform all other acts necessary or proper, in their discretion, to accomplish the purposes of this act.

Of the members first appointed, one shall be appointed to serve for a term of one year, one for a term of two years, one for a term of three years, and two for a term of four years. Thereafter all members shall be appointed for a term of four years. Any member of the board of directors may be removed from office at any time, with or without cause, by the board of supervisors, a majority of the entire membership concurring. All vacancies in the membership of the board of directors shall be immediately filled by appointment by the board of supervisors for the unexpired portion of the term in which they occur.

The board of directors may adopt and enforce reasonable rules and".

Amendment No. 8

On page 5 of said bill, strike out lines 37 to 40, inclusive, and insert "board of directors shall serve without compensation, but shall be allowed his actual, necessary, and reasonable expenses incurred in carrying out his duties under this act. The directors shall elect a chair-".

Amendment No. 9

On page 5 of said bill, between lines 49 and 50, insert

"Until the first board of directors are appointed pursuant to this section, the Board of Supervisors of Yolo County shall act, ex officio, as board of directors of the district and shall have and exercise all the powers and duties herein, prescribed for that board. Each member of the board of supervisors shall serve without additional compensation for acting as member of the board of the district, but shall be allowed his actual, necessary, and reasonable traveling expense incurred in carrying out his duties in such capacity."

Amendment No. 10

On page 18, line 29, of said bill, after "Sec. 32.", insert "Any territory within the district and not substantially benefited by being within the district may be excluded by order of the board upon the verified petition of the owner or owners in fee of lands whose assessed valuation is in excess of one-half of the assessed valuation of all lands held in private ownership in such territory as shown by the last equalized assessment roll

The petition shall describe the territory sought to be excluded and shall set forth that such territory is not substantially benefited by being in the district and shall pray that such territory be excluded and taken from said district It shall be filed with the board and accompanied by a deposit with the board of the sum of five hundred dollars ($500), to meet expenses of advertising and costs incident to the proceedings, any unconsumed balance to be returned to the petitioner or petitioners

Upon the filing of the petition, the board shall transmit a copy thereof to the Department of Public Works, Division of Water Resources, which acting by and through the State Engineer shall make an investigation and determine whether the lands proposed to be excluded, or some portion thereof, is not substantially benefited by inclusion in the district Upon completing such investigation, the department shall file its report with the secretary, which shall describe specifically the lands, if any, which will not be so benefited. The cost and expense of such investigation and report shall be a charge against the district and against the deposit made by the petitioners.

Upon the filing of the report, the board shall fix a time when the petition and report will be presented to the board, which shall be not less than 25 days nor more than 50 days after the filing of the report, and shall cause a notice of the filing thereof to be published once a week for at least two weeks in one newspaper of general circulation printed and published in each county within which any portion of the district lies. Such notice shall also state the date of the filing of the petition and the date of the filing of the report and the time when he will present them to the board and that they will come on for hearing before the board at such time and shall state the place where the board will meet for the purpose of holding such hearing Any landowner or taxpayer or other person interested within the district shall have the right to appear at said hearing either in behalf of or in opposition to the granting of said petition If upon such hearing the board determines that the petition complies with the provisions of this section and determines either that it is for the best interests of the district that the lands mentioned in the petition, or some portion thereof, be excluded from the district or if it determines that such lands, or some portion thereof, will not be substantially benefited by their continued inclusion in the district (and lands which the report of the Department of Public Works states will not be so benefited shall be included as such lands by the board in making its determination), the board shall make an order that such lands, or such portion thereof, be excluded from the district, such order to describe specifically the land so excluded. From the time of making such order, the lands so excluded shall be deemed no longer included in the district, but such order of exclusion shall not invalidate in any manner any taxes or assessments theretofore levied

or assessed against the lands so excluded, nor shall it in any way limit the authority of the board to levy taxes for the payment of principal and interest under the terms of any contract approved by the voters or of bonds theretofore voted or issued by the district. The chairman of the board shall certify that such order has been adopted to the Secretary of State and to the county recorder of Yolo County. Upon receipt of the certificate, the Secretary of State shall, within 10 days, issue his certificate reciting the adoption of such order and the exclusion of the area from the district. A copy of such certificate shall be transmitted to and filed with the County Clerk of Yolo County.

SEC. 33."

Amendment No. 11

On page 18, line 36, of said bill, strike out "33", and insert "34"

Amendment No. 12

On page 18, line 40, of said bill, strike out "34", and insert "35".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 3417—An act to add Section 7155.5 to, and to amend the heading of, Article 2 of Chapter 1, Part 3, Division 5 of the Labor Code, relating to safety in employment.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Industrial Relations:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "Ladders", and insert "Extension ladders used for exterior work".

Amendment No. 2

On page 1 of said bill, after line 18, insert

"(2) By using a wedge of wood or equally rigid material of adequate strength soled top and bottom with ribbed rubber matting or similar material."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Industrial Relations

Assembly Bill No. 2069—An act to add Division 8 comprising Sections 9000 to 9018, inclusive, to the Welfare and Institutions Code, relating to regulation of solicitation for charitable contributions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "9018", and insert "9027".

Amendment No. 2

On page 1, line 1, of said bill, strike out "9018", and insert "9027".

Amendment No. 3

On page 1, line 7, of said bill, strike out "REGULATIONS", and insert "ADMINISTRATION".

Amendment No. 4

On page 1 of said bill, between lines 8 and 9, insert

"9000. This division shall apply only in those counties having a population in excess of 200,000 as determined by Section 28020 of the Government Code. The Legislature hereby finds and declares that the evils of unregulated solicitation of charitable contributions, with the resultant imposition on the public, are most prevalent in large

centers of population where it is difficult for the people to learn the true facts with reference to an alleged charity, and for that reason this division is confined in its operation to the counties described."

Amendment No. 5

On page 1, line 9, of said bill, strike out "9000", and insert "9001".

Amendment No. 6

On page 1, line 12, of said bill, strike out "Franchise Tax Board", and insert "Department of Social Welfare".

Amendment No. 7

On page 1, line 14, of said bill, after "patriotic," insert "welfare, educational, civic, or fraternal,".

Amendment No. 8

On page 1, line 16, of said bill, after "money," insert "subscription,".

Amendment No. 9

On page 2 of said bill, after line 8, insert "and who receives no commission or other emolument in addition to his salary".

Amendment No. 10

On page 2, line 10, of said bill, strike out "article", and insert "division".

Amendment No. 11

On page 2, line 35, of said bill, strike out "chapter", and insert "division".

Amendment No. 12

On page 2 of said bill, between lines 35 and 36, insert

"CHAPTER 2. SOLICITATION"

Amendment No. 13

On page 2, line 36, of said bill, strike out "9001", and insert "9002".

Amendment No. 14

On page 2, line 37, of said bill, between "publish" and "results", insert "the".

Amendment No. 15

On page 2, line 38, of said bill, strike out "9002", and insert "9003".

Amendment No. 16

On page 2 of said bill, strike out line 44, and insert "tions 9003, 9005, 9006, 9010, 9011, 9012, 9014, and 9002".

Amendment No. 17

On page 2, line 47, of said bill, strike out "request", and insert "require the".

Amendment No. 18

On page 2, line 48, of said bill, between "of", and "solicitation", insert "the".

Amendment No. 19

On page 3, line 1, of said bill, strike out "shall", and insert "may".

Amendment No. 20

On page 3, line 4, of said bill, strike out "that".

Amendment No. 21

On page 3, line 9, of said bill, strike out the semi-colon, and insert ". Such notice may be given by registered mail or by personal service."

Amendment No. 22

On page 3, line 10, of said bill, strike out "article", and insert "division".

Amendment No. 23

On page 3, line 11, of said bill, between "of" and "person", insert "the".

Amendment No. 24

On page 3, line 20, of said bill, strike out "9002", and insert "9003".

Amendment No. 25

On page 3, line 21, of said bill, between "of" and "notice", insert "the".

Amendment No. 26

On page 3, line 22, of said bill, between "or" and "any", insert "of".

Amendment No. 27

On page 3 of said bill, strike out lines 32 and 33.

Amendment No. 28

On page 3, line 34, of said bill, strike out "(3)", and insert "(2)".

Amendment No. 29

On page 3, line 35, of said bill, strike out "9004", and insert "9005".

Amendment No. 30

On page 3, line 36, of said bill, strike out "(4)", and insert "(3)".

Amendment No. 31

On page 3 of said bill, between lines 44 and 45, insert "(f) Any information cards shall be issued or refused not later than 15 days after the receipt of notice of intention."

Amendment No. 32

On page 3, line 45, of said bill, strike out "9003", and insert "9004".

Amendment No. 33

On page 3, line 48, of said bill, strike out "9004", and insert "9005".

Amendment No. 34

On page 3, line 50, of said bill, strike out "fiscal", and insert "calendar".

Amendment No. 35

On page 3, line 51, of said bill, strike out "of the city".

Amendment No. 36

On page 3, line 52, of said bill, strike out "ten (10)", and insert "twenty (20)".

Amendment No. 37

On page 4, line 39, of said bill, strike out the period, and insert ";
(j) A statement of the geographical area in which the solicitation is to be made; and
(k) A statement showing whether such solicitation is subject to any city, county, or city and county ordinance regulating solicitation."

Amendment No. 38

On page 4, line 40, of said bill, strike out "9005", and insert "9006".

Amendment No. 39

On page 4, line 49, of said bill, strike out "filed with it".

Amendment No. 40

On page 5, line 11, of said bill, strike out "9006", and insert "9007".

Amendment No. 41

On page 5, line 17, of said bill, strike out "9007", and insert "9008".

Amendment No. 42

On page 5, line 22, of said bill, strike out "9008", and insert "9009".

Amendment No. 43

On page 5, line 35, of said bill, strike out "9004", and insert "9005".

Amendment No. 44

On page 5, line 37, of said bill, strike out "9009", and insert "9010".

Amendment No. 45

On page 5, line 45, of said bill, strike out "9010", and insert "9011".

Amendment No. 46

On page 5 of said bill, strike out lines 47 to 52, inclusive, and insert

"(a) A valid information card regularly issued to him by the department; and

(b) Such information card with him when making solicitations. He shall read the information card to the person solicited or present it to said person upon demand for his perusal, allowing him sufficient opportunity to read the card, before accepting any contributions."

Amendment No. 47

On page 6 of said bill, strike out lines 1 to 9, inclusive.

Amendment No. 48

On page 6, line 13, of said bill, strike out ". Pro-", and insert "; pro-".

Amendment No. 49

On page 6, lines 17 and 18, of said bill, strike out "or a true written copy thereof".

Amendment No. 50

On page 6, line 31, of said bill, strike out ". Provided", and insert "; provided".

Amendment No. 51

On page 6, line 45, of said bill, strike out "if any,".

Amendment No. 52

On page 7, line 12, of said bill, strike out ". Provided", and insert "; provided".

Amendment No. 53

On page 7, line 15, of said bill, strike out "9000", and insert "9001".

Amendment No. 54

On page 7 of said bill, strike out line 16, and insert "and 9004, shall not be applicable (1) to any solicitation made upon".

Amendment No. 55

On page 7, line 18, of said bill, after the comma, insert "(2)".

Amendment No. 56

On page 7, line 22, of said bill, after the comma, insert "(3)".

Amendment No. 57

On page 7, line 24, of said bill, after the comma, insert "(4)".

Amendment No. 58

On page 7, line 26, of said bill, strike out ". Provided," and insert "by, or on behalf of an established church; provided,".

Amendment No. 59

On page 7 of said bill, between lines 44 and 45, insert

"CHAPTER 3. PROMOTERS."

Amendment No. 60

On page 7, line 45, of said bill, strike out "(1) Promoters."

Amendment No. 61

On page 7, line 50, of said bill, strike out "(2) Application.", and insert "9018."

Amendment No. 62

On page 8, line 18, of said bill, strike out "(3) Bond.", and insert "9019."

Amendment No. 63

On page 8, line 25, of said bill, strike out "the State of California", and insert "this State".

Amendment No. 64

On page 9, line 8, of said bill, strike out "4 Fee.", and insert "9020."

Amendment No. 65

On page 9, line 10, of said bill, strike out "(5) Investigation.", and insert "9021".

Amendment No. 66

On page 9 of said bill, strike out lines 13 to 42, inclusive, and insert "advisable. The department may grant any applicant a license if the department is satisfied:

(a) That the applicant is of good character and reputation, or if the applicant is a corporation, that every managing officer or agent of said corporation is of good character and reputation, of if the applicant is an unincorporated association, firm, or partnership, each member thereof is of good character and reputation, and

(b) That the applicant has sufficient financial responsibility to carry out the obligations incident to any solicitation such applicant may make within the State, and

(c) That all of the statements made in the application are true, and

(d) That neither the applicant nor any officer, agent or member of the applicant has violated any of the provisions of this chapter or has engaged in any fraudulent transaction or enterprise, and

(e) That the applicant intends to conduct its business fairly and honestly.

If the department denies an application and refuses to issue a license, it shall notify the applicant of the decision of the department. If the only ground for such refusal or denial is such that it does not substantially affect applicant's honesty and integrity and if the inability of the applicant to meet any requirement will in any way interfere with the proper performance by the applicant of his obligations as a promoter, the department may, in its discretion, waive such ground and grant the application."

Amendment No. 67

On page 9, line 43, of said bill, strike out "(6) Revocation", and insert "9022".

Amendment No. 68

On page 10, line 9, of said bill, strike out "(7) Termination", and insert "9023".

Amendment No. 69

On page 10, lines 10 and 11, of said bill, strike out "year terminating on the thirtieth day of June", and insert "calendar year".

Amendment No. 70

On page 10, line 12, of said bill, strike out "(8) Funds", and insert "9024".

Amendment No. 71

On page 10, line 16, of said bill, strike out "(9) Solicitors", and insert "9025".

Amendment No. 72

On page 10, lines 17 and 18, of said bill, strike out "or condition".

Amendment No. 73

On page 10, line 22, of said bill, strike out "subsections (1) to (8), inclusive, of this section", and insert "Sections 9017 to 9024, inclusive, of this code".

Amendment No. 74

On page 10, line 39, of said bill, strike out "subsection (3)", and insert "Section 9019 of this code."

Amendment No. 75

On page 10, line 40, of said bill, strike out "subsection", and insert "Section 9019 of this code".

Amendment No. 76

On page 10, line 48, of said bill, strike out "subsection", and insert "chapter".

Amendment No. 77

On page 10, line 49, of said bill, strike out "June 30th", and insert "December 31st"

Amendment No. 78

On page 11 of said bill, strike out lines 5 to 7, inclusive, and insert

"9026. All fees collected by the department pursuant to this division shall be deposited in the general fund in augmentation of the appropriation then current for the support of the department

9027. Upon a determination by the department that any city, county, or city and county has in effect an ordinance or ordinances containing provisions substantially similar to those of this division it may accept proof of compliance with said ordinance as satisfactory proof of compliance with this division and issue information cards, registration or licenses required by this division without further proof of compliance with the provisions of this division."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2366—An act creating an Anti-Totalitarian Civil Liberties Defense Commission, and prescribing its powers and duties.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 3, line 26, of the printed bill, after "organized", insert ", exists".

Amendment No. 2

On page 3 of said bill, strike out lines 28 to 31, inclusive, and insert

' (c) "Totalitarian dictatorship" means and refers to systems of government not representative in fact, characterized by (A) the existence of a single political party with so close an identity between such party and its policies and the governmental policies of the country in which it exists, that the party and the government constitute an indistinguishable unit, and (B) the forcible suppression of opposition to such party. The term "totalitarian dictatorship" also means and refers to any form of government which is organized, exists, or is maintained not through the will of a majority of the people expressed through free elections, which provide for freely functioning opposition parties to appear on the ballot, but rather by means of fraud, duress, terror, and forcible suppression of opposition to the political party in power."

Amendment No. 3

On page 3, line 33, of said bill, strike out "formerly", and insert "intentionally".

Amendment No. 4

On page 3, line 34, of said bill, after "who", insert "intentionally".

Amendment No. 5

On page 4, line 25, of said bill, after "act.", insert "The names of persons registered as required by this act may be made public by the commission."

Amendment No. 5

On page 4, line 45, of said bill, after the period, insert "At this hearing the person so charged shall be confronted by his accusers and have the right to cross-examine."

Amendment No. 6

On page 5 of said bill, after line 42, insert

"SEC. 18. The fact of the registration of any person under this act shall not be received in evidence against such person in any prosecution for any alleged violation of this act or for any alleged violation of any other criminal statute.

SEC. 19. The sum of two hundred thousand dollars ($200,000) is hereby appropriated out of the General Fund in the State Treasury for expenditure by the Anti-Totalitarian Civil Liberties Defense Commission without regard to fiscal years in carrying out the provisions of this act."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 869—An act to add Article 2.5 to Chapter 10 of Division 3 of the Education Code, relating to the collections and apportionment of a county school district equalization fund.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1 of the printed bill, strike out lines 15 to 17, inclusive, and insert "valuation, which shall be in addition to the maximum rates of school district taxes authorized to be levied pursuant to Article 3 of Chapter 10, Division 3, for school purposes."

Amendment No. 2

On page 1, line 19, of said bill, strike out "as follows:", and insert "in accordance with a formula recommended by the county committee on school district organization and approved by the board of supervisors."

Amendment No. 3

On page 1 of said bill, strike out lines 20 to 22, inclusive; and on page 3, strike out lines 1 to 27, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

Assembly Bill No. 2372—An act to add Article 5 to Chapter 1, Division 1 of the Education Code, relating to the Public School System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 2 of the title of the printed bill, before the period, insert "and making an appropriation therefor".

Amendment No. 2

On page 1 of said bill, strike out line 4, and insert

"Article 5. The State College Investigating Board

250. There is hereby created the State College Investigating Board, which shall consist of one member of the advisory board of each state college, one member of the Board of Governors of the California Maritime Academy, and the President of the California State Polytechnic College. The Governor shall designate the member from each such board who shall be a member of the State College Investigating Board.

251. The board shall remain in existence until June 30, 1953.

252 Any vacancy shall be filled by the Governor from the same board from which the member creating the vacancy was appointed.

253. The board shall meet not more than twice in any fiscal year.

254. At the first meeting of the board and at its first meeting following any change in membership, the board shall organize or reorganize, as the case may be, by electing one of its members president

255. The board shall appoint a secretary who shall act as executive officer of the board He shall have charge of all its correspondence and shall keep a record of its proceedings.

256. Notice of each meeting shall be given by the secretary by registered mail to each member of the board at least 10 days prior to the time of the meeting. Notice of the meeting may be waived in writing by all members of the board.

257. Members of the board shall receive their actual and necessary traveling expenses while on official business and a per diem of fourteen dollars ($14) a day while attending the regular meetings of the board.

258. The board shall study the need for the establishment of a State College Advisory Board to determine all questions of policy for and to administer the state colleges. It shall also study and make recommendations for the improvement of the organization and administration of the state colleges.

259. The board shall submit a report of its conclusions and recommendations to the Legislature on or before March 1, 1953

SEC. 2. The sum of twelve hundred dollars ($1,200) is hereby appropriated to the Department of Education to be expended during the 1951-1952 Fiscal Year for the payment of the actual and necessary traveling expenses and per diem of the members of the State College Investigating Board."

Amendment No. 3

On page 1 of said bill, strike out lines 6 to 26, inclusive; and strike out all of pages 2 and 3.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

SECOND READING OF SENATE BILLS

Senate Bill No. 46—An act to add Section 1953.6 to the Government Code, relating to the liability of a county officer for the acts of any deputy or employee serving under him.

Bill read second time, and ordered to third reading.

Senate Bill No. 1055—An act to add Section 6906 to the Education Code, relating to the crediting of average daily attendance to school districts, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading

Senate Bill No. 211—An act to amend Section 126 of, and to add Section 127 to, the Government Code, relating to the acquisition of land in this State by the United States and records and indices thereof maintained by the State Lands Commission.

Bill read second time, and ordered to third reading.

Senate Bill No. 1578—An act to add Section 707.5 to the Streets and Highways Code, relating to removals and relocations of utility facilities to accommodate state freeways.

Bill read second time, and ordered to third reading.

Senate Bill No. 1695—An act to add Section 6304.5 to the Public Resources Code, relating to cooperation by the State Lands Commission with the Federal Government in the development and maintenance of small boat harbors.

Bill read second time, and ordered to third reading.

Senate Bill No. 663—An act to authorize the sale of a part of the property used by the Mendocino State Hospital and to provide for the disposition of the proceeds from such sale.

Bill read second time, and ordered to third reading.

Senate Bill No. 314—An act to add Sections 5026.3 and 5049.1 to the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 7, of the printed bill, as amended in the Senate on April 30, 1951, after "approved", insert "by the board".

Amendment No. 2

On page 1, line 8, of said bill, strike out "it appears that".

Amendment No. 3

On page 1, line 11, of said bill, after "payment", insert "for such item, either with State funds or with district funds which the district is required to contribute by said apportionment,".

Amendment No. 4

On page 1, line 12, of said bill, strike out "ap-"; and strike out all of line 13, and insert "citing this section."

Amendment No. 5

On page 1, line 18, of said bill, after "district", insert "subsequent to December 5, 1949,".

Amendment No. 6

On page 1 of said bill, strike out lines 19 to 23, inclusive, and insert "items approved by the board in such apportionment; provided, however, that where expenditures were made for, or work was commenced with respect to, any item so approved, prior to the time the application of such district containing such item was received by the board, payment or reimbursement for such item, either with state funds or with district funds which the district is required to contribute by said apportionment, shall be made only upon authorization of the board by special resolution citing this section."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 53—An act to amend Section 1481 of the Government Code, relating to the use of a master official bond covering officers, employees or agents required to give official bond.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on April 16, 1951, strike out "Section 1481", and insert "Sections 1480, 1481 and 1653".

Amendment No. 2

In line 2 of the title of said bill, strike out "use of a master official bond", and insert "payment for and use of individual official, individual, master official and master bonds".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 1480 of the Government Code is amended to read:

1480. Every officer, agent or employee not required by statute to give an official bond may be required to give an individual official bond *, or other form of individual bond,* in an amount to be fixed by the appointing power [.] *and such bond shall inure to the benefit of the appointing power, state, county or municipality, by whom such officer, employee, or agent is employed as well as the officer under whom the employee or agent serves.*

SEC. 2. Section 1481 of said code is".

Amendment No. 4

On page 1, line 15, of said bill strike out "board", and insert "bond, or other form of master bond,".

Amendment No. 5

On page 1 of said bill, after line 24, insert

"SEC. 3. Section 1653 of said code is amended to read:

1653. The payment of premiums for [the official] *all* bonds of deputies, clerks, assistants or subordinate officers of county officers shall not be a county charge unless the amount fixed for such bond has been approved by the board of supervisors."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Concurrent Resolution No. 75—Relating to Henry H. Benedict.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

On page 2, line 23, of the printed measure, strike out "engrossed", and insert "prepared".

Amendment read, and adopted.

Resolution ordered reprinted, and on file for adoption.

Senate Bill No. 1109—An act to amend Section 28131 of the Government Code, relative to compensation for public services in counties.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on April 19, 1951, strike out "Section 28131", and insert "Section 453 of the Education Code and Sections 28136 and 28153".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 28136 of the Government Code is amended to read:

28136. In a county of the thirty-sixth class the following shall receive as compensation for the services required of them by law or by virtue of their offices the following sums:

(a) The auditor, [four thousand two hundred dollars ($4,200)] *five thousand four hundred dollars ($5,400)* a year

(b) The district attorney, [three thousand nine hundred dollars ($3,900)] *seven thousand two hundred dollars ($7,200)* a year.

(c) Each supervisor, [one thousand eight hundred dollars ($1,800)] *two thousand four hundred dollars ($2,400)* a year and mileage at the rate of twenty cents ($0.20) a mile for the distance usually traveled in going from his home to the county seat and returning.

(d) Grand jurors and trial jurors in the superior court shall receive five dollars ($5) for each day's attendance and twenty cents ($0.20) for each mile actually and necessarily traveled from their residences to the county seat, in going only. In justices' courts the jurors sworn to try the case shall receive two dollars ($2) for each day's attendance and fifteen cents ($0.15) for each mile actually and necessarily traveled from their residences. The per diem and mileage in the justices' courts shall be allowed only to the jurors sworn to try the case.

The compensation provided by this section shall be payable to incumbent officers.

SEC. 2. Section 28153 of said code is amended to read:

28153. In a county of the fifty-third class the following shall receive as compensation for the services required of them by law or by virtue of their offices, the following sums:

(a) The auditor, two thousand five hundred twenty dollars ($2,520) a year and in addition two hundred dollars ($200) annually for preparing the county budget when prepared by him. If the office of recorder is consolidated with that of auditor, the auditor as such shall receive no compensation.

(b) The district attorney, [two] *three* thousand [seven hundred] dollars [($2,700)] *($3,000) a year and such fees as are paid to that officer.*

(c) Each supervisor, [one hundred dollars ($100) a month] *two thousand four hundred dollars ($2,400) a year,* and seven cents ($0.07) a mile for mileage and expenses in traveling from his residence to the county seat, but only one mileage shall be allowed for any regular or special session of the board. Actual expense outside the county shall be allowed and paid. Each supervisor is, in addition, allowed three hundred dollars ($300) a year to cover mileage expense at seven cents ($0.07) a mile as ex officio road overseer or commissioner.

(d) Grand jurors and trial jurors in the superior courts, three dollars and fifty cents ($3.50) for each day's attendance and seven cents ($0.07) for each mile

necessarily traveled each way in attending court. In criminal cases the fees and mileage of the trial jurors in the superior court shall be paid by the treasurer out of the general fund of the county upon warrants drawn by the auditor upon the written order of the judge of the court in which the jurors were in attendance, and the treasurer of the county shall pay the warrants. The fees of jurors in justices' courts shall be two dollars and fifty cents ($2.50) for each day's attendance and mileage at the rate of seven cents ($0.07) a mile each way traveled in attending court.

The compensation provided by this section shall be payable to incumbent officers.

SEC. 3. Section 453 of the Education Code is amended to read:

453. The annual salary of the county superintendent of schools of a county of the fifty-third class is [four thousand eight hundred dollars ($4,800)] *five thousand one hundred dollars ($5,100)*, and he shall possess a valid elementary or secondary teaching credential issued by the State Board of Education.

SEC. 4. If it is not legally competent to pay the compensation provided by this act to incumbent officers on the effective date of this act, such increase in compensation shall nevertheless be payable to the officers designated in this act as soon as it is legally competent to do so."

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 26, inclusive; and strike out all of page 2.

Amendments read, and adopted

Bill ordered reprinted, and to be re-referred to the Committee on Municipal and County Government.

Senate Bill No. 1514—An act to add Section 25371 to the Government Code, relating to the leasing of county real property.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 16, of the printed bill, as amended in the Senate on April 27, 1951, after "total", insert "amount of county bonded indebtedness plus the total".

Amendment read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Municipal and County Government.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 3368—An act conveying certain tidelands and lands lying under inland navigable waters, situate in San Francisco Bay to the City of Sausalito, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof, reserving rights to the State;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 2, line 9, of the printed bill, as amended in the Senate on May 7, 1951, strike out "only".

Amendment No. 2

On page 2, line 15, of said bill, after "water", insert ", and for the construction, maintenance, and operation thereon of public buildings and public parks and playgrounds".

MILLER	McCOLLISTER
McCARTHY	DOLWIG
BURNS	GRANT
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Moss, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr Speaker—58.

NOES—None.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 15, 1951

MR. SPEAKER The *Committee on Conference concerning*:

Senate Bill No. 1211 (As amended in Assembly April 12, 1951)—An act to amend Sections 14254 and 14256 of the Government Code, relating to state public works projects;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows.

Amendment No. 1

On page 1, line 26, of the printed bill, as amended in the Assembly on April 12, 1951, strike out "twenty-five thousand dollars ($25,000)", and insert "twenty thousand dollars ($20,000)".

Amendment No. 2

On page 1, line 28, of said bill, strike out "fifteen thousand dollars ($15,000)", and insert "twenty thousand dollars ($20,000)".

Amendment No. 3

On page 1 of said bill, following line 28, insert

"This section shall remain in effect until the ninety-first day after final adjournment of the 1953 Regular Session of the Legislature."

HATFIELD	SILLIMAN
PARKMAN	PARKER
BURNS	BABBAGE
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lipscomb, Lowrey, Maloney, McCarthy, McGee, McMillan, Morris, Moss, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—57.

NOES—None.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Lyon to reconsider the vote whereby Assembly Bill No. 2818 was refused passage, was continued until the next legislative day.

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 3386—An act to add Section 6516 to the Revenue and Taxation Code, relating to assessments for sales and use taxes.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 3386 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.

NOES—Babbage, Beck, Belotti, Berry, Brady, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Kloeksiem, Lanterman, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—61.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 39—An act adopting and authorizing a plan for construction of the San Lucas Dam and Reservoir, Salinas River Basin, by the Monterey County Flood Control and Water Conservation District in cooperation with the State of California and the United States, for flood control and water conservation, at an estimated cost to the State of two million five hundred thousand dollars ($2,500,000) and making an appropriation therefor.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 39?

Amendment No. 1

In lines 7 and 8 of the title of the printed bill, as amended in the Assembly on March 30, 1951, strike out "and making an appropriation therefor".

Amendment No. 2

On page 2, line 29, of said bill, as amended, after the comma, insert "when such funds are available from any unappropriated balance in the flood control fund of 1946,".

Amendment No. 3

On page 2 of the printed bill, as amended in the Senate on April 27, 1951, strike out lines 31 to 39, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 39 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Kloeksiem, Lanterman, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters—59

NOES—Crowley—1

Assembly Bill No. 39 ordered enrolled.

Assembly Bill No. 489—An act to amend Section 14658 of, and to add Section 14661 to, the Health and Safety Code, relating to fire protection districts in one or more counties.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 489?

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "law", and insert "by-law".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 489 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—64.

NOES—None.

Assembly Bill No. 489 ordered enrolled.

Assembly Bill No. 576—An act to repeal Sections 25663, 25663 and 26421, and to add Sections 25663 and 25663(c) to the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act shall take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 576?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 30, 1951, strike out ", 25663", and insert ", as added by Chapter 557 of the Statutes of 1949, and as added by Chapter 72 of the Statutes of 1951,".

Amendment No. 2

In line 2 of the title of said bill, as amended, strike out "25663(c)", and insert "25663c".

Amendment No. 3

On page 1, line 1, of said bill, as amended, strike out "and 25663", and insert ", as added by Chapter 557 of the Statutes of 1949, and as added by Chapter 72 of the Statutes of 1951,".

Amendment No. 4

On page 1, line 15, of said bill, as amended, strike out "25663(c)", and insert "25663c".

Amendment No. 5

On page 1, line 17, of said bill, as amended, strike out "25663(c)", and insert "25663c".

Amendment No. 6

On page 2 of said bill, as amended, after line 5, insert

"SEC. 5. This act provides for a tax levy within the meaning of Article IV of the Constitution and shall go into immediate effect."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 576 by the following vote:

AYES—Babbage, Beck, Berry, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—57.

NOES—None

Assembly Bill No. 576 ordered enrolled.

Assembly Bill No. 849—An act to amend Sections 4, 6, and 11 of, and to add Section 4.5 to, the Defense Production Act, relating to employment and working conditions of female employees.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters—59.

NOES—George D. Collins and Elliott—2.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 849?

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on April 16, 1951, after "employees", insert ", declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 2 of said bill, as amended, after line 24, insert

"SEC. 4. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

That it is necessary that the law in the Defense Production Act relating to the employment of women, and to the powers of the Governor in that regard in time of extreme emergency be immediately clarified. It is necessary to the general welfare that during periods of accelerated defense production the interests of women employees under the laws regulating their hours of employment not be unduly jeopardized."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 849 by the following vote:

AYES—Babbage, Beck, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters—59.

NOES—George D. Collins and Elliott—2.

Assembly Bill No. 849 ordered enrolled.

Assembly Bill No. 1069—An act to amend Section 1 of an act entitled "An act to add Sections 48, 49, 50, 51, 132 6, 293 5, 296.5, 5901.5, 5904.5, 5931.6, 5932.5, 5935.5, 5936.5, 7801.5, and 7842.5 to the Elections Code, relating to elections, declaring the urgency thereof, to take effect immediately," approved October 4, 1950, and to add Sections 7964 1, 7970.5, 7971.5, and 7972 5 to the Elections Code, relating to elections.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1069?

Amendment No. 1

On page 1, line 19, of the printed bill, as amended in the Assembly on May 3, 1951, strike out "25", and insert "19".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1069 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly,

Kirkwood, Klocksiem, Lanterman, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—62.
NOES—None.

Assembly Bill No. 1069 ordered enrolled.

Assembly Bill No. 1082—An act to add Section 9003 to the Elections Code, relating to special elections.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1082?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 6, 1951, after line 6, insert

"SEC. 2. This act shall become effective on July 1, 1952."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1082 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, and Mr. Speaker—62.
NOES—None.

Assembly Bill No. 1082 ordered enrolled.

Assembly Bill No. 1158—An act to add Section 269b to and to amend Section 261g of the Code of Civil Procedure, relating to official reporters of the superior court in and for the State of California.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1158?

Amendment No. 1

On page 2, line 3, of the printed bill, as amended in the Assembly on March 22, 1951, strike out the period, and insert "provided, however, that in cases in which a phonographic reporter is requested, and the fees provided for by Chapter 1031, Statutes of 1943, as amended, have not been paid, the parties litigant shall pay to the clerk of the court, prior to the hearing of said cases, the phonographic reporter's fees provided for in Section 274 of this code, which fees shall be deposited by said clerk in the county treasury to the credit of the salary fund of the county."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1158 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Waters, and Mr. Speaker—66.
NOES—None.

Assembly Bill No. 1158 ordered enrolled.

Assembly Bill No. 1651—An act to amend Section 31676.9 of the Government Code, relating to the retirement of public employees.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1651?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 31676.9 of", and insert "Sections 31676.9 and 31681 of, and to add Section 31679.5 to,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, after line 9, insert

"SEC. 2. Section 31679 of the Government Code is amended to read:

31679. If a member enters *or has entered* the retirement system with credit for prior service, and retires after attaining the compulsory retirement age and his retirement allowance is less than [nine hundred dollars ($900)] *one thousand two hundred dollars ($1,200)* a year, exclusive of any annuity based on additional contributions, an additional amount purchased by contributions of the county or district shall be added to his combined annuity and pensions which will cause his total retirement allowance to amount to [nine hundred dollars ($900) a year] *one thousand two hundred dollars ($1,200) a year.*

SEC. 3. Section 31679.5 is added to the Government Code, to read:

31679.5. Each payment of a retirement allowance for time after the effective date of this section to a beneficiary who retired on or after September 20, 1947, after attaining the compulsory retirement age and with credit for prior service, and whose retirement allowance is less than one thousand two hundred dollars ($1,200) per year, shall be calculated according to the provisions of Section 31679 as they exist on the effective date of this section.

SEC. 4. Section 31681 of the Government Code is amended to read:

31681. Each payment of a retirement allowance, after the effective date of this section, to a beneficiary who retired prior to September 20, 1947, shall be calculated according to the provisions of this chapter as they existed on September 20, 1947.

In every county having a population in excess of 2,000,000, the minimum retirement allowance for every member who has heretofore or who shall be hereafter retired at compulsory retirement age and who is credited with 10 or more years service, including prior service, shall receive a total retirement allowance of not less than one thousand two hundred dollars ($1,200) per year."

Amendment No. 3

In line 1 of the title of the printed bill, as amended in the Senate on May 10, 1951, strike out "Sections 31676.9 and 31681 of, and to add Section 31679.5 to," and insert "Section 31676.9 of".

Amendment No. 4

On page 1 of said bill, as amended, strike out all of lines 10 to 21, inclusive

Amendment No. 5

On page 2 of said bill, as amended, strike out all of lines 1 to 23, inclusive

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1651 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Maloney, McCollister, McGee, McMillan, Meyers, Morris, Moss, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Tomlinson, Waters, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 1651 ordered enrolled.

Assembly Bill No. 2048—An act to add Section 1161 to the Fish and Game Code, relating to hunting while intoxicated.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2048?

Amendment No. 1

On page 1 of the printed bill, strike out lines 4 to 11, inclusive, and insert "and arrow when intoxicated"

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2048 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke,

Crowley, Davis, Dickey, Dills, Dunn, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Maloney, McCarthy, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 2048 ordered enrolled.

Assembly Bill No. 3226—An act to amend Section 737.11 of the Agricultural Code, relating to the purchase of fluid milk and fluid cream.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 3226?

Amendment No. 1

On page 2, line 24, of the printed bill, as amended in the Assembly on April 5, 1951, strike out "four", and insert "five".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 3226 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dunn, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Maloney, McCarthy, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 3226 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL BE PRINTED IN JOURNAL

Mr. McMillan asked for, and was granted, unanimous consent that a letter of transmittal from the Assembly Interim Committee on Public Morals be ordered printed in the Journal, in 10 point type, as follows:

LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE
SACRAMENTO, May 18, 1951

Honorable Sam L. Collins
Speaker of the Assembly
State Capitol, Sacramento, California

DEAR SIR: Your Interim Committee on Public Morals created by House Resolution 240 at the 1949 Regular Session of the Legislature, and consisting of:

Lester A. McMillan, Chairman
Luther H. Lincoln, Vice Chairman
Carl Fletcher
Montivel Burke
Mrs. Kathryn Niehouse
Ralph Brown

does herewith respectfully submit its report of the investigations, findings and recommendations of the committee.

Very respectfully,

LESTER A. McMILLAN, Chairman

REQUEST FOR UNANIMOUS CONSENT THAT REPORT OF THE ASSEMBLY INTERIM COMMITTEE ON PUBLIC MORALS BE PRINTED AS SEPARATE DOCUMENT AND THAT 500 COPIES BE PRINTED

Mr. McMillan asked for, and was granted, unanimous consent that the Report of the Assembly Interim Committee on Public Morals be printed as a separate document, and that 500 copies be printed.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 841, on request of Mr. Hagen.

REPORTS OF STANDING COMMITTEES

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1951

MR SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Assembly Bill No. 178

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LUCKEL, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Senate Bill No. 459

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LUCKEL, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Senate Bill No. 456
Senate Bill No. 1644
Senate Bill No. 1745

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

LUCKEL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Assembly Bill No. 1302

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

LUCKEL, Chairman

Above reported bill ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 1204
Assembly Bill No. 1623
Assembly Bill No. 1665
Assembly Bill No. 2474

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SHERWIN, Chairman

Above reported bills ordered to second reading.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Henderson:

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Chapter 3.5, comprising Section 1031, to Part 3, Division 2 of the Labor Code, relating to prevention and elimination of practices of discrimination in employment and otherwise against persons because of race, creed, color, national origin or ancestry, and declaring the public policy of the State with respect thereto.

Respectfully submitted.

WALLACE D. HENDERSON

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill herewith returns the same with the recommendation that the author be permited to introduce it:

By Mr. Henderson:

An act to add Chapter 3.5, comprising Section 1031, to Part 3, Division 2 of the Labor Code, relating to prevention and elimination of practices of discrimination in employment and otherwise against persons because of race, creed, color, national origin or ancestry, and declaring the public policy of the State with respect thereto.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Munnell, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—60.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3436: By Mr. Henderson—An act to add Chapter 3.5, comprising Section 1031, to Part 3, Division 2 of the Labor Code, relating to prevention and elimination of practices of discrimination in employment and otherwise against persons because of race, creed, color, national origin or ancestry, and declaring the public policy of the State with respect thereto.

Referred to Committee on Governmental Efficiency and Economy.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 2941—An act to add Section 585.4 to the Vehicle Code, relating to the removal of vehicles parked upon streets or highways by local authorities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley.

Davis, Dickey, Dills, Dolwig, Dunn, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Tomlinson, and Mr Speaker—59.

NOES—None

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 10.10 a.m., Hon Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 3075

Mr. George D. Collins asked for, and was granted, unanimous consent that he be permitted to take up his notice of motion to reconsider Assembly Bill No. 3075, temporarily passed on the unfinished business file, out of order, at this time.

Speaker Presiding

At 10.13 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 3075

In compliance with a notice given on a previous day, Mr. George D. Collins moved that the vote whereby Assembly Bill No. 3075 was passed be reconsidered.

Assembly Bill No. 3075 refused reconsideration by the following vote:

AYES—Beck, Berry, Brown, Burkhalter, Coats, George D. Collins, Condon, Cooke, Dills, Doyle, Elliott, Evans, Fleury, Gaffney, Hagen, Hahn, Henderson, Klocksiem, Levering, Lowrey, McFall, McMillan, Meyers, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Smith, Stanley, and Tomlinson—32

NOES—Belotti, Caldecott, Chapel, Clarke, Cloyed, Collier, Conrad, Dickey, Dolwig, Dunn, Erwin, Grant, Grunsky, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Lipscomb, Maloney, McCollister, McGee, Morris, Porter, Sherwin, Silliman, Stewart, Waters, and Mr. Speaker—30.

Assembly Bill No. 3075 ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT OPINION OF LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Mr. Dunn asked for, and was granted, unanimous consent that an opinion of the Legislative Counsel, relative to a motion to reconsider the refusal of the adoption of amendments, be ordered printed in the Journal, in 10 point type, as follows:

Opinion of Legislative Counsel Requested by Chief Clerk as Instructed by Motion

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, May 17, 1951

Honorable Arthur A. Ohnimus
Chief Clerk of the Assembly
Assembly Chamber

MOTION TO RECONSIDER REFUSAL OF ADOPTION OF AMENDMENTS
—No. 8484

DEAR MR. OHNIMUS: You have called our attention to the action of the Assembly on May 14, 1951, with reference to certain amendments

to Assembly Bill No. 2665, as appearing in the Assembly Journal for that day commencing at page 4264. Certain amendments were offered and adopted. Adoption of these amendments was reconsidered. Upon reconsideration, the amendments were refused adoption. Notice was then given that on the next legislative day a motion would be made to reconsider the vote whereby the amendments were refused adoption. Upon a question being raised the Speaker ruled that the notice was not in order, following which the bill was passed.

You have asked our opinion as to the correctness of the ruling on the point of order.

It is our opinion that the ruling of the Speaker was correct.

Section 85 of Mason's Manual of Legislative Procedure provides in part that no question may be reconsidered a second time unless it was so materially amended after the first reconsideration that it in fact presents a new question.

In this instance the amendments were considered and adopted. Reconsideration was granted and the amendments were then refused adoption—in each instance by a roll-call vote. There were, in effect, three votes expressing the will of the House upon these amendments. The second motion for reconsideration of the Assembly action on the amendments would merely have delayed the ultimate expression of the will of the Assembly with reference to the bill before it. We believe, therefore, that the Speaker correctly interpreted the rule of procedure, as set forth in Mason's Manual, that the notice of motion to reconsider was not in order.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By LAWRENCE G. ALLYN, Deputy

REPORTS OF STANDING COMMITTEES

Committee on Civil Service and State Personnel

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which was referred:

Assembly Bill No. 2129

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the Committee on Ways and Means.

CALDECOTT, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR SPEAKER: Your Committee on Civil Service and State Personnel, to which was referred:

Assembly Bill No. 2800

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CALDECOTT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which were referred:

Assembly Bill No. 1097
Assembly Bill No. 3022

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CALDECOTT, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which was referred:

Assembly Bill No. 2885

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CALDECOTT, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which was referred:

Assembly Bill No. 1056

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

CALDECOTT, Chairman

Above reported bill ordered to second reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 1883
Assembly Bill No. 2327

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred

Assembly Bill No. 357
Assembly Bill No. 2640

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 964

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1529—An act to amend Section 5050.3 of the Welfare and Institutions Code, relating to emergency admission to institutions of persons who are believed to be mentally ill and to require immediate care and treatment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr Speaker—60.

NOES—Silliman—1

Bill ordered transmitted to the Senate.

Assembly Bill No. 2487—An act to add Section 12607.5 to the Business and Professions Code, relating to designated weight of baled wiping rags.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr Speaker—58

NOES—Cloyed and Dunn—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 723—An act to amend Section 780 of the Probate Code, relating to sale of real property in estates.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 805—An act to amend Section 31555 of the Government Code, relating to the retirement of officers and attaches of municipal and justice courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly,

Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Waters, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1658—An act to amend Section 1463 of the Penal Code, relating to fines and forfeitures.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1783—An act to amend Section 6 of the Judges' Retirement Act, relating to assignment of retired judges.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1265—An act to amend the heading of Article 5 of Chapter 1, Part 3, Division 11, and Section 21188, of the Water Code, relating to deputies and employees of irrigation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1266—An act to amend Section 26881 of the Water Code, relating to irrigation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Mr. Speaker—62.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1267—An act to add Section 21190 to the Water Code, relating to deputies and employees of irrigation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomlinson, Waters, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1611—An act to add Section 3 to an act entitled "An act relating to the application, acceptance and use of funds or assets of the California Rural Rehabilitation Corporation from the trustee thereof" (Chapter 414, Statutes 1949), relating to the purposes for which funds may be used.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—68.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 741—An act to add Section 7190 to the Education Code, relating to the apportionment of the State School Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1577—An act to amend Section 13083 of the California Education Code, relating to the discretion of governing boards in certain districts to classify employees as permanent.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—62

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1153—An act to add Section 11128 of the Water Code, relating to use of water.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3145—An act adding Section 10505.5 to the Water Code, relating to release of priority to, or assignment of, appropriated water.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Nicholson, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 35—Relative to tariffs on wine.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney,

McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—65.

NOES—None.

Resolution ordered transmitted to the Senate.

Request for Unanimous Consent That Assembly Bill No. 14 Hold Place on File

Mr. Conrad asked for, and was granted, unanimous consent that Assembly Bill No. 14 be passed on file, and hold its place on file on the next legislative day.

Assembly Bill No. 3229—An act to amend Section 50 of the Fish and Game Code, relating to game management areas.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Kloeksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 813

Mrs Niehouse asked for, and was granted, unanimous consent that she be permitted to take up consideration of Senate amendments to Assembly Bill No. 813, temporarily passed on the unfinished business file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 813—An act to amend Sections 7302, 7303, 7342, 7343, 7376, 7397, 7442 of, and to repeal Section 7344 of, and to add Sections 7339, 7344, 7345, 7346, 7347, 7393.1, and 7394.1 to, the Business and Professions Code, relating to the practice, regulation, and licensing of cosmetologists, hairdressers, and electrologists.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 813?

Amendment No. 1

On page 2, line 7, of the printed bill, as amended in the Assembly on April 12, 1951, after the period, insert "No member shall succeed himself."

Amendment No. 2

On page 2, line 14, of said bill, as amended, strike out "shall be filled by appointment", and insert "during a term shall be filled".

Amendment No. 3

On page 2 of said bill, as amended, strike out lines 16 to 21, inclusive.

Amendment No. 4

On page 4, lines 43 and 44, of said bill, as amended, strike out "one dollar ($1)", and insert "two dollars ($2)".

Amendment No. 5

On page 4, lines 45 and 46, of said bill, as amended, strike out "one dollar ($1)", and insert "two dollars ($2)".

Amendment No. 6

On page 4, line 50, of said bill, as amended, strike out "one dollar($1)", and insert "two dollars ($2)".

Amendment No. 7

On page 5, line 2, of said bill, as amended, strike out "one dollar ($1)", and insert "three dollars ($3)".

Amendment No. 8

On page 5 of said bill, as amended, after line 8, insert

"SEC. 16. Subdivisions (g), (h), (j), and (*l*) of Section 15 of this act shall become effective January 1, 1952"

Amendment No. 9

On page 2, line 7, of the printed bill, as amended in the Senate on May 11, 1951, strike out "succeed"; and strike out line 8, and insert "serve as a member of the board for more than two consecutive terms"

Amendment No. 10

On page 2, line 15, of said bill, as amended, strike out "during"; and strike out line 16, and insert "shall be filled by appointment within 60 days, and vacancies occurring during a term shall be filled for the unexpired term."

Amendment No. 11

On page 5, line 5, of said bill, as amended, after "of", insert "Section 7442 of the Business and Professions Code as amended by".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 813 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

Assembly Bill No. 813 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3425

Mr. Thomas asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3425, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3425

Assembly Bill No. 3425—An act to add Section 845.1 to the Fish and Game Code, relating to nets.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—66

NOES—None.

Bill ordered transmitted to the Senate.

MEMBER EXCUSED

At 10.50 a.m., Mr. Caldecott asked for, and was granted, unanimous consent that Mr. Dunn be excused, for the balance of the legislative day, because of legislative business elsewhere.

ANNOUNCEMENT

Messrs. Lowrey and Rumford announced that the beautiful flowers on their desks are opium poppies found growing in abundance in the Sacramento area by the State Narcotic Bureau, and urged members to be alert to the dangerous increase in the use of narcotics within the State of California.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS

Senate Bill No. 647—An act to amend Section 28109 of the Government Code, relating to compensation for public services in counties of the ninth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lincoln, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 326—An act to amend Section 16271 of the Education Code, relating to the use of school busses.

Bill read third time.

Demand for Previous Question

Messrs. Silliman, Hinckley, Smith, Cloyed, and Shaw demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 326.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Chapel, Collier, George D Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Hagen, Hawkins, Henderson, Kirkwood, Lincoln, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Rosenthal, Rumford, Sherwin, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—43.

NOES—Burkhalter, Clarke, Cloyed, Coats, Grant, Grunsky, Hahn, Hansen, Hinckley, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Niehouse, Porter, Shaw, Smith, and Stanley—20.

Bill ordered transmitted to the Senate.

Senate Bill No. 1808—An act to amend Sections 10270.7 and 10270.4 of the Insurance Code, relating to insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 33—Relative to foot and mouth disease.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—63.

NOES—None.

Resolution ordered transmitted to the Senate.

Senate Concurrent Resolution No. 67—Relative to scarcity of skilled milkers.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—63.

NOES—None.

Resolution ordered transmitted to the Senate.

Senate Bill No. 209—An act to amend the title of Article 3 of Chapter 4, Part 1, Division 6, and Section 6357 of the Public Resources Code, relating to procedure on establishment of ordinary high-water and low-water marks.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—61.

Bill ordered transmitted to the Senate.

Senate Bill No. 1549—An act to amend Section 1462.2 of the Penal Code, relating to procedure after arrests for misdemeanors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 143

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 143, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 143

Senate Bill No. 143—An act to amend Section 5075 and to add Sections 5076.1 and 5076.2 to the Penal Code, relating to the Adult Authority.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, and Waters—66.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 87

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 87, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 87

Senate Bill No. 87—An act to amend Sections 629 and 659 of the Code of Civil Procedure, relating to judgments notwithstanding the verdict.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen,

Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 646

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 646, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 646

Senate Bill No. 646—An act to amend Section 476a of the Penal Code, relating to certain instruments.

Bill read third time.

Motion That Senate Bill No. 646 Be Re-referred to Committee

Mr. Coats moved that Senate Bill No 646 be withdrawn from third reading file, and be re-referred to the Committee on Judiciary.

Mr. George D. Collins seconded the motion.

Roll Call Demanded

Messrs. Waters, Doyle, and Evans demanded a roll call.

The roll was called, and the motion that Senate Bill No. 646 be withdrawn from file, and be re-referred to committee lost by the following vote:

AYES—Berry, Chapel, Clarke, Coats, George D. Collins, Condon, Davis, Elliott, Erwin, Hagen, Hahn, Hawkins, Henderson, Lowrey, McFall, Morris, Parker, Sillman, and Thomas—19.

NOES—Beck, Brown, Burke, Caldecott, Cloved, Collier, Connolly, Conrad, Cooke, Dolwig, Doyle, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hinckley, Kirkwood, Klocksiem, Lanterman, Levering, Luckel, Maloney, McGee, McMillan, Moss, Munnell, Niehouse, Porter, Rosenthal, Shaw, Smith, Stanley, Tomlinson, and Waters—36.

The question being on the passage of Senate Bill No. 646.

Request for Unanimous Consent to Expunge Record, and Rescind Action on Senate Bill No. 646, and Re-refer to Committee

Mr. Lindsay asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on this day, refused passage to Senate Bill No. 646; and that Senate Bill No. 646 be re-referred to the Committee on Judiciary.

Senate Bill No. 646 ordered re-referred to the Committee on Judiciary.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 220—An act to amend Sections 736.1-1 and 736.11 of the Agricultural Code, relating to stabilization and marketing of fluid milk and fluid cream.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—63.

NOES—George D. Collins and Elliott—2.

Bill ordered transmitted to the Senate.

Senate Bill No. 1719—An act to amend Section 924 of the Fish and Game Code, relating to nets, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—69.

NOES—None

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—69.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 966—An act to repeal Section 28483 of, and to add a new Section 28483 to the Health and Safety Code, relating to packing of olive oil and distribution records of olive oil processors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—Stewart—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 973—An act to amend Sections 7619, 7641, and 7665 of, and to add Sections 7610 and 7708 to, the Business and Professions Code, relating to the regulation of funeral directors and embalmers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 210—An act to amend Section 6301 of the Public Resources Code, relating to jurisdiction and authority of the State Lands Commission.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 945—An act to amend Section 1500 of the Welfare and Institutions Code, relating to aid to needy children in respect to the definition of needy child.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 65: By Messrs. Lowrey and Stanley—Relative to study and investigation of the feasibility of an overall program of aviation education.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 2299

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bill ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 312

Mr. Thomas asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 312, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 312

Senate Bill No. 312—An act to amend Sections 5312, 5324, and 5325 of the Business and Professions Code, relating to outdoor advertising.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—65.

NOES—Coats and Hagen—2.

Bill ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Levering:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 11610, 11612, 11614, 11619, 11622 and to repeal Sections 11620 and 11621 of the Health and Safety Code, relating to the unlawful transportation, keeping, depositing, concealment, and possession of narcotics in vehicles.

Respectfully submitted.

HAROLD K. LEVERING

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER: Your committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Levering:

An act to amend Sections 11610, 11612, 11614, 11619, 11622 and to repeal Sections 11620 and 11621 of the Health and Safety Code, relating to the unlawful transportation, keeping, depositing, concealment, and possession of narcotics in vehicles.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Holl-baugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lips-comb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sher-win, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—72.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3437: By Mr. Levering—An act to amend Sections 11610, 11612, 11614, 11619, 11622 and to repeal Sections 11620 and 11621 of the Health and Safety Code, relating to the unlawful transportation, keeping, depositing, concealment, and possession of narcotics in vehicles.

Referred to Committee on Public Health.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Senate Bill No. 572, on motion of Mr. Brown.

RESOLUTIONS

The following resolutions were offered:

By Mr. Dickey:

House Resolution No. 147

Resolved, That the Controller be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Western Union (telegrams)	$99.75
Martyrs' (supplies)	2 11
International Roll-Call Corporation (roll call cards and freight)	218.95
Department of Finance (typewriter service)	21.73
Department of Finance (supplies)	45.37

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 147, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Waters, and Mr. Speaker—66.

NOES—None.

By Messrs. Beck, Hollibaugh, Rosenthal, Hinckley, Cooke, Shaw, Stanley, Babbage, Tomlinson, Luckel, and Kelly:

House Resolution No. 148

Relating to memorializing the Federal Government to locate Regional Mobilization Offices at Los Angeles

WHEREAS, Optimum efficiency of any agency in constant contact with the population of several localities is attained only by location in the most populous locality, whether or not other areas are in that same jurisdiction; and

WHEREAS, The highest degree of autonomy for finality of decision consistent with national direction, furnished by a regional office, must exist at that location; and

WHEREAS, In the Western States, Los Angeles is the most populous area; the Southern California area contains 42 percent of the population, 46 percent of industrial production, and is performing 70 percent of the present war contracts of the three coastal states; and

WHEREAS, In World War II Los Angeles was the second largest war industry center in the Nation; its rate of increase has been the most phenomenal in the Nation; its retail demand is third nationally; and

WHEREAS, For Los Angeles the closest regional office administering the Defense Mobilization Program is 400 miles away; and

WHEREAS, Unnecessary expenditure of time and funds in travel and phone calls by private citizens and by the government, as in the last war, threatens to result again, unless such a regional office is located in Los Angeles; and

WHEREAS, Such inefficient extension of transportation and communication creates military vulnerability; and

WHEREAS, Regional offices could be established in Los Angeles at the present district offices with a modicum of expense to be saved by the elimination of a step in administration of the program for the most important area in the Western States; now, therefore, be it

Resolved by the Assembly of the State of California, That the President and Administrators of the Defense Mobilization Program be respectfully memorialized to establish a regional office in Los Angeles for the Southern California-Arizona region; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to Honorable Harry S Truman, President of the United States, David Stow, Administrative Assistant to the President at the Old State Building, Oscar Chapman, Secretary of the Interior, Eric Johnston, Economic Stabilization Administrator, William H. Harrison, Defense Production Administrator, Michael DiSalle, Director of Price Stabilization, Charles E Wilson, Director of Defense Mobilization, and Harry R. Sheppard, M. C., Chairman, California Delegation, all in Washington, D. C.

Resolution read, and ordered referred to the Committee on Rules.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Constitutional Amendment No. 26—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1a of Article XIII thereof, relating to the taxation of property of educational institutions of collegiate grade.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant,

Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—69.

NOES—None

Resolution ordered transmitted to the Senate.

Senate Bill No. 213—An act to add Section 6358 to the Public Resources Code, relating to the surveys of state lands granted by the Legislature.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3101

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 382

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 382, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 382

Senate Bill No. 382—An act to amend Section 53732 of the Government Code, relating to capital outlay funds of local agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Dickey, Dills, Dolwig, Doyle, Gaffney, Grant, Grunsky, Hahn, Hansen, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Maloney, McCollister, McGee, Meyers, Morris, Niehouse, Porter, Rosenthal, Rumford, Sherwin, Stewart, Thomas, Waters, and Mr. Speaker—41

NOES—Burke, Conrad, Cooke, Fleury, Geddes, Hinckley, Lowrey, Luckel, and Shaw—9.

Bill ordered transmitted to the Senate.

ANNOUNCEMENTS

Mr. Maloney announced that today is the birthday of Mr. Cooke, and expressed, on behalf of all Members of the Assembly, best birthday wishes.

Mr. Cooke expressed appreciation for the kind thoughts expressed, and announced that, as Mr. Henderson's birthday has gone by unnoticed, he desires to express to him, also, best birthday wishes.

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 88

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CLARKE, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 37—Relative to the naming of the James Lick Memorial Freeway;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the eighteenth day of May, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 696—An act to amend Section 5024 of the Streets and Highways Code, relating to the definition of incidental expenses as used in the Improvement Act of 1911;

Assembly Bill No. 909—An act to add Section 30.06 to the Public Utility District Act, authorizing public utility districts to cooperate and contract with and to borrow or procure money from the United States;

Assembly Bill No. 2125—An act to add Section 262 to the Agricultural Code, relating to bovine brucellosis;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighteenth day of May, 1951, at 11 a m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 29—Relative to memorializing the Congress of the United States in relation to the furnishing of federal assistance, including arms, ammunition, clothing and equipment, to the California Defense and Security Corps and/or the California National Guard Reserve;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the eighteenth day of May, 1951, at 11 a.m.

BURKE, Chairman

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 321

Mr. Levering asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 321, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 321

Senate Bill No. 321—An act to amend Sections 2601 and 2619 of the Elections Code, relating to declaration of candidacy.

Bill read third time.

Demand for Previous Question

Messrs. Collier, Morris, Hinckley, Dickey, and Burke demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 321.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

NOES—George D. Collins, Condon, Elliott, Hawkins, McMillan, Parker, and Rosenthal—7.

Bill ordered transmitted to the Senate.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 3410, on request of Mr. Geddes.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 302	Assembly Bill No. 1144
Assembly Bill No. 895	Assembly Bill No. 1579

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 321	Assembly Bill No. 1183
Assembly Bill No. 540	Assembly Bill No. 1534
Assembly Bill No. 710	Assembly Bill No. 3326
Assembly Bill No. 971	

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills Nos. 710, 971, 3326, and 302 re-referred to the Committee on Judiciary.

Assembly Bill No. 521 re-referred to the Committee on Finance and Insurance.

Assembly Bills Nos. 540 and 1183 re-referred to the Committee on Agriculture.

Assembly Bills Nos. 1144, 1534, 895, and 1579 re-referred to the Committee on Public Health.

Senate Bill No. 1560 re-referred to the Committee on Judiciary.

Senate Bill No. 953 re-referred to the Committee on Ways and Means.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Speaker Sam L. Collins, the usual courtesies of the Assembly for this day were unanimously extended to James Utt of Santa Ana.

On request of Mr. Cooke, the usual courtesies of the Assembly for this day were unanimously extended to Walter "Bill" Hoffman of Ventura.

On request of Mr. Thomas, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Coy White of Torrance.

On request of Mr. Dolwig, the usual courtesies of the Assembly for this day were unanimously extended to Jack Smith of Burlingame, Mrs. Walter V. Coleman, Jr., and Lt. Walter V. Coleman, Jr., of Westfield, New Jersey.

On request of Mr. Kelly, the usual courtesies of the Assembly for this day were unanimously extended to Patsy Kelly of Stanford University and John Kelly and Earl Gibbons of University of California.

ADJOURNMENT

At 12 17 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Monday, May 21, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SIXTY-THIRD LEGISLATIVE DAY

EIGHTY-SEVENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, May 21, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—76.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Grant Us, Heavenly Father, The gracious blessing of Thy presence, for the deliberations of this day.

We pray for guidance for the President of the United States, Members of the Congress, our Governor, the Members of this Legislature, and those who are making the many important decisions in these hours of destiny. Enrich our lives with those virtues that fill the long day with satisfaction and endow us with a keen understanding and strength of character

As we look upon our Flag, remind us of our duty to God and our fellowmen.

"O Son of man, who walked each day
A humble road, serene and strong,
Go with me now upon life's way,
My comrade all the journey long
O Son of God, who came and shed
A light for all the ages long,
Thy company shall make me glad,
Thy fellowship shall keep me strong."

Through Jesus Christ, our Lord —AMEN.

REQUEST FOR UNANIMOUS CONSENT THAT NAME OF MEMBER ATTENDING MEETING OF COMMITTEE ON PUBLIC WORKS BE PLACED UPON MORNING ROLL CALL

Mr. Waters asked for, and was granted, unanimous consent that the name of a member attending the meeting of the Committee on Public Works, at this time, be placed upon the morning roll call as follows:

Mr. Stewart.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Dickey, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Thomas, on motion of Mr. Porter.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Gubser, on motion of Mr. Kirkwood.

Mr. Hollibaugh, on motion of Mr. Hinckley.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly then gave the pledge of allegiance to the Flag.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO 14, May 19, 1951

Mr. Arthur A. Ohnimus
Chief Clerk of the Assembly
Sacramento, California

DEAR MR. OHNIMUS: In accordance with the request stated in your letter of May 18th, I am returning herewith Assembly Bill No. 550 for further consideration by the Assembly.

Sincerely,

BEACH VASEY, Legislative Secretary

ACKNOWLEDGMENT OF RECEIPT OF ASSEMBLY BILL NO. 550

Received from Beach Vasey this nineteenth day of May, 1951, two copies of Assembly Bill No. 550 which were received in this office on May 16, 1951.

ARTHUR A. OHNIMUS
Chief Clerk of the Assembly

UNANIMOUS CONSENT GRANTED TO RECALL ASSEMBLY BILL NO. 550 FROM ENROLLMENT

Mr. Kirkwood asked for, and was granted, unanimous consent that the Chief Clerk be instructed to request the return from enrollment of Assembly Bill No. 550.

COMMUNICATIONS

By the Chief Clerk:

A communication from A. W. Harris, Chairman, General Committee, Brotherhood of Railroad Trainmen, San Francisco, wholeheartedly endorsing Assembly Joint Resolution No. 30 and the action taken by

the California Legislature on May 9, 1951, was received, and ordered filed with the Secretary of State.

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
WASHINGTON, D. C., May 16, 1951

Mr. Arthur A. Ohnimus, Chief Clerk
California Legislature
State Capitol, Sacramento 14, California

DEAR SIR: Your letter of May 11, 1951, incorporating Assembly Joint Resolutions Nos. 28 and 30 noted

As Chairman of the California Delegation I want to express my appreciation for the comments contained in Joint Resolution 30 relative to the Central Arizona Project. Every member of the Delegation has applied himself most studiously to the defeat of the project and we now intend to apply the same effort in getting the Supreme Court to adjudicate the policy pertaining to the Colorado River Compact

Joint Resolution 28 will be brought to the attention of the Delegation at its first meeting.

Your sincerely,

HARRY R. SHEPPARD, M. C.

By the Chief Clerk:

A communication from William H. Darden, Chief Clerk, United States Senate, acknowledging receipt of a copy of Assembly Joint Resolution No. 28, which was referred to the Armed Services Committee of Congress, was received, and ordered filed with the Secretary of State.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 733
Assembly Bill No. 1097
Assembly Bill No. 3022

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 55
Assembly Bill No. 2601
Assembly Bill No. 2802

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2914
Assembly Bill No. 3159

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 549
Assembly Bill No 585
Assembly Bill No. 599
Assembly Bill No. 950
Assembly Bill No. 1074
Assembly Bill No. 1098
Assembly Bill No. 1192
Assembly Bill No. 1241
Assembly Bill No. 1245
Assembly Bill No 1609
Assembly Bill No. 1645
Assembly Bill No. 1647
Assembly Bill No. 1649
Assembly Bill No 1650
Assembly Bill No. 1773
Assembly Bill No 1940
Assembly Bill No 2763
Assembly Bill No. 3372
Assembly Bill No. 3416

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 18, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No 94
Assembly Bill No. 272
Assembly Bill No 694
Assembly Bill No 1670
Assembly Bill No 1771
Assembly Bill No. 1772
Assembly Bill No. 1786
Assembly Bill No. 2282
Assembly Bill No. 2764

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 18, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No 34

J A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Joint Resolution No. 34—Relative to memorializing Congress to refuse the passage of H. R. 3348.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 3368—An act conveying certain tidelands and lands lying under inland navigable waters, situate in San Francisco Bay to the City of Sausalito, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof, reserving rights to the State

J A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Assembly Bill No. 3368 ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 18, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No 33
Assembly Concurrent Resolution No 57
Assembly Concurrent Resolution No 61

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 18, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 304
Senate Bill No. 566
Senate Bill No. 762
Senate Bill No. 848
Senate Bill No. 850
Senate Bill No. 1453
Senate Bill No. 1552

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 304—An act to amend Section 28149 of the Government Code, relating to compensation for public service in counties of the forty-ninth class.

Referred to Committee on Municipal and County Government.

Senate Bill No. 566—An act to validate the organization, boundaries, governing officers or boards, acts, proceedings, elections, and bonds of public bodies as herein defined.

Referred to Committee on Municipal and County Government

Senate Bill No. 762—An act to amend Section 30507 of the Water Code, relating to county water districts.

Referred to Committee on Agriculture.

Senate Bill No. 848—An act to amend Sections 30004, 30005, 30006, 30008, 30100, 30101, and 30155 of the Streets and Highways Code, relating to toll bridges, subways, tunnels, tubes, ferries and highways

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 850—An act to provide for the organization, incorporation and government of municipal corporation tunnel authorities, authorizing and empowering such authorities to acquire, construct, operate and manage tunnels or tubes under, through or across waters, straits, bays, arms of bays, rivers, estuaries or streams of water which are within or bound or lie or border upon any municipal corporation in this State, to issue revenue bonds to pay for the acquisition and construction of such tunnels or tubes, and to charge and collect charges or tolls for the use of said tunnels or tubes.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1453—An act to amend Section 745.2 of the Agricultural Code, relating to the California Dairy Industry Board.

Referred to Committee on Agriculture.

Senate Bill No. 1552—An act to add Section 1192.4 to the Insurance Code, relating to investments of insurers

Referred to Committee on Finance and Insurance.

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 733—An act to amend Sections 8352, 8354 and 8355 of, and to repeal Sections 8356, 8357 and 8358 of the Revenue and

Taxation Code, and to add Section 28 to the State Aeronautics Commission Act, relating to aviation and airports and the financing thereof, including revenue from taxes on motor vehicle fuel.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1097—An act to amend Sections 18523, 18801, and 19052 of the Government Code and to repeal Sections 18523.5, 18802.5, and 19052.5 to said code, relating to classes and grades in the state civil service.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3022—An act to amend Section 19330 of the Government Code, relating to leaves of absence for civil service employees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1111—An act adding Sections 35002, 35003, 35004, 35005, 35158, 35214, and 35235 to, and amending Section 35101 of, the Government Code, relating to the annexation of territory to municipal corporations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "35002, 35003, 35004, 35005, 35158, 35214 and 35235 to, and amending Section 35101", and insert "35002.5, 35003, 35158 and 35326 to, and amending Sections 35101 and 35313".

Amendment No. 2

In line 4 of the title of said bill, after "corporations", insert ", declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 1, line 1, of said bill, strike out "35002", and insert "35002.5".

Amendment No. 4

On page 1, line 3, of said bill, strike out "35002", and insert "35002.5"

Amendment No. 5

On page 1, line 5, of said bill, strike out the colon; and in line 6, strike out "(a) A", and insert "a".

Amendment No. 6

On page 1, line 9, of said bill, strike out ", or", and insert a period; and strike out lines 10 to 23, inclusive; and on page 2, strike out lines 1 to 14, inclusive.

Amendment No. 7

On page 2, line 15, of said bill, strike out "35005", and insert "SEC. 2. Section 35003 is added to the Government Code, to read: 35003."

Amendment No. 8

On page 2, line 17, of said bill, strike out "35002", and insert "35002.5"

Amendment No. 9

On page 2, line 20, of said bill, strike out "SEC. 5", and insert "SEC. 3".

Amendment No. 10

On page 2, line 25, of said bill, strike out "SEC. 6", and insert "SEC. 4".

Amendment No. 11

On page 2, line 29, of said bill, strike out "either;" and insert "completely surrounded by such city."

Amendment No. 12

On page 2 of said bill, strike out lines 30 to 42, inclusive, and insert

"SEC. 5. Section 35313 of the Government Code is amended to read:

35313. At the time set for hearing protests the legislative body shall hear and pass upon all protests so made If protest is made by the owners of one-half of the value of the territory as shown by the last equalized assessment roll, *or if protest is made by public and private owners equal to one-half of the value of the territory proposed to be annexed as determined by the legislative body*, further proceedings shall not be taken.

SEC. 6. Section 35326 is added to said code to read:"

Amendment No. 13

On page 2, line 43, of said bill, strike out "35235", and insert "35326".

Amendment No. 14

On page 2, line 45, of said bill, strike out "either;" and insert "completely surrounded by such city."

Amendment No. 15

On page 2 of said bill, strike out lines 46 to 48, inclusive, and insert

"SEC. 7. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

This act is primarily designed to more strictly regulate the annexation of territory to a city. While such legislation has long been considered desirable, the need for it has become a matter of immediate urgency in connection with the programs for the reorganization of the inferior court system and for state school building aid, both of which programs were initiated as amendments to the California Constitution and which are of primary importance to all of the State.

Both of such programs are adversely affected by annexations effected by means which this act will prevent or discourage. In the case of the inferior court reorganization the designation of the judicial districts into which the State will be divided is made more difficult when the territory of a city is connected by narrow strips of land. It is essential to the orderly functioning of the judicial system that changes in territory of judicial districts be reduced to a minimum.

When territory is annexed to a city the boundaries of school districts which include such territory may also be affected, since in certain cases territory annexed to a city becomes part of the city school district.

Under certain circumstances, since October, 1950, a conditional apportionment to a school district for state school building aid becomes void, and the district receives no state money under such apportionment if part of the district is annexed to another school district In many cases this works great hardship on the district which has complied with all the requirements for state school building aid In order to forestall this hardship on other school districts it is essential that changes in the territory of school districts be reduced to a minimum. It is therefore necessary that this act take effect immediately."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1883—An act to amend Sections 8354, 8355, 8356, and 8357 of the Revenue and Taxation Code and to repeal Section 8 of an act entitled "An act to amend Section 8352 of, and to add Sections 8354 to 8358, inclusive, to, the Revenue and Taxation Code, relating to aviation and airports and the financing thereof, including revenue from taxes on motor vehicle fuel," approved July 29, 1949, relating to the tax on motor vehicle fuel.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "repeal", and insert "amend".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 2, line 37, of said bill, strike out "repealed.", and insert "amended to read:

SEC. 8. Sections 1, 3, 4, and 5 of this act shall become effective on the ninety-first day following the adjournment of this session of the Legislature, but shall not become operative until January 1, 1950, at which time they shall become operative with respect to all taxes for which a return has been or should have been filed pursuant to Section 7651 of the Revenue and Taxation Code on or after October 1, 1949, together with any interest and penalties accruing in connection therewith

All sections of this act, other than Sections 1, 3, 4, and 5, shall become effective and operative on the ninety-first day following the adjournment of this session of the Legislature.

All sections of this act shall remain in effect until the *end of the first quarterly period following the* ninety-first day after adjournment of the [1951] *1953* Regular Session of the Legislature, at which time they shall become nonoperative unless extended by further act of the Legislature."

Amendment No. 3

On page 2 of said bill, strike out line 38, and insert

"SEC 6. Section 5 of this act becomes operative at the".

Amendment No. 4

On page 2, line 39, of said bill, strike out "7", and insert "4".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2327—An act to amend Section 214 of the Revenue and Taxation Code, relating to exemptions from property taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 214 of", and insert "add Sections 214.3 and 214.4 to".

Amendment No. 2

On page 1, lines 1 and 2, of said bill, strike out "214 of the Revenue and Taxation Code is amended", and insert "214.3 is added to the Revenue and Taxation Code,".

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 24, inclusive; strike out all of page 2, and insert

"214.3. In the event that any property described in subdivision (6) of Section 214 shall have been used solely for religious, charitable, scientific or hospital purposes for a minimum period of 20 years, the "welfare exemption" granted by Section 214 shall extend to such property irrespective of any reversionary provisions in the title of the property respecting liquidation, dissolution or abandonment, if the ownership, operation, use and dedication of the property are otherwise within the purview of Section 214.

SEC. 2. Section 214.4 is added to said code, to read:

214.4. Property used exclusively for school purposes of less than collegiate grade, or exclusively for purposes of both schools of and less than collegiate grade, and owned and operated by religious, hospital or charitable funds, foundations or corporations, which property and funds, foundations or corporations meet all of the requirements of Section 214, shall be deemed to be within the exemption provided for in Section 1c of Article XIII of the Constitution of the State of California and Section 214. This section shall not be construed to enlarge the college exemption."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2885—An act to add Section 20630.1 to the Government Code, relating to prior service credit of members of the State Employment Retirement System, where service has been performed for a local public agency.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 20630.1 to", and insert "Article 6, comprising Sections 20930 to 20934, inclusive, to Chapter 7 of Part 3 of Division 5 of Title 2 of".

Amendment No. 2

In the title of said bill, strike out line 2, and insert "to the State Employees' ".

Amendment No. 3

In lines 3 and 4 of the title of said bill, strike out ", where service has been performed for a local public agency.", and insert "in respect to credit for service to local public agencies."

Amendment No. 4

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Article 6, comprising Sections 20930 to 20934, inclusive, is added to Chapter 7 of Part 3 of Division 5 of Title 2 of the Government Code, to read:

Article 7. Local Service

20930. As used in this article, "local service" means service rendered as an officer or employee of a public agency maintaining a locally administered retirement system for its officers and employees, for which service the officer or employee received compensation from the public agency, and with respect to which he does not continue to receive credit in the locally administered retirement system or in this system, *under contract between the public agency and this system, after he becomes* a member of this system.

20931. Any member of this system who was in local service before entering state service has the right to elect, by written election filed with the board within one year after the effective date of this article or within one year after becoming a member of this system, whichever is later, to make contributions pursuant to Section 20932 for, and to receive credit in this system as state service for, all or any part of the time he was in local service. However, a member shall not receive credit as state service for any portion of his local service constituting prior service unless he has elected to make, and has made, contributions pursuant to Section 20932 for all of his local service constituting current service.

20932. Any member of this system who elects pursuant to Section 20931 to make contributions and receive credit as state service for all or any part of the time he was in local service shall contribute to the Retirement Fund, prior to the effective date of his retirement, by lump sum payment or by installment payments over a period not in excess of the length of time for which the member has elected to receive credit for local service as state service, at times and in a manner fixed by the board, an amount equal to the sum of (1) the contributions he would have made to the Retirement Fund if he had been in state service during the time he was in local service and for which he has elected to receive credit for state service, computed by applying the rate of contribution first applicable to him upon commencement of his membership in this system to the monthly compensation first earnable by him at the time of commencement of his membership multiplied by the number of months of local service for which he has elected to receive credit for state service and which will constitute current service under this system, (2) the contributions that would have been made by the State in respect to him if he had been in state service during the time he was in local service and for which he has elected to receive credit for state service, excluding any such contributions with respect to prior service, computed by applying the rate of state contribution with respect to *members of his category at the time of commencement of his membership in* this system to the monthly compensation first earnable by him at said time of commencement of his membership in this system multiplied by the number of months of local service for which he has elected to receive credit for state service and which will constitute current service under this system, and (3) the interest which would have accrued to such member contributions and such state contributions if they had been made on the date of commencement of membership of the member in this system, from that date until the completion of payment of those contributions, computed at the current interest rate.

At the time of his retirement a member shall not receive credit as state service for any local service in excess of that for which he has completed payment of contributions as provided in this section. Any member who has elected to make such contributions by installment payments may, at any time prior to the effective date of his retirement, complete payment of such contributions by lump sum payment. All contributions made pursuant to this section shall be considered to be, and shall be administered as, normal contributions by the member

20933. Upon completion of contribution of the amount specified in Section 20932, the member shall be credited with state service in the amount of local service for which he has elected to receive credit as state service. The state service with which the member is so credited shall be credited as current service, or prior service, or both, as it would be credited if the member had been in the state service during the time he was actually in local service.

20934. The exercise by a member of the right of election specified in Section 20931 shall not require any public agency by which the member was employed before commencement of his membership in this system to make any contributions to this system."

Amendment No. 5

On page 1 of said bill, strike out lines 2 to 23, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1072—An act making an appropriation for the repair and restoration of county roads damaged or destroyed by storms or floods, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "making an appropriation for", and insert "to amend Sections 1 and 3 of an act entitled "An act making an appropriation from the Emergency Fund specified in Item 277 of the Budget Act of 1950, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, declaring the urgency thereof, to take effect immediately," approved April 25, 1951, relating to".

Amendment No. 2

In line 2 of the title of said bill, strike out "county roads", and insert "property".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 26, inclusive; and on page 2, strike out lines 1 to 13, inclusive, and insert

"SECTION 1. Section 1 of the act cited in the title hereof is amended to read:

Section 1. There is hereby appropriated out of those funds in the Emergency Fund specified in Item 277 of the Budget Act of 1950, appropriated by Chapter 13 of the Statutes of 1951, the sum of one hundred [forty-five] *ninety-seven* thousand five hundred dollars [($145,500)] *($197,500)* to the Department of Finance, to be expended for repair and restoration of property damaged by storms or floods, seventy-five thousand five hundred dollars ($75,500), or so much thereof as may be necessary, to be allocated to the County of Mono to construct a new bridge on County Road No. 606 and to construct a new bridge, remove an old bridge and provide channel protection and grade approach work on County Road No 604 [and], seventy thousand dollars ($70,000), or so much thereof as may be necessary, to be allocated to the Mariposa Public Utility District, to restore the Stockton Creek Dam in Mariposa County, *and fifty-two thousand dollars ($52,000), or so much thereof as may be necessary, to be allocated to the County of Sierra to restore County Primary Road No. 5 and provide channel protection therefor, to restore County Secondary Road No. 308 and replace a bridge thereon, and restore County Secondary Road No. 504 and replace a bridge thereon.*

SEC. 2. Section 3 of said act is amended to read:

SEC. 3. It is the intent of the Legislature that the requirement of local matching for funds appropriated by Item 277 of the Budget Act of 1950 as amended is waived only for the purpose of alleviating extreme hardship in the case of [two] *three* counties which, after investigation by the Department of Finance and the Legislative Auditor and the issuance of a letter by the Governor as to the emergency within Section 34 of Article IV of the Constitution, have been determined to be priority cases for aid in repair of flood damage and have been determined to be without the ability to provide such aid by local sources.

SEC. 3. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are

Facilities for the furnishing of governmental services necessary to the public health and safety of the people of this State were damaged and destroyed by recent storms and floods. In some areas, people have been isolated from their schools, stores, shops, and means of livelihood because of the destruction of and damage to bridges on county roads and in other areas, damage to the water supply and fire protection facilities has endangered the public health and safety.

In order that funds be made available for the immediate repair and restoration of these facilities and to remove a present threat to the public health and safety, it is necessary that this act take effect immediately "

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1302—An act to amend Sections 697, 699, and 701 of the Vehicle Code, relating to height and length, loads and towing of vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 8, of the printed bill, after the period, insert

'This provision shall not apply where the combination of vehicles includes a pole or pipe dolly being used to transport steel rods "

Amendment No. 2

On page 2 of the printed bill, strike out lines 48 to 50, inclusive.

Amendment No. 3

On page 1, line 6, of the printed bill, after "feet", insert ", except semitrailers of not to exceed 40 feet in length may be operated on the designated sections of the following interstate highways and by the most direct route to and from cities and towns adjacent thereto: U. S. 99—Calexico to Oregon border; U. S. 40—San Francisco to Nevada border; U. S. 50—San Francisco to Stockton; U. S. 97—Weed to Oregon border; U. S. 6—San Pedro to Nevada border; U. S. 91—Long Beach to Nevada border; U. S. 66—Santa Monica to Arizona border; U. S. 60—Los Angeles to Arizona border; U. S. 80—San Diego to Arizona border; U. S. 101—San Diego to Hamilton Field; U. S. 395—San Diego to Nevada border.

Semitrailers over 35 feet in length shall not exceed 32 feet from the center of the turning axis (king pin) to the center of the rearmost axle".

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

Assembly Bill No. 357—An act to add Section 6006.1 to the Revenue and Taxation Code, relating to the taxation of the privilege of selling and of storing, using or otherwise consuming tangible personal property.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "(a)".

Amendment No. 2

On page 1 of said bill, strike out lines 9 to 13, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 2640—An act to amend Sections 105 and 106 of the Revenue and Taxation Code, relating to the definitions of improvements and personal property.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

Strike out the title of the printed bill, and insert

"An act to add Sections 6386 and 6404 to the Revenue and Taxation Code, relating to exemptions from sales and use taxes."

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 6386 is added to the Revenue and Taxation Code, to read:

6386. The preparation and furnishing of official copies of public records, documents or maps by any officer, department or employee of the State or of any county, city and county, city, or special district shall not be subject to the provisions of this part known as the "Sales and Use Tax Law."

SEC. 2. Section 6404 is added to the Revenue and Taxation Code, to read:

6404. The preparation and furnishing of official copies of public records, documents or maps by any officer, department or employee of the State or of any county, city and county, city, or special district shall not be subject to the provisions of this part known as the "Sales and Use Tax Law." "

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 25, inclusive.

Amendment No. 4

On page 2 of said bill, strike out lines 1 to 9, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 1056—An act to add Section 18021.5 to the Government Code, relating to overtime for state employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 18021.5 to", and insert "amend Sections 11020 and 11021 of".

Amendment No. 2

Strike out line 2 of the title of said bill, and insert "to operation of state offices."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out all of lines 1 to 7, inclusive, and insert

"SECTION 1. Section 11020 of the Government Code is amended to read:

11020 Unless otherwise provided by law, all offices of every state agency, except the State Compensation Insurance Fund, shall be kept open for the transaction of business from 8 o'clock a.m. until 5 o'clock p.m. of each day *from Monday to Friday both inclusive*, other than legal holidays, but the office of Treasurer shall close one hour earlier [.], *provided, however, any state agency or division, branch or office thereof may be kept open for the transaction of business on other hours and on other days than those specified herein*.

SEC. 2. Section 11021 of the Government Code is amended to read:

11021. [A] *When a state agency is open or operates on Saturday such* state agency may operate with a skeleton crew from 9 o'clock a.m. to 12 o'clock noon of *each Saturday if the total number of hours per week of its employees is not less than* the total number of office hours established in this article."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Civil Service and State Personnel.

Assembly Bill No. 2129—An act to amend Sections 20013 and 20014 of and to add Sections 20017.7, 21020.7, 21290.7, 21292.7, and 21363.7 to the Government Code, relating to the State Employees' Retirement System, in respect to certain law enforcement personnel of the Department of Justice.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

On page 1, line 21 of the printed bill, strike out "includes", and insert "means only those".

Amendment No. 2

On page 1 of said bill, strike out lines 22 and 23; and on page 2, strike out lines 1 to 5, inclusive, and insert "employed in the Bureau of Criminal Identifi-".

Amendment No. 3

On page 2, line 10, of said bill, after "personnel", insert "or those whose principal duties are clerical or otherwise and which do not clearly fall within the scope of active law enforcement service, even though such a person is subject to occasional call, or is occasionally called upon to perform duties within the scope of active law enforcement".

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 964—An act to amend Section 5837 of the Streets and Highways Code, relating to county maintenance districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 5837", and insert "Sections 2824 and 5720".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "county maintenance districts", and insert "special assessment proceedings".

Amendment No. 3

On page 1, line 1, of the printed bill, strike out "5837", and insert "2824".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of the printed bill, between lines 2 and 3, insert

"SEC. 2824. The legislative body shall cause a written report upon the proposed improvement or acquisition to be prepared for it. The legislative body of a county may require the county surveyor *or the county road commissioner* to procure the required information and prepare the report, and the legislative body of a city may require the city engineer or the superintendent of streets to procure the required information and prepare the report. In lieu of the county surveyor, *county road commissioner*, city engineer or superintendent of streets, the legislative body of the city or county may employ any competent person to procure such information and prepare the report

SEC. 2. Section 5720 of the Streets and Highways Code is amended to read:

Sec. 5720. If a county is conducting the proceedings the legislative body may [appoint] *designate the county road commissioner or* any *other* competent county officer, other than the county surveyor, *to serve* without *additional* compensation *from the county*, as the officer to perform any or all of the duties conferred upon the street superintendent or the engineer in this division. *The duties thus transferred shall be the duties of the officer so designated, and all of the provisions of this division relating to such duties and to the incidental expenses thereof shall apply to such officer.*"

Amendment No. 5

On page 1 of the printed bill, strike out lines 3 to 30, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government

Assembly Bill No. 1204—An act to repeal Chapter 5, consisting of Sections 7100 to 7111, of Part 4 of Division 6 of the Welfare and Institutions Code and to add Chapter 5, consisting of Sections 7100 to 7110, to Part 4 of Division 6 of the Welfare and Institutions Code, relating to the establishment and maintenance of two state research centers for alcoholism, providing for the admission of persons thereto and the release of persons therefrom, providing for the powers and duties of the Department of Mental Hygiene in respect thereto, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 4, lines 26 and 27, of the printed bill, as amended in the Assembly on March 22, 1951, strike out "four million four hundred thousand dollars ($4,400,000)", and insert "eight hundred sixty thousand dollars ($860,000)".

Amendment No. 2

On page 4, line 30, of said bill, strike out "the construction and equipment", and insert "major construction, improvements, and equipment, design, preliminary plans and specifications necessary for the establishment".

Amendment No. 3

On page 4, line 31, of said bill, after "alcoholism", insert "and for the establishment and operation of outpatient clinics as".

Amendment No. 4

On page 4 of said bill, strike out lines 34 to 38, inclusive, and insert "Of the money appropriated by this act not more than four hundred thousand dollars ($400,000) is available for the establishment and operation of outpatient clinics."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1623—An act to amend Sections 20864, 20921, 20922, 21253, 21258, 21296, 21298, 21361, 21362, 21367.5 of, and to add Sections 21258.1, 21258.2, 21298.5, and 21367.7 to, the Government Code, relating to the State Employees' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 9, 1951, strike out "21253,".

Amendment No. 2

On page 2 of said bill, strike out lines 43 to 52, inclusive; and on page 3, strike out lines 1 to 25, inclusive.

Amendment No. 3

On page 9 of said bill, strike out lines 22 to 24, inclusive; and in line 25, strike out "greater", and insert "the board, the sum of four hundred dollars ($400)".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1665—An act to provide for the acquisition of Buena Vista Lagoon Wild Fowl Refuge and Recreational Park by the State and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on March 22, 1951, strike out "and Recreational Park".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 3, inclusive, and insert "SECTION 1. The Department of Fish and Game is authorized and directed to acquire and maintain as a wildfowl refuge, the Buena Vista Lagoon, situated in San".

Amendment No. 3

On page 2 of said bill, strike out lines 3 to 5, inclusive, and insert "SEC. 2. The sum of fifty thousand dollars ($50,000) is appropriated from the Fish and Game Preservation Fund to the Department of Fish and Game to be ex-".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 2474—An act to make an appropriation for the improvement of certain streets in Los Angeles County.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, lines 5 and 6, of the printed bill, as amended in the Assembly on May 7, 1951, strike out "from Ventura Boulevard", and insert "Route 2".

Amendment No. 2

On page 1, line 22, of said bill, strike out "or force account,".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Motion to Place Rush Order on Printing of Assembly Bill No. 2474

Mr. Levering moved that a rush order be placed upon the printing of Assembly Bill No. 2474.

Motion carried.

Assembly Bill No. 2299—An act to amend Section 28116 of the Government Code, relating to compensation for public service in counties of the sixteenth class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "28116", and insert "28117".

Amendment No. 2

In lines 2 and 3 of the title of said bill, strike out "sixteenth", and insert "seventeenth".

Amendment No. 3

On page 1, line 1, of said bill, strike out "28116", and insert "28117".

Amendment No. 4

On page 1 of said bill, strike out line 3, and insert
"28117. In a county of the seventeenth class the following".

Amendment No. 5

On page 1, line 7, of said bill, strike out "five thousand dollars ($5,000)", and insert "seven thousand two hundred dollars ($7,200)".

Amendment No. 6

On page 1, line 9, of said bill, strike out "three thousand dollars ($3,000)", and insert "six thousand dollars ($6,000)".

Amendment No. 7

On page 2 of said bill, after line 6, insert
"*The compensation provided by this section shall be payable to incumbent officers.*

SEC. 2. If it is not legally competent to pay the compensation provided by this act to incumbent officers on the effective date of this act, such increase in compensation shall nevertheless be payable to the officers designated in this act as soon as it is legally competent to do so."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 88—An act to amend Section 94.5 of the Agricultural Code, relating to the exemption of citrus fruit fairs from taxation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert ", and to add Section 94.6 to,".

Amendment No. 2

In line 2 of the title of said bill, after "taxation", insert "and the exemption of district and county fairs and concessions from license fees".

Amendment No. 3

On page 1 of said bill, after line 13, insert

"SEC. 2. Section 94.6 is added to said code, to read:

94.6 District agricultural association fairs and county fairs, and the persons, corporations or organizations operating as concessionaires on such fairgrounds during the scheduled period of the fairs, are exempt from the payment of any city or county license fees for such activities during such periods."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

SECOND READING OF SENATE BILLS

Senate Bill No. 218—An act to amend Section 6518 of the Health and Safety Code, relating to the laying of sewers and drains in public streets and roads by sanitary districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 459—An act to add Section 459.6 to the Vehicle Code, relating to jurisdiction of the State Department of Public Works over boundary lines, streets and highways and vehicles using the same.

Bill read second time, and ordered to third reading.

Senate Bill No. 37—An act to amend Section 28146 of the Government Code, relating to compensation for public service in counties of the forty-sixth class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on March 29, 1951, after "Code," insert "and Section 446 of the Education Code,".

Amendment No. 2

On page 1, line 11, of said bill, strike out "three thousand dollars ($3,000)", and insert "two thousand seven hundred dollars ($2,700)".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 2 of said bill, after line 35, insert:

"The compensation provided by this section shall be payable to incumbent officers

SEC. 2. Section 446 of the Education Code is amended to read:

446. The annual salary of the county superintendent of schools of a county of the forty-sixth class is five thousand [one hundred dollars ($5,100)] *four hundred dollars ($5,400)*, and if acting as superintendent of a coterminous county unified school district the salary shall be five thousand [four hundred dollars ($5,400)] *seven hundred dollars ($5,700)*, and he shall possess a valid elementary administrative credential issued by the State Board of Education.

SEC. 3. If it is not legally competent to pay the compensation provided by this act to incumbent officers on the effective date of this act, such increase in compensation shall nevertheless be payable to the officers designated in this act as soon as it is legally competent to do so."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 456—An act to amend Sections 143.1, 143.2, and 188.4 of the Streets and Highways Code, relating to state highway revenues and expenditures, and the budgeting and reporting thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 2, line 48, of the printed bill, strike out "major", and insert "any".

Amendment No. 2

On page 2, line 49, of said bill, strike out "shown in said budget under Item (c)", and insert "for which funds are available during any fiscal year".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1644—An act to add Section 714.5 to the Vehicle Code, relating to weight capacity on county bridges

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 3, of the printed bill, after "714.5.", insert "Maximum Weights on County Bridges."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1745—An act to add Sections 679.2 and 679.3 to the Vehicle Code, relating to rules governing the loading and securement of lumber and lumber products and hay in bales.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 5 of the printed bill, as amended in the Senate on May 2, 1951, strike out line 30, and insert "sumer. Such".

Amendment No. 2

On page 7 of the printed bill, as amended in the Senate on May 2, 1951, strike out lines 7 to 11, inclusive, and insert

"6 Loads of three (3) wire and five (5) wire baled hay shall be limited to seven (7) bales in height when bales are loaded flat and six (6) bales in height when bales are loaded otherwise Nothing in this section shall be construed as an exemption from the load height provisions of this code."

Amendments read, and adopted

Bill ordered reprinted, and to third reading.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 75—An act to amend Section 10783 of the Revenue and Taxation Code, relating to exempting vehicles owned by disabled veterans from the motor vehicle license fee.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 75?

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Assembly on March 21, 1951, after "vehicle", insert ", other than a commercial vehicle,".

Amendment No. 2

On page 1, line 9, of said bill, as amended, after "any", insert "such"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 75 by the following vote:

AYES—Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Porter, Shaw, Sherwin, Silliman, Smith, Tomlinson, Waters, and Mr Speaker—56.

NOES—None.

Assembly Bill No. 75 ordered enrolled.

Assembly Bill No. 383—An act to add Section 1130 to the Probate Code, relating to vouchers filed by trustees.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 383?

Amendment No. 1

On page 1, lines 6 and 7, of the printed bill, strike out "Six months", and insert "Five years".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No 383 by the following vote:

AYES—Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering,

Lindsay, Lipscomb, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Porter, Shaw, Sherwin, Silliman, Smith, Tomlinson, Waters, and Mr Speaker—57.

NOES—None.

Assembly Bill No. 383 ordered enrolled.

Assembly Bill No. 653—An act to add Section 220.1 to the Vehicle Code, relating to false reports of thefts of vehicles.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 653?

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "filing"; and strike out all of lines 7 to 10, inclusive, and insert "who violates this section is guilty of a misdemeanor and upon conviction shall be punished by imprisonment for not more than six months or by a fine of not more than five hundred dollars ($500), or by both such fine and imprisonment."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 653 by the following vote:

AYES—Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, McCarthy, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Porter, Shaw, Sherwin, Silliman, Smith, Tomlinson, Waters, and Mr. Speaker—57.

NOES—None.

Assembly Bill No. 653 ordered enrolled.

Assembly Bill No. 1990—An act to amend Sections 6005, 6070, 6702, 6777, and 7056 of, and to add Section 6019 to, the Revenue and Taxation Code, relating to sales and use taxes, and providing that this act shall take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1990?

Amendment No. 1

On page 1, line 15, of the printed bill, as amended, after "creditors", insert "or".

Amendment No. 2

On page 1, line 15, of said bill, as amended, after "receiver", strike out the comma.

Amendment No. 3

On page 1, line 15, of the printed bill, as amended in the Senate on May 14, 1951, after "creditors", strike out "or," and insert ", or".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1990 by the following vote:

AYES—Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Hagen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Porter, Shaw, Sherwin, Silliman, Smith, Tomlinson, Waters, and Mr. Speaker—55

NOES—None.

Assembly Bill No. 1990 ordered enrolled.

THIRD READING OF ASSEMBLY BILLS

Request for Unanimous Consent That Assembly Bill No. 14 Hold Place on File

Mr. Conrad asked for, and was granted, unanimous consent that Assembly Bill No. 14 be passed on file, and hold its place on file on the next legislative day.

Assembly Bill No. 766—An act to amend Sections 737q, 737bb, and 737vv of the Political Code, relating to superior judges' salaries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hagen, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem, Lanterman, Lindsay, Lipscomb, Lyon, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Shaw, Sherwin, Smith, Waters, and Mr. Speaker—48.

NOES—Luckel—1.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Assembly Bill No. 3254 Hold Place on File

Mr. Davis asked for, and was granted, unanimous consent that Assembly Bill No. 3254 be passed on file, and hold its place on file on the next legislative day.

Assembly Bill No. 55—An act to amend Sections 18055 and 18057 of the Education Code, relating to repairs and alterations of school buildings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Porter, Shaw, Sherwin, Silliman, Smith, Tomlinson, Waters, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3159—An act to amend Section 4532 of, and to add Section 4532.5 to, the Elections Code, relating to purity of elections

Bill read third time.

Motion to Amend

Mr. Conrad moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in the Assembly on May 18, 1951, after the period, insert "No contribution to a candidate need be reported on his campaign statement if before filing such statement such contribution has been returned to the contributor."

Amendment read.

Roll Call Demanded

Messrs. Conrad, Kirkwood, and Silliman demanded a roll call.

The roll was called, and the amendment adopted by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Collier, Connolly, Conrad, Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Hahn, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lyon, McCarthy, McCollister, McGee, Meyers, Shaw, Sherwin, Silliman, Smith, Tomlinson, and Waters—38

NOES—Coats, Condon, Cooke, Crowley, Davis, Hagen, Henderson, Luckel, McFall, and Moss—10.

Bill ordered reprinted, and re-engrossed

Assembly Bill No. 2601—An act to amend Section 7044 of the Business and Professions Code, relating to the licensing of contractors.

Bill read third time.

Bill Withdrawn From Active File, and Placed on the Inactive File

Assembly Bill No. 2601, on motion of Mr. Cooke.

Assembly Bill No. 2553—An act to amend Sections 4618, 4621, 4622, 4988, 5581, and 5588 of, and to add Sections 4624, 4739.5, 4802, 4803, 4995, 4996, 5565, 5602, 5603, and 6655 to, the Health and Safety Code, relating to the powers and bonds of county sanitation and other sewer districts, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dills, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, and Mr. Speaker—59.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dills, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 178—An act to add Section 44.8 to the Vehicle Code, relating to authorized emergency vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, and Waters—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2800—An act to amend Section 19583.5 of the Government Code, relating to state civil service.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Nicholson, Shaw, Silliman, Smith, Stanley, Tomlinson, and Waters—60

NOES—Sherwin—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 841—An act to add Section 2000 of the Government Code, dealing with the filing of claims against the State, district, county, city, or city and county.

Bill read third time.

Motion to Amend

Mr. Hagen moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 10, 1951, strike out lines 13 to 18, inclusive, and insert

"3495. Notwithstanding anything to the contrary elsewhere in the law, whenever a claim arises out of the alleged negligence of an employee of any governmental agency in the operation of any public conveyance or vehicle, except an authorized emergency vehicle as defined in Section 44 of the Vehicle Code, the time for filing any action against the governmental agency is the same as that permitted for filing a similar action against a private person which period shall start to run from the date the cause of action arose, irrespective of the time the claim in respect thereto is filed or presented as a condition to bringing the suit or otherwise."

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3101

Mr. Maloney asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3101, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3101

Assembly Bill No. 3101—An act to add Section 7026.5 to the Business and Professions Code, dealing with the Contractors' State License Act.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McGee, Meyers, Morris, Moss, Munnell, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY, CALIFORNIA LEGISLATURE
SACRAMENTO, CALIFORNIA, May 21, 1951

Arthur A. Ohnimus, Chief Clerk
Assembly State of California

DEAR SIR: Pursuant to Assembly request, I am herewith returning Assembly Bill No. 550 from enrollment

Very truly yours,

MONTIVEL A. BURKE, Chairman
Committee on Legislative Procedure

REQUEST FOR UNANIMOUS CONSENT THAT CHIEF CLERK BE INSTRUCTED TO REQUEST SENATE TO RESCIND ACTION UPON ASSEMBLY BILL NO. 550

Mr. Waters asked for, and was granted, on behalf of Mr. Stewart, unanimous consent that the Chief Clerk be instructed to request the Senate to rescind the action whereby it passed Assembly Bill No. 550.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2914

Mr. Maloney asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2914, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2914

Assembly Bill No. 2914—An act to amend Sections 27281 and 27300a of the Streets and Highways Code, relating to bridge and highway districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Gaffney, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Shaw, Silliman, Smith, Stanley, Tomlinson, and Waters—51.

NOES—None.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 2818 WAIVED

Mr. Lyon waived his notice of motion to reconsider the vote whereby Assembly Bill No. 2818 was refused passage.

CONSIDERATION OF SENATE FILE (OUT OF ORDER, BY UNANIMOUS CONSENT)

THIRD READING OF SENATE BILLS

Senate Bill No. 1137—An act to amend Section 19533 of the Business and Professions Code, relating to licenses to conduct horse race meetings.

Bill read third time.

Motion to Amend

Mr. Sam L. Collins moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 7, of the printed bill, as amended in the Senate on April 19, 1951, after "fairs", insert ", district agricultural associations and quarter horse racing associations".

Amendment No. 2

On page 1, line 15, of said bill, after the period, insert "Racing days allowed by the board to licensed quarter horse racing associations under this article shall not diminish the number of racing days per year allowed to state, county, or agricultural districts fairs."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 261—An act to amend Section 22257 of the Water Code, relating to water distribution by irrigation districts.

Bill read third time.

Motion to Amend

Mr. Dickey moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill after line 21, insert

"Whenever water is in fact delivered by a district for human consumption or domestic use, notwithstanding any written or implied agreement that it shall not be so used, the district shall comply with all provisions of Chapter 7, Part 1, Division 5 of the Health and Safety Code and shall be subject to the penalties provided therein."

Amendment read.

Senate Bill No. 261, with proposed amendment, ordered passed on file.

Senate Bill No. 392—An act to add Section 6005.5 to the Government Code, relating to newspapers.

Bill read third time, and ordered passed on file.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Joint Resolution No. 37: By Mr. Belotti—Relative to federal aid for defense highway projects.

Referred to Committee on Rules.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Chapel:

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 1600 of the Education Code and to add Sections 1600.5 and 1600.6 thereto, relating to newly formed school districts.

Respectfully submitted.

CHARLES EDWARD CHAPEL

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Chapel:

An act to amend Section 1600 of the Education Code and to add Sections 1600.5 and 1600.6 thereto, relating to newly formed school districts.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—61.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3438: By Mr. Chapel—An act to amend Section 1600 of the Education Code and to add Section 1600.5 and 1600.6 thereto, relating to newly formed school districts.

Referred to Committee on Education.

COMMUNICATIONS

By Mr. Meyers:

The following communication was received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 17, 1951

Honorable Charles W. Meyers
Member of the Assembly
State Capitol, Sacramento, California

MY DEAR ASSEMBLYMAN: Confirming our conversation regarding Assembly Bill No. 1890, I wish to express my appreciation of the manner in which you have handled this matter. I appreciate your willingness to introduce this measure at the request of the Superintendent of Banks.

The veto of this measure was the result of a series of errors commencing with the Superintendent and culminating in this office. The unfortunate result was that the message was inaccurate in stating my reason for returning the bill.

It was most courteous of you to hold the matter on the unfinished business file until we had an opportunity to discuss it. Following our conversation and as indicated to you, you are at liberty to take such further action as you deem most appropriate. It is most regrettable that you have been caused any embarrassment as the result of a series of misunderstandings and mistakes.

I wish to assure you of my feeling of appreciation to you in view of the unfortunate results attending your willingness to handle this measure for one of our state departments.

Sincerely,

EARL WARREN, Governor

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF GOVERNOR'S VETO TO ASSEMBLY BILL NO. 1890

Mr. Meyers asked for, and was granted, unanimous consent that he be permitted to take up consideration of the Governor's veto to Assembly Bill No. 1890, temporarily passed on the unfinished business file, out of order, at this time.

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 1890—An act to repeal Section 232 of the Banking Code and to repeal Section 232 of the Financial Code, relating to the taking of the constitutional oath of office by deputies and examiners.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 1890 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—Stewart—1.

NOES—Babbage, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Dunn, Erwin, Evans, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hansen, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Waters, and Mr Speaker—57.

REQUEST FOR UNANIMOUS CONSENT THAT OPINION OF LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Mr Meyers asked for, and was granted, unanimous consent that an opinion of the Legislative Counsel, relative to oaths of deputies and examiners of the Banking Department, be ordered printed in the Journal, in 10 point type, as follows:

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, May 15, 1951

Honorable Charles W. Meyers
Assembly Chamber

OATHS OF DEPUTIES AND EXAMINERS OF BANKING DEPARTMENT—No. 8436

DEAR MR. MEYERS:

Question

You have asked us to advise whether the repeal of Section 232 of the Banking Code, which is the purpose of Assembly Bill No. 1890, would eliminate the requirement for the taking of oaths of office by deputies and examiners of the Superintendent of Banks in the event of a future repeal of the 1950 loyalty oath statute (Stats. 1950, 3rd Extra Sess., Chap. 7).

Opinion

In our opinion the repeal of Section 232 of the Banking Code would not have such an effect.

Analysis

The Government Code already contains a requirement for the taking of an oath of office by officers (Section 1360) and employees (Section 18150). These sections were not repealed by the enactment of the 1950 loyalty oath statute (Stats. 1950, 3rd Extra Sess., Chap. 7), although that act does provide that compliance with its provisions will also constitute compliance with the general oath required of state employees generally (Government Code, Sec. 3106). The 1950 loyalty oath statute did not make a similar provision with respect to the oaths of officers since

its provisions are not applicable to officers required to take the constitutional oath.

Section 232 of the Banking Code (Section 232 of the Financial Code effective on the ninety-first day after final adjournment; Chapter 364 of 1951 Statutes) requires the taking of the oath of office by deputies and examiners of the Superintendent of Banks. In our opinion this requirement merely duplicates the existing provisions in Sections 1360 and 18150 of the Government Code, which sections would continue to require the oath of office for such persons in the event that the 1950 loyalty oath statute should cease to be operative at some future date.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By J. D. STRAUSS, Principal Deputy

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED) (OUT OF ORDER, BY UNANIMOUS CONSENT)

Senate Bill No. 1578—An act to add Section 707.5 to the Streets and Highways Code, relating to removals and relocations of utility facilities to accommodate state freeways.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2802

Mr. Dickey asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2802, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2802

Assembly Bill No. 2802—An act to provide for funds for the construction of a tube under the estuary between Oakland and Alameda in the refinancing of the San Francisco-Oakland Bay Bridge.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED) (OUT OF ORDER, BY UNANIMOUS CONSENT)

Senate Bill No. 46—An act to add Section 1953.6 to the Government Code, relating to the liability of a county officer for the acts of any deputy or employee serving under him.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hansen, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Shaw, Sherwin, Silliman, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1695—An act to add Section 6304.5 to the Public Resources Code, relating to cooperation by the State Lands Commission with the Federal Government in the development and maintenance of small boat harbors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, and Waters—63.

NOES—None.

Bill ordered transmitted to the Senate.

RECESS

At 11.13 a.m., on motion of Mr. Lindsay, the Assembly recessed until 11.16 a.m. to hear remarks from Leo Carrillo, famous motion picture star.

REASSEMBLED

At 11.16 a.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED) (OUT OF ORDER, BY UNANIMOUS CONSENT)

Senate Bill No. 53—An act to amend Section 1481 of the Government Code, relating to the use of a master official bond covering officers, employees or agents required to give official bond.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hagen,

Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 314—An act to add Sections 5026.3 and 5049.1 to the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Hagen, Hahn, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, and Mr. Speaker—62.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Hagen, Hahn, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Concurrent Resolution No. 75—Relating to Henry H. Benedict.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Klocksiem, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Mr. Speaker—59

NOES—None.

Resolution ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Hansen (By request of Messrs. Sherwin and Doyle):

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 6516 to the Revenue and Taxation Code, relating to assessments for sales and use taxes.

Respectfully submitted.

WILLIAM W. HANSEN

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Hansen (By request of Messrs. Sherwin and Doyle):

An act to add Section 6516 to the Revenue and Taxation Code, relating to assessments for sales and use taxes.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—64.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3439: By Mr. Hansen (By request of Messrs. Sherwin and Doyle)—An act to add Section 6516 to the Revenue and Taxation Code, relating to assessments for sales and use taxes.

Referred to Committee on Revenue and Taxation.

ANNOUNCEMENT

Speaker Sam L. Collins announced that it is important that all members handling Senate bills obtain their explanations of said bills from Senators, at once, and urged that explanations on bills, needed in the Senate, be taken there without further delay.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1869

Mr. Babbage asked for and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 1869, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1869—An act to amend Section 1191 of the Penal Code, relating to judgments.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1869?

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "After a plea or verdict of guilty, or after a", and insert "In the superior court, after a plea, finding or verdict of guilty or after a finding or".

Amendment No. 2

On page 1, line 7, of said bill, after "verdict", insert ", finding".

Amendment No. 3

On page 1, lines 12 and 13, of said bill, strike out "or of receiving the probation officer's report made pursuant to Section 1203 of this code", and insert "and may further extend the time until the probation officer's report is received and until any proceedings for granting or denying probation have been disposed of".

Amendment No. 4

On page 1, line 17, of said bill, strike out "Chapter 6, Title 10, Part"; and strike out lines 18 to 20, inclusive, and insert "this code".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1869 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 1869 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED) (OUT OF ORDER, BY UNANIMOUS CONSENT)

Senate Bill No. 663—An act to authorize the sale of a part of the property used by the Mendocino State Hospital and to provide for the disposition of the proceeds from such sale.

Bill read third time.

Motion to Amend

Mr. Belotti moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 8, of the printed bill, after the period, insert "A copy of the deed executed by the Director of Finance shall be transmitted to the State Lands Commission."

Amendment read, and adopted

Bill ordered reprinted, and to third reading.

RESOLUTIONS

The following resolution was offered:

By Mr. Hagen:

House Resolution No. 149

Relative to congratulating Jimmy Coe upon being the Champion Speller of the Central Valleys

WHEREAS, It has come to the attention of this Assembly that James Q. (Jimmy) Coe has recently proven himself the Champion Speller of the Central Valleys; and

WHEREAS, Jimmy is a 13 year old boy residing in Hanford, Kings County, California, and attends the eighth grade at Pioneer Union Elementary School in Hanford; and

WHEREAS, Jimmy earned the title of Champion Speller on May 12th in the finals of the central valleys spelling bee sponsored by the McClatchy newspapers and radio stations; and

WHEREAS, This Assembly, on behalf of the State of California, is remarkably proud of Jimmy and his fine art of orthography by which he overcame 23 other county champions to earn his title; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly does hereby extend the heartiest congratulations to Jimmy Coe on his achievement in earning the title of Champion Speller of the Central Valleys; and be it further

Resolved, That the Assembly also extends its heartiest congratulations to Maxine Showalter of Fresno who placed second in the spelling bee, and to Ronald Zimmerman of Exeter who placed third, and to each of the other 21 county champions whose fine spirit of competition so exemplifies the American way of life and ideals of democratic philosophies; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to Master James Q. Coe, Route 1, Box 648-E, Hanford; Miss Maxine Showalter, 547 Ferger Avenue, Fresno; and Master Ronald Zimmerman, Route 2, Box 838, Exeter, as tokens of recognition of their accomplishments.

Resolution read, and ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 16

Mr. Lincoln asked for, and was granted, unanimous consent that he be permitted to take up Assembly Constitutional Amendment No. 16, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 16

Assembly Constitutional Amendment No. 16—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Sections 3, 4, and 5 of Article IV of the Constitution of said State, relating to the term of office of Members of the Assembly and Senate.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Gaffney, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters—61.

NOES—Brown, Elliott, Fleury, and Luckel—4.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 34

Mr. Lincoln asked for, and was granted, unanimous consent that he be permitted to take up Assembly Constitutional Amendment No. 34, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 34

Assembly Constitutional Amendment No. 34—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by an amendment to the first paragraph of Section 1, and to Sections 3, 4, 5, 6, 17, 19, and 27 of, and to add Section 38 to Article IV, relating to the Legislature.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Chapel, Cloyed, Coats, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McGee, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—54.

NOES—Babbage, Brown, Clarke, Collier, Fleury, Lanterman, Luckel, McCollister, McMillan, and Moss—10.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 57

Mr. Morris asked for, and was granted, unanimous consent that he be permitted to take up Assembly Constitutional Amendment No. 57, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 57

Assembly Constitutional Amendment No. 57—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding to Article VI thereof a new section to be numbered 27, relating to candidates for judicial office.

Resolution read, and ordered passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 424

Mr. Maloney asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 424, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 424

Request for Unanimous Consent to Expunge Record, and Rescind Action on Assembly Bill No. 424

Mr. Grunsky asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on this day, refused passage to Assembly Bill No. 424.

Assembly Bill No 424 ordered to third reading.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Kirkwood:

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act adding Sections 35002.5, 35003, 35158 and 35326 to, and amending Sections 35101 and 35313 of, the Government Code, relating to the annexation of territory to municipal corporations, declaring the urgency thereof, to take effect immediately

Respectfully submitted.

ROBERT C. KIRKWOOD

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Kirkwood:

An act adding Sections 35002.5, 35003, 35158 and 35326 to, and amending Sections 35101 and 35313 of, the Government Code, relating to the annexation of territory to municipal corporations, declaring the urgency thereof, to take effect immediately.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—65.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3440: By Mr. Kirkwood—An act adding Sections 35002.5, 35003, 35158 and 35326 to and amending Sections 35101 and 35313 of, the Government Code, relating to the annexation of territory to municipal corporations, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

ANNOUNCEMENTS

Mr. Moss announced a Democratic luncheon, and Caucus, today upon adjournment, at the Hotel Sacramento.

Mr. Stanley announced a Republican breakfast, and Caucus, tomorrow morning, Tuesday, May 22d, at Hart's restaurant, at 7 30 a.m.

Mr. Levering announced that all members who have not set their bills for hearing in the Committee on Industrial Relations are urged to see him this afternoon.

EXPLANATION OF ABSENCE

May 21, 1951

I have been absent from the session of the Assembly all this morning, because I have been presenting legislation, passed by the Assembly, before the Senate Judiciary Committee for its approval

GEORGE D COLLINS, JR

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 146—An act to amend Section 3924 of the Elections Code, relating to ballots;

Assembly Bill No. 147—An act to amend Section 3830 of the Elections Code, relating to ballots;

Assembly Bill No. 149—An act to amend Section 3041 of the Elections Code, relating to independent nominations;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of May, 1951, at 1 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 150—An act to amend Sections 3824 and 3945 of the Elections Code, relating to ballots;

Assembly Bill No. 151—An act to amend Sections 2897 and 2898 of the Elections Code, relating to ballots in case of the death or disqualification of a candidate;

Assembly Bill No. 152—An act to amend Section 1513 of the Elections Code, relating to ballot pamphlets;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of May, 1951, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 153—An act to amend Section 688 of the Elections Code, relating to oaths;

Assembly Bill No. 154—An act to amend Section 658 of the Elections Code, relating to the eligibility of election officers.

Assembly Bill No. 156—An act to add Section 678.5 to the Elections Code, relating to precinct boards and polling places;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of May, 1951, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 157—An act to add Section 46.5 to the Elections Code, relating to circulators of petitions;

Assembly Bill No. 165—An act to amend Section 3702 of the Elections Code, relating to ballot paper;

Assembly Bill No. 195—An act to amend Section 2540 of the Elections Code, relating to qualified political parties;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of May, 1951, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 196—An act to amend Sections 7964 and 7971 of the Elections Code, relating to canvass;

Assembly Bill No. 197—An act to amend Section 7964.5 of the Elections Code, relating to canvass;

Assembly Bill No. 198—An act to amend Sections 8001, 8002, 8003, 8004, 8005, and 8008 of the Elections Code, relating to recount of ballots;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of May, 1951, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 199—An act to amend Sections 8137, 8140, and 10552, and to repeal Sections 8138 and 8139 of the Elections Code, relating to proceedings after announcement of election returns;

Assembly Bill No. 200—An act to amend Section 9050 of the Elections Code, relating to elections;

Assembly Bill No. 202—An act to amend Section 32002.2 of the Health and Safety Code, relating to elections in hospital districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of May, 1951, at 1 p.m.

BURKE, Chairman.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 203—An act to amend Section 5026 of the Streets and Highways Code, relating to the adoption and change of street names and providing for due notification by the cities effecting such changes to the county clerk and county surveyor of the county in which the city is situated;

Assembly Bill No. 204—An act to amend Sections 19090, 19091, 19092, 19094, and 19250 of the Streets and Highways Code, relating to calling and conducting elections,

Assembly Bill No. 205—An act to amend Section 2707 of the Elections Code, relating to publications;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of May, 1951, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 755—An act to add Section 111.5 to the Streets and Highways Code, relating to the adoption of city streets as a part of the State Highway System;

Assembly Bill No. 911—An act to amend Sections 115, 5001, 5301, 5309, 5310, 5315, 5709, 5800, 5900, 5901, 5902, 5903, 5904, 5905, 5907, 5909, and 5910 of the Labor Code, to repeal Sections 5313, 5314, 5906, 5908, and 5950 of said code; and add Sections 5313, 5906, 5908, 5908.5, 5911, and 5950 to said code; and to amend the titles of Chapter 7, and Article 1 of Chapter 7, of Part 4 of Division 4 of said code, all relating to workmen's compensation;

Assembly Bill No. 1160—An act to add Section 789 to, and to amend Section 1170 of, the Probate Code, relating to real property,

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of May, 1951, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1512—An act to add Section 7076.1 to the Water Code, relating to water wells,

Assembly Bill No. 1893—An act to add Section 5620.5 to the Elections Code, relating to grounds for challenge;

Assembly Bill No. 2026—An act to amend Section 625a of the Penal Code, relating to the unlawful interference with fire alarm apparatus and false alarms, providing punishment therefor;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of May, 1951, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 2284—An act to amend Section 28145 of the Government Code, relating to compensation for public services in counties of the forty-fifth class;

Assembly Bill No. 2378—An act to amend Section 330.24 of the Civil Code to enable mutual water companies to sell water to any public agency and under certain circumstances to other mutual water companies and other persons and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 2436—An act to amend Section 7072 of the Elections Code, relating to canvass at the precincts;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of May, 1951, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2437—An act to amend Sections 11108 and 11120 of the Elections Code, relating to municipal officers;

Assembly Bill No. 2672—An act to add Section 2013 to the Business and Professions Code, relating to the definition of the words "diagnose" and "diagnosis";

Assembly Bill No. 2694—An act to amend Sections 2383 and 2384 of the Business and Professions Code, relating to unprofessional conduct;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of May, 1951, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2807—An act to amend Section 14290 of the Business and Professions Code, relating to trade-marks;

Assembly Bill No. 2909—An act to amend Sections 39560 and 39566 of, to add Section 39587 to, and to repeal Article 2 of Chapter 13, Part 2, Division 3, Title 4 of the Government Code, comprising Sections 39520 through 39531, relating to municipal weed and rubbish abatement;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of May, 1951, at 1 p m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 59—Relative to the sixty-seventh birthday of the Honorable Harry S Truman;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twenty-first day of May, 1951, at 1 p m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 1—An act to add Section 1256.1 to the Code of Civil Procedure, relating to condemnation proceedings.

Assembly Bill No. 30—An act to add Sections 19440 and 19441 to the Education Code, relating to use of school property;

Assembly Bill No. 129—An act making an appropriation to the Emergency Fund in augmentation of the appropriation in Item 277, Budget Act of 1950, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of May, 1951, at 1 p m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 148—An act to amend Section 3829 of the Elections Code, relating to elections in which presidential electors are to be chosen;

Assembly Bill No. 222—An act to amend Section 5007 of the Education Code, relating to the investment of school district funds;

Assembly Bill No. 297—An act to amend Section 650 6 of the Vehicle Code, relating to special restrictions on lamps;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of May, 1951, at 1 p.m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 355—An act to add Section 7 1 to the Welfare and Institutions Code, relating to powers and duties of boards of supervisors in matters of public assistance;

Assembly Bill No. 661—An act to add Section 9483 to the Elections Code, relating to municipal elections;

Assembly Bill No. 666—An act to add Section 272 to the Labor Code, relating to security for wages;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of May, 1951, at 1 p m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 773—An act to amend Section 538 of the Code of Civil Procedure, relating to affidavit for attachment.

Assembly Bill No. 904—An act to add Section 684.1 to the Code of Civil Procedure, relating to the enforcement of judgments;

Assembly Bill No. 1286—An act to amend Section 7651 of the Revenue and Taxation Code, relating to returns under the Motor Vehicle Fuel License Tax Law;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of May, 1951, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1299—An act to amend Section 195 of the Vehicle Code, relating to chattel mortgages on vehicles;

Assembly Bill No. 1377—An act providing for the constitution of the municipal court in a district embracing the City of Modesto, and prescribing the number and compensation of the judges, officers and attaches thereof;

Assembly Bill No. 1738—An act to add Section 2211 to the Education Code, relating to the joint use and maintenance of school buildings and other school facilities by contiguous or coterminous school districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of May, 1951, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 1868—An act to amend Section 4530 of the Penal Code, relating to escapes;

Assembly Bill No. 2046—An act to add Section 1162 to the Fish and Game Code, relating to possession of firearms on highways or other public ways;

Assembly Bill No. 2220—An act to amend Section 5932 of the Elections Code and to repeal Sections 5882 and 7791.5, and Article 3a of Chapter 5 of Division 8 of said code, relating to absent voting;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of May, 1951, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2309—An act to amend Section 7372 of the Business and Professions Code, relating to the licensing of hairdressers, cosmeticians or cosmetologists;

Assembly Bill No. 2459—An act to add Section 1238.3 to the Code of Civil Procedure, relating to the exercise of the right of eminent domain by nonprofit hospitals;

Assembly Bill No. 2809—An act to amend Sections 339.3, 339.4, and 353.10 of the Agricultural Code, relating to fees for cattle brands and brand inspections;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of May, 1951, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3403—An act to amend Sections 50, 51, 53, 54, and 55 of, and to add Section 55.5 to, the Fish and Game Code, relating to game management areas;

Assembly Bill No. 3412—An act to add Section 6019 to the Revenue and Taxation Code, relating to the production of X-ray films, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 3421—An act making an appropriation for expenses of Members of the Assembly, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of May, 1951, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2939—An act to amend Section 2421 of the Education Code, relating to school districts;

Assembly Bill No. 3072—An act to add Section 1590.5 to the Labor Code, relating to the regulation of employment agencies;

Assembly Bill No. 3227—An act to amend Section 73 of the Agricultural Code, relating to fairs and expositions.

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of May, 1951, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1561
Assembly Bill No. 2922

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 15
Assembly Bill No. 593
Assembly Bill No. 765
Assembly Bill No. 869
Assembly Bill No. 951
Assembly Bill No. 2022
Assembly Bill No. 2281
Assembly Bill No. 2366
Assembly Bill No. 2372
Assembly Bill No. 2880
Assembly Bill No. 3417
Assembly Bill No. 3418

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 951 re-referred to the Committee on Public Health.

Assembly Bill No. 2880 re-referred to the Committee on Boards and Commissions.

Assembly Bill No. 3417 re-referred to the Committee on Industrial Relations.

Assembly Bill No. 2366 re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bills Nos. 1561, 869, and 2372 re-referred to the Committee on Education.

Assembly Bills Nos. 15, 593, 765, 2022, 2281, 3418, and 2922 re-referred to the Committee on Municipal and County Government.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2474

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3175

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No 2474 re-referred to the Committee on Ways and Means.

Assembly Bill No. 3175 re-referred to the Committee on Manufacturing, Oil, and Mining Industry.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 3 p.m.—

Boards and Commissions, in Room 426.
Ways and Means, in Room 435.

At 8 p.m.—

Judiciary, in Room 2170
Finance and Insurance, in Room 3184.
Subcommittee on Public Health, in Room 432.

Tomorrow, Tuesday, May 22d, at 9.15 a.m.—

Rules, in Room 3186.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mrs. Niehouse and Messrs. Conrad, Levering, and Hahn, the usual courtesies of the Assembly for this day were unanimously extended to Leo Carrillo of Santa Monica.

On request of Mr. Dills, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Paris Dills of Compton.

On request of Mr. Connolly and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Miss Elizabeth Kelley and Mrs. Marion C. Beale, teachers, and the following pupils of the Grant School of San Francisco: Kirk Beales, Paul Blum, John Bloyder, Stephen Breyer, Sally Brooks, Jacqueline Brown, Cornelia Campbell, Tony Cary, Terry Chavez, Susan Cohen, Elizabeth Crary, Cathy Dean, John Debenham, Ann Dunniway, Patricia Ellis, Susan Fisher, Jean Garcia, Lynn Gilman, Ann Golden, Donald Gray, David Hammon, Bill Hinshaw, Robert Hermann, Edward Hobbs, Michael Hone, Kenneth Kahn, Joan Kaufmann, Julie Klein, Frank Krasne, Nancy Kubin, Joe Lasky, Carol Leeds, Marc Leland, Thomas Lloyd, Claude Lowen, Graham Luce, Mary MacBain, Sandra Maxwell, Sylvia McPherson, Sally Mierson, Martin Minney, Douglas Mosley, Bill Page, Nelson Parker, Robert Randall, Reed Rogers, Tania Sargeant, Nancy Sawyer, Lynn Sherman, Philip Sevier, Sharon Shira, Kenny Takahashi, Zada Taylor, Yuriko Tsuji, Bill Train, Edward Warthen, Bill Weishaar Danny Welsh, Ravenald Williams, Suzanne Wollett, Elizabeth Wright, and Fulton Wright.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to Mr. Hollis, Mr. White, Mrs. Gaylord, Miss Melbourne, Miss Ayer, Mr. Fleming, Mr. Smith, and Mrs. Zumwalt, teachers, and a group of pupils of the Martinez School.

On request of Mr. Shaw, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Clifton Chappell of Cucamonga.

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Mark Lickter of Northridge.

On request of Mr. Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to Robert L. DuBose and Don Warren, teachers, and the following pupils of the Camino-Placerville Junior Academy: Edwin Winslow, Lowell Plubell, John Floodman, Mervin Hatton, Bob Floodman, Quintin Laubach, Kenton McCullough, Marvin Johnson, Byron Langworthy, and Wayne Ruckle.

ADJOURNMENT

At 12.21 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Tuesday, May 22, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SIXTY-FOURTH LEGISLATIVE DAY

EIGHTY-EIGHTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, May 22, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—75.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Our Father, Which Art In Heaven,

Hallowed be Thy name.

We commit ourselves unto Thee, our Refuge, and our Present Help in the time of trouble—our Hiding Place and Covert from the tempest.

As we begin the duties of this day, hold before us the challenge of an important service to God and our native land. Guide the President of the United States, our Governor, our own presiding officer and the members of this body that we may be directed into pathways of faithfulness.

"The strength of every State increase
In Union's golden chain;
Her thousand cities fill with peace,
Her million fields with grain.
The virtues of her mingled blood
In one new people blend;
By unity and brotherhood,
America befriend!"

In Jesus' name.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Clarke, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Thomas, on motion of Mr. Porter.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Hollibaugh, on motion of Mr. Geddes.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Tomlinson, on motion of Mr. Levering.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Senate Joint Resolution No. 8

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

BROWN, Chairman

Above reported resolution ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 1345

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Senate Bill No. 396

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1189
Assembly Bill No. 1463

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Senate Bill No 372

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR SPEAKER: Your Committee on Judiciary, to which was referred:

Senate Bill No. 302

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred.

Assembly Bill No. 302
Assembly Bill No. 1045
Assembly Bill No 1049
Assembly Bill No 2018
Assembly Bill No. 3323

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 3428

Has had the same under consideration, and reports the same back with the recommendation Do pass.

BROWN, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 841
Assembly Bill No 3159

And reports the same correctly re-engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 1111
Assembly Bill No 1883
Assembly Bill No. 2327

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Assembly Bill No 2464

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

LUCKEL, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 21, 1951

MR SPEAKER. I am directed to inform your honorable body that the Senate on this day passed.

Assembly Bill No. 753
Assembly Bill No 912
Assembly Bill No. 978
Assembly Bill No. 1739
Assembly Bill No. 2127
Assembly Bill No 2133
Assembly Bill No 2730
Assembly Bill No 2892

J. A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled

SENATE CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 1211—*An act to amend Section 14254 of the Government Code,* relating to state public works projects

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 111
Senate Bill No. 215
Senate Bill No. 330
Senate Bill No. 1026
Senate Bill No. 1242
Senate Bill No. 1534

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 977
Assembly Bill No. 1126
Assembly Bill No. 1521
Assembly Bill No. 1523
Assembly Bill No. 2078
Assembly Bill No. 3376

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 76
Senate Concurrent Resolution No. 74

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolutions were read:

Senate Concurrent Resolution No. 76—Relating to institution of a course in agricultural flying at Davis.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 74—Relating to establishing R. O. T. C. flying instruction at Davis.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Constitutional Amendment No. 11

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 4 of Article XXIV thereof, relating to civil service.

Referred to Committee on Constitutional Amendments.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 761
Senate Bill No. 1108
Senate Bill No. 1717
Senate Bill No. 1816

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 761—An act to amend Section 5082.2 of the Business and Professions Code, relating to public accountants.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1108—An act to add Section 429.6 to the Fish and Game Code, relating to the taking of fish by members of the Yurok Indian Tribe.

Referred to Committee on Fish and Game.

Senate Bill No. 1717—An act to amend Section 51b of the Public Utility District Act, relating to the annexation of territory to public utility districts declaring the urgency thereof, to take effect immediately.

Referred to Committee on Public Utilities and Corporations.

Senate Bill No. 1816—An act to validate the acts and proceedings taken by or on behalf of fire protection districts in unincorporated territory.

Referred to Committee on Municipal and County Government.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 279—An act to add Sections 687, 687.1, and 687.2 to the Vehicle Code, relating to equipment of vehicles.

And appointed Senators Abshire, Way, and McCarthy, as a Committee on Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 279

The Speaker announced the appointment of Messrs. Lyon, Kelly, and Elliott as a Committee on Conference concerning Senate Bill No. 279.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 1744—An act to add Section 679.1 to the Vehicle Code, relating to rules governing the loading and securement of logs and poles.

And appointed Senators Way, McCarthy, and Abshire, as a Committee on Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 1744

The Speaker announced the appointment of Messrs. Babbage, Belotti, and Brady as a Committee on Conference concerning Senate Bill No. 1744.

RESOLUTIONS

The following resolution was offered:

By Mr. Cooke:

House Resolution No. 150

Congratulating Tommy Maloney on his sixty-second birthday

WHEREAS, Tuesday, May 22, 1951 is the great day when Thomas A. Maloney will celebrate his sixty-second birthday; and

WHEREAS, Born a San Franciscan (perhaps the most ardent) of Irish parents, he shared the colorful youth and growing virility with that city, and was among the founders of a truly San Franciscan organization, the South of Market Boys, having been one of the founders and President of said organization; and

WHEREAS, The Journals of this House and of the Legislature abound in never changing praise and approval of his energy, joviality, competence, and integrity, leaving only now to be re-emphasized the proudest fact of all: Tommy, the father of four children, now has 11 grandchildren; and

WHEREAS, His friendship and kindliness are constantly in evidence, and have won for him the admiration and affection of his colleagues; and

WHEREAS, He has been re-elected to the Assembly in 1950 without opposition and has served as Speaker pro Tempore of the Assembly since 1943; now, therefore, be it

Resolved by the Assembly of the State of California, That congratulations be extended to Tommy Maloney with all the heartiness of his own abundant nature; and be it further

Resolved, That the Chief Clerk of the Assembly prepare suitable copies of this resolution so that Tommy can keep an irrefutable running account of his birthdays and number of grandchildren.

Request for Unanimous Consent

Mr. Cooke asked for, and was granted, unanimous consent to take up House Resolution No. 150, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

CONSIDERATION OF DAILY FILE

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 11—An act to amend Section 1129 of, and to repeal Section 1605 of, the Probate Code, and amend Section 26822 of the Government Code, relating to transfer fees in probate proceedings.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 11?

Amendment No. 1

In line 4 of the title of the printed bill, as amended in the Assembly on April 20, 1951, strike out "probate", and insert "court".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 11 by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Porter, Shaw, Sherwin, Silliman, Smith, Stewart, Waters, and Mr. Speaker—57.

NOES—None.

Assembly Bill No. 11 ordered enrolled.

Assembly Bill No. 94—An act to amend Sections 32127 and 32130 of the Health and Safety Code, relating to hospital districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 94?

Amendment No. 1

On page 2, line 50, of the printed bill, as amended in the Assembly on March 23, 1951, after "treasurer", insert ", or such other official of the district as may be authorized by the board of directors,".

Amendment No. 2

On page 3, line 8, of said bill, as amended, insert a period after "year"; and strike out lines 9 to 16, inclusive, and insert "The district is further authorized when funds shall be needed to meet current expenses of maintenance and operation, to borrow money on certificates of indebtedness or other evidence of indebtedness in an amount not to exceed five cents ($0.05) on each one hundred dollars ($100) of assessed valuation of the district, said certificates of indebtedness to run for a period not to exceed five years and to bear interest not to exceed 5 percent per annum."

Amendment No. 3

On page 3, line 18, of said bill, as amended, strike out "two-thirds", and insert "three-fifths".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 94 by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Waters, and Mr. Speaker—58

NOES—None.

Assembly Bill No. 94 ordered enrolled.

Assembly Bill No. 1771—An act to amend Sections 97, 150, 230, 325, 337, 384a, 597f, 599a, 682, 726, 808, 817, 859, 889, 890, 1143, 1203.02, 1203.1, 1203.12, 1278, 1298, 1309, 1327, 1382, 1391, 1426, 1427, 1428, 1431, 1432, 1432.1, 1438, 1458, 1459, 1461a, 1466, 1488, 1529, 2623, 4022, 1269b, and 1426a of the Penal Code; to amend the headings of Title 11 of Part 2 and of Chapter 1 of Title 11 of Part 2 of the Penal Code; and to repeal Section 1461 of the Penal Code; all relating to courts of justice, various officers thereof, and judicial districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1771?

Amendment No. 1

On page 2, line 13, of the printed bill, as amended in the Assembly on March 15, 1951, strike out "any", and insert "an".

Amendment No. 2

On page 6, line 45, of said bill, as amended, after "in", insert "the".

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 1771 by the following vote:

AYES—Fleury and Grant—2.

NOES—Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Porter, Shaw, Sherwin, Silliman, Smith, Stewart, and Waters—55.

Appointment of Committee on Conference Concerning Assembly Bill No. 1771

The Speaker announced the appointment of Messrs. Brown, Fleury, and Munnell as a Committee on Conference concerning Assembly Bill No. 1771.

Assembly Bill No. 1772—An act to amend Sections 203, 204, 204a, 206, 226, 227, 230, 231, 233, 248, and 250 of the Code of Civil Procedure, relating to jurors.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1772?

Amendment No. 1

On page 3, line 50, of the printed bill, as amended in the Assembly on March 15, 1951, strike out "name", and insert "names".

Amendment No. 2

On page 4, line 27, of said bill, after "city", insert "and".

Amendment No. 3

On page 6, line 4, of said bill, after "districts," insert "or".

Amendment No. 4

On page 6, line 8, of said bill, after "trial", insert "of".

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 1772 by the following vote:

AYES—Dickey, Dolwig, Doyle, Fleury, McCollister, McGee, and Sherwin—7.

NOES—Beck, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kirkwood, Klocksiem, Lanterman, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Munnell, Porter, Rosenthal, Silliman, Smith, and Stewart—49.

Appointment of Committee on Conference Concerning Assembly Bill No. 1772

The Speaker announced the appointment of Messrs. Brown, Fleury, and Munnell as a Committee on Conference concerning Assembly Bill No. 1772.

Assembly Bill No. 1786—An act to amend Sections 17, 73e, 77b, 82, 83, 84, 85, 117, 117a, 117b, 117c, 117d, 117e, 117g, 117h, 117ha, 117i, 117j, 117*l*, 117m, 117o, 117p, 117r, 131.3, 134, 139, 142, 147, 149a, 150, 151, 152, 153, 166, 170, 170a, 171, 172, 188, 189, 274c, 372, 406, 407, 408, 410, 412, 413, 422, 426, 437, 437b, 437c, 446, 465, 472, 472a, 477, 480, 481, 482, 483, 492, 493, 494, 495, 496, 498, 499, 500, 503, 515, 520, 538, 539, 540, 545, 548, 554, 555, 556, 573, 581, 581b, 581d, 585, 594, 596, 600, 607a, 628, 631, 632, 638, 639, 640, 641, 644, 664, 667a, 668, 674, 675, 681a, 682, 688.1, 683, 689, 692, 714, 715, 717, 717.1, 718, 719, 720,

721, 722, 973, 974, 975, 977, 978, 978a, 979, 981, 982, 990, 997, 1000, 1003, 1005, 1006, 1008, 1011, 1015, 1030, 1031, 1032, 1032.5, 1032.6, 1033, 1033.7, 1054, 1054.1, 1054a, 1068, 1085, 1103, 1134, 1135, 1144, 1146, 1148, 1149, 1151, 1166a, 1168, 1169, 1176, 1208.5, 1211, 1212, 1213, 1214, 1215, 1217, 1218, 1220, 1221, 1222, 1995, 2024, 2037, and 2038 of the Code of Civil Procedure; to amend the headings of Chapter 5 of Title 1, of Part 1, of Article 3 of Chapter 5 of Title 1 of Part 1, and of Chapter 3 of Title 13 of Part 2 of the Code of Civil Procedure; to repeal the heading of Article 4 of Chapter 5 of Title 1 of Part 1 of the Code of Civil Procedure; to repeal Chapter 6 of Title 1 of Part 1 of the Code of Civil Procedure; and to renumber Chapter 7 of Title 1 of Part 1 of the Code of Civil Procedure to be Chapter 6; all relating to courts of justice, various officers connected therewith, and judicial districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1786?

Amendment No. 1

On page 4, line 9, of the printed bill, as amended in the Assembly on March 15, 1951, after "for", insert "in".

Amendment No. 2

On page 6, line 41, of said bill, as amended, strike out "said", and insert "same".

Amendment No. 3

On page 7, line 18, of said bill, as amended, after "when", insert a comma.

Amendment No. 4

On page 9, line 16, of said bill, as amended, after "Plaintiff", insert a comma.

Amendment No. 5

On page 22, line 35, of said bill, as amended, after "diligence", insert a comma.

Amendment No. 6

On page 23, line 16, of said bill, as amended, after "of", insert "the".

Amendment No. 7

On page 26, line 3, of said bill, as amended, after "order", insert a comma.

Amendment No. 8

On page 26, line 16, of said bill, as amended, strike out "pleading", and insert "pleadings".

Amendment No. 9

On page 41, line 20, of said bill, as amended, strike out "five hundred dollars ($500)", and insert "three hundred dollars ($300)".

Amendment No. 10

On page 43, line 43, of said bill, as amended, after "code", insert a comma

Amendment No. 11

On page 45, line 42, of said bill, as amended, strike out "isued", and insert "issued".

Amendment No. 12

On page 46, line 27, of said bill, as amended, strike out "money", and insert "moneys".

Amendment No. 13

On page 47, line 26, of said bill, as amended, strike out "an", and insert "on".

Amendment No. 14

On page 50, line 30, of said bill, as amended, after "appear", insert a comma.

Amendment No. 15

On page 51, line 33, of said bill, as amended, after "interest", strike out "to", and insert "in".

Amendment No. 16

On page 54, line 11, of said bill, as amended, strike out "appeal", and insert "appealed".

Amendment No. 17

On page 57, line 9, of said bill, as amended, strike out "therein", and insert "thereon".

Amendment No. 18

On page 58, line 35, of said bill, as amended, after "new", insert "or".

Amendment No. 19

On page 63, line 22, of said bill, as amended, after "courts", insert a comma.

Amendment No. 20

On page 66, lines 7 and 8, of said bill, as amended, strike out "by an endorsement on such warrant, that the person charged", and insert "must be made, reciting the facts as occurring in such immediate".

Amendment No. 21

On page 8, line 47, of the printed bill, as amended in the Senate on April 13, 1951, strike out "five days from the entry of said", and insert "10 days of the mailing to him of notice of entry of".

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 1786 by the following vote:

AYES—Dickey, Dolwig, Fleury, Gaffney, Maloney, McCollister, and Sherwin—7.

NOES—Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Davis, Doyle, Elliott, Erwin, Evans, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Shaw, Sillman, Smith, Stewart, and Waters—54

Appointment of Committee on Conference Concerning Assembly Bill No. 1786

The Speaker announced the appointment of Messrs. Brown, Fleury, and Munnell as a Committee on Conference concerning Assembly Bill No. 1786.

Assembly Bill No. 2282—An act to amend Section 28131 of the Government Code, relating to compensation for public services in counties of the thirty-first class.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2282?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 9, 1951, strike out "28131", and insert "28136".

Amendment No. 2

In line 3 of the title of said bill, as amended, strike out "thirty-first", and insert "thirty-sixth".

Amendment No. 3

On page 1, line 1, of said bill, as amended, strike out "28131", and insert "28136".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, as amended, strike out lines 3 to 22, inclusive, and insert "28136. In a county of the thirty-sixth class the following shall receive as compensation for the services required of them by law or by virtue of their offices the following sums:

(a) The auditor, [four thousand two hundred dollars ($4,200)] *five thousand four hundred dollars ($5,400)* a year

(b) The district attorney, [three thousand nine hundred dollars ($3,900)] *seven thousand two hundred dollars ($7,200)* a year.

(c) Each supervisor, [one thousand eight hundred dollars ($1,800)] *two thousand four hundred dollars ($2,400)* a year and mileage at the rate of twenty cents

($0.20) a mile for the distance usually traveled in going from his home to the county seat and returning.

(d) Grand jurors and trial jurors in the superior court shall receive five dollars ($5) for each day's attendance and twenty cents ($0.20) for each mile actually and necessarily traveled from their residences to the county seat, in going only. [In justices' courts the jurors sworn to try the case shall receive two dollars ($2) for each day's attendance and fifteen cents ($0.15) for each mile actually and necessarily traveled from their residences. The per diem and mileage in the justices' courts shall be allowed only to the jurors sworn to try the case.] *Trial jurors in the justices' courts shall receive five dollars ($5) for each day's attendance and twenty cents ($0.20) for each mile actually and necessarily traveled from their residences to the justices' courts, in going only.*

The compensation provided by this section shall be payable to incumbent officers.

SEC. 2. If it is not legally competent to pay the compensation provided by this act to incumbent officers on the effective date of this act, such increase in compensation shall nevertheless be payable to the officers designated in this act as soon as it is legally competent to do so."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2282 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Waters, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 2282 ordered enrolled.

Assembly Bill No. 2764—An act to add Section 87.3 to the Agricultural Code, relating to boards of directors of agricultural fairs.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2764?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 22, 1951, strike out "add Section 87.3 to", and insert "amend Section 87 of".

Amendment No. 2

Strike out lines 1 to 7, inclusive, of said bill, as amended, and insert

"SECTION 1. Section 87 of the Agricultural Code is amended to read:

87. The board of directors may, with the approval of the Department of Finance:

(a) Fix the term of office, the amount of bond, salary and prescribe the duties of the secretary and of the treasurer.

(b) Manage the affairs of the association.

(c) Make all necessary by-laws, rules and regulations for the government of the association.

(d) Arrange for and conduct or cause or by contract permit to be conducted by any other individual, institution, corporation or association, upon its property at such time as they may deem advisable, any activity, notwithstanding other provisions of the code.

(e) Delegate, as it may deem advisable, to its officers or employees any of the powers vested in the board under subdivisions (b) and (d) of this section. Any such delegation of powers may be revoked at any time.

An agricultural association shall not lease its race track, for running races of horses, to any private person, firm or corporation except to a national or international exposition or its affiliated corporations or associations for the period of time now permitted by law for fairs. The provisions of this subdivision shall not apply to existing leases or extensions or renewals thereof."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2764 by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Lanterman,

Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Porter, Shaw, Sherwin, Silliman, Smith, Waters, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 2764 ordered enrolled.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 14—An act to amend Sections 2799, 2800, 2802, 2805, 2815, and 2816 of the Elections Code, relating to political parties, and including provisions relating to the selection, organization, meetings, and functions of state conventions and state committees thereof.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Conrad moved a call of the Assembly.

Motion carried. Time, 10.40 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Babbage, Burkhalter, Caldecott, Chapel, Cooke, Davis, Dickey, Dills, Geddes, Kilpatrick, Lyon, Munnell, Parker, Rosenthal, Rumford, Shaw, Silliman, and Stanley—18

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr Beck asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REQUEST FOR UNANIMOUS CONSENT THAT OPINION OF LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Mr. Beck asked for, and was granted, unanimous consent that an opinion of the Legislative Counsel, relative to the Communist Registration Act, be ordered printed in the Journal in 10 point type, as follows:

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, May 18, 1951

Honorable Julian Beck
Assembly Chamber

COMMUNIST REGISTRATION ACT—NO. 8531

DEAR MR. BECK:

Question

You have requested a brief opinion as to the constitutionality of Assembly Bill No. 1573, relating to the registration of members of Communist organizations and regulating the activities of registrants.

Opinion

It is our opinion that the statute, if enacted, would be held unconstitutional by the courts.

Analysis

Assembly Bill No. 1573 would require the registration of every person who resides in, is employed in, has a regular place of business in, or who regularly enters or travels in this State, and who is, or becomes a member of any Communist organization. The act would also prohibit such registrants from acquiring or carrying certain dangerous weapons or explosives, and excludes them from appointment to positions in civil defense organizations. Persons violating the provisions of the act would be subject to criminal penalties.

Assembly Bill No. 1573 is the counterpart of Ordinance No. 5579 of the County of Los Angeles which was held unconstitutional in the recent cases of *People* vs. *McCormick* and *People* vs. *Steinberg* (1951), 102 A.C.A. Supp. 854.

The *Steinberg* case was commenced in the Justices Court of Belvedere Township, County of Los Angeles Judge Myer B. Marion on a ruling on demurrer (No. 35,072) held Ordinance No. 5579 unconstitutional on the following grounds:

(1) Abridgement of freedom of speech and peaceable assembly guaranteed by the First and Fourteenth Amendments of the United States Constitution.

(2) Denial of due process of law because of such vague, indefinite, and unascertainable standards.

(3) Impairment of the privilege against self incrimination guaranteed by Section 13, Article I of the State Constitution.

(4) Invasion of the field of foreign affairs which is reserved to the national sovereignty.

The *Steinberg* case and its companion case, the *McCormick* case, were appealed to the Appellate Department of the Superior Court for Los Angeles County, which affirmed the judgments of the lower courts on the ground that the ordinance was unconstitutional as a violation of the prohibition against self incrimination (102 A.C.A. Supp. 854).

In addition to the provisions contained in Ordinance No. 5579, Assembly Bill No. 1573 contains the following provision:

> "Any information obtained through such registration may not be used by any public official in relation to prosecutions for violation of any other state statute as such use would be against the public interest." (Par. 2, Sec. 7).

The two statutes, in our opinion, cannot be distinguished because of this additional provision since such provision would not furnish a registrant with a protection equal to his constitutional privilege against self-incrimination which the courts have required. (*Ex parte Cohen* (1894), 104 Cal. 524; *In Re Williams* (1932), 127 Cal. App. 424; *Counselmen* vs. *Hitchcock* (1892), 142 U.S. 547.)

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By DELBERT E. WONG, Deputy

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Senate Bill No. 987

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 979
Assembly Bill No. 2064
Assembly Bill No. 2374
Assembly Bill No 2946

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 1689
Assembly Bill No 2474

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 2011

Has had the same under consideration, and respectfully reports the same back with amendments but without recommendation.

SHERWIN, Chairman

Above reported bill ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred.

Assembly Joint Resolution No. 36

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolution ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Senate Concurrent Resolution No. 62
Senate Concurrent Resolution No. 63
Senate Concurrent Resolution No. 64
Senate Concurrent Resolution No. 65
Senate Concurrent Resolution No. 66

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

Committee on Boards and Commissions

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 2689

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

McMILLAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 2329

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

McMILLAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 2880

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McMILLAN, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 1248

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McMILLAN, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 2339

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

McMILLAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No 1582

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

McMILLAN, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2885

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No. 1957

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

GEDDES, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Senate Bill No. 1626

Has had the same under consideration, and reports the same back with the recommendation: *Do pass.*

GEDDES, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER. Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 501
Assembly Bill No. 676

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

GEDDES, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No 974

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

GEDDES, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 516
Assembly Bill No. 519
Assembly Bill No. 2496

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

GEDDES, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 249
Assembly Bill No. 2081
Assembly Bill No. 2577

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER. Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No 91	Assembly Bill No 885
Assembly Bill No. 521	Assembly Bill No 1715
Assembly Bill No 884	Assembly Bill No 2936

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bills ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1097—An act to amend Sections 18523, 18801, and 19052 of the Government Code and to repeal Sections 18523.5, 18802.5, and 19052.5 to said code, relating to classes and grades in the state civil service.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Smith, Stewart, and Waters—59

NOES—Silliman—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3022—An act to amend Section 19330 of the Government Code, relating to leaves of absence for civil service employees.

Bill read third time.

Motion to Amend

Mr. Hawkins moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert ", and to add Section 19334 to,".

Amendment No. 2

On page 1 of said bill, after line 10, insert

"SEC. 2. Section 19334 is added to said code to read.

19334. An appointing power, upon request, shall grant a leave of absence of at least six months without pay, to any employee under his jurisdiction who becomes pregnant, unless in his opinion the position could not satisfactorily be filled during such leave. In such event, at any time within six months after the employee leaves her employment, she may request that her name be placed upon all reemployment lists for her position and the board shall so place her name as if she had been laid off at the time of separation."

Amendments read.

Roll Call Demanded

Messrs. Hawkins, Elliott, and Dills demanded a roll call

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Hawkins moved a call of the Assembly.

Motion carried. Time, 10.55 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brown, Coats, Davis, Dolwig, Dunn, Hagen, Hollibaugh, Kilpatrick, Lyon, Morris, Niehouse, Rumford, Stanley, Thomas, and Tomlinson—15.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Geddes asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 14

At 10.57 a.m., on motion of Mr. Conrad, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 14 passed by the following vote:

AYES—Babbage, Belotti, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Dolwig, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCollister, McGee, Morris, Niehouse, Porter, Sherwin, Silliman, Smith, Stewart, and Waters—42.

NOES—Beck, Berry, Brady, Brown, Burkhalter, Coats, George D. Collins, Condon, Cooke, Crowley, Doyle, Dunn, Elliott, Gaffney, Hagen, Henderson, Lowrey, McCarthy, McFall, McMillan, Meyers, Moss, Munnell, Rosenthal, and Shaw—25.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 841

Mr. Hagen asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 841, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 841

Assembly Bill No. 841—An act to add Section 2000 of the Government Code, dealing with the filing of claims against the State, district, county, city, or city and county.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Niehouse, Parker, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stewart, and Waters—64.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1111—An act adding Sections 35002, 35003, 35004, 35005, 35158, 35214, and 35235 to, and amending Section 35101 of, the Government Code, relating to the annexation of territory to municipal corporations.

Bill read third time.

Motion to Amend

Mr. Munnell moved the adoption of the following amendments:

Amendment No. 1

In line 5 of the title of the printed bill, as amended in the Assembly on May 21, 1951, strike out ", de-"; and strike out lines 6 and 7, and insert a period.

Amendment No. 2

On page 3 of said bill, strike out lines 14 to 47, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 2885—An act to add Section 20630.1 to the Government Code, relating to prior service credit of members of the State Employment Retirement System, where service has been performed for a local public agency.

Bill read third time.

Motion to Amend

Mr. Caldecott moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 21, 1951, strike out "Section".

Amendment No. 2

On page 1, line 6, of said bill, strike out "7" and insert: "6"

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 3410—An act to amend Sections 19601, 19601.5, 19601.6, 19608, 19611, 19613, and 19613.7 of, to add Sections 19601.7 and 19607.1 to, and to repeal Section 19617 of, the Education Code, relating to child care centers, making an appropriation and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Geddes moved the adoption of the following amendments:

Amendment No. 1

On page 4, line 36, of the printed bill, as amended in the Assembly on May 14, 1951, before "services", insert "additional".

Amendment No. 2

On page 4, line 37, of said bill, strike out "in addition to those provided for by this chapter".

Amendment No. 3

On page 4, line 47, of said bill, after the period, insert "Any additional services or facilities furnished pursuant to this section shall meet all of the requirements of this chapter."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 694

Mr. Lyon asked for, and was granted, unanimous consent that he be permitted to take up consideration of amendments to Assembly Bill No. 694, temporarily passed on the unfinished business file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 694—An act to amend Section 6422 of the Streets and Highways Code, relating to the issuance of bonds to represent special assessments.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 694?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 12, 1951, strike out "amend Section 6422 of", and insert "add Section 2810 to".

Amendment No. 2

In line 2 of the title of said bill, as amended, strike out "the issuance of bonds to represent", and insert "proceedings for the construction of sidewalks and the levy of".

Amendment No. 3

On page 1, line 1, of said bill, as amended, strike out "6422 of", and insert "2810 is added to".

Amendment No. 4

On page 1, line 2, of said bill, as amended, strike out "is amended".

Amendment No. 5

On page 1 of said bill, as amended, strike out lines 3 to 11, inclusive, and insert "2810. None of the provisions of this division shall apply to proceedings hereafter commenced for the construction of sidewalks when required for the safety of pupils attending the schools within a city and the necessity for such requirement is found to exist by the legislative body of such city conducting said proceedings, expressed by resolution adopted by the affirmative vote of four-fifths of the members thereof. The findings and determinations made by the legislative body pursuant to this section shall be final and conclusive upon all persons in the absence of actual fraud."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 694 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stewart, Waters, and Mr. Speaker—65.

NOES—None

Assembly Bill No. 694 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1670

Mr. Grunsky asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 1670, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1670—An act to amend Section 55.65 of the Alcoholic Beverage Control Act, relating to the sale of wine, the posting

of prices and the making and filing of fair trade contracts in relation thereto, and governing the giving of discounts in connection with the sale of wine.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1670?

Amendment No. 1

On page 2, line 3, of the printed bill, as amended in the Assembly on April 18, 1951, strike out "Imperial County", and insert "counties in the mountain trading area lying south of the southern boundaries of San Luis Obispo, Kern and Inyo Counties".

Amendment No. 2

On page 4 of said bill, as amended, between lines 16 and 17, insert

"(h-1) Changes Required or Authorized by Federal Price Regulations For the purpose of complying with the General Ceiling Price Regulation, Economic Stabilization Agency, or with any other applicable federal law, ruling, rule, or regulation respecting prices, or for the purpose of increasing a price or prices when an increase in ceiling price is authorized by any such law, ruling, rule, or regulation, price schedules and fair trade contracts or changes therein may be filed with the board at any time and shall become effective immediately upon filing; provided, that in the latter case the applicable price schedule and fair trade contract or changes therein must be filed with the board not later than the twentieth day of the month following the month in which said increase in ceiling price is first authorized. Publication of such price schedules or changes therein shall be made as provided in paragraph (j) of this section on or before the first day of the month following the month in which said price schedule or changes therein is filed with the board Price schedules or changes therein filed pursuant to this paragraph shall contain the statement: "Filed to comply with federal pricing laws and regulations" or "Filed to increase prices as first authorized on (inserting the date)". Notwithstanding any other provision of this section, price schedules and fair trade contracts or changes therein made effective pursuant to this paragraph shall remain in effect until changed in accordance with the provisions of this section."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No 1670 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Shaw, Sherwin, Smith, Stewart, Waters, and Mr. Speaker—59

NOES—None

Assembly Bill No. 1670 ordered enrolled.

Speaker Pro Tempore Presiding

At 11.13 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No 88	Assembly Bill No 1954
Assembly Bill No. 357	Assembly Bill No 2069
Assembly Bill No 964	Assembly Bill No 2129
Assembly Bill No 1056	Assembly Bill No 2299
Assembly Bill No. 1072	Assembly Bill No 2640
Assembly Bill No 1302	

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1204
Assembly Bill No. 1623
Assembly Bill No. 1665

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills Nos. 1954, 1072, 2129, 1204, 1623, and 1665 re-referred to the Committee on Ways and Means.

Assembly Bills Nos. 357 and 2640 re-referred to the Committee on Revenue and Taxation.

Assembly Bills Nos. 964 and 2299 re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 2069 re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1302 re-referred to the Committee on Transportation and Commerce.

Assembly Bill No. 1056 re-referred to the Committee on Civil Service and State Personnel.

Assembly Bill No. 88 re-referred to the Committee on Agriculture.

Assembly Bill No. 3390 re-referred to the Committee on Conservation, Plannning, and Public Works.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS

Senate Bill No. 1137—An act to amend Section 19533 of the Business and Professions Code, relating to licenses to conduct horse race meetings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Davis, Dills, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hinckley, Kelly, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Niehouse, Parker, Porter, Rosenthal, Sherwin, Smith, Stewart, Waters, and Mr. Speaker—52.

NOES—Beck, Coats, George D. Collins, Hahn, Lowrey, Moss, and Shaw—7.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON AMENDMENTS OFFERED BY MR. HAWKINS TO ASSEMBLY BILL NO. 3022

At 11.22 a.m., on motion of Mr. Hawkins, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the amendments offered by Mr. Hawkins to Assembly Bill No. 3022 refused adoption by the following vote:

AYES—Beck, Berry, Brady, Burkhalter, George D. Collins, Condon, Cooke, Crowley, Dills, Doyle, Elliott, Evans, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins,

Henderson, McFall, McMillan, Meyers, Munnell, Parker, Porter, Rosenthal, and Shaw—27.

NOES—Babbage, Belotti, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Dickey, Erwin, Fleury, Grunsky, Gubser, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Morris, Moss, Niehouse, Sherwin, Silliman, Smith, Stewart, and Waters—41

The question being on the passage of Assembly Bill No. 3022.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, and Waters—69.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1814—An act to amend Section 19539 of the Business and Professions Code, relating to horse racing, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Sam L. Collins moved the adoption of the following amendments:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, as amended in the Assembly on May 16, 1951, strike out ", declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 1 of said bill, strike out lines 13 to 25, inclusive; and strike out all of page 2.

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Speaker Presiding

At 11.27 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Senate Bill No. 1644—An act to add Section 714.5 to the Vehicle Code, relating to weight capacity on county bridges.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Waters, and Mr Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 526

Mr. McCarthy asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 526, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 526

Senate Bill No. 526—An act to amend Section 221 of, and to add Section 227p to the Civil Code, relating to the adoption of adults.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins Henderson Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sillman, Smith, Stanley, Stewart, and Waters—68.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Messrs. Erwin and Burkhalter:

House Resolution No. 151

Relative to the creation of the Assembly Interim Committee on Fish and Game

WHEREAS, The Constitution of this State guarantees to the people the right to fish upon and from the public lands of the State and authorizes the Legislature to enact such laws for the protection of fish and game as it may deem appropriate; and

WHEREAS, It is necessary that a careful and continuous study be made of all factors directly or indirectly affecting fish and game (including but not limited to the propagation and protection thereof and the taking thereof by sportsmen and commercial interests), in order that proper legislation may be enacted to protect and make fruitful the constitutionally guaranteed rights mentioned above; and

WHEREAS, All matters generally referred to the Assembly standing Committee on Fish and Game are comprehended within the matters hereinabove referred to, and the members of said committee have acquired some knowledge and experience relating thereto, now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly standing Committee on Fish and Game is hereby designated and constituted the Assembly Interim Committee on Fish and Game and is authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon the matters expressed in the recitals of this resolution including, but not limited to: Game farms; game and management areas; game refuges; fish hatcheries; the opening and closing of waters around Catalina Island, netting in the inland waters of the State; the utilization of the public domain for the propagation of fish and wild life; the taking of fish and wild life by sportsmen and commercial interests and the effect of both upon the rights of present and future generations of citizens; and all other matters directly or indirectly dealing with, related to or affecting fish and game or the enjoyment by the people of their constitutionally guaranteed interest therein; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until March 15, 1953, with authority to file its final report not later than the last legislative day of the 1953 Regular Session. Vacancies shall be filled by the Speaker.

3. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this

session, which provisions are incorporated herein and made applicable to this committee and its members.

4. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

5. The sum of fifteen thousand dollars ($15,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read, and ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 640

Mr. Gaffney asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 640, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 640

Senate Bill No. 640—An act to amend Sections 5, 6, and 7 of, and to add Section 3¼ to, the Highway Carriers' Act, relating to highway carriers.

Bill read third time.

Motion to Amend

Mr. Grunsky moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 18, of the printed bill, strike out "twenty-five thousand dollars ($25,000)", and insert "ten thousand dollars ($10,000)".

Amendment No. 2

On page 1, lines 22 and 23, of said bill, strike out "fifty thousand dollars ($50,000)", and insert "twenty thousand dollars ($20,000)".

Amendment No. 3

On page 1, line 24, of said bill, strike out "ten thousand dollars ($10,000)", and insert "five thousand dollars ($5,000)".

Amendments read.

Roll Call Demanded

Messrs. Grunsky, Cooke, and Silliman demanded a roll call.

The roll was called, and the amendments offered by Mr. Grunsky to Senate Bill No. 640 adopted by the following vote:

AYES—Babbage, Belotti, Brown, Burke, Chapel, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Erwin, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McFall, McGee, Munnell, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Waters—41.

NOES—Beck, Berry, Clarke, George D. Collins, Condon, Dickey, Dills, Doyle, Dunn, Elliott, Gaffney, Hawkins, Henderson, Lyon, Maloney, McMillan, Meyers, Morris, Moss, Niehouse, Parker, and Rumford—22.

On this day a notice of motion to reconsider the above amendments was given. See page 4592.

COMMUNICATIONS

By Speaker Sam L. Collins:

A resolution from American Legion Post No. 361 of Atwater, relative to the Merced County General Hospital, was received, and ordered referred to the Committee on Governmental Efficiency and Economy.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Joint Resolution No. 38: By Messrs. Burkhalter and Beck—Relative to the reopening of Birmingham General Hospital.

Referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 961

Mr. Brown asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 961, temporarily passed on file, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 961

Senate Bill No. 961—An act to amend Section 204f of, and to add Section 204g to, the Code of Civil Procedure, relating to secretaries of the superior court and fixing salaries.

Bill read third time.

Motion to Amend

Mr. Brown moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Assembly on May 16, 1951, strike out "550,000", and insert "63,500".

Amendment No. 2

On page 1, line 10, of said bill, strike out "550,000", and insert "63,000".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT THAT COMMUNICATION BE PRINTED IN JOURNAL

Mr. Lowrey asked for, and was granted, unanimous consent that a communication be printed in the Journal, as follows:

STATE OF CALIFORNIA, DIVISION OF BEACHES AND PARKS
DEPARTMENT OF NATURAL RESOURCES
SACRAMENTO 14, May 16, 1951

Hon Lloyd W. Lowrey
Member, State Assembly
State Capitol, Sacramento, California

DEAR ASSEMBLYMAN LOWREY I am taking the liberty of replying to your letter of May 14, 1951, in the absence of Chief Newton B. Drury of this division.

The State Park Commission at its meeting in San Francisco on May 4, 1951, rescinded the action it took in December, 1950, not to renew the grazing concession of Mrs Miriam Rudisill in Del Norte Coast Redwoods State Park in Del Norte County. It has now granted Mrs. Rudisill an extension, on a year-to-year basis, of her grazing concession in that park.

This concession, as is true of all grazing concessions in the State Park System, may be granted only for park protection purposes, namely: fire protection. The State Park Commission is not authorized to grant grazing concessions solely upon the need

for grazing in the area of the park involved. Grazing activities must not in any way interfere with the recreational use of the areas involved. Further, when grazing appears to be changing the native character of the park lands involved, the commission may defer grazing on the area until reasonable recovery of the vegetation has occurred.

At the present time, more than 80,000 acres are being grazed by private concessioners in state park areas. In the last three years, approximately 6 percent has had to be withdrawn from grazing for one reason or another. The largest portion of this 6 percent was withdrawn in Anza Desert State Park which supports a minimum number of animals per acre and which we could not get anyone interested in.

The entire matter of grazing policy was discussed at the May meeting of the State Park Commission and representatives of the Wool Growers Association and the State Farm Federation appeared before the State Park Commission and were assured that it shall be the continuing policy of the Park Commission to permit grazing where such grazing does not interfere with the recreational use of the area, the general wildlife associations, and will definitely reduce the fire hazards.

Sincerely yours,

NEWTON B. DRURY, Chief
Division of Beaches and Parks
By EARL P. HANSON, Deputy Chief

cc: Supt. E. P. French (2)

MOTION TO APPROVE JOURNALS

Upon motion of Mr. Dickey, the Journals for Monday, May 14, 1951; Tuesday, May 15, 1951; Wednesday, May 16, 1951; Thursday, May 17, 1951 and Friday, May 18, 1951 were approved as corrected by the Minute Clerk.

RECESS

At 11.57 a.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 39—An act adopting and authorizing a plan for construction of the San Lucas Dam and Reservoir, Salinas River Basin, by the Monterey County Flood Control and Water Conservation District in cooperation with the State of California and the United States, for flood control and water conservation, at an estimated cost to the State of two million five hundred thousand dollars ($2,500,000);

Assembly Bill No. 492—An act to add Chapter 4, comprising Sections 4400 to 4405, inclusive, to Part 8 of Division 1 of Title 1 of the Corporations Code, relating to corporations, and providing for the effectuation of plans of reorganization under any applicable statute of the United States;

Assembly Bill No. 576—An act to repeal Sections 25663, as added by Chapter 557 of the Statutes of 1949, and as added by Chapter 72 of the Statutes of 1951, and 26421, and to add Sections 25663 and 25663c to the Revenue and Taxation Code, relating to the taxation of banks, corporations, Massachusetts trusts and associations, and providing that this act shall take effect immediately

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-second day of May, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 652—An act to amend Section 13931 of the Vehicle Code, relating to shooting practice and instruction in the use of firearms;

Assembly Bill No. 672—An act to amend Section 16482 of the Education Code, relating to the testing of the sight and hearing of public school pupils;

Assembly Bill No. 747—An act to amend Section 5243 of the Streets and Highways Code, relating to local improvement proceedings;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-second day of May, 1951, at 2 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 754—An act to amend Sections 125 and 126 of the Streets and Highways Code, relating to the closing and restricting of the use of state highways;

Assembly Bill No. 813—An act to amend Sections 7302, 7303, 7342, 7343, 7376, 7397, 7442 of, and to repeal Section 7344 of, and to add Sections 7339, 7344, 7345, 7346, 7347, 7393 1, and 7394 1 to, the Business and Professions Code, relating to the practice, regulation, and licensing of cosmetologists, hairdressers, and electrologists;

Assembly Bill No. 849—An act to amend Sections 4, 6, and 11 of, and to add Section 4 5 to, the Defense Production Act, relating to employment and working conditions of female employees, declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-second day of May, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 980—An act to amend Section 6410 of the Labor Code, relating to the failure to report injuries and the penalty therefor;

Assembly Bill No. 1014—An act to amend Section 320 of the Vehicle Code, relating to records;

Assembly Bill No. 1015—An act to amend Section 419 of the Vehicle Code, relating to financial responsibility;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-second day of May, 1951, at 2 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER *Your Committee on Legislative Procedure has examined:*

Assembly Bill No. 1069—An act to amend Section 1 of an act entitled "An act to add Sections 48, 49, 50, 51, 132.6, 293.5, 296 5, 5901 5, 5904 5, 5931.6, 5932.5, 5935 5, 5936 5, 7801 5, and 7842 5 to the Elections Code, relating to elections, declaring the urgency thereof, to take effect immediately," approved October 4, 1950, and to add Sections 7964.1, 7970.5, 7971 5, and 7972.5 to the Elections Code, relating to elections;

Assembly Bill No. 1082—An act to add Section 9003 to the Elections Code, relating to special elections;

Assembly Bill No. 1158—An act to add Section 269b to, and to amend Section 261g of, the Code of Civil Procedure, relating to official reporters of the superior court in and for the State of California;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-second day of May, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1314—An act to amend Sections 14345 and 14347 of the Revenue and Taxation Code, relating to the withholding of moneys and property belonging to a decedent;

Assembly Bill No. 1651—An act to amend Section 31676.9 of the Government Code, relating to the retirement of public employees;

Assembly Bill No. 1873—An act to add Section 24205 3 to the Education Code, relating to the conferring of degrees by schools and colleges;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-second day of May, 1951, at 2 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 2012—An act to amend Sections 516 and 715 of the Vehicle Code, relating to speed and weight limitations on bridges and other elevated structures and tubes and tunnels constituting a part of a highway;

Assembly Bill No. 2048—An act to add Section 1161 to the Fish and Game Code, relating to hunting while intoxicated,

Assembly Bill No. 3226—An act to amend Section 737.11 of the Agricultural Code, relating to the purchase of fluid milk and fluid cream;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-second day of May, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3407—An act to amend Section 220 of the Public Utilities Code, relating to common carriers;

And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-second day of May, 1951, at 2 p.m.

BURKE, Chairman

UNANIMOUS CONSENT GRANTED TO RECALL ASSEMBLY BILL NO. 1879 FROM THE SENATE

Mr. Stewart asked for, and was granted, unanimous consent that the Chief Clerk be instructed to request the Senate to return Assembly Bill No. 1879 for further consideration.

ANNOUNCEMENT

Messrs. Hansen and Henderson announced that the raisins which have been placed on the desks of members have been distributed through the courtesy of the Sun Maid Raisin Growers, of Fresno.

BILLS WITHDRAWN FROM INACTIVE FILE

The following resolution was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Constitutional Amendment No. 59, on request of Mr. Maloney.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 663—An act to authorize the sale of a part of the property used by the Mendocino State Hospital and to provide for the disposition of the proceeds from such sale.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Coats, George D. Collins, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Erwin, Fleury, Grant, Grunsky, Hansen, Hinckley, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Waters, and Mr. Speaker—51.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1745—An act to add Sections 679.2 and 679.3 to the Vehicle Code, relating to rules governing the loading and securement of lumber and lumber products and hay in bales.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Coats, Collier, George D Collins, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Grant, Grunsky, Hahn, Hansen, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Waters, and Mr. Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 521

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 521, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 521

Senate Bill No. 521—An act to repeal Section 28431 and add Section 28431 to the Health and Safety Code, relating to inspection legends on canned food packed under cannery inspection supervision.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Coats, Collier, George D. Collins, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Grant, Grunsky, Hahn, Hansen, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Waters, and Mr. Speaker—53.

NOES—None.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1055

Mr Dunn asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1055, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1055

Senate Bill No. 1055—An act to add Section 6906 to the Education Code, relating to the crediting of average daily attendance to school districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

~~Urgency clause read, and adopted by the following vote:~~

PRINTER'S NOTE—There being no 7-point strikeout type available, the following roll calls, which should appear in strikeout type, are indicated by being inclosed within brackets:

[AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Coats, Collier, George D Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Waters, and Mr. Speaker—61.

NOES—None]

~~The roll was called, and the bill passed by the following vote:~~

[AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Waters, and Mr. Speaker—61.
NOES—None.]

~~Bill ordered transmitted to the Senate.~~

On May 23, 1951, the Assembly requested the Senate to return Senate Bill No. 1055 to the Assembly (page 4629).

On May 24th, the Senate returned the bill (page 4650); and on the same day, the Assembly rescinded the above actions whereby the urgency clause was adopted and the bill passed (page 4686).

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 638

Mr. Gaffney asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 638, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 638

Senate Bill No. 638—An act to amend Sections 50¾ and 57½ of the Public Utilities Act, and to amend Section 1906 of, and to add Section 1073 to, the Public Utilities Code, relating to public utilities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Waters, and Mr. Speaker—61.
NOES—McCarthy—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3159

Mr. Coats asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3159, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3159

Assembly Bill No. 3159—An act to amend Section 4532 of, and to add Section 4532 5 to, the Elections Code, relating to purity of elections.

Bill read third time.

Motion to Amend

Mr. Coats moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 21, 1951, strike out "Section 4532.5", and insert "Sections 4532.2 and 4532.5".

Amendment No. 2

On page 1, line 5, of said bill, strike out "No contribu-", and insert
"SEC. 2. Section 4532.2 is added to said code, to read:
4532.2. No contribu-".

Amendment No. 3

On page 1, line 8, of said bill, after "contributor", insert "; provided that no part of such contribution has been used in the promotion of the nomination or election of such candidate. Such contributor shall not thereafter pay, loan, contribute or otherwise furnish to such candidate, and such candidate shall not thereafter accept from such contributor, the amount of such contribution or any part thereof for use, directly or indirectly, in aid of such nomination or election, in payment of expenses incurred for such purpose or in reimbursement for such payment".

Amendment No. 4

On page 1, line 9, of said bill, strike out "SEC. 2", and insert "SEC. 3".

Amendment No. 5

On page 1, lines 14 and 15, of said bill, strike out "report under oath", and insert "render a full and true report of".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bills were withdrawn from the inactive file, and placed upon the third reading file:

Senate Bill No. 155, on request of Mr. Kelly.

Assembly Bill No. 3423, on request of Mr. Lincoln.

REMARKS ON CONDITION OF FILE

Mr. Beck spoke on the condition of the file.

Mr. Maloney spoke on the condition of the file.

MEMBER EXCUSED

At 2.24 p.m., Mr. Munnell asked for, and was granted, unanimous consent that Mr. Kilpatrick be excused, for the balance of the legislative day, because of personal business elsewhere, and stated that he desires to waive his per diem.

NOTICE OF MOTION TO RECONSIDER AMENDMENTS TO SENATE BILL NO. 640

Mr. Gaffney gave notice that on the next legislative day he would move to reconsider the vote whereby the amendments offered by Mr. Grunsky to Senate Bill No 640 were this day adopted.

Motion That Notice of Motion to Reconsider Be Taken Up, at This Time

Mr. Grunsky moved that the notice of motion by Mr. Gaffney to reconsider the vote whereby the Assembly, on this day, adopted the amendments offered by Mr. Grunsky to Senate Bill No. 640 be taken up, at this time.

Mr. Silliman seconded the motion.

Motion carried.

Motion to Reconsider Amendments to Senate Bill No. 640

Mr. Gaffney moved that the vote whereby the amendments to Senate Bill No. 640 were adopted be reconsidered.

Point of Order

Mr. Geddes arose to the following point of order: That Mr. Gaffney is not speaking to the question.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The question being on the motion to reconsider.

The roll was called, and the amendments to Senate Bill No. 640 refused reconsideration by the following vote:

AYES—Beck, Berry, Brady, Burkhalter, Chapel, George D Collins, Cooke, Crowley, Davis, Dills, Doyle, Dunn, Evans, Gaffney, Hagen, Henderson, Luckel, Maloney, Meyers, Morris, Moss, Parker, Porter, and Rumford—24.

NOES—Babbage, Belotti, Brown, Burke, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Erwin, Geddes, Grant, Grunsky, Gubser, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Levering, Lipscomb, Lyon, McCarthy, McFall, McGee, Niehouse, Shaw, Sherwin, Silliman, Smith, Stewart, and Waters—33.

Bill order reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which was referred:

Assembly Bill No. 1071

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

EVANS, Chairman

Above reported bill ordered to second reading.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Senate Bill No. 928

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

GEDDES, Chairman

Above reported bill ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL BE PRINTED IN JOURNAL

Mr. Davis asked for, and was granted, unanimous consent that a letter of transmittal from the Interim Committee on Fairs and Expositions be ordered printed in the Journal, in 10 point type, as follows:

LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE
INTERIM COMMITTEE ON FAIRS AND EXPOSITIONS, May 22, 1951

Hon. Sam L. Collins, Speaker of the Assembly
California State Legislature
Sacramento, California

MR. SPEAKER: Your Committee on Fairs and Expositions, created pursuant to House Resolution No. 285, 1949 Session, herewith submits its final report and recommendations.

This report is based on a two-year study, by committee members, of fairs and expositions and their relationship to education and economy.

The committee is grateful to the many individuals and organizations which have cooperated in the gathering of material and information for this report.

The undersigned committee has the honor to submit its report on fairs and expositions.

In submitting this report on the work of the Interim Committee on Fairs and Expositions, the chairman and committee members desire to state that their primary purpose is to give a fairly complete current picture of how district and county fairs are actually operating in California. The attempt has been made to present objectively the problems which exist and which must be solved, to inform the Members of the Legislature and the public generally of the State's investment in fairs, to set forth the educational and cultural contributions which fairs make, to indicate in a general way the economic and commercial importance state-supported district and county fairs have attained in the business life of California, and finally to present certain constructive suggestions concerning the operation of county and district fairs. The committee does not make recommendations on every problem which perplex fair managers and fair directors. But we do hope that the recommendations which are presented and that the general information here made available will make easier the solution of problems to which we here propose no specific answers.

Respectfully,

LESTER T. DAVIS, Chairman
JOHN W. EVANS
JOHN E. MOSS, JR.
CHARLES S. GUBSER
L. STEWART HINCKLEY

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED AS A SEPARATE DOCUMENT AND THAT 1,500 COPIES BE PRINTED

Mr. Davis asked for, and was granted, unanimous consent that the above letter of transmittal, and Report of the Assembly Interim Committee on Fairs and Expositions, be ordered printed as a separate document, and that 1,500 copies be printed.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 3 p.m.—

Public Health, in Room 3184.
Social Welfare, in Room 426.
Special meeting Committee on Ways and Means, in Room 435. Subject: Assembly Bill No. 1954.

At 8 p.m.—

Fish and Game, in Room 3184.

Today Upon Adjournment—

Special meeting of Agriculture, at desk of Mr Clarke.

It was announced that the following committees would hold no meetings today:

Agriculture.
Elections and Reapportionment.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Conrad, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Louis Gabriel Collingswood of New Jersey and Mrs. Charles J. Conrad of Hollywood.

On request of Mr. Luckel and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Donald E. Hanson of San Diego.

On request of Mr. Smith, the usual courtesies of the Assembly for this day were unanimously extended to Dr. Jock Hales of Glendale.

On request of Mr. McGee, the usual courtesies of the Assembly for this day were unanimously extended to Capt. Earl James of Los Angeles.

On request of Mr. McCollister, the usual courtesies of the Assembly for this day were unanimously extended to Willard H. Van Dyke, teacher, and the following pupils of the Tamalpais Union High School, Mill Valley: Barbara Vincent, Jane Dalton, Irene Cervantes, and Jerry Cummings.

On request of Mr Luckel and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to C E Berry of San Diego.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Miriam Adams, teacher, and the following pupils of the Fair Oaks School: Barbara Allread, Frances Birch, Merrilee Collins, Jo Ann Currington, Doris Davis, Joel Dominick, John Frei, Marian Glass, Dorothy Harmison, Kurt Heilbronner, Diana Hildebrand, Dennis Irvine, Patricia Kellam, Mary Anna McEvoy, Arden Millermon, Bessie Morrow, Lynda Lou Neal, Paul Parker, Geraldine Paul, William Pettite, Bud Riley, Danny Sady, Janet Spellman, David Steele, James Steinke, Marjorie Stinger, Linda Swanson, Joe Tingley, Gloria Tonzi, and John Trimmer.

On request of Mr. Porter, the usual courtesies of the Assembly for this day were unanimously extended to George Brady of Compton.

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Ruth Hilliard and Ben Kimber of Modesto.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to E. McCortney, teacher, and the following pupils of the Vallejo College: Walford H. Mallory, Quenten Smith, Howard E. Bjeike, Loraine Bjeike, Tom Gaul, Loretta Joy Lau, Elspeth Goddard, Eloise Cereda, Marjorie Murphy, Ida Ann Raymus, Italo Grossi, Leonard E. Chavin, Owen Holy, and Dave Price.

On request of Mr. Coats, the usual courtesies of the Assembly for this day were unanimously extended to R. B Johnson, Jr., and Mrs. Fredrick R. Morey, teachers, and the following pupils from the East Nicolaus Union High School: Deniece Baldwin, Don Burton, Ellen Conrad, Art Coupe, Frances Coupe, Audrey Rae Coppin, Esther Darrach, Eugene Fioro, Gary Flanery, Tom Hasegawa, Stan Horton, Bill Jetton, Frank Johnson, Alex Johnston, Ralph Keys, Vesta LaFortune, Albert McQuiston, Concetta Ochipinti, Phyllis Pappas, Kathleen Ramos, Bethel Renner, Julian Rolufs, Richard Shalz, Jane Schoefer, Bud

Schneider, Larry Smith, Nancy Swetzer, Kathryn Theodosis, and Ray Vincent.

On request of Messrs. McFall and Parker, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Evelyn Van Vlear, teacher, and the following pupils of the Stockton College: Daroyl Askew, Edna Baham, Sylvia Bashor, Gerald Ding, Patsy Evans, Tommy Fox, Rodda Harvey, Bill Henton, Claire Herring, Marjorie House, Paul Hubbard, Harold Johnson, Mary Jayne Krebs, Joe Loduca, Margaret Mather, Joe C. Moore, Joan Morrill, Alameda Nettles, Felice Owens, Rose Paje, Janie Potter, Henry Quenzer, Donna Senter, Zay Shaeffer, Henry Shimosaki, Ivory Smith, and George Speckman.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Sister Mary Grace and Sister Corita, teachers, and the following pupils of the Immaculate Conception School: Jerry Asher, Elizabeth Barbieri, Diane Blanc, Betty Ann Bowman, Carol Caldeira, Sue Calder, Eugene Cecchettini, Carol Coffield, Helen Demas, Michael Duffek, Margaret Duggan, Margaret Dullanty, Florence Estacio, Robert Estacio, Frances Farrell, Judy Geach, Joseph Genshlea, Lenora Giordano, Connie Gonzalez, John Hamilton, Jerry Hansen, Richard Hardmeyer, Lorraine Henretty, Maureen Herberger, John Hohe, Mary Ann Young, Jimmy Jones, Valerie Kaiser, Jack Keating, Pern Keilhofer, Robert Kirrene, Tim Leahy, Kenneth Marques, Fidalma Mentessi, Julius Micheletti, Katherine Muheim, Terry Mulligan, Barbara Murphy, Robert Neves, Gary Peterson, Michael Pierce, Carol Proske, Jackie Pugh, Phyllis Ritthaler, Joan Rose, Marvin Scharosch, David Schiele, Byron Schnetz, James Sigl, John Sigl, Frank Spiering, Frank Stagnaro, Annette Vierria, Janet Whalen, Mary Alice Wilcox, Tom Kearney, Maximillian Baer, Dorothy Bollinger, Gerald Borges, Gail Boucher, Patrick Butler, Paula Corsiglia, Fay Michael, Jerold Fippen, Rosemary Fisher, Melvin Fitzwater, Faustino Flores, Donna Frates, Myrna Frates, Leo Grannucci, Robert Grannucci, John Groza, Anthony Jurach, James Keating, Carol LaFranco, Virginia Lane, Louise Latino, Robert Leonard, Kathleen Meehan, Lois Monday, Mary Louise Mitchell, Joanne Morrisey, Mary Lou McMahon, Marlene Montgomery, Rosemary Ornelas, John Pintar, Joanne Porter, Robert Puccinelli, Kathryn Ransom, Rosalie Romero, Sandra Robinson, Keith Schiele, Thomas Shepard, Arlene Slakey, Thomas Stark, Beverly Sterling, Mary Van Dillon, and Sandra Wurster.

On request of Mr. Coats, the usual courtesies of the Assembly for this day were unanimously extended to Ruth G. Freeman, teacher, G. W. Burnett, Harold S. Edwards, Gordon V. Hersey, and Mrs. J. J. Collins, adults, and the following pupils of the Marysville School: Joyce Chadwick, Richard Durfoe, Beverly Stewart, Sheila Fehr, Charles Vierrea, Joanne Polmanteer, Shirley Tiner, Gordon Hersey, Judy Looper, Carol Scott, Victor Olschowka, Shirley Welmoth, Dennis Green, Bill Burnett, Malcolm McAuley, Sam Edwards, Larry Filby, Richard Strange, Jackie Collins, Kay Hastay, Heather Creer, Nancy Lefevre, Eleanor Pezoldt, Luane Leceth, Myra Medigovich, Warren Bae, Jerry Notestine, Robert Barnes, Rae Monda Hamm, Marie Veros, Betty Maguire, and Mickey Bouska.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to Mark McKimmey, Miss Kouns, Mr. Larsen, and Mrs. Zumwalt, teachers, and the following pupils of the Martinez School: Annis Gerald, Carl Cook, Morris Coon, Clyde Hanke, Bob Jensen, Bobert Roybal, Gary Russell, Tim Ryan, Don Stilley, Mary Anderson, Millie Bonner, Emogene Brigden, Brenda De Berry, Marge Fryer, Joyce Jones, Jackie Brunetto, Loryn Harbough, Carol Lacy, Donna Messenger, Patty Mummah, Joan Schmidt, Betty Soares, Donald Bartsch, James Brewer, Allan DeFraga, Robert Flackus, Danny Glass, Albert Green, Charles Kemp, Richard Manley, Darwin Michle, Jimmy Moses, Wayne Robbins, Dennis Smith, Michael Stark, Roger Wood, Halline Adamson, Barbara Aitkenhead, Marles Burk, Geraldine Christain, Roberta Fidalgo, Patricia Gomez, Shirley Howington, Susan Jones, Lynda Lewis, Linda Shepherd, Naydene Willhite, Leola Wilson, Beverly Wong, Judy Viland, Beth Waters, Vilene Wearne, and Susan Stornetta.

On request of Mr. Collier, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Herbert M. Brooks of Portland, Oregon.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Marcia and Cheryl Clouse and Barbara Hays of Sacramento.

On request of Messrs. Moss and Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Johnson, R. E. Dahm, and the following pupils of the Natomas School: Lois Lauppe, Douglas Webb, William Williamson, Joyce Rosa, Martell Swalley, Leavitt Swalley, Patricia Hukill, Elliott James, Ellis Jones, Joe Perry, Carole Draper, Maria Perry, Nancy Lou Parks, Anna Sue Parks, Allen Berg, Albert Roderigue, Edward Casta, Linda Heston, Dennis Sasabuchi, Doris Webb, Diana Machado, Gayle Westby, Richard Gregorio, Clifford Webb, Richard Strouch, Lois Hukill, Jo Ann Azevedo, Janice Morita, Bill Costa, Ted Heston, Rodney Harwood, John Thornton, Jane Morita, Dorothy Machado, Kenny Wagner, Lois Clark, Laverne Lauppe, Dolores Riley, Marie Hukill, Victor Webb, Don Strouch, Rosemary Gregorio, and Ronald Costa.

ADJOURNMENT

At 2.35 p.m., on motion of Mr. Erwin, the Speaker declared the Assembly adjourned until 10 a.m., Wednesday, May 23, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SIXTY-FIFTH LEGISLATIVE DAY

EIGHTY-NINTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, May 23, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—71.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Almighty and Eternal Father, Who has made of one blood all nations and hast determined the bounds of their habitations, we beseech Thee to bless the peoples whom Thou hast created. Grant that the families of the earth may live together in the spirit of brotherhood. We pray for those who rule over us and guide our policies. May they lead us in the paths of peace and justice. Let this great Nation, which Thou hast wonderfully blest, take its place among the peoples of the earth as one that serveth.

"O, Ruler of the Universal sphere,
Help us to crush all paralyzing fear;
Give wisdom that our puny lives may know
A broadening spirit that shall build and grow
Into workable, efficient plan
Triumphant in the government of man"

We ask it in the name and for the sake of the Savior of Men, who loved us and gave Himself for us.—AMEN.

REQUEST FOR UNANIMOUS CONSENT THAT NAMES OF MEMBERS ATTENDING MEETING OF THE ALLOCATION BOARD BE PLACED UPON MORNING ROLL CALL

Speaker Sam L. Collins asked for, and was granted, unanimous consent that the names of two members attending a meeting of the Allocation Board, at this time, be placed upon the morning roll call as follows:

Messrs. Beck and Maloney.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Dills, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Hahn, on motion of Mr. Morris.

Mr. Thomas, on motion of Mr. Porter.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Fleury, on motion of Mr. Coats.

Mr. Brown, on motion of Mr. Dills.

Mr. Meyers, on motion of Mr. McCarthy.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Kilpatrick, on motion of Mr. Munnell.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1111	Assembly Bill No. 3159
Assembly Bill No. 2885	Assembly Bill No. 3410

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended.

Assembly Bill No. 340	Assembly Bill No. 2085
Assembly Bill No 1240	Assembly Bill No. 2128
Assembly Bill No. 1243	Assembly Bill No. 2623
Assembly Bill No. 1891	Assembly Bill No. 3280

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 164
Assembly Bill No. 184
Assembly Bill No. 306
Assembly Bill No 830
Assembly Bill No 1004
Assembly Bill No. 1149
Assembly Bill No 1222
Assembly Bill No 1291
Assembly Bill No. 1566
Assembly Bill No. 1705
Assembly Bill No 2254
Assembly Bill No. 3199
Assembly Bill No. 3400

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 22, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 53
Senate Bill No. 314
Senate Bill No 321
Senate Bill No. 326
Senate Bill No 560
Senate Bill No. 647
Senate Bill No. 945
Senate Bill No 1808

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 22, 1951

MR SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted:

Senate Constitutional Amendment No. 6

J A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending the second, third, and tenth paragraphs of Section 1 of Article IV thereof, relating to initiative petitions

Referred to Committee on Constitutional Amendments.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 82
Senate Bill No. 83
Senate Bill No. 85
Senate Bill No. 121
Senate Bill No. 466
Senate Bill No. 553
Senate Bill No. 1632
Senate Bill No. 1706

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 82—An act to amend Section 27367 of the Government Code, relating to recorder's fees.

Referred to Committee on Municipal and County Government.

Senate Bill No. 83—An act to amend Section 27366 of the Government Code, relating to recorder's fees.

Referred to Committee on Municipal and County Government.

Senate Bill No. 85—An act to amend Section 27371 and to repeal Section 27374 of the Government Code, relating to the fee for recording.

Referred to Committee on Municipal and County Government.

Senate Bill No. 121—An act to add Section 27361.5 to the Government Code, relating to recorder's fees.

Referred to Committee on Municipal and County Government.

Senate Bill No. 466—An act to add Sections 5438.5, 5461, 5462, 5463, 5464, 5465, 5466, and 5467, to the Public Resources Code, relating to county recreation districts.

Referred to Committee on Municipal and County Government.

Senate Bill No. 553—An act to amend Section 5 of the Principal and Income Act, relating to the treatment of stock dividends as principal or income.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1632—An act to add Section 19535 to the Business and Professions Code, relating to horse racing.

Referred to Committee on Boards and Commissions

Senate Bill No. 1706—An act to amend Sections 13642, 14103, 14191, 14201, 14211, and to repeal Section 14212 of the Revenue and Taxation Code, relating to inheritance taxes.

Referred to Committee on Revenue and Taxation.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 3428—An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the City of Santa Clara, County of Santa Clara, State of California.

Bill read second time, and ordered engrossed.

Assembly Bill No. 249—An act to amend Sections 64, 67, 70, 75, 79, and 97 of the Unemployment Insurance Act, relating to a System of Unemployment and Disability Insurance

Bill read second time, and ordered engrossed.

Assembly Bill No. 2081—An act to amend Section 1648.3 of the Insurance Code, relating to insurance brokers' licenses

Bill read second time, and ordered engrossed.

Assembly Bill No. 2577—An act to amend Section 20045 of the Water Code, relating to certification of bond issues.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1345—An act providing for the constitution of the municipal court in a district embracing the City of Richmond, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 5, 6, and 7, and insert

"(1) There shall be three judges, each of whom shall receive eleven thousand five hundred dollars ($11,500) per annum, payable in equal monthly installments.

(2) There shall be one clerk who shall receive six thousand dollars ($6,000) per annum, payable in equal monthly installments and who may appoint the following:

One chief deputy clerk who shall receive a minimum salary of three hundred fifty-five dollars ($355) monthly with annual increments of twenty dollars ($20), twenty dollars ($20), twenty-two dollars ($22), and twenty-three dollars ($23) to a maximum of four hundred forty dollars ($440) monthly;

Three deputy clerks who shall be court clerks and each of whom shall receive a minimum salary of three hundred twenty dollars ($320) monthly with annual increments of twenty dollars ($20), twenty dollars ($20), twenty-two dollars ($22), and twenty-three dollars ($23) to a maximum of four hundred five dollars ($405) monthly;

Two deputy clerks each of whom shall receive a minimum salary of two hundred forty-six dollars ($246) monthly with annual increments of thirteen dollars ($13), fourteen dollars ($14), fifteen dollars ($15) and fifteen dollars ($15) to a maximum of three hundred three dollars ($303) monthly;

One deputy clerk who shall receive a minimum salary of two hundred dollars ($200) monthly with annual increments of eleven dollars ($11), ten dollars ($10), twelve dollars ($12), and thirteen dollars ($13) to a maximum of two hundred forty-six dollars ($246) monthly;

Two deputy clerks each of whom shall receive a salary of one hundred ninety-six dollars ($196) monthly with annual increments of nine dollars ($9), ten dollars ($10), eleven dollars ($11) and ten dollars ($10) to a maximum of two hundred thirty-six dollars ($236) monthly;

(3) There shall be one marshal who shall receive a salary of six thousand dollars ($6,000) per annum, payable in equal monthly installments and who may appoint the following:

One chief deputy who shall receive a minimum salary of three hundred fifty-five dollars ($355) monthly with annual increments of twenty dollars ($20), twenty dollars ($20), twenty-two dollars ($22) and twenty-three dollars ($23) to a maximum of four hundred forty dollars ($440) monthly;

Three deputy marshals who shall be court bailiffs, each of whom shall receive a minimum salary of two hundred seventy-three dollars ($273) monthly with annual increments of fifteen dollars ($15), fifteen dollars ($15), sixteen dollars ($16) and eighteen dollars ($18) to a maximum of three hundred thirty-seven dollars ($337) monthly;

Two deputy marshals, each of whom shall receive a minimum salary of two hundred fifty-nine dollars ($259) monthly with annual increments of fourteen dollars ($14), fifteen dollars ($15), fifteen dollars ($15) and sixteen dollars ($16) to a maximum of three hundred nineteen dollars ($319) monthly;

Ten deputies (custodians) at the fee allowed by law for keeping property.

The deputy marshals serving as custodians shall be paid only for their actual services as keepers of property taken under legal process and shall be paid out of the funds deposited by the parties to the action in which such services are rendered.

(4) Official reporters in such municipal courts described in this section, appointed as provided in Sections 274c and 274d of the Code of Civil Procedure, shall be attaches of such court and in lieu of any other compensation provided by law for their services in reporting testimony and proceedings in such court, shall receive a salary of five hundred dollars ($500) per month, which shall be a charge against the general fund of the county.

In conformity with the provisions of Section 274c of the Code of Civil Procedure, the judges of such court may appoint as many additional reporters as the business of the court may require, who shall be known as official reporters pro tempore, and who shall serve without salary but shall receive the fees provided by Section 274 of the Code of Civil Procedure, except that in lieu of the per diem fees provided in said section for reporting testimony and proceedings, said official reporters pro tempore shall in all cases receive twenty dollars ($20) per day, which shall upon order of the court be a charge against the general fund of the said county.

Fees for transcription of testimony and proceedings in such court shall be paid by the litigants to official reporters and official reporters pro tempore as otherwise provided by law. In all cases where by law, the court may direct the payment of transcription fees out of the county treasury, such fees shall, upon order of the court, be paid from the general fund including fees for transcription of testimony and proceedings in criminal cases as provided in Section 274 of the Code of Civil Procedure which shall be paid from the county treasury.

Official reporters of such court shall be members of any retirement system maintained by any county of the fifteenth class in which they are employed. For the purpose

of such retirement system the salary herein provided for such reporters shall be deemed their entire compensation.

(5) Persons employed in the service on the effective date of the amendment to this section shall receive credit for prior service in the justice's court, police court or municipal court of the city and in the sheriff's department or constabulary of the county, and shall receive, in addition to the minimum rate, the annual increments commensurate with years of prior service up to the maximum rate set. Changes of title created in establishing the municipal court shall not detract from said years of prior service.

(6) The annual increments shall be dependent upon the employee maintaining the minimum efficiency rating designated by the appointing authority and at any time the efficiency rating falls below the minimum standard the appointing authority shall have the power to suspend all or any part of the annual increments."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1582—An act to add Section 7.1 to the Alcoholic Beverage Control Act, relating to issuance of licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Boards and Commissions:

Amendment No. 1

On page 1, line 13, of the printed bill, after the period, insert "No license shall be issued pursuant to this section to a person who is not qualified to hold a license at the time of filing his application, and the issuance of such a license shall be subject to the approval of the board and other provisions of this act."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Joint Resolution No. 36—Relative to prohibiting payment of federal public funds to certain persons.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

On page 1 of the printed measure, strike out lines 1 to 6, inclusive, and insert

"WHEREAS, There is now pending before the Congress of the United States an amendment to the State Department Appropriation Bill which would prohibit the payment of public funds appropriated by such bill to any officer or employee of the State Department who, within the past five years, has been engaged directly or indirectly to represent any foreign government; and".

Amendment No. 2

On page 1, line 8, of said measure, strike out "measure", and insert "an amendment".

Amendment No. 3

On page 1, line 12, of said measure, strike out "enact such measure", and insert "adopt such amendment".

Amendments read, and adopted.

Resolution ordered reprinted, and engrossed.

Assembly Bill No. 1689—An act to add Chapter 2, consisting of Sections 6100 to 6106 to Part 3 of Division 6 of the Welfare and Institutions Code, relating to state grants-in-aid to counties for the care and treatment in county hospitals of persons suffering from mental illness, mental disease, or mental disorder, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 3 of the printed bill, as amended in the Assembly on May 10, 1951, after line 47, insert "Expenditures under this chapter shall be audited by the State Controller."

Amendment No. 2

On page 4, line 8, of said bill, after "chapter", insert ", and 1 percent, or so much thereof as may be necessary, is hereby made available for expenses of the Controller in carrying out the duties imposed by this act".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2474—An act to make an appropriation for the improvement of certain streets in Los Angeles County.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 26, of the printed bill as amended in the Assembly on May 21, 1951, after the period, insert "No construction on the improvement shall be commenced until sufficient funds are available to complete the improvement."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 516—An act to amend Section 5050.5 of the Insurance Code, relating to insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 4, line 8, of the printed bill, as amended in the Assembly on May 8, 1951, strike out "loss or"; and strike out all of lines 9 to 12, inclusive, and insert "insurance of the kinds included in Sections 107 and 120."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 519—An act to amend Section 1198 of the Insurance Code, relating to insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 2, line 25, of the printed bill, as amended in the Assembly on May 16, 1951, after "liabilities", insert "and required reserves".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2496—An act to repeal Chapter 10 of, and to add Chapter 10 to, Part 2 of Division 2 of the Insurance Code, relating to fraternal benefit societies.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 5, lines 19 and 20, of the printed bill, as amended in the Assembly on May 16, 1951, strike out "herein provided", and insert "*provided in this article*".

Amendment No. 2

On page 6, line 14, of said bill, as amended, strike out "herein provided", and insert "*provided in Section 11012*".

Amendment No. 3

On page 6, line 51, of said bill, as amended, strike out "Section 11010", and insert "*this article*".

Amendment No. 4

On page 10, line 19, of said bill, as amended, strike out the period, and insert a semi-colon.

Amendment No. 5

On page 10 of said bill, as amended, strike out lines 20 to 23, inclusive, and insert

"*(b) Issue any certificate, policy or other document promising such payments;*
(c) Provide in its constitution, by-laws or any other document that such payments may be received by any member of such society as a matter of right; nor
(d) Advertise such payments as insurance or as payments to which the member has any right."

Amendment No. 6

On page 10, line 25, of said bill, as amended, strike out "for insurance purposes", and insert "*in excess of the amount of the liabilities of such special fund*".

Amendment No. 7

On page 11, line 4, of said bill, as amended, after "101", insert "*except group insurance and funeral insurance as defined in Section 10240*".

Amendment No. 8

On page 11, line 7, of said bill, as amended, after "member", insert "*and all forms of group insurance*".

Amendment No. 9

On page 11 of said bill, as amended, strike out lines 10 to 12, inclusive.

Amendment No. 10

On page 14, line 14, of said bill, as amended, strike out "claim is filed", and insert "*loss occurs*".

Amendment No. 11

On page 18, line 19, of said bill, as amended, strike out "license", and insert "*certificate of authority*".

Amendment No. 12

On page 19, line 29, of said bill, as amended, strike out "the manner in which such acts have occurred", and insert "*wherein such conditions exist*".

Amendment No. 13

On page 20, lines 46 and 47, of said bill, as amended, strike out "the manner in which such acts have occurred", and insert "*wherein such conditions exist*".

Amendment No. 14

On page 22, line 7, of said bill, as amended, after "1945," insert "*and who is licensed to represent a fraternal benefit society on the effective date of this chapter and continuously thereafter,*".

Amendment No. 15

On page 23, line 13, of said bill, as amended, strike out "licensed", and insert "*receive a certificate of authority*".

Amendment No. 16

On page 24, line 11, of said bill, as amended, strike out "society", and insert "*mutual life insurance company*".

Amendment No. 17

On page 24 of said bill, as amended, between lines 13 and 14, insert

"*11110. In addition to any other ground for disapproving such conversion, the commissioner may refuse to give such approval unless evidence satisfactory to him is submitted that:*

(a) The reserves on all certificates theretofore issued are sufficient to carry them to maturity either by reason of the amount thereof or by reason of action by such society pursuant to either subsection (c) hereof or Section 11111;

(b) The plan of conversion will result in the availability of all funds and assets of the mutual life insurance company to the carrying out of the contracts of insurance whether transacted before or after conversion; and

(c) The society has lawfully amended all outstanding certificates on which the member's contribution was inadequate to carry such certificate to maturity without assessment. Such amendment shall accomplish that purpose by either increasing the amount of contribution or premium, by whatever name known, sufficiently or, at the option of the certificate holder, reducing the amount of his benefits sufficiently

11111. Any society may comply with subsection (a) of Section 11110 by deducting from its surplus an amount which, when added to the reserves on certificates theretofore issued, shall be sufficient to carry such certificates to maturity and establish and maintain after its conversion into a mutual life insurance company a special reserve in such an amount. The basis of such special reserve shall not be altered without the prior written consent of the commissioner. The commissioner shall give such consent only when he finds that such alteration will not impair nor imperil the purpose for which such special reserve is established. Any impairment of such reserve shall, to the extent thereof, be deemed a deficiency of required reserves and shall render the mutual life insurance company involvent. No part of such special reserve shall be deemed to be a part of the capital paid in or of the surplus of the mutual life insurance company."

Amendment No. 18

On page 24, line 14, of said bill, as amended, strike out "11110", and insert "*11112*"

Amendment No. 19

On page 24, line 34, of said bill, as amended, before "11120", insert "*Section*".

Amendment No. 20

On page 26, lines 24 and 25, of said bill, as amended, strike out "herein required", and insert "*required by Section 11131*".

Amendment No. 21

On page 28, line 39, of said bill, as amended, strike out "herein".

Amendment No. 22

On page 31, line 19, of said bill, as amended, strike out "(c)", and insert "*(a)*".

Amendment No. 23

On page 31, line 20, of said bill, as amended, strike out "(d)", and insert "*(b)*".

Amendment No. 24

On page 31, line 22, of said bill, as amended, strike out "(e)", and insert "*(c)*".

Amendment No. 25

On page 32 of said bill, as amended, after line 23, insert

"*SEC. 3.* If any clause, sentence, paragraph, or part of this act or the application thereof to any person or circumstances, shall for any reason be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this act and the application thereof to other persons or circumstances, but shall be confined in its operation to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment shall have been rendered and to the person or circumstance involved."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 974—An act to add Section 4557 to the Labor Code, and to amend Section 11661 of the Insurance Code, relating to additional workmen's compensation for minors.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, lines 5 and 6, of the printed bill, strike out "one hundred percent (100%)", and insert "fifty percent (50%)".

Amendment No. 2

On page 1 of said bill, between lines 10 and 11, insert a new paragraph to read "*An employer shall not be held liable for the additional compensation provided by this section if such an employee is hired pursuant to a birth certificate, automobile driver's license, or other reasonable evidence of the fact the employee is over the age of 15 years, even though such evidence of age were falsely obtained by the employee. The additional compensation provided by this section shall not exceed the maximum sum specified by Section 4553 for additional compensation payable for serious and wilful misconduct on the part of an employer.*"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2011—An act to add Chapter 5.7, comprising Sections 2650 to 2694, inclusive, to Division 2 of the Business and Professions Code, relating to the practice of physical therapy, schools of physical therapy, and the licensing of physical therapists, and prescribing penalties for violations hereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 2, line 22, of the printed bill, as amended in the Assembly on May 14, 1951, strike out "twenty-five dollars ($25) per diem", and insert "fifteen dollars ($15) as compensation".

Amendment No. 2

On page 2, line 23, of said bill, after the period, insert "In addition, each member shall be reimbursed for his necessary travel and other expenses incurred in the performance of his official duties."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2464—An act to add Sections 604.14, 604.15, 604.16, and 604.17 to the Vehicle Code, relating to operation of ambulances.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on April 23, 1951, strike out "add Sections 604.14, 604.15, 604.16, and 604.17 to", and insert "amend Section 672 of".

Amendment No. 2

In line 3 of the title of said bill, strike out "operation of ambulances", and insert "escort of vehicles by police and traffic officers".

Amendment No. 3

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 672 of the Vehicle Code is amended to read.

672. Sirens and Illegal Speed of Escorts. Every police and traffic officer is hereby expressly prohibited from using a siren or driving at an illegal speed when serving as an escort of any vehicle or vehicles on a highway, *except when escort is furnished for the preservation of life or when expediting movements of Armed Forces during a national emergency*"

Amendment No. 4

On page 1 of said bill, strike out lines 2 to 28, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

Assembly Bill No. 1189—An act to amend Section 13 of the Municipal Court Act of 1949, relating to judges, officers, and attaches of the municipal and justice courts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, after the comma, insert "and to amend Section 159 of the Code of Civil Procedure,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, after line 16, insert

"SEC. 2. Section 159 of the Code of Civil Procedure is amended to read:

159. Every justice of the peace shall reside in the city, or judicial township, in which his court is held, and no person shall be eligible to the office of justice of the peace unless he [shall have been] *is* a citizen of the United States and a resident of the county and township in which he is to serve [for one year next preceding his election or appointment]."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1463—An act providing for the constitution of the municipal court in a district embracing the Town of Lakewood Village, Los Angeles County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

Strike out the title of the printed bill, and insert

"An act to add Section 12.5 to the Municipal Court Act of 1925, relating to compensation of municipal court judges in Los Angeles County and to provide for the compensation of judges of municipal courts established in judicial districts in Los Angeles County."

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 7, inclusive, and insert

"SECTION 1. Section 12.5 is added to the Municipal Court Act of 1925, to read.

Sec. 12.5. Notwithstanding any other provision of this act, each judge of a municipal court in Los Angeles County shall receive a salary of fifteen thousand dollars ($15,000) per annum, payable in equal monthly installments.

SEC. 2. Each judge of a municipal court established in a judicial district in Los Angeles County shall receive a salary of fifteen thousand dollars ($15,000) per annum, payable in equal monthly installments."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 2689—An act relating to the charges of operators of off-street parking facilities.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Boards and Commissions:

Amendment No. 1

On page 1, line 4, of the printed bill, after the period, insert "Such charges shall be for an hourly period and for half-hour or greater periods after the first hour."

Amendment No. 2

On page 1, line 6, of said bill, strike out "15", and insert "6".

Amendment No. 3

On page 1, line 7, of said bill, after the period, insert "The half-hour fee shall be charged for use of such facilities for period more than 6 minutes and less than 30 minutes in excess of the period for which a particular fee is charged."

Amendment No. 4

On page 1 of said bill, after line 10, insert

"(d) Fails to post the closing hour of his parking facilities.

SEC. 2. Section 1 of this act shall apply only to the County of Los Angeles.

SEC. 3. If any provision of this act is for any reason held to be invalid, such invalidity shall not affect other provisions of the act which can be given effect without the invalid provision, and to this end the provisions of this act are declared to be severable."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Boards and Commissions.

Assembly Bill No. 2339—An act to add Section 308b to the Penal Code, relating to cigarette vending machines.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Boards and Commissions:

Amendment No. 1

In line 1 of the title of the printed bill, after the second "to", insert ", and to amend Section 308 of,".

Amendment No. 2

In lines 1 and 2 of the title of said bill, strike out "cigarette vending machines", and insert "the sale of tobacco and tobacco products".

Amendment No. 3

On page 1, lines 6 and 7, of said bill, strike out "and so situated therein that it is not accessible to the public".

Amendment No. 4

On page 1, line 12, of said bill, after "establishment", insert ", and of the person who owns or furnishes such vending machine,".

Amendment No. 5

On page 1 of said bill, strike out lines 15 to 18, inclusive; and in line 19, strike out "is located."

Amendment No. 6

On page 1, line 20, of said bill, after "establishment", insert ", and of the person who owns or furnishes such vending machine,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 7

On page 1 of said bill, after line 24, insert

"SEC. 2 Section 308 of said code is amended to read:

308. Every person, firm or corporation which *directly or indirectly* sells or gives or in any way furnishes *by vending machine or otherwise* to another person who is in fact under the age of 18 years any tobacco, cigarette or cigarette papers or any other preparation of tobacco is guilty of a misdemeanor [, and upon conviction thereof shall be punished for the first offense by a fine of not less than twenty-five dollars nor more than one hundred dollars, or by imprisonment for not more than sixty days; and for the second offense by a fine of not less than fifty dollars nor more than two hundred dollars, or by imprisonment for not more than ninety days; and for each subsequent offense by a fine of not less than one hundred dollars and not more than three hundred dollars, or by imprisonment for not less than ninety days nor more than six months, or by both such fine and imprisonment] .

Every person, firm or corporation which sells, or deals in tobacco or any preparation therof, shall, within 90 days after this [act] *section* becomes effective, post conspicuously and keep so posted in his or their place of business a copy of this [act] *section* [,] . *Any machine used for the vending of tobacco or tobacco products on or after January 1, 1952, shall have conspicuously imprinted on the front thereof in letters at least one-quarter inch in heighth a copy of this section.* [and any such person failing to do so shall upon conviction be punished by a fine of five dollars for the first offense and twenty-five dollars for each succeeding violation of this provision, or by imprisonment for not more than thirty days] *Any person, firm or corporation failing to comply with any of the provisions of this section is guilty of a misdemeanor.*

The Secretary of State is hereby authorized to have printed sufficient copies of this [act] *section in letters at least one-quarter inch in height* to enable him to furnish dealers in tobacco, *whether their sales are made over the counter or by vending machine,* with copies thereof upon their request for the same."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Boards and Commissions.

Assembly Bill No. 2329—An act to amend Section 61.2 of, and to add Section 61.3, 61.4, 61.5, and 61.6 to the Alcoholic Beverage Control Act, relating to the sale of alcoholic beverages and providing for proof, upon demand, that persons to whom such beverages are served or sold are over the age of 21 years.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Boards and Commissions:

Amendment No. 1

In the title of the printed bill, strike out lines 4 and 5, and insert issuance of identification cards to such persons over the age of 21 as may apply therefor, and imposing penalties in connection therewith."

Amendment No. 2

On page 2, line 7, of said bill, strike out "and who is a resident of this State".

Amendment No. 3

On page 2, line 9, of said bill, strike out ", sheriff, chief of"; and strike out line 10, and insert "and".

Amendment No. 4

On page 2, line 18, of said bill, strike out "city and county,"; strike out line 19; and in line 20, strike out "of Equalization Office", and insert "or city and county".

Amendment No. 5

On page 2, lines 20 and 21, of said bill, strike out "resident of this State", and insert "person".

Amendment No. 6

On page 2 of said bill, after line 51, insert

"(c) Any person who knowingly issues an identification card to any person who is under the age of 21 years is guilty of a misdemeanor.

(d) Every person who steals or, without authority to do so, alters, forges, or counterfeits any registration or identification card provided for in Sections 61.3 and 61.4 shall be punishable by imprisonment in the state prison for not less than six months nor more than five years or in a county jail not exceeding six months, or by fine not exceeding five hundred dollars ($500), or by both such fine and imprisonment."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Boards and Commissions.

Assembly Bill No. 501—An act to add Section 7.6 to the California Unemployment Insurance Act, relating to unemployment insurance, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In the title of the printed bill, strike out "7.6", and insert "7.7".

Amendment No. 2

On page 1, line 3, of the printed bill, strike out "7.6", and insert "7.7".

Amendment No. 3

On page 1, line 4, of the printed bill, strike out "1950", and insert "*1952*".

Amendment No. 4

On page 2, line 38, of the printed bill, strike out "division".

Amendment No. 5

On page 2, line 39, of the printed bill, strike out "bureau,".

Amendment No. 6

On page 2, line 39, of the printed bill, strike out ", or in a particular branch".

Amendment No. 7

On page 2, line 40, of the printed bill, strike out "office or other organization unit thereof".

Amendment No. 8

On page 2 of the printed bill, following line 48, insert

"*(f) An individual otherwise eligible under this section cannot establish a valid claim or benefit year based upon wages paid by the State of California unless he has had at least one year of full time continuous employment with the State.*"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 676—An act to amend Section 67 of the Unemployment Insurance Act of the State of California, relating to notices of benefit claims.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 24, of the printed bill, strike out "who prior to the determination has submitted any."

Amendment No. 2

On page 1 of the printed bill, strike out line 25.

Amendment No. 3

On page 2, line 1, of the printed bill, strike out "this act or authorized regulations"

Amendment No. 4

On page 2, line 26, of the printed bill, strike out "submitting the facts"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 1957—An act to amend Section 10202 of the Insurance Code, relating to group life insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 14, 1951, strike out "amend Section 10202 of", and insert "add Section 10180 to".

Amendment No. 2

In line 2 of the title of said bill, after "life", insert "and disability".

Amendment No. 3

On page 1, line 1, of said bill, strike out "10202 of the Insurance Code is"; strike out lines 2 to 26, inclusive, and lines 1 to 13, inclusive, on page 2, and insert "10180 is added to the Insurance Code, to read:

10180. Any policy or contract of group life insurance or group disability insurance may provide for readjustment of the rate of premium based upon the experience thereunder at the end of the first year or of any subsequent year of insurance and such readjustment may be made retroactive only for such policy year. A dividend shall not be construed as a readjustment of rate of premium. Any policy dividends hereafter declared, or reduction in rate of premiums hereafter made or continued for the first or any subsequent year of insurance, under any such group policy heretofore or hereafter issued, may be applied as follows:

(a) In the absence of any representation or agreement by the master policyholder to share a definite proportion of the cost of such group insurance, such dividends or reduction may be applied to reduce the master policyholder's part of the cost of such insurance, except that if the aggregate dividends or refunds or credits under such group policy and any other group policy or contract issued to the master policyholder exceed the aggregate contributions of the master policyholder towards the cost of the coverages, such excess shall be applied by him for the sole benefit of the group of persons insured thereunder.

(b) If the master policyholder by representation or agreement has undertaken to bear a certain proportion of the cost of such group insurance, the master policyholder may recover from such dividends or reduction only such portion thereof as his share of the original contribution bore to the total contribution and the remainder shall be applied by him for the sole benefit of the group of persons insured thereunder."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 1071—An act to add Sections 2⅞, 13⅛, and 50⅛ to the Public Utilities Act, relating to public utilities.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Utilities and Corporations:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Sections 2⅞, 13⅛, and 50⅛ to", and insert "amend Section 50¼ of, and to add Section 52.1 to,"

Amendment No. 2

In line 2 of the title of said bill, after the comma, insert "and to amend Section 1066 of, and to add Section 8165 to,".

Amendment No. 3

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 50¼ of the Public Utilities Act is amended to read:

Sec. 50¼. (a) No highway common carrier, or petroleum irregular route carrier, shall hereafter operate or cause to be operated any auto truck, or other self-propelled vehicle not operated on rails, for the transportation of property as a common carrier for compensation on any public highway in this State except in accordance with the provisions of this act.

(b) The Railroad Commission of the State of California is hereby vested with power and authority to supervise and regulate every highway common carrier and petroleum irregular route carrier in this State; to fix the rates, fares, charges, classifications, rules and regulations of each such highway common carrier and petroleum irregular route carrier; to regulate the accounts, service and safety of operations of each such highway common carrier and petroleum irregular route carrier, to require the filing of annual and other reports and of other data by such highway common carriers and petroleum irregular route carriers; and to supervise and regulate highway common carriers and petroleum irregular route carriers in all other matters affecting the relationship between such carriers and the shipping public. The Railroad Commission shall have power and authority, by general order or otherwise, to prescribe rules and regulations applicable to any and all highway common carriers and petroleum irregular route carriers. The Railroad Commission, in the exercise of the jurisdiction conferred upon it by the Constitution of this State and by this act, shall have power and authority to make orders and to prescribe rules and regulations affecting highway common carriers and petroleum irregular route carriers, notwithstanding the provisions of any ordinance or permit of any incorporated city or town, city and county, or county, and in case of conflict between any such order, rule or regulations and any such ordinance or permit, the order, rule or regulation of the Railroad Commission shall in each instance prevail.

(c) No highway common carrier, or petroleum irregular route carrier, shall hereafter begin to operate any auto truck, or other self-propelled vehicle, for the transportation of property for compensation on any public highway in this State without first having obtained from the Railroad Commission a certificate declaring that public convenience and necessity require such operation, but no such certificate shall be required of any highway common carrier as to the fixed termini between which or the route over which it was actually operating as a highway common carrier on July 26, 1917, and in good faith continuously thereafter, or for operations exclusively within the limits of an incorporated city, town or city and county, or for the performance of pickup, delivery, or transfer services by such carrier within such carrier's lawfully published pickup and delivery zones insofar as such pickup and delivery limits do not include territory in excess of three miles from the corporate limits of any incorporated city or town or three miles from the post office of any unincorporated point. Any right, privilege, franchise, or permit held, owned or obtained by any highway common carrier, or petroleum irregular route carrier, may be sold, assigned, leased, transfered or inherited as other property, only upon authorization by the Railroad Commission. The Railroad Commission shall have power, with or without hearing, to issue said certificate as prayed for, or to refuse to issue the same, or to issue it for the partial exercise only of said privilege sought, and may attach to the exercise of the rights granted by said certificate such terms and conditions as, in its judgment, the public convenience and necessity require. Without the express approval of the commission, no certificate of public convenience and necessity issued to one highway common carrier, or petroleum irregular route carrier, under the provisions of this section, or heretofore issued by the commission to one highway common carrier, or petroleum irregular route carrier, for the transportation of property by auto truck or self-propelled vehicle, nor any operative right of one highway common carrier, or petroleum irregular route carrier, founded upon operations actually conducted in good

tariff on July 26, 1917, shall be combined, united or consolidated with another such certificate or operative right issued to or possessed by another highway common carrier, or petroleum irregular route carrier, so as to permit through service between any point or points served by one highway common carrier, or petroleum irregular route carrier, on the one hand, and any point or points served, by another highway common carrier, or petroleum irregular route carrier, on the other hand; nor, without the express approval of the commission, shall any through route or joint, through, combination, or proportional rate, be established by one highway common carrier, or petroleum irregular route carrier, between any point or points which it serves, on the one hand, and any point or points served by another highway common carrier, or petroleum irregular route carrier, on the other hand *Unless prohibited by the terms and conditions of any certificate that may be involved*, any one highway common carrier, or petroleum irregular route carrier, may establish through routes and joint rates, charges, and classifications between any and all points served by such highway common carrier, or petroleum irregular route carrier, under any and all certificates or operative rights issued to or possessed by such highway common carrier, or petroleum irregular route carrier

No petroleum irregular route carrier shall engage in any operation on any public highway in this State unless there is in force, with respect to such carrier, a certificate of public convenience and necessity issued by the Railroad Commission, authorizing such operations; provided, however, if any such petroleum irregular route carrier was, on September 1, 1949, and thereafter, operating, under a permit issued by the Railroad Commission, as a radial highway common carrier (as the term "radial highway common carrier" is defined in Chapter 223, Statutes of 1935 as amended), and shall file with the Railroad Commission, within one hundred eighty (180) days after this section shall take effect, an application as provided herein, the Railroad Commission shall issue such certificate without further proceedings, and such certificate shall authorize such carrier to engage in such operations as such carrier was authorized to conduct on September 1, 1949, pending the issuance of such certificate Pursuant to filing of such application, the continuance of such operation shall be lawful Any person or corporation not included within the foregoing provisions of this paragraph who, or which, when this section takes effect, is lawfully engaged in transportation as a petroleum irregular route carrier, may continue such operation for a period of one hundred eighty (180) days thereafter without a certificate; and if application for such certificate hereunder is made to the Railroad Commission within such period, the carrier may, under such regulations as the Railroad Commission shall prescribe, continue such operation until otherwise ordered by the Railroad Commission. Application for certificates shall be made in writing to the Railroad Commission, be verified under oath, and shall be in such form and contain such information and be accompanied by proof of service upon such interested parties as the Railroad Commission shall require.

The Railroad Commission may at any time for a good cause suspend, and upon notice to the holder of an operating right acquired by virtue of operations conducted on July 26, 1917, as aforesaid, or to the grantee of any certificate, and opportunity to be heard, revoke, alter or amend any such operative right or certificate.

(d) When a complaint has been filed with the commission alleging that any vehicle is being operated without a certificate of public convenience and necessity, as required by this act, or when the commission has reason to believe that this act is being violated, it shall be the duty of the commission to investigate such operations and the commission shall have power, after a hearing, to make its order requiring the owner or operator of such vehicle to cease and desist from any operation in violation of this act; and it shall be the duty of the commission to enforce compliance with such order under the powers vested in the commission by this act or by law

(e) It is hereby declared to be the legislative intent that the provisions of this section relating to the transportation of petroleum or of petroleum products in any tank-truck or trailer for compensation over any public highway in this State is a highly specialized type of truck transportation and that the provisions of this section have been enacted for the limited purpose of providing necessary regulation for said specialized type of truck transportation only, and are not to be construed for any purpose as a precedent for the extension of such regulation to any other type of truck transportation not presently so restricted

SEC. 2 Section 52 1 is added to said act to read

Sec. 52.1 Nothing contained in Section 52 shall be construed to require a highway common carrier or a petroleum irregular route carrier to secure from the commission authority to execute any conditional sales contract for the purchase of motor vehicle equipment or any chattel mortgage on motor vehicle equipment securing the payment of all or any part of the purchase price of such motor vehicle equipment.

SEC. 3. Section 816.5 is added to the Public Utilities Code, to read:

816.5 Nothing contained in this article shall be construed to require a highway common carrier or a petroleum irregular route carrier to secure from the commission authority to execute any conditional sales contract for the purchase of motor vehicle equipment or any chattel mortgage on motor vehicle equipment securing the payment of all or any part of the purchase price of such motor vehicle equipment.

SEC. 4. Section 1066 of said code is amended to read:

1066. Without the express approval of the commission no through route or joint, through, combination, or proportional rate shall be established by one highway common carrier, or petroleum irregular route carrier, between any point or points which it serves, on the one hand, and any point or points served by another such carrier, on the other hand. *Unless prohibited by the terms and conditions of any certificate that may be involved*, any one highway common carrier, or petroleum irregular route carrier, may establish through routes and joint rates, charges, and classifications between any and all points served by it under any and all certificates or operative rights issued to or possessed by it.

SEC. 5. Sections 3 and 4 of this act become operative only if Division 1 of the Public Utilities Code is enacted by the Legislature at its 1951 Regular Session, and in such case at the same time as said Division 1 takes effect, at which time Sections 1 and 2 of this act are repealed."

Amendment No. 4

On page 1 of said bill, strike out lines 2 to 26, inclusive; and strike out all of pages 2 and 3.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Utilities and Corporations.

SECOND READING OF SENATE BILLS

Senate Bill No. 302—An act to add Section 417 to the Code of Civil Procedure, relating to civil actions.

Bill read second time, and ordered to third reading.

Senate Bill No. 987—An act to establish a Public Utilities Code, thereby consolidating and revising the law relating to and regulating public utilities and other regulated businesses and matters incidental thereto, the powers and duties of the Public Utilities Commission, local utility franchises, and publicly owned utilities, and repealing certain acts and parts of acts specified herein.

Bill read second time, and ordered to third reading.

Senate Bill No. 1626—An act to add Section 7.4 to the Unemployment Insurance Act, relating to agricultural labor.

Bill read second time, and ordered to third reading.

Senate Bill No. 396—An act to amend Section 6027 of the Government Code, relating to newspapers.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on April 11, 1951, strike out lines 7 to 9, inclusive, and insert

"6027. On and after July 1, 1952, a newspaper shall not be in fact or in law a newspaper of general circulation unless it obtains or has theretofore obtained a judicial decree establishing it as having such status pursuant to the provisions of this article."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Joint Resolution No. 8—Relative to requesting the Congress of the United States to propose an amendment to the Constitution.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed measure, as amended in the Assembly on May 8, 1951, strike out line 1, and insert

"WHEREAS, The decisions of the Supreme Court of the United States and of certain state courts have caused uncertainty in the minds of lawyers and of the public generally concerning the effect of treaties and executive agreements on our Federal and State Constitutions and laws; and

WHEREAS, Such uncertainty should immediately be clarified; now, therefore, be it".

Amendment No. 2

On page 1 of said measure, strike out lines 2 to 15, inclusive.

Amendment No. 3

On page 1 of said measure, strike out lines 22 to 25, inclusive, and insert

"1. The representative form of Federal Government, consisting of the Congress, the Executive, and the Judiciary, the sovereignty of the governments of the several states, the express limitations on the powers of Congress, the guarantees of individual liberties, and the independence of the federal judiciary, contained and guaranteed in and by this Constitution and in particular the first 10 amendments thereto, shall not be abolished nor altered by any treaty or executive agreement."

Amendment No. 4

On page 2 of said measure, strike out lines 1 to 6, inclusive.

Amendments read and adopted.

Resolution ordered reprinted, and on file for adoption.

Senate Bill No. 928—An act to add Article 3 to Chapter 3 of Part 3, Division 2 and to amend Section 1282 of the Insurance Code, relating to the regulation of workmen's compensation insurance, rating and other organizations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Senate on April 26, 1951, after "of", insert ", and to add Section 11732.1 to,".

Amendment No. 2

In lines 3 and 4 of the title of said bill, strike out "workmen's compensation insurance, RATING AND OTHER ORGANIZATIONS", and insert "rating and other organizations for workmen's compensation insurance and employers' liability insurance incidental thereto and written in connection therewith".

Amendment No. 3

On page 1, line 9, of said bill, after "by", insert "requiring and regulating".

Amendment No. 4

On page 1, lines 11 and 12, of said bill, strike out "workmen's compensation insurance rates", and insert "rates for workmen's compensation insurance and for employers liability insurance incidental thereto and written in connection therewith".

Amendment No. 5

On page 1, line 14, of said bill, after "authorize", insert "and regulate".

Amendment No. 6

On page 1, line 16, of said bill, after "authorize", insert "and regulate".

Amendment No. 7

On page 1, line 24, of said bill, after "insurance", insert "and employer's liability insurance incidental thereto and written in connection therewith".

Amendment No. 8

On page 2, line 4, of said bill, after "insurance", insert "and employer's liability insurance incidental thereto and written in connection therewith".

Amendment No. 9

On page 2, line 6, of said bill, after "compensation insurance", insert "and employer's liability insurance incidental thereto and written in connection therewith".

Amendment No. 10

On page 2, line 15, of said bill, after "insurance", insert "and employer's liability insurance incidental thereto and written in connection therewith".

Amendment No. 11

On page 2, line 18, of said bill, after "insurance", insert "and employer's liability insurance incidental thereto and written in connection therewith".

Amendment No. 12

On page 2, line 24, of said bill, after "insurance", insert "and employer's liability insurance incidental thereto and written in connection therewith".

Amendment No. 13

On page 2, line 30, of said bill, after "insurance", insert "and employer's liability insurance incidental thereto and written in connection therewith".

Amendment No. 14

On page 2, line 48, of said bill, strike out "collection", and insert "charging"

Amendment No. 15

On page 5, line 1, of said bill, after "commissioner", insert ", after notice and hearing,".

Amendment No. 16

On page 7, line 25, of said bill, after "organization", insert "or insurer"

Amendment No. 17

On page 7, line 32, of said bill, after "organization", insert "or insurer".

Amendment No. 18

On page 8, line 10, of said bill, after "insurance", insert "and employer's liability insurance incidental thereto and written in connection therewith"

Amendment No. 19

On page 8, line 36, of said bill, strike out "article", and insert "act".

Amendment No. 20

On page 8, line 39, of said bill, strike out "such sections", and insert "this act,"

Amendment No. 21

On page 9 of said bill, strike out lines 10 and 11, and insert

"SEC. 4. Nothing in Article 3, Chapter 3, Part 3, Division 2 of the Insurance Code amends, modifies, repeals, or in any measure affects the interpretation or construction of Article 2, Chapter 3, Part 3, Division 2 of that code, or of any provision of that article. Except as provided in the preceding sentence, all laws or parts of laws inconsistent with the provisions of said Article 3, Chapter 3, Part 3 of Division 2 are hereby repealed."

Amendment No. 22

On page 9 of said bill, after line 18, insert

"SEC. 6. Section 11732.1 is added to the Insurance Code, to read:

11732.1. The commissioner may pursuant to all grants of authority contained in this article with respect to workmen's compensation insurance and subject to all limitations therein approve or issue as adequate for all admitted workmen's compensation insurers a classification of risks and premium rates relating to employer's liability insurance incidental to and written in connection with workmen's compensation insurance. Such classification and rates may be included in those for workmen's compensation insurance or separate therefrom, and if issued or approved shall be for liability with such limits as are reasonably necessary to meet the needs of insurers and insureds and may also be for unlimited liability. Such classification and rates if issued or approved shall be used by insurers to the same extent as are classifications and rates issued or approved for workmen's compensation insurance."

Amendments read, and adopted

Bill ordered reprinted, and to third reading.

Senate Bill No. 372—An act to amend Section 2001 of the Government Code, relating to public officers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "suit for damages", and insert "any action or proceeding, including a taxpayer's suit,".

Amendment No. 2

On page 1, line 4, of said bill, after "officer", insert "in his official or individual capacity, or both,".

Amendment No. 3

On page 1, line 9, of said bill, strike out "when done under and according to the"; and strike out all of line 10, and insert "in good faith and without malice, or".

Amendment No. 4

On page 1, line 11, of said bill, strike out "suit for damages", and insert "any action or proceeding".

Amendment No. 5

On page 1, line 12, of said bill, after "officer," insert "in his official or individual capacity, or both,".

Amendment No. 6

On page 1, line 20, of said bill, strike out "the State, district," and strike out lines 21, 22, 23, and 24, and insert "it is the duty of the attorney for the State, district, county, municipality, or other public or quasi-public corporation, as the case may be, to act as counsel in defense of such suit, unless provision has been made for the".

Amendment No. 7

On page 1, line 26, of said bill, strike out "The fees and expenses", and insert "In such event the fees, cost and expenses".

Amendments read, and adopted

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

REQUEST FOR UNANIMOUS CONSENT THAT CHIEF CLERK BE INSTRUCTED TO REQUEST THE SENATE TO RESCIND ACTION ON ADOPTION OF AMENDMENTS TO ASSEMBLY BILL NO. 1879

Mr. Stewart asked for, and was granted, unanimous consent that the Chief Clerk be instructed to request the Senate to rescind the action whereby the Senate, on Friday, May 18th, adopted amendments to Assembly Bill No. 1879; and that said bill be returned to the Assembly.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1521—An act to amend Sections 1648.5, 1672, and 1711.2 of the Insurance Code, relating to the issuance of licenses to act as insurance brokers or agents or life agents to nonresidents.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1521?

Amendment No. 1

On page 2, line 3, of the printed bill, as amended in the Assembly on April 25, 1951, after "maintain", insert "an".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1521 by the following vote:

AYES—Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, Conrad, Cooke, Davis, Dickey, Doyle, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Levering, Lindsay, Lipscomb, Luckel, McCarthy, McFall, McGee, McMillan, Morris, Munnell, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Tomlinson, and Mr. Speaker—46.
NOES—None.

Assembly Bill No. 1521 ordered enrolled.

Assembly Bill No. 1523—An act to amend Sections 202, 12003 and 12264 of the Revenue and Taxation Code, relating to the State Compensation Insurance Fund.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1523?

Amendment No. 1

On page 1, line 17, of the printed bill, as amended in the Assembly on April 18, 1951, strike out "association", and insert "associations".

Amendment No. 2

On page 1, line 19, of said bill, as amended, after "section", insert a comma.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1523 by the following vote:

AYES—Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Conrad, Cooke, Davis, Doyle, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Luckel, McCarthy, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stewart, Tomlinson, and Mr. Speaker—49.
NOES—None.

Assembly Bill No. 1523 ordered enrolled.

Assembly Bill No. 3376—An act to amend Sections 151, 203, 208, 209 of, and to add Sections 209.1, 310, 310.5, and 452.5 to the Unemployment Insurance Act, relating to unemployment compensation disability insurance.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3376?

Amendment No. 1

On page 3, line 37, of the printed bill, as amended in the Assembly on May 10, 1951, after "employer", strike out "for".

Amendment No. 2

On page 3, line 38 of said bill, as amended, strike out "his regular", and insert "one-seventh (1/7) of such".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3376 by the following vote:

AYES—Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Connolly, Conrad, Davis, Dills, Doyle, Elliott Erwin Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Levering, Lindsay, Lipscomb, Luckel, McCarthy, McCollister, McFall, McGee McMillan, Morris, Moss Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—52
NOES—None.

Assembly Bill No. 3376 ordered enrolled.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Senate Bill No. 988, on request of Mr. Geddes.

REPORTS OF STANDING COMMITTEES

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:
Assembly Bill No. 206
Assembly Bill No. 1967

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

ERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:
Assembly Bill No. 3074

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR SPEAKER: Your Committee on Fish and Game, to which was referred:
Assembly Bill No. 751

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

ERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Senate Bill No. 293
Senate Bill No. 294
Senate Bill No. 297
Senate Bill No. 298

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ERWIN, Chairman

Above reported bills ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:
Assembly Bill No. 1954

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1111—An act adding Sections 35002, 35003, 35004, 35005, 35158, 35214, and 35235 to, and amending Section 35101 of, the Government Code, relating to the annexation of territory to municipal corporations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Doyle, Evans, Geddes, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lindsay, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Silliman, Waters, and Mr. Speaker—51

NOES—Erwin, Gaffney, Sherwin, and Smith—4

Bill ordered transmitted to the Senate.

Assembly Bill No. 2885—An act to add Section 20630.1 to the Government Code, relating to prior service credit of members of the State Employment Retirement System, where service has been performed for a local public agency.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Tomlinson, and Waters—60

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2078

Mr. Dunn asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 2078, temporarily passed on the unfinished business file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2078—An act to amend Section 209 of the Unemployment Insurance Act, relating to benefits during hospitalization.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2078?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 12, 1951, strike out "amend Section 209 of", and insert "add Section 210 to".

Amendment No. 2

On page 1 of said bill, as amended, strike out lines 1 to 13, inclusive, and insert

"SECTION 1. Section 210 is added to the Unemployment Insurance Act, to read:".

Amendment No. 3

On page 1, line 14, of said bill, as amended, strike out "As used in this section", and insert

"Sec. 210. As used in Section 209".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2078 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Conrad, Cooke, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln,

Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Nicholson, Parker, Porter, Rumford, Shaw, Silliman, Smith, Tomlinson, Waters, and Mr. Speaker—58.

NOES—None

Assembly Bill No 2078 ordered enrolled.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 3410, on motion of Mr. Geddes.

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER Your Committee on Agriculture, to which were referred:

Assembly Bill No. 293
Assembly Bill No. 3435

Has had the same under consideration, and reports the same back with amendments with the recommendation · Amend, and re-refer to the committee

CLARKE, Chairman

Above reported bills ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2880—An act to amend Sections 7, 19, 23b, 24.2, 24 26, 24 27, 27b, 27c, 38 2, 39, 55.7, 59 and 59.5 of and to add Sections 53.4 and 55.8 to, the Alcoholic Beverage Control Act, relating to sales of distilled spirits at wholesale and at retail.

Bill read third time.

Point of Order

Mr. Kirkwood arose to the following point of order: That all board bills were to have been introduced by January 19th, and that, if said bill falls under this rule, Mr. Doyle is not in order in taking it up, at this time.

Pending a ruling from the Legislative Counsel, Assembly Bill No. 2880 was ordered temporarily passed on file.

ANNOUNCEMENT

Speaker Sam L. Collins announced that the Sergeant-at-Arms is distributing invitations for Senator Hoffman, who will be host for a party at Bethel Island, which will include a stag party and barbecue, a fishing trip, and a boat trip, on Sunday, June 3d, and urged all members to respond as soon as possible to this invitation.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 979—An act to amend Section 3710 of, to add Sections 3710 1 and 3710.2 to, and to repeal Section 3714 of, the Labor Code, relating to workmen's compensation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dunn, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, Morris, Moss, Munnell, Niehouse, Parker, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 977

Mr. Maloney asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 977, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 977—An act to add Section 3715 to the Labor Code, relating to workmen's compensation awards against uninsured employers.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 977?

Amendment No. 1

On page 1, line 4, of the printed bill, after "found", insert "through evidence presented at an open hearing".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 977 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dunn, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Levering, Lipscomb, Luckel, McCarthy, McFall, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Tomlinson, and Waters—52.

NOES—None.

Assembly Bill No. 977 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT THAT REPORT ON CONFLICTS IN BUILDING REGULATIONS BE PRINTED IN JOURNAL

Mr. Stewart asked for, and was granted, unanimous consent that a Report on Conflicts in Building Regulations by the Assembly Interim Committee on Governmental Efficiency and Economy be ordered printed in the Journal, in 10 point type.

(Above mentioned report will appear prior to the motion to adjourn.)

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Constitutional Amendment No. 60: By Mr. Lyon—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding to Article XIII thereof a new section to be numbered 16.5, relating to taxation.

Referred to Committee on Constitutional Amendments.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2374—An act to add Section 532 to the Streets and Highways Code, relating to the State Highway System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Burkhalter, Chapel, Clarke, Collier, George D Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Hagen, Hawkins, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, and Waters—42.

NOES—Babbage, Burke, Cloyed, Grunsky, Hansen, Henderson, Hinckley, Kirkwood, Lincoln, Moss, Stewart, and Tomlinson—12.

Bill ordered transmitted to the Senate.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 2946, on motion of Mrs. Niehouse.

Assembly Bill No. 91, on motion of Mr. McCollister.

POINT OF ORDER RELATIVE TO ASSEMBLY BILL NO. 2880 WITHDRAWN

Mr. Kirkwood withdrew his point of order relative to Assembly Bill No. 2880.

Request for Unanimous Consent to Take Up Further Consideration of Assembly Bill No. 2880

Mr. Doyle asked for, and was granted, unanimous consent that he be permitted to take up further consideration of Assembly Bill No. 2880, temporarily passed on file, out of order, at this time.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 2880

Assembly Bill No. 2880—An act to amend Sections 7, 19, 23b, 24.2, 24.26, 24.27, 27b, 27c, 38.2, 39, 55.7, 59 and 59.5 of and to add Sections 53.4 and 55.8 to, the Alcoholic Beverage Control Act, relating to sales of distilled spirits at wholesale and at retail.

Bill read third time, and ordered passed on file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 521—An act to amend Section 10292 of the Insurance Code, relating to insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Senate Bill No. 1586

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Senate Bill No. 1587

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Assembly Bill No. 3166

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Assembly Bill No. 3433

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

NIEHOUSE, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which was referred

Senate Bill No. 1576

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended, and re-refer to Ways and Means Committee.

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which was referred

Senate Bill No. 228

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

RESOLUTIONS

The following resolution was offered:

By Messrs. Moss, Cooke, Sam L. Collins, and Dickey:

House Resolution No. 152

Relative to expressing confidence in the statesmanship of Vernon Kilpatrick

WHEREAS, Our colleague Vernon Kilpatrick is now a candidate for election to the City Council of the City of Los Angeles, having received the highest vote among five contestants for nomination to such office; and

WHEREAS, In the course of his campaign for such office he has been subjected to vicious, unwarranted attacks on his loyalty and devotion to our American principles of democracy; and

WHEREAS, The Members of this Assembly who shared the highest responsibility of public service in this State with Vernon Kilpatrick for many years are aware of his service and devotion to the highest principles of democratic statesmanship; now, therefore, be it

Resolved by the Assembly of the State of California, That it hereby conveys to Vernon Kilpatrick its expression of confidence that his sterling qualities of statesmanship will prevail over any and all base attacks thereon, and that his ultimate victory in the face of such vicious tactics will be the more honored; and be it further

Resolved, That the Chief Clerk is directed to prepare and transmit a copy of this resolution to Vernon Kilpatrick.

Request for Unanimous Consent

Mr. Moss asked for, and was granted, unanimous consent to take up House Resolution No. 152, at this time, without reference to committee or file.

Motion That House Resolution No. 152 Be Referred to Committee on Rules

Mr. Silliman moved that House Resolution No. 152 be referred to the Committee on Rules.

Mr. Kirkwood seconded the motion.

Motion Withdrawn

Mr. Kirkwood withdrew his second.

Mr. Silliman withdrew his motion.

House Resolution No. 152 ordered referred to the Committee on Rules.

ANNOUNCEMENT

Speaker Sam L Collins announced that he has received a communication from Earl W. Chapman, Executive Officer of the Board of Administration, State Employees' Retirement System, Sacramento, and read one paragraph from the letter as follows:

"In that connection may I suggest that the Law be amended to provide that the member has the right of election until ninety days after the receipt of notice from this office concerning his right. That provision is in the State Employees' Retirement Law and prevents the unfortunate situation which arises when ninety days have elapsed and no notice has come. I think it would improve the situation if an amendment such as I have suggested were placed in the Legislators' Law."

Speaker Sam L. Collins further announced that if any member has a remaining spot for the introductoin of a bill, and is interested in full information, to come to his office, and read said letter in full.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 884—An act to add Section 1730 6 to, the Insurance Code, relating to receipt and holding of fiduciary funds by managing general agents.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney,

McCarthy, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—65.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 885—An act to amend Sections 922.1, 922.2, and 1591, to amend Section 922 5 and renumber it Section 922.8 and to repeal Sections 922.3 and 922.4 of, and to add Sections 922.3, 922.4, 922.5, 922.6, and 922.7 to, the Insurance Code, relating to financial statements of insurers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Waters—64.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE BILL NO. 850 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Cloyed asked for, and was granted, unanimous consent that Senate Bill No. 850 be withdrawn from the Committee on Municipal and County Government, and be re-referred to the Committee on Conservation, Planning, and Public Works.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1715—An act to add Section 58.1 to the Unemployment Insurance Act, relating to disqualification for benefits.

Bill read third time.

Motion to Amend

Mr. Levering moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 8, of the printed bill, as amended in the Assembly on May 16, 1951, strike out "conflict with and causes", and insert "cause".

Amendment No. 2

On page 1, line 9, of said bill, after "for", insert "unemployment insurance".

Amendment No. 3

On page 1, line 12, of said bill, strike out "such reason.", and insert "such reason; provided that, the foregoing provision of this section shall not apply after a change in conditions whereby she has become the main support of herself or her immediate family."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Request for Unanimous Consent That Assembly Constitutional Amendment No. 59 Hold Place on File

Mr. Maloney asked for, and was granted, unanimous consent that Assembly Constitutional Amendment No 59 be passed on file, and hold its place on file on the next legislative day.

Assembly Bill No. 3423—An act to amend Sections 2160 and 2350 of the Welfare and Institutions Code, relating to old age security to inmates of private institutions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Bill Withdrawn From Active File, and Placed on the Inactive File

Assembly Bill No. 1883, on motion of Mr. McMillan.

Assembly Bill No. 2327—An act to amend Section 214 of the Revenue and Taxation Code, relating to exemptions from property taxes

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, and Waters—58.

NOES—None.

Bill ordered transmitted to the Senate.

UNANIMOUS CONSENT GRANTED TO RECALL SENATE BILL NO. 1055 FROM THE SENATE

Messrs. Dunn and Coats asked for, and were granted, unanimous consent that the Chief Clerk be instructed to request the Senate to return Senate Bill No 1055 to the Assembly for further consideration.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2936 HOLD PLACE ON FILE

Mr. Lowrey asked for, and was granted, unanimous consent that Assembly Bill No. 2936 be passed on file, and hold its place on file on the next legislative day.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 3254, on request of Mr. Davis.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE JOINT RESOLUTION NO. 32

Mr. McFall asked for, and was granted, unanimous consent that he be permitted to take up Senate Joint Resolution No. 32, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 32

Senate Joint Resolution No. 32—Relative to the supply of sulphuric acid for fertilizers.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr Speaker—66.

NOES—None.

Resolution ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 11.45 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1450—An act to amend Section 1145 of the Agricultural Code, relating to imported egg products.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Davis, Dickey, Dills, Doyle, Dunn, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, and Tomlinson—59.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Concurrent Resolution No. 64—Relative to the Report of the Annual Convention of the Disabled American Veterans of the Department of California.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Berry, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Conrad, Cooke, Crowley, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Tomlinson—56.

NOES—None.

Resolution ordered transmitted to the Senate.

Senate Bill No. 155—An act to amend Section 409 of the Education Code, relating to the salary and credential of county superintendents of schools.

Bill read third time.

Motion to Amend

Mr. Kelly moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on March 22, 1951, strike out "409", and insert "411".

Amendment No. 2

On page 1, line 1, of said bill, strike out "409", and insert "411".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 7, inclusive, and insert

"411. The annual salary of the county superintendent of schools of a county of the eleventh class is [eight thousand two hundred dollars ($8,200)] *ten thousand dollars ($10,000)*, and he shall possess a valid general administrative credential issued by the State Board of Education"

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

BILLS WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bills were withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 2433, on request of Mr. Hawkins.

Assembly Bill No. 2601, on request of Mr. Cooke.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 249	Assembly Bill No. 2577
Assembly Bill No. 2081	Assembly Bill No. 3428

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No. 2009

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

GEDDES, Chairman

Above reported bill ordered to second reading.

Committee on Boards and Commissions

ASSEMBLY CHAMBER, SACRAMENTO, May 21, 1951

MR SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 3094

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

McMILLAN, Chairman

Above reported bill ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 211

Mr. Lowrey asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 211, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 211

Senate Bill No. 211—An act to amend Section 126 of, and to add Section 127 to, the Government Code, relating to the acquisition of land in this State by the United States and records and indices thereof maintained by the State Lands Commission.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, and Waters—64.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Mr. Henderson:

House Resolution No. 153

Relating to the celebration of the One Thousand Five Hundredth Anniversary of the Battle of Avarair

WHEREAS, May 26, 1951 is the One Thousand Five Hundredth Anniversary of the Battle of Avarair, in which the great Armenian general Vartan Mamikonian was stricken down in combat while leading his fellow Christians against the Persians in this great battle for religious freedom; and

WHEREAS, Said Battle of Avarair and the martyrdom of Vartan Mamikonian were the constant inspiration to the Armenian people to continue their fight for religious freedom and Christianity, which endeavor finally achieved success in 484 A.D.; and

WHEREAS, This One Thousand Five Hundredth Anniversary of the Battle of Avarair will be celebrated by Americans of Armenian descent in commemoration of this great triumph for religious freedom and Christianity; now, therefore, be it

Resolved by the Assembly of the State of California, That on this significant celebration of the anniversary of the Battle of Avarair that all Americans of Armenian descent are hereby congratulated and commended for their observance of this great event; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to prepare suitable copies of this resolution for transmittal to the proper persons engaged in forwarding the observance of this historic event.

Resolution read, and ordered referred to the Committee on Rules.

MEMBERS EXCUSED

At 11 50 a.m., Mr. Dickey asked for, and was granted, unanimous consent that Messrs. Brady and Dolwig be excused, for the balance of the legislative day, because of legislative business elsewhere.

ANNOUNCEMENT

Speaker pro Tempore Maloney announced that the daily file is in better condition this session than at any previous session, and expressed appreciation, on behalf of Speaker Sam L. Collins, and himself, to all for their fine efforts in expediting the work of the Assembly

APPOINTMENT OF MEMBER TO JOINT INTERIM COMMITTEE

Speaker Sam L. Collins announced the appointment of Mr. Levering as a member of the Joint Interim Committee on Water Problems, vice Mr. Butters, deceased.

REPORTS OF STANDING COMMITTEES

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Assembly Bill No. 1534

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CONNOLLY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Public Health, to which was referred.

Assembly Bill No. 1144

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CONNOLLY, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 895
Assembly Bill No. 896

Has had the same under consideration, and reports the same back with the recommendation: Be re-referred to Committee on Governmental Efficiency and Economy.

CONNOLLY, Chairman

Above reported bills ordered re-referred to the Committee on Governmental Efficiency and Economy.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 2.30 p.m.—

Rules, in Room 319.

At 3 p.m.—

Governmental Efficiency and Economy, in Room 3184.
Manufacturing, Oil, and Mining Industry, in Room 432.

At 8 p.m.—

Education, in Room 3186.
Municipal and County Government, in Room 2170.

It was announced that the following committee would hold no meeting today:

Constitutional Amendments.

REPORT ON OVERLAPPING IN BUILDING REGULATIONS BY ASSEMBLY INTERIM COMMITTEE ON GOVERNMENTAL EFFICIENCY AND ECONOMY

House Resolution No. 183, 1949

A. I. STEWART, Chairman

To the Honorable Sam L. Collins, Speaker, and to the Members of the Assembly:

House Resolution No. 183, 1949, directed that this committee investigate overlapping in state and local building regulations, and propose corrective legislation, if appropriate, to relieve the burden that these conflicts now impose on builders.

To study a problem of this scope and complexity requires painstaking attention to a mass of detailed law and regulations. Near the end of 1949, we engaged Louis J. Kroeger and Associates, management consultants, of San Francisco and Los Angeles, to undertake the necessary staff work of compiling and analyzing the data on which this report is based.

The committee met in Sacramento in March, 1950, at which time the staff outlined proposed procedures for the study, and reported certain preliminary facts concerning the scope of the problem.

Thereafter the staff amassed and reviewed about 4,400 pages of California state and local building regulations; and almost as much again from other states and localities. The analysis of this material was contained in a second staff report, released in August, 1950, and circulated widely among public officials and the industries and professions engaged in building.

The committee held hearings in San Francisco and Los Angeles in October, 1950, to give all concerned an opportunity to comment on the tentative findings and recommendations in the second staff report. A full transcript of those hearings is available as part of the records of this committee.

In addition to committee hearings, the staff has had further conferences with a committee of the League of Cities and with industry and profession representatives, to the end that this report of your committee may reflect as accurately as possible the best available thinking as to what should be done about this troublesome problem.

Finally, the staff has, through correspondence with the governors and building officials of other principal states, sought to find precedent elsewhere by which California might benefit. Apparently, however, this is a common problem to which no state has yet provided a satisfactory answer.

That it is essential to the economy of the State that an answer be found is illustrated by the mounting value of building construction. The following figures show total value of public and private, residential and non-residential construction in California in recent years:

1945	$ 373,500,000
1946	$1,262,700,000
1947	$1,613,400,000
1948	$2,275,200,000
1949	$1,817,700,000
1950	Estimated to be over $2,000,000,000

If overlapping building regulations add only 1 percent to costs in this 20 billion dollar activity, the unjustified cost to builders is $20,000,000! A waste of 20 million dollars deserves prompt and decisive action by this Legislature.

SCOPE OF THE STUDY

By the terms of House Resolution No. 183, this is a study of overlapping in building regulations.

There is a host of other problems affecting the construction industry and allied activities, which interested parties would like to see investigated as a part of this study; but we have kept within the strict limits of the resolution.

This report, therefore, does not consider such matters as the adequacy of building codes; any aspect of zoning to regulate where buildings may be erected; claims of excessive or restrictive requirements as to conditions or materials; alleged restrictive practices of building trades labor unions; the adequacy or social implications of housing; or the policies and practices of state and local administrative and licensing agencies, except as they are directly concerned in promulgating and enforcing building regulations.

If basic conflicts can first be resolved, then many of these other problems can more readily be solved.

FINDINGS

The results of detailed study can be summarized in a few general findings, with which we believe there will be general agreement:

1. There are too many overlapping building regulations to make it feasible or desirable to attempt to recite them in full.

2. There are too many conflicts, and in such a variety of types of regulations, to make it feasible or desirable to try to resolve the conflicts by detailed legislative action.

3. The real problem is to find a proper definition of the relative authority and responsibility in this field among state agencies, among local agencies, and between state and local agencies.

4. Although the Uniform Building Code is in use by most cities in the State, it is frequently amended in some respects before local adoption.

5. The authority to make laws and rules governing building construction is widely scattered among state and local agencies.

6. The rule-making authority is frequently mingled with enforcement authority.

7. Regulations governing the construction industry have a variety of purposes, of which the principal ones are: (a) assuring adequate structural soundness, (b) protecting surrounding economic values, and (c) assuring the safety of persons where they live, where they work and where they assemble.

8. Neither those making rules nor those enforcing them recognize clearly or observe carefully these different purposes.

9. Many of the regulations are not readily available in understandable form to those who must be governed by them.

10. A local permit to build is no guarantee whatsoever against later intervention by other authorities, with the possible requirement of alterations in work already completed.

11. A citizen proposing to build (or his architect or contractor) must literally become a coordinator of a variety of public agencies to be assured of proper clearance of every official detail.

12. Building construction is slower and costlier as a consequence of all the foregoing conditions.

NATURE OF EXISTING OVERLAPPING

Overlapping Among State Agencies

The State has no one agency concerned principally with building regulations. There are at least 10 state agencies having some degree of authority in this field; and no one of them is responsible for taking the lead in coordinating the activity of all of them. This produces two kinds of confusion—conflict between state agencies themselves; and too many kinds of relationships between state and local agencies.

There is no consistent pattern for defining the relative responsibility of the State and of local agencies in enforcing state regulations. In some instances, such as many of the regulations of the State Fire Marshal, the regulations are published by the State, but generally left to local fire departments for enforcement In other instances, such as checking the structural detail on school buildings, the work is done directly by the state.

Even though the State Fire Marshal's regulations are enforced locally, there is some local resentment against them because their enforcement is required to be through the local fire department, rather than leaving the city free to assign it to the building safety department if locally it seems like a better idea

Some state agency actions would seem less confusing and conflicting if they were better understood. They are not understood partly because the regulations are too long and involved for the average reader, and partly because they are not published in such a way as to be widely distributed before they are effective. Printing a regulation and having it available for those who ask for it may create the legal presumption that all concerned are properly notified, but it is not a very practical way of really being sure that those regulated know what is expected of them.

Overlapping Among City Agencies

The cities tend to lay all blame for conflict and confusion on the State. But few cities have put their own administrative house in order. Most cities have a building official who is the principal officer responsible for enforcing building regulations. In addition, the fire department, the health department, and sometimes as many as a dozen other local agencies are involved in some phase of building regulation. Even though most of these agencies have a legitimate concern in some aspect of building regulation, local organization should be such that the applicant for a building permit would have to go only to one place and could expect a single answer from the city, embodying all the considerations that any city department is authorized to apply.

A health department naturally and properly views a proposed building solely from the standpoint of sanitary and other health features; a fire department is concerned with preventing fire and being able to fight it effectively if necessary; a planning department wants to be sure that

the building conforms to zoning regulations If each pursues its own interests without central direction and coordination, each set of features gets undue attention. The builder who goes to 10 city offices and gets a favorable decision in nine of them and a rejection in the tenth, can hardly be blamed for feeling that he is unfairly treated and that he should get a permit anyway, since the vast majority of the offices approve.

Overlapping Between Cities and Counties

Most of the counties in California do not have building regulations. Opposition has generally come from agricultural interests, who argue against the need for regulation on farm buildings.

The lack of county regulation in many places has created a serious situation for the cities having heavily populated "fringe areas" The substandard buildings permitted in unregulated county territory tend to depreciate property values in nearby city areas; and the city faces a serious future enforcement problem whenever the fringe area comes into the city by annexation.

In those cases where the county has adopted a building code, the conflict between city and county is generally the same as that between cities, described in the following section.

Overlapping Between Cities

The "Uniform Building Code" is a compilation of regulations by building official members of the Pacific Coast Building Officials Conference working with other groups, including state departments. Most California cities have adopted the Uniform Code, but in doing so they frequently adopt local modifications which impair uniformity, or fail to enact late editions of the code.

From studying the variations in the Uniform Building Code, it is not apparent why these variations are important. They frequently consist of minor variations in standards, probably adopted to satisfy local pressure groups, but not essential to building safety.

The fact that most of the cities adopt the Uniform Building Code almost in its entirety does not minimize the confusion that results from minor local exceptions. For instance, when 45 cities in Los Angeles County, and the county itself, may indulge in any combination of variations of the Uniform Building Code, a builder operating throughout the county faces a bewildering situation.

If local conflicts are to be resolved, the means for reducing variation in local building codes must be found. It will always be desirable to leave to each city the discretion to set its own schedule of fees and to establish its own local form of administration; but such details do not concern the builder in the same way as do such things as varying requirements for the height of ceilings.

Overlapping Between Cities and the State

Here is the most serious point of overlapping, and the one about which the Legislature can take the most conclusive action. Inherent in this particular conflict is not only a matter of convenience to an important industry and to the citizenry; but there is also a matter of the nature of the fundamental relations between cities and the State.

Building regulation has traditionally been a field of local concern. Cities have adopted their own standards and regulations and have been responsible for their own enforcement.

The State has more recently begun to occupy the field of building regulation, and has usually come into it to meet some special requirement, or to carry out some other function of the State, or to protect the local investment of state funds. Thus, the State Division of Architecture was precipitated into the business of checking the structural plans of school houses because a serious earthquake revealed deficiencies in existing standards; and state housing regulations stem from the State's general concern in the field of industrial relations and welfare.

The principal examples of state regulations and/or enforcement in this field are as follows:

1. *Agriculture.* The Department of Agriculture regulates the construction and extensive alteration of dairy buildings by establishing rules, providing plans and specifications and approving plans.

2. *Corporations.* The commissioner approves plans for housing projects undertaken by land chest corporations, and may enforce improvements for the health and safety of occupants.

3. *Education.* The Department of Education may establish rules and standards and must review plans for construction or alteration of school buildings where the contract cost will exceed $5,000.

4. *Fire.* The State Fire Marshal has broad rule-making power with respect to fire protection, the protection of life and property against fire and panic, and the design of state institutions. In these matters he may and does delegate authority to local fire departments. He also has rule-making and enforcement responsibilities for fire safety in clothes-cleaning and spotting, sponging and pressing establishments.

5. *Industrial Relations.* The divisions of the Department of Industrial Relations make and enforce building rules on a wide range of subjects, including apartment houses, other dwellings, auto courts and resorts, labor camps, and places of employment. These are designed primarily to protect the safety of individuals, but in doing so necessarily become involved in the construction and equipment of buildings. Certain of these regulations, particularly those affecting dwellings, are enforced by local officials, except that the state agency may intervene where local agencies fail. Most of the regulations of the department are enforced directly by state officials.

6. *Public Health.* The Department of Public Health enforces laws and regulations governing bakeries, restaurants and food processing establishments. Certain of these laws are enforced both by the State and by local health officials, and others by state officers. The department also sets and enforces standards for the construction and equipment of hospitals and clinics.

7. *Public Works.* The Department of Public Works checks the construction and alteration of dams, school buildings, certain other public buildings, and the State's own buildings There are also general provisions of law which specify certain conditions to be met by all contractors on public construction.

8. *Public Utilities.* The Public Utilities Commission makes regulations governing the construction of utility facilities.

9. *Social Welfare.* The Department of Social Welfare checks the plans for a wide variety of welfare institutions.

10. *Veterans.* Plans and specifications must be approved by the Department of Veterans Affairs as a condition of aid under the Veterans Farm and Home Purchase Act.

There are two significant points about the foregoing summary: (1) it is a greatly simplified statement about regulations which occupy hundreds upon hundreds of pages of law and regulations; and (2) much of the same subject matter is covered by local regulations and is subject to local inspections as well.

Under present arrangements, the difficulties of the builder are particularly trying in those cases in which state enforcement applies only when local officials have failed. In such instances the builder may in good faith have completed work according to local standards (and according to his information, the only standards), only to find later that stricter state standards were not properly enforced locally, and that he must tear out the job and do it over according to those standards. Differences between state and local officials would not be so serious if they were the only ones concerned, but they become a matter of general concern when innocent bystanders are injured.

Equally serious, and equally a matter of general concern, are those instances in which the State must rely on local enforcement, but is without the power to require a satisfactory standard of local enforcement.

Underlying all these problems is the basic fact that the State lacks any single point at which responsibility is lodged to see that state law, regulations and enforcements standards and practices are kept consistent and well coordinated. If the building industry or the local building officials or any state agency seeks assistance in the solution of a problem of general concern, there is no one state officer responsible for bringing together all pertinent facts and all interested parties. To a considerable degree, this lack has undoubtedly accounted for much of the existing chaos.

PROBLEMS OF THE BUILDERS

The hostile attitude of so many builders toward building regulations and building officials can be easily understood in light of some of the builders' problems.

1. Most building regulations are too detailed and written in too difficult language to be readily read and applied on the job.

2. Many of the regulations are out of print. It is annoying to be held subject to a rule which cannot be readily ascertained.

3. Many of the local regulations are out-of-date. A city adopts the Uniform Building Code, with modifications. Later the Uniform Building Code is revised, but the city fails to adopt the revised edition. The harassed builder must not only know what modifications each city has adopted, but must also remember which edition they approved.

4. There are conflicts in the detail of regulations, already discussed.

5. There is a multiplicity of regulating agencies, some with outlets for appeals from decisions, and others without such recourse—and each

operating alone, so that the builder must move among them as the coordinating force which finally gets agreement on the standards to govern a given job

6. Because of the multiplicity of agencies there is also added costs for a multiplicity of inspections and approvals

THE PROBLEMS OF OCCUPANCY

Not all of the difficulty complained of is caused by conflicts in regulations Some of it is caused by the changing uses to which buildings are put.

The conflicts which beset the builder of a new building are serious; and in the course of time many of them can be resolved by the actions which this report will recommend. But there will still remain the problem of the owner of a building who wishes to change its occupancy after it has been built. For him the imposition of an unexpected set of regulations is just as serious, but more often justified.

If a building originally intended for storage purposes is converted to a dwelling, it clearly becomes subject to a different set of standards If a building housing a manufacturer of machinery is later to be used by a processor of foods, new regulations properly apply.

As to those complaints that a building must be altered to fit different standards in those circumstances, we have no concern. Even in these change of occupancy cases, however, we find instances in which there are conflicts and lack of adequate information as to just what change must be made—and those conflicts must be resolved.

SOME ALTERNATIVE SOLUTIONS

There are a number of alternative ways of treating this problem:

1. It can be left as it is, on the grounds that construction progresses in spite of it; it is familiar; and any attempt to change it will encounter opposition from one source or another This is an unsound, defeatist attitude, not yet openly expressed by anyone, but several times implied as the probable ultimate fate of this investigation.

2 The State might adopt a Minimum Uniform Code, with authority vested in the local governments to adopt necessary local modifications, and with local enforcement. This would perpetuate the present condition of confusion and conflict, since local units would tend to modify the state standard just enough to make every local situation different.

3. Some advocate complete state regulation and enforcement. In a state of this size and variety of conditions, such a plan is not practicable; and it would be an unwarranted invasion of the rights of home rule enjoyed by California cities.

4. Regulations might be established voluntarily through some such organization as now develops the Uniform Building Code, but with the requirement of actual uniformity; and with local enforcement. This plan has much to commend it, except that (1) it might be difficult to enforce the uniform adoption of regulations informally developed, and (2) it is doubtful whether such an arrangement recognizes adequately the general public interest, as represented by the State.

5. The entire matter could be returned to local jurisdiction. This would eliminate conflict with the State by removing the State from

the field entirely. The cure, however, is a little too drastic In the days of widely separated self-contained communities, such an arrangement was logical. Under present conditions, when cities in a metropolitan area are separated only by an imaginary line; when people live, work and congregate in different political jurisdicitions; and when food is processed, shipped and served over a wide area, the considerable interest of the State in this field cannot be denied

6. There might be a clear division of responsibility by vesting all law and rule making authority in the State, and reserving all enforcement to the local governments. As stated, the principal objection to this plan is that uniform state regulation would be too rigid to apply equitably in all parts of the State, and the subsequent strain on local enforcement agencies, coupled with a lack of supervision over local enforcement, would soon bring chaos back in but a different form.

7. The State might adopt and enforce uniform regulations, with the provision that any city could exempt itself from state regulations by adopting equivalent standards.

8. A plan which has been offered to reconcile most of the difficulties and objections would be one providing for a coordinated authority to make regulations, probably at the state level, with local boards of appeal authorized to make local exceptions within limits, and with enforcement at the local level, subject to standards set by the rule-making authority.

We believe that a complete clear-cut solution of all the problems is not possible at this time. The point that needs clarification first—and the one most directly a proper field of action by this Legislation—is to clarify the state regulations in this field In our hearings we raised repeatedly the question of whether a new state agency should be established to codify and coordinate state regulations in this field; and whether the State should regulate by law or by administrative regulation The consensus of opinion given us is that codification of state regulations should be under legislative supervision, but that resulting regulations should be promulgated administratively. The Committee concurs in those views, and therefore offers the following recommendations:

RECOMMENDATIONS

Your committee recommends:

1. That the first step in resolving conflicts in building regulations be the codification of state regulations on this subject.

2. That the task of codification be carried on under the jurisdiction of the Interim Committee on Governmental Efficiency and Economy.

3. That the committee be authorized to engage staff and utilize advisory committees representing the public officials and industries and professions engaged in building.

4. That the committee be instructed to do these things:

a. Recommend a codification of all existing state regulations governing building.

b. Propose changes in legislation or regulation needed to eliminate conflicts which become apparent as codification proceeds.

c. Prepare a definition of the proper extent of the State's interest in this field.

d. Propose changes in state organization necessary to provide better direction and coordination of the State's proper interests in this field.

5. That the Legislature endorse the Uniform Building Code and encourage local governments to adopt it with a minimum of variations, and to keep current with revisions in the Code.

Your committee will sponsor resolutions to give effect to these recommendations.

Respectfully submitted,

A. I. STEWART, Chairman
LAUGHLIN E. WATERS, Vice Chairman
RALPH M. BROWN
JOHN L. E. COLLIER
CHARLES J. CONRAD
WILLIAM S GRANT
AUGUSTUS F. HAWKINS
LUTHER H. LINCOLN
GLENARD P. LIPSCOMB
ROBERT I. McCARTHY
LESTER A. McMILLAN

APPENDIX B

House Resolution No. 000

A resolution encouraging the adoption of uniform local building regulations

WHEREAS, The Assembly Interim Committee on Governmental Efficiency and Economy has reported serious conflicts in state and local building regulations; and

WHEREAS, It appears that part of this conflict results from lack of uniformity caused by failure to adopt a Uniform Building Code, or from variations included at the time of adoption of the code, or from failure to adopt subsequent revisions; and

WHEREAS, This Legislature respects the autonomy of local government on this subject, yet sees the advantages of uniform building regulation; and

WHEREAS, Representatives of local governments, through the Pacific Coast Conference of Building Officials, have developed a Uniform Building Code; now, therefore, be it

Resolved,

1. That this Legislature urges upon each local government the importance of adopting as nearly uniform building regulations as possible, as a measure of public convenience and economy.

2. That this Legislature recommends to the governing body of each local government that the Uniform Building Code be adopted with a minimum of local modification; and that revision of the code be enacted as published.

3. That copies of this resolution be sent to the clerk of each local government.

MOTION TO ADJOURN

Mr. Dickey moved that the Assembly do now adjourn until 9.30 a.m , Thursday, May 24th.

Mr. Erwin seconded the motion.

Substitute Motion

Mr. Beck moved, as a substitute motion, that the Assembly do now adjourn until 10 a.m., tomorrow, Thursday, May 24th.

Mr. Elliott seconded the substitute motion.

The roll was called, and the substitute motion lost by the following vote:

AYES—Beck, Berry, Burkhalter, Clarke, George D. Collins, Condon, Dunn, Elliott, Fleury, Geddes, Hagen, Hawkins, Lyon, McFall, Munnell, Parker, Rosenthal, Rumford, and Sherwin—19.

NOES—Babbage, Burke, Collier, Connolly, Conrad, Cooke, Crowley, Dickey, Erwin, Gaffney, Grunsky, Gubser, Hansen, Hollibaugh, Kelly, Kirkwood, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Niehouse, Silliman, Stanley, Stewart, and Waters—30.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Luckel and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Jack Young and Dimitri Senoff of San Diego.

On request of Messrs. Erwin and Burke, the usual courtesies of the Assembly for this day were unanimously extended to Carol Pitkin, James A. Miklin, and La Mar Hill of El Monte.

On request of Mr. Erwin, the usual courtesies of the Assembly for this day were unanimously extended to R. C. Miller and Fred King of El Monte.

On request of Mr. Rosenthal, the usual courtesies of the Assembly for this day were unanimously extended to Frederick Dockweiler of Los Angeles.

On request of Messrs. Moss and Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Miss Ailene Warnken, Miss Constance Gotaas, Mrs. Gertrude Coats, and Robert W. Luther, teachers, and the following pupils of the Fruit Ridge School: Alice Anderson, Peggy Ann Baker, Irma Lou Bruns, Juanita Chapman, Francene Caldwell, Nina Caldwell, Corrinne Darland, Doris Haskett, Jeanette Haynes, Shirley Holzapple, Patricia King, Patty Mead, Mabel Morrow, Sharon Purvis, Sharris Whaley, Marilyn White, Louise Williams, Jo Ann Reese, Andrew Aasletten, Gerald Beivelman, Charles Butts, Richard Cook, Eugene Cooper, George Darling, Byron Ecker, Richard Frago, Norman Gale, Frank Handley, Sidney Jew, David Johnson, William Johnson, Larry Linder, Murray Mayer, Donald Mello, William Norton, Gary Omohundro, Richard Nauss, Marvin Reich, Dewey Richardson, Norman Roberts, Raymond Stuckert, Bobby Sutherland, Paul Valencia, Donald Anderson, George Bacich, Ralph Bissonette, Dywane Calapp, Loren Collin, Barbara Harden, Carole Herrmann, Diane Herrick, Adrien Ivazian, Naomi Jones, Janet Mayberry, Yvonne Cecchettini, Marlene Conrad, Beverly Galli, Jo Anne Hamon, Marguerite Henderson, Anne Hendon, Gayle Julson, Sharon Knight, Eleanor Martin, Meredith Millar, Barbara Nelson, Geraldine Owings, Elva Powers, Joan Rogers, Janet Stitt, Mary Van Nortwick, Beverly Wood, Gilbert Albiani, Paul Bewley, Charles Clifford, Richard Darland, Fred Dunn, Leroy Eddenfield, Duane Ferguson, Keith Gittins, Kenneth Higginbotham, Thad Ipsen, Joe Raabe, Herbert Reynolds, Kenneth Ridgway, Edward Russell, Richard Separovich, Robert Whitehead, James Clark,

Meredith Wai, John Garbi, Hubert Norton, Martin Eid, Kenneth Barton, Eugene Doud, Arthur Fueston, Ronald Gilstrap, Arnold Gregorio, Leland Hales, Frederick Holbrook, Earle Kale, Frankie Lopez, Floyd Slocum, Jim Snavely, Howard Rose, Jerry Waldron, Gordon Wells, Max Petkovich, Robert Clark, Constance Donnis, Marion Dorsch, Racheal Arias, Dorothy Key, Lavonia Key, Rae Knox, Shirley Ridge, Carolyn Steen, Wilma Sparling, Susie Stover, Carlos Fernandez, Warren Ilsohn, Wayne Johnson, Richard Kanemoto, Rudolph Lester, Robert Santin, David Takagi, David Tosch, Russell Vaughn, Jackie Atkinson, Marilyn Barnes, and Carol Coughlin.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Hazel Wolley, teacher, Mrs. Will Dickey, Mrs. Ray Walker, Mrs. Joe Cecchini, Mrs. Geo. Pinney, Henry Hartson, and Mrs Glenn Geddes, adults, and the following pupils of the Knightsen School: Barbara Dickey, Winnie Cooper, Richard Pickell, Carmen Bermmen, Gloria Brumley, Shirley Willis, Hilaria Urenda, Sandra Walker, Edward Pinney, Jerrilee Geddes, Carmen Singh, Robert Hartson, Dorothy Simmons, Reuben Tomayo, Shirley Sue Keifer, Pauline Stanley, Maggie Alanis, Gary Kataoka, Louise Tarango, Joe Aguilar, Conrad Garcia, Joseph Glezenski, Allen McClelland, Charles Willis, Letha Willis, Allan Kawada, Lee Jones, Adia Harris, Nori Tamasaki, Robert Cecchini, Kenneth Hartson, Lucille Hayashi, Leonard Dinsmore, Norma Grimes, John Garcia, Roy Galli, Robert Pastor, Lena Dorez, and Isabel Martinez.

On request of Messrs. McFall and Parker, the usual courtesies of the Assembly for this day were unanimously extended to Bonnie Murrison and Flossie Moran, teachers, Sidney Anderson, adult, and the following pupils of the Greenwood and Moore Schools: Robert Fappiano, Jack Werner, Akira Aoyama, Sonja Betcher, Alice Tanaka, Melvin Sangiunetti, Susan Armanino, Marlene Arata, Vivian Podesta, Barbara Medina, Mary Podesta, Ernest Sarale, Stanley Lagomarsino, Mike Tait, Carolyn Love, Dolores Ratto, Mary Wong, Judy Gabbert, Donna Harrington, Rolline Harrington, Tommy Harris, Arden Cademartori, Douglas Gianelli, Lawrence Sambado, Neva Franklin, Margaret Burlando, Charlotte White, Guido Olivieri, Albert Rivera, Bobby Boggiano, Billy Wong, Jerry Takaoko, and Don Frazier.

On request of Mr. Gaffney, and the San Francisco Delegation, and Messrs. Kirkwood, Gubser, Porter, and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Patricia Gilkeson, Albert Wollenberg, Jr., and Bob Katz of San Francisco State College; David Down and Fred Spolyar, of San Jose State College; Art Fabian of Los Angeles State College; and Gerry Lanning of Sacramento State College.

On request of Mr Davis, the usual courtesies of the Assembly for this day were unanimously extended to Stennett Sheppard of Weaverville.

On request of Messrs. Maloney and Grant, the usual courtesies of the Assembly for this day were unanimously extended to A. Garrozola, Jimmie McElfish, Geo. Brown, and A. Garrozola of San Francisco.

On request of Mr Coats, the usual courtesies of the Assembly for this day were unanimously extended to Gertrude Cable, teacher, Mrs

Carl Woods, Mrs Jesse Manley, and Mrs S. O. Johnson, adults, and the following pupils of the Arboga School, of Marysville: William Anderson, Christine Cottrell, Willadean Decker, Hazel Ketchersid, Eleanora Mason, Oleta McCarthy, Neata Ragan, Denny Reeve, Douglas Smith, Shirley Turnbow, Willis Wardlow, Dorothy Wilson, and James Wooten.

On request of Messrs. Hinckley and Shaw, the usual courtesies of the Assembly for this day were unanimously extended to Edward Cantlay, Geo. Rayfield, Milton Pate, and Joseph Williamson, of San Bernardino; Francis Johnson of Riverside, and W. C. Shay of San Bernardino.

On request of Messrs. Moss and Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Dr. Henry Yee, D. C., of Sacramento.

On request of Mr. Berry, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Jim Roley of Portland, Oregon.

ADJOURNMENT

At 11.58 p.m., on motion of Mr. Dickey, the Speaker pro Tempore declared the Assembly adjourned until 9.30 a m., Thursday, May 24, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SIXTY-SIXTH LEGISLATIVE DAY

NINETIETH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, May 24, 1951

The Assembly met at 9.30 a m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—74.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence Kircher:

O God, Who appointest all things to a destined and holy end, and requirest of a man a reasonable service, quicken in us we beseech Thee the sense of a gracious Presence and Power in the world, of a Providence that never slumbers, of a Love that never fails. So unite us with Thyself in our aspirations and thoughts that with our whole might, doing those things which please Thee, we may live in Thy favour and in that Light which ever broadens to a perfect day.

"Teach me, O Lord, Thy holy way,
And give me an obedient mind
That in Thy service I may find
My soul's delight from day to day."

In Christ's name.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. McMillan, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Thomas, on motion of Mr. Dickey.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Brown, on motion of Mr. Dickey.

Mr. McGee, on motion of Mr. Rosenthal.

The following members were granted leaves of absence for the day, and desired to waive their per diems:

Mr. Kilpatrick, on motion of Mr. Dickey.

Mr. Lincoln, on motion of Mr. Dickey.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Assembly Joint Resolution No. 37

Assembly Joint Resolution No. 38

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 65

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 148

House Resolution No. 153

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No 74

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred

Senate Joint Resolution No 34

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 36

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 516
Assembly Bill No. 519
Assembly Bill No. 1689
Assembly Bill No. 1715
Assembly Bill No. 2011

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 974
Assembly Bill No. 1345
Assembly Bill No. 1582

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 1745—An act to add Sections 679.2 and 679.3 to the Vehicle Code, relating to rules governing the loading and securement of lumber and lumber products and hay in bales.

And appointed Senators Way, Hulse, and Hatfield, as a Committee on Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 1745

The Speaker announced the appointment of Messrs. Kirkwood, Cooke, and Luckel as a Committee on Conference concerning Senate Bill No. 1745.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 100
Assembly Bill No. 1155
Assembly Bill No. 1727

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 550
Assembly Bill No. 2923

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 23, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 143
Senate Bill No. 663
Senate Bill No. 1137

J A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: Pursuant to your request, I am returning herewith:

Assembly Bill No. 1879

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business.

SENATE CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: Pursuant to your request, I am herewith returning:

Senate Bill No. 1055

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business.

SENATE CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed.

Senate Bill No. 255
Senate Bill No. 359
Senate Bill No. 527
Senate Bill No. 585
Senate Bill No. 620
Senate Bill No. 735
Senate Bill No. 744
Senate Bill No 1002
Senate Bill No. 1203
Senate Bill No. 1204
Senate Bill No. 1221
Senate Bill No. 1527
Senate Bill No. 1591
Senate Bill No. 1634
Senate Bill No. 1696
Senate Bill No. 1815
Senate Bill No. 1820

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 255—An act to add Sections 2103.1 and 8162 to the Education Code, relating to the Public School System.

Referred to Committee on Education.

Senate Bill No. 359—An act to add Section 5059.5 to the Education Code, relating to school district bonds.

Referred to Committee on Education.

Senate Bill No. 527—An act to add Section 6060.8 to the Business and Professions Code, relating to bar examinations of veterans.

Referred to Committee on Judiciary.

Senate Bill No. 585—An act to add Sections 104.8, 2229, 3095, and 3484 to, the Welfare and Institutions Code, and to amend Sections 1001, 1011, and 1024 of the Probate Code, relating to public assistance, including aged aid, aid to the needy blind and aid to the partially self-supporting blind, and providing for the repayment of such aid out of the estates of the recipients thereof.

Referred to Committee on Social Welfare.

Senate Bill No. 620—An act to add Section 157.5 to the Vehicle Code, relating to vehicles and registration and license fees therefor.

Referred to Committee on Transportation and Commerce.

Senate Bill No. 735—An act to amend Sections 3040, 3082 and 3473 of the Welfare and Institutions Code, relating to aid to the needy blind and aid to partially self-supporting blind residents.

Referred to Committee on Social Welfare.

Senate Bill No. 744—An act to amend Sections 11005, 13370, and 18004 of the Government Code, relating to approval powers of the Director of Finance or the Department of Finance.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1002—An act to add Section 6005 to the Penal Code, relating to trials of persons committed to the Youth Authority.

Referred to Committee on Judiciary.

Senate Bill No. 1203—An act to add Section 1518.4 to the Military and Veterans Code, relating to civil defense.

Referred to Committee on Military Affairs.

Senate Bill No. 1204—An act to amend Sections 3211 9, 3211.92, 3211.93, 3352 94, 4363, of, and to renumber the chapter heading of Chapter 10 5 of Division 4, Part 1 of, and to repeal Sections 3211.2, 3211 4, 3211.6, 3211.7, 3211.8, 3352.5, 4301, 4302, 4303, 4304, 4305, 4311, 4312, 4313, 4314, 4315, 4316, 4317, 4318, 4331, 4332, 4333, 4334, 4335, 4336, 4337, 4366 and 4367 of the Labor Code, relating to the furnishing of workmen's compensation benefits to volunteer disaster service workers.

Referred to Committee on Finance and Insurance.

Senate Bill No. 1221—An act to amend Section 141 of the Streets and Highways Code, relating to the powers of the Department of Public Works.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1527—An act to amend Section 5065 of the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Senate Bill No. 1591—An act to add Section 144.15 to the Welfare and Institutions Code, relating to public assistance in respect to real property owned by applicants at the time of application therefor.

Referred to Committee on Social Welfare

Senate Bill No. 1634—An act to add Sections 142, 143, 143.1, 143.2, 143.3, 143.4, 143.5, 143.6 and 143.7 to the Welfare and Institutions Code, and to repeal Sections 1520, 1520.1, 1521, 1521 2, 1521 5, 2163, 2163.1, 2163.2, 2163.4, 2163.5, 2163.7, 2164, 2165, 2165a, 2165d, 3047, 3047.01, 3047.02, 3047.2, 3047 21, 3047 24, 3047 25, 3047 27, 3047.3, 3047.5, 3447, 3447.1, 3447.3, and 3448 thereof, relating to public assistance, in respect to property qualifications therefor.

Referred to Committee on Social Welfare.

Senate Bill No. 1696—An act to add Section 3473 01 to the Welfare and Institutions Code, relating to aid to blind persons.

Referred to Committee on Social Welfare.

Senate Bill No. 1815—An act creating the Solvang Municipal Improvement District and prescribing its boundaries, change of boundaries, organization, operation, management, financing and powers, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1820—An act to amend Section 25 of the Fish and Game Code, relating to the leasing of property and the establishment of fish breederies or hatcheries and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Fish and Game.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 3074—An act to add Section 4 to the Fish and Game Code, relating to the taking of private land for public use.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1954—An act to add Chapter 12 to Division 4 of the Education Code, relating to mentally handicapped minors.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 4, line 39, of the printed bill, as amended in the Assembly on May 18, 1951, strike out "10", and insert "18".

Amendment No. 2

On page 4, line 49, of said bill, strike out "10", and insert "18".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 206—An act to amend Section 420 of, and to add Section 429.6 to, the Fish and Game Code, relating to sporting fishing licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 12, of the printed bill, strike out "in the surf or from the beach or", and insert "from".

Amendment read, and adopted

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1967—An act to amend Section 428 of the Fish and Game Code, relating to fishing licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1 of the printed bill, strike out lines 9, 10, and 11, and insert "(b) To any non-resident or alien, over the age of 16 years, upon the payment of ten dollars ($10)."

Amendment No. 2

On page 1 of the printed bill, strike out lines 15, 16, and 17, deleting section (d) from the bill.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1534—An act to amend Section 2137.1 of the Business and Professions Code, relating to persons authorized to practice medicine and surgery in state institutions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 2, line 2, of the printed bill, as amended in the Assembly on May 17, 1951, strike out "or until October 1"; and in line 3, strike out "1953 whichever is later".

Amendment No. 2

On page 2, line 10, of the printed bill, strike out "the provisions of this section shall terminate"; and strike out all of line 11.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 751—An act to amend Section 496 of the Fish and Game Code, relating to fish.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1 of the printed bill, between lines 6 and 9, insert "SEC. 2. The provisions of Sections 495 and 496 shall be effective until the ninety-first day after final adjournment of the 1953 Regular Session of the Legislature and thereafter shall have no force or effect."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Fish and Game.

Assembly Bill No. 293—An act to add Sections 20176 and 20177 to the Education Code, relating to the establishment as part of the University of California of a State Laboratory for the Diagnosis of Disease in Livestock and Poultry.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "20176 and 20177 to the Education", and insert "36 and 37 to the Agricultural".

Amendment No. 2

In lines 2 and 3 of the title of said bill, strike out "as part of the University of California".

Amendment No. 3

On page 1 of said bill, strike out line 1, and insert
"SECTION 1. Section 36 is added to the Agricultural Code,".

Amendment No. 4

On page 1, line 3, of said bill, strike out "20176.", and insert
"36."

Amendment No. 5

On page 1, lines 4 and 5, of said bill, strike out "as part of the University of California".

Amendment No. 6

On page 1, line 6, of said bill, after "Jose", insert ", and shall be established, operated, and supervised by the Department of Agriculture".

Amendment No. 7

On page 1 of said bill, strike out line 7, and insert
"SEC. 2. Section 37 is added to said code, to read:".

Amendment No. 8

On page 1, line 8, of said bill, strike out "20177.", and insert
"37."

Amendment No. 9

On page 1 of said bill, strike out lines 13 to 15, inclusive, and insert
"SEC. 3. Out of any money in the Fair and Exposition Fund in the State Treasury the sum of _____ ($_____) is hereby appropriated to the Department of Agriculture for establishing, purchasing site for, construction of, and equipping the laboratory provided for in this act and to carry out the provisions of this act."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

Assembly Bill No. 3435—An act to add Chapter 11, comprising Sections 1300.50 to 1300.56, inclusive, to Division 6 of the Agricultural Code, proscribing specified concerted interferences with the transportation, processing or marketing of perishable agricultural commodities, by labor organizations, declaring the public policy of the State with respect thereto and providing for injunctive and other relief therefrom.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 16, of the printed bill, strike out "such", and insert "milk, cream, and other perishable agricultural".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

Assembly Bill No. 3166—An act to amend Section 2181.01 of the Welfare and Institutions Code, relating to old age security.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 2181.01 of", and insert "add Section 1526.1 to".

Amendment No. 2

In line 2 of the title of said bill, strike out "old age security", and insert "aid to needy children".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 7, inclusive, and insert

"SECTION 1. Section 1526.1 is added to the Welfare and Institutions Code, to read

1526.1. A person whose residence under the provisions of Sections 17.1 and 1526 of this code determines the residence of a recipient of aid under this chapter, who has remained outside this State for a continuous period of one year or longer shall be prima facie evidence of the intent of such person to have changed his residence to a place outside this State. The county granting aid to a recipient whose residence under the provisions of Sections 17.1 and 1526 of this code is determined by the residence of such persons shall make inquiry from such persons as to their intent to remain residents of California or to become residents of another state, and shall redetermine the residence of such persons for the purposes of this chapter. In any case where the inquiry made under this section establishes that the person whose residence under the provisions of Sections 17.1 and 1526 of this code determines the residence of a recipient, is no longer a resident of this State, the recipient's aid shall be terminated immediately."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Social Welfare.

Assembly Bill No. 2009—An act to amend Section 10291.5 of the Insurance Code, relating to disability insurance policies.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 2 of the printed bill, strike out lines 21 to 29, inclusive, and insert

"(4) If it contains provision or provisions which would have the effect, upon any termination of the policy, of reducing or ending such liability as the insurer would have, but for such termination, for loss of time resulting from accident occurring while the policy is in force or for loss of time commencing while the policy is in force and resulting from sickness contracted while the policy is in force or for other losses resulting from accident occurring or sickness contracted while the policy is in force, and also contains provision or provisions reserving to the insurer the right to cancel or refuse to renew the policy, unless it also contains other provision or provisions the effect of which is that termination of the policy as the result of the exercise by the insurer of any such right shall not reduce or end such liability in respect to the hereinafter specified losses as the insurer would have had under the policy, including its other limitations, conditions, reductions and restrictions, had the policy not been so terminated

The specified losses referred to in the preceding paragraph are:

(i) Loss of time which commences while the policy is in force and results from sickness contracted while the policy is in force,

(ii) Loss of time which commences within twenty (20) days following and results from accident occurring while the policy is in force,

(iii) Losses which result from accident occurring or sickness contracted while the policy is in force and arise out of the care or treatment of illness or injury and which occur within ninety (90) days from such termination of the policy or during a

period of continuous compensable loss or losses which period commences prior to the end of such ninety (90) days, and

(iv) Losses other than those specified in (i), (ii) or (iii) above which result from accident occurring or sickness contracted while the policy is in force and which losses occur within ninety (90) days following such accident or the contraction of such sickness"

Amendment No. 2

On page 3 of said bill, strike out lines 11 to 50, inclusive, and insert

"(8) If it substitutes a specified indemnity upon the occurrence of accidental death for any benefit of the policy which would accrue prior to the time of such death or if it contains provision which has the effect other than at the election of the insured exercisable within not less than twenty (20) days in the case of benefits specifically limited to the loss by removal of one or more fingers or one or more toes or within not less than ninety (90) days in all other cases.

(i) Of substituting, upon the occurrence of the loss of both hands, both feet, one hand and one foot, the sight of both eyes or the sight of one eye and the loss of one hand or one foot, some specified indemnity for any or all benefits under the policy unless the indemnity so specified is equal to or greater than the total of the benefit or benefits for which such specified indemnity is substituted and which, assuming in all cases that the insured would continue to live, could possibly accrue within four years from the date of such dismemberment under all other provisions of the policy applicable to the particular event or events (as distinguished from character of physical injury or illness) causing the dismemberment, or

(ii) Of substituting, upon the occurrence of any other dismemberment some specified indemnity for any or all benefits under the policy unless the indemnity so specified is equal to or greater than one-fourth of the total of benefit or benefits for which such specified indemnity is substituted and which, assuming in all cases that the insured would continue to live, could possibly accrue within four years from the date of such dismemberment under all other provisions of the policy applicable to the particular event or events (as distinguished from character of physical injury or illness) causing the dismemberment; or

(iii) Of substituting a specified indemnity upon the occurrence of any dismemberment for any benefit of the policy which would accrue prior to the time of dismemberment.

As used in this section, loss of a hand shall be severance at or above the wrist joint, loss of a foot shall be severance at or above the ankle joint, loss of an eye shall be the irrecoverable loss of the entire sight thereof, loss of a finger shall mean at least one entire phalanx thereof and loss of a toe the entire toe."

Amendment No. 3

On page 4 of said bill, strike out lines 8 to 11, inclusive, and insert

"(11) If it contains benefit or benefits for loss or losses from specified diseases only unless:

(i) All of the diseases so specified in each provision granting such benefits fall within some general classification based upon:

(A) The part or system of the human body principally subject to all such diseases,

(B) The similarity in nature or cause of such diseases,

(C) In case of diseases of an unusually serious nature and protracted course of treatment, the common characteristics of all such diseases with respect to severity of affliction and cost of treatment, and

(ii) The policy is entitled and each provision granting such benefits is separately captioned in clearly understandable words so as to accurately describe the classification of diseases covered and expressly point out, when such is the case, that not all diseases of such classification are covered."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 3094—An act to amend Section 57 of the Alcoholic Beverage Control Act, relating to employment of hostesses by licensees.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Boards and Commissions:

Amendment No. 1

On page 1, line 12, of the printed bill, strike out ", or permit"; and strike out lines 13 to 19, inclusive, and insert "or permit anyone who gains a financial advantage thereby, to beg or solicit any patron or customer of, or visitor in such premises, to purchase any alcoholic beverages for the one begging or soliciting."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Boards and Commissions.

SECOND READING OF SENATE BILLS

Senate Bill No. 293—An act to add Section 1384.6 to the Fish and Game Code, relating to the importation of carcasses or parts thereof of domesticated game birds.

Bill read second time, and ordered to third reading.

Senate Bill No. 294—An act to repeal Section 1290 of, and to add new Section 1290 to, the Fish and Game Code, relating to deer hides.

Bill read second time, and ordered to third reading.

Senate Bill No. 297—An act to amend Section 1281 of the Fish and Game Code, relating to deer.

Bill read second time, and ordered to third reading.

Senate Bill No. 298—An act to amend Section 1201.9 of the Fish and Game Code, relating to pheasant license tags

Bill read second time, and ordered to third reading.

Senate Bill No. 228—An act to amend Section 3045 of the Welfare and Institutions Code, relating to aid to the needy blind.

Bill read second time, and ordered to third reading.

Senate Bill No. 1587—An act to add Section 103.4 to the Welfare and Institutions Code, relating to absence of recipients of public assistance from the State.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1, line 10, of the printed bill, as amended in the Senate on May 15, 1951, after the period, insert "The county granting the aid shall make inquiry from such persons as to their intent to remain residents of California or to become residents of another state, and shall redetermine the residence of such persons for purposes of this chapter. In any case where the inquiry made under this section establishes that the recipient is no longer a resident of this State, his aid shall be terminated immediately."

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1576—An act to add Article 12.5, comprising Sections 9181 to 9188 inclusive, to Chapter 7 of Division 4 of the Education Code, to amend the title of Article 2 of Chapter 2 of Part 1 of Division 5 of the Welfare and Institutions Code, to add Article 7, comprising

Sections 3361 to 3364 inclusive, to Chapter 2 of Part 1 of Division 5 of the Welfare and Institutions Code, to repeal Sections 3250 to 3261 inclusive and 3302.3 thereof, to add Sections 3250, 3305, 3306, 3353, thereto, and to amend Sections 3300, 3301, 3302, 3302.5, 3303, 3330, 3331, and 3351 thereof, relating to state institutions for the blind, to provide for orientation centers and California Industries for the Blind and for state purchase of products made in institutions for the blind.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

In line 10 of the title of the printed bill, as amended in the Senate on May 8, 1951, strike out "3330,".

Amendment No. 2

On page 2, line 37, of said bill, after "Education", insert "with the approval of the State Personnel Board".

Amendment No. 3

On page 5 of said bill, strike out lines 35 to 48, inclusive; and in line 49, strike out "SEC. 13", and insert
"SEC. 12".

Amendment No. 4

On page 6, line 2, of said bill, strike out "California Industries", and insert "Workshops".

Amendment No. 5

On page 6 of said bill, strike out lines 4 to 36, inclusive; and in line 37, strike out "SEC. 15", and insert
"SEC. 13".

Amendment No. 6

On page 6, line 43, of said bill, strike out "16", and insert "14".

Amendment No. 7

On page 7, line 1, of said bill, strike out "17", and insert "15".

Amendment No. 8

On page 7, line 29, of said bill, strike out "18", and insert "16".

Amendments read and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Senate Bill No. 1586—An act to add Section 103.3 to, and to repeal Sections 1507, 2003, 3001, and 3401 of, the Welfare and Institutions Code, relating to public assistance in respect to the construction and administration of the laws relating thereto.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1 of the printed bill, strike out lines 8 to 10, inclusive, and insert "for the needs of applicants and the safeguarding of public funds."

Amendment read and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1240—An act to amend Section 7442 of the Business and Professions Code, relating to the practice of cosmetology and the fees therefor.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1240?

Amendment No. 1

On page 2 of the printed bill, after line 6, insert

"(o) The fee for an electrology instructor's examination is fifteen dollars ($15)

Sec. subdivisions (g), (h), (j), and (*l*) of Section 15 of this act shall become effective January 1, 1952."

Amendment No. 2

On page 2 of the printed bill, as amended in the Senate on May 18, 1951, strike out line 9, and insert

"SEC. 2. The amendments to subdivision (g), (h), (j), and (*l*) of Section 7442 of the Business and Professions Code made by Section 1".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1240 by the following vote:

AYES—Beck, Belotti, Berry, Burke, Chapel, Collier, George D. Collins, Connolly, Conrad, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lipscomb, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—47.

NOES—None.

Assembly Bill No. 1240 ordered enrolled.

Assembly Bill No. 1243—An act to add Section 18105 to, and to amend Sections 18050, 18051, 18052, and 18100 of, the Government Code, relating to vacation and sick leave for state employees.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1243?

Amendment No. 1

On page 2, line 4, of the printed bill, as amended in the Assembly on April 9, 1951, strike out "authorized by this part".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1243 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hollibaugh, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—55

NOES—None.

Assembly Bill No. 1243 ordered enrolled.

Assembly Bill No. 1891—An act to amend Sections 8723, 18461, and 18478 of, and to add Sections 18153, 18402.1, 18431, 18481 to, and to repeal Sections 18479 and 18480 of, the Education Code, all relating

to sites for public schools, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1891?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 13, 1951, strike out lines 14 to 17, inclusive, and insert

"18478 Except as otherwise provided, and in high school districts with more than 60,000 average daily attendance, no change of location of any high school where once established, shall be made except upon a petition to the superintendent of schools who has jurisdiction of the high school district, signed by two-thirds of the electors of the district, and then only upon the affirmative votes of two-thirds of the qualified electors of the district voting at an election called by the superintendent of schools for that purpose

The election shall be called and held, and the returns thereof made to the superintendent of schools, in the same manner as in the case of the election for the formation of the district."

Amendment No. 2

On page 1, line 18, of the printed bill, as amended in the Senate on May 14, 1951, after "and", insert "except".

Amendment No. 3

On page 1, line 14, of the printed bill, as amended in the Senate on May 17, 1951, strike out "as otherwise provided, and except"

Amendment No. 4

On page 1 of said bill, as amended, strike out lines 17 to 19, inclusive; and on page 2, strike out lines 1 to 3, inclusive, and insert "shall be made except in accordance with the provisions for the original location of the school."

Amendment No. 5

On page 2, line 23, of said bill, as amended, strike out "18424", and insert "18472".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1891 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Caldecott, Chapel, Clarke, Cloved, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kirkwood, Levering, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, and Tomlinson—55.

NOES—None.

Assembly Bill No. 1891 ordered enrolled.

Assembly Bill No. 2085—An act to amend Section 6028.1 of, and to add Section 6028.11 to, the Penal Code, relating to Special Crime Study Commissions.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2085?

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in Assembly April 6, 1951, after "it.", insert "In the exercise of its powers the commission shall be subject to the following conditions and limitations:

(a) A witness at any hearing shall have the right to have present at such hearing counsel of his own choice, for the purpose of advising him concerning his constitutional rights

(b) No hearing shall be televised or broadcast by radio, nor shall any mechanical, photographic or electronic record of the proceedings at any hearing be televised or broadcast by radio."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2085 by the following vote:

AYES—Beck, Belotti, Berry, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sillman, Smith, Stanley, Tomlinson, and Mr Speaker—54.

NOES—Elliott—1.

Assembly Bill No. 2085 ordered enrolled.

Assembly Bill No. 2128—An act to add Section 644.2 to the Agricultural Code, relating to colored oleomargarine.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2128?

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Assembly on April 20, 1951, after the period, insert "The percentage of domestic vegetable oils may be stated in the aggregate of all types of such oil. The provisions of this section shall become operative January 1, 1952."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No 2128 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Sillman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—57.

NOES—None.

Assembly Bill No. 2128 ordered enrolled.

Assembly Bill No. 2623—An act to add Section 39.7 to the Fish and Game Code, relating to the powers of the Fish and Game Commission.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2623?

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Assembly on March 29, 1951, after "may", insert ", with the approval of the Department of Finance,".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2623 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, George D Collins, Condon Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sillman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—57.

NOES—None.

Assembly Bill No. 2623 ordered enrolled.

Assembly Bill No. 3280—An act to amend Section 681 of the Vehicle Code, relating to the use of sirens and red lights by privately owned armored cars.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 3280?

Amendment No. 1

On page 1, lines 16 and 17, of the printed bill, as amended in the Assembly on April 16, 1951, strike out "must be disconnected and the red lights unlighted", and insert "shall not be sounded and the red lights shall not be lighted".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 3280 by the following vote:

AYES—Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Nicholson, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr Speaker—56.

NOES—Beck—1.

Assembly Bill No. 3280 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 340

Mr. Hansen asked for, and was granted, unanimous consent that he be permitted to take up the consideration of Senate amendments to Assembly Bill No 340, temporarily passed on the unfinished business file, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 340—An act creating a district to be called "Kings River Conservation District"; providing for its organization, operation, maintenance and government, for the inclusion of lands therein and the exclusion of lands therefrom; providing for the acquisition, construction, maintenance and operation of works and property for the purposes of the district, including the storage, conservation, distribution and sale of water, the development, distribution and sale of electric power, the drainage, reclamation and protection of land and prescribing and defining the powers, duties, purposes and responsibilities of said district.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 340?

Amendment No. 1

On page 70, line 3, of the printed bill, as amended in the Assembly on May 3, 1951, strike out "no longer", and insert "not".

Amendment No. 2

On page 71, line 47, of said bill, strike out "the incorporated", and insert "any incorporated."

Amendment No. 3

On page 58, line 13, of the printed bill, as amended in the Assembly on May 3, 1951, after "usefulness", insert ", and shall comply with all lawful rules and regulations of the owner or agency in charge thereof".

Amendment No. 4

On page 58, line 24, of said bill, as amended, after "State", insert ", except that where such land is already devoted to public use, any expense necessary to permit the joint use of such land shall be borne by the district".

Amendment No. 5

On page 70 of the printed bill, as amended in the Senate on May 18, 1951, after the period in line 25, insert "In making a determination upon any such petition for exclusion of lands the State Engineer shall exercise his own independent judgment as to whether the lands described in the petition for exclusion will be substantially benefited by remaining in the district, and the State Engineer shall not be bound by the findings of the Legislature in this act with respect thereto."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 340 by the following vote:

AYES—Babbage, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Conrad, Crowley, Dolwig, Doyle, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, and Mr Speaker—49.

NOES—Beck, George D. Collins, Condon, Davis, Elliott, and Henderson—6.

Assembly Bill No. 340 ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 75—An act to amend Section 10783 of the Revenue and Taxation Code, relating to exempting vehicles owned by disabled veterans from the motor vehicle license fee;

Assembly Bill No. 383—An act to add Section 1130 to the Probate Code, relating to vouchers filed by trustees;

Assembly Bill No. 489—An act to amend Section 14658 of, and to add Section 14661 to, the Health and Safety Code, relating to fire protection districts in one or more counties;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of May, 1951, at 1 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 549—An act to amend Sections 35147, 35148, 35149, and 35150 of the Government Code, relating to annexation;

Assembly Bill No. 585—An act to amend Sections 1300.12, 1300.13, 1300.15, 1300.16, 1300.17, and 1300.19 of the Agricultural Code, relating to administration of the California Marketing Act of 1937 and the enforcement of marketing orders thereunder, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 599—An act to amend Sections 787.5, 795, and 796.1 of the Agricultural Code, relating to fruit and vegetable standardization;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of May, 1951, at 1 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 653—An act to add Section 220.1 to the Vehicle Code, relating to false reports of thefts of vehicles;

Assembly Bill No. 950—An act to amend Section 1018 of the Penal Code, relating to pleadings and proceedings after indictment;

Assembly Bill No. 1074—An act to add Section 39.3 to the Fish and Game Code, relating to hunting and fishing seasons,

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of May, 1951, at 1 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1098—An act to amend Section 14549 of the Health and Safety Code, relating to fire protection districts;

Assembly Bill No. 1192—An act to repeal Section 89 of the Code of Civil Procedure as amended by Statutes of 1949, Chapter 1286 and as amended by Statutes of 1949, Chapter 1519, and to add Section 89 to the Code of Civil Procedure, relating to municipal courts;

Assembly Bill No. 1241—An act to amend Sections 18532, 18537, 18544, 18803, 18903, 18950, 19054, 19100, 19120, 19503, 19570, 19572, 19575, 19582, to add Sections 18532.1 and 19082 and to repeal Sections 18598 and 18599 of the Government Code, relating to state employment and disciplinary proceedings,

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of May, 1951, at 1 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1245—An act to amend Sections 18021, 18573, 18854, 18859, and 19538 of the Government Code, relating to salaries of state employees;

Assembly Bill No. 1609—An act to amend Section 25100 of the Corporations Code, relating to securities exempt from the application of the Corporate Securities Law, and providing for the exemption of securities the issuance of which has been authorized by the Federal Power Commission;

Assembly Bill No. 1645—An act to amend Section 252 of the Revenue and Taxation Code, relating to the filing of claims for veterans' property tax exemption;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of May, 1951, at 1 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1647—An act to amend Section 206 of the Revenue and Taxation Code, relating to property taxes and the exemption of personal property of churches;

Assembly Bill No. 1650—An act to amend Sections 322 and 328 of the Revenue and Taxation Code, relating to the description of property for assessment;

Assembly Bill No. 1773—An act to amend Sections 103a, 105, 105.5, 105a, 108, 108a, 109, 113, 113a, 113b, 115, 116, 116a, and 116b, and to repeal Sections 99, 100, 101, 102, 102a, 102b, 103, 103c, 103d, 103g, 103h, 103i, 103j, 103k, 103l, 103m, 103n, 103½, 103¾, 104, 107, 110 110a, 111, 113c, and 113d of the Code of Civil Procedure, relating to justice courts;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of May, 1951, at 1 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1869—An act to amend Section 1191 of the Penal Code, relating to judgments;

Assembly Bill No. 1940—An act to amend Sections 392, 393, 395, 396, 396a, 396b, and 399 of the Code of Civil Procedure, relating to place of trial of civil actions;

Assembly Bill No. 1990—An act to amend Sections 6005, 6070, 6702, 6777, and 7056 of, and to add Section 6019 to, the Revenue and Taxation Code, relating to sales and use taxes, and providing that this act shall take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of May, 1951, at 1 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2763—An act to amend Section 58 of the Agricultural Code, relating to agriculture;

Assembly Bill No. 3372—An act to add Section 291 to the Penal Code, relating to notices of arrest of public school teachers;

Assembly Bill No. 3416—An act to amend Sections 821.15 and 823 of the Agricultural Code, relating to apple containers, and declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of May, 1951, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 33—Relating to the completion of the San Diego Aqueduct;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twenty-third day of May, 1951, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 57—Relative to congratulating the University of San Francisco for establishment of a compulsory course in the evils of Communism;

Assembly Concurrent Resolution No. 61—Approving amendments to the charter of the City of Redondo Beach, a municipal corporation in the County of Los Angeles, State of California, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the tenth day of April, 1951;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the twenty-third day of May, 1951, at 1 p.m.

BURKE, Chairman

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Senate Bill No. 72
Senate Bill No. 267

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 765
Assembly Bill No. 1903
Assembly Bill No. 2281

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 2286
Assembly Bill No. 3090

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

STANLEY, Chairman

Above reported bills ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 28

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 1563

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 15
Assembly Bill No. 593

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 71

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bill ordered to second reading

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 302—An act to amend Section 261b, as added by Chapter 1031 of the Statutes of 1943, of, and to add Section 261h to, the Code of Civil Procedure, relating to shorthand reporters.

Bill read third time.

Motion That Consideration of Assembly Bill No. 302 Be Postponed

Mr. Beck moved that consideration of Assembly Bill No. 302 be postponed until the next legislative day.

Mr. Doyle seconded the motion.

Motion lost.

The question being on the passage of Assembly Bill No. 302.

Assembly Bill No. 302 ordered passed on file, at this time.

Assembly Bill No. 3428—An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the City of Santa Clara, County of Santa Clara, State of California.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 249—An act to amend Sections 64, 67, 70, 75, 79, and 97 of the Unemployment Insurance Act, relating to a System of Unemployment and Disability Insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Cloved, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Levering, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Nicholson, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 10.18 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 2081—An act to amend Section 1648.3 of the Insurance Code, relating to insurance brokers' licenses.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Waters moved a call of the Assembly.

Motion carried Time, 10.30 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Clarke, Evans, Grant, Gubser, Hagen, Hawkins, Henderson, Kirkwood, Lanterman, Lowrey, Moss, Munnell, Rosenthal, Rumford, and Silliman—15.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Connolly asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

RESOLUTIONS

The following resolution was offered:

By Mr. Burkhalter:

House Resolution No. 154

Relative to the study of structural pest control

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Governmental Efficiency and Economy, created at this session, is hereby authorized and directed to ascertain, study and analyze all facts relating to the Structural Pest Control Act and all matters pertaining to structural pest control contained in Assembly Bills 895 and 896 of this session, including but not limited to the relationship between the structural control operator, the real estate broker, the lending institution, and the Structural Pest Control Board, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

Resolution read, and ordered referred to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 66: By Messrs. Lyon, Dickey, and Hollibaugh—Relative to the declaration of August 16, 1951, as Loyal Order of Moose Day in California.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Senate Bill No. 872

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 869

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 1937
Assembly Bill No. 2570
Assembly Bill No. 2571

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Senate Bill No. 58
Senate Bill No. 284
Senate Bill No. 301
Senate Bill No. 644
Senate Bill No. 942
Senate Bill No. 1077

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 2188
Assembly Bill No. 3188

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 2929

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DUNN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR SPEAKER Your Committee on Education, to which was referred:

Senate Bill No 465

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

DUNN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER Your Committee on Education, to which were referred.

Assembly Bill No 827
Assembly Bill No. 1695
Assembly Bill No 3422

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DUNN, Chairman

Above reported bills ordered to second reading.

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No 1579
Assembly Bill No 2252
Assembly Bill No 3318
Assembly Bill No 3437
Assembly Bill No. 2894

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CONNOLLY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER Your Committee on Public Health, to which was referred.

Assembly Bill No 3183

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and re-refer to Committee on Ways and Means.

CONNOLLY, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2577—An act to amend Section 20045 of the Water Code, relating to certification of bond issues

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burkhalter, Caldecott, Chapel, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Luckstein, Levering, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters—60.

NOES—None.

Bill ordered transmitted to the Senate.

BIRTHDAY WISHES EXTENDED

Speaker pro Tempore Maloney announced that yesterday was the birthday of Mr. Connolly, and extended belated but sincere birthday wishes to Mr. Connolly, on behalf of all Members of the Assembly.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 37
Assembly Joint Resolution No. 38

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 65

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2474

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1345—An act providing for the constitution of the municipal court in a district embracing the City of Richmond, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Waters—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 36—Relative to prohibiting payment of federal public funds to certain persons.

Resolution read.

Point of Order

Mr. Kirkwood arose to the following point of order: That Mr. Levering has exceeded his time.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

Motion That Mr. Levering Be Granted Additional Time

Mr. Cooke moved that Mr. Levering be granted additional time, for the purpose of answering questions.

Mr. Hinckley seconded the motion.

Motion carried.

The question being on the adoption of Assembly Joint Resolution No. 36.

The roll was called, and the resolution refused adoption by the following vote:

AYES—Chapel, Clarke, Cloyed, Connolly, Dickey, Hollibaugh, Lanterman, Levering, Luckel, Niehouse, and Tomlinson—11

NOES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kirkwood, Klocksiem, McFall, McMillan, Meyers, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, and Stanley—43.

REQUEST FOR UNANIMOUS CONSENT

Mr. Henderson asked for, and was granted, unanimous consent to take up House Resolution No. 153, at this time, without reference to file.

CONSIDERATION OF HOUSE RESOLUTION NO. 153

By Mr. Henderson:

House Resolution No. 153

Relating to the celebration of the One Thousand Five Hundredth Anniversary of the Battle of Avarair

WHEREAS, May 26, 1951 is the One Thousand Five Hundredth Anniversary of the Battle of Avarair, in which the great Armenian general Vartan Mamikonian was stricken down in combat while leading his fellow Christians against the Persians in this great battle for religious freedom; and

WHEREAS, Said Battle of Avarair and the martyrdom of Vartan Mamikonian were the constant inspiration to the Armenian people to continue their fight for religious freedom and Christianity, which endeavor finally achieved success in 484 A.D.; and

WHEREAS, This One Thousand Five Hundredth Anniversary of the Battle of Avarair will be celebrated by Americans of Armenian descent in commemoration of this great triumph for religious freedom and Christianity; now, therefore, be it

Resolved by Assembly of the State of California, That on this significant celebration of the anniversary of the Battle of Avarair that all Americans of Armenian descent are hereby congratulated and commended for their observance of this great event; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to prepare suitable copies of this resolution for transmittal to the proper persons engaged in forwarding the observance of this historic event.

Resolution read, and adopted unanimously.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2081

At 11 a.m., on motion of Mr. Waters, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 2081 passed by the following vote:

AYES—Babbage, Belotti, Burke, Burkhalter, Caldecott, Chapel, Clarke, Connolly, Conrad, Crowley, Dolwig, Doyle, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hansen, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Niehouse, Shaw, Smith, Stanley, Stewart, Tomlinson, and Waters—42.

NOES—Beck, Berry, Brady, Cloyed, Coats, Collier, George D. Collins, Condon, Cooke, Davis, Dickey, Dills, Dunn, Elliott, Gaffney, Hagen, Hahn, Hollibaugh, Levering, McMillan, Munnell, Parker, Porter, and Sherwin—24.

Bill ordered transmitted to the Senate.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 1689, on motion of Mr. Kirkwood.

Assembly Bill No. 2474, on motion of Mr. Burkhalter.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 516—An act to amend Section 5050.5 of the Insurance Code, relating to insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Burke, Burkhalter, Caldecott, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Tomlinson, and Waters—56.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Arthur H. Connolly, Jr., Presiding

At 11.07 a.m., Hon. Arthur H. Connolly, Member of the Assembly from the Twenty-first District, presiding.

Assembly Bill No. 519—An act to amend Section 1198 of the Insurance Code, relating to insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Tomlinson, and Waters—64.

NOES—None.

Bill ordered transmitted to the Senate.

BILLS WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 3410, on request of Mr. Geddes.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2496—An act to repeal Chapter 10 of, and to add Chapter 10 to, Part 2 of Division 2 of the Insurance Code, relating to fraternal benefit societies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan,

Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, and Waters—69
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 974—An act to add Section 4557 to the Labor Code, and to amend Section 11661 of the Insurance Code, relating to additional workmen's compensation for minors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, and Waters—62
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2011—An act to add Chapter 5.7, comprising Sections 2650 to 2694, inclusive, to Division 2 of the Business and Professions Code, relating to the practice of physical therapy, schools of physical therapy, and the licensing of physical therapists, and prescribing penalties for violations hereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, and Waters—60.
NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 11.18 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 1144—An act to amend Sections 28000, 28004, 28007, 28010, 28014 and to add Section 28000½ to the Health and Safety Code, relating to horse, mule and/or burro meat and their by-products and animal food.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, and Waters—59.
NOES—Brady—1.

Bill ordered transmitted to the Senate.

Explanation of Vote on Assembly Bill No. 1144

Had I had in my binder the correctly amended bill, as amended May 17, 1951, I should have voted "AYE." The bill in my binder was the one as amended May 3, 1951, which contained in my estimation a very improper provision. This latter was amended out by the latest amendment.

BERNARD R. BRADY

REPORTS OF STANDING COMMITTEES

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 3390

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SILLIMAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Assembly Bill No. 1730
Assembly Bill No. 1731

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SILLIMAN, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Senate Bill No. 1085

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SILLIMAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Senate Bill No. 353

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SILLIMAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Senate Bill No. 435

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SILLIMAN, Chairman

Above reported bill ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No 1250

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SILLIMAN, Chairman

Above reported bill ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 1226
Assembly Bill No. 1229
Assembly Bill No. 1231
Assembly Bill No. 1233
Assembly Bill No. 1237
Assembly Bill No. 1238
Assembly Bill No. 1239

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 1230
Assembly Bill No. 1232
Assembly Bill No. 1236
Assembly Bill No. 2449
Assembly Bill No. 2801
Assembly Bill No. 1228

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR SPEAKER Your Committee on Governmental Efficiency and Economy, to which were referred:

Senate Bill No. 1659
Senate Bill No 1660
Senate Bill No. 1661

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 634

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred

Assembly Bill No 2898

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

STEWART, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1951

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 3270

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 2631

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and re-refer to the Committee on Ways and Means.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 1234
Assembly Bill No. 1235
Assembly Bill No. 1526
Assembly Bill No 2806
Assembly Bill No. 3213

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR SPEAKER. Your Committee on Governmental Efficiency and Economy, to which were referred:

Senate Bill No 165
Senate Bill No. 242
Senate Bill No. 626
Senate Bill No. 1662

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bills ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No 2496

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR SPEAKER. Your Committee on Public Health, to which was referred:

Assembly Bill No. 2331

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CONNOLLY, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3254—An act to add Section 48.5 to the Fish and Game Code, relating to access to public hunting and fishing grounds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Henderson, Holhbaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister,

McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Tomlinson, and Waters—60.

NOES—Erwin and Hinckley—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3159—An act to amend Section 4532 of, and to add Section 4532 5 to, the Elections Code, relating to purity of elections

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Dickey, Dills, Dolwig, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Moss, Munnell, Parker, Rumford, Tomlinson, and Waters—42.

NOES—Brady, Burke, Burkhalter, Lyon, and Stewart—5.

Notice of Motion to Reconsider Assembly Bill No. 3159

Mr. Lyon gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 3159 was this day passed.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 11—An act to amend Section 1129 of, and to repeal Section 1605 of, the Probate Code, and amend Section 26822 of the Government Code, relating to transfer fees in court proceedings;

Assembly Bill No. 94—An act to amend Sections 32127 and 32130 of the Health and Safety Code, relating to hospital districts;

Assembly Bill No. 694—An act to add Section 2810 to the Streets and Highways Code, relating to proceedings for the construction of sidewalks and the levy of special assessments;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fourth day of May, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 753—An act to amend Section 512 of the Vehicle Code, relating to speed on highways where persons are at work;

Assembly Bill No. 912—An act to amend Section 11789 of the Insurance Code, relating to the State Compensation Insurance Fund,

Assembly Bill No. 978—An act to add Section 3760 to the Labor Code, relating to workmen's compensation;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fourth day of May, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 1649—An act to amend Section 441 of the Revenue and Taxation Code, relating to property taxes and the filing of property statements,

Assembly Bill No. 1670—An act to amend Section 5565 of the Alcoholic Beverage Control Act, relating to the sale of wine, the posting of prices and the making and filing of fair trade contracts in relation thereto, and governing the giving of discounts in connection with the sale of wine;

Assembly Bill No. 1739—An act to amend the title of Article 2, Chapter 1, Part 1, Division 14 of the Health and Safety Code, and to amend Sections 20034, 20036, 20061, 20062, and 20065 of the Health and Safety Code, and to repeal Sections 20035 and 20037 of the Health and Safety Code, and to add Articles 2.5 and 2.6 to Chapter 1, Part 1, Division 14 of the Health and Safety Code, relating to police protection districts in unincorporated towns;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fourth day of May, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2127—An act to amend Section 639 of, the Agricultural Code, relating to milk and milk products;

Assembly Bill No. 2133—An act to amend Sections 5600 and 5604 of the Business and Professions Code, relating to the practice of architecture;

Assembly Bill No. 2282—An act to amend Section 28136 of the Government Code, relating to compensation for public services in counties of the thirty-sixth class;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fourth day of May, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2730—An act to add Section 20631 to the Government Code, relating to the State Employees' Retirement System in respect to withdrawal of additional contributions;

Assembly Bill No. 2764—An act to amend Section 87 of the Agricultural Code, relating to boards of directors of agricultural fairs;

Assembly Bill No. 2892—An act to add Section 1g to the Municipal Improvement Act of 1913, relating to municipal improvements;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fourth day of May, 1951, at 11 a.m.

BURKE, Chairman

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 3323, on request of Mr McCarthy.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2601 HOLD PLACE ON FILE

Mr. Cooke asked for, and was granted, unanimous consent that Assembly Bill No. 2601 be passed on file, and hold its place on file on the next legislative day.

EXPLANATION OF ABSENCE OF MEMBERS

Mr. Beck announced that for the past 30 minutes he, and Messrs. Moss and Evans, have been attending a meeting in the Senate, and requested that said absence be noted in the Journal.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2880—An act to amend Sections 7, 19, 23b, 24.2, 24.26, 24.27, 27b, 27c, 38 2, 39, 55.7, 59 and 59 5 of and to add Sections 53.4 and 55.8 to, the Alcoholic Beverage Control Act, relating to sales of distilled spirits at wholesale and at retail.

Bill read third time.

Motion to Amend

Mr. Collier moved the adoption of the following amendments:

Amendment No. 1

On page 6, line 50, of the printed bill, as amended in the Assembly on May 18, 1951, strike out "or off-".

Amendment No. 2

On page 7, line 2, of said bill, after "day," insert "or off-sale licensee who sells, gives, or delivers to any person any alcoholic beverage except between the hours of 10 o'clock a.m and 8 o'clock p m. of the same day,"

Amendments read.

Roll Call Demanded

Messrs. Collier, Lanterman, and Conrad demanded a roll call.

The roll was called, and the amendments offered by Mr. Collier to Assembly Bill No. 2880 adopted by the following vote:

AYES—Babbage, Beck, Berry, Burke, Burkhalter, Clarke, Coats, Collier, George D Collins, Connolly, Conrad, Davis, Dunn, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Kirkwood, Klocksiem, Lanterman, Levering, Lowrey, Luckel, McFall, Meyers, Morris, Moss, Munnell, Parker, Shaw, and Stanley—36.

NOES—Brady, Cloyed, Crowley, Dickey, Dills, Doyle, Evans, Henderson, Hollibaugh, Lyon, Maloney, McCollister, and McMillan—13.

Bill ordered reprinted, and re-engrossed.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 2064, on motion of Mr. Kirkwood.

Hon. Richard H. McCollister Presiding

At 11.40 a m , Hon Richard H. McCollister, Member of the Assembly from the Seventh District, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 987

Mr. Maloney asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 987, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 987

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Senate Bill No. 987:

STATE OF CALIFORNIA
GOVERNOR'S OFFICE, SACRAMENTO, March 22, 1951

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

Senate Bill No. 987, "An act to establish a Public Utilities Code, thereby consolidating and revising the law relating to and regulating public utilities and other regulated businesses and matters incidental thereto, the powers and duties of the Public Utilities Commission, local utility franchises, and publicly owned utilities, and repealing certain acts and parts of acts specified herein,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill is a codification by the California Code Commission As such it does not purport to change existing law. However, the Legislative Counsel advises me that it contains a technical appropriation. To facilitate the consideration of bills amending portions of the code as added by this bill it is important that it be acted on early in the session.

I therefore recommend consideration of Senate Bill No 987 as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor

Senate Bill No. 987—An act to establish a Public Utilities Code, thereby consolidating and revising the law relating to and regulating public utilities and other regulated businesses and matters incidental thereto, the powers and duties of the Pubile Utilities Commission, local

utility franchises, and publicly owned utilities, and repealing certain acts and parts of acts specified herein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, and Waters—68.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 988

Mr. Maloney asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 988, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 988

Senate Bill No. 988—An act to amend Sections 6231 and 6264 of the Public Utilities Code, relating to local franchises for public utilities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, and Waters—66.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF SENATE BILLS

Senate Bill No. 218—An act to amend Section 6518 of the Health and Safety Code, relating to the laying of sewers and drains in public streets and roads by sanitary districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, and Waters—61.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 155—An act to amend Section 409 of the Education Code, relating to the salary and credential of county superintendents of schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, and Waters—56.

NOES—None.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were offered:

Assembly Concurrent Resolution No. 67: By Messrs. Dunn, Geddes, and Kirkwood—Relative to the creation of the Joint Interim Committee on Public Education.

Referred to Committee on Rules.

Assembly Joint Resolution No. 39: By Messrs. Hahn, Morris, Rosenthal, Beck, Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Chapel, Cloyed, Coats, Connolly, Cooke, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Gubser, Hagen, Hawkins, Kirkwood, Lindsay, Luckel, McFall, McMillan, Meyers, Moss, Munnell, Parker, Porter, Stanley, and Stewart—Relative to the naturalization of alien members of the Armed Forces.

Referred to Committee on Rules.

Speaker Presiding

At 11.50 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 62

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up Senate Concurrent Resolution No. 62, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 62

Senate Concurrent Resolution No. 62—Relative to Reports of the Annual Conventions of the American Legion.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lipscomb, Lowrey,

Luckel, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—57.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 63

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up Senate Concurrent Resolution No. 63, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 63

Senate Concurrent Resolution No. 63—Relative to Reports of the Department Encampments and the Annual Encampments or Conventions of the United Spanish-American War Veterans.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—57.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 64

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up Senate Concurrent Resolution No. 64, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 64

Senate Concurrent Resolution No. 64—Relative to the Report of the Annual Convention of the Disabled American Veterans of the Department of California.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—57.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 65

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up Senate Concurrent Resolution No. 65, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 65

Senate Concurrent Resolution No. 65—Relative to Reports of the Annual Conventions of the American Veterans of World War II (AMVETS).

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—57.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 66

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up Senate Concurrent Resolution No. 66, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 66

Senate Concurrent Resolution No. 66—Relative to Reports of the Annual Conventions or Encampments of the Veterans of Foreign Wars of the Department of California.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—57.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE JOINT RESOLUTION NO. 8

Mr. Collier asked for, and was granted, unanimous consent that he be permitted to take up Senate Joint Resolution No. 8, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 8

Senate Joint Resolution No. 8—Relative to requesting the Congress of the United States to propose an amendment to the Constitution.

Resolution read.

Motion to Amend

Mr. Condon moved the adoption of the following amendments:

Amendment No. 1

On page 2 of the printed measure, as amended in the Assembly on May 23, 1951, strike out lines 22 to 24, inclusive.

Amendment No. 2

On page 2, line 25, of said measure, strike out "3", and insert "2".

Amendments read.

Roll Call Demanded

Messrs. Condon, George D. Collins, and Elliott demanded a roll call.

The roll was called, and the amendments offered by Mr. Condon to Senate Joint Resolution No. 8 refused adoption by the following vote:

AYES—Beck, Berry, Burkhalter, Coats, George D. Collins, Condon, Cooke, Doyle, Dunn, Elliott, Evans, Hagen, Hahn, Hawkins, Henderson, Klocksiem, McCollister, McFall, McMillan, Moss, Munnell, Parker, Rumford, Shaw, and Stanley—25.

NOES—Babbage, Brady, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Dickey, Erwin, Fleury, Geddes, Grant, Grunsky, Hansen, Hinckley, Hollibaugh, Kelly, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, Meyers, Morris, Niehouse, Rosenthal, Sherwin, Smith, Stewart, Waters, and Mr. Speaker—36.

The question being on the adoption of Senate Joint Resolution No. 8.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Davis, Dickey, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, Meyers, Morris, Moss, Niehouse, Porter, Sherwin, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—54

NOES—George D. Collins, Condon, Dunn, Elliott, Hagen, Hawkins, Henderson, McMillan, Rosenthal, and Rumford—10.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT OPINION OF LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Mr. Beck asked for, and was granted, unanimous consent that an opinion of the Legislative Counsel, relative to treaties, be ordered printed in the Journal in 10 point type, as follows:

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, May 21, 1951

Honorable Arthur W. Coats, Jr.
Assembly Chamber

TREATIES—No. 8652

DEAR MR. COATS:

Question

You have asked the following questions:

1. Could the President and the Senate of the United States through the exercise of the treaty-making power make a fundamental change in the constitutional structure of the Government of the United States; i.e. could they abolish the House of Representatives or suspend the "due process" clause of the 14th Amendment of the Federal Constitution?

2. What is the jurisdiction of the United States Supreme Court with regard to the validity of treaties? Could the Supreme Court, for instance, rule that a treaty directed at the abolition of the House of

Representatives or the suspension of the "due process" clause was unconstitutional and should not be respected either by the Federal or State Governments?

Opinion

It is our opinion that:

1. The President and Senate of the United States could not by treaty make a fundamental change in the constitutional structure of the Government of the United States.

2. The Supreme Court has the power to rule such treaties invalid. However, it is possible that the Supreme Court would refuse to entertain jurisdiction on the ground that the question of the validity of a treaty was political in nature.

Analysis

With respect to the treaty-making powers, the Constitution of the United States declares that the President "shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur;"[1] also, that "no State shall enter into any Treaty, Alliance, or Confederation;"[2] and that "no State shall, without the Consent of Congress * * * enter into any Agreement or Compact with another State, or with a foreign Power."[3] It is announced that "This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding."[4]

The extent of the treaty-making power in the United States has never been clearly defined. As the language of the Constitution in this respect is general, any limitations now existing in the treaty-making power have developed by means of judicial interpretation.

In *Doe, ex. dem Clark* vs. *Braden* (1853), 16 How, 635, the United States Supreme Court held that no court may annul or disregard any of the provisions of a treaty unless they violate the Constitution of the United States.

In *De Geofroy* vs. *Riggs* (1890), 133 U.S. 258, 267, Justice Field defined the power as follows:

> "The treaty power, as expressed in the Constitution, is in terms unlimited except by those restraints which are found in that instrument against the actions of the government or of its departments, and those arising from the nature of the government itself and that of the States. It would not be contended that it extends so far as to authorize what the Constitution forbids, or a change in the character of the government or in that of one of the States, or a cession of any portion of the territory of the latter, without its consent . . . But with these exceptions, it is not perceived that there is any limit to the questions which can be adjusted touching any matter which is properly the subject of negotiation with a foreign country."

[1] Art II, Section 2, paragraph 2
[2] Art I, Section 10, paragraph 1.
[3] Art. I, Section 10, paragraph 3.
[4] Art. VI, paragraph 2

(See also *Cherokee Tobacco* vs *United States* (1870), 11 Wall. 616, 620; *Holden* vs. *Joy* (1871), 17 Wall. 211, 243; *Asakura* vs. *Seattle* (1924), 265 U S. 332, 341.)

In view of the above cases, we are of the opinion that a treaty to make a fundamental change in the constitutional structure of the government would be invalid.

Whether the Supreme Court of the United States would entertain jurisdiction to hold such a treaty invalid is a more difficult question.

In this connection, it is interesting to note that the Supreme Court has never expressly declared a treaty invalid, although a lower Federal court has stated:

> "While this court is of the opinion that the power to declare treaties void, if clearly violative of some provision of the Constitution or for reason mentioned in *Geofroy* vs. *Riggs* exists, it should, in the language of Mr. Justice Chase, in *Ware* vs. *Hylton*, 'never be exercised but in a very clear case indeed.'" (*United States* vs. *Thompson* (1919), 258 Fed. 257, 268.)

Nevertheless, the United States Supreme Court has recently cast some doubt on its ability to declare a treaty invalid, and it is possible that it may now refuse to do so on the ground that such a decision would involve a political question beyond its jurisdiction to decide. (*United States* vs. *Curtiss-Wright Export Corp.* (1936), 299 U. S. 304 See also *United States* vs. *Reid* (1934), 73 F. (2d) 153.)

Very truly yours,

RALPH N KLEPS, Legislative Counsel
By DELBERT E. WONG, Deputy

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 3109

Has had the same under consideration, and respectfully reports the same back with amendments but without recommendation.

DUNN, Chairman

Above reported bill ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON ASSEMBLY BILL NO. 1879 AND RE-REFER TO COMMITTEE

Mr. Stewart asked for, and was granted, unanimous consent to rescind the action whereby the Assembly, on Tuesday, May 1st, passed Assembly Bill No. 1879; and that the bill be re-referred to the Committee on Ways and Means.

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON SENATE BILL NO. 1055

Mr. Dunn asked for, and was granted, unanimous consent to rescind the action whereby the Assembly, on Tuesday, May 22d, adopted the urgency clause, and passed Senate Bill No. 1055; and that the bill be placed on the third reading file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2936

Mr. Lowrey asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2936, temporarily passed on file, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2936

Assembly Bill No. 2936—An act to add Section 7.7 to the Unemployment Insurance Act, relating to agricultural labor.

Bill read third time.

Motion to Amend

Mr. Lowrey moved the adoption of the following amendments:

Amendment No. 1

On page 2, lines 3 and 4, of the printed bill, as amended in the Assembly on May 16, 1951, strike out "threshing,".

Amendment No. 2

On page 2, line 4, of said bill, after "baling", insert "(subject to the provisions of Section 7.3)".

Amendment No. 3

On page 2, lines 11 and 12, of said bill, strike out ", the threshing of rice and other grains and beans".

Amendment No. 4

On page 2, line 17, of said bill, before "piling", insert "and".

Amendment No. 5

On page 2, line 17, of said bill, strike out ", and"; and strike out all of line 18, and insert a period.

Amendment No. 6

On page 2, line 23, of said bill, after "owner", insert "or".

Amendment No. 7

On page 2, line 23, of said bill, strike out "or operator".

Amendment No. 8

On page 2, line 27, of said bill, after "point", insert "or point of first processing".

Amendment No. 9

On page 2, line 29, of said bill, strike out ", tenant or operator", and insert "or tenant".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 365

Mr. Kelly asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 365, temporarily passed on file, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 365

Senate Bill No. 365—An act to amend Section 204a of the Code of Civil Procedure, relating to jury commissioners.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly,

Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stewart, Tomlinson, Waters, and Mr. Speaker—64

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2018

Mr. Smith asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 2018, temporarily passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2018

Assembly Bill No. 2018—An act to amend Section 1190.1 of the Code of Civil Procedure, relating to mechanics' liens.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Waters, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1248 HOLD PLACE ON FILE

Mr. Maloney asked for, and was granted, unanimous consent that Assembly Bill No. 1248 be passed on file, and hold its place on file on the next legislative day.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Senate Bill No. 928, on motion of Mr. Geddes.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 3345 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Dunn asked for, and was granted, unanimous consent that Assembly Bill No. 3345 be withdrawn from the Committee on Governmental Efficiency and Economy, and be re-referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1957
Assembly Bill No. 2464

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3074

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 501
Assembly Bill No. 676
Assembly Bill No. 1071
Assembly Bill No. 1189
Assembly Bill No. 1463
Assembly Bill No. 2339
Assembly Bill No. 2689

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 2464 re-referred to the Committee on Transportation and Commerce.

Assembly Bill No. 1071 re-referred to the Committee on Public Utilities and Corporations.

Assembly Bills Nos. 1189 and 1463 re-referred to the Committee on Judiciary.

Assembly Bills Nos. 2689 and 2339 re-referred to the Committee on Boards and Commissions.

Assembly Bills Nos 501, 676, and 1957 re-referred to the Committee on Finance and Insurance.

Senate Bill No. 372 re-referred to the Committee on Judiciary.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 2.30 p.m.—

Rules, in Room 319.

At 3 p.m.—

Municipal and County Government, in Room 2170.
Transportation and Commerce, in Room 3184.
Ways and Means, in Room 435.

At 8 p.m.—

Industrial Relations, in Room 432.
Revenue and Taxation, in Room 3184.
Judiciary, in Room 2170.

It was announced that the following committees would hold no meetings:

Civil Service and State Personnel, today.
Industrial Relations, next week.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Luckel and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Walter Wencke of San Diego.

On request of the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to David Bird and Dean Howell of San Diego.

On request of Mr. Dills, the usual courtesies of the Assembly for this day were unanimously extended to Paris Dills of Compton.

On request of Mrs. Niehouse and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Chris A. Wasem of San Diego.

On request of Mr. Cloyed and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to John M. Cranston of San Diego and Harold Baker of Chula Vista.

On request of Messrs. Moss and Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Mabel Wakefield, teacher, Mrs. Geo. Harvey, Mrs. Cyril Huff, and Miss Lucille Azevedo, adults, and the following pupils of the Sutter Union School: Rosalie Azevedo, Donna Carriker, Helen De Vita, Minnie Ida Enos, Evelyn Gomes, Audrey Gover, George Harvey, Jr., Albert Huff, Eugene Hylton, Eugene Itogawa, Stanley Kimura, Barbara Kranzler, Rosana Perry, Karen Prestwich, Richard Reynolds, Betty Alexander, Gary Alvernaz, Ronald Andre, Jean Arocan, Gary Artz, Michael Rosa, Gary Silva, Kay Takeuchi, Rosemary Valine, Carol Williams, and Neal Wood.

On request of Mr. Lowrey, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Fern Fritter and Mrs. Katherine Cushing, teachers, and the following pupils of the Beamer Park School: Carolyn Bilyou, Margie Bishop, Barbara Bridewell, Mary Brown, Dolores Davalos, Gloria Davalos, Sharon Downey, Jackie Gray, Nancy Johnson, Elizabeth Lindsay, Bonnie Marks, Jennie Milberg, Romanie Morse, Erlinda Olvera, Linda Rademaker, Margaret Sandoval, Judith Snyder, Kathleen Tipaldo, Helen Torres, Donna Wade, Diane Wolfinbarger, Elisa Baca, Sandra Billings, Paula Cruson, Lidia Duntsch, Gloria Estrada, Marlene Farnham, Mary Frescas, Penny Godfrey, Janet Hatcher, Brenda Joy, Susan Laughlin, Barbara Moody, Sandra Mulcahy, Jane Nichols, Ramona Rosas, Ruby Rutledge, Terry Tadlock, Mary Lynn Vaughn, Caroline Warren, Nancy Watts, Carol Reeder, Ella Mae Boone, Robert Brown, Kenneth Gabbard, Max Hansen, Don Hiddleson, Richard Hennigan, Kay Jew, Thad McKinney, Rex Patterson, Roger Post, Bobby Rutledge, George Sandoval, Tommy Shinn, Eugene Soulier, Donald Yee, Kenneth Bailey, Thomas Bauer, Ray Dean Edwards, Tommy Harling, Larry Highfill, Ruben Kiehn, David Kindelt, Robert Leishman, John Linder, Billy Lucas, Richard McGinnis, Andy Montoya, Dan Rodriquez, Jacob Schafer.

On request of Mrs. Niehouse and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Charles Cameron, Sr., Charles Cameron, Jr., and Henry Ault of San Diego.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to the following pupils of the Arden School: Robert Burkhart, Jerry Clark, Peggy Coffer, Dolores Cox, Robert DeMerritt, Robert Dreman, William Emmons, Sue Feil, William Fife, Patty Foster, Alan Gallaway, Tom Graham, Robert Hamilton, Sandra Hamilton, Judy Harvey, George Kayser, James Lewis, Robert Lewis, Joann Mazonni, Deanne Meinzer, Charles McCorkle, Allen McKellips, Verne McNew, Arlene Mickel, Valerie Nelson, Harry Palkman, George Payne, Connie Patitucci, Yvonne Royal, Jay Robinson, Pat Sewall, Scott Simpson, Rowena Smart, Victor Spahn, Jerry Straw, Timmons Gary, Richard Welsh, Lito White, Wallace Young, Roy Barsdale, Bobby Berbles, Mike Chapman, Cordero Patrick, Roy Crenshaw, Bill Ferguson, Robert Fryling, Dick Hambo, Niall Holdredge, Robert Howe, Duane Marron, Douglas McGregor, Robert Mickel, John Moulds, Tod Morrison, Jim Mielson, David O'Donnell, Ted Pope, Robert Shaffer, Jim Schulter, Wesley Silverthorne, Ted Spranger, Alan Tibbadeaux, Roger Young, Tony Townsend, Mary Lou Argante, Barbara Bachtold, Bernice Burns, Charlene Chambers, Janice Kohl, Susan Longfellow, Barbara MacAuley, Patty McBroom, Musa Mae McMahon, Mary Jo Miller, Jean Padovan, Anne Spranger, and Betty Lee Wood.

On request of Messrs. McFall, Parker, and Doyle, the usual courtesies of the Assembly for this day were unanimously extended to Lenore Huff, teacher, Mrs. Herschel Mason, and Mrs. Earl Johnson, adults, and the following pupils of the Needham School: Beverly Johnson, Donald Cook, Charles Heller, Loren Eakles, Walter Parkis, Ina Kay Gardenhire, Larry Wyatt, Judy McLane, Judy Halstead, Larry Pool, Amy Miura, Carol Lynn Mason, Dolores Barnes, Louise Gundershang, Rita Erlenbusch, Sharon Klinger, Frank Chandler, James Holmes, Leonard Berg, Douglas Reimche, Richard Bekedam, Marilyn Tully, Janice Fandrich, Delmer Almer, James Gustres, Arle Ahl, Michael Harmon, Monte Bouer, Ronald Reynolds, Claudine Walker, Jo Ann Kreis, Darryl Bitterman, and Bill Schmidke.

On request of Mr. Morris, the usual courtesies of the Assembly for this day were unanimously extended to Daphne Cunynghame, Parliamentary Historical Secretary on Anthony Eden's Staff, London, England.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Elizabeth Coppin, teacher, and the following pupils of the Marshall School: Douglas Powers, Harvard Robinson, Diane Smart, Marialyce Smith, Robert Scofield, Rod Steely, James Tashjian, Walter Trimble, Stanton Gillon, Susan Arnold, Jon Christensen, Gary Curtis, Wayne Culp, Tommy Eaks, Douglas Fuller, Russell Foster, John Gunter, Donna Hill, Emily Van Dyke, Virginia Wright, Odette Goldsmith, Dennis Osborn, James Miller, Marilyn Duncan, Barry Goldberg, Martin Grinsberg, and Gwendolyn Patterson.

On request of Mr. Maloney, the usual courtesies of the Assembly for this day were unanimously extended to Ngai Ho Hong of San Francisco.

ADJOURNMENT

At 12 22 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9.30 a.m., Friday, May 25, 1951.

SAM L. COLLINS, Speaker

GERALDINE B HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SIXTY-SEVENTH LEGISLATIVE DAY

NINETY-FIRST CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, May 25, 1951

The Assembly met at 9 30 a m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stewart, Tomlinson, Waters, and Mr Speaker—72.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A Kircher:

O God, Thou Great Unseen Spirit, Eternal and majestic, Ruler of the heavens and the earth, before whom a thousand years pass as a watch in the night, yet who art mindful of the sparrow that falleth, and the cup of cold water given to one in need, make temples of our hearts we pray Grant us that inward peace that will sustain us in every difficult task. May we never permit our consciences to be dulled or our affections chilled should the lamp of understanding grow dim Feed the inner eye with the constant vision of that which is pure and beautiful.

Bless our families and our loved ones

"Lord Jesus, make Thyself to me
A living, bright reality;
More present to faith's vision keen
Than any outward object seen;
More dear, more intimately nigh
Than e'en the sweetest earthly tie."

We pray in Jesus' name—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Beck, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Thomas, on motion of Mr. Porter.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Belotti, on motion of Mr. Parker.
Mr. Stanley, on motion of Mr. Babbage.
Mr. McGee, on motion of Mr. Morris.
Mr. Silliman, on motion of Mr. Hansen.
Mr. Erwin, on motion of Mr. Hinckley.
Mr. Grunsky, on motion of Mr. Hansen.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1534
Assembly Bill No. 1954
Assembly Bill No. 2880
Assembly Bill No. 2936

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 206
Assembly Bill No. 1967

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Manufacturing, Oil, and Mining Industry

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Manufacturing, Oil, and Mining Industry, to which was referred:

Assembly Bill No. 3175

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass, as amended.

MORRIS, Chairman

Above reported bill ordered to second reading.

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 3434

Has had the same under consideration, and reports the same back with amendments with the recommendation: Do pass, as amended, and re-refer to the Committee on Ways and Means.

SILLIMAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Assembly Bill No. 1507
Assembly Bill No. 3205

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SILLIMAN, Chairman

Above reported bills ordered to second reading.

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Senate Bill No. 1107

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LUCKEL, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER. Your Committee on Transportation and Commerce, to which was referred:

Assembly Bill No. 1302

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

LUCKEL, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 122
Assembly Bill No. 2214

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

LUCKEL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER. Your Committee on Transportation and Commerce, to which was referred:

Assembly Bill No. 2464

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LUCKEL, Chairman

Above reported bill ordered to third reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 154

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 2922

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 1501

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 2022

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 3006

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred

Assembly Bill No. 2299
Assembly Bill No. 2573

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred.

Assembly Bill No. 3440

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 1065

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 1109

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HAHN, Vice Chairman

Above reported bill ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 913

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR SPEAKER Your Committee on Judiciary, to which was referred.

Senate Bill No. 1633

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR SPEAKER: Your Committee on Judiciary, to which was referred.

Assembly Bill No. 710

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 3321
Assembly Bill No. 3431

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR SPEAKER: Your Committee on Judiciary, to which was referred.

Assembly Bill No. 894

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass, as amended

BROWN, Chairman

Above reported bill ordered to second reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER. Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 357
Assembly Bill No. 1985

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HOLLIBAUGH, Chairman

Above reported bills ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 24, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 144
Assembly Bill No. 707
Assembly Bill No. 986
Assembly Bill No. 1970
Assembly Bill No. 2095
Assembly Bill No. 2096
Assembly Bill No. 2097
Assembly Bill No. 2575
Assembly Bill No. 3384

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 53

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 1644

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 137
Assembly Bill No. 139
Assembly Bill No. 207
Assembly Bill No. 208
Assembly Bill No. 209
Assembly Bill No. 229
Assembly Bill No. 1011
Assembly Bill No. 1012
Assembly Bill No. 1013
Assembly Bill No. 1041
Assembly Bill No. 1270
Assembly Bill No. 1272
Assembly Bill No. 1273
Assembly Bill No. 1361
Assembly Bill No. 1619
Assembly Bill No. 1620
Assembly Bill No. 1997
Assembly Bill No. 3031

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 295
Senate Bill No. 1200

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 295—An act to amend Section 990 of the Fish and Game Code, relating to commercial fishing licenses.

Referred to Committee on Fish and Game.

Senate Bill No. 1200—An act to amend Sections 1502.5, 1509.7, 1509.9, 1513, 1518.2, 1535.3, 1541, 1560, 1562, 1571, 1581, 1586, 1587, and to repeal Article 10.5, comprising Sections 1595 to 1598, inclusive, of, and to add Sections 1505.5, 1535.7, 1542, and 1585 to, the Military and Veterans Code, and to amend Section 8.5 of the Civil Defense Act of 1950, relating to civil defense, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Military Affairs

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1937—An act to amend Section 5032 of the Education Code, relating to state school building aid.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2570—An act to amend Section 13653 of the Education Code, relating to the rights of terminated probationary employees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2571—An act to amend Sections 13204.1, and 14495.1 of the Education Code, relating to certificated employees in military service.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1226—An act to amend Sections 9501, 9508, 9509, 9510, and 9513 of, and to add Sections 9522.1, 9522.2, 9522.3, 9522.4, 9522.5, 9522.6, 9522.7, 9522.8, 9522.9, 9522.10, 9522.11, 9522.12, 9522.13, 9522.14, 9522.15, 9522.16, and 9522.17 to, the Business and Professions Code, relating to dry cleaning.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1229—An act to amend Section 9550 of the Business and Professions Code, relating to certificates of registration issued by the State Board of Dry Cleaners.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1231—An act to amend Section 9580 of the Business and Professions Code, relating to fees collected by the State Board of Dry Cleaners.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1233—An act to amend Section 9594 of the Business and Professions Code, relating to licenses and registration certificates of the State Board of Dry Cleaners.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1237—An act to amend Section 9512 of the Business and Professions Code, relating to regulation by the State Board of Dry Cleaners.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1238—An act to amend Section 9533 of the Business and Professions Code, relating to the State Board of Dry Cleaners.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1239—An act to amend Section 9540 of the Business and Professions Code, relating to regulation by the State Board of Dry Cleaners.

Bill read second time, and ordered engrossed.

Assembly Bill No. 15—An act to amend Sections 441, 445, and 451 of the Education Code, relating to compensation for public service.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 2, line 14, of the printed bill, as amended in the Assembly on May 18, 1951, strike out "_____ dollars ($_____)", and insert "four thousand eight hundred dollars ($4,800)".

Amendment No. 2

On page 2, line 21, of said bill, strike out "_____ dollars ($_____)", and insert "four thousand eight hundred dollars ($4,800)".

Amendment No. 3

On page 2, line 26, of said bill, after "superintendent", insert "of".

Amendment No. 4

On page 2, line 28, of said bill, strike out "_____ dollars ($_____)", and insert "five thousand dollars ($5,000)".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 593—An act to amend Section 28134 of the Government Code, relating to compensation for public services in counties of the thirty-fourth class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 18, 1951, after "Code", insert "and Section 434 of the Education Code".

Amendment No. 2

On page 2, line 12, of said bill, strike out "three dollars ($3)", and insert "six dollars ($6)".

Amendment No. 3

On page 2, line 17, of said bill, strike out "six cents ($0.06)", and insert "eight cents ($0.08)".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 2 of said bill, between lines 42 and 43, insert

"SEC. 3. Section 434 of the Education Code is amended to read

434. The annual salary of the county superintendent of schools of a county of the thirty-fourth class is [four thousand eight hundred dollars ($4,800)] *six thousand dollars ($6,000)*, and he shall possess a valid elementary or secondary administrative credential issued by the State Board of Education."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 2929—An act to amend Sections 4663, 4911.1, 4912, and 4912.2 of, and to add Section 4663.1 to, the Education Code, relating to school districts, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 22, of the printed bill as amended in the Assembly on May 11, 1951, strike out "4907", and insert "4902".

Amendment No. 2

On page 2 of said bill, strike out lines 44 to 47, inclusive, and insert "makes such determination and notifies the county superintendent of schools whose duty it is under Education Code Section 4912 to call the election provided for in said section prior to the date he calls the election, the county superintendent of schools shall".

Amendment No. 3

On page 3, line 23, of said bill, before the period, insert "or whenever the State Board of Education notifies the county superintendent of schools of its approval of plans and recommendations of a county committee pursuant to Section 4911.1"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 827—An act to add Section 20345.5 to the Education Code, relating to membership in, and the payment of fees of, student body organizations established in state colleges.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In the title of the printed bill, strike out lines 1 to 3, inclusive, and insert

"An act to add Sections 20345.5, 20345.6, 20345.7 and 20345.8 to the Education Code, relating to student body organizations established in state colleges, declaring the urgency thereof, to take effect immediately."

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 10, inclusive, and insert

"SECTION 1. Section 20345.5 is added to said code, to read:

20345.5. A student body organization may be established at any state college under the supervision of the college officials for the purpose of providing essential activities closely related to, but not normally included as a part of, the regular instructional program of the college. The activities conducted by such an organization shall be designed to contribute to the development of skill and facility in human relations, the development of leadership ability, and the recreational and social needs of students. The activities may include but shall not be limited to the operation of campus publications, musical organizations, speech and dramatics activities, student government activities, intramural and intercollegiate sports, and the sponsorship of clubs and organizations which are designed for students specializing in various major subject matter areas offered by the college. Such an organization may also operate a campus store, a cafeteria, and other projects not inconsistent with the purposes of the college.

Notwithstanding any provisions of law to the contrary, if a student body organization is established at any state college and upon the favorable vote of two-thirds of the students voting in an election held for this purpose, in such manner as the Director of Education shall prescribe, and open to all regular students enrolled in such college, the State Director of Education shall fix a membership fee which shall be required of all regular students attending such college. This required fee may be subject to referendum at any time upon the presentation of a petition to the president of the college containing the signatures of 35 percent of the regularly enrolled students at such college. A successful referendum shall take effect with the beginning of the academic year following that in which the election was held. The director may also fix student body organization membership fees for limited and summer session students attending such college. Such fees shall not be charged to students registering solely in extension classes offered by the college. Each state college student shall pay the required membership fee as a prerequisite to enrollment in the college. No student shall be required to pay student body membership fees in an aggregate amount exceeding twenty dollars ($20) annually. The provisions of this section shall apply to any vote held during the spring semester of the 1950-51 school year.

SEC. 2. Section 20345.6 is added to said code, to read.

20345.6. Notwithstanding any provision of law to the contrary, student body organization membership fees authorized under the provisions of Section 20345.5 hereof shall be collected by the officials of the college, together with all tuition and material and service fees, at the time of registration. Moneys collected on behalf of student body organizations shall be transmitted by the business manager to the student body treasurer and such moneys may be deposited by said treasurer in local bank accounts under the jurisdiction of the student body organization

All moneys received by a state college from any agency of the State or Federal Government for the payment of student body organizations membership fees of students attending the college shall be in a like manner transmitted by the business manager to the treasurer of the student body organization and deposited in local bank accounts as provided above.

SEC. 3. Section 20345.7 is added to said code, to read:

20345.7. All moneys collected by a state college on behalf of a student body organization under the provisions of this article shall be available for such purposes of the student body organization as are approved by the State Director of Education. These funds may be drawn against by the appropriate officers of the student body organization for expenditures necessary to carry out the purpose of the organization.

SEC. 4. Section 20345.8 is added to said code, to read:

20345.8. Any student whose financial need is reasonably demonstrated to the dean of student personnel of such college shall either be refunded the amount of the membership fee from the student welfare fund or, at the discretion of such dean, shall be given the opportunity to work off this sum at the prevailing student rate of such college.

SEC. 5. This act shall be in operation on September 1, 1951

SEC. 6. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are:

Unless student body organization fees are required by a college, the veteran student does not receive the amount of the fees in the education aid which the Federal Government extends to veterans. There are many veterans enrolled in state colleges who are financially unable to pay such fees unless the amount is included in the federal aid; if this act is adopted the Federal Government will pay the fees for such student veterans. Under the existing law, many state colleges will find it necessary to discontinue the student activities which are supported by student body organization fees and which are a necessary and integral part of an adequate program for college education. In order to enable the state colleges to continue the offering of student activities at the commencement of the fall term, it is therefore necessary that this act take effect immediately."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1695—An act to add Section 20344.3 to the Education Code, relating to the performance of services for the Federal Government by schools and colleges under the jurisdiction of the Department of Education.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "20344.3", and insert "20254".

Amendment No. 2

On page 1, line 1, of said bill, strike out "20344.3", and insert "20254".

Amendment No. 3

On page 1, line 3, of said bill, strike out "20344.3", and insert "20254".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3422—An act to amend Sections 14112, 14114, 14116, 14121, 14123, 14136, 14137, 14138, and 14142 of the Education Code, relating to the merit system for noncertificated school employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "14112, 14114, 14116, 14121", and insert "14116".

Amendment No. 2

In line 2 of the title of said bill, strike out "14136,".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 24, inclusive.

Amendment No. 4

On page 2 of said bill, strike out lines 1 to 20, inclusive.

Amendment No. 5

On page 2 of said bill, strike out line 21, and insert
"SECTION 1. Section 14116 of the Education Code is amended to read:".

Amendment No. 6

On page 2, line 28, of said bill, strike out "Transfers of employees".

Amendment No. 7

On page 2 of said bill, strike out lines 29 to 42, inclusive.

Amendment No. 8

On page 2, line 43, of said bill, strike out "5", and insert "2".

Amendment No. 9

On page 2, line 49, of said bill, strike out "6", and insert "3".

Amendment No. 10

On page 3 of said bill, strike out lines 4 to 11, inclusive, and insert "sion.

Whenever the commission, after a public hearing, finds that any appointment has been made in violation of this article or the rules of the commission as they apply to examination procedures, the commission may order that no salary warrant shall thereafter be drawn to the employee so appointed, for services rendered after the date of said order. Any violation of this article or the rules of the commission as they apply to examination procedures shall constitute grounds for the dismissal of the employee or employees guilty of such violation."

Amendment No. 11

On page 3, line 12, of said bill, strike out the first "7", and insert "4".

Amendment No. 12

On page 3, line 21, of said bill, strike out the first "8", and insert "5".

Amendment No. 13

On page 3, line 27, of said bill, strike out "9", and insert "6".

Amendment No. 14

On page 3, lines 29 and 30, of said bill, strike out ", or rules of the commission,".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1230—An act to amend Sections 9563 and 9566 of the Business and Professions Code, relating to minimum prices in the dry cleaning industry.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 12, of the printed bill, after "ship", insert "or a licensed corporation".

Amendment read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 1232—An act to add Section 9598 to the Business and Professions Code, relating to the State Board of Dry Cleaners.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 4, of the printed bill, after "board", insert ", at reasonable hours,".

Amendment No. 2

On page 1, line 8, of said bill, after "ment", strike out "books, papers, records", and insert "sales tickets".

Amendments read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 1236—An act to amend Section 9511 of the Business and Professions Code, relating to dry cleaning.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "vehicle,".

Amendment read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 2449—An act to authorize the exchange by the State Park Commission of lands in Del Norte County deeded to the State in addition to Mill Creek State Park for lands along Smith River adjacent to existing state park.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In the title of the printed bill, strike out lines 2 to 4, inclusive, and insert ", with the approval of the Director of Finance, of certain real property in the County of San Mateo."

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 11, inclusive, and insert

"SECTION 1. The State Park Commission, with the approval of the Director of Finance, is hereby authorized to grant and convey that certain easement and right of

way heretofore conveyed to the State for use as a riding and hiking trail under, upon, over and across those certain lands in the County of San Mateo described in a deed recorded in Book 1143, page 429, Official Records, San Mateo County, California, in exchange for a similar easement and right of way at a different location across the lands so described"

Amendments read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 2801—An act providing for the allocation of the State's share of funds for the construction of a tube under the estuary between Oakland and Alameda.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 2, of the printed bill, strike out "a portion", and insert "not less than 50 percent".

Amendment No. 2

On page 1, line 5 of said bill, after 'highways", insert "in County Group No 1 as designated in Section 187 of the Streets and Highways Code".

Amendments read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 1228—An act to amend Sections 9541 and 9542 of the Business and Professions Code, relating to licensing by the State Board of Dry Cleaners.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 14, of the printed bill, strike out "financially".

Amendment read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 3390—An act creating the "Yolo County Flood Control and Water Conservation District" for the acquisition, controlling, conservation, diversion, storage and disposition of storm, flood, and other surface waters, prescribing the boundaries, organization, operation, management, financing and powers and duties of the district.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 19, line 31, of the printed bill, as amended in the Assembly on May 18, 1951, strike out "secretary", and insert "board"

Amendment read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 3109—An act to amend Section 6357 of the Education Code, relating to school district taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 6357 of", and insert "add Sections 6360, 6360.1, and 6360.2 to, and repeal Sections 6357 and 6357.1 of,".

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 6360 is added to the Education Code to read:

6360. On or before July 1, 1953, each school district may hold an election for the purpose of setting the maximum rate of school district tax which may be levied for all school purposes, exclusive of bond interest and redemption, for such school district in any school year on each one hundred dollars ($100) of assessed valuation within the district. The election shall be called, held, and conducted in as nearly the same manner as is practicable as are elections for governing boards The governing board of the district shall determine the amount of the proposed maximum tax rate to be voted upon. The ballot used in the election shall contain the words "shall the maximum tax rate in effect in the _____ School District be (increased) (decreased) from _____ to _____, effective (date of day after election) _____ yes" and "shall the maximum tax rate in effect in the _____ School District be (increased) (decreased) from _____ to _____, effective (date of day after election), _____ no." Each voter shall stamp or print a cross after the answer he desires to give.

If for any reason a district does not hold the election, the maximum tax rate for the district shall be the maximum tax rate existing on July 1, 1953. If prior to July 1, 1953, the maximum rate for such district had been increased for a prescribed term of years pursuant to an election held under Section 6358, the maximum rate for such district shall be the rate prescribed at such election until the expiration of the term of years prescribed by such election and upon the expiration of such term the maximum rate of tax for such district shall be the rate which the district would have had on July 1, 1953, had such election not been held.

SEC. 2. Section 6360 1 is added to said code to read:

6360.1. The maximum rate of tax for any district may be increased or decreased by a majority vote of the qualified electors of the school district at an election which may be called by the governing board of the school district of its own motion or may be consolidated with any general election or municipal election for the purpose of increasing the maximum tax rate without regard to a specified term of years The election shall be called, held and conducted in as nearly the same manner as is practicable as are elections for governing boards. The ballot used in the election shall contain the words "shall the maximum tax rate in effect in the _____ School District be (increased) (decreased) from _____ to _____, effective _____, 19__, _____ yes" and "shall the maximum tax rate in effect in the _____ School District be (increased) (decreased) from _____ to _____, effective _____, 19__, _____ no." Each voter shall stamp or print a cross after the answer he desires to give

The maximum tax rate may be changed pursuant to this section·

(a) At any time after an election to prescribe a maximum tax rate pursuant to Section 6360, if the school district has held such election.

(b) At any time after July 1, 1953, if the school district has not held such election

SEC. 3. Section 6360 2 is added to said code to read:

6360 2. Any tax rate, authorized to be levied by any other provision of law providing that such rate may be in excess of or in addition to the maximum rate of school district tax, shall not be included in the determination of any maximum tax rate established pursuant to Sections 6360 and 6360 1

SEC 4. Sections 6357 and 6357 1 of said code are hereby repealed

SEC. 5. Section 4 of this act shall not become operative until July 2, 1953."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 26, inclusive; and strike out all of page 2.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2286—An act to amend Section 28155 of the Government Code, relating to compensation for public services in counties of the fifty-fifth class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "_____", and insert "one thousand eight hundred".

Amendment No. 2

On page 1, line 7, of said bill, strike out "($_____)", and insert "($1,800)".

Amendment No. 3

On page 1 of said bill, strike out line 9, and insert "three thousand six hundred dollars ($3,600) a year."

Amendment No. 4

On page 1, line 10, of said bill, strike out "_____", and insert "one thousand eight hundred".

Amendment No. 5

On page 1, line 11, of said bill, strike out "($_____)", and insert "($1,800)".

Amendment No. 6

On page 1 of said bill, after line 26, insert

"The compensation provided by this section shall be payable to incumbent officers.

SEC. 2 If it is not legally competent to pay the compensation provided by this act to incumbent officers on the effective date of this act, such increase in compensation shall nevertheless be payable to the officers designated in this act as soon as it is legally competent to do so."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3090—An act authorizing counties to waive and pledge their share of funds derived from motor vehicle fuel and use taxes; authorizing the State Treasurer to prepare and issue bonds in the amount waived by the counties; and authorizing counties to expend the proceeds raised from the sale of the bonds for the immediate construction or repair of highways.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In lines 1, 2, and 3 of the title of the printed bill, strike out "authorizing counties to waive and pledge their share of funds derived from motor vehicle fuel and use taxes; authorizing", and insert "to add Article 6 to Chapter 1, Division 1, of the Streets and Highways Code, directing".

Amendment No. 2

In line 3 of the title of said bill, after "issue", insert "revenue".

Amendment No. 3

In lines 4 and 5 of the title of said bill, strike out "waived by the counties; and authorizing counties to expend", and insert "needed for immediate state highway construction; authorizing the Director of Finance to determine the revenues which will be available to retire such bonds; authorizing the expenditure of".

Amendment No. 4

In line 6 of the title of said bill, strike out "highways", and insert "state highways; and providing that the act shall take effect upon the adoption of a validating constitutional amendment".

Amendment No. 5

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Article 6 is added to Chapter 1 of Division 1 of the Streets and Highways Code, to read.

Article 6. Highway Revenue Bonds

220. This article is known and may be cited as the Highway Revenue Bond Law of 1951.

220.01. The commission and the Director of Finance shall compute the minimum amount of funds which are estimated will be made available for expenditure on state highways in each county under Article 5 of this chapter, for a period of 10 years after the effective date of this article.

220.02. The Director of Finance shall notify the State Treasurer of such estimated amounts. The State Treasurer shall arrange for the preparation of the requisite number of suitable revenue bonds of the denomination of one thousand dollars ($1,000). The aggregate par value of the bonds shall not exceed in total the amount of the combined principal, interest, and expenses of preparing, issuing, selling, and retiring the bonds which the estimated available funds would meet the payment of within the period covered in the estimate. Such bonds shall bear interest at a rate of not exceeding 5 percent per annum, as determined by the State Treasurer. Both the principal and interest shall be payable at the office of the State Treasurer, or at the office of any duly authorized agent of the State Treasurer.

220.03. All bonds issued under this article shall bear the facsimile signature of the Governor and the facsimile countersignature of the Controller and shall be endorsed by the State Treasurer either by original signature or by a signature stamp, and the bonds shall be signed, countersigned, and endorsed by the officers who shall be in office on the date of issuance thereof, and each of said bonds shall bear an impress of the Great Seal of the State of California. Interest coupons attached to each bond shall bear the facsimile signature of the State Treasurer who shall be in office on the date of issuance of the bond to which said coupons pertain. The bonds or coupons so signed, countersigned, endorsed, and sealed, when sold, shall be and constitute a valid and binding obligation upon the State of California, although the sale thereof be made at a date or dates upon which the officers having signed, countersigned, and endorsed said bonds or coupons, or any or either of said officers, shall have ceased to be the incumbents of the offices held by them at the time of signing, countersigning, or endorsing said bonds or coupons.

220.04. The bonds shall be special obligations of the State secured solely by the revenues which are made available for expenditure on state highways from the State Highway Fund pursuant to Article 5 of this chapter.

220.05. Bonds issued pursuant to this article shall mature within 10 years from their date of issuance.

220.06. All bonds, and the interest or income therefrom, issued under the provisions of this article are exempt from all taxation in this State, except from gift, inheritance, and estate taxes.

220.07. Bonds issued under this chapter are legal investments for the funds of

(a) Trusts
(b) Insurance companies
(c) Banks, both commercial and savings
(d) Trust companies
(e) State schools
(f) Any other body whose funds may be invested in bonds of cities, counties, school districts, or irrigation districts within the State of California.

Whenever bonds of cities, counties, school districts, or irrigation districts may be used as security for the performance of any act or the deposit of any public moneys, any bond issued by a county under this chapter may be so used.

220.08. The bonds authorized to be issued under this article shall be sold by the State Treasurer to the highest bidder for cash, either at public sale or upon sealed bids as the State Treasurer determines. The State Treasurer must reject any and all bids for said bonds, or any of them, which shall be below the par value of said bonds so offered plus the interest which shall have accrued thereon between the date of purchaser's payment for said bonds and the last preceding interest maturity date; and the Treasurer may from time to time, by public announcement at the place and time fixed for the sale, continue such sale, as the whole of the bonds offered, or any part thereof offered, at such time and place as he may select.

Temporary or interim bonds, certificates, or receipts of any denomination whatever and with or without coupons attached thereto, to be signed by the State Treasurer, may be issued and delivered until the definitive bonds are executed and available for delivery. Signature of the State Treasurer may be by signature stamp.

220.09. Due notice of the time and place of sale of all bonds shall be given by said Treasurer by publication in one newspaper published in the City and County of San Francisco and also by publication in one newspaper published in the City of Sacramento and by publication in one newspaper published in the City of Los Angeles once a week during two weeks prior to such sale. In addition to the notice last above provided for, the State Treasurer may give such further notice as he may deem advisable, but the expense and cost of such additional notice shall not exceed the sum of five hundred dollars ($500) for each sale so advertised. The proceeds of the sale of such bonds and such amount as may have been paid as accrued interest thereon shall be forthwith paid over by said Treasurer into the State Highway Fund.

220.10 The department may expend immediately such sums as are paid into the State Highway Fund from the proceeds of the sale of the bonds, for the highway purposes specified in Section 188. The department shall expend such amounts in each county according to the percentages specified in subdivisions (b) and (c) of Section 188.4

220.11. The State Treasurer shall pay the principal and interest on said bonds when due, upon warrants drawn against the State Highway Fund by the Controller. There shall be allocated to the payment of the principal, interest and expenses of preparing, issuing, selling, and retiring such bonds, the maximum amounts which would be expended in each county pursuant to Section 188.4, until the bonds are fully retired.

SEC. 2. This act shall take effect upon the adoption by the people of the State of California of an amendment to the Constitution of the State of California approving, adopting, legalizing, ratifying, validating, and making fully and completely effective the Highway Revenue Bond Law of 1951."

Amendment No. 6

On page 1 of said bill, strike out lines 2 to 23, inclusive

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 3183—An act to amend Section 4014 of, and add Section 4017 to, the Health and Safety Code, relating to public health.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on May 10, 1951, strike out "Section 4017", and insert "Sections 4017 and 26470.5".

Amendment No. 2

On page 2, line 9, of said bill, strike out "or other materials", and insert "and fluorine compounds".

Amendment No. 3

On page 2 of said bill, between lines 19 and 20, insert

"SEC. 3. Section 26470.5 is added to said code, to read

26470.5 Nothing in this article shall prohibit the adding of fluorine or other materials to water intended for sale to the public as bottled water for domestic use in such manner and to such an extent as may be approved by the state department, provided that the labeling requirements hereinafter set forth in this chapter are met."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1579—An act to amend Section 4032 of the Business and Professions Code, relating to the sale of drugs, chemicals and medicines.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 17, 1951, strike out lines 20 to 27, inclusive.

Amendment No. 2

On page 2 of said bill, as amended, strike out lines 1 to 19, inclusive.

Amendment No. 3

On page 2 of said bill, as amended, beginning on line 20, insert

"This chapter does not apply to the sale of any intravenous solution of 150 cubic centimeters or over; cold sterilizing solutions; sterilized sutures; hypodermic needles and syringes; sterile distilled water, United States Pharmacopoeia; sterile normal saline solution; laboratory chemicals and reagents; stains and dyes; chemicals and drugs used as indicators in diagnostic and X-ray examinations; soaps, detergents, and tincture of green soap, United States Pharmacopoeia; medicinal gases; ether, chloroform and ethyl chloride; sulfa creams, ointments, and jellies used for introduction into the vaginal tract; and medicated dressings; where such sale is made to any of the following:

1. A physician, dentist, chiropodist, veterinarian, pharmacist, medical technician or medical technologist holding a currently valid and unrevoked license to practice his profession.

2. A clinic, hospital, institution or establishment holding a currently valid and unrevoked license or permit under Division 2 of the Health and Safety Code, or under Part 3 of Division 2, Chapter 2 of Division 3, or Part 2 of Division 6 of the Welfare and Institutions Code.

3. An exporter for export outside the United States where such drugs, medicines, poisons or chemicals are actually shipped outside the United States"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 2252—An act to amend Sections 29001, 29007, 29012, 29014, 29020, and 29021 of, and to add Sections 29003.5 and 29003.6 to, the Health and Safety Code, relating to dangerous drugs.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Assembly on May 3, 1951, after "medication", insert ", except preparations of drugs defined in subdivisions (e), (f), (h), (i), and (*l*) hereof, designed for the purpose of feeding or treating animals (other than man) or poultry, and so labeled,".

Amendment No. 2

On page 1, line 18, of said bill, strike out ", and except preparations de-"; and strike out lines 19 and 20, and insert a period.

Amendment No. 3

On page 2, of said bill, strike out lines 4 and 5, and insert "strength."

Amendment No. 4

On page 2 of said bill, strike out lines 12 to 16, inclusive.

Amendment No. 5

On page 2 of said bill, strike out lines 18 to 22, inclusive, and insert

"29003.5. 'Administer', as used in this division, means the furnishing by a physician and surgeon, dentist or chiropodist to his patient of such amount of drugs or medicines referred to in this division as are necessary for the immediate needs of the patient."

Amendment No. 6

On page 3 of said bill, strike out lines 23 to 43, inclusive, and insert

"SEC. 6. Section 29015 is hereby added to the Health and Safety Code, to read:

29015. This division does not apply to or interfere with a physician, dentist, chiropodist or veterinarian who administers hypnotic drugs to his own patients. Such hypnotic drugs shall be administered only by the physician, dentist, chiropodist or veterinarian.

"SEC. 7. Section 29015.1 is hereby added to the Health and Safety Code, to read:

29015.1. This division does not apply to the furnishing or supplying in a licensed hospital by a registered nurse of hypnotic drugs to a registered bed patient in such hospital when the administration of hypnotic drugs has been ordered by the patient's attending physician or dentist.

"SEC. 8. Section 29020 of the Health and Safety Code is amended to read:

29020. No person shall furnish any dangerous drug, other than any hypnotic drug, except upon the prescription of a physician, dentist, chiropodist or veterinarian.

The provisions of this section do not apply to the furnishing of any dangerous drug, other than any hypnotic drug, by a manufacturer or wholesaler or pharmacy to each other or to a physician, dentist, chiropodist or veterinarian or to a laboratory under sales and purchase records that correctly give the date, the names and addresses of the supplier and the buyer, the drug and its quantity.

"No person shall *dispense* any hypnotic drug except upon the prescription of a physician, dentist, chiropodist or veterinarian, or upon the receipt of a properly executed official hypnotic drug purchase order form."

Amendment No. 7

On page 3, line 44, of said bill, strike out "so", and after "administered", insert "by any person exempt under Section 29015".

Amendment No. 8

On page 4, line 1, of said bill, strike out "7", and insert "9"

Amendment No. 9

On page 4, line 2, of said bill, strike out "furnish or".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 3318—An act to amend an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by electors November 7, 1922, by amending Sections 1, 5, 13, and 15 of, and by repealing Sections 7 and 8 thereof, and by adding Sections 7 and 8 thereto, relating to the study and practice of chiropractic, said amendments to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 7 of the title of the printed bill, strike out "5, 13, and"; strike out all of line 8; and in line 9, strike out "adding Sections 7 and 8 thereto," and insert "3, 5, 7, 10, and 15 thereof,"

Amendment No. 1.5

On page 1, line 5, of said bill, strike out "five", and insert "seven"

Amendment No. 2

On page 1, line 6, of said bill, strike out "each appointed by the Governor", and insert "appointed by the Governor Each member must have pursued a resident course in a regularly incorporated chiropractic school or college, and must be a graduate thereof and hold a diploma therefrom."

Amendment No. 3

On page 1, line 10, of said bill, after "board", insert "first appointed hereunder shall have practiced chiropractic in the State of California for a period of three years next preceding the date upon which this act takes effect, thereafter appointees shall be licentiates hereunder No more than two persons shall serve simultaneously as members of said board who are residents of any one count of the State And no person connected with any chiropractic school or college shall be eligible to appointment as a member of the board "

Amendment No. 4

On page 2, line 4, of said bill, strike out "shall be a person"; and strike out lines 5 to 17, inclusive, and insert

"Each member of the board, except the secretary, shall receive a per diem of thirty dollars ($30) for each day during which he is actually engaged in the discharge of his duties, together with his actual and necessary traveling expenses incurred in connection with the performance of the duties of his office, such per diem, traveling expenses and other incidental expenses of the board or of its members to be paid out of the funds of the board hereinafter defined and not from the State's taxes "

Amendment No. 5

On page 2, line 18, of said bill, insert

"SEC. 1 1 Section 3 of the above act is amended to read as follows:

SEC. 3 The board shall convene within 30 days after the appointment of its members, and shall organize by the election of a president and a vice president to be chosen from the members of the board The board shall fix the salary of the secretary, with the approval of the Director of Finance Thereafter elections of officers shall occur annually at the January meeting of the board A majority of the board shall constitute a quorum

It shall require the affirmative vote of four members of said board to carry any motion or resolution, to adopt any rule, or to authorize the issuance of any license provided for in this act The secretary shall receive a salary to be fixed by the board, together with his actual and necessary traveling expenses incurred in connection with the performance of the duties of his office, and shall give bond to the State in such sum with such sureties as the board may deem proper He shall keep a record of the proceedings of the board, which shall at times during business hours be open to the public for inspection He shall keep a true and accurate account of all funds received and of all expenditures incurred or authorized by the board, and on the first day of December of each year he shall file with the Governor a report of all receipts and disbursements and of the proceedings of the board for the preceding fiscal year."

Amendment No. 6

On page 2, line 25, of said bill, strike out "at least".

Amendment No. 7

On page 2, lines 29 and 30, of said bill, strike out "attesting to", and insert "showing".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 8

On page 2, line 31, of said bill, strike out "pro-"; strike out lines 32 to 51, inclusive; and strike out pages 3 to 8, inclusive, and insert "herein otherwise prescribed, each applicant shall be a graduate of an approved chiropractic school or college which teaches a course of not less than 4,000 hours, extended over a period of four school terms of at least nine months each, and shall present to the board at the time of making such application a diploma from a high school, or proof, satisfactory to the board, of education equivalent in training power to a high school course; and two years of at least 60 semester units of premedical college work, which may be completed in junior college.

Pre-educational requirements do not apply to a licensed chiropractor, or a student matriculated prior to the enactment of this measure.

The schedule of minimum educational requirements to enable any person to practice chiropractic in this State is as follows, except as herein otherwise provided.

Group 1			
Anatomy, including embryology and histology	18	to	20%
Group 2			
Physiology	6	to	7%
Group 3			
Biochemistry, inorganic and organic chemistry	6	to	8%
Group 4			
Pathology and bacteriology	10	to	11%
Group 5			
Pharmacology, including materia medica and toxicology (not less than 160 hours), public health, hygiene and sanitation	7	to	8%
Group 6			
Diagnosis, pediatrics, dermatology, syphilology and psychiatry	11	to	15%
Group 7			
Obstetrics and gynecology	4	to	5%
Group 8			
Principles and practice of chiropractic, physiotherapy and not less than 160 hours of minor or ambulant surgery	25	to	26%
Total	87	to	100%
Electives	13	to	0%

SEC. 3. Section 7 of said act is amended to read:

Sec. 7. [One form of certificate shall be issued by the board of chiropractic examiners, which said certificate shall be designated "License to practice chiropractic," which license shall authorize the holder thereof to practice chiropractic in the State of California as taught in chiropractic schools or colleges; and, also, to use all necessary mechanical, and hygienic and sanitary measures incident to the care of the body, but shall not authorize the practice of medicine, surgery, osteopathy, dentistry or optometry, nor the use of any drug or medicine now or hereafter included in materia medica.]

Licenses issued; Chiropractic philosophy and practice.

(a) One year after the effective date of this act one form of certificate shall be issued by the Board of Chiropractic Examiners, to be known as the "Chiropractic Physician's Certificate." The chiropractic physician's certificate shall authorize the holder thereof to diagnose and treat diseases, ailments, injuries, deformities, and other physical and mental conditions by any and all means or methods in accord with chiropractic training, philosophy and practice as hereinafter defined.

(b) Any person holding a valid, unrevoked, properly registered certificate or license to practice chiropractic in this State, issued prior to the effective date of this act, who upon submission of satisfactory evidence of having completed a course in minor surgery of not less than 160 hours, and a course in pharmacology including materia medica and toxicology of not less than 160 hours, taken in an approved school, shall be permitted to apply for examination in said subjects upon enactment of this measure, and if successful in passing examinations, shall be issued a chiropractic physician's certificate immediately without being examined in any other subjects.

(c) The holder of a valid unrevoked license to practice chiropractic in the State of California prior to the enactment of this measure shall be authorized to practice chiropractic and other forms of therapy as taught heretofore in chiropractic schools and colleges; and also to use all mechanical, hygienic and sanitary measures incident to the care of the body.

(d) The philosophy of chiropractic is based on the concept that the promotion, maintenance, and restoration of human health is dependent upon establishing conditions which permit the natural and inherent recuperative and compensatory forces, powers, and energies of the human body to attain and perpetuate anatomical, physiological and psychic equilibrium of the entire human organism with special emphasis on the role of the nervous system in accomplishing that end.

(e) The practice of chiropractic includes the study and use of any and all means, methods, preparations and substances, physical, chemical, including pharmaceutical, biological, minor surgical or ambulant surgical, mental or other in or upon human beings in the analysis, correction, and care, which terms, for the purposes of this act, shall encompass such terms as "diagnosis," and "treatment," of those disorders of body structure and function commonly referred to as "diseases," "ailments," "deformities," "blemishes" "disfigurements," and all other physical and mental conditions resulting from any and all causes including trauma.

This statement of the philosophy and practice of chiropractic supersedes and nullifies all other statements of definitions legislated, adjudicated, or otherwise established heretofore.

(f) For the purpose of this act minor surgery or ambulant surgery are those branches of surgery which consist of operative procedures by electrical or other methods, which do not include the opening of the thoracic, abdominal or cranial cavities, or the amputation of limbs.

(g) Wherever any statute of the State of California or ordinance of any county, city, or city and county of the State of California requires that any certificate, order, prescription or other document be signed by a physician, the requirements of such statute shall be deemed to have been met when such certificate, order, prescription or other document is signed by a chiropractic physician.

(h) Nothing in this act or in any other statute or ordinance shall be construed to prohibit the use of any substance, or the use of any method, recommended by the health officials of the State or of any county, city and county, or city of California for the prevention of communicable disease.

SEC. 4. Section 10 of said act is amended to read:

Sec. 10. (a) The board shall refuse to grant, or may suspend or revoke, a license to practice chiropractic in this State upon any of the following grounds, to wit: The employment of fraud or deception in applying for a license or in passing an examination as provided in this act; the practice of chiropractic under a false or assumed name, or the personation of another practitioner of like or different name; the conviction of a crime involving moral turpitude [;], habitual intemperance in the use of ardent spirits, narcotics or stimulants to such an extent as to incapacitate him for the performance of his professional duties; the advertising of any means whereby the monthly periods of women can be regulated or the menses re-established if suppressed; or the advertising, directly, indirectly or in substance, upon any card, sign, newspaper advertisement or other written or printed sign or advertisement, that the holder of such license or any other person, company or association by which he or she is employed, or in whose services he or she is, will treat, cure, or attempt to treat or cure, any venereal disease, or will treat or cure, or attempt to treat or cure, any person afflicted with any sexual disease, for lost manhood, sexual weakness or sexual disorder or any disease of the sexual organs; or being employed by, or being in the service of any person, company or association so advertising *; or unprofessional conduct as the same is defined in the Business and Professions Code; provided, however, that constructive educational publicity shall be permitted*. The proceedings for the refusal to grant, [suspension or revocation of] or the suspension or revocation of a license upon any of the foregoing grounds shall be conducted in accordance with Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code as it now reads or as it may be hereafter amended by the Legislature, and the board shall have all the powers granted therein. The secretary on all cases of revocation shall enter on his register the fact of such revocation, and shall certify the fact of such revocation under the seal of the board to the county clerk of the counties in which the certificates of the person whose certificate has been revoked is recorded; and said clerk must thereupon write upon the margin or across the face of his register of the certificate of such person the following. "This certificate was revoked on the _____ day of _____," *giving the day, month and year of such revocation in accordance with said certification* to him by said secretary. The record of such revocation so made by said county clerk shall be prima facie evidence of the fact thereof, and of the regularity of all proceedings of said board in the matter of said revocation.

(b) At any time after two years following the revocation or cancellation of a license or registration under this section, the board may, by a majority vote, reissue said license to the person affected, restoring him to, or conferring on him all the rights and privileges granted by his original license or certificate. Any person to whom such rights have been restored shall pay to the secretary the sum of twenty-five dollars ($25) upon the issuance of a new license.

(c) All licenses granted under this act shall be renewed annually.

The issuance of such renewal licenses shall be contingent upon submission of evidence satisfactory to the Board, of the applicant having completed at least 16 hours of post-graduate studies within the previous year.

SEC. 5. Section 15 of said act is amended to read:

Sec. 15. Any person who shall practice or attempt to practice chiropractic, or any person who shall buy, sell or fraudulently obtain a license to practice chiropractic, whether recorded or not, or who shall use the title "chiropractic" or "D.C." or any word or title to induce, or tending to induce belief that he is engaged in the practice of chiropractic, without first complying with the provisions of this act; or any licensee under this act who used the word "doctor" *or the word "osteopath,"* or the prefix "Dr" [without the word "chiropractor," or "D.C." immediately following his name, or the use of the letters "M.D."] *or the words "doctor of medicine,"* [or the term "surgeon," or the term "physician," or the word "osteopath," or the letters "D.O."] *or "doctor of osteopathy," or the letters "M.D." or "D.O.," or the term "surgeon,"* or any other letters, prefixes or suffixes, [the use of which would] *in such manner as to* indicate that he or she [was] *is* practicing a profession for which he *or she* [held] *holds* no license from the State of California, or any person who shall violate any [of the] provision [s] of this act, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than [fifty dollars] *two hundred dollars ($200)* and not more than [two hundred dollars] *six hundred dollars ($600)*, or [by] imprisonment in the county jail for not less than *30* [thirty] days nor more than *90* [ninety] days, or both.

Immediately after enactment of this measure, seventy-five percent (75%) of the fines imposed or forfeitures of bail collected shall be paid upon collection by the proper officer of the court to the Board of Chiropractic Examiners. Such payment to the board shall be made without placing the fine or forfeiture in any special, contingent, or general fund in any county, city, or township. The balance of twenty-five percent (25%) of such fines or forfeitures shall be paid to the county in which the fine or forfeiture is levied.

Nothing herein, or in any other statute, shall be construed to deny to holders of chiropractic physician licenses the right to use, in connection with their names, the word "Physician" so long as appropriate words, letters, prefixes or suffixes are used in connection therewith to indicate that the holder is licensed as a chiropractic physician.

The employment by a licensee, directly or indirectly, of any suspended practitioner or unlicensed person in the practice of chiropractic, or the aiding or abetting of such person to practice chiropractic is a misdemeanor, punishable as is provided in the Penal Code.

SEC. 6. Sections 1, 2, 3, 4, and 5 of this act shall become effective only when submitted to and approved by the electors, pursuant to Section 1b of Article IV of the Constitution of the State.

SEC. 7. Sections 1, 2, 3, 4, and 5 of this act shall be submitted to the electors for their approval or rejection at the next succeeding general election occurring at any time subsequent to 130 days after this section takes effect, or at any statewide special election which may be called by the Governor, in his discretion, prior to such general election, in the same manner that a constitutional amendment proposed by the Legislature would be submitted, and all of the provisions of law relative to submission of such constitutional amendments to the electors and to matters incidental thereto shall apply to the submission of Sections 1, 2, 3, 4, and 5 of this act, except as otherwise provided in this section or as such provisions may be clearly inapplicable for the submission of an amendment to an initiative measure pursuant to Section 1b of Article IV of the State Constitution."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 3437—An act to amend Sections 11610, 11612, 11614, 11619, 11622 and to repeal Sections 11620 and 11621 of the Health and Safety Code, relating to the unlawful transportation, keeping, depositing, concealment, and possession of narcotics in vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "11612, 11614, 11619," and insert "11621, and".

Amendment No. 2

In line 2 of the title of said bill, strike out "Sections 11620 and 11621", and insert "Section 11628".

Amendment No. 3

On page 1 of said bill, strike out line 8, and insert

"SEC. 2. Section 11621 of said code is amended to read:

11621. No person claiming a lien pursuant to Chapter 1 of Division 8 of the Vehicle Code, *or regularly and customarily engaged at an established place of business in the business of making loans secured by mortgages on vehicles, or of selling vehicles, or of purchasing conditional sales contracts on vehicles from dealers,* shall be required to prove that his right, title, or interest was created after a reasonable investigation of the moral responsibility, character, and reputation of the owner, purchaser, or person in possession of the vehicle when it *or the certificate of ownership* was brought to the claimant."

Amendment No. 4

On page 1 of said bill, strike out lines 9 to 24, inclusive; and on page 2, strike out lines 1 to 29, inclusive, and in line 30, strike out "SEC. 5.", and insert

"SEC. 3."

Amendment No. 5

On page 2 of said bill, strike out line 41, and insert "SEC. 4. Section 11628 of said code is hereby".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 2894—An act to amend Section 928 of the Health and Safety Code, relating to local health districts.

Bill read second time.

Consideration of Committee Amendments

The following an endment was proposed by the Committee on Public Health:

Amendment No. 1

On page 1 of the printed bill, strike out lines 13 to 21, inclusive, and insert

"Provided, however, the district board of any district organized prior to September 19, 1947, may at any time provide that the terms of all its members shall terminate as of January 1st in the year next succeeding that in which such provision is made, in which event members of the district board shall be appointed pursuant to Section 926a to take office on the January 2d immediately following such termination. The members of the board so appointed shall classify themselves, and they and their successors shall hold office, in the same manner and for the same terms as provided in this section for members of the first district board and their successors."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 2188—An act to add Section 207 to the Education Code, relating to registration and licensing of private schools.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 207 to", and insert "Chapter 3 to Division 12 of".

Amendment No. 2

In line 2 of the title of said bill, strike out "registration and licensing", and insert "regulation".

Amendment No. 3

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Chapter 3 is added to Division 12 of the Education Code, to read

CHAPTER 3. CERTIFICATES OF APPROVAL FOR PRIVATE SCHOOLS

24300 On or before March 1, 1952, every private school or educational institution which charges tuition or fees for attendance, or which offers a program of college, professional, preparatory, high school, junior high school, elementary, kindergarten, or nursery school work or any combination thereof, or which offers a program of trade or technical education, or both, or which gives pre-employment or supplementary training or both; in the fields of trade and industry, and any and every private school *or educational institution charging tuition or* fees *for attendance, shall secure* a certificate of approval issued by the State Department of Education before it may begin to operate or function in this State.

24301 The mandatory provisions of this chapter shall not include schools maintained or classes conducted by employers for their own employees, where no fee or tuition is charged, or schools owned and operated by bona fide religious, charitable, or eleemosynary institution; or any school conducting a course of instruction required or recognized by any board, bureau, commission, or other agency within the Department of Professional and Vocational Standards for purposes of qualifying any person to engage in any profession or vocation, or any school licensed, regulated, or controlled

by any board, bureau, commission, or other agency within the Department of Professional and Vocational Standards; or by the State of California, or any political subdivision thereof, or schools accredited by accrediting agencies recognized by the United States Office of Education, or institutions of higher learning recognized under the foregoing provisions; or schools or classes otherwise regulated and licensed under and pursuant to any other law of this State.

24302. The provisions of this chapter shall be administered by the State Department of Education and the Superintendent of Public Instruction, which in connection therewith shall have the power to make and enforce rules and regulations not inconsistent with the provisions of this chapter. There shall be an Advisory Board of not less than seven nor more than thirteen members active in the private school field, who shall be appointed by the Superintendent of Public Instruction. The Advisory Board shall consist of not less than five members representing as far as possible all branches or interests of the private schools, not less than one member from general industry, and not less than one member from the general educational field, whose duties shall be to advise the Superintendent of Public Instruction regarding the administration of this chapter and to make recommendations regarding rules, regulations, and standards of qualifications for granting approval of schools under this chapter.

24303. The Superintendent of Public Instruction shall issue a certificate of approval to any applicant operating or proposing to operate such a private school or educational institution whose conditions of entrance, scholarship, educational qualifications, standards and facilities are adequate and appropriate for the purposes, program, training and courses to be taught as given therein. Any such certificate may be revoked at any time for cause by the State Board of Education, after review and recommendation of the Advisory Board. The procedure to be followed in the refusal, suspension and revocation of certificates of approval, and in appeals taken from the State Board of Education shall be conducted in accordance with Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code and the State Board of Education shall have all the powers granted therein.

24304. The terms of office of the members of the board shall be four years, except as otherwise provided, and they shall hold office until the appointment and qualifications of their successors. The terms of the first members of the Advisory Board shall be fixed by the Superintendent of Public Instruction and in such manner as will provide for the expiration each year of the terms of, as nearly as may be possible, one-fourth of the members. A vacancy shall be filled by appointment by the Superintendent of Public Instruction. The appointee shall hold office only for the balance of the unexpired term.

The members of the Advisory Board shall select a chairman from members of the board. The Superintendent of Public Instruction, or a person appointed by him, shall be the executive secretary of the board.

The board shall meet at least once each year and at such other times as the chairman or executive secretary may designate, such meetings to be called by the Superintendent of Public Instruction, at a time and at a place designated by him. In the event the Superintendent of Public Instruction fails to call a meeting of the Advisory Board when so requested by the chairman or executive secretary, the chairman may call such meeting upon written request from a majority of the members of the Advisory Board.

The executive secretary of the board shall keep the Superintendent of Public Instruction and members of the Advisory Board fully informed with respect to the activities of the board, and immediately following each meeting thereof shall forward to the Superintendent of Public Instruction and to each member of the Advisory Board a complete report of the meeting, including all recommendations made by the board.

24305. Before any certificate of approval is issued to a school, a verified application shall be made in writing to the State Superintendent of Public Instruction or his designee on a form furnished and prepared by the superintendent. Such application shall require a statement showing (1) the title or name of the school or classes, together with ownership and controlling officers thereof, (2) the general field of instruction which will be offered and the purposes of such instructions, (3) the place or places where such instruction will be given, (4) a specific listing of the equipment available for instruction in each field, (5) the qualifications of instructors and administrators, (6) financial resources available to equip and maintain the school or classes, (7) such additional information as the State Superintendent of Public Instruction of the Rules and Regulations of the State Board of Education may deem necessary to enable it to determine the adequacy of the program of instruction and matters pertaining thereto.

24306. Any certificate of approval issued to a school or class shall be restricted to the fields or courses specifically indicated in the application for approval. A certified school shall present a supplementary application as may be directed by the Superintendent of Public Instruction for approval of additional fields or courses in which it is desired to offer instruction during the effective period of the certificate of approval.

24307. (a) Each original application for a certificate of approval to conduct a private school or class shall be accompanied by a certificate fee of fifty dollars ($50) and each application for the annual renewal of the certificate of approval shall be

accompanied by a fee of twenty-five dollars ($25) No fee shall be charged for a supplementary application for the approval of additional fields of courses of instructions.

(b) All fees thus received shall be paid into the State General Fund. No fees shall be refunded in the event any certificate of approval is refused, suspended, revoked, or for any other reason.

(c) Each school shall have a separate certificate which shall not be transferable.

24308. Any school certified for approval shall be open for inspection by the State Superintendent of Public Instruction or his designated agent at all reasonable times. Every such school or educational institution shall be required to furnish such information and reports from time to time as the State Superintendent of Public Instruction shall deem necessary and proper in the manner and on forms prescribed by him.

24309. Any person, firm, corporation, or association violating any of the provisions of this chapter, or violating the rules and regulations promulgated under the provisions thereof, shall be deemed guilty of a misdemeanor and fined not less than fifty dollars ($50) nor more than one hundred dollars ($100) for each offense."

Amendment No. 4

On page 1 of said bill, strike out lines 3 to 9, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

Assembly Bill No. 3188—An act to amend Section 4965 of the Education Code, relating to unified school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, after "Section", insert "4714 and to repeal Section".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 4714 of the Education Code is amended to read:

4714 [The total amount of bonds issued by any unified school district for elementary school purposes, high school purposes, or junior college purposes, respectively, shall not exceed, for each of such purposes, 5 per cent of the taxable property of the district as shown by the last equalized assessment of the county or counties in which the unified school district is located.] *Any unified school district maintaining a junior college may issue bonds not to exceed 15 percent of the taxable property of the district as shown by the last equalized assessment of the county or counties in which the district is located. Any unified school district not maintaining a junior college may issue bonds not to exceed 10 percent of the taxable property of the district as shown by such equalized assessment.*

For the purposes of Chapter 16 of Division 3 only, any unified school district shall be considered to have a bonding capacity in the amount permitted by law for an elementary school district, a bonding capacity in the amount permitted by law for a high school district, and if the district maintains a junior college, a bonding capacity in the amount permitted by law for a junior college district. Any unified district, if otherwise eligible, may receive an apportionment for elementary school purposes alone, for high school purposes alone, for junior college purposes alone, or for any combination of such purposes.

In computing the outstanding bonded indebtedness of any unified school district for all purposes of this section, any outstanding bonds shall be deemed to have been issued for elementary school purposes, high school purposes and junior college purposes, respectively, in the respective amounts that the proceeds of the sale of such outstanding bonds, excluding any premium and accrued interest received on said sale, were or have been allocated by the governing board of such unified school district to each of said purposes respectively.

SEC. 2. Section 4965 of said code is hereby repealed."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 7, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

Assembly Bill No. 634—An act to amend Section 45.5 of the Community Redevelopment Act, relating to community redevelopment and the powers of public bodies in connection therewith.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 45.5 of", and insert "Sections 45.5 and 78 of, and to add Sections 29.1 and 29.2 to,".

Amendment No. 2

In line 2 of the title of said bill, after "Act," insert "and to amend Sections 33882, 33911, and 33912 of, and to add Section 33279 and Article 4 of Chapter 5 of Part 1 of Division 24 to, the Health and Safety Code,".

Amendment No. 3

In line 2 of the title of said bill, after "redevelopment", insert "and the financing thereof".

Amendment No. 4

On page 1, line 20, of said bill, strike out "approved", and insert "authorized".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 5

On page 1 of said bill, after line 21, insert

"SEC. 2. Section 29.1 is added to said act to read:

Sec. 29.1. The agency may in any year during which it owns property in a redevelopment project pay to any city, county, city and county, district or other public corporation which would have levied a tax upon such property had it not been exempt, an amount of money in lieu of taxes.

SEC. 3. Section 29.2 is added to said act to read:

Sec. 29.2. Any redevelopment plan may contain a provision that taxes, if any, levied upon taxable property in a redevelopment project each year by or for the benefit of the State of California, any city, county, city and county, district, or other public corporation (hereinafter sometimes called "taxing agencies") after the effective date of the ordinance approving the redevelopment plan, shall be divided as follows:

(1) that portion of the taxes which would be produced by the rate upon which the tax is levied each year by or for each of said taxing agencies upon the total sum of the assessed value of the taxable property in the redevelopment project as shown upon the assessment roll used in connection with the taxation of such property by such taxing agency, last equalized prior to the effective date of such ordinance, shall be allocated to and when collected shall be paid into the funds of the respective taxing agencies as taxes by or for said taxing agencies on all other property are paid (for the purpose of allocating taxes levied by or for any taxing agency or agencies which did not include the territory in a redevelopment project on the effective date of such ordinance but to which such territory has been annexed or otherwise included after such effective date, the assessment roll of the county last equalized on the effective date of said ordinance shall be used in determining the assessed valuation of the taxable property in the project on said effective date); and

(2) that portion of said levied taxes each year in excess of such amount shall be allocated to and when collected shall be paid into a special fund of the redevelopment agency to pay the principal of and interest on loans, moneys advanced to, or indebtedness (whether funded, refunded, assumed, or otherwise) incurred by such redevelopment agency to finance or refinance, in whole or in part, such redevelopment project.

Unless and until the total assessed valuation of the taxable property in a redevelopment project exceeds the total assessed value of the taxable property in such project as shown by the last equalized assessment roll referred to in paragraph numbered (1) hereof, all of the taxes levied and collected upon the taxable property in such redevelopment project shall be paid into the funds of the respective taxing agencies. When said loans, advances, and indebtedness, if any, and interest thereon, have been paid, all moneys thereafter received from taxes upon the taxable property in such redevelopment project shall be paid into the funds of the respective taxing agencies as taxes on all other property are paid.

In any redevelopment plan or in the proceedings for the advance of moneys, or making of loans, or the incurring of any indebtedness (whether funded, refunded, assumed, or otherwise) by the redevelopment agency to finance or refinance, in whole or in part, the redevelopment project, the portion of taxes mentioned in paragraph numbered (2) hereof may be irrevocably pledged for the payment of the principal of and interest on said loans, advances, or indebtedness.

As used in this section the word "taxes" shall include, but without limitation, all levies on an ad valorem basis upon land or real property.

Whenever property in any redevelopment project has been redeveloped and thereafter is leased by the redevelopment agency to any person or persons or whenever the agency leases real property in any redevelopment project to any person or persons for redevelopment, the property shall be assessed and taxed in the same manner as privately owned property, and the lease or contract shall provide that the lessee shall pay taxes upon the assessed value of the entire property and not merely upon the assessed value of his or its leasehold interest.

This section shall become operative only if the people approve the constitutional amendment of the 1951 Regular Session of the Legislature adding Section 19 to Article XIII of the Constitution of the State and in such case at the same time as such constitutional amendment takes effect.

SEC. 4. Section 78 of said act is amended to read:

Sec. 78. An agency shall have power to issue bonds from time to time in its discretion, for any of its corporate purposes. An agency shall also have power to issue refunding bonds for the purpose of paying or retiring bonds previously issued by it. An agency may issue such types of bonds as it may determine, including bonds on which the principal and interest are payable: (a) exclusively from the income and revenues of the redevelopment projects financed with the proceeds of such bonds, or with such proceeds together with financial assistance from the State or Federal Governments in aid of such projects; (b) exclusively from the income and revenues of certain designated redevelopment projects whether or not they were financed in whole or in part with the proceeds of such bonds; *(c) in whole or in part from taxes allocated to, and paid into a special fund of, the agency pursuant to the provisions of Section 29.2 hereof* [(c)] *(d)* from its revenues generally; [(d)] *(e)* from any contributions or other financial assistance from the State or Federal Governments; or [(e)] *(f)* by any combination of these methods. Any of such bonds may be additionally secured by a pledge of any revenues or by an encumbrance (whether by mortgage, deed of trust or otherwise) of any redevelopment project, projects or other property of the agency *or by a pledge of the taxes referred to in (c) above, or by any combination thereof*.

Neither the members of an agency nor any person executing the bonds shall be liable personally on the bonds by reason of the issuance thereof. The bonds and other obligations of any agency (and such bonds and obligations shall so state on their face) shall not be a debt of the community, the State or any political subdivision thereof and neither the community, nor the State or any political subdivision thereof shall be liable thereon, nor in any event shall such bonds or obligations be payable out of any funds or properties other than those of said agency. The bonds shall not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction.

SEC. 5. Section 33279 is added to the Health and Safety Code to read:

33279. The agency may in any year during which it owns property in a redevelopment project pay to any city, county, city and county, district or other public corporation which would have levied a tax upon such property had it not been exempt, an amount of money in lieu of taxes.

SEC. 6. Section 33882 of said code is amended to read:

33882. Except as otherwise provided in this part, any general obligation bonds issued by any community pursuant to this article shall be authorized and issued in the manner and within the limitations prescribed by law or the charter of the community for the issuance and authorization of such bonds for public purposes generally. Irrespective of any limitation as to the amount of general obligation bonds which may be issued, a community may issue such bonds for the purposes prescribed in this article, in excess of the limitation, in such amount as may be authorized [by an ordinance submitted to and approved] by the voters of the community at any general or special election.

SEC. 7. Section 33911 of said code is amended to read:

33911. An agency may issue such types of bonds as it may determine, including bonds on which the principal and interest are payable.

(a) Exclusively from the income and revenues of the redevelopment projects financed with the proceeds of the bonds, or with such proceeds together with financial assistance from the State or Federal Government in aid of the projects.

(b) Exclusively from the income and revenues of certain designated redevelopment projects whether or not they were financed in whole or in part with the proceeds of the bonds

(c) In whole or in part from taxes allocated to, and paid into a special fund of, the agency pursuant to the provisions of Article 4 of this chapter.

[(c)] *(d)* From its revenues generally.

[(d)] *(e)* From any contributions or other financial assistance from the State or Federal Government.

[(e)] *(f)* By any combination of these methods.

SEC. 8. Section 33912 of said code is amended to read:

33912. Any of such bonds may be additionally secured by a pledge of any revenues or by an encumbrance by mortgage, deed of trust, or otherwise of any redevelopment project or other property of the agency *or by a pledge of the taxes referred to in subdivision (c) of Section 33911, or by any combination thereof.*

SEC. 9. Article 4 of Chapter 5 of Part 1 of Division 24 of the Health and Safety Code is hereby added to said Code to read:

Article 4. Taxation

33950. Any redevelopment plan may contain a provision that taxes, if any, levied upon taxable property in a redevelopment project each year by or for the benefit of the State of California, any city, county, city and county, district, or other public corporation (hereinafter sometimes called "taxing agencies") after the effective date of the ordinance approving the redevelopment plan, shall be divided as follows.

(1) that portion of the taxes which would be produced by the rate upon which the tax is levied each year by or for each of said taxing agencies upon the total sum of the assessed value of the taxable property in the redevelopment project as shown upon the assessment roll used in connection with the taxation of such property by such taxing agency, last equalized prior to the effective date of such ordinance, shall be allocated to and when collected shall be paid into the funds of the respective taxing agencies as taxes by or for said taxing agencies on all other property are paid (for the purpose of allocating taxes levied by or for any taxing agency or agencies which did not include the territory in a redevelopment project on the effective date of such ordinance but to which such territory has been annexed or otherwise included after such effective date, the assessment roll of the county last equalized on the effective date of said ordinance shall be used in determining the assessed valuation of the taxable property in the project on said effective date); and

(2) that portion of said levied taxes each year in excess of such amount shall be allocated to and when collected shall be paid into a special fund of the redevelopment agency to pay the principal of and interest on loans, moneys advanced to, or indebtedness (whether funded, refunded, assumed, or otherwise) incurred by such redevelopment agency to finance or refinance, in whole or in part, such redevelopment project. Unless and until the total assessed valuation of the taxable property in a redevelopment project exceeds the total assessed value of the taxable property in such project as shown by the last equalized assessment roll referred to in paragraph numbered (1) hereof, all of the taxes levied and collected upon the taxable property in such redevelopment project shall be paid into the funds of the respective taxing agencies When said loans, advances, and indebtedness, if any, and interest thereon, have been paid, all moneys thereafter received from taxes upon the taxable property in such redevelopment project shall be paid into the funds of the respective taxing agencies as taxes on all other property are paid.

33951 In any redevelopment plan or in the proceedings for the advance of moneys, or making of loans, or the incurring of any indebtedness (whether funded, refunded, assumed, or otherwise) by the redevelopment agency to finance or refinance, in whole or in part, the redevelopment project, the portion of taxes mentioned in paragraph numbered (2) of Section 33950 may be irrevocably pledged for the payment of the principal of and interest on said loans, advances, or indebtedness

33952 As used in this article the word "taxes" shall include, but without limitation, all levies on and ad valorem basis upon land or real property

33953. Whenever property in any redevelopment project has been redeveloped and thereafter is leased by the redevelopment agency to any person or persons or whenever the agency leases real property in any redevelopment project to any person or persons for redevelopment, the property shall be assessed and taxed in the same manner as privately owned property, and the lease or contract shall provide that the lessee shall pay taxes upon the assessed value of the entire property and not merely upon the assessed value of his or its leasehold interest

33954. This article shall become operative only if the people approve the constitutional amendment of the 1951 Regular Session of the Legislature adding Section

19 to Article XIII of the Constitution of the State and in such case at the same time as such constitutional amendment takes effect.

SEC 10. Sections 5, 6, 7, 8, and 9 of this act becomes effective only if Division 24 of the Health and Safety Code is enacted by the Legislature at its 1951 Regular Session, and in such case at the same time as said Division 24 takes effect, at which time Sections 29.1 and 29.2 added to the Community Redevelopment Act, and Sections 45.5 and 78 of said act, as amended, are repealed."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2631—An act to add Section 9166 to the Education Code, relating to instructors for peace officers' training programs and reserve and/or auxiliary peace officers' training programs, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 3 of the title of the printed bill, after the comma, insert "making an appropriation therefor, and".

Amendment No. 2

On page 1 of said bill, between lines 14 and 15, insert

"SEC. 2. There is hereby appropriated to the Vocational Education Fund out of any moneys in the State Treasury not otherwise appropriated two hundred twenty-seven thousand ninety-eight dollars ($227,098) for expenditures during the Fiscal Year 1951-1952 by the Department of Education for peace officers' training and institutes. Any personal services required by the State Board of Education under this appropriation shall be by contract in accordance with Section 9166 of the Education Code."

Amendment No. 3

On page 1, line 15, of said bill, strike out "2", and insert "3".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means

Assembly Bill No. 3270—An act to license psychologists, prescribing the terms upon which licenses may be issued to practitioners of psychology, creating a State Board of Psychological Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent with each and all or any of the provisions contained herein.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on May 11, 1951, strike out "license psychologists", and insert "regulate the practice of psychology".

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Chapter 10, comprising Sections 4500 to 4581, inclusive, is added to Division 2 of the Business and Professions Code to read.

CHAPTER 10. PSYCHOLOGISTS

Article 1. Administration

4500. There is in the Department of Professional and Vocational Standards a State Board of Examiners of Psychologists in which the administration of this chapter is vested. The board is composed of seven members appointed by the Governor.

4501. The members of the board shall be psychologists who are licensed under this chapter, except that members of the original board shall be qualified for licensing and, upon payment of the required fee, shall be automatically licensed. No member of the original board shall be required to pass any examination of the board.

4502. Members of the board shall be appointed for a term of four years, except that the terms of the original members shall expire as follows: Two members, January 15, 1953, two members, January 15, 1954, three members, January 15, 1955. Members shall serve until their successors are appointed and qualified. Vacancies shall be filled for unexpired terms by the same procedure as for appointment.

4503. The Governor shall remove any member for incompetence, neglect of duty, or malfeasance in office.

4504. Members of the board shall serve without salary but may be compensated for expenses incurred in the discharge of their official duties. Each member of the board shall receive all transportation and other necessary expenses and in addition thereto the sum of ten dollars ($10) for each day of attendance at meetings of the board or for each day devoted to the duties assigned by the board.

4505. The principal office of the board shall be in Sacramento, but it may meet or conduct any of its business at any place in this State.

4506. Annually the board shall elect one of its members as chairman and shall hold at least one meeting.

4507. Four members of the board shall constitute a quorum for the transaction of any business.

4508. On December 31st of each year the board shall submit to the Governor a written report which shall include the names of all psychologists to whom licenses have been issued under this chapter, any cases heard and decisions rendered by the board, and recommendations of the board as to future policies. Each member of the board shall review and sign the report before its submission to the Governor.

4509. The board is authorized and empowered to establish reasonable rules, regulations, and procedures necessary to give effect to the provisions of this chapter in order to regulate the practice of psychology in this State. Within the limits of funds available to the board, the board may pay its necessary expenses and may employ and pay the salaries of clerks and employees necessary for the administration of the chapter. The board may also empower any member to conduct any proceeding, hearing, or investigation necessary to its purposes.

Article 2. Regulation

4520. A person practices psychology within the meaning of this chapter who renders to individual clients or the general public for fees or personal profit any professional service requiring the application of recognized principles, methods, and procedures of the science and profession of psychology, such as interviewing, administering and interpreting tests of mental abilities, aptitudes, and personality characteristics for such purposes as psychological classification, or evaluation, or for educational or vocational placement; or applies psychological techniques for such purposes as psychological re-education, counseling, guidance or readjustment.

4521. Nothing in this chapter shall be construed to limit:

(a) The activities and services of a person in the employment of, or serving for a recognized religious organization or social agency, when practicing within their organizations or agencies.

(b) The use of psychological techniques by organizations engaged in business, commerce, or industry, or by persons in their salaried employment, for purposes of selection or classification of employees for their own organizations, provided that the title "psychologist" is not used by a person not licensed under this chapter.

(c) The activities and services of a person in the employment of a federal, state, county or municipal agency, or a public or private school recognized by the State of California, if his activities and services are a part of his duties in a salaried position as long as such services are not offered to the public.

(d) The activities of and services of a student, regularly matriculated in any legally chartered school approved by the board, provided that such activities and services constitute a part of his supervised course of study and are rendered without fee or personal profit.

(e) The activities and services of psychological technicians or interns who work under the supervision of psychiatrists or psychologists licensed under DIVISION 2 of the Business and Professions Code of this State, provided that such technicians or interns do not use the title "phychologist" or imply that they are *independently* engaged in the professional practice of psychology.

4522. Nothing in this chapter shall be construed as permitting the administering or prescribing of drugs, or is in any way intringing upon the practice of medicine or any of the other healing arts as set forth in DIVISION 2 of the Business and Professions *Code of this State.*

4523. The confidential relations and communications between licensed psychologist and client are placed on the same basis as those between attorney and client, and nothing in this chapter shall be construed to require any such privileged communication to be disclosed.

Article 3 Licenses

4540. Each applicant for a license shall satisfy the board that he:

(a) Is at least 21 years of age.

(b) Is of good moral character.

(c) Is a citizen of the United States or has legally declared his intention of becoming one.

(d) Has received a doctorate in psychology, or its equivalent from the University of California or any other university or college of equal standing as determined by the board.

(e) Has had at least one year's supervised experience of a type satisfactory to the board in the practice of psychology.

(f) Is competent from a professional standpoint as shown by passing such written examinations, as the board deems necessary.

(g) Has *not within the preceding six months failed any examination given by* the board.

4541. For a period of three years from the effective date of this chapter, applicants lacking the requirements of subdivisions (d), (e), and (f) of Section 4540 shall be given a license upon successfully passing Parts I and II of the examination as described in Section 4542 Prior or subsequent to the passing of the examination but prior to the award of the license, each such applicant shall provide the board with evidence that he has satisfactorily completed one year of experience in the practice of psychology under the supervision of a person licensed under this chapter.

4542 All examinations shall be practical in character and designed to ascertain the fitness of the applicant to practice his profession. The examination shall be comprised of two parts as follows:

Part I. Background knowledge of psychological sciences and related theories.

Part II: Principles and techniques of the application of Psychology.

At its discretion the board may establish subsections to these two major parts of the examination. An applicant failing to make a passing grade in one portion of the examination shall be entitled to reexamination in only that portion failed

The examination papers shall form a part of the records of the board, and shall be kept on file by the secretary for a period of one year. In the examination the applicant shall be known and designated by number only, and the name attached to the number shall be kept secret until after the board has finally voted upon the applicant. Any unsuccessful candidate may, upon written request to the board, see his graded paper. A grade of 75 percent on any subject or section of the examination shall be deemed to be a passing grade.

4543. With respect to any person who has been engaged in the full-time professional practice of psychology as defined in Section 4520 for at least three years, or the equivalent in part-time practice, in the State of California at the time of the effective date of this chapter, the following conditions shall obtain.

(1) *The board shall waive the requirements of subdivisions (e) and (f) of* Section 4540 to anyone who meets the requirements of the remaining subsections of Section 4540

(2) The board shall waive the requirements of subdivisions (d), (e) and (f) of Section 4540 for any such person who meets the other requirements of Section 4540 and who has a master's degree or its equivalent in psychology from the University of California or any other university or college of equal standing as determined by the board

(3) The board shall issue licenses to be valid for not more than six years from the effective date of this chapter, to any such person who meets the requirements of (a), (b) and (c) of Section 4540 but does not meet the requirements of subsections (d), (e) and (f) of Section 4540 Such licenses shall be revoked by the board at the end of six years from the effective date of this chapter if the holder of such license fails to comply with one of the following provisions:

(a) *Have taken and satisfactorily passed Parts I and II of the examination* as defined in Section 4542

(b) Presented to the board satisfactory evidence that he has completed with a passing grade, 30 units of undergraduate or graduate college study in psychology or that he possesses an A.B. degree, with a major in psychology from the University of

California or any other university or college of equal standing as determined by the board.

At the time of issuance of each license under this section the board shall inform the applicant in writing of all requirements which he must satisfy in order to qualify under the requirements of this section and thereafter no further requirements shall be made upon the applicant.

(c) If it deems such action to be in the public interest the board may waive examination for any person qualifying under this section

4544. The board may upon payment of the issuance fee, grant a license without examination to any person who, at the time of application, holds diplomate status as granted by the American Board of Examiners in Professional Psychology, or who is licensed or certified by a similar board of another state whose standards, in the opinion of the board, are not lower than those required by this chapter

4545 By December 1st of each year, every licensee shall pay the renewal fee and obtain a renewal certificate Any license shall be cancelled if the holder fails to secure a renewal certificate within three months after the renewal date, but any license so cancelled may be restored upon payment of the restoration fee within one year after cancellation

Article 4. Revocation; Penalties

4560. The board may suspend any license for a definite period not to exceed one year or may revoke it, or may refuse to issue or renew a license, if the holder has been convicted of a felony, has been found by the board to have employed fraud or deceit in obtaining the license, is guilty of habitual drunkenness or habitual addiction to the use of habit-forming drugs, or has acted negligently, unethically, or wrongfully in the conduct of his profession

4561. After three years from the date of a revocation, an application for reinstatement may be made to the board, and it may upon favorable action by the majority of the members, grant the reinstatement.

4562 Any proceeding on refusal, revocation, or suspension of a license shall be conducted in accordance with Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code, and the board shall have all of the powers granted therein.

4563. After July 1, 1952, it shall be unlawful for any person to practice psychology, to represent himself as a licensed psychologist, or to designate himself by any other term or title which implies that he is practicing professional psychology, unless he has a valid license.

4564 Licensees under this act who treat patients by more than one treatment in any calendar month must require the patient to furnish for the licensee's permanent files a letter or certificate of referral signed by a physician and surgeon licensed under Chapter 5, Division 2 of the Business and Professions Code Such letter or certificate shall state that the patient in the opinion of the signator, does not suffer from any mental disease. No licensee under this chapter shall treat or offer to treat any person who suffers from a mental disease, except under the direction or supervision, or on prescription, of a physician and surgeon licensed under Chapter 5, Division 2 of the Business and Professions Code.

4565. Any person who violates any of the provisions of Section 4563 or 4564, is guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than one hundred dollars ($100) nor more than five hundred dollars ($500) for the first offense, and by a fine of not less than five hundred dollars ($500) nor more than one thousand dollars ($1000) for each subsequent offense.

Article 5 Revenue

4580. All fees collected on behalf of the board and receipts of every kind and nature shall be reported each month to the State Controller and at the same time the entire amount shall be paid into the State Treasury and shall be credited to the Psychology Fund. This fund is appropriated for the use of the board to carry out the provisions of this chapter

4581. The following fees shall be collected by the board:

(a) For action on application, with or without issuance of license, fifty dollars ($50)

(b) For annual renewal of license, twenty-five dollars ($25)

(c) For restoration of license after suspension or revocation, fifty dollars ($50).

(d) For restoration of license after failure to make annual renewal, twenty-five dollars ($25).

SEC 2. If any section, subsection, sentence, clause, or phrase in this act is, for any reason, held to be unconstitutional, or invalid, such decision shall not affect the validity of the remaining portion of this act The legislators hereby declare that they would have passed this act, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional

The effective date of this act shall be January 1, 1952."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 13, inclusive; and strike out pages 2 to 12, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1250—An act to repeal the Conservation and Planning Act and Title 7 of the Government Code, and to add Title 7 to the Government Code, relating to conservation, planning, and zoning.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 30, 1951, after "Planning Act", insert a comma and "Article 4 of Chapter 10 of Part 2 of Division 3 of Title 4".

Amendment No. 2

On page 2, line 10, of the printed bill, as amended, insert

"65007. The validity of any conveyance, as defined in Section 1215 of the Civil Code, made contrary to the provisions of any ordinance or resolution adopted pursuant to the provisions of this title shall not be affected except that any such ordinance or resolution may provide that any deed of conveyance, sale or contract to sell made contrary to the provisions of such ordinance or resolution is voidable to the extent and in the same manner provided in Section 11540 of the Business and Professions Code."

Amendment No. 3

On page 3, line 36, of the printed bill, as amended, strike out "may,".

Amendment No. 4

On page 3, line 37 of the printed bill, as amended, strike out "shall," and insert "may".

Amendment No. 5

On page 6, line 23, of the printed bill, as amended, strike out "special".

Amendment No. 6

On page 6, lines 43 and 44, of the printed bill, as amended, strike out "All members of an area, a regional, a county or city commission except ex-officio and advisory members", and insert "Members of a planning commission".

Amendment No. 7

On page 6, line 47, of the printed bill, as amended, strike out "twenty-five dollars ($25)", and insert "ten dollars ($10)".

Amendment No. 8

On page 6, line 48, of the printed bill, as amended, strike out "one hundred dollars ($100)", and insert "fifty dollars ($50)".

Amendment No. 9

On page 8, line 4, of the printed bill, as amended, after the semi-colon following "land", insert

"A system of street naming and numbering, house and building numbering;".

Amendment No. 10

On page 8, line 5, of the printed bill, as amended, after "circulation", strike out "in", and insert "of traffic", and place a period after "traffic".

Amendment No. 11

On page 8 of the printed bill, as amended, strike out all of line 6.

Amendment No. 12

On page 8, line 27, of the printed bill, as amended, after "land", insert "within the scope of the Subdivision Map Act, Chapter 2 of Part 2 of Division 4 of the Business and Professions Code,".

Amendment No. 13

On page 8, line 32, of the printed bill, as amended, strike out "quantitative and qualitative".

Amendment No. 14

On page 8, line 33, of the printed bill, as amended, strike out the "s" following "dwelling", and insert "conditions".

Amendment No. 15

On page 8, lines 33 and 34, of the printed bill, as amended, strike out "private".

Amendment No. 16

On page 8, line 38, of the printed bill, as amended, strike out "private and public".

Amendment No. 17

On page 8 of the printed bill, as amended, strike out lines 41 to 47, inclusive.

Amendment No. 18

On page 8, line 51, of the printed bill, as amended, strike out "and nothing", and insert a period and "Nothing".

Amendment No. 19

On page 9, lines 5, 6, and 7, of the printed bill, as amended, strike out "plans and reports intended for adoption by the planning commission, or consideration by the legislative body", and insert "master plans".

Amendment No. 20

On page 9, line 8, of the printed bill, as amended, after "cooperate", insert "with".

Amendment No. 21

On page 9, line 43, of the printed bill, as amended, strike out "a majority", and insert "Not less than two-thirds".

Amendment No. 22

On page 10, line 17, of the printed bill, as amended, place a period after "affected", and strike out " and shall be carried by".

Amendment No. 23

On page 10 of the printed bill, as amended, strike out lines 18 and 19.

Amendment No. 24

On page 11 of the printed bill, as amended, strike out line 27 beginning with "Each".

Amendment No. 25

On page 11 of the printed bill, as amended, strike out line 28, and in line 29 strike out "board of the State of California".

Amendment No. 26

On page 11, line 46, of the printed bill, as amended, after "surveys" insert a comma, and strike out "and place and maintain necessary", and insert "provided that such entries, examinations and surveys do not interfere with the use of the land by those persons lawfully entitled to the possession thereof".

Amendment No. 27

On page 11 of the printed bill, as amended, strike out line 47.

Amendment No. 28

On page 11, line 50, of the printed bill, as amended, after "functions", insert a comma and "as provided in this title".

Amendment No. 29

On page 12, line 18, of the printed bill, as amended, after "recommended", insert "for planning, initiation or construction during the ensuing fiscal year".

Amendment No. 30

On page 12, line 35, of the printed bill, as amended, strike out "character", and insert "purpose".

Amendment No. 31

On page 12, line 45, of the printed bill, as amended, strike out "character", and insert "purpose".

Amendment No. 32

On page 12, line 48, of the printed bill, as amended, strike out "which created the commission", and insert "or to such other governmental body, commission or board."

Amendment No. 33

On page 13, line 3, of the printed bill, as amended, strike out "character", and insert "purpose".

Amendment No. 34

On page 13, line 14, of the printed bill, as amended, strike out "The adoption of"; and strike out lines 15 to 45, inclusive, and insert

"65601. The precise plans may include:

(a) Proposed regulations limiting the use of land and buildings, the height and bulk of buildings, and the open spaces about buildings.

(b) Proposed regulations limiting the location of buildings and other improvements with respect to existing or planned rights-of-way.

(c) Such other matters which will accomplish the purposes of this chapter, including procedure for the administration of such regulations."

Amendment No. 35

On page 13, line 51, of the printed bill, as amended, strike out the comma and "including such rules as may be required for the"; and strike out all of line 52, and insert a period.

Amendment No. 36

On page 14 of the printed bill, as amended, strike out all of lines 1 to 25, inclusive, and insert

"65606. A precise plan may include a public works plan and program, consisting of studies, plans and reports for the systematic execution of construction projects, including the listing and classifying of major public works, estimates of cost, determination of priorities for detailed planning and construction, investigation of financial problems and resources, and development of tentative budgets for capital expenditures for such reasonable period of time as may be designated by the legislative body."

Amendment No. 37

On page 14, line 41, of the printed bill, as amended, strike out "adoption", and insert "recommendation".

Amendment No. 38

On page 14, line 43, of the printed bill, as amended, strike out "a majority", and insert "not less than two-thirds".

Amendment No. 39

On page 15, line 28, of the printed bill, as amended, strike out "10", and insert "9".

Amendment No. 40

On page 15, line 32, of the printed bill, as amended, strike out the first "3", and insert "4".

Amendment No. 41

On page 15, line 32, of the printed bill, as amended, strike out the second "3", and insert "4".

Amendment No. 42

On page 16, line 2, of the printed bill, as amended, strike out "thoroughfare plan or a neighbor-"; and in line 3, strike out "hood development", and insert "street or highway".

Amendment No. 43

On page 16, line 21, of the printed bill, as amended, insert

"Article 12. Street Names.

65711. Whether a master plan or any portions of it has been adopted or not whenever a county or city planning commission finds that there are two or more streets within the city or county having the same name or names so similar as to confuse the public, the commission may adopt a resolution of intention to adjust, alter, or change any of such street names so as best to serve the public convenience under the following procedure:

65712. The resolution of intention shall be set for hearing. Notice of the hearing shall be given by posting a notice in at least three public places along the street proposed to be affected. The posting shall be completed at least 10 days before the day set for the hearing.

65713. At the time set for hearing or at any time to which the hearing may be continued, the commission shall hear and consider proposals to adjust, alter, or change the names of the streets mentioned in the resolution and objections to the proposals.

65714. At or after the conclusion of the hearing the commission may make any recommendations it deems appropriate to the county or city legislative body which shall thereupon take any action it considers proper.

65715. When any street is known by two or more names or when portions of the same street have names that conflict, by resolution adopted without a hearing, the commission may recommend to the legislative body a single name for it."

Amendment No. 44

On page 16, lines 34, 35, and 37, of the printed bill, as amended, strike out all of line 34; in line 35 strike out "(d)", and insert "(c)"; and in line 37, strike out "(e)", and insert "(d)"

Amendment No. 45

On page 17, line 2, of the printed bill, as amended, strike out "2", and insert "3".

Amendment No. 46

On page 17, line 8, of the printed bill, as amended, strike out "65700", and insert "65800."

Amendment No. 47

On page 17, line 18, of the printed bill, as amended, strike out "100", and insert "not less than 300".

Amendment No. 48

On page 17, line 39, of the printed bill, as amended, after "city", insert "or county".

Amendment No. 49

On page 17, line 40, of the printed bill, as amended, after "city", insert "or county".

Amendment No. 50

On page 17, line 41, of the printed bill, as amended, after "city", insert "or county".

Amendment No. 51

On page 17, line 41, of the printed bill, as amended, strike out "This sec-"; and strike out all of line 42.

Amendment No. 52

On page 17, line 46, of the printed bill, as amended, after "body", insert "of a county", and strike out "either".

Amendment No. 53

On page 17, line 47, of the printed bill, as amended, after "adjustment", insert a period and "The legislative body of a city may create either a board of zoning adjustment or the office of zoning administrator".

Amendment No. 54

On page 18, line 1, of the printed bill, as amended, after "administrator", insert "of a city".

Amendment No. 55

On page 18, line 29, of the printed bill, as amended, strike out "65753", and insert "65853".

Amendment No. 56

On page 19, line 6, of the printed bill, as amended, after "to", insert "the Planning Act, the Conservation and Planning Act,".

Amendment No. 57

On page 19, line 13, of the printed bill, as amended, insert

"SEC. 5. As to any conveyance executed prior to the taking effect of this act and alleged to be in violation of any ordinance or resolution adopted pursuant to any statute or portion thereof repealed by this act, a proceeding or defense based on alleged invalidity of such conveyance by reason of such violation can be commenced or maintained only within one year after the execution of such conveyance or prior to October 1, 1952, whichever time is later, but this provision does not extend, enlarge or revive any rights with respect to proceedings or defenses which have heretofore expired or been lost by lapse of time or otherwise, nor does this provision affect or modify in any way any provisions in Chapter 1100 of the Statutes of 1949."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2331—An act to regulate the use of X-rays and X-ray appliances in connection with the diagnosis and treatment of human ailments.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1 of the printed bill, strike out lines 18 to 21, inclusive, and insert "thereof shall be punishable by a fine of not less than one thousand dollars ($1,000), or by imprisonment for not less than six (6) months, or by both such fine and imprisonment."

Amendment No. 2

On page 1, line 15, of the printed bill, strike out the period after "chiropractic", and insert "nor shall the provisions of Section 1 of this act apply to the use of such appliances solely for purposes incident to the fitting of shoes".

Amendment No. 3

On page 1, line 5, of the printed bill, after "osteopath", insert ", chiropodist,".

Amendment No. 4

On page 1, line 10, of the printed bill, after the first comma, insert "chiropodist,".

Amendment No. 5

On page 1, line 14, of the printed bill, after "dentist", insert ", chiropodist,".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

SECOND READING OF SENATE BILLS

Senate Bill No. 72—An act to amend the Water Conservation Act of 1931 by adding thereto new sections designated 30.2 and 35.1, relating to the authorization and levy of annual assessments and special assessments upon real property within water conservation districts and improvement districts created therein.

Bill read second time, and ordered to third reading.

Senate Bill No. 267—An act to amend Section 2 of the Water Conservation Act of 1927, relating to the powers of districts formed under said act.

Bill read second time, and ordered to third reading.

Senate Bill No. 71—An act to amend the Water Conservation Act of 1931 by adding thereto new sections designated 3.1, 30.1, 36.1, 56.1, 61.1, 67.1, and 77.1, relating to the authorization, issuance, and payment of bonds of water conservation districts and improvement districts created under said act and the levy of assessments upon real property for the payment thereof, repealing Chapter 63 of the Statutes of the 1950 First Extraordinary Session, and validating districts organized pursuant to said Water Conservation Act of 1931, as amended by said Chapter 63.

Bill read second time, and ordered to third reading.

Senate Bill No. 58—An act to add Section 1593.4 to the Education Code, relating to the formation, annexation, and change of boundaries of school districts declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 284—An act to add Section 20372.5 to the Education Code, relating to separation from service of state college employees.

Bill read second time, and ordered to third reading.

Senate Bill No. 301—An act to amend Section 9809 of the Education Code, relating to the computation of excess cost of educating mentally retarded pupils.

Bill read second time, and ordered to third reading.

Senate Bill No. 644—An act to amend Sections 12130.1 and 12131 2 of the Education Code, relating to the standards for provisional credentials authorizing service in the public schools.

Bill read second time, and ordered to third reading.

Senate Bill No. 942—An act to amend Section 7431.1 of, and to add Section 7431.2 to, the Education Code, relating to the computation of bonded indebtedness of school districts, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 1077—An act to amend Section 13093 of the Education Code, relating to the Public School System of the State of California.

Bill read second time, and ordered to third reading.

Senate Bill No. 165—An act to amend Section 5073 of the Public Resources Code, relating to the California Riding and Hiking Trails Advisory Committee, to change the membership of the committee from six to seven.

Bill read second time, and ordered to third reading.

Senate Bill No. 242—An act to add Section 12108 to, and to amend Section 12501 of, the Business and Professions Code, relating to sealers and weighing or measuring instruments.

Bill read second time, and ordered to third reading.

Senate Bill No. 626—An act authorizing suits against the State of California to quiet title against it to real property entitled to be purchased under the provisions of an act entitled "An act to survey and dispose of certain salt marsh and tidelands belonging to the State of California," approved March 30, 1868, or any of the acts supplementary thereto and amendatory thereof, and regulating the procedure therein.

Bill read second time, and ordered to third reading.

Senate Bill No. 1662—An act to amend Sections 7580 and 7581 of the Business and Professions Code, relating to a schedule of license fees for private investigators and adjusters and creating a Private Investigator and Adjuster Fund.

Bill read second time, and ordered to third reading.

Senate Bill No. 353—An act to authorize the exchange by the State Park Commission of lands in Del Norte County deeded to the State

in addition to Mill Creek State Park for lands along Smith River adjacent to existing state park.

Bill read second time, and ordered to third reading.

Senate Bill No. 28—An act to add Sections 14152, 14152.1, 14152.2, 14152.3, 14152.4, 14153, 14153.1, 14154, 14154.1, 14155, and 14156 to, and repeal Sections 14152, 14153, 14154, 14155, and 14156 of the Health and Safety Code, relating to fire protection districts, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Senate on May 7, 1951, strike out "first day of July", and insert "fifteenth day of June"

Amendment No. 2

On page 1, line 12, of said bill, strike out "first day of July", and insert "fifteenth day of June".

Amendment No. 3

On page 2, line 1, of said bill, strike out "30 days", and insert "one month".

Amendment No. 4

On page 2, line 9, of said bill, after "meeting", insert a comma.

Amendment No. 5

On page 2 of said bill, strike out all of lines 34 to 36, inclusive, and insert "in number of the assessees of real property representing one-half or more of the assessed valuation of the taxable real property within".

Amendment No. 6

On page 2, line 49, of said bill, after the period, insert "All laws applicable to the levy, collection and enforcement of county taxes are applicable to such taxes."

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1563—An act to provide for the placing in civil service of employees of certain local agencies.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on April 30, 1951, strike out "provide for", and insert "add Article 4 to Chapter 2, Part 1, Division 2, Title 5 of the Government Code, relating to".

Amendment No. 2

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Article 4 is added to Chapter 2, Part 1, Division 2, Title 5 of the Government Code, to read:

Article 4. Civil Service

53280. Employees of a district, authority, or other local agency not presently incorporated into civil service may be joined in the civil service system of the county, or city and county if the agency is wholly within its boundaries, or the city in which such local agency is situated if it is wholly within a city. Such employees may be

so joined by ordinance enacted by majority vote of the board of supervisors, city council or other legislative body of the county, city and county, or city to whose civil service system the employees may be joined."

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 16, inclusive, and insert

"Such ordinance must provide that all employees joined pursuant thereto, shall be subject to any charter or ordinance provisions pertaining to civil service and to all the rules and regulations of the civil service commission of the county, city and county or city."

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1659—An act to amend Sections 7524, 7525, 7526, 7528, 7551, 7552, and 7553 of the Business and Professions Code, relating to the regulation, registration, and licensing of private investigators and adjusters.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Senate on April 9, 1951, after "of", insert ", and to add Section 7530.5 to,"

Amendment No. 2

On page 2, line 31, of said bill, after "(h)", insert "Knowingly".

Amendment No. 3

On page 3 of said bill, after line 30, insert

"SEC. 8. Section 7530.5 is added to said code to read

7530.5. Where a hearing is held under this chapter to determine whether an application for a license should be granted or to determine the qualifications of a licensee's manager, the proceedings shall be conducted in accordance with Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code, and the director shall have all of the powers granted therein."

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1660—An act to amend Sections 7500, 7503, 7504, 7510, 7514, 7520, 7529, 7533, 7534, 7536, 7538, 7541, 7543, 7545, and to repeal Sections 7506, 7529.5, 7530, 7537, and 7567 of, and to add Section 7530 to, the Business and Professions Code, relating to the regulation of licensees of the Bureau of Private Investigators and Adjusters.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 4 of the printed bill, as amended in the Senate on April 9, 1951, after line 18, insert

"SEC. 17. This act shall not be construed to interfere with the right of any person to continue to use the business name under which such person was validly licensed on the effective date of this act."

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1661—An act to amend Section 7521 and 7522 of the Business and Professions Code, relating to private investigators and adjusters.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 2, lines 10 and 11, of the printed bill, strike out ", settling, resisting, enforcing".

Amendment No. 2

On page 2 of said bill, after line 51, insert

"(h) Admitted insurers and agents and insurance brokers licensed by the State, performing duties in connection with insurance transacted by them"

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 435—An act to amend Section 4127 of, and to add Section 4128 to, the Public Resources Code, relating to the closure to entry of lands during the existence of an extreme fire hazard emergency.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 1, line 20, of the printed bill, as amended in the Senate on April 12, 1951, before "use", insert "unrestricted".

Amendment No. 2

On page 1 of said bill, strike out lines 21 and 22, and insert "of any grass, grain,".

Amendment No. 3

On page 2 of said bill, strike out lines 2 and 3, and insert

"Such lands, the Governor through the Director of Natural Resources, may, by proclamation, declare such condition".

Amendment No. 4

On page 2 of said bill, strike out lines 6 to 15, inclusive, and insert "area shall be closed to hunting and fishing and to entry by any person other than one of the following classes.

(a) Owners and lessees of land in the area.

(b) Bona fide residents in the area.

(c) Persons engaged in some bona fide business, trade, occupation, or calling in the area and persons employed by them in connection with such business, trade, occupation, or calling.

(d) Authorized agents or employees of a public utility entering such area for the purpose of operating or maintaining public utility works or equipment within the area.

(e) Members of any organized fire fighting force.

(f) Any federal, state or local officer in the performance of his duties.

(g) Persons traveling on public roads or highways through the area."

Amendment No. 5

On page 2 of said bill, strike out lines 16 to 31, inclusive, and insert

"The proclamation by the Governor shall be released to the wire news services in the State, and shall be published at least once in a newspaper of general circulation in each county containing any lands covered by the proclamation, and a notice of closure shall be posted on trails or roads entering the area covered by the proclamation. The closure shall be effective upon issuance of the proclamation by the Governor. Each notice shall clearly set forth the area to be subject to closure and the effective date of such closure. The closure shall remain in full force and effect until the Governor shall

by order terminate the same. The notice of such termination shall follow the same procedure by which such closure was effected The order of termination shall be effected upon issuance."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 465—An act to amend Chapter 8 of Division 10 of the Education Code, relating to establishing 24-hour schools to be known as California academies for dependent, neglected, and homeless children who require special care and supervision, and providing for the government and administration thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 6 of the printed bill, as amended in the Senate on May 4, 1951, strike out lines 14 to 16, inclusive, and insert "amounts as payments made by the county pursuant to county ordinance or regulation or any amendment thereto which relates to the payment by the county for boarding children in boarding homes, camps or foster homes and which is in effect when the payments required by this section are made by the county."

Amendment read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Education.

Senate Bill No. 1085—An act to amend Sections 65131 and 65270 of the Government Code, relating to conservation and planning.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on April 26, 1951, after "to", insert "add Section 65006 to, and to".

Amendment No. 2

In line 1 of the title of said bill, strike out "Sections 65131 and 65270", and insert "Section 65131".

Amendment No. 3

On page 1 of said bill, strike out all of lines 17 to 24, inclusive, and insert

"SEC. 2. Section 65006 is added to said code to read:

65006 This chapter is a continuation of the Conservation and Planning Act and any acts lawfully performed pursuant to such act or its predecessors, including but not limited to the adoption of master and official or precise plans and the creation of planning commissions, are continued in effect and deemed to fulfill the requirements of this chapter."

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

ANNOUNCEMENT

Speaker Sam L Collins announced that a new sex crime has stressed the necessity for every legislative safeguard and for a further full investigation of sex crime problems by the Legislature. He also announced

that he recently requested an opinion from every district attorney in the State of how best to approach this serious problem; and asked for, and was granted, unanimous consent that the following telegrams and letter be ordered printed in the Journal, in 10 point type, as follows:

WEAVERVILLE, CALIFORNIA, May 24, 1951

Sam L. Collins, Speaker
California Assembly, Sacramento

Longer sentences with less chances for parole.

STENNETT M. SHEPPARD, District Attorney

SACRAMENTO, CALIFORNIA, May 24, 1951

Sam L. Collins, Speaker
California Assembly
State Capitol, Sacramento, California

Present laws for punishment of sex offender are adequate if strictly applied and enforced.

J. FRANCIS O'SHEA, District Attorney

SAN RAFAEL, CALIFORNIA, May 24, 1951

Sam L Collins, Speaker
California Assembly
State Capitol, Sacramento, California

No particular recommendation to strengthen laws for punishment for sex offenders. Commend Legislature for action in securing further medical data concerning prevention and treatment.

R. M. SIMS, JR., District Attorney

EL CENTRO, CALIFORNIA, May 24, 1951

Hon. Sam L. Collins
Speaker of California
Assembly, Sacramento, California

I believe sex offenders are rarely rehabilitated either by jail or prison sentences or probation or parole because such persons are either subnormal mentally or senile or abnormal sexually, and it seems more of a medical problem with possible surgical operations indicated as a solution. We have several times committed men of varying ages to jail or prison and, after either short or long terms, they returned and performed same or similar sexual offenses. My recommendations for penalties are much tighter restrictions on probation and parole with surgical operations where recommended by a medical board. Also death penalty for second offenders when minors under 14 are victims. Senile defendants should get life without parole. These suggestions based on long experience as prosecutor and our belief that sex offenders should be permanently removed from society. I would be glad to furnish you digests of some of our recent cases in support of the ideas set forth.

DON C. BITLER, District Attorney
Imperial County

INDEPENDENCE, CALIFORNIA, May 24, 1951

Hon. Sam L. Collins, Speaker
California Assembly, State Capitol Building
Sacramento, California

Re your telegram, I believe as to sex offenders that enforcement of present law is all that is necessary.

JOHN P. McMURRAY
District Attorney, Inyo County

BRIDGEPORT, CALIFORNIA, May 24, 1951

Sam L. Collins, Speaker of the Assembly
State Capitol, Sacramento, California

Believe committee comprised of law enforcement and science should analyze sex offenses. Seriousness and complexity of problem defy hasty and unscientific solution.

VERNE SUMMERS
District Attorney, Mono County

UKIAH, CALIFORNIA, May 24, 1951

Sam L. Collins, Speaker California Assembly
State Capitol, Sacramento, California

Believe that present laws regarding sex offenders are adequate, excepting Section 5501, Welfare and Institutions Code should be amended to permit charge of sexual psychopathy before adjudication on other criminal charge.

JAMES E. BUSCH
District Attorney
Mendocino County

SALINAS, CALIFORNIA, May 24, 1951

Sam L. Collins, Speaker
California Assembly
State Capitol, Sacramento, California

Believe present laws regarding sex offenders adequate as to punishment if judicious use of kidnapping statutes is made.

BURR SCOTT, District Attorney
Monterey County, Salinas

SANTA ANA, CALIFORNIA, May 24, 1951

Hon. Sam L. Collins
Speaker, California Assembly
State Capitol, Sacramento, California

Telegram May 23rd received. My belief laws for punishment of sex offenders are now sufficient. Under Section 288 Penal Code, sex offenders may be given life imprisonment. What California needs is jurors with sufficient courage and backbone to enforce our present sex laws when violations are presented to them.

JAMES L. DAVIS
District Attorney of Orange County

AUBURN, CALIFORNIA, May 24, 1951

Sam L. Collins, Speaker
California Assembly
State Capitol, Sacramento, California

Re telegram 23-5-51 sex offenders. It has been the experience of this office in the prosecution of sex crimes that by far the greater majority involved are second or more offenders, and it is strictly believed that the minimum sentences should be sufficiently increased so that first offenders are not released on society until it is absolutely assured that they are either cured or will no longer be a menace thereto. In addition, after release on a parole or otherwise, they should be placed on absolute and strict supervision for such an additional period as to assure their adjustment to society, and assure that any propensities toward the commission of sex offenses are not revived.

AL B. BROYER
District Attorney, Placer County

YREKA, CALIFORNIA, May 24, 1951

Sam L. Collins
Speaker of California Assembly
State Capitol, Sacramento, California

Suggest serious sex offenders be punished as other criminals. Separate confinement, no benefit of parole.

FLOYD MERRILL
District Attorney, Siskiyou County

SAN FRANCISCO, CALIFORNIA, May 24, 1951

Sam L. Collins, Speaker
California Assembly
State Capitol, Sacramento, California

I am in favor of strengthening laws for punishment of sex offenders in some instances. Frank Coakley, District Attorney Alameda, Chairman of District Attorneys Legislative Committee, is familiar with feelings of district attorneys generally and will communicate with you directly Suggest you contact him or Allen Lindsay, legislative representative, Sacramento.

THOMAS C LYNCH, District Attorney

SAN JOSE, CALIFORNIA, May 24, 1951

Sam L. Collins, Speaker
California Assembly
State Capitol, Sacramento, California

Same as California Peace Officers and District Attorneys Association.

N. J. MENARD, District Attorney

OROVILLE, CALIFORNIA, May 24, 1951

Sam L. Collins
Speaker California Assembly
State Capitol, Sacramento, California

Strongly recommend strengthen laws for punishment sex offenders, especially procedures in Welfare and Institutions Code for sexual psycopaths.

RAYMOND A. LEONARD
District Attorney, Butte County

HANFORD, CALIFORNIA, May 24, 1951

Honorable Sam L. Collins, Speaker
State Assembly, State Capitol
Sacramento, California

Recommend violation Penal Code Section 290 (registration of sex offenders) be made felony; add Section 311a to Penal Code to provide:

Every person who wilfully and lewdly exposes his person or private parts thereof to a child under the age of 14 years shall be guilty of a felony

A. HUGO PEARSON
District Attorney, Kings County

VENTURA, CALIFORNIA, May 24, 1951

Sam L. Collins
State Capitol, Sacramento, California

I believe that there would be less concern about punishment of sex offenders if persons with such tendencies were confined in institutions and treated as medical and psychological cases upon first detection of symptoms regardless of how minor or insignificant first act may seem. Legislature should recognize that persons who are mentally ill, mentally deficient, alcoholics, narcotic victims, and sex offenders, should be isolated and treated for physical and mental condition rather than for some particular act committed by them. Commitment and length of confinement should not depend on severity of act which brought the condition to attention. Institutionalization of all such persons should be by court on expert testimony with no jury trial allowed. Confinement should be indefinite with power of discharge or parole in hands of competent medical authorities. That plan would remove a potentially dangerous sex offender before his condition gets so bad that he commits a violent crime arousing public opinion. Even maximum punishment then comes too late.

ROY A. GUSTAFSON
District Attorney, Ventura County

MODESTO, CALIFORNIA, May 24, 1951

Sam L. Collins, Speaker
California Assembly
State Capitol, Sacramento, California

Re your telegram re sex offenders. Believe present punishment adequate if laws enforced. Biggest problem in this type of offense is to overcome reluctance of victims and parents of victims to prosecute. This due

to publicity and possibility of public trial. Realize serious constitutional questions involved in any law or procedure remedying this, but would have extremely beneficial results.

T. W. MARTZ
District Attorney, Stanislaus County

RIVERSIDE, CALIFORNIA, May 24, 1951

Sam L. Collins
State Capitol, Sacramento, California

Replying to your wire re sex offenders, punishment should be one year to life. Probation and suspended sentences prohibited. Failure on part of any peace officer or any other person to file charge involving sex offense made a crime, as well as filing reduced charge. No person should be released on parole after conviction of a sex crime offense without proof from three physchiatrists all concurring that prisoner no longer inclined toward sex offenses. Another method is to provide for separate institutions for sex offenders staffed with trained psychiatrists who would not be authorized to grant releases or paroles unless cure effected, and a requirement that all sex offenders either misdemeanants or felons be committed thereto. Do away with present red tape on court procedure.

WILLIAM O. MACKEY
District Attorney, Riverside County

SAN LUIS OBISPO, CALIFORNIA, May 24, 1951

Sam L. Collins, Speaker
California Assembly
State Capitol, Sacramento, California

Received your wire May 23d. Suggest eliminate parole for sex offenders.

L. E. SOMOGYI, Assistant District Attorney

LOS ANGELES, CALIFORNIA, May 24, 1951

Sam L. Collins, Speaker
California Assembly
State Capitol, Sacramento

Recommendations strengthening law re sex offenders. Amend Section 209, Penal Code, to include forcible rape and violation of Section 288 P.C. Also recommend amending Section 5047 Welfare and Institutions Code so as to permit a verified petition to be filed against sexual psychopathics as defined by Section 5500 same code, and thus subject these individuals to commitment to appropriate institution and treatment as in mental cases Recommend amending 5501 same code so as to eliminate condition that a sexual psychopath must first be convicted of a criminal offense before proceedings can be initiated. Provide foregoing suggested amendment should not be made available to the sexual psychopath as a substitute for or a means of avoiding any prosecution on any applicable criminal statute Air mail letter follows.

S. ERNEST ROLL, District Attorney

COUNTY OF LOS ANGELES
OFFICE OF THE DISTRICT ATTORNEY
HALL OF JUSTICE, LOS ANGELES, May 24, 1951

Hon Sam L. Collins, Speaker
California Assembly
State Capitol, Sacramento, California

DEAR SAM: Further answering your telegram as of today concerning proposed legislation for the strengthening of sex laws, may I suggest the following for your consideration:

1. Amend Section 209 of the Penal Code to include in addition to the matters therein contained, kidnapping for the purpose of forcible rape and kidnapping for the purpose of violation of Section 288 of the Penal Code.

I have discussed these proposals with other men in our office and with Superior Court Judge Charles Fricke, and they all concur in these suggestions.

2. Amend Section 5047, Welfare and Institutions Code, and other applicable sections, so as to permit a verified petition to be filed against sexual psychopaths as defined by Section 5500 of the same code, and thus subject these individuals to commitment to appropriate institutions and treatment as in mental cases.

3. Amend Section 5501 of the Welfare and Institutions Code so as to eliminate the condition that a sexual psychopath must first be convicted of a criminal offense before proceedings can be initiated to have the individual adjudicated a sexual psychopath.

4. Provide that the foregoing suggested amendments should not be made available to the sexual psychopath as a substitute for or a means of avoiding any prosecution on any applicable criminal statute, but the procedure should be used only in those cases where either no criminal offense or only minor criminal offenses have been committed The purpose of these amendments should be limited to procedure against sexual psychopaths and their commitment as such before they become involved in serious sexual offenses, the idea being to treat these individuals as mentally ill persons and prevent them from injuring themselves or others because of their tendencies.

There are several reasons for the suggested amendments as mentioned in 2, 3, and 4, and among them you may consider the following:

When a man is insane to the extent that he is a menace to the safety of others, there are procedures to remove him from society until he is determined to be no longer a menace. Certainly we should have a law whereby a person who is perpetually a menace to little children could be removed from society for so long a time as he is a danger to them. The present sexual psychopath act cannot be invoked until an offender has been convicted of a moral offense That can be too late. In quite a few cases a child-molester can appear to be non-violent for many years, and then suddenly turn into a killer when his victim offers resistance.

5. Recommend amending 647a subsection 1 of the Penal Code to increase the age limit to 18. 647a seriously limits the child molestation cases. Insofar as molestation is concerned, it is now an offense to molest youngsters only under the age of 14, and provides no protection at all

under this provision for youngsters 14 and over Serious consideration should be given to raising the age limit to 18 under this section.

Sincerely yours,

S. ERNEST ROLL
District Attorney

Above subject matter ordered referred to the Subcommittee to Investigate Sex Crimes, a subcommittee of the Interim Committee on Judicial System and Judicial Process. Members: Messrs. Brown, Beck, Rosenthal, and Smith.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1126—An act to amend Sections 1 and 3 of an act entitled "An act relating to fees to be paid to the Railroad Commission by railroad corporations, express corporations, freight forwarders, persons, or corporations operating vessels, and persons or corporations owning or operating motor vehicles in the transportation of property for hire upon the public highways under the jurisdiction of the Railroad Commission of the State of California, providing for the collection thereof by the Railroad Commission, and providing penalties for the violation of this act," approved July 16, 1935, relating to fees payable by such persons and corporations for deposit in the Railroad Commission Transportation Rate Fund.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1126?

Amendment No. 1

In line 1 of the title of the printed bill, after "amend", insert "Sections 5004 and 5005 of the Public Utilities Code, and".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 2 of said bill, after line 45, insert

"SEC. 3. Section 5004 of the Public Utilities Code is amended to read:

5004. [A fee of three dollars ($3) shall be paid to the commission for filing each application for an operating permit under the Highway Carriers' Act or City Carriers' Act Each permittee shall also pay to the commission, on or before the first day of January of each year, a fee of one dollar ($1) for the re-registration of his permit.]

The following fees shall be paid to the commission, pursuant to permits issued under the Highway Carriers' Act and the City Carriers' Act.

Fifty dollars ($50) for filing each application for a permit.

Twenty-five dollars ($25) for filing each application to sell, mortgage, lease, assign, transfer, or otherwise encumber any permit.

SEC. 4 Section 5005 of said code is amended to read:

5005. All fees collected under this chapter *and all fees collected for the filing of applications pursuant to Sections 1010, 1063, and 1064* shall be deposited at least once a month in the State Treasury to the credit of the Transportation Rate Fund, which is continued in existence. The money in the fund shall be in augmentation of the current appropriation for the support of the commission, and shall be expended by the commission for the purpose of administering and enforcing the Highway Carriers' Act, the City Carriers' Act, the Motor Transportation Brokers Act, and also for the purpose of administering and enforcing those provisions of Part 1 of Division 1 and

other acts conferring upon the commission jurisdiction over the rates, charges, and classifications, and the rules and practices relating thereto, of carriers of property for compensation.

SEC. 5 Sections 3 and 4 of this act become operative only if Division 2 of the Public Utilities Code is enacted by the Legislature at its 1951 Regular Session, and in such case at the same time as said Division 2 takes effect, at which time Sections 1 and 2 of this act are repealed."

Amendment No. 3

On page 1, line 11, of the printed bill, as amended in the Senate on May 16, 1951, after "Act", insert ", "the "Household Goods Carriers Act,".

Amendment No. 4

On page 2 of said bill, as amended, strike out line 20, and insert "Act, Household Goods Carriers Act, and City Carriers' Act."

Amendment No. 5

On page 2, line 35, of said bill, as amended, after "Act," " insert "the "Household Goods Carriers Act,".

Amendment No. 6

On page 3, line 15, of said bill, as amended, after "Act," insert "the Household Goods Carriers Act,".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1126 by the following vote:

AYES—Beck, Berry, Brady, Brown, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Smith, Stewart, Tomlinson, Waters, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 1126 ordered enrolled

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Constitutional Amendment No. 52, on request of Mr. Elliott.

MOTION THAT ASSEMBLY BILL NO. 3435 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Dunn moved that Assembly Bill No 3435 be withdrawn from the Committee on Agriculture, and be re-referred to the Committee on Industrial Relations.

Mr. Condon seconded the motion.

Roll Call Demanded

Messrs Dunn, Lowrey, and Condon demanded a roll call.

The roll was called.

Motion for Call of the Assembly

Pending the announcement of the vote, Mr. Lowrey moved a call of the Assembly.

Roll Call Demanded

Messrs. Sherwin, Gaffney, and Lowrey demanded a roll call.

The roll was called, and the motion for a call of the Assembly lost by the following vote:

AYES—Babbage, Beck, Burke, Clarke, Cloyed, Conrad, Davis, Grant, Hagen, Hansen, Kelly, Klocksiem, Levering, Lindsay, Lipscomb, Lowrey, Lyon, McCarthy, Porter, Rosenthal, Sherwin, Smith, Stewart, and Tomlinson—24.

NOES—Berry, Brady, Burkhalter, George D Collins, Condon, Cooke, Dickey, Dolwig, Doyle, Dunn, Elliott, Evans, Gaffney, Geddes, Hahn, Henderson, Hollibaugh, Kilpatrick, Luckel, Meyers, Morris, Munnell, Niehouse, Parker, Rumford, and Shaw—26

The vote was announced, and the motion by Mr. Dunn carried by the following vote:

AYES—Beck, Berry, Brady, Burkhalter, Caldecott, Coats, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, and Waters—42

NOES—Babbage, Burke, Clarke, Cloyed, Grant, Hagen, Hansen, Kirkwood, Klocksiem, Levering, Lindsay, Lowrey, Lyon, McCollister, McFall, Porter, Sherwin, Smith, Stewart, and Tomlinson—20.

Notice of Motion to Reconsider Vote on Withdrawal and Re-reference of Assembly Bill No. 3435

Mr. Lowrey gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 3435 was this day withdrawn from committee and re-referred.

Motion That Notice of Motion to Reconsider Withdrawal and Re-reference of Assembly Bill No. 3435 Be Taken Up, at This Time

Mr. Dunn moved that the notice of motion by Mr. Lowrey to reconsider the vote whereby the Assembly, on this day, withdrew Assembly Bill No. 3435 from committee and re-referred it be taken up, at this time.

Notice of Motion to Reconsider Withdrawn

Mr. Lowrey withdrew his notice of motion to reconsider the vote whereby Assembly Bill No. 3435 was withdrawn from committee and re-referred.

Point of Order

Mr. Beck arose to the following point of order: That Mr. Lowrey had no right to withdraw his notice of motion without the consent of the House.

Ruling by Speaker

Speaker Sam L. Collins ruled that, as there was no objection at the time Mr. Lowrey withdrew his notice of motion and it became the property of the House, the point of order is not well taken.

Notice of Motion to Reconsider Vote on Withdrawal and Re-reference of Assembly Bill No. 3435

Mr. Beck gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 3435 was this day withdrawn from committee and re-referred.

Ruling by Speaker

Speaker Sam L. Collins ruled the above motion not in order, at this time

Assembly Bill No. 3435 ordered withdrawn from the Committee on Agriculture, and re-referred to the Committee on Industrial Relations.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:
Assembly Bill No. 50
Assembly Bill No. 2484

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:
Assembly Bill No. 2864

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SHERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:
Assembly Bill No 233

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bill ordered to second reading.

Committee on Industrial Relations

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR SPEAKER: Your Committee on Industrial Relations, to which was referred:
Assembly Bill No. 798

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee

LEVERING, Chairman

Above reported bill ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Industrial Relations, to which were referred:
Assembly Bill No 2905
Senate Bill No. 1212

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

LEVERING, Chairman

Above reported bills ordered to second reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER. Your Committee on Revenue and Taxation, to which was referred
Assembly Bill No. 892

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

Committee on Industrial Relations

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Industrial Relations, to which was referred:
Assembly Bill No 2737

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

LEVERING, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 302—An act to amend Section 261b, as added by Chapter 1031 of the Statutes of 1943, of, and to add Section 261h to, the Code of Civil Procedure, relating to shorthand reporters.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Lyon moved a call of the Assembly.

Motion carried. Time, 10 35 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Babbage, Brady, Brown, Condon, Connolly, Cooke, Crowley, Grant, Henderson, Levering, Lipscomb, Rumford, Smith, Thomas, and Tomlinson—15

PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Lipscomb asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Constitutional Amendment No. 61: By Mr. Rumford—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 22b to Article IV thereof, relating to the extension of retirement rights and benefits to former Members of the Senate or of the Assembly.

Referred to Committee on Constitutional Amendments.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 550

Mr. Stewart asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 550, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 550—An act to amend Section 194 of the Streets and Highways Code and to amend Section 11005 of the Revenue and Taxation Code, relating to the population of cities.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 550?

Amendment No. 1

On page 2, line 26, of the printed bill, strike out "department", and insert "Controller".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 550 by the following vote:

AYES—Babbage, Beck, Berry, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Nicholson, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stewart, Tomlinson, Waters, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 550 ordered enrolled

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2923

Mr. Morris asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2923, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2923—An act regulating the use of public highways for commercial purposes for the transportation of property for compensation; defining household goods carriers and permitting them to operate subject to regulation as provided herein; specifying the powers of the Public Utilities Commission; prescribing penalties for violations of this act; and repealing parts of acts inconsistent herewith.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2923?

Amendment No. 1

In line 4 of the title of the printed bill, as amended in the Assembly on April 25, 1951, after "operate", insert "as such in this State".

Amendment No. 2

In line 7 of the title of said bill, as amended, after "herewith", insert "; and adding Chapter 7, comprising Sections 5101 to 5319, inclusive, to Division 2 of the Public Utilities Code; all relating to household goods carriers".

Amendment No. 3

On page 2, line 19, of said bill, as amended, strike out "operating within this State,"; and strike out all of lines 20 and 21, and insert "engaged in transportation for compensation or hire as a business by means of a motor vehicle or motor vehicles in the transportation of used".

Amendment No. 4

On page 2, lines 35 and 36, of said bill, as amended, strike out "and operation of household goods carriers", and insert "of the transportation of used uncrated household goods and personal effects, office, store, and institution furniture and fixtures exclusively over any public highway in the State",

Amendment No. 5

On page 2 of said bill, as amended, strike out line 41, and insert "such business for compensa-".

Amendment No. 6

On page 2 of said bill, as amended, between lines 45 and 46, insert

"(b) Each household goods carrier shall display on each vehicle operated by it an identification symbol in such form and in accordance with such rules and regulations as the commission may prescribe."

Amendment No. 7

On page 2 of said bill, as amended, strike out lines 46 to 52, inclusive, and on page 3, strike out all of lines 1 to 9, inclusive.

Amendment No. 8

On page 3 of said bill, as amended, strike out lines 17 to 24, inclusive, and insert

"(b) Any person or corporation who was engaged in the business of transporting used uncrated household goods and personal effects, office, store, and institution furniture and fixtures over any public highway in this State for compensation on the effective date of this section and thereafter may file with the commission prior to January 1, 1952, an application for a permit as provided in Section 9. The commision shall upon satisfactory proof of such operation issue such permit authorizing operation within the area requested in the application without further proceedings Between the effective date hereof and the final determination of any such application the continuance of such operations shall be lawful."

Amendment No. 9

On page 3 of said bill, as amended, strike out line 38; and in line 39, strike out "tion 8," and insert "this act".

Amendment No. 10

On page 3 of said bill, as amended, strike out line 41, and insert "twenty-five dollars ($25)."

Amendment No. 11

On page 4, line 4, of said bill, as amended, strike out "five thousand dollars ($5,000)", and insert "ten thousand dollars ($10,000)".

Amendment No. 12

On page 4 of said bill, as amended, between lines 6 and 7, insert

"The commission may, upon its own motion or upon the application of any interested party, and after hearing, require any household goods carrier to procure and maintain cargo insurance in such amounts and upon such terms as the commission may determine"

Amendment No. 13

On page 4 of said bill, as amended, strike out line 8; and in line 9, strike out "(a) By", and insert "denied by".

Amendment No. 14

On page 4 of said bill, as amended, strike out line 11, and insert

"(1) Of a policy or policies of".

Amendment No. 15

On page 4, line 15, of said bill, as amended, strike out "; or", and insert a period.

Amendment No. 16

On page 4 of said bill, as amended, strike out lines 16 to 27, inclusive.

Amendment No. 16a

On page 4, line 36, of said bill, as amended, strike out the comma, and insert "or".

Amendment No. 16b

On page 4, line 37, of said bill, as amended, strike out "or personal bond".

Amendment No. 17

On page 4, line 45, of said bill, as amended, after "property", insert "subject to this act".

Amendment No. 18

On page 4, line 46, of said bill, as amended, strike out "by it", and insert "in connection therewith".

Amendment No. 19

On page 5, line 20, of said bill, as amended, after "property", insert "subject to this act".

Amendment No. 20

On page 6, line 2, of said bill, as amended, after "property", insert "subject to this act".

Amendment No. 21

On page 6, line 3, of said bill, as amended, after "property", insert "subject to this act".

Amendment No. 22

On page 9 of said bill, as amended, strike out lines 20 to 31, inclusive, and insert "SEC. 19. (a) A permit shall remain in effect until suspended or terminated as herein provided, provided, however, that any permit not exercised for a period of six (6) months shall lapse and terminate. No permit hereunder shall be sold, leased, assigned or otherwise transferred or encumbered by the holder thereof without first having secured from the commission an order authorizing the same. Any such sale, lease, assignment, transfer or encumbrance made otherwise than in accordance with the order of the commission authorizing the same shall be void."

Amendment No. 23

On page 10, line 14, of said bill, as amended, strike out "shall", and insert "may".

Amendment No. 24

On page 10, lines 42 and 43, of said bill, as amended, strike out ", subject to the provisions of the Public Utilities Act,".

Amendment No. 25

On page 12 of said bill, as amended, after line 40, insert

"SEC. 25. Chapter 7, comprising Sections 5101 to 5319, inclusive, is added to Division 2 of the Public Utilities Code, to read

CHAPTER 7 HOUSEHOLD GOODS CARRIERS

Article 1. General Provisions and Definitions

5101. This chapter may be cited as the "Household Goods Carriers Act."

5102. The use of the public highways for the transportation of property for compensation is a business affected with a public interest. It is the purpose of this chapter to preserve for the public the full benefit and use of public highways consistent with the needs of commerce without unnecessary congestion or wear and tear upon such highways; to secure to the people just and reasonable rates for transportation by carriers operating upon such highways; and to secure full and unrestricted flow of traffic by motor carriers over such highways which will adequately meet reasonable public demands by providing for the regulation of rates of all transportation agencies so that adequate and dependable service by all necessary transportation agencies shall be maintained and the full use of the highways preserved to the public.

5103. Unless the context otherwise requires, the definitions and general provisions set forth in this article govern the construction of this chapter.

5104. In construing and enforcing the provisions of this chapter relating to penalties, the act, omission, or failure of any officer, agent, or employee of any person or corporation, acting within the scope of his official duties or employment, is the act, omission, or failure of the employing person or corporation.

5105. "Corporation" includes a corporation, a company, an association, and a joint stock association.

5106. "Person" includes an individual, a firm, or a copartnership.

5107. "Public highway" includes every public street, road or highway in this State.

5108. "Motor vehicle" means every motor truck, tractor, or other self-propelled vehicle used for transportation of property over the public highways, otherwise than upon fixed rails or tracks, and any trailer, semitrailer, dolly, or other vehicle drawn thereby.

5109. "Household goods carrier" includes every corporation or person, their lessees, trustees, receivers or trustees appointed by any court whatsoever, engaged in transportation for compensation or hire as a business by means of a motor vehicle or motor vehicles in the transportation of used uncrated household goods and personal effects, office, store, and institution furniture and fixtures over any public highway in this State.

5110. The provisions of this chapter do not apply to transportation service all of which is rendered in territory within the exterior boundaries of a city, or city and county including the area of any city situated wholly within such outside limits.

5111. This chapter shall not be construed as a regulation of commerce with foreign nations or among the several states, except insofar as such regulation is permitted under the provisions of the Constitution and the acts of the Congress of the United States.

5112. The regulation of the transportation of used uncrated household goods and personal effects, office, store, and institution furniture and fixtures over any public highway in this State shall be exclusively as provided in this chapter. Any provision of

the Public Utilities Act or the Highway Carriers Act in conflict with the provisions of this chapter is superseded and repealed.

5113. The transportation of used and uncrated household goods, personal effects, office, store, and institution furniture and fixtures in any truck or trailer for compensation over any public highway in this State is a highly specialized type of truck transportation. This chapter is enacted for the limited purpose of providing necessary regulation for this specialized type of truck transportation only, and is not to be construed for any purpose as a precedent for the extension of such regulation to any other type of truck transportation not presently so restricted

Article 2. Regulation of Household Goods Carriers

5131. No household goods carrier shall engage in such business for compensation by motor vehicle over any public highway in this State, except in accordance with the provisions of this chapter which is enacted under the power of the State to regulate the use of public highways.

5132. Each household goods carrier shall display on each vehicle operated by it an identification symbol in such form and in accordance with such rules and regulations as the commission may prescribe.

5133 Except as provided in Section 5133 5, no household goods carrier shall engage in the business of the transportation of used, uncrated household goods and personal effects, office, store, and institution furniture and fixtures for compensation, by motor vehicle over any public highway in this State, unless there is in force a permit issued by the commission authorizing such operations.

5133 5. Any person or corporation who was engaged in the business of transporting used uncrated household goods and personal effects, office, store, and institution furniture and fixtures over any public highway in this State for compensation on the effective date of this section and thereafter may file with the commission prior to January 1, 1952, an application for a permit as provided in Section 5134. The commission shall upon satisfactory proof of such operation issue such permit authorizing operation within the area requested in the application without further proceedings. Between the effective date hereof and the final determination of any such application the continuance of such operations shall be lawful

5134. Application for permits shall be in writing, verified under oath, and shall be in such form, contain such information, and be accompanied by proof of service upon such interested parties as the commission requires

5135. Except as provided in Section 5133.5, before a permit is hereafter issued the commission shall require the applicant to establish ability and reasonable financial responsibility to initiate the proposed operations. The commission may, with or without hearing, issue or refuse to issue the permit If the commission finds that the applicant possesses the ability and financial responsibility to initiate the proposed operations, it shall issue a permit as prayed for.

5136. Each application for issuance of a permit under this chapter shall be accompanied by a fee of fifty dollars ($50)

The filing fee for an application for transfer of a permit is twenty-five dollars ($25).

All fees paid to the commission under this chapter shall be deposited in the Transportation Rate Fund.

Article 3. Accident Liability Protection

5161 The commission shall, in granting permits pursuant to this chapter, require the household goods carrier to procure, and continue in effect during the life of the permit, adequate protection, against liability imposed by law upon the carrier for the payment of damages for personal bodily injuries, including death resulting therefrom, in the amount of not less than twenty-five thousand dollars ($25,000) on account of bodily injuries to, or death of, one person; and protection against a total liability of the household goods carrier on account of bodily injuries to, or death of, more than one person, as a result of any one accident, in the amount of not less than fifty thousand dollars ($50,000); and protection in an amount of not less than ten thousand dollars ($10,000) for one accident resulting in damage or destruction of property whether the property of one, or more than one claimant

The commission may, upon its own motion or upon the application of any interested party, and after hearing, require any household goods carrier to procure and maintain cargo insurance in such amounts and upon such terms as the commission may determine.

5162 The protection required under this article shall be evidenced by the deposit with the commission covering each vehicle used or to be used under the permit applied for.

(1) Of a policy or policies of insurance, issued by a company licensed to write such insurance in this State; or

(2) Of a bond of a surety company licensed to write surety bonds in the State

5163 With the consent of the commission a copy of an insurance policy, certified by the company issuing it to be a true copy of the original policy, or a photostatic copy therof, or an abstract of the provisions of the policy, or a certificate of insurance

issued by the company issuing the policy, may be filed with the commission in lieu of the original or a duplicate of counterpart of the policy.

5164. The protection against liability shall be continued in effect during the active life of the permit. The policy of insurance or surety bond shall not be cancelable on less than thirty (30) days written notice to the commission

5165. The commission may establish such rules as are necessary to enforce this article.

Article 4. Rates

5191. The commission shall, upon complaint or upon its own initiative without complaint, establish or approve just, reasonable, and nondiscriminatory maximum or minimum or maximum and minimum rates to be charged by any household goods carrier for the transportation of property subject to this chapter and for accessorial service performed in connection therewith.

In establishing or approving such rates the commission shall give due consideration to the cost of all of the transportation services performed, including length of haul, any additional transportation service performed, or to be performed, to, from, or beyond the regularly established termini of common carriers or of any accessorial service, the value of the commodity transported, and the value of the facility reasonably necessary to perform the transportation service.

5192. In the event the commission establishes minimum rates for transportation services by household goods carriers, the rates shall not exceed the current rates of common carriers by land subject to the Public Utilities Act for the transportation of the same kind of property between the same points

5193. It is unlawful for any household goods carrier to charge or collect any lesser rate than the minimum rate or greater rate than the maximum rate established by the commission under this chapter.

5194. The commission shall make such rules as are necessary to the application and enforcement of the rates established or approved pursuant to this chapter.

5195. If any household goods carrier desires to perform any transportation or accessorial service at a lesser rate than the minimum established rates, the commission shall, upon finding that the proposed rate is reasonable, authorize the lesser rate.

5196. No household goods carrier shall charge, demand, collect, or receive for the transportation of property subject to this chapter, or for any service in connection therewith, rates or charges less than the minimum rates and charges or greater than the maximum rates and charges applicable to such transportation established or approved by the commission; nor shall any such carrier directly or indirectly pay any commission or refund, or remit in any manner or by any device any portion of the rates or charges so specified, except upon authority of the commission

5197. No household goods carrier, or any officer, or agent thereof, or any person acting or employed by it, shall, by means of known false billing, classification, weight, weighing or report of weight, or by any other device, assist, suffer, or permit any corporation or person to obtain transportation for any property between points within this State at rates less than the minimum rates or more than the maximum rates than established or approved by the commission

5198. No person, corporation, or any officer, agent, or employee of a corporation shall, by means of false billing, false or incorrect classification, false weight or weighing, false representation as to the content or substance of a package, or false report or statement of weight, or by any other device of means, whether with or without the consent or connivance of a household goods carrier, or any of its officers, agents, or employees, seek to obtain or obtain transportation for property at less than the minimum rates or charges or more than the maximum rates or charges established or approved by the commission.

5199. No person or corporation, or any officer, agent, or employee of a corporation, shall knowingly, directly or indirectly by any false statement or representation as to cost or value or the nature or extent of damage, or by the use of any false billing, bill of lading, receipt, voucher, roll, account, claim, certificate, affidavit or deposition, or upon any false, fictitious, or fraudulent statement or entry, obtain or attempt to obtain any allowance, rebate, or payment for damage in connection with or growing out of the transportation of property subject to this chapter, or an agreement to transport property subject to this chapter, whether with or without the consent or connivance of a household goods carrier, or any of its officers, agents, or employees No household goods carrier or any of its officers, agents, or employees shall knowingly pay, or offer to pay any such allowance, rebate, or claim for damage.

Article 5. Reports, Records, and Inspections

5221. The commission may require annual, periodical, or specials reports to be filed by all household goods carriers, prescribe the manner and form in which reports shall be made, and may require specific answers to all questions upon which the commission deems information to be necessary The reports shall be under oath whenever the commission so requires.

5222. The commission may require any household goods carrier to file with it a true copy of any contract, agreement, or arrangement between the carrier and any other carrier in relation to any traffic affected by this chapter.

5223. The commission may prescribe the forms of any accounts, records, and memoranda, including those pertaining to the movement of traffic and the receipt or expenditure of money, to be kept by household goods carriers, and the length of time the accounts, records, and memoranda shall be preserved.

5224. Where the commission has prescribed the forms of accounts, records, and memoranda to be kept by household goods carriers for any of its business, it is unlawful for any household goods carrier to keep any accounts, records, or memoranda for such business other than those so prescribed or those prescribed by or under the authority of any other state or of the United States, excepting such accounts, records, or memoranda as are explanatory of and supplemental to the accounts, records, or memoranda prescribed by the commission.

5225. The commission or its authorized employees, representatives, or inspectors shall at all times have access to all lands, buildings, or equipment of household goods carriers used in connection with the operation of their business as such carriers in this State, and also all accounts, records, and memoranda, including all documents, books, papers, and correspondence kept or required to be kept by household goods carriers.

5226. The employees, representatives, and inspectors of the commission may, under its order or direction, inspect and examine any lands, buildings, equipment, accounts, books, records, and memoranda, including all documents, papers, and correspondence kept or required to be kept by household goods carriers.

5227. Sections 5221 to 5226, inclusive, shall, to the extent deemed necessary by the commission, apply to persons having control, direct or indirect, over or affiliated with any household goods carrier.

5228. Any employee of the commission who divulges any fact or information which comes to his knowledge during the course of the examination of the accounts, records, and memoranda of household goods carriers, except as he is authorized or directed by the commission or by a court of competent jurisdiction or judge thereof, is guilty of a misdemeanor and is punishable by a fine of not more than five hundred dollars ($500) or by imprisonment in the county jail for not more than three (3) months, or both.

Article 6. Proceedings

5251. Except as otherwise expressly provided, in all respects in which the commission has power and authority under the Constitution of this State or this chapter, applications and complaints may be made and filed with the commission, process issued, hearings held, opinions, orders, and decisions made and filed, petitions for rehearing filed and acted upon, and petitions for writs of review or mandate filed with the Supreme Court of this State, considered and disposed of by the Supreme Court, in regard to the matters provided for in this chapter, in the same manner, under the same conditions and subject to the same limitations, and with the same effect specified in the Public Utilities Act, so far as applicable.

5252. Service of all process and orders instituting investigation in all proceedings, complaints, investigations, or hearings brought or pending before the commission pursuant to this chapter, may be made upon any person upon whom a summons may be served, in accordance with the Code of Civil Procedure.

5253. Service of all process and orders, decisions and orders, orders and notices in all such proceedings, investigations, complaints and hearings may be made personally or by the deposit in the United States mail of a sealed envelope with postage prepaid, containing a true copy of the paper to be served and addressed to the person to be served at his last known address as shown by the records of the commission.

5254. Service by personal delivery is complete upon delivery to the person to be served of a true copy of the paper to be served. Service by mail is complete upon the expiration of four days after the deposit of the notice.

Proof of service may be made by the certificate of any officer or employee of the commission or the affidavit of any person over the age of 18 years, naming the person served and specifying the time, place, and manner of service.

5255. In all proceedings instituted by or pending before the commission pursuant to this chapter, the commission may from time to time make such interim, interlocutory, or other orders as it deems advisable. No such order shall operate as a final determination of the proceeding, and the commission may at any time thereafter make such further orders as it deems advisable with respect to the matters considered and determined in the order or to other matters involved in the proceeding.

5256. After the making of an interim, interlocutory, or other order, any party to the proceeding or any stockholder or bondholder or other party pecuniarily interested in the household goods carrier affected may file a petition for rehearing, within the time and for the reasons provided in Sections 1731 to 1736, inclusive, and the commission may act upon the petition within the time and in the manner provided therein.

5257. Any interim, interlocutory, or other order may be reviewed as provided in Sections 1756 to 1759, inclusive. Upon such review, only that portion of the record in the proceeding considered by the commission and upon which it acted in making the order sought to be reviewed, need be certified to and considered by the Supreme Court.

5258. No person shall be excused from attending and testifying or from producing any book, document, paper, or account in any investigation or inquiry by or hearing before the commission or any commissioner or examiner, or in obedience to the subpena of the commission, or in any cause or proceeding, criminal or otherwise, based upon or growing out of any alleged violation of any of the provisions of this chapter, when ordered to do so, upon the ground that the testimony or evidence, book, document, paper, or account required of him may tend to incriminate him or subject him to penalty or forfeiture, but no person shall be prosecuted, punished, or subjected to any penalty or forfeiture for or on account of any act, transaction, matter, or thing concerning which, under oath, he has testified or produced documentary evidence before the commission, or in obedience to its subpena, or in any such cause or proceeding. No person so testifying shall be exempt from prosecution or punishment for any perjury committed by him in his testimony.

5259. Whenever the commission is of the opinion that any household goods carrier is failing or omitting or about to fail or omit, to do anything required of it by law, or by any order, decision, rule, direction, or requirement of the commission, or is doing anything or about to do anything, or permitting anything or about to permit anything to be done, in violation of law or of any order, decision, rule, direction, or requirement of the commission, it may direct the attorney of the commission to commence an action or proceeding in the superior court in and for the county, or city and county, in which the cause or some part thereof arose, or in which the corporation complained of has its principal place of business, or in which the person complained of resides, for the purpose of having such violations or threatened violations stopped and prevented, either by mandamus or injunction. The attorney of the commission shall thereupon begin such action or proceeding in the name of the people of the State of California, by petition to such superior court, alleging the violation or threatened violation complained of and praying for appropriate relief by way of mandamus or injunction.

5260. Upon the filing of such a petition, the court shall specify a time, not exceeding 20 days after the service of the copy of the petition, within which the household goods carrier complained of shall answer the petition, and in the meantime the carrier may be restrained. In case of default in answer, or after answer, the court shall immediately inquire into the facts and circumstances of the case. Such corporations or persons as the court deems necessary or proper to be joined as parties, in order to make its judgment, order or writ effective, may be joined as parties. The final judgment in any such action or proceeding shall either dismiss the action or proceeding or direct that the writ of mandamus or injunction issue or be made permanent as prayed for in the petition, or in such modified or other form as will afford appropriate relief. An appeal may be taken to the Supreme Court from such final judgment in the same manner and with the same effect as appeals are taken from judgments of the superior court in other actions for mandamus or injunction.

Article 7. Suspension and Revocation of Permits

5281. The commission may, at the request of any household goods carrier, suspend the operating permit of the carrier for a definite time during which it is unlawful for the carrier to conduct any operations as a household goods carrier.

5282. Upon such suspension of a permit the commission shall thereupon require the removal from any vehicle operated thereunder and the surrender to the commission of any distinctive symbols or license plates which have been issued therefor.

5283. Upon the termination of the period of suspension the commission shall restore the permit and return to the carrier the distinctive symbols or license plates surrendered or issue such other symbols or license plates as are necessary.

5284. A permit shall remain in effect until suspended or terminated as provided in this chapter. Any permit not exercised for a period of six months shall lapse and terminate. No permit shall be sold, leased, assigned or otherwise transferred or encumbered by the holder thereof without first having secured from the commission an order authorizing the same. Any such sale, lease, assignment, transfer or encumbrance made otherwise than in accordance with the order of the commission authorizing the same shall be void.

5285. The commission may cancel, revoke, or suspend the operating permit or permits of any household goods carrier upon any of the following grounds:

(1) Any illegally conducted household goods carrier operations.

(2) The violation of any of the provisions of this chapter or of any operating permit issued thereunder.

(3) The violation of any order, decision, rule, regulation, direction, demand, or requirement, established by the commission pursuant to this chapter.

(4) The conviction of the household goods carrier of any misdemeanor under this chapter.

(5) The rendition of a judgment against the household goods carrier for any penalty imposed under this chapter.

(6) The failure of a household goods carrier to pay any fee imposed upon the carrier within the time required by law.

5286. After the cancellation or revocation of a permit or during the period of its suspension, it is unlawful for a household goods carrier to conduct any operations as such a carrier. The commission may either grant or deny an application for a new permit whenever it appears that a prior permit of the applicant has been canceled or revoked pursuant to Section 5285, or whenever it appears, after hearing, that as a prior permit holder, the applicant engaged in any of the unlawful activities set forth in Section 5285 for which his permit might have been canceled or revoked.

Article 8. Fines and Penalties

5311. Every household goods carrier and every officer, director, agent, or employee of any household goods carrier who violates or who fails to comply with, or who procures, aids, or abets any violation by any household goods carrier of any provision of this chapter, or who fails to obey, observe, or comply with any order, decision, rule, regulation, direction, demand, or requirement of the commission, or of any operating permit issued to any household goods carrier, or who procures, aids, or abets any household goods carrier in its failure to obey, observe, or comply with any such order, decision, rule, regulation, direction, demand, requirement, or operating permit, is guilty of a misdemeanor, and is punishable by fine of not more than five hundred dollars ($500) or by imprisonment in the county jail for not more than three months, or both.

5312. Every corporation or person other than a household goods carrier, who knowingly and wilfully, either individually, or acting as an officer, agent, or employee of a corporation, copartnership, or any other person other than a household goods carrier, violates any provision of this chapter or fails to observe, obey, or comply with any order, decision, rule, regulations, direction, demand, or requirement of the commission, or who procures, aids, or abets any household goods carrier in its violation of this chapter, or in its failure to obey, observe, or comply with any such order, decision, rule, regulation, direction, demand, or requirement, is guilty of a misdemeanor, and is punishable by a fine of not more than five hundred dollars ($500) or by imprisonment in the county jail for not more than three months, or both

5313. Every household goods carrier and every officer, director, agent, or employee of any household goods carrier who violates or who fails to comply with, or who procures, aids, or abets, any violation by any household goods carrier of any provision of this chapter, or who fails to obey, observe, or comply with any order, decision, rule, regulation, direction, demand, or requirement of the commission, or of any operating permit issued to any household goods carrier, or who procures, aids, or abets any household goods carrier in its failure to obey, observe, or comply with any such order, decision, rule, regulation, direction, demand, requirement, or operating permit is subject to a penalty of not more than five hundred dollars ($500) for each offense.

5314. Every corporation or person other than a household goods carrier who knowingly and wilfully, either individually, or acting as an officer, agent, or employee of a corporation, copartnership, or any other person other than a household goods carrier, violates any provision of this chapter or fails to observe, obey, or comply with any order, decision, rule, regulation, direction, demand, or requirement of the commission, or who procures, aids, or abets any household goods carrier in its violation of this chapter, or in its failure to obey, observe, or comply with any such order, decision, rule, regulation, direction, demand, or requirement, is subject to a penalty of not more than five hundred dollars ($500) for each offense.

5315. Every violation of the provisions of this chapter or of any order, decision, decree, rule, direction, demand, or requirement of the commission by any corporation or person is a separate and distinct offense, and in case of a continuing violation each day's continuance thereof is a separate and distinct offense.

5316 All penalties accruing under this chapter are cumulative, and a suit for the recovery of one penalty does not bar or affect the recovery of any other penalty or forfeiture or bar any criminal prosecution against any person or corporation, or any officer, director, agent or employee thereof, or any other corporation or person, or bar the exercise by the commission of its power to punish for contempt.

5317. Actions to recover penalties under this chapter shall be brought in the name of the people of the State of California, in the superior court of the county, or city and county, in which the cause or some part thereof arose, or in which the corporation complained of, if any, has its principal place of business, or in which the person, if any, complained of, resides. The action shall be commenced and prosecuted to final judgment by the attorney of the commission.

5318 In any such action, all penalties incurred up to the time of the commencement of the action may be sued for and recovered. In all such actions, the procedure and rules of evidence shall be the same as in ordinary civil actions.

5319. All penalties recovered by the State in any action pursuant to this chapter, together with the costs thereof, shall be paid into the State Treasury to the credit of the General Fund. Any such action may be compromised or discontinued on application of the commission upon such terms as the court approves and orders.

SEC. 26. Section 25 of this act becomes operative only if Division 2 of the Public Utilities Code is enacted by the Legislature at its 1951 Regular Session, and in such case at the same time as said Division 2 takes effect, at which time Sections 1 to 24, inclusive, of this act are repealed."

Amendment No. 26

On page 2, line 31, of the printed bill, as amended in the Senate on May 16, 1951, after "engaged", insert "exclusively".

Amendment No. 27

On page 2, line 49, of said bill, as amended, after "exclusively", insert a comma.

Amendment No. 28

On page 13, line 46, of said bill, as amended, after "engaged", insert "exclusively".

Amendment No. 29

On page 14, line 10, of said bill, as amended, after "fixtures", insert "exclusively,".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2923 by the following vote:

AYES—Beck, Berry, Brady, Burke, Burkhalter, Chapel, Cloyed, Collier, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Gaffney, Geddes, Grant, Gubser, Hahn, Hansen, Hawkins, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Lincoln, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Niehouse, Parker, Porter, Rumford, Tomlinson, and Waters—42

NOES—Coats, George D Collins, Conrad, Fleury, Hagen, Henderson, Lipscomb, McFall, Moss, Sherwin, and Smith—11.

Notice of Motion to Reconsider Concurrence in Senate Amendments to Assembly Bill No. 2923

Mr. Hagen gave notice that on the next legislative day he would move to reconsider the vote whereby Senate amendments to Assembly Bill No. 2923 were this day concurred in.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Lyon to reconsider the vote whereby Assembly Bill No. 3159 was passed, was continued until the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Constitutional Amendment No. 59—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by repealing Article XIX thereof, relating to Chinese.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stewart, Tomlinson, and Waters—64.

NOES—None

Resolution ordered transmitted to the Senate.

EXPLANATION OF ABSENCE

My absence from the Assembly Chamber this morning was due to my attendance before the Senate Committee on Elections commencing at 9 00 a.m

ARTHUR H. CONNOLLY, JR.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1248 HOLD PLACE ON FILE

Mr. Sam L. Collins asked for, and was granted, unanimous consent that Assembly Bill No. 1248 be passed on file, and hold its place on file on the next legislative day.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1954 HOLD PLACE ON FILE

Mr. Moss asked for, and was granted, unanimous consent that Assembly Bill No. 1954 be passed on file, and hold its place on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 206—An act to amend Section 420 of, and to add Section 429.6 to, the Fish and Game Code, relating to sporting fishing licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Berry, Brady, Burkhalter, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Gaffney, Geddes, Grant, Hahn, Hansen, Hawkins, Hollibaugh, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Niehouse, Parker, Porter, Rosenthal, Rumford, Stewart, and Tomlinson—44

NOES—Fleury, Hagen, Henderson, Hinckley, Kirkwood, Moss, Shaw, Waters, and Mr. Speaker—9

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1055

Mr. Coats asked for, and was granted, unanimous consent to take up Senate Bill No. 1055, out of order, for purpose of amendment

CONSIDERATION OF SENATE BILL NO. 1055

Senate Bill No. 1055—An act to add Section 6906 to the Education Code, relating to the crediting of average daily attendance to school districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Coats moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "the crediting of average daily attendance to".

Amendment No. 2

On page 1 of said bill, between lines 15 and 16, insert

"Notwithstanding anything in Chapter 15 of this division to the contrary, if average daily attendance of one school district, hereinafter referred to as the "original school district", is credited to a new school district under this section, the amounts allowed by the Superintendent of Public Instruction as state equalization aid to the original school district and to the new school district during the first fiscal year in which an apportionment is made to the new school district on account of such average daily attendance, shall be the amounts computed under this section. The Superintendent of Public Instruction shall divide the total amount of state equalization aid which would have been apportioned to the original school district during said fiscal year had this section not been in effect by the units of average daily attendance of the original school district for the preceding fiscal year prior to the crediting of any of such average daily

attendance to the new school district. He shall allow to the original school district as state equalization aid the amount computed by multiplying the resulting quotient by the units of average daily attendance of the district for the preceding fiscal year less the units credited to the new school district. He shall allow the new school district as state equalization aid the amount computed by multiplying the same quotient by the units of average daily attendance credited to the district under this section."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)

CONSIDERATION OF HOUSE RESOLUTION NO. 148

By Messrs. Beck, Hollibaugh, Rosenthal, Hinckley, Cooke, Shaw, Stanley, Babbage, Tomlinson, Luckel, and Kelly:

House Resolution No. 148

Relating to memorializing the Federal Government to locate regional mobilization offices at Los Angeles

WHEREAS, Optimum efficiency of any agency in constant contact with the population of several localities is attained only by location in the most populous locality, whether or not other areas are in that same jurisdiction; and

WHEREAS, The highest degree of autonomy for finality of decision consistent with national direction, furnished by a regional office, must exist at that location; and

WHEREAS, In the Western States, Los Angeles is the most populous area; the Southern California area contains 42 percent of the population, 46 percent of industrial production, and is performing 70 percent of the present war contracts of the three coastal states; and

WHEREAS, In World War II Los Angeles was the second largest war industry center in the Nation; its rate of increase has been the most phenomenal in the Nation; its retail demand is third nationally; and

WHEREAS, For Los Angeles the closest regional office administering the Defense Mobilization Program is 400 miles away; and

WHEREAS, Unnecessary expenditure of time and funds in travel and phone calls by private citizens and by the government, as in the last war, threatens to result again, unless such a regional office is located in Los Angeles; and

WHEREAS, Such inefficient extension of transportation and communication creates military vulnerability; and

WHEREAS, Regional offices could be established in Los Angeles at the present district offices with a modicum of expense to be saved by the elimination of a step in administration of the program for the most important area in the Western States; now, therefore, be it

Resolved by the Assembly of the State of California, That the President and Administrators of the Defense Mobilization Program be respectfully memorialized to establish a regional office in Los Angeles for the Southern California-Arizona region, and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to Honorable Harry S Truman, President of the United States, David Stow, Administrative Assistant to the President at the Old State Building, Oscar Chapman, Secretary of the Interior, Eric Johnston, Economic Stabilization Administrator, William H Harrison, Defense Production Administrator, Michael DiSalle, Director of Price Stabilization, Charles E Wilson, Director of Defense Mobilization, and Harry R Sheppard, M. C., Chairman, California Delegation, all in Washington, D. C.

Resolution read, and adopted unanimously.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1903—An act to amend Sections 2 and 8 of, and to add Section 4.1 to, an act entitled "An act to provide for the acquisition of temporary and emergency housing facilities for veterans and families of servicemen by joint action of the state and local agencies, providing for the operation of such facilities, making an appropriation, and declaring the urgency thereof, to take effect immediately," approved February 15, 1946, as amended, relating to eligible tenants and extending the period of availability of moneys appropriated therefor.

Bill read third time, and ordered passed on file.

Assembly Bill No. 2281—An act to amend Section 28135 of the Government Code, relating to compensation for public services in counties of the thirty-fifth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stewart, Waters, and Mr. Speaker—63.

NOES—Luckel—1.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 37—Relative to federal aid for defense highway projects.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stewart, Tomlinson, Waters, and Mr Speaker—62.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Joint Resolution No. 38—Relative to the reopening of Birmingham General Hospital.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Smith, Tomlinson, and Mr. Speaker—63.

NOES—None.

Resolution ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 302

At 11.11 a.m., on motion of Mr. Lyon, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 302 refused passage by the following vote:

AYES—Berry, Brady, Chapel, Clarke, George D. Collins, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Elliott, Fleury, Gaffney, Grant, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Lanterman, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Porter, Rumford, Stewart, Tomlinson, and Waters—35

NOES—Beck, Burke, Burkhalter, Caldecott, Cloyed, Coats, Collier, Conrad, Davis, Dunn, Evans, Geddes, Gubser, Hagen, Hahn, Hinckley, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lindsay, Lowrey, Luckel, McFall, Moss, Munnell, Parker, Rosenthal, Shaw, Sherwin, and Smith—31.

Notice of Motion to Reconsider Assembly Bill No. 302

Mr. Lyon gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 302 was this day refused passage.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1582

Mr. George D. Collins asked for, and was granted, unanimous consent to take up Assembly Bill No. 1582, temporarily passed on file, for purpose of amendment

CONSIDERATION OF ASSEMBLY BILL NO. 1582

Assembly Bill No. 1582—An act to add Section 7.1 to the Alcoholic Beverage Control Act, relating to issuance of licenses.

Bill read third time.

Motion to Amend

Mr. George D. Collins moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Assembly on May 23, 1951, strike out "immediately prior to", and insert "on".

Amendment No. 2

On page 1, line 5, of said bill, after "revoked", insert "because of the Japanese ancestry of the licensee".

Amendment No. 3

On page 1 of said bill, strike out lines 6 to 8, inclusive, and insert "expire by such Japanese, may at any".

Amendment No. 4

On page 1, line 15, of said bill, after "application", insert "hereunder".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Speaker Pro Tempore Presiding

At 11.16 a.m., Hon. Thomas A Maloney, Speaker pro Tempore of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2601

Mr. Cooke asked for, and was granted, unanimous consent to take up Assembly Bill No. 2601, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 2601

Assembly Bill No. 2601—An act to amend Section 7044 of the Business and Professions Code, relating to the licensing of contractors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Tomlinson, and Waters—60.

NOES—None.

Bill ordered transmitted to the Senate.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 2086, on request of Mr. Grant.

REPORTS OF STANDING COMMITTEES

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, May 22, 1951

MR. SPEAKER: *Your Committee on Public Health, to which were referred:*

Senate Bill No. 731
Senate Bill No. 820

Has had the same under consideration, and reports the same back with amendments with the recommendation: *Amend, and re-refer to the committee.*

CONNOLLY, Chairman

Above reported bills ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 3410:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 24, 1951

To the Honorable Members of the Assembly
State of California

GENTLEMEN:

Assembly Bill No. 3410, "An act to amend Sections 19601, 19601.5, 19601.6, 19608, 19611, 19613, and 19613.7 of, to add Sections 19601.7 and 19607.1 to, and to repeal Section 19617 of the Education Code, relating to child care centers, making an appropriation and declaring the urgency thereof, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill

This bill provides for the continuance of child care centers and makes an appropriation to assist in their operation. It is important that those charged with the responsibility of maintaining these centers should know at the earliest possible moment whether such centers are to be continued in order that they may make the necessary plans for their operation.

I, therefore recommend consideration of Assembly Bill No. 3410 as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor

Assembly Bill No. 3410—An act to amend Sections 19601, 19601.5, 19601.6, 19608, 19611, 19613, and 19613.7 of, to add Sections 19601.7 and 19607.1 to, and to repeal Section 19617 of, the Education Code, relating to child care centers, making an appropriation and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloved, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly,

Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stewart, and Waters—63.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stewart, Tomlinson, and Waters—63.

NOES—None

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1226	Assembly Bill No. 1238
Assembly Bill No. 1229	Assembly Bill No. 1239
Assembly Bill No. 1231	Assembly Bill No. 1937
Assembly Bill No. 1233	Assembly Bill No. 2570
Assembly Bill No. 1237	Assembly Bill No. 2571

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3074

Mr. Lowrey asked for, and was granted, unanimous consent to take up Assembly Bill No. 3074, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 3074

Assembly Bill No. 3074—An act to add Section 4 to the Fish and Game Code, relating to the taking of private land for public use.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Fleury, Gaffney, Geddes, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Smith, Tomlinson, and Waters—53.

NOES—George D Collins and Hagen—2

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILLS NOS. 1730 AND 1731 HOLD THEIR PLACES ON FILE

Mr. Clarke asked for, and was granted, unanimous consent that Assembly Bills Nos. 1730 and 1731 be passed on file, and hold their places on file on the next legislative day.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 293
Assembly Bill No. 751
Assembly Bill No. 2009
Assembly Bill No. 2329
Assembly Bill No. 3094
Assembly Bill No. 3166
Assembly Bill No. 3435

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills Nos 2329 and 3094 re-referred to the Committee on Boards and Commissions.

Assembly Bills Nos. 293 and 3435 re-referred to the Committee on Agriculture.

Assembly Bill No. 751 re-referred to the Committee on Fish and Game.

Assembly Bill No. 3166 re-referred to the Committee on Social Welfare.

Assembly Bill No. 2009 re-referred to the Committee on Finance and Insurance.

Senate Bill No. 1576 re-referred to the Committee on Ways and Means.

Senate Bill No. 1586 re-referred to the Committee on Social Welfare.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 869

Mr. Tomlinson asked for, and was granted, unanimous consent to take up Assembly Bill No. 869, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 869

Assembly Bill No. 869—An act to add Article 2.5 to Chapter 10 of Division 3 of the Education Code, relating to the collections and apportionment of a County School District Equalization Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Burkhalter, Chapel, Clarke, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Fleury, Gaffney, Grant, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Lyon, Maloney, McCollister, McFall, Meyers, Moss, Parker, Porter, Rumford, Sherwin, Tomlinson, and Waters—43.

NOES—Beck, Cloyed, Collier, Dills, Geddes, Hahn, Hollibaugh, Kilpatrick, Lipscomb, Luckel, Morris, Munnell, Niehouse, Shaw, and Stewart—15.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE, CALIFORNIA LEGISLATURE
SENATE CHAMBER, SACRAMENTO, May 25, 1951

Hon. Arthur A. Ohnimus
Chief Clerk of the Assembly

DEAR SIR: I am directed by the Senate to respectfully request your honorable body to return Assembly Bill No. 3384 to the Senate for further consideration.

Very truly yours,

J. A. BEEK
Secretary of the Senate

ASSEMBLY BILL NO. 3384 RETURNED TO SENATE

By unanimous consent, Assembly Bill No. 3384 was ordered returned to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1903 BE RE-REFERRED TO COMMITTEE

Mr. Maloney asked for, and was granted, unanimous consent that Assembly Bill No. 1903 be withdrawn from the third reading file, and be re-referred to the Committee on Ways and Means.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1234—An act to amend Sections 8525, 8568, 8624, 8635, 8641, 8642, 8644, and 8651 of, and to add Sections 8653 and 8654 to, the Business and Professions Code, relating to structural pest control.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Cooke, Crowley, Dills, Dolwig, Doyle, Dunn, Evans, Fleury, Gaffney, Grant, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Lanterman, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, Meyers, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Sherwin, Stewart, and Waters—44

NOES—Beck, Brady, George D Collins, Condon, Davis, Elliott, Geddes, Hagen, Hahn, Hollibaugh, Klocksiem, Levering, and Lowrey—13.

Bill ordered transmitted to the Senate.

Hon. Arthur H. Connolly, Jr., Presiding

At 12.05 p m., Hon. Arthur H. Connolly, Jr., Member of the Assembly from the Twenty-first District, presiding.

Assembly Bill No. 1235—An act to amend Sections 8514 and 8522 of the Business and Professions Code, relating to structural pest control.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stewart Tomlinson, and Waters—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1526—An act to amend Sections 8561, 8569, and 8570 of, and to add Sections 8516, 8517, and 8652 to, the Business and Professions Code, relating to the discipline of licensees of the Structural Pest Control Board.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Grant, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey,

Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Smith, Tomlinson, and Waters—65.

NOES—Geddes—1.

Bill ordered transmitted to the Senate.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 424, on request of Mr. Berry.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Constitutional Amendment No. 52, on motion of Mr. Elliott.

Speaker Pro Tempore Presiding

At 12.15 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REQUESTS FOR UNANIMOUS CONSENT THAT BILLS HOLD PLACES ON FILE

Mr. Stewart asked for, and was granted, unanimous consent that Assembly Bill No. 2313 be passed on file, and hold its place on file on the next legislative day.

Mr. Levering asked for, and was granted, unanimous consent that Assembly Bill No. 1715 be passed on file, and hold its place on file on the next legislative day.

Mr. Lowrey asked for, and was granted, unanimous consent that Assembly Bill No. 2936 be passed on file, and hold its place on file on the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2806

Mr. Brown asked for, and was granted, unanimous consent to take up Assembly Bill No. 2806, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 2806

Assembly Bill No. 2806—An act to amend Sections 3, 4, 6, 9, 10, 10.2, 10.3, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 33, 34, 37, 38, 39, 40, 41, 43, 44, 46, 48, 49, 50, 51, 52, 54, 58, and 59 of and to repeal Sections 20, 35, 36, 42, 47, 53, 55, 56, and 57 of, and to add Section 4.1 to, the Parking Law of 1949, relating to off-street parking.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Holibaugh,

Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Smith, and Tomlinson—63.

NOES—Levering—1.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr. Maloney asked for, and was granted, unanimous consent that his name be placed upon the roll call on Assembly Bill No. 2806, and that he be recorded as voting "Aye".

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2433—An act to repeal Sections 664, 665, 668, 668.5, 669, 670, 671, 672, 672.5, 673, 674, and 677, and to amend Section 681, of the Elections Code, relating to election officers.

Bill read third time.

Motion to Amend

Mr. Hawkins moved the adoption of the following amendments:

Amendment No. 1

Strike out lines 1 and 2 of the title of the printed bill, and insert "An act to add Section 123.5 to the".

Amendment No. 2

In line 3 of the title of said bill, strike out "election officers", and insert "registration of electors".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 9, inclusive, and insert

"SECTION 1. Section 123.5 is added to the Elections Code to read:

123.5 The election board in each county shall provide for the compensation of those persons who may be deputized by the county clerk as persons before whom affidavits of registration may be made, and who are not otherwise compensated pursuant to law. Such compensation shall be based upon the number of affidavits of registration received by each such person which are properly executed as determined by the county clerk, which compensation shall be not less than a minimum of 20 cents per affidavit."

Amendments read, and adopted

Bill ordered reprinted, and re-engrossed.

RESOLUTIONS

The following resolutions were offered:

By Mr. Connolly:

House Resolution No. 155

Relative to the creation of the Assembly Interim Committee on Public Health

Resolved by the Assembly of the State of California, As follows:

1 The Assembly Interim Committee on Public Health is hereby created and authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon any matter which, under the Standing Rules of the Assembly and the legislative practices thereunder would be referred to the Assembly Standing Committee on Public Health, and any and all other matters relating to or affecting public health, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation

2. The committee shall consist of the members of the Assembly Standing Committee on Public Health for this legislative session. The chairman and vice chairman shall be the chairman and vice chairman of the said standing committee. Vacancies occurring in the membership of the committee shall be filled by the Speaker.

The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of twenty-seven thousand dollars ($27,000) or so much thereof as may be necessary is hereby made available from the contingent fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Morris:

House Resolution No. 156

Relative to the powers of the Assembly Standing Committee on Manufacturing, Oil, and Mining Industry.

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Standing Committee on Manufacturing, Oil, and Mining Industry is hereby authorized and directed to ascertain, study, and analyze all facts relating to

(a) The subject (within the scope of legislative regulation and control) of attaining maximum efficiency and minimum waste at all the various phases of the discovery, production, transportation, refining, and use of oil, gas and other hydro-carbon substances, including production thereof from lands owned by the State, public agencies, and political subdivisions, cooperating therein to the fullest extent in every way with federal agencies; and

(b) The title of the State of California and its grantees in and to the tide, submerged and reclaimed lands lying within its borders and adjacent to its seacoast, the use, administration, and management thereof by the State and its grantees, any attacks by federal officials relating thereto, litigation with reference thereto, and legislation pending in Congress affecting such title, and any and all matters relating thereto or connected therewith or which affect the interests of the State therein; and

(c) The subject (within the scope of legislative regulation and control) of attaining maximum efficiency and minimum waste at all the various phases of the discovery, production, transportation, refining and use of minerals, including production thereof from lands owned by the State, public agencies, and political subdivisions, cooperating therein to the fullest extent in every way with federal agencies; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the report its recommendations for appropriate legislation.

2. Vacancies occurring or existing in the membership of the committee shall be filled by the Speaker.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4 The committee and its members shall have and exercise all the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(d) To meet at the State Capitol or at any other place in this State or within the United States.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution

6. The sum of _____ dollars ($_____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

By Mrs. Niehouse:

House Resolution No. 157

Relative to the Assembly Interim Committee on Social Welfare

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Social Welfare is hereby created and is authorized and directed to ascertain, study and analyze all aspects of administration by the State and the counties of the social welfare program, including the division of basic responsibilities and authority, methods of achieving greater uniformity in administrative practice, efficiency and effectiveness of administration including personnel policies and use of staff, methods of carrying on operating and program research, administrative policies and procedures in effect, reorganization and simplification of the Welfare and Institutions Code, methods of financing the social welfare programs, and any and all other matters relating to the administration of these programs, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the members of the Assembly Standing Committee on Social Welfare for this legislative session. The chairman and vice chairman shall be the chairman and vice chairman of the said standing committee. Vacancies occurring in the membership of the committee shall be filled by the Speaker.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of twenty-five thousand dollars ($25,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Kilpatrick:

House Resolution No. 158

Relative to authorizing an investigation as to the background of State Senator Jack B. Tenney by the Assembly Judiciary Committee

WHEREAS, Information has been disclosed which raises questions as to the loyalty and the background of Senator Jack B. Tenney who has recently raised questions regarding the author of this resolution and other Members of the Assembly; and

WHEREAS, It appears that there are several references to Jack Tenney in the published records of the hearings of the Un-American Activities Committee of the United States Congress for the years 1938-1941, of which the Honorable Martin Dies was chairman, including an affidavit signed by Arthur James Kent, a self-admitted Communist, who declared that Jack Tenney was a card-carrying member of the Communist Party, the naming of Jack Tenney as a member of the American League for Peace and Democracy, a Communist front organization, and the listing of Jack Tenney as a sponsor on the letterhead of the Friends of the Abraham Lincoln Brigade, another Communist front organization; and

WHEREAS, In the Communist newspaper, the *People's World*, of February 2, 1939, a two-column cut picture of Jack Tenney and another person is printed, and the caption below the picture states "Two men in Sacramento who appreciate the *People's World's* efforts in behalf of progressive legislation Said Tenney, 'The *People's World* is the only paper in California that reports labor news unvarnished, untarnished and undiluted.'"; and

WHEREAS, It would appear from the foregoing that Senator Jack Tenney may not be properly qualified to make charges questioning the degree of Americanism of his fellows until these activities of his be clarified; now, therefore, be it

Resolved by the Assembly of the State of California, That Assembly Judiciary Committee is authorized and directed to investigate and report to the Assembly regarding these alleged subversive activities of Senator Jack B. Tenney.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Smith:

House Resolution No. 159

Relative to the creation of the Assembly Interim Committee on Air Pollution

WHEREAS, Conditions of air pollution resulting from the disposal of municipal and industrial wastes and arising from many other causes, are a hazard to the public health and are causing substantial economic damage in some regions of the State; and

WHEREAS, The meteorological conditions which account for California's unique climate at the same time render the regions of the State vulnerable to damage from pollution of the atmosphere; and

WHEREAS, Rapidly expanding population and industry pose a serious threat of air pollution in areas not now critically effected, and preventative action in those areas is of equal importance to corrective measures necessary elsewhere; and

WHEREAS, The state-wide problems of air pollution require continued study by the Legislature, particularly as to legislation which may be needed to make available uniform area-wide preventive measures in all regions of the State; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Air Pollution is hereby created and authorized and directed to ascertain, study and analyze all facts relating to air pollution and procedure designed to abate, prevent and control the pollution of atmosphere in the various regions of the State, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of seven Members of the Assembly appointed by the Speaker thereof The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3 The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the last legislative day of that session

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(c) To cooperate with and secure the cooperation of county, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the Committee

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution

6 The sum of _____ dollars ($_____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Funds and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 68: By Messrs. Meyers, Maloney, Connolly, Brady, Berry, George D. Collins, Gaffney, and McCarthy—Relative to requesting proclamation designating September 17, 1951, as "Steuben Day."

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 3189

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

DUNN, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Senate Joint Resolution No. 31—Relating to the National Forest Highway System in California.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Smith, and Stewart—57.

NOES—None.

Resolution ordered transmitted to the Senate.

Senate Joint Resolution No. 23—Relative to memorializing the President and the Congress of the United States to declare Napa County, State of California, a critical defense area for the purpose of obtaining financing of constructions.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Smith, Stewart, Tomlinson, and Waters—64.

NOES—None.

Resolution ordered transmitted to the Senate.

Senate Bill No. 302—An act to add Section 417 to the Code of Civil Procedure, relating to civil actions.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Smith, Stewart, Tomlinson, and Waters—63.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 392

Mr. Tomlinson asked for, and was granted, unanimous consent to take up Senate Bill No. 392, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 392

Senate Bill No. 392—An act to add Section 6005.5 to the Government Code, relating to newspapers.

Bill read third time.

Demand for Previous Question

Messrs. Hansen, Henderson, Kelly, Moss, and Hinckley demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 392.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Cloyed, Connolly, Cooke, Dickey, Dills, Dolwig, Dunn, Evans, Fleury, Gaffney, Grant, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McCarthy, McFall, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stewart, and Tomlinson—46

NOES—Burke, Clarke, George D. Collins, Conrad, Davis, Doyle, Elliott, Gubser, Hahn, Hinckley, Lyon, McCollister, McMillan, Meyers, Sherwin, and Waters—16.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 393

Mr. Tomlinson asked for, and was granted, unanimous consent to take up Senate Bill No. 393, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 393

Senate Bill No. 393—An act to repeal Section 6006 of the Government Code, relating to newspapers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Smith, Stewart, and Tomlinson—61

NOES—Hinckley and Waters—2.

Bill ordered transmitted to the Senate

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 396—An act to amend Section 6027 of the Government Code, relating to newspapers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Dickey, Dills, Dolwig, Dunn, Evans, Fleury, Gaffney, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Levering, Lincoln, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Stewart, and Tomlinson—49.

NOES—Beck, Burkhalter, Cooke, Doyle, Geddes, Hinckley, Lanterman, Lowrey, and Waters—9.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 25, 1951

To the Honorable Members of the Assembly
State of California
Sacramento, California

GREETINGS. I am returning herewith, without my signature,

Assembly Bill No. 1742, entitled "An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined."

My objections to this bill are as follows:

For some years it has been customary for the Legislature to enact at least two validating measures which are identical except that one carries an urgency clause. Such action was taken this year. However, this measure, which is the validating act without the urgency clause, was amended in the Senate. By the amendment to Section 8 it is made to speak as of the time of signing rather than as of its effective date

I am advised by attorneys specializing in the field that this amendment gives this bill the same effect as Assembly Bill No. 1743 carrying the urgency clause. There is no necessity of approving both bills as they accomplish the same thing.

At the request of attorneys interested in the matter, and with the consent of the author, I am approving Assembly Bill No. 1743 and returning this bill without my approval.

Respectfully submitted.

EARL WARREN, Governor

Acknowledgment of Receipt of Assembly Bill No. 1742

May 25, 1951

I acknowledge receipt this twenty-fifth day of May, 1951, at 12 25 o'clock p m. of Assembly Bill No 1742, without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

ARTHUR A. OHNIMUS

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 1742—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies, as herein defined.

Governor's message stating his objections read.

The question being: Shall Assembly Bill No. 1742 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.

NOES—Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stewart, Tomlinson, and Waters—63.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 25, 1951

To the Honorable Members of the Assembly
State of California
State Capitol, Sacramento, California

GREETINGS: I am returning herewith, without my signature,

Assembly Bill No. 479, entitled: "An act to repeal Section 170.5 of and to add Section 170.5 to the Code of Civil Procedure, relating to disqualification of judges"

My objections to the bill are as follows:

I cannot believe that this bill is either essential or desirable for the administration of justice. There is a proceeding now available to any litigant who believes that a judge is prejudiced against his client. In that proceeding the judge has an opportunity to answer the charge, and the fact is determined by a disinterested judge. This bill provides that "No judge of any superior, municipal, justice or other inferior court of the State of California shall hear or try any action or proceeding when it shall be established as hereinafter provided that such judge is prejudiced against any party or attorney or the interest of any party or attorney appearing in such action or proceeding"

It then provides that the fact of prejudice will be established merely by the written or oral motion of counsel without notice supported by "affidavit that the judge before whom the action or proceeding is pending * * * is prejudiced * * * so that such party or attorney cannot or believes that he cannot have a fair and impartial trial before such judge"

There is no opportunity provided for the judge to disprove or even controvert the affidavit regardless of how scurrilous or libelous it may be concerning him. He would be automatically adjudged by law to be guilty of the facts charged and therefore unfit to discharge his judicial duty in the case.

This, it seems to me, can be used and I have no doubt would be used in instances to discredit a judge where no reasonable grounds exist. In such cases it would result in disgrace to the judge and discredit to the court. The bill provides that the motion of prejudice can be made at any time before the first juror is drawn in a jury case or before the first witness is sworn in, in a non-jury case which would make it a powerful instrument for delay in the trial of cases.

In counties that have one judge, the bill would give any recalcitrant lawyer the right to permanently disqualify from service, in any case in which such lawyer appears, the judge who had been elected by the people because of their confidence in him. I believe that it would be extremely detrimental to the orderly administration of justice.

The Chief Justice has expressed the view that the bill is undesirable in the following language:

"In my opinion, a procedure permitting peremptory disqualification of any judge upon the mere filing of an affidavit is undesirable. Section 170 of the Code of Civil Procedure establishes an adequate and fair method for disqualifying any justice, judge or justice of the peace on the grounds of bias and prejudice, among others, and provides that the hearing of such charge shall be before another judge"

Other judges have also pointed out to me the undesirability of the bill.

Respectfully submitted.

EARL WARREN, Governor

Acknowledgment of Receipt of Assembly Bill No. 479

May 25, 1951

I acknowledge receipt this twenty-fifth day of May, 1951, at 12.25 o'clock p m. of Assembly Bill No 479 without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

ARTHUR A. OHNIMUS

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 479—An act to repeal Section 170.5 of and to add Section 170.5 to the Code of Civil Procedure, relating to disqualification of judges.

Governor's message stating his objections read.

The question being: Shall Assembly Bill No. 479 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

NOES—Burke, Caldecott, Clarke, Conrad, Fleury, Geddes, Grant, Hansen, Hinckley, Lincoln, Lindsay, McCarthy, Moss, Stewart, and Waters—15.

AYES—Beck, Berry, Brady, Brown, Burkhalter, Chapel, Cloyed, Coats, George D. Collins, Condon, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Gaffney, Hagen, Henderson, Hollibaugh, Klocksiem, Lanterman, Lowrey, Luckel, Maloney, McCollister, McFall, McMillan, Morris, Munnell, Parker, Rosenthal, Shaw, and Sherwin—35

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 25, 1951

To the Honorable Members of the Assembly
State of California
Sacramento, California

GREETINGS. I am returning herewith, without my signature,

Assembly Bill No. 1317, entitled "An act to amend Sections 16430 and 16434 of the Education Code, relating to school safety patrols."

My reasons for objecting to this bill are as follows.

This bill provides that school pupils who are members of school safety patrols may assist pupils in crossing streets at school bus stops and may for that purpose ride school busses to such stops I have been asked to veto this bill by the Superintendent of Public Instruction, the Commissioner of the State Highway Patrol, the California Teachers Association and the California Congress of Parents and Teachers.

The Superintendent of Public Instruction points out that under the sections of the California Administrative Code on the subject, adopted by the State Board of Education, it is provided that when a school bus stops at a point where the traffic is not controlled and is discharging pupils who must cross a street or highway the bus shall not be moved until all the pupils have crossed the street or highway. The driver of the bus must not permit the pupils to cross the street or highway until they may safely do so and shall, if necessary, escort such pupils across the street or highway He reports that experience has shown that school bus drivers while performing their obligation under this section are often seriously injured. The task of directing traffic and protecting lives of pupils while they cross busy streets and highways requires the attention of adults rather than that of pupils.

The Commissioner of the State Highway Patrol reports that it is not good practice to place the control of high-speed traffic on children.

The California Teachers Association in objecting to the bill states that the use of children in traffic control in the areas immediately adjacent to schools is reasonably safe, because speed limits are posted and maintained in school zones and supervisory personnel is available. Such is not the case at points along the highway, where traffic travels at extremely high speeds and no warning signs exist. The presence of safety patrol members at such locations would serve only to give children traveling on school busses a false sense of security and protection which the facts would not warrant

The California Congress of Parents and Teachers recommends that the bill be not signed because of the hazards and liabilities that would be involved in permitting members of school traffic patrols to ride busses and direct traffic as children get off the busses The Congress has reluctantly approved any school traffic patrol control of traffic near schools and adjoining schoolgrounds. They believe the responsibility for traffic patrol belongs to the police and highway patrol and not to school districts or school pupils

This session of the Legislature has made one provision which will be of great assistance in connection with this problem. I refer to Assembly Bill No 1701, which is now Chapter 414, Statutes of 1951, and which provides for flashing red lights on school busses to be operated when the busses are receiving or discharging passengers. All motorists are required to stop when busses are receiving or discharging passengers and are flashing the warning red light required by this bill

Because of the hazard to the pupils involved, as pointed out by the officers and organizations to which I have referred, I am returning this bill without my signature.

Respectfully submitted.

EARL WARREN, Governor

Acknowledgment of Receipt of Assembly Bill No 1317

May 25, 1951

I acknowledge receipt this twenty-fifth day of May, 1951, at 12.25 o'clock p.m. of Assembly Bill No 1317 without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

ARTHUR A. OHNIMUS

Assembly Bill No. 1317 ordered to the unfinished business file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 228—An act to amend Section 3045 of the Welfare and Institutions Code, relating to aid to the needy blind

Bill read third time, and ordered passed on file; to hold its place on file on the next legislative day.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. George D. Collins (By request of Mr Maloney):

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows

An act to add Section 18674.5 to the Business and Professions Code, relating to boxing contests and sparring matches.

Respectfully submitted.

GEORGE D. COLLINS, JR.

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR SPEAKER Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr George D Collins (By request of Mr. Maloney):

An act to add Section 18674.5 to the Business and Professions Code, relating to boxing contests and sparring matches

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stewart, and Waters—61.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3441: By Mr. George D Collins (By request of Mr. Maloney)—An act to add Section 18674 5 to the Business and Professions Code, relating to boxing contests and sparring matches.

Referred to Committee on Boards and Commissions.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Lowrey:

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Article 7, comprising Sections 9140 to 9142, to Chapter 1 of Part 1 of Division 2, Title 2 of the Government Code, relating to legislative committees.

Respectfully submitted.

LLOYD W. LOWREY

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Lowrey:

An act to add Article 7, comprising Sections 9140 to 9142, to Chapter 1 of Part 1 of Division 2, Title 2 of the Government Code, relating to legislative committees.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stewart, and Waters—61

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3442: By Mr. Lowrey—An act to add Article 7, comprising Sections 9140 to 9142, to Chapter 1 of Part 1 of Division 2, Title 2 of the Government Code, relating to legislative committees

Referred to Committee on Rules

RESOLUTIONS

The following resolution was offered:

By Mr. Kilpatrick:

House Resolution No. 160

Relative to authorizing an investigation as to the background of State Senator Jack B Tenney by the Assembly Judiciary Committee

WHEREAS, Information has been disclosed which raises questions as to the loyalty and the background of Senator Jack B Tenney who has recently raised questions regarding the author of this resolution and other Members of the Assembly and Senate; and

WHEREAS, It appears that there are several references to Jack Tenney in the published records of the hearings of the Un-American Activities Committee of the United States Congress for the years 1938-1941, of which the Honorable Martin Dies was chairman, including an affidavit signed by Arthur James Kent, a self-admitted Communist, who declared that Jack Tenney was a card-carrying member of the Communist Party, the naming of Jack Tenney as a member of the American League for Peace and Democracy, a Communist front organization, and the listing of Jack Tenney as a sponsor on the letterhead of the Friends of the Abraham Lincoln Brigade, another Communist front organization (pages 2084, 6278, and 7728-9); and

WHEREAS, In the Communist newspaper, the *People's World*, of February 2, 1939, a two-column cut picture of Jack Tenney and another person is printed, and the caption below the picture states "Two men in Sacramento who appreciate the *People's World's* efforts in behalf of progressive legislation. Said Tenney, '*The People's World* is the only paper in California that reports labor news unvarnished, untarnished and undiluted.' "; and

WHEREAS, It would appear from the foregoing that Senator Jack Tenney may not be properly qualified to make charges questioning the degree of Americanism of his fellows until these activities of his be clarified; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Judiciary Committee is authorized and directed to investigate and report to the Assembly regarding these alleged subversive activities of Senator Jack B Tenney

Resolution read, and ordered referred to the Committee on Rules.

NOTICE OF MOTION TO RECONSIDER VOTE ON WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 3435

Mr. Levering gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 3435 was this day withdrawn from committee, and re-referred.

Motion to Take Up Notice of Motion to Reconsider at this Time

Mr. Dunn moved that the notice of motion, by Mr. Levering, to reconsider the vote whereby Assembly Bill No. 3435 was withdrawn from committee and re-referred be taken up, at this time.

Mr. Hollibaugh seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Beck, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Coats, George D Collins, Condon, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Geddes, Hagen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lincoln, Luckel, Maloney, McCarthy, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, and Waters—44.

NOES—Burke, Clarke, Cloyed, Grant, Hansen, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Lyon, McCollister, Porter, Sherwin, Stewart, and Tomlinson—16.

Motion to Reconsider Withdrawal and Re-reference of Assembly Bill No. 3435

Mr. Levering moved that the vote whereby Assembly Bill No. 3435 was withdrawn from committee and re-referred be reconsidered.

The roll was called, and reconsideration refused by the following vote:

AYES—Clarke, Cloyed, Gubser, Hagen, Hansen, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Lyon, McCollister, McFall, Sherwin, and Stewart—15

NOES—Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Coats, George D. Collins, Condon, Conrad, Cooke, Davis, Dickey, Dills, Dolwig,

Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lincoln, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, and Waters—45.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 554
Assembly Bill No. 643
Assembly Bill No 1315
Assembly Bill No. 1605
Assembly Bill No. 1856
Assembly Bill No. 1982
Assembly Bill No. 2041
Assembly Bill No 2529
Assembly Bill No 3037

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended

Assembly Bill No 313
Assembly Bill No. 701
Assembly Bill No 982
Assembly Bill No. 1054
Assembly Bill No 1078
Assembly Bill No. 2280
Assembly Bill No. 2599

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 155
Senate Bill No. 365
Senate Bill No. 456
Senate Joint Resolution No 8

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 164—An act to add Article 3, comprising Sections 1670 to 1674, to Chapter 2 of Division 4 of the Elections Code, and to add Section 29907.5 to the Government Code, relating to arguments concerning measures submitted to the voters of a county;

Assembly Bill No. 184—An act to amend Sections 3043, 3084, and 3150 of the Elections Code, relating to independent nominations;

Assembly Bill No. 306—An act to amend and renumber Section 4571 of the Elections Code, relating to election campaigns,

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of May, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined,

Assembly Bill No. 830—An act to amend Sections 1302 and 1303 of the Education Code, relating to the employment of associate superintendents of schools and the terms of office of school superintendents, associate superintendents, and deputy and assistant superintendents;

Assembly Bill No. 977—An act to add Section 3715 to the Labor Code, relating to workmen's compensation awards against uninsured employers,

Assembly Bill No. 1004—An act to add Section 18053.5 to the Education Code and to repeal Section 18059 of that code, relating to the purchase of materials or supplies by school districts during periods of war, declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of May, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1149—An act to amend Sections 6728 and 6757 of, and to add Sections 6701.5 and 6742.5 to, the Elections Code, relating to elections conducted under the punch card voting system;

Assembly Bill No. 1222—An act to amend Sections 6736 and 6799 of the Business and Professions Code, relating to the practice of professional engineering;

Assembly Bill No. 1291—An act to amend Section 5901 of the Education Code, relating to school district revolving cash funds;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of May, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1521—An act to amend Sections 1648.5, 1672, and 1711.2 of the Insurance Code, relating to the issuance of licenses to act as insurance brokers or agents or life agents to nonresidents;

Assembly Bill No. 1523—An act to amend Sections 202, 12003 and 12264 of the Revenue and Taxation Code, relating to the State Compensation Insurance Fund;

Assembly Bill No. 1566—An act to amend Section 7403 of the Education Code, to repeal Section 7409 of said code, and to add Section 7461.5 to said code, relating to the authorization and issuance of bonds of school districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of May, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1705—An act to amend Sections 2802, 3462, 3591, and 3661 of the Education Code, relating to the formation of school districts;

Assembly Bill No. 2078—An act to add Section 210 to the Unemployment Insurance Act, relating to benefits during hospitalization;

Assembly Bill No. 2254—An act to amend Section 20945 and 20795 of the Education Code, relating to California School for the Blind and the California School for the Deaf;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of May, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3199—An act to amend Sections 14722 and 14720.1 of the Education Code and to add Section 14720.2 to said code, all relating to district retirement systems;

Assembly Bill No. 3368—An act conveying certain tidelands and lands lying under inland navigable waters, situate in San Francisco Bay to the City of Sausalito, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof, reserving rights to the State;

Assembly Bill No. 3376—An act to amend Sections 151, 203, 208, and 209 of, and to add Sections 209.1, 310.5, and 452.5 to the Unemployment Insurance Act, relating to unemployment compensation disability insurance;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of May, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3400—An act declaring portions of revenue derived from lands conveyed to the City of Long Beach by an act entitled "An act granting to the

City of Long Beach the tidelands and submerged lands of the State of California within the boundaries of the said city," approved May 1, 1911, and by an act entitled "An act granting certain tidelands and submerged lands of the State of California to the City of Long Beach upon certain trusts and conditions," approved April 28, 1925, as amended by an act entitled "An act to amend Section 1 of an act entitled 'An act granting certain tidelands and submerged lands of the State of California to the City of Long Beach upon certain trusts and conditions,' approved April 28, 1925, relating to the use of such tidelands and submerged lands," approved May 7, 1935, to be free from the public trust for navigation, commerce and fisheries, and from such uses, trusts, conditions and restrictions as are imposed by said acts;

And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-fifth day of May, 1951, at 11 a.m.

BURKE, Chairman

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Speaker Sam L. Collins, the usual courtesies of the Assembly for this day were unanimously extended to Major Ray J. Thomas of Georgia and Captain Griffis Deneen of Michigan.

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to Jasper Marlow and Mrs. Marlow, teachers, and the following pupils of the Bonita School: Tony Escobar, Arline Lemos, Lewis Wright, Norman Perry, Phillip Lopez, Mary Clifton, Leland Bailey, Joan Grisez, Andrew Pires, Daniel Contreros, Sally De Angeles, Lauerne Souza, Llaydene Filippini, Jack Gordon, Emil Perry, Bobby Balentine, James McGee, George Lema, and Landrie Berberia; and Rosa Caleya (driver).

On request of Mr. Clarke, the usual courtesies of the Assembly for this day were unanimously extended to Charles Parke, teacher, Mrs. Mel Hultgren and Mrs. Carl Hultgren, adults, and the following pupils of the Winton School: James Batten, Donald Becker, Robert Esau, Gonzales Flores, Bobby Foster, Donald Giesbrecht, Kenneth Giesbrecht, Wilbert Giesbrecht, Santos Gonzales, Ray Grammar, Marvin Heppner, James Houston, Anthony Lopez, Wayne Martin, David Pullin, Jose Romero, Ben Schmidt, Stan Schmidt, David Springstun, George Starling, Wayne Stephens, Bob Suit, Vernol Wutzke, Clio Baldridge, Wilma Davis, Alice Hayes, Virginia Holmes, JoAnn Hultgren, Barbara Kane, Elaine Koehn, Pearl Koehn, Shirley Koehn, Phyllis Loewen, Janice Machado, Hilda Neufeld, Jerry Ann Nye, Mary Lou Prows, Carol Ratzloff, Frances Romero, and Elvira Villanueva.

On request of Mr. Klocksiem, the usual courtesies of the Assembly for this day were unanimously extended to Assemblyman and Mrs. Robert Justice of Logansport, Indiana, and Bobby and Jonathan Justice.

On request of Mr. Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to the following pupils of the Jackson School: Fay Aubrey, Lyman Bennett, Diane Biven, Enrico Cassinelli, George Chulick, Gene Coltrell, William Cranfill, Eugene Crider, Joanne Cuneo, Geraldine Daneri, Gerald Darden, Harold Darden, Frank Daytan, Nancy Faulkenberry, Elaine Fuentus, Luke Glavenich, Lee Ann Habig, Louis Ianni, Bobby Jones, John Klarich, Thomas Maggi, Patsy Molfino, Mamie McCrorey, Viva McCrorey, Donald McLane, Dean Ninnis, James Parlin, John Pierovich, Joan Rule, Ida Mae Sanders, Donald Scapenzzi, Jo-Ann Shepherd, Belva Smith, Irene Smith, Clinton Stahl, Richard Stanfield, Jim Swabada, and Deanna Vela.

On request of Mr Condon, the usual courtesies of the Assembly for this day were unanimously extended to Mary King, Gene Forbes, and Gem R. Davis Jr., teachers, Mesdames Halvorsen, DiMaggio, Walden, Rhorer, Sievert, Thibodeaux, and Thomphson, adults, and the following pupils of the Clayton Valley School: Sydney Schwartz, Dennis Slate, Clyde Thompson, Donald White, Dianna Clark, Sharon Hatfield, Claudia Herren, Judith Hilderbrand, Lindred Jones, Robin Kling, Susan Olsen, Barbara Putman, Ann Ready, Jewell Sanders, Julie Short, Jodee Sobotka, Barbara Tolle, Billie Tolle, Donald Anderson, Martin Atilano, Virginia Augustine, Elma Becker, Beverly Bispo, Sylvia Buck, Arthur Crowell, Billy Crummett, Betty Delamater, Rose DiMaggio, Jerry Duarte, Sally Fawcett, Richard Galli, Carol Hartley, Arthur Hartman, Lois Hilder, Ronnie Loveridge, James Lucas, Arlene Ludricks, John Mathews, Delbert Matz, Clifford Mores, Roberta Nicholson, Peggy Perkins, Nadine Robinson, Dorothy Sievert, Jim Skaggs, Bill Sobotka, Beverly Vochatzer, Jack Dunn, Robert Hedges, Joanne Foster, Shirley Kirkland, Henry Pellett, Jerry Sapp, Jim Thibodeaux, Mary Walden, Frank Wagner, Carma Williams, Betty Wetzel, Marilyn Calderwood, Helen Stephens, Ronnie Rhorer, Barbara Halvorsen, Harold Bartke, Ronald Cataldo, Donald Coleman, Thomas DiMaggio, Thomas Duncan, Abraham Garcia, John Hatley, and George Itanen.

On request of Messrs. McFall and Parker, the usual courtesies of the Assembly for this day were unanimously extended to Mrs Little, teacher, Mrs. Sommerfeld and Mrs. Southwick, adults, and the following pupils of the French Camp School: Robert Ordaya, Charles Clemons, Charles Smith, Harlene Dubber, Douglas Sommerfeld, Sammy Sato, Earl Sato, Danny Southwick, Oliver Owens, Roger Sibert, Irene Conchola, Beverly Cavalar, Elaine Porter, Bill Morris, Bernard Daviner, Tommy Walker, Tommy Colwell, Helen Shiromizu, Kenny Thompson, Floanne Hinton, Bernard Daviner, Mary Ovando, Mary Moreno, Joelle Mercado, Richard Simas, Douglas Phifer, Fred Holden, Ronald Gott, Stanley Steveas, Laura Krumweide, Hajime Hayashida, Carolyn Scott, Paul Harris, Ruby Lee Brooks, Kent Godding, and Charles Griggs.

On request of Mr. Luckel and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to J. P. Poteet of San Diego.

On request of Messrs Grant and Klocksiem, the usual courtesies of the Assembly for this day were unanimously extended to L. S. Whaley and R. D. Whaley of Long Beach.

On request of Mr. Stewart, the usual courtesies of the Assembly for this day were unanimously extended to Tallman H. Trask of Pasadena.

On request of Messrs. Evans and Condon, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Carol Evans of Los Angeles.

ADJOURNMENT

At 1 02 p m., on motion of Mr. Dickey, the Speaker pro Tempore declared the Assembly adjourned until 10 a.m., Monday, May 28, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SIXTY-EIGHTH LEGISLATIVE DAY

NINETY-FOURTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, May 28, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—79.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Almighty God, Our Father, We seek Thy presence and Thy guidance We pray for our beloved Nation this day, that under God we may have a new birth of freedom; and that government of the people, by the people, and for the people shall not perish from the earth.

May the Flag, the emblem of our united struggle for liberty and justice, long wave above us Bless those who serve in our Armed Forces and all who are in authority in State and Nation and the United Nations.

Grant peace to the weary nations of this world.

"Too long has hate and wrath conspired
Till truth was scourged and sacrificed;
Too long we wait for the day desired—
The day of Peace, the Swordless Christ!"

We pray it in the name of the Prince of Peace.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Porter, further reading of the Journal of the previous legislative day was dispensed with.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly then gave the pledge of allegiance to the Flag.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1250
Assembly Bill No. 1579
Assembly Bill No 2252
Assembly Bill No. 3183
Assembly Bill No 3270

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 827
Assembly Bill No. 1228
Assembly Bill No 1230
Assembly Bill No. 1232
Assembly Bill No. 1236
Assembly Bill No 1695
Assembly Bill No. 2449
Assembly Bill No 2801
Assembly Bill No 3109
Assembly Bill No. 3422

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 15
Assembly Bill No 593
Assembly Bill No. 1582
Assembly Bill No. 2433
Assembly Bill No. 2929
Assembly Bill No 3390

And reports the same correctly re-engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 634
Assembly Bill No. 2188
Assembly Bill No 2286
Assembly Bill No 2331
Assembly Bill No 2631
Assembly Bill No. 2894
Assembly Bill No. 3090
Assembly Bill No 3188
Assembly Bill No. 3318
Assembly Bill No 3437

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills Nos. 2286 and 3090 re-referred to the Committee on Municipal and County Government.

Assembly Bills Nos. 3183 and 2631 re-referred to the Committee on Ways and Means.

Assembly Bills Nos. 1579, 2252, 3318, 3437, 2894, and 2331 re-referred to the Committee on Public Health.

Assembly Bills Nos. 2188 and 3188 re-referred to the Committee on Education.

Assembly Bills Nos. 634 and 3270 re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1250 re-referred to the Committee on Conservation, Planning, and Public Works.

Senate Bill No. 465 re-referred to the Committee on Education

Senate Bill No. 1085 re-referred to the Committee on Conservation, Planning, and Public Works.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 79

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 79—Relative to the death of Herbert C. Moffitt, Sr.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 13
Senate Bill No. 227
Senate Bill No. 790
Senate Bill No. 825
Senate Bill No. 975
Senate Bill No. 990
Senate Bill No. 1155

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 13—An act to amend Section 28151 of the Government Code, relating to compensation for public service in counties of the fifty-first class.

Referred to Committee on Municipal and County Government.

Senate Bill No. 227—An act to amend Section 28119 of the Government Code, relating to compensation for public services in counties of the eighteenth class.

Referred to Committee on Municipal and County Government.

Senate Bill No. 790—An act to add Sections 54468.1, 54348.1, and 54348.2 to the Government Code, relating to the securing of charges for services, facilities and water furnished by an enterprise by a lien on the lands served, and providing for the enforcement of such lien.

Referred to Committee on Judiciary.

Senate Bill No. 825—An act to amend Section 29026 of the Health and Safety Code, relating to hypnotic drugs.

Referred to Committee on Public Health.

Amendment No. 2

On page 2, line 25, of said measure, strike out "3", and insert "2".

Amendments read.

Roll Call Demanded

Messrs. Condon, George D. Collins, and Elliott demanded a roll call.

The roll was called, and the amendments offered by Mr. Condon to Senate Joint Resolution No. 8 refused adoption by the following vote:

AYES—Beck, Berry, Burkhalter, Coats, George D. Collins, Condon, Cooke, Doyle, Dunn, Elliott, Evans, Hagen, Hahn, Hawkins, Henderson, Klocksiem, McCollister, McFall, McMillan, Moss, Munnell, Parker, Rumford, Shaw, and Stanley—25.

NOES—Babbage, Brady, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Dickey, Erwin, Fleury, Geddes, Grant, Grunsky, Hansen, Hinckley, Hollibaugh, Kelly, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, Meyers, Morris, Niehouse, Rosenthal, Sherwin, Smith, Stewart, Waters, and Mr. Speaker—36.

The question being on the adoption of Senate Joint Resolution No. 8.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Davis, Dickey, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, Meyers, Morris, Moss, Niehouse, Porter, Sherwin, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—54

NOES—George D. Collins, Condon, Dunn, Elliott, Hagen, Hawkins, Henderson, McMillan, Rosenthal, and Rumford—10.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT OPINION OF LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Mr. Beck asked for, and was granted, unanimous consent that an opinion of the Legislative Counsel, relative to treaties, be ordered printed in the Journal in 10 point type, as follows:

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, May 21, 1951

Honorable Arthur W. Coats, Jr.
Assembly Chamber

TREATIES—No. 8652

DEAR MR. COATS:

Question

You have asked the following questions:

1. Could the President and the Senate of the United States through the exercise of the treaty-making power make a fundamental change in the constitutional structure of the Government of the United States; i.e. could they abolish the House of Representatives or suspend the "due process" clause of the 14th Amendment of the Federal Constitution?

2. What is the jurisdiction of the United States Supreme Court with regard to the validity of treaties? Could the Supreme Court, for instance, rule that a treaty directed at the abolition of the House of

Amendment No. 2

On page 1, line 20, of said bill, as amended, after "axle", insert ", and no portion of such semi-trailer or its body or load forward of the turning axis shall project to a greater distance than a 60-inch radius from the center of said turning axis".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2299—An act to amend Section 28117 of the Government Code, relating to compensation for public service in counties of the seventeenth class.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, lines 10 and 11, of the printed bill, as amended in the Assembly on May 21, 1951, strike out "six thousand dollars ($6,000)", and insert "three thousand dollars ($3,000)".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2573—An act to add Section 216 to the Revenue and Taxation Code, relating to tax assessments.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 4, 1951, strike out line 3, and insert

"216. Water rights, insofar as they are devoted to agricultural purposes on privately owned land shall".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3175—An act to amend Sections 3215, 3227, and 3605 of the Public Resources Code, relating to oil or gas.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Manufacturing, Oil, and Mining Industry:

Amendment No. 1

On page 1, line 6, of the printed bill, after "log", strike out "electrical log if any be made,".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3440—An act adding Sections 35002.5, 35003, 35158 and 35326 to and amending Sections 35101 and 35313 of, the Government Code, relating to the annexation of territory to municipal corporations, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 2, line 24, of the printed bill, after "held", insert "prior to June 1, 1951".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2737—An act to add Part 5.5 to Division 5 of the Labor Code relating to safety standards for longshore, stevedore and waterfront warehouse operations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Industrial Relations:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Part 5.5 to Division 5 of", and insert "Section 6500.5 to".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 23, inclusive; and strike out all of pages 2 to 10, inclusive, and insert

"SECTION 1. Section 6500.5 is added to the Labor Code to read:

6500.5. The Legislature hereby finds and declares that special hazards exist with respect to longshore and stevedore operations, which are peculiar to such operations and cannot be adequately dealt with by general orders applicable in other industries and occupations. The Division shall declare and prescribe safety orders applicable to longshore and stevedore operations only, adequate to safeguard the health, welfare and safety of employees engaged in such operations or occupations."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3434—An act to add Article 1.5, comprising Sections 215 through 218, inclusive, to Chapter 2, Division 1 of the Streets and Highways Code, relating to the creation of a fund for the acquisition of property for highway purposes, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "218", and insert "217".

Amendment No. 2

On page 1 of said bill, strike out line 22, and insert

"216 On the effective date of this article there shall be transferred from the Revenue Deficiency Reserve Fund to the Highway Protective Right of Way Revolving Fund the sum of fifty million dollars ($50,000,000)."

Amendment No. 3

On page 1 of said bill, strike out lines 23 and 24; and on page 2, strike out lines 1 to 22, inclusive.

Amendment No. 4

On page 2, line 23, of said bill, strike out "218", and insert "217".

Amendment No. 5

On page 2, line 42, of said bill, strike out "General Fund", and insert "Revenue Deficiency Reserve Fund".

Amendment No. 6

On page 2, line 44, of said bill, strike out "General Fund", and insert "Revenue Deficiency Reserve Fund".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 122—An act to add Section 635.5 to the Vehicle Code, relating to lighting equipment on school busses.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 3, of the printed bill, after "Busses.", insert "Notwithstanding the provisions of Sections 640 and 650 6,".

Amendment No. 2

On page 1, line 4, of said bill, strike out "side blinker lamps", and insert "amber side blinker lamps of a type approved by the department".

Amendment No. 3

On page 1, lines 6 and 7, of said bill, strike out "the bus is crossing said highway", and insert "is to be crossed by the bus".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

Assembly Bill No. 2214—An act to amend Section 458 of the Streets and Highways Code, relating to state highways.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

Strike out line 1 of the title of the printed bill, and insert

"An act to amend Sections 458 and 471, and to repeal Sections 481 and 483, of the Streets and Highways Code,".

Amendment No. 2

On page 1 of said bill, strike out lines 3 to 6, inclusive, and insert

"458. Route 158 is from Route 4 near San Fernando to".

Amendment No. 3

On page 1, line 7, of said bill, immediately before the period, insert "; provided, however, that Section 600 of this code shall be applicable to that portion of said route southerly of Route 167 near Signal Hill, the same as if said portion had been added by the Collier-Burns Highway Act of 1947, and the Department of Public Works shall not be required to maintain any portion of said route until the same has been laid out and constructed as a state highway".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, after line 7, insert

"SEC. 2. Section 471 of said code is amended to read:

471. Route 171 is from Route 60 near Huntington Beach to Route [2 near Whittier] *62 at or near Buena Park.*

SEC. 3. Sections 481 and 483 of said code are repealed"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

Assembly Bill No. 3006—An act to amend Section 6 of an act entitled "An act to restrict the running of dogs at large; to protect livestock from depredations of dogs; to provide for the issuance of dog license tags by counties, and the disposition of funds received as fees therefor; making the violation of the provisions of this act a misdemeanor and providing penalties therefor, and providing for the collection of damages by owners of livestock injured by dogs," approved June 3, 1921 (Chapter 757, Statutes of 1921), relating to the impounding and disposition of dogs running at large.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 7, of the printed bill, after the period, insert "Such dogs, on request of a duly incorporated society for the prevention of cruelty to animals which is properly equipped to shelter, feed, and care for such impounded dogs, may be placed in the custody of such society until a bona fide home is found for them or if no home is available be humanely destroyed."

Amendment No. 2

On page 1, line 16, of said bill, after "killed", insert "or surrendered to any humane society or other organization for the prevention of cruelty to animals".

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 2022—An act to repeal Division 9 of, and to add Division 9 to, the Public Resources Code, relating to soil conservation, prescribing the duties and functions of the State Soil Conservation Commission, and regulating the organization, operations, finances, and functions of soil conservation districts and providing for the discontinuance or change in boundaries of such districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 5, line 37, of the printed bill, as amended in the Assembly on May 18, 1951, after "and", insert "rent to a soil conservation district or".

Amendment No. 2

On page 5, line 50, of said bill, after the period, insert "Of the moneys available to the commission to carry out the provisions of this section, the commission shall limit the equipment which may be purchased under this section by any one district to approximately $50,000, but in no case shall the amount exceed $60,000 for any one district. In the event any district already possesses more equipment than the limits herein provided, the commission shall reduce the equipment purchased by the district to conform to the limits herein provided, by January 1, 1954 The commission with the approval of the Department of Finance may adopt such rules and regulations as it deems necessary to carry out these provisions Any cash balances left from the sale of any equipment after the revolving fund herein established has been repaid in full shall belong to the district and may be used for the purposes of the district

Nothing in this section shall prohibit the commission from purchasing or holding equipment in its possession which it deems vital to the needs of the soil conservation districts and renting such equipment at rental rates approved by the Department of Finance to any soil conservation district "

Amendment No. 3

On page 6, lines 2 and 3, of said bill, strike out "or group of soil conservation districts,"

Amendment No. 4

On page 6, line 5, of said bill, strike out "The commission may sell"; and strike out all of lines 6 to 8, inclusive.

Amendment No. 5

On page 14 of said bill, between lines 5 and 6, insert

"9162 The directors shall receive no compensation for their services as such, but each shall be allowed reasonable and necessary expenses incurred in attendance at meetings of the directors or when otherwise engaged in the work of the district at the direction of the board of directors The directors shall fix the amount allowed for such necessary expenses, but no director shall be appointed to any position for which he would receive compensation as a salaried officer or employee of the district

9163. No director or other officer of the district shall be interested directly or indirectly in the sale of equipment, materials, or services to the district."

Amendment No. 6

On page 16 of said bill, strike out lines 44 to 49, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 1507—An act to add Chapter 9.1 to Division 3 of the Business and Professions Code, relating to the regulation and licensing of water well drillers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "add Chapter 9 1 to Division 3 of the Business and Professions", and insert "amend the heading of Chapter 7, Division 4 of, amend and renumber Sections 7076, 7077, and 7078 of, and add Sections 7100, 7101, 7102, and 7103 to, the Water".

Amendment No. 2

In line 2 of the title of said bill, strike out "and licensing".

Amendment No. 3

In line 3 of the title of said bill, strike out "drillers", and insert "construction".

Amendment No. 4

On page 1 of said bill, strike out lines 1 to 25, inclusive; and strike out pages 2 to 8, inclusive, and insert

"SECTION 1 The Legislature finds and declares that improper practices in the construction and abandonment of water wells threatens to destroy the utility of valuable ground waters and underground reservoirs in some areas of the State by permitting

saline and other polluted waters to enter fresh water strata The Legislature further finds and declares that it is necessary to the public health and welfare that all underground reservoirs of the State be protected from such destruction, and it is therefore essential that all wells in the State be recorded and that a means be provided for establishing minimum well construction standards for critical areas"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 3205—An act to add Section 4850.1 to the Public Resources Code, relating to cutting for lumber Sequoia gigantea.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "to add Section 4850.1 to the Public Resources Code, relating to cutting for lumber Sequoia Gigantea.", and insert "relating to conservation, particularly of the species Sequoia gigantea."

Amendment No. 2

On page 1, line 1, of said bill, strike out "Section 4850.1 is added to the Public Re-", and strike out lines 2 to 7, inclusive, and insert

"It is hereby declared to be the policy of the State of California to preserve as far as possible the species Sequoia gigantea in the interest of conservation, both of soil and of the species itself, and for the benefit of present and future generations.

Upon the finding of the State Park Commission or State Forester, or both, that any Sequoia gigantea grove is suitably situated and is of a size and character which justifies its preservation by and for the public, it shall be the policy of the State to acquire any such grove for preservation and conservation purposes.

In furtherance of such policy, the contribution of a portion of the cost of acquisition from private sources or sources other than the State Treasury shall not be required."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 892—An act to add Sections 6381.1 and 6404 to the Revenue and Taxation Code, relating to the exemption of cities, counties and school districts from sales and use taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "cities, counties and".

Amendment No. 2

On page 1, line 5, of said bill, strike out "to cities, counties and school districts", and insert "by one school district to another school district if each such district is governed by the same board".

Amendment No. 3

On page 1, line 8, of said bill, strike out "city, county or".

Amendment No. 4

On page 1, line 9, of said bill, after "district", insert "purchased from another school district, if each such district has the same governing board,"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 2864—An act making an appropriation for a state office building in the City and County of San Francisco.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 5, of the printed bill, after the period, insert "When title to any land is acquired by the State pursuant to this act, the Director of Finance shall deliver a copy of the instrument of conveyance thereof to the State Lands Commission."

Amendment No. 2

In line 1 of the title of the printed bill, strike out "making an appropriation for", and insert "authorizing the Director of Finance to acquire".

Amendment No. 3

On page 1 of the printed bill, strike out lines 1 to 4, inclusive, and insert "SECTION 1. The Director of Finance is hereby authorized to acquire upon such terms and conditions as he may deem to be for the best interests of the State real property upon which has been constructed an office building at 540 Van Ness Avenue, located at the northeast corner of Van Ness Avenue and Redwood Street, City".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 798—An act to amend Section 53 of the Unemployment Insurance Act, relating to benefit payments.

Bill read second time.

Amendments Ruled Not in Order

Speaker Sam L. Collins ruled that proposed amendments, about to be placed across the desk, are not germane to the bill, and ordered Assembly Bill No. 798 re-referred to the Committee on Industrial Relations.

Assembly Bill No. 3189—An act to amend Section 4343 of the Education Code, relating to school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 4343 of", and insert "add Sections 5046.3 and 18744 to".

Amendment No. 2

In line 2 of the title of said bill, before the period, insert ", declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 5046.3 is added to the Education Code to read:

5046.3. Apportionments from the Public School Building Loan Fund may be made to a school district otherwise eligible therefor for, in addition to the purposes mentioned in Section 5046, the purchase by the district from another school district of sites and buildings situated in the applicant district and which (1) comply with all the requirements of this code, and (2) are approved by the Department of Education.

For the purposes of this section:

(a) The terms "constructed" and "construction" as used in Sections 5047 and 5052 include "purchased" and "purchase."

(b) The term "new construction" as used in Section 5049 includes buildings purchased under the authority of this section.

(c) Section 5047.5 shall not apply.

The purchase price paid by the district for such sites and buildings shall not exceed that approved by the board.

SEC. 2. Section 18744 is added to said code to read:

18744. When during the period the boundaries of a union high school district and junior college district were coterminous and the districts governed by governing boards of identical personnel and each expended funds for capital outlays with respect to a building or buildings or other improvements on a site belonging to the other district, each district became and remained the sole owner of a right, title, and interest in said building, buildings, or other improvements of the same proportion of the whole as the amount expended by such district for capital outlays with respect to such building, buildings, or other improvements was of the total amount so expended by both districts and each district is the owner of all buildings and other improvements title to which was transferred to the district by the Federal Government or which were constructed or made with funds or labor or funds and labor provided by the Federal Government but which are located on a site belonging to the other district. If the boundaries of the two districts have ceased or hereafter cease to be coterminous, either of the districts may sell to the other district, and such other district may purchase, all its right, title, and interest in and to any building, buildings, and improvements on such terms and conditions as the governing boards of the two districts may agree upon and without complying with any other provision of law.

SEC. 3. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

The situation with respect to the ownership of property, and eligibility to state school building aid, of districts which have heretofore had, but do not now have, coterminous boundaries and governing boards of identical personnel, and each of which expended funds for capital outlay purposes on property of the other, is extremely uncertain. In order to remove all doubt at the earliest possible time with respect to the ownership of property by each of the districts and to make state school building aid available in circumstances where the purchase of property by one of the districts from the other is a necessary element in providing for the adequate housing of pupils of the district or districts eligible for such aid, it is necessary that this act take effect immediately."

Amendment No. 4

On page 1, of said bill, strike out lines 2 to 7, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

SECOND READING OF SENATE BILLS

Senate Bill No. 1107—An act to add Sections 100.6, 822.5, and 1670 of, and add Section 1626 to, the Streets and Highways Code, relating to highways and trails on or crossing county or state boundary lines.

Bill read second time, and ordered to third reading.

Senate Bill No. 1065—An act to amend Section 28113 of the Government Code and Section 413 of the Education Code, relating to compensation for public service in counties of the thirteenth class.

Bill read second time, and ordered to third reading.

Senate Bill No. 1212—An act to amend Sections 1394 and 1395 of, and to add Section 1394.5 to, the Labor Code, relating to child labor.

Bill read second time, and ordered to third reading.

Senate Bill No. 913—An act to amend Section 28121 of the Government Code, relating to counties of the twenty-first class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on April 19, 1951, strike out "28121", and insert "28127".

Amendment No. 2

In line 2 of the title of said bill, strike out "twenty-first", and insert "twenty-seventh".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 28127 of the Government Code is amended to read:

28127. In a county of the twenty-seventh class the following shall receive as compensation for the services required of them by law or by virtue of their offices, the following sums:

(a) The auditor, [five thousand four hundred dollars ($5,400)] *six thousand dollars ($6,000)* a year.

(b) The district attorney eight thousand *eight hundred* dollars [($8,000)] *($8,800)* a year, which is in full for all services performed by him as district attorney. He shall devote his entire time during office hours to the duties of his office, and shall not engage in private law practice during his term of office.

(c) Each supervisor, [one thousand eight hundred dollars ($1,800)] *three thousand dollars ($3,000)* a year, which is in full for all services performed by him as supervisor [and road commissioner]. Each supervisor shall be allowed seventy-five dollars ($75) a month as an allowance for mileage traveled within the county in attending the meetings of the board of supervisors and in performing other duties as supervisor [and road commissioner], which shall be paid on the first day of each month irrespective of the number of miles traveled within the county. If it is necessary for a supervisor to travel outside the county on official matters pertaining to his duties as supervisor [and as road commissioner], he shall receive actual and necessary expenses and mileage, and shall file a demand in the same manner as other county officers, and submit signed receipts and vouchers for any expenses in excess of two dollars ($2). Each supervisor may use an automobile provided and maintained by the county in connection with the performance of official duties within and without the county. If an automobile is furnished at county expense, it is in lieu of mileage, except if the automobile is not available at all times, through accident or otherwise, mileage at the rate of seven cents ($0.07) a mile shall be allowed during the period of nonavailability. If a supervisor is not furnished an automobile at county expense and it is necessary for him to travel outside the county on official business and transportation is not furnished by common carrier, mileage at the rate of seven cents ($0.07) a mile for all mileage actually traveled outside the county shall be paid.

(d) Trial jurors in criminal cases shall receive three dollars ($3) as compensation for each day's attendance for trial in the superior courts, and ten cents ($0.10) for each mile actually and necessarily traveled from their residences in attending the superior court, one way only.

Grand jurors shall receive three dollars ($3) as compensation for each day's attendance at sessions of the grand jury, and ten cents ($0.10) for each mile actually and necessarily traveled from their residences in attending the sessions of the grand jury, one way only, to be allowed but once during each meeting day the grand jurors are required to attend sessions thereof.

All jurors required to attend trials in justices' courts *or justice courts established pursuant to the Municipal and Justice Court Act of 1949* shall receive one dollar and fifty cents ($1.50) as compensation for each day's attendance, and ten cents ($0.10) for each mile actually and necessarily traveled in attending such trials, one way only, to be allowed but once during each meeting day the trial jurors are required to attend trial.

As additional compensation *and salary* to the officers mentioned in this section, the county shall pay one-third of the insurance premium for group life, accident, and health insurance, if such officers are covered by group insurance.

The compensation provided by this section shall be payable to incumbent officers.

SEC. 2. If it is not legally competent to pay the compensation provided by this act to incumbent officers on the effective date of this act, such increase in compensation shall nevertheless be payable to the officers designated in this act as soon as it is legally competent to do so."

Amendment No. 4

On page 1 of said bill, strike out lines 3 to 27, inclusive; and on page 2, strike out lines 1 to 39, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1633—An act to amend Sections 9403, 9405, 9406, 9407, 9408, 9410, 9411, and 9412 of the Government Code, relating to witnesses before legislative committees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "9410,".

Amendment No. 2

On page 1 of said bill, strike out lines 4 to 10, inclusive, and insert "son over 18 years of age. The service of the subpoena shall be made by showing the original and delivering a copy to the witness personally, giving or offering to him at the time, if demanded by him, the fees to which he is entitled for traveling to and from the place designated, and one day's attendance there. Each house of the Legislature shall, by rule or resolution, prescribe the amount of such fee. The service must be made so as to allow the witness a reasonable time for preparation and travel to the place of attendance."

Amendment No. 3

On page 2 of said bill, strike out lines 47 to 51, inclusive; and on page 3, strike out lines 1 to 15, inclusive.

Amendment No. 4

On page 3, line 16, of said bill, strike out "7", and insert "6".

Amendment No. 5

On page 3, line 37, of said bill, strike out "8", and insert "7".

Amendment No. 6

On page 3, line 44, of said bill, strike out "material", and insert "reasonably relevant".

Amendment No. 7

On page 3, line 45, of said bill, strike out "material", and insert "reasonably relevant".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 731—An act to add Section 29015 to the Health and Safety Code, relating to dangerous drugs.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on March 28, 1951, strike out line 8, and insert

"29015 In order to provide a supply of hypnotic drugs, as may be needed in any licensed or county hospital which does not employ a pharmacist, the hospital may purchase such drugs on hypnotic drugs purchase order forms in the name of the hospital. The supply is to be made available to a registered nurse, for administration, on the order or direction of a physician, to patients registered in the hospital, or to emergency cases under treatment in the hospital."

Amendment No. 2

On page 1 of said bill, strike out lines 9 to 19, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Public Health.

Senate Bill No. 820—An act to amend Section 11166.12 of the Health and Safety Code, relating to narcotics.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In the first line of the title of the printed bill, as amended in the Senate on May 9, 1951, after "Section", insert "s"; and after "11166.12", insert ", 11714, and 11715.6".

Amendment No. 2

On page 1, line 26, of said bill, after "who", insert "unlawfully".

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Public Health.

REMARKS ON CONDITION OF THE FILE

Mr. Dolwig spoke on the condition of the file.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 707—An act to add Section 1.7 to the Judges' Retirement Act, relating to retirement of judges for service.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 707?

Amendment No. 1

On page 1, line 20, of the printed bill, after the period, insert "This section shall remain in effect until the ninety-first day after final adjournment of the 1955 Regular Session of the Legislature."

Amendment No. 2

In line 1 of the title of the printed bill, as amended in the Senate on May 22, 1951 strike out "1.7", and insert "1.6".

Amendment No. 3

On page 1, line 1, of said bill, as amended, strike out "1.7", and insert "1.6".

Amendment No. 4

On page 1, line 3, of said bill, as amended, strike out "1.7", and insert "1.6".

Amendment No. 5

On page 1, line 13, of said bill, as amended, strike out "be", and insert "he".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 707 by the following vote:

AYES—Belotti, Berry, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Crowley, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Niehouse, Parker, Porter, Silliman, Smith, Stewart, Thomas, and Mr. Speaker—48.

NOES—None.

Assembly Bill No. 707 ordered enrolled.

Assembly Bill No. 1970—An act to amend Section 713 of the Vehicle Code, relating to the powers of local authorities with respect to state highways.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1970?

Amendment No. 1

On page 2, line 2, of the printed bill, as amended in the Assembly on April 30, 1951, strike out the first comma and "in writing", and insert "therein".

Amendment No. 2

On page 2 of said bill, as amended, after line 22, insert

"(f) No ordinance adopted pursuant to this section shall apply to any vehicle owned by a public utility while necessarily in use in the construction, installation or repair of any public utility."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1970 by the following vote:

AYES—Babbage, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Crowley, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Parker, Porter, Sillman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—50.

NOES—None

Assembly Bill No. 1970 ordered enrolled.

Assembly Bill No. 2575—An act to amend Section 21802 of the Water Code, relating to elections in irrigation districts.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2575?

Amendment No. 1

On page 1, line 14, of the printed bill, as amended in the Assembly on April 19, 1951, after "unit", insert ", as shown by the list of eligible voters for the last preceding general election in the district".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2575 by the following vote:

AYES—Babbage, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Crowley, Doyle, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Parker, Porter, Sillman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—48.

NOES—None.

Assembly Bill No. 2575 ordered enrolled.

NOTICE OF MOTION TO RECONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2923 WAIVED

Mr Hagen waived his notice of motion to reconsider the vote whereby the Assembly concurred in Senate amendments to Assembly Bill No. 2923.

Assembly Bill No. 2923 ordered enrolled.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 701—An act to add Section 46.1 to, and amend Section 51 of, the Vehicle Code, relating to definitions of vehicles and equipment.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 701?

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Assembly on March 22, 1951, strike out "said", and insert "side".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 701 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Caldecott, Cloyed, Coats, Collier, Condon, Connolly, Dills, Doyle, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McFall, McMillan, Meyers, Moss, Parker, Porter, Sillman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—45.

NOES—None

Assembly Bill No. 701 ordered enrolled.

Assembly Bill No. 1078—An act to add Section 18101.5 to the Government Code, relating to sick leave of state employees.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1078?

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "board", and insert "State Personnel Board".

Amendment No. 2

On page 1, line 9, of said bill, after "California", and before the period, insert "and provided such credit may not exceed the amount it would have been if such employment had been in the state civil service".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1078 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Dills, Dolwig, Doyle, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Parker, Porter, Sillman, Smith, Stanley, Stewart, and Thomas—46.

NOES—None

Assembly Bill No. 1078 ordered enrolled.

ANNOUNCEMENTS

Mr. Levering announced that Assembly Bill No. 3435 is set for hearing in the Committee on Industrial Relations on next Thursday evening, May 31st, at 8.30 p.m.

Speaker Sam L. Collins announced that Senator Hoffman is inviting the wives of the legislators to his Bethel Island outing, beginning with the boat ride at 11 a.m., and including the barbecue dinner on Sunday, June 3d; and that as soon as members respond to said invitation, directions will be provided by Senator Hoffman on how to reach the location of the party.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 1980
Assembly Bill No. 2611

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bills ordered to second reading.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 1248, on motion of Mr. Sam L. Collins.

Assembly Bill No. 1954, on motion of Mr. Moss.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 3213—An act to add Chapter 9 to Part 3, Division 13 of the Health and Safety Code, relating to building regulations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dills, Doyle, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Parker, Sherwin, Silliman, Smith, Stanley, Stewart, and Mr. Speaker—52.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1226—An act to amend Sections 9501, 9508, 9509, 9510, and 9513 of, and to add Sections 9522.1, 9522.2, 9522.3, 9522.4, 9522.5, 9522.6, 9522.7, 9522.8, 9522.9, 9522.10, 9522.11, 9522.12, 9522.13, 9522.14, 9522.15, 9522.16, and 9522.17 to, the Business and Professions Code, relating to dry cleaning.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Sherwin, Silliman, Smith, Stanley, Stewart, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1229—An act to amend Section 9550 of the Business and Professions Code, relating to certificates of registration issued by the State Board of Dry Cleaners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Sherwin, Silliman, Smith, Stanley, Stewart, and Mr. Speaker—61

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1231—An act to amend Section 9580 of the Business and Professions Code, relating to fees collected by the State Board of Dry Cleaners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Sherwin, Silliman, Smith, Stanley, Stewart, and Mr. Speaker—61.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1233—An act to amend Section 9594 of the Business and Professions Code, relating to licenses and registration certificates of the State Board of Dry Cleaners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Sherwin, Silliman, Smith, Stanley, Stewart, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1237—An act to amend Section 9512 of the Business and Professions Code, relating to regulation by the State Board of Dry Cleaners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Sherwin, Silliman, Smith, Stanley, Stewart, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1238—An act to amend Section 9533 of the Business and Professions Code, relating to the State Board of Dry Cleaners

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Sherwin, Silliman, Smith, Stanley, Stewart, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1239—An act to amend Section 9540 of the Business and Professions Code, relating to regulation by the State Board of Dry Cleaners

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Sherwin, Silliman, Smith, Stanley, Stewart, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 15—An act to amend Sections 441, 445, and 451 of the Education Code, relating to compensation for public service.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Silliman, Smith, Stanley, Stewart, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 593—An act to amend Section 28134 of the Government Code, relating to compensation for public services in counties of the thirty-fourth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Sherwin, Silliman, Smith, Stanley, and Stewart—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2929—An act to amend Sections 4663, 4911.1, 4912, and 4912.2 of, and to add Section 4663.1 to, the Education Code, relating to school districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Shaw, Silliman, Smith, Stanley, Stewart, and Mr. Speaker—63

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Shaw, Silliman, Smith, Stanley, Stewart, and Mr. Speaker—63

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 3422—An act to amend Sections 14112, 14114, 14116, 14121, 14123, 14136, 14137, 14138, and 14142 of the Education Code, relating to the merit system for noncertificated school employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Shaw, Smith, Stanley, Stewart, and Mr. Speaker—63

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1230—An act to amend Sections 9563 and 9566 of the Business and Professions Code, relating to minimum prices in the dry cleaning industry.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Shaw, Silliman, Smith, Stanley, Stewart, and Mr. Speaker—63

NOES—Geddes—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1232—An act to add Section 9598 to the Business and Professions Code, relating to the State Board of Dry Cleaners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Shaw, Silliman, Smith, Stanley, Stewart, and Mr Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1236—An act to amend Section 9511 of the Business and Professions Code, relating to dry cleaning.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Shaw, Silliman, Smith, Stanley, Stewart, and Mr Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2801 BE RE-REFERRED TO COMMITTEE

Mr. Dickey asked for, and was granted, unanimous consent that Assembly Bill No 2801 be withdrawn from the third reading file, and be re-referred to the Committee on Ways and Means.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1228—An act to amend Sections 9541 and 9542 of the Business and Professions Code, relating to licensing by the State Board of Dry Cleaners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Shaw, Silliman, Smith, Stanley, Stewart, and Mr Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

MEMBER EXCUSED FOR COMMITTEE MEETING

At 10.50 a.m., Mr. Brown asked for, and was granted, unanimous consent that note be made in the Journal that he has been attending a meeting of the Senate Judiciary Committee, for which reason he has been temporarily absent from the Assembly Chamber; and that his name be placed upon the morning roll call.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 233
Assembly Bill No. 1501
Assembly Bill No. 2905
Assembly Bill No. 3321
Assembly Bill No. 3431

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1937

Mr. Beck asked for, and was granted, unanimous consent to take up Assembly Bill No. 1937, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 1937

Assembly Bill No. 1937—An act to amend Section 5032 of the Education Code, relating to state school building aid.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Shaw, Silliman, Stanley, Stewart, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 272

Mr. Babbage asked for, and was granted, unanimous consent to take up the consideration of Senate amendments to Assembly Bill No. 272, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 272—An act to amend Sections 664, 665, and 666 of the Welfare and Institutions Code, relating to the appointment and removal of juvenile hall superintendents, matrons, and employees, and duties of the probation officer.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 272?

Amendment No. 1

On page 1, lines 3 and 4, of the printed bill, as amended, strike out "In all counties except counties having a population in excess of 2,000,000 the", and insert "The".

Amendment No. 2

On page 1, lines 8, 9, 10, 11, and 12, of said bill, as amended, after "the probation officer", strike out ". In all counties having a population in excess of 2,000,000 the superintendent, matron, and other employees of the juvenile hall shall be appointed by the board of supervisors upon the nomination of the probation committee and the approval of the judge of the juvenile court.", and insert "; provided, however, that in counties where the probation committee is responsible for the management and control of the internal affairs of the juvenile hall, the superintendent or matron and all other employees of the juvenile hall shall be appointed by the probation committee with the approval of the judge of the juvenile court."

Amendment No. 3

On page 1, lines 14 and 15, of said bill, as amended, strike out "In all counties except counties having a population in excess of 2,000,000 the", and insert "The".

Amendment No. 4

On page 1, line 20, of said bill, as amended, after "tion", strike out ". In all counties having a population in excess of 2,000,000", and insert "; provided, however, that, in counties where the probation committee is responsible for the management and control of the internal affairs of the juvenile hall".

Amendment No. 5

On page 2, lines 2 and 3, of said bill, as amended, strike out "In all counties except counties having a population in excess of 2,000,000 the", and insert "The".

Amendment No. 6

On page 2, line 5, of said bill, as amended, after "supervisors", strike out ". In all counties having a population in excess of 2,000,000", and insert "; provided, however, that in counties where the probation committee is responsible for the management and control of the juvenile hall".

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 272 by the following vote:

AYES—Brown, Clarke, Condon, Dills, Erwin, Geddes, and Lyon—7

NOES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Chapel, Cloyed, Coats, Collier, George D. Collins, Cooke, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Rosenthal, Shaw, Sillman, Stanley, Stewart, and Mr. Speaker—52

Appointment of Committee on Conference Concerning Assembly Bill No. 272

The Speaker announced the appointment of Messrs. Babbage, Stanley, and Lipscomb as a Committee on Conference concerning Assembly Bill No. 272.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF GOVERNOR'S VETO TO ASSEMBLY BILL NO. 1317

Mr. Crowley asked for, and was granted, unanimous consent to take up consideration of the Governor's veto to Assembly Bill No. 1317, temporarily passed on file.

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 1317—An act to amend Sections 16430 and 16434 of the Education Code, relating to school safety patrols.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 1317 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.

NOES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly,

Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Shaw, Sullivan, Stanley, Stewart, and Mr. Speaker—66.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 765, on motion of Mr. Crowley.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 313

Mr. Lanterman asked for, and was granted, unanimous consent to take up the consideration of Senate amendments to Assembly Bill No. 313, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 313—An act to amend Sections 1, 3, and 14½ of the County Waterworks District Act, and to add Sections 6.1 and 21 thereto, relating to county waterworks districts.

The question being, Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 313?

Amendment No. 1

On page 3, line 45, of the printed bill, as amended in the Assembly on April 20, 1951, after "petition", insert "and as to whether the addition to the district of the lands as described in the petition, or as the boundaries thereof shall have been modified, will be for the best interests of the district".

Amendment No. 2

On page 3, line 46, of the printed bill, as amended, after "clusive", insert "If the board shall find that the addition to the district of the lands as described in the petition, or as the boundaries thereof shall have been modified, will not be for the best interests of the district, it shall reject the petition."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 313 by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Sullivan, Stanley, Stewart, and Mr. Speaker—59

NOES—None

Assembly Bill No. 313 ordered enrolled

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 982

Mr. Lanterman asked for, and was granted, unanimous consent to take up the consideration of Senate amendments to Assembly Bill No. 982, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 982—An act to add Sections 34303.5 and 35002 to, and to amend Sections 35101 and 35301 of the Government Code, relating to cities.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 982?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 20, 1951, between lines 14 and 15, insert

"If the boundary commission does not report upon the petition within 20 days after it is submitted to it, the petition shall be deemed correct."

Amendment No. 2

On page 2 of said bill, as amended, between lines 5 and 6, insert

"If the boundary commission does not report upon the petition or proceeding within 20 days after it is submitted to it, the petition or proceeding shall be deemed correct."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No 982 by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Cooke, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Silliman, Stanley, Stewart, Waters, and Mr Speaker—61.

NOES—None.

Assembly Bill No. 982 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1054

Mr. Silliman asked for, and was granted, unanimous consent to take up the consideration of Senate amendments to Assembly Bill No. 1054, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1054—An act to add Chapter 15 to Part 2, Division 5 of the Health and Safety Code, relating to garbage and refuse disposal districts, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1054?

Amendment No. 1

On page 5, line 12, of the printed bill, as amended in the Assembly on April 24, 1951, before "If", insert "No general obligation bonds shall be issued by the district unless the issuance thereof is approved by the electors of the district at a special election as provided in this article."

Amendment No. 2

On page 7, line 12, of said bill, as amended, strike out "real".

Amendment No. 3

On page 7, line 13, of said bill, as amended, strike out "real".

Amendment No. 4

On page 4 of the printed bill, as amended in the Senate on May 3, 1951, strike out lines 28 to 41, inclusive, and insert

"4183. For the purposes of the district the board of supervisors shall levy a tax of not to exceed fifteen cents ($0.15) on each one hundred dollars ($100) of taxable property of the district in the county."

Amendment No. 5

On page 8, line 43, of said bill, as amended, after "district" and before the period, insert a comma and the following: "and the board shall provide for public hearings for property owners petitioning said board for such hearing and upon proper presentation

being made by property owners that property of their ownership is not benefited by the district the board thereupon shall exclude such property from the district.

No city or portion thereof shall be annexed to the districts unless and until the governing body of the city has consented thereto, such consent being adopted by a favorable vote of two-thirds or more of the governing body".

Amendment No. 6

On page 1 of said bill, as amended, strike out lines 13 to 15, inclusive, and insert "4171. Any contiguous portion or portions of a county whether the".

Amendment No. 7

On page 8 of said bill, as amended, strike out lines 10 to 13, inclusive, and insert "4187. The boundaries of any district may be altered, and outlying contiguous territory, whether incorporated or unincorporated, may be annexed".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1054 by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Silliman, Stanley, Stewart, Waters, and Mr. Speaker—63.

NOES—None.

Assembly Bill No. 1054 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2280

Mr. Davis asked for, and was granted, unanimous consent to take up the consideration of Senate amendments to Assembly Bill No. 2280, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2280—An act to amend Section 28140 of the Government Code, relating to the compensation of officers, jurors and witnesses in counties of the fortieth class.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2280?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "28140", and insert "28141".

Amendment No. 2

In line 3 of the title of said bill, strike out "fortieth", and insert "forty-first".

Amendment No. 3

On page 1, line 1, of said bill, strike out "28140", and insert "28141".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, strike out lines 3 to 25, inclusive; and on page 2, strike out lines 1 to 18, inclusive, and insert

"28141. In a county of the forty-first class the following shall receive as compensation for services required of them by law or by virtue of their offices the following sums:

(a) The auditor, eight hundred dollars ($800) a year.

(b) The district attorney, [three thousand three hundred dollars ($3,300)] *four thousand eight hundred dollars ($4,800)* a year.

(c) Each supervisor, [one thousand five hundred dollars ($1,500)] *two thousand four hundred dollars ($2,400)* a year and mileage from his residence to the county seat at each sitting of the board, at twenty-five cents ($0.25) a mile. Each supervisor is, in addition, allowed three hundred dollars ($300) a year to cover mileage expense at twenty-five cents ($0.25) *a mile in viewing the roads.* These salaries *and mileage* are in full for all services

(d) Grand jurors and trial jurors shall receive the following fees and mileage:

(1) Grand jurors and jurors in the superior court shall be paid [three dollars ($3)] *six dollars ($6)* a day for each day's attendance, and twenty-five cents ($0.25) for each mile actually traveled in going only, while acting as jurors. The judge of the court shall certify to the auditor the number of days' attendance of each juror and his mileage. The auditor shall draw his warrant on the treasurer in favor of each juror and the treasurer shall pay the warrant.

(2) Trial jurors in [criminal cases only in] any justice's court shall receive [two dollars fifty cents ($2.50)] *four dollars ($4)* for each day's attendance, *and twenty-five cents ($0.25) for each mile actually traveled in going to, but not from, the place of attendance*. The justice of the peace shall certify to the auditor the number of days' attendance of each juror, and the auditor shall draw his warrant therefor, and the treasurer shall pay the warrant

(e) Witnesses legally required to appear before the grand jury or the superior court shall receive four dollars ($4) for each day's attendance, and ten cents ($0.10) per mile for each mile actually traveled in going to, but not from, the place of appearance

(f) Witnesses legally required to appear in any justice court or before a coroner's jury shall receive three dollars ($3) for each day's attendance, and ten cents ($0.10) per mile for each mile actually traveled in going to, but not from, the place of appearance

The compensation provided by this section shall be payable to incumbent officers.

SEC. 2. If it is not legally competent to pay the compensation provided by this act to incumbent officers on the effective date of this act, such increase in compensation shall nevertheless be payable to the officers designated in this act as soon as it is legally competent to do so."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2280 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Shaw, Smith, Stanley, Stewart, and Mr. Speaker—64.

NOES—None

Assembly Bill No. 2280 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1730

Mr. Erwin asked for, and was granted, unanimous consent to take up Assembly Bill No. 1730, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 1730

Assembly Bill No. 1730—An act to amend Sections 1, 3, 4, and 6 of the Flood Control Fund Act of 1946, relating to state assistance on flood control projects.

Bill read third time, and ordered passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1731

Mr. Erwin asked for, and was granted, unanimous consent to take up Assembly Bill No. 1731, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 1731

Assembly Bill No. 1731—An act to amend the State Water Resources Act of 1945 (Chapter 1514, Stats. 1945), as amended, by amending Sections 18 and 20 thereof, relating to state assistance on flood control projects.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Sillman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—65.

NOES—None.

Notice of Motion to Reconsider Assembly Bill No. 1731

Mr. Shaw gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1731 was this day passed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1582

Mr. Maloney asked for, and was granted, unanimous consent to take up Assembly Bill No. 1582, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 1582

Assembly Bill No. 1582—An act to add Section 7.1 to the Alcoholic Beverage Control Act, relating to issuance of licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Sillman, Smith, Stanley, Stewart, Thomas, and Waters—70.

NOES—None

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Mr. McCollister:

House Resolution No. 161

Relative to the creation of the Assembly Interim Committee on Military Affairs

Resolved by the Assembly of the State of California, As follows

1 The Assembly Interim Committee on Military Affairs is hereby created and authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon any matter which, under the Standing Rules of the Assembly and the legislative practices thereunder would be referred to the Assembly Standing Committee on Military Affairs, and any and all other matters relating to or affecting military and veterans affairs, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation

2. The committee shall consist of such Members of the Assembly Standing Committee on Military Affairs as the Speaker shall appoint. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5 The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution

6. The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read, and ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2936

Mr. Lowrey asked for, and was granted, unanimous consent to take up Assembly Bill No 2936, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 2936

Assembly Bill No. 2936—An act to add Section 7.7 to the Unemployment Insurance Act, relating to agricultural labor.

Bill read third time.

Hon. Randal F. Dickey Presiding

At 11.25 a.m., Hon. Randal F Dickey, Member of the Assembly from the Fourteenth District, presiding.

Speaker Pro Tempore Presiding

At 11.30 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Speaker Presiding

At 11.35 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

The question being on the passage of Assembly Bill No. 2936.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Brady, Burke, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dolwig, Dunn, Erwin, Grant, Grunsky, Gubser, Hagen, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering,

Lindsay, Lipscomb, Lowrey, Lyon, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Munnell, Parker, Porter, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—50.

NOES—Berry, Burkhalter, George D. Collins, Condon, Dickey, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Hahn, Hawkins, Henderson, Hollibaugh, Lincoln, Luckel, Maloney, McMillan, Moss, Niehouse, and Rosenthal—22.

Notice of Motion to Reconsider Assembly Bill No. 2936

Mr. Henderson gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2936 was this day passed.

REPORTS OF STANDING COMMITTEES

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:

Assembly Bill No. 671

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and re-refer to Committee on Ways and Means.

McCOLLISTER, Chairman

Above reported bill ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT TO EXPUNGE RECORD, AND RESCIND ACTION ON ASSEMBLY BILL NO. 894

Mr. Dickey asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on this day, adopted, on second reading, amendments offered by the Committee on Judiciary to Assembly Bill No. 894.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 894

Assembly Bill No. 894—An act to amend Section 737a of the Political Code and Section 79.1 of the Code of Civil Procedure, relating to superior judges' salaries.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 737a", and insert "Sections 737a and 737*ll*".

Amendment No. 2

In line 2 of the title of said bill, strike out "tion 79.1", and insert "tions 79.1 and 79.38".

Amendment No. 3

On page 1 of said bill, strike out line 5, and insert "sixteen thousand seven hundred fifty dollars ($16,750)."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, between lines 5 and 6, insert

"SEC. 2. Section 737*ll* of the Political Code is amended to read:

737*ll* The annual salary of each of the Judges of the Superior Court in and for the City and County of San Francisco is [fifteen thousand dollars ($15,000)] *sixteen thousand, seven hundred fifty dollars ($16,750)*."

Amendment No. 5

On page 1, line 6, of said bill, strike out "2", and insert "3".

Amendment No. 6

On page 1 of said bill, strike out line 10, and insert "sixteen thousand seven hundred fifty dollars ($16,750)."

Amendment No. 7

On page 1 of said bill, between lines 10 and 11, insert

"SEC. 4. Section 79 38 of the Code of Civil Procedure is amended to read:

79.38. The annual salary of each of the judges of the Superior Court in and for the City and County of San Francisco is [fifteen thousand dollars ($15,000)] *sixteen thousand seven hundred fifty dollars ($16,750)*."

Amendment No. 8

On page 1, line 11, of said bill, strike out "SEC 3. Section 2", and insert "SEC. 5. Sections 3 and 4".

Amendment No. 9

On page 1, line 12, of said bill, strike out "Section 737a", and insert "Sections 737a and 737*l*".

Amendment No. 10

On page 1, line 12, of said bill, strike out "is", and insert "are".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT REPORT BE PRINTED AS SEPARATE DOCUMENT AND THAT 2,500 COPIES BE PRINTED

Mr. Stewart asked for unanimous consent that the Report on Overlapping in Building Regulations by the Assembly Interim Committee on Governmental Efficiency and Economy, as printed in the Assembly Journal for May 23d, at pages 4634 to 4642, inclusive, be printed as a separate document, and that 2,500 copies be ordered printed.

Request ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT THAT OPINION FROM LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Mr. Shaw asked for, and was granted, unanimous consent that an opinion of the Legislative Counsel, relative to Assembly Bill No. 2366, be ordered printed in the Journal, in 10 point type, as follows:

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, May 21, 1951

Honorable Stanford C. Shaw
Assembly Chamber

ASSEMBLY BILL 2366—No. 8328

DEAR MR. SHAW:

Question

You have asked for our opinion as to the constitutionality of Assembly Bill No. 2366, as amended in Assembly May 18, 1951.

Opinion

While any opinion in the field covered by this bill is, to a certain extent, speculative, we are inclined to believe that the bill, if enacted, would be upheld.

Analysis

The bill contains certain legislative findings and declarations which in effect set out that recent history shows there is a world-wide movement to establish a totalitarian dictatorship which has resulted in the overthrow of legally constituted governments aided by the treachery of totalitarian organizations within the country involved. The bill declares that such totalitarian organizations exist in this State and through treachery and specified activities, including infiltration into key positions in government and defense industries, will interfere with the military and civil defense of the Nation and of this State.

In order to meet this evil the bill would create a commission charged with the duty of ascertaining whether any member of a totalitarian organization, as defined in the act, "knowingly acts to bring about the establishment of a totalitarian government as defined in the act." The commission is charged with the duty of requiring "registration by such persons at such time and place and on such forms as the commission may determine."

The bill provides for notice to the person affected by the commission's initial determination that he should register, and affords him a hearing before the commission and a judicial review of the commission's final determination that as a person you should be required to register. It is not until the person affected has failed to seek judicial review, or until such determination of the commission is affirmed by the court, that any penalty attaches for failure to register.

It would appear that any attack upon the bill would be grounded upon the following arguments:

1. That the bill constitutes an attempt for state regulation in the field of foreign affairs, which is exclusively reserved to the Federal Government (*United States* vs. *Pink*, (1942) 315 U. S. 203).

2. That the bill constitutes state legislation in a field completely occupied by federal legislation, and therefore violates Section 2 of Article VI of the United States Constitution.

3. That, as a criminal statute, the bill is too uncertain to meet the requirements of the due process clause of the Fourteenth Amendment to the Federal Constitution.

4. That the bill violates the equal protection clause of the Fourteenth Amendment to the United States Constitution.

5. That the bill infringes on the right of free speech or assembly guaranteed by the First Amendment and made applicable to the states by the Fourteenth Amendment of the United States Constitution.

We do not believe that the first ground of attack set forth above is valid The obvious purpose of the bill is to prevent sabotage and similar acts within the State of California and the bill would appear to have no impact upon foreign or international affairs. Unlike the statute declared void upon this ground in *Hines* vs. *Davidowitz* (1941) 312 U S. 52, the bill does not single out aliens for registration but applies with equal force to all persons within the State In the *Davidowitz* case (supra) the court pointed out for example that: "Experience has shown that international controversies of the gravest moment, sometimes even leading to war, may

arise from real or imagined wrongs to anothers subjects inflicted, or permitted, by a government." A state requirement that aliens be registered and carry registration cards might cause such trouble and affect foreign affairs, but it is difficult to see how a state statute requiring registration of subversive organizations can be open to the same comment.

With respect to the second ground set forth above, there is no question but that the bill operates in the same field as that covered by the Federal Subversive Activities Control Act of 1950. That act provides for the registration of Communist-action and Communist-front organizations and it further provides for the registration of certain members of such organizations.

Both the federal statute cited and the bill in question would result in the registration of certain individuals, but we can see no basis for a conclusion that registration by the State would interfere with the operation of the federal statute. There is nothing in the text of the federal statute which would clearly indicate an intent on the part of Congress to exclude the states from regulating in the same field. In the absence of such an intent nonconflicting regulations adopted by the states under their police powers are not invalid. (*Allen-Bradley Local* vs. *Wisconsin Employment Relations Board*, 315 U.S. 740)

With respect to the third ground of attack set forth above, it should be noted that the only crime defined is for a person to refuse to register after he has been found by the commission to be a member of a totalitarian organization who has knowingly acted to bring about the establishment of a totalitarian dictatorship. In other words, the crime constitutes failure to register after notification that the person affected should register. We do not believe therefore that the statute could be invalidated on this ground.

As to the fourth ground mentioned above, it is well established that the equal protection clause of the Fourteenth Amendment does not prevent the states from enacting class legislation provided there is a reasonable basis for the classification. (*Thompson* vs. *Kentucky*, 209 U. S. 340) It is true that the bill singles out only those persons who are members of totalitarian organizations *and* who have knowingly acted to bring about the establishment of a totalitarian dictatorship for registration, thereby leaving unaffected other persons who seek to bring about a totalitarian dictatorship but do not belong to such organizations. However, the legislative findings set forth in Section 1 of the bill provide a reasonable basis for this classification by showing that the danger is presented primarily by the activities of members of totalitarian organizations.

As to the fifth ground of attack mentioned above, it should be noted that the effect of the bill upon the right to free speech or assembly is remote and indirect. Assuming that a person has registered pursuant to the act, nothing in the act would prevent him from making any utterance in favor of the establishment of a totalitarian government or on any other subject, nor would anything in the act prevent him from remaining a member of any totalitarian organization.

We believe that the effect of the registration requirement of the bill upon rights protected by the first amendment to the United States Constitution is as indirect and remote as was the effect of the Communist oath requirement of the Taft-Hartley Act upon those rights. We further believe the registration requirement of the bill is as reasonable a means

to meet an evil subject to regulation under the State's police power as that oath requirement was to meet an evil which Congress could regulate through its power over interstate commerce. The Communist oath provision referred to was upheld in *American Communications Ass'n.* vs. *Douds*, 339 U. S. 382, and in our opinion, under the reasoning of that case, the bill in question would be upheld as against the contention that it unconstitutionally infringed rights protected by the First Amendment.

We are aware that a county ordinance requiring registration of substantially the same persons who would be affected by Assembly Bill No. 2366 was recently declared invalid. (See *People* vs. *McCormick*, 102 A. C. A. (Supp.) 854.) However, the basis of the decision in that case was that the registration requirement would violate the constitutional provision against self-incrimination. We do not believe that objection is applicable to the bill under consideration.

No person is required to register until the commission has investigated and secured facts sufficient to convince itself and a reviewing court that: (1) A specified organization is a totalitarian organization, as defined; (2) The person affected is a member of that organization; and (3) The person affected "knowingly acts to bring about the establishment of a totalitarian dictatorship."

It should be noted that neither the definition of "totalitarian dictatorship" nor the definition of "totalitarian organization" mentions the use of force, violence or unlawful means. A totalitarian dictatorship could be lawfully accomplished by a revision of the Constitution through lawful processes, and an organization which exists for the purpose of establishing and maintaining such a government by such constitutional means would fall within the definition of "totalitarian organization."

Similarly a member of such organization who secured signatures on a petition asking Congress to call a convention for the purpose of amending the Constitution to provide for a totalitarian dictatorship would be acting knowingly to bring about such a dictatorship.

Neither the organization nor the member would, of course, be guilty of any criminal conduct in the examples just given for such conduct is not proscribed, nor could it be proscribed, by the California Criminal Syndicalism Act or by any federal statute.

It is clear, therefore, that unlike the situation presented by the county ordinance in the *McCormick* case (above), the fact of registration under the bill would not be evidence of the violation of any criminal statute. In view of this, and the fact that the bill specifically provides that the fact of registration shall not be received in evidence in any criminal prosecution, we do not believe the registration requirement violates the constitutional provision against self-incrimination.

Based upon the above, we believe that the bill, if enacted, would be valid.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By A. C. MORRISON, Deputy

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 2251 FROM COMMITTEE

Mr. Elliott gave notice that on the second legislative day he would move to withdraw Assembly Bill No. 2251 from the Committee on Governmental Efficiency and Economy, and have it placed upon the file.

APPOINTMENT OF SELECT COMMITTEE

Speaker Sam L. Collins announced the appointment of Messrs. Fleury and Moss as a Select Committee to escort to the rostrum Miss Pat Lehman, "Miss Sacramento," and Miss Bea Jay Johnson, "Miss Hawaii."

RECESS

At 11.52 a.m., on motion of Mr. Dickey, the Assembly recessed until 11.55 a.m. to welcome Miss Bea Jay Johnson, "Miss Hawaii," and Miss Pat Lehman, "Miss Sacramento," and to hear remarks from them.

REASSEMBLED

At 11.55 a.m., the Assembly reconvened.

Hon. Sam L Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Messrs. Kilpatrick and Burke:

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, we request permission to introduce a bill, the title of which is as follows:

An act to add Section 5501 5 to the Welfare and Institutions Code, relating to the commitment of sexual psychopaths, and declaring the urgency thereof, to take effect immediately

Respectfully submitted.

VERNON KILPATRICK
MONTIVEL A. BURKE

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the authors be permitted to introduce it:

By Messrs Kilpatrick and Burke:

An act to add Section 5501 5 to the Welfare and Institutions Code, relating to the commitment of sexual psychopaths, and declaring the urgency thereof, to take effect immediately.

GRUNSKY, Vice Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Munnell, Parker, Porter, Rosenthal, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3443: By Messrs. Kilpatrick and Burke—An act to add Section 5501.5 to the Welfare and Institutions Code, relating to the commitment of sexual psychopaths, and declaring the urgency thereof, to take effect immediately.

Referred to the Committee on Judiciary.

ANNOUNCEMENTS

Mr. Dickey announced, on behalf of Mr. Beck, a Democratic luncheon meeting, and Caucus today, upon recess, at the Hotel Sacramento.

Mr. McCollister announced that no meeting of the Committee on Military Affairs will be held today.

RECESS

At 11.57 a.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Asembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

COMMUNICATIONS

By the Chief Clerk:

A communication from the Hon. Richard Nixon, United States Senator from California, Washington, D. C., acknowledging receipt of a copy of Assembly Joint Resolution No. 30, was received, and ordered filed with the Secretary of State.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2623—An act to add Section 39 7 to the Fish and Game Code, relating to the powers of the Fish and Game Commission;

Assembly Bill No. 3280—An act to amend Section 681 of the Vehicle Code, relating to the use of sirens and red lights by privately owned armored cars;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-eighth day of May, 1951, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1891—An act to amend Sections 8723, 18461, and 18478 of, and to add Sections 18153, 18402 1, 18431, 18481 to, and to repeal Sections 18479 and 18480 of, the Education Code, all relating to sites for public schools declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 2085—An act to amend Section 6028 1 of, and to add Section 6028.11 to, the Penal Code, relating to Special Crime Study Commissions;

Assembly Bill No. 2128—An act to add Section 644.2 to the Agricultural Code, relating to oleomargarine;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-eighth day of May, 1951, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1240—An act to amend Section 7442 of the Business and Professions Code, relating to the practice of cosmetology and the fees therefor;

Assembly Bill No. 1243—An act to add Section 18105 to, and to amend Sections 18050, 18051, 18052, and 18100 of, the Government Code, relating to vacation and sick leave for state employees;

Assembly Bill No. 1727—An act to amend Section 41.5 of the Unemployment Insurance Act, relating to transfer of employers' reserve accounts;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-eighth day of May, 1951, at 1 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 100—An act to add Sections 104.1, 104.2, and 104.3 to, to amend Sections 2182, 3088.5, and 3474.5, and to repeal Sections 1551, 2182.1, 3086, 3086.1, and 3473.1 of, the Welfare and Institutions Code, relating to public assistance, in respect to appeals by applicants for or recipients of aid,

Assembly Bill No. 340—An act creating a district to be called "Kings River Conservation District"; providing for its organization, operation, maintenance and government, for the inclusion of lands therein and the exclusion of lands therefrom; providing for the acquisition, construction, maintenance and operation of works and property for the purposes of the district, including the storage, conservation, distribution and sale of water, the development, distribution and sale of electric power, the drainage, reclamation and protection of land and prescribing and defining the powers, duties, purposes and responsibilities of said district;

Assembly Bill No. 1155—An act to amend Sections 36, 37, and 54 of, and to add Sections 27a, 28.1, 39.1, and 39.2 to, the State Water Resources Act of 1945, relating to flood control and water conservation;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-eighth day of May, 1951, at 1 p.m.

BURKE, Chairman

RESOLUTIONS

The following resolution was offered:

By Mr. Dolwig:

House Resolution No. 162

Relative to the creation of the Assembly Fact-Finding Committee on Regional Problems of the San Francisco Bay Area

WHEREAS, Critical regional problems of common concern to the several counties bordering the San Francisco Bay, and to the cities and districts in those counties, remain unsolved because of lack of means for coordinated planning and final initiation of projects; and

WHEREAS, These problems involve: (a) *water conservation*, including plans for supplemental water supplies, reclamation and recovery of drainage and flood waters, and prevention of intrusion of sea water into underground waterbasins; (b) *vehicular traffic planning*, including the pressing need for additional bay crossings and freeway planning; (c) *transportation planning*, including future railroad crossings of the bay, provision of rapid transit facilities for the region, coordination of port and harbor operation and related navigation problems, parking and terminal facilities, and planning for future air traffic facilities; (d) *reclamation of tidelands*, including plans and projects for recreational areas, marine facilities for small craft, development of beaches, shoreline parks and parkways, and related planning for orderly development of the tidelands for urban, industrial and agricultural uses; (e) *drainage and flood control*, including provision of drainage critically needed in presently developed tideland areas, drainage and flood control in future reclaimed areas, proper disposal or reclamation of municipal and industrial liquid wastes, and related waste disposal problems affecting the water and air within the region, particularly those problems of disposal of garbage, refuse and other solid wastes in tideland areas; and

WHEREAS, These problems are inseparably inter-related and their solution requires practical coordination of numerous local, state and federal governmental agencies, and many private interests and voluntary public groups, in order to reach final decisions on regional planning; and

WHEREAS, Solutions of some of these problems are closely related to existing development and future plans in the Central Valley region particularly in the Delta area; and

WHEREAS, Projects for final solution of these problems are vital to military and civilian defense, and are necessary for orderly planning and development for ultimate urban, industrial and agricultural growth in the region; and

WHEREAS, Initial studies of the separate problems have failed to develop acceptable projects, largely because of failure to properly relate the various problems, and also to absence of legislative means to adopt final plans and implement projects; and

WHEREAS, It has been the conclusion of all of these separate studies that final solutions can come about only through some type of regional authority with sufficient power to adopt definite plans and initiate and finance projects for their completion; and

WHEREAS, The regional problems relating to railroad crossings and grade separations and to the reclamation of tidelands are so closely related to the state-wide problems relating to these subjects that the study of such problems must be undertaken on a state-wide basis; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Fact-Finding Committee on Regional Problems of the San Francisco Bay Area is hereby created and authorized and directed to ascertain, study and analyze all facts relating to

(a) The several regional problems outlined herein and their inter-relation and to study all possible legislative mechanics for establishing a regional authority with sufficient powers to develop, coordinate and adopt plans either in its own name or through existing established agencies as may be most appropriate;

(b) The scarcity of industrial sites within the boarders of the State of California and particularly in the San Francisco Bay region;

(c) The needs of industry and commerce for expansion and location of sites in Northern California and particularly in the San Francisco Bay region upon land easily accessible by highway, rail, and water;

(d) Specific tideland areas in Northern California and particularly in the San Francisco Bay region that are available for reclamation and development, the methods by which any such area may be reclaimed, developed, and made available for industrial or commercial use, and the estimated costs of any or all such projects;

(e) Providing adequate access by highways from such areas and the San Francisco-San Mateo Peninsula to the northern and central portions of California, including all matters pertaining to the construction of additional San Francisco Bay crossings, the location thereof, and the type of structure;

(f) The regional and state-wide problems relating to railroad crossings and grade separations and to the reclamation of tidelands; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation In conducting this investigation the committee shall cooperate with all other legislative committees which have the separate problems under study

2. The committee shall consist of nine Members of the Assembly appointed by the Speaker thereof The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members

5 The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution

6 The committee and each subcommittee thereof is authorized to leave the State of California in the performance of its duties

7 The sum of _____ dollars ($_____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 69: By Mr. Dolwig—Relative to legislative research.

Referred to Committee on Rules.

MEMBER EXCUSED

At 2.02 p.m., Mr. Lowrey asked for, and was granted, unanimous consent that Mr. Davis be excused, for the balance of the legislative day, because of illness.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1045

Mr. McGee asked for, and was granted, unanimous consent to take up Assembly Bill No. 1045, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 1045

Assembly Bill No. 1045—An act to add Section 1188.2 to the Code of Civil Procedure, relating to priority of mechanics' liens.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Dolwig, Doyle, Erwin, Evans, Grant, Grunsky, Hagen, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Tomlinson, Waters, and Mr. Speaker—48.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1049

Mr. McGee asked for, and was granted, unanimous consent to take up Assembly Bill No 1049, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 1049

Assembly Bill No. 1049—An act to add Section 1193.1 to the Code of Civil Procedure, relating to mechanics' liens

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Grant, Grunsky, Hagen, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr Speaker—57.

NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3390—An act creating the "Yolo County Flood Control and Water Conservation District" for the acquisition, controlling, conservation, diversion, storage and disposition of storm, flood, and

other surface waters, prescribing the boundaries, organization, operation, management, financing and powers and duties of the district.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2449

Mr. Belotti asked for, and was granted, unanimous consent to take up Assembly Bill No. 2449, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 2449

Assembly Bill No. 2449—An act to authorize the exchange by the State Park Commission of lands in Del Norte County deeded to the State in addition to Mill Creek State Park for lands along Smith River adjacent to existing state park.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1695

Mr. Kirkwood asked for, and was granted, unanimous consent to take up Assembly Bill No. 1695, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 1695

Assembly Bill No. 1695—An act to add Section 20344.3 to the Education Code, relating to the performance of services for the Federal Government by schools and colleges under the jurisdiction of the Department of Education.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed Coats, Collier, George D Collins, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 2727

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

STEWART, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2464—An act to amend Section 672 of the Vehicle Code, relating to escort of vehicles by police and traffic officers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF HOUSE RESOLUTION NO. 154

By Mr. Burkhalter:

House Resolution No. 154

Relative to the study of structural pest control

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Governmental Efficiency and Economy, created at this session, is hereby authorized and directed to ascertain, study and analyze all facts relating to the Structural Pest Control Act and all matters pertaining to structural pest control contained in Assembly Bills 895 and 896 of this session, including but not limited to the relationship between the structural control operator, the real estate broker, the lending institution, and the Structural Pest Control Board, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

Resolution read.

Roll Call Demanded

Messrs. Grunsky, Kirkwood, and Hinckley demanded a roll call.

The roll was called, and House Resolution No. 154 adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Chapel, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Dunn, Elliott, Evans, Gaffney, Hahn, Hawkins, Henderson, Hollibaugh, Kilpatrick, Lincoln, Lowrey, Maloney, McCollister, McFall, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Shaw, Stanley, and Thomas—39

NOES—Burke, Caldecott, Clarke, Cloyed, Collier, Conrad, Geddes, Grunsky, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Levering, Luckel, Lyon, Silliman, Smith, and Waters—19.

UNFINISHED BUSINESS (RESUMED)
RECONSIDERATION OF ASSEMBLY BILL NO. 302

In compliance with a notice given on a previous day, Mr. Lyon moved that the vote whereby Assembly Bill No. 302 was refused passage be reconsidered.

Demand for Previous Question

Messrs. Klocksiem, Lanterman, Luckel, Cloyed, and Lipscomb demanded the previous question.

Demand for previous question sustained.

The question being on the motion by Mr. Lyon that the vote whereby Assembly Bill No. 302 was refused passage be reconsidered.

The roll was called, and Assembly Bill No. 302 reconsidered by the following vote:

AYES—Berry, Brady, Burke, Burkhalter, Chapel, Clarke, George D. Collins, Crowley, Dickey, Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Lanterman, Levering, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Niehouse, Porter, Stanley, Stewart, and Waters—41.

NOES—Babbage, Beck, Belotti, Caldecott, Cloyed, Coats, Collier, Connolly, Conrad, Dunn, Evans, Hagen, Hinckley, Klocksiem, Lincoln, Lowrey, Luckel, Moss, Munnell, Parker, Shaw, Silliman, Smith, and Tomlinson—24.

Assembly Bill No. 302 ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1715

Mr. Levering asked for, and was granted, unanimous consent to take up Assembly Bill No. 1715, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 1715

Assembly Bill No. 1715—An act to add Section 58.1 to the Unemployment Insurance Act, relating to disqualification for benefits.

Bill read third time.

Demand for Previous Question

Messrs. Evans, Cloyed, Grant, Lanterman, and Waters demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1715.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Levering moved a call of the Assembly.

Motion carried. Time, 3 25 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Dills, Grant, Lincoln, Lindsay, Luckel, McMillan, Porter, Rosenthal, and Sherwin—9.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Lyon asked for, and was granted, unanimous consent that Assembly Rule No 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED) UNFINISHED BUSINESS (RESUMED) NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Lyon to reconsider the vote whereby Assembly Bill No. 3159 was passed, was continued until the next legislative day.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2086—An act to amend Sections 12202 and 12203 of, and to add Section 8052 to, the Education Code, relating to practice teaching for students enrolled in teacher training curricula of teacher education institutions.

Bill read third time.

Motion to Amend

Mr. Grant moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 14, of the printed bill, as amended in the Assembly on May 16, 1951, after "rendered", insert "by the district".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 424—An act to amend Section 6 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Bill read third time.

Point of Order

Mr. Lowrey arose to the following point of order: That, pursuant to the provisions of Rule No. 45, Assembly Bill No. 424 should be re-referred to the Committee on Ways and Means, and is not properly before House, at this time.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Request for Unanimous Consent That Assembly Bill No. 424 Be Re-Referred to Committee

Mr. Maloney asked for, and was granted, unanimous consent that Assembly Bill No. 424 be withdrawn from the third reading file, and be re-referred to the Committee on Ways and Means.

RESOLUTIONS

The following resolution was offered:

By Mr. Dickey:

House Resolution No. 163

Resolved, That the Controller be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Department of Finance (supplies)	$13.64
Department of Finance (typewriter service)	9.48
The Pacific Telephone and Telegraph Company (tolls)	584.40
The Pacific Telephone and Telegraph Company (service, equipment and tolls)	78.95
Western Union (telegrams)	1.20

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 163, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sillman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—66.

NOES—None

MOTION TO APPROVE JOURNALS

Upon motion of Mr. Dickey, the Journals for Monday, May 21, 1951; Tuesday, May 22, 1951; Wednesday, May 23, 1951; Thursday, May 24, 1951; and Friday, May 25, 1951, were approved, as corrected by the Minute Clerk.

RESOLUTIONS

The following resolution was offered:

By Messrs. Porter, Hollibaugh, Doyle, Rosenthal, Munnell, Dills, Beck, Evans, Grant, Elliott, Hahn, Morris, Hawkins, McMillan, Burke, Thomas, and Klocksiem:

House Resolution No. 164

Relative to congratulating Robert L. Smith on his promotion

WHEREAS, Robert L. Smith has been with the *Los Angeles Daily News* for many years during which time he has performed in the best newspaperman's tradition; and

WHEREAS, Robert L. Smith is a native of the West, born in Salt Lake City, Utah, and a resident of Southern California for a number of years, during which time he has been active in community and civic affairs; and

WHEREAS, Robert L. Smith was Regional Chairman of the War Production Board during World War II, and is a member of the Board of Directors of the Los Angeles Downtown Businessmen's Association, the All-Year Club of Southern California, and the Southern California Symphony Association, and for the past eight years has been President of the Los Angeles Board of Airport Commissioners; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly hereby congratulate Robert L. Smith on his promotion to President and Associate Publisher of the *Los Angeles Daily News*; and be it further

Resolved, that the Chief Clerk of the Assembly send a copy of this resolution to Robert L. Smith

Resolution read, and ordered referred to the Committee on Rules.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Elliott:

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 6060 and 6061 of the Business and Professions Code, relating to qualifications for admittance to the practice of law.

Respectfully submitted.

EDWARD E. ELLIOTT

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Elliott:

An act to amend Section 6060 and 6061 of the Business and Professions Code, relating to qualifications for admittance to the practice of law.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—67.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3444: By Mr. Elliott—An act to amend Sections 6060 and 6061 of the Business and Professions Code, relating to qualifications for admittance to the practice of law.

Referred to Committee on Judiciary.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Meyers:

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Division 8a, comprising Sections 445 to 445.5, inclusive, to the Vehicle Code, relating to the regulation of drivers' schools and driving instructors.

Respectfully submitted.

CHARLES W. MEYERS

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Meyers:

An act to add Division 8a, comprising Sections 445 to 445.5, inclusive, to the Vehicle Code, relating to the regulation of drivers' schools and driving instructors.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—67.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3445: By Mr. Meyers (By request of Mr. McCarthy)—An act to add Division 8a, comprising Sections 445 to 445.5,

inclusive, to the Vehicle Code, relating to the regulation of drivers' schools and driving instructors.

Referred to Committee on Transportation and Commerce.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1715

At 3.51 p.m., on motion of Mr. Levering, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1715 passed by the following vote:

AYES—Babbage, Belotti, Brady, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Dolwig, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, McCarthy, McGee Morris, Porter, Sillman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—41

NOES—Beck, Berry, Brown, Burkhalter, Coats, George D Collins, Condon, Cooke, Crowley, Dickey, Dills, Doyle, Dunn, Elliott, Evans, Gaffney, Hagen, Hahn, Hawkins, Henderson, Hollibaugh, Kilpatrick, Maloney, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, and Thomas—35.

Notice of Motion to Reconsider Assembly Bill No. 1715

Mr. Dunn gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1715 was this day passed.

REQUEST FOR UNANIMOUS CONSENT TO EXPUNGE RECORD, AND RESCIND ACTION ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2599

Mr. Stewart asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on this day, concurred in Senate amendments to Assembly Bill No. 2599.

REQUEST FOR UNANIMOUS CONSENT TO USE ASSEMBLY CHAMBER

Mr. Levering asked for, and was granted, unanimous consent that the Committee on Industrial Relations be permitted to use the Assembly Chamber on Thursday, May 31, 1951, at 8.30 p.m., for the purpose of considering Assembly Bill No. 3435.

ANNOUNCEMENTS

Mr. Stanley announced a Republican breakfast meeting, and Caucus, tomorrow morning, Tuesday, May 29th, at 7 30 a.m., at Hart's restaurant.

Mr. Dickey announced that the Assembly will be in session on Decoration Day, Wednesday, May 30th, and that committee meetings will be held, as regularly scheduled.

STATEMENT BY MR. HAGEN

Page 4744 of the Journal incorrectly reflects the vote on the motion of Mr. Dunn to refer Assembly Bill No 3435 to the Committee on Industrial Relations in that it does not reflect my "No" vote on such motion. I have verified the accuracy of this statement with the Minute Clerk. This occurred because of a printer's error, and I request text of the Journal be corrected to properly reflect my vote.

HARLAN HAGEN

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today, at 8 p.m.—

Finance and Insurance, in Room 3184.

Judiciary, in Room 2170.

Today Upon Adjournment—

Public Utilities and Corporations, in Room 432.
Boards and Commissions, in Room 426.
Ways and Means, in Room 435.

Tomorrow, Tuesday, May 29th, At 9 a.m.—

Rules, in Room 3186.

Next Wednesday, May 30th, At 8 p.m.—

Municipal and County Government, in Room 2170.

It was announced that the following committee would hold no meeting today:

Military Affairs.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr Hollibaugh, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Wilbur Tate of Huntington Park.

On request of Mr. Beck, the usual courtesies of the Assembly for this day were unanimously extended to Margaret Dahm of New Jersey.

On request of Messrs. Moss and Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Miss Pat Lehman, "Miss Sacramento," and Miss Bea Jay Johnson, "Miss Hawaii."

On request of Mr. Burkhalter, the usual courtesies of the Assembly for this day were unanimously extended to Howard Stites, Robert Oden, Floyd Jolley, Frank Lowney, and Archie Walters of Burbank.

On request of Messrs. Smith and Conrad, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. G. Revelle Harrison of Glendale.

On request of Messrs. Lipscomb and Conrad, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Richard L. Newton of Los Angeles.

On request of Mr. Lowrey, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. E. K. Bandy of Woodland.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. White, teacher, and the following pupils of the Falls School: Loretta Munoz, Grace Tsiyi, Sandra Siebe, Ramona Anderson, Jackie Munoz, and Jackie Tsiyi.

On request of Mrs. Niehouse, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Ralph Hazlett of Oceanside.

ADJOURNMENT

At 3.57 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9.30 a.m., Tuesday, May 29, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SIXTY-NINTH LEGISLATIVE DAY

NINETY-FIFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, May 29, 1951

The Assembly met at 9.30 a.m.
Hon. Sam L. Collins, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—77.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Our Father, Which Art in Heaven, Hallowed be Thy name. Thou has taught us by the death of Thy Son, our Saviour, that without the shedding of blood, there is no remission of sins. Thou dost bring to our remembrance, the blood of saints and martyrs, heroes and warriors. We memorialize the lives that teach us the lesson of sacrifice that leads to redemption. May our Nation's destiny be so ordered that they shall not have died in vain.

"O thus be it ever when free men shall stand
Between their loved homes and the war's desolation;
Blest with victory and peace, may the Heaven-rescued land
Praise the Power that has made and preserved us a Nation!
Then conquer we must, when our cause it is just;
And this be our motto: "In God is our trust!"
And the Star-Spangled Banner in triumph shall wave
O'er the land of the free and the home of the brave"

In Jesus' name.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Cloyed, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Davis, on motion of Mr. Cooke.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Kilpatrick, on motion of Mr. Munnell.

PETITIONS

By Speaker Sam L. Collins:

The following petition was received, read, and ordered printed in the Journal:

Petition to the Legislature of the State of California Requesting That Proposed Amendment No. 11 to the Charter of the City of Burbank Be Not Approved

We, the undersigned members of the Charter Revision Committee of the City of Burbank, have been advised by the City Attorney if Charter Amendment No. 11, voted on by the people on April 3, 1951, is approved by the Legislature, legal proceedings would be required to determine finally whether earnings and accumulations of the Public Service Department could legally be used for construction, expansion and additions to the electric and water facilities of the Department.

We, therefore, petition the Legislature not to approve the said Charter Amendment No. 11.

Name	*Date*
FRED COLLINS	5-14-51
LEONARD W. HAMNER	5-15-51
EBEN E. ROGERS	5-15-51
E DEAN COWLEY	5-16-51
MARY GOODE ROGAN	5-15-51
MARION W. HEFTON	5-15-51
JOE D. PHILLIPS	5-16-51
MARTHA JANE TOPPING	5-16-51
THEODORE A. EPSTEIN	5-16-51
LEON E. ROPE	5-19-51
ROBERT R. DUKE	5-19-51
M G. RECKSIECK	5-19-51
GEO. J. BOCK, JR.	5-20-51
ROBERT W. ROBINSON	5-20-51
MARLAN PROCTOR	5-21-51

ANNOUNCEMENT

Speaker Sam L. Collins announced that, because members are careless in tearing legislative bills from their bill files, complaints are constant that bills are not properly on the desks of members during debates. He urged that members request the Sergeant-at-Arms to obtain needed bills from the Legislative Bill Room and to avoid mutilating the bill books, as an aide to expediting the work.

UNANIMOUS CONSENT GRANTED TO RECALL ASSEMBLY BILL NO. 2599 FROM ENROLLMENT

Mr. Stewart asked for, and was granted, unanimous consent that the Chief Clerk be instructed to recall Assembly Bill No. 2599 from enrollment.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were offered:

Assembly Concurrent Resolution No. 70: By Mr. Burkhalter—Rejecting a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Referred to the Committee on Rules.

Assembly Concurrent Resolution No. 71: By Mr. Burkhalter—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said City at the general municipal election held therein on the third day of April, 1951.

Referred to the Committee on Rules.

Assembly Concurrent Resolution No. 72: By Mr. Burkhalter—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 73: By Mr. Burkhalter—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 74: By Mr. Burkhalter—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 75: By Mr. Burkhalter—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 76: By Mr. Burkhalter—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 77: By Mr. Burkhalter—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Referred to the Committee on Rules.

Assembly Concurrent Resolution No. 78: By Mr. Burkhalter—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 79: By Mr. Burkhalter—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 80: By Mr. Burkhalter—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 81: By Mr. Burkhalter—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 82: By Mr. Burkhalter—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 83: By Mr. Burkhalter—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 84: By Mr. Burkhalter—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 85: By Mr. Burkhalter—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Referred to Committee on Rules.

Request for Unanimous Consent That Rush Order Be Placed Upon Printing of Assembly Concurrent Resolutions Nos. 70 to 85, Inclusive

Mr. Burkhalter asked for, and was granted, unanimous consent that a rush order be placed upon the printing of Assembly Concurrent Resolutions Nos. 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84 and 85.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 28, 1951

To the Honorable Members of the Assembly
State of California
Sacramento, California

GREETINGS: I am returning herewith, without my signature,

Assembly Bill 3279, entitled: "An act to amend Section 207 of the Welfare and Institutions Code, relating to bodies of deceased persons."

My objections to this bill are as follows:

If the sole purpose of the bill is to authorize boards of supervisors to contract with approved colleges of mortuary science that are licensed as funeral directors by the State Board of Funeral Directors and Embalmers I seriously doubt the necessity of the bill. Under present law boards of supervisors may contract for this purpose with any duly licensed funeral director or embalmer.

However, if this is the sole purpose of the bill and it were so written I would have no objection to signing it if the Legislature was of the opinion that this right should be made more clear

My main objection to the bill is the following language: "Bodies of the unclaimed dead shall be made available to the State Department of Public Health in accordance with the provisions of Sections 7200 to 7208 of the Health and Safety Code"

If the sole purpose of the bill is to provide for the contracts as previously mentioned, this provision is entirely unnecessary and should be eliminated. If on the other hand it attempts to change the law concerning unclaimed bodies it is of sufficient gravity to warrant a full and public consideration by the Legislature which it may not have had when it is considered that this language appears to be incidental to the main change made by this bill There are many elderly people in our State both in institutions and without who will always believe that this language was inserted for the purpose of authorizing the disposal of their bodies for dissection. I do not believe that this inference should be permitted to disturb these unfortunate citizens during their terminal illnesses or their final days of life

If the Legislature, upon reflection, believes the remainder of the act without this language is essential to permit boards of supervisors to contract with colleges of mortuary science, I would have no objection to signing such a bill.

Respectfully submitted

EARL WARREN, Governor

Acknowledgment of Receipt of Assembly Bill No. 3279

May 28, 1951

I acknowledge receipt this twenty-eighth day of May, 1951 at 3:40 o'clock p.m. of Assembly Bill No 3279 without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

ARTHUR A. OHNIMUS

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 29, 1951

To the Assembly of the State of California
Sacramento, California

GENTLEMEN: I am transmitting to you herewith a copy of a message with reference to **Assembly Bill No. 3279,** entitled: "An act to amend Section 207 of the Welfare and Institutions Code, relating to bodies of deceased persons."

This bill, with my message relative thereto, I (through my Legislative Secretary) delivered to Arthur A Ohnimus, Chief Clerk of the Assembly, at 3:40 o'clock p.m. on the twenty-eighth day of May, 1951, at which time your honorable body had adjourned for the day but not for the session.

Respectfully submitted

EARL WARREN, Governor

Assembly Bill No. 3279 ordered to the unfinished business file.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 1302
Assembly Bill No 2086
Assembly Bill No. 2299
Assembly Bill No. 2573
Assembly Bill No 3175

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 894
Assembly Bill No. 2737
Assembly Bill No. 3440

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which was referred:

Senate Bill No. 1717

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

EVANS, Chairman

Above reported bill ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 19
Assembly Bill No. 426

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SHERWIN, Chairman

Above reported bills ordered to second reading.

Committee on Boards and Commissions

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which were referred:

Assembly Bill No. 2719
Assembly Bill No. 2816

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McMILLAN, Chairman

Above reported bills ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Senate Bill No. 364
Senate Bill No. 372

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Senate Bill No. 386

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Senate Bill No. 693

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 1463

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

BROWN, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1418
Assembly Bill No 1767
Assembly Bill No. 2363

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No 743

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No 781
Assembly Bill No. 1356

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 971

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bill ordered to third reading.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Senate Bill No. 1204

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and be re-referred to the Committee on Ways and Means.

GEDDES, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 28, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Regan, Ward, and James E. Cunningham as a Committee on Conference concerning:

Assembly Bill No. 1786—An act to amend Sections 17, 73e, 77b, 82, 83, 84, 85, 117, 117a, 117b, 117c, 117d, 117e, 117g, 117h, 117ha, 117i, 117j, 117l, 117m, 117o, 117p, 117r, 131.3, 134, 139, 142, 147, 149a, 150, 151, 152, 153, 166, 170, 170a, 171, 172, 188, 189, 274c, 372, 406, 407, 408, 410, 412, 413, 422, 426, 437, 437b, 437c, 446, 465, 472, 472a, 477, 480, 481, 482, 483, 492, 493, 494, 495, 496, 498, 499, 500,

503, 515, 520, 538, 539, 540, 545, 548, 554, 555, 556, 573, 581, 581b, 581d, 585, 594, 596, 600, 607a, 628, 631, 632, 638, 639, 640, 641, 644, 664, 667a, 668, 674, 675, 681a, 682, 688.1, 683, 689, 692, 714, 715, 717, 717.1, 718, 719, 720, 721, 722, 973, 974, 975, 977, 978, 978a, 979, 981, 982, 990, 997, 1000, 1003, 1005, 1006, 1008, 1011, 1015, 1030, 1031, 1032, 1032.5, 1032.6, 1033, 1033.7, 1054, 1054.1, 1054a, 1068, 1085, 1103, 1134, 1135, 1144, 1146, 1148, 1149, 1151, 1166a, 1168, 1169, 1176, 1208.5, 1211, 1212, 1213, 1214, 1215, 1217, 1218, 1220, 1221, 1222, 1995, 2024, 2037, and 2038 of the Code of Civil Procedure; to amend the headings of Chapter 5 of Title 1 of Part 1, of Article 3 of Chapter 5 of Title 1 of Part 1, and of Chapter 3 of Title 13 of Part 2 of the Code of Civil Procedure; to repeal the heading of Article 4 of Chapter 5 of Title 1 of Part 1 of the Code of Civil Procedure; to repeal Chapter 6 of Title 1 of Part 1 of the Code of Civil Procedure; and to renumber Chapter 7 of Title 1 of Part 1 of the Code of Civil Procedure to be Chapter 6; all relating to courts of justice, various officers connected therewith, and judicial districts.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Regan, Miller, and James E. Cunningham as a Committee on Conference concerning:

Assembly Bill No. 1771—An act to amend Sections 97, 150, 230, 325, 337, 384a; 597f, 599a, 682, 726, 808, 817, 859, 889, 890, 1143, 1203.02, 1203.1, 1203.12, 1278, 1298, 1309, 1327, 1382, 1391, 1426, 1427, 1428, 1431, 1432, 1432.1, 1438, 1458, 1459, 1461a, 1466, 1488, 1529, 2623, 4022, 1269b, and 1426a of the Penal Code; to amend the headings of Title 11 of Part 2 and of Chapter 1 of Title 11 of Part 2 of the Penal Code; and to repeal Section 1461 of the Penal Code; all relating to courts of justice, various officers thereof, and judicial districts.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators James E. Cunningham, Regan, and Watson as a Committee on Conference concerning:

Assembly Bill No. 272—An act to amend Sections 664, 665, and 666 of the Welfare and Institutions Code, relating to the appointment and removal of juvenile hall superintendents, matrons, and employees, and duties of the probation officer.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 1145
Assembly Bill No. 1147
Assembly Bill No. 1278

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 121
Assembly Bill No. 1851
Assembly Bill No. 1852
Assembly Bill No. 1871
Assembly Bill No. 2092

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Regan, Ward, and James E. Cunningham as a Committee on Conference concerning:

Assembly Bill No. 1772—An act to amend Sections 203, 204, 204a, 206, 226, 227, 230, 231, 233, 248, and 250 of the Code of Civil Procedure, relating to jurors.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 330—An act to add Section 6515.5 to the Health and Safety Code, relating to sanitary districts.

And appointed Senators Desmond, James E. Cunningham, and Tenney, as a Committee on Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 330

The Speaker announced the appointment of Messrs. Fleury, Silliman, and Hawkins as a Committee on Conference concerning Senate Bill No. 330.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 72

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 72—Relative to State Park System.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed.

Senate Bill No. 84
Senate Bill No. 496
Senate Bill No. 514
Senate Bill No. 520
Senate Bill No. 597
Senate Bill No. 728
Senate Bill No. 1127
Senate Bill No. 1597
Senate Bill No. 1600
Senate Bill No. 1809
Senate Bill No. 1812
Senate Bill No. 1822

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 84—An act to repeal Section 27370 of the Government Code, relating to recorder's fees

Referred to Committee on Municipal and County Government.

Senate Bill No. 496—An act to authorize the Governor to execute for, on behalf of, and in the name of the State of California, a compact or agreement entitled, "Interstate Civil Defense and Disaster Compact."

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 514—An act to amend Sections 3, 12, 14, 16, 17, 28, 30, and 35 of, and to add Sections 30.1, 30.2, 30.3, 30.4, 30.5, 30.6, 30.7, 30.8, 30.9, 30.10, 30.11, 30.12, 30.13, 30.14, 30.15, and 30.16 to, and

to repeal Sections 13, 15, 18, and 29 of, the Sonoma County Flood Control and Water Conservation District Act, relating to the powers of said district, the incurring of indebtedness, the issuing and selling of special assessment bonds, the levy and collection of special assessments, and the levy and collection of taxes by said district.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 520—An act to amend Sections 28385, 28386, 28400, 28412, 28413, 28414, 28415, 28416 and 28434, of the Health and Safety Code, relating to canneries.

Referred to Committee on Public Health.

Senate Bill No. 597—An act to amend Section 11501 of the Government Code, adding the Department of Natural Resources to the enumerated agencies to which the provisions of Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code are applicable.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 728—An act to amend Section 2786 of, and to add Section 2708.1 to the Business and Professions Code, relating to nursing education.

Referred to Committee on Public Health.

Senate Bill No. 1127—An act to amend Section 38742 of the Government Code, relating to municipal water facilities.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1597—An act to amend Section 405 of the Education Code, relating to school superintendents' salaries in counties of the fifth class.

Referred to Committee on Education.

Senate Bill No. 1600—An act to add Section 25306 to the Government Code, relating to powers of boards of supervisors.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1809—An act to create a flood control district to be called Napa County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, public highways, life and property from damage or destruction from such waters; to provide for the acquisition, retention, and reclaiming of drainage, storm, flood, and other waters and to save, conserve, and distribute such waters for beneficial use in said district; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to define the powers of said district; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the

purposes of the district, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 1812—An act to create a flood control district to be called Santa Clara County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, public highways, life and property from damage or destruction from such waters; to provide for the acquisition, retention, and reclaiming of drainage, storm, flood, and other waters and to save, conserve, and distribute such waters for beneficial use in said district; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to define the powers of said district; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 1822—An act to amend Sections 795.5, 796, 796.1, 796.2, and 796.5 of the Agricultural Code, relating to citrus fruits.

Referred to Committee on Agriculture.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1980—An act to amend Section 123 and repeal Section 124 of the Labor Code, relating to workmen's compensation benefits.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on April 16, 1951, after "benefits", insert ", and making an appropriation".

Amendment No. 2

On page 1 of said bill, following line 15, insert

"SEC. 3. There is hereby appropriated out of any money in the General Fund in the State Treasury the sum of sixty-six thousand three hundred dollars ($66,300) in augmentation of Item 124 of the Budget Act of 1951 for support of the Department of Industrial Relations."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2611—An act to add Section 9.5 to an act entitled "An act relating to the rights, powers, and disabilities of aliens and of certain companies, associations, and corporations with respect to property in this State, providing for escheats in certain cases, prescribing

the procedure therein, requiring reports of certain property holdings to facilitate the enforcement of this act, prescribing penalties for violation of the provisions hereof, and repealing all acts and parts of acts inconsistent or in conflict herewith," approved as an initiative measure by the electors on November 2, 1920, relating to the ownership, use, and enjoyment of real property or of rights or interests therein

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 12 of the title of the printed bill, as amended in the Assembly on May 8, 1951, after "therein", insert ", and making an appropriation".

Amendment No. 2

On page 1, line 6, of said bill, after the comma, insert "upon claim of".

Amendment No. 3

On page 1, line 8, of said bill, strike out "may at any time"; and strike out all of lines 9 and 10, and insert ", or his successor in interest, there shall be refunded the".

Amendment No. 4

On page 1, line 16, of said bill, strike out "the", and insert "such".

Amendment No. 4

On page 1 of said bill, after line 17, insert "from him or from his property under this act Refunds shall bear interest at the rate of 3 percent per annum from the date such moneys were deposited in the State Treasury, to a date preceding the date of the refund warrant by not more than 30 days, as determined by the Controller Any claim for refund under this section may be filed with the State Controller not later than six months after the effective date of this section. The Controller shall audit the claim and draw his warrant for the amount determined to be due

There is hereby appropriated from the State Treasury the amount sufficient to pay refunds and interest under this section That portion of the moneys to be refunded that was deposited in the School Land Fund shall be paid from that fund, and the balance to be refunded, including interest, shall be paid from the General Fund."

Amendment No. 5

On page 2 of said bill, strike out lines 1 to 7, inclusive

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 671—An act to amend Section 395 of the Military and Veterans Code, relating to absence of public officers and employees on military or naval duty, and compensation and salary during absence on military or naval leave.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 28, 1951, after "of", insert ", and add Sections 389, 395.01, 395.02, 395.03, 395.04, 395.05 and 395.06 to,".

Amendment No. 2

In line 4 of the title of said bill, after "leave", insert ", declaring the urgency thereof, to take effect immediately"

Amendment No. 3

On page 1 of said bill, strike out line 3, and insert

"395. Any public employee who is a member of the Reserve Corps of the Armed Forces of the United States or of the National Guard or the Naval Militia shall be entitled to a temporary military leave of absence while engaged in military duty ordered for purposes of military training, drills, encampment, naval cruises, special exercises or like activity as such member providing that the period of ordered duty does not exceed 180 calendar days including time involved in going to and returning from such duty.

He shall have an absolute right to be restored to his former office or position and status formerly had by him in the same locality and in the same office, board, commission, agency, or institution of the public agency upon the termination of such temporary military duty. If the office or position has been abolished or otherwise has ceased to exist during his absence, he shall be reinstated to a position of like seniority, status, and pay if such position exists, or if no such position exists he shall have the same rights and privileges that he would have had if he occupied the position when it ceased to exist and had not taken temporary military leave of absence.

Any public employee who has been in the service of the public agency from which the leave is taken for a period of not less than one year immediately prior to the date upon which his temporary military leave of absence begins, shall receive the same vacation, sick leave, and holiday privileges and the same rights and privileges to promotion, continuance in office, employment, reappointment to office, or re employment that he would have enjoyed had he not been absent therefrom; excepting that an uncompleted probationary period if any in the public agency must be completed upon reinstatement as provided by law or rule of the agency. For the purposes of this section, in determining the one year of service in a public agency all service of said public employee in recognized military service shall be counted as public agency service.

SEC. 2 Section 395.01 is added to said code, to read.

395.01. Any public employee who is on temporary military leave of absence and who has been in the service of the public agency from which the leave is taken for a period of not less than one year immediately prior to the day on which the absence begins shall be entitled to receive his salary or compensation as such public employee for the first 30 calendar days of any such absence Pay for such purposes shall not exceed 30 days in any one fiscal year. For the purposes of this section, in determining the one year of public agency service, all service of said public employee in the recognized military service shall be counted as public agency service

SEC. 3 Section 395 02 is added to said code, to read:

395 02. Every officer and employee of a public agency who is on military leave other than temporary military leave of absence who has been in the service of such public agency for a period of not less than one year immediately prior to the date on which the absence begins shall be entitled to receive his salary or compensation as such officer or employee for the first 30 calendar days while engaged in the performance of ordered military duty.

As used in this section only, the terms "officer" and "employee" means an officer or employee who

(a) Is ordered into active military duty as a member of a reserve component of the Armed Forces of the United States;

(b) Is ordered into active federal military duty as a member of the National Guard or Naval Militia; or

(c) Is inducted, enlists, enters or is otherwise ordered or called into active duty as a member of the Armed Forces of the United States.

SEC. 4. Section 395 03 is added to said code, to read:

395 03. No more than the pay for a period of 30 calendar days shall be allowed under the provisions of Section 395 01 and 395 02, or both, for any one military leave of absence or during any one fiscal year.

SEC 5. Section 395.04 is added to said code, to read:

395.04. During such time as an officer or enlisted man of the California National Guard, who is on full-time active duty in the military service of the State, and is engaged, with the approval of the Adjutant General, in the military service of the State in attendance at drills, camps, or special exercises, sponsored by federal authority or by the War Department, as a member of the National Guard of the United States, he shall receive his salary, pay, and compensation as provided in Sections 320 and 321 of this code.

SEC 6. Section 395 05 is added to said code, to read:

395 05. Any public employee who is a member of the National Guard, shall be entitled to absent himself from his duties or service, without regard to the length of his public service, while engaged in the performance of ordered military or naval duty and while going to and returning from such duty, provided such duty is performed during such time as the Governor may have issued a proclamation of a state of extreme emergency or during such time as the National Guard may be on active duty in one or more of the situations described or included in Section 146 of this code

provided such absence does not exceed the duration of such emergency. During the absence of such officer or employee while engaged in such military service during such emergency and while going to and returning from such duty, and for a period not to exceed 30 calendar days, he shall receive his salary or compensation as such officer or employee and shall not be subjected by any person directly or indirectly by reason of such absence to any loss or diminution of vacation or holiday privilege or be prejudiced by reason of such absence with reference to promotion or continuance in office, employment, reappointment to office, or re-employment.

SEC. 7. Section 395.06 is added to said code, to read:

395.06. Every officer or enlisted man of the National Guard who, in order to undertake active military duty in the service of the State during such time as the Governor may have issued a proclamation of a state of insurrection pursuant to Section 143 of this code or proclamation of state of extreme emergency or during such time as the National Guard may be on active duty in one or more of the situations described or included in Section 146 of this code, has left or leaves a position, other than a temporary position, in the employ of a private employer, and who receives a certificate of satisfactory service in the National Guard, and is still qualified to perform the duties of such position, and makes application within 40 days after he is relieved from such active emergency service shall be considered as on leave of absence during such period and shall be restored by his former employer to the former position or to a position of like seniority, status and pay without loss of retirement or other benefits unless the employer's circumstances have so changed as to make it impossible or unreasonable to do so, and shall not be discharged from the position without cause within one year after being restored to said position.

In case any employer fails or refuses to comply with the provisions of this section the superior court of the county in which such employer maintains a place of business shall have power, upon the filing of a motion, petition, or other appropriate pleading by the person entitled to the benefits of such provisions, to specifically require such employer to comply with such provisions, and, as an incident thereto, to compensate such person for any loss of wages or benefits suffered by reason of such employer's unlawful action. The court shall order a speedy hearing in any such case and shall advance it on the calendar. Upon application to the district attorney of the county in which such employer maintains a place of business, by any person claiming to be entitled to the benefits of such provisions, such district attorney, if reasonably satisfied that the person so applying is entitled to such benefits, shall appear and act as attorney for such person in the amicable adjustment of the claim or in the filing of any motion, petition, or other appropriate pleading and the prosecution thereof to specifically require such employer to comply with such provisions. No fees or court costs shall be taxed against the person so applying for such benefits.

SEC. 8. It is hereby declared that this act except for the provisions of subdivision (c) of 395.02 of the Military and Veterans Code as amended hereby, is not a change in the present law but is a declaration of existing law as it has existed since the effective date of Chapter 1396, Statutes of 1949.

SEC. 9. Section 389 is added to said code, to read:

389. (a) As used in this chapter, "temporary military leave of absence" means a leave of absence from public employment to engage in ordered military duty for a period which by the order is not to exceed 180 calendar days including travel time for purposes of military training, drills, encampment, naval cruises, special exercises or like activity as a member of the reserve corps or force of the Armed Forces of the United States, or the National Guard, or the Naval Militia.

(b) "Public employee" means any officer or employee of a public agency.

(c) "Public agency" means the State, or any county, city and county, city, municipal corporation, school district, irrigation district, water district, or other district.

(d) "Armed Forces" or "Armed Forces of the United States" means the "Armed Forces" as defined in Section 18540 of the Government Code.

(e) "Recognized military service" means service as defined in Section 18540.3 of the Government Code.

SEC. 10. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such urgency is as follows:

Due to the Korean crisis and the unsettled world conditions many thousands of public employees, including more than 1,000 state employees, are now on military leaves of absence and serving with the Armed Forces. The rights of such persons under existing provisions of the Military and Veterans Code are uncertain due to ambiguities in the existing law. This uncertainty has and will continue to result in delayed actions on the claims of such employees and has further resulted in hardship to the employees involved and to their families. These conditions may well affect the morale of those employees who are now in the Armed Forces and render them less able to perform their military duties. It is therefore necessary that this act take effect immediately."

Amendment No. 4

On page 1 of said bill, strike out lines 4 to 25, inclusive; and strike out all of pages 2 and 3.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 2727—An act to amend Sections 2, 2.1, 5, 14, 29, 34, 35.3, and 45.7 and to repeal Sections 12 and 33 of the Community Redevelopment Act, and to amend Sections 33003, 33004, 33013, 33047, 33048, 33267, 33500, and 33885 of, to repeal Section 33011 and Article 2 and renumber Articles 3, 4 and 5 of Chapter 3 of Part 1 of Division 24 of, and to add Section 33004.5 to, the Health and Safety Code, relating to redevelopment.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on May 4, 1951, strike out "2, 2.1, 5, 14, 29, 34, 35.3 and 45.7 and to repeal Section 12 and 33", and insert "2, 2.1, 5, 33, 45.7 and 68".

Amendment No. 2

Strike out lines 4 to 9, inclusive, of the title of said bill, and insert "Sections 33003, 33047, 33048, 33480, 33481, 33482, 33738, and 33885 of, to repeal Sections 33739 and 33740 of the Health and Safety Code, relating to redevelopment."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 18, inclusive, and insert

"SEC. 5. 'Redevelopment area' means an area of a community which [the legislative body thereof finds] is a blighted area [whose] *the* redevelopment *of which* is necessary to effectuate the public purposes declared in this act. A redevelopment area need not be restricted to, or consist entirely of, buildings, improvements, or lands which of themselves are detrimental or inimical to the public health, safety or welfare, but may consist of an area in which such conditions predominate and injuriously affect the entire area. A redevelopment area may therefore include lands, buildings or improvements which of themselves are not detrimental to the public health, safety or welfare, but whose inclusion is found necessary for the effective redevelopment of the area of which they are a part."

Amendment No. 4

Strike out all of pages 2, 3, 4, and lines 1 to 25, inclusive, of page 5 of said bill, and insert

"SEC. 2. Section 33 of said act is amended to read:

Sec. 33. [The legislative body of the community may by ordinance adopted by a majority vote of the entire membership, designate one or more areas within the community as a redevelopment area or areas. Each such ordinance shall include a legal description of the boundaries of the area or areas designated as a redevelopment area.]

[The agency or the planning commission may request the legislative body of the community to designate one or more areas within the community as a redevelopment area or areas.]

[Any person, group, association or corporation may, in writing, petition the legislative body to designate one or more areas within the community as redevelopment areas, and may submit with their petition plans showing the proposed redevelopment of such areas or any part or parts thereof.]

Redevelopment areas may be designated by resolution of the legislative body, or the legislative body may by resolution authorize the designation of redevelopment areas by resolution of the planning commission, or by resolution of the members of the agency.

The resolution designating a redevelopment area or areas shall contain the following:

(a) A finding that the area designated is a blighted area, the redevelopment of which is necessary to effectuate the public purposes declared in this act;

(b) A finding that the area requires study to determine if a redevelopment project or projects within said area are feasible;

(c) A description of the boundaries of the area designated.

Any person, group, association or corporation may in writing request the legislative body (or the planning commission or the agency if they are authorized by the legislative body to designate redevelopment areas) to designate a redevelopment area or areas for project study purposes, and may submit with their request plans showing the proposed redevelopment of such areas or any part or parts thereof."

Amendment No. 5

On page 5, line 26, of said bill, strike out "SEC 8.", and insert "SEC. 3."

Amendment No. 6

On page 7, line 39, of said bill, strike out "SEC. 9", and insert "SEC. 4"

Amendment No. 7

On page 7, line 45, of said bill, strike out "SEC. 10.", and insert "SEC 5."

Amendment No. 8

On page 8 of said bill, following line 20, insert

"SEC. 6. Section 68 of said act is amended to read:

Sec 68. [If the plan provides for the displacement, whether temporary or permanent, or any occupants of housing facilities in the project area, the legislative body shall not approve the plan, except upon the finding that adequate permanent housing facilities are or will be made available in the community for such displaced occupants at rents comparable to those obtaining in the community at the time of their displacement]

[The legislative body shall further be satisfied that such permanent housing facilities shall, in any event, be made available within three years from the time such occupants will be displaced; and that pending the development of such permanent housing facilities, there will be available to such displaced occupants adequate temporary housing facilities at rents comparable to those obtaining in the community at the time of their displacement]

[If persons of low income (as defined in the Housing Authorities Law) are to be displaced, the legislative body shall, prior to its approval of the redevelopment plan, obtain and consider the recommendations of the Housing Authority, if any, authorized to transact business in the community, with respect to the availability and provision of adequate housing for such persons of low income]

If the plan provides for the displacement of any occupants of housing facilities in the project area, the legislative body shall approve the plan only after finding that adequate housing facilities are or will be made available in the community for such displaced occupants, and that the agency has developed a plan satisfactory to the legislative body for the relocation of such occupants."

Amendment No. 9

On page 8, line 21, of said bill, strike out "SEC 11.", and insert "SEC. 7."

Amendment No. 10

On page 8 of said bill, strike out lines 23 to 26, inclusive, and insert

"33003. 'Redevelopment area' means an area of a community which [the legislative body thereof finds to be] *is* a blighted area [whose] , *the* redevelopment *of which* is necessary to effectuate the public purposes declared in this part."

Amendment No. 11

On page 8 of said bill, strike out lines 27 to 51, inclusive; strike out all of page 9; and strike out and lines 1 to 19, inclusive of page 10.

Amendment No. 12

On page 10, line 20, of said bill, strike out "SEC 19.", and insert "SEC. 8"

Amendment No. 13

On page 11, line 1, of said bill, strike out "SEC 20.", and insert "SEC. 9."

Amendment No. 14

On page 11 of said bill, following line 6, insert

"SEC. 10. Section 33480 of said code is amended to read:

33480 [By ordinance adopted by a majority vote of the entire membership, the legislative body may designate one or more areas within the community as a redevelopment area. The ordinance shall include a legal description of the boundaries of the area designated.]

Redevelopment areas may be designated by resolution of the legislative body or the legislative body may by resolution authorize the designation of redevelopment areas by resolution of the planning commission, or by resolution of the members of the agency.

SEC. 11. Section 33481 of said code is amended to read:

33481 [The agency or the planning commission may request the legislative body to designate one or more areas within the community as a redevelopment area.]

The resolution designating a redevelopment area or areas shall contain the following:

(a) A finding that the area designated is a blighted area, the redevelopment of which is necessary to effectuate the public purposes declared in this act;

(b) A finding that the area requires study to determine if a redevelopment project or projects within said area are feasible;

(c) A description of the boundaries of the area designated."

SEC. 12. Section 33482 of said code is amended to read:

33482. [Any person, group, association, or corporation may petition the legislative body in writing to designate one or more areas within the community as redevelopment areas, and may submit with the petition plans showing the proposed redevelopment of such areas or any part thereof.]

Any person, group, association or corporation may in writing, request the legislative body (or the planning commission or the agency if they are authorized by the legislative body to designate redevelopment areas) to designate a redevelopment area or areas for project study purposes, and may submit with their request plans showing the proposed redevelopment of such areas or any part or parts thereof.

SEC. 13. Section 33738 of said code is amended to read:

33738. If the plan provides for the [temporary or permanent] displacement of any occupants of housing facilities in the project area, the legislative body shall [not] approve the plan [except upon the] *only after* finding that adequate [permanent] housing facilities are or will be made available in the community for such displaced occupants, [at rents comparable to those in the community at the time of their displacement] *and that the agency has developed a plan satisfactory to the legislative body for the relocation of such occupants.*

SEC. 14. Section 33739 of said code is hereby repealed.

SEC. 15. Section 33740 of said code is hereby repealed."

Amendment No. 15

On page 11, line 7, of said bill, strike out "SEC. 21.", and insert

"SEC. 16."

Amendment No. 16

On page 11 of said bill, strike out lines 15 to 36, inclusive, and insert

"SEC. 17. Sections 7 to 16, inclusive, of this act become operative only if Division 24 of the Health and Safety Code is enacted by the Legislature at its 1951 Regular Session, and in such case at the same time as said Division 24 takes effect, at which time Sections 2, 2.1, 5, 33, 45.7 and 68 of the Community Redevelopment Act are repealed."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

UNFINISHED BUSINESS

RECONSIDERATION OF ASSEMBLY BILL NO. 3159

In compliance with a notice given on a previous day, Mr. Lyon moved that the vote whereby Assembly Bill No. 3159 was passed be reconsidered.

Speaker Pro Tempore Presiding

At 9.45 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Demand for Previous Question

Messrs. Grunsky, Kirkwood, Grant, Luckel, and Geddes demanded the previous question.

Demand for previous question sustained.

The question being on the motion by Mr. Lyon that the vote whereby Assembly Bill No. 3159 was passed be reconsidered.

The roll was called, and the bill reconsidered by the following vote:

AYES—Babbage, Brady, Burke, Burkhalter, Clarke, Collier, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lipscomb, Lyon, Maloney, McCollister, McGee, McMillan, Meyers, Morris, Niehouse, Porter, Rumford, Sherwin, Silliman, Stewart, Tomlinson, and Mr. Speaker—44.

NOES—Beck, Berry, Chapel, Coats, George D. Collins, Condon, Conrad, Cooke, Fleury, Gaffney, Hagen, Kirkwood, Luckel, Moss, Munnell, and Shaw—16.

Assembly Bill No. 3159 ordered to third reading.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Dunn to reconsider the vote whereby Assembly Bill No. 1715 was passed, was continued until the next legislative day.

By unanimous consent, the notice of motion by Mr. Shaw to reconsider the vote whereby Assembly Bill No. 1731 was passed, was continued until the next legislative day.

By unanimous consent, the notice of motion by Mr. Henderson to reconsider the vote whereby Assembly Bill No. 2936 was passed, was continued until the next legislative day.

THIRD READING OF ASSEMBLY BILLS

Bill Withdrawn From Active File, and Placed on the Inactive File

Assembly Bill No. 1730, on motion of Mr. Erwin.

Assembly Bill No. 710—An act to amend Section 902 of the Probate Code, relating to executors and administrators.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Hagen, Hahn, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Lanterman, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, and Tomlinson—57.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 357—An act to add Section 6006.1 to the Revenue and Taxation Code, relating to the taxation of the privilege of selling and of storing, using or otherwise consuming tangible personal property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Grant, Hagen, Hahn,

Hawkins, Henderson, Kelly, Levering, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Porter, Rumford, Shaw, Sherwin, Smith, and Tomlinson—50.

NOES—Dunn—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2086

Mr. Grant asked for, and was granted, unanimous consent to take up Assembly Bill No. 2086, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 2086

Assembly Bill No. 2086—An act to amend Sections 12202 and 12203 of, and to add Section 8052 to, the Education Code, relating to practice teaching for students enrolled in teacher training curricula of teacher education institutions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Stewart, and Tomlinson—61.

NOES—None.

Bill ordered transmitted to the Senate

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 50—An act to amend Sections 428 and 404 of the Fish and Game Code, relating to fishing licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, and Tomlinson—62.

NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION ON CONTINUATION OF NOTICE OF MOTION TO RECONSIDER

Mr. Silliman moved to expunge the record, and rescind the action whereby the Assembly on this day continued until the next legislative day the notice of motion by Mr. Henderson to reconsider the vote whereby Assembly Bill No. 2936 was passed.

Mr. Cloyed seconded the motion.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the motion not in order, at this time.

Point of Order

Mr. Fleury arose to the following point of order: That there is nothing before the House, and the matter under discussion is not in order.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 302

Mr. Lyon asked for unanimous consent to take up Assembly Bill No. 302, out of order, at this time.

Mr. Hagen withheld unanimous consent.

Speaker Presiding

At 10.35 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1967—An act to amend Section 428 of the Fish and Game Code, relating to fishing licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Lockslem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, and Tomlinson—63.

NOES—Babbage and Lowrey—2.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Assembly Bill No. 1534 Hold Place on File

Mr. Gubser asked for, and was granted, unanimous consent that Assembly Bill No. 1534 be passed on file, and hold its place on file on the next legislative day.

Assembly Concurrent Resolution No. 65—Relative to study and investigation of the feasibility of an over-all program of aviation education.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lockslem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Munnell, Niehouse, Parker, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—64.

NOES—None.

Resolution ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1041—An act to add Section 725.5 to the Fish and Game Code, relating to sturgeon;

Assembly Bill No. 1126—An act to amend Sections 5004 and 5005 of the Public Utilities Code, and Sections 1 and 3 of an act entitled "An act relating to fees to be paid to the Railroad Commission by railroad corporations, express corporations, freight forwarders, persons, or corporations operating vessels, and persons or corporations owning or operating motor vehicles in the transportation of property for hire upon the public highways under the jurisdiction of the Railroad Commission of the State of California, providing for the collection thereof by the Railroad Commission, and providing penalties for the violation of this act," approved July 16, 1935, relating to fees payable by such persons and corporations for deposit in the Railroad Commission Transportation Rate Fund;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-ninth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 208—An act to amend Sections 2571 and 2573 of the Elections Code, relating to elections;

Assembly Bill No. 209—An act to amend Section 2454 and repeal Sections 2455, 2456, 2457, 2458, and 2459 of the Elections Code, relating to county central committees;

Assembly Bill No. 229—An act to amend Sections 5565 and 5724 of the Elections Code, relating to the conduct of elections;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-ninth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 53—Relative to merit awards to state employees;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twenty-ninth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1997—An act to amend Section 417.1 of the Vehicle Code, relating to the privilege of operating a motor vehicle;

Assembly Bill No. 3031—An act to amend Sections 26721, 26722, 26725, 26728, 26729, 26731, 26733, 26734, 26735, 26736, 26738, 26740, 26741, 26743, and 26746 of the Government Code, relating to the fees of sheriffs and marshals;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-ninth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1361—An act providing for the constitution of the municipal court in the City and County of San Francisco, and prescribing the number and compensation of the judges, officers and attaches thereof;

Assembly Bill No. 1619—An act to amend Sections 673 and 676 of the Vehicle Code, relating to equipment of vehicles;

Assembly Bill No. 1620—An act to repeal and add Section 637 to the Vehicle Code, relating to equipment of vehicles;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-ninth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1270—An act to add Section 151 1 to the Vehicle Code, relating to registration of vehicles;

Assembly Bill No. 1272—An act to amend Section 177 of the Vehicle Code, relating to notices of sales by vehicle dealers;

Assembly Bill No. 1273—An act to amend Section 429 of the Vehicle Code, relating to the redemption of certain vehicles sold under lien sales;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-ninth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1011—An act to amend Section 380 of the Vehicle Code, relating to fees to be paid for transfer of title or interest in a vehicle;

Assembly Bill No. 1012—An act to amend Section 383.1 of the Vehicle Code, relating to refunds of registration fees;

Assembly Bill No. 1013—An act to add Section 210 1 to the Vehicle Code, relating to registration on nonresident vehicles;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-ninth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 137—An act to amend Sections 4530 and 4536 of the Elections Code, relating to campaign statements;

Assembly Bill No. 139—An act to amend Section 7207 of the Elections Code, relating to elections;

Assembly Bill No. 207—An act to amend Sections 2574, 2576, 2111, 2152, 2155, 2301, 2350, 2353, and 2402 of the Elections Code, relating to forms pertaining to primary elections;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-ninth day of May, 1951, at 10 a.m.

BURKE, Chairman

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR SPEAKER: Your Committee on Rules, to which were referred:

Assembly Concurrent Resolution No 66
Assembly Concurrent Resolution No 68

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR SPEAKER: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No 39

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Senate Concurrent Resolution No. 70
Senate Concurrent Resolution No 79

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 149

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolution ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 164

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No. 2268

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

GEDDES, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Senate Bill No. 539

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER. Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 991
Assembly Bill No. 1957

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No 2776

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 2009
Assembly Bill No. 2501
Assembly Bill No. 3432

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

GEDDES, Chairman

Above reported bills ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1501—An act to amend Section 14084 of the Health and Safety Code, relating to fire protection districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Rosenthal, Rumford, Shaw, Smith, Thomas, Tomlinson, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3321—An act to amend Section 6b of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks, and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Bill read third time.

Motion to Amend

Mr. McCarthy moved the adoption of the following amendments:

Amendment No. 1

On page 1, lines 8 and 9, of the printed bill, strike out "five hundred dollars ($500)", and insert "six hundred twenty-five dollars ($625)".

Amendment No. 2

On page 2, line 13, of said bill, strike out "said", and insert "such".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 3431—An act to amend Section 737q of the Political Code and Section 79.17 of the Code of Civil Procedure, relating to the salary of the Superior Court Judge of Lake County.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Condon, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—60.

NOES—Cloyed and George D Collins—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 233—An act making an appropriation for support of Grand National Junior Livestock Exposition, No. 1-A District Agricultural Association.

Bill read third time, and ordered passed on file.

Request for Unanimous Consent That Assembly Bill No. 2905 Hold Place on File

Mr. George D. Collins asked for, and was granted, unanimous consent that Assembly Bill No 2905 be passed on file, and hold its place on file on the next legislative day.

Assembly Bill No. 1302—An act to amend Sections 697, 699, and 701 of the Vehicle Code, relating to height and length, loads and towing of vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Kelly, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Thomas, and Tomlinson—57.

NOES—Collier and Lowrey—2.

Bill ordered transmitted to the Senate.

ANNOUNCEMENT

Mr. Dolwig announced that, because of the courtesy of Pan American World Airways, a large group of eighth grade students from San Carlos have been flown to Sacramento for the purpose of observing the Legislature in session. He further announced that the grandson of Mr. Cooke is the president of this class, and that another grandson is also in the balcony with this group; that the son of Mr. Cooke, who is associated with Pan American World Airways, arranged this trip; and that luncheon will be held in the park with Governor Earl Warren and he and Mr. Cooke in attendance.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2299—An act to amend Section 28117 of the Government Code, relating to compensation for public service in counties of the seventeenth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Thomas, and Tomlinson—55.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3175—An act to amend Sections 3215, 3227, and 3605 of the Public Resources Code, relating to oil or gas

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hawkins, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Porter, Rosenthal, Rumford, Sillman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—54.

NOES—Beck and George D. Collins—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 894—An act to amend Section 737a of the Political Code and Section 79.1 of the Code of Civil Procedure, relating to superior judges' salaries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Kelly, Kirkwood, Klocksiem, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sillman, Smith, Stanley, Thomas, and Waters—55.

NOES—Dunn, Geddes, and Luckel—3.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 11.15 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

MEMBER EXCUSED

At 11.16 a.m., Mr. Morris asked for, and was granted, unanimous consent that Mr. Hahn be excused, for the balance of the legislative day, because of illness.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2737—An act to add Part 5.5 to Division 5 of the Labor Code relating to safety standards for longshore, stevedore and waterfront warehouse operations.

Bill read third time.

Speaker Presiding

At 11.17 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Messrs. Gaffney and Thomas moved a call of the Assembly.

Motion carried. Time, 11.19 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Burke, Connolly, Cooke, Dolwig, Lanterman, Lindsay, Lowrey, Luckel, Morris, Porter, Rosenthal, and Sherwin—12.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Lyon asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 39

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 66
Assembly Concurrent Resolution No. 68

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolutions ordered on file for adoption.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 302 HOLD PLACE ON FILE

Mr. Lyon asked for, and was granted, unanimous consent that Assembly Bill No. 302 be passed on file, and hold its place on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2433—An act to add Section 123.5 to the Elections Code, relating to registration of electors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Tomlinson, and Waters—62.

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Assembly Bills Nos. 2570 and 2571 Hold Places on File

Mr. Lipscomb asked for, and was granted, unanimous consent that Assembly Bills Nos. 2570 and 2571 be passed on file, and hold their places on file on the next legislative day.

Assembly Bill No. 3109—An act to add Sections 6360, 6360.1, and 6360.2 to, and repeal Sections 6357 and 6357.1 of, the Education Code, relating to school district taxes.

Bill read third time.

Motion to Amend

Mr. Kelly moved the adoption of the following amendments:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on May 25, 1951, strike out "6360, 6360.1, and 6360 2", and insert "6360.1, 6360 2, and 6360 3".

Amendment No. 2

On page 1, line 2, of said bill, strike out "6360", and insert "6360.1".

Amendment No. 3

On page 1, line 4, of said bill, strike out "6360", and insert "6360.1".

Amendment No. 4

On page 2, line 10, of said bill, strike out "6360 1", and insert "6360.2".

Amendment No. 5

On page 2, line 11, of said bill, strike out "6360.1", and insert "6360.2".

Amendment No. 6

On page 2, line 31, of said bill, strike out "6360", and insert "6360.1".

Amendment No. 7

On page 2, line 35, of said bill, strike out "6360.2", and insert "6360 3".

Amendment No. 8

On page 2, line 36, of said bill, strike out "6360.2", and insert "6360.3".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 2922—An act to amend Section 28121 of the Government Code and Section 421 of the Education Code, relating to compensation for public service in a county of the twenty-first class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sillman, Smith, Stewart, Thomas, Tomlinson, and Mr. Speaker—63.

NOES—Luckel—1.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Mr. Maloney:

House Resolution No. 165

Relating to Observance of Memorial Day

WHEREAS, Since after the Civil War the states have set aside a day each year for commemorating the vital sacrifices made by men and women in the defense of democratic principles; and

WHEREAS, Each conclusion of hostilities builds its own monument to the ideals espoused by those we honor. Their abundant faith in the causes for which they fought and died is the monument to which we must bear homage; and

WHEREAS, As new challenges arise to our Nation calling for sacrifices from all in varying degrees, the willingness of those that have gone before, an indispensable to

the survival of a free Nation, give us inspiration and strength that we shall execute their trust established by their greatest of sacrifices; now, therefore, be it

Resolved by the Assembly of the State of California, That May 30, 1951, be set aside as Memorial Day, a day to especially honor those who have kept our Nation free by denying themselves the object of their sacrifice.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 165, at this time, without reference to committee or file.

Resolution read, and adopted.

Speaker Pro Tempore Presiding

At 11.28 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

BILLS WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 1642, on request of Mr. Caldecott.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF SENATE BILLS

Senate Bill No. 1814—An act to amend Section 19539 of the Business and Professions Code, relating to horse racing, declaring the urgency thereof, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Nicholson, Parker, Porter, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 11.30 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Senate Bill No. 293—An act to add Section 1384.6 to the Fish and Game Code, relating to the importation of carcasses or parts thereof of domesticated game birds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey,

Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 294—An act to repeal Section 1290 of, and to add new Section 1290 to, the Fish and Game Code, relating to deer hides.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—69.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 11.35 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Senate Bill No. 297—An act to amend Section 1281 of the Fish and Game Code, relating to deer.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Smith, Stewart, and Tomlinson—56.

NOES—Dills, Geddes, Levering, Lincoln, Lowrey, Shaw, and Mr. Speaker—7.

Bill ordered transmitted to the Senate.

Senate Bill No. 298—An act to amend Section 1201.9 of the Fish and Game Code, relating to pheasant license tags.

Bill read third time.

Demand for Previous Question

Messrs. Shaw, Burke, Doyle, Lanterman, and Cloyed demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 298.

Motion That Senate Bill No. 298 Be Re-referred to Committee

Mr. Belotti moved that Senate Bill No. 298 be withdrawn from the third reading file, and be re-referred to the Committee on Fish and Game.

Mr. Silliman seconded the motion.

Motion carried.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2022

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 122
Assembly Bill No. 892
Assembly Bill No. 1507
Assembly Bill No. 2214
Assembly Bill No. 2864
Assembly Bill No. 3006
Assembly Bill No. 3189
Assembly Bill No. 3205
Assembly Bill No. 3434

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills Nos. 3434 and 2864 re-referred to the Committee on Ways and Means.

Assembly Bills Nos. 122 and 2214 re-referred to the Committee on Transportation and Commerce.

Assembly Bills Nos. 3006 and 2022 re-referred to the Committee on Municipal and County Government.

Assembly Bills Nos. 1507 and 3205 re-referred to the Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 892 re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 3189 re-referred to the Committee on Education.

Senate Bills Nos. 731 and 820 re-referred to the Committee on Public Health.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were offered:

Assembly Concurrent Resolution No. 86: By Mr. Porter—Approving the charter amendments to the charter of the City of Compton, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the first day of May, 1951.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 87: By Mr. Grant—Approving certain amendments to the charter of the City of Long Beach, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the eighth day of May, 1951.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 82

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 82—Relative to representation of legislators in the action entitled "*Hatch* v. *Wildlife Conservation Board.*"

Referred to Committee on Rules.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2737

At 11.50 a.m., on motion of Mr. Gaffney, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 2737 passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Coats, George D. Collins, Condon, Connolly, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Gaffney, Geddes, Grant, Gubser, Hagen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, and Thomas—49.

NOES—Babbage, Burke, Clarke, Cloyed, Collier, Conrad, Erwin, Fleury, Grunsky, Hansen, Hinckley, Kirkwood, Levering, Lincoln, Lipscomb, McGee, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—23.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 11.52 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Senate Bill No. 928, on request of Mr. Geddes.

ANNOUNCEMENT

Mr. Fleury announced that lawyer Members of the Assembly are invited to a luncheon, upon recess this noon, at the Hotel Senator, as guests of the Sacramento Bar Association.

RECESS

At 11.56 a.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 70

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

ANNOUNCEMENT

Speaker Sam L. Collins announced that the electric voting machine is temporarily out of order.

RECESS

At 2.01 p.m., on motion of Mr. Connolly, the Assembly recessed until 2.30 p.m. for the purpose of permitting the technicians to repair the electric voting machine.

REASSEMBLED

At 2.30 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL BE PRINTED IN JOURNAL

Mr. Dolwig asked for, and was granted, unanimous consent that a letter of transmittal from the Interim Fact-finding Committee on Tideland Reclamation and Development in Northern California, Related Traffic Problems and Relief of Congestion on Transbay Crossings be ordered printed in the Journal, in 10 point type, as follows:

LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE

Honorable Sam L. Collins
Speaker of the Assembly
State Capitol, Sacramento, California

MR. SPEAKER: Your committee presents the following Report on the Grade Crossings Separation problem prepared by the staff of the Institute of Transportation and Traffic Engineering, University of California at Berkeley.

At the 1949 Session of the Legislature the Assembly pursuant to House Resolution No. 44, created the Interim Fact-finding Committee on Tideland Reclamation and Development in Northern California, Related Traffic Problems and Relief of Congestion on Transbay Crossings. The resolution directed the committee as follows:

WHEREAS, The problem of tideland reclamation and development in Northern California, and particularly in the San Francisco Bay region, is a subject of vital concern to the entire State of California; and

WHEREAS, It is a problem requiring exhaustive analysis, intelligent treatment and widespread education of all concerned; and

WHEREAS, It is manifestly clear that, with the rapid growth of industry and commerce within the borders of the State of California, and which is easily accessible to highways, rail and water is being used to capacity; and

WHEREAS, Industry and commerce seeking to establish itself within the borders of the State desire land easily accessible to highways, rail and water; and

WHEREAS, The economy and economic welfare of the State of California is closely related and interwoven with the development of a broad industrial and commercial program; and

WHEREAS, There presently exists several methods for reclaiming tidelands, and each method being useful for different purposes; and

WHEREAS, An essential part of such a development program involves consideration of providing adequate highway facilities and integrating plans for state highway facilities with the plans for such reclamation and development of industrial sites; and

WHEREAS, There presently exists a serious condition wherein the people of the State living in the valleys of Northern California are greatly harassed by traffic congestion in and about the San Francisco Bay area and the people of the State living on the San Francisco-San Mateo Peninsula are not being adequately served by the present means of ingress and egress from the northern and central portions of the State; and

WHEREAS, The State now has under consideration plans for the construction of additional San Francisco Bay crossings and there is pending before this legislature a proposal for an appropriation for surveys, plans, estimates, preliminary engineering and other preliminary expenses for the construction of such crossing; and

WHEREAS, There are differences of opinion as to which location and type of crossing would be most advantageous to the people of the State; and

WHEREAS, The construction of such crossing and the location thereof is a material factor in the development of a program for tideland reclamation and development of the San Francisco Bay area; and

WHEREAS, There is urgent need for the Legislature to be fully advised as to all facts relating to the foregoing; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Fact-Finding Committee on Tideland Reclamation and Development in Northern California, Related Traffic Problems, and Relief of Congestion on Transbay Crossings is hereby created and authorized and directed to ascertain, study, and analyze all facts relating to

(a) The scarcity of industrial sites within the borders of the State of California and particularly in the San Francisco Bay region;

(b) The needs of industry and commerce for expansion and location of sites in Northern California and particularly in the San Francisco Bay region upon land easily accessible by highway, rail, and water;

(c) Specific tideland areas in Northern California and particularly in the San Francisco Bay region that are available for reclamation and development, the methods by which any such area may be reclaimed, developed, and made available for industrial or commercial use, and the estimated cost of any or all such projects;

(d) Providing adequate access by highways from such areas and the San Francisco-San Mateo Peninsula to the northern and central portions of California, including all matters pertaining to the construction of additional San Francisco Bay crossings, the location thereof, and the type of structure; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

The scope of the committee's activities has been broad, consequently it has been necessary to divide the studies into three distinct subjects and treat them as individual units of a bay area regional problem. They are:

1. Transbay crossings.
2. Tideland reclamation and development.
3. The San Francisco Bay project—the Reber Plan.

It is readily perceivable that the traffic problem is the integral factor in each of these studies and that it is impossible to reach any

definite conclusions or recommendations relative to these subjects until we have first formulated a plan of action to remedy the existing traffic situation.

In its studies of the many problems involved in present highway facilities as the means of ingress and egress from the northern and central portions of the State, the committee was ever mindful of the mounting public interest and pressure for increased grade crossing separations. In answer to these demands hearings were held in San Mateo and San Francisco. While the purpose for which this Committee was created is limited to the consideration of problems within a specified geographical area, the Committee sought information pertinent to the solution of these problems from other relevant sources where similar problems exist.

The study embraced in this report is considered to be one of the "principal factors" involved in the proper solution to this problem.

From the testimony presented at the hearings it would appear that the pressure for increased grade crossing separations is out of proportion to the accident hazard but that it derives more from irritation of an increasing driving public over delay factors.

For a realistic approach to the problem, information of a new kind may be necessary if a true evaluation of needs for the basis of a sound program is to be developed.

Based upon this report and the evidence of testimony presented at the hearings, the committee makes the following recommendations:

1. That legislation should be introduced to establish a procedural basis for assigning costs for the purposes of classifying current cases, and to establish a procedural basis for a state-wide railroad-highway crossing program which may be provided by future legislation.

2. If a statewide railroad-highway crossing program is undertaken, that the benefit-cost ratio be seriously considered as the basis for determining (a) justification for separations (b) priorities.

3. That a statewide railroad-highway crossing program requires further intensified study of the problem by this Committee, including the gathering of needed background data concerning (a) knowledge of delay factors, (b) coordination of state and local planning to avoid wastage of funds in any crossing separation program.

Respectfully submitted.

RANDAL F. DICKEY	RICHARD J. DOLWIG, Chairman
FRANCIS DUNN, JR.	GEORGE D. COLLINS, JR.
EDWARD M. GAFFNEY	ARTHUR H. CONNOLLY, JR.
ERNEST R. GEDDES	ROBERT I. MCCARTHY

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED AS SEPARATE DOCUMENT

Mr. Dolwig asked for, and was granted, unanimous consent that the above letter of transmittal and above mentioned report be printed as a separate document, and that 500 copies be ordered printed

RESOLUTIONS

The following resolution was offered:

By Messrs. Doyle, Hollibaugh, Geddes, and Porter:

House Resolution No. 166

Relative to a comprehensive study of the laws relating to sex crimes.

WHEREAS, The shocking report of the sex-murder of the 10 year old girl in Orange County has re-emphasized the need for more stringent regulation of repeated violators of the laws relating to sex crimes; and

WHEREAS, There exists fundamental differences of opinion among those who are experts in the various fields concerned with the problem of sex crimes as to the scope of the problem, the manner in which it is to be met, the program to be followed to protect the public health and safety, and the disposition of sex offenders, their treatment and rehabilitation; and

WHEREAS, There is an obvious need for more stringent enforcement, imposition of full sentences, increased punishments for such offenses, and a re-vamping of the entire system of regulation of sex-offenders, and

WHEREAS, Such a program can be accomplished only after a full and comprehensive study of all the problems relating to the subject of this resolution; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Judicial System and Judicial Process, or the corresponding investigating committee created at this session, is hereby authorized and directed to make a full and comprehensive study of the subject matter of this resolution and of all matters relating to the punishment of sex offenders and the applicability to such persons of the laws relating to the indeterminate sentence, probation, and the screening and surveillance of such persons, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly at the 1952 Regular Session, including in the reports its recommendations for appropriate legislation; and be it further

Resolved, That the Governor of the State of California is respectfully urged to proclaim the subject of sex crime legislation as a matter for legislation at a special session to run concurrently with its 1952 Regular Session, and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the Honorable Earl Warren, Governor of the State of California.

Resolution read, and ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 827

Mr. Geddes asked for and was granted, unanimous consent to take up Assembly Bill No. 827, temporarily passed on file, for purpose of amendment.

CONSIDERATION OF ASSEMBLY BILL NO. 827

Assembly Bill No. 827—An act to add Sections 20345.5, 20345.6, 20345.7 and 20345.8 to the Education Code, relating to student body organizations established in state colleges, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Geddes moved the adoption of the following amendment:

Amendment No. 1

On page 3 of the printed bill, as amended in the Assembly on May 25, 1951, strike out lines 16 to 36, inclusive.

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Grunsky:

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 2, 5 and 6 of the Alcoholic Beverage Control Act, relating to alcoholic beverages, and licenses of wine brokers.

Respectfully submitted.

DONALD L. GRUNSKY

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Grunsky:

An act to amend Sections 2, 5 and 6 of the Alcoholic Beverage Control Act, relating to alcoholic beverages, and licenses of wine brokers.

GRUNSKY, Vice Chairman

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Grunsky moved a call of the Assembly.

Motion carried. Time, 2.38 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Chapel, Coats, Cooke, Davis, Dolwig, Evans, Hahn, Kilpatrick, Lanterman, Lindsay, Lyon, McGee, Rosenthal, and Sherwin—14.

Further Proceedings Under Call of the Assembly Dispensed With on Permission to Introduce Bill

At 2 40 p.m., on motion of Mr. Grunsky, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and permission to introduce a bill was granted to Mr. Grunsky by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—65.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3446: By Mr. Grunsky—An act to amend Sections 2, 5 and 6 of the Alcoholic Beverage Control Act, relating to alcoholic beverages and licenses of wine brokers.

Referred to Committee on Boards and Commissions.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 70

And reports the same correctly engrossed.

BURKE, Chairman

Request for Unanimous Consent

Messrs. Smith and Burkhalter asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 70, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 70

Assembly Concurrent Resolution No. 70—Rejecting a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—65.

NOES—None.

Resolution ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Boards and Commissions

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 2689

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McMILLAN, Chairman

Above reported bill orderd to third reading.

Speaker Pro Tempore Presiding

At 2.55 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1830 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Evans asked for, and was granted, unanimous consent that Assembly Bill No. 1830 be withdrawn from the Committee on Public Health, and re-referred to the Committee on Judiciary.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bills were withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 1883, on request of Mr. McMillan.

Assembly Bill No. 2217, on request of Mr. Fleury.

REQUEST FOR UNANIMOUS CONSENT THAT PETITION IN RESOLUTION FORM BE PRINTED IN JOURNAL

Mr. Burkhalter asked for, and was granted, unanimous consent that a petition in resolution form, relative to requesting the Legislature to reject Charter Amendment No. 11, as adopted at the April 3d Burbank municipal election, be ordered printed in the Journal, in 10 point type, as follows:

BURBANK CHAMBER OF COMMERCE
BURBANK, CALIFORNIA

Petition to the State Legislature to Reject Charter Amendment No. 11 as Adopted at April 3d Burbank Municipal Election

WHEREAS, The Burbank Chamber of Commerce has been advised that the recently approved Charter Amendment No. 11 has an error which would seriously restrict the normal operation of the Public Service Department, in that it could not use its own revenues for "construction and expansion" without first having its right to do so determined by court litigation; and,

WHEREAS, The Burbank Chamber of Commerce is informed that a delay, caused by such litigation, would prove disastrous to the present construction and expansion program now being carried on by the Burbank Public Service Department; and,

WHEREAS, The Burbank Chamber of Commerce was one of the sponsors of several charter amendments, including No. 11 at the April 3d municipal election; and,

WHEREAS, The Burbank Chamber of Commerce, like other groups, endorsed Charter Amendment No. 11 without knowledge that the legal uncertainty arising from the omission of the words "construction and/or alterations" would prove to be of such serious nature; now therefore be it

Resolved, That the Burbank Chamber of Commerce does hereby petition the Legislature of the State of California not to approve Charter Amendment No. 11 for the reasons stated above and that a copy of this resolution be sent to the City Council of the City of Burbank.

Adopted this fourteenth day of May, 1951.

BURBANK CHAMBER OF COMMERCE
BONAR DYER, President
FRANKLIN LOWNEY, General Manager

(SEAL)

CITY OF BURBANK

STATE OF CALIFORNIA }
COUNTY OF LOS ANGELES } ss.
CITY OF BURBANK }

I, ADDIE J. JONES, City Clerk in and for the City of Burbank, California, hereby certify that the next attached is a true and correct copy of Resolution No. 6863 adopted by the City Council of the City of Burbank in regular session on May 24, 1951, and that the same was passed and adopted by the following vote:

AYES: Councilmen Brown, Jolley, Mansfield, Price, and Hilton.
NOES: Councilmen—None.
NOT PRESENT: Councilmen—None.
NOT VOTING: Councilmen—None.

Witness my hand and the official seal of the City of Burbank this twenty-fifth day of May, 1951.

ADDIE J. JONES
City Clerk of the City of Burbank
By _____
Deputy

(SEAL)

Resolution No. 6863

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK PERTAINING TO THE SUBMISSION AND ADOPTION OF CHARTER AMENDMENTS BY THE LEGISLATURE OF THE STATE OF CALIFORNIA

Recital:

The Legislature of the State of California approved a charter for the City of Burbank in the year 1927. In 1947 the City Council appointed a committee of fifteen distinguished citizens to study and report on needed changes in this basic law of the City. The Charter Revision Committee, so appointed, recommended to the City Council twenty-three (23) amendments to the City Charter. Of these amendments eighteen (18) were submitted to the people at the General Municipal Election held on April 3, 1951. Sixteen (16) of these proposed amendments were approved by the voters. Among these last mentioned sixteen amendments is Charter Amendment No. 11, which would amend Section 33 of the City Charter relating to the Public Service Department. By its terms, after providing for certain specified payments by the Public Service Department, the funds of the Department are to be deposited in the City Treasury to the credit of the department to be used *"only for the operation and maintenance of said Department"*. The question has arisen whether the aforequoted language is broad enough to permit the Public Service Department to *continue* to use any of its earnings for new construction or additions to, and expansion of, its electric and water facilities.

The City Council after extensive study firmly believes the amendment should be rejected by the Legislature for the following reasons:

Opinion of the City Attorney and O'Melveny and Myers, expert bond and finance counsel, that if the amendment is approved by the legislature, court proceedings would be required to determine whether funds of the Public Service Department could legally be

used to pay for expansion of and additions to the water and power facilities of the Department.

Such legal proceedings or adoption of this proposed charter amendment would result in costly litigation to the city, cause serious delay and, in the event of a decision of the court holding that construction is not included within operation and maintenance would prevent the completion of the expansion program of the Public Service Department started four years ago and upon which approximately $6,000,000.00 has already been paid out of earnings and accumulated funds in the Department without the necessity of any tax levy.

In order to meet the requirements of homes, industries and defense plants for water and electric energy, it is imperative that this construction program be continued and completed without delay. It is estimated that an additional $5,000,000.00 will be required in the next three years to continue and complete the necessary expansion of the water and power facilities of the City.

The people of Burbank approved a bond issue in 1950 for $2,500,000.00 to assist in the continuation of this expansion of the productive capacity of the Department and the principal and interest on the bond issue, it was understood, would be paid out of earnings of the Department. The balance of the cost of such expansion was, likewise, to be paid from the earnings and accumulations of the Department and without the necessity of any tax levy.

The Public Service Department will be able to continue and complete these necessary additions to its water and electric power facilities from its earnings and accumulations unless restricted by the proposed charter amendment or litigation since the present charter provisions permit this.

The present charter provision will remain in effect if the legislature fails to approve the proposed amendment.

The City will suffer no material injury if the proposed amendment No. 11 is not approved by the legislature but homes, business and industry will experience a shortage or total lack of water and electrical power if the current plans for expansion are delayed or stopped by approval of this proposed amendment.

The City and National Defense will be adversely affected by inadequate water and electrical power within the time scheduled by current plans if this amendment is approved Applications for water and electric power are now pending from defense industries requiring capital construction by the Public Service Department which would be delayed or prevented by adoption of this amendment.

NOW, THEREFORE, in pursuance of the foregoing, the City Council does hereby resolve as follows:

First: That the Mayor and City Clerk be and they hereby are directed to prepare and execute a certificate or certificates of ratification by the electors of the City of Burbank of the sixteen charter amendments approved by the voters on April 3, 1951, for delivery to the Legislature of the State of California.

Second: That the Legislature of the State of California be petitioned and requested not to approve and adopt Charter Amendment No. 11 amending Section 33 of the Charter of the City of Burbank.

PASSED and ADOPTED this twenty-fourth day of May, 1951.

RALPH H. HILTON, President of the Council of the City of Burbank

ATTEST: ADDIE J. JONES, City Clerk

STATE OF CALIFORNIA }
COUNTY OF LOS ANGELES } ss
CITY OF BURBANK }

I, ADDIE J. JONES, City Clerk of the City of Burbank, do hereby certify that the foregoing resolution was passed and adopted by the Council of the City of Burbank at its regular meeting held on the twenty-fourth day of May, 1951, by the following vote:

AYES: Councilmen Brown, Jolley, Mansfield, Price, and Hilton.
NOES: Councilmen—None.
ABSENT: Councilmen—None.

ADDIE J. JONES, City Clerk

ANNOUNCEMENT

Mr. Dickey announced that the Assembly will be in session until tomorrow noon, and that committee meetings will be held in the afternoon and evening as usual, regardless of the fact that tomorrow is Memorial Day.

REQUEST FOR UNANIMOUS CONSENT TO USE ASSEMBLY CHAMBER

Mr. Levering asked for, and was granted, unanimous consent that the Committee on Industrial Relations be permitted to use the Assembly Chamber on Thursday, June 7th, instead of on Thursday, May 31st, as previously requested, at 8.30 p.m., for the purpose of hearing Assembly Bill No. 3435.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today At 8 p.m.—

Fish and Game, in Room 3184.
Subcommittee on Governmental Efficiency and Economy, in Room 4130. Subject: Assembly Bill No. 1060.

Today Upon Adjournment—

Elections and Reapportionment, in Room 435.
Agriculture, in Room 2170.
Public Health, in Room 3184.
Social Welfare, in Room 426.

Next Monday, June 11th, At 8 p.m.—

Finance and Insurance, in Room 3184.

It was announced that the following committee would hold no meeting on Monday, June 4th:

Finance and Insurance.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Luckel, the usual courtesies of the Assembly for this day were unanimously extended to Donald E. Hanson of San Diego.

On request of Mr. Dolwig, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Paul Scharrenberg of San Francisco, Miss Paula Lawson and William Lawson of Menlo Park, and Proctor Jones of Woodside.

On request of Mr. Cloyed, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Verne Warner, and Charles, Richard, and Susan Warner of National City.

On request of Mr. Geddes, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. L. S. Stark of Newcastle, formerly of Claremont.

On request of Mr. Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Alice Thibault and Robert Bonner, teachers, and the following pupils of the Nevada City High School: Janice Little, Beverly Gilbert, Rosemary Keenan, Sally Parsons, Jean Lind, Judy Berry, Pauline Lind, Isabel Stuart, Elinore Nay, Carol Householder, Helen Schance, Ida May Peard, Pat Scheimer, Elva Peterson, Shirley Williams, Janet Williams, Dianna Browning, Mary Lou Coughlin, DeAnne Leong, Billie Coons, Roy Richardson, Donald Say, Ted Imus, Joe Fisher, Jack Lewis, Bob Cullen, Ted Ness, Cary Andrews, Robert Oates, Fred Relofond, Herman Nachtman, Peter Hill, Robin Underwood, Edwin Storry, Durol Reynolds, Jack Bunger, Emil Solaro, Sowaj Tanner, Richard Hatwig, Louise Doppelmayr, Joan Hoar, Nancy Schick, Marjorie Thomas, Billie Cucherell, Mary Ann Evans, Elaine Pisani, and Alfred Barker.

On request of Mr. Shaw, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. George Washington and daughter, Cookie, of San Bernardino.

On request of Mr. Waters and the Los Angeles Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Arthur D. Guy of Los Angeles.

On request of Mr. Belotti, the usual courtesies of the Assembly for this day were unanimously extended to Archie Le Fors, Wm. T. Hess, E. S. Mackins, Harold Adams, and John Argo of Eureka.

On request of Messrs. Dolwig and Cooke, the usual courtesies of the Assembly for this day were unanimously extended to Miss Ruth Melendy and Mrs. Jane R. Combs, Teachers; Mrs. Ruth Kirchner and Mrs. J. B. Cooke, Jr., Room Mothers; J. B. Cooke, Jr., PAA; Thomas Wold, Captain; Grant Baker, Co-Pilot; Joe Randow, Purser; Carie Barlow, Stewardess; Mr. J. E. Mahoney, Principal, High School; Miss Helen Davis, *San Carlos Enquirer;* and the following pupils of the San Carlos School: Janet Ames, Don Andrews, Beverly Kay Aronson, Beverly Barnstin, Brent Barrett, Raymond E. Bolleri, Sharon Brady, Sandra L. Burke, Charles Richard Carney, Ronald Caruso, Michael Cleary, Bleecker Cooke, Phillip Cooke, Bill Coy, Tom Devine, Louann Figari, Annette Frey, Ken L. Greenlee, Adair Gregersen, Joyce Harkness, Raymond Hogan, Carol Ann Kirchner, Donald Kroeck, Linda Lanigan, Toby Larsen, Annette Meilleur, Herbert Mesler, Ronald Mork, Malcolm Tracy, Sandra Ware, Wanda June Weiche, and Jimmy Wooldridge.

ADJOURNMENT

At 3 05 p m , on motion of Mr. Dickey, the Speaker pro Tempore declared the Assembly adjourned until 10 a m., Wednesday, May 30, 1951.

SAM L COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SEVENTIETH LEGISLATIVE DAY

NINETY-SIXTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, May 30, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Huckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

O God, Thou King Eternal, Immortal and invisible, the blessed and only Potentate, may we who cannot see Thee with the eye of flesh, behold Thee steadfastly with the eye of faith.

Give us strength that we may live more bravely and faithfully for the sake of those who are no longer with us here upon earth. Grant that we may so serve Thee day by day that we may be led gently into Thine eternal fellowship.

We thank Thee for a Day of Memory when our grateful Nation turns aside to pay a well-deserved tribute to those who have made a supreme sacrifice paying with their lives, the purchase price of liberty and freedom.

O God hear Thou our Nation's prayer,
We lift our cause to Thee.
We wage the holy war of Christ;
We fight to make men free.

In Jesus' name we pray —AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Conrad, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Hahn, on motion of Mr. Burke.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Chapel, on motion of Mr. Burke.

REPORTS OF STANDING COMMITTEES

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 382

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

ERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Senate Bill No. 48
Senate Bill No. 296
Senate Bill No. 596

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

ERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 751

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ERWIN, Chairman

Above reported bill ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 70

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Joint Resolution No. 35

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 1053
Assembly Bill No. 2863
Assembly Bill No. 3060
Assembly Bill No. 3098
Assembly Bill No. 3311
Assembly Bill No. 3391

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 542
Assembly Bill No. 759
Assembly Bill No. 1075
Assembly Bill No. 1076
Assembly Bill No. 1464
Assembly Bill No. 1687
Assembly Bill No. 1901
Assembly Bill No. 1989
Assembly Bill No. 3029
Assembly Bill No. 3177
Assembly Bill No. 3389
Assembly Bill No. 3406

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Constitutional Amendment No. 21

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Constitutional Amendment No. 21—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding to Article XIII thereof a new section to be numbered 19, relating to the proceeds of taxes levied on property in a redevelopment project under the Community Redevelopment Act.

Referred to Committee on Constitutional Amendments.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 29
Senate Bill No. 315
Senate Bill No. 415
Senate Bill No. 536
Senate Bill No. 537
Senate Bill No. 538
Senate Bill No. 567
Senate Bill No. 857
Senate Bill No. 860
Senate Bill No. 1078
Senate Bill No. 1079
Senate Bill No. 1198
Senate Bill No. 1462
Senate Bill No. 1545
Senate Bill No. 1639
Senate Bill No. 1803
Senate Bill No. 1818
Senate Bill No. 1821
Senate Bill No. 1474

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 29—An act to amend Sections 4965 and 7431 of the Education Code, relating to bonded capacity of school districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Senate Bill No. 315—An act to add Section 12046 to the Education Code, relating to the issuance of credentials.

Referred to Committee on Education.

Senate Bill No. 415—An act to amend Section 2189 of, and to add Section 2923 to, the Revenue and Taxation Code, relating to the lien on real property of taxes on personal property.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 536—An act to amend Sections 11382.5, 11409.5 and 26803 5 of the Government Code, relating to keeping and maintaining in each county copies of the California Administrative Code and Register.

Referred to Committee on Municipal and County Government.

Senate Bill No. 537—An act to amend Section 11501 of the Government Code, relating to enumerated agencies referred to in Section 11500.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 538—An act to amend Section 110.6 of the Business and Professions Code, relating to reports to the Governor and the Legislature by the Department of Professional and Vocational Standards

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 567—An act to amend Sections 5050, 5081, 5082, 5083, 5084, and 5086 of, and to add Sections 5047.2, 5066.1, and 5084.1 to, the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Senate Bill No. 857—An act to amend Section 161b of the Civil Code, relating to payments or refunds made pursuant to employee benefit plans.

Referred to Committee on Finance and Insurance.

Senate Bill No. 860—An act to amend Sections 20492, 21024, 21251.1, 21253, and 21331 of, to repeal Sections 21360 of, and to add Sections 21201.5 and 21360 to, the Government Code, relating to the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

Senate Bill No. 1078—An act to add Section 1303.3 to the Education Code, relating to the Public School System of the State of California.

Referred to Committee on Education.

Senate Bill No. 1079—An act creating the "Lake County Flood Control and Water Conservation District" for the controlling, conservation, diversion, storage and disposition of storm, flood, and other surface waters, prescribing the boundaries, organization, operation, management, financing and powers and duties of the district.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 1198—An act to amend Section 205 of, and to add Chapter 3 to Division 2 of Part 7 of, the Labor Code, relating to labor contractors.

Referred to Committee on Agriculture.

Senate Bill No. 1462—An act to repeal Sections 3223, 4711, 4712, 4713, 4726, 4727, 4729, 5008, 8821.1, and 13043 of the Education Code; to amend Sections 1012, 1597.2, 1941, 2861, 4667, 4728, 5942, 8103, and 16813 of said code; to amend Section 672 of the Welfare and Institutions Code; and to repeal an act entitled "An act providing for the acceptance, receipt and disposition of property by the State Board of Education, and making an appropriation, declaring the urgency thereof, to take effect immediately," approved June 25, 1945 (Chapter 1046, Statutes of 1945), all relating to the Public School System.

Referred to Committee on Education.

Senate Bill No. 1545—An act to amend Section 17 of the Alcoholic Beverage Control Act, relating to alcoholic beverage licenses.

Referred to Committee on Boards and Commissions.

Senate Bill No. 1639—An act to amend Section 7.2 of the Alcoholic Beverage Control Act, relating to license transfers and escrows.

Referred to Committee on Boards and Commissions.

Senate Bill No. 1803—An act to amend Sections 1, 2, and 4 of an act entitled "An act to aid in the prosecution of the war by authorizing housing authorities to develop or administer projects to provide housing for persons engaged in war industries or activities and to cooperate with the Federal Government in making housing available for such persons; to grant certain powers to public bodies," approved May 27, 1943, as amended, enlarging the classes of tenants eligible to occupy such housing, extending the duration of the powers contained in such act, authorizing the exercise of such powers during periods of national emergency to aid in the national defense, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1818—An act to add Section 6359.2 to the Revenue and Taxation Code, relating to the exemption of drugs from the sales and use taxes.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1821—An act to repeal Section 1628a of the Business and Professions Code, relating to examinations for admission to the practice of dentistry.

Referred to Committee on Public Health.

Senate Bill No. 1474—An act to add Section 29.5 to the Community Redevelopment Act and add Section 33279 to the Health and Safety Code, relating to community redevelopment.

Referred to Committee on Municipal and County Government.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 743—An act to amend Section 737jj of the Political Code, and Section 79.36 of the Code of Civil Procedure, relating to superior judges' salaries.

Bill read second time, and ordered engrossed

Assembly Bill No. 2719—An act to regulate the parking of vehicles by the operators of off-street parking facilities.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2816—An act to provide for the interchangeable use of single-trip beer cartons and to add Section 53 55 to the Alcoholic Beverage Control Act, relating to use of cartons.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2776—An act to amend Section 21189 of the Water Code, relating to contracts of group insurance or a system of group annuities in irrigation districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 781—An act to amend Section 737gg of the Political Code, relating to superior judges' salaries.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "_____ dollars ($_____)", and insert "twelve thousand five hundred dollars ($12,500)".

Amendment No. 2

On page 1, line 10, of the printed bill, strike out "_____ dollars ($_____)", and insert "twelve thousand five hundred dollars ($12,500)".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1356—An act providing for the constitution of municipal courts in districts in Alameda County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

Strike out lines 1 and 2 of the title of the printed bill, and insert

"An act providing for the constitution of a municipal court in a district embracing the City of Oakland, and prescribing the num-".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 6, inclusive, and insert

"SECTION 1. The municipal court established in a district embracing the City of Oakland shall be constituted, and the judges, officers and attaches thereof shall receive compensation as follows:

(1) There shall be seven judges, each of whom shall receive thirteen thousand five hundred dollars ($13,500) per annum, payable in equal monthly installments;

(2) There shall be one clerk who shall receive six hundred fifty dollars ($650) monthly, and who may appoint the following:

Criminal Division

Four chief deputy clerks, each of whom shall receive four hundred fifty dollars ($450) monthly;

Three deputy assistant clerks, each of whom shall receive three hundred fifty dollars ($350) monthly;

Four deputy assistant clerks each of whom shall receive three hundred twenty-five dollars ($325) monthly;

One legal stenographer who shall receive two hundred seventy-five dollars ($275) monthly;

One typist-clerk who shall receive a minimum salary of two hundred six dollars ($206) monthly, with annual increments of ten dollars ($10), ten dollars ($10), twelve dollars ($12), and twelve dollars ($12), to a maximum of two hundred fifty dollars ($250) monthly;

Office of Bail and Fines

One chief deputy clerk who shall receive four hundred fifty dollars ($450) monthly;

Two deputy clerks each of whom shall receive two hundred seventy-five dollars ($275) monthly;

Seven deputy clerks each of whom shall receive three hundred dollars ($300) monthly;

Two deputy clerks each of whom shall receive two hundred fifty-five dollars ($255) monthly;

Five typist clerks and one file clerk, each of whom shall receive a minimum salary of two hundred six dollars ($206) monthly, with annual increments of ten dollars ($10), ten dollars ($10), twelve dollars ($12) and twelve dollars ($12) to a maximum of two hundred fifty dollars ($250) monthly;

Civil Department

One chief deputy clerk, who shall receive five hundred dollars ($500) monthly;

One chief deputy clerk, who shall receive four hundred fifty dollars ($450) monthly;

Seven deputy clerks, each of whom shall receive three hundred fifty dollars ($350) monthly;

One stenographer who shall receive a minimum salary of two hundred sixteen dollars ($216) monthly, with annual increments of ten dollars ($10), twelve dollars ($12), twelve dollars ($12) and fourteen dollars ($14) to a maximum of two hundred sixty-four dollars ($264) monthly;

One junior stenographer, who shall receive a minimum salary of one hundred ninety-six dollars ($196) monthly, with annual increments of ten dollars ($10), ten dollars ($10), ten dollars ($10) and twelve dollars ($12) to a maximum of two hundred thirty-eight dollars ($238) monthly;

(3) The sheriff and his deputies shall act ex officio as the marshal and deputy marshals of the court.

(4) Persons who succeed to positions in the municipal court under provisions of the Municipal and Justice Court Act of 1949 shall receive credit for continuous prior service in superseded courts and in the sheriff's department or constabulary of the county, and shall receive, in addition to the minimum rate, the annual increments commensurate with such years of prior service up to the maximum rate set.

(5) Whenever a special assignment or branch of work is indicated herein for a particular deputy or position, the assignment so designated is not intended to be exclusive, but merely to designate the principal work incident to such deputy or position. However, in order to equalize the work of the office of the clerk and to render prompt and efficient service to the public, it shall be the duty of each deputy clerk or

attache to perform such service as may be directed by the clerk, whether the work so directed to be done be within the scope of the special designation or not. The clerk shall have the power to lay off any employee because of lack of the type of work which such employee was appointed to perform."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1418—An act prescribing the constitution of municipal courts in certain judicial districts in counties or cities and counties of the first class, providing for the number of judges, officers and attaches of such courts and fixing their compensation; also providing for the appointment of such officers and attaches, their tenure of office and for the preservation of their right of civil service status and retirement benefits.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 4 of the printed bill, as amended in the Assembly on May 1, 1951, strike out lines 45, 46, and 47.

Amendment No. 2

On page 4, line 48, of said bill, strike out "(2)", and insert "(1)"

Amendment No. 3

On page 5 of said bill, strike out lines 3 and 4.

Amendment No. 4

On page 5, line 7, of said bill, strike out "Three", and insert "Two"

Amendment No. 5

On page 5 of said bill, strike out lines 12 and 13, and insert "six hundred sixty dollars ($660) monthly. The marshal may appoint the following:".

Amendment No. 6

On page 5, line 20, of said bill, strike out "Three", and insert "Two".

Amendment No. 7

On page 5 of said bill, strike out lines 30 to 34, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1767—An act providing for the constitution of the municipal court in a district embracing the City of Beverly Hills, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, lines 11 and 12, of the printed bill, as amended in the Assembly on April 16, 1951, strike out ", to be appointed by the judges of the court,".

Amendment No. 2

On page 2 of said bill, strike out lines 13 to 18, inclusive, and insert

"(d) There shall be one marshal who shall receive a salary of six hundred dollars ($600) per month, and who may appoint the following:

Four deputy marshals, each of whom shall receive four hundred forty dollars ($440) per month;

Six deputies (custodians) at a fee allowed by law for keeping property.

(e) Persons who succeed to positions in the municipal court under the provisions of the Municipal and Justice Court Act of 1949, shall receive credit for continuous prior service in superseded courts and in the sheriffs' department or constabulary of the county and shall receive, in addition to the minimum rates, the annual increments commensurate with such years of prior service up to the maximum rate set"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2363—An act to add Sections 715.1 and 715.2 to the Civil Code, and to amend Sections 716, 771 and 773 of said code, and to repeal Sections 715, 772 and 776 of said code, relating to the rules against remoteness in vesting and against suspension of the power of alienation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 16, 1951, strike out "and 715.2", and insert ", 715.2 and 715.3".

Amendment No. 2

On page 1 of said bill, after line 20, insert

"SEC. 3. Section 715.3 is added to the Civil Code to read

715.3. No trust heretofore or hereafter created forming part of a retirement system established pursuant to the laws of California authorizing such systems shall be deemed invalid as violating Sections 715.1 or 715.2 of this code; and the income arising from such property, real or personal, held in such trust may be permitted to accumulate until the fund is sufficient, in the opinion of the trustee or trustees thereof, to accomplish the purposes of the trust."

Amendment No. 3

On page 2, line 1, of said bill, strike out "SEC. 3", and insert "SEC. 4".

Amendment No. 4

On page 2, line 14, of said bill, strike out "SEC. 4", and insert "SEC. 5".

Amendment No. 5

On page 2, line 21, of said bill, strike out "SEC. 5", and insert "SEC. 6".

Amendment No. 6

On page 2, line 32, of said bill, strike out "SEC. 6", and insert "SEC. 7".

Amendment No. 7

On page 2, line 34, of said bill, strike out "SEC. 7", and insert "SEC. 8".

Amendment No. 8

On page 2 of said bill, strike out lines 41 to 48, inclusive, and insert "ing of this section."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2009—An act to amend Section 10291.5 of the Insurance Code, relating to disability insurance policies.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 4, line 37, of the printed bill, as amended in the Assembly on May 24, 1951, after "policy", insert ", *other than a specified indemnity for dismemberment*,".

Amendment No. 2

On page 5, line 7, of said bill, before "benefit", insert "*the*".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2501—An act to amend Sections 53 and 54 of the Unemployment Insurance Act, relating to minimum wages in base period and weekly benefit amounts payable under said act.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "six"; and strike out all of lines 6 to 10, inclusive, and insert "one hundred fifty ($150) in each of three calendar quarters of his base period."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3432—An act to amend Section 5804 of the Labor Code, relating to workmen's compensation awards.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 6, of the printed bill, after "rehearing", insert "or reconsideration".

Amendment No. 2

On page 1, line 7, of the printed bill, after "commission", insert "upon a petition to reopen".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 19—An act to amend Section 19627 of the Business and Professions Code, relating to the state revenue derived from horse racing licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 11, of the printed bill, strike out "three million dollars ($3,000,000)", and insert "one million five hundred thousand dollars ($1,500,000)".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 426—An act to amend Sections 1622 and 2302 of the Welfare and Institutions Code, relating to boarding homes, to make costs for boarding home inspection payable on a fiscal year basis.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 2 of the printed bill, after line 32, insert
"SEC. 3. This act shall take effect July 1, 1952."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 2268—An act to add Section 1225 to the Government Code, relating to the deposit of public funds.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 1225 to", and insert "amend Section 53601 of".

Amendment No. 2

In line 2 of the title of said bill, strike out "deposit", and insert "investment".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 7, and insert
"SECTION 1. Section 53601 of the Government Code is amended to read:
53601. The legislative body of a local agency having money in a sinking fund of, or surplus money in, its treasury not required for the immediate necessities of the local agency may invest such portion of the money as it deems wise or expedient in:
(a) Bonds issued by it.
(b) United States Treasury notes or bonds or those for which the faith and credit of the United States are pledged for the payment of principal and interest.
(c) Treasury notes or bonds of this State or of any local agency within this State.
(d) Registered state warrants.
(e) Investment certificates and withdrawable shares (but not guarantee stock) issued by building and loan associations organized under the laws of this State and shares and share accounts issued by Federal savings and loan associations doing business in this State; provided that such associations are 'insured institutions' as defined in Title IV of the National Housing Act and that the investment by any one local agency in any one association shall not exceed the amount which is insured by the Federal Savings and Loan Insurance Corporation."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

SECOND READING OF SENATE BILLS

Senate Bill No. 1717—An act to amend Section 51b of the Public Utility District Act, relating to the annexation of territory to public utility districts declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 364—An act to amend Section 261b of the Code of Civil Procedure as added by Chapter 1039 of the Statutes of 1943, and to add Section 260 to said code, relating to court commissioners.

Bill read second time, and ordered to third reading.

Senate Bill No. 539—An act to amend Section 11699 of the Insurance Code, relating to the business of workmen's compensation insurance.

Bill read second time, and ordered to third reading.

Senate Bill No. 386—An act to amend Section 6060 and to add Section 6060.1 to the Business and Professions Code, relating to qualifications of applicants to the practice of law, and the accreditation of law schools in California.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, line 10, of the printed bill, as amended in the Senate on April 27, 1951, strike out "January", and insert "September"

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 693—An act to add Section 2003 to the Government Code, relating to claims against the State, district, county, city, or city and county.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

Strike out the title of the printed bill, and insert

"An act to add Section 2000 to the Government Code and Section 349.5 to the Code on Civil Procedure, relating to actions against governmental agencies."

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "2003", and insert "2000".

Amendment No. 3

On page 1, line 3, of the printed bill, strike out "2003", and insert "2000".

Amendment No. 4

On page 1, line 7, of the printed bill, strike out "thereof", and insert "acting within the course and scope of his employment".

Amendment No. 5

On page 1 of the printed bill, after line 9, insert

"SEC. 2. Section 349.5 is added to the Code of Civil Procedure, to read:

349.5. Notwithstanding anything to the contrary elsewhere in the law, whenever a claim arises out of the alleged negligence of an employee of any governmental agency in the operation of any public conveyance or vehicle, except an authorized emergency vehicle as defined in Section 44 of the Vehicle Code, the time for filing any action against the governmental agency is the same as that permitted for filing a similar action against a private person which period shall start to run from the date the cause of action arose, irrespective of the time the claim in respect thereto is filed or presented as a condition to bringing the suit or otherwise."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1204—An act to amend Sections 3211.9, 3211.92, 3211.93, 3352.94, 4363, of, and to renumber the chapter heading of Chapter 10.5 of Division 4, Part 1 of, and to repeal Sections 3211.2, 3211.4, 3211.6, 3211.7, 3211.8, 3352 5, 4301, 4302, 4303, 4304, 4305, 4311, 4312, 4313, 4314, 4315, 4316, 4317, 4318, 4331, 4332, 4333, 4334, 4335, 4336, 4337, 4366, and 4367 of the Labor Code, relating to the furnishing of workmen's compensation benefits to volunteer disaster service workers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 6 of the title of the printed bill, as amended in the Senate on May 22, 1951, strike out "4334,".

Amendment No. 2

On page 1, line 11, of said bill, strike out "means", and insert "includes".

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL BE PRINTED IN THE JOURNAL

Mr. Silliman asked for, and was granted, unanimous consent that a letter of transmittal to the Report of the Assembly Interim Committee on Conservation, Planning, and Public Works be ordered printed in the Journal, in 10 point type, as follows:

LETTER OF TRANSMITTAL

HONORABLE SAM L. COLLINS,
Speaker of the Assembly,
California Legislature, Sacramento, California.

DEAR SIR. Pursuant to House Resolution 212 of the 1949 Regular Session of the Legislature, House Resolution 27, 1950 Regular Session, House Resolution 31, 1950 First Extraordinary Session and House Resolution 28, 1950 Third Extra Session, your standing committee submits herewith a report which summarizes the voluminous material which was presented to this committee by Charles M. Weber, retired Chairman of the Interim Committee on Conservation, Planning, and Public Works.

As the funds of the interim committee had been depleted it was the unanimous feeling of the standing committee that House Resolution 139 be introduced requesting the Legislature to augment previous appropriations of the interim committee in the sum of $1,500. This augmentation to provide funds for the printing of 3,000 copies of this summary report and provide for liquidation of other incurred obligations of the interim committee. This resolution was passed May 10, 1951.

This committee is fully aware that the data submitted by the former chairman of the interim committee represents a considerable amount of work and that much valuable information is contained therein. To have the full report printed, at this time, would, however, cost over $7,000. As no recommendations were made in the report, nor specific

legislation recommended it was the unanimous feeling of this committee that the interim committee report to the Legislature be limited to this summary report.

Respectfully submitted.

GEORGE A. CLARKE
WILLIAM W. HANSEN
LLOYD W. LOWREY
LESTER A. McMILLAN
HARLAN HAGEN
L. H. LINCOLN
FRANK LUCKEL
FRANCIS C. LINDSAY
JAMES W. SILLIMAN, Chairman

REQUEST FOR UNANIMOUS CONSENT THAT 3,000 COPIES OF REPORT BE DISTRIBUTED

Mr. Silliman announced that the above mentioned report has been printed as a separate document by the above mentioned committee, and asked for, and was granted, unanimous consent that 3,000 copies be distributed.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 144—An act to add Section 226.5 to the Elections Code, relating to affidavits of registration.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 144?

Amendment No. 1

On page 1, line 5, of the printed bill, after "clerk", insert ", when notified in writing of such change either by the voter or by the public agency authorizing such change,".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 144 by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Davis, Dickey, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Waters, and Mr. Speaker—58.
NOES—None.

Assembly Bill No. 144 ordered enrolled.

Assembly Bill No. 986—An act to add Section 459.6 to the Vehicle Code, relating to boundary line streets and highways and vehicles using the same.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 986?

Amendment No. 1

On page 1, line 18, of the printed bill, as amended in the Assembly on April 30, 1951, after "effective", insert "as to such portion".

Amendment No. 2

On page 1, line 19, of said bill, as amended, strike out "any", and insert "such".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 986 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 986 ordered enrolled.

Assembly Bill No. 2095—An act to amend Section 7f of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to traffic commissioner.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2095?

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "eight hundred dollars ($800)", and insert "seven hundred seventy dollars ($770)".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2095 by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Waters, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 2095 ordered enrolled.

Assembly Bill No. 2096—An act to amend Section 7e of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to secretary and jury commissioner.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2096?

Amendment No. 1

On page 1, lines 6 and 7, of the printed bill, as amended in the Assembly on May 3, 1951, strike out "fifty dollars ($850)", and insert "twenty-five dollars ($825)".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2096 by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Davis, Dickey, Dolwig, Doyle, Elliott,

Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Waters, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 2096 ordered enrolled.

Assembly Bill No. 2097—An act to amend Section 7c of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to commissioners.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2097?

Amendment No. 1

On page 1, line 14, of the printed bill, strike out "seven hundred dollars ($700)", and insert "six hundred sixty dollars ($660)".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2097 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Waters, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 2097 ordered enrolled.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 2251 FROM COMMITTEE CONTINUED

By unanimous consent, the notice of motion by Mr. Elliott to withdraw Assembly Bill No. 2251 from committee was continued until the next legislative day.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Shaw to reconsider the vote whereby Assembly Bill No. 1731 was passed, was continued until the next legislative day.

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 3279—An act to amend Section 207 of the Welfare and Institutions Code, relating to bodies of deceased persons.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 3279 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.

NOES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall,

McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—64.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1145—An act to amend Sections 26472, 26519, 26617, 26618, 26620, and to add Sections 26518.5, 26530, and to repeal Section 26622 of the Health and Safety Code, relating to adulterations of meat, inspection of foods, records of food manufacture and disclosing of official information by inspectors; also relating to quarantining of adulterated, misbranded, or falsely advertised foods.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1145?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on May 3, 1951, strike out "Sections 26518.5, 26530", and insert "Section 26518.5".

Amendment No. 2

On page 2, line 16, of said bill, as amended, strike out "derived from fresh beef".

Amendment No. 3

On page 2, line 40, of said bill, as amended, after "establishment", insert "while open for business or in operation,".

Amendment No. 4

On page 2, line 42, of said bill, as amended, after "held", insert "contrary to law".

Amendment No. 5

On page 2 of said bill, as amended, strike out all of lines 43, 44, and 45, and insert "used or suspected of being used contrary to law to transport or hold such food."

Amendment No. 6

In lines 4, 5, 6, and 7 of the title of the printed bill, as amended in the Senate on May 23, 1951, strike out "records of food manufacture, and disclosing of official information by inspectors; also relating to quarantining of adulterated, misbranded, or falsely advertised foods.", and insert "prescribing duties of local food inspection agencies."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1145 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Waters, and Mr Speaker—64.

NOES—None

Assembly Bill No. 1145 ordered enrolled.

Assembly Bill No. 1147—An act to amend Sections 28281, 28282, 28312, 28314, and the heading of Chapter 7 of Division 21 of, and add Sections 28280 1, 28282.5, 28292, and 28299 to the Health and Safety Code, relating to sanitation in food processing plants and packaging of and return of bakery products.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1147?

Amendment No. 1

On page 1, line 5 of the title of the printed bill, as amended, strike out "and packaging of and return of bakery products.", and insert "and defining "food processing" establishments."

Amendment No. 2

On page 3, lines 6 and 7, of said bill, as amended, strike out "except restaurants,".

Amendment No. 3

On page 3, line 11, of said bill, as amended, strike out the period, and insert "except restaurants."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1147 by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—63.

NOES—None.

Assembly Bill No. 1147 ordered enrolled.

Assembly Bill No. 1278—An act to amend Sections 19533, 19533.2, 19534, 19535, 19536, 19537, and 19397 of, to add Section 19533.3 to, and repeal Section 19533.1 of, the Government Code, relating to layoff or demotion in the state civil service.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1278?

Amendment No. 1

On page 3, line 8 of the printed bill, as amended in the Assembly on April 23, 1951, strike out "within that one year"; and strike out all of lines 9 to 13, inclusive, and insert "more than the one year has elapsed, he shall receive such credit if he had no intervening employment other than seasonal or temporary work."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1278 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Waters, and Mr. Speaker—63.

NOES—None.

Assembly Bill No. 1278 ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 313—An act to amend Sections 1, 3 and 14½ of the County Waterworks District Act, and to add Sections 6.1 and 2.1 thereto, relating to county waterworks districts;

Assembly Bill No. 550—An act to amend Section 194 of the Streets and Highways Code and to amend Section 11005 of the Revenue and Taxation Code, relating to the population of cities;

Assembly Bill No. 554—An act to amend Section 21002 of the Government Code, relating to the State Employees' Retirement System in respect to state employment of persons who have attained the age of compulsory retirement;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 643—An act to amend Section 92 of the Labor Code, relating to the powers of the Labor Commissioner;

Assembly Bill No. 701—An act to add Section 46.1 to, and amend Section 51 of, the Vehicle Code, relating to definitions of vehicles and equipment;

Assembly Bill No. 707—An act to add Section 1.6 to the Judges' Retirement Act, relating to retirement of judges for service;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 982—An act to add Sections 34303.5 and 35002 to, and to amend Sections 35101 and 35301 of the Government Code, relating to cities;

Assembly Bill No. 1054—An act to add Chapter 1.5 to Part 2, Division 5 of the Health and Safety Code, relating to garbage and refuse disposal districts, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1078—An act to add Section 18101.5 to the Government Code, relating to sick leave of state employees;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 1315—An act to amend and renumber Section 25561 of the Government Code added to said code by an act entitled "An act to add Section 4041.5a to the Political Code and Section 25561 to the Government Code, relating to the power of the board of supervisors to provide operas and other entertainment." approved July 10, 1947, relating to powers of boards of supervisors;

Assembly Bill No. 1605—An act to add Section 11545 to the Business and Professions Code, relating to sewage facilities;

Assembly Bill No. 1856—An act to amend Sections 154, 6500, and 7000 of the Welfare and Institutions Code and to amend and renumber Section 6500.3 to be Section 7000.5 thereof and to amend the heading of Chapter 3 of Part 4 of Division 6 thereof, relating to state institutions under the jurisdiction of the Department of Mental Hygiene;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1970—An act to amend Section 713 of the Vehicle Code, relating to the powers of local authorities with respect to state highways;

Assembly Bill No. 1982—An act to amend Section 26529 of the Government Code, relating to duties of the county counsel;

Assembly Bill No. 2041—An act to amend Sections 3.1, 3.2, and 3.3, and to add Sections 3.5, and 3.6 to the Los Angeles County Flood Control Act, relating to the establishment of zones within the district;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2280—An act to amend Section 28141 of the Government Code, relating to the compensation of officers, jurors and witnesses in counties of the forty-first class;

Assembly Bill No. 2575—An act to amend Section 21802 of the Water Code, relating to elections in irrigation districts;

Assembly Bill No. 2923—An act regulating the use of public highways for commercial purposes for the transportation of property for compensation; defining household goods carriers and permitting them to operate as such in this State subject to

regulation as provided herein; specifying the powers of the Public Utilities Commission; prescribing penalties for violations of this act; and repealing parts of acts inconsistent herewith; and adding Chapter 7, comprising Sections 5101 to 5319, inclusive, to Division 2 of the Public Utilities Code; all relating to household goods carriers;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3037—An act to repeal Article 2 of Chapter 5 of Division 5 of the Agricultural Code, relating to cottonseed certification;

And reports that the same has been correctly enrolled, and presented to the Governor on the thirtieth day of May, 1951, at 10 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 71
Assembly Concurrent Resolution No. 72
Assembly Concurrent Resolution No. 73
Assembly Concurrent Resolution No. 74
Assembly Concurrent Resolution No. 75
Assembly Concurrent Resolution No. 76

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 83
Assembly Concurrent Resolution No. 84
Assembly Concurrent Resolution No. 85

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 77
Assembly Concurrent Resolution No. 78
Assembly Concurrent Resolution No. 79
Assembly Concurrent Resolution No. 80
Assembly Concurrent Resolution No. 81
Assembly Concurrent Resolution No. 82

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 827
Assembly Bill No. 1980
Assembly Bill No. 2611
Assembly Bill No. 3109
Assembly Bill No. 3321

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 293

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-refered to Committee on Ways and Means.

CLARKE, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Senate Bill No. 1453

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 2355

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

CLARKE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 295
Assembly Bill No. 2545

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CLARKE, Chairman

Above reported bills ordered to second reading.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No. 676

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

GEDDES, Chairman

Above reported bill ordered to second reading.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Senate Bill No. 100

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ERWIN, Chairman

Above reported bill ordered to second reading.

Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which was referred:

Senate Bill No. 810

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WATERS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which were referred:

Assembly Bill No. 155
Assembly Bill No. 191
Assembly Bill No. 193
Assembly Bill No. 2435
Assembly Bill No. 494

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WATERS, Chairman

Above reported bills ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Assembly Concurrent Resolution No. 71
Assembly Concurrent Resolution No. 72
Assembly Concurrent Resolution No. 73
Assembly Concurrent Resolution No. 74
Assembly Concurrent Resolution No. 75
Assembly Concurrent Resolution No. 76
Assembly Concurrent Resolution No. 77
Assembly Concurrent Resolution No. 78
Assembly Concurrent Resolution No. 79
Assembly Concurrent Resolution No. 80
Assembly Concurrent Resolution No. 81
Assembly Concurrent Resolution No. 82
Assembly Concurrent Resolution No. 83
Assembly Concurrent Resolution No. 84
Assembly Concurrent Resolution No. 85

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2484—An act to amend Section 80 of the Agricultural Code, relating to district and county agricultural fairs.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Clarke, Collier, Condon, Connolly, Conrad, Davis, Dickey, Dolwig, Elliott, Fleury, Gaffney, Gubser, Hagen, Hansen, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Parker, Rumford, Shaw, Sherwin, Thomas, and Tomlinson—42

NOES—Beck, Burke, Cloyed, Evans, Geddes, Grant, Luckel, McGee, Munnell, Niehouse, Rosenthal, Smith, Stewart, and Waters—14.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1534—An act to amend Section 2137.1 of the Business and Professions Code, relating to persons authorized to practice medicine and surgery in state institutions.

Bill read third time.

Motion to Amend

Mr. Gubser moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 11, of the printed bill as amended in the Assembly on May 24, 1951, after "year", insert "or until October 1, 1953 whichever is later".

Amendment No. 2

On page 1, line 19, of said bill, after the period, insert "The provisions of this section shall terminate on October 1, 1953."

Amendments read.

Roll Call Demanded

Messrs. Gubser, Moss, and Rumford demanded a roll call.

The roll was called, and the amendments offered by Mr. Gubser to Assembly Bill No. 1534 adopted by the following vote:

AYES—Belotti, Brown, Coats, Collier, Condon, Conrad, Cooke, Davis, Dills, Elliott, Fleury, Geddes, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Kirkwood, Klocksiem, Lindsay, Maloney, McCarthy, McFall, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Stanley, Thomas, and Tomlinson—37

NOES—Berry, Brady, Burke, Burkhalter, Clarke, Cloyed, Connolly, Dolwig, Gaffney, Grant, Holibaugh, Kelly, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, McGee, Niehouse, Rumford, Smith, Stewart, and Mr. Speaker—24

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 3321—An act to amend Section 6b of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks, and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brown, Burke, Burkhalter, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Moss, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, and Tomlinson—50.

NOES—Geddes, Luckel, and Morris—3

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR SPEAKER Your Committee on Public Health, to which were referred:

Assembly Bill No. 52
Assembly Bill No. 2336

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CONNOLLY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER. Your Committee on Public Health, to which was referred

Assembly Bill No. 2894

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CONNOLLY, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Public Health, to which was referred Assembly Bill No. 951

Has had the same under consideration, and reports the same back with the recommendation. Do pass, and be re-referred to Committee on Ways and Means

CONNOLLY, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2905 HOLD PLACE ON FILE

Mr. Cooke, for Mr. George D. Collins, asked for, and was granted, unanimous consent that Assembly Bill No. 2905 be passed on file, and hold its place on file on the next legislative day.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 302 HOLD PLACE ON FILE

Mr. Clarke, for Mr. Lyon, asked for, and was granted, unanimous consent that Assembly Bill No. 302 be passed on file, and hold its place on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2570—An act to amend Section 13653 of the Education Code, relating to the rights of terminated probationary employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2571—An act to amend Sections 13204.1, and 14495.1 of the Education Code, relating to certificated employees in military service.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Smith, Thomas, Tomlinson, Waters, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Assembly Bill No. 827 Hold Place on File

Mr. Geddes asked for, and was granted, unanimous consent that Assembly Bill No. 827 be passed on file, and hold its place on file on the next legislative day.

Bill Withdrawn From Active File, and Placed on the Inactive File

Assembly Bill No. 1980, on motion of Mr. Dolwig.

Assembly Bill No. 991—An act to add Section 10494.6 of the Insurance Code, relating to disability insurance.

Bill read third time.

Motion to Amend

Mr. Levering moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 3, of the printed bill, as amended in the Assembly on May 8, 1951, strike out "exists", and insert "exist".

Amendment No. 2

On page 2, line 21, of said bill, strike out "commission", and insert "commissioner".

Amendment No. 3

On page 2, line 22, of said bill, strike out "regulation", and insert "regulations".

Amendment No. 4

On page 2, line 25, of said bill, strike out "twenty-five thousand dollars ($25,000)." and insert "fifty percent (50%) of an estimated annual premium for the supplemental benefits, based on standard manual rates for such coverage,"

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 1957—An act to add Section 10180 to the Insurance Code, relating to group life and disability insurance.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Davis, Dickey, Dolwig, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Thomas, Tomlinson, Waters, and Mr. Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That House Resolution No. 164 Hold Place on File

Mr. Porter asked for, and was granted, unanimous consent that House Resolution No. 164 be passed on file, and hold its place on file on the next legislative day.

Assembly Concurrent Resolution No. 66—Relative to the declaration of August 16, 1951, as Loyal Order of Moose Day in California.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Berry, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Davis, Dickey, Dolwig, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney,

McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—58

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Joint Resolution No. 39—Relative to the naturalization of alien members of the Armed Forces.

Resolution read.

Request for Unanimous Consent That Assembly Joint Resolution No. 39 Be Re-referred to Committee

Mr. Fleury asked for, and was granted, unanimous consent that Assembly Joint Resolution No. 39 be withdrawn from file, and be re-referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 971

Mr. Babbage asked for, and was granted, unanimous consent to take up Assembly Bill No. 971, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 971

Assembly Bill No. 971—An act to repeal Sections 241 and 242 of, and to add Sections 241 and 242 to, the Code of Civil Procedure, relating to grand jurors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—55.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)

CONSIDERATION OF HOUSE RESOLUTION NO. 149

By Mr. Hagen:

House Resolution No. 149

Relative to congratulating Jimmy Coe upon being the Champion Speller of the Central Valleys

WHEREAS, It has come to the attention of this Assembly that James Q. (Jimmy) Coe has recently proven himself the Champion Speller of the Central Valleys; and

WHEREAS, Jimmy is a 13 year old boy residing in Hanford, Kings County, California, and attends the eighth grade at Pioneer Union Elementary School in Hanford; and

WHEREAS, Jimmy earned the title of Champion Speller on May 12th in the finals of the Central Valleys Spelling Bee sponsored by the McClatchy newspapers and radio stations; and

WHEREAS, This Assembly, on behalf of the State of California, is remarkably proud of Jimmy and his fine art of orthography by which he overcame 23 other county champions to earn his title; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly does hereby extend the heartiest congratulations to Jimmy Coe on his achievement in earning the title of Champion Speller of the Central Valleys; and be it further

Resolved, That the Assembly also extends its heartiest congratulations to Maxine Showalter of Fresno who placed second in the spelling bee, and to Ronald

Zimmerman of Exeter who placed third, and to each of the other 21 county champions whose fine spirit of competition so exemplifies the American Way of life and ideals of democratic philosophies; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to Master James Q Coe, Route 1, Box 648-E, Hanford; Miss Maxine Showalter, 547 Ferger Avenue, Fresno; and Master Ronald Zimmerman, Route 2, Box 838, Exeter, as tokens of recognition of their accomplishments.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In the measure as printed in the Assembly Journal of May 21, 1951, on page 4550, in the first line of the fourth "Whereas" clause, strike out "remarkably", and insert "exceedingly".

Amendment read, and adopted.

Consideration of House Resolution No. 149, as Amended

By Mr. Hagen:

House Resolution No. 149

Relative to congratulating Jimmy Coe upon being the Champion Speller of the Central Valleys

WHEREAS, It has come to the attention of this Assembly that James Q. (Jimmy) Coe has recently proven himself the Champion Speller of the Central Valleys; and

WHEREAS, Jimmy is a 13 year old boy residing in Hanford, Kings County, California, and attends the eighth grade at Pioneer Union Elementary School in Hanford; and

WHEREAS, Jimmy earned the title of Champion Speller on May 12th in the finals of the Central Valleys Spelling Bee sponsored by the McClatchy newspapers and radio stations; and

WHEREAS, This Assembly, on behalf of the State of California, is exceedingly proud of Jimmy and his fine art of orthography by which he overcame 23 other county champions to earn his title, now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly does hereby extend the heartiest congratulations to Jimmy Coe on his achievement in earning the title of Champion Speller of the Central Valleys; and be it further

Resolved, That the Assembly also extends its heartiest congratulations to Maxine Showalter of Fresno who placed second in the spelling bee, and to Ronald Zimmerman of Exeter who placed third, and to each of the other 21 county champions whose fine spirit of competition so exemplifies the American way of life and ideals of democratic philosophies; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to Master James Q. Coe, Route 1, Box 648-E, Hanford; Miss Maxine Showalter, 547 Ferger Avenue, Fresno; and Master Ronald Zimmerman, Route 2, Box 838, Exeter, as tokens of recognition of their accomplishments.

Resolution read, as amended, and adopted.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1642—An act to add Section 217.1 to the Motor Vehicle Code, relating to foreign vehicles.

Bill read third time.

Motion to Amend

Mr. Caldecott moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 10, of the printed bill, after the period, insert "For the purposes of this section no violation of Division 11 shall be deemed to have occurred unless the weight limitation there provided has been exceeded by more than 4,000 pounds."

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 2217—An act to add Section 21263 to the Government Code, relating to retirement allowances of local safety members of the State Employees' Retirement System.

Bill read third time.

Motion to Amend

Mr. Fleury moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "21263 to", and insert "21264 to, and to amend Sections 20607, 20607.5, 21250, and 21330 of,".

Amendment No. 2

In line 2 of the title of said bill, strike out "retirement allowances of", and insert "benefits in respect to".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. Section 21264 is added to the Government Code, to read:

21264. Upon the death of a local safety member after the effective date of this section and after retirement for service or for industrial disability, including such members heretofore and hereafter retired, one-half his retirement allowance as it was at his death, excluding the portion of said allowance derived from accumulated additional contributions of the member shall be continued throughout life or until remarriage, to his surviving wife If there be no surviving wife entitled to an allowance hereunder, or if she die or remarry before every child of such deceased member attains the age of 18 years, then the allowance which the surviving wife would have received had she lived and not remarried shall be paid to his child or children under said age, collectively, to continue until every such child dies or attains said age; provided, that no child shall receive any allowance after marrying or attaining the age of 18 years. Should said member leave no surviving wife and no children under the age of 18 years, but leave a parent or parents dependent upon him for support, the parents so dependent shall collectively receive a monthly allowance equal to that which a surviving wife otherwise would have received, during such dependency No allowance, however, shall be paid under this section to a surviving wife unless she was married to the member at least one year prior to his retirement. If at the effective date of said retirement, said member has no wife, children or dependent parents, who would so qualify and if said member elects as provided in Section 21330 to have the actuarial equivalent of his retirement allowance applied to a lesser retirement allowance in accordance with an optional settlement, no allowance shall be paid under this Section 21264."

Amendment No. 4

On page 1 of said bill, after line 14, insert

"SEC. 2 Section 20607 of said code is amended to read:

20607. For each local safety member who became such a member of this system, or, if entitled to credit for prior service, who entered fire, police, or county peace officer service at or below age 45, as computed under Section 20606, the normal rate of contribution shall be such as, on the average, will provide a service retirement annuity *(excluding continuance thereof under Section 21264 to the member's surviving wife, children, or dependent parents)* at the minimum age at which retirement for service is permitted or upon completion of 20 years of service at an age higher than the minimum which, with one-half of his prior service pension, if any (assumed for this purpose to be based on the full prior service formula applicable to his classification), will equal one-fourth of his final compensation.

SEC. 3 Section 20607.5 of said code is amended to read:

20607.5. For each local safety member who became such a member of this system, or, if entitled to credit for prior service, who entered fire, police, or county peace officer service at or below age 45 the normal rate of contribution shall be such as will provide, on the average, a service retirement annuity *(excluding continuance thereof under Section 21264 to the member's surviving wife, children, or dependent parents)* at age 55, or upon completion of 20 years of service at an age higher than 55 years, equal to one-fourth of his final compensation less one-half of his prior service pension (assumed for this purpose to be based on the full prior service formula applicable to his classification), it being the intention that the retirement allowances of such members, upon retirement at age 55 or such higher age, shall be, on the average, one-half of their final compensations, respectively.

This section shall not apply to any contracting agency nor to the employees of any contracting agency unless and until the agency elects to be subject to the provisions of this section by amendment to its contract made in the manner prescribed for approval of contracts, except that an election among the employees is not required, or, in the

case of contracts made after the date this section takes effect by express provision in such contract making the contracting agency subject to the provisions of this section

Whenever this section becomes applicable to the employees of any contracting agency, as to those members to whom it applies it shall supersede the provisions of Section 20607.

SEC. 4. Section 21250 of said code is amended to read:

21250. Upon retirement for service, a member is entitled to receive a service retirement allowance which shall consist of:

(a) His service retirement annuity, including, with respect to patrol members *and local safety members to whom Section 21264 applies* and solely in respect to the portion of said annuity derived from the normal accumulated contributions of such members, respectively, automatic continuance to surviving wife and children as provided in this article.

(b) His current service pension.

(c) His prior service pension.

SEC. 5. Section 21330 of said code is amended to read:

21330. In lieu of the retirement allowance for his life alone, a member or retired member may elect, or revoke or change a previous election prior to the approval of the previous election, to have the actuarial equivalent of his retirement allowance as of the date of retirement applied to a lesser retirement allowance, in accordance with one of the optional settlements specified in this article. Said election or revocation or change thereof, with respect to patrol members *and local safety members to whom Section 21264 applies*, shall apply to all of the retirement allowance, if, at the effective date of retirement for service or for industrial disability, said member has no wife, children or dependent parents who would qualify for continuance of the allowance after the death of said member; or, if at retirement said member has a wife, children or dependent parents who would so qualify, then said election, or revocation, or change thereof shall apply only to the portion of the allowance which would not be continued after the member's death regardless of dependents."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Request for Unanimous Consent That Assembly Bill No. 2689 Hold Place on File

Mr. Burkhalter asked for, and was granted, unanimous consent that Assembly Bill No. 2689 be passed on file, and hold its place on file on the next legislative day.

Request for Unanimous Consent That Assembly Bill No. 1985 Hold Place on File

Mr. Stewart asked for, and was granted, unanimous consent that Assembly Bill No 1985 be passed on file, and hold its place on file on the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 928

Mr. Geddes asked for, and was granted, unanimous consent to take up Senate Bill No. 928, temporarily passed on file, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 928

Senate Bill No. 928—An act to add Article 3 to Chapter 3 of Part 3, Division 2 and to amend Section 1282 of the Insurance Code, relating to the regulation of workmen's compensation insurance, rating and other organizations.

Bill read third time.

Motion to Amend

Mr. Geddes moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 7, of the printed bill, as amended in the Assembly on May 23, 1951, strike out "requiring and regulating permitting", and insert "regulating".

Amendment No. 2

On page 9, line 41, of said bill, after "code", strike out "or of any provision", and insert "or of any word, phrase, or provision".

Amendment No. 3

On page 10 of said bill, strike out lines 12, 13, 14, 15, 16, and 17, and insert "issued or approved by the commissioner shall be binding upon insurers to the same extent as are the classifications and rates issued or approved for workmen's compensation insurance."

Amendments read, and adopted:

Bill ordered reprinted, and to third reading.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 233, on motion of Mr. Maloney.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2573 HOLD PLACE ON FILE

Mr. McFall asked for, and was granted, unanimous consent that Assembly Bill No. 2573 be passed on file, and hold its place on file on the next legislative day.

MEMBER EXCUSED

At 11.26 a.m., Mr. Munnell asked for, and was granted, unanimous consent that Mr. Kilpatrick be excused, for the balance of the legislative day, because of personal business elsewhere, and stated that he desires to waive his per diem.

REQUEST FOR UNANIMOUS CONSENT

Mr. Burkhalter asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 71, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 71

Assembly Concurrent Resolution No. 71—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McFall, McGee, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—55

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Burkhalter asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 72, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 72

Assembly Concurrent Resolution No. 72—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McFall, McGee, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—55.

NOES—None

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Burkhalter asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No 73, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 73

Assembly Concurrent Resolution No. 73—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McFall, McGee, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—55.

NOES—None

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Burkhalter asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 74, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 74

Assembly Concurrent Resolution No. 74—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McFall, McGee, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—55.

NOES—None

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Burkhalter asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 75, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 75

Assembly Concurrent Resolution No. 75—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McFall, McGee, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—55

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Burkhalter asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 76, at this time, without reference to file

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 76

Assembly Concurrent Resolution No. 76—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McFall, McGee, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—55.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Burkhalter asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 77, at this time, without reference to file

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 77

Assembly Concurrent Resolution No. 77—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McFall, McGee, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—55.

NOES—None.

Resolution ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT

Mr. Burkhalter asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No 78, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 78

Assembly Concurrent Resolution No. 78—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cooke Dickey, Dills, Erwin, Fleury Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McFall, McGee, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—55

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Burkhalter asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 79, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 79

Assembly Concurrent Resolution No. 79—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McFall, McGee, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—55

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Burkhalter asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 80, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 80

Assembly Concurrent Resolution No. 80—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McFall, McGee, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—55.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Burkhalter asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 81, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 81

Assembly Concurrent Resolution No. 81—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McFall, McGee, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—55.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Burkhalter asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 82, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 82

Assembly Concurrent Resolution No. 82—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McFall, McGee, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—55

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Burkhalter asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 83, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 83

Assembly Concurrent Resolution No. 83—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—60.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Burkhalter asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 84, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 84

Assembly Concurrent Resolution No. 84—Approving a certain amendment to the charter of the City of Burbank, State of California,

ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lapscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—60.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Burkhalter asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 85, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 85

Assembly Concurrent Resolution No. 85—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lapscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—60.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 165

Mr. Fleury asked for, and was granted, unanimous consent to take up Senate Bill No. 165, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 165

Senate Bill No. 165—An act to amend Section 5073 of the Public Resources Code, relating to the California Riding and Hiking Trails Advisory Committee, to change the membership of the committee from six to seven.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Cloved, Coats, Collier, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lapscomb, Maloney, McCarthy, McCollister, McFall, McGee, Moss, Parker, Porter, Rumford, Shaw, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—53.

NOES—Geddes and Luckel—2.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1062—An act to amend Sections 16305, 16322, 16349, 16350, 16390, 16391, 16392, 16430, and 16451 of the Business and Professions Code, and to add Sections 16304.1 and 16320.1 thereto, relating to itinerant merchants.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Connolly, Cooke, Davis, Dickey, Dolwig, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—55.

NOES—Condon—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 1055—An act to add Section 6906 to the Education Code, relating to the crediting of average daily attendance to school districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—66.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 58—An act to add Section 1593.4 to the Education Code, relating to the formation, annexation, and change of boundaries of school districts declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall,

McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—65.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 284—An act to add Section 20372.5 to the Education Code, relating to separation from service of state college employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Elliott, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 644—An act to amend Sections 12130.1 and 12131.2 of the Education Code, relating to the standards for provisional credentials authorizing service in the public schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 942—An act to amend Section 7431.1 of, and to add Section 7431.2 to, the Education Code, relating to the computation of bonded indebtedness of school districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy,

McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—67.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1077—An act to amend Section 13093 of the Education Code, relating to the Public School System of the State of California.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—71
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 626—An act authorizing suits against the State of California to quiet title against it to real property entitled to be purchased under the provisions of an act entitled "An act to survey and dispose of certain salt marsh and tidelands belonging to the State of California," approved March 30, 1868, or any of the acts supplementary thereto and amendatory thereof, and regulating the procedure therein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 242

Mr. Brown asked for, and was granted, unanimous consent to take up Senate Bill No. 242, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 242

Senate Bill No. 242—An act to add Section 12108 to, and to amend Section 12501 of, the Business and Professions Code, relating to sealers and weighing or measuring instruments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 28—An act to add Sections 14152, 14152.1, 14152.2, 14152.3, 14152.4, 14153, 14153.1, 14154, 14154.1, 14155, and 14156 to, and repeal Sections 14152, 14153, 14154, 14155, and 14156 of the Health and Safety Code, relating to fire protection districts, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—71

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1065—An act to amend Section 28113 of the Government Code and Section 413 of the Education Code, relating to compensation for public service in counties of the thirteenth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly,

Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1212—An act to amend Sections 1394 and 1395 of, and to add Section 1394.5 to, the Labor Code, relating to child labor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Concurrent Resolution No. 79—Relative to the death of Herbert C. Moffitt, Sr.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—64

NOES—None.

Resolution ordered transmitted to the Senate.

EXPLANATIONS OF ABSENCE

Messrs. Dunn, Parker, and Erwin announced that their absences from the Assembly Chamber this morning for periods between 10 a.m. and 11.50 a.m., were for the purpose of appearing before the Senate Finance Committee, and requested that note be made in the Journal of this explanation for absences.

EXPLANATION OF ABSENCE BY MR. CROWLEY

May 30, 1951

My absence from the Assembly Chamber this morning was due to attendance before Senate committees.

ERNEST C. CROWLEY

UNANIMOUS CONSENT GRANTED TO RECALL ASSEMBLY BILL NO. 251 FROM THE SENATE

Mr. Geddes asked for, and was granted, unanimous consent that the Chief Clerk be instructed to request the Senate to return Assembly Bill No. 251 for further consideration.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Conrad:

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 18622 of the Business and Professions Code, relating to boxing and wrestling matches.

Respectfully submitted

CHARLES J. CONRAD

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 28, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Conrad:

An act to amend Section 18622 of the Business and Professions Code, relating to boxing and wrestling matches.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—70.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3447: By Mr. Conrad—An act to amend Section 18622 of the Business and Professions Code, relating to boxing and wrestling matches.

Referred to Committee on Boards and Commissions.

APPOINTMENT TO JOINT INTERIM COMMITTEE

Speaker Sam L. Collins announced the appointment of Mr. Cloyed as a member of the Joint Interim Committee on Water Problems, vice Mr. Stanley, resigned.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 743
Assembly Bill No. 2719
Assembly Bill No. 2776
Assembly Bill No. 2816

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Senate Bill No. 731
Senate Bill No. 820

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CONNOLLY, Chairman

Above reported bills ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 68

Mr. Meyers asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 68, temporarily passed on file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 68

Assembly Concurrent Resolution No. 68—Relative to requesting proclamation designating September 17, 1951, as "Steuben Day."

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—64.

NOES—None.

Resolution ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)
NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Dunn to reconsider the vote whereby Assembly Bill No. 1715 was passed, was continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT THAT OPINION OF LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Mr. Dunn asked for, and was granted, unanimous consent that an opinion of the Legislative Counsel, relative to unemployment insurance, be ordered printed in the Journal, in 10 point type, as follows:

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, May 29, 1951

Honorable Robert L. Condon
Assembly Chamber

UNEMPLOYMENT INSURANCE—No. 9073

DEAR MR CONDON: With respect to Assembly Bill No. 1715, as amended in Assembly May 23, 1951, you have asked the following questions:

Questions

1. What is the extent of the term "marital or domestic duties" as it appears in the bill?

2. Are disability insurance benefits included within the provisions of the bill?

Opinion

1. The term "marital or domestic duties" would cover any duty growing out of a marital or family relationship. It is impossible to predict in advance all situations the term would cover.

2. It is probable that disability insurance benefits would fall within the provisions of the bill.

Analysis

Assembly Bill No. 1715, as amended in Assembly May 23, 1951, would add Section 58.1 to the Unemployment Insurance Act to read as follows:

> "Sec. 58.1. Notwithstanding any other provision of this act, a female employee who leaves her employment to be married or to accompany her husband to or join him at a place from which it is impractical to commute to such employment or whose marital or domestic duties cause her to resign from her employment shall not be eligible for unemployment insurance benefits until she has earned wages of one hundred dollars ($100) in an employment occurring subsequent to employment which she left for such reason; provided that, the foregoing provision of this section shall not apply after a change in conditions whereby she has become the main support of herself or her immediate family."

While the term "marital or domestic duties" does not lend itself to exact definition it is a term which has been frequently used by the Department of Employment in administering the act and by the Unemployment Insurance Appeals Board in its decisions on appeals arising under the act.

Thus, in the C C H Unemployment Insurance Service (Volume 2, page 8152) a summary of the Appeals Board's interpretation of benefit provisions of the act reads as follows:

> "Where a claimant, because of domestic responsibilities, household duies, care of children, parents, relatives, or illness in the family, is presently prevented from accepting suitable employment, the claimant is not available for work."

Similarly, in discussing what constitutes good cause for voluntary quitting of work, it is stated (C C H Volume 2, page 8185):

> "A claimant has good cause for voluntarily leaving his work in order to meet family responsibilities.
>
> It is well established in California and other jurisdictions that the voluntary leaving provision is not to be construed so as to penalize a claimant who is trying to meet important family responsibilities. It therefore becomes necessary to examine cases on this issue to ascertain whether such responsibility could have been satisfactorily met if the person had remained at work. When leaving occurs to care for children, for illness in the family, for lack of housing or for other family duties, investigation must determine what efforts were made to discharge family responsibility without the necessity of leaving work."

The above quotations are, we believe, illustrative of the situations which would fall within the scope of the phrase "marital or domestic duties."

With respect to your second question, it should be noted that the bill uses the phrase "shall not be eligible for unemployment insurance benefits." That phrase is sufficiently broad, we believe, to cover any benefit provided for under the Unemployment Insurance Act, which would include disability benefits.

Further, Section 151 of the act specifically provides that the provisions and definitions of Articles 1 to 9, inclusive, (i. e., the provisions dealing with unemployment insurance generally) are applicable to the article on disability benefits, with certain exceptions. None of the provisions disqualifying persons from receipt of unemployment compensation benefits are listed among these exceptions and all of such disqualification provisions apply equally to claims for unemployment compensation benefits and claims for unemployment compensation disability benefits.

Section 151 will operate, therefore, to make the provisions of the bill in question applicable to both unemployment compensation benefits and unemployment compensation disability benefits.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By A. C. MORRISON, Deputy

Two copies to
Honorable Harold K. Levering,
pursuant to Joint Rule 34

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly, in recognition of Memorial Day, gave the pledge of allegiance to the Flag.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 2936 WAIVED

Mr. Henderson waived his notice of motion to reconsider the vote whereby Assembly Bill No. 2936 was passed

Assembly Bill No. 2936 ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1883

Mr. McMillan asked for, and was granted, unanimous consent to take up Assembly Bill No. 1883, temporarily passed on file, for purpose of amendment.

CONSIDERATION OF ASSEMBLY BILL NO. 1883

Assembly Bill No. 1883—An act to amend Sections 8354, 8355, 8356, and 8357 of the Revenue and Taxation Code and to repeal Section 8 of an act entitled "An act to amend Section 8352 of, and to add Sections 8354 to 8358, inclusive, to, the Revenue and Taxation Code, relating to aviation and airports and the financing thereof, including revenue from taxes on motor vehicle fuel," approved July 29, 1949, relating to the tax on motor vehicle fuel.

Bill read third time.

Motion to Amend

Mr. McMillan moved the adoption of the following amendments:

Amendment No. 1

Strike out lines 1 to 3, inclusive, of the title of the printed bill, as amended in the Assembly on May 21, 1951, and insert

"An act to amend Sections 8354 and 8355, and to repeal Section 8352, of, and to add Section 8352, to, the Revenue and Taxation Code and to repeal Section 8 of an act entitled "An act to amend Section 8352 of,".

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1 Section 8352 of the Revenue and Taxation Code is repealed.

SEC. 2. Section 8352 is added to said code to read:

8352. The money in the Motor Vehicle Fuel Fund is hereby appropriated, subject to the provisions of any budget bill heretofore or hereafter enacted and Section 11006 of the Government Code, as follows:

(a) To pay the refunds authorized in this part, including refunds due on account of judgments for the return of license taxes illegally collected.

(b) To the Controller, to carry out any duties imposed upon him by this part.

(c) To the board, to carry out any duties imposed upon it by this part

(d) To the Highway Users Tax Fund, as provided in this chapter.

(e) To pay the pro rata share of the overhead and general administrative expense of the Controller and the board attributable to duties imposed by this part The pro rata share is payable upon presentation of a claim against any appropriation from the Motor Vehicle Fuel Fund for the support of the Controller or the board, as the case may be.

(f) To the Airport Fund, as provided in this chapter. Payments pursuant to this subdivision shall be made prior to payments made pursuant to subdivision (d).

SEC. 3. Section 8354 of the Revenue and Taxation".

Amendment No. 3

On page 1 of said bill, strike out line 7; and in line 8, strike out "air", and insert "is usable or intended for use in propelling aircraft and is commonly branded as aviation fuel".

Amendment No. 4

On page 1, line 11, of said bill, strike out "SEC. 2", and insert

"SEC. 4".

Amendment No. 5

On page 1, lines 12 and 13, of said bill, strike out "apportion pursuant to Section 8357", and insert "transfer from the Motor Vehicle Fuel Fund to the Airport Fund"

Amendment No. 6

On page 1, line 14, of said bill, after "penalties", insert "on aviation fuel".

Amendment No. 7

On page 1 of said bill, strike out line 17, and insert "8352 on fuel used in the propulsion of aircraft, and".

Amendment No. 8

On page 2 of said bill, strike out lines 2 and 3, and insert

"(e) of Section 8352 in connection with the administration and enforcement of such taxes and refunds on aviation fuel."

Amendment No. 9

On page 2 of said bill, strike out lines 4 to 32, inclusive; and on page 3, strike out lines 1 to 10, inclusive, and insert

"SEC. 5. The Airport Fund is created in the State Treasury. All monies paid into said fund are set aside for expenditure for airport purposes when hereafter appropriated for such use.

SEC. 6 Sections 8356 and 8357 of the Revenue and Taxation Code shall become nonoperative upon the effective date of this act and shall remain nonoperative for a period not to exceed the first day of the calendar year following the ninety-first day after the adjournment of the 1955 Regular Session of the Legislature. If the Legislature fails during such period to enact, and the Governor to approve, a formula for the allocation of moneys in the Airport Fund Sections 8356 and 8357 of the Revenue and Taxation Code shall become operative and all of the provisions of this act shall cease to be effective.

SEC. 7. Section 8 of the act cited in the title hereof is repealed."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

NOTICE OF MOTIONS TO AMEND STANDING HOUSE RULES NOS. 9, 8, AND 10 GIVEN

Mr. Fleury gave notice of motions to amend Standing House Rules Nos. 9, 8, and 10 and, by unanimous consent, his notice of motions and proposed amendments were ordered printed in the Journal, in 10 point type, as follows:

Notice of Motion to Amend the Standing Rules of the Assembly by Mr. Fleury

Notice is hereby given, pursuant to Standing Rule No. 5, that on the next legislative day, to wit, on May 31, 1951, I will make a motion with respect to Rule No. 9 of the Standing Rules of the Assembly as follows:

I hereby move that Rule No. 9 of the Standing Rules be repealed.

Notice of Motion to Amend the Standing Rules of the Assembly by Mr. Fleury

Notice is hereby given, pursuant to Standing Rule No. 5, that on the following legislative day, to wit, on May 31, 1951, I will make a motion with respect to Rules No. 8 and 10 of the Standing Rules of the Assembly as follows:

I hereby move that Rules 8 and 10 of the Standing Rules be amended to read:

8. ~~For their convenient functioning and in furtherance of the thorough consideration of all bills on a given subject, the several standing committees of the Assembly are respectively grouped into the following categories:~~

~~A. Legislature:~~

(a) Two committees to consider legislative organization, functions and procedure *are hereby created*.

(1) Committee on Rules

There is a Committee on Rules, No. 1, which shall act as ~~an~~ *the* executive committee of the House ~~having the following powers:~~. *The committee shall consist of the Speaker, who shall be the chairman and six other members, three of whom shall be members of the Democratic Party and three of whom shall be members of the Republican Party. The chairman of each party caucus shall within twenty-four (24) hours after the operative date of this rule, as amended, file with the Chief Clerk a list of three nominees for membership on the Committee on Rules. Upon the filing of each such list, the Speaker shall immediately present the name of each nominee to the Assembly for its approval or rejection in the order filed. If approved by a majority of the elected membership of the Assembly, the nominee shall be declared elected as a member of the committee. If a nominee shall fail to receive such approval, the committee membership to which he would have been elected shall remain vacant until the chairman of his party caucus shall have filed the name of another nominee for the position who shall be thereafter approved by a majority of the elected membership of the Assembly. Vacancies in the Committee on Rules occurring during any session of the Legislature shall be filled by election as herein provided, and vacancies occurring after final adjournment and before the convening of the next session of the Legislature shall be filled temporarily, and until such convening, by the remaining committee members who are members of the same party as that of the member causing the vacancy. Four duly qualified members of the committee shall constitute a quorum. No member of the Committee on Rules is eligible to*

serve as the chairman of a standing committee. The Committee on Rules, as constituted prior to the operative date of this amendment, is hereby abolished.

The Committee on Rules provided herein shall have the following powers:

To recommend the appointment of all attaches and employees of the Assembly not otherwise provided for by statute It shall have authority to suspend, with or without pay, any such attache or employee for incompetency or dereliction of duty, pending final action by the Assembly.

To appoint the membership, except that of the Committee on Rules, of all standing, special and interim committees, and their respective chairmen and vice chairmen.

To propose a schedule of meetings of standing committees.

To check all Assembly bills and House resolutions prior to introduction and all Senate bills before reference to committee and to designate the committees to which they shall be referred.

To make studies and recommendations designed to promote, improve, and expedite the business and procedure of the Assembly and of the committees thereof, and to propose any amendments to the Rules deemed necessary to accomplish such purposes.

Wherever in Assembly Standing Rules authority is conferred upon the Speaker to appoint committee members or to refer matters to a committee, the word "Speaker" shall hereafter mean "Committee on Rules."

The Committee on Rules shall continue in existence during any recess of the Legislature and after final adjournment and until the convening of the next regular general session and shall have the same powers and duties as while the Assembly is in session. The committee shall have authority to fill vacancies in any Assembly committee, except those in the Committee on Rules, or to fill vacancies in the Assembly membership of any joint committee. In dealing with any matter within its jurisdiction the committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the Joint Rules of the Senate and Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to the Committee on Rules and its members.

The Committee on Rules shall for the purpose of Joint Rule No. 2 be deemed to be the Rules Committee of the Assembly.

(2) Committee on Legislative Procedure

There is a Committee on Legislative Procedure, No. 2, which shall have and exercise the following powers:

To be the Committee on Engrossment and Enrollment within the meaning of the Joint Rules. It shall be the duty of the Committee on Legislative Procedure to compare all bills, ordered or considered engrossed by the Assembly, with the engrossed copies thereof; and, before they pass out of the possession of the Assembly, see that the engrossed bill is a true copy of the original, with such amendments as may have been made thereto; and said committee shall see that all engrossed bills are reported back in the order in which they were ordered engrossed. The report of the Committee on Legislative Procedure shall be in order at any time.

To consider and report on bills introduced after the constitutional recess.

~~To assist the Speaker, upon his request, in recommending the reference of bills to the appropriate standing committee.~~

(b) Twenty-three standing committees of the Assembly are hereby created, upon the several subjects, and numbered respectively, as follows:

1. Rules
2. Legislative Procedure
3. Conservation, Planning, and Public Works
4. Fish and Game
5. Governmental Efficiency and Economy
6. Revenue and Taxation
7. Ways and Means
8. Education
9. Boards and Commissions
10. Public Health
11. Social Welfare
12. Civil Service and State Personnel
13. Military Affairs
14. Municipal and County Government
15. Elections and Reapportionment
16. Judiciary
17. Constitutional Amendments
18. Agriculture
19. Public Utilities and Corporations
20. Manufacturing, Oil, and Mining Industry
21. Industrial Relations
22. Finance and Insurance
23. Transportation and Commerce

Prior to the assignment of members to serve on the several standing committees, the ~~Speaker~~ *Committee on Rules* shall consider the preferences of the members with regard to committee assignments, while keeping in view the practical necessity of making assignments so that members will not serve on more than one committee which meets at the same time, and the ~~Speaker~~ *Committee on Rules* thereafter shall determine the number and members to serve on each standing committee , *except the Committee on Rules which is hereinabove provided for* . Upon publication in the Journal of the number of members on each standing committee, no further change in the number of members of the committee shall be made otherwise than by a majority vote of the elected membership of the Assembly.

No Member of the Assembly shall be a member of more than three standing committees except that upon appointment by the ~~Speaker~~ *Committee on Rules* or the approval of the House a member may serve on four committees.

There shall be published weekly in the Assembly Weekly History during each session of the Legislature a chart showing the Rational Organization of the Standing Committees of the Assembly and showing Chairman and Vice Chairman, Number of Members, Time of Meeting, Room Number, Total Number of Measures, "referred" and "action pending," and a meeting schedule for each day of the week.

(c) This rule as amended shall become operative on June 20, 1951. As used herein, "operative date" means June 20, 1951.

10. The Speaker shall possess the powers and perform the duties prescribed:

(a) To preserve order and decorum; he may speak to points of order in preference to the other members, rising from his chair for that purpose.

(b) To decide all questions of order subject to appeal to the Assembly by any member. On every appeal, he shall have the right to assign his reason for his decision.

(c) To have general direction over the Assembly Chamber and rooms set aside for the use of the Assembly, including the rooms for use by members as private offices

(d) To name any member to perform the duties of the Speaker, but such substitutions shall not extend beyond adjournment.

~~(e) To appoint the membership of all standing and special committees, and their respective chairmen and vice chairmen.~~

~~(f) To propose a schedule of meetings of standing committees.~~

~~(g)~~ *(e)* To have general control and direction over the Journals, papers, and bills of the Assembly.

~~(h)~~ *(f)* To act as Chairman of the Committee of the Whole.

~~(i)~~ *(g)* To order the Lobby and Gallery cleared whenever he shall deem it necessary.

~~(j)~~ *(h)* To assign desks to properly accredited newspaper representatives.

~~(k)~~ *(i)* To authenticate by his signature, when necessary, or when required by law, all bills, memorials, resolutions, orders, proceedings, writs, warrants, and subpenas issued by order of the Assembly.

~~(l)~~ *(j)* The Speaker shall be ex officio member of all Assembly, joint, and interim committees with all of the rights and privileges of such membership, except the right to vote. In counting a quorum of any such committees, the Speaker shall not be counted as a member.

(k) The provisions of subdivision (j) of this rule do not apply to the Speaker as a member of the Committee on Rules.

(l) This rule as amended shall become operative on June 20, 1951.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 671

And reports the same correctly re-engrossed

BURKE, Chairman

Above reported bill ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bill was withdrawn from the file, and re-referred as follows:

Assembly Bill No. 671 re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 1579
Assembly Bill No. 2252

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended

CONNOLLY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 290
Assembly Bill No. 2895

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CONNOLLY, Chairman

Above reported bills ordered to second reading.

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which were referred:

Senate Bill No. 954
Senate Bill No. 1634

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

NIEHOUSE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Senate Bill No. 735

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 3 p.m.—

Governmental Efficiency and Economy, in Room 3184.

At 8 p.m.—

Constitutional Amendments, in Room 3184.
Education, in Room 432.
Municipal and County Government, in Room 2170.

Tomorrow, Thursday, May 31st, at 9 30 a.m.—

Rules, in Room 3184.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Meyers, the usual courtesies of the Assembly for this day were unanimously extended to Earl Popovich, of San Francisco.

On request of Mr. Luckel and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Dr. Cecil Hardesty of San Diego.

On request of Mr. Connolly, the usual courtesies of the Assembly for this day were unanimously extended to Judge Albert Wallenberg and Mrs. Wallenberg and Judge Alvin Weinberger, Mrs. Weinberger, and son, of San Francisco.

On request of Mr. Meyers, the usual courtesies of the Assembly for this day were unanimously extended to Lieut. Albert Depetris and Lieut. Richard Bund, U. S. Army Air Force, of San Francisco.

ADJOURNMENT

At 12.03 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m , Thursday, May 31, 1951, out of respect to the memory of the late Herbert C. Moffitt, Sr.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SEVENTY-FIRST LEGISLATIVE DAY

NINETY-SEVENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, May 31, 1951

The Assembly met at 10 a.m.

Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—74.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Creator and Ruler of Mankind, Of Whose righteous will all things were created, grant Thy presence for the deliberations of this day.

Bless this Country as we seek to defend our liberties and gain freedom for the peoples of the world as well.

Grant Thy protection to those who serve in the heat of conflict and speed the day of victory and peace.

Endue with the spirit of wisdom those to whom in Thy name we entrust the authority of government, that there may be justice and peace; and that, through obedience to Thy law we may show forth Thy praise among the Nations of the earth.

"Let the words of our mouths
And the meditations of our hearts
Be acceptable in Thy sight,
O Lord, our Strength and our Redeemer."

—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Meyers, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Hahn, on motion of Mr. Morris.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Caldecott, on motion of Mr. Brown.

Mr. Smith, on motion of Mr. Lipscomb.

Mr. Chapel, by unanimous consent.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Kilpatrick, on motion of Mr. Munnell.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 781
Assembly Bill No. 1356
Assembly Bill No. 2501
Assembly Bill No. 3432

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 991
Assembly Bill No. 1418
Assembly Bill No. 1534
Assembly Bill No. 1642
Assembly Bill No. 1767
Assembly Bill No. 1883
Assembly Bill No. 2009
Assembly Bill No. 2217
Assembly Bill No. 2363

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 19
Assembly Bill No. 426
Assembly Bill No. 2268

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2727

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 2727 re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2268 re-referred to the Committee on Finance and Insurance.

Assembly Bills Nos. 19 and 426 re-referred to the Committee on Ways and Means.

Senate Bill No. 1204 re-referred to the Committee on Ways and Means.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 52—An act to amend Section 7420 of, and to add Section 7421 to the Business and Professions Code, relating to the granting of cosmetology licenses.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2336—An act to add Sections 704.1 and 1731.1 to the Insurance Code, relating to false advertising regarding health, hospital, or medical insurance.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2355—An act to add Section 635.1 and to amend Section 735.3 of the Agricultural Code, relating to milk and dairy products.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on May 3, 1951, strike out "Section 735.3", and insert "Sections 735.3 and 736.11".

Amendment No. 2

On page 1 of said bill, strike out lines 8 to 13, inclusive, and insert

"635.1 Pasteurized concentrated milk is market milk which has been reduced to a semiliquid state by the removal of a portion of its water content by the aid of heat or combining concentrated skim milk and market cream so that the resulting product contains not less than 9.9 percent of milk fat and not less than 24 percent of milk solids not fat. It shall otherwise meet and be subject to all the requirements and standards for market milk, except that it may be pasteurized before concentration but must be pasteurized after concentration, and except that it shall contain not more than 20,000 bacteria per gram. Pasteurized concentrated milk shall be packaged in containers other than hermetically sealed containers.

Concentrated skim milk is skim milk derived from market milk which has been reduced to a semiliquid state by the removal of a portion of its water content by the aid of heat so that the resulting product contains not less than 24 percent of milk solids not fat."

Amendment No. 3

On page 1, line 18, of said bill, after "whole", insert "or concentrated".

Amendment No. 4

On page 3 of said bill, after line 31, insert

"SEC. 3. Section 736.11 of said code is amended to read:

736.11 The director shall, as soon as possible after the effective date hereof, in all marketing areas wherein a stabilization and marketing plan for fluid milk or fluid cream is in effect under the provisions of this chapter, designate and prescribe or provide methods for designating and prescribing minimum wholesale and minimum retail prices for fluid milk, *including pasteurized concentrated milk*, or fluid cream.

(a) Minimum wholesale prices, as used herein, shall mean prices at which fluid milk or fluid cream, or both, shall be sold by distributors to retail stores including the prices at which fluid milk or fluid cream shall be sold by distributors to retail stores, restaurants, confectioneries and other places for consumption on the premises but

excluding, however, the prices at which fluid milk or fluid cream, or both, shall be sold by distributors to retail stores owned or operated by such distributor. Minimum wholesale prices, as used herein, includes prices at which fluid milk or fluid cream, or both, shall be sold by distributors to other distributors, other than in bulk, which prices may vary from the minimum prices established for sales by distributors to other wholesale customers

(b) Minimum retail prices herein, shall mean prices at which fluid milk or fluid cream, or both, shall be sold by distributors and retail stores to consumers.

At the time any stabilization and marketing plan is hereafter established under the provisions of this chapter, the director shall designate and prescribe, or provide methods for designating and prescribing, such minimum wholesale prices and such minimum retail prices; provided, however, that all prices established under the terms of this article shall be such prices as are determined by the director pursuant to the provisions of Section 736 12."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 676—An act to amend Section 67 of the Unemployment Insurance Act of the State of California, relating to notices of benefit claims.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 23, 1951, after "of", insert "and to repeal Section 39 1 of and add a new Section 39.1 to".

Amendment No. 2

In lines 2 and 3 of the title of said bill, after "to" strike out "notices of benefit claims", and insert "unemployment insurance."

Amendment No. 3

On page 1 of said bill, strike out lines 8 to 14, inclusive, and insert

"(b) A notice of the filing of a new or additional claim shall be given to the employing unit by which the claimant was last employed immediately preceding the filing of such claim."

Amendment No. 4

On page 1, line 16, of said bill, after "submit", insert "within 10 days after the mailing of such notice".

Amendment No. 5

On page 1, line 22, of said bill, after "employer", insert "who has submitted any facts or has given notice pursuant to subsection (c) and authorized regulations".

Amendment No. 6

On page 2, line 24, of said bill, after "employer", insert "submitting the facts".

Amendment No. 7

On page 2 of said bill, after line 39, insert

"SEC. 2. Section 39 1 of the Unemployment Insurance Act is hereby repealed effective December 31, 1951 as to new claims for unemployment compensation benefits filed after that date.

SEC 3 Section 39.1 of the Unemployment Insurance Act is added to read:

Sec. 39 1 Any employer who is entitled under Section 67 to receive notice of the filing of a new or additional claim or notice of computation may, within 10 days after mailing of such notice, submit to the department any facts within its possession disclosing whether the claimant left such employer's employ voluntarily and without good cause or was discharged from such employment for misconduct connected with his work. The department shall consider such facts together with any information in its possession and promptly issue to the employer its ruling as to the cause of the termination of the claimant's employment. Appeals may be taken from said rulings in the same manner as appeals from determinations on benefit claims

No ruling made under this section may constitute a basis for the disqualification of any claimant, provided, however, a determination by the department made under the provisions of subsection (d) of Section 67 of this act may constitute a ruling under this section

If it is ruled that the claimant left the employer's employ voluntarily and without good cause or was discharged by reason of misconduct connected with his work, benefits paid to the claimant which are based upon wages earned from such employer prior to the date of the termination of employment, shall not be charged to the account of such employer.

This section shall not apply to any employer with respect to any claim of a former employee with respect to whose separation he failed to furnish information within the time limit prescribed above after mailing of either a notice of the filing of a new or additional benefit claim or a notice of computation.

The provisions of this section shall be applicable to new claims for unemployment compensation benefits filed on and after January 1, 1952. The provisions of Section 39.1 as it existed prior to repeal shall remain applicable to new claims for unemployment compensation benefits filed prior to the repeal of said section."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 155—An act to amend Section 370 of the Elections Code, relating to printing of indices of registration.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 370", and insert "Sections 370 and 373".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, after line 20, insert

"SEC. 2. Section 373 of said code is amended to read.

373. Upon demand of any *Member of the Legislature or* candidate who is to be voted for in the county, or in a city therein or in a political subdivision of either, or upon written demand of his campaign committee, or of any committee for or against any proposed ballot measure, the county clerk shall furnish to *such Member of the Legislature or to* either the candidate or his campaign committee or to the ballot measure committee no more than two copies of the printed indexes of the registration for the primary and general elections in which *such Member of the Legislature may participate as a candidate or in which* the candidate will participate, or the ballot measure will be voted upon, at a charge of fifty cents ($0.50) per thousand names. All moneys collected shall be deposited in the county treasury to the credit [of] of the general fund."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 191—An act to amend Section 2828 of the Elections Code, relating to removal of members of state and county central committees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 2828", and insert "Sections 2828 and 2842".

Amendment No. 2

In line 2 of the title of said bill, strike out "removal of members of".

Amendment No. 3

On page 1 of said bill, after line 8, insert

"SEC. 2. Section 2842 of said code is amended to read:

2842 Each county central committee in a county containing 20 or more assembly districts shall meet in the courthouse at its county seat on the second Tuesday in July following the presidential primary in June, 1948, and on the second Tuesday in July every two years thereafter, *except that in any year in which a national political party shall have set the national convention of the party to include such date, the existing executive committee of the county central committee of that party shall set the date of the meeting, not to exceed 30 days after the date above specified. At such meeting such county central committee* [and] shall organize by selecting a chairman, a secretary, and such other officers and committees as it deems necessary for carrying on the campaign of the party. Every other county central committee shall meet in the courthouse at its county seat on the second Tuesday in July following the direct primary, and shall organize by selecting a chairman, a secretary and such other officers and committees as it deems necessary for carrying on the campaign of the party."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 494—An act to add Section 5011 to the Elections Code, relating to offenses against candidates.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Assembly on May 3, 1951, after "matter", insert ", knowing it to be false or having no reasonable grounds for believing it to be true,".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 193—An act to add Section 481 to the Government Code, relating to the division of the State into districts for the election of Legislative Representatives.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 481 to the Government Code", and insert "Sections 3819.5 and 3929.5 to the Elections Code".

Amendment No. 2

In line 3 of the title of said bill after "representatives", insert "and determination of incumbency in such districts".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. Section 3819.5 is added to the Elections Code, to read:

3819.5. At the first elections for Representative in Congress, State Senator, and Assemblyman in each congressional, senatorial, and assembly district following Reapportionment Acts of the Legislature redefining the boundaries of the congressional, senatorial, and assembly districts pursuant to Sections 6 and 27 of Article IV

of the California Constitution, that candidate who shall be deemed the incumbent in a given district for purposes of the election shall be:

(1) That candidate who is running for the same office which he then holds and who is running for re-election in a district which has the identical number as the district from which he was last elected and in which there was no other holder of the same office residing as of March 1, 1951.

(2) In the event there is no candidate to whom the provisions of subdivision (1) apply, the incumbent shall be that candidate who is running for the same office which he then holds and who is running for re-election in a district which has the identical boundaries as the district from which he was last elected, but which has a different number and in which there was no other holder of the same office residing as of March 1, 1951.

(3) In the event there is no candidate to whom the provisions of subdivisions (1) or (2) apply, the incumbent shall be that candidate who is running for the same office which he then holds and who is running for re-election in a district which contains some portion of the territory previously contained within the district from which he was last elected in which there was no other holder of the same office residing as of March 1, 1951; provided, that in a new district which contains portions of the territory of more than one former district the incumbent shall be that candidate the greater portion of the territory of whose former district is included within the new district and the number of whose former district was the same as the number of the new district, or, in the event there is no such candidate, the incumbent shall be that candidate the greater portion of the territory of whose former district is included within the new district.

If there is no candidate in a given district to which any of the above provisions apply, the incumbent shall be any person who is a candidate for the same office which he then holds who fulfills the residential requirements of law for candidacy within the district.

SEC. 2. Section 3929.5 is added to said code to read:

3929.5 At the first elections for Representative in Congress, State Senator, and Assemblyman in each congressional, senatorial, and Assembly district following Reapportionment Acts of the Legislature redefining the boundaries of the congressional, senatorial, and assembly districts pursuant to Sections 6 and 27 of Article IV of the California Constitution, that candidate who shall be deemed the incumbent in a given district for purposes of the election shall be:

(1) That candidate who is running for the same office which he then holds and who is running for re-election in a district which has the identical boundaries and number as the district from which he was last elected and in which there was no other holder of the same office residing as of March 1, 1951.

(2) In the event there is no candidate to whom the provisions of subdivision (1) apply, the incumbent shall be that candidate who is running for the same office which he then holds and who is running for re-election in a district which has the identical boundaries as the district from which he was last elected, but which has a different number and in which there was no other holder of the same office residing as of March 1, 1951.

(3) In the event there is no candidate to whom the provisions of subdivisions (1) or (2) apply, the incumbent shall be that candidate who is running for the same office which he then holds and who is running for re-election in a district which contains some portion of the territory previously contained within the district from which he was last elected in which there was no other holder of the same office residing as of March 1, 1951; provided, that in a new district which contains portions of the territory of more than one former district the incumbent shall be that candidate the greater portion of the territory of whose former district is included within the new district and the number of whose former district was the same as the number of the new district, or, in the event there is no such candidate, the incumbent shall be that candidate the greater portion of the territory of whose former district is included within the new district.

If there is no candidate in a given district to which any of the above provisions apply, the incumbent shall be any person who is a candidate for the same office which he then holds who fulfills the residential requirements of law for candidacy within the district."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2435—An act to amend Section 9050 of the Elections Code, relating to local, special, or consolidated elections.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

In the first line of the title of the printed bill, strike out "9050", and insert "10051.1".

Amendment No. 2

In the second line of the title of said bill, strike out "local, special, or consolidated", and insert "consolidation of".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out all of lines 1 to 13, inclusive, and insert

"SECTION 1. Section 10051.1 of the Elections Code is amended to read:

10051.1 Whenever an election called by a district, city or other political subdivision is to be consolidated with a statewide election, such district, city or other political subdivision must at least sixty (60) days prior to the date of the election file with the board of supervisors a resolution of its governing board requesting such consolidation and setting forth the exact form of any [measure] *question* or proposition to be voted upon at such election, *as the same is to appear on the ballot.* [and a summary of such measure or proposition as such summary shall appear on the ballot. The summary printed] *Such question or proposition to appear* on the ballot shall not exceed 100 words in length.

SEC. 2. This act becomes effective only if Chapter 447 of the statutes passed at the 1951 Regular Session becomes effective, and in such case at the same time said Chapter 447 takes effect."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 290—An act to add Sections 9540.5, 9540.51, 9540.52, 9540.53, 9540.54, and 9540.55 to the Business and Professions Code, relating to the issuance of licenses by the State Board of Dry Cleaners.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 11, of the printed bill, strike out "or agency thereof,".

Amendment No. 2

On page 1, lines 12 and 13, of said bill, strike out "or agency thereof," and insert "dry cleaning agency,".

Amendment No. 3

On page 1, line 13, of said bill, strike out "or agency thereof,".

Amendment No. 4

On page 1, line 14, of said bill, strike out "or agency thereof," and insert "and".

Amendment No. 5

On page 1, line 15, of said bill, strike out the remainder of the line after the first comma; and strike out all of line 16, and line 17 to and including the comma.

Amendment No. 6

On page 1, line 20, of said bill, strike out "his", and insert "the".

Amendment No. 7

On page 1, line 23, of said bill, after "means", insert "dry cleaning".

Amendment No. 8

On page 2, line 8, of said bill, after "particular", insert "class of".

Amendments read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 2895—An act to add Section 926a of the Health and Safety Code, relating to local health districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 20, of the printed bill, after "member", strike out "of", and insert "by".

Amendment read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 1579—An act to amend Section 4032 of the Business and Professions Code, relating to the sale of drugs, chemicals and medicines.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 2, line 26, of the printed bill, as amended in the Assembly on May 25, 1951, strike out ", United States Pharmacopoeia", and insert "U.S.P."

Amendment No. 2

On page 2, line 30, of said bill, strike out ", United States Pharmacopoeia", and insert "U.S.P."

Amendment No. 3

On page 2, line 37, of said bill, after "profession", strike out the period, and insert "; and a chiropractor acting within the scope of his license."

Amendments read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 2252—An act to amend Sections 29001, 29007, 29012, 29014, 29020, and 29021 of, and to add Sections 29003.5 and 29003.6 to, the Health and Safety Code, relating to dangerous drugs.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on May 25, 1951, strike out "and 29003 6", and insert ", 29003 6, 29015 and 29015 1".

Amendment read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 295—An act to add Section 626.5 to the Agricultural Code, relating to products prepared from goat milk

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, after the second "to", insert ", and to amend Section 685 of,".

Amendment No. 2

In line 2 of the title of said bill, strike out "products prepared from goat".

Amendment No. 3

On page 1 of said bill, after line 10, insert

"SEC. 2. Section 685 of said code is amended to read:

685. No person shall fraudulently manipulate the measure, weight or test used for determining the grade or quality of milk, cream or fluid derivatives thereof, nor the test used for determining the percentage of milk fat in milk, cream or fluid derivatives thereof, nor overread or underread any such test, nor take an unfair sample of milk, cream or any fluid derivatives thereof on which the grade, quality or amount of milk fat therein is to be determined, nor fraudulently manipulate any such sample, or the records of any measurement, weight, test, or combination thereof. A permanent record in duplicate of all tests of milk or cream or fluid derivatives thereof purchased, received, or sold on the basis of the amount of milk fat contained therein, must be made by a licensed tester on standard forms supplied by, or in accordance with the specifications for such records adopted by, the department. Each test shall be legibly recorded with indelible pencil or ink in such a manner as to correctly identify the test obtained upon the milk or cream or fluid derivatives thereof. Each sheet or page shall be authenticated by the signature of the licensed tester, and a duplicate record shall be deposited by the licensed tester immediately after completing the test on the day's samples, in a box provided by the purchaser or receiver or seller of milk or cream or fluid derivatives thereof, as the case may be, said box to be constructed, sealed and maintained in accordance with the rules and regulations of the director. The original record shall be immediately delivered to the purchaser or receiver or seller of said milk or cream or fluid derivatives thereof, to be retained by him for at least three months. The licensed tester shall retain an unmodified sample of all milk or cream or fluid derivatives thereof tested by him for not less than 48 hours after tests of said milk or cream have been made and said purchaser or receiver or seller of milk or cream or fluid derivatives thereof shall provide a suitable place where such samples so retained may be kept and such place shall be acceptable to the department. Payment for milk or cream or fluid derivatives thereof shall be made on the basis of weight and the percentage of milk fat contained therein, as determined by samples taken from each lot of said milk or cream or fluid derivatives thereof upon delivery. Should the director find, after investigation by him, that facilities are not available for weighing and testing upon request of the parties he may issue a written permit authorizing the purchase and sale of milk or cream or fluid derivatives thereof upon a gallonage basis. Nothing in this section prohibits weighing and sampling on a route, or the use of composite samples of milk, *or the purchase and sale of market milk obtained from goats on a gallonage basis without the permit provided for in this section*."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

Assembly Bill No. 2545—An act to amend Section 736.10 of the Agricultural Code, relating to minimum wholesale and retail prices for fluid milk and fluid cream.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "736.10", and insert "736.13".

Amendment No. 2

In line 2 of the title of said bill, strike out "minimum".

Amendment No. 3

In line 3 of the title of said bill, after "cream", insert "and products thereof".

Amendment No. 4

On page 1, line 1, of said bill, strike out "736.10", and insert "736.13".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 5

On page 1 of said bill, strike out lines 3 to 8, inclusive, and insert

"736.13. No distributor shall sell to any retail store, restaurant, confectionery or other place for consumption on the premises, or to any consumer, and no retail store, restaurant, confectionery or other place for consumption on the premises, shall purchase from any distributor or sell to any consumer, any fluid milk or fluid cream, or either of them, at less than the prices as established by the director under the provisions of this article, and the use or attempted use of any method, device or transaction whereby any distributor sells or offers or agrees to sell to any retail store, restaurant, confectionery or other place for consumption on the premises, or consumer or any retail store, restaurant, confectionery or other place for consumption on the premises, buys or offers or agrees to buy from any distributor, or sells or offers or agrees to sell to any consumer fluid milk or fluid cream, or either, at a price less than that established by the director under the provisions of this article, whether by discount, rebate, free service, advertising allowance, lease of refrigeration or other equipment, or gift, or otherwise and whether any such discount, rebate, free service, advertising allowance, lease of refrigeration or other equipment, or gift applies directly to fluid milk or fluid cream or is allowed upon or in connection with the sale or handling of any other commodity or product, is hereby prohibited. Every distributor in any marketing area wherein an order establishing minimum wholesale and minimum retail prices is in effect shall file with the director schedules and any amendments thereto setting forth the prices at which each such distributor is selling or offering or agreeing to sell fluid milk, fluid cream and dairy products, excluding butter, cheese [,] *other than* cottage cheese, canned milk, powdered milk, casein and ice cream, in such marketing area. Such filings shall be made in such office of the director as he shall designate. Such prices shall not become effective until the fifth day after filing. Evidence of any sale of, or offer or agreement to sell such fluid milk, fluid cream or dairy products by a distributor, made as part of, or in connection with the sale of, or offer or agreement to sell fluid milk and fluid cream, or both, in a marketing area where prices for fluid milk or fluid cream, or both have been established by the director, at less than the prices theretofore filed with the director by such distributor pursuant to the provisions of this section, shall constitute prima facie proof of a violation of this section. Offers and agreements to sell, as used herein shall include offers and agreements which are conditional, or which shall become effective, upon the filing thereafter of amended prices by the distributor making such offer. Upon receipt of such amendments the director shall forthwith date, file, and index the same in such manner that the information therein contained shall at all times be kept current and be readily available to any interested party desiring to inspect the same. Any other distributor in the marketing area may meet any such prices so filed; provided, that such distributor shall file with the director a schedule of prices not exceeding the prices so met by him within 24 hours after meeting the same."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

Assembly Bill No. 382—An act to add Section 506 to the Fish and Game Code, relating to game fish.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 506 to", and insert "amend Section 1038 and to repeal Section 1039 of".

Amendment No. 2

In line 2 of the title of said bill, strike out "game".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. Section 1038 of the Fish and Game Code is amended to read:

1038. Domesticated fish propagated and raised in this State under the license granted in accordance with the provisions of this article *or lawfully reared and imported into this State* may be transported or sold when not alive, during the period for which the license was issued *if originating within this State*, if duly tagged *or packaged* according to the rules and regulations prescribed by the commission *Tags shall be of such type as prescribed by the commission and shall be sold by the commission to the applicants at cost plus handling charges, as determined by the commission.*

SEC. 2. Section 1039 of said code is repealed"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Fish and Game.

SECOND READING OF SENATE BILLS

Senate Bill No. 1453—An act to amend Section 745.2 of the Agricultural Code, relating to the California Dairy Industry Board.

Bill read second time, and ordered to third reading.

Senate Bill No. 100—An act to add Section 951.1 to the Fish and Game Code, relating to trawl nets.

Bill read second time, and ordered to third reading.

Senate Bill No. 735—An act to amend Sections 3040, 3082, and 3473 of the Welfare and Institutions Code, relating to aid to the needy blind and aid to partially self-supporting blind residents.

Bill read second time, and ordered to third reading.

Senate Bill No. 48—An act to amend Section 332 of the Fish and Game Code, relating to wilderness and wild areas.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 5, of the printed bill, after "Agriculture," insert "the Department of Fish and Game,".

Amendment No. 2

On page 1, lines 6 and 7, of said bill, strike out "or of the Division of Fish and Game,".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 296—An act to amend Section 1277 of the Fish and Game Code, relating to deer.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Senate on May 16, 1951, strike out "commission", and insert "department".

Amendment No. 2

On page 1, line 5, of said bill, strike out "designate", and insert "cause to be designated".

Amendment No. 3

On page 1 of said bill, strike out line 7, and insert "ever a deer license tag is designated for use in a".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 596—An act to amend Section 696 of the Fish and Game Code, relating to striped bass.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 12, of the printed bill, as amended in the Senate on May 16, 1951, after "placed,", strike out "immediately".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 810—An act to repeal Section 2836 and to amend Section 2837 of the Elections Code, relating to county central committees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "and to amend Section 2837", and insert ", to add Section 2835.5, and to amend Section 2837".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 2 to 29, inclusive, and insert

"SEC. 2. Section 2835.5 is added to said code to read:

2835.5. In all counties containing four Assembly districts, the county central committee shall be elected by supervisor districts, and shall consist of five members from each such district.

SEC. 3. Section 2837 of said code is amended to read:

2837. In all counties containing less than [five] *four* assembly districts the county central committee shall be elected by supervisor districts, and the number to be elected from any supervisor district shall be determined as follows: There shall be taken the number of votes cast in the supervisor district at the last gubernatorial election for that party's candidate for Governor, or, if the party had no candidate for Governor, for the candidate of the party voted on throughout the State who received the greatest number of votes and who was the candidate of that party alone. This number shall be divided by one-twentieth of the number of votes cast in that county for Governor or, where the party had no candidate for Governor, for the candidate mentioned above. The integer next larger than the quotient obtained by such division shall constitute the number of members of the county central committee to be elected by that party in that supervisor district.

The county central committees in counties containing less than [five] *four* assembly districts shall be composed of not less than 21 members. If the procedure outlined in the preceding paragraph would result in less than 21 members being elected for any county central committee, the number of votes cast for that party's candidate in each supervisor district shall be divided by an amount sufficiently smaller

than one-twentieth of the votes cast for Governor in that county as to give a membership in the county central committee equal to or the nearest amount which is greater than 21 members."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 954—An act to add Section 1508 to the Welfare and Institutions Code, relating to aid to needy children, in respect to the obligations of stepfathers to support needy children.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on May 1, 1951, strike out lines 3 to 10, inclusive, and insert

"1508. Where a needy child as defined in this chapter lives with his mother and stepfather, the amount of the grant made pursuant to Section 1511 of this code shall be computed after consideration is given to the income of the stepfather. The county granting aid shall determine if the stepfather is able to support the child either wholly or in part. Said determination shall be based upon a standard which takes into account the stepfather's income and expenses under regulations set forth by the Department of Social Welfare. Nothing in this section shall be construed to alter the legal obligations of a natural father to support his children."

Amendment read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Social Welfare.

Senate Bill No. 1634—An act to add Sections 142, 143, 143.1, 143.2, 143.3, 143.4, 143.5, 143.6 and 143.7 to the Welfare and Institutions Code, and to repeal Sections 1520, 1520.1, 1521, 1521.2, 1521.5, 2163, 2163.1, 2163.2, 2163.4, 2163.5, 2163.7, 2164, 2165, 2165a, 2165d, 3047, 3047.01, 3047.02, 3047.2, 3047.21, 3047.24, 3047.25, 3047.27, 3047.3, 3047.5, 3447, 3447.1, 3447.3, and 3448 thereof, relating to public assistance, in respect to property qualifications therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Senate on May 22, 1951, after "1521.5," insert "2007.5,".

Amendment No. 2

On page 2, line 19, of said bill, strike out "SEC. 2.", and insert "SEC. 2.5."

Amendment No. 3

On page 2, line 23, of said bill, after the period, insert "In respect to applicants for and recipients of aid to the blind, personal effects also include books, tools, equipment, and other items of similar character, used and necessary for the rehabilitation of the blind person."

Amendment No. 4

On page 3, line 6, of said bill, strike out "this chapter", and insert "Chapter 3 of Division 5".

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Social Welfare.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 2251 FROM COMMITTEE CONTINUED

By unanimous consent, the notice of motion by Mr. Elliott to withdraw Assembly Bill No. 2251 from committee was continued until the next legislative day.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Dunn to reconsider the vote whereby Assembly Bill No. 1715 was passed, was continued until the next legislative day.

By unanimous consent, the notice of motion by Mr. Shaw to reconsider the vote whereby Assembly Bill No. 1731 was passed, was continued until the next legislative day.

Hon. Richard H. McCollister Presiding

At 10.12 a.m., Hon. Richard H. McCollister, Member of the Assembly from the Seventh District, presiding.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1464—An act to amend Sections 10, 10a, 10b, 11, and 11d of the Municipal Court Act of 1925, relating to certain municipal courts, and prescribing the number, compensation and duties of the officers and attaches thereof.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1464?

Amendment No. 1

Strike out the title of the printed bill, as amended in the Assembly on May 1, 1951, and insert

"An act to prescribe the number, compensation and duties of officers and attaches of municipal courts established in cities or judicial districts in the County of Los Angeles."

Amendment No. 2

On page 1 of said bill, as amended, strike out line 1, and insert

"SECTION 1. In the municipal court, established in the City of Los Angeles and in a judicial district embracing the City of Los Angeles, officers and attaches shall be appointed and compensated as follows.

There shall be one clerk who shall receive a salary of eight hundred eighty dollars ($880) per month and who may appoint the following:

One deputy clerk (chief clerk, traffic department), who shall receive six hundred dollars ($600) monthly;

One deputy clerk (chief clerk, civil department), who shall receive six hundred dollars ($600) monthly;

One deputy clerk (chief clerk, criminal department), who shall receive six hundred dollars ($600) monthly;

One deputy clerk (chief clerk, accounting department), who shall receive six hundred dollars ($600) monthly;

One deputy clerk (referee), who shall receive six hundred dollars ($600) monthly;

Six deputy clerks, each of whom shall receive five hundred ten dollars ($510) monthly;

Twelve deputy clerks, each of whom shall receive four hundred sixty dollars ($460) monthly;

Thirty-eight deputy clerks, each of whom shall receive four hundred thirty-five dollars ($435) monthly;

Five deputy clerks, each of whom shall receive three hundred seventy-five dollars ($375) monthly;

Twenty deputy clerks, each of whom shall receive three hundred thirty-five dollars ($335) monthly;

Sixteen deputy clerks, each of whom shall receive three hundred ten dollars ($310) monthly;

Forty deputy clerks, each of whom shall receive two hundred eighty-five dollars ($285) monthly;

Twelve deputy clerks, each of whom shall receive two hundred sixty-five dollars ($265) monthly;

One hundred twenty deputy clerks each of whom shall receive a minimum salary of two hunderd dollars ($200) monthly, with annual increments of twelve dollars ($12), twelve dollars ($12), twelve dollars ($12) and fourteen dollars ($14) per month to a maximum of two hundred fifty dollars ($250) monthly; provided, however, that each deputy clerk employed prior to the effective date of this provision at a flat rate salary of two hundred twenty-five dollars ($225) or less shall succeed to a step rate of compensation not less than fifteen dollars ($15) nor more than twenty-five dollars ($25) higher than the flat rate salary previously received by such employee

Annual increments hereunder shall accrue on the first day of the month following the anniversary date of employment.

In addition to the salaries in this section above provided, the clerk and deputy clerks shall be allowed their reasonable and necessary expenses, which shall include necessary traveling expenses not exceeding seven cents ($0.07) per mile, when required by the business of the court.

SEC. 3. There shall be one marshal who shall receive a salary of eight hundred eighty dollars ($880) monthly and who may appoint the following:

One assistant marshal who shall receive six hundred dollars ($600) monthly;

One deputy marshal (chief clerk) who shall receive four hundred seventy-five dollars ($475) monthly;

Two deputy marshals (captains) each of whom shall receive five hundred sixteen dollars ($516) monthly;

Six deputy marshals (lieutenants) each of whom shall receive four hundred forty dollars ($440) monthly;

Nineteen deputy marshals (sergeants) each of whom shall receive three hundred ninety dollars ($390) monthly;

Fifty-two deputy marshals each of whom shall receive a minimum salary of three hundred dollars ($300) monthly, with annual increments of twenty-five dollars ($25), and twenty-five dollars ($25) to a maximum of three hundred fifty dollars ($350), monthly;

Two deputy marshals (principal clerks and stenographers) each of whom shall receive three hundred twenty-five dollars ($325) monthly;

Two deputy marshals (senior clerks) each of whom shall receive two hundred ninety-eight dollars ($298) monthly;

Eight deputy marshals (senior clerks and stenographers) each of whom shall receive two hundred sixty-eight dollars ($268) monthly;

Fourteen deputy marshals (clerks and stenographers), each of whom shall receive a minmum salary of two hundred eleven dollars ($211) monthly, with annual increments of sixteen dollars ($16) to a maximum of two hundred forty-three dollars ($243) monthly;

One hundred deputies (custodians) at the fee allowed by law for keeping property.

In addition to the salaries in this section above provided, the marshal and deputy marshal shall be allowed their necessary incidental expenses, incurred in the performance of their duty.

They may be furnished with automobiles at public expense for use in the service of writs and processes or may in lieu of the traveling expenses be allowed not to exceed seven cents ($0.07) per mile for the operation of automobiles furnished by themselves while actually used on public business in the performance of their duty.

SEC. 2. In the municipal court established in the City of Long Beach and in the municipal court established in a judicial district embracing the City of Long Beach the officers and attaches shall be appointed and compensated as follows:

There shall be one clerk who shall receive a salary of seven hundred seventy dollars ($770) per month and who may appoint the following:

One deputy clerk (chief clerk of the civil department) who shall receive a salary of five hundred dollars ($500) per month

One deputy clerk (chief clerk of the criminal department) who shall receive a salary of five hundred dollars ($500) per month;

One deputy clerk (chief clerk of the traffic department) who shall receive a salary of five hundred dollars ($500) per month;

One deputy clerk (jury secretary) who shall receive a salary of five hundred dollars ($500) per month;

One deputy clerk (cashier-bookkeeper) who shall receive a salary of five hundred dollars ($500) per month;

Eight deputy clerks each of whom shall receive a salary of three hundred sixty dollars ($360) per month;

One deputy clerk who shall receive a salary of three hundred forty dollars ($340) per month;

Two deputy clerks each of whom shall receive a salary of three hundred twenty dollars ($320) per month;

Four deputy clerks (stenographers) each of whom shall receive a salary of three hundred dollars ($300) per month;

Two deputy clerks (typists) each of whom shall receive a salary of two hundred seventy-five dollars ($275) per month;

The clerk may also appoint one deputy clerk for each department of the court at a salary of four hundred twenty-five dollars ($425) per month.

The clerk and the employees in his office shall be allowed their necessary expenses including traveling expenses not exceeding seven cents ($0.07) per mile, when required by the business of the court.

There shall be one marshal who shall receive a salary of seven hundred seventy dollars ($770) per month, and who may appoint the following:

One chief deputy marshal who shall receive five hundred dollars ($500) per month;

Two deputy marshals, who shall each receive four hundred twenty-five dollars ($425) per month;

Five deputy marshals, who shall each receive three hundred twenty-five dollars ($325) per month;

Three deputy marshals who shall each receive three hundred dollars ($300) per month;

Ten deputies (custodians) at the fee allowed by law for keeping property.

The marshal may also appoint seven deputy marshals each of whom shall receive three hundred fifty dollars ($350) per month, one of whom shall be designated from time to time to act as bailiff in each department of the court.

SEC. 3. In the municipal courts established in the Cities of Alhambra, Compton, Glendale, Inglewood, Pasadena and Santa Monica and in municipal courts established in judicial districts embracing the Cities of Alhambra, Compton, Glendale, Inglewood, Pasadena, and Santa Monica the officers and attaches shall be appointed and compensated as follows:

There shall be one clerk of each such court who shall receive six hundred sixty dollars ($660) per month, and who may appoint the following:

One chief deputy clerk who shall receive a salary of five hundred dollars ($500) per month;

Three deputy clerks, each of whom shall receive a salary of four hundred dollars ($400) per month;

Three deputy clerks, each of whom shall receive a salary of three hundred fifty dollars ($350) per month;

Two deputy clerks (stenographers), each of whom shall receive a salary of three hundred dollars ($300) per month;

Three deputy clerks (typists), each of whom shall receive a salary of two hundred seventy-five dollars ($275) per month;

There shall be one marshal of each such court who shall receive six hundred sixty dollars ($660) per month and who may appoint the following.

One chief deputy who shall receive a minimum salary of three hundred ninety-five dollars ($395) monthly, with annual increments of twenty-two dollars ($22), twenty-three dollars ($23), twenty-four dollars ($24), and twenty-five dollars ($25), to a maximum of four hundred eighty-nine dollars ($489) monthly;

Two deputy marshals, each of whom shall receive a minimum salary of three hundred three dollars ($303) monthly, with annual increments of sixteen dollars ($16), eighteen dollars ($18), eighteen dollars ($18), and twenty dollars ($20), to a maximum of three hundred seventy-five dollars ($375) monthly;

Two deputy marshals, each of whom shall receive a minimum salary of two hundred eighty-eight dollars ($288) monthly, with annual increments of fifteen dollars ($15), sixteen dollars ($16), eighteen dollars ($18), and eighteen dollars ($18), to a maximum of three hundred fifty-five dollars ($355) monthly;

Two deputy marshals, each of whom shall receive a minimum salary of two hundred forty-six dollars ($246) monthly; with annual increments of thirteen dollars ($13), fourteen dollars ($14), fifteen dollars ($15) and fifteen dollars ($15), to a maximum of three hundred three dollars ($303) monthly;

Ten deputies (custodians) at the fee allowed by law for keeping property.

SEC. 4. In the municipal courts in districts embracing the Cities of Beverly Hills, Burbank, and East Los Angeles, the officers and attaches shall be appointed and compensated as follows:

There shall be one clerk of each such court who shall receive a minimum salary of three hundred ninety-five dollars ($395) monthly, with annual increments of twenty-two dollars ($22), twenty-three dollars ($23), twenty-four dollars ($24),

and twenty-five dollars ($25) to a maximum of four hundred eighty-nine dollars ($489) monthly, and who may appoint the following:

Two deputy clerks each of whom shall receive a minimum salary of three hundred thirty-seven dollars ($337) monthly, with annual increments of eighteen dollars ($18), twenty dollars ($20), twenty dollars ($20), and twenty-two dollars ($22) to a maximum of four hundred seventeen dollars ($417) monthly;

One deputy clerk (bookkeeper and secretary), who shall receive a minimum salary of two hundred fifty-nine dollars ($259) monthly with annual increments of fifteen dollars ($15), fifteen dollars ($15), fifteen dollars ($15) and fifteen dollars ($15) to a maximum of three hundred nineteen dollars ($319) monthly;

One deputy clerk, who shall receive a minimum salary of two hundred twenty-one dollars ($221) monthly, with annual increments of twelve dollars ($12), thirteen dollars ($13), thirteen dollars ($13) and fourteen dollars ($14) to a maximum of two hundred seventy-three dollars ($273) monthly;

Three deputy clerks, each of whom shall receive a minimum salary of two hundred dollars ($200) monthly with annual increments of eleven dollars ($11), ten dollars ($10), twelve dollars ($12) and twelve dollars ($12) to a maximum of two hundred forty-six dollars ($246) monthly;

There shall be one marshal in each such court, who shall receive a minimum salary of three hundred nineteen dollars ($319) monthly with annual increments of eighteen dollars ($18), eighteen dollars ($18), twenty dollars ($20) and twenty dollars ($20) to a maximum of three hundred ninety-five dollars ($395) monthly, and who may appoint the following:

Two deputy marshals, each of whom shall receive a minimum salary of two hundred seventy-three dollars ($273) monthly with annual increments of fifteen dollars ($15), fifteen dollars ($15), sixteen dollars ($16) and eighteen dollars ($18) to a maximum of three hundred thirty-seven dollars ($337) monthly;

One deputy marshal (clerk) who shall receive a minimum salary of two hundred eleven dollars ($211) monthly with annual increments of ten dollars ($10), twelve dollars ($12), thirteen dollars ($13) and thirteen dollars ($13) to a maximum of two hundred fifty-nine dollars ($259) monthly;

Four deputies (custodians) at the fee allowed by law for the keeping of property.

SEC. 5. In the municipal courts in districts embracing the Cities of Downey, El Monte, Los Cerritos, Santa Anita, San Jose, South Gate and Whittier the officers and attaches shall be appointed and compensated as follows:

There shall be one clerk of each such court who shall receive a minimum salary of three hundred fifty-five dollars ($355) monthly with annual increments of twenty dollars ($20), twenty dollars ($20), twenty-three dollars ($23) and twenty-three dollars ($23) to a maximum of four hundred forty dollars ($440) monthly and who may appoint the following:

Two deputy clerks (bookkeepers and secretaries), each of whom shall receive a minimum salary of two hundred fifty-nine dollars ($259) monthly with annual increments of fifteen dollars ($15), fifteen dollars ($15), fifteen dollars ($15) and fifteen dollars ($15) to a maximum of three hundred nineteen dollars ($319) monthly;

Two deputy clerks, each of whom shall receive a minimum salary of two hundred twenty-one dollars ($221) monthly with annual increments of twelve dollars ($12), thirteen dollars ($13), thirteen dollars ($13) and fourteen dollars ($14) to a maximum of two hundred seventy-three dollars ($273) monthly;

One deputy clerk who shall receive a minimum salary of two hundred dollars ($200) monthly with annual increments of eleven dollars ($11), ten dollars ($10), twelve dollars ($12) and thirteen dollars ($13) to a maximum of two hundred forty-six dollars ($246) monthly.

There shall be one marshal of each such court who shall receive a minimum salary of three hundred nineteen dollars ($319) with annual increments of eighteen dollars ($18), eighteen dollars ($18), twenty dollars ($20) and twenty dollars ($20) to a maximum of three hundred ninety-five dollars ($395) monthly and who may appoint the following

One deputy marshal who shall receive a minimum salary of two hundred seventy-three dollars ($273) monthly with annual increments of fifteen dollars ($15), fifteen dollars ($15), sixteen dollars ($16) and eighteen dollars ($18) to a maximum of three hundred thirty-seven dollars ($337) monthly;

One deputy marshal (clerk) who shall receive a minimum salary of two hundred eleven dollars ($211) monthly with annual increments of ten dollars ($10), twelve dollars ($12), thirteen dollars ($13) and thirteen dollars ($13) to a maximum of two hundred fifty-nine dollars ($259) monthly;

Four deputies (custodians) at the fee allowed by law for the keeping of property

SEC. 6. In the municipal courts in districts embracing the Cities of San Antonio and South Bay the officers and attaches shall be appointed and compensated as follows:

There shall be one clerk of each such court who shall receive a minimum salary of four hundred forty dollars ($440) monthly with annual increments of twenty-four

dollars ($24), twenty-five dollars ($25), twenty-seven dollars ($27), and twenty-nine dollars ($29) to a maximum of five hundred forty-five dollars ($545) monthly; and who may appoint the following:

Two deputy clerks each of whom shall receive a minimum salary of three hundred thirty-seven dollars ($337) monthly with annual increments of eighteen dollars ($18), twenty dollars ($20), twenty dollars ($20) and twenty-two dollars ($22) to a maximum of four hundred seventeen dollars ($417) monthly;

One deputy clerk (bookkeeper and secretary) who shall receive a minimum salary of two hundred fifty-nine dollars ($259) monthly with annual increments of fifteen dollars ($15), fifteen dollars ($15), fifteen dollars ($15) and fifteen dollars ($15) to a maximum of three hundred nineteen dollars ($319) monthly;

Two deputy clerks, each of whom shall receive a minimum salary of two hundred twenty-one dollars ($221) monthly with annual increments of fifteen dollars ($15), fifteen dollars ($15), eleven dollars ($11) and eleven dollars ($11) to a maximum of two hundred seventy-three dollars ($273) monthly;

Three deputy clerks each of whom shall receive a salary of two hundred dollars ($200) monthly with annual increments of eleven dollars ($11), ten dollars ($10), twelve dollars ($12) and thirteen dollars ($13) to a maximum of two hundred forty-six dollars ($246) monthly.

There shall be one marshal of each such court who shall receive a minimum salary of three hundred fifty-five dollars ($355) monthly with annual increments of twenty dollars ($20), twenty dollars ($20), twenty-two dollars ($22), and twenty-three dollars ($23) to a maximum of four hundred forty dollars ($440) monthly, and who may appoint the following:

One deputy marshal, who shall receive a minimum salary of two hundred eighty-eight dollars ($288) monthly, with annual increments of fifteen dollars ($15), sixteen dollars ($16), eighteen dollars ($18), and eighteen dollars ($18), to a maximum of three hundred fifty-five dollars ($355) monthly;

One deputy marshal, who shall receive a minimum salary of two hundred seventy-three dollars ($273) monthly, with annual increments of fifteen dollars ($15), fifteen dollars ($15), sixteen dollars ($16) and eighteen dollars ($18) to a maximum of three hundred thirty-seven dollars ($337) monthly;

One deputy marshal, who shall receive a minimum salary of two hundred forty-six dollars ($246) monthly, with annual increments of thirteen dollars ($13), fourteen dollars ($14), fifteen dollars ($15), and fifteen dollars ($15), to a maximum of three hundred three dollars ($303) monthly;

One deputy marshal (bookkeeper) who shall receive a minimum salary of two hundred thirty-three dollars ($233) monthly, with annual increments of thirteen dollars ($13), thirteen dollars ($13), fourteen dollars ($14), and fifteen dollars ($15) to a maximum of two hundred eighty-eight dollars ($288) monthly;

One deputy marshal, who shall receive a minimum salary of two hundred eleven dollars ($211) monthly with annual increments of ten dollars ($10), twelve dollars ($12), thirteen dollars ($13), and thirteen dollars ($13) to a maximum of two hundred fifty-nine dollars ($259) monthly.

SEC. 7. Notwithstanding any other provision of this act, there shall be one marshal for all municipal courts established in judicial districts in Los Angeles County, who shall be appointed in the manner prescribed in this section and who shall receive twelve thousand dollars ($12,000) per annum, payable in equal monthly installments. Said officer shall be known and designated as Marshal of Municipal Courts, Los Angeles County. Said marshal shall possess all of the rights and powers and perform all of the duties imposed upon marshals of municipal courts generally, and shall, with respect to proceedings in each of the municipal courts established in Los Angeles County, exercise all powers and perform all duties imposed by law upon the sheriff with respect to proceedings in the superior court, except that each municipal court included in said county shall separately possess the authority and jurisdiction to select its own bailiffs from among the deputies employed by said marshal.

Not less than 45 days nor more than 60 days after the effective date of this section, the judges of the municipal courts established in Los Angeles County and the incumbent judges of other courts within said county who, at said time, by virtue of the supersedure and automatic succession provisions of the Municipal and Justice Court Act of 1949, will be entitled to become judges of municipal courts on January 1, 1952, shall, upon five days' notice, meet at a time and place designed by the presiding judge of the municipal court located at the county seat, and shall, by a majority vote of such judges attending, select one marshal for the municipal courts established in judicial districts in said county. Such selection shall be made from among the marshals of the municipal courts established in said county under the Municipal Court Act of 1925. The person so selected shall be deemed to possess all of the qualifications and to have met all requirements of law for permanent appointment to said office. Subsequent appointments to said office and the tenure and removal of said marshal shall be governed by the provisions of the Municipal and Justice Court Act of 1949, except that such appointments and removals shall be made by the majority vote of municipal court judges, said voting to be conducted in the manner hereinabove provided. The marshal

first so selected shall be deemed appointed forthwith, but the status of said officer as to powers, duties and compensation shall become operative on January 1, 1952; provided, however, that said marshal shall, prior to said date, have authority to appoint and assign officers, deputies and attaches to positions enumerated in this act, which appointments shall become effective on January 1, 1952, and shall give each such officer, deputy or attache 10 days' notice of his prospective appointment and assignment.

The marshal shall appoint the following who shall receive the salaries hereafter specified:

One assistant marshal who shall receive a salary of eight hundred dollars ($800) per month; provided that the first appointment to said position shall be from among the marshals and deputy marshals of superseded courts, but shall be exempt from all provisions of law relative to the right of such persons to succeed to said position.

One chief deputy inspector who shall receive a salary of seven hundred seventy dollars ($770) per month.

One chief deputy marshal who shall receive a salary of seven hundred dollars ($700) per month.

Six inspectors, each of whom shall receive a salary of six hundred sixty dollars ($660) per month.

Eight captains, each of whom shall receive a salary of five hundred sixteen dollars ($516) per month.

Ten lieutenants, each of whom shall receive a salary of four hundred forty dollars ($440) per month.

Twenty-six sergeants, each of whom shall receive a salary of four hundred ten dollars ($410) per month.

One hundred fifteen senior deputies, each of whom shall receive a salary of three hundred seventy-five dollars ($375) per month.

Thirty-five deputy marshals, each of whom shall receive a salary of three hundred fifty-five dollars ($355) per month.

Thirty deputy clerks, each of whom shall receive a salary of three hundred three dollars ($303) per month.

Eleven deputy bookkeepers, each of whom shall receive a salary of two hundred eighty-eight dollars ($288) per month.

Eighteen bailiff-clerks, each of whom shall receive a salary of two hundred seventy-three dollars ($273) per month.

One head clerk who shall receive a salary of three hundred seventy-five dollars ($375) per month.

Six senior clerks, each of whom shall receive a salary of three hundred nineteen dollars ($319) per month.

Thirty deputy clerks, each of whom shall receive a salary of two hundred forty-six dollars ($246) per month.

Three secretary-stenographers, each of whom shall receive a salary of three hundred three dollars ($303) per month.

Two hundred deputies (custodians) at the fee allowed by law for keeping property.

The judges of each municipal court established in a judicial district in Los Angeles County shall select, from among the deputies of the marshal's office, such person or persons to act as court bailiffs as may be reasonably necessary for the proper operation of such court.

Except where this section otherwise provides, the provisions of the Municipal and Justice Court Act of 1949 shall govern the appointment and assignment of officers, deputies and attaches to the offices and positions enumerated in this section, and shall define the rights, benefits and privileges of the marshals, constables, deputies and attaches of superseded courts, including the right of such persons to succeed to such offices and positions. The marshal and his deputies and attaches of each of the courts in Los Angeles County which were established under the Municipal Court Act of 1925 shall succeed to positions prescribed in this section which provide salaries at least equal to 10 percent more than those received as attaches of the superseded courts prior to the effective date of this act; provided further, that if the salary established by this act for such new position is less than 10 percent more than that received by the person appointed thereto, prior to the effective date of this act, such salary shall be deemed increased for the period of the appointee's incumbency to a sum equal to 10 percent more than the salary received by such person in the position previously held prior to the effective date of this act

All provisions of law relating to marshals of municipal courts, or a marshal of a municipal court and the deputies and attaches thereof, not inconsistent with the provisions of this section, shall apply to the Marshal of Municipal Courts, Los Angeles County, and to the officers, deputies and attaches of said marshal. The board of supervisors of Los Angeles County shall provide suitable quarters for said marshal, including heating, lighting and janitorial services, and shall supply furniture, books and supplies necessary for carrying out the duties prescribed by law for said marshal."

Amendment No. 3

On page 1 of said bill, as amended, strike out lines 2 to 20, inclusive; and strike out the remainder of the bill.

Amendment No. 4

On page 1 of the printed bill, as amended in the Assembly on May 23, 1951, between lines 5 and 6, insert

"There shall be one referee who shall be appointed by the judges of the court and who shall receive six hundred dollars ($600) monthly ;".

Amendment No. 5

On page 1 of said bill, as amended, strike out line 6, and insert "There shall be one clerk who shall be appointed by the judges of the court and who shall receive eight".

Amendment No. 6

On page 1, line 7, of said bill, as amended, strike out "per month", and insert "monthly".

Amendment No. 7

On page 2 of said bill, as amended, strike out lines 3 and 4.

Amendment No. 8

On page 2 of said bill, as amended, strike out line 24, and insert "($12), twelve dollars ($12), and fourteen dollars ($14)".

Amendment No. 9

On page 2, line 25, of said bill, as amended, strike out "month", and insert "monthly".

Amendment No. 10

On page 2 of said bill, as amended, strike out lines 34 to 38, inclusive.

Amendment No. 11

On page 2 of said bill, as amended, strike out lines 39 and 40, and insert

"There shall be one marshal who shall receive eight hundred eighty dollars ($880) monthly, and who".

Amendment No. 12

On page 3, line 5, of said bill, as amended, after "($350)", strike out the comma.

Amendment No. 13

On page 3, line 17, of said bill, as amended, after "($16)", insert ", and sixteen dollars ($16)".

Amendment No. 14

On page 3, line 19, of said bill, as amended, after "(custodians)", insert a comma.

Amendment No. 15

On page 3 of said bill, as amended, strike out lines 21 to 29, inclusive.

Amendment No. 16

On page 3 of said bill, as amended, strike out line 34, and insert

"There shall be one clerk who shall be appointed by the judges of the court and who shall receive seven".

Amendment No. 17

On page 3, line 35, of said bill, as amended, strike out "per month", and insert "monthly".

Amendment No. 18

On page 3 of said bill, as amended, strike out line 38, and insert "shall receive five hundred dollars ($500) monthly ;".

Amendment No. 19

On page 3 of said bill, as amended, strike out lines 40 and 41, and insert "who shall receive five hundred dollars ($500) monthly ;".

Amendment No. 20

On page 3 of said bill, as amended, strike out lines 43 and 44, and insert "who shall receive five hundred dollars ($500) monthly ,".

Amendment No. 21

On page 3, line 45, of said bill, as amended, strike out "a".

Amendment No. 22

On page 3 of said bill, as amended, strike out line 46, and insert "five hundred dollars ($500) monthly ;".

Amendment No. 23

On page 3 of said bill, as amended, strike out line 48, and insert "five hundred dollars ($500) monthly ;".

Amendment No. 24

On page 3, line 49, of said bill, as amended, strike out "a salary".

Amendment No. 25

On page 3 of said bill, as amended, strike out line 50, and insert "three hundred sixty dollars ($360) monthly ;".

Amendment No. 26

On page 3, line 51, of said bill, as amended, strike out "a salary of".

Amendment No. 27

On page 3, line 52, of said bill, as amended, strike out "per month", and insert "monthly".

Amendment No. 28

On page 4, line 1, of said bill, as amended, strike out "a salary of".

Amendment No. 29

On page 4, line 2, of said bill, as amended, strike out "per month", and insert "monthly".

Amendment No. 30

On page 4 of said bill, as amended, strike out line 4, and insert "receive three hundred dollars ($300) monthly ;".

Amendment No. 31

On page 4, line 5, of said bill, as amended, strike out "a".

Amendment No. 32

On page 4 of said bill, as amended, strike out line 6, and insert 'two hundred seventy-five dollars ($275) monthly ;".

Amendment No. 33

On page 4, line 8, of said bill, as amended, strike out "at a salary of", and insert "who shall receive".

Amendment No. 34

On page 4, line 9, of said bill, as amended, strike out "per month", and insert "monthly".

Amendment No. 35

On page 4 of said bill, as amended, strike out lines 10 to 13, inclusive.

Amendment No. 36

On page 4, line 14, of said bill, as amended, strike out "a salary of".

Amendment No. 37

On page 4, line 15, of said bill, as amended, strike out "per month", and insert "monthly".

Amendment No. 38

On page 4, line 18, of said bill, as amended, strike out "per month", and insert "monthly".

Amendment No. 39

On page 4, line 19, of said bill, as amended, strike out "who shall each", and insert "each of whom shall".

Amendment No. 40

On page 4, line 20, of said bill, as amended, strike out "per month", and insert "monthly".

Amendment No. 41

On page 4, line 21, of said bill, as amended, strike out "who shall each", and insert "each of whom shall".

Amendment No. 42

On page 4, line 22, of said bill, as amended, strike out "per month", and insert "monthly".

Amendment No. 43

On page 4, line 23, of said bill, as amended, strike out "who shall each", and insert "each of whom shall".

Amendment No. 44

On page 4, line 24, of said bill, as amended, strike out "per month", and insert "monthly".

Amendment No. 45

On page 4, line 25, of said bill, as amended, after "(custodians)", insert a comma.

Amendment No. 46

On page 4, line 28, of said bill, as amended, strike out "per"; and in line 29, strike out "month", and insert "monthly".

Amendment No. 47

On page 4, line 37, of said bill, as amended, after "court", insert "who shall be appointed by the judges thereof and".

Amendment No. 48

On page 4, line 38, of said bill, as amended, strike out "per month", and insert "monthly".

Amendment No. 49

On page 4, line 40, of said bill, as amended, strike out "a salary of".

Amendment No. 50

On page 4, line 41, of said bill, as amended, strike out "per month", and insert "monthly".

Amendment No. 51

On page 4, line 42, of said bill, as amended, strike out "a salary".

Amendment No. 52

On page 4 of said bill, as amended, strike out line 43, and insert "four hundred dollars ($400) monthly;".

Amendment No. 53

On page 4, line 44, of said bill, as amended, strike out "Three", and insert "Four".

Amendment No. 54

On page 4, line 44, of said bill, as amended, strike out "a salary".

Amendment No. 55

On page 4 of said bill, as amended, strike out line 45, and insert "three hundred fifty dollars ($350) monthly;".

Amendment No. 56

On page 4 of said bill, as amended, strike out line 47, and insert "receive three hundred dollars ($300) monthly;".

Amendment No. 57

On page 4 of said bill, as amended, strike out line 49, and insert "two hundred seventy-five dollars ($275) monthly;".

Amendment No. 58

On page 5, line 2, of said bill, as amended, strike out "per month", and insert "monthly".

Amendment No. 59

On page 5, line 13, of said bill, as amended, after "($20)", strike out the comma.

Amendment No. 60

On page 5, line 19, of said bill, as amended, after the second "($18)", strike out the comma.

Amendment No. 61

On page 5, line 22, of said bill, as amended, after "monthly", strike out the semicolon and insert a comma.

Amendment No. 62

On page 5 of said bill, as amended, strike out line 24, and insert "lars ($14), fifteen dollars ($15), and fifteen dollars ($15) to a".

Amendment No. 63

On page 5, line 26, of said bill, as amended, after "(custodians)", insert a comma.

Amendment No. 64

On page 5, lines 28 and 29, of said bill, as amended, strike out "embracing the Cities of", and insert "known and designated as".

Amendment No. 65

On page 5, line 32, of said bill, as amended, after "court", insert "who shall be appointed by the judges thereof and".

Amendment No. 66

On page 5, line 39, of said bill, as amended, after "clerks", insert a comma.

Amendment No. 67

On page 5, line 46, of said bill, as amended, after "monthly", insert a comma.

Amendment No. 68

On page 5, line 47, of said bill, as amended, after the second "($15)", insert a comma

Amendment No. 69

On page 6, line 2, of said bill, as amended, after "($13)", insert a comma.

Amendment No. 70

On page 6, line 5, of said bill, as amended, after "monthly", insert a comma.

Amendment No. 71

On page 6, line 7, of said bill, as amended, after the first "($12)", insert a comma.

Amendment No. 72

On page 6, line 11, of said bill, as amended, after "monthly", insert a comma.

Amendment No. 73

On page 6, line 12, of said bill, as amended, after "($20)", insert a comma.

Amendment No. 74

On page 6, line 17, of said bill, as amended, after "monthly", insert a comma.

Amendment No. 75

On page 6, line 18, of said bill, as amended, after "($16)", insert a comma.

Amendment No. 76

On page 6, line 21, of said bill, as amended, after "(clerk)", insert a comma.

Amendment No. 77

On page 6, line 22, of said bill, as amended, after "monthly", insert a comma.

Amendment No. 78

On page 6, line 24, of said bill, as amended, after the first "($13)", insert a comma.

Amendment No. 79

On page 6, line 26, of said bill, as amended, after "(custodians)", insert a comma.

Amendment No. 80

On page 6, lines 28 and 29, of said bill, as amended, strike out "embracing the cities of", and insert "known and designated as".

Amendment No. 81

On page 6, line 32, of said bill, as amended, after 'court", insert "who shall be appointed by the judges thereof and".

Amendment No. 82

On page 6, line 34, of said bill, as amended, after "monthly", insert a comma.

Amendment No. 83

On page 6, line 35, of said bill, as amended, after "($23)", insert a comma.

Amendment No. 84

On page 6, line 40, of said bill, as amended, after "monthly", insert a comma.

Amendment No. 85

On page 6, line 41, of said bill, as amended, after the third "($15)", insert a comma.

Amendment No. 86

On page 6, line 45, of said bill, as amended, after "monthly", insert a comma.

Amendment No. 87

On page 6, line 47, of said bill, as amended, after the second "($13)", insert a comma.

Amendment No. 88

On page 6, line 49, of said bill, as amended, after "clerk", insert a comma.

Amendment No. 89

On page 6, line 50, of said bill, as amended, after "monthly", insert a comma

Amendment No. 90

On page 6, line 51, of said bill, as amended, after "($12)", insert a comma.

Amendment No. 91

On page 7, line 3, of said bill, as amended, after "court", insert a comma.

Amendment No. 92

On page 7, line 5, of said bill, as amended, after "($319)", insert "monthly".

Amendment No. 93

On page 7, line 6, of said bill, as amended, after "($20)", insert a comma.

Amendment No. 94

On page 7, line 9, of said bill, as amended, after "marshal", insert a comma.

Amendment No. 95

On page 7, line 10, of said bill, as amended, after "monthly", insert a comma.

Amendment No. 96

On page 7, line 12, of said bill, as amended, after "($16)", insert a comma.

Amendment No. 97

On page 7, line 14, of said bill, as amended, after "(clerk)", insert a comma.

Amendment No. 98

On page 7, line 15, of said bill, as amended, after "monthly", insert a comma.

Amendment No. 99

On page 7, line 17, of said bill, as amended, after the first "($13)", insert a comma.

Amendment No. 100

On page 7, line 19, of said bill, as amended, after "(custodians)", insert a comma.

Amendment No. 101

On page 7, lines 21 and 22, of said bill, as amended, strike out "embracing the Cities of", and insert "known and designated as".

Amendment No. 102

On page 7, line 24, of said bill, as amended, after "court", insert "who shall be appointed by the judges thereof and".

Amendment No. 103

On page 7, line 25, of said bill, as amended, after "monthly", insert a comma.

Amendment No. 104

On page 7, line 30, of said bill, as amended, after "clerks", insert a comma.

Amendment No. 105

On page 7, line 31, of said bill, as amended, after "monthly", insert a comma.

Amendment No. 106

On page 7, line 33, of said bill, as amended, after the second "($20)", insert a comma.

Amendment No. 107

On page 7, line 35, of said bill, as amended, after "secretary)", insert a comma

Amendment No. 108

On page 7, line 37, of said bill, as amended, after "monthly", insert a comma.

Amendment No. 109

On page 7, line 38, of said bill, as amended, after the second "($15)", insert a comma.

Amendment No. 110

On page 7, line 42, of said bill, as amended, after "monthly", insert a comma.

Amendment No. 111

On page 7, line 44, of said bill, as amended, after the first "($11)", insert a comma.

Amendment No. 112

On page 7, line 46, of said bill, as amended, after "clerks", insert a comma.

Amendment No. 113

On page 7, line 47, of said bill, as amended, after "monthly", insert a comma.

Amendment No. 114

On page 7, line 48, of said bill, as amended, after "($12)", insert a comma.

Amendment No. 115

On page 8, line 1, of said bill, as amended, after "monthly", insert a comma.

Amendment No. 116

On page 8, line 8, of said bill, as amended, after the second "($18)", strike out the comma.

Amendment No. 117

On page 8, line 13, of said bill, as amended, after "($16)", insert a comma.

Amendment No. 118

On page 8, line 18, of said bill, as amended, after the second "($15)", strike out the comma.

Amendment No. 119

On page 8, line 20, of said bill, as amended, after "(bookkeeper)", insert a comma.

Amendment No. 120

On page 8, line 27, of said bill, as amended, after "monthly", insert a comma.

Amendment No. 121

On page 8, line 36, of said bill, as amended, strike out "Said officer", and insert "He".

Amendment No. 122

One page 8, lines 37 and 38, of said bill, as amended, strike out "Said marshal", and insert "He".

Amendment No. 123

On page 8, line 44, of said bill, as amended, strike out "said", and insert "the".

Amendment No. 124

On page 8, line 46, of said bill, as amended, strike out "employed by said marshal", and insert "selected by him".

Amendment No. 125

On page 9, line 2, of said bill, as amended, after "notice", insert "in writing".

Amendment No. 126

On page 9, line 4, of said bill, as amended, strike out "one"; strike out all of line 5, and in line 6, strike out "tricts in said county", and insert "the Marshal of Municipal Courts, Los Angeles County".

Amendment No. 127

On page 9, line 7, of said bill, as amended, strike out "said", and insert "the".

Amendment No. 128

On page 9, line 8, of said bill, as amended, after the period, insert "The judges may adopt rules not inconsistent with this section to carry out its provisions."

Amendment No. 129

On page 9, line 10, of said bill, as amended, strike out "said", and insert "the".

Amendment No. 130

On page 9, line 15, of said bill, as amended, strike out "said", and insert "the".

Amendment No. 131

On page 9, line 16, of said bill, as amended, strike out "marshal", and insert "Marshal of Municipal Courts, Los Angeles County,".

Amendment No. 132

On page 9, line 19, of said bill, as amended, strike out "provided, however, that said marshal", and insert "except that he".

Amendment No. 133

On page 9, line 20, of said bill, as amended, strike out "said", and insert "that".

Amendment No. 134

On page 9, line 27, of said bill, as amended, strike out "a salary of".

Amendment No. 135

On page 9, line 28, of said bill, as amended, strike out "per month; provided that", and insert "monthly,".

Amendment No. 136

On page 9, line 29, of said bill, as amended, strike out "said position shall", and insert "the position to".

Amendment No. 137

On page 9, line 30, of said bill, as amended, strike out "but shall be", and insert "and".

Amendment No. 138

On page 9, line 31, of said bill as amended, strike out "persons", and insert "person".

Amendment No. 139

On page 9, line 32, of said bill, as amended, strike out "said position.", and insert "such position;".

Amendment No. 140

On page 9, line 33, of said bill, as amended, strike out "a salary of".

Amendment No. 141

On page 9, line 34, of said bill, as amended, strike out "per month.", and insert "monthly;".

Amendment No. 142

On page 9, line 35, of said bill, as amended, strike out "a salary of".

Amendment No. 143

On page 9, line 36, of said bill, as amended, strike out "per month.", and insert "monthly;".

Amendment No. 144

On page 9, line 37, of said bill, as amended, strike out "a salary of".

Amendment No. 145

On page 9, line 38, of said bill, as amended, strike out "per month.", and insert "monthly;".

Amendment No. 146

On page 9, line 39, of said bill, as amended, strike out "a salary of".

Amendment No. 147

On page 9, line 40, of said bill, as amended, strike out "per month.", and insert "monthly;".

Amendment No. 148

On page 9, line 41, of said bill, as amended, strike out "a salary of".

Amendment No. 149

On page 9, line 42, of said bill, as amended, strike out "per month.", and insert "monthly;".

Amendment No. 150

On page 9, line 43, of said bill, as amended, strike out "a salary".

Amendment No. 151

On page 9 of said bill, as amended, strike out line 44, and insert "four hundred ten dollars ($410) monthly;".

Amendment No. 152

On page 9, line 46, of said bill, as amended, strike out "a salary of".

Amendment No. 153

On page 9 of said bill, as amended, strike out line 47, and insert "monthly;".

Amendment No. 154

On page 9 of said bill, as amended, strike out line 49, and insert "three hundred fifty-five dollars ($355) monthly;".

Amendment No. 155

On page 9, line 50, of said bill, as amended, strike out "a salary".

Amendment No. 156

On page 9 of said bill, as amended, strike out line 51, and insert "three hundred three dollars ($303) monthly;".

Amendment No. 157

On page 10 of said bill, as amended, strike out line 2, and insert "two hundred eighty-eight dollars ($288) monthly;".

Amendment No. 158

On page 10, line 3, of said bill, as amended, strike out "a salary".

Amendment No. 159

On page 10 of said bill, as amended, strike out line 4, and insert "two hundred seventy-three dollars ($273) monthly;".

Amendment No. 160

On page 10, line 5, of said bill, as amended, strike out "a salary of".

Amendment No. 161

On page 10, line 6, of said bill, as amended, strike out "per month.", and insert "monthly;".

Amendment No. 162

On page 10, line 7, of said bill, as amended, strike out "a salary of".

Amendment No. 163

On page 10, line 8, of said bill, as amended, strike out "per month.", and insert "monthly;".

Amendment No. 164

On page 10, line 9, of said bill, as amended, strike out "a salary".

Amendment No. 165

On page 10 of said bill, as amended, strike out line 10, and insert "two hundred forty-six dollars ($246) monthly;".

Amendment No. 166

On page 10 of said bill, as amended, strike out line 12, and insert "three hundred three dollars ($303) monthly;".

Amendment No. 167

On page 10, line 13, of said bill, as amended, after "(custodians)", insert a comma.

Amendment No. 168

On page 10, line 32, of said bill, as amended, after "act", insert "insofar as such positions are available and if such position is not available, to the most nearly comparable position which is available;".

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 1464 by the following vote:

AYES—Davis, Doyle, Evans, Lindsay, and Munnell—5.

NOES—Babbage, Beck, Berry, Brady, Burke, Burkhalter, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Crowley, Dickey, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Stewart, Thomas, and Tomlinson—54.

Appointment of Committee on Conference Concerning Assembly Bill No. 1464

The Speaker announced the appointment of Messrs. Grant, Munnell, and Rosenthal as a Committee on Conference concerning Assembly Bill No. 1464.

Assembly Bill No. 1989—An act to amend Section 6487 of the Revenue and Taxation Code, relating to sales and use taxes, and providing that this act shall take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1989?

Amendment No. 1

On page 1, line 21, of the printed bill, as amended in the Assembly on April 2, 1951, strike out "6487", and insert "6486".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1989 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stewart, and Thomas—57.

NOES—None.

Assembly Bill No. 1989 ordered enrolled.

Assembly Bill No. 3029—An act to amend Section 4845 28 of, and add Sections 4738 and 4742.1 to, the Health and Safety Code, relating to county sanitation districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3029?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 13, 1951, after "of", insert ", and add Sections 4738 and 4742 1 to,".

Amendment No. 2

On page 1, line 11, of said bill, as amended, strike out "upon the"; and strike out lines 12 to 18, inclusive, and insert "pursuant to Article 7 of this chapter, without the necessity of holding an election, upon the filing of a petition with the district board signed by the owner or owners of such part or portion"

Amendment No. 3

On page 1 of said bill, as amended, after line 22, insert

"SEC. 2 Section 4738 is added to said code, to read:

4738 A county sanitation district may sue and be sued by its own name.

SEC. 3 Section 4742 1 is added to said code, to read:

4742 1. It may contract with any district, city, governmental agency or person for the handling, treatment or disposal by the district of sewage or industrial wastes originating within the district or county or within areas outside of the district or county when, in the judgment of the district board, it is for the best interest of the district to do so, upon such terms and conditions as may be agreed upon, provided that the contract shall be for such term as agreed upon, but in no event for a term in excess of 50 years, or for such time as in the judgment of the district board the district shall have the capacity for handling, treatment or disposal of such sewage or industrial wastes."

Amendment No. 4

On page 2, line 4, of the printed bill, as amended in the Senate on May 17, 1951, after the first "to", insert "Article 4, Chapter 3, Part 3, Division 5, of".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3029 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins,

Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Sherwin, Silliman, Stewart, Thomas, and Tomlinson—58.

NOES—None.

Assembly Bill No 3029 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 759

Mr. Maloney asked for, and was granted, unanimous consent to take up the consideration of Senate amendments to Assembly Bill No. 759, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 759—An act to add Section 20392.5 to the Education Code, relating to dismissal and re-employment of state college employees.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 759?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 7, 1951, strike out lines 1 to 21, inclusive; and on page 2 of said bill, strike out lines 1 to 8, inclusive, and insert

"SECTION 1 Section 20392.5 is added to the Education Code, to read:

20392.5 The Director of Education shall adopt regulations for the determination of the order in which employees of a state college shall be dismissed when the dismissal of employees of the state college is required because funds have not been made available for salaries of such employees or because of the discontinuance of services or classes. Such regulations shall, in addition to any other provisions, provide, to the extent the Director of Education shall deem practical, for the dismissal of employees in the inverse of the order of their employment.

The Director of Education shall also adopt regulations governing the re-employment of persons in a state college who were dismissed therefrom because funds were not made available for the salaries of such employees or because of the discontinuance of services or classes. Such regulations shall, in addition to any other provisions, provide, to the extent the Director of Education shall deem practical, that for a period of five years following the dismissal of any such person he shall have the right to be re-employed in a position comparable to that from which he was dismissed in preference to any person not in the employ of the college at the time of his dismissal.

The Director of Education in adopting regulations under this section shall proceed in accordance with the provisions of Chapter 4, Part 1, Division 3, Title 2 of the Government Code."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 759 by the following vote:

AYES—Belotti, Berry, Brady, Burke, Burkhalter, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Sherwin, Silliman, Stanley, Thomas, and Tomlinson—55.

NOES—None.

Assembly Bill No. 759 ordered enrolled.

Speaker Pro Tempore Presiding

At 10.22 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 3389—An act to add Article 3.5 to Chapter 1, Division 5 of the Education Code, relating to outdoor science education and conservation education.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3389?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on May 4, 1951, after "Code", insert "; and to amend Section 9701 of said code".

Amendment No. 2

On page 2, line 10, of said bill, as amended, before the period, insert "; provided, such transportation is within the State and not in excess of a radius of 180 miles from the school or schools of the district".

Amendment No. 3

On page 2 of said bill, as amended, after line 10, insert

"SEC. 2. Section 9701 of said code is amended to read:

9701. The governing board of any school district maintaining secondary schools shall have power with the approval of the State Department of Education to establish and maintain classes for adults, *except programs and classes in outdoor science education and conservation education as the term is employed in Section 10056*, for the purpose of providing instruction in civic, vocational, literacy, health, homemaking, technical and general education."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3389 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Sillman, Stanley, Stewart, Thomas, Tomlinson, and Waters—57.

NOES—None.

Assembly Bill No. 3389 ordered enrolled.

Assembly Bill No. 3406—An act to amend Section 39.6 of the Vehicle Code, relating to agricultural waterwell boring rigs.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3406?

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Assembly on May 14, 1951, after "39 6.", insert "Agricultural".

Amendment No. 2

On page 1, line 4, of said bill, as amended, before "Water Well", insert "Agricultural".

Amendment No. 3

On page 1, line 5, of said bill, as amended, after "water-wells", insert "on agricultural property".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3406 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lindsay, Lowrey, Luckel,

Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Waters—61.

NOES—None.

Assembly Bill No. 3406 ordered enrolled.

Assembly Joint Resolution No. 35—Relative to tariffs on wine.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Joint Resolution No. 35?

Amendment No. 1

On page 1, line 10, of the printed measure, strike out "now, therefore, be it", and insert "and".

Amendment No. 2

On page 1, between lines 10 and 11, of said measure, insert

"WHEREAS, The Congress of the United States has before it for consideration H.R. 1612 which, in the form approved by the Senate Finance Committee, contains provisions to strengthen procedures by which tariff protection can be restored for American industries which have been damaged by loss of markets resulting from past tariff reductions; now, therefore, be it".

Amendment No. 3

On page 1, line 14, of said measure, strike out "wine; and be it further", and insert "foreign wines and to provide, by legislation, means whereby adequate tariff protection can be restored for the wines of the United States; and be it further

Resolved, That the Congress of the United States be memorialized to enact H.R. 1612 in the form approved by the Senate Finance Committee; and be it further".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Joint Resolution No. 35 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Collier, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kirkwood, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Waters—58.

NOES—None.

Assembly Joint Resolution No. 35 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1687

Mr. Babbage asked for, and was granted, unanimous consent to take up the consideration of Senate amendments to Assembly Bill No. 1687, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1687—An act to add Section 7144.1 to the Education Code, relating to school districts constituting component parts of school districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1687?

Amendment No. 1

In line 1 of the title of the printed bill, after the comma, insert "and to amend Sections 2861 and 2862 of said code,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, following line 10, insert

"SEC. 2. Section 2861 of said code is amended to read:

2861. For the purposes of teachers' reports [and for estimating the number of teachers and the amount of money to which each district is entitled], the several districts uniting to form a union or joint union elementary school district and the several districts of the union elementary school districts uniting to form a union elementary school district shall continue their separate existence. [They may also continue their separate existence for high school connections as provided for in Article 13 of Chapter 11 of this division.]

SEC. 3. Section 2862 of said code is amended to read:

2862. [Each teacher shall keep the] *The* enrollment and attendance of each *component* district *shall be kept* separate from that of the other *component* districts composing the union or joint union *elementary school* district. [At the close of the term, or year, a report shall be made of the attendance of each district composing the union or joint union elementary school district separately. These separate reports shall be combined in a principal's report. In case of a joint union school district, each teacher shall send a copy of the report to the county superintendent having jurisdiction over the district.]

The Superintendent of Public Instruction may, on the request of the governing board of a district, exempt the district from the requirements of this section whenever compliance by such district with such requirements is in his judgment unnecessary to the administration of the laws relating to the apportionment of the State School Fund, and may withdraw such exemption when compliance with such requirements in his judgment becomes necessary to the administration of such laws."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1687 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Clarke, Cloyed, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Waters—65.

NOES—None.

Assembly Bill No. 1687 ordered enrolled.

NOTICES OF MOTION TO AMEND STANDING RULES CONTINUED

By unanimous consent, Mr. Fleury's notices of motion to amend Standing House Rules Nos. 9, 8 and 10 were continued until the next legislative day.

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 2224

Assembly Bill No. 1561

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 3188
Assembly Bill No 3189

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 2569

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 3345

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended, and be re-referred to Committee on Ways and Means.

DUNN, Chairman

Above reported bill ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Assembly Concurrent Resolution No. 25
Assembly Concurrent Resolution No. 86
Assembly Concurrent Resolution No 87

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 82.

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 302—An act to amend Section 261b, as added by Chapter 1031 of the Statutes of 1943, of, and to add Section 261h to, the Code of Civil Procedure, relating to shorthand reporters.

Bill read third time, and ordered passed on file, to hold its place on file on the next legislative day, by unanimous consent.

Speaker Presiding

At 10.40 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Assembly Bill No. 827—An act to add Sections 20345.5, 20345.6, 20345.7 and 20345.8 to the Education Code, relating to student body

organizations established in state colleges, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Demand for Previous Question

Messrs. Silliman, Kelly, Lindsay, Evans, and Grant demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 827.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hollibaugh, Kelly, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Sherwin, Silliman, Stanley, Stewart, and Thomas—54.

NOES—Beck, Burkhalter, Dills, Dunn, Elliott, Evans, Hawkins, Klocksiem, Lowrey, Moss, Rosenthal, Rumford, and Shaw—13.

Motion to Amend Title

Mr. Geddes moved the adoption of the following amendment to the title:

Amendment No. 1

In lines 3 and 4 of the title of the printed bill, as amended in the Assembly on May 29, 1951, strike out ", declaring the urgency thereof, to take effect immediately".

Amendment read, and adopted.

Bill ordered reprinted, and transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1901

Mr. Klocksiem asked for, and was granted, unanimous consent to take up the consideration of Senate amendments to Assembly Bill No. 1901, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1901—An act to add Section 2508 to the Welfare and Institutions Code, relating to work relief projects for persons receiving county aid and relief to indigents.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1901?

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "No work relief project", and insert "Work relief projects".

Amendment No. 2

On page 1, line 4, of said bill, strike out "consists", and insert "consist".

Amendment No. 3

On page 1, line 5, of said bill, after "shall", insert "not".

Amendment No. 4

On page 1, line 7, of said bill, after "Code", insert "where the work is to be done entirely by indigents, except that those providing supervision need not be indigents".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1901 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sillman, Stewart, Thomas, Waters, and Mr. Speaker—64.

NOES—None.

Assembly Bill No. 1901 ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER. Your Committee on Constitutional Amendments, to which were referred:

Assembly Constitutional Amendment No. 55
Assembly Constitutional Amendment No. 58

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

CROWLEY, Chairman

Above reported resolutions ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Constitutional Amendments, to which were referred:

Assembly Constitutional Amendment No. 49
Assembly Constitutional Amendment No. 54

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

CROWLEY, Chairman

Above reported resolutions ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Senate Constitutional Amendment No 5

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

CROWLEY, Chairman

Above reported resolution ordered on file for adoption.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 3418

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 1996
Assembly Bill No. 2621
Assembly Bill No. 2622

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 1514

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1951

MR SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 1816

Has had the same under consideration, and reports the same back with the recommendation Do pass.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1951

MR. SPEAKER Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 18
Assembly Bill No 118
Assembly Bill No 812
Assembly Bill No. 1570
Assembly Bill No. 2858
Assembly Bill No. 3291

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 2275

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 3217

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 850
Assembly Bill No. 1221

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

CONNOLLY, Chairman

Above reported bills ordered to second reading.

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Senate Bill No. 1586

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

NIEHOUSE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Senate Bill No. 1591

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 121—An act to amend Section 10786 of the Revenue and Taxation Code, and to amend Section 374 of the Vehicle Code, relating to exemptions of vehicles from certain fees;

Assembly Bill No. 1851—An act to amend Section 525.1 of the Vehicle Code, relating to the operation of motor vehicles;

Assembly Bill No. 1852—An act to amend Section 585 of the Vehicle Code, relating to authority of officers;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirty-first day of May, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1871—An act to amend Section 6407 of the Health and Safety Code, relating to sanitary districts;

Assembly Bill No. 2529—An act to amend Section 11 and to add Section 11 1 to the County Water Authority Act, Chapter 545, Statutes of 1943 as amended, relating to county water authorities;

Assembly Bill No. 2692—An act to amend Sections 1261 and 1262 of the Fish and Game Code, relating to archery hunting licenses;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirty-first day of May, 1951, at 11 a.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 52
Assembly Bill No. 2336

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)

CONSIDERATION OF HOUSE RESOLUTION NO. 164

By Messrs. Porter, Beck, Burke, Dills, Doyle, Evans, Elliott, Grant, Hahn, Hawkins, Hollibaugh, McMillan, Morris, Munnell, Rosenthal, Thomas, and Klocksiem:

House Resolution No. 164

Relative to congratulating Robert L. Smith on his promotion

WHEREAS, Robert L. Smith has been with the *Los Angeles Daily News* for many years during which time he has performed in the best newspaperman's tradition; and

WHEREAS, Robert L. Smith is a native of the West, born in Salt Lake City, Utah, and a resident of Southern California for a number of years, during which time he has been active in community and civic affairs; and

WHEREAS, Robert L. Smith was Regional Chairman of the War Production Board during World War II, and is a member of the Board of Directors of the Los Angeles Downtown Businessmen's Association, the All-Year Club of Southern California, and the Southern California Symphony Association, and for the past eight years has been President of the Los Angeles Board of Airport Commissioners; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly hereby congratulate Robert L. Smith on his promotion to President and Associate Publisher of the *Los Angeles Daily News;* and be it further

Resolved, That the Chief Clerk of the Assembly send a copy of this resolution to Robert L. Smith.

Resolution read, and adopted.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Request for Unanimous Consent That Assembly Bill No. 1642 Hold Place on File

Mr. Caldecott asked for, and was granted, unanimous consent that Assembly Bill No. 1642 be passed on file, and hold its place on file on the next legislative day

Assembly Bill No. 1883—An act to amend Sections 8354, 8355, 8356, and 8357 of the Revenue and Taxation Code and to repeal Section 8 of an act entitled "An act to amend Section 8352 of, and to add Sections 8354 to 8358, inclusive, to, the Revenue and Taxation Code, relating to aviation and airports and the financing thereof, including revenue from taxes on motor vehicle fuel," approved July 29, 1949, relating to the tax on motor vehicle fuel.

Bill read third time, and ordered passed on file.

Assembly Bill No. 2689—An act relating to the charges of operators of off-street parking facilities.

Bill read third time.

Motion That Assembly Bill No. 2689 Be Re-referred to Committee

Mr. Fleury moved that Assembly Bill No. 2689 be withdrawn from the third reading file, and be re-referred to the Committee on Judiciary.

Mr. Silliman seconded the motion.

Roll Call Demanded

Messrs. Elliott, Burkhalter, and Shaw demanded a roll call.

The roll was called, and the motion by Mr. Fleury lost by the following vote:

AYES—Babbage, Burke, Clarke, Cloyed, Collier, Connolly, Conrad, Erwin, Fleury, Grant, Grunsky, Gubser, Hansen, Hinckley, Kelly, Kirkwood, Levering, Lindsay, Lipscomb, Lyon, McCarthy, McFall, McGee, Meyers, Moss, Sherwin, Silliman, Stewart, and Waters—29

NOES—Berry, Brady, Burkhalter, George D. Collins, Condon, Cooke, Crowley, Davis, Dills, Doyle, Dunn, Elliott, Evans, Geddes, Hawkins, Klocksiem, Lanterman, Lincoln, Lowrey, Luckel, Maloney, McCollister, McMillan, Morris, Munnell, Parker, Rosenthal, Rumford, Shaw, and Thomas—30.

Assembly Bill No. 2689 ordered passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1075

Mr. Munnell asked for, and was granted, unanimous consent to take up the consideration of Senate amendments to Assembly Bill No. 1075, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1075—An act to add Section 14551 to the Health and Safety Code, relating to fire protection districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1075?

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "upon the annexation to or inclusion within"; and strike out lines 4 to 7, inclusive, and insert "When land, upon which there are structural improvements owned, being acquired or leased by a district, is withdrawn from the district and included in a city by incorporation, annexation or otherwise, the city shall, if it succeeds to the rights of the district in such structural improvements, as a part of the division of property provided for in Section 14549, assume the outstanding liability of the district in connection with the acquisition or leas-".

Amendment No. 2

On page 1, line 13, of said bill, strike out "sent by registered mail", and insert "mailed".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1075 by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr Speaker—64.

NOES—None.

Assembly Bill No. 1075 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1076

Mr. Munnell asked for, and was granted, unanimous consent to take up consideration of Senate amendments to Assembly Bill No 1076, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1076—An act to amend Section 35311 of the Government Code, relating to the annexation of territory.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1076?

Amendment No. 1

On page 1, lines 16 and 17, of the printed bill, as amended in the Assembly on April 16, 1951, strike out "sent by registered mail", and insert "mailed".

Amendment No. 2

On page 2, line 4, of said bill, as amended, strike out "sent by registered mail", and insert "mailed".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1076 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser,

Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 1076 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 3177

Mr. Henderson asked for, and was granted, unanimous consent to take up the consideration of Senate amendments to Assembly Bill No. 3177, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 3177—An act to amend Sections 1394 and 1395 of, and to add Section 1394.5 to, the Labor Code, relating to child labor.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 3177?

Amendment No. 1

On page 2, line 2, of the printed bill, as amended in the Assembly on May 14, 1951, strike out "; or in any enter-"; and strike out lines 3 and 4; and in line 5, strike out "(b)", and insert ".

(b) The appearance of any minor in any school entertainment or in any entertainment for charity or for children, for which no admission fee is charged.

(c)".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 3177 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

Assembly Bill No. 3177 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2217

Mr. Fleury asked for, and was granted, unanimous consent to take up Assembly Bill No. 2217, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 2217

Assembly Bill No. 2217—An act to add Section 21263 to the Government Code, relating to retirement allowances of local safety members of the State Employees' Retirement System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser,

Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Request for Unanimous Consent That Assembly Bill No. 1985 Hold Place on File

Mr. Dunn asked for, and was granted, unanimous consent that Assembly Bill No. 1985 be passed on file, and hold its place on file on the next legislative day.

Request for Unanimous Consent That Assembly Bill No. 2573 Hold Place on File

Mr McFall asked for, and was granted, unanimous consent that Assembly Bill No. 2573 be passed on file, and hold its place on file on the next legislative day.

Assembly Bill No. 743—An act to amend Section 737jj of the Political Code, and Section 79.36 of the Code of Civil Procedure, relating to superior judges' salaries.

Bill read third time.

Motion to Amend

Mr. Shaw moved the adoption of the following amendments:

Amendment No. 1

On page 1, lines 5 and 6, of the printed bill, strike out "fifteen thousand dollars ($15,000)", and insert "thirteen thousand seven hundred fifty dollars ($13,750)".

Amendment No. 2

On page 1, line 11, of said bill, strike out "fifteen thousand dollars ($15,000)", and insert "thirteen thousand seven hundred fifty dollars ($13,750)".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 991

Mr. Levering asked for, and was granted, unanimous consent to take up Assembly Bill No. 991, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 991

Assembly Bill No. 991—An act to add Section 10494.6 of the Insurance Code, relating to disability insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Coats, Collier, Connolly, Crowley, Dills, Dolwig, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—54.

NOES—Berry, George D. Collins, Doyle, Dunn, Elliott, and Henderson—6.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2719—An act to regulate the parking of vehicles by the operators of off-street parking facilities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Gaffney, Geddes, Henderson, Klocksiem, Lincoln, Lowrey, Luckel, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—41

NOES—Cloyed, Collier, Conrad, Fleury, Grunsky, Hansen, Hinckley, Levering, Lindsay, McGee, Sherwin, and Silliman—12.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2816—An act to provide for the interchangeable use of single-trip beer cartons and to add Section 53 55 to the Alcoholic Beverage Control Act, relating to use of cartons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—62

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Assembly Bill No. 2776 Hold Place on File

Mr. Hansen asked for, and was granted, unanimous consent that Assembly Bill No. 2776 be passed on file, and hold its place on file on the next legislative day.

Assembly Bill No. 781—An act to amend Section 737gg of the Political Code, relating to superior judges' salaries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burkhalter, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Mr. Evans:

House Resolution No. 167

Relative to the creation of the Assembly Interim Committee on Public Utilities and Corporations

WHEREAS, At each session of the Legislature numerous bills relating to or affecting public utilities and corporations and related matters are introduced; and

WHEREAS, In order to properly consider such measures it is necessary that the Assembly be fully informed as to all facts directly or indirectly bearing thereon; and

WHEREAS, The Assembly Standing Committee on Public Utilities and Corporations, and the members thereof, have acquired experience and knowledge of the problems peculiar to this subject; now, therefore, be it

Resolved by the Assembly of the State of California, As follows.

1. The Assembly Standing Committee on Public Utilities and Corporations is hereby constituted the Assembly Interim Committee on Public Utilities and Corporations and is authorized and directed to ascertain, study and analyze all facts relating to, bearing upon or in any way affecting the public utilities and corporations and other subjects which, under the Standing Rules and the legislative practices of the Assembly, would be referred to the Standing Committee on Public Utilities and Corporations, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

3. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members. Vacancies shall be filled by the Speaker.

4. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

5. The sum of _____ dollars ($_____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred

Assembly Bill No. 981
Assembly Bill No. 2429

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred.

Assembly Bill No. 3122

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR SPEAKER Your Committee on Governmental Efficiency and Economy, to which were referred

Senate Bill No. 70
Senate Bill No. 744
Senate Bill No 916

Has had the same under consideration, and reports the same back with amendments with the recommendation . Amend, and do pass, as amended

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred .

Assembly Bill No. 343

Has had the same under consideration, and reports the same back with amendments with the recommendation . Amend, do pass, as amended, and re-refer to Committee on Ways and Means.

STEWART, Chairman

Above reported bill ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 1684

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 908

Has had the same under consideration, and reports the same back with amendments with the recommendation . Amend, and do pass, as amended.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No 3121
Assembly Bill No. 3408

Has had the same under consideration, and reports the same back with amendments with the recommendation . Amend, and do pass, as amended.

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 598

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Senate Bill No. 60
Senate Bill No 233
Senate Bill No. 291
Senate Bill No. 414
Senate Bill No. 896
Senate Bill No. 1210

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 939

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended, and re-refer to Committee on Ways and Means.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 634
Assembly Bill No. 2695
Assembly Bill No. 2727

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bills ordered to third reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, May 29, 1951

MR SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 1426

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

BROWN, Chairman

Above reported bill ordered to second reading.

RECESS

At 11.55 a m., on motion of Mr. Babbage, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ABSENCE OF QUORUM SUGGESTED

Mr. Hansen suggested the absence of a quorum.

The roll was called.

Call of the Assembly

Mr. Hansen moved a call of the Assembly.

Motion carried. Time, 2.01 p.m.

The Speaker pro Tempore directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Babbage, Beck, Brown, Burke, Cloyed, Coats, George D. Collins, Sam L. Collins, Condon, Connolly, Conrad, Davis, Dills, Dolwig, Dunn, Elliott, Gaffney, Grunsky, Hagen, Hawkins, Henderson, Hinckley, Lanterman, Levering, Lincoln, Lowrey, Luckel, Lyon, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Munnell, Niehouse, Rosenthal, Rumford, Shaw, Stewart, Thomas, and Waters—42.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Doyle asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 1767, on motion of Mr. Lyon.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3432—An act to amend Section 5804 of the Labor Code, relating to workmen's compensation awards.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burkhalter, Clarke, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Sherwin, Silliman, Stanley, and Tomlinson—56.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2363

Mr. Brown asked for, and was granted, unanimous consent to take up Assembly Bill No. 2363, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 2363

Assembly Bill No. 2363—An act to add Sections 715.1 and 715.2 to the Civil Code, and to amend Sections 716, 771 and 773 of said code, and to repeal Sections 715, 772 and 776 of said code, relating to the rules against remoteness in vesting and against suspension of the power of alienation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burkhalter, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen,

Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McFall, McGee, Meyers, Moss, Munnell, Parker, Porter, Shaw, Sherwin, Stanley, and Tomlinson—51.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2009

Mr. Dolwig asked for, and was granted, unanimous consent to take up Assembly Bill No 2009, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 2009

Assembly Bill No. 2009—An act to amend Section 10291 5 of the Insurance Code, relating to disability insurance policies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Sillman, Stanley, Stewart, and Tomlinson—58.

NOES—None.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 751—An act to amend Section 496 of the Fish and Game Code, relating to fish.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Doyle, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Sillman, Stanley, and Stewart—55.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2894—An act to amend Section 928 of the Health and Safety Code, relating to local health districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Stanley, Stewart, Thomas, and Tomlinson—60.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL BE PRINTED IN JOURNAL

Mr. Dolwig asked for, and was granted, unanimous consent that the letter of transmittal of the Fourth Report of the Assembly Interim Fact-finding Committee on Tideland Reclamation and Development in Northern California, Related Traffic Problems and Relief of Congestion on Transbay Crossings, dealing with tideland reclamation and development in Northern California, be ordered printed in the Journal, in 10 point type, as follows:

LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE, May 31, 1951

Honorable Sam L. Collins
Speaker of the Assembly
State Capitol, Sacramento, California

MR SPEAKER: Your Fact-finding Committee on Tideland Reclamation and Development in Northern California, Related Traffic Problems and Relief of Congestion on Transbay Crossings herewith files its Fourth Report dealing with tideland reclamation and development in Northern California.

At its hearings, the committee particularly noted the wide divergence of opinion relative to the future needs for the reclamation and development of tide and submerged lands. Because of this difference of opinion the committee feels that the State, as the only governmental unit of which the Bay area communities are a part, must assist in creating some authority which would be representative of these communities in all matters affecting future long-range planning in the reclamation and development of the tidelands for industrial and commercial use.

Respectfully submitted.

RICHARD J. DOLWIG, Chairman
GEORGE D. COLLINS, JR.
ARTHUR H. CONNOLLY, JR.
RANDAL F. DICKEY
FRANCIS DUNN, JR.
EDWARD M. GAFFNEY
ERNEST R. GEDDES
FRANK LANTERMAN
ROBERT I. McCARTHY

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND FOURTH REPORT OF COMMITTEE BE PRINTED AS SEPARATE DOCUMENT

Mr. Dolwig asked for, and was granted, unanimous consent that the above letter of transmittal and the above mentioned report be ordered printed as a separate document, in 10 point type, and that 500 copies be printed

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 1883

Mr. McMillan asked for, and was granted, unanimous consent to take up the further consideration of Assembly Bill No. 1883, temporarily passed on file.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 1883

Assembly Bill No. 1883—An act to amend Sections 8354, 8355, 8356, and 8357 of the Revenue and Taxation Code and to repeal Section 8 of an act entitled "An act to amend Section 8352 of, and to add Sections 8354 to 8358, inclusive, to, the Revenue and Taxation Code, relating to aviation and airports and the financing thereof, including revenue from taxes on motor vehicle fuel," approved July 29, 1949, relating to the tax on motor vehicle fuel.

Bill read third time.

Demand for Previous Question

Messrs. Evans, Lincoln, Gubser, Luckel, and Grant demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1883.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Clarke, Cloyed, Coats, Collier, Condon, Cooke, Crowley, Davis, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Lanterman, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Sherwin, Silliman, Stanley, Thomas, and Waters—52.

NOES—Dunn, Lincoln, Luckel, Shaw, and Stewart—5.

Notice of Motion to Reconsider Assembly Bill No. 1883

Mr. Shaw gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1883 was this day passed.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3159—An act to amend Section 4532 of, and to add Section 4532 5 to, the Elections Code, relating to purity of elections.

Bill read third time.

Demand for Previous Question

Messrs. Levering, McGee, Collier, Burke, and Lipscomb demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 3159.

The roll was called, and the bill refused passage by the following vote:

AYES—Beck, Berry, Brown, Chapel, Coats, George D. Collins, Condon, Conrad, Cooke, Davis, Fleury, Gaffney, Gubser, Hagen, Henderson, Hinckley, Kirkwood, Lanterman, Lowrey, Luckel, McCarthy, McFall, Meyers, Moss, Munnell, Parker, Rosenthal, Shaw, Tomlinson, and Waters—30

NOES—Babbage, Belotti, Brady, Burke, Burkhalter, Clarke, Cloyed, Collier, Connolly, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Geddes, Grunsky, Hansen, Hawkins, Hollibaugh, Kelly, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McGee, McMillan, Morris, Niehouse, Porter, Rumford, Sherwin, Stanley, Stewart, Thomas, and Mr. Speaker—40.

Notice of Motion to Reconsider Assembly Bill No. 3159

Mr. Coats gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 3159 was this day refused passage.

Notice of Motion Ruled Not in Order

Speaker pro Tempore Maloney ruled the notice of motion to reconsider Assembly Bill No. 3159 out of order because the vote on the bill was reconsidered on May 29th, and there has been no change in the question.

Notice of Motion to Reconsider Assembly Bill No. 3159 Withdrawn

Mr. Coats withdrew his notice of motion that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 3159 was this day refused passage.

Request for Unanimous Consent to Expunge Record, and Rescind Action on Assembly Bill No. 3159

Mr. Coats asked for unanimous consent to expunge the record, and rescind the action whereby the Assembly, on this day, refused passage to Assembly Bill No. 3159.

Mr. Dunn withheld unanimous consent.

Motion to Expunge Record and Rescind Action on Assembly Bill No. 3159

Mr. Coats moved to expunge the record, and rescind the action whereby the Assembly on this day refused passage to Assembly Bill No. 3159.

Mr. Henderson seconded the motion.

The roll was called, and the motion lost by the following vote:

AYES—Beck, Brown, Burkhalter, Chapel, Coats, George D Collins, Condon, Cooke, Gaffney, Hagen, Henderson, Hinckley, Lanterman, Lowrey, McFall, Moss, Munnell, Parker, Rosenthal, Shaw, and Waters—21.

NOES—Belotti, Berry, Brady, Burke, Clarke, Collier, Connolly, Conrad, Dolwig, Dunn, Elliott, Geddes, Grunsky, Hansen, Hawkins, Kelly, Klocksiem, Levering, Lincoln, Lipscomb, Lyon, Maloney, McCollister, McGee, Morris, Niehouse, Porter, Sherwin, Stanley, Stewart, and Thomas—31.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 3440, on request of Mr. Kirkwood.

RESOLUTIONS

The following resolution was offered:

By Mr. Brown:

House Resolution No. 168

Relative to the creation of the Assembly Interim Committee on Judicial System and Judicial Process

WHEREAS, The Assembly Interim Committee on Judicial System and Judicial Process created during the 1949 Regular Session has submitted its final report and legislation proposed by that committee has been acted upon during this session with a substantial saving to the people of the State of California in time and money; and

WHEREAS, At this session of the Legislature it has been found that further study is needed on many of these subjects; and

WHEREAS, Many additional problems have been proposed which are far reaching and affect the rights of the people of the State of California and will require much diligent study; and

WHEREAS, There is great need of a thorough investigation and research into all matters relating to or affecting the system of laws and judicial administration of this State in order that facts may be obtained and correlated as a basis for future legislation; and

WHEREAS, The facts relating to said subjects can best be secured by a fact-finding committee of the Legislature; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Judicial System and Judicial Process is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the subject of this resolution, and all facts included and in any way related to the subjects mentioned in the recitals hereof, including but not limited to:

(a) All provisions of law relating to or affecting estates and interests in real and personal property;

(b) All provisions of law relating to sex crimes, including research into the causes and cures thereof and punishments or treatments therefor;

(c) All provisions of law relating to motor vehicle and traffic offenses, including judicial and administrative procedures involved therein and the setting up of a commission on automobile accident litigation;

(d) All provisions of law relating to the control of subversive activities and the prevention of sabotage;

(e) All provisions of law relating to admission to the bar and duties and discipline of attorneys;

(f) All provisions of law relating to civil rights, administration of justice, and use of illegally obtained evidence in court proceedings;

(g) All provisions of law relating to civil actions and remedies and all laws relating to crimes and criminal procedure, including the principles of contributory and comparative negligence and the rules of evidence, and all provisions of law relating to the tort liability of the State and its agencies and subdivisions, and uniform acts;

(h) All provisions of law relating to the status, commitment and rights of persons who are mentally ill or mentally deficient;

(i) The composition, structure, jurisdiction and administration of the several courts, division of fines and forfeitures between cities and counties;

(j) The method of selection, compensation and retirement of judicial officers and attaches,

(k) The procedure, process, and rules of the courts, statutory and otherwise;

(l) Present enforcement of narcotic laws with reference to use thereof by minors;

(m) All laws relating to family relations including marriage, divorce, conciliation, and adoptions and the administration of such laws, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2 The committee shall consist of the same Members of the Assembly who comprise the membership of the Assembly Standing Judiciary Committee and the chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3 The committee is authorized to act within and without the State of California during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members.

5 The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of fifty thousand dollars ($50,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Babbage:

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 172 of the Penal Code, relating to selling, giving away, or exposing for sale intoxicating liquors

Respectfully submitted.

J. D. BABBAGE

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1951

MR SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Babbage:

An act to amend Section 172 of the Penal Code, relating to selling, giving away, or exposing for sale intoxicating liquors.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stewart, Thomas, Waters, and Mr. Speaker—67.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3448: By Mr. Babbage (By request of Mr. Tomlinson)—An act to amend Section 172 of the Penal Code, relating to selling, giving away, or exposing for sale intoxicating liquors.

Referred to Committee on Boards and Commissions.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 37

Mr. Lindsay asked for, and was granted, unanimous consent to take up Senate Bill No. 37, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 37

Senate Bill No. 37—An act to amend Section 28146 of the Government Code, relating to compensation for public service in counties of the forty-sixth class.

Bill read third time.

Motion to Amend

Mr. Lindsay moved the adoption of the following amendment:

Amendment No. 1

On page 1, lines 10 and 11, of the printed bill, as amended in the Assembly on May 21, 1951, strike out "two thousand seven hundred dollars ($2,700)", and insert "three thousand dollars ($3,000)".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON QUORUM CALL

At 3 14 p.m., on motion of Mr. Doyle, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the following responded when their names were called:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—73.

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1951

MR. SPEAKER: Your Committee on Education, to which were referred

Senate Bill No 184
Senate Bill No. 1078

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bills ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Concurrent Resolution No. 25
Assembly Concurrent Resolution No. 86
Assembly Concurrent Resolution No. 87

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 49
Assembly Constitutional Amendment No. 54

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolutions ordered on file for adoption.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today At 8 p.m.—Revenue and Taxation, in Room 3186.

Today Upon Adjournment—

Municipal and County Government, in Room 2170.
Transportation and Commerce, in Room 3184.
Ways and Means, in Room 435.

Tomorrow, Friday, June 1st—At 9.30 a.m.—

Rules, in Room 3184.

It was announced that the following committee would hold no meeting tonight:

Industrial Relations.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Doyle, the usual courtesies of the Assembly for this day were unanimously extended to Ernest Debs, former Assemblyman, of Los Angeles.

On request of Mr. Babbage, the usual courtesies of the Assembly for this day were unanimously extended to Sherman Lewis of San Jacinto and Bealie Barnes of Riverside.

On request of Mr. Connolly, the usual courtesies of the Assembly for this day were unanimously extended to Mr and Mrs. Orla St Clair of San Francisco.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Sadie Cable and the following pupils of the Orangevale School: Bill Bradley, Jim Rumsey, Phyllis Monroe, Jennie Howard, Jimmie Klein, Buddy Smith, Jerry Coon, Jerry Ede, Edward Sixt, Richard Haga, Phyllis Janson, Vanis Raley, Phillip Gilmore, Donald Epps, Ray Saceeram, Ted Wilson, Leila Burdorf, Menoree Buchan, Peggy McEachern, Aletha Dieterich, Yvonne Chivington, Mervin Blodgett, Kim Mock, Chad Mock, Joe Ponzio, Charles Burns, Walden Wetter, Jim Luther, Virgil Piper, Donald Griggs, Helen Bievenu, Deanna Van der Vort, Karen Kreiger, Lela Smith, Marie Poni, Barbara Van Hooser, Margarita Quincey, Marsha Schwab, Barbara Caudle, Cruz Villarreal, Catarino Villarreal, Donald Boucher, Bob Lanyanbach, Travis Simon, Renard Perry, Gail Wyatt, James Blair, Steve Kelly, Bessie Allee, Winifred Walker, Thomas McClain, and Bill Warren.

On request of Messrs. Moss and Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Mollie Joyce, teacher, Beatrice Knee, adult, and the following pupils of the Fruit Ridge School: Jack Augster, Jeannine Balliet, Marina Benitey, Patricia Berg, Eugene Borges, Shirley Buell, Richard Chapin, Mary Chase, Bob Cherry, James Costa, Loretta Eddenfield, Maryann Eeds, Beverly Fueston, Kenneth Gand, Loretta Gevia, Kenneth Hageman, Ruby Helwick, Duane Higgenbotham, Eldon Jacobus, Fred Krammerer, Lottie Fay Kane, Dale

Kanyler, Barbara Keller, Richard Knee, Eilleen Logan, Bill Matthews, Dorene Meier, Lucille Nasca, Eddie Nelson, Richard Nelson, Jackie Oros, Myron Page, Geraldine Patterson, Carol Robideaux, Ed Robles, Ora Jane Rogers, Bob Rohr, Carolee Schimmel, Sandra Thomas, Robert Walker, Thomas Walker, Bob Warren, Lois Whitehead, and Marlene Zimmerman.

On request of Mr. Morris, the usual courtesies of the Assembly for this day were unanimously extended to Harry Miller of Los Angeles.

On request of Messrs. Conrad and Lyon, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Charles Eliot of Los Angeles.

On request of Mr. Maloney, the usual courtesies of the Assembly for this day were unanimously extended to Bill Doran, Pacific Coast Baseball League, Mr. and Mrs. Bucky Walters, and Bob Stevens of San Francisco.

On request of Mr. Morris, the usual courtesies of the Assembly for this day were unanimously extended to R. T. McCarthy of Los Angeles.

On request of Mr. Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Margaret Andersen, teacher, Harold Colburn, and Mrs. Harold Colburn, adults, and the following pupils of the Plymouth School: Don Morrison, Dick Morrison, Joanne Meyers, Sharrell Burke, Mr. Francis Mann, Richard Mann, Joe Connell, Dickie Belcher, Jerry Belcher, Kenneth Parr, Johnnie Wooseley, Gary Colburn, Donald Matulick, Joanne Estey, Donald Ragan, Delbert Farnham, Clarence Wells, and Mr. Wm. T. Andersen.

ADJOURNMENT

At 3.15 p.m., on motion of Mr. Dickey, the Speaker pro Tempore declared the Assembly adjourned until 10 a.m., Friday, June 1, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SEVENTY-SECOND LEGISLATIVE DAY

NINETY-EIGHTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, June 1, 1951

The Assembly met at 10 a.m.

Hon. Sam L Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—73.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

O God, the Framer of the Heavens and Indweller in Human Hearts, To Thee the generations have lifted their hands and hearts in prayer since man became man. We reverently seek a place in Thy holy presence.

Thou art the fountain of life, and without Thee we can do nothing Thy grace is sufficient for us and our weakness is made perfect in Thy strength

"Build thee more stately mansions, O my soul,
As the swift seasons roll!
Leave thy low-vaulted past!
Let each new temple, nobler than the last
Shut thee from heaven with a dome more vast,
Till thou at length art free,
Leaving thine outgrown shell by life's unresting sea."

In Thy Eternal Name —AMEN

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Rumford, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Hahn, on motion of Mr. Lipscomb.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Smith, on motion of Mr. Lipscomb.

Mr. Lindsay, on motion of Mr. Gubser.

Mr. Kelly, on motion of Mr. McCarthy.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Kilpatrick, on motion of Mr. Lipscomb.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 70—Rejecting a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the thirty-first day of May, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3311—An act to amend Section 5704 of the Labor Code, relating to workmen's compensation;

Assembly Bill No. 3391—An act to amend Section 3.3 of the Mount San Jacinto Winter Park Authority Act, relating to the Mount San Jacinto Winter Park Authority;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirty-first day of May, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2863—An act to add Sections 2107 and 2108 to the Education Code, relating to boards of education of chartered cities;

Assembly Bill No. 3060—An act to amend Section 19368 of the Government Code, relating to employees in the State Civil Service;

Assembly Bill No. 3098—An act to amend Section 17 of the Los Angeles County Flood Control Act, relating to the Los Angeles County Flood Control District;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirty-first day of May, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2095—An act to amend Section 7f of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to traffic commissioner;

Assembly Bill No. 2096—An act to amend Section 7e of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to secretary and jury commissioner;

Assembly Bill No. 2097—An act to amend Section 7c of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to commissioners;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirty-first day of May, 1951, at 4 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1145—An act to amend Sections 26472, 26519, 26617, 26618, 26620, and to add Section 26518 5, and to repeal Section 26622 of the Health and Safety Code, relating to adulterations of meat, inspection of foods, prescribing duties of local food inspection agencies;

Assembly Bill No. 1147—An act to amend Sections 28281, 28282, 28312, 28314, and the heading of Chapter 7 of Division 21 of, and add Sections 28280.1, 28282 5, 28292, and 28299 to, the Health and Safety Code, relating to sanitation in food processing plants and defining "food processing" establishments;

Assembly Bill No. 1278—An act to amend Sections 19533, 19533.1, 19533.2, 19534, 19535, 19536, 19537, and 19397 of, and to add Section 19533 3 to, the Government Code, relating to layoff or demotion in the state civil service;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirty-first day of May, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 144—An act to add Section 226 5 to the Elections Code, relating to affidavits of registration;

Assembly Bill No. 986—An act to add Section 459 6 to the Vehicle Code, relating to boundary line streets and highways and vehicles using the same;

Assembly Bill No. 1053—An act to add Section 5416 to the Health and Safety Code, relating to sanitary conditions on construction sites;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirty-first day of May, 1951, at 4 p m.

BURKE, Chairman

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 964
Assembly Bill No. 2286

Has had the same under consideration, and reports the same back with the recommendation: Do pass

STANLEY, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No 3348

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No 145

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 2283

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 3090

Respectfully reports the same back without recommendation, and re-refer to the Committee on Ways and Means.

STANLEY, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR SPEAKER: Your Committee on Municipal and County Government, to which was referred.

Assembly Bill No. 1969

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bill ordered to second reading.

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1951

MR SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Assembly Bill No. 2944

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

LUCKEL, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1951

MR SPEAKER: Your Committee on Transportation and Commerce, to which was referred.

Assembly Bill No. 2214

Has had the same under consideration, and reports the same back with the recommendation. Do pass

LUCKEL, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred.

Senate Bill No. 620

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LUCKEL, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 155	Assembly Bill No. 290
Assembly Bill No. 191	Assembly Bill No. 2435
Assembly Bill No. 193	Assembly Bill No. 2895

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER. Your Committee on Legislative Procedure has examined

Assembly Bill No 494
Assembly Bill No. 676
Assembly Bill No. 743
Assembly Bill No 1579
Assembly Bill No. 2252
Assembly Bill No. 2355

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 31, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No 71
Assembly Concurrent Resolution No. 72
Assembly Concurrent Resolution No. 73
Assembly Concurrent Resolution No 74
Assembly Concurrent Resolution No. 75
Assembly Concurrent Resolution No 76
Assembly Concurrent Resolution No 77
Assembly Concurrent Resolution No 78
Assembly Concurrent Resolution No. 79
Assembly Concurrent Resolution No. 80
Assembly Concurrent Resolution No. 81
Assembly Concurrent Resolution No. 82
Assembly Concurrent Resolution No. 83
Assembly Concurrent Resolution No. 84
Assembly Concurrent Resolution No 85
Assembly Constitutional Amendment No. 2

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 31, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 23
Assembly Bill No 410
Assembly Bill No. 2149
Assembly Bill No. 2158
Assembly Bill No 2229
Assembly Bill No. 2955
Assembly Bill No 2956
Assembly Bill No 2959
Assembly Bill No 2960
Assembly Bill No. 2961
Assembly Bill No. 2962
Assembly Bill No. 2963
Assembly Bill No 2964
Assembly Bill No 2965
Assembly Bill No. 2966
Assembly Bill No. 2967
Assembly Bill No 2968
Assembly Bill No 2969
Assembly Bill No 2970
Assembly Bill No. 2971
Assembly Bill No. 2972
Assembly Bill No 2973
Assembly Bill No 2974

J. A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 2067

And respectfully requests your honorable body to concur in said amendments.

J. A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 31, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to.

Senate Bill No. 210
Senate Bill No. 213
Senate Bill No. 393
Senate Bill No. 396
Senate Bill No. 1814

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 31, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 1032
Assembly Bill No. 2249
Assembly Bill No. 3070
Assembly Bill No. 3384
Assembly Bill No. 3413

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 31, 1951

MR. SPEAKER. I am directed to inform your honorable body that the Senate appointed Senators Tenney, Busch, and Watson as a Committee on Conference concerning:

Assembly Bill No. 1464—An act to prescribe the number, compensation and duties of officers and attaches of municipal courts established in cities or judicial districts in the County of Los Angeles.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 31, 1951

MR. SPEAKER: Pursuant to your request, I am returning herewith:

Assembly Bill No. 251

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 31, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 30

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Joint Resolution No. 30—Relative to the need for materials for construction of additional school and college buildings in California.

Referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO EXPUNGE RECORD, AND RESCIND ACTION ON ASSEMBLY BILL NO. 251

Mr. Geddes asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on May 17th, passed Assembly Bill No. 251.

Assembly Bill No. 251 ordered to third reading.

Bill Withdrawn From Active File, and Placed on the Inactive File

Assembly Bill No. 251, on motion of Mr. Geddes.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 2569—An act to add Section 13657 to the Edution Code, relating to the rights of certificated employees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1996—An act to amend Section 54900 of the Government Code, relating to the filing of a statement of a change in boundaries or the creation of a city or district.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2621—An act to repeal an act entitled "An act providing for the incorporation of public utility districts by municipalities and unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 27, 1915.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2622—An act to repeal an act entitled "An act to provide for the incorporation and organization of public utility districts, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts," approved June 5, 1913.

Bill read second time, and ordered engrossed.

Assembly Bill No. 981—An act to amend Sections 4318 and 4368 of the Labor Code, relating to burial expenses for civilian defense and disaster workers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3429—An act to amend Section 2008.5 of the Welfare and Institutions Code, relating to the acceptance or solicitation of compensation or funds from aged persons for assisting persons to obtain aid or to influence the enactment of legislation relating to state aid to the aged.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2224—An act to add Sections 1303.1, 1303.2, and 1303 3 to the Education Code, relating to employment of superintendents of school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 2, line 9, of the printed bill, as amended in the Assembly on May 4, 1951, strike out "one year", and insert "six months"

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1561—An act to amend Section 5049 of the Education Code, relating to state school building aid.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 2, line 17, of the printed bill, as amended in the Assembly on May 18, 1951, strike out "(1) any appli-"; strike out all of line 18; in line 19, strike out "enrollment for a period ending October 31, 1952, and (2)"; and in line 23, strike out "such period", and insert "a period ending October 31, 1952".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Constitutional Amendment No. 55—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding to Article XIII thereof a new section to be numbered 19, relating to the proceeds of taxes levied on property in a redevelopment project under the Community Redevelopment Act.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Constitutional Amendments:

Amendment No. 1

On page 1, line 19, of the printed measure, following "provide", insert "that any redevelopment plan may contain a provision".

Amendment No. 2

On page 2 of said measure, at the end of line 8, strike out "; and", and insert "(for the purpose of allocating taxes levied by or for any taxing agency or agencies which did not include the territory in a redevelopment project on the effective date of such ordinance but to which such territory has been annexed or otherwise included after such effective date, the assessment roll of the county last equalized on the effective date of said ordinance shall be used in determining the assessed valuation of the taxable property in the project on said effective date); and".

Amendment No. 3

On page 2 of said measure, strike out lines 16 to 21, inclusive; and, in line 22, strike out "advances, or indebtedness"; and insert

"Unless and until the total assessed valuation of the taxable property in a redevelopment project exceeds the total assessed value of the taxable property in such project as shown by the last equalized assessment roll referred to in paragraph designated (a) hereof, all of the taxes levied and collected upon the taxable property in such redevelopment project shall be paid into the funds of the respective taxing agencies."

Amendment No. 4

On page 2 of said measure, strike out lines 28 to 41, inclusive, and insert

"The Legislature may also provide that in any redevelopment plan or in the proceedings for the advance of moneys, or making of loans, or the incurring of any

indebtedness (whether funded, refunded, assumed or otherwise) by the redevelopment agency to finance or refinance, in whole or in part, the redevelopment project, the portion of taxes mentioned in paragraph designated (b) hereof may be irrevocably pledged for the payment of the principal of and interest on said loans, advances, or indebtedness.

It is intended by this section to empower any redevelopment agency, city, county, or city and county under any law authorized by this section to exercise the provisions hereof separately or in combination with powers granted by the same or any other law relative to redevelopment agencies. This section shall not affect any other law or laws relating to the same or a similar subject but is intended to authorize an alternative method of procedure governing the subject to which it refers."

Amendment No. 5

On page 2, line 47, of said measure, following "fully", insert "and".

Amendments read, and adopted.

Resolution ordered reprinted, and engrossed.

Assembly Constitutional Amendment No. 58—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 22 of Article IV thereof, relating to public money.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Constitutional Amendments:

Amendment No. 1

On page 1, line 20, of the printed measure, strike out the second "and".

Amendment No. 2

On page 1 of said measure, strike out lines 21 and 22.

Amendment No. 3

On page 1, line 23, of said measure, strike out "money,".

Amendments read, and adopted.

Resolution ordered reprinted, and engrossed.

Assembly Bill No. 3121—An act to add Section 3.51 to the World Trade Center Authorities Act, relating to the World Trade Center Authority, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1 of the printed bill, strike out lines 5 to 8, inclusive, and insert "member manager shall receive for his services and promotional purposes such sum or sums as may from time to time be authorized by the Authority and approved by the Department of Finance. There shall not be more than a total of 10 percent of the money transferred to the World Trade Center Authority by the 1949 Legislature available for such purposes."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3408—An act to authorize the Director of Finance to sell and convey, subject to such terms, conditions, and covenants as in his judgment are in the public interest, a portion of the Napa State Farm, as defined in Section 13190 of the Government Code.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 3, line 30, of the printed bill, after the period, insert

"A copy of each deed of conveyance executed and delivered by the Director of Finance shall be delivered to the State Lands Commission.

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3345—An act to amend Section 5153 of, and to add Chapter 5.5 to Division 12 of the Education Code, relating to the State Rehabilitation Center, providing for the establishment and operation thereof, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 2, line 32, of the printed bill, strike out "minor".

Amendment No. 2

On page 2, line 41, of said bill, strike out "minor".

Amendment No. 3

On page 2, line 44, of said bill, strike out "minor".

Amendment No. 4

On page 3 of said bill, strike out lines 3 and 4, and insert "Department of Education for the cost of maintenance and operation of a resident school for the educable physically handicapped established under Chapter 5.5 of Division 12 of this code The amount shall be five hundred twenty dollars".

Amendment No. 5

On page 3 of said bill, strike out lines 13 to 31, inclusive, and insert

"24550. There is hereby established in the School of Medicine of the University of California, a State Rehabilitation Center, the purpose of which is to provide services and facilities necessary for the education and training of health and medical personnel, the conduct of research, and the diagnosis and treatment, including the re-education of physically handicapped persons.

24551. There is hereby established in the Department of Education the Resident School for the Educable Physically handicapped which shall be maintained at or adjacent to the State Rehabilitation Center and which shall be available, as determined by the department, for pupils exempt under Section 16622 of this code and other handicapped persons, regardless of age."

Amendment No. 6

On page 3 of said bill, strike out lines 38 to 41, inclusive, and insert "sons. It shall provide comprehensive medical, social, psychological, vocational, corrective and other services essential or proper to the rehabilitation of patients admitted to its inpatient or outpatient facilities In addition, where appropriate it shall provide vocational guidance and counseling, vocational testing, vocational exploration, prevocational and pre-employment training, social service, recreational activities, speech correction, development of prosthetic appliances and training in their use, and psychological consultation."

Amendment No. 7

On page 3, line 42, of said bill, after "with", insert "other departments of".

Amendment No. 8

On page 3, line 43, of said bill, after "California", insert "at Los Angeles".

Amendment No. 9

On page 3 of said bill, strike out lines 50 to 52, inclusive; and on page 4, strike out lines 1 to 16, inclusive, and insert

"24554. The State Department of Education shall maintain or contract with the university for the maintenance of said Resident School for the Educable Physically Handicapped Each of the services and facilities of the State Rehabilitation Center and School of Medicine are to be available to the students of such resident school, and the school shall make its services and facilities available for the training and research purposes of the University School of Medicine and Center."

Amendment No. 10

On page 4, line 17, of said bill, strike out "24557", and insert "24555".

Amendment No. 11

On page 4, line 23, of said bill, strike out "24558", and insert "24556".

Amendment No. 12

On page 4 of said bill, strike out lines 38 to 42, inclusive, and insert

"24557. All money collected or received pursuant to Section 5153 (e) of the Education Code is hereby appropriated to the State Department of Education for reimbursement of operating costs of the Resident School at the State Rehabilitation Center for the purposes of this chapter

24558. All money collected or received as fees by the State Rehabilitation Center shall be deposited in the State Rehabilitation Center Fund and is hereby appropriated to the University of California for the purposes of this chapter.

24559. There is hereby appropriated to the University of California for the construction and equipment of the State Rehabilitation Center and the Resident School for the Educable Physically Handicapped, the sum of four million dollars ($4,000,000) of money in the General Fund of which at least seven hundred fifty thousand dollars ($750,000) shall be used for construction and equipment of said resident school."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 850—An act to amend Section 10675 and to repeal Section 10679 of the Health and Safety Code, relating to offenses in connection with the registration of births, deaths, and marriages.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "10675 and to repeal Section 10679", and insert "10375".

Amendment No. 2

In lines 2 and 3 of the title of said bill, strike out "offenses in connection with the"

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 10375 of the Health and Safety Code, as enacted by Chapter 116 of the Statutes of 1951, is amended to read:

10375. The certificate of death shall be divided into two sections, the first section shall contain those items necessary to establish the fact of death and the second section shall contain those items relating to medical and health data, the first section

shall contain the following items and such other items as the state department may designate:

(1) Personal data concerning decedent:
(a) Full name.
(b) Sex.
(c) Color or race
(d) Marital status
(e) Name of spouse, if married.
(f) Date of birth and age at death.
(g) Birthplace
(h) Usual residence.
(i) Occupation and industry or business.
(2) Date of death, including month, day and year.
(3) Place of occurrence of death.
(4) Parentage.
(a) Full name of father and birthplace of father.
(b) Full maiden name of mother and birthplace of mother
(5) Informant.
(6) Disposition of body information:
(a) [Signature] *Name* and license number of embalmer if body embalmed; name of funeral director, or person acting as such.
(b) Date and place of burial, cremation, or removal
(7) Certification and signature of attending physician; certification and signature of coroner as to action of the coroner when required to act by law, stating kind of action taken, whether inquest, autopsy or investigation
(8) Signature of local registrar and date received by local registrar.

The second section shall contain the following items and such other items as the state department may designate:

(1) Disease or conditions leading directly to death and antecedent causes
(2) Operations and major findings thereof
(3) Accident and injury information."

Amendment No. 4

On page 1 of said bill, strike out all of lines 2 to 23, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 1221—An act to add Chapter 10, consisting of Sections 4500 to 4628, inclusive, to Division 2 of the Business and Professions Code, to amend Section 101 of the Business and Professions Code and Section 11501 of the Government Code, relating to the regulation and licensure of practical nurses, and administration thereof, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on May 10, 1951, strike out lines 48 to 51, inclusive, and insert

"4521. The board may appoint an executive secretary of the board The executive secretary shall perform such duties as are delegated by the".

Amendment No. 2

On page 3, line 2, of said bill, strike out "shall", and insert "need not".

Amendment No. 3

On page 10, line 12, of said bill, strike out "shall", and insert "may".

Amendment No. 4

On page 11, line 24, of said bill, after "of", insert "Dry".

Amendment No. 5

On page 12, line 26, of said bill, after "of", insert "Dry".

Amendment No. 6

On page 12 of said bill, after line 28, insert
"State Board of Guide Dogs for the Blind
California Aeronautics Commission
Board of Administration, State Employees' Retirement System.
Department of Motor Vehicles"

Amendment No. 7

On page 2, line 21, of said bill, strike out "The four practical nurse members", and insert "Members".

Amendment No. 8

On page 3 of said bill, after line 50, insert
"The board with the assistance of the Advisory Council shall adopt a standard practical nurse training course with not less than the required number of hours of instruction and clinical experience as determined by the board to coincide with national standards and programs of accredited schools.
All practical nursing schools shall maintain uniform and standard training in California. Any school which maintains the standards provided in this chapter shall be entitled to a license annually unless a complaint is filed against the school and is thereafter sustained."

Amendment No. 9

On page 4, line 2, of said bill, strike out "ten dollars ($10)", and insert "twenty-five dollars ($25)".

Amendment No. 10

On page 5, line 36, of said bill, strike out "one physician and surgeon", and insert "three physicians and surgeons".

Amendment No. 11

On page 5, line 38, of said bill, strike out "or of a director", and insert "of one physician and surgeon actively engaged in the practice of medicine either within or without this State, or two directors".

Amendment No. 12

On page 6, line 18, of said bill, strike out "eighth", and insert "tenth".

Amendment No. 13

On page 6, line 34, of said bill, after "practical", insert "demonstration".

Amendment No. 14

On page 6, line 36, of said bill, after "basic", insert "theory and practice of".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 18—An act to amend Sections 34301, 34303, 34308, 34315, and 34323 of the Government Code, relating to the incorporation and boundaries of cities

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 2 of the title of the printed bill, after "of", insert ", and to add Section 34311.5 to"

Amendment No. 2

On page 1 of said bill, strike out lines 10 to 15, inclusive, and insert "25 percent of the qualified signers as shown by the county registration of voters"

Amendment No. 3

On page 1 of said bill, between lines 23 and 24, insert
SEC. 4. Section 34311.5 is added to said code to read:
34311.5. At any time not later than the hour set for hearing, any owner of property within the limits of the city proposed to be incorporated may make written

protest against the election The protest shall state in general terms the name of the owner of the property affected and the location and area of the property.

At the time set for hearing, the board shall hear and pass upon all protests so made If it finds that protest is made by the owners of a majority of separate parcels of property within the limits of city proposed to be incorporated, no further proceedings for the incorporation of the city shall be taken for one year after the finding."

Amendment No. 4

On page 1, line 24, of said bill, strike out "SEC. 4", and insert "SEC. 5".

Amendment No. 5

On page 2, line 8, of said bill, strike out "SEC. 5", and insert "SEC 6".

Amendment No. 6

On page 2, line 14, of said bill, after the period, insert "If the city is incorporated pursuant to such proceedings the county shall be reimbursed by such city for all such costs, which shall be a proper charge against the city."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 118—An act to amend Section 28157 of the Government Code, relating to compensation for public services in counties of the fifty-seventh class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "_____ dollars ($_____)", and insert "two thousand four hundred dollars ($2,400)".

Amendment No. 2

On page 1, line 9, of said bill, strike out "_____ dollars ($_____)", and insert "three thousand six hundred fifty dollars ($3,650)".

Amendment No. 3

On page 1, lines 10 and 11, of said bill, strike out "_____ dollars ($_____) a month", and insert "one thousand eight hundred dollars ($1,800) a year".

Amendment No. 4

On page 1 of said bill, after line 20, insert

"The compensation provided by this section shall be payable to incumbent officers.

SEC 2 If it is not legally competent to pay the compensation provided by this act to incumbent officers on the effective date of this act, such increase in compensation shall, nevertheless, be payable to the officers designated in this act as soon as it is legally competent to do so."

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government

Assembly Bill No. 812—An act to add Section 26153 to the Government Code, relating to the powers of boards of supervisors.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 26153 to the Government Code", and insert "amend the title of Chapter 4 of Division 20 of, and to add Section 24404 to, the Health and Safety Code".

Amendment No. 2

In line 2 of the title of said bill, strike out "powers of boards of supervisors", and insert "prevention of accidents".

Amendment No. 3

On page 1, line 1, of said bill, strike out "Section 26153 is added to the Government"; and strike out lines 2 to 11, inclusive, and insert

"The title of Chapter 4 of Division 20 of the Health and Safety Code is amended to read

CHAPTER 4. ABANDONED EXCAVATIONS AND CONTAINERS

SEC. 2. Section 24404 is added to Chapter 4 of Division 20 of said code to read:

Sec 24404. Every person who abandons, leaves or places, or causes to be abandoned, left or placed in any field, lot, yard or other open place, or in any vacant structure or building not effectively secured against entrance, whether belonging to himself or another, or being the owner, lessee, tenant, or manager of such structure or building, knowingly permits to remain there, any ice box, refrigerator, chest, cabinet, or other similar type container which has a capacity of at least 2 cubic feet and from which the latch or catch upon the door has not been removed or rendered unworkable, whether belonging to himself or another, is guilty of a misdemeanor.

The provisions of this section shall not apply to any vendor or seller of such containers who keeps or stores such containers for sale purposes, if such vendor or seller takes reasonable precautions to effectively secure the door of any such container so as to prevent entrance by children small enough to fit therein."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 1570—An act to provide for the formation of districts within municipalities for the acquisition and improvement of public parking places for the parking of motor vehicles, and the issuance and sale of bonds to pay the costs of such acquisition and improvement and payable, in whole or in part, from revenues from such parking places and from revenues from parking meters on the public streets.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 3 of the title of the printed bill, strike out ", and", and insert a semicolon

Amendment No. 2

In line 5 of the title of said bill, strike out ", in whole or in part," and insert "either".

Amendment No. 3

In line 6 of the title of said bill, strike out "and", and insert "or".

Amendment No. 4

In line 7 of the title of said bill, after "on", insert "some or all of"

Amendment No. 5

In line 7 of the title of said bill, strike out "streets", and insert "ways, or both; the acquisition, construction, improvement, maintenance and operation of such parking places; the appointment and powers of parking place commissions for such districts".

Amendment No. 6

On page 1 of said bill, strike out lines 2 to 6, inclusive, and insert "referred to, or amended may be designated as "The Parking District Act of 1951." Any district formed hereunder may be named "Parking District No. _____ of the City of _____."

SEC. 2. As used in this act, unless the context requires a different construction, the following terms shall have the following meanings:

(1) "Legislative body" means the legislative body of the city in which the district is located.

(2) "Assessment roll" means the assessment roll used by the city for purposes of city taxation.

(3) "Net revenues", as used with reference to a parking meter, means the revenues remaining after deductions for the cost of acquiring said meter and the cost of its maintenance, operation, repair, servicing and policing.

(4) "Real property" means land and improvements thereon.

SEC. 3. Any portion of a municipality incorporated under the laws of this State may be formed into a parking district for the purposes herein set forth. The things authorized to be done under this act, in addition to any things specified in other sections of this act, include the following:

(1) The formation of districts as herein provided;

(2) The acquisition of land, property and rights of way necessary or convenient for use as public parking places for the parking of motor vehicles and for the opening, widening, straightening or extending of streets, alleys, lanes or walks necessary or convenient for ingress to or egress from any parking place; the words "parking places" as used herein include parking lots, garages, subsurface structures, and buildings for the parking of motor vehicles;

(3) The improvement of any lands acquired by the construction thereon of garages or other buildings or improvements of any kind or nature necessary or convenient for parking purposes, and the improvement by grading, paving, draining, lighting or otherwise improving any parking place and any streets, alleys, lanes or walks necessary or convenient for ingress to and egress from parking places;

(4) The issuance, sale and payment of bonds for any or all of the foregoing purposes and the levy and collection of ad valorem assessments upon real property within the district for the payment of all or a portion of the principal and interest of such bonds;

(5) The administration, maintenance and operation of parking places acquired under this act;

(6) The fixing and collection of rentals, fees and charges for the use of parking places and the use of moneys derived from such rentals, fees and charges;

(7) The contribution by cities of moneys for the acquisition and improvement of such public parking places and public ways for ingress to and egress therefrom; the allocation and pledge of any revenues of the city derived from parking meters on public ways within the district to the payment of principal and interest of bonds, and the making of covenants and agreements with the bondholders to install and maintain such meters.

(8) The employment of engineers, attorneys, and any other persons necessary or convenient for the doing of any of the acts authorized by this act;

(9) Any property to be acquired hereunder may be acquired by gift, purchase, or eminent domain, and any conveyance of property or right of way as a gift may be conditional upon the use of the property for the purpose for which it is conveyed, or property may be conveyed to the city in trust for a particular use or uses and the conveyance may provide that upon the cessation or abandonment of such use or uses the property shall be reconveyed to the donor or to his or its successors or assigns. Any property acquired by condemnation or otherwise may be acquired in fee simple.

(10) The doing of all acts and things necessary or convenient for the accomplishment of any of the purposes of this act. The enumeration of specific authority in this act shall not be deemed to limit in any way the general authority granted by this paragraph.

(11) Any bonds issued hereunder must be payable in part from net revenues derived from parking meters within the districts, or from ad valorem assessments upon real property within the district, or both. No ad valorem tax shall be levied upon all property in the city for the payment thereof.

SEC. 4. The formation of a parking district hereunder may be proposed by petition signed by owners of land in the proposed district as shown by the last equalized assessment roll owning lands of an assessed value not less than thirty-five percent (35%) of the total assessed value of all taxable lands in said district as shown by said assessment roll.

SEC. 5. The petition shall contain:

(1) The proposed name of the district.

(2) A general description of the boundaries of the proposed district.

(3) A general description of the parking places proposed to be acquired. Said parking places need not be within the boundaries of the proposed district.

(4) A general description of any public ways proposed to be acquired for ingress to or egress from said parking places.

(5) A general statement of the improvements to be made or constructed on said proposed parking places, or on said public ways proposed to be acquired, or on existing public ways which would provide ingress to or egress from said proposed parking places.

(6) The limits as to time and rate upon ad valorem assessments, if any, which may be levied upon taxable real property in said district to pay principal and interest of bonds issued for acquisitions and improvements for the benefit of the district, which limits shall not exceed, as to time, twenty years from the date of said bonds, and, as to rate, fifty cents ($0.50) on each one hundred dollars ($100) of assessed valuation.

(7) The amount of money, if any, which it is proposed that the city contribute toward the cost and expense of the acquisitions and improvements proposed by the petition

(8) A general statement of the public ways within the district on which it is proposed the city install and maintain, or continue to maintain, parking meters, the net revenues from which will be allocated and pledged to the payment of the principal and interest of said bonds, and the period of time (measured from the date of said bonds) for which it is proposed that the city agree to maintain said meters. If it is proposed that only a portion of said net revenues shall be so allocated and pledged, such portion shall be generally defined

SEC. 6. Said petition shall be verified by one or more persons and shall be filed in the office of the clerk of the legislative body. The clerk of the legislative body shall examine said petition and if he finds that it is signed by a sufficient number of qualified signers he shall so certify to the legislative body.

SEC. 7. If the petition proposes a contribution of money by the city, the legislative body either shall reject the petition or shall, prior to the adoption of the resolution of intention, agree to make a contribution not less than the amount specified in the petition. The statement of the amount of city contribution in the petition or in the resolution of intention shall not prevent the city from making additional contributions to the project before or after the issuance of bonds therefor and shall not prevent the city from paying all or any part of the incidental expenses in connection with the proceedings hereunder. If the petition proposes that the city install and maintain, or continue to maintain, parking meters on public ways within the district, the legislative body either shall reject the petition or shall, prior to the adoption of the resolution of intention, agree to install and maintain, or continue to maintain, parking meters as proposed in the petition, provided that the legislative body shall not so agree unless it finds and determines that the public interest, convenience and necessity require that such meters be installed and maintained, or be continued to be maintained, as proposed in the petition

SEC. 8. Following the filing of a petition certified by the clerk of the legislative body as sufficient, the legislative body shall either accept said petition or reject it. If it accepts the petition it shall direct the city engineer or other competent person to make and file with it a report showing the following

(1) An estimate of the cost of the acquisitions and improvements proposed by the petition and of the incidental expenses in connection therewith and of the proceedings therefor.

(2) An estimate of the annual revenues which can be expected to be derived from the operation of the proposed parking places, and of the annual expenses of operating and maintaining said parking places exclusive of principal and interest on the bonds to be issued hereunder.

(3) An estimate of the annual net revenues which can be expected to be derived from the parking meters, the revenues from which are by the petition proposed to be pledged to pay the principal and interest of said bonds

(4) The total assessed value of the real property within the proposed district as shown on the last equalized assessment roll

The provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall not apply to proceedings under this act

SEC. 9. Following the filing of said report with the legislative body, it may adopt a resolution declaring its intention to form said parking district and to issue bonds in the amount and for the purposes stated in said resolution. The resolution shall contain substantially the following:

(1) The name of the proposed district;

(2) A description of the boundaries thereof, this description may be general only and may refer to a map on file in the office of the clerk of the legislative body, which map shall show the boundaries of the proposed district and shall govern for all details thereof;

(3) A general description of the acquisitions and improvements proposed by the petition; this description may be in general terms and may refer to a map, plan or sketch on file in the office of said clerk for a further description of what is proposed to be done;

(4) The estimates of costs, expenses and revenues, and the assessed value of real property in the proposed district, as set forth in the report;

(5) The amount proposed to be contributed by the city toward the proposed acquisitions and improvements;

(6) An estimate of the amount of the bonds proposed to be issued, the maximum number of years said bonds are to run, and the maximum rate of interest to be payable thereon, not in excess of six percent (6%) per annum;

(7) The limits, as stated in the petition as to time and rate upon ad valorem assessments if any, which may be levied upon taxable real property in the district to pay principal and interest of said bonds

(8) A general statement of the public ways within the district on which the city will, as proposed by the petition, install and maintain, or continue to maintain

parking meters, the net revenues from which will be allocated and pledged to the payment of the principal and interest of said bonds, and the period of time (measured from the date of said bonds) for which the city will agree to maintain said meters. If it is proposed that only a portion of said net revenues be so allocated and pledged, such portion shall be generally defined.

(9) The date, hour and place for the hearing on the proposed formation of such district and the time within which and the place where protests may be filed

(10) The resolution shall make reference to the report on file in the office of the clerk

SEC. 10. Said resolution shall be published by the clerk of the legislative body twice in a newspaper of general circulation printed and published in said city. If no such newspaper is published therein, said resolution shall be posted in three public places within the proposed district. The first publication or the posting of said resolution shall be at least thirty (30) days prior to the date of hearing.

Not less than twenty-five (25) days prior to the date of hearing, the clerk of the legislative body shall mail a copy of the resolution, postage prepaid, to each person to whom real property in the district is assessed as shown on the last equalized assessment roll, at his address as shown on said roll, and to each person, whether owner in fee or having a lien upon or legal or equitable interest in any real property within said district, whose name and address and a designation of the real property in which he is interested, is on file in the office of said clerk. No error, failure or mistake in the mailing of such copy or any thereof and no failure of any person to receive the same shall in any way affect the validity of any proceedings hereunder.

SEC. 11. Any person interested and objecting to the formation of said parking district or to the extent thereof or to the inclusion of his property therein or to the acquisitions and improvements as proposed, or to the issuance of bonds or to the doing of any other things as proposed in the resolution of intention may file a written protest with the clerk of the legislative body at any time prior to the time fixed for the hearing. At the hearing the clerk of the legislative body shall present to it all protests filed with him and the legislative body shall hear and determine the same. Its decision thereon shall be final and conclusive; provided, however, that if the owners of taxable real property in said district having an assessed valuation of more than one-half of the assessed valuation of all taxable real property in said district at the conclusion of the hearing have on file and not withdrawn their written protests objecting to the formation of said district, the legislative body shall make a finding that such majority protest has been filed, and upon such finding being made the proceeding shall be deemed abandoned and no further proceedings shall be had or taken pursuant to said petition. Any protest filed may be abandoned and withdrawn by written notice of such abandonment or withdrawal signed by the person who signed the protest and filed with the clerk of the legislative body at any time prior to the conclusion of the hearing. If a proceeding is terminated by the filing of a majority protest no new petition for the same purpose may be filed until the expiration of one year from the date of the finding of the legislative body that such majority protest was filed. However, a new petition for a modified project may be filed at any time. Said hearing may be continued from time to time at the discretion of the legislative body. At the conclusion of said hearing the legislative body may make such changes in the boundaries of the proposed district as it shall find to be proper and advisable and shall define and establish such boundaries, but said legislative body shall not modify such boundaries so as to include any territory which will not in its judgment be benefited by the proposed project, and no territory shall be excluded from the proposed district which will in the judgment of said legislative body be benefited by the proposed project.

At said hearing, the legislative body may also increase, decrease, change, or otherwise modify the acquisitions or improvements to be made, but the legislative body shall not increase, decrease, change or otherwise modify said acquisitions or improvements without first procuring from the city engineer or other competent person a supplemental report showing the effect thereof upon the estimates and other data given in the original report.

SEC. 12. The legislative body shall not make any change in the boundaries of the proposed district or in the acquisitions and improvements, except after notice of its intention so to do given by two insertions in the newspaper in which the resolution of intention was published and specifying a time for hearing objections to any such proposed change, which time shall be not less than twenty (20) days after the first publication of said notice. Written objections to any proposed change may be filed with the clerk of said legislative body by any interested person at any time prior to the hour set for hearing the same. Said legislative body shall hear and pass upon such objections at the time appointed or at any time to which the hearing thereof may be adjourned and its decision thereon shall be final and conclusive; provided, however, that if a majority protest is on file, as hereinbefore in this act provided, at the conclusion of the hearing, then upon the determination of said legislative body that such majority protest is on file the proceeding shall be forthwith abandoned.

At the expiration of the time within which protests may be filed, if none be filed or if protests constituting less than a majority protest are filed and after hearing are denied, or at the expiration of the time within which objections to changes, in case any

change be proposed as hereinbefore provided, may be filed, if none be filed or if such objections constituting less than a majority protest are filed and after hearing are denied as above provided, then said legislative body shall be deemed to have acquired jurisdiction to proceed further with the provisions of this act.

When the legislative body has so acquired jurisdiction to proceed further, it may adopt an ordinance declaring that said parking district is formed and describing the acquisitions and improvements to be made

SEC. 13 Before issuing any bonds the legislative body shall contract for the purchase of the land, property and rights of way to be acquired, or, if all or any portion thereof cannot be acquired by contract at a price which the legislative body deems satisfactory, the legislative body shall cause an action or actions to be brought in the name of the city for the condemnation thereof and, before issuing any bonds, shall obtain an interlocutory judgment in such action or actions If after the amount to be paid for the land, property and rights of way to be acquired has been fixed by contract or by an interlocutory judgment or judgments, the legislative body finds and determines that it will not be feasible to issue bonds in an amount necessary to make the acquisitions and improvements described in the ordinance declaring the district formed and the incidental expenses in connection therewith and the proceedings therefor, after deducting any amount to be contributed by the city for such purposes, the legislative body may eliminate, change or otherwise modify any of the proposed acquisitions or improvements, after notice and hearing as provided in Section 12 hereof, and the majority protest provisions of said Section 12 shall apply.

SEC. 14 When the amount to be paid for the land, property and rights of way finally determined to be acquired has been fixed by contract or by an interlocutory judgment or judgments, the legislative body may by ordinance, resolution or indenture provide for the issuance of bonds of the district in an amount not exceeding the amount necessary to make the proposed acquisitions and improvements and to pay the incidental expenses in connection therewith and the proceedings therefor, less any amount to be contributed by the city for such purposes

The legislative body shall describe the form of bonds and of the interest coupons to be attached thereto Not less than one-twentieth part of the whole amount of such bonds shall be payable each and every year on a day and date and at a place to be fixed by the legislative body and designated in such bonds, together with interest on all sums unpaid on such date until the whole of said bonds shall have been paid; provided, however, that said legislative body may in its discretion determine and fix a date for the earliest maturity of the principal of said bonds not more than three years from the date of issue such bonds shall bear. The legislative body may make such bonds or any portion thereof callable for redemption before maturity at such time or times, at such price or prices and upon such other terms and conditions as it may determine. Any bond callable before maturity shall contain a recital to that effect The bonds shall be issued in the denomination of one thousand dollars ($1,000) each, shall be payable on the day and at the place fixed in such bonds, with interest at the rate specified in such bonds, which rate shall not be in excess of the maximum rate stated in the resolution of intention, and shall be paid semiannually except the interest for the first year may be paid at the end of said year. Said bonds shall be signed by the chief executive of the city or by such other officer thereof as the legislative body shall in said ordinance authorize and designate for that purpose and also signed by the treasurer thereof and countersigned by the clerk. The interest coupons on said bonds shall be numbered consecutively and signed by the treasurer All of the signatures on said bonds and on the interest coupons thereof may be made by printed, lithographed or engraved facsimile except the countersignature of the clerk which shall be manually affixed. In case any such officer whose signature or countersignature appears on the bonds or coupons shall cease to be such officer before the delivery of such bonds to the purchaser, such signature or countersignature shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until the delivery of the bonds.

Each of said bonds shall state in substance that the bond together with the interest thereon is payable solely from the net revenues from the operation of the parking place or places acquired and improved with the proceeds thereof, the net revenues (or a portion thereof) from parking meters on certain public ways within the district (if such be the case), and from a limited (stating the limits) ad valorem assessment to be levied upon taxable real property in the district (if such be the case), and that neither the city nor any officer thereof is to be held otherwise liable for its principal or interest

SEC. 15 The ordinance, resolution or indenture providing for the issuance of said bonds may also provide:

(1) For the maintenance and operation of the parking facilities, for the establishment of a special fund or funds into which all revenues derived from the operation of the parking facilities shall be placed, for the payment from said fund or funds of the expenses of operating and maintaining said parking places, and for the allocation and pledge of the remaining revenues to the payment of said bonds and the interest thereon.

(2) For the installation of parking meters on the public ways within the district as provided in the resolution of intention, to the extent such meters have not already been installed, for the maintenance of meters on such public ways for the period of time specified in the resolution of intention, for the establishment of a special fund or funds into which the net revenues (or portion thereof as specified in the resolution of intention) shall be paid, and for the allocation and pledge of said net revenues, or said portion thereof, to the payment of said bonds and the interest thereon

(3) For the levy each year of an ad valorem assessment on all taxable real property in the district, to the extent to which revenues from the parking lots and from parking meters pledged to the payment of principal and interest of said bonds have been or are expected to be insufficient in any year to pay such principal and interest. Such ad valorem assessment shall not exceed the limits stated in the resolution of intention. Such assessment shall be levied, collected and enforced in the same manner, at the same times, and with the same penalties and interest, as in the case of taxes levied for the city.

(4) For interest and redemption funds, sinking funds, reserve funds, and any other funds necessary or convenient for use in the payment of said bonds and the interest thereon.

Said ordinance, resolution or indenture may also contain any other provisions *necessary or desirable to carry out the intent and purpose of, not inconsistent with* the provisions of, this act.

The provisions of said ordinance, resolution, or indenture shall constitute covenants for the benefit and protection of the holders of said bonds, and any such holder may enforce the same by mandamus or other appropriate remedy. Any provision of said ordinance, resolution or indenture, except a provision as to the amount or time of payment of principal or interest on the bonds, may be later eliminated or modified by the legislative body, if the holders of not less than sixty percent (60%) of the outstanding bonds have agreed in writing to such elimination or modification.

SEC. 16. The legislative body may issue and sell the bonds of said district at *not less than the par value thereof plus accrued interest. Before selling the bonds*, or any part thereof, the legislative body shall give notice inviting sealed bids in such manner as the legislative body may prescribe. If satisfactory bids are received, the bonds offered for sale shall be awarded to the highest responsible bidder. If no bids are received, or if the legislative body determines that the bids received are not *satisfactory as to price or responsibility of the bidders*, the legislative body may reject all bids received, if any, and either readvertise or sell the bonds at private sale. The proceeds of the sale of such bonds shall be placed in the treasury of the city to the credit of the proper district fund and shall be applied exclusively to the objects and purposes mentioned in the ordinance establishing the district (or to said objects and purposes as the same may be modified as provided in Section 13 hereof) and the payment of the incidental expenses in connection therewith. Said proceeds may be used to pay the interest on said bonds during the period of construction of any parking place and for a period of six months thereafter, provided that the total period during which interest is paid from such proceeds shall not exceed three years from the date of said bonds. Said bonds and the interest coupons thereof shall be negotiable instruments.

SEC. 17. With the proceeds from the sale of said bonds and with any moneys *which the city has agreed to contribute for the purpose, the city by and through its* proper officers shall make the acquisitions and improvements finally determined upon. All contracts for the construction of any improvements shall be let and entered into as other contracts are let and entered into by the city. When said acquisitions and improvements have been accomplished any unexpended bond proceeds shall be placed *in the fund for the payment of principal and interest of the outstanding bonds and* shall be used for no other purpose.

SEC. 18. After the bonds and all interest thereon have been fully paid, or prior thereto to the extent permitted by express provision of the ordinance, resolution or indenture providing for the issuance of said bonds, all revenues derived from the operation of the parking facilities *and not required* for the operation and maintenance of such facilities, may be used for the further improvement of such facilities or for the acquisition and improvement of other parking facilities for the benefit of the district, as the parking place commission of the district may decide.

SEC. 19. Whenever a district is created under this act, immediately upon the acquisition of the parking places, a parking place commission shall be appointed which shall have the powers, jurisdiction and authority granted in this act. In the discretion of the legislative body, such commission may be appointed at any time prior to such acquisition and *after* the adoption of the ordinance declaring the district formed. The commission shall consist of three members. Each commissioner shall be a resident and qualified elector of the city. Members of the commission shall serve without compensation, unless the legislative body shall determine that compensation shall be paid and shall fix such compensation to be paid from funds of the city. The compensation of a commissioner *shall not be increased or diminished during his term of office.* Members of the commission shall be appointed by the chief executive officer of the city, subject to confirmation by the legislative body thereof.

The commissioners shall hold office for the term of three years from the date of their appointment and qualification and until their successors are appointed and qualified, except that members of the first commission appointed shall classify themselves by lot so that one member holds office for one year, one for two years, and one for three years, and, in each instance, until a successor has been appointed and qualified, provided, however, that by a four-fifths vote a commissioner may be removed by the legislative body at any time

Commissioners shall be persons of business experience and ability to the end that the affairs of the district shall be administered in the interests of the district. Whenever there is filed with the legislative body, a petition signed by the owners owning real property in the district of an assessed value of more than fifty percent (50%) of the total assessed value of the taxable real property in said district, as shown by the last equalized assessment roll, requesting the removal of a commissioner, the legislative body shall immediately remove such commissioner, and a new commissioner shall be appointed in the same manner as for other appointments. The commissioner so removed shall be ineligible to hold office as a commissioner of the district for a period of one year following his removal.

SEC. 20. All property acquired under the provisions of this act shall be condemned or acquired in the name of the city and title to such property shall be in the city but shall be held by the city subject to the provisions of the act, and the parking places acquired shall be under the possession, jurisdiction and control of the commission of the district for which the same were acquired. The commission shall operate, manage and control said parking places and shall make and enforce all necessary rules and regulations for the use thereof. It shall fix, regulate and collect rentals, fees or other charges for the parking of vehicles therein and may provide different rates for different classes of customers or users.

The providing of adequate public parking places in cities largely depends upon the formation of parking districts. Such districts will be created and will be successful only if so operated as to serve the property within the district adequately. It is the intent of this act that the owners of real property in a parking district which is created hereunder to provide parking places to solve the parking problems of the district may receive preferential rates, charges, or rentals for themselves, their tenants and the classes of persons who call upon or do business with them, all to the end that the property which bears the burden and provides a solution for the parking problem shall receive a special benefit

All parking places acquired and constructed under this act shall be public parking places; but nevertheless the commission having jurisdiction over the parking places for any district may restrict or partially restrict the use of such parking places to owners and tenants, and classes of persons designated by such owners or tenants of real property in the parking district and may establish rates or charges or rentals for the owners and tenants of such properties and classes of persons designated by such owners or tenants which differ from and are less than the rates, charges, or rentals charged other persons.

Such rentals, fees and charges shall be fixed after public hearing following such notice as the commission may prescribe It shall appoint such employees, said employees to be selected as other city employees are selected, as it deems necessary and shall have complete charge, supervision and control of all parking places acquired for the district

So far as feasible, the commission shall fix such rentals, fees or charges as will produce sufficient revenue, when added to the expected revenues from parking meters pledged to the payment of the bonds of the district, to pay the principal and interest of said bonds as the same fall due.

SEC. 21. The commission in the exercise of its power to operate, manage and control parking places as provided in Section 20 hereof, shall have the power to lease any or all of said parking places, or grant a franchise therein, to any person, firm, or corporation for the sole purpose of the operation by said person, firm, or corporation of public parking facilities thereon, or may make a contract with any person, firm, or corporation for such purpose The consideration to be paid for any such lease or franchise or under any such contract by the operator may be a fixed sum or a percentage of gross rentals, fees or charges collected by the operator, or any other consideration. The maximum rentals, fees and charges to be collected by the operator shall be fixed by the board after public hearing as provided in Section 20 hereof and shall be recited in the lease or franchise, and no higher rentals, fees or charges shall be collected by the operator without amendment of said lease or franchise agreed to by the board after like public hearing Neither the commission nor any such operator shall conduct on any parking place any business other than that of the operation of public parking facilities. Any such lease or franchise may provide that the use of the parking places shall be restricted or partially restricted to owners and tenants, and classes of persons designated by such owners or tenants, of real property in the district, and may provide for maximum rates or charges or rentals for such owners or tenants and classes of persons designated by such owners or tenants which differ from and are less than the maximum rates, charges or rentals charged other persons, all as provided in Section 20 hereof.

To provide revenues for the district, the legislative body conducting the proceeding for the formation of the district, at any time prior to the formation of the district, or after the formation of the district and prior to the appointment of a commission therefor, may enter into a contract or lease with any owner or tenant of property in the district under which said owner or tenant, for a specified rental or other consideration and for a specified period not exceeding ten years, reserves a reasonable proportion or number of parking spaces in a parking place of the district, for the use of the owner of such property, the tenant or tenants thereof, the employees of any such owner or tenant performing services on such property, and the customers of, or other classes of persons designated by, such owner or tenant and entering said property as invitees or otherwise. After the appointment of a commission for the district such commission shall have the power to make such contracts or leases

SEC. 22. Notwithstanding any agreement made pursuant to the provisions of this act, as a covenant to bondholders or otherwise, to maintain parking meters on specified public ways in the district, parking meters need not be maintained:

(1) On any public way which has become a "freeway" or a "state highway" as said terms are defined in Sections 23.5 and 24 of the Streets and Highways Code.

(2) At any time and so long as (a) the net revenues from the parking places of the district during each of the two next previous fiscal years and available for the payment of principal and interest on the bonds of the district equaled or exceeded one and one-half times the principal and interest which has or will come due during the current fiscal year, and (b) the money in the fund to pay principal and interest on said bonds equals or exceeds all amounts coming due on principal and interest during the next following 12 months.

(3) At any time and so long as the money in the fund to pay principal and interest on the bonds of the district equals the total of the outstanding bonds and interest thereon to maturity.

(4) At any time after the bonds of said district and the interest thereon have been fully paid.

(5) On a public way or portion thereof, if the holders of not less than sixty percent (60%) of the outstanding bonds have agreed in writing that the maintenance of parking meters on said public way or portion thereof may be discontinued.

Any agreement to maintain parking meters on a public way shall not affect the right of a city, acting by virtue of its police power, to control, regulate or prohibit the parking of vehicles on any public way or portion thereof to the extent necessary to protect the public safety.

SEC. 23. This act shall not affect any other act or law relating to the same or a similar subject but is intended to provide an alternative method of procedure governing the subject to which it relates. When proceeding under the provisions of this act, its provisions and none other shall apply. The provisions of this act shall be liberally construed to effect the purposes thereof. No territory included within a parking district formed under the provisions of this act shall be included within any other such parking district or any vehicle parking district formed under any law of this State.

SEC. 24. No proceedings taken or bond issued under this act shall be held invalid for failure to comply with the provisions hereof; provided, the acts done and proceedings taken are not invalid under the provisions of the State or Federal Constitutions. Any procedure not herein expressly set forth but deemed necessary or convenient to carry out any of the purposes of this act is hereby authorized. This act shall be liberally construed. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this act. The Legislature declares that it would have passed this act irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases thereof be declared unconstitutional.

SEC. 25. Any charter city using the provisions of this act may by ordinance modify the procedure specified by this act, provided that such modified procedure is not invalid under the State or Federal Constitutions or the charter of said city."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 2858—An act to amend Section 5471 of, and to add Sections 5474 and 5476 to, the Health and Safety Code, relating to the financing of sanitation and sewerage systems.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

Strike out line 1 of the title of the printed bill; and in line 2 of said title, strike out "5476 to," and insert

"An act to add Section 4665.5 to".

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 4665.5 is added to the Health and Safety Code to read:

4665.5. As an alternate or supplemental method of raising the money to carry out the provisions of this chapter the board of supervisors may fix and collect use taxes, fees, tolls or charges for the use of facilities or lines maintained or operated by the district sufficient in amount to pay for the expenses, or a portion thereof, of the district in maintaining, operating, and repairing any works, lines, or improvements of the district and to defray all other expenses incidental to the exercise of any of the district's powers, including a sufficient amount of money, or a portion thereof, to pay to any city whose sewers shall be connected with pursuant to this chapter, the amount fixed as charges for the privilege of connecting with the city sewerage system or having the city maintain the sewer lines in the streets and public easements."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 23, inclusive; and strike out all of page 2.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 3291—An act to amend Section 30817 of the Water Code, relating to appointments in lieu of election in county water districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "amend Section 30817 of the Water Code, relating to appointments in lieu of election in", and insert "validate the organization of a".

Amendment No. 2

In line 2 of the title of said bill, strike out "districts", and insert "district".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 13, inclusive, and insert

"SECTION 1. The West Side County Water District is hereby declared to be a properly formed and legally organized county water district under the County Water District Law."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 2275—An act to add Chapter 7 to Title 6 of the Government Code, relating to urban districts, providing for the organization, operation and government of such districts, and defining their powers and duties.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 2, lines 3 and 4, of the printed bill, as amended in the Assembly on May 4, 1951, strike out "all or any part of the unincorporated territory of a county", and insert "150 or more acres of unincorporated territory of a county or consisting of unincorporated territory of a county in which 300 or more persons reside".

Amendment No. 2

On page 2, line 11, of said bill, strike out "if the district contains 500 or more registered voters,".

Amendment No. 3

On page 2, line 15, of said bill, strike out ", if the district contains less than 500 voters".

Amendment No. 4

On page 3 of said bill, strike out lines 17, 18, and 19, and insert "proposed district,".

Amendment No. 5

On page 3 of said bill, strike out lines 23 to 27, inclusive, and insert "trict."

Amendment No. 6

On page 4 of said bill, strike out lines 1 to 3, inclusive, and insert

"60533. The persons filing the petition shall pay all costs which may be incurred by the county in connection with the organization of the district if the organizational proceedings fail. If the district is organized such costs shall be paid by the county and the county shall be reimbursed for such costs out of the first funds collected for the use of the district."

Amendment No. 7

On page 4, line 16, of said bill, after "basis", insert ", and to incur indebtedness for such community buildings and appurtenant structures, after a hearing on the question of incurring such indebtedness is noticed and held by the board of selectmen and protests by the owners of a majority of the assessed valuation of the real property in the district as shown by the last equalized assessment roll is not made at such hearing, and a proposition approving the incurring of such indebtedness has been approved by a two-thirds vote of the electors residing within the district. Such indebtedness shall not exceed in the aggregate 15 percent of the assessed value of all real and personal property of the district."

Amendment No. 8

On page 4, line 17, of said bill, after "contract," insert "on an annual basis".

Amendment No. 9

On page 4 of said bill, strike out lines 21 to 26, inclusive, and insert "urban district or urban districts, of all such urban services as may be required by the urban district or urban districts. As used in this subdivision and elsewhere in this chapter "urban services" shall mean such municipal type services as are determined by the board of selectmen to be required for the protection of the public peace, health and safety of the inhabitants of the district and the property located therein, having due regard for the kind, quality, extent, standard or degree of the urban nature of land use in the district. Such annual service contracts shall provide for the payment by the district of all costs, direct or indirect, of urban services rendered within the district pursuant to such contracts by the contracting county, city or special district. All annual urban service contracts shall be effective upon the commencement of the fiscal year and may be renewed each year prior to the submission of the district's budget to the board of supervisors."

Amendment No. 10

On page 4, line 34, of said bill, after "required", insert "; provided that if county employees of the county within which the district is organized are selected in accordance with a civil service or merit system, all district employees other than the district manager shall be recruited and appointed in accordance with the same civil service or merit system so far as practicable"

Amendment No. 11

On page 4, line 40, of said bill, strike out "the district", and insert "a district in which 300 or more persons reside in the manner provided for in Sections 60551 to 60558 hereof."

Amendment No. 12

On page 6 of said bill, between lines 7 and 8, insert

"60559. If there are less than 300 residents in an urban district, a board of selectmen consisting of five members who are residents or owners of real property within the district, shall be appointed by the board of supervisors of the county in which the district is organized Each selectman so appointed shall serve for a term of four years, except that two of the first selectmen appointed for the district shall serve for terms ending on the tenth day of January of the year next succeeding their appointment and the remaining three selectmen shall serve for terms ending on the tenth day of January of the third year following their appointment. The terms of office of the first board of selectmen shall be designated by the board of supervisors at the time of their appointment Thereafter vacancies on the board shall be filled by appointment by the board of supervisors."

Amendment No. 13

On page 6 of said bill, strike out lines 20 to 52, inclusive; and on page 7, strike out lines 1 to 7, inclusive, and insert

"60563. The board of selectmen shall determine the urban service needs of the district and may, on behalf of the district, enter into annual contracts with the county, with any special district organized within the county or with any city in the county to furnish to the district the special services required and any such public agency is authorized to furnish such service to the district at not less than the actual cost thereof, direct and indirect, as it is authorized by law to furnish within its own territorial jurisdiction

60564 The board of selectmen shall inform the county board of supervisors of the needs of the district for regulatory measures pertaining to zoning, sub-divisions, roads, streets and traffic, flood control, building standards, permits and licenses, and other legislative matters affecting public health, safety and welfare within the the district

60565. The board of selectmen shall prepare and submit to the board of supervisors by the first of February of each year a budget stating the amount necessary to provide for payment of district overhead and administrative costs, payments of principal and interest due on indebtedness incurred for community and appurtenant buildings and payments required under annual urban service contracts of the district for the next fiscal year, and it shall be the duty of the board of supervisors to levy a tax to be known as the "(name of district) urban service district tax" against all the taxable property within the district at the time of levying county taxes to raise the amount of the budget The tax so levied shall be computed by the county auditor and shall be collected at the same time and in the same manner as county taxes and, when collected, shall be paid to the county treasurer for the use of said district. In the event that such budget is not submitted, it shall be the duty of the board of supervisors to require the immediate submission thereof If the overhead and administrative portion of the budget exceeds the amount that the board of supervisors feel should reasonably be collected for the purposes of the district, they shall require that that portion of the budget be reduced to an amount and in the manner as directed by them Copies of all annual service contracts and any other contractual obligations of the district shall be filed and submitted as a part of the budget."

Amendment No. 14

On page 7, line 28, of said bill, strike out "10", and insert "5".

Amendment No. 15

On page 7, line 30, of said bill, strike out "10", and insert "5"

Amendment No. 16

On page 9, lines 11 and 12, of said bill, strike out "if the district contains 500 or more registered voters".

Amendment No. 17

On page 9, lines 16 and 17, of said bill, strike out "if the district contains less than 500 registered voters"

Amendment No. 18

On page 10, line 21, of said bill, after "No", insert "portion of the".

Amendment No. 19

On page 10 of said bill, after line 24, insert

"60602. A district is dissolved upon its complete territorial inclusion within the limits of an incorporated city, whether by incorporation, annexation or otherwise,

and all property, both real and personal, owned by the district shall become the property of the city in which the district is located."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 3122—An act to amend Section 1 of an act entitled "An act making an appropriation for the support of the San Francisco World Trade Center Authority and for the purposes of the authority, and providing for the return thereof," approved July 25, 1949, relating to the San Francisco World Trade Center Authority.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 2, lines 11 and 12, of the printed bill, strike out "without regard to fiscal years", and insert "until June 30, 1954".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 343—An act to add Chapter 3.5 comprising Sections 5615 to 5686, inclusive, to Division 3 of the Business and Professions Code, relating to landscape architects, providing for the regulation and licensing thereof, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 4, line 51, of the printed bill, strike out "temporarily".

Amendment No. 2

On page 4, line 52, of said bill, strike out "permanently".

Amendment No. 3

On page 5 of said bill, strike out lines 15 to 51, inclusive.

Amendment No. 4

On page 6, line 1, of said bill, strike out "(b)", and insert "5665"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1684—An act to amend Section 7056 of the Business and Professions Code, relating to general engineering contractors.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 13, of the printed bill, strike out "structures", and insert "works".

Amendment No. 2

On page 1, line 16, of said bill, strike out "facilities", and insert "works".

Amendment No. 3

On page 2, line 2, of said bill, after "any", insert "construction".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1426—An act providing for the constitution of the municipal court in a district embracing the City of Pasadena, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 3, 1951, after "court", insert "established in the City of Pasadena and".

Amendment No. 2

On page 1, line 1, of said bill, after "established", insert "in the City of Pasadena and".

Amendment No. 3

On page 1 of said bill, strike out lines 8 to 12, inclusive, and insert "thirteen thousand five hundred dollars ($13,500) per annum, payable in equal monthly installments;".

Amendment No. 4

On page 1 of said bill, strike out lines 14 and 15, and insert "of the court, who shall receive six hundred sixty dollars ($660) monthly;".

Amendment No. 5

On page 1 of said bill, strike out lines 18 to 23, inclusive, and insert "One chief deputy clerk, who shall receive five hundred dollars ($500) monthly;".

Amendment No. 6

On page 2 of said bill, strike out lines 2 to 6, inclusive, and insert "whom shall receive four hundred dollars ($400) monthly;".

Amendment No. 7

On page 2 of said bill, strike out lines 7 to 32, inclusive, and insert "Four deputy clerks, each of whom shall receive three hundred fifty dollars ($350) monthly;

Four deputy clerks, each of whom shall receive three hundred dollars ($300) monthly;

Four deputy clerks, each of whom shall receive three hundred dollars ($300) monthly;

Four deputy clerks, each of whom shall receive two hundred seventy-five dollars ($275) monthly;

(d) There shall be one marshal to be appointed by the judges of the court who shall receive six hundred sixty dollars ($660) monthly;".

Amendment No. 8

On page 3 of said bill, strike out lines 9 to 13, inclusive, and insert "for keeping property."

Amendment No. 9

On page 3 of said bill, strike out lines 24 to 50, inclusive; and on page 4, strike out lines 1 to 5, inclusive.

Amendment No. 10

On page 4, line 6, of said bill, strike out "(h)", and insert "(g)".

Amendment No. 11

On page 4, line 15, of said bill, strike out "(i)", and insert "(h)".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

SECOND READING OF SENATE BILLS

Senate Bill No. 1816—An act to validate the acts and proceedings taken by or on behalf of fire protection districts in unincorporated territory.

Bill read second time, and ordered to third reading.

Senate Bill No. 60—An act to add Section 3102.5 to the Government Code, relating to an oath or affirmation of allegiance for civil defense workers and public employees.

Bill read second time, and ordered to third reading.

Senate Bill No. 233—An act to amend Section 13551 and to repeal Section 13552 of the Government Code, relating to prices to be charged for state printing.

Bill read second time, and ordered to third reading.

Senate Bill No. 291—An act to increase the statutory salaries and statutory compensation of state officers and employees.

Bill read second time, and ordered to third reading.

Senate Bill No. 414—An act to amend Sections 15000, 15004, 15154, 15254, 16900, 16906, 16950, 16953, 16959, 17000, 17001, 17080, and 17088 of, to add Sections 15004.2, 15151.3, 15159, 15160, 16161, 17000.1, 17000.2, 17000.3, 17000.4, 17080.1, 17080.2, 17080.3 and 17085.5 to, and to repeal Sections 16951, 16952, 16954, 16955, 16956, 16958, 17081, 17082, 17083, 17084, 17086, and 17087, and Articles 2, 3, and 4 of Chapter 22 of Part 1 of Division 13 of, the Health and Safety Code, relating to health and safety requirements for housing.

Bill read second time, and ordered to third reading.

Senate Bill No. 896—An act to repeal Section 8968 of the Business and Professions Code, relating to moneys in the Yacht and Ship Brokers Fund.

Bill read second time, and ordered to third reading.

Senate Bill No. 1210—An act to repeal an act entitled "An act to authorize the sale of a part of the property used by the Sonoma State Home and to provide for the disposition of the proceeds from such sale," approved July 15, 1949 (Chapter 904 of the Statutes of 1949).

Bill read second time, and ordered to third reading.

Senate Bill No. 184—An act to amend Section 457 of the Education Code, relating to county school superintendents' salaries and qualifications in counties of its fifty-seventh class.

Bill read second time, and ordered to third reading.

Senate Bill No. 1078—An act to add Section 1303.3 to the Education Code, relating to the Public School System of the State of California.

Bill read second time, and ordered to third reading.

Senate Bill No. 908—An act to amend Sections 14030 and 14034 of the Government Code and Section 2714 of the Penal Code, relating to expenditure of General Fund money in special Revolving Funds.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 2, line 8, of the printed bill, as amended in the Assembly on April 13, 1951, after "shall", insert "either within three months after completion of the project for which such portion was transferred or".

Amendment No. 2

On page 2, line 10, of said bill, after "therein", insert ", whichever is the earlier,".

Amendment No. 3

On page 2 of said bill, between lines 16 and 17, insert

"For the purpose of this section an estimate, prepared by the Division of Architecture upon receipt of bids, of the amount required for supervision, engineering, and other items, if any, necessary for the completion of a project on which a construction contract has been awarded shall be deemed a valid encumbrance and be included with any other valid encumbrances in determining the amount of an unencumbered balance."

Amendment No. 4

In line 2 of the title of said bill, strike out "and Section 2714 of the Penal Code".

Amendment No. 5

On page 3 of said bill, strike out all of lines 1 to 36, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 70—An act authorizing the sale or exchange of state property and providing for the disposition of the proceeds from said sale or exchange.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 2, of the printed bill, as amended in the Senate on March 28, 1951, strike out "adequate".

Amendment No. 2

On page 2 of said bill, between lines 6 and 7, insert

"Parcel 5. Situated in the County of Alameda, State of California, more particularly described in that certain trustee's deed dated May 25, 1950, between Bank of America National Trust and Savings Association, as trustee under the last will

and testament of Edward Frank, deceased, as party of the first part, and the State of California as party of the second part, recorded July 3, 1950, in Book 6154, Page 198, Official Records of Alameda County, California.

Parcel 6. The west 20 feet of the south half of the east half of Lot 6, in the block bounded by "L" and "M", Eighth and Ninth Streets of the City of Sacramento, according to the official map or plan of said city.

Parcel 7. The east 20 feet of the south half of the east half of Lot 6, in the block bounded by "L" and "M", Eighth and Ninth Streets of the City of Sacramento, according to the official map or plan of said city.

Parcel 8. The west half of the south half of Lot 5, in the block bounded by "L" and "M", Eighth and Ninth Streets, of the City of Sacramento, as shown on the official map or plan of said city."

Amendment No. 3

On page 2, line 9, of said bill, strike out "adequate".

Amendment No. 4

On page 3, line 18, of said bill, strike out "and for approximately equal".

Amendment No. 5

On page 3, line 19, of said bill, strike out "value".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 744—An act to amend Sections 11005, 13370, and 18004 of the Government Code, relating to approval powers of the Director of Finance or the Department of Finance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 18, of the printed bill, after "building", insert "or (3) to contracts entered into under the authority of Chapter 4 of Part 3 of Division 2 of the Insurance Code".

Amendment No. 2

On page 2, line 15, of the printed bill, after "Legislature", insert ", nor to any contract entered into under the authority of Chapter 4 of Part 3 of Division 2 of the Insurance Code".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 916—An act to amend Section 5003 of the Public Resources Code, relating to powers and duties of State Park Commission.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 5003", and insert "Sections 5003 and 5006.5".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, following line 20, insert

"SEC. 2. Section 5006.5 of the Public Resources Code is amended to read:

5006.5. The State Park Commission, with the consent of [the Governor and] the Department of Finance, may lease any interest in real property which the commission

deems necessary or proper for the extension, improvement, or development of the State Park System. No payment from state money in excess of one thousand dollars ($1,000) a year shall be made pursuant to any such lease unless and until money equal to or exceeding one-half of the excess over one thousand dollars ($1,000) shall have been made available for expenditure by the State for the purpose by some person, corporation, public district, municipality or political subdivision other than the State, or by the United States or an agency thereof.

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 939—An act to amend Section 692.5 of the Political Code, relating to approval by the Director of Finance of leases and licenses to use real property executed by the Reclamation Board.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In the title of the printed bill, as amended in the Senate on March 21, 1951, strike out lines 2, 3, and 4, and insert "tions 8361 and 8678 of the Water Code, relating to Flood Control, in respect to the Sacramento River Flood Control Project and the powers of the Reclamation Board over the use of real property."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, after line 14, insert

"SEC. 3. Section 8361 of said Code is amended to read:

8361. The department, acting by and through the State Engineer, shall maintain and operate on behalf of the State the following units or portions of the works of the Sacramento River Flood Control Project, and the cost of such maintenance and operation shall be defrayed by the State.

(a) The east levee of the Sutter By-pass north of Nelson Slough.

(b) The levees and channels of the Wadsworth Canal, *Willow Slough Channel downstream from the Southern Pacific Railroad from Davis to Woodland except that portion of the north levee thereof lying within Reclamation District No. 2035, Putah Creek downstream from Winters*, the intercepting canals draining into [it] *them*, and all structures incidental thereto.

(c) The collecting canals, sumps, pumps and structures of the drainage system of Project No. 6 east of the Sutter By-pass.

(d) The by-pass channels of the Butte Slough By-pass, the Sutter By-pass, the Tisdale By-pass, the Yolo By-pass and the Sacramento By-pass with all cuts, canals, bridges, dams, and other structures and improvements contained therein and in the borrow pits thereof.

(e) The levees of the Sacramento By-pass.

(f) The channels and overflow channels of the Sacramento River and its tributaries within the Sacramento and San Joaquin Drainage District.

(g) The Knights Landing ridge cut flowage area.

(h) The flood relief channels controlled by the Moulton and Colusa Weirs and the training levees thereof.

(i) The levee on the left bank of the Sacramento River adjoining Butte Basin, from the Butte Slough outfall gates upstream to a point four miles northerly from the Moulton Weir, after completion.

(j) All weirs and relief structures.

(k) The west levee of the Yolo By-pass, extending from the west end of the Fremont Weir southerly to the Cache Creek Settling Basin *and from Willow Slough Channel to Putah Creek* and the east levee of the Yolo By-pass from Fremont Weir southerly two miles.

(l) The levee on the west bank of Feather River extending a distance of about two miles southerly from the Sutter-Butte Canal headgate.

(m) The levees of Cache Creek and the easterly and westerly levees of Cache Creek settling basin.

Amendment No. 3

On page 1, line 15, of said bill, strike out "SEC 3.", and insert "SEC. 4."

Amendments read, and adopted

Bill ordered reprinted, and to third reading.

Senate Bill No. 1514—An act to add Section 25371 to the Government Code, relating to the leasing of county real property.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 7, of the printed bill, as amended in the Assembly on May 16, 1951, strike out all after the comma, and insert "provided that the use to which such property will be put, after construction thereon, is consistent with the use or purposes contemplated upon the original acquisition of such property or to which such property has been dedicated."

Amendment No. 2

On page 1 of said bill, strike out line 8.

Amendment No. 3

On page 1, line 9, of said bill, strike out "to any particular use or purpose"

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1591—An act to add Section 144.15 to the Welfare and Institutions Code, relating to public assistance in respect to real property owned by applicants at the time of application therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1, line 15, of the printed bill, as amended in the Senate on May 1, 1951, after the period, insert "The county may give such consent whenever it determines that the purposes of the law governing the form of public assistance for which the owner of the real property has applied or which he has received will be served thereby."

Amendment No. 2

On page 2, line 4, of said bill, after "ineligible", insert "to receive any public assistance".

Amendment No. 3

On page 2, line 7, of said bill, after "sold", insert "for a reasonable consideration".

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Social Welfare

Senate Bill No. 598—An act to amend Section 12465 of the Government Code, relating to the destruction of records in the custody of the Controller.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on April 19, 1951, after line 13, insert

"SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The Controller is in possession of 500 file cases of records which come within the provisions of this act allowing their destruction. The Controller has no storage space for them and they are impeding the functioning of that office. The Controller is about to turn over the files to the Secretary of State who is similarly without space and would be similarly impeded in the functioning of his office unless the authority to destroy these records is given by immediate effect of this act."

Amendment read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Governmental Efficiency and Economy.

UNFINISHED BUSINESS

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 2251 FROM COMMITTEE CONTINUED

By unanimous consent, the notice of motion by Mr. Elliott to withdraw Assembly Bill No. 2251 from committee was continued until the next legislative day.

NOTICES OF MOTIONS TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Shaw to reconsider the vote whereby Assembly Bill No. 1731 was passed, was continued until the next legislative day.

By unanimous consent, the notice of motion by Mr. Shaw to reconsider the vote whereby Assembly Bill No. 1883 was passed, was continued until the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Request for Unanimous Consent That Assembly Bill No. 302 Hold Place on File

Mr. Rosenthal asked for, and was granted, unanimous consent that Assembly Bill No. 302 be passed on file, and hold its place on file on the next legislative day.

Request for Unanimous Consent That Assembly Bill No. 1642 Hold Place on File

Mr. Caldecott asked for, and was granted, unanimous consent that Assembly Bill No. 1642 be passed on file, and hold its place on file on the next legislative day.

Request for Unanimous Consent That Assembly Bill No. 1985 Hold Place on File

Mr. Geddes asked for, and was granted, unanimous consent that Assembly Bill No. 1985 be passed on file, and hold its place on file on the next legislative day.

Assembly Bill No. 2573—An act to add Section 216 to the Revenue and Taxation Code, relating to tax assessments.

Bill read third time.

Motion to Amend

Mr. McFall moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 28, 1951, strike out lines 4 to 6, inclusive, and insert

"216 Water rights shall be assessed only as a part of the land and improvements benefited thereby."

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 743—An act to amend Section 737jj of the Political Code, and Section 79.36 of the Code of Civil Procedure, relating to superior judges' salaries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—61.

NOES—Cloyed—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2776—An act to amend Section 21189 of the Water Code, relating to contracts of group insurance or a system of group annuities in irrigation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Thomas, Waters, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 52—An act to amend Section 7420 of, and to add Section 7421 to the Business and Professions Code, relating to the granting of cosmetology licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, and Waters—61.

NOES—Hagen—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2599

Mr. Stewart asked for, and was granted, unanimous consent to take up the consideration of Senate amendments to Assembly Bill No. 2599, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2599—An act to add Sections 5.2 and 5.3 to, and amend Section 6 of the Metropolitan Water District Act, relating to the issuance of refunding bonds for the purpose of refunding bonds issued pursuant to the provisions of said Metropolitan Water District Act, and the government and management of metropolitan water districts and declaring the severability of the provisions hereof.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2599?

Amendment No. 1

On page 1 of the title of the printed bill, as amended in the Assembly on May 1, 1951, strike out line 2, and insert "to, and to amend Section 6 of, the Metropolitan".

Amendment No. 2

On page 1, lines 15 and 16, of said bill, as amended, strike out ", or are purchased upon tenders, pursuant to notice inviting such tenders", and insert "(including any premium required to call such bonds)".

Amendment No. 3

On page 2, lines 1 to 3, inclusive, of said bill, as amended, strike out "The issuance of refunding bonds under this section shall not be construed as incurring or increasing indebtedness within the meaning of this act and approval", and insert "Approval".

Amendment No. 4

On page 2, line 17, of said bill, as amended, strike out "held concurrently", and insert "consolidated".

Amendment No. 5

On page 2, line 19, of said bill, as amended, strike out "or may be consolidated therewith".

Amendment No. 6

On page 2, line 26, of said bill, as amended, strike out "called to be held concurrently", and insert "consolidated".

Amendment No. 7

On page 2, line 28, of said bill, as amended, strike out "or shall be consolidated therewith".

Amendment No. 8

On page 2, line 31, of said bill, as amended, after "but", insert "shall provide that the precincts, polling places and officers of election shall be the same as those provided for such other election and".

Amendment No. 9

On page 2, line 32, of said bill, as amended, strike out "calling such other election and".

Amendment No. 10

On page 2, line 33, of said bill, as amended, strike out "therefor", and insert "for such other election".

Amendment No. 11

On page 2, line 36, of said bill, as amended, strike out "and in such event the notice of such other"; and strike out lines 37 to 40, inclusive; and in line 41, strike out "section (b)", and insert "for the precincts, polling places and names of the officers of election".

Amendment No. 12

On page 2, lines 43 and 44, of said bill, as amended, strike out "calling such other election".

Amendment No. 13

On page 2, line 45, of said bill, as amended, strike out ", and the notice of such other election posted or"; and strike out lines 46 to 48, inclusive; and in line 49, strike out "hereunder".

Amendment No. 13½

On page 3, lines 2 and 3, of said bill, as amended, strike out "except as provided in this subsection (b)".

Amendment No. 14

On page 3, lines 3 to 5, inclusive, of said bill, as amended, strike out ", or publication of the names of election officers, or of the precincts or polling places".

Amendment No. 15

On page 3, lines 7 and 8, of said bill, as amended, strike out "held concurrently with such other election or consolidated therewith", and insert "consolidated with another election".

Amendment No. 16

On page 3, line 29, of said bill, as amended, strike out "seven", and insert "fourteen.(14)".

Amendment No. 17

On page 3 of said bill, as amended, strike out lines 34 to 37, inclusive, and insert "In the event that any election held hereunder shall be consolidated with another election, the proposition submitted pur-".

Amendment No. 18

On page 3, line 39, of said bill, as amended, after the comma, insert "and".

Amendment No. 19

On page 3, line 42, of said bill, as amended, after "bodies", insert "or officers".

Amendment No. 20

On page 3, line 46, of said bill, as amended, after "bodies", insert "or officers".

Amendment No. 21

On page 3, line 50, of said bill, as amended, strike out "tabulate", and insert "record".

Amendment No. 22

On page 4, line 7, of said bill, as amended, strike out "bill", and insert "act".

Amendment No. 23

On page 4, line 12, of said bill, as amended, strike out "a", and insert "A".

Amendment No. 24

On page 4, lines 13 and 14, of said bill, as amended, strike out "one-fiftieth (1/50)", and insert "one-fortieth (1/40)".

Amendment No. 25

On page 4, line 15, of said bill, as amended, after "thereof", insert a comma.

Amendment No. 26

On page 4 of said bill, as amended, strike out lines 18 to 24, inclusive, and insert "date."

Amendment No. 27

On page 4, line 37, of said bill, as amended, strike out "Such provisions shall be set forth", and insert "If the bond is callable, that fact shall be noted".

Amendment No. 28

On page 4, line 43, of said bill, as amended, strike out "Interest on such refund-"; and strike out line 44, and insert "Interest on any refunding bond called for redemption shall cease after the date fixed for redemption if moneys for such redemption are in the fund provided therefor."

Amendment No. 29

On page 5, line 15, of said bill, as amended, strike out "or purchase upon"; and strike out lines 16 to 19, inclusive; and in line 20, strike out "cipal place of business of the district".

Amendment No. 30

On page 6 of said bill, as amended, strike out line 10, and insert "the issuance of such refunding bonds, or division or series thereof, no action"

Amendment No. 31

On page 9, line 25, of said bill, as amended, strike out "other", and insert "of the".

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 2599 by the following vote:

AYES—Brady, Crowley, Hollibaugh, Lanterman, Lipscomb, Maloney, Niehouse, Porter, and Waters—9.

NOES—Babbage, Belotti, Brown, Burkhalter, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kirkwood, Klocksiem, Levering, Lincoln, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Parker, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, and Mr. Speaker—53.

Appointment of Committee on Conference Concerning Assembly Bill No. 2599

The Speaker announced the appointment of Messrs Stewart, Waters, and Porter as a Committee on Conference concerning Assembly Bill No. 2599.

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 1806

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CLARKE, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 295
Assembly Bill No. 382
Assembly Bill No. 2545

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills Nos. 295 and 2545 re-referred to the Committee on Agriculture.

Assembly Bill No. 382 re-referred to the Committee on Fish and Game.

Senate Bills Nos. 954 and 1634 re-referred to the Committee on Social Welfare.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3217

Mr. Lanterman asked for, and was granted, unanimous consent to take up Assembly Bill No. 3217, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 3217

Assembly Bill No. 3217—An act to add Chapters 3.3 and 3.5 to Part 2, Division 2 of, and to add Chapter 7 to Title 6 of the Government Code, relating to urban unincorporated areas.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 3, line 45, of the printed bill, as amended in the Assembly on May 7, 1951, strike out "adequate", and insert "equitable".

Amendment No. 2

On page 3, line 46, of said bill, strike out "multiple", and insert "special".

Amendment No. 3

On page 3, line 47, of said bill, strike out "throughout the", and insert "in many counties of the".

Amendment No. 4

On page 4, line 5, of said bill, strike out "persons and", and after "from", strike out "the".

Amendment No. 5

On page 4, line 6, of said bill, strike out "fund", and insert "funds".

Amendment No. 6

On page 4, line 12, of said bill, after the first "the", insert "special".

Amendment No. 7

On page 4, line 15, of said bill, after "for such", insert "special".

Amendment No. 8

On page 4, line 18, of said bill, after "provide", insert "an".

Amendment No. 9

On page 4, line 19, of said bill, strike out "methods", and insert "method".

Amendment No. 10

On page 4, line 21, of said bill, after "benefited", strike out "persons and"; and after "establish", insert "a".

Amendment No. 11

On page 4, line 22, of said bill, strike out "procedures", and insert "procedure".

Amendment No. 12

On page 4, line 28, of said bill, strike out "March 31", and insert "January 1"

Amendment No. 13

On page 4, line 29, of said bill, after "county", insert "after public hearing".

Amendment No. 14

On page 4, line 32, of said bill, after "urban", insert "when both of the following conditions are present".

Amendment No. 15

On page 4, line 33, of said bill, after "the", strike out "established or rapidly developing type of".

Amendment No. 16

On page 4, line 38, of said bill, after "use", strike out "and the degree and density of development are", and insert "is".

Amendment No. 17

On page 4, line 40, of said bill, after "nature", strike out "and extent of such development requires", and insert "of land use and density of development requires special".

Amendment No. 18

On page 4, line 41, of said bill, after "services", strike out "commonly provided within cities, because of"; and in line 42, strike out "population and land use density, which services are".

Amendment No. 19

On page 4, line 43, of said bill, after "rural", strike out "agri-"; and in line 44, strike out "cultural".

Amendment No. 20

On page 4, line 45, of said bill, after "All", strike out "unincorporated areas of", and insert "real property in".

Amendment No. 21

On page 4, line 49, of said bill, after "area", insert "in which the property is situated".

Amendment No. 22

On page 4, line 51, of said bill, after "aries of", insert ", and contiguous to improved property in".

Amendment No. 23

On page 4, line 52, of said bill, strike out "take into account whether the present or immediately", and insert "classify such unimproved real property as urban if it has been subdivided into parcels of 22,000 square feet or less Otherwise such unimproved property shall be classified as rural."

Amendment No. 24

On page 5 of said bill, strike out lines 1 and 2.

Amendment No. 25

On page 5 of said bill, strike out lines 3 to 28, inclusive, and insert

"25264 "Urban services" are those governmental services which cities of the sixth class are authorized by law to provide within their territorial limits, and which counties are also authorized by law to provide within their territorial limits. "Special urban services", as that term is used in this chapter, shall mean those urban services which are provided by a county:

(a) Only in the urban unincorporated area or areas of the county, and not within cities or the rural areas of the county; or

(b) Only in the unincorporated area of the county to the extent that the standard of urban services provided in the urban unincorporated areas of the county is higher than that provided in the rural areas of the county; or

(c) In all areas of the county, including cities, to the extent that the standard of urban services provided in the urban unincorporated areas of the county is higher than that provided in the rural areas of the county; provided, that in determining the standard of urban service provided in the rural areas of the county, the standard shall be increased by the amount of direct financial contribution to the same urban service within all cities in the county."

Amendment No. 26

On page 5, line 29, of said bill, strike out "July 1, 1953," and insert "January 1, 1954, except as provided in Section 25267".

Amendment No. 27

On page 5, line 31, of said bill, before "urban", insert "special".

Amendment No. 28

On page 5, line 31, of said bill, after "county", insert "in such areas".

Amendment No. 29

On page 5, line 31, of said bill, strike out "March 31," and insert "January 1,".

Amendment No. 30

On page 5, line 33, of said bill, strike out "in the manner above pro-"; and in line 34, strike out "vided the extent and cost of urban", and insert "the cost of special urban".

Amendment No. 31

On page 5 of said bill, after line 39, insert

"25266. "costs, direct and indirect", as used in this chapter means the total of all expenditures made by a county in providing special urban services, including, but not limited to the following items:

(a) Salaries of officers, employees and agents, including contributions made to pension or retirement plans or systems if any;

(b) Supplies and furnishings;

(c) That proportion of the general county administrative expense which is attributable to the provision of special urban services;

(c) The fair rental value of county buildings and equipment used in the provision of special urban services, or that proportion of the fair rental value of such buildings or equipment which is attributable to the provisions of special urban services.

25267. In any case where, after public hearing, the board of supervisors determines that an urban unincorporated area is unable to pay the cost of special urban services being provided in such area, and the provision of such services is necessary to the health or safety of the county as a whole, it may by resolution adopted by a four fifths vote of its members, declare such area a "Special Urban Service Relief Zone", and may thereafter contribute not to exceed fifty percent (50%) of the costs of such special urban services rendered in such area from general funds of the county.

25268. At any time before July 1, 1952, the board of supervisors may make a preliminary determination that there are no urban unincorporated areas in the county

or that no special urban services are provided by the county to urban unincorporated areas. The board shall then give notice of a public hearing to be held for the purpose of considering such preliminary determination. If, at such hearing, the board determines by resolution adopted by a four-fifths vote of its members that there are no urban unincorporated areas in the county or that no special urban services are provided such areas by the county, the county need not further comply with this chapter until such time as the county provides special urban services to an urban unincorporated area or areas within the county."

Amendment No. 32

On page 5, line 43, of said bill, before "URBAN", insert "SPECIAL".

Amendment No. 33

On page 5, line 45, of said bill, after "upon", strike out "persons"; and in line 46, strike out "and".

Amendment No. 34

On page 5, line 47, of said bill, strike out "an", and insert "a special".

Amendment No. 35

On page 5, line 52, of said bill, strike out "an", and insert "a special".

Amendment No. 36

On page 6, line 18, of said bill, after "establish", insert "special".

Amendment No. 37

On page 6, line 19, of said bill, after "of", insert "special".

Amendment No. 38

On page 6, line 22, of said bill, after "of", insert "special".

Amendment No. 39

On page 6 of said bill, strike out lines 41 to 44, inclusive, and insert

"25276. The board may establish the entire unincorporated area or areas of the county as a single special".

Amendment No. 40

On page 6 of said bill, strike out lines 46 to 51, inclusive; and on page 7, strike out lines 1 and 2, and insert

"25277. The board may establish more than one special urban service zone to correspond with special urban services provided in such zones."

Amendment No. 41

On page 7, line 9, of said bill, after "in", insert "special".

Amendment No. 42

On page 7, line 11, of said bill, after "of the", insert "special".

Amendment No. 43

On page 7, line 17, of said bill, after "the", insert "special".

Amendment No. 44

On page 7, line 19, of said bill, after "official", insert "special".

Amendment No. 45

On page 7, line 21, of said bill, after "city", strike out ", urban"; and in line 22, strike out "district".

Amendment No. 46

On page 7, line 24, of said bill, before "urban", insert "special".

Amendment No. 47

On page 7, line 29, of said bill, after "February", insert "As a part of its annual county budget hearings the board shall consider the requests of residents and property owners in special urban service zones for the provision by the county of additional special urban services or higher standards of service as well as requests for discontinuance or lower standards of service."

Amendment No. 48

On page 7, line 30, of said bill, strike out "an", and insert "a special".

Amendment No. 49

On page 7, line 33, of said bill, after "tax", insert ", at a rate not to exceed one dollar ($1) on each one hundred dollars ($100) of assessed value,".

Amendment No. 50

On page 7, line 34, of said bill, after "each", insert "special".

Amendment No. 51

On page 7, line 35, of said bill, after "of", insert "special".

Amendment No. 52

On page 7, line 39, of said bill, strike out "an", and insert "a special".

Amendment No. 53

On page 7, line 41, of said bill, after "All", insert "special".

Amendment No. 54

On page 7, line 42, of said bill, after "taxes", insert ", other than delinquent taxes,".

Amendment No. 55

On page 7 of said bill, strike out lines 44 to 49, inclusive.

Amendment No. 56

On page 8, line 1, of said bill, strike out "25284", and insert "25283".

Amendment No. 57

On page 8, line 4, of said bill, strike out "an", and insert "a special".

Amendment No. 58

On page 8, line 7, of said bill, after "of", insert "special".

Amendment No. 59

On page 8 of said bill, strike out lines 11 to 52, inclusive; and strike out all of pages 9, 10, 11, 12, 13, 14, 15, and 16.

Amendments read.

Motion That Assembly Bill No. 3217 Be Withdrawn From File, and Be Re-referred

Mr. Lanterman moved that Assembly Bill No. 3217 be withdrawn from the second reading file, with proposed committee amendments, and be re-referred to the Committee on Municipal and County Government.

Mr. Beck seconded the motion.

Substitute Motion

Mr Beck moved, as a substitute motion, that the amendments to Assembly Bill No. 3217, as proposed by the Committee on Municipal and County Government, be adopted, and that the bill be then re-referred to the Committee on Municipal and County Government

Mr. Munnell seconded the substitute motion.

Point of Order

Mr. Dolwig arose to the following point of order: That because Mr. Beck's substitute motion is a compound motion, it is not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Motion to Expunge Record and Rescind Action on Motion by Mr. Lanterman

Mr. Kirkwood moved to expunge the record, and rescind the action whereby the Assembly, at this time, has before it a motion by Mr. Lanterman.

Mr. Lowrey seconded the motion.

Point of Order

Mr. Dolwig arose to the following point of order: That, as there is no record to expunge, the motion by Mr. Kirkwood is not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Substitute Motion Renewed

Mr. Beck renewed his substitute motion and asked for a division of the question.

Ruling by Speaker

Speaker Sam L. Collins ruled that, pursuant to provisions of the order of business, in a division of the question, the motion to re-refer Assembly Bill No. 3217 to committee must be first considered, and the consideration of the proposed amendments must then be the next question.

Division of the Question

The question being on the substitute motion by Mr. Beck to withdraw Assembly Bill No. 3217 from the second reading file, and re-refer it to the Committee on Municipal and County Government.

The roll was called, and the motion lost by the following vote:

AYES—Babbage, Beck, Belotti, Coats, George D. Collins, Condon, Conrad, Cooke, Davis, Dunn, Grunsky, Hagen, Hansen, Lanterman, Levering, Lowrey, McGee, Moss, Munnell, Porter, Rosenthal, and Thomas—22.

NOES—Berry, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Dickey, Dolwig, Doyle, Erwin, Evans, Geddes, Grant, Gubser, Hawkins, Henderson, Hinckley, Hollibaugh, Klocksiem, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCollister, McMillan, Morris, Niehouse, Parker, Rumford, Shaw, Stanley, Stewart, and Mr. Speaker—36.

The question being on the adoption of the proposed committee amendments.

Consideration of Committee Amendments

Amendment No. 1

On page 3, line 45, of the printed bill, as amended in the Assembly on May 7, 1951, strike out "adequate", and insert "equitable".

Amendment No. 2

On page 3, line 46, of said bill, strike out "multiple", and insert "special".

Amendment No. 3

On page 3, line 47, of said bill, strike out "throughout the", and insert "in many counties of the".

Amendment No. 4

On page 4, line 5, of said bill, strike out "persons and", and after "from", strike out "the".

Amendment No. 5

On page 4, line 6, of said bill, strike out "fund", and insert "funds".

Amendment No. 6

On page 4, line 12, of said bill, after the first "the", insert "special".

Amendment No. 7

On page 4, line 15, of said bill, after "for such", insert "special".

Amendment No. 8

On page 4, line 18, of said bill, after "provide", insert "an".

Amendment No. 9

On page 4, line 19, of said bill, strike out "methods", and insert "method".

Amendment No. 10

On page 4, line 21, of said bill, after "benefited", strike out "persons and"; and after "establish", insert "a".

Amendment No. 11

On page 4, line 22, of said bill, strike out "procedures", and insert "procedure".

Amendment No. 12

On page 4, line 28, of said bill, strike out "March 31", and insert "January 1"

Amendment No. 13

On page 4, line 29, of said bill, after "county", insert "after public hearing".

Amendment No. 14

On page 4, line 32, of said bill, after "urban", insert "when both of the following conditions are present".

Amendment No. 15

On page 4, line 33, of said bill, after "the", strike out "established or rapidly developing type of".

Amendment No. 16

On page 4, line 38, of said bill, after "use", strike out "and the degree and density of development are", and insert "is".

Amendment No. 17

On page 4, line 40, of said bill, after "nature", strike out "and extent of such development requires", and insert "of land use and density of development requires special".

Amendment No. 18

On page 4, line 41, of said bill, after "services", strike out "commonly provided within cities, because of"; and in line 42, strike out "population and land use density, which services are".

Amendment No. 19

On page 4, line 43, of said bill, after "rural", strike out "agri-"; and in line 44, strike out "cultural".

Amendment No. 20

On page 4, line 45, of said bill, after "All", strike out "unincorporated areas of", and insert "real property in".

Amendment No. 21

On page 4, line 49, of said bill, after "area", insert "in which the property is situated".

Amendment No. 22

On page 4, line 51, of said bill, after "aries of", insert ", and contiguous to improved property in".

Amendment No. 23

On page 4, line 52, of said bill, strike out "take into account whether the present or immediately", and insert "classify such unimproved real property as urban if it has been subdivided into parcels of 22,000 square feet or less. Otherwise such unimproved property shall be classified as rural."

Amendment No. 24

On page 5 of said bill, strike out lines 1 and 2.

Amendment No. 25

On page 5 of said bill, strike out lines 3 to 28, inclusive, and insert

"25264. "Urban services" are those governmental services which cities of the sixth class are authorized by law to provide within their territorial limits, and which counties are also authorized by law to provide within their territorial limits. "Special urban services", as that term is used in this chapter, shall mean those urban services which are provided by a county:

(a) Only in the urban unincorporated area or areas of the county, and not within cities or the rural areas of the county; or

(b) Only in the unincorporated area of the county to the extent that the standard of urban services provided in the urban unincorporated areas of the county is higher than that provided in the rural areas of the county; or

(c) In all areas of the county, including cities, to the extent that the standard of urban services provided in the urban unincorporated areas of the county is higher than that provided in the rural areas of the county; provided, that in determining the standard of urban service provided in the rural areas of the county, the standard shall be increased by the amount of direct financial contribution to the same urban service within all cities in the county."

Amendment No. 26

On page 5, line 29, of said bill, strike out "July 1, 1953," and insert "January 1, 1954, except as provided in Section 25267".

Amendment No. 27

On page 5, line 31, of said bill, before "urban", insert "special".

Amendment No. 28

On page 5, line 31, of said bill, after "county", insert "in such areas".

Amendment No. 29

On page 5, line 31, of said bill, strike out "March 31," and insert "January 1,".

Amendment No. 30

On page 5, line 33, of said bill, strike out "in the manner above pro-"; and in line 34, strike out "vided the extent and cost of urban", and insert "the cost of special urban".

Amendment No. 31

On page 5 of said bill, after line 39, insert

"25266. "costs, direct and indirect", as used in this chapter means the total of all expenditures made by a county in providing special urban services, including, but not limited to the following items.

(a) Salaries of officers, employees and agents, including contributions made to pension or retirement plans or systems if any;

(b) Supplies and furnishings;

(c) That proportion of the general county administrative expense which is attributable to the provision of special urban services;

(e) The fair rental value of county buildings and equipment used in the provision of special urban services, or that proportion of the fair rental value of such buildings or equipment which is attributable to the provisions of special urban services

25267. In any case where, after public hearing, the board of supervisors determines that an urban unincorporated area is unable to pay the cost of special urban services being provided in such area, and the provision of such services is necessary to the health or safety of the county as a whole, it may by resolution adopted by a four fifths vote of its members, declare such area a "Special Urban Service Relief Zone", and may thereafter contribute not to exceed fifty percent (50%) of the costs of such special urban services rendered in such area from general funds of the county.

25268. At any time before July 1, 1952, the board of supervisors may make a preliminary determination that there are no urban unincorporated areas in the county or that no special urban services are provided by the county to urban unincorporated areas. The board shall then give notice of a public hearing to be held for the purpose of considering such preliminary determination If, at such hearing, the board determines by resolution adopted by a four-fifths vote of its members that there are no urban unincorporated areas in the county or that no special urban services are provided such areas by the county, the county need not further comply with this chapter until such time as the county provides special urban services to an urban unincorporated area or areas within the county."

Amendment No. 32

On page 5, line 43, of said bill, before "URBAN", insert "SPECIAL".

Amendment No. 33

On page 5, line 45, of said bill, after "upon", strike out "persons"; and in line 46, strike out "and".

Amendment No. 34

On page 5, line 47, of said bill, strike out "an", and insert "a special".

Amendment No. 35

On page 5, line 52, of said bill, strike out "an", and insert "a special".

Amendment No. 36

On page 6, line 18, of said bill, after "establish", insert "special".

Amendment No. 37

On page 6, line 19, of said bill, after "of", insert "special".

Amendment No. 38

On page 6, line 22, of said bill, after "of", insert "special".

Amendment No. 39

On page 6 of said bill, strike out lines 41 to 44, inclusive, and insert

"25276. The board may establish the entire unincorporated area or areas of the county as a single special".

Amendment No. 40

On page 6 of said bill, strike out lines 46 to 51, inclusive; and on page 7, strike out lines 1 and 2, and insert

"25277. The board may establish more than one special urban service zone to correspond with special urban services provided in such zones."

Amendment No. 41

On page 7, line 9, of said bill, after "in", insert "special".

Amendment No. 42

On page 7, line 11, of said bill, after "of the", insert "special".

Amendment No. 43

On page 7, line 17, of said bill, after "the", insert "special".

Amendment No. 44

On page 7, line 19, of said bill, after "official", insert "special".

Amendment No. 45

On page 7, line 21, of said bill, after "city", strike out ", urban"; and in line 22, strike out "district".

Amendment No. 46

On page 7, line 24, of said bill, before "urban", insert "special".

Amendment No. 47

On page 7, line 29, of said bill, after "February ", insert "As a part of its annual county budget hearings the board shall consider the requests of residents and property owners in special urban service zones for the provision by the county of additional special urban services or higher standards of service as well as requests for discontinuance or lower standards of service."

Amendment No. 48

On page 7, line 30, of said bill, strike out "an", and insert "a special".

Amendment No. 49

On page 7, line 33, of said bill, after "tax", insert ", at a rate not to exceed one dollar ($1) on each one hundred dollars ($100) of assessed value,".

Amendment No. 50

On page 7, line 34, of said bill, after "each", insert "special"

Amendment No. 51

On page 7, line 35, of said bill, after "of", insert "special".

Amendment No. 52

On page 7, line 39, of said bill, strike out "an", and insert "a special".

Amendment No. 53

On page 7, line 41, of said bill, after "All", insert "special".

Amendment No. 54

On page 7, line 42, of said bill, after "taxes", insert ", other than delinquent taxes,"

Amendment No. 55

On page 7 of said bill, strike out lines 44 to 49, inclusive.

Amendment No. 56

On page 8, line 1, of said bill, strike out "25284", and insert "25283".

Amendment No. 57

On page 8, line 4, of said bill, strike out "an", and insert "a special".

Amendment No. 58

On page 8, line 7, of said bill, after "of", insert "special".

Amendment No. 59

On page 8 of said bill, strike out lines 11 to 52, inclusive; and strike out all of pages 9, 10, 11, 12, 13, 14, 15, and 16

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Motion That Assembly Bill No. 3217 Be Withdrawn From File, and Be Re-referred

Mr. Beck moved that Assembly Bill No. 3217 be withdrawn from the second reading file, and be re-referred to the Committee on Municipal and County Government.

Mr. Munnell seconded the motion.

Ruling by Speaker

Speaker Sam L Collins ruled the motion by Mr. Beck not in order, at this time, because the bill has been sent to be reprinted.

RESOLUTIONS

The following resolution was offered:

By Mr. Dickey:

House Resolution No. 169

Relative to amending the Standing Rules of the Assembly

Resolved by the Assembly of the State of California, That the Standing Rules of the Assembly be amended by adding a new rule numbered 46.5 thereto to read

46.5. No special interim investigating committee of the Assembly shall be created except by resolution adopted by the affirmative vote of two-thirds of the membership of the Assembly.

This rule shall not be applicable to the standing committees of the Assembly which are authorized by resolution to conduct investigations during the interim between sessions.

Resolution read, and ordered referred to the Committee on Rules.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2355—An act to add Section 635.1 and to amend Section 735.3 of the Agricultural Code, relating to milk and dairy products.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 676—An act to amend Section 67 of the Unemployment Insurance Act of the State of California, relating to notices of benefit claims.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Coats, George D. Collins, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

MEMBER EXCUSED

At 11 a.m., Mr. McCollister asked for, and was granted, unanimous consent that Mr. Dills be excused, for the balance of the legislative day, because of legislative business elsewhere.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 155—An act to amend Section 370 of the Elections Code, relating to printing of indices of registration.

Bill read third time.

Motion to Amend

Mr. Waters moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 31, 1951, strike out "Sections 370 and", and insert "Section".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 20, inclusive.

Amendment No. 3

On page 1, line 21, of said bill, strike out "SEC. 2.", and insert "SECTION 1."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 191—An act to amend Section 2828 of the Elections Code, relating to removal of members of state and county central committees.

Bill read third time.

Motion to Amend

Mr. Waters moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 31, 1951, strike out "Sections 2828 and", and insert "Section".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 8, inclusive

Amendment No. 3

On page 1, line 9, of said bill, strike out "SEC 2.", and insert "SECTION 1."

Amendments read, and adopted

Bill ordered reprinted, and re-engrossed.

RESOLUTIONS

The following resolution was offered:

By Messrs. Waters, Hollibaugh, Lanterman, McGee, Klocksiem, Levering, Morris, Collier, Conrad, Porter, Hawkins, McMillan, Geddes, Rosenthal, Munnell, Dickey, Sam L. Collins, Grant, Thomas, Evans, Mrs. Niehouse, Messrs. Doyle, Lipscomb, Smith, Stewart, Erwin, Lyon, Chapel, and Burkhalter:

House Resolution No. 170

Relative to the taxation of women's and fraternal organizations

WHEREAS, As the result of a recent court decision in the case of *Simms* vs. *Los Angeles County* (1950), 35 Cal. 2d 303, many women's clubs, fraternal organizations

and others similar in nature have been denied tax reductions on their club houses which they have heretofore enjoyed; and

WHEREAS, These organizations are of great benefit to their communities and the State of California because of their interest in civic betterment and philanthropic work; and

WHEREAS, The activities in which these organizations engage result in great savings to the taxpayer, since many of the services they render would otherwise have to be furnished and financed through some governmental agency; and

WHEREAS, The added taxes imposed upon these organizations may cause many of them to cease operating and thus force additional responsibilities and duties upon governmental agencies at great cost to the taxpayers; and

WHEREAS, These organizations are non-profit in nature and afford no profit or gain to any individual; and

WHEREAS, It is to the interest of all levels of government to extend support to these organizations so that they may continue in the performance of their good work; and

WHEREAS, Despite repeated efforts during the 1951 Session of the California Legislature, no adequate solution to the furnishing of such support has been found, now, therefore, be it

Resolved by the Assembly of the State of California, That the present Assembly Interim Committee on State and Local Taxation, or any committee with similar functions created at this session of the Legislature, is hereby directed to study ways and means of providing adequate property tax relief to the aforementioned organizations so that they may be returned to the position which they heretofore enjoyed; and be it further

Resolved, That the committee report its findings and recommendations to this body at the next General Session of the Legislature.

Resolution read, and ordered referred to the Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 31, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 83

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 83—Approving certain amendments to the charter of the City of Oakland, a Municipal Corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the fifteenth day of May, 1951.

Referred to Committee on Rules.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 494—An act to add Section 5011 to the Elections Code, relating to offenses against candidates

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Coats, George D. Collins, Cooke, Crowley, Davis, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hawkins, Henderson, Hinckley, Lanterman, Lowrey, Luckel, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Thomas, and Waters—41.

NOES—Clarke, Cloyed, Conrad, Dickey, Erwin, Grant, Hagen, Hansen, Holibaugh, Levering, Lincoln, Lipscomb, Maloney, McCollister, McGee, Morris, Sherwin, Stanley, Stewart, and Mr. Speaker—20.

Notice of Motion to Reconsider Assembly Bill No. 494

Mr. Lyon gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 494 was this day passed.

Assembly Bill No. 2435—An act to amend Section 9050 of the Elections Code, relating to local, special, or consolidated elections.

Bill read third time, and ordered passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1715

Mr. Dunn asked for, and was granted, unanimous consent to take up his notice of motion to reconsider Assembly Bill No. 1715, temporarily passed on file.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 1715

In compliance with a notice given on a previous day, Mr. Dunn moved that the vote whereby Assembly Bill No. 1715 was passed be reconsidered.

The roll was called, and Assembly Bill No. 1715 refused consideration by the following vote:

AYES—Beck, Berry, Brady, Burkhalter, Chapel, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Doyle, Dunn, Elliott, Gaffney, Hagen, Hawkins, Henderson, Hinckley, Luckel, Maloney, McFall, McMillan, Meyers, Moss, Munnell, Parker, Rosenthal, Rumford Shaw, and Thomas—31.

NOES—Babbage, Belotti, Clarke, Cloyed, Conrad, Dickey, Dolwig, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hansen, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Lyon, McCarthy, McGee, Morris, Porter, Sherwin, Silliman, Stanley, Stewart, and Mr Speaker—31.

Assembly Bill No. 1715 ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2435—An act to amend Section 9050 of the Elections Code, relating to local, special, or consolidated elections.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, and Mr. Speaker—58

NOES—None

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 11.35 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 2895—An act to add Section 926a of the Health and Safety Code, relating to local health districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky,

Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, and Waters—59.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 290

Mr. Stewart asked for, and was granted, unanimous consent to take up Assembly Bill No. 290, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 290

Assembly Bill No. 290—An act to add Sections 9540 5, 9540.51, 9540 52, 9540 53, 9540.54, and 9540 55 to the Business and Professions Code, relating to the issuance of licenses by the State Board of Dry Cleaners.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, George D Collins, Connolly, Conrad, Cooke, Crowley, Dolwig, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kirkwood, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McFall, Meyers, Moss, Niehouse, Parker, Porter, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr Speaker—48.

NOES—Brady, Collier, Davis, Dickey, Doyle, Dunn, Hinckley, Klocksiem, Lowrey, McCollister, Munnell, and Rumford—12

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 981
Assembly Bill No. 1996
Assembly Bill No 2569
Assembly Bill No. 2621
Assembly Bill No. 2622

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 426
Assembly Bill No. 1903

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bills ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 3183

Has had the same under consideration, and respectfully reports the same back with amendments but without recommendation.

SHERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 424

Has had the same under consideration, and respectfully reports the same back without recommendation.

SHERWIN, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred: Assembly Bill No. 3433

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred: Senate Bill No. 1576

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred: Senate Bill No. 953
Senate Bill No. 1217

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred: Assembly Bill No. 3374

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SHERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred: Assembly Bill No. 132

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred: Assembly Bill No. 1879
Assembly Bill No. 2631

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bills ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1579—An act to amend Section 4032 of the Business and Professions Code, relating to the sale of drugs, chemicals and medicines.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stewart, Thomas, and Waters—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2252—An act to amend Sections 29001, 29007, 29012, 29014, 29020, and 29021 of, and to add Sections 29003.5 and 29003.6 to, the Health and Safety Code, relating to dangerous drugs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Stewart, Thomas, and Waters—58

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Assembly Bill No. 3189 Hold Place on File

Mr. Porter asked for, and was granted, unanimous consent that Assembly Bill No. 3189 be passed on file, and hold its place on file on the next legislative day.

Assembly Concurrent Resolution No. 86—Approving the charter amendments to the charter of the City of Compton, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the first day of May, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stewart, Thomas, Tomlinson, and Waters—65

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 87—Approving certain amendments to the charter of the City of Long Beach, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the eighth day of May, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—65

NOES—None

Resolution ordered transmitted to the Senate.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Senate Bill No. 806, on request of Mrs. Niehouse.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3418—An act to amend Section 28124 of the Government Code, relating to compensation for public service in counties of the twenty-fourth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stewart, Thomas, and Waters—60

NOES—Luckel—1.

Bill ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 49—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 15 5 to Article XVI thereof, relating to the issuance of bonds to provide loans and grants to school districts of the State.

Resolution read.

Motion to Amend

Mr. Dunn moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 8, of the printed measure, strike out "15", and insert "15 5".

Amendment read, and adopted.

Resolution ordered reprinted, and re-engrossed.

Request for Unanimous Consent That Assembly Bill No. 634 Hold Place on File

Mr. Stewart asked for, and was granted, unanimous consent that Assembly Bill No. 634 be passed on file, and hold its place on file on the next legislative day.

Request for Unanimous Consent That Assembly Bill No. 2695 Hold Place on File

Mr. Collier asked for, and was granted, unanimous consent that Assembly Bill No. 2695 be passed on file, and hold its place on file on the next legislative day.

Request for Unanimous Consent That Assembly Bill No. 2727 Hold Place on File

Mr. Stewart asked for, and was granted, unanimous consent that Assembly Bill No. 2727 be passed on file, and hold its place on file on the next legislative day.

Assembly Bill No. 3440—An act adding Sections 35002.5, 35003, 35158 and 35326 to and amending Sections 35101 and 35313 of, the Government Code, relating to the annexation of territory to municipal corporations, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Request by Unanimous Consent That Proposed Amendments Be Printed in Journal

Mr. Kirkwood asked for, and was granted, unanimous consent that proposed amendments to Assembly Bill No. 3440 be ordered printed in the Journal, without action at this time, as follows:

Proposed Amendments by Mr. Kirkwood

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 28, 1951, strike out "35158", and insert "35003.5, 35105.5, 35158, 35304.5".

Amendment No. 2

On page 1 of said bill, between lines 15 and 16, insert

"SEC. 2.5. Section 35003.5 is added to said code to read:

35003.5 Notwithstanding the provisions of Sections 35002.5 and 35003, territory which is wholly owned by a public agency may, with the consent of the public agency be annexed to a city together with any street, highway or road which connects such territory to the city."

Amendment No. 3

On page 1 of said bill, after line 20, insert

"SEC. 3.5. Section 35105.5 is added to said code to read:

35105.5 Notwithstanding the provisions of Sections 35002.5 and 35003, territory consisting of property abutting on a roadway and the roadway to the extent that it abuts such property may be annexed to a city pursuant to this article, provided, that if any portion of such territory or roadway is situated within three miles of the boundaries of any other city the consent of the legislative body of such other city shall first be obtained.

The provisions of this section shall apply to annexation proceedings commenced after the effective date of this act and to proceedings for the annexation of territory some portion of which is situated within three miles of the boundaries of any other city, commenced prior to such effective date which have not been completed by June 1, 1951."

Amendment No. 4

On page 2 of said bill, between lines 5 and 6, insert

"SEC. 4.5. Section 35304.5 is added to said code to read:

35304.5 Notwithstanding the provisions of Sections 35002.5 and 35003 territory consisting of property abutting on a roadway and the roadway to the extent that it abuts such property may be annexed to a city pursuant to this article if the owner or owners of such abutting property assent to such annexation, provided that if any portion of such territory is situated within three miles of the boundaries of any other city the consent of the legislative body of such other city shall first be obtained.

The provisions of this section shall apply to annexation proceedings commenced after the effective date of this act and to proceedings for the annexation of territory some portion of which is situated within three miles of the boundaries of any other city commenced prior to such effective date which have not been completed by June 1, 1951."

Proposed Amendments by Mr. Thomas

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 28, 1951, strike out "and 35326", and insert "35326 and 35567".

Amendment No. 2

In line 2 of the title of said bill, after "35101", insert ", 35104".

Amendment No. 3

On page 1 of said bill, after line 20, insert

"SEC. 4. Section 35104 of said code is amended to read:

35104. To qualify for annexation, new territory shall be contiguous to:

(a) The city, or

(b) Contiguous territory where the electors have voted for annexation to the city.

When new territory is divided from a city by only a road or highway, one part of the length of which road or highway bordering upon said new territory is in one city and the other part is in another city, such new territory shall be deemed to be contiguous to either city, and may be annexed by either city, and should such annexation be completed, the entire portion of said road bordering upon said new territory shall thenceforth be deemed to be annexed to said annexing city."

Amendment No. 4

On page 2, line 1, of said bill, strike out "SEC. 4", and insert "SEC. 5".

Amendment No. 5

On page 2, line 6, of said bill, strike out "SEC. 5", and insert "SEC. 6".

Amendment No. 6

On page 2, line 15, of said bill, strike out "SEC. 6", and insert "Sec. 7".

Amendment No. 7

On page 2 of said bill, between lines 18 and 19, insert

"SEC. 8. Section 35567 is added to the Government Code to read:

35567. Any street or roadway or portion thereof heretofore or hereafter annexed by one or more cities may be excluded from any city annexing the same, provided the exclusion thereof shall not operate to disconnect any territory of such city from the city and provided that such exclusion shall not make any territory of said city noncontiguous to said city.

The legislative body of a city desiring to exclude such roadway or street from the city may pass a resolution to that effect and cause a certified copy thereof to be filed with the Secretary of State and also with the Board of Supervisors of the County in which the same is located and thereupon said exclusion shall be deemed to be complete."

Amendment No. 8

On page 2, line 19, of said bill, strike out "SEC. 7", and insert "SEC. 9"

Amendment No. 9

On page 2, line 25, of said bill, strike out "SEC 8", and insert "SEC. 10".

Assembly Concurrent Resolution No. 25—Relative to approving a charter of the County of Santa Clara, State of California, voted for and ratified by the qualified electors of said county at the general election held therein on the seventh day of November, 1950.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niebouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—68.

NOES—None

Resolution ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 54—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 8a to Article XI thereof, relating to the charters of cities and cities and counties.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—61.

NOES—None.

Notice of Motion to Reconsider Assembly Constitutional Amendment No. 54

Messrs. Munnell and Dunn gave notice that on the next legislative day they would move to reconsider the vote whereby Assembly Constitutional Amendment No. 54 was this day adopted.

Assembly Bill No. 1534—An act to amend Section 2137.1 of the Business and Professions Code, relating to persons authorized to practice medicine and surgery in state institutions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Coats, George D. Collins, Condon, Conrad, Cooke, Crowley, Dickey, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lowrey, Maloney, McCarthy, McFall, Meyers, Moss, Munnell, Parker, Rosenthal, Shaw, Sherwin, Silliman, Stanley, Stewart, and Waters—47.

NOES—Connolly, Grant, Lipscomb, and Rumford—4

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Assembly Bill No. 2689 Hold Place on File

Mr. Burkhalter asked for, and was granted, unanimous consent that Assembly Bill No. 2689 be passed on file, and hold its place on file on the next legislative day

Assembly Bill No. 1356—An act providing for the constitution of a municipal court in a district embracing the City of Oakland, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Klocksiem, Levering, Lincoln, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Moss, Munnell, Niehouse, Parker, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, and Waters—56

NOES—None.

Bill ordered transmitted to the Senate,

NOTICE OF MOTION TO AMEND STANDING RULE NO. 9 BY MR. SILLIMAN

Pursuant to Rule No. 5, Mr. Silliman gave notice that on the next legislative day he would move to repeal Standing Rule No. 9.

NOTICE OF MOTION TO AMEND STANDING HOUSE RULES NOS. 8 AND 10

Mr. Silliman gave notice of motion that on the next legislative day he would move to amend Standing House Rules Nos. 8 and 10, and by unanimous consent, his notice of motion and proposed amendments were ordered printed in the Journal, in 10 point type, as follows:

NOTICE OF MOTION TO AMEND STANDING HOUSE RULES NOS. 8 AND 10 GIVEN

I hereby move that Rules 8 and 10 of the Standing Rules be amended to read:

8. ~~For their convenient functioning and in furtherance of the thorough consideration of all bills on a given subject, the several standing committees of the Assembly are respectively grouped into the following categories:~~

~~A Legislature:~~

(a) Two committees to consider legislative organization, functions and procedure *are hereby created*.

(1) Committee on Rules

There is a Committee on Rules, No 1, which shall act as ~~an~~ *the* executive committee of the House ~~having the following powers:~~. *The committee shall consist of the Speaker, who shall be the chairman and six other members, three of whom shall be members of the minority party and three of whom shall be members of the majority party. The chairman of each minority and majority party caucus shall within twenty-four (24) hours after the operative date of this rule, as amended, file with the Chief Clerk a list of three nominees for membership on the Committee on Rules. Upon the filing of each such list, the Speaker shall immediately present the name of each nominee to the Assembly for its approval or rejection in the order filed. If approved by a majority of the elected membership of the Assembly, the nominee shall be declared elected as a member of the committee If a nominee shall fail to receive such approval, the committee membership to which he would have been elected shall remain vacant until the chairman of his party caucus shall have filed the name of another nominee for the position who shall be thereafter approved by a majority of the elected membership of the Assembly. Vacancies in the Committee on Rules occurring during any session of the Legislature shall be filled by election as herein provided, and vacancies occurring after final adjournment and before the convening of the next session of the Legislature shall be filled temporarily, and until such convening, by the remaining committee members who are members of the same party as that of the member causing the vacancy. Four duly qualified members of the committee shall constitute a quorum. No member of the Committee on Rules is eligible to serve as the chairman of a standing committee. The Committee on Rules, as constituted prior to the operative date of this amendment, is hereby abolished.*

The Committee on Rules provided herein shall have the following powers:

To recommend the appointment of all attaches and employees of the Assembly not otherwise provided for by statute. It shall have authority to suspend, with or without pay, any such attache or employee for incompetency or dereliction of duty, pending final action by the Assembly.

To propose a schedule of meetings of standing committees.

To make studies and recommendations designed to promote, improve, and expedite the business and procedure of the Assembly and of the committees thereof, and to propose any amendments to the Rules deemed necessary to accomplish such purposes.

The Committee on Rules shall continue in existence during any recess of the Legislature and after final adjournment and until the convening of the next regular general session and shall have the same powers and duties as while the Assembly is in session. In dealing with any matter within its jurisdiction the committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the Joint Rules of the Senate and Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to the Committee on Rules and its members.

The Committee on Rules shall for the purpose of Joint Rule No 2 be deemed to be the Rules Committee of the Assembly.

(2) Committee on Legislative Procedure

There is a Committee on Legislative Procedure, No. 2, which shall have and exercise the following powers:

To be the Committee on Engrossment and Enrollment within the meaning of the Joint Rules It shall be the duty of the Committee on Legislative Procedure to compare all bills, ordered or considered engrossed by the Assembly, with the engrossed copies thereof; and, before they pass out of the possession of the Assembly, see that the engrossed bill is a true copy of the original, with such amendments as may have been made thereto; and said committee shall see that all engrossed bills are reported back in the order in which they were ordered engrossed. The report of the Committee on Legislative Procedure shall be in order at any time.

To consider and report on bills introduced after the constitutional recess.

To assist the Speaker, upon his request, in recommending the reference of bills to the appropriate standing committee.

(b) Twenty-three standing committees of the Assembly are hereby created, upon the several subjects, and numbered respectively, as follows:

1. Rules
2. Legislative Procedure
3. Conservation, Planning, and Public Works
4. Fish and Game
5. Governmental Efficiency and Economy
6. Revenue and Taxation
7. Ways and Means
8. Education
9. Boards and Commissions

10. Public Health
11. Social Welfare
12. Civil Service and State Personnel
13. Military Affairs
14. Municipal and County Government
15. Elections and Reapportionment
16. Judiciary
17. Constitutional Amendments
18. Agriculture
19. Public Utilities and Corporations
20. Manufacturing, Oil, and Mining Industry
21. Industrial Relations
22. Finance and Insurance
23. Transportation and Commerce

Prior to the assignment of members to serve on the several standing committees, the Speaker shall consider the preferences of the members with regard to committee assignments, while keeping in view the practical necessity of making assignments so that members will not serve on more than one committee which meets at the same time, and the Speaker thereafter shall determine the number and members to serve on each standing committee *, except the Committee on Rules which is hereinabove provided for* . Upon publication in the Journal of the number of members on each standing committee, no further change in the number of members of the committee shall be made otherwise than by a majority vote of the elected membership of the Assembly.

No Member of the Assembly shall be a member of more than three standing committees except that upon appointment by the Speaker or the approval of the House a member may serve on four committees.

A vote of a majority of the entire elected membership is necessary in order to constitute any standing committee an interim committee; and a vote of two-thirds of the elected membership is necessary in order to create any other standing committee.

There shall be published weekly in the Assembly Weekly History during each session of the Legislature a chart showing the Rational Organization of the Standing Committees of the Assembly and showing Chairman and Vice Chairman, Number of Members, Time of Meeting, Room Number, Total Number of Measures, "referred" and "action pending," and a meeting schedule for each day of the week

(c) This rule as amended shall become operative on the ninth calendar day prior to final adjournment of the 1951 Regular Session.

10. The Speaker shall possess the powers and perform the duties prescribed:

(a) To preserve order and decorum; he may speak to points of order in preference to the other members, rising from his chair for that purpose.

(b) To decide all questions of order subject to appeal to the Assembly by any member. On every appeal, he shall have the right to assign his reason for his decision.

(c) To have general direction over the Assembly Chamber and rooms set aside for the use of the Assembly, including the rooms for use by members as private offices.

(d) To name any member to perform the duties of the Speaker, but such substitutions shall not extend beyond adjournment.

(e) To appoint the membership of all standing and special committees, and their respective chairmen and vice chairmen.

(f) To propose a schedule of meetings of standing committees.

(g) To have general control and direction over the Journals, papers, and bills of the Assembly.

(h) To act as Chairman of the Committee of the Whole.

(i) To order the Lobby and Gallery cleared whenever he shall deem it necessary.

(j) To assign desks to properly accredited newspaper representatives.

(k) To authenticate by his signature, when necessary, or when required by law, all bills, memorials, resolutions, orders, proceedings, writs, warrants, and subpenas issued by order of the Assembly.

(*l*) The Speaker shall be ex officio member of all Assembly, joint, and interim committees with all of the rights and privileges of such membership, except the right to vote. In counting a quorum of any such committees, the Speaker shall not be counted as a member.

(m) The provisions of subdivision (l) of this rule do not apply to the Speaker as a member of the Committee on Rules.

(n) This rule as amended shall become operative on the ninth calendar day prior to final adjournment of the 1951 Regular Session.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS

Senate Bill No. 1587—An act to add Section 103.4 to the Welfare and Institutions Code, relating to absence of recipients of public assistance from the State.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Coats, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Stanley, and Waters—53.

NOES—None.

Bill ordered transmitted to the Senate.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 2370, on request of Mr. Lipscomb.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 372—An act to amend Section 2001 of the Government Code, relating to public officers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Coats, George D Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Tomlinson, and Waters—60.

NOES—None.

Bill ordered transmitted to the Senate.

UNANIMOUS CONSENT GRANTED TO REQUEST THE SENATE TO RETURN ASSEMBLY BILL NO. 1818

Mr. Brown asked for, and was granted, unanimous consent that the Chief Clerk be instructed to request the Senate to return Assembly Bill No. 1818 for further consideration.

UNANIMOUS CONSENT GRANTED TO REQUEST THE SENATE TO RETURN ASSEMBLY BILL NO. 611

Mr. Stewart asked for, and was granted, unanimous consent that the Chief Clerk be instructed to request the Senate to return Assembly Bill No. 611 for further consideration.

UNANIMOUS CONSENT GRANTED TO REQUEST THE SENATE TO RETURN ASSEMBLY BILL NO. 614

Mr. Stewart asked for, and was granted, unanimous consent that the Chief Clerk be instructed to request the Senate to return Assembly Bill No. 614 for further consideration.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 72

Mr. Cooke asked for, and was granted, unanimous consent to take up Senate Bill No. 72, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 72

Senate Bill No. 72—An act to amend the Water Conservation Act of 1931 by adding thereto new sections designated 30.2 and 35.1, relating to the authorization and levy of annual assessments and special assessments upon real property within water conservation districts and improvement districts created therein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, Meyers, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Waters, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 267

Mr. Cooke asked for, and was granted, unanimous consent to take up Senate Bill No. 267, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 267

Senate Bill No. 267—An act to amend Section 2 of the Water Conservation Act of 1927, relating to the powers of districts formed under said act.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, Meyers, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Waters, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 71

Mr Cooke asked for, and was granted, unanimous consent to take up Senate Bill No. 71, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 71

Senate Bill No. 71—An act to amend the Water Conservation Act of 1931 by adding thereto new sections designated 3.1, 30.1, 36.1, 56.1, 61.1, 67.1, and 77.1, relating to the authorization, issuance, and payment of bonds of water conservation districts and improvement districts created under said act and the levy of assessments upon real property for the payment thereof, repealing Chapter 63 of the Statutes of the 1950 First Extraordinary Session, and validating districts organized pursuant to said Water Conservation Act of 1931, as amended by said Chapter 63.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, Meyers, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Waters, and Mr Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1662

Mr. Henderson asked for, and was granted, unanimous consent to take up Senate Bill No 1662, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1662

Senate Bill No. 1662—An act to amend Sections 7580 and 7581 of the Business and Professions Code, relating to a schedule of license fees for private investigators and adjusters and creating a Private Investigator and Adjuster Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Moss, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Thomas, and Waters—57.

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr. Maloney asked for, and was granted, unanimous consent that his name be placed upon the roll call on Senate Bill No. 1662, and that he be recorded as voting "Aye" instead of "No".

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 12.30 p.m., Mr. Hollibaugh asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Revenue and Taxation at his desk, upon adjournment.

ANNOUNCEMENT

Mr Beck announced that a Democratic Caucus will be held today, upon adjournment, in a conference room in the Capitol.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 913

Mr. Erwin asked for, and was granted, unanimous consent to take up Senate Bill No. 913, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 913

Senate Bill No. 913—An act to amend Section 28121 of the Government Code, relating to counties of the twenty-first class

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Condon, Cooke, Crowley, Davis, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McFall, Meyers, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Sherwin, Stanley, Thomas, and Waters—49.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 100—An act to add Section 951.1 to the Fish and Game Code, relating to trawl nets.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Thomas, Tomlinson, and Waters—58

NOES—None.

Bill ordered transmitted to the Senate.

Senate Concurrent Resolution No. 82—Relative to representation of legislators in the action entitled "Hatch v. Wildlife Conservation Board."

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—60.

NOES—None.

Notice of Motion to Reconsider Senate Concurrent Resolution No. 82

Mr. Erwin gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Concurrent Resolution No. 82 was this day adopted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1659

Mr. Henderson asked for, and was granted, unanimous consent to take up Senate Bill No. 1659, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1659

Senate Bill No. 1659—An act to amend Sections 7524, 7525, 7526, 7528, 7551, 7552, and 7553 of the Business and Professions Code, relating to the regulation, registration, and licensing of private investigators and adjusters.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1660

Mr. Henderson asked for, and was granted, unanimous consent to take up Senate Bill No. 1660, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1660

Senate Bill No. 1660—An act to amend Sections 7500, 7503, 7504, 7510, 7514, 7520, 7529, 7533, 7534, 7536, 7538, 7541, 7543, 7545, and to repeal Sections 7506, 7529.5 ,7530, 7537, and 7567 of, and to add Section 7530 to, the Business and Professions Code, relating to the regulation of licensees of the Bureau of Private Investigators and Adjusters.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burkhalter, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Klocksiem, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Moss, Munnell, Nichouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Thomas, and Waters—55.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1661

Mr. Henderson asked for, and was granted, unanimous consent to take up Senate Bill No. 1661, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1661

Senate Bill No. 1661—An act to amend Section 7521 and 7522 of the Business and Professions Code, relating to private investigators and adjusters.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burkhalter, Caldecott, Clarke, Coats, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Klocksiem, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Moss, Munnell, Nichouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Thomas, Waters, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Burkhalter:

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 35250, 35251, 35254, 35255, and 35258 of the Government Code, relating to the exclusion and annexation of territory of cities.

Respectfully submitted.

EVERETT G. BURKHALTER

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Burkhalter:

An act to amend Sections 35250, 35251, 35254, 35255, and 35258 of the Government Code, relating to the exclusion and annexation of territory of cities.

GRUNSKY, Vice Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Thomas, Waters, and Mr. Speaker—60.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3449: By Mr. Burkhalter—An act to amend Sections 35250, 35251, 35254, 35255, and 35258 of the Government Code, relating to the exclusion and annexation of territory of cities.

Referred to Committee on Municipal and County Government.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 353

Mr. Belotti asked for, and was granted, unanimous consent to take up Senate Bill No. 353, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 353

Senate Bill No. 353—An act to authorize the exchange by the State Park Commission of lands in Del Norte County deeded to the State in addition to Mill Creek State Park for lands along Smith River adjacent to existing state park.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Stanley, Thomas, and Mr. Speaker—57.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 74

Mr. Lowrey asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 74, temporarily passed on file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 74

Senate Concurrent Resolution No. 74—Relating to establishing R. O. T. C. flying instruction at Davis.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, and Waters—64.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 301

Mr. Lowrey asked for, and was granted, unanimous consent to take up Senate Bill No. 301, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 301

Senate Bill No. 301—An act to amend Section 9809 of the Education Code, relating to the computation of excess cost of educating mentally retarded pupils.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, George D Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—60.

NOES—None

Bill ordered transmitted to the Senate.

Speaker Presiding

At 12.52 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 928

Mr. Geddes asked for, and was granted, unanimous consent to take up Senate Bill No. 928, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 928

Senate Bill No. 928—An act to add Article 3 to Chapter 3 of Part 3, Division 2 and to amend Section 1282 of, and to add Section 11732.1 to, the Insurance Code, relating to the regulation of rating and other organizations for workmen's compensation insurance and employers' liability insurance incidental thereto and written in connection therewith.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Klocksiem, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1563

Mr. George D. Collins asked for, and was granted, unanimous consent to take up Senate Bill No. 1563, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1563

Senate Bill No. 1563—An act to provide for the placing in civil service of employees of certain local agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Klocksiem, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 386

Mr. Connolly asked for, and was granted, unanimous consent to take up Senate Bill No. 386, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 386

Senate Bill No. 386—An act to amend Section 6060 and to add Section 6060.1 to the Business and Professions Code, relating to qualifications of applicants to the practice of law, and the accreditation of law schools in California.

Bill read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Caldecott, Condon, Connolly, Crowley, Dickey, Erwin, Fleury, Grunsky, Hagen, Hansen, Hollibaugh, Luckel, Maloney, McFall, McGee, Meyers, Moss, Munnell, Rosenthal, Shaw, Stewart, Tomlinson, and Mr. Speaker—28.

NOES—Belotti, Burkhalter, Chapel, Clarke, Cloyed, Coats, George D. Collins, Cooke, Davis, Doyle, Dunn, Elliott, Evans, Gaffney, Geddes, Grant, Hawkins, Henderson, Hinckley, Klocksiem, Lincoln, Lowrey, McCollister, Parker, Porter, Rumford, Sherwin, and Thomas—28.

Request for Unanimous Consent to Expunge Record, and Rescind Action on Senate Bill No. 386

Mr Connolly asked for unanimous consent to expunge the record, and rescind the action whereby the Assembly, on this day, refused passage to Senate Bill No. 386.

Mr. Evans withheld unanimous consent.

Notice of Motion to Reconsider Senate Bill No. 386

Mr. Connolly gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 386 was this day refused passage.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 820

Mr. Rumford asked for, and was granted, unanimous consent to take up Senate Bill No. 820, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 820

Senate Bill No. 820—An act to amend Section 11166.12 of the Health and Safety Code, relating to narcotics.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Klocksiem, Levering, Lincoln, Lowrey, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin Thomas, Waters, and Mr. Speaker—57.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 640

Mr. Gaffney asked for, and was granted, unanimous consent to take up Senate Bill No. 640, temporarily passed on file, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 640

Senate Bill No. 640—An act to amend Sections 5, 6, and 7 of, and to add Section 3¼ to, the Highway Carriers' Act, relating to highway carriers.

Bill read third time.

Motion to Amend

Mr. Gaffney moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on May 22, 1951, after the second comma, insert "and to amend Sections 3631, 3632, and 3634 of, and to add Section 3574 to, the Public Utilities Code,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 2 of said bill, after line 31, insert

"SEC. 5. Section 3574 is added to the Public Utilities Code, to read

3574 No operating permit shall be sold, leased, assigned transferred, or otherwise encumbered by the holder thereof without first having secured from the commission an order authorizing it. Any such sale, lease, assignment, transfer, or encumbrance made otherwise than in accordance with the order of the commission authorizing it shall be void.

SEC. 6. Section 3631 of said code is amended to read:

3631. The commission shall, in granting permits pursuant to this chapter, require the highway carrier to procure, and continue in effect during the life of the permit, adequate protection, as provided in Section 3632, against liability imposed by law upon the highway carrier for the payment of damages for personal bodily injuries, including death resulting therefrom, in the amount of not less than [five thousand dollars ($5,000)] *ten thousand dollars ($10,000)* on account of bodily injuries to, or death of, one person; and protection against a total liability of the highway carrier on account of bodily injuries to, or death of, more than one person, as a result of any one accident, in the amount of not less than [ten thousand dollars ($10,000)] *twenty thousand dollars ($20,000)*; and protection in an amount of not less than five thousand dollars ($5,000) for one accident resulting in damage or destruction of property whether the property of one, or more than one claimant.

The commission may, upon its own motion or upon the application of any interested party, and after hearing, require any highway carrier to procure and maintain cargo insurance in such amounts and upon such terms as the commission may determine.

SEC. 7. Section 3632 of said code is amended to read:

3632. The protection required under Section 3631 shall be evidenced either:

[(a)] By the deposit with the commission, covering each vehicle used or to be used under the permit applied for,

(1) Of a policy of [public liability and property damage] insurance, issued by a company licensed to write such insurance in the State; or

(2) Of a bond of a surety company licensed to write surety bonds in the State [;]. [or]

[(3) Of a personal bond, with such sureties as the commission finds adequate to guarantee the required protection]

[(b) By a trust fund in the amount of fifteen thousand dollars ($15,000), to be held in trust by some institution or person acceptable to the commission.]

[(c) By a combination of any of the foregoing methods in such manner that the aggregate of the protection or funds available equals the principal sum of not less than fifteen thousand dollars ($15,000).]

[The highway carrier shall select the method to be used in obtaining the protection, and may change from one method to another from time to time, with the consent of the commission.]

SEC. 8. Section 3634 of said code is amended to read:

3634. The protection against liability shall be continued in effect during the active life of the permit. The policy of insurance [,] *or* surety bond [or personal bond] shall not be cancelable on less than [ten (10)] *thirty (30)* days written notice to the commission.

SEC. 9. Sections 5 to 8, inclusive, of this act become operative only if Division 2 of the Public Utilities Code is enacted by the Legislature at its 1951 Regular Session, and in such case at the same time as said Division 2 takes effect, at which time Sections 3¼, 5, 6, and 7 of the Highway Carriers' Act are repealed."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were offered:

Assembly Joint Resolution No. 40: By Messrs. Rumford, Tomlinson, Dunn, McCarthy, Caldecott, Doyle, Geddes, Hagen, Henderson, Lincoln, Lipscomb, Stanley, and Stewart—Relative to the application of the Sherman Anti-Trust Act and the Miller Tydings Act as applied to State Fair Trade Laws.

Referred to Committee on Rules.

Assembly Constitutional Amendment No. 62: By Mr. Dolwig—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding to Article XXVI thereof a new section to be numbered 5, relating to the issuance of bonds for highway purposes

Referred to Committee on Constitutional Amendments.

COMMUNICATIONS

By Speaker Sam L. Collins:

A resolution from Harold I Goss, Secretary of State, State of Maine, relative to rescinding and repudiating a memorial approving the principles of World Federation submitted to both Houses of Congress by the Maine Legislature in its 1949 Regular Session was received, and ordered referred to the Committee on Rules.

By Speaker Sam L. Collins:

A resolution from Harold I. Goss, Secretary of State, State of Maine, relative to making application to the Congress of the United States to call a convention, for the proposing of an amendment to the Constitution of the United States to restrain the present unrestrained exercise of the taxing power by the Federal Government, was received, and ordered referred to the Committee on Revenue and Taxation.

NOTICES OF MOTIONS TO AMEND STANDING RULES CONTINUED

By unanimous consent, the notices of motions by Mr. Fleury to amend Standing Rules Nos. 9, 8 and 10 were continued until the next legislative day.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 83

Has had the same under consideration, and reports the same back with the recommendation: Be adopted

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 2947

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

DUNN, Chairman

Above reported bill ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No 2479

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STEWART, Chairman

Above reported bill ordered to second reading.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Klocksiem, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. James Lawrence of Long Beach.

On request of Mr. Evans and the Los Angeles Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. William A. Evans of Los Angeles.

On request of Messrs. Moss and Fleury and The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Pvt. Alan Greig Smith and Donald M. Smith of Sacramento.

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Francis Dunn, Jr., of Oakland.

On request of Mr. Stewart, the usual courtesies of the Assembly for this day were unanimously extended to Frank L. Kostlan and O. A. Dietrich of Pasadena.

On request of Mr. Meyers and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Lieut. Albert Depetris and Lieut. Richard Bund, U. S. Army Air Force, of San Francisco.

On request of Mr. Coats, the usual courtesies of the Assembly for this day were unanimously extended to Neal M. Ulrey and William Armstrong, teachers, Mesdames Sue Beeler, Esther Peters, Doris Sciallo, Mary Ulrey, Emma Montna, Nilda Christopherson, and Sensiba, adults, and the following pupils of the Barry Union School: Douglas Beeler, Shirley Harris, Charlotte Harroun, Eugene Howard, Marlene Howard, Dolores Hudgins, Donald Myers, Ronald Neel, David Rodriguez, Helen Roman, Harold Schmidt, Barry Holmes, Jerry Springer, Richard Tsukuda, Janice Halfhill, Robert Applegarth, Donald Graham, Maxine Hinds, Wallace Montna, Herbert Phillips, James Humlick, Royal Shidler, Beverly Sensiba, Janice Stevenson, Robert Talley, Janice Beeler, Barbara Roman, Karen Stevenson, Lena Hinsley, Wanda Elis, Janice Scialer, Earl Larsen, Gene Humlick, Larry Montna, Ralph Thompson, Jimmey Monterey, Richard Carlin, Glenda Shippen, Joy Peters, Stanley Neal, Leona Mathes, Joe Roman, Roberta Thompson, Barbara Beeler, Joan Sanborn, Patricia Harris, Helen Thompson, Dean Nobeta, Martin Loebline, Ronnie Howard, Dickie Dihel, Lucky Corbin, Walter Loebline, Bobby Van Leeuwen, Eddie Anderson, Teddy Brovas, Marline Montna, Dudley Christopherson, and Carol Thoma.

On request of Mr. McGee, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Richard Yeamans of Los Angeles.

On request of Mr. Meyers and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Earl Popovich, of San Francisco.

ADJOURNMENT

At 1.10 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Monday, June 4, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SEVENTY-THIRD LEGISLATIVE DAY

ONE HUNDRED FIRST CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, June 4, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

God of Our Fathers, Who didst lead Thine ancient people through desert wanderings into the promised land, and who didst guide our Pilgrim sires across the stormy seas to lay here the foundation of this Great Republic, we implore Thy blessing and guidance as we seek our place among the nations of the earth.

As we look upon the Flag, remind us of our duties and privileges as citizens of a land especially favored by our Creator

We bless Thee for the inspired souls who saw afar this shining city of God and by faith followed their vision.

"O beautiful for pilgrim feet,
Whose stern impassioned stress
A thoroughfare for freedom beat
Across the wilderness.
America! America!
God mend thine every flaw,
Confirm thy soul in self-control,
Thy liberty in law!"

In Jesus' name we pray.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Beck, further reading of the Journal of the previous legislative day was dispensed with

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Hahn, on motion of Mr. Geddes.

Mr. Burke, on motion of Mr. Luckel.

Mr. Cooke, on motion of Mr. Doyle.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly then gave the pledge of allegiance to the Flag.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 1, 1951

To the Honorable Members of the Assembly
State of California
Sacramento, California

GREETINGS: I am returning herewith, without my signature,

Assembly Bill No. 2309, entitled: "An act to amend Section 7372 of the Business and Professions Code, relating to the licensing of hairdressers, cosmeticians or cosmetologists."

My objections to this bill are as follows:

Apparently the purpose of this bill is to prohibit the use of the wall plate and therapeutic lights in the practice of cosmetology. The bill does not accomplish such a purpose. It merely provides that no questions may be asked in the examination for a cosmetology license concerning these instruments and processes.

If the bill were to become law it would leave these instruments in use by cosmetologists, but the board which determines vocational standards would be prohibited from asking questions concerning them in the qualifying examinations. To permit their use without any determination of the qualification of the applicant in their use would deprive the public of the protection which the act is intended to give.

I have given no consideration to the question of whether or not cosmetologists should be permitted to use wall plates and therapeutic lights, as that question is not involved in this bill.

Respectfully submitted.

EARL WARREN, Governor

Acknowledgment of Receipt of Assembly Bill No 2309

June 1, 1951

I acknowledge receipt this first day of June, 1951, at 5 15 o'clock p.m. of Assembly Bill No. 2309 without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

ARTHUR A. OHNIMUS

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 4, 1951

To the Assembly of the State of California
Sacramento, California

GENTLEMEN: I am transmitting to you herewith a copy of a message with reference to

Assembly Bill No. 2309, entitled: "An act to amend Section 7372 of the Business and Professions Code, relating to the licensing of hairdressers, cosmeticians or cosmetologists."

This bill, with my message relative thereto, I (through my Legislative Secretary) delivered to Arthur A. Ohnimus, Chief Clerk of the Assembly, at 5.15 o'clock p.m. on the first day of June, 1951, at which time your honorable body had adjourned for the day but not for the session.

Respectfully submitted,

EARL WARREN, Governor

Assembly Bill No. 2309 ordered to unfinished business file.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 49

And reports the same correctly re-engrossed.

GRUNSKY, Vice Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 155
Assembly Bill No. 191
Assembly Bill No. 1561
Assembly Bill No. 2224
Assembly Bill No. 2573
Assembly Bill No. 3217

And reports the same correctly re-engrossed

GRUNSKY, Vice Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3121
Assembly Bill No. 3408
Assembly Bill No. 3429

And reports the same correctly engrossed.

GRUNSKY, Vice Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 18
Assembly Bill No. 118
Assembly Bill No. 343
Assembly Bill No. 812
Assembly Bill No. 850
Assembly Bill No. 1570
Assembly Bill No. 1684
Assembly Bill No. 2858
Assembly Bill No. 3122
Assembly Bill No. 3291
Assembly Bill No. 3345

And reports the same correctly engrossed

GRUNSKY, Vice Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 55
Assembly Constitutional Amendment No. 58

And reports the same correctly engrossed.

GRUNSKY, Vice Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1221
Assembly Bill No. 1426
Assembly Bill No. 2275

And reports the same correctly re-engrossed

GRUNSKY, Vice Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 35—Relative to tariffs on wine;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the first day of June, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 759—An act to add Section 20392.5 to the Education Code, relating to dismissal and re-employment of state college employees;

Assembly Bill No. 1075—An act to add Section 14551 to the Health and Safety Code, relating to fire protection districts;

Assembly Bill No. 1076—An act to amend Section 35311 of the Government Code, relating to the annexation of territory;

And reports that the same have been correctly enrolled, and presented to the Governor on the first day of June, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1901—An act to add Section 2508 to the Welfare and Institutions Code, relating to work relief projects for persons receiving county aid and relief to indigents;

Assembly Bill No. 1989—An act to amend Section 6487 of the Revenue and Taxation Code, relating to sales and use taxes, and providing that this act shall take effect immediately;

Assembly Bill No. 3029—An act to amend Section 4845.28 of, and add Sections 4738 and 4742.1 to, the Health and Safety Code, relating to county sanitation districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the first day of June, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3177—An act to amend Sections 1394 and 1395 of, and to add Section 1394.5 to, the Labor Code, relating to child labor;

Assembly Bill No. 3389—An act to add Article 3.5 to Chapter 1, Division 5 of the Education Code, and to amend Section 9701 of said code, relating to outdoor science education and conservation education;

Assembly Bill No. 3406—An act to amend Section 39.6 of the Vehicle Code, relating to agricultural water-well boring rigs;

And reports that the same have been correctly enrolled, and presented to the Governor on the first day of June, 1951, at 2 p.m.

BURKE, Chairman

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 1995

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred

Assembly Bill No. 1993

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 2335
Assembly Bill No 3027

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills Nos. 3345, 3122 and 343 re-referred to the Committee on Ways and Means.

Assembly Bills Nos. 850 and 1221 re-referred to the Committee on Public Health.

Assembly Bills Nos. 18, 118, 812, 1570, 2858, 3291 and 2275 re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 1684 re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1426 re-referred to the Committee on Judiciary.

Senate Bill No. 1591 re-referred to the Committee on Social Welfare

Senate Bill No. 598 re-referred to the Committee on Governmental Efficiency and Economy.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 330—An act to add Section 6515.5 to the Health and Safety Code, relating to sanitary districts.

J A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 28
Senate Bill No. 1055

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 880
Assembly Bill No. 1144
Assembly Bill No 1788
Assembly Bill No. 1789
Assembly Bill No. 1839
Assembly Bill No. 3425

And respectfully requests your honorable body to concur in said amendments.

J A BEEK, Secretary of the Senate
By C V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators James E Cunningham, Tenney, and Watson as a Committee on Conference concerning:

Assembly Bill No. 2599—An act to add Sections 5.2 and 5.3 to, and to amend Section 6 of, the Metropolitan Water District Act, relating to the issuance of refunding bonds for the purpose of refunding bonds issued pursuant to the provisions of said Metropolitan Water District Act, and the government and management of metropolitan water districts and declaring the severability of the provisions hereof.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 475
Assembly Bill No. 840
Assembly Bill No. 962
Assembly Bill No 1696
Assembly Bill No. 1698
Assembly Bill No. 2207
Assembly Bill No. 2725
Assembly Bill No. 3229
Assembly Bill No. 3405

J. A. BEEK, Secretary of the Senate
By C V TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 25
Assembly Concurrent Resolution No. 65
Assembly Concurrent Resolution No. 86
Assembly Concurrent Resolution No. 87

J. A. BEEK, Secretary of the Senate
By C V TAYLOR, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 38
Senate Bill No. 39
Senate Bill No. 487
Senate Bill No. 516
Senate Bill No. 574
Senate Bill No. 677
Senate Bill No. 679
Senate Bill No. 885
Senate Bill No. 1034
Senate Bill No. 1072
Senate Bill No 1117
Senate Bill No. 1246
Senate Bill No. 1469
Senate Bill No. 1513
Senate Bill No 1577
Senate Bill No 1752
Senate Bill No 1823

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 38—An act to amend Section 28154 of the Government Code and Section 454 of the Education Code, relating to compensation for public services in counties of the fifty-fourth class.

Referred to Committee on Municipal and County Government.

Senate Bill No. 39—An act to amend Section 28150 of the Government Code, and Section 450 of the Education Code, relating to compensation for public services in counties of the fiftieth class.

Referred to Committee on Municipal and County Government.

Senate Bill No. 487—An act to amend Sections 2007, 2009, and 2151 of the Streets and Highways Code, relating to a System of Public Streets and Highways in this State and the financial support thereof.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 516—An act to add Sections 99 to 106, inclusive, to the Drainage District Act of 1903, relating to the dissolution of drainage districts.

Referred to Committee on Municipal and County Government.

Senate Bill No. 574—An act providing for the designation of judicial districts and of the municipal or justice courts established therein.

Referred to Committee on Judiciary.

Senate Bill No. 677—An act to provide for the safety of public records, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

Senate Bill No. 679—An act to add Section 35 to Chapter 1, Title 1, Part 1 of the Code of Civil Procedure, relating to courts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Judiciary.

Senate Bill No. 885—An act to amend Section 27 of the Storm Water District Act of 1909, relating to storm water districts.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1034—An act to add Sections 23177 and 23178 to the Government Code, relating to counties.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1072—An act to amend Section 28130 of the Government Code, relating to compensation for public service in counties of the thirtieth class.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1117—An act to add Article 4 to Chapter 1, Part 1, Division 2, Title 5 of the Government Code, consisting of Sections 53070 and 53071, relating to the compensation of county, township and municipal officers, declaring the urgency hereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1246—An act to amend Section 2605 of the Elections Code, relating to sponsors for candidates.

Referred to Committee on Elections and Reapportionment.

Senate Bill No. 1469—An act to amend Sections 43619 and 43620 of, and to add Sections 43620.1 and 43620.2 to, the Government Code, relating to bonds for municipal improvements.

Referred to Committee on Finance and Insurance.

Senate Bill No. 1513—An act to add Section 372.1 to the Vehicle Code, relating to registration fees.

Referred to Committee on Transportation and Commerce.

Senate Bill No. 1577—An act to amend Sections 9351, 9351.3, 9353.6, 9355, 9355.1, 9355 4, 9359, 9359.1, 9359.8, and 9359.85 of, and to add Sections 9351.4 and 9359.83 to, the Government Code, relating to the retirement of legislators and constitutional officers.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1752—An act to amend Section 28133 of the Government Code, relating to compensation for public services in a county of the thirty-third class.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1823—An act to amend Section 28108 of the Government Code, relating to compensation for public service in counties of the eighth class.

Referred to Committee on Municipal and County Government.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER. I am directed to inform your honorable body that the Senate, pursuant to your request, is returning herewith:

Assembly Bill No. 611
Assembly Bill No. 614
Assembly Bill No. 1818

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

REQUEST FOR UNANIMOUS CONSENT TO EXPUNGE RECORD, AND RESCIND ACTION ON ASSEMBLY BILL NO. 611

Mr. Stewart asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on Thursday, April 26th, passed Assembly Bill No. 611.

Assembly Bill No. 611 ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO EXPUNGE RECORD, AND RESCIND ACTION ON ASSEMBLY BILL NO. 614

Mr. Stewart asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on Monday, April 9th, passed Assembly Bill No. 614.

Assembly Bill No. 614 ordered to third reading.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 611, on motion of Mr. Stewart.

Assembly Bill No. 614, on motion of Mr. Stewart.

REQUEST FOR UNANIMOUS CONSENT TO EXPUNGE RECORD, AND RESCIND ACTION ON ASSEMBLY BILL NO. 1818

Mr. Brown asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on Friday, March 30th, passed Assembly Bill No. 1818.

Assembly Bill No. 1818 ordered to third reading.

Request for Unanimous Consent That Assembly Bill No. 1818 Be Re-referred to Committee

Mr. Brown asked for, and was granted, unanimous consent that Assembly Bill No. 1818 be withdrawn from the third reading file, and be re-referred to the Committee on Ways and Means.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1969—An act to authorize the improvement of certain streets abutting the campus of the San Francisco State College.

Bill read second time, and ordered engrossed.

Assembly Bill No. 132—An act making an appropriation to the emergency fund specified in Item 278 of the Budget Act of 1949.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2283—An act to amend Section 28140 of the Government Code, relating to compensation for public services in counties of the fortieth class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "28140", and insert "28145".

Amendment No. 2

In line 3 of the title of said bill, strike out "fortieth", and insert "forty-fifth".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 28145 of the Government Code is amended to read:

28145. In a county of the forty-fifth class the following shall receive as compensation for the services required of them by law or by virtue of their offices the following sums

(a) The auditor, [one thousand four hundred dollars ($1,400)] *two thousand dollars ($2,000)* a year.

(b) The district attorney, [three thousand dollars ($3,000)] *six thousand six hundred dollars ($6,600)* a year.

(c) Each supervisor, [two thousand four hundred dollars ($2,400)] *three thousand dollars ($3,000)* a year and mileage from his residence to the county seat at each sitting of the board, twenty cents ($0.20) a mile, such compensation to be in full for services either as supervisor or for mileage as road commissioner

(d) Grand and trial jurors, [three dollars ($3)] *five dollars ($5)* per day and such mileage fees as are allowed by law.

The compensation provided by this section shall be payable to incumbent officers.

SEC. 2 If it is not legally competent to pay the compensation provided by this act to incumbent officers on the effective date of this act, such increase in compensation shall nevertheless be payable to the officers designated in this act as soon as it is legally competent to do so."

Amendment No. 4

On page 1 of said bill, strike out lines 3 to 26, inclusive; and strike out all of page 2.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1879—An act to repeal Chapter 7 of Division 3 of, and to add Chapter 7 of Division 3, comprising Sections 6700 to 6799, inclusive, to, the Business and Professions Code, relating to professional engineers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 5, line 26, of the printed bill, as amended in the Assembly on April 27, 1951, after "name", strike out the remainder of the line; and strike out lines 27 to 30, inclusive, and insert "shall not contain the name of any person who is either not registered by the board in a branch of professional engineering, or as an architect; provided, that any holding out by such partnership, firm, or corporation of any individual or individuals to the public as a member, or members, of such partnership, firm, or corporation, other than by the use of the name or names of such individual or individuals in the partnership, firm, or corporate name, shall clearly and specifically designate the license status of such individual or individuals."

Amendment No. 2

On page 7 of said bill, strike out lines 28 to 32, inclusive, and insert "(2) Successfully pass an examination."

Amendment No. 3

On page 9, line 36, of said bill, strike out "6766", and insert: "6765"

Amendment No. 4

On page 9, line 40, of said bill, strike out "6767" and insert: "6766"

Amendment No. 5

On page 11, line 49, of said bill, after the period, insert "The Civil Engineers Fund is hereby abolished. The unexpended balance remaining therein on the effective date of this act shall, on order of the State Controller, be transferred to the Professional Engineer's Fund."

Amendment No. 6

On page 12 of said bill, after line 29, insert

"SEC. 3. Except where a contrary intention is clearly expressed herein, this act shall be deemed to be a continuation of the Civil Engineers' Act in all respects No person who on the effective date of this act is validly registered under the Civil Engineers' Act need secure any other or additional registration under this act. Such persons shall for all purposes be deemed to be registered under this act and subject to all provisions thereof."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2631—An act to add Section 9166 to the Education Code, relating to instructors for peace officers' training programs and reserve and/or auxiliary peace officers' training programs, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, lines 16, 17, and 18, of the printed bill, as amended in the Assembly on May 25, 1951, strike out "State Treasury not otherwise appropriated two hundred twenty-seven thousand ninety-eight dollars ($227,098)", and insert "General Fund one hundred fifty thousand four hundred fifteen dollars ($150,415)".

Amendment No. 2

On page 1, line 21, of said bill, strike out "shall", and insert "may".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3433—An act to add Chapter 1.5 to Division 1 of the Welfare and Institutions Code, relating to solicitation of funds for charitable purposes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "1.5", and insert "1.7"

Amendment No. 2

On page 1, line 1, of said bill, strike out "1.5", and insert "1.7"

Amendment No. 3

On page 1, line 4, of said bill, strike out "1.5", and insert "1.7".

Amendment No. 4

On page 1, line 7, of said bill, strike out "141", and insert "147"

Amendment No. 5

On page 1, line 7, of said bill, strike out "142", and insert "147.1".

Amendment No. 6

On page 1, line 12, of said bill, strike out "142", and insert "147.1".

Amendment No. 7

On page 2, line 2, of said bill, strike out "143", and insert "147.2".

Amendment No. 8

On page 2, line 45, of said bill, strike out "144", and insert "147.3"

Amendment No. 9

On page 2, line 50, of said bill, strike out "145", and insert "147.4".

Amendment No. 10

On page 1, line 11, of said bill, after the period, insert "Contributions solicited for political purposes or for the purpose of influencing legislation, shall not be deemed to be charitable contributions within the meaning of this chapter."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3183—An act to amend Section 4014 of, and add Sections 4017 and 26470.5 to, the Health and Safety Code, relating to public health.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 25, 1951, strike out "amend Section 4014 of, and".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 22, inclusive; on page 2, strike out lines 1 to 3, inclusive; and on page 2, line 4, strike out "SEC. 2.", and insert "SECTION 1."

Amendment No. 3

On page 2, line 9, of said bill, after "irrigation districts," insert "mutual water companies,".

Amendment No. 4

On page 2, line 11, of said bill, after "consumption", insert "or other uses".

Amendment No. 5

On page 2, line 23, of said bill, strike out "3", and insert "2".

Amendment No. 6

On page 2, line 25, of said bill, strike out "other materials", and insert "fluorine compounds".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2944—An act to add Section 685 to the Vehicle Code, relating to required equipment for motor trucks.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "truck", and insert "vehicle".

Amendment No. 2

On page 1 of said bill, strike out lines 5 and 6, and insert "motor vehicle is equipped with a bumper on both the front and rear end of such vehicle."

Amendment No. 3

On page 1, line 8, of said bill, strike out "to a motor truck".

Amendment No. 4

On page 1, line 10, of said bill, strike out "truck", and insert "vehicle"

Amendment No. 5

On page 1 of said bill, strike out lines 11 to 15, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

Assembly Bill No. 3348—An act to add Section 19.1 to the Alameda County Flood Control and Water Conservation District Act, relating to the application of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 to the Alameda County Flood Control and Water Conservation District Act.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "19 1", and insert "11.1".

Amendment No. 2

In the title of the printed bill, strike out all of lines 3 to 6, inclusive, and insert "procedure for instituting projects."

Amendment No. 3

On page 1, line 1, of the printed bill, strike out "19.1", and insert "11.1".

Amendment No. 4

On page 1 of the printed bill, strike out all of lines 3 to 7, inclusive, and insert "SEC. 11.1. The provisions of Section 11 of this act shall be exclusive in determining the proper procedure for the institution of projects under this act, any other provision of law notwithstanding "

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 1806—An act to add Section 1100 to the Agricultural Code, relating to eggs.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 1100 to", and insert "amend Sections 1101, 1102.2, 1102.3, and 1107 of".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. Section 1101 of the Agricultural Code is amended to read:

1101. As used in this article with relation to eggs:

(a) "Addled" or "white rot" means putrid or rotten.

(b) "Adherent yolk" means the yolk has become fastened to the shell.

(c) "Blood" means the presence of blood rings or blood veins due to embryo development, or blood diffused into the white.

(d) "Candling" means the examination of the interior of eggs by the use of transmitted light.

(e) "Clean" means that the eggshell is free from foreign substance and is free from stains and discolorations other than processing oil

(f) "Reasonably clean" means that no dirt or foreign substance may be adhering to the surface of the eggshell and no stain or discoloration other than that caused by processing oil, shall exceed an aggregate area of one-half inch in diameter

(g) "Eggs" means eggs in the shell from chickens, turkeys, ducks, geese, or any other species of fowl.

(h) "Moldy" or "black spot" or "black rot" means the presence of mold or bacteria inside the shell.

(i) "Processed" means that the shell has been treated with oil or other preservative preparation.

(j) "Sound" means that the shell is free from cracks

(k) "Uniform in size" means that the eggs in any one container shall not vary more than three-eighths of an ounce in weight

(*l*) "Visible germ development" means that there has been some development of the germ which is slightly visible as a deeper colored area on the yolk as shown by candling the egg.

(m) "Firm white" means that the white is sufficiently thick or viscous to permit but little movement of the yolk from the center of the egg.

(n) "Checks" are eggs with shells which are not sound as determined by candling, appearance, or other means; provided, no exudation is present.

(o) "Dirties" are eggs with shells which are not reasonably clean as determined by appearance

(p) "Inedible eggs" are eggs which as determined by candling or any other means contain black spot, black rot, white rot, mixed rot (addled), adherent yolks, bloody or green white, blood, embryo chicks, sour eggs, musty eggs, or which are moldy, filthy, decomposed, putrid, or otherwise unfit for human consumption in whole or in part.

(q) "Denatured" means eggs *(1)*, made unfit for human food by treatment or the addition of a foreign substance *or (2), with one-half or more of the shell's surface covered by a permanent black dye*.

(r) "Clear white" means that the white is free from discoloration or foreign bodies.

SEC. 2. Section 1102.2 of said code is amended to read:

1102.2. As used in this article with relation to chicken eggs, the following standards of size as determined by weight are hereby established:

(a) "Jumbo": Eggs uniform in size weighing not less than 2 5/12 ounces each, and averaging not less than 30 ounces per dozen.

[(a)] *(b)* "Extra Large": Eggs uniform in size weighing not less than *2 1/6* [2 1/12] ounces each, and averaging not less than 27 [26] ounces per dozen

[(b)] *(c)* "Large": Eggs uniform in size weighing not less than 1 11/12 ounces each, and averaging not less than 24 ounces per dozen.

[(c)] *(d)* "Medium": Eggs uniform in size weighing not less than 1 2/3 ounces each, *and* averaging not less than 21 ounces per dozen.

[(d)] *(e)* "Small": Eggs *uniform in size* weighing not less than [1 1/3] *1 5/12* ounces each, and averaging not less than 18 ounces per dozen.

[(e)] *(f)* "Peewee": Eggs weighing less than [1 1/3] *1 5/12* ounces each.

SEC. 3. Section 1102.3 of said code is amended to read:

1102.3. The tolerance for *jumbos* [the] extra large, large, medium and small size standards of eggs shall be as follows: 5 percent by count of eggs in any container or bulk lot may be eggs of the next lower size than that specified, provided, eggs of the quality Grade C need not be graded and marked as to size.

SEC. 4. Section 1107 of said code is amended to read

1107. [Violation of any of the provisions of this article is a misdemeanor.] *Any person who violates any of the provisions of this article shall be subject to a fine not to exceed five hundred dollars ($500), the action to be brought by the district attorney of the county in which the violation occurs. In addition to being liable for such penalty any person who wilfully or intentionally violates any provision of this article is guilty of a misdemeanor.*"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

Assembly Bill No. 3374—An act to add Chapter 2 to Division 7 of the Military and Veterans Code, relating to the promotion of maximum protection for security and defense.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 5, of the printed bill, insert

"1650. The purpose of this chapter is to promote the maximum use of the natural, economic and human resources of this State in the production of armaments, goods and services needed for the defense and security of this State and Nation.

1651. It shall be the duty of every officer and agency of the government of this State, and of every city, county and public district in this State, acting within the scope of their lawfully authorized functions, to perform those functions, wherever opportunity permits, in such a manner as to promote the purpose of this chapter.

1652. Officers and agencies of state, city, county and district governments shall confer and cooperate, where opportunity permits, with each other, with appropriate agencies of the Federal Government and other state governments, and with properly interested private agencies and persons, in order to most effectively promote the purpose of this chapter.

1653 It is the intent of this chapter that the activities of the officers and agencies of state and local governments in promoting the purpose of this chapter shall be conducted, insofar as possible, in conjunction with activities in which such officers and agencies are ordinarily engaged and that no additional personnel be employed, and no additional expenses, of a substantial nature, be incurred, for the purpose of this chapter, except as funds therefor may be made available by appropriation by the Legislature or local governing bodies or by gift, grant or contribution from other sources."

Amendment No. 2

On page 1 of said bill, strike out lines 6 to 26 inclusive; and strike out pages 2 and 3.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 2479—An act to amend Section 19538 of, and to add Sections 19538.1, and 19538.2 to the Business and Professions Code, relating to horse racing.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 1, of the printed bill, as amended in the Assembly on May 4, 1951, strike out "said", and insert "the Business and Professions".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2947—An act to add Section 5050.3 to the Education Code, relating to state school building aid.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "5050.3", and insert "5083.2".

Amendment No. 2

In line 2 of the title of said bill, before the period, insert ", declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1 Section 5083.2 is added to the Education Code, to read:

5083.2 Notwithstanding, and in lieu of, any provisions of this chapter to the contrary, excepting Section 5051, if during the Fiscal Year 1950-1951, or any subsequent fiscal year, a conditional apportionment is or has been made to a district, hereinafter referred to as the original district, and if the original district (1) holds or has held all elections required by Section 5050, and (2) before such apportionment becomes final is or has been annexed to or included in whole in another district, hereinafter referred to as the acquiring district, which had prior thereto received its first final apportionment under this chapter during the same fiscal year, and (3) after such inclusion or annexation sells or has sold the bonds authorized by the aforesaid elections, the board may approve any application by the governing board of the acquiring district and make an apportionment, or apportionments, for any project for which the original district would have been eligible under this chapter had such inclusion not taken place. No apportionment shall be made to the acquiring district under this section unless the proceeds of the bonds which the board required the original district to sell are available

for and will be contributed toward the cost of the approved project Any apportionment made to the acquiring district under this section shall become final when made.

The computations provided in Sections 5054, 5055, 5056, and 5057 with respect to apportionments made under this section shall be made exactly as though the acquiring school district was comprised only of the original school district.

Any rate or amount of tax levied pursuant to or under the authority of Sections 5063, 6353, 6357, or any other provision of law, for the purpose of producing the amount or any part thereof deducted by the State Controller with respect to apportionments made under this section, during any fiscal year under Sections 5058 and 5059 from apportionments to the acquiring district from the State School Fund shall be levied only on property in the original school district.

SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are:

Under the existing law, a school district which has received a conditional apportionment for state school building aid loses such apportionment if the district is annexed to another school district, and a new apportionment can be made only if the acquiring district is eligible or becomes eligible for such an apportionment This provision has resulted in undue hardship where the acquiring district has recently held the necessary elections and issued bonds in order to receive an apportionment for its own needs but must immediately hold additional elections to incur additional bonded indebtedness and agree to repay a larger State loan in order to receive such aid for the pupils residing in the annexed area. In order that the welfare of the pupils in the annexed area may not be jeopardized by such annexation, and to permit State aid to be made available to such pupils at the earliest possible time, it is necessary that this act take effect immediately."

Amendment No. 4

On page 1 of said bill, strike out lines 3 to 13, inclusive

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

SECOND READING OF SENATE BILLS

Senate Bill No. 620—An act to add Section 157.5 to the Vehicle Code, relating to vehicles and registration and license fees therefor.

Bill read second time, and ordered to third reading.

Senate Bill No. 1217—An act to amend Sections 3082 and 3471 of the Welfare and Institutions Code, relating to aid to the blind, in respect to evidence of eligibility for aid.

Bill read second time, and ordered to third reading

Senate Bill No. 145—An act to amend Section 32355 of the Government Code, relating to retirement systems benefits in county fire service.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 2, line 37, of the printed bill, as amended in the Senate on May 3, 1951, strike out "one-half".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1576—An act to add Article 12.5, comprising Sections 9181 to 9188 inclusive, to Chapter 7 of Division 4 of the Education Code, to amend the title of Article 2 of Chapter 2 of Part 1 of Division 5

of the Welfare and Institutions Code, to add Article 7, comprising Sections 3361 to 3364 inclusive, to Chapter 2 of Part 1 of Division 5 of the Welfare and Institutions Code, to repeal Sections 3250 to 3261 inclusive and 3302.3 thereof, to add Sections 3250, 3305, 3306, 3353, thereto, and to amend Sections 3300, 3301, 3302, 3302.5, 3303, 3330, 3331, and 3351 thereof, relating to state institutions for the blind, to provide for orientation centers and California Industries for the Blind and for state purchase of products made in institutions for the blind.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

Strike out line 7 of the title of the printed bill, as amended in the Assembly on May 24, 1951, and insert "tions Code, to repeal Article 1, comprising Sections 3200 to 3203, inclusive, of Chapter 2 of Part 1 of Division 5, Article 1.5, comprising Sections 3250 to 3561, inclusive, of Chapter 2 of Part 1 of Division 5, and".

Amendment No. 2

On page 3 of said bill, strike out lines 19 and 20, and insert

"SEC. 1.5 Article 1, comprising Sections 3200 to 3203, inclusive, of Chapter 2 of Part 1 of Division 5 of the Welfare and Institutions Code is repealed.

SEC 2. Article 1.5, comprising Sections 3250 to 3261, inclusive, of Chapter 2 of Part 1 of Division 5 of said code is repealed."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

UNFINISHED BUSINESS

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 30, 1951

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 272—An act to amend Sections 664, 665, and 666 of the Welfare and Institutions Code, relating to the appointment and removal of juvenile hall superintendents, matrons and employees, and duties of the probation officer.

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows.

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Senate on April 19, 1951, after "approval of", insert "the board of supervisors,".

Amendment No. 2

On page 1 of said bill, between lines 17 and 18, insert "board of supervisors and the".

JAMES E. CUNNINGHAM	BABBAGE
WATSON	STANLEY
REGAN	LIPSCOMB
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burkhalter, Caldecott, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Dolwig, Doyle, Elliott, Erwin, Evans Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—52.

NOES—None.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Shaw to reconsider the vote whereby Assembly Bill No. 1731 was passed, was continued until the next legislative day.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1883 WAIVED

Mr. Shaw waived his notice of motion to reconsider the vote whereby Assembly Bill No 1883 was passed.

Assembly Bill No. 1883 ordered transmitted to the Senate.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1032—An act to amend Section 9550 of the Business and Professions Code, relating to operator in charge of cleaning, dyeing, spotting, and pressing establishments and schools.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1032?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 10, 1951, strike out lines 15 and 16.

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1032 by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—58.

NOES—None

Assembly Bill No. 1032 ordered enrolled.

Assembly Bill No. 3070—An act to amend Section 61 of the Alcoholic Beverage Control Act, relating to the sale and purchase of alcoholic beverages.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 3070?

Amendment No. 1

On page 1, line 8, of the printed bill, as amended in the Assembly on May 11, 1951, strike out "or attempts to purchase".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 3070 by the following vote:

AYES—Beck, Belotti, Berry, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Geddes, Grunsky, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Levering, Lindsay, Lipscomb, Luckel, Lyon, McCollister, McFall, McMillan, Meyers, Munnell, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Mr Speaker—48.

NOES—George D Collins, McCarthy, and Waters—3

Assembly Bill No. 3070 ordered enrolled.

Assembly Bill No. 3413—An act to add Section 19561.5 to the Business and Professions Code, relating to horse racing and authorizing the California Horse Racing Board to provide for the exclusion or

ejection from the enclosures of licensed horse racing establishments of persons whose presence therein is inimical to the interests of the State or legitimate horse racing.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3413?

Amendment No. 1

On page 1, line 17, of the printed bill, strike out "within 10 days", and insert "at its next regular meeting".

Amendment No. 2

On page 1, line 20, of said bill, after "place", insert "and time".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3413 by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lanterman, Levering, Lipscomb, Luckel, Lyon, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 3413 ordered enrolled.

MOTION THAT STANDING RULE NO. 9 BE REPEALED

In accordance with a notice given on a previous day, Mr. Silliman moved that Standing Rule No. 9 be repealed.

Mr. Hinckley seconded the motion.

Point of Order

Mr. Hinckley arose to the following point of order: That Mr. Hollibaugh is reading from a newspaper and is not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The question being on the motion by Mr. Silliman to repeal Standing Rule No. 9.

Question of Parliamentary Inquiry

Mr. Levering arose to the following question of parliamentary inquiry: Can we, by a vote of 54, temporarily suspend the Rules for the purpose of taking up other portions of the proposed program first?

Ruling by Speaker

Speaker Sam L. Collins ruled this question of parliamentary inquiry correct.

The question being on the motion by Mr. Silliman.

Roll Call Demanded

Messrs Silliman, Waters, and Kirkwood demanded a roll call.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Silliman moved a call of the Assembly

Motion carried. Time, 11 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Condon, Grant, Grunsky, Lincoln, Maloney, McGee, and Smith—7.

REQUEST FOR TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Dunn asked for unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

Mr. Evans withheld unanimous consent.

Motion to Temporarily Suspend the Rules

Mr. Silliman moved that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

Mr Moss seconded the motion.

Roll Call Demanded

Messrs. Brady, Silliman, and Moss demanded a roll call.

The roll was called, and Rule 85 temporarily suspended by the following vote:

AYES—Babbage, Beck, Berry, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Conrad, Davis, Erwin, Fleury, Gaffney, Grant, Gubser, Hagen, Hansen, Henderson, Hinckley, Kelly, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, Meyers, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Waters, and Mr Speaker—44.

NOES—Belotti, Brady, Brown, Burkhalter, Chapel, Dickey, Dolwig, Doyle, Elliott, Evans, Geddes, Hawkins, Hollibaugh, Kilpatrick, Levering, Lyon, McCollister, McMillan, Morris, Niehouse, Porter, and Thomas—22.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 2251 FROM COMMITTEE

Mr. Elliott asked for, and was granted, unanimous consent to take up his notice of motion to withdraw Assembly Bill No. 2251 from committee temporarily passed on file.

MOTION TO WITHDRAW ASSEMBLY BILL NO. 2251 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Elliott moved that Assembly Bill No. 2251 be withdrawn from the Committee on Governmental Efficiency and Economy, and be placed upon the file.

The roll was called, and the motion lost by the following vote:

AYES—Beck, Berry, Brown, Burkhalter, Coats, George D. Collins, Condon, Crowley, Dills, Doyle, Elliott, Evans, Gaffney, Hagen, Hawkins, Henderson, Kilpatrick, Maloney, McCollister, McMillan, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, and Thomas—27

NOES—Babbage, Belotti, Brady, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Dolwig, Erwin, Fleury, Grant, Gubser, Hansen, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, McGee, Moss, Sherwin, Silliman, Stanley, Stewart, Tomlinson, and Mr. Speaker—33.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP REPORT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 279

Mr. Lyon asked for, and was granted, unanimous consent to take up the report of the Committee on Conference concerning Senate Bill No. 279, temporarily passed on file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: The Committee on Conference concerning:

Senate Bill No. 279—An act to add Sections 685, 685.1, and 685.2 to the Vehicle Code, relating to equipment of vehicles;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill, as amended on May 16, 1951, be further amended as follows:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 16, 1951, strike out "and"; and following "687.2", insert "and 687.3"

Amendment No. 2

On page 1 of said bill, strike out lines 4 and 5, and insert "tion of logs or poles, or in the transportation of lumber".

Amendment No. 3

On page 1 of said bill, strike out line 8, and insert "respectively.

SEC. 2. Section 687.1 is added to said code, to read:

687.1 Transportation of logs or poles. Load binders for logs or poles shall be not less than".

Amendment No. 4

On page 2 of said bill, strike out lines 10 to 23, inclusive, and insert "at either end. Loads of logs or poles shall be secured as follows:".

Amendment No. 5

On page 2 of said bill, strike out lines 34 to 50, inclusive, and insert

"687.2. Transportation of lumber. Load binders for lumber shall be not less than three-eighths inch (⅜") high test steel chains, three-eighths inch (⅜") wire cable plow steel or better, or one and one-quarter inch (1¼") diameter manila rope (knot free), or a combination of such specified binders. Wire cable or manila rope binders shall be maintained in good condition and shall not be used when any strands are broken. Whenever manila rope is used it shall be protected by corner irons or a similar device to prevent fraying

Loads of lumber shall be secured as follows:

(a). Loads not to exceed five feet (5') in height shall be secured to the vehicle with two (2) or more binders per unit length, except, however, if unit lengths are twelve feet (12') or more in length such loads shall be secured by three (3) or more binders per unit length, and except that loads of laths shall have one (1) or more binders per unit width or length at the approximate center thereof

(b) Loads exceeding five feet (5') in height shall be secured to the vehicle by three (3) or more binders per unit length, except that loads of laths shall have one (1) or more binders per unit width or length at the approximate center thereof.

SEC. 4. Section 687.3 is added to said code, to read

687.3. The provisions of Sections 687, 687.1 and 687.2 shall not apply when:

(a) Logs, poles, or lumber are loaded entirely within, and do not extend above, protective racks of sufficient strength to support the load.

(b) Loads of lumber or other forest products being transported from retail lumber yards to the property of a consumer; such loads, however, shall be secured against dangerous displacement either by proper piling or securing in a manner as to prevent shifting, toppling over, or otherwise becoming unstable."

Amendment No. 6

On page 3 of said bill, strike out lines 1 to 21, inclusive.

ABSHIRE	LYON
WAY	KELLY
McCARTHY	ELLIOTT
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hansen, Hawkins, Henderson, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon,

Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, and Mr. Speaker—56.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP REPORT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 1744

Mr. Babbage asked for, and was granted, unanimous consent to take up the report of the Committee on Conference concerning Senate Bill No 1744, temporarily passed on file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER The Committee on Conference concerning:

Senate Bill No. 1744—An act to add Section 679.1 to the Vehicle Code, relating to rules governing the loading and securement of logs and poles;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in

WAY	BABBAGE
McCARTHY	BELOTTI
ABSHIRE	BRADY
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Conrad, Crowley, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kilpatrick, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—57.

NOES—None

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 1980, on request of Mr. Dolwig.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Connolly to reconsider the vote whereby Senate Bill No. 386 was refused passage, was continued until the next legislative day.

THIRD READING OF ASSEMBLY BILLS

Request for Unanimous Consent That Assembly Bill No. 302 Hold Place on File

Mr. Rosenthal asked for, and was granted, unanimous consent that Assembly Bill No. 302 be passed on file, and hold its place on file on the next legislative day.

Request for Unanimous Consent That Assembly Bill No. 2573 Hold Place on File

Mr. McFall asked for, and was granted, unanimous consent that Assembly Bill No 2573 be passed on file, and hold its place on file on the next legislative day.

Assembly Bill No. 191—An act to amend Sections 2828 and 2842 of the Elections Code, relating to state and county central committees.

Bill read third time, and ordered passed on file.

Assembly Bill No. 3189—An act to add Sections 5046.3 and 18744 to the Education Code, relating to school districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kilpatrick, Lockslem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Stanley, Thomas, Tomlinson, and Waters—62.

NOES—None

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kilpatrick, Lockslem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Stanley, Thomas, Tomlinson, and Waters—62.

NOES—None.

Bill ordered transmitted to the Senate.

Bills Withdrawn From Active File, and Placed on the Inactive File

Assembly Constitutional Amendment No. 49, on motion of Mr. Dunn.

Assembly Bill No. 634—An act to amend Sections 45.5 and 78 of, and to add Sections 29.1 and 29.2 to, the Community Redevelopment Act and to amend Sections 33882, 33911, and 33912 of, and to add Section 33279 and Article 4 of Chapter 5 of Part 1 of Division 24 to, the Health and Safety Code, relating to community redevelopment and the financing thereof and the powers of public bodies in connection therewith.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kilpatrick, Kirkwood, Lockslem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—66.

NOES—None

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO REPEAL RULE NO. 9

At 11.40 a.m., on motion of Mr. Silliman, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the motion to repeal Rule 9 of the Standing Rules carried by the following vote:

AYES—Babbage, Beck, Belotti, Brown, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Conrad, Davis, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Maloney, McCarthy, McFall, McGee, Meyers, Moss, Munnell, Parker, Rosenthal, Shaw, Sherwin, Silliman, Stanley, Stewart, Tomlinson, and Waters—46

NOES—Berry, Brady, Burkhalter, Chapel, Condon, Connolly, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Geddes, Hawkins, Hollibaugh, Levering, Lipscomb, Luckel, Lyon, McCollister, McMillan, Morris, Niehouse, Porter, Rumford, and Thomas—28.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 132
Assembly Bill No. 1969

And reports the same correctly engrossed.

GRUNSKY, Vice Chairman

Above reported bills ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT THAT PROPOSED AMENDMENTS TO STANDING RULE NO. 8 BE PRINTED IN JOURNAL

Mr. Geddes asked for unanimous consent that his proposed amendments to Standing Rule No. 8, which have not yet been read across the desk, be printed in the Journal, and that further action relative to amending the Standing Rules be postponed until the next legislative day.

Mr. Silliman withheld unanimous consent.

Motion That Proposed Amendments by Messrs. Geddes and Hawkins Be Printed in Journal

Mr. Dickey moved that proposed amendments by Messrs. Geddes and Hawkins to the Standing Rules be printed in the Journal, and that further action relative to amending the Standing Rules be postponed until the next legislative day.

Mr. Dunn seconded the motion.

Substitute Motion

Mr. Waters moved, as a substitute motion, that the proposed amendments by Messrs. Geddes and Hawkins be sent, with a rush order, to the printer so that they will be available for consideration after recess.

Ruling by Speaker

Speaker Sam L. Collins ruled the substitute motion not in order because the procedure involved is not in order.

The question being on the motion by Mr. Dickey.

Substitute Motion

Mr. Waters moved, as a substitute motion to Mr. Dickey's motion, that the Sergeant-at-Arms be instructed to have multigraphed sufficient copies of the proposed amendments to be offered by Messrs. Geddes and Hawkins, so that they may be available for consideration when the Assembly reconvenes this afternoon.

Mr. Lowrey seconded the substitute motion.

Point of Order

Mr. Dickey arose to the following point of order: That the substitute motion by Mr. Waters is not in order because the Journal is the official record, and it is correct procedure to print said amendments in the Journal.

Ruling by Speaker

Speaker Sam L. Collins ruled the substitute motion by Mr. Waters in order, and the point of order not well taken.

The question being on the substitute motion by Mr. Waters

Roll Call Demanded

Messrs. Gaffney, Henderson, and Munnell demanded a roll call.

The roll was called, and the substitute motion by Mr. Waters that proposed amendments by Messrs. Geddes and Hawkins be multigraphed and made available for use when the Legislature reconvenes this afternoon carried by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dunn, Elliott, Erwin, Fleury, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, McGee, Meyers, Moss, Munnell, Parker, Shaw, Sherwin, Sillman, Stanley, Stewart, and Waters—50

NOES—Brady, Crowley, Dickey, Dills, Dolwig, Gaffney, and McMillan—7.

RECESS

At 11.50 a.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 71—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951;

Assembly Concurrent Resolution No. 72—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951;

Assembly Concurrent Resolution No. 73—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951;

Assembly Concurrent Resolution No. 74—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the fourth day of June, 1951, a 1 p.m.

GRUNSKY, Vice Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 75—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951;

Assembly Concurrent Resolution No. 76—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951;

Assembly Concurrent Resolution No. 77—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951;

Assembly Concurrent Resolution No. 78—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the fourth day of June, 1951, a 1 p.m.

GRUNSKY, Vice Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 79—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951;

Assembly Concurrent Resolution No. 80—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951;

Assembly Concurrent Resolution No. 81—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951;

Assembly Concurrent Resolution No. 82—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the fourth day of June, 1951, at 1 p.m.

GRUNSKY, Vice Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 83—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951;

Assembly Concurrent Resolution No. 84—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951;

Assembly Concurrent Resolution No. 85—Approving a certain amendment to the charter of the City of Burbank, State of California, ratified by the electors of said city at the general municipal election held therein on the third day of April, 1951;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the fourth day of June, 1951, at 1 p.m.

GRUNSKY, Vice Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 23—An act to amend Section 25656 of the Water Code, relating to assessments in irrigation districts;

Assembly Bill No. 410—An act to amend Section 1630.1 of the Labor Code, relating to employment agencies;

Assembly Bill No. 1687—An act to add Section 7144.1 to the Education Code, and to amend Sections 2861 and 2862 of said code, relating to school districts constituting component parts of school districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1951, at 4 p.m.

GRUNSKY, Vice Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2149—An act to amend Section 740.4 of the Streets and Highways Code, relating to mapped highways;

Assembly Bill No. 2158—An act to amend Section 1596 of the Labor Code, relating to employment agencies;

Assembly Bill No. 2229—An act to amend Sections 30 and 89 of the Community Redevelopment Act and to amend Sections 33330, 33333, and 33450 of the Health and Safety Code, relating to community redevelopment;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1951, at 4 p.m.

GRUNSKY, Vice Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2955—An act to repeal Section 7658 of the Public Utilities Code, relating to issuance of passenger tickets by railroad corporations, rights thereunder and damages in connection therewith;

Assembly Bill No. 2956—An act to amend Section 7655 of the Public Utilities Code, relating to handling of baggage by railroad corporations and damages in connection therewith;

Assembly Bill No. 2959—An act to repeal Section 7652 of the Public Utilities Code, relating to damages for failure of railroads to transport passengers or property;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1951, at 4 p.m.

GRUNSKY, Vice Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2960—An act to repeal Section 7651 of the Public Utilities Code, relating to operation of railroads and sufficiency of their accommodations;

Assembly Bill No. 2961—An act to repeal Section 7534 of the Public Utilities Code, relating to quality of rail used in construction of railroads;

Assembly Bill No. 2962—An act to amend Section 7532 of the Public Utilities Code, relating to the construction of railroads and the discontinuance of operation thereof;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1951, at 4 p.m.

GRUNSKY, Vice Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2963—An act to amend Section 7528 of the Public Utilities Code, relating to the motive power of railroads,

Assembly Bill No. 2964—An act to amend Section 7527 of the Public Utilities Code, relating to the powers of railroad corporations;

Assembly Bill No. 2965—An act to repeal Section 7510 of the Public Utilities Code, prescribing penalty for violations of Sections 7508 and 7509 thereof and authorizing prosecution of actions;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1951, at 4 p.m.

GRUNSKY, Vice Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2966—An act to repeal Section 7509 of the Public Utilities Code, relating to increase in the rates and fares of railroad corporations;

Assembly Bill No. 2967—An act to amend Section 7508 of the Public Utilities Code, relating to transfer of property of railroad corporations, consent of stockholders and recording and effect of conveyance;

Assembly Bill No. 2968—An act to repeal Section 7507 of the Public Utilities Code, relating to certificate of payment of fixed capital stock of railroad corporations;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1951, at 4 p.m.

GRUNSKY, Vice Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2969—An act to repeal Section 7506 of the Public Utilities Code, relating to the fixing of the capital stock of railroad corporations;

Assembly Bill No. 2970—An act to repeal Section 7505 of the Public Utilities Code, relating to the conversion of bonds of railroad corporations into stock;

Assembly Bill No. 2971—An act to repeal Section 7504 of the Public Utilities Code, defining the crime of assenting to a debt of a railroad company in excess of its available means by an officer, agent or stockholder of such company and prescribing the penalty for such crime;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1951, at 4 p.m.

GRUNSKY, Vice Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2972—An act to amend Section 7503 of the Public Utilities Code, relating to the borrowing of money by railroad corporations;

Assembly Bill No. 2973—An act to repeal Section 7502 of the Public Utilities Code, relating to the transfer of the capital stock of railroad corporations;

Assembly Bill No. 2974—An act to repeal Section 7501 of the Public Utilities Code, relating to election of directors of railroad corporations;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1951, at 4 p.m.

GRUNSKY, Vice Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 8 of Article I thereof, relating to grand juries;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the fourth day of June, 1951, at 4 p.m.

GRUNSKY, Vice Chairman

RESOLUTIONS

The following resolutions were offered:

By Mr. Lowrey:

House Resolution No. 171

Congratulating Commander Hamilton B. Joslin, U. S. N. R.

WHEREAS, Hamilton B. Joslin enlisted in the United States Navy in 1930 at the age of 17 and was discharged therefrom in 1934 and joined the United States Naval Reserve in 1940 with the commission of Ensign; and

WHEREAS, While on active duty with the Navy in World War II he took part in the North Atlantic-Arctic Submarine Patrol for which service he was decorated, and served in the Asiatic and Southwest Pacific waters on submarines and attack transports of the Navy; and

WHEREAS, He was promoted through the various ranks to that of Lieutenant Commander before he was ordered to inactive duty in 1950; and

WHEREAS, In the service of the State of California after his return from naval duties, he served in the Legislative Auditor's office and with the Assembly Interim Committee on Public Lands; and

WHEREAS, Hamilton B. Joslin left the state service in March, 1951, to return to the naval service with the rank of Commander; now, therefore, be it

Resolved by the Assembly of the State of California, That the members thereof congratulate Commander Hamilton B. Joslin, U. S. N. R., upon his promotion, and express their appreciation of the services he rendered to the State and to Members of the Assembly during his sojourn in civilian life; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit to Commander Hamilton B. Joslin a suitably engrossed copy of this resolution.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Connolly:

House Resolution No. 172

Relative to the study of the Alcoholic Beverage Control Act

WHEREAS, There was pending before the Board and Commissions Committee of the Assembly, Assembly Bill No. 3395 relating to the sale of beer and wine with specific reference to the wholesaler-retailer licensees, and

WHEREAS, Said committee voted that the subject matter should be studied by an interim committee and that the Assembly should, by resolution, request the State Board of Equalization to preserve the status quo with respect to any action in connection with the problem; now, therefore be it

Resolved by the Assembly of the State of California, That the Assembly interim committee which may be authorized and directed to study any aspects of the Alcoholic Beverage Control Act is also hereby authorized and directed to investigate, study, and report all facts relating to the subject matter of Assembly Bill No. 3395 of this session, relating to the problem of a beer and wine wholesale licensee delivering such products to himself as a retail licensee; and be it further

Resolved, That the State Board of Equalization is requested to preserve the status quo with respect to its deliberations on this problem pending such investigation, study, and report; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the State Board of Equalization.

Resolution read, and ordered referred to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Constitutional Amendment No. 63: By Mr. George D. Collins—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 5 of Article XI, relating to compensation for public service.

Referred to Committee on Constitutional Amendments.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Senate Bill No. 957, on request of Mr. Dolwig.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mrs. Niehouse:

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 261k to the Code of Civil Procedure, relating to court reporters.

Respectfully submitted.

KATHRYN T. NIEHOUSE

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mrs. Niehouse:

An act to add Section 261k to the Code of Civil Procedure, relating to court reporters.

GRUNSKY, Vice Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—64.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3450: By Mrs. Niehouse—An act to add Section 261k to the Code of Civil Procedure, relating to court reporters.

Referred to Committee on Judiciary.

CONSIDERATION OF PROPOSED AMENDMENTS TO STANDING RULES NOS. 8 AND 10

Motion to Amend

Mr. Silliman moved the adoption of the following amendments to Standing Rules Nos. 8 and 10:

Amendments to Standing Rules Nos. 8 and 10

8. ~~For their convenient functioning and in furtherance of the thorough consideration of all bills on a given subject, the several standing committees of the Assembly are respectively grouped into the following categories:~~

~~A. Legislature.~~

(a) Two committees to consider legislative organization, functions and procedure *are hereby created*.

(1) Committee on Rules

There is a Committee on Rules, No. 1, which shall act as ~~an~~ *the* executive committee of the House ~~having the following powers:~~. *The committee shall consist of the Speaker, who shall be the chairman and six other members, three of whom shall be members of the minority party and three of whom shall be members of the majority party. The chairman of each minority and majority party caucus shall within twenty-four (24) hours after the operative date of this rule, as amended, file with the Chief Clerk a list of three nominees for membership on the Committee on Rules. Upon the filing of each such list, the Speaker shall immediately present the name of each nominee to the Assembly for its approval or rejection in the order filed. If approved by a majority of the elected membership of the Assembly, the nominee shall be declared elected as a member of the committee. If a nominee shall fail to receive such approval, the committee membership to which he would have been elected shall remain vacant until the chairman of his party caucus shall have filed the name of another nominee for the position who shall be thereafter approved by a majority of the elected membership of the Assembly. Vacancies in the Committee on Rules occurring during any session of the Legislature shall be filled by election as herein provided, and vacancies occurring after final adjournment and before the convening of the next session of the Legislature shall be filled temporarily, and until such convening, by the remaining committee members who are members of the same party as that of the member causing the vacancy Four duly qualified members of the committee shall constitute a quorum. No member of the Committee on Rules is eligible to serve as the chairman of a standing committee. The Committee on Rules, as constituted prior to the operative date of this amendment, is hereby abolished.*

The Committee on Rules provided herein shall have the following powers:

To recommend the appointment of all attaches and employees of the Assembly not otherwise provided for by statute. It shall have authority to suspend, with or without pay, any such attache or employee for incompetency or dereliction of duty, pending final action by the Assembly.

To propose a schedule of meetings of standing committees.

To make studies and recommendations designed to promote, improve, and expedite the business and procedure of the Assembly and of the committees thereof, and to propose any amendments to the Rules deemed necessary to accomplish such purposes.

The Committee on Rules shall continue in existence during any recess of the Legislature and after final adjournment and until the convening of the next regular general session and shall have the same powers and duties as while the Assembly is in session. In dealing with any matter within its jurisdiction the committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the Joint Rules of the Senate and Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to the Committee on Rules and its members.

The Committee on Rules shall for the purpose of Joint Rule No. 2 be deemed to be the Rules Committee of the Assembly.

(2) Committee on Legislative Procedure

There is a Committee on Legislative Procedure, No. 2, which shall have and exercise the following powers:

To be the Committee on Engrossment and Enrollment within the meaning of the Joint Rules. It shall be the duty of the Committee on Legislative Procedure to compare all bills, ordered or considered engrossed by the Assembly, with the engrossed copies thereof; and, before they pass out of the possession of the Assembly, see that the engrossed bill is a true copy of the original, with such amendments as may have been made thereto; and said committee shall see that all engrossed bills are reported back in the order in which they were ordered engrossed. The report of the Committee on Legislative Procedure shall be in order at any time.

To consider and report on bills introduced after the constitutional recess.

To assist the Speaker, upon his request, in recommending the reference of bills to the appropriate standing committee.

(b) Twenty-three standing committees of the Assembly are hereby created, upon the several subjects, and numbered respectively, as follows:

1. Rules
2. Legislative Procedure
3. Conservation, Planning, and Public Works
4. Fish and Game
5. Governmental Efficiency and Economy
6. Revenue and Taxation
7. Ways and Means
8. Education
9. Boards and Commissions

10. Public Health
11. Social Welfare
12. Civil Service and State Personnel
13. Military Affairs
14. Municipal and County Government
15. Elections and Reapportionment
16. Judiciary
17. Constitutional Amendments
18. Agriculture
19. Public Utilities and Corporations
20. Manufacturing, Oil, and Mining Industry
21. Industrial Relations
22. Finance and Insurance
23. Transportation and Commerce

Prior to the assignment of members to serve on the several standing committees, the Speaker shall consider the preferences of the members with regard to committee assignments, while keeping in view the practical necessity of making assignments so that members will not serve on more than one committee which meets at the same time, and the Speaker thereafter shall determine the number and members to serve on each standing committee, *except the Committee on Rules which is hereinabove provided for*. Upon publication in the Journal of the number of members on each standing committee, no further change in the number of members of the committee shall be made otherwise than by a majority vote of the elected membership of the Assembly.

No Member of the Assembly shall be a member of more than three standing committees except that upon appointment by the Speaker or the approval of the House a member may serve on four committees.

A vote of a majority of the entire elected membership is necessary in order to constitute any standing committee an interim committee; and a vote of two-thirds of the elected membership is necessary in order to create any other standing committee.

There shall be published weekly in the Assembly Weekly History during each session of the Legislature a chart showing the Rational Organization of the Standing Committees of the Assembly and showing Chairman and Vice Chairman, Number of Members, Time of Meeting, Room Number, Total Number of Measures, "referred" and "action pending," and a meeting schedule for each day of the week.

(c) This rule as amended shall become operative on the ninth calendar day prior to final adjournment of the 1951 Regular Session.

10. The Speaker shall possess the powers and perform the duties prescribed:

(a) To preserve order and decorum; he may speak to points of order in preference to the other members, rising from his chair for that purpose.

(b) To decide all questions of order subject to appeal to the Assembly by any member. On every appeal, he shall have the right to assign his reason for his decision.

(c) To have general direction over the Assembly Chamber and rooms set aside for the use of the Assembly, including the rooms for use by members as private offices.

(d) To name any member to perform the duties of the Speaker, but such substitutions shall not extend beyond adjournment.

(e) To appoint the membership of all standing and special committees, and their respective chairmen and vice chairmen.

(f) To propose a schedule of meetings of standing committees.

(g) To have general control and direction over the Journals, papers, and bills of the Assembly.

(h) To act as Chairman of the Committee of the Whole.

(i) To order the Lobby and Gallery cleared whenever he shall deem it necessary.

(j) To assign desks to properly accredited newspaper representatives.

(k) To authenticate by his signature, when necessary, or when required by law, all bills, memorials, resolutions, orders, proceedings, writs, warrants, and subpenas issued by order of the Assembly.

(l) The Speaker shall be ex officio member of all Assembly, joint, and interim committees with all of the rights and privileges of such membership, except the right to vote. In counting a quorum of any such committees, the Speaker shall not be counted as a member.

(m) The provisions of subdivision (l) of this rule do not apply to the Speaker as a member of the Committee on Rules.

(n) This rule as amended shall become operative on the ninth calendar day prior to final adjournment of the 1951 Regular Session.

Amendments read.

Request for Unanimous Consent That All Proposed Amendments to Standing Rules Nos. 8 and 10 Be Considered Prior to Being Printed

Mr. Silliman asked for unanimous consent that his, and all other proposed amendments to Standing Rules Nos. 8 and 10, be discussed, and considered prior to being printed.

Mr. Hollibaugh withheld unanimous consent.

Motion That All Proposed Amendments to the Standing Rules Be Considered Prior to Being Printed

Mr. Waters moved that all proposed amendments to Standing Rules Nos. 8 and 10 be considered prior to being printed.

Point of Order

Mr. Dolwig arose to the following point of order: That, as only the amendments being offered by Mr Silliman to Standing Rules Nos 8 and 10 are before the House, the motion by Mr. Waters is not in order, at this time.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

The question being on the adoption of the amendments offered by Mr. Silliman to Rules 8 and 10.

Substitute Motion to Amend

Mr. Geddes moved the adoption of the following amendments to Standing Rule No. 8:

Amendment No. 1

In the proposed amended Rule No. 8, as printed in the Assembly Journal for June 1, 1951, in (a) (1) at page 5037, after the comma following the words "as amended", and before the word "file", insert "convene the party caucus of which he is chairman and provide the members thereof with ballots showing the names of the members. The

members of each party caucus shall thereupon by secret ballot indicate their preference for three to be members of the Rules Committee and shall continue to ballot until three names shall have received a majority of the votes of the total number of members of the party. Following the balloting by the party caucus the chairman thereof shall''

Amendment No. 2

On page 5037 in the line beginning ''tion'' and before the words ''who shall be thereafter approved'' etc, insert ''which shall be the name of a member of the party caucus and selected by ballot in the same manner as the names of those previously presented and that such person shall be the nominee''.

Amendment No. 3

On page 5037 of the Assembly Journal for June 1, 1951, strike out next to the last sentence reading ''No member of the Committee on Rules is eligible to serve as the chairman of a standing committee.''

Amendment No. 4

On page 5039 of the Assembly Journal for June 1, 1951, in the paragraph which appears entirely in italics, strike out the words ''a majority'', and insert ''two thirds''.

At the end of the same sentence before the period, insert ''or special interim or investigating committee''

Amendments read.

Division of the Question

Mr. Silliman asked for a division of the question

By unanimous consent, it was agreed that the division of the question would be as follows:

1. Consideration of Amendments Nos. 1 and 2.
2. Consideration of Amendment No. 3.
3. Consideration of Amendment No 4

Consideration of Proposed Amendments Nos. 1 and 2 by Mr. Geddes to Standing Rule No. 8

Amendment No. 1

In the proposed amended Rule No. 8, as printed in the Assembly Journal for June 1, 1951, in (a) (1) at page 5037, after the comma following the words ''as amended'', and before the word ''file'', insert ''convene the party caucus of which he is chairman and provide the members thereof with ballots showing the names of the members. The members of each party caucus shall thereupon by secret ballot indicate their preference for three to be members of the Rules Committee and shall continue to ballot until three names shall have received a majority of the votes of the total number of members of the party. Following the balloting by the party caucus the chairman thereof shall''.

Amendment No. 2

On page 5037, in line beginning ''tion'' and before the words ''who shall be thereafter approved'' etc., insert ''which shall be the name of a member of the party caucus and selected by ballot in the same manner as the names of those previously presented and that such person shall be the nominee''.

Amendments read.

Speaker Presiding

At 2.25 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Motion That Consideration of Motion by Mr. Silliman Be Postponed

Mr. Doyle moved that consideration of the motion by Mr. Silliman be postponed until the session in March, 1952.

Motion died for lack of a second.

The question being on the motion by Mr. Geddes that his proposed Amendments Nos. 1 and 2 to Standing Rule No. 8 be adopted.

Roll Call Demanded

Messrs. Hinckley, Geddes, and Waters demanded a roll call.

The roll was called, and Amendments Nos. 1 and 2 offered by Mr. Geddes to Standing Rule No. 8 adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Waters—63

NOES—Hollibaugh, McCollister, McMillan, and Porter—4.

Consideration of Amendment No. 3 Offered by Mr. Geddes to Standing Rule No. 8

Amendment No. 3

On page 5037 of the Assembly Journal for June 1, 1951, strike out next to the last sentence reading "No member of the Committee on Rules is eligible to serve as the chairman of a standing committee."

Amendment read.

Roll Call Demanded

Messrs. Geddes, Hinckley, and Waters demanded a roll call.

The roll was called, and Amendment No. 3, offered by Mr. Geddes to Standing Rule No. 8, refused adoption by the following vote:

AYES—Brady, Crowley, Doyle, Dunn, Geddes, Porter, and Thomas—7.

NOES—Babbage, Beck, Belotti, Berry, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Davis, Dills, Dolwig, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters—59

Request for Unanimous Consent That Proposed Amendment Be Changed

Mr. Geddes asked for, and was granted, unanimous consent that his proposed amendment No. 4 to Standing Rule No. 8 be changed as he will presently read it from the floor, and that the changed amendment be considered in lieu of the original amendment.

Consideration of Changed Amendment No. 4 Offered by Mr. Geddes to Standing Rule No. 8

Amendment No. 4

On page 5039 of the Assembly Journal for June 1, 1951, in the paragraph which appears entirely in italics, at the end of the sentence, before the period, insert "or special interim or investigating committee".

Amendment read.

Roll Call Demanded

Messrs. Geddes, Hinckley, and Conrad demanded a roll call.

The roll was called, and Amendment No. 4, offered by Mr. Geddes to Standing Rule No. 8, adopted by the following vote:

AYES—Babbage, Beck, Belotti, Brady, Brown, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Davis, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb,

Luckel, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—55

NOES—Berry, Burkhalter, Coats, Dickey, Dills, Dolwig, Elliott, Evans, Hawkins, Hollibaugh, Lowrey, Lyon, McCollister, McMillan, and Rosenthal—15.

Request for Unanimous Consent That Chief Clerk Be Authorized to Make Needed Page and Line Changes

Mr. Hawkins asked for, and was granted, unanimous consent that the content of his proposed amendment to Standing Rule No. 8 be taken up, at this time, and that the Chief Clerk be authorized to make needed page and line changes occasioned by the adoption of above amendments offered by Mr. Geddes.

Consideration of Further Amendments to Standing Rule No. 8

Motion to Amend

Mr. Hawkins moved the adoption of the following amendment to Standing Rule No. 8:

Amendment No. 1

On page 5037 in the paragraph following the line which reads "(1) Committee on Rules", in the fifth line of said paragraph, strike out "the Chair-"; and strike out lines 6 to 18, inclusive, of said paragraph and insert "Membership on the Rules Committee shall be by election of the party caucus. No other approval shall be necessary. The chairman of each party caucus, shall within twenty-four (24) hours after the operative date of this rule, as amended, file with the Chief Clerk the names of the members of the party selected by the caucus for membership on said committee. Vacancies in the Committee on Rules".

Amendment read.

Point of Order

Mr. Silliman arose to the following point of order: That Mr. Hawkins is not speaking to the question.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

Roll Call Demanded

Messrs. Hawkins, Elliott, and Thomas demanded a roll call.

The roll was called, and the amendment offered by Mr. Hawkins to Standing Rule No. 8 refused adoption by the following vote:

AYES—Brady, Dunn, Elliott, Evans, Hawkins, and Thomas—6

NOES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Davis, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters—65.

The question being on the adoption of amendments offered by Mr. Silliman to Standing Rules Nos 8 and 10, as amended.

Substitute Motion

Mr. Dolwig moved that the proposed amendments to Standing Rules Nos. 8 and 10, being offered by Mr. Silliman, be referred to a Special Committee comprised of nine members, three to be appointed by the Speaker, three to be appointed by the Democratic Caucus, and three to be appointed by the Republican Caucus; and that said committee report back to the Assembly, with a solution, on January 1, 1953.

Mr. Doyle seconded the motion.

Point of Order

Mr. Hagen arose to the following point of order: That Mr. Evans is not speaking to the question.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Point of Order

Mr. Lowrey arose to the following point of order: That Mr. Evans is not speaking to the question.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Point of Order

Mr. Sherwin arose to the following point of order: That, pursuant to the provisions of the House Rules, the subject matter in Mr. Dolwig's motion, if it carries, will have to be referred to the Committee on Rules, and as there is no provision in the Rules covering the appointment of the proposed nine man committee, the Speaker would have to appoint such a committee.

Ruling by Speaker

Speaker Sam L. Collins, having ruled that the motion by Mr. Dolwig is in order, ruled the point of order by Mr Sherwin not well taken, at this time, but announced that, as there are no provisions in the present Rules to cover the above issue, the Speaker would have to appoint such a committee, and the point of order may be well taken at a later time.

The question being on the motion by Mr. Dolwig.

Point of Order

Mr. Lowrey arose to the following point of order: That Mr. Collier is not speaking to the question.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Demand for Previous Question

Messrs. Stewart, Caldecott, Lincoln, Lowrey, and Fleury demanded the previous question.

Roll Call Demanded

Messrs. Munnell, Beck, and Lowrey demanded a roll call.

The roll was called, and the demand for the previous question not sustained by the following vote:

AYES—Caldecott, Collier, Hagen, Luckel, Moss, Shaw, and Smith—7.

NOES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Clarke, Cloyed, Coats, George D. Collins, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Stanley, Stewart, Thomas, Tomlinson, and Waters—57

The question being on the motion by Mr. Dolwig that a Special Committee of Nine be named to consider proposed amendments to Standing Rules Nos. 8 and 10, and that said committee report its findings to the Assembly on January 1, 1953.

Demand for Previous Question

Messrs. Conrad, Shaw, Babbage, Henderson, and Hinckley demanded the previous question.

Demand for previous question sustained.

The question being on the motion by Mr. Dolwig.

The roll was called, and the motion lost by the following vote:

AYES—Berry, Brady, Burkhalter, Chapel, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Geddes, Hawkins, Hollibaugh, Kelly, Levering, Lyon, McCollister, McMillan, Niehouse, Porter, and Thomas—23

NOES—Babbage, Beck, Belotti, Brown, Caldecott, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Davis, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, McGee, Meyers, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters—51.

The question being on the motion by Mr. Silliman that his amendments to Standing Rules Nos. 8 and 10, as amended, be adopted.

Question of Personal Privilege

Mr. Geddes arose to a question of personal privilege.

Ruling by Speaker

Speaker Sam L. Collins ruled the question of personal privilege not well taken.

The question being on the motion by Mr. Silliman that his amendments to Standing Rules Nos. 8 and 10, as amended, be adopted.

The roll was called, and the amendments adopted by the following vote:

AYES—Babbage, Beck, Belotti, Brown, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Davis, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Maloney, McCarthy, McFall, McGee, Meyers, Moss, Munnell, Parker, Rosenthal, Shaw, Sherwin, Silliman, Stanley, Stewart, Tomlinson, and Waters—48.

NOES—Berry, Brady, Burkhalter, Chapel, Condon, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Geddes, Hawkins, Hollibaugh, Lipscomb, Luckel, Lyon, McCollister, McMillan, Morris, Niehouse, Porter, Rumford, Smith, and Thomas—27.

STANDING RULES NOS. 8 AND 10, AS AMENDED

8. (a) Two committees to consider legislative organization, functions and procedure are hereby created.

(1) Committee on Rules

There is a Committee on Rules, No. 1, which shall act as the executive committee of the House. The committee shall consist of the Speaker, who shall be the chairman and six other members, three of whom shall be members of the minority party and three of whom shall be members of the majority party. The chairman of each minority and majority party caucus shall within twenty-four (24) hours after the operative date of this rule, as amended, convene the party caucus of which he is chairman and provide the members thereof with ballots showing the names of the members. The members of each party caucus shall thereupon by secret ballot indicate their preference for three to be members of the Rules Committee and shall continue to ballot until three names shall have received a majority of the votes of the total number of members of the party. Following the balloting by the party caucus the chairman thereof shall file with the Chief Clerk a list of three nominees for membership on the Committee on Rules. Upon the filing of each such list, the Speaker shall immediately present the name of each nominee to the Assembly for its approval or rejection in the order filed If approved by a majority of the elected membership of the Assembly, the nominee shall be declared elected as a member of the committee. If a nominee shall fail to receive such approval, the committee membership to which he would have been elected shall remain vacant until the chairman of his party caucus shall

have filed the name of another nominee for the position which shall be the name of a member of the party caucus and selected by ballot in the same manner as the names of those previously presented and that such person shall be the nominee who shall be thereafter approved by a majority of the elected membership of the Assembly. Vacancies in the Committee on Rules occurring during any session of the Legislature shall be filled by election as herein provided, and vacancies occurring after final adjournment and before the convening of the next session of the Legislature shall be filled temporarily, and until such convening, by the remaining committee members who are members of the same party as that of the member causing the vacancy. Four duly qualified members of the committee shall constitute a quorum. No member of the Committee on Rules is eligible to serve as the chairman of a standing committee. The Committee on Rules, as constituted prior to the operative date of this amendment, is hereby abolished.

The Committee on Rules provided herein shall have the following powers:

To recommend the appointment of all attaches and employees of the Assembly not otherwise provided for by statute It shall have authority to suspend, with or without pay, any such attache or employee for incompetency or dereliction of duty, pending final action by the Assembly.

To propose a schedule of meetings of standing committees.

To make studies and recommendations designed to promote, improve, and expedite the business and procedure of the Assembly and of the committees thereof, and to propose any amendments to the Rules deemed necessary to accomplish such purposes.

The Committee on Rules shall continue in existence during any recess of the Legislature and after final adjournment and until the convening of the next regular general session and shall have the same powers and duties as while the Assembly is in session. In dealing with any matter within its jurisdiction the committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the Joint Rules of the Senate and Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to the Committee on Rules and its members.

The Committee on Rules shall for the purpose of Joint Rule No. 2 be deemed to be the Rules Committee of the Assembly.

(2) Committee on Legislative Procedure

There is a Committee on Legislative Procedure, No. 2, which shall have and exercise the following powers:

To be the Committee on Engrossment and Enrollment within the meaning of the Joint Rules. It shall be the duty of the Committee on Legislative Procedure to compare all bills, ordered or considered engrossed by the Assembly, with the engrossed copies thereof; and, before they pass out of the possession of the Assembly, see that the engrossed bill is a true copy of the original, with such amendments as may have been made thereto; and said committee shall see that all engrossed bills are reported back in the order in which they were ordered engrossed. The report of the Committee on Legislative Procedure shall be in order at any time.

To consider and report on bills introduced after the constitutional recess.

To assist the Speaker, upon his request, in recommending the reference of bills to the appropriate standing committee.

(b) Twenty-three standing committees of the Assembly are hereby created, upon the several subjects, and numbered respectively, as follows:

1. Rules
2. Legislative Procedure
3. Conservation, Planning, and Public Works
4. Fish and Game
5. Governmental Efficiency and Economy
6. Revenue and Taxation
7. Ways and Means
8. Education
9. Boards and Commissions
10. Public Health
11. Social Welfare
12. Civil Service and State Personnel
13. Military Affairs
14. Municipal and County Government
15. Elections and Reapportionment
16. Judiciary
17. Constitutional Amendments
18. Agriculture
19. Public Utilities and Corporations
20. Manufacturing, Oil, and Mining Industry
21. Industrial Relations
22. Finance and Insurance
23. Transportation and Commerce

Prior to the assignment of members to serve on the several standing committees, the Speaker shall consider the preferences of the members with regard to committee assignments, while keeping in view the practical necessity of making assignments so that members will not serve on more than one committee which meets at the same time, and the Speaker thereafter shall determine the number and members to serve on each standing committee, except the Committee on Rules which is hereinabove provided for. Upon publication in the Journal of the number of members on each standing committee, no further change in the number of members of the committee shall be made otherwise than by a majority vote of the elected membership of the Assembly.

No Member of the Assembly shall be a member of more than three standing committees except that upon appointment by the Speaker or the approval of the House a member may serve on four committees.

A vote of a majority of the entire elected membership is necessary in order to constitute any standing committee an interim committee; and a vote of two-thirds of the elected membership is necessary in order to create any other standing committee or special interim or investigating committee.

There shall be published weekly in the Assembly Weekly History during each session of the Legislature a chart showing the Rational Organization of the Standing Committees of the Assembly and showing Chairman and Vice Chairman, Number of Members, Time of Meeting, Room Number, Total Number of Measures, "referred" and "action pending," and a meeting schedule for each day of the week.

(c) This rule as amended shall become operative on the ninth calendar day prior to final adjournment of the 1951 Regular Session.

10. The Speaker shall possess the powers and perform the duties prescribed:

(a) To preserve order and decorum; he may speak to points of order in preference to the other members, rising from his chair for that purpose.

(b) To decide all questions of order subject to appeal to the Assembly by any member. On every appeal, he shall have the right to assign his reason for his decision.

(c) To have general direction over the Assembly Chamber and rooms set aside for the use of the Assembly, including the rooms for use by members as private offices.

(d) To name any member to perform the duties of the Speaker, but such substitutions shall not extend beyond adjournment.

(e) To appoint the membership of all standing and special committees, and their respective chairmen and vice chairmen.

(f) To propose a schedule of meetings of standing committees.

(g) To have general control and direction over the Journals, papers, and bills of the Assembly.

(h) To act as Chairman of the Committee of the Whole.

(i) To order the Lobby and Gallery cleared whenever he shall deem it necessary.

(j) To assign desks to properly accredited newspaper representatives

(k) To authenticate by his signature, when necessary, or when required by law, all bills, memorials, resolutions, orders, proceedings, writs, warrants, and subpenas issued by order of the Assembly.

(*l*) The Speaker shall be ex officio member of all Assembly, joint, and interim committees with all of the rights and privileges of such membership, except the right to vote. In counting a quorum of any such committees, the Speaker shall not be counted as a member.

(m) The provisions of subdivision (*l*) of this rule do not apply to the Speaker as a member of the Committee on Rules.

(n) This rule as amended shall become operative on the ninth calendar day prior to final adjournment of the 1951 Regular Session.

CONSIDERATION OF FURTHER AMENDMENTS TO STANDING RULES NOS. 9, 8, AND 10

Notice of Motion to Amend Standing Rule No. 9 Waived

Mr. Fleury waived his notice of motion to amend Standing Rule No. 9.

Motion to Amend

Mr. Fleury moved the adoption of the following amendments to Standing Rules Nos. 8 and 10:

Amendments to Standing Rules Nos. 8 and 10

8 ~~For their convenient functioning and in furtherance of the thorough consideration of all bills on a given subject, the several standing committees of the Assembly are respectively grouped into the following categories:~~

~~A. Legislature.~~

(a) Two committees to consider legislative organization, functions and procedure *are hereby created*.

(1) Committee on Rules

There is a Committee on Rules, No. 1, which shall act as ~~an~~ *the* executive committee of the House ~~having the following powers:~~ . *The committee shall consist of the Speaker, who shall be the chairman and six other members, three of whom shall be members of the minority party and three of whom shall be members of the majority party. The chairman of each minority and majority party caucus shall within twenty-four (24) hours after the operative date of this rule, as amended, convene the party caucus of which he is chairman and provide the members thereof with ballots showing the names of the members. The members of each party caucus shall thereupon by secret ballot indicate their preference for three to be members of the Rules Committee and shall continue to ballot until three names shall have received a majority of the votes of the total number of members of the party. Following the ballotting by the party caucus the chairman thereof shall file with the Chief Clerk a list of three nominees for membership on the Committee on Rules. Upon the filing of each such list, the Speaker shall immediately present the name of each nominee to the Assembly for its approval or rejection in the order filed. If approved by a majority of the elected membership of the Assembly, the nominee shall be declared elected as a member of the committee. If a nominee shall fail to receive such approval, the committee membership to which he would have been elected shall remain vacant until the chairman of his party caucus shall have filed the name of another nominee for the position which shall be the name of a member of the party caucus and selected by ballot in the same manner as the names of those previously presented and that such person shall be the nominee who shall be thereafter approved by a majority of the elected membership of the Assembly. Vacancies in the Committee on Rules occurring during any session of the Legislature shall be filled by election as herein provided, and vacancies occurring after final adjournment and before the convening of the next session of the Legislature shall be filled temporarily, and until such convening, by the remaining committee members who are members of the same party as that of the member causing the vacancy. Four duly qualified members of the committee shall constitute a quorum. No member of the Committee on Rules is eligible to serve as the chairman of a standing committee. The Committee on Rules, as constituted prior to the operative date of this amendment, is hereby abolished.*

The Committee on Rules provided herein shall have the following powers:

To recommend the appointment of all attaches and employees of the Assembly not otherwise provided for by statute. It shall have authority to suspend, with or without pay, any such attache or employee for incompetency or dereliction of duty, pending final action by the Assembly.

To appoint the membership, except that of the Committee on Rules, of all standing, special and interim committees, and their respective chairmen and vice chairmen.

To propose a schedule of meetings of standing committees.

To check all Assembly bills and House resolutions prior to introduction and all Senate bills before reference to committee and to designate the committees to which they shall be referred.

To make studies and recommendations designed to promote, improve, and expedite the business and procedure of the Assembly and of the com-

mittees thereof, and to propose any amendments to the Rules deemed necessary to accomplish such purposes.

Wherever in Assembly Standing Rules authority is conferred upon the Speaker to appoint committee members or to refer matters to a committee, the word "Speaker" shall hereafter mean "Committee on Rules."

The Committee on Rules shall continue in existence during any recess of the Legislature and after final adjournment and until the convening of the next regular general session and shall have the same powers and duties as while the Assembly is in session. The committee shall have authority to fill vacancies in any Assembly committee, except those in the Committee on Rules, or to fill vacancies in the Assembly membership of any joint committee. In dealing with any matter within its jurisdiction the committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the Joint Rules of the Senate and Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to the Committee on Rules and its members.

The Committee on Rules shall for the purpose of Joint Rule No. 2 be deemed to be the Rules Committee of the Assembly.

(2) Committee on Legislative Procedure

There is a Committee on Legislative Procedure, No. 2, which shall have and exercise the following powers:

To be the Committee on Engrossment and Enrollment within the meaning of the Joint Rules. It shall be the duty of the Committee on Legislative Procedure to compare all bills, ordered or considered engrossed by the Assembly, with the engrossed copies thereof; and, before they pass out of the possession of the Assembly, see that the engrossed bill is a true copy of the original, with such amendments as may have been made thereto; and said committee shall see that all engrossed bills are reported back in the order in which they were ordered engrossed. The report of the Committee on Legislative Procedure shall be in order at any time.

To consider and report on bills introduced after the constitutional recess.

~~To assist the Speaker, upon his request, in recommending the reference of bills to the appropriate standing committee~~

(b) Twenty-three standing committees of the Assembly are hereby created, upon the several subjects, and numbered respectively, as follows:

1. Rules
2. Legislative Procedure
3. Conservation, Planning, and Public Works
4. Fish and Game
5. Governmental Efficiency and Economy
6. Revenue and Taxation
7. Ways and Means
8. Education
9. Boards and Commissions
10. Public Health
11. Social Welfare
12. Civil Service and State Personnel
13. Military Affairs
14. Municipal and County Government

15. Elections and Reapportionment
16. Judiciary
17. Constitutional Amendments
18. Agriculture
19. Public Utilities and Corporations
20. Manufacturing, Oil, and Mining Industry
21. Industrial Relations
22. Finance and Insurance
23. Transportation and Commerce

Prior to the assignment of members to serve on the several standing committees, the ~~Speaker~~ *Committee on Rules* shall consider the preferences of the members with regard to committee assignments, while keeping in view the practical necessity of making assignments so that members will not serve on more than one committee which meets at the same time, and the ~~Speaker~~ *Committee on Rules* thereafter shall determine the number and members to serve on each standing committee, *except the Committee on Rules which is hereinabove provided for*. Upon publication in the Journal of the number of members on each standing committee, no further change in the number of members of the committee shall be made otherwise than by a majority vote of the elected membership of the Assembly.

A vote of a majority of the entire elected membership is necessary in order to constitute any standing committee an interim committee; and a vote of two-thirds of the elected membership is necessary in order to create any other standing committee or special interim or investigating committee.

No Member of the Assembly shall be a member of more than three standing committees except that upon appointment by the ~~Speaker~~ *Committee on Rules* or the approval of the House a member may serve on four committees

There shall be published weekly in the Assembly Weekly History during each session of the Legislature a chart showing the Rational Organization of the Standing Committees of the Assembly and showing Chairman and Vice Chairman, Number of Members, Time of Meeting, Room Number, Total Number of Measures, "referred" and "action pending," and a meeting schedule for each day of the week

(c) This rule as amended shall become operative on the ninth calendar day prior to final adjournment of the 1951 Regular Session.

10. The Speaker shall possess the powers and perform the duties prescribed:

(a) To preserve order and decorum; he may speak to points of order in preference to the other members, rising from his chair for that purpose.

(b) To decide all questions of order subject to appeal to the Assembly by any member. On every appeal, he shall have the right to assign his reason for his decision.

(c) To have general direction over the Assembly Chamber and rooms set aside for the use of the Assembly, including the rooms for use by members as private offices.

(d) To name any member to perform the duties of the Speaker, but such substitutions shall not extend beyond adjournment.

~~(e) To appoint the membership of all standing and special committees, and their respective chairmen and vice chairmen.~~

~~(f) To propose a schedule of meetings of standing committees.~~

~~(g)~~ *(e)* To have general control and direction over the Journals, papers, and bills of the Assembly.

~~(h)~~ *(f)* To act as Chairman of Committee of the Whole.

~~(i)~~ *(g)* To order the Lobby and Gallery cleared whenever he shall deem it necessary.

~~(j)~~ *(h)* To assign desks to properly accredited newspaper representatives.

~~(k)~~ *(i)* To authenticate by his signature, when necessary, or when required by law, all bills, memorials, resolutions, orders, proceedings, writs, warrants, and subpenas issued by order of the Assembly.

~~(l)~~ *(j)* The Speaker shall be ex officio member of all Assembly, joint, and interim committees with all of the rights and privileges of such membership, except the right to vote. In counting a quorum of any such committees, the Speaker shall not be counted as a member.

(k) The provisions of subdivision (j) of this rule do not apply to the Speaker as a member of the Committee on Rules

(l) This rule as amended shall become operative on the ninth calendar day prior to final adjournment of the 1951 Regular Session.

Amendments read.

Substitute Motion to Amend

Mr. Hawkins moved the adoption of the following amendments to Standing Rule No. 8:

Amendment No. 1

On page 4919 of the Assembly Journal of May 30, 1951, in the paragraph following the line which reads "(1) Committee on Rules", in the third line of said paragraph, strike out "six", and strike out lines 4 to 18, inclusive, of said paragraph, and insert "eight other members The members of the Rules Committee and of all standing, special and interim committees hereafter appointed by it, shall be composed of members of the two major political parties represented in the Assembly, in the exact ratio as far as practicable, as those parties are represented in the Assembly as a whole. Chairmanships and vice chairmanships of all Assembly committees, other than the Committee on Rules, shall be shared between the two major political parties in the same ratio as prescribed above for committee memberships

Membership on all Assembly committees, including the membership of the Committee on Rules, other than the Speaker, shall be by election of the party caucus and based on seniority. No other approval shall be necessary. The chairman of each party caucus shall, within twenty-four (24) hours after the operative date of this rule, as amended, file with the Chief Clerk the names of the members of the party selected by the caucus for membership on each committee. Vacancies in the membership of any committee, including the Committee on Rules, occurring during any session of the Legislature shall be filled by".

Amendment No. 2

In line 23 of said paragraph, strike out "Four", and insert "Five".

Amendment No. 3

In line 23 of said paragraph, before "committee", insert "Rules"

Amendments read.

Amendments Withdrawn

Mr. Hawkins withdrew his amendments.

The question being on the motion by Mr. Fleury that his amendments to Standing Rules Nos. 8 and 10 be adopted.

Demand for Previous Question

Messrs. Conrad, Collier, Levering, Lanterman, and Luckel demanded the previous question.

Demand for previous question sustained.

The question being on the motion by Mr. Fleury that his amendments to Standing Rules Nos. 8 and 10 be adopted.

The roll was called, and the motion lost by the following vote:

AYES—Babbage, Beck, Caldecott, Chapel, Coats, Collier, George D. Collins, Connolly, Conrad, Davis, Erwin, Fleury, Grunsky, Gubser, Hagen, Henderson, Hinckley, Kirkwood, Klocksiem, Lowrey, McCarthy, McFall, Meyers, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Sherwin, and Waters—31.

NOES—Belotti, Berry, Brady, Burkhalter, Cloyed, Crowley, Dills, Dolwig, Doyle, Elliott, Evans, Gaffney, Geddes, Grant, Hansen, Hawkins, Hollibaugh, Kelly, Kilpatrick, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCollister, McGee, McMillan, Morris, Niehouse, Porter, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—39.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 4, 1951

To the Honorable Members of the Assembly
State of California
Sacramento, California

GREETINGS. I am returning herewith, without my signature,

Assembly Bill 1647, entitled. "An act to amend Section 206 of the Revenue and Taxation Code, relating to property taxes and the exemption of personal property of churches."

My objections to this bill are as follows:

The purpose of the bill is not to grant exemption to churches, but to change the procedure for claiming such exemption. There is a difference in the procedure for claiming exemption under the welfare exemption provisions now exempting all church property and the church exemption applicable solely to real property. In an attempt to secure uniformity of procedure in claiming the exemption, this bill attempts to provide a second exemption for such personal property analogous to the real property exemption

In adopting this bill, however, there has been a failure to comply with a constitutional requirement. The Constitution in Section 14 of Article XIII authorizes the Legislature to exempt personal property from taxation "two-thirds of all the members elected to each of the two houses voting in favor thereof." The Senate Journal of May 18th shows that this measure was adopted by the Senate by a vote of 21 to 0. Thus the required two-thirds vote was not had in the Senate

This difficulty and the difficulty of having an undesirable duplicating exemption in the Revenue and Taxation Code could have been avoided had this bill been differently phrased The bill could have been in the form of an amendment to Section 255 of the Revenue and Taxation Code changing the procedure for the claiming of this exemption Had it been worded to do directly what it attempted to do by indirection, this difficulty could have been avoided

The failure of this bill will not affect the right of churches to this exemption. It will only affect the procedure for claiming it.

The veto of this bill has been suggested to the author and is agreeable to him.

For these reasons I am returning the bill without my approval.

Respectfully submitted.

EARL WARREN, Governor

Acknowledgment of Receipt of Assembly Bill No. 1647

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 4, 1951

I acknowledge receipt this fourth day of June, 1951, at 3 25 o'clock p.m of Assembly Bill No 1647 without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

ARTHUR A. OHNIMUS

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Erwin to reconsider the vote whereby Senate Concurrent Resolution No. 82 was adopted, was continued until the next legislative day.

By unanimous consent, the notice of motion by Mr. Lyon to reconsider the vote whereby Assembly Bill No. 494 was passed, was continued until the next legislative day.

By unanimous consent, the notice of motion by Messrs. Munnell and Dunn to reconsider the vote whereby Assembly Constitutional Amendment No. 54 was adopted, was continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2214 BE RE-REFERRED TO COMMITTEE

Mr. Stanley asked for, and was granted, unanimous consent that Assembly Bill No. 2214 be withdrawn from the third reading file, and be re-referred to the Committee on Ways and Means.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 191 HOLD PLACE ON FILE

Mr. Conrad asked for, and was granted, unanimous consent that Assembly Bill No 191 be passed on file, and hold its place on file on the next legislative day.

REQUEST FOR UNANIMOUS CONSENT THAT OPINION OF LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Mr. Elliott asked for unanimous consent that an opinion of the Legislative Counsel, relative to the number of delegates to national party conventions, be ordered printed in the Journal, in 10 point type.

Mr. Waters withheld unanimous consent.

ANNOUNCEMENTS

Mr. Stanley announced a Republican breakfast and Caucus tomorrow morning, Tuesday, June 5, at 7.30 a.m., at Hart's restaurant.

Mr. Babbage announced that the gifts of dates, which have been placed on the desks of members, are there through the courtesy of the California Date Grower's Association of Indio.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today At 8 p.m.—

Judiciary, in Room 2170.
Military Affairs, in Room 426.

Today Upon Adjournment—

Boards and Commissions, in Room 426.
Legislative Representation, in Room 3147.

Next Thursday, June 7th, at 8 p m —

Ways and Means.

It was announced that the following committees would hold no meetings today:

Public Utilities and Corporations.
Finance and Insurance.
Ways and Means.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Waters, the usual courtesies of the Assembly for this day were unanimously extended to Paul Dietriech of Los Angeles

On request of Mr. Luckel and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Frank Gibson of San Diego.

On request of Messrs. Munnell and Condon, the usual courtesies of the Assembly for this day were unanimously extended to Mildred Hobbs and Jane Erickson of Concord.

On request of Mr. Luckel and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Judge Jas. C. Toothaker of San Diego

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to Harry Marks of Modesto.

On request of Messrs. McFall and Parker, the usual courtesies of the Assembly for this day were unanimously extended to Edwin E. Niessner, teacher, and the following pupils of the Victor School: Gerald Bechthold, Karen Floth, Patricia Handel, Burness Mettler, LaVerne Mettler, Allean Pfeifer, Darrell Scott, Raymond McMurtrie, Shirley Rempfer, Tommy Bender, Mary Harrison, Stanley Leake, Mariane Mehlhaff, Jerry Mettler, Carl Schmiedt, Donna Schmierer, Rusty Twitty, Ernest Yarborough, Wanda Yarborough, Delores Zimbleman, Stanley Taniguchi, Virgil Konschak, and Juanita Harmon.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Everitt Mossmen and Mrs. Jas. Richardson, adults, and the following members of the Vallejo Council Camp Fire Girls: Margaret Duncan, Valerie Herrman, Phyllis House, Ellen Locke, Nancy Perez, Janet Wanger, Sandra Orr, Edith Pine, Karen Baker, and Carol Williams.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Zimmerman, and Mrs. Finn, teachers, Mrs. Weant, mother, Larry Zimmerman, mascot, and the following Girl Scouts from Walnut Creek: Rosalie Andersen, Jill Best, Karen Bringolf, Patricia Finn, Gail Hawkins, Judy Knowelton, Jackie Laverly, Barbara Lohse, Judy Larsen, Arlene Mareyes, Joan McCarthy, Bette Platner, Susan Sommarstrum, Lynne Slater, Lynne Truman, Nancy Trimble, Nancy Weant, Charlotte Webb, and Carol Zimmerman.

On request of Mr. Chapel, the usual courtesies of the Assembly for this day were unanimously extended to John K. Northrop of Inglewood.

On request of Mr. Conrad, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Mickey Gillette of Hollywood.

ADJOURNMENT

At 5.39 p.m., on motion of Mr. Hollibaugh, the Speaker declared the Assembly adjourned until 10 a m., Tuesday, June 5, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SEVENTY-FOURTH LEGISLATIVE DAY

ONE HUNDRED SECOND CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, June 5, 1951

The Assembly met at 10 a m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr Clarence A. Kircher:

Eternal God, Our Heavenly Father, Cleanse our hearts from all evil and hatred and malice, forgetting the things that are behind that we may press toward the mark for the prize of the high calling of God in Christ Jesus.

Be with our loved ones at home Guard those who serve as defenders of our beloved Nation. Grant guidance to those who bear the burden of leadership and responsibility throughout our Nation.

"O Trinity of love and power,
Our brethren shield in danger's hour;
From rock and tempest, fire and foe,
Protect them wheresoe'er they go;
Thus ever let there rise to Thee
Glad hymns of praise from land and sea."

In Jesus' name.—AMEN

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Condon, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Hahn, on motion of Mr. Stanley.

Mr. Cooke, on motion of Mr. Stanley.

Mr. Burke, on motion of Mr. Doyle.

ANNOUNCEMENT

Speaker Sam L. Collins announced that the usual annual picture of all Senators and Assemblymen will be taken by the California Real Estate Association, on Friday, June 8th, upon recess at noon, on the north Capitol steps, and urged prompt group attendance at 12 noon.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 4, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed.

Assembly Bill No. 545
Assembly Bill No. 1088

J. A. BEEK, Secretary of the Senate
By C. V TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Constitutional Amendment No. 28

J A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Constitutional Amendment No. 28—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 22 of Article IV thereof, relating to appropriations of public funds.

Referred to Committee on Constitutional Amendments.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 4, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 188
Assembly Bill No 767
Assembly Bill No 2065
Assembly Bill No. 2907

And respectfully requests your honorable body to concur in said amendments.

J A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 272—An act to amend Sections 664, 665, and 666 of the Welfare and Institutions Code, relating to the appointment and removal of juvenile hall superintendents, matrons, and employees, and duties of the probation officer.

J A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Assembly Bill No. 272 ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 372
Senate Bill No. 913
Senate Bill No. 1563
Senate Bill No. 1587
Senate Bill No. 1659
Senate Bill No. 1660
Senate Bill No. 1661

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 51
Senate Bill No 144
Senate Bill No. 277
Senate Bill No. 378
Senate Bill No. 714
Senate Bill No. 1016
Senate Bill No. 1061
Senate Bill No. 1149
Senate Bill No. 1154
Senate Bill No 1157
Senate Bill No. 1225
Senate Bill No. 1360
Senate Bill No. 1361
Senate Bill No 1492
Senate Bill No 1528
Senate Bill No. 1569
Senate Bill No. 1570
Senate Bill No. 1630

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 51—An act to add Section 8.5 to the Municipal and Justice Court Act of 1949, relating to the election of municipal court judges in the City and County of San Francisco, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Judiciary.

Senate Bill No. 144—An act to add Section 66u to the Code of Civil Procedure, relating to the number of Judges of the Superior Court in the County of Shasta, and providing for the appointment of an additional judge and for compensation.

Referred to Committee on Judiciary.

Senate Bill No. 277—An act to amend Section 66 of the Code of Civil Procedure, relating to superior court judges.

Referred to Committee on Judiciary.

Senate Bill No. 378—An act to amend Sections 18051 and 18057 of the Education Code, relating to powers of school district governing boards.

Referred to Committee on Education.

Senate Bill No. 714—An act to add Sections 55.1, 55.2, and 55.3 to the State Water Resources Act of 1945, relating to the project on the Russian River for flood control and water conservation.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 1016—An act to repeal the Political Code of the State of California, relating to the organization, operation, and maintenance of a System of State and Local Government.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1061—An act to repeal Section 1367 of the Fish and Game Code, relating to commercial hunting clubs.

Referred to Committee on Fish and Game.

Senate Bill No. 1149—An act to amend Section 439 of the Education Code, relating to school superintendents' salaries.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1154—An act to amend Section 28139 of, and to add Section 28159 to, the Government Code, relating to compensation for public services in counties.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1157—An act to amend Section 431 of the Education Code, relating to school superintendents' salaries in counties of the thirty-first class.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1225—An act to amend Section 28123 of the Government Code, relating to compensation for public services in counties of the twenty-third class.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1360—An act providing for the constitution of the municipal court in a district embracing the City of North Sacramento, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Senate Bill No. 1361—An act providing for the constitution of a municipal court in a district embracing the City of Sacramento, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Senate Bill No. 1492—An act to amend Section 20383 of the Education Code, and to add Section 20383.5 to said code, relating to leaves of absence of state college faculty members.

Referred to Committee on Education.

Senate Bill No. 1528—An act to amend Sections 9351, 9355, 9359, and 9359.1 of the Government Code, relating to the retirement of legislators and other state elective officers.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1569—An act to amend Section 5821 of the Streets and Highways Code, relating to county maintenance districts.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1570—An act to amend Section 34326 of, and to add Section 34333 to, the Government Code, relating to the incorporation of cities and the withdrawal of territory therefrom.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1630—An act to amend Section 11b of the Municipal Court Act of 1925, relating to municipal courts in cities of the second and three-eighths class.

Referred to Committee on Judiciary.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1995—An act to add Article 1.5 to Chapter 4, Part 9, Division 1 of the Revenue and Taxation Code, relating to the cancellation of assessments on state-assessed property.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1993—An act to repeal Sections 7354, 7653, and 7654 of the Revenue and Taxation Code, relating to the motor vehicle fuel storage tax.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In the second line of the title of the printed bill, after "Code", insert "and to amend Section 7403 of that Code"

Amendment No. 2

In the third line of the title of the printed bill, after "tax", insert "and to motor vehicle fuel export certificates".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of the printed bill, after line 6, insert

"SEC. 2. Section 7403 of the Revenue and Taxation Code is amended to read:

7403. All export certificates shall be completed and be on file in the office of the board within [60] *90* days after the close of the calendar month in which the shipments to which they relate are made. A certificate not completed and filed within this period shall not be recognized for any purpose by the State."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2335—An act to provide for a tax on operators of cigar, cigarette, and tobacco vending machines.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "provide for a tax on operators of cigar, cigarette,"; and strike out line 2, and insert "add Part 1.5 to Division 2 of the Revenue and Taxation Code, relating to taxation of cigarette vending machines"

Amendment No. 2

On page 1, line 1, of said bill, strike out "A tax is hereby imposed upon all persons,", and strike out lines 2 to 8, inclusive, and insert "Part 1.5 is added to Division 2 of the Revenue and Taxation Code to read:

PART 1.5. CIGARETTE VENDING MACHINE TAX

CHAPTER 1. GENERAL PROVISIONS AND DEFINITIONS

7200. This part is known and may be cited as the "Cigarette Vending Machine Tax Law."

7201. Except where the context otherwise requires, the definitions given in this chapter govern the construction of this part.

7202. "Cigarette" means any roll for smoking made wholly or in part of tobacco, irrespective of whether the tobacco is flavored, adulterated or mixed with any other ingredient, where such roll has a wrapper or cover made of paper or any other material, except where such wrapper is wholly or in the greater part made of tobacco.

7203. "Vending machine" and "machine" means every mechanical device:

(a) The operation of which depends upon the insertion of a coin, token or similar object, and

(b) Which dispenses or vends cigarettes.

7204. "Person" includes any individual, firm, copartnership, joint adventure, association, social club, fraternal organization, corporation, estate, trust, business trust, receiver, syndicate, this State, any county, city and county, city, district, or other political subdivision of this State, or any other group or combination acting as a unit.

7205. "Owner" means any person having the title to, or the possession, control or management of, any vending machine.

7206. "Board" means the State Board of Equalization

CHAPTER 2. IMPOSITION OF TAX

7210. An annual tax is hereby imposed upon the privilege of owning a vending machine in this State The tax is ten dollars ($10) for each such machine, to be paid by the owner thereof in accordance with the provisions of this part.

In the case of a person who files an application pursuant to and within the time specified in Section 7221, the tax shall be reduced by one-twelfth for each month, or fraction thereof, which shall have elapsed since the fifteenth day of April next preceding the filing of the application.

CHAPTER 3. LICENSES

7220 On or before the fifteenth day of April, 1952, and on or before the fifteenth day of April of each succeeding year, every owner of a machine kept or operated in this State shall file an application with the board for a license for such machine.

7221. Every person who becomes the owner of a machine after the fifteenth day of April of any year, and prior to the fifteenth day of April of the next succeeding year, shall file an application with the board for a license for such machine within ten days from and after the date on which he becomes the owner of the machine.

7222 An application for a license shall be made upon a form prepared and furnished by the board It shall set forth the full name and residence address of the applicant; the location of his place or places of business, a description of the machine, including its serial number, if any; the place where the machine is kept or operated; and such other information as the board may require

The application shall be signed, if the applicant is a natural person, by such person; if the applicant is an association or partnership, by a member or partner thereof; if the applicant is a corporation, by an executive officer thereof, or by some person specifically authorized by the corporation to sign the application, to which shall be attached written evidence of his authority.

7223 At the time of making application for a license, the applicant shall pay to the board the tax imposed by this part

7224. A separate license is required for each machine.

If an applicant desires a license for more than one machine he may file a single application therefor, but shall pay a separate tax for each such license.

7225. Upon compliance with the provisions of this part by the applicant, the board shall grant and issue to him a vending machine license for each machine specified in his application.

7226 Each license issued shall be issued in the name of a given licensee for a specified machine to be kept on designated premises The license cannot be assigned to another person or transferred to another machine.

The board may permit the removal of a machine to premises other than those specified in the license.

7227. The license shall be of the sticker type, and shall contain the name and address of the applicant and the serial number or other means of positively identifying the machine for which it is issued, together with such other information as the board deems necessary.

7228. Upon receipt of the license, the applicant shall immediately affix it to a conspicuous part of the machine for which it is issued.

7229. A license issued under this part is valid and effective until the fifteenth day of April next succeeding the year for which it is issued, unless sooner revoked, suspended, or surrendered.

7230. If any licensee fails to comply with the provisions of this part, or any rule or regulation of the board adopted pursuant to this part, the board upon hearing, after giving such person 10 days' notice in writing specifying the time and place of such hearing and requiring him to show cause why his license should not be revoked, may suspend or revoke the license of such person. The notice may be served personally or by mail. If it is served by mail, service shall be made in the manner prescribed by Section 1013 of the Code of Civil Procedure and addressed to the licensee at his address appearing on the records of the board.

7231. A penalty of five dollars ($5) shall be added to the tax payable under this part in any case where an application for a license is not filed with the board within the time specified in this part.

CHAPTER 3. COLLECTION OF TAX

7240 The board may seize any vending machine for which a license has not been issued, or to which a license has not been affixed, pursuant to this part, together with the contents of such machine.

7241. Any machine and the contents thereof seized by the board pursuant to Section 7240 are forfeited to the State, and may either be destroyed or sold by the board within a reasonable time after the seizure. Notice of any sale shall be published for at least five days prior to the date of the sale in a newspaper of general circulation published in the county or city and county in which the machine and its contents are to be sold, or, if there is no such newspaper therein, such notice shall be posted for at least five days in a prominent place upon the premises in which the machine and its contents were found.

CHAPTER 3. ADMINISTRATION

7245. The administration of this part is vested in the board. For that purpose it may make and enforce necessary rules and regulations and employ necessary accountants, auditors, investigators and assistants.

7246. Every owner shall keep such records, receipts, invoices and other pertinent papers respecting his vending machines and cigarettes sold or dispensed thereby as the board may require.

CHAPTER 4. DISPOSITION OF PROCEEDS

7250. All taxes and penalties paid under this part, the proceeds from the sale of any vending machine or contents thereof seized and sold pursuant to this part, and any money found in any such machine at the time of seizure shall be deposited in the State Treasury to the credit of the Cigarette Vending Machine Fund, which fund is hereby created. All taxes and penalties shall be paid to the board in the form of remittances payable to the State Board of Equalization of the State of California.

7251. The money in the Cigarette Vending Machine Fund is hereby appropriated as follows:

(a) Upon the order of the State Controller, for the payment of refunds under this part.

(b) For expenditure by the board in carrying out the provisions of this part.

(c) For expenditure by the Department of Finance in maintaining and operating the Veterans' Home situated at Yountville, Napa County.

CHAPTER 5. VIOLATIONS

7255. Every person who owns a vending machine for which a license has not been issued under this part, or who permits such a machine to be kept on any premises owned, leased or occupied by him, is guilty of a misdemeanor

7256. Every owner of a vending machine subject to the provisions of this part is subject also to all the provisions of Section 308 of the Penal Code The board is hereby charged with the duty of securing compliance with the latter by every such owner, as well as with the provisions of this part."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 3027—An act to provide for the assessment of property for tax purposes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 6, of the printed bill, after "multiple", insert "or fraction".

Amendment No. 2

On page 1, line 8, of said bill, after "multiple", insert "or fraction".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:
Senate Bill No. 1203

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

McCOLLISTER, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:
Senate Bill No. 1200

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and re-refer to Committee on Ways and Means.

McCOLLISTER, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined
Assembly Bill No. 1879
Assembly Bill No. 2631
Assembly Bill No. 3183

And reports the same correctly re-engrossed

GRUNSKY, Vice Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined.
Assembly Bill No. 2283
Assembly Bill No. 3133

And reports the same correctly engrossed.

GRUNSKY, Vice Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Bill No. 2479

And reports the same correctly re-engrossed

GRUNSKY, Vice Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 1806
Assembly Bill No. 2944
Assembly Bill No. 2947
Assembly Bill No 3348
Assembly Bill No. 3374

And reports the same correctly engrossed

GRUNSKY, Vice Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 2944 re-referred to the Committee on Transportation and Commerce.

Assembly Bill No. 3348 re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 1806 re-referred to the Committee on Agriculture.

Assembly Bill No. 3374 re-referred to the Committee on Ways and Means.

Assembly Bill No. 2479 re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2947 re-referred to the Committee on Education.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

REQUEST FOR UNANIMOUS CONSENT THAT REPORT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 99 BE PRINTED IN JOURNAL

Mr. Beck asked for, and was granted, unanimous consent that the report of the Committee on Conference concerning Assembly Bill No. 99 be ordered printed in the Journal, without action, at this time.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, read, and ordered printed in the Journal without action, at this time:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 99—An act to amend Section 6.11 of the Alcoholic Beverage Control Act, relating to organizations, associations and clubs, and providing for the issuance of on-sale general licenses thereto

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on May 3, 1951, strike out lines 18 to 21, inclusive; strike out page 2; and on page 3, strike out lines 1 to 22, inclusive, and insert

"(c) A non-profit corporation or association which has been in existence for not less than one year and which is the owner, lessee or occupant of an establishment that is operated and maintained for club purposes, but not for pecuniary gain, admission to which is restricted to members and their bona fide guests, having at least one hundred bona fide members, and requiring the payment of regular membership dues amounting to not less than twelve dollars ($12) a year."

Amendment No. 2

On page 3, line 42, of said bill, strike out "April 1, 1947", and insert "April 1, 1951".

	McCOLLISTER
WAY	LYON
BURNS	DOYLE
Senate Committee on Conference	Assembly Committee on Conference

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1951

MR. SPEAKER: The Committee on Conference concerning:

Senate Bill No. 330—An act to add Section 6515.5 to the Health and Safety Code, relating to sanitary districts;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill, as amended on May 11, 1951, be further amended as follows:

Amendment No. 1

On page 1, line 15, of the printed bill, as amended in the Assembly on May 11 1951, strike out "6515.5", and insert "6515".

Amendment No. 2

On page 1, line 17, of said bill, strike out "6515 5", and insert "6515".

DESMOND	FLEURY
TENNEY	HAWKINS
JAMES E CUNNINGHAM	SILLIMAN
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Gubser, Hagen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Luckel, Lyon, Maloney, McCarthy, Meyers, Moss, Parker, Porter, Shaw, Sherwin, Silliman, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—49.

NOES—None.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 542—An act to amend Section 3077 of the Labor Code, dealing with the Apprenticeship Labor Standards Act.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 542?

Amendment No. 1

In lines 13 and 14 of the printed bill, strike out "to be as established by the industry for that particular trade or occupation and", and insert "shall be".

Amendment No. 2

In line 15 of said bill, after "case", insert "shall provide for".

Amendment No. 3

In line 16 of said bill, strike out "and" after "person".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 542 by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lipscomb, Luckel,

Lyon, Maloney, McCarthy, McCollister, Meyers, Moss, Niehouse, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—54.

NOES—None.

Assembly Bill No. 542 ordered enrolled.

RECONSIDERATION OF ASSEMBLY BILL NO. 494

In compliance with a notice given on a previous day, Mr. Lyon moved that the vote whereby Assembly Bill No. 494 was passed be reconsidered.

The roll was called, and Assembly Bill No. 494 reconsidered by the following vote:

AYES—Belotti, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Dickey, Dolwig, Doyle, Dunn, Erwin, Geddes, Grant, Grunsky, Hansen, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Meyers, Morris, Niehouse, Porter, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr Speaker—41.

NOES—Babbage, Beck, Berry, Brown, Burkhalter, Coats, George D. Collins, Condon, Crowley, Davis, Elliott, Gaffney, Hagen, Hawkins, Henderson, Lowrey, McFall, Moss, Munnell, Parker, Rosenthal, Rumford, and Shaw—23.

Assembly Bill No. 494 ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1995

And reports the same correctly engrossed.

GRUNSKY, Vice Chairman

Above reported bill ordered to third reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No 1426

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR SPEAKER: Your Committee on Judiciary, to which were referred.

Senate Bill No. 544	Senate Bill No 1168
Senate Bill No 545	Senate Bill No. 1171
Senate Bill No. 790	Senate Bill No. 1172
Senate Bill No. 1002	Senate Bill No. 1173

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Senate Bill No 1560

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee.

BROWN, Chairman

Above reported bill ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 2	Assembly Bill No. 1416
Assembly Bill No. 712	Assembly Bill No. 2384

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Senate Bill No. 1431

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 954	Assembly Bill No. 1483
Assembly Bill No. 955	Assembly Bill No. 1486
Assembly Bill No. 1162	Assembly Bill No. 1487

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

UNANIMOUS CONSENT GRANTED TO REQUEST THE SENATE TO RETURN ASSEMBLY BILL NO. 2120

Mr. Lipscomb asked for, and was granted, unanimous consent that the Chief Clerk be instructed to request the Senate to return Assembly Bill No. 2120 for further consideration.

RECONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 82

In compliance with a notice given on a previous day, Mr Erwin moved that the vote whereby Senate Concurrent Resolution No. 82 was adopted be reconsidered.

The roll was called, and Senate Concurrent Resolution No. 82 reconsidered by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr Speaker—62.

NOES—None.

Senate Concurrent Resolution No. 82 ordered on file for adoption.

FURTHER CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 82

Senate Concurrent Resolution No. 82—Relative to representation of legislators in the action entitled "Hatch v. Wildlife Conservation Board."

Resolution read.

Motion to Amend

Mr. Lowrey moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed measure, between lines 17 and 18, insert "for the purpose of representing the interest of the Legislature in respect to the service of Members of the Legislature on the State Public Works Board and the Wildlife Conservation Board,".

Amendment read, and adopted.

Consideration of Senate Concurrent Resolution No. 82, as Amended (By Unanimous Consent)

Senate Concurrent Resolution No. 82—Relative to representation of legislators in the action entitled "Hatch v. Wildlife Conservation Board."

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Huckley, Hollibaugh, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Nicholson, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, Waters, and Mr. Speaker—65

NOES—None.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 880—An act to add Sections 31470.1, 31470.2, 31470.3, 31470.4, 31470.5, 31470.6, 31503.9, 31504.9, 31520.1, 31558, 31720.5, 31726.5, 31727.2, 31727.4, 31765, 31785, 31786, 31787, 31788, and Article 6.5 and 7.5 to Chapter 3 of Part 3 of Division 4 of Title 3 of the Government Code, to repeal Section 31558 and to amend Sections 31454.5, 31470, 31504, 31505, 31521, 31552, 31553, 31554, 31555, 31557, 31581, 31582, 31583, 31621, 31622, 31623, 31624, 31627, 31676.2, and 31676.4 of the Government Code, relating to retirement of county employees.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 880?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 7, 1951, strike out "31470.1", and insert "31469.3".

Amendment No. 1.5

In line 2 of the title of said bill, as amended, after "31558," insert "31671.6,".

Amendment No. 2

In line 3 of the title of said bill, as amended, strike out "31765", and insert "31760.1, 31765.1,".

Amendment No. 3

In line 4 of the title of said bill, as amended, strike out "6.5", and insert "6.8".

Amendment No. 4

In line 7 of the title of said bill, as amended, after "31583," insert "31595,".

Amendment No. 5

On page 1, line 9, of said bill, as amended, strike out "6.5", and insert "6.8".

Amendment No. 6

On page 2, line 5, of said bill, as amended, strike out "31470.1", and insert "31469.3".

Amendment No. 7

On page 2, line 8, of said bill, as amended, strike out "31470.1", and insert "31469.3".

Amendment No. 8

On page 2, line 10, of said bill, as amended, strike out "31470.1", and insert "31469.3".

Amendment No. 9

On page 4, line 6, of said bill, as amended, strike out "6.5", and insert "6 8".

Amendment No. 10

On page 4, lines 31 and 32, of said bill, as amended, strike out "ten dollars ($10)", and insert "fifteen dollars ($15)".

Amendment No. 11

On page 6, line 6, of said bill, as amended, strike out "31470.1", and insert "31469.3".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 12

On page 6, line 47, of said bill, as amended, after "Section", insert "31595 of the Government Code is amended to read:

31595. All funds received by the county treasurer not required for current disbursements shall be invested only in

(a) Securities which are legal for savings bank investments in the State.

(b) Deposits at interest in any state or national bank in accordance with law authorizing and controlling the deposit of public funds in banks.

(c) Certificates and shares of a building and loan association or a federal savings and loan association if the certificates or shares are insured as defined in Title IV of the National Housing Act.

(d) Registered warrants of any political subdivision of this State.

(e) Real property or improvements constructed or to be constructed on real property when such real property or such improvements are acquired for sale or lease to the county in which the retirement system is established and subject to the limitations of this article.

(f) Deeds of trust, mortgages, common stock, preferred stock, and investment trusts. Not to exceed 10 percent of all funds invested may be invested pursuant to this subdivision. [Such investment may be made by the retirement board with the approval of the board of supervisors of said county.]

SEC. 23 1. Section".

Amendment No. 13

On page 6, line 50, of said bill, as amended, strike out "6.5", and insert "6.8".

Amendment No. 14

On page 7, line 7, of said bill, as amended, strike out "6 5", and insert "6 8".

Amendment No. 15

On page 8, line 16, of said bill, as amended, strike out "6.5", and insert "6 8".

Amendment No. 16

On page 8, line 19, of said bill, as amended, strike out "6 5", and insert "6.8".

Amendment No. 17

On page 8, line 25, of said bill, as amended, strike out "6.5", and insert "6.8".

Amendment No. 18

On page 8, line 31, of said bill, as amended, strike out "6 5", and insert "6 8".

Amendment No. 19

On page 8, line 39, of said bill, as amended, strike out "6 5", and insert "6.8".

Amendment No. 20

On page 8 of said bill, as amended, between lines 40 and 41, insert

"Article 6.8. Safety Members' Contributions."

Amendment No. 21

On page 8, line 41, of said bill, as amended, strike out "31630", and insert "31639".

Amendment No. 22

On page 8, line 43, of said bill, as amended, strike out "31631", and insert "31639.1".

Amendment No. 23

On page 8, line 46, of said bill, as amended, strike out "31632", and insert "31639.2".

Amendment No. 24

On page 8, line 51, of said bill, as amended, strike out "31633", and insert "31639.3".

Amendment No. 25

On page 9 of said bill, as amended, strike out lines 6 to 15, inclusive, and insert

"21	7.24	29	10.02
22	7.50	30	10.52
23	7.78	31	10.15
24	8.08	32	9.80
25	8.41	33	9.45
26	8.76	34	9.11
27	9.15	35	8.77".
28	9.56		

Amendment No. 26

On page 9, line 17, of said bill, as amended, strike out "31634", and insert "31639.4".

Amendment No. 27

On page 9, line 18, of said bill, as amended, strike out "40", and insert "35".

Amendment No. 28

On page 9, line 22, of said bill, as amended, strike out "31635", and insert "31639.5".

Amendment No. 29

On page 9 of said bill, as amended, between lines 27 and 28, insert

"Article 7.5. Retirement of Safety Members for Service."

Amendment No. 30

On page 12 of said bill, as amended, between lines 16 and 17, insert

"SEC. 29.5. Section 31671.6 is added to the Government Code, to read:

31671.6. In any county subject to the provisions of Section 31676.1 every officer holding an elective office shall be retired at the end of the first term to which he is elected which commences on a date following his seventieth birthday."

Amendment No. 31

On page 14 of said bill, as amended, strike out lines 26 to 39, inclusive, and insert

"SEC. 36. Section 31760.1 is added to the Government Code, to read:

31760.1. Upon the death of any member, after retirement for service or disability from a retirement system established in a county subject to the provisions of Section 31676.1, 60 percent of his retirement allowance if not modified in accordance with one of the optional settlements specified in this article, shall be continued to his surviving spouse throughout life. No allowance, however, shall be paid under this section to a surviving spouse unless she or he was married to the member at least one year prior to the date of his retirement.

SEC. 36.1. Section 31765.1 is added to the Government Code, to read:

31765.1. Upon the death of any member of a retirement system established in a county subject to the provisions of Section 31676.1, eligible for retirement pursuant to Article 8, who leaves a spouse designated as beneficiary, such surviving spouse may, in lieu of the death benefit provided for in Article 12, elect to receive a retirement allowance equal to 60 percent of the amount to which she or he would be entitled had the member retired on the date of his death with a retirement allowance not modified in accordance with one of the optional settlements specified in Article 11."

Amendment No. 32

On page 14, lines 45 and 46, of said bill, as amended, strike out "or until remarriage".

Amendment No. 33

On page 14, line 47, of said bill, as amended, after "dies", strike out "or remarries".

Amendment No. 34

On page 14, line 50, of said bill, as amended, after "lived", strike out "and not remarried".

Amendment No. 35

On page 15, line 4, of said bill, as amended, strike out "five years", and insert "one year".

Amendment No. 36

In line 7 of the title of the printed bill, as amended in the Senate on May 23, 1951, strike out "31552, 31553,"; and strike out line 8 thereof, and insert "31581, 31582, 31583, 31621,".

Amendment No. 37

In line 9 of the title of said bill, as amended, strike out "31676.2 and 31676.4", and insert "31676.4, 31731, 31734, and 31735".

Amendment No. 38

On page 2, line 16, of said bill, as amended, strike out "district, or court", and insert "subject to Section 31676.1 or by a district or court organized or existing within such a county,".

Amendment No. 39

On page 4 of said bill, as amended, strike out lines 34 to 52, inclusive; and on page 5, strike out lines 1 to 46, inclusive.

Amendment No. 40

On page 5, line 47, of said bill, as amended, strike out "19", and insert "14".

Amendment No. 41

On page 6, line 13, of said bill, as amended, strike out "20", and insert "15".

Amendment No. 42

On page 6, line 25, of said bill, as amended, strike out "21", and insert "16".

Amendment No. 43

On page 6, line 39, of said bill, as amended, strike out "22", and insert "17".

Amendment No. 44

On page 6 of said bill, as amended, strike out lines 47 to 52, inclusive; and on page 7, strike out lines 1 to 17, inclusive.

Amendment No. 45

On page 7, line 20, of said bill, as amended, strike out "23.1", and insert "18".

Amendment No. 46

On page 7, line 26, of said bill, as amended, strike out "6.5", and insert "6.8".

Amendment No. 47

On page 7, line 28, of said bill, as amended, strike out "24", and insert "19".

Amendment No. 48

On page 8, line 38, of said bill, as amended, strike out "25", and insert "20".

Amendment No. 49

On page 8, line 46, of said bill, as amended, strike out "26", and insert "21".

Amendment No. 50

On page 9, line 1, of said bill, as amended, strike out "27", and insert "22".

Amendment No. 51

On page 9, line 13, of said bill, as amended, strike out "28", and insert "23".

Amendment No. 52

On page 10, line 10, of said bill, as amended, strike out "29", and insert "24".

Amendment No. 53

On page 10 of said bill, as amended, strike out lines 48 and 49, and insert "31663.2. Any safety member who has reached the compulsory age of retirement or any safety member who has completed 10".

Amendment No. 54

On page 13, line 4, of said bill, as amended, strike out "29.5", and insert "25".

Amendment No. 55

On page 13 of said bill, as amended, strike out lines 10 to 49, inclusive.

Amendment No. 56

On page 14, line 1, of said bill, as amended, strike out "31", and insert "26".

Amendment No. 57

On page 14, line 16, of said bill, as amended, strike out "32", and insert "27".

Amendment No. 58

On page 14, line 26, of said bill, as amended, strike out "33", and insert "28".

Amendment No. 59

On page 14, line 28, of said bill, as amended, after "for", insert "nonservice connected".

Amendment No. 60

On page 14, line 39, of said bill, as amended, strike out "34", and insert "29".

Amendment No. 61

On page 14, line 41, of said bill, as amended, after "The", insert "nonservice connected".

Amendment No. 62

On page 14, lines 44 and 45, of said bill, as amended, strike out ", exclusive of the annuity provided by his accumulated additional contributions,".

Amendment No. 63

On page 15, line 5, of said bill, as amended, strike out "35", and insert "30".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 64

On page 15 of said bill, as amended, between lines 20 and 21, insert

"SEC. 31. Section 31731 of the Government Code is amended to read:

31731. If any disability beneficiary under age [60] *55* refuses to submit to medical examination, his pension shall be discontinued until his withdrawal of such refusal, and if his refusal continues for one year, his retirement allowance shall be canceled.

SEC. 32. Section 31734 of the Government Code is amended to read:

31734. If a disability beneficiary, prior to attaining age [60] *55*, engages in a gainful occupation not in the county service or if he reenters the county service in a capacity ineligible for membership in the retirement system, the board shall reduce the amount of his retirement allowance to an amount which, when added to the compensation earned by him in such occupation, does not exceed the amount of the final compensation on the basis of which his retirement allowance was determined. If the earning capacity of the beneficiary is further altered, the board may alter his retirement allowance to an amount which does not exceed the amount upon which he was originally retired, but which, subject to such limitation, equals, when added to the compensation earned by him, the amount of his final compensation on the basis of which his retirement allowance was determined. When such a disability beneficiary reaches age [60] *55*, his retirement allowance shall be made equal to the amount upon which he was originally retired and shall not again be modified for any cause.

SEC. 33. Section 31735 of the Government Code is amended to read:

31735. As a condition of receiving his retirement allowance, each disability beneficiary under age [60] *55* shall file with the board a written statement in a form prescribed by it, that he has not during the preceding month engaged in any gainful occupation except as stated. The statement may be in the form of an endorsement on the warrant delivered to the beneficiary in payment of the allowance. If the statement discloses that he has received compensation from a gainful occupation in an amount and from a source which requires a reduction of his retirement allowance, the deduction shall be made from the next allowance."

Amendment No. 65

On page 15, line 35, of said bill, as amended, strike out "36", and insert "34".

Amendment No. 66

On page 15, line 46, of said bill, as amended, strike out "36 1", and insert "35".

Amendment No. 67

On page 15, line 50, of said bill, as amended, after "article", insert "7.5 or".

Amendment No. 68

On page 16, line 6, of said bill, as amended, strike out "37", and insert "36".

Amendment No. 69

On page 16, line 32, of said bill, as amended, strike out "38", and insert "37".

Amendment No. 70

On page 16, line 37, of said bill, as amended, strike out "or until remarriage".

Amendment No. 71

On page 16, lines 38 and 39, of said bill, as amended, strike out "dies or remarries", and insert "dies".

Amendment No. 72

On page 16, lines 41 and 42, of said bill, as amended, strike out "and not remarried".

Amendment No. 73

On page 16, line 49, of said bill, as amended, strike out "39", and insert "38".

Amendment No. 74

On page 17, line 16, of said bill, as amended, strike out "40", and insert "39".

Amendment No. 75

On page 15 of said bill, as amended, strike out lines 35 to 45, inclusive.

Amendment No. 76

On page 16 of said bill, as amended, strike out lines 8 and 9, and insert

"31785. Upon the death of any member of a retirement system established in a county subject to the provisions of Section 31676.1 who has been retired for service or for nonservice connected disability pursuant to Section 7.5 or 8, 60 per-".

Amendment No. 77

In line 3 of the title of the printed bill, as amended in the Senate on May 31, 1951, strike out "31760.1,".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 880 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—66.

NOES—None.

Assembly Bill No. 880 ordered enrolled.

Assembly Bill No. 1144—An act to amend Sections 28000, 28004, 28007, 28010, 28014 and to add Section 28000½ to the Health and Safety Code, relating to horse, mule and/or burro meat and their by-products and animal food.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1144?

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Assembly on May 17, 1951, after "28000", insert "of the Health and Safety Code".

Amendment No. 2

On page 1, line 16, of said bill, as amended, strike out "either", and insert "any".

Amendment No. 3

On page 2, line 5, of said bill as amended, strike out "and shall read as follows", and insert "to said code, to read:".

Amendment No. 4

On page 2, line 6, of said bill, as amended, strike out "It", and insert "28000½. It".

Amendment No. 5

On page 2, line 12, of said bill, as amended, after "28007", insert "of said code".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1144 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Lockslem, Levering, Lincoln, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None.

Assembly Bill No. 1144 ordered enrolled.

Assembly Bill No. 1788—An act to repeal Article 2 of Chapter 4 of Division 4 of Title 4 of the Government Code, relating to the authorization and issuance of bonds of cities.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1788?

Amendment No. 1

On page 1, line 1, of the printed bill, strike out "Part", and insert "Title".

Amendment No. 2

On page 1, line 4, of said bill, strike out "Chapter 4", and insert "Article 2".

Amendment No. 3

On page 1, line 6, of said bill, strike out "Chapter 4", and insert "Article 2".

Amendment No. 4

On page 1, line 7, of said bill, strike out "Chapter 4", and insert "Article 2".

Amendment No. 5

On page 1, line 9, of said bill, strike out "Chapter 4", and insert "Article 2".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1788 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Lockslem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None.

Assembly Bill No. 1788 ordered enrolled.

Assembly Bill No. 1789—An act to amend Sections 5025, 5119, 5125, 5180, 5182, 5266, 5294, 5295, 5296, 5303, 5342, 5343, 5366, 5372, 5391, 5395, 6463, 8620, 8621, 8622, 8623, and 8650 of, and to add Section

5302.5 to, the Streets and Highways Code, relating to public works and improvements.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1789?

Amendment No. 1

In line 5 of the title of the printed bill, as amended in the Assembly on May 14, 1951, after "of," insert "to repeal Part 4, comprising Sections 8590 to 8596, inclusive, of Division 10 of,".

Amendment No. 2

On page 6 of said bill, as amended, after line 41, insert

"SEC. 18.5. Part 4, comprising Sections 8590 to 8596, inclusive, of Division 10 of said code is repealed."

Amendment No. 3

On page 6, line 45, of said bill, as amended, strike out "and after the return of the warrant attached thereto".

Amendment No. 4

On page 6, line 50, of said bill, as amended, after "1903," insert "or after 60 days from the date of recording the assessment in the office of the superintendent of streets or district engineer, if the work was done under the Municipal Improvement Act of 1913,".

Amendment No. 5

On page 7, line 29, of said bill, as amended, strike out "30 days after recording the assessment", and insert "the thirty-first day after recording the assessment, or from the sixty-first day after recording the assessment if the work was done under the Municipal Improvement Act of 1913"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1789 by the following vote:

AYES—Babbage, Beck, Beloth, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Potter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

Assembly Bill No. 1789 ordered enrolled.

Assembly Bill No. 1839—An act to amend Sections 690.24, and 690.26 of the Code of Civil Procedure, relating to supplementary proceedings.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1839?

Amendment No. 1

On page 1, line 1, of the title of the printed bill, insert "542" between "Sections" and "590.24"; and in line 2 insert "attachment, exemptions" between "to" and "and", so that said title will read as amended. "An act to amend Sections 542, 590.24, and 690.26 of the Code of Civil Procedure, relating to attachment, exemptions and supplementary proceedings."

Amendment No. 2

On page 9 of said bill, insert

"SEC. 4. Section 542 of the Code of Civil Procedure is amended by adding thereto subsection 8 as follows:

8. Checks, drafts, money orders and other orders for the withdrawal of money from a banking corporation or association, which are in the possession of and payable to the defendant or judgment debtor on demand, must be attached by taking the same into custody, and the sheriff, constable, or marshal, to whom the writ is directed and delivered, shall promptly thereafter endorse the same and present, or cause the same to be presented, for payment. The sheriff, constable, or marshal shall endorse such check, draft, money order or other order for the withdrawal of money by writing the name of the defendant or judgment debtor thereon and the name and official title of the officer making the levy with the statement that such endorsement is made pursuant

to levy of writ of attachment or execution and giving the title of court and cause in which such writ was issued, and such endorsement shall be sufficient endorsement and no banking corporation or association on which said check, draft, money order or other order for the withdrawal of money is drawn shall incur any liability to any person, firm or corporation by reason of paying to such officer such check, draft, money order or other order for withdrawal of money by reason of such endorsement, nor shall the officer making the levy incur any liability by reason of his endorsing and presenting for and obtaining payment of such check, draft, money order or other order for the payment of money; provided, however, that the funds or credit resulting from the payment of such check, draft, money order or other order for withdrawal of money shall be held by said officer subject to the levy of said writ of attachment or execution. If it appears from the face of such check, draft, money order or other order for the withdrawal of money that the same has been tendered to the defendant or judgment debtor in satisfaction of a disputed claim or demand and that endorsement thereof shall be considered a release and satisfaction by defendant or judgment debtor of such disputed claim or demand, then, in such event, the officer making the levy shall not endorse said check, draft, money order or other order for the withdrawal of money unless the defendant or judgment debtor shall first endorse the same to the officer making the levy; provided, however, that if said defendant shall not endorse said check, draft, money order or other order for withdrawal of money to the officer making the levy, said officer may thereafter hold such check, draft, money order or other order for the withdrawal of money subject to such levy and shall incur no liability to the defendant or judgment debtor or to any other person, firm or corporation for delay in presentment of the same for payment."

Amendment No. 3

On page 1, line 1, of the printed bill, as amended in the Senate on May 23, 1951, strike out "said code", and insert "the Code of Civil Procedure".

Amendment No. 4

Strike out all of page 4 of said bill, and insert

"SEC. 4. Section 542 of said code is amended to read:

542. The sheriff, constable, or marshal, to whom the writ is directed and delivered, must, upon receipt of instructions in writing, signed by the plaintiff or his attorney of record, and containing a description of the property, and in the case of real property or growing crops the name of the record owner of the real property to be attached, or upon which the crops are growing, and a statement as to whether or not the real property is registered under the Land Title Law, an initiative act adopted by election November 3, 1914, execute the same without delay, and if the undertaking mentioned in Section 540 of this code be not given, as follows:

1. Real property, standing upon the records of the county in the name of the defendant, must be attached, by recording with the recorder of the county a copy of the writ, together with a description of the property attached, and a notice that it is attached, and by serving an occupant of the property, if there is one upon the property at the time service is attempted, with a similar copy of the writ, description and notice, or if there is no occupant then on the property, then, by posting the same in a conspicuous place on the property attached. Service upon the occupant may be made by leaving said copy of the writ, description and notice with the occupant personally, or, in his absence with any person of suitable age and discretion, found upon the property at the time service thereof is attempted and who is either an employee or agent of such occupant or a member of his family or household. Where the property described in the notice consists of more than one distinct lot, parcel or governmental subdivision and any of such lots, parcels or governmental subdivisions lie with relation to any of the others so as to form one or more continuous, unbroken tracts, one service or posting, need be made as to each such continuous, unbroken tract.

1a. Growing crops (which, until severed, shall be deemed personal property not capable of manual delivery), growing upon real property standing upon the records of the county in the name of the defendant, must be attached by recording with the recorder of the county a copy of the writ, together with a description of the growing crops to be attached, and of the real property upon which the same are growing, and a notice that such growing crops are attached in pursuance of the writ, and by serving an occupant of the real property, if there is one upon the real property at the time service is attempted, with a similar copy of the writ, description and notice, or if there is no occupant then on the real property, then, by posting the same in a conspicuous place on the real property. Service upon the occupant may be made by leaving said copy of the writ, description and notice with the occupant personally, or, in his absence, with any person, of suitable age and discretion, found upon the real property at the time service thereof is attempted and who is either an employee or agent of such occupant or a member of his family or household. Where the real property described in the notice consists of more than one distinct lot, parcel or governmental subdivision, and any of such lots, parcels or governmental subdivisions lie with relation to any of the others so as to form one or more continuous unbroken tracts, one service or posting need be made as to each such continuous unbroken tract.

Whenever growing crops have been attached under the provisions of this subdivision, which will greatly deteriorate in value, unless properly cultivated, cared for, harvested, packed or sold, the court issuing such writ, upon application of the person in whose favor the writ runs, and after due notice to the owner of said property, may direct the sheriff to take possession of said property and to cultivate, care for and preserve the same and, when necessary, harvest, pack and sell such property. Any sale of such property shall be made in the same manner that property is sold on execution and the proceeds must be retained by the sheriff to be applied to the satisfaction of any judgment which may be recovered in the action in which said writ is issued. The court shall order said applicant to pay such expenses in advance if the court may deem it proper, or may direct that the whole or any part of such expenses be paid from the proceeds of any sale of such property.

2. Real property, or any interest therein, belonging to the defendant, and held by any other person, or standing on the records of the county in the name of any other person, must be attached in the same manner as is real property standing upon the records of the county in the name of the defendant by the provisions of subdivision 1 of this section and the notice of attachment shall state that the real property therein described, and any interest of the defendant therein held by or standing on the records of the county in the name of such other person (naming him), are attached. In addition, a similar copy of the writ, description and notice shall be delivered to such other person, or his agent, if known and within the county, or left at the residence of either, if within the county. The recorder must index such attachment when recorded, in the names, both of the defendant and of the person by whom the property is held or in whose name it stands of record.

2a. Growing crops (which, until severance, shall be deemed personal property not capable of manual delivery), or any interest therein, belonging to the defendant, and growing upon real property held by any other person or standing upon the records of the county in the name of any other person, must be attached in the same manner as growing crops growing upon real property standing upon the records of the county in the name of the defendant are attached by the provisions of subdivision 1a of this section, and the notice of attachment shall state that the crops therein described or any interest of the defendant therein, held by, or standing upon the records of the county in the name of, such other person (naming him), are attached in pursuance of the writ. In addition, a similar copy of the writ, description and notice shall be delivered to such other person, or his agent, if known and within the county, or left at the residence of either, if known and within the county. The recorder must index such attachment when recorded, in the names of both the defendant and of the person by whom the real property is held, or in whose name it stands on the record.

Whenever growing crops have been attached under the provisions of this subdivision, which will greatly deteriorate in value unless properly cultivated, cared for, harvested, packed or sold, the court issuing such writ, upon application of the person in whose favor the writ runs, and with or without notice as the court directs to the owner of said property, may direct the sheriff to take possession of said property and to cultivate, care for and preserve the same and, when necessary harvest, pack and sell such property. Any sale of such property shall be made in the same manner that property is sold under execution and the proceeds must be retained by the sheriff to be applied to the satisfaction of any judgment which may be recovered in the action in which said writ is issued. The court shall order said applicant to pay such expenses in advance if the court may deem it proper, or may direct that the whole or any part of such expenses be paid from the proceeds of any sale of such property.

3. Personal property, capable of manual delivery, in the possession of the defendant, must be attached by taking it into custody.

4. Stocks or shares, or interest in stocks or shares, of any corporation or company, must be attached by leaving with the president, vice president or other head of the same, or the secretary, assistant secretary, cashier, assistant cashier, or any managing agent, thereof, a copy of the writ, and a notice stating that the stock or interest of the defendant is attached, in pursuance of such writ.

5. In cases where the sheriff, constable, or marshal is instructed to take into possession personal property capable of manual delivery, whether the same is to be placed in a warehouse or in custody of a keeper, the sheriff, constable or marshal shall require, as a prerequisite to the taking of such property, that in addition to written instructions the plaintiff or his attorney of record deposit with the sheriff, constable or marshal, a sum of money sufficient to pay the expenses of taking and keeping safely said property for a period not to exceed 15 days. In the event that a further detention of said property is required, the sheriff, constable or marshal must, from time to time, make written demand upon the plaintiff or his attorney for further deposits to cover estimated expenses for periods not to exceed five days each. Such demand must be served as provided in Section 1011 of this code, or by depositing such notice in the post office in a sealed envelope, as first-class registered mail, postage prepaid, addressed to the person on whom it is served at his last known office or place of residence. In the event that the money so demanded is not paid the sheriff, constable or marshal shall release the property to the person or persons from whom the same was taken. There shall be no liability upon the part of the sheriff, constable or marshal to take or hold personal property unless the provisions of this section shall have been fully complied

with. There shall be no liability upon the part of the sheriff, constable or marshal, either to the plaintiff or the defendant for loss by fire, theft, injury or damage of any kind to personal property capable of manual delivery while in the possession of the sheriff, constable or marshal either in a warehouse or in the custody of a keeper or enroute to or from a warehouse unless the sheriff, constable or marshal shall be negligent in his care or handling of the property.

6. Debts and credits and other personal property, not capable of manual delivery must be attached by leaving with the persons owing such debts, or having in his possession, or under his control, such credits and other personal property, or with his agent or in the case of a corporation, with the president of the corporation, vice president, secretary, assistant secretary, cashier, or managing agent thereof, a copy of the writ, and, if the demand as stated in the writ does not exceed three hundred dollars ($300) exclusive of interest, attorney's fees and costs, a copy of the complaint in the action from which the writ issued, and, in every case, a notice that the debts owing by him to the defendant, or the credits and other personal property in his possession, or under his control, belonging to the defendant, are attached in pursuance of such writ; provided, however, that debts owing to the defendant by a banking corporation or association, building and loan association or title insurance company, maintaining branch offices, or credits or other personal property whether or not the same is capable of manual delivery, belonging to the defendant and in the possession of or under the control of such banking corporation or association, building and loan association or title insurance company, must be attached by leaving a copy of the writ and the notice with the manager or other officer of such banking corporation, or association, building and loan association or title insurance company at the office or branch thereof at which the account evidencing such indebtedness of the defendant is carried, or at which such banking corporation or association, building and loan association or title insurance company has credits or other personal property belonging to the defendant in its possession or under its control; and no attachment shall be effective as to any debt owing by such banking corporation or association, building and loan association or title insurance company if the account evidencing such indebtedness is carried at an office or branch thereof not so served, or as to any credits or other personal property in its possession or under its control at any office or branch thereof not so served.

7. If real property sought to be attached is registered under said land title law, an additional copy of the writ, together with a description of the Torrens title certificate, a description of the property and a notice that it is attached shall be filed with the registrar of titles of the county.

8. Checks, drafts, money orders and other orders for the withdrawal of money from a banking corporation or association, which are in the possession of and payable to the defendant or judgment debtor on demand, must be attached by taking the same into custody, and the sheriff, constable, or marshal, to whom the writ is directed and delivered, shall promptly thereafter endorse the same and present, or cause the same to be presented, for payment. The sheriff, constable, or marshal shall endorse such check, draft, money order or other order for the withdrawal of money by writing the name of the defendant or judgment debtor thereon and the name and official title of the officer making the levy with the statement that such endorsement is made pursuant to levy of writ of attachment or execution and giving the title of court and cause in which such writ was issued, and such endorsement shall be sufficient endorsement and no banking corporation or association on which said check, draft, money order or other order for the withdrawal of money is drawn shall incur any liability to any person, firm or corporation by reason of paying to such officer such check, draft, money order or other order for withdrawal of money by reason of such endorsement, nor shall the officer making the levy incur any liability by reason of his endorsing and presenting for and obtaining payment of such check, draft, money order or other order for the payment of money: provided, however, that the funds or credit resulting from the payment of such check, draft, money order or other order for withdrawal of money shall be held by said officer subject to the levy of said writ of attachment or execution. If it appear from the face of such check, draft, money order or other order for the withdrawal of money that the same has been tendered to the defendant or judgment debtor in satisfaction of a claim or demand and that endorsement thereof shall be considered a release and satisfaction by defendant or judgment debtor of such claim or demand, then, in such event, the officer making the levy shall not endorse said check, draft, money order or other order for the withdrawal of money unless the defendant or judgment debtor shall first endorse the same to the officer making the levy; provided, however, that if said defendant shall not endorse said check, draft, money order or other order for withdrawal of money to the officer making the levy, said officer may thereafter hold such check, draft, money order or other order for the withdrawal of money subject to such levy and shall incur no liability to the defendant or judgment debtor or to any other person, firm or corporation for delay in presentment of the same for payment."

Amendment No. 5

In line 1 of the title of the printed bill, as amended in the Senate on May 31, 1951, strike out "590.24", and insert "690.24".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1839 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—68

NOES—None.

Assembly Bill No. 1839 ordered enrolled.

Assembly Bill No. 3425—An act to add Section 845.1 to the Fish and Game Code, relating to nets.

The question being, Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3425?

Amendment No. 1

On page 1, lines 8 and 9, of the printed bill, strike out "commission", and insert "department".

Amendment No. 2

On page 1, line 10, of said bill, strike out "commission", and insert "department".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3425 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None

Assembly Bill No. 3425 ordered enrolled.

CONSIDERATION OF GOVERNOR'S VETOES

Assembly Bill No. 2309—An act to amend Section 7372 of the Business and Professions Code, relating to the licensing of hairdressers, cosmeticians or cosmetologists.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 2309 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None

NOES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—70

Assembly Bill No. 1647—An act to amend Section 206 of the Revenue and Taxation Code, relating to property taxes and the exemption of personal property of churches.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 1647 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.

NOES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Collier, George D Collins, Condon, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Nicholse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr Speaker—70

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 3384

Mr. Rosenthal asked for, and was granted, unanimous consent to take up the consideration of Senate amendments to Assembly Bill No. 3384, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 3384—An act to amend Sections 337b and 337c of the Penal Code, relating to bribery in connection with sporting events, contests and exhibitions and punishment therefor.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 3384?

Amendment No. 1

On page 1, line 11, of the printed bill, after "player", insert "or such prospective participant or player".

Amendment No. 2

On page 1, line 13, of said bill, after the first "or", insert "shall"

Amendment No. 3

On page 1, line 16, of said bill, after the second "or", insert "shall".

Amendment No. 4

On page 2, line 7, of said bill, after "or", strike out "to", and insert "will"

Amendment No. 5

On page 2, line 11, of said bill, after the second "or", insert "will".

Amendment No. 6

On page 1, line 13, of the printed bill, as amended in the Senate on May 23, 1951, after the second "or", insert "shall".

Amendment No. 7

On page 1, line 14, of said bill, as amended, strike out "shall".

Amendment No. 8

On page 1, line 16, of said bill, as amended, after the second "or", insert "shall"

Amendment No. 9

On page 1, line 17, of said bill, as amended, strike out "shall"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3384 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—65

NOES—None.

Assembly Bill No. 3384 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2067

Mr. Lowrey asked for, and was granted, unanimous consent to take up the consideration of Senate amendments to Assembly Bill No. 2067, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2067—An act to add Sections 1511.1, 2020.1, and 3080.01 to the Welfare and Institutions Code, relating to public assistance, in respect to the income of applicants or recipients

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2067?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 10, 1951, strike out "2020.1", and insert "2020.01".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2067 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None.

Assembly Bill No. 2067 ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 2825

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

BROWN, Chairman

Above reported bill ordered to second reading.

Speaker Pro Tempore Presiding

At 11:10 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 302—An act to amend Section 261b, as added by Chapter 1031 of the Statutes of 1943, of, and to add Section 261h to, the Code of Civil Procedure, relating to shorthand reporters.

Bill read third time.

Motion to Amend

Mr. Beck moved the adoption of the following amendments:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, as amended in the Assembly on May 17, 1951, strike out "261b, as added by Chapter 1031 of the Statutes of 1943," and insert "261a 5".

Amendment No. 2

On page 4 of said bill, strike out lines 44 and 45, and insert "SECTION 1. Section 261a.5 of the Code of Civil Procedure".

Amendment No. 3

On page 4, line 47, of said bill, strike out "261b", and insert "261a 5".

Amendment No. 4

On page 6, line 2, of said bill, strike out "five dollars ($5)", and insert "three dollars and fifty cents ($3.50)"

Amendment No. 5

On page 6, line 4, of said bill, strike out "4300a of the Political", and insert "26821 of the Government".

Amendment No. 6

On page 6, line 8, of said bill, strike out "Section 4300a of the Political", and insert "Sections 26822 to 26825, inclusive, of the Government".

Amendment No. 7

On page 6, line 13, of said bill, strike out "4300a of the Political", and insert "26826 of the Government".

Amendment No. 8

On page 6, line 20, of said bill, strike out "five dollars ($5)", and insert "three dollars and fifty cents ($3.50)".

Amendment No. 9

On page 6, line 23, of said bill, strike out "4300a of the Political", and insert "26827 of the Government".

Amendment No. 10

On page 6 of said bill, between lines 29 and 30, insert "The fee provided in this section shall not be required of any party who is exempted from the payment of costs by any statute other than Section 6103 of the Government Code"

Amendment No. 11

On page 6, line 44, of said bill, strike out "seven thousand five hundred dollars ($7,500)", and insert "six thousand six hundred dollars ($6,600)".

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burkhalter, Chapel, Cloyed, George D Collins, Condon, Conrad, Davis, Dickey, Erwin, Evans, Fleury, Gaffney, Geddes, Gubser, Hagen, Henderson, Hinckley, Hollibaugh, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, and Stewart—41.

NOES—Brady, Clarke, Connolly, Dolwig, Elliott, Lyon, Maloney, McCarthy, McCollister, McGee, and Sherwin—11.

Bill ordered reprinted, and re-engrossed.

Request for Unanimous Consent That Assembly Bill No. 2573 Hold Place on File

Mr. McFall asked for, and was granted, unanimous consent that Assembly Bill No. 2573 be passed on file, and hold its place on file on the next legislative day.

Assembly Bill No. 191—An act to amend Section 2842 of the Elections Code, relating to state and county central committees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Nicholse, Parker, Porter, Rosenthal, Rumford, Sillman, Smith, Stanley, Stewart, and Waters—63

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2695—An act to amend Section 118 of the Welfare and Institutions Code, relating to public assistance in respect to compilation or possession of lists of recipients thereof.

Bill read third time.

Motion to Amend

Mr. Condon moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 15, of the printed bill, as amended in the Assembly on May 11, 1951, strike out "a", and insert "an official".

Amendment No. 2

On page 2, line 14, of the printed bill, as amended, in the Assembly on May 11, 1951 after "who", insert "knowingly".

Amendments read.

Division of the Question

Mr. Condon asked for a division of the question as follows.

1 Consideration of Amendment No. 2

2. Consideration of Amendment No. 1.

Division of the Question

Consideration of Amendment No. 2

Amendment No. 2

On page 2, line 14, of the printed bill, as amended in the Assembly on May 11, 1951, after "who", insert "knowingly".

Amendment read, and adopted.

Consideration of Amendment No. 1

Amendment No. 1

On page 2, line 15, of the printed bill, as amended in the Assembly on May 11, 1951, strike out "a", and insert "an official".

Amendment read.

Request for Unanimous Consent That Permission Be Granted to Change Amendment No. 1

Mr. Condon asked for, and was granted, unanimous consent that he be permitted to change the wording of his proposed Amendment No. 1, and that the changed amendment be considered, at this time.

Amendment No. 1, as Changed

On page 2, line 15, of the printed bill, as amended in the Assembly on May 11, 1951, strike out "a list", and insert "an official list or a list compiled from official sources."

Changed amendment read.

Roll Call Demanded

Messrs. Collier, Grunsky, and Hinckley demanded a roll call.

The roll was called, and Amendment No. 1 offered by Mr. Condon to Assembly Bill No 2695 adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Chapel, Clarke, Coats, George D. Collins, Condon, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Evans, Gaffney, Geddes, Gubser, Hagen, Hawkins, Henderson, Hollibaugh, Lindsay, Luckel, Lyon, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, and Thomas—41

NOES—Cloyed, Collier, Connolly, Dolwig, Erwin, Fleury, Grant, Hansen, Hinckley, Lanterman, Levering, Lipscomb, McGee, Sherwin, Smith, Stewart, and Tomlinson—17.

Bill ordered reprinted, and re-engrossed.

MEMBER EXCUSED

At 11.35 a.m., Mr. Collier asked for, and was granted, unanimous consent that he be excused, temporarily, for the purpose of attending a meeting in the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2727—An act to amend Sections 2, 2.1, 5, 33, 45 7 and 68 of the Community Redevelopment Act, and to amend Sections 33003, 33047, 33048, 33480, 33481, 33482, 33738, and 33885 of, to repeal Sections 33739 and 33740 of the Health and Safety Code, relating to redevelopment.

Bill read third time.

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following action is indicated by being enclosed within brackets.

[Motion to Amend]

~~Mr. Stewart moved the adoption of the following amendment:~~

[Amendment No. 1]

[On page 9 of the printed bill, as amended in the Assembly on May 29, 1951, between lines 20 and 21, insert]

["SEC. 6. Section 68 of said act is amended to read."]

~~Amendment read, and adopted.~~

~~Bill ordered reprinted, and re-engrossed.~~

On this day the Assembly rescinded the action whereby the above amendment to Assembly Bill No. 2727 was adopted. (See page 5136.)

Assembly Bill No. 2689—An act relating to the charges of operators of off-street parking facilities.

Bill read third time.

Motion to Amend

Mr. Burkhalter moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in the Assembly on May 23, 1951, after "hourly", insert "or half-hourly".

Amendment No. 2

On page 1, line 6, of said bill, after "hour", insert "or half hour".

Amendment No. 3

On page 1, line 11, of said bill, strike out "period", and insert "a period of".

Amendment No. 4

On page 1 of said bill, strike out lines 17 to 23, inclusive.

Amendments read.

Point of Order

Mr. Dunn arose to the following point of order: That Mr. Conrad is not speaking to the question.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order not well taken.

The question being on the adoption of the amendments to Assembly Bill No. 2689.

Roll Call Demanded

Messrs. Conrad, Burkhalter, and Geddes demanded a roll call.

The roll was called, and the amendments offered by Mr. Burkhalter to Assembly Bill No. 2689 adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, George D Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Thomas, and Waters—58.

NOES—Conrad and Gaffney—2.

Bill ordered reprinted, and re-engrossed.

RESOLUTIONS

The following resolution was offered:

By Mr. Dickey:

House Resolution No. 173

Resolved, That the Controller be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is authorized and directed to pay the same.

Department of Finance (supplies)	$89 24
Department of Finance (pro-rate cost of telephone service)	946 08
Western Manufacturing Company (brief cases)	245 14
Sacramento Glass and Crockery Co. (supplies)	6 70
H. S. Crocker Co Inc (supplies)	6 25

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 173, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Clarke, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Thomas, and Waters—61.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL TO FIFTH REPORT BE PRINTED IN JOURNAL

Mr. Dolwig asked for, and was granted, unanimous consent that a letter of transmittal to the Fifth Report of the Assembly Interim Fact-Finding Committee on Tideland Reclamation and Development in Northern California, Related Traffic Problems and Relief of Congestion on Transbay Crossings on its investigation and study of the San Francisco Bay Project—the Reber Plan be ordered printed in the Journal, in 10 point type, as follows:

LETTER OF TRANSMITTAL

ASSEMBLY CHAMBER
SACRAMENTO, CALIFORNIA, May 25, 1951

Hon. Sam L. Collins
Speaker of the Assembly
State Capitol, Sacramento, California

MR. SPEAKER: Your Fact-Finding Committee on Tideland Reclamation and Development in Northern California, Related Traffic Problems and Relief of Congestion on Transbay Crossings herewith presents its Fifth Report, dealing with the investigation and study of the San Francisco Bay Project—the Reber Plan.

The first hearings by this committee on the Reber Plan were held in Sacramento on May 16 and 20, 1949, in conjunction with the hearings on a second Bay crossing. At that time the committee recommended that: "The magnitude of the Reber Plan is almost beyond the scope of human imagination. It embraces many fields and the services of a number of specialists will be needed to complete a study of all its ramifications. This study should be undertaken and every possibility of the plan explored from all levels of government that would be affected by its acceptance."

Further hearings and conferences were held on:

Oct. 14, 1949—Public Hearing.
(Dec. 8-16, 1949—Hearings of Subcommittee on Committee on Public Works, U. S. Senate, on Transbay Crossings, Water Problems, and the Reber Plan. Attended by members of this committee.)
Feb. 22, 1950—Committee Conference.
Mar. 8, 1950—Committee Conference.
April 5, 1950—Committee Conference.
Dec 18, 1950—Public Hearing.
Mar. 7, 1951—Public Hearing.
Mar. 31, 1951—Public Hearing.
Apr. 6, 1951—Committee Consultants and Reber Plan Engineers Conference.

The voluminous reports and testimony presented at these hearings have been studied and analyzed by the committee and its consultants and it is significant to note here that the Reber Plan is the only approach to a master-plan for the San Francisco Bay Region so far submitted.

Because of this fact and extensive areas of agreement by all parties concerned with the Reber Plan, your committee submits the following report and recommendations

Respectfully submitted.

GEORGE D. COLLINS, JR.
ARTHUR H CONNOLLY, JR.
RANDAL F. DICKEY
FRANCIS DUNN, JR.
EDWARD M GAFFNEY
ERNEST R. GEDDES
FRANK LANTERMAN
RICHARD J. DOLWIG, Chairman

I am in full agreement with this report except Section III relating to the Contra Costa-Marin Counties Bridge.

ROBERT I. McCARTHY

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED AS SEPARATE DOCUMENT, AND THAT 500 COPIES BE PRINTED

Mr. Dolwig asked for, and was granted, unanimous consent that the above letter of transmittal and above mentioned report be printed as a separate document, in 10 point type, and that 500 copies be printed.

RECESS

At 11.55 a.m., on motion of Mr. Dickey, the Assembly recessed until 1.30 p m.

REASSEMBLED

At 1.30 p.m., the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

RESOLUTIONS

The following resolution was offered:

By Messrs. Condon, Hawkins, Rumford, Rosenthal, Hagen, Evans, Beck, McFall, Shaw, Henderson, Parker, George D. Collins, Brady, Doyle, Burkhalter, Dunn, Gaffney, Munnell, Elliott, McCarthy, Mrs. Niehouse, Messrs. Geddes, McMillan, Meyers, Maloney, Porter, and Thomas:

House Resolution No. 174

Relative to the creation of the Assembly Interim Committee to Investigate Economic Discrimination Because of Race, Religion, or National Origin

WHEREAS, Many people of the State of California have voiced a belief that discrimination exists in employment opportunities because of race, religion or national origin; and

WHEREAS, Since 1946 at each regular session of the California Legislature, measures to prevent such discrimination by employers and trade unions have been introduced; and

WHEREAS, All such measures have been widely discussed and debated but none has been favorably considered by the Legislature; and

WHEREAS, Nine states have adopted Fair Employment Practice Acts and five other states have created commissions to study such legislation; and

WHEREAS, The President's Fair Employment Practice Committee during World War II made a significant contribution to insuring the full employment in defense industry of all persons without regard to race, religion or national origin; and

WHEREAS, Leading figures in all segments of political life in California have advocated an investigation and study of the problems of such discrimination; and

WHEREAS, Most Californians would disapprove of such economic discrimination because of race, religion or national origin, if such is found to exist within the State, and if such discrimination could be eliminated without undue restriction upon the employers and trade unions of California; and

WHEREAS, Economic, social and political data relating to this problem within the State are necessary for any exacting or proper action on the question by the Legislature; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee to Investigate Economic Discrimination Because of Race, Religion, or National Origin is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the subject of this resolution and the recitals thereof, including but not limited to all facts relating to discrimination in employment or membership in trade unions because of race, religion, or national origin, the nature and extent of such discrimination, its effect upon the economy of the State as well as its effect upon persons being discriminated against, and including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five Members of the Assembly appointed by Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the last legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of _____ dollars ($__ ____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Boards and Commissions

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 3446

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

McMILLAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Senate Bill No. 634

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

McMILLAN, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 2367

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 88: By Messrs. Smith and Lipscomb—Relative to directing the Public Utilities Commission to apportion the costs for the construction of a certain grade separation on Los Feliz Boulevard in Los Angeles County.

Referred to Committee on Rules.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Coats:

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 402b to the Penal Code, relating to refrigerators, ice-boxes and chests of similar construction.

Respectfully submitted.

ARTHUR W. COATS, JR.

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Coats:

An act to add Section 402b to the Penal Code, relating to refrigerators, ice-boxes and chests of similar construction.

GRUNSKY, Vice Chairman

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Dills moved a call of the Assembly.

Motion carried. Time, 1.32 p m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Beck, Brady, Burkhalter, Cloyed, Coats, Conrad, Crowley, Davis, Dickey, Elliott, Evans, Fleury, Gaffney, Gubser, Hollibaugh, Kilpatrick, Lindsay, Lowrey, Lyon, McMillan, Meyers, Niehouse, Rosenthal, Rumford, Shaw, Sherwin, Smith, Thomas, and Waters—29.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. McCollister asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2621—An act to repeal an act entitled "An act providing for the incorporation of public utility districts by municipalities and unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 27, 1915.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Parker, Porter, Rumford, Silliman, Smith, Stanley, Stewart, and Waters—49.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Laughlin E. Waters Presiding

At 1.40 p.m., Hon. Laughlin E. Waters, Member of the Assembly from the Fifty-eighth District, presiding.

Assembly Bill No. 2622—An act to repeal an act entitled "An act to provide for the incorporation and organization of public utility districts, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts," approved June 5, 1913.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Connolly, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Parker, Porter, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, and Waters—54.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 981—An act to amend Sections 4318 and 4368 of the Labor Code, relating to burial expenses for civilian defense and disaster workers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Smith, Stanley, and Waters—55.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2224—An act to add Sections 1303.1, 1303.2, and 1303.3 to the Education Code, relating to employment of superintendents of school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Chapel, Clarke, Collier, George D. Collins, Condon, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hansen, Hawkins, Hinckley, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Parker, Porter, Rosenthal, Rumford, Sillman, Smith, Stanley, Stewart, and Waters—48.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON ADOPTION OF AMENDMENTS TO ASSEMBLY BILL NO. 2727

Mr. Stewart asked for, and was granted, unanimous consent to rescind the action whereby the Assembly, on this day, adopted amendments to Assembly Bill No. 2727.

Assembly Bill No. 2727 ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Constitutional Amendment No. 55—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding to Article XIII thereof a new section to be numbered 19, relating to the proceeds of taxes levied on property in a redevelopment project under the Community Redevelopment Act.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Connolly, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Sillman, Smith, Stanley, Stewart, Tomlinson, and Waters—55.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 2727

Mr. Stewart asked for, and was granted, unanimous consent to take up the further consideration of Assembly Bill No. 2727.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 2727

Assembly Bill No. 2727—An act to amend Sections 2, 2.1, 5, 33, 45.7 and 68 of the Community Redevelopment Act, and to amend Sections

33003, 33047, 33048, 33480, 33481, 33482, 33738, and 33885 of, to repeal Sections 33739 and 33740 of the Health and Safety Code, relating to redevelopment.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sillman, Smith, Stanley, Stewart, Tomlinson, and Waters—61.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Request for Unanimous Consent That Assembly Bill No. 3217 Hold Place on File

Mr. Stewart asked for, and was granted, unanimous consent that Assembly Bill No. 3217 be passed on file, and hold its place on file on the next legislative day.

Assembly Bill No. 3121—An act to add Section 3.51 to the World Trade Center Authorities Act, relating to the World Trade Center Authority, and making an appropriation therefor.

Bill read third time, and ordered passed on file.

UNANIMOUS CONSENT GRANTED TO REQUEST THE SENATE TO RETURN ASSEMBLY BILL NO. 2693

Mr. Geddes asked for, and was granted, unanimous consent that the Chief Clerk be instructed to request the Senate to return Assembly Bill No. 2693 for further consideration.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3408—An act to authorize the Director of Finance to sell and convey, subject to such terms, conditions, and covenants as in his judgment are in the public interest, a portion of the Napa State Farm, as defined in Section 13190 of the Government Code.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sillman, Smith, Stanley, Stewart, and Waters—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 964—An act to amend Sections 2824 and 5720 of the Streets and Highways Code, relating to special assessment proceedings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burkhalter, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln,

Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Smith, Stanley, Stewart, and Waters—55.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2370—An act to amend an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by the electors November 7, 1922, by amending Section 10 thereof, and adding Section 10.5 thereto, relating to the practice of chiropractic, said amendment to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Condon, Connolly, Conrad, Davis, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—59.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3121

Mr. Maloney asked for, and was granted, unanimous consent to take up Assembly Bill No. 3121, temporarily passed on file.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 3121

Assembly Bill No. 3121—An act to add Section 3.51 to the World Trade Center Authorities Act, relating to the World Trade Center Authority, and making an appropriation therefor.

Bill read third time.

~~The roll was called, and the bill passed by the following vote:~~

PRINTER'S NOTE—There being no 7-point strikeout type available, the following roll call, which should appear in strikeout type, is indicated by being enclosed within brackets.

[AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Condon, Connolly, Conrad, Davis, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Thomas, and Waters—58.

NOES—Silliman—1.]

~~Bill ordered transmitted to the Senate.~~

On June 6, 1951, the Senate was requested to return Assembly Bill No. 3121 to the Assembly for further consideration (see page 5177); on June 7th, the Senate returned the bill (see page 5232); and on the same day, the Assembly rescinded the above action whereby the bill was this day passed (see page 5233).

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3429

Mr. Collier asked for, and was granted, unanimous consent to take up Assembly Bill No. 3429, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 3429

Assembly Bill No. 3429—An act to amend Section 2008.5 of the Welfare and Institutions Code, relating to the acceptance or solicitation of compensation or funds from aged persons for assisting persons to obtain aid or to influence the enactment of legislation relating to state aid to the aged.

Bill read third time.

Motion That Assembly Bill No. 3429 Be Passed on File Until Opinion Obtained

Mr. Doyle moved that Assembly Bill No 3429 be temporarily passed on file until an opinion of the Legislative Counsel may be obtained relative to Section P, lines 16 to 23 inclusive.

Motion died for lack of a second.

Point of Order

Mr. Beck arose to the following point of order: That Assembly Bill No. 3429 carries an implied appropriation, and, pursuant to the provisions of Rule No. 45, should be re-referred to the Committee on Ways and Means.

Ruling by Speaker

Acting Speaker Waters ruled that, as the passage of this bill would give a department additional power, but would not, apparently, impose additional financial needs upon said department, the point of order was not well taken.

The question being on the passage of Assembly Bill No 3429.

The roll was called, and the bill refused passage by the following vote:

AYES—Cloyed, Collier, Lanterman, Levering, Lipscomb, Sherwin, and Stewart—7.

NOES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Coats, Condon, Connolly, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, and Thomas—53.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1561

Mr. Dunn asked for, and was granted, unanimous consent to take up Assembly Bill No. 1561, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 1561

Assembly Bill No. 1561—An act to amend Section 5049 of the Education Code, relating to state school building aid.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, and Thomas—60.

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Vote Be Changed Upon Roll Call

Mr. Lipscomb asked for, and was granted, unanimous consent that his vote be changed upon the roll call on Assembly Bill No. 1561, and that he be recorded as voting "Aye" instead of "No".

Request for Unanimous Consent That Vote Be Changed Upon Roll Call

Mr. Smith asked for, and was granted, unanimous consent that his vote be changed upon the roll call on Assembly Bill No. 1561, and that he be recorded as voting "Aye" instead of "No".

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON REQUEST FOR PERMISSION TO INTRODUCE BILL

At 2 50 p.m , on motion of Mr. Dills, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and permission granted Mr. Coats to introduce a bill by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—70.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3451: By Mr. Coats—An act to add Section 402b to the Penal Code, relating to refrigerators, ice-boxes and chests of similar construction.

Referred to Committee on Judiciary.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP RECONSIDERATION OF SENATE BILL NO. 386

Mr. Connolly asked for, and was granted, unanimous consent to take up the reconsideration of Senate Bill No. 386, temporarily passed on file.

RECONSIDERATION OF SENATE BILL NO. 386

In compliance with a notice given on a previous day, Mr. Connolly moved that the vote whereby Senate Bill No. 386 was refused passage be reconsidered.

The roll was called, and Senate Bill No. 386 reconsidered by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Davis, Dills, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Waters—63.

NOES—None.

Senate Bill No. 386 ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1996

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Bill No. 1996, temporarily passed on file, for purpose of amendment.

CONSIDERATION OF ASSEMBLY BILL NO. 1996

Assembly Bill No. 1996—An act to amend Section 54900 of the Government Code, relating to the filing of a statement of a change in boundaries or the creation of a city or district.

Bill read third time.

Motion to Amend

Mr. Lyon moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "or", and insert ", (2) of".

Amendment No. 2

On page 1, line 8, of said bill, strike out "(2)", and insert "(3)".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT CHIEF CLERK BE INSTRUCTED TO CHANGE TITLE ON ASSEMBLY BILL NO. 3451

Mr. Coats asked for, and was granted, unanimous consent that the Chief Clerk be instructed to change the title on Assembly Bill No. 3451 to conform with the language of the bill.

REQUEST FOR UNANIMOUS CONSENT THAT CHIEF CLERK BE INSTRUCTED TO REQUEST THAT SENATE JOURNAL BE CORRECTED

Acting Speaker Waters, by unanimous consent, instructed the Chief Clerk to request the Senate that a correction be made in the Senate Journal, on page 2754, in the first line of Amendment No. 1, and that the word "Assembly" be changed to read "Senate," and that said amendment to Assembly Bill No. 880 be corrected to conform to the above correction.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 957

Mr. Kirkwood asked for, and was granted, unanimous consent to take up Senate Bill No. 957, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 957

Senate Bill No. 957—An act to amend Section 1525 of the Welfare and Institutions Code, relating to residence qualifications for aid to needy children.

Bill read third time.

Motion to Amend

Mr. Kirkwood moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 15, of the printed bill, strike out "within the United States".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 426—An act to amend Sections 1622 and 2302 of the Welfare and Institutions Code, relating to boarding homes, to make costs for boarding home inspection payable on a fiscal year basis.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Davis, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant,

Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1903—An act to amend Sections 2 and 8 of, and to add Section 4.1 to an act entitled "An act to provide for the acquisition of temporary and emergency housing facilities for veterans and families of servicemen by joint action of the State and local agencies, providing for the operation of such facilities, making an appropriation, and declaring the urgency thereof, to take effect immediately," approved February 15, 1946, as amended, relating to eligible tenants and extending the period of availability of moneys appropriated therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, and Waters—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 424—An act to amend Section 6 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Bill read third time, and ordered passed on file, to hold its place on file on the next legislative day.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Smith:

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1951

MR SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act making an appropriation to the Department of Finance for construction, improvements, and equipment and declaring the urgency thereof, to take effect immediately.

Respectfully submitted.

H. ALLEN SMITH

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Smith:

An act making an appropriation to the Department of Finance for construction, improvements, and equipment and declaring the urgency thereof, to take effect immediately.

GRUNSKY, Vice Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—69.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3452: By Mr. Smith—An act making an appropriation to the Department of Finance for construction, improvements, and equipment and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Ways and Means.

REQUEST FOR UNANIMOUS CONSENT THAT PROVISIONS OF HOUSE RESOLUTION NO. 79 BE WAIVED

Mr. Dunn asked for, and was granted, unanimous consent that the provisions of House Resolution No. 79 be waived to permit the Committee on Education to consider Assembly Bill No. 3193 tomorrow evening in committee meeting.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE BILL NO. 291 BE RE-REFERRED TO COMMITTEE

Mr. Fleury asked for, and was granted, unanimous consent that Senate Bill No. 291 be withdrawn from the third reading file, and be re-referred to the Committee on Ways and Means.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 3245, on request of Mr. Maloney.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 731

Mr. Rumford asked for, and was granted, unanimous consent to take up Senate Bill No. 731, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 731

Senate Bill No. 731—An act to add Section 29015 to the Health and Safety Code, relating to dangerous drugs.

Bill read third time.

Motion to Amend

Mr. Rumford moved the adoption of the following amendment:

Amendment No. 1

On page 1, of the printed bill, as amended in the Assembly on May 28, 1951, after line 11, insert "A record shall be kept of the administration of hypnotic drugs, including the amount given, the type, the date given, and the name and address of the person to whom administered."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Speaker Pro Tempore Presiding

At 3.08 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Shaw to reconsider the vote whereby Assembly Bill No. 1731 was passed, was continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO INTRODUCE BILL ON BEHALF OF MR. HAHN

Mr. Morris asked for, and was granted, unanimous consent that he be permitted, on behalf of Mr. Hahn who is ill, to request permission to introduce a bill for Mr. Hahn.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Hahn:

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to provide for the sale of a parcel of land under the control of the State Park Commission.

Respectfully submitted.

GORDON R. HAHN
By G. DELBERT MORRIS

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Hahn:

An act to provide for the sale of a parcel of land under the control of the State Park Commission.

GRUNSKY, Vice Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Crowley, Davis, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lucke, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Waters—69.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3453: By Mr. Hahn—An act to provide for the sale of a parcel of land under the control of the State Park Commission.

Referred to Committee on Governmental Efficiency and Economy.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 54 WAIVED

Messrs. Munnell and Dunn waived their notice of motion to reconsider the vote whereby Assembly Constitutional Amendment No. 54 was adopted.

Assembly Constitutional Amendment No. 54 ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were offered:

Assembly Joint Resolution No. 41: By Mr. Kelly—Relative to maintaining a minimum lake level behind the Isabella Dam.

Referred to Committee on Rules.

Assembly Joint Resolution No. 42: By Messrs. Coats, Henderson, Moss, Davis, and Lowrey—Relative to appropriation for the Central Valley Project.

Referred to Committee on Rules.

Assembly Constitutional Amendment No. 64: By Mr. Conrad—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 4 of Article IV thereof, relating to qualifications of Members of the Legislature.

Referred to Committee on Constitutional Amendments.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 2501, on request of Mr. Dolwig.

ANNOUNCEMENT

Mr. Dunn announced that people have been inquiring of members of the Committee on Education what is being done in the schools to educate and alert students to the dangers of sex crimes. He further announced that the State Bureau of Audio-Visual Education has a motion picture which may be shown in 10 minutes, and requested an expression from the members as to their interest in seeing said picture.

Desire Expressed to View Motion Picture

Because of almost unanimous desire expressed to view the above mentioned motion picture. Mr Dunn announced that it will be shown next week in a committee room, the location, date, and time to be announced later.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1980

Mr. Dolwig asked for, and was granted, unanimous consent to take up Assembly Bill No. 1980, out of order, for purpose of amendment.

CONSIDERATION OF ASSEMBLY BILL NO. 1980

Assembly Bill No. 1980—An act to amend Section 123 and repeal Section 124 of the Labor Code, relating to workmen's compensation benefits, and making an appropriation.

Bill read third time.

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following action is indicated by being enclosed within brackets:

[Moton to Amend]

~~Mr. Dolwig moved the adoption of the following amendments:~~

[Amendment No. 1]

[In line 2 of the title of the printed bill, as amended in the Assembly on April 16, 1951, after "benefits", insert ", and making an appropriation".]

[Amendment No. 2]

[On page 1, lines 13 and 14, of said bill, strike out "ten thousand dollars ($10,000) per annum", and insert "a range of $676, $710, $745, $782, $821".]

[Amendment No. 3]

[On page 1 of said bill, following line 15, insert

"SEC. 3. There is hereby appropriated out of any money in the General Fund in the State Treasury the sum of thirty-eight thousand seven hundred thirty-four dollars ($38,734) in augmentation of Item 124 of the Budget Act of 1951 for support of the Department of Industrial Relations."]

~~Amendments read, and adopted~~

~~Bill ordered reprinted, and re-engrossed~~

On June 6, 1951, the Assembly rescinded the above action whereby Assembly Bill No. 1980 was amended. (See page 5151.)

MOTION TO APPROVE JOURNALS

Upon motion of Mr. Dickey, the Journals for Monday, May 28, 1951; Tuesday, May 29, 1951; Wednesday, May 30, 1951; Thursday, May 31, 1951 and Friday, June 1, 1951 were approved as corrected by the Minute Clerk.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 25—Relative to approving a charter of the County of Santa Clara, State of California, voted for and ratified by the qualified electors of said county at the general election held therein on the seventh day of November, 1950;

Assembly Concurrent Resolution No. 65—Relative to study and investigation of the feasibility of an over-all program of aviation education;

Assembly Concurrent Resolution No. 86—Approving the charter amendments to the charter of the City of Compton, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the first day of May, 1951;

Assembly Concurrent Resolution No. 87—Approving certain amendments to the charter of the City of Long Beach, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the eighth day of May, 1951;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the fifth day of June, 1951, at 3 p m.

GRUNSKY, Vice Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3405—An act to add Section 50478 to the Government Code, relating to the lease of publicly owned property for airports and related purposes.

Assembly Bill No. 3413—An act to add Section 19561.5 to the Business and Professions Code, relating to horse racing and authorizing the California Horse Racing Board to provide for the exclusion or ejection from the enclosures of licensed horse racing establishments of persons whose presence therein is inimical to the interests of the State or legitimate horse racing;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of June, 1951, at 3 p.m.

GRUNSKY, Vice Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2725—An act to amend Section 1018 of the Code of Civil Procedure, relating to service of process in actions to enforce tax liability;

Assembly Bill No. 3070—An act to amend Section 61 of the Alcoholic Beverage Control Act, relating to the sale and purchase of alcoholic beverages;

Assembly Bill No. 3229—An act to add Section 51.5 to the Fish and Game Code, relating to game management area;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of June, 1951, at 3 p.m.

GRUNSKY, Vice Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1696—An act to amend Section 1652 of the Education Code and to repeal Section 1653 of said code, relating to the jurisdiction of county superintendents of schools over school districts lying in more than one county;

Assembly Bill No. 1698—An act to amend Section 6810 of the Business and Professions Code, relating to the registration of professional engineers;

Assembly Bill No. 2207—An act to add Section 18.5 to the Municipal and Justice Court Act of 1949, relating to municipal courts;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of June, 1951, at 3 p.m.

GRUNSKY, Vice Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 475—An act to amend Section 689b of the Code of Civil Procedure, relating to executions;

Assembly Bill No. 962—An act to amend Section 4300*l* of the Political Code and Section 32 of the Municipal Court Act of 1925, relating to municipal court fees;

Assembly Bill No. 1032—An act to amend Section 9550 of the Business and Professions Code, relating to operator in charge of cleaning, dyeing, spotting, and pressing establishments and schools;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifth day of June, 1951, at 3 p.m.

GRUNSKY, Vice Chairman

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today At 8 P.M.—

Fish and Game, in Room 3184.

Today Upon Adjournment—

Public Health, in Room 3184.
Social Welfare, in Room 426.
Elections and Reapportionment, in Room 435.
Rules, in Room 319.
Agriculture, in Room 2170.

Tomorrow, Wednesday, June 6th, Upon Adjournment—

Legislative Representatives, in Room 3148.

It was announced that the following committee would hold no meeting today:

Judiciary.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Luckel and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Paula Haum and Capt. Earnest Vitucci of San Diego.

On request of Mr. Belotti, the usual courtesies of the Assembly for this day were unanimously extended to Lester Pierce and Arthur Hill of Eureka.

On request of Messrs. Dolwig and Maloney, the usual courtesies of the Assembly for this day were unanimously extended to Enoch Richardson of San Mateo, Judge and Mrs. Alden Ames, and Herbert Hanley of San Francisco.

On request of Mr. Connolly, the usual courtesies of the Assembly for this day were unanimously extended to C. V. Scott of Marysville.

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Harold S. Olson of Meadow Valley, and Mrs. Flora Cate of Quincy.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Arvid Olander, Mrs. Chas. Parker, Carol Stoneking, Helen Rustames, Mrs. Margaret Moorhouse, Mrs. Arthur Null, Mrs. Roberts, Mrs. Omaha Vest, Mrs. Martin, Richard Hackenback, Katherine Ruiz, adults, and the following pupils of the Ambrose School: Patty Skvorak, Terry Suno, Betty Murnaha, Enedine Marquez, David Towers, Clyde Steele, Bill Crews, Donita Bastan, Emma Vigil, Karen Farrow, Karen Ward, Anita Case, Delores Christofferson, Mary Tiscareno, Ramona Hernandez, Raynell Robinson, George Mano, Gene Dass, Alfonso Astrada, Chas. Christiansen, Alberta Dorsey, Isabella Moms, Carl Fullmer, Chas. Maury, Byron Banks, Carol Kochevar, Charles Clark, James Welb, Paul Williams, Kay Olander, Robena Morris, Ruthe Hutchinson, Ed. Snell, Edward Anderson, Betty Odom, Claudette Phipps, David Pack, Suzitk Manwill, Robt. Patton, Danny Null, Darlinda Bartee, Patsy Osselett, Lynda Parker, Linda Scott, Phyllis Long, Fred Wiseley, Vernon Racca, Leonard Powell, Shelby Higgins, John Davis, Frank Gonzaga, Thomas Foster, Robert Shipp, Charles Shipp, George Wildes, and Max Goodman.

ADJOURNMENT

At 3.17 p.m., on motion of Mr. Dickey, the Speaker pro Tempore declared the Assembly adjourned until 10 a.m., Wednesday, June 6, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SEVENTY-FIFTH LEGISLATIVE DAY

ONE HUNDRED THIRD CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, June 6, 1951

The Assembly met at 10 a.m.

Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—73.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Blessed Lord God, Thou who art the abiding reality of the universe, we pause at Thy mercy seat in prayer. Deepen the roots of our lives into everlasting righteousness. Make us just in the exercise of power and of authority; reverent in the use of our liberties and freedom; generous in our protection of the weak and helpless; equal to the high trusts and great opportunities afforded us.

"Dear God, our Country needs Thee
To help and heal and bless,
To give the rulers wisdom.
To grant to right success.
To feed her many millions,
To keep her always free,
To lead them in the way of Christ,
Where they may walk with Thee."

In our Redeemer's name.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Luckel, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Hahn, on motion of Mr. Morris.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Lindsay, on motion of Mr. Gubser.

Mr. Sam L. Collins, on motion of Mr. Stanley.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Brown, on motion of Mr. Caldecott.

The following member was granted leave of absence for the morning:

Mr. Sherwin, on motion of Mr. Meyers.

MEMBERS EXCUSED FOR BOARD MEETING

At 10.05 a.m., Mr. Lowrey asked for, and granted, unanimous consent that he and Messrs. Erwin and Davis be excused, for the purpose of attending a meeting of the Wildlife Conservation Board, at this time.

COMMUNICATIONS

By the Chief Clerk:

A communication from C. A. Griffith, Chairman, State Water Resources Board, Sacramento, with a resolution approving action of the Legislature in adopting Assembly Resolution No. 111 relative to the Feather River Project, were received, and ordered filed with the Secretary of State.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 5, 1951

To the Honorable Members of the Assembly
State of California
Sacramento, California

GREETINGS: I am returning herewith, without my signature,

Assembly Bill No. 2730, entitled: "An act to add Section 20631 to the Government Code, relating to the State Employees' Retirement System in respect to withdrawal of additional contributions."

My objections to this bill are as follows:

This bill applies to the State Employees' Retirement System. It would provide a means for the withdrawal of additional contributions heretofore made by members. Such right could be exercised either within 90 days after the member receives written notice of his right, or it could be exercised at the time of retirement.

Two objectionable features of this bill have been called to my attention by the staff of the Retirement System. First, it permits the system to be used as a savings bank, contrary to the established purpose of the Retirement System. Second, it would almost certainly result in bad actuarial practice in permitting "adverse selection" against the system. This might necessitate a more conservative mortality table to protect the system, to the detriment of those employees who leave their additional contributions with the system.

The second of these objections is the more serious. The adverse selection against the system would result from the tendency of persons below average health to withdraw

their contributions. Those in better health would tend to allow their contributions to remain in the system and provide life annuities. Thus, the system would remain obligated to pay annuities to persons with comparatively long remaining life expectancies, and be deprived of the shorter life expectancies which would ordinarily balance the situation.

The Retirement System advises me that the annuity rates used at retirement are lower than annuity rates generally used by insurance companies. One of the reasons for this difference is that the state system is not subject to adverse selection to the same extent as life insurance companies. In the case of life insurance companies, the purchase of annuities is optional and persons above average health tend to allow their annuity policies to go on to maturity, which corresponds to allowing the accumulated additional contributions to remain with the Retirement System. If the withdrawal privilege is permitted, it will almost certainly follow that a more conservative mortality table will have to be adopted to protect the system against the adverse selection. The result would be that those persons who do allow their contributions to remain would receive a correspondingly lower retirement allowance.

The Director of Finance objects to this bill, pointing out that this element of adverse selection affects the actuarial soundness of the Retirement System.

Because of these reasons I am returning the bill without my approval.

Respectfully submitted.

EARL WARREN, Governor

Acknowledgment of Receipt of Assembly Bill No. 2730

June 5, 1951

I acknowledge receipt this fifth day of June, 1951, at 5:35 o'clock p. m. of Assembly Bill No. 2730 without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

ARTHUR A. OHNIMUS

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 6, 1951

To the Assembly of the State of California
Sacramento, California

GENTLEMEN: I am transmitting to you herewith a copy of a message with reference to

Assembly Bill No. 2730, entitled: "An act to add Section 20631 to the Government Code, relating to the State Employees' Retirement System in respect to withdrawal of additional contributions."

This bill, with my message relative thereto, I (through my Legislative Secretary) delivered to Arthur A. Ohnimus, Chief Clerk of the Assembly, at 5:35 o'clock p. m. on the fifth day of June, 1951, at which time your honorable body had adjourned for the day but not for the session.

Respectfully submitted.

EARL WARREN, Governor

Assembly Bill No. 2730 ordered to unfinished business file.

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON AMENDMENTS ON ASSEMBLY BILL NO. 1980

Mr. Dolwig asked for, and was granted, unanimous consent to rescind the action whereby the Assembly, on Tuesday, June 5th, adopted amendments to Assembly Bill No. 1980.

REPORTS OF STANDING COMMITTEES

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 2043

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

ERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Senate Bill No. 298

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

ERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Senate Bill No. 295
Senate Bill No. 1820

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

ERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 382

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ERWIN, Chairman

Above reported bill ordered to third reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 175

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

BROWN, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2335
Assembly Bill No. 3027

And reports the same correctly engrossed.

GRUNSKY, Vice Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1993

And reports the same correctly engrossed

GRUNSKY, Vice Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1996
Assembly Bill No. 2689
Assembly Bill No. 2695

And reports the same correctly re-engrossed

GRUNSKY, Vice Chairman

Above reported bills ordered to third reading

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills Nos. 2335 and 3027 re-referred to the Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1951

MR SPEAKER: Your Committee on Public Health, to which was referred:

Assembly Bill No. 2924

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, do pass, as amended, and re-refer to Committee on Ways and Means.

CONNOLLY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1951

MR SPEAKER: Your Committee on Public Health, to which was referred:

Assembly Bill No. 850

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CONNOLLY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1951

MR SPEAKER: Your Committee on Public Health, to which was referred

Senate Bill No. 825

Has had the same under consideration, and reports the same back with the recommendation: Do pass

CONNOLLY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1951

MR SPEAKER: Your Committee on Public Health, to which was referred:

Senate Bill No. 520

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

CONNOLLY, Chairman

Above reported bill ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Joint Resolution No. 30

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No. 40

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No 72

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which was referred:

Senate Bill No. 149

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WATERS, Chairman

Above reported bill ordered to second reading.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER. Your Committee on Agriculture, to which was referred:

Assembly Bill No. 2545

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR SPEAKER Your Committee on Agriculture, to which was referred:

Senate Bill No. 1198

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CLARKE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 1142
Assembly Bill No. 2195

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended.

CLARKE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Senate Bill No. 1822

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 295
Assembly Bill No. 1806

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass, as amended.

CLARKE, Chairman

Above reported bills ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Constitutional Amendment No. 59

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 1744—An act to add Section 679.1 to the Vehicle Code, relating to rules governing the loading and securement of logs and poles.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 20
Assembly Bill No. 186
Assembly Bill No. 282
Assembly Bill No. 284
Assembly Bill No. 288
Assembly Bill No. 289
Assembly Bill No. 425
Assembly Bill No. 447
Assembly Bill No. 455
Assembly Bill No. 811
Assembly Bill No. 1058
Assembly Bill No. 1326
Assembly Bill No. 1531
Assembly Bill No. 1535
Assembly Bill No. 1545
Assembly Bill No. 1577
Assembly Bill No. 1690
Assembly Bill No. 1952
Assembly Bill No. 2137
Assembly Bill No. 2139
Assembly Bill No. 2493
Assembly Bill No. 3101
Assembly Bill No. 3419

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 1745—An act to add Sections 679.2 and 679.3 to the Vehicle Code, relating to rules governing the loading and securement of lumber and lumber products and hay in bales.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 72
Assembly Bill No. 287
Assembly Bill No. 462
Assembly Bill No. 467
Assembly Bill No. 1354
Assembly Bill No. 1355
Assembly Bill No. 1358
Assembly Bill No. 1359
Assembly Bill No. 1373
Assembly Bill No. 1382
Assembly Bill No. 1492
Assembly Bill No. 1517
Assembly Bill No. 1562
Assembly Bill No. 1775
Assembly Bill No. 1892
Assembly Bill No. 2003
Assembly Bill No. 2453
Assembly Bill No. 2665
Assembly Bill No. 2929
Assembly Bill No. 3017
Assembly Bill No. 3392

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 49
Senate Bill No. 858
Senate Bill No. 907
Senate Bill No. 1029
Senate Bill No. 1672
Senate Bill No. 1692

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 49—An act to amend Section 19.6 of the Fish and Game Code, relating to powers of the Fish and Game Commission.

Referred to Committee on Fish and Game.

Senate Bill No. 858—An act to amend Section 20131 of the Government Code, relating to the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

Senate Bill No. 907—An act to add Section 13537.5 to the Government Code, relating to the purchase of printing equipment.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1029—An act to amend Sections 58002 and 58501 of, to add Section 58308 to, and to repeal Section 58003 of, the Government Code, relating to a System of State and Local Government.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1672—An act to amend Sections 2, 5, and 6 of the Alcoholic Beverage Control Act, relating to alcoholic beverages and licenses of wine brokers.

Referred to Committee on Boards and Commissions

Senate Bill No. 1692—An act to amend Section 28112 of the Government Code, relating to compensation for public services for counties.

Referred to Committee on Municipal and County Government.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate returns herewith, pursuant to your request,

Assembly Bill No. 2120

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

MOTION TO RESCIND ACTION ON ASSEMBLY BILL NO. 2120

Mr. Lipscomb moved to rescind the action whereby the Assembly on Monday, April 16th, passed Assembly Bill No. 2120.

Mr. Smith seconded the motion.

Motion carried unanimously.

Assembly Bill No. 2120 ordered to third reading.

Bill Withdrawn From Active File, and Placed on the Inactive File

Assembly Bill No. 2120, on motion of Mr. Lipscomb.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 954—An act to add Section 1987.5 to the Code of Civil Procedure, relating to subpenas.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out line 5, and insert "which the subpena was issued is served on the person served with the subpena."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 955—An act to amend Sections 84, 137, 137.5, 138, 139, 140, 141, 146, and 169 of, and to add Sections 137.1, 137.2, and 137.3 to, and to repeal Section 147 of, the Civil Code, relating to personal relations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "146, and 169", and insert "and 146".

Amendment No. 2

On page 3, line 41, of said bill, strike out "and".

Amendment No. 3

On page 5 of said bill, strike out lines 23 to 37, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1162—An act to amend Section 1203.10 of the Penal Code, relating to probation reports.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 1203 and".

Amendment No. 2

In line 2 of the title of said bill, strike out "reports".

Amendment No. 3

On page 1, line 1, of said bill, after "Section 1", insert "Section 1203.10 of the Penal Code is amended to read:
1203.10."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 2 of said bill, after line 8, insert

"SEC. 2. Section 1203 of said code is amended to read:

1203. After the conviction by plea or verdict of guilty of a public offense not amounting to a felony, in cases where discretion is conferred on the court or any board or commission or other authority as to the extent of the punishment, the court, upon application of the defendant or of the people or upon its own motion, may summarily deny probation, or at a time fixed may hear and determine in the presence of the defendant the matter of probation of the defendant and the conditions of such probation, if granted [;] [if] *If* probation is not denied, and in every felony case in which the defendant is eligible [to] *for* probation, before any judgment is pronounced, and whether or not an application for probation has been made, the court must immediately refer the matter to the probation officer to investigate and to report to the

court, at a specified time, upon the circumstances surrounding the crime and concerning the defendant and his prior record, which may be taken into consideration either in aggravation or mitigation of punishment. [In those cases in which the defendant is not eligible for probation, the judge may in his discretion refer the matter to the probation officer for an investigation of the facts relevant to sentence; the] *The* probation officer must thereupon make an investigation of *the* circumstances surrounding the crime and *of* the prior record and history of the defendant, [and] *must* make a written report to the court of the facts found upon such investigation, and must accompany said report with his written recommendations, *including his recommendations* as to the granting or withholding of probation to the defendant and as to the conditions of probation if it shall be granted. [and the] *The* report and recommendations must be filed with the clerk of the court as a record in the case. At [such] *the* time or times fixed by the court, the court must hear and determine such application, *if one has been made, or in any case the suitability of probation in the particular case,* and in connection therewith must consider any report of the probation officer, and must make a statement that it has considered such report which must be filed with the clerk of the court as a record in the case. If the court shall determine that there are circumstances in mitigation of punishment prescribed by law, or that the ends of justice *would be subserved by granting probation to the defendant, the court shall have power* in its discretion to place the defendant on probation as hereinafter provided; if probation is denied, the clerk of the court must forthwith send a copy of the report and recommendations to the Department of Corrections at the prison or other institution to which the defendant is delivered [; further provided, however, that].

[probation] *Probation* shall not be granted to any defendant who shall have been convicted of robbery, burglary, burglary with explosives, rape with force or violence, arson, murder, assault with intent to commit murder, attempt to commit murder, train wrecking, kidnaping, escape from a state prison, conspiracy to commit any one or more of the aforementioned felonies, and who at the time of the perpetration of said crime or any of them or at the time of his arrest was himself armed with a deadly weapon (unless at the time he had a lawful right to carry the same), nor to a defendant who used or attempted to use a deadly weapon upon a human being in connection with the perpetration of the crime of which he was convicted, nor to one who in the perpetration of the crime of which he was convicted wilfully inflicted great bodily injury or torture, nor to any defendant unless the court shall be satisfied that he has not been twice previously convicted of felony in this State nor twice previously convicted in any other place or places of public offenses which would have been felonies if committed in this State; nor to any defendant convicted of the crime of robbery, burglary of the first degree, burglary with explosives, rape with force or violence, arson, murder, attempt to commit murder, assault with intent to commit murder, train wrecking, extortion, kidnaping, escape from a state prison, violation of Sections 286, 288 or 288a of this Code, or conspiracy to commit any one or more of the aforesaid felonies, unless the court shall be satisfied that he has never been previously convicted of a felony in this State nor previously convicted in any other place of a public offense which would have been a felony if [convicted] *committed* in this State; nor to any defendant unless the court shall be satisfied that he has never been previously convicted of a felony in this State nor convicted in any other place of a public offense *which would have been a felony if committed in this State and at the time of the perpetration* of said previous offense or at the time of his arrest for said previous offense he was himself armed with a deadly weapon (unless at the time he had a lawful right to carry the same) or he personally used or attempted to use a deadly weapon upon a human being in connection with the perpetration of said previous offense or in the perpetration of said previous offense he wilfully inflicted great bodily injury or torture; nor to any public official or peace officer of the State, county, city, city and county, or other political subdivision who, in the discharge of the duties of his public office or employment, accepted or gave or offered to accept or give any bribe or embezzled public money or was guilty of extortion. No probationer shall be released to enter another state of the United States, unless and until his case has been referred to the California Administrator, Interstate Parole Compacts, pursuant to the Uniform Act for Out-of-State Parolee Supervision.

In those cases in which the defendant is not eligible for probation, the judge may in his discretion refer the matter to the probation officer for an investigation of the facts relevant to sentence. The probation officer must thereupon make an investigation of circumstances surrounding the crime and the prior record and history of the defendant and make a written report to the court of the facts found upon such investigation."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1483—An act providing for the constitution of the municipal court in a district embracing the City of Oceanside, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "City", and insert "Township".

Amendment No. 2

On page 1, line 2, of said bill, strike out "City", and insert "Township".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out lines 5, 6, and 7, and insert

"(1) There shall be one judge who shall receive nine thousand dollars ($9,000) per annum, payable in equal monthly installments;

(2) There shall be one clerk, who shall receive five thousand one hundred dollars ($5,100) per annum, payable in equal monthly installments and who may appoint the following:

One deputy clerk, who shall receive three thousand three hundred sixty dollars ($3,360) per annum, payable in equal monthly installments;

(3) There shall be one marshal, who shall receive five thousand one hundred dollars ($5,100) per annum, payable in equal monthly installments and who may appoint one deputy marshal, who shall receive three thousand nine hundred sixty dollars ($3,960) per annum, payable in equal monthly installments.

(4) Persons who succeed to positions in the municipal court under provisions of the Municipal and Justice Court Act of 1949 shall receive credit for continuous prior service in superseded courts and in the sheriff's department or constabulary of the county.

SEC. 2. The municipal court shall hold sessions in the City of Oceanside, only."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1486—An act providing for the constitution of the municipal court in a district embracing the City of Chula Vista, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 2 of the title of the printed bill, after "Vista", insert "and all of National Township, excluding the Cities of National City and Coronado, to be known and designated as South Bay Judicial District".

Amendment No. 2

On page 1, line 2, of said bill, after "Vista", insert "and all of National Township excluding the Cities of National City and Coronado, to be known and designated as South Bay Judicial District".

Amendment No. 3

On page 1 of said bill, strike out lines 5, 6, and 7, and insert

"(1) There shall be one judge who shall receive nine thousand dollars ($9,000) per annum, payable in equal monthly installments;

(2) There shall be one clerk, who shall receive five thousand one hundred dollars ($5,100) per annum, payable in equal monthly installments and who may appoint the following:

One deputy clerk, who shall receive three thousand three hundred sixty dollars ($3,360) per annum, payable in equal monthly installments,

(3) There shall be one marshal, who shall receive five thousand one hundred dollars ($5,100) per annum, payable in equal monthly installments and who may appoint one deputy marshal, who shall receive three thousand nine hundred sixty dollars ($3,960) per annum, payable in equal monthly installments.

(4) Persons who succeed to positions in the municipal court under provisions of the Municipal and Justice Court Act of 1949 shall receive credit for continuous prior service in superseded courts and in the sheriff's department or constabulary of the county.

SEC. 2. The municipal court shall hold sessions in the City of Chula Vista, only."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1487—An act providing for the constitution of the municipal court in a district embracing the City of El Cajon, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "City", and insert "Township".

Amendment No. 2

On page 1, line 2, of said bill, strike out "City", and insert "Township".

Amendment No. 3

On page 1 of said bill, strike out lines 5, 6, and 7, and insert

"(1) There shall be one judge who shall receive nine thousand dollars ($9,000) per annum, payable in equal monthly installments;

(2) There shall be one clerk, who shall receive five thousand one hundred dollars ($5,100) per annum, payable in equal monthly installments and who may appoint the following:

Two deputy clerks, each of whom shall receive three thousand three hundred sixty dollars ($3,360) per annum, payable in equal monthly installments;

(3) There shall be one marshal, who shall receive five thousand one hundred dollars ($5,100) per annum, payable in equal monthly installments and who may appoint one deputy marshal, who shall receive three thousand nine hundred sixty dollars ($3,960) per annum, payable in equal monthly installments

(4) Persons who succeed to positions in the municipal court under provisions of the Municipal and Justice Court Act of 1949 shall receive credit for continuous prior service in superseded courts and in the sheriff's department or constabulary of the county

SEC. 2. The municipal court shall hold sessions in the Cities of El Cajon and La Mesa."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3446—An act to amend Sections 2, 5 and 6 of the Alcoholic Beverage Control Act, relating to alcoholic beverages and licenses of wine brokers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Boards and Commissions:

Amendment No. 1

On page 14, line 14, of the printed bill, strike out "in the purchase and sale of wine", and insert a comma.

Amendment No. 2

On page 14, line 15, of said bill, after "commission", insert ", in the purchase of wine".

Amendment No. 3

On page 14, line 15, of said bill, strike out ", other than", and insert "within or without this State".

Amendment No. 4

On page 14, line 16, of said bill, strike out "a retail licensee,".

Amendment No. 5

On page 14, line 16, of said bill, after "buy", insert "wine".

Amendment No. 6

On page 14, line 16, of said bill, strike out "or", and after "resale", insert "and in the sale of wine for or on behalf of a person, other than a retail licensee, licensed to".

Amendment No. 7

On page 14, line 17, of said bill, strike out "or without"

Amendment No. 8

On page 14, line 20, of said bill, after "sell", insert "any wine unless he shall first have a bona fide authorization therefor from a person, other than a retail licensee, licensed to sell wine in this State".

Amendment No. 9

On page 14, line 23, of said bill, strike out ", other than a retail licensee," and insert "within or without this State".

Amendment No. 10

On page 14, line 23, of said bill, after "buy", insert "wine"

Amendment No. 11

On page 14, line 24, of said bill, strike out "or sell wine".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2367—An act to amend Sections 285, 286, 288a and 264 of the Penal Code, relating to sex crimes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "285, 286, 288a and 264", and insert "264, 286, 288a, 311 and 647a".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 8, inclusive; and in line 9, strike out "SEC. 2.", and insert

"SECTION 1"

Amendment No. 3

On page 1, line 14, of said bill, strike out "SEC. 3.", and insert

"SEC. 2"

Amendment No. 4

On page 1, line 18, of said bill, after "or", strike out the comma

Amendment No. 5

On page 1, line 19, of said bill, strike out the period, and insert "; provided, however, that one more than 10 years older than his co-participant in such an act, which co-participant is under the age of 14, or one compelling another's participation in such an act by force, violence, duress, menace, or threat of great bodily harm, shall be punished by imprisonment in the state prison for not less than three years"

Amendment No. 6

On page 1, line 20, of said bill, strike out "SEC. 4.", and insert

"SEC. 3."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 7

On page 2 of said bill, after line 7, insert

"SEC. 4. Section 311 of said code is amended to read:

311. Every person who wilfully and lewdly, either:

1. Exposes his person, or the private parts thereof, in any public place, or in any place where there are present other persons to be offended or annoyed thereby; or,

2. Procures, counsels, or assists any person so to expose himself or to take part in any model artist exhibition, or to make any other exhibition of himself to public view, or the view of any number of persons, such as is offensive to decency, or is adopted to excite to vicious or lewd thoughts or acts; or,

3. Writes, composes, stereotypes, prints, publishes, sells, distributes, keeps for sale, or exhibits any obscene or indecent writing, paper, or book; or designs, copies, draws, engraves, paints, or otherwise prepares any obscene or indecent picture or print; or *molds, cuts, casts, or otherwise makes any obscene or indecent figure*; or,

4. Writes, composes, or publishes any notice or advertisement of any such writing, paper, book, picture, print or figure; or,

5. Produces, prepares, manufactures, sells, distributes, keeps for sale, exhibits, buys, rents, operates, uses, keeps, or maintains recordings, transcriptions, or mechanical, chemical, or electrical reproductions, or any other articles, equipment, machines, or materials, used or intended to be used in producing or reproducing any lewd or obscene *song, ballad*, or other words, whether spoken or sung; or,

6. Sings or speaks any lewd or obscene song, ballad, or other words, in any public place, or in any place where there are persons present to be annoyed thereby, is guilty of a misdemeanor.

Upon the second and each subsequent conviction under subdivision 1 of this section, or upon a first conviction under subdivision 1 of this section after a previous conviction under Section 288 of this code, every person so convicted is guilty of a felony, and shall be punished by imprisonment in the state prison for not less than one year.

The provision of subdivision 6 of this section shall not apply to any person participating in violation thereof only as an actor, unless and until the proper court shall have passed upon the matter and found the actor to have violated the said subdivision 6 of this section, except where after a complaint has been filed against the owner, manager, producer or director charging a violation of said subdivision 6 of this section, and pending the determination thereof an actor or actress utters the particular word or words complained against or other word or words of the same or similar import, in connection with such performance, act, play, drama, exhibition or entertainment.

SEC. 5. Section 647a of said code is amended to read:

647a. (1) Every person who annoys or molests any child under the age of [14] *18* is a vagrant and is punishable upon first conviction by a fine of not exceeding five hundred dollars ($500) or by imprisonment in the county jail for not exceeding six *months* or by both such fine and *imprisonment and is punishable upon the second and* each subsequent conviction or upon the first conviction after a previous conviction under Section 288 of this code by imprisonment in the state prison [not exceeding five years] *for not less than one year*.

(2) Every person who loiters about any school or public place at or near which school children attend, or who loiters in or about public toilets in public parks, is a vagrant, and is punishable by a fine of not exceeding five hundred dollars ($500) or by *imprisonment in the county jail for not exceeding six months, or by both such fine* and imprisonment."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2—An act to provide for the establishment of a judicial district comprising the City of San Fernando, including the establishment and functioning of a municipal court therein.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

Strike out the title of the printed bill, and insert

"An act to provide for the establishment of municipal courts in certain judicial districts."

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 20, inclusive, and insert

"SECTION 1. In any municipal court judicial district which includes a city and township which contains a population of 40,000 or less inhabitants, which city might be constituted a separate municipal court judicial district pursuant to Article VI, Section 11 of the Constitution, there shall be a regular session of the court in such city and *the incumbent inferior court judges in such city and township shall, if* qualified on the date such inclusion becomes effective, become judges of the municipal court in the district including such city, and the number of municipal court judgeships in such district shall be increased by the number of such qualified inferior court judges"

Amendment No. 3

On page 1, line 21, of said bill, strike out "7", and insert "2".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 712—An act to amend Section 261 of the Probate Code, relating to notices in estates of missing persons.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "261", and insert "265".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 11, inclusive, and insert

"SECTION 1. Section 265 of the Probate Code is amended to read:

265. The trustee must take possession of the real and personal estate in this State of such missing person, and collect and receive the rents, income, and proceeds thereof, collect all indebtedness owing to him, and pay the expenses thereof out of the trust funds, and pay such indebtedness of the missing person as may be authorized by the court. The court may direct the trustee to pay to the person or persons constituting the family of the missing person such sum or sums of money for family expenses and support from the income *or principal* of the estate as it may, from time to time, determine."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1416—An act providing for the constitution of the municipal court in a district embracing the City of San Fernando, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 5 to 7, inclusive, and insert

"(1) There shall be one judge who shall receive thirteen thousand five hundred dollars ($13,500) per annum, payable in equal monthly installments.

(2) There shall be one clerk to be appointed by the judge, who shall receive a minimum salary of four hundred dollars ($400) monthly, with annual increments of ten dollars ($10) to a maximum of four hundred fifty dollars ($450) monthly, and who may appoint the following:

One deputy clerk, who shall be the court clerk and who shall receive a minimum salary of three hundred dollars ($300) monthly, with annual increments of ten dollars ($10) to a maximum of three hundred fifty dollars ($350) monthly;

One deputy clerk who shall receive a minimum salary of two hundred seventy-five dollars ($275) monthly, with annual increments of ten dollars ($10) to a maximum of three hundred twenty-five dollars ($325) monthly.

(3) There shall be one marshal who shall receive a minimum salary of four hundred dollars ($400) monthly, with annual increments of ten dollars ($10) to a maximum of four hundred fifty dollars ($450) monthly, and who may appoint the following:

One deputy marshal (court bailiff) who shall receive a minimum salary of three hundred dollars ($300) monthly, with annual increments of ten dollars ($10) to a maximum of three hundred fifty dollars ($350) monthly;

One deputy marshal, who shall receive a minimum salary of three hundred dollars ($300) monthly, with annual increments of ten dollars ($10) to a maximum of three hundred fifty dollars ($350) monthly;

Two deputies (custodians) at the fee allowed by law

(4) Persons who succeed to positions in the municipal court under provisions of the Municipal and Justice Court Act of 1949 shall receive credit for continuous prior service in superseded courts and in the sheriff's department or constabulary of the county, and shall receive, in addition to the minimum rate, the annual increments commensurate with such years of prior service up to the maximum rate set"

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 2384—An act to amend Section 4300f of the Political Code and Section 196 of the Code of Civil Procedure, relating to jurors' fees in superior and municipal courts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "4300f of the Political Code and Section 196 of the Code of Civil Procedure", and insert "28102 of the Government Code".

Amendment No. 2

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 28102 of the Government Code is amended to read:

28102 In a county of the second class the officers shall receive as compensation for the services required of them by law or by virtue of their offices the salaries and fees fixed pursuant to the charter of the county.

The fees of grand jurors and trial jurors in the superior court, and trial jurors in the municipal court, in both civil and criminal cases, shall be five dollars ($5) for each day's attendance upon the court or a session of the grand jury. Fees of grand jurors and trial jurors in criminal cases shall be a charge against the county or city and county and shall be paid from county or city and county funds on or about the first day of the following month as certified to by the court. Fees in civil cases, unless otherwise provided for, are to be deposited by the litigants and shall be payable to jurors only for each day's actual service upon a jury."

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 23, inclusive; and strike out all of page 2.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 2825—An act to add Section 160.96 to the Agricultural Code, relating to agricultural pest control business and establishing limitation upon bringing of action for loss suffered in connection therewith.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 5, 1951, strike out lines 3 to 21, inclusive, and insert

"160.96. Any person suffering loss or damage resulting from the use or application by others of any pesticide, or of any substance, method or device for pesticidal purposes or for the purpose of preventing, destroying, repelling, mitigating or correcting any disorder of plants or for the purpose of inhibiting, regulating, stimulating or

otherwise altering plant growth by direct application to plants must, within sixty (60) days from the occurrence of such loss or damage, or in the event a growing crop is alleged to have been damaged, prior to the time fifty percent (50%) of said crop shall have been harvested, provided such loss or damage was or should reasonably have been known, file with the County Commissioner of the county in which the loss or damage, or some part thereof, is alleged to have occurred, a verified report of loss setting forth so far as known to the claimant the following: Name and address of claimant, type, kind and location of property allegedly injured or damaged, date the alleged injury or damage occurred, name of pest control operator allegedly responsible for such loss or damage, and name of the owner or occupant of the property for whom such pest control operator was rendering labor or services

The filing of such report or the failure to file such report need not be alleged in any complaint which might be filed, and the failure to file the report as herein provided for shall not be a bar to the maintenance of a civil action for the recovery of damages for such loss or damage

Proof of failure to file the report herein required shall create a rebuttable presumption that no such loss or damage occurred

"Pesticide" means any economic poison as defined in Section 1061 of this code.

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

SECOND READING OF SENATE BILLS

Senate Bill No. 1002—An act to add Section 6005 to the Penal Code, relating to trials of persons committed to the Youth Authority.

Bill read second time, and ordered to third reading.

Senate Bill No. 1168—An act to add Section 31a to an act entitled "An act prescribing the regulation, government, procedure and jurisdiction of the municipal and justice courts, and providing for the election and appointment of the judges, officers and attaches of such courts, their terms of office, qualifications and compensation," approved July 27, 1949, relating to traveling expenses of assigned judges.

Bill read second time, and ordered to third reading.

Senate Bill No. 1171—An act to amend Section 117m of the Code of Civil Procedure, relating to the issuance of abstracts of judgment in small claims courts.

Bill read second time, and ordered to third reading.

Senate Bill No. 544—An act to amend Section 103a of the Code of Civil Procedure, relating to justice court clerks.

Bill read second time, and ordered to third reading.

Senate Bill No. 545—An act to amend Section 103¾ of the Code of Civil Procedure, relating to clerks.

Bill read second time, and ordered to third reading.

Senate Bill No. 790—An act to add Sections 54468.1, 54348.1, and 54348.2 to the Government Code, relating to the securing of charges for services, facilities and water furnished by an enterprise by a lien on the lands served, and providing for the enforcement of such lien.

Bill read second time, and ordered to third reading.

Senate Bill No. 1172—An act to amend Section 117j of the Code of Civil Procedure, relating to appeals from judgments in small claims courts.

Bill read second time, and ordered to third reading.

Senate Bill No. 1173—An act to amend Section 117g of the Code of Civil Procedure, relating to judgments against one or more defendants, the action to proceed against other defendants, in small claims courts.

Bill read second time, and ordered to third reading.

Senate Bill No. 1431—An act authorizing suits against the State of California to quiet title against it as to certain real property situated in the County of Modoc, State of California.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "a nonnavigable lake", and insert "Upper Lake, Middle Lake, or Lower Lake in Surprise Valley".

Amendment No. 2

On page 1, line 10, of said bill, strike out "nonnavigable".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1200—An act to amend Sections 1502.5, 1509.7, 1509.9, 1513, 1518.2, 1535.3, 1541, 1560, 1562, 1571, 1581, 1586, 1587, and to repeal Article 10.5, comprising Sections 1595 to 1598, inclusive, of, and to add Sections 1505.5, 1535.7, 1535.8, 1542, 1585, and 1587.5 to, the Military and Veterans Code, and to amend Section 8 5 of the Civil Defense Act of 1950, relating to civil defense, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Military Affairs:

Amendment No. 1

On page 8, line 13, of the printed bill, as amended in the Senate on May 23, 1951, before the period, insert "if a substantially similar license, certificate or other permit is issued in this State to applicants possessing the same professional, mechanical or other skills".

Amendment read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

Senate Bill No. 1560—An act to amend Section 3440 of, and add Section 3440.1 and 3440.5 to, the Civil Code, relating to transfers of particular personal property without delivery.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, line 13, of the printed bill, as amended in the Assembly on May 17, 1951, after "3440.1", insert "(1)".

Amendment No. 2

On page 2, line 25, of said bill, strike out "does all the following:", and insert "records and publishes as required in subdivisions (a) and (b) as follows:".

Amendment No. 3

On page 2, line 33, of said bill, strike out "and location".

Amendment No. 4

On page 2, line 37, of said bill, after "mortgage," strike out "the", and insert "the notice shall state whether or not there is to be an escrow holder, and if so, his".

Amendment No. 5

On page 2, line 38, of said bill, strike out "of the escrow holder hereinafter required".

Amendment No. 6

On page 2, line 46, of said bill, strike out "(c) Establishes an escrow", and insert "If an escrow is established in connection with the transaction, such escrow shall be".

Amendment No. 7

On page 2 of said bill, strike out lines 49 and 50, and insert "or purchase, and the parties shall deposit with the escrow holder a written agreement or escrow instructions which".

Amendment No. 8

On page 3, line 10, of said bill, after "presented", insert "exclusive of demands of said claim which are not ascertainable by the escrow holder as to the total amount".

Amendment No. 9

On page 3, line 11, of said bill, strike out "; and further", and insert ", but in no case beyond 30 days after the creditor receives written notice of rejection of his claim."

Amendment No. 10

On page 3 of said bill, strike out lines 12 to 19, inclusive.

Amendment No. 11

On page 3, line 33, of said bill, before "The", insert "(2)".

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

Senate Bill No. 634—An act to amend Section 18734, Business and Professions Code, relating to contestants in boxing contests, or sparring or wrestling matches.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Boards and Commissions:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "professional".

Amendment No. 2

On page 1, line 5, of said bill, after "match", insert ", except that any person of the age of 17 years or over, who is a registered amateur boxer in any state or territory where a person who has attained the age of 17 years may box legally, may participate in an amateur boxing contest held by the United States Olympic Association for the purpose of selecting contestants for the Olympic Games to be held in 1952".

Amendment No. 3

On page 1, line 7, of said bill, strike out "of the age of 16 years or over and shall be".

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Boards and Commissions.

UNFINISHED BUSINESS

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was read:

ASSEMBLY CHAMBER, SACRAMENTO, May 14, 1951

MR. SPEAKER. The Committee on Conference concerning,

Assembly Bill No. 99—An act to amend Section 6 11 of the Alcoholic Beverage Control Act, relating to organizations, associations and clubs, and providing for the issuance of on-sale general licenses thereto

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on May 3, 1951, strike out lines 18 to 21, inclusive; strike out page 2; and on page 3, strike out lines 1 to 22, inclusive, and insert

"(c) A non-profit corporation or association which has been in existence for not less than one year and which is the owner, lessee or occupant of an establishment that is operated and maintained for club purposes, but not for pecuniary gain, admission to which is restricted to members and their bona fide guests, having at least one hundred bona fide members, and requiring the payment of regular membership dues amounting to not less than twelve dollars ($12) a year"

Amendment No. 2

On page 3, line 42, of said bill, strike out "April 1, 1947", and insert "April 1, 1951".

	McCOLLISTER
WAY	LYON
BURNS	DOYLE
Senate Committee on Conference	Assembly Committee on Conference

Point of Order

Mr. Grunsky arose to the following point of order: That copies of Assembly Bill No. 99, as amended, are not on the desks of the Members, and discussion of the report of the Committee on Conference should be deferred until copies of said bill are distributed.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

Report of Committee on Conference concerning Assembly Bill No. 99 ordered passed on file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: The Committee on Conference concerning:

Senate Bill No. 789—An act to add Section 2838.5 to the Elections Code, relating to county central committees.

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 1, line 23, of the printed bill, as amended in the Assembly on April 24, 1951, after the period, insert "This section shall apply only to the county central committees of those parties with which more than 2,500,000 voters were registered as being affiliated for the next preceding gubernatorial election"

BURNS	LYON
DILWORTH	BRADY
REGAN	McCOLLISTER
Senate Committee on Conference	Assembly Committee on Conference

~~The roll was called, and the report adopted by the following vote:~~

PRINTER'S NOTE—There being no 7-point strikeout type available, the following roll call, which should appear in strikeout type, is indicated by being inclosed within brackets.

[AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Parker, Porter, Silliman, Stanley, Thomas, Tomlinson, and Waters—50]

[NOES—Coats, Evans, Hawkins, and Rumford—4]

On this day the above action, whereby the report of the Committee on Conference concerning Senate Bill No. 789 was adopted, was rescinded. (See page 5173.)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 767—An act to amend Sections 26725, 26726, 26730, 26732, 26735, 26736, 26738, and 26741 of the Government Code, relating to fees.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 767?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on April 26, 1951, after "26741", insert ", and 27826"

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets

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Amendment No. 2

On page 2 of said bill, as amended, after line 19, insert

"SEC. 9. Section 27826 of said code is amended to read:

27826 For each mile traveled out of his county, both going to and returning from the place of arrest, a constable shall charge [five] *fifteen* cents [($0.05)] *($0.15)*. For traveling in the performance of two or more official services at the same time, including the service of process or criminal warrants, or the transportation of persons charged or convicted of a criminal offense, but one mileage shall be charged."

Amendment No. 3

In line 1 of the title of the printed bill, as amended in Senate May 23, 1951, strike out "26725,".

Amendment No. 4

On page 1, line 1, of said bill, as amended, strike out "26725", and insert "26726".

Amendment No. 5

On page 1 of said bill, as amended, strike out lines 3 to 6, inclusive.

Amendment No. 6

On page 1, line 16, of said bill, as amended, strike out "3", and insert "2".

Amendment No. 7

On page 1, line 20, of said bill, as amended, strike out "4", and insert "3".

Amendment No. 8

On page 1, line 23, of said bill, as amended, strike out "5", and insert "4".

Amendment No. 9

On page 2, line 4, of said bill, as amended, strike out "6", and insert "5".

Amendment No. 10

On page 2, line 8, of said bill, as amended, strike out "7", and insert "6".

Amendment No. 11

On page 2, line 14, of said bill, as amended, strike out "8", and insert "7".

Amendment No. 12

On page 2, line 17, of said bill, as amended, strike out "9", and insert "8".

Amendment No. 13

On page 2, line 22, of said bill, as amended, after "of", insert "civil".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 767 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—65.

NOES—None.

Assembly Bill No. 767 ordered enrolled.

Assembly Bill No. 2065—An act to amend Sections 6301, 6302, 6334, and 6356 of, and to add Sections 6301.5 and 6301.6 to, the Education Code, relating to school district budgets.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2065?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 16, 1951, strike out "6301,".

Amendment No. 2

In line 1 of the title of said bill, as amended, strike out the second ", and"; and strike out all of line 2.

Amendment No. 3

On page 1, line 1, of said bill, as amended, strike out "6301", and insert "6302".

Amendment No. 4

On page 1 of said bill, as amended, strike out lines 3 to 24, inclusive; and on page 2, strike out lines 1 to 51, inclusive; and on page 3, strike out lines 1 to 3, inclusive.

Amendment No. 5

On page 3, line 33, of said bill, as amended, after "deduct", insert "an amount not to exceed".

Amendment No. 6

On page 3, line 38, of said bill, as amended, strike out "SEC. 4", and insert "SEC. 2".

Amendment No. 7

On page 4, line 15, of said bill, as amended, strike out "SEC. 5", and insert "SEC 3".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2065 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Doyle, Dunn, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—62.

NOES—None.

Assembly Bill No. 2065 ordered enrolled.

Assembly Bill No. 2907—An act to add Sections 14258.5, 14258.6, 14810 and 14811 to, to amend Section 14540 of, and to repeal Sections 14008, 14541, 14542, 14543, 14544, 14545, 14546, 14547, 14810, 14811 and 14812 of the Health and Safety Code, relating to fire protection districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2907?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 7, 1951, strike out "14810", and insert "14813".

Amendment No. 2

In line 2 of the title of said bill, as amended, strike out "14811 to, to amend Section 14540", and insert "14814 to, to amend Sections 14540 and 14811".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 2 of said bill, as amended, between lines 3 and 4, insert

"SEC. 5. Section 14811 of said code is amended to read:

14811. Persons entitled to file petition. [Inhabitants] *Property owners* of the incorporated portion of the district, whose names appear upon the last preceding assessment roll of the county or city within which the incorporated portion of the district is located, owning or representing more than one-half in value of the assessed real property in the incorporated portion of the district, or owning or representing more than one-half in value of the assessed real property within the incorporated portion of the district owned by its residents, may file a verified petition with the board of supervisors, requesting that the area within the city may be excluded from the district."

Amendment No. 4

On page 2, line 4, of said bill, as amended, strike out "SEC. 5. Section 14810", and insert

"SEC. 6. Section 14813".

Amendment No. 5

On page 2, line 6, of said bill, as amended, strike out "14810", and insert "14813".

Amendment No. 6

On page 2, line 9, of said bill, as amended, strike out "SEC. 6. Section 14811", and insert

"SEC. 7. Section 14814".

Amendment No. 7

On page 2, line 11, of said bill, as amended, strike out "14811", and insert "14814".

Amendment No. 8

On page 2 of said bill, as amended, after line 18, insert

"SEC. 8. Section 4 of this act shall not be operative with respect to portions of fire protection district territory included within cities by annexations or incorporations completed prior to the effective date of this act."

~~The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2907 by the following vote:~~

PRINTER'S NOTE—There being no 7-point strikeout type available the following roll call, which should appear in strikeout type, is indicated by being inclosed within brackets.

[AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Luckel, Lyon, Maloney,

McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—64]

[NOES—None.]

~~Assembly Bill No. 2907 ordered enrolled.~~

On this day, Assembly Bill No. 2907 was recalled from enrollment (see page 5182); and the above action, whereby the Assembly concurred in Senate amendments to Assembly Bill No. 2907, was rescinded. (See page 5186.)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 2573—An act to add Section 216 to the Revenue and Taxation Code, relating to tax assessments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2695—An act to amend Section 118 of the Welfare and Institutions Code, relating to public assistance in respect to compilation or possession of lists of recipients thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dills, Dolwig, Dunn, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lipscomb, Luckel, Lyon, Maloney, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Silliman, Smith, Stanley, Tomlinson, and Waters—55.

NOES—Elliott and Hawkins—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2689—An act relating to the charges of operators of off-street parking facilities.

Bill read third time.

Demand for Previous Question

Messrs. Grunsky, Hansen, Shaw, Porter, and Lyon demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2689.

Point of Order

Mr. Geddes arose to the following point of order: That the time of Messrs. Burkhalter and Conrad has expired.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

The question being on the passage of Assembly Bill No. 2689.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Chapel, Coats, George D Collins, Condon, Cooke, Crowley, Dickey, Dills, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Hawkins, Henderson, Hollibaugh, Kilpatrick, Lipscomb, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, and Thomas—42.

NOES—Cloyed, Collier, Conrad, Grunsky, Gubser, Hansen, Kirkwood, Levering, Lincoln, Lyon, Niehouse, and Silliman—12

Bill ordered transmitted to the Senate.

Assembly Bill No. 1996—An act to amend Section 54900 of the Government Code, relating to the filing of a statement of a change in boundaries or the creation of a city or district.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—59

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON ADOPTION OF REPORT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 789

Mr. Lyon asked for, and was granted, unanimous consent to rescind the action whereby the Assembly, on this day, adopted the report of the Committee on Conference concerning Senate Bill No. 789, and that said report be returned to the unfinished business file, and ordered passed on file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3217—An act to add Chapters 3.3 and 3.5 to Part 2, Division 2 of, and to add Chapter 7 to Title 6 of the Government Code, relating to urban unincorporated areas.

Bill read third time.

Motion for Committee of the Whole

Mr Levering moved that the Assembly resolve itself into a Committee of the Whole for the purpose of hearing debate on Assembly Bill No. 3217.

Mr. Geddes seconded the motion.

Substitute Motion

Mr. Lanterman moved, as a substitute motion, that the Assembly resolve itself into a Committee of the Whole tomorrow, and that Assembly Bill No. 3217 be made a special order of business for 10.30 a.m.

Mr. Shaw seconded the substitute motion.

Substitute Motion Withdrawn

Mr. Shaw withdrew his second.

Mr. Lanterman withdrew his substitute motion.

Substitute Motion to Set Special Order

Mr. Lanterman moved, as a substitute motion, that Assembly Bill No. 3217 be made a special order of business for Thursday, June 6, 1951, at 10.30 a.m.

Mr. Condon seconded the substitute motion.

The roll was called, and the substitute motion carried by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, Condon, Connolly, Conrad, Cooke, Dickey, Dolwig, Doyle, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lyon, McFall, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—55.

NOES—Dunn, Luckel, and Morris—3.

Hon. Francis Dunn, Jr., Presiding

At 11.14 a.m., Hon. Francis Dunn, Jr., Member of the Assembly from the Thirteenth District, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 40

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Senate Bill No. 954

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Assembly Bill No. 1530

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 424—An act to amend Section 6 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Bill read third time.

Demand for Previous Question

Messrs. Shaw, Klocksiem, Kelly, Luckel, and Hansen demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 424.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Gaffney, Gubser, Hawkins, Henderson, Kelly, Lanterman, Lincoln, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Stanley, Stewart, Thomas, and Waters—41

NOES—Babbage, Clarke, Collier, Conrad, Geddes, Grunsky, Hagen, Hansen, Hinckley, Kirkwood, Klocksiem, Levering, Luckel, Moss, Shaw, Silliman, Smith, and Tomlinson—18.

Bill ordered transmitted to the Senate.

MEMBER EXCUSED

At 11.35 a.m., Mr. Porter asked for, and was granted, unanimous consent that Mr. Grant be excused, for the balance of the legislative day, because of legislative business in the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Request for Unanimous Consent That Assembly Bill No. 193 Hold Place on File

Mr. Waters asked for, and was granted, unanimous consent that Assembly Bill No. 193 be passed on file, and hold its place on file on the next legislative day.

Assembly Bill No. 3188—An act to amend Section 4714 and to repeal Section 4965 of the Education Code, relating to unified school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Chapel, Clarke, Collier, George D. Collins, Condon, Conrad, Crowley, Dickey, Dills, Dolwig, Elliott, Fleury, Gaffney, Gubser, Hagen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—53.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1969—An act to authorize the improvement of certain streets abutting the campus of the San Francisco State College.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hansen, Hawkins, Hinckley, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—58.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT REPORT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 99 BE WITHDRAWN

Mr. McCollister asked for, and was granted, unanimous consent that the report of the Committee on Conference concerning Assembly Bill No. 99 be withdrawn from the desk for purpose of correcting the amendments.

Speaker Pro Tempore Presiding

At 11.43 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1879—An act to repeal Chapter 7 of Division 3 of, and to add Chapter 7 of Division 3, comprising Sections 6700 to 6799, inclusive, to, the Business and Professions Code, relating to professional engineers.

Bill read third time.

~~The roll was called, and the bill passed by the following vote:~~

PRINTER'S NOTE—There being no 7-point strikeout type available, the following roll call, which should appear in strikeout type, is indicated by being inclosed within brackets:

[AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Dickey, Dills, Doyle, Dunn, Evans, Fleury, Gaffney, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—61]

[NOES—None.]

~~Bill ordered transmitted to the Senate.~~

On June 11, 1951, the Senate was requested to return Assembly Bill No. 1879 to the Assembly for further consideration (see page 5450); on June 12th, the Senate returned the bill; and, on the same day, the Assembly rescinded the above action whereby the bill was passed (see page 5520).

Assembly Bill No. 1995—An act to add Article 1.5 to Chapter 4, Part 9, Division 1 of the Revenue and Taxation Code, relating to the cancellation of assessments on state-assessed property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Fleury, Gaffney, Geddes, Grunsky, Hagen, Henderson, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, and Tomlinson—53.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1993—An act to repeal Sections 7354, 7653, and 7654 of the Revenue and Taxation Code, relating to the motor vehicle fuel storage tax.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Dunn, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—58.

NOES—None.

Bill ordered transmitted to the Senate.

UNANIMOUS CONSENT GRANTED TO REQUEST THE SENATE TO RETURN ASSEMBLY BILL NO. 3121

Mr. Maloney asked for, and was granted, unanimous consent that the Chief Clerk be instructed to request the Senate to return Assembly Bill No. 3121 for further consideration.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 2712, on request of Mr. Dickey.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 2631, on motion of Mr. Caldecott.

ANNOUNCEMENT

Mr. Dunn announced that the motion picture he discussed yesterday, which pertains to the subject of sex crimes, will be shown by the State Bureau of Audio-Visual Education today at 1.30 p.m., in Room 3184, for the benefit of those interested.

RECESS

At 11.55 a.m , on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

MEMBER EXCUSED

At 2.01 p.m., Mr. Luckel asked for, and was granted, unanimous consent that Mr. Burke be excused, for the balance of the legislative day, because of illness.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP REPORT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 2599

Mr. Stewart asked for, and was granted, unanimous consent to take up the report of Committee on Conference concerning Assembly Bill No. 2599, temporarily passed on file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 2599—An act to add Sections 5.2 and 5.3 to, and to amend Section 6 of, the Metropolitan Water District Act, relating to the issuance of refunding bonds for the purpose of refunding bonds issued pursuant to the provisions of said Metropolitan Water District Act, and the government and management of metropolitan water districts and declaring the severability of the provisions hereof;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be not concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 1 of the printed bill, strike out lines 1 to 8, inclusive, of the title and insert

"An act to amend Section 6 of the Metropolitan Water District Act, relating to the government and management of metropolitan water districts."

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 17, inclusive:

Amendment No. 3

Strike out all of pages 2, 3, 4, 5; and on page 6, strike out lines 1 to 48, inclusive, and insert

"SECTION 1. Section 6 of the Metropolitan Water District Act is amended to read:".

Amendment No. 4

On page 9 of the printed bill, strike out lines 27 to 36, inclusive.

JAMES E. CUNNINGHAM	STEWART
TENNEY	WATERS
WATSON	PORTER
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Dolwig, Doyle, Elliott, Fleury, Gaffney, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kirkwood, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, Meyers, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stillman, Smith, Stanley, Stewart, and Waters—47.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED IN JOURNAL

Mr. Stewart asked for, and was granted, unanimous consent that a letter of transmittal and Report of the Assembly Interim Committee on Governmental Efficiency and Economy relative to the following subjects be ordered printed in the Journal, in 10 point type:

Saturday Closing of State Offices; Licensing of Professional Engineers;

Insured Business Loans; Construction of a Scientific and Technical Museum; and Investigation of Authenticity of Statements Made By Arthur Samish In *Collier's* Magazine Re: Lobbying

(Above mentioned report will appear prior to the motion to adjourn.)

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1586

Mr. Levering asked for, and was granted, unanimous consent to take up Senate Bill No. 1586, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 1586

Senate Bill No. 1586—An act to add Section 103.3 to, and to repeal Sections 1507, 2003, 3001, and 3401 of, the Welfare and Institutions Code, relating to public assistance in respect to the construction and administration of the laws relating thereto.

Bill read third time.

Motion to Amend

Mr. Levering moved the adoption of the following amendments:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on May 24, 1951, strike out "Section 103.3 to, and to repeal Sections 1507, 2003, 3001, and 3401 of," and insert "Sections 103.3 and 104.7 to".

Amendment No. 2

In lines 3 and 4 of the title of said bill, strike out "in respect to the construction and administration of the laws relating thereto".

Amendment No. 3

On page 1 of said bill, after line 11, insert

"SEC. 2. Section 104.7 is added to said code, to read:

104.7. Upon the death of a person who was a recipient of any form of public assistance for which state grants-in-aid are made to the counties, except aid to needy children, within the period of five years immediately preceding the date of his death, the county shall have a claim against the entire estate of the recipient for reimbursement for all such public assistance granted to the recipient after the date this section takes effect and within the five years immediately preceding the death of the recipient, and shall file such claim against the estate of the recipient. Such claim shall have the same priority as a judgment against the estate of the recipient.

Whenever the recipient leaves a surviving spouse, however, the claim of the county against the estate of the recipient shall be subordinate to the rights of the surviving spouse to that portion of the estate to be received by the surviving spouse, but superior to the rights of all other heirs, devisees, and legatees to any other portion of the estate, if the surviving spouse executes an agreement, specifically describing the portion of the estate to be received by the spouse, and acknowledged by the spouse in the same manner as a grant of real property, and recorded in the office of the county recorder of each county in which any real property to be received by the spouse lies, that the surviving spouse will not transfer or encumber such property without the consent of the county, and consents to the provisions of this section. Upon the death of the surviving spouse, the county shall have all the rights of a judgment creditor against that portion of the estate of the spouse received by the spouse from the predeceased recipient and described in the agreement, in the amount of the public assistance granted to the recipient within five years preceding his death and after the effective date of this section, and not repaid to the county."

Amendments read.

Request for Unanimous Consent That Amendments Be Printed in Journal Without Action

Mr. Levering asked for unanimous consent that his proposed amendments to Senate Bill No. 1586 be ordered printed in the Journal, without action, at this time.

Mrs. Niehouse withheld unanimous consent.

Motion to Print Amendments in Journal Without Action

Mr. Levering moved that his proposed amendments to Senate Bill No. 1586 be printed in the Journal, without action, at this time.

Mr. Meyers seconded the motion.

Substitute Motion

Mrs. Niehouse moved, as a substitute motion, that Senate Bill No. 1586, with the proposed amendments being offered by Mr. Levering, be re-referred to the Committee on Social Welfare.

Mr. Henderson seconded the substitute motion.

By unanimous consent, Senate Bill No. 1586, with the proposed amendments, was ordered passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 386

Mr. Connolly asked for, and was granted, unanimous consent to take up Senate Bill No. 386, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 386

Senate Bill No. 386—An act to amend Section 6060 and to add Section 6060.1 to the Business and Professions Code, relating to qualifications of applicants to the practice of law, and the accreditation of law schools in California.

Bill read third time.

Motion to Amend

Mr. Connolly moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on May 30, 1951, strike out lines 9 to 14, inclusive, and insert

"(3) Studied law diligently and in good faith for at least four years."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3245—An act to amend Section 13116 to the Government Code, relating to the Department of Finance, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Maloney moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 18, 1951, after "of", insert "and to add Section 13117 to".

Amendment No. 2

On page 2 of said bill, between lines 14 and 15, insert

"SEC. 2. Section 13117 is hereby added to the Government Code to read:".

Amendment No. 3

On page 2, line 15, of said bill, strike out "SEC. 3", and insert

"13117"

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 2501—An act to amend Sections 53 and 54 of the Unemployment Insurance Act, relating to minimum wages in base period and weekly benefit amounts payable under said act.

Bill read third time.

Motion to Amend

Mr. Dolwig moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 9, of the printed bill, as amended in the Assembly on May 30, 1951, strike out "one hun-"; and strike out lines 10 to 11, inclusive, and insert "two hundred twenty-five dollars ($225) in each of two calendar quarters of his base period."

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

Request for Unanimous Consent That Assembly Bill No. 3440 Hold Place on File

Mr. Kirkwood asked for, and was granted, unanimous consent that Assembly Bill No. 3440 be passed on file, and hold its place on file on the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP REPORT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 1745

Mr. Kirkwood asked for, and was granted, unanimous consent to take up the report of the Committee on Conference concerning Senate Bill No. 1745, temporarily passed on file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1951

MR. SPEAKER: The Committee on Conference concerning:

Senate Bill No. 1745—An act to add Sections 679.2 and 679.3 to the Vehicle Code, relating to rules governing the loading and securement of lumber and lumber products and hay in bales;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following.

That the amendments of the Assembly be concurred in, and that the bill, as amended on May 21, 1951, be further amended as follows:

Amendment No. 1

On page 4 of the printed bill, as amended in the Assembly on May 21, 1951, strike out line 30, and insert "more binders per unit length, except, however, if unit lengths are twelve feet (12') or more in length such loads shall be secured by three (3) or more binders per unit length, and except that loads of laths shall".

Amendment No. 2

Strike out pages 8 and 9 of the printed bill, as amended in the Assembly on May 21, 1951.

WAY	KIRKWOOD
HULSE	COOKE
HATFIELD	LUCKEL
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Beck, Belotti, Berry, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters—58.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1426

Mr. Lanterman asked for, and was granted, unanimous consent to take up Assembly Bill No. 1426, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 1426

Assembly Bill No. 1426—An act providing for the constitution of the municipal court established in the City of Pasadena and in a district embracing the City of Pasadena, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters—58.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 302

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 155

Mr. Waters asked for, and was granted, unanimous consent to take up Assembly Bill No. 155, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 155

Assembly Bill No. 155—An act to amend Section 373 of the Elections Code, relating to printing of indices of registration.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Waters—62.

NOES—None.

Request for Unanimous Consent That Vote Be Changed Upon Roll Call

Mr Lyon asked for, and was granted, unanimous consent that his vote be changed upon the roll call on Assembly Bill No. 155, and that he be recorded as voting "Aye" instead of "No".

Motion to Amend Title

Mr. Waters moved the adoption of the following amendment to the title:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on June 1, 1951, strike out "printing of indices", and insert "indexes".

Amendment read, and adopted.

Bill ordered reprinted, and transmitted to the Senate.

UNANIMOUS CONSENT GRANTED TO RECALL ASSEMBLY BILL NO. 2907 FROM ENROLLMENT

Mr. McFall asked for, and was granted, unanimous consent that the Chief Clerk be instructed to request the return from enrollment of Assembly Bill No. 2907.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2569—An act to add Section 13657 to the Education Code, relating to the rights of certificated employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Chapel, Clarke, Cloyed, Collier, George D. Collins, Cooke, Crowley, Davis, Dills, Dolwig, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Tomlinson, and Waters—54.

NOES—Kirkwood—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2286—An act to amend Section 28155 of the Government Code, relating to compensation for public services in counties of the fifty-fifth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters—64.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2283

Mr. Davis asked for, and was granted, unanimous consent to take up Assembly Bill No. 2283, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 2283

Assembly Bill No. 2283—An act to amend Section 28145 of the Government Code, relating to compensation for public services in counties of the forty-fifth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Connolly, Conrad, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley, Stewart, and Waters—56

NOES—George D. Collins—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3433

Mr. Sherwin asked for, and was granted, unanimous consent to take up Assembly Bill No 3433, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 3433

Assembly Bill No. 3433—An act to add Chapter 1.7 to Division 1 of the Welfare and Institutions Code, relating to solicitation of funds for charitable purposes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Burkhalter, Caldecott, Chapel, Clarke, Collier, Connolly, Conrad, Cooke, Crowley, Dolwig, Doyle, Erwin, Fleury, Geddes, Grunsky, Gubser, Hagen, Hansen, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Rumford, Sherwin, Silliman, Stanley, Tomlinson, and Waters—49

NOES—Beck, Davis, Dills, Dunn, Henderson, McCollister, Shaw, and Smith—8.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 542—An act to amend Section 3077 of the Labor Code, relating to the Apprenticeship Labor Standards Act;

Assembly Bill No. 545—An act to amend Section 6604 of the Labor Code, relating to workmen's safety;

Assembly Bill No. 840—An act to amend Section 4730 of the Health and Safety Code, relating to county sanitation districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the sixth day of June, 1951, at 2 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1088—An act to amend Sections 680, 682, and 684 of the Probate Code, relating to family allowances from estates;

Assembly Bill No. 1144—An act to amend Sections 28000, 28004, 28007, 28010, and 28014 of, and to add Section 28000½ to, the Health and Safety Code, relating to horse, mule and/or burro meat and their by-products and animal food;

Assembly Bill No. 1788—An act to repeal Article 2 of Chapter 4 of Division 4 of Title 4 of the Government Code, relating to the authorization and issuance of bonds of cities;

And reports that the same have been correctly enrolled, and presented to the Governor on the sixth day of June, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1789—An act to amend Sections 5025, 5119, 5125, 5180, 5182, 5266, 5294, 5295, 5296, 5303, 5342, 5343, 5366, 5372, 5391, 5395, 6463, 8620, 8621, 8622, 8623, and 8650 of, to repeal Part 4, comprising Sections 8590 to 8596, inclusive, of Division 10 of, and to add Section 5302.5 to, the Streets and Highways Code, relating to public works and improvements;

Assembly Bill No. 1839—An act to amend Sections 542, 690.24 and 690.26 of the Code of Civil Procedure, relating to attachment, exemptions and supplementary proceedings;

Assembly Bill No. 2067—An act to add Sections 1511.1, 2020.01, and 3080.01 to the Welfare and Institutions Code, relating to public assistance, in respect to the income of applicants or recipients;

And reports that the same have been correctly enrolled, and presented to the Governor on the sixth day of June, 1951, at 2 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3384—An act to amend Sections 337b and 337c of the Penal Code, relating to bribery in connection with sporting events, contests and exhibitions and punishment therefor;

Assembly Bill No. 3425—An act to add Section 845 1 to the Fish and Game Code, relating to nets;

And reports that the same have been correctly enrolled, and presented to the Governor on the sixth day of June, 1951, at 2 p.m

BURKE, Chairman

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 494

Mr. Coats asked for, and was granted, unanimous consent to take up Assembly Bill No. 494, temporarily passed on file, for purpose of amendment.

CONSIDERATION OF ASSEMBLY BILL NO. 494

Assembly Bill No. 494—An act to add Section 5011 to the Elections Code, relating to offenses against candidates.

Bill read third time.

Motion to Amend

Mr. Coats moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 31, 1951, after line 9, insert

"The provisions of Section 254 of the Penal Code and every other provision of law establishing a defense or privilege for persons accused in civil or criminal actions for libel or slander shall be available to a person accused of a violation of this section."

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1980

Mr. Dolwig asked for, and was granted, unanimous consent to take up Assembly Bill No. 1980, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 1980

Assembly Bill No. 1980—An act to amend Section 123 and repeal Section 124 of the Labor Code, relating to workmen's compensation benefits, and making an appropriation.

Bill read third time.

Motion to Amend

Mr. Dolwig moved the adoption of the following amendments:

Amendment No. 1

On page 1, lines 8 and 9, of the printed bill, as amended in the Assembly on May 29, 1951, strike out "ten thousand dollars ($10,000) per annum", and insert "a range of $676, $710, $745, $782, $821".

Amendment No. 2

On page 1, lines 12 and 13, of said bill, strike out "sixty-six thousand three hundred dollars ($66,300)", and insert "thirty-eight thousand seven hundred thirty-four dollars ($38,734)".

Amendments read, and adopted.

Bill ordered reprinted and re-engrossed.

Request for Unanimous Consent That Assembly Bill No. 1418 Hold Place on File

Mr. Smith asked for, and was granted, unanimous consent that Assembly Bill No 1418 be passed on file, and hold its place on file on the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2907

Mr. McFall asked for, and was granted, unanimous consent to rescind the action whereby the Assembly, on this day, concurred in Senate amendments to Assembly Bill No. 2907.

FURTHER CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2907

Assembly Bill No. 2907—An act to add Sections 14258.5, 14258.6, 14810 and 14811 to, to amend Section 14540 of, and to repeal Sections 14008, 14541, 14542, 14543, 14544, 14545, 14546, 14547, 14810, 14811 and 14812 of the Health and Safety Code, relating to fire protection districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2907?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 7, 1951, strike out "14810", and insert "14813".

Amendment No. 2

In line 2 of the title of said bill, as amended, strike out "14811 to, to amend Section 14540", and insert "14814 to, to amend Sections 14540 and 14811".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 2 of said bill, as amended, between lines 3 and 4, insert

"SEC. 5. Section 14811 of said code is amended to read:

14811. Persons entitled to file petition. [Inhabitants] *Property owners* of the incorporated portion of the district, whose names appear upon the last preceding assessment roll of the county or city within which the incorporated portion of the district is located, owning or representing more than one-half in value of the assessed real property in the incorporated portion of the district, or owning or representing more than one-half in value of the assessed real property within the incorporated portion of the district owned by its residents, may file a verified petition with the board of supervisors, requesting that the area within the city may be excluded from the district."

Amendment No. 4

On page 2, line 4, of said bill, as amended, strike out "SEC. 5. Section 14810", and insert

"SEC 6 Section 14813".

Amendment No. 5

On page 2, line 6, of said bill, as amended, strike out "14810", and insert "14813".

Amendment No. 6

On page 2, line 9, of said bill, as amended, strike out "SEC. 6. Section 14811", and insert

"SEC. 7. Section 14814".

Amendment No. 7

On page 2, line 11, of said bill, as amended, strike out "14811", and insert "14814".

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Amendment No. 8

On page 2 of said bill, as amended, after line 18, insert

"SEC. 8. Section 4 of this act shall not be operative with respect to portions of fire protection district territory included within cities by annexations or incorporations completed prior to the effective date of this act."

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 2907 by the following vote:

AYES—Berry, Gaffney, and McFall—3.

NOES—Babbage, Beck, Belotti, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Smith, and Stewart—55.

Appointment of Committee on Conference Concerning Assembly Bill No. 2907

The Speaker announced the appointment of Messrs Parker, Gaffney, and McFall as a Committee on Conference concerning Assembly Bill No. 2907.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS

Senate Bill No. 37—An act to amend Section 28146 of the Government Code, relating to compensation for public service in counties of the forty-sixth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burkhalter, Caldecott, Clarke, Coats, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McFall, McMillan, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, and Stewart—52.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 872—An act to add Sections 8151.1, 13401.1, and 16276 to the Education Code, all relating to aid by the public schools in the harvesting of crops.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, and Stewart—56

NOES—George D. Collins and Davis—2.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 34—Relative to memorializing Congress to refuse the passage of H. R. 3348.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, and Waters—57.

NOES—None.

Resolution ordered transmitted to the Senate.

Senate Bill No. 1717—An act to amend Section 51b of the Public Utility District Act, relating to the annexation of territory to public utility districts declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, and Waters—61.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, and Waters—61.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 48—An act to amend Section 332 of the Fish and Game Code, relating to wilderness and wild areas.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Caldecott, Chapel, Clarke, Cloyed, Coats, George D Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Waters—63.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 184—An act to amend Section 457 of the Education Code, relating to county school superintendents' salaries and qualifications in counties of its fifty-seventh class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hansen,

Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, and Thomas—60

NOES—Geddes and Hollibaugh—2.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1453

Mr. Silliman asked for, and was granted, unanimous consent to take up Senate Bill No. 1453, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1453

Senate Bill No. 1453—An act to amend Section 745.2 of the Agricultural Code, relating to the California Dairy Industry Board.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burkhalter, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—60.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1107

Mr. Davis asked for, and was granted, unanimous consent to take up Senate Bill No. 1107, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1107

Senate Bill No. 1107—An act to add Sections 100.6, 822.5, and 1670 of, and add Section 1626 to, the Streets and Highways Code, relating to highways and trails on or crossing county or state boundary lines.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Burkhalter, Chapel, Clarke, Coats, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—60.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1633

Mr. Connolly asked for, and was granted, unanimous consent to take up Senate Bill No. 1633, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1633

Senate Bill No. 1633—An act to amend Sections 9403, 9405, 9406, 9407, 9408, 9410, 9411, and 9412 of the Government Code, relating to witnesses before legislative committees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—61.

NOES—George D. Collins, Elliott, and Hawkins—3.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 364

Mr. Kelly asked for, and was granted, unanimous consent to take up Senate Bill No. 364, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 364

Senate Bill No. 364—An act to amend Section 261b of the Code of Civil Procedure as added by Chapter 1039 of the Statutes of 1943, and to add Section 260 to said code, relating to court commissioners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Thomas—63.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 233

Mr. Sherwin asked for, and was granted, unanimous consent to take up Senate Bill No. 233, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 233

Senate Bill No. 233—An act to amend Section 13551 and to repeal Section 13552 of the Government Code, relating to prices to be charged for state printing.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Burkhalter, Chapel, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle,

Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hagen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Thomas—56

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 539

Mr. Geddes asked for, and was granted, unanimous consent to take up Senate Bill No. 539, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 539

Senate Bill No. 539—An act to amend Section 11699 of the Insurance Code, relating to the business of workmen's compensation insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—62.

NOES—George D. Collins—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 414

Mr. Rumford asked for, and was granted, unanimous consent to take up Senate Bill No. 414, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 414

Senate Bill No. 414—An act to amend Sections 15000, 15004, 15154, 15254, 16900, 16906, 16950, 16953, 16959, 17000, 17001, 17080, and 17088 of, to add Sections 15004.2, 15151.3, 15159, 15160, 16161, 17000.1, 17000.2, 17000.3, 17000.4, 17080.1, 17080.2, 17080 3 and 17085 5 to, and to repeal Sections 16951, 16952, 16954, 16955, 16956, 16958, 17081, 17082, 17083, 17084, 17086, and 17087, and Articles 2, 3, and 4 of Chapter 22 of Part 1 of Division 13 of, the Health and Safety Code, relating to health and safety requirements for housing.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—66.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 896

Mr. Sherwin asked for, and was granted, unanimous consent to take up Senate Bill No. 896, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 896

Senate Bill No. 896—An act to repeal Section 8968 of the Business and Professions Code, relating to moneys in the Yacht and Ship Brokers Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, and Waters—62.

NOES—Luckel—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1210

Mr. Clarke asked for, and was granted, unanimous consent to take up Senate Bill No 1210, temporarily passed on file

CONSIDERATION OF SENATE BILL NO. 1210

Senate Bill No. 1210—An act to repeal an act entitled "An act to authorize the sale of a part of the property used by the Sonoma State Home and to provide for the disposition of the proceeds from such sale," approved July 15, 1949 (Chapter 904 of the Statutes of 1949).

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, and Waters—66.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 908—An act to amend Sections 14030 and 14034 of the Government Code and Section 2714 of the Penal Code, relating to expenditure of General Fund money in Special Revolving Funds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen,

Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Waters—61

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 70—An act authorizing the sale or exchange of state property and providing for the disposition of the proceeds from said sale or exchange.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—66.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 744—An act to amend Sections 11005, 13370, and 18004 of the Government Code, relating to approval powers of the Director of Finance or the Department of Finance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, and Waters—59

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 916—An act to amend Section 5003 of the Public Resources Code, relating to powers and duties of State Park Commission.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—62.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 939—An act to amend Section 692.5 of the Political Code, relating to approval by the Director of Finance of leases and license to use real property executed by the Reclamation Board.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, and Waters—58.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 145—An act to amend Section 32355 of the Government Code, relating to retirement systems benefits in county fire service.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Sherwin, Smith, Thomas, and Waters—55.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1576—An act to add Article 12.5, comprising Sections 9181 to 9188 inclusive, to Chapter 7 of Division 4 of the Education Code, to amend the title of Article 2 of Chapter 2 of Part 1 of Division 5 of the Welfare and Institutions Code, to add Article 7, comprising Sections 3361 to 3364 inclusive, to Chapter 2 of Part 1 of Division 5 of the Welfare and Institutions Code, to repeal Sections 3250 to 3261 inclusive and 3302.3 thereof, to add Sections 3250, 3305, 3306, 3353, thereto, and to amend Sections 3300, 3301, 3302, 3302.5 3303, 3330, 3331, and 3351 thereof, relating to state institutions for the blind, to provide for orientation centers and California Industries for the Blind and for state purchase of products made in institutions for the blind.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Thomas—61.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 731

Mr. Rumford asked for, and was granted, unanimous consent to take up Senate Bill No 731, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 731

Senate Bill No. 731—An act to add Section 29015 to the Health and Safety Code, relating to dangerous drugs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Gubser, Hagen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, and Thomas—58.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 459

Mr. Fleury asked for, and was granted, unanimous consent to take up Senate Bill No. 459, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 459

Senate Bill No. 459—An act to add Section 459.6 to the Vehicle Code, relating to jurisdiction of the State Department of Public Works over boundary lines, streets and highways and vehicles using the same.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Grunsky, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, and Thomas—58

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Messrs. Maloney and Waters:

House Resolution No. 175—Commending Sam E. Collins.

Request for Unanimous Consent

Mr. Waters asked for, and was granted, unanimous consent to take up House Resolution No. 175, at this time, without reference to committee or file.

Resolution read.

Request for Unanimous Consent That Names of All Members Present Be Placed Upon House Resolution No. 175 as Co-authors

Mr. Waters asked for, and was granted, unanimous consent that the names of all members present be placed upon House Resolution No. 175 as co-authors.

Roll Call

The roll was called, and the following members indicated a desire to become co-authors of House Resolution No. 175:

Babbage, Beck, Belotti, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—69.

Further Consideration of House Resolution No. 175

By Messrs. Maloney, Waters, Babbage, Beck, Belotti, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, and Tomlinson:

House Resolution No. 175

WHEREAS, There was today, June 6, 1951, admitted to practice by all of the courts of the State of California Mr. Sam E. Collins; and

WHEREAS, This represents the successful culmination of a long period of study; and

WHEREAS, This period of study was interrupted by the necessity of Mr. Collins' serving in the United States Marines during World War II; and

WHEREAS, This achievement on his part is a source of deep gratification to his father, the Honorable Sam L. Collins, Speaker of the Assembly, his mother, Mrs. Jodeane Collins; his wife, Mrs Mona Collins; and his children; and

WHEREAS, The Members of the Legislature, friends of Mr. and Mrs. Sam L Collins, are deeply gratified at the successful achievement of their son; therefore be it

Resolved, That we do commend and felicitate Mr. Sam E. Collins for the honor and joy that he has brought to his parents and family, and do congratulate him upon his admission to practice law in the State of California; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to prepare suitably engrossed copies of this resolution and send them to Mr. Sam E. Collins and Mr. Sam L. Collins.

Resolution read, and adopted unanimously.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Shaw to reconsider the vote whereby Assembly Bill No. 1731 was passed, was continued until the next legislative day.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 55
Assembly Bill No. 93
Assembly Bill No. 445
Assembly Bill No. 529
Assembly Bill No. 1029

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 370	Assembly Bill No. 1164
Assembly Bill No. 625	Assembly Bill No. 1293
Assembly Bill No. 1051	Assembly Bill No. 1819

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 6, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No 928

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 6, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning.

Senate Bill No. 789—An act to add Section 2838.5 to the Elections Code, relating to county central committees.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 6, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 279—An act to add Sections 687, 687.1, and 687.2 to the Vehicle Code, relating to equipment of vehicles

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

ANNOUNCEMENT

Mr. Geddes announced that the last hearing on bills in the Committee on Finance and Insurance will be held on next Monday, and urged all members desiring to set bills for hearing before said committee to see him today.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 4 p.m.—

Subcommittee on Education, in Room 426. Subject: county superintendent of schools bills.

At 8 p.m.—

Education, in Room 432.
Municipal and County Government, in Room 2170.
Constitutional Amendments, in Room 3184.

Today Upon Adjournment—

Conservation, Planning, and Public Works, in Room 2170.
Governmental Efficiency and Economy, in Room 3184.
Rules, in Room 319.

Next Monday, June 11th, at 8 p.m.—

Finance and Insurance, in Room 3184.

REPORT ON

SATURDAY CLOSING OF STATE OFFICES

House Resolution No. 300, 1949

LICENSING OF PROFESSIONAL ENGINEERS

House Resolution No. 189, 1949

INSURED BUSINESS LOANS

Assembly Bill No. 26, 1950 First Ex. Session

CONSTRUCTION OF A SCIENTIFIC AND TECHNICAL MUSEUM

Assembly Bill No. 92, 1950 First Ex. Session

INVESTIGATION OF AUTHENTICITY OF STATEMENTS MADE BY ARTHUR SAMISH IN COLLIER'S MAGAZINE RE: LOBBYING

By

ASSEMBLY INTERIM COMMITTEE ON GOVERNMENTAL EFFICIENCY AND ECONOMY

ASSEMBLY INTERIM COMMITTEE
ON GOVERNMENTAL EFFICIENCY AND ECONOMY

To the Honorable Sam L. Collins, Speaker, and to the Members of the Assembly:

Your Interim Committee on Governmental Efficiency and Economy has had referred to it a number of resolutions and the subject matter of several bills which were considered at the last regular session and the 1950 First Extraordinary Session of the Legislature.

House Resolution Number 183, dealing with the problem of possible conflicts in building regulations, has been under intensive study, and has been a subject of considerable interest to public agencies and to the professions and industries engaged in building. Because of this widespread interest, we have filed with the Assembly a separate report on that resolution.

This report is concerned with all other matters referred to this committee for investigation.

Respectfully submitted.

A. I. STEWART, Chairman
LAUGHLIN E. WATERS, Vice Chairman
RALPH M. BROWN
JOHN L. E. COLLIER
CHARLES J. CONRAD
WILLIAM S. GRANT
AUGUSTUS F. HAWKINS
LUTHER H. LINCOLN
GLENARD P. LIPSCOMB
ROBERT I. McCARTHY
LESTER A. McMILLAN

SATURDAY CLOSING OF OFFICES

The need for studying the question of permitting the closing of state offices on Saturday can best be stated by repeating House Resolution No. 300:

"House Resolution No. 300

"Relative to directing the Assembly Interim Committee on Governmental Efficiency and Economy to study the feasibility of closing state offices on Saturday

"WHEREAS, State offices are required by law to remain open on Saturday mornings, which unnecessarily increases the cost of State Government in those instances where there is not sufficient use of the office to justify it; and

"WHEREAS, Some state offices have their heaviest work load on Saturday and a study should be made of those offices to determine if, in the interests of the public and the employees, there are ways of distributing the work more evenly over the other days in the week and of better scheduling the working days and hours of the employees involved; and

"WHEREAS, There was legislation introduced and considered in this session of the Legislature dealing with the closing of state offices on Saturday; and

"WHEREAS, Action was deferred on such legislation because of insufficient information on the various problems involved in closing some or all state offices on Saturdays and of the general effect of such legislation upon the public and the state employees; and

"WHEREAS, The Legislature should consider the matter at the next regular session and therefor have full and complete information on the subject by that time; now, therefore, be it

"*Resolved by the Assembly of the State of California*, That the Assembly Interim Committee on Governmental Efficiency and Economy created at this session of the Legislature is hereby authorized and directed to ascertain, study and analyze all facts and data relating to or in any way bearing upon the subjects expressed in the recitals of this resolution, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws and departmental policies in any way bearing thereon or relating thereto and to report thereon to the Assembly, including in its reports its recommendations for appropriate legislation or other action.

"Resolution read, and adopted."

The committee has considered this subject on several occasions, and held a public hearing in Sacramento on August 4, 1950, at which representatives of state departments testified concerning the effect on their operations of legislation which might permit Saturday closing of offices.

We find the facts to be as follows:

1. The Legislature has already authorized the closing of city and county offices; and many local jurisdictions have already exercised this authority. Almost without exception, the larger cities and counties have converted to a regular 5-day week, with little, if any, evidence of public dissatisfaction or impairment of public service. In all such cases, of course, necessary protective services, such as those provided by the police, fire and health departments are continued throughout the week

2. With exceptions mentioned below, it is the general belief of representatives of state departments that there is no benefit in the present arrangement under which offices are kept open with skeleton crews on Saturday morning.

3. With only skeleton crews on duty, there is little transaction of business between the departments of the State, because there is not enough staff or ready enough availability of records to permit such business to be carried on.

4. With the exceptions noted below, there is very little business with the general public in offices kept open on Saturday morning.

5. It is difficult to maintain skeleton crews made up of those who are familiar enough with all details of the work to render satisfactory service to those who do come to an office on Saturday morning. The result is that the people seeking assistance on Saturday morning must return at some other time of the week, anyway; and a generally unfavorable impression is left.

6 Operating skeleton crews creates management problems because of the necessity for arranging for compensating time off at another time in the week. This reduces efficiency throughout the week.

7. There would be savings, the exact amount of which are difficult to calculate, through the fact that staffs could be better organized on a straight 5-day week Morale would be higher, resulting in closer attention to duty.

8. The staff assisting this committee in its detailed study of the State Personnel Board, on which we reported at the last regular session of the Legislature, recommended that the board be authorized to close its office on Saturday, because of the obvious lack of any benefit in keeping the office open. The reasons for making that proposal at that time generally extend to all other departments.

9. There are obvious instances in which some offices would need to remain open. The Department of Agriculture has crop inspection activities which must be carried on at some times of the year without respect to time of day or week. The Department of Employment has a closely related problem of furnishing farm labor at certain seasons of the year. All law enforcement agencies and all institutions must obviously continue their work through all the days of the week. The State Department of Motor Vehicles, in its Division of Drivers' License Examining, has a particularly heavy demand on Saturday morning, and must therefore be permitted to remain open.

10. Any legislation permitting the closing of offices on Saturday must at the same time leave authority vested in someone to determine circumstances in which offices may remain open, and in any event such legislation should not prohibit the performance of work on days when the offices are not open.

Your committee recommends the following action:

1. That the appropriate laws be amended to permit offices to close on Saturday, provided that no office is closed where there will be substantial injury to public interests, and provided that the remaining schedule of each department is so maintained that the employees will be engaged for a minimum of 40 hours.

2. That departments wishing to keep offices open on Saturday morning do so only after a finding by the department head that such action is necessary to prevent serious impairment to the public interest, and after such finding has been approved by the Governor. Our purpose in proposing this approval by the Governor is simply to provide some degree of uniformity in the interpretation and application of this policy by the department heads. Not all departments of the State are directly subject to control by the Governor, but we believe that in this one instance of general public policy, the concurrence of the Governor will not constitute an interference with the independent agencies, and at the same time will insure uniformity of practice.

3. That in departments finding it necessary to keep offices open on Saturday, either with a skeleton crew or full crew, the department head make arrangements for providing compensating time off at other times of the week, preferably under arrangements by which the employees may take compensating time off in an equal amount of related time; that is to say, if employees must work three hours on Saturday morning they should be permitted three hours off at some other one time as true compensation for the inconvenience to them.

In conclusion, we wish to take special note of the serious problem of the Division of Drivers' License Examining in meeting an unusually heavy load each Saturday morning. The attitude expressed during the committee's hearings was that solving the scheduling problems of this division is the responsibility of the Legislature. In our opinion, it is entirely a matter of administrative discretion, and one with which the Legislature should not attempt to contend. Our only concern as a matter of public policy is, first, that in those cases where there is no gain in keeping offices open, they should be closed; second, that where the public would be greatly inconvenienced by closing the offices, they should remain open; third, that the State maintain a basic 40-hour week; and fourth, that compensating time off provided for employees who must work on Saturday be provided under as nearly compensating conditions as possible.

LICENSING OF PROFESSIONAL ENGINEERS

This study was undertaken pursuant to House Resolution No. 189, the full text of which is as follows:

"House Resolution No. 189

"Requesting the Assembly Interim Committee on Governmental Efficiency and Economy to study and investigate the laws and regulations relating to the registration of engineers, and the administration thereof

"WHEREAS, From time to time complaints have been received by Members of the Assembly relating to the administration of the laws governing registration of engineers; and

"WHEREAS, Many complaints allege that arbitrary discrimination is practiced by the State Board of Registration for Engineers in various matters, and particularly, that graduates of our own state universities and certain colleges and universities are not afforded the same credit for their educational achievements and degrees of engineering as are afforded graduates of other institutions; and

"WHEREAS, Further arbitrary exclusion of licensing many engineers whose scholastic standing is as high and whose degrees are at least equal and whose experience exceeds by many years the greatest conceivable requirement of those now in the profession hampers and handicaps the building and development program of the State; and

"WHEREAS, It is necessary that the Assembly be fully informed as to all facts relating to any phase of this subject, in order that it may determine what, if any, legislative action is needed; and

"WHEREAS, The ascertainment of such facts and the investigation of such subject falls within the scope of the powers and duties conferred and imposed upon the Assembly Interim Committee on Governmental Efficiency and Economy; now, therefore, be it

"*Resolved, by the Assembly of the State of California*, That the existing Assembly Interim Committee on Governmental Efficiency and Economy, or any committee created at this session with similar powers and duties, is hereby requested to study and investigate all laws and regulations relating to the registration of engineers, the administration thereof by the State Board of Registration for Civil Engineers, and all other matters relating to or in any way bearing upon the recitals of this resolution, and to report thereon to the Assembly, including in its report its recommendations for appropriate legislation.

"Resolution read, and adopted unanimously."

We find it true, as alleged in the resolution, that Members of this Legislature have received numerous complaints from those who have been unsuccessful in their efforts to become licensed professional engineers.

While these complaints generally allege that failure to get a license results from arbitrary and unreasonable standards set by the licensing board, we find this to be a matter of judgment in which there is room for honest differences of opinion.

One who seeks any advantage as valuable as a license to practice as an engineer will naturally have confidence in his own ability to qualify, and will naturally seek someone to blame when he fails to meet the requirements. Some of the complaints, therefore, must be dismissed as normal human reactions, which any of us would share under the same circumstances.

We find cases in which it is our own judgment that there appears to be a just cause for complaint. The committee does not care to cite such individual cases, however, for reasons which will appear below.

The only question, in the final analysis, is whether a situation exists which requires corrective legislation. In our judgment, no such condition exists.

The State has created many boards and bureaus for licensing and regulating the practice of a wide range of businesses and professions. It has been typical of all these agencies that their governing body is selected from among the business or profession being regulated, and that each business and profession in effect sets its own standards and practices.

We believe that in the cases of legitimate callings, it is entirely fitting and proper that those engaged in the field should be entrusted with the administration of laws to protect their own calling, and at the same time protect the public against low standards and malpractice.

If that is to be the means by which these businesses and professions are regulated, then it would not be fitting for the Legislature to attempt to substitute its judgment in individual cases for the judgment of those in charge.

Should any board or bureau ever so conduct its affairs that the public interest is endangered, or the practice of any calling is so restricted that it limits service to the public, then there may be occasion for a full review of the manner in which one or all of these regulatory bodies are administered.

The public has a deep concern for the proper regulation of the profession of engineering. Tremendous sums of money are invested in public and private buildings, the quality of which depends on sound engineering skill in their design and construction. Public safety is completely at the mercy of those who plan and build bridges and dams and highways and railroads and buildings.

This Legislature has on more than one occasion had to pass corrective legislation, imposing more rigid standards, after some tragic event has driven home once again the lesson that we cannot relax safety measures.

If, in holding to a high standard, the Board of Registration for Civil and Professional Engineers withholds its license from some few who

might be successful practitioners, but in doing so is doubly certain that engineering practice in California will be of the highest order, we believe the Legislature should not interfere.

We urge the board to introduce every possible safeguard against unfair discrimination in any case; but we feel this must be done by the board itself in the proper exercise of its administrative authority.

INSURED BUSINESS LOANS

Assembly Bill No. 126 in the 1950 First Extraordinary Session was "An act for the prevention or alleviation of unemployment by providing for stimulation of employment in private industry through a system of insured business loans; creating a state finance corporation, as the public agency to administer this act; prescribing its powers and duties; and making an appropriation."

The subject matter of this bill was referred to this committee for study and report.

It is the opinion of your committee that, while the fostering and development of employment opportunities in private industries by providing venture capital is an important objective, it is not a function which the State Government should undertake. The resources of private capital which are available, supplemented by those provided by the Federal Government are, in our judgment sufficient without creating the additional administrative organization and the additional financial responsibilities which would be involved in the State of California entering into such a venture.

World conditions being such as they are, we seriously doubt that there is any need at this time to provide machinery for encouraging employment, even if it were thought to be a proper function of State Government.

CONSTRUCTION OF A SCIENTIFIC AND TECHNICAL MUSEUM

Assembly Bill No. 92, introduced in the 1950 Extraordinary Session, proposed to create a scientific and technical museum in Exposition Park, Los Angeles; and proposed to appropriate $50,000 for the purpose.

The subject matter of the bill was referred to this committee for consideration.

The sponsors of this measure have not sought to present evidence to the committee to justify the proposal; and the committee sees no purpose in encouraging such construction at this time We oppose such a measure for the following reasons:

1. The State has many more critical needs for public works.
2. The sum proposed would not begin to provide an adequate museum. Any such museum would require additional funds to complete it, to provide its contents and to staff it.
3. In the face of current world conditions, critical materials and skilled labor cannot be justified for the purpose.

LOBBYING

In response to the requests of various citizens, officials and civic organizations, the members of the committee voted, at a public meeting of the committee held in Los Angeles on August 26, 1949, to undertake

an investigation of the authenticity of facts related and statements made in an article appearing in *Collier's* magazine and dealing with lobbying and the activities of one Arthur Samish.

Pursuant to this decision, a hearing was held in San Francisco on September 22, 1949. Mr. Samish was subpoenaed and appeared as a witness. In response to detailed questioning by counsel for the committee, Mr. Samish testified as to his clients and his methods of operation, and denied generally the bulk of the statements attributed to him in the *Collier* article. A further hearing was scheduled for November 9 and 10, 1949, in Los Angeles to proceed further in this matter, and Mr. Samish was instructed to be present at that time.

On or about November 3, 1949 articles appeared in the press to the effect that Governor Warren had requested the District Attorney of Sacramento County to commence a grand jury investigation of lobbying activities at the State Capitol, and that the District Attorney had inaugurated such investigation in compliance with the Governor's request. It was further reported that the District Attorney had expressed his intention to ask for indictments if the Grand Jury's investigation disclosed criminal conduct.

At the hearing in Los Angeles on November 3, 1949, (mentioned above) these developments were considered by the committee sitting with its special counsel and the Legislative Counsel. Mr. Eugene Williams, Special Counsel, and the Honorable Fred B. Wood, then Legislative Counsel, advised the committee that further hearings on this subject at that time might impede the work of the Sacramento Grand Jury and might confer immunity from criminal prosecution upon persons who might be involved in the grand jury's investigation.

Acting upon the advice of its counsel and the Honorable Fred B. Wood. Legislative Counsel, the committee voted to proceed no further with the matter until the findings of the Sacramento Grand Jury were made public. The committee feels that the recent case of *McLain* vs. *Superior* Court, 99 Cal. App. 2d 109, amply demonstrates the wisdom of that decision.

Shortly thereafter the Governor announced his intention of calling a special session to deal with, among other things, legislation relating to lobbying, and on December 7, 1949, the Governor's Proclamation so doing was issued.

The committee had caused the Legislative Counsel to compile and analyze the laws of all other states and of the Federal Government, relating to lobbying and the regulation thereof, and this compilation was made available to Members of the Assembly at the special session. A bill was introduced by a member of this committee, regulating lobbying, and was enacted at the special session. At the same session the Joint Committee on Lobby Regulation was created by Assembly Concurrent Resolution No. 12, (adopted December 20, 1949) and committees specifically authorized to investigate matters relating to this subject have been in existence ever since that date.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. George D. Collins, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Marce G. Tierney and Mrs. Sybil Gerlack of San Francisco and Mrs. Orville Pratt, III, of Sausalito.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Eleanor Bolton, teacher, Mrs. Leslie Feil, Mrs. Wallace E. Glyer, Mrs. Orr Stephens, and Mrs. L. A. Bertagna, adults, and the following pupils of the Crocker School: Robert Bertagna, Calvin Candland, Gary De Gregorio, Lance Feil, Robert Glyer, Donovan Jenks, Robert Lauer, Robert Mayne, David Picht, Michael Puente, Stephen Simmons, Ralph Springer, Earl Stephens, Lee Strong, Robert Sullivan, Chester Waterbury, Robert Murphy, Judith Bean, Beverly Brown, Catherine Cole, Harriet Cook, Joyce Cornelius, Wendy Davis, Mary Ann Gee, Norma Griffin, Nancy Moore, Carolyn Pollock, Marion Pollock, Sally Pope, Marcia Rester, Susan Ruddy, Patricia Tottem, Judith Waters, and Colleen Wylie.

On request of Mr. Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Miss Phyllis Baker of Sacramento.

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to Geo. D. Watters of Loyalton.

On request of Mr. Luckel and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to L. M. Karp of San Diego.

On request of Mr. Hansen, the usual courtesies of the Assembly for this day were unanimously extended to G. W. "Phil" Philpot of Fresno.

On request of Mr. Maloney, the usual courtesies of the Assembly for this day were unanimously extended to Judge Everett McKeage of San Francisco.

On request of Mr. Lyon, the usual courtesies of the Assembly for this day were unanimously extended to H. Clay Robbins of Los Angeles.

On request of Mr. Doyle, the usual courtesies of the Assembly for this day were unanimously extended to J. McComille of Los Angeles.

On request of Mr. Beck, the usual courtesies of the Assembly for this day were unanimously extended to Vic Marrone and Mary Marrone of Pacoima.

On request of Mr. Meyers, the usual courtesies of the Assembly for this day were unanimously extended to James L. Meyers of San Francisco.

On request of Mr. Dickey and the Alameda Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Abbott, Mr De Ford, adults, and the following pupils of the Oakland High School: Ann Abbott, Audrey Anderson, Bob Bills, Dave Bistirlie, Paul Brochini, Bill Jones, Mary Cadwell, Pat Callan, Tom Coulter, Edwin Denst, Don Drenth, Anne Firth, Caroline Frick, Sue Fuller, Michael Goldsmith, Jack Haley, Donna Hewitt, Bruce Horwitz, Sam Hutchins, Helene Johnson, Willard Johnson, Eileen Jones, Pat Kelly,

Rosa Lee McCracken, Sylvia Michaelis, Harry Murphy, Carolyn Nilsen, Stan Pitkin, Norma Price, Virginia Rucker, Pat Schnack, Rae Stallcup, Janet Stanley, Jay Lee Thompson, Alicia Turner, Doreen Webster, Eleanor Whitmore, Henry Wong, Bev Yin, Anna Babington, Carol Barrett, Phil Bluer, Ed Butler, Joyce Cosette, Richard DeLambert, Arlene Diamond, Helen Eddy, Darrell Edwards, Herb Ellenburg, Jan Emerson, Joyce Erickson, John Fitzsimmons, Geraldine Gray, Wally Gottesman, Rae Huffstutler, Gardiner McCauley, Cliff Meese, Chuck Miller, Sue Murphy, Rosalind Oliver, Deanna Porikos, Chuck Pusey, Don Renner, Judy Rigg, Bill Rohr, Bruce Rosemond, Jane Royce, Christie Scott, Pete Scott, June Shea, Paddy Stewart, Bill Stomberg, Jack Spencer, Lyn Thayer, Kay Thompson, Bev Wagler, Margie Walker, and Paula Wright.

On request of Messrs. Gaffney, Berry, and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Sister Elizabeth, and Sister Marie Eucharista, teachers, and the following pupils of Notre Dame High School: Marie Ahern, Beverly Birmingham, Carol Blau, Jo Ann Capitolo, Joyce Chadwick, Mildred Colnar, Joyce Cody, Doris Ehm, Mary Eterovich, Patricia Farbstein, Diana Fisk, Marjorie Gillespie, Catherine Giorgi, Alice Guaraglia, Patricia Maudsley, Patricia Nagle, Marilyn O'Howell, Georgia Radzinski, Patricia Raines, Victoria San Nicolas, Joyce Sarina, Patricia Scanlan, Kathleen Scafidi, Alice Serrana, Nadine Stack, Jeanette Thatcher, Ampro Zuniga, Frances Silcox, Mary Haug, Mary Harrington, Violetta Herrera, Patricia Holleran, Barbara Julin, Lillian Jensen, Eleanor Kerner, Nancy King, Eileen La Belle, Margaret Laube, June Lopez, and Patricia McKenna.

ADJOURNMENT

At 3.33 p.m., on motion of Mr. Dickey, the Speaker pro Tempore declared the Assembly adjourned until 10 a.m., Thursday, June 7, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SEVENTY-SIXTH LEGISLATIVE DAY

ONE HUNDRED FOURTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, June 7, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—78

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Our Father Who Art in Heaven, Hallowed be Thy name.

We thank Thee for a night of rest to prepare us for the greeting of the morning light and the duties of a new day. We thank Thee for the blessings of health, the love of our families, and the joy of life. Prepare our hearts for the duties before us that we may be workmen who need never be ashamed.

Give thanks, O heart, for the high souls
That point us to the deathless goals—
For all the courage of their cry
That echoes down from sky to sky;
Thanksgiving for the armed seers,
And heroes called to mortal years—
Souls that have built our faith in man,
And lit the ages as they ran.

We pray in Jesus' blessed name.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. McGee, further reading of the Journal of the previous legislative day was dispensed with.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal:

CAPITOL CORRESPONDENTS ASSOCIATION OF CALIFORNIA
ROOM 222, STATE CAPITOL, SACRAMENTO, June 7, 1951

Hon. Sam L. Collins, Speaker
The Assembly, Assembly Chamber
Sacramento, California

DEAR MR. SPEAKER: In compliance with Assembly Rule 24 and Joint Rule 32, the Standing Committee of the Capitol Correspondents Association has examined application for authentication as accredited press representative and recommends the following action:

Approved for Press Card

Capital News Service—Miss Sydney Rosen.

Sincerely,

EARL C. BEHRENS, President

ACTION RATIFIED

By unanimous consent, the above action, as taken by the Capitol Correspondents Association of California, was ratified by the Assembly.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 89: By Mr. Waters—Relative to approving six certain amendments to the charter of the City of Los Angeles, a municipal corporation, in the County of Los Angeles, State of California, voted for and ratified by the electors of said city at a general municipal election held therein on the twenty-ninth day of May, 1951.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 312
Assembly Bill No. 314
Assembly Bill No. 1563
Assembly Bill No. 2301
Assembly Bill No. 3112

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bills ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 312—An act to amend Section 2 of an act entitled "Metropolitan Water District Act," relating to participation in metropolitan water districts by county waterworks districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "2", and insert "9".

Amendment No. 2

In lines 2 and 3 of the title of said bill, strike out "participation in metropolitan water districts by county waterworks districts", and insert "annexation, declaring the urgency thereof to take effect immediately".

Amendment No. 3

On page 1, line 1, of said bill, strike out "2", and insert "9".

Amendment No. 4

On page 1 of said bill, between lines 2 and 3, insert

"Sec. 9 (a) Notwithstanding the limitations contained in paragraph (b) of Section 2 of this act, for the purposes of this Section 9 and of Sections 9 1 and 9 2 of this act, the following definitions shall apply to the terms used therein: The terms "municipal water district," "municipal utility district," "public utility district," "county water district," and "county water authority," shall have the meanings respectively ascribed to said terms as set forth in paragraph (a) of said Section 2; the term "city" shall mean any city, and any city and county, of the State of California, whether organized under a freeholders' charter or under the provisions of general laws, but shall not have any of the other meanings ascribed to said term as set forth in said paragraph (a) of said Section 2; and the terms "municipal corporation" and "municipality" shall mean any municipal water district, any municipal utility district, any public utility district, any county water district, and any county water authority, but shall not mean any city or any city and county

(b) Territory may be annexed to any metropolitan water district organized hereunder by one of the following methods

(1) By annexation to, or consolidation with, the area of any city, the area of which, as a separate unit, shall have become a part of any metropolitan water district organized hereunder, such annexation or consolidation to occur upon compliance with the provisions of law governing such annexation to, or consolidation with, the area of such city. Upon completion of such annexation to, or consolidation with, such city in compliance with the provisions of law applicable thereto, such territory shall become, and be, a part of such metropolitan water district, and the taxable property therein shall be subject to taxation thereafter for the purposes of said metropolitan water district, including the payment of bonds and other obligations of such district at the time authorized or outstanding.

(2) By annexation to, or consolidation with, any city which, as a separate unit, shall have become a part of any municipality, the area of which municipality, as a separate unit, shall have become a part of any metropolitan water district organized hereunder, in instances where, under the applicable provisions of law governing the change of boundaries of such municipality, such annexation or consolidation automatically will result in the enlargement of the area of such municipality, such annexation or consolidation to occur upon compliance with the provisions of law governing such annexation to, or consolidation with, the area of such city Upon completion of such annexation to, or consolidation with, such city in compliance with the provisions of law applicable thereto, such territory shall become, and be, a part of such municipality and of such metropolitan water district, and the taxable property therein shall be subject to taxation thereafter for the purposes of said municipality and of said metropolitan water district, including the payment of bonds and other obligations of such municipality and of such metropolitan water district at the time authorized or outstanding If any such territory shall have been so annexed to, or consolidated with, any such city prior to the effective date of this subparagraph (2), under conditions which would have resulted in the enlargement of the area of such metropolitan water district had the foregoing provisions of this subparagraph

(2) then been in effect, upon compliance with the following provisions of this subparagraph (2), such territory shall be annexed to, and shall become and be a part of, such metropolitan water district, and shall be a part of such municipality for all purposes, the last-mentioned provisions being as follows:

(aa) The governing body of such city, at any time after the effective date of this subparagraph (2), may adopt an ordinance which, after reciting that such territory has been annexed to, or consolidated with, such city by proceedings theretofore taken under statutory authority, and after referring to the applicable statutes and to the date and place of filing of the certificate or certificates evidencing such annexation or consolidation, shall describe such territory and shall determine and declare that the said territory shall be, and thereby is, annexed to such metropolitan water district, and said ordinance shall further determine and declare that the said territory shall become and be, and thereby is, a part of such metropolitan water district, and shall be, and thereby is, a part of such municipality for all purposes.

(bb) The governing body, or clerk thereof, of such city shall file a certified copy of such ordinance with the Secretary of State of the State of California. Upon the filing of said certified copy of such ordinance in the office of the Secretary of State, such territory shall become, and be, a part of such metropolitan water district, and shall be a part of such municipality for all purposes, and the taxable property therein shall be subject to taxation thereafter for the purposes of said metropolitan water district and of said municipality, including the payment of bonds and other obligations of such metropolitan water district and of such municipality at the time authorized or outstanding.

(cc) Upon the filing in his office of the aforesaid certified copy of such ordinance, the Secretary of State shall, within ten days, issue his certificate, describing such territory, reciting the filing of said certified copy of such ordinance in his office and the annexation of said territory to such metropolitan water district, and declaring that the said territory is a part of said metropolitan water district and of such municipality. The Secretary of State shall transmit the original of his said certificate to the secretary of such metropolitan water district and a duplicate original of his said certificate to the clerk of the governing body of such municipality, and shall forward a certified copy of his said certificate to the county clerk of each county in which is situated such metropolitan water district or any part thereof.

Annexation to a metropolitan water district under the provisions of subdivisions (1) and (2) of this paragraph shall be subject to terms and conditions fixed by the board of directors of the metropolitan water district which may provide, among other things, for the levy by the district of special taxes upon taxable property within the area annexed to the city in addition to the taxes elsewhere in this act authorized to be levied by the metropolitan water district.

Prior to calling an election, or publishing notice thereof, for the submission of the proposition of annexation to a city which, as a separate unit, is a part of a metropolitan water district or which is a part of a municipality, the area of which municipality, as a separate unit, is a part of the metropolitan water district, the governing body of the city shall request the board of directors of the metropolitan water district concerned to fix the terms and conditions to which the area sought to be annexed would be subject by reason of the annexation. If the terms and conditions provide for the levy of special taxes, the board of directors of the metropolitan water district shall specify the amount to be raised through such taxes and the number of years prescribed for raising of the same and that substantially equal annual levies will be made for raising the amount specified over the period prescribed. The board of directors of the metropolitan water district shall fix the terms and conditions without delay.

Any terms and conditions fixed by the board of directors of a metropolitan water district in connection with proceedings to annex territory to a city shall be included in all election notices and upon holding the election, a vote in favor of the proposition to annex shall be deemed a vote in favor of accepting the terms and conditions fixed by a metropolitan water district.

Upon the annexation of any area to a city with respect to which terms and conditions have been fixed by the board of directors of a metropolitan water district, the board of directors of the metropolitan water district shall be empowered to do all things necessary to enforce and make effective these terms and conditions.

(3) Upon terms and conditions fixed by the board of directors of such metropolitan water district and in the manner provided in paragraph (c) hereof, by direct annexation, as a separate unit, of the corporate area of any municipality or city.

(4) Upon terms and conditions fixed by the board of directors of such metropolitan water district and in the manner provided in paragraph (d) hereof, by annexation to, or consolidation with, any municipality, the area of which, in whole or in part, is included within such metropolitan water district as a separate unit; provided, that unless such territory shall be so annexed to such metropolitan water district with the consent of such board of directors, the annexation of such territory to, or the

consolidation of such territory with, any such municipality shall not authorize or entitle such municipality or such territory to demand or receive any water from such metropolitan water district for use in such territory; and provided further, that, except where automatic annexation results under the conditions mentioned in subparagraph (2) of this paragraph (b), nothing in this act shall prevent the annexation of territory to, or the consolidation of territory with, any such municipality for its local purposes only and without annexing such territory to such metropolitan water district, and such local annexation or consolidation may occur without requesting or obtaining the consent thereto of the board of directors of such metropolitan water district.

(c) The governing body of any municipality or city may apply to the board of directors of such metropolitan water district for consent to annex the corporate area of such municipality or city to the metropolitan water district. The board of directors may grant or deny such application and in granting the same may fix the terms and conditions upon which the corporate area of such municipality or city may be annexed to and become a part of the metropolitan water district. Such terms and conditions may provide, among other things, for the levy by such metropolitan water district of special taxes upon taxable property within such municipality or city in addition to the taxes elsewhere in this act authorized to be levied by such metropolitan water district, and in case such terms and conditions shall provide for the levy of such special taxes, the board of directors in fixing such terms and conditions shall specify the aggregate amount to be so raised and the number of years prescribed for raising such aggregate sum, and that substantially equal annual levies will be made for the purpose of raising such sum over the period so prescribed. The action of the board of directors evidenced by resolution shall be promptly transmitted to the governing body of such applying municipality or city, and if such action shall grant consent to such annexation, such governing body may thereupon submit to the qualified electors of such municipality or city, at any general or special election held therein, the proposition of such annexation subject to the terms and conditions fixed as herein provided. Notice of such election shall be given by posting or publication; when given by posting such notice shall be posted at least 10 days and in three public places in the municipality or city; when given by publication such notice shall be published once at least 10 days before the date fixed for the election in a newspaper of general circulation published in the municipality or city. Such notice shall contain the substance of the terms and conditions fixed by the board of directors, as herein provided. Such election shall be conducted and the returns thereof canvassed in the manner provided by law for elections in such municipality or city. If such proposition shall receive the affirmative vote of a majority of electors of such municipality or city voting thereon at such election, the governing body of such municipality or city shall certify the result of such election on said proposition to the board of directors of said district, together with a legal description of the boundaries of the corporate area of such municipality or city, accompanied by a map or plat indicating such boundaries. A certificate of proceedings hereunder shall be made by the secretary of the district and filed with the Secretary of State. Upon the filing thereof in the office of the Secretary of State, the corporate area of such municipality or city shall become, and be, an integral part of such metropolitan water district, and the taxable property therein shall be subject to taxation thereafter for the purposes of said metropolitan water district, including the payment of bonds and other obligations of such district at the time authorized or outstanding, and the board of directors of such metropolitan water district shall be empowered to do all things necessary to enforce and make effective the terms and conditions of annexation fixed as hereinabove authorized. Upon the filing in his office of the aforesaid certificate of proceedings the Secretary of State shall, within 10 days, issue his certificate, reciting the filing of said papers in his office and the annexation of the corporate area of such municipality or city to such metropolitan water district. The Secretary of State shall transmit the original of his said certificate to the secretary of such metropolitan water district and shall forward a certified copy thereof to the county clerk of each county in which is situated such metropolitan water district or any portion thereof.

(d) The governing body of any municipality, the area of which, in whole or in part, is included within such metropolitan water district as a separate unit, may apply to the board of directors of such metropolitan water district for consent to annex to such metropolitan water district territory which it is sought to annex to, or consolidate with, such municipality, or territory which, without making the same a part of such metropolitan water district, already has been annexed to, or consolidated with, such municipality. The board of directors may grant or deny such application and in granting the same may fix the terms and conditions upon which such territory may be annexed to, and become a part of, the metropolitan water district. Such terms and conditions may provide, among other things, for the levy by such metropolitan water district of special taxes upon taxable property within such territory in addition to the taxes elsewhere in this act authorized to be levied by such metropolitan water district, and in case such terms and conditions shall provide for the levy of such special taxes, the board

of directors in fixing such terms and conditions shall specify the aggregate amount to be so raised and the number of years prescribed for raising such aggregate sum, and that substantially equal annual levies will be made for the purpose of raising such sum over the period so prescribed. The action of the board of directors evidenced by resolution shall be promptly transmitted to the governing body of such applying municipality, and if such action shall grant consent to such annexation, such territory may be annexed to such metropolitan water district as provided in subparagraph (1) or in subparagraph (2) hereof. Unless the board of directors of such metropolitan water district shall grant such consent, such territory cannot be annexed to, or consolidated with, such metropolitan water district.

(1) If such territory has not theretofore been annexed to, or consolidated with, such municipality, upon completion of such annexation to, or consolidation with, such municipality in compliance with the provisions of law applicable thereto, including this Section 9, such territory shall become, and be, a part of such metropolitan water district, and the taxable property therein shall be subject to taxation thereafter for the purposes of said metropolitan water district, including the payment of bonds and other obligations of such district at the time authorized or outstanding, and the board of directors of such metropolitan water district shall be empowered to do all things necessary to enforce and make effective the terms and conditions of annexation fixed as hereinabove authorized; provided, that if the applicable provisions of law governing such annexation to, or consolidation with, such municipality shall require any notice of any election called for the purpose of determining whether such proposed annexation or consolidation shall occur, or shall require any notice of hearing or other notice to be given to the residents or electors of, or owners of property in, such territory, such notice shall contain the substance of the terms and conditions of annexation to such metropolitan water district fixed by the board of directors of such district as herein provided; and provided further, that the governing body of such municipality or other officer thereof having the duty of certifying the proceedings resulting in such annexation to, or consolidation with, such municipality, pursuant to the provisions of law applicable thereto, shall include in such certification a record of the proceedings by which such territory has been annexed to such metropolitan water district in accordance with the provisions hereof, and shall file a duplicate of such certificate with the board of directors of such metropolitan water district.

(2) If the territory sought to be annexed to such metropolitan water district theretofore has been annexed to, or consolidated with, such municipality, the governing body of such municipality, upon being advised of the action of the board of directors of such metropolitan water district, as above provided, and if such action shall grant consent to such annexation, may submit to the qualified electors of such territory, at any general or special election held therein, the proposition of such annexation to such metropolitan water district subject to the terms and conditions fixed by the board of directors of such metropolitan water district, as herein provided. Notice of such election shall be given by posting or publication; when given by posting such notice shall be posted at least ten days and in three public places in such territory; when given by publication such notice shall be published once at least ten days before the date fixed for the election in a newspaper of general circulation published in such municipality. Such notice shall contain the substance of the terms and conditions fixed by the board of directors, as herein provided. Such election shall be conducted and the returns thereof canvassed by the governing body of such municipality in the manner provided by law for elections in such municipality. If such proposition shall receive the affirmative vote of a majority of electors of such territory voting thereon at such election, the governing body of such municipality shall certify the result of such election on said proposition to the board of directors of said district. A certificate of proceedings hereunder shall be made by the secretary of the district and filed with the Secretary of State. Upon the filing thereof in the office of the Secretary of State, such territory shall become, and be, a part of such metropolitan water district, and the taxable property therein shall be subject to taxation thereafter for the purposes of said metropolitan water district, including the payment of bonds and other obligations of such district at the time authorized or outstanding, and the board of directors of such metropolitan water district shall be empowered to do all things necessary to enforce and make effective the terms and conditions of annexation of such territory to such metropolitan water district fixed by said board of directors as hereinabove authorized. Upon the filing in his office of the aforesaid certificate of proceedings the Secretary of State shall, within ten days, issue his certificate, reciting the filing of said papers in his office and the annexation of such territory to such metropolitan water district. The Secretary of State shall transmit the original of his said certificate to the secretary of such metropolitan water district and shall forward a certified copy thereof to the county clerk of each county in which is situated such metropolitan water district or any portion thereof.

(e) The validity of any proceedings for the annexation to any district organized hereunder, of the corporate area of a municipality or city as a separate unit, or of territory annexed to, or consolidated with, a city under the conditions mentioned in

subparagraph (1) or subparagraph (2) of paragraph (b) of this Section 9, or of territory annexed to, or consolidated with, a municipality which, as a unit, shall have been included within such district, shall not be contested in any action unless such action shall have been brought within three months after the completion of such annexation, or, in case such annexation is completed prior to the time that this paragraph takes effect, then within three months after this paragraph shall have become effective.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

The inhabitants of substantial portions of the State are in dire need of immediately obtaining an adequate supply of water for domestic and municipal use which can be obtained only from the Metropolitan Water District of Southern California, a district duly organized and existing under the Metropolitan Water District Act of this State, but arrangements for obtaining said water by said inhabitants are dependent upon the annexation to said the Metropolitan Water District of Southern California. This act is amendatory of the provisions relating to annexations to metropolitan water districts and is necessary to remove inequities between the terms under which areas added to cities become a part of a metropolitan water district and terms under which areas added to other municipalities become a part of the metropolitan water district."

Amendment No. 5

On page 1 of said bill, strike out lines 3 to 25, inclusive; and strike out all of pages 2 and 3.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 314—An act to amend Sections 2, 8.2, 9, and 9.4 of an act entitled "Metropolitan Water District Act," relating to participation in metropolitan water districts by county waterworks districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "2, 8.2, 9, and 9.4", and insert "9, 9.1, and 9.2".

Amendment No. 2

In lines 2 and 3 of the title of said bill, strike out "participation in metropolitan water districts by county waterworks districts", and insert "annexation, declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 1, line 1, of said bill, strike out "2", and insert "9".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, between lines 2 and 3, insert

"Sec. 9. [(a) Notwithstanding the limitations contained in paragraph (b) of Section 2 of this act, for the purposes of this Section 9 and of Sections 9.1 and 9.2 of this act, the following definitions shall apply to the terms used therein: The terms "municipal water district," "municipal utility district," "public utility district," "county water district," and "county water authority," shall have the meanings respectively ascribed to said terms as set forth in paragraph (a) of said Section 2; the term "city" shall mean any city, and any city and county, of the State of California, whether organized under a freeholders' charter or under the provisions of

general laws, but shall not have any of the other meanings ascribed to said term as set forth in said paragraph (a) of said Section 2, and the terms "municipal corporation" and "municipality" shall mean any municipal water district, any municipal utility district, any public utility district, any county water district, and any county water authority, but shall not mean any city or any city and county.]

[(b)] *(a)* Territory may be annexed to any metropolitan water district organized hereunder by one of the following methods

[(1) By annexation to, or consolidation with, the area of any city, the area of which, as a separate unit, shall have become a part of any metropolitan water district organized hereunder, such annexation or consolidation to occur upon compliance with the provisions of law governing such annexation to, or consolidation with, the area of such city. Upon completion of such annexation to, or consolidation with, such city in compliance with the provisions of law applicable thereto, such territory shall become, and be, a part of such metropolitan water district, and the taxable property therein shall be subject to taxation thereafter for the purposes of said metropolitan water district, including the payment of bonds and other obligations of such district at the time authorized or outstanding.]

[(2) By annexation to, or consolidation with, any city which, as a separate unit, shall have become a part of any municipality, the area of which municipality, as a separate unit, shall have become a part of any metropolitan water district organized hereunder, in instances where, under the applicable provisions of law governing the change of boundaries of such municipality, such annexation or consolidation automatically will result in the enlargement of the area of such municipality, such annexation or consolidation to occur upon compliance with the provisions of law governing such annexation to, or consolidation with, the area of such city. Upon completion of such annexation to, or consolidation with, such city in compliance with the provisions of law applicable thereto, such territory shall become, and be, a part of such municipality and of such metropolitan water district, and the taxable property therein shall be subject to taxation thereafter for the purposes of said municipality and of said metropolitan water district, including the payment of bonds and other obligations of such municipality and of such metropolitan water district at the time authorized or outstanding. If any such territory shall have been so annexed to, or consolidated with, any such city prior to the effective date of this subparagraph (2), under conditions which would have resulted in the enlargement of the area of such metropolitan water district had the foregoing provisions of this subparagraph (2) then been in effect, upon compliance with the following provisions of this subparagraph (2), such territory shall be annexed to, and shall become and be a part of, such metropolitan water district, and shall be a part of such municipality for all purposes, the last-mentioned provisions being as follows:]

[(aa) The governing body of such city, at any time after the effective date of this subparagraph (2), may adopt an ordinance which, after reciting that such territory has been annexed to, or consolidated with, such city by proceedings theretofore taken under statutory authority, and after referring to the applicable statutes and to the date and place of filing of the certificate or certificates evidencing such annexation or consolidation, shall describe such territory and shall determine and declare that the said territory shall be, and thereby is, annexed to such metropolitan water district, and said ordinance shall further determine and declare that the said territory shall become and be, and thereby is, a part of such metropolitan water district, and shall be, and thereby is, a part of such municipality for all purposes.]

[(bb) The governing body, or clerk thereof, of such city shall file a certified copy of such ordinance with the Secretary of State of the State of California. Upon the filing of said certified copy of such ordinance in the office of the Secretary of State, such territory shall become, and be, a part of such metropolitan water district, and shall be a part of such municipality for all purposes, and the taxable property therein shall be subject to taxation thereafter for the purposes of said metropolitan water district and of said municipality, including the payment of bonds and other obligations of such metropolitan water district and of such municipality at the time authorized or outstanding.]

[(cc) Upon the filing in his office of the aforesaid certified copy of such ordinance, the Secretary of State shall, within ten days, issue his certificate, describing such territory, reciting the filing of said certified copy of such ordinance in his office and the annexation of said territory to such metropolitan water district, and declaring that the said territory is a part of said metropolitan water district and of such municipality. The Secretary of State shall transmit the original of his said certificate to the secretary of such metropolitan water district and a duplicate original of his said certificate to the clerk of the governing body of such municipality, and shall forward a certified copy of his said certificate to the county clerk of each county in which is situated such metropolitan water district or any part thereof.]

[(3)] *(1)* Upon terms and conditions fixed by the board of directors of such metropolitan water district and in the manner provided in paragraph [*(c)*] *(b)* hereof,

by direct annexation, as a separate unit, of the corporate area of any municipality [or city]

[(4)] *(2)* Upon terms and conditions fixed by the board of directors of such metropolitan water district and in the manner provided in paragraph [(d)] *(c)* hereof, by annexation to, or consolidation with, any municipality, the area of which, in whole or in part, is included within such metropolitan water district as a separate unit; provided, that unless such territory shall be so annexed to such metropolitan water district with the consent of such board of directors, the annexation of such territory to, or the consolidation of such territory with, any such municipality shall not authorize or entitle such municipality or such territory to demand or receive any water from such metropolitan water district for use in such territory, and provided further, that [, except where automatic annexation results under the conditions mentioned in subparagraph (2) of this paragraph (b),] nothing in this act shall prevent the annexation of territory to, or the consolidation of territory with, any such municipality for its local purposes only and without annexing such territory to such metropolitan water district, and such local annexation or consolidation may occur without requesting or obtaining the consent thereto of the board of directors of such metropolitan water district

[(c)] *(b)* The governing body of any municipality [or city] may apply to the board of directors of such metropolitan water district for consent to annex the corporate area of such municipality [or city] to the metropolitan water district The board of directors may grant or deny such application and in granting the same may fix the terms and conditions upon which the corporate area of such municipality [or city] may be annexed to and become a part of the metropolitan water district Such terms and conditions may provide, among other things, for the levy by such metropolitan water district of special taxes upon taxable property within such municipality [or city] in addition to the taxes elsewhere in this act authorized to be levied by such metropolitan water district, and in case such terms and conditions shall provide for the levy of such special taxes, the board of directors in fixing such terms and conditions shall specify the aggregate amount to be so raised and the number of years prescribed for raising such aggregate sum, and that substantially equal annual levies will be made for the purpose of raising such sum over the period so prescribed The action of the board of directors evidenced by resolution shall be promptly transmitted to the governing body of such applying municipality [or city], and if such action shall grant consent to such annexation, such governing body may thereupon submit to the qualified electors of such municipality [or city], at any general or special election held therein, the proposition of such annexation subject to the terms and conditions fixed as herein provided Notice of such election shall be given by posting or publication; when given by posting such notice shall be posted at least 10 days and in three public places in the municipality [or city]; when given by publication such notice shall be published once at least ten days before the date fixed for the election in a newspaper of general circulation published in the municipality [or city] Such notice shall contain the substance of the terms and conditions fixed by the board of directors, as herein provided Such election shall be conducted and the returns thereof canvassed in the manner provided by law for elections in such municipality [or city]. If such proposition shall receive the affirmative vote of a majority of electors of such municipality [or city] voting thereon at such election, the governing body of such municipality [or city] shall certify the result of such election on said proposition to the board of directors of said district, together with a legal description of the boundaries of the corporate area of such municipality [or city], accompanied by a map or plat indicating such boundaries A certificate of proceedings hereunder shall be made by the secretary of the district and filed with the Secretary of State Upon the filing thereof in the office of the Secretary of State, the corporate area of such municipality [or city] shall become, and be, an integral part of such metropolitan water district, and the taxable property therein shall be subject to taxation thereafter for the purposes of said metropolitan water district, including the payment of bonds and other obligations of such district at the time authorized or outstanding, and the board of directors of such metropolitan water district shall be empowered to do all things necessary to enforce and make effective the terms and conditions of annexation fixed as hereinabove authorized. Upon the filing in his office of the aforesaid certificate of proceedings the Secretary of State shall, within ten days, issue his certificate, reciting the filing of said papers in his office and the annexation of the corporate area of such municipality [or city] to such metropolitan water district The Secretary of State shall transmit the original of his said certificate to the secretary of such metropolitan water district and shall forward a certified copy thereof to the county clerk of each county in which is situated such metropolitan water district or any portion thereof

[(d)] *(c)* The governing body of any municipality, the area of which in whole or in part, is included within such metropolitan water district as a separate unit, may apply to the board of directors of such metropolitan water district for consent to annex to such metropolitan water district territory which it is sought to annex to, or consolidate with, such municipality, or territory which, without making the same a part of such metropolitan water district, already has been annexed to, or consolidated with, such municipality The board of directors may grant or deny such application and in granting the same may fix the terms and conditions upon which such

territory may be annexed to, and become a part of, the metropolitan water district. Such terms and conditions may provide, among other things, for the levy by such metropolitan water district of special taxes upon taxable property within such territory in addition to the taxes elsewhere in this act authorized to be levied by such metropolitan water district, and in case such terms and conditions shall provide for the levy of such special taxes, the board of directors in fixing such terms and conditions shall specify the aggregate amount to be so raised and the number of years prescribed for raising such aggregate sum, and that substantially equal annual levies will be made for the purpose of raising such sum over the period so prescribed. The action of the board of directors evidenced by resolution shall be promptly transmitted to the governing body of such applying municipality, and if such action shall grant consent to such annexation, such territory may be annexed to such metropolitan water district as provided in subparagraph (1) or in subparagraph (2) hereof. Unless the board of directors of such metropolitan water district shall grant such consent, such territory cannot be annexed to, or consolidated with, such metropolitan water district.

(1) If such territory has not theretofore been annexed to, or consolidated with, such municipality, upon completion of such annexation to, or consolidation with, such municipality in compliance with the provisions of law applicable thereto, including this Section 9, such territory shall become, and be, a part of such metropolitan water district, and the taxable property therein shall be subject to taxation thereafter for the purposes of said metropolitan water district, including the payment of bonds and other obligations of such district at the time authorized or outstanding, and the board of directors of such metropolitan water district shall be empowered to do all things necessary to enforce and make effective the terms and conditions of annexation fixed as hereinabove authorized; provided, that if the applicable provisions of law governing such annexation to, or consolidation with, such municipality shall require any notice or any election called for the purpose of determining whether such proposed annexation or consolidation shall occur, or shall require any notice of hearing or other notice to be given to the residents or electors of, or owners of property in, such territory, such notice shall contain the substance of the terms and conditions of annexation to such metropolitan water district fixed by the board of directors of such district as herein provided; and provided further, that the governing body of such municipality or other officer thereof having the duty of certifying the proceedings resulting in such annexation to, or consolidation with, such municipality, pursuant to the provisions of law applicable thereto, shall include in such certification a record of the proceedings by which such territory has been annexed to such metropolitan water district in accordance with the provisions hereof, and shall file a duplicate of such certificate with the board of directors of such metropolitan water district.

(2) If the territory sought to be annexed to such metropolitan water district theretofore has been annexed to, or consolidated with, such municipality, the governing body of such municipality, upon being advised of the action of the board of directors of such metropolitan water district, as above provided, and if such action shall grant consent to such annexation, may submit to the qualified electors of such territory, at any general or special election held therein, the proposition of such annexation to such metropolitan water district subject to the terms and conditions fixed by the board of directors of such metropolitan water district, as herein provided. Notice of such election shall be given by posting or publication; when given by posting such notice shall be posted at least ten days and in three public places in such territory; when given by publication such notice shall be published once at least ten days before the date fixed for the election in a newspaper of general circulation published in such municipality. Such notice shall contain the substance of the terms and conditions fixed by the board of directors, as herein provided. Such election shall be conducted and the returns thereof canvassed by the governing body of such municipality in the manner provided by law for elections in such municipality. If such proposition shall receive the affirmative vote of a majority of electors of such territory voting thereon at such election, the governing body of such municipality shall certify the result of such election on said proposition to the board of directors of said district. A certificate of proceedings hereunder shall be made by the secretary of the district and filed with the Secretary of State. Upon the filing thereof in the office of the Secretary of State, such territory shall become, and be, a part of such metropolitan water district, and the taxable property therein shall be subject to taxation thereafter for the purposes of said metropolitan water district, including the payment of bonds and other obligations of such district at the time authorized or outstanding, and the board of directors of such metropolitan water district shall be empowered to do all things necessary to enforce and make effective the terms and conditions of annexation of such territory to such metropolitan water district fixed by said board of directors as hereinabove authorized. Upon the filing in his office of the aforesaid certificate of proceedings the Secretary of State shall, within 10 days, issue his certificate, reciting the filing of said papers in his office and the annexation of such territory to such metropolitan water district. The Secretary of State shall transmit the original of his said certificate to the secretary of such metropolitan water district and shall forward a certified copy thereof to the county clerk of each county in which is situated such metropolitan water district or any portion thereof.

[(e)] *(d)* The validity of any proceedings for the annexation to any district organized hereunder, of the corporate area of a municipality [or city] as a separate unit, [or of territory annexed to, or consolidated with, a city under the conditions mentioned in subparagraph (1) or subparagraph (2) of paragraph (b) of this Section 9,] or of territory annexed to, or consolidated with, a municipality which, as a unit, shall have been included within such district, shall not be contested in any action unless such action shall have been brought within three months after the completion of such annexation, or, in case such annexation is completed prior to the time that this paragraph takes effect, then within three months after this paragraph shall have become effective.

SEC. 2 Section 9.1 of said act is amended to read:

Sec. 9.1 [(a) Notwithstanding the limitations contained in paragraph (b) of Section 2 of this act, for the purposes of this Section 9.1 the definitions contained in paragraph (a) of Section 9 of this act shall apply to the terms used in this Section 9.1.]

[(b)] Whenever the corporate area of a municipality [or city] is annexed to a metropolitan water district as a separate unit, or whenever territory annexed to, or consolidated with, a municipality, the area of which is included within a metropolitan water district as a separate unit, is annexed to such metropolitan water district, [or whenever territory is annexed to, or consolidated with, a city under the conditions mentioned in subparagraph (1) or subparagraph (2) of paragraph (b) of Section 9 of this act, or whenever territory previously annexed to any city is annexed to such metropolitan water district under the conditions mentioned in said subparagraph (2) of paragraph (b) of Section 9 of this act,] the secretary of such metropolitan water district shall file, with the county assessor of each county within which such metropolitan water district or any part thereof shall lie and with the State Board of Equalization a statement of the change of boundaries of such metropolitan water district, setting forth the corporate names of the municipalities [and cities], the corporate areas of which, in whole or in part, are included within such metropolitan water district as separate units, and with respect to any such municipality, the corporate area of which, in part only, is included within such metropolitan water district as a separate unit, such statement shall indicate the part of such municipality that is so included within such district, which statement also shall contain a legal description of the boundaries of such annexed municipality [or city] or territory, as the case may be, unless a statement and map or plat indicating the boundaries of such last mentioned municipality [or city] or territory theretofore shall have been filed with the county assessor of each county within which such municipality [or city] or territory or any part thereof shall lie and with the State Board of Equalization, pursuant to [Section 3720 of the Political Code] *Sections 54900 to 54904, inclusive, of the Government Code* or other applicable provisions of law. Such statement so filed by the secretary of such metropolitan water district shall be accompanied by a map or plat indicating the boundaries of such metropolitan water district as so changed. If such statement and map or plat be so filed on or before the first day of February, but subsequent to the thirtieth day of June next preceding, all taxable property within the corporate area of such municipality [or city] or such territory so annexed, as the case may be, shall be subject to taxation by such metropolitan water district for the purposes in Section 9 and elsewhere in this act provided, commencing with the fiscal year beginning on July 1st next ensuing. If such statement and map or plat be so filed subsequent to February 1st, but before July 1st, all taxable property within the corporate area of such municipality [or city] or such territory so annexed shall be subject to such taxation by such metropolitan water district commencing with the fiscal year beginning on the first day of July in the calendar year next succeeding the calendar year in which the statement and map or plat are so filed by the secretary of such metropolitan water district.

SEC. 3 Section 9.2 of said act is amended to read:

Sec. 9.2 [(a) Notwithstanding the limitations contained in paragraph (b) of Section 2 of this act, for the purposes of this Section 9.2 the definitions contained in paragraph (a) of Section 9 of this act shall apply to the terms used in this Section 9.2.]

[(b)] Whenever territory is annexed to, or consolidated with, any municipality, the corporate area of which, as a unit, shall have become a part of any metropolitan water district organized hereunder, irrespective of whether such territory is annexed to, and becomes a part of, such metropolitan water district, [or whenever territory is annexed to any city, under the conditions mentioned in subparagraph (1) or subparagraph (2) of paragraph (b) of Section 9 of this act, or whenever territory previously annexed to any city is annexed to such metropolitan water district under the conditions mentioned in said subparagraph (2) of paragraph (b) of Section 9 of this act,] the governing or legislative body, or clerk thereof, of such municipality [or city] shall file with the board of directors of such metropolitan water district a statement of the change of boundaries of such municipality [or city], setting forth the legal description of the boundaries of such municipality [or city], as so changed, and of the part thereof within such metropolitan water district, which statement shall be accompanied by a map or plat indicating such boundaries.

SEC. 4 This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of

Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

The inhabitants of substantial portions of the State are in dire need of immediately obtaining an adequate supply of water for domestic and municipal use which can be obtained only from the Metropolitan Water District of Southern California, a district duly organized and existing under the Metropolitan Water District Act of this State, but arrangements for obtaining said water by said inhabitants are dependent upon the annexation to said the Metropolitan Water District of Southern California. This act is amendatory of the provisions relating to annexations to metropolitan water districts and is necessary to remove inequities between the terms under which areas added to cities become a part of a metropolitan water district and terms under which areas added to other municipalities become a part of the metropolitan water district."

Amendment No. 5

On page 1 of said bill, strike out lines 3 to 25, inclusive; and strike out pages 2 to 14, inclusive

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 1563—An act to provide for the installation of grade separation crossings in the County of Los Angeles, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "ings", and insert "ing".

Amendment No. 2

On page 1, line 2, of said bill, after "that", insert "a"

Amendment No. 3

On page 1 of said bill, strike out lines 3 and 4, and insert "ing be constructed in the County of Los Angeles at the crossing of Los Feliz Boulevard and the".

Amendment No. 4

On page 1, line 6, of said bill, strike out "crossings", and insert "crossing".

Amendment No. 5

On page 1 of said bill, strike out line 11, and insert "and the Southern Pacific Company".

Amendment No. 6

On page 1, line 13, of said bill, in the first blank, insert "six hundred thousand", and, in the second blank, insert "600,000".

Amendment No. 7

On page 1, lines 14 and 15, of said bill, strike out "proportionate".

Amendment No. 8

On page 1, line 16, of said bill, strike out "crossings", and insert "crossing".

Amendment No. 9

On page 1 of said bill, after line 16, insert

"SEC. 4. The department may perform all or any portion of said work by contract or the department and any party ordered by the Public Utilities Commission to participate in the financing may enter into a contract whereby all or any portion of such work may be performed by any party to such contract."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 2301—An act to amend Section 28037 of the Government Code, relating to the classification of counties.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1, of the title of the printed bill, strike out "Section 28037", and insert "Sections 28116 and 28128".

Amendment No. 2

In line 2 of the title of said bill, strike out "the classification of counties", and insert "compensation for public services".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 4, inclusive, and insert

"SECTION 1. Section 28116 of the Government Code is amended to read:

28116. In a county of the sixteenth class the following shall receive as compensation for the services required of them by law or by virtue of their offices the following sums:

(a) The county auditor, [five thousand seven hundred dollars ($5,700)] *six thousand dollars ($6,000)* a year. [If he serves as and performs the duties of the county purchasing agent, he shall receive as full compensation for such services eight hundred fifty-five dollars ($855) a year.]

(b) The district attorney, [five thousand seven hundred dollars ($5,700)] *eight thousand dollars ($8,000)* a year.

(c) Each supervisor, [one thousand two hundred dollars ($1,200)] *three thousand dollars ($3,000)* a year [, and four hundred fifty dollars ($450) a year, for his duties as road commissioner] He shall be allowed mileage at the rate of seven cents ($0.07) a mile in going from his residence to the county seat and returning at each session of the board. If necessary official business requires any supervisor to travel beyond the boundaries of the county, he shall receive actual necessary traveling expenses incurred therefor. No other mileage or remuneration and no other traveling expenses shall be allowed.

(d) Grand jurors and trial jurors in the superior court shall receive for each day's attendance three dollars ($3), and for every mile actually traveled in attending court as such jurors, in going only, fourteen cents ($0.14).

The compensation provided by this section shall be payable to incumbent officers.

SEC. 2. Section 28128 of said code is amended to read:

28128. In a county of the twenty-eighth class the following shall receive as compensation for the services required by them by law or by virtue of their offices the following sums:

(a) The auditor, [four thousand eight hundred dollars ($4,800)] *five thousand four hundred dollars ($5,400)* a year.

(b) The district attorney, seven thousand [two hundred dollars ($7,200)] *eight hundred dollars ($7,800)* a year. He shall devote his entire time during office hours to the work of the county and State and is prohibited from engaging in private work within office hours. This does not preclude him from continuing or concluding any private matter in which he appeared of record prior to taking office.

(c) Each supervisor, for all services required of him as supervisor and as road commissioner, [two thousand four hundred dollars ($2,400)] *three thousand dollars ($3,000)* a year and his actual expenses necessarily incurred in the performance of county business within the county, not to exceed six cents ($0.06) a mile, and actual expenses incurred doing county business outside of the county on order of the board of supervisors. He shall also be allowed six cents ($0.06) a mile going to and from his residence to the courthouse to attend regular and special meetings of the board. In lieu of mileage allowed as a member of the board of supervisors, the chairman of the board shall be supplied by the county with an automobile for use in performance of official duties, and all expense for fuel, oil, supplies, upkeep, and maintenance of such automobile shall be paid from county funds.

(d) Grand jurors and trial jurors in the superior court shall receive three dollars ($3) for each day's attendance. In justices' courts in civil cases the jurors sworn to try the cases shall receive two dollars ($2) for each day's attendance. All jurors shall

receive fifteen cents ($0 15) for each mile actually and necessarily traveled from their residences to the place of service. In the justices' courts mileage shall be allowed only to those sworn to try the case.

The compensation provided by this section shall be payable to incumbent officers."

Amendment No. 4

On page 2, line 12, of said bill, strike out "2", and insert "4".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 3112—An act to provide for the incorporation and government of metropolitan rapid transit districts; prescribing the powers thereof; providing for the performance of certain functions relating thereto by public officers; providing for contracts with cities, counties and other public agencies; and relating to transportation in metropolitan areas.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "incorporation and government of", and insert "creation of the Los Angeles Metropolitan Transit Authority and prescribing the powers and duties thereof; authorizing the authority to construct and operate an interurban rapid transit system; providing for the issuance and sale of revenue bonds and providing for the use of the proceeds thereof for the purposes of this act; and providing for the expenditure of such proceeds and all revenues received from the operation of the system to the uses and purposes set forth herein."

Amendment No. 2

Strike out lines 2 to 6, inclusive, of the title of said bill.

Amendment No. 3

On page 1 of said bill, strike out line 1 and insert

"CHAPTER 1. POLICY; TITLE OF ACT

Section 1.1. It is hereby declared to be the policy of the State of California to develop interurban rapid transit systems in the various metropolitan areas within the State for the benefit of the people. A necessity exists in Los Angeles County for such a system. Because of the numerous separate municipal corporations and unincorporated populated areas in Los Angeles County, the areas within all of which are necessary and integral parts of such a system, only a specially created district comprising all of Los Angeles County can operate freely in said county in, through and between said various municipal corporations and unincorporated populated areas. Because of the unique problem presented by Los Angeles County, no general law can be made applicable to the carrying out of the objects and purposes of this act, and the facts and circumstances relative to the establishment of an interurban rapid transit system in said county require the adoption of a special act and the creation of a special authority; and it is, accordingly, necessary to enact this legislation applicable solely to said county to provide the necessary interurban rapid transit system in said county.

Sec. 1.2. This act shall be known and cited as the "Los Angeles Metropolitan Transit Authority Act."

CHAPTER 2. DEFINITIONS

Sec. 2.1. When the terms defined in this chapter are used in this act, they have the meanings ascribed to them in this chapter unless the context of this act expressly provides to the contrary.

Sec. 2.2. "Authority" means the Los Angeles Metropolitan Transit Authority created by this act.

Sec. 2.3. "Bonds" means the written evidence of any obligation incurred by the authority payable out of revenues as provided in this act in order to secure funds with which to carry out the purposes of this act irrespective of the form of such obligations, whether in the form of bonds, notes, debentures, interest-bearing certificates or other forms prescribed by the authority.

Sec. 2.4. "Indenture" means an agreement entered into by the authority pursuant to which revenue bonds are issued, regardless of whether such agreement is expressed in the form of a resolution of the authority or by other instrument.

Sec. 2.5. The term "bondholder" or "holder of bonds" or any similar term means any person who shall be the bearer of any outstanding revenue bond or bonds, registered to bearer, or not registered, or the registered owner of any such outstanding revenue bond or bonds which shall at the time be registered other than to bearer.

Sec. 2.6. "County" means Los Angeles County, State of California, the boundaries of which are established by Section 23119 of the Government Code of the State of California

Sec. 2.7. "Rapid transit" means transportation of passengers, mail and hand baggage in, through or between any two or more municipal corporations or unincorporated populated areas or municipal corporations and unincorporated populated areas of the county, by means of rail, monorail or other similar means, including street railways, elevated railways, subways, underground railways and bus lines, or any combination thereof

Sec. 2.8. "System" means all real and personal property, licenses, franchises, patents, rights and interests owned or held or to be owned or held by the authority for rapid transit, including, without limiting the generality of the foregoing, all rights of way, rail lines, bus lines, stations, platforms, terminals, structures and facilities (including parking lots) necessary or convenient for access of persons and vehicles to stations or terminals, switches, yards, control houses, cars, buses, signals, electrical systems, substations and power lines and facilities.

Sec. 2.9. "Revenues" means all rates, fares, tolls, rentals or other income and revenue actually received or receivable by or for the account of the authority from the operation of the system, including, without limiting the generality of the foregoing, interest allowed on any moneys or securities and any profits derived from the sale of any securities and any consideration in any way derived from any properties owned, operated or at any time maintained by the authority.

Sec. 2.10. "Governor" means the Governor of the State of California.

Sec. 2.11. The term "person" as used in this act includes any individual, firm, copartnership, association, corporation, trust, business trust or receiver or trustee or conservator for any thereof, but does not include this State or any public corporation, as defined in this act.

Sec. 2.12. The term "public corporation" as used in this act means any county, city and county, city, town, municipal corporation, district of any kind or class, or political subdivision of this State, and also any agency or authority of this State.

Sec. 2.13. As used in this act:

(a) The present tense includes the past and future tenses; and the future, the present.

(b) The masculine gender includes the feminine and neuter

(c) The singular number includes the plural, and the plural the singular.

(d) "Shall" is mandatory and "may" is permissive

CHAPTER 3. CREATION AND ORGANIZATION OF AUTHORITY

Sec. 3.1. There is hereby created the "Los Angeles Metropolitan Transit Authority."

Sec. 3.2. The authority is a public agency and public corporation of the State of California.

Sec. 3.3. The powers and activities of the authority are limited to the county The territorial limits of the authority shall not be diminished or decreased so long as any bonds issued under this act are outstanding and unpaid.

Sec. 3.4. The authority is composed of seven members, all of whom shall be appointed by the Governor. The terms of four of the initial members of the authority, as designated by the Governor, shall expire two years from the date of their appointment The remaining three initial members of the authority shall be appointed by the Governor to serve for a full term of four years from the date of their appointment The successors of the members of the authority initially appointed shall be appointed to serve for a full term of four years. Any member appointed to serve in lieu of any member on account of death, resignation, or disability of such member shall serve only for the unexpired term of such member. Each member of the authority shall hold office for the term for which he was appointed and until his successor has been appointed and qualified. The initial members of the authority shall be appointed by the Governor within sixty (60) days after the effective date of this act

Sec. 3.5. Each member of the authority shall be, and shall hold office only so long as he is, a resident of and registered voter in the county Each member of the authority shall be paid the sum of twenty dollars ($20) for each meeting attended, but not to exceed one hundred dollars ($100) in any calendar month, and shall be reimbursed for actual necessary traveling and other expenses incurred by him in the performance of his duties, payable exclusively out of the funds of the authority available therefor. No member of the authority shall be allowed any other fees, perquisites or emoluments, reward or compensation for his services as a member of the authority.

Sec. 3.6 The authority shall appoint a chairman, who shall be a member of the authority, and shall also appoint a secretary and a treasurer. The secretary may be a member of the authority The treasurer shall not be a member of the authority and shall not be engaged in any other business or employment during his tenure of office. The authority may appoint a general manager, who may be a member of the authority, and who shall be a man of recognized ability and experience, to hold office during the pleasure of the authority The general manager shall have management of the properties and business of the authority and the employees thereof, subject to the general control of the authority, shall direct the enforcement of all ordinances, resolutions, rules and regulations of the authority, and shall perform such other duties as may be prescribed from time to time by the authority The authority may appoint a general attorney and a chief engineer, and shall provide for the appointment of other officers, attorneys, engineers, consultants, agents and employees as may be necessary for the construction, extension, operation, maintenance, and policing of the system It shall define their duties and require bonds of such of them as the authority may designate. The compensation of the general manager, general attorney, chief engineer, and all other officers, attorneys, consultants, agents and employees shall be fixed by the authority, and such compensation shall be paid out of funds of the authority available for that purpose The authority may employ a fiscal agent or adviser and may retain the services of such agents as may be deemed advisable to assist in the sale and distribution of the authority's bonds or the underwriting thereof

Sec. 3 7 The treasurer shall execute a bond with corporate sureties to be approved by the authority. The bond shall be payable to the authority in whatever penal sum may be directed by the authority conditioned upon the faithful performance of the duties of the office and the payment of all money received by him according to law and the orders of the authority. The authority may, at any time, require a new bond from the treasurer in such penal sum as may then be determined by the authority The obligation of the sureties shall not extend to any loss sustained by the insolvency, failure or closing of any national or state bank wherein the treasurer has deposited funds if the bank has been approved by the authority as a depositary for such funds All funds deposited by the treasurer in any bank shall be placed in the name of the authority and shall be withdrawn or paid out only by check or draft upon the bank, signed by the treasurer and countersigned by the chairman or general manager of the authority. The authority may designate any of its members or any officer or employee of the authority to affix the signature of the chairman and another to affix the signature of the treasurer to any check or draft for payment of salaries or wages and for the payment of any other obligation of not more than two thousand five hundred dollars ($2,500). In case any officer whose signature appears upon any check ceases to hold his office before the delivery thereof to the payee, his signature nevertheless shall be valid and sufficient for all purposes with the same effect as if he had remained in office until delivery thereof.

Sec 3.8. The authority may deal with and enter into written contracts with the employees of the authority through accredited representatives of such employees or representatives of any labor organization authorized to act for such employees, concerning wages, salaries, hours and working conditions; provided, nothing herein shall be construed to permit hours of labor in excess of those provided by law or to permit working conditions prohibited by law. In case of dispute over wages, salaries, hours or working conditions, the authority may arbitrate any question or questions and may agree with such accredited representatives or labor organization that the decision of a majority of any arbitration board shall be final, provided each party shall agree in advance to pay half of the expenses of such arbitration.

Sec 3 9. A majority of the members of the authority constitute a quorum for the transaction of business and may act for the authority.

Sec. 3 10. The authority may act at any regular meeting or special meeting called pursuant to such rules and regulations as the authority may adopt and may act without a meeting by an instrument in writing signed by all members of the authority. The authority may adopt such rules and regulations as it deems advisable with respect to the conduct of its own affairs.

Sec. 3 11 The authority shall maintain an office in the City of Los Angeles, Los Angeles County, State of California.

Sec 3 12 The authority may adopt a seal to be impressed upon its instruments, and may provide for the impression of such seal by printed, or lithographed facsimile thereof Any executed instrument bearing the seal of the authority shall be prima facie evidence of its execution by the authority and that its execution was duly, regularly and legally authorized by the authority

CHAPTER 4. GENERAL POWERS

Sec. 4.1. The authority has perpetual succession.

Sec. 4 2. The authority may sue and be sued in all courts of competent jurisdiction.

Sec 4 3. The authority may acquire by grant, purchase, gift, devise or lease, and may hold, use, sell, lease or dispose of, any real and personal property, licenses,

franchises, patents, rights and interests necessary for the full exercise, or convenient or useful for the carrying on of, any of its powers pursuant to the provisions of this act.

Sec. 4.4. The authority shall have power to acquire, construct, complete, develop, own, operate and maintain the system in the county; including power to acquire by purchase, lease, gift or otherwise all or any part of any patents, licenses, rights, interests, engineering studies, data or reports owned or held by any person and determined by the authority to be necessary, convenient or useful to the authority in connection with the acquisition, construction, completion, development, ownership, operation or maintenance of the system.

Sec. 4.5. The authority shall have power to enter into agreements for the joint use of any property and rights by the authority and any public utility operating any transportation facilities; to enter into agreements with any public utility operating any transportation facilities either within or without the county for the joint use of any property of the authority or public utility, or the establishment of through routes, joint fares and transfer of passengers.

Sec. 4.6. The authority may exercise the right of eminent domain for the condemnation of real property or any right or interest therein for its use within the county, including the power to acquire real property in fee simple or any lesser estate or interest for rights of way or other uses of the authority, whether or not devoted to public use, provided, however, that any private property already appropriated to public use, which use is available to the authority from an established private utility under the rules and regulations of the California Public Utilities Commission, shall not be subject to condemnation hereunder; provided, further, that with respect to the whole or any part of the real property of any public utility, as defined in the Public Utilities Act, necessary or useful in the performance of its duties to the public, the power granted by this Section 4.6 to the authority to exercise the right of eminent domain shall be subject to the plenary jurisdiction of the Public Utilities Commission or the Interstate Commerce Commission, as the case may be.

Whenever the authority shall determine to exercise the right of eminent domain, it shall first adopt a resolution declaring that the public interest and necessity require the acquisition of any described real property or right or interest therein. Such resolution shall be conclusive evidence

(a) Of the public necessity of such acquisition;

(b) That such property, rights or interests are, and that the acquisition of the fee or other interest therein is, necessary therefor; and

(c) That such proposed acquisition is planned or located in a manner which will be most compatible for the greatest public good and the least private injury

Sec. 4.7. Subject to the limitations hereinabove set forth in Section 4.6, in eminent domain proceedings to acquire property for any of the purposes of this act any real property, or rights or interest therein, within the county appropriated or dedicated to a public use or purpose by any person, private, public or municipal corporation, the county, any city, district or any political subdivision of the state, may be condemned and taken; and the acquisition and use thereof as provided in this chapter for the same public use or purpose to which such property has been appropriated or dedicated or for any other public use or purpose shall be deemed a superior and permanent right and necessity and a more necessary use and purpose than the public use or purpose to which such property has already been appropriated or dedicated. It shall not be necessary in any eminent domain proceedings under this act to plead or prove any acts or proceedings preliminary or prior to the adoption of the resolution of public interest and necessity describing the property sought to be taken and directing such eminent domain proceedings

Sec. 4.8. The authority shall have power to construct, operate and maintain the system in, under, upon, over, across or along any public street, highway, or waterway under agreement with the United States of America or the State of California, the county or the governing body of the municipal corporation which has jurisdiction over such street, highway or waterway, and in, under, upon, over or across any vacant public lands which are or may become the property of the United States of America, the State of California, the county or any public corporation in the county by agreement with the United States of America, the State, the county or such public corporation. In the event the use by the authority of any existing public street or highway necessitates changes therein or expenditures, the cost thereof shall be borne by the authority. The authority is entitled to the benefit of any reservation or grant, in all cases, where any right has been reserved or granted to the State or any agency or political subdivision thereof or any public corporation to construct or maintain roads, highways or other crossings over any public or private lands

Sec. 4.9. The authority may fix rates, fares, tolls, charges, rents or other charges for the use of the system acquired, constructed, operated or maintained by the authority and may alter, change or modify the same at its pleasure, subject to any contractual obligation which may be entered into by the authority with respect to the fixing of such rates, fares, tolls, charges and rents

Sec. 4.10. The authority may enter into covenants to maintain minimum rates, fares or charges, or rates, fares or charges sufficient to service the outstanding obligations of the authority, if any. It may also enter into covenants to increase rates, fares

or charges from time to time as may be necessary pursuant to any such contract or agreement with the holders of any obligations of the authority.

Sec. 4.11. The authority may contract with any department or agency of the United States of America or of the State of California or with any public corporation upon such terms and conditions as the authority finds is for the authority's best interests.

Sec. 4.12. The authority may make contracts, leases and agreements with any person or public corporation and may generally perform all acts necessary for the full exercise of the powers vested in it.

Sec. 4.13. The authority may sell, lease, convey or otherwise dispose of any of its rights, interests or properties after the purposes for which they were acquired have been fully satisfied. It may sell, lease or otherwise dispose of, at any time, any surplus materials or other property not needed for its requirements or for the purpose of carrying out this act.

Sec. 4.14. The authority shall have power to apply for and accept grants and loans from the Federal Government or any agency or instrumentality thereof to be used for any of the purposes of the authority and to enter into any agreement with the Federal Government in relation to such grants or loans; provided that such agreement does not conflict with any of the provisions of any resolution securing the payment of bonds of the authority.

Sec. 4.15. The authority shall by resolution make all rules and regulations governing the use, operation and maintenance of the system and shall determine all routings and change the same whenever it is deemed advisable by the authority, subject to the provisions of all ordinances granting franchises to the authority.

Sec. 4.16. The authority shall have power to lease the system or any part thereof to, or contract for the use of the system or any part thereof by, any operator, and to provide for subleases by any such operator upon such terms and conditions as the authority deems in the public interest.

Sec. 4.17. The authority shall have power to deposit any moneys of the authority, in accordance with the provisions of the general laws of the State of California governing the deposit of public moneys of counties, in such bank or banks in the State of California as may be authorized to receive deposits of public funds, in the same manner and upon the same security as public moneys of counties are deposited in such banks and with like force and effect, and to invest any moneys in any sinking fund or reserve fund created by any indenture or any surplus in the treasury of the authority not required for its immediate needs, in accordance with the general laws of the State of California relating to investments of county funds.

Sec. 4.18. The authority shall not have power to levy taxes for any purpose whatsoever.

Sec. 4.19. The authority may adopt such rules and regulations as may be necessary to enable it to exercise the powers and perform the duties conferred or imposed upon it by this act.

CHAPTER 5. REVENUE BONDS

Sec. 5.1. The authority may issue revenue bonds for the acquisition, construction or completion of the system or any part thereof. The total amount of revenue bonds that may be issued by the authority shall not be limited as to aggregate principal amount, except as the authority may provide in any resolutions relating to the issue of any revenue bonds hereunder.

Sec. 5.2. The purpose, nature and extent of each separate improvement comprising a part of the system shall be described in general terms prior to the issuance of any bonds.

Sec. 5.3. The validity of the authorization and issuance of any revenue bonds by the authority is not dependent on nor affected in any way by:

(a) Proceedings taken by the authority for the acquisition, construction or completion of the system or any part thereof.

(b) Any contracts made by the authority in connection with the acquisition, construction or completion of the system or any part thereof.

(c) The failure to complete any part of the system for which bonds are authorized to be issued.

Sec. 5.4. The authority shall issue revenue bonds in its name. These bonds shall constitute obligations of the authority only, and neither the payment of the principal or interest of any such bond constitutes a debt, liability or obligation of the county or the State of California. All bonds issued by the authority shall contain a recital on their face that neither the payment of the principal or any part thereof nor any interest thereon constitutes a debt, liability or obligation of the county or the State.

Sec. 5.5. The authority shall determine the time, form and manner of the issuance of revenue bonds.

Sec. 5.6. The authority may enter into indentures providing for the aggregate principal amount, date, or dates, maturities, interest rate, denominations, form, registration transfer and interchange of such bonds and coupons, and the terms and conditions upon which the same shall be executed, issued, secured, sold, paid, redeemed, funded and refunded. Reference on the face of the bonds to such indenture by its date of adoption, or the apparent date on the face thereof, is sufficient to incorporate

all of the provisions thereof and of this act into the body of the bonds and their appurtenant coupons. Each taker and subsequent holder of the bonds or coupons, whether the coupons are attached to or detached from the bonds, has recourse to all of the provisions of the indenture and of this act, and is bound thereby

Sec. 5.7. An indenture pursuant to which bonds are issued may include such covenants and agreements on the part of the authority as the authority deems necessary or advisable for the better security of the bonds issued thereunder.

Sec. 5.8 An indenture may include a clause relating to the bonds issued thereunder requiring the authority to pay or cause to be paid punctually the principal of all such bonds and the interest thereon on the date or dates, at the place or places, and in the manner mentioned in such bonds and in the coupons appertaining thereto in accordance with such indenture.

Sec 5.9. An indenture may include a clause relating to the bonds issued thereunder requiring the authority to continuously operate the system acquired, constructed, or completed, in whole or in part, from the proceeds of the bonds in an efficient and economical manner.

Sec. 5.10 An indenture may include a clause relating to the bonds issued thereunder requiring the authority to make all needful and necessary repairs, renewals and replacements to the system and to keep it at all times in good repair, working order and condition.

Sec 5 11. An indenture may include a clause relating to the bonds issued hereunder requiring the authority to preserve and protect the security of the bonds and the rights of the holders thereof and to warrant and defend such rights.

Sec. 5 12. An indenture may include a clause relating to the bonds issued thereunder requiring the authority to pay and discharge or cause to be paid and discharged all lawful claims for labor, materials and supplies or other charges which, if unpaid, might become a lien or charge upon the revenues, or any part thereof, of any improvements acquired, constructed or completed from the proceeds of the sale of the bonds, or upon any physical properties, or which might impair the security of the bonds.

Sec. 5 13. An indenture may include a clause relating to the bonds issued thereunder which limits, restricts, or prohibits any right, power or privilege of the authority to mortgage or otherwise encumber, sell, lease or dispose of any part of the system constructed from the proceeds of the bonds, or to enter into any lease or agreement which impairs or impedes the operation of the system, or any part thereof, necessary to secure adequate revenues or which otherwise impairs or impedes the rights of the holders of the bonds with respect to such revenues

Sec. 5 14. An indenture may include a clause relating to the bonds issued thereunder requiring the authority to fix, prescribe and collect rates, fares, tolls, rentals or other charges in connection with the services and facilities furnished from the system or any part thereof, acquired, constructed or purchased from part or all of the proceeds of the bonds, sufficient to pay the principal of and interest on the bonds as they become due and payable, together with all expenses of operation, maintenance and repair of the system, and with such additional sums as may be required for any sinking fund, reserve fund or other special fund provided for the further security of such bonds or as a depreciation charge or other charge in connection with such improvement

Sec. 5 15. An indenture may include a clause relating to the bonds issued thereunder requiring the authority to hold in trust the revenues pledged to the payment of such bonds and the interest thereon, or to any reserve or other fund created for the further protection of the bonds, and to apply such revenues or cause them to be applied only as provided in the indenture.

Sec. 5 16 An indenture may include a clause limiting the power of the authority to apply the proceeds of the sale of any issue of bonds for the acquiring, constructing or completing of the system or any part thereof.

Sec 5 17. An indenture may include a clause limiting the power of the authority to issue additional bonds for the purpose of acquiring, constructing or completing the system or any part thereof

Sec. 5 18. An indenture may include a clause requiring, specifying or limiting the kind, amount and character of insurance to be maintained by the authority on the system, or any part thereof, and the use and disposition of the proceeds of any such insurance thereafter collected.

Sec 5 19 An indenture may include a clause providing the events of default and the terms and conditions upon which any or all of the bonds of the authority then or thereafter issued may become or be declared due and payable prior to maturity, and the terms and conditions upon which such declaration and its consequences may be waived.

Sec 5 20 An indenture may include a clause designating the rights, limitations, power and duties arising upon breach by the authority of any of the covenants, conditions or obligations contained in any indenture

Sec 5 21. An indenture may include a clause prescribing a procedure by which the terms and conditions of the indenture may be subsequently amended or modified with the consent of the authority and the vote or written assent of the holders of a

specified principal amount of the bonds issued and outstanding. Such clause may provide for meetings of bondholders and for the manner in which the consent of the bondholders may be given. The clause shall specifically state the effect of such amendment or modification upon the rights of the holders of all of the bonds and interest coupons appertaining thereto, whether attached thereto or detached therefrom.

With respect to any clause providing for the modification or amendment of an indenture, the authority may agree that bonds held by the authority, by any department, political subdivision or agency of the State of California, or by any public corporation, municipality, district or political subdivision shall not be counted as outstanding bonds, or be entitled to vote or assent, but shall, nevertheless, be subject to any such modification or amendment.

Sec. 5.22. An indenture may include a clause providing for such other acts and matters as may be necessary or convenient or desirable in order to secure the bonds or to make the bonds more marketable.

Sec. 5.23. The authority may designate a bank or trust company, qualified to do business in this State, as a trustee for the authority and the holders of bonds issued hereunder, and may authorize the trustee to act on behalf of the holders of the bonds, or any stated percentage thereof, and to exercise and prosecute on behalf of the holders of the bonds such rights and remedies as may be available to the holders.

Sec. 5.24. The authority shall fix and determine the conditions upon which any trustee shall receive, hold or disburse any or all revenues collected for or on account of the authority. The authority shall prescribe the duties and powers of such trustee with respect to the issuance, authentication, sale and delivery of the bonds and the payment of principal and interest thereof, the redemption of the bonds, the registration and discharge from registration of the bonds, and the management of any sinking fund or other funds provided as security for the bonds.

Sec. 5.25. The authority may issue bonds in series or may divide any issue into one or more divisions and fix different maturities or dates of such bonds, different rates of interest, or prescribe different terms and conditions for the bonds of the several series or divisions. It is not necessary that all bonds of the same authorized issue be of the same kind or character, have the same security, or be of the same interest rate, but the terms thereof shall in each case be provided for by the authority, at or prior to the issue thereof. The authority may provide for successive issues or may provide for one maximum issue.

Sec. 5.26. Bonds may be issued as coupon bonds or as registered bonds. The authority may provide for the interchange of coupon bonds for registered bonds and registered bonds for coupon bonds, and may provide that the bonds shall be registered as to principal only, or as to both principal and interest, or otherwise as the authority may determine.

Sec. 5.27. Bonds shall bear interest at a rate of not to exceed six (6) percent. per annum, payable annually or semi-annually or in part annually and in part semi-annually. Prior to the isuance of bonds the authority may fix limitations or restrictions on the payment of interest.

Sec. 5.28. Bonds may be callable upon such terms, conditions, and upon such notice as the authority may determine, and upon the payment of the premium fixed by the authority in the proceedings for the issuance of the bonds. No bond is subject to call or redemption prior to its fixed maturity date unless the right to exercise such call is expressly stated on the face of the bond.

Sec. 5.29. The authority may provide for the payment of the principal and interest of bonds at any place within or without the State of California, and in specified coin or currency of the United States of America.

Sec. 5.30. The authority may provide for the execution and authentication of bonds by the manual, lithographed or printed facsimile signature of officers of the authority, and by additional authentication by a trustee or fiscal agent appointed by the authority. If any of the officers whose signatures or countersignatures appear upon the bonds or coupons cease to be officers before the delivery of the bonds or coupons, their signatures or countersignatures are nevertheless valid and of the same force and effect as if the officers had remained in office until the delivery of the bonds and coupons.

Sec. 5.31. Bonds shall bear dates prescribed by the authority. Bonds may be serial bonds or sinking fund bonds with such maturities as the authority may determine. No bond by its terms shall mature in more than 50 years from its own date and in the event any authorized issue is divided into two or more series or divisions, the maximum maturity date herein authorized shall be calculated from the date on the face of each bond separately, irrespective of the fact that different dates may be prescribed for the bonds of each separate series or division of any authorized issue.

Sec. 5.32. The authority may fix terms and conditions for the sale or other disposition of any authorized issue of bonds The authority may sell bonds at less than their par or face value but no bond may be sold at a price below the par or face value thereof which would result in a sale price yielding to the purchaser an average of more than six (6) percent per annum, payable semiannually, according to standard tables of bond values All bonds issued and sold pursuant to this act shall be sold on sealed proposals to the highest bidder after advertising for bids by publication of notice of sale once, not less than 10 days prior to the date of sale, in a newspaper of general circulation printed and published in the county. The authority may reject any and all bids

submitted and may thereafter sell the bonds so advertised for sale at private sale under such terms and conditions as it deems most advantageous to its own interests, but the bonds shall not be sold at a price below that of the highest bid which was rejected.

Sec. 5.33. The authority may provide for the security of bonds. The authority may also provide for the payment of bonds out of any appropriations or other funds contributed to the authority by the State of California, the United States of America, or by any department or agency of either thereof. However, nothing in this act shall obligate the State of California to make any appropriation for that purpose.

Sec. 5.34. Interest on bonds may be paid out of the proceeds of the sale of the bonds during the actual construction of the system or any part thereof for the acquisition, construction or completion of which the bonds have been issued, and for a period of not to exceed two (2) years thereafter as provided for in the indenture.

Sec. 5.35. The authority may provide in the proceedings for the issuance of bonds that the bonds and the interest thereon constitute such lien upon the revenues of the system or any part thereof acquired, constructed or completed from the proceeds of such bonds as may be provided for in the indenture.

Sec. 5.36. Pending the actual issuance or delivery of revenue bonds, the authority may issue temporary or interim bonds, certificates or receipts of any denominations whatsoever, and with or without coupons, to be exchanged for definitive bonds when ready for delivery.

Sec. 5.37. All bonds, and the interest or income therfrom, are exempt from all taxation in this State other than gift, inheritance and estate taxes.

Sec. 5.38. The authority may provide for the issuance, sale, or exchange of refunding bonds for the purpose of redeeming or retiring any revenue bonds issued by the authority. All provisions of this act applicable to the issuance of revenue bonds are applicable to the funding or refunding bonds and to the issuance, sale or exchange thereof.

Sec. 5.39. Funding or refunding bonds may be issued in a principal amount sufficient to provide funds for the payment of all bonds to be funded or refunded thereby, and in addition for the payment of all expenses incident to the calling, retiring or paying of such outstanding bonds, and the issuance of such funding or refunding bonds. These expenses include the difference in amount between the par value of the funding or refunding bonds and any amount less than par for which the funding or refunding bonds are sold, any amount necessary to be made available for the payment of interest upon such funding or refunding bonds from the date of sale thereof to the date of payment of the bonds to be funded or refunded or to the date upon which the bonds to be funded or refunded will be paid pursuant to the call thereof or agreement with the holders thereof, and the premium, if any, necessary to be paid in order to call or retire the outstanding bonds and the interest accruing thereon to the date of the call or retirement.

Sec. 5.40. All bonds issued under the provisions of this act are negotiable instruments, except when registered in the name of a registered owner.

Sec. 5.41. The bonds issued under this act are subject to investigation and certification by the California Districts Securities Commission under the California Districts Securities Commission Act as such act reads or is hereafter amended to read. If the commission determines that the bonds are adequately secured and the revenues of the authority applicable to the payment thereof are or will be sufficient to pay the principal and interest of the bonds, and if the commission certifies to that effect, the bonds shall be eligible as legal investments for both public and private funds in the same manner as is provided in the California Districts Securities Commission Act.

Sec. 5.42. Prior to the issuance of any bonds, the authority may commence in the Superior Court of the State of California, in and for the County of Los Angeles, a special proceeding to determine the right to issue the bonds and their validity. Such proceeding shall be instituted and prosecuted in the same manner as provided by Sections 22670 to 22684, inclusive, of the California Water Code, as these sections now read or may hereafter be amended to read, and these sections apply to and govern all such proceedings instituted under this act. Such proceeding is a proceeding in rem and the judgment rendered therein is conclusive against all persons whomsoever and against the State of California.

CHAPTER 6. ACQUISITION, CONSTRUCTION AND COMPLETION OF SYSTEM

Sec. 6.1. Whenever in the judgment of the authority it is advisable that the system or any part thereof be acquired, constructed or completed, in whole or in part, it shall cause a report thereon to be made which shall include:

(a) An estimate of the probable cost of the acquisition, construction and completion including all incidental expenses, engineering, legal and administrative, during construction;

(b) An estimate of the probable sources of income and the amount thereof;

(c) An estimate of the cost of maintenance and future operation upon completion, including the cost of all repairs, administrative and overhead charges.

The expense of the preparation of such report shall be paid by the authority out of any funds available, including the proceeds of revenue bonds thereafter issued.

Sec. 6.2. If the report is approved by the authority, the authority may adopt a resolution declaring that the public interest and necessity demand the acquisition,

construction or completion of the system or part thereof, authorizing such acquisition, construction or completion, and may thereupon authorize the issuance of revenue bonds for the purpose of obtaining funds in an amount estimated by the authority to be sufficient for such purpose.

Sec. 6.3. The authority has full charge of the acquisition, construction and completion of the system or any part thereof authorized by it and may proceed with such work forthwith.

Sec. 6.4. The authority may construct the system or any part thereof and acquire all property necessary therefor on such terms and conditions as it deems advisable. The authority, without awarding a contract for the construction of the system or any part thereof, may do the work directly and may purchase materials, hire labor and do all other things necessary for the doing of the work. When any part of the work is to be done or performed by any public body or by the United States jointly or in conjunction with the authority, the portion of the cost thereof to be borne by the authority may be turned over to the Government of the United States or to any other public body to be expended by it in the acquisition, construction or completion of the system or any part thereof. Construction contracts entered into by the authority shall not be subject to the provisions of the State Contract Act and shall be governed solely by the provisions of this act, except that the provisions of Chapter 3, Division 5 of Title 1 of the Government Code are hereby expressly made applicable to the system or any part thereof under this act. Any such contracts may be entered into in such manner and upon such terms as the authority deems advisable.

Sec. 6.5. Title to all property acquired by the authority, and the revenues and income therefrom, is in the name of the authority. The title to any moneys, revenues, sinking funds, reserve funds and other funds of the authority and the income thereof pledged to the payment of the principal or any interest on any bonds issued hereunder is subject to the trusts hereby created in favor of the bondholders. All such property, and the income therefrom, are exempt from all taxation by the State or by any county, city and county, city, municipality, district, political subdivision or public corporation thereof. The management, operation and control of the system and of every part thereof, acquired, constructed or completed by the authority shall be vested in the authority and the powers, rights, functions and duties of the authority with respect thereto shall not be interfered with.

Sec. 6.6. The authority may use for the payment of the acquisition and construction or completion of the system or any part thereof any funds made available to the authority to be expended for the accomplishing of the purposes set forth in this act or the proceeds of revenue bonds issued and sold by the authority.

Sec. 6.7. The authority may insure against any accident to or destruction of the system or any part thereof. Any money collected on such insurance shall be used for the purpose of repairing or rebuilding the system or any part thereof damaged, injured or destroyed, or for the retirement of any revenue bonds issued in connection therewith which may be outstanding unredeemed, as may be agreed upon by the authority in the resolution authorizing the issuance of the bonds.

Sec. 6.8. The authority may insure against loss of revenues from any cause whatsoever and the proceeds of any such insurance shall be used solely for the payment of bonds and the interest thereon.

Sec. 6.9. The authority may insure against public liability or property damage. It may provide in the proceedings authorizing the issuance of any revenue bonds for the carrying of such or any other insurance, in such amount and of such character as may be specified, and for the payment of the premiums thereon.

CHAPTER 7. RATES, FARES, TOLLS, CHARGES AND FEES

Sec. 7.1. The authority shall fix the rates, fares, tolls and other charges for all transportation facilities comprising the system or any part thereof acquired, constructed or completed under the terms of this act, for the use thereof by any persons utilizing such facilities. Subject to such contractual obligations as may be entered into by the authority and the holders of the revenue bonds issued under this act, the authority is authorized to change such rates, fares, tolls and charges from time to time as conditions warrant. All rates, fares, tolls and charges shall be at all times fixed to yield annual revenue equal to annual operating and maintenance expenses, including insurance costs and all redemption payments and interest charges on the revenue bonds at any time issued and outstanding hereunder, as the same become due. The bond redemption and interest payments shall constitute a first, direct and exclusive charge and lien on all such rates, fares, tolls and charges and other revenues and interest thereon, and sinking funds created therefrom, received from the use and operation of the system; and all such rates, fares, tolls, charges and other revenues, together with interest thereon, shall constitute a trust fund for the security and payment of such bonds and, except as and to the extent provided in any indenture with respect to the payment therefrom of expenses for operation, maintenance, improvements or extensions of the system, shall not be used or pledged for any other purpose so long as such bonds, or any of them, are outstanding and unpaid. The authority may provide that the rates, fares, tolls and charges established are minimum rates, fares, tolls and charges and subject to increase or decrease in accordance only with the terms of the indenture under which the revenue bonds are issued.

CHAPTER 8. COMPETITIVE SYSTEMS

Sec. 8.1. The authority may include, in any indenture for the issuance of revenue bonds, a clause that no interurban passenger transportation line or facilities, excepting only such lines and facilities as shall comprise parts of the system and excepting also any other passenger transportation line or facilities then in existence in the county, will be acquired or constructed by the authority or by any other public corporation or agency of the State of California within the county, so long as any of the bonds of the authority are issued under any such indenture and then outstanding. Such limitation shall be valid and binding upon the authority and the State of California.

Sec. 8.2. The authority may also include in any indenture for the issuance of bonds a clause that no system or part thereof acquired, constructed or completed from the proceeds of revenue bonds issued by the authority shall be used without charge therefor or be furnished free of charge to any person, including the State of California or any political subdivision thereof, or any public corporation or individual, other than employees of the authority or of the State of California or other public body actually engaged in rendering service to the authority in connection with the system.

Sec. 8.3. The State of California hereby agrees that, so long as any bonds issued hereunder are outstanding and unpaid, or so long as there are not funds available, after construction of the system or any part thereof, in the treasury of the authority in an amount sufficient to retire all outstanding bonds, it will not directly or indirectly construct or permit the construction of any interurban transportation system in the county other than the system provided for in this act. The provisions of this section shall be binding upon Los Angeles County and upon all agencies, departments or instrumentalities of this State, and the prohibition of this section shall restrict and limit the powers of the Legislature of the State of California in respect of the matters herein mentioned as long as any of such bonds are outstanding and unpaid, or as long as there are not funds available after the construction of the system, in the treasury of the authority in sufficient amount to retire all the outstanding bonds, and shall be deemed to constitute a contract to that effect for the benefit of the holders of all such bonds.

CHAPTER 9. RIGHTS OF BONDHOLDERS

Sec. 9.1. The holder of any bond issued pursuant to this act may for the equal benefit and protection of all holders of bonds similarly situated (a) by mandamus or other appropriate proceeding, require and compel the performance of any of the duties imposed upon the authority or assumed by it, its officers, agents or employees, in connection with the acquisition, construction, operation, maintenance, repair, reconstruction or insurance of the system, or the collection, deposit, investment, application and disbursement of rates, fares, tolls or charges and all other revenues derived from the operation and use of the system or in connection with the deposit, investment and disbursement of the proceeds received from the sale of bonds under this act; (b) by action or suit in equity, require the authority to account as if it were the trustee of an express trust, or enjoin any acts or things which may be unlawful or in violation of the rights of the holders of the bonds or apply for the appointment of a receiver of the system; or (c) by action or suit in equity, apply for the appointment of a receiver of the system and of the business and assets of the authority, if the authority is insolvent or in imminent danger of insolvency, or if in any other circumstances a receiver of the system may properly be appointed according to the usages of courts of equity. The enumeration of such rights and remedies does not, however, exclude the exercise or prosecution of any other rights or remedies available to the holders of bonds issued pursuant to this act.

CHAPTER 10. CONTRIBUTIONS AND COOPERATION

Sec. 10.1. The authority may accept contributions or appropriations from the United States of America, the State of California, or any department or agency of either thereof, or from any county, city and county, city, political subdivision, agency, district or other public corporation of this State.

Sec. 10.2. The authority may cooperate and contract with the United States under any act of Congress heretofore and hereafter enacted authorizing or permitting such cooperation. The authority may enter into any contract, arrangement or agreement with any other public agency and may cooperate with the State of California or any other public agency for the development of the system.

Sec. 10.3. The State of California or any public corporation of this State may cooperate and enter into contracts with the authority for the acquisition, construction, completion, maintenance, operation, repair, joint or otherwise, and in whole or in part, of the system. In connection with any such cooperation or contract, the State or any such public corporation may make public contributions to the authority as in the judgment of the Legislature, or the governing board of the public corporation, are necessary or proper for its undertaking, and the authority may reimburse the State or such public corporation for any such advance or contribution from the proceeds of the sale of revenue bonds or any other funds available to the authority. Any agreement made by the authority for such reimbursement of advances or contributions made to it shall be valid and enforceable against the authority. The State or any

such public corporation may also authorize, aid and assist the authority to carry out any activity which the State or such public corporation is by law authorized to perform and carry out on its own behalf.

CHAPTER 11. FUNDS

Sec. 11.1. The proceeds from the sale of all bonds authorized under the provisions of this act may be paid upon the direction of the authority either to the treasurer of the authority as custodian of the special trust fund, which fund is created by Section 11.2 hereof, to be held for the account of the authority, or may be paid direct to any bank or trust company designated as the fiscal agent and depositary of the authority, as in this act provided.

Sec. 11.2. There is hereby created a fund to be known as the "Los Angeles Metropolitan Transit Authority Construction Fund," in the event the proceeds of the sale of bonds authorized under this act shall be paid to the treasurer of the authority. Such construction fund shall at all times be kept separate and apart from all other funds and shall be held by the treasurer as a special fund for the account of the authority. The moneys in the construction fund shall be paid out and disbursed solely for the construction of the system pursuant to the provisions of this act, including surveys, preparation or acquisition of plans and specifications, engineering reports and studies, patents, rights, licenses and interests, and for the payment of all other costs and expenses prior to and during construction, including the acquisition of necessary rights of way, easements, lands and other property of every kind and description and appurtenances thereto, and the payment of all expenses, engineering, legal and administrative costs as provided by the authority in the proceedings for the issuance of such bonds. The treasurer shall keep an accurate account of all money deposited in and withdrawn from the construction fund

Sec. 11.3. In the event the proceeds of the sale of bonds are deposited in a special construction find in the custody of the treasurer, such moneys may be deposited as demand deposits in such depositary or depositaries as may be authorized by law to receive deposits of county funds

Sec. 11.4. If any surplus shall exist in the construction fund after the payment in full of all costs of acquisition, construction and completion of the system or part thereof for which the revenue bonds were issued, the same may be paid out and disbursed for any of the purposes of the authority in addition to those for which it may be paid out and disbursed pursuant to Section 11.2 hereof, but subject to any agreement which may be made by the authority in any indenture for the issuance of the revenue bonds with respect to the application of such surplus.

Sec. 11.5. In lieu of depositing the proceeds of sale of said bonds with the treasurer, the authority may, in any indenture for the issuance of bonds, designate a trustee or fiscal agent, which shall be a bank or trust company, or banks or trust companies, duly qualified to do business in this State, to receive the proceeds of such revenue bonds and to hold the same to the credit of a fund to be designated as the "Los Angeles Metropolitan Transit Authority Construction Fund," which fund shall be kept segregated and set apart from all other funds and shall be paid out and disbursed solely upon the application and demand of the authority.

Sec. 11.6. The authority may provide that the payment of interest becoming due and payable on the revenue bonds prior to and during the period of actual construction of the system or part thereof for which the bonds are issued, and for the period specified in the indenture for the issuance of the bonds, which period shall not exceed two (2) years after the completion of construction, and that the payment of all costs and expenses of administration during a period of one year after the completion of construction of the system or part thereof, shall be made out of the construction fund as the need therefor shall arise, and any moneys in the construction fund are hereby made available for such purposes.

Sec. 11.7. Moneys in the construction fund, whether held by the treasurer or in any fiscal agency or depositary of the authority, not required to meet acquisition or construction costs or expenses payable from the construction fund, or interest on the bonds, may be invested in bonds and other obligations eligible for investment of surplus county moneys; subject to such limitations as may be provided in the proceedings authorizing the issuance of the bonds. Any income or interest thereon shall be added to and become a part of the construction fund for the benefit of the authority.

Sec. 11.8. All revenues received from the operation of the system acquired or constructed or completed by the authority may be paid over by the authority either to the treasurer as custodian thereof or to any fiscal agent or depositary appointed by the authority.

Sec. 11.9. If the revenues are paid over by the authority to the treasurer, the same shall be held by the treasurer in a special fund and applied exclusively for the account of the authority. Said special fund is hereby designated "Los Angeles Metropolitan Transit Authority Revenue Fund." The moneys in the revenue fund shall be deposited by the treasurer in time or demand deposits in such depositary or depositaries as may be authorized by law to receive deposit of county funds, to the credit of the revenue fund, or may be invested in such bonds or obligations as are by law legal investments for county moneys, subject to such limitations and restrictions as may be provided in the resolution under which bonds of the authority are issued and

outstanding Any income or interest received upon such deposits or investments shall be added to the revenue fund and inure to the benefit of the authority. The moneys in the revenue fund shall be paid out and disbursed for the payment of the principal of and interest on all bonds issued by the authority under the provisions of this act, as and when such principal and interest shall become due, and for the creation of any reserve fund or other special fund provided by the authority in the proceedings for the issuance of said bonds, and also for the payment of all costs and expenses for the maintenance and operation of the system, engineering, legal and administrative costs and for all repairs and replacements and other costs and expenses of the authority The treasurer shall keep an accurate account of all money deposited in and withdrawn from the revenue fund.

Sec. 11 10 In lieu of deposit of the revenues received from the system with the treasurer, the authority may deposit all such revenues at any bank or trust company appointed depositary or fiscal agent of the authority in the proceedings for the issuance of the bonds, and if such fiscal agent or depositary is so appointed the authority shall provide for the collection of all revenues and for the receipt and disbursement thereof by the fiscal agent. The authority may, in its absolute discretion, fix the terms and conditions upon which the trustee or trustees or fiscal agent or depositary shall receive, hold and disburse such revenues, and may prescribe the duties and powers of such fiscal agent, trustee or trustees or depositary in the indenture or other proceedings for the issuance of the bonds.

CHAPTER 12. GENERAL AUTHORITY

Sec. 12.1. The authority, and its officers and agents may perform such acts and enter into such agreements with the authority, not inconsistent with law, as may be necessary or desirable in connection with the duties and powers conferred upon the authority by this act, in the matter of acquiring, constructing, completing, maintaining, operating, repairing or insuring or replacing the system or any part thereof acquired, constructed or completed under this act, for the safeguarding of funds and revenues required for the purposes of this act, and for the payment of the revenue bonds issued pursuant to this act.

CHAPTER 13. CONSTRUCTION AND INTERPRETATION

Sec 13 1 This act shall be liberally construed to carry out the objects and purposes and the declared policy of the State of California as in this act set forth

Sec 13.2. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional or invalid or unenforceable, such decision shall not affect the validity or enforceability of the remaining portions of the act. The Legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause and phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases may be declared unconstitutional, invalid or unenforceable.

Sec. 13 3. This act shall not operate to rescind or repeal any other act of the State of California providing for the issuance of revenue bonds or the creation of any other authority for any other purpose."

Amendment No. 4

On page 1 of said bill, strike out lines 2 to 23, inclusive; and strike out all of pages 2 to 26, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

REPORTS OF STANDING COMMITTEES

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Senate Bill No. 13	Senate Bill No. 566
Senate Bill No. 82	Senate Bill No. 975
Senate Bill No. 84	Senate Bill No. 1034
Senate Bill No. 85	Senate Bill No 1127
Senate Bill No 121	Senate Bill No. 1155
Senate Bill No. 304	Senate Bill No. 1474
Senate Bill No. 466	Senate Bill No. 1600
Senate Bill No. 536	

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER. Your Committee on Municipal and County Government, to which were referred:

Senate Bill No. 83
Senate Bill No. 227
Senate Bill No. 1072

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 671

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 1570

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred.

Senate Bill No. 1815

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 18
Assembly Bill No. 118
Assembly Bill No. 812
Assembly Bill No. 2022
Assembly Bill No. 2858
Assembly Bill No. 3348

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bills ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER. I am directed to inform your honorable body that the Senate, pursuant to your request, is returning herewith:

Assembly Bill No. 2693
Assembly Bill No. 3121

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 6, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No 65
Senate Bill No. 760
Senate Bill No. 1004
Senate Bill No. 1444
Senate Bill No. 1712

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 65—An act to amend Sections 19601, 19601.5, 19613.1, 19613.5 of, to add Section 19601.1 to, and to repeal Sections 19613.7, 19613.5, and 19614.5 of, the Education Code, relating to the support of child care centers, making an appropriation therefor and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Ways and Means.

Senate Bill No. 760—An act to amend Section 1550 of the Welfare and Institutions Code, relating to aid to needy children.

Referred to Committee on Social Welfare.

Senate Bill No. 1004—An act to amend Section 3084 of the Welfare and Institutions Code, relating to aid to the needy blind.

Referred to Committee on Social Welfare.

Senate Bill No. 1444—An act to amend Section 2020 of the Welfare and Institutions Code, relating to aid to the aged.

Referred to Committee on Social Welfare.

Senate Bill No. 1712—An act to amend Section 9653 of the Revenue and Taxation Code, relating to the motor vehicle transportation license tax.

Referred to Committee on Revenue and Taxation.

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON ASSEMBLY BILL NO. 3121

Mr. Maloney asked for, and was granted, unanimous consent to rescind the action whereby the Assembly, on Tuesday, June 5th, passed Assembly Bill No. 3121.

Assembly Bill No. 3121 ordered to third reading.

Bill Withdrawn From Active File, and Placed on the Inactive File

Assembly Bill No. 3121, on motion of Mr. Maloney.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 2043—An act to amend Section 10 of, to repeal Sections 13 and 1420 of, and to add Section 13 to, the Fish and Game Code, relating to the enforcement and administration of the laws relating to fish and game, relieving the Fish and Game Commission of the administration of the Division of Fish and Game, Department of Natural Resources.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 10 of, and to repeal Sections 13 and 1420 of,", and strike out lines 2 to 6, inclusive of the title, and insert "Sections 39.1 and 340 of the Fish and Game Code, relating to fish and game."

Amendment No. 2

On page 1, line 1, of said bill, strike out "10", and insert "39.1".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, between lines 2 and 3, insert

"39.1 Whenever after due investigation the commission shall find that big game animals and upland game birds have increased in numbers in any fish and game district or refuge to such an extent that a surplus exists, or to such an extent that such animals or birds are damaging public or private property, or are overgrazing their range, the [said] commission [, with the approval of the Director of the Department of Natural Resources and with the consent of the Governor,] is hereby authorized [and directed] to provide, *by order,* for a special hunting season for such animals and birds, additional to, or concurrent with any open season specified by law; or to provide for increased bag limits; or to remove sex restrictions specified by law. *Prior to the making of such an order the commission at an open meeting shall publicly announce the contents of the proposed order and fix a time and place at which a hearing on the proposed order shall be held. The time shall be not less than 35 days from the day of said meeting and the place shall be the county seat of the county in which the area to be affected by the order lies or, if such area lies in more than one county, the county seat of the county in which the greater portion of such area lies. Notice of the hearing shall be published at least once, and at least 30 days prior to the hearing, in a newspaper of general circulation in the county in which the hearing is to be held, or if no such newspaper is published in said county then in such a newspaper in an adjoining county. At least one member of the commission, and such employees of the department as may be necessary or are requested by any interested person, shall be present at the hearing. After the hearing the commission may abandon the proposal or make a final order, with any modifications it deems appropriate or without modification.*

The [Fish and Game Commission] *order* may fix a license fee for special hunting, designate the number of special licenses to be issued, the area in which such hunting will be permitted, the number and sex of animals or birds that may be killed by each holder of special license, and the conditions and regulations to govern such hunting. The money received from the sale of such licenses shall be paid into the State Fish and Game Preservation Fund.

SEC. 2. Section 340 of said code is amended to read:

340. Except in accordance with the rules and regulations of the commission, it is unlawful to enter upon a game refuge or public shooting grounds established under the provisions of this chapter, or to take therein any bird on the nest or eggs thereof, or any mammal.

The taking of birds and mammals on public shooting grounds shall be regulated by the commission by order.

Prior to the making of such an order the commission at an open meeting shall publicly announce the contents of the proposed order and fix a time and place at which a hearing on the proposed order shall be held. The time shall be not less than 35 days from the day of said meeting and the place shall be the county seat of the county in which the area to be affected by the order lies or, if such area lies in more than one county, the county seat of the county in which the greater portion of such area lies. Notice of the hearing shall be published at least once, and at least 30 days prior to the hearing in a newspaper of general circulation in the county in which the hearing is to be held, or if no such newspaper is published in said county then in such a newspaper in an adjoining county. At least one member of the commission, and such employees of the department as may be necessary or are requested by any interested persons, shall be present at the hearing. After the hearing the commission may abandon the proposal or make a final order, with any modifications it deems appropriate or without modification."

Amendment No. 4

On page 1 of said bill, strike out lines 3 to 22, inclusive; and strike out all of page 2.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 295—An act to add Section 626.5 to, and to amend Section 685 of, the Agricultural Code, relating to milk.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 31, 1951, strike out "add Section 626.5 to, and to".

Amendment No. 2

In line 2 of the title of said bill, after "of", strike out the comma.

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 11, inclusive, and insert "SECTION 1. Section 685 of the Agricultural Code is amended to read:".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1806—An act to amend Sections 1101, 1102.2, 1102.3, and 1107 of the Agricultural Code, relating to eggs.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 3, line 11, of the printed bill, as amended in the Assembly on June 4, 1951, strike out ", the action to be brought by the district attorney".

Amendment No. 2

On page 3, line 12, of said bill, strike out "of the county in which the violation occurs".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1142—An act to add Section 674.5 to the Agricultural Code, relating to the labeling of milk products other than butter, cheese, and ice cream.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, strike out "other than butter, cheese and ice cream".

Amendment No. 2

On page 1 of said bill, strike out lines 3 to 11, inclusive, and insert

"674.5. In harmony with the provisions of the California Pure Food Act, the department shall adopt standards of identity for those milk products covered by the provisions of this division to which food products other than those derived from milk have been added."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2195—An act to add Chapter 7 to Division 20 of the Health and Safety Code, relating to hog farms.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

On page 1 of the printed bill, strike out lines 6 to 9, inclusive, and insert

"25100. For the purpose of this chapter, the following words and phrases are defined and shall be construed as having the following meaning:

(a) "Garbage" means all animal or vegetable refuse or residue from kitchens, canneries, bakeries, restaurants, lunch stands, distilleries, wineries, meat, fish, fruit or vegetable markets, and other food handling places, and all household waste or residue that shall result from the preparation or care for, or treatment of, food stuffs intended to be used as food, or shall have resulted from the preparation or handling of food for human consumption, or any decayed or unsound meat, fish, fruit or vegetables;

(b) "Commercial garbage-fed hog ranch" means any premises where more than seven hundred fifty (750) head of swine are maintained, raised, fed or fattened on garbage.

25101. No commercial garbage-fed hog ranch shall be established, after the effective date of this chapter, within two miles of any public school or public park, or within one-half mile of any occupied dwelling house not located upon the commercial garbage-fed hog ranch, or within one mile of any public highway.

25102. The provisions of this chapter shall not apply to commercial garbage-fed hog ranches in existence prior to the effective date of this chapter.

25103. The violation of any of the provisions of this chapter is a misdemeanor."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 850—An act to amend Section 10375 of the Health and Safety Code, relating to registration of births, deaths, and marriages.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on June 1, 1951, strike out lines 3 and 4, and insert

"(a) Signature and license number of embalmer, provided that by a written special power of attorney, which shall be retained by the attorney for a period of one year, an embalmer may authorize his signature affixed after he has embalmed a body; name of funeral director, or person acting as".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1530—An act amending Sections 5050, 5050.1, 5050.2, and 5050.5 of the Welfare and Institutions Code, relating to procedure for examination of the mental health of a person alleged to be mentally ill and to court orders concerning such procedures.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amending Sections 5050, 5050.1, 5050.2, and", and insert "to amend Section".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 24, inclusive; strike out all of pages 2 and 3; and on page 4, strike out lines 1 to 21, inclusive.

Amendment No. 3

On page 4 of said bill, strike out line 22, and insert

"SECTION 1. Section 5050.5 of the Welfare and Institutions Code is amended to read:".

Amendment No. 4

On page 4, lines 38 and 39, of said bill, strike out "certified by a licensed physician and surgeon", and insert "affirmatively alleged".

Amendment No. 5

On page 4, line 47, of said bill, strike out "five", and insert "four".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 175—An act to amend Section 4300f of the Political Code and Section 196 of the Code of Civil Procedure, relating to jurors' fees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "and", and insert a comma.

Amendment No. 2

In line 2 of the title of said bill, after the comma, insert "and Section 28112 of the Government Code,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 2 of said bill, between lines 17 and 18, insert

"SEC. 3. Section 28112 of the Government Code is amended to read:

28112. In a county of the twelfth class the following shall receive as compensation for the services required of them by law or by virtue of their office the following sums:

(a) The auditor, seven thousand five hundred dollars ($7,500) a year.

(b) The district attorney eight thousand four hundred dollars ($8,400) a year for his full-time services. He shall not engage in the private practice of law.

(c) Each supervisor, four thousand two hundred dollars ($4,200) a year and the necessary and actual expenses incurred in the performance of the duties of his office.

(d) Grand jurors and trial jurors in superior courts shall receive for each day's attendance in court, upon regularly called jury meetings, committee meetings, or when appointed by the foreman of a grand jury to make individual investigations three dollars ($3) a day. In justices' courts in civil cases, jurors shall receive for each day's attendance, [two dollars ($2)] *three dollars ($3)*. In justices' courts and city courts in criminal cases jurors shall receive for each day's attendance, [one dollar and fifty cents ($1.50)] *three dollars ($3)*. All jurors shall receive ten cents ($0.10) for each mile actually and necessarily traveled from their residences to the places of service, in going only, mileage to be allowed but once in any one day, during any session of the court where the jurors serve. The fees of all trial jurors in civil cases

shall be paid by the litigants as other costs are paid, and jurors in criminal cases in a city court shall be paid by the city in which the court is established.

The compensation provided by this section shall be payable to incumbent officers"

Amendment No. 4

On page 2, line 18, of said bill, strike out "3", and insert "4".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 2924—An act to amend an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by electors November 7, 1922, by amending Section 1 thereof, relating to the State Board of Chiropractic Examiners, said amendment to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 7 of the title of the printed bill, strike out "Section 1", and insert "Sections 1, 3, 10, 12, and 15, adding Section 10.5, and repealing Section 8".

Amendment No. 2

In line 8 of the title of said bill, after "Examiners", insert "and the practice of chiropractic".

Amendment No. 3

On page 1, line 5, of said bill, strike out "five", and insert "seven".

Amendment No. 4

On page 2, line 5, of said bill, strike out "ten dollars ($10)", and insert "thirty dollars ($30)".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 5

On page 2 of said bill, between lines 11 and 12, insert

"SEC. 2. Section 3 of said act is amended to read.

SEC. 3. The board shall [convene within 30 days after the appointment of its members, and shall] organize by the election of a president, and a vice-president to be chosen from the members of the board, and a secretary, who may, but need not be a member of the board. The board shall fix the salary of the secretary, with the approval of the Director of Finance. Thereafter elections of officers shall occur annually at the January meeting of the board. A majority of the board shall constitute a quorum.

It shall require the affirmative vote of [three] *four* members of said board to carry any motion or resolution, to adopt any rule, or to authorize the issuance of any license provided for in this act. The secretary shall receive a salary to be fixed by the board, together with his actual and necessary traveling expenses incurred in connection with the performance of the duties of his office, and shall give bond to the State in such sum with such sureties as the board may deem proper. He shall keep a record of the proceedings of the board, which shall at times during business hours be open to the public for inspection. He shall keep a true and accurate account of all funds received and of all expenditures incurred or authorized by the board, and on the first

day of December of each year he shall file with the Governor a report of all receipts and disbursements and of the proceedings of the board for the preceding fiscal year.

SEC. 3. Section 8 of said act is hereby repealed

SEC. 4. Section 10 of said act is amended to read:

Sec. 10. (a) The board shall refuse to grant, or may suspend or revoke, a license to practice chiropractic in this State upon any of the grounds, to wit. The employment of fraud or deception in applying for a license or in passing an examination as provided in this act; the practice of chiropractic under a false or assumed name; or the personation of another practitioner of like or different name; the conviction of a crime involving moral turpitude; habitual intemperance in the use of ardent spirits, narcotics or stimulants to such an extent as to incapacitate him for the performance of his professional duties; the advertising of any means whereby the monthly periods of women can be regulated or the menses reestablished if suppressed; or the advertising, directly, indirectly or in substance, upon any card, sign, newspaper advertisement, or other written or printed sign or advertisement, that the holder of such license or any other person, company or association by which he or she is employed, or in whose services he or she is, will treat, cure, or attempt to treat or cure, any venereal disease, or will treat or cure, or attempt to treat or cure, any person afflicted with any sexual disease, for lost manhood, sexual weakness or sexual disorder or any disease of the sexual organs; or being employed by, or being in the service of any person, company or association so advertising [.] *; or any other act which constitutes unprofessional conduct.* The proceedings for the refusal to grant, *suspend or revoke* [suspension or revocation of] a license upon any of the foregoing grounds shall be conducted in accordance with Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code as it now reads or as it may be hereafter amended by the Legislature, and the board shall have all the powers granted therein. The secretary on all cases of revocation shall enter on his register the fact of such revocation, and shall certify the fact of such revocation under the seal of the board to the county clerk of the counties in which the certificates of the person whose certificate has been revoked is recorded; and said clerk must thereupon write upon the margin or across the face of his register of the certificate of such person the following: "This certificate was revoked on the _____ day of _____," giving the day, month and year of such revocation in accordance with said certification to him by said secretary. The record of such revocation so made by said county clerk shall be prima facie evidence of the fact thereof, and of the regularity of all proceedings of said board in the matter of said revocation.

(b) At any time after two years following the revocation or cancellation of a license or registration under this section, the board may, by a majority vote, reissue said license to the person affected, restoring him to, or conferring on him all the rights and privileges granted by his original license or certificate. Any person to whom such rights have been restored shall pay to the secretary the sum of twenty-five dollars ($25) upon the issuance of a new license.

SEC. 5 Section 10.5 is added to said act to read:

Sec. 10.5. The employing directly or indirectly of any suspended or unlicensed practitioner in the practice of any system or mode of treating the sick or afflicted, or the aiding or abetting of any unlicensed person to practice any system or mode of treating the sick or afflicted, constitutes unprofessional conduct within the meaning of this chapter.

Unprofessional conduct as used in this act is defined as follows:

(a) The procuring, aiding or abetting in the procuring of criminal abortion; the paying for steering patients into one's office; obtaining a fee on the assurance that a manifestly incurable disease can be made entirely well; the wilful betrayal of professional secrets of a patient to the detriment of such patient; chiropractic advertising which is untrue or misleading; conviction of any offense involving moral turpitude; wilful neglect of a patient in a critical condition.

SEC. 6. Section 12 of said act is amended to read:

Sec 12. Each person practicing chiropractic within this State shall, on or before the first day of January of each year, after a license is issued to him as herein provided, pay to said board of chiropractic examiners a renewal fee of not less than two dollars ($2) nor more than ten dollars ($10) as may be set by the board. The secretary shall, on or before November 1st of each year, mail to all licensed chiropractors in this State a notice that the renewal fee will be due on or before the first day of January next following. Nothing in this act shall be construed to require the receipts to be recorded in like manner as original licenses. The failure, neglect or refusal of any person holding a license or certificate to practice under this act in the State of California to pay said annual fee during the time his or her license remains in force shall, after a period of 60 days from the first day of January of each year, ipso facto, work a forfeiture of his or her license or certificate, and it shall not be restored except upon the written application therefor and the payment to the said board of a fee of [ten dollars ($10),] *twenty-five dollars ($25)*, except that such licentiate who fails, refuses or neglects to pay such annual tax within a period of 60 days after the first day of January of each year shall not be required to submit to an examination for the reissuance of such certificate.

Any licentiate serving in the Armed Forces of the United States shall be exempt from payment of the renewal fee during such period of service and for one year thereafter.

SEC. 7. Section 15 of said act is amended to read:

Sec. 15. Any person who shall practice or attempt to practice chiropractic, or any person who shall buy, sell or fraudulently obtain a license to practice chiropractic, whether recorded or not, or who shall use the title "chiropractor" or "D.C." or any word or title to induce, or tending to induce belief that he is engaged in the practice of chiropractic, without first complying with the provisions of this act; or any licensee under this act who uses the word "doctor" or the prefix "Dr." without the word "chiropractor," or "D.C." immediately following his name, or the use of the letters "M.D." or the words "doctor of medicine," or the term "surgeon," or the term "physician," or the word "osteopath," or the letters "D.O." or any other letters, prefixes or suffixes, the use of which would indicate that he or she was practicing a profession for which he held no license from the State of California, or any person who shall violate any of the provisions of this act, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than [fifty] *two hundred* dollars ($200) and not more than [two] *six* hundred dollars ($600), or by imprisonment in the county jail for not less than 30 days nor more than 90 days, or both.

Immediately after enactment of this measure, seventy-five percent (75%) of the fines imposed or forfeitures of bail collected shall be paid upon collection by the proper officer of the court to the Board of Chiropractic Examiners. Such payment to the board shall be made without placing the fine or forfeiture in any special, contingent, or general fund in any county, city, or township. The balance of twenty-five percent (25%) of such fines or forfeitures shall be paid to the county in which the fine or forfeiture is levied."

Amendment No. 6

On page 2, line 12, of said bill, strike out "SEC. 2. Section 1", and insert "SEC. 8. Sections 1 to 7, inclusive,".

Amendment No. 7

On page 2, line 15, of said bill, strike out "SEC. 3. Section 1", and insert "SEC. 9. Sections 1 to 7, inclusive,".

Amendment No. 8

On page 2, line 24, of said bill, strike out "Section 1", and insert "Sections 1 to 7, inclusive,".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

SECOND READING OF SENATE BILLS

Senate Bill No. 295—An act to amend Section 990 of the Fish and Game Code, relating to commercial fishing licenses.

Bill read second time, and ordered to third reading.

Senate Bill No. 1820—An act to amend Section 25 of the Fish and Game Code, relating to the leasing of property and the establishment of fish breederies or hatcheries and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 1822—An act to amend Sections 795.5, 796, 796.1, 796.2, and 796.5 of the Agricultural Code, relating to citrus fruits.

Bill read second time, and ordered to third reading.

Senate Bill No. 149—An act to amend Section 2791 of the Elections Code, relating to state conventions of political parties.

Bill read second time, and ordered to third reading.

Senate Bill No. 825—An act to amend Section 29026 of the Health and Safety Code, relating to hypnotic drugs.

Bill read second time, and ordered to third reading.

Senate Bill No. 298—An act to amend Section 1201.9 of the Fish and Game Code, relating to pheasant license tags.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 8, of the printed bill, after "pheasant", insert "while being transported and".

Amendment No. 2

On page 1, line 8, of said bill, strike out "immediate".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1198—An act to amend Section 205 of, and to add Chapter 3 to Division 2 of Part 7 of, the Labor Code, relating to labor contractors.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Senate on May 28, 1951, strike out "7", and insert "6".

Amendment No. 2

On page 2, line 1, of said bill, strike out "7", and insert "6".

Amendment No. 3

On page 2, line 47, of said bill, strike out "Commission", and insert "Commissioner".

Amendment No. 4

On page 3, line 9, of said bill, strike out "Commission", and insert "Commissioner".

Amendments read, and adopted

Bill ordered reprinted, and to third reading.

Senate Bill No. 954—An act to add Section 1508 to the Welfare and Institutions Code, relating to aid to needy children, in respect to the obligations of step-fathers to support needy children.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1, line 19, of the printed bill, as amended in the Assembly on May 31, 1951, after the period, insert "Aid shall not be withheld from any child because of the failure of a stepfather to contribute to his support."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 520—An act to amend Sections 28385, 28386, 28400, 28412, 28413, 28414, 28415, 28416 and 28434, of the Health and Safety Code, relating to canneries.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 5 of the title of the printed bill, as amended in the Senate on May 24, 1951, strike out ", of", and insert "of, and to add Section 28403 to,".

Amendment No. 2

On page 2, line 40, of said bill, strike out "prorating the direct cost as", and insert "all other procedures".

Amendment No. 3

On page 2, lines 42 and 43, of said bill, strike out "secure the amount of direct costs by assessing", and insert "assess".

Amendment No. 4

On page 2, line 44, of said bill, after "chapter," insert "for the number of man hours necessary to be employed, at".

Amendment No. 5

On page 2 of said bill, strike out line 45, and insert "estimated direct cost."

Amendment No. 6

On page 2 of said bill, after line 45, insert

"SEC. 3.5 Section 28403 is added to said code to read:

28403. One-half the license fees required under Section 28411 shall be used to reduce the charges to the licensees in the manner determined by the Cannery Inspection Board with the approval of the state board."

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Public Health.

UNFINISHED BUSINESS

REQUEST FOR UNANIMOUS CONSENT THAT CONFERENCE REPORT CONCERNING ASSEMBLY BILL NO. 99 BE PRINTED IN JOURNAL

Mr. McCollister asked for, and was granted, unanimous consent that the report of the Committee on Conference concerning Assembly Bill No. 99 be ordered printed in the Journal, without action, at this time.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, read, and ordered printed in the Journal without action, at this time:

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 99—An act to amend Section 6.11 of the Alcoholic Beverage Control Act, relating to organizations, associations and clubs, and providing for the issuance of on-sale general licenses thereto

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on May 3, 1951, strike out lines 18 to 21, inclusive; strike out page 2; and on page 3, strike out lines 1 to 22, inclusive, and insert

"(c) A nonprofit corporation or association which has been in existence for not less than one year, and which, during such period of time and thereafter, is the owner, lessee or occupant of an establishment that is operated and maintained for club purposes, but not for pecuniary gain, admission to which is restricted to members and their bona fide guests, and which, during such period of time and thereafter, has at least 100 bona fide members who are required to pay regular membership dues amounting to not less than twelve dollars ($12) a year."

Amendment No. 2

On page 3, line 42, of said bill, strike out "1947", and insert "1951".

BURNS	McCOLLISTER
WAY	DOYLE
	LYON
Senate Committee on Conference	Assembly Committee on Conference

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1951

MR. SPEAKER: The Committee on Conference concerning:

Senate Bill No. 789—An act to add Section 2838 5 to the Elections Code, relating to county central committees.

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 1, line 23, of the printed bill, as amended in the Assembly on April 24, 1951, after the period, insert "This section shall apply only to the county central committees of those parties with which more than 2,500,000 voters were registered as being affiliated for the next preceding gubernatorial election."

BURNS	LYON
DILWORTH	BRADY
REGAN	McCOLLISTER
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report refused adoption by the following vote:

AYES—Evans, Gaffney, Lowrey, Munnell, Smith, and Waters—6.

NOES—Beck, Belotti, Berry, Burke, Burkhalter, Chapel, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Grunsky, Gubser, Hahn, Hawkins, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Shaw, Silliman, Stanley, Stewart, Tomlinson, and Mr. Speaker—51

Appointment of Second Committee on Conference Concerning Senate Bill No. 789

The Speaker announced the appointment of Messrs. Waters, Babbage, and Maloney as a Second Committee on Conference concerning Senate Bill No. 789.

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 2730—An act to add Section 20631 to the Government Code, relating to the State Employees' Retirement System in respect to withdrawal of additional contributions.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 2730 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.

NOES—Babbage, Beck, Belotti, Berry, Burke, Caldecott, Chapel, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—62

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 72—An act to amend Sections 985.5, 986.3, and 986.5 of the Military and Veterans Code, relating to the purchase of farms and homes by veterans.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 72?

Amendment No. 1

On page 1, line 8, of the printed bill, as amended in the Assembly on March 21, 1951, strike out "eleven thousand dollars ($11,000)", and insert "eleven thousand five hundred dollars ($11,500)".

Amendment No. 2

On page 2, line 29, of said bill, as amended, strike out "eleven thousand dollars ($11,000)", and insert "eleven thousand five hundred dollars ($11,500)".

Amendment No. 3

On page 2, line 45, of said bill, as amended, strike out "eleven thousand dollars ($11,000)", and insert "eleven thousand five hundred dollars ($11,500)".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 72 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burkhalter, Chapel, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Thomas, and Waters—58.

NOES—None.

Assembly Bill No. 72 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 188

Mr. Stanley asked for, and was granted, unanimous consent to take up the consideration of Senate amendments to Assembly Bill No. 188, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 188—An act to amend Section 925 of the Fish and Game Code, relating to purse and round haul nets.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lanterman, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—64.

NOES—None.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 188?

Amendment No. 1

On page 1, line 7, of the printed bill, as amended, after "County", insert "from sunrise Saturday to sunset Sunday".

Amendment No. 2

On page 1, line 8, of said bill, as amended, after the period, insert

"Purse seine or ring nets may not be used from May 1st to September 10th, inclusive in the following portions of District 19:

(a) Within a two-mile radius of Dana Point.

(b) Within a two-mile radius of San Mateo Point.

(c) Within two miles off shore from the line of the high water mark along that portion of the coast of Orange County lying between the northernmost bank of the mouth of the Santa Ana River and a point on said coast six miles south therefrom."

Amendment No. 3

In line 2 of the title of the printed bill, as amended in the Assembly on May 2, 1951, after "nets", insert "and declaring the urgency thereof, to take effect immediately".

Amendment No. 4

On page 1 of said bill, as amended, following line 8, Section 2 is added, to read:

"SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Orange County coast line, containing some 35 miles of coastal frontage, contains two harbors and many piers from which commercial and sport fishing boats operate, largest of said harbors being Newport Harbor, which, alone, has in excess of 4,000 boats. Most of these boats fish either commercially or for sport fishing. The economic value of these boats, plus the employment they afford are a tremendous asset to the economic well-being of the County of Orange and the State of California.

Many fish which were formerly plentiful in this area have now been seriously depleted, due primarily to purse seining. The spawning season for most species of these fish is between May 1st and September 10th.

It is therefore necessary that this act go into immediate effect as a conservation measure for protection of both commercial and sport fishing."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 188 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lanterman, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—64.

NOES—None.

Assembly Bill No. 188 ordered enrolled.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 287—An act to add Sections 9510.1 and 9598.5 to the Business and Professions Code, relating to advertising in the dry cleaning industry.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 287?

Amendment No. 1

On page 1, line 18, of the printed bill, after "misleading", insert ", or which violates the provisions of Section 17500 to the Business and Professions Code".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 287 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stewart, Thomas, Waters, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 287 ordered enrolled.

Assembly Bill No. 462—An act to amend Section 426 of the Education Code, relating to county school superintendents' salaries in counties of the twenty-sixth class.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 462?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 9, 1951, strike out "426", and insert "425".

Amendment No. 2

In line 3 of the title of said bill, as amended, strike out "twenty-sixth", and insert "twenty-fifth".

Amendment No. 3

On page 1, line 1, of said bill, as amended, strike out "426", and insert "425".

Amendment No. 4

On page 1, line 3, of said bill, as amended, strike out "426", and insert "425".

Amendment No. 5

On page 1, line 4, of said bill, as amended, strike out "twenty-sixth", and insert "twenty-fifth".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 462 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Thomas, Waters, and Mr. Speaker—61.

NOES—None

Assembly Bill No. 462 ordered enrolled.

Assembly Bill No. 467—An act to amend Sections 20344 and 20344.1 of the Education Code, relating to the support of the public schools.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 467?

Amendment No. 1

On page 2 of the printed bill, after line 9, insert

"SEC. 4. Section 2 of this act shall not become operative if Chapter 1.5 is added to Division 10 of the Education Code by enactment of the Legislature at its 1951 Regular Session, and in such case, Section 2 of this act is repealed at the same time as said Chapter 1.5 of Division 10 of said code takes effect."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 467 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, and Waters—58.

NOES—None.

Assembly Bill No. 467 ordered enrolled.

Assembly Bill No. 1354—An act providing for the constitution of the municipal court in a district embracing the City of Stockton, and prescribing the number and compensation of the judges, officers and attaches thereof.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1354?

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on May 1, 1951, strike out line 35, and insert "Ten deputies (custodians) at the fee allowed by law".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1354 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—64.

NOES—None.

Assembly Bill No. 1354 ordered enrolled.

Assembly Bill No. 1355—An act providing for the constitution of the municipal court in a district embracing the City of Hayward, and prescribing the number and compensation of the judges, officers and attaches thereof.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1355?

Amendment No. 1

Strike out line 2 of the title of the printed bill, as amended in the Assembly on May 1, 1951, and insert "in a municipal court district to be known as the San Leandro-Hayward Municipal Court District consisting of all of Eden Township, County of Alameda, and prescrib-".

Amendment No. 2

On page 1, of said bill, as amended, strike out "district" on line 1; and strike out line 2, and insert "municipal court district to be known as the San Leandro-Hayward Municipal Court District embracing all of Eden Township, County of Alameda, as said township existed on May 20, 1951, shall be constituted, and the".

Amendment No. 3

On page 1, lines 11 and 12, of the printed bill, as amended in the Senate May 23, 1951, strike out "five hundred dollars ($500)", and insert "four hundred fifty dollars ($450)".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1355 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—60.

NOES—None.

Assembly Bill No. 1355 ordered enrolled.

Assembly Bill No. 1359—An act providing for the constitution of the municipal court in a district embracing the City of Alameda, and prescribing the number and compensation of the judges, officers and attaches thereof.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1359?

Amendment No. 1

On page 1, lines 11 and 12, of the printed bill, as amended in the Assembly on May 1, 1951, strike out "five hundred dollars ($500)", and insert "four hundred fifty dollars ($450)".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1359 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—61.

NOES—None.

Assembly Bill No. 1359 ordered enrolled.

Assembly Bill No. 1373—An act providing for the constitution of the municipal court in a district embracing the City of San Jose, and prescribing the number and compensation of the judges, officers and attaches thereof.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1373?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on May 1, 1951, strike out "City of", and insert "Cities of Alviso and".

Amendment No. 2

On page 1, line 2, of said bill, as amended, strike out "City of San Jose", and insert "Cities of Alviso and San Jose known and designated as the Alviso-San Jose District".

Amendment No. 3

On page 1 of said bill, as amended, strike out lines 12 to 15, inclusive, and insert "salary of three hundred sixty dollars ($360) monthly with annual increments of twenty-six dollars ($26), twenty-seven dollars ($27), twenty-seven dollars ($27), and twenty-seven dollars ($27) to a maximum of four hundred sixty-seven dollars ($467) monthly;".

Amendment No. 4

On page 1 of said bill, as amended, strike out lines 18 to 22, inclusive, and insert "receive a minimum salary of two hundred sixty-five dollars ($265) monthly with annual increments of twenty-two dollars ($22), twenty-two dollars ($22), twenty-two dollars ($22), and twenty-two dollars ($22) to a maximum of three hundred fifty-three dollars ($353) monthly;".

Amendment No. 5

On page 1 of said bill, as amended, strike out lines 24 and 25; and on page 2, strike out lines 1 and 2, and insert "minimum salary of one hundred ninety-five dollars ($195) monthly with annual increments of twenty-one dollars ($21), seventeen dollars ($17), seventeen dollars ($17), and seventeen dollars ($17) to a maximum of two hundred sixty-seven dollars ($267) monthly;".

Amendment No. 6

On page 2 of said bill, as amended, strike out lines 4 to 7, inclusive, and insert "salary of three hundred twenty-five dollars ($325) monthly with annual increments of twenty-five dollars ($25), twenty-five dollars ($25), twenty-five dollars ($25), and twenty-five dollars ($25) to a maximum of four hundred twenty-five dollars ($425) monthly;".

Amendment No. 7

On page 2 of said bill, as amended, strike out lines 9 to 13, inclusive, and insert "receive a minimum salary of two hundred fifty dollars ($250) monthly with annual increments of twenty-one dollars ($21), twenty-one dollars ($21), twenty-one dollars ($21), and twenty-two dollars ($22) to a maximum of three hundred thirty-five dollars ($335) monthly;".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1373 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick,

Klocksiem, Lanterman, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—64.

NOES—None.

Assembly Bill No. 1373 ordered enrolled.

Assembly Bill No. 1382—An act providing for the constitution of the municipal courts in districts in Santa Cruz County, and prescribing the number and compensation of the judges, officers and attaches thereof.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1382?

Amendment No. 1

On page 1, line 8, of the printed bill, as amended in the Assembly on May 1, 1951, strike out "ten thousand dollars ($10,000)", and insert "nine thousand dollars ($9,000)".

Amendment No. 2

On page 1, line 5, of the printed bill, as amended in the Senate on May 23, 1951, strike out "nine thousand dollars ($9,000)", and insert "eight thousand dollars ($8,000)".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1382 by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burkhalter, Chapel, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dolwig, Doyle, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hinckley, Kelly, Klocksiem, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Meyers, Moss, Porter, Shaw, Smith, Thomas, Tomlinson, and Mr. Speaker—42.

NOES—Beck, Cooke, Dunn, Elliott, Munnell, Stewart, and Waters—7.

Assembly Bill No. 1382 ordered enrolled.

Assembly Bill No. 1492—An act to amend Section 1015.5 of the Fish and Game Code, relating to fish, and providing for a privilege tax in relation thereto to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1492?

Amendment No. 1

On page 2 of the printed bill as amended in the Assembly on March 22, 1951, between lines 5 and 6, insert

"SEC. 2. Nothing contained in this act shall be construed to affect the collection of taxes levied or collectible under the provisions of Section 1015.5 of the Fish and Game Code prior to the effective date of this act, and such taxes shall remain fully collectible."

Amendment No. 2

On page 2, line 6, of said bill, as amended, strike out "2.", and insert "3."

Amendment No. 3

On page 1, line 9, of the printed bill, as amended in the Senate on April 18, 1951, strike out "commission", and insert "department".

Amendment No. 4

On page 1, lines 14 and 15, of said bill, as amended, strike out "Division of Fish and Game", and insert "Department".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1492 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson,

Hinckley, Kelly, Kilpatrick, Klocksiem, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—64.

NOES—None.

Assembly Bill No. 1492 ordered enrolled.

Assembly Bill No. 1517—An act to amend Sections 13020, 13040, 13052, 13054, 13055, and 13064 of, and to add Section 13026 to, the Water Code, relating to the control of water pollution.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1517?

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, as amended in the Assembly on April 9, 1951, strike out ", and to add Section 13026 to,".

Amendment No. 2

On page 2 of said bill, as amended, strike out lines 8 to 13, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1517 by the following vote:

AYES—Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 1517 ordered enrolled.

Assembly Bill No. 1775—An act to amend Section 4 of "An act providing for the division of counties into judicial districts and for the determination of the population of said districts, and repealing Sections 27800, 27801, 27802, and 27803 of the Government Code" approved July 27, 1949, relating to judicial districts.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1775?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 10, 1951, strike out lines 16 to 18, inclusive.

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1775 by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—63.

NOES—None.

Assembly Bill No. 1775 ordered enrolled.

Assembly Bill No. 1892—An act to amend Sections 1593, 2561, 2802, and 2833 of, and to add Sections 2561.1, 2802.1, and 2833.1 to the Education Code, relating to the formation of school districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1892?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 20, 1951, after line 25, insert

"(1) The calling and conducting of elections for the assumption of bonded indebtedness."

Amendment No. 2

On page 2, lines 17 and 18, of said bill, as amended, strike out ", or union elementary school districts, or both", and insert "of any kind or class".

Amendment No. 3

On page 2 of said bill, as amended, strike out all of lines 26 to 29, inclusive, and insert "tioning. The superintendent of".

Amendment No. 4

On page 2 of said bill, as amended, beginning in line 42, strike out "or any combination thereof,"

Amendment No. 5

On page 2, line 51, of said bill, as amended, strike out "Nothing"; and strike out all of line 52; and on page 3 of said bill, strike out lines 1 to 6, inclusive; and in line 7, strike out "school districts."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1892 by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—64.
NOES—None.

Assembly Bill No. 1892 ordered enrolled.

Assembly Bill No. 2453—An act to amend Section 1295 of the Penal Code, relating to bail and deposits instead of bail.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2453?

Amendment No. 1

On page 1, line 16, of the printed bill, after "court.", insert "Authority to accept such surety bond shall include the authority to approve the same in accordance with instructions for the receipt, approval and transmittal of such bond previously issued by the presiding magistrate of the court having jurisdiction in the area in which such jail is situated."

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "said code", and insert "the Penal Code".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2453 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Condon, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan,

Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 2453 ordered enrolled.

Assembly Bill No. 2665—An act to amend Section 5699 of the Elections Code, relating to casting of ballots.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2665?

Amendment No. 1

In line 13 of the printed bill, as amended in the Assembly on May 3, 1951, strike out the period, and insert "provided, however, that if two hours shall be inadequate for travel between the voter's polling place and his place of employment, then such additional time as is necessary, not to exceed one-half hour, shall be granted by the employer."

Amendment No. 2

In line 21 of said bill, as amended, strike out "two days prior thereto.", and insert "three working days prior thereto."

The roll was called, and the Assembly concurred in Senate amendments to Asembly Bill No. 2665 by the following vote:

AYES—Babbage, Belotti, Brown, Caldecott, Chapel, Cloyed, Collier, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Dunn, Erwin, Fleury, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Lipscomb, Lyon, McCarthy, McCollister, McGee, Morris, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—43.

NOES—Beck, Berry, Burkhalter, George D. Collins, Condon, Cooke, Davis, Elliott, Gaffney, Hagen, Hawkins, Henderson, Kilpatrick, Lowrey, Luckel, Maloney, McFall, McMillan, Meyers, Moss, Munnell, and Parker—22.

Assembly Bill No. 2665 ordered enrolled.

Assembly Bill No. 2929—An act to amend Sections 4663, 4911.1, 4912, and 4912.2 of, and to add Section 4663.1 to, the Education Code, relating to school districts, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2929?

Amendment No. 1

On page 2, line 49, of the printed bill, as amended in the Assembly on May 25, 1951, after the first "the", insert "registered".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2929 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Klocksiem, Lanterman, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rumford, Smith, Stanley, Stewart, Waters, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 2929 ordered enrolled.

Assembly Bill No. 3392—An act to amend Section 117j of the Code of Civil Procedure, relating to small claims.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 3392?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 7, 1951, strike out line 5; and in line 6, strike out "of judgment against him," and insert "days of

notice of entry of judgment against him, delivered to him in person or by mail to his last known address,".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 3392 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Conrad, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rumford, Silliman, Smith, Stanley, Waters, and Mr. Speaker—55.

NOES—None.

Assembly Bill No. 3392 ordered enrolled.

Assembly Bill No. 625—An act to add Section 101.5 to the Labor Code, relating to filing fees.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 625?

Amendment No. 1

On page 1, line 5, of the printed bill, after "division.", insert "The amount ordinarily charged for such filing or recording shall be made a part of any judgment recovered by the division and shall be paid by the division if sufficient money is collected over and above the wages or demands actually due the claimants."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No 625 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Condon, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Hagen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lipscomb, Lowrey, Luckel, Maloney, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—56.

NOES—None.

Assembly Bill No. 625 ordered enrolled.

Assembly Bill No. 1051—An act to add Article 1, comprising Sections 1181, 1182, 1183.1, 1184.1, 1185.1, 1186.1, 1187.1, 1188.1, and 1189.1, Article 2, comprising Sections 1190.1, 1191.1, and 1192.1, Article 3, comprising Sections 1193.1, 1194.1, and 1195.1, and Article 4, comprising Sections 1196.1, 1197.1, 1198.1, 1199.1 1199.2, 1200, 1200.1, 1201.1, and 1202.1, to Chapter 2, Title 4, Part 3 of the Code of Civil Procedure; to add Sections 3060 to the Civil Code; to repeal Sections 1183, 1184, 1184a, 1184b, 1184c, 1184d, 1184e, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1191a, 1191b, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1201, 1202, and 1203 of said code; and to add Section 5463 to the Health and Safety Code; to consolidate and clarify the law relating to mechanics' liens.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1051?

Amendment No. 1

In line 6 of the title of the printed bill, as amended in the Assembly on April 12, 1951, strike out "and 1202.1", and insert "1202.1, and 1203.1".

Amendment No. 2

In line 12 of the title of said bill, as amended, strike out "said code", and insert "the Code of Civil Procedure".

Amendment No. 3

On page 1, line 8, of said bill, as amended, strike out "laborers and persons"; and insert "persons and laborers".

Amendment No. 4

On page 2, line 4, of said bill, as amended, strike out "equipment,".

Amendment No. 5

On page 2, line 41, of said bill, as amended, strike out the second comma.

Amendment No. 6

On page 3, line 10, of said bill, as amended, strike out "any of the preceding sections of this chapter", and insert "this chapter or in Section 3060 of the Civil Code or in Section 5463 of the Health and Safety Code".

Amendment No. 7

On page 5, line 43, of said bill, as amended, strike out "lienholder", and insert "lien claimant".

Amendment No. 8

On page 5, line 45, of said bill, as amended, strike out "lienholder or".

Amendment No. 9

On page 5, line 46, of said bill, as amended, after "which", insert "he".

Amendment No. 10

On page 6, line 44, of said bill, as amended, strike out "this", and insert "that".

Amendment No. 11

On page 9, line 5, of said bill, as amended, after "with", insert "the consent of".

Amendment No. 12

On page 11, line 13, of said bill, as amended, after "may", insert "file for".

Amendment No. 13

On page 12, line 19, of said bill, as amended, strike out "equipment", and insert "appliances".

Amendment No. 14

On page 13, line 11, of said bill, as amended, strike out "units", and insert "unit".

Amendment No. 15

On page 15, line 11, of said bill, as amended, strike out "first acquiring jurisdiction".

Amendment No. 16

On page 16, line 9, of said bill, as amended, strike out "materialmen", and insert "materialman".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1051 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sullivan, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 1051 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT THAT OPINION OF LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Mr. McGee asked for, and was granted, unanimous consent that an opinion of the Legislative Counsel, relative to liens of mechanics and others, be ordered printed in the Journal, in 10 point type, as follows:

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, June 1, 1951

Honorable Patrick D. McGee
Assembly Chamber

Liens of Mechanics and Others—No. 8622

DEAR MR. MCGEE: You have asked that we compare the provisions of Assembly Bill No. 1051, as amended May 31, 1951, with the existing law relating to liens of mechanics and others to determine what, if any, changes would be made in such provisions if Assembly Bill No. 1051 is enacted, and have submitted a schedule indicating the source of the provisions in Assembly Bill No. 1051 and the differences between such provisions and the existing law for our verification.

We have made a detailed comparison of the provisions of Assembly Bill No. 1051 with the existing law, and have found that this bill would rearrange and reenact the existing law to improve clarity of expression and grammatical construction without substantive change.

The fact that Section 5 of the bill expresses the intent of the Legislature in enacting such bill, to accomplish a formal revision of the law without change in the meaning or substance thereof, would resolve any question of interpretation or construction which might arise by reason of the revision. The courts have consistently relied upon the express declaration of the intent of the Legislature, contained in a statute, as a guide to its interpretation and construction. Similar revisions and restatements of existing law, prepared by the California Code Commission, have been before the courts of this State, and have been construed as a restatement and continuation of existing law. (See *Sandstrom* vs. *Cal. Horse Racing Board* (1948), 31 Cal. 2d 401, 413; *So. Cal. Jockey Club* vs. *Cal. etc. Racing Bd.* (1950), 36 Adv. Cal. 107, 113.)

It is our opinion, therefore, that the provisions of Section 5 of the bill would avoid the effect of any unintentional changes which might arise by reason of the revision, and would require that the provisions of the bill be construed as a restatement and continuation of the existing law.

The attached memorandum contains the text of the schedule which you submitted, revised in accordance with our findings.

Very truly yours,
RALPH N. KLEPS
Legislative Counsel
By BERNARD CZESLA, Deputy

Assembly Bill No. 1051
Cross Reference Tables and Notes

Assembly Bill No. 1051, as amended May 31, 1951, repeals the existing provisions of the Code of Civil Procedure relating to mechanics' liens and would adopt new sections consolidating and clarifying the existing statutory provisions by the elimination of duplication, where possible, and breaking long, complicated sentences into shorter statements. The act also regroups the various provisions so that related matters are together.

The act, with the exceptions noted, uses language identical with existing provisions, and does not make any material change in existing substantive law. The proposed sections are identical with or differ from existing provisions, as follows:

Proposed Section:	*Sources and Differences, If Any:*
1181	First paragraph of Section 1183 except last clause of that paragraph. Miners omitted from list of persons entitled to a lien. (Miners' lien is separately provided for in new Section 3060, added to the Civil Code by Section 2 of the bill). For clarity the word "*on*" was added to the phrase "bestowing skill or other necessary services." Term "teams *and* power" changed to "teams *or* power." New section uses the term "work of improvement" and omits enumeration wharf, bridge, etc., which is covered by a later section defining work of improvement. Term "labor done *and* materials furnished" changed to "labor done *or* materials furnished." To the phrase "shall have a lien upon the property upon which they bestowed labor or furnished materials" added "or appliances," for the reason the next clause provided, in part, that the lien was measured by the value of the use of "such appliances." For clarity the phrase "whether at the instance of the owner" was changed to read "whether *done or furnished* at the instance of the owner." The unnecessary word "other" omitted from the phrase "instance of the owner or of any *other* person acting by his authority." In this section the punctuation has been changed to set off paranthetical matter by commas, and to place a comma before the connecting word joining the last item with other items enumerated in a series. The two changes of "and" to "or" is a recognition of the present rule that liens arise for teams furnished *or* any other kind of power, and labor done either separately or in connection with furnishing materials.
1182 (a)	Definition of "work of improvement" and is a restatement of the portions omitted in the new Section 1181 from present Section 1183 as noted above, and covers the identical matters, in a brief direct statement.
1182 (b)	Definition of work of improvement to mean entire scheme and identical with first clause of the last paragraph of Section 1187.

Proposed Section:	*Sources and Differences, If Any:*
1182 (c)	Definition of "agent of owner" taken from last clause of the first paragraph of Section 1183, and the second paragraph of Section 1191 (a). Term "work of improvement" used in place of "improvement", no change as definitions identical.
1183.1 (a)	Identical with Section 1185, except the reference to Section 1192 is corrected to refer to Section 1183.1 (b).
1183.1 (b)	Identical with Section 1192 except references changed to refer to new sections.
1184.1	Identical with first clause of first paragraph of 1191 (a).
1185.1 (a)	First sentence of the third paragraph of Section 1183. This one long sentence is broken down into three separate sentences, and as a result some grammatical changes are made, but no change made in the substance of the original text.
1185.1 (b)	Second sentence of the third paragraph of Section 1183. Unnecessary punctuation omitted. Term "such original contract" was properly changed to "an original contract" as original contract is not defined in this section. Term "giving of such actual notice" changed to "giving of actual notice of the provisions" to show what the notice covered.
1185.1 (c)	From third sentence of the third paragraph of Section 1183. Phrase "which bond shall *be* in addition to * * * be also conditioned" changed to omit the first "*be*" which is unnecessary. The word "*so*" was omitted from the phrase "be made to inure * * * *so* as to give such persons a right of action". In addition punctuation changed by omitting unnecessary commas, and adding commas preceding the connecting word of items stated in series.
1185.1 (d)	Identical with last paragraph of Section 1183.
1186.1 (a)	Identical with first clause of Section 1193.
1186.1 (b)	From remaining portions of Section 1193 except last sentence. The only changes resulted from breaking the matters into two sentences, but using identical phraseology.
1186.1 (c)	Identical with the last sentence of Section 1193.
1187.1	Identical with Section 1201.
1188.1	From Section 1186. The exception added by the phrase "except as otherwise in this article provided" merely recognizes the statutory exceptions in the code, e g. 1191 (c). The term "lienholder" changed to "lien claimant", a more accurate description. The last two lines are rephrased, to include "appliances or power" and to change "improvement with which" to "improvement on which".
1189.1 (a)	Identical with Section 1191 (b) except "this section" changed to "that section" to properly refer to new section 1184.1.
1189.1 (b)	From Section 1191 (c), except last two sentences which are covered by Section 1200.1 (f). The only changes being the elimination of unnecessary commas and correcting references to other sections.

Proposed Section:	*Sources and Differences, If Any:*
1190.1 (a)	From first sentence of Section 1184. The only changes being the elimination of unnecessary commas, and correcting references to other sections to state the new numbers.
1190.1 (b)	From the second, third and fourth sentences of Section 1184. In the new section State and the names of the various agencies were capitalized.
1190.1 (c)	From the last sentence of the first paragraph of Section 1184. The only change being the elimination of an unnecessary comma.
1190.1 (d)	Identical with Section 1184 b, except the elimination of an unnecessary comma.
1190.1 (e)	Combines the provision of Section 1184 c, forfeiture of right to participate in distribution, and first sentence of Section 1202, forfeiture of lien.
1190.1 (f)	From balance of Section 1184 c. Corrects cross-references to other sections and acts. The term "surety or sureties on his bond" shortened to "his sureties".
1190.1 (g)	Identical with last paragraph of Section 1184, except for capitalizing "State".
1191.1	From Section 1184 d. References to other sections corrected to show new numbers. The long phrase "controller, auditor or other public disbursing officer * * * commissioner, managers, trustees, officers, board of supervisors, board of trustees, common council or other body" was shortened, as had had been done in that and other sections, to "public agency, body, or officer".
1192.1 (a)	From Section 1184 e. Corrects cross-reference to new section numbers and uses the short phrase "public agency, body or officer".
1192.1 (b)	Second paragraph of Section 1184 e. Corrects reference to new section numbers, and the word "and" added where formerly no connecting word used when enumerating items in series.
1192.1 (c)	Third paragraph of Section 1184 e. Corrects references to new section numbers.
1192.1 (d)	Fourth paragraph of Section 1184 e. No change.
1192.1 (e)	Fifth paragraph of Section 1184 e. No change.
1192.1 (f)	Sixth paragraph of Section 1184 e, a comma being inserted prior to the connecting word of items listed in series.
1193.1 (a)	First paragraph of Section 1187. No change.
1193.1 (b)	Second paragraph of Section 1187. No change.
1193.1 (c)	Third paragraph of Section 1187 except provision relating to fee for recording covered by new Section 1203.1.
1193.1 (d)	Fourth paragraph of Section 1187. No change.
1193.1 (e)	Fifth paragraph of Section 1187. No change.

Proposed Section:	*Sources and Differences, If Any:*
1193.1 (f)	Last clause of first paragraph of Section 1191 (a) rephrased to make a complete sentence.
1193.1 (g)	Last sentence of Section 1202. The word "appliances" is added.
1194.1 (a)	From Section 1188 except two proviso's covered by new Section 1194.1 (b). Commas were added to set off parenthetical matter and to separate items listed in series.
1194.1 (b)	The two proviso's of 1188 (See above). No change.
1195.1	Last paragraph of Section 1187. Rephrased for grammatical reasons, but covering identical matters. Cross reference corrected.
1196.1	Section 1203. No change.
1197 1 (a)	First two sentences of Section 1184 a. Changes "any *such* claim" to "any claim", and adds cross reference to identify claim.
1197.1 (b)	Third sentence of Section 1184 a, corrects cross-reference to new section numbers.
1197.1 (c)	Fourth sentence of Section 1184 a. No change.
1197.1 (d)	Fifth sentence of Section 1184 a. No change.
1198.1 (a)	From first paragraph of Section 1190. Phrase "except as hereinafter provided" added, to recognize the existing exception in the statute. The provisions relating to the lien period have been rephrased to clarify provisions.
1198 1 (b)	Second paragraph of Section 1190. No change.
1199.1	Section 1195. Provision relating to costs rephrased to clarify provision and improve grammatical construction.
1199.2	Section 1194. No change.
1200.	From Section 1197. Omits unnecessary comma in "execution ; therefor".
1200.1 (a)	A rephrasing of the third sentence of the third paragraph of Section 1183 and the third sentence of 1191 (c).
1200.1 (b)	Last sentence of the third paragraph of Section 1183. No change.
1200.1 (c)	From fourth paragraph of Section 1183. Changes cross-reference to refer to new section numbers.
1200.1 (d)	From fifth paragraph of Section 1183 except the last sentence of that paragraph. No change
1200.1 (e)	Last sentence of the fifth paragraph of Section 1183. No change
1200.1 (f)	From the last sentence of Section 1191 (c). Reworded without changing substantive matter.
1201.1 (a)	Section 1198. No change.
1201.1 (b)	From Section 1199. No change.
1202.1	Section 1196. No change.

Proposed Section:	*Sources and Differences, If Any:*
1203.1	Covers fees of the county recorder originally the last sentence of the third paragraph of Section 1187. There has been added a statement of the duties of the recorder, consistent with the existing provisions prescribed by Sections 1169 to 1172, incl., of the Civil Code, and Chapter 6 of Part 3, Division 1, Title 3 of the Government Code.
3060, Civil Code	From second paragraph of Section 1183. The placing of this section in the Civil Code required the addition of the manner of enforcement, presently contained in Section 1198.
5463, Health and Safety Code	From Section 1191 a and Section 1191 b. A shorter and more direct re-statement of such provisions without change in any substantive law.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1293—An act to add Section 189.7 to the Code of Civil Procedure, relating to destruction of court and other public records.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1293?

Amendment No. 1

On page 1 of the printed bill, strike out lines 9 to 15, inclusive, and insert

"(1) Ten years have elapsed since the date of the filing of the first paper in such action or proceeding and 10 years have elapsed since the filing of any other paper therein and the records of the county clerk do not show that the action or proceeding is pending on appeal in any court, except that transcripts of coroner's inquests, depositions and transcripts of preliminary hearings may be destroyed, as herein provided, when five years have elapsed since the filing thereof in the office of the county clerk and the action or proceeding in which they were filed is not pending or on appeal in any court; and".

Amendment No. 2

On page 1, line 21, of the printed bill, as amended in the Senate on June 1, 1951, after "and", insert "when the written consent of the district attorney is first obtained".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1293 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Grant, Hagen, Hahn, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Thomas, Waters, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 1293 ordered enrolled.

Assembly Bill No. 1819—An act to amend Section 1241 of the Civil Code, relating to homesteads.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1819?

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "for", and insert "or",

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1819 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kloeksiem, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—60

NOES—None.

Assembly Bill No. 1819 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 370

Mr. George D. Collins asked for, and was granted, unanimous consent to take up the consideration of Senate amendment to Assembly Bill No. 370, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 370—An act to add Section 360.5 to the Code of Civil Procedure, relating to statutes of limitations.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 370?

Amendment No. 1

On page 1, line 12, of the printed bill, as amended in the Assembly on May 7, 1951, after "title", insert ", but such waiver may be renewed for a further period of not exceeding four years upon the expiration of the immediately preceding waiver. Such waivers may be made successively."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 370 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kloeksiem, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 370 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 3017

Mr. Silliman asked for, and was granted, unanimous consent to take up the consideration of Senate amendments to Assembly Bill No. 3017, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 3017—An act to add Article 5, to Chapter 5, Part 2, Division 3, Title 2, and to repeal Sections 16396 and 18002, of

the Government Code, relating to state employment, in respect to pay roll procedure.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3017?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 7, 1951, strike out all of lines 6 and 7, and insert

"12470. In conformity with the accounting system prescribed by the Department of Finance pursuant to Section 13290, the Controller shall install and operate a uniform state pay roll".

Amendment No. 2

On page 1, line 8, of said bill, as amended, after "University of California", insert "and the Department of Public Works".

Amendment No. 3

On page 1, line 16, of said bill, as amended, strike out "shall", and insert "may".

Amendment No. 4

On page 2 of said bill, as amended, strike out all of lines 12 to 26, inclusive.

Amendment No. 5

On page 2, line 27, of said bill, as amended, strike out "12475", and insert "12474".

Amendment No. 6

On page 2, line 33, of said bill, as amended, strike out "12476", and insert "12475".

Amendment No. 7

On page 2, line 41, of said bill, as amended, strike out "12477", and insert "12476".

Amendment No. 8

On page 2, line 47, of said bill, as amended, strike out "12478", and insert "12477".

Amendment No. 9

On page 2, line 34, of the printed bill, as amended in the Senate on May 24, 1951, after "California", insert "and the Department of Public Works".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3017 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Grant, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—64

NOES—Cooke and Silliman—2.

Assembly Bill No. 3017 ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 954	Assembly Bill No. 1486
Assembly Bill No. 955	Assembly Bill No. 1487
Assembly Bill No. 1162	Assembly Bill No. 2367
Assembly Bill No. 1483	

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 88

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 494
Assembly Bill No. 1980
Assembly Bill No. 2501
Assembly Bill No. 3245

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3446

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2
Assembly Bill No. 712
Assembly Bill No. 1416
Assembly Bill No. 2384

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2825

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 3443

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 2825

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bill ordered to third reading.

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Senate Bill No. 848
Senate Bill No. 597
Senate Bill No. 850

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SILLIMAN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Senate Bill No. 416

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

SILLIMAN, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Assembly Bill No. 927
Assembly Bill No. 1635
Assembly Bill No. 3131
Assembly Bill No. 3132

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SILLIMAN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 1507

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SILLIMAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Senate Bill No. 1809
Senate Bill No. 1812

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SILLIMAN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Senate Bill No. 514

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SILLIMAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Senate Bill No. 1085

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SILLIMAN, Chairman

Above reported bill ordered to third reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 1020
Assembly Bill No. 1708
Assembly Bill No. 3438

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 2947

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 2544

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

DUNN, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Senate Bill No. 465

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Senate Bill No. 315
Senate Bill No. 1527

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 2372

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the Committee on Ways and Means.

DUNN, Chairman

Above reported bill ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 172

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 88

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 171

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolution ordered on file.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 1914
Assembly Bill No. 2479

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 1060

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 1684

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Senate Bill No. 122
Senate Bill No. 212
Senate Bill No. 537
Senate Bill No. 538

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR SPEAKER Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 1215
Assembly Bill No 2134

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 3453

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 1308
Assembly Bill No. 1802

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 1309

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended, and re-refer to Committee on Ways and Means.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 1524

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

STEWART, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 2034
Assembly Bill No. 3011
Assembly Bill No. 3247
Assembly Bill No. 3248

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Senate Bill No. 431
Senate Bill No. 598

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STEWART, Chairman

Above reported bills ordered to second reading.

ANNOUNCEMENT

Mr. Burkhalter announced that a luncheon will be held today, upon recess for the members of the Los Angeles County Delegation at the Hotel Senator, in the Jubilee Room.

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bill No. 3217 was taken up.

Assembly Bill No. 3217—An act to add Chapters 3.3 and 3.5 to Part 2, Division 2 of, and to add Chapter 7 to Title 6 of the Government Code, relating to urban unincorporated areas.

Bill read third time.

Motion for Committee of the Whole

Mr. Beck moved that the Assembly resolve itself into a Committee of the Whole for the purpose of considering Assembly Bill No. 3217.

Mr. Lowrey seconded the motion.

Motion carried.

IN COMMITTEE OF THE WHOLE

Speaker Sam L. Collins presiding.

Assembly Bill No. 3217 considered.

RECESS

At 12.10 p.m., on motion of Mr. Beck, the Committee of the Whole recessed until 2 p.m.

REASSEMBLED IN COMMITTEE OF THE WHOLE

At 2 p.m., the Committee of the Whole reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

Further consideration of Assembly Bill No. 3217.

On motion of Mr. Geddes, the committee did arise, and report back to the Assembly.

IN ASSEMBLY

Speaker Sam L. Collins presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORT OF COMMITTEE OF THE WHOLE

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

GENTLEMEN: Your Committee of the Whole has considered Assembly Bill No. 3217.

SAM L. COLLINS, Chairman

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 3217

Assembly Bill No. 3217—An act to add Chapters 3.3 and 3.5 to Part 2, Division 2 of, and to add Chapter 7 to Title 6 of the Government Code, relating to urban unincorporated areas.

The question being on the passage of Assembly Bill No. 3217.

Motion That Proposed Amendments Be Printed in Journal Without Action

Mr. Geddes moved that all proposed amendments to Assembly Bill No. 3217 pending at the desk be ordered printed in the Journal, without action, at this time.

Mr. Beck seconded the motion.

Motion carried.

Proposed Amendments to Assembly Bill No. 3217 by Mr. Beck

Amendment No. 1

In the first line of the title of the printed bill, as amended in the Assembly on June 1, 1951, strike out ", and".

Amendment No. 2

In the second line of the title of said bill, strike out "to add Chapter 7 to Title 6 of".

Amendment No. 3

On page 1, line 10, of said bill, strike out "no equitable method", and insert "need of better methods".

Amendment No. 4

On page 2 of said bill, between lines 3 and 4, insert

"To a great extent, this tax inequity is offset by the provision of county services within incorporated cities in greater proportion than the contributions through taxes are made by the residents of cities to the support of such services. Outstanding among such county services are the various social welfare programs and the use of the county hospital for the indigent sick. Only an impartial investigation by the Legislature, through extensive interim committee study and hearings can determine the extent of this offset and of the tax inequity mentioned in the preceding paragraph."

Amendment No. 5

On page 2, line 24, of said bill, strike out "January 1", and insert "September 30".

Amendment No. 6

On page 2, line 36, of said bill, strike out "agricultural".

Amendment No. 7

On page 3 of said bill, strike out lines 31 to 52, inclusive.

Amendment No. 8

On page 4 of said bill, strike out lines 1 to 36, inclusive.

Amendment No. 9

On page 4, line 37, of said bill, strike out "25268. At any time before July 1, 1952", and insert

"25264. At any time before January 1, 1953".

Amendment No. 10

On page 4, line 43, of said bill, strike out "If, at such hearing, the board determines by resolu-", and insert "At such hearing, the board may determine by resolu-".

Amendment No. 11

On page 4, line 46, of said bill, strike out ", the county", and insert a period.

Amendment No. 12

On page 4 of said bill, strike out lines 47 to 49, inclusive.

Proposed Amendments to Assembly Bill No. 3217 by Mr. Munnell

Amendment No. 1

On page 2, line 24, of the printed bill, as amended in the Assembly on June 1, 1951, strike out "On or before January 1, 1953, the ", and insert

"The".

Amendment No. 2

On page 2, line 25, of the printed bill, as amended, strike out "shall", and insert "may".

Amendment No. 3

On page 2, line 28, of the printed bill, as amended, strike out "shall", and insert "may".

Amendment No. 4

On page 2, line 44, of the printed bill, as amended, strike out "shall", and insert "may".

Amendment No. 5

On page 2, line 51, of the printed bill, as amended, strike out "shall", and insert "may".

Proposed Amendments to Assembly Bill No. 3217 by Mr. Lanterman

Amendment No. 1

On page 7 of the printed bill, as amended in the Assembly on June 1, 1951, between lines 34 and 35, insert

"SEC 4. Chapter 7 is added to Title 6 of the Government Code to read:

CHAPTER 7. URBAN DISTRICTS

Article 1. General Purposes

60500. The purpose of this chapter is to facilitate the administration of county governmental functions in unincorporated territory and to increase the efficiency of county governmental affairs by providing for more effective local participation in zoning, sanitation, roads and streets, parks and recreation, flood control, building and alterations, permits, licenses, vital statistics, health, police and fire protection, libraries, and other functions under the authority of county boards of supervisors through the establishment of urban districts within unincorporated territory having a simple and direct access to and from the county board of supervisors and the officers and administrative districts of the county and to and from cities adjacent to such districts.

Article 2 Petition and Hearing

60510. Urban districts consisting of *150 or more acres of unincorporated territory of a county or consisting of unincorporated territory of a county in which 300 or more persons reside* may be formed in the manner provided for in this chapter.

60511. Proceedings for the formation of a district shall be commenced by petition addressed to and filed with the board of supervisors of the county within which the district is proposed to be established and signed by not less than 5 percent of the registered voters residing within the boundaries of the proposed district, or by the assessees of property representing at least 5 percent of the assessed value, according to the last equalized assessment-roll, of all the property within the boundaries of the proposed district.

60512. The petition may be filed in sections each of which must comply with all the requirements of the petition except that a section need not contain the total number of signatures required for the petition.

60513 The petition must:

(a) State the proposed name for the district in substantially the following form: _____ (filling in the blank) Urban District of _____ (filling in the blank) County;

(b) Set forth the boundaries of the proposed district or describe the lands to be situated therein; and

(c) Request that the district be formed under the terms of this chapter.

60514. Upon the filing of the petition, the board of supervisors shall fix a time and place for the hearing of the petition. The hearing shall not be less than 30 days nor more than 60 days after such filing.

60515. Notice of such hearing shall be given by the clerk of the board of supervisors by publication of a notice of hearing at least once in a newspaper of general circulation published within the boundaries of the proposed district, or if there be none, then in a newspaper of general circulation published in the county.

60516 The notice of hearing shall:

(a) State the name of the proposed district;

(b) State that the petition for the formation of the same is available for inspection at the office of the clerk of the board of supervisors;

(c) Designate the boundaries of the proposed district;

(d) State the time and place for the hearing;

(e) State that at said hearing protests will be considered by the board of supervisors; and

(f) State that at said hearing requests in writing for the exclusion from or inclusion of lands in the proposed district will also be heard and considered by the board of supervisors.

60517. The board of supervisors shall not be deprived of jurisdiction to proceed with the hearing nor shall any action on the petition be invalidated by any clerical error in the published notice.

60518 At the hearing protests may be made orally or in writing by any person interested in the formation of the proposed district. Any protest pertaining to the regularity or sufficiency of the proceedings must be in writing and must clearly set forth the irregularities and defects to which objection is made. All written protests must be filed with the clerk of the board of supervisors on or before the time fixed for the final hearing. The hearing may be continued from time to time not exceeding 90 days.

60519. The proceeding shall terminate if prior to the time the board of supervisors determines the district shall be formed written protests against the formation of the district are filed with the clerk of the board of supervisors either by a majority of the registered voters residing within the boundaries of the *proposed district*, or by the assessees of property representing a majority of the assessed value, according to the last equalized assessment roll, of all the property within the boundaries of the proposed district.

Article 3. Formation of District

60530. If, after the hearing provided for above, the board of supervisors determines that the organization of the district is in the public interest, it shall fix the boundaries of the proposed district, including therein any territory within the boundaries of the district covered by the petition or by any written requests for inclusion which it determines will be benefited by inclusion in the district and excluding therefrom any such territory which it determines will not be benefited by inclusion in the district.

60531. If the board of supervisors determines that the district should be established, it shall by resolution declare the district established, fix and describe its boundaries and designate a name thereof which name may be that proposed in the petition or such other name as the board of supervisors may select.

60532. Upon the adoption of the resolution declaring the district organized, the organization of the district shall be complete; and the clerk of the board of supervisors shall file a certified copy of the resolution in the office of the county recorder and in the office of the Secretary of State.

60533. The persons filing the petition shall pay all costs which may be incurred by the county in connection with the organization of the district if the organizational proceedings fail. If the district is organized such costs shall be paid by the county and the county shall be reimbursed for such costs out of the first funds collected for the use of the district.

Article 4. Powers of District

60540 Any urban district incorporated, as herein provided, shall have power

First: To have perpetual succession.

Second: To hold title to a community building and appurtenant structures within the district; and to provide for the maintenance thereof and to establish rules and regulations governing its use and charges therefor, or to contract with the board of supervisors for the joint use of a community building with other county agencies or urban districts on a rental or ownership basis, *and to incur indebtedness for such community buildings and appurtenant structures, after a hearing on the question of incurring such indebtedness is noticed and held by the board of selectmen and protests by the owners of a majority of the assessed valuation of the real property in the district as shown by the last equalized assessment roll is not made at such hearing, and a proposition approving the incurring of such indebtedness has been approved by a two-thirds vote of the electors residing within the district. Such indebtedness shall not exceed in the aggregate 15 percent of the assessed value of all real and personal property of the district.*

Third: To contract, *on an annual basis* either alone or in conjunction with other urban districts within the county, with the board of supervisors or with special districts organized within the county or with a city or cities within the county, for the furnishing to such *urban district or urban districts, of all such urban services as may be required by the urban district or urban districts. As used in this subdivision and elsewhere in this chapter "urban services" shall mean such municipal type services as are determined by the board of selectmen to be required for the protection of the public peace, health and safety of the inhabitants of the district and the property located therein, having due regard for the kind, quality, extent, standard or degree of the urban nature of land use in the district. Such annual service contracts shall provide for the payment by the district of all costs, direct or indirect, of urban services rendered within the district pursuant to such contracts by the contracting county, city or special district. All annual urban service contracts shall be effective upon the commencement of the fiscal year and may be renewed each year prior to the submission of the district's budget to the board of supervisors.*

Fourth: To cause the board of supervisors to be advised of the needs of the district.

Fifth: To adopt a seal and alter it at pleasure.

Sixth: To sue and be sued, except as otherwise provided by law, in all actions and proceedings, in all courts and tribunals of competent jurisdiction.

Seventh: To appoint an executive secretary and such other employees as may be required *; provided, that if county employees of the county within which the district is organized are selected in accordance with a civil service or merit system, all district employees other than the district manager shall be recruited and appointed in accordance with the same civil service or merit system so far as practicable.*

Article 5. Board of Selectmen

60550. A board of selectmen consisting of five members and having the powers and duties hereinafter specified shall be elected for *a district in which 300 or more persons reside in the manner provided for in Sections 60551 to 60558 hereof.*

60551. Each selectman shall serve for a term of four years except that two of the members of the first board of selectmen shall serve for a term ending on the second day of January following the next succeeding general election held after their election and three members of the first board of selectmen shall serve for a term ending on the second day of January next succeeding the second general election held after their election.

60552. At the time of the adoption of the resolution declaring the district organized, the board of supervisors shall by resolution call an election to be held within the district for the election of the first members of the board of selectmen.

The first election shall be held not less than 60 nor more than 120 days after the organization of the district.

60553. Of the five members first elected to the board of selectmen the two receiving the lowest number of votes shall serve for the term expiring on the second day of January following the next succeeding general election held after their election. The remaining three members of the board shall serve for the term ending on the second day of January following the second general election held after their election.

60554. Not more than 45 days prior to the date of the first election and not less than 30 days prior thereto, nominating petitions for one or more candidates for the office of selectman may be filed with the county clerk or the registrar of voters in counties having a registrar of voters. Such nominating petitions shall be signed by not less than 25 registered voters residing within the boundaries of the district.

60555. The first election for selectmen shall be conducted within the district by the county clerk or registrar of voters of the county, as the case may be. For the purposes of the election the county clerk or registrar of voters may divide the district into precincts, establish polling places in such precincts and appoint election officers to conduct the election in each such precinct. The election officers so appointed shall not exceed three in number. The county clerk or registrar of voters as the case may be shall give notice of the election by publication. The notice shall be published at least once in a newspaper of general circulation published or circulated in the district and shall specify the date and purpose of the election, the hours during which the polls will be open and shall contain a list of the precincts together with the polling place in each such precinct.

60556. At the first election the ballot shall be in the following form

For selectmen, _____ Urban District; vote for five.

_____ ☐
_____ ☐
_____ ☐
_____ ☐
_____ ☐
_____ ☐

The five candidates receiving the highest number of votes shall be elected for the terms hereinabove specified.

60557. Vacancies in the office of selectman existing during the term thereof shall be filled by appointment by the board of selectmen from among the registered voters of the district and the person so appointed shall serve until the expiration of the term of office of his predecessor.

60558. Not more than 90 nor less than 60 days before each general election following the first election of a board of selectmen in the district, nominating petitions signed by not less than 25 registered voters residing within the district may be filed with the county clerk or registrar of voters, as the case may be, requesting that the name or names of those persons specified in the petition be placed on the ballot as candidates for the offices of selectman for the term commencing on the following January 2d. The names proposed by the petitions so filed and no others shall be printed on the general election ballot to be used in the district, but there shall be sufficient blank spaces provided in which electors may write other names if they so desire.

60559. *If there are less than three hundred residents in an urban district, a board of selectmen consisting of five members who are residents or owners of real property within the district, shall be appointed by the board of supervisors of the county in which the district is organized. Each selectman so appointed shall serve for a term*

of four years, except that two of the first selectmen appointed for the district shall serve for terms ending on the tenth day of January of the year next succeeding their appointment and the remaining three selectmen shall serve for terms ending on the tenth day of January of the third year following their appointment. The terms of office of the first board of selectmen shall be designated by the board of supervisors at the time of their appointment. Thereafter vacancies on the board shall be filled by appointment by the board of supervisors.

Article 6. Powers and Duties of Selectmen

60560. The powers of the district shall be exercised through the board of selectmen.

60561. The board of selectmen shall hold meetings at least once a month and shall elect from among their number a chairman who shall hold office for one year from the date of his election, or until his successor is elected.

60562. Three members of the board of selectmen shall constitute a quorum, and not less than three votes shall be required to adopt any resolution or take any action.

60563. The board of selectmen shall determine the urban service needs of the district and may, on behalf of the district, enter into annual contracts with the county, with any special district organized within the county or with any city in the county to furnish to the district the special services required and any such public agency is authorized to furnish such service to the district at not less than the actual cost thereof, direct and indirect, as it is authorized by law to furnish within its own territorial jurisdiction.

60564. The board of selectmen shall inform the county board of supervisors of the needs of the district for regulatory measures pertaining to zoning, subdivisions, roads, streets and traffic, flood control, building standards, permits and licenses, and other legislative matters affecting public health, safety and welfare within the district.

60565. The board of selectmen shall prepare and submit to the board of supervisors by the first of February of each year a budget stating the amount necessary to provide for payment of district overhead and administrative costs, payments of principal and interest due on indebtedness incurred for community and appurtenant buildings and payments required under annual urban service contracts of the district for the next fiscal year; and it shall be the duty of the board of supervisors to levy a tax to be known as the "(name of district) urban service district tax" against all the taxable property within the district at the time of levying county taxes to raise the amount of the budget. The tax so levied shall be computed by the county auditor and shall be collected at the same time and in the same manner as county taxes and, when collected, shall be paid to the county treasurer for the use of said district. In the event that such budget is not submitted, it shall be the duty of the board of supervisors to require the immediate submission thereof. If the overhead and administrative portion of the budget exceeds the amount that the board of supervisors feel should reasonably be collected for the purposes of the district, they shall require that that portion of the budget be reduced to an amount and in the manner as directed by them. Copies of all annual service contracts and any other contractual obligations of the district shall be filed and submitted as a part of the budget.

60566. The county treasurer and the county auditor shall be ex officio treasurer and auditor of the district. All claims and demands against the district shall, when approved by the board of selectmen, be paid by district warrant drawn by the auditor against the funds of the district in the county treasury.

Article 7. District Investigation Act

60570. Districts formed or proposed to be formed under the provisions of this act are not subject to any provisions of the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931" or the "District Investigation Act of 1933."

Article 8. Changes in District Boundaries

60580. Any unincorporated territory within the county may be annexed to or excluded from a district in the manner provided by this article.

60581. A petition shall be addressed to and filed with the board of selectmen of the district, signed by at least 5 percent of the registered voters residing in, or by the assessees of property representing at least 5 percent of the assessed value, according to the last equalized assessment roll, of all the property within, the territory seeking annexation to or exclusion from the district.

60582. The petition shall state the reasons for annexation or exclusion of the tract of land, describe its boundaries and include the consent of the petitioners to such annexation or exclusion.

60583. The board of selectmen shall consider the petition for annexation or exclusion and within 30 days after the filing thereof shall send it to the board of supervisors with the recommendation of the board of selectmen with respect thereto.

60584. Upon the filing of the petition, the board of supervisors shall fix a time and place for the hearing thereof and shall cause a notice of the filing of the petition and of the time and place of the hearing to be published at least once in a

newspaper of general circulation published within the boundaries of the district, or if there be none, then in a newspaper of general circulation published in the county; provided, however, that the time of such hearing shall be not less than 90 days nor more than six months after the first publication of the aforesaid notices.

60585. The notice shall state:

(a) The date of filing of the petition;

(b) That the petition is available for inspection at the office of the clerk of the board of supervisors;

(c) The location and boundaries of the land described in the petition;

(d) The prayer of the petition;

(e) The time and place fixed for the hearing thereof;

(f) That petitions stating that the proposed annexation or exclusion is protested may be filed with the board of supervisors by registered voters of the district or by assessees of property in the district, as the case may be, at any time before the time fixed for the hearing; and

(g) That all persons interested in or affected by such change in the boundaries of the district may appear and show cause why such change should not be made.

60586. At the hearing the board of supervisors shall hear all relevant evidence in support of or in opposition to the petition; provided, however, that if a majority of the registered voters of the district, if the district was organized by a petition signed by not less than 5 percent of the registered voters thereof, or if assessees of property representing a majority of the assessed value, according to the last equalized assessment roll, of all the property within the district, if the district was organized by a petition signed by the assessees of property representing at least 5 percent of the assessed value, according to the last equalized assessment roll, of all the property within the district, file petitions protesting the annexation or exclusion, as the case may be, of the territory seeking annexation or exclusion, the proceeding shall terminate, and the board of supervisors shall take no further action with respect to such proceeding at said hearing.

60587. If the proceedings are not terminated as provided in Section 60586, and if the board of supervisors determines that the territory seeking annexation or exclusion will be benefited by such annexation or exclusion and that it is for the best interest of the district that the boundaries thereof be changed by annexing or excluding such territory or any part thereof, the board of supervisors shall by resolution annex or exclude the tract of land described in the petition or any part thereof and shall describe the altered boundaries of the district as so changed

60588. A resolution of annexation or exclusion adopted by the board of supervisors as provided for in Section 60587, describing the altered boundaries of the district as changed, shall be entered in the minutes of the board of supervisors, and a certified copy of such resolution shall be immediately filed in the office of the county recorder of the county in which the district is situated and thereafter a certified copy of the same shall promptly be filed in the office of the Secretary of State. Upon the filing of the aforesaid copy with the Secretary of State the annexation or exclusion of the territory shall be deemed complete.

Article 9. Dissolution of District

60590. An urban district may be dissolved in the manner provided in this article.

60591. Upon the filing of a petition with the board of supervisors signed either by:

(a) Five percent or more of the registered voters residing within the boundaries of the district; or

(b) The assessees of property representing at least 5 percent of the assessed value, according to the last equalized assessment roll, of all the property within the boundaries of the proposed district, the board of supervisors shall fix a time and place for a hearing upon the question of the dissolution of the district.

60592. A petition for the dissolution of the district may be filed in sections; provided, that all sections must be filed at one time, and the total number of signatures on all sections must be equal or exceed the total number of signatures required

60593 The hearing upon the dissolution of the district shall be set for a time not less than 30 or more than 60 days after the filing of the petition.

60594. Notice of the hearing shall be given by the clerk of the board of supervisors by publication of a notice of hearing at least once in a newspaper of general circulation published within the boundaries of the proposed district, or if there be none, then in a newspaper of general circulation published in the county.

60595 The notice of hearing shall:

(a) State the name of the district;

(b) State that a petition for the dissolution of the district has been filed and is available for inspection at the office of the clerk of the board of supervisors;

(c) State that a hearing on the question of dissolution will be held at the time and place fixed therefor by the board of supervisors;

(d) State that at the hearing protests either for or against the dissolution of the district will be considered by the board of supervisors.

60596. At the hearing protests may be made orally or in writing either for or against the dissolution of the district by any interested person. Any protest pertaining to the regularity or sufficiency of the proceedings must be in writing and must clearly set forth the irregularities and defects to which objection is made. All written protests must be filed with the clerk of the board of supervisors on or before the time fixed for the final hearing. The hearing may be continued from time to time not exceeding 90 days.

60597. If after the hearing the board of supervisors determines that the public interest requires the dissolution of the district it shall, by resolution, declare the district dissolved.

60598. Immediately after the adoption of the resolution declaring the district dissolved, the clerk of the board of supervisors shall file a certified copy of such resolution for record in the office of the county recorder and thereafter shall file a certified copy of the same with the Secretary of State. Upon the filing of the certified copy with the Secretary of State the dissolution of the district shall be complete

60599. Upon the dissolution of the district all property, both real and personal, owned by the district shall become the property of the county in which the district is located

60600. If the board of supervisors determines that the continued existence of the district is in the public interest it shall, by order, deny the petition for dissolution If a petition for dissolution is denied a new petition for dissolution may not be filed until at least six months has elapsed from the date of the action of the board of supervisors in denying the last petition filed for that purpose.

60601. No *portion of the* territory included in any district may be annexed to any city until that territory has been excluded from the district in the manner provided for herein or until the dissolution of the district.

60602. A district is dissolved upon its complete territorial inclusion within the limits of an incorporated city, whether by incorporation, annexation or otherwise, and all property, both real and personal, owned by the district shall become the property of the city in which the district is located.

Amendment No. 2

On page 5, line 6, of said bill, strike out "such costs", and insert "the cost of special urban services".

Amendment No. 3

On page 6, lines 7 and 8, of said bill, strike out "the entire unincorporated area or", and insert "several".

Amendment No. 4

On page 6, line 40, of said bill, after "city," insert ", urban district".

Amendment No. 5

On page 7 of said bill, strike out line 14, and insert "or annexation, or in an urban district, such portion shall be withdrawn from such special service zone. All".

Amendment No. 6

On page 7, line 17, of said bill, after "city", insert "or urban district".

Amendment No. 7

On page 3, line 36, of said bill, strike out the semicolon; and strike out lines 37 to 50, inclusive, and insert "as are in addition to those which the county is legally obligated to provide within the urban unincorporated area of the county."

Amendment No. 8

On page 7 of said bill, strike out lines 5 and 6, and insert "upon all taxable property".

REMARKS ON CONDITION OF THE FILE

Mr Sherwin spoke on the condition of the file.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

Mr. Sherwin asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Ways and Means tomorrow, Friday, June 8th, at 10 a.m.

Subject: All proposed Senate changes to the Budget Bill.

NOTICE OF MOTION TO AMEND STANDING RULES BY SPEAKER SAM L. COLLINS

Notice is hereby given, pursuant to Standing Rule No. 5, that on the next legislative day, to wit, on June 8, 1951, I will make a motion to add Rule No. 9 to the Standing Rules of the Assembly, as amended on June 4, 1951, as follows:

RULE 9 TO READ:

"The Speaker pro Tempore of the Assembly shall act for the Speaker as Chairman of the Committee on Rules whenever the Speaker is unable, because of absence or otherwise, to perform in that capacity, or whenever the Speaker may request or assign the Speaker pro Tempore to do so."

SAM L. COLLINS

REQUESTS FOR UNANIMOUS CONSENT THAT CHIEF CLERK BE INSTRUCTED TO MAKE CHANGES IN AMENDMENTS

Mr. Lanterman asked for, and was granted, unanimous consent that the Chief Clerk be authorized and instructed to make any and all changes in the amendments adopted to Assembly Bill No. 314 today on second reading, in order to avoid duplication of language.

Mr. Silliman asked for, and was granted, unanimous consent that the Chief Clerk be authorized and instructed to make any and all changes in the amendments adopted to Assembly Bill No. 2301 today on second reading, in order that these amendments may fit the bill.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1162

Mr. Davis asked for, and was granted, unanimous consent to take up Assembly Bill No. 1162, temporarily passed on file, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1162

Assembly Bill No. 1162—An act to amend Section 1203.10 of the Penal Code, relating to probation reports.

Bill read third time.

Motion to Amend

Mr. Shaw moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on June 6, 1951, strike out "Sections 1203 and 1203.10", and insert "Section 1203".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 24, inclusive; and on page 2, strike out lines 1 to 11, inclusive, and insert

"SECTION 1. Section 1203 of the Penal Code is amended to read:"

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 7, 1951

To the Honorable Members of the Assembly
State of California
Sacramento, California

GREETINGS: I am returning herewith, without my signature,

Assembly Bill No. 1240, entitled: "An act to amend Section 7442 of the Business and Professions Code, relating to the practice of cosmetology and the fees therefor."

My objection to this bill is as follows:

It is a duplicate of Section 15 of Assembly Bill No. 813, which bill has previously been signed and is now Chapter 838, Statutes of 1951. No purpose would be served by approving this bill.

This situation has been discussed with the author and he is agreeable to the return of the bill without my approval.

Respectfully submitted.

EARL WARREN, Governor

Acknowledgment of Receipt of Assembly Bill No. 1240

June 7, 1951

I acknowledge receipt this seventh day of June, 1951, at 2:50 o'clock p.m. of Assembly Bill No. 1240, without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

ARTHUR A. OHNIMUS

REPORTS OF STANDING COMMITTEES

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 3205

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

SILLIMAN, Chairman

Above reported bill ordered to second reading.

Committee on Manufacturing, Oil, and Mining Industry

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: Your Committee on Manufacturing, Oil, and Mining Industry, to which was referred:

Assembly Bill No. 3174

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

MORRIS, Chairman

Above reported bill ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP REPORT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 1464

Mr. Grant asked for, and was granted, unanimous consent to take up consideration of the report of the Committee on Conference concerning Assembly Bill No. 1464, temporarily passed on file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 1464—An act to prescribe the number, compensation and duties of officers and attaches of municipal courts established in cities or judicial districts in the County of Los Angeles.

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 5, line 36, of the printed bill, as amended in the Senate on May 28, 1951, strike out "Two", and insert "Four".

Amendment No. 2

On page 9, line 32, of said bill, strike out "attending".

Amendment No. 3

On page 9, line 36, of said bill, strike out "the marshals", and insert "those marshals".

Amendment No. 4

On page 9, line 37, of said bill, after "1925", insert "and holding office on June 1, 1951, who have had at least fifteen years experience as marshal, deputy marshal, constable, deputy constable, deputy sheriff or any combination of these positions, within the county".

Amendment No. 5

On page 10, line 5, of said bill, after the period, insert

"A branch office of the Marshal of Municipal Courts, Los Angeles County shall be maintained in each municipal court district".

Amendment No. 6

On page 10, line 13, of said bill, strike out "such person", and insert "any person".

Amendment No. 7

On page 10, line 19, of said bill, strike out "Six", and insert "Eight".

Amendment No. 8

On page 10, line 21, of said bill, strike out "Eight", and insert "Ten".

TENNEY	GRANT
WATSON	MUNNELL
BUSCH	ROSENTHAL
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—73.

NOES—Lowrey—1.

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON ASSEMBLY BILL NO. 2693

Mr. Geddes asked for, and was granted, unanimous consent to rescind the action whereby the Assembly, on Monday, April 23d, passed Assembly Bill No. 2693.

Assembly Bill No. 2693 ordered to third reading.

Bill Withdrawn From Active File, and Placed on the Inactive File

Assembly Bill No. 2693, on motion of Mr. Geddes.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 3088 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Dolwig asked for, and was granted, unanimous consent that Assembly Bill No. 3088 be withdrawn from the Committee on Governmental Efficiency and Economy, and be re-referred to the Committee on Legislative Representation.

REQUEST FOR UNANIMOUS CONSENT THAT COMMUNICATION BE PRINTED IN JOURNAL

Messrs. Thomas and Gaffney asked for, and were granted, unanimous consent that the following communication be ordered printed in the Journal, in 10 point type, as follows:

STATE OF CALIFORNIA
DEPARTMENT OF INDUSTRIAL RELATIONS
DIVISION OF INDUSTRIAL SAFETY
SAN FRANCISCO, June 5, 1951

Honorable Vincent Thomas and Edward M. Gaffney
Members of Assembly, State Capitol
Sacramento 14, California

SUBJECT: ASSEMBLY BILL NO. 2737, AS AMENDED MAY 24, 1951

DEAR MR. THOMAS: This will confirm our telephone conversation of June 1, 1951, concerning the above-mentioned bill.

I have conferred with the director of the department on this matter, who has indicated that there is no doubt the Industrial Safety Board will agree to schedule hearings as soon as possible for the purpose of considering safety orders applicable to longshore dock activities

You will recall that mention has been made of the fact that the Federal Government, through the Bureau of Labor Standards of the U. S. Department of Labor, is currently considering preparing a set of safety standards in collaboration with the states, employers and labor unions, which will be uniform and will include the shipside operations which is under the Federal Government's jurisdiction. Preliminary discussions have been held on this subject and it is expected that further work will be done within the next several months.

It is important, of course, that those operations which are under the jurisdiction of the State have standards which do not conflict with those that might be established for operations being conducted on the ships.

Preparatory work can be undertaken, however, for those operations which are under the jurisdiction of this department, and as you have suggested, this division will undertake this work just as soon as possible.

Cordially yours,

A. C. BLACKMAN, Chief
Division of Industrial Safety

c.c. Hon. Edward M Gaffney, Member of the Assembly, Sacramento, California.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2712

Mr. Dickey asked for, and was granted, unanimous consent to take up Assembly Bill No. 2712, out of order, for purpose of amendment.

CONSIDERATION OF ASSEMBLY BILL NO. 2712

Assembly Bill No. 2712—An act to add Sections 6 and 7 to an act entitled "An act providing for loans to municipalities and districts for sewerage and storm drainage facilities, prescribing the conditions under which such loans shall be made, creating the State Water Pollution Control Fund, and making an appropriation," approved July 28, 1949, relating to protection of quality of underground waters.

Bill read third time.

Motion to Amend

Mr. Dickey moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 30, 1951, strike out "to add Sections 6 and 7 to an act entitled "An act pro-".

Amendment No. 2

In the title of said bill, strike out lines 2 to 5, inclusive; and in line 6, strike out "tion," approved July 28, 1949,".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 5, inclusive; and in line 6, strike out "000,000)", and insert

"SECTION 1. The sum of one million one hundred and fifty thousand dollars ($1,150,000) is hereby appropriated out of any money not otherwise appropriated in the Postwar Unemployment and Construction Fund, or, in the event that such amount of money is not available therefrom, then to the extent not so available out of any money not otherwise appropriated in the General Fund, to the State Water Resources Board for allocation".

Amendment No. 4

On page 1, lines 6 and 7, of said bill, strike out "experimental and other".

Amendment No. 5

On page 1, line 10, of said bill, strike out ". Expenditure", and insert ", subject to the following conditions and limitations:

(a) Moneys equal to or in excess of the amount expendable from this appropriation for such work shall be made available (by a political subdivision, public district, municipality, county, or public agency, including agencies of local and Federal Government but excluding agencies which are a part of the Executive Department of the State Government) for expenditure for such work to the end that any sums expended from this appropriation shall be matched by like or greater amounts from public sources other than the State Treasury or funds of any agency which is a part of the Executive Department of the State Government.

(b) Moneys shall be allocated subject to such conditions as the board may prescribe as necessary to protect the interests of the State including necessary inspections to insure compliance with other conditions.

Expenditure".

Amendment No. 6

On page 1 of said bill, strike out line 16, and insert

"SEC. 2. Out of any money appropriated to the State Water Resources Board by this act, the board may allocate from time to time such sums as it may find necessary or expedient for expenditure by the Department of Public Works, acting through the State Engineer, for investigational work and study with the objective of formulating plans and design criteria for correction or prevention of damage to underground waters of the State by sea water intrusion in the West Coast Basin of Los Angeles County and other critical coastal areas. The cost of such investigation and study shall include the cost of providing water, water injection wells, observation wells, water spreading grounds, pipe lines, equipment, rights of way, and other facilities necessary to introduce water into the water bearing aquifers. The department is

authorized to cooperate and contract with the Los Angeles County Flood Control District, the West Basin Municipal Water District, and any other public or private corporation or agency for the purpose of this act.

The conditions and limitations prescribed in subdivision (a) of Section 1 shall not apply to allocations made pursuant to this section."

Amendment No. 7

On page 1, line 17, of said bill, strike out "7", and insert "3".

Amendment No. 8

On page 1, lines 17, 18, and 19, of said bill, strike out "to the State Water Pollution Control Fund, the State Water Pollution Control Board", and insert "to the State Water Resources Board by this act, the board".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bills were withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 3323, on request of Mr. McCarthy.

Assembly Bill No. 2220, on request of Mr. Davis.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1586

Mr. Levering asked for, and was granted, unanimous consent to take up Senate Bill No. 1586, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 1586

Senate Bill No. 1586—An act to add Section 103.3 to, and to repeal Sections 1507, 2003, 3001, and 3401 of, the Welfare and Institutions Code, relating to public assistance in respect to the construction and administration of the laws relating thereto.

Bill read third time.

Motion to Amend

Mr. Levering moved the adoption of the following amendment:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on May 24, 1951, strike out ", and to repeal Sections 1507, 2003, 3001, and 3401 of,".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2249

Mr. Burke asked for, and was granted, unanimous consent to take up the consideration of Senate amendments to Assembly Bill No. 2249, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2249—An act to add Section 6360 to the Education Code, relating to school district taxes.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2249?

Amendment No. 1

In line 2 of the title of the printed bill, after "taxes", insert ", and to validate elections relating thereto".

Amendment No. 2

On page 1 of said bill, strike out lines 5, 6, and 7 and insert "election to reduce the rate of such tax."

Amendment No. 3

On page 1 of said bill, between lines 12 and 13, insert "in the _____ (name of district) shall be reduced from _____ to _____ _____ Yes." and "The excess tax rate now in effect in the _____ (name of district) shall be reduced from _____ to _____ _____ No."

A majority of "Yes" votes will authorize the reduction of rate. A majority of "No" votes shall reject such proposed reduction of rate.

SEC. 2. Elections held between July 1, 1950, and the effective date of this act for the purpose of changing the amount of any increase over the maximum tax rate, after such increase has been authorized pursuant to Section 6358, and changing the purpose for which such excess may be expended are hereby ratified, confirmed, and validated."

Amendment No. 4

On page 1 of said bill, strike out lines 13 to 28, inclusive.

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 2249 by the following vote:

AYES—Beck, George D. Collins, Gaffney, Geddes, Kirkwood, and Waters—6.

NOES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Condon, Connolly, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Erwin, Evans, Fleury, Grant, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Mr. Speaker—61.

Appointment of Committee on Conference Concerning Assembly Bill No. 2249

The Speaker announced the appointment of Messrs. Kirkwood, Doyle, and Burke as a Committee on Conference concerning Assembly Bill No. 2249.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1562

Mr. Geddes asked for, and was granted, unanimous consent to take up the consideration of Senate amendments to Assembly Bill No. 1562, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1562—An act to amend Section 13842 of, and to add Section 13842.1 to, the Education Code, relating to the minimum annual salaries of persons employed by school districts in positions requiring certification qualifications.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1562?

Amendment No. 1

On page 2 of the printed bill, after line 15, insert

"SEC. 3. This act shall not become operative until July 1, 1952."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1562 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Cloyed, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—68.

NOES—None.

Assembly Bill No. 1562 ordered enrolled.

RESOLUTIONS

The following resolution was offered:

By Messrs. Burkhalter, Grant, Thomas, Hollibaugh, and Munnell:

House Resolution No. 176

Relative to the creation of the Assembly Investigating Committee on Traffic Control

WHEREAS, The studies and investigations of the Assembly Investigating Committee on Traffic Control, created by House Resolution No. 233 of the 1949 Regular Session, relating to traffic safety and congestion generally and rapid transit problems in metropolitan areas and allied problems, have not been completed; and

WHEREAS, The subject of transportation is even more critical under our national defense program; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Investigating Committee on Traffic Control is hereby recreated and authorized and directed to ascertain, study and analyze all facts relating to traffic safety and congestion generally and rapid transit problems in metropolitan areas and any allied problems, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To reports its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of twenty-five thousand dollars ($25,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

Mr. Crowley asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Constitutional Amendments in Room 435, at the call of the Chair on Friday, June 8th.

REPORTS OF STANDING COMMITTEES

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 1848

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 1464—An act to prescribe the number, compensation and duties of officers and attaches of municipal courts established in cities or judicial districts in the County of Los Angeles.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Assembly Bill No. 1464 ordered enrolled.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal:

CAPITOL CORRESPONDENTS ASSOCIATION OF CALIFORNIA
ROOM 222, STATE CAPITOL, SACRAMENTO, June 7, 1951

Hon. Sam L. Collins, Speaker
The Assembly, Assembly Chamber
Sacramento, California

DEAR MR. SPEAKER: In compliance with Assembly Rule 24 and Joint Rule 32, the Standing Committee of the Correspondents Association has examined application for temporary credentials as accredited press representative and recommends the following action:

Approved for Press Card Terminating June 16th

This Week Magazine—Jack H. Pollack.

Sincerely,

EARL C. BERHENS, President

ACTION RATIFIED

By unanimous consent, the action taken by the Capitol Correspondents Association of California was ratified by the Assembly.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills Nos. 2, 712, 1416, 2384, and 2825 re-referred to the Committee on Judiciary.

Senate Bill No. 1200 re-referred to the Committee on Ways and Means.

Senate Bill No. 1560 re-referred to the Committee on Judiciary.

Senate Bill No. 634 re-referred to the Committee on Boards and Commissions.

RESOLUTIONS

The following resolution was offered:

By Mr. McMillan:

House Resolution No. 177

Relative to the Assembly Committee on Boards and Commissions

WHEREAS, Each session of the Legislature is confronted with numerous bills and demands for bills to regulate various matters involving public morals including alcoholic beverages, gambling, vice of all kinds, wrestling and boxing matches, horse racing, dog racing and matters of a similar matter, and

WHEREAS, At the 1951 Session of the Legislature bills, and requests for bills, designed to curb, prevent or regulate these matters failed of enactment because the Legislature had insufficient data thereon to enable it to legislate intelligently; and

WHEREAS, To meet this need for information it has been determined by the Assembly to constitute the standing committees of the Assembly interim committees in order that at the next session of the Legislature the Assembly may be fully apprised of such facts; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly standing Committee on Boards and Commissions is hereby constituted an interim committee of the Assembly and authorized and directed to:

(a) Conduct a comprehensive study of all facts and conditions necessary to enable the Assembly to determine whether further legislation to prevent or punish sex perversion in relation to crimes of violence is needed, and, if so, the type of legislation which will be most effective.

(b) Ascertain, study, and analyze, all facts relative to the conduct of racing meets, athletic contests, liquor licenses of all sorts, multiple ownership of alcoholic beverage licenses, and all other matters relating to or bearing upon the public morals and welfare.

(c) Study the operation, effect, administration, enforcement and needed legislation of any and all laws in any way bearing upon or relating to the above matters.

(d) Report on the above to the Assembly, including in its reports its recommendations for appropriate legislation.

2. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

3 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

4. The committee has the following additional powers and duties:

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

(e) To meet at the State Capitol or at any other place in this State or within the United States

5 The sum of ten thousand dollars ($10 000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read, and ordered referred to the Committee on Rules.

NOTICE OF MOTION TO RECONSIDER LAPSED

Notice of motion to reconsider Assembly Bill No. 1731 lapsed.

Assembly Bill No. 1731 ordered transmitted to the Senate.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 8 p.m.—

Revenue and Taxation, in Room 3186.
Civil Service and State Personnel, in Room 426.

At 8.30 p.m.—

Industrial Relations, in Assembly Chamber.

Today Upon Adjournment—

Transportation and Commerce, in Room 3184.
Subcommittee on Ways and Means, in Room 435.
Rules, in Room 319.
Los Angeles County Delegation, in Room 3148. Subject: Municipal Court Bills.

Next Monday, June 11th, At 8 p.m.—

Municipal and County Government, in Room 2170.

It was announced that the following committee would hold no meeting today:

Municipal and County Government.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. McCollister, the usual courtesies of the Assembly for this day were unanimously extended to Willard H. Van Dyke, teacher, and the following pupils of the Tamalpais Union High School of Mill Valley: Karolee Peters, Jeannette Fong, Paul Knoles, and Harold Engle.

On request of Messrs. Gubser and Kirkwood, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Jas. A. Sampson and Mrs. B. Sosnick of San Jose.

On request of Mr. Dolwig, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Harry Geballe and Mrs. Louis Hoffman of San Mateo.

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to the following Members of the National Council of Jewish Women of Modesto: Mrs. Arthur Friedman, Mrs. Ed. Zeitlen, Mrs. Bernard Zall, Mrs. Morris Kirschen, and Mrs. Jules Loeb; and Mrs. Leon Morse and Mrs. Sidney Schnoclank of San Francisco.

On request of Messrs. Moss and Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Charles Nadler, teacher, Mrs. R. W. Dumm, Mrs. R. M. Wylie, Mrs. C. Zalkind, and Mrs. C. W. Tatum, adults, and the following pupils of the Sacramento Junior High School: Lee Amaden, Jane Armstrong, Betty Azevedo, Gail Barnum, James Bilger, Jerry Brannigan, Billy Cotter, Catherine Cronin, Rickey Dias, Janet Dumm, Gordon Fisher, Wilbur Fisher, Beverly Given, Larry Hue, Diane Jenkins, Dixie Johnson, Jean Johnson, Paula

Kantlehner, Joanne Knowles, Betty LaForce, Earle Landau, Dick Lauer, Bobby Logan, Catherine Lowe, Ted Morris, Joan Pritchard, Donn Reiners, Ann Rhodes, Charles Sullivan, Mary Sue Tatum, Kenneth Thomas, Joanne Ward, Sandra Barry, Larry Bernard, Norman Bunas, Tommy Dunow, Gail Daniels, William DeLacy, Deanna Gates, Adele Larison, Richard Jacinto, Julie Johnson, Paul Lafferty, Anna Lou Larmer, Mae Quan, Richard Steward, Ben Swesey, Gordon Takahashi, Barbara Theodore, Ronald Tochterman, Pat Taylor, Joan Weeks, Bruce Weiman, Barbara White, Jannice White, Marcia White, Allen Wimberley, Donna Wolfe, Carol Jean Wylie, Elliott Wyman, and Arlene Zalkind.

On request of Mr. Kirkwood, the usual courtesies of the Assembly for this day were unanimously extended to Mr. Perry, Mrs. DeLaughter, Mrs. Berger, Mr. Adams, and Mr. Larcher, teachers, and the following pupils of the Covington School of Los Altos: George A., John A., Jack C., Bud C., Dick D., Ronald P., Salvadore P., George R., Richard S., Cathy B., Jayanne B., Diane B., Carol C., Carolyn D., Margaret G., Barbara H., Louise H., Donna H., Terry J., Merrilee K., Carolina L., Arlene M., Patty McG., Joan O., Barbara R., Barbara S., Joanne W., Jane W., Mary Beth A., Gail B., Molly C., Linda C., Rae D., Charlie E., Jimmy E., David F., Dennie G., Joyce G., Jay J., Harold K., Tom L., Roberta L., Pat N., Cleo R., Mathew S., Cynthia T., Lorna W., Tom M., Ann P., Janice W., Janette E., Sharon A., David A., Tom B., Bob B., Jim D., Marlene D., Robert F., John H., Patrice H., David K., Sandra McD., Ken McK., James R., Donna S., Sonja S., Polly S., Bill S., Arlene T., Russel G., Beverly M., Barbara H., Don B., David C., Ronald D., Richard H., Russel K., Duane K., Charles P., Tony P., John R., Buddy S., Tom S., Ronald T., Jim G., Janice A., Beverly B., Gail B., Sandra H., Diane M., Laura R., John R., Wallis R., Sue R., Evelyn R., Jeanne S., Susan T., Judy T., Marie W., and Mary Jo Z.

On request of Messrs. Klocksiem and Grant, the usual courtesies of the Assembly for this day were unanimously extended to Joseph B. Lamb of Long Beach.

On request of Mr. Grunsky, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Clyde Herr, Jr., of Watsonville.

On request of Mr. Gubser, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. C. E. Miller of San Jose.

On request of Mr. Connolly, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Suzanne Johnson of Oakland and Mrs. Walter Johnson of San Francisco.

On request of Mr. Hahn, the usual courtesies of the Assembly for this day were unanimously extended to Capt. Glen E. Deane, U. S. Army, of Oakland.

On request of Mr. Rumford, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. W. Byron Rumford and Mrs. Rebecca Carrington, of Oakland and Mrs. R. Arrington of Washington, D. C.

On request of Mr. Doyle, the usual courtesies of the Assembly for this day were unanimously extended to Dr. Ivo J. Lopizich, of Los Angeles and Arthur A. Gottlieb of Norwalk.

On request of Mr. Cooke, the usual courtesies of the Assembly for this day were unanimously extended to Ed. Carty of Oxnard.

On request of Mr. Meyers, the usual courtesies of the Assembly for this day were unanimously extended to Olin S Grove, R. V. Smith, Alex J. Slivka, John Van Zant and John Perry, Jr., of San Francisco.

On request of Messrs. Connolly, Maloney, and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to the following pupils of Marina and Francisco Junior High School: Tilly de Hes, Joy Stucker, Barbara Tarantino, Richard Brown, David Berosh, and Jim Ryan.

On request of Messrs. Connolly and Maloney, the usual courtesies of the Assembly for this day were unanimously extended to the following delegation from the Marina Boosters, Inc., of San Francisco, celebrating "Marina Day in Sacramento": Mrs. Henry F. Budde, Henry J. Budde, Mr. and Mrs. C. Wunner, Mr. and Mrs. Henry C. Wreden, Leo Girimonte, Sandra Spitzer, Joan Gottschalk, Mr. and Mrs. Edgar H. Brownstone, Mr. and Mrs. Tom Spears, Seymour J. Saltz, Jack Solomon, Ruth Cessna, Marquesa Cessna, Art Zimmerman, Annie Scanlon, Arthur Poheim, and Margaret E. Pordon.

On request of Mr. Meyers, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Leon Morse, Mrs. Max Grabstein, Mrs. Richard Simon, and Mrs. Sidney Schrenlank of San Francisco.

On request of Mr. Maloney and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to June Durm and Nora McPherson, teachers, and the following pupils of the Hunters Point I School: Lola Ricard, Mary Robinson, James Santiago, Ernest Santos, Robert Sims, Joyce Sinclair, Larry Smith, Donald Spisak, John Stokes, Louise Swayze, Frank Torres, Nathaniel Tyner, Sherril Wada, Shirley Wallace, Martha Watkins, John Williams, Ronnie Wills, Diana Aguero, Ronald Anderson, Judy Badaracco, Alfred Blevins, Patricia Bridgewater, Roland Brown, Aquilla Browner, Barbara Bryant, Rodney Carlisle, William Colbert, Alfred Collier, Joyann Covington, Herman Cumins, Alfred Dendy, Michael Draper, Cynthia Droege, A. D. Graves, Richard Harold, Reginald McCarthy, Sandra Montgomery, Robert Ogawa, and William Ogden.

ADJOURNMENT

At 3.15 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9 a.m., Friday, June 8, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SEVENTY-SEVENTH LEGISLATIVE DAY

ONE HUNDRED FIFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, June 8, 1951

The Assembly met at 9 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—72.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Almighty God, King of Kings and Lord of Lords, From whom proceed all power and dominion in Heaven and earth, we seek Thy favor and Thy blessing Guide the President of the United States, the Governor of this State, the Speaker and members of this Assembly and all others in places of authority.

Imbue our leaders with the spirit of wisdom, goodness and truth that law and order, justice and peace may everywhere prevail.

O Ruler of the Universal sphere,
Help us to crush all paralysing fear
Give wisdom that our puny lives may know
A broadening spirit that shall build and grow
Into a workable, efficient plan,
Triumphant in the government of man.

Through Jesus Christ our Lord.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Clarke, further reading of the Journal of the previous legislative day was dispensed with.

REPORTS OF STANDING COMMITTEES

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Senate Bill No. 95

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LUCKEL, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 940
Assembly Bill No. 966
Assembly Bill No. 3300
Assembly Bill No. 3445

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

LUCKEL, Chairman

Above reported bills ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 820

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators James E. Cunningham, Harold T. Johnson, and Sutton as a Second Committee on Conference concerning:

Senate Bill No. 789—An act to add Section 2838.5 to the Elections Code, relating to county central committees.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Hoffman, Harold T. Johnson, and James E. Cunningham, as a Committee on Conference concerning:

Assembly Bill No. 2907—An act to add Sections 14258 5, 14258.6, 14813 and 14814 to, to amend Sections 14540 and 14811 of, and to repeal Sections 14008, 14541, 14542, 14543, 14544, 14545, 14546, 14547, 14810, 14811 and 14812 of the Health and Safety Code, relating to fire protection districts.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Dilworth, Hulse, and Ed. C. Johnson, as a Committee on Conference concerning:

Assembly Bill No. 2249—An act to add Section 6360 to the Education Code, relating to school district taxes, and to validate elections relating thereto.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 61
Assembly Bill No. 206
Assembly Bill No. 214
Assembly Bill No. 215
Assembly Bill No. 1052
Assembly Bill No. 1752
Assembly Bill No. 2629
Assembly Bill No. 2648

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 212	Assembly Bill No. 1836
Assembly Bill No. 546	Assembly Bill No. 2001
Assembly Bill No. 629	Assembly Bill No. 2047
Assembly Bill No. 908	Assembly Bill No. 2211
Assembly Bill No. 926	Assembly Bill No. 3341
Assembly Bill No. 1242	Assembly Bill No. 3364

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 78

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 78—Relative to a study of glutinous rice by the University of California Experimental Station, Department of Food Technology.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 347
Senate Bill No. 641
Senate Bill No. 871

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 347—An act to amend Sections 1075, 1331, and 2006 of the Streets and Highways Code, relating to county road commissioners.

Referred to Committee on Municipal and County Government.

Senate Bill No. 641—An act to Section 139.44 of the Vehicle Code, relating to the service of warrants by members of the California Highway Patrol and the payment of the expense thereof from the Motor Vehicle License Fee Fund.

Referred to Committee on Judiciary.

Senate Bill No. 871—An act to amend Section 209 of the Penal Code, relating to kidnaping and the punishment therefor.

Referred to Committee on Judiciary.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1215—An act to add Articles 3 and 4 to Chapter 5, Division 5, Title 1, of the Government Code, relating to the termination of contracts for public work because of national emergencies which cause a stoppage of construction or work thereon, and to prescribe procedure, the adjustment and payment of compensation, and to provide a method for settlement of disputes in connection therewith.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2134—An act to amend Section 5550 of the Business and Professions Code, relating to the qualifications of architects.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1570—An act to provide for the formation of districts within municipalities for the acquisition and improvement of public parking places for the parking of motor vehicles; the issuance and sale of bonds to pay the costs of such acquisition and improvement and payable either from revenues from such parking places or from revenues from parking meters on some or all of the public ways, or both; the acquisition, construction, improvement, maintenance and operation of such parking places; the appointment and powers of parking place commissions for such districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In the sixth line of the title of the printed bill, as amended in the Assembly on June 1, 1951, strike out "or", and insert "and also".

Amendment No. 2

In the eighth line of the title of said bill, after "ways" and before the comma, insert "in such districts or from ad valorem assessments upon real property in such districts".

Amendment No. 3

On page 3 of said bill, strike out all of lines 11 to 15, inclusive, and insert

"(11) Any bonds issued hereunder, and the interest thereon, shall be payable from net revenues from the operation of the parking place or places acquired or improved with the proceeds thereof, and in addition thereto may also be payable from the net revenues (or a portion thereof) from parking meters on some or all of the public ways in the district. To the extent to which such revenues have been or are expected to be insufficient in any year to pay such principal and interest, such bonds may also be payable from ad valorem assessments levied upon real property in the district within the limits herein provided. Neither the city nor any officer thereof shall be held otherwise liable for the payment of such principal and interest."

Amendment No. 4

On page 3, line 17, of said bill, strike out "land", and insert "real property".

Amendment No. 5

On page 3, line 20, of said bill, strike out "land", and insert "real property".

Amendment No. 6

On page 4, line 30, of said bill, strike out "accept", and insert "approve"; and strike out "accepts", and insert "approves".

Amendment No. 7

On page 9, line 6, of said bill, after "and", insert ", to the extent such revenues are insufficient,".

Amendment No. 8

On page 9, line 35, of said bill, after "interest.", insert "The rate of ad valorem assessment shall be fixed by the legislative body each year in accordance with such provision."

Amendment No. 9

On page 11, lines 10 and 11, of said bill, strike out "The compensation of a commissioner shall not be increased or diminished during his term of office."

Amendment No. 10

On page 12 of said bill, at the end of line 24, insert "The legislative body may grant such employees the same rights, privileges and benefits granted to other city employees."

Amendment No. 11

On page 12 of said bill, at the end of line 29, insert "The commission shall abide by all covenants made by the legislative body in the issuance of the bonds."

Amendment No. 12

On page 12, line 33, of said bill, strike out ", or grant a franchise therein,".

Amendment No. 13

On page 12, line 38, of said bill, strike out "or franchise".

Amendment No. 14

On page 12, line 42, of said bill, strike out "board", and insert "commission".

Amendment No. 15

On page 12, line 44, of said bill, strike out "franchise", and insert "contract".

Amendment No. 16

On page 12, lines 45 and 46, of said bill, strike out "franchise", and insert "contract".

Amendment No. 17

On page 12, line 49, of said bill, strike out "franchise", and insert "contract".

Amendment No. 18

On page 14 of said bill, following line 28, insert

"SEC. 26. If the petition for the formation of a district under this act expressly so authorizes, the legislative body may, at any time and following a hearing after such notice thereof as it may prescribe, determine that no parking place commission shall be appointed for said district, or if such commission has already been appointed, may dissolve said commission. In either event, the legislative body shall thereafter have all powers, jurisdiction and authority granted herein to, and all duties herein imposed upon, the commission; provided that the legislative body at any time thereafter may order that a commission shall be appointed or reappointed and thereafter have such powers, jurisdiction, authority and duties."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1020—An act to amend Sections 667.1 and 960 of the Welfare and Institutions Code, and to add Section 961 to said code, all relating to the establishment and maintenance of public schools

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 667.1 and", and insert "Section".

Amendment No. 2

In line 2 of the title of said bill, strike out "and to add Section 961 to said code, all".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 13, inclusive.

Amendment No. 4

On page 1, line 14, of said bill, strike out "Sec. 2", and insert "SECTION 1".

Amendment No. 5

On page 2 of said bill, strike out lines 4 to 18, inclusive

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1708—An act to amend Section 3462 of the Education Code, relating to the organization of high school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "3462", and insert "3521".

Amendment No. 2

On page 1, line 1, of said bill, strike out "3462", and insert "3521".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 21, inclusive, and insert

"3521 A petition, signed by [50 or more qualified electors and taxpayers] *not less than twenty-five per cent (25%) of the registered electors* of any county *not residing in any high school district or unified school district*, may be presented to the board of supervisors, asking for the establishment of a county high school district. The board of supervisors shall submit the question of establishing a county high school district to the qualified electors of the county, at the next general election, or at a special election to be called by the board for that purpose."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3438—An act to amend Section 1600 of the Education Code and to add Sections 1600.5 and 1600.6 thereto, relating to newly formed school districts

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 2 of the printed bill, strike out lines 5 to 10, inclusive

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3443—An act to add Section 5501.5 to the Welfare and Institutions Code, relating to the commitment of sexual psychopaths, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 5501.5 to", and insert "amend Section 5501 of".

Amendment No. 2

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 5501 of the Welfare and Institutions Code is amended to read:

5501. (a) When a person is convicted of a criminal offense, *including conviction upon a charge of violation of Section 290 of the Penal Code by failure to register as required thereby*, the trial judge, on his own motion, or on motion of the prosecuting attorney, or on application by affidavit by or on behalf of the defendant, if it appears to the satisfaction of the court that there is probable cause for believing such person is a sexual psychopath within the meaning of this chapter, may adjourn the proceeding or suspend the sentence, as the case may be, and may certify the person for hearing and examination by the superior court of the county to determine whether the person is a sexual psychopath within the meaning of this chapter.

(b) When a person is convicted of a sex offense involving a child under 14 years of age and it is a misdemeanor, and the person has been previously convicted of a sex offense in this or any other state, the court shall adjourn the proceeding or suspend the sentence, as the case may be, and shall certify the person for hearing and examination by the superior court of the county to determine whether the person is a sexual psychopath within the meaning of this chapter.

(c) When a person is convicted of a sex offense involving a child under 14 years of age and it is a felony, the court shall adjourn the proceeding or suspend the sentence, as the case may be, and shall certify the person for hearing and examination by the superior court of the county to determine whether the person is a sexual psychopath within the meaning of this chapter.

When an affidavit is filed under (a) it shall be substantially in the form specified for the affidavit of mental illness in Section 5049 of this code except that the title and body of the affidavit shall refer to such person as "an alleged sexual psychopath" and shall state fully the facts upon which the allegation that the person is a sexual psychopath is based. If the person is then before the court or is in custody, the court may order that the person be detained in a place of safety until the issue and service of a warrant of apprehension as provided by this chapter.

The judge or justice presiding in such court, whenever it is deemed necessary or advisable, may issue and deliver to some peace officer for service, a warrant directing that the person be apprehended and taken before a judge of the superior court for a hearing and examination to determine whether the person is a sexual psychopath. The officer shall thereupon apprehend and detain the person until a hearing and examination can be had. At the time of the apprehension a copy of the affidavit if one was filed, the certification, and the warrant shall be personally delivered to the person and copies thereof shall also be delivered to the superior court to which the person was certified.

The warrant of apprehension shall be substantially in the form provided by Section 5050.1 of this code for the apprehension of a person alleged to be mentally ill."

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 24, inclusive; and on page 2, strike out lines 1 to 11, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3453—An act to provide for the sale of a parcel of land under the control of the State Park Commission.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1 of the printed bill, following line 10, insert

"SEC. 3. A copy of each deed of conveyance executed and delivered by the Director of Finance pursuant to this act shall be delivered to the State Lands Commission."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1684—An act to amend Section 7056 of the Business and Professions Code, relating to general engineering contractors.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 20, of the printed bill, as amended in the Assembly on June 1, 1951, strike out "cement and concrete works and operations".

Amendment No. 2

On page 1, line 21, of the printed bill, strike out the period after "work", and insert "and cement and concrete works in connection with the above mentioned fixed works."

Amendment No. 3

On page 1 of the printed bill, strike out lines 25 to 28, inclusive, and insert "Nothing in this section shall prevent a specialty contractor from executing a contract for or performing work within the classification in which the specialty contractor is licensed in connection with the construction of such fixed works."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3205—An act relating to conservation, particularly of the species Sequoia gigantea.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 1 of the printed bill, strike out lines 18, 19, and 20.

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1848—An act to add Section 60 to the State Water Resources Act of 1945, relative to the financing of water projects by issuance of bonds payable solely from the revenues thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 9, of the printed bill, after "construction.", insert "Said bonds shall not be a lien against, or liability of, the State of California."

Amendment No. 2

On page 1, line 14, of said bill, strike out "to the State".

Amendment No. 3

On page 1, line 18, of said bill, strike out "all bonds issued for".

Amendment No. 4

On page 1, line 19, of said bill, strike out "have been retired".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 927—An act to amend Section 30608 of the Streets and Highways Code, relating to reimbursement of the State Highway Fund of expenditures appertaining to the highway approaches to the San Francisco-Oakland Bay Bridge.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In line 1 of the title of the printed bill, after "to", insert "add Section 30201.5 to, and to".

Amendment No. 2

Strike out lines 2, 3, and 4, of the title of the printed bill, and insert "Code, relating to toll bridges and the use of revenues therefrom, declaring the urgency thereof, and providing that this act shall take effect immediately."

Amendment No. 3

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 30201.5 is added to the Streets and Highways Code, to read:

30201.5 Where one or more toll bridges or other highway crossings are to be acquired as provided in Section 30201, and expenditures to rehabilitate or improve such toll bridge or bridges or other highway crossing or crossings, or approaches thereto, or for cost of operation, are necessary, provision for the amounts to be so expended may be made in any issue of revenue bonds or for the use of toll revenues therefor, all as may be provided in any bond indenture or resolution. The California Toll Bridge Authority shall continue to collect tolls until all advancements for any of said purposes from any State funds have been repaid into the State Treasury to the credit of the funds from which advanced.

SEC. 2. Section 30608 of said code is amended to read:".

Amendment No. 4

On page 1 of said bill, after line 17, insert

"SEC. 3. Section 1 of this act, adding Section 30201.5 to the Streets and Highways Code, is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety within the meaning of Section 1 of Article IV of the Constitution and shall take effect immediately. The facts constituting such necessity are that proceedings have already been instituted by the State to acquire two privately owned toll bridges and it is contemplated that toll revenues from said bridges shall be used to rehabilitate the same. The present law is not clear as to the power to so use toll revenues and the uncertainty may make it impossible to sell the proposed revenue bonds. In order to insure the sale of revenue bonds at the lowest possible interest rates it is necessary that Section 1 of this act take effect immediately."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1635—An act to amend Sections 50101 and 50110 of the Water Code, relating to reclamation districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Sections 50101 and 50110 of", and insert "add Article 4½ to Chapter 2, Part 7, Division 15 of".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 16, inclusive, and insert

"SECTION 1. Article 4½ is added to Chapter 2, Part 7, Division 15 of the Water Code to read:

Article 4½. Alternative Method for Levying Operation and Maintenance Assessments

51370. If the real property in the district is located entirely within one county, the board may furnish to the board of supervisors, on or before the date set for consideration of the budget, an estimate in writing of the amount of money needed for payment of maintenance, repair, operation, supplemental construction, and replacement expenses by the district in lieu of levying an operation and maintenance assessment as provided in Article 3 of this chapter.

51371. The board of supervisors, upon receipt of the estimate from the board, shall levy a special tax on all taxable land and improvements thereon shown on the county tax roll as lying within the district, sufficient to raise the estimated sum.

51372. The tax shall be upon the assessed value of all taxable land and improvements thereon within the district.

51373. The tax upon the land and improvements thereon shall be computed, entered upon the tax rolls, and collected in the same manner as county taxes are computed, entered and collected.

51374. All money collected shall be paid into the county treasury to the credit of the particular district fund, and shall be held by the county treasurer for the benefit of the district and paid out by him upon warrants authorized by the board

51375. No funds for the payment of the principal or interest of any bonded indebtedness of the district liquidated as of December 31, 1951, shall be raised by the method prescribed in this article."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 3131—An act to amend Section 507 of the Streets and Highways Code, relating to state highway routes.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 1, line 3, of the printed bill, after "Marysville", insert "; provided, however, that the Department of Public Works shall not be required to maintain any portion of said route until the same has been laid out and constructed as a state highway".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 3132—An act to add Section 534 to the Streets and Highways Code, relating to the State Highway System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "534", and insert "144.5".

Amendment No. 2

On page 1, line 1, of said bill, strike out "534", and insert "144.5".

Amendment No. 3

On page 1 of said bill, strike out line 3, and insert

"144.5. Whenever the commission shall determine that a state highway route between any two termini is so located as to be in danger of obstruction by slide, washout, or other natural cause, or by enemy action in case of war, or to be in danger of congestion or excessive use by traffic diverted over such route because of such obstruction, congestion, or excessive use of other routes, or that the traffic over such route is already congested or excessive, the commission may designate, improve and maintain an existing road or street between the same termini as an alternative route."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1507—An act to amend the heading of Chapter 7, Division 4 of, amend and renumber Sections 7076, 7077, and 7078 of, and add Sections 7100, 7101, 7102, and 7103 to, the Water Code, relating to the regulation of water well construction.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In line 5 of the title of the printed bill, as amended in the Assembly on May 28, 1951, strike out "and 7103", and insert "7103 and 7105".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 8 of said bill, after line 40, insert

"SEC. 2. The heading of Chapter 7, Division 4 of the Water Code is amended to read:

CHAPTER 7. WATER WELLS.

SEC. 3. Section 7100 is added to said code to read:

7100. As used in this chapter "person" also includes city, county, and district.

SEC. 4. Section 7101 is added to said code to read:

7101. The provisions of this chapter are not a limitation on the power of a city or county to adopt and enforce additional regulations not in conflict therewith.

The provisions of this chapter are not a limitation on the right of any person to construct a water well in any locality of the state

The provisions of this chapter are not a limitation on the right of any person to extract underground waters.

SEC. 5. Section 7102 is added to said code to read:

7102. Whenever the department, in any report made pursuant to Section 231 to a regional water pollution control board, shall recommend minimum standards of water well construction, alteration, repair, and abandonment in any particular locality in which it deems regulation necessary to the protection of the quality of the underground water, the regional board shall hold a hearing in the locality concerned as to the need for the standards. The hearing shall be held only after notice thereof has been published once a week for two weeks in a newspaper of general circulation in the locality concerned.

If, after hearing, the regional board finds that the public interest necessitates the adoption of the standards, it shall adopt the standards as recommended The board may adopt or reject the standards as recommended, but shall have no power to modify or otherwise alter the standards

SEC. 6. Section 7103 is added to said code to read:

7103. Any person who hereafter proposes to dig, bore, drill, reperforate, deepen, or abandon a water well, or who proposes to convert any oil or gas well for use as a water well, shall file with the appropriate regional water pollution control board, a notice of intention to undertake the work The report shall be made on forms furnished by the Division of Water Resources, Department of Public Works, and shall contain such information as the Division of Water Resources may require.

Upon the lapse of 10 days after the date of filing of the notice of intent, the person filing the notice may proceed with the proposed work but shall comply with all standards adopted by the regional water pollution control board, copies of which are received by him from the regional board by registered mail.

Any person who has copies of all pertinent standards adopted by the regional water pollution control board having jurisdiction over the area in which the work will be done, may proceed with the proposed work immediately upon the filing of the required notice.

Each regional water pollution control board, shall, upon request of any person, mail to such person a copy of each standard adopted by the board, within 10 days after its adoption.

SEC. 7. Section 7076 of said code is renumbered as Section 7104 and amended to read:

[7076] *7104.* Every person who hereafter digs, bores or drills a water well, or who deepens or reperforates any such well, shall file with the appropriate regional water pollution control board a report of completion of such well within thirty days after its construction or repair has been completed

The report shall be made on forms furnished by the Division of Water Resources and shall contain such information as the division may require, including, but not limited to: (a) description of exact location of the well; (b) detailed log of the well; (c) description of type of construction; (d) details of perforation; and (f) methods used for sealing-off surface or contaminated waters.

Every person who fills in, plugs, covers or renders a water well unsuitable for use as a water well without restoration shall report the details of such action to the appropriate regional water pollution control board within 30 days after the action has been completed. The report shall be made on forms furnished by the Division of Water Resources and shall contain such information as the division may require.

SEC. 8. Section 7105 is added to said code to read:

7105 Reports made pursuant to Section 7104 shall not be made available for inspection by the public but shall be made available to governmental agencies for use in making studies.

SEC. 9. Section 7077 of said code is renumbered as Section 7106 to read:

[7077] *7106* Every person who hereafter converts, for use as a water well, any oil or gas well originally constructed under the jurisdiction of the Department of Natural Resources pursuant to the provisions of Article 4, Chapter 1, Division 3 of the Public Resources Code, shall comply with all provisions of this chapter.

SEC. 10. Section 7078 of said code is renumbered as Section 7107 and amended to read:

[7078] *7107* Failure to comply with any provision of this chapter, [or] wilful and deliberate falsification of any report required by this chapter, *or failure to comply with any standard adopted by a regional water pollution board,* is a misdemeanor."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2372—An act to add Article 5 to Chapter 1, Division 1 of the Education Code, relating to the Public School System and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 18, 1951, strike out "5 to Chapter 1, Division 1", and insert "1.5 to Chapter 2, Division 10".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 14, inclusive, and insert

"SECTION 1. Article 1.5 is added to Chapter 2, Division 10 of the Education Code to read:

Article 1.5. State College Council

20320 There is hereby created the State College Council which shall consist of the director of education and eleven additional members appointed by the Governor. Of the members appointed by the Governor, one shall be appointed from the membership of the advisory board of each state college, one shall be appointed from the membership of the board of governors of the California Maritime Academy, and one shall

be appointed from a list of five persons not holding salaried educational positions nominated by the president of the California State Polytechnic College."

Amendment No. 3

On page 1, line 15, of said bill, strike out "251. The board", and insert "20321. The council".

Amendment No. 4

On page 1, line 17, of said bill, strike out "252", and insert "20322".

Amendment No. 5

On page 1, line 18, of said bill, after "board", insert "or list"

Amendment No. 6

On page 1, line 20, of said bill, strike out "253. The board", and insert "20323. The council".

Amendment No. 7

On page 1, line 22, of said bill, strike out "254", and insert "20324".

Amendment No. 8

On page 1, line 22, of said bill, strike out "board", and insert "council".

Amendment No. 9

On page 1, line 23, of said bill, strike out "board", and insert "council".

Amendment No. 10

On page 2, line 1, of said bill, strike out "255. The board", and insert "20325. The council".

Amendment No. 11

On page 2, line 2, of said bill, strike out "board", and insert "council".

Amendment No. 12

On page 2, line 4, of said bill, strike out "256", and insert "20326".

Amendment No. 13

On page 2, line 5, of said bill, strike out "board", and insert "council".

Amendment No. 14

On page 2, line 7, of said bill, strike out "board", and insert "council".

Amendment No. 15

On page 2, line 8, of said bill, strike out "257. Members of the board", and insert "20327. Members of the council".

Amendment No. 16

On page 2, line 11, of said bill, strike out "board", and insert "council".

Amendment No. 17

On page 2 of said bill, strike out lines 12 to 14, inclusive, and insert "20328. The council shall study the need for the establishment of an advisory council or similar agency for all state colleges, and the California Maritime Academy. It shall also".

Amendment No. 18

On page 2, line 16, of said bill, after "colleges", insert "and the California Maritime Academy".

Amendment No. 19

On page 2, line 17, of said bill, strike out "259. The board", and insert "20329. The council".

Amendment No. 20

On page 2, line 24, of said bill, strike out "Investigating Board", and insert "Council".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 2034—An act to provide for the establishment, organization, government and powers of multiple service districts and authorizing such districts to levy taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

Strike out the title of the printed bill, and insert

"An act to add Division 3 to Title 5 of the Government Code constituting the Community Services District Law, providing for the formation of community services districts in unincorporated territory, for the purposes, powers, management and government of such districts; authorizing such districts to incur bonded indebtedness for the purpose of constructing and acquiring works and property and to levy and collect taxes to pay the principal and interest on bonds and for other purposes of such districts; imposing certain duties and functions in connection with such districts upon certain county officers; and providing methods of annexation to and dissolution of such districts."

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. Division 3, Community Services Districts, is added to Title 5 of the Government Code to read as follows:

DIVISION 3. COMMUNITY SERVICES DISTRICTS

PART 1. INTRODUCTORY PROVISIONS

CHAPTER 1. SHORT TITLE

60000. This division shall be known and may be cited as the Community Services District Law.

CHAPTER 2. DEFINITIONS

60010. Unless the context otherwise requires, the provisions of this chapter shall govern the construction of this division.

60011. The definition of a word applies to any of its variants.

60012. "District" means a community services district formed under the provisions of this division.

60013. "Board" means the board of directors of a district.

60014. "President" means the president of the board.

60015. "Secretary" means the secretary of the board.

60016. "Elector" and "voter" have respectively the same meaning as in the Elections Code, but an "elector" or "voter" shall also be a resident of the district or proposed district involved.

PART 2. FORMATION

CHAPTER 1. PETITION FOR FORMATION

60100 The people of any unincorporated territory within one or more counties may form a district pursuant to this part.

60101. Proceedings for the formation of a district shall be commenced by filing as hereinafter provided a petition addressed to the board of supervisors of the county in which the territory of the proposed district lies. The petition may consist of any number of separate instruments each of which must comply with all the requirements for a petition except as to the number of signatures

60102 The petition for formation shall, (a) state the proposed name for the district, (b) set forth the boundaries of the district or describe the lands situated therein, (c) request that a district be formed under the Community Services District Law, (d) state for which of the purposes set forth in Section 60600 of this division the district is to be formed

60103. The petition shall be signed by registered electors within the proposed district equal in number to at least 15 percent of the number of votes cast in the proposed district for the office of Governor at the general election next prior to the filing of the petition

60104. The petition shall be filed with the clerk of the board of supervisors of the county in which the proposed district lies. Said board shall, at its next regular meeting, or it may at any earlier special meeting, fix a time and place for the hearing of the petition not less than 20 days nor more than 40 days after the date of such meeting.

60105. Notice of the hearing shall be published in a newspaper of general circulation, circulated within the proposed district. Such notice shall be published at

least twice with an interval of at least six days between the first and last publication. Publication must be completed at least six days before the date of the hearing.

60106 The notice of the hearing shall:

(a) State that a petition for the formation of a community services district has been filed with the board of supervisors.

(b) State the proposed name for the district;

(c) Set forth the boundaries of the district or describe the lands situated therein;

(d) State the purposes for which the district is to be formed as requested by the petition;

(e) State the time and place for the hearing;

(f) State that at said hearing protests will be considerd and that requests in writing for exclusion from or inclusion of lands in a proposed district will be heard and considered.

60107 The board of supervisors shall not be deprived of jurisdiction to proceed with the hearing nor shall any action on the petition be invalidated for clerical error in the published notice.

CHAPTER 2. HEARING ON PETITION

60110. At the time stated in the notice of the hearing the board of supervisors shall hear the petition and those appearing in favor thereof and any protests made orally or in writing against the formation of the proposed district.

60111. At the hearing any owner of land in the proposed district may present to the board of supervisors a request in writing for exclusion of such land or any part thereof and any owner of land outside the proposed district may present to the board of supervisors a request in writing for inclusion of such land in the proposed district.

60112. The board of supervisors may adjourn the hearing from time to time not exceeding four weeks in all.

60113 Upon the hearing of the petition the board of supervisors shall determine whether or not the petition complies with this part. Its finding in favor of the genuineness and sufficiency of the petition and notice is final and conclusive against all persons except the State of California in a proceeding brought by the Attorney General within one year of the date of the order declaring the district formed

60114. Upon the final hearing the board of supervisors shall fix the boundaries of the proposed district. In so doing it shall exclude from the district any land which it finds will not be benefited by the proposed project and it may include in the district any land which it finds will be benefited if it also finds it will be to the interest of the district to include the same.

60115. Upon the final hearing the board of supervisors shall designate the name of the proposed district which may be that proposed in the petition or such other name as said board may select.

CHAPTER 3. ELECTION ON FORMATION

60120. Upon the final hearing the board of supervisors shall call and give notice of an election to be held in the proposed district for the purpose of determining whether or not it shall be formed and for the selection of persons who shall serve as the directors of said district if said district is formed

60121. The election shall be held not less than 40 days nor more than 60 days from the date of the final hearing on the formation petition

60122. Notice of the election shall be published in a newspaper of general circulation circulated within the proposed district Such notice shall be published at least twice with an interval of at least six days between the first and last publication. Publication shall be complete at least six days before the date of the election.

60123. The notice of election shall contain (a) the date of the election, (b) the name of the proposed district, (c) the purposes for which the district is to be formed, (d) a statement that the first directors will be elected at that election who will take office if the district if formed, and (e) a description of the boundaries of the proposed district or of the lands included therein.

60124. The election shall be called and conducted and candidates nominated in the manner hereinafter provided for general district elections except that the board of supervisors shall establish election precincts, designate the polling place of places, appoint the election board or boards, and canvass the returns.

60125 The vote shall be canvassed by the board of supervisors on the first Monday which is four or more days after the election.

60126 If less than a majority of the votes cast at the election is in favor of forming the district the board of supervisors shall declare the proceedings terminated.

60127. If the majority of the votes cast at the election is in favor of forming the district the board of supervisors shall by resolution entered on its minutes declare the district duly organized under the Community Services District Law giving the name of the district and the purposes for which it is formed, and describing its boundaries.

60128 The county clerk shall immediately cause to be filed in the office of the county recorder of the county in which the district is situated and with the Secretary

of State a certified copy of the resolution forming the district. Thereupon the organization of the district shall be complete.

60129. No informality in any proceeding, including informality in the conduct of any election not substantially affecting adversely the legal rights of any person, shall invalidate the formation of any district.

60130. The validity of the formation and organization of a district shall not be contested in any proceeding commenced more than 90 days after the date that the formation of such district is complete

CHAPTER 4. FORMATION OF DISTRICT IN MORE THAN ONE COUNTY

60140. Where the proposed district lies in more than one county the formation of the district shall be effected by separate petitions to and proceedings before the boards of supervisors in each county in which the proposed district lies.

60141. The procedure in each county shall be the same as if the portion of the district within the county constituted the entire district except that the petition shall set forth the boundaries of the entire district or describe the lands situated therein and the notices and resolutions with respect thereto shall indicate that portions of the proposed district lie in one or more other counties.

60142. Each board of supervisors shall have jurisdiction to fix the boundaries of the proposed district only in its own county.

60143. The formation of such a district shall be complete only upon a favorable termination of the proceedings in each county in which the proposed district lies and upon completion by each county clerk of the filings required by Section 60128

PART 3. INTERNAL ORGANIZATION

CHAPTER 1. BOARD OF DIRECTORS

60200. Each district shall have a board of three directors elected at large.

60201. The directors first elected upon the formation of the district shall classify themselves by lot so that the term of office of one of them shall be until the election and qualification of a successor at the first succeeding general district election, and the term of office of two of them shall be until the election and qualification of successors in the second succeeding general district election.

60202. The term of office of each director other than directors first elected shall be four years.

60203. If a person elected fails to qualify, the office shall be filled as if there were a vacancy in the office.

60204. All vacancies occurring in the office of director shall be filled by appointment by the remaining directors elected.

60205. An appointment to fill a vacancy in the office of director shall be for the unexpired terms of the office in which the vacancy exists.

60206. Each director elected or appointed shall hold office until his successor qualifies.

60207. The board may authorize each director to receive compensation not exceeding ten dollars for each meeting of the board attended by him, not exceeding three meetings in any calendar month.

60208. The board may authorize a director to receive for performing duties for the district other than attending board meetings:

(a) Not to exceed ten dollars ($10) for each day

(b) Traveling and other expenses incurred by him in performing such duties.

60209 Before entering upon the duties of his office each director shall take and subscribe the official oath before the secretary or any officer authorized by law to administer oaths and shall file it with the secretary.

60210. The number of directors on the board of a district shall be increased to five upon approval by a majority of the voters of a proposition therefor submitted to them at a general or special district election by resolution of the board or by initiative petition. At the time of submitting such a proposition an election shall be held to select two persons to serve as directors in the event that the proposition is adopted If the proposition is approved the term of office of one of the two persons so selected, to be chosen by lot, shall extend to the election and qualification of a successor at the next succeeding general district election and the term of office of the other shall extend to the election and qualification of a successor at the second succeeding general district election

60220. Within 30 days after the election of the first directors and thereafter within 30 days after each general district election the directors shall meet and organize as a board and may thereupon transact any business of the district

60221 The board shall:

(a) Elect one of its members president.

(b) Provide for the time and place of holding its regular meetings.

(c) Provide for the manner of calling special meetings.

60223. The board shall act only by ordinance, resolution, or motion

60224. A majority of the board shall constitute a quorum for the transaction of business.

60225. No ordinance, resolution, or motion shall be passed or become effective without the affirmative votes of at least a majority of the members of the board.

60226. Except where action is taken by the unanimous vote of all directors present and voting, the ayes and noes shall be taken upon the passage of all ordinances, resolutions, or motions and entered upon the minutes of the board.

60227. The form of enacting clause of all ordinances passed by the board shall be: "Be it ordained by the board of directors of _____ Community Services District as follows:".

60228. All ordinances shall be signed by the president and attested by the secretary.

60229. All legislative sessions of the board shall be public.

CHAPTER 2. OTHER OFFICERS AND EMPLOYEES

60240. The board shall, at its first meeting or as soon thereafter as practicable, appoint by a majority vote:

(a) A general manager;

(b) A secretary, who may also be the general manager.

60241. A director shall not be general manager or secretary.

60242. The general manager and secretary shall each receive the compensation determined by the board and shall serve at its pleasure.

60244 The board may at any time appoint or employ, fix the compensation of, and prescribe the authorities and duties of other officers, employees, attorneys, and engineers necessary or convenient for the business of the district.

60245 The general manager and secretary and other employees or assistants of the district required so to do by the board shall each give a bond to the district conditioned for the faithful performance of his duties as the board may provide.

CHAPTER 3. BOARD AND OFFICER ACTIVITIES

60300. The board is the governing body of the district

60301. The powers of districts enumerated in this division shall, except as therein otherwise provided, be exercised by the board

60302 Directors and officers of the district shall not be interested in any contract made by the district and shall not be purchasers at any sale nor vendors at any purchase made by the district.

60303. Every contract made in violation of any of the provisions of Section 60302 may be avoided at the instance of any party except the director or officer interested therein.

PART 4. ELECTIONS

CHAPTER 1. ELECTIONS GENERALLY

60400 The provisions of the Elections Code relating to the qualifications of electors, the manner of voting, the duties of election officers, the canvassing of returns, and all other particulars in respect to the management of general elections so far as they may be applicable shall govern all district elections except:

(a) To the extent that the provisions of the Elections Code pertaining to the conduct of local elections are inconsistent with the provisions of that code pertaining to general elections, the provisions of the Elections Code pertaining to local elections shall control.

(b) Inconsistent provisions of this division shall control over any provision of the Elections Code

60401. The first general district election shall be held on the same day as and may be consolidated with the next state direct primary which is held more than six months subsequent to the date of formation of the district.

60402. Succeeding general district elections shall be held on the same day as and may be consolidated with the succeeding state direct primaries

60403. Nominations for the office of director shall be made by petition of five or more electors filed with the Secretary at least 30 days before the election

60404 For each district election the secretary shall procure at district expense and furnish to the officials conducting the election a suitable number of ballots having printed thereon the names of persons properly nominated, a blank space for insertion of an additional name for each office to be filled, and a statement of any district proposition to be voted upon with appropriate spaces for voting "yes" or "no".

60405. Notice of each district election shall be published in a newspaper of general circulation circulated within the district, at least twice with an interval of at least six days between the first and last publication Publication shall be complete at least six days before the election

60406 The notice of election shall contain the date of election, the location of polling places, the names of any persons properly nominated for office and the office for which nominated, and a brief statement of any district propositions to be voted upon at the election.

60407. The board shall establish election precincts, designate the polling place or places, and appoint the election board or boards, and shall canvass the returns on the Monday following the date of the election.

60408. If there is but one person to be elected to an office, the candidate receiving the highest number of votes cast for the candidates for that office shall be declared elected

60409 If there are two or more persons to be elected to an office, those candidates equal in number to the number to be elected who receive the highest number of votes for the office shall be declared elected.

60410 If a proposition has been submitted at the election it shall be declared approved if a majority of those voting thereon, or such higher number as may be required by law, vote in favor thereof. Otherwise it shall be declared rejected.

60411. The secretary shall immediately make and deliver to each person elected a certificate of election signed by the secretary and authenticated with the seal of the district.

60412. No informality in conducting a district election shall invalidate it.

60413. All the expenses of district elections shall be borne by the district.

CHAPTER 2. APPOINTMENTS IN LIEU OF ELECTION

60430. If on the twentieth day prior to a general district election one person only has been nominated for each of the positions of director to be filled at that election and a petition signed by 5 percent of the voters requesting that the election be held has not been presented to the board, an election shall not be held.

60431. In such case the publication provided for in Section 60405 shall instead of calling an election state that no election is to be held but that the board of supervisors will appoint those nominated for the positions of director.

60432. If pursuant to Section 60430 a district election is not held, the board of supervisors of the county in which the district, or the largest part thereof in area, is situated shall at its next regular meeting appoint to the positions of directors those persons nominated, and such persons shall qualify, take office, and serve exactly as if elected at a general district election.

CHAPTER 3. ELECTIONS OF DIRECTORS BY DIVISIONS

60440 The board may, if it deems it to be for the best interest of the district, submit to the voters at a general district election, or at a special district election called for the purpose, the question whether the directors shall be elected by divisions

60441. If at the election the majority of the voters voting upon the question approves the election of directors by divisions then:

(a) The board shall promptly divide the district into a number of divisions equal to the number of directors which shall be as nearly equal in population as practicable

(b) The board may thereafter at any time not within 60 days before the general district election, change the boundaries of the divisions to keep them as nearly equal in population as practicable.

(c) The board shall promptly designate which divisions shall elect directors at the next general district election to succeed the directors whose terms then expire

60442. The division designated in accordance with Section 60411(c) shall elect directors at the next succeeding general district election in accordance with such designation and every four years thereafter. The remaining divisions shall elect directors at the general district elections next following those at which the designated divisions elect directors

CHAPTER 4. INITIATIVE; REFERENDUM; RECALL

60450 Ordinances may be passed by voters in accordance with Article 1 of Chapter 2 of Division 4 of the Elections Code.

60451 Ordinances may be disapproved and thereby vetoed by voters by proceeding in accordance with Article 2 of Chapter 2 of Division 4 of the Elections Code.

60452 Every incumbent of the office of director, whether elected by popular vote for a full term or appointed, may be recalled by the voters in accordance with the recall provisions of Chapter 2 of Division 13 of the Elections Code applicable to officers of counties.

PART 5. PURPOSES AND POWERS

CHAPTER 1. PURPOSES

60600 A district formed under this law may exercise the powers hereinafter granted for such of the following purposes as have been designated in the petition for formation of such district and for such others of the following purposes as the district shall adopt as hereinafter provided:

(a) To supply the inhabitants of the district with water for domestic use, irrigation, sanitation, industrial use, fire protection, and recreation.

(b) The collection, treatment or disposal of sewage, waste and storm water of the district and its inhabitants.

(c) The collection or disposal of garbage or refuse matter.

(d) Protection against fire.

(e) Public recreation by means of parks, playgrounds, swimming pools or recreation buildings.

(f) Street lighting.

(g) Mosquito abatement.

60601. Whenever the board determines by resolution that it is feasible, economically sound, and in the public interest, for the district to exercise its powers for any of the purposes specified in Section 60600 which are not designated in the petition for formation of the district, the board may call a special district election and submit to the electors of the district, or submit to them at the next general district election, the question of whether the district should adopt such additional purpose or purposes. If a majority of the votes cast at the election upon such proposition shall be in favor of the adoption of such additional purpose or purposes, then the powers of the district may be exercised therefor.

CHAPTER 2 POWERS

60610. A district may take or acquire real or personal property of every kind within or without the district by grant, purchase, gift, devise, lease, or condemnation pursuant to eminent domain proceedings in accordance with Title 7, Part 3 of the Code of Civil Procedure.

60611. A district may hold, use, enjoy, lease or dispose of any of its property.

60612. A district may sue and be sued in all actions and proceedings, in all courts and tribunals of competent jurisdiction.

60613. A district may borrow money and incur or assume indebtedness and it may issue bonds or other evidences of such indebtedness, provided, however, that no district shall incur any funded indebtedness which shall in the aggregate exceed 50 percent of the assessed valuation of all real and personal property situated within the district.

60614. A district may refund or retire any indebtednes that may exist against or be assumed by the district

60615. A district may levy and cause to be collected, taxes for the purpose of carrying on the operations and paying the obligations of the district

60616. A district may make contracts for any and all purposes necessary or convenient for the full exercise of its powers.

60617. A district has perpetual succession.

60618. A district may adopt a seal and alter it at pleasure.

60619. A district may employ labor and professional services.

60620. A district may perform any work of construction or operation under its own superintendence or may contract for the performance of such work by others.

60621. A district may prescribe, revise and collect rates or other charges for the services and facilities furnished by it and a district may refuse to furnish services or facilities to persons who fail to pay the charges so determined

60622. Each district has the power generally to perform all acts necessary to carry out fully the provisions of this division.

60625. A district may construct any works along, under, or across any street, road, highway, or other property devoted to a public use subject to such reasonable conditions as the governing body in charge of such public use may impose

60626. A district may enter into an agreement with any public or private corporation whereby any work or improvement may be operated and maintained by the corporation. The power to make such an agreement is conditioned upon a finding by the board that the residents of the district would be better served by such operation and maintenance.

CHAPTER 3. LIABILITY FOR DAMAGES

60627. No officer, agent, or employee shall be liable for any act or omission of any agent or employee appointed or employed by him unless he had actual notice that the person appointed or employed was inefficient or incompetent to perform the service for which he was appointed or employed or retains the inefficient or incompetent person after notice of the inefficiency or incompetency.

60628. Whenever it is claimed that any property has been taken, injured, damaged, or destroyed or that any person has been injured or damaged as a result of any dangerous or defective condition of any property controlled by the district or its officers, agents, or employees or by any act or omission of any officer, agent, or employee of the district, a claim for damages shall be presented in writing and filed with the secretary within 180 days after the accident, injury, taking, damage, or destruction has occurred.

60630. Each claim filed pursuant to Section 60628 shall specify the name and address of the claimant, the date and place of the accident, injury, taking, damage, or destruction, and the nature and extent of the injury or damage claimed

60631. Compliance with Sections 60628 and 60630 is a condition precedent to the filing or maintaining of any action for the injury or damage.

60632. The district may employ counsel to defend any action brought against it or any of its officers, agents, or employees on account of any injury, taking, damage, or destruction, and the fees and expenses, including the cost of any bonds and undertakings, involved therein shall be a lawful charge against the district

60633 If an officer, agent, or employee of the district is held liable for any act or omission in his official capacity, except in case of actual fraud or actual malice,

and any judgment is rendered thereon, the district shall pay the judgment without obligation for repayment by the officer, agent, or employee.

CHAPTER 4. BONDS

60650. Whenever the board deems it necessary for the district to incur a bonded indebtedness, it shall by resolution set forth all of the following:

(a) A declaration of the necessity for the indebtedness

(b) The purpose for which the proposed debt is to be incurred.

(c) The amount of the proposed debt.

(d) The time and place for a hearing by the board on the questions

(1) Will the whole or a portion of the district be benefited by the accomplishment of the purpose?

(2) If only a portion of the district will be benefited, what portion will be so benefited?

60651 Notice of the hearing shall be given by publication of a copy of the resolution in a newspaper of general circulation circulated within the district at least twice with an interval of at least six days between the first and last publication Publication shall be complete at least six days before the time fixed for the hearing.

60652. The copy of the resolution published or posted shall be accompanied by a notice subscribed by the secretary that:

(a) The hearing referred to in the resolution will be had at the time and place specified in the resolution.

(b) At that time and place any person interested, including all persons owning property in the district, will be heard upon the questions stated in the resolution.

60653. At the time and place fixed for the hearing on the resolution declaring the necessity for incurring the bonded indebtedness, or at any time and place to which the hearing is adjourned, the board shall proceed with the hearing.

60654. At the hearing any person interested, including persons owning property within the district, may appear and present any matters material to the questions set forth in the resolution declaring the necessity for incurring the bonded indebtedness

60655 At the conclusion of the hearing, the board shall by resolution determine whether the whole or part of the district will be benefited by the accomplishment of the purpose stated in the resolution.

60656 If the board determines that the whole of the district will not be benefited, the resolution shall also describe the portion of the district which will be benefited, in a manner sufficient for identification, which portion of the district described in the resolution shall thereupon constitute and be known as "Improvement District No. . . . . of . . . . Community Services District."

60657. After the formation of an improvement district within a district pursuant to this article, all proceedings for the purpose of a bond election within the improvement district and for the purpose of taxation for the payment of the bonds and interest shall be limited, and apply only to the improvement district

60658. The determination of the board that the whole of the district will be benefited by the bond issue or that only a described portion of the district will be benefited by the bond issue is final and conclusive.

60659. After the board has made its determination pursuant to Section 60655, if it deems it necessary to incur the bonded indebtedness, it shall by resolution state:

(a) That it deems it necessary to incur the bonded indebtedness.

(b) The purpose for which the bonded indebtedness will be incurred.

(c) Either of the following in accordance with its previous determination:

(1) That the whole of the district will be benefited by incurring the bonded indebtedness.

(2) That a portion of the district will be benefited by incurring the bonded indebtedness, which portion shall be described as it is described in the resolution of the board made pursuant to Section 60655.

(d) The amount of debt to be incurred.

(e) The maximum term the bonds to be issued shall run before maturity, which term shall not exceed 40 years.

(f) The annual rate of interest to be paid which rate shall not exceed 7 percent, payable annually or semiannually.

(g) The proposition to be submitted to the voters.

60660. The board shall call or designate an election which may be either a special or a general district election, to authorize the bonded indebtedness described in the resolution adopted pursuant to Section 60659.

60661 The board shall provide for holding the election in the same manner as provided by law in respect to district elections so far as applicable, except as otherwise provided in this chapter.

60663 Every elector residing within the area designated in the resolution adopted pursuant to Section 60659, but no others, may vote on the proposition to authorize the bonds. If the area does not include the entire district a separate ballot shall be prepared for the vote upon such proposition and only the voters entitled thereto shall be given such ballots.

60671. If more than two-thirds of the votes cast at the election are in favor of incurring the indebtedness, the board may, by resolution, at the time or times it deems proper, provide for the following:

(a) The form of the bonds.

(b) The execution of the bonds.

(c) The issuance of any part of the bonds.

60672. The district may dispose of the bonds so issued at the times or in the manner the board deems to be to the public interest.

60673. Any bonds issued by any district organized under the provisions of this act are hereby given the same force, value and use as bonds issued by any municipality and shall be exempt from all taxation within the State.

60674. The board may, by resolution, do the following:

(a) Submit to the voters a measure to issue new bonds to refund any or all of the district bonds outstanding.

(b) Submit to the voters of any improvement district of the district a measure to issue new bonds to refund any improvement district bonds outstanding.

60675. The measure may be voted on at any district election or a special election may be called for the purpose.

60676. The procedure upon the election shall be in accordance, so far as applicable, with the procedure upon an original issue of bonds, except that:

(a) No hearing need be held upon the question whether the bond issue will benefit the entire district or only a portion thereof.

(b) The vote of a majority of the voters voting upon the measure is sufficient to authorize the issue of refunding bonds.

60677. The refunding bonds may be issued and sold in the manner and form prescribed for an original issue of bonds.

60678. Refunding bonds may, if the holders of bonds of an original issue and the board so agree, be exchanged for original bonds

60679. The face value of refunding bonds exchanged for original bonds shall not exceed the face value of the original bonds.

60680 The board may raise money by rates or taxes to pay principal and interest of the refunding bonds in the same manner as prescribed for payment of bonds of an original issue.

60681 Any bonds issued by the district may be made callable by resolution of the board adopted at or prior to the time of issuing the bonds

60682. When bonds are made callable, a statement to that effect shall be set forth on the face of the bond.

60683. Callable bonds may be redeemed in addition to other methods permitted in the following manner:

(a) In numerical order or by lot as prescribed in the resolution.

(b) On any interest payment date prior to their fixed maturity.

(c) At not exceeding their par value and accrued interest.

60684 Notice designating the bonds called for redemption shall be published once a week for three successive weeks in a newspaper of general circulation circulated in the county in which the office of the district is situated.

60685 The first publication of the redemption notice shall be not less than 30 nor more than 90 days prior to the date fixed for redemption

60686. If on the date fixed for redemption the district has provided funds available for payment of the principal and interest of the bonds called, interest on them ceases.

CHAPTER 5. IMPROVEMENT DISTRICTS

60710 Improvement districts may be formed in a district for any authorized purpose of the district in the same manner as improvement districts are formed in irrigation districts. When formed, such improvement districts shall be governed in the same manner as improvement districts in irrigation districts.

60711. The board of directors of a district shall have the same rights, powers, duties and responsibilities with respect to the formation and government of improvement districts in districts as the board of directors of an irrigation district has with respect to improvement districts in irrigation districts.

60712. Assessments in an improvement district in a district shall be levied, collected and enforced at the same time and in as nearly the same manner as practicable as annual taxes for purposes of the district in which formed, except that the assessment shall be made in the same manner as provided with respect to improvement districts in irrigation districts.

60715. Whenever, in the opinion of the board, the public interest or convenience may require, it may order to be done in, under, or upon the whole or any portion of any one or more of the streets or public places of the district, or any property or rights of way owned by the district, any work or improvement which the district is authorized to do and the cost thereof assessed and collected in accordance with the procedure and in pursuance of the provisions of the Improvement Act of 1911.

CHAPTER 6. DEPOSITARY OF DISTRICT MONEY

60730. The board shall designate the county treasurer of a county in which the district is situated to be the depositary and have the custody of all the district's money.

60731. The county treasurer shall:

(a) Receive and receipt for all the district's money and place it in the county treasury to the credit of the district.

(b) Be responsible upon his official bond for the safekeeping and disbursing of all district money so held by him.

60732. The county treasurer shall pay out district money, or any portion thereof, only upon warrants of the county auditor.

60733. The county auditor shall draw warrants to pay demands made against the district when the demands have been approved by a majority of the members of the board and the general manager.

60734. The county treasurer shall report in writing on the first day of July, October, January, and March of each year to the board with respect to each of the following:

(a) The amount of money he then holds for the district.

(b) The amount of receipts since his last report.

(c) The amount paid out since his last report. The report shall be verified and filed with the secretary.

60735. The board of supervisors of the county shall determine the charge to be made against the district for any services of either or both of:

(a) The county treasurer as custodian of the district's money.

(b) The county auditor in drawing warrants to pay demands made and approved against the district.

PART 6 TAXES

CHAPTER 1. GENERAL PROVISIONS

60750. If from any cause the revenues of the district shall be inadequate to pay the principal or interest on any bonded debt as it becomes due, the board must, or if funds are needed to carry out the objects and purposes of the district, which can not be provided for out of the revenues of the district, then the board may levy a tax for such purposes as herein provided.

60751. The board shall state the purposes for which such taxes are necessary, and must fix, by ordinance, the amount of money necessary to be so raised by taxation. If the amount to be raised at any one time by taxation for a purpose other than interest or sinking fund payments exceeds the sum of fifty thousand dollars ($50,000), such ordinance shall not go into effect before 30 days from its final passage.

60752. The board of directors shall avail itself of the assessment or assessments made by assessors of the counties in which the district is situated, and take such assessments as the basis for district taxations.

60753. All assessments shall be made and taxes collected by the county assessors and tax collectors of the counties in which the district is situated.

60754. The said county auditors must, on or about the third Monday in August of each year, transmit to the board a statement in writing showing the total value of all property within the district, which value shall be ascertained from the assessment book of the respective counties for that year as equalized and corrected by the boards of supervisors of such counties.

60755. The board shall, on the first weekday in September, or if such weekday falls upon a holiday then on the first business day thereafter, fix the rate of taxes, designating the number of cents upon each hundred dollars, using as a basis the value of the property levied upon as assessed by the county assessors and so returned to the board by the county auditors, which rate of taxation shall be sufficient to raise the amount previously fixed by the board, as hereinabove prescribed; which acts by the board are a valid assessment of such property and a valid levy of such taxes so fixed. The board must immediately thereafter transmit to the said county auditors a statement of such rate so fixed by the board.

60756. Any district taxes required to be levied to pay the interest on or principal of any bonded indebtedness incurred by the district for the benefit of less than the whole of the district shall be levied on and shall be a lien upon only the property benefited by the bonded debt as stated in the resolution of the board declaring the necessity to incur the debt. Where any district taxes are to be levied upon less than the whole district the board shall furnish the county assessors and auditors of the counties with a description of the property upon which such taxes are to be levied and the county auditors shall include in the statement furnished pursuant to Section 60754 the total value of all property so described.

60757. The said auditors must then compute and enter in a separate column in the assessment book or assessment books, to be headed "Community Services District Tax" the respective sums in dollars and cents or dollars or cents to be paid as a district tax on the property therein enumerated and assessed as being in the district, using the rate or rates of levy so fixed by the board and the assessed value as found in such assessment books.

60758 Such taxes so levied shall be collected at the same time and in the same manner as county taxes; and when collected the net amount, as ascertained as hereinafter provided, shall be paid to the county treasurer for the district, under the general requirements and penalties provided by law for the settlement of other taxes.

60759 All taxes levied under the provisions of this law shall be a lien on the property on which they are levied; and the enforcement of the collection of such taxes may be had in the same manner and by the same means as is provided by law for the enforcement of liens for state and county taxes, all the provisions of law relating to the enforcement of the latter being hereby made a part of this law, so far as applicable

60760 Whenever any real property situate in any district has been sold for taxes and has been redeemed, the money paid for such redemption shall be apportioned and paid by the county treasurers receiving the same to such district, in the proportion which the tax due to such district bears to the total tax for which such property was sold.

60761. Each county auditor and tax collector affected by the provisions of this act shall annually file with the board of supervisors of his county itemized statements showing the additional expense to his office caused by the performance of the duties imposed upon him or his office under the provisions of this act, and upon the filing of such statements the board of supervisors shall, by an order spread upon its minutes, deduct such expenses from the tax money of the district, while in the hands of the tax collector, and transfer the amount deducted into the county salary fund, provided, that not more than one-half of 1 percentum on the amount collected shall be so charged or deducted by any county. The boards of supervisors of such counties may provide such extra help for their county offices or officers as in their judgment may be necessary for the proper performance of their duties hereunder.

PART 7 CHANGES IN ORGANIZATION

CHAPTER 1. ANNEXATION

60800 Land not a part of the district whether or not contiguous to it or to other portions added to the district, and consisting of any unincorporated territory may be annexed to the district.

60801. The land annexed shall be susceptible of service by the district and of being benefited by the district.

60802. A majority in number of the holders of title to any tract of land proposed to be annexed and who are also the holders of title to a majority in acreage of the land, or a majority in number of the voters residing within the tract, may file with the secretary a petition signed by them containing a description of the land proposed to be annexed sufficient to identify it and praying that the land be annexed in the district.

60803 A guardian, executor, administrator, or other person holding property in a trust capacity under appointment of court may sign any petition or protest provided for in this article when authorized by the proper court, which authorization may be made without notice.

60804. The petition may consist of one or more separate instruments and each signature thereto shall be acknowledged or proved in the manner required to entitle an instrument to be recorded.

60805. The last equalized assessment roll of each county containing land proposed by the petition to be included is prima facie evidence of the ownership of the land in that county proposed to be annexed and the names and number of the holders of title to the land.

60806. If the owners of a majority in acreage of the land described in the petition file a written protest at or before the hearing on the petition, the land shall not be annexed to the district.

60807. The secretary shall commence the publication of a notice of the filing of the annexation petition not more than forty days after the filing of the petition

60808. The notice shall be published in a newspaper of general circulation circulated within the district at least twice with an interval of at least six days between the first and last publication.

60809. The notice shall contain:

(a) A statement of the purpose of the petition.

(b) A description of the land proposed to be annexed.

(c) The time of the hearing.

(d) An announcement that any persons interested in the proposed annexation may appear at the office of the board at the time of the hearing and file objections in writing showing cause, if any they have, why the land or any of it should not be annexed as proposed in the petition.

60810. The time of the hearing specified in the notice shall be the regular meeting of the board next after the giving of the notice is complete

60811 The secretary shall, within two days after first publication of the notice, mail a copy to each person who has not signed the petition and to whom any land proposed to be annexed to the district was assessed on the last equalized assessment roll of the county containing that land at that person's address appearing on the assessment roll.

60812. Irregularity or defect in mailing or failure to mail copies of the notice shall not in any manner impair nor invalidate the annexation of the land to the district.

60813. The petitioners shall advance to the secretary the cost of publication and mailing of the notice of the annexation hearing, and unless so advanced at the time of filing the petition or as provided by the board the secretary shall not publish nor mail the notice.

60814 At the time and place specified in the notice or at the time to which the hearing may be adjourned the board shall hear the petition and all objections to it presented in writing.

60815 The board after the hearing of any annexation petition shall by ordinance order the annexation of all or any part of the land described in the petition when as to the land to be annexed the board finds that the following are true:

(a) The petition complies with this chapter.

(b) The annexation of the land is authorized by this chapter

(c) The annexation will be for the best interest of the district

(d) The annexation of the land will be for the best interest of the land

60816. The board shall not determine that only a portion of the land shall be annexed unless the petitioners include a majority in number of the holders of title to the portion of the land which is to be annexed and represent a majority in acreage of that land.

60817 The annexation ordinance shall contain a description of the land annexed to the district sufficient to identify the land.

60818. A finding by the board in the annexation ordinance in favor of the genuineness and sufficiency of the petition for annexation and notice of the hearing of it is conclusive against all persons except the State upon suit by the Attorney General commenced within six months after the adoption of the ordinance annexing land to the district

60819. The board, without petition except as required by the laws of the United States, may by resolution propose the annexation to the district of any public land of the United States which might, if privately owned, be annexed on petition.

60820. After the adoption of a resolution pursuant to Section 60819, the secretary shall publish a notice and otherwise comply with Sections 60807 to 60813, inclusive.

60821. The board shall hold a hearing pursuant to the notice and if it finds that all requirements of this chapter and of the laws of the United States have been complied with, and that the annexation of all or part of the land is authorized by this chapter and will be for the best interest of the district and of the land to be annexed, the board shall by ordinance describe the land which is to be annexed and declare that the land is annexed to the district.

60822. If no petition for the holding of an election for the disapproval and veto by the electors of any ordinance annexing land to the district is filed within the period provided by Section 60451 after the adoption of the ordinance, or if the petition is filed and at the election thereon the voters shall not disapprove and veto the ordinance, it shall be effective.

60823. If the ordinance annexing land to the district is effective, the president and secretary shall, if no petition for disapproval and veto of such ordinance is filed within the time provided by law, or if such petition is filed and upon the election the electors shall not disapprove and veto said ordinance, file with the Secretary of State and with the county recorder of the county in which the district is situated certified copies of the ordinance and certificates stating said facts.

60824 Within 10 days after he receives the certified copies of the ordinance and certificate of the president and secretary the Secretary of State shall issue his certificate reciting the annexation to the district of the land, describing it, and shall transmit to and file with the county clerk of the county in which the district is situated a certified copy of the certificate

60825. From and after the date of the certificate of the Secretary of State the land therein described is annexed to the district and forms a part thereof and is subject to existing bond issues and indebtedness of the district.

60826. When the board finds that the annexation of any land without condition would work an injury as to the land already within the district, the board may by resolution prescribe any conditions upon the annexation that the board deems just, which may include:

(a) Any condition which the board deems to be reasonably necessary to avoid injury as to the land already in the district.

(b) Payment of special taxes upon the land to be annexed.

(c) Special rates for district services to the land proposed to be included

(d) A requirement that the land shall be annexed to and form a part of any improvement district then existing within the county water district.

(e) A requirement that the land to be annexed shall constitute one or more additional improvement districts

(f) A requirement that the owners of the land to be annexed pay to the district a specific sum of money representing an equitable share of the cost of district facilities and improvements which benefit the land to be annexed.

60827. If any conditions are prescribed by the board, it shall adjourn the hearing for not less than 30 nor more than 60 days

60828. If at or prior to the adjourned hearing written objections to the annexation of the land subject to the conditions, signed and acknowledged by the majority in number of the holders of title to the land proposed to be annexed to the district and representing a majority in acreage of the land are filed with the secretary, then the board shall by resolution at the hearing dismiss the petition.

60829. If the objections have not been so filed at the adjourned hearing the board may by ordinance declare that the land is annexed to the district subject to the prescribed conditions.

60830. Without any other proceedings than those necessary to comply with the laws of the United States and regulations issued thereunder, the board may by any ordinance providing for annexation to the district of any public land of the United States impose upon that land any conditions it deems just.

CHAPTER 2. DISSOLUTION

60850. Any district may be dissolved in the manner provided in this chapter.

60851 Fifteen percent of the electors or the owners of 15 percent in assessed value of the land and improvements in the district may propose the dissolution of the district by a petition filed with the secretary.

60853. The latest general index of the books of affidavits of registration of voters and latest equalized assessment rolls of the county in which the district is situated are prima facie evidence of each of the following:

(a) The number and names of the electors

(b) The value of the land and improvements in the district.

(c) The ownership of the land and improvements.

(d) The values of the individual parcels

60854. The petition for dissolution shall set forth all of the following:

(a) When the district was formed.

(b) Whether the district is or is not serving consumers of utility services.

(c) The amount of the bonded indebtedness, if any, the unpaid balance, and the amount of matured bonds.

(d) The amount of indebtedness other than bonded or a statement that there is none

60856 The books and records of the district are prima facie evidence of the facts required to be stated in the petition.

60857. No district shall be dissolved while there is any unmatured bonded indebtedness outstanding.

60858. Upon receipt of the petition for dissolution the secretary shall within 40 days publish a notice of the petition in a newspaper of general circulation circulated within the district at least twice with an interval of at least six days between the first and last publication

60859. The notice shall state that:

(a) A dissolution petition has been filed with the secretary.

(b) The board will hear the petition and all objections to it at the regular meeting of the board next after the giving of the notice is complete.

(c) The time of the hearing.

(d) The place of the hearing

(e) That persons interested in the proposed dissolution may appear at the time and place mentioned to show cause, if any they have, why an election should not be held on the question of the dissolution of the district.

60860 At the hearing, or any adjournment thereof, the board shall take evidence upon the petition, hear the petition, and hear all persons appearing either for or against the holding of an election to dissolve the district.

60861. The board may adjourn the hearing from time to time, not exceeding in all 60 days.

60862. If at the hearing the board determines that the requirements of this chapter have been complied with, it shall by resolution:

(a) Determine the compliance.

(b) Provide for and order the holding of a district election on a specified date within 60 days thereafter to submit to the voters the proposition whether or not the district shall be dissolved.

(c) Recite the filing of the petition for dissolution.

60873. If a majority of the votes cast are in favor of the dissolution of the district, the board shall by resolution entered on its minutes do each of the following:

(a) State that a majority of the votes cast at the election favor the dissolution.

(b) Declare the district dissolved.

60874. Upon the entry in the minutes of the board of the resolution declaring the district dissolved the district is dissolved.

60875 A certified copy of the resolution shall be filed with the Secretary of State and a certified copy recorded with the county recorder of each county containing any part of the district.

60876. If less than a majority of the votes cast at the dissolution election favor the dissolution of the district, the dissolution is defeated and no new petition for dissolution shall be filed within one year after the election.

60877. Any indebtedness of the district outstanding at the time of the dissolution shall be paid as provided in this chapter.

60878. If the district has any assets, the ownership thereof vests in the board of supervisors of the county in which such district is located.

60879. The board of supervisors in which title to district assets vests shall sell the assets and use the receipts to pay the indebtedness of the district as it matures.

60880 If an insufficient amount is secured from the sale of the assets to pay the indebtedness, the board of supervisors of the county in which the greatest portion of the district area is located shall from time to time cause taxes to be levied on the property in the district liable to taxation for the indebtedness and collected in a sufficient amount to pay the balance of the indebtedness as it matures.

60881 If the receipts from the sale of the assets of the district are more than sufficient to pay its indebtedness, the remaining amount shall be paid into the general funds of each county in which the district is located, in the same proportions as the assessed values of the property within the portion of each county within the district.

CHAPTER 3. EFFECT OF INCLUSION IN UNINCORPORATED TERRITORY

60890 Whenever all the territory comprising a district becomes a part of any incorporated city, the legislative body of the city shall succeed to the powers of the board and shall thereafter, for all purposes, become board of directors of the district All the property, records and documents of such district must be transferred and conveyed by the board to such legislative body upon the incorporation of such city."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3011—An act to amend Section 18853 of the Government Code, relating to state employment, in respect to salaries on per diem or hourly bases.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 18853", and insert "*Sections 19360 and 19361*"; *and* in lines 2 and 3 of the title, strike out "salaries on per diem or hourly bases" and insert "transfers".

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "18853", and insert "19360".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1, of said bill, strike out lines 3 to 14, inclusive, and insert:

"19360 An appointing power may at any time transfer any employee under his jurisdiction from one position to another in the same class or in another class having substantially similar duties, responsibilities, and qualifications, and substantially the same salary range [ ] *and may transfer any employee from one location to another whether or not it involves a change in position.* [In every such case the appointing power shall give written notice of his action to the board, according to board rule.]

SEC. 2. Section 19361 of the Government Code is amended to read:

19361. *Any order transferring an employee from one location to another which reasonably requires a change in the employee's official headquarters may be protested by the employee to the board on the grounds that it is made for the purpose of harassing or disciplining him.* [If a transfer is protested to the board by an employee as made for the purpose of harassing or disciplining him,] *Notwithstanding such a protest,* the appointing power may require the employee to transfer pending *decision on the protest by the board.* [approval or disapproval of the transfer by the board.] If

the board disapproves the transfer, the employee shall be returned to his former position [,] *and* shall be paid the regular travel allowance for the period of time he was away from his original headquarters [,] and his moving costs both from and back to the original headquarters [shall be paid] in accordance with Board of Control rules."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3247—An act to amend Section 51 of the Labor Code, relating to the Director of Industrial Relations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 51", and insert "Sections 51, 70.5, 77.5, 80, and 145".

Amendment No. 2

In line 1 of the title of said bill, strike out the second "the"; and strike out all of line 2, and insert "salaries in the Department of Industrial Relations."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, following line 9, insert

"SEC. 2. Section 70.5 of said code is amended to read:

70.5 The salary of the Chief of the Division of Industrial Welfare shall be not less than [seven thousand two hundred dollars ($7,200)] *ten thousand dollars ($10,000)* per annum.

SEC. 3. Section 77.5 of said code is amended to read:

77.5 The salary of the Chief of the Division of Housing shall be not less than [seven thousand two hundred dollars ($7,200)] *ten thousand dollars ($10,000)* per annum.

SEC. 4 Section 80 of said code is amended to read.

80. The salary of the Labor Commissioner shall be not less than [seven thousand two hundred dollars ($7,200)] *eleven thousand dollars ($11,000)* per annum.

SEC 5. Section 145 of said code is amended to read:

145. [Salary of Chief.] The salary of the Chief of the Division of Industrial Safety shall be not less than [seven thousand two hundred dollars ($7,200)] *eleven thousand dollars ($11,000)* per annum."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3248—An act to amend Section 112 of the Labor Code, relating to the Industrial Accident Commission

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 16, of the printed bill, after "annum", insert "except the chairman who shall receive a salary of thirteen thousand dollars ($13,000) per annum".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1309—An act to amend Section 10 of the Public Utilities Act, relating to the commissioners, officers and employees of the Public Utilities Commission, their qualifications and salaries.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, after "Act", insert "and Section 304 of the Public Utilities Code".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 10 of the Public Utilities Act is amended to read

Sec. 10. (a) The annual salary of each commissioner shall be [twelve thousand dollars ($12,000)] *seventeen thousand five hundred dollars ($17,500)*. All officers, experts, engineers, statisticians, accountants, examiners, inspectors, clerks and employees of the commission shall receive such compensation as may be fixed by the commission. The commissioners shall be civil executive officers and their salaries as fixed by law shall be paid in the same manner as are the salaries of other state officers. The salary or compensation of every person employed by the commission shall be paid monthly from the funds appropriated for the use of the commission, after being approved by the commission, upon claims therefor to be audited by the Board of Control.

(b) All expenses incurred by the commission pursuant to the provisions of this act, including the actual and necessary traveling and other expenses and disbursements of the commissioners, and their employees, incurred while on business of the commission, and including the premium or charge for bonds given by surety companies for employees of the commission when required by the commission; provided, however, that no such premium or charge shall exceed one-half of 1 percent per annum of the amount of such bond, shall be paid from the funds appropriated for the use of the commission, after being approved by the commission, upon claims therefor to be audited by the Board of Control.

SEC. 2. Section 304 of the Public Utilities Code is amended to read:

304. The annual salary of each commissioner shall be [twelve thousand dollars ($12,000)] *seventeen thousand five hundred dollars ($17,500)*. The commissioners shall be civil executive officers and their salaries as fixed by law shall be paid in the same manner as are the salaries of other state officers.

SEC. 3. Section 2 of this act becomes operative only if Division 1 of the Public Utilities Code is enacted by the Legislature at its 1951 Regular Session, and in such case at the same time as said Division 1 takes effect, at which time Section 1 of this act is repealed."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 26, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1308—An act to amend Section 4 of the Public Utilities Act, relating to the appointment of an attorney at law to act as attorney for the Public Utilities Commission, prescribing his authority and duties and prescribing and fixing the compensation to be paid to said attorney for services rendered by him.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, after "Act", insert "and Section 307 of the Public Utilities Code".

Amendment No. 2

On page 1 of said bill, after line 20, insert

"SEC. 2. Section 307 of the Public Utilities Code is amended to read:

307. The commission may appoint as attorney to the commission an attorney at law of this State, who shall hold office during the pleasure of the commission. The attorney shall represent and appear for the people of the State of California and the commission in all actions and proceedings involving any question under this part or under any order or act of the commission. If directed to do so by the commission, he shall intervene, if possible, in any action or proceeding in which any such question is involved. The attorney shall commence, prosecute, and expedite the final determination of all actions and proceedings directed or authorized by the commission; advise the commission and each commissioner, when so requested, in regard to all matters in connection with the powers and duties of the commission and the members thereof; and generally perform all duties and services as attorney to the commission which the commission may require of him. *The annual salary of said attorney is sixteen thousand five hundred dollars ($16,500).*

SEC. 3. Section 2 of this act becomes operative only if Division 1 of the Public Utilities Code is enacted by the Legislature at its 1951 Regular Session, and in such case at the same time as said Division 1 takes effect, at which time Section 1 of this act is repealed."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1802—An act to amend Section 12302 of the Government Code, relating to salaries of State Treasurer's assistants.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 6 of the printed bill, strike out "also".

Amendment No. 2

On page 1, line 7, of said bill, strike out "and fix the salaries of", and insert "as civil executive officers".

Amendment No. 3

On page 1, line 9, of said bill, strike out "Each of such appointees is a civil exe-".

Amendment No. 4

On page 1 of said bill, strike out all of lines 10 to 15, inclusive

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1060—An act to add Part 11, comprising Sections 15800 to 15826, inclusive, to Division 3, Title 2 of the Government Code, relating to the creation of a State Public Works Authority as a body corporate and politic with power to construct, improve, and operate projects, and to lease them and to fix and collect fees, rentals, and charges for the use thereof; and authorizing and regulating the issuance of revenue bonds by the authority, and providing for the payment of the bonds and the rights of the holders of the bonds; and granting the right of

eminent domain; and increasing the powers and duties of the Division of Architecture, Department of Public Works; and providing that no debt of the State shall be incurred in the exercise of any of the powers granted under this act; and making an appropriation to the authority to pay expenses incident to its formation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 27, 1951, strike out "15826", and insert "15835".

Amendment No. 2

On page 1, line 1, of said bill, strike out "15826", and insert "15835".

Amendment No. 3

On page 2, line 50, of said bill, strike out ", secretary and treasurer", and insert "and a secretary".

Amendment No. 4

On page 4 of said bill, strike out lines 42 to 51, inclusive.

Amendment No. 5

On page 5, line 1, of said bill, strike out "(o)", and insert "(n)".

Amendment No. 6

On page 5 of said bill, strike out lines 3 to 8, inclusive, and insert

"15806. The authority may issue revenue bonds in its name and as its obligation; but no bond issued or sold pursuant to this part shall be or become a lien, charge or liability against the State of California or against the authority or against the property or funds of either, except to the extent of the pledge of revenues or part of revenues of the project, as may be provided by the indenture pursuant to which revenue bonds are issued; and every such bond issued by the authority shall contain a recital on the face thereof, stating that neither the payment of the principal nor any part thereof, nor any interest thereon, constitutes a debt, liability or obligation of the State of California. The authority has no power at any time or in any manner to pledge the credit or taxing power of the State or any of its local agencies."

Amendment No. 7

On page 5 of said bill, between lines 47 and 48, insert

"15809. The authority may fix the times, form, manner, terms and conditions for the sale or other disposition of any authorized issue of revenue bonds, and may provide that the bonds shall be sold on the basis of the lowest net interest cost to the State, the coupon rates to be fixed by the successful bidder on the sale of bonds, not exceeding the maximum rate herein provided. The authority may authorize the State Treasurer to sell bonds at less than their par or face value, but no bond may be sold at a price below the par or face value thereof which would result in a sale price yielding to the purchaser more than 6 percent per year, payable semiannually, according to standard tables of bond values.

Immediately after the adoption of a resolution by the authority directing the preparation of any bonds authorized under this part, the State Treasurer shall arrange for the preparation of the requisite number of suitable bonds of the denominations, and in accordance with the specifications, contained in such resolution."

Amendment No. 8

On page 5 of said bill, strike out lines 48 and 49, and insert

"15810. The bonds of the authority shall be of such series,".

Amendment No. 9

On page 6, line 3, of said bill, strike out "be payable,"; and strike out line 4, and insert "be sub-".

Amendment No. 10

On page 6 of said bill, after line 8, insert

"Both the principal and interest shall be payable in lawful money of the United States, at the office of the State Treasurer, or at the office of any duly authorized agent of the State Treasurer.

15811. Whenever the authority deems that it will increase the salability or the price of the bonds to obtain a legal opinion as to the validity of the bonds prior to or after the sale, from attorneys other than the Attorney General, the authority may authorize the State Treasurer to obtain such a legal opinion. Payment for such legal services shall be made from the proceeds of the sale of the revenue bonds covered by such legal opinion, or from any other funds available to the authority, on warrant of the State Controller duly drawn for that purpose

15812. All costs and expenses incident to the advertising, sale, and issuance of the bonds may be paid out of the proceeds of the sale of the bonds with respect to which such costs and expenses are incurred Interest on the bonds may be paid out of the proceeds of the sale of the bonds covered by such interest, during the actual construction of any project for the acquisition, construction or completion of which the bonds have been issued, and for such period thereafter, not to exceed two years, as may be provided in the indenture."

Amendment No. 11

On page 6, line 9, of said bill, strike out "15810", and insert "15813".

Amendment No. 12

On page 6 of said bill, strike out lines 11 and 12, and insert "with the facsimile signature of the State Treasurer as trustee, a facsimile of the corporate seal of the Authority, and the attestation of the secretary of the authority, either by original signature or by a signature stamp Coupon".

Amendment No. 13

On page 6, line 14, of said bill, strike out "treasurer of the authority", and insert "State Treasurer".

Amendment No. 14

On page 6 of said bill, strike out lines 20 and 21, and insert

"15814 The bonds authorized to be issued under this part shall be sold by the State Treasurer, to the highest bidder, for cash, at public sale upon sealed bids, in such parcels and numbers as shall be specified in a resolution adopted by the authority, authorizing and requesting such sale Due notice of the time and place of sale of".

Amendment No. 15

On page 6, line 22, of said bill, strike out "authority", and insert "State Treasurer".

Amendment No. 16

On page 6, line 28, of said bill, strike out "authority", and insert "State Treasurer".

Amendment No. 17

On page 6, line 44, of said bill, strike out "15812", and insert "15815".

Amendment No. 18

On page 7, line 10, of said bill, strike out "15813", and insert "15816".

Amendment No. 19

On page 7 of said bill, strike out lines 13 and 14; and in line 15, strike out "restricting the credit to", and insert

"(a) Pledging".

Amendment No. 20

On page 7, line 36, of said bill, strike out "15814", and insert "15817"

Amendment No. 21

On page 8, line 3, of said bill, strike out "15815", and insert "15818".

Amendment No. 22

On page 8, line 5, of said bill, strike out "15816", and insert "15819".

Amendment No. 23

On page 8 of said bill, between lines 18 and 19, insert

"15820. The State Treasurer shall act as trustee for the authority and the holders of the bonds issued under this part, and the authority may authorize the trustee to act on behalf of the holders of the bonds, or any stated percentage thereof, and to exercise and prosecute on behalf of the holders of the bonds such rights and remedies as may be available to the holders.

The authority shall, by resolution, prescribe the duties and powers of such trustee with respect to the issuance, authentication, sale and delivery of the bonds, and the payment of principal and interest thereof, the redemption of the bonds, the registration

and discharge from registration of the bonds, and the management, exclusive of the investment or reinvestment thereof, of any sinking fund or other funds provided as security for the bonds."

Amendment No. 24

On page 8, line 19, of said bill, strike out "15817", and insert "15821".

Amendment No. 25

On page 9 of said bill, strike out line 9, and insert "15822. A trustee appointed pursuant to Section 15821".

Amendment No. 26

On page 9, line 31, of said bill, strike out "15819", and insert "15823".

Amendment No. 27

On page 9 of said bill, strike out lines 39 to 51, inclusive; and on page 10, strike out lines 1 to 15, inclusive, and insert

"15824 The proceeds from the sale of all bonds authorized under the provisions of this part shall be deposited forthwith by the State Treasurer, on order of the State Controller, in the State Treasury to the credit of a fund to be designated as the State Public Works Construction Fund, which fund is hereby created The money in the construction fund shall be expended pursuant to claims filed by the authority with the State Controller, for the purposes authorized by this part, or as provided in the indenture, for the acquisition, construction, and completion of the plan or project, *including the payment of the cost of all surveys, preparation of plans and specifications,* and the payment of all architectural, engineering, legal, financial and administrative costs, and in addition, for the payment of all costs and expenses of, and incident to, the issuance and sale of bonds, and the payment of interest due or to become due on the bonds during the period of actual construction, and for such further period as may be specified in the indenture for the issuance of the bonds, not exceeding two years after the period of construction

15825. All revenues received from the operation of any project acquired or constructed by the authority under the provisions of this title, and all other money received by the authority from whatever source derived, the disposition of which is not otherwise provided by this part, shall be transmitted by the authority at least once in every calendar month to the State Treasurer, and, on order of the State Controller, shall be deposited in the State Treasury to the credit of the State Public Works Revenue Fund, which fund is hereby created

The moneys in the Revenue Fund shall be expended for the payment of the costs of operation and maintenance of the projects authorized by this part, including administrative expenses of the authority, and for such other purposes as may be *provided in the indenture, and subject to the restrictions provided* by law or the indenture, for such purposes as may be authorized by resolution of the authority.

15826 All moneys in the Revenue Fund, except that part required to pay the costs and expenses authorized by Section 15825, shall be set aside at regular intervals as provided in the indenture or by resolution of the authority, and, on order of the State Controller, shall be transferred to the State Public Works Sinking Fund, which fund is hereby created.

All money in the Sinking Fund shall be pledged to, and expended for, the payment of:"

Amendment No. 28

On page 10 of said bill, between lines 29 and 30, insert

"15827 The authority may provide in the indenture, or by resolution, for the allocation of financial and administrative costs of the authority during the period of actual construction, and for such further period as may be specified in the indenture for the issuance of the bonds, not exceeding two years, between the moneys in the State Public Works Construction Fund and the moneys in the State Public Works Revenue Fund, and may likewise provide for the allocation, between the moneys in the construction fund derived from the proceeds of the bond issues covering each separate project, of that portion of said total financial and administrative expenses that are allocated to the construction fund as herein provided

15828. Subject to such limitations as may be provided in the indenture providing for the issuance of revenue bonds, and subject to the obligations of the authority to its bondholders, the Director of Finance is authorized to invest and reinvest surplus moneys in the State Public Works Construction Fund and in the State Public Works Sinking Fund, as determined by resolution of the authority, in bonds or interest-bearing notes or obligations of the United States, or those for which the full faith and credit of the United States are pledged for the payment of principal and interest, or bonds of this State, or those for which the full faith and credit of this State are pledged for the payment of principal and interest, or in the bonds of any county, city, metropolitan water district, municipal utility district, or school district of this State All securities or other investments made under the provisions of this part shall be held by the State Treasurer as custodian thereof.

All interest received or other earnings derived from such investments shall be collected by the State Treasurer, and, on order of the State Controller, shall be deposited in the State Treasury to the credit of the fund from which were made the investments from which such interest or other earnings were derived."

Amendment No. 29

On page 10, line 30, of said bill, strike out "15821", and insert "15829".

Amendment No. 30

On page 11 of said bill, between lines 10 and 11, insert

"All of the provisions of Sections 1720 through 1980 of the Labor Code and all of the provisions of the State Contract Act shall be applicable to the provisions of Part 11 of this code."

Amendment No. 31

On page 11, line 11, of said bill, strike out "15822", and insert "15830".

Amendment No. 32

On page 11, line 23, of said bill, strike out "15823", and insert "15831".

Amendment No. 33

On page 11, line 29, of said bill, strike out "15824", and insert "15832".

Amendment No. 34

On page 11, line 35, of said bill, strike out "15825", and insert "15833".

Amendment No. 35

On page 11, line 47, of said bill, strike out "15826", and insert "15834"

Amendment No. 36

On page 12 of said bill, between lines 3 and 4, insert

"15835. The authority may allocate, out of any funds available to it, amounts sufficient to pay the costs of initially preparing, advertising, and selling, and of obtaining legal opinions on the validity of, revenue bonds, as provided in this part, which amounts shall be repaid to the fund from which they were expended, out of the proceeds from the sale of revenue bonds with respect to which such costs were incurred. The amounts so allocated shall be expended pursuant to claims filed by the State Treasurer with the State Controller."

Amendment No. 37

On page 12 of said bill, strike out lines 7 to 10, inclusive, and insert "to pay expenses incurred by the authority or the State Treasurer under the provisions of Part 11, Division 3, Title 2, of the Government Code, in commencing the work of the authority, including the cost of having bonds prepared and in advertising their sale or their prior redemption, and for obtaining legal opinions as to the validity of the bonds, as provided in this part. Whenever bonds are sold, out of the first money realized from the sale of said bonds, there shall be redeposited in the General Fund such sums as have been expended therefrom with respect to said bonds or with respect to purposes for which the proceeds of said bonds may be expended, as provided in the indenture or by this part."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3174—An act to add Sections 3011.1 and 3301.1 to the Public Resources Code, relating to oil and gas, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Manufacturing, Oil, and Mining Industry:

Amendment No. 1

Strike out line 1 of the title of the printed bill, and insert

"An act to amend Sections 3402, 3403, 3423, 3426, and 3429, and to amend and renumber Sections 3410, 3411, 3418, 3420, 3421, and 3429 of the Public Resources".

Amendment No. 2

In line 2 of the title of said bill, after "Code," insert "to repeal Sections 3405, 3406, 3407, 3408, 3409, 3412, 3413, 3414, 3415, 3416, 3417, 3419, 3425, and 3428 thereof, and to add Sections 3407, 3408, 3409, 3410, 3415, 3416, 3417, 3418, 3419, 3420, and 3428 thereto,".

Amendment No. 3

In lines 2 and 3 of the title of said bill, strike out "declaring the urgency thereof, to take effect immediately".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, strike out lines 1 to 25, inclusive, and strike out page 2, and insert

"SECTION 1. Section 3402 of the Public Resources Code is amended to read:

3402. There [shall] *is* annually [be] imposed upon the person operating each oil well in this State, or owning royalty or other interests in respect to the production from such well, a charge which shall be payable to the State [Treasurer] *Controller* and which shall be computed at a uniform rate per barrel of oil produced from such well *for the preceding calendar year. The charge shall be apportioned among all of* such persons in fractional amounts proportionate to their respective fractional interests in respect to the production of such well, but the whole of such charge shall be payable by the operator, who shall withhold their respective proportionate shares of such charge from the amounts otherwise payable or deliverable to such owners of royalty or other interests.

SEC. 2. Section 3403 of said code is amended to read:

3403. There [shall] *is* annually [be] imposed upon the person operating each gas well in this State, or owning royalty or other interests in respect to the production from such well, a charge which shall be payable to the State [Treasurer] *Controller* based upon the amount of gas sold in the preceding calendar year, and which shall be computed at *a uniform rate per thousand cubic feet. The charge shall be apportioned* among all of such persons in fractional amounts proportionate to their respective fractional interests in respect to the production of such well, but the whole of such charge shall be payable by the operator, who shall withhold their respective proportionate shares of such charge from the amounts otherwise payable or deliverable to such owners of royalty or other interests.

SEC. 3. Sections 3405, 3406, 3407, 3408, and 3409 of said code are repealed.

SEC. 4. Section 3410 of said code is amended and renumbered to read:

[3410.] *3405.* The department shall, on or before the first Monday in March in each year, acting in conjunction with the Department of Finance, make an estimate of the amount of money which will be required to carry out the provisions of this chapter *for the next succeeding fiscal year.*

SEC. 5. Section 3411 of said code is amended and renumbered to read:

[3411.] *3406.* At the time of making the estimate, the department shall report to the Department of Finance the amount of money in the Petroleum and Gas Fund on the day the estimate is made, less the amount of money necessary for the support of the DIVISION of Oil and Gas for the remainder of the fiscal year. The amount of the estimate shall not exceed the amount of money necessary for the support of the Division of Oil and Gas for the ensuing fiscal year less the amount estimated to remain in the Petroleum and Gas Fund at the end of the fiscal year plus a reserve fund of fifty thousand dollars ($50,000).

SEC. 6. Section 3407 is added to said code to read

3407. (a) After the estimate provided for in Section 3405 is made, and on or before the first Monday in April, the department, acting in conjunction with the Department of Finance, shall determine the rate or rates which will produce, as nearly as may be, the sums necessary to be raised as provided in Sections 3405 and 3406, basing such determination on the reports of production of oil and gas for the preceding calendar year in the possession of the department and upon such other pertinent information as *may be available to the department. Within the same time* the department shall extend into the proper column of the record of assessments the amount of the estimated charges due from each person

(b) On the third Monday in July of each year the department shall cause a notice to be published one or more times in a daily or weekly or semiweekly newspaper of general circulation published in the Counties of Fresno, Kern, Los Angeles, Orange, Ventura, and Santa Barbara, and in any other counties which produce oil or gas charged pursuant to this article, if one is published therein, otherwise in a newspaper of general circulation published in an adjoining county

The notice shall state the rate or rates established to be paid per barrel of oil produced and upon the amount of gas sold in the preceding calendar year and that all

persons liable for such charges are required to file returns with the State Controller and pay one-half of such charges to the State Controller on the first Monday in July of the current year.

SEC. 7. Section 3408 is added to said code, to read

3408. The department shall prescribe the form and contents of all returns for the making the charge or for other purposes to carry out the intent and provisions of this article, which form shall be mailed in duplicate to the persons assessed under this article, together with a statement of the current rate of tax determined as provided in this article. The form shall be mailed by the department on or before the first Monday in May. Failure of the department to mail the form or failure of the person liable for payment of the charges to receive it shall not relieve him of his responsibility to make a return and pay the charges imposed by this article.

SEC. 8. Section 3409 is added to said code, to read:

3409. The charges imposed by and pursuant to this article are due from and shall be paid by the person who is operating the property subject to assessment on the first Monday in March, except that, where the actual operation of any well has changed hands during the period for which the charge is imposed, the charge shall be apportioned to each operator upon the basis of oil or gas produced during the period, and the lien provided for in Section 3423 shall be a lien against the property of each operator. If the name of the owner is unknown to the department the assessment shall be made against unknown owners.

SEC. 9. Section 3410 is added to said code, to read:

3410. Every person chargeable under this article shall, on or before the first Monday in July of each year, file a return with the Controller. The return shall show the amount of charges due and all other items or information demanded by the return which are necessary to carry out this article. The return shall be verified by such person or officer as the department may designate.

The return shall show the name of the producer who filed the monthly reports of oil or gas production pursuant to Section 3227.

The return shall be accompanied by payment of the amount of charges due as provided by Section 3412, as shown by such return at the rate of charge fixed as provided by this article.

SEC. 10. Sections 3412, 3413, 3414, 3415, 3416, 3417, and 3419 of said code are repealed.

SEC. 11. Section 3418 of said code is amended and renumbered to read:

[3418] *3411*. The department shall prepare each year a record called the "Record of *Estimated* Assessments and Charges for the Petroleum and Gas Fund" in which shall be entered each *estimate of the* assessment and levy or charge [made by it] *payable* upon the property assessed and charged under this article, describing the property assessed. The assessments may be classified and entered in such separate parts of the record as the department may prescribe. If such charges and assessments become delinquent as provided in Section [3420] *3412* of this code, in addition to the information contained in the "Record of *Estimated* Assessments and Charges for the Petroleum and Gas Fund" as herein provided, the department shall furnish to the State Controller upon his request the name and address of any owner of property assessed as such name and address last appears in the office of the tax assessor for *the* county in which such land or a major portion thereof is situate.

SEC. 12. Section 3420 of said code is renumbered and amended to read

[3420] *3412*. The charges levied and assessed under this article are due and payable *to the Controller* on the first Monday in July in each year. One-half thereof shall be delinquent at six o'clock p.m., on the sixth Monday after the first Monday in July, and, unless paid prior thereto, 15 percent shall be added to the amount thereof. Unless paid prior to six o'clock p.m., on the first Monday in February next thereafter, an additional 5 percent shall be added to the amount thereof.

The remaining one-half of the charges shall be delinquent at 6 o'clock p.m. on the first Monday in February next succeeding the day upon which they became due and payable. If not paid prior thereto, 5 percent shall be added to the amount thereof.

SEC. 13. Section 3421 of said code is renumbered and amended to read:

[3421] *3413*. Within 10 days after the receipt of the record of *estimated* assessments and charges for the Petroleum and Gas Fund, the Controller shall begin publication of a notice [to] *which shall* appear daily for five days in one daily newspaper of general circulation published in each of the Counties of Fresno, Kern, Los Angeles, Orange, Ventura, and Santa Barbara, and any other counties which produce oil or gas charged pursuant to this article, if one is published therein, otherwise for at least two times in a weekly or a semiweekly paper of general circulation published therein. If there is neither a daily nor weekly nor semiweekly paper of general circulation published in any one of such counties, the publication of the notice for that county shall be made in a similar manner in a newspaper of general circulation published in an adjoining county.

SEC. 14. Section 3422 of said code is renumbered and amended to read.

[3422] *3414*. The Controller's notice shall state:

(a) That the Controller has received from the department the record of *estimated* assessments and charges for the Petroleum and Gas Fund.

(b) That the *returns of the persons liable for charges are due and the* charges [therein] assessed and levied *by this article* are due and payable on the first Monday in July.

(c) That one-half thereof will be delinquent at 6 o'clock p.m., on the sixth Monday after the first Monday in July, and unless paid to the [State Treasurer] *Controller* prior thereto, 15 percent will be added to the amount thereof, and unless paid prior to 6 o'clock p.m., on the first Monday in February next thereafter an additional 5 percent will be added to the amount thereof.

(d) That the remaining one-half of the charges will become delinquent at 6 o'clock p.m., on the first Monday in February next succeeding the day upon which they become due and payable, and if not paid to the [State Treasurer] *Controller* prior thereto, 5 percent will be added to the amount thereof.

Costs of publication shall be paid from the Petroleum and Gas Fund.

SEC. 15. Section 3415 is added to said code, to read:

3415. The Controller shall transmit all returns to the department for audit of the production of oil and gas as shown therein.

As soon as possible after the sixth Monday after the first Monday in July, the Controller shall notify the department, giving the names of all persons listed in the record of estimated assessments and charges who have failed to make a return as provided in this article.

SEC. 16. Section 3416 is added to said code, to read:

3416. In any case where the audit by the department discloses an overpayment, the department shall so certify to the Controller, who shall repay the amount of the overpayment to the person making it out of the Petroleum and Gas Fund.

SEC. 17. Section 3417 is added to said code, to read:

3417. (a) If the department is dissatisfied with the return filed or amount of charges paid by any person, it may make a deficiency determination of the charges required to be paid by the person based upon information contained in the return or upon any information in its possession. All deficiency determinations, exclusive of penalties, shall bear interest at the rate of one-half of 1 percent per month, or fraction thereof, from the date the first installment of the charge was due.

If any part of the deficiency for which a deficiency determination is made is due to negligence or intentional disregard of this article or authorized rules, a penalty of 10 percent of the amount of the determination shall be added thereto.

If any part of the deficiency for which a deficiency determination is made is due to fraud or an intent to evade the charge, a penalty of 25 percent of the amount of the determination shall be added thereto.

(b) The department shall give the person written notice of its determination. The notice may be served personally or by mail; if by mail, service shall be made pursuant to Section 1013 of the Code of Civil Procedure and shall be addressed to the person at his address as it appears in the records of the department. Service shall be deemed complete at the time of the deposit of the notice in the mail without extension of time on account of the distance between the place of deposit and the place of address.

(c) Except in the case of a fraudulent return or neglect or refusal to make a return, every notice of a deficiency determination shall be mailed to the person within three years after the return of the person is filed.

SEC. 18. Section 3418 is added to said code, to read:

3418. (a) If any person from whom charges are due and payable under this article fails, neglects, or refuses to file a return within the time required, the department shall make an estimate of the amount of the production of oil and gas by the person for the preceding calendar year and shall compute and determine the amount of charges payable by the person, adding to the amount so determined a penalty equal to 10 percent thereof.

All determinations so made, exclusive of penalties, shall bear interest at the rate of one-half of 1 percent per month, or fraction thereof, from the date the first installment of the charge was due.

If the neglect or refusal of any person to file a return is due to fraud or an intent to evade the charges, a penalty of 25 percent of the charge shall be added thereto in addition to the 10 percent penalty.

(b) Promptly after making its determination the department shall give to the delinquent written notice of the estimate, charges, and penalty, the notice to be served personally or by mail in the manner prescribed for service of notice of a deficiency determination.

SEC. 19. Section 3419 is added to said code, to read:

3419. (a) Any person against whom a determination is made under Sections 3417 or 3418 may petition for a redetermination within 15 days after the date of mailing the notice thereof to the person. If a petition for redetermination is not filed within the 15-day period, the determination becomes final at the expiration of the period.

(b) If a petition for redetermination is filed within the 15-day period, the department shall reconsider the determination and, if the person has so requested in his petition, shall grant the person an oral hearing and shall give him 10 days' notice of the time and place of the hearing. The department may continue the hearing from time to time as may be necessary.

The order or decision of the board upon a petition for redetermination becomes final 15 days after the date of mailing the notice thereof to the operator.

(c) All determinations made by the department under Sections 3417 or 3418 are due and payable at the time they become final. If they are not paid when due and payable, a penalty of 10 percent of the amount of the determination, exclusive of interest and penalties, shall be added thereto.

Payment shall be made in the form of a remittance payable to the Controller and shall be transmitted to the department together with a copy of the notice of determination which the department shall furnish for that purpose to the person against whom the determination was made.

(d) Any notice required by this article shall be served personally or by mail in the manner prescribed for service of notice of a deficiency determination.

SEC. 20. Section 3420 is added to said code, to read:

3420. The department shall notify the Controller of all determinations and redeterminations of charges due and payable under this article. The Controller shall keep an appropriate record thereof and shall proceed to collect the amounts of such charges, interest, and penalties as provided in this article, if such amounts are not paid when due.

SEC. 21. Section 3423 of said code is amended to read:

3423. The assessment and charges levied [under] *by* this article are a lien upon all the property of every kind and nature belonging to the persons assessed. The assessments and charges levied upon oil or gas removed from any land in this State are a lien upon the land from which the oil or gas has been extracted. The lien shall attach on the first Monday in March of each year. The lien may be enforced and the charges collected by an action by the State Controller as provided by this article.

When an assessment [shall have been levied, but] shall not have been paid prior to the first Monday in February following such levy, if the certificate of delinquency is to be recorded as hereinafter provided, the Controller shall, within twenty-five (25) days thereafter, mail a notice to the owner of the land at his last known address as it appears in the office of the county assessor for the county in which the land is situate, or if no address appears in the office of the county assessor, then to the last address of the owner of the land as last shown on the records of the said county assessor. The notice shall contain a statement of the amount of the assessment, the date upon which the assessment was [levied] *due*, the fact that the records of the Controller show the assessment to be unpaid, and shall declare that unless the assessment is paid before the first Monday in March following, the lien provided for in this section will attach.

When any person assessed shall be delinquent in the payment of the charges, interest or penalties as herein provided, the Controller may, on or before the thirtieth day of May next following the delinquency, file a certificate with the county recorder of the county in which the oil or gas was extracted, specifying the amount of the charges, interest and penalty due, the name and address of the assessee liable for the same, as it appears from his records, the name and address of the assessed owner of the land from which the oil or gas was extracted, together with its description, as it appears on the records of the county tax collector in which the property is located, that there has been compliance with all the provisions of law in relation to the computation and assessment of the charges. Upon filing said certificate the amount of the lien as above provided is determined and shall have the same force, effect and priority as a judgment lien upon the land from which the oil or gas is extracted.

A warrant may be issued by the State Controller or his duly authorized representative for the collection of any charges, interest and penalty and for the enforcement of any lien directed to the sheriff or constable, and shall have the same effect as a writ of execution. It may and shall be levied and sale made pursuant to it in the same manner and with the same effect as a levy upon and sale of real property pursuant to a writ of execution.

Notwithstanding any provisions of law to the contrary, the owner of said land may redeem from any execution sale within a period of three years upon payment of interest, penalties and charges as provided in the case of other sales of real property under execution.

The sheriff or constable shall receive, upon the completion of his services pursuant to a warrant, and the Controller is authorized to pay to him the same fees and commissions and expenses in connection with services pursuant to said warrant as are provided by law for similar services pursuant to a writ of execution, provided, that fees for publication in a newspaper shall be subject to approval by the Controller rather than by the court; said fees, commissions and expenses shall be an obligation of the person or persons liable for the payment of said charges and may be collected from such person or persons by virtue of the warrant or in any other manner provided in this article for the collection of such charges.

In the event that the lien of the charges, penalties or interest attaches to real property from which the oil or gas is extracted and more than one parcel of property is included within the lien, the Controller may release by certificate as hereinabove provided from the lien of said charges, interest, penalties and costs, upon payment by the owner of any parcel or parcels of property of his proportionate share of the assessment of the oil or gas extracted from all land included within said lien owned by him.

The Controller may at any time release all or any portion of the property subject to the lien from the lien or subordinate the lien to other liens if he determines that the charges are sufficiently secured by a lien on other property of the taxpayer or that the release or subordination of the lien will not endanger or jeopardize the collection of such charges. A certificate by the Controller to the effect that any property has been released from the lien herein provided for or that such lien has been subordinated to other liens shall be conclusive evidence that the property has been released or that the lien has been subordinated as provided in the certificate.

It is expressly provided that the remedies provided herein of the State shall be cumulative and that no action by the Controller shall be construed to be an election on the part of the State, or of any of its officers, to pursue any remedy hereunder to the exclusion of any other remedy for which provision is made in this article.

SEC. 22. Section 3425 of said code is repealed.

SEC. 23. Section 3426 of said code is amended to read:

3426. The Controller shall, on or before the thirtieth day of May next following the delinquency of any charge, bring an action in the name of the people of the State, in the county in which the property assessed is situated, to collect any delinquent charges or assessments, together with any penalties or costs, which have not been paid and which are [shown as] delinquent [upon the record of assessments and charges for the petroleum and gas fund].

SEC. 24. Section 3428 of said code is repealed.

SEC. 25. Section 3428 is added to said code to read:

3428. In the action a certificate issued by the department showing unpaid charges determined against any person shall be prima facie evidence of all of the following:

(a) The determination of the charges, the delinquency thereof, and the amount of the charges, interest, penalties, and costs due and unpaid to the State.

(b) The indebtedness of the person to the State in the amount of the charges, interest, and penalties therein appearing unpaid.

(c) The full compliance by all persons required to perform administrative duties under this article with all the forms of law in relation to the determination and levy of the charges.

SEC. 26. Section 3429 of said code is amended to read:

3429. Payment of the penalties and charges, or the amount of the judgment recovered in the action, shall be made to the State [Treasurer] *Controller*.

SEC. 27. Notwithstanding the provisions of this act, the provisions of Article 7 of Chapter 1 of Division 3 of the Public Resources Code as they read prior to the effective date of this act are continued in effect as respects the collection of all amounts due or which may become due under said article arising from charges assessed and levied thereunder prior to the effective date of this act."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Manufacturing, Oil, and Mining Industry.

SECOND READING OF SENATE BILLS

Senate Bill No. 13—An act to amend Section 28151 of the Government Code, relating to compensation for public service in counties of the fifty-first class.

Bill read second time, and ordered to third reading.

Senate Bill No. 82—An act to amend Section 27367 of the Government Code, relating to recorder's fees.

Bill read second time, and ordered to third reading.

Senate Bill No. 84—An act to repeal Section 27370 of the Government Code, relating to recorder's fees.

Bill read second time, and ordered to third reading.

Senate Bill No. 85—An act to amend Section 27371 and to repeal Section 27374 of the Government Code, relating to the fee for recording.

Bill read second time, and ordered to third reading.

Senate Bill No. 121—An act to add Section 27361.5 to the Government Code, relating to recorder's fees.

Bill read second time, and ordered to third reading.

Senate Bill No. 304—An act to amend Section 28149 of the Government Code, relating to compensation for public service in counties of the forty-ninth class.

Bill read second time, and ordered to third reading.

Senate Bill No. 466—An act to add Sections 5438.5, 5461, 5462, 5463, 5464, 5465, 5466, and 5467, to the Public Resources Code, relating to county recreation districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 536—An act to amend Sections 11382.5, 11409.5 and 26803.5 of the Government Code, relating to keeping and maintaining in each county copies of the California Administrative Code and Register.

Bill read second time, and ordered to third reading.

Senate Bill No. 566—An act to validate the organization, boundaries, governing officers or boards, acts, proceedings, elections, and bonds of public bodies as herein defined.

Bill read second time, and ordered to third reading.

Senate Bill No. 975—An act to amend Sections 25351 and 26150 of the Government Code, and Sections 22137, 22173, 22174, and 22176 of the Education Code, relating to county free libraries.

Bill read second time, and ordered to third reading.

Senate Bill No. 1034—An act to add Sections 23177 and 23178 to the Government Code, relating to counties.

Bill read second time, and ordered to third reading.

Senate Bill No. 1127—An act to amend Section 38742 of the Government Code, relating to municipal water facilities.

Bill read second time, and ordered to third reading.

Senate Bill No. 1155—An act to amend Section 28131 of the Government Code, relating to compensation for public services in counties of the thirty-first class.

Bill read second time, and ordered to third reading.

Senate Bill No. 1474—An act to add Section 29.5 to the Community Redevelopment Act and add Section 33279 to the Health and Safety Code, relating to community redevelopment.

Bill read second time, and ordered to third reading.

Senate Bill No. 1600—An act to add Section 25306 to the Government Code, relating to powers of boards of supervisors.

Bill read second time, and ordered to third reading.

Senate Bill No. 597—An act to amend Section 11501 of the Government Code, adding the Department of Natural Resources to the enumerated agencies to which the provisions of Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code are applicable.

Bill read second time, and ordered to third reading.

Senate Bill No. 848—An act to amend Sections 30004, 30005, 30006, 30008 30100, 30101, and 30155 of the Streets and Highways Code, relating to toll bridges, subways, tunnels, tubes, ferries and highways.

Bill read second time, and ordered to third reading.

Senate Bill No. 850—An act to provide for the organization, incorporation and government of municipal corporation tunnel authorities, authorizing and empowering such authorities to acquire, construct, operate and manage tunnels or tubes under, through or across waters, straits, bays, arms of bays, rivers, estuaries or streams of water which are within or bound or lie or border upon any municipal corporation in this State, to issue revenue bonds to pay for the acquisition and construction of such tunnels or tubes, and to charge and collect charges or tolls for the use of said tunnels or tubes.

Bill read second time, and ordered to third reading.

Senate Bill No. 315—An act to add Section 12046 to the Education Code, relating to the issuance of credentials.

Bill read second time, and ordered to third reading.

Senate Bill No. 1527—An act to amend Section 5065 of the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 122—An act to add Section 424 to the Government Code, relating to the Official Colors of the State.

Bill read second time, and ordered to third reading.

Senate Bill No. 212—An act to amend Section 6504 of the Public Resources Code, relating to execution of leases on public lands.

Bill read second time, and ordered to third reading.

Senate Bill No. 537—An act to amend Section 11501 of the Government Code, relating to enumerated agencies referred to in Section 11500.

Bill read second time, and ordered to third reading.

Senate Bill No. 538—An act to amend Section 110.6 of the Business and Professions Code, relating to reports to the Governor and the Legislature by the Department of Professional and Vocational Standards.

Bill read second time, and ordered to third reading.

Senate Bill No. 83—An act to amend Section 27366 of the Government Code, relating to recorder's fees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 6, of the printed bill, after "be", insert "one dollar ($1) for the first page and".

Amendment No. 2

On page 1, line 7, of said bill, strike out "per page", and insert "for each additional page".

Amendment No. 3

On page 1, lines 7 and 8, of said bill, strike out "The minimum fee shall be one dollar ($1)."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 227—An act to amend Section 28119 of the Government Code, relating to compensation for public services in counties of the eighteenth class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on May 24, 1951, strike out "28119", and insert "28118".

Amendment No. 2

On page 1, line 1, of said bill, strike out "28119", and insert "28118".

Amendment No. 3

On page 1, line 3, of said bill, strike out "28119", and insert "28118".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1072—An act to amend Section 28130 of the Government Code, relating to compensation for public service in counties of the thirtieth class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on May 22, 1951, after "Code", insert "and to amend Section 430 of the Education Code".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, after line 24, insert

"SEC. 2. Section 430 of the Education Code is amended to read:

430. The annual salary of the county superintendent of schools of a county of the thirtieth class is [five thousand seven hundred dollars ($5,700)] *six thousand six hundred dollars ($6,600)*, and he shall possess a valid general administrative credential issued by the State Board of Education."

Amendment No. 3

On page 2, line 1, of said bill, strike out "2", and insert "3".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1815—An act creating the Solvang Municipal Improvement District and prescribing its boundaries, change of boundaries, organization, operation, management, financing and powers, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 7 of the printed bill, as amended in the Senate on May 22, 1951, strike out lines 50 to 52, inclusive; and on page 8, strike out lines 1 to 7, inclusive.

Amendment No. 2

On page 13 of said bill, strike out lines 5 to 51, inclusive; on page 14, strike out lines 1 to 52, inclusive; and on page 15, strike out lines 1 to 13, inclusive, and insert

"Sec. 127. The board of supervisors is hereby authorized to transfer funds of the county not immediately needed for county purposes to the general fund of the district to be used for the payment of the expenses of the district until such time as tax receipts are available therefor. The board of supervisors shall include in the levy of taxes for the district for the first fiscal year in which a tax may be levied, a sum sufficient to repay to the county the amounts so transferred to the district for the portion or portions of the preceding fiscal year or years for which no levy of taxes was made for that purpose and the amounts so transferred shall be retransferred to the county treasury from the general fund of the district out of the first available receipts from the tax levy.

Article 9. Funds".

Amendment No. 3

On page 16, line 1, of said bill, strike out "Article 11", and insert "Article 10".

Amendment No. 4

On page 16, line 27, of said bill, strike out "Article 12", and insert "Article 11".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 514—An act to amend Sections 3, 12, 14, 16, 17, 28, 30, and 35 of, and to add Sections 30.1, 30.2, 30.3, 30.4, 30.5, 30.6, 30.7, 30.8, 30.9, 30.10, 30.11, 30.12, 30.13, 30.14, 30.15, and 30.16 to, and to repeal Sections 13, 15, 18, and 29 of, the Sonoma County Flood Control and Water Conservation District Act, relating to the powers of said district, the incurring of indebtedness, the issuing and selling of special assessment bonds, the levy and collection of special assessments, and the levy and collection of taxes by said district.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 8 of the printed bill, as amended in the Senate on May 25, 1951, strike out lines 38 and 39; and in line 40, strike out "tively, of said County of Sonoma."

Amendment No. 2

On page 11, line 5, of said bill, strike out "A", and insert "The".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 431—An act to amend Sections 3211.92, 3361, and 4458 of the Labor Code, relating to volunteer fire departments and volunteer firemen.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Senate on March 22, 1951 after "Act", insert "and the Civil Defense Act of 1950".

Amendment No. 2

On page 1 of said bill, between lines 6 and 7, insert

"Disaster service worker" includes volunteer civil defense workers and also includes any unregistered person impressed into service during a state of extreme emergency by a person having authority to command the aid of citizens in the execution of his duties.

Persons registered with a disaster council at the time such council becomes accredited need not re-register in order to be entitled to the benefits provided by Chapter 10 of this part.

Amendment No. 3

On page 1, line 10, of said bill, strike out "governmental agency or unit", and insert "county, city, town or district".

Amendment No. 4

On page 1, line 16, of said bill, strike out "governmental agency or unit", and insert "government of the county, city, town or district".

Amendment No. 5

On page 1, lines 17 and 18, of said bill, strike out "governmental agency or unit", and insert "county, city, town or district".

Amendment No. 6

On page 1, lines 19 and 20, of said bill, strike out "governmental agency or unit", and insert "county, city, town or district".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 598—An act to amend Section 12465 of the Government Code, relating to the destruction of records in the custody of the Controller.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on June 1, 1951, after "Controller", insert "declaring the urgency thereof, to take effect immediately".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 671—An act to add an article heading and Article 2 to Chapter 4, Title 6 of the Government Code, relating to districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 2 of the printed bill, as amended in the Senate on May 10, 1951, strike out lines 3 and 4, and insert "Years after the effective date of this article, or within five years after it has ceased to have outstanding obligations, collect taxes or other revenues, and disburse district funds, whichever is later, and at least once".

Amendment No. 2

On page 2, line 6, of said bill, after "thereafter", insert "during which it has no outstanding obligations, collects no taxes or other revenues, or disburses no district funds".

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Municipal and County Government.

Senate Bill No. 1809—An act to create a flood control district to be called Napa County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, public highways, life and property from damage or destruction from such waters; to provide for the acquisition, retention, and reclaiming of drainage, storm, flood, and other waters and to save, conserve, and distribute such waters for beneficial use in said district; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to define the powers of said district; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 15, line 46, of the printed bill, as amended in the Senate on May 3, 1951, following "exceed", strike out "five thousand dollars ($5,000)", and insert "two thousand dollars ($2,000)".

Amendment No. 2

On page 16, line 23, of the printed bill, following "sum of", strike out "five thousand dollars ($5,000)", and insert "two thousand dollars ($2,000)".

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

Senate Bill No. 1812—An act to create a flood control district to be called Santa Clara County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm

waters and the protection of watercourses, watersheds, public highways, life and property from damage or destruction from such waters; to provide for the acquisition, retention, and reclaiming of drainage, storm, flood, and other waters and to save, conserve, and distribute such waters for beneficial use in said district; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to define the powers of said district; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 15, line 47, of the printed bill, as amended in the Senate on May 4, 1951, following "exceed", strike out "five thousand dollars ($5,000)", and insert "two thousand dollars ($2,000)".

Amendment No. 2

On page 16, line 24, of the printed bill, following "sum of", strike out "five thousand dollars ($5,000)", and insert "two thousand dollars ($2,000)".

Amendments read and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1142
Assembly Bill No. 1530
Assembly Bill No. 2043
Assembly Bill No 2195

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 295
Assembly Bill No. 850
Assembly Bill No 1162
Assembly Bill No. 1806
Assembly Bill No. 2712

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 20—An act to amend Section 18005 of the Government Code, relating to the separation from state service of state personnel;

Assembly Bill No. 55—An act to amend Sections 18055 and 18057 of the Education Code, relating to repairs and alterations of school buildings;

Assembly Bill No. 93—An act to amend Section 66 of the Code of Civil Procedure, relating to the number of Judges of the Superior Court in the County of Sonoma, and providing for the appointment of an additional judge and for compensation;

And reports that the same have been correctly enrolled, and presented to the Governor on the seventh day of June, 1951, at 4 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 186—An act to amend Section 2801 of the Elections Code, relating to state central committee meetings;

Assembly Bill No. 272—An act to amend Sections 664, 665, and 666 of the Welfare and Institutions Code, relating to the appointment and removal of juvenile hall superintendents, matrons and employees, and duties of the probation officer;

Assembly Bill No. 282—An act to add Sections 9518.1 and 9522.18 to the Business and Professions Code, relating to dry cleaning;

And reports that the same have been correctly enrolled, and presented to the Governor on the seventh day of June, 1951, at 4 p.m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 284—An act to add Section 9540.7 to the Business and Professions Code, relating to the issuance of licenses by the State Board of Dry Cleaners;

Assembly Bill No. 288—An act to add Section 9594.9 to the Business and Professions Code, relating to disciplinary action by the State Board of Dry Cleaners;

Assembly Bill No. 289—An act to add Sections 9594.2, 9594.3, 9594.4, 9594.5, 9594.6, 9594.7, 9594.75, 9594.8, and 9594.85 to the Business and Professions Code, relating to dry cleaning;

And reports that the same have been correctly enrolled, and presented to the Governor on the seventh day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 425—An act to add Section 225q to the Civil Code, relating to the adoption of children;

Assembly Bill No. 445—An act to amend Sections 3003 and 3402 of the Welfare and Institutions Code, relating to aid to the blind;

Assembly Bill No. 447—An act to amend Section 7 of an act entitled "An act relating to the construction, installation, equipping, stocking, and operation of vending stands in public buildings of the State counties, cities and counties, and cities, and providing for their operation by licensed blind persons," approved May 29, 1945, relating to vending stands in public educational institutions;

And reports that the same have been correctly enrolled, and presented to the Governor on the seventh day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 455—An act to amend Section 66c of the Code of Civil Procedure, relating to the number of Judges of the Superior Court in the County of Contra Costa, and providing for the appointment of two additional judges and for compensation;

Assembly Bill No. 529—An act to amend Section 327 of the Revenue and Taxation Code, relating to property taxation;

Assembly Bill No. 767—An act to amend Sections 26726, 26730, 26732, 26735, 26736, 26738, 26741, and 27826 of the Government Code, relating to fees;

And reports that the same have been correctly enrolled, and presented to the Governor on the seventh day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 811—An act to amend Section 36509 of the Government Code, relating to cities of the sixth class;

Assembly Bill No. 880—An act to add Sections 31469.3, 31470.2, 31470.3, 31470.4, 31470.5, 31470.6, 31503.9, 31504.9, 31520.1, 31558, 31671.6, 31720.5, 31726.5, 31727.2, 31727.4, 31765.1, 31785, 31786, 31787, 31788, and Articles 6.8 and 7.5 to Chapter 3 of Part 3 of Division 4 of Title 3 of the Government Code, to repeal Section 31558 and to amend Sections 31454.5, 31470, 31504, 31505, 31521, 31581, 31582, 31583, 31621, 31622, 31623, 31624, 31627, 31676.4, 31731, 31734 and 31735 of the Government Code, relating to retirement of county employees;

Assembly Bill No. 1029—An act to amend Section 3024.5 of the Penal Code, relating to term of imprisonment;

And reports that the same have been correctly enrolled, and presented to the Governor on the seventh day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1058—An act to amend Section 19259 of the Government Code, relating to employees who have completed 25 or more years of state service;

Assembly Bill No. 1326—An act providing for the constitution of the municipal court in a district embracing the City of Vallejo, and prescribing the number and compensation of the judges, officers and attaches thereof;

Assembly Bill No. 1531—An act to amend Sections 6726 and 7012.5 of the Welfare and Institutions Code and to amend and renumber Section 5701.5 thereof to be Section 6726.5, relating to private family care homes and the support of mental patients therein, and declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the seventh day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1535—An act to amend Section 6660.5 of the Welfare and Institutions Code, relating to the safekeeping of the property of patients of the Department of Mental Hygiene;

Assembly Bill No. 1545—An act to amend Section 5053 of the Business and Professions Code, relating to the State Board of Accountancy;

Assembly Bill No. 1577—An act to amend Section 13083 of the California Education Code, relating to the discretion of governing boards in certain districts to classify employees as permanent;

And reports that the same have been correctly enrolled, and presented to the Governor on the seventh day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1690—An act to add Chapter 3.4 consisting of Sections 6605 to 6605.6 to Part 4 of Division 6 of the Welfare and Institutions Code, relating to temporary admission to state hospitals of persons who are believed to be mentally ill and providing for their release within ninety (90) days after admission;

Assembly Bill No. 1952—An act to add Section 171c to the Civil Code, relating to the management and control of community property;

Assembly Bill No. 2065—An act to amend Sections 6302, 6334, and 6356 of the Education Code, relating to school district budgets;

And reports that the same have been correctly enrolled, and presented to the Governor on the seventh day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2137—An act to declare that certain land situated in the City and County of San Francisco is no longer necessary for navigation, commerce, fisheries or street uses, and authorizing the Board of State Harbor Commissioners for San Francisco Harbor to sell or exchange such lands;

Assembly Bill No. 2139—An act to amend Sections 1770, 1971.1, 1990, and 3137 and to add Section 2077 and to repeal Section 1780 of the Harbors and Navigation Code, relating to the San Francisco Harbor;

Assembly Bill No. 2493—An act to add Section 18061 to the Education Code, relating to the payment of construction contracts;

And reports that the same have been correctly enrolled, and presented to the Governor on the seventh day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3101—An act to add Section 7026.5 to the Business and Professions Code, dealing with the Contractors' State License Act;

Assembly Bill No. 3419—An act to amend Section 2468 of the Civil Code, relating to the use of fictitious names by persons and partnerships transacting business;

And reports that the same have been correctly enrolled, and presented to the Governor on the seventh day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 59—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by repealing Article XIX thereof, relating to Chinese;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the seventh day of June, 1951, at 4 p.m.

BURKE, Chairman

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 89

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 29
House Resolution No. 65
House Resolution No. 157
House Resolution No. 162
House Resolution No. 167

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolutions ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 166
House Resolution No. 170
House Resolution No. 177

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 90: By Mr. Sam L. Collins—Relative to Joint Rules of the Senate and Assembly.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 161

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolution ordered on file.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No 343
Assembly Bill No. 671
Assembly Bill No. 951
Assembly Bill No. 2214
Assembly Bill No. 2801

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 380
Assembly Bill No. 1072
Assembly Bill No. 2129
Assembly Bill No. 2904
Assembly Bill No. 3122
Assembly Bill No. 3345

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 3374

Has had the same under consideration, and respectfully reports the same back without recommendation.

SHERWIN, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 1463

Has had the same under consideration, and respectfully reports the same back with amendments but without recommendation.

SHERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 1900

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 407

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR SPEAKER: Your Committee on Ways and Means, to which was referred:

Senate Bill No. 291

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bill ordered to second reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 1991
Assembly Bill No. 2121
Assembly Bill No. 3439

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 8, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 892

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HOLLIBAUGH, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Senate Bill No. 920
Senate Bill No. 1818

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Senate Bill No. 553
Senate Bill No. 1706
Senate Bill No. 1712

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

Committee on Industrial Relations

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Industrial Relations, to which was referred:

Senate Bill No. 432

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

LEVERING, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Industrial Relations, to which was referred:

Assembly Bill No. 976

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

LEVERING, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 1405

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

Committee on Civil Service and State Personnel

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which was referred:

Senate Bill No. 860

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CALDECOTT, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR SPEAKER: Your Committee on Civil Service and State Personnel, to which was referred:

Assembly Bill No. 1056

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CALDECOTT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which were referred:

Assembly Bill No. 1631
Assembly Bill No. 1258

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CALDECOTT, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which were referred:

Assembly Bill No. 471
Assembly Bill No 1628
Assembly Bill No. 1257
Assembly Bill No. 1260
Assembly Bill No. 1261
Assembly Bill No. 1262
Assembly Bill No. 2248

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and re-refer to the Committee on Ways and Means.

CALDECOTT, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which was referred:

Assembly Bill No. 3024

Has had the same under consideration, and reports the same back with amendments with the recommendation . Amend, do pass, as amended, and re-refer to the Committee on Ways and Means.

CALDECOTT, Chairman

Above reported bill ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Senate Bill No. 255
Senate Bill No. 567

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DUNN, Chairman

Above reported bills ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 89

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

COMMUNICATIONS

By the Chief Clerk:

A communication from the California Federation of Women's Clubs, signed by Mrs. C. K. Schnabel, Executive Secretary, San Francisco, and a resolution relative to the use of prayer in public schools, were received, and ordered referred to the Committee on Education.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was read:

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 99—An act to amend Section 6.11 of the Alcoholic Beverage Control Act, relating to organizations, associations and clubs, and providing for the issuance of on-sale general licenses thereto.

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on May 3, 1951, strike out lines 18 to 21, inclusive; strike out page 2; and on page 3, strike out lines 1 to 22, inclusive, and insert

"(c) A nonprofit corporation or association which has been in existence for not less than one year, and which, during such period of time and thereafter, is the owner, lessee or occupant of an establishment that is operated and maintained for club purposes, but not for pecuniary gain, admission to which is restricted to members and their bona fide guests, and which, during such period of time and thereafter, has at least 100 bona fide members who are required to pay regular membership dues amounting to not less than twelve dollars ($12) a year."

Amendment No. 2

On page 3, line 42, of said bill, strike out "1947", and insert "1951".

BURNS
WAY
Senate Committee on Conference

McCOLLISTER
DOYLE
LYON
Assembly Committee on Conference

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. McCollister moved a call of the Assembly.

Motion carried. Time, 9.26 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brady, Caldecott, Condon, Conrad, Davis, Dills, Doyle, Dunn, Hansen, Kilpatrick, Lanterman, Levering, McGee, Niehouse, Rosenthal, Shaw, Silliman, Stewart, and Thomas—19.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Waters asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REQUEST FOR UNANIMOUS CONSENT

Mr. Waters asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 89, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 89

Assembly Concurrent Resolution No. 89—Relative to approving six certain amendments to the charter of the City of Los Angeles, a municipal corporation, in the County of Los Angeles, State of California, voted for and ratified by the electors of said city at a general municipal election held therein on the twenty-ninth day of May, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Dickey, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Smith, Stanley, Tomlinson, and Waters—60.

NOES—None.

Resolution ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Report prepared pursuant to House Resolution 198, 1949 Regular Session, entitled "Feasibility of the Reclamation and Conveyance of Sewage from San Francisco, Peninsula Cities and Communities, and San Jose, for Use in Santa Clara County"

Has had the same under consideration, and reports the same back with the recommendation: That letter of transmittal be printed in the Assembly Journal, and one thousand (1,000) copies of the report be printed as a separate document.

DICKEY, Chairman

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL BE PRINTED IN JOURNAL

Mr. Dickey asked for, and was granted, unanimous consent that a letter of transmittal from the State Department of Public Works concerning a report requested of the Division of Water Resources by the Assembly, be ordered printed in the Journal, in 10 point type, as follows:

LETTER OF TRANSMITTAL

STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS
SACRAMENTO, April 30, 1951

Honorable Sam L. Collins, Speaker of the Assembly
Assembly of the State of California
State Capitol, Sacramento, California

DEAR MR. SPEAKER: Transmitted herewith is a report requested of the Division of Water Resources by the Assembly, in House Resolution No. 198, adopted June 1, 1949. It covers investigation and study of the feasibility, economic and otherwise, and means of conveying to Santa Clara County water reclaimed from sewage at sewage disposal plants of San Francisco, peninsula communities, and San Jose, and the distribution and utilization of such water in Santa Clara County.

As a result of the investigation and study, it is recommended that:

1. In view of the limited amount of sewage from disposal plants or outfalls from the City of San Francisco which is acceptable as to mineral constituents for reclamation and utilization in Santa Clara County, and in view of the relatively high unit cost that would be involved in the reclamation and utilization of such sewage in Santa Clara County, no further consideration be given at this time to this source as a possible supplemental water supply for Santa Clara County.

2. Further investigation of feasibility of reclamation of waste waters from San Jose and nearby peninsula cities and communities be deferred until the need therefor is indicated.

3. The County of Santa Clara and the agencies therein responsible for the furnishing of needed water supplies in the area (a) proceed with their planned local projects as far as practicable, and (b) give early consideration to plans for securing a water supply from outside sources to supplement the local supplies, to meet not only the immediate deficiencies but also the future needs of the county.

Respectfully submitted.

A. D. EDMONSTON, State Engineer

APPROVED: C. H. PURCELL, Director of Public Works
By FRANK B. DURKEE, Deputy Director
APPROVED: RANDAL F. DICKEY, Chairman
Interim Fact-Finding Committee on Air and Water Pollution

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED AS SEPARATE DOCUMENT

Mr. Dickey asked for, and was granted, unanimous consent that the above letter of transmittal and the above mentioned Report Relative to Feasibility of the Reclamation and Conveyance of Sewage from San Francisco, Peninsula Cities and Communities, and San Jose, for Use in Santa Clara County, be printed as a separate document, and that 1,000 copies be printed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 83

Mr Lincoln asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 83, out of order

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 83

Senate Concurrent Resolution No. 83—Approving certain amendments to the charter of the City of Oakland, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the fifteenth day of May, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Cooke, Crowley, Dickey, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—60

NOES—None.

Resolution ordered transmitted to the Senate.

ANNOUNCEMENT

Speaker Sam L. Collins announced that at 11 45 a.m. this morning the Assembly will recess for the purpose of permitting the California Real Estate Association to take two pictures on the north steps of the Capitol. One picture will be taken of state constitutional officers, Senators and Assemblymen. The other picture will be taken of the above named individuals plus any attaches desiring to be in the picture.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 2907—An act to add Sections 14258 5, 14258 6, 14813 and 14814 to, to amend Sections 14540 and 14811 of, and to repeal Sections 14008, 14541,

14542, 14543, 14544, 14545, 14546, 14547, 14810, 14811 and 14812 of the Health and Safety Code, relating to fire protection districts;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

In line 5 of the title of the printed bill, as amended in the Senate on June 1, 1951, strike out "14811".

Amendment No. 2

On page 2, line 2, of said bill, strike out "14811".

HOFFMAN	PARKER
JAMES E. CUNNINGHAM	McFALL
HAROLD T. JOHNSON	GAFFNEY
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Tomlinson, and Waters—61

NOES—None.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1164—An act to amend Sections 859 and 987a of the Penal Code, relating to compensation of counsel appointed by any court to defend indigent persons charged with crime and compensation of public defenders in certain cases.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1164?

Amendment No. 1

On page 1, line 10, of the printed bill, as amended in the Assembly on May 7, 1951, after "counsel," insert "ask him if he desires the aid of counsel,".

Amendment No. 2

On page 1 of said bill, as amended, strike out lines 19 to 21, inclusive, and insert "In any case in which counsel is".

Amendment No. 3

On page 2, line 6, of said bill, as amended, strike out "upon recommen-"; and strike out line 7, and insert "except in a county, or city and county, in which there is a public defender, shall receive a reasonable".

Amendment No. 4

On page 2, line 9, of said bill, as amended, strike out "supervisors", and insert "court".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1164 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Sherwin, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 1164 ordered enrolled.

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 1240—An act to amend Section 7442 of the Business and Professions Code, relating to the practice of cosmetology and the fees therefor.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 1240 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.

NOES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—64.

NOTICE OF MOTION TO ADD RULE NO. 9 TO STANDING RULES CONTINUED

By unanimous consent the notice of motion, by Mr. Sam L. Collins, to add Rule No. 9 to the Standing Rules of the Assembly was continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2003

Mr. Levering asked for, and was granted, unanimous consent to take up the consideration of Senate amendments to Assembly Bill No. 2003, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2003—An act to amend Sections 6855, 6858, 6861, 6862, 6863, 6875, 6876, 6877, 6878, 6881, 6885, 6886, 6891, 6906, 6908, 6913, 6914, 6915, 6921, 6922, 6923, 6925, 6931, 6948, and 6956, and to repeal Sections 6938, 6941, 6942, 6943, and 6944 of the Business and Professions Code, and to add thereto Section 6859, all relating to the licensing and regulation of collection agencies.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2003?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 13, 1951, strike out "6855, 6858,".

Amendment No. 2

In line 2 of the title of said bill, as amended, strike out "6908,".

Amendment No. 3

On page 1 of said bill, as amended, strike out all of lines 1 to 21, inclusive.

Amendment No. 4

On page 6 of said bill, as amended, strike out all of lines 20 to 41, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2003 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Cooke, Crowley, Davis,

Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Sherwin, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 2003 ordered enrolled.

EXPLANATION OF ABSENCE BY MR. HAWKINS

My absence from the Assembly Chamber this morning was due to attendance before Senate committees.

AUGUSTUS F. HAWKINS

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 302—An act to amend Section 261a.5 of, and to add Section 261h to, the Code of Civil Procedure, relating to shorthand reporters.

Bill read third time.

Motion to Amend

Mr. Geddes moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 40, of the printed bill, as amended in the Assembly on June 5, 1951, after "be", insert "four dollars ($4), in each of the following instances:".

Amendment No. 2

On page 2, line 40, of said bill, strike out "three dollars and fifty"; and strike out all of line 41.

Amendment No. 3

On page 3, line 8, of said bill, strike out "three dollars and fifty cents ($3.50)", and insert "four dollars ($4.00)".

Amendment No. 4

On page 3, line 36, of said bill, after "of", insert "seven thousand five hundred dollars ($7,500) per annum, and the compensation of official"; and strike out lines 37 and 38.

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Belotti, Berry, Burkhalter, Chapel, Clarke, Connolly, Crowley, Dickey, Dolwig, Doyle, Elliott, Fleury, Gaffney, Geddes, Hawkins, Hollibaugh, Kelly, Lanterman, Lindsay, Lipscomb, Lyon, McCarthy, McCollister, McMillan, Meyers, Parker, Porter, Stewart, Waters, and Mr. Speaker—30

NOES—Beck, Burke, Caldecott, Cloyed, Davis, Erwin, Hagen, Hahn, Hinckley, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lowrey, Luckel, Moss, Munnell, Rumford, and Silliman—20

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 193—An act to add Section 481 to the Government Code, relating to the division of the State into districts for the election of Legislative Representatives

Bill read third time, and ordered passed on file.

Assembly Bill No. 494—An act to add Section 5011 to the Elections Code, relating to offenses against candidates.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Coats moved a call of the Assembly.

Motion carried. Time, 10.22 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Belotti, Brady, Brown, Burke, Collier, Condon, Dills, Gubser, Hinckley, Kilpatrick, Kirkwood, Lincoln, Maloney, McCarthy, Porter, Rosenthal, Sillman, Smith, Stanley, and Thomas—20.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Dickey asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1358

Mr. Dickey asked for, and was granted, unanimous consent to take up the consideration of Senate amendments to Assembly Bill No. 1358, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1358—An act to amend Section 8.1 of the Municipal Court Act of 1925, relating to municipal courts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1358?

Amendment No. 1

On page 1, line 21, of the printed bill, as amended in the Assembly on April 26, 1951, after "Four", insert "senior".

Amendment No. 2

On page 2, line 6, of said bill, as amended, strike out "three hundred dollars ($300)", and insert "two hundred seventy-five dollars ($275)".

Amendment No. 3

On page 2, lines 9 and 10, of said bill, as amended, strike out "one hundred ninety-six dollars ($196)", and insert "two hundred six dollars ($206)".

Amendment No. 4

On page 2, lines 11 and 12, of said bill, as amended, strike out "ten dollars ($10)", and insert "twelve dollars ($12)".

Amendment No. 5

On page 2, line 14, of said bill, as amended, strike out "two hundred thirty-eight dollars ($238)", and insert "two hundred fifty dollars ($250)".

Amendment No. 6

On page 2, lines 21 and 22, of said bill, as amended, strike out "sixty-five dollars ($265)", and insert "seventy-five dollars ($275)".

Amendment No. 7

On page 2 of said bill, as amended, strike out lines 23 and 24, and insert "Two deputy clerks, each two hundred fifty-five dollars ($255) per month;".

Amendment No. 8

On page 2, lines 33 and 34, of said bill, as amended, strike out "one hundred ninety-six dollars ($196)", and insert "two hundred six dollars ($206)".

Amendment No. 9

On page 2, line 36, of said bill, as amended, strike out "ten dollars ($10)", and insert "twelve dollars ($12)".

Amendment No. 10

On page 2, lines 38 and 39, of said bill, as amended, strike out "two hundred thirty-eight dollars ($238)", and insert "two hundred fifty dollars ($250)".

Amendment No. 11

On page 2 of said bill, as amended, strike out lines 40 and 41, and insert

"One file clerk who shall receive a minimum salary of two hundred six dollars ($206) during the first year of such service with annual increments of ten dollars ($10), ten dollars ($10), twelve dollars ($12), and twelve dollars ($12) per month, during the second, third, fourth and fifth years respectively of such service, to a maximum of two hundred fifty dollars ($250) monthly."

Amendment No. 12

On page 3, lines 12 and 13, of said bill, as amended, strike out "six dollars ($206)", and insert "sixteen dollars ($216)".

Amendment No. 13

On page 3 of said bill, as amended, strike out lines 14 and 15, and insert "annual increments of ten dollars ($10), twelve dollars ($12), twelve dollars ($12), and fourteen dollars ($14) per month,".

Amendment No. 14

On page 3, lines 17 and 18, of said bill, as amended, strike out "fifty dollars ($250)", and insert "sixty-four dollars ($264)".

Amendment No. 15

On page 3, lines 20 and 21, of said bill, as amended, strike out "eighty-eight dollars ($188)", and insert "ninety-six dollars ($196)".

Amendment No. 16

On page 3 of said bill, as amended, strike out lines 22 and 23, and insert "nual increments of ten dollars ($10), ten dollars ($10), ten dollars ($10), and twelve dollars ($12) per".

Amendment No. 17

On page 3, line 26, of said bill, as amended, strike out "twenty-six dollars ($226)", and insert "thirty-eight dollars ($238)".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1358 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Kloeksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Tomlinson, Waters, and Mr. Speaker—64.

NOES—None.

Assembly Bill No. 1358 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 193

Assembly Bill No. 193—An act to add Section 481 to the Government Code, relating to the division of the State into districts for the election of Legislative Representatives.

Bill read third time.

Motion to Amend

Mr. Hagen moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 31, 1951, strike out lines 8 to 20 inclusive; and strike out all of pages 2 and 3, and insert

"3819 5. At the first elections for Representative in Congress, State Senator, and Assemblyman in each congressional, senatorial, and assembly district following

Reapportionment Acts of the Legislature redefining the boundaries of such districts pursuant to Section 6 and 27 of Article IV of the California Constitution, that candidate who shall be deemed the incumbent in a given district for all purposes of the election shall be that candidate:

(1) Who is running for the same classification of office which he then holds in a district identical in boundaries with the district from which he was last elected or in a district which in toto lies within the boundaries of the district from which he was last elected.

(2) Who is running for the same classification of office which he then holds in a new district which includes any portion of the area of the district from which he was last elected; provided, however, that when there are more than one such candidates running for such classification of office in a single new district the status of incumbency shall be granted to the candidate running for the same office which he then holds the area of whose former district included within the new district has a larger population according to the next preceding decennial census than the like area of any other such candidate.

(3) In the event there is no qualified candidate to whom the provisions of subdivision (1) or (2) applies, the candidate who is running for the same classification of office which he then holds in a district identical in number with the district from which he was last elected.

(4) If there is only one qualified candidate who is running for the same office which he then holds and no one or more of the above provisions apply, the incumbent shall be that qualified candidate

SEC. 2. Section 3929.5 is added to said code, to read

3929.5. At the first elections for Representative in Congress, State Senator, and Assemblyman in each congressional, senatorial, and assembly district following Reapportionment Acts of the Legislature redefining the boundaries of such districts pursuant to Section 6 and 27 of Article IV of the California Constitution, that candidate who shall be deemed the incumbent in a given district for all purposes of the election shall be that candidate.

(1) Who is running for the same classification of office which he then holds in a district identical in boundaries with the district from which he was last elected or in a district which in toto lies within the boundaries of the district from which he was last elected.

(2) Who is running for the same classification of office which he then holds in a new district which includes any portion of the area of the district from which he was last elected; provided, however, that when there are more than one such candidates running for such classification of office in a single new district the status of incumbency shall be granted to the candidate running for the same office which he then holds the area of whose former district included within the new district has a larger population according to the next preceding decennial census than the like area of any other such candidate.

(3) In the event there is no qualified candidate to whom the provisions of subdivision (1) or (2) applies, the candidate who is running for the same classification of office which he then holds in a district identical in number with the district from which he was last elected

(4) If there is only one qualified candidate who is running for the same office which he then holds and no one or more of the above provisions apply, the incumbent shall be that qualified candidate."

Amendment read.

Motion That Amendment by Mr. Hagen Be Printed in Journal Without Action

Mr. Beck moved that the amendment being offered by Mr. Hagen be printed in the Journal without action, at this time.

Mr. George D. Collins seconded the motion.

Roll Call Demanded

Messrs. Waters, Morris, and Conrad demanded a roll call.

The roll was called, and the motion lost by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burkhalter, Chapel, Coats, George D. Collins, Crowley, Davis, Elliott, Gaffney, Hagen, Hahn, Henderson, Kilpatrick, McCarthy, McFall, McMillan, Meyers, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, and Shaw—27.

NOES—Babbage, Burke, Caldecott, Clarke, Cloyed, Collier, Connolly, Conrad, Dolwig, Dunn, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, McGee, Morris, Silliman, Smith, Stanley, Stewart, and Waters—35.

The question being on the adoption of the amendment by Mr. Hagen.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Coats, George D. Collins, Cooke, Crowley, Davis, Doyle, Elliott, Hagen, Henderson, Lowrey, McFall, Moss, Parker, Rosenthal, Rumford, and Shaw—16.

NOES—Babbage, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, Connolly, Conrad, Dills, Dolwig, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, McGee, Morris, Niehouse, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—44.

The question being on the passage of Assembly Bill No 193.

Motion to Amend

Mr. George D. Collins moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 31, 1951, strike out lines 8 to 20, inclusive; and strike out all of pages 2 and 3, and insert

"3819.5. At the first elections for Representative in Congress, State Senator, and Assemblymen in each congressional, senatorial, and assembly district following Reapportionment Acts of the Legislature redefining the boundaries of such districts pursuant to Sections 6 and 27 of Article IV of the California Constitution, every candidate who is running for one of such offices and who then holds the office for which he is a candidate shall be deemed an incumbent for purposes of the election. The names of all such candidates, followed by the word "incumbent", shall be printed in alphabetical order at the top of the list of candidates for the office on the ballot.

SEC. 2. Section 3929.5 is added to said code, to read:

3929.5. At the first elections for Representative in Congress, State Senator, and Assemblyman in each congressional, senatorial, and assembly district following Reapportionment Acts of the Legislature redefining the boundaries of such districts pursuant to Sections 6 and 27 of Article IV of the California Constitution, every candidate who is running for one of such offices and who then holds the office for which he is a candidate shall be deemed an incumbent for purposes of the election. The names of all such candidates, followed by the word "incumbent", shall be printed in alphabetical order at the top of the list of candidates for the office on the ballot.

Amendment read.

Point of Order

Mr. Kirkwood arose to the following point of order: That Mr. Burkhalter is not speaking to the question.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The question being on the adoption of the amendment offered by Mr. George D. Collins.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Beck, Berry, Burkhalter, Coats, George D. Collins, Cooke, Crowley, Davis, Doyle, Elliott, Hagen, Henderson, Kilpatrick, Lowrey, Maloney, McCarthy, McFall, McMillan, Meyers, Moss, Munnell, Parker, Rosenthal, and Rumford—24.

NOES—Babbage, Belotti, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Conrad, Dickey, Dolwig, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, McGee, Morris, Porter, Shaw, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—42.

The question being on the passage of Assembly Bill No. 193.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman,

Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sillman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—64.

NOES—George D Collins, Elliott, Hagen, and Henderson—4.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON REPORT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 99

At 11.12 a.m., on motion of Mr. McCollister, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the report of the Committee on Conference concerning Assembly Bill No. 99 refused adoption by the following vote:

AYES—Belotti, Berry, Burkhalter, Chapel, Cloyed, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Gubser, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Niehouse, Porter, Sherwin, Stanley, and Mr. Speaker—38.

NOES—Babbage, Beck, Brown, Burke, Caldecott, Clarke, Coats, Collier, George D. Collins, Davis, Erwin, Geddes, Grant, Grunsky, Hagen, Hahn, Kirkwood, Lockslem, Lanterman, Lincoln, Lowrey, Luckel, McFall, McGee, Morris, Moss, Munnell, Parker, Rumford, Shaw, Smith, Stewart, Tomlinson, and Waters—34.

Appointment of Second Committee on Conference Concerning Assembly Bill No. 99

The Speaker announced the appointment of Messrs. Hinckley, Fleury, and Crowley as a Second Committee on Conference concerning Assembly Bill No. 99.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Rumford:

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 4035 of the Business and Professions Code, relating to the definition of "pharmacy."

Respectfully submitted.

WM. B. RUMFORD

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Rumford:

An act to amend Section 4035 of the Business and Professions Code, relating to the definition of "pharmacy."

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson,

Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—71.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3454: By Mr. Rumford—An act to amend Section 4035 of the Business and Professions Code, relating to the definition of "pharmacy."

Referred to Committee on Public Health.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 494

At 11 25 a.m., on motion of Mr. Coats, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 494 passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Chapel, Coats, George D. Collins, Cooke, Crowley, Davis, Dills, Doyle, Elliott, Evans, Fleury, Gubser, Hagen, Hahn, Hawkins, Henderson, Kilpatrick, Lanterman, Lindsay, Lowrey, Luckel, McCarthy, McFall, McMillan, Meyers, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sillman, Stanley, and Tomlinson—41.

NOES—Burke, Caldecott, Clarke, Cloyed, Collier, Connolly, Conrad, Dickey, Dolwig, Dunn, Erwin, Gaffney, Geddes, Grant, Grunsky, Hansen, Hollibaugh, Kelly, Klocksiem, Levering, Lincoln, Lipscomb, Lyon, Maloney, McCollister, McGee, Morris, Niehouse, Sherwin, Smith, Stewart, Waters, and Mr. Speaker—33.

Bill ordered transmitted to the Senate.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bills were withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 3066, on request of Mr. Lindsay.

Assembly Bill No. 1954, on request of Mr. Moss.

Assembly Constitutional Amendment No. 58, on request of Mr. Hawkins.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 11.29 a.m., Mr. Connolly asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Public Health in the Post Office upon adjournment. Subject: Assembly Bill No. 2591.

MEMBERS EXCUSED

At 11.30 a.m., Mr. Hawkins asked for, and was granted, unanimous consent that Messrs. Brady, Condon, and Thomas be excused, for the balance of the legislative day, because of illness.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 175
Assembly Bill No. 312
Assembly Bill No. 314
Assembly Bill No. 1563
Assembly Bill No. 2301
Assembly Bill No. 2924
Assembly Bill No. 3112

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 1215
Assembly Bill No. 2134

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows.

Assembly Bill No. 175 re-referred to the Committee on Judiciary.

Assembly Bill No. 2924 re-referred to the Committee on Ways and Means.

Assembly Bills Nos. 312, 314, 1563, 2301, and 3112 re-referred to the Committee on Municipal and County Government.

Senate Bill No. 520 re-referred to the Committee on Public Health.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2367

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up Assembly Bill No. 2367, out of order, for purpose of amendment.

CONSIDERATION OF ASSEMBLY BILL NO. 2367

Assembly Bill No. 2367—An act to amend Sections 285, 286, 288a and 264 of the Penal Code, relating to sex crimes.

Bill read third time.

Motion to Amend

Mr. Sam L. Collins moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on June 6, 1951, after "286," insert "288,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets

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Amendment No. 2

On page 3 of said bill, after line 27, insert

"SEC. 6 Section 288 of said code is amended to read:

288. Any person who shall wilfully and lewdly commit any lewd or lascivious act including any of the acts constituting other crimes provided for in Part 1 of this code upon or with the body, or any part or member thereof, of a child under the age of 14 years, with the intent of arousing, appealing to, or gratifying the lust or passions or

sexual desires of such person or of such child, shall be guilty of a felony and shall be [imprisoned in the State prison for a term of from one year to life] *punishable by life imprisonment, or at the option of the person so convicted, by castration*."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

AMENDMENTS TO ASSEMBLY BILL NO. 3217 ORDERED REPRINTED IN FULL BY UNANIMOUS CONSENT

Proposed Amendments to Assembly Bill No. 3217 by Mr. Lanterman

Amendment No. 1

On page 7 of the printed bill, as amended in the Assembly on June 1, 1951, between lines 34 and 35, insert

"SEC. 4. Chapter 7 is added to Title 6 of the Government Code to read:

CHAPTER 7. URBAN DISTRICTS

Article 1. General Purposes

60500. The purpose of this chapter is to facilitate the administration of county governmental functions in unincorporated territory and to increase the efficiency of county governmental affairs by providing for more effective local participation in zoning, sanitation, roads and streets, parks and recreation, flood control, building and alterations, permits, licenses, vital statistics, health, police and fire protection, libraries, and other functions under the authority of county boards of supervisors through the establishment of urban districts within unincorporated territory having a simple and direct access to and from the county board of supervisors and the officers and administrative districts of the county and to and from cities adjacent to such districts.

Article 2. Petition and Hearing

60510. Urban districts consisting of 150 or more acres of unincorporated territory of a county or consisting of unincorporated territory of a county in which 300 or more persons reside may be formed in the manner provided for in this chapter.

60511. Proceedings for the formation of a district shall be commenced by petition addressed to and filed with the board of supervisors of the county within which the district is proposed to be established and signed by not less than 5 per cent of the registered voters residing within the boundaries of the proposed district, or by the assessees of property representing at least 5 percent of the assessed value, according to the last equalized assessment-roll, of all the property within the boundaries of the proposed district.

60512 The petition may be filed in sections each of which must comply with all the requirements of the petition except that a section need not contain the total number of signatures required for the petition.

60513. The petition must:

(a) State the proposed name for the district in substantially the following form: _____ (*filling in the blank*) *Urban District of* _____ (*filling in the blank*) County;

(b) Set forth the boundaries of the proposed district or describe the lands to be situated therein; and

(c) Request that the district be formed under the terms of this chapter.

60514. Upon the filing of the petition, the board of supervisors shall fix a time and place for the hearing of the petition. The hearing shall not be less than 30 days nor more than 60 days after such filing.

60515 Notice of such hearing shall be given by the clerk of the board of supervisors by publication of a notice of hearing at least once in a newspaper of general circulation published within the boundaries of the proposed district, or if there be none, then in a newspaper of general circulation published in the county.

60516. The notice of hearing shall:

(a) State the name of the proposed district;

(b) State that the petition for the formation of the same is available for inspection at the office of the clerk of the board of supervisors;

(c) Designate the boundaries of the proposed district;

(d) State the time and place for the hearing;

(e) State that at said hearing protests will be considered by the board of supervisors; and

(f) State that at said hearing requests in writing for the exclusion from or inclusion of lands in the proposed district will also be heard and considered by the board of supervisors.

60517. The board of supervisors shall not be deprived of jurisdiction to proceed with the hearing nor shall any action on the petition be invalidated by any clerical error in the published notice.

60518. At the hearing protests may be made orally or in writing by any person interested in the formation of the proposed district. Any protest pertaining to the regularity or sufficiency of the proceedings must be in writing and must clearly set forth

the irregularities and defects to which objection is made. All written protests must be filed with the clerk of the board of supervisors on or before the time fixed for the final hearing. The hearing may be continued from time to time not exceeding 90 days.

60519. The proceeding shall terminate if prior to the time the board of supervisors determines the district shall be formed written protests against the formation of the district are filed with the clerk of the board of supervisors either by a majority of the registered voters residing within the boundaries of the proposed district, or by the assessees of property representing a majority of the assessed value, according to the last equalized assessment roll, of all the property within the boundaries of the proposed district.

Article 3. Formation of District

60530. If, after the hearing provided for above, the board of supervisors determines that the organization of the district is in the public interest, it shall fix the boundaries of the proposed district, including therein any territory within the boundaries of the district covered by the petition or by any written requests for inclusion which it determines will be benefited by inclusion in the district and excluding therefrom any such territory which it determines will not be benefited by inclusion in the district.

60531. If the board of supervisors determines that the district should be established, it shall by resolution declare the district established, fix and describe its boundaries and designate a name thereof which name may be that proposed in the petition or such other name as the board of supervisors may select.

60532. Upon the adoption of the resolution declaring the district organized, the organization of the district shall be complete; and the clerk of the board of supervisors shall file a certified copy of the resolution in the office of the county recorder and in the office of the Secretary of State.

60533. The persons filing the petition shall pay all costs which may be incurred by the county in connection with the organization of the district if the organizational proceedings fail. If the district is organized such costs shall be paid by the county and the county shall be reimbursed for such costs out of the first funds collected for the use of the district.

Article 4. Powers of District

60540 Any urban district incorporated, as herein provided, shall have power:

First: To have perpetual succession.

Second. To hold title to a community building and appurtenant structures within the district; and to provide for the maintenance thereof and to establish rules and regulations governing its use and charges therefor, or to contract with the board of supervisors for the joint use of a community building with other county agencies or urban districts on a rental or ownership basis, and to incur indebtedness for such community buildings and appurtenant structures, after a hearing on the question of incurring such indebtedness is noticed and held by the board of selectmen and protests by the owners of a majority of the assessed valuation of the real property in the district as shown by the last equalized assessment roll is not made at such hearing, and a proposition approving the incurring of such indebtedness has been approved by a two-thirds vote of the electors residing within the district. Such indebtedness shall not exceed in the aggregate 15 percent of the assessed value of all real and personal property of the district

Third: To contract, on an annual basis either alone or in conjunction with other urban districts within the county, with the board of supervisors or with special districts organized within the county or with a city or cities within the county, for the furnishing to such urban district or urban districts, of all such urban services as may be required by the urban district or urban districts As used in this subdivision and elsewhere in this chapter "urban services" shall mean such municipal type services as are determined by the board of selectmen to be required for the protection of the public peace, health and safety of the inhabitants of the district and the property located therein, having due regard for the kind, quality, extent, standard or degree of the urban nature of land use in the district. Such annual service contracts shall provide for the payment by the district of all costs, direct or indirect, of urban services rendered within the district pursuant to such contracts by the contracting county, city or special district. All annual urban service contracts shall be effective upon the commencement of the fiscal year and may be renewed each year prior to the submission of the district's budget to the board of supervisors

Fourth. To cause the board of supervisors to be advised of the needs of the district

Fifth: To adopt a seal and alter it at pleasure.

Sixth: To sue and be sued, except as otherwise provided by law, in all actions and proceedings, in all courts and tribunals of competent jurisdiction.

Seventh: To appoint an executive secretary and such other employees as may be required; provided, that if county employees of the county within which the district is organized are selected in accordance with a civil service or merit system, all district employees other than the district manager shall be recruited and appointed in accordance with the same civil service or merit system so far as practicable.

Article 5. Board of Selectmen

60550. A board of selectmen consisting of five members and having the powers and duties hereinafter specified shall be elected for a district in which 300 or more persons reside in the manner provided for in Sections 60551 to 60558 hereof.

60551. Each selectman shall serve for a term of four years except that two of the members of the first board of selectmen shall serve for a term ending on the second day of January following the next succeeding general election held after their election and three members of the first board of selectmen shall serve for a term ending on the second day of January next succeeding the second general election held after their election.

60552 At the time of the adoption of the resolution declaring the district organized, the board of supervisors shall by resolution call an election to be held within the district for the election of the first members of the board of selectmen

The first election shall be held not less than 60 nor more than 120 days after the organization of the district.

60553 Of the five members first elected to the board of selectmen the two receiving the lowest number of votes shall serve for the term expiring on the second day of January following the next succeeding general election held after their election. The remaining three members of the board shall serve for the term ending on the second day of January following the second general election held after their election.

60554. Not more than 45 days prior to the date of the first election and not less than 30 days prior thereto, nominating petitions for one or more candidates for the office of selectman may be filed with the county clerk or the registrar of voters in counties having a registrar of voters Such nominating petitions shall be signed by not less than 25 registered voters residing within the boundaries of the district.

60555 The first election for selectmen shall be conducted within the district by the county clerk or registrar of voters of the county, as the case may be. For the purposes of the election the county clerk or registrar of voters may divide the district into precincts, establish polling places in such precincts and appoint election officers to conduct the election in each such precinct. The election officers so appointed shall not exceed three in number. The county clerk or registrar of voters as the case may be shall give notice of the election by publication The notice shall be published at least once in a newspaper of general circulation published or circulated in the district and shall specify the date and purpose of the election, the hours during which the polls will be open and shall contain a list of the precincts together with the polling place in each such precinct

60556 At the first election the ballot shall be in the following form.

For selectmen, _____ Urban District; vote for five.

_____ ☐
_____ ☐
_____ ☐
_____ ☐
_____ ☐
_____ ☐

The five candidates receiving the highest number of votes shall be elected for the terms hereinabove specified

60557. Vacancies in the office of selectman existing during the term thereof shall be filled by appointment by the board of selectmen from among the registered voters of the district and the person so appointed shall serve until the expiration of the term of office of his predecessor

60558 Not more than 90 nor less than 60 days before each general election following the first election of a board of selectmen in the district, nominating petitions signed by not less than 25 registered voters residing within the district may be filed with the county clerk or registrar of voters, as the case may be, requesting that the name or names of those persons specified in the petition be placed on the ballot as candidates for the offices of selectman for the term commencing on the following January 2d The names proposed by the petitions so filed and no others shall be printed on the general election ballot to be used in the district, but there shall be sufficient blank spaces provided in which electors may write other names if they so desire

60559 If there are less than three hundred residents in an urban district, a board of selectmen consisting of five members who are residents or owners of real property within the district, shall be appointed by the board of supervisors of the county in which the district is organized Each selectman so appointed shall serve for a term of four years, except that two of the first selectmen appointed for the district shall serve for terms ending on the tenth day of January of the year next succeeding their appointment and the remaining three selectmen shall serve for terms ending on the tenth day of January of the third year following their appointment The terms of office of the first board of selectmen shall be designated by the board of supervisors at the time of their appointment Thereafter vacancies on the board shall be filled by appointment by the board of supervisors.

Article 6. Powers and Duties of Selectmen

60560. The powers of the district shall be exercised through the board of selectmen

60561. The board of selectmen shall hold meetings at least once a month and shall elect from among their number a chairman who shall hold office for one year from the date of his election, or until his successor is elected.

60562. Three members of the board of selectmen shall constitute a quorum, and not less than three votes shall be required to adopt any resolution or take any action.

60563. The board of selectmen shall determine the urban service needs of the district and may, on behalf of the district, enter into annual contracts with the county, with any special district organized within the county or with any city in the county to furnish to the district the special services required and any such public agency is authorized to furnish such service to the district at not less than the actual cost thereof, direct and indirect, as it is authorized by law to furnish within its own territorial jurisdiction

60564 The board of selectmen shall inform the county board of supervisors of the needs of the district for regulatory measures pertaining to zoning, subdivisions, roads, streets and traffic, flood control, building standards, permits and licenses, and other legislative matters affecting public health, safety and welfare within the district.

60565. The board of selectmen shall prepare and submit to the board of supervisors by the first of February of each year a budget stating the amount necessary to provide for payment of district overhead and administrative costs, payments of principal and interest due on indebtedness incurred for community and appurtenant buildings and payments required under annual urban service contracts of the district for the next fiscal year; and it shall be the duty of the board of supervisors to levy a tax to be known as the "(name of district) urban service district tax" against all the taxable property within the district at the time of levying county taxes to raise the amount of the budget. The tax so levied shall be computed by the county auditor and shall be collected at the same time and in the same manner as county taxes and, when collected, shall be paid to the county treasurer for the use of said district. In the event that such budget is not submitted, it shall be the duty of the board of supervisors to require the immediate submission thereof. If the overhead and administrative portions of the budget exceeds the amount that the board of supervisors feel should reasonably be collected for the purposes of the district, they shall require that that portion of the budget to be reduced to an amount in the manner as directed by them. Copies of all annual service contracts and any other contractual obligations of the district shall be filed and submitted as a part of the budget.

60566 The county treasurer and the county auditor shall be ex officio treasurer and auditor of the district. All claims and demands against the district shall, when approved by the board of selectmen, be paid by district warrant drawn by the auditor against the funds of the district in the county treasury.

Article 7. District Investigation Act

60570. Districts formed or proposed to be formed under the provisions of this act are not subject to any provisions of the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931" or the "District Investigation Act of 1933."

Article 8. Changes in District Boundaries

60580. Any unincorporated territory within the county may be annexed to or excluded from a district in the manner provided by this article.

60581. A petition shall be addressed to and filed with the board of selectmen of the district, signed by at least 5 percent of the registered voters residing in, or by the assessees of property representing at least 5 percent of the assessed value, according to the last equalized assessment roll, of all the property within, the territory seeking annexation to or exclusion from the district

60582. The petition shall state the reasons for annexation or exclusion of the tract of land, describe its boundaries and include the consent of the petitioners to such annexation or exclusion.

60583. The board of selectmen shall consider the petition for annexation or exclusion and within 30 days after the filing thereof shall send it to the board of supervisors with the recommendation of the board of selectmen with respect thereto.

60584 Upon the filing of the petition, the board of supervisors shall fix a time and place for the hearing thereof and shall cause a notice of the filing of the petition and of the time and place of the hearing to be published at least once in a newspaper of general circulation published within the boundaries of the district, or if there be none, then in a newspaper of general circulation published in the county; provided, however, that the time of such hearing shall be not less than 90 days nor more than six months after the first publication of the aforesaid notices.

60585 The notice shall state:

(a) The date of filing of the petition;

(b) That the petition is available for inspection at the office of the clerk of the board of supervisors;

(c) The location and boundaries of the land described in the petition;

(d) The prayer of the petition;

(e) The time and place fixed for the hearing thereof;

(f) That petitions stating that the proposed annexation or exclusion is protested may be filed with the board of supervisors by registered voters of the district or by assessees of property in the district, as the case may be, at any time before the time fixed for the hearing; and

(g) That all persons interested in or affected by such change in the boundaries of the district may appear and show cause why such change should not be made.

60586. At the hearing the board of supervisors shall hear all relevant evidence in support of or in opposition to the petition; provided, however, that if a majority of the registered voters of the district, if the district was organized by a petition signed by not less than 5 percent of the registered voters thereof, or if assessees of property representing a majority of the assessed value, according to the last equalized assessment roll, of all the property within the district, if the district was organized by a petition signed by the assessees of property representing at least 5 percent of the assessed value, according to the last equalized assessment roll, of all the property within the district, file petitions protesting the annexation or exclusion, as the case may be, of the territory seeking annexation or exclusion, the proceeding shall terminate, and the board of supervisors shall take no further action with respect to such proceeding at said hearing.

60587. If the proceedings are not terminated as provided in Section 60586, and if the board of supervisors determines that the territory seeking annexation or exclusion will be benefited by such annexation or exclusion and that it is for the best interest of the district that the boundaries thereof be changed by annexing or excluding such territory or any part thereof, the board of supervisors shall by resolution annex or exclude the tract of land described in the petition or any part thereof and shall describe the altered boundaries of the district as so changed.

60588. A resolution of annexation or exclusion adopted by the board of supervisors as provided for in Section 60587, describing the altered boundaries of the district as changed, shall be entered in the minutes of the board of supervisors, and a certified copy of such resolution shall be immediately filed in the office of the county recorder of the county in which the district is situated and thereafter a certified copy of the same shall promptly be filed in the office of the Secretary of State. Upon the filing of the aforesaid copy with the Secretary of State the annexation or exclusion of the territory shall be deemed complete.

Article 9. Dissolution of District

60590. An urban district may be dissolved in the manner provided in this article.

60591. Upon the filing of a petition with the board of supervisors signed either by:

(a) Five percent or more of the registered voters residing within the boundaries of the district; or

(b) The assessees of property representing at least 5 percent of the assessed value, according to the last equalized assessment roll, of all the property within the boundaries of the proposed district, the board of supervisors shall fix a time and place for a hearing upon the question of the dissolution of the district.

60592. A petition for the dissolution of the district may be filed in sections; provided, that all sections must be filed at one time, and the total number of signatures on all sections must be equal or exceed the total number of signatures required.

60593. The hearing upon the dissolution of the district shall be set for a time not less than 30 or more than 60 days after the filing of the petition.

60594. Notice of the hearing shall be given by the clerk of the board of supervisors by publication of a notice of hearing at least once in a newspaper of general circulation published within the boundaries of the proposed district, or if there be none, then in a newspaper of general circulation published in the county.

60595. The notice of hearing shall:

(a) State the name of the district;

(b) State that a petition for the dissolution of the district has been filed and is available for inspection at the office of the clerk of the board of supervisors;

(c) State that a hearing on the question of dissolution will be held at the time and place fixed therefor by the board of supervisors;

(d) State that at the hearing protests either for or against the dissolution of the district will be considered by the board of supervisors.

60596. At the hearing protests may be made orally or in writing either for or against the dissolution of the district by any interested person. Any protest pertaining to the regularity or sufficiency of the proceedings must be in writing and must clearly set forth the irregularities and defects to which objection is made. All written protests must be filed with the clerk of the board of supervisors on or before the time fixed for the final hearing. The hearing may be continued from time to time not exceeding 90 days.

60597. If after the hearing the board of supervisors determines that the public interest requires the dissolution of the district it shall, by resolution, declare the district dissolved.

60598. Immediately after the adoption of the resolution declaring the district dissolved, the clerk of the board of supervisors shall file a certified copy of such resolu-

tion for record in the office of the county recorder and thereafter shall file a certified copy of the same with the Secretary of State. Upon the filing of the certified copy with the Secretary of State the dissolution of the district shall be complete.

60599. Upon the dissolution of the district all property, both real and personal, owned by the district shall become the property of the county in which the district is located.

60600. If the board of supervisors determines that the continued existence of the district is in the public interest it shall, by order, deny the petition for dissolution. If a petition for dissolution is denied a new petition for dissolution may not be filed until at least six months has elapsed from the date of the action of the board of supervisors in denying the last petition filed for that purpose.

60601. No portion of the territory included in any district may be annexed to any city until that territory has been excluded from the district in the manner provided for herein or until the dissolution of the district.

60602. A district is dissolved upon its complete territorial inclusion within the limits of an incorporated city, whether by incorporation, annexation or otherwise, and all property, both real and personal, owned by the district shall become the property of the city in which the district is located.

Amendment No. 2

On page 5, line 6, of said bill, strike out "such costs", and insert "the cost of special urban services".

Amendment No. 3

On page 6, lines 7 and 8, of said bill, strike out "the entire unincorporated area or", and insert "several".

Amendment No. 4

On page 6, line 40, of said bill, after "city," insert ", urban district".

Amendment No. 5

On page 7 of said bill, strike out line 14, and insert "or annexation, or in an urban district, such portion shall be withdrawn from such special service zone. All".

Amendment No. 6

On page 7, line 17, of said bill, after "city", insert "or urban district".

Amendment No. 7

On page 3, line 36, of said bill, strike out the semicolon; and strike out lines 37 to 50, inclusive, and insert "as are in addition to those which the county is legally obligated to provide within the urban unincorporated area of the county."

Amendment No. 8

On page 7 of said bill, strike out lines 5 and 6, and insert "upon all taxable property".

Amendment No. 9

On page 1, line 10, of said bill, strike out "equitable".

Amendment No. 10

On page 1, line 11, of said bill, strike out "efficient and economical performance of".

Amendment No. 11

On page 1, line 13, of said bill, strike out "in many counties of the State".

Amendment No. 12

On page 1, line 19, of said bill, strike out "The law,"; strike out lines 20 and 21; and in line 22, strike out "erty."

Amendment No. 13

On page 2 of said bill, strike out lines 1 to 3, inclusive, and insert "funds"

Amendment No. 14

On page 2, line 10, of said bill, strike out "rather"; and strike out lines 11 and 12, and insert a period.

Amendment No. 15

On page 2, line 13, of said bill, strike out "an".

Amendment No. 16

On page 2, line 14, of said bill, strike out "method", and insert "methods"

ANNOUNCEMENT

Mr. Sherwin announced that all members are urged to attend the meeting, this afternoon, of the Committee on Ways and Means for the purpose of hearing proposed amendments discussed relative to the Budget Bill, Assembly Bill No. 500.

REPORTS OF STANDING COMMITTEES

Committee on Boards and Commissions

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Board and Commissions, to which was referred:

Assembly Bill No. 3076

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

McMILLAN, Chairman

Above reported bill ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT THAT CHANGES BE MADE IN COMMITTEE REPORT AND AMENDMENTS BE PLACED IN BILL

Mr. Sherwin asked for, and was granted, unanimous consent that he be permitted to change a committee report, and place amendments to Assembly Bill No. 1463, in the bill being held at the desk, as they were omitted through inadvertance.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today At 2 p.m.—

Rules, in Room 319

Today Upon Adjournment and All Afternoon—

Ways and Means, in Room 435. Subject: Amendments to the Budget Bill, Assembly Bill No. 500, as proposed by the Senate Finance Committee.

Next Monday, June 11th, Upon Adjournment—

Legislative Representation, in Room 3148. Subject: Assembly Bill No. 3088.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Meyers, the usual courtesies of the Assembly for this day were unanimously extended to Louis J. DeBenedetti of San Francisco, George F. Malone of Oakland, and Stanley Lino Lena of Berkeley.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Robert J. Wensel, teacher, and the following pupils of the Freeport School: Doris Silva, Eloah Jones, Mary Basquez, Elisabeth Strengmann, Jo Ann Rich, Joyce Fowler, Julia Meier, Beverly McDowell, Joan Azevedo, Omega Stults, Darlene Duarte, Diane Dutra, Carol Ellis, Shirley Rich, Carolyn Skidgel, Janet Peterson, Jean Grundirg, Billy Lee, Christopher Rodriguez, Larry Day, Fred Baxter, Robert Silva, Frank Azevedo, Glenn Harris, and Elbert Brown.

ADJOURNMENT

At 11.33 a.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Monday, June 11, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SEVENTY-EIGHTH LEGISLATIVE DAY

ONE HUNDRED EIGHTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, June 11, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—77.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

O Thou Who Art the Light of the Minds That Know Thee, The Life of the souls that love Thee, and the Strength of the hearts that seek Thee, grant us the blessing of Thy holy presence. May all of our deliberations be found acceptable in Thy sight that the work of the heroic pioneers who discovered this land may not be in vain.

Remind us, as we look upon the Flag, of our duty to God and our Country.

We remember in Thy presence, the requirements of our Lord, "To do justly, and to love mercy, and to walk humbly with Thy God."

"Father, whate'er of earthly bliss
Thy sovereign will denies,
Accepted at Thy throne of grace
Let this petition rise;
Give me a calm and thankful heart,
From every murmur free;
The blessings of Thy grace impart,
And make me live to Thee."

In Jesus' name.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Hawkins, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Lowrey, on motion of Mr. Davis.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly then gave the pledge of allegiance to the Flag.

ANNOUNCEMENT

Speaker Sam L. Collins announced that small Flags in standards have been placed upon the desks of the members in honor of the National Commander of the American Legion, Mr. Erle Cocke, Jr., who will be a guest of the Assembly this morning, and suggested that said Flags, after today, be placed on the desks of members in their new offices in the new wing of the Capitol.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 8, 1951

To the Honorable Members of the Assembly
State of California
Sacramento, California

GREETINGS: I am returning herewith, without my signature,

Assembly Bill No. 2128, entitled: "An act to add Section 644.2 to the Agricultural Code, relating to oleomargarine."

My objections to the bill are as follows:

This bill would require that on the outside of each container of oleomargarine sold at retail there shall be a statement showing the ingredients by name and the percentage of each ingredient. An exception is made to this requirement in the case of "domestic vegetable oils" which may be stated in the aggregate of all types of such oil.

The sponsor of this measure has urged me to approve it as a "truth in products measure." This argument completely overlooks the fact that our laws now contain a requirement for stating the ingredients of oleomargarine.

Section 643 of the Agricultural Code requires a statement "within and upon the contents of each * * * package, and next to that portion of the same which is commonly and most conveniently opened" stating among other things "the names and percentages of the various ingredients used in the manufacture of such oleomargarine."

If truth in stating the contents of oleomargarine is the goal sought by this bill, the present law is stronger than this bill for it requires all ingredients to be shown and does not permit all "domestic vegetable oils" to be lumped together but requires them to be separately stated like all other ingredients. It is not apparent in what manner truthful revelation of the ingredients of a product is increased by permitting some of the products to be combined when the present law requires them to be separately stated.

Neither is any reason apparent why the public welfare requires the ingredients of any product to be stated twice. The present law adequately and clearly protects the public by requiring each package of oleomargarine to be distinctively marked with the word "oleomargarine" in plain Roman type, the letters of which shall not be less than one inch in height by one-half inch in width. It requires the statement of the ingredients to be within the package and next to that portion of the package which is commonly and most conveniently opened. In the light of the existing law, it is obvious that this bill cannot be advocated as necessary to advise the public of the contents of the package.

The California Grocers Association has urged a veto of this measure on the further ground that the requirements are entirely different than those of the Federal Government. Since California is the only State on the West Coast manufacturing oleomargarine, its products enter interstate commerce. Our laws should therefore conform to the federal laws to facilitate interstate shipment.

The Grocers Association further points out that this bill will require unnecessary expense. If ingredients are changed the expense of changing the carton is large, particularly during war conditions. The manufacturers purchase these cartons in large quantities to receive the benefits of a lower rate on quantity purchases and to insure an adequate supply during emergency conditions.

Interfering with the interstate shipment of a California product or increasing its cost is detrimental to our State and particularly to the producers of the ingredients going into its manufacture. It certainly is detrimental to the consumer particularly in these times of rising prices.

Since the bill does not serve the purpose intended by its sponsors and since it would be detrimental to the manufacturer, the producer, and the consumer, I am returning it without my approval.

Respectfully,

EARL WARREN, Governor

Acknowledgment of Receipt of Assembly Bill No. 2128

June 8, 1951

I acknowledge receipt this eighth day of June, 1951, at 7 o'clock p.m., of Assembly Bill No. 2128 without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

MONTIVEL A. BURKE

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 9, 1951

To the Assembly of the State of California
Sacramento, California

GENTLEMEN: I am transmitting to you herewith a copy of a message with reference to **Assembly Bill No. 2128** entitled: "An act to add Section 644.2 to the Agricultural Code, relating to oleomargarine."

This bill, with my message relative thereto, I (through my Legislative Secretary) delivered to Montivel A. Burke, Member of the Assembly, at 7 o'clock p.m. on the eighth day of June, 1951, at which time your honorable body had adjourned for the day but not for the session.

Respectfully submitted.

EARL WARREN, Governor

Assembly Bill No. 2128 ordered to unfinished business file.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 9, 1951

To the Honorable Members of the Assembly
State of California
Sacramento, California

GREETINGS: I am returning herewith, without my signature,

Assembly Bill No. 137, entitled: "An act to amend Sections 4530 and 4536 of the Elections Code, relating to campaign statements."

My objections to this bill are as follows:

It is a recognized principle that money either *collected* by a candidate or expended by him in his campaign for election should be reported. Our laws in this respect are presently inadequate to actually accomplish their purpose. They should be strengthened rather than weakened. This bill would further weaken them in that it permits a candidate to collect or otherwise accept money for a campaign but authorizes him not to report the fact so long as he does not actually spend it for campaign purposes. This, it seems to me, is worse in principle than not reporting when the money is received and actually spent for campaign purposes. It would permit a candidate to profit financially in a campaign in a manner which could make him subservient to sinister influences. The fact that the position is one of honor and is not compensated does not, in my opinion, detract either from the importance of the governmental responsibility involved, or from the desirability of keeping it within the terms of the purity of the election law.

Respectfully submitted.

EARL WARREN, Governor

Acknowledgment of Receipt of Assembly Bill No. 137

June 9, 1951

I acknowledge receipt this ninth day of June, 1951, at 4.15 o'clock p.m., of Assembly Bill No. 137 without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

G. DELBERT MORRIS

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 9, 1951

To the Assembly of the State of California
Sacramento, California

GENTLEMEN: I am transmitting to you herewith a copy of a message with reference to **Assembly Bill No. 137** entitled, "An act to amend Sections 4530 and 4536 of the Elections Code, relating to campaign statements."

This bill, with my message relative thereto, I (through my Legislative Secretary) delivered to G. Delbert Morris, a Member of the Assembly, at 4.15 o'clock p.m. on the ninth day of June, 1951, at which time your honorable body had adjourned for the day but not for the session.

Respectfully submitted.

EARL WARREN, Governor

Assembly Bill No. 137 ordered to unfinished business file.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 1020
Assembly Bill No. 1708
Assembly Bill No. 1848
Assembly Bill No. 3438
Assembly Bill No. 3443
Assembly Bill No. 3453

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 302
Assembly Bill No. 1570
Assembly Bill No. 1684
Assembly Bill No. 2367
Assembly Bill No. 3205

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1060
Assembly Bill No. 1507
Assembly Bill No. 2372

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 927
Assembly Bill No. 1308
Assembly Bill No. 1635
Assembly Bill No. 1802
Assembly Bill No 2034
Assembly Bill No. 3011
Assembly Bill No. 3131
Assembly Bill No. 3132
Assembly Bill No 3174
Assembly Bill No. 3247
Assembly Bill No. 3248

And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Assembly Bill No. 2591

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CONNOLLY, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 386
Assembly Bill No. 521
Assembly Bill No. 884
Assembly Bill No. 885
Assembly Bill No. 1611
Assembly Bill No. 2496
Assembly Bill No. 2755
Assembly Bill No. 2827
Assembly Bill No. 3387

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning

Assembly Bill No. 2907—An act to add Sections 14258.5, 14258.6, 14813 and 14814 to, to amend Sections 14540 and 14811 of, and to repeal Sections 14008, 14541, 14542, 14543, 14544, 14545, 14546, 14547, 14810, 14811 and 14812 of the Health and Safety Code, relating to fire protection districts

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Assembly Bill No. 2907 ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 48
Senate Bill No. 70
Senate Bill No. 744
Senate Bill No. 872
Senate Bill No. 908
Senate Bill No. 916
Senate Bill No. 939
Senate Bill No. 1576
Senate Concurrent Resolution No. 82

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators McBride, Parkman, and Ward as a Second Committee on Conference concerning:

Assembly Bill No. 99—An act to amend Section 6.11 of the Alcoholic Beverage Control Act, relating to organizations, associations and clubs, and providing for the issuance of on-sale general licenses thereto.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 89
Assembly Joint Resolution No. 38

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 1529

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file

SENATE CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 50	Assembly Bill No. 2009
Assembly Bill No 464	Assembly Bill No. 2307
Assembly Bill No. 1001	Assembly Bill No. 2598
Assembly Bill No. 1080	Assembly Bill No. 2828
Assembly Bill No 1999	Assembly Bill No. 3357

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 38
Senate Concurrent Resolution No. 84

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Joint Resolution No. 38—Relating to the settlement of certain claims of the Indians of California by the Indian Claims Commission of the United States and the federal courts.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 84—Relative to the organization of the Department of Fish and Game.

Referred to Committee on Fish and Game.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 8, 1951

MR SPEAKER. I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 424	Senate Bill No. 1412
Senate Bill No. 600	Senate Bill No. 1456
Senate Bill No. 919	Senate Bill No. 1536
Senate Bill No. 1151	Senate Bill No 1700
Senate Bill No 1152	Senate Bill No 1826

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 424—An act to amend Section 28119 of the Government Code, relating to compensation for public service in counties of the nineteenth class.

Referred to Committee on Municipal and County Government.

Senate Bill No. 600—An act to add Sections 30701.5 and 30735.5 to, and to amend Section 30748 of, the Water Code, relating to the election of directors of county water districts.

Referred to Committee on Municipal and County Government.

Senate Bill No. 919—An act to amend Sections 753, 2001, 2002, 2004, 2005 of; to amend and renumber Sections 755, 756, 758, 759, 760, 1831, 1832, 1833, 1834, 1835, 1839, 1840, 1841, 1842, and 1843 of; to add Section 2006 to; and to repeal Sections 754, 757, 1836, 1837, 1904, 1905, 1906, 1907, and 1908 of the Revenue and Taxation Code, relating to property taxation and the allocation of state funds; declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1151—An act to amend Sections 737tt of the Political Code and 79.46 of the Code of Civil Procedure, relating to superior judges' salaries.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1152—An act to amend Section 28156 of the Government Code, relating to compensation for public services in counties of the fifty-sixth class.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1412—An act providing for an action to determine title to property affected by summary means of collecting certain taxes.

Referred to Committee on Judiciary.

Senate Bill No. 1456—An act to amend Section 1300.12 of the Agricultural Code, relating to marketing of agricultural commodities.

Referred to Committee on Agriculture.

Senate Bill No. 1536—An act to amend Section 1300.1 of the Agricultural Code, relating to processors of agricultural products and their agents.

Referred to Committee on Agriculture.

Senate Bill No. 1700—An act to amend Section 28120 of the Government Code, relating to compensation for services performed for counties of the twentieth class.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1826—An act to add Section 4.1 to an act entitled "An act to provide for the acquisition of temporary and emergency housing facilities for veterans and families of servicemen by joint action of the State and local agencies, providing for the operation of such facilities, making an appropriation, and declaring the urgency thereof, to take effect immediately," approved February 15, 1946, relating to the disposition of rentals from such housing facilities.

Referred to Committee on Municipal and County Government.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1991—An act to amend Sections 30 and 31 of the Revenue and Taxation Code, relating to the enforcement in this State of tax liabilities of other states and political subdivisions thereof and

the collection in other states of taxes due this State and political subdivisions thereof.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2121—An act to amend Section 6701 of, and to add Sections 6703, 6704, and 6705 to, the Revenue and Taxation Code, relating to security for payment of obligations under the Sales and Use Tax Law, and to provide for certain exceptions in the application of these security requirements.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3439—An act to add Section 6516 to the Revenue and Taxation Code, relating to assessments for sales and use taxes.

Bill read second time, and ordered engrossed.

Assembly Bill No. 407—An act to amend Section 7315 of the Business and Professions Code, dealing with cosmetology.

Bill read second time, and ordered engrossed.

Assembly Bill No. 940—An act to amend Section 485 of the Vehicle Code, relating to drivers of vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 485 of", and insert "add Section 592.2 to,".

Amendment No. 2

In line 2 of the title of said bill, strike out "drivers", and insert "stopping, standing, or parking".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 7, inclusive, and insert

"SECTION 1. Section 592.2 is added to the Vehicle Code, to read:

592.2. Stopping, Standing, or Parking of United States Post Office Department Vehicles. The foregoing restrictions in this chapter prohibiting the stopping, standing, or parking of vehicles shall not apply to the driver or owner of any vehicle owned or operated by or for, or under contract with, the United States Post Office Department for the delivery, transportation, or collection of mail."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 966—An act to add Chapter 4, comprising Sections 591 to 737, inclusive, to Division 3 of the Harbors and Navigation Code, relating to inspection, licensing and registration of vessels, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Chapter 4, comprising Sections 591 to 737, inclu-"; and in the title strike out lines 2 to 4, inclusive, and insert "amend the heading of Chapter 1 of Division 20 of, and to add Article 4, comprising

Sections 24160 to 24163, inclusive, to Chapter 1 of Division 20 of, the Health and Safety Code, relating to the safety of boaters."

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. The heading of Chapter 1 of Division 20 of the Health and Safety Code is amended to read:

CHAPTER 1. HEALTH AND SAFETY OF BATHERS AND BOATERS

SEC. 2. Article 4 is added to Chapter 1 of Division 20 of said code, to read:

Article 4. Boating Safety

24160. This article applies to all boats, canoes, or other devices used for transporting persons by water, except such boats, canoes, or other devices the safety of which is otherwise regulated by federal or state law.

24161. Every boat, canoe, or other device subject to this article shall be equipped, while in use, with at least one life preserver, of a type prescribed by the state department, for each person aboard, unless so constructed or equipped that it will float if capsized and complies with the applicable regulations of the state department.

24162. For the purpose of defining the terms used in this article and otherwise regulating the safety of persons using devices to which this article applies, but not inconsistently with this article, the State department may promulgate reasonable regulations.

24163. Violation of this article or the regulations promulgated hereunder shall be a misdemeanor."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 25, inclusive; and strike out all of pages 2 to 15, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3300—An act to add Section 604.13 to the Vehicle Code, relating to motor vehicles equipped with television.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "Prohibited".

Amendment No. 2

On page 1, line 5, of said bill, strike out "broadcast receiver", and insert "receiver, screen, or other means of visually receiving a television broadcast which is located in the motor vehicle at any point forward of the back of the driver's seat, or which is visible to the driver while operating the motor vehicle".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 3445—An act to add Division 8a, comprising Sections 445 to 445.5, inclusive, to the Vehicle Code, relating to the regulation of drivers' schools and driving instructors.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "driver's license", and insert "automobile driving".

Amendment No. 2

On page 1, lines 25 and 26, of the printed bill, strike out ", and in a building or portion of a building devoted exclusively to non-residential use."

Amendment No. 3

On page 2, line 22, of the printed bill, strike out "twenty-five dollars ($25)", and insert "fifty dollars ($50) for each driving school and ten dollars ($10) for each additional instructor".

Amendment No. 4

On page 3, line 15, of the printed bill, strike out "483, 505", and insert "505-b".

Amendment No. 5

On page 3, line 16, of the printed bill, following "code", insert "or Sections 192 or 193 of the Penal Code".

Amendment No. 6

On page 3 of the printed bill, following line 25, insert
"SEC. 2. The act shall take effect March 1, 1952."

Amendments read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 1900—An act making an appropriation to pay the claim of Charles E. Cooper against the State of California.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "Charles E. Cooper", and insert "Clyde S. De Bolt".

Amendment No. 2

On page 1, lines 1 and 2, of said bill, strike out "sixty-four thousand dollars ($64,000)", and insert "thirty-two dollars and fifty cents ($32.50)".

Amendment No. 3

On page 1, line 3, of said bill, strike out "Charles E. Cooper", and insert "Clyde S. De Bolt".

Amendments read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 1405—An act providing for the constitution of the municipal court in a district embracing the City of Bakersfield, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 5, 6, and 7, and insert
"(1) There shall be three judges, each of whom shall receive eight thousand six hundred dollars ($8,600) per annum, payable in equal monthly installments;
(2) There shall be one presiding court clerk to be appointed by the judges of the court and act as secretary of the court, who shall receive three hundred forty dollars ($340) per month and who may appoint the following:
One senior clerk, who shall receive a salary of two hundred ninety dollars ($290) per month;
Two intermediate clerks, each of whom shall receive two hundred fifty dollars ($250) per month;
Five junior clerks, each of whom shall receive two hundred twenty dollars ($220) per month;

(3) There shall be one marshal, to be appointed by the judges of the court, who shall receive six thousand dollars ($6,000) per annum, payable in equal monthly installments and who may appoint the following:

One assistant marshal, who shall receive four hundred and fifty dollars ($450) per month;

Three deputy marshals, each of whom shall act as bailiffs when requested by the court, and each of whom shall receive three hundred fifty dollars ($350) per month;

Two deputy marshals, each of whom shall receive three hundred fifty dollars ($350) per month;

Ten deputies (custodians) at the fee allowed by law for keeping property.

The deputy marshals serving as custodians shall be paid only for their actual services as keepers of property taken under legal process and shall be paid out of the funds deposited by the parties to the action in which such services are rendered.

Neither the marshal or any of his deputies who receive a salary shall be entitled to retain any portion of the fees collected pursuant to law.

(4) Official reporters in such municipal courts described in this section shall be appointed as provided in Section 274c of the Code of Civil Procedure and shall be attaches of such court.

In conformity with the provisions of Section 274c of the Code of Civil Procedure, the judges of such court may appoint as many reporters as the business of the court may require, who shall be known as official reporters, and who shall serve without salary but shall receive the fees provided by Section 274 of the Code of Civil Procedure.

Fees for transcription of testimony and proceedings in such court shall be paid by the litigants to official reporters as provided by law. In all cases where by law, the court may direct the payment of transcription fees out of the county treasury, such fees shall, upon order of the court, be paid from the general fund including fees for transcription of testimony and proceedings in criminal cases as provided in Section 274 of the Code of Civil Procedure which shall be paid from the county treasury

Official reporters of such court shall be members of any retirement system maintained by the county in which they are employed. For the purpose of such retirement system the salary herein provided for such reporters shall be deemed their entire compensation.

(5) Persons employed in the service on the effective date of the amendment to this section shall receive credit for prior service in the justice's court, police court or municipal court of the city and in the sheriff's department or constabulary of the county. Changes of title created in establishing the municipal court shall not detract from said years of prior service.

(6) All fees collected by officers or attaches except those which an attache is entitled to retain, as herein provided, shall be paid into the county treasury."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1631—An act to amend Section 21361 of the Government Code, relating to the State Employees' Retirement System in respect to the basic death benefit.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "21361", and insert "20130".

Amendment No. 2

In line 2 of the title of said bill, strike out "in respect to"; and in line 3, strike out "the basic death benefit".

Amendment No. 3

On page 1, line 1, of said bill, strike out "21361", and insert "20130".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, strike out lines 3 to 23, inclusive; and on page 2, strike out lines 1 to 9, inclusive, and insert

"20130. Upon the basis of any or all of such investigation, valuation, and determination, the board shall adopt such mortality, service and other tables and interest

rate as it deems necessary, and make such revision in rates of contribution of members as it deems necessary to provide the benefits for which the rates for normal contributions are required to be calculated

[The rate of interest adopted by the board from time to time shall be at least one-half of 1 percent lower than the rate the board estimates will be earned during the fiscal year in which the interest rate is adopted, on the accumulated contributions to the Retirement Fund credited to employers and members, except that this provision does not require the board to adopt a rate lower than 2½ percent a year.]

No adjustment shall be included in the new rates for time prior to the effective date of such revision."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1258—An act to add Article 4.5, comprising Sections 20215 to 20226, inclusive, to Chapter 2, of Part 3, Division 5, Title 2 of the Government Code, relating to the State Employees' Retirement System, authorizing the investment of the funds of such system in real property, and prescribing the limitations upon such investments.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "20226", and insert "20227".

Amendment No. 2

On page 2, line 2, of said bill, strike out "unless", and insert "if".

Amendment No. 3

On page 2, line 3, of said bill, strike out "does not", and insert "will".

Amendment No. 4

On page 2, line 6, of said bill, strike out "option".

Amendment No. 5

On page 2, line 7, of said bill, after "shall", insert "be executed by or".

Amendment No. 6

On page 2, line 24, of said bill, after "paid", insert "and if the State has performed all acts required of it by the terms of the said lease".

Amendment No. 7

On page 2, line 34, of said bill, after "paid", insert "and if the State has performed all acts required of it by the terms of the said lease".

Amendment No. 8

On page 3, line 9, of said bill, strike out "The board may employ special".

Amendment No. 9

On page 3 of said bill, strike out lines 10 and 11, and insert "Any transaction entered into by the board under this section shall be subject to the approval of the Director of Finance. Except as provided in Section 20223, no real property or interest therein shall be acquired by the board under this article unless such acquisition is previously approved by the Director of Finance."

Amendment No. 10

On page 3 of said bill, after line 29, insert

"20227. Notwithstanding any other provision of law, the board, without the approval of the Director of Finance, the Attorney General or any other state officer, may employ special counsel to represent it in any controversy with the State or with any state agency, arising under this article."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 380—An act to repeal Article 3, comprising Sections 400 to 459, inclusive, of Chapter 2, Division 1 of, and to add Article 3, comprising Sections 400 to 409, inclusive, to Chapter 2, Division 1 of, the Education Code, relating to the county superintendents of schools.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on April 20, 1951, strike out "409", and insert "413".

Amendment No. 2

On page 1, line 4, of said bill, strike out "409", and insert "413".

Amendment No. 3

On page 1 of said bill, strike out lines 10 to 22, inclusive; and on page 2, strike out lines 1 to 15, inclusive, and insert

"400. For the purposes of prescribing the qualifications required of county superintendents of schools and fixing their salaries the counties are classified on the basis of the average daily attendance in the public schools of the State in the respective counties as follows.

Class One (1) includes all counties with an average daily attendance of one hundred fifty thousand (150,000) and over.

Class Two (2) includes all counties with an average daily attendance of one hundred thousand (100,000) to one hundred forty-nine thousand nine hundred ninety-nine (149,999), inclusive.

Class Three (3) includes all counties with an average daily attendance of sixty thousand (60,000) to ninety-nine thousand nine hundred ninety-nine (99,999), inclusive.

Class Four (4) includes all counties with an average daily attendance of fifty thousand (50,000) to fifty-nine thousand nine hundred ninety-nine (59,999), inclusive.

Class Five (5) includes all counties with an average daily attendance of forty thousand (40,000) to forty-nine thousand nine hundred ninety-nine (49,999), inclusive.

Class Six (6) includes all counties with an average daily attendance of thirty thousand (30,000) to thirty-nine thousand nine hundred ninety-nine (39,999), inclusive.

Class Seven (7) includes all counties with an average daily attendance of twenty thousand (20,000) to twenty-nine thousand nine hundred ninety-nine (29,999), inclusive.

Class Eight (8) includes all counties with an average daily attendance of fifteen thousand (15,000) to nineteen thousand nine hundred ninety-nine (19,999), inclusive.

Class Nine (9) includes all counties with an average daily attendance of seven thousand five hundred (7,500) to fourteen thousand nine hundred ninety-nine (14,999), inclusive.

Class Ten (10) includes all counties with an average daily attendance of five thousand (5,000) to seven thousand four hundred ninety-nine (7,499), inclusive.

Class Eleven (11) includes all counties with an average daily attendance of five hundred (500) to four thousand nine hundred ninety-nine (4,999), inclusive.

Class Twelve (12) includes all counties with an average daily attendance of less than five hundred (500)."

Amendment No. 4

On page 2, line 16, of said bill, strike out "No", and insert "Except as provided in this section no".

Amendment No. 5

On page 2 of said bill, strike out lines 20 to 27, inclusive, and insert

"Where a county changes from one class to another because of an increase in the average daily attendance in the public schools in such county, the incumbent county superintendent of schools in that county shall not be prohibited from continuing in office and shall be eligible for reelection to the same office regardless of whether he possesses a valid credential otherwise required in a county of that class."

Amendment No. 6

On page 2 of said bill, strike out lines 28 to 35, inclusive, and insert

"400.2. The salary and qualifications of the county superintendent of schools in each county shall be as set forth in this article for that class into which the county

falls. The class into which each county falls shall be determined on July first of each year based upon the average daily attendance in the public schools of such county for the second preceding school year as reported by the State Department of Education."

Amendment No. 7

On page 2 of said bill, strike out lines 38 to 52, inclusive; and on page 3, strike out lines 1 to 25, inclusive, and insert

"401. All county superintendents of schools in counties within Class One (1) shall receive an annual salary of sixteen thousand dollars ($16,000) and each shall possess a valid general administrative credential issued by the State Board of Education.

402. All county superintendents of schools in counties within Class Two (2) shall receive an annual salary of fifteen thousand dollars ($15,000) and each shall possess a valid general administrative credential issued by the State Board of Education.

403. All county superintendents of schools in counties within Class Three (3) shall receive an annual salary of fourteen thousand dollars ($14,000) and each shall possess a valid general administrative credential issued by the State Board of Education.

404 All county superintendents of schools in counties within Class Four (4) shall receive an annual salary of thirteen thousand dollars ($13,000) and each shall possess a valid general administrative credential issued by the State Board of Education.

405. All county superintendents of schools in counties within Class Five (5) shall receive an annual salary of twelve thousand dollars ($12,000) and each shall possess a valid general administrative credential issued by the State Board of Education.

406 All county superintendents of schools in counties within Class Six (6) shall receive an annual salary of eleven thousand dollars ($11,000) and each shall possess a valid general administrative credential issued by the State Board of Education.

407. All county superintendents of schools in counties within Class Seven (7) shall receive an annual salary of ten thousand dollars ($10,000) and each shall possess a valid general administrative credential issued by the State Board of Education.

408. All county superintendents of schools in counties within Class Eight (8) shall receive an annual salary of nine thousand dollars ($9,000) and each shall possess a valid general administrative credential issued by the State Board of Education.

409. All county superintendents of schools in counties within Class Nine (9) shall receive an annual salary of eight thousand dollars ($8,000) and each shall possess a valid general administrative credential issued by the State Board of Education.

410. All county superintendents of schools in counties within Class Ten (10) shall receive an annual salary of seven thousand dollars ($7,000) and each shall possess a valid general administrative credential issued by the State Board of Education.

411. All county superintendents of schools in counties within Class Eleven (11) shall receive an annual salary of six thousand dollars ($6,000) and each shall possess a valid elementary or secondary administrative credential issued by the State Board of Education.

412 All county superintendents of schools in counties within Class Twelve (12) shall receive an annual salary of five thousand dollars ($5,000) and each shall possess a valid elementary or secondary administrative credential issued by the State Board of Education."

Amendment No. 8

On page 3, line 26, of said bill, strike out "409", an insert "413".

Amendment No. 9

On page 3, of said bill, strike out lines 27 to 32, inclusive, and insert "intendent of schools but not in excess of seven thousand five hundred dollars ($7,500) shall be paid monthly out of the county school service fund in the same manner as other payments from the county school service fund are made. The balance of the annual salary of each county superintendent of schools shall be paid monthly out of the salary fund of the county treasury in the same manner as are the salaries of other county officers."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1072—An act to amend Sections 1 and 3 of an act entitled "An act making an appropriation from the Emergency Fund specified in Item 277 of the Budget Act of 1950, relating to the repair

and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, declaring the urgency thereof, to take effect immediately," approved April 25, 1951, relating to the repair and restoration of property damaged or destroyed by storms or floods, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 21, 1951, strike out "to amend Sections"; and strike out lines 2 to 14, thereof, and insert "making an allocation from the Emergency Fund specified in Item 277 of the Budget Act of 1950, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, declaring the urgency thereof, to take effect immediately."

Amendment No. 2

On page 2 of said bill, strike out lines 30 to 52, inclusive; and on page 3, strike out lines 1 to 12, inclusive, and insert

"SECTION 1. There is hereby allocated out of those funds in the Emergency Fund specified in Item 277 of the Budget Act of 1950, appropriated by Chapter 13 of the Statutes of 1951, so much thereof as may be necessary for expenditure by the Department of Finance in the County of Sierra to restore County Primary Road No. 5 and provide channel protection therefor, to restore County Secondary Road No. 308 and replace a bridge thereon, restore County Secondary Roads Nos. 309 and 310, and restore County Secondary Road No. 504 and replace a bridge thereon.

SEC. 2. With regard to subdivision (c) of Section 1 of Chapter 13 of the Statutes of 1951, all sums expended by the County of Sierra prior to the effective date of this section and since April 1, 1951, on the roads, channels and bridges specified in Section 1 of this act, shall be considered and counted as money made available by the County of Sierra for matching purposes."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2129—An act to amend Sections 20013 and 20014 of and to add Sections 20017.7, 21020.7, 21290.7, 21292.7, and 21363.7 to the Government Code, relating to the State Employees' Retirement System, in respect to certain law enforcement personnel of the Department of Justice.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In the title of the printed bill, as amended in the Assembly on May 21, 1951, strike out line 2, and insert "tions 20017.75, 20038.5, 21020.75, 21290.75, 21292.75, and 21363.75 to, the".

Amendment No. 2

On page 1 of said bill, strike out line 12, and insert:

"(6) Narcotic enforcement members.

(7) Law enforcement members."

Amendment No. 3

On page 1, line 19, of said bill, after "warden," insert "narcotic enforcement,".

Amendment No. 4

On page 2, line 1, of said bill, strike out "20017.7", and insert "20017.75".

Amendment No. 5

On page 2, line 2, of said bill, strike out "20017.7.", and insert "20017.75"

Amendment No. 6

On page 2 of said bill, between lines 22 and 23, insert

"SEC. 3.5. Section 20038.5 is added to said code, to read:

20038.5. "Industrial" in reference to the death or disability of a law enforcement member means death or disability as a direct result of injury or disease arising out of and in the course of his employment and while performing duties which require the assumption of risks peculiar to active law enforcement work."

Amendment No. 7

On page 2, line 23, of said bill, strike out "21020.7", and insert "21020.75".

Amendment No. 8

On page 2, line 24, of said bill, strike out "21020.7.", and insert "21020.75."

Amendment No. 9

On page 2, line 26, of said bill, strike out "21290.7", and insert "21290.75".

Amendment No. 10

On page 2, line 27, of said bill, strike out "21290.7", and insert "21290.75."

Amendment No. 11

On page 2, line 30, of said bill, strike out "21292.7", and insert "21292.75".

Amendment No. 12

On page 2, line 31, of said bill, strike out "21292.7.", and insert "21292.75."

Amendment No. 13

On page 2, line 38, of said bill, strike out "21363.7", and insert "21363.75".

Amendment No. 14

On page 2, line 39, of said bill, strike out "21363.7.", and insert "21363.75"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2904—An act to amend Section 14632 of the Education Code, and to add Section 14633 thereto, relating to retirement allowances for teachers retired under the State Teachers' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 9, of the printed bill, as amended in the Assembly on April 16, 1951, strike out "one hundred dollars ($100)", and insert "fifty dollars ($50)".

Amendment No. 2

On page 1, line 20, of said bill, after the period, insert "All members, retired prior to July 1, 1951, shall receive an additional twenty-five dollars ($25) per month from the permanent fund, and no member with 15 or more years of credited service who is retired on or before the effective date of the amendment to this section adopted at the 1951 Regular Session of the Legislature shall receive less than eighty-five dollars ($85) per month."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3122—An act to amend Section 1 of an act entitled "An act making an appropriation for the support of the San

Francisco World Trade Center Authority and for the purposes of the authority, and providing for the return thereof," approved July 25, 1949, relating to the San Francisco World Trade Center Authority.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on June 1, 1951, strike out line 1, and insert

"SECTION 1. Section 1 of the act cited in the title hereof is amended to read: Section 1. The Board of State Harbor Commissioners".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3345—An act to amend Section 5153 of, and to add Chapter 5.5 to Division 12 of the Education Code, relating to the State Rehabilitation Center, providing for the establishment and operation thereof, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on June 1, 1951, strike out "to amend Section 5153 of, and to add Chapter 5.5 to Division 12 of the Education Code,".

Amendment No. 2

In lines 3 and 4 of the title of said bill, strike out "the establishment and operation", and insert "a study of the administration and for preliminary plans"

Amendment No. 3

On page 2 of said bill, strike out lines 15 to 52 inclusive; and strike out all of pages 3 to 5, inclusive, and insert

"SEC. 2. The Department of Finance is authorized to make a study of the administrative organization necessary to establish a State Rehabilitation Center and a Resident School for the Educable Physically Handicapped.

SEC. 3. The drawing of preliminary plans for a State Rehabilitation Center and a Resident School for the Educable Physically Handicapped is hereby authorized.

SEC. 4. There is hereby appropriated from the Capital Outlay and Savings Fund the sum of eighty thousand dollars ($80,000) or so much thereof as may be necessary, for the drawing of plans authorized by Section 3. The funds appropriated by this act shall be allocated to the agencies designated by the Director of Finance with the approval of the Public Works Board."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1463—An act to add Section 12.5 to the Municipal Court Act of 1925, relating to compensation of Municipal Court Judges in Los Angeles County and to provide for the compensation of judges of municipal courts established in judicial districts in Los Angeles County.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 15, of the printed bill, as amended in the Assembly on May 23, 1951, after "County", insert ", in a district embracing a city in which a municipal court was established under the Municipal Court Act of 1925,".

Amendment No. 2

On page 1 of said bill, after line 17, insert

"Each Judge of a Municipal Court in Los Angeles County, in a district embracing no city in which a municipal court was established under the Municipal Court Act of 1925, shall receive a salary of twelve thousand five hundred dollars ($12,500) per annum, payable in equal monthly installments, for the first two years following the establishment of the court and shall thereafter, receive a salary of fifteen thousand dollars ($15,000) per annum, payable in equal monthly installments."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3076—An act to amend Sections 20013, 20604, 21250, 21295, and 21330 of the Government Code, and to add Sections 20014.6, 20017.8, 20017.9, 20602.9, 20602.95, 20603.3, 20750.7, 20803.7, 20950.7, 20980.7, 21020.7, 21210, 21252.4, 21256.3, 21257.2, 21262.1, 21290.7, 21292.7, and 21363.6 thereto, relating to the State Employees' Retirement System in respect to the Alcoholic Beverage Control Act enforcement personnel of the State Board of Equalization.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Boards and Commissions:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "20013,".

Amendment No. 2

In line 4 of the title of said bill, strike out "21020.7, 21210, 21252.4," and insert "21020.8, 21210, 21252.5,".

Amendment No. 3

Strike out line 5 of the title of said bill, and insert "21257.3, 21262.1, 21290.8, 21292.8, and 21363.6 thereto,".

Amendment No. 4

On page 1 of said bill, strike out lines 1 to 17, inclusive, and insert

"SECTION 1. Section 20014.6 is added to the Government Code, to read:

20014.6. Notwithstanding the provisions of Sections 20013 and 20014, "State member" includes beverage control members, and".

Amendment No. 5

On page 3, line 45, of said bill, strike out "21020.7", and insert "21020.8".

Amendment No. 6

On page 3, line 46, of said bill, strike out "21020.7.", and insert "21020.8."

Amendment No. 7

On page 4, line 8, of said bill, after "patrol members", insert ", local safety members to whom Section 21264 applies,".

Amendment No. 8

On page 4, line 8, of said bill, after "beverage control members," insert "and solely in respect to the portion of said annuity derived from the normal accumulated contributions of such members, respectively,".

Amendment No. 9

On page 4, line 13, of said bill, strike out "21252.4", and insert "21252.5".

Amendment No. 10

On page 4, line 14, of said bill, strike out "21252.4.", and insert "21252.5."

Amendment No. 11

On page 4, line 41, of said bill, strike out "21257.2", and insert "21257.3".

Amendment No. 12

On page 4, line 42, of said bill, strike out "21257.2.", and insert "21257.3."

Amendment No. 13

On page 4, line 51, of said bill, after the comma, insert "excluding the portion of such allowance derived from accumulated additional contributions of the member,".

Amendment No. 14

On page 5, line 14, of said bill, strike out "unless she was".

Amendment No. 15

On page 5 of said bill, strike out lines 15 and 16.

Amendment No. 16

On page 5, line 17, of said bill, strike out "industrial,".

Amendment No. 17

On page 5, line 25, of said bill, strike out "21290.7", and insert "21290.8".

Amendment No. 18

On page 5, line 26, of said bill, strike out "21290.7.", and insert "21290.8."

Amendment No. 19

On page 5, line 29, of said bill, strike out "21292.7", and insert "21292.8".

Amendment No. 20

On page 5, line 30, of said bill, strike out "21292.7.", and insert "21292.8."

Amendment No. 21

On page 6, line 9, of said bill, after "patrol", insert "members, local safety members to whom Section 21264 applies,".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3024—An act relating to benefits for members of the fire departments of state institutions.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

On page 1 of the printed bill, as amended, strike out lines 14 to 18, inclusive.

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 471—An act to amend Section 21201 of the Government Code, relating to the California State Employees' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 21201 of", and insert "add Section 21251.4 to".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 7, inclusive, and insert

"SECTION 1. Section 21251.4 is added to the Government Code, to read:

21251.4 (a) Every retirement allowance payable for time commencing on the effective date of this section to or on account of any member who was retired prior to July 1, 1951, is hereby increased by a monthly amount which, when added to any other increases in such retirement allowance made by the Legislature at its 1951 Regular Session, equals the full amount set forth in the following table opposite the period during which the member's retirement became effective, if the retired member is entitled to be credited with 20 years or more of state service, or, if the retired member is entitled to be credited with less than 20 years of state service, by an amount which, when added to any other increases in such retirement allowance made by the Legislature at its 1951 Regular Session, bears the same ratio to the amount set forth in the following table opposite the period during which the member's retirement became effective that the number of completed years of state service with which the member is entitled to be credited bears to 20 years:

Period during which retirement became effective	Amount of increase in monthly retirement allowance where member entitled to be credited with 20 or more years of state service
Prior to July 1, 1947	$25.00
Twelve months ended June 30, 1948	$20.00
Twelve months ended June 30, 1949	$15.00
Twelve months ended June 30, 1950	$10.00
Twelve months ended June 30, 1951	$5.00

Where a member to or on account of whom an increased retirement allowance is payable under this section has elected pursuant to Article 4 of Chapter 9 of this part to have his retirement allowance modified in accordance with an optional settlement provided in Section 21333, Section 21334, or Section 21335, if both the retired member and his beneficiary are living on the effective date of this section, the increase provided by this section shall be modified under the optional settlement so elected, on the basis of current ages, mortality tables, and interest rate; but if either such retired member or his beneficiary is not living on said effective date, then the increase shall be made in the allowance payable to the survivor, in the same manner that increases are made in retirement allowances to persons who did not elect such an optional settlement.

The increase in each retirement allowance provided by this section shall be apportioned between the current service pension and the prior service pension of the retired member in the same proportions that the current service and the prior service with which the member is credited bear to the total state service with which he is credited, and shall be derived from the same source as such pensions.

(b) Every special death benefit payable for time commencing on the effective date of this section on account of the industrial death of any member who died prior to July 1, 1951, is hereby increased by a monthly amount which, when added to any other increases in such death benefit made by the Legislature at its 1951 Regular Session, equals the full amount set forth in the following table opposite the period during which the member's death occurred:

Period during which industrial death occurred	Amount of increase in monthly special death benefit installments
Prior to July 1, 1947	$25.00
Twelve months ended June 30, 1948	$20.00
Twelve months ended June 30, 1949	$15.00
Twelve months ended June 30, 1950	$10.00
Twelve months ended June 30, 1951	$ 5.00

(c) This section does not authorize any decrease in any retirement allowance or special death benefit, nor does this section give any retired member, or his successors in interest, or his beneficiary, or any payee of any special death benefit in respect to a deceased member any claim against the State for any increase in any retirement allowance or special death benefit paid or payable for time prior to its effective date.

(d) This section shall not apply to any contracting agency, nor to retirement allowances or special death benefits payable to or in respect to the retired or deceased employees of any contracting agency, unless and until the contracting agency elects to be subject to its provisions by amendment to its contract with the board, made as provided in Section 20461.5, or by express provision in its contract with the board.

SEC. 2. This act shall take effect on the first day of the first month next succeeding the ninetieth day after final adjournment of the 1951 Regular Session of the Legislature."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1628—An act to amend Section 21362 of the Government Code, relating to the State Employees' Retirement System in respect to installment payment of benefits.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 21362", and insert "Sections 20750.1, 20750.2, 20750.3, and 20750.4".

Amendment No. 2

Strike out lines 2 and 3 of the title of said bill, and insert "ing to state contributions to the State Employees' Retirement Fund."

Amendment No. 3

On page 1, line 1, of said bill, strike out "21362", and insert "20750.1".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, strike out lines 3 to 24, inclusive; and on page 2, strike out lines 1 to 22, inclusive, and insert

"20750.1. The State's contribution to the Retirement Fund in respect to state miscellaneous members is a sum equal to [8.] *9* percent of the compensation paid state miscellaneous members.

SEC. 2. Section 20750.2 of the Government Code is amended to read:

20750.2. The State's contribution to the Retirement Fund in respect to [state] patrol members is a sum equal to [27.70] *28.26* percent of the compensation paid [state] patrol members.

SEC. 3. Section 20750.3 of the Government Code is amended to read:

20750.3. The State's contribution in respect to forestry members is a sum equal to [13.39] *7.28* percent of the compensation paid forestry members.

SEC. 4. Section 20750.4 of the Government Code is amended to read:

20750.4. The State's contribution to the Retirement Fund in respect to warden members is a sum equal to [23.17] *17.12* percent of the compensation paid warden members.

SEC. 5. This act shall take effect on the first day of the first month next succeeding the ninetieth day after final adjournment of the 1951 Regular Session of the Legislature."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1257—An act to amend Section 20750.1 of the Government Code, relating to the state contribution to the State Employees' Retirement Fund in respect to state miscellaneous members of the State Employees' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out the blank, and insert "8 11".

Amendment No. 2

On page 1 of said bill, after line 6, insert

"SEC. 2. This act shall become effective on the first day of the first month next succeeding the ninetieth day after the final adjournment of the 1951 Regular Session of the Legislature."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1260—An act to amend Section 20750.4 of the Government Code, relating to state contribution to the State Employees' Retirement Fund in respect to warden members of the State Employees' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out the blank, and insert "16 86".

Amendment No. 2

On page 1 of said bill, after line 5, insert

"SEC. 2. This act shall become effective on the first day of the first month next succeeding the ninetieth day after the final adjournment of the 1951 Regular Session of the Legislature."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1261—An act to amend Section 20750.3 of the Government Code, relating to the state contribution to the State Employees' Retirement Fund in respect to forestry members of the State Employees' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out the blank, and insert "7.25".

Amendment No. 2

On page 1 of said bill, after line 5, insert

"SEC. 2. This act shall become effective on the first day of the first month next succeeding the ninetieth day after the final adjournment of the 1951 Regular Session of the Legislature."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1262—An act to amend Section 20750.2 of the Government Code, relating to the state contribution to the State Employees' Retirement Fund in respect to state patrol members of the State Employees' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out the blank, and insert "27.88".

Amendment No. 2

On page 1 of said bill, between lines 6 and 7, insert

"SEC. 2. This act shall become effective on the first day of the first month next succeeding the ninetieth day after the final adjournment of the 1951 Regular Session of the Legislature."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 2248—An act to amend Sections 9355.1 and 9359 of the Government Code, relating to the Legislator's Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 9355.1 and 9359 of", and insert "Sections 9351, 9351 3, 9353 6, 9355 1, 9355.2, 9359 1, and 9359 8 of, and to add Section 9355 45 to,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 9351 of the Government Code is amended to read:

9351. "Service" means the period of time, computed in years and fractions thereof, a member has held office as a Member of the Senate or of the Assembly, [or] as an elective officer of the State in any office provided for by the Constitution, except that of judge. *or as an officer of the Senate or Assembly, other than a Chaplain, who is elected by vote of the members.*

SEC. 2. Section 9351 3 of said code is amended to read:

9351.3. "Legislator" means a Member of the Assembly or a Member of the Senate or an elective officer of the State whose office is provided for by the Constitution

or an officer of the Senate or Assembly, other than a Chaplain, who is elected by vote of the members.

SEC. 3. Section 9353.6 of said code is amended to read:

9353.6. The Chief Clerk of the Assembly shall give the board immediate written notice of the change in status of any member *or officer, other than a Chaplain,* of the Assembly resulting from induction into office, resignation, expulsion, death, or any other circumstances terminating his office as member *or officer, other than a Chaplain,* of the Assembly, and the Secretary of the Senate shall give the board immediate written notice of any change in status of any member *or officer, other than a Chaplain,* of the Senate. The Secretary of State shall give the board immediate written notice of any such change in status of any elective state officer who is eligible to membership in the system.

SEC. 4. Section 9355.1 of said code is amended to read:

9355.1. A person ceases to be a member of this system:

(a) Upon retirement pursuant to this chapter

(b) Upon death

(c) [Except as provided in Section 9355.2 or while absent on military service, upon his ceasing to be a legislator.] *Upon payment to him of his accumulated contributions pursuant to Section 9355.2.*

SEC. 5. Section 9355.2 of said code is amended to read:

9355.2. Notwithstanding any other provision of this chapter, if the service of a member is discontinued by any means other than death or retirement pursuant to this chapter, he shall have the right to elect within 90 days thereafter, and without right of revocation, *by written election filed with the board, to be repaid his accumulated contributions and terminate his membership in this system. Unless the member affirmatively exercises such election, his accumulated contributions shall remain in the fund and his membership in this system shall continue.* [whether to allow his accumulated contributions to remain in the fund. Failure to make such election shall be deemed an irrevocable election to resign from this system and withdraw his accumulated contributions.] A member whose membership continues under this section is subject to the same age requirements as apply to other members for retirement, and upon qualification for retirement [by age], he shall, upon his application therefor to the board, be retired, and receive a retirement allowance based upon the service with which he is credited, in the same manner as other members of this system.

SEC. 6. Section 9355.45 is added to said code, to read:

9355.45. Every officer of the Senate or Assembly, other than a Chaplain, who is elected by vote of the members and who is in office at the time this section becomes effective may, within 90 days after the effective date, file with the board a written election to become a member of this system. Every such officer elected after the effective date of this section may file an election within 90 days after his election by vote of the Members of the Senate or Assembly. Upon the filing of the election he becomes a member of this system on the first day of the month following the filing of the election.

SEC. 7. Section 9359.1 of said code is amended to read:

9359.1. The retirement allowance is an annual amount equal to five percent (5%) of the compensation payable, at the time payments of the allowance fall due, to the officer holding [the office which the retired member last held prior to his retirement] *the highest salaried office which the retired member held at any time during his service prior to retirement*, multiplied by the number of years of service with which the member is entitled to be credited at the time of his retirement, (a) not to exceed fifteen (15) years in the case of a Member of the Legislature *or an officer of the Senate or Assembly, other than a Chaplain, elected by vote of the members*, and (b) not to exceed seven (7) years in the case of any other officer. In no event shall any retirement allowance payable under this chapter exceed (a) in the case of Members of the Legislature, seventy-five percent (75%) of the compensation payable to Members of the Legislature at the time the payment of the allowance is made, [or] (b) *in the case of officers of the Senate or Assembly, other than Chaplains, elected by vote of the members, 75 percent of the compensation payable at the time the payment of the allowance is made, to the officer holding the legislative office which the retired member last held prior to his retirement, or the amount payable to a Member of the Senate or Assembly entitled to be credited with an equal number of years of service and prior service, whichever is less, or (c)* in the case of officers other than Members of the Legislature *and officers of the Senate or Assembly, other than Chaplains, elected by vote of the members,* thirty-five percent (35%) of the compensation payable at the time the payment of the allowance is made, to the officer holding the office which the retired member last held prior to his retirement.

SEC. 8. Section 9359.8 of said code is amended to read:

9359.8. Upon the death of any member before retirement, his accumulated contributions shall be paid to his beneficiary, if he has designated one, and if not, to his estate. There shall also be paid to his beneficiary or estate an amount equal to one-twelfth of the annual compensation, [of a legislator] during the 12 months immediately preceding *the* [his] death *of the member, of the legislative or elective office last held by him*, multiplied by the number of completed years of service and prior service for which he is entitled to elect to receive credit, but not to exceed one-half of such annual compensation. The benefits provided by this section are in addition to any benefits provided by Division 4 of the Labor Code."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 22, inclusive..

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 976—An act to amend Sections 51, 53, and 60 of the Labor Code, relating to the general powers and duties of the Department and Director of Industrial Relations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Industrial Relations:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "and"; and following "60", insert ", 70.5, 77.5, 80, 112, and 145."

Amendment No. 2

In line 3 of the title of said bill, following "Relations", insert "and salaries within the Department of Industrial Relations."

Amendment No. 3

On page 1, line 8, of said bill, following "of", strike out all the rest of line 8 and all of line 9, and insert "thirteen thousand dollars ($13,000) per annum."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, between lines 9 and 10, insert

"SEC. 2. Section 70.5 of the Labor Code is amended to read:

70.5. The salary of the Chief of the Division of Industrial Welfare shall be not less than [seven thousand two hundred dollars ($7,200)] *ten thousand dollars ($10,000)* per annum

SEC. 3. Section 77.5 of the Labor Code is amended to read:

77.5. The salary of the Chief of the Division of Housing shall be not less than [seven thousand two hundred dollars ($7,200)] *ten thousand dollars ($10,000)* per annum.

SEC. 4. Section 80 of the Labor Code is amended to read:

80. The salary of the Labor Commissioner shall be not less than [seven thousand two hundred dollars ($7,200)] *eleven thousand dollars ($11,000)* per annum.

SEC. 5. Section 112 of the Labor Code is amended to read:

112. The members of the commission shall be appointed by the Governor with the advice and consent of the Senate. The term of office of such members shall be four years and they shall hold office until the appointment and qualification of their successors. The terms of the members of the commission in office at the time this amendment takes effect shall expire on January 15th of that year for which the particular member has heretofore been determined. The term of one of the four members added to the commission by this amendment shall expire on January 15, 1946, the term of one on January 15, 1947, the term of one on January 15, 1948, and the term of one on January 15, 1949. Vacancies shall be filled by appointment for the unexpired terms. Each member shall receive a salary of [ten thousand dollars ($10,000)] *twelve thousand dollars ($12,000)* per annum.

SEC. 6. Section 145 of the Labor Code is amended to read:

145. [Salary of Chief] The salary of the Chief of the Division of Industrial Safety shall be not less than [seven thousand two hundred dollars ($7,200)] *eleven thousand dollars ($11,000)* per annum."

Amendment No. 5

On page 1, line 10, of said bill, strike out "SEC. 2.", and insert "SEC. 7."

Amendment No. 6

On page 1, line 24, of said bill, strike out "SEC. 3.", and insert "SEC. 8."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

SECOND READING OF SENATE BILLS

Senate Bill No. 95—An act to add Section 44.8 to the Vehicle Code, relating to authorized emergency vehicles.

Bill read second time, and ordered to third reading.

Senate Bill No. 553—An act to amend Section 5 of the Principal and Income Act, relating to the treatment of stock dividends as principal or income.

Bill read second time, and ordered to third reading.

Senate Bill No. 1706—An act to amend Sections 13642, 14103, 14191, 14201, 14211, and to repeal Section 14212 of the Revenue and Taxation Code, relating to inheritance taxes.

Bill read second time, and ordered to third reading.

Senate Bill No. 1712—An act to amend Section 9653 of the Revenue and Taxation Code, relating to the motor vehicle transportation license tax.

Bill read second time, and ordered to third reading.

Senate Bill No. 860—An act to amend Sections 20492, 21024, 21251.1, 21253, and 21331 of, to repeal Sections 21360 of, and to add Sections 21201.5 and 21360 to, the Government Code, relating to the State Employees' Retirement System.

Bill read second time, and ordered to third reading.

Senate Bill No. 920—An act to add Section 988 to the Revenue and Taxation Code, relating to the assessment of mineral rights.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on April 30, 1951, strike out "Section 988", and insert "Sections 988 and 3706.5".

Amendment No. 2

In line 2 of the title of said bill, strike out "the assessment", and insert "property taxation".

Amendment No. 3

On page 1 of said bill, after line 15, insert

"SEC. 2. Section 3706.5 is added to said code to read:

3706.5. Any tax-deeded property consisting of mineral rights in land, assessed to a person other than the owner of the land and subjected to sale pursuant to this chapter, in the absence of any bid for the property at the public auction, may, either at the time of holding the auction sale or in private thereafter, be sold to the owner

of the land at a price not exceeding an amount necessary to defray the costs actually incurred in attempting to hold the auction sale."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1818—An act to add Section 6359.2 to the Revenue and Taxation Code, relating to the exemption of drugs from the sales and use taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Senate on May 28, 1951, strike out "for persons licensed"; and strike out lines 7 and 8, and insert "in accordance with law."

Amendment read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 432—An act to amend Section 4458 of the Labor Code, relating to volunteer firemen.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Industrial Relations:

Amendment No. 1

On page 1, line 12, of the printed bill, as amended in the Senate on May 10, 1951, strike out "as", and insert "at".

Amendment No. 2

On page 1, line 18, of said bill, after "taken", strike out "as", and insert "at".

Amendment No. 3

On page 1, line 18, of said bill, after "limits", strike out "as".

Amendments read and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 567—An act to amend Sections 5050, 5081, 5082, 5083, 5084, and 5086 of, and to add Sections 5047.2, 5066.1, and 5084.1 to, the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Senate on May 28, 1951, after "5066.1," insert "5083.1,".

Amendment No. 2

On page 3, line 27, of said bill, strike out "apportionment", and insert "apportionments".

Amendment No. 3

On page 4 of said bill, between lines 43 and 44, insert

"SEC. 9. Section 5083.1 is added to said code, to read:

5083.1. Whenever, prior to the date on which conditional apportionments have been made to an applicant district for the full amount of state aid approved for the

district under Section 5048.2, (1) if the applicant district is annexed to or otherwise included in whole in another district which is ineligible for an apportionment under this chapter, no further apportionment shall be made to the applicant district; (2) if the applicant district is annexed to or otherwise included in whole in a district which is eligible for an apportionment under this chapter and which has made or does make an application for such an apportionment, the board may reconsider the applications of the applicant district and the acquiring district and make such determinations and take such action with respect thereto, including the making, subject to the provisions of Article 1 of this chapter, of a conditional apportionment or apportionments to such acquiring district as the board may deem necessary because of such annexation or other inclusion in the acquiring district of the applicant district; (3) if a portion of the applicant district is annexed to or otherwise included in another district, the board may reconsider the application of the applicant district and may, within two years after the first apportionment made under said approval, make such additional apportionments as it sees fit to the applicant district, but not in excess of the amount in which such application was originally approved, without requiring the district to issue additional bonds."

Amendment No. 4

On page 4, line 44, of said bill, strike out "SEC. 9.", and insert "SEC. 10."

Amendment No. 5

On page 5, line 5, of said bill, strike out "SEC. 10.", and insert "SEC. 11."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 255—An act to add Sections 2103.1 and 8162 to the Education Code, relating to the Public School System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on May 22, 1951, strike out "Sections 2103.1 and 8162", and insert "Section 2103.1".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 17, inclusive, and insert "SECTION 1. Section 2103.1 is added to the Education Code to read:".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 8, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 500

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

UNFINISHED BUSINESS (BY UNANIMOUS CONSENT)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 500—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article

IV of the Constitution of the State of California, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 500?

Amendment No. 1

On page 6 of the printed bill, after line 39, insert "and in addition thereto any amounts collected for services to activities supported out of other funds which by law are available for support of said department."

Amendment No. 2

On page 29 of said bill, after line 12, insert "and in addition thereto any amounts collected for services rendered special programs for audit of appropriations for aid to local government."

Amendment No. 3

On page 30 of said bill, after line 33, insert "and in addition thereto any amounts collected for services which by law are available for support of such agency."

Amendment No. 4

On page 30, line 50, of said bill, after "funds", insert ", and for mapping services to counties"

Amendment No. 5

On page 33, line 32, of said bill, after "1948", strike out "in", and insert "__64,748".

Amendment No. 6

On page 33 of said bill, strike out all of line 33.

Amendment No. 7

On page 33 of said bill, after line 32, insert "The appropriation made by this item, together with the amounts appropriated by Item 128 and 129, shall be expended in accordance with the following schedule."

Amendment No. 8

On page 35 of said bill, after line 19, insert "and in addition thereto any amounts collected for services which by law are available for support of said agency."

Amendment No. 9

On page 37 of said bill, after line 3, insert "and in addition thereto any amounts collected from rentals which by law are available for support of said agency,".

Amendment No. 10

On page 41 of said bill, after line 27, insert "and in addition thereto any amounts *collected from Department of Public Health for additional outpatient clinical activities* under the National Mental Health Act, which by law are available for support of said institution."

Amendment No. 11

On page 41 of said bill, after line 48, insert "and in addition thereto any amounts collected for services to employees, which by law are available for support of said institution."

Amendment No. 12

On page 47 of said bill, after line 6, insert "and in addition thereto any amounts received from the United States Government for maintenance and operation of installations and for armory rental utility expense, which by law are available for support of said agency,".

Amendment No. 13

On page 47 of said bill, after line 47, insert "for sale of registration lists and".

Amendment No. 14

On page 52 of said bill, after line 32, insert "and to counties under cooperative agreements and for fire protection and other services to the Federal Government, or any agency thereof, pursuant to contracts,".

Amendment No. 15

On page 61, line 22, of said bill, after "cies,", insert "dental services, and laboratory services to local areas,".

Amendment No. 16

On page 63, line 2, of said bill, after "funds", insert ", and reporting service to litigants".

Amendment No. 17

On page 2, line 22, of said bill, strike out "14,400", and insert "16,840".

Amendment No. 18

On page 2, line 25, of said bill, strike out "200,000", and insert "400,000".

Amendment No. 19

On page 2, line 33, of said bill, strike out "28,800", and insert "33,680".

Amendment No. 20

On page 4, line 19, of said bill, strike out "1,316,326", and insert "1,294,255".

Amendment No. 21

On page 4, line 20, of said bill, after "act", insert "to be expended only pursuant to allotments recommended by the State Disaster Council and approved by the Director of Civil Defense, the Director of Finance, and the Governor".

Amendment No. 22

On page 5, line 24, of said bill, strike out "230,677", and insert "201,086".

Amendment No. 23

On page 5, line 30, of said bill, strike out "153,748", and insert "139,240".

Amendment No. 24

On page 5, line 31, of said bill, strike out "46,210", and insert "44,210".

Amendment No. 25

On page 5, line 33, of said bill, strike out "38,219", and insert "25,136".

Amendment No. 26

On page 5, line 36, of said bill, strike out "238,177", and insert "208,586".

Amendment No. 27

On page 5, line 41, of said bill, strike out "230,677", and insert "201,086".

Amendment No. 28

On page 6, line 7, of said bill, strike out "4,687,358", and insert "4,707,786".

Amendment No. 29

On page 6, line 14, of said bill, strike out "3,222,222", and insert "3,241,035".

Amendment No. 30

On page 6, line 16, of said bill, strike out "1,653,086", and insert "1,654,701".

Amendment No. 31

On page 6, line 20, of said bill, strike out "4,969,677", and insert "4,990,105".

Amendment No. 32

On page 6, line 27, of said bill, strike out "4,687,358", and insert "4,707,786".

Amendment No. 33

On page 7, line 41, of said bill, strike out "253,874", and insert "249,303".

Amendment No. 34

On page 7, line 46, of said bill, strike out "221,703", and insert "217,383".

Amendment No. 35

On page 7, line 48, of said bill, strike out "4,641", and insert "4,390".

Amendment No. 36

On page 7, line 50, of said bill, strike out "259,274", and insert "254,703".

Amendment No. 37

On page 8, line 6, of said bill, strike out "253,874", and insert "249,303".

Amendment No. 38

On page 9, line 4, of said bill, strike out "913,931", and insert "902,547".

Amendment No. 39

On page 9, line 10, of said bill, strike out "590,261", and insert "578,877".

Amendment No. 40
On page 9, line 14, of said bill, strike out "1,023,146", and insert "1,011,762".

Amendment No. 41
On page 9, line 22, of said bill, strike out "913,931", and insert "902,547".

Amendment No. 42
On page 9, line 26, of said bill, strike out "2,092,026", and insert "2,047,166".

Amendment No. 43
On page 9, line 34, of said bill, strike out "1,349,253", and insert "1,304,393".

Amendment No. 44
On page 9, line 40, of said bill, strike out "2,339,292", and insert "2,294,432".

Amendment No. 45
On page 9, line 49, of said bill, strike out "2,092,026", and insert "2,047,166".

Amendment No. 46
On page 10, line 5, of said bill, strike out "2,036,146", and insert "1,990,979".

Amendment No. 47
On page 10, line 12, of said bill, strike out "1,230,794", and insert "1,185,627".

Amendment No. 48
On page 10, line 18, of said bill, strike out "2,143,536", and insert "2,098,369".

Amendment No. 49
On page 10, line 27, of said bill, strike out "2,036,146", and insert "1,990,979".

Amendment No. 50
On page 10, line 31, of said bill, strike out "3,367,857", and insert "3,305,150".

Amendment No. 51
On page 10, line 39, of said bill, strike out "2,042,655", and insert "1,979,948".

Amendment No. 52
On page 10, line 45, of said bill, strike out "3,713,848", and insert "3,651,141".

Amendment No. 53
On page 11, line 10, of said bill, strike out "3,367,857", and insert "3,305,150".

Amendment No. 54
On page 11, line 14, of said bill, strike out "1,581,804", and insert "1,557,870".

Amendment No. 55
On page 11, line 22, of said bill, strike out "998,383", and insert "974,449".

Amendment No. 56
On page 11, line 28, of said bill, strike out "1,773,853", and insert "1,749,919".

Amendment No. 57
On page 11, line 36, of said bill, strike out "1,581,804", and insert "1,557,870".

Amendment No. 58
On page 11, line 42, of said bill, strike out "958,456", and insert "956,492".

Amendment No. 59
On page 11, line 48, of said bill, strike out "649,988", and insert "648,024".

Amendment No. 60
On page 11, line 52, of said bill, strike out "981,800", and insert "979,836".

Amendment No. 61
On page 12, line 9, of said bill, strike out "958,456", and insert "956,492".

Amendment No. 62
On page 12, line 12, of said bill, strike out "409,445", and insert "401,702".

Amendment No. 63
On page 12, line 19, of said bill, strike out "232,523", and insert "224,971".

Amendment No. 64
On page 12, line 21, of said bill, strike out "5,427", and insert "5,236".

Amendment No. 65
On page 12, line 23, of said bill, strike out "427,550", and insert "419,807".

Amendment No. 66
On page 12, line 30, of said bill, strike out "409,445", and insert "401,702".

Amendment No. 67
On page 14, line 14, of said bill, strike out "238,820", and insert "239,336".

Amendment No. 68
On page 14, line 20, of said bill, strike out "153,672", and insert "154,188".

Amendment No. 69
On page 14, line 26, of said bill, strike out "249,750", and insert "250,266".

Amendment No. 70
On page 14, line 32, of said bill, strike out "238,820", and insert "239,336".

Amendment No. 71
On page 14, line 35, of said bill, strike out "656,078", and insert "656,468".

Amendment No. 72
On page 14, line 41, of said bill, strike out "501,838", and insert "502,228".

Amendment No. 73
On page 14, line 45, of said bill, strike out "682,243", and insert "682,633".

Amendment No. 74
On page 14, line 50, of said bill, strike out "656,078", and insert "656,468".

Amendment No. 75
On page 15, line 4, of said bill, strike out "282,048", and insert "281,573".

Amendment No. 76
On page 15, line 10, of said bill, strike out "195,154", and insert "194,679".

Amendment No. 77
On page 15, line 14, of said bill, strike out "290,148", and insert "289,673".

Amendment No. 78
On page 15, line 19, of said bill, strike out "282,048", and insert "281,573".

Amendment No. 79
On page 15, line 22, of said bill, strike out "1,244,165", and insert "1,241,908".

Amendment No. 80
On page 15, line 29, of said bill, strike out "928,910", and insert "926,653".

Amendment No. 81
On page 15, line 33, of said bill, strike out "1,307,440", and insert "1,305,183".

Amendment No. 82
On page 15, line 39, of said bill, strike out "1,244,165", and insert "1,241,908".

Amendment No. 83
On page 15, line 43, of said bill, strike out "288,969", and insert "286,604".

Amendment No. 84
On page 16, line 4, of said bill, strike out "205,405", and insert "203,040".

Amendment No. 85
On page 16, line 10, of said bill, strike out "298,349", and insert "295,984".

Amendment No. 86
On page 16, line 16, of said bill, strike out "288,969", and insert "286,604".

Amendment No. 87
On page 16, line 20, of said bill, strike out "452,182", and insert "452,092".

Amendment No. 88

On page 16, line 26, of said bill, strike out "341,525", and insert "341,435".

Amendment No. 89

On page 16, line 32, of said bill, strike out "471,532", and insert "471,442".

Amendment No. 90

On page 16, line 38, of said bill, strike out "452,182", and insert "452,092".

Amendment No. 91

On page 16, line 46, of said bill, strike out "1,793,940", and insert "1,884,689".

Amendment No. 92

On page 17, line 4, of said bill, strike out "1,370,605", and insert "1,385,841".

Amendment No. 93

On page 17, line 6, of said bill, strike out "479,271", and insert "554,121".

Amendment No. 94

On page 17, line 8, of said bill, strike out "60,706", and insert "61,369".

Amendment No. 95

On page 17, line 11, of said bill, strike out "1,910,582", and insert "2,001,331".

Amendment No. 96

On page 17, line 19, of said bill, strike out "1,793,940", and insert "1,884,689".

Amendment No. 97

On page 17 of said bill, after line 19, insert

"71 5—For administration of Sections 12105.1 and 12105.2 of the Education Code, Department of Education ..... 30,000"

Amendment No. 98

On page 17 of said bill, strike out all of lines 20 to 29, inclusive.

Amendment No. 99

On page 17, line 48, of said bill, strike out "42,401", and insert "29,791".

Amendment No. 100

On page 18, line 26, of said bill, strike out "835,000", and insert "850,000".

Amendment No. 101

On page 18, line 43, of said bill, strike out "747,153", and insert "777,599".

Amendment No. 102

On page 18, line 45, of said bill, strike out "1,748,346", and insert "1,762,900".

Amendment No. 103

On page 18, line 49, of said bill, strike out "2,505,000", and insert "2,550,000".

Amendment No. 104

On page 19, line 5, of said bill, strike out "1,670,000", and insert "1,700,000".

Amendment No. 105

On page 19, line 8, of said bill, strike out "835,000", and insert "850,000".

Amendment No. 106

On page 19, line 23, of said bill, strike out "398,641", and insert "387,929".

Amendment No. 107

On page 19, line 29, of said bill, strike out "289,597", and insert "282,185".

Amendment No. 108

On page 19, line 30, of said bill, strike out "44,505", and insert "41,205".

Amendment No. 109

On page 19, line 35, of said bill, strike out "399,241", and insert "388,529".

Amendment No. 110

On page 19, line 40, of said bill, strike out "398,641", and insert "387,929".

Amendment No. 111

On page 26, line 18, of said bill, strike out "339,116", and insert "336,866".

Amendment No. 112

On page 26, line 26, of said bill, strike out "13,228", and insert "10,978".

Amendment No. 113

On page 26, line 28, of said bill, strike out "368,126", and insert "365,876".

Amendment No. 114

On page 26, line 33, of said bill, strike out "339,116", and insert "336,886".

Amendment No. 115

On page 28, line 5, of said bill, strike out "227,430", and insert "230,202".

Amendment No. 116

On page 28, line 11, of said bill, strike out "159,412", and insert "162,184".

Amendment No. 117

On page 28, line 16, of said bill, strike out "236,898", and insert "239,670".

Amendment No. 118

On page 28, line 22, of said bill, strike out "227,430", and insert "230,202".

Amendment No. 119

On page 28 of said bill, after line 22, insert

"97.5—For support of Oakland Orientation Center for the Blind in accordance with the following schedule 26,760
and in addition thereto any amounts transferred from Item 97 under the provisions of Section 26.
Schedule:

(a) Salaries and Wages	18,034
(b) Operating Expenses	1,726
(c) Equipment	7,000
Total of Schedule	26,760".

Amendment No. 120

On page 30, line 47, of said bill, strike out "10,782,700", and insert "10,494,658".

Amendment No. 121

On page 31, line 4, of said bill, strike out "9,318,448", and insert "9,094,278".

Amendment No. 122

On page 31, line 6, of said bill, strike out "1,607,938", and insert "1,571,399".

Amendment No. 123

On page 31, line 8, of said bill, strike out "111,766", and insert "84,433".

Amendment No. 124

On page 31, line 11, of said bill, strike out "11,038,152", and insert "10,750,110".

Amendment No. 125

On page 31, line 21, of said bill, strike out "10,782,700", and insert "10,494,658".

Amendment No. 126

On page 31, line 27, of said bill, strike out "667,135", and insert "670,351".

Amendment No. 127

On page 31, line 30, of said bill, strike out "450,586", and insert "453,802".

Amendment No. 128

On page 31, line 35, of said bill, strike out "667,135", and insert "670,351".

Amendment No. 129

On page 31, line 40, of said bill, strike out "424,665", and insert "421,449".

Amendment No. 130

On page 31, line 42, of said bill, strike out "318,555", and insert "315,339"

Amendment No. 131

On page 31, line 48, of said bill, strike out "424,665", and insert "421,449".

Amendment No. 132

On page 31, line 50, of said bill, strike out "1,820,712", and insert "1,813,228".

Amendment No. 133

On page 32, line 8, of said bill, strike out "1,715,416", and insert "1,708,336".

Amendment No. 134

On page 32, line 10, of said bill, strike out "25,814", and insert "25,410".

Amendment No. 135

On page 32, line 12, of said bill, strike out "1,976,896", and insert "1,969,412".

Amendment No. 136

On page 32, line 22, of said bill, strike out "1,820,712", and insert "1,813,228".

Amendment No. 137

On page 34 of said bill, between lines 23 and 24, insert

"130.1—For customer surveys and research, State, district and county fairs, Department of Finance, payable from any moneys in the Fair and Exposition Fund available for permanent improvements upon the property of State, citrus, county or district agricultural associations for fair purposes, allocated by Section 19626 of the Business and Professions Code ..... 30,000".

Amendment No. 138

On page 34, line 27, of said bill, strike out "1,645,034", and insert "1,631,210".

Amendment No. 139

On page 34, line 35, of said bill, strike out "515,000", and insert "501,176".

Amendment No. 140

On page 35, line 19, of said bill, strike out "189,258", and insert "194,258".

Amendment No. 141

On page 35, line 22, of said bill, strike out "90,583", and insert "95,583".

Amendment No. 142

On page 35, line 25, of said bill, strike out "340,758", and insert "345,758".

Amendment No. 143

On page 35, line 32, of said bill, strike out "189,258", and insert "194,258".

Amendment No. 144

On page 35, line 51, of said bill, strike out "17,465", and insert "34,930".

Amendment No. 145

On page 36, line 9, of said bill, strike out "12,277", and insert "24,554".

Amendment No. 146

On page 36, line 11, of said bill, strike out "5,400", and insert "10,800".

Amendment No. 147

On page 36, line 13, of said bill, strike out "250", and insert "500".

Amendment No. 148

On page 36, line 16, of said bill, strike out "17,927", and insert "35,854".

Amendment No. 149

On page 36, line 19, of said bill, strike out "462", and insert "924".

Amendment No. 150

On page 36, line 22, of said bill, strike out "17,465", and insert "34,930".

Amendment No. 151

On page 36, line 4, of said bill, strike out the semicolon and "provided,".

Amendment No. 152

On page 36 of said bill, strike out lines 5 and 6.

Amendment No. 153
On page 36, line 25, of said bill, strike out "2,821,463", and insert "2,819,179".

Amendment No. 154
On page 36, line 28, of said bill, strike out "2,364,502", and insert "2,362,218".

Amendment No. 155
On page 36, line 34, of said bill, strike out "2,821,463", and insert "2,819,179".

Amendment No. 156
On page 37, line 3, of said bill, strike out "10,175,498", and insert "9,669,326".

Amendment No. 157
On page 37, line 15, of said bill, strike out "7,251,802", and insert "6,949,062".

Amendment No. 158
On page 37, line 16, of said bill, strike out "2,264,821", and insert "2,236,546".

Amendment No. 159
On page 37, line 17, of said bill, strike out "676,558", and insert "501,401".

Amendment No. 160
On page 37, line 19, of said bill, strike out "10,193,181", and insert "9,687,009".

Amendment No. 161
On page 37, line 24, of said bill, strike out "10,175,498", and insert "9,669,326".

Amendment No. 162
On page 37, line 31, of said bill, strike out "4,050,021", and insert "4,020,919".

Amendment No. 163
On page 37, line 38, of said bill, strike out "3,316,237", and insert "3,281,960".

Amendment No. 164
On page 37, line 40, of said bill, strike out "774,967", and insert "786,944".

Amendment No. 165
On page 37, line 42, of said bill, strike out "72,376", and insert "65,574".

Amendment No. 166
On page 37, line 45, of said bill, strike out "4,163,580", and insert "4,134,478".

Amendment No. 167
On page 38, line 6, of said bill, strike out "4,050,021", and insert "4,020,919".

Amendment No. 168
On page 38, line 35, of said bill, strike out "139,879", and insert "150,619".

Amendment No. 169
On page 38, line 37, of said bill, strike out "105,812", and insert "114,452".

Amendment No. 170
On page 38, line 38, of said bill, strike out "33,154", and insert "35,254".

Amendment No. 171
On page 38, line 41, of said bill, strike out "139,879", and insert "150,619".

Amendment No. 172
On page 39, line 23, of said bill, strike out "548,343", and insert "551,743".

Amendment No. 173
On page 39, line 27, of said bill strike out "170,776", and insert "174,176".

Amendment No. 174
On page 39, line 31, of said bill, strike out "548,343", and insert "551,743".

Amendment No. 175
On page 39, line 45, of said bill, strike out "2,199,414", and insert "2,197,374".

Amendment No. 176
On page 40, line 6, of said bill, strike out "1,778,550", and insert "1,776,510".

Amendment No. 177

On page 40, line 13, of said bill, strike out "2,496,864", and insert "2,494,824".

Amendment No. 178

On page 40, line 25, of said bill strike out "2,199,414", and insert "2,197,374".

Amendment No. 179

On page 40, line 49, of said bill, strike out "1,399,923", and insert "1,288,956".

Amendment No. 180

On page 41, line 4, of said bill, strike out "1,034,340", and insert "958,416".

Amendment No. 181

On page 41, line 5, of said bill, strike out "298,841", and insert "280,021".

Amendment No. 182

On page 41, line 7, of said bill, strike out "66,742", and insert "50,519".

Amendment No. 183

On page 41, line 10, of said bill, strike out "1,399,923", and insert "1,288,956".

Amendment No. 184

On page 41 of said bill, after line 24, insert

"162.1—For research into the problem of sex crimes into and including the cause and cure of sex deviation to be expended in accordance with the provisions of Chapter 35, Statutes of 1950, First Extraordinary Session, Department of Mental Hygiene..... 90,000".

Amendment No. 185

On page 41, line 27, of said bill, strike out "396,332", and insert "362,558".

Amendment No. 186

On page 41, line 30, of said bill, strike out "433,312", and insert "404,344".

Amendment No. 187

On page 41, line 31, of said bill, strike out "80,607", and insert "77,857".

Amendment No. 188

On page 41, line 33, of said bill, strike out "12,101", and insert "10,045".

Amendment No. 189

On page 41, line 36, of said bill, strike out "526,020", and insert "492,246".

Amendment No. 190

On page 41, line 45, of said bill, strike out "396,332", and insert "362,558".

Amendment No. 191

On page 42, line 14, of said bill, strike out "4,145,018", and insert "3,981,795".

Amendment No. 192

On page 42, line 21, of said bill, strike out "2,741,190", and insert "2,669,097".

Amendment No. 193

On page 42, line 22, of said bill, strike out "1,375,741", and insert "1,287,749".

Amendment No. 194

On page 42, line 24, of said bill, strike out "128,558", and insert "125,420".

Amendment No. 195

On page 42, line 27, of said bill, strike out "4,245,489", and insert "4,082,266".

Amendment No. 196

On page 42, line 33, of said bill, strike out "4,145,018", and insert "3,981,795".

Amendment No. 197

On page 42, line 36, of said bill, strike out "5,753,291", and insert "5,348,268".

Amendment No. 198

On page 42, line 43, of said bill, strike out "3,982,204", and insert "3,699,352".

Amendment No. 199
On page 42, line 44, of said bill, strike out "1,757,912", and insert "1,639,361",

Amendment No. 200
On page 42, line 46, of said bill, strike out "160,405", and insert "156,785".

Amendment No. 201
On page 42, line 49, of said bill, strike out "5,900,521", and insert "5,495,498".

Amendment No. 202
On page 43, line 7, of said bill, strike out "5,753,291", and insert "5,348,268".

Amendment No. 203
On page 43, line 10, of said bill, strike out "2,961,253", and insert "2,869,874".

Amendment No. 204
On page 43, line 16, of said bill, strike out "1,949,463", and insert "1,921,211".

Amendment No. 205
On page 43, line 17, of said bill, strike out "1,054,991", and insert "992,105".

Amendment No. 206
On page 43, line 19, of said bill, strike out "51,026", and insert "50,785".

Amendment No. 207
On page 43, line 22, of said bill, strike out "3,055,480", and insert "2,964,101".

Amendment No. 208
On page 43, line 27, of said bill, strike out "2,961,253", and insert "2,869,874".

Amendment No. 209
On page 43, line 30, of said bill, strike out "2,592,996", and insert "2,516,793".

Amendment No. 210
On page 43, line 37, of said bill, strike out "1,814,564", and insert "1,787,102".

Amendment No. 211
On page 43, line 38, of said bill, strike out "798,316", and insert "750,057".

Amendment No. 212
On page 43, line 40, of said bill, strike out "72,130", and insert "71,648".

Amendment No. 213
On page 43, line 43, of said bill, strike out "2,685,010", and insert "2,608,807".

Amendment No. 214
On page 43, line 49, of said bill, strike out "2,592,996", and insert "2,516,793".

Amendment No. 215
On page 43, line 52, of said bill, strike out "3,189,993", and insert "3,085,147".

Amendment No. 216
On page 44, line 7, of said bill, strike out "2,116,752", and insert "2,074,364".

Amendment No. 217
On page 44, line 8, of said bill, strike out "1,083,458", and insert "1,021,241".

Amendment No. 218
On page 44, line 10, of said bill, strike out "94,547", and insert "94,296".

Amendment No. 219
On page 44, line 13, of said bill, strike out "3,294,747", and insert "3,189,901".

Amendment No. 220
On page 44, line 18, of said bill, strike out "3,189,993," and insert "3,085,147".

Amendment No. 221
On page 44, line 21, of said bill, strike out "4,046,103", and insert "3,888,954".

Amendment No. 222
On page 44, line 28, of said bill, strike out "2,710,142", and insert "2,646,915".

Amendment No. 223
On page 44, line 29, of said bill, strike out "1,380,322", and insert "1,287,687".

Amendment No. 224
On page 44, line 31, of said bill, strike out "86,418", and insert "85,131".

Amendment No. 225
On page 44, line 34, of said bill, strike out "4,176,882", and insert "4,019,733".

Amendment No. 226
On page 44, line 40, of said bill, strike out "4,046,103", and insert "3,888,954".

Amendment No. 227
On page 44, line 43, of said bill, strike out "2,604,664", and insert "2,509,939".

Amendment No. 228
On page 45, line 4, of said bill, strike out "1,886,508", and insert "1,833,734".

Amendment No. 229
On page 45, line 5, of said bill, strike out "659,436", and insert "620,796".

Amendment No. 230
On page 45, line 6, of said bill, strike out "148,796", and insert "145,485".

Amendment No. 231
On page 45, line 9, of said bill, strike out "2,694,740", and insert "2,600,015".

Amendment No. 232
On page 45, line 15, of said bill, strike out "2,604,664", and insert "2,509,939".

Amendment No. 233
On page 45, line 18, of said bill, strike out "4,008,171", and insert "3,857,905".

Amendment No. 234
On page 45, line 25, of said bill, strike out "2,777,339", and insert "2,706,924".

Amendment No. 235
On page 45, line 26, of said bill, strike out "1,175,083", and insert "1,097,565".

Amendment No. 236
On page 45, line 27, of said bill, strike out "142,393", and insert "140,060".

Amendment No. 237
On page 45, line 30, of said bill, strike out "4,094,815", and insert "3,944,549".

Amendment No. 238
On page 45, line 36, of said bill, strike out "4,008,171", and insert "3,857,905".

Amendment No. 239
On page 45, line 39, of said bill, strike out "4,533,571", and insert "4,374,959".

Amendment No. 240
On page 45, line 46, of said bill, strike out "3,162,567", and insert "3,102,415".

Amendment No. 241
On page 45, line 47, of said bill, strike out "1,396,150", and insert "1,300,364".

Amendment No. 242
On page 45, line 49, of said bill, strike out "117,929", and insert "115,255".

Amendment No. 243
On page 45, line 52, of said bill, strike out "4,676,646", and insert "4,518,034".

Amendment No. 244
On page 46, line 7, of said bill, strike out "4,533,571", and insert "4,374,959".

Amendment No. 245
On page 46, line 10, of said bill, strike out "2,403,655", and insert "2,317,362".

Amendment No. 246
On page 46, line 17, of said bill, strike out "1,666,853", and insert "1,624,118".

Amendment No. 247
On page 46, line 18, of said bill, strike out "708,592", and insert "665,757".

Amendment No. 248
On page 46, line 19, of said bill, strike out "95,485", and insert "94,762".

Amendment No. 249
On page 46, line 22, of said bill, strike out "2,470,930", and insert "2,384,637".

Amendment No. 250
On page 46, line 28, of said bill, strike out "2,403,655", and insert "2,317,362".

Amendment No. 251
On page 46, line 31, of said bill, strike out "3,823,068", and insert "3,683,882".

Amendment No. 252
On page 46, line 38, of said bill, strike out "2,681,955", and insert "2,617,625".

Amendment No. 253
On page 46, line 39, of said bill, strike out "1,110,989", and insert "1,037,350".

Amendment No. 254
On page 46, line 41, of said bill, strike out "101,944", and insert "100,727".

Amendment No. 255
On page 46, line 44, of said bill, strike out "3,894,888", and insert "3,755,702".

Amendment No. 256
On page 46, line 51, of said bill, strike out "3,823,068", and insert "3,683,882".

Amendment No. 257
On page 47, line 46, of said bill, strike out "8,990,456", and insert "9,001,432".

Amendment No. 258
On page 48, line 4, of said bill, strike out "7,814,010", and insert "7,819,506".

Amendment No. 259
On page 48, line 6, of said bill, strike out "2,693,969", and insert "2,696,369".

Amendment No. 260
On page 48, line 8, of said bill, strike out "152,168", and insert "155,248".

Amendment No. 261
On page 48, line 11, of said bill, strike out "10,660,147", and insert "10,671,123".

Amendment No. 262
On page 48, line 23, of said bill, strike out "8,990,456", and insert "9,001,432".

Amendment No. 263
On page 48, line 43, of said bill, strike out "172,763", and insert "210,818".

Amendment No. 264
On page 49, line 3, of said bill, strike out "302,761", and insert "275,624".

Amendment No. 265
On page 49, line 9, of said bill, strike out "356,057", and insert "328,920".

Amendment No. 266
On page 49, line 13, of said bill, strike out "183,294", and insert "118,102".

Amendment No. 267
On page 49, line 16, of said bill, strike out "172,763", and insert "210,818".

Amendment No. 268
On page 50, line 4, of said bill, strike out "585,262", and insert "596,762".

Amendment No. 269
On page 50, line 6, of said bill, strike out "38,577", and insert "49,899".

Amendment No. 270

On page 50, line 9, of said bill, strike out "2,087,794", and insert "2,110,616".

Amendment No. 271

On page 50, line 17, of said bill, strike out "537,971", and insert "560,793".

Amendment No. 272

On page 50, line 35, of said bill, strike out "537,971", and insert "560,793".

Amendment No. 273

On page 51, line 33, of said bill, strike out "5,260,022", and insert "5,249,441".

Amendment No. 274

On page 51, line 39, of said bill, strike out "2,789,579", and insert "2,780,712".

Amendment No. 275

On page 51, line 41, of said bill, strike out "2,171,926", and insert "2,170,212".

Amendment No. 276

On page 51, line 46, of said bill, strike out "5,358,413", and insert "5,347,832".

Amendment No. 277

On page 52, line 10, of said bill, strike out "5,260,022", and insert "5,249,441".

Amendment No. 278

On page 52, line 27, of said bill, insert "41,483".

Amendment No. 279

On page 52, line 25, of said bill, insert

"190—For support of Wildlife Conservation Board, Department of Natural Resources, payable from the Wildlife Restoration Fund_____ _____".

Amendment No. 280

On page 52, line 30, of said bill, strike out "7,922,923", and insert "7,951,670".

Amendment No. 281

On page 52, line 37, of said bill, strike out "2,918,368", and insert "2,947,115".

Amendment No. 282

On page 52, line 40, of said bill, strike out "9,408,856", and insert "9,437,603".

Amendment No. 283

On page 53, line 9, of said bill, strike out "7,922,923", and insert "7,951,670".

Amendment No. 284

On page 57, line 16, of said bill, strike out "139,526", and insert "146,646".

Amendment No. 285

On page 57, line 19, of said bill, strike out "83,058", and insert "89,178".

Amendment No. 286

On page 57, line 21, of said bill, strike out "56,261", and insert "57,261".

Amendment No. 287

On page 57, line 25, of said bill, strike out "139,526", and insert "146,646".

Amendment No. 288

On page 61, line 15, of said bill, strike out "exclusive of Bureau of Cannery Inspection."

Amendment No. 289

On page 61, line 16, of said bill, strike out "3,913,298", and insert "4,015,601".

Amendment No. 290

On page 61, line 19, of said bill, strike out "438,633", and insert "317,184".

Amendment No. 291

On page 61, line 33, of said bill, strike out "3,411,231", and insert "3,407,691".

Amendment No. 292

On page 61, line 35, of said bill, strike out "2,329,172", and insert "2,315,081".

Amendment No. 293

On page 61, line 37, of said bill, strike out "116,622", and insert "116,447".

Amendment No. 294

On page 61, line 40, of said bill, strike out "272,898", and insert "271,558".

Amendment No. 295

On page 61, line 43, of said bill, strike out "6,129,923", and insert "6,110,777".

Amendment No. 296

On page 62, line 12, of said bill, strike out "3,913,298", and insert "4,015,601".

Amendment No. 297

On page 62, line 14, of said bill, strike out "438,633", and insert "317,184".

Amendment No. 298

On page 63, line 44, of said bill, strike out "95,414", and insert "96,119".

Amendment No. 299

On page 64, line 11, of said bill, strike out "125,744", and insert "125,039".

Amendment No. 300

On page 64, line 14, of said bill, strike out "95,414", and insert "96,119".

Amendment No. 301

On page 64 of said bill, between lines 43 and 44, insert

"242.1—From the State Highway Fund for the surveys, plans, estimates of costs, specifications and other engineering expenses for the construction of a toll bridge or other toll highway crossing of the Bay of San Francisco from the County of Marin to the County of Contra Costa, including necessary approaches, to be expended through and upon authorization of the Department of Public Works The California Toll Bridge Authority shall return said appropriation, or so much thereof as may be used, with interest thereon at the rate of one and one-half percent (1½%) per annum, to be computed on the total amount, withdrawn during any one year, to the State Highway Fund in the State Treasury from the proceeds of the first sale of revenue bonds issued for the construction of said bridge or other crossing under provisions of the California Toll Bridge Authority Act, Chapter 1, Division 17, of the Streets and Highways Code, as amended; provided, that in the event revenue bonds are not issued and sold for the construction of a toll bridge or other toll highway crossing any moneys expended hereunder for surveys, plans, estimates of costs, specifications or other engineering expenses shall be returned to the State Highway Fund in the State Treasury from the tolls and revenues of the existing San Francisco-Oakland Bay Bridge, but only after all revenue bonds issued and sold by the California Toll Bridge Authority for the construction of said bridge, or for the refunding of the indebtedness thereof, have been fully redeemed and paid and all other obligations of the bridge have been fully satisfied, including repayment to the State Highway Fund of all moneys appropriated by the State and expended from the State Highway Fund for the acquisition and construction of the highway approaches leading to and upon such toll bridge at both the Alameda County and San Francisco ends thereof, as provided by Section 30607 of the Streets and Highways Code. The California Toll Bridge Authority is hereby authorized to continue to fix and collect tolls on said bridge for the purpose of reimbursement of the State Highway Fund as may be required by this proviso." $750,000

Amendment No. 302

On page 64, line 47, of said bill, strike out "1,262,785", and insert "1,265,195".

Amendment No. 303

On page 65, line 7, of said bill, strike out "986,836", and insert "989,116".

Amendment No. 304

On page 65, line 10, of said bill, strike out "66,746", and insert "66,876".

Amendment No. 305

On page 65, line 15, of said bill, strike out "1,417,939", and insert "1,420,349".

Amendment No. 306

On page 65, line 25, of said bill, strike out "1,262,785", and insert "1,265,195".

Amendment No. 307

On page 66, line 11, of said bill, strike out "108,447", and insert "102,547".

Amendment No. 308

On page 66, line 17, of said bill, strike out "72,111", and insert "66,211".

Amendment No. 309

On page 66, line 23, of said bill, strike out "110,947", and insert "105,047".

Amendment No. 310

On page 66, line 29, of said bill, strike out "108,447", and insert "102,547".

Amendment No. 311

On page 66, line 40, of said bill, strike out "2,854".

Amendment No. 312

On page 66 of said bill, strike out lines 39 and 40.

Amendment No. 313

On page 67 of said bill, between lines 13 and 14, insert

"252.5—For support of the Interim San Francisco Bay Ports Commission__ 40,000".

Amendment No. 314

On page 67, line 18, of said bill, strike out "1,904,224", and insert "1,844,179".

Amendment No. 315

On page 67, line 27, of said bill, strike out "1,848,592", and insert "1,803,355".

Amendment No. 316

On page 67, line 29, of said bill, strike out "824,273", and insert "792,943".

Amendment No. 317

On page 67, line 30, of said bill, strike out "13,864", and insert "8,168".

Amendment No. 318

On page 67, line 32, of said bill, strike out "147,767", and insert "144,757".

Amendment No. 319

On page 67, line 35, of said bill, strike out "2,834,496", and insert "2,749,223".

Amendment No. 320

On page 67, line 39, of said bill, strike out "930,272", and insert "905,044".

Amendment No. 321

On page 67, line 42, of said bill, strike out "1,904,224", and insert "1,844,179".

Amendment No. 322

On page 67, line 45, of said bill, strike out "95,950", and insert "76,093".

Amendment No. 323

On page 67, line 47, of said bill, strike out "60,127", and insert "45,297".

Amendment No. 324

On page 67, line 48, of said bill, strike out "34,821", and insert "30,664".

Amendment No. 325

On page 67, line 49, of said bill, strike out "1,002", and insert "132".

Amendment No. 326

On page 67, line 51, of said bill, strike out "95,950", and insert "76,093".

Amendment No. 327

On page 68, line 5, of said bill, strike out "239,512", and insert "238,512".

Amendment No. 328

On page 68, line 11, of said bill, strike out "47,256", and insert "46,256".

Amendment No. 329

On page 68, line 14, of said bill, strike out "255,512", and insert "254,512".

Amendment No. 330

On page 68, line 20, of said bill, strike out "239,512", and insert "238,512".

Amendment No. 331

On page 68, line 48, of said bill, strike out "1,463,636", and insert "1,459,184".

Amendment No. 332

On page 69, line 10, of said bill, strike out "1,569,333", and insert "1,564,881".

Amendment No. 333

On page 69, line 15, of said bill, strike out "2,401,315", and insert "2,396,863".

Amendment No. 334

On page 69, line 25, of said bill, strike out "1,463,636", and insert "1,459,184".

Amendment No. 335

On page 70, line 24, of said bill, strike out "98,289", and insert "163,920".

Amendment No. 336

On page 70, line 47, of said bill, strike out "45,308", and insert "77,030".

Amendment No. 337

On page 71, line 13, of said bill, strike out "19,622", and insert "19,626".

Amendment No. 338

On page 71, line 16, of said bill, strike out "4,521", and insert "6,327".

Amendment No. 339

On page 71, line 17, of said bill, strike out "933", and insert "974".

Amendment No. 340

On page 71, line 18, of said bill, strike out "2,069", and insert "8,295".

Amendment No. 341

On page 71, line 19, of said bill, strike out "40,681", and insert "46,627".

Amendment No. 342

On page 71, line 21, of said bill, strike out "194", and insert "417".

Amendment No. 343

On page 71, line 25, of said bill, strike out "12", and insert "2,214".

Amendment No. 344

On page 71 of said bill between lines 25 and 26, insert

"(nn) Wildlife Restoration Fund ..... 4,190".

Amendment No. 345

On page 71, line 29, of said bill, strike out "130", and insert "13,030".

Amendment No. 346

On page 71 of said bill, after line 36, insert

"(u) Funds in the possession of and under the control of the 35th District Agricultural Association 325

(v) Funds in the possession of and under the control of the 17th District Agricultural Association ..... 50".

Amendment No. 347

On page 71, line 38, of said bill, strike out "98,289", and insert "163,920".

Amendment No. 348

On page 72 of said bill, after line 19, insert

"Before the State Personnel Board or other administrative salary-fixing authority establishes any increased salary range during the 1951-52 Fiscal Year, a certification shall be obtained from the Director of Finance that sufficient money either is available in funds authorized for the agencies or can be made available from the appropriation in this item, to meet the cost of the increased salary range; provided that, except for increases authorized under Section 18853 of the Government Code or by specific statute,

increases in compensation provided by increased salary ranges established by the Personnel Board or other administrative salary-fixing authority during the Fiscal Year 1951-52 shall not result in total annual salary increases of more than $8,000,000 for employees whose compensation is payable from the General Fund and salary adjustments payable from funds other than the General Fund shall be limited so as to provide equitable treatment as between employees in General Fund agencies and no-General Fund agencies."

Amendment No. 349

On page 73, line 27, of said bill, after "culture", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 350

On page 73, line 39, of said bill, after "schedule", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 351

On page 73, line 53, of said bill, after "Corrections", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 352

On page 74, line 5, of said bill, after "schedule", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 353

On page 74, line 12, of said bill, after "Corrections", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 354

On page 74, line 15, of said bill, after "Corrections", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 355

On page 74, line 19, of said bill, after "Schedule", insert ", payable from the Capital Outlay and Savings Fund,".

Amendment No. 356

On page 74 of said bill, after line 23, insert

"277.2—For acquisition of real property, California State Prison at Folsom, Department of Corrections, to be expended under the provisions of the Property Acquisition Act, payable from the Capital Outlay and Savings Fund ..... 39,000".

Amendment No. 357

On page 74, line 27, of said bill, after "schedule", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 358

On page 74, line 37, of said bill, after "Corrections", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 359

On page 74, line 41, of said bill, after "schedule", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 360

On page 74, line 48, of said bill, after "Corrections", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 361

On page 74, line 51, of said bill, after "schedule", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 362

On page 75, line 9, of said bill, after "schedule", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 363

On page 75, line 10, of said bill, strike out "628,214", and insert "580,085".

Amendment No. 364

On page 75 of said bill, strike out all of lines 12 to 16, inclusive, and insert

"(a) Equipment ..... 580,085".

Amendment No. 365

On page 75, line 19, of said bill, strike out "628,214", and insert "580,085".

Amendment No. 366

On page 75 of said bill, after line 19, insert

"283.1—For major construction, improvements, and equipment, additional cost, Vocational and Agricultural Institution, Department of Corrections, payable from the Capital Outlay and Savings Fund_____ 555,800".

Amendment No. 367

On page 75, line 22, of said bill, after "Corrections", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 368

On page 75, line 26, of said bill, after "Act", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 369

On page 75, line 30, of said bill, after "schedule", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 370

On page 75, line 41, of said bill, after "schedule", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 371

On page 75, line 50, of said bill, after "schedule", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 372

On page 76, line 9, of said bill, after "Authority", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 373

On page 76, line 13, of said bill, after "schedule", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 374

On page 76, line 21, of said bill, after "Authority", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 375

On page 76, line 24, of said bill, after "Authority", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 376

On page 76, line 24, of said bill, strike out "30,110", and insert "19,660".

Amendment No. 377

On page 76, line 28, of said bill, after "schedule", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 378

On page 76, line 35, of said bill, after "schedule", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 379

On page 76, line 45, of said bill, after "Authority", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 380

On page 76, line 49, of said bill, after "schedule", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 381

On page 77, line 9, of said bill, after "Authority", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 382

On page 77, line 13, of said bill, after "schedule", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 383

On page 77, line 21, of said bill, after "Authority", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 384

On page 77, line 24, of said bill, after "Authority," strike out "in accordance with the following", and insert "payable from the Capital Outlay and Savings Fund ---------- 905,000".

Amendment No. 385

On page 77 of said bill, strike out all of lines 25 to 47, inclusive.

Amendment No. 386

On page 77 of said bill, after line 47, insert

"298.1—For acquisition of real property, Ventura School for Girls, Youth Authority, to be expended under the provisions of the Property Acquisition Act, payable from the Capital Outlay and Savings Fund ---------- 200,000".

Amendment No. 387

On page 77 of said bill, after line 47, insert

"298.2—For major construction, improvements and equipment, Ventura School for Girls, Youth Authority, in accordance with the following schedule, payable from the Capital Outlay and Savings Fund-- 135,000

(a) Preliminary plans ----------	60,000	
(b) Repairs and improvements to buildings and elimination of fire hazards ----------	75,000	
Total of schedule ----------		135,000".

Amendment No. 388

On page 77, line 50, of said bill, after "Education", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 389

On page 78, line 5, of said bill, after "Schedule", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 390

On page 78, line 13, of said bill, after "Education", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 391

On page 78, line 18, of said bill, strike out "468,746", and insert "528,746".

Amendment No. 392

On page 78, after line 38, of said bill, insert

"(k) Fire house and equipment ---------- 60,000".

Amendment No. 393

On page 78, line 40, of said bill, strike out "468,746", and insert "528,746".

Amendment No. 394

On page 78, after line 40, of said bill, insert

"302.1. For construction and equipment of projects for Fresno State College that are payable from the State College Fund, to be allocated by the Director of Finance upon approval of the State Public Works Board to and for expenditure upon such projects for which money has been made available and which cannot be undertaken because bids received are in excess of the estimate or the amount available for such construction, or for equipment for any such project, payable from the State College Fund ---------- 190,000".

Amendment No. 395

On page 78, line 47, of said bill, after "Education", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 396

On page 78, line 51, of said bill, after "Education", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 397

On page 79, line 6, of said bill, after "cation", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 398

On page 78 of said bill, after line 47, insert

"304 1. For minor construction, improvements, and equipment, Humboldt State College, Department of Education, in accordance with the following schedule, payable from the Capital Outlay and Savings Fund 36,000

Schedule:

(a) Equip science laboratories 36,000

Total of schedule ..... 36,000".

Amendment No. 399

On page 79, line 10, of said bill, after "Education", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 400

On page 79, line 14, of said bill, after "schedule", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 401

On page 79, of said bill, strike out line 22, and insert "lowing schedule, payable from the Capital Outlay and Savings Fund ..... 518,500"

Amendment No. 402

On page 79 of said bill, strike out all of lines 24 to 29, inclusive.

Amendment No. 403

On page 79, line 30, of said bill, strike out "(d)", and insert "(a)".

Amendment No. 404

On page 79, line 32, of said bill, strike out "(e)", and insert "(b)".

Amendment No. 405

On page 79, line 35, of said bill, strike out "1,448,500", and insert "518,500".

Amendment No. 406

On page 79, after line 35, of said bill, insert

"305 1—For major construction, improvements, and equipment, San Diego State College, Department of Education, in accordance with the following schedule payable from the Capital Outlay and Savings Fund 930,000

Schedule:

(a) Boiler plant addition 70,000

(b) Industrial arts and engineering building (partial cost) 363,000

(c) Music and speech arts building (partial cost) ... 497,000

Total of schedule ..... 930,000".

Amendment No. 407

On page 79, line 38, of said bill, after "Education", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 408

On page 79, line 41, of said bill, after "College", insert ', payable from the Capital Outlay and Savings Fund".

Amendment No. 409

On page 79, line 44, of said bill, after "lege", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 410

On page 80, line 14, of said bill, after "Academy", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 411

On page 80, line 17, of said bill, after "Berkeley", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 412

On page 80, line 20, of said bill, after "Berkeley", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 413

On page 80, line 23, of said bill, after "California", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 414

On page 80, line 26, of said bill, after "Oakland", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 415

On page 80, line 26, of said bill, strike out "60,248", and insert "65,252"

Amendment No. 416

On page 80, line 29, of said bill, after "Diego", insert ", payable from the Capital Outlay and Savings Fund"

Amendment No. 417

On page 80, line 32, of said bill, after "act", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 418

On page 80, line 35, of said bill, after "Act", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 419

On page 80, line 35, of said bill, strike out "4,761,000", and insert "3,627,000".

Amendment No. 420

On page 80, after line 35, of said bill, insert

"318.1—For major construction, improvements, and equipment, University of California, exempt from Section 13 of this act, payable from the Capital Outlay and Savings Fund---------- 1,134,000".

Amendment No. 421

On page 80, line 38, of said bill, after "act", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 422

On page 80, line 42, of said bill, after "schedule", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 423

On page 80, line 50, of said bill, after "Finance", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 424

On page 81, line 5, of said bill, strike out "Postwar Employment Reserve", and insert "Capital Outlay and Savings Fund".

Amendment No. 425

On page 81, line 30, of said bill, after "clinic", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 426

On page 81, line 34, of said bill, after "schedule", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 427

On page 81, line 44, of said bill, after "schedule", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 428

On page 81, line 51, of said bill, after "Hospital", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 429

On page 82, line 5, of said bill, after "Hospital", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 430

On page 82, line 8, of said bill, after "schedule", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 431

On page 82, line 16, of said bill, after "pital", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 432

On page 82, line 18, of said bill, after "Hospital", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 433

On page 82, line 21, of said bill, after "pital", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 434

On page 82, line 23, of said bill, after "Hospital", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 435

On page 82, line 25, of said bill, after "Hospital", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 436

On page 82, line 27, of said bill, after "Hospital", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 437

On page 82, line 29, of said bill, after "Hospital", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 438

On page 82, line 31, of said bill, after "Hospital", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 439

On page 82, line 37, of said bill, after "Hygiene", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 440

On page 82, line 40, of said bill, after "schedule", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 441

On page 82, line 48, of said bill, after "Colony", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 442

On page 82, line 50, of said bill, after "Home", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 443

On page 83, line 5, of said bill, after "schedule", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 444

On page 84, line 34, of said bill, after "Corps", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 445

On page 83 of said bill, strike out lines 17 to 19, inclusive, and insert "ing schedule, payable from the Capital Outlay and Savings Fund____257,200".

Amendment No. 446

On page 83 of said bill, strike out all of lines 24 to 32, inclusive.

Amendment No. 447

On page 83, line 33, of said bill, strike out "(10)", and insert "(1)".

Amendment No. 448

On page 83, line 35, of said bill, strike out "(11)", and insert "(2)".

Amendment No. 449

On page 83, line 36, of said bill, strike out "(12)", and insert "(3)".

Amendment No. 450

On page 83, line 42, of said bill, strike out "2,056,700", and insert "257,200".

Amendment No. 451

On page 83 of said bill, strike out all of lines 43 to 47, inclusive.

Amendment No. 452

On page 84 of said bill, strike out all of lines 2 to 30, inclusive.

Amendment No. 453

On page 84 of said bill, after line 30, insert

"345.1—For major construction, improvements, and equipment, Adjutant General, California National Guard, and California Defense and Security Corps, payable from the Capital Outlay and Savings Fund and in addition thereto any grants made available by the Federal Government. 584,000

No expenditure shall be made from this item unless federal grants for such construction, improvements, and equipment become available. Funds on a federal-state sharing basis shall be used for armories in accordance with the following schedule, such federal-state sharing shall include not less than 50 percent federal funds: Schedule:

(a) Construction, improvements, and equipment of armories in or near:

(1) Bakersfield
(2) Vallejo
(3) Fresno
(4) San Francisco
(5) Glendale
(6) Alhambra
(7) Los Angeles

provided that to the extent that the Public Works Board determines funds are available after making allocations on a federal-state sharing basis for all armories in the above schedule this item may be expended on a federal-state sharing basis for armories in or near any one of the cities and for the other purpose shown in the following schedule, such federal-state sharing shall include not less than 50 percent federal funds.

(a) Construction, improvement and equipment of armories in or near:

San Diego
Red Bluff
Delano
Gardena
Fairfax
Monterey
Santa Cruz
San Francisco
Walnut Creek
Brawley
Indio
Marysville
Mountain View
Norwalk
Oakdale
Oroville
Paso Robles
Placerville
Sacramento
San Bruno
Susanville
Tulare

(b) Additions and alterations to existing armories.

The location designation in the above schedules shall be liberally construed so as to include any location within 10 miles of a city or town named therein. It is further provided that the priority for construction of armories may be adjusted with the approval of the Public Works Board to conform to any requirements made in connection with grants by the Federal Government."

Amendment No. 454

On page 84 of said bill, before line 31, insert

"345.2—For major construction, improvements, and equipment, Adjutant General, California National Guard, and California Defense and Security Corps, in accordance with the following schedule, payable from the Capital Outlay and Savings Fund---------- 1,215,500

Schedule:
(a) Construction, improvements, and equipment of armories in or near:

(1) San Diego	508,000
(2) Red Bluff	127,000
(3) Delano	127,000
(4) Gardena	127,000
(5) Fairfax	127,000
(6) Monterey	127,000
(7) Santa Cruz	152,500
(8) San Francisco	377,000
(9) Walnut Creek	127,000
Total of Schedule	1,799,500
Less: Amount in Item 345.1	—584,000
	1,215,500".

Amendment No. 455

On page 84, line 41, of said bill, insert

"348—For acquisitions of parcels of land in conformity with Sections 880 and 881 of the Streets and Highways Code, Division of the Beaches and Parks, Department of Natural Resources, subject to the provisions of the Property Acquisition Act, payable from the State Beach Fund 175,000
provided, that the amount expended for any parcel of land shall not exceed the difference between the appraised value of the land and the amount of any severance damages which would be payable by the Division of Highways were the parcel of land not acquired by the Division of Beaches and Parks."

Amendment No. 456

On page 85, line 7, of said bill, after "Parks", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 457

On page 85, line 27, of said bill, after "Resources", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 458

On page 85, line 28, of said bill, strike out "261,020", and insert "269,560".

Amendment No. 459

On page 85, after line 49, of said bill, insert

"351.1—For major construction, improvements, and equipment, sewage disposal system, Carpinteria Beach State Park, Division of Beaches and Parks, Department of Natural Resources, payable from the State Beach Fund ..... 32,625".

Amendment No. 460

On page 85, line 52, of said bill, after "Resources", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 461

On page 86, after line 48, of said bill, insert "together with any balance remaining in Item 459, Budget Act of 1950".

Amendment No. 462

On page 86, line 51, of said bill, after "Resources", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 463

On page 87, line 4, of said bill, after "Resources", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 464

On page 87, line 7, of said bill, after "schedule", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 465

On page 87, line 30, of said bill, after "schedule", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 466

On page 87, line 30, of said bill, strike out "1,245,174", and insert "303,174".

Amendment No. 467

On page 87 of said bill, strike out all of lines 33 and 34.

Amendment No. 468

On page 87, line 35, of said bill, strike out "(c)", and insert "(b)".

Amendment No. 469

On page 87, line 37, of said bill, strike out "(d)", and insert "(c)".

Amendment No. 470

On page 87 of said bill, strike out all of lines 38 and 39.

Amendment No. 471

On page 87, line 41, of said bill, strike out "1,245,174", and insert "303,174".

Amendment No. 472

On page 87 of said bill, after line 41, insert

"361.1—For major construction, improvements, and equipment, Veterans' Home of California, in accordance with the following schedule, payable from the Capital Outlay and Savings Fund 942,000

Schedule:

(a) Chronic and convalescent barracks	862,000	
(b) Hospital recreation center and storage facilities	80,000	
Total of schedule	942,000".	

Amendment No. 473

On page 87, line 44, of said bill, after "fornia", insert ", payable from the Capital Outlay and Savings Fund".

Amendment No. 474

On page 87, after line 44, of said bill, insert

"362.1—For facilities, materials, supplies, equipment and other requirements for civil defense, Office of Civil Defense, in accordance with the following schedule 12,000,000
and in addition thereto any amounts made available by the Federal Government, to be expended only pursuant to allotments recommended by the State Disaster Council and approved by the Director of Civil Defense, the Director of Finance, and the Governor;

Schedule:

(a) Construction, improvements, and equipment of communication facilities	1,000,000	
(b) Medical and first aid supplies and equipment, provided that $2,000,000 of this amount shall be available only if matched by a like amount from federal grants;	3,167,000	
(c) Other civil defense requirements, provided that no expenditure shall be made from this category until federal grants are available for matching and until this item is implemented by a specific enactment of this State prescribing the basis for matching the federal grant and for allocating this category	7,833,000	
Total of schedule	12,000,000".	

Amendment No. 475

On page 87 of the printed bill, between lines 45 and 46, insert

"362.2—For transfer from the General Fund to the Capital Outlay and Savings Fund 28,873,938
and in addition thereto, the amount by which the total amount of revenues received by the General Fund during the 1950-51 fiscal year, as determined by the State Controller exceeds $637,000,000.

Transfer of the amount of revenues received by the General Fund during the 1950-51 Fiscal Year, in excess of $637,000,000 shall be made as soon as said amount is determined by the State Controller, who shall report thereon to the Legislative Budget Committee.

The amount of $28,959,184, herein transferred to the Capital Outlay and Savings Fund, shall be transferred by the State Controller from the General Fund from time to time during the 1951-52

Fiscal Year as the amount in the General Fund exceeds current needs. The State Controller shall report at the end of each calendar quarter to the Legislative Budget Committee the amount so transferred. It is the intention of the Legislature that said sum of $28,959,184 shall be transferred to the Capital Outlay and Savings Fund as soon as possible without the issuance of registered warrants.

362 3—For construction and equipment of State public works projects in augmentation of current available appropriations for construction, improvement and equipment for State agencies, to be allocated by the Director of Finance upon approval of the State Public Works Board to and for expenditure upon any State public works project for which money is available and payable from the Capital Outlay and Savings Fund, except as provided in Sections 3.3 and 3.4, and which cannot be undertaken because bids received are in excess of the estimate or the amount available for such construction, or for equipment for any such project, payable from the Capital Outlay and Savings Fund 15,000,000

and in addition any unexpended balance remaining in any appropriation or allotment from the Capital Outlay and Savings Fund for any completed project which the Director of Finance with the approval of the State Public Works Board determines not to be required for expenditure pursuant to the appropriation or allotment and approves for transfer to and augmentation of this item Whenever it is determined that there will be an unexpended balance upon the completion of any project, the transfer of such balance may be made prior to the actual date of completion of the projects.

362 4—For miscellaneous repairs, improvements, and equipment, to be allocated by the Director of Finance upon the approval of the State Public Works Board for expenditure on any State property, of which not more than $1,000,000 shall be available to the University of California, payable from the Capital Outlay and Savings Fund ... 4,000,000".

Amendment No. 476

On page 87 of said bill, strike out all of lines 48 to 50, inclusive; and on page 88, strike out all of lines 2 to 8, inclusive.

Amendment No. 477

On page 88, line 17, of said bill, strike out "4,284,366", and insert "3,296,596".

Amendment No. 478

On page 88, line 24, of said bill, strike out "4,251,554", and insert "3,263,784".

Amendment No. 479

On page 88, line 27, of said bill, strike out "4,291,366", and insert "3,303,596".

Amendment No. 480

On page 88, line 32, of said bill, strike out "4,284,366", and insert "3,296,596".

Amendment No. 481

On page 93, line 16, of said bill, strike out "95,027", and insert "45,177".

Amendment No. 482

On page 93 of said bill, strike out lines 32 to 39, inclusive, and insert

"SEC. 3.1 There is hereby created in the State Treasury a Capital Outlay and Savings Fund. No money may be expended from said fund except as appropriated in this act, or in any subsequent enactment.

The cash balance as of June 30, 1951, according to the records of the State Controller, in the Postwar Employment Reserve is hereby transferred to the Capital Outlay and Savings Fund Except as provided in Sections 3.3 and 3.4 of this act, appropriations heretofore payable from the Postwar Employment Reserve are hereby reappropriated and shall be payable from the Capital Outlay and Savings Fund. The Postwar Employment Reserve is hereby abolished.

Whenever provision is made for the transfer of money to the Capital Outlay and Savings Fund, all or part of such transfer may be made by the transfer of bonds or other securities held by the State Treasurer at their market price, plus accrued interest computed at the date of the transfer.

Except as provided in Sections 3.3 and 3.4 of this act, any appropriation payable from the Postwar Employment Reserve and any appropriation which is subject to Section 3 of Chapter 145, Statutes of 1946, First Extraordinary Session, shall continue to be available for expenditure for the purpose for which appropriated until June 30, 1954 for determination by the State Public Works Board as to projects to be undertaken, and any amount heretofore or hereafter allotted for any project so determined

to be undertaken shall remain available for expenditure without regard to fiscal years; provided that the unencumbered balance in any such appropriation or allotment shall revert to the unappropriated balance of the Capital Outlay and Savings Fund either three years after the date on which the determination by the State Public Works Board was made, or June 30, 1954, whichever is the later

All expenditures from the Capital Outlay and Savings Fund shall be subject to determination by the State Public Works Board as provided in Section 3, Chapter 145, Statutes of 1946, First Extraordinary Session.

Nothing in this section shall authorize the State Public Works Board to expend or allocate any money in the Capital Outlay and Savings Fund for any project other than those designated and listed in the report of the Legislative Auditor, printed in the Senate Journal of June 7, 1951, in the Summary and Index thereof as projects to be included in the program for the 1951-52 Fiscal Year.

The money in the Capital Outlay and Savings Fund shall be invested and reinvested by the Director of Finance in bonds or other obligations of the United States, or for which the full faith and credit of the United States are pledged, having maturity dates not more than three years from the date of investment, and such securities may be sold or exchanged by the Director of Finance if in his opinion such sale or exchange is in the best interests of the State in effectuating the purposes of this section. The increment by way of interest or otherwise from such investments shall accrue to the Capital Outlay and Savings Fund in augmentation thereof

SEC. 3 2 Notwithstanding any other provision of law, all sums of money which were heretofore appropriated to The Regents of the University of California and are subject to the provisions of Section 3 of Chapter 145, Statutes of 1946, First Extraordinary Session, and which have been heretofore withdrawn from the State Treasury by The Regents of the University of California pursuant to the provisions of Section 20041 of the Education Code are hereby reappropriated for the purposes for which originally appropriated or allocated, provided that any portion of each such sum which remains after the purpose for which such sum was appropriated or allocated has been accomplished shall be used and expended by The Regents of the University of California in executing and furthering the building and improvement program of the University of California, provided that no such sums shall be allocated to projects not previously authorized by legislative appropriation or allocation by the State Public Works Board The sums of money hereby appropriated shall be available for expenditure in payment of any encumbrances incurred heretofore or hereafter without regard to fiscal years; provided, however, that any unencumbered balances existing as of June 30, 1954, shall revert to the Capital Outlay and Savings Fund

Increments by way of interest or otherwise to funds which have been appropriated or allocated for construction, improvements, repairs or equipment for the University of California, and which have been withdrawn from the State Treasury by The Regents of the University of California pursuant to the provisions of Section 20041 of the Education Code, may from time to time be used and expended by The Regents of the University of California in executing or furthering the building and improvement program of the University of California

A report shall be submitted to the State Public Works Board of any allocations made pursuant to the provisions of this section

SEC. 3 3 The following projects authorized under the following appropriations and allotments shall be deferred and no further expenditures shall be made thereon until or unless authorized by subsequent enactment.

Appropriation or allotment	Amount deferred
AGRICULTURE	
Chapter 2, Statutes of 1950, Item 283, major construction, improvements and equipment, quarantine stations at Yermo, Department of Agriculture	Unexpended balance
CORRECTIONS	
Chapter 2, Statutes 1950, Item 298, major construction, improvements, and equipment, chapel and religious education building, California State Prison at San Quentin, Department of Corrections	Unexpended balance
Chapter 2, Statutes of 1950, Item 289, major construction, improvements, and equipment, auditorium, gymnasium, and assembly, California Institution for Men, Department of Corrections	Unexpended balance
Chapter 700, Statutes of 1949, Item 292, minor construction, improvements, repairs, and equipment (prefabricated buildings), California Institution for Women, Department of Corrections	Unexpended balance
YOUTH AUTHORITY	
Chapter 2, Statutes of 1950, Item 317, major construction, improvements, and equipment, group housing and car ports, Paso Robles School for Boys, Youth Authority	Unexpended balance

Appropriation or allotment	Amount deferred
EDUCATION	
Chapter 155, Statutes of 1946 (First Extraordinary Session), as amended, acquisition of sites for, and the construction, furnishing, and equipment of, students housing on the campus of the state colleges	$2,428,918
Allocations from Chapter 145, Statutes of 1946 (First Extraordinary Session), as amended:	
Executive Order No. E51-281 for construction, improvements, and equipment (student housing), San Diego State College, Department of Education	978,563
Executive Order No. E51-282 for construction, improvements, and equipment (student housing), San Francisco State College, Department of Education	792,917
Executive Order No. E51-99 for construction, improvements, and equipment, School for Cerebral Palsied Children, Northern California, Department of Education	75,000
Executive Order No. E51-283 for construction, improvements, and equipment, School for Cerebral Palsied Children, Southern California, Department of Education	368,920
The maximum amounts available for allocation for the several state agencies as set forth in Section 6 of Chapter 145, Statutes of 1946 (First Extraordinary Session), shall be reduced in the following amount:	
Department of Education 2,215,400	
Chapter 486, Statutes of 1947, Item 111, as amended, for acquisition of real property, construction of buildings, improvements of grounds, and purchase equipment, School for Cerebral Palsied Children, Southern California, Department of Education	144,640
Chapter 23, Statutes of 1948, Item 109.5, for acquisition of and improvement of sites and construction and equipment of buildings, Los Angeles State College, Department of Education	1,500,000
UNIVERSITY OF CALIFORNIA	
Chapter 145, Statutes of 1946, as amended	3,990,221
The maximum amounts available for allocation for the several state agencies as set forth in the schedule in Section 6 of Chapter 145, Statutes of 1946 (First Extraordinary Session), as amended, shall be reduced in the following amount:	
University of California 3,990,221	
FINANCE	
Chapter 1318, Statutes of 1947, for the acquisition of a site in the County of Sacramento and the improvement thereof, including preparation of plans and specifications for use of the State Agricultural Society for an annual fair or exposition	Unexpended balance
Chapter 2, Statutes of 1950, Item 367, major construction, improvements, and equipment at new State Fair site, State Agricultural Society, Department of Finance	Unexpended balance
Chapter 145, Statutes of 1946 (First Extraordinary Session) as amended	2,967,788
The maximum amounts available for allocation for the several state agencies as set forth in the schedule in Section 6 of Chapter 145, Statutes of 1946 (First Extraordinary Session), as amended, shall be reduced in the following amount:	
State Agricultural Society and Exposition Park—	
Sixth District Agricultural Association 2,967,788	
MENTAL HYGIENE	
Allocations from Chapter 145, Statutes of 1946 (First Extraordinary Session) as amended:	
Executive Order No. E49-521, construction, improvements, and equipment (firehouse and employees' quarters), Agnews State Hospital, Department of Mental Hygiene	Unexpended balance
Executive Order No. E49-460, construction, improvements, and equipment (six physicians' apartments), Stockton State Hospital, Department of Mental Hygiene	Unexpended balance

Appropriation or allotment	Amount deferred
Chapter 2, Statutes of 1950, Item 379, major construction, improvements, and equipment, shoe shop, mattress and maintenance shop, Agnews State Hospital	Unexpended balance
Chapter 2, Statutes of 1950, Item 381, major construction, improvements, and equipment, ward building, Camarillo State Hospital	Unexpended balance
Chapter 2, Statutes of 1950, Item 383, major construction, improvements, and equipment, laundry addition, Camarillo State Hospital	Unexpended balance
Chapter 2, Statutes of 1950, Item 384, major construction, improvements, and equipment, cold storage addition, Camarillo State Hospital	Unexpended balance
Chapter 2, Statutes of 1950, Item 387, major construction, improvements, and equipment, physicians' apartments, Camarillo State Hospital	Unexpended balance
Chapter 2, Statutes of 1950, Item 389, major construction, improvements, and equipment, auditorium, Camarillo State Hospital	Unexpended balance
Chapter 2, Statutes of 1950, Item 402, major construction, improvements, and equipment, industrial and maintenance shop buildings, Napa State Hospital	Unexpended balance
Chapter 2, Statutes of 1950, Item 408, major construction, improvements, and equipment, administration building, Norwalk State Hospital	Unexpended balance
Chapter 2, Statutes of 1950, Item 409, major construction, improvements and equipment, ward building, Norwalk State Hospital	Unexpended balance
Chapter 2, Statutes of 1950, Item 414, major construction, improvements, and equipment, firehouse, Patton State Hospital	Unexpended balance
Chapter 2, Statutes of 1950, Item 416, major construction, improvements, and equipment, mattress shop, Patton State Hospital	Unexpended balance
Chapter 2, Statutes of 1950, Item 428, major construction, improvements, and equipment, addition to administration building, Pacific Colony	Unexpended balance
Chapter 2, Statutes of 1950, Item 431, major construction, improvements, and equipment, maintenance and shop building, Pacific Colony	Unexpended balance
MILITARY AFFAIRS	
Chapter 2, Statutes of 1950, Item 439, major construction, improvements, and equipment of armories, Adjutant General and California National Guard	758,500
and Schedule A shall be reduced in the following amounts:	
Alhambra	297,500
Bakersfield	9,000
Glendale	14,500
Los Angeles	325,000
Vallejo	112,500
Chapter 700, Statutes of 1949, Item 372.9n, for construction and equipment of armory at Fresno, Adjutant General and California National Guard	Unexpended balance
VETERANS' HOME	
Chapter 2, Statutes of 1950, Item 469, major construction, improvements, and equipment, installation of ground lighting, Veterans' Home of California	Unexpended balance
Chapter 2, Statutes of 1950, Item 475, major construction, improvements, and equipment of road at the Mall, Veterans' Home of California	Unexpended balance
Chapter 2, Statutes of 1950, Item 479, major construction, improvements, and equipment, Commandants' residence, Veterans' Home of California	Unexpended balance

Appropriation or allotment	Amount deferred
Allocations from Chapter 145, Statutes of 1946 (First Extraordinary Session), as amended:	
Executive Order No. E 51-275 for construction, improvements, and equipment (west wing of hospital), Veterans' Home of California	413,133
The maximum amounts available for allocations for the several state agencies as set forth in Section 6 of Chapter 145, Statutes of 1946 (First Extraordinary Session) shall be reduced in the following amount:	
Veterans' Home $413,133	
Chapter 127, Statutes of 1946, construction, improvements, and equipment (west wing of hospital) Veterans' Home of California	218,276

The following items of appropriations under Section 2 of this act are deferred and no expenditure shall be made therefrom until or unless authorized by subsequent enactment:

Item No.	Appropriation
273	For major construction, improvements, and equipment, Medical Facility, Department of Corrections.
278	For major construction, improvements, and equipment, California State Prison at San Quentin, Department of Corrections.
282	For major construction, improvements, and equipment, New Medium Security Prison.
283.1	For major construction, improvements, and equipment, additional cost, Vocational and Agricultural Institution, Department of Corrections
284.1	For acquisition of real property, California Youth Training School, Youth Authority, to be expended under provisions of the Property Acquisition Act.
285	For major construction, improvements, and equipment, California Youth Authority Training School, Youth Authority.
287	For major construction, improvements, and equipment, Youth Authority Camps, Youth Authority.
298	For major construction, improvements, and equipment, Ventura School for Girls, Youth Authority.
205.1	For major construction, improvements, and equipment, San Diego State College, Department of Education.
318.1	For major construction, improvements, and equipment, University of California.
322	For major construction, improvements, and equipment of Governor's residence, Buildings and Grounds Division, Department of Finance.
327	For major construction, improvements, and equipment, Psychiatric Hospital Clinic, Los Angeles, Department of Mental Hygiene.
340	For major construction, improvements, and equipment, design, preliminary plans and specifications necessary for the establishment of a New Mental Hospital in Southern California, Department of Mental Hygiene.
345.2	For major construction, improvements, and equipment, Adjutant General, California National Guard, and California Defense and Security Corps.
352	For establishment and development of riding and hiking trails, Division of Beaches and Parks, Department of Natural Resources.
361.1	For major construction, improvements, and equipment, Veterans' Home of California.

SEC. 3.4 The State Controller shall, as of June 30, 1951, transfer from the Division of Architecture Revolving Fund to the Capital Outlay and Savings Fund the unexpended balances, as certified by the Director of Public Works and approved by the Director of Finance, of the amounts previously transferred to the Division of Architecture Revolving Fund for the following projects as identified by the Division of Architecture Work Orders, as shown below. The amounts so transferred shall be credited to the appropriations from which previously authorized and such appropriations shall be transferred to the Capital Outlay and Savings Fund and shall be subject to Section 3.1 of this act, and no further expenditure shall be made of the money so transferred until or unless authorized by subsequent enactment.

Work Order No.	Project Description and Previous Appropriation
	AGRICULTURE
No. 2510GC	For major construction, improvements, and equipment, quarantine station at Yermo, Department of Agriculture (Chapter 2, Statutes of 1950, Item 283).
No. 1543	Construction, improvements, and equipment for Tule Lake and Peavine Quarantine Station (Chapter 644, Statutes of 1945).

Work Order No.	Project Description and Previous Appropriation
	CORRECTIONS
No. 935	For major construction, improvements, and equipment, chapel and religious education, California State Prison at San Quentin, Department of Corrections (Chapter 2, Statutes of 1950, Item 298).
No. 935	For major construction, improvements, and equipment, chapel and religious education, California State Prison at San Quentin, Department of Corrections (Chapter 827, Statutes of 1941).
No. 2508GC	For major construction, improvements, and equipment, auditorium, gymnasium, and assembly, California Institution for Men, Department of Corrections (Chapter 2, Statutes of 1950, Item 289).
	YOUTH AUTHORITY
No. 2505	Major construction, improvements, and equipment, landscaping development. Paso Robles School for Boys, Youth Authority (Chapter 2, Statutes of 1950, Item 318).
	EDUCATION
No. 2456GC	For construction, improvements, and equipment of student housing at Fresno State College, Department of Education, (Chapter 155, Statutes of 1946) (First Extraordinary Session) as amended
No 2458GC	For construction, improvements, and equipment for student housing at San Diego State College, Department of Education, (Chapter 155, Statutes of 1946) (First Extraordinary Session), as amended
No 2530GC	For construction, improvements, and equipment for student housing at San Francisco State College (Chapter 155, Statutes of 1946) (First Extraordinary Session), as amended
No. 2457GC	For construction, improvements, and equipment of student housing at San Jose State College (Chapter 155, Statutes of 1946) (First Extraordinary Session), as amended
No. 2524GC	For construction, improvements, and equipment, School for Cerebral Palsied Children, Northern California, Department of Education, Executive Order No. E51-99, and Chapter 486, Statutes of 1947, Item 109.
No. 2524GC	For construction, improvements, and equipment, School for Cerebral Palsied Children, Northern California, (Chapter 145, Statutes of 1946) (First Extraordinary Session), as amended and the schedule of maximum amounts available for the Department of Education, as set forth in Section 6 of Chapter 145, Statutes of 1946 (First Extra Session) shall be reduced in a like amount
	FINANCE
No. 2331GC	For the acquisition of a site in the County of Sacramento and the improvements thereof, including preparation of plans and specifications, for the use of the State Agricultural Society for an annual fair or exposition (Chapter 1318, Statutes of 1947).
No. 2197	Construction, improvements, and equipment (plans and specifications for addition to building, Sixth District Agricultural Association) (Chapter 145, Statutes of 1946, First Extra Session) (Executive Order E49-4552) and the schedule of maximum amounts available for the State Agricultural Society and Exposition Park, Sixth District Agricultural Association, as set forth in Section 6 of Chapter 145, Statutes of 1946 (First Extra Session) shall be reduced in a like amount
	MENTAL HYGIENE
No. 2266	For construction, improvements, and equipment, fire house and employees' quarters, Agnews State Hospital, Department of Mental Hygiene (E49-521, Chapter 145, Statutes of 1946) and the schedule of maximum amounts available for the Department of Mental Hygiene as set forth in Section 6 of Chapter 145, Statutes of 1946 (First Extra Session) shall be reduced in a like amount.
No. 2305	For minor construction, improvements, repairs and equipment (auto, repair shop and shelters for cars and trucks), Agnews State Hospital, Department of Mental Hygiene (Chapter 700, Statutes of 1949, Item 334).
No. 2570	For minor construction, improvements, repairs, and equipment, (alterations to dishwashing room at Annex), Agnews State Hospital (Chapter 2, Statutes of 1950, Item 380.1).
No. 1769	Miscellaneous repairs and improvements (incinerator), Napa State Hospital, (Chapter 145, Statutes of 1946, Executive Order E2871).

Work Order No.	Project Description and Previous Appropriation
No. 1769	Major construction, improvements and equipment (incinerator) Napa State Hospital (Chapter 486, Statutes of 1947, Item 199).
No. 2179	Minor construction, improvements, repairs, and equipment (auto repair shop) Mendocino State Hospital (Chapter 700, Statutes of 1949, Item 337).
No. 2506	Major construction, improvements, and equipment, maintenance and shop building, Pacific Colony (Chapter 2, Statutes of 1950, Item 431).
No. 2242	Construction, improvements, and equipment (six physicians' apartments), Stockton State Hospital, Department of Mental Hygiene (Chapter 145, Statutes of 1946, First Extra Session, Executive Order E 50-14) and the schedule of maximum amounts available for the Department of Mental Hygiene as set forth in Section 6, of Chapter 145, Statutes of 1946 (First Extra Session) shall be reduced in a like amount.
No. 2218	Construction, improvements, and equipment, hog ranch and slaughter house, Camarillo State Hospital (Chapter 145, Statutes of 1946, Executive Order No E 49-460) and the schedule of maximum amounts available for the Department of Mental Hygiene as set forth in Section 6 of Chapter 145, Statutes of 1946 (First Extra Session) shall be reduced in a like amount
No 2476	Major construction, improvements, and equipment, design working drawings, and specifications for additions to hospital, Langley Porter Clinic (Chapter 2, Statutes of 1950, Item 371).
No. 2455	Major construction, improvements, and equipment, design, working drawings, and specifications, Psychiatric Hospital Clinic at Los Angeles (Chapter 2, Statutes of 1950, Item 373).
No. 2428	Major construction, improvements, and equipment, design, working drawings, and specifications, for New Mental Hospital in Southern California (Institution for Mental Defectives, Costa Mesa, Chapter 2, Statutes of 1950, Item 420, as amended by Chapter 150, Statutes of 1950).
	ADJUTANT GENERAL
No 2535GC	Major construction, improvements, and equipment of armories, Adjutant General and California National Guard (Chapter 2, Statutes of 1950, Item 439)—Bakersfield Armory.
No. 2403GC	Major construction and equipment of armories at San Francisco armory, Adjutant General and California National Guard (Chapter 700, Statutes of 1949, Item 372.9cc).
No 2461GC	Major construction, improvements, and equipment of armories, Adjutant General and California National Guard (Chapter 2, Statutes of 1950, Item 439)—Glendale Armory.
No. 2237	Construction and equipment of armory at Fresno, Adjutant General and California National Guard (Chapter 700, Statutes of 1949, Item 372.9m).
	BEACHES AND PARKS
No. 2009	For construction, improvements, and equipment, Calaveras Big Trees —lodges and cabins (Chapter 23, Statutes of 1948, Item 259).
No. 1780	For construction, improvements, and equipment, Donner Monument (Chapter 23, Statutes of 1948, Item 259)
	FORESTRY
Nos. 1876.17, 1876.18, and 2274	For construction, improvements, and equipment, Riverside office building, warehouse, gas and oil house, and equipment shop and equipment storage Chapter 145, Statutes of 1946· Executive Order No E51-202 Chapter 700, Statutes of 1949, Item No. 372.10.
	VETERANS' HOME
No. 2252	For construction and equipment of ground lighting system, Veterans' Home of California (Chapter 700, Statutes of 1949, Item 372.7c).
No. 2560	Major construction, improvements, and equipment of central warehouse (partial cost), Veterans' Home of California, (Chapter 2, Statutes of 1950, Item 476).
No 2560	For construction, improvements, and equipment (central warehouse) Veterans' Home of California (Chapter 127, Statutes of 1946).
No. 2499	Major construction, improvements, and equipment, Commandants' residence, Veterans' Home of California (Chapter 2, Statutes of 1950, Item 479).

Work Order No.	Project Description and Previous Appropriation

SEC. 3.5. The following projects as identified by the Division of Architecture Revolving Fund work orders, as shown below, shall be deferred and no further expenditures shall be made on the specified projects until or unless authorized by subsequent enactment:

No. 1780 For construction, improvements, and equipment, Donner Monument Museum, Chapter 486, Statutes of 1947, Item 238, payable from State Park Fund.

No. 1745 For construction, improvements, and equipment, Doheny Beach—concession building:
- Chapter 486, Statutes of 1947, Item 240, payable from State Beach Fund
- Chapter 23, Statutes of 1948, Item 261, payable from State Beach Fund
- Chapter 700, Statutes of 1949, Item 355, payable from State Beach Fund

No 1748 For construction, improvements, and equipment, Castle Crags—concession building (except water supply system):
- Chapter 486, Statutes of 1947, Item 238, payable from State Park Fund

No. 2320 GC For construction, improvement, and equipment, Columbia Historic State Park:
- Chapter 700, Statutes of 1949, Item 354, payable from State Park Fund."

Amendment No. 483

On page 94, line 27, of said bill, after "Category", strike out "or project".

Amendment No. 484

On page 94, line 29, of said bill, after "categories", strike out "or projects".

Amendment No. 485

On page 94, line 36, of said bill, after "Category", strike out "or project".

Amendment No. 486

On page 94, line 37, of said bill, after "Category", strike out "or project".

Amendment No. 487

On page 94, line 46, of said bill, after "Category", strike out "or".

Amendment No. 488

On page 94, line 47, of said bill, strike out "project".

Amendment No. 489

On page 97 of said bill, after line 28, insert

"SEC. 13.5. No money appropriated by this act shall be used to pay the salary of any authorized state position, which position was vacant and had been vacant or continuously unfilled during the period between October 15, 1950, and July 1, 1951, except with the specific approval of the Director of Finance subsequent to July 1, 1951.

The Director of Finance, not later than thirty days prior to the convening of the 1952 Regular Session of the Legislature, shall present to the Joint Legislative Budget Committee, assembled in meeting, a report of all positions as of July 1, 1951, which were vacant or continuously unfilled during the period between October 15, 1950, and July 1, 1951, and a report of all authorizations to fill vacant positions and all positions abolished pursuant to this section."

Amendment No. 490

On page 97 of said bill, strike out all of lines 39 to 51, inclusive.

Amendment No. 491

On page 98 of said bill, strike out all of lines 1 to 44, inclusive, and insert

"SEC. 14.5. The appropriations made by this act are subject to the following provisions: State-owned motor vehicles shall be used only in the conduct of state business. No state officer or employee shall use, or permit the use of, any state-owned motor vehicle other than in the conduct of state business.

The State Board of Control shall prescribe rules and regulations which

(a) Define the use of state-owned motor vehicles which constitutes use in the conduct of state business and distinguish such use from misappropriation for private use;

(b) Prescribe the procedure for determining and collecting from the employee responsible for the misuse the actual costs to the State attributable to misuse of state-owned motor vehicles and the disposition of such collections;

(c) Prescribe the records and reports to be kept and made by state agencies relating to the use of state-owned motor vehicles to the end that misuse may be discovered with a minimum of record keeping; provided, that every state officer or employee who has operated a state-owned motor vehicle during the preceding month shall file a statement certifying under penalty of perjury that each such motor vehicle operated during the preceding month has not been used by him, or been permitted to be used by him, other than in the conduct of state business; provided, however, that with the approval of the Director of Finance such reports and certification may be filed on behalf of any state employee by the employee's supervising officer in those cases where it is determined that there are valid reasons which would prevent the employee from complying with the certification and filing requirements of the act;

(d) Establish methods of vehicle control and accounting which will facilitate and encourage the pooling of vehicles for their most effective utilization;

(e) Govern the storage of state-owned motor vehicles.

The provisions of this section shall not apply to the incumbents of elective state offices.

The Department of Finance shall administer the provisions of this section and the rules and regulations adopted pursuant thereto; provided, however, that it shall be the duty of the head or governing body of each state agency to carry out and enforce this section and said rules and regulations within such state agency. Any state officer or employee who interferes or obstructs the enforcement of this section shall be subject to punitive action prescribed in the State Civil Service Act.

Any violation by a state officer or employee of this section or the rules and regulations adopted pursuant thereto shall constitute misuse of state property under Section 19572 of the Government Code.

The State Personnel Board, upon its own initiative or upon request of any person, may suspend from state service without pay for a period not exceeding 30 days, any officer or employee of this State exempt from civil service for violating this section or the rules and regulations adopted pursuant thereto. The procedure prescribed in the State Civil Service Act for taking punitive action against state employees shall apply to punitive action taken under this paragraph.

This section shall be superseded if Assembly Bill 2005 of the 1951 Regular Session of the Legislature becomes enacted into law."

Amendment No. 492

On page 100, line 5, of said bill, after "for", insert "support for".

Amendment No. 493

On page 101 of said bill, strike out all of lines 3 to 6, inclusive, and insert

"SEC. 24. The appropriations made by Items 245.1, 328, 333.1, and 338 of Section 2, Budget Act of 1950, shall remain available for expenditure until June 30, 1952".

Amendment No. 494

On page 101 of said bill, between lines 6 and 7, insert

"SEC. 24.5. It is not the intent of the Legislature that the acquisition of property for beaches and parks be limited to acquisitions which are accompanied by a long term lease to a political subdivision by which the latter agrees to develop, maintain, and operate the park."

~~The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 500 by the following vote:~~

PRINTER'S NOTE—There being no 7-point strikeout type available, the following roll call, which should appear in strikeout type, is indicated by being enclosed within brackets.

[AYES—Chapel, Collier, Davis, Dickey, Erwin, Geddes, Hinckley, and Hollibaugh—8.

NOES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lyon, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—55]

On this day the above action whereby the Assembly refused to concur in Senate amendments to Assembly Bill No. 500 was rescinded.

(See next page.)

Notice of Motion to Reconsider Senate Amendments to Assembly Bill No. 500

Mr. Beck gave notice that on the next legislative day he would move to reconsider the vote whereby the Assembly, on this day, refused to concur in Senate amendments to Assembly Bill No. 500.

Motion to Temporarily Suspend the Rules

Mr. Kirkwood moved that the Rules be temporarily suspended for the purpose of taking up the notice of motion by Mr. Beck, at this time.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Beck, Belotti, Berry, Burkhalter, Chapel, Cloyed, Coats, George D. Collins, Condon, Connolly, Cooke, Davis, Dickey, Dolwig, Doyle, Elliott, Gaffney, Geddes, Hagen, Hawkins, Henderson, Hollibaugh, Kilpatrick, Lipscomb, McCollister, McFall, McMillan, Meyers, Morris, Moss, Parker, Porter, Rosenthal, Rumford, Silliman, Smith, Thomas, and Mr Speaker—38.

NOES—Conrad, Fleury, Hinckley, Stewart, and Waters—5.

Request for Unanimous Consent That Reconsideration Be Granted on Concurrence in Senate Amendments to Assembly Bill No. 500

Mr. Sherwin asked for, and was granted, unanimous consent that reconsideration be granted on the vote whereby the Assembly, on this day, refused concurrence in Senate amendments to Assembly Bill No. 500.

Request for Unanimous Consent That Experts Be Permitted to Answer Questions

Mr Sherwin asked for, and was granted, unanimous consent that the Legislative Auditor and the Director of Finance be seated at his desk and be permitted to answer technical questions relative to the budget if their help is needed.

Request for Unanimous Consent to Rescind Action on Roll Call on Refusal to Concur in Senate Amendments

Mr. Sherwin asked for, and was granted, unanimous consent to rescind the action whereby the Assembly, on this day, refused to concur in Senate amendments to Assembly Bill No. 500.

Motion to Set Special Order

Mr. Doyle moved that consideration of Senate amendments to Assembly Bill No. 500 be made a special order of business for today, June 11, 1951, at 1 30 p.m.

Motion died for lack of a second.

Motion That Further Consideration of Senate Amendments to Assembly Bill No. 500 Be Postponed for 30 Minutes

Mr. Hawkins moved that further consideration of Senate amendments to Assembly Bill No. 500 be postponed for a period of 30 minutes, and that copies of the list of legislative changes in the Budget Act of 1951 (Assembly Bill No. 500) be immediately distributed to Members.

Mr Evans seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Beck, Belotti, Brown, Burkhalter, Cloyed, Coats, Collier, Condon, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Elliott, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Luckstem, Lanterman, Levering, Lincoln, Lyon, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Niehouse, Parker, Porter, Rumford, Sherwin, Stanley, Thomas, and Waters—47

NOES—Fleury and Lipscomb—2.

Consideration of Senate amendments to Assembly Bill No. 500 ordered temporarily passed on file.

RESOLUTIONS

The following resolution was offered:

By Mr. Dickey:

House Resolution No. 178

Resolved by the Assembly of the State of California, That the Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly in favor of the Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, in the sum of nineteen hundred seventy-five dollars ($1,975), said amount being for the purchase of postage stamps to be used by Members of the Assembly for official mail; and be it further

Resolved, That the Chief Clerk be and he is hereby directed to purchase postage stamps in such amounts and denominations, not exceeding nineteen hundred seventy-five dollars ($1,975) in the aggregate, as shall be necessary for the use of the Members of the Assembly for official mail; and be it further

Resolved, That the amount of stamps requisitioned by any one Member of the Assembly for official mail shall not exceed the sum of twenty-five dollars ($25).

Resolution read, and ordered referred to the Committee on Rules.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 546—An act to add Section 1777.6 to the Labor Code, dealing with apprenticeship.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 546?

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Assembly on April 13, 1951, after "employer", insert "or a labor union".

Amendment No. 2

On page 1 of said bill, as amended, strike out lines 6 to 11, inclusive

Amendment No. 3

On page 1, line 5, of the printed bill, as amended in the Senate on May 11, 1951, after "apprentices", insert "on any public works,".

Amendments read.

Point of Order

Mr. Rumford arose to the following point of order: That Mr. Levering is not speaking to the question.

Ruling by Speaker

Speaker Sam L. Collins requested Mr. Levering to address his remarks to the question.

The question being: Shall the Assembly concur in the Senate amendments?

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 546 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Evans, Gaffney, Geddes, Hagen, Hahn, Hawkins, Henderson, Hollibaugh, Kilpatrick, Luckel, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, and Thomas—41

NOES—Clarke, Cloyed, Collier, Connolly, Conrad, Dolwig, Erwin, Fleury, Grant, Gubser, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lyon, McCarthy, McGee, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—29.

Notice of Motion to Reconsider Senate Amendments to Assembly Bill No. 546

Mr. Levering gave notice that on the next legislative day he would move to reconsider the vote whereby the Assembly, on this day, concurred in Senate amendments to Assembly Bill No. 546.

APPOINTMENT OF SELECT COMMITTEE

Speaker Sam L. Collins announced the appointment of Messrs. McCollister, Cooke, and Fleury as a Select Committee to escort to the rostrum Erle Cocke, Jr., National Commander of the American Legion; John Sheffield, Member of the Georgia Legislature, and Aide to the National Commander; Col. Nelson M. Holderman; Stanley F. Dunmire, Department Commander; T. J. De Lasaux, Fifth District Commander; Gordon A. Lyons, Department Adjutant; and Lynn S. Peterson, California Chairman of Legislation for the American Legion.

RECESS

At 11.39 a.m., on motion of Mr. McCollister, the Assembly recessed until 11.59 a.m. to welcome the distinguished American Legion Delegation; and to hear remarks from John Sheffield, Aide to the National Commander, and Erle Cocke, Jr., National Commander of the American Legion.

REASSEMBLED

At 11.59 a.m., the Assembly reconvened.

Hon Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 629—An act assenting to the provisions of the act of Congress entitled "An act to provide that the United States shall aid the states in fish restoration and management projects, and for other purposes," approved August 9, 1950

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 629?

Amendment No. 1

On page 1, line 14, of the printed bill, as amended in the Assembly on April 2, 1951, strike out "Division", and insert "Department".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 629 by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—68.

NOES—None.

Assembly Bill No. 629 ordered enrolled.

Assembly Bill No. 908—An act to amend Section 3 of, and to add Sections 3.5 and 30.02 to, the Public Utility District Act of 1921, relating to the powers of public utility districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 908?

Amendment No. 1

In line 5 of the title of the printed bill, as amended in the Assembly on April 11, 1951, strike out "the powers of".

Amendment No. 2

On page 2, line 35, of said bill, as amended, strike out "only".

Amendment No. 3

On page 2, line 38, of said bill, as amended, after the period, insert "Such an election may also be called by the board of directors upon its own motion."

Amendment No. 4

On page 2, line 44, of said bill, as amended, strike out ", until the authority"; and strike out lines 45 to 48, inclusive, and insert a period.

Amendment No. 5

On page 2 of said bill, as amended, after line 48, insert

"Such a district may engage in the carrying out of any additional purposes enumerated in Subdivision Fifth of Section 30 after the affirmative vote of a majority of the electors voting at an election to approve a proposition to authorize a district to engage in the carrying out of any such additional purposes.

The district may also receive such authorization pursuant to the adoption of an ordinance by the board of directors to authorize the district to engage in the carrying out of any additional purposes enumerated in Subdivision Fifth of Section 30. Such an ordinance shall not become effective until 30 days from and after the date of its final passage If a petition, signed by not less than 15 percent of the voters of the district, protesting against the adoption of such an ordinance, is presented to the board of directors within 30 days of its adoption, the effective date of the ordinance shall be suspended, and the board of directors shall submit the same to the voters. The ordinance shall not become effective until a majority of the voters voting thereon vote in favor thereof. If the majority of the voters voting thereon do not vote in favor thereof such ordinance shall not again be enacted by the board of directors for a period of one year after the date of disapproval by the voters."

Amendment No. 6

In line 2 of the title of the printed bill, as amended in the Senate on May 9, 1951, strike out "of 1921".

Amendment No. 7

On page 1, line 2, of said bill, as amended, strike out "of 1921".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 908 by the following vote:

AYES—Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Morris, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—54.

NOES—Beck, George D. Collins, Condon, Cooke, Hagen, Henderson, and Moss—7.

Assembly Bill No. 908 ordered enrolled.

POINT OF ORDER

Mr. Sherwin arose to the following point of order: That, pursuant to the provisions of a motion by Mr. Hawkins, a 30 minute period has passed, and further consideration of Senate amendments to Assembly Bill No. 500 is now in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

FURTHER CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 500

Assembly Bill No. 500—An act making appropriations for the support of the State of California and for several public purposes in ac-

cordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, to take effect immediately.

The question being: Shall the Assembly concur in the Senate amendments to Assembly Bill No. 500?

Demand for Previous Question

Messrs. Conrad, Collier, Smith, Luckel, and Kelly demanded the previous question.

Demand for previous question sustained.

The question being: Shall the Assembly concur in the Senate amendments to Assembly Bill No. 500?

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 500 by the following vote:

AYES—Babbage, Collier, Dickey, Erwin, Geddes, Hinckley, Hollibaugh, Levering, and Silliman—9.

NOES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

Appointment of Committee on Conference Concerning Assembly Bill No. 500

The Speaker announced the appointment of Messrs. Sherwin, Hinckley, and Moss as a Committee on Conference concerning Assembly Bill No. 500.

REQUEST FOR UNANIMOUS CONSENT THAT REPORT OF INTERIM COMMITTEE ON WAYS AND MEANS BE PRINTED IN JOURNAL

Mr. Sherwin asked for, and was granted, unanimous consent that a Report of the Interim Committee on Ways and Means be ordered printed in the Journal, in 10 point type.

(Above mentioned report will appear prior to the motion to adjourn.)

REQUEST FOR UNANIMOUS CONSENT THAT OPINION OF LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Speaker Sam L. Collins asked for, and was granted, unanimous consent that an opinion of the Legislative Counsel, relative to presentation of bills to the Governor after final adjournment, be ordered printed in the Journal, in 10 point type, as follows:

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, June 8, 1951

Honorable Sam L. Collins
Assembly Chamber

PRESENTATION OF BILLS TO THE GOVERNOR AFTER FINAL ADJOURNMENT—No. 9356

DEAR MR. COLLINS:

Question

You have asked that we re-examine the conclusions reached in a prior opinion of this office respecting the presentation of bills to the Governor for his signature, in the light of recent changes in the Constitution

and statutes of this State. The conclusion reached in that opinion was that no precedent could be found in California for the presentation of bills to the Governor following final adjournment of the Legislature.

Opinion

It is our conclusion that the prior opinion accurately sets forth the state of the legislative precedents in California, and that presentation of bills to the Governor prior to final adjournment is the safest procedure. In the light of the 120 day limitation on the length of general legislative sessions adopted on November 8, 1949 (Art. IV, Sec. 2), however, the Legislature may be unable to present every bill which it has passed in the closing moments of the session to the Governor prior to adjournment. If this happens and if every act requiring action by the houses of the Legislature has been performed prior to final adjournment, we think it very probable that the California courts will follow the precedents established in other states which have had constitutionally-limited sessions and will sustain the validity of such acts if they are approved by the Governor within the 30 day period following adjournment which is prescribed in the Constitution. The validity of this conclusion can only be established by a decision of the California Supreme Court, however, and we recommend that (to the extent possible) all bills be presented to the Governor prior to final adjournment.

Analysis

Our previous opinion on this question [1] pointed out that there was no limitation on the length of any session of the Legislature and that, should the time fixed for adjournment sine die provide insufficient time to allow the legislative officers charged with the duty of enrolling, engrossing, and presenting bills to the Governor, to properly perform those vital functions, the Legislature could fix a later time for adjournment sine die. The opinion then pointed out that it is possible to show that by long standing usage and custom, past Legislatures had uniformly presented all bills to the Governor prior to adjournment.

Since that opinion was written Section 2 of Article IV of the California Constitution has been amended to provide that no general session shall exceed 120 calendar days, exclusive of the constitutional recess, and no budget session shall exceed 30 calendar days.

This amendment, in effect, puts regular law making in this State on a biennial basis and compresses the process of considering and acting upon all legislative proposals into a period of 120 days in odd numbered years. Conceding the desirability of so spacing the consideration of proposed legislation as to avoid a rush in the closing days of the session, it appears from statements of qualified authorities on legislative procedure that such a rush occurs in most state legislatures and that effective means to prevent it have not yet been found.[2]

It is, therefore, not unlikely that a considerable number of bills will be finally passed by the Legislature shortly before the session expires pursuant to Section 2 of Article IV of the Constitution, and the Legislature will, for the first time, be unable to extend the time for adjournment sine die.

[1] See Assembly Journal, April 12, 1949, pp 1930 et seq; Senate Journal April 12, 1949, pp. 1136 et seq.
[2] See, for example, "The Legislature of California," C C Young, p. 243

In the face of this new situation, brought about by the adoption of a constitutional amendment since our prior opinion was rendered, the legislative precedent of presenting bills to the Governor before final adjournment loses much of its force. Where a legislative body has full control over the length of its sessions it properly could decide to remain in session, after having concluded its law-making activities, to supervise the ministerial and clerical task of certification, verification and delivery of bills to the Governor. We doubt that this would impel a conclusion that such legislative body is compelled to remain in session for the sole purpose of supervising the completion of those ministerial and clerical tasks.

In view of these factors we believe it probable that a California Court, being presented with this question for the first time [3] would be inclined to follow the great weight of authority in other jurisdictions, and particularly those jurisdictions in which the Constitution limits the duration of a session. If we are correct in this belief the California courts would hold, with the courts of other jurisdictions, that a bill which has been duly passed by both houses of the Legislature during a session, may be presented to the Governor after final adjournment of that session.

In *Dow* vs. *Beidleman*, 5 S W. 297, The Supreme Court of Arkansas [4] in holding that a bill could be presented to the Governor after final adjournment said:

> "The question, then, is resolved into this: Whether a bill, that has passed both houses, may be submitted to the governor, for his approval, after the adjournment of the legislature, or whether it must be presented to him while the legislative body is still in session. The constitution ordains that every such bill shall be presented to the governor. If he approves it, he shall sign it; but if he shall not approve it, he shall return it, with his objections, to the house in which it originated, which house shall proceed to reconsider it. 'If any bill shall not be returned by the governor within five days, Sundays excepted, after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the general assembly, by their adjournment, prevent its return, in which case it shall become a law, unless he shall file the same, with his objections, in the office of the secretary of state, and give notice thereof by public proclamation within twenty days after such adjournment.' Const. art. 6, § 15. Nothing in this language implies that all bills must be transmitted to the governor before the adjournment of the assembly. He is prevented by the adjournment from returning the bill, whether the bill is in his hands before it adjourns, or reaches his hands afterwards. The term of members does not expire when it adjourns, nor do all the functions and powers of its officers then cease. It may often happen, in the case of bills passed in the closing hours of a session, that there is not sufficient time to enroll them

[3] "Fowler vs Peirce," 2 Cal 165, did not involve this question The question presented was whether a bill signed by the Governor after final adjournment was valid The Constitution at that time provided that if the Governor shall not return a bill within 10 days it shall become a law "unless the Legislature, by adjournment prevents such return" There was no provision, as there is in our present Constitution, authorizing the Governor to sign a bill within 30 days after final adjournment The case cited, assuming part of it has survived the overruling language in "Sherman vs Story," 30 Cal 253, 279, 280, goes no further than to hold that the Constitution of 1849 did not authorize the Governor to approve bills after final adjournment In 1879, however, that power was given to the Governor, and he has exercised it ever since.

[4] The duration of legislative sessions in Arkansas is limited by the constitution of that state, but may be extended by a two-thirds vote (Art V, Sec. 17.)

properly, and present them to the executive, before an adjournment takes place. The effect is not that, under the circumstances, the bill fails to become a law."

To the same effect is *Monroe* vs. *Green* 76 S.W. 199, in which the right to present a bill after final adjournment was affirmed, provided the presentation occurred within the 20-day period during which the governor could constitutionally veto it. See also *Russell* vs. *Cone,* 272 S.W. 678 in which the same court upheld the validity of a statute providing for a committee of the legislature charged with the duty of enrolling bills and presenting them to the governor after final adjournment,[5] and *Barker* vs. *State,* 174 S.W. 2d 545.

In *Amos* vs. *Gunn* 94 So. 615, three justices of the Florida Supreme Court [6] indicated that bills must be presented to the governor prior to final adjournment. However, in the later case of *State ex rel Thompson* vs. *Davis,* 169 So. 199, the same court stated that bills duly passed in the closing hours of a session could constitutionally be presented to the governor after final adjournment.

In *Preveslin* vs. *Derby and Ansonia Developing Co.,* 151 Atl. 518, the Supreme Court of Connecticut [7] rejected the contention that bills must be presented to the governor before final adjournment, but in view of the fact that the governor in that state has only three days after final adjournment within which he may sign bills, the court declared all bills enacted must be presented to the governor "*forthwith following adjournment*", without taking time for engrossment or enrollment.

The case does not require presentation to be made before final adjournment, and in view of the fact that in California the Governor has 30 days in which to act rather than the three days allowed in Connecticut, and in view of the fact that the enrolling and engrossing process lightens the Governor's task by securing for him a bill, in easily readable form, it would appear that the requirement of presentation forthwith would be relaxed in this State if our courts agreed with the Connecticut court that presentation could be made after final adjournment.

The Maryland [8] Court of Appeals has held that bills passed by the legislature during a session may be presented to the governor after final adjournment. (*Lankford* vs. *County Commissioners* 20 Atl. 1017; *Johnson* vs. *Leurs,* 99 Atl. 710; *Roby* vs. *Broersma* 26 Atl. 2d 820, 29 Atl. 2d 827).

Illinois and Vermont whose legislative sessions are not limited are in accord with the above cases. (*People* vs. *Rose* (Ill.) 47 NE 657; *People* vs. *Hughes* (Ill.) 25 NE 2d 75; *Hartness* vs. *Black* (Vt.) 114 Atl. 44).

The only contrary case which we have found is *In re Opinion of the Justices* 81 Atl. 170, in which the Supreme Court of New Hampshire in an advisory opinion the justices stated that "the constitutional question whether the legislature could authorize the presentation of bills to the governor after its adjournment does not arise" but indicated that under existing statutory provisions relating to enrolling, engrossing and related matters it was "implied that the presentation authorized is to be made before adjournment."

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[5] For similar California provisions see Gov C. Sec 9220; Rule No. 13, Standing Rules of the Senate.
[6] Regular sessions of the Florida Legislature are limited to 60 days.
[7] Connecticut's regular session is limited to 150 days
[8] Maryland's regular legislative sessions are limited to 90 days.

The case is worthy of note since it appears that the statutes involved were similar to Sections 9500 to 9516 of the Government Code, and the case points up a possibility that those sections could be restrictively construed by the California courts. However, Section 9220 of the Government Code places on the Speaker of the Assembly the duty, *after final adjournment*, of delivering bills to the governor, and Section 9126 makes the Senate Committee on Rules (which has charge of engrossing and enrolling bills under Senate Standing Rule No. 13) an agency of continuing existence. Since these statutes were enacted at a later date than Sections 9500 to 9516 and since they indicate a legislative intent to permit action after adjournment, it would appear unlikely that the California court would make the restrictive implication that the New Hampshire court did.

As we have already mentioned, the question as to whether a bill which has been duly passed by both houses of the Legislature during a session, but is presented to the Governor after adjournment sine die and signed by him would be invalid is a question of first impression in this State. Because of this fact, and because of the fact that the language of the constitutions of the various states is not the same, we are unable to guarantee that the California courts would follow the weight of authority in other jurisdictions which is set forth above. We believe, however, the California courts would respect the problems of the Legislature growing out of the closing rush of legislative business and would probably follow the line of authority indicated above and would sustain the validity of any bill presented to the Governor after final adjournment which he signs within the 30-day period.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 170

Mr. Waters asked for unanimous consent to take up House Resolution No. 170, out of order.

Mr. Dickey withheld unanimous consent.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 926—An act to amend Section 330 of the Fish and Game Code, relating to the acquisition and administration of refuges, game farms, preserves, and public shooting grounds.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 926?

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Assembly on April 5, 1951, strike out ", Division of Fish and Game,".

Amendment No. 2

On page 1, line 5, of said bill, as amended, strike out "solely".

Amendment No. 3

On page 1, line 8, of the printed bill, as amended in the Senate on May 9, 1951, strike out "commission", and insert "department".

Amendment No. 4

On page 1, line 13, of said bill, as amended, after "the", insert "Department of".

Amendment No. 5

On page 1, lines 13 and 14, of said bill, as amended, strike out "com- mission".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 926 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72

NOES—None.

Assembly Bill No. 926 ordered enrolled.

MOTION THAT REPORT OF SECOND COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 99 BE PLACED UPON INACTIVE FILE

Mr. McCollister moved that the report of the Second Committee on Conference concerning Assembly Bill No. 99, now pending on the unfinished business file, be placed upon the inactive file.

Mr. Dolwig seconded the motion.

Motion carried.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1242—An act to amend Section 2235 of the Corporations Code, relating to cumulative voting for directors of corporations.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1242?

Amendment No. 1

On page 1 of the printed bill, strike out lines 11 to 19, inclusive, and insert

"The right of cumulative voting for directors extends to the members or shareholders of any mutual water company organized or existing for the purpose of delivering water to its shareholders or members at cost on lands located within the boundaries of one or more reclamation districts now or hereafter legally existing in this State and created by or formed under the provisions of any statute of this State, but does not otherwise extend to the members or shareholders of mutual water companies unless their articles or by-laws so provide.

The right of cumulative voting for directors does not extend to members of nonstock corporations or to members or shareholders in cooperative corporations unless their articles or by-laws so provide."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1242 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—64.

NOES—Geddes and Silliman—2.

Assembly Bill No. 1242 ordered enrolled.

Assembly Bill No. 1836—An act to amend Sections 1274c and 1445 of the Code of Civil Procedure, relating to the disposition of property left by deceased persons.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1836?

Amendment No. 1

On page 4 of the printed bill, as amended in the Assembly on April 12, 1951, between lines 25 and 26, insert "The nationality of each of the heirs of the decedent. The street address of each of the heirs of the decedent"

Amendment No. 2

On page 5, line 35, of said bill, as amended, strike out the semicolon; and strike out lines 36 to 39, inclusive, and in line 40, strike out "tions".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1836 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.
NOES—None.

Assembly Bill No. 1836 ordered enrolled.

Assembly Bill No. 2001—An act to amend Section 22280 of, and add Section 2281.1 to, the Water Code, relating to charges in irrigation districts.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2001?

Amendment No. 1

On page 2, line 7, of the printed bill, as amended in the Assembly on April 20, 1951, strike out "portion", and insert "proportion".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2001 by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69.
NOES—None

Assembly Bill No. 2001 ordered enrolled.

Assembly Bill No. 2047—An act to add Section 1164 to the Fish and Game Code, relating to shooting of human beings.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2047?

Amendment No. 1

On page 1, lines 4 and 5, of the printed bill, strike out ", whether by accident, mistake, or otherwise".

Amendment No. 2

On page 1, line 6, of said bill, strike out "forthwith".

Amendment No. 3

On page 1, line 8, of said bill, after the period, insert "The proceeding for revocation shall be conducted in accordance with Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code and the commission shall have all the powers granted therein."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2047 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—73.

NOES—None.

Assembly Bill No. 2047 ordered enrolled.

Assembly Bill No. 3341—An act to amend Section 690 of the Elections Code, relating to the compensation of members of the precinct boards.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 3341?

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "election board", and insert "board of supervisors".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 3341 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—70.

NOES—None.

Assembly Bill No. 3341 ordered enrolled.

Assembly Bill No. 3364—An act to amend Section 7332 of the Business and Professions Code, relating to the practice of cosmetology.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 3364?

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on May 16, 1951, between lines 6 and 7, insert

"Every licensed establishment engaged in the training of a junior operator shall meet all requirements incumbent upon a cosmetology school engaged in the training of a student of cosmetology, electrology, and special manicurist."

The roll was called, and the Assembly refused to concur in Senate amendment to Assembly Bill No. 3364 by the following vote:

AYES—Berry, Brady, Burkhalter, George D. Collins, Cooke, Davis, Dills, Dunn, Elliott, Gaffney, Geddes, Henderson, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, and Parker—19.

NOES—Beck, Belotti, Burke, Chapel, Cloyed, Collier, Conrad, Doyle, Erwin, Fleury, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, McGee, Morris, Moss, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—37.

Appointment of Committee on Conference Concerning Assembly Bill No. 3364

The Speaker announced the appointment of Messrs. Gaffney, Conrad, and Doyle as a Committee on Conference concerning Assembly Bill No. 3364.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER. Your Committee on Rules, to which was referred:

House Resolution No. 178

Has had the same under consideration, and reports the same back with the recommendation. Be adopted.

DICKEY, Chairman

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 178, at this time, without reference to file.

CONSIDERATION OF HOUSE RESOLUTION NO. 178

By Mr. Dickey:

House Resolution No. 178

Resolved by the Assembly of the State of California, That the Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly in favor of the Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, in the sum of nineteen hundred seventy-five dollars ($1,975), said amount being for the purchase of postage stamps to be used by Members of the Assembly for official mail; and be it further

Resolved, That the Chief Clerk be and he is hereby directed to purchase postage stamps in such amounts and denominations, not exceeding nineteen hundred seventy-five dollars ($1,975) in the aggregate, as shall be necessary for the use of the Members of the Assembly for official mail; and be it further

Resolved, That the amount of stamps requisitioned by any one Member of the Assembly for official mail shall not exceed the sum of twenty-five dollars ($25).

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—72.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2367

Mr. Smith asked for, and was granted, unanimous consent to take up Assembly Bill No. 2367, out of order, for purpose of amendment.

CONSIDERATION OF ASSEMBLY BILL NO. 2367

Assembly Bill No. 2367—An act to amend Sections 285, 286, 288a and 264 of the Penal Code, relating to sex crimes.

Bill read third time.

Motion to Amend

Mr. Smith moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 1, of the printed bill, as amended in the Assembly on June 8, 1951, strike out "said code", and insert "the Penal Code".

Amendment No. 2

On page 3, line 28, of said bill, strike out "punishable", and insert "punished".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1684

Mr. Grunsky asked for, and was granted, unanimous consent to take up Assembly Bill No. 1684, out of order, for purpose of amendment.

CONSIDERATION OF ASSEMBLY BILL NO. 1684

Assembly Bill No. 1684—An act to amend Section 7056 of the Business and Professions Code, relating to general engineering contractors.

Bill read third time.

Motion to Amend

Mr. Grunsky moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 1, of the printed bill, as amended in the Assembly on June 8, 1951, strike out "Government", and insert "Business and Professions Code"

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 1418, on request of Mr. Smith.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 18

Mr. Dunn asked for, and was granted, unanimous consent to take up Assembly Bill No 18, out of order, for purpose of amendment.

CONSIDERATION OF ASSEMBLY BILL NO. 18

Assembly Bill No. 18—An act to amend Sections 34301, 34303, 34308, 34315, and 34323 of, and to add Section 34311.5 to the Government Code, relating to the incorporation and boundaries of cities.

Bill read third time.

Motion to Amend

Mr. Dunn moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 9, of the printed bill, as amended in the Assembly on June 1, 1951, after 'code", insert "is".

Amendment No. 2

On page 2, line 11, of said bill, strike out "One", and insert "On".

Amendments read, ~~and adopted.~~

~~Bill ordered reprinted, and re-engrossed.~~

On this day, the Assembly rescinded the action whereby the above amendments to Assembly Bill No. 18 were adopted. (See page 5440.)

NOTICE OF MOTION BY SPEAKER SAM L. COLLINS TO AMEND STANDING RULES OF THE ASSEMBLY

Notice is hereby given that on the next legislative day, to wit June 12, 1951, I will make a motion with respect to Rule No. 55 of the Standing Rules of the Assembly as follows:

I hereby move that Rule No. 55 of the Standing Rules of the Assembly be repealed.

SPEAKER SAM L. COLLINS

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were offered:

Assembly Concurrent Resolution No. 91: By Messrs. Coats and Fleury—Relative to establishing roadside rests and parks in conjunction with the State Highway System.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Constitutional Amendment No. 65: By Mr. Coats—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding to Article XX thereof a new section to be numbered 3.2, relating to campaign statements of receipts and expenditures by candidates for elective office.

Referred to Committee on Constitutional Amendments.

Assembly Concurrent Resolution No. 92: By Messrs Levering, Lincoln, Morris, Collier, Klocksiem, and Mrs. Niehouse—Relative to Communist activity in California's educational system.

Referred to Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 407
Assembly Bill No. 1991
Assembly Bill No. 2121
Assembly Bill No. 3439

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 2924

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bill ordered to third reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 90

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Joint Resolution No. 38

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Joint Resolution No. 43: By Messrs. Maloney, George D. Collins, Gaffney, Berry, Brady, Connolly, McCarthy, and Meyers—Relative to the construction of St. Mary's Square Underground Garage in San Francisco.

Referred to Committee on Rules.

ANNOUNCEMENTS

Mr. Dickey announced, on behalf of Mr. Beck, that a luncheon meeting and Democratic Caucus will be held today, upon recess, at the Hotel Sacramento.

Mr. Dickey announced, on behalf of Mr. McCollister, that all Members of the Assembly are invited to a luncheon today, upon recess, in the Lounge Room of the Hotel Senator, being given in honor of Erle Cocke, Jr., National Commander of the American Legion.

PETITIONS

By Speaker Sam L. Collins:

A petition from Bertha Baker, of San Francisco, relative to impeachment was received, and ordered referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 90

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

RECESS

At 12.04 p.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.
Hon. Sam L. Collins, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

Speaker Pro Tempore Presiding

At 2.01 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Hon. Richard H. McCollister Presiding

At 2.02 p.m., Hon. Richard H. McCollister, Member of the Assembly from the Seventh District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
MOTION TO AMEND THE STANDING RULES

Pursuant to a notice of motion given on a previous day, Mr. Sam L. Collins moved to amend the Standing Rules, and that Rule No. 9 shall be added to the Standing Rules, and will read as follows:

Rule 9

The Speaker pro Tempore of the Assembly shall act for the Speaker as Chairman of the Committee on Rules whenever the Speaker is unable, because of absence or otherwise, to perform in that capacity, or whenever the Speaker may request or assign the Speaker pro Tempore to do so.

Request for Unanimous Consent That Motion by Mr. Sam L. Collins Be Passed on File

Mr. Maloney asked for, and was granted, unanimous consent that the above motion by Mr. Sam L. Collins be passed on file, at this time.

Request for Unanimous Consent That Motion Be Stricken From File

Mr. Sam L. Collins asked for, and was granted, unanimous consent that his motion to amend the Standing Rules by adding Rule No. 9 be stricken from file.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 302—An act to amend Section 261a.5 of, and to add Section 261h to, the Code of Civil Procedure, relating to shorthand reporters.

Bill read third time.

Motion to Amend

Mr. Beck moved the adoption of the following amendment:

Amendment No. 1

On page 3, line 36, of the printed bill, as amended in the Assembly on June 8, 1951, after the period, insert "Each of such regular official reporters shall devote his entire time during office hours to the duties of his office and is prohibited from engaging in private work during office hours. All fees, commissions, or compensation, other than his official salary and fees authorized by law for his official duties, received by him from any source for work during office hours, shall be paid into the county treasury and deposited in the general fund thereof."

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, George D Collins, Condon, Conrad, Cooke, Davis, Dills, Dunn, Grant, Gubser, Hagen, Hahn, Henderson, Kirkwood, Klocksiem, Levering, Lipscomb, Luckel, McMillan, Moss, Munnell, Parker, Rumford, Shaw, Smith, and Tomlinson—33.

NOES—Babbage, Clarke, Dickey, Dolwig, Doyle, Evans, Fleury, Gaffney, Geddes, Grunsky, Hansen, Hollibaugh, Kelly, Lyon, Maloney, McCarthy, McGee, Meyers, Morris, Stanley, Thomas, and Waters—22.

Bill ordered reprinted, and re-engrossed.

Speaker Pro Tempore Presiding

At 2 18 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Breed, Roy Cunningham and Hatfield as a Committee on Conference concerning .

Assembly Bill No. 500—An act making appropriations for the support of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, to take effect immediately.

J A. BEEK, Secretary of the Senate
By C V TAYLOR, Assistant Secretary

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Request for Unanimous Consent That Assembly Bill No. 2501 Hold Place on File

Mr. Dolwig asked for, and was granted, unanimous consent that Assembly Bill No. 2501 be passed on file, and hold its place on file on the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON ADOPTION OF AMENDMENTS TO ASSEMBLY BILL NO. 18

Mr. Dunn asked for, and was granted, unanimous consent to rescind the action whereby the Assembly, on this day, adopted amendments to Assembly Bill No. 18.

Request for Unanimous Consent to Take Up Assembly Bill No. 18

Mr. Dunn asked for, and was granted, unanimous consent to take up Assembly Bill No. 18, for purpose of amendment.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 18

Assembly Bill No. 18—An act to amend Sections 34301, 34303, 34308, 34315, and 34323 of, and to add Section 34311.5 to the Government Code, relating to the incorporation and boundaries of cities.

Bill read third time.

Motion to Amend

Mr. Dunn moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 20, of the printed bill, as amended in the Assembly on June 1, 1951, before the period, insert "and the notice of election".

Amendment No. 2

On page 2, line 11, of said bill, strike out "One", and insert "On".

Amendment No. 3

On page 2, line 13, of said bill, after "land", insert "which lies".

Amendment No. 4

On page 2, line 14, of said bill, strike out "superimposed and substantially coterminous".

Amendment No. 5

On page 2 of said bill, strike out all of lines 23 to 25, inclusive

Amendment No. 6

On page 2, line 27, of said bill, strike out "county", and insert "petitioners".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Request for Unanimous Consent That Assembly Bill No. 3440 Hold Place on File

Mr Kirkwood asked for, and was granted, unanimous consent that Assembly Bill No. 3440 be passed on file, and hold its place on file on the next legislative day.

Assembly Bill No. 954—An act to add Section 1987.5 to the Code of Civil Procedure, relating to subpenas.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Cooke, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McGee, McMillan, Meyers, Morris, Moss, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Thomas, and Waters—56.

NOES—Smith—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 955—An act to amend Sections 84, 137, 137.5, 138, 139, 140, 141, 146, and 169 of, and to add Sections 137.1, 137.2, and 137.3 to, and to repeal Section 147 of, the Civil Code, relating to personal relations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Connolly, Conrad, Dickey, Dills, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, and Waters—57.

NOES—George D. Collins—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1162—An act to amend Sections 1203 and 1203.10 of the Penal Code, relating to probation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh,

Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Waters—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1483—An act providing for the constitution of the municipal court in a district embracing the Township of Oceanside, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, and Waters—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1486—An act providing for the constitution of the municipal court in a district embracing the City of Chula Vista and all of National Township, excluding the Cities of National City and Coronado, to be known and designated as South Bay Judicial District, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, and Waters—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1487—An act providing for the constitution of the municipal court in a district embracing the Township of El Cajon, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw Sherwin, Silliman, Smith, Stanley, Thomas, and Waters—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3446—An act to amend Sections 2, 5 and 6 of the Alcoholic Beverage Control Act, relating to alcoholic beverages and licenses of wine brokers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Waters—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 382—An act to amend Section 1038 and to repeal Section 1039 of the Fish and Game Code, relating to fish.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, and Waters—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 40—Relative to the application of the Sherman Anti-Trust Act and the Miller-Tydings Act as applied to State Fair Trade Laws.

Resolution read.

Demand for Previous Question

Messrs Geddes, Lincoln, Lanterman, Connolly, and Luckel demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Assembly Joint Resolution No. 40.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, Condon, Connolly, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Thomas, Tomlinson, and Waters—56

NOES—Cloyed, George D Collins, and Levering—3.

Resolution ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Messrs. Evans and Hollibaugh:

House Resolution No. 179—Relative to the illness of Mrs. Hattie W. Hahn.

Resolution read.

Request for Unanimous Consent

Mr. Evans asked for, and was granted, unanimous consent to take up House Resolution No 179, at this time, without reference to committee or file.

Request for Unanimous Consent That Names of All Members Present Be Placed Upon House Resolution No. 179 as Co-authors

Mr. Evans asked for, and was granted, unanimous consent that the names of all members present be placed upon House Resolution No. 179 as co-authors

Roll Call

The roll was called, and the following members indicated a desire to become co-authors of House Resolution No. 179:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

Further Consideration of House Resolution No. 179

By Messrs. Evans, Hollibaugh, Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Sam L. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Mrs. Niehouse, Messrs. Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Waters:

House Resolution No. 179

Relative to the illness of Mrs. Hattie W. Hahn

WHEREAS, The Members of the Legislature have learned with regret of the illness of Mrs. Hattie W. Hahn, the mother of Assemblyman Gordon R. Hahn; and

WHEREAS, All of the members sincerely hope she may have a speedy recovery; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Legislature hereby extend to Mrs Hattie W Hahn their best wishes for a complete and speedy recovery from her illness; and be it further

Resolved, That the Chief Clerk of the Assembly shall transmit a copy of this resolution to Mrs Hattie W. Hahn, 5931 So Flower Street, Los Angeles, 3, and to City Councilman Hahn of Los Angeles.

Resolution read, and adopted unanimously.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 293

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

SHERWIN, Chairman

Above reported bill ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE BILL NO. 65 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Geddes asked for, and was granted, unanimous consent that Senate Bill No. 65 be withdrawn from the Committee on Ways and Means, and be re-referred to the Committee on Education

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 3.10 p.m., Mr. Crowley asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Constitutional Amendments in Room 319, at this time.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 212

Mr. Rosenthal asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 212, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 212—An act to amend Section 1744 of the Code of Civil Procedure, relating to attaches of the conciliation court in counties of 900,000 population or more.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 212?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 10, 1951, between lines 19 and 20, insert

"(c) One investigator, who shall receive a salary of four thousand seven hundred forty dollars ($4,740) per annum, and necessary expenses while engaged in the discharge of his duties."

Amendment No. 2

On page 1, line 20, of said bill, as amended, strike out "(c)", and insert "(d)".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 212 by the following vote:

AYES—Beck, Belotti, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Davis, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, Meyers, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—58.

NOES—George D. Collins—1.

Assembly Bill No. 212 ordered enrolled.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Joint Resolution No. 44: By Messrs. Lindsay, Fleury, and Moss—Relative to designating a stock pile of chromite in California.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2545—An act to amend Section 736.13 of the Agricultural Code, relating to wholesale and retail prices for fluid milk and fluid cream and products thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Bill Withdrawn From Active File, and Placed on the Inactive File

Assembly Bill No. 132, on motion of Mr. Sherwin.

Assembly Bill No. 3183—An act to add Sections 4017 and 26470.5 to, the Health and Safety Code, relating to public health.

Bill read third time.

Demand for Previous Question

Messrs. Levering, McGee, Lanterman, McCarthy, and Geddes demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 3183.

The roll was called, and the bill refused passage by the following vote:

AYES—Belotti, Berry, Brady, Caldecott, Chapel, Clarke, Condon, Connolly, Conrad, Davis, Dunn, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Kirkwood, Lincoln, Lindsay, Lipscomb, Malouey, McCarthy, McFall, McGee, Meyers, Moss, Rumford, Shaw, Sherwin, Smith, and Mr. Speaker—34.

NOES—Babbage, Beck, Burke, Burkhalter, Collier, George D Collins, Cooke, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Geddes, Hahn, Hawkins, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Luckel, Lyon, McCollister, McMillan, Morris, Munnell, Niehouse, Parker, Porter, Stanley, Stewart, Thomas, Tomlinson, and Waters—37.

Notice of Motion to Reconsider Assembly Bill No. 3183

Mr. Kirkwood gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 3183 was this day refused passage.

Motion to Temporarily Suspend the Rules

Mr. Collier moved that the Rules be temporarily suspended for the purpose of considering the notice of motion by Mr. Kirkwood to reconsider Assembly Bill No. 3183, at this time.

Mr. Luckel seconded the motion.

Motion Withdrawn

Mr. Luckel withdrew his second.

Mr. Collier withdrew his motion.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1109

Mr. Davis asked for, and was granted, unanimous consent to take up Senate Bill No. 1109, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 1109

Senate Bill No. 1109—An act to amend Section 28131 of the Government Code, relative to compensation for public services in counties.

Bill read third time.

Motion to Amend

Mr. Davis moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on May 18, 1951, strike out "Sections 28136 and", and insert "Section".

Amendment No. 2

On page 1 of said bill, strike out lines 3 to 24, inclusive; and on page 2, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. Section 28153 of the Government Code is amended to read:".

Amendment No. 3

On page 2, line 40, of said bill, strike out "3", and insert "2".

Amendment No. 4

On page 2, line 47, of said bill, strike out "4", and insert "3".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1431

Mr. Davis asked for, and was granted, unanimous consent to take up Senate Bill No. 1431, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 1431

Senate Bill No. 1431—An act authorizing suits against the State of California to quiet title against it as to certain real property situated in the County of Modoc, State of California.

Bill read third time.

Motion to Amend

Mr. Davis moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on June 6, 1951, strike out lines 1 to 11, inclusive, and insert

"SECTION 1. Any person or persons claiming any interest in or to real property which is alleged to be claimed by the State of California and which is alleged to be

situated in the bed or former bed of Upper Lake, Middle Lake, or Lower Lake in Surprise Valley, Modoc County, is hereby authorized to bring a suit against the State of California in any court of competent jurisdiction of the State to quiet title to such property, and to prosecute".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

RESOLUTIONS

The following resolutions were offered:

By Mr. Gaffney:

House Resolution No. 180

Relative to the creation of the Assembly Interim Committee on Industrial Safety

WHEREAS, Industrial deaths and accidents continue to cause misery to thousands of citizens of this State annually, and result in hardship to workers and their dependents and a loss in the purchasing power of the State; and

WHEREAS, At each session of the Legislature numerous bills on this subject are introduced, and

WHEREAS, In order that the Assembly may properly legislate on this subject it is necessary that it be fully informed as to all matters relating thereto or affecting or bearing thereon; and

WHEREAS, A continuous study of all facts relating to this subject is in the public interest; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Industrial Safety is hereby created and authorized and directed to ascertain, study and analyze all facts relating to industrial accidents in this State, the promulgation and enforcement of safety measures in connection therewith, the scope and adequacy of existing agencies in this field, and the nature and extent of needed development in this field including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of three Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of two thousand dollars ($2,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Levering:

House Resolution No. 181

Relative to the creation of the Assembly Interim Committee on Industrial Relations

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Industrial Relations is hereby created and authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon any matter which, under the Standing Rules of the Assembly and the legislative practices thereunder, would be referred to the Assembly Standing Committee on Industrial Relations, and any and all other matters relating to or affecting industrial relations, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the members of the Assembly standing Committee on Industrial Relations for this legislative session The chairman and vice chairman shall be the chairman and vice chairman of the said standing committee. Vacancies occurring in the membership of the committee shall be filled by the Speaker

3 The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members

5 The committee has the following additional powers and duties

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution

6. The sum of one thousand dollars ($1,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

By Messrs. Stanley, Lincoln, and Hansen:

House Resolution No. 182

Requesting the Assembly Interim Committee on Finance and Insurance to study, investigate and report on all possible alternative methods of financing public works projects

WHEREAS, The unprecedented increase in population in California during the last decade and the demand for additional public works facilities have far exceeded the construction, improvement and extension of such public works; and

WHEREAS, As a result of the present Korean conflict there is additional immediate need for sewers, streets, roads, highways, schools, water, health, refuse disposal, airport and other public facilities and buildings; and

WHEREAS, All such construction, acquisition, improvement, replacement and extension cannot and should not be financed from current revenue or from general obligation bonds; and

WHEREAS, Several bills have been introduced during the current session of the Legislature to provide reasonable alternative methods of financing such public works projects; and

WHEREAS, At hearings on bills on the subject during the current session of the Legislature, it has been found that the investment features for proposed bonds were of primary importance to banks and savings and loan and other financial institutions; and

WHEREAS, The standing committees of the Legislature which have considered bills on public works projects have recommended that the subject matter thereof be studied by an interim committee; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Finance and Insurance, or any similar committee created at the 1951 Session of the Legislature, be, and it hereby is, requested to study and investigate all possible alternative methods of financing public works projects, including, but not limited to, those methods which have been developed by other states and public agencies, and including all other matters relating to or in any way bearing upon the recitals of this resolution; and be it further

Resolved, That the committee submit a report and its recommendations to this Assembly on the subject matter of this resolution at the Budget Session of 1952.

Resolution read, and ordered referred to the Committee on Rules.

UNANIMOUS CONSENT GRANTED TO RECALL ASSEMBLY BILL NO. 1879 FROM THE SENATE

Mr. Stewart asked for, and was granted, unanimous consent that the Chief Clerk be instructed to request the Senate to return Assembly Bill No. 1879 for further consideration.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bills were withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 1541, on request of Mr. Connolly.

Assembly Bill No. 3096, on request of Mr. Hollibaugh.

Assembly Bill No. 2474, on request of Mr. Burkhalter.

ANNOUNCEMENT

Mr. Stanley announced a Republican breakfast and caucus tomorrow morning, Tuesday, June 12th, at 7.30 a.m., at Hart's restaurant.

REQUEST FOR UNANIMOUS CONSENT TO SUSPEND PROVISIONS OF HOUSE RESOLUTION NO. 79

Mr. Dunn asked for, and was granted, unanimous consent that the provisions of House Resolution No. 79 be temporarily suspended for the purpose of permitting the following bills to be set for hearing in the Committee on Education next Wednesday, at 8 p.m., in Room 432:

Child Care Center Bills Senate Bill No. 65 and Assembly Bill No. 2330, and Assembly Bills Nos. 2382 and 3193.

ANNOUNCEMENT

Mr. Sherwin announced that if any member has objections to any of the amendments being offered by the Senate to Assembly Bill No. 500, the Budget Bill, that he should immediately transmit his objections by memorandum to any one of the three conferees of the Committee on Conference so that due consideration may be given his objections prior to the release of the conference report.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills Nos. 927, 1635, 3131, 3132, and 1507 re-referred to the Committee on Conservation, Planning, and Public Works.

Assembly Bills Nos. 2372, 1308, and 1802 re-referred to the Committee on Ways and Means.

Assembly Bills Nos. 2034, 3011, 3247, 3248, and 1060 re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3174 re-referred to the Committee on Manufacturing, Oil, and Mining Industry.

Senate Bill No. 671 re-referred to the Committee on Municipal and County Government.

Senate Bills Nos. 1809 and 1812 re-referred to the Committee on Conservation, Planning, and Public Works.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER. Your Committee on Legislative Procedure has examined.

Assembly Bill No. 215—An act to amend Section 261a of the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties, of 900,000 population or more;

Assembly Bill No. 1052—An act to amend Section 11616 of the Business and Professions Code, relating to the dedication of streets, and the abandonment of an offer of dedication of said streets;

Assembly Bill No. 1164—An act to amend Sections 859 and 987a of the Penal Code, relating to compensation of counsel appointed by any court to defend indigent persons charged with crime and compensation of public defenders in certain cases;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 1358—An act to amend Section 8 1 of the Municipal Court Act of 1925, relating to municipal courts;

Assembly Bill No. 1752—An act to amend Section 1908 of the Harbors and Navigation Code, relating to contracts for fireboat services and payment for services of firemen;

Assembly Bill No. 2003—An act to amend Sections 6861, 6862, 6863, 6875, 6876, 6877, 6878, 6881, 6885, 6886, 6891, 6906, 6913, 6914, 6915, 6921, 6922, 6923, 6925, 6931, 6948, and 6956, and to repeal Sections 6938, 6941, 6942, 6943, and 6944 of the Business and Professions Code, and to add thereto Section 6859, all relating to the licensing and regulation of collection agencies;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2629—An act to amend Sections 25051, 25320, 25321, 25520, and 25521 of the Streets and Highways Code, and to add Sections 130 1 and 130 2 to said code, relating to joint highway districts and the construction of state highways;

Assembly Bill No. 2648—An act to amend Section 386 of the Code of Civil Procedure, relating to interpleader;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 72—An act to amend Sections 985.5, 986 3, and 986.5 of the Military and Veterans Code, relating to the purchase of farms and homes by veterans;

Assembly Bill No. 188—An act to amend Section 925 of the Fish and Game Code, relating to purse and round haul nets and declaring the urgency thereof, to take effect immediatley;

Assembly Bill No. 287—An act to add Sections 9510.1 and 9598.5 to the Business and Professions Code, relating to advertising in the dry cleaning industry;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 370—An act to add Section 360.5 to the Code of Civil Procedure, relating to statutes of limitations;

Assembly Bill No. 462—An act to amend Section 425 of the Education Code, relating to county school superintendents' salaries in counties of the twenty-fifth class;

Assembly Bill No. 467—An act to amend Sections 20344 and 20344.1 of the Education Code, relating to the support of the public schools;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR SPEAKER. Your Committee on Legislative Procedure has examined.

Assembly Bill No. 625—An act to add Section 101.5 to the Labor Code, relating to filing fees;

Assembly Bill No. 1051—An act to add Article 1, comprising Sections 1181, 1182, 1183.1, 1184.1, 1185.1, 1186.1, 1187.1, 1188.1, and 1189.1, Article 2, comprising Sections 1190.1, 1191.1, and 1192.1, Article 3, comprising Sections 1193.1, 1194.1, and 1195.1, and Article 4, comprising Sections 1196.1, 1197.1, 1198.1, 1199.1, 1199.2, 1200, 1200.1, 1201.1, 1202.1, and 1203.1, to Chapter 2, Title 4, Part 3 of the Code of Civil Procedure; to add Section 3060 to the Civil Code; to repeal Sections 1183, 1184, 1184a, 1184b, 1184c, 1184d, 1184e, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1191a, 1191b, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1201, 1202, and 1203 of the Code of Civil Procedure; and to add Section 5463 to the Health and Safety Code; to consolidate and clarify the law relating to mechanics' liens;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1293—An act to add Section 189.7 to the Code of Civil Procedure, relating to destruction of court and other public records;

Assembly Bill No. 1354—An act providing for the constitution of the municipal court in a district embracing the City of Stockton, and prescribing the number and compensation of the judges, officers and attaches thereof;

Assembly Bill No. 1355—An act providing for the constitution of the municipal court in a municipal court district to be known as the San Leandro-Hayward Municipal Court District consisting of all of Eden Township, County of Alameda, and prescribing the number and compensation of the judges, officers and attaches thereof;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1359—An act providing for the constitution of the municipal court in a district embracing the City of Alameda, and prescribing the number and compensation of the judges, officers and attaches thereof;

Assembly Bill No. 1373—An act providing for the constitution of the municipal court in a district embracing the Cities of Alviso and San Jose, and prescribing the number and compensation of the judges, officers and attaches thereof;

Assembly Bill No. 1382—An act providing for the constitution of municipal courts in districts in Santa Cruz County, and prescribing the number and compensation of the judges, officers and attaches thereof;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1492—An act to amend Section 1015 5 to the Fish and Game Code, relating to fish, and providing for a privilege tax in relation thereto to take effect immediately;

Assembly Bill No. 1517—An act to amend Sections 13020, 13040, 13052, 13054, 13055, and 13064 of the Water Code, relating to the control of water pollution;

Assembly Bill No. 1562—An act to amend Section 13842 of, and to add Section 13842.1 to, the Education Code, relating to the minimum annual salaries of persons employed by school districts in positions requiring certification qualifications;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of June, 1951, at 4 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1775—An act to amend Section 4 of "An act providing for the division of counties into judicial districts and for the determination of the population of said districts, and repealing Sections 27800, 27801, 27802, and 27803 of the Government Code," approved July 27, 1949, relating to judicial districts;

Assembly Bill No. 1819—An act to amend Section 1241 of the Civil Code, relating to homesteads;

Assembly Bill No. 1892—An act to amend Sections 1593, 2561, 2802, and 2833 of, and to add Sections 2561.1, 2802.1, and 2833.1 to, the Education Code, relating to the formation of school districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2453—An act to amend Section 1295 of the Penal Code, relating to bail and deposits instead of bail;

Assembly Bill No. 2665—An act to amend Section 5699 of the Elections Code, relating to casting of ballots;

Assembly Bill No. 2929—An act to amend Sections 4663, 4911 1, 4912, and 4912.2 of, and to add Section 4663 1 to, the Education Code, relating to school districts, declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of June, 1951, at 4 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3017—An act to add Article 5, to Chapter 5, Part 2, Division 3, Title 2, and to repeal Sections 16306 and 18002, of the Government Code, relating to state employment, in respect to pay roll procedure;

Assembly Bill No. 3392—An act to amend Section 117j of the Code of Civil Procedure, relating to small claims;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 61—An act to amend Section 8201 of the Government Code, relating to notaries public;

Assembly Bill No. 206—An act to amend Section 420 of, and to add Section 429 6 to, the Fish and Game Code, relating to sporting fishing licenses;

Assembly Bill No. 214—An act to amend Section 261 5 of the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties, of 2,000,000 population or more;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of June, 1951, at 4 p.m.

BURKE, Chairman

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No 2886
Assembly Bill No. 905

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today At 8 p.m.—

Finance and Insurance, in Room 3186
Municipal and County Government, in Room 426.
Judiciary, in Room 2170.

Today Upon Adjournment—

Public Utilities and Corporations, in Room 432.
Boards and Commissions, in Room 426.
Ways and Means, in Room 435.

INTERIM COMMITTEE REPORT ON WAYS AND MEANS

ASSEMBLY, CALIFORNIA LEGISLATURE
INTERIM COMMITTEE ON WAYS AND MEANS, June 7, 1951

To the Honorable Sam L. Collins, Speaker and to the Members of the Assembly

Your Interim Committee on Ways and Means presents this report of its work since the adjournment of the Sixtieth Session of the Legislature.

A meeting of the interim committee was held in Los Angeles, December 14 and 15, 1950, for the purpose of considering the financial factors involved in the pending initiative referendum and the probable cost of the proposed program for aid to the totally and permanently disabled. Preliminary figures were developed at this meeting which were of assistance to the members in their later consideration of these matters during the present session.

The Sixty-first Session of the Legislature convened on January 8, 1951. The Budget Bill, Assembly Bill No. 500, was introduced on January 11th. The committee decided to hold its budget hearings during the constitutional recess for the purpose of giving adequate consideration to the Budget Bill at a time when the subcommittee hearings would not conflict with other committee meetings during the regular session. The committee met for 16 days in January, February, and March, 1951.

Intensive work on the part of the Legislative Auditor and his staff enabled the committee to have the Analysis of the Budget Bill in printed form during these hearings. The committee had the undivided assistance of the staff of the Legislative Auditor and the Department of Finance, because the Senate Finance Committee did not commence its hearings until after the Legislature reconvened.

The committee found that the budget as presented showed more careful preparation than any budget it had considered in the past. Many items which had been criticized in the past by the Legislative Auditor and deleted by the Legislature had been eliminated from the budget by the various departments or by the Department of Finance. The committee was pleased to find that agreement had been reached by the Department of Finance and the Legislative Auditor on most requests for equipment as a result of physical inspection by representatives of those offices. The committee was thereby saved the necessity of making decisions on such questions with inadequate information.

During the 16 days of its deliberations the committee met daily and in the evenings as subcommittees, and occasionally as the entire committee. Two and three subcommittees met simultaneously, and in this way were enabled to consider the budgets of all departments during that period. A schedule of subcommittees is attached hereto as Exhibit "A". In addition special subcommittees were appointed for particular purposes as indicated on Exhibit "B".

The interim committee recommended that the state farm near Napa be sold. The report of the Legislative Auditor in the Analysis of the Budget Bill recommended this action. A bill to carry out this recommendation, Assembly Bill No. 3408, was introduced by Mr. Silliman.

The interim committee found that costs in adult education were increasing with unusual rapidity. It was reported that this was due in part to radio advertising and the popularity of courses which had a doubtful place in an educational program financed by the State. A subcommittee was appointed to study the question. It met with the Director of Education and members of his staff. The committee reported that action had been taken to withdraw State support from courses not educational in character and to eliminate certain practices which had caused unjustified State expenditures in this program. The committee reported that there was much room for improvement in the distribution of state aid for this program, but that a substantial survey would be required before a satisfactory result could be accomplished.

The committee found that much economy had been effected by restrictions in the previous budget concerning the use of state-owned automobiles. Assembly Bill No. 2005 was designed to incorporate in the statutes restrictions which would continue those economies without impairing the efficiency of employees requiring the use of automobiles. This bill was amended with care as the result of considerable effort by members of the subcommittee and the interim committee who studied this question.

The committee found that its decisions to hold budget hearings during the constitutional recess was largely justified. This procedure enabled the members of the committee upon the reconvening of the session to devote adequate time to bills before the standing committee and to their other committee assignments. The committee recognizes, however, that in the future even if this procedure is adopted it might be desirable to reserve its recommendation on many items of importance until information not available during the recess can be obtained.

The Legislature reconvened on March 12, 1951, and on March 12th the standing committee approved the amendments recommended by the interim committee and reported the Budget Bill to the Assembly with the recommendation "Do pass, as amended".

House Resolution No. 28, under which this interim committee was created, made $20,000 available for its use. Of this sum $10,456.65 has been expended to date.

This report is not intended and does not purport to be a statement of views of all the members of the committee, but to include a statement of certain actions made by a majority of those present which are not reflected in the budget amendments above referred.

Respectfully submitted.

MARVIN SHERWIN, Chairman

EXHIBIT "A"

Ways and Means Subcommittees—January, 1951

1. *Legislative Executive and General Administration—*
Chairman—Silliman

Caldecott	Lowrey
Collier	Moss
Conrad	Munnell
Erwin	Tomlinson
Gaffney	Waters

2. *Fiscal Affairs, Capital Outlay, Miscellaneous—*
Chairman—Erwin

Babbage	Kirkwood
Caldecott	Lipscomb
Clarke	Lowrey
Collier	McCarthy
Collins, George D.	Meyers
Fleury	Silliman
Hagen	

3. *Agriculture, Natural Resources—*
Chairman—Clarke

Caldecott	Hinckley
Cloyed	Lowrey
Crowley	McCarthy
Erwin	Porter
Fleury	Silliman
Hagen	

4. *Motor Vehicles, Public Works, Highway Patrol, Highway Budget, Military Affairs—*
Chairman—Butters—Fleury

Clarke	Moss
Cloyed	Munnell
Fleury	Porter
Gaffney	Silliman
Kilpatrick	Tomlinson
Klocksiem	

5. *Mental Hygiene, Veterans Affairs—*
Chairman—Hinckley

Babbage
Butters
Clarke
Cloyed
Conrad
Crowley
Gaffney
Kirkwood
Klocksiem
Meyers
McCarthy
Porter

6. *Corrections, Youth Authority—*
Chairman—Collier

Butters
Collins, George D.
Conrad
Hagen
Hinckley
Kilpatrick
Klocksiem
Lipscomb
McCarthy
Meyers
Munnell
Waters

7. *Education—*
Chairman—Lowrey

Babbage
Caldecott
Collins, George D.
Crowley
Hinckley
Kirkwood
Klocksiem
Lipscomb
Moss
Porter
Silliman

8. *Judicial, Justice, Investments, Professional and Vocational Standards, Public Utilities—*
Chairman—Collins, George D.

Babbage
Cloyed
Collier
Gaffney
Hinckley
Kilpatrick
Lipscomb
Meyers
Munnell
Tomlinson
Waters

9. *Public Health, Industrial Relations, Social Welfare, Employment—*
Chairman—Kirkwood

Butters
Conrad
Crowley
Erwin
Fleury
Hagen
Kilpatrick
Moss
Porter
Tomlinson
Waters

EXHIBIT "B"

June 7, 1951

Special Subcommittees—to Examine Particular Phases of the Budget

Adult Education

Robert Kirkwood—*Chairman*
L. Stewart Hinckley
Lloyd Lowrey

Claims

Thomas Caldecott—*Chairman*
Gordon Fleury
Glenard Lipscomb
Robert McCarthy
William Munnell

Soil Conservation

Harlan Hagen—*Chairman*
Herbert Klocksiem
John Moss, Jr.
Laughlin Waters

State Automobiles Control

Lloyd Lowrey—*Chairman*
Gordon Fleury
Stanley Tomlinson

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. McCollister and The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Erle Cocke, Jr., National Commander of the American Legion; John Sheffield, Commander's Aide; Col. Nelson M. Holderman; Stanley F. Dunmire, Department Commander; T. J. DeLasaux, 5th District Commander; Gordon A. Lyons, Department Adjutant; and Lynn G. Peterson, State Chairman, Legislation for the American Legion.

On request of Mr. Conrad, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Arthur ODell, Kathleen ODell, and Sallie ODell, of Los Angeles.

On request of Mr. Klocksiem, the usual courtesies of the Assembly for this day were unanimously extended to Dr. and Mrs. Nicholas Oddo of Long Beach.

On request of Mr. Maloney, the usual courtesies of the Assembly for this day were unanimously extended to Jacqueline Dunn of San Francisco.

On request of Mr. Gubser, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. John H. Brimberry of San Jose.

On request of Messrs. Parker and McFall, the usual courtesies of the Assembly for this day were unanimously extended to R. L. Grubbs and W. G. Heckala of Stockton.

On request of Mr. Hollibaugh, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Wm. Kirkland of Huntington Park.

On request of Mr. Cooke, the usual courtesies of the Assembly for this day were unanimously extended to Dave Strathearn of Ventura.

On request of Messrs. Cooke and Dolwig, the usual courtesies of the Assembly for this day were unanimously extended to Virginia Klassen of San Carlos, and Paul Strauss, Conductor, Ballet Russe, of New York.

On request of Mr. Doyle, the usual courtesies of the Assembly for this day were unanimously extended to Former Assemblyman and Mrs. Don Allen of Los Angeles.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Robert S. Phillips and Miss Jean Phillips of Berkeley.

On request of the Los Angeles Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Glendon Tremaine and Charles Beardsley of Los Angeles.

ADJOURNMENT

At 4.10 p.m., on motion of Mr. Geddes, the Speaker pro Tempore declared the Assembly adjourned until 10 a.m., Tuesday, June 12, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SEVENTY-NINTH LEGISLATIVE DAY

ONE HUNDRED NINTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, June 12, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Our Father, We Thank Thee For the heritage which we possess, for a land of liberty and justice for all. Grant Thy guidance as we labor to protect and continue the ideals which have brought us as a Nation to this holy destiny. As we perform our duties may we have charity in our hearts and love in our souls so that the laws enacted here may be for the benefit of all the people of the State and reflect Thy glory.

Be with the Member of this Assembly who has been called to walk in the Valley of Shadows in the loss of his mother:

"For Thee our fathers suffered,
For Thee they toiled and prayed,
Upon Thy holy altar
Their willing lives were laid.
Thou hast no common birthright,
Grand memories on Thee shine;
The blood of pilgrim nations
Commingled flows in Thine."

In Jesus' name.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Dickey, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of the death of his mother:

Mr. Hahn, on motion of Mr. McMillan.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Conrad, on motion of Mr. Waters.

Mr. Waters, by unanimous consent.

Mr. George D. Collins, by unanimous consent.

Mr. Sherwin, on motion of Mr. Hinckley.

Mr. Moss, on motion of Mr. Hinckley.

Mr. Hinckley, by unanimous consent.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA
SACRAMENTO 14
INTER-DEPARTMENTAL COMMUNICATION

DATE: June 11, 1951

TO: *Honorable Arthur A. Ohnimus*
Chief Clerk of the Assembly
State Capitol, Sacramento, California

FROM: *State Board of Equalization*
Dixwell L. Pierce, Secretary

SUBJECT: REPORT ON PROPERTY TAX ASSESSMENT UNDER SECTION 3693 OF THE POLITICAL CODE FOR SONOMA COUNTY

Pursuant to Section 3693 of the Political Code, I am transmitting herewith for filing with the Assembly a copy of a survey which has been completed under that section with respect to property tax administration in Sonoma County.

Similar reports have been submitted to the Legislature heretofore with respect to the Counties of Riverside, Imperial, Marin, Siskiyou, Solano, Alameda, Alpine, Amador, Calaveras, Inyo, Mariposa, Mono, Placer, Santa Cruz, Santa Barbara, Lassen, Contra Costa, Plumas, Monterey, San Benito, Kings and Merced.

DIXWELL L. PIERCE

Above transmitted copy of survey ordered referred to the Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Senate Bill No. 38	Senate Bill No. 1468
Senate Bill No. 39	Senate Bill No. 1700
Senate Bill No. 516	Senate Bill No. 1823
Senate Bill No. 885	

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Senate Bill No. 671
Senate Bill No. 1225
Senate Bill No. 1752

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Senate Bill No. 677
Senate Bill No. 1117

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 3112

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 3291

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 110

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 842

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Senate Bill No. 857
Senate Bill No. 1469
Senate Bill No. 1746

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

GEDDES, Chairman

Above reported bills ordered to second reading.

Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which were referred:

Senate Bill No. 749
Senate Bill No 990

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

EVANS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which was referred:

Assembly Bill No. 1071

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

EVANS, Chairman

Above reported bill ordered to third reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 621
Assembly Bill No 3450
Assembly Bill No. 3451

Has had the same under consideration, and reports the same back with the recommendation: Do pass

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 622
Assembly Bill No. 1379
Assembly Bill No. 1412
Assembly Bill No. 1422
Assembly Bill No. 2107
Assembly Bill No. 2109
Assembly Bill No. 2362

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Senate Bill No 144

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 940
Assembly Bill No. 966
Assembly Bill No. 1258
Assembly Bill No. 1405
Assembly Bill No. 1631
Assembly Bill No. 1900
Assembly Bill No. 3076
Assembly Bill No. 3300
Assembly Bill No 3445

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Legislative Representation

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Legislative Representation, to which was referred:

Assembly Bill No. 3088

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended.

DOLWIG, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 37

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Joint Resolution No. 37—Relative to maintaining a minimum lake level behind the Isabella Dam.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 40
Senate Bill No. 42
Senate Bill No. 43
Senate Bill No 77
Senate Bill No. 154
Senate Bill No. 317
Senate Bill No. 328
Senate Bill No. 399
Senate Bill No. 418
Senate Bill No. 170
Senate Bill No 460
Senate Bill No. 501
Senate Bill No. 594
Senate Bill No 619
Senate Bill No. 710
Senate Bill No. 874
Senate Bill No. 931
Senate Bill No. 932
Senate Bill No. 1133
Senate Bill No. 1156
Senate Bill No. 1288
Senate Bill No. 1423
Senate Bill No. 1493
Senate Bill No. 1537
Senate Bill No. 1609
Senate Bill No. 1625
Senate Bill No. 1760
Senate Bill No. 1825
Senate Bill No. 1828
Senate Bill No. 1831

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 40—An act to amend Sections 737e, 737v, 737ccc of the Political Code and Sections 79 5, 79.22, and 79.55 of the Code of Civil Procedure, relating to the salaries of judges of the superior court.

Referred to Committee on Judiciary.

Senate Bill No. 42—An act to add Article 7 to Chapter 2, Part 6, Division 12 of the Water Code, relating to county water districts.

Referred to Committee on Municipal and County Government.

Senate Bill No. 43—An act to add Section 31022.5 to the Water Code, relating to county water districts.

Referred to Committee on Municipal and County Government.

Senate Bill No. 77—An act to amend Section 11622 of the Insurance Code, relating to insurance.

Referred to Committee on Finance and Insurance.

Senate Bill No. 154—An act to amend Section 737o of the Political Code and Section 79.15 of the Code of Civil Procedure, relating to salaries of Judges of the Superior Court in Kern County.

Referred to Committee on Judiciary.

Senate Bill No. 317—An act to add Sections 12105.1 and 12105.2 to the Education Code, relating to applicants for certification documents authorizing service in the public schools.

Referred to Committee on Education.

Senate Bill No. 328—An act to amend Section 737hh of the Political Code, and Section 79.34 of the Code of Civil Procedure, relating to superior judges' salaries.

Referred to Committee on Judiciary.

Senate Bill No. 399—An act to amend Section 2110 of the Streets and Highways Code, relating to apportionments to counties payable from the Highway Users Tax Fund.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 418—An act to amend Section 737mm of the Political Code, and Section 79.39 of the Code of Civil Procedure, relating to superior court judges' salaries.

Referred to Committee on Judiciary.

Senate Bill No. 170—An act to amend Section 737ddd of the Political Code and Section 79.56 of the Code of Civil Procedure, relating to judges of the superior court.

Referred to Committee on Judiciary.

Senate Bill No. 460—An act to add Sections 549, 550, 551, 552, 553, 554, and 555 to the Fish and Game Code, relating to fish screens.

Referred to Committee on Fish and Game.

Senate Bill No. 501—An act to amend Section 407 of the Education Code, relating to county school superintendents' salaries in counties of the seventh class.

Referred to Committee on Municipal and County Government.

Senate Bill No. 594—An act to amend Section 737w of the Political Code and Section 79.23 of the Code of Civil Procedure, relating to superior judges' salaries.

Referred to Committee on Judiciary.

Senate Bill No. 619—An act to amend Section 737qq of the Political Code, relating to superior judges' salaries.

Referred to Committee on Municipal and County Government.

Senate Bill No. 710—An act to amend Sections 737oo of the Political Code and 79.41 of the Code of Civil Procedure, relating to superior judges' salaries.

Referred to Committee on Judiciary.

Senate Bill No. 874—An act to add Section 1556.1 to and to amend Section 1557 of, the Labor Code, relating to employment agencies.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 931—An act to amend Section 20045 of the Water Code, relating to certification of bond issues.

Referred to Committee on Agriculture.

Senate Bill No. 932—An act to amend Section 23626 of the Water Code, relating to improvement districts in irrigation districts, and declaring the urgency of this act, to take effect immediately.

Referred to Committee on Agriculture.

Senate Bill No. 1133—An act to amend Section 50128 of the Water Code, relating to reclamation districts.

Referred to Committee on Agriculture.

Senate Bill No. 1156—An act to amend Sections 737ee of the Political Code and 79.31 of the Code of Civil Procedure, relating to superior court judges' salaries.

Referred to Committee on Judiciary.

Senate Bill No. 1288—An act providing for the constitution of the municipal court in the district known and designated as the Central Judicial District of Marin County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Senate Bill No. 1423—An act to amend Sections 9906 and 9909 of the Government Code, relating to regulation of legislative representation.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1493—An act to add Section 451.1 to the Unemployment Insurance Act, relating to disability payments.

Referred to Committee on Finance and Insurance.

Senate Bill No. 1537—An act to amend Section 737u of the Political Code, and Section 79.21 of the Code of Civil Procedure, relating to superior court judges' salaries.

Referred to Committee on Judiciary.

Senate Bill No. 1609—An act to amend Section 111 to the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

Senate Bill No. 1625—An act to add Chapter 6.5 to Division 2, comprising Sections 2840 to 2895 to the Business and Professions Code, relating to the practice of vocational nursing.

Referred to Committee on Public Health.

Senate Bill No. 1760—An act creating the "Solano County Flood Control and Water Conservation District" for the purpose of controlling and conserving storm, flood and other surface waters for any beneficial use, and for the protection of life and property in said district, for the purpose of cooperating and contracting with the United States, the State of California, municipalities, reclamation, irrigation and other certain districts and political subdivisions for the storage and diversion, the transportation and delivery, and the selling or other disposition of such water, and the obtaining of water or water supply and the sale or other distribution of water; to provide for the powers of such district necessary to carry out its purposes including among other powers the right to contract, the right to acquire property and to acquire water or a water supply, the right to purchase and sell water, the right to acquire or construct or have constructed dams, conduits and other works for the control, conservation, diversion, transportation and distribution of such water, the right to make contributions in aid of construction and acquisition of such works and aid in obtaining water and a water supply, the right to assume indebtedness either as principal, guarantor or underwriter, certain rights to appropriate water, to acquire water rights and to sell water and to collect charges for water used; to provide for the organization, government and management of said district and establish the boundaries thereof, and to provide for certain powers, rights and liability of member units located within or partially within said district, and to provide for the appointment, powers, duties, liabilities and compensation of the officers and employees of said district; to provide certain officers and employees of the County of Solano shall be ex officio officers and employees of said district, to authorize the incurring of indebtedness, the voting and/or issuing and selling of bonds, the voting and/or levying of special assessments; the levying and collection of taxes; to provide that the existence, property and powers of municipalities or public districts and subdivisions located within or partially within said district shall not be affected by this act; and to empower municipalities, water conservation districts, reclamation districts, irrigation districts, flood control districts and any other political subdivisions of the State empowered by law to appropriate water and to deliver it to users to enter into contracts with the district and to carry out the terms of said contracts.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 1825—An act to amend Sections 737yy and 737fff of the Political Code and Sections 79 51 and 79.58 of the Code of Civil Procedure, relating to salaries of judges of the superior court.

Referred to Committee on Judiciary.

Senate Bill No. 1828—An act to amend Sections 11512.2 and 11512.3 of, and to add Section 11512 25 to the Insurance Code, relating to nonprofit hospital service plans.

Referred to Committee on Public Health.

Senate Bill No. 1831—An act to amend Sections 2.2 and 14 of the Orange County Flood Control Act, relating to the purchase and resale of water and authorizing the levy and collection of additional taxes for such purposes.

Referred to Committee on Municipal and County Government.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 88

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 88—Relative to the Joint Rules of the Senate and Assembly.

Resolution ordered temporarily held at desk.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 2591—An act to add Sections 7432 and 7433 to the Business and Professions Code, relating to regulation of the practice of cosmetology.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Sections 7432 and 7433", and insert "amend Section 7372 of and to add Section 7326".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 7326 is added to the Business and Professions Code to read:

7326. Nothing in this chapter shall authorize the use of wall plates and therapeutic lights in any cosmetological establishment, school of cosmetology, hair dressing

shop, beauty parlor or any other place of business in which any one or any combination of the occupations of a hairdresser and cosmetician or cosmetologist are taught or practiced, nor shall the use of wall plates and therapeutic lights be taught in any school of cosmetology.

No person engaged in the practice of cosmetology or any of its branches shall use wall plates and therapeutic lights.

SEC. 2. Section 7372 of the Business and Professions Code is amended to read:

7372. Examinations for certificates of registration and license as hairdressers and cosmeticians or cosmetologists shall include practical demonstrations in shampooing the hair, haircutting, hairdressing, permanent waving, wet hairdressing, water waving, hair coloring, manicuring and facial and scalp message with the hands. They shall also include written and oral tests in antisepsis, sterilization, sanitation and the use of [such simple electricity as necessary pertaining to the use of permanent waving machines and hair dryers as applicable to the practice of the occupation of a hairdresser and cosmetician or cosmetologist.] *mechanical apparatus and electricity (with the exception of the wall plate and therapeutic lights) as applicable to the practice of the occupation of a hairdresser and cosmetician or cosmetologist.*

The scope of examinations in any other branch of cosmetology shall be such as the board, in its discretion, may require."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 25, inclusive.

Amendment No. 4

On page 2 of said bill, strike out lines 1 to 5, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 293—An act to add Sections 36 and 37 to the Agricultural Code, relating to the establishment of a state laboratory for the diagnosis of disease in livestock and poultry, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, lines 15 and 16, of the printed bill, as amended in the Assembly on May 24, 1951, strike out "of the School of Veterinary Science either at Berkeley or Davis, California", and insert "now or hereafter operated elsewhere by the Department of Agriculture for similar purposes".

Amendment No. 2

On page 1, lines 21 and 22, of said bill, strike out "of _____ dollars ($_____)", and insert "of two hundred fifty thousand dollars ($250,000)".

Amendment No. 3

On page 1, line 23, of said bill, strike out "purchasing site for, construction of." and insert "constructing,".

Amendment No. 4

On page 1, of said bill, after line 25, insert

"The appropriation made by this act shall not be available for expenditure unless and until land providing a site for such laboratory which is approved by the Department of Agriculture is available for use without cost to the State."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

RESOLUTIONS

The following resolution was offered:

By Mr. Chapel:

House Resolution No. 183

Relative to the creation of the Assembly Interim Committee on Educational Practices and Textbooks

WHEREAS, It is ever essential that the Legislature exercise eternal vigilance to protect and preserve our cherished principles of freedom and democracy; and

WHEREAS, It is vital that our System of Public Education be safeguarded and protected against attempts by those persons and groups, who would undermine and destroy the American way of life, to utilize our educational institutions as a means of achieving their vicious purposes, and who seek to corrupt and pervert the ideals of our students by the subtle insertion of propaganda in school textbooks, mocking and condemning our national ideals and standards and praising and advocating the economic and political ideologies of alien powers; and

WHEREAS, In this connection, we call attention to the textbook, *"Our American Neighbors,"* used in the public schools of this State, in which the authors, with the apparent approval of the State Curriculum Commission, at pages 208 and 209 voice their praise for State Socialism, hold it up for admiration, and by implication denounce the America form of government and our economic practices; and

WHEREAS, State legislation to combat this problem can best be based on a thorough and impartial fact-finding study, in order that the Members of the Legislature may be fully informed thereon; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Educational Practices and Textbooks is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the State Department of Education, the Superintendent of Public Instruction, the State Curriculum Commission, and all matters pertaining in any way to textbooks, curricula, and educational programs and practices at all levels in the public schools and colleges in this State, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, *including any recess, and after final adjournment until the commencement of the 1953* Regular Session, with authority to file its final report not later than the twentieth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 93: By Mr. Chapel—Relating to observance of Flag Day.

Referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 3076 BE RE-REFERRED TO COMMITTEE

Mr. Lyon asked for, and was granted, unanimous consent that Assembly Bill No. 3076 be withdrawn from the third reading file, and be re-referred to the Committee on Boards and Commissions.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1529—An act to amend Section 5050.3 of the Welfare and Institutions Code, relating to emergency admission to institutions of persons who are believed to be mentally ill and to require immediate care and treatment.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1529?

Amendment No. 1

On page 1, line 11, of the printed bill, as amended in the Assembly on May 17, 1951, after "hospital", strike out the comma.

Amendment No. 2

On page 2, line 2 of said bill, as amended, strike out "regularly licensed hospital, sanitarium,".

Amendment No. 3

On page 2, line 3, of said bill, as amended, after "hospital", strike out the comma.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1529 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sillman, Smith, Stanley, Stewart, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 1529 ordered enrolled.

Hon. Richard J. Dolwig Presiding

At 10.20 a.m.; Hon. Richard J. Dolwig, Member of the Assembly from the Twenty-seventh District, presiding.

Assembly Bill No. 50—An act to amend Sections 428 and 404 of the Fish and Game Code, relating to fishing licenses.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 50?

Amendment No. 1

On page 1, line 22, of the printed bill, as amended in the Assembly on April 12, 1951, after "only.", insert "The amendments to this section shall become effective with the issuance of licenses for the 1952 fishing season."

Amendment No. 2

On page 2 of said bill, as amended, after line 8, insert

"SEC. 3. The provisions of subsection (e) of Section 428 shall be effective until the ninety-first day after final adjournment of the 1953 Regular Session of the Legislature and thereafter shall have no force or effect."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 50 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, and Stewart—61.

NOES—None.

Assembly Bill No. 50 ordered enrolled.

Assembly Bill No. 1001—An act to amend Section 25 of the Municipal and Justice Court Act of 1949, relating to municipal and justice courts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1001?

Amendment No. 1

On page 1 of the printed bill, as amended on April 25, 1951, strike out lines 8 and 9; and on line 10, strike out "each month, by the clerk of each court.", and insert compensation of such judges, clerks and other officers and attaches of each court, except marshals or constables thereof, shall be certified to the county auditor each month by the clerk of such court, if there is a clerk, otherwise by the judge of such court. A list showing the amount of compensation of the marshals of each municipal court, or the constables in each judicial district shall be certified to the county auditor each month by the marshal of such municipal court, or the constable of such judicial district."

Amendment No. 2

In line 1 of the title of the printed bill, as amended in the Senate on June 6, 1951, strike out "Section 25", and insert "Sections 25 and 36".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 2 of said bill, after line 8, insert

"SEC. 2. Section 36 of said act is amended to read:

Sec. 36. The board of supervisors shall regulate the compensation of the judges and constables of justice courts, and prescribe the number, qualifications and compensation of such clerks, deputies and other attaches of justice courts as public convenience may require; provided, however, that in any county governed by a freeholder's charter, all such matters shall be regulated in the manner, if any, set forth in the charter with respect to township officers and employees [; and provided, further, that the salaries of judges of justice courts, however fixed, shall not be less than that specified in a schedule of minimum salaries to be prescribed by the Legislature].

In addition to their salaries, judges and clerks of justice courts shall be allowed their necessary traveling expenses at the rate fixed by the board of supervisors when the business of the court shall require their attendance at any session thereof held at a greater distance than 12 miles from the principal office or place designated for holding regular sessions of the court, and the board of supervisors may allow the judges, officers and attaches of justice courts other expenses incurred in the actual performance of their duties."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1001 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stewart, and Tomlinson—59.
NOES—None.

Assembly Bill No. 1001 ordered enrolled.

Assembly Bill No. 1999—An act to amend Sections 353.10, 351.9, 357.1, and 357.2 of, and to add Section 352 to, the Agricultural Code, relating to animals, including provisions relative to slaughter, hides, inspection, and meat thereof.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1999?

Amendment No. 1

On page 1, line 19, of the printed bill, as amended in the Assembly on May 7, 1951, strike out "or any part of the carcass".

Amendment No. 2

On page 2, line 32, of said bill, as amended, strike out "or gives away".

Amendment No. 3

On page 2, line 33, of said bill, as amended, strike out "or donee".

Amendment No. 4

On page 2, line 34, of said bill, as amended, strike out "or donee".

Amendment No. 5

On page 2, line 35, of said bill, as amended, strike out "or donor and buyer or"; and strike out lines 36 and 37, and insert "and buyer, the date of the sale and the quantity sold. The buyer shall retain said tag or memorandum for 30".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1999 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Luckel, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, and Stanley—56
NOES—None.

Assembly Bill No. 1999 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1080

Mr. Caldecott asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 1080, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1080—An act to add Sections 31469.1, 31470.1, and 31557.1 to, and Articles 6.5, 8.5, 10.5, and 12.5 to Chapter 3, Part

3, Division 4, Title 3 of, the Government Code, relating to the retirement of county employees.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1080?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on March 30, 1951, strike out "8 5", and insert "8.3".

Amendment No. 2

On page 2, line 11, of said bill, as amended, strike out "8.5", and insert "8.3".

Amendment No. 3

On page 3, line 18, of said bill, as amended, strike out "8.5", and insert "8.3".

Amendment No. 4

On page 3, line 21, of said bill, as amended, strike out "8.5", and insert "8.3".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1080 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 1080 ordered enrolled.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 3357—An act to amend Section 204e of the Code of Civil Procedure, relating to the duties and compensation of the secretary and jury commissioner of the superior court, and assistants.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3357?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 10, 1951, strike out "Section 204e of", and insert "Sections 204e and 261e of, and to add Section 263 to,".

Amendment No. 2

Strike out lines 2 and 3 of the title of said bill, as amended, and insert "relating to superior court employees in counties, or cities and counties."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 2 of said bill, as amended, after line 5, insert

"SEC. 2. Section 261e of the Code of Civil Procedure is amended to read:

261e In each county, or city and county, having a population of more than [six hundred] *seven hundred fifty* thousand and less than nine hundred thousand inhabitants, the judges of the superior court in and for such county, or city and county, a majority thereof concurring therein, to assist the court in the transaction of the judicial business of said court, may appoint the following employees:

(1) Grand jury statistician, at a salary of [five thousand five hundred twenty dollars ($5,520)] *six thousand dollars ($6,000)* per annum;

(2) Five senior legal stenographers, each at a salary of [three thousand nine hundred sixty dollars ($3,960)] *four thousand two hundred dollars ($4,200)* per annum;

(3) One senior clerk at a salary of three thousand [seven hundred twenty dollars ($3,720)] *nine hundred dollars ($3,900)* per annum;

(4) [Three] *Two* secretary-telephone operators, each at a salary of [two thousand eight hundred eighty dollars ($2,880)] *three thousand three hundred dollars ($3,300)* per annum;

(5) One probate court commissioner at a salary of six thousand dollars ($6,000) per annum;

(6) One head clerk at a salary of four thousand [four hundred forty dollars ($4,440)] *eight hundred dollars ($4,800)* per annum;

(7) Two domestic relations cases investigators each at a salary of four thousand two hundred ($4,200) per annum;

(8) One law clerk at a salary of four thousand eight hundred dollars ($4,800) per annum;

(9) One general clerk at a salary of three thousand three hundred ($3,300) per annum;

All of the employees provided in this section shall be allowed actual traveling and necessary expenses incurred while engaged in the duties of their office.

The salaries in this section provided for shall be paid in monthly installments out of the salary fund of the county, or city and county, or, if there be no salary fund, then out of such fund as other salary demands against such county, or city and county, are paid.

The expenses in this section provided for shall be paid in monthly installments out of the General Fund, and both salaries and expenses shall be allowed and audited in the same manner as other demands against the county, or city and county, are required by law to be allowed and audited.

SEC. 3. Section 263 is added to the Code of Civil Procedure, to read:

263. In any county, or city and county, which is authorized by law to have domestic relations cases investigators, it shall be the duty of such domestic relations cases investigators, in any divorce action then pending wherein the parties thereto have minor children, to investigate and to report to the judge of the court wherein such action is to be tried all pertinent information as to the care, welfare and custody of the minor children of the parties to the divorce action.

Such report shall be filed not less than 10 days before the date set for the trial of the divorce action with the clerk of the court wherein such action is to be tried, and not less than 10 days before the trial of such action a copy of the report shall be served on each party to the divorce action.

The report of the investigators shall be admitted in evidence upon the stipulation of both parties, and shall be competent evidence as to all matters contained therein.

Such investigator or investigators who have investigated the care, welfare and custody of the minor children as provided for in this section, shall be present at the trial of the divorce action of the parties who are the parents or custodians of such minor children, and may be called to testify by the judge or either party as to any matter which they have investigated. The testimony of such investigators shall be subject to questions direct and cross which are proper, and shall be competent as evidence.

Nothing in this section shall be construed as limiting a domestic relations cases investigator's duty to assist the superior court appointing him in the transaction of the judicial business of said court."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3357 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, and Stewart—58.

NOES—None.

Assembly Bill No. 3357 ordered enrolled.

Speaker Presiding

At 10.28 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 2128—An act to add Section 644.2 to the Agricultural Code, relating to colored oleomargarine.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 2128 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—Belotti, Chapel, Condon, Davis, Dills, Elliott, Gubser, Henderson, Kilpatrick, Kirkwood, Luckel, McCarthy, Parker, and Silliman—14

NOES—Babbage, Beck, Berry, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, Connolly, Cooke, Crowley, Dolwig, Doyle, Dunn, Erwin, Evans, Gaffney, Grunsky, Hansen, Hawkins, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Stanley, Stewart, Tomlinson, and Mr. Speaker—44.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2009

Mr. Dolwig asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2009, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2009—An act to amend Section 10291.5 of the Insurance Code, relating to disability insurance policies.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2009?

Amendment No. 1

On page 1, line 7, of the printed bill, as amended in the Assembly on May 30, 1951, strike out "insurance", and insert "issuance".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2009 by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hawkins, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Tomlinson, and Mr. Speaker—54.

NOES—None.

Assembly Bill No. 2009 ordered enrolled.

Hon. Richard J. Dolwig Presiding

At 10.34 a.m., Hon. Richard J. Dolwig, Member of the Assembly from the Twenty-seventh District, presiding.

RECONSIDERATION OF ASSEMBLY BILL NO. 3183

In compliance with a notice given on a previous day, Mr. Kirkwood moved that the vote whereby Assembly Bill No. 3183 was refused passage be reconsidered.

The roll was called, and Assembly Bill No. 3183 reconsidered by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Henderson, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay,

Lipscomb, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Munnell, Niehouse, Potter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—58.

NOES—Parker—1.

Request for Unanimous Consent to Take Up Assembly Bill No. 3183

Mr. Kirkwood asked for, and was granted unanimous consent to take up Assembly Bill No. 3183, for purpose of amendment.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 3183

Assembly Bill No. 3183—An act to add Sections 4017 and 26470.5 to, the Health and Safety Code, relating to public health.

Bill read third time.

Motion to Amend

Mr. Kirkwood moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on June 4, 1951, strike out "Sections 4017 and", and insert "Section".

Amendment No. 2

In line 2 of the title of said bill, after "26470.5 to", strike out the comma.

Amendment No. 3

On page 2 of said bill, strike out lines 4 to 25, inclusive, and insert "SECTION 1. Section 26470.5 is added to the Health and Safety Code to read:".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

NOTICE OF MOTION TO REPEAL RULE NO. 55 OF STANDING RULES CONTINUED

By unanimous consent the notice of motion, by Mr. Sam L. Collins, to repeal Rule No. 55 of the Standing Rules of the Assembly was continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 10.40 a.m., Mr. McMillan asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Boards and Commissions in Room 3126, at this time.

Subject: Assembly Bills Nos. 3426, 3076, and 3448; and Senate Bills Nos. 1545, 1544, 1632, 1672, and 1639.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 464

Mr. Grunsky asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 464, temporarily passed on file

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 464—An act to amend Section 303 of the Probate Code, relating to disqualification of judges.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 464?

Amendment No. 1

On page 1, line 10, of the printed bill, after "will", insert "or participated in the preparation of a will".

The roll was called, and the Assembly refused to concur in Senate amendment to Assembly Bill No. 464 by the following vote:

AYES—Belotti, Brown, Chapel, Davis, Evans, Hansen, Klocksiem, Niehouse, and Shaw—9

NOES—Babbage, Beck, Berry, Burke, Burkhalter, Caldecott, Clarke, Cloved, Collier, Connolly, Crowley, Dills, Dunn, Elliott, Erwin, Fleury, Grant, Grunsky, Gubser, Henderson, Kelly, Kirkwood, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, McFall, McGee, Meyers, Morris, Porter, Rosenthal, Rumford, Sillman, Smith, Stanley, Stewart, and Thomas—40

Appointment of Committee on Conference Concerning Assembly Bill No. 464

The Speaker announced the appointment of Messrs. Brown, Caldecott, and Grunsky as a Committee on Conference concerning Assembly Bill No. 464.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 848

Mr. Cloved asked for, and was granted, unanimous consent to take up Senate Bill No. 848, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 848

Senate Bill No. 848—An act to amend Sections 30004, 30005, 30006, 30008, 30100, 30101, and 30155 of the Streets and Highways Code, relating to toll bridges, subways, tunnels, tubes, ferries and highways.

Bill read third time.

Motion to Amend

Mr. Cloved moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 49, of the printed bill, as amended in the Senate on May 2, 1951, after "ferry", insert ", and all its assets, liabilities, and obligations, including any and all its liabilities and obligations to its employees".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 850

Mr. Cloved asked for, and was granted, unanimous consent to take up Senate Bill No. 850, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 850

Senate Bill No. 850—An act to provide for the organization, incorporation and government of municipal corporation tunnel authorities, authorizing and empowering such authorities to acquire, construct, operate and manage tunnels or tubes under, through or across waters, straits,

bays, arms of bays, rivers, estuaries or streams of water which are within or bound or lie or border upon any municipal corporation in this State, to issue revenue bonds to pay for the acquisition and construction of such tunnels or tubes, and to charge and collect charges or tolls for the use of said tunnels or tubes.

Bill read third time.

Motion to Amend

Mr. Cloyed moved the adoption of the following amendment:

Amendment No. 1

On page 4, line 36, of the printed bill, as amended in the Senate on May 2, 1951, after "ferry", insert ", and all its assets, liabilities, and obligations, including any and all its liabilities and obligations to its employees".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

BILLS WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file.

Assembly Bill No. 3440, on request of Mr. Kirkwood.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2712—An act to add Sections 6 and 7 to an act entitled "An act providing for loans to municipalities and districts for sewerage and storm drainage facilities, prescribing the conditions under which such loans shall be made, creating the State Water Pollution Control Fund, and making an appropriation," approved July 28, 1949, relating to protection of quality of underground waters.

Bill read third time.

Motion to Amend

Mr. Dickey moved the adoption of the following amendment:

Amendment No. 1

In line 7 of the title of the printed bill, as amended in the Assembly on June 7, 1951, after "waters", insert ", and making an appropriation".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 2043—An act to amend Section 10 of, to repeal Sections 13 and 1420 of, and to add Section 13 to, the Fish and Game Code, relating to the enforcement and administration of the laws relating to fish and game, relieving the Fish and Game Commission of the administration of the Division of Fish and Game, Department of Natural Resources.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Cooke, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen,

Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Niehouse, Parker, Porter, Rosenthal, Shaw, Smith, Stanley, and Thomas—55.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 295—An act to add Section 626.5 to, and to amend Section 685 of, the Agricultural Code, relating to milk.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Connolly, Cooke, Crowley, Davis, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, McCarthy, McCollister, McFall, Meyers, Morris, Niehouse, Parker, Porter, Rosenthal, Shaw, Silliman, Smith, Stanley, Stewart, and Thomas—55.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1806—An act to amend Sections 1101, 1102.2, 1102.3, and 1107 of the Agricultural Code, relating to eggs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, George D. Collins, Connolly, Cooke, Crowley, Dills, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, McCarthy, McCollister, McFall, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, and Thomas—56.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1142—An act to add Section 674.5 to the Agricultural Code, relating to the labeling of milk products other than butter, cheese, and ice cream.

Bill read third time.

Motion to Amend

Mr. Connolly moved the adoption of the following amendments:

Amendment No. 1

Strike out line 2 of the title of the printed bill, as amended in the Assembly on June 7, 1951, and insert "standards and labeling for milk and milk products containing other foods".

Amendment No. 2

On page 1 of said bill, strike out lines 12 to 16, inclusive, and insert

"674.5. In addition to the standards for milk and milk products adopted in accordance with or pursuant to this division, the director is hereby authorized, after hearing, to adopt separate standards and labeling requirements for any product consisting of milk or milk products containing an added food product of a kind not derived from milk and for which combination of such food product with milk or milk products no standard has been established or otherwise provided for in this division."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Speaker Presiding

At 10.51 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Assembly Bill No. 2195—An act to add Chapter 7 to Division 20 of the Health and Safety Code, relating to hog farms.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Collier, Condon, Cooke, Crowley, Davis, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Hagen, Hawkins, Henderson, Kilpatrick, Klocksiem, Lanterman, Lipscomb, Lowrey, McFall, McGee, Morris, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, and Tomlinson—43.

NOES—Belotti, Clarke, Cloyed, Grunsky, Gubser, Hansen, Kelly, Kirkwood, Lindsay, Luckel, Niehouse, Sherwin, and Silliman—13.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2479

Mr. Stewart asked for, and was granted unanimous consent to take up Assembly Bill No. 2479, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 2479

Assembly Bill No. 2479—An act to amend Section 19538 of, and to add Sections 19538.1, and 19538.2 to the Business and Professions Code, relating to horse racing.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Cooke, Crowley, Davis, Dickey, Dills, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, McCarthy, McFall, McGee, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—59.

NOES—Hagen—1.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolutions were offered:

By Mr. Geddes:

House Resolution No. 184

Relative to the introduction of resolutions

WHEREAS, The principle of home rule for local governments on local affairs is now firmly embodied in the California Constitution; and

WHEREAS, The election of candidates to public offices in the local governments in this State is, and should be, a matter of purely local concern, and should not be influenced by any action of the State Legislature; now, therefore, be it

Resolved by the Assembly of the State of California, That no Member of the Assembly shall introduce any resolution designed to aid or adversely affect the campaign of any candidate for local office; and be it further

Resolved, That if any such resolution is introduced it shall not be received, nor shall it be printed or appear in the Assembly Journal.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Brown:

House Resolution No. 185

Relative to studying the continuous revision of the statute law by the Assembly Interim Committee on Judiciary

WHEREAS, By the enactment of the Financial Code and of the Public Utilities Code, as Chapters 364 and 764, respectively, of the Statutes of 1951, the Legislature

has enacted the last two codes called for by the California Code Commission's long-recommended plan of organizing the statutes of the State into 24 codes; and

WHEREAS, It appears from the 1950 Report of the California Code Commission, heretofore filed with each of the Members of the Legislature, that the commission anticipates bringing its work of codifying the laws of the State to substantial completion by the time the 1953 General Session of the Legislature convenes; and

WHEREAS, The commission has recommended that the problem of "keeping the codes in shape" and the problem of carrying forward a program for continuous revision of the statute law, both in matters of form and substance, be made the subject of careful study during the interim between the 1951 and 1953 General Sessions of the Legislature; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Judiciary is authorized and directed to ascertain, study and analyze all facts relating to the subject matter of the recitals of this resolution, and particularly to the desirability of directing the California Code Commission or some other law revision agency to undertake a continuing program of revising the statute law, including but not limited to a study of the experience of other states (such as the State of New York which has carried on such work over a period of years) and of the desirability of providing representation by Members of the Legislature on any such agency, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Stewart:

House Resolution No. 186

Relative to the creation of the Assembly Interim Committee on Governmental Efficiency and Economy

WHEREAS, The complicated machinery of State and local Government in this State, erected to serve the citizens of this State can function only under law; and

WHEREAS, Numerous changes in the organization and administration of State and Local Government are proposed at each session of the Legislature by reason of new circumstances constantly arising which previous statutes did not contemplate; and

WHEREAS, It is necessary for the Legislature to study these circumstances carefully, with a view to revising and amending the laws relating thereto, in order that the most efficient, economical and equitable administration of the laws may be fostered; and

WHEREAS, During the interim between sessions it is desirable to ascertain and collate the facts upon which legislation may be based, which fact-finding work can best and most expeditiously be performed through a legislative committee charged with the duty of considering every phase of the subject; now, therefore be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Governmental Efficiency and Economy is hereby created and authorized and directed to ascertain, study, and analyze accurately and in detail all facts relating to the State Government and the government of counties, cities, and districts in this State and of any department, agency, or subdivision thereof, particularly with respect to their organization, functions, and administration, for the purpose of recommending changes and proposing legislation in order to promote efficiency, to reduce and eliminate costs, to provide for the consolidation of functions and removal of duplication, and to do all other things necessary and proper to increase the efficiency and effectiveness of the state and local governments and the agencies and subdivisions thereof, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of 11 members of the standing Committee on Governmental Efficiency and Economy of the Assembly, the membership to be appointed by the Speaker. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the final legislative day of the 1953 Regular Session.

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution

(f) To meet at the State Capitol or at any other place in this State or within the United States.

6. The sum of thirty thousand dollars ($30,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 850—An act to amend Section 10375 of the Health and Safety Code, relating to registration of births, deaths, and marriages.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. McCarthy:

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 1030 to the Government Code, relating to the discharge of any employee of the University of California or of any state college who is a member of any Communist front or Communist action organization.

Respectfully submitted.

ROBERT I. McCARTHY

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. McCarthy:

An act to add Section 1030 to the Government Code, relating to the discharge of any employee of the University of California or of any state college who is a member of any Communist front or Communist action organization.

GRUNSKY, Vice Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—66.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3455: By Mr. McCarthy (By request of Messrs. Babbage, Connolly, Doyle, and Kelly)—An act to add Section 1030 to the Government Code, relating to the discharge of any employee of the University of California or of any state college who is a member of any Communist front or Communist action organization.

Referred to Committee on Governmental Efficiency and Economy.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1530—An act amending Sections 5050, 5050.1, 5050.2, and 5050.5 of the Welfare and Institutions Code, relating to procedure for examination of the mental health of a person alleged to be mentally ill and to court orders concerning such procedures.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 812—An act to amend the title of Chapter 4 of Division 20 of, and to add Section 24404 to, the Health and Safety Code, relating to the prevention of accidents.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2858—An act to add Section 4665.5 to the Health and Safety Code, relating to the financing of sanitation and sewerage systems.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2947—An act to add Section 5083.2 to the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—63

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2825—An act to add Section 160.96 to the Agricultural Code, relating to agricultural pest control business and establishing limitation upon bringing of action for loss suffered in connection therewith.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—65.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 13
Assembly Constitutional Amendment No. 62
Assembly Constitutional Amendment No. 64

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 18
Assembly Bill No. 302
Assembly Bill No. 380
Assembly Bill No. 1072
Assembly Bill No. 1463
Assembly Bill No. 1684
Assembly Bill No. 2129
Assembly Bill No. 2367
Assembly Bill No. 2904
Assembly Bill No. 3122
Assembly Bill No. 3345

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Senate Bill No. 543

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 175
Assembly Bill No. 712
Assembly Bill No. 2212
Assembly Bill No. 2384

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 3326

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 2114

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 1496

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Senate Bill No. 1200
Senate Bill No. 1203
Senate Bill No. 1204

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 1818
Assembly Bill No. 3090

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR SPEAKER: Your Committee on Ways and Means, to which was referred:

Senate Bill No. 1524

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bill ordered to second reading.

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Senate Constitutional Amendment No. 25

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CROWLEY, Chairman

Above reported resolution ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Senate Constitutional Amendment No. 28

Has had the same under consideration, and reports the same back with the recommendation. Be adopted.

CROWLEY, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Constitutional Amendments, to which were referred:

Assembly Constitutional Amendment No. 13
Assembly Constitutional Amendment No. 62

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

CROWLEY, Chairman

Above reported resolutions ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No. 64

Has had the same under consideration, and respectfully reports the same back without recommendation.

CROWLEY, Chairman

Above reported resolution ordered engrossed.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 2301

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)

CONSIDERATION OF HOUSE RESOLUTION NO. 171

By Mr. Lowrey:

House Resolution No. 171

Congratulating Commander Hamilton B. Joslin, U. S. N. R

WHEREAS, Hamilton B. Joslin enlisted in the United States Navy in 1930 at the age of 17 and was discharged therefrom in 1934 and joined the United States Naval Reserve in 1940 with the commission of Ensign; and

WHEREAS, While on active duty with the Navy in World War II he took part in the North Atlantic-Arctic Submarine Patrol for which service he was decorated, and served in the Asiatic and Southwest Pacific waters on submarines and attack transports of the Navy, and

WHEREAS, He was promoted through the various ranks to that of Lieutenant Commander before he was ordered to inactive duty in 1950; and

WHEREAS, In the service of the State of California after his return from naval duties, he served in the Legislative Auditor's office and with the Assembly Interim Committee on Public Lands; and

WHEREAS, Hamilton B Joslin left the state service in March, 1951, to return to the naval service with the rank of Commander; now, therefore, be it

Resolved by the Assembly of the State of California, That the members thereof congratulate Commander Hamilton B Joslin, U. S. N. R., upon his promotion, and express their appreciation of the services he rendered to the State and to Members of the Assembly during his sojourn in civilian life; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit to Commander Hamilton B. Joslin a suitably engrossed copy of this resolution.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In the measure as printed in the Assembly Journal of June 4, 1951, at page 5080, in the last line of the last paragraph, strike out "engrossed", and insert "prepared".

Amendment read, and adopted.

Consideration of House Resolution No. 171, as Amended

By Mr. Lowrey:

House Resolution No. 171

Congratulating Commander Hamilton B. Joslin, U.S.N.R.

WHEREAS, Hamilton B Joslin enlisted in the United States Navy in 1930 at the age of 17 and was discharged therefrom in 1934 and joined the United States Naval Reserve in 1940 with the commission of Ensign; and

WHEREAS, While on active duty with the Navy in World War II he took part in the North Atlantic-Arctic Submarine Patrol for which service he was decorated, and

served in the Asiatic and Southwest Pacific waters on submarines and attack transports of the Navy; and

WHEREAS, He was promoted through the various ranks to that of Lieutenant Commander before he was ordered to inactive duty in 1950; and

WHEREAS, In the service of the State of California after his return from naval duties, he served in the Legislative Auditor's office and with the Assembly Interim Committee on Public Lands; and

WHEREAS, Hamilton B Joslin left the state service in March, 1951, to return to the naval service with the rank of Commander; now, therefore, be it

Resolved by the Assembly of the State of California, That the members thereof congratulate Commander Hamilton B. Joslin, U.S.N.R., upon his promotion, and express their appreciation of the services he rendered to the State and to Members of the Assembly during his sojourn in civilian life; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit to Commander Hamilton B. Joslin a suitably prepared copy of this resolution.

Resolution read, as amended, and adopted unanimously.

CONSIDERATION OF HOUSE RESOLUTION NO. 172

By Mr. Connolly:

House Resolution No. 172

Relative to the study of the Alcoholic Beverage Control Act

WHEREAS, There was pending before the Boards and Commissions Committee of the Assembly, Assembly Bill No. 3395 relating to the sale of beer and wine with specific reference to the wholesaler-retailer licensees; and

WHEREAS, Said committee voted that the subject matter should be studied by an interim committee and that the Assembly should, by resolution, request the State Board of Equalization to preserve the status quo with respect to any action in connection with the problem; now, therefore be it

Resolved by the Assembly of the State of California, That the Assembly interim committee which may be authorized and directed to study any aspects of the Alcoholic Beverage Control Act is also hereby authorized and directed to investigate, study, and report all facts relating to the subject matter of Assembly Bill No. 3395 of this session, relating to the problem of a beer and wine wholesale licensee delivering such products to himself as a retail licensee; and be it further

Resolved, That the State Board of Equalization is requested to preserve the status quo with respect to its deliberations on this problem pending such investigation, study, and report, and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the State Board of Equalization.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Brady, Burke, Burkhalter, Clarke, Cloyed, Collier, Connolly, Crowley, Dickey, Dolwig, Erwin, Evans, Geddes, Grant, Hawkins, Hollibaugh, Kilpatrick, Lindsay, Lipscomb, Lyon, McCarthy, McCollister, McGee, McMillan, Morris, Munnell, Porter, Rosenthal, Shaw, Smith, Stewart, and Mr Speaker—33.

NOES—Belotti, Berry, Brown, Caldecott, Chapel, Condon, Cooke, Davis, Elliott, Fleury, Gaffney, Gubser, Hagen, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Maloney, McFall, Meyers, Moss, Parker, Rumford, Sherwin, Stanley, and Thomas—32

Notice of Motion to Reconsider House Resolution No. 172

Mr. Condon gave notice that on the next legislative day he would move to reconsider the vote whereby House Resolution No. 172 was this day adopted.

MOTION TO APPROVE JOURNALS

Upon motion of Mr. Dickey, the Journals for Monday, June 4, 1951; Tuesday, June 5, 1951; Wednesday, June 6, 1951; Thursday, June 7, 1951; and Friday, June 8, 1951, were approved, as corrected by the Minute Clerk.

RESOLUTIONS

The following resolutions were offered:

By Mr. Dickey:

House Resolution No. 187

WHEREAS, The Members of the Assembly will desire to have shipped to their various places of residence their bill files, books of codes, stationery and other printed matter at the end of the session; now, therefore, be it

Resolved, That the Sergeant-at-Arms, Wilkie Ogg, be authorized to procure such boxes, packing and other materials as are necessary for the purpose of shipping same, properly packed, to said members, and the State Controller is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of said Wilkie Ogg, in the sum not to exceed three thousand five hundred dollars ($3,500), and the State Treasurer is hereby directed to pay the same; and it is further directed that Wilkie Ogg furnish to the Controller vouchers and receipts for all expenditures made by him.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Kilpatrick:

House Resolution No. 188

Relative to the Assembly Interim Committee on Crime and Corrections

WHEREAS, The continued increase in population in this State and the lack of new custodial facilities has intensified the need for information by the Legislature with respect to custodial institutions in this State; and

WHEREAS, Available information indicates a rising tide of adult and juvenile delinquency and crime without the development of adequate means of custody and properly caring for the adults and juveniles involved in order to restrain and re-educate them; and

WHEREAS, It is important that this Assembly continue to have complete information as to the planning, construction and costs thereof, management, discipline, educational and curative facilities, food cleanliness, and adequacy of all custodial institutions for juvenile and adult persons in this State, except those expressly maintained for the insane and feeble-minded; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Crime and Corrections is hereby continued as an interim committee of this session and authorized and directed to ascertain, study, and analyze all facts relating to custodial institutions for juvenile and adult persons in this State except those expressly maintained for the insane and feeble-minded, including the planning, design, and construction of such institutions, the cost thereof, management, discipline, facilities, cleanliness, educational program, curative program, all facts relating to the prevention of crime and process by which adult persons suspected or charged with criminal or delinquent conduct are apprehended and convicted or acquitted, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

The committee is also authorized and directed to investigate and study all facts which might explain the development of criminal tendencies in persons who previously have not engaged in crime, including but not limited to lack of recreation, improper housing, and other matters of similar nature.

2. The committee shall consist of five Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3 The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To reports its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

(f) To meet at the State Capitol or at any other place in this State or within the United States.

6. The sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims incurred under this resolution or House Resolution No. 243 of the 1949 General Session, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 3434

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 1376

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

Committee on Boards and Commissions

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 3076

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

McMILLAN, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Senate Bill No. 1544

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

McMILLAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which were referred:

Senate Bill No. 1632
Senate Bill No. 1672

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McMILLAN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Senate Bill No. 634

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

McMILLAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 3448

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

McMILLAN, Chairman

Above reported bill ordered to second reading.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 1985, on request of Mr. Dunn.

RECESS

At 12.03 p.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.
Hon. Sam L. Collins, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3024

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 471
Assembly Bill No. 976
Assembly Bill No. 1257
Assembly Bill No. 1260
Assembly Bill No. 1261
Assembly Bill No. 1262
Assembly Bill No. 1309
Assembly Bill No. 1628
Assembly Bill No. 2248

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bills Nos. 1309, 3024, 471, 1628, 1257, 1260, 1261, 1262, 2248, and 976 re-referred to the Committee on Ways and Means.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Concurrent Resolution No. 88—Relative to directing the Public Utilities Commission to apportion the costs for the construction of a certain grade separation on Los Feliz Boulevard in Los Angeles County.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Brady, Brown, Burke, Caldecott, Chapel, Cloyed, Collier, Connolly, Crowley, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Grant, Grunsky, Gubser, Hagen, Henderson, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McGee, Munnell, Parker, Shaw, Silliman, Smith, Stanley, Stewart, and Mr. Speaker—44.

NOES—None.

Resolution ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 2.04 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 3217—An act to add Chapters 3.3 and 3.5 to Part 2, Division 2 of, and to add Chapter 7 to Title 6 of the Government Code, relating to urban unincorporated areas.

Bill read third time.

Motion to Amend

Mr. Beck moved the adoption of the following amendments:

Amendment No. 1

In the first line of the title of the printed bill, as amended in the Assembly on June 1, 1951, strike out ", and".

Amendment No. 2

In the second line of the title of said bill, strike out "to add Chapter 7 to Title 6 of".

Amendment No. 3

On page 1, line 10, of said bill, strike out "no equitable method", and insert "need of better methods".

Amendment No. 4

On page 2 of said bill, between lines 3 and 4, insert

"To a great extent, this tax inequity is offset by the provision of county services within incorporated cities in greater proportion than the contributions through taxes are made by the residents of cities to the support of such services. Outstanding among such county services are the various social welfare programs and the use of the county hospital for the indigent sick. Only an impartial investigation by the Legislature, through extensive interim committee study and hearings can determine the extent of this offset and of the tax inequity mentioned in the preceding paragraph."

Amendment No. 5

On page 2, line 24, of said bill, strike out "January 1", and insert "September 30".

Amendment No. 6

On page 2, line 36, of said bill, strike out "agricultural".

Amendment No. 7

On page 3 of said bill, strike out lines 31 to 52, inclusive.

Amendment No. 8

On page 4 of said bill, strike out lines 1 to 36, inclusive.

Amendment No. 9

On page 4, line 37, of said bill, strike out "25268. At any time before July 1, 1952", and insert

"25264. At any time before January 1, 1953".

Amendment No. 10

On page 4, line 43, of said bill, strike out "If, at such hearing, the board determines by resolu-", and insert "At such hearing, the board may determine by resolu-".

Amendment No. 11

On page 4, line 46, of said bill, strike out ", the county", and insert a period.

Amendment No. 12

On page 4 of said bill, strike out lines 47 to 49, inclusive.

Amendments read.

Roll Call Demanded

Messrs. Beck, Rosenthal, and Munnell demanded a roll call.

The roll was called, and the amendments by Mr. Beck refused adoption by the following vote:

AYES—Beck, Belotti, Brady, Condon, Davis, Dunn, Gubser, Henderson, Kilpatrick, Lanterman, Lindsay, Lowrey, McCarthy, McCollister, McGee, Munnell, Rosenthal, Thomas, and Tomlinson—19.

NOES—Babbage, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McFall, McMillan, Meyers, Parker, Porter, Rumford, Shaw, Smith, Stanley, and Stewart—43.

The question being on the passage of Assembly Bill No. 3217.

Motion to Amend

Mr. Munnell moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 24, of the printed bill, as amended in the Assembly on June 1, 1951, strike out "On or before January 1, 1953, the", and insert

"The".

Amendment No. 2

On page 2, line 25, of said bill, as amended, strike out "shall", and insert "may".

Amendment No. 3

On page 2, line 28, of said bill, as amended, strike out "shall", and insert "may".

Amendment No. 4

On page 2, line 44, of said bill, as amended, strike out "shall", and insert "may".

Amendment No. 5

On page 2, line 51, of said bill, as amended, strike out "shall", and insert "may".

Amendments read.

Request for Unanimous Consent That Amendments Be Temporarily Passed on File

Mr. Munnell asked for unanimous consent that his proposed amendments be temporarily passed on file.

Mr. Geddes withheld unanimous consent.

Amendments Withdrawn

Mr. Munnell withdrew his amendments, by unanimous consent.

The question being on the passage of Assembly Bill No. 3217.

Motion to Amend

Mr. Lanterman moved the adoption of the following amendment:

Amendment No. 1

On page 7 of the printed bill, as amended in the Assembly on June 1, 1951, between lines 34 and 35, insert

'SEC. 4. Chapter 7 is added to Title 6 of the Government Code to read:

CHAPTER 7. URBAN DISTRICTS

Article 1. General Purposes

60500. The purpose of this chapter is to facilitate the administration of county governmental functions in unincorporated territory and to increase the efficiency of county governmental affairs by providing for more effective local participation in zoning, sanitation, roads and streets, parks and recreation, flood control, building and alterations, permits, licenses, vital statistics, health, police and fire protection, libraries, and other functions under the authority of county boards of supervisors through the establishment of urban districts within unincorporated territory having a simple and direct access to and from the county board of supervisors and the officers and administrative districts of the county and to and from cities adjacent to such districts.

Article 2 Petition and Hearing

60510. Urban districts consisting of 150 or more acres of unincorporated territory of a county or consisting of unincorporated territory of a county in which 300 or more persons reside may be formed in the manner provided for in this chapter.

60511 Proceedings for the formation of a district shall be commenced by petition addressed to and filed with the board of supervisors of the county within which the district is proposed to be established and signed by not less than 5 percent of the registered voters residing within the boundaries of the proposed district, or by the assessees of property representing at least 5 percent of the assessed value, according to the last equalized assessment-roll, of all the property within the boundaries of the proposed district.

60512. The petition may be filed in sections each of which must comply with all the requirements of the petition except that a section need not contain the total number of signatures required for the petition.

60513. The petition must:

(a) State the proposed name for the district in substantially the following form _____ (filling in the blank) Urban District of _____ (filling in the blank) County;

(b) Set forth the boundaries of the proposed district or describe the lands to be situated therein; and

(c) Request that the district be formed under the terms of this chapter.

60514 Upon the filing of the petition, the board of supervisors shall fix a time and place for the hearing of the petition The hearing shall not be less than 30 days nor more than 60 days after such filing.

60515. Notice of such hearing shall be given by the clerk of the board of supervisors by publication of a notice of hearing at least once in a newspaper of general circulation published within the boundaries of the proposed district, or if there be none, then in a newspaper of general circulation published in the county.

60516. The notice of hearing shall:

(a) State the name of the proposed district;

(b) State that the petition for the formation of the same is available for inspection at the office of the clerk of the board of supervisors;

(c) Designate the boundaries of the proposed district;

(d) State the time and place for the hearing;

(e) State that at said hearing protests will be considered by the board of supervisors; and

(f) State that at said hearing requests in writing for the exclusion from or inclusion of lands in the proposed district will also be heard and considered by the board of supervisors.

60517 The board of supervisors shall not be deprived of jurisdiction to proceed with the hearing nor shall any action on the petition be invalidated by any clerical error in the published notice.

60518. At the hearing protests may be made orally or in writing by any person interested in the formation of the proposed district. Any protest pertaining to the regularity or sufficiency of the proceedings must be in writing and must clearly set forth the irregularities and defects to which objection is made All written protests

must be filed with the clerk of the board of supervisors on or before the time fixed for the final hearing. The hearing may be continued from time to time not exceeding 90 days.

60519. The proceeding shall terminate if prior to the time the board of supervisors determines the district shall be formed written protests against the formation of the district are filed with the clerk of the board of supervisors either by a majority of the registered voters residing within the boundaries of the proposed district, or by the assessees of property representing a majority of the assessed value, according to the last equalized assessment roll, of all the property within the boundaries of the proposed district.

Article 3 Formation of District

60530. If, after the hearing provided for above, the board of supervisors determines that the organization of the district is in the public interest, it shall fix the boundaries of the proposed district, including therein any territory within the boundaries of the district covered by the petition or by any written requests for inclusion which it determines will be benefited by inclusion in the district and excluding therefrom any such territory which it determines will not be benefited by inclusion in the district.

60531. If the board of supervisors determines that the district should be established, it shall by resolution declare the district established, fix and describe its boundaries and designate a name thereof which name may be that proposed in the petition or such other name as the board of supervisors may select.

60532. Upon the adoption of the resolution declaring the district organized, the organization of the district shall be complete; and the clerk of the board of supervisors shall file a certified copy of the resolution in the office of the county recorder and in the office of the Secretary of State.

60533. The persons filing the petition shall pay all costs which may be incurred by the county in connection with the organization of the district if the organizational proceedings fail. If the district is organized such costs shall be paid by the county and the county shall be reimbursed for such costs out of the first funds collected for the use of the district.

Article 4. Powers of District

60540 Any urban district incorporated, as herein provided, shall have power:

First: To have perpetual succession.

Second: To hold title to a community building and appurtenant structures within the district, and to provide for the maintenance thereof and to establish rules and regulations governing its use and charges therefor, or to contract with the board of supervisors for the joint use of a community building with other county agencies or urban districts on a rental or ownership basis, and to incur indebtedness for such community buildings and appurtenant structures, after a hearing on the question of incurring such indebtedness is noticed and held by the board of selectmen and protests by the owners of a majority of the assessed valuation of the real real property in the district as shown by the last equalized assessment roll is not made at such hearing, and a proposition approving the incurring of such indebtedness has been approved by a two-thirds vote of the electors residing within the district. Such indebtedness shall not exceed in the aggregate 15 percent of the assessed value of all real and personal property of the district.

Third To contract, on an annual basis either alone or in conjunction with other urban districts within the county, with the board of supervisors or with special districts organized within the county or with a city or cities within the county, for the furnishing to such urban district or urban districts, of all such urban services as may be required by the urban district or urban districts As used in this subdivision and elsewhere in this chapter "urban services" shall mean such municipal type services as are determined by the board of selectmen to be required for the protection of the public peace, health and safety of the inhabitants of the district and the property located therein, having due regard for the kind, quality, extent, standard or degree of the urban nature of land use in the district. Such annual service contracts shall provide for the payment by the district of all costs, direct or indirect, of urban services rendered within the district pursuant to such contracts by the contracting county, city or special district All annual urban service contracts shall be effective upon the commencement of the fiscal year and may be renewed each year prior to the submission of the district's budget to the board of supervisors.

Fourth: To cause the board of supervisors to be advised of the needs of the district.

Fifth: To adopt a seal and alter it at pleasure.

Sixth: To sue and be sued, except as otherwise provided by law, in all actions and proceedings, in all courts and tribunals of competent jurisdiction.

Seventh: To appoint an executive secretary and such other employees as may be required; provided, that if county employees of the county within which the district is organized are selected in accordance with a civil service or merit system, all district employees other than the district manager shall be recruited and appointed in accordance with the same civil service or merit system so far as practicable.

Article 5. Board of Selectmen

60550. A board of selectmen consisting of five members and having the powers and duties hereinafter specified shall be elected for a district in which 300 or more persons reside in the manner provided for in Sections 60551 to 60558 hereof.

60551. Each selectman shall serve for a term of four years except that two of the members of the first board of selectmen shall serve for a term ending on the second day of January following the next succeeding general election held after their election and three members of the first board of selectmen shall serve for a term ending on the second day of January next succeeding the second general election held after their election.

60552. At the time of the adoption of the resolution declaring the district organized, the board of supervisors shall by resolution call an election to be held within the district for the election of the first members of the board of selectmen.

The first election shall be held not less than 60 nor more than 120 days after the organization of the district.

60553. Of the five members first elected to the board of selectmen the two receiving the lowest number of votes shall serve for the term expiring on the second day of January following the next succeeding general election held after their election. The remaining three members of the board shall serve for the term ending on the second day of January following the second general election held after their election.

60554. Not more than 45 days prior to the date of the first election and not less than 30 days prior thereto, nominating petitions for one or more candidates for the office of selectman may be filed with the county clerk or the registrar of voters in counties having a registrar of voters. Such nominating petitions shall be signed by not less than 25 registered voters residing within the boundaries of the district.

60555 The first election for selectmen shall be conducted within the district by the county clerk or registrar of voters of the county, as the case may be. For the purposes of the election the county clerk or registrar of voters may divide the district into precincts, establish polling places in such precincts and appoint election officers to conduct the election in each such precinct. The election officers so appointed shall not exceed three in number. The county clerk or registrar of voters as the case may be shall give notice of the election by publication. The notice shall be published at least once in a newspaper of general circulation published or circulated in the district and shall specify the date and purpose of the election, the hours during which the polls will be open and shall contain a list of the precincts together with the polling place in each such precinct.

60556. At the first election the ballot shall be in the following form.

For selectmen, _____ Urban District; vote for five.

---------- ☐
---------- ☐
---------- ☐
---------- ☐
---------- ☐
---------- ☐

The five candidates receiving the highest number of votes shall be elected for the terms hereinabove specified.

60557. Vacancies in the office of selectman existing during the term thereof shall be filled by appointment by the board of selectmen from among the registered voters of the district and the person so appointed shall serve until the expiration of the term of office of his predecessor.

60558 Not more than 90 nor less than 60 days before each general election following the first election of a board of selectmen in the district, nominating petitions signed by not less than 25 registered voters residing within the district may be filed with the county clerk or registrar of voters, as the case may be, requesting that the name or names of those persons specified in the petition be placed on the ballot as candidates for the office of selectman for the term commencing on the following January 2d. The names proposed by the petitions so filed and no others shall be printed on the general election ballot to be used in the district, but there shall be sufficient blank spaces provided in which electors may write other names if they so desire

60559. If there are less than three hundred residents in an urban district, a board of selectmen consisting of five members who are residents or owners of real property within the district, shall be appointed by the board of supervisors of the county in which the district is organized. Each selectman so appointed shall serve for a term of four years, except that two of the first selectmen appointed for the district shall serve for terms ending on the tenth day of January of the year next succeeding their appointment and the remaining three selectmen shall serve for terms ending on the tenth day of January of the third year following their appointment. The terms of office of the first board of selectmen shall be designated by the board of supervisors at the time of their appointment. Thereafter vacancies on the board shall be filled by appointment by the board of supervisors.

Article 6. Powers and Duties of Selectmen

60560. The powers of the district shall be exercised through the board of selectmen.

60561. The board of selectmen shall hold meetings at least once a month and shall elect from among their number a chairman who shall hold office for one year from the date of his election, or until his successor is elected

60562. Three members of the board of selectmen shall constitute a quorum, and not less than three votes shall be required to adopt any resolution or take any action

60563. The board of selectmen shall determine the urban service needs of the district and may, on behalf of the district, enter into annual contracts with the county, with any special district organized within the county or with any city in the county to furnish to the district the special services required and any such public agency is authorized to furnish such service to the district at not less than the actual cost thereof, direct and indirect, as it is authorized by law to furnish within its own territorial jurisdiction.

60564. The board of selectmen shall inform the county board of supervisors of the needs of the district for regulatory measures pertaining to zoning, subdivisions, roads, streets and traffic, flood control, building standards, permits and licenses, and other legislative matters affecting public health, safety and welfare within the the district.

60565 The board of selectmen shall prepare and submit to the board of supervisors by the first of February of each year a budget stating the amount necessary to provide for payment of district overhead and administrative costs, payments of principal and interest due on indebtedness incurred for community and appurtenant buildings and payments required under annual urban service contracts of the district for the next fiscal year; and it shall be the duty of the board of supervisors to levy a tax to be known as the "(name of district) urban service district tax" against all the taxable property within the district at the time of levying county taxes to raise the amount of the budget. The tax so levied shall be computed by the county auditor and shall be collected at the same time and in the same manner as county taxes and, when collected, shall be paid to the county treasurer for the use of said district In the event that such budget is not submitted, it shall be the duty of the board of supervisors to require the immediate submission thereof If the overhead and administrative portion of the budget exceeds the amount that the board of supervisors feel should reasonably be collected for the purposes of the district, they shall require that that portion of the budget be reduced to an amount and in the manner as directed by them Copies of all annual service contracts and any other contractual obligations of the district shall be filed and submitted as a part of the budget.

60566 The county treasurer and the county auditor shall be ex officio treasurer and auditor of the district. All claims and demands against the district shall, when approved by the board of selectmen, be paid by district warrant drawn by the auditor against the funds of the district in the county treasury.

Article 7 District Investigation Act

60570 Districts formed or proposed to be formed under the provisions of this act are not subject to any provisions of the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931" or the "District Investigation Act of 1933 "

Article 8. Changes in District Boundaries

60580 Any unincorporated territory within the county may be annexed to or excluded from a district in the manner provided by this article.

60581. A petition shall be addressed to and filed with the board of selectmen of the district, signed by at least 5 percent of the registered voters residing in, or by the assessees of property representing at least 5 percent of the assessed value, according to the last equalized assessment roll, of all the property within, the territory seeking annexation to or exclusion from the district

60582 The petition shall state the reasons for annexation or exclusion of the tract of land, describe its boundaries and include the consent of the petitions to such annexation or exclusion.

60583. The board of selectmen shall consider the petition for annexation or exclusion and within 30 days after the filing thereof shall send it to the board of supervisors with the recommendation of the board of selectmen with respect thereto.

60584. Upon the filing of the petition, the board of supervisors shall fix a time and place for the hearing thereof and shall cause a notice of the filing of the petition and of the time and place of the hearing to be published at least once in a newspaper of general circulation published within the boundaries of the district, or if there be none, then in a newspaper of general circulation published in the county; provided, however, that the time of such hearing shall be not less than 90 days nor more than six months after the first publication of the aforesaid notices.

60585 The notice shall state:

(a) The date of filing of the petition;

(b) That the petition is available for inspection at the office of the clerk of the board of supervisors;

(c) The location and boundaries of the land described in the petition;
(d) The prayer of the petition;
(e) The time and place fixed for the hearing thereof;
(f) That petitions stating that the proposed annexation or exclusion is protested may be filed with the board of supervisors by registered voters of the district or by assessees of property in the district, as the case may be, at any time before the time fixed for the hearing; and
(g) That all persons interested in or affected by such change in the boundaries of the district may appear and show cause why such change should not be made.

60586. At the hearing the board of supervisors shall hear all relevant evidence in support of or in opposition to the petition; provided, however, that if a majority of the registered voters of the district, if the district was organized by a petition signed by not less than 5 percent of the registered voters thereof, or if assessees of property representing a majority of the assessed value, according to the last equalized assessment roll, of all the property within the district, if the district was organized by a petition signed by the assessees of property representing at least 5 percent of the assessed value, according to the last equalized assessment roll, of all the property within the district, file petitions protesting the annexation or exclusion, as the case may be, of the territory seeking annexation or exclusion, the proceeding shall terminate, and the board of supervisors shall take no further action with respect to such proceeding at said hearing.

60587. If the proceedings are not terminated as provided in Section 60586, and if the board of supervisors determines that the territory seeking annexation or exclusion will be benefited by such annexation or exclusion and that it is for the best interest of the district that the boundaries thereof be changed by annexing or excluding such territory or any part thereof, the board of supervisors shall by resolution annex or exclude the tract of land described in the petition or any part thereof and shall describe the altered boundaries of the district as so changed.

60588. A resolution of annexation or exclusion adopted by the board of supervisors as provided for in Section 60587, describing the altered boundaries of the district as changed, shall be entered in the minutes of the board of supervisors, and a certified copy of such resolution shall be immediately filed in the office of the county recorder of the county in which the district is situated and thereafter a certified copy of the same shall promptly be filed in the office of the Secretary of State. Upon the filing of the aforesaid copy with the Secretary of State the annexation or exclusion of the territory shall be deemed complete.

Article 9. Dissolution of District

60590. An urban district may be dissolved in the manner provided in this article.

60591. Upon the filing of a petition with the board of supervisors signed either by:
(a) Five percent or more of the registered voters residing within the boundaries of the district; or
(b) The assessees of property representing at least 5 percent of the assessed value, according to the last equalized assessment roll, of all the property within the boundaries of the proposed district, the board of supervisors shall fix a time and place for a hearing upon the question of the dissolution of the district.

60592. A petition for the dissolution of the district may be filed in sections; provided that all sections must be filed at one time, and the total number of signatures on all sections must be equal or exceed the total number of signatures required.

60593. The hearing upon the dissolution of the district shall be set for a time not less than 30 or more than 60 days after the filing of the petition.

60594. Notice of the hearing shall be given by the clerk of the board of supervisors by publication of a notice of hearing at least once in a newspaper of general circulation published within the boundaries of the proposed district, or if there be none, then in a newspaper of general circulation published in the county.

60595. The notice of hearing shall
(a) State the name of the district;
(b) State that a petition for the dissolution of the district has been filed and is available for inspection at the office of the clerk of the board of supervisors;
(c) State that a hearing on the question of dissolution will be held at the time and place fixed therefor by the board of supervisors;
(d) State that at the hearing protests either for or against the dissolution of the district will be considered by the board of supervisors.

60596. At the hearing protests may be made orally or in writing either for or against the dissolution of the district by any interested person. Any protest pertaining to the regularity or sufficiency of the proceedings must be in writing and must clearly set forth the irregularities and defects to which objection is made. All written protests must be filed with the clerk of the board of supervisors on or before the time fixed for the final hearing. The hearing may be continued from time to time not exceeding 90 days.

60597. If after the hearing the board of supervisors determines that the public interest requires the dissolution of the district it shall, by resolution, declare the district dissolved.

60598 Immediately after the adoption of the resolution declaring the district dissolved, the clerk of the board of supervisors shall file a certified copy of such resolution for record in the office of the county recorder and thereafter shall file a certified copy of the same with the Secretary of State Upon the filing of the certified copy with the Secretary of State the dissolution of the district shall be complete

60599 Upon the dissolution of the district all property, both real and personal, owned by the district shall become the property of the county in which the district is located.

60600. If the board of supervisors determines that the continued existence of the district is in the public interest it shall, by order, deny the petition for dissolution. If a petition for dissolution is denied a new petition for dissolution may not be filed until at least six months has elapsed from the date of the action of the board of supervisors in denying the last petition filed for that purpose

60601. No portion of the territory included in any district may be annexed to any city until that territory has been excluded from the district in the manner provided for herein or until the dissolution of the district.

60602 A district is dissolved upon its complete territorial inclusion within the limits of an incorporated city, whether by incorporation, annexation or otherwise, and all property, both real and personal, owned by the district shall become the property of the city in which the district is located "

Amendment read.

Roll Call Demanded

Messrs. Lanterman, Shaw, and Munnell demanded a roll call.

The roll was called, and the amendment offered by Mr. Lanterman refused adoption by the following vote:

AYES—Belotti, Brady, Cloyed, Condon, Crowley, Davis, Hansen, Lanterman, Lowrey, Munnell, and Thomas—11.

NOES—Babbage, Beck, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Collier, Connolly, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, and Stewart—49

The question being on the passage of Assembly Bill No. 3217.

Motion to Amend

Mr. Lanterman moved the adoption of the following amendments:

Amendment No. 1

On page 5, line 6, of the printed bill, as amended in the Assembly on June 1, 1951, strike out "such costs", and insert "the cost of special urban services".

Amendment No. 2

On page 6, lines 7 and 8, of said bill, strike out "the entire unincorporated area or", and insert "several".

Amendment No. 3

On page 6, line 40, of said bill, after "city," insert ", urban district".

Amendment No. 4

On page 7 of said bill, strike out line 14, and insert "or annexation, or in an urban district, such portion shall be withdrawn from such special service zone. All".

Amendment No. 5

On page 7, line 17, of said bill, after "city", insert "or urban district".

Amendments read.

Motion to Lay Amendments on the Table

Mr. Stewart moved that the amendments being offered by Mr. Lanterman be laid upon the table.

Point of Order

Mr. Beck arose to the following point of order: That the motion by Mr Stewart is not in order because Mr. Lanterman, the author of

the amendments now under consideration, has not had an opportunity to open his debate.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

The question being on the adoption of the amendments offered by Mr. Lanterman.

Amendments Withdrawn

Mr. Lanterman withdrew his amendments, by unanimous consent.

The question being on the passage of Assembly Bill No. 3217.

Demand for Previous Question

Messrs. Evans, Luckel, Shaw, Levering, and McCarthy demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No 3217.

The roll was called, and the bill passed by the following vote:

AYES—Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Connolly, Cooke, Crowley, Dickey, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, and Tomlinson—46.

NOES—Babbage, Beck, Belotti, Brady, Cloyed, Condon, Davis, Dunn, Gubser, Hansen, Lanterman, Lowrey, Munnell, and Thomas—14.

Notice of Motion to Reconsider Assembly Bill No. 3217

Mr. Thomas gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 3217 was this day passed.

Request for Unanimous Consent That Assembly Bill No. 2501 Hold Place on File

Mr. Dolwig asked for unanimous consent that Assembly Bill No. 2501 be passed on file, and hold its place on file on the next legislative day.

Mr. Dunn withheld unanimous consent.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3348

Mr. Dunn asked for, and was granted, unanimous consent to take up Assembly Bill No. 3348, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 3348

Assembly Bill No. 3348—An act to add Section 11.1 to the Alameda County Flood Control and Water Conservation District Act, relating to the procedure for instituting projects.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, and Thomas—57.

NOES—None.

Bill ordered transmitted to the Senate.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 500—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, to take effect immediately;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 42 of the printed bill, as amended in the Senate on June 8, 1951, strike out lines 31 to 36, inclusive.

Amendment No. 2

On page 43, line 34, of said bill, strike out "3,981,795", and insert "3,992,038".

Amendment No. 3

On page 43, line 41, of said bill, strike out "2,669,097", and insert "2,678,776".

Amendment No. 4

On page 43, line 45, of said bill, strike out "125,420", and insert "125,984".

Amendment No. 5

On page 43, line 48, of said bill, strike out "4,082,266", and insert "4,092,509".

Amendment No. 6

On page 44, line 7, of said bill, strike out "3,981,795", and insert "3,992,038".

Amendment No. 7

On page 44, line 10, of said bill, strike out "5,348,268", and insert "5,437,548".

Amendment No. 8

On page 44, line 17, of said bill, strike out "3,699,352", and insert "3,788,150".

Amendment No. 9

On page 44, line 21, of said bill, strike out "156,785", and insert "157,267".

Amendment No. 10

On page 44, line 24, of said bill, strike out "5,495,498", and insert "5,584,778".

Amendment No. 11

On page 44, line 30, of said bill, strike out "5,348,268", and insert "5,437,548".

Amendment No. 12

On page 44, line 33, of said bill, strike out "2,869,874", and insert "2,882,541".

Amendment No. 13

On page 44, line 39, of said bill, strike out "1,921,211", and insert "1,933,878".

Amendment No. 14

On page 44, line 46, of said bill, strike out "2,964,101", and insert "2,976,768".

Amendment No. 15

On page 44, line 51, of said bill, strike out "2,869,874", and insert "2,882,541".

Amendment No. 16

On page 45, line 4, of said bill, strike out "2,516,793", and insert "2,521,874".

Amendment No. 17

On page 45, line 11, of said bill, strike out "1,787,102", and insert "1,792,183".

Amendment No. 18

On page 45, line 18, of said bill, strike out "2,608,807", and insert "2,613,888".

Amendment No. 19

On page 45, line 24, of said bill, strike out "2,516,793", and insert "2,521,874".

Amendment No. 20

On page 45, line 27, of said bill, strike out "3,085,147", and insert "3,095,671".

Amendment No. 21

On page 45, line 33, of said bill, strike out "2,074,364", and insert "2,074,888".

Amendment No. 22

On page 45, line 40, of said bill, strike out "3,189,901", and insert "3,200,425".

Amendment No. 23

On page 45, line 45, of said bill, strike out "3,085,147", and insert "3,095,671".

Amendment No. 24

On page 45, line 48, of said bill, strike out "3,888,954", and insert "3,895,557".

Amendment No. 25

On page 46, line 4, of said bill, strike out "2,646,915", and insert "2,653,518".

Amendment No. 26

On page 46, line 11, of said bill, strike out "4,019,733", and insert "4,026,336".

Amendment No. 27

On page 46, line 17, of said bill, strike out "3,888,954", and insert "3,895,557".

Amendment No. 28

On page 46, line 20, of said bill, strike out "2,509,939", and insert "2,521,405".

Amendment No. 29

On page 46, line 27, of said bill, strike out "1,833,734", and insert "1,845,200".

Amendment No. 30

On page 46, line 34, of said bill, strike out "2,600,015", and insert "2,611,481".

Amendment No. 31

On page 46, line 40, of said bill, strike out "2,509,939", and insert "2,521,405".

Amendment No. 32

On page 46, line 43, of said bill, strike out "3,857,905", and insert "3,875,203".

Amendment No. 33

On page 46, line 50, of said bill, strike out "2,706,924", and insert "2,723,656".

Amendment No. 34

On page 47, line 6, of said bill, strike out "3,944,549", and insert "3,961,845".

Amendment No. 35

On page 47, line 12, of said bill, strike out "3,857,905", and insert "3,875,203".

Amendment No. 36

On page 47, line 15, of said bill, strike out "4,374,959", and insert "4,384,576".

Amendment No. 37

On page 47, line 22, of said bill, strike out "3,102,415", and insert "3,111,791".

Amendment No. 38

On page 47, line 26, of said bill, strike out "115,255", and insert "115,496".

Amendment No. 39

On page 47, line 29, of said bill, strike out "4,518,034", and insert "4,527,651".

Amendment No. 40

On page 47, line 35, of said bill, strike out "4,374,959", and insert "4,384,576".

Amendment No. 41

On page 47, line 38, of said bill, strike out "2,317,362", and insert "2,330,415".

Amendment No. 42

On page 47, line 45, of said bill, strike out "1,624,118", and insert "1,637,171".

Amendment No. 43

On page 47, line 52, of said bill, strike out "2,384,637", and insert "2,397,690".

Amendment No. 44

On page 48, line 7, of said bill, strike out "2,317,362", and insert "2,330,415".

Amendment No. 45

On page 48, line 10, of said bill, strike out "3,683,882", and insert "3,706,344".

Amendment No. 46

On page 48, line 17, of said bill, strike out "2,617,625", and insert "2,640,087"

Amendment No. 47

On page 48, line 24, of said bill, strike out "3,755,702", and insert "3,778,164"

Amendment No. 48

On page 48, line 31, of said bill, strike out "3,683,882", and insert "3,706,344"

Amendment No. 49

On page 65 of said bill, strike out lines 44 to 52, inclusive.

Amendment No. 50

On page 66 of said bill, strike out lines 2 to 42, inclusive

Amendment No. 51

On page 72, line 38, of said bill, strike out "163,920", and insert "163,953".

Amendment No. 52

On page 72, line 40, of said bill, strike out "77,030", and insert "77,063".

Amendment No. 53

On page 73, line 50, of said bill, strike out "163,920", and insert "163,953".

Amendment No. 54

On page 76, line 10, of said bill, strike out "budget".

Amendment No. 55

On page 77, line 24, of said bill, strike out "249,400", and insert "223,200".

Amendment No. 56

On page 77 of said bill, strike out lines 27 to 29, inclusive.

Amendment No. 57

On page 77, line 31, of said bill, strike out "249,400", and insert "223,200".

Amendment No. 58

On page 77 of said bill, between lines 31 and 32, insert

"278.1—For major construction, improvements, and equipment, California State Prison at San Quentin, Department of Corrections, in accordance with the following schedule, payable from the Capital Outlay and Savings Fund 26,200

Schedule:

(a) Preliminary plans for Commissary, Laundry, and Maintenance Shops Building	26,200	
Total of schedule		26,200".

Amendment No. 59

On page 79, line 9, of said bill, strike out "Inmate".

Amendment No. 60

On page 88, line 48, of said bill, strike out "building", and insert "buildings".

Amendment No. 61

On page 96 of said bill, between lines 16 and 17, insert

"(c) Instruments and equipment for radiological services, including installation and maintenance ..... 300,000"

Amendment No. 62

On page 96, line 17, of said bill, strike out "(c)", and insert "(d)".

Amendment No. 63

On page 96, line 17, of said bill, strike out "7,833,000", and insert "7,533,000".

Amendment No. 64

On page 96 of said bill, between lines 26 and 27, insert

"The unexpended balance in the appropriation in Chapter 43, Statutes of 1950, Third Extraordinary Session, is hereby reappropriated for instruments and equipment for radiological services, including installation and maintenance, in augmentation of (c) above."

Amendment No. 65

On page 96, line 33, of said bill, strike out the period, and insert "but does not exceed $656,000,000."

Amendment No. 66

On page 96, line 36, of said bill, after "637,000,000", insert "but not in excess of $656,000,000".

Amendment No. 67

On page 104, line 35, of said bill, after "pledged," strike out "having motu-".

Amendment No. 68

On page 104 of said bill, strike out all of line 36

Amendment No. 69

On page 106, line 22, of said bill, after "leges", insert "(Except for acquisition of sites which are under active negotiation)".

Amendment No. 70

On page 107, line 27, of said bill, after "exposition", insert "(except expenditures for relocation of transmission lines, utilities, and levies)".

Amendment No. 71

On page 114 of said bill, strike out lines 24 to 37, inclusive.

Amendment No. 72

On page 118, line 1, of said bill, after "377", strike out "and", and insert a comma.

Amendment No. 73

On page 118, line 1, of said bill, after "378", insert ", and 378.1".

Amendment No. 74

On page 122 of said bill, strike out all of lines 48 to 52, inclusive.

Amendment No. 75

On page 123 of said bill, strike out all of lines 1 to 3, inclusive, and insert

"The State Board of Control, upon its own initiative or upon request of any person, may suspend from state service without pay for a period not exceeding 30 days, any officer or employee of this State exempt from civil service for violating this chapter or the rules and regulations adopted pursuant thereto.

Such suspension is valid only if a written notice is served on the officer or employee prior to the effective date of the suspension and a copy of such notice filed with the State Personnel Board not later than 15 days after the effective date of such suspension. The notice shall be served upon the employee either personally or by mail and shall include: (a) a statement of the nature of the punitive action; (b) the effective date of the action; (c) a statement of the causes therefor; and (d) a statement advising the employee of his right to answer the notice and the time within which that must be done if the answer is to constitute an appeal.

The officer or employee against whom such punitive action is taken shall have the right to file an answer with the State Personnel Board as provided in Section 19575, Government Code, and request a hearing. If the answer requests a hearing the State Personnel Board shall conduct a hearing. The board shall consider carefully the evidence submitted in the hearing and render a decision sustaining, modifying or revoking such suspension."

BREED	SHERWIN
CUNNINGHAM	HINCKLEY
HATFIELD	MOSS
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—65.

NOES—Hawkins and McCollister—2.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1020

Mr. Tomlinson asked for, and was granted unanimous consent to take up Assembly Bill No. 1020, temporarily passed on file, out of order, for purpose of amendment.

CONSIDERATION OF ASSEMBLY BILL NO. 1020

Assembly Bill No. 1020—An act to amend Section 960 of the Welfare and Institutions Code, relating to the establishment and maintenance of public schools.

Bill read third time.

Motion to Amend

Mr. Tomlinson moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 14, of the printed bill, as amended in the Assembly on June 8, 1951, strike out "said code", and insert "the Welfare and Institutions Code".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

RESOLUTIONS

The following resolution was offered:

By Mr. Evans:

House Resolution No. 189—Relative to the passing of Mrs. Hattie W. Hahn.

Request for Unanimous Consent

Mr. Evans asked for, and was granted, unanimous consent to take up House Resolution No. 189, at this time, without reference to committee or file.

Request for Unanimous Consent That Names of All Members Present Be Placed Upon House Resolution No. 189 as Co-authors

Mr. Evans asked for, and was granted, unanimous consent that the names of all members present be placed upon House Resolution No. 189 as co-authors.

Roll Call

The roll was called, and the following members indicated a desire to become co-authors of House Resolution No. 189:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Sam L. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—78.

Further Consideration of House Resolution No. 189

By Messrs. Evans, Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Sam L. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen,

Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Mrs. Niehouse, Messrs. Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters:

House Resolution No. 189

Relative to the passing of Mrs Hattie W. Hahn

WHEREAS, One has passed from mortality to immortality in the memories of those who knew and loved her; and

WHEREAS, The passing of Mrs Hattie W Hahn, the Mother of Assemblyman Gordon R Hahn, is noted with deepest sorrow by this Assembly; and

WHEREAS, Mrs. Hattie W. Hahn met the obligations and fulfilled the duties of a mother with personal sacrifice and in a manner most admirable; and

WHEREAS, She has left a family active in the service of their community and of the State; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly express their deep regret at the passing of Mrs. Hattie W. Hahn and extend to Assemblyman Gordon R. Hahn and to City Councilman Kenneth Hahn of Los Angeles and the other members of her family deepest sympathy on their bereavement; and be it further

Resolved, That the Chief Clerk of the Assembly shall transmit a suitably prepared copy of this resolution to Assemblyman Gordon R. Hahn and to City Councilman Kenneth Hahn of Los Angeles.

Resolution read, and adopted unanimously.

REQUEST FOR UNANIMOUS CONSENT

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 88, at this time, without reference to committee, or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 88

Senate Concurrent Resolution No. 88—Relative to the Joint Rules of the Senate and Assembly.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—70

NOES—None.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
MOTION TO AMEND STANDING RULES BY REPEALING STANDING RULE NO. 55

In compliance with a notice of motion given on a previous day, Mr. Sam L. Collins moved to amend the Standing Rules by repealing Standing Rule No. 55.

The roll was called, and the motion carried by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—70

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1541

Mr. Connolly asked for, and was granted unanimous consent to take up Assembly Bill No. 1541, out of order, for purpose of amendment.

CONSIDERATION OF ASSEMBLY BILL NO. 1541

Assembly Bill No. 1541—An act to repeal Chapter 3, comprising Sections 1200 to 1304, inclusive, of Division 2 of the Business and Professions Code, and to add Chapter 3, comprising Sections 1200 to 1322, inclusive, to Division 2 of said code, relating to the regulation of clinical laboratories, clinical laboratory technologists, clinical laboratory technicians, and clinical laboratory technician trainees, and making an appropriation.

Bill read third time.

Motion to Amend

Mr. Connolly moved the adoption of the following amendments:

Amendment No. 1

On page 10, line 16, of the printed bill, as amended in the Assembly on March 29, 1951, after "of", insert "clinical".

Amendment No. 2

On page 10, line 19, of said bill, strike out "The acceptance of", and insert "Knowingly accepting an".

Amendment No. 3

On page 10, line 23, of said bill after "on", insert "clinical".

Amendment No. 4

On page 10, line 24, of said bill, after "another", insert "clinical".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 343

Mr. Caldecott asked for, and was granted, unanimous consent to take up Assembly Bill No. 343, out of order, for purpose of amendment.

CONSIDERATION OF ASSEMBLY BILL NO. 343

Assembly Bill No. 343—An act to add Chapter 3.5 comprising Sections 5615 to 5686, inclusive, to Division 3 of the Business and Professions Code, relating to landscape architects, providing for the regulation and licensing thereof, and making an appropriation therefor.

Bill read third time.

Motion to Amend

Mr. Caldecott moved the adoption of the following amendments:

Amendment No. 1

On page 3, line 37, of the printed bill, strike out "or", and insert a comma.

Amendment No. 2

On page 3, line 37, of said bill, after "Division 3", insert ", or Chapter 9 of Division 3".

Amendment No. 3

On page 3, line 38, of said bill, strike out "and", and insert a comma.

Amendment No. 4

On page 3, line 38, of said bill, after "engineers", insert ", and contractors".

Amendment No. 5

On page 3 of said bill, after line 49, insert

"A contractor, who holds a license to engage in the business or act in the capacity of a contractor in this State under provisions of Chapter 9 of Division 3 or of any other act to regulate contracting, insofar as he engages in the business or acts in the capacity of a contractor, is exempt from registration under the provisions of this chapter."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1991

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Bill No. 1991, out of order, for purpose of amendment.

CONSIDERATION OF ASSEMBLY BILL NO. 1991

Assembly Bill No. 1991—An act to amend Sections 30 and 31 of the Revenue and Taxation Code, relating to the enforcement in this State of tax liabilities of other states and political subdivisions thereof and the collection in other states of taxes due this State and political subdivisions thereof.

Bill read third time.

Motion to Amend

Mr. Lyon moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 17, of the printed bill, after the period, insert "This section does not apply to Parts 8 and 9 of this code."

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bills were withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 611, on request of Mr. Stewart.

Assembly Bill No. 2079, on request of Mr. Fleury.

Assembly Bill No. 1216, on request of Mr. Maloney.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 118

Mr. Lindsay asked for, and was granted unanimous consent to take up Assembly Bill No. 118, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 118

Assembly Bill No. 118—An act to amend Section 28157 of the Government Code, relating to compensation for public services in counties of the fifty-seventh class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Collier, Condon, Cooke, Davis, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Stillman, Stanley, and Thomas—57.

NOES—Geddes—1.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3323—An act to amend Section 261b of and to add Section 261h to the Code of Civil Procedure, relating to phonographic reporters: salary: fees: taxation of fees as costs: transmission of fees to treasurer.

Bill read third time.

Motion to Amend

Mr. Beck moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 10, 1951, strike out "261b of" and insert "261a.5 of,".

Amendment No. 2

In line 2 of the title of said bill, after the first "to", insert a comma.

Amendment No. 3

On page 1, line 1, of said bill, strike out "261b", and insert "261a.5".

Amendment No. 4

On page 2, line 1, of said bill, strike out "261b", and insert "261a.5".

Amendment No. 5

On page 3, line 3, of said bill, strike out "five dollars ($5)", and insert "four dollars ($4)".

Amendment No. 6

On page 3, line 6, of said bill, strike out "4300a of the Political", and insert "26826 of the Government".

Amendment No. 7

On page 3, line 18, of said bill, strike out "vener", and insert "venor".

Amendment No. 8

On page 3, line 22, of said bill, strike out "five dollars ($5)", and insert "four dollars ($4)".

Amendment No. 9

On page 3, line 23, of said bill, strike out "4300a of the Political", and insert "26826 of the Government".

Amendment No. 10

On page 3 of said bill, between lines 29 and 30, insert

"The fee provided in this section shall not be required of any party who is exempted from the payment of costs by any statute other than Section 6103 of the Government Code."

Amendment No. 11

On page 3, line 47, of said bill, after the period, insert "Each of such regular official reporters shall devote his entire time during office hours to the duties of his office and is prohibited from engaging in private work during office hours All fees, commissions, or compensation, other than his official salary and fees authorized by law for his official duties, received by him from any source for work during office hours, shall be paid into the county treasury and deposited in the general fund thereof."

Amendments read.

Roll Call Demanded

Messrs. Munnell, Beck, and Cloyed demanded a roll call.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Beck moved a call of the Assembly.

Roll Call Demanded

Messrs. Beck, Cloyed, and Munnell demanded a roll call.

The roll was called, and the motion carried by the following vote:

AYES—Beck, Berry, Brady, Burkhalter, Caldecott, Connolly, Crowley, Davis, Dolwig, Doyle, Dunn, Grunsky, Hansen, Kelly, Klocksiem, Lyon, Maloney, McCarthy, Meyers, Moss, Munnell, Porter, Sherwin, Smith, Stanley, and Thomas—26.

NOES—Cooke, Gaffney, Luckel, McGee, and McMillan—5.

Time, 4.26 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Belotti, Brown, Caldecott, Cloyed, Coats, Sam L Collins, Dickey, Dills, Grant, Hollibaugh, Kilpatrick, Lanterman, Levering, Lincoln, McFall, Morris, Parker, Porter, Rumford, and Tomlinson—20.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Doyle asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 3445 BE RE-REFERRED TO COMMITTEE

Mr. Meyers asked for, and was granted, unanimous consent that Assembly Bill No. 3445 be withdrawn from the third reading file, and be re-referred to the Committee on Ways and Means.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2022

Mr. Lindsay asked for, and was granted, unanimous consent to take up Assembly Bill No. 2022, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 2022

Assembly Bill No. 2022—An act to repeal Division 9 of, and to add Division 9 to, the Public Resources Code, relating to soil conservation, prescribing the duties and functions of the State Soil Conservation

Commission, and regulating the organization, operations, finances, and functions of soil conservation districts and providing for the discontinuance or change in boundaries of such districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, and Thomas—54.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3439

Mr. Sherwin asked for, and was granted, unanimous consent to take up Assembly Bill No. 3439, out of order.

CONSIDERATION OF ASSEMBLY BILL NO. 3439

Assembly Bill No. 3439—An act to add Section 6516 to the Revenue and Taxation Code, relating to assessments for sales and use taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Shaw, Sherwin, Sillman, Smith, Stewart, and Thomas—61.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1914

Mr. Sherwin asked for, and was granted, unanimous consent to take up Assembly Bill No. 1914, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 1914

Assembly Bill No. 1914—An act to add Section 1755.3 to the Welfare and Institutions Code, relating to the Youth Authority.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, and Thomas—64.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2290—An act to amend Section 737y of the Political Code, relating to the compensation of Superior Judges in and for the County of Modoc.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Smith, Stanley, Stewart, and Thomas—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1215—An act to add Articles 3 and 4 to Chapter 5, Division 5, Title 1, of the Government Code, relating to the termination of contracts for public work because of national emergencies which cause a stoppage of construction or work thereon, and to prescribe procedure, the adjustment and payment of compensation, and to provide a method for settlement of disputes in connection therewith.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Cloyed, Collier, Connolly, Cooke, Crowley, Davis, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Munnell, Niehouse, Parker, Porter, Rosenthal, Silliman, Smith, Stanley, and Stewart—46.

NOES—Elliott, Hagen, Henderson, Lowrey, Moss, and Thomas—6.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2134—An act to amend Section 5550 of the Business and Professions Code, relating to the qualifications of architects.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, Connolly, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, and Thomas—54.

NOES—Elliott—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1570—An act to provide for the formation of districts within municipalities for the acquisition and improvement of public parking places for the parking of motor vehicles; the issuance and sale of bonds to pay the costs of such acquisition and improvement and payable either from revenues from such parking places and also from revenues from parking meters on some or all of the public ways in such

districts or from ad valorem assessments upon real property in such districts, or both; the acquisition, construction, improvement, maintenance and operation of such parking places; the appointment and powers of parking place commissions for such districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hinckley, Kelly, Kilpatrick, Klocksiem, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Thomas—54

NOES—None.

Bill ordered transmitted to the Senate.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bills were withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 1519, on request of Mr. Dickey.

Assembly Bill No. 2706, on request of Mr. Dickey.

Assembly Bill No. 453, on request of Mr. Crowley.

Assembly Bill No. 1722, on request of Mr. Stanley.

Assembly Bill No. 835, on request of Mr. Stanley.

Assembly Bill No. 2120, on request of Mr. Lipscomb.

Assembly Bill No. 2946, on request of Mrs. Niehouse.

Assembly Bill No. 1166, on request of Mr. Brown.

Assembly Bill No. 233, on request of Mr. Meyers.

Assembly Bill No. 3121, on request of Mr. Meyers.

Assembly Bill No. 765, on request of Mr. Crowley.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1708—An act to amend Section 3521 of the Education Code, relating to the organization of high school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Cloyed, Collier, Condon, Cooke, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, and Thomas—48.

NOES—Elliott—1.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2886—An act to add Article 5c (Veterans Bond Act of 1951) to Chapter 6 of Division 4 of the Military and Veterans Code, authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of state bonds, to create a fund to provide farm and home aid for veterans in accordance with the provisions of the Veterans Farm and Home Purchase Act of 1943 and acts amendatory and supplemental thereto; defining the powers and duties of said committee and of the Department of Veterans Affairs and other state officers in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; and providing that this act shall take effect upon the adoption by the people of the State of California of an amendment to the Constitution of the State of California approving, adopting, legalizing, ratifying, validating and making fully and completely effective said Veterans Bond Act of 1951;

Assembly Bill No. 3341—An act to amend Section 690 of the Elections Code, relating to the compensation of members of precinct boards;

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3387—An act to amend Sections 18002 and 18003 of the Education Code, relating to insurance of school districts;

And reports that the same has been correctly enrolled, and presented to the Governor on the twelfth day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2047—An act to add Section 1164 to the Fish and Game Code, relating to shooting of human beings;

Assembly Bill No. 2496—An act to repeal Chapter 10 of, and to add Chapter 10 to, Part 2 of Division 2 of the Insurance Code, relating to fraternal benefit societies;

Assembly Bill No. 2827—An act to amend Section 28140 of the Government Code, relating to compensation for public service in counties of the fortieth class;

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of June, 1951, at 4 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1242—An act to amend Section 2235 of the Corporations Code, relating to cumulative voting for directors of corporations;

Assembly Bill No. 1611—An act to amend Section 2 of, and to add Section 3 to, an act entitled "An act relating to the application, acceptance and use of funds or assets of the California Rural Rehabilitation Corporation from the trustee thereof" (Chapter 414, Statutes 1949), relating to the purposes for which funds may be used;

Assembly Bill No. 2001—An act to amend Section 22280 of, and add Section 22281 1 to, the Water Code, relating to charges in irrigation districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of June, 1951, at 4 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 905—An act to amend Section 2055 of the Code of Civil Procedure, relating to examination of witnesses;

Assembly Bill No. 908—An act to amend Section 3 of, and to add Sections 3 5 and 30 02 to, the Public Utility District Act, relating to public utility districts;

Assembly Bill No. 926—An act to amend Section 330 of the Fish and Game Code, relating to the acquisition and administration of refuges, game farms, preserves, and public shooting grounds;

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of June, 1951, at 4 p m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 629—An act assenting to the provisions of the act of Congress entitled "An act to provide that the United States shall aid the states in fish restoration and management projects, and for other purposes," approved August 9, 1950;

Assembly Bill No. 884—An act to add Section 1730 6 to the Insurance Code, relating to receipt and holding of fiduciary funds by managing general agents;

Assembly Bill No. 885—An act to amend Sections 922 1, 922 2, and 1591, to amend Section 922 5 and renumber it Section 922 8 and to repeal Sections 922 3 and 922 4 of, and to add Sections 922 3, 922 4, 922.5, 922 6 and 922.7 to, the Insurance Code, relating to financial statements of insurers;

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of June, 1951, at 4 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 212—An act to amend Section 1744 of the Code of Civil Procedure, relating to attaches of the conciliation court in counties of 900,000 population or more;

Assembly Bill No. 386—An act to amend Section 6366 of the Revenue and Taxation Code, relating to exemptions of aircraft from the sales and use tax;

Assembly Bill No. 521—An act to amend Section 10292 of the Insurance Code, relating to insurance;

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 89—Approving six certain amendments to the charter of the City of Los Angeles, a municipal corporation, in the County of Los Angeles, State of California, voted for and ratified by the electors of said city at a general municipal election held therein on the twenty-ninth day of May, 1951;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twelfth day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 38—Relative to the reopening of Birmingham General Hospital;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twelfth day of June, 1951, at 4 p.m.

BURKE, Chairman

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3443—An act to add Section 5501.5 to the Welfare and Institutions Code, relating to the commitment of sexual psychopaths, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Dills, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen,

Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3453—An act to provide for the sale of a parcel of land under the control of the State Park Commission.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Dills, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lipscomb, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3438

Mr. Chapel asked for, and was granted unanimous consent to take up Assembly Bill No. 3438, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 3438

Assembly Bill No. 3438—An act to amend Section 1600 of the Education Code and to add Sections 1600.5 and 1600.6 thereto, relating to newly formed school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, and Thomas—60

NOES—Silliman—1

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 500—An act making appropriations for the support of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, to take effect immediately.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Assembly Bill No. 500 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3205—An act relating to conservation, particularly of the species Sequoia gigantea.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, Condon, Connolly, Cooke, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kirkwood, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 892—An act to add Sections 6381.1 and 6404 to the Revenue and Taxation Code, relating to the exemption of school districts from sales and use taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hawkins, Henderson, Kilpatrick, Kirkwood, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Smith, Stanley, and Thomas—49.

NOES—None.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON AMENDMENTS OFFERED BY MR. BECK TO ASSEMBLY BILL NO. 3323

At 5.06 p.m., on motion of Mr. Beck, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the amendments offered by Mr. Beck to Assembly Bill No. 3323 refused adoption by the following vote:

AYES—Beck, Burke, Burkhalter, Clarke, Collier, Condon, Davis, Doyle, Geddes, Hagen, Kilpatrick, Kirkwood, Klocksiem, Lowrey, Luckel, McMillan, Morris, Munnell, Rosenthal, Smith, Stanley, Stewart, and Thomas—23.

NOES—Babbage, Belotti, Berry, Brady, Chapel, Connolly, Cooke, Crowley, Dolwig, Dunn, Elliott, Evans, Fleury, Gaffney, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Kelly, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McGee, Meyers, Niehouse, Shaw, and Sherwin—32

The question being on the passage of Assembly Bill No. 3323.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Kelly, Lanterman, Levering, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Shaw, Silliman, Stanley, Stewart, and Thomas—51.

NOES—Beck, Condon, Hagen, Kirkwood, Klocksiem, Luckel, and Munnell—7.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate pursuant to your request is returning herewith .

Assembly Bill No. 1879

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

REQUEST FOR UNANIMOUS CONSENT TO RESCIND ACTION ON ASSEMBLY BILL NO. 1879

Mr. Stewart asked for, and was granted, unanimous consent to rescind the action whereby the Assembly, on Wednesday, June 6th, passed Assembly Bill No. 1879, and that Assembly Bill No. 1879 be placed upon the inactive file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 671—An act to amend Section 395 of, and add Sections 389, 395.01, 395.02, 395.03, 395.04, 395.05 and 395.06 to, the Military and Veterans Code, relating to absence of public officers and employees on military or naval duty and compensation and salary during absence on military or naval leave, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—64.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 951—An act to amend Sections 4013 and 4162 of, and add Sections 4034, 4034.2, 4038, 4038.1, 4038.2, 4038.3, and 4039 to, and repeal Sections 4038 and 4039 of, the Business and Professions Code, relating to pharmacy.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lindsay,

Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2214—An act to amend Sections 458 and 471, and to repeal Sections 481 and 483, of the Streets and Highways Code, relating to state highways.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Cooke, Davis, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1056—An act to amend Sections 11020 and 11021 of the Government Code, relating to operation of state offices.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Cooke, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—65.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF HOUSE RESOLUTION NO. 170

By Messrs. Waters, Hollibaugh, Lanterman, McGee, Klocksiem, Levering, Morris, Collier, Conrad, Porter, Hawkins, McMillan, Evans, Geddes, Rosenthal, Munnell, Dickey, Grant, Sam L. Collins, Thomas, Mrs. Niehouse, Messrs. Doyle, Smith, Lipscomb, Stewart, Erwin, Lyon, Burkhalter, and Chapel:

House Resolution No. 170

Relative to the taxation of women's and fraternal organizations

WHEREAS, As the result of a recent court decision in the case of *Simms* vs. *Los Angeles County* (1950), 35 Cal. 2d 303, many women's clubs, fraternal organizations and others similar in nature have been denied tax reductions on their club houses which they have heretofore enjoyed; and

WHEREAS, These organizations are of great benefit to their communities and the State of California because of their interest in civic betterment and philanthropic work; and

WHEREAS, The activities in which these organizations engage result in great savings to the taxpayer, since many of the services they render would otherwise have to be furnished and financed through some governmental agency; and

WHEREAS, The added taxes imposed upon these organizations may cause many of them to cease operating and thus force additional responsibilities and duties upon governmental agencies at great cost to the taxpayers; and

WHEREAS, These organizations are non-profit in nature and afford no profit or gain to any individual; and

WHEREAS, It is to the interest of all levels of government to extend support to these organizations so that they may continue in the performance of their good work; and

WHEREAS, Despite repeated efforts during the 1951 Session of the California Legislature, no adequate solution to the furnishing of such support has been found; now, therefore be it

Resolved by the Assembly of the State of California, That the present Assembly Interim Committee on State and Local Taxation, or any committee with similar functions created at this session of the Legislature, is hereby directed to study ways and means of providing adequate property tax relief to the aforementioned organizations so that they may be returned to the position which they heretofore enjoyed, and be it further

Resolved, That the committee report its findings and recommendations to this body at the next general session of the Legislature.

Resolution read, and adopted unanimously.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2121—An act to amend Section 6701 of, and to add Sections 6703, 6704, and 6705 to, the Revenue and Taxation Code, relating to security for payment of obligations under the Sales and Use Tax Law, and to provide for certain exceptions in the application of these security requirements.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hinckley, Holbbaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lapscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, and Tomlinson—59.

NOES—None.

Notice of Motion to Reconsider Assembly Bill No. 2121

Mr. Silliman gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2121 was this day passed.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Smith:

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 11714 of the Health and Safety Code, relating to narcotics.

Respectfully submitted.

H. ALLEN SMITH

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Smith:

An act to amend Section 11714 of the Health and Safety Code, relating to narcotics.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—66.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3456: By Mr. Smith—An act to amend Section 11714 of the Health and Safety Code, relating to narcotics.

Referred to Committee on Judiciary.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 2693, on request of Mr. Geddes.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 322
Assembly Bill No. 1194
Assembly Bill No. 2002

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators O'Gara, Harold T. Johnson, and McBride as a Committee on Conference concerning:

Assembly Bill No. 3364—An act to amend Section 7332 of the Business and Professions Code, relating to the practice of cosmetology.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 37
Senate Bill No. 145
Senate Bill No. 731

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 1658

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 407—An act to amend Section 7315 of the Business and Professions Code, dealing with cosmetology.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Smith, Stewart, Thomas, and Tomlinson—54.

NOES—Gubser—1

Bill ordered transmitted to the Senate.

Assembly Bill No. 966—An act to add Chapter 4, comprising Sections 591 to 737, inclusive, to Division 3 of the Harbors and Navigation Code, relating to inspection, licensing and registration of vessels, and making an appropriation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Grunsky, Hagen, Hansen, Henderson, Hollibaugh, Kilpatrick, Klocksiem, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Shaw, Sherwin, and Tomlinson—45.

NOES—Collier, Hinckley, and Kirkwood—3.

Notice of Motion to Reconsider Assembly Bill No. 966

Mr. Grunsky gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 966 was this day passed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 940

Mr. Berry asked for, and was granted, unanimous consent to take up Assembly Bill No. 940, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 940

Assembly Bill No. 940—An act to amend Section 485 of the Vehicle Code, relating to drivers of vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dills, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, and Tomlinson—56.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1900—An act making an appropriation to pay the claim of Charles E. Cooper against the State of California.

Bill read third time, and ordered passed on file, to hold its place on file on the next legislative day.

Assembly Bill No. 1405—An act providing for the constitution of the municipal court in a district embracing the City of Bakersfield, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1631—An act to amend Section 21361 of the Government Code, relating to the State Employees' Retirement System in respect to the basic death benefit.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood Klocksiem, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1258—An act to add Article 4.5, comprising Sections 20215 to 20226, inclusive, to Chapter 2, of Part 3, Division 5, Title 2 of the Government Code, relating to the State Employees' Retirement System, authorizing the investment of the funds of such system in real property, and prescribing the limitations upon such investments.

Bill read third time.

Demand for Previous Question

Messrs. Hansen, McCarthy, Silliman, Kirkwood, and Hinckley demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1258.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dolwig, Dunn, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Henderson, Hinckley, Kilpatrick,

Kirkwood, Klocksiem, Lanterman, Lindsay, Luckel, Maloney, McCarthy, McFall, Meyers, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Stanley, and Tomlinson—44.

NOES—Brady, Burke, Dickey, Dills, Doyle, Evans, Geddes, Hawkins, Hollibaugh, Kelly, Levering, Lyon, McCollister, McGee, McMillan, Niehouse, Smith, and Stewart—18.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Assembly Bill No. 2501 Hold Place on File

Mr. Dolwig asked for, and was granted, unanimous consent that Assembly Bill No. 2501 be passed on file, and hold its place on file on the next legislative day.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 94: By Messrs. Meyers, Morris, Geddes, Rosenthal, Beck, Belotti, Berry, Brady, Chapel, Cooke, Crowley, Davis, Dills, Doyle, Gaffney, Grant, Gubser, Hagen, Henderson, McFall, Munnell, Mrs. Niehouse, Messrs. Parker, Porter, and Rumford—Relative to the establishment of a first aid station in the State Capitol Building Annex.

Referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT THAT ALL MATTERS ON FILE HOLD PLACES ON FILE

Mr. Dickey asked for, and was granted, unanimous consent that all matters, passed on file today, hold their places on file on the next legislative day.

RESOLUTIONS

The following resolutions were offered:

By Mr. Kilpatrick:

House Resolution No. 190

Relative to augmenting the funds of the Assembly Interim Committee on Crime and Corrections

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available, the sum of one thousand seven hundred and fifty dollars ($1,750) or so much thereof as is necessary is hereby made available from the Contingent Fund of the Assembly for the expenses heretofore incurred by the Assembly Interim Committee on Crime and Corrections pursuant to House Resolution No 243, 1949 General Session, to be paid from said Contingent Fund and disbursed after certification by the chairman of the committee, upon warrants drawn by the State Controller on the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

By Messrs. Stanley, Lincoln, Fleury, McCarthy, Moss, Lyon, McGee, and Geddes:

House Resolution No. 191

Requesting the Assembly Interim Committee on Governmental Efficiency and Economy to complete its study and investigation of conflicts in building laws and regulations

WHEREAS, Due almost entirely to the hearings by, and research of, the Assembly Interim Committee on Governmental Efficiency and Economy, the 1951 Session of the Legislature, is the first session in the last several where the Legislature has not had to consider dozens of complex and controversial building and housing law proposals; and

WHEREAS, Said interim committee already has recommended the course detailed study of the many conflicts in state and local building laws and regulations should take; and

WHEREAS, If such conflicting laws and regulations add only 1 percent to building costs, the unjustified cost annually to builders and the public is in excess of twenty million dollars; and

WHEREAS, Codification of thousands of pages of state laws and building regulations and clarification of the State's organization to provide better direction and coordination of the State's interest in building construction activities is essential before such conflicts can be resolved; and

WHEREAS, Local building codes and purported excessive or restrictive requirements therein as to conditions or materials need careful consideration by objective experts; and

WHEREAS, Conflicts in the jurisdiction of the many state and local agencies charged with enforcement of the state and local laws and regulations is as expensive to the public and builders as conflicting laws; now therefore be it

Resolved, by the Assembly of the State of California, That the Assembly Interim Committee on Governmental Efficiency and Economy is directed to continue and complete its study and investigation of conflicts in state and local building laws and regulations and the enforcement thereof by state and local officers and to recommend all feasible means of eliminating such conflicts, including, but not limited to, codification of existing laws and regulations, coordination of state and local enforcement functions and all other matters relating to or in any way bearing on the subject of this resolution, and to report thereon to the Assembly, including in its report its recommendations for appropriate legislation.

Resolution read, and ordered referred to the Committee on Rules.

By Messrs. Davis, Moss, Gubser, and Geddes:

House Resolution No. 192

Relative to the creation of the Assembly Interim Committee on Fairs and Expositions

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Fairs and Expositions is hereby created and authorized and directed to ascertain, study, and analyze all facts relating or in anywise appertaining to fairs and expositions, the allocation of state moneys thereto, the advisability of establishing additional agricultural fairs or other expositions or eliminating present existing fairs or expositions, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation

2 The committee shall consist of five Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the thirtieth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5 The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To confer with the Department of Finance with respect to the allocation of money to the various fairs and to state agencies which receive money from the Fair and Exposition Fund.

(e) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(f) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of seven thousand five hundred dollars ($7,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

By Messrs. Lowrey, Lindsay, and Sherwin:

House Resolution No. 193

Relative to changing the name of, and the continuance of, the Assembly Committee on Public Lands

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Committee on Public Lands, created by House Resolution No. 121 of the 1949 Regular Session, is hereby renamed and shall hereafter be known as the *Assembly Interim Committee on Public Lands, Grazing, and Forest Practices.*

2. The committee is hereby continued and authorized and directed to ascertain, study and analyze all facts relating to publicly owned lands in this State and the use, management, and control thereof and all activities connected therewith or related thereto, and the State, Federal, and local Government relationships involved therein, including but not limited to the effect of such public acquisition, ownership and jurisdiction, upon taxes levied or leviable by the State and its local governmental agencies; all facts relating to the recordation and registration of land titles; all facts relating to grazing lands, including but not limited to the conversion of brush-covered lands to grazing lands by controlled burning; and all facts relating to forest practices; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

3. The committee shall consist of three Members of the Assembly appointed by the Speaker thereof upon the adoption of this resolution. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

4. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

5 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

6 *The committee has the following additional powers and duties:*

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

(e) To study and investigate any state agency which is charged with the administration or enforcement of any of the laws relating to the subject matter of this resolution.

(f) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

7. The sum of five thousand dollars ($5,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Geddes:

House Resolution No. 194

Relative to the creation of the Assembly Interim Committee on Finance and Insurance

WHEREAS, It has been demonstrated during the 1951 Session of the California Legislature that much time may be conserved by the Assembly through the early introduction of bills in the regular session which have been heard as to their subject matter by a properly constituted interim committee which has afforded the interested parties ample opportunity to present matter pertaining to the subject legislation; and

WHEREAS, By such interim committee an opportunity is also afforded to its members to become acquainted with the subjects investigated and researched to determine whether by their authorship the members will support legislation pertaining to the same; and

WHEREAS, The several departments and agencies of the State Government are also given an ample opportunity to conduct industry hearings and to present a report of the same to such committee by which means agreed bills may be brought in early in the session; and

WHEREAS, By preparing for the 1953 Session of the Legislature by an Assembly Interim Committee on Finance and Insurance time may be saved and the work of the Legislature expedited, now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Finance and Insurance is hereby created, authorized and directed to ascertain, study and analyze all facts relating to:

(a) Unemployment insurance, as to matters affecting the solvency of the fund and actuarial and other related problems, and

(b) Unemployment disability insurance.

(c) Workmen's compensation insurance.

(d) Commercial insurance in all its branches, including but not limited to group insurance and the matter of dividends and dividend procedure

(e) Self insurers authorized by and operating subject to California laws, the operation and stability of the same and need for further clarification or revision of such laws.

(f) Voluntary plans of hospital and/or health insurance or plans operating under provisions of the law to protect persons from the high costs of sickness and accident in this State, and other unregulated plans purporting to operate under existing provisions of law, and the need for regulation under existing laws or the enactment of regulatory legislation.

(g) Insurers operating under the lodge system and other means or kinds of insurance differing from insurance generally available to the public.

(h) Banks, saving and loan and other investment and loaning institutions and institutions operating under the Corporations Code which are related to the field of finance or investment, including credit unions

(i) The administration of the laws relating to each subject set forth above and the conduct of the office of each state agency, bureau or commission responsible for the enforcement and supervision of the laws pertaining to the above.

(j) Matters pertaining to the subjects of legislation referred to the Assembly standing Committee on Finance and Insurance during the 1951 Regular Session.

2. The committee shall consist of the members of the Assembly standing Committee on Finance and Insurance of the 1951 Session The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the Speaker as provided by the Standing Rules of the Assembly.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5 The committee has the following additional powers and duties:

(a) To elect a vice chairman from among its membership, and to appoint a secretary and engage other and necessary employees to serve the committee

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To meet in Sacramento at the State Capitol or any other place in this State either in full committee or subcommittees thereof as appointed by the chairman.

(d) To meet outside of this State within the United States either in full committee or subcommittees thereof as appointed by the chairman to confer with the agencies of the Federal Government and/or national organizations or conferences sponsoring or proposing legislation pertaining to any of the subjects enumerated herein.

(e) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee

(f) To reports its findings and recommendations to the Legislature and to the people from time to time and at any time not later than herein provided.

(g) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6 The sum of thirty thousand dollars ($30,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Geddes:

House Resolution No. 195

Relative to directing the Assembly Interim Committee on Finance and Insurance to undertake an investigation

WHEREAS, It appears from information submitted to committees of the Assembly by the Department of Insurance, and from complaints received by various Members of the Assembly from their constituents, that there is a considerable and growing number of unlicensed, unregulated and nonprofessional persons and organizations who, to the detriment of great numbers of the citizens of this State, are for a consideration promising or purporting to promise such citizens that they will furnish or procure medical, surgical, hospital and other related services or treatments upon the illness or accidental injury of such citizens but who, when the time for performance arrives, almost invariably furnish or procure no service or treatment or wholly inadequate service or treatment, or service or treatment grossly below the quantity or quality represented; and,

WHEREAS, There are also operating in this same field a number of reputable persons and organizations who offer such services and who, when the time for performance arrives fulfill all commitments, but who would discontinue operations if required to comply with onerous regulatory provisions of law which might be enacted by the Legislature; and

WHEREAS, Efforts by the Legislature to enact appropriate legislation to protect citizens from the persons and organizations first mentioned above have been unsuccessful because of the probability that such regulations might drive from the field persons and organizations of the type last mentioned above; and

WHEREAS, In order to enact such legislation, which is vitally needed, it is necessary that the Legislature be fully informed as to all facts concerning or relating to the detailed methods of operation of all persons and organizations mentioned above, in order that it may determine (a) whether regulations might be drafted which would be sufficient to protect the public from the first named class of persons and organizations without causing the second named class of persons and organizations to discontinue their services or (b) whether facts exist sufficient to establish a natural, intrinsic and constitutional distinction between said first and second classes of persons and organizations so as to justify legislation regulating the former and exempting the latter from its operation; and

WHEREAS, It appears that such study is within the scope of the functions of the Assembly Interim Committee on Finance and Insurance; now, therefore, be it

Resolved, That the Assembly Interim Committee on Finance and Insurance be and it hereby is authorized and directed to ascertain, study and analyze all facts relating to the subjects expressed in the recitals of this resolution including but not limited to the methods of operation and need for regulation of the persons and organizations mentioned in said recitals, and to the adequacy or inadequacy of the existing laws which might be used to regulate such persons and organizations, and to report thereon to the Legislature not later than the fifteenth legislative day of the 1953 General Session, including in its reports its recommendation for appropriate legislation.

Resolution read, and ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3096

Mr. Hollibaugh asked for, and was granted, unanimous consent to take up Assembly Bill No. 3096, out of order, for purpose of amendment.

CONSIDERATION OF ASSEMBLY BILL NO. 3096

Assembly Bill No. 3096—An act to provide for the acquisition of land and improvements in that part of the City of Los Angeles, County of Los Angeles, known as Olvera Street, the Los Angeles Plaza, and the Pico-Garner block as part of the State Park System and making an appropriation therefor.

Bill read third time.

Motion to Amend

Mr. Hollibaugh moved the adoption of the following amendment:

Amendment No. 1

On page 1, lines 16 and 17, of the printed bill, as amended in the Assembly on April 13, 1951, strike out "any money in the State Park Fund not otherwise appropriated", and insert "that portion of the State Park Fund which is available for the acquisition of public recreational facilities, other than parks".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 2064, on request of Mr. Kirkwood.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 95: By Messrs. Stanley, Hollibaugh, Hahn, Babbage, Beck, Brown, Burke, Cloyed, Coats, Geddes, Grant, Grunsky, Hansen, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Lyon, McGee, Rumford, Silliman, Stewart, and Tomlinson—Relative to the creation of the Joint Interim Committee on Municipal and County Government.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 12, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 1048
Senate Bill No. 1216
Senate Bill No. 1421
Senate Bill No. 1708
Senate Bill No. 1721
Senate Bill No. 1728
Senate Bill No. 1819
Senate Bill No. 1824

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 1048—An act to amend Section 4660 of the Labor Code, relating to the percentages of permanent disability, including a schedule for the determination of such percentages.

Referred to Committee on Finance and Insurance.

Senate Bill No. 1216—An act to add Sections 30.5 and 30.6 to, and to amend Sections 2541, 2574, 2576, 2702, 2703, 2705, 2747, 2753, 2791, 2792, 2793, 2794, 2796, 2797, 2894, 3920, 3921, 3924, 3925, 3926, 3930, 3946, 7966, 8720, 8721, and 8722, and to repeal Section 2838 of the Elections Code, relating to elections and providing that state legislative offices shall be nonpartisan offices.

Referred to Committee on Elections and Reapportionment.

Senate Bill No. 1421—An act to amend Section 28107 of the Government Code, relating to compensation for public services in counties of the seventh class.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1708—An act to amend Sections 1090, 1091, 1092, 36525, 36526, and 36527 of the Government Code, relating to the powers of the State of California or any county, city, district or other public agency, corporation or body to enter into contracts or make purchases.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1721—An act relating to a highway construction and improvement program, county and state, including cooperation with the Federal Government in furtherance of the purposes of the Federal Aid Highway Act of 1950 and the expenditure of federal-aid moneys.

Referred to Committee on Transportation and Commerce.

Senate Bill No. 1728—An act to amend the title and Section 4 of, and to add Section 4.3 to Chapter 1422 of the Statutes of 1945, relating to beaches, parks, and public recreation facilities.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 1819—An act conveying certain tidelands and lands lying under inland navigable waters, situate in Bodega Harbor to the County of Sonoma, in furtherance of navigation and commerce and the fisheries and for public recreational purposes, and providing for the government, management and control thereof, reserving rights to the State.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1824—An act to change the name of the California Vocational Institution to the Deuel Vocational Institution by amending the title of Article 4, Chapter 1, Title 1, Part 3 of the Penal Code, and by amending Sections 2035 to 2041 of said code.

Referred to Committee on Governmental Efficiency and Economy.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 12, 1951

MR SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted:

Senate Constitutional Amendment No. 30
Senate Joint Resolution No. 36

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolutions were read:

Senate Constitutional Amendment No. 30—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding to Article IV thereof a new section to be numbered 1e, relating to the submission of initiative measures to the electors.

Referred to Committee on Constitutional Amendments.

Senate Joint Resolution No. 36—Relative to the need for materials for construction of additional school and college buildings in California.

Referred to Committee on Education.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 5.55 p.m., Mr. Brown asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Judiciary in Room 2170, tomorrow, Wednesday, June 13th, upon adjournment.

Subject: Assembly Bill No. 3456.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today At 8 p.m.—

Public Health, in Room 2170.
Fish and Game, in Room 3184.
Social Welfare, in Room 426.

Today Upon Adjournment—

Agriculture, at desk of Mr. Clarke.

Tomorrow, Wednesday, June 13th, At 9 a.m.—

Rules, in Room 3184.
Upon adjournment, Elections and Reapportionment, in Room 435.

It was announced that the following committee would hold no meeting today:

Judiciary.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Cooke, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Bion Gregory and son, Bion M. Gregory, of Sacramento.

On request of Mr. Luckel and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Francis C. Darby of San Diego.

On request of Mr. Grant, the usual courtesies of the Assembly for this day were unanimously extended to Arthur A. Knoll and Carl H. Ehmann of Long Beach.

On request of Mr. Shaw, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. John Frost of Etiwanda.

On request of Speaker Sam L. Collins and The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Thomas V. Maloney of Cincinnati.

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to C. J. Main, Bill Sheppard, and Lew Dreager of Tulelake.

On request of Mr. Meyers and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Don L. Bradley of San Francisco.

On request of Mr. Kelly, the usual courtesies of the Assembly for this day were unanimously extended to Miss Anna Ginzler of Bakersfield.

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to the following group of Democratic women: Mesdames Lillian McBarron, Enid Foster, Eulalia Anderson, Claudine Zumwalt, Gladys Frey, Martha Vandenberg, Wanda Pasley, and Dorothy Lind, of Hayward, and Mesdames Helen Boris, and Chloe Johnson of Oakland.

On request of Mr. Babbage, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Charles E. Johnson of Riverside.

ADJOURNMENT

At 6 p.m., on motion of Mr. Dickey, the Speaker pro Tempore declared the Assembly adjourned, until 10 a.m., Wednesday, June 13, 1951, out of respect to the memory of the late Mrs. Hattie W. Hahn, mother of Assemblyman Gordon R. Hahn.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

EIGHTIETH LEGISLATIVE DAY

ONE HUNDRED TENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, June 13, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—77.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Eternal God, Grant to us those inner resources that provide adequate strength for the duties and the needs before us. "Thou wilt keep him in perfect peace whose mind is stayed on Thee." Direct us in the tasks of government.

We thank Thee for this inner tranquillity in spite of outward circumstance. We would open our hearts freely to Thy Spirit, our minds to Thy law, and our wills to Thy quickening energy.

"Thy name, O Lord, in sweet accord,
We worship and adore;
Thy goodness bless, Thy love confess,
Thy tender grace implore."

Through Jesus Christ our Lord—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Collier, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of the death of his mother:

Mr. Hahn, on motion of Mr. Stanley.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Rosenthal, on motion of Mr. Beck.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 293

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 343
Assembly Bill No. 1020
Assembly Bill No. 1142
Assembly Bill No. 1541
Assembly Bill No. 1991
Assembly Bill No. 2712
Assembly Bill No. 3096
Assembly Bill No. 3183

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2591

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 3452

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 1308
Assembly Bill No. 1309

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bills ordered to third reading.

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Senate Bill No. 1625

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

CONNOLLY, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Senate Concurrent Resolution No. 84

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

ERWIN, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR SPEAKER: Your Committee on Fish and Game, to which were referred:

Senate Bill No. 49
Senate Bill No. 1061

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ERWIN, Chairman

Above reported bills ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 89
Senate Concurrent Resolution No. 90

J. A. BEEK, Secretary of the Senate
By C V TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolutions were read:

Senate Concurrent Resolution No. 89—Relative to congratulating Dr. John W. Cline on his selection as President of the American Medical Association.

Referred to Committee on Public Health.

Senate Concurrent Resolution No. 90—Relating to observance of Flag Day.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 5, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 2599—An act to add Sections 5.2 and 5.3 to, and to amend Section 6 of, the Metropolitan Water District Act, relating to the issuance of refunding bonds for the purpose of refunding bonds issued pursuant to the provisions of said Metropolitan Water District Act, and the government and management of metropolitan water districts and declaring the severability of the provisions hereof.

J. A. BEEK, Secretary of the Senate
By C V. TAYLOR, Assistant Secretary

Assembly Bill No. 2599 ordered enrolled.

ANNOUNCEMENT

Speaker Sam L. Collins announced that the above message from the Senate, dated June 5, 1951, has just been received from the Senate, today, June 13, 1951.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 110—An act to amend Section 448 of the Education Code, relating to the salary and credential of the county superintendent of schools of a county of the forty-eighth class.

Bill read second time, and ordered engrossed.

Assembly Bill No. 621—An act to repeal Section 144 and to amend Section 1558 of the Penal Code, relating to the return of fugitives from justice.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3451—An act to add Section 402b to the Penal Code, relating to refrigerators, ice-boxes and chests of similar construction.

Bill read second time, and ordered engrossed.

Assembly Bill No. 842—An act to amend Section 28138 of the Government Code, relating to compensation for public services in counties of the thirty-eighth class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "28138", and insert "28137".

Amendment No. 2

In line 3 of the title of said bill, strike out "thirty-eighth", and insert "thirty-seventh".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 28137 of the Government Code is amended to read:

28137. In a county of the thirty-seventh class the following shall receive as compensation for the services required of them by law or by virtue of their offices the following sums:

(a) The auditor, four thousand two hundred fifty dollars ($4,250) a year.

(b) The district attorney, four thousand eight hundred dollars ($4,800) a year.

(c) Each supervisor shall receive two hundred [dollars ($200)] *fifty dollars ($250)* a month, and his actual expenses while attending to the business of the county by the order of the board of supervisors and mileage at the rate of fifteen cents ($0.15) a mile, one way; (1) for traveling from his residence to the county seat to attend regular, special, and adjourned sessions of the board of supervisors, and (2) for all actual distances traveled by him in the performance of his duties as road commissioner.

(d) Grand jurors and jurors in the superior court shall receive [three dollars ($3)] *five dollars ($5)* for each day's attendance and fifteen cents ($0.15) for each mile actually traveled in attending court as a juror, and for attending regularly called grand jury meetings and grand jury committee hearings, one way. Mileage shall be paid for each time a regularly empaneled jury or grand jury is called in separate session

The compensation provided by this section shall be payable to incumbent officers.

SEC. 2. If it is not legally competent to pay the compensation provided by this act to incumbent officers on the effective date of this act, such increase in compensation shall nevertheless be payable to the officers designated in this act as soon as it is legally competent to do so."

Amendment No. 4

On page 1 of said bill, strike out lines 3 to 25, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 622—An act to amend Sections 145 and 825 of the Penal Code, relating to the taking of persons arrested before a magistrate.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 11, of the printed bill, strike out "twenty-four", and insert "forty-eight".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1379—An act providing for the constitution of the municipal court in a district embracing the City of Merced, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "providing for the constitution of the municipal court"; and strike out lines 2, 3, and 4 of the title, and insert "to amend Section 79.24 of the Code of Civil Procedure, relating to judges of the superior court."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which *should appear in strikeout type in the following amendment is indicated by being* enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 7, inclusive, and insert

"SECTION 1. Section 79.24 of the Code of Civil Procedure is amended to read:

79.24. The annual salary of each Judge of the Superior Court in and for the County of Merced is [ten thousand dollars ($10,000)] *thirteen thousand five hundred dollars ($13,500)*."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1412—An act providing for the constitution of the municipal court in a district embracing the City of Los Angeles, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 3, of the printed bill, after "as", insert "now or hereafter".

Amendment No. 2

On page 1, line 5, of said bill, after "city", insert "unless otherwise prescribed by the Legislature".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1422—An act providing for the constitution of the municipal court in a district embracing the City of Rodendo Beach, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

Strike out line 2 of the title of the printed bill, and insert "in the district known and designated as South Bay Municipal Court District, Los Angeles County, and pre-".

Amendment No. 2

On page 1 of said bill, strike out line 2, and insert ' known and designated as South Bay Municipal Court District, Los Angeles County, shall be constituted, and".

Amendment No. 3

On page 1 of said bill, strike out lines 5, 6, and 7, and insert

"(1) There shall be three judges, each of whom shall receive the salary provided for municipal court judges in the county;

(2) There shall be one clerk, who shall receive six hundred sixty dollars ($660) monthly, and who may appoint the following.

One chief deputy clerk who shall receive five hundred dollars ($500) monthly;

Three deputy clerks, each of whom shall receive four hundred dollars ($400) monthly;

Four deputy clerks, each of whom shall receive three hundred fifty dollars ($350) monthly;

Two deputy clerks (stenographers), each of whom shall receive three hundred dollars ($300) monthly;

Three deputy clerks (typists), each of whom shall receive two hundred seventy-five dollars ($275) monthly;

(3) There shall be one marshal, who shall receive six hundred sixty dollars ($660) monthly and who may appoint the following:

One chief deputy who shall receive a minimum salary of three hundred ninety-five dollars ($395) monthly, with annual increments of twenty-two dollars ($22), twenty-three dollars ($23), twenty-four dollars ($24), and twenty-five dollars ($25), to a maximum of four hundred eighty-nine dollars ($489) monthly;

Two deputy marshals, each of whom shall receive a minimum salary of three hundred three dollars ($303) monthly, with annual increments of sixteen dollars ($16), eighteen dollars ($18), eighteen dollars ($18), and twenty dollars ($20) to a maximum of three hundred seventy-five dollars ($375) monthly;

Two deputy marshals, each of whom shall receive a minimum salary of two hundred eighty-eight dollars ($288) monthly, with annual increments of fifteen dollars ($15), sixteen dollars ($16), eighteen dollars ($18), and eighteen dollars ($18), to a maximum of three hundred fifty-five dollars ($355) monthly;

Two deputy marshals, each of whom shall receive a minimum salary of two hundred forty-six dollars ($246) monthly, with annual increments of thirteen dollars ($13), fourteen dollars ($14), fifteen dollars ($15), and fifteen dollars ($15) to a maximum of three hundred three dollars ($303) monthly;

Ten deputies (custodians), at the fee allowed by law for keeping property."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2107—An act to amend Section 7 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to judges and attaches in municipal courts of cities of the first and one-half class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "7", and insert "7d".

Amendment No. 2

Strike out lines 8 to 9, inclusive, of the title of the printed bill, and insert "relating to reporters in municipal courts of cities of the first and one-half class."

Amendment No. 3

On page 1, line 1, of the printed bill, strike out "7", and insert "7d".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of the printed bill, strike out lines 3 to 20, inclusive, and insert

"SEC. 7*d*. Official reporters in every municipal court in cities of the first and one-half class, appointed as provided in Section 274c of the Code of Civil Procedure, shall be attaches of such court, and in lieu of any other compensation provided by law for their services in reporting testimony and proceedings in such court, shall receive a salary of [five hundred dollars ($500)] *five hundred fifty dollars ($550)* per month, which shall be paid from the reporters' salary fund hereinafter referred to.

The judges of such court may appoint as many additional reporters as the business of the court may require, who shall be known as official reporters pro tempore, and who shall serve without salary, but shall receive the fees provided by Section 274 of the Code of Civil Procedure, except that in lieu of the per diem fees provided in said section for reporting testimony and proceedings, said official reporters pro tempore shall in all cases receive [twenty dollars ($20)] *twenty-two dollars ($22)* per day, which shall, upon order of the court, be paid from said reporters' salary fund.

All per diem fees otherwise payable by law by the parties to proceedings in said court to official reporters or official reporters pro tempore shall be paid to the clerk of the court, who shall deposit the same in the reporters' salary fund.

Fees for transcription of testimony and proceedings in such court shall be paid by the parties to official reporters and official reporters pro tempore as otherwise provided by law, and in all cases where, by law, the court may direct the payment of transcription fees out of the county treasury, such fees shall, upon order of the court, be paid from the reporters' salary fund, except fees for transcription of testimony and proceedings in felony cases, which shall be paid from the county treasury.

There shall be set aside from the revenue of said court, in the manner and at the times hereinafter provided, a revolving fund, to be known as the reporters' salary fund, in the amount of [fifteen thousand dollars ($15,000)] *sixteen thousand five hundred dollars ($16,500)*.

At the time of each monthly distribution of the revenue of said court to the city and county within which such court is established, the clerk of the court shall deduct proportionately from their respective total shares thereof such sum as will, when added to the sum then remaining in said fund, if any, equal [fifteen thousand dollars ($15,000)] *sixteen thousand five hundred dollars ($16,500)*, and deposit the same in said fund.

Deductions from the county's share of said revenue shall be made from that portion thereof distributable to the salary fund of the county, and deductions from the city's share shall be made from that portion thereof distributable to the general fund of the city.

For the purposes of this act the "revenue" of said court is defined to include all fines, forfeitures, and fees accruing to the cities or the county, except law library fees.

In the event said reporters' salary fund shall at any time be insufficient, then the amount of such deficiency shall, upon order of the court, be paid from the general fund of the county.

The county treasurer shall be the depositary, and the county auditor the disbursing agent, for said fund.

Official reporters of such court shall be members of any retirement system which includes attaches thereof For the purposes of such retirement system, the salary herein provided for such reporters shall be deemed their entire compensation, except that where credit is claimed for service rendered prior to the establishment of such salary, the actual compensation paid to them by the county shall be the basis for contributions for such prior service, and continuous employment in such municipal court, or a court superseded by it, prior to membership in said retirement system, shall be considered as "prior service" therein upon the payment by such reporters of the sums due, if any, under said retirement system."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2109—An act to amend Section 7a of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to attaches in municipal courts in cities of the first and one-half class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "7a", and insert "7d".

Amendment No. 2

In line 9 of the title of said bill, after "class", insert "and attaches in the municipal court established in a judicial district embracing the City of Los Angeles".

Amendment No. 3

On page 1, line 1, of said bill, strike out "7a", and insert "7d".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, between lines 2 and 3, insert

"Sec. 7d. Official reporters in every municipal court in cities of the first and one-half class, appointed as provided in Section 274c of the Code of Civil Procedure, shall be attaches of such court, and in lieu of any other compensation provided by law for their services in reporting testimony and proceedings in such court, shall receive a salary of [five] *six* hundred *twenty-five* dollars [($500)] *($625)* per month, which shall be paid from the reporters' salary fund hereinafter referred to

The judges of such court may appoint as many additional reporters as the business of the court may require, who shall be known as official reporters pro tempore, and who shall serve without salary, but shall receive the fees provided by Section 274 of the Code of Civil Procedure, except that in lieu of the per diem fees provided in said section for reporting testimony and proceedings, said official reporters pro tempore shall in all cases receive [twenty] *twenty-five* dollars [($20)] *($25)* per day, which shall, upon order of the court, be paid from said reporters' salary fund.

All per diem fees otherwise payable by law by the parties to proceedings in said court to official reporters or official reporters pro tempore shall be paid to the clerk of the court, who shall deposit the same in the reporters' salary fund

Fees for transcription of testimony and proceedings in such court shall be paid by the parties to official reporters and official reporters pro tempore as otherwise provided by law, and in all cases where, by law, the court may direct the payment of transcription fees out of the county treasury, such fees shall, upon order of the court, be paid from the reporters' salary fund, except fees for transcription of testimony and proceedings in felony cases, which shall be paid from the county treasury.

There shall be set aside from the revenue of said court, in the manner and at the times hereinafter provided, a revolving fund, to be known as the reporters' salary fund, in the amount of fifteen thousand dollars ($15,000).

At the the time of each monthly distribution of the revenue of said court to the city and the county within which such court is established, the clerk of the court shall deduct proportionately from their respective total shares thereof such sum as will, when added to the sum then remaining in said fund, if any, equal fifteen thousand dollars ($15,000), and deposit the same in said fund.

Deductions from the county's share of said revenue shall be made from that portion thereof distributable to the salary fund of the county, and deductions from the city's share shall be made from that portion thereof distributable to the general fund of the city.

For the purposes of this act the "revenue" of said court is defined to include all fines, forfeitures, and fees accruing to the city or the county, except law library fees.

In the event said reporters' salary fund shall at any time be insufficient, then the amount of such deficiency shall, upon order of the court, be paid from the general fund of the county.

The county treasurer shall be the depositary, and the county auditor the disbursing agent, for said fund

Official reporters of such court shall be members of any retirement system which includes attaches thereof For the purposes of such retirement system, the salary herein provided for such reporters shall be deemed their entire compensation, except that where credit is claimed for service rendered prior to the establishment of such salary, the actual compensation paid to them by the county shall be the basis for contributions for such prior service, and continuous employment in such municipal court, or a court superseded by it, prior to membership in said retirement system, shall be considered as "prior service" therein upon the payment by such reporters of the sums due, if any, under said retirement system.

On January 1, 1952, and thereafter, any provision of law to the contrary notwithstanding, this section shall continue in full force and effect, except that the provisions therof shall apply to the municipal court established in a judicial district embracing the City of Los Angeles, and to all cities included in said judicial district"

Amendment No. 5

On page 1 of said bill, strike out lines 3 to 18, inclusive; and strike out all of page 2.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2362—An act to amend Section 261b, as added by Chapter 1031 of the Statutes of 1943, of the Code of Civil Procedure, relating to reporters for superior courts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "261b, as added by Chapter 1031 of the Statutes of 1943", and insert "261a 5".

Amendment No. 2

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 261a.5 of the Code of Civil Procedure is amended to read:

261a.5. In each county, or city and county, having a population of 275,000 inhabitants or over, as determined by the Federal Census taken in 1940, *and in each county, or city and county, having a population of 280,000 or over and less than 285,000 inhabitants, as determined by the Federal Census taken in 1950*, the judges

of the superior court in and for such county, or city and county, a majority concurring, to assist the court in the transaction of the judicial business of said court, by having performed the duties of phonographic reporters as elsewhere in this code defined, may appoint as many regular official phonographic reporters as may be necessary to report the proceedings in said court and to perform such duties, except that the number of reporters so appointed shall not exceed at any one time the number of offices of judge provided by law for said court, said reporters to hold office during the pleasure of the judges of said court, a majority concurring.

When needed in order that the judicial business of the superior court in such county, or city and county, may be diligently carried on and a particular matter or matters may proceed to trial or hearing without delay, a pro tempore official reporter may be appointed to perform the duties of a phonographic reporter in such matter or matters, or until a regular official reporter becomes available for such service. A pro tempore official reporter for such service may be appointed by the presiding judge of the court and the judge presiding in the department where such reporter will serve, but when such appointment is made for service in a contested matter, it shall be made only pursuant to a written stipulation of the parties appearing at the trial or hearing or other proceeding to be reported by such pro tempore reporter

Each of said regular official reporters shall be paid a salary of six thousand dollars ($6,000) per annum, and each of said pro tempore official reporters shall be paid twenty dollars ($20) per day for the days he actually is on duty under order of the court.

No further fee than that hereinabove provided shall be collected from, or assessed against, any party to any proceeding for the services of a phonographic reporter in taking down in shorthand the testimony and other proceedings in the trial or hearing of any matter as required by law or by order of the court; but a phonographic reporter shall be allowed, and shall receive, unless waived by him, the fees now, or that may hereafter be, allowed by law for transcribing his shorthand notes of the testimony and proceedings reported by him, and such fees for transcriptions shall be paid as provided by Section 274 of the Code of Civil Procedure and by any other law of this State pertinent to the case.

The salaries in this section provided shall be paid in monthly installments out of the salary fund of the county, or city and county, and shall be allowed and audited in the same manner as other salary demands against the county, or city and county, are required by law to be allowed and audited.

In addition to a fee or fees required by any other law or laws, a fee of three dollars ($3) shall be paid to the county clerk of such a county, or city and county, by each party, or jointly by parties appearing jointly, in each of the following instances:

(1) Where Section 26821 of the Government Code requires such party or parties to pay said clerk a fee for the filing of the first paper in a civil action or in a special proceeding, except in an appeal from an inferior court.

(2) Where Section 26822, to 26825, inclusive of the Government Code requires such party or parties to pay said clerk a fee for filing papers transmitted from another court on the transfer of a civil action or special proceeding from another court, except in an appeal from an inferior court.

(3) Where Section 26826 of the Government Code requires such party or parties to pay said clerk a fee on the appearance in a civil action or special proceeding of a defendant, intervenor, respondent, correspondent or adverse party, except in an appeal from an inferior court; provided, however, if any of the parties named in this paragraph shall appear jointly they shall pay but one such additional fee of three dollars ($3) as in this section provided.

(4) Where Section 26827 of the Government Code requires such party or parties to pay said clerk a fee for the filing of a petition or other paper in a probate or guardianship matter.

The fee so required shall be taxed as costs in favor of any party paying the same and to whom costs are awarded by the judgment of the court. Such fee shall not be subject to the provisions of Section 6103 of the Government Code.

The fee provided in this section shall not be required of any party who is exempted from the payment of costs by any statute other than Section 6103 of the Government Code.

The county clerk shall, on or before the first day of each calendar month, transmit to the county treasurer, or city and county treasurer, all moneys paid to him under the provisions of this section during the preceding calendar month, or up to the day immediately preceding the day on which he transmits such moneys, and such moneys shall be deposited in the salary fund of said county, or city and county."

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 25, inclusive; and strike out all of pages 2 and 3.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3326—An act to add Section 2611 to the Code of Civil Procedure, relating to phonographic reporters, and declaring the urgency of this act.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, as amended in the Assembly on May 17, 1951, strike out ", and declaring the urgency of this act".

Amendment No. 2

On page 1, line 19, of said bill, strike out "400,000", and insert "295,000".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3088—An act to amend Section 9906 of the Government Code, relating to the regulation of legislative representation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Legislative Representation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 9906", and insert "Sections 9907 and 9908".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 9907 of the Government Code is amended to read:

9907. All reports and statements required under this chapter [shall] *to* be made under oath [,] *shall be sworn to* before an officer authorized by law to administer oaths *or shall contain, or be verified by, a written declaration that they are made under the penalties of perjury. Any person who wilfully makes a report or statement required under this chapter, which is stated to be made under the penalties of perjury, and which is not true and correct as to every material matter, shall be guilty of a felony, and upon conviction thereof, shall be subject to the penalties prescribed for perjury by the Penal Code of this State.*

SEC. 2. Section 9908 of the Government Code is amended to read:

9908. (a) Any person who violates any of the provisions of the foregoing sections of this chapter, *except Section 9907*, and any person who wilfully files any document provided for in this chapter that contains any materially false statement or material omission, or any person who wilfully omits to comply with any material requirement of the foregoing sections of this chapter, shall be guilty of a misdemeanor [, and shall be punished by a fine of not more than five thousand dollars ($5,000) or imprisonment for not more than 12 months, or by both such fine and imprisonment] .

(b) Any person who is required to register pursuant to Section 9906, and who, for pay or for any consideration, attempts to influence the passage or defeat of any legislation by the Legislature of the State of California or the approval or veto of any legislation by the Governor of the State of California after a certificate of registration as legislative advocate has hereafter been denied him by both houses acting through appropriately established committees thereof, or after a certificate of registration as a legislative advocate issued to him has hereafter been suspended or revoked by both houses acting through appropriately established committees theerof, upon due notice and a hearing or an opportunity to be heard which the person did not avail himself of, is guilty of a misdemeanor. This subdivision shall not apply to any person holding a valid certificate of registration as legislative advocate issued by either house acting through an appropriately established committee thereof, subsequent to a previous denial, suspension, or revocation of a certificate.

[(b) In addition to the penalties provided for in subsection (a),] *(c) Any person convicted of a misdemeanor specified in subdivision (a) or (b) of this section shall be punished by a fine of not more than five thousand dollars ($5,000) or imprisonment for not more than 12 months, or by both such fine and imprisonment.* Any person convicted of [the] *a* misdemeanor specified [therein] *in subdivision (a) or (b) of this section* is prohibited, for a period of three years from the date of such conviction, from attempting to influence, directly or indirectly, the passage or defeat of any proposed legislation or from appearing before a committee of the Legislature in support of or opposition to proposed legislation; and any person who violates any provision of this subsection shall, upon conviction thereof, be guilty of a felony, and shall be punished by a fine of not more than ten thousand dollars ($10,000), or imprisonment for not more than five years, or by both such fine and imprisonment.

Amendment No. 3

On page 1 of said bill, strike out lines 2 through 27, inclusive; and strike out all of page 2.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2301—An act to amend Sections 28116 and 28128 of the Government Code, relating to compensation for public services.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on June 7, 1951, after line 47, insert

"SEC. 3. If it is not legally competent to pay the compensation provided by this act to incumbent officers on the effective date of this act, such increase in compensation shall nevertheless be payable to the officers designated in this act as soon as it is legally competent to do so."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1496—An act to amend Section 737mm of the Political Code and Section 79.39 of the Code of Civil Procedure, relating to superior judges' salaries.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, lines 5 and 6, of the printed bill, strike out "fifteen thousand dollars ($15,000)", and insert "thirteen thousand five hundred dollars ($13,500)".

Amendment No. 2

On page 1, line 11, of said bill, strike out "fifteen thousand dollars ($15,000)", and insert "thirteen thousand five hundred dollars ($13,500)".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1818—An act to revise and consolidate the law relating to the receipt, custody, investment, management, disposal, and escheat of various classes of unclaimed property to the possession of which the State is, or may become entitled, by repealing Titles 8 and 8A of Part 3 of the Code of Civil Procedure, Sections 3163, 3164, 3165, 3166, and

3167 of the Banking Code, Sections 3163, 3164, 3165, 3166, and 3167 of the Financial Code, and an act entitled "An act providing for the dissolution and winding up of savings banks, trust companies, and banks of deposit, and providing for the disposition of all funds deposited therein and not claimed within five years after such banks have ceased to do business, or after the commencement of proceedings to dissolve," approved March 31, 1891, (Chapter 190, Statutes of 1891), amending and renumbering Section 3168 of the Banking Code, Section 3168 of the Financial Code, and the headings of Titles 9 and 10 of Part 3 of the Code of Civil Procedure, amending Section 13470 of the Government Code, Sections 870, 3121, 3150, and 2162 of the Banking Code, Sections 870, 3121, 3150, 3162, and 9073 of the Financial Code, Section 13.16c of the Building and Loan Association Act, Sections 231, 739, 1064, and 1148 of the Probate Code, Section 5061 of the Penal Code, and Sections 166 and 1015 of the Welfare and Institutions Code, and adding Title 10 to Part 3 of the Code of Civil Procedure, Sections 5062, 5063, 5064, 5065, and 5066 to the Penal Code, and Sections 166.1, 166.2, 166.3, 166.4, 166.5, 1016, 1017, 1018, 1019, and 1020 to the Welfare and Institutions Code, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 9 of the printed bill, as amended in the Assembly on March 28, 1951, strike out lines 5 and 6, and insert

"The petition shall be verified, and, among other things,".

Amendment No. 2

On page 10 of said bill, strike out lines 18 and 19, and insert

"Said petition shall be verified; and, in a proceeding for the recovery by the petitioner as heir, devisee, or legatee, or the successor in interest of an heir, devisee, or legatee, of money or other property received by the State from the estate of a decedent under the provisions of Article 1 of Chapter 6, such petition, among other things must state:".

Amendment No. 3

On page 10, line 25, of said bill, strike out "and", and insert "the".

Amendment No. 4

On page 11, line 24, of said bill, strike out "No"; and strike out lines 25 and 26.

Amendment No. 5

On page 21, line 1, of said bill, strike out "No disabilities other than"; and strike out lines 2 and 3.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3090—An act to add Article 6 to Chapter 1, Division 1, of the Streets and Highways Code, directing the State Treasurer to prepare and issue revenue bonds in the amount needed for immediate state highway construction; authorizing the Director of Finance to determine the revenues which will be available to retire such bonds; authorizing the expenditure of the proceeds raised from the sale of the bonds for the immediate construction or repair of state highways; and providing that the act shall take effect upon the adoption of a validating constitutional amendment.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

Strike out line 5 of the title of the printed bill, as amended in the Assembly on May 25, 1951, and insert "creating the Highway Revenue Bond Finance Committee; providing for the issuance of".

Amendment No. 2

In line 14 of the title of said bill, after "Highways", insert "; appropriating money for the expense of preparing and of advertising the sale of such bonds and for the administration of this act".

Amendment No. 3

On page 1 of said bill, strike out lines 9 and 10, and insert

"220.01. "Committee" means the Highway Revenue Bond Finance Committee.

220.02. There is hereby created the Highway Revenue Bond Finance Committee composed of the Governor, the Director of Finance, and the Director of Public Works, all of whom shall serve thereon without compensation and a majority of whom shall be empowered to act for said committee.

220.03. Upon the effective date of this article the California Highway Commission and the Director of Finance shall compute the minimum amount of funds which are estimated will be made available for expenditure on state highways pursuant to the allocation made by Section 188.4, for a period of ten years after the effective date of this article The commission shall transmit such estimate to the committee. The total amount of the estimate is known as the available funds.

220.04. Upon receipt of such estimate the committee is authorized to provide for the issuance and sale of revenue bonds of the State in an amount the aggregate par value of which, together with the interest and expenses of preparing, issuing, selling, and retiring the bonds, will not exceed the estimated available funds.

220.05. The revenue bonds shall be special obligations of the State secured solely by the minimum revenues which are made available for expenditure on state highways from the State Highway Fund by apportionment under Section 188.4, and the payment of interest and principal of the bonds is secured by an exclusive charge and lien upon such revenues. Such revenues constitute a trust fund for the security and payment of the bonds and the interest thereon.

220.06. There is hereby created in the State Treasury the State Highway Revenue Fund The State Treasurer shall transfer quarterly from the State Highway Fund to the State Highway Revenue Fund the sum which would be apportioned for the minimum expenditure in counties under Section 188.4. The proceeds of the sale of such bonds and such amount as may have been paid as accrued interest thereon shall be forthwith paid over by the State Treasurer into the State Highway Revenue Fund and must be used as provided in this article

220.07. The Department of Public Works may expend immediately such sums as are paid into the State Highway Revenue Fund from the proceeds of the sale of the bonds, for the highway purposes specified in Section 188 The department shall expend such amounts in each county according to the percentages specified in subdivisions (b) and (c) of Section 188.4.

220.08 The committee shall authorize the issuance of the bonds by resolution. The resolution shall:

(a) State the purpose for which the bonds are proposed to be issued.

(b) State the principal amount of the bonds to be issued.

(c) State the maximum rate of interest on the bonds, which shall not exceed 6 percent a year, payable annually or semi-annually.

(d) State that the bonds are revenue bonds secured exclusively as provided in Section 220.05

(e) The number of series in which the bonds are to be issued.

(f) The date the bonds are to bear.

(g) The maturity dates of the bonds, not exceeding ten years from their respective dates.

220.09 The committee may, in the resolution authorizing the issuance of the bonds, or in a separate resolution, provide for:

(a) The issuance of any bonds or a series in the form of serial bonds or sinking fund bonds with serial or term maturity

(b) The denomination of the bonds.

(c) The form of the bonds, coupon or registered

(d) The registration and conversion privileges of the bonds.

(e) The medium and place of payment

(f) The terms of redemption, with or without a premium, which shall not exceed 6 percent of the par value of the bonds.

(g) The terms and conditions upon which the bonds may be declared or become due and payable upon specified defaults

(h) The replacement of mutilated, destroyed, stolen, or lost bonds,

220.10. Whenever any bonds are to be issued pursuant to this article, the committee, from time to time, upon such terms and conditions in all respects as it approves and consistently with this article, may enter into indentures or agreements providing for the amount, form, maturities, registration, and transfer and interchange of the bonds and coupons and the terms and conditions upon which they shall be issued, sold, paid, and retired.

220.11. Any resolution authorizing bonds may provide that the bonds may recite that they are issued pursuant to this article and bonds containing such recital are conclusively deemed valid and issued in conformity with this article.

220.12. All bonds issued under this article shall bear the facsimile signature of the Governor and the facsimile countersignature of the Controller and shall be endorsed by the State Treasurer either by original signature or by a signature stamp, and the bonds shall be signed, countersigned, and endorsed by the officers who shall be in office on the date of issuance thereof, and each of said bonds shall bear an impress of the Great Seal of the State of California. Interest coupons attached to each bond shall bear the facsimile signature of the State Treasurer who shall be in office on the date of issuance of the bond to which said coupons pertain The bonds or coupons so signed, countersigned, endorsed, and sealed, when sold, are valid although the sale thereof be made at a date or dates upon which the officers having signed, countersigned, and endorsed said bonds or coupons, or any or either of said officers, shall have ceased to be the incumbents of the offices held by them at the time of signing, countersigning, or endorsing said bonds or coupons.

220.13. Upon receipt of the resolution of the committee authorizing the issuance of bonds, the State Treasurer shall provide for their preparation in accordance with the resolution. The bonds shall be sold by the State Treasurer to the highest bidder for cash, either at public sale or upon sealed bids. The State Treasurer shall reject any and all bids for said bonds, or any of them, which shall be below the par value of said bonds so offered plus the interest which shall have accrued thereon between the date of purchaser's payment for said bonds and the last preceding interest maturity date; and the Treasurer may from time to time, by public announcement at the place and time fixed for the sale, continue such sale, as the whole of the bonds offered, or any part thereof offered, at such time and place as he may select. Each bid shall be in writing and signed by the bidder and sealed, and shall be accompanied by the deposit of a certified check or cashier's check for one percent (1%) of the par value of the bonds offered for sale drawn on a bank or trust company authorized to transact and transacting business in the State of California, payable to the Treasurer of the State of California, such deposit not to bear interest. The deposit of each unsuccessful bidder shall be returned to him immediately upon the nonacceptance of his bid, and the deposit of the successful bidder shall immediately upon the acceptance of his bid become and be the property of the State of California and be placed in the State Treasury to the credit of the State Highway Revenue Fund, and shall be credited to the successful purchaser upon the purchase price of the bonds bid for in case such purchase price is paid in full by him within the time mutually agreed upon between the successful bidder and the State Treasurer. If the purchase price is not so paid, the successful bidder shall have no right in and to said bonds or by reason of said bid, or to the recovery of said deposit accompanying said bid, or to any allowance or credit by reason of such deposit unless it shall appear that the bonds would not be validly issued if delivered to the purchaser in the form and manner proposed In case the purchase price is not so paid, the bonds so sold but not paid for shall be resold by the State Treasurer upon notice as provided in case of original sale.

220.14 Due notice of the time and place of sale of all bonds shall be given by the State Treasurer by publication in one newspaper published in the City and County of San Francisco, by publication in one newspaper published in the City of Sacramento, and by publication in one newspaper published in the City of Los Angeles once a week during two weeks prior to such sale. In addition to the notice last above provided for, the State Treasurer may give further notice as he may deem advisable, but the expense and cost of such additional notice shall not exceed the sum of five hundred dollars ($500) for each sale so advertised.

220.15 There is hereby appropriated out of the General Fund the sum of ten thousand dollars ($10,000) to the State Treasurer to pay the expenses incurred in preparing, issuing, and selling the bonds authorized by this article, and in advertising the sale thereof, or in any manner in connection therewith Out of the proceeds of the sale of the revenue bonds under this article there shall be returned to the General Fund the amount that the State Treasurer has expended for such purposes, and such amount shall revert to the unappropriated surplus in the General Fund

220.16. Pending the preparation of the definitive bonds, interim receipts or temporary bonds, exchangeable for definitive bonds may be issued in the form and with the provisions the committee determines.

220.17. In the absence of an express recital on its face that the bond or interim receipt is non-negotiable, the bond or interim receipt is a negotiable instrument.

220.18. Reference on the face of the bonds to the resolution by its date of adoption, incorporates the resolution and this chapter into the bonds and their coupons

220.19. Bonds of the same issue shall be equally secured by a lien upon such revenue without priority for number, date of bonds, of sale, of execution, or of delivery pursuant to this article.

220.20. Each taker and subsequent holder of the bonds and attached or detached coupons has recourse to all of the provisions of the resolution and of this chapter and is bound by their terms.

220.21. The bonds may be sold in installments at different times or as an entire series.

220.22. The bonds and interest or income from the bonds are exempt from taxation in this State, except from gift, inheritance, and estate taxes.

220.23. The Superintendent of Banks may investigate and ascertain the status or sufficiency as investments for savings banks in this State of any such bonds. If upon investigation it is determined in his opinion that such bonds constitute a proper investment for savings banks, he shall so certify. He may revoke any such certificate issued by him at any time in his discretion.

220.24. All bonds issued pursuant to this article which have been first certified by the Superintendent of Banks are legal investments for all trust funds, for the funds of all insurance companies, commercial and savings banks, and trust companies, and for state school funds.

220.25. Any money or funds which may by law be invested in bonds of the State, cities, counties, or school districts in the State may be invested in the bonds issued pursuant to this article.

220.26. Whenever any bonds of the State, or of any city, county, or school district in the State, may by law be used as security for the performance of any act or the deposit of any public money the bonds issued pursuant to this article may be so used.

220.27. The State Treasurer shall pay the principal and interest on said bonds when due, upon warrants drawn against the State Highway Revenue Fund by the Controller. There shall be allocated to the payment of the principal, interest and expenses of preparing, issuing, selling, and retiring such bonds, the minimum amounts which would be expended in each county pursuant to Section 188.4, until the bonds are fully retired.

220.28. Whenever the committee shall determine that any bonds issued under this article and then outstanding, and which by their terms are subject to redemption prior to maturity, should be redeemed, and that money sufficient for such redemption will be available in the fund at the time proposed for such redemption, it may by resolution direct the State Treasurer to call and redeem any such bonds, at a time specified in such resolution, and the State Treasurer shall thereupon give notice of such proposed redemption and redeem said bonds in accordance with the provisions for redemption provided for in the resolution of the committee pursuant to which the bonds so to be called were issued.

220.29. Whenever the committee determines by resolution that for any reason any bonds which have been prepared and executed under the foregoing provisions should not be sold or issued, the State Treasurer shall cancel the same by perforation with a suitable device in a manner to indicate such cancellation and the date thereof. Upon the committee so determining by resolution, new bonds, conforming to its directions, may be prepared and executed in lieu of any bonds so canceled, and may be sold and issued in the same manner as other bonds authorized by this article.

220.30. The State Treasurer, directly or through the state fiscal agent, at New York, New York, or through a duly authorized agent, shall, upon the respective dates of maturity of all bonds issued under this article, or on the date fixed for the prior redemption of any thereof which may be duly called for redemption, and on the respective due dates of all coupons pertaining to any of said bonds (other than coupons canceled because of the redemption of any of said bonds prior to maturity) or as soon thereafter as said bonds or coupons respectively are surrendered to him, or to such state fiscal agent, or other duly authorized agent, pay the same.

220.31. Upon the payment of any such bond or coupon, the State Treasurer, or such state fiscal agent, or other duly authorized agent, shall perforate the same with a suitable device in a manner to indicate such payment and the date thereof. The State Treasurer, or such state fiscal agent, or other duly authorized agent, shall also on the respective dates of maturity of any such bonds which have been executed but which remain unsold, cancel the same by perforation with a suitable device in a manner to indicate such cancellation and the date thereof, and on the respective due dates of all coupons attached to any such bond remaining unsold, shall detach all such coupons the due date of which has been reached, and cancel them in the same manner as provided for the cancellation of bonds remaining unsold.

220.32. Not less than four (4) years after the final maturity date of any particular issue of bonds, the State Treasurer, or such state fiscal agent, or other duly authorized agent, may destroy or cremate any or all bonds of such issue and any or all coupons pertaining thereto which have been previously paid or canceled as provided herein.

220.33. Whenever the committee deems that it will increase the salability or the price of the bonds to obtain, prior to or after sale, a legal opinion, other than that of the Attorney General, as to the validity of the bonds, the commission may authorize the State Treasurer or the Department of Finance, or both, to obtain such a legal opinion. Payment for such legal services shall be made from the fund, upon approval of the State Board of Control and on Controller's warrant duly drawn for that purpose."

Amendment No. 4

Strike out all of pages 2 and 3 of said bill.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2114—An act to add Section 41.6 to an act entitled "An act prescribing the regulation, government, procedure and jurisdiction of the municipal and justice courts, and providing for the election and appointment of the judges, officers and attaches of such courts, their terms of office, qualifications and compensation," approved July 27, 1949, relating to traffic commissioner.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

Strike out lines 1 to 7, inclusive, of the title of the printed bill, and insert

"An act providing for the compensation of officers and attaches of the municipal court in a district embracing the Cities of Los Angeles and San Fernando."

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 12, inclusive, and insert

"SECTION 1. Official reporters in the municipal court in a district embracing the Cities of Los Angeles and San Fernando, appointed as provided in Section 274c of the Code of Civil Procedure, shall be attaches of such court, and in lieu of any other compensation provided by law for their services in reporting testimony and proceedings in such court, shall receive a salary of five hundred fifty dollars ($550) per month, which shall be paid from the reporters' salary fund hereinafter referred to.

The judges of such court may appoint as many additional reporters as the business of the court may require, who shall be known as official reporters pro tempore, and who shall serve without salary, but shall receive the fees provided by Section 274 of the Code of Civil Procedure, except that in lieu of the per diem fees provided in said section for reporting testimony and proceedings, said official reporters pro tempore shall in all cases receive twenty-two dollars ($22) per day, which shall, upon order of the court, be paid from said reporters' salary fund.

All per diem fees otherwise payable by law by the parties to proceedings in said court to official reporters or official reporters pro tempore shall be paid to the clerk of the court, who shall deposit the same in the reporters' salary fund.

Fees for transcription of testimony and proceedings in such court shall be paid by the parties to official reporters and official reporters pro tempore as otherwise provided by law, and in all cases where, by law, the court may direct the payment of transcription fees out of the county treasury, such fees shall, upon order of the court, be paid from the reporters' salary fund, except fees for transcription of testimony and proceedings in felony cases, which shall be paid from the county treasury.

There shall be set aside from the revenue of said court, in the manner and at the times hereinafter provided, a revolving fund, to be known as the reporters' salary fund, in the amount of sixteen thousand five hundred dollars ($16,500).

At the time of each distribution of the revenue of said court to the cities and to the county, the clerk of the court shall deduct proportionately from their respective total shares thereof such sum as will, when added to the sum then remaining in said fund, if any, equal sixteen thousand five hundred dollars ($16,500), and deposit the same in said fund.

Deductions from the county's share of said revenue shall be made from that portion thereof distributable to the salary fund of the county, and deductions from the cities' shares shall be made from those portions thereof distributable to the general funds of the cities.

For the purposes of this act the "revenue" of said court is defined to include all fines, forfeitures, and fees accruing to the cities or the county, except law library fees.

In the event said reporters' salary fund shall at any time be insufficient, then the amount of such deficiency shall, upon order of the court, be paid from the general fund of the county.

The county treasurer shall be the depositary, and the county auditor the disbursing agent, for said fund.

Official reporters of such court shall be members of any retirement system which includes attaches thereof. For the purposes of such retirement system, the salary herein provided for such reporters shall be deemed their entire compensation, except that where credit is claimed for service rendered prior to the establishment of such salary, the actual compensation paid to them by the county shall be the basis for contributions for such prior service, and continuous employment in such municipal court, or a court superseded by it, prior to membership in said retirement system, shall be considered as "prior service" therein upon the payment by such reporters of the sums due, if any, under said retirement system."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1376—An act providing for the constitution of municipal courts in districts in Stanislaus County other than the district embracing the City of Modesto, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, lines 8 and 9, of the printed bill, as amended in the Assembly on May 1, 1951, strike out "eight thousand four hundred dollars ($8,400)", and insert "eight thousand dollars ($8,000)".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3448—An act to amend Section 172 of the Penal Code, relating to selling, giving away, or exposing for sale intoxicating liquors.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Boards and Commissions:

Amendment No. 1

On page 1, line 6, of the printed bill, after "grounds", insert "upon which are the principal administration buildings of the campus".

Amendment No. 2

On page 1, line 8, of said bill, after the second "at", insert "the Goleta Campus only at".

Amendment No. 3

On page 1, line 13, of said bill, after "asylum", insert "(which terms shall not be construed to include a hospital)".

Amendment No. 4

On page 1, line 15, of said bill, strike out "or to be established".

Amendment No. 5

On page 1, line 17, of said bill, after "sells", strike out "gives away", and insert "at retail".

Amendment No. 6

On page 1, line 18, of said bill, after "sale", insert "at retail".

Amendment No. 7

On page 1 of said bill, between lines 22 and 23, insert

"The provisions of this section shall not apply to the sale, giving away, exposing for sale, or serving of alcoholic beverages by any licensee under the Alcoholic Beverage Control Act in any premises for which a license is issued and in effect on the effective date of this section, and the provisions of this section do not prohibit the transfer of any license from one premises to another within the prescribed area."

Amendment No. 8

On page 1, line 26, of said bill, after the third "at", insert "the Goleta Campus only at".

Amendment No. 9

On page 2 of said bill, after line 22, insert

"5. It is the intent of the Legislature in adding the words '(which terms shall not be construed to include a hospital)' merely to clarify the meaning of the section of the law and not as an alteration in the public policy or legislative intent regarding such law or to make any change in the meaning thereof."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3434—An act to add Article 1.5, comprising Sections 215 through 217, inclusive, to Chapter 2, Division 1 of the Streets and Highways Code, relating to the creation of a fund for the acquisition of property for highway purposes, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on May 28, 1951, strike out "217", and insert "218".

Amendment No. 2

On page 2 of said bill, strike out lines 2 to 5, inclusive, and insert

"216. On the effective date of this article or as soon thereafter as the Controller may compute the amount, there shall be transferred from the General Fund of the State to the Highway Protective Right of Way Revolving Fund, 50 percent of the estimated surplus in the General Fund as of June 30, 1951, after adding thereto all estimated revenues for the 1951-1952 Fiscal Year, and deducting therefrom all appropriations payable during said year, including appropriations made by the 1951 General Session of the Legislature, such amount to be so transferred in no event, however, to exceed five million dollars ($5,000,000).

217. As of June 30, 1952, and as of each succeeding June 30th of each year, until the sum of fifty million dollars ($50,000,000), including any amounts transferred under Section 216 hereof, has been transferred, the State Controller shall transfer one-half of the surplus money in the General Fund in the State Treasury to the Highway Protective Right of Way Revolving Fund During the month of July, 1952, and of each year thereafter, the Controller shall estimate the surplus money in the General Fund as of the preceding June 30th and shall transfer ninety percent (90%) of his estimate of the sum required to be transferred as of June 30th Thereafter, when his computations are complete as to the precise amount of surplus in the General Fund as of the preceding June 30th appropriate adjustment shall be made in the amounts so credited to the Highway Protective Right of Way Revolving Fund."

Amendment No. 3

On page 2, line 30, of said bill, strike out "217", and insert "218".

Amendment No. 4

On page 2, lines 43 and 44, of said bill, strike out "net cost of such properties, after taking into account the credits above mentioned", and insert "cost of such properties, excluding expenditures for general administrative purposes".

Amendment No. 5

On page 2, line 49, of said bill, strike out "Revenue Deficiency Reserve", and insert "General".

Amendment No. 6

On page 2, lines 51 and 52, of said bill, strike out "Revenue Deficiency Reserve", and insert "General".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3112—An act to provide for the creation of the Los Angeles Metropolitan Transit Authority and prescribing the powers and duties thereof; authorizing the authority to construct and operate an interurban rapid transit system; providing for the issuance and sale of revenue bonds and providing for the use of the proceeds thereof for the purposes of this act; and providing for the expenditure of such proceeds and all revenues received from the operation of the system to the uses and purposes set forth herein.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 7, line 7, of the printed bill, as amended in the Assembly on June 7, 1951, after the period, insert "Such condemnation of any privately owned public utility shall be authorized only upon the concurrence of said utility."

Amendment No. 2

On page 7 of said bill, between lines 38 and 39, insert

"In the event the use by the authority of any existing public street or highway necessitates the acquisition of rights of way or other rights of use, such rights shall be acquired by application by the authority to the city council, board of supervisors, or any other public corporation or agency having the control of such rights of way and no rights shall be available to the authority unless granted by the authorized local agency having jurisdiction thereof."

Amendment No. 3

On page 7, line 51, of said bill, after "highway", insert "or crossings thereof or removal of public utilities".

Amendment No. 4

On page 9, line 20, of said bill, insert

"Sec. 4.20. One of the purposes of this act is to co-ordinate any operations of the authority with the operations of any existing transit facilities, and in the operation of the major interurban system from San Fernando Valley to Long Beach the authority shall first offer to existing utilities contracts for the operation of feeder lines by buses or other facilities controlled or operated by said utilities."

Amendment No. 5

On page 14, line 3, of said bill, after the period, insert "The authority may contract loans and borrow money through the sale of bonds to the United States of America or any of its departments, agencies, or instrumentalities, upon such terms and conditions as may be agreed to and such bonds shall be subject to all other provisions of this act, except the requirment that bonds be sold on sealed proposals to the highest bidder after advertising for bids."

Amendment No. 6

On page 20, line 35, of said bill, strike out "find", and insert "fund".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Request for Unanimous Consent That Rush Order Be Placed Upon Printing of Assembly Bill No. 3112

Mr. Burkhalter asked for, and was granted, unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 3112.

Assembly Bill No. 3450—An act to add Section 261k to the Code of Civil Procedure, relating to court reporters.

Bill read second time.

Motion to Amend

Mrs. Niehouse moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, after the first "to", insert "amend Section 261a.5 of, and to".

Amendment No. 2

In line 2 of the title of said bill, strike out "court reporters", and insert "phonographic reporters and fees payable to county clerks in connection with court proceedings".

Amendment No. 3

On page 1, line 8, of said bill, strike out "seven thousand five hundred dollars ($7,500)", and insert "seven thousand two hundred dollars ($7,200)".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, after line 11, insert

"SEC. 2 Section 261a 5 of the Code of Civil Procedure is amended to read:

261a.5. In each county, or city and county, having a population of 275,000 inhabitants or over, as determined by the Federal Census taken in 1940, the judges of the superior court in and for such county, or city and county, a majority concurring, to assist the court in the transaction of the judicial business of said court, by having performed the duties of phonographic reporters as elsewhere in this code defined, may appoint as many regular official phonographic reporters as may be necessary to report the proceedings in said court and to perform such duties, except that the number of reporters so appointed shall not exceed at any one time the number of offices of judge provided by law for said court, said reporters to hold office during the pleasure of the judges of said court, a majority concurring.

When needed in order that the judicial business of the superior court in such county, or city and county, may be diligently carried on and a particular matter or matters may proceed to trial or hearing without delay, a pro tempore official reporter may be appointed to perform the duties of a phonographic reporter in such matter or matters, or until a regular official reporter becomes available for such service. A pro tempore official reporter for such service may be appointed by the presiding judge of the court and the judge presiding in the department where such reporter will serve, but when such appointment is made for service in a contested matter, it shall be made only pursuant to a written stipulation of the parties appearing at the trial or hearing or other proceeding to be reported by such pro tempore reporter.

Each of said regular official reporters shall be paid a salary of six thousand dollars ($6,000) per annum, and each of said pro tempore official reporters shall be paid twenty dollars ($20) per day for the days he actually is on duty under order of the court.

No further fee than that hereinabove provided shall be collected from, or assessed against, any party to any proceeding for the services of a phonographic reporter in taking down in shorthand the testimony and other proceedings in the trial or hearing of any matter as required by law or by order of the court; but a phonographic reporter shall be allowed, and shall receive, unless waived by him, the fees now, or that may hereafter be, allowed by law for transcribing his shorthand notes of the testimony and proceedings reported by him, and such fees for transcriptions shall be paid as provided by Section 274 of the Code of Civil Procedure and by any other law of this State pertinent to the case.

The salaries in this section provided shall be paid in monthly installments out of the salary fund of the county, or city and county, and shall be allowed and audited in the same manner as other salary demands against the county, or city and county, are required by law to be allowed and audited.

In addition to a fee or fees required by any other law or laws, [a fee of three dollars ($3) shall be paid to the county clerk of such a county, or city and county, by each party, or jointly by parties appearing jointly, in each of the following instances:] *there shall be paid to the county clerk of such a county, or city and county, by each*

party, or jointly by parties appearing jointly, a fee of three dollars ($3), except that in counties, or cities and counties, having a population of more than 300,000 and less than 700,000 inhabitants, as determined by the 1950 Federal Census, the fee shall be five dollars ($5), in each of the following instances:

(1) Where Section 26821 of the Government Code requires such party or parties to pay said clerk a fee for the filing of the first paper in a civil action or in a special proceeding, except in an appeal from an inferior court.

(2) Where Section 26822, to 26825, inclusive of the Government Code requires such party or parties to pay said clerk a fee for filing papers transmitted from another court on the transfer of a civil action or special proceeding from another court, except in an appeal from an inferior court

(3) Where Section 26826 of the Government Code requires such party or parties to pay said clerk a fee on the appearance in a civil action or special proceeding of a defendant, intervenor, respondent, correspondent or adverse party, except in an appeal from an inferior court; provided, however, if any of the parties named in this paragraph shall appear jointly they shall pay but one such additional fee of three dollars ($3), *or five dollars ($5) in counties, or cities and counties, having a population of more than 300,000 and less than 700,000 inhabitants, as determined by the 1950 federal census,* as in this section provided.

(4) Where Section 26827 of the Government Code requires such party or parties to pay said clerk a fee for the filing of a petition or other paper in a probate or guardianship matter.

The fee so required shall be taxed as costs in favor of any party paying the same and to whom costs are awarded by the judgment of the court Such fee shall not be subject to the provisions of Section 6103 of the Government Code.

The fee provided in this section shall not be required of any party who is exempted from the payment of costs by any statute other than Section 6103 of the Government Code.

The county clerk shall, on or before the first day of each calendar month, transmit to the county treasurer, or city and county treasurer, all moneys paid to him under the provisions of this section during the preceding calendar month, or up to the day immediately preceding the day on which he transmits such moneys, and such moneys shall be deposited in the salary fund of said county, or city and county."

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Berry, Burke, Burkhalter, Collier, George D. Collins, Connolly, Davis, Dills, Erwin, Evans, Fleury, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lowrey, Maloney, McCarthy, Morris, Moss, Niehouse, Porter, Rumford, Shaw, Stanley, and Mr. Speaker—33.

NOES—None.

Bill ordered reprinted, and engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 749—An act to amend Sections 13122 and 13144 of the Health and Safety Code, relating to the duties of the State Fire Marshal.

Bill read second time, and ordered to third reading.

Senate Bill No. 990—An act to amend Sections 12897, 12898, 12899 and 12900 of the Public Utilities Code, relating to municipal utility districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 677—An act to provide for the safety of public records, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 1117—An act to add Article 4 to Chapter 1, Part 1, Division 2, Title 5 of the Government Code, consisting of Sections 53070 and 53071, relating to the compensation of county, township and municipal officers, declaring the urgency hereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 38—An act to amend Section 28154 of the Government Code and Section 454 of the Education Code, relating to compensation for public services in counties of the fifty-fourth class.

Bill read second time, and ordered to third reading.

Senate Bill No. 39—An act to amend Section 28150 of the Government Code, and Section 450 of the Education Code, relating to compensation for public services in counties of the fiftieth class

Bill read second time, and ordered to third reading.

Senate Bill No. 516—An act to add Sections 99 to 106, inclusive, to the Drainage District Act of 1903, relating to the dissolution of drainage districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 885—An act to amend Section 27 of the Storm Water District Act of 1909, relating to storm water districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 1468—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies as herein defined.

Bill read second time, and ordered to third reading.

Senate Bill No. 1700—An act to amend Section 28120 of the Government Code, relating to compensation for services performed for counties of the twentieth class.

Bill read second time, and ordered to third reading.

Senate Bill No. 1823—An act to amend Section 28108 of the Government Code, relating to compensation for public service in counties of the eighth class.

Bill read second time, and ordered to third reading.

Senate Bill No. 144—An act to add Section 66u to the Code of Civil Procedure, relating to the number of Judges of the Superior Court in the County of Shasta, and providing for the appointment of an additional judge and for compensation.

Bill read second time, and ordered to third reading.

Senate Bill No. 1524—An act to amend Sections 70 and 70.1 of the Streets and Highways Code, relating to the California Highway Commission.

Bill read second time, and ordered to third reading.

Senate Bill No. 1632—An act to add Section 19535 to the Business and Professions Code, relating to horse racing.

Bill read second time, and ordered to third reading.

Senate Bill No. 1672—An act to amend Sections 2, 5, and 6 of the Alcoholic Beverage Control Act, relating to alcoholic beverages and licenses of wine brokers.

Bill read second time, and ordered to third reading.

Senate Bill No. 857—An act to amend Section 161b of the Civil Code, relating to payments or refunds made pursuant to employee benefit plans.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Senate on May 28, 1951, after "plans", insert "or savings plans".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1469—An act to amend Sections 43619 and 43620 of, and to add Sections 43620.1 and 43620.2 to, the Government Code, relating to bonds for municipal improvements.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Senate on May 31, 1951, strike out "TIONS", and insert "TION".

Amendment No. 2

In line 3 of the title of said bill, after "43620.1", strike out "AND 43620.2".

Amendment No. 3

On page 1, line 5, of said bill, after "Section 43620", strike out "and Section 43620.1".

Amendment No. 4

On page 2, line 4, of said bill, strike out "10", and insert "2".

Amendment No. 5

On page 2, line 4, of said bill, after "from", insert "the date of".

Amendment No. 6

On page 2, line 5, of said bill, after "bonds", insert "and in the case of bonds".

Amendment No. 7

On page 2, line 6, of said bill, after "public", strike out "works."; and insert "works may fix a date not more than 10 years from the date of issuance for the earliest maturity of each issue or series of bonds."

Amendment No. 8

On page 2 of said bill, strike out all of lines 18 to 26, inclusive.

Amendment No. 9

On page 2, line 27, of said bill, strike out "SEC. 4. Section 43620.2", and insert "SEC. 3. Section 43620.1".

Amendment No. 10

On page 2, line 28, of said bill, strike out "43620.2.", and insert "43620.1."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1746—An act to amend Section 2070 of the Insurance Code, relating to standard form fire insurance policies.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on April 5, 1951, strike out lines 10 to 14, inclusive, and insert "except that any policy which in addition to coverage against the peril of fire includes substantial coverage against other perils on an unspecified basis need not comply with the provisions of the standard form fire insurance policy, provided such policy with respect to the peril of fire insurance shall include provisions which are the substantial equivalent of the provisions of such standard form fire insurance policy.

SEC. 2. Nothing in this act shall in any way change the applicability of the McBride-Grunsky Insurance Regulatory Act of 1947, Chapter 9, Part 2, Division 1 of the Insurance Code, to such policies and to the coverage therein provided."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 671—An act to add an article heading and Article 2 to Chapter 4, Title 6 of the Government Code, relating to districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 2, line 4, of the printed bill, as amended June 8, 1951, after the period, insert "Not less than 30 days prior to the adoption of the dissolution resolution the clerk of the board of supervisors shall send notice to the last known principle place of business of the district that under the provisions of this article the board will on a specified date consider a dissolution resolution concerning the district."

Amendment read, and adopted

Bill ordered reprinted, and to third reading.

Senate Bill No. 1225—An act to amend Section 28123 of the Government Code, relating to compensation for public services in counties of the twenty-third class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on May 31, 1951, after "Code", insert "and to amend Section 423 of the Education Code".

Amendment No. 2

On page 1, lines 7 and 8, of said bill, strike out "four thousand six hundred dollars ($4,600)", and insert "five thousand dollars ($5,000)".

Amendment No. 3

On page 1, lines 12 and 13, of said bill, strike out "five thousand five hundred dollars ($5,500)", and insert "six thousand six hundred dollars ($6,600)".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 2 of said bill, between lines 6 and 7, insert

"SEC. 2. *Section 423 of the Education Code is amended to read.*

423 The annual salary of the county superintendent of schools of a county of the twenty-third class is [four thousand eight hundred dollars ($4,800)] *six thousand three hundred dollars ($6,300)*, and he shall possess a valid elementary or secondary administrative credential issued by the State Board of Education."

Amendment No. 5

On page 2, line 7, of said bill, strike out "2", and insert "3"

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1752—An act to amend Section 28133 of the Government Code, relating to compensation for public services in a county of the thirty-third class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on May 22, 1951, after "of", insert ", and to add Section 28160 to,".

Amendment No. 2

In lines 2 and 3 of the title of said bill, strike out "in a county of the thirty-third class".

Amendment No. 3

On page 2, line 27, of said bill, insert

"SEC. 3. Section 28160 is added to the Government Code, to read:

28160. The compensation provided by Sections 28101 to 28158, inclusive, of the Government Code shall be payable to incumbent officers. If it is not legally competent to pay the compensation provided by these sections to incumbent officers on the effective date of this act, such increase in compensation shall nevertheless be payable to the officers designated in these sections as soon as it is legally competent to do so."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 543—An act to amend Sections 671, 689, 777, 778, 781, 782, 783, 784, 784a, 785, 786, 789, 791, 792, 794, 795, 802, 806, 813, 814, 815, 816, 826, 827, 828, 829, 949, 950, 953, 954, 955, 957, 958, 959, 960, 961, 963, 964, 966, 967, 968, 969, 969c, 970, 971, 976, 977, 979, 980, 983, 988, 989, 990, 1004, 1005, 1007, 1008, 1009, 1010, 1012, 1016, 1017, 1019, 1021, 1022, 1023, 1024, 1025, 1033, 1043, 1053, 1057, 1059, 1093, 1095, 1099, 1100, 1119, 1127, 1130, 1135, 1136, 1138, 1150, 1151, 1155, 1157, 1158, 1159, 1160, 1164, 1165, 1180, 1181, 1185, 1186, 1187, 1191, 1193, 1195, 1196, 1197, 1198, 1199, 1205, 1207, 1213, 1235, 1237, 1238, 1243, 1262, 1326, 1382, 1385, 1387, 1427, 1428, 1429, 1447, 1449, 1458, 1461, 1466, and 1468 and the headings of Title 3, Chapter 3 of Title 3,

Title 4, Title 5, Chapter 2 of Title 5, Title 6, Chapter 2 of Title 6, Chapter 3 of Title 6, Chapter 4 of Title 7, Title 9, Chapter 8 of Title 10, Title 11, and of Chapter 1 of Title 11, of Part 2 of the Penal Code, to renumber the headings of Chapters 2 and 3 of Title 4 of Part 2 of said code and to repeal the heading of Title 2, Part 2 and Sections 809, 810, 811, 812, 818, Chapter 1, consisting of Sections 888 to 890, inclusive, of Title 4, Part 2, Sections 1011, 1144, 1247c, 1426, 1426.1, 1428.1, 1428.2, 1428.3, 1430, 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1446, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1459, 1460, 1461a, and 1467, of said code, and to add Sections 690 and 691, a new Title 2, consisting of Sections 737 to 740, inclusive, to Part 2 of said code, and Sections 777a, 973, 1167, and 1467 to said code, relating to proceedings in criminal cases.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 21 of the printed bill, as amended in the Senate on April 6, 1951, strike out all of lines 3 to 8, inclusive, and insert

"1136. While the jury are kept together, either during the progress of the trial or after their retirement for deliberation, the court must direct the sheriff, marshal or constable to provide the jury with suitable and sufficient food and lodging, or other reasonable necessities. In the superior, municipal and justice's courts, the expenses incurred under the provisions of this section shall be a charge against the county or city and county in which said court is held. In all other courts such expenses shall be a charge against the city in which the court is held. All such expenses shall be paid on the order of the court."

Amendment No. 2

On page 27, line 28, of said bill, as amended, after "thereof", insert "or if the judgment is for imprisonment in a state prison, an abstract thereof as provided in Section 1213.5."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 634—An act to amend Section 18734, Business and Professions Code, relating to contestants in boxing contests, or sparring or wrestling matches.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Boards and Commissions:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on June 6, 1951, strike out lines 10 and 11, and insert "purpose of selecting contestants for Olympic Games."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 3a to Article VI thereof, relating to advisory opinions of the Justices of the Supreme Court.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Constitutional Amendments:

Amendment No. 1

On page 1, lines 8 and 9, of the printed measure, strike out ", as well as the Governor, shall have authority to", and insert "may".

Amendment No. 2

On page 1, lines 12 and 13, of said measure, strike out "Supreme Court", and insert "Judicial Council".

Amendments read, and adopted.

Resolution ordered reprinted, and to be re-referred to the Committee on Constitutional Amendments.

Senate Bill No. 1544—An act to add Section 7.1 to the Alcoholic Beverage Control Act, relating to transfer of licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Boards and Commissions:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on May 3, 1951, strike out "7.1", and insert "7.25".

Amendment No. 2

On page 1, line 1, of said bill, strike out "7.1", and insert "7.25".

Amendment No. 3

On page 1, line 20, of said bill, strike out "7.1", and insert "7.25".

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Boards and Commissions.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bills were withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 2808, on request of Mr. Lowrey.

Assembly Bill No. 631, on request of Mr. Sherwin.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2828—An act to amend Section 28143 of the Government Code, relating to compensation for public services in counties of the forty-third class.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2828?

Amendment No. 1

On page 1, line 10, of the printed bill, as amended in the Assembly on May 14, 1951, strike out "three hundred dollars ($300)", and insert "two hundred twenty-five dollars ($225)".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2828 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Clarke, Collier, Davis, Dills, Elliott, Erwin, Evans, Fleury, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Tomlinson, and Mr. Speaker—45.
NOES—None.

Assembly Bill No. 2828 ordered enrolled.

Assembly Bill No. 2002—An act to add Section 73g of the Code of Civil Procedure, relating to superior courts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2002?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "of", and insert "to".

Amendment No. 2

On page 1, line 3, of the printed bill, strike out "board of supervisors of", and insert "judge or a majority of the judges of the superior court in and for".

Amendment No. 3

On page 1, line 5, of said bill, strike out "by resolution,".

Amendment No. 4

On page 1, line 6, of said bill, strike out "board", and insert "judge or a majority of the judges".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2002 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Connolly, Cooke, Davis, Dills, Elliott, Erwin, Fleury, Grant, Grunsky, Hagen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Maloney, McCarthy, McFall, Meyers, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, and Mr. Speaker—44.
NOES—None.

Assembly Bill No. 2002 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER GOVERNOR'S VETO TO ASSEMBLY BILL NO. 137

Mr. Burke asked for, and was granted, unanimous consent to consider the Governor's veto to Assembly Bill No. 137, temporarily passed on file.

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 137—An act to amend Sections 4530 and 4536 of the Elections Code, relating to campaign statements.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 137 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.
NOES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dills, Elliott,

Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, and Mr. Speaker—48.

THIRD READING OF ASSEMBLY BILLS

Request for Unanimous Consent That Assembly Bill No. 3245 Hold Place on File

Mr. Maloney asked for, and was granted, unanimous consent that Assembly Bill No. 3245 be passed on file, and hold its place on file on the next legislative day.

Request for Unanimous Consent That Assembly Bill No. 2501 Hold Place on File

Mr. Dolwig asked for, and was granted, unanimous consent that Assembly Bill No. 2501 be passed on file, and hold its place on file on the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2211

Mr Tomlinson asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2211, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2211—An act to amend Sections 8 and 11 of, and to add Section 11.1 to, the District Investigation Act of 1933, relating to districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2211?

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "8 and 11 of, and to add Section 11.1 to, the District Investigation Act of 1933," and insert "58501, 58577, and 58614 of, and to add Section 58615.5 to, and to repeal Section 58502 and Article 6, Chapter 2, Title 6, of the Government Code; and to repeal Sections 2206, 4704, 6407, 14003, 14405, and 14603, of the Health and Safety Code; and to repeal Section 1184 of the Military and Veterans Code; and to repeal Section 3 5 of the California Airport District Act; all".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 58577 of the Government Code is amended to read:

58577. When completed the report shall be filed with the supervisory body and shall remain on file at the clerk's office for the inspection of all persons interested. *A copy of the report shall also be sent by registered mail to the State Board of Equalization at Sacramento and there it shall remain on file at the office of the secretary of the board for the inspection of all persons interested.*

SEC. 2. Section 58614 of the Government Code is amended to read:

58614. The clerk shall also give notice by first-class mail, postage prepaid, to:

(a) Each person to whom land in the proposed district is assessed in the assessment roll at the address shown on the roll or as known to the clerk.

(b) Any person who has filed with the clerk his name and address and a designation of the lands in which he has a legal or equitable interest.

(c) Each person owning taxable property assessed by the State Board of Equalization within the county or counties in which the proposed district is located, at the address shown on the board's assessment roll or such other address as may be designated in writing to the board by the owner of such property.

(d) The Secretary of the State Board of Equalization, by registered mail.

SEC. 3 Section 58615.5 is added to the Government Code, to read:

58615.5. The Secretary of the State Board of Equalization shall publish, each Friday, a list of all hearing notices received by him during the week, stating the name and nature of the district, the title of the act under which the district is being formed, and the time and place set for the hearing. The secretary shall mail such lists to all persons who file a request for them in writing.

SEC. 4. Sections 2206, 4704, 6407, 14003, 14405, and 14603 of the Health and Safety Code are repealed.

SEC. 5. Section 1184 of the Military and Veterans Code is repealed.

SEC. 6. Section 3.5 of the California Airport District Act is repealed.

SEC. 7. Section 58502 and Article 6, Chapter 2, Title 6 of the Government Code are repealed.

SEC. 8. Section 58501 of the Government Code is amended to read:

[58501. This chapter applies to all districts formed under any of the following laws:

Type of districts	Citation
Fire protection	Health and Safety Code, Chapter 1, Part 3, Division 12
Sanitary	Chapter 161 of the Statutes of 1891
Public museum	Government Code, Article 6, Chapter 5, Part 2, Division 3, Title 4
Highway lighting	Streets and Highways Code, Part 4, Division 14
Library	Education Code, Chapter 4, Division 11
Boulevard	Streets and Highways Code, Part 2, Division 16
Mosquito abatement	Health and Safety Code, Chapter 5, Division 3
Local health	Health and Safety Code, Chapter 6, Part 2, Division 1
Sanitary	Chapter 480 of the Statutes of 1919
Cemetery	Health and Safety Code, Part 4, Division 8
Sanitary	Health and Safety Code, Part 1, Division 6
County fire protection	Health and Safety Code, Chapter 2, Part 3, Division 12
County sanitation	Health and Safety Code, Chapter 3, Part 3, Division 5
Garbage disposal	Health and Safety Code, Chapter 1, Part 2, Division 5
Police protection	Health and Safety Code, Chapter 1, Part 1, Division 14
Public service	Labor Code, Chapter 3, Part 8, Division 2
Airport	Chapter 847 of the Statutes of 1929
Transportation	Chapter 880 of the Statutes of 1929
County fire protection	Health and Safety Code, Chapter 3, Part 3, Division 12
Memorial	Military and Veterans Code, Chapter 1, Division 6
Recreation	Public Resources Code, Article 2, Chapter 3, Division 5
Resort	Public Resources Code, Division 10
Union high school library	Education Code, Chapter 6, Division 11]

58501 Notwithstanding any other general or special provision of law, this chapter shall apply to all districts and proceedings except those specifically excepted by this section.

The provisions of this chapter shall not apply to any of the following:

(a) Districts created upon the taking effect of a special act of the Legislature.

(b) School districts.

(c) Districts in which all the taxes or assessments which may be imposed are subject to proceedings under the Special Assessment Investigation, Limitation and Majority Protest Act of 1931.

(d) Proceedings which are excepted from the provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 by Sections 2806 and 2808 of the Streets and Highways Code."

Amendment No. 3

On page 1 of said bill, strike out lines 2 through 24, inclusive; and on page 2, strike out lines 1 through 17, inclusive

Amendment No. 4

On page 1, line 13, of the printed bill, as amended in the Senate on June 4, 1951, strike out "also".

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 2211 by the following vote:

AYES—Davis, Kilpatrick, Morris, and Parker—4.

NOES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Collier, George D. Collins, Connolly, Cooke, Dills, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, Moss, Porter, Rumford, Shaw, Smith, Stanley, Tomlinson, and Mr. Speaker—42.

Appointment of Committee on Conference Concerning Assembly Bill No. 2211

The Speaker announced the appointment of Messrs. Tomlinson, Stanley, and Brown as a Committee on Conference concerning Assembly Bill No. 2211.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Request for Unanimous Consent That Assembly Bill No. 2712 Hold Place on File

Mr. Dickey asked for, and was granted, unanimous consent that Assembly Bill No. 2712 be passed on file, and hold its place on file on the next legislative day.

Assembly Bill No. 1142—An act to add Section 674.5 to the Agricultural Code, relating to the labeling of milk products other than butter, cheese, and ice cream.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dills, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Parker, Porter, Rumford, Shaw, Smith, Stanley, and Mr. Speaker—48

NOES—None.

Bill ordered transmitted to the Senate.

HOUSE RESOLUTIONS HOLD PLACES ON FILE BY UNANIMOUS CONSENT

By unanimous consent, House Resolutions Nos. 177, 29, 65, 157, 162, 167, and 161 were passed on file, and ordered to hold their places on file on the next legislative day.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Constitutional Amendment No. 58—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 22 of Article IV thereof, relating to public money.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dills, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Tomlinson, and Mr. Speaker—55.

NOES—None.

Resolution ordered transmitted to the Senate.

Request for Unanimous Consent That Assembly Bill No. 1980 Hold Place on File

Mr. Dolwig asked for, and was granted, unanimous consent that Assembly Bill No. 1980 be passed on file, and hold its place on file on the next legislative day.

Assembly Bill No. 3300—An act to add Section 604.13 to the Vehicle Code, relating to motor vehicles equipped with television.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hansen, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, and Mr Speaker—52.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2129—An act to amend Sections 20013 and 20014 of, and to add Sections 20017.75, 20038.5, 21020.75, 21290.75, 21292.75, and 21363.75 to, the Government Code, relating to the State Employees' Retirement System, in respect to certain law enforcement personnel of the Department of Justice.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dills, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hansen, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—52.

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Assembly Bill No. 3122 Hold Place on File

Mr. Maloney asked for, and was granted, unanimous consent that Assembly Bill No. 3122 be passed on file, and hold its place on file on the next legislative day.

Request for Unanimous Consent That Assembly Bill No. 3345 Hold Place on File

Mr. Dunn asked for, and was granted, unanimous consent that Assembly Bill No. 3345 be passed on file, and hold its place on file on the next legislative day.

Request for Unanimous Consent That Assembly Bill No. 1463 Hold Place on File

Mr. Grant asked for, and was granted, unanimous consent that Assembly Bill No. 1463 be passed on file, and hold its place on file on the next legislative day.

Assembly Bill No. 1418—An act prescribing the constitution of municipal courts in certain judicial districts in counties or cities and counties of the first class, providing for the number of judges, officers and attaches of such courts and fixing their compensation; also providing for the appointment of such officers and attaches, their tenure of office and for the preservation of their right of civil service status and retirement benefits.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Davis, Dills, Dolwig,

Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2924—An act to amend an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by electors November 7, 1922, by amending Sections 1, 3, 10, 12, and 15, adding Section 10.5, and repealing Section 8 thereof, relating to the State Board of Chiropractic Examiners and the practice of chiropractic, said amendment to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Cooke, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Assembly Bill No. 1541 Hold Place on File

Mr. Connolly ask for, and was granted, unanimous consent that Assembly Bill No. 1541 be passed on file, and hold its place on file on the next legislative day.

ASSEMBLY CONCURRENT RESOLUTION NO. 90 STRICKEN FROM FILE BY UNANIMOUS CONSENT

By unanimous consent, Assembly Concurrent Resolution No. 90 was ordered stricken from file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 166

Mr. Doyle asked for, and was granted, unanimous consent to take up House Resolution No. 166, passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 166

By Mr. Doyle:

House Resolution No. 166

Relative to a comprehensive study of the laws relating to sex crimes

WHEREAS, The shocking report of the sex-murder of the 10 year old girl in Orange County has re-emphasized the need for more stringent regulation of repeated violators of the laws relating to sex crimes; and

WHEREAS, There exists fundamental differences of opinion among those who are experts in the various fields concerned with the problem of sex crimes as to the scope of the problem, the manner in which it is to be met, the program to be followed to

protect the public health and safety, and the disposition of sex offenders, their treatment and rehabilitation; and

WHEREAS, There is an obvious need for more stringent enforcement, imposition of full sentences, increased punishments for such offenses, and a re-vamping of the entire system of regulation of sex-offenders, and

WHEREAS, Such a program can be accomplished only after a full and comprehensive study of all the problems relating to the subject of this resolution; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Judicial System and Judicial Process, or the corresponding investigating committee created at this session, is hereby authorized and directed to make a full and comprehensive study of the subject matter of this resolution and of all matters relating to the punishment of sex offenders and the applicability to such persons of the laws relating to the indeterminate sentence, probation, and the screening and surveillance of such persons, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly at the 1952 Regular Session, including in the reports its recommendations for appropriate legislation; and be it further

Resolved, That the Governor of the State of California is respectfully urged to proclaim the subject of sex crime legislation as a matter for legislation at a Special Session to run concurrently with its 1952 Regular Session, and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the Honorable Earl Warren, Governor of the State of California.

Resolution read, and adopted.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Request for Unanimous Consent That Assembly Bill No. 3096 Hold Place on File

Mr. Hollibaugh asked for, and was granted, unanimous consent that Assembly Bill No. 3096 be passed on file, and hold its place on file on the next legislative day.

Request for Unanimous Consent That Assembly Bill No. 2474 Hold Place on File

Mr. Burkhalter asked for, and was granted, unanimous consent that Assembly Bill No. 2474 be passed on file, and hold its place on file on the next legislative day.

Assembly Bill No. 302—An act to amend Section 261a.5 of, and to add Section 261h to, the Code of Civil Procedure, relating to shorthand reporters.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burkhalter, Chapel, Clarke, Collier, George D Collins, Condon, Connolly, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hansen, Hawkins, Henderson, Hollibaugh Kelly, Kilpatrick, Levering, Lipscomb, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Niehouse, Parker, Porter, Sherwin, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—48.

NOES—Beck, Cloyed, Davis, Hagen, Hinckley, Klocksiem, Lowrey, Luckel, and Moss—9.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2367—An act to amend Sections 285, 286, 288a and 264 of the Penal Code, relating to sex crimes.

Bill read third time.

Demand for Previous Question

Messrs. Geddes, Luckel, Burke, Shaw, and Kirkwood demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2367.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hansen, Henderson, Hinckley, Holibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—63.

NOES—Brady and Sherwin—2.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT STATEMENT OF VOTE OF OVER 50 WORDS BE PRINTED IN JOURNAL

Mr. Brady asked for, and was granted, unanimous consent that an explanation of vote, of over 50 words, relative to Assembly Bill No. 2367, be ordered printed in the Journal, as follows:

EXPLANATION OF VOTE ON ASSEMBLY BILL NO. 2367

My "NO" vote is based on imperfect or improper provisions contained in Sections 5 and 6 of the bill.

On May 9, 1951, I voted against Assembly Bill No. 2874 which referred to Penal Code Section 647a—just as Assembly Bill No. 2367 presently voted on refers to Penal Code Section 647a.

In both instances the age of a child is being raised from 14 years to 18 years. I must vote "NO" against such a proposal. Every parent abhors the type of person who molests or annoys little children. Our citizens properly demand strong punishment for such an offense But surely the degree of horror which the parent or citizen experiences when the child is almost 18 years is far less than when the little girl or boy is six or seven years.

Therefore, lest we harm the public conscience and ultimately bring about a situation where the protection of little children (Penal Code 647a) becomes confused with the punishment for crimes against almost mature young people in their late teens I maintain a "NO" vote is the recommended one.

Again—a "NO" vote on the bill is recommended by Section 6 of Assembly Bill No. 2367.

The extant Penal Code Section 288 provides that the terrible person found guilty of lewd and lascivious acts on the body of a child under 14 years is guilty of a felony: and such person must be imprisoned in the penitentiary for from one year to life

Therefore, a recidivist—one who is not a first offender—one who knows the penal consequences of his act—under the Penal Code must be incarcerated.

But under Assembly Bill No. 2367 any such habitual offender on the bodies of little children may ask to be castrated, and, thereby, save himself a term in San Quentin.

I am unalterably opposed to this alternative I insist it to be better that such a person be incarcerated in the penitentiary as the Penal Code Section 288 presently provides.

It must also be indicated that if this bill is a proposal to increase the imprisonment penalty on such a lewd and lascivious character in order to indirectly compel him to submit to castration then it should be noted that the making of eunuchs practically disappeared from our civilization centuries ago.

Therefore, in order to pinion the criminal who molests or annoys children, I recommend that we keep the age of a child at "14 years or under"—and to keep the evil person who commits lewd and lascivious acts on the bodies of little children I recommend that we continue to send him to prison and not permit him the choice of becoming a guinea pig and avoiding punishment for his heinous offenses.

BERNARD R BRADY

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 6, on request of Mr. Chapel.

EXPLANATION OF ABSENCE

From 10 a.m., to 11:30 a.m., June 13, 1951, I was attending to legislative duties in the Senate Committee on Local Government.

WILLIAM A. MUNNELL

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 18—An act to amend Sections 34301, 34303, 34308, 34315, and 34323 of, and to add Section 34311.5 to the Government Code, relating to the incorporation and boundaries of cities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Niehouse, Parker, Porter, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—59

NOES—Hinckley and Kilpatrick—2

Bill ordered transmitted to the Senate.

Assembly Bill No. 1684—An act to amend Section 7056 of the Business and Professions Code, relating to general engineering contractors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)
NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 3217 WAIVED

Mr. Thomas waived his notice of motion to reconsider the vote whereby Assembly Bill No. 3217 was passed.

Assembly Bill No. 3217 ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2591—An act to add Sections 7432 and 7433 to the Business and Professions Code, relating to regulation of the practice of cosmetology.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2034 BE SET FOR COMMITTEE HEARING TODAY

Mr. Caldecott asked for, and was granted, unanimous consent that Assembly Bill No. 2034 be set for hearing today in the Committee on Governmental Efficiency and Economy.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bills were withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 251, on request of Mr. Geddes.

Assembly Bill No. 1689, on request of Mr. Kirkwood.

Assembly Bill No. 3221, on request of Mr. Sherwin.

Assembly Bill No. 3222, on request of Mr. Sherwin.

Assembly Bill No. 132, on request of Mr. Sherwin.

RESOLUTIONS

The following resolution was offered:

By Mr. Waters:

House Resolution No. 196

Relative to the creation of the Assembly Interim Committee on Elections

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Elections is hereby created and authorized and directed to ascertain, study and analyze all facts relating to elections, the election process, the initiative and referendum, and all facts relating to the operation and effect thereof, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation

2. The committee shall consist of the same members as the standing Committee on Elections and Reapportionment. The chairman shall be appointed by the Speaker Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3 The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules

of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To work with all political parties on questions involving the advisability of changes in the Elections Code relating to political parties.

(f) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of twenty thousand dollars ($20,000 00) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 110
Assembly Bill No. 621
Assembly Bill No. 3451

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Senate Bill No. 520

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CONNOLLY, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR SPEAKER: Your Committee on Public Health, to which were referred:

Senate Bill No. 728
Senate Bill No. 1821

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CONNOLLY, Chairman

Above reported bills ordered to second reading.

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which were referred:

Senate Bill No. 760
Senate Bill No. 1004
Senate Bill No. 1444

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

NIEHOUSE, Chairman

Above reported bills ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No. 39

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 185
House Resolution No. 187
House Resolution No. 195

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR SPEAKER: Your Committee on Rules, to which were referred:

Senate Concurrent Resolution No. 78
Senate Concurrent Resolution No. 90

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Joint Resolution No. 37

Has had the same under consideration, and reports the same back with the recommendation Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 93

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Assembly Joint Resolution No. 42
Assembly Joint Resolution No. 43

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered engrossed.

RECESS

At 11.57 a.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 93

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 42
Assembly Joint Resolution No. 43

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolutions ordered on file for adoption.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 1183

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bill ordered to third reading.

Committee on Manufacturing, Oil, and Mining Industry

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR SPEAKER: Your Committee on Manufacturing, Oil, and Mining Industry, to which was referred:

Assembly Bill No. 3174

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee.

MORRIS, Chairman

Above reported bill ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2307

Mr. Geddes asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2307, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2307—An act to amend Section 209 of the Unemployment Insurance Act, relating to disability benefits.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2307?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 11, 1951, strike out "Section", and insert "Sections 208 and".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, as amended, between the enacting clause and line 1, insert "SECTION 1. Section 208 of the Unemployment Insurance Act is amended to read.

Sec. 208 [No individual shall be paid unemployment compensation disability benefits with respect to any week if he continues to receive his regular wages, or any part thereof, provided, however, that if such wages are less than the unemployment compensation disability benefits which would otherwise be due, he shall be entitled to receive for such week, if otherwise eligible, unemployment compensation disability benefits, reduced by the amount of such wages. Such benefit, if not a multiple of one dollar ($1), shall be computed to the next higher multiple of one dollar ($1).] *A disabled individual who is eligible to receive unemployment compensation disability benefits but for the fact that he is receiving wages or regular wages from his employer shall be paid unemployment compensation disability benefits for any day in an amount not to exceed his maximum daily amount which together with the wages or regular wages do not exceed for such day 1/7 of 70 percent of his weekly wage immediately prior to the commencement of his disability.*"

Amendment No. 3

On page 1, line 1, of said bill, as amended, strike out "SECTION 1", and insert "SEC. 2"

Amendment No. 4

On page 1, line 6, of said bill, as amended, after the comma, insert "and irrespective of his receipt of remuneration from his employer,".

Amendment No. 5

On page 1 of said bill, as amended, strike out lines 13 to 21, inclusive, and insert "Where the disabled individual eligible for additional benefits during hospital confinement has first given his written consent thereto with respect to a particular claim, the additional benefits during hospital confinement payable hereunder shall be paid directly to the hospital in which he is confined in accordance with rules and regulations adopted by the commission prescribing procedure governing such payments. Any additional benefits during hospital confinement in excess of the daily rate of charge for care, including special care or treatment by a hospital, shall be paid to the disabled individual as otherwise provided in this act."

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 2307 by the following vote:

AYES—Doyle, Dunn, Hansen, Hollibaugh, Levering, and Smith—6.

NOES—Belotti, Berry, Caldecott, Chapel, Clarke, George D. Collins, Condon, Davis, Elliott, Erwin, Fleury, Geddes, Grant, Grunsky, Hagen, Henderson, Hinckley, Kelly, Klocksiem, Lanterman, Lipscomb, Luckel, Maloney, McCarthy, McFall, McGee, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Tomlinson, Waters, and Mr. Speaker—36

Appointment of Committee on Conference Concerning Assembly Bill No. 2307

The Speaker announced the appointment of Messrs. Geddes, Hollibaugh, and Levering as a Committee on Conference concerning Assembly Bill No. 2307.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2598

Mr. Waters asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2598, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2598—An act to add Section 2058 to the Banking Code, relating to the purchase of all of the stock of a bank or trust company by another bank or trust company.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2598?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 11, 1951, after the first "to", insert "amend Section 1203 of and to".

Amendment No. 2

In line 3 of the title of said bill, as amended, after "company", insert "and to the deposit of assets to secure moneys payable to other states".

Amendment No. 3

On page 2 of said bill, as amended, following line 49, insert

"SEC. 2. Section 1203 of the Banking Code is amended to read:

1203. A commercial bank may hypothecate its assets in any manner provided by law to secure the deposits of moneys of the United States, of postal savings funds, of bankrupt estates, of the State of California, or of any political subdivision, public corporation, or district of the State of California *With the prior approval of the Superintendent of Banks a bank may hypothecate its assets to secure moneys payable to other states.*

SEC. 3. Section 2058 is added to the Financial Code, to read:

2058. Subject to the prior approval of the Superintendent of Banks and the affirmative vote of two-thirds of all of its directors, a bank or trust company may purchase in one transaction 100 percent of the outstanding shares of any state bank or of a national banking association, or trust company operating in this State, in accordance with a plan by which:

1. The bank whose stock has been purchased shall immediately be merged with the purchasing bank in the manner contemplated by law; or

2. The bank whose stock has been purchased, shall immediately be dissolved, its assets vested in its shareholders and its deposits and all other liabilities, including trust liabilities, shall be assumed by the acquiring bank or trust company, subject to the right of each depositor of the bank whose stock has been purchased to withdraw his deposit and of the right of trustors and beneficiaries under trusts held by such bank to nominate another trustee as in the case of the purchase and sale of the business of a bank under Section 2051 of this code.

The acquiring bank may permit directors of the bank or trust company, whose shares are so acquired, to retain their respective qualifying shares until dissolution; provided, that each such director agrees to accept the purchase price of his shares in lieu of his proportionate share of the assets upon dissolution

Upon the approval by the superintendent of the plan, he shall fix a time when the consummation of such plan shall become effective. Upon completion of the plan, the acquiring bank ipso facto and by operation of law and without further transfer, substitution, act or deed, succeeds to the rights, properties, assets, investments, deposits, demands, agreements and trusts of the bank or trust company whose stock has been purchased under all trusts, executorships, administrations, guardianships, agencies, and all other fiduciary or representative capacities to the same extent as though it had originally assumed the same and shall succeed to and be entitled to take and execute the appointment to all executorships, trusteeships, guardianships and other fiduciary and representative capacities to which the bank whose stock has been purchased may be named, or is thereafter named, in wills whenever probated or to which it is, or may be named, or appointed by any other instrument, all subject to all other provisions of this code.

Before granting the approval required by this section, the superintendent may direct the purchasing bank to continue banking facilities at the location, or locations, of the purchased bank, if, in his judgment, public convenience would require the continuation of such banking facilities. The superintendent may also impose such other terms and conditions as will, in his judgment, be considered necessary to insure the faithful carrying out of the requirements hereof

SEC. 4 Section 1203 of the Financial Code is amended to read:

1203. A commercial bank may hypothecate its assets in any manner provided by law to secure the deposits of moneys of the United States, of postal savings funds, of bankrupt estates, of the State of California, or of any political subdivision, public corporation, or district of the State of California *With the prior approval of the Superintendent of Banks a bank may hypothecate its assets to secure moneys payable to other states.*

SEC. 5. Sections 3 and 4 of this act become operative only if the Financial Code is enacted by the Legislature at the 1951 General Session, and in such case at the same time as said Financial Code takes effect, at which time Sections 1 and 2 of this act are hereby repealed."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2598 by the following vote:

AYES—Belotti, Berry, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Cooke, Crowley, Davis, Doyle, Dunn, Elliott, Erwin, Fleury, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lipscomb, Luckel, Maloney, McCarthy, McFall, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Tomlinson, and Waters—47.
NOES—None.

Assembly Bill No. 2598 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1071—An act to amend Section 50¾ of, and to add Section 52.1 to, the Public Utilities Act, and to amend Section 1066 of, and to add Section 816.5 to, the Public Utilities Code, relating to public utilities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brown, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dunn, Elliott, Erwin, Fleury, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Rumford, Sherwin, Smith, Stanley, Waters, and Mr. Speaker—49.
NOES—None.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Condon to reconsider the vote whereby House Resolution No. 172 was adopted, was continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 343

Mr. Caldecott asked for, and was granted, unanimous consent to take up Assembly Bill No. 343, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 343

Assembly Bill No. 343—An act to add Chapter 3.5 comprising Sections 5615 to 5686, inclusive, to Division 3 of the Business and Professions Code, relating to landscape architects, providing for the regulation and licensing thereof, and making an appropriation therefor.

Bill read third time, and ordered passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3374

Mr. Coats asked for, and was granted, unanimous consent to take up Assembly Bill No. 3374, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 3374

Assembly Bill No. 3374—An act to add Chapter 2 to Division 7 of the Military and Veterans Code, relating to the promotion of maximum production for security and defense.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Coats moved a call of the Assembly.

Motion carried. Time, 2.20 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Babbage, Beck, Brady, Caldecott, Chapel, Dickey, Dills, Evans, Gaffney, Grant, Gubser, Hollibaugh, McCollister, and Tomlinson—14.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Maloney asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1463

Mr. Grant asked for, and was granted, unanimous consent to take up Assembly Bill No. 1463, passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 1463

Assembly Bill No. 1463—An act to add Section 12.5 to the Municipal Court Act of 1925, relating to compensation of Municipal Court Judges in Los Angeles County and to provide for the compensation of judges of municipal courts established in judicial districts in Los Angeles County.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kloeksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—58.

NOES—George D. Collins and Luckel—2.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 712—An act to amend Section 265 of the Probate Code, relating to notices in estates of missing persons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Crowley, Dickey, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hansen,

Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—63.

NOES—None.

Motion to Amend Title

Mr. Munnell moved the adoption of the following amendment to the title:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on June 6, 1951, strike out "notices in", and insert "administration of".

Amendment read, and adopted.

Bill ordered reprinted, and transmitted to the Senate.

Assembly Bill No. 2384—An act to amend Section 28102 of the Government Code, relating to jurors' fees in superior and municipal courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, Connolly, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Waters, and Mr Speaker—51.

NOES—George D Collins, Condon, Evans, Grunsky, Hagen, Hansen, Luckel, Munnell, Rosenthal, and Tomlinson—10

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1999—An act to amend Sections 353.10, 351.9, 357.1, and 357.2 of, and to add Section 352 to, the Agricultural Code, relating to animals, including provisions relative to slaughter, hides, inspection, and meat thereof;

Assembly Bill No. 2009—An act to amend Section 10291.5 of the Insurance Code, relating to disability insurance policies;

Assembly Bill No. 2755—An act to amend Section 109 of the Code of Civil Procedure relating to justice courts;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirteenth day of June, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3357—An act to amend Sections 204e and 261e of, and to add Section 263 to, the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties;

And reports that the same has been correctly enrolled, and presented to the Governor on the thirteenth day of June, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1464—An act to prescribe the number, compensation and duties of officers and attaches of municipal courts established in cities or judicial districts in the County of Los Angeles;

Assembly Bill No. 1529—An act to amend Section 5050.3 of the Welfare and Institutions Code, relating to emergency admission to institutions of persons who are believed to be mentally ill and to require immediate care and treatment;

On June 20, 1951, the Assembly requested the Governor to return Assembly Bill No. 1464 for further consideration (see page 5969).

Assembly Bill No. 1836—An act to amend Sections 1355, 1410, 1430, 1441, and 1463 of, and to add Section 1381 to, the Code of Civil Procedure, relating to the custody, management, disposal and escheat of unclaimed estates of deceased persons and various other classes of unclaimed property, to the possession of which the State is, or may become entitled;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirteenth day of June, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 50—An act to amend Sections 428 and 404 of the Fish and Game Code, relating to fishing licenses;

Assembly Bill No. 1001—An act to amend Sections 25 and 36 of the Municipal and Justice Court Act of 1949, relating to municipal and justice courts;

Assembly Bill No. 1080—An act to add Sections 31469.1, 31470.1, and 31557.1 to, and Articles 6.5, 8.3, 10.5, and 12.5 to Chapter 3, Part 3, Division 4, Title 3 of, the Government Code, relating to the retirement of county employees;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirteenth day of June, 1951, at 2 p.m.

BURKE, Chairman

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 175

Mr Stanley asked for, and was granted, unanimous consent to take up Assembly Bill No. 175, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 175

Assembly Bill No. 175—An act to amend Section 4300f of the Political Code, Section 196 of the Code of Civil Procedure, and Section 28112 of the Government Code, relating to jurors' fees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, and Waters—59.

NOES—Hansen and Luckel—2.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 2 32 p m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 13, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to.

Senate Bill No. 1633—An act to amend Sections 9403, 9405, 9406, 9407, 9408, 9410, 9411, and 9412 of the Government Code, relating to witnesses before legislative committees.

And appointed Senators Weybret, Brown, and Burns as a Committee on Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 1633

The Speaker announced the appointment of Messrs. Grunsky, Smith, and Connolly as a Committee on Conference concerning Senate Bill No. 1633.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2712

Mr. Dickey asked for, and as granted, unanimous consent to take up Assembly Bill No. 2712, passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 2712

Assembly Bill No. 2712—An act to add Sections 6 and 7 to an act entitled "An act providing for loans to municipalities and districts for sewerage and storm drainage facilities, prescribing the conditions under which such loans shall be made, creating the State Water Pollution Control Fund, and making an appropriation," approved July 28, 1949, relating to protection of quality of underground waters.

Bill read third time.

Announcement

Speaker pro Tempore Maloney announced that, until such time as the Governor signs the Budget Bill, Assembly Bill No. 500, it is agreed, by unanimous consent, that all special appropriation bills will be held on file.

Assembly Bill No. 2712 ordered passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1991

Mr. Lyon asked for, and was granted, unanimous consent to take up Assembly Bill No. 1991, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 1991

Assembly Bill No. 1991—An act to amend Sections 30 and 31 of the Revenue and Taxation Code, relating to the enforcement in this State of tax liabilities of other states and political subdivisions thereof and the collection in other states of taxes due this State and political subdivisions thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Smith, Stewart, Thomas, Tomlinson, and Waters—68.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3183—An act to add Sections 4017 and 26470.5 to, the Health and Safety Code, relating to public health.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Cloyed, Collier, George D. Collins, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, and Waters—69.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3291

Mr Rosenthal asked for, and was granted, unanimous consent to take up Assembly Bill No. 3291, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 3291

Assembly Bill No. 3291—An act to validate the organization of a county water district.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—75.

NOES—None.

Bill ordered transmitted to the Senate.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 2611, on request of Mr. George D. Collins.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bill was withdrawn from the file, and re-referred as follows:

Assembly Bill No. 293 re-referred to the Committee on Ways and Means.

Hon. John E. Moss, Jr., Presiding

At 2.53 p.m., Hon. John E. Moss, Jr., Member of the Assembly from the Ninth District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Constitutional Amendment No. 62—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding to Article XXVI thereof a new section to be numbered 5, relating to the issuance of bonds for highway purposes.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—67.

NOES—None.

Resolution ordered transmitted to the Senate.

MOTION TO SET SPECIAL ORDER

Mr. Dunn moved that Assembly Bill No. 1985 be made a special order of business for Thursday, June 14, 1951, at 2.30 p.m.

The roll was called, and the motion carried by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—71.

NOES—None.

Speaker Pro Tempore Presiding

At 3.02 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Senate Bill No. 1108

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

ERWIN, Chairman

Above reported bill ordered to second reading.

ANNOUNCEMENT

Mr. Gubser announced that the bottles of "Accent" which have been placed on the desks of members have been donated through the courtesy of Mr. Ralph Shafer, President of the International Minerals and Chemical Corporation, located in San Jose, and John Knauft of the California Manufacturers Association. Mr. Gubser further announced that the Santa Clara Delegation wishes it known that "Accent" is made of monosodium glutamate, which is produced from beet sugar.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2904

Mr. Gaffney asked for, and was granted, unanimous consent to take up Assembly Bill No. 2904, temporarily passed on file, for purpose of amendment.

CONSIDERATION OF ASSEMBLY BILL NO. 2904

Assembly Bill No. 2904—An act to amend Section 14632 of the Education Code, and to add Section 14633 thereto, relating to retirement allowances for teachers retired under the State Teachers' Retirement System.

Bill read third time.

Motion to Amend

Mr. Gaffney moved the adoption of the following amendments:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on June 11, 1951, strike out "amend Section 14632 of the Education Code, and to add Section 14633 thereto", and insert "add Section 14633 to the Education Code".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 18, inclusive, and insert

"SECTION 1. Section 14633 is added to the Education Code, to read:

14633. In addition to the retirement allowance otherwise payable under Section 14632 or Section 14639, all members retired for service or for disability prior".

Amendment No. 3

On page 2 of said bill, strike out lines 1 and 2, and insert "before the effective date of this section shall receive a retirement allowance of".

Amendment No. 4

On page 2 of said bill, strike out lines 4 to 21, inclusive.

Amendment No. 5

On page 2, line 22, of said bill, strike out "14633."

Amendment No. 6

On page 2, line 26, of said bill, strike out "subdivision (a) of Section 14632", and insert "this section".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Senate Concurrent Resolution No. 89

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

CONNOLLY, Chairman

Request for Unanimous Consent

Mr. Connolly asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 89, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 89

Senate Concurrent Resolution No. 89—Relative to congratulating Dr. John W. Cline on his selection as President of the American Medical Association.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, and Tomlinson—69.

NOES—None.

Resolution ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were offered:

Assembly Concurrent Resolution No. 96: By Mrs. Niehouse, Messrs. Cloyed, and Luckel—Relative to water rights to the Santa Margarita-Temecula River System.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Joint Resolution No. 45: By Mr. Lanterman, Mrs. Niehouse, Messrs. Conrad, Porter, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—Relative to federal aid for child care centers.

Referred to Committee on Rules.

RESOLUTIONS

The following resolution was offered:

By Mr. Dunn:

House Resolution No. 197

Relative to the creation of the Assembly Interim Committee on Education

WHEREAS, In order to carry out its legislative function properly it is essential that the Assembly be fully informed as to the manner in which the Public School System is being conducted, the effectiveness with which its obligations are being discharged, and all facts relating to the subject of public education, including, but not limited to, the organization and administration of the public school system, the financing thereof and possible economies therein, the effectiveness of the curricula and methods of teaching, the adequacy of textbooks in use, the manner of their selection and purchase, and the advisability of providing vocational guidance to students prior to their entering secondary schools; and

WHEREAS, It is further essential that the Assembly be fully informed as to all matters relating to privately operated educational institutions within the scope of

legislative regulation and control or insofar as such information may be pertinent to matters relating to the Public School System; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Education is hereby created and authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon the subjects mentioned in the recitals of this resolution including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the members of the Assembly standing Committee on Education for this legislative session. The chairman and vice chairman shall be the chairman and vice chairman of the said standing committee. Vacancies occurring in the membership of the committee shall be filled by the Speaker.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

(e) To meet at the State Capitol or at any place within the State or within the United States.

6. The sum of fifty thousand dollars ($50,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2079—An act to amend Sections 13775, 13776, 13777, 13778, 13779, 13780, and 13781 of, and to add Sections 13782, 13783, 13784, 13785, 13786, 13787, 13788, and 13789 to, Chapter 8, Part 3, Division 3, Title 2 of the Government Code, relating to social security coverage for employees of public agencies, making an appropriation and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Fleury moved the adoption of the following amendments:

Amendment No. 1

On page 3, line 18, of the printed bill, as amended in the Assembly on May 8, 1951, strike out "from the".

Amendment No. 2

On page 3, line 19, of said bill, strike "Unemployment Administration Fund or".

Amendment No. 3

On page 3, line 50, of said bill, strike "the Unemployment Administration Fund".

Amendment No. 4

On page 3, line 51, of said bill, strike "or".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Grunsky to reconsider the vote whereby Assembly Bill No. 966 was passed, was continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 322

Mr. Doyle asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 322, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 322—An act to add Section 678.5 to the Vehicle Code, relating to equipment of vehicles.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 322?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 9, 1951, between lines 13 and 14, insert

"This section shall not apply to those vehicles exempt from registration under Section 142."

Amendment No. 2

On page 1, line 8, of the printed bill, as amended in the Senate on May 9, 1951, after "rear", insert "and sides".

Amendment No. 3

On page 1, line 10, of said bill, as amended, after "142", insert "nor to any other vehicles having an unladen weight of under 1,500 pounds".

Amendment No. 4

On page 1, line 8, of the printed bill, as amended in the Senate on May 22, 1951, strike out "and sides".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 322 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, and Tomlinson—60.

NOES—Hagen and Luckel—2.

Assembly Bill No. 322 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER REPORT OF COMMITTEE ON CONFERENCE

Mr. Kirkwood asked for, and was granted, unanimous consent to consider the report of the Committee on Conference concerning Assembly Bill No. 2249, temporarily passed on file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: The Committee on Conference concerning,

Assembly Bill No. 2249—An act to add Section 6360 to the Education Code, relating to school district taxes, and to validate elections relating thereto;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows.

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on May 28, 1951, strike out "add Section 6360 to", and insert "amend Section 6358 of".

Amendment No. 2

In line 3 of the title of said bill, before the period, insert "declaring the urgency thereof, to take effect immediately".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 6358 of the Education Code is amended to read:

6358 [Any maximum rate of tax for any district may be increased] *Any maximum rate of tax for any district may be increased and, having been increased, may be decreased by an amount equal to or less than the amount of such increase,* by a majority vote of the qualified electors of the school district at an election which may be called by the governing board of the school district of its own motion and shall be [called whenever a petition requesting that an election be called and signed by 10 percent of the qualified electors of the district is presented to the governing board] *called within 90 days after the filing with the governing board of a petition signed by not less than 10 percent of the qualified electors of the district, requesting that an election be called, unless the petitioners request that the election be consolidated with the annual election for members of the governing board.*

Any decrease in an increased maximum tax rate pursuant to this section shall not be in an amount which will reduce the tax rate for the district below the maximum specified in Section 6357. The governing board shall determine whether the increase or decrease shall remain in effect for a specified or unspecified period of time, unless the petition filed by the electors provides for a specified or unspecified period of time. If a specified period is provided for in the petition or determined upon by the governing board, such period shall be stated on the ballot.

The governing board of the school district shall call, hold, and conduct the election. Except as provided in this section, the election shall be called, held, and conducted *by the governing board of the school district* in as nearly the same manner as is practicable as are elections for governing board [, except that]. Notices of the election [need not] *shall* be posted or *publication completed* [published more than] *at least* 30 days before the election. The ballot used in the election shall contain substantially the words "*shall* [for] the proposed *(* increase *decrease)* in the maximum tax rates from _____ to _____, [to provide money for the purpose of _____,] *(* such rate to be in effect in the _____ school district for the year (or years) 19____ to 19____, *) be authorized?*" [_____ yes" and "for the proposed increase in the maximum tax rates from _____ to _____, to provide money for the purpose of _____, such rate to be in effect in the _____ school district for the year (or years) 19____ to 19____, _____ no."] *Opposite such words, in separate lines, the words "yes" and "no" shall be printed, with a voting square opposite each such word* Each voter shall stamp or print a cross *in the voting square* after the answer he desires to give. *If the maximum tax rate of a district has been increased prior to the effective date of the amendment to this section at the 1951 Regular Session of the Legislature, a petition requesting an election for the decrease of such increased tax rate shall not be filed until three years after such effective date. If the maximum tax rate is increased pursuant to this section after such effective date, no petition requesting an election for a decrease in such increased tax rate shall be filed for one year after such election at which the tax rate was increased.*

If an election for a decrease in an increased maximum tax rate of a district is held in any year prior to or concurrently with the district election for governing board members, any decrease adopted at such election shall become effective on July 1 following the election. If an election for a decrease in an increased tax rate of a district is held

in any year after the date of the district election for governing board members, any decrease adopted at such election shall not become effective until July 1 of the next succeeding year."

Amendment No. 4

On page 1 of said bill, strike out lines 2 to 12, inclusive; and on page 2, strike out lines 5 to 11, inclusive.

Amendment No. 5

On page 2 of said bill, after line 17, insert

"SEC. 3. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

It will be necessary for many school districts to hold elections in the months of June, July, and August, 1951, in order to change the maximum tax rate for the district before the next tax levy is made. Under the provisions of this act, a school district may decrease its tax rate, and, if the rate is proposed to be increased, it is not necessary that the ballot question specify the purpose for which the proceeds of any increase are to be applied, nor is it necessary to limit the period of time during which such increase or decrease will be effective. Unless this act takes effect immediately any decrease or increase in the tax rate voted for pursuant to the act will not be effective in time to be used for the next tax levy. In order that school districts, the tax rates of which are a matter of urgent concern to all the people of the State, may take advantage of this act before the next tax levy is made and to avoid a year's delay, it is urgently necessary that this act take effect immediately."

DILWORTH	KIRKWOOD
HULSE	DOYLE
ED. C. JOHNSON	BURKE
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, and Stewart—66.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1194

Mr. Brown asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 1194, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1194—An act to amend Sections 2, 3, 4, 5, 8, 13, 14, 20, 30, 33, 35, and 38 of, and to add Section 3a to, the Municipal and Justice Court Act of 1949, relating to municipal and justice courts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1194?

Amendment No. 1

On page 1, line 2, of the title of the printed bill, as amended in the Assembly on April 19, 1951, after "of", insert ", and to add Section 3a to,".

Amendment No. 2

On page 2 of said bill, as amended, after line 47, insert

"SEC. 3. Section 3a is added to said act, to read:

Sec. 3a. Whenever a municipal court is established in a district wherein a justice court was previously established or in a district formed from territory formerly included in justice court districts, the justice court or courts shall cease to exist within the district for which the municipal court is established, and the term of office of the judge or judges of justice courts situated wholly within such district shall terminate, upon the selection and qualification of the first judge or judges of the municipal court, which selection shall be made in the manner provided in Section 2 of this act."

Amendment No. 3

On page 2, line 48, of said bill, as amended, strike out "3", and insert "4".

Amendment No. 4

On page 3 of said bill, as amended, strike out lines 29 to 35, inclusive, and insert "ployment as such police officer; and provided further, that".

Amendment No. 5

On page 3 of said bill, as amended, after line 38, insert

"In any city and county having a consolidated city and county government, and in any county wherein no provision has been made for a marshal of a municipal court, the sheriff of the city and county or county and his deputies shall be ex officio the marshal and deputy marshals of the municipal court and shall perform all the duties imposed and exercise all the powers conferred upon the marshal and deputy marshals of the municipal court."

Amendment No. 6

On page 3, line 39, of said bill, as amended, strike out "4", and insert "5".

Amendment No. 7

On page 4, line 22, of said bill, as amended, strike out "5", and insert "6".

Amendment No. 8

On page 5, line 4, of said bill, as amended, strike out "6", and insert "7".

Amendment No. 9

On page 5, line 19, of said bill, as amended, strike out "7", and insert "8".

Amendment No. 10

On page 6, line 4, of said bill, as amended, strike out "8", and insert "9".

Amendment No. 11

On page 6 of said bill, as amended, after line 14, insert

"All provisions of Government Code Sections 26600-26602, 26604, 26606-26609, 26611, 26660-26664, 26680-26684, 26686, and Political Code Sections 4166, 4168-9, 4171, apply to marshals and constables and govern their powers, duties and liabilities"

Amendment No. 12

On page 6, line 15, of said bill, as amended, strike out "9", and insert "10".

Amendment No. 13

On page 6, line 26, of said bill, as amended, strike out "10", and insert "11".

Amendment No. 14

On page 6, line 42, of said bill, as amended, strike out "11", and insert "12".

Amendment No. 15

On page 7, line 11, of said bill, as amended, strike out "12", and insert "13".

Amendment No. 16

On page 7 of said bill, as amended, after line 44, insert

"In computing the length of service of any person entitled to the benefits of a pension or retirement annuity as herein provided, there shall be counted the time such person may have served in a similar capacity with regard to his duties as an officer of any superseded court in said county, or that he may have served as a peace officer, as defined in such county and township peace officers' pension or retirement act in such county; provided, however, that such service must be continuous service as provided in such county or township peace officers' pension or retirement act"

Amendment No. 17

On page 3, after line 33, of the printed bill, as amended in the Senate on May 15, 1951, insert "ployment as such police officer; provided, also, that in any city or city and county having a consolidated city and county government, the sheriff of the city and county and his deputies shall be ex officio the marshal and deputy marshals of the municipal court and shall perform all the duties imposed and exercise all the powers conferred upon the marshal and deputy marshals of the municipal court; and provided further, that persons succeeding hereunder to the office of constable of a justice court shall continue in office until their successors are elected or appointed and qualify as hereafter provided."

Amendment No. 18

On page 3 of said bill, as amended, strike out lines 41 to 52, inclusive.

Amendment No. 19

On page 4 of said bill, as amended, strike out line 35, and insert

"SEC. 8. Except where hereinafter otherwise provided, judges of the municipal court and justice court".

Amendment No. 20

On page 5 of said bill, as amended, strike out line 22, and insert "tion under Sections 2, 3, and 4 of this act; and provided further, that this requirement shall not affect the right of any person to be and act as constable in any county governed by a freeholders' charter which provides that constables shall be appointed by the sheriff, or shall be ex officio deputy sheriffs."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1194 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Davis, Dills, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—64.

NOES—None.

Assembly Bill No. 1194 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT THAT OPINION OF LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Mr. Geddes asked for, and was granted, unanimous consent that an opinion of the Legislative Counsel, relative to legislative investigating committees and service of subpenas, be ordered printed in the Journal, in 10 point type, as follows:

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, June 12, 1951

Honorable Ernest R. Geddes
Assembly Chamber

LEGISLATIVE INVESTIGATING COMMITTEES: SUBPENAS, SERVICE OF
(A. B. 954, AS AMENDED JUNE 6, 1951) No. 9618

DEAR MR. GEDDES:

Question

You ask whether Assembly Bill No. 954, as amended in the Assembly on June 6, 1951, will, if enacted, apply to subpenas issued by legislative investigating committees.

The bill proposes the addition of Section 1987.5 to the Code of Civil Procedure to provide that the service of a subpena duces tecum is invalid unless there is served along with it a copy of the affidavit upon which it was issued.

Opinion

It is our opinion that the bill will not, if enacted, apply to any service of a subpena duces tecum issued by a legislative investigating committee.

Analysis

The Section 1987.5 of the Code of Civil Procedure which would be added by Assembly Bill No. 954, as amended on June 6, 1951, reads:

"1987.5. The service of a subpena duces tecum is invalid unless at the time of such service a copy of the affidavit upon which the subpena was issued is served on the person served with the subpena."

The second paragraph of Section 1985 of the Code of Civil Procedure provides:

"All applications before trial for subpenas duces tecum shall be accompanied by an affidavit specifying the exact matters or things desired to be produced, and setting forth in full detail the materiality thereof to the issues involved in the case and stating that the witness has the desired matter or things in his possession or under his control."

The affidavit referred to in proposed Section 1987.5 is evidently the one mentioned in Section 1985. Moreover, since, generally speaking, a subpena duces tecum is issued only by a court clerk in a judicial proceeding (C.C.P. 1986), it would appear that the scope of Section 1987.5 is further narrowed to situations where affidavits are issued by that official. Accordingly, unless there is something to the contrary elsewhere in the law, Section 1987 5 would seem inapplicable to any service of a subpena issued by a legislative investigating committee.

Section 37 of Article IV of the State Constitution authorizes the creation by resolution of legislative fact-finding committees, and states in this connection:

"The resolution creating any such committee may authorize it to act either during sessions of the Legislature or after final adjournment. Any such committee shall have such powers and perform such duties as may be provided by the resolution creating it and in addition shall have such powers and perform such duties as may be provided by law or by the Rules of the Legislature or either house thereof."

In Joint Rule 36 are the following provisions regarding the summoning of witnesses and the procuring of evidence by legislative investigating committees:

"Each such committee is authorized and empowered to summon and subpena witnesses, require the production of papers, books, accounts, reports, documents, records and papers of every kind and description, to issue subpenas and to take all necessary means to compel the attendance of witnesses and to procure testimony, oral and documentary.

"Each member of such committees is authorized and empowered to administer oaths, and all of the provisions of Chapter 4, Part 1, Division 2, Title 2 of the Government Code, relating to the attendance and examination of witnesses before the Legislature and the committees thereof, shall apply to such committees.

"The Sergeant-at-Arms of the Senate or Assembly, or such other person as may be designated by the chairman of the committee, shall serve any and all subpenas, orders and other process that

may be issued by the committee, when directed to do so by the chairman or by a majority of the membership of the committee."

The chapter of the Government Code mentioned includes Sections 9400 to 9412 thereof. The more relevant of these provide, briefly:

For the issuance of subpenas by the presiding officer of each legislative house or the chairman of a committee (9400).

That a subpena is sufficient if it (a) names the legislative body before whom the proceeding involved is pending, (b) is addressed to a witness, (c) requires the attendance of the witness at a particular time and place, (d) is signed by the presiding officer or committee chairman (9402).

That the service of a subpena may be made by any person over 18 years of age (9403).

For arrest and punishment for contempt in the event of the refusal of a witness to obey a subpena or his refusal to testify (9405 to 9412).

It is our opinion that in enacting Joint Rule 36 and these Government Code provisions, the Legislature thereby intended that only they should govern the issuance of subpenas by legislative investigating committees, and that the provisions of the Code of Civil Procedure were not to apply Were this not so, the situation would be enshrouded in much uncertainty in view of various conflicting Code of Civil Procedure provisions on subpenas (*see* C. C. P. 1985.5-1997).

Also, favoring an argument against the application of Assembly Bill No. 954 to subpenas issued by legislative investigating committees is the thought that in the very nature of things it would be pointless to require an affidavit as a condition for their issuance. Since they may be issued directly by the chairman of such a committee (Joint Rule 36), that is to say, by one who virtually is a party to the proceeding involved, the requirement of an affidavit would be tantamount to a condition that one prove to oneself the necessity for issuing a subpena In the ordinary judicial proceeding, however, the court clerk is not a party litigant, and without the affidavit might otherwise have no information at all as to the materiality of the records and documents specified.

It may also be noted that under the wording of Section 1987.5, there is an assumption that there presently is some requirement for the filing of an affidavit as a condition for the issuance of a subpena. Such there is, but only as to a subpena issued in a judicial proceeding, and not as to one in a legislative inquiry. To our knowledge, there has never been any requirement for affidavits in respect to subpenas of legislative investigating committees.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By J. GOULD, Deputy

Two copies to Honorable A. I. Stewart, pursuant to Joint Rule 34.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 3374

At 3.20 p.m., on motion of Mr. Coats, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 3374 passed by the following vote:

AYES—Beck, Berry, Brady, Burkhalter, Chapel, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Hagen, Hawkins, Henderson, Hollibaugh, Kilpatrick, Kirkwood, Lincoln, Lowrey, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, and Thomas—42

NOES—Babbage, Belotti, Brown, Burke, Clarke, Cloyed, Collier, Connolly, Conrad, Erwin, Geddes, Grunsky, Gubser, Hansen, Hinckley, Kelly, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McGee, Sherwin, Sullivan, Smith, Stanley, Stewart, and Waters—31.

Notice of Motion to Reconsider Assembly Bill No. 3374

Mr. Grunsky gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 3374 was this day passed.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bills were withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 584, on request of Mr. Lyon.

Assembly Bill No. 1879, on request of Mr. Stewart.

Assembly Bill No. 1947, on request of Mr. Brown.

Assembly Bill No. 2631, on request of Mr. Caldecott.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1980

Mr. Dolwig asked for, and was granted, unanimous consent to take up Assembly Bill No. 1980, temporarily passed on file, for purpose of amendment.

CONSIDERATION OF ASSEMBLY BILL NO. 1980

Assembly Bill No. 1980—An act to amend Section 123 and repeal Section 124 of the Labor Code, relating to workmen's compensation benefits, and making an appropriation.

Bill read third time.

Motion to Amend

Mr. Dolwig moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 18, of the printed bill, as amended in the Assembly on June 6, 1951, strike out "124", and insert "144".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1848

Mr. Lindsay asked for, and was granted, unanimous consent to take up Assembly Bill No. 1848, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 1848

Assembly Bill No. 1848—An act to add Section 60 to the State Water Resources Act of 1945, relative to the financing of water projects by issuance of bonds payable solely from the revenues thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Connolly, Cooke, Dills, Dolwig, Doyle, Dunn, Fleury, Grant, Grunsky, Gubser, Hansen, Hawkins, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McGee, Meyers, Niehouse, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, and Stewart—42.

NOES—Brady, Burke, Collier, George D. Collins, Condon, Conrad, Davis, Dickey, Elliott, Evans, Gaffney, Geddes, Hagen, Henderson, Hollibaugh, Levering, Lowrey, Morris, Moss, Munnell, Thomas, and Tomlinson—22

Notice of Motion to Reconsider Assembly Bill No. 1848

Mr. Hagen gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1848 was this day passed.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1960 BE SET FOR COMMITTEE HEARING

Mr Stanley asked for, and was granted, unanimous consent that Assembly Bill No. 1960 be set for hearing tonight in the Committee on Municipal and County Government.

RESOLUTIONS

The following resolution was offered:

By Mr. Burkhalter:

House Resolution No. 198

Relating to an investigation of the causes and conditions leading to accidents to young children

WHEREAS, The people of the State of California have been repeatedly shocked in recent months at reading and hearing of tragic accidents which have claimed the lives of young children in our State; and

WHEREAS, It is recognized that the loss of our children by avoidable accidents is costly to the future of our society; and

WHEREAS, It is noted that the same situations leading to fatal accidents to young children recur from time to time, such as the dangerous abandonment of refrigerators and ice boxes, improper construction and supervision of children's playgrounds, and the careless use of automobiles; now, therefore, be it

Resolved by the Assembly of the State of California, That the Committee on Public Health, or any Assembly or Joint interim committee which may be created with similar functions, is requested to study and make a report upon measures which may be employed to prevent or curb the causes and conditions most frequently causing accidents to young children.

Resolution read, and ordered referred to the Committee on Rules.

MESSAGES FROM THE SENATE

SENATE, CALIFORNIA LEGISLATURE, June 13, 1951

Hon Arthur A Ohnimus
Chief Clerk of the Assembly

DEAR SIR: I am directed by the Senate to respectfully request your honorable body to return Senate Bill No. 1625 to the Senate for further consideration.

Very truly yours,

J. A. BEEK
Secretary of the Senate

Message read.

Motion That Request Be Granted

Mr. Lyon moved that the above request of the Senate be granted.

Mr. Connolly seconded the motion.

Motion carried.

Senate Bill No. 1625 ordered returned to the Senate.

NOTICE OF MOTION TO RECONSIDER LAPSED

Notice of motion to reconsider Assembly Bill No. 2121 lapsed.

Assembly Bill No. 2121 ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 101
House Resolution No. 168

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolutions ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 190

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolution ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 151
House Resolution No. 156
House Resolution No. 176
House Resolution No. 194

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolutions ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 155
House Resolution No. 197

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 180

Has had the same under consideration, and reports the same back with the recommendation: That the subject matter be referred to any interim committee created at this session to study or investigate industrial relations with the further recommendation that a subcommittee thereof be created to study said subject matter, and that the Honorable Edward M. Gaffney be chairman of said subcommitee, if serving as a member of the interim committee.

DICKEY, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No 44

Has had the same under consideration, and reports the same back with the recommendation: That the subject matter be referred to the Interim Committee on Judiciary, if and when created at this session of the Legislature.

DICKEY, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 183

Has had the same under consideration, and reports the same back with the recommendation: That the subject matter be referred to any interim committee created at this session to study or investigate education with the further recommendation that a subcommittee thereof be created to study said subject matter, and that the Honorable Charles Edward Chapel be chairman of said subcommitee, if serving as a member of the interim committee.

DICKEY, Chairman

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 4:30 p.m.—

Legislative Representation, in Room 3149.

At 8 p.m.—

Education, in Room 3184.

Municipal and County Government, in Room 2170.

Today Upon Adjournment—

Governmental Efficiency and Economy, in Room 3184.

Judiciary, at desk of Mr. Brown. Subject: Assembly Bill No. 1193 and Assembly Bill No. 3456.

Conservation, Planning, and Public Works, in Room 2170.

Elections and Reapportionment, in Room 435.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Klocksiem, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Lawrence O. Jackson of Long Beach.

On request of Mr. Cloyed and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mayor and Mrs. Kuehl and Martha, George, and Albert, Jr., Kuehl of Escondido.

On request of Messrs. Hinckley and Shaw, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Roy Langford of San Bernardino.

On request of Mr. Belotti, the usual courtesies of the Assembly for this day were unanimously extended to C. A. Thunen of Crescent City.

ADJOURNMENT

At 3.43 p.m., on motion of Mr. Dickey, the Speaker pro Tempore declared the Assembly adjourned until 10 a.m., Thursday, June 14, 1951.

SAM L. COLLINS, Speaker.

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

EIGHTY-FIRST LEGISLATIVE DAY

ONE HUNDRED ELEVENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, June 14, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Stillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Our Father in Heaven, Hallowed Be Thy Name. We seek Thy guidance for this new day and its opportunities of service

We thank you for this day set aside to honor the Flag of our beloved Country Long may this emblem wave above the land of the free and the home of the brave. Bless those who are today fighting for the preservation of these ideals.

Move into the council of the nations now attempting to establish a framework for a lasting peace among Thy people here on earth.

"The light of God is falling
Upon life's common way;
The Master's voice still calling
'Come, walk with Me today';
No duty can seem lowly
To him who lives with Thee.
And all of life grows holy,
O Christ of Galilee!"

—AMEN

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Waters. further reading of the Journal of the previous legislative day was dispensed with.

ANNOUNCEMENT

Speaker Sam L. Collins announced that the Red Cross needs blood for the military war casualties, and urged all Members of the Assembly who have the time and inclination to telephone Gilbert 2-5851 for an appointment, which the Red Cross will give at any time of the day or night, for the purpose of donating blood. He further announced that cars will be sent upon request to transport donors to the Red Cross Headquarters.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE BILL NO. 1625 BE WITHDRAWN FROM COMMITTEE

Mr. Lyon asked for, and was granted, unanimous consent that Senate Bill No. 1625 be withdrawn from the Committee on Ways and Means for the purpose of returning the bill to the Senate, pursuant to a request granted yesterday to do so.

REPORTS OF STANDING COMMITTEES

Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which was referred:

Senate Bill No. 1246

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WATERS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which was referred:

Assembly Bill No. 1797

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WATERS, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3112

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 1376
Assembly Bill No. 1980
Assembly Bill No 2079
Assembly Bill No. 2301
Assembly Bill No. 2904
Assembly Bill No. 3090
Assembly Bill No. 3326

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 622
Assembly Bill No. 842
Assembly Bill No. 1379
Assembly Bill No. 1412
Assembly Bill No. 1422
Assembly Bill No. 2107
Assembly Bill No. 2109
Assembly Bill No. 2362
Assembly Bill No. 3450

And reports the same correctly engrossed.

BURKE, *Chairman*

Above reported bills ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 500—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, to take effect immediately;

And reports that the same has been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1951, at 10 a.m.

BURKE, Chairman

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 1193

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER. Your Committee on Municipal and County Government, to which were referred:

Senate Bill No. 424
Senate Bill No. 501
Senate Bill No. 619
Senate Bill No. 1016
Senate Bill No. 1029
Senate Bill No. 1149
Senate Bill No. 1151
Senate Bill No. 1152
Senate Bill No. 1154
Senate Bill No. 1157
Senate Bill No. 1826
Senate Bill No. 1569
Senate Bill No. 1692

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 1831

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 1570

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

STANLEY, Chairman

Above reported bill ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Senate Bill No. 1462

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

DUNN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Senate Bill No. 1492

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

DUNN, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Senate Bill No. 29

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 2382
Assembly Bill No. 3193

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended.

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 2330

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

DUNN, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 13, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed

Assembly Bill No. 213
Assembly Bill No. 305
Assembly Bill No. 384
Assembly Bill No. 417
Assembly Bill No. 465
Assembly Bill No. 519
Assembly Bill No. 543
Assembly Bill No. 997
Assembly Bill No. 1234
Assembly Bill No. 1526
Assembly Bill No 1568
Assembly Bill No. 1877
Assembly Bill No. 2327
Assembly Bill No. 2435
Assembly Bill No. 2574
Assembly Bill No. 2704
Assembly Bill No. 2874
Assembly Bill No. 3116
Assembly Bill No. 3316
Assembly Bill No. 3396

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted

Assembly Concurrent Resolution No 66

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 13, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Ward, Hatfield, and Byrne as a Committe on Conference concerning:

Assembly Bill No. 2211—An act to amend Sections 58501, 58577, and 58614 of, and to add Section 58615 5 to, and to repeal Section 58502 and Article 6, Chapter 2, Title 6, of the Government Code; and to repeal Sections 2206, 4704, 6407, 14003, 14405, and 14603, of the Health and Safety Code; and to repeal Section 1184 of the Military and Veterans Code; and to repeal Section 3.5 of the California Airport District Act; all relating to districts.

J. A. BEEK, Secretary of the Senate
By C V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Regan, Desmond, and Busch as a Committee on Conference concerning:

Assembly Bill No. 464—An act to amend Section 303 of the Probate Code, relating to disqualification of judges.

J A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 13, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators McBride, Byrne, and Miller as a Committee on Conference concerning:

Assembly Bill No. 2307—An act to amend Sections 208 and 209 of the Unemployment Insurance Act, relating to disability benefits.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 591	Assembly Bill No. 2042
Assembly Bill No. 626	Assembly Bill No 2081
Assembly Bill No. 879	Assembly Bill No. 2512
Assembly Bill No. 1201	Assembly Bill No. 2601
Assembly Bill No. 1392	Assembly Bill No. 2664
Assembly Bill No 1803	Assembly Bill No. 2673
Assembly Bill No. 1834	Assembly Bill No. 2688

And respectfully requests your honorable body to concur in said amendments.

J. A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 13, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning

Assembly Bill No. 2249—An act to add Section 6360 to the Education Code, relating to school district taxes, and to validate elections relating thereto.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Assembly Bill No. 2249 ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 256
Senate Bill No. 773
Senate Bill No. 950
Senate Bill No. 1472
Senate Bill No. 1681
Senate Bill No. 1833
Senate Bill No. 1836

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 256—An act to add Section 184.1 to the Education Code, relating to the donations, bequests, and devises to the Department of Education and to schools, colleges, and institutions under its jurisdiction.

Referred to Committee on Education.

Senate Bill No. 773—An act to amend Section 7010 of the Welfare and Institutions Code, relating to feeble-minded persons.

Referred to Committee on Social Welfare.

Senate Bill No. 950—An act to amend and renumber Section 1523.5 of the Welfare and Institutions Code, as added thereto by Chapter 709 of the Statutes of 1951, to be Section 1552.4 thereof, relating to aid to needy children.

Referred to Committee on Social Welfare.

Senate Bill No. 1472—An act to amend Section 2 of an act entitled "An act to provide for the creation, organization and government of water conservation districts, defining their powers and prescribing the method of exercising the same, re-enacting and continuing in force the provisions of Chapter 166 of the Statutes of 1929, known as the 'Water Conservation Act of 1929,' and validating and confirming all proceedings had and taken under the provisions of said act resulting in the organization of water conservation districts and continuing such districts under the provisions of this act with the powers herein conferred," approved June 16, 1931, relating to eminent domain and declaring the urgency thereof.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 1681—An act making an allocation from the Emergency Fund specified in Item 277 of the Budget Act of 1950, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Ways and Means.

Senate Bill No. 1833—An act to amend the heading of Article 5.1, and to add Article 5.2 to, Chapter 11, Division 2, of the Education Code; to add Section 3534 to said code; and to repeal Section 4919.2 of said code, relating to school districts.

Referred to Committee on Education.

Senate Bill No. 1836—An act to add Sections 20393.1 and 20393.2 to the Education Code, relating to dismissal of employees of state colleges.

Referred to Committee on Education.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 19
Senate Concurrent Resolution No. 69
Senate Concurrent Resolution No. 80
Senate Concurrent Resolution No. 87

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolutions were read:

Senate Concurrent Resolution No. 19—Relative to the creation of the Joint Committee on Un-American Activities.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 69—Relative to the creation of a Fact-Finding Committee on Agriculture and Livestock Problems.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 80—Relative to the creation of the Joint Committee on Water Problems.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 87—Relative to financing of schools.

Referred to Committee on Education.

RESOLUTIONS

The following resolution was offered:

By Mr. Dills:

House Resolution No. 199

Relative to the creation of the Assembly Interim Committee on Funeral Directors, Embalmers, Mortuaries, and Funeral Establishments

WHEREAS, Recent magazine articles and newspaper editorials have reported the high cost of funeral services, the existence of unethical practices by certain funeral directors, embalmers, mortuaries, and funeral establishments, and the need for closer regulation of such persons and establishments; and

WHEREAS, It is necessary that the Assembly be fully informed on all facts relating to such persons and organizations in order that it may intelligently legislate thereon; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Funeral Directors, Embalmers, Mortuaries, and Funeral Establishments is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the practices of funeral directors, embalmers, mortuaries, and funeral establishments, the fees charged by such persons and organizations for services rendered, and the nature and cost of such services rendered, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953

Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5 The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of _____ dollars ($_____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 3452—An act making an appropriation to the Department of Finance for construction, improvements, and equipment and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3174—An act to amend Sections 3402, 3403, 3423, 3426, and 3429, and to amend and renumber Sections 3410, 3411, 3418, 3420, 3421, and 3429 of the Public Resources Code, to repeal Sections 3405, 3406, 3407, 3408, 3409, 3412, 3413, 3414, 3415, 3416, 3417, 3419, 3425, and 3428 thereof, and to add Sections 3407, 3408, 3409, 3410, 3415, 3416, 3417, 3418, 3419, 3420, and 3428 thereto, relating to oil and gas.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Manufacturing, Oil, and Mining Industry:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on June 8, 1951, strike out "3420, 3421, and 3429", and insert "and 3420".

Amendment No. 2

In line 6 of the title of said bill, after "3419," insert "3421, 3422,".

Amendment No. 3

On page 3 of said bill, strike out all of lines 43 to 45, inclusive.

Amendment No. 4

On page 3, line 46, of said bill, after "Monday", insert "before the first Monday".

Amendment No. 5

On page 4, line 11, of said bill, after "returns for", strike out "the".

Amendment No. 6

On page 4, line 23, of said bill, after "who", insert "on the first Monday in March".

Amendment No. 7

One page 4, lines 24 and 25, of said bill, strike out "on the first Monday in March".

Amendment No. 8

On page 4, line 48, of said bill, after "3419", insert ", 3421, and 3422".

Amendment No. 9

On page 4 of said bill, strike out all of lines 51 and 52.

Amendment No. 10

On page 5 of said bill, strike out all of lines 1 to 10, inclusive, and insert

"3411. (a) On or before June 15th the department shall furnish the Controller with a list of the persons upon whom, according to the records of the department, charges are imposed under Section 3409.

(b) The department".

Amendment No. 11

On page 5 of said bill, strike out all of lines 29 to 50, inclusive.

Amendment No. 12

On page 6 of said bill, strike out all of lines 1 to 17, inclusive.

Amendment No. 13

On page 6, line 18, of said bill, after "SEC.", strike out "15", and insert "13".

Amendment No. 14

On page 6, line 19, of said bill, after "returns", insert "filed under Section 3410".

Amendment No. 15

On page 6, lines 24 and 25, of said bill, strike out "listed in the record of estimated assessments and charges", and insert "in the list furnished under subdivision (a) of Section 3411".

Amendment No. 16

On page 6 of said bill, strike out all of lines 27 to 31, inclusive, and insert

"SEC. 14 Section 3416 is added to said code, to read:

3416 If the department determines that any amount not required to be paid under this article has been paid by any person, the department shall certify to the State Board of Control the amount paid in excess of the amount legally due and the person from whom it was collected If the State Board of Control approves, the department shall certify the amount to the Controller for credit or refund."

Amendment No. 17

On page 6, line 32, of said bill, after "SEC.", strike out "17", and insert "15"

Amendment No. 18

On page 7, line 9, of said bill, after "SEC.", strike out "18", and insert "16".

Amendment No. 19

On page 7, line 31, of said bill, after "SEC.", strike out "19", and insert "17".

Amendment No. 20

On page 7, lines 33 and 34, of said bill, strike out "petition for a redetermination", and insert a comma.

Amendment No. 21

On page 7, line 35, of said bill, strike out the period, and insert ", file a petition with the department for a redetermination."

Amendment No. 22

On page 8, line 9, of said bill, after "SEC", strike out "20", and insert "18".

Amendment No. 23

On page 8, line 10, of said bill, after "shall", insert "promptly".

Amendment No. 24

On page 8, line 11, of said bill, after "determinations", strike out "and redeterminations", and insert ", redeterminations, and petitions filed for redetermination".

Amendment No. 25

On page 8, line 16, of said bill, after "SEC.", strike out "21", and insert "19".

Amendment No. 26

On page 10, line 7, of said bill, after "SEC.", strike out "22", and insert "20".

Amendment No. 27

On page 10, line 8, of said bill, after "SEC.", strike out "23", and insert "21".

Amendment No. 28

On page 10, line 17, of said bill, after "SEC.", strike out "24", and insert "22".

Amendment No. 29

On page 10, line 18, of said bill, after "SEC.", strike out "25", and insert "23".

Amendment No. 30

On page 10, line 31, of said bill, after "SEC.", strike out "26", and insert "24".

Amendment No. 31

On page 10, line 35, of said bill, after "SEC.", strike out "27", and insert "25".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Manufacturing, Oil, and Mining Industry.

SECOND READING OF SENATE BILLS

Senate Bill No. 49—An act to amend Section 19.6 of the Fish and Game Code, relating to powers of the Fish and Game Commission.

Bill read second time, and ordered to third reading.

Senate Bill No. 1061—An act to repeal Section 1367 of the Fish and Game Code, relating to commercial hunting clubs.

Bill read second time, and ordered to third reading.

Senate Bill No. 728—An act to amend Section 2786 of, and to add Section 2708.1 to the Business and Professions Code, relating to nursing education.

Bill read second time, and ordered to third reading.

Senate Bill No. 1821—An act to repeal Section 1628a of the Business and Professions Code, relating to examinations for admission to the practice of dentistry.

Bill read second time, and ordered to third reading.

Senate Bill No. 760—An act to amend Section 1550 of the Welfare and Institutions Code, relating to aid to needy children.

Bill read second time, and ordered to third reading.

Senate Bill No. 1004—An act to amend Section 3084 of the Welfare and Institutions Code, relating to aid to the needy blind.

Bill read second time, and ordered to third reading.

Senate Bill No. 1444—An act to amend Section 2020 of the Welfare and Institutions Code, relating to aid to the aged.

Bill read second time, and ordered to third reading.

Senate Bill No. 1108—An act to add Section 429.6 to the Fish and Game Code, relating to the taking of fish by members of the Yurok Indian Tribe.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on May 18, 1951, strike out "429.6", and insert "429.8".

Amendment No. 2

On page 1, line 1, of said bill, strike out "429.6", and insert "429.8".

Amendment No. 3

On page 1, line 16, of said bill, strike out "429.6", and insert "429.8".

Amendment No. 4

On page 2, lines 4 and 5, of said bill, strike out "Gill nets of not over thirty (30) feet in greatest length, hand", and insert "Hand"

Amendment No. 5

On page 2 of said bill, strike out lines 6, 7, and 8, and insert "fish pursuant to this section."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

UNFINISHED BUSINESS

RECONSIDERATION OF ASSEMBLY BILL NO. 966

In compliance with a notice given on a previous day, Mr Grunsky moved that the vote whereby Assembly Bill No. 966 was passed be reconsidered.

The roll was called, and Assembly Bill No. 966 reconsidered by the following vote:

AYES—Belotti, Berry, Brown, Burkhalter, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Munnell, Parker, Porter, Shaw, Sherwin, Thomas, Tomlinson, Waters, and Mr. Speaker—46.

NOES—None.

Assembly Bill No. 966 ordered to third reading.

Request for Unanimous Consent That Assembly Bill No. 966 Be Re-referred to Committee

Mr. Grunsky asked for, and was granted, unanimous consent that Assembly Bill No. 966 be withdrawn from the third reading file, and be re-referred to the Committee on Transportation and Commerce

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 3374 WAIVED

Mr. Grunsky waived his notice of motion to reconsider the vote whereby Assembly Bill No. 3374 was passed.

Assembly Bill No. 3374 ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 584

Mr. Lyon asked for, and was granted unanimous consent to take up Assembly Bill No. 584, out of order, for purpose of amendment.

CONSIDERATION OF ASSEMBLY BILL NO. 584

Assembly Bill No. 584—An act to amend Section 737s of the Political Code, relating to the salary of judges of the superior court.

Bill read third time.

Motion to Amend

Mr. Lyon moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 10, 1951, strike out lines 5 and 6, and insert "sixteen thousand seven hundred and fifty dollars ($16,750)."

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1020—An act to amend Section 960 of the Welfare and Institutions Code, relating to the establishment and maintenance of public schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—58.

NOES—None

Bill ordered transmitted to the Senate.

ALL HOUSE RESOLUTIONS ORDERED PASSED ON FILE, TO HOLD THEIR PLACES ON FILE

By unanimous consent, all House resolutions were ordered passed on file, to hold their places on file on the next legislative day.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1900 BE RE-REFERRED TO COMMITTEE

Mr. Fleury asked for, and was granted, unanimous consent that Assembly Bill No. 1900 be withdrawn from the third reading file, and be re-referred to the Committee on Ways and Means.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2212—An act to add Section 1429.5 to the Penal Code, relating to criminal proceedings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick,

Kirkwood, Klocksiem, Lipscomb, Lowrey, Luckell, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 13—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 1 of Article II thereof, relating to the right to vote.

Resolution read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Morris moved a call of the Assembly.

Motion carried. Time, 10.31 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Babbage, Brady, Coats, Dickey, Erwin, Evans, Gaffney, Gubser, Hahn, Kirkwood, Lincoln, Lindsay, McGee, Rosenthal, and Rumford—15.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Lipscomb asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2120—An act to add Chapter 3, comprising Sections 15700 to 15716, inclusive, to Part 9, Division 3, Title 2 of the Government Code, relating to payment of interest on money deposited with the State to secure obligations under tax laws and authorizing the investment of such money.

Bill read third time.

Motion to Amend

Mr. Lipscomb moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 12, of the printed bill, as amended in the Assembly on April 11, 1951, strike out "of", and insert "fixed by the board with the approval of the Department of Finance but not to exceed".

Amendment No. 2

On page 2, line 49, of said bill, after "reinvested", insert "with approval of the Board of Control".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 765 BE RE-REFERRED TO COMMITTEE

Mr. Crowley asked for, and was granted, unanimous consent that Assembly Bill No. 765 be withdrawn from the third reading file, and be re-referred to the Committee on Municipal and County Government.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2693 BE RE-REFERRED TO COMMITTEE

Mr Geddes asked for, and was granted, unanimous consent that Assembly Bill No. 2693 be withdrawn from the third reading file, and be re-referred to the Committee on Finance and Insurance.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3450—An act to add Section 261k to the Code of Civil Procedure, relating to court reporters.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Sherwin, Silliman, Thomas, Tomlinson, Waters, and Mr. Speaker—59.

NOES—Beck and Hagen—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3451—An act to add Section 402b to the Penal Code, relating to refrigerators, ice-boxes and chests of similar construction.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Coats moved a call of the Assembly.

Motion carried. Time, 10.55 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brady, Cloyed, Dolwig, Dunn, Hahn, Hollibaugh, and Rumford—7.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Coats asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 13

At 10.56 a.m., on motion of Mr. Morris, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Constitutional Amendment No. 13 refused adoption by the following vote:

AYES—Beck, Berry, Burkhalter, Cloyed, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Dunn, Elliott, Hagen, Hawkins, Henderson Kelly, Kilpatrick, Klocksiem, Lanterman, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Thomas, and Tomlinson—35.

NOES—Belotti, Brown, Burke, Caldecott, Chapel, Clarke, Collier, Conrad, Doyle, Fleury, Gaffney, Geddes, Grant, Grunsky, Hansen, Hinckley, Hollibaugh, Levering, Lipscomb, Lowrey, Luckel, Lyon, McFall, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—31.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 842—An act to amend Section 28138 of the Government Code, relating to compensation for public services in counties of the thirty-eighth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—68.

NOES—None

Bill ordered transmitted to the Senate

ANNOUNCEMENTS

Speaker Sam L. Collins announced that Messrs. Stanley and Beck have agreed that the Assembly will recess tomorrow, Friday, June 15th, at 11 a.m., for the purpose of going into caucus and conducting necessary business attendant to nominating members from each party for election by the membership to the newly created Committee on Rules.

Speaker Sam L. Collins announced that he has been notified that Governor Warren signed the Budget Bill, Assembly Bill No. 500, at 10.45 a.m., and that bills carrying appropriations may now be considered.

Speaker Pro Tempore Presiding

At 10.58 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 622—An act to amend Sections 145 and 825 of the Penal Code, relating to the taking of persons arrested before a magistrate.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Huckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Smith, Thomas, Tomlinson, and Waters—64.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 621

Mr. Kilpatrick asked for, and was granted unanimous consent to take up Assembly Bill No. 621, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 621

Assembly Bill No. 621—An act to repeal Section 144 and to amend Section 1558 of the Penal Code, relating to the return of fugitives from justice.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kloeksiem, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Silliman, Thomas, and Tomlinson—56.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP NOTICE OF MOTION TO RECONSIDER HOUSE RESOLUTION NO. 172

Mr. Condon asked for, and was granted, unanimous consent to take up his notice of motion to reconsider House Resolution No. 172, temporarily passed on file.

RECONSIDERATION OF HOUSE RESOLUTION NO. 172

In compliance with a notice given on a previous day, Mr. Condon moved that the vote whereby House Resolution No. 172 was adopted be reconsidered.

The roll was called, and House Resolution No. 172 reconsidered by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burkhalter, Chapel, Coats, Collier, George D. Collins, Condon, Cooke, Davis, Doyle, Dunn, Elliott, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hansen, Henderson, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McFall, Meyers, Moss, Munnell, Parker, Rosenthal, Shaw, Silliman, and Stanley—41.

NOES—Burke, Caldecott, Clarke, Cloyed, Connolly, Conrad, Crowley, Dolwig, Erwin, Evans, Geddes, Hawkins, Hollibaugh, Kloeksiem, Lipscomb, Lyon, McCollister, McGee, McMillan, Morris, Niehouse, Porter, Sherwin, Smith, Stewart, Thomas, Tomlinson, and Waters—28.

House Resolution No. 172 ordered on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1954

Mr. Moss asked for, and was granted unanimous consent to take up Assembly Bill No. 1954, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 1954

Assembly Bill No. 1954—An act to add Chapter 12 to Division 4 of the Education Code, relating to mentally handicapped minors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood.

Klocksiem, Lanterman, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, and Waters—64.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 11.28 a.m., Hon. Sam. L. Collins, Speaker of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3245

Mr. Maloney asked for, and was granted unanimous consent to take up Assembly Bill No. 3245, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 3245

Assembly Bill No. 3245—An act to amend Section 13116 to the Government Code, relating to the Department of Finance, declaring the urgency thereof, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Grunsky, Gubser, Hagen, Henderson, Hinckley, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Sherwin, Silliman, Stanley, Tomlinson, Waters, and Mr. Speaker—55.

NOES—Chapel, Cloyed, Condon, Dills, Doyle, Geddes, Hansen, Hollibaugh, Kelly, Levering, Smith, Stewart, and Thomas—13.

Bill ordered transmitted to the Senate.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

Letter of Transmittal

STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS
SACRAMENTO, June 5, 1951

Mr. Arthur A. Ohnimus
Chief Clerk of the Assembly
State Capitol, Sacramento 14, California

DEAR MR. OHNIMUS: In compliance with the request contained in House Resolution No. 94, 1951 Regular Session, the attached report has been prepared by the Division of Highways relative to the necessity for installation of telephones along the Arroyo Seco Parkway.

Very truly yours,

C. H. PURCELL
Director of Public Works

Attach.

Above transmitted report ordered referred to Mr. Collier.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 1422, on motion of Mr. Chapel.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE BILL NO. 399 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Luckel asked for, and was granted, unanimous consent that Senate Bill No. 399 be withdrawn from the Committee on Revenue and

Taxation, and be re-referred to the Committee on Transportation and Commerce.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE BILL NO. 1423 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Dolwig asked for, and was granted, unanimous consent that Senate Bill No. 1423 be withdrawn from the Committee on Governmental Efficiency and Economy, and be re-referred to the Committee on Legislative Representation.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1183

Mr. Brown asked for, and was granted unanimous consent to take up Assembly Bill No. 1183, out of order, for purpose of amendment.

CONSIDERATION OF ASSEMBLY BILL NO. 1183

Assembly Bill No. 1183—An act to add Section 19 to the Agricultural Code, relating to claims against bonded licensees.

Bill read third time.

Motion to Amend

Mr. Brown moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 17, 1951, strike out "19", and insert "1157".

Amendment No. 2

On page 1, line 1, of said bill, strike out "19", and insert "1157".

Amendment No. 3

On page 1, line 3, of said bill, strike out "19", and insert "1157".

Amendment No. 4

On page 1, line 4, of said bill, strike out "this code", and insert "Chapter 6 or Chapter 9 of this division".

Amendment No. 5

On page 1, line 18, of said bill, after "delinquent", insert "to the knowledge of the producer".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1474

Mr. Condon asked for, and was granted, unanimous consent to take up Senate Bill No. 1474, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 1474

Senate Bill No. 1474—An act to add Section 29.5 to the Community Redevelopment Act and add Section 33279 to the Health and Safety Code, relating to community redevelopment.

Bill read third time.

Motion to Amend

Mr. Condon moved the adoption of the following amendments:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Senate on May 28, 1951, strike out "33279", and insert "33280".

Amendment No. 2

On page 2, line 23, of said bill, strike out "33279", and insert "33280".

Amendment No. 3

On page 2, line 25, of said bill, strike out "33279", and insert "33280".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 790

Mr. Fleury asked for, and was granted unanimous consent to take up Senate Bill No. 790, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 790

Senate Bill No. 790—An act to add Sections 54468.1, 54348.1, and 54348.2 to the Government Code, relating to the securing of charges for services, facilities and water furnished by an enterprise by a lien on the lands served, and providing for the enforcement of such lien

Bill read third time.

Motion to Amend

Mr. Fleury moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Senate on May 24, 1951, strike out "The", and insert "Whenever the enterprise furnishes facilities used for, or useful in, the collection, treatment, and disposal of waste, refuse, and garbage, or of sewage, waste, and storm water, the".

Amendment No. 2

On page 2, line 6, of said bill, strike out "provided that such lands shall be"; strike out lines 7 to 10, inclusive, and insert "provided that on or before August 15th of each year there is delivered to the auditor or other official charged with computing the local agency's general property tax levy, a list showing:

(a) Each parcel of property against which the delinquent charges and penalties are a lien.

(b) The name and address of the owner of the property as shown on the current tax assessment roll.

(c) The total amount of the charges and penalties which have accrued to the first day of July immediately preceding.

The fact that delinquent charges and penalties are a lien on land served by an enterprise shall be shown on the secured property tax roll opposite the description of the property."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 3451

At 11.51 a.m., on motion of Mr. Coats, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 3451 passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Cloyed, Coats, George D. Collins, Cooke, Crowley, Davis, Dills, Doyle, Elliott, Evans, Gaffney, Geddes, Hagen, Hawkins, Henderson, Kilpatrick, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Smith, and Thomas—41.

NOES—Babbage, Caldecott, Clarke, Collier, Condon, Connolly, Conrad, Dickey, Erwin, Fleury, Grant, Grunsky, Gubser, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lyon, McGee, McMillan, Sherwin, Silliman, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—32.

Bill ordered transmitted to the Senate.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 3112—An act to provide for the creation of the Los Angeles Metropolitan Transit Authority and prescribing the powers and duties thereof; authorizing the authority to construct and operate an interurban rapid transit system; providing for the issuance and sale of revenue bonds and providing for the use of the proceeds thereof for the purposes of this act; and providing for the expenditure of such proceeds and all revenues received from the operation of the system to the uses and purposes set forth herein.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 3, line 3, of the printed bill, as amended in the Assembly on June 13, 1951, strike out "electrical systems, substations and power lines", and insert "substations,".

Amendment No. 2

On page 5 of said bill, strike out lines 22 to 35, inclusive.

Amendment No. 3

On page 6, line 36, of said bill, strike out the comma, and insert ". No publicly owned property shall be taken, or condemnation proceedings instituted therefor, without the consent of the public agency or public corporation owning or controlling such publicly owned property, nor shall any private owned public utility be taken or condemned without consent of such utility."

Amendment No. 4

On page 6 of said bill, strike out lines 37 to 52, inclusive; and on page 7, strike out lines 1 to 37, inclusive

Amendment No. 5

On page 7, line 52, of said bill, strike out "The authority is entitled to the benefit of", and on page 8, strike out lines 1 to 5, inclusive.

Amendment No. 6

On page 9, line 52, of said bill, after "county", insert "or city".

Amendment No. 7

On page 10, line 4, of said bill, after "county", insert "or any city therein".

Amendment No. 8

On page 18 of said bill, strike out lines 8 to 48, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 3428

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 92

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 92—Relative to Santa Barbara Convention of Fraternal Order of Eagles.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Bill No. 3434
And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined.
Assembly Bill No. 3452
And reports the same correctly engrossed

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Concurrent Resolution No. 91
And reports the same correctly engrossed

BURKE, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER. Your Committee on Legislative Procedure has examined
Assembly Joint Resolution No 45
And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER Your Committee on Legislative Procedure has examined:
Assembly Bill No 1496
Assembly Bill No. 2114
Assembly Bill No. 3088
Assembly Bill No 3448
And reports the same correctly engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER Your Committee on Education, to which was referred:
Assembly Bill No. 1279
Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DUNN, Chairman

Above reported bill ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No. 45

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 3456

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR SPEAKER. Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 3247
Assembly Bill No. 3248

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

STEWART, Chairman

Above reported bills ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 2595
Assembly Bill No. 2596

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

STEWART, Chairman

Above reported bills ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 2835
Assembly Bill No. 2836

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Senate Bill No. 905
Senate Bill No. 906

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Senate Bill No. 761
Senate Bill No. 1528

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 2034
Assembly Bill No. 3011

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bills ordered to third reading.

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 927

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SILLIMAN, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Senate Bill No. 487
Senate Bill No. 714
Senate Bill No. 1079

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SILLIMAN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Senate Bill No. 1809

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SILLIMAN, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Senate Bill No. 1812

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SILLIMAN, Chairman

Above reported bill ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1951

MR SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Concurrent Resolution No. 91

Has had the same under consideration, and reports the same back with the recommendation. Be adopted.

SILLIMAN, Chairman

Above reported resolution ordered engrossed.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 3112

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

STANLEY, Chairman

Above reported bill ordered to second reading.

RECESS

At 11.53 a.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ANNOUNCEMENT

Speaker Sam L. Collins announced that funeral services for Mrs. Hattie Hahn, mother of Assemblyman Hahn will be held, tomorrow, Friday, June 15th, at 1.30 p.m., at the Utter-McKinley Mortuary, 42nd Street and Broadway, Los Angeles.

LEAVES OF ABSENCE FOR THE AFTERNOON

The following members were granted leaves of absence for the afternoon, because of illness:

Mr. Brady, by unanimous consent.

Mr. Hahn, on motion of Mr. Clarke, because of the death of his mother.

The following members were granted leaves of absence for the afternoon, because of legislative business elsewhere:

Mr. Cooke, on motion of Mr. Clarke.

Mr. Rumford, on motion of Mr. Clarke.

Mr. Lipscomb, on motion of Mr. Clarke.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1379—An act providing for the constitution of the municipal court in a district embracing the City of Merced, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burkhalter, Caldecott, Clarke, Coats, Collier, Condon, Conrad, Cooke, Davis, Doyle, Dunn, Erwin, Fleury, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Kelly, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lyon, Maloney, McCarthy, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Silliman, Smith, Stanley, Stewart, Waters, and Mr Speaker—48.

NOES—Luckel—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1412—An act providing for the constitution of the municipal court in a district embracing the City of Los Angeles, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Conrad, Crowley, Davis, Dills, Dolwig, Doyle, Erwin, Fleury, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Levering, Lindsay, Lowrey, Lyon, Maloney, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Silliman, Smith, Stewart, Waters, and Mr. Speaker—49.

NOES—George D. Collins and Luckel—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2107—An act to amend Section 7 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to judges and attaches in municipal courts of cities of the first and one-half class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Connolly, Crowley, Davis, Dills, Dolwig, Doyle, Erwin, Fleury, Grant, Grunsky, Gubser, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Lincoln, Lindsay, Lyon, Maloney, McCarthy, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Silliman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—46

NOES—Luckel—1

Bill ordered transmitted to the Senate.

Assembly Bill No. 2109—An act to amend Section 7a of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to attaches in municipal courts in cities of the first and one-half class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brown, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Silliman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—49.

NOES—Beck and Luckel—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2362—An act to amend Section 261b, as added by Chapter 1031 of the Statutes of 1943, of the Code of Civil Procedure, relating to reporters for superior courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Grant, Grunsky, Hagen, Hansen, Henderson, Hollibaugh, Kelly, Kirkwood, Lincoln, Lindsay, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—51.

NOES—Luckel—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2301—An act to amend Sections 28116 and 28128 of the Government Code, relating to compensation for public services.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Conrad, Crowley, Davis, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McFall, McGee, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Stanley, Waters, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1496—An act to amend Section 737mm of the Political Code and Section 79.39 of the Code of Civil Procedure, relating to superior judges' salaries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Lindsay, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—54.

NOES—Luckel—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3090—An act to add Article 6 to Chapter 1, Division 1, of the Streets and Highways Code, directing the State Treasurer to prepare and issue revenue bonds in the amount needed for immediate state highway construction; authorizing the Director of Finance to determine the revenues which will be available to retire such bonds;

authorizing the expenditure of the proceeds raised from the sale of the bonds for the immediate construction or repair of state highways; and providing that the act shall take effect upon the adoption of a validating constitutional amendment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Levering, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Sillman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2114—An act to add Section 41.6 to an act entitled "An act prescribing the regulation, government, procedure and jurisdiction of the municipal and justice courts, and providing for the election and appointment of the judges, officers and attaches of such courts, their terms of office, qualifications and compensation," approved July 27, 1949, relating to traffic commissioner.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Crowley, Davis, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem, Levering, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT RULE NO. 92 BE TEMPORARILY SUSPENDED

Mr. Dunn asked for, and was granted, unanimous consent that Standing Rule No. 92 be temporarily suspended for the purpose of permitting him to read four short paragraphs from the *Oakland Tribune*, dated Thursday, June 14, 1951, entitled: "Congressmen Tired of State Resolutions."

Above mentioned article read.

Request for Unanimous Consent That Subject Matter Be Referred to the Committee on Rules

Mr. Dunn asked for, and was granted, unanimous consent that the above mentioned subject matter be ordered referred to the Committee on Rules.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1376—An act providing for the constitution of municipal courts in districts in Stanislaus County other than the district

embracing the City of Modesto, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Cloyed, Coats, Collier, George D Collins, Connolly, Crowley, Davis, Dills, Doyle, Dunn, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lindsay, Maloney, McCarthy, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Waters—51.

NOES—Luckel—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3448—An act to amend Section 172 of the Penal Code, relating to selling, giving away, or exposing for sale intoxicating liquors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Burkhalter, Caldecott, Clarke, George D. Collins, Condon, Connolly, Crowley, Davis, Dolwig, Doyle, Erwin, Fleury, Gaffney, Grunsky, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lyon, Maloney, McCollister, McFall, Meyers, Moss, Munnell, Niehouse, Porter, Shaw, Sherwin, Stanley, Stewart, Thomas, and Mr. Speaker—41.

NOES—Beck, Brown, Geddes, and Waters—4.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3122

Mr. Maloney asked for, and was granted unanimous consent to take up Assembly Bill No. 3122, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 3122

Assembly Bill No. 3122—An act to amend Section 1 of an act entitled "An act making an appropriation for the support of the San Francisco World Trade Center Authority and for the purposes of the authority, and providing for the return thereof," approved July 25, 1949, relating to the San Francisco World Trade Center Authority.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, George D Collins, Condon, Connolly, Crowley, Dills, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lindsay, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—57.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3121

Mr. Maloney asked for, and was granted unanimous consent to take up Assembly Bill No. 3121, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 3121

Assembly Bill No. 3121—An act to add Section 3.51 to the World Trade Center Authorities Act, relating to the World Trade Center Authority, and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Sherwin, Silliman, Smith, Stanley, Thomas, and Waters—57.

NOES—None.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1309—An act to amend Section 10 of the Public Utilities Act and Section 304 of the Public Utilities Code, relating to the commissioners, officers and employees of the Public Utilities Commission, their qualifications and salaries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brown, Caldecott, Clarke, Collier, Condon, Connolly, Crowley, Davis, Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Henderson, Hinckley, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Smith, Stanley, and Thomas—44.

NOES—Beck, Burke, Cloyed, Hansen, Hollibaugh, Levering, and Luckel—7.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 39—Relative to the naturalization of alien members of the Armed Forces.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Connolly, Crowley, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Smith, Stanley, Stewart, and Thomas—49.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Joint Resolution No. 42—Relative to appropriation for the Central Valley Project.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Gubser, Hagen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Munnell, Niehouse, Parker, Porter, Rosenthal, Smith, Stanley, and Stewart—44.

NOES—Cloyed, Hansen, and Levering—3.

Resolution ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were offered:

Assembly Concurrent Resolution No. 97: By Mr. Burkhalter—Relative to directing the Public Utilities Commission to apportion the costs of a certain grade separation on Olive Avenue in the City of Burbank, County of Los Angeles.

Referred to Committee on Public Utilities and Corporations.

Assembly Concurrent Resolution No. 98: By Messrs. Gubser and Hagen—Relative to determination of water rights.

Referred to Committee on Judiciary.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 1625

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

Senate Bill No. 1625—An act to add Chapter 6 5 to Division 2, comprising Sections 2840 to 2895 to the Business and Professions Code, relating to the practice of vocational nursing.

Referred to Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No. 63

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and be adopted, as amended.

CROWLEY, Chairman

Above reported resolution ordered on file.

RESOLUTIONS

The following resolutions were offered:

By Messrs. Belotti, Lyon, Hagen, Gaffney, Cloyed, Lindsay, Morris, Dunn, Burkhalter, Cooke, Stanley, Brown, Crowley, Moss, Doyle, Burke, Dills, McMillan, Luckel, Collier, Clarke, Evans, Elliott, Hollibaugh, Grunsky, Condon, Sam L. Collins, Porter, Coats, Maloney, Erwin, Brady, Berry, Lincoln, Rumford, Hawkins, Stewart, Grant, Rosenthal, Meyers, Thomas, Smith, Parker, and George D. Collins:

House Resolution No. 200

Relating to the completion of the Report of the Assembly Interim Committee on Conservation, Planning, and Public Works

WHEREAS, The Assembly Interim Committee on Conservation, Planning, and Public Works, as created by House Resolution 212 of the 1949 Regular Session of the Legislature, has not completed its report; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Chairman of the Assembly Interim Committee on Conservation, Planning, and Public Works, as appointed by the Speaker on July 2, 1949, is hereby appointed to complete the report of the committee.

2. All documents, reports, and other data of the Legislature and any other state department or agency, relating to the subject matter of the report, shall be made available for study and use in making the report Every state officer and agency shall render such aid and assistance as is necessary for the completion of the report.

3 The subject matter of the report which applies to the organization in the Legislature in the field of research, fact-finding, planning, and programming may be printed in a separate document.

4. The sum of one dollar ($1) a week is hereby made available from the Contingent Fund of the Assembly to pay Charles M. Weber, who was chairman of such committee, for all the time which shall be required for the completion of the report.

5. The State Treasurer may accept contributions or gifts to be expended for the purpose of printing the report, and the Director of Finance is requested to authorize the report, when completed, as a state document

6. Any department, bureau, or agency of the State Government which will require the use of the material to be printed in the completed report, may share in the expenses of printing.

7. The report shall be submitted to such members of the Assembly Interim Committee on Conservation, Planning, and Public Works, as appointed by the Speaker on July 2, 1949, as are at present Members of the Legislature, for their approval, disapproval, or comment.

8 The printed reports shall be apportioned to the Legislature and to the Department of Finance for public distribution.

9. The printed reports shall be submitted to the Legislature on or before the commencement of the 1952 Regular Session of the Legislature.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Coats:

House Resolution No. 201

Relative to a study of the Purity of Elections Laws by the Assembly Interim Committee on Elections and Reapportionment

WHEREAS, Many persons affected by the laws of this State concerning the purity of elections have expressed a desire that such laws should be improved and clarified; and

WHEREAS, Such improvement and clarification is needed and would be in the public interest; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Elections and Reapportionment make a study of the Purity of Elections laws in effect in this State, including comparison of such laws with those in effect in other jurisdictions, and report its findings and recommendations for appropriate legislation to the Assembly not later than the fifteenth day of the 1953 Regular Session of the Legislature.

Resolution read, and ordered referred to the Committee on Rules.

Speaker Pro Tempore Presiding

At 2.42 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

POINT OF ORDER

Mr. Dunn arose to the following point of order: That the hour of 2.30 p.m. has arrived, and consideration of the special order of business is now in order.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bill No. 1985 was taken up.

Assembly Bill No. 1985—An act to repeal Chapters 2 and 15 of Division 3 of the Education Code, to repeal Article 1 of Chapter 16 of Division 3 of said code, to repeal Section 6851.1 of said code, to amend Section 6841 of said code, to add Chapters 2 and 15 to Division 3 of said

code, to add Article 1 to Chapter 16 of Division 3 of said code, and to add Section 6905 to said code, all relating to the Public School System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Silliman, Smith, Stanley, Thomas, and Tomlinson—59.

NOES—Babbage, Conrad, Hansen, Hinckley, Kirkwood, Lanterman, Levering, and Sherwin—8.

Bill ordered transmitted to the Senate.

ANNOUNCEMENT

Mr. Dickey announced that it is his intention to move to recess from 4 p.m. until 8 p.m. today, for the purpose of permitting the Committees on Ways and Means and Rules to hold meetings.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2712

Mr. Dickey asked for, and was granted unanimous consent to take up Assembly Bill No. 2712, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 2712

Assembly Bill No. 2712—An act to add Sections 6 and 7 to an act entitled "An act providing for loans to municipalities and districts for sewerage and storm drainage facilities, prescribing the conditions under which such loans shall be made, creating the State Water Pollution Control Fund, and making an appropriation," approved July 28, 1949, relating to protection of quality of underground waters.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—63

NOES—Cloyed—1.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr. Hansen asked for, and was granted, unanimous consent that his name be placed upon the roll call, on Assembly Bill No. 2712, and that he be recorded as voting "Aye".

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 2061, on request of Mr. Kirkwood.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2801

Mr. Dickey asked for, and was granted unanimous consent to take up Assembly Bill No. 2801, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 2801

Assembly Bill No. 2801—An act providing for the allocation of the State's share of funds for the construction of a tube under the estuary between Oakland and Alameda.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Sherwin, Smith, Stanley, Stewart, Thomas, and Waters—60.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2706

Mr. Dickey asked for, and was granted unanimous consent to take up Assembly Bill No. 2706, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 2706

Assembly Bill No. 2706—An act to add Section 17.1 to the State Water Resources Act of 1945, authorizing the State Water Resources Board to contract with public and private organizations and persons for research work relative to the production and control of rainfall by artificial means, and making and appropriation therefor.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Sherwin, Smith, Stanley, Stewart, Thomas, and Waters—60

NOES—None.

Bill ordered transmitted to the Senate.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 1519, on motion of Mr. Dickey.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2079

Mr. Fleury asked for, and was granted unanimous consent to take up Assembly Bill No. 2079, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 2079

Assembly Bill No. 2079—An act to amend Sections 13775, 13776, 13777, 13778, 13779, 13780, and 13781 of, and to add Sections 13782, 13783, 13784, 13785, 13786, 13787, 13788, and 13789 to, Chapter 8, Part 3, Division 3, Title 2 of the Government Code, relating to social security coverage for employees of public agencies, making an appropriation and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Neilhouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Sillman, Stanley, Stewart, Thomas, and Waters—59.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Neilhouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Sillman, Stanley, Stewart, Thomas, and Waters—59.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER REPORT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 1771

Mr. Brown asked for, and was granted, unanimous consent to consider the report of the Committee on Conference concerning Assembly Bill No. 1771, temporarily passed on file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 1771—An act to amend Sections 91, 150, 230, 325, 337, 384a, 597f, 599a, 682, 726, 808, 817, 859, 890, 1143, 1203.02, 1203.1, 1203.12, 1278, 1298, 1309, 1327, 1382, 1391, 1426, 1427, 1428, 1431, 1432, 1432.1, 1438, 1458, 1459, 1461a, 1466, 1488, 1529, 2623, 4022, 1269b, and 1426a of the Penal Code; to amend the headings of Title 11 of Part 2 and of Chapter 1 of Title 11 of Part 2 of the Penal Code; and to repeal Section 1461 of the Penal Code; all relating to courts of justice, various officers thereof, and judicial districts;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in.

REGAN	BROWN
JAMES E. CUNNINGHAM	FLEURY
MILLER	MUNNELL
Senate Committee on Conference	Assembly Committee on Conference

~~The roll was called, and the report adopted by the following vote:~~

PRINTER'S NOTE—There being no 7-point strikeout type available, the following roll call, which should appear in strikeout type, is indicated by being enclosed within brackets

[AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Davis, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—59

NOES—Lowrey—1.]

On June 19th, the Assembly rescinded the above action whereby the Assembly adopted the report of the Committee on Conference concerning Assembly Bill No. 1771. (See page 5925.)

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER REPORT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 1772

Mr. Brown asked for, and was granted, unanimous consent to consider the report of the Committee on Conference concerning Assembly Bill No. 1772, temporarily passed on file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 1772—An act to amend Sections 203, 204, 204a, 206, 226, 227, 230, 231, 233, 248, and 250 of the Code of Civil Procedure, relating to jurors;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 3 of the printed bill, as amended in the Senate on April 13, 1951, strike out lines 11 to 35, inclusive.

Amendment No. 2

On page 3, line 36, of said bill, strike out "4", and insert "3".

Amendment No. 3

On page 3, line 49, of said bill, strike out "districts", and insert "district".

Amendment No. 4

On page 4, line 1, of said bill, strike out "5", and insert "4".

Amendment No. 5

On page 4, line 19, of said bill, strike out "6", and insert "5".

Amendment No. 6

On page 4, line 35, of said bill, strike out "7", and insert "6".

Amendment No. 7

On page 4, line 41, of said bill, strike out "8", and insert "7"

Amendment No. 8

On page 5, line 38, of said bill, strike out "9", and insert "8".

Amendment No. 9

On page 5, line 46, of said bill, strike out "10", and insert "9".

Amendment No. 10

On page 6, line 12, of said bill, strike out "11", and insert "10".

Amendment No. 11

On page 6, line 19, of said bill, strike out "12", and insert "11".

REGAN
WARD
JAMES E. CUNNINGHAM
Senate Committee on Conference

BROWN
FLEURY
MUNNELL
Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—61.

NOES—None.

Speaker Presiding

At 4.03 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER REPORT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 1786

Mr. Brown asked for, and was granted, unanimous consent to consider the report of the Committee on Conference concerning Assembly Bill No. 1786, temporarily passed on file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 1786—An act to amend Sections 17, 73e, 77b, 82, 83, 84, 85, 117, 117a, 117b, 117c, 117d, 117e, 117g, 117h, 117ha, 117i, 117j, 117l, 117m, 117o, 117p, 117r, 131.3, 134, 139, 142, 147, 149a, 150, 151, 152, 153, 166, 170, 170a, 171, 172, 188, 189, 274c, 372, 406, 407, 408, 410, 412, 413, 422, 426, 437, 437b, 437c, 446, 465, 472, 472a, 477, 480, 481, 482, 483, 492, 493, 494, 495, 496, 498, 499, 500, 503, 515, 520, 538, 539, 540, 545, 548, 554, 555, 556, 573, 581, 581b, 581d, 585, 594, 596, 600, 607a, 628, 631, 632, 638, 639, 640, 641, 644, 664, 667a, 668, 674, 675, 681a, 682, 688.1, 683, 689, 692, 714, 715, 717, 717.1, 718, 719, 720, 721, 722, 973, 974, 975, 977, 978, 978a, 979, 981, 982, 990, 997, 1000, 1003, 1005, 1006, 1008, 1011, 1015, 1030, 1031, 1032, 1032.5, 1032.6, 1033, 1033.7, 1054, 1054.1, 1054a, 1068, 1085, 1103, 1134, 1135, 1144, 1146, 1148, 1149, 1151, 1166a, 1168, 1169, 1176, 1208.5, 1211, 1212, 1213, 1214, 1215, 1217, 1218, 1220, 1221, 1222, 1995, 2024, 2037, and 2038 of the Code of Civil Procedure; to amend the headings of Chapter 5 of Title 1 of Part 1, of Article 3 of Chapter 5 of Title 1 of Part 1, and of Chapter 3 of Title 13 of Part 2 of the Code of Civil Procedure; to repeal the heading of Article 4 of Chapter 5 of Title 1 of Part 1 of the Code of Civil Procedure; to repeal Chapter 6 of Title 1 of Part 1 of the Code of Civil Procedure; and to renumber Chapter 7 of Title 1 of Part 1 of the Code of Civil Procedure to be Chapter 6; all relating to courts of justice, various officers connected therewith, and judicial districts.

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Senate on May 17, 1951, strike out "117g,".

Amendment No. 2

In line 3 of the title of said bill, strike out "117m," and "117r,".

Amendment No. 3

In line 4 of the title of said bill, strike out "189,".

Amendment No. 4

In line 5 of the title of said bill, strike out "413,".

Amendment No. 5

In line 7 of the title of said bill, strike out "538,".

Amendment No. 6

On page 4 of said bill, strike out lines 24 to 26, inclusive, and insert "117. All judges of the justice court and judges of the municipal court shall exercise the jurisdiction".

Amendment No. 7

On page 7 of said bill, strike out lines 22 to 33, inclusive.

Amendment No. 8

On page 7, line 34, of said bill, strike out "18", and insert "17".

Amendment No. 9

On page 8 of said bill, strike out line 3.

Amendment No. 10

On page 8, line 27, of said bill, strike out "19", and insert "18".

Amendment No. 11

On page 8, line 38, of said bill, strike out "20", and insert "19".

Amendment No. 12

On page 8, line 43, of said bill, strike out "21", and insert "20".

Amendment No. 13

On page 9, line 7, of said bill, strike out "22", and insert "21".

Amendment No. 14

On page 10 of said bill, strike out line 20 to 44, inclusive.

Amendment No. 15

On page 10, line 45, of said bill, strike out "24", and insert "22".

Amendment No. 16

On page 11, line 1, of said bill, strike out "25", and insert "23".

Amendment No. 17

On page 11 of said bill, strike out line 14 to 36, inclusive.

Amendment No. 18

On page 11, line 37, of said bill, strike out "27", and insert "24".

Amendment No. 19

On page 11, line 40, of said bill, strike out "28", and insert "25".

Amendment No. 20

On page 11, line 42, of said bill, strike out "29", and insert "26".

Amendment No. 21

On page 12, line 24, of said bill, strike out "30", and insert "27".

Amendment No. 22

On page 12, line 40, of said bill, strike out "31", and insert "28".

Amendment No. 23

On page 13, line 1, of said bill, strike out "32", and insert "29".

Amendment No. 24

On page 13, line 44, of said bill, strike out "33", and insert "30".

Amendment No. 25

On page 14, line 1, of said bill, strike out "34", and insert "31".

Amendment No. 26

On page 14, line 7, of said bill, strike out "35", and insert "32".

Amendment No. 27

On page 14, line 13, of said bill, strike out "36", and insert "33".

Amendment No. 28

On page 14, line 24, of said bill, strike out "37", and insert "34".

Amendment No. 29
On page 14, line 28, of said bill, strike out "38", and insert "35".

Amendment No. 30
On page 14, line 41, of said bill, strike out "39", and insert "36".

Amendment No. 31
On page 14, line 17, of said bill, strike out "40", and insert "37".

Amendment No. 32
On page 18, line 27, of said bill, strike out "41", and insert "38".

Amendment No. 33
On page 18, line 32, of said bill, strike out "42", and insert "39".

Amendment No. 34
On page 18, line 42, of said bill, strike out "43", and insert "40".

Amendment No. 35
On page 19, line 1, of said bill, strike out "44", and insert "41".

Amendment No. 36
On page 19 of said bill, strike out lines 19 to 51, inclusive.

Amendment No. 37
On page 20, line 1, of said bill, strike out "46", and insert "42"

Amendment No. 38
On page 20, line 28, of said bill, strike out "47", and insert "43".

Amendment No. 39
On page 21, line 15, of said bill, strike out "48", and insert "44"

Amendment No. 40
On page 21, line 30, of said bill, strike out "49", and insert "45".

Amendment No. 41
On page 22, line 1, of said bill, strike out "50", and insert "46".

Amendment No. 42
On page 22, line 10, of said bill, strike out "51", and insert "47".

Amendment No. 43
On page 22, line 28, of said bill, strike out "52", and insert "48".

Amendment No. 44
On page 23 of said bill, strike out line 1 to 23, inclusive

Amendment No. 45
On page 23, line 24, of said bill, strike out "54", and insert "49".

Amendment No. 46
On page 23, line 45, of said bill, strike out "55", and insert "50".

Amendment No. 47
On page 24, line 28, of said bill, strike out "56", and insert "51".

Amendment No. 48
On page 25, line 1, of said bill, strike out "57", and insert "52".

Amendment No. 49
On page 25, line 10, of said bill, strike out "58", and insert "53".

Amendment No. 50
On page 26, line 13, of said bill, strike out "59", and insert "54".

Amendment No. 51
On page 26, line 46, of said bill, strike out "60", and insert "55".

Amendment No. 52
On page 27, line 1, of said bill, strike out "61", and insert "56".

Amendment No. 53
On page 27, line 14, of said bill, strike out "62", and insert "57".

Amendment No. 54
On page 27, line 29, of said bill, strike out "63", and insert "58".

Amendment No. 55
On page 27, line 34, of said bill, strike out "64", and insert "59".

Amendment No. 56
On page 27, line 38, of said bill, strike out "65", and insert "60".

Amendment No. 57
On page 27, line 49, of said bill, strike out "66", and insert "61".

Amendment No. 58
On page 28, line 25, of said bill, strike out "67", and insert "62".

Amendment No. 59
On page 28, line 34, of said bill, strike out "68", and insert "63".

Amendment No. 60
On page 28, line 49, of said bill, strike out "69", and insert "64".

Amendment No. 61
On page 29, line 8, of said bill, strike out "70", and insert "65".

Amendment No. 62
On page 29, line 21, of said bill, strike out "71", and insert "66".

Amendment No. 63
On page 29, line 30, of said bill, strike out "72", and insert "67".

Amendment No. 64
On page 29, line 36, of said bill, strike out "73", and insert "68".

Amendment No. 65
On page 29, line 47, of said bill, strike out "74", and insert "69".

Amendment No. 66
On page 30, line 4, of said bill, strike out "75", and insert "70"

Amendment No. 67
On page 30, line 15, of said bill, strike out "76", and insert "71".

Amendment No. 68
On page 30, line 26, of said bill, strike out "77", and insert "72".

Amendment No. 69
On page 30, line 39, of said bill, strike out "78", and insert "73".

Amendment No. 70
On page 31 of said bill, strike out lines 1 to 23, inclusive.

Amendment No. 71
On page 31, line 24, of said bill, strike out "80", and insert "74".

Amendment No. 72
On page 32, line 3, of said bill, strike out "81", and insert "75".

Amendment No. 73
On page 33, line 9, of said bill, strike out "82", and insert "76".

Amendment No. 74
On page 33, line 25, of said bill, strike out "83", and insert "77".

Amendment No. 75
On page 33, line 39, of said bill, strike out "84", and insert "78".

Amendment No. 76
On page 34, line 3, of said bill, strike out "85", and insert "79".

Amendment No. 77
On page 34, line 25, of said bill, strike out "86", and insert "80".

Amendment No. 78
On page 34, line 34, of said bill, strike out "87", and insert "81".

Amendment No. 79
On page 35, line 1, of said bill, strike out "88", and insert "82".

Amendment No. 80
On page 35, line 45, of said bill, strike out "89", and insert "83".

Amendment No. 81
On page 36, line 12, of said bill, strike out "90", and insert "84".

Amendment No. 82
On page 36, line 23, of said bill, strike out "91", and insert "85".

Amendment No. 83
On page 37, line 33, of said bill, strike out "92", and insert "86".

Amendment No. 84
On page 39, line 1, of said bill, strike out "93", and insert "87".

Amendment No. 85
On page 39, line 12, of said bill, strike out "94", and insert "88".

Amendment No. 86
On page 39, line 19, of said bill, strike out "95", and insert "89".

Amendment No. 87
On page 39, line 38, of said bill, strike out "96", and insert "90".

Amendment No. 88
On page 40, line 1, of said bill, strike out "97", and insert "91".

Amendment No. 89
On page 41, line 4, of said bill, strike out "98", and insert "92".

Amendment No. 90
On page 41, line 27, of said bill, strike out "99", and insert "93".

Amendment No. 91
On page 41, line 37, of said bill, strike out "100", and insert "94".

Amendment No. 92
On page 42, line 1, of said bill, strike out "101", and insert "95".

Amendment No. 93
On page 43, line 19, of said bill, strike out "102", and insert "96".

Amendment No. 94
On page 42, line 42, of said bill, strike out "103", and insert "97".

Amendment No. 95
On page 42, line 49, of said bill, strike out "104", and insert "98".

Amendment No. 96
On page 43, line 14, of said bill, strike out "105", and insert "99".

Amendment No. 97
On page 43, line 31, of said bill, strike out "106", and insert "100".

Amendment No. 98
On page 43, line 44, of said bill, strike out "107", and insert "101".

Amendment No. 99

On page 43, line 50, of said bill, strike out "clerk or judge", and insert "clerk, judge or justice".

Amendment No. 100

On page 43, line 21, of said bill, strike out "108", and insert "102".

Amendment No. 101

On page 45, line 1, of said bill, strike out "109", and insert "103".

Amendment No. 102

On page 45, line 12, of said bill, strike out "110", and insert "104"

Amendment No. 103

On page 46, line 16, of said bill, strike out "111", and insert "105".

Amendment No. 104

On page 46, line 39, of said bill, strike out "112", and insert "106".

Amendment No. 105

On page 47, line 8, of said bill, strike out "113", and insert "107".

Amendment No. 106

On page 49, line 16, of said bill, strike out "114", and insert "108".

Amendment No. 107

On page 50, line 9, of said bill, strike out "115", and insert "109".

Amendment No. 108

On page 50, line 23, of said bill, strike out "116", and insert "110".

Amendment No. 109

On page 50, line 48, of said bill, strike out "117", and insert "111".

Amendment No. 110

On page 51, line 8, of said bill, strike out "118", and insert "112"

Amendment No. 111

On page 51, line 14, of said bill, strike out "119", and insert "113".

Amendment No. 112

On page 51, line 19, of said bill, strike out "120", and insert "114".

Amendment No. 113

On page 51, line 29, of said bill, strike out "121", and insert "115".

Amendment No. 114

On page 51, line 42, of said bill, strike out "122", and insert "116".

Amendment No. 115

On page 51, line 46, of said bill, strike out "judge, or", and insert "judge".

Amendment No. 116

On page 51, line 48, of said bill, strike out "123", and insert "117".

Amendment No. 117

On page 52, line 16, of said bill, strike out "124", and insert "118".

Amendment No. 118

On page 52, line 21, of said bill, strike out "125", and insert "119".

Amendment No. 119

On page 52, line 27, of said bill, strike out "126", and insert "120".

Amendment No. 120

On page 52, line 38, of said bill, strike out "127", and insert "121".

Amendment No. 121

On page 53, line 14, of said bill, strike out "128", and insert "122".

Amendment No. 122

On page 53, line 44, of said bill, strike out "129", and insert "123".

Amendment No. 123
On page 54, line 44, of said bill, strike out "130", and insert "124".

Amendment No. 124
On page 55, line 6, of said bill, strike out "131", and insert "125".

Amendment No. 125
On page 55, line 17, of said bill, strike out "132", and insert "126".

Amendment No. 126
On page 55, line 31, of said bill, strike out "133", and insert "127".

Amendment No. 127
On page 55, line 37, of said bill, strike out "134", and insert "128".

Amendment No. 128
On page 55, line 47, of said bill, strike out "135", and insert "129".

Amendment No. 129
On page 56, line 9, of said bill, strike out "136", and insert "130".

Amendment No. 130
On page 56, line 26, of said bill, strike out "137", and insert "131".

Amendment No. 131
On page 56, line 31, of said bill, strike out "138", and insert "132".

Amendment No. 132
On page 56, line 43, of said bill, strike out "139", and insert "133".

Amendment No. 133
On page 57, line 1, of said bill, strike out "140", and insert "134".

Amendment No. 134
On page 57, line 17, of said bill, strike out "141", and insert "135".

Amendment No. 135
On page 58, line 1, of said bill, strike out "142", and insert "136".

Amendment No. 136
On page 58, line 20, of said bill, strike out "143", and insert "137".

Amendment No. 137
On page 58, line 45, of said bill, strike out "144", and insert "138".

Amendment No. 138
On page 59, line 8, of said bill, strike out "145", and insert "139".

Amendment No. 139
On page 59, line 36, of said bill, strike out "146", and insert "140".

Amendment No. 140
On page 59, line 47, of said bill, strike out "147", and insert "141".

Amendment No. 141
On page 60, line 1, of said bill, strike out "148", and insert "142".

Amendment No. 142
On page 60, line 28, of said bill, strike out "149", and insert "143".

Amendment No. 143
On page 61, line 38, of said bill, strike out "150", and insert "144".

Amendment No. 144
On page 62, line 8, of said bill, strike out "151", and insert "145".

Amendment No. 145
On page 62, line 46, of said bill, strike out "152", and insert "146".

Amendment No. 146
On page 63, line 3, of said bill, strike out "153", and insert "147".

Amendment No. 147
On page 63, line 11, of said bill, strike out "154", and insert "148".

Amendment No. 148
On page 63, line 21, of said bill, strike out "155", and insert "149".

Amendment No. 149
On page 63, line 28, of said bill, strike out "156", and insert "150".

Amendment No. 150
On page 63, line 36, of said bill, strike out "157", and insert "151".

Amendment No. 151
On page 63, line 45, of said bill, strike out "158", and insert "152".

Amendment No. 152
On page 64, line 1, of said bill, strike out "159", and insert "153".

Amendment No. 153
On page 64, line 10, of said bill, strike out "160", and insert "154".

Amendment No. 154
On page 64, line 22, of said bill, strike out "161", and insert "155".

Amendment No. 155
On page 64, line 28, of said bill, strike out "162", and insert "156".

Amendment No. 156
On page 84, line 35, of said bill, strike out "163", and insert "157".

Amendment No. 157
On page 65, line 8, of said bill, strike out "164", and insert "158".

Amendment No. 158
On page 65, line 14, of said bill, strike out "165", and insert "159".

Amendment No. 159
On page 65, line 23, of said bill, strike out "166", and insert "160".

Amendment No. 160
On page 65, line 28, of said bill, strike out "167", and insert "161".

Amendment No. 161
On page 66, line 3, of said bill, strike out "168", and insert "162".

Amendment No. 162
On page 66, line 17, of said bill, strike out "169", and insert "163".

Amendment No. 163
On page 66, line 26, of said bill, strike out "170", and insert "164".

Amendment No. 164
On page 66, line 33, of said bill, strike out "171", and insert "165".

Amendment No. 165
On page 66, line 40, of said bill, strike out "172", and insert "166".

Amendment No. 166
On page 67, line 1, of said bill, strike out "173", and insert "167".

Amendment No. 167
On page 67, line 9, of said bill, strike out "174", and insert "168".

Amendment No. 168
On page 67, line 22, of said bill, strike out "175", and insert "169".

Amendment No. 169
On page 67, line 32, of said bill, strike out "176", and insert "170".

Amendment No. 170
On page 67, line 42, of said bill, strike out "177", and insert "171".

Amendment No. 171

On page 68, line 1, of said bill, strike out "178", and insert "172".

Amendment No. 172

On page 68, line 13, of said bill, strike out "179", and insert "173".

Amendment No. 173

On page 68, line 32, of said bill, strike out "180", and insert "174".

Amendment No. 174

On page 68, line 48, of said bill, strike out "181", and insert "175".

Amendment No. 175

On page 69, line 3, of said bill, strike out "182", and insert "176".

REGAN
WARD
JAMES E. CUNNINGHAM
Senate Committee on Conference

BROWN
FLEURY
MUNNELL
Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Conrad, Crowley, Davis, Dickey, Dills, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—64.

NOES—Lowrey—1.

MEMBER EXCUSED

At 4.04 p m., Mr. Dickey asked for, and was granted, unanimous consent that Mr. Kirkwood be excused, for the balance of the legislative day, because of legislative business elsewhere.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1848 WAIVED

Mr. Hagen waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1848 was passed.

Assembly Bill No. 1848 ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1279 BE READ SECOND TIME

Mr. Dunn asked for, and was granted, unanimous consent that Assembly Bill No. 1279 be read second time, without reference to file.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 1279—An act to amend Sections 5081, 5082, 5084, and 5086 of, and to add Section 5066.1 to, the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

Strike out lines 1 and 2 of the title of the printed bill, and insert "An act to add Section 5089 to the Education Code, relating to state".

Amendment No. 2

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 5089 is added to the Education Code, to read:

5089. Notwithstanding any other provisions of this chapter to the contrary, when a school district has received a final apportionment and within the time prescribed by Section 5059 for repayment of the apportionment, such state-aided district is annexed to or otherwise included in another district, and the acquiring district is ineligible, as of the date of such annexation or inclusion, for an apportionment under this chapter, the board shall demand the return of all or a portion of the amount apportioned to and received by such state-aided district under such final apportionment, as the Director of Finance shall determine as the amount which has been expended or will be expended by the state-aided district for property or improvements to property acquired by the acquiring district. Written notice of such demand, setting forth the amount due the State, shall be furnished by the board to the governing board of the acquiring district, the county superintendent of schools, the county auditor, and the county treasurer of the county having jurisdiction over the acquiring district, and the State Controller. Upon receipt of such notice and demand, the governing board of such acquiring district shall, at the time of the next county settlement following receipt of such notice, order the county treasurer to pay to the State Treasurer out of any money in the county treasury available to the acquiring school district for that purpose, the amount set forth in such notice; provided, however, that the board may, upon the request of the governing board of the acquiring district, and after receiving a report from the State Board of Education as to the recommendations of the county committee on school district organization with respect to the annexation or other inclusion of the state-aided district in the acquiring district, specify that such amount be paid in annual installments in such amounts and for such term as the board may prescribe. Upon order of the State Controller, the amount or amounts so paid by the county treasurer pursuant to this section shall be deposited in the State Treasury to the credit of the Public School Building Loan Fund, and shall be available only for transfer to the General Fund in accordance with the provisions of, and for the purposes specified in, Section 5103.

It shall be the duty of such governing body and county treasurer to make the payments to the State Treasurer as provided in this section, and it shall be the duty of the State Controller to enforce such collection on behalf of the State"

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 25, inclusive; and strike out all of pages 2 and 3.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2828—An act to amend Section 28143 of the Government Code, relating to compensation for public services in counties of the forty-third class;

Assembly Bill No. 2907—An act to add Sections 14258.5, 14258.6, 14813 and 14814 to, to amend Sections 14540 and 14811 of, and to repeal Sections 14008, 14541, 14542, 14543, 14544, 14545, 14546, 14547, 14810, and 14812 of the Health and Safety Code, relating to fire protection districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1658—An act to amend Section 1463 of the Penal Code, relating to fines and forfeitures;

Assembly Bill No. 2002—An act to add Section 73g to the Code of Civil Procedure, relating to superior courts;

Assembly Bill No. 2598—An act to amend Section 1203 of, and to add Section 2058 to, the Banking Code, and to amend Section 1203 of, and to add Section 2058 to, the Financial Code, relating to the purchase of all of the stock of a bank or trust company by another bank or trust company and to the deposit of assets to secure moneys payable to other states;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1951, at 4 p.m.

BURKE, Chairman

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 4.06 p.m., Mr. Stanley asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Municipal and County Government in Room 2170, upon adjournment tomorrow, Friday, June 15th.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—At 8 p.m.—

Revenue and Taxation, in Room 3186.

Today Upon Recess—

Conservation, Planning, and Public Works, at desk of Mr. Silliman.
Transportation and Commerce, in Room 3184.
Ways and Means, in Room 435. Subject: All Assembly appropriation bills.
Rules, in Room 319.

Next Monday, June 18th, Upon Adjournment—

Legislative Representation, in Room 319. Subject: Senate Bill No. 1423.

It was announced that the following committee would hold no meeting tonight:

Industrial Relations.

RECESS

At 4.09 p.m., on motion of Mr. Dickey, the Assembly recessed until 8 p m.

REASSEMBLED

At 8 p.m., the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Dunn (At request of Mr. Beck):

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Chapter 18 to Division 3 of the Education Code, relating to the audit of school districts.

Respectfully submitted.

FRANCIS DUNN, JR.

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Dunn (At request of Mr. Beck):

An act to add Chapter 18 to Division 3 of the Education Code, relating to the audit of school districts.

GRUNSKY, Vice Chairman

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Collier moved a call of the Assembly.

Motion carried. Time, 8.02 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Coats, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hawkins, Hollibaugh, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, McCarthy, McCollister, McGee, McMillan, Meyers, Moss, Niehouse, Porter, Rosenthal, Silliman, Smith, Thomas, Tomlinson, and Waters—52.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

Speaker Presiding

At 8.22 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Speaker Pro Tempore Presiding

At 8.27 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Speaker Presiding

At 8.46 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Maloney asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1818

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 2250

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SILLIMAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Concurrent Resolution No. 96

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SILLIMAN, Chairman

Above reported resolution ordered engrossed.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 3112 re-referred to the Committe on Municipal and County Government.

Senate Constitutional Amendment No. 25 re-referred to the Committee on Constitutional Amendments.

Senate Bill No. 1544 re-referred to the Committee on Boards and Commissions.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Joint Resolution No. 43—Relative to the construction of St. Mary's Square Underground Garage in San Francisco.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Berry, Burke, Burkhalter, Caldecott, Clarke, Collier, Connolly, Crowley, Dickey, Dunn, Elliott, Erwin, Fleury, Grant, Grunsky, Hagen, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Silliman, Smith, Stanley, Stewart, and Mr. Speaker—42.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 93—Relating to observance of Flag Day.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Berry, Burke, Burkhalter, Caldecott, Clarke, Collier, Condon, Connolly, Conrad, Crowley, Dickey, Dunn, Elliott, Erwin, Fleury, Grant, Grunsky, Hagen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Levering, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Morris, Munnell, Niehouse, Parker, Rosenthal, Shaw, Silliman, Smith, Stanley, Stewart, and Mr. Speaker—44

NOES—None.

Resolution ordered transmitted to the Senate.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly then gave the pledge of allegiance to the Flag.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 110

Mr. Lindsay asked for, and was granted unanimous consent to take up Assembly Bill No. 110, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 110

Assembly Bill No. 110—An act to amend Section 448 of the Education Code, relating to the salary and credential of the county superintendent of schools of a county of the forty-eighth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Collier, Condon, Connolly, Conrad, Crowley, Dickey, Dunn, Elliott, Erwin, Fleury, Grant, Grunsky, Hagen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kloeksiem, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Morris, Munnell, Niehouse, Parker, Rosenthal, Shaw, Silliman, Smith, Stanley, Stewart, Tomlinson, and Mr. Speaker—48.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1722

Mr. Stanley asked for, and was granted unanimous consent to take up Assembly Bill No. 1722, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 1722

Assembly Bill No. 1722—An act to add Section 20358 to the Education Code, relating to the purchase of insurance in connection with driver training classes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Collier, Condon, Connolly, Conrad, Crowley, Dickey, Dunn, Elliott, Erwin, Fleury, Grunsky, Hagen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Levering, Lindsay, Lowrey, Lyon, Maloney, McCollister, McFall, McMillan, Morris, Munnell, Niehouse, Parker, Rosenthal, Silliman, Smith, Stanley, Stewart, Tomlinson, and Mr. Speaker—44.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 835—An act to amend Section 10202 of, and to add Sections 5153.6, 7106, 7107, 10205, 10206, 10207, 10208, 10209, and 10210 to the Education Code, all relating to automobile driver training in the public schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Connolly, Crowley, Dickey, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hawkins, Henderson, Kelly, Kilpatrick, Lindsay, Luckel, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Smith, Stanley, Stewart, Tomlinson, and Mr. Speaker—43.

NOES—Hagen, Hinckley, Levering, and Lowrey—4.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Mr. Elliott:

House Resolution No. 202

Relative to memorializing Congress to enact H. R. 2681, providing a direct federal old age pension to citizens 60 years of age or over

WHEREAS, H. R 2681, now pending in the Congress, proposes to provide a direct federal old age pension at the rate of $100 per month to each citizen 60 years of age or over whose income is less than the minimum amount with respect to which a federal income tax return is required to be filed; and

WHEREAS, The purpose for which H. R 2681 is being proposed would be of great benefit to the State of California; now, therefore, be it

Resolved by the Assembly of the State of California, That the Congress of the United States, particularly the Senators and Representatives of the State of California in the National Congress, is hereby memorialized to effectuate the passage of H. R. 2681; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to prepare suitable copies of this resolution for transmittal to each Senator and Representative from the State of California in the Congress of the United States.

Resolution read, and ordered referred to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were offered:

Assembly Concurrent Resolution No. 99: By Messrs. George D. Collins, Hagen, and McCarthy—Relative to adding a new rule to be numbered 36.1 to the Joint Rules of the Senate and Assembly, relating to investigating committees.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 100: By Mr. Burke—Relative to the approval of those certain amendments to the charter of the City of Alhambra ratified by the qualified electors of said city at a special municipal election held thereon on the fifth day of June, 1951.

Referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER REPORT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 789

Mr. Babbage asked for, and was granted, unanimous consent to consider the report of the Committee on Conference concerning Senate Bill No. 789, temporarily passed on file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1951

MR. SPEAKER: The Committee on Conference concerning:

Senate Bill No. 789—An act to add Section 2838 5 to the Elections Code, relating to county central committees;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 1, line 23, of the printed bill, as amended in the Assembly on April 24, 1951, after the period, insert "This section shall apply only to the county central com-

mittees of those parties with which more than 2,500,000 voters were registered as being affiliated for the general election of November, 1951."

JAMES E. CUNNINGHAM
SUTTON
Senate Committee on Conference

WATERS
BABBAGE
MALONEY
Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Belotti, Berry, Burke, Burkhalter, Caldecott, Clarke, Collier, Connolly, Conrad, Crowley, Dickey, Dolwig, Dunn, Erwin, Evans, Fleury, Gaffney, Grant, Hagen, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Levering, Lindsay, Luckel, Lyon, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Silliman, Smith, Stanley, Stewart, Tomlinson, and Mr. Speaker—43.

NOES—Beck, Brown, Coats, Condon, Elliott, Hawkins, Lowrey, McFall, Parker, and Shaw—10.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER. Your Committee on Rules, to which were referred:

House Resolution No 182
House Resolution No 191
House Resolution No. 200
House Resolution No. 201

Has had the same under consideration, and reports the same back with the recommendation · Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 92

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Bill No. 3442

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DICKEY, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2336—An act to add Sections 704.1 and 1731.1 to the Insurance Code, relating to false advertising regarding health, hospital, or medical insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Crowley, Dickey, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Rosenthal, Shaw, Silliman, Stanley, Stewart, and Mr. Speaker—49.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1822

Mr. Hinckley asked for, and was granted unanimous consent to take up Senate Bill No. 1822, out of order.

CONSIDERATION OF SENATE BILL NO. 1822

Senate Bill No. 1822—An act to amend Sections 795.5, 796, 796.1, 796.2, and 796.5 of the Agricultural Code, relating to citrus fruits.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Henderson, Hinckley, Kelly, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 343

Mr. Caldecott asked for, and was granted unanimous consent to take up Assembly Bill No. 343, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 343

Assembly Bill No. 343—An act to add Chapter 3.5 comprising Sections 5615 to 5686, inclusive, to Division 3 of the Business and Professions Code, relating to landscape architects, providing for the regulation and licensing thereof, and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Crowley, Dickey, Dolwig, Dunn, Erwin, Fleury, Grunsky, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Niehouse, Rosenthal, Silliman, Stanley, Stewart, Thomas, and Mr. Speaker—41.

NOES—Beck, Condon, Elliott, Gaffney, Hagen, Hawkins, Levering, Lowrey, Shaw, and Smith—10.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1879—An act to repeal Chapter 7 of Division 3 of, and to add Chapter 7 of Division 3, comprising Sections 6700 to 6799, inclusive, to, the Business and Professions Code, relating to professional engineers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Crowley, Dickey, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Henderson, Hinckley, Kelly,

Kilpatrick, Klocksiem, Levering, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—52.

NOES—Condon and Lowrey—2.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 566

Mr. Erwin asked for, and was granted unanimous consent to take up Senate Bill No. 566, out of order.

CONSIDERATION OF SENATE BILL NO. 566

Senate Bill No. 566—An act to validate the organization, boundaries, governing officers or boards, acts, proceedings, elections, and bonds of public bodies as herein defined.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 291

Mr. Fleury asked for, and was granted unanimous consent to take up Senate Bill No. 291, out of order.

CONSIDERATION OF SENATE BILL NO. 291

Senate Bill No. 291—An act to increase the statutory salaries and statutory compensation of state officers and employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1823

Mr. Fleury asked for, and was granted unanimous consent to take up Senate Bill No. 1823, out of order.

CONSIDERATION OF SENATE BILL NO. 1823

Senate Bill No. 1823—An act to amend Section 28108 of the Government Code, relating to compensation for public service in counties of the eighth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem, Levering, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Silliman, Smith, Stewart, Thomas, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 304

Mr. Crowley asked for, and was granted unanimous consent to take up Senate Bill No. 304, out of order.

CONSIDERATION OF SENATE BILL NO. 304

Senate Bill No. 304—An act to amend Section 28149 of the Government Code, relating to compensation for public service in counties of the forty-ninth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1072

Mr. Crowley asked for, and was granted unanimous consent to take up Senate Bill No. 1072, out of order.

CONSIDERATION OF SENATE BILL NO. 1072

Senate Bill No. 1072—An act to amend Section 28130 of the Government Code, relating to compensation for public service in counties of the thirtieth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee,

McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—63.
NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONSTITUTIONAL AMENDMENT NO. 28

Mr. Crowley asked for, and was granted unanimous consent to take up Senate Constitutional Amendment No. 28, out of order.

CONSIDERATION OF SENATE CONSTITUTIONAL AMENDMENT NO. 28

Senate Constitutional Amendment No. 28—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 22 of Article IV thereof, relating to appropriations of public funds.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Connolly, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—54.
NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 735

Mrs. Niehouse asked for, and was granted unanimous consent to take up Senate Bill No. 735, out of order.

CONSIDERATION OF SENATE BILL NO. 735

Senate Bill No. 735—An act to amend Sections 3040, 3082, and 3473 of the Welfare and Institutions Code, relating to aid to the needy blind and aid to partially self-supporting blind residents.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Niehouse, Parker, Porter, Rosenthal, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—55.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 810

Mrs. Niehouse asked for, and was granted, unanimous consent to take up Senate Bill No. 810, out of order.

CONSIDERATION OF SENATE BILL NO. 810

Senate Bill No. 810—An act to repeal Section 2836 and to amend Section 2837 of the Elections Code, relating to county central committees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Silliman, Smith, Stanley, Stewart, Tomlinson, and Mr. Speaker—52.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 806

Mrs. Niehouse asked for, and was granted unanimous consent to take up Senate Bill No. 806, out of order.

CONSIDERATION OF SENATE BILL NO. 806

Senate Bill No. 806—An act to amend Sections 7330, 7373, and 7382 of the Business and Professions Code, relating to the practice of cosmetology.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hawkins, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Smith, Stanley, Stewart, Tomlinson, and Mr. Speaker—52.

NOES—Condon, Hagen, and Maloney—3

Notice of Motion to Reconsider Senate Bill No. 806

Mr. Condon gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 806 was this day passed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1217

Mrs. Niehouse asked for, and was granted unanimous consent to take up Senate Bill No. 1217, out of order.

CONSIDERATION OF SENATE BILL NO. 1217

Senate Bill No. 1217—An act to amend Sections 3082 and 3471 of the Welfare and Institutions Code, relating to aid to the blind, in respect to evidence of eligibility for aid.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Hagen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Levering, Lipscomb, Lowrey,

Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Silliman, Smith, Stanley, Stewart, Tomlinson, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1078

Mr. Porter asked for, and was granted unanimous consent to take up Senate Bill No. 1078, out of order.

CONSIDERATION OF SENATE BILL NO. 1078

Senate Bill No. 1078—An act to add Section 1303.3 to the Education Code, relating to the Public School System of the State of California.

Bill read third time, and ordered passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 749

Mr. Brown asked for, and was granted unanimous consent to take up Senate Bill No. 749, out of order.

CONSIDERATION OF SENATE BILL NO. 749

Senate Bill No. 749—An act to amend Sections 13122 and 13144 of the Health and Safety Code, relating to the duties of the State Fire Marshal.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Silliman, Smith, Stanley, Stewart, Tomlinson, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 567

Mr. Beck asked for, and was granted unanimous consent to take up Senate Bill No. 567, out of order.

CONSIDERATION OF SENATE BILL NO. 567

Senate Bill No. 567—An act to amend Sections 5050, 5081, 5082, 5083, 5084, and 5086 of, and to add Sections 5047.2, 5066.1, and 5084.1 to, the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Henderson,

Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—60.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—60.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1816

Mr. Grunsky asked for, and was granted, unanimous consent to take up Senate Bill No. 1816, out of order.

CONSIDERATION OF SENATE BILL NO. 1816

Senate Bill No. 1816—An act to validate the acts and proceedings taken by or on behalf of fire protection districts in unincorporated territory.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—61.

NOES—Evans—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 596

Mr. Coats asked for, and was granted unanimous consent to take up Senate Bill No. 596, out of order.

CONSIDERATION OF SENATE BILL NO. 596

Senate Bill No. 596—An act to amend Section 696 of the Fish and Game Code, relating to striped bass.

Bill read third time, and ordered passed on file

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 186

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolution ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 196

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolution ordered on file.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON REQUEST FOR PERMISSION TO INTRODUCE BILL

At 10.05 p.m., on motion of Mr. Dunn, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and permission granted Mr. Dunn to introduce a bill by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—70.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 3457: By Mr. Dunn (At request of Mr Beck)—An act to add Chapter 18 to Division 3 of the Education Code, relating to the audit of school districts.

Referred to Committee on Education.

Assembly Concurrent Resolution No. 101: By Messrs. Maloney and Meyers—Relative to the Silver Wedding Anniversary of Assemblyman and Mrs. Edward M. Gaffney.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 101, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 101

Assembly Concurrent Resolution No. 101—Relative to the Silver Wedding Anniversary of Assemblyman and Mrs. Edward M. Gaffney.

Resolution read.

Request for Unanimous Consent That Names of All Members Present Be Placed Upon Assembly Concurrent Resolution No. 101 as Co-authors

Mr. Maloney asked for, and was granted, unanimous consent that the names of all members present be placed upon Assembly Concurrent Resolution No. 101 as co-authors.

Roll Call

The roll was called, and the following members indicated a desire to become co-authors of Assembly Concurrent Resolution No. 101:

Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—66.

Further Consideration of Assembly Concurrent Resolution No. 101

Assembly Concurrent Resolution No. 101: By Messrs. Maloney, Meyers, Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Sam L. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, McMillan, Moss, Munnell, Mrs. Niehouse, Messrs. Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—Relative to the Silver Wedding Anniversary of Assemblyman and Mrs. Edward M. Gaffney.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—65.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Messrs. Brown and Tomlinson:

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to provide for scientific research into the problem of sex crimes, including the causes and cures of sex deviation, and making an appropriation.

Respectfully submitted.

RALPH M. BROWN
STANLEY T. TOMLINSON

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Messrs. Brown and Tomlinson:

An act to provide for scientific research into the problem of sex crimes, including the causes and cures of sex deviation, and making an appropriation.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sullman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—70

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3458: By Messrs. Brown and Tomlinson (At the request of Messrs Rosenthal and Smith)—An act to provide for scientific research into the problem of sex crimes, including the causes and cures of sex deviation, and making an appropriation.

Referred to Committee on Ways and Means.

NOTICE OF MOTION TO RECONSIDER LAPSED

Notice of motion to reconsider concurrence in Senate amendments to Assembly Bill No. 546 lapsed.

Assembly Bill No. 546 ordered enrolled.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Dolwig, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Harry Caplan, Mrs. Warren Pingree, and Mrs. Jack Denton of Palo Alto.

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to David Olson of San Bruno, Lorin Larsen of Long Beach, Mildred Anderson of Washington, D. C., Gabriel Ukabu of Nigeria, British West Africa, and Steve Wilson and George Taylor of Berkeley.

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to Chester Robinson of Modesto.

On request of Speaker Sam L. Collins and The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Senator W. J. Williams of Kearney, Nebraska.

ADJOURNMENT

At 10.19 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9.30 a.m., Friday, June 15, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

EIGHTY-SECOND LEGISLATIVE DAY

ONE HUNDRED TWELFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, June 15, 1951

The Assembly met at 9 30 a m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Almighty God, Thou who fillest the heavens and the earth with glory, we thank Thee for life with its aspirations, hopes, and privileges. Give us the impelling urge to move onward to the stature of the best manhood

Keep us true to the historic ideals of our Country—integrity, justice and unselfish service to the peoples of the world.

"Faith of our father's! living still
In spite of dungeon, fire, and sword;
O how our hearts beat high with joy
Whene'er we hear that glorious word."

In our Redeemer's name, we ask it.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Hagen, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of the death of his mother:

Mr. Hahn, on motion of Mr. Munnell.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS BE READ SECOND TIME

Mr. Geddes asked for, and was granted, unanimous consent that all bills reported out of committee today, be read the second time without reference to file.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 40
Senate Concurrent Resolution No. 77
Senate Concurrent Resolution No. 86

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolutions were read:

Senate Concurrent Resolution No. 40—Relative to the creation of a Joint Legislative Committee to study the building program problems at the various state colleges.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 77—Relative to the creation of a Joint Legislative Committee on Soil Conservation and defining its powers and duties.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 86—Relative to the creation of a Joint Fact-Finding Committee on Highways, Streets, and Bridges.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 2
Senate Bill No. 41
Senate Bill No. 305
Senate Bill No. 425
Senate Bill No. 633
Senate Bill No. 675
Senate Bill No. 776
Senate Bill No. 1010
Senate Bill No. 1302

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 2—An act to amend Section 356 of the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation and Commerce.

Senate Bill No. 41—An act to add Part 1.5, comprising Sections 10100 to 10108, inclusive, to Division 6 of the Water Code, relating to implementation of the State Water Plan.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 305—An act to amend Sections 353, 458, and 507 of the Streets and Highways Code, relating to state highway routes.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 425—An act to amend Section 737vv of the Political Code and 79.48 of the Code of Civil Procedure, relating to salary of judges in Solano County.

Referred to Committee on Judiciary.

Senate Bill No. 633—An act relating to Napa State Hospital and the use of money appropriated for a laundry and commissary warehouse at said institution, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Ways and Means.

Senate Bill No. 675—An act to provide for the payment to such insurance company as is designated by U. S. Atomic Energy Commission of a sum equal to the total of employer's contributions made from United States Government funds through the University of California, to the State Employees' Retirement System on account of employees at the Sandia Laboratory of the United States Atomic Energy Commission.

Referred to Committee on Civil Service and State Personnel.

Senate Bill No. 776—An act to amend Section 9132 of the Public Resources Code, relating to soil conservation.

Referred to Committee on Agriculture.

Senate Bill No. 1010—An act providing that the State of California enter into a compact with the Eleven Western States and the Territories of Alaska and Hawaii, each or all, to promote the better cooperation in higher education in certain professional sciences, and to create the Western Interstate Commission for Higher Education; providing for the members of such commission for the State of California; providing for the administration of the provisions of said compact and the participation of this State therein; and making an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1302—An act providing for the constitution of the municipal court in a district embracing the City of Bakersfield, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1797—An act to amend Section 8100 of the Elections Code, relating to elections.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "8100 of the Elections", and insert "1340 of the Government".

Amendment No. 2

In line 2 of the title of said bill, strike out "elections", and insert "commissions".

Amendment No. 3

On page 1 of said bill strike out lines 1 to 5, inclusive, and insert

"SECTION 1. Section 1340 of the Government Code is amended to read:

1340. The Governor shall commission:

(a) All officers elected by the people whose commissions are not otherwise provided for *except those officers to whom a certificate of election is issued by the Secretary of State*.

(b) All officers elected by the Legislature.

(c) All officers of the Militia.

(d) All officers appointed by the Governor, or by the Governor with the advice and consent of the Senate."

Amendments read, and adopted.

Consideration of Further Amendments by Unanimous Consent

Motion to Amend

Mr. Brown moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, after "1949," insert "and to amend Section 159 of the Code of Civil Procedure,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, after line 22, insert

"SEC. 2. Section 159 of the Code of Civil Procedure is amended to read:

159. Every justice of the peace shall reside in the city, or judicial township, in which his court is held, and no person shall be eligible to the office of justice of the peace unless he [shall have been] *is* a citizen of the United States and a resident of the county and township in which he is to serve [for one year next preceding his election or appointment].

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1193—An act to amend Section 36 of the Municipal and Justice Court Act of 1949, relating to municipal and justice courts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 10 of the printed bill, strike out "; and provided," and insert a period.

Amendment No. 2

On page 1 of the printed bill, strike out all of lines 11 to 13, inclusive.

Amendment No. 3

On page 1 of the printed bill, strike out all of line 4, and insert "number and compensation of the judges and the compensation of the constables of justice courts,".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2382—An act to amend Section 17003, and to add Article 4.5 to Chapter 5, Division 8, of the Education Code, relating to the attendance of pupils and the arrest of truants.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 17003, and to".

Amendment No. 2

In line 3 of the title of said bill, strike out "arrest", and insert "apprehension".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 7, inclusive.

Amendment No. 4

On page 1, line 8, of said bill, strike out "SEC. 2", and insert "SECTION 1."

Amendment No. 5

On page 1, line 9, of said bill, strike out "said code", and insert "the Education Code".

Amendment No. 6

On page 1, line 11, of said bill, strike out "Arrest of".

Amendment No. 7

On page 1, line 15, of said bill, after "home", insert "and is not at school".

Amendment No. 8

On page 1, line 16, of said bill, strike out "placed under arrest", and insert "taken into custody".

Amendment No. 9

On page 1, line 17, of said bill, strike out "attendance supervisor", and insert "supervisor of child welfare and attendance".

Amendment No. 10

On page 1 of said bill, strike out line 18, and insert "official. Such peace officer, or supervisor of child welfare and attendance or school official may take into custody such a minor at".

Amendment No. 11

On page 1, line 19, of said bill, after "authorities", insert "and deliver such minor to the principal or supervising official in charge of the school."

Amendment No. 12

On page 1, line 20, of said bill, strike out "arresting officer, supervisor", and insert "peace officer, supervisor of child welfare and attendance, school official".

Amendment No. 13

On page 1, line 24, of said bill, strike out "excuse on five", and insert "valid excuse on six".

Amendment No. 14

On page 1, line 26, of said bill, after "17113", insert "of this code".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3193—An act to amend Section 3671 of the Education Code, relating to school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 3671", and insert "Sections 2502 and 2503".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 2502 of the Education Code is amended to read:

2502 The boundaries of school districts may be changed only when at least [10] *twenty-five percent of the registered* electors, residing in the [districts affected] *territory to be transferred from one district to another district* by the proposed change of boundaries, present to the superintendent of schools a petition setting forth the changes of boundaries desired, and the reasons for the changes.

SEC. 2 Section 2503 of said code is amended to read:

2503 When a petition for a change of boundaries is presented, the county superintendent of schools shall examine the petition. If he finds it sufficient and signed as required by law, *he shall transmit a copy of the petition to the governing board of each district affected by the proposed change of boundaries.* He shall set the petition for hearing by the board of supervisors at a regular meeting of the board, *but such hearing shall be more than 60 days after receipt of copies of the petition by such governing boards*. He shall file the petition with the board of supervisors accompanied by his recommendation and a notice containing a general statement of the purpose of the petition, and of the change of boundaries, and the time and place when and where the petition will be heard."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 7, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2835—An act to add Section 11011 to the Government Code, relating to lands under the jurisdiction of state agencies.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1 of the printed bill, strike out lines 11 and 12, and insert "ferred to the Department of Finance for sale or disposition under this section or as may be otherwise authorized by law."

Amendment No. 2

On page 1, line 15, of the printed bill, strike out "desired", and insert "needed".

Amendment No. 3

On page 1 of the printed bill, strike out lines 16 to 19, inclusive, and insert "the Department of Finance determines that any such land is needed by any other state agency it may transfer the jurisdiction of such land to such other state agency upon such terms and conditions as it may deem to be for the best interests of the State."

Amendment No. 4

On page 1 of the printed bill, strike out lines 22 to 24, inclusive, and insert "is not transferred to another State agency or otherwise disposed of, and request authorization to dispose of the land by sale or otherwise"

Amendment No. 5

On page 1, line 25, of the printed bill, strike out "exchange", and insert "other disposition".

Amendment No. 6

On page 2 of the printed bill, strike out lines 1 to 3, inclusive, and insert "or otherwise dispose of the same pursuant to such authorization, upon such terms and conditions and subject to such reservations and exceptions as the Department of Finance may deem to be for the best interests of the State. The Department of Finance shall report to the Legis-".

Amendment No. 7

On page 2, line 7, of the printed bill, after "description", insert "or other identification".

Amendment No. 8

On page 2 of the printed bill, strike out lines 14 to 18, inclusive, and insert "the sale and any balance shall be paid into the General Fund"

Amendment No. 9

On page 2 of the printed bill, after line 18, insert

"Nothing contained in this section shall be construed to prohibit the sale, letting or other disposition of any State lands pursuant to any law now or hereafter enacted authorizing such sale, letting or disposition"

Amendment No. 10

On page 1, line 6, of the printed bill, strike out the parenthesis, and insert "and land which has escheated to the State or which has been distributed to the State by court decree in estates of deceased persons)".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2836—An act to amend Section 6219 of, and to add Section 6219.1 to, the Public Resources Code, relating to the index to land owned by the State.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1 of the printed bill, strike out lines 11 to 16, inclusive, and insert "Works for highway purposes. Each entry shall, as to lands acquired after the effective date of this amendment, contain a description stating the area of the parcel in acres or square feet and the cost to the State of the parcel. Each state agency hereafter acquiring lands shall transmit to the commission the information necessary to make such entry."

Amendment No. 2

On page 1, line 22, of said bill, after "listing", insert ", as taken from the index or record if available,".

Amendment No. 3

On page 1, line 23, of said bill, after "date," insert "date of deed,".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3456—An act to amend Section 11714 of the Health and Safety Code, relating to narcotics.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 9 to 11, inclusive, and insert "not less than five years, and for each subsequent offense shall be imprisoned in the state prison for not less than 10 years."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2250—An act to amend Section 467 of the Streets and Highways Code, relating to the State Highway System.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "via Atlantic Boulevard".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3442—An act to add Article 7, comprising Sections 9140 to 9142, to Chapter 1 of Part 1 of Division 2, Title 2 of the Government Code, relating to legislative committees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "9142", and insert "9143".

Amendment No. 2

On page 2 of said bill, after line 11, insert

"9143. The committee shall have authority to appoint a Legislative Auditor and such other clerical and technical employees as may appear necessary, pursuant to the provisions of subsection (4) of subdivision (a) of Section 4, Article XXIV of the Constitution. The funds for the support of the committee shall be provided from the Contingent Funds of the Senate and the Assembly in the same manner that such funds are made available to other joint committees of the Legislature."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Constitutional Amendment No. 63—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 5 of Article XI, relating to compensation for public service.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Constitutional Amendments:

Amendment No. 1

On page 1, line 13, of the printed measure, after the period, insert "The compensation to be received by the members of boards of supervisors of their respective counties shall be established by vote of the people in said counties. The boards of supervisors in the respective counties shall regulate the compensation of municipal court judges in said counties until such time as the Legislature provides by law for the partial or full payment of such compensation out of state funds."

Amendment read, and adopted.

Resolution ordered reprinted, and engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 1246—An act to amend Section 2605 of the Elections Code, relating to sponsors for candidates.

Bill read second time, and ordered to third reading.

Senate Bill No. 424—An act to amend Section 28119 of the Government Code, relating to compensation for public service in counties of the nineteenth class.

Bill read second time, and ordered to third reading.

Senate Bill No. 501—An act to amend Section 407 of the Education Code, relating to county school superintendents' salaries in counties of the seventh class.

Bill read second time, and ordered to third reading.

Senate Bill No. 619—An act to amend Section 737qq of the Political Code, relating to superior judges' salaries.

Bill read second time, and ordered to third reading.

Senate Bill No. 1016—An act to repeal the Political Code of the State of California, relating to the organization, operation, and maintenance of a System of State and Local Government.

Bill read second time, and ordered to third reading.

Senate Bill No. 1029—An act to amend Sections 58002 and 58501 of, to add Section 58308 to, and to repeal Section 58003 of, the Government Code, relating to a System of State and Local Government.

Bill read second time, and ordered to third reading.

Senate Bill No. 1149—An act to amend Section 439 of the Education Code, relating to school superintendents' salaries.

Bill read second time, and ordered to third reading.

Senate Bill No. 1151—An act to amend Section 737tt of the Political Code and 79.46 of the Code of Civil Procedure, relating to superior judges' salaries.

Bill read second time, and ordered to third reading.

Senate Bill No. 1152—An act to amend Section 28105 of the Government Code, relating to compensation for public services in counties of the fifth class.

Bill read second time, and ordered to third reading.

Senate Bill No. 1154—An act to amend Section 28139 of, and to add Section 28159 to, the Government Code, relating to compensation for public services in counties.

Bill read second time, and ordered to third reading.

Senate Bill No. 1826—An act to add Section 4.2 to an act entitled "An act to provide for the acquisition of temporary and emergency housing facilities for veterans and families of servicemen by joint action of the State and local agencies, providing for the operation of such facilities, making an appropriation, and declaring the urgency thereof, to take effect immediately," approved February 15, 1946, relating to the disposition of rentals from such housing facilities.

Bill read second time, and ordered to third reading.

Senate Bill No. 1569—An act to amend Section 5821 of the Streets and Highways Code, relating to county maintenance districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 1692—An act to amend Section 28110 of the Government Code, relating to compensation for public services for counties.

Bill read second time, and ordered to third reading.

Senate Bill No. 1831—An act to amend Sections 2.2 and 14 of the Orange County Flood Control Act, relating to the purchase and resale of water and authorizing the levy and collection of additional taxes for such purposes.

Bill read second time, and ordered to third reading.

Senate Bill No. 29—An act to amend Sections 4965 and 7431 of the Education Code, relating to bonded capacity of school districts, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 487—An act to amend Sections 2007, 2009, and 2151 of the Streets and Highways Code, relating to a System of Public Streets and Highways in this State and the financial support thereof.

Bill read second time, and ordered to third reading.

Senate Bill No. 714—An act to add Sections 55.1, 55.2, and 55.3 to the State Water Resources Act of 1945, relating to the project on the Russian River for flood control and water conservation.

Bill read second time, and ordered to third reading.

Senate Bill No. 1079—An act creating the "Lake County Flood Control and Water Conservation District" for the controlling, conservation, diversion, storage and disposition of storm, flood, and other surface waters, prescribing the boundaries, organization, operation, management, financing and powers and duties of the district.

Bill read second time, and ordered to third reading.

Senate Bill No. 761—An act to amend Section 5082.2 of the Business and Professions Code, relating to public accountants.

Bill read second time, and ordered to third reading.

Senate Bill No. 1528—An act to amend Sections 9351, 9355, 9359, and 9359.1 of the Government Code, relating to the retirement of legislators and other state elective officers.

Bill read second time, and ordered to third reading.

Senate Bill No. 1157—An act to amend Section 431 of the Education Code, relating to school superintendents' salaries in counties of the thirty-first class.

Bill read second time.

Motion to Amend

Mr. Lindsay moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in the Senate on May 31, 1951, strike out "eight thousand dollars ($8,000)", and insert "six thousand three hundred dollars ($6,300)".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1570—An act to amend Section 34326 of, and to add Section 34333 to, the Government Code, relating to the incorporation of cities and the withdrawal of territory therefrom.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 16, of the printed bill, strike out "25", and insert "75".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1462—An act to repeal Sections 3223, 4711, 4712, 4713, 4726, 4727, 4729, 5008, 8821.1, and 13043 of the Education Code; to amend Sections 1012, 1597.2, 1941, 2861, 4667, 4728, 5942, 8103, and 16813 of said code; to amend Section 672 of the Welfare and Institutions Code; and to repeal an act entitled "An act providing for the acceptance, receipt and disposition of property by the State Board of Education, and making an appropriation, declaring the urgency thereof, to take effect immediately," approved June 25, 1945 (Chapter 1046, Statutes of 1945), all relating to the Public School System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 3 of the title of the printed bill, strike out "2861,".

Amendment No. 2

On page 2 of said bill, strike out lines 18 to 27, inclusive.

Amendment No. 3

On page 2, line 28, of said bill, strike out "SEC. 6", and insert "SEC. 5".

Amendment No. 4

On page 2, line 36, of said bill, strike out "SEC. 7", and insert "SEC. 6".

Amendment No. 5

On page 3, line 1, of said bill, strike out "SEC. 8", and insert "SEC. 7".

Amendment No. 6

On page 3, line 12, of said bill, strike out "SEC. 9", and insert "SEC. 8".

Amendment No. 7

On page 3, line 23, of said bill, strike out "SEC. 10", and insert "SEC. 9".

Amendment No. 8

On page 3, line 30, of said bill, strike out "SEC. 11", and insert "SEC. 10".

Amendment No. 9

On page 3, line 39, of said bill, strike out "SEC. 12", and insert "SEC. 11".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1812—An act to create a flood control district to be called Santa Clara County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, public highways, life and property from damage or destruction from such waters; to provide for the acquisition, retention, and reclaiming of drainage, storm, flood, and other waters and to save, conserve, and distribute such waters for beneficial use in said district; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to define the powers of said district; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works.

Amendment No. 1

On page 1, line 8, of the printed bill, as amended in the Assembly on June 8, 1951, after "county", insert "except the Santa Clara Valley Water Conservation District, the South Santa Clara Valley Water Conservation District, and the Central Santa Clara Valley Water Conservation District".

Amendment No. 2

On page 3, line 49, of said bill, after "any", insert "public district, or with any".

Amendment No. 3

On page 3, line 50, of said bill, strike out "the County of Santa Clara", and insert "any city, city and county, or county".

Amendment No. 4

On page 4, line 2, of said bill, strike out "said waters", and insert "any waters whatsoever".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 905—An act to amend Sections 1155, 1156, 1157, and 12420 of the Government Code, relating to pay roll deductions for public employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1 of the printed bill, between lines 23 and 24, insert

"(c) Premiums on national service life insurance or United States Government converted insurance."

Amendment No. 2

On page 2 of said bill, after line 30, insert

"(c) Paying premiums on national service life insurance or United States Government converted insurance."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 906—An act to add Section 11011 to the Government Code, relating to contracts by state agencies.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1 of the printed bill, as amended in Senate March 26, 1951, following line 11, insert

"This section does not apply to contracts entered into pursuant to any statute expressly requiring that such contracts be let or awarded on the basis of competitive bids. Contracts required to be let or awarded on the basis of competitive bids pursuant to any such statute may be terminated, amended, or modified only if such termination, amendment, or modification is authorized under provisions of law other than this section."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 96

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 584
Assembly Bill No 1183
Assembly Bill No. 2120
Assembly Bill No. 3112
Assembly Bill No. 3174

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1279

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 2843

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 2843—An act to add Section 203.3 to the Revenue and Taxation Code, relating to property taxation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 203.3 to", and insert "amend Section 214 of".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1, line 1, of said bill, strike out "203.3 is added to the Revenue and"; strike out lines 2 to 5, inclusive, and insert "214 of the Revenue and Taxation Code is amended to read:

214. Property used exclusively for religious, hospital, scientific, or charitable purposes owned and operated by community chests, funds, foundations or corporations organized and operated for religious, hospital, scientific, or charitable purposes is exempt from taxation if:

(1) The owner is not organized or operated for profit;

(2) No part of the net earnings of the owner inures to the benefit of any private shareholder or individual;

(3) The property is not used or operated by the owner or by any other person for profit regardless of the purposes to which the profit is devoted;

(4) The property is not used or operated by the owner or by any other person so as to benefit any officer, trustee, director, shareholder, member, employee, contributor, or bondholder of the owner or operator, or any other person, through the distribution of profits, payment of excessive charges or compensations or the more advantageous pursuit of their business or profession;

(5) The property is not used by the owner or members thereof for fraternal or lodge purposes, or for social club purposes except where such use is clearly incidental to a primary religious, hospital, scientific, or charitable purpose;

(6) The property is irrevocably dedicated to religious, charitable, scientific, or hospital purposes and upon the liquidation, dissolution or abandonment of the owner will not inure to the benefit of any private person except a fund, foundation or corporation organized and operated for religious, hospital, scientific, or charitable purposes;

(7) The property, if used exclusively for scientific purposes, is used by a foundation or institution which, in addition to complying with the foregoing requirements for the exemption of charitable organizations in general, has been chartered by the Congress of the United States, and whose objects are the encouragement or conduct of scientific investigation, research and discovery for the benefit of the community at large.

The exemption provided for herein shall be known as the "welfare exemption." This exemption shall be in addition to any other exemption now provided by law. [This section shall not be construed to enlarge the college exemption.] Property used exclusively for school purposes of less than collegiate grade, *or exclusively for purposes of both schools of and less than collegiate grade*, and owned and operated by religious, hospital or charitable funds, foundations or corporations, which property and funds, foundations or corporations meet all of the requirements of this section, shall be deemed to be within the exemption provided for in Section 1c of Article XIII of the Constitution of the State of California and this section. *This section shall not be construed to enlarge the college exemption.*"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Senate Bill No. 399

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

LUCKEL, Chairman

Above reported bill ordered to second reading

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 399—An act to amend Section 2110 of the Streets and Highways Code, relating to apportionments to counties payable from the Highway Users Tax Fund.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 8, of the printed bill, as amended in the Senate on May 31, 1951, strike out ".49", and insert ".47".

Amendment No. 2

On page 1, line 9, of the printed bill, as amended, strike out ".54", and insert ".52".

Amendment No. 3

On page 1, line 10, of the printed bill, as amended, strike out "2.07", and insert "1.99".

Amendment No. 4

On page 1, line 11, of the printed bill, as amended, strike out "1.68", and insert "1.61".

Amendment No. 5

On page 1, line 12, of the printed bill, as amended, strike out "7 01", and insert "6.72".

Amendment No. 6

On page 1 of the printed bill, as amended, between lines 12 and 13, insert "Los Angeles, ____ 4.14 percent;".

Amendment No. 7

On page 1, line 13, of the printed bill, as amended, strike out "1.05", and insert "1.00".

Amendment No. 8

On page 1, line 14, of the printed bill, as amended, strike out "6 29", and insert "6.03".

Amendment No. 9

On page 1, line 15, of the printed bill, as amended, strike out "3.40", and insert "3.26".

Amendment No. 10

On page 1, line 16, of the printed bill, as amended, strike out "8.62", and insert "8.26".

Amendment No. 11

On page 1, line 17, of the printed bill, as amended, strike out "8.69", and insert "8.33".

Amendment No. 12

On page 1, line 18, of the printed bill, as amended, strike out "13.24", and insert "12.70".

Amendment No. 13

On page 1, line 20, of the printed bill, as amended, strike out "3.43", and insert "3.29".

Amendment No. 14

On page 1, line 21, of the printed bill, as amended, strike out "11.32", and insert "10.85".

Amendment No. 15

On page 1, line 22, of the printed bill, as amended, strike out "7.01", and insert "6.72".

Amendment No. 16

On page 1, line 23, of the printed bill, as amended, strike out "17.91", and insert "17.17".

Amendment No. 17

On page 1, line 24, of the printed bill, as amended, strike out "2.20", and insert "2.10".

Amendment No. 18

On page 1, line 25, of the printed bill, as amended, strike out "5.05", and insert "4.84".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Senate Bill No. 320

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LUCKEL, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 320—An act to amend Section 44.12 of the Vehicle Code, relating to authorized emergency vehicles.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Senate Bill No. 1721

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

LUCKEL, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 1721—An act relating to a highway construction and improvement program, county and state, including cooperation with the Federal Government in furtherance of the purposes of the Federal-Aid Highway Act of 1950 and the expenditure of federal-aid moneys, declaring the urgency hereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 11, of the printed bill, as amended in the Senate on June 11, 1951, after "highways", insert "on the Federal Aid Secondary System".

Amendment No. 2

On page 2, line 10, of said bill, after "1944", insert ", as amended and supplemented".

Amendment No. 3

On page 3 of said bill, strike out lines 14 to 21, inclusive, and insert

"By agreement with the Department of Public Works a county may transfer all or part of the funds apportioned to it, and in its discretion matching funds, to a federal aid secondary road project (1) in an adjoining county where the highway connects points in the two counties or (2) in a city in the same county."

Amendment No. 4

On page 3, line 45, of said bill, after "past", insert "unobligated".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER. Your Committee on Education, to which was referred:

Senate Bill No. 1597

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 1597—An act to amend Section 405 of the Education Code, relating to school superintendents' salaries in counties of the fifth class.

Bill read second time, and ordered to third reading.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 1093, on request of Mr. Brown.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

Mr. Crowley asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Constitutional Amendments at 11 a.m., at his desk.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 591—An act to amend Section 9.5 of the Municipal Court Act of 1925, relating to compensation of officials of the municipal court.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 591?

Amendment No. 1

On page 2, lines 48 and 49, of the printed bill, as amended in the Assembly on May 8, 1951, strike out "seven hundred dollars ($700)", and insert "five hundred dollars ($500)".

Amendment No. 2

On page 3, line 3, of said bill, as amended, strike out "five hundred dollars ($500)", and insert "four hundred twenty-five dollars ($425)".

Amendment No. 3

On page 3 of said bill, as amended, strike out lines 7 and 8.

Amendment No. 4

On page 3 of said bill, as amended, strike out lines 11, 12, and 13, and insert "Eight deputy clerks, each of whom shall receive three hundred forty-five dollars ($345) per month;".

Amendment No. 5

On page 3 of said bill, as amended, strike out lines 18, 19, and 20, and insert "Three deputy clerks, each of whom shall receive two hundred ninety dollars ($290) per month;".

Amendment No. 6

On page 3 of said bill, as amended, strike out lines 21, 22, and 23, and insert: "Eight deputy clerks, each of whom receive two hundred eighty dollars ($280) per month;".

Amendment No. 7

On page 3 of said bill, as amended, strike out lines 24 and 25, and insert "Five deputy clerks, each of whom shall receive two hundred sixty dollars ($260) per month;".

Amendment No. 8

On page 3, line 29, of said bill, as amended, strike out "Nine", and insert "Eight".

Amendment No. 9

On page 3 of said bill, as amended, strike out lines 34 to 38, inclusive, and insert "five hundred dollars ($500) per month;

(d) The marshal may appoint the following:

One assistant marshal who shall receive four hundred twenty-five dollars ($425) per month;".

Amendment No. 10

On page 3 of said bill, as amended, strike out lines 41 to 46, inclusive, and insert "Seven deputy marshals, Grade 1, each of whom shall receive three hundred forty-five dollars ($345) per month;

Seven deputy marshals, Grade 2, each of whom shall receive three hundred thirty dollars ($330) per month;".

Amendment No. 11

On page 3, line 51, of said bill, as amended, strike out "seventy-five dollars ($275)", and insert "eighty dollars ($280)".

Amendment No. 12

On page 4, line 4, of said bill, as amended, strike out "seventy-five dollars ($275)", and insert "eighty dollars ($280)".

Amendment No. 13

Strike out lines 2 and 3 of the title of the printed bill, as amended in the Senate on May 31, 1951, and insert "1925 and to provide for the number and compensation of officers and attaches of the municipal court in a judicial district embracing the City of San Diego, relating to municipal courts."

Amendment No. 14

On page 1, line 8, of said bill, as amended, strike out "dollars ($500)", and insert "sixty dollars ($560)".

Amendment No. 15

On page 1, line 12, of said bill, as amended, strike out "twenty-five dollars ($425)", and insert "seventy-five dollars ($475)".

Amendment No. 16

On page 1, line 22, of said bill, as amended, strike out "forty-five dollars ($345)", and insert "sixty-five dollars ($365)".

Amendment No. 17

On page 1, lines 25 and 26, of said bill, as amended, strike out "two hundred ninety dollars ($290)", and insert "three hundred twenty-five dollars ($325)".

Amendment No. 18

On page 2 of said bill, as amended, strike out lines 3 and 4, and insert

"Ten deputy clerks, each of whom shall receive three hundred dollars ($300) per month;".

Amendment No. 19

On page 2, line 8, of said bill, as amended, strike out "sixty dollars ($260)", and insert "seventy-five dollars ($275)".

Amendment No. 20

On page 2, line 11, of said bill, as amended, strike out "Eight", and insert "Nine".

Amendment No. 21

On page 2, line 19, of said bill, as amended, strike out "dollars ($500)", and insert "sixty dollars ($560)".

Amendment No. 22

On page 2, line 22, of said bill, as amended, strike out "twenty-five dollars ($425)", and insert "seventy-five dollars ($475)".

Amendment No. 23

On page 2, line 30, of said bill as amended, strike out "forty-five dollars ($345)", and insert "sixty-five dollars ($365)".

Amendment No. 24

On page 2, line 32, of said bill, as amended, strike out "thirty dollars ($330)", and insert "fifty dollars ($350)".

Amendment No. 25

On page 2, line 34, of said bill, as amended, strike out "eighty dollars ($280)", and insert "seventy-five dollars ($275)".

Amendment No. 26

On page 2 of said bill, as amended, strike out line 39, and insert "seventy-five dollars ($275) per month;".

Amendment No. 27

On page 2 of said bill, as amended, after line 51, insert

"SEC. 2 The provisions of Section 95 of the Municipal Court Act of 1925 as amended by this act shall be applicable to the officers and attaches of the municipal court established in a judicial district embracing the City of San Diego."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 591 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Lanterman, Levering, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—57.

NOES—None.

Assembly Bill No. 591 ordered enrolled.

Assembly Bill No. 626—An act to add Chapter 5.6, comprising Sections 2600 to 2632, inclusive, to Division 2 of the Business and Professions Code, relating to the practice of physical therapy.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 626?

Amendment No. 1

On page 4, lines 35 and 36, of the printed bill, as amended in the Assembly on March 29, 1951, strike out "without having first surrendered his certificate of registration to the board".

Amendment No. 2

In line 1, of the title of the printed bill, as amended in the Senate on April 27, 1951, strike out "2632", and "2631".

Amendment No. 3

On page 1, line 2, of said bill, as amended, strike out "2632", and insert "2631".

Amendment No. 4

On page 5, line 22, of said bill, as amended, strike out "year", and insert "years".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 626 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Elliott, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—57.

NOES—None.

Assembly Bill No. 626 ordered enrolled.

Assembly Bill No. 879—An act to add Sections 31627.1, 31629, 31671.1, 31765, and 31784 to, and to amend Sections 31527, 31552, 31553, 31554, 31555, 31557, 31591, 31602, 31628, 31642, 31649, 31652, and 31700 of, and to repeal Section 31560 and Article 13, consisting of Sections 31800, 31801, 31802, 31803, 31804, and 31805, of Chapter 3 of Part 3 of Division 4 of Title 3 of, the Government Code, relating to retirement of county employees.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 879?

Amendment No. 1

Strike out lines 1 to 6, inclusive, of the title of the printed bill, as amended in the Assembly on April 30, 1951, and insert "An act to amend Sections 31552, 31553, 31602 and 31652 of and to add Section 31648.1 to the Govern-".

Amendment No. 2

On page 1, line 1, of said bill, as amended, strike out "31527", and insert "31552".

Amendment No. 3

On page 1 of said bill, as amended, strike out lines 3 to 19, inclusive; and on page 2, strike out lines 1 to 2, inclusive.

Amendment No. 4

On page 2, line 10, of said bill, as amended, strike out "30", and insert "180".

Amendment No. 5

On page 2, line 11, of said bill, as amended, after "service.", insert "The rate of contribution to be based upon attained age and the employee to be permitted to make up the original contributions which he would have made during the six months waiting period in 12 equal monthly payments in the subsequent 12 months."

Amendment No. 6

On page 2, lines 15 and 16, of said bill, as amended, strike out "calendar month following the expiration of 30 days", and insert "month".

Amendment No. 7

On page 2 of said bill, as amended, strike out lines 26 to 52, inclusive; and on page 3, strike out lines 1 to 28, inclusive.

Amendment No. 8

On page 3, line 29, of said bill, as amended, strike out "4", and insert "3".

Amendment No. 9

On page 3 of said bill, as amended, strike out lines 40 to 52, inclusive; and strike out all of page 4; and on page 5, strike out lines 1 to 4, inclusive.

Amendment No. 10

On page 5, line 5, of said bill, as amended, strike out "10", and insert "4".

Amendment No. 11

On page 5 of said bill, as amended, strike out lines 20 to 50, inclusive; and on page 6, strike out lines 1 to 18, inclusive, and insert

"SEC. 5. Section 31648.1 of the Government Code is added, to read:

31648.1. Any employee of the superior court who was employed by such court or by the county in which such court is established immediately and without interruption prior to his inclusion as a member of an association established pursuant to this chapter, shall be credited with prior service for his entire period of continuous employment preceding his inclusion as a member of such association provided prior to December 31, 1951, he elects to pay and does pay into the association within one year thereafter, an amount equal to the contributions he would have paid, plus regular interest thereon, if he had been a member during all the period of such employment subsequent to the establishment of such association."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 879 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—59

NOES—None.

Assembly Bill No. 879 ordered enrolled.

Assembly Bill No. 1392—An act providing for the constitution of the municipal court in a district embracing the City of Fresno, and prescribing the number and compensation of the judges, officers and attaches thereof.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1392?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 25, 1951, strike out line 8, and insert

"SECTION 1. The municipal court established in a district embracing the City of Fresno shall be constituted, and the judges, officers, and attaches thereof shall be as herein provided and shall receive compensation, as follows:

(a) There shall be four judges, each of whom shall receive eight thousand four hundred dollars ($8,400) per annum, payable in equal monthly installments;

(b) There shall be one clerk, to be appointed by the judges of the court, in the manner provided by law, who shall be the secretary of the court, and who shall receive a minimum salary of three hundred thirteen dollars ($313) monthly, with annual increments of seventeen dollars ($17), seventeen dollars ($17), nineteen dollars ($19), and nineteen dollars ($19), to a maximum of three hundred eighty-five dollars ($385) monthly;

(c) The clerk may appoint the following:

One assistant clerk, who shall receive a minimum salary of two hundred sixty-eight dollars ($268) monthly, with annual increments of fourteen dollars ($14), fifteen dollars ($15), sixteen dollars ($16), and seventeen dollars ($17), to a maximum of three hundred thirty dollars ($330) monthly;

One senior clerk, who shall receive a minimum salary of two hundred fifty-five dollars ($255) monthly, with annual increments of thirteen dollars ($13), fourteen dollars ($14), fifteen dollars ($15), and sixteen dollars ($16), to a maximum of three hundred thirteen dollars ($313) monthly;

Four court clerks, who shall receive a minimum salary of two hundred fifty-five dollars ($255) monthly, with annual increments of thirteen dollars ($13), fourteen dollars ($14), fifteen dollars ($15), and sixteen dollars ($16), to a maximum of three hundred thirteen dollars ($313) monthly;

One senior account clerk, who shall receive a minimum salary of two hundred fifty-five dollars ($255) monthly, with annual increments of thirteen dollars ($13), fourteen dollars ($14), fifteen dollars ($15), and sixteen dollars ($16), to a maximum of three hundred thirteen dollars ($313) monthly;

One small claims clerk, who shall receive a minimum salary of two hundred forty-two dollars ($242) monthly, with annual increments of thirteen dollars ($13), thirteen dollars ($13), fourteen dollars ($14), and fifteen dollars ($15), to a maximum of two hundred ninety-seven dollars ($297) monthly;

One traffic clerk, who shall receive a minimum salary of two hundred thirty dollars ($230) monthly, with annual increments of twelve dollars ($12), thirteen dollars ($13), thirteen dollars ($13), and fourteen dollars ($14), to a maximum of two hundred eighty-two dollars ($282) monthly;

One intermediate stenographer clerk, who shall receive a minimum salary of two hundred nineteen dollars ($219) monthly, with annual increments of eleven dollars ($11), twelve dollars ($12), thirteen dollars ($13), and thirteen dollars ($13), to a maximum of two hundred sixty-eight dollars ($268) monthly;

One intermediate typist clerk, who shall receive a minimum salary of two hundred eight dollars ($208) monthly, with annual increments of eleven dollars ($11), eleven dollars ($11), twelve dollars ($12), and thirteen dollars ($13) to a maximum of two hundred fifty-five dollars ($255) monthly;

One junior typist clerk, who shall receive a minimum salary of one hundred eighty-eight dollars ($188) monthly, with annual increments of ten dollars ($10), ten dollars ($10), eleven dollars ($11), and eleven dollars ($11), to a maximum of two hundred thirty dollars ($230) monthly.

SEC. 2. The functions of marshal of the municipal court shall be performed by the sheriff of the county.

SEC. 3. Upon the organization of the court, clerks, deputies, and attaches or employees of the superseded court or courts shall be assigned, as far as practical, to positions in the municipal court similar in duties and compensation to the positions held in any such superseded court, and the salaries of any such clerks, deputies, and attaches first employed upon the organization of the court may be fixed upon the lowest step of the annual increment table applicable to the position as shown hereinabove as will not reduce the salary of such employee, and any employee of said court who hereafter receives a promotion to a position have an over-lapping salary range shall be placed upon the lowest step of the new salary range which shall result in an increase in compensation.

SEC. 4. The sheriff shall charge and collect for his services rendered in the capacity of marshal the fees allowed by law to sheriffs and constables, and shall pay the same into the county treasury for the use and benefit of the county."

Amendment No. 2

On page 1 of said bill, as amended, strike out lines 9 to 20, inclusive; and strike out all of pages 2 and 3.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1392 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—59.

NOES—Luckel—1.

Assembly Bill No. 1392 ordered enrolled.

Assembly Bill No. 1803—An act to amend Section 19210 of the Streets and Highways Code, relating to highway lighting districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1803?

Amendment No. 1

In line 1 of the title of the printed bill, as amended, strike out "amend Section 19210 of", and insert "add Section 19215 to,".

Amendment No. 2

On page 1, line 1, of said bill, as amended, strike out "19210 of", and insert "19215 is added to".

Amendment No. 3

On page 1, line 2, of said bill, as amended, strike out "is amended".

Amendment No. 4

On page 1 of said bill, as amended, strike out lines 3 to 26, inclusive, and insert "19215. If a petition, signed by 15 or more taxpayers and residents of the area sought to be annexed, but less than the number of owners representing one fourth of the amount of assessed value of real property in that area and less than the number of owners specified in subdivision (d) of Section 19210 of this chapter, is presented to the board of supervisors, the board, if the petition for such annexation expressly requests them so to do, shall order an election within the territory sought to be annexed."

Amendment No. 5

On page 2 of said bill, as amended, strike out lines 1 to 3, inclusive

Amendment No. 6

On page 2, line 5, of said bill, as amended, strike out "The", and insert "To the extent applicable, the".

Amendment No. 7

On page 2, line 7, of said bill, as amended, insert "If a majority of votes cast are in favor of the proposition of annexing the territory to the district, such territory shall become a part of the highway lighting district."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1803 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloved, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 1803 ordered enrolled.

Assembly Bill No. 1834—An act to amend Section 1027 of the Probate Code, relating to the distribution of estates and notice to the State Controller.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1834?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on March 28, 1951, strike out lines 23 and 24, and insert "hearing."

Amendment No. 2

On page 2 of said bill, as amended, strike out lines 1 to 9, inclusive.

Amendment No. 3

On page 3 of said bill, as amended, strike out lines 28 to 38, inclusive, and insert "of such hearing."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1834 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloved, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 1834 ordered enrolled.

Assembly Bill No. 2042—An act to amend Sections 13¾ and 15 of the Los Angeles County Flood Control Act, relating to district works and improvements including storm drain improvements and drainage systems.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2042?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 30, 1951, after "Sections", insert "2,".

Amendment No. 2

On page 1, line 1, of said bill, as amended, strike out "13¾", and insert "2".

Amendment No. 3

On page 1 of said bill, as amended, between lines 2 and 3, insert

"SEC. 2. The objects and purposes of this act are to provide for the control and conservation of the flood, storm and other waste waters of said district, and to conserve such waters for beneficial and useful purposes by spreading, storing, retaining or causing to percolate into the soil within said district, or to save or conserve in any manner, all or any of such waters, and to protect from damage from such flood or storm waters, the harbors, waterways, public highways and property in said district.

Said Los Angeles County Flood Control District is hereby declared to be a body corporate and politic, and as such shall have power:

1 To have perpetual succession.

2. To sue and be sued in the name of said district in all actions and proceedings in all courts and tribunals of competent jurisdiction.

3. To adopt a seal and alter it at pleasure.

4. To take by grant, purchase, gift, devise or lease, hold, use, enjoy, and to lease or dispose of real or personal property of every kind within or without the district necessary to the full exercise of its power.

5. To acquire or contract to acquire lands, rights of way, easements, privileges and property of every kind, and construct, maintain and operate any and all works or improvements within or without the district necessary or proper to carry out any of the objects or purposes of this act, and to complete, extend, add to, repair or otherwise improve any works or improvements acquired by it as herein authorized.

6 To have and exercise the right of eminent domain, and in the manner provided by law for the condemnation of private property for public use, to take any property necessary to carry out any of the objects or purposes of this act, whether such property be already devoted to the same use by any district or other public corporation or agency or otherwise, and may condemn any existing works or improvements in said district now used to control flood or storm waters, or to conserve such flood or storm waters or to protect any property in said district from damage from such flood or storm waters.

7 To incur indebtedness, and to issue bonds in the manner herein provided.

7a. In addition to the powers given in the next preceding subsection, to borrow money from the United States of America, any agency or department thereof, or from any nonprofit corporation, organized under the laws of this State, to which the Reconstruction Finance Corporation, a corporation organized and existing under and by virtue of an act of Congress, entitled "Reconstruction Finance Corporation Act," or other agency, or department, of the United States Government, has authorized, or shall hereafter authorize, a loan to enable such nonprofit corporation to lend money to said Los Angeles County Flood Control District, for any flood control work authorized under this act, and to repay the same, in annual installments, over a period of not to exceed twenty (20) years, with interest at a rate of not to exceed four and one-fourth per

centum (4¼) per annum, payable semiannually, and, without the necessity of an election when authorized by resolution of the board of supervisors, as evidences of such indebtedness, said district is hereby authorized to execute and deliver a note, or a series of notes, or bonds, or other evidences of indebtedness, signed by the chairman of the board of supervisors of said district, which notes, bonds, or other evidences of indebtedness, shall be negotiable instruments if so declared in said resolution of the board of supervisors providing for their issuance, and said notes, bonds, or other evidences of indebtedness, may have interest coupons attached to evidence interest payments, signed by the facsimile signature of said chairman of said board. All applications for such loans shall specify the particular flood control work or projects for which the funds will be expended, and when received, the money shall be deposited in a special fund, and shall be expended for those purposes only which are described and referred to in the applications. If a surplus remains after the completion of said work, such surplus shall be applied to the payment of the note, notes, bonds, or other evidences of indebtedness, executed as aforesaid, for the loan including interest coupons. The board of supervisors shall annually, levy a tax upon the taxable real property of said district, clearly sufficient to pay the interest and installments of principal, as the same shall become due and payable, under any loan made pursuant to the authority of this section, and to create and maintain a reserve fund to assure the prompt payment thereof, as may be provided by said resolution of the board of supervisors; provided, however, that the amount of taxes levied in any year, pursuant to the provisions of this subsection, shall, pro tanto, reduce the authority of the board of supervisors, during any such year, to levy taxes under Section 14 of this act, but this proviso shall not be a limitation upon the power and duty to levy and collect taxes under this subsection.

Notwithstanding anything in this subsection 7a to the contrary, the total amount which said district may borrow under the authority of any or all of the provisions of this subsection is limited to and shall not exceed in the aggregate the sum of four million five hundred thousand dollars ($4,500,000).

7b. The power granted in the next preceding subsection is hereby extended to authorize the issuance and sale of bonds or other evidences of indebtedness of said district to the County of Los Angeles and the purchase thereof by said county in accordance with "An act authorizing the investment and reinvestment and disposition of any surplus moneys in the treasury of any county, city and county, incorporated city or town or municipal utility district or flood control district," approved April 23, 1913, as amended; all subject to the provisions and limitations of the next preceding subsection relative to the disposition and use of funds, interest rate, period of repayment, tax rate and mode of issuance. The total amount of bonds or other evidence of indebtedness, in the aggregate, which the district may issue and sell under the authority of subsection 7a and of this subsection is limited to and shall not exceed four million five hundred thousand dollars ($4,500,000).

8. To cause taxes to be levied and and collected for the purpose of paying any obligation of the district in the manner hereinafter provided.

9 To make contracts, and to employ for temporary services only, expert appraisers, consultants and technical advisers, and to do all acts necessary for the full exercise of all powers vested in said district, or any of the officers thereof, by this act.

10. To grant or otherwise convey to counties, cities and counties, cities or towns easements for street and highway purposes, over, along, upon, in, through, across or under any real property owned by said Los Angeles County Flood Control District.

11. To remove, carry away and dispose of any rubbish, trash, debris or other inconvenient matter that may be dislodged, transported, conveyed or carried by means of, through, in, or along the works and structures operated or maintained hereunder and deposited upon the property of said district or elsewhere.

12 To pay premiums on bonds of contractors required under any contract wherein the amount payable to the contractor exceeds five million dollars ($5,000,000); provided, that the specifications in such cases shall specifically so provide and state that the bidder shall not include in his bids the cost of furnishing the required bonds.

13 To lease, sell or dispose of any property (or any interest therein) whenever in the judgment of said board of supervisors said property, or any interest therein or part thereof, is no longer required for the purposes of said district, or may be leased for any purpose without interfering with the use of the same for the purposes of said district, and to pay any compensation received therefor into the general fund of said district and use the same for the purposes of this act; provided, however, that nothing herein shall authorize the board of supervisors or other governing body of the district or any officer thereof to sell, lease or otherwise dispose of any water, water right, reservoir space or storage capacity or any interest or space therein *except to public agencies for recreational purposes when such use is not inconsistent with the use thereof by the district for flood control and water conservation purposes*; or except as hereinafter provided by Section 17 of this act; provided, however, that said district may grant and convey to the United States of America, or to any federal agency authorized to accept and pay for such land or interests in land, all lands and interests in land, now owned or hereafter acquired, lying within any channel, dam or reservoir site, improved or constructed, in whole or in part, with federal funds, upon payment

to the district of sums equivalent to actual expenditures made by it in acquiring the lands and interests in land so conveyed and deemed reasonable by the Secretary of War and the Chief of Engineers.

The said district by or through its board of supervisors, or other board or officers at any time succeeding to the duties or functions of its board of supervisors, is hereby authorized and empowered to warrant and defend the title to all land and interests therein so conveyed to the United States of America or to any such agency and their respective assigns; to covenant and agree to indemnify and keep indemnified and to hold and save harmless and exonerated the United States of America or any such agency, to which such lands or any interest therein are so conveyed by said district, from and against all demands, claims, liabilities, liens, actions, suits, charges, costs, loss, damages, expenses and attorneys' fees of whatsoever kind or nature, resulting from, arising out of or occasioned by any defect or defects whatsoever in the title to any such land or interest in land so conveyed by said district; to reimburse and save harmless and exonerated the United States of America or any such agency for any and all amounts, paid, and expenses incurred, in the compromise or settlement of any demands, claims, liabilities, liens, actions, suits, charges, costs, loss, damages, expenses and attorneys' fees of whatsoever kind or nature, resulting from, arising out of or occasioned by any claim to or defect or defects whatsoever in the title to any such land or interests in land so conveyed by said district; to pay all just compensation, costs and expenses, which may be incurred in any condemnation proceeding deemed necessary by the United States of America or such agency, in order to perfect title to any such land or interests in land, including without limitation all attorneys' fees, court costs and fees, costs of abstracts and other evidences of title, and all other costs, expenses or damages incurred or suffered by the United States of America or such agency; and consent is hereby given to the bringing of suit or other legal proceedings against said district by the United States of America or such agency, as the case may be, in the proper district court of the United States, upon any cause of action arising out of any conveyance, contract or covenant made or entered into by said district pursuant to the authority granted in this act, or to enforce any claims, damages, loss or expenses arising out of or resulting from any defect whatsoever in the title to such land or any interest therein or any claims of others in or to such land or interest therein

SEC. 15. Section 13¾ of the Los Angeles County Flood Control Act is amended to read:".

Amendment No. 4

On page 3, line 11, of said bill, as amended, strike out "four thousand dollars ($4,000)", and insert "two thousand dollars ($2,000)".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2042 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Cloyed, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 2042 ordered enrolled

Assembly Bill No. 2081—An act to amend Section 1648.3 of the Insurance Code, relating to insurance broker's licenses.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2081?

Amendment No. 1

On page 2 of the printed bill, after line 24, insert

"SEC. 2. This act shall become operative July 1, 1952."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2081 by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Crowley, Dickey, Dolwig, Elliott, Erwin, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hinckley, Kelly,

Kilpatrick, Lanterman, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Sillman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—51.

NOES—Beck, Davis, and Lowrey—3.

Assembly Bill No. 2081 ordered enrolled.

Assembly Bill No. 2512—An act to amend Section 261b of the Code of Civil Procedure, as added by Chapter 1031 of the Statutes of 1943, relating to phonographic reporters.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2512?

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on May 7, 1951, strike out "amend Section 261b of the Code of Civil Procedure, as added by Chapter 1031 of the Statutes of 1943", and insert "add Section 261j to the Code of Civil Procedure".

Amendment No. 2

On page 1 of said bill, as amended, strike out lines 1 to 3, inclusive, and insert

"SECTION 1. Section 261j is added to the Code of Civil Procedure, to read:

261j. In each county, or city and county having a population of more than 295,000 and less than 500,000 inhabitants, as determined by the 1950 federal census, the board of supervisors may by resolution adopt the following procedure for the appointment and compensation of official phonographic reporters

The judges of the superior court in and for such county, a majority concurring, to assist the court in the transaction of the judicial business of said court by having performed the duties of phonographic reporters as elsewhere in this code defined, may appoint as many regular official phonographic reporters as may be necessary to report the proceedings in said court and to perform such duties, except that the number of reporters so appointed shall not exceed at any one time the number of offices of judge provided by law for said court, said reporters to hold office during the pleasure of the judges of said court, a majority concurring.

When needed in order that the judicial business of the superior court in such county, or city and county, may be diligently carried on and a particular matter or matters may proceed to trial or hearing without delay, a pro tempore official reporter may be appointed to perform the duties of a phonographic reporter in such matter or matters, or until a regular official reporter becomes available for such service. A pro tempore official reporter for such service may be appointed by the presiding judge of the court and the judge presiding in the department where such reporter will serve, but when such appointment is made for service in a contested matter, it shall be made only pursuant to a written stipulation of the parties appearing at the trial or hearing or other proceeding to be reported by such pro tempore reporter.

Each of said regular official reporters shall be paid a salary of six thousand dollars ($6,000) per annum, and each of said pro tempore official reporters shall be paid twenty dollars ($20) per day for the days he actually is on duty under order of the court.

No further fee than that hereinabove provided shall be collected from, or assessed against, any party to any proceeding for the services of a phonographic reporter in taking down in shorthand the testimony and other proceedings in the trial or hearing of any matter as required by law or by order of the court; but a phonographic reporter shall be allowed, and shall receive, unless waived by him, the fees now, or that may hereafter be, allowed by law for transcribing his shorthand notes of the testimony and proceedings reported by him, and such fees for transcriptions shall be paid as provided by Section 274 of the Code of Civil Procedure and by any other law of this State pertinent to the case.

The salaries in this section provided shall be paid in monthly installments out of the salary fund of the county, or city and county, and shall be allowed and audited in the same manner as other salary demands against the county, or city and county, are required by law to be allowed and audited.

In addition to a fee or fees required by any other law or laws, a fee of three dollars ($3) shall be paid to the county clerk of such a county, or city and county, by each party, or jointly by parties appearing jointly, in each of the following instances:

(1) Where Section 26821 of the Government Code requires such party or parties to pay said clerk a fee for the filing of the first paper in a civil action or in a special proceeding, except in an appeal from an inferior court.

(2) Where Section 26822 of the Government Code requires such party or parties to pay said clerk a fee for filing papers transmitted from another court on the transfer of a civil action or special proceeding from another court, except in an appeal from an inferior court.

(3) Where Section 26826 of the Government Code requires such party or parties to pay said clerk a fee on the appearance in a civil action or special proceeding of a

defendant, intervenor, respondent, correspondent or adverse party, except in an appeal from an inferior court; provided, however, if any of the parties named in this paragraph shall appear jointly they shall pay but one such additional fee of three dollars ($3) as in this section provided.

(4) Where Section 26827 of the Government Code requires such party or parties to pay said clerk a fee for the filing of a petition or other paper in a probate or guardianship matter.

The fee so required shall be taxed as costs in favor of any party paying the same and to whom costs are awarded by the judgment of the court. Such fee shall not be subject to the provisions of Section 6103 of the Government Code.

The county clerk shall, on or before the first day of each calendar month, transmit to the county treasurer, or city and county treasurer, all moneys paid to him under the provisions of this section during the preceding calendar month, or up to the day immediately preceding the day on which he transmits such moneys, and such moneys shall be deposited in the salary fund of said county, or city and county."

Amendment No. 3

On page 1 of said bill, as amended, strike out lines 4 to 26, inclusive; and strike out all on pages 2 and 3.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2512 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 2512 ordered enrolled.

Assembly Bill No. 2601—An act to amend Section 7044 of the Business and Professions Code, relating to the licensing of contractors.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2601?

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Assembly on May 18, 1951, after "owner", insert "or a tenant of the owner".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2601 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Conrad, Crowley, Davis, Dickey, Dolwig, Elliott, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—57.

NOES—None.

Assembly Bill No. 2601 ordered enrolled.

Assembly Bill No. 2664—An act to amend Sections 3017, 3018, and 3019 of the Civil Code, and to add a new section numbered 3030, relating to the assignment of accounts receivable and giving notice thereof.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2664?

Amendment No. 1

In the second line of the title of the printed bill, as amended, strike out ", and to add a new section numbered 3030,".

Amendment No. 2

On page 1, line 19, of said bill, as amended, strike out "Secretary of State", and insert "the county recorder of the county in which the assignor has its chief place of business within this State, or if the assignor has no place of business within this State then the county recorder of the county in which the assignor resides".

Amendment No. 3

On page 3 of said bill, as amended, strike out all of lines 1 to 14, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2664 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloved, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—60

NOES—None.

Assembly Bill No. 2664 ordered enrolled.

Speaker Pro Tempore Presiding

At 10 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 2673—An act to amend Section 2141 of the Business and Professions Code, relating to the practice of the healing arts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2673?

Amendment No. 1

In the first line of the title of the printed bill, strike out "amend", and insert "add", and after "2141", insert ".5".

Amendment No. 2

In line 1 of said bill, strike out "2141 of", and insert "2141.5 is added to".

Amendment No. 3

In line 2 of said bill, strike out "is amended".

Amendment No. 4

Strike out lines 3 to 11, inclusive, of said bill, and insert

"2141.5. For the first and second separate conviction of a violation of Section 2141 of this code, the punishment shall be a fine of not less than one".

Amendment No. 5

In line 13 of said bill, strike out "by".

Amendment No. 6

In line 14 of said bill, strike out "by", and after "both", insert "such".

Amendment No. 7

In line 1 of the title of the printed bill, as amended in the Senate on April 13, 1951, strike out "of", and insert "and Section 2436 to".

Amendment No. 8

In line 17 of said bill, as amended, strike out "A third or subsequent offense is a"; and strike out lines 18 to 21, inclusive, and insert "Any person who has been previously twice convicted, upon charges separately brought and tried, for violations of Section 2141 of this code, is punishable by a fine of not less than one thousand dollars ($1,000) nor more than three thousand dollars ($3,000), or, in the discretion of the court, by imprisonment either in a county jail or in a state prison for a term of one year, or by imprisonment in a state prison for a term of not more than three years, or by both fine and imprisonment.

SEC. 2 Section 2436 is added to the Business and Professions Code, to read:
2436. Whenever any person has engaged or is about to engage in any acts or practices which constitute or will constitute an offense against this chapter, the superior court of any county, on application of the board or any person holding a license or certificate issued under this chapter, and on proper showing of such offense or threatened office, shall issue an injunction or other appropriate order restraining such conduct No bond shall be required in any action commenced under this section. Injunctive relief under this section may be granted against natural persons, groups, partnerships, associations, trusts, corporations, or any other legal entity."

Amendment No. 9

On page 2, line 3, of the printed bill, as amended in the Senate on June 1, 1951, strike out "office", and insert "offense".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2673 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Crowley, Dickey, Dolwig, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lanterman, Levering, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters—58.
NOES—Davis and Lowrey—2.

Assembly Bill No. 2673 ordered enrolled.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Condon to reconsider the vote whereby Senate Bill No. 806 was passed, was continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 546 BE RETURNED TO FILE

Mr. Levering, whose notice of motion to reconsider Assembly Bill No. 546 lapsed yesterday, asked for unanimous consent that Assembly Bill No. 546 be returned to file.

Point of Order

Mr. Dunn arose to the following point of order: That the motion by Mr. Levering is not in order.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

REQUEST FOR UNANIMOUS CONSENT TO SPEAK ON THE CONDITION OF THE FILE

Mr. Collier asked for unanimous consent to speak on the condition of the file.

Point of Order

Mr. Geddes arose to the following point of order: That only when a motion to adjourn is pending is it in order to speak on the condition of the file.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2688

Mr. Burkhalter asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2688, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2688—An act relating to the operation of off-street parking facilities.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2688?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 16, 1951, strike out lines 6 to 12, inclusive.

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2688 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dolwig, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Silliman, Smith, Stanley, Thomas, Tomlinson, and Waters—60.

NOES—Luckel—1.

Assembly Bill No. 2688 ordered enrolled.

Speaker Presiding

At 10.10 a.m., Hon. Sam L Collins, Speaker of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 3066—An act making an additional appropriation for support of the Division of Forestry, Department of Natural Resources, to enable it to provide brush-burning fire protection service and to assist in range improvement programs, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Lyon, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Silliman, Smith, Stewart, Thomas, Tomlinson, and Waters—61

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1980—An act to amend Section 123 and repeal Section 124 of the Labor Code, relating to workmen's compensation benefits, and making an appropriation.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Dolwig moved a call of the Assembly.

Motion carried. Time, 10.32 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Belotti, Chapel, Coats, Cooke, Dickey, Evans, Gubser, Hollibaugh, Levering, McGee, Moss, Rumford, Sherwin, and Smith—14.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Davis asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1072—An act making an allocation from the Emergency Fund specified in Item 277 of the Budget Act of 1950, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D Collins, Condon, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—65.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3345—An act relating to the State Rehabilitation Center, providing for a study of the administration and for preliminary plans thereof, and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser,

Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Smith, Stewart, Thomas, and Tomlinson—60.

NOES—None.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were offered:

Assembly Concurrent Resolution No. 102: By Messrs. Gubser, Kirkwood, and Lowrey—Relative to departmental opinions.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 103: By Messrs. Silliman, Kirkwood, Hinckley, Brady, Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Mrs. Niehouse, Messrs. Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, and Tomlinson—Relative to the creation of the Joint Committee on Governmental Reorganization.

Referred to Committee on Rules.

RESOLUTIONS

The following resolution was offered:

By Messrs. Silliman, Thomas, Hinckley, Grunsky, Kirkwood, Smith, Lindsay, Collier, Coats, Cooke, Grant, Levering, Lowrey, McMillan, Lyon, Rumford, Brady, Dunn, McCollister, Stewart, Conrad, Mrs. Niehouse, Messrs. Elliott, Moss, Caldecott, Dills, Dolwig, Lincoln, Morris, Connolly, Parker, Gubser, Meyers, Lanterman, Chapel, George D. Collins, McGee, Gaffney, Burkhalter, Tomlinson, Davis, Clarke, Babbage, Sherwin, Brown, Doyle, Belotti, Hansen, Kelly, Shaw, Klocksiem, Henderson, Munnell, Stanley, Hawkins, Porter, Berry, Lipscomb, and Hahn:

House Resolution No. 203

Relative to the creation of the Assembly Committee on Governmental Reorganization

WHEREAS, The structure of the State Government of this State has increased in size and complexity, the functions assumed by the State have increased in number and in the extent of services performed by governmental agencies and units, and the cost of State Government has increased correspondingly with the increase in the size and activities thereof; and

WHEREAS, The Assembly has need to be fully advised in all facts relating to the organization of the State Government and the duties, functions, and responsibilities of the various departments, commissions, boards, authorities, divisions, bureaus, offices, and other units of government and the relationships between and within them, their methods of operation, procedures, and techniques, their costs of operation, and the value of the services rendered by them, now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Committee on Governmental Reorganization is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the organization, functions, procedures, and operations of the State Government and its departments, commissions, boards, authorities, divisions, bureaus, offices, and other units thereof, the relationship of such units to one another, the internal organization thereof, their methods of operation, their cost to the State, the necessity or desirability of their continuance, the existence of duplicating, overlapping, or needless functions,

the desirability of centralizing and coordinating related activities, modernizing techniques and proceedings, and all facts and matters relating to the nature and extent of governmental activities and operations, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports, its recommendations for appropriate legislation.

2. The committee shall consist of 11 Members of the Assembly appointed by Speaker thereof The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3 The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) The committee, and any subcommittee when so authorized by the committee, may meet and act without as well as within the State of California, and is authorized to leave the State in the performance of its duties

(f) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of fifty thousand dollars ($50,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1541—An act to repeal Chapter 3, comprising Sections 1200 to 1304, inclusive, of Division 2 of the Business and Professions Code, and to add Chapter 3, comprising Sections 1200 to 1322, inclusive, to Division 2 of said code, relating to the regulation of clinical laboratories, clinical laboratory technologists, clinical laboratory technicians, and clinical laboratory technician trainees, and making an appropriation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3096—An act to provide for the acquisition of land and improvements in that part of the City of Los Angeles, County of Los Angeles, known as Olvera Street, the Los Angeles Plaza, and the Pico-Garner block as part of the State Park System and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—62.

NOES—Hinckley, Kirkwood, and Luckel—3.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Assembly Bill No. 2474 Hold Place on File

Mr. Burkhalter asked for, and was granted, unanimous consent that Assembly Bill No. 2474 be passed on file, and hold its place on file on the next legislative day.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 64 BE RE-REFERRED TO COMMITTEE

Mr. Conrad asked for, and was granted, unanimous consent that Assembly Constitutional Amendment No. 64 be withdrawn from the third reading file, and be re-referred to the Committee on Constitutional Amendments.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 611—An act to provide for the transfer to the School Land Fund of the unexpended balance remaining on deposit in the School Land Deposit Fund, and making an appropriation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Munnell, Niehouse, Parker, Porter, Rosenthal, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—57

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 614—An act to abolish the War Bond Fund, to transfer to the Special Deposit Fund the unexpended balance remaining therein, and to appropriate such amount from the Special Deposit Fund for expenditure for the same purposes for which such amount is available for expenditure from the War Bond Fund immediately preceding such transfer.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood,

Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Parker, Porter, Rosenthal, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—65.

NOES—Erwin—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1198

Mr. Clarke asked for, and was granted unanimous consent to take up Senate Bill No. 1198, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 1198

Senate Bill No. 1198—An act to amend Section 205 of, and to add Chapter 3 to Division 2 of Part 7 of, the Labor Code, relating to labor contractors.

Bill read third time.

Motion to Amend

Mr. Hagen moved the adoption of the following amendments:

Amendment No. 1

On page 4 of the printed bill, as amended in the Senate on May 28, 1951, between lines 3 and 4, insert

"Where the surety intends to cancel a bond, notice of such cancellation shall be furnished by the surety to the Labor Commissioner prior to the effective date of such cancellation."

Amendment No. 2

On page 4, line 39, of said bill, after "licensee", insert "; provided, however, that the aggregate liability of the surety to all such persons shall in no event exceed the penal sum of said bond".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1980

At 10.54 a.m., on motion of Mr. Dolwig, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1980 passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Fleury, Gaffney, Geddes, Grant, Hagen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—59

NOES—Conrad, Erwin, Grunsky, Hansen, Hinckley, Kirkwood, Klocksiem, Lindsay, Luckel, Silliman, Stewart, and Waters—12.

Bill ordered transmitted to the Senate.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today Upon Recess—

Constitutional Amendments, at desk of Mr. Crowley. Subject: Bills authored by Mr. Coats and Senators Hatfield and Mayo.

Transportation and Commerce, at desk of Mr. Luckel. Subject: Bill by Senator Way.

MEMBERS EXCUSED

At 10 56 a.m., Mr. Belotti, asked for, and was granted, unanimous consent that Mr. Chapel be excused, for the balance of the legislative day, because of legislative business elsewhere.

At 10.57 a.m., Mr. Lincoln asked for, and was granted, unanimous consent that Mr. Rumford be excused, for the balance of the legislative day, because of legislative business elsewhere.

ANNOUNCEMENT

Speaker Sam L. Collins announced that, upon recess, a Republican Caucus will be held in Room 2170, and a Democratic Caucus will be held in Room 3184, for the purpose of nominating three candidates from each party for election to membership upon the newly created Committee on Rules.

RECESS

At 11 a m., on motion of Mr. Geddes, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

COMMUNICATIONS

By the Chief Clerk:

The following communications were received, read, and ordered printed in the Journal:

ASSEMBLY, CALIFORNIA LEGISLATURE, June 15, 1951

Mr Arthur A. Ohnimus, Chief Clerk
California State Assembly
Sacramento, California

DEAR MR. OHNIMUS: You are hereby advised, as Chairman of the Republican Caucus, pursuant to Assembly Rule No. 8, that Assemblymen Kirkwood, Silliman, and Tomlinson were unanimously nominated by the Republican Caucus for election to the Rules Committee.

Respectfully submitted.

EARL W. STANLEY, Chairman
Republican Caucus

ASSEMBLY, CALIFORNIA LEGISLATURE, June 15, 1951

Mr. Arthur Ohnimus, Chief Clerk
State Assembly
Sacramento, California

DEAR MR. OHNIMUS: Pursuant to Rule 8 of the Standing Rules of the Assembly, the Democratic Assemblymen convened in party caucus on this date and, by secret ballot, selected for their nominees to the Committee on Rules the following persons, each of whom received a majority of the votes of the total number of members of the Democratic Party:

Robert I. McCarthy
John E. Moss, Jr.
William H. Rosenthal

Sincerely,

JULIAN BECK
Democratic Caucus Chairman

MOTION THAT VOTE BE TAKEN COLLECTIVELY ON ALL SIX NOMINEES

Mr. Stanley moved that the vote be taken collectively on the names of all six nominees, at this time.

Mr. Waters seconded the motion.

Point of Order

Mr. Beck arose to the following point of order: That the Rules provide that each name must be acted upon separately.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Motion to Temporarily Suspend the Rules

Mr. Hollibaugh moved that the Rules be temporarily suspended for the purpose of voting collectively on the names of the six nominees to the Committee on Rules at this time.

Messrs. Collier and Doyle seconded the motion.

Motion carried, by unanimous consent.

Motion That Roll Call Be Taken for Election of Nominees

Mr. Hollibaugh moved that a roll call be taken, at this time, and that the six nominees for election to the Committee on Rules be voted upon collectively.

Mr. Doyle seconded the motion.

Motion carried.

The roll was called, and the nominees of both party caucuses were elected members of the Rules Committee by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Clarke, Cloved, Coats, Collier, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—59

NOES—None

Results of Election Announced

Messrs. Kirkwood, Silliman, Tomlinson, McCarthy, Moss, and Rosenthal, being the choice of the Assembly, the Speaker declared them duly elected members of the Committee on Rules pursuant to the provisions of Assembly Standing Rule 8.

ANNOUNCEMENT

Speaker Sam L. Collins announced that a short organizational meeting of the new Committee on Rules will be held in his office, immediately upon adjournment.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Miscellaneous communications as attached

Has had the same under consideration, and reports the same back without further action.

DICKEY, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Senate Concurrent Resolution No. 19	Senate Concurrent Resolution No. 26
Senate Concurrent Resolution No. 23	Senate Concurrent Resolution No. 69
Senate Concurrent Resolution No. 24	Senate Concurrent Resolution No. 76
Senate Concurrent Resolution No. 25	Senate Concurrent Resolution No. 80

Respectfully reports the same back without action.

DICKEY, Chairman

By order of the Speaker, pursuant to the provisions of Rule No. 8, the above resolutions were ordered re-referred to the Committee on Rules.

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR SPEAKER: Your Committee on Rules, to which were referred.

Senate Bill No. 1213
Senate Bill No. 1680

Respectfully reports the same back without action.

DICKEY, Chairman

By order of the Speaker, pursuant to the provisions of Rule No. 8, the above bills were ordered re-referred to the Committee on Rules.

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 192
House Resolution No. 193
House Resolution No 198
House Resolution No. 199

Respectfully reports the same back without action

DICKEY, Chairman

By order of the Speaker, pursuant to the provisions of Rule No. 8, the above House resolutions were ordered re-referred to the Committee on Rules.

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 19
House Resolution No. 20
House Resolution No. 21
House Resolution No. 26
House Resolution No. 27
House Resolution No 33
House Resolution No. 35
House Resolution No 36
House Resolution No. 38
House Resolution No. 45
House Resolution No. 50
House Resolution No. 52
House Resolution No. 61
House Resolution No 68
House Resolution No. 93
House Resolution No. 97
House Resolution No 98
House Resolution No. 104
House Resolution No. 107
House Resolution No. 111
House Resolution No. 114
House Resolution No. 119
House Resolution No. 116
House Resolution No. 117
House Resolution No. 123
House Resolution No. 125
House Resolution No 126
House Resolution No. 128
House Resolution No. 129
House Resolution No. 143
House Resolution No. 145
House Resolution No. 152
House Resolution No. 158
House Resolution No. 159
House Resolution No 160
House Resolution No 169
House Resolution No. 174
House Resolution No. 181
House Resolution No. 184
House Resolution No. 188

Respectfully reports the same back without action.

DICKEY, Chairman

By order of the Speaker, pursuant to the provisions of Rule No. 8, the above House resolutions were ordered re-referred to the Committee on Rules.

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred

Assembly Joint Resolution No 5
Assembly Joint Resolution No. 6
Assembly Joint Resolution No. 9
Assembly Joint Resolution No 12
Assembly Joint Resolution No. 15
Assembly Joint Resolution No 18
Assembly Joint Resolution No 26
Assembly Joint Resolution No 31
Assembly Joint Resolution No. 34
Assembly Joint Resolution No. 41

Respectfully reports the same back without action.

DICKEY, Chairman

By order of the Speaker, pursuant to the provisions of Rule No. 8, the above resolutions were ordered re-referred to the Committee on Rules.

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Assembly Concurrent Resolution No. 1
Assembly Concurrent Resolution No. 8
Assembly Concurrent Resolution No. 9
Assembly Concurrent Resolution No. 12
Assembly Concurrent Resolution No. 18
Assembly Concurrent Resolution No. 20
Assembly Concurrent Resolution No. 24
Assembly Concurrent Resolution No. 26
Assembly Concurrent Resolution No 27
Assembly Concurrent Resolution No. 38
Assembly Concurrent Resolution No. 40
Assembly Concurrent Resolution No. 41
Assembly Concurrent Resolution No 43
Assembly Concurrent Resolution No 60
Assembly Concurrent Resolution No. 63
Assembly Concurrent Resolution No. 64
Assembly Concurrent Resolution No. 67
Assembly Concurrent Resolution No. 69
Assembly Concurrent Resolution No. 94
Assembly Concurrent Resolution No. 95

Respectfully reports the same back without action.

DICKEY, Chairman

By order of the Speaker, pursuant to the provisions of Rule No. 8, the above resolutions were ordered re-referred to the Committee on Rules.

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Assembly Bill No. 1105
Assembly Bill No. 3362

Respectfully reports the same back without action.

DICKEY, Chairman

By order of the Speaker, pursuant to the provisions of Rule No. 8, the above bills were ordered re-referred to the Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 356
Senate Bill No. 457
Senate Bill No. 549
Senate Bill No. 617
Senate Bill No. 700
Senate Bill No. 900
Senate Bill No. 949
Senate Bill No. 960
Senate Bill No. 1093
Senate Bill No. 1189
Senate Bill No. 1489
Senate Bill No. 1684
Senate Bill No. 1835

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 356—An act authorizing the Director of Finance to grant certain rights of way to the City of Berkeley and to pay the City of Berkeley the costs incurred by that city in the widening and paving of certain streets in exchange for certain property, and making an appropriation therefor.

Referred to Committee on Municipal and County Government.

Senate Bill No. 457—An act to amend Section 30608, and to add Sections 30609 and 30610, of the Streets and Highways Code, relating to the San Francisco-Oakland Bay Bridge, and the use of revenues therefrom.

Referred to Committee on Transportation and Commerce.

Senate Bill No. 549—An act to add Section 39 to the San Francisco Bay Area Metropolitan Rapid Transit District Act, as enacted by Chapter 1239 of the Statutes of 1949, relating to the establishment of a San Francisco Bay Area Rapid Transit Commission, and making an appropriation therefor.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 617—An act to provide for the regulation and licensing of interference or attempts to interfere by artificial means with natural condensation and precipitation of rain, snow, moisture or water in any form contained in the atmosphere; to provide for the enforcement of said act and penalties for the violation thereof.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 700—An act to add Section 5500.5 to the Labor Code, relating to workmen's compensation for industrial disease.

Referred to Committee on Industrial Relations.

Senate Bill No. 900—An act to amend Section 5107 of the Education Code, relating to state school building aid.

Referred to Committee on Education.

Senate Bill No. 949—An act to repeal Sections 1510, 1511, and 1512 of the Welfare and Institutions Code, and to add Sections 1510, 1511, 1511.3, 1511.5, 1511.7, and 1512 thereto, relating to aid to needy children, in respect to the amount of aid.

Referred to Committee on Social Welfare.

Senate Bill No. 960—An act to repeal Chapter 3, comprising Sections 1200 to 1304, inclusive, of Division 2 of the Business and Professions Code, and to add Chapter 3, comprising Sections 1200 to 1322, inclusive, to Division 2 of said code, relating to the regulation of clinical laboratories, clinical laboratory technologists, clinical laboratory technicians, and clinical laboratory technician trainees, and making an appropriation.

Referred to Committee on Public Health.

Senate Bill No. 1093—An act to amend Sections 1510, 1512, and 1554 of the Welfare and Institutions Code, relating to aid to needy children, and making an appropriation.

Referred to Committee on Social Welfare.

Senate Bill No. 1189—An act to amend Section 14 of an act entitled "An act prescribing the regulation, government, procedure and jurisdiction of the municipal and justice courts, and providing for the

election and appointment of the judges, officers and attaches of such courts, their terms of office, qualifications and compensation," approved July 27, 1949, relating to judges and attaches in municipal courts of judicial districts of the first and one-half class.

Referred to Committee on Judiciary.

Senate Bill No. 1489—An act to repeal Section 3440 of, and to add Sections 3440 and 3440.1, to, and to amend Section 3440.5 of, the Civil Code, relating to transfers of particular personal property.

Referred to Committee on Judiciary.

Senate Bill No. 1684—An act to amend Sections 38691, 38693, 38694, 38695, 38696, 38697, 38699, 38701, 38702, 38704, 38705, and 38707, and to repeal Section 38698, of the Government Code, relating to zoning.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1835—An act to amend Section 117 of the Labor Code, relating to offices and rooms for the Industrial Accident Commission.

Referred to Committee on Governmental Efficiency and Economy.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 52
Senate Concurrent Resolution No. 91

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolutions were read:

Senate Concurrent Resolution No. 52—Relative to the creation of the Joint Interim Committee on Regulation of Highway Carriers.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 91—Relative to the Joint Interim Committee on Agriculture and Livestock Problems.

Referred to Committee on Rules.

QUESTION OF PERSONAL PRIVILEGE

Mr. Kilpatrick arose to a question of personal privilege.

Motion That Personal Privilege Statement Be Printed in Journal

Mr. Kilpatrick moved that his personal privilege statement be ordered printed in the Journal, in 10 point type.

Mr. Moss seconded the motion.

Substitute Motion

Mr. Collier moved, as a substitute motion, that the personal privilege statement of Mr. Kilpatrick be ordered referred to the Committee on Rules.

Mr. Dickey seconded the substitute motion.

Roll Call Demanded

Messrs. Beck, Cooke, and Lowrey demanded a roll call.

The roll was called, and the substitute motion lost by the following vote:

AYES—Collier, Dickey, Grunsky, Hansen, Levering, Sherwin, and Smith—7.

NOES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Clarke, Coats, George D. Collins, Cooke, Crowley, Davis, Doyle, Elliott, Erwin, Evans, Gaffney, Geddes, Gubser, Hagen, Hawkins, Henderson, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Stanley, Stewart, Thomas, Tomlinson, and Waters—47.

The question being on the motion by Mr. Kilpatrick that his statement be printed in the Journal.

The roll was called, and the motion carried by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Waters—63.

NOES—None.

REMARKS BY MR. KILPATRICK UNDER POINT OF PERSONAL PRIVILEGE

Last week the Senate Interim Committee on Un-American Activities filed a report in which it criticized my associations and actions, implying that I was, or am, either a Communist or a fellow traveler. I rise to assure the Assembly which, under our Constitution is the judge of the qualifications of its members, that I am not now, nor have I ever been, a member of the Communist Party. I further state that I have never and will never knowingly do anything which will further the cause of international Communism.

It is interesting to note that the ex-chairman of the Senate committee apparently knew of its intentions toward me before the committee report was published, and released that information to the press and to my opposition just one week before the election for City Councilman of Los Angeles, in which I was narrowly defeated. In 1949, popular reaction to the use of legislative committees for political purposes was such that proposals were advanced to amend the Joint Rules to prevent such conduct. I suggest that the need for such a rule is as urgent now as it was then, and that the action of the Senate Committee on Un-American Activities demonstrates this.

Whatever my feelings concerning the personal attack on myself, I feel even more deeply the unjustified criticism of the Assembly Committee on Crime and Corrections, of which I am chairman. The record of that committee for the past few years speaks for itself. Due to its exposure of conditions in state and local custodial institutions, many changes have been instituted which have benefited not only the inmates but also the State.

When the committee turned its attention to abuse of authority by police officials resulting in deprivation of civil rights it was, I suppose, to be expected that the committee would become the target of criticism.

However, that such criticism should emanate from the other house of this Legislature was unexpected, and constituted a flagrant breach of the spirit of cooperation between the two houses which led to the adoption of Joint Rule No. 40.

The Senate committee's criticism of the conduct of the Assembly Committee on Crime and Corrections is made by way of innuendo that the Assembly committee, in holding hearings on alleged police brutality in Oakland, was "furthering the party line." This is an utter and complete falsehood.

The Committee on Crime and Corrections has received numerous communications from respected citizens commending its conduct of the Oakland hearings. I should like to read just one, written by the Chairman of Public Affairs of the Oakland Young Women's Christian Association. I quote:

> "The Public Affairs Committee of the Oakland Y.W.C.A. wants to assure you of our interest in and support of the very important work your committee is engaged in and also to commend you for the excellent manner in which the hearings were held in Oakland.
>
> "We feel that what may seem to be a lack of interest on the part of the general public is the result of poor, and in our opinion, distorted news coverage. The constant implication that only Communists were backing the investigation is a matter to be vigorously protested.
>
> "Already, as a result of the investigation, first steps are being taken in Oakland to improve the police force. It is our belief that legislation setting up minimum standards for police officers would be a step in the right direction.
>
> "May the facts be brought out to the end that conditions will be improved all over the State." End quote.

The Senate Committee on Un-American Activities also criticizes the committee by innuendo by casting doubt upon the loyalty and integrity of Mr Robert Powers, who was employed as investigator by the Assembly committee in connection with the Oakland hearings mentioned above. The complaints received by the Assembly committee from several loyal and conservative American organizations, relating to alleged brutality in the Oakland Police Department were turned over to Mr. Powers and he was given a free hand in interviewing and lining up witnesses to appear before the committee We think it natural that his pre-hearing work included interviews with any persons and groups who had the complaints. The committee responsibility was to inquire into police brutality and racial discrimination. We did not feel it our responsibility to determine his political status as a preliminary to that inquiry. Because one of those persons happened to be a lawyer who represents the Civil Rights Congress, the Senate Committee on Un-American Activities infers that Mr. Powers was, in effect, "playing ball" with that Communist dominated organization I believe the unfairness of that innuendo is self-evident. I would, however, like to point out that Mr. Powers' background was investigated carefully by this committee before he was hired and that his employment record showed that he had served honorably

as Chief Law Enforcement Officer of the Governor's War Council in a position exempt from civil service; that he had been Assistant to the Director of the California State War Council and subsequently, became Coordinator of Law Enforcing Agencies of the State Department of Justice.

As I mentioned earlier, this criticism of myself and of the committee of which I am chairman, was carefully released during the week immediately preceding the election at which I was defeated for the position of City Councilman of Los Angeles and, in my opinion, influenced the result of that election. With rancor toward none, and a deep sense of appreciation to this body for your many expressions of confidence, I assure you time will prove you right and the report wholly wrong.

The following testimonial letters from reputable citizens and organizations are selected from the many which attest to the high quality of public service rendered the citizens of Oakland by the Assembly Interim Committee on Crime and Correction:

HOWARD H. DESKY
ATTORNEY-AT-LAW
CENTRAL BANK BUILDING
OAKLAND, CALIFORNIA

June 12, 1951

Hon. Sam Collins
Speaker of the Assembly
State Capitol
Sacramento, California

MY DEAR SPEAKER COLLINS: This is with respect to your telephone conversation of today, in which you stated to me that Assemblyman Vernon Kilpatrick had been subjected to criticism in the Senate for the inquiry of the Assembly Interim Committee on Crime and Corrections held in Oakland in January, 1950. You stated to me that it was claimed that the Committee's investigation was "Communist inspired."

By birth, I am a native American; by profession, I am a practicing lawyer of twenty-five years' experience in the City of Oakland; by political affiliation, I am a life-long Republican. I deplore Communism and everything associated with it. I had no connection whatever with the hearings of the Assembly Committee, other than, in response to a subpoena by the Committee, I testified as the former Chairman of the Mayor's Committee for Civic Unity. I did not participate in, or attend the hearings with the exception of the few minutes during which I testified.

My testimony was given solely and entirely as this former Chairman of the Mayor's Committee for Civic Unity. Six months previously, the Mayor's Committee had been directed and empowered by the City Council of Oakland to make an investigation of incidents that had been reported with reference to alleged Police brutality in the City. The Mayor's Committee was given no funds and no official investigators. Our work was performed entirely on a voluntary basis. After two months of thorough investigation, hearing voluntary witnesses, and the reading

of much correspondence, the Mayor's Committee submitted a complete report to the City Council setting forth its findings, conclusions and recommendations, a copy of which is herewith enclosed. This report speaks for itself as evidence of the objectivity and the thoroughness of the investigation made by the Mayor's Committee, and the dedication of its members to community betterment. This report was received by the City Council and referred to the City Manager. The investigation by the Mayor's Committee for Civic Unity was "inspired" by no one. It was brought about at the direction of the City Council to which the unfortunate incidents had been reported.

The members of the Mayor's Committee who signed this report were all men and women of the highest character, outstanding in their civic endeavors and imbued with a desire to make America a better place in which to live.

At the hearing of the Assembly Committee, I testified concerning the incidents of alleged Police brutality mentioned in the report of the Mayor's Committee for Civic Unity. I stated, in effect, that the situation in Oakland was not beyond the control of the City Police Department and that, in my judgment, no legislation was required. I believed that certain incidents reported had been exaggerated; I also believed that others had been minimized. I reiterated the recommendation of the Mayor's Committee that a thorough program of Police training on minority problems be given in the City of Oakland. This recommendation was subsequently adopted.

The record of the Assembly Committee hearings reveals that, among others, such outstanding Christian ministers as the Rev. Harold N. Geistweit and the Rev. John Dillingham, and Mr. Walter Gordon, Chairman of the California Adult Authority, testified. To infer that the testimony given by these men was "Communist inspired" is unsound. To associate Communism with that hearing, just because leaflets and pamphlets criticizing the Police Department were distributed, is equally illogical. We are all acquainted with the tactics of the Communists, who by their presence and distribution of literature, attempt to disrupt the normal and democratic processes. They espouse the right of free speech for themselves in order to deny free speech to others. They espouse the democratic cause in order to destroy Democracy.

As far as I know, the testimony given by me and the others referred to herein, and the report submitted by the Mayor's Committee for Civic Unity, were solely for the purpose of serving the public cause.

Trusting that this will answer your inquiry, I am

Sincerely yours,
HOWARD H. DESKY

HHD:GC
copy to Vernon Kilpatrick

NATIONAL ASSOCIATION FOR THE
ADVANCEMENT OF COLORED PEOPLE

Alameda County Branch, 1716 Seventh Street
Oakland 20, California
TWinoaks 3-0894

June 12, 1951

Assemblyman Vernon Kilpatrick
State Capitol
Sacramento 14, California

DEAR MR. KILPATRICK: I have noted with interest the accusations made against you, part of which seems to be as a result of your activities as Chairman of The Assembly Interim Committee on Crime and Correction. I supervise the Los Angeles Division of the Brotherhood of Sleeping Car Porters, of which I am an international vice-president, and make four or more trips to Los Angeles every year. Since I had heard of no such charges on my many trips to Los Angeles, I consulted our representatives there and they have assured me that from their knowledge as well as from their investigation that the charges are unfounded and they are of the opinion that they are absolutely untrue.

As the President of the Alameda County Branch National Association for the Advancement of Colored People I talked with you and Assemblyman Rumford on the telephone and then I wrote you as Chairman of the Interim Committee requesting that you bring your committee to Oakland for the purpose of investigating law enforcement as it affected Negroes and other minorities. As I told you on the telephone as well as in the communication, police brutality in Oakland, insofar as Negroes and Mexicans were concerned, was the order of the day and had been such for a quarter of a century to my personal knowledge. Your committee sent one Mr. Powers here to make the investigation and arrange for the hearings. I am taking this opportunity to again inform you that Mr. Powers remained in close contact with me during his stay in Oakland and we went over the many cases of police brutality together. Mr. Powers checked with me, not only the cases we had in the N.A.A.C.P. files but on every other case other people had brought to his attention, and we agreed on the cases that we thought should be presented to your committee. In other words, every case presented had my approval. Therefore no one can honestly say that the communist dominated the hearings held here. As the records will show, I opened the hearings with a verbal statement on police brutality and its affect upon Negroes here. And again at the close of the hearings I took the stand in an attempt to clear the atmosphere which had resulted from an attempt which had just been made to show that the cases presented had been solicited. I don't think that a majority of the committee members caught the point I was trying to make. I then closed the hearings with a verbal statement and approved certain recommendations that had been presented to the committee. The only reason that the N.A.A.C.P. didn't play a more noticeable part in presenting the cases was because we have no paid personnel on the staff here whatever.

Finally, I wish to assure you that the hearings were not dominated by the communist. It is my opinion that there are very few persons in

Oakland who know more about the communist and their tactics than I do. I am pretty well known, in the ranks of the A. F. of L. as well as among Negroes for my knowledge of them and ability to spot them. After all, I have had nearly 30 years experience in Oakland and have participated in labor and civic activities for some 26 years. Obviously then I have had many contacts with the reds as well as many "brushes" with them, therefore I think I am in a position to give a good appraisal of the hearings your committee conducted here.

Very sincerely yours,

/s/ C. L. DELLUMS, President
Alameda County Branch N.A.A.C.P.

pam

FIRST BAPTIST CHURCH
Office, 534 Twenty-first Street
Oakland 12, California
GEORGE M. DERBYSHIRE, Pastor

HAROLD B. BJORNSON,
Associate Minister
WILLIAM C. WOOD,
Minister of Music

JACK D. CHRISTENSEN,
Youth Director
RAYMOND W. BEAVER,
Church School Director

January 2, 1950

Honorable Vernon Kilpatrick, Chairman,
Assembly Interim Committee on Crime and Correction,
Alameda County Court House,
Oakland, California

DEAR SIR: You and your committee are to be commended for holding your forthcoming investigation of the charges of abuse and discrimination by the Oakland Police Department. We have heard of these charges for several months, but nothing seems to have been definitely proved, and nothing was done by the Oakland Council to try to determine the truth. Neither, as far as we know, was any action taken to improve any unhealthy conditions which might exist.

We therefore welcome your investigation and trust that a most thorough inquiry will be made, which will uncover all the facts in the various complaints. We also urge you to give full publicity to the hearings and to your findings.

As citizens of Oakland, we naturally do not like such charges and reflections against our city, and we do not like the uncertainty as to whether the charges are true. But we like even less that any of our officials should deny civil rights to any citizen, or discriminate against any because of race, color or creed.

We trust that your committee will have the full cooperation of all the officials and all the citizens of our city.

Respectively yours,

COMMITTEE ON CHRISTIAN SOCIAL
PROGRESS, FIRST BAPTIST CHURCH
STANLEY M. COLE, Chairman

DR. J. P. HUBBARD, Pastor REV. W. A. HARRIS, Asst. Pastor

THE LAYMEN'S LEAGUE AUXILIARY OF THE
BETH EDEN BAPTIST CHURCH

S. E. Corner Tenth & Magnolia Sts.
Oakland 7, California
R. F. HADDEN, Corresponding Secretary
Office: 952 Magnolia St.

Jan. 31, 1950

Hon. Vernon Kilpatrick
State Capitol
Sacramento, Calif.

HONORABLE SIR: This is just to thank you for the fine work of your committee investigating police brutality in our city; and to say we feel sure your work was much needed and will be affective also effective.

The blessings of God be upon you and your efforts.

Sincerely yours,

/s/ E. S. THOMAS

MRS. CLARENCE ALBERT CHICHESTER
47 ESTRELLA
PIEDMONT, CALIFORNIA

Jan. 9, 1950

Mr. Vernon Kilpatrick, Chairman,
Assembly Interim Com. on Crime and Correction,
1332 So. Hope Street, Los Angeles, California

DEAR MR. KILPATRICK: It was difficult to thrust aside prior appointments to attend the sessions of your committee's hearings on the Oakland Police Department, but it was gratifying to have had this experience, and I would like to commend you, as chairman, for the fairness with which you were able to conduct them.

I am, however, deeply resentful of the implication which emanated from police testimony that only Communists or members of the Civil Rights Congress are concerned with the carelessness of citizen's rights in this community. There are many very conservative members of this community who are distressed with this attitude.

Further, it is the feeling of many of this group that the Oakland Police Department does not *generally* command the respect of the community. Business men complain continually of it, and continual comments of dissatisfaction in regard to the kind of protection which can be expected of a force whose members are so frequently criminal offenders themselves are heard.

The general discourteous attitude used in traffic regulations is common discussion in Oakland.

And so, it is the sincere hope of a great many of us who are not Communists that our community will derive more benefits from the hearings of your committee than some of the publicity would indicate.

Yours very sincerely,

MARION CHICHESTER
(Mrs. C. A.)

Law Offices of
DAVID D. OLIPHANT, JR.
Insurance Building
1404 Franklin St.
Oakland 12, California
Telephone GLencourt 1-4191

April 6, 1949

Assemblyman Vernon Kilpatrick
55th Los Angeles District
State Assembly, Capitol Building
Sacramento, California

DEAR SIR: There is no political aspect to this letter. I have noticed in the press that you are chairman of a committee of the Assembly dealing with the subject of police brutality.

As an attorney, and, I trust, an observant citizen, I have felt for many years that there has been a growth of police brutality, and that it is a practice which should be openly and strongly condemned. Like many other people, I have simply made my observations and done nothing.

Therefore, I was pleased when I noticed that your committee is about to take up this very important subject, and I hope the committee will do the job thoroughly on a non-partisan basis and come up with recommendations that will put a permanent stop to a practice which is entirely un-American and one which, in my opinion, goes a long way toward destroying respect for law and those who administer it.

Yours truly,
(Signed) DAVID D. OLIPHANT, JR.

3874 ALAMEDA, MENLO PARK, CALIFORNIA, February 20, 1950

Kilpatrick Committee
Sacramento, California

SIRS: It is my understanding that you are a committee whose duty it is to investigate cases of police brutality in California, and I merely wish to place myself on record as favoring this activity; and I hope that the work of your committee will continue for an indefinite period.

For some reason, the minute a man gets into uniform—any uniform—something psychological seems to happen to him. He forgets that he is still a citizen in a democracy and he begins to think of himself as The Law, and *above the law.*

Then under certain circumstances he tends to ignore the constitutional processes he has sworn to uphold, and to violate the constitutional rights of some unfortunates who happen to incur his displeasure In the San Francisco CHRONICLE this morning there is a good editorial entitled "Justice, Amity and Understanding" which I wish all citizens would read and ponder. In part it reads,

"For prejudice and discrimination and intolerance are still a powerful influence on our daily lives. We are a Nation . . . dedicated . . . to the principle that every person is an individual who deserves the right to be judged as an individual . . . every American must, not only this week, but always, consider primarily to security of every minority group in our social system."

I listened to a sermon yesterday, and in that sermon there was an incident that I have heard before. It bears repeating, not once but many times. It seems a certain high school offered a prize to the student submitting the best essay telling how he thought Hitler should have been punished, had he lived. And the prize was won by a 16-year old Negro girl who wrote simply, "Hitler should have been painted black and required to spend the rest of his life *in any American community.*"

Yours sincerely,

/s/ Myrtle Moore
MYRTLE MOORE, REALTOR
Ph.B. University of Chicago '22.

EAST BAY UNION OF MACHINISTS
LODGE 1304
UNITED STEELWORKERS OF AMERICA, C.I.O.
560 - 11th Street
Oakland 7, California
Telephone TWinoaks 3-3066

January 3, 1950

Mr. Vernon Kilpatrick, Assemblyman
State Capitol Building
Sacramento, California

DEAR SIR: At the last regular meeting of the East Bay Union of Machinists Local 1304, United Steelworkers of America, C.I.O., I was instructed to write you thanking you for the good work you have performed on Crime and correction, and we are looking forward that you keep up the good work next year.

Thanking you and wishing you a prosperous New Year, I remain,

Respectfully yours,

EAST BAY UNION OF MACHINISTS
LOCAL 1304 U. S. of A., CIO
/s/ George Adams
George Adams
Recording Secretary

GA/mk
USA-3702-CIO

1688 SHATTUCK, BERKELEY, CALIF., Jan 5 1950

Dear Sir:

The presence of your committee here did give us inspiration and hope.

God bless you and more power to you,

V. N. MADOLOFF

I hear the soul of man around me waking
Like a great sea its frozen fetters breaking,
Every hour new signs of promise tell
That the great soul should once again be free
For high, and yet more high, the murmurs swell
Of inward strife for Truth and Liberty.

MEMBER EXCUSED

At 2.15 p.m., Mr. Grunsky asked for, and was granted, unanimous consent that Mr. Connolly be excused, for the balance of the legislative day, because of legislative business elsewhere.

MESSAGES FROM THE SENATE

SENATE, CALIFORNIA LEGISLATURE
SACRAMENTO, CALIFORNIA, June 15, 1951

Hon. Arthur A. Ohnimus
Chief Clerk of the Assembly

DEAR SIR: I am directed by the Senate to respectfully request your honorable body to return Assembly Bill No 2249 to the Senate for further consideration.

Very truly yours,

J. A. BEEK, Secretary of the Senate

UNANIMOUS CONSENT GRANTED TO RECALL ASSEMBLY BILL NO. 2249 FROM ENROLLMENT

Mr. Burke asked for, and was granted, unanimous consent that the Chief Clerk be instructed to recall Assembly Bill No. 2249 from enrollment.

Bill Ordered Returned to Senate

Assembly Bill No. 2249 ordered returned to the Senate, by unanimous consent.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1216—An act to add Part 2, comprising Chapter 1, Sections 4000 to 4192, inclusive, to Division 5 of the Welfare and Institutions Code, to amend Sections 7.5, 103.5, 104.6, 114.5, 118.2, 119.5, 124, 145, 145.1, and 145.4 thereof, and to amend Section 29802 of the Government Code, relating to a program of aid to the needy permanently and totally disabled in accordance with Title XIV of the Federal Social Security Act, and making an appropriation therefor.

Bill read third time.

Speaker Pro Tempore Presiding

At 2.37 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Speaker Presiding

At 2.41 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Demand for Previous Question

Messrs. Tomlinson, Lanterman, Babbage, Hansen, and Coats demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1216.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Maloney moved a call of the Assembly.

Motion carried. Time, 3.12 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Dunn, Evans, Hagen, Luckel, and Porter—5.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Lipscomb asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2120—An act to add Chapter 3, comprising Sections 15700 to 15716, inclusive, to Part 9, Division 3, Title 2 of the Government Code, relating to payment of interest on money deposited with the State to secure obligations under tax laws and authorizing the investment of such money.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Porter, Rosenthal, Shaw, Smith, Stanley, Thomas, and Mr. Speaker—58.

NOES—Brady and Levering—2.

Bill ordered transmitted to the Senate.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 3174 re-referred to the Committee on Manufacturing, Oil, and Mining Industry.

Assembly Bill No. 3112 re-referred to the Committee on Municipal and County Government.

RESOLUTIONS

The following resolutions were offered:

By Mr. Sherwin:

House Resolution No. 204

Relative to the creation of the Assembly Interim Committee on Ways and Means

WHEREAS, It is necessary that a continuing study be made as to the needs for appropriations for state purposes and particularly of the items to be contained in the Budget Bill enacted at each regular session of the Legislature; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. That the Assembly Standing Committee on Ways and Means of the 1951 Regular Session is hereby constituted the Assembly Interim Committee on Ways and Means and is authorized and directed to ascertain, study, and analyze all facts relating to the needs for state expenditures, including expenditures for support of state agencies, for construction, improvements, and all other purposes, and the adequacy of the revenues of the State during the 1951-1952 and 1952-1953 Fiscal Years, and particularly with respect to the items of appropriation to be included in the Budget Act to be enacted at the 1951 and 1952 Regular Sessions. Whenever a Member of the Assembly is appointed to, or relieved of, membership in the existing Assembly standing Committee on Ways and Means, he shall automatically be or cease to be, as the case may be, a member of the Assembly Interim Committee on Ways and Means, so that the membership of the standing and the interim committees shall, at all times be identical. The chairman and vice chairman shall be the chairman and vice chairman of the said standing committee. Vacancies occurring in the membership of the

committee shall be filled by the appointing power. A vacancy shall be deemed to exist whenever any member of the committee fails to secure the nomination of his party at the primary election or fails to be elected at the general election.

2. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the last legislative day of the 1953 Regular Session, with authority to file its final report not later than that date.

3. The committee and its members shall have and exercise all of the rights, duties, and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

4. The committee has the following additional powers and duties:

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

(e) To appoint subcommittees from the membership of the committee, which subcommittees shall have the same rights, powers, and duties as are conferred and imposed upon the committee itself under this resolution.

5. The sum of forty thousand dollars ($40,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Belotti:

House Resolution No. 205

Relative to installation of public weighing scales for trucks on U. S. Highway 101 in Del Norte County

WHEREAS, The welfare of the people of the State of California demands a free and uninterrupted flow of traffic at all times; and

WHEREAS, Overloaded and slow-moving trucks are doing irreparable damage to the state highways and are greatly impeding the flow of traffic; and

WHEREAS, This situation is particularly hazardous along U. S. Highway 101 in Del Norte County; and

WHEREAS, The State has no facilities at present in Del Norte County for weighing these trucks, many of which load either out of California to the north or within Del Norte County; now, therefore, be it

Resolved by the Assembly of the State of California, That the State Department of Public Works is requested to find suitable locations and install public weighing scales for trucks on U. S. Highway 101 in Del Norte County at a point at or in close proximity to the California-Oregon border and at or near the Town of Orick; and be it further

Resolved, That the California Highway Patrol is requested to post necessary signs to stop trucks and to assign officers to duty in these weighing stations during both the day and night; and be it further

Resolved, That the Department of Public Works and the California Highway Patrol are requested to carry out the provisions of this resolution and to report thereon to the Assembly on the convening of the 1952 Regular Session of the Legislature; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to send copies of this resolution to the Director of the Department of Public Works and the Commissioner of the California Highway Patrol.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Gaffney:

House Resolution No. 206

Relative to the creation of the Assembly Interim Committee on Industrial Safety

WHEREAS, Industrial deaths and accidents continue to cause misery to thousands of citizens of this State annually, and result in hardship to workers and their dependents and a loss in the purchasing power of the State; and

WHEREAS, At each session of the Legislature numerous bills on this subject are introduced; and

WHEREAS, In order that the Assembly may properly legislate on this subject it is necessary that it be fully informed as to all matters relating thereto or affecting or bearing thereon; and

WHEREAS, A continuous study of all facts relating to this subject is in the public interest; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Industrial Safety is hereby created and authorized and directed to ascertain, study and analyze all facts relating to industrial accidents in this State, the promulgation and enforcement of safety measures in connection therewith, the scope and adequacy of existing agencies in this field, and the nature and extent of needed development in this field including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of three Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3 The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of one thousand five hundred dollars ($1,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Dolwig:

House Resolution No. 207

Relative to augmenting the funds of the Special Assembly Committee on Legislative Representation

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available the sum of _____ dollars ($_____), or so much thereof as may be necessary, is hereby made available from the Contingent Fund of the Assembly for the expenses of the Special Assembly Committee on Legislative Representation (created by Rule 21 of the Permanent Standing Rules of the Assembly for the 1951 Regular Session, adopted by House Resolution No. 23 of the 1951 Regular Session) and its members and for any charges, expenses, or claims it may incur under

said rule and resolution, to be paid from said Contingent Fund and disbursed after certification by the chairman of the committee upon warrants drawn by the State Controller on the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

COMMUNICATIONS

By the Chief Clerk:

A communication from Lillian M. Stratton, President, and Laura Doris Davis, Recording Secretary of Los Angeles Parlor No. 124, Native Daughters of the Golden West, with a resolution attached relative to requesting the Legislature to take legal measures to outlaw abandonment of ice boxes and other potentially dangerous equipment on which doors cannot be opened from the inside, were received, and ordered referred to the Committee on Judiciary.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 233—An act making an appropriation for support of Grand National Junior Livestock Exposition, No. 1-A District Agricultural Association.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Sherwin, Stanley, Stewart, Thomas, and Waters—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2946—An act making an appropriation for the purchase of property adjacent to the campus of San Diego State College.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Rosenthal, Shaw, Sherwin, Stewart, Thomas, and Waters—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1166—An act to provide for the compilation, publication and distribution of state laws relating to publishing and publications, and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, George D Collins, Conrad, Cooke, Crowley, Davis, Dickey, Dills,

Dolwig, Doyle, Elliott, Fleury, Gaffney, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Rosenthal, Shaw, Sherwin, Silliman, Smith, Thomas, Waters, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 453—An act to amend Section 20975 of the Education Code, relating to visiting teachers for blind children, and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2064—An act to add Article 5 to Chapter 3, Part 1, Division 1 of the Health and Safety Code, relating to ill and infirm aged persons, and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, and Waters—56.

NOES—None.

Bill ordered transmitted to the Senate.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 1818:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 7, 1951

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

Assembly Bill No. 1818, "An act to revise and consolidate the law relating to the receipt, custody, investment, management, disposal, and escheat of various classes of unclaimed property to the possession of which the State is, or may become entitled, by repealing Titles 8 and 8A of Part 3 of the Code of Civil Procedure, Sections 3163, 3164, 3165, 3166, and 3167 of the Banking Code, Sections 3163, 3164, 3165, 3166, and 3167 of the Financial Code, and an act entitled 'An act providing for the dissolution and winding up of savings banks, trust companies, and banks of deposit, and providing for the disposition of all funds deposited therein and not claimed within five years after such banks have ceased to do business, or after the commencement of proceedings to dissolve,' approved March 31, 1891, (Chapter 190, Statutes of 1891), amending and renumbering Section 3168 of the Banking Code, Section 3168 of the Financial Code, and the headings of Titles 9 and 10 of Part 3 of the Code of Civil Procedure, amending Section 13470 of the Government Code, Sections 870, 3121,

3150, and 3162 of the Banking Code, Sections 870, 3121, 3150, 3162, and 9073 of the Financial Code, Section 13 16c of the Building and Loan Association Act, Sections 231, 739, 1064, and 1148 of the Probate Code, Section 5061 of the Penal Code, and Sections 166 and 1015 of the Welfare and Institutions Code, and adding Title 10 to Part 3 of the Code of Civil Procedure, Sections 5062, 5063, 5064, 5065, and 5066 to the Penal Code, and Sections 166 1, 166.2, 166.3, 166.4, 166 5, 1016, 1017, 1018, 1019, and 1020 to the Welfare and Institutions Code, and making an appropriation,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill with certain minor exceptions constitutes a codification of existing provisions of the law now found in various acts relating to unclaimed property. It contains technical appropriations now found in the laws, but does not provide any new appropriations. Under these circumstances its enactment should not await final approval of the budget

I therefore recommend consideration of Assembly Bill No. 1818 as an emergency measure.

Respectfully submitted

EARL WARREN, Governor

Assembly Bill No. 1818—An act to revise and consolidate the law relating to the receipt, custody, investment, management, disposal, and escheat of various classes of unclaimed property to the possession of which the State is, or may become entitled, by repealing Titles 8 and 8A of Part 3 of the Code of Civil Procedure, Sections 3163, 3164, 3165, 3166, and 3167 of the Banking Code, Sections 3163, 3164, 3165, 3166, and 3167 of the Financial Code, and an act entitled "An act providing for the dissolution and winding up of savings banks, trust companies, and banks of deposit, and providing for the disposition of all funds deposited therein and not claimed within five years after such banks have ceased to do business, or after the commencement of proceedings to dissolve," approved March 31, 1891, (Chapter 190, Statutes of 1891), amending and renumbering Section 3168 of the Banking Code, Section 3168 of the Financial Code, and the headings of Titles 9 and 10 of Part 3 of the Code of Civil Procedure, amending Section 13470 of the Government Code, Sections 870, 3121, 3150, and 3162 of the Banking Code, Sections 870, 3121, 3150, 3162, and 9073 of the Financial Code, Section 13.16c of the Building and Loan Association Act, Sections 231, 739, 1064, and 1148 of the Probate Code, Section 5061 of the Penal Code, and Sections 166 and 1015 of the Welfare and Institutions Code, and adding Title 10 to Part 3 of the Code of Civil Procedure, Sections 5062, 5063, 5064, 5065, and 5066 to the Penal Code, and Sections 166.1, 166.2, 166.3, 166.4, 166.5, 1016, 1017, 1018, 1019, and 1020 to the Welfare and Institutions Code, and making an appropriation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Clarke, Cloyed, Coats, George D. Collins, Condon, Conrad, Cooke, Davis, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Gubser, Hagen, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Rosenthal, Sherwin, Smith, Stanley, Stewart, Thomas, and Waters—56.

NOES—None.

Bill ordered transmitted to the Senate.

ANNOUNCEMENT

Mr. Stanley announced that the following bills will not be heard in the meeting of Municipal and County Government tonight:

Senate Bills Nos. 41, 42, 43, and 600.

Speaker Pro Tempore Presiding

At 3.35 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3434—An act to add Article 1.5, comprising Sections 215 through 217, inclusive, to Chapter 2, Division 1 of the Streets and Highways Code, relating to the creation of a fund for the acquisition of property for highway purposes, and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, and Waters—54.

NOES—Hansen, Luckel, and Smith—3.

Bill ordered transmitted to the Senate.

(NOTE: Later in the day a notice of motion of reconsideration was given relating to the above bill.)

Speaker Presiding

At 3.45 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding

ALL HOUSE RESOLUTIONS ORDERED PASSED ON FILE, TO HOLD THEIR PLACES ON FILE

By unanimous consent, all House resolutions were ordered passed on file, to hold their places on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 251—An act to amend Sections 151.1, 201, 207, 302, 303, 307, and 311 of the Unemployment Insurance Act, relating to a System of Unemployment and Disability Insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Collier, George D Collins, Condon, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hawkins, Henderson, Holibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1689—An act to add Chapter 2, consisting of Sections 6100 to 6106 to Part 3 of Division 6 of the Welfare and Institutions Code, relating to state grants-in-aid to counties for the care and treatment in county hospitals of persons suffering from mental illness, mental disease, or mental disorder, and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—58.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 631

Mr. Sherwin asked for, and was granted unanimous consent to take up Assembly Bill No. 631, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 631

Assembly Bill No. 631—An act to add Section 306.5 to the Unemployment Insurance Act authorizing the investment of funds in the Unemployment Compensation Disability Fund in the construction and equipment of buildings, offices and facilities for the primary use of the Department of Employment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Shaw, Sherwin, Silliman, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—57

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3222—An act to repeal Section 124 of, and to add Sections 124.1, 124.2, 124.3, and 124.4 to, the Welfare and Institutions Code, creating the Social Welfare Federal Fund and making an appropriation, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Shaw, Sherwin, Smith, Stanley, Stewart, and Tomlinson—54.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Shaw, Sherwin, Smith, Stanley, Stewart, and Tomlinson—54.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 132—An act making an appropriation to the Emergency Fund specified in Item 278 of the Budget Act of 1949.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Shaw, Sherwin, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2611—An act to add Section 9.5 to an act entitled "An act relating to the rights, powers, and disabilities of aliens and of certain companies, associations, and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holdings to facilitate the enforcement of this act, prescribing penalties for violation of the provisions hereof, and repealing all acts and parts of acts inconsistent or in conflict herewith," approved as an initiative measure by the electors on November 2, 1920, relating to the ownership, use, and enjoyment of real property or of rights or interests therein; and making an appropriation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Niehouse, Parker, Sherwin, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 584—An act to amend Section 737s of the Political Code, relating to the salary of judges of the superior court.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Collier, George D. Collins, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon,

Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2808

Mr. Lowrey asked for, and was granted unanimous consent to take up Assembly Bill No. 2808, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 2808

Assembly Bill No. 2808—An act authorizing and directing the Department of Public Works, acting through the State Engineer, to make an investigation of and report on the water supplies of the Putah Creek Cone and adjacent areas in the Counties of Solano and Yolo, and making appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Cooke, Davis, Dills, Dolwig, Doyle, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hansen, Henderson, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3221

Mr. Sherwin asked for, and was granted unanimous consent to take up Assembly Bill No. 3221, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 3221

Assembly Bill No. 3221—An act to repeal Sections 115 and 28450 of, and to add Sections 117, 118, 119, 120, 121, 28451, and 28452 to, the Health and Safety Code, creating the Public Health Federal Fund, making an appropriation, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Henderson, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Shaw, Sherwin, Smith, Stewart, Tomlinson, Waters, and Mr. Speaker—54

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Henderson,

Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Shaw, Sherwin, Smith, Stewart, Tomlinson, Waters, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

QUESTION OF PERSONAL PRIVILEGE

Mr. Klocksiem arose to a question of personal privilege.

REQUEST FOR UNANIMOUS CONSENT TO READ PROPOSED HOUSE RESOLUTION

Mr. Klocksiem asked for unanimous consent that he be permitted to read a proposed House resolution, at this time.

Mr. McCollister withheld unanimous consent.

RESOLUTIONS

The following resolution was offered:

By Mr. Klocksiem:

House Resolution No. 208

Relative to requesting the Senate Committee on Governmental Efficiency to hold a hearing to consider Assembly Bill 3377

WHEREAS, Assembly Bill 3377 relating to gaming was passed by the Assembly and transmitted to the Senate where it was referred to the Senate Committee on Governmental Efficiency; and

WHEREAS, The bill was amended in the Senate on June 13, 1951, to provide for the abatement of certain gaming places as nuisances, but no hearing has been had by the Senate Committee on Governmental Efficiency on the bill as so amended; now, therefore, be it

Resolved by the Assembly of the State of California, That the Senate Committee on Governmental Efficiency is hereby requested to fix a time, prior to June 21, 1951, for hearing on Assembly Bill 3377 and to conduct a hearing thereon at which persons interested in said bill may be heard; and be it further

Resolved, That the Chief Clerk of the Assembly is instructed to transmit a copy of this resolution to the Secretary of the Senate and the Chairman of the Senate Committee on Governmental Efficiency.

Resolution read.

Request for Unanimous Consent

Mr. Klocksiem asked for unanimous consent to take up House Resolution No 208, at this time, without reference to committee or file.

Mr. McCollister withheld unanimous consent.

Motion to Temporarily Suspend the Rules

Mr. Klocksiem moved that the Rules be temporarily suspended for the purpose of considering House Resolution No. 208, at this time.

Mr. Collier seconded the motion.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Babbage, Belotti, Berry, Burke, Caldecott, Cloyed, Coats, Collier, George D. Collins, Conrad, Elliott, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hansen, Henderson, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lowrey, Luckel, McCarthy, McFall, Moss, Niehouse, Parker, Shaw, Sherwin, Silliman, Tomlinson, and Waters—35.

NOES—Brady, Dills, Dolwig, Doyle, Evans, Geddes, Lyon, Maloney, and McCollister—9.

Consideration of House Resolution No. 208

By Mr. Klocksiem:

House Resolution No. 208

Relative to requesting the Senate Committee on Governmental Efficiency to hold a hearing to consider Assembly Bill 3377

WHEREAS, Assembly Bill 3377 relating to gaming was passed by the Assembly and transmitted to the Senate where it was referred to the Senate Committee on Governmental Efficiency; and

WHEREAS, The bill was amended in the Senate on June 13, 1951, to provide for the abatement of certain gaming places as nuisances, but no hearing has been had by the Senate Committee on Governmental Efficiency on the bill as so amended; now, therefore, be it

Resolved by the Assembly of the State of California, That the Senate Committee on Governmental Efficiency is hereby requested to fix a time, prior to June 21, 1951, for hearing on Assembly Bill 3377 and to conduct a hearing thereon at which persons interested in said bill may be heard; and be it further

Resolved, That the Chief Clerk of the Assembly is instructed to transmit a copy of this resolution to the Secretary of the Senate and the Chairman of the Senate Committee on Governmental Efficiency.

Resolution read.

Point of Order

Mr. Cooke arose to the following point of order: That the bill under discussion has gone through proper procedure in this House, and that the House resolution by Mr. Klocksiem is not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken because, under a suspension of the Rules, the resolution by Mr. Klocksiem is properly before the House.

The question being on the adoption of House Resolution No. 208.

Resolution Withdrawn

Mr. Klocksiem withdrew his resolution.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2631—An act to add Section 9166 to the Education Code, relating to instructors for peace officers' training programs and reserve and/or auxiliary peace officers' training programs, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Caldecott moved a call of the Assembly.

Motion carried. Time, 4.50 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Beck, Burkhalter, Collier, Dickey, Dunn, Erwin, Grant, Grunsky, Gubser, Hinckley, Hollibaugh, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Morris, Munnell, Porter, Rosenthal, Shaw, Stanley, Thomas, and Tomlinson—24.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Smith asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3452—An act making an appropriation to the Department of Finance for construction, improvements, and equipment and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Gubser, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Shaw, Sillman, Smith, Stewart, Tomlinson, Waters, and Mr. Speaker—59.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Gubser, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Shaw, Sillman, Smith, Stewart, Tomlinson, Waters, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1216

At 4.52 p.m., on motion of Mr. Maloney, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1216 refused passage by the following vote:

AYES—Beck, Belotti, Brown, Burkhalter, Caldecott, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dills, Doyle, Elliott, Fleury, Gaffney, Geddes, Grunsky, Hawkins, Henderson, Hinckley, Kilpatrick, Kirkwood, Lincoln, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Rosenthal, Shaw, Sherwin, Stanley, Thomas, and Waters—42.

NOES—Babbage, Berry, Brady, Burke, Clarke, Cloyed, Dickey, Dolwig, Erwin, Evans, Grant, Gubser, Hansen, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Lyon, McGee, Morris, Sillman, Smith, Stewart, Tomlinson, and Mr. Speaker—29

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 927—An act to add Section 30201.5 to, and to amend Section 30608 of the Streets and Highways Code, relating to toll bridges and the use of revenues therefrom, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hansen, Hawkins, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Silliman, Smith, Stewart, Tomlinson, and Waters—60.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hansen, Hawkins, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Silliman, Smith, Stewart, Tomlinson, and Waters—60.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 91—Relative to establishing roadside rests and parks in conjunction with the State Highway System.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Cloyed, Coats, Collier, George D. Collins, Condon, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Kilpatrick, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Smith, Stewart, Thomas, and Waters—56.
NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Joint Resolution No. 45—Relative to federal aid for child care centers.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—64.
NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 96—Relative to water rights to the Santa Margarita-Temecula River System.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Coats, George D. Collins, Condon, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hansen,

Hawkins, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Sherwin, Silliman, Smith, Stewart, and Thomas—59

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3011

Mr. Silliman asked for, and was granted unanimous consent to take up Assembly Bill No. 3011, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 3011

Assembly Bill No. 3011—An act to amend Sections 19360 and 19361 of the Government Code, relating to state employment, in respect to transfers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Gubser, Hagen, Hansen, Hawkins, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Silliman, Smith, Stewart, Thomas, Tomlinson, and Mr Speaker—61.

NOES—Henderson—1.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolutions were offered:

By Mr. Collier:

House Resolution No. 209

Relating to the installation of a telephone communication system on the Arroyo Seco Parkway

WHEREAS, The Arroyo Seco Parkway is now inclosed by a wire fence, with entrances and exits which are far apart; and

WHEREAS, The need has been recognized by this Assembly, and after careful consideration, by the Department of Public Works, for an emergency telephone system by which motorists using the Arroyo Seco Parkway can summon aid and receive proper service when needed; and

WHEREAS, After full discussion of the problem, and investigation of the history and records of this parkway since its opening and the presently existing conditions, by responsible officials from those cities to be affected, and the Division of Highways, the installation of such an emergency communication system has been encouraged by them; now, therefore, be it

Resolved by the Assembly of the State of California, That a telephone system connecting with the Police Departments of the Cities of Los Angeles, Pasadena and South Pasadena be installed on the Arroyo Seco Parkway for use in traffic emergencies, that the type, extent, location, and method of operation of this system be one mutually agreed upon by the interested departments of such cities which will be responsible for its effective operation, and that the Division of Highways be directed to execute the necessary legal permits for this installation, and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the California Highway Commission, to the Division of Highways and to the governing bodies of the Cities of Los Angeles, Pasadena, and South Pasadena

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Lincoln:

House Resolution No. 210

Relative to requesting the Assembly Interim Committee on Governmental Efficiency and Economy to study bidding procedures on Public Works projects

WHEREAS, There exists considerable confusion and cross purposes as to needed changes in the law relating to contracting and subcontracting of public work projects; and

WHEREAS, To properly ascertain what changes in existing law, if any, are necessary the matter should be referred to an interim committee of the Assembly for a study of the problems involved; and

WHEREAS, Such study should especially consider bidding procedures on public work projects as used in Division 5 of Title 1 of the Government Code with particular reference to the regulation and standardization of subcontractor's bids and the coordination of bidding procedures for a general contractor and his subcontractors; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Governmental Efficiency and Economy to be created at this session of the Legislature is hereby authorized and requested to ascertain, study, and analyze all facts relating to or in any way bearing upon the subjects expressed in the recitals of this resolution, including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws in any way bearing thereon or relating thereto, and to report thereon to the Assembly, including in its reports its recommendations for appropriate legislation.

Resolution read, and ordered referred to the Committee on Rules.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1279—An act to amend Sections 5081, 5082, 5084, and 5086 of, and to add Section 5066.1 to, the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Bill read third time, and ordered re-referred to the Committee on Education, by unanimous consent.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER BY MR. HAGEN BE RETURNED TO MR. HAGEN FROM STATEMENT BY MR. KILPATRICK

Mr. Hagen asked for, and was granted, unanimous consent that a letter, written by him, and included in the personal privilege statement by Mr. Kilpatrick, appearing elsewhere in the Journal, be deleted from said statement and be returned to him, at this time.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1809

Mr. Crowley asked for, and was granted unanimous consent to take up Senate Bill No. 1809, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 1809

Senate Bill No. 1809—An act to create a flood control district to be called Napa County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, public highways, life and property from damage or destruction from such waters; to provide for the acquisition, retention, and reclaiming of drainage, storm, flood, and other waters and to save, conserve, and distribute such waters for beneficial use in said district; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of

taxes and assessments on property within said district and in the respective zones thereof; to define the powers of said district; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Crowley moved the adoption of the following amendments:

Amendment No. 1

On page 9, line 42, of the printed bill, as amended in the Assembly on June 8, 1951, after "district," insert "provided, however, that said ad valorem tax or assessment shall not exceed five cents ($0 05) on each one hundred dollars ($100) of assessed valuation,".

Amendment No. 2

On page 16, line 32, of the printed bill, as amended, strike out the period, and insert a semicolon and insert "provided, however, that materials and supplies for use in any new construction work or improvements, except work referred to in the preceding sentence, may not be purchased if the cost thereof exceeds two thousand five hundred dollars ($2 500), without advertising for bids and awarding the contract therefor to the lowest responsible bidder."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1108

Mr. Belotti asked for, and was granted unanimous consent to take up Senate Bill No. 1108, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 1108

Senate Bill No. 1108—An act to add Section 429.6 to the Fish and Game Code, relating to the taking of fish by members of the Yurok Indian Tribe.

Bill read third time.

Motion to Amend

Mr. Belotti moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 10, of the printed bill, as amended in the Assembly on June 14, 1951, strike out "commission", and insert "department".

Amendment No. 2

On page 1, line 12, of said bill, strike out "commission", and insert "department".

Amendment No. 3

On page 2, line 10, of said bill, after "revocation", insert "by the commission".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 693

Mr. McCarthy asked for, and was granted unanimous consent to take up Senate Bill No. 693, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 693

Senate Bill No. 693—An act to add Section 2003 to the Government Code, relating to claims against the State, district, county, city, or city and county.

Bill read third time.

Motion to Amend

Mr. McCarthy moved the adoption of the following amendments:

Amendment No. 1

Strike out the title of the printed bill, as amended in the Assembly on May 30, 1951, and insert "An act to add Section 2003 to the Government Code, relating to claims".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 23, inclusive, and insert

"SECTION 1. Section 2003 is added to the Government Code to read:

Sec. 2003. A cause of action against an employee of a district, county, city, or city and county for damages resulting from any negligence upon the part of such employee while acting within the course and scope of such employment shall be barred unless a written claim for such damages has been presented to the employing district, county, city, or city and county in the manner and within the period prescribed by law as a condition to maintaining an action therefor against such governmental entity."

Amendments read, and adopted

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 536

Mr. Tomlinson asked for, and was granted unanimous consent to take up Senate Bill No. 536, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 536

Senate Bill No. 536—An act to amend Sections 11382.5, 11409.5 and 26803.5 of the Government Code, relating to keeping and maintaining in each county copies of the California Administrative Code and Register.

Bill read third time.

Motion to Amend

Mr. Tomlinson moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 5, of the printed bill, as amended in the Senate on May 28, 1951, strike out the first "or", and insert "of"

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 182

Mr. Stanley asked for, and was granted unanimous consent to take up House Resolution No. 182, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 182

By Mr. Stanley:

House Resolution No. 182

Requesting the Assembly Interim Committee on Finance and Insurance to study, investigate and report on all possible alternative methods of financing public works projects

WHEREAS, The unprecedented increase in population in California during the last decade and the demand for additional public works facilities have far exceeded the construction, improvement and extension of such public works; and

WHEREAS, As a result of the present Korean conflict there is additional immediate need for sewers, streets, roads, highways, schools, water, health, refuse disposal, airport and other public facilities and buildings; and

WHEREAS, All such construction, acquisition, improvement, replacement and extension cannot and should not be financed from current revenue or from general obligation bonds; and

WHEREAS, Several bills have been introduced during the current session of the Legislature to provide reasonable alternative methods of financing such public works projects; and

WHEREAS, At hearings on bills on the subject during the current session of the Legislature, it has been found that the investment features for proposed bonds were of primary importance to banks and savings and loan and other financial institutions; and

WHEREAS, The standing committees of the Legislature which have considered bills on public works projects have recommended that the subject matter thereof be studied by an interim committee; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Finance and Insurance, or any similar committee created at the 1951 Session of the Legislature, be, and it hereby is, requested to study and investigate all possible alternative methods of financing public works projects, including, but not limited to, those methods which have been developed by other states and public agencies, and including all other matters relating to or in any way bearing upon the recitals of this resolution; and be it further

Resolved, That the committee submit a report and its recommendations to this Assembly on the subject matter of this resolution at the Budget Session of 1952.

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 191

Mr. Stanley asked for, and was granted, unanimous consent to take up House Resolution No. 191, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 191

By Messrs. Stanley, Lincoln, Fleury, McCarthy, Moss, Lyon, McGee, and Geddes:

House Resolution No. 191

Requesting the Assembly Interim Committee on Governmental Efficiency and Economy to complete its study and investigation of conflicts in building laws and regulations

WHEREAS, Due almost entirely to the hearings by, and research of, the Assembly Interim Committee on Governmental Efficiency and Economy, the 1951 Session of the Legislature, is the first session in the last several where the Legislature has not had to consider dozens of complex and controversial building and housing law proposals; and

WHEREAS, Said interim committee already has recommended the course detailed study of the many conflicts in state and local building laws and regulations should take; and

WHEREAS, If such conflicting laws and regulations add only 1 percent to building costs, the unjustified cost annually to builders and the public is in excess of $20,000,000; and

WHEREAS, Codification of thousands of pages of state laws and building regulations and clarification of the State's organization to provide better direction and coordination of the State's interest in building construction activities is essential before such conflicts can be resolved; and

WHEREAS, Local building codes and purported excessive or restrictive requirements therein as to conditions or materials need careful consideration by objective experts; and

WHEREAS, Conflicts in the jurisdiction of the many state and local agencies charged with enforcement of the state and local laws and regulations is as expensive to the public and builders as conflicting laws; now therefore be it.

Resolved, by the Assembly of the State of California, That the Assembly Interim Committee on Governmental Efficiency and Economy is directed to continue and complete its study and investigation of conflicts in state and local building laws and regulations and the enforcement thereof by state and local officers and to recommend all feasible means of eliminating such conflicts, including, but not limited to, codification of existing laws and regulations, coordination of State and local enforcement functions and all other matters relating to or in any way bearing on the subject of this resolution, and to report thereon to the Assembly, including in its report its recommendations for appropriate legislation.

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 200

Mr. Lyon asked for, and was granted unanimous consent to take up House Resolution No 200, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 200

By Messrs. Lyon, Belotti, Hagen, Gaffney, Cloyed, Lindsay, Morris, Dunn, Burkhalter, Cooke, Stanley, Brown, Crowley, Moss, Doyle, Burke, Dills, McMillan, Luckel, Collier, Clarke, Evans, Elliott, Hollibaugh, Condon, Grunsky, Sam L. Collins, Porter, Coats, Erwin, Brady, Berry, Lincoln, Rumford, Hawkins, Stewart, Grant, George D. Collins, Parker, Smith, Thomas, Meyers, Rosenthal, and Maloney:

House Resolution No. 200

Relating to the completion of the Report of the Assembly Interim Committee on Conservation, Planning, and Public Works

WHEREAS, The Assembly Interim Committee on Conservation, Planning, and Public Works, as created by House Resolution 212 of the 1949 Regular Session of the Legislature, has not completed its report; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Chairman of the Assembly Interim Committee on Conservation, Planning, and Public Works, as appointed by the Speaker on July 2, 1949, is hereby appointed to complete the report of the committee.

2. All documents, reports, and other data of the Legislature and any other state department or agency, relating to the subject matter of the report, shall be made available for study and use in making the report. Every state officer and agency shall render such aid and assistance as is necessary for the completion of the report.

3 The subject matter of the report which applies to the organization in the Legislature in the field of research, fact-finding, planning, and programming may be printed in a separate document.

4. The sum of one dollar ($1) a week is hereby made available from the Contingent Fund of the Assembly to pay Charles M. Weber, who was chairman of such committee, for all the time which shall be required for the completion of the report.

5. The State Treasurer may accept contributions or gifts to be expended for the purpose of printing the report, and the Director of Finance is requested to authorize the report, when completed, as a state document.

6. Any department, bureau, or agency of the State Government which will require the use of the material to be printed in the completed report, may share in the expenses of printing

7. The report shall be submitted to such members of the Assembly Interim Committee on Conservation, Planning, and Public Works, as appointed by the Speaker on July 2, 1949, as are at present Members of the Legislature, for their approval, disapproval, or comment.

8 The printed reports shall be apportioned to the Legislature and to the Department of Finance for public distribution.

9 The printed reports shall be submitted to the Legislature on or before the commencement of the 1952 Regular Session of the Legislature.

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER REPORT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 464

Mr. Grunsky asked for, and was granted, unanimous consent to consider the report of the Committee on Conference concerning Assembly Bill No. 464, temporarily passed on file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 464 (As amended in Senate June 6, 1951)—An act to amend Section 303 of the Probate Code, relating to disqualification of judges;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 1, lines 9 and 10, of the printed bill, as amended in the Senate on June 6, 1951, strike out "or participated in the preparation of a will".

DESMOND	GRUNSKY
BUSCH	CALDECOTT
REGAN	BROWN
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sillman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—63.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 185

Mr. Brown asked for, and was granted unanimous consent to take up House Resolution No. 185, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 185

By Mr. Brown:

House Resolution No. 185

Relative to studying the continuous revision of the statute law by the Assembly Interim Committee on Judiciary

WHEREAS, By the enactment of the Financial Code and of the Public Utilities Code, as Chapters 364 and 764, respectively, of the Statutes of 1951, the Legislature has enacted the last two codes called for by the California Code Commission's long-recommended plan of organizing the statutes of the State into 24 codes; and

WHEREAS, It appears from the 1950 Report of the California Code Commission, heretofore filed with each of the Members of the Legislature, that the commission anticipates bringing its work of codifying the laws of the State to substantial completion by the time the 1953 General Session of the Legislature convenes; and

WHEREAS, The commission has recommended that the problem of "keeping the codes in shape" and the problem of carrying forward a program for continuous revision of the statute law, both in matters of form and substance, be made the subject of careful study during the interim between the 1951 and 1953 General Sessions of the Legislature; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Judiciary is authorized and directed to ascertain, study and analyze all facts relating to the subject matter of the recitals of this resolution, and particularly to the desirability of directing the California Code Commission or some other law

revision agency to undertake a continuing program of revising the statute law, including but not limited to a study of the experience of other states (such as the State of New York which has carried on such work over a period of years) and of the desirability of providing representation by Members of the Legislature on any such agency, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 187

Mr. Dickey asked for, and was granted unanimous consent to take up House Resolution No. 187, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 187

By Mr. Dickey:

House Resolution No. 187

WHEREAS, The Members of the Assembly will desire to have shipped to their various places of residence their bill files, books of codes, stationery and other printed matter at the end of the session; now, therefore, be it

Resolved, That the Sergeant-at-Arms, Wilkie Ogg, be authorized to procure such boxes, packing and other materials as are necessary for the purpose of shipping same, properly packed, to said members, and the State Controller is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of said Wilkie Ogg, in the sum not to exceed three thousand five hundred dollars ($3,500), and the State Treasurer is hereby directed to pay the same; and it is further directed that Wilkie Ogg furnish to the Controller vouchers and receipts for all expenditures made by him.

Resolution read

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 3434

Mr. Smith gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 3434 was this day passed.

Motion to Expunge Record and Rescind Action on Assembly Bill No. 3434

Mr. Beck moved to expunge the record, and rescind the action whereby the Assembly on this day passed Assembly Bill No. 3434.

Mr. Smith seconded the motion.

Roll Call Demanded

Messrs. Beck, Waters, and Smith demanded a roll call.

The roll was called, and the motion by Mr. Beck to expunge the record and rescind the action whereby the Assembly, this day, passed Assembly Bill No. 3434 lost by the following vote:

AYES—Babbage, Beck, Berry, Brady, Burkhalter, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Evans, Hansen, Henderson, Hollibaugh, Kilpatrick, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Rosenthal, Shaw, Silliman, and Smith—38

NOES—Belotti, Burke, Caldecott, Collier, Conrad, Doyle, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Kelly, Lindsay, Maloney, Morris, Sherwin, Stanley, Stewart, Thomas, Tomlinson, and Waters—24.

Motion to Recall Assembly Bill No. 3434 From the Senate

Mr. Beck moved that the Chief Clerk be instructed to request the Senate to return Assembly Bill No. 3434 for further consideration.

Mr. Smith seconded the motion.

Point of Order

Mr. Waters arose to the following point of order: That the motion by Mr. Beck is a dilatory motion and not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken as the bill has not yet been released, by the desk, to the Senate.

Motion Withdrawn

Mr Smith withdrew his second.

Mr. Beck withdrew his motion.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ADOPTION OF URGENCY CLAUSE TO ASSEMBLY BILL NO. 2631

At 5.51 p.m , on motion of Mr. Caldecott, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the urgency clause to Assembly Bill No. 2631 adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Sherwin, Stanley, Stewart, Thomas, and Waters—57.

NOES—Babbage, Cloyed, Condon, Dickey, Evans, Hollibaugh, Kirkwood, Luckel, Lyon, Silliman, Smith, and Tomlinson—12.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Sherwin, Stanley, Stewart, Thomas, and Waters—57.

NOES—Babbage, Cloyed, Condon, Dickey, Evans, Hollibaugh, Kirkwood, Luckel, Lyon, Silliman, Smith, and Tomlinson—12.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2034

Mr. Caldecott asked for, and was granted unanimous consent to take up Assembly Bill No. 2034, temporarily passed on file, for purpose of amendment.

CONSIDERATION OF ASSEMBLY BILL NO. 2034

Assembly Bill No. 2034—An act to add Division 3 to Title 5 of the Government Code constituting the Community Services District Law, providing for the formation of community services districts in unincorporated territory, for the purposes, powers, management and government

of such districts; authorizing such districts to incur bonded indebtedness for the purpose of constructing and acquiring works and property and to levy and collect taxes to pay the principal and interest on bonds and for other purposes of such districts; imposing certain duties and functions in connection with such districts upon certain county officers; and providing methods of annexation to and dissolution of such districts.

Bill read third time.

Motion to Amend

Mr. Caldecott moved the adoption of the following amendments:

Amendment No. 1

On page 4, line 36, of the printed bill, as amended in the Assembly on June 8, 1951, strike out "of", and insert "or".

Amendment No. 2

On page 9, line 20, of said bill, strike out "not".

Amendment No. 3

On page 9 of said bill, strike out lines 34 to 50, inclusive; and on page 10, strike out lines 1 to 9, inclusive.

Amendment No. 4

On page 10 of said bill, between lines 43 and 44, insert

"(h) The equipment and maintenance of a police department or other police protection to protect and safeguard life and property."

Amendment No. 5

On page 11, line 21, of said bill, strike out "50", and insert "20".

Amendment No. 6

On page 11, line 46, of said bill, strike out "such reasonable conditions as", and insert "consent of".

Amendment No. 7

On page 12, line 3, of said bill, insert

"60626.5. All contracts for the construction of any unit of work, except as hereinafter provided, estimated to cost in excess of two thousand dollars ($2,000) shall be let to the lowest responsible bidder after competitive bidding. The board shall have the right to reject any and all bids, in which case the board may call for new bids. In the event no proposals are received or where the estimated cost of such work does not exceed the sum of two thousand dollars ($2,000) or where the work consists of emergency work necessary in order to protect life and property, the board of directors may have said work done by force account. The district shall have the power to purchase in the open market without calling for bids, materials and supplies for use in any work therewith either under contract, or by force account, provided, however, that materials and supplies for use in any new construction work or improvement, except work referred to in the preceding sentence, may not be purchased if the cost thereof exceeds two thousand dollars ($2,000), without calling for bids and awarding the contract therefor to the lowest responsible bidder."

Amendment No. 8

On page 14, line 20, of said bill, after "semiannually", insert ", or in part annually and in part semiannually"

Amendment No. 9

On page 14 of said bill, between lines 21 and 22, insert

"(h) The date of the special district election (which may be consolidated with a general district election) at which such proposition shall be submitted to the voters; the hours between which the polls shall be open, the boundaries of voting precincts within the district or portion thereof benefited by incurring the bonded indebtedness; the location of polling places; and the names of the officers selected to conduct such election in each precinct, who shall consist of one judge, one inspector, and two clerks."

Amendment No. 10

On page 14 of said bill, strike out lines 22 to 25, inclusive, and insert

"60660. The resolution provided for in Section 60659 shall constitute the notice of such special bond election and such resolution shall be published in a newspaper of general circulation circulating within the district at least twice with an interval of at least six days between the first and last publication. Publication shall be complete at least six days before the election."

Amendment No. 11

On page 14 of said bill, between lines 42 and 43, insert

"60671 1. The bonds shall be signed by the president and countersigned by the secretary and the coupons shall be signed by the secretary. All signatures except that of the secretary on the bonds may be printed, lithographed or engraved. If any officer whose signature appears on the bonds or coupons ceases to be such officer before the delivery of the bonds, his signature is as effective as if he had remained in office. All bonds shall be payable at the office of the county treasurer, who is the depositary of the district pursuant to Section 60730."

Amendment No. 12

On page 14, line 45, of said bill, after "interest", insert "; provided that all bonds shall be sold on sealed proposals to the highest bidder after advertising for bids by publication of notice of sale once, not less than 10 days prior to the date of sale, in a newspaper of general circulation circulating in the district. If satisfactory bids are received, the bonds offered for sale shall be awarded to the highest responsible bidder. If no bids are received or if the board determines that the bids received are not satisfactory as to price or responsibility of the bidders, the board may reject all bids received, if any, and either readvertise or sell the bonds at private sale".

Amendment No. 13

On page 15 of said bill, strike out line 36, and insert

"(c) At prices determined in the resolution provided for in Section 60681."

Amendment No. 14

On page 16, line 19, of said bill, strike out "the cost thereof"; and strike out lines 20 and 21, and insert "provide that the cost thereof shall be assessed upon the lots and lands fronting on the streets or public places, or upon any district to be assessed therefor, which district need not be composed of lands contiguous to each other. The Improvement Act of 1911, the Municipal Improvement Act of 1913, the Improvement Bond Act of 1915, the Street Opening Act of 1903, and the Street Improvement Act of 1913 are applicable to districts.

60716. In the application of said acts to proceedings under this section the terms used in said acts shall have the following meanings.

(a) "City council" and "council" mean board.

(b) "City" and "municipality" mean district.

(c) "Clerk" and "city clerk" mean secretary.

(d) "Superintendent of streets" and "street superintendent" and "city engineer" mean the general manager of the district or any other person appointed to perform such duties.

(e) "Tax collector" means county tax collector.

(f) "Treasurer" and "city treasurer" mean the county treasurer who is the depositary of the district pursuant to Section 60730.

(g) "Right of way" means any parcel of land through which a right of way has been granted to the district for the purpose of constructing or maintaining or work or improvements which the district is authorized to do.

60717. The powers and duties conferred by said acts upon boards, officers and agents of cities shall be exercised by the board, officers and agents of the district, respectively.

60718. The improvements authorized to be constructed or acquired by this section are restricted to those permitted to be constructed or acquired pursuant to Section 60600.

60719. No assessment or bond hereafter levied or issued shall become a lien and no person shall be deemed to have notice thereof until a certified copy of the assessment in the proceedings under any of said acts and the diagram attached to said assessment shall be recorded in the office of the county surveyor of each county in which any part of the lands assessed are located and with the superintendent of streets of each city in which any part of said lands are located."

Amendment No. 15

On page 16 of said bill, strike out line 33, and insert

"60732. The county treasurer shall pay, when due, out of district money, all sums payable on outstanding bonds and coupons of the district; and the county treasurer shall pay any other sums out of district money,".

Amendment No. 16

On page 17, line 22, of said bill, strike out "assessment or assessments made by assessors", and insert "equalized assessment rolls"

Amendment No. 17

On page 17, line 25, of said bill, strike out "assessments shall be made and taxes", and insert "taxes shall be".

Amendment No. 18

On page 17 of said bill, strike out lines 32 to 34, inclusive, and insert "equalized assessment rolls of the respective counties."

Amendment No. 19

On page 17, line 38, of said bill, strike out ", using as a basis the value of"; and strike out lines 39 and 40, and insert "of assessed valuation, which rate of".

Amendment No. 20

On page 18, line 3, of said bill, after "furnish", insert "the State Board of Equalization and".

Amendment No. 21

On page 18, line 19, of said bill, strike out "for the district", and insert "who is the depositary of the district pursuant to Section 60730".

Amendment No. 22

On page 18, line 42, of said bill, after "district", insert "in the amount determined by agreement between the district and the board of supervisors".

Amendment No. 23

On page 19 of said bill, strike out lines 5 and 6 and "sisting" in line 7, and insert "60800. Contiguous land in a part of the district which consists".

Amendment No. 24

On page 19, line 13, of said bill, after "acreage", insert "and assessed value".

Amendment No. 25

On page 19, line 32, of said bill, after "acreage", insert "and assessed value".

Amendment No. 26

On page 20, line 35, of said bill, after "acreage", insert "and assessed value".

Amendment No. 27

On page 21, line 45, of said bill, strike out "county water".

Amendment No. 28

On page 22, line 8, of said bill, after "acreage", insert "and assessed value".

Amendment No. 29

On page 24, line 19, of said bill, strike out "UNINCORPORATED", and insert "INCORPORATED".

Amendment No. 30

On page 24 of said bill, after line 27, insert

"60891. Whenever a portion of the territory comprising a district becomes a part of an incorporated city such portion may be withdrawn from the district in the manner provided for the withdrawal of territory from county sanitation districts by Division 5, Part 3, Chapter 3, Article 8b of the Health and Safety Code"

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 2249—An act to add Section 6360 to the Education Code, relating to school district taxes, and to validate elections relating thereto.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FURTHER CONSIDERATION OF REPORT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 2249

The following report of Committee on Conference was read:

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1951

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 2249—An act to add Section 6360 to the Education Code, relating to school district taxes, and to validate elections relating thereto;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on May 28, 1951, strike out "add Section 6360 to", and insert "amend Section 6358 of".

Amendment No. 2

In line 3 of the title of said bill, before the period, insert "declaring the urgency thereof, to take effect immediately".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 6358 of the Education Code is amended to read:

6358. [Any maximum rate of tax for any district may be increased] *Any maximum rate of tax for any district may be increased and, having been increased, may be decreased by an amount equal to or less than the amount of such increase,* by a majority vote of the qualified electors of the school district at an election which may be called by the governing board of the school district of its own motion and shall be [called whenever a petition requesting that an election be called and signed by 10 percent of the qualified electors of the district is presented to the governing board] *called within 90 days after the filing with the governing board of a petition signed by not less than 10 percent of the qualified electors of the district, requesting that an election be called, unless the petitioners request that the election be consolidated with the annual election for members of the governing board.*

Any decrease in an increased maximum tax rate pursuant to this section shall not be in an amount which will reduce the tax rate for the district below the maximum specified in Section 6377. The governing board shall determine whether the increase or decrease shall remain in effect for a specified or unspecified period of time, unless the petition filed by the electors provides for a specified or unspecified period of time. If a specified period is provided for in the petition or determined upon by the governing board, such period shall be stated on the ballot

The governing board of the school district shall call, hold, and conduct the election. Except as provided in this section, the election shall be called, held, and conducted *by the governing board of the school district* in as nearly the same manner as is practicable as are elections for governing board [, except that]. Notices of the election [need not] *shall* be posted or *publication completed* [published more than] *at least* 30 days before the election. The ballot used in the election shall contain substantially the words "*shall* [for] the proposed *(increase decrease)* in the maximum tax rates from _____ to _____, [to provide money for the purpose of _____.] *(*such rate to be in effect in the _____ school district for the year (or years) 19___ to 19_____, *) be authorized?*" [_____ yes" and "for the proposed increase in the maximum tax rates from _____ to _____, to provide money for the purpose of _____, such rate to be in effect in the _____ school district for the year (or years) 19___ to 19___, _____ no"] *Opposite such words, in separate lines, the words "yes" and "no" shall be printed, with a voting square opposite each such word.* Each voter shall stamp or print a cross *in the voting square* after the answer he desires to give *If the maximum tax rate of a district has been increased prior to the effective date of the amendment to this section at the 1951 Regular Session of the Legislature, a petition requesting an election for the decrease of such increased tax rate shall not be filed until three years after such effective date. If the maximum tax rate is increased pursuant to this section after such effective date, no petition requesting an election for a decrease in such increased tax rate shall be filed for one year after such election at which the tax rate was increased.*

If an election for a decrease in an increased maximum tax rate of a district is held in any year prior to or concurrently with the district election for governing board members, any decrease adopted at such election shall become effective on July 1 following the election If an election for a decrease in an increased tax rate of a district is held in any year after the date of the district election for governing board members, any decrease adopted at such election shall not become effective until July 1 of the next succeeding year."

Amendment No. 4

On page 1 of said bill, strike out lines 2 to 12, inclusive; and on page 2, strike out lines 5 to 11, inclusive.

Amendment No. 5

On page 2 of said bill, after line 17, insert

"SEC. 3. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are

It will be necessary for many school districts to hold elections in the months of June, July, and August, 1951, in order to change the maximum tax rate for the district before the next tax levy is made. Under the provisions of this act, a school district may decrease its tax rate, and, if the rate is proposed to be increased, it is not necessary that the ballot question specify the purpose for which the proceeds of any increase are to be applied, nor is it necessary to limit the period of time during which such increase or decrease will be effective. Unless this act takes effect immediately any decrease or increase in the tax rate voted for pursuant to the act will not be effective in time to be used for the next tax levy. In order that school districts, the tax rates of which are a matter of urgent concern to all the people of the State, may take advantage of this act before the next tax levy is made and to avoid a year's delay, it is urgently necessary that this act take effect immediately."

DILWORTH	KIRKWOOD
HULSE	DOYLE
ED. C. JOHNSON	BURKE
Senate Committee on Conference	Assembly Committee on Conference

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Beck, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Collier, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—58.

NOES—None.

The question being on the adoption of the report of the Committee on Conference concerning Assembly Bill No. 2249.

The roll was called, and the report adopted by the following vote:

AYES—Beck, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Collier, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 2249 ordered enrolled.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 15, 1951

MR SPEAKER. I am directed to inform your honorable body that the Senate on this day passed.

Senate Bill No. 116
Senate Bill No. 119

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 116—An act to amend Sections 270 and 278 of the Vehicle Code, relating to operators' and chauffeurs' licenses.

Referred to Committee on Transportation and Commerce.

Senate Bill No. 119—An act to add Article 5, comprising Sections 116c to 116g, inclusive, to Chapter 5, Title 1, Part 1 of the Code of Civil Procedure, relating to establishing a uniform accounting system for municipal courts and justice courts, and making an appropriation.

Referred to Committee on Judiciary.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 93

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 93—Relative to the creation of the Joint Committee on State Printing.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 216
Senate Bill No. 300
Senate Bill No. 450
Senate Bill No. 451
Senate Bill No. 484
Senate Bill No. 512
Senate Bill No. 1054
Senate Bill No. 1227
Senate Bill No. 1515
Senate Bill No. 1531
Senate Bill No. 1564
Senate Bill No. 1687
Senate Bill No. 1838

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 216—An act to amend Sections 502, 502.1, 502.2, 511 5, 512, 513, and 515 and to repeal Sections 502.1, 512.1, 513, 515, and 518.1 of the Military and Veterans Code, relating to the appointment, expenses, pay, control, jurisdiction and active duty of officers in the California Cadet Corps, service of members of California Defense and Security Corps with California Cadet Corps, uniforms for California Cadet Corps and target practice and training of California Cadet Corps

Referred to Committee on Military Affairs.

Senate Bill No. 300—An act to amend Sections 5153.5, 7102 1, and 7104 of the Education Code, relating to the excess cost of educating mentally retarded pupils.

Referred to Committee on Education.

Senate Bill No. 450—An act amending Section 27186 of the Streets and Highways Code, relating to bridge and highway districts.

Referred to Committee on Municipal and County Government.

Senate Bill No. 451—An act to add Section 27250 to the Streets and Highways Code, relating to bridge and highway districts.

Referred to Committee on Municipal and County Government.

Senate Bill No. 484—An act making an appropriation for support of Grand National Junior Livestock Exposition, No. 1-A District Agricultural Association.

Referred to Committee on Agriculture.

Senate Bill No. 512—An act making an appropriation to the Department of Agriculture for completing construction of the poultry and animal disease diagnostic and testing laboratory at Petaluma.

Referred to Committee on Agriculture.

Senate Bill No. 1054—An act to amend Section 11200 of, and to add a new Article 9.5 to Chapter 2, Part 3, Division 6, and to amend Sections 11700, 11701, and 11702, of the Water Code, relating to the Central Valley Project; authorizing certain investigations, studies, and preparation of plans and specifications for purposes thereof, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1227—An act to amend Section 19627 of the Business and Professions Code, relating to the state revenue derived from horse racing licenses.

Referred to Committee on Fish and Game.

Senate Bill No. 1515—An act relating to the state teletypewriter system.

Referred to Committee on Ways and Means.

Senate Bill No. 1531—An act making an appropriation for the restoration and improvement of the Benicia State Capitol Historical Monument.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 1564—An act providing for research in reducing sea water to water suitable for domestic and agricultural uses in mass quantities and at low cost, and making an appropriation therefor.

Referred to Committee on Agriculture.

Senate Bill No. 1687—An act to add Chapter 1.5 (consisting of Sections 20161 to 20164, inclusive) to Division 10 of the Education Code, relating to the McGeorge College of Law, and making an appropriation therefor.

Referred to Committee on Education.

Senate Bill No. 1838—An act to add Sections 37 and 38 to the Construction and Employment Act, relating to the allocation of funds to cities, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

REQUEST FOR UNANIMOUS CONSENT THAT OPINION OF LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Mr. Elliott asked for, and was granted, unanimous consent that an opinion of the Legislative Counsel, relative to Party National Conventions, be ordered printed in the Journal, in 10 point type, as follows:

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, May 31, 1951

Honorable Edward E. Elliott
Assembly Chamber

PARTY NATIONAL CONVENTIONS—No. 7632

DEAR MR. ELLIOTT:

Question

You have asked us the following question:

Is California entitled to additional delegates at the next Republican and Democratic Party National Conventions as a result of gaining increased congressional representation under the 1950 Federal Census, or will it not obtain an increased number of delegates until 1956?

Opinion

The number of delegates to the party national conventions are determined by the national rules of each party. As those rules now stand, and as we interpret them, California would be entitled to 14 new delegates at the next Democratic National Convention, but will probably be entitled to no additional delegates at the next Republican Party National Convention.

Analysis

Section 2050 of the Elections Code provides that the Chairman of the State Central Committee of each political party qualified to participate in the presidential primary shall notify the Secretary of State on or before the first day in March immediately preceding the presidential primary as to the number of delegates to represent the State in the next national convention of the party.

Section 2052 provides that if a chairman of a state central committee fails to file a notice of the number of delegates, the Secretary of State shall ascertain the number from the call for the national convention issued by the national committee of the party. Section 2053 requires the Secretary of State in turn to notify the county clerks of the number of delegates to be elected by each political party.

The method by which the national committee of each party determines the number of delegates to its national convention to which each state is entitled is a matter of rule of the particular party, rather than a matter of law.

The national rules of the Democratic Party provide that in the Democratic convention each state is entitled to twice as many delegates as it has presidential electors, plus two delegates at large if it went Democratic at the last presidential election.

The rules of the Republican Party provide that each state is entitled to four delegates at large; two for each Congressman at large; one for each congressional district having cast at least 1,000 Republican votes, and an additional one if it cast 10,000 Republican votes; and a bonus of three delegates at large if it went Republican at the last presidential election or if it later elected a Republican United States Senator.

California is entitled to seven new Congressmen under the reapportionment based upon the 1950 Federal Census. Accordingly, the State is also entitled to seven additional presidential electors (U. S. Const., Art. II, Sec. 1).

It would appear, therefore, that the State is entitled to 14 new delegates at the next Democratic National Convention, pursuant to the present rules of that party.

Under the rules of the Republican Party, however, it would appear that California will have no additional delegates to the national convention based upon the number of additional Congressmen to which the State is entitled, since it will be impossible to determine how many new delegates should be authorized until the number of votes in the new congressional districts formed at this session of the Legislature is established. This cannot be ascertained until after the 1952 elections, which will occur subsequent to the national convention. Accordingly, as we interpret the rules of the Republican Party, the number of delegates to the national convention from California will be determined on the basis of the congressional districts of California as they existed before the reapportionment, unless such rules are amended to provide otherwise.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By ROBERT G. HINSHAW, Deputy

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 201

Mr. Coats asked for, and was granted unanimous consent to take up House Resolution No. 201, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 201

By Mr. Coats:

House Resolution No. 201

Relative to a study of the Purity of Elections Laws by the Assembly Interim Committee on Elections and Reapportionment

WHEREAS, Many persons affected by the laws of this State concerning the purity of elections have expressed a desire that such laws should be improved and clarified; and

WHEREAS, Such improvement and clarification is needed and would be in the public interest; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Elections and Reapportionment make a study of the Purity of Elections Laws in effect in this State, including comparison of such laws with those in effect in other jurisdictions, and report its findings and recommendations for appropriate legislation to the Assembly not later than the fifteenth day of the 1953 Regular Session of the Legislature.

Resolution read.

Motion to Amend

Mr. Coats moved the adoption of the following amendment:

Amendment No. 1

In the title, strike out the last two words "and Reapportionment".

Amendment read, and adopted.

Consideration of House Resolution No. 201, as Amended

By Mr. Coats:

House Resolution No. 201

Relative to a study of the Purity and Elections Laws by the Assembly Interim Committee on Elections

WHEREAS, Many persons affected by the laws of this State concerning the purity of elections have expressed a desire that such laws should be improved and clarified; and

WHEREAS, Such improvement and clarification is needed and would be in the public interest; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Elections and Reapportionment make a study of the Purity of Elections Laws in effect in this State, including comparison of such laws with those in effect in other jurisdictions, and report its findings and recommendations for appropriate legislation to the Assembly not later than the fifteenth day of the 1953 Regular Session of the Legislature

Resolution read, as amended, and adopted.

MEMBER EXCUSED

At 5.55 p.m., Mr. Brown asked for, and was granted, unanimous consent that Mr. Dunn be excused, for the balance of the legislative day, because of legislative business elsewhere.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1947

Mr. Brown asked for, and was granted unanimous consent to take up Assembly Bill No. 1947, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 1947

Assembly Bill No. 1947—An act to amend Sections 44 and 44.1 of the Vehicle Code, relating to authorized emergency vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Cloyed, Collier, George D. Collins, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Sherwin, Silliman, Smith, Stanley, Stewart, and Thomas—58.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3326

Mr. McCarthy asked for, and was granted unanimous consent to take up Assembly Bill No. 3326, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 3326

Assembly Bill No. 3326—An act to add Section 2611 to the Code of Civil Procedure, relating to phonographic reporters, and declaring the urgency of this act.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Collier, George D. Collins, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Elliott, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, and Mr. Speaker—51.

NOES—Beck, Doyle, and Luckel—3.

Bill ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Cooke:

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

"An act to add Section 12.5 to the Ventura County Flood Control Act, relating to powers and duties of the Ventura County Flood Control District."

Respectfully submitted.

J. B. COOKE

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Cooke:

"An act to add Section 12.5 to the Ventura County Flood Control Act, relating to powers and duties of the Ventura County Flood Control District."

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—68.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3459: By Mr. Cooke—An act to add Section 12.5 to the Ventura County Flood Control Act, relating to powers and duties of the Ventura County Flood Control District.

Referred to Committee on Conservation, Planning, and Public Works.

REQUEST THAT HOUSE RESOLUTIONS BE TRANSPOSED ON DAILY FILE

Mr. Geddes asked for, and was granted, unanimous consent that House Resolution No. 195 be transposed on file, and that it follow House Resolution No. 194 on the Daily File, for the next legislative day.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR SPEAKER: Your Committee on Revenue and Taxation, to which was referred. Assembly Bill No. 2640

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HOLLIBAUGH, Chairman

Above reported bill ordered to third reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 213—An act to amend Section 204h of the Code of Civil Procedure, relating to the performance of commissioner's duties by judges' secretary, assistant secretary and clerks;

Assembly Bill No. 305—An act to add Section 172b to the Penal Code, relating to selling or exposing intoxicating liquors for sale in the vicinity of the University of California at Los Angeles, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 322—An act to add Section 678.5 to the Vehicle Code, relating to equipment of vehicles;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of June, 1951, at 5 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 384—An act to add Section 31648 1 to the Government Code, relating to the retirement of county employees and officers and attaches of the superior court;

Assembly Bill No. 417—An act to amend Sections 8530, 8550, 8602, 8625, 8642, and 8645 of the Eelections Code, relating to election contests;

Assembly Bill No. 465—An act to amend Section 108 of the Civil Code, relating to divorce;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of June, 1951, at 5 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 519—An act to amend Section 1198 of the Insurance Code, relating to insurance;

Assembly Bill No. 543—An act to add Section 6404.1 to the Labor Code, relating to safety devices and safeguards;

Assembly Bill No. 997—An act to provide for the number and succession of judges in municipal court judicial districts in Los Angeles County;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of June, 1951, at 5 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1194—An act to amend Sections 2, 3, 4, 5, 8, 13, 14, 20, 30, 33, 35, and 38 of, and to add Section 3a to, the Municipal and Justice Court Act of 1949, relating to municipal and justice courts;

Assembly Bill No. 1526—An act to amend Sections 8561, 8569, and 8570 of, and to add Sections 8516, 8517, and 8652 to, the Business and Professions Code, relating to the discipline of licensees of the Structural Pest Control Board;

Assembly Bill No. 1568—An act to add Section 20020.5 to the Government Code, relating to the State Employees' Retirement System in respect to law enforcement personnel of juvenile bureaus of contracting agencies;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of June, 1951, at 5 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1877—An act to amend Sections 43610, 43627, and 43628 of the Government Code, relating to the authorization and issuance of bonds of cities;

Assembly Bill No. 2327—An act to add Sections 214.3 and 214.4 to the Revenue and Taxation Code, relating to exemptions from property taxes;

Assembly Bill No. 2435—An act to amend Section 10051.1 of the Elections Code, relating to consolidation of elections;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of June, 1951, at 5 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2574—An act to amend Section 21658 of the Water Code, relating to nominating petitions, their form and time for filing for elections in irrigation districts;

Assembly Bill No. 2599—An act to amend Section 6 of the Metropolitan Water District Act, relating to the government and management of metropolitan water districts;

Assembly Bill No. 2704—An act to add Section 30 to the American River Flood Control District Act, relating to the acquisition of additional flood control works for operation, repair, and maintenance and the assessment of property benefited by those works;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of June, 1951, at 5 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2874—An act to amend Section 647a of the Penal Code, relating to vagrancy;

Assembly Bill No. 3116—An act to add Section 25464 to the Government Code, relating to payments on county construction contracts;

Assembly Bill No. 3316—An act to amend Section 626 of the Agricultural Code, relating to skim milk;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of June, 1951, at 5 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3396—An act to amend Section 31157 of the Water Code, relating to county water districts;

Assembly Bill No. 3428—An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the City of Santa Clara, County of Santa Clara, State of California;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of June, 1951, at 5 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 66—Relative to the declaration of August 16, 1951, as Loyal Order of Moose Day in California;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the fifteenth day of June, 1951, at 5 p.m.

BURKE, Chairman

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred: Senate Bill No. 1625

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

SHERWIN, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 1625—An act to add Chapter 6.5 to Division 2, comprising Sections 2840 to 2895 to the Business and Professions Code, relating to the practice of vocational nursing.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 8 of the printed bill, as amended May 25, 1951, strike out lines 32 to 51, inclusive

Amendment No. 2

On page 9 of the printed bill, strike out lines 1 to 3, inclusive

Amendment No. 3

On page 9, line 27, of the printed bill, strike out the comma after "Fund", and insert a period; strike out all of line 28.

Amendment No. 4

On page 9, lines 35 and 36, of the printed bill, strike out "or the Board of Nurse Examiners Fund".

Amendment No. 5

On page 1, line 13, of the printed bill, after "consisting of", strike out "eight", and insert "seven".

Amendment No. 6

On page 1, line 22, of the printed bill, strike out "one member shall be a nurse educator", and insert

"One member shall be a registered nurse who shall have had not less than five years' experience as a teacher or administrator in an accredited school of nursing offering a program of study in professional nursing under the provisions of Article 6, Division 2 of the Business and Professions Code,".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 19	Assembly Bill No. 1623
Assembly Bill No. 797	Assembly Bill No. 1628
Assembly Bill No. 1204	Assembly Bill No. 1802

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

SHERWIN, Chairman

Above reported bills ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 19—An act to amend Section 19627 of the Business and Professions Code, relating to the state revenue derived from horse racing licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 8, of the printed bill, as amended in the Assembly on May 30, 1951, after "million", insert "dollars ($1,000,000)".

Amendment No. 2

On page 1, line 9, of said bill, strike out "five hundred thousand dollars ($1,500,000)".

Amendment No. 3

On page 1, line 14, of said bill, strike out "four", and insert "two".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 797—An act making an appropriation for the construction of buildings and improvements at the proposed State School for the Deaf, Southern California.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on March 16, 1951, strike out "buildings and improvements", and insert "a vocational training building".

Amendment No. 2

On page 1, lines 2 and 3, of said bill, strike out "eight hundred forty-eight thousand three hundred forty dollars ($848,340)", and insert "three hundred eighty-five thousand dollars ($385,000)".

Amendment No. 3

On page 1, lines 5 and 6, of said bill, strike out "buildings and improvements", and insert "a vocational training building".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1204—An act to repeal Chapter 5, consisting of Sections 7100 to 7111, of Part 4 of Division 6 of the Welfare and Institutions Code and to add Chapter 5, consisting of Sections 7100 to 7110, to Part 4 of Division 6 of the Welfare and Institutions Code, relating to the establishment and maintenance of two state research centers for alcoholism, providing for the admission of persons thereto and the release of persons therefrom, providing for the powers and duties of the Department of Mental Hygiene in respect thereto, and making an appropriation therefor.

Bill read second time.

On June 18, 1951, the Assembly expunged the record and rescinded the action whereby amendments offered by the Committee on Ways and Means to Assembly Bill No. 1204 were this day adopted. (See pages 5778-5779.)

Assembly Bill No. 1623—An act to amend Sections 20864, 20921, 20922, 21258, 21296, 21298, 21361, 21362, 21367 5 of, and to add Sections 21258.1, 21258.2, 21298.5, and 21367.7 to, the Government Code, relating to the State Employees' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on May 21, 1951, strike out "21361,".

Amendment No. 2

On page 7 of said bill, strike out lines 20 to 47, inclusive

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1628—An act to amend Section 21362 of the Government Code, relating to the State Employees' Retirement System in respect to installment payment of benefits.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 2, line 33, of the printed bill, as amended in the Assembly on June 11, 1951, strike out "28 26", and insert "28.35".

Amendment No. 2

On page 2, line 38, of said bill, strike out "7 28", and insert "7.31".

Amendment No. 3

On page 2, line 43 of said bill, strike out "17.12", and insert "17 2"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 1802—An act to amend Section 12302 of the Government Code, relating to salaries of State Treasurer's assistants.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on June 8, 1951, after "of", insert ", and to add Section 12302 5 to,".

Amendment No. 2

In line 2 of the title of said bill, strike out "salaries of State Treasurer's assistants", and insert "State Treasurer".

Amendment No. 3

On page 1, line 4, of said bill, strike out "nine thousand five hundred dollars"; and strike out all of lines 5 to 9, inclusive, and insert "ten thousand dollars ($10,000). He also may appoint and fix the salaries, subject to the provisions of the Civil Service law, of such officers and employees as may be necessary to carry out the duties of his office

SEC. 2. Section 12302.5 is added to the Government Code to read:

12302.5. The Treasurer may appoint as civil executive officers one bond officer, one deposit officer, one vault officer, one bookkeeper, one principal accountant, and one secretary-stenographer."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 471	Assembly Bill No. 1262
Assembly Bill No. 853	Assembly Bill No. 1665
Assembly Bill No. 976	Assembly Bill No. 2372
Assembly Bill No. 1257	Assembly Bill No. 2696
Assembly Bill No. 1260	Assembly Bill No. 3247
Assembly Bill No. 1261	Assembly Bill No. 3248

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bills ordered to third reading.

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Senate Constitutional Amendment No. 30

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

CROWLEY, Chairman

Above reported resolution ordered on file for adoption.

Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which was referred:

Assembly Concurrent Resolution No. 97

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

EVANS, Chairman

Above reported resolution ordered engrossed.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 2330	Assembly Bill No. 2596
Assembly Bill No. 2544	Assembly Bill No. 3385
Assembly Bill No. 2595	

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bills ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 2330—An act to amend Sections 19601, 19601.6, 19608, 19613, and 19613.7 of, to add Sections 19601.7, 19601.8, and 19607.1 to, and to repeal Sections 19601.5, 19613.5, and 19617 of, the Education Code, relating to child care centers, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 4 of the title of the printed bill, after "centers," insert "making an appropriation therefor,"

Amendment No. 2

On page 4 of said bill, between lines 14 and 15, insert

"SEC. 11.5. The sum of six million, twenty-seven thousand dollars ($6,027,000) is hereby appropriated out of the General Fund to the Department of Education to be used for the support of child care centers for the 1951-52 Fiscal Year and for the cost to the department of administering this act. The amount hereby appropriated shall be apportioned by the department directly to school districts maintaining child care centers pursuant to Chapter 11, Division 9 of the Education Code and to the governing authorities of state institutions maintaining child care centers, in the discretion of the department, upon the basis of demonstrated need. Of the sum hereby appropriated not to exceed forty-four thousand dollars ($44,000) may be expended by the department in making apportionments and for supervision of child care centers."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2544—An act making an appropriation to the Regents of the University of California for the augmentation and expansion of the teaching program of the Colleges of Engineering in the field of construction engineering.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 4, of the printed bill, after "expenditure", insert "during the 1951-52 Fiscal Year".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2595—An act to amend Section 13002 of the Government Code, relating to the salary of the Director of Finance.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, lines 5 and 6, of the printed bill, strike out "twenty thousand dollars ($20,000)", and insert "seventeen thousand five hundred dollars ($17,500)".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2596—An act to amend Section 14002 of the Government Code, relating to the salary of the Director of Public Works.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, lines 5 and 6, of the printed bill, strike out "twenty thousand dollars ($20,000)", and insert "seventeen thousand five hundred dollars ($17,500)".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3385—An act authorizing the expenditure of certain sums for construction, improvements, and equipment of a building in the County of Sacramento for the State Department of the California Highway Patrol, and to add Section 13115.5 to the Government Code, relating to the approval by the Department of Finance of investment of funds by certain state agencies, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 4 of the title of the printed bill, strike out "Section 13115.5", and insert "Sections 13115.5 and 13115.6".

Amendment No. 2

On page 2 of said bill, after line 40, insert

"SEC. 2. Section 13115.6 is hereby added to the Government Code, to read:

13115.6. Such amount as may be necessary to pay monthly the amount required for liquidation of the investment, with interest at the rate agreed upon between the parties, in any agreements entered into between the State Department of California Highway Patrol, and any other state agency, pursuant to the provisions of Section 13115.5 of the Government Code, is hereby appropriated each fiscal year from the Motor Vehicle Fund in the State Treasury. The money herein appropriated shall be allotted to the State Department of California Highway Patrol by the Director of Finance for support in such amounts as he may determine to be necessary, and shall become available only if the Department of Finance certifies to the State Controller that the amount required monthly to liquidate the investment, with interest at the rate agreed upon, has not been included in the Budget Act for such fiscal year for support of said departments."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 3445

Has had the same under consideration, and respectfully reports the same back without recommendation

SHERWIN, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 3445—An act to add Division 8a, comprising Sections 445 to 455.5, inclusive, to the Vehicle Code, relating to the regulation of drivers' schools and driving instructors.

Bill read second time, and ordered engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Concurrent Resolution No. 98

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

BROWN, Chairman

Above reported resolution ordered engrossed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning

Senate Bill No. 789—An act to add Section 2838 5 to the Elections Code, relating to county central committees.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 104: By Mr. Lincoln—Relative to the marriage of Charles W. Meyers.

Referred to Committee on Rules.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today Upon Adjournment—

Municipal and County Government, in Room 2170.

Organizational meeting of Rules, in office of Speaker.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to Miss Anabell Bettencourt and Mrs. A. T. Bettencourt of Turlock.

On request of Mrs. Niehouse and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Lt. and Mrs. Howard Clayton of San Diego.

On request of Mr. Kelly, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Joseph Sheerin of Visalia.

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to Alvin Cibula, Sr., and Alvin Cibula, Jr., of Redding.

On request of Mr. Meyers, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Fanchon Derrough of San Francisco.

ADJOURNMENT

At 6.03 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9.30 a.m., Monday, June 18, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

EIGHTY-THIRD LEGISLATIVE DAY

ONE HUNDRED FIFTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, June 18, 1951

The Assembly met at 9.30 a.m.

Hon. Sam. L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Nichouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

Quorum present.

Request for Unanimous Consent That Name of Member Attending Meeting in Senate Be Placed Upon Morning Roll Call

Mr. Conrad asked for, and was granted, unanimous consent that the name of a member attending a meeting in the Senate on the Child Care Center Bill, at this time, be placed upon the morning roll call as follows:

Mr. Geddes.

PRAYER

The following prayer was offered by the Chaplain, Rev. Clarence A. Kircher:

O God Most Holy, Wise and Powerful, We acknowledge Thee as the Preserver and Governor of all Thy creatures Keep us this day in that health of mind and body, in purity of heart and cheerfulness, that we may serve our Nation and our fellow men. Grant guidance for the duties just before us.

"To serve the present age,
Our calling to fulfill!
O may it all our powers engage,
To do our Master's will!"

We ask it in His name.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Kirkwood, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Fleury, on motion of Mr. Moss.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly then gave the pledge of allegiance to the Flag.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL BE PRINTED IN JOURNAL

Mr. Erwin asked for, and was granted, unanimous consent that a letter of transmittal, accompanying the Report of the Assembly Interim Committee on Fish and Game, which has been printed as a separate document, be ordered printed in the Journal, in 10 point type, as follows:

REPORT OF ASSEMBLY INTERIM COMMITTEE ON FISH AND GAME

Pursuant to House Resolution No. 251, California Legislature, Regular Session of 1949

Letter of Transmittal

May 1, 1951

Mr. Speaker and Members of the Assembly

Pursuant to House Resolution No. 251, adopted by the California State Legislature on June 29, 1949, and continued by House Resolution No. 28, adopted on January 10, 1951, your Interim Committee on Fish and Game submits herewith its report.

Respectfully submitted.

THOMAS M. ERWIN, Chairman
GEORGE R. BUTTERS *
EVERETT G. BURKHALTER
LESTER T. DAVIS
THOMAS J. DOYLE
GORDON R. HAHN
L. STEWART HINCKLEY
FRANCIS C. LINDSAY
EARL W. STANLEY
VINCENT THOMAS

Original copy of above transmitted report ordered filed with the Secretary of State.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 63

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

* Deceased April 24, 1951.

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Concurrent Resolution No. 97
Assembly Concurrent Resolution No. 98

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 19
Assembly Bill No. 797
Assembly Bill No. 1623
Assembly Bill No. 1628
Assembly Bill No. 1802
Assembly Bill No 2034

And reports the same correctly re-engrossed

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 1193
Assembly Bill No. 1797
Assembly Bill No. 2250
Assembly Bill No. 2330
Assembly Bill No. 2382
Assembly Bill No 2544
Assembly Bill No. 2595
Assembly Bill No. 2596
Assembly Bill No. 2835
Assembly Bill No. 2836
Assembly Bill No. 3193
Assembly Bill No. 3385
Assembly Bill No. 3442
Assembly Bill No. 3456

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No 2843

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1204

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 2843 re-referred to the Committee on Revenue and Taxation.

On this day, the Assembly expunged the record, and rescinded the action whereby Assembly Bill No. 1204 was re-referred to the Committee on Revenue and Taxation. (See page 5778.)

Senate Bill No 1625 re-referred to the Committee on Ways and Means.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 16, 1951

MR. SPEAKER. I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended.

Assembly Concurrent Resolution No. 39

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 191
Assembly Bill No. 748
Assembly Bill No 1049
Assembly Bill No. 1495
Assembly Bill No. 1785
Assembly Bill No. 1864
Assembly Bill No 1967
Assembly Bill No. 2806
Assembly Bill No 2895
Assembly Bill No. 2910
Assembly Bill No. 2914
Assembly Bill No. 2942
Assembly Bill No. 3175
Assembly Bill No 2072

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 16, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 88

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 16, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 101
Assembly Bill No. 710
Assembly Bill No. 964
Assembly Bill No. 1266
Assembly Bill No. 1472
Assembly Bill No. 1474
Assembly Bill No. 1865
Assembly Bill No. 2252
Assembly Bill No. 2363
Assembly Bill No. 2502
Assembly Bill No. 2553
Assembly Bill No. 2597
Assembly Bill No. 2776
Assembly Bill No. 2800
Assembly Bill No. 2922
Assembly Bill No. 2943
Assembly Bill No 3165
Assembly Bill No. 3414
Assembly Bill No. 3432
Assembly Bill No. 1236

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 16, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 250
Assembly Bill No. 290
Assembly Bill No 676
Assembly Bill No. 682
Assembly Bill No. 971
Assembly Bill No. 1097
Assembly Bill No 1228
Assembly Bill No 1231
Assembly Bill No. 1233
Assembly Bill No 1237
Assembly Bill No. 1238
Assembly Bill No. 1239
Assembly Bill No. 1265
Assembly Bill No. 1267
Assembly Bill No 1579
Assembly Bill No. 1633
Assembly Bill No. 1634
Assembly Bill No. 1731
Assembly Bill No. 1783
Assembly Bill No. 1996
Assembly Bill No. 2286
Assembly Bill No. 2370
Assembly Bill No. 2449
Assembly Bill No. 2577
Assembly Bill No. 2621
Assembly Bill No. 2622
Assembly Bill No. 2719
Assembly Bill No. 3239
Assembly Bill No. 3411
Assembly Bill No 3418
Assembly Bill No. 3446

J A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 16, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 567
Senate Bill No. 810
Senate Bill No. 1072

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 424
Assembly Bill No. 516
Assembly Bill No. 1045
Assembly Bill No. 2018
Assembly Bill No. 2844
Assembly Bill No. 2894
Assembly Bill No. 3213

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 15, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 66
Senate Bill No. 439
Senate Bill No. 695
Senate Bill No. 729
Senate Bill No. 771
Senate Bill No. 783
Senate Bill No. 979
Senate Bill No. 1209
Senate Bill No. 1535
Senate Bill No. 1671
Senate Bill No. 1839
Senate Bill No. 1840
Senate Bill No. 1842

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 66—An act to amend Section 3 of an act entitled "An act relating to the performance by the Department of Public Works of highway and other cooperative work for the Federal Government, making an appropriation for administrative expenses, declaring the urgency thereof, and providing that this act shall take effect immediately," approved October 13, 1950, relating to the time during which said act shall remain in effect.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 439—An act to amend add Section 4901.7 to the Education Code, relating to the selection of members of the county committee on school district organization.

Referred to Committee on Education.

Senate Bill No. 695—An act to add Section 15032.5 to the Corporations Code, relating to partnerships.

Referred to Committee on Judiciary.

Senate Bill No. 729—An act to amend Section 2715 and 2713 of the Business and Professions Code, relating to nursing education and directories of nurses.

Referred to Committee on Public Health.

Senate Bill No. 771—An act to amend Sections 443 and 448 of the Education Code, relating to the salaries of county superintendents of schools of counties of the forty-third and forty-eighth classes.

Referred to Committee on Municipal and County Government.

Senate Bill No. 783—An act defining and regulating the practice of shorthand reporting; creating a State Board of Examiners of Shorthand Reporters in the Department of Professional and Vocational Standards, and providing for its duties and powers; providing for the examination and certification of shorthand reporters, with the designation "certified shorthand reporter"; creating the Shorthand Reporter's Fund and making an appropriation; and prescribing penalties for violations of this act.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 979—An act to amend Section 447 of the Education Code, relating to county school superintendents' salaries in counties of the forty-seventh class.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1209—An act to amend Section 10 of the Property Acquisition Act relative to repairs and improvements on state property, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1535—An act to amend Section 20804 of, to add Sections 20804.5 and 21254 to, and to repeal Section 20833 of, the Government Code, relating to the State Employees' Retirement System in respect to credit for time spent in the employment of the State or of a contracting agency prior to commencement of membership therein.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1671—An act to add Chapter 5 to Division 2 of the Health and Safety Code, relating to the regulation of the humane use of animals for diagnosis and treatment of human and animal diseases, for research in the advancement of veterinary, dental, medical, and biological sciences, animal and human nutrition, improvement and standardization of laboratory procedures, and to provide for the issuance, suspension and revocation of licenses by the State Department of Public Health, relating to the use of animals for medical research, and making an appropriation therefor.

Referred to Committee on Public Health.

Senate Bill No. 1839—An act to amend Section 28148 of the Government Code, relating to compensation for public service in counties of the forty-eighth class

Referred to Committee on Municipal and County Government.

Senate Bill No. 1840—An act to add Section 115 to the Business and Professions Code, relating to the reinstatement of licenses by persons serving in the Armed Forces.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1842—An act to amend Section 449 of the Education Code, relating to county school superintendent's salary in counties of the forty-ninth class.

Referred to Committee on Municipal and County Government.

CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1201—An act to amend Section 1506 of the Penal Code, relating to appeals in habeas corpus cases.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1201?

Amendment No. 1

In line 26 of the printed bill, after "hearing", insert "; provided however, that the defendant when charged with a misdemeanor shall be admitted to bail pending decision of the appeal or petition for hearing when the order discharging the defendant was made prior to his conviction".

Amendment No. 2

In line 6 of the printed bill, as amended in the Senate on May 18, 1951, after "fendant", insert "after his conviction".

Amendment No. 3

In line 8 of said bill, as amended, after "cases", insert "after conviction of the defendant"

Amendment No. 4

In line 22 of said bill, as amended, strike out "; provided, how-", and insert a period.

Amendment No. 5

Strike out all of lines 23, 24, 25, and 26 of said bill, as amended

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1201 by the following vote:

AYES—Beck, Belotti, Berry, Burke, Caldecott, Clarke, Cloyed, Coats, Cooke, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Gaffney, Grant, Gubser, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Landsay, Luckel, Lyon, McCarthy, McCollister, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—45.

NOES—None.

Assembly Bill No. 1201 ordered enrolled.

ALL HOUSE RESOLUTIONS ORDERED PASSED ON FILE, TO HOLD THEIR PLACES ON FILE

By unanimous consent, all House resolutions were ordered passed on file, and to hold their places on file on the next legislative day.

ANNOUNCEMENT

Speaker Sam L. Collins announced that, upon recess or adjournment this afternoon, all committee chairmen who have House resolutions pending on file relating to interim committees are requested to appear before the new Committee on Rules and explain the necessity for said committees, how much money is required, and why.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 2034—An act to add Division 3 to Title 5 of the Government Code constituting the Community Services District Law, providing for the formation of community services districts in unincorporated territory, for the purposes, powers, management and government of such districts; authorizing such districts to incur bonded indebtedness for the purpose of constructing and acquiring works and property and to levy and collect taxes to pay the principal and interest on bonds and for other purposes of such districts; imposing certain duties and functions in connection with such districts upon certain county officers; and providing methods of annexation to and dissolution of such districts.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Caldecott moved a call of the Assembly.

Motion carried. Time 9.52 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brady, Brown, Burkhalter, Chapel, Cloyed, Collier, George D. Collins, Condon, Crowley, Davis, Dills, Dunn, Elliott, Evans, Grant, Grunsky, Hawkins, Levering, Lincoln, Lowrey, Maloney, McCarthy, McFall, McGee, Morris, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Smith, Stanley, and Tomlinson—34.

Further Proceedings Under Call of the Assembly Dispensed With on Assembly Bill No. 2034

At 9 58 a.m., on motion of Mr. Caldecott, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 2034 passed by the following vote:

AYES—Babbage, Belotti, Berry, Burke, Burkhalter, Caldecott, Clarke, Coats, Connolly, Conrad, Cooke, Dickey, Dolwig, Doyle, Elliott, Erwin, Gaffney, Gubser, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Landsay, Lipscomb, Luckel, Lyon, McCarthy, McCollister, McGee, McMillan, Meyers, Moss, Munnell, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—49.

NOES—Beck, Hagen, and Henderson—3

Bill ordered transmitted to the Senate.

RECESS

At 10 a.m., on motion of Mr. Hollibaugh, the Assembly recessed until 11 a.m., for the purpose of permitting members to appear before Senate committees on behalf of their bills, and to permit the new Rules Committee to meet in the Office of the Speaker.

REASSEMBLED

At 11 a.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

RESOLUTIONS

The following resolutions were offered:

By Mr. Dickey:

House Resolution No. 211

Resolved, That Arthur A. Ohnimus, Chief Clerk of the Assembly, is hereby directed to take charge of arranging and preparing the bills, books, and all other records of the Assembly, and filing the same with the Secretary of State, as provided by law, subsequent to adjournment of the 1951 Regular Session of the Legislature; and shall have charge of indexing, correcting, comparing and proofreading, and otherwise preparing the Journal and the Final History of the Assembly of the 1951 Regular Session of the Legislature; such indexing, correcting, comparing and proofreading of the Assembly Journals and Final History shall be performed by the State Printer under the direction of the Chief Clerk of the Assembly, making the information therein contained readily available for the use of the Members of the Legislature, state officers, and the general public, as a permanent record of the business transacted during the 1951 Regular Session. He shall also have charge of compiling, preparing, and having printed after adjournment, a final calendar of the legislative business of the 1951 Regular Session, said calendar to comprise a history of all bills introduced and their authors, the numbers that shall have become law; those that have been refused passage; an index to all measures introduced; and any and all such information as will provide a complete history of the session's business and a guide for the information of subsequent sessions of the Legislature.

When the final calendar is prepared, said Arthur A. Ohnimus, Chief Clerk, is directed to forward one copy of the Final History to each public library in the State which may apply for same, and one copy to each Member of the Assembly, and one copy of the complete unbound chapters to each Member of the Assembly; and be it further

Resolved, That the Chief Clerk shall prepare and have printed subsequent to adjournment and during the 30-day period allowed the Governor to sign bills, a Bulletin showing the bills that the Governor has signed during said 30-day period and at the conclusion of the 30-day period he shall have compiled and printed a Bulletin showing the complete action on all bills signed and those pocket vetoed, and such other information as he may deem useful to advise the members of the status of each individual bill introduced during the session.

He shall mail a copy of said Bulletin to each Member of the Assembly and to each person making a request for a copy of the same; and be it further

Resolved, That the Chief Clerk is hereby authorized to employ such help as may be necessary to complete the aforesaid work of the Assembly and the same shall be compensated at a rate per diem not greater than that allowed them during the time the Legislature is in session; provided, however, that no compensation shall be allowed except for services actually performed in Sacramento, and the Chief Clerk is hereby directed to keep an accurate attendance record of all attaches so employed and certified by him to the State Controller as being entitled to compensation; and be it further

Resolved, That the State Controller is hereby authorized and directed to pay weekly compensation in such amounts and to such persons as may be certified to him by the Chief Clerk as being entitled to the same until the said work has been completed, and such sums shall be payable from the unexpended balance of the fund provided for the payment of officers and attaches of the Assembly.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Dickey:

House Resolution No. 212

Resolved, That the sum of fifteen thousand dollars ($15,000), or so much thereof as may be necessary, is hereby made available from the Assembly Contingent Fund for telephone service, telegraph service, postage, supplies, bills from state departments, and other incidental expenses in completing the work of the 1951 Regular Session of the Assembly and maintaining the Assembly chamber and offices until the convening of the next Regular Session of the Assembly, to be disbursed, after certification by the Chief Clerk of the Assembly supported by vouchers, upon warrants drawn by the Controller.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Dickey:

House Resolution No. 213

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrants on the Contingent Fund of the Assembly in the sum of eighteen hundred dollars ($1,800), in favor of Arthur A. Ohnimus, Chief Clerk of the Assembly, and

the State Treasurer is hereby directed to pay the same, for postage, telephone service, telegraph service, supplies, traveling expenses, bills from state departments, and performing any duties imposed by the Rules or resolutions of the Assembly, also to pay any bills for incidental expenses of the Assembly heretofore incurred but for which payment has not been provided by other resolutions, and other incidental expenses in connection with completing the work of the 1951 Regular Session of the Assembly of the State of California.

The Chief Clerk of the Assembly is instructed to file with the Controller receipts covering all expenditures made hereunder

Resolution read, and ordered referred to the Committee on Rules.

COMMUNICATIONS

By the Chief Clerk:

A communication from A. M. Morris, Assistant City Clerk of the City of Los Angeles urging continuance of child care centers, was received, and ordered referred to the Committee on Social Welfare.

By the Chief Clerk:

A communication from Mrs. W. E. Simpson, expressing appreciation to the Assembly for the adoption of a resolution on May 1, 1951, in memory of her late husband, William E. Simpson, former District Attorney of Los Angeles County, was received, and ordered filed with the Secretary of State.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 211
House Resolution No. 212
House Resolution No. 213

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 100

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

Above reported resolution ordered engrossed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 16, 1951

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 303
Senate Bill No 819
Senate Bill No. 846
Senate Bill No. 847
Senate Bill No. 1115
Senate Bill No. 1116
Senate Bill No. 1439
Senate Bill No. 1550
Senate Bill No 1637

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 303—An act to amend Section 434 and 451 of the Education Code, relating to county school superintendents' salaries in counties of thirty-fourth and fifty-first classes.

Referred to Committee on Municipal and County Government.

Senate Bill No. 819—An act for the construction and development of water resources in the Cuyamaca State Park, and making an appropriation therefor.

Referred to Committee on Ways and Means.

Senate Bill No. 846—An act providing for surveys, plans, estimates of costs, and preliminary engineering, for a toll tube or other toll highway crossing across the Bay of San Diego from the City of San Diego to the City of Coronado, and making an appropriation therefor.

Referred to Committee on Ways and Means.

Senate Bill No. 847—An act to amend Section 496 of the Streets and Highways Code, relating to the State Highway System.

Referred to Committee on Transportation and Commerce.

Senate Bill No. 1115—An act to amend Section 737ss of the Political Code and Section 79.45 of the Code of Civil Procedure, relating to superior judges' salaries.

Referred to Committee on Judiciary.

Senate Bill No. 1116—An act to amend Section 737aaa of the Political Code and Section 79.53 of the Code of Civil Procedure, relating to superior court judges' salaries.

Referred to Committee on Judiciary.

Senate Bill No. 1439—An act to amend Section 9614 of the Education Code and to add Section 9614.1 to said code, all relating to the computation of attendance of physically handicapped minors.

Referred to Committee on Education.

Senate Bill No. 1550—An act to add Section 20334.1 to the Government Code, relating to exclusions from membership in the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

Senate Bill No. 1637—An act to provide for the interchangeable use of single-trip beer cartons and to add Section 53.55 to the Alcoholic Beverage Control Act, relating to use of cartons

Referred to Committee on Boards and Commissions.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE BILL NO. 1054 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Lindsay asked for, and was granted, unanimous consent that Senate Bill No. 1054 be withdrawn from the Committee on Governmental Efficiency and Economy, and be re-referred to the Committee on Conservation, Planning, and Public Works.

ANNOUNCEMENT

Mr. Beck announced a luncheon meeting and Democratic Caucus today upon recess, at the Hotel Sacramento.

RECESS

At 11.28 a.m., on motion of Mr. Dills, the Assembly recessed until 1.30 p m.

REASSEMBLED

At 1.30 p.m., the Assembly reconvened.

Hon Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No 100

And reports the same correctly engrossed.

BURKE, Chairman

Request for Unanimous Consent

Mr. Burke asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 100, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 100

Assembly Concurrent Resolution No. 100—Relative to the approval of those certain amendments to the charter of the City of Alhambra ratified by the qualified electors of said city at a special municipal election held thereon on the fifth day of June, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Chapel, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Davis, Dolwig, Doyle, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McFall, McGee, McMillan, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, and Mr Speaker—50.

NOES—None.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: The Committee on Conference concerning.

Assembly Bill No. 2307—An act to amend Sections 208 and 209 of the Unemployment Insurance Act, relating to disability benefits,

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 2 of the printed bill, as amended in the Senate on June 4, 1951, after line 29, insert

"SEC. 3. This act shall become operative as of January 1, 1952."

McBRIDE	GEDDES
MILLER	HOLLIBAUGH
BYRNE	LEVERING
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Chapel, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Levering, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—52.

NOES—None.

Speaker Pro Tempore Presiding

At 1.37 p.m., Hon. Thomas A Maloney, Speaker pro Tempore of the Assembly, presiding.

Hon. Randal F. Dickey Presiding

At 1.38 p.m., Hon. Randal F. Dickey, Member of the Assembly from the Fourteenth District, presiding.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2382—An act to amend Section 17003, and to add Article 4.5 to Chapter 5, Division 8, of the Education Code, relating to the attendance of pupils and the arrest of truants.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Coats, George D Collins, Condon, Connolly, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stewart, and Thomas—57.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2501

Mr. Dolwig asked for, and was granted, unanimous consent to take up Assembly Bill No. 2501, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 2501

Assembly Bill No. 2501—An act to amend Sections 53 and 54 of the Unemployment Insurance Act, relating to minimum wages in base period and weekly benefit amounts payable under said act.

Bill read third time.

Point of Order

Mr. Levering arose to the following point of order: That Mr. Munnell is not speaking to the question.

Ruling by Speaker

Acting Speaker Dickey ruled the point of order well taken.

Demand for Previous Question

Messrs. Lanterman, Hansen, Luckel, Collier, and Conrad demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2501.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Dolwig moved a call of the Assembly.

Motion carried. Time, 2.20 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brown, Sam L. Collins, Grant, Luckel, Morris, Silliman, and Stewart—7.

REQUEST FOR TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Beck asked for unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

Mr. Evans withheld unanimous consent.

Motion to Temporarily Suspend the Rules

Mr. Beck moved that the Rules be temporarily suspended for the the purpose of considering any matter on file, at this time.

Mr. Lincoln seconded the motion.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Connolly, Cooke, Davis, Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grunsky, Hagen, Henderson, Hinckley, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Stewart, Tomlinson, and Waters—51.

NOES—Condon, Dunn, Evans, Hansen, Lowrey, and Silliman—6

Speaker Pro Tempore Presiding

At 2.25 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY
CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3193—An act to amend Section 3671 of the Education Code, relating to school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy,

McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stewart, Thomas, Tomlinson, and Waters—63.

NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO APPROVE JOURNALS

Upon motion of Mr. Dickey, the Journals for Monday, June 11, 1951; Tuesday, June 12, 1951; Wednesday, June 13, 1951; ~~and Thursday, June 14, 1951~~ were approved as corrected by the Minute Clerk.

On this day the Assembly expunged the record and rescinded the action whereby the Journal for Friday, June 15th, was approved. (See page 5777.)

On June 19th, the Assembly rescinded the action whereby the Journal for Thursday, June 14th, was approved. (See page 5924.)

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Beck:

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 2.8 to the Municipal and Justice Court Act of 1949, relating to municipal and justice courts.

Respectfully submitted.

JULIAN BECK

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Beck:

An act to add Section 2.8 to the Municipal and Justice Court Act of 1949, relating to municipal and justice courts.

BURKE, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—70

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time.

Assembly Bill No. 3460: By Mr. Beck (By Request of Messrs. Rosenthal, Burkhalter, Chapel, Erwin, Grant, Hollibaugh, Levering, Lyon, Munnell, Porter, Smith, and Thomas)—An act to add Section 2.8 to the Municipal and Justice Court Act of 1949, relating to municipal and justice courts.

Referred to Committee on Judiciary.

Request for Unanimous Consent That Rush Order Be Placed Upon Printing of Assembly Bill No. 3460

Mr. Beck asked for, and was granted, unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 3460.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2061

Mr. Kirkwood asked for, and was granted unanimous consent to take up Assembly Bill No. 2061, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 2061

Assembly Bill No. 2061—An act to continue in effect Sections 1, 2, 3, 4, 6, 7, 8, 8.5, 8.6, 9, and 11.5 of an act entitled "An act to repeal Section 10 of an act entitled 'An act to repeal Chapters 2, 3, 4, 12, 13, 13.5, 13.6, 14, 15, 15.5, 16, and 16.5 of the Education Code; to add Chapters 2, 12, 13, 14, 15, and 16 to said code; to amend Section 8761 of said code; and to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately,' approved May 28, 1947 (Chapter 401, Statutes of 1947), to provide for the continuance in effect of an act entitled 'An act to amend Section 10 of an act entitled "An act to repeal Chapters 2, 3, 4, 12, 13, 13.5, 13.6, 14, 15, 15.5, 16, and 16.5 of the Education Code; to add Chapters 2, 12, 13, 14, 15, and 16 to said code; to amend Section 8761 of said code; and to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately," approved May 28, 1947 (Chapter 401, Statutes of 1947); to repeal Sections 6713, 7039, 7052, 7064, 7068, 7117, 7126, 7128, and 7147 of the Education Code; to repeal Article 4 of Chapter 13, and Article 6 of Chapter 14, of Division 3 of said code; to add Article 4 to Chapter 13, Article 6 to Chapter 14, and Articles 1 and 13.5 to Chapter 15, of Division 3 of said code; to add Sections 5157, 7126, 7132, and 7151 to said code; to amend the headings of Articles 1 and 13 of Chapter 15 of Division 3 of said code; and to amend Sections 5152, 5153, 5156, 6703, 6714, 6812, 7002, 7012, 7023, 7032, 7033, 7034, 7035, 7036, 7037, 7038, 7041, 7061, 7062, 7063, 7067, 7081, 7091, 7092, 7094, 7095, 7101, 7103, 7111, 7112, 7113, 7114, 7115, 7116, 7121, 7122, 7124, 7130, 7146, 7146.1, 7148, 7149, 7150, 7208, 7231, and 9645 of said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately,' approved July 20, 1949 (Chapter 1017, Statutes of 1949) except Section 1 thereof; to repeal Sections 6714 and 7094 of the Education Code; to add Sections 5153.3 and 6904 to said code; and to amend Sections 7091, 7092, 7095, 7113, 7116, and 6951 of said code, to repeal Articles 2 and 3 of Chapter 15, Division 3 of said code and to add Articles 2 and 11.6 to Chapter 15, Division 3 of said code all relating to the Public School System," approved May 5, 1950 (Chapter 74, Statutes of 1950 First Extraordinary Session); to repeal Sections 2.5, 5, 10, 12, and 13 of said act; to repeal Sections 5153.3, 6812, and 7091 of the Education Code; to repeal Articles 2, 3, and 11.6 of Chapter 15 of Division 3 of said code; to add Sections 5153.3, 6812, and 7091 to said code; and to add Articles 2 and 11.6 to Chapter 15 of Division 3 of said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—68

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—68.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED IN JOURNAL

Mr. Stanley asked for, and was granted, unanimous consent that a letter of transmittal and the Final Report of the Assembly Interim Committee on Aviation be ordered printed in the Journal, in 10 point type.

(Above mentioned letter of transmittal and report will appear prior to the motion to adjourn.)

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED AS SEPARATE DOCUMENT

Mr. Stanley asked for, and was granted, unanimous consent that the above mentioned letter of transmittal and report be ordered printed as a separate document, and that 500 copies be printed.

EXPLANATION OF FAILURE TO VOTE ON ASSEMBLY BILL NO. 1216

When Assembly Bill No. 1216 was presented on Friday, June 15th, I had been excused by the Assembly for the afternoon in order to attend my daughter's graduation from the University of California, Berkeley, California.

Since legislative business, in connection with Assembly Bill No. 1015, (in June, 1947) had prevented my attending her graduation from high school, I felt that this absence was justifiable.

Had I been present, I would have voted "Aye" on Assembly Bill No. 1216, providing for state assistance to the permanently and totally disabled

FRANCIS DUNN, JR

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 2664—An act to amend Sections 3017, 3018 and 3019 of the Civil Code, relating to the assignment of accounts receivable and giving notice thereof.

Assembly Bill No. 2673—An act to add Section 2141.5 and Section 2436 to the Business and Professions Code, relating to the practice of the healing arts;

Assembly Bill No. 2688—An act relating to the operation of off-street parking facilities;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighteenth day of June, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2081—An act to amend Section 1648.3 of the Insurance Code, relating to insurance brokers' licenses;

Assembly Bill No. 2512—An act to add Section 261½ to the Code of Civil Procedure, relating to phonographic reporters;

Assembly Bill No. 2601—An act to amend Section 7044 of the Business and Professions Code, relating to the licensing of contractors;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighteenth day of June, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1803—An act to add Section 19215 to the Streets and Highways Code, relating to highway lighting districts;

Assembly Bill No. 1834—An act to amend Section 1027 of the Probate Code, relating to the distribution of estates and notice to the State Controller;

Assembly Bill No. 2042—An act to amend Sections 2, 13¾ and 15 of the Los Angeles County Flood Control Act, relating to district works and improvements including storm drain improvements and drainage systems;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighteenth day of June, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 879—An act to amend Sections 31552, 31553, 31602 and 31652 of, and to add Section 31648.1 to, the Government Code, relating to retirement of county employees;

Assembly Bill No. 1234—An act to amend Sections 8525, 8568, 8624, 8635, 8641, 8642, 8644, and 8651 of, and to add Sections 8653 and 8654 to, the Business and Professions Code, relating to structural pest control;

Assembly Bill No. 1392—An act providing for the constitution of the municipal court in a district embracing the City of Fresno, and prescribing the number and compensation of of the judges, officers and attaches thereof;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighteenth day of June, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 546—An act to add Section 1777.6 to the Labor Code, relating to apprenticeship;

Assembly Bill No. 591—An act to amend Section 9.5 of the Municipal Court Act of 1925 and to provide for the number and compensation of officers and attaches of the municipal court in a judicial district embracing the City of San Diego, relating to municipal courts;

Assembly Bill No. 626—An act to add Chapter 5.6, comprising Sections 2600 to 2631, inclusive, to Division 2 of the Business and Professions Code, relating to the practice of physical therapy;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighteenth day of June, 1951, at 2 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 424—An act to amend Section 6 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts;

Assembly Bill No. 516—An act to amend Section 5050.5 of the Insurance Code, relating to insurance;

Assembly Bill No. 1045—An act to add Section 1188.2 to the Code of Civil Procedure, relating to priority of mechanics' liens;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighteenth day of June, 1951, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2018—An act to amend Section 1190.1 of the Code of Civil Procedure, relating to mechanics' liens;

Assembly Bill No. 2249—An act to amend Section 6358 of the Education Code, relating to school district taxes, and to validate elections relating thereto, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 2844—An act to add Section 15002.5 to the Government Code, and to amend Section 11103 of the Health and Safety Code, relating to the organization of the Department of Justice and its constituent agencies;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighteenth day of June, 1951, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2894—An act to amend Section 928 of the Health and Safety Code, relating to local health districts;

Assembly Bill No. 3213—An act to add Chapter 9 to Part 3, Division 13 of the Health and Safety Code, relating to building regulations;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighteenth day of June, 1951, at 3 p.m.

BURKE, Chairman

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:

Senate Bill No. 216

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McCOLLISTER, Chairman

Above reported bill ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Senate Bill No. 65

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and re-refer to Ways and Means.

DUNN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 3457

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bill ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:
Assembly Bill No. 3207

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bill ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1797

Mr. Waters asked for, and was granted, unanimous consent to take up Assembly Bill No. 1797, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 1797

Assembly Bill No. 1797—An act to amend Section 8100 of the Elections Code, relating to elections.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—70.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 6

Mr. Chapel asked for, and was granted unanimous consent to take up Assembly Bill No. 6, temporarily passed on file

CONSIDERATION OF ASSEMBLY BILL NO. 6

Assembly Bill No. 6—An act to add Article 9 to Chapter 1 of Division 4 of Title 1 of the Government Code, relating to the fingerprinting of public employees, and making an appropriation.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Chapel moved a call of the Assembly.

Motion carried. Time, 2.39 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Babbage, Beck, Brady, Burke, Coats, Sam L. Collins, Cooke, Dills, Grant, Hagen, Henderson, Klocksiem, Lanterman, Lincoln, McCarthy, McFall, Munnell, Parker, Rosenthal, and Shaw—20.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Stewart asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION ON ASSEMBLY BILL NO. 1204

Mr. Sherwin moved to expunge the record, and rescind the action whereby the Assembly, on Friday, June 15th, adopted amendments on second reading to Assembly Bill No. 1204, and whereby the bill, by order of the Speaker, was today re-referred to the Committee on Revenue and Taxation.

Mr. Connolly seconded the motion.

Ruling by Speaker

Speaker pro Tempore Maloney ruled that, pursuant to the provisions of Rule No. 27, the motion by Mr. Sherwin is not in order.

Motion to Refer Back to Section 10 of Rule No. 27

Mr. Sherwin moved to refer back to Section 10 of Rule No. 27.

Mr. Connolly seconded the motion.

Motion carried.

Motion to Expunge Record and Rescind Action on Assembly Bill No. 1204 Renewed

Mr. Sherwin moved to expunge the record, and rescind the action whereby the Assembly, on Friday, June 15th, adopted amendments on second reading to Assembly Bill No. 1204 and whereby the bill, by order of the Speaker, was today re-referred to the Committee on Revenue and Taxation.

Mr. Connolly seconded the motion.

Point of Order

Mr. Lyon arose to the following point of order: That the Journal for Friday, June 15th, has been approved, and the motion by Mr. Sherwin is not in order.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

Motion to Expunge Record and Rescind Action on Approval of Journal for Friday, June 15th

Mr. Sherwin moved to expunge the record, and rescind the action whereby the Assembly, on this day, approved the Journal for Friday, June 15th, as corrected by the Minute Clerk

Mr. Connolly seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, McFall, McGee, Meyers, Moss, Munnell, Shaw, Sherwin, Silliman, Stanley, Stewart, Tomlinson, and Waters—48.

NOES—Crowley, Dickey, Elliott, Evans, Hawkins, Hollibaugh, Kilpatrick, Luckel, Lyon, Maloney, McMillan, Parker, Porter, and Thomas—14.

Motion to Expunge Record and Rescind Action on Assembly Bill No. 1204 Renewed

Mr. Sherwin renewed his motion to expunge the record, and rescind the action whereby the Assembly on Friday, June 15th, adopted amendments on second reading to Assembly Bill No. 1204 and whereby the bill by order of the Speaker was today re-referred to the Committee on Revenue and Taxation.

Mr. Connolly seconded the motion.

Point of Order

Mr. Thomas arose to the following point of order: That Mr. Sherwin's motion is not in order because the amendments are now part of the bill.

Ruling by Speaker

Speaker pro Tempore Maloney rule the point of order well taken.

Motion to Expunge Record and Rescind Action on Re-reference of Assembly Bill No. 1204

Mr. Sherwin moved to expunge the record, and rescind the action where the Speaker today re-referred Assembly Bill No. 1204 to the Committee on Revenue and Taxation.

Mr. Lowrey seconded the motion.

Substitute Motion

Mr. Geddes moved, as a substitute motion, that the Committee on Revenue and Taxation be excused, at this time, for the purpose of holding a special meeting in the Cloak Room to consider Assembly Bill No. 1204.

Substitute motion died for lack of a second.

The question being on the motion by Mr. Sherwin.

Demand for Previous Question

Messrs. Luckel, Shaw, Hansen, Klocksiem, and Lanterman demanded the previous question.

Demand for previous question sustained.

The question being on the motion by Mr. Sherwin to expunge the record and rescind the action whereby the Speaker re-referred Assembly Bill No. 1204 to the Committee on Revenue and Taxation, today.

The roll was called, and the motion carried by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, McCarthy, McGee, Meyers, Moss, Munnell, Rumford, Shaw, Sherwin, Smith, Stewart, Tomlinson, and Waters—49.

NOES—Dickey, Dills, Evans, Henderson, Hollibaugh, Luckel, Maloney, McCollister, McMillan, Niehouse, and Thomas—11.

Record declared expunged and the action rescinded whereby Assembly Bill No. 1204 was re-referred to the Committee on Revenue and Taxation.

Motion to Expunge Record and Rescind Action on Assembly Bill No. 1204

Mr. Sherwin moved to expunge the record, and rescind the action whereby the Assembly, on Friday, June 15th, adopted amendments on second reading to Assembly Bill No. 1204.

Mr. Connolly seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Moss, Munnell, Rumford, Sherwin, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—58.

NOES—Evans—1.

Assembly Bill No. 1204 ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE BILL NO. 1227 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Erwin asked for, and was granted, unanimous consent that Senate Bill No. 1227 be withdrawn from the Committee on Fish and Game, and be re-referred to the Committee on Ways and Means.

REQUEST FOR UNANIMOUS CONSENT TO READ ASSEMBLY BILL NO. 3112 THE SECOND TIME AND PLACE A RUSH ORDER ON PRINTING OF BILL

Mr. Burkhalter asked for unanimous consent that Assembly Bill No. 3112 be read the second time, by unanimous consent, be amended, and that a rush order be placed upon its printing.

Mr. Hollibaugh withheld unanimous consent because the report of the Committee on Municipal and County Government has not yet been read.

REPORTS OF STANDING COMMITTEES

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 3112

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Request for Unanimous Consent to Take Up Assembly Bill No. 3112

Mr. Burkhalter asked for, and was granted unanimous consent to take up Assembly Bill No. 3112, without reference to file, for purpose of amendment.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 3112—An act to provide for the creation of the Los Angeles Metropolitan Transit Authority and prescribing the powers and duties thereof; authorizing the authority to construct and operate an interurban rapid transit system; providing for the issuance and sale of revenue bonds and providing for the use of the proceeds thereof for the purposes of this act; and providing for the expenditure of such proceeds and all revenues received from the operation of the system to the uses and purposes set forth herein.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on June 14, 1951, strike out line 6, and insert "the benefit of the people A necessity exists within a portion of Los Angeles County for such a system Because of the numerous separate municipal corporations and unincorporated populated areas in that portion of Los Angeles County within the area of the entire San Fernando Valley west of the west boundary of the City of Glendale, and within four (4) miles on each side of the main channel of the Los Angeles River from San Fernando Valley to the mouth of the river at Long Beach, only a specially created authority can operate freely in said portion of that county. Because of the unique problem presented by that portion of the county and the facts and circumstances relative to the establishment of an interurban rapid transit system therein, the adoption of a special act and the creation of a special authority is required."

Amendment No. 2

On page 1 of said bill, strike out lines 7 to 16, inclusive; and on page 2, strike out lines 1 to 6, inclusive.

Amendment No. 3

On page 2 of said bill, strike out lines 42 to 45, inclusive, and insert "lated areas, within the area of the entire San Fernando Valley west of the west boundary of the City of Glendale, and within four (4) miles on each side of the main channel of the Los Angeles River from San Fernando Valley to the mouth of the river at Long Beach, by means of suspended overhead monorail on routes which the California Public Utilities Commission has first determined are required by public convenience and necessity, together with any supplemental feeder bus lines which established common carriers of passengers serving the area decline to provide after that Commission has determined they are required by public convenience and necessity"

Amendment No. 4

On page 2, line 48, of said bill, strike out the comma, and insert a period.

Amendment No. 5

On page 2 of said bill, strike out lines 49 to 51, inclusive; and on page 3, strike out lines 1 to 4, inclusive.

Amendment No. 6

On page 3 of said bill, between lines 32 and 33, insert

"SEC. 2 1/4. The "Public Utilities Act" as used in this act means the Public Utilities Code upon its taking effect. The authority shall be deemed a public utility within the provisions of the Public Utilities Act"

Amendment No. 7

On page 3, line 39, of said bill, after the period, insert "The authority in all respects shall be subject to the same regulations, restrictions and restraints as if it were a privately owned and operated carrier and shall be subject to the jurisdiction of the Public Utilities Commission and all other laws applicable to privately owned and operated carriers"

Amendment No. 8

On page 4, line 31, of said bill, strike out "ordinances,".

Amendment No. 9

On page 6, line 15, of said bill, after the period, insert "Wherever under then existing statute, ordinance or law a franchise, permit, license or authorization is required for a public utility, then this authority shall acquire a similar franchise, permit, license or authorization in the same manner and pursuant to the same procedure, terms and conditions as are required of a public utility."

Amendment No. 10

On page 7, line 47, of said bill, after "with", insert "or franchises from".

Amendment No. 11

On page 7, line 48, of said bill, after "county", insert ", district,"

Amendment No. 12

On page 8, line 13, of said bill, strike out "The", and insert "Subject to the jurisdiction of the Public Utilities Commission, the".

Amendment No. 13

On page 8, line 16, of said bill, strike out "at its pleasure, subject to", and insert "in accordance with".

Amendment No. 14

On page 8, line 20, of said bill, strike out "The", and insert "Subject to the jurisdiction of the Public Utilities Commission, the".

Amendment No. 15

On page 8, line 23, of said bill, strike out the period, and insert "; and".

Amendment No. 16

On page 8, line 32, of said bill, strike out "The", and insert "Subject to the provisions of the Public Utilities Act and authorization pursuant thereto from the Public Utilities Commission, the".

Amendment No. 17

On page 8, line 36, of said bill, strike out "The", and insert "Subject to the provisions of the Public Utilities Act and authorization pursuant thereto from the Public Utilities Commission, the".

Amendment No. 18

On page 9, line 4, of said bill, strike out "The authority", and insert "Subject to the provisions of the Public Utilities Act and authorization pursuant thereto from the Public Utilities Commission, the authority".

Amendment No. 19

On page 9 of said bill, strike out lines 6 to 8, inclusive, and insert "system or any part thereof by, any operator."

Amendment No. 20

On page 9 of said bill, strike out lines 28 to 32, inclusive, and insert "ing transit facilities.

SEC. 4.21. The authority shall pay to each public corporation in which property of the authority is situated an amount equal to the amount which would be paid in taxes and assessments on such property if it were privately owned. The amount of such payments shall be computed in the same manner as taxes or assessments on such property would be computed if it were privately owned, except that for this purpose the property of the authority shall be valued at appropriate times by the State Board of Equalization, and its determination thereof shall be final. This section shall not be applicable to bonds issued by the authority."

Amendment No. 21

On page 15, line 44, of said bill, insert

"SEC. 5.43. Nothing in this chapter shall affect or limit the jurisdiction and authority of the Public Utilities Commission as provided elsewhere in this act."

Amendment No. 22

On page 16 of said bill, strike out lines 51 and 52; and on page 17, strike out lines 1 and 2, and insert ' created in favor of the bondholders. The man-".

Amendment No. 23

On page 17, line 7, of said bill, strike out the period, and insert ", except that the authority and the property thereof is subject to the Public Utilities Commission to the same extent as a private utility and its property is."

Amendment No. 24

On page 17, line 35, of said bill, strike out "The authority", and insert "Pursuant to Sections 4.9 and 4.10, the authority".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Request for Unanimous Consent That Rush Order Be Placed Upon Printing of Assembly Bill No. 3112

Mr. Burkhalter asked for, and was granted, unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 3112.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3456—An act to amend Section 11714 of the Health and Safety Code, relating to narcotics.

Bill read third time.

Demand for Previous Question

Messrs. Hinckley, Geddes, Lanterman, Burke, and Waters demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 3456.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, and Waters—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2250—An act to amend Section 467 of the Streets and Highways Code, relating to the State Highway System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, and Waters—62.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2835

Mr. Lowrey asked for, and was granted, unanimous consent to take up Assembly Bill No. 2835, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 2835

Assembly Bill No. 2835—An act to add Section 11011 to the Government Code, relating to lands under the jurisdiction of state agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, and Waters—65.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2836

Mr. Lowrey asked for, and was granted, unanimous consent to take up Assembly Bill No. 2836, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 2836

Assembly Bill No. 2836—An act to amend Section 6219 of, and to add Section 6219.1 to, the Public Resources Code, relating to the index to land owned by the State.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, Tomlinson, and Waters—69.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2904

Mr. Gaffney asked for, and was granted unanimous consent to take up Assembly Bill No. 2904, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 2904

Assembly Bill No. 2904—An act to add Section 14633 to the Education Code, relating to retirement allowances for teachers retired under the State Teachers' Retirement System.

Bill read third time.

Demand for Previous Question

Messrs. Lanterman, Hinckley, Burke, Geddes, and Luckel demanded the previous question.

Roll Call Demanded

Messrs. Lanterman, Tomlinson, and Burke demanded a roll call.

The roll was called, and the demand for the previous question sustained by the following vote:

AYES—Babbage, Belotti, Burke, Burkhalter, Clarke, Collier, Dills, Dolwig, Doyle, Erwin, Fleury, Geddes, Grunsky, Hinckley, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, McCollister, McGee, Moss, Niehouse, Porter, Shaw, Smith, Stewart, Thomas, Tomlinson, and Waters—31

NOES—Beck, Berry, Brown, Coats, George D. Collins, Condon, Conrad, Cooke, Dunn, Elliott, Gaffney, Hagen, Henderson, and Sherwin—14.

The question being on the passage of Assembly Bill No. 2904.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Gaffney moved a call of the Assembly.

Motion carried. Time, 3.50 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Babbage, Brady, Caldecott, Chapel, Cloyed, Sam L. Collins, Dickey, Evans, Grant, Hagen, Hahn, Hollibaugh, Kelly, Kilpatrick, Lincoln, Lipscomb, McCarthy, McCollister, McFall, Parker, Rosenthal, Silliman, and Stanley—23

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. George D. Collins asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Constitutional Amendment No. 63—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 5 of Article XI, relating to compensation for public service.

Resolution read.

The roll was called, and the resolution refused adoption by the following vote:

AYES—Berry, Brown, Burkhalter, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Doyle, Elliott, Fleury, Hagen, Hawkins, Henderson, Luckel, Moss, Parker, Stanley, and Thomas—20.

NOES—Babbage, Beck, Burke, Clarke, Cloyed, Conrad, Dickey, Dills, Dolwig, Dunn, Evans, Geddes, Grant, Grunsky, Gubser, Hansen, Kelly, Kilpatrick, Lockslem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCollister, McFall, McGee, Munnell, Niehouse, Porter, Sherwin, Silliman, Smith, Stewart, Tomlinson, and Waters—38.

ANNOUNCEMENT

Mr. Sherwin announced that due to the condition of the file, no regular meeting of the Committee on Ways and Means will be held today.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 4.05 p.m., Mr. Sherwin asked for unanimous consent to hold a special meeting of the Committee on Ways and Means in the cloak room, at this time. Subject: Assembly Bill No. 3458.

Mr. Evans withheld unanimous consent.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 4.06 p.m., Mr. Luckel asked for unanimous consent to hold a special meeting of the Committee on Transportation and Commerce in the cloak room, at this time.

Mr. Evans withheld unanimous consent.

Motion to Temporarily Suspend the Rules

Mr. Lindsay moved that the Rules be temporarily suspended for the purpose of permitting the Committee on Transportation and Commerce to hold a special meeting, at this time.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the motion by Mr. Lindsay not in order because the Assembly is under a call of the Assembly.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 471—An act to add Section 21251.4 to the Government Code, relating to the California State Employees' Retirement System.

Bill read third time, and ordered passed on file.

Assembly Bill No. 1257—An act to amend Section 20750.1 of the Government Code, relating to the state contribution to the State Employees' Retirement Fund in respect to state miscellaneous members of the State Employees' Retirement System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Smith, Stanley, Stewart, Thomas, and Waters—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1665—An act to provide for the acquisition of Buena Vista Lagoon Wild Fowl Refuge by the State and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D. Collins, Connolly, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Sherwin, Stanley, Stewart, Thomas, and Waters—57.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1260

Mr. Fleury asked for, and was granted unanimous consent to take up Assembly Bill No. 1260, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 1260

Assembly Bill No. 1260—An act to amend Section 20750.4 of the Government Code, relating to the state contribution to the State Employees' Retirement Fund in respect to warden members of the State Employees' Retirement System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—64.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1261

Mr. Fleury asked for, and was granted, unanimous consent to take up Assembly Bill No. 1261, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 1261

Assembly Bill No. 1261—An act to amend Section 20750.3 of the Government Code, relating to the state contribution to the State Employees' Retirement Fund in respect to forestry members of the State Employees' Retirement System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—64
NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1262

Mr. Fleury asked for, and was granted, unanimous consent to take up Assembly Bill No. 1262, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 1262

Assembly Bill No. 1262—An act to amend Section 20750.2 of the Government Code, relating to the state contribution to the State Employees' Retirement Fund in respect to state patrol members of the State Employees' Retirement System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—64.
NOES—None.

Bill ordered transmitted to the Senate

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2696—An act making an appropriation to the State Department of Education for major construction, improvement, and repair, California School for the Deaf.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Stanley, Stewart, Thomas, and Waters—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 97—Relative to directing the Public Utilities Commission to apportion the costs of a certain grade separation on Olive Avenue in the City of Burbank, County of Los Angeles.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Clarke, Collier, George D. Collins, Condon, Cooke, Crowley, Davis, Dickey, Dills, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Munnell, Niehouse, Parker, Porter, Rumford, Smith, Stanley, Stewart, and Thomas—52.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 98—Relative to determination of water rights.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Porter, Rumford, Smith, Stanley, Stewart, Thomas, and Waters—64.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 2595—An act to amend Section 13002 of the Government Code, relating to the salary of the Director of Finance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Klocksiem, Levering, Lincoln,

Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Munnell, Niehouse, Parker, Porter, Rumford, Smith, Stanley, Thomas, and Waters—55.

NOES—Shaw—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2596—An act to amend Section 14002 of the Government Code, relating to the salary of the Director of Public Works.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Munnell, Niehouse, Porter, Rumford, Smith, Stanley, Thomas, and Waters—53.

NOES—Davis and Lowrey—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 19—An act to amend Section 19627 of the Business and Professions Code, relating to the state revenue derived from horse racing licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Klocksiem, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Stewart, Thomas, and Waters—56

NOES—None.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2501

At 4.35 p.m., on motion of Mr. Dolwig, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 2501 refused passage by the following vote:

AYES—Babbage, Belotti, Clarke, Cloyed, Collier, Connolly, Dolwig, Erwin, Evans, Fleury, Geddes, Grunsky, Hansen, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lyon, McGee, Sherwin, Smith, Stanley, Stewart, and Tomlinson—27.

NOES—Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Coats, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Gaffney, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Lincoln, Lowrey, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Thomas, and Waters—47.

Motion to Expunge Record and Rescind Action on Assembly Bill No. 2501

Mr. Geddes moved to expunge the record, and rescind the action whereby the Assembly on this day refused passage to Assembly Bill No. 2501.

Point of Order

Mr. Condon arose to the following point of order: That the motion by Mr. Geddes is not in order because motions are not at present before the House.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE BILL NO. 1535 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Caldecott asked for, and was granted, unanimous consent that Senate Bill No. 1535 be withdrawn from the Committee on Governmental Efficiency and Economy, and be re-referred to the Committee on Civil Service and State Personnel.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 797—An act making an appropriation for the construction of buildings and improvements at the proposed State School for the Deaf, Southern California.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, and Waters—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1623—An act to amend Sections 20864, 20921, 20922, 21258, 21296, 21298, 21361, 21362, 21367.5 of, and to add Sections 21258 1, 21258.2, 21298.5, and 21367.7 to, the Government Code, relating to the State Employees' Retirement System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Kilpatrick, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Smith, Stewart, Thomas, and Waters—57.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 471

Mr. Fleury asked for, and was granted unanimous consent to take up further consideration of Assembly Bill No. 471, passed on file.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 471

Assembly Bill No. 471—An act to add Section 21251.4 to the Government Code, relating to the California State Employees' Retirement System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Silliman, Smith, Stewart, Thomas, and Waters—63.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1628—An act to amend Sections 20750.1, 20750.2, 20750.3, and 20750.4 of the Government Code, relating to state contributions to the State Employees' Retirement Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Silliman, Stewart, Thomas, and Waters—62.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2640

Mr. Sherwin asked for, and was granted unanimous consent to take up Assembly Bill No. 2640, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 2640

Assembly Bill No. 2640—An act to add Sections 6386 and 6404 to the Revenue and Taxation Code, relating to exemptions from sales and use taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, and Waters—64.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1802—An act to amend Section 12302 of the Government Code, relating to salaries of State Treasurer's assistants.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Levering, Lincoln, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Rumford, Sherwin, Stewart, and Thomas—57.

NOES—Cloyed, Elliott, Hagen, Hansen, Lindsay, Lowrey, and Silliman—7.

Bill ordered transmitted to the Senate.

Hon. Arthur H. Connolly, Jr., Presiding

At 4.55 p.m., Hon Arthur H. Connolly, Jr, Member of the Assembly from the Twenty-first District, presiding.

BILLS WITHDRAWN FROM ACTIVE FILE

Assembly Bill No. 3445, on motion of Mr. Meyers.

ANNOUNCEMENT

At 4.57 p.m., Mr. Evans announced that he desired to withdraw his objections, at this time, to the unanimous consent request of Mr. Sherwin to hold a special meeting of the Committee on Ways and Means.

Speaker Pro Tempore Presiding

At 5.01 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

MOTION THAT SENATE BILLS SET FOR HEARING IN COMMITTEE ON JUDICIARY BE CONTINUED

Mr. Brown moved that all Senate bills set for hearing in the Committee on Judiciary for tonight be continued until tomorrow night, Tuesday, June 19th, and be heard at that time.

Mr. Caldecott seconded the motion.

Motion carried.

MOTION THAT SENATE BILLS SET FOR HEARING IN COMMITTEE ON FINANCE AND INSURANCE BE CONTINUED

Mr. Geddes moved that all Senate bills set for hearing in the Committee on Finance and Insurance for tonight be continued until tomorrow night, Tuesday, June 19th, and be heard at that time.

Mr. Caldecott seconded the motion.

Motion carried.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

Mr. Caldecott asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Civil Service and State Personnel at his desk at 9 30 a m., tomorrow, Tuesday, June 19th.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 3460 BE HEARD UPON RECESS

Mr. Beck asked for, and was granted, unanimous consent that a meeting be held at the desk of Mr. Brown, upon recess, for the purpose of considering Assembly Bill No. 3460.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 6

At 5.04 p.m., on motion of Mr. Chapel, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 6 passed by the following vote:

AYES—Babbage, Belotti, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCollister, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—54.

NOES—Berry, George D. Collins, Condon, Cooke, Davis, Dunn, Elliott, Evans, Hawkins, Kilpatrick, Levering, Lowrey, Luckel, McMillan, and Tomlinson—15.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2330

Mr. Conrad asked for, and was granted, unanimous consent to take up Assembly Bill No. 2330, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 2330

Assembly Bill No. 2330—An act to amend Sections 19601, 19601.6, 19608, 19613, and 19613.7 of, to add Sections 19601.7, 19601.8, and 19607.1 to, and to repeal Sections 19601.5, 19613.5, and 19617 of, the Education Code, relating to child care centers, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Stewart, Thomas, and Waters—64

NOES—Hagen and Tomlinson—2.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Stewart, Thomas, and Waters—64

NOES—Hagen and Tomlinson—2.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1093—An act to amend Section 10407 of the Government Code, relating to the Commission on Uniform State Laws and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—66.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolutions were offered:

By Mr. Lyon:

House Resolution No. 214

Relative to the creation of the Assembly Interim Committee on Highways, Streets, and Bridges

WHEREAS, The public highways, streets, and bridges of the State are useful, necessary, and indispensable arteries of travel and commerce and have been constructed and improved at great public expense; and

WHEREAS, The State, in providing highway, road, and street facilities, is in effect managing and financing a full-scale transportation system, costing the highway users and taxpayers of the State in excess of $200,000,000 annually; and

WHEREAS, Pavements and other highway improvements are not permanent but must be rebuilt, resurfaced, expanded, and modernized both to maintain and improve the existing facilities and to meet changing economic and industrial conditions; and

WHEREAS, The Legislature is responsible to the people as a whole for the imposition of taxes levied to support state highway, county road, and city street programs and in discharging this responsibility cannot be indifferent to the inefficient use of tax resources, but it appears possible that less diligence is presently exercised over expenditures of state-collected highway-user taxes by the State, the counties, and the cities than is exercised over the expenditure of other tax moneys because such expenditures do not directly affect the General Fund of the State or the tax rates of local government; and

WHEREAS, The Department of Public Works has reported to the Legislature that the cost of improving the state highways alone to standards adequate for 1950 traffic conditions is estimated in excess of three billion dollars, but only fourteen billion dollars will be available for construction in the next 10 years; and

WHEREAS, The cost of acquiring rights-of-way and the limitation of access has risen to alarming proportions and appears to be continuing to rise, and the reasons for the increasing costs should be ascertained and the wisdom of limiting access construction under certain conditions, should be reviewed by the Legislature; and

WHEREAS, Serious criticisms have arisen from time to time with respect to the advisability of constructing freeways in metropolitan areas where parking problems are not being solved and mass transit is not being improved; and

WHEREAS, The Legislature in its 1951 Regular Session considered alternative plans of financing an accelerated state highway construction and right-of-way acquisition program but it appeared that further study should be given to all aspects of California's highway problems, including an appraisal of the efficiency and effectiveness with which state-collected highway-user tax funds are now being expended by all agencies of government to which such funds are entrusted; and

WHEREAS, The Senate Interim Committee on Highways, Streets, and Bridges, created by Senate Resolution 129 in the 1949 Regular Session of the Legislature during the course of its inquiries found that several counties were apparently failing to comply with the spirit, if not the letter of the Highway Act of 1947 with respect to county road administration, and, it, therefore, appears that the Legislature should have additional information on this subject in view of the fact that almost fifty million dollars is apportioned annually by the State to counties for road purposes, and

WHEREAS, The State Controller is annually collecting data on county road and city street finance as required by the Highway Act of 1947 and such information should be carefully digested and evaluated for the use of the Legislature in considering legislation dealing with county road and city street affairs; and

WHEREAS, Expenditures by the Department of Motor Vehicles and the Department of the Highway Patrol are directly supported by taxes collected from highway-users and such expenditures directly reduce the amount of funds available for highways and, therefore, should be investigated by the Legislature in view of the apparent need for additional revenue; and

WHEREAS, The Legislature is faced with difficult problems of cost allocation in devising just and reasonable taxes for highway support, which problems have not been fully solved particularly with respect to the equitable taxation of heavy commercial vehicles although alternative solutions have been considered, and, therefore, further study is necessary in this connection; and

WHEREAS, Additional and more comprehensive data regarding the operating characteristics of various classes of motor vehicles, including such factors as annual vehicle mileages, average fuel consumption, loaded and empty vehicle weights, and the like, are indispensable to the formation of a reasonable and equitable system of highway-user taxation and, therefore, should be collected, analyzed, and made available to the Legislature; and

WHEREAS, No one of the administrative agencies of the State Government is so constituted that it can consider and advise the Legislature on all aspects of highway, road, and street management and finance, and, therefore, the Legislature finds a lack of complete and coordinated information on over-all highway problems; and

WHEREAS, The entire problem of proper maintenance, development, and financing of the highways, streets, and bridges requires continued study, investigation, vigilance, and exercise of foresight on the part of the Legislature to insure that the money of the people of California is wisely expended, that modern and efficient methods are employed, that existing facilities are maintained, and that reasonable measures consistent with efficiency and economy are being taken to maintain, improve, and make safe the arteries of vehicular travel of the State; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1 The Assembly Interim Committee on Highways, Streets, and Bridges is hereby created and authorized and directed to ascertain, study, and analyze all facts relating to and in any way connected with the maintenance and development of safe, efficient, economical, and adequate highways, streets, and bridges and the administration and financing thereof, including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2 The committee is further specifically authorized and directed to collect by questionnaires, direct investigation, or otherwise, all such information from the owners and operators of motor vehicles on the highways, roads, and streets of this State as it deems necessary in order to formulate a reasonable and equitable system of Highway-User Taxation for all classes of motor vehicle operation and to carry out the other purposes for which it is created.

3 The committee is further and specifically directed, without any limitation on its other powers, to ascertain, study and analyze all facts relating to the following:

(a) California's highway, road, and street needs, including an appraisal of the 1951 deficiency report made by the Department of Public Works and the criteria adopted in the preparation of that report;

(b) The efficiency and effectiveness of State highway, county road, and city street expenditures, including a determination of whether unnecessary, wasteful, or extravagant expenditures have been or are being made by any agency of government;

(c) Budgetary practices relating to highways, roads, and streets of the State, counties, and cities, including expenditure programs of the Motor Vehicle Department and the Department of the Highway Patrol,

(d) The effectiveness and efficiency of present administrative arrangements pertaining to highways, roads, and streets;

(e) The effectiveness of present policies of the State Department of Public Works with respect to advance planning of highway construction and the advance acquisition of rights-of-way;

(f) The costs and economic effects of present state policies with respect to the construction of limited access highways and metropolitan freeways;

(g) Alternative methods of financing the highway modernization program of California;

(h) Alternative methods of taxing heavy commercial vehicles equitably in relation to taxes on other highway users;

(i) The need for continuing collections of data regarding highway use, vehicle operating characteristics, and the effects of heavy vehicles on highways and vehicle traffic from which can be devised more equitable tax policies;

(j) The advisability of establishing a permanent committee or other agency in order (1) to provide a continuous check on expenditures of state-collected highway-user taxes by the State, counties, and cities; (2) to study and recommend legislation to

guarantee and insure the most effective highway, road, and street management and the most efficient expenditure of highway, road, and street funds; (3) to accumulate and coordinate data which will provide a rational basis for the allocation of state-collected highway-user taxes among the various levels of government and among geographical areas of the State; (4) to accumulate and coordinate data which will provide a basis for the improvement of the highway-user tax structure and for such modifications of the structure as conditions may justify from time to time, (5) to study, analyze, and appraise on a continuing basis all aspects of highway, road, and street management, expenditure, and finance to the end that the Legislature will at all times be fully advised on the existing facts, new developments, and emerging issues in the transportation field; (6) to make studies of the economics of transportation in general, including taxation and regulatory policies, to the end that the State's role in providing the road plant will be properly integrated with the overall development of an efficient transportation system for California; (7) to cooperate with other agencies, public and private, to accomplish the objectives of the committee or agency

4. The committee shall consist of seven Members of the Assembly appointed by the Speaker thereof. Vacancies occurring in the membership of the committee shall be filled by the appointing power. The Speaker shall appoint the chairman and vice chairman of the committee.

5. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session

6. The committee and its members shall have and exercise all of the rights, duties, and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members

7. The committee has the following additional powers and duties.

(a) To employ an executive secretary, engineers, auditors, and other personnel, as it deems necessary to carry out the purposes for which it is created.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to service subpenas, orders, and other process issued by the committee

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

8. The committee and its employees may meet and act any place within the State or within the United States

9. The sum of _____ dollars ($_____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Belotti:

House Resolution No. 215

Relative to action of committees on bills

Resolved by the Assembly of the State of California, That all bills set for hearing by any Assembly committee, except the Assembly Committee on Rules, must be published in the Daily File not less than one day in advance of such hearing.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Belotti:

House Resolution No. 216

Relative to action of committees on bills

Resolved by the Assembly of the State of California, That on and after the day upon which this resolution is adopted the provisions of House Resolution No. 79 shall have no force or effect.

Resolution read, and ordered referred to the Committee on Rules.

By Messrs. Sherwin, Dunn, Lincoln, Rumford, Caldecott, and Dickey:

House Resolution No. 217

Relative to the passing of Judge J. A. Kennedy

WHEREAS, This House was saddened to hear of the death of Judge J. A. Kennedy, of Oakland; and

WHEREAS, Judge Kennedy, born in San Francisco 74 years ago, was graduated from St Mary's College, and admitted to the bar in 1905 to begin 30 years of outstanding practice of the law; appointed to the bench in 1936 as police judge, he was elected in April of this year to the municipal court, and

WHEREAS, Judge Kennedy was well known for his "pep talks" to his collegiate alma mater's football teams before their games with the University of California; he was a first member on the Oakland Planning Commission, a past Grand Knight of the Knights of Columbus, and had membership in the Elks, Moose, and Eagles, among others; and

WHEREAS, The steadfastness of his character, and abundancy of his contributions to the proper manner of juristic service, well noted and long admired by the bar and public, make his passing a serious loss; now, therefore, be it

Resolved by the Assembly of the State of California, That condolences be extended to the family of Judge Kennedy; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to Mr J A Kennedy, Jr, 531 Valle Vista Street, Oakland, California.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Levering:

House Resolution No. 218

Relative to the powers and duties of the Assembly Interim Committee on the Judicial System and Judicial Process

Resolved by the Assembly of the State of California, That in addition to the powers and duties heretofore given and imposed upon the Assembly Interim Committee on the Judicial System and Judicial Process (as created by House Resolution No 168 of the 1951 Regular Session) the said committee is hereby authorized and directed to ascertain, study, and analyze all facts relating to, bearing upon or affecting the subject of unlawful transportation, keeping, depositing, concealment, and possession of narcotics in vehicles, with special attention to the subject matter of Assembly Bill No 3437 of the 1951 Regular Session of the Legislature and particularly with respect to the protection of the property rights of the innocent legal owners of confiscated automobiles, including but not limited to the operation, effect, administration, enforcement, and needed revision of any any and all laws in any way bearing upon or related thereto, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Brown:

House Resolution No. 219

Relative to Directing the Assembly Interim Committee on Governmental Efficiency and Economy to study matters pertaining to aviation

WHEREAS, Aviation is daily becoming a more important factor in our economy; and

WHEREAS, The State of California should do everything reasonably possible to encourage and facilitate the growth of aviation; and

WHEREAS, Before anything can be done in this regard a study of the situation must first be made; now, therefore, be it

Resolved by the Assembly of the State of California, That the existing Assembly Interim Committee on Governmental Efficiency and Economy, or any committee created at this session with similar powers and duties, is hereby requested to study and investigate the following matters:

(a) The subject of unclaimed refunds as between counties and cities of taxes paid on motor vehicle fuel used for the propulsion of aircraft;

(b) The operational functions of the California Aeronautics Commission;

(c) The problems of private aviation;

Resolved, That the committee submit a report and its recommendations thereon to the Assembly at the 1953 Regular Session of the Legislature.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Condon:

House Resolution No. 220

Relative to directing the Assembly Interim Committee on Fish and Game to undertake an investigation

WHEREAS, The 1951 Regular Session of the California Legislature enacted Senate Bill 868 which provides for closure of certain sections of the Sacramento River to commercial fishermen; and

WHEREAS, During the consideration of Senate Bill 868 the evidence relating to the question of conservation was in sharp conflict; and

WHEREAS, The welfare of hundreds of people is dependent on the preservation of the salmon resource; and

WHEREAS, It appears that a study of the conservation aspects of the Sacramento River closure is within the scope of the Assembly Interim Committee on Fish and Game; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Fish and Game be and it is hereby authorized and directed to ascertain through hearings and investigations all facts relating to the effects of Senate Bill 868 on the conservation of the salmon resources of the Sacramento River; and be it further

Resolved, That the committee is directed to obtain testimony from biologists and scientists familiar with the problems of salmon fishery; to commence this investigation no later than 90 days after adjournment of the 1951 Regular Session of the Legislature; and to report its findings and recommendations not later than March 15, 1952.

Resolution read, and ordered referred to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Joint Resolution No. 46: By Mr. Chapel—Relative to recognition of small business in the Nation's defense economy.

Referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2474

Mr. Burkhalter asked for, and was granted, unanimous consent to take up Assembly Bill No. 2474, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 2474

Assembly Bill No. 2474—An act to make an appropriation for the improvement of certain streets in Los Angeles County.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Geddes, Hagen, Hahn, Hawkins, Hollibaugh, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Nicholson, Parker, Porter, Rosenthal, Rumford, Smith, Stewart, Thomas, and Waters—56.

NOES—Clarke, Fleury, Grunsky, Hansen, Henderson, Hinckley, Kirkwood, Lowrey, Luckel, Moss, and Sherwin—11.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr. Chapel asked for, and was granted, unanimous consent that his name be placed upon the roll call, on Assembly Bill No. 2474, and that he be recorded as voting "Aye".

Speaker Presiding

At 5 20 p m., Hon. Sam L. Collins, Speaker of the Assembly, presiding

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 976

Mr Maloney asked for, and was granted, unanimous consent to take up Assembly Bill No. 976, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 976

Assembly Bill No. 976—An act to amend Sections 51, 53, 60, 70.5, 77.5, 80, 112, and 145 of the Labor Code, relating to the general powers and duties of the Department and Director of Industrial Relations and salaries within the Department of Industrial Relations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kloeksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Smith, Stewart, Thomas, Tomlinson, and Waters—61.

NOES—Silliman—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1193

Mr. Caldecott asked for, and was granted unanimous consent to take up Assembly Bill No. 1193, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 1193

Assembly Bill No. 1193—An act to amend Section 36 of the Municipal and Justice Court Act of 1949, relating to municipal and justice courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Kloeksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3385

Mr. Moss asked for, and was granted unanimous consent to take up Assembly Bill No 3385, temporarily passed on file

CONSIDERATION OF ASSEMBLY BILL NO. 3385

Assembly Bill No. 3385—An act authorizing the expenditure of certain sums for construction, improvements, and equipment of a building in the County of Sacramento for the State Department of the California Highway Patrol, and to add Section 13115.5 to the Government Code, relating to the approval by the Department of Finance of investment of funds by certain state agencies, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Moss moved a call of the Assembly.

Motion carried. Time, 5.26 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brown, Coats, George D. Collins, Dunn, Evans, Grant, Grunsky, Gubser, Kelly, Lyon, McCarthy, Rosenthal, Shaw, Sherwin, Stanley, and Stewart—16.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Lowrey asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3442

Mr. Lowrey asked for, and was granted unanimous consent to take up Assembly Bill No. 3442, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 3442

Assembly Bill No. 3442—An act to add Article 7, comprising Sections 9140 to 9142, to Chapter 1 of Part 1 of Division 2, Title 2 of the Government Code, relating to legislative committees.

Bill read third time.

Demand for Previous Question

Messrs. Lanterman, Beck, Moss, Lincoln, and Hansen demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 3442.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Lowrey moved a call of the Assembly.

Motion carried. Time, 5.45 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Chapel, Coats, Dills, Dunn, Evans, Hawkins, Kelly, Kirkwood, and Stanley—9.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Rosenthal asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal:

ASSEMBLY, CALIFORNIA LEGISLATURE
SACRAMENTO, CALIFORNIA, June 18, 1951

Hon. Sam L. Collins
Speaker of the Assembly
Assembly Chamber, Sacramento, California

DEAR MR. COLLINS. The family is deeply appreciative of the expression of sympathy extended by the Assembly in the recent loss of our dear Mother.

The tribute and honor bestowed upon her at the memorial service on Friday, June 15th, was deeply felt and beyond any expectation.

Mother's desire that all would know the Lord as she knew Him was predominant in her life.

We gratefully acknowledge your kindness

THE HAHN FAMILY
By GORDON R. HAHN

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

ECONOMIC STABILIZATION AGENCY
WASHINGTON 25, D. C., June 11, 1951

Mr. Arthur A. Ohnimus, Chief Clerk
Assembly Chamber, State Capitol
Sacramento 14, California

DEAR MR. OHNIMUS: Thank you for sending me a copy of House Resolution No. 148, adopted by the California Assembly on May 25, 1951.

Regional boundaries and regional headquarters were established by the Budget Bureau to provide a standard regional pattern for field organizations of the new production, manpower and stabilization agencies. This agency is governed by the Budget Bureau's directive on the subject.

The Regional Headquarters for the California, Nevada, Arizona Region was established in San Francisco. The Office of Price Stabilization, which is the only part of the Economic Stabilization Agency to organize a field staff to date, has established several district offices. These district offices, including one in Los Angeles, implement the regional office services to the various business communities.

As evidenced by the above, the matter of determination of regional boundaries and regional headquarters is beyond my jurisdiction.

Sincerely yours,

ERIC JOHNSTON, Administrator

By Speaker Sam L. Collins:

A communication from Governor Earl Warren which reported to the Legislature, on advice of the Attorney General, that under Section 16054 of the Government Code judgments against the State of California on claims, appear to be pending, was received, and ordered referred to the Committee on Ways and Means.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED IN JOURNAL

Mr. Dolwig asked for, and was granted, unanimous consent that a letter of transmittal and a Report of the Committee on Legislative Representation be ordered printed in the Journal, in 10 point type.

(Above mentioned letter of transmittal and report will appear prior to the motion to adjourn.)

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3460

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 853

Mr. Rosenthal asked for, and was granted, unanimous consent to take up Assembly Bill No. 853, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 853

Assembly Bill No. 853—An act to amend Section 1500 of the Welfare and Institutions Code, relating to aid to needy children in respect to children in the custody of licensed adoption, home-finding or child-placing agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—73.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2544

Mr. McCarthy asked for, and was granted unanimous consent to take up Assembly Bill No. 2544, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 2544

Assembly Bill No. 2544—An act making an appropriation to the Regents of the University of California for the augmentation and expansion of the teaching program of the colleges of engineering in the field of construction engineering.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Lanterman, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Smith, Stewart, Thomas, Tomlinson, and Waters—60.

NOES—Babbage, Cloyed, Hansen, Kirkwood, Levering, Luckel, and Silliman—7.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1308 BE RE-REFERRED TO COMMITTEE

Mr. McCarthy asked for, and was granted, unanimous consent that Assembly Bill No. 1308 be withdrawn from the third reading file, and be re-referred to the Committee on Ways and Means.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2372

Mr. Kirkwood asked for, and was granted, unanimous consent to take up Assembly Bill No. 2372, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 2372

Assembly Bill No. 2372—An act to add Article 1.5 to Chapter 2, Division 10 of the Education Code, relating to the Public School System and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly Kilpatrick, Kirkwood, Kloeksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—73.

NOES—None

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Messrs. Morris and Maloney:

House Resolution No. 221

Relative to the marriage of Chief E Raymond Cato of the California Highway Patrol

WHEREAS, The good news has been received by this House of the marriage of E Raymond Cato to Miss Louise Marie Kuzmich, on Saturday, June 16th, at the Cathedral of the Blessed Sacrament in Sacramento; and

WHEREAS, The new Mrs Cato is the daughter of Mr. and Mrs. Mike Kuzmich of Sacramento, a graduate of St Joseph's Academy and is in state service; and

WHEREAS, E. Raymond Cato is one of the best known law enforcement officers in the Nation, having gathered a tremendously laudable record in his many years of devoted, energetic and efficient service; as Chief of the California Highway Patrol, he is responsible for field operations, and has gathered to the patrol the highest esteem of the public and the men with whom he serves; and

WHEREAS, It is always encouraging to see the marriage of a couple actively engaged in performance of duties as state workers; now, therefore, be it

Resolved by the Assembly of the State of California, That the ardent best wishes of each Member of this House be extended to the comely Mrs. Cato, and that such personal congratulations be declared to E Raymond Cato; and be it further

Resolved, That the Chief Clerk of the Assembly transmit suitable copies of this resolution to Mr. and Mrs E Raymond Cato.

Resolution read, and ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3247

Mr. Rosenthal asked for, and was granted unanimous consent to take up Assembly Bill No. 3247, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 3247

Assembly Bill No. 3247—An act to amend Sections 51, 70.5, 77.5, 80, and 145 of the Labor Code, relating to salaries in the Department of Industrial Relations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Henderson, Hollibaugh, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Thomas, Waters, and Mr. Speaker—59

NOES—Elliott and Luckel—2.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3248

Mr. Rosenthal asked for, and was granted unanimous consent to take up Assembly Bill No 3248, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 3248

Assembly Bill No. 3248—An act to amend Section 112 of the Labor Code, relating to the Industrial Accident Commission.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloved, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Thomas, and Waters—59.

NOES—Luckel—1.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO ASSEMBLY BILL NO. 3385

At 6 01 p m., on motion of Mr. Moss, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the urgency clause to Assembly Bill No. 3385 adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Henderson, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Sherwin, Smith, Stewart, and Tomlinson—58

NOES—Cloyed, Condon, Conrad, Dickey, Elliott, Hansen, Hawkins, Hinckley, Hollibaugh, Kirkwood, Levering, McMillan, Porter, Silliman, Thomas, and Waters—16.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Henderson, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Sherwin, Smith, Stewart, and Tomlinson—58

NOES—Cloyed, Condon, Conrad, Dickey, Elliott, Hansen, Hawkins, Hinckley, Hollibaugh, Kirkwood, Levering, McMillan, Porter, Silliman, Thomas, and Waters—16.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

Mr. Beck asked for unanimous consent to take up a resolution to suspend the provision of Article IV, Section 15, of the Constitution which requires the reading of a bill on three several days for the purpose of considering Assembly Bill No. 3460, at this time.

Mr. Dickey withheld unanimous consent because legislative courtesy was withheld from Mr. Smith, this afternoon.

MOTION TO EXTEND LEGISLATIVE COURTESY TO BOTH MESSRS. BECK AND SMITH

Mr. Hollibaugh moved that legislative courtesy, pursuant to requests made by Messrs. Beck and Smith, be extended to both Messrs. Beck and Smith.

Mr. Dickey seconded the motion.

Motion carried.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 3442

At 6.10 p.m., on motion of Mr. Lowrey, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 3442 passed by the following vote:

AYES—Babbage, Belotti, Berry, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Dills, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, McMillan, Meyers, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Waters, and Mr. Speaker—51.

NOES—Beck, Brady, Brown, Burkhalter, George D. Collins, Condon, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Geddes, Hagen, Lyon, McCollister, McGee, Morris, Niehouse, Shaw, Thomas, and Tomlinson—23.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2904

At 6.14 p.m., on motion of Mr. Gaffney, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 2904 refused passage by the following vote:

AYES—Beck, Berry, Brown, Caldecott, Coats, George D. Collins, Condon, Crowley, Davis, Dills, Doyle, Elliott, Evans, Fleury, Gaffney, Gubser, Hagen, Henderson, Kilpatrick, Lowrey, Luckel, Maloney, McFall, Meyers, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, and Thomas—32.

NOES—Belotti, Burke, Burkhalter, Clarke, Collier, Connolly, Conrad, Cooke, Dolwig, Dunn, Erwin, Geddes, Grunsky, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lyon, McGee, McMillan, Morris, Niehouse, Sherwin, Smith, Stewart, Tomlinson, and Waters—34.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 3458 BE REPORTED OUT OF COMMITTEE

Mr. Sherwin asked for, and was granted, unanimous consent that Assembly Bill No. 3458 be reported out of the Committee on Ways and Means and be placed upon the second reading file.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 3460

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bill ordered to second reading.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Beck:

Resolved, That Assembly Bill No. 3460 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, considered engrossed and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—70.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF ASSEMBLY BILL NO. 3460

Assembly Bill No. 3460—An act to add Section 2.8 to the Municipal and Justice Court Act of 1949, relating to municipal and justice courts.

Bill read second time.

Assembly Bill No. 3460—An act to add Section 2.8 to the Municipal and Justice Court Act of 1949, relating to municipal and justice courts.

Bill read third time, and ordered temporarily passed on file.

RECESS

At 6.19 p.m., on motion of Mr. Dickey, the Assembly recessed until 8 p.m.

REASSEMBLED

At 8 p m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

Speaker Pro Tempore Presiding

At 8.01 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 15, 1951

To the Honorable Members of the Assembly
State of California
Sacramento, California

GREETINGS: I am returning herewith, without my signature,

Assembly Bill 282, entitled: "An act to add Sections 9518.1 and 9522.18 to the Business and Professions Code, relating to dry cleaning."

My objections to this bill are as follows:

This bill would amend those sections of the Business and Professions Code relating to dry cleaning. It would provide that the word "code" means the Business and Professions Code, and provides that for the purpose of the chapter and any rules and regulations of the board the present tense includes the past and future, the future tense includes the present, the masculine gender includes the feminine and the feminine the masculine, and that the singular includes the plural and the plural the singular.

It is obvious that when found in the Business and Professions Code, the word "code" of necessity refers to that code. The other provisions are found in slightly different form in Section 14 with one slight exception.

It is also obvious that the adoption of this bill will not accomplish any change in the law and that it is not desirable to re-introduce in each chapter of this code a statement that is found in the preliminary sections of the code applicable to all chapters.

I am therefore returning the bill without my approval.

Respectfully submitted.

EARL WARREN, Governor

Acknowledgment of Receipt of Assembly Bill No. 282

June 18, 1951

I acknowledge receipt this eighteenth day of June, 1951, at 4.50 o'clock p m, of Assembly Bill No. 282 without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

ARTHUR A. OHNIMUS

Assembly Bill No. 282 ordered to unfinished business file.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 18, 1951

To the Honorable Members of the Assembly
State of California
Sacramento, California

GREETINGS: I am returning herewith, without my signature,

Assembly Bill No. 997, entitled: "An act to provide for the number and succession of judges in municipal court judicial districts in Los Angeles County."

My objections to this bill are as follows:

This is the bill providing for the number of judges of the Municipal Courts in the County of Los Angeles under the constitutional provision submitted to the people by the Legislature.

This court reorganization plan was represented to the people as one to effect efficiency and economy in our inferior courts. In order to keep faith with that promise the Judicial Council has surveyed the judicial workload in all affected parts of the State for the purpose of determining the number of judges in the new municipal court districts established by the boards of supervisors pursuant to the reorganization program. The boards of supervisors are responsible to the people for the tax rate of their counties, and working with the Judicial Council, have determined the number of judges needed in the several judicial districts in their counties.

Some years ago the people established the home rule principle for county government in Section 7½ of Article XI of the Constitution. I believe that it is in keeping with that principle to rely largely on the boards of supervisors in such matters as court reorganization, particularly when the boards agree substantially with the Judicial Council of the State, based on the recommendation resulting from the studies of the judiciary in the various districts.

With reference to this bill the Chief Justice of the State, as Chairman of the Judicial Council, advises me as follows: "In my opinion, provision for the number of judges for each of these courts should have been made by a separate bill, as the determination in respect to each should stand on its own merits. In a few instances where the bill provides for a greater number than the supervisors or the council recommended, there is some basis for a difference of opinion as to the number of judges needed. However, there can be no justification for providing as many judges for some of these courts as the bill does. I therefore recommend that AB 997 be vetoed."

The Board of Supervisors of Los Angeles County, through the county counsel, advises me as follows: "This letter is written pursuant to the specific instructions of the Board of Supervisors of the County of Los Angeles, adopted May 15th, at which time the county counsel was instructed to advise you by letter of the unanimous position of the board of supervisors of this county in opposing an increase in the number of judges of the municipal court, brought about by the plan to reorganize the inferior courts over and above the 74 judges recommended by the board of supervisors to the Legislature. Assembly Bill 997 provides for an excess of ten such judges."

And on June 1st reaffirms its position in the following language: "The purpose of this communication is to reaffirm the unanimous opposition of the Board of Supervisors of the County of Los Angeles to Assembly Bill 997, which provides, according to the recommendations of Chief Justice Gibson and the Judicial Council, for at least ten unneeded municipal court judges for this county."

The City Council of the City of Los Angeles advises me as follows: "Whereas the State Assembly has passed a bill authorizing additional 10 inferior court judges, increasing the number of such offices from 74 to 84, and whereas the board of supervisors, Supreme Court Chief Justice Phil S. Gibson, the Judicial Council and others in authority in the State feel that these 10 additional judges are not essential and whereas in view of the fact that this increase in personnel will add more than $600,000 annually to the county tax bill, and whereas a proper portion of this additional tax burden will be borne by tax payers in the City of Los Angeles; *therefore be it resolved* that the City Council of the City of Los Angeles joins with the Los Angeles County Board of Supervisors in protesting to the California State Senate the passage of the bill approved by the Assembly."

I have stated that I would veto any bill, regardless of the county involved, that proposed a number of judges in excess of the recommendations of both the Judicial Council and the board of supervisors. I have no personal knowledge of the number of municipal court judges required in Los Angeles or in any other county in this State. In the absence of such personal knowledge, and in furtherance of the principle of home rule, I believe that it is my duty to give great weight to the recommendations of the Board of Supervisors and the Judicial Council. Where there is a difference of opinion between these two I will, of course, be required to exercise my independent judgment based on the facts presented.

I was prepared to veto this bill on its arrival in my office. However, at the request of several Members of the Legislature from Los Angeles County, I held off returning the bill to give them an opportunity to again contact the Los Angeles County Board

of Supervisors and the Judicial Council. Because this is the last week of the session I can no longer withhold returning this bill, and accordingly am returning it herewith.

Respectfully submitted.

EARL WARREN, Governor

Acknowledgment of Receipt of Assembly Bill No. 997

June 18, 1951

I acknowledge receipt this eighteenth day of June, 1951, at 4 55 o'clock p m., of Assembly Bill No. 997 without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

ARTHUR A. OHNIMUS

Assembly Bill No. 997 ordered to unfinished business file.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 257
Senate Bill No. 861
Senate Bill No. 1219
Senate Bill No 1345
Senate Bill No. 1480
Senate Bill No. 1759
Senate Bill No. 1834

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 257—An act to amend Sections 4905 and 4941 of the Education Code, relating to the Public School System.

Referred to Committee on Education.

Senate Bill No. 861—An act to add Section 20631 to the Government Code, relating to the State Employees' Retirement System in respect to withdrawal of additional voluntary contributions.

Referred to Committee on Civil Service and State Personnel.

Senate Bill No. 1219—An act to amend Section 25301 of the Corporations Code, relating to the salary of the Commissioner of Corporations.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1345—An act providing for the constitution of municipal courts in districts in San Mateo County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

Senate Bill No. 1480—An act to amend the Government Code and Section 737w of the Political Code, relating to salaries of superior judges.

Referred to Committee on Judiciary.

Senate Bill No. 1759—An act to amend Section 110 of, and to add Sections 988 and 989 to the Revenue and Taxation Code, relating to the valuation of property for purposes of property taxation.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1834—An act to add Sections 21 and 1633 to the Welfare and Institutions Code, relating to notice to probation officers in respect to juveniles.

Referred to Committee on Judiciary.

Hon. Frank P. Belotti Presiding

At 8.12 p.m., Hon. Frank P. Belotti, Member of the Assembly from the First District, presiding.

ABSENCE OF QUORUM SUGGESTED

Mr. Lowrey suggested the absence of a quorum.

The roll was called.

Call of the Assembly

Mr. Lowrey moved a call of the Assembly.

Motion carried. Time, 8.18 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Babbage, Brady, Burkhalter, Caldecott, Chapel, George D. Collins, Sam L. Collins, Condon, Connolly, Crowley, Dickey, Dills, Dolwig, Dunn, Gaffney, Geddes, Gubser, Hinckley, Kelly, Lanterman, Lincoln, McCarthy, McCollister, McFall, McMillan, Meyers, Niehouse, Rumford, Sherwin, Stanley, Stewart, Tomlinson, and Waters—33.

Quorum present.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Beck asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REQUEST FOR UNANIMOUS CONSENT

Mr. Beck asked for, and was granted, unanimous consent to take up Assembly Bill No. 3460, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3460

Assembly Bill No. 3460—An act to add Section 2.8 to the Municipal and Justice Court Act of 1949, relating to municipal and justice courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sillman, Smith, Stewart, Thomas, and Waters—61

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred.

Assembly Bill No. 3458

Has had the same under consideration, and respectfully reports the same back without recommendation.

LOWREY, Vice Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 3458—An act to provide for scientific research into the problem of sex crimes, including the causes and cures of sex deviation, and making an appropriation.

Bill read second time, and ordered engrossed.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 1422, on request of Mr. Chapel.

Request for Unanimous Consent That Assembly Bill No. 1422 Be Taken Up at This Time

Mr. Chapel asked for unanimous consent that he be permitted to take up Assembly Bill No. 1422, at this time.

Messrs. Geddes and Hinckley withheld unanimous consent.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 1724

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 1724—An act to amend Section 12001 of the Government Code, relating to the Governor's Office.

Bill read second time, and ordered engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 3112

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined Assembly Bill No. 3458

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined Assembly Bill No 1724

And reports the same correctly engrossed

BURKE, Chairman

Above reported bill ordered to third reading

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the notice of motion by Mr. Condon to reconsider the vote whereby Senate Bill No. 806 was passed, was continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT

Mr. Connolly asked for, and was granted, unanimous consent to take up further consideration of Assembly Bill No. 1204, at this time, without reference to file.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 1204

Assembly Bill No. 1204—An act to repeal Chapter 5, consisting of Sections 7100 to 7111, of Part 4 of Division 6 of the Welfare and Institutions Code and to add Chapter 5, consisting of Sections 7100 to 7110, to Part 4 of Division 6 of the Welfare and Institutions Code, relating to the establishment and maintenance of two state research centers for alcoholism, providing for the admission of persons thereto and the release of persons therefrom, providing for the powers and duties of the Department of Mental Hygiene in respect thereto, and making an appropriation therefor.

Bill read third time.

Motion to Amend

Mr. Munnell moved the adoption of the following amendments:

Amendment No. 1

In line 4 of the title of the printed bill, as amended in the Assembly on May 21, 1951, after the comma, insert "and to amend Section 24 of the Alcoholic Beverage Control Act,".

Amendment No. 2

In line 9 of the title of said bill, after the comma, insert "increasing the excise tax on distilled spirits to provide revenue therefor,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 4 of said bill, after line 36, insert

"SEC. 4. Section 24 of the Alcoholic Beverage Control Act is amended to read:

Sec. 24. An excise tax is hereby imposed upon all distilled spirits sold in this State by manufacturers, distilled spirits manufacturer's agents, brandy manufacturers, rectifiers, wholesalers, sellers of distilled spirits selling distilled spirits with

respect to which no tax has been paid within areas over which the Federal Government exercises jurisdiction, at the following rates:

On all distilled spirits of proof strength or less, [eighty cents ($0.80)] *eighty-five cents ($0.85)* per wine gallon, and at a proportionate rate for any quantity.

All distilled spirits in excess of proof strength shall be taxed at double the above rate."

Amendments read.

Demand for Previous Question

Messrs. Lincoln, Babbage, Hinckley, Silliman, and Hansen demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendments offered by Mr. Munnell to Assembly Bill No. 1204.

The roll was called, and the amendments adopted by the following vote:

AYES—Babbage, Beck, Belotti, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Conrad, Cooke, Davis, Dunn, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, McCarthy, McFall, McGee, Meyers, Moss, Munnell, Parker, Porter, Rosenthal, Shaw, Silliman, Smith, Tomlinson, and Waters—49.

NOES—Berry, Cloyed, Connolly, Crowley, Dickey, Dills, Elliott, Evans, Gaffney, Hawkins, Hollibaugh, Luckel, Lyon, Maloney, McCollister, McMillan, Niehouse, and Thomas—18

Bill ordered reprinted, and re-engrossed.

Motion to Place Rush Order on Printing of Assembly Bill No. 1204

Mr. Grunsky moved that a rush order be placed upon the printing of Assembly Bill No. 1204.

Motion carried.

REQUEST FOR UNANIMOUS CONSENT

Mr. Brown asked for, and was granted, unanimous consent to take up Assembly Bill No. 3458, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY BILL NO. 3458

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Brown:

Resolved, That Assembly Bill No. 3458 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Davis, Dills, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Kelly, Kilpatrick, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stewart, Thomas, Tomlinson, and Waters—56.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Assembly Bill No. 3458—An act to provide for scientific research into the problem of sex crimes, including the causes and cures of sex deviation, and making an appropriation.

Bill read third time.

Assembly Bill No. 3458 ordered temporarily passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 380

Mr. Dunn asked for, and was granted unanimous consent to take up Assembly Bill No. 380, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 380

Assembly Bill No. 380—An act to repeal Article 3, comprising Sections 400 to 459, inclusive, of Chapter 2, Division 1 of, and to add Article 3, comprising Sections 400 to 413, inclusive, to Chapter 2, Division 1 of, the Education Code, relating to the county superintendents of schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Cloyed, Coats, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lipscomb, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Smith, and Thomas—47.

NOES—Babbage, Collier, George D. Collins, Conrad, Hansen, Hinckley, Lanterman, Levering, Stewart, and Tomlinson—10.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1204

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 3458

Mr. Brown asked for, and was granted unanimous consent to take up further consideration of Assembly Bill No. 3458, temporarily passed on file.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 3458

Assembly Bill No. 3458—An act to provide for scientific research into the problem of sex crimes, including the causes and cures of sex deviation, and making an appropriation.

Bill read third time.

Demand for Previous Question

Messrs. Levering, Lipscomb, Hinckley, Smith, and Luckel demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 3458.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—Collier and Sherwin—2.

Bill ordered transmitted to the Senate.

Explanation of Vote

I was called from the Chamber on legislative business immediately prior to the vote on Assembly Bill No. 3458 and was not in the Chamber when the vote was taken. Had I been present I would have voted "Aye."

FRANK LANTERMAN

REQUEST FOR UNANIMOUS CONSENT

Mr. Waters asked for unanimous consent to take up Assembly Bill No. 1724, at this time, without reference to file.

Mr. Beck withheld unanimous consent.

REQUEST FOR UNANIMOUS CONSENT

Mr. Burkhalter asked for unanimous consent to take up Assembly Bill No. 3112, at this time, without reference to file.

Point of Order

Mr. Hinckley arose to the following point of order: That the bill is not on file, and Mr. Burkhalter is out of order because the Rules have not been suspended.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

Speaker Presiding

At 10.14 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Motion to Temporarily Suspend the Rules

Mr. Burkhalter moved that the Rules be temporarily suspended for the purpose of considering Assembly Bill No. 3112 without reference to file, at this time.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Smith, Stanley, Stewart, Thomas, and Waters—60.

NOES—Clarke, Hinckley, Lyon, and Silliman—4.

Speaker Pro Tempore Presiding

At 10.15 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF ASSEMBLY BILL NO. 3112 (BY UNANIMOUS CONSENT)

Assembly Bill No. 3112—An act to provide for the creation of the Los Angeles Metropolitan Transit Authority and prescribing the powers and duties thereof; authorizing the authority to construct and operate an interurban rapid transit system; providing for the issuance and sale of revenue bonds and providing for the use of the proceeds thereof for the purposes of this act; and providing for the expenditure of such proceeds and all revenues received from the operation of the system to the uses and purposes set forth herein.

Bill read third time.

Speaker Presiding

At 10.35 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Elliott, Erwin, Fleury, Gaffney, Geddes, Gubser, Hagen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Lindsay, Lipscomb, Lowrey, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, and Tomlinson—55

NOES—Cloyed, Collier, Doyle, Evans, Grant, Grunsky, Hahn, Hansen, Hinckley, Kloeksiem, Levering, Lincoln, Luckel, Lyon, Niehouse, Silliman, Stewart, and Mr. Speaker—18.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Waters asked for unanimous consent to take up Assembly Bill No. 1724, at this time, without reference to file.

Mr. Munnell withheld unanimous consent.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Waters:

Resolved, That Assembly Bill No. 1724 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Kloeksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69.

NOES—Silliman—1

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF ASSEMBLY BILL NO. 1724

Assembly Bill No. 1724—An act to amend Section 12001 of the Government Code, relating to the Governor's Office.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lindsay, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Porter, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—52

NOES—Chapel, Dills, Levering, Lowrey, Luckel, McMillan, Nichouse, and Silliman—8.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1204

Mr. Connolly asked for, and was granted unanimous consent to take up Assembly Bill No. 1204, temporarily passed on file.

CONSIDERATION OF ASSEMBLY BILL NO. 1204

Assembly Bill No. 1204—An act to repeal Chapter 5, consisting of Sections 7100 to 7111, of Part 4 of Division 6 of the Welfare and Institutions Code and to add Chapter 5, consisting of Sections 7100 to 7110, to Part 4 of Division 6 of the Welfare and Institutions Code, relating to the establishment and maintenance of two state research centers for alcoholism, providing for the admission of persons thereto and the release of persons therefrom, providing for the powers and duties of the Department of Mental Hygiene in respect thereto, and making an appropriation therefor.

Bill read third time.

Demand for Previous Question

Messrs. Conrad, Klocksiem, Lanterman, Luckel, and Rosenthal demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1204.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Nichouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—60.

NOES—Belotti, Brady, Chapel, Dickey, Evans, Hawkins, Hollibaugh, Luckel, Lyon, McGee, and McMillan—11.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO AMEND THE STANDING RULES OF THE ASSEMBLY

Mr. Kirkwood gave notice that on the next legislative day he will move to amend the Standing Rules of the Assembly, as follows:

NOTICE OF MOTION TO AMEND THE STANDING RULES OF THE ASSEMBLY BY MR. KIRKWOOD

Notice is hereby given, pursuant to Standing Rule No 5, that on the next legislative day, to wit, on June 19, 1951, I will make a motion with respect to Rule No. 11 of the Standing Rules of the Assembly as follows:

I hereby move that Rule No 11 of the Standing Rules be amended to read:

"Duties of the Speaker Pro Tempore

11. The Speaker pro Tempore shall have the powers and perform the duties of the Speaker during his absence. *He shall, ex officio, be a member of the Committee on Rules and shall act as chairman thereof in the absence of the Speaker, but shall have no right to vote on any matter before said committee except that he shall have the right to vote when the Speaker is absent.*"

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1812

Mr. Gubser asked for, and was granted unanimous consent to take up Senate Bill No. 1812, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 1812

Senate Bill No. 1812—An act to create a flood control district to be called Santa Clara County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, public highways, life and property from damage or destruction from such waters; to provide for the acquisition, retention, and reclaiming of drainage, storm, flood, and other waters and to save, conserve, and distribute such waters for beneficial use in said district; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to define the powers of said district; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Gubser moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on June 15, 1951, between lines 5 and 6, insert

"Any territory hereafter added to the Santa Clara Valley Water Conservation District, the South Santa Clara Valley Water Conservation District or the Central Santa Clara Valley Water Conservation District shall be automatically excluded from the Santa Clara County Flood Control and Water Conservation District, but shall remain liable to pay, and subject to any lien of, any valid outstanding bonds or other indebtedness of the district and every assessment or tax levied but not collected, at the time of exclusion, in the same manner as though the territory had not been excluded

Whenever any land is so excluded from the Santa Clara County Flood Control and Water Conservation District, the board of supervisors of the district shall make an entry in the minutes describing the boundaries of the district as altered by the exclusion and transmit a copy thereof to the county recorder of Santa Clara County."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1078

Mr. Porter asked for, and was granted unanimous consent to take up Senate Bill No. 1078, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 1078

Senate Bill No. 1078—An act to add Section 1303.3 to the Education Code, relating to the Public School System of the State of California.

Bill read third time.

Motion to Amend

Mr. Porter moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 6, of the printed bill, as amended in the Senate on May 28, 1951, after "completed", insert ", and under the same terms and conditions and with the same compensation".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

ANNOUNCEMENT

Mr. Stanley announced that no Republican breakfast nor Caucus will be held tomorrow morning.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED IN JOURNAL

Mr. Sherwin asked for, and was granted, unanimous consent that a letter of transmittal and a Report of the Subcommittee of the Ways and Means Interim Committee on Adult Education be ordered printed in the Journal, in 10 point type.

(Above mentioned letter of transmittal and report will appear prior to the motion to adjourn.)

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON QUORUM CALL

At 11.27 p.m., on motion of Mr. Lowrey, further proceedings under the call of the Assembly were dispensed with.

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76.

ANNOUNCEMENT

Mr. Waters announced that Senate Bill No. 1216, by Senator Hatfield, will not be heard in the Committee on Elections and Reapportionment tomorrow, as there will be no meeting.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 640

Mr. Gaffney asked for, and was granted unanimous consent to take up Senate Bill No. 640, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 640

Senate Bill No. 640—An act to amend Sections 5, 6, and 7 of, and to add Section 3¼ to, the Highway Carriers' Act, relating to highway carriers.

Bill read third time.

Motion to Amend

Mr. Gaffney moved the adoption of the following amendments:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on June 1, 1951, strike out "and 3634", and insert "3634, 5109, 5112, 5113, 5133, and 5133.5".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 3 of said bill, after line 44, insert

"SEC. 10. Section 5109 of the Public Utilities Code is amended to read:

5109. "Household goods carrier" includes every corporation or person, their lessees, trustee, receivers or trustees appointed by any court whatsoever, engaged [exclusively] in *the* transportation for compensation or hire as a business by means of a motor vehicle or motor vehicles *being used exclusively* in the transportation of used [uncrated] household goods and personal effects, office, store, and institution furniture and fixtures over any public highway in this State.

SEC. 11. Section 5112 of the Public Utilities Code is amended to read:

5112. The regulation of the transportation of used [uncrated] household goods and personal effects, office, store, and institution furniture and fixtures *in a motor vehicle or motor vehicles being so used* exclusively, over any public highway in this State shall be exclusively as provided in this chapter. Any provision of the Public Utilities Act or the Highway Carriers Act in conflict with the provisions of this chapter is superseded and repealed.

SEC. 12. Section 5113 of the Public Utilities Code is amended to read:

5113. The transportation of used [and uncrated] household goods, personal effects, office, store, and institution furniture and fixtures in any truck or trailer for compensation over any public highway in this State is a highly specialized type of truck transportation. This chapter is enacted for the limited purpose of providing necessary regulation for this specialized type of truck transportation only, and is not to be construed for any purpose as a precedent for the extension of such regulation to any other type of truck transportation not presently so restricted.

SEC. 13. Section 5133 of the Public Utilities Code is amended to read:

5133. Except as provided in Section 5133.5, no household goods carrier shall engage in the business of the transportation of used[, uncrated] household goods and personal effects, office, store, and institution furniture and fixtures for compensation, by motor vehicle over any public highway in this State, unless there is in force a permit issued by the commission authorizing such operations.

SEC. 14. Section 5133.5 of the Public Utilities Code is amended to read:

5133.5. Any person or corporation who was engaged in the business of transporting used [uncrated] household goods and personal effects, office, store, and institution furniture and fixtures over any public highway in this State for compensation on the effective date of this section and thereafter may file with the commission prior to January 1, 1952, an application for a permit as provided in Section 5134. The commission shall upon satisfactory proof of such operation issue such permit authorizing operation within the area requested in the application without further proceedings.

Between the effective date hereof and the final determination of any such application the continuance of such operations shall be lawful."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 693

Mr. McCarthy asked for, and was granted unanimous consent to take up Senate Bill No. 693, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 693

Senate Bill No. 693—An act to add Section 2003 to the Government Code, relating to claims against the State, district, county, city, or city and county.

Bill read third time.

Motion to Amend

Mr. McCarthy moved the adoption of the following amendment:

Amendment No. 1

In line 5 of the title of the printed bill, as amended in the Assembly on June 15, 1951, strike out "claims", and insert "actions against employees of governmental agencies".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

ANNOUNCEMENTS

Mr Luckel announced that the bills which were not heard in the Committee on Transportation and Commerce today will be heard tomorrow.

Speaker Sam L Collins again announced that committee chairmen asking for the creation of interim committees are requested to appear before the new Committee on Rules tomorrow and state the need for said committees, and to discuss the appropriations involved.

Mr. Sherwin announced that the Committee on Ways and Means will consider the bills tomorrow which were not considered today.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today, at 8 p.m.—

Finance and Insurance, in Room 3184.

Tomorrow, Tuesday, June 19th—

At 9 a.m.—

Rules, in lounge room of new wing of Capitol.

At 9.30 a.m.—

Civil Service and State Personnel, at desk of Mr. Caldecott.

At 3 p.m.—

Ways and Means.

Transportation and Commerce.

Upon adjournment—

Industrial Relations.

At 8 p.m.—

Judiciary.

Finance and Insurance.

It was announced that the following committees would hold no meetings today:

Ways and Means.

Transportation and Commerce.

It was announced that the following committee would hold no meeting tomorrow:

Elections and Reapportionment.

FINAL REPORT OF ASSEMBLY INTERIM COMMITTEE ON AVIATION

MEMBERS OF THE COMMITTEE

HON. EARL W. STANLEY, Chairman — HON. L. STEWART HINCKLEY
HON. RALPH M. BROWN — HON. LESTER A. MCMILLAN
HON. LAUGHLIN E. WATERS

Letter of Transmittal

CALIFORNIA STATE LEGISLATURE
SACRAMENTO, CALIFORNIA, June 18, 1951

Hon. Sam L. Collins, Speaker of the Assembly
State Capitol
Sacramento, California

The Assembly Interim Committee on Aviation herewith submits its final report.

The committee was created by House Resolution No. 291 of the 1949 Regular Session. The resolution directed the committee to study:

"(a) The regulation and taxation of aircraft;

"(b) The location, establishment, construction, improvement and financing of landing facilities;

"(c) The responsibilities and activities of the California Aeronautics Commission;

"(d) The continuation of the study of zoning in relation to airports, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation."

Under the directions contained in the resolution, the Speaker appointed the following Members of the Assembly to serve on the committee: Earl W. Stanley, Balboa Island, Chairman; Ralph M. Brown, Modesto; L. Stewart Hinckley, Redlands; Lester A. McMillan, Los Angeles; and Laughlin E. Waters, Los Angeles; all of whom gave of their time to the formulation of the conclusions contained in the preliminary and final reports of the committee.

Ways and means of financing airports, and additions to airports, was under consideration, and after a great deal of research and study, ACA 5, AB 182 and AB 183 were introduced in the Assembly. These bills passed the Committee on Constitutional Amendments and the Committee on Municipal and County Government, and upon reaching the Ways and Means Committee, that Committee recommended a further study of the measures by the Interim Committee on Finance and Insurance. This final report is based entirely upon the financing of airports and other public projects.

Respectfully submitted.

EARL W. STANLEY, Chairman
RALPH M. BROWN
LESTER A. McMILLAN
LAUGHLIN E. WATERS

Final Report of the Assembly Interim Committee on Aviation

FINANCING OF AIRPORTS AND OTHER PUBLIC PROJECTS

General Background

In the course of its investigation of the problems of aviation, it became clearly apparent to the committee that one of the major obstacles in the way of the establishment of needed public airports was the difficulty in securing the necessary funds to acquire sites and improve them.

While legal authority exists for the issuance of general obligation, tax supported, bonds for such purposes, practical difficulties often prevent proceeding under this authority. In many cases cities have either reached the statutory limit of the amount of general obligation bonds which they may issue, or desire to reserve whatever remaining margin of bonding capacity they may have in order to carry out other desired improvements. In other cases, notwithstanding the fact that a very substantial majority of the voters may favor an airport project, it may be impossible to obtain the two-thirds vote required by law for the issuance of general obligation bonds by cities and a few other classes of public bodies.

At present there is no state law which permits the issuance of revenue bonds for airport purposes, although airports, if established where there is a need for them, and if the planning and management are good, can and should be fully self-sustaining, and therefore within the classes of public improvements which it is appropriate to finance through revenue bonds. The need for a state law authorizing the issuance of revenue bonds for airport purposes is thus apparent.

However, the studies of the committee revealed that the adoption of such a law, desirable and necessary as it is, would not, in itself, solve the whole problem. This was for two major reasons, first, that in some cases there may be difficulty in selling such bonds to private investors (this suggesting state financing) and, second, that a provision of the California Constitution, as construed by the courts, hampers, and in some cases may preclude, successful financing through revenue bonds, this suggesting an appropriate amendment to the Constitution. These two matters will be discussed separately.

Marketing Bonds—Private and State Financing

It is well known to those who are in touch with such matters that there is a reluctance on the part of private investors to purchase revenue bonds issued for the original construction of a revenue producing public undertaking, because there is no history of earnings, and the sufficiency of the expected earnings must be determined on the basis of estimates and the opinions of experts.

In the case of bonds issued for additions to existing works, the difficulty is somewhat less, for in such cases there is a history of the earnings of the existing works. However, this advantage from a history of earnings is almost completely lost if the earnings of the existing works cannot be charged with the payment of the bonds for the addition. Unfortunately, under the decisions referred to in the next section of this report, there are many cases where the revenues of existing works cannot be applied to the payment of bonds for additions, and such bonds become to all intents and purposes bonds for original construction, unaided by the revenues from existing works. To avoid complexity, the problem will be discussed as if only bonds for original construction were involved, omitting any discussion of the varying differentiations which arise in the comparatively few cases where the revenues from existing works can be used for the payment of bonds for additions.

The reluctance of investors to buy revenue bonds where there is no record of past earnings is natural, for, as their name implies, revenue bonds are payable only from the revenues of the utility, and if the revenues prove to be inadequate obviously the bonds will not be paid. There is a wide and ready market for revenue bonds of public revenue-producing works which have been in operation long enough to demonstrate that their earnings are adequate to meet all costs of operation and maintenance and the principal and interest payments on all bonded indebtedness. In cases where the record is long enough and the adequacy of the revenues is unquestionable, such bonds can be sold at interest rates as low as if they were general obligation bonds. On the other hand, it is not true that in no case can revenue bonds for original construction be sold on the private money market, for there are many projects, large and small, throughout the Country, the original financing of which has been by the sale of revenue bonds on the open market. Generally speaking, these have been cases where information readily at hand disclosed clearly that the need for the improvement was obvious and that there could be no question that the revenues would be adequate.

As the need for a project, the probable demand for its services, and the adequacy of the expected returns become less apparent on the surface, the bonds either become unsalable on the open market, or the interest rate demanded becomes so high as to be almost or completely prohibitive.

Nevertheless, there are many projects where the financial feasibility is not so plainly apparent on the surface, but where on complete investigation they will be found to be intrinsically sound and fully justified. It is at this point that the need for state financing comes into the picture, and this committee believes that such state financing is economically sound and fully justified. .

This committee believes that the State should be authorized to purchase revenue bonds issued for projects which, on the fullest investigation, it finds to be intrinsically sound and financially justified as self-sustaining projects, and resell these bonds on the open market as soon as the soundness of the project has become demonstrated to the point where such bonds become marketable.

The committee is fully aware that there are some who believe, and most strenuously assert, that such a plan will result in the bonds of sound projects being sold on the open market to private investors, and a flood of bonds for unsound projects, not economically justified, being bought by the State, remaining in its hands unsold, ultimately going into default, and leaving the taxpayers of the State to suffer the loss.

The committee does not question the sincerity of these objectors, but firmly believes that their objections are based upon a fallacy. *If* the plan suggested by this committee contemplated or authorized the purchasing by the State of bonds *without* the requirement that the State first ascertain that the project is economically sound and will produce adequate revenues, and *if* it be assumed that the commission proposed to be created would fail to make such investigation (whether or not required by the act) and, in flagrant violation of their trust, use the State's money to buy unsound bonds, such fears might be justified.

But such is not the intent of the plan, and the purchase of unsound bonds would be the plainest violation of the terms of the proposed act. The plan contemplates, and, in effect, the proposed act requires, that the State shall purchase only such bonds as would find a ready market among private investors *if as a practical matter they could make the investigation which the State is required to make.*

Therein lies the whole reason for state financing. The private investor in most cases cannot, and even if he could, will not make the necessary investigation to ascertain that a project, the soundness of which is not obvious on casual investigation, is in fact intrinsically sound. The State can and will make such an investigation, and under the plan proposed this would be without cost to the State, for it is required that the interest received by the State shall exceed the interest it pays by an amount sufficient to cover all costs. Thus the cost of investigations falls where it should—on the project itself.

The committee is not overlooking the fact that this element of furnishing to prospective purchasers of the revenue bonds of a project full factual information is customarily covered, so far as practicable, by issuing printed Official Statements, including reports of engineering, accounting and other experts. However, such reports are often unavoidably highly technical and not readily understood by the intending investor without employing other technical experts to check them, at a cost out of all proportion to the investment he may be considering.

In the case of a negotiated sale, as distinguished from sale on competitive bidding, investment bankers may be willing to incur the cost of such an independent investigation, recouping themselves by correspondingly reducing the price they pay for the bonds, but on a competitive sale, no bidder can be sure that he will be the successful bidder, and so has no assurance that he can recoup the costs. Even on a relatively small airport project the cost of an independent investigation by aviation engineers, aviation traffic experts and accountants would certainly be

several hundred dollars. On a larger one it might run well into several tens of thousands of dollars. Obviously, no banking syndicate, without assurance that it is to be the purchaser, will incur such costs, and even more obviously, no prospective purchaser from such a syndicate of a single bond, or even a substantial block of bonds, can think of incurring any such cost. It follows that revenue bonds can be readily marketed only when the official statement carries, both to the banking syndicate which considers bidding for the bonds, and to the ultimate investors considering their purchase on the open market, conviction, unaided by further technical advice, that the project will pay out.

On the other hand, the State can, and under the proposed legislation would be required to, make such an investigation as would assure the ready sale of the bonds on the open market if the purchasing syndicates and the ultimate purchasers in the secondary market could afford to make that investigation for themselves.

What has been said on this subject is not mere theory. The soundness of the principles involved has been demonstrated over a long period and on a huge scale. Whatever may be the merits of the widespread charges of recent politically inspired improprieties in the management of the Reconstruction Finance Corporation (a subject which this committee will not, and obviously should not, enter upon in this report) the record shows beyond question that the plan on which it was founded, basically the same in principles as that here involved, has brought inestimable benefits to public projects throughout the country, and yet resulted in a very substantial cash profit to the United States.

It is not necessary to look outside California to realize what the availability of federal financing has meant to public projects. Three major California projects required financing early in the depression which followed the financial crash of 1929. These were the San Francisco-Oakland Bay Bridge, the Colorado River Aqueduct of the Metropolitan Water District of Southern California, and the Boulder Canyon Project Transmission Line of the Department of Water and Power of the City of Los Angeles At that time there was no demand by investors for municipal bonds. The normal bond market would not absorb such issues. In each case application to the Reconstruction Finance Corporation resulted in the bonds being purchased by it, and the projects proceeding without delay. Without such financing there would have been long and costly delays. Today all of these bonds, not wanted by the private money market when offered, are recognized as securities of the highest standing.

Not only was the Reconstruction Finance Corporation ready to purchase bonds when the unwillingness of private capital was based on the depression, but for many years since the depression was over it has continued to purchase bonds of public agencies which the private money market would not absorb, but which, on just such an investigation as it is contemplated that the State will make, ascertained it to be intrinsically sound, and which experience has proved to be sound, for the records show that defaults in the payment of such bonds have been almost negligible, and no greater than would be normal among a like number of issues, in like amounts, purchased by private bankers.

One of the charges made by those who oppose the plan suggested by this committee is, in effect, that a public board will not pass upon applications for loans with the same intelligence and ability as private bankers

exercise in passing upon bonds offered to them for purchase The record of the Reconstruction Finance Corporation refutes this, for, as stated, its record shows a negligible and normal number of defaults, and a very substantial profit to the United States from its purchases of public agency bonds.

One feature of the Reconstruction Finance Corporation plan, and a most important one, may not be too well known. It was not set up to *compete* with investment bankers, but to provide financing for projects found by it to be financially sound *but the securities for which private capital was unwilling to purchase.* The act of Congress under which that corporation was organized and under which it has operated, expressly provides that it shall not make loans of certain classes, including loans to states, municipalities and public agencies, "unless the financial assistance applied for is not otherwise available on reasonable terms". In other words, it was not to, and does not, purchase bonds which the private money market was or is willing to purchase at reasonable interest rates. This is precisely what the plan suggested by this committee contemplates. The experience of the Reconstruction Finance Corporation demonstrates two things, first, that within the Country there have been a vast number of projects which would pass rigid tests of economic justification, but which private capital would not finance on reasonable terms, and, second, that experience has shown that such projects were in fact intrinsically sound. If this is true as to the Country at large, it is surely true that loans made by the State, in California, under like restrictions and safeguards, will prove as sound and as beneficial as these loans made by the Federal Government.

In closing this discussion of the need for and advantages of state financing, it seems proper to speak briefly of the composition of the commission which it is proposed shall administer the plan. The proposed bill would create a new state commission vested with full authority to administer the plan. This commission would be composed of the

Governor
State Controller
Attorney General
Superintendent of Banks
Director of Finance
State Treasurer
Director of Public Works

These officers would serve ex officio and without additional compensation.

Two Senators, appointed by the Senate Committee on Rules, and two Members of the Assembly, appointed by the Speaker, would sit with the commission, as advisers.

This committee is confident that with the commission so constituted there need be no fear that irregularities such as charged against some of the present officers of the Reconstruction Finance Corporation will ever occur.

This committee preferred to recommend an ex officio commission, and the inclusion of a provision that the Director of Finance should furnish such assistance as the commission might require, because it believed that such a plan of organization would be in the interest of economy.

However, it has been suggested to this committee that it might be preferable to provide for a somewhat larger commission, with the appointees to be persons having no other connection with the service of the State, and with long terms, somewhat after the pattern of the Board of Regents of the State University, in order to remove the commission as far as possible from state politics. If the committees considering the proposed legislation should prefer such a plan of organization, this committee would not object.

The Constitutional Obstacle

As noted above, one of the major difficulties in issuing revenue bonds arises out of the interpretation the California courts have given to a provision of the State Constitution. The subject is an exceedingly complex one. A completely accurate discussion would involve a statement of refinements and exceptions which would unduly extend this report. An over-simplified statement will be sufficient for present purposes.

The constitutional provision involved is usually referred to as the "debt limitation clause" and is found in Section 18 of Article XI. This clause provides that no "county, city, town, township, board of education, or school district" shall incur any indebtedness exceeding its ordinary annual income without two things, first, a two-thirds vote of the electors voting on the proposition, and, second, provision for a tax to pay the principal of and interest on the indebtedness.

The constitutions of many other states contain more or less the same provisions. As a matter of history, the purpose of such debt limitation provisions was to limit the levying of taxes. Consequently, the courts of all the states where the question has arisen, including California, accept the basic principle that the issuance of bonds payable solely out of revenues of a public utility or improvement, and to the payment of which tax money cannot be applied, does not constitute the incurring of an indebtedness within the meaning of such debt limitation provisions. This principle has become generally known as the "special fund theory" or "broad special fund theory."

However, the courts of a few states, including California, have placed a limitation on this broad special fund theory, and adopted what has come to be known as the "limited special fund theory". Stating this limited special fund theory incompletely, but sufficiency for present purposes, it is to the effect that an indebtedness payable out of revenues escapes this debt limitation provision only if the revenues to be applied are the revenues of the works acquired or constructed out of the proceeds of the indebtedness. Thus, in California, while revenue bonds may legally be issued for the original acquisition or construction of works, and be made payable out of the revenues of those works, revenue bonds for an addition to or extension of existing works can be legally issued only if they are payable from the revenues of the addition or extension, as isolated and distinguished from the revenues of the existing works.

This makes it extremely difficult, and in many cases impossible, to legally issue and successfully market revenue bonds for additions and extensions. Yet cases where it is desirable to finance additions and extensions are probably more frequent than cases of original acquisition or construction.

The first difficulty is in the segregation of the revenues of the addition from those of the existing works. Suppose, for example, an airport has been established and in operation for some years, with, say, three runways, loading and unloading facilities, and the usual buildings for waiting rooms, ticket offices, repair shops, and the like. Later it is desirable, as the traffic increases, to acquire additional land and provide, say, two additional runways, and to do so through issuing revenue bonds. Who can segregate with any accuracy the revenues of the addition from the revenues of the previously existing facilities? It may be possible to keep a record of what planes use the new runways, but these planes would also use the previously existing loading and unloading facilities and repair shops, and their passengers would use the waiting rooms, ticket offices and other facilities. Possibly the courts would approve a proration, based on the investment in the original works and the investment in the addition, but they have not done so as yet, and it is by no means certain that they would. An additional investment of, say 20 percent of the original investment might result in only, say, a 10 percent increase in revenue. Some of the increase might have come without the additional runways. Who is to say?

But assuming that in a test case the legal problems arising out of these circumstances have been surmounted, the second obstacle would be encountered Investors might decline to purchase bonds secured by only 10 percent or 20 percent of the net revenue They might purchase them if it appeared that the 10 percent or 20 percent would be amply sufficient, but obviously the bonds would not be as attractive as if they were payable out of the entire revenue of the original works plus the addition. True, the outstanding bonds for the original construction or acquisition would have a claim on the same revenues, but under the logicl assumption made above that some years would have passed, a substantial part of the original issue would have been paid. Assume that the original bonds still outstanding were equal in amount to the new issue, the new bonds, if payable out of all the revenues, would, in effect, be secured by one-half the net revenues, instead of the 10 percent or 20 percent basis resulting from the interpretation of the constitutional provision which the California courts have adopted, and which is out of line with the more generally adopted interpretation in other states.

There are other complications arising out of the California interpretation, but the ones discussed are ample to show that the logical and proper thing to do is to propose a constitutional amendment which will unmistakably give the debt limitation clause the same interpretation as is adopted by the courts of most states in interpreting provisions similar to the existing California provision. This would obviate the difficulties arising out of the California decisions, and put California in step with the majority of the states.

In closing this discussion of the constitutional question, it seems proper to answer an argument which some might otherwise make. Some may say that it is not necessary to amend the Constitution, and that all that is necessary is for the Legislature, in adopting revenue bond legislation, or for the local authorities, in taking revenue bond proceedings, to provide for a two-thirds vote, either in all cases, or at least in those cases where, under the California decisions, such a vote is required. This is not true. It is true that a two-thirds vote could be so required, although we

believe that it should not be. The two-thirds vote requirement is only one of two requirements of the debt limitation clause. The other is that provision must be made for a tax to pay the principal and interest. If, as held by the California decisions, the debt limitation clause is applicable to certain classes of revenue bonds, *both* requirements are equally applicable. Not only a two-thirds vote is required, but provision for a tax to pay the bonds is equally required. It is true that the requirement of provision for a tax does not mean that a tax must actually be levied and collected, *if* sufficient revenues are available from year to year, but the *obligation* to levy and collect a tax exists if revenues are not sufficient. Many general obligation bonds, issued for water works purposes, and the like, are in fact paid out of revenues, without actual taxation.

But even provision for a tax, regardless of actual taxation, cannot be made in the case of revenue bonds without destroying their character as revenue bonds. It would be utterly incongruous and meanlingless to say in one breath that the bonds are to be payable solely out of revenues, and not out of taxation, and in the next to say that provision must be made for a tax to pay the same. In those cases where under the present California decisions a two-thirds vote is required, clearly provision for a tax is also required, and if such provision is made, the bonds become to all intents and purposes general obligation bonds, and all the advantages of the use of revenue bonds is lost. A constitutional amendment is the only way to obviate the requirement of provision for the levying of a tax, without which revenue bonds cease to be such, and become, in practical effect, general obligation bonds.

Interests Other Than Aviation Affected

When the committee began its study of the problems of financing airports and came to the conclusion that the situation demanded provision for the issuance of revenue bonds for airport purposes, it consulted with representatives of the League of California Cities, with investment bankers, and with others familiar with revenue bond financing. These consultations quickly brought the conviction that if it proposed legislation relating to the issuance of bonds only for airport purposes, coupled with provision for the state purchasing such bonds, it would be but adding to the patchwork of inadequate revenue bond laws; that many other public projects were confronted with the same problems as confronted those concerned with aviation, and that the existing laws were just as inadequate for most of them as they were for airport projects. The logical and sensible thing obviously was to propose legislation which would not be limited to airports, but would extend to public revenue projects of all classes.

The committee therefore requested the Legislative Counsel Bureau to draft the necessary measures to accomplish two objectives, first, to authorize public agencies to issue revenue bonds to finance revenue-producing projects which, under other laws, they were authorized to undertake, and, second, to authorize the issuance of state bonds, to provide a fund for the purchase of bonds issued for such projects, and to establish a proper board to administer the fund. This resulted in the

preparation of Assembly Constitutional Amendment No. 5, Assembly Bill No. 182 and Assembly Bill No. 183, which were introduced by the chairman of the committee in its behalf.

However, the office of the Legislative Counsel stated that revenue bond legislation was inherently a complex and specialized matter, and suggested that the committee should have the assistance of a qualified lawyer specializing in that field. Upon inquiry, the committee was told that Mr. Stephen B. Robinson of Los Angeles had probably had more experience in the field of revenue bond law than any other available lawyer, and was nationally recognized as an expert in that field. The committee, therefore, employed Mr. Robinson and he has very substantially revised the three measures, and these revisions have been incorporated in the measures by amendments, as shown by reprints.

The Proposed Legislation

The three measures, so proposed in order to meet the problems discussed above, have been referred to the Assembly Committee on Finance and Insurance for interim study, and for report to the next session of the Legislature which can receive and consider the report of that committee.

The following is a brief statement of the purport of, and reasons for proposing, the three measures, so far as not incidentally disclosed in the foregoing statement.

Assembly Constitutional Amendment No. 5

This is a proposed constitutional amendment, which—

First, authorizes the issuance of general obligation bonds of the State of California, in an aggregate amount not exceeding $200,000,000, to provide a fund, to be used for the purchase by the State of bonds of public agencies, local and state-wide, issued for any public improvement, building, work or undertaking, and for the expenses of preparing and issuing the bonds and administering the fund. By the terms of the bill next discussed, the use of the proceeds of the bonds for expenses is limited to the expenses incident to the first issue of the bonds, and expenses of administration prior to the availability of other funds.

Second, leaves to the Legislature the determination of all other terms and conditions of the bonds and their issuance, and the administration of the fund.

Third, ratifies the act proposed by Assembly Bill No. 183, discussed below.

Fifth, declares that the issuance under said Assembly Bill No. 183, or under any other law or charter, of bonds payable out of revenues, and for the payment of which the power of taxation cannot be exercised, shall not constitute the incurring of indebtedness within the meaning of any provision of the Constitution.

It should be noted that this does not in any way remove the requirement of a two-thirds vote and provision for a tax with respect to the issuance of general obligation bonds by cities and other entities named in the constitutional provision hereinabove discussed. It merely makes it clear that, in line with the prevailing view in other states, the issuance

of revenue bonds, for the payment of which the power of taxation cannot be exercised, does not incur an indebtedness within the meaning of the State Constitution, thus in effect overruling the decisions of the California courts, which, as noted above, are out of step with the rule prevailing elsewhere.

In this connection it may be stated that while this committee is not advocating the repeal of the two-thirds vote requirement now found in the State Constitution, it might well do so, for that provision, notwithstanding its guise of respectability, based on its long standing, and its similarity to provisions in other Constitutions, is, the considered judgment of this committee, unjust, discriminatory, and un-American. It is unjust and discriminatory in that the people of the State, in adopting the Constitution, have saddled upon counties, cities, and the few other public entities named in Section 18 of Article XI, the burden of a two-thirds vote for carrying through any local public improvement, but, by Section 1 of Article XVI have reserved to a mere majority of the voters of the State the privilege of subjecting to taxation for state bond issues all property in the State, which might include the property in some city or county, or other one of the few entities named in Section 18 of Article XI, in which not one single voter may have voted for the state bonds. Thus the State has reserved to itself a right it denies to counties, cities and a few other public entities.

It is also unjust and discriminatory in that it singles out six specified kinds of public entities, viz., any "county, city, town, township, board of education, or school district" from possibly a hundred or a hundred and fifty kinds of public entities existing in the State, and requires a two-thirds vote in them, but leaves all the others free to issue bonds with a mere majority vote, or for that matter, without any popular vote. So far as the Constitution is concerned irrigation districts, conservation districts, reclamation districts, sanitary districts, water districts, and some hundred or more other kinds of districts are free to issue bonds without any popular vote, by mere action of their governing bodies. True, acts of the Legislature usually require a majority vote, and in some cases a two-thirds vote, but the Constitution does not. In the case of the California Toll Bridge Authority the State Legislature permitted the issuance of bonds for the San Francisco-Oakland Bay Bridge without any vote whatsoever, state-wide or local. If a two-thirds vote is required by any inherent reason or logic, it should be required for all public entities, not a few arbitrarily selected ones.

The two-thirds requirement made applicable to a few but important, classes of public entities, is un-American in that it is repugnant to the rule of majority control which is the basis of the concept of a republican or democratic form of government, guaranteed to the states by the Federal Constitution, and adopted by the State Constitution in all other respects. This form of government contemplates that the majority shall control, but Section 18 of Article XI of the State Constitution vests a minority with the control, so far as a few specially selected classes of public bodies are concerned. To say that in such few public entities a

two-thirds vote is required to issue bonds for a public improvement is, in effect, to say that each voter who is opposed to the particular public improvement shall have two votes, but that each person who is in favor of the improvement is to have but one vote. This is wholly un-American.

It should be noted that the approval of the voters of this Assembly Constitutional Amendment No. 5 is necessary to put Assembly Bill No. 182, discussed below, into effect. This is true not only by the express terms of Assembly Bill No. 182 but by virtue of the fact that Section 1 of Article XVI of the Constitution forbids the incurring of state indebtedness without compliance with the terms of that section. A constitutional amendment is necessary to overcome that section.

Approval of Assembly Constitutional Amendment No. 5 by the voters is not necessary to put Assembly Bill No. 183 into effect, but is necessary to overcome the California decisions hereinabove discussed, and give that bill its full usefulness.

This proposed constitutional amendment, Assembly Constitutional Amendment No. 5, is a companion measure to *both* Assembly Bill No. 182 and Assembly Bill No. 183. If either one of the two Assembly bills should not ultimately be approved, Assembly Consitutional Amendment No. 5 should not be rejected, but should be amended so as to relate to the one of the Assembly bills which may receive approval.

Assembly Bill No. 182—State Financing Plan

This bill implements Assembly Constitutional Amendment No. 5 by establishing the procedure, terms and conditions under which the state bonds authorized by that constitutional amendment are to be sold and issued, sets up a commission to administer the fund, and defines its powers and duties.

The composition of the commission has been sufficiently discussed above.

The bill authorizes the commission to determine when and in what amounts (within the total authorization of $200,000,000) the state bonds are to be issued; that payments on the principal shall begin in not more than five years, and be completed in not more than 45 years, from the issuance of the respective issues, and that the bonds may be made subject to redemption.

It is required that sales of the bonds shall be on competitive bidding, and on the basis of the lowest interest cost.

The proceeds of the state bonds are to be used only for the purchase of bonds of public agencies, local or state, except only that such proceeds may be used for expenses until other funds are available. It should be noted that the authorization is broad enough to permit the commission to purchase not only revenue bonds of public agencies, but also their general obligation bonds. As a practical matter, however, the power to purchase general obligation bonds would probably be exercised in comparatively few cases, for, generally speaking, the private market for general obligation bonds would usually be adequate. However, this power might be of the greatest importance in times of depression, when as above noted, there may be substantially no private market for public agency bonds, no matter how sound they may be intrinsically.

The bill provides that the commission may expend in each year, for the purchase of public agency bonds, only such amount as may be budgeted by the Legislature. This would reserve to the Legislature complete control of the extent of the operations of the commission.

One of the most important provisions of the bill is to the effect that, before the commission purchases the bonds of any public agency, it must have satisfied itself, through studies and reports made by or for it, or furnished by the public agency, that the project is economical and feasible, and that the revenues will be sufficient to pay the bonds, in addition to paying all other charges upon the revenues. This provision, as noted above, goes to the very heart of the reason for providing state financing. These are the studies and investigations which, in many cases, private investors cannot or will not make, but which the commission can, and would be required to, make.

The bill further provides that before such bonds are purchased by the commission, they must have been approved by a majority vote of the electors of the public agency. This is subject to two exceptions. The first is that where bonds are issued under a law or charter which does not require a vote, but accords to the voters the right of referendum, the bonds may be purchased. This, in effect, is just what the Legislature did in authorizing the California Toll Bridge Authority to issue revenue bonds for the San Francisco-Oakland Bay Bridge. The law required no popular vote, but of course was subject to referendum. The second exception is that the commission may waive the requirement of a vote by adopting a resolution stating reasons which show that it is in the public interest that it should do so. This, of course, is akin to the power of the Legislature, and of the legislative bodies of cities and other bodies, to enact urgency legislation, to take effect immediately, thereby cutting off the usual right of referendum.

Another important provision is that the commission shall not purchase any public agency bonds unless they will yield to the State an interest return at least $\frac{1}{4}$ percent above the interest cost to the State of the money used for the purchase. This differential is designed to be the source from which all the expenses of the plan will be paid. The differential is not limited to $\frac{1}{4}$ percent, but must be such as in the judgment of the commission will make the plan self-sustaining at the earliest possible time. It is also provided that after the plan has become fully self-sustaining, and any advances have been repaid, the commission may purchase future bond issues on the basis of a less differential, but not less than it determines will keep its operations self-sustaining.

The bill further provides that the commission may resell public agency bonds purchased by it, upon due notice. Obviously, the time when such resales shall be made must be left to the discretion of the commission, for otherwise the State might suffer losses, but the intent is that such resales shall be made as soon as private investors will purchase the bonds.

The bill requires the commission, Controller and Treasurer to keep full accounts and to make annual reports to the Governor.

The bill also contains many routine provisions, appropriate for a bill authorizing state bonds.

By its terms the bill is only to become effective upon the adoption of a constitutional amendment authorizing the state bonds.

Assembly Bill No. 183—Public Agencies Revenue Bond Law

This bill is designed solely to provide an alternative method for financing public revenue-producing projects, local or state. It does not authorize the undertaking of any project whatsoever. The project must be authorized by other laws or charters. If so authorized, and only if so authorized, it may be financed under this bill through the issuance of revenue bonds, as an alternative to any other medium of financing which may be provided by law or charter.

It has been recognized by many concerned with the financing of public revenue-producing projects, whether as investment bankers or as representatives of such public agencies, that there is great need in California for an adequate and uniform revenue bond law, applicable to all public agencies which may desire to issue revenue bonds. Representatives of the League of California Cities have stressed the need for such a law. This bill proposes just such a law.

A limited number of highly successful California projects have been financed through revenue bonds.

The San Francisco-Oakland Bay Bridge is a notable example, but its financing was carried through under a law applicable only to the California Toll Bridge Authority.

The more recent developments of the Los Angeles Department of Water and Power have been financed solely through revenue bonds. These developments have included the Boulder Canyon Transmission Line, the acquisition of the electric system of the Los Angeles Gas and Electric Corporation, and the Owens Gorge Power Plants, now in course of construction, and numerous substantial developments of a more routine character. These, however, were all carried out under provisions of the Los Angeles charter, applicable to that department alone, and not available even to other departments of the same city.

The Imperial Irrigation District, and some other major irrigation districts, have successfully financed major undertakings by means of revenue bonds. This, however, has been done under the Irrigation Districts Law, which while of somewhat more general application, is available only to irrigation districts.

Notwithstanding the highly successful use of this method of financing by these outstanding agencies, operating under laws of strictly limited application, this method of financing has been practically unavailable to cities generally, and to the great number of public agencies, local and state, which exist in California. A revenue bond law for sewage and sanitation purposes has been on the statute books for 10 years, and more recently other enactments have authorized revenue bonds for water supplies of cities, for off-street parking, and for a few purposes of limited interest. These laws, however, have remained practically unused, and it

is generally understood that this has been for two reasons, first, the inadequacy of these present laws, and, second the decisions of the California courts discussed earlier in this report. For undertakings other than those of the kinds referred to, there is absolutely no revenue bond law on the statute books.

The proposed legislation would correct this unsatisfactory situation, Assembly Bill No. 183 supplying a revenue bond law available to all public agencies, local and state, and Assembly Constitutional Amendment No. 5 overcoming the difficulties arising from the court decisions.

Detailed discussion of Assembly Bill No. 183 seems unnecessary. The bill is of considerable length, but most of its provisions relate to the necessarily complex and technical procedures for issuing revenue bonds.

Its provisions, other than those of a technical nature, can be summarized as follows:

No revenue bonds are to be issued without a majority vote, excepting only that where works have already been established and the public agency has the legal duty to supply its services to those within its service area, such bonds may be issued without a vote, if the proposition of issuing them is subject to referendum.

The plan would be available for groups of public agencies cooperating in undertaking a common project.

Before the public agency issues such bonds it must obtain a report from agency officers or independent experts, covering the cost of the project, the probable sources and amount of income, and the costs of maintenance and operation, including administrative and overhead expenses.

The bonds shall be payable solely from specified revenues and shall not be general obligations of the agency.

First maturities of bonds may be deferred five years. Maximum maturity not to exceed 40 years.

Bonds to be sold only on competitive sale, except when sold to the United States or the State, and except in cases of extreme emergency. It should be noted that there is no requirement that the bonds shall be sold to the State under Assembly Bill No. 182. The public agency would be free to sell its bonds on the open market, and the act would be operative even if Assembly Bill No. 182 were not passed, or did not become effective through the failure of the voters to approve Assembly Constitutional Amendment No. 5.

Bonds not to yield to purchasers more than 6 percent.

Refunding bonds may be issued.

Validation proceedings may be had in superior court.

Contributions may be accepted, and public agency may cooperate with other public agencies, local, state, or federal.

This brief summarization of the provisions of the bill has been prepared from the standpoint of commenting upon those elements of the bill which affect the interests of the public, as distinguished from the interests of those who may become purchasers of the bonds. The bill contains ample provisions for the protection of the bondholders and those who may be interested in the problem from that standpoint should, of course, study the provisions of the bill itself.

Conclusion

It is the purpose of the committee in proposing these measures to facilitate the undertaking of public revenue-producing projects which are well planned to meet real needs, and which are economically and financially sound. Projects which do not come up to these standards should be rejected. The committee is confident that the plan will be ably administered by the proposed commission, and that inestimable benefits will result to the people of the State of California through the adoption of the measures, and the consummation of the plans they would authorize.

Copies of the three measures, as amended, are appended, as follows:

Assembly Constitutional Amendment No. 5—Exhibit No. 1
Assembly Bill No. 182—Exhibit No. 2
Assembly Bill No. 183—Exhibit No. 3

EXHIBIT NO. 1

AMENDED IN ASSEMBLY APRIL 20, 1951

AMENDED IN ASSEMBLY MARCH 23, 1951

CALIFORNIA LEGISLATURE—1951 REGULAR SESSION

Assembly Constitutional Amendment No. 5

Introduced by Mr. Stanley

January 9, 1951

REFERRED TO COMMITTEE ON CONSTITUTIONAL AMENDMENTS

Assembly Constitutional Amendment No 5—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 17 to Article XVI thereof, authorizing the issuance of bonds to create a fund for the purchase of bonds issued by any public agency of the State of California, including any county, city and county, city, political subdivision, municipal corporation, public corporation, public district, public board, commission, department, authority, officer, body or entity, or any other public agency, state-wide or local, or by any combination of such public agencies, for any public improvement, work or undertaking.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its 1951 Regular Session, commencing on the eighth day of January, 1951, two-thirds of the members elected to each of the houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended by adding Section 17 to Article XVI thereof, to read:

SEC. 17. The issuance and sale of bonds of the State of California in the sum of two hundred million dollars ($200,000,000) is hereby authorized.

The proceeds of such bonds shall be used:

(a) To provide a fund to purchase bonds issued by any public agency of the State of California, including any county,

city and county, city, political subdivision, municipal corporation, public corporation, public district, public board, commission, department, authority, officer, body or entity, or any other public agency, state-wide or local, or by any combination of such public agencies, for any public improvement, building, work or undertaking.

(b) To pay expenses incurred in, or as incidental to, the preparation, sale and issuance of the bonds authorized hereby and the administration of the said fund.

All matters pertaining to the terms and conditions of the bonds authorized hereby, and to their preparation, execution, sale and issuance, or in any manner relating to said bonds, and all matters pertaining to the administration of the fund created by the sale thereof, shall be as from time to time provided by the Legislature.

The Public Agencies Improvement Bond Act of 1951 (Chapter ____, Statutes of 1951) is hereby ratified, validated, confirmed, and made fully and completely effective. No further act of the Legislature shall be necessary in furtherance of the provisions hereof, but this shall not prevent such legislative action.

The Public Agencies Revenue Bond Law (Chapter ____, Statutes of 1951) is also hereby ratified, validated, confirmed, and made fully and completely effective, and it is hereby declared that the issuance under said act, or under any other law or charter, of bonds payable out of revenues, and for the payment of which the power of taxation cannot be exercised, shall not constitute the incurring of indebtedness within the meaning of any provision of this Constitution, and nothing in this Constitution shall be a limitation upon the provisions of this section.

The ratification, validation, confirmation and making effective of said acts shall not preclude the subsequent amendment of said acts, or either of them, by the Legislature; provided, that no such amendment of either of said acts shall impair or adversely affect the rights or interests of the holders of any bonds theretofore issued under said act.

The people of the State of California in adopting this section hereby declare that the great growth in population of the State has made it necessary to provide for the welfare of the people through facilitating the establishment of public improvements, buildings, works or understandings as rapidly as possible, and at the lowest cost consistent with sound planning, and it is therefore in the interest of the State and of the people thereof for the State to finance public improvements, buildings, works or undertakings of state and local public agencies issued therefor.

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EXHIBIT NO. 2

AMENDED IN ASSEMBLY APRIL 16, 1951

AMENDED IN ASSEMBLY MARCH 16, 1951

CALIFORNIA LEGISLATURE—1951 REGULAR SESSION

ASSEMBLY BILL No. 182

Introduced by Mr. Stanley

January 9, 1951

REFERRED TO COMMITTEE ON MUNICIPAL AND COUNTY GOVERNMENT

An act providing for the issuance and sale of state bonds to create a fund for the purchase of bonds issued by any public agency of the State of California, including any county, city and county, city, political subdivision, municipal corporation, public corporation, public district, public board, commission, department, authority, officer, body or entity, or any other public agency, state-wide or local, or any combination of such public agencies, for any public improvement, building, work or undertaking; defining the powers and duties of state officers in respect to the administration of the provisions hereof; providing ways and means for the payment of the interest on such state bonds as such interest falls due, and also for the payment and discharge of the principal of such state bonds as such principal matures; and appropriating money for the payment of principal and interest of the bonds authorized hereby and for the payment of expenses incurred in, or as incidental to, the preparation, sale and issuance of the bonds authorized hereby and the administration of the said fund.

The people of the State of California do enact as follows:

Article 1. Short Title and Definitions

SECTION 1. This act may be cited as a Public Agencies Improvement Bond Act of 1951.

SEC. 2. As used in this act:

(a) "Public agency" means a county, city and county, city, political subdivision, municipal corporation, public corporation, public district, public board, commission, department, authority, officer, body or entity, or any other public agency, state-wide or local.

(b) "Commission" means the commission created by Section 4 of this act.

(c) "Fund" means the fund created by Section 5 of this act.

(d) "Public improvement" means any public improvement, building, work or undertaking, whether by original acquisition or construction, or by the acquisition or construction of any extension or betterment of, or addition to, any existing public improvement, building, work or undertaking, and shall include maintenance, repair and operation of any such public improvement, building, work or undertaking.

Article 2. Authorization and Purposes of Bonds

SEC. 3. The issuance and sale of bonds of the State of California, and the creation of an indebtedness, or indebtednesses, liability or liabilities, of the State of California, not exceeding in the aggregate the sum of one billion dollars ($1,000,000,000), is hereby authorized, and the proceeds of said bonds shall be used:

(a) To provide a fund to purchase bonds issued by any public agency of the State of California, including any county, city and county, city, political subdivision, municipal corporation, public corporation, public district, public board, commission, department, authority, officer, body or entity, or any other public agency, state-wide or local, or by any combination of such public agencies, for public improvements.

(b) To pay expenses incurred in, or as incidental to, the preparation, sale and issuance of the bonds authorized hereby and the administration of said fund.

The said fund shall be a limitation upon the aggregate amount of all bonds which may be issued hereunder, and not merely upon the amount which may be outstanding at any one time.

Article 3. Creation of Commission and Fund

SEC. 4. There is hereby created a State Public Agencies Improvement Finance Commission composed of the Governor, State Controller, Attorney General, Superintendent of Banks, Director of Finance, State Treasurer, and Director of Public

Works, all of whom shall serve thereon without compensation and a majority of whom shall be empowered to act for said commission. Two Members of the Senate appointed by the Senate Committee on Rules and two Members of the Assembly appointed by the Speaker, shall meet and advise with the commission to the extent that such advisory participation is not incompatible with their respective positions as Members of the Legislature. The Director of Finance shall provide such assistance to the State Public Agencies Improvement Finance Commission as it may require. The Attorney General of the State shall be the legal adviser of the commission.

SEC. 5. There is hereby created in the State Treasury a fund to be known as the Public Agencies Loan Fund.

Article 4. Appropriation for Expenses

SEC. 6. Out of any money in the General Fund not otherwise appropriated, the sum of _____ dollars ($_____) is hereby appropriated to the State Treasurer, without regard to fiscal years, to pay the expenses incurred by the State Treasurer in preparing the bonds of the first issue of the bonds authorized by this act, and in advertising for the sale thereof, or in any manner in connection therewith, and out of any money in the General Fund not otherwise appropriated, the sum of _____ dollars ($ _____) is hereby appropriated to the commission, without regard to fiscal years, to pay the expenses incurred by the commission in the administration of the fund When any bonds of the first issue authorized by this act have been sold, out of money received from the sale of such bonds, there shall be deposited in the General Fund to the credit of the appropriations made by this section such amount as the State Treasurer has expended for the said purposes, and as the said commission has expended for the said purposes. Upon the deposit of such amounts to the credit of such appropriations, respectively, such appropriations shall revert to the unappropriated surplus in the General Fund. Upon the reversion of the General Fund appropriations made by this section, respectively, as herein provided, all expenses subsequently incurred by the State Treasurer in preparing, advertising for sale, or advertising the redemption prior to maturity of any bonds authorized by this act, and all expenses subsequently incurred by the commission in the administration of the fund, shall be payable out of the fund.

Article 5. Amounts, Maturities and Other Terms of Bonds

SEC. 7. The commission shall determine the necessity or desirability of issuing any bonds authorized under this act in order to purchase bonds issued by any public agency or agencies to finance public improvements, and the amount of bonds then

to be issued and sold. Successive issues of bonds may be authorized and sold to make such purchases progressively and shall be designated by an appropriate number or other designation. It shall not be necessary that all of the bonds herein authorized to be issued shall be sold at any one time.

SEC. 8. Whenever the commission shall have determined that the sale of all or any part of the bonds authorized to be issued under this act is necessary or desirable to purchase bonds issued by any public agency or agencies to finance public improvements, it shall adopt a resolution to that effect. The said resolution shall authorize and direct the State Treasurer to provide for the preparation of the requisite number of suitable bonds then authorized to be sold and shall specify as to such bonds then to be sold:

1. The aggregate number, aggregate par value, denominations and the date of the bonds to be then sold. Such denominations shall be in the sum of one thousand dollars ($1,000), or multiples thereof.

2. The dates of maturity, and the amount and numerical sequence of the bonds maturing at each date of maturity, which amounts need not be equal, but which dates shall be at annual or semiannual intervals, and the first of which dates of maturity shall be not more than five years, and the last of which dates of maturity shall be not more than 45 years, after the date of said bonds.

3. Whether or not said bonds are to be subject to redemption at the option of the commission prior to maturity, and, if so, the provisions for such redemption, the manner of the call thereof, and the price or prices at which said bonds shall be subject to redemption.

4. The maximum annual rate, or rates, of interest which the bonds to be issued shall bear, which shall be in multiples of one-fourth of 1 percent, and which rate, or rates, shall not exceed 5 percent per annum, payable semiannually.

5. The number, numerical sequence and due dates of the interest coupons to be attached to said bonds.

6. The technical form and language of said bonds and of the interest coupons to be attached thereto.

7. Whether or not the right is reserved to make delivery in the form of temporary or interim bonds, certificates or receipts, exchangeable for definitive bonds when executed and available for delivery, and if such right is reserved the denominations and form of such temporary securities.

8. Whether or not the bonds are to be subject to registration, and if so, whether such registration is to be as to principal only, or as to both principal and interest, or in either of said forms at the option of the holder, and the form and all of the terms and conditions of such registration. If such registration is provided for, all of the provisions of this act with reference to the payment of bonds and interest coupons shall be subject

to the terms and conditions of such registration with respect to the payment of registered bonds and the interest thereon.

9. All other terms and conditions of the bonds and of the execution, issuance and sale thereof, which shall be consistent with all of the provisions of this act.

10. The date and hour fixed for the sale of the bonds, but such date may be changed by the Governor, in his discretion, by his directions given to the State Treasurer under Section 20 of this act.

SEC. 9. In determining the dates of maturity of the said state bonds, and the amount thereof to mature at each date of maturity, the commission shall be guided, so far as it may deem to be practicable, by the estimated amounts and dates of maturity of, and interest payments on, the bonds of public agencies expected to be purchased, and the expected amount and time of the receipt of the proceeds of the resale thereof, and shall fix and determine said dates and amounts of such maturities of such state bonds in such manner that, together with the dates and amounts of interest payments on the bonds of said issue, they shall coincide, as nearly as it may deem to be practicable, with the dates and amounts of such estimated receipts.

SEC. 10. The rate of interest to be borne by the said state bonds need not be uniform for all bonds of the same issue, and the interest coupons first payable may be so payable at any time within one year after the date of such bonds.

SEC 11. Both principal of and interest on the state bonds hereby authorized shall be payable in lawful money of the United States, at the Office of the State Treasurer, or at the office of the state fiscal agent, in the City of New York, State of New York, or at the office of any duly authorized agent of the State Treasurer.

SEC 12. Each bond issued under this act shall contain a reference to this act, and to the resolution or resolutions of the commission under which said bond is issued, and, if subject to call or redemption prior to maturity, shall contain a recital to that effect.

Article 6. Preparation and Execution of Bonds

SEC. 13 Immediately after the adoption by the commission of any resolution provided for in Section 8 of this act, the State Treasurer shall arrange for the preparation of the requisite number of suitable bonds, in accordance with the specifications contained in said resolution, and in so doing shall arrange for the imprinting thereon of the interest rates and other appropriate matter after the sale of the bonds and the awarding thereof to the successful bidder.

SEC. 14. All bonds issued under this act shall bear the facsimile signature of the Governor and the facsimile countersignature of the Controller and shall be endorsed by the State

Treasurer either by original signature or by a signature stamp, and each of said bonds shall bear an impress of the Great Seal of the State of California. Interest coupons attached to each bond shall bear the facsimile signature of the State Treasurer. Each such signature shall be that of the person who shall be in office at the date of the affixing thereof, in the case of original or stamped signatures, or at the date of authorizing the affixing thereof, in the case of facsimile signatures. Bonds and coupons so executed shall be valid and binding notwithstanding any of such persons having ceased to hold his respective office before their issuance and delivery.

SEC. 15. Whenever the commission may determine by resolution that for any reason any bonds which have been prepared and executed under the foregoing provisions should not be sold or issued, the State Treasurer shall cancel the same by perforation with a suitable device in a manner to indicate such cancellation and the date thereof. Upon the commission so determining by resolution, new bonds, conforming to its directions, may be prepared and executed in lieu of any bonds so canceled, and may be sold and issued in the same manner as other bonds authorized by this act.

SEC 16 If the right so to do has been reserved in the resolution adopted under Section 8 of this act, temporary or interim bonds, certificates or receipts may be issued and delivered in lieu of definitive bonds, and shall be exchangeable for such definitive bonds when they are executed and available for delivery. Such temporary securities shall conform to such resolution, and the signature of the State Treasurer alone, which may be by signature stamp, shall be sufficient execution thereof.

Article 7. Pledge of Full Faith and Credit, and Authorization of Taxation

SEC. 17. All bonds herein authorized, which shall have been duly sold and delivered as herein provided, shall constitute valid and legally binding general obligations of the State of California, and the full faith and credit of the State of California is hereby pledged for the punctual payment of both the principal thereof and the interest thereon.

SEC. 18. There is hereby appropriated from the General Fund in the State Treasury such sum annually as will be necessary to pay the principal of and the interest on the bonds issued and sold pursuant to the provisions of this act, as said principal and interest become due and payable.

SEC. 19. There shall be collected annually in the same manner and at the same time as other state revenue is collected such a sum, in addition to the ordinary revenues of the State, as together with such sums as may be made available from the fund created by this act, shall be required to pay the principal of and interest on said bonds as herein provided, and it is hereby made the duty of all officers charged by law with any duty in

regard to the collection of said revenue, to do and perform each and every act which shall be necessary to collect such additional sum.

Article 8. Sale of Bonds

SEC. 20. Following the adoption by the commission of any resolution provided for in Section 8 of this act, the Governor shall direct the State Treasurer, in writing, under the seal of the State, to offer the bonds specified in said resolution for sale at a specified day and hour.

SEC. 21. Due notice of the time and place of sale of the said bonds shall be given by the State Treasurer by publication in one newspaper published in the City and County of San Francisco, by publication in one newspaper published in the City of Sacramento, and by publication in one newspaper published in the City of Los Angeles, once a week during two weeks prior to such sale. In addition to the notice last above provided for, the State Treasurer may give such further notice as he may deem advisable, but the expense and cost of such additional notice shall not exceed the sum of five hundred dollars ($500) for each sale so advertised.

SEC. 22. The State Treasurer may from time to time, by public announcement at the place and time fixed for the sale, continue such sale to such time and place as he may select.

SEC. 23. Each bid shall be in writing and signed by the bidder and sealed, and shall be accompanied by the deposit of a certified check or cashier's check for one percent (1%) of the par value of the bonds so offered for sale, drawn on a bank or trust company authorized to transact and transacting business in the State of California, payable to the Treasurer of the State of California Such deposit shall not bear interest.

SEC. 24. The said bonds specified in said resolution and in said direction of the Governor shall be sold by the State Treasurer at the time so directed by the Governor, or at the time to which the sale shall have been so continued, at public sale, upon sealed bids, to the bidder whose bid will result in the lowest net interest cost on account of such bonds, but the State Treasurer must reject any and all bids for said bonds which shall be below the par value thereof plus the interest which shall have accrued thereon from the date thereof (or, if any past due coupon or coupons have been detached from said bonds prior to the delivery thereof, then from the due date of the latest coupon so detached) to the date of the purchaser's payment for said bonds. The net interest cost under each bid shall be determined by ascertaining the total amount of interest which the State would be required to pay under that bid, from the date of sale to the respective maturity dates of the bonds then offered for sale, at the coupon rate or rates specified in such bid, less the total amount of the premium (if any) offered by such bid. The bid under which the amount so ascertained is the least shall be deemed to be the bid resulting in the lowest net interest cost.

Such sale shall be for cash, payable upon the delivery of the bonds in definitive form, or if the right to deliver temporary securities has been reserved, then upon the delivery of such temporary securities.

SEC. 25. The deposit of each unsuccessful bidder shall be returned to him immediately upon the rejection of his bid or the acceptance of another bid.

The deposit of the successful bidder shall, immediately upon the acceptance of his bid, become and be the property of the State of California and be placed in the State Treasury to the credit of the fund, and shall be credited to the successful purchaser upon the purchase price of the bonds bid for in case such purchase price is paid in full by him within the time mutually agreed upon between the successful bidder and the State Treasurer. If the purchase price is not so paid, the successful bidder shall have no right in and to said bonds or by reason of said bid, nor, unless it shall appear that the bonds would not be validly issued if delivered to the purchaser in the form and manner proposed, shall such successful bidder have any right to the recovery of said deposit accompanying said bid or to any allowance or credit by reason of such deposit.

SEC. 26. Upon payment in full for said bonds, the same shall be delivered to the purchaser in definitive form, unless the right to deliver temporary securities has been reserved or the purchaser has waived the right to receive definitive bonds at the time of payment, in either of which events such temporary securities, exchangeable for definitive bonds, may be delivered upon such payment. In case the purchase price is not so paid, the bonds so sold but not paid for shall be resold by the State Treasurer, upon notice, as provided in case of original sale.

SEC. 27. The proceeds of each sale of bonds authorized by this act, and such amount as may have been paid as accrued interest on such bonds, shall be forthwith paid over by the State Treasurer into the fund. All money deposited in the fund under the provisions of this section which is derived from premium and accrued interest on bonds sold shall be reserved in said fund and shall be available for transfer to the General Fund as provided by Section 38 of this act.

SEC. 28. Whenever the commission deems that it will increase the salability or the price of the bonds to obtain, prior to or after sale, the legal opinion, other than that of the Attorney General, as to the validity of the bonds, the commission may authorize the State Treasurer or the Department of Finance, or both, to obtain such a legal opinion. Payment for such legal services shall be made from the fund, upon approval of the State Board of Control and on Controller's warrant duly drawn for that purpose.

SEC. 29. The commission shall have full charge and control of the administration of the fund. The proceeds of the sale of all bonds authorized by this act, other than such sums as may be received as premiums or as accrued interest, shall be used

exclusively for the purchase of bonds issued by public agencies for public improvements, excepting only that, to such extent as other moneys are not available therefor, such proceeds may be used for the purposes specified in paragraph (b) of Section 3 of this act. The commission may also use for the purchase of such bonds issued by public agencies any money in the fund, whether derived from the resale of bonds of public agencies or otherwise, not required by the terms of this act to be applied to some other purpose. No portion of such proceeds or of the fund shall be used for the purchase of general obligation bonds of the State.

SEC. 30. The commission shall not disburse in any fiscal year for the purchase of bonds issued by public agencies any amount in excess of an amount determined by the Legislature and by it budgeted for such use.

SEC. 31. Before any bonds of a public agency, other than general obligation bonds, are purchased by the commission:

(a) The public agency shall have approved the public improvement for which its bonds are issued.

(b) The commission shall have satisfied itself, either through a thorough study and investigation made by or for it, or through studies and reports, satisfactory to the commission, furnished by the public agency, that the public improvement for which the bonds are issued is economical and feasible and that the receipts of the public agency charged with the payment of such bonds will be sufficient to pay all sums accruing as principal or interest on said bonds until they have been fully paid, in addition to paying all other charges against said receipts. If it so determines, it shall approve the public improvement.

(c) The issuance of such bonds of such public agency shall have been authorized or approved by a majority of the electors thereof voting on the proposition at an election at which the same shall have been duly submitted; provided, however, that the commission may waive the requirement of this paragraph (c) in any case where the law or charter under which the bonds of the public agency are issued does not require such vote, but accords to the electors thereof the right of referendum on the question of the issuance of such bonds, or in any case where the commission shall determine by resolution that, for reasons stated in such resolution, it is in the public interest to do so.

Before any bonds of a public agency are purchased by the commission it may require the public agency to furnish a legal opinion as to the validity of the bonds, rendered by bond counsel approved by the commission.

SEC. 32. The commission shall not purchase any bonds issued by any public agency unless it shall be satisfied that such bonds will yield to the State an average rate of return of not less than one-fourth of 1 percent ($\frac{1}{4}\%$) above the net interest cost to the State of the money used for such purchase. It is the intent of this provision that the differential between the yield

received by the State on bonds of public agencies purchased and the net interest cost of the money used for such purchase shall be the primary source from which the expenses of administering the fund shall be paid, and the prices to be paid for bonds of public agencies shall be such as in the judgment of the commission will result in its operations becoming self-sustaining at the earliest practicable time. At any time after the operations of the commission have become fully self-sustaining, and after all amounts advanced from the General Fund for payments of principal or interest on state bonds issued under this act, not met by moneys in the fund, have been repaid, the commission may purchase bonds of any public agency on a basis estimated to yield less than one-fourth of 1 percent (¼%) in excess of the net interest cost of the money used, but not less than it shall estimate to be sufficient to keep the operation of the commission self-sustaining.

SEC. 33. The commission may purchase any such bonds of a public agency either by direct negotiation or by becoming a bidder when any such bonds are offered for public sale. In any case where the commission may purchase any such bonds of a public agency which are issued to provide only a part of the cost of a public improvement and it is contemplated that one or more additional issues of such bonds will thereafter be issued to provide the cost of completing such public improvement, the commission may enter into a commitment to purchase such future issues, subject to such limitations of price and interest rates and such other terms and conditions as the commission may deem proper.

SEC. 34. Whenever any combination of public agencies shall be authorized to undertake any public improvement jointly or in cooperation, bonds issued by any such public agencies jointly or by any board or commission established to administer or control such undertaking, to finance the same, shall be deemed to be bonds of a public agency within the meaning of this act, and, to the extent necessary to give effect to this section, the words "public agency" and "public agencies," wherever used in this act, shall be deemed to include such combination of public agencies or such board or commission; provided, however, that the approval required by paragraph (a) of Section 31 of this act shall be the approval of each public agency so joining or cooperating, and the approval by vote of the electors required by paragraph (c) of said section, unless waived as herein provided, shall be the approving vote of a majority of the electors of each public agency so joining or cooperating voting on the proposition.

SEC. 35. Whenever the commission shall deem it to be in the interests of the State so to do, it may offer any or all bonds of public agencies held by it for public sale at such times and places and after such notice as it may determine to be proper. Sales need not be made after such offer, but the commission may withdraw such bonds from sale, and may again offer them for

sale from time to time as it may determine to be proper to effectuate the purposes of this act, and as the commission may determine to be required by sound financial administration.

SEC. 36. The proceeds of the sale of bonds pursuant to Section 35 of this act shall be deposited in the fund.

SEC. 37. All interest paid to the State by any public agency upon bonds purchased by the commission pursuant to this act shall be deposited in the fund.

SEC. 38. On the several dates when payments of principal or interest become due on bonds issued under this act there shall be transferred into the General Fund in the State Treasury from the fund, so far as available therein, amounts equal to all sums so becoming due for principal or interest on said bonds. Money in the fund derived from the differential provided for in Section 32 of this act, or derived from the proceeds of the sale of bonds authorized by this act (other than sums received as premiums or accrued interest) shall not be deemed to be available for such transfer; provided, however, that if the commission shall deem the amount in the fund derived from such differential to be inadequate to meet the current expenses of administering the fund, it may direct that such additional amount as it may specify shall be withheld from such transfers; and provided further, that if the commission shall deem the amount in the fund derived from such differential to be more than sufficient to meet such current expenses, it may direct that such amount thereof as it may specify shall be included in any such transfer to the General Fund.

SEC. 39. If the amounts transferred to the General Fund pursuant to Section 38 of this act are insufficient to reimburse the General Fund in full for all amounts of principal and interest paid on said bonds, the balance remaining unpaid shall be transferred from the fund to said General Fund as soon thereafter as such transfer can be made consistently with the provisions of Section 38 of this act as to the availability of moneys in the fund

SEC. 40. All actual and necessary expenses of the commission and of the members thereof incurred in the performance of their duties arising out of the provisions of this act shall be paid out of the fund. Such expenses incurred by members of the commission shall be so paid upon claims filed with the State Controller by the member or members of said commission who incurred such expenses.

SEC. 41. The Department of Finance is authorized, to invest any surplus money in the fund in bonds or other obligations of the United States, or of the State of California, or of any public agency, and to sell such bonds, or obligations, or any of them, at the governing market rates. Interest earned or other increment derived from investments made pursuant to this section shall, on order of the State Controller, be deposited in the fund, and shall be available only for transfer to the General Fund, as provided in Section 38 of this act.

SEC. 42. The Controller, the State Treasurer and the commission shall keep full and particular account and record of all their proceedings under this act and they shall transmit to the Governor an abstract of all such proceedings thereunder, with an annual report, to be transmitted by the Governor to the Legislature annually; and all books and papers pertaining to the matters provided for in this act shall at all times be open to the inspection of any party interested, or the Governor, or the Attorney General, or a committee of either branch of the Legislature, or a joint committee of both, or any citizen of the State.

Article 10. Payment and Cancellation of Bonds

SEC. 43. The State Treasurer, directly or through the state fiscal agent, at New York, New York, or through a duly authorized agent, shall, on the respective dates of maturity of all bonds issued under this act, or on the date fixed for the prior redemption of any thereof which may be duly called for redemption, and on the respective due dates of all coupons pertaining to any of said bonds (other than coupons canceled because of the redemption of any of said bonds prior to maturity) or as soon thereafter as said bonds or coupons respectively are surrendered to him, or to such state fiscal agent, or other duly authorized agent, pay the same.

SEC. 44. Upon the payment of any such bond or coupon, the State Treasurer, or such state fiscal agent, or other duly authorized agent, shall perforate the same with a suitable device in a manner to indicate such payment and the date thereof. The State Treasurer, or such state fiscal agent, or other duly authorized agent, shall also on the respective dates of maturity of any such bonds which have been executed but which remain unsold, cancel the same by perforation with a suitable device in a manner to indicate such cancellation and the date thereof, and on the respective due dates of all coupons attached to any such bond remaining unsold, shall detach all such coupons the due date of which has been reached, and cancel them in the same manner as provided for the cancellation of bonds remaining unsold.

SEC. 45. Not less than four (4) years after the final maturity date of any particular issue of bonds, the State Treasurer, or such state fiscal agent, or other duly authorized agent, may destroy or cremate any or all bonds of such issue and any or all coupons pertaining thereto which have been previously paid or canceled as provided herein.

SEC. 46. Whenever any payment of principal of any bonds issued under this act shall become due, either upon the maturity of any of said bonds or upon the redemption of any thereof prior to maturity, and whenever any interest on any of said bonds shall fall due, warrants shall be drawn against the appropriation made by Section 18 of this act from the General Fund by the Controller of the State in favor of the State Treasurer, or the state fiscal agent, or other duly authorized agent,

pursuant to claims filed with the State Controller by the State Treasurer, in the amounts so falling due, and the amounts so paid for such principal and interest shall be charged against the proceeds of said warrants.

Article 11. Redemption of Bonds

SEC. 47. Whenever the commission shall determine that any bonds issued under this act and then outstanding, and which by their terms are subject to redemption prior to maturity, should be redeemed, and that money sufficient for such redemption will be available in the fund at the time proposed for such redemption, it may by resolution direct the State Treasurer to call and redeem any such bonds, at a time specified in such resolution, and the State Treasurer shall thereupon give notice of such proposed redemption and redeem said bonds in accordance with the provisions for redemption provided for in the resolution of the commission adopted under Section 8 of this act pursuant to which the bonds so to be called were issued.

Article 12. Other Laws Applicable

SEC. 48. So far as consistent with the provisions of this act, all of the provisions of Part 3, entitled "State Bonds," of Division 4, Title 2, of the Government Code, and of such other acts of the Legislature as relate to state bonds generally, and to the powers and duties of state officers related thereto, but not such acts as relate to specific issues of state bonds, or to state bonds of specified classes, shall be applicable to the bonds authorized by this act and to the powers and duties of state officers related thereto.

Article 13. Taking Effect of This Act

SEC. 49. This act shall take effect only if an amendment to the Constitution of the State of California authorizing the issuance of bonds of the State of California in the sum of one billion dollars ($1,000,000,000) for the purposes specified in Section 3 of this act, and ratifying, validating, confirming and making fully and completely effective this act, shall be adopted by the voters and become effective, and in such case this act shall take effect at the same time such amendment takes effect

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EXHIBIT NO. 3

AMENDED IN ASSEMBLY APRIL 16, 1951

AMENDED IN ASSEMBLY MARCH 26, 1951

CALIFORNIA LEGISLATURE—1951 REGULAR SESSION

ASSEMBLY BILL No. 183

Introduced by Mr. Stanley

January 9, 1951

REFERRED TO COMMITTEE ON MUNICIPAL AND COUNTY GOVERNMENT

An act to add Chapter 5.5 to Part 1 of Division 2 of Title 5 of the Government Code, relating to the powers and duties of public agencies of the State, including any county, city and county, city, political subdivision, municipal corporation, public corporation, public district, public board, commission, department, authority, officer, body or entity, or any other public agency, state-wide or local, and the powers and duties of the legislative and governing bodies thereof, and authorizing the issuance and sale by such public agencies, or by any combination of such public agencies, of revenue bonds to finance any public improvement, building, work or undertaking, or expenditures incidental thereto.

The people of the State of California do enact as follows:

SECTION 1. Chapter 5.5 is added to Part 1 of Division 2 of Title 5 of the Government Code, to read:

CHAPTER 5.5. PUBLIC AGENCIES REVENUE BOND LAW

Article 1. General

54150. This chapter may be cited as the Public Agencies Revenue Bond Law.

54151. This chapter shall be liberally construed to carry out its objects and purposes and to facilitate the financing of public improvements as herein defined through the medium of revenue bonds, and to protect the holders of such bonds.

54152. As used in this chapter, "public agency" means any county, city and county, city, political subdivision, municipal corporation, public corporation, public district, public board, commission, department, authority, officer, body or entity, or any other public agency, state-wide or local.

54153. As used in this chapter, "public improvement" means any revenue producing public improvement, building, work or undertaking, whether by original acquisition or construction, or by the acquisition or construction of any extension or betterment of, or addition to, any existing public improvement, building, work or undertaking, and shall include maintenance, repair and operation of any such public improvement, building, work or undertaking.

54154. As used in this chapter, except as otherwise indicated in Section 54158, "legislative body" means the board of supervisors in the case of a county or city and county, the city council, board of trustees or other legislative body in the case of a city, and the board of directors or other governing body in the case of a district or other public agency which has such a board of directors or other governing body. In the case of a public agency which is itself a board, "legislative body" means such board. In the case of any other public agency, "legislative body" shall mean the board or officer having control of the expenditure of the funds of such public agency.

54155. As used in this chapter, "bonds" means the written evidence of any obligation incurred by a public agency pursuant to this chapter, payable out of revenues, either alone or with other sources of payment specified in Section 54177, in order to secure funds with which to finance any public improvement, irrespective of the form of such obligation whether in the form of bonds, notes, debentures, interest-bearing certificates, or other forms prescribed by the legislative body.

54156. As used in this chapter, "revenue" means all fees, rates, charges, rentals, or other income and revenue actually received or receivable by or for the account of the public agency from the operation of any revenue producing public works, including without limiting the generality of the foregoing, interest allowed on any money or securities in which any revenues or other moneys applicable to the payment of such bonds may have been invested, any proceeds derived from the sale of any such securities, and any consideration in any way derived from any such revenue producing public works owned, controlled, operated or maintained by the public agency.

54157. When any public agency is now or hereafter authorized by law or charter to undertake any public improvement, either by itself or in conjunction with any other public agency, such improvement may be undertaken through the issuance of revenue bonds, pursuant to this chapter.

54158. (a) No revenue bonds shall be issued by any public agency under this act unless and until there shall have been

submitted to the electors of such public agency at a general or special election the proposition of issuing such revenue bonds, and such proposition shall have received the approving vote of a majority of such electors voting upon the proposition.

(b) If the legislative body (as defined in this chapter) of such public agency is not invested with the power to call and conduct elections in such public agency, the appropriate legislative body (as commonly understood and not as so defined) invested with power to call elections within the area within which the public agency, or a portion thereof, lies, shall have power to, and upon the request of the legislative body (as so defined), shall, call, conduct and declare the result of such election, in accordance, as nearly as such body calling such election shall deem to be practicable, with the laws relating to the holding of elections within the area over which it has jurisdiction.

If the public agency is a state agency, the appropriate legislative body, within the meaning of this section, shall be the State Legislature.

If the public agency is a local agency, the appropriate legislative body, within the meaning of this section, shall be as follows: (i) If the public agency lies within more than one county or city and county; the board of supervisors of the county or city and county of greatest population within which any part of the public agency lies; (ii) if the public agency is coterminous with any county or city and county; the board of supervisors of such county or city and county; (iii) if the public agency lies within a county but embraces less than the whole area thereof and consists in major part of territory not within any city; the board of supervisors of such county; (iv) if the public agency lies within a city and county but embraces less than the whole area thereof; the board of supervisors of such city and county; (v) if the public agency lies within a county but embraces less than the whole area thereof and consists in major part of territory within one or more cities, the legislative body (as commonly understood) of such city, if but one, or, if more than one, of the one of such cities having the greatest population.

For the purposes of this section population shall be determined by the latest Federal Census.

In the case of any public agency which has no defined area it shall be deemed for the purposes of this section to have an area coterminous with the State, if it is a state agency; with the county or city and county with respect to which it functions, if it is a county or city and county agency, or activated by action of the legislative body (as commonly understood) of a county or city and county; or with the city with respect to which it functions, if it is a city agency or activated by the legislative body (as so understood) of a city.

(c) Notwithstanding the provisions of subdivision (a) of this section in the case of any public agency which has already

established any public works for supplying any public service to the inhabitants of any area and thereby assumed the obligation to supply such service within such area, such public agency may issue under this act bonds for any extension or betterment of, or addition to, such existing works, without such vote, if the proceedings for issuing such bonds are so taken that the propsition of issuing such bonds is made subject to the right of the voters to invoke a referendum upon such proposition.

(d) If there is no procedure established by law or charter for invoking the right of referendum with respect to the action of the legislative body (as defined in this chapter) taken pursuant to subdivision (c) of this section, authorizing, subject to referendum, the issuance of revenue bonds, the provisions of law or charter relating to the exercising of the right of referendum with respect to the legislative acts of the appropriate legislative body, as specified in subdivision (b) of this section, shall apply to such action authorizing such bonds, as nearly as may be, but all of such provisions which relate to the qualifications of signers of a referendary petition, the number of signatures required, and the right to vote at the election held pursuant thereto, shall be determined on the basis of the qualified electors residing within the area of the public agency proposing to issue the bonds.

Article 2. Authority to Issue Revenue Bonds and Powers Incidental Thereto

54160 Subject to the provisions of this chapter, any public agency may borrow money to provide funds to pay the cost, or in the case of a joint undertaking, its share of the cost, of any such public improvements as in the opinion of the legislative body may be reasonably necessary for the welfare of the inhabitants of the area to be served thereby and may issue revenue bonds to evidence the indebtedness created by such borrowing. Such bonds may be issued in an amount estimated to be sufficient to pay, and for the purpose of paying, the cost of such public improvement, or such share of such cost, including the cost of preliminary reports, studies, preparations, plans and specifications, legal and engineering costs; the cost of the acquisition of any necessary rights of way, easements, lands and other property of every kind and description and appurtenance; interest on the bonds during, and for not to exceed two years after, the period of the construction of a public improvement, or in the case of bonds issued for the acquisition of a public improvement, until, and for not to exceed two years after, the completion of such acquisition; expenses of administration pertaining to the project prior to, during, and for not to exceed one year after, the period of such construction, or prior to, and for not to exceed one year after, the completion of such acquisition; and all other costs of the authorization, preparation, sale

and issuance of the bonds, or the carrying out of the undertaking, or incidental to any of such matters; and such cost may include such items which have already been paid out of other funds, to be reimbursed out of the proceeds of such bonds.

54161. Whenever any combination of public agencies shall be authorized to undertake any public improvement jointly or in cooperation, such public agencies jointly, or any board or commission established to administer or control such undertaking, may issue, subject and pursuant to the provisions of this chapter, revenue bonds to finance the same. Such bonds shall be deemed to be bonds of a public agency within the meaning of this chapter, and, to the extent necessary to give effect to this section, the words "public agency" and "public agencies" wherever used in this chapter, shall be deemed to include such combination of public agencies or such board or commission; provided, however, that such public improvement must be approved by each public agency so joining or cooperating, and that the approval by vote of the electors when required by Section 54158 shall be the approving vote of a majority of the electors of each public agency so joining or cooperating, voting on the proposition, or in cases coming within the proviso of said section, the provisions as to referendum shall be such as to accord the right of referendum to the electors of each such public agency separately.

54162. Such revenue bonds may be issued for any public improvement or groups of public improvements. Each individual improvement or group of improvements, work or undertaking for which any issue of revenue bonds is proposed to be issued shall be designated as a "project" and is so referred to in this chapter.

54163. If in the opinion of the legislative body, it is advisable that any project be undertaken and financed through the issuance of revenue bonds pursuant to this chapter, it shall cause a report thereon to be made by any appropriate public agency officer or officers, or by independent experts employed for the purpose, which shall include:

(a) An estimate of the probable cost of the project, including all incidental expenses, engineering, legal and administrative;

(b) An estimate of probable sources of income and the amount thereof;

(c) An estimate of the cost of maintenance and for the operation upon completion, including the cost of all repairs, administrative and overhead charges.

The expense of the preparation of the report shall be a public charge and the legislative body shall make provision for the payment thereof out of any funds of the public agency available therefor.

54164. If the report is approved by the legislative body, it may adopt an ordinance or resolution declaring that the public interest and necessity demand the undertaking of the project,

the purpose, nature and extent of which shall be described in general terms, and authorizing such project. The adoption of such ordinance or resolution shall be conclusive evidence of the making and sufficiency of such report. Subject to the provisions of Section 54158, the legislative body may thereupon authorize the issuance of revenue bonds for the purpose of obtaining funds required for the project, in an amount determined in accordance with the provisions of Section 54160.

54165. The proceeds of the sale of any revenue bonds issued pursuant to this act shall be used only for the purposes for which such bonds are issued, except that any premium received on the sale thereof and any sums received as interest accrued to the date of the delivery thereof may be used for the payment of principal of and interest on such bonds.

54166. Wherever by the terms of this chapter the legislative body is empowered to authorize, or the public agency to enter into, any covenant or agreement to do or perform any act or thing, such legislative body and such public agency, respectively, shall have the power so to do and perform such act or thing.

54167. This chapter provides a procedure alternative to any procedure otherwise provided by law or charter for financing any project, and shall not operate to limit or control the power of the public agency to finance any project in any other manner authorized by law or charter.

Article 3. Issuance, Terms and Conditions of Revenue Bonds

54175. The public agency shall have power to issue revenue bonds in its name.

54176. The bonds of each issue shall constitute special obligations, and evidence a special indebtedness of the public agency, which shall be a charge upon, and payable, as to the principal thereof, interest thereon, and any premiums upon the redemption of any thereof, solely from, such revenues and funds as are specified therein and in the proceedings for their issuance. They shall not constitute general obligations of the public agency, and they shall neither constitute obligations, nor evidence any indebtedness, of any other public agency of which the public agency issuing the bonds may be a part, or of the State. All such bonds shall recite upon their face the substance of the preceding portions of this section, and shall also recite upon their face that they are issued under this chapter, which for that purpose may be designated by the short title provided for in Section 54150 of this chapter.

54177. In specifying the revenues and funds upon which such bonds are to be a charge and from which they are to be payable, there may be included:

(a) Revenue, as defined in Section 54156, whether to be derived from the project, or from public works previously exist-

ing, or from any future extension or betterment of, or addition to, any such public works;

(b) Contributions in aid of the project; and

(c) Funds from any source which the public agency may lawfully apply to the purpose, other than the proceeds of taxation.

54178. Nothing in this chapter, nor in the specification in the proceedings for the issuance of any bonds of the sources of payment thereof, shall preclude

(a) The payment of interest on or principal of any such bonds out of sums received as premiums or accrued interest on the sale thereof;

(b) The payment of principal of or interest on, or premiums on the redemption of, any such bonds out of the proceeds of the sale of refunding bonds issued for that purpose;

(c) The payment of any interest on any such bonds accruing during, and for not to exceed two years after, the period of the construction of a public improvement on account of which they were issued, or for any other reasonably limited period, out of the proceeds of the sale of such bonds;

(d) The payment of any principal of, interest on, or premiums on the redemption of, any such bonds by the purchasers thereof, or by any entity other than the public agency issuing the same, in any case where such purchasers or entity may have guaranteed such payment; or

(e) The application to the payment of any principal of, interest on, or premiums on the redemption of, any such bonds of any funds which the public agency may lawfully so apply.

54179. The legislative body shall have power to determine, by ordinance or resolution, or by indenture, contract or other agreement made with, or for the benefit of, the bondholders, with reference to each issue of bonds to be issued under this chapter, all the terms and conditions of such bonds, and of the sale and issuance thereof, and any and all matters necessary or appropriate to be determined in connection therewith, excepting only as such power is limited by, or under the authority of, express provisions of this chapter. Without excluding the exercising of any other powers under, or in any way limiting the generality of, the preceding general grant of power, or in any way excluding or limiting the exercising of any or all other powers granted by this chapter, the general power granted by this section shall include, and each such public agency shall have and in its discretion may exercise, the specific powers provided by this chapter.

54180. The legislative body may provide for the aggregate principal amount, date or dates, maturities, maximum interest rate, interest payment dates, denominations, and form of such bonds, and may provide for the issuance thereof as serial bonds or sinking fund bonds, as payable to bearer or to named payees, or as registered bonds, and for the issuance thereof with or without coupons, and for the subsequent registration of

bonds, and for the transfer and interchange of such bonds, and for all other terms and conditions upon which the same shall be executed, issued, secured, sold, paid, redeemed, or refunded. The legislative body may provide that any ordinance or ordinances, resolution or resolutions, adopted in connection with the authorization of any bonds shall constitute a contract with the holders of such bonds, not subject to repeal, and not subject to any modification other than to an extent and in a manner provided in any such ordinance or resolution. Reference on the face or the bonds to any such ordinance or resolution by the date of its adoption, or to any such indenture, contract or other agreement by the date of its execution, or the apparent date on the face thereof, is sufficient to incorporate all of the provisions thereof and of this chapter into the body of the bonds and their appurtenant coupons; provided, however, that with respect to such provisions of this chapter as invest the legislative body with discretion as to the inclusion or noninclusion in the proceedings for the issuance of the bonds of certain provisions, or as to the form thereof, such provisions of this chapter shall be deemed to be incorporated only to the extent to which the legislative body has exercised its discretion to include such provisions and in accordance with the form thereof adopted by the legislative body. Each taker and subsequent holder of the bonds or coupons, whether the coupons are attached to or detached from the bonds, has recourse to all of the provisions of any such ordinance or resolution, indenture, contract or other agreement and of this chapter, and is bound thereby, subject to the foregoing proviso with reference to the provisions of this chapter vesting the legislative body with discretion.

54181. The legislative body may provide for such covenants and agreements on the part of the public agency as the legislative body deems necessary or advisable for the better security of any bonds.

54182. The legislative body may provide for the making of a covenant requiring the public agency to continuously operate in an efficient and economical manner, any or all facilities and properties, any revenues of which are charged with the payment of any bonds in connection with which such covenant is made.

54183. The legislative body may provide for the making of a covenant requiring the public agency to make all repairs, renewals and replacements necessary to the operation of any or all facilities and properties, any revenues of which are charged with the payment of any bonds in connection with which such covenant is made, and to keep any and all such facilities and property at all times in good repair.

54184. The legislative body may provide for the making of a covenant requiring the public agency to pay and discharge or cause to be paid and discharged from the funds available for that purpose all lawful claims for labor, materials and supplies or other charges which, if unpaid, might become a lien or charge

upon the revenues, or any part thereof, of any or all facilities and properties, any revenues of which are charged with the payment of any bonds in connection with which such covenant is made, or upon any of the physical properties thereof which might impair the security of the bonds.

54185. The legislative body may provide for the making of a covenant which limits, restricts, or prohibits any right, power or privilege of the public agency to mortgage or otherwise encumber, sell, lease or dispose of any or all facilities and properties, any revenues of which are charged with the payment of any bonds in connection with which such covenant is made, or to enter into any lease or agreement which might impair or impede the operation of such facilities or properties, or any part thereof, or which might otherwise impair or impede the rights of the holders of the bonds with respect to such revenues.

54186. The legislative body may provide for the making of a covenant requiring the fixing, prescribing, and collection, with respect to any or all facilities and properties, and revenues of which are charged with the payment of any bonds in connection with which such covenant is made, of fees, tolls, rentals or other charges in connection with the services and facilities furnished from any of such properties operated by it, and the fixing, prescribing and collection of rentals or other charges for any such properties leased by it to others for operation, sufficient, with such other funds as may have been made available for and charged with such payment, to pay the principal of and interest on such bonds as they become due and payable, together with all expenses of operation, maintenance and repair of such facilities and properties, and with such additional sums as may be required for any sinking fund, reserve fund or other special fund provided for the further security of such bonds or as a depreciation charge or other charge in connection with such facilities and properties, and all other charges payable out of said revenues or funds, and requiring that all receipts from all or any such fees, tolls, rentals or other charges shall be deposited in a certain specified fund or in certain specified funds. If, under the law or charter applicable to the public agency, the power to fix and prescribe any such fees, tolls, rentals or other charges is vested in any other board or body, or is subject to approval by any other board or body, such other board or body may provide for the making of a covenant to the same effect as stated in this section, or a covenant to approve fees, tolls, rentals, or other charges fixed or prescribed by the legislative body which shall be sufficient for the purposes specified in this section.

54187. The legislative body may provide for the making of a covenant requiring the fixing and prescribing by the public agency and the collection by any lessee of any or all facilities and properties, any revenues of which are charged with the payment of any bonds in connection with which such covenant is made, of all fees, tolls, rentals, or other charges in connection

with the services and facilities furnished by such lessee, sufficient to assure the payment by such lessee to such public agency of the rentals or other charges so payable.

54188. The legislative body may provide for the making of a covenant requiring the establishment and maintenance of reserve funds, sinking funds or other special funds, in the treasury in which the funds of the public agency are deposited, or special trust accounts in a bank or trust company, to insure payment when due or payable, whether at maturity or upon redemption, of the principal of and interest on any bonds, including premiums if any due upon the redemption of any thereof, or to insure the application of the proceeds of such bonds to the purposes for which the same were issued, or requiring the establishment and maintenance of a reserve fund or trust account for any other appropriate purpose, or requiring that any money placed in any such reserve fund or trust account shall constitute a trust fund to be applied only to the purposes for which such reserve fund was created.

54189. The legislative body may provide for the making of a covenant requiring the public agency to apply the proceeds of the bonds in connection with which such covenant is made, or any part thereof, to the acquisition or construction of a specified facility, or other specified purpose.

54190. The legislative body may provide for the making of a covenant restricting the incurring of additional indebtedness payable in whole or in part out of revenues or funds which are charged with the payment of any bonds in connection with which such covenant is made.

54191. The legislative body may provide for the making of a covenant requiring the public agency to carry insurance on any facilities or properties any revenues of which are charged with the payment of any bonds in connection with which such covenant is made, or any operations incident thereto, specifying or limiting the kind, amount and character of such insurance and providing for the use and disposition of the proceeds of any such insurance thereafter collected.

54192. The legislative body may provide for the making of a covenant restricting, limiting or prohibiting the establishment by it of any competitive project while any bonds of the issue in connection with such convenant is made are outstanding.

54193. The legislative body may provide for the making of a covenant restricting, limiting or prohibiting the rendering or furnishing of service or facilities free of charge, or at less than the regular established charges therefor, by or from any facilities and properties, any revenues of which are charged with the payment of any bonds in connection with which such covenant is made.

54194. The legislative body may provide for the terms and conditions upon which any bonds may become or be declared due

and payable prior to maturity, upon the happening of any specified event of default, and the terms and conditions upon which such declaration and its consequences may be waived.

54195. The legislative body may provide for the rights, limitations, powers and duties arising upon breach by the public body of any of the covenants, conditions or obligations contained in any ordinance, resolution, indenture, contract or agreement.

54196. The legislative body may provide for a procedure by which certain specified terms and conditions of any ordinance or resolution, indenture, contract or agreement may be subsequently amended or modified, or any provision thereof waived, with the consent of the legislative body and the vote or written assent of the holders of a specified principal amount of the bonds issued and outstanding, Such provision may authorize meetings of bondholders and specify the manner in which the consent of the bondholders may be given. Such provision shall specifically state the effect of such amendment, modification or waiver upon the rights of the holders of all of the bonds and interest coupons appertaining thereto, whether attached thereto or detached therefrom. The provisions for such procedure may include an agreement that bonds held by the public agency, or by any other person or entity who or which the legislative body may determine to be so interested in the matter as to make it proper, shall not be counted as outstanding bonds, and that the holders thereof shall not be entitled to vote or assent with respect to such amendment, modification or waiver, but shall nevertheless be subject thereto.

54197. The legislative body may provide for such other acts and matters as it may deem to be necessary or convenient or desirable in order to secure the bonds or to make the bonds more marketable.

54198. The legislative body may designate a bank or trust company as a trustee for the holders of bonds issued hereunder, and may authorize the trustee to act on behalf of the holders of the bonds, and to exercise and prosecute on behalf of the holders of the bonds such rights and remedies as may be available to the holders.

54199. The legislative body may fix and determine the conditions upon which any trustee shall receive, hold or disburse any or all funds coming into its hands pursuant to any ordinance or resolution, indenture, contract or agreement. The legislative body may prescribe the duties and powers of such trustee with respect to the payment of principal and interest on bonds, the redemption of bonds, the registration and discharge from registration of bonds, and the management of any sinking fund or other fund provided as security for bonds, and with respect to any other appropriate matter.

54200. The legislative body may provide for the issuance of bonds in series, and for the division of any issue into two or more divisions, and may fix different maturities or dates of

such bonds, different rates of interest, or prescribe different terms and conditions for the bonds of the several series or divisions. It is not necessary that all bonds of the same authorized issue be of the same kind or character, have the same security, or bear the same interest rate, but the terms thereof shall in each case be provided for by the legislative body. After the authorization or issuance of bonds, the legislative body may, from time to time thereafter, authorize the issuance of other bonds, subject to any covenants it may have made restricting the future issuance of bonds.

54201. Bonds may be callable, at the option of the public agency, upon such terms and conditions, and upon such notice as the legislative body may determine, and upon the payment of the premium, if any, fixed by the legislative body in the proceedings for the issuance of the bonds. No bond shall be subject to call or redemption prior to its fixed maturity date unless the right to exercise such call is expressly stated on the face of the bond.

54202. The legislative body may provide for the principal and interest of bonds being payable in any specified coin or currency of the United States and at any place within the State of California, or for such principal and interest being payable or collectible at any place without the State of California.

54203. All of the signatures on said bonds and on the interest coupons thereof may be printed, lithographed or engraved facsimile, except that on the bonds, but not on the interest coupons, the countersignature of the clerk or other officer or representative of the public agency designated by the legislative body shall be manually affixed. If any of the officers or representatives whose signatures or countersignatures appear upon the bonds or coupons cease to be officers or representatives before the delivery of the bonds or coupons, their signatures or countersignatures are nevertheless valid and of the same force and effect as if the officers or representatives had continued to hold their respective offices or positions until the delivery of the bonds and coupons.

54204. Payments of any serial bonds, and payments into the sinking fund for any sinking fund bonds, may be deferred, but the first maturity of any such serial bonds, and the first payment into the sinking fund for any such sinking fund bonds, shall be no later than five (5) years from the date of the bonds, and no bond, whether serial or sinking fund, shall mature more than forty (40) years from its date. In the event any authorized issue is divided into two or more series or divisions, the periods specified in this section shall be calculated from the date on the face of each bond separately, irrespective of the fact that different dates may be prescribed for the bonds of each separate series or division of any authorized issue.

54205. No bonds shall be sold except at public sale, after advertising for proposals and to the bidder whose bid will result in the lowest net interest cost, determined in a manner specified

in the notice of such sale; provided, however, that such advertising and public sale shall not be necessary, first, if the bonds are sold to the United States, or any agency thereof, or to the State of California, or any agency thereof; second, if upon advertising for proposals for the purchase thereof, no satisfactory proposal is received, or third, if the legislative body shall determine, by ordinance or resolution, that by reason of war, disaster, conditions affecting the public health, or other reason of extreme urgency, it is in the public interest to sell any such bonds without advertising or public sale. If the legislative body shall adopt any such ordinance or resolution, the reasons for its determination shall be fully and clearly stated therein. Bonds may be sold at less than their par or face value but no bond may be sold at price which would result in a yield to the purchaser of an average of more than six (6) percent per annum, payable semiannually, according to standard tables of bond values.

54206. The legislative body may provide for the issuance and delivery, pending the actual issuance or delivery of definitive bonds, of temporary or interim bonds, certificates or receipts of any denominations whatsoever, and with or without coupons, to be exchanged for definitive bonds when ready for delivery.

54207. The legislative body may provide for the issuance, sale, or exchange of refunding bonds for the purpose of redeeming or retiring any revenue bonds issued by the public agency. All provisions of this act applicable to revenue bonds and to the issuance and sale thereof, other than the provisions of Sections 54158, 54163 and 54164, are applicable to refunding bonds and to the issuance and sale thereof; provided, however, that the legislative body may provide that in lieu of the sale of such refunding bonds they, or any part thereof, may be exchanged for bonds to be refunded thereby, upon such terms and conditions as it may deem proper.

54208. Refunding bonds may be issued in a principal amount sufficient to provide funds for the payment of all bonds to be refunded thereby, and in addition for the payment of all expenses incident to the calling, retiring or paying of such outstanding bonds, and the issuance of such refunding bonds. These expenses include the difference in amount between the par value of the refunding bonds and any amount less than par for which the refunding bonds are sold, any amount necessary to be made available for the payment of interest upon such refunding bonds from the date of sale thereof to the date of payment of the bonds to be refunded or to the date upon which the bonds to be refunded will be paid pursuant to the call thereof or agreement with the holders thereof, and the premium, if any, necessary to be paid in order to call or retire the outstanding bonds and the interest accruing thereon to the date of the call or retirement.

54209. All bonds issued under the provisions of this act are negotiable instruments.

54210. Prior to the issuance of any bonds, the public agency, on authorization by the legislative body, may commence a special proceeding to determine the right to issue the bonds and their validity in the superior court of the county in which the public agency is located, or, if the public agency is a state agency, in any county in which such agency maintains an office. Such proceeding shall be instituted and prosecuted in the same manner as provided by Sections 22670 to 22674, inclusive, and 22676 to 22684, inclusive, of the Water Code, as these sections now read or may hereafter be amended to read, and these sections apply to and govern all such proceedings instituted under this act; provided, however, that in so applying said provisions, all references to a district shall be understood as references to the public agency; all references to any assessment or the levying thereof shall be disregarded, and the provisions of Section 22681 relating to the exchanging of bonds for property shall be understood as relating to the exchanging of refunding bonds for bonds to be refunded thereby. Such proceeding is a proceeding in rem and the judgment rendered therein is conclusive against all persons whomsoever and against all entities whatsoever, public or private, including the public agency and the State of California.

54211. Whenever the legislative body deems that it will increase the salability or price of the bonds to obtain a legal opinion, other than or in addition to that of the regular legal adviser of the public agency, it may obtain such legal opinion.

Article 4. Duty to Perform Covenants

54220. It shall be the duty of the public agency fully and faithfully to keep and perform any covenant it may make pursuant to Section 54186 with or for the benefit of the holders of the bonds with respect to the fixing and maintaining of fees, tolls, rentals or other charges, and each and every other covenant it may make, or obligation it may assume, pursuant to any provision of this chapter, and it shall be the duty of each and every officer, representative and employee of the public agency to do and perform each and every act necessary or appropriate for such keeping and performance by such public agency of every such covenant and obligation.

Article 5. Rights of Bondholders

54230 The holder of any bond issued pursuant to this chapter may by mandamus or other appropriate proceeding, require and compel the performance of any of the duties imposed upon the public agency, the legislative body or the officers, agents, or employees of the public agency, by this chapter, in all cases where the failure to perform such duty might impair

the rights of such bondholder or the security of any bond or bonds held by him. This shall not exclude the exercise or prosecution of any other rights or remedies available to the holders of bonds issued pursuant to this chapter.

54231. While any revenue bonds issued by the public agency under this chapter remain outstanding, its powers and duties, and the powers and duties of the legislative body, shall not be diminished or impaired in any manner that will adversely affect the interest and rights of the holders of such bonds. This shall not preclude any reorganization or change of the public agency, by consolidation, change of the boundaries, or otherwise, or any modification, change or transfer of the powers and duties of the legislative body, or any transfer of physical properties; provided, however, that such act or matter is done, arranged and carried into effect in such manner as to preserve all the substantial rights and benefits to which the holders of such bonds are entitled.

Article 6. Contributions and Cooperation

54240. The legislative body may accept contributions or appropriations from the United States, the State, or any public agency of this State, or from any other source.

54241. The legislative body may authorize the making by the public agency of any contract, arrangement, or agreement with the State or any public agency, to join or cooperate with such state or public agency for the establishment, development, maintenance, operation, or use of any project or the services or facilities thereof financed in whole or in part through the issuance of revenue bonds, and the public agency may so join or cooperate.

54242. The public agency, when authorized by the legislative body, may cooperate and contract with the United States under the War Mobilization and Reconversion Act of 1944, approved October 3, 1944, and any acts amendatory thereof or supplemental thereto, or under any other act of Congress heretofore or hereafter enacted, authorizing or permitting such cooperation.

Article 7. Funds

54250. The proceeds from each sale of bonds authorized under this chapter, other than any sums received as premium or accrued interest, shall be deposited in the treasury in which funds of the public agency are kept, to the credit of a fund, which the legislative body shall establish therein, and which shall be designated by an appropriate name, to insure the application of such proceeds to the purposes for which the bonds were issued; provided, however, that where successive sales are made of bonds of a public agency, and the same are issued for the same identical purpose, such proceeds of more than one sale may be deposited in such treasury to the credit of the same

fund. The provisions of this section shall be subject to the provisions of this article with respect to the establishment of other reserve funds and trust accounts.

54251. The proceeds from each sale of bonds authorized under this chapter received as premium or accrued interest, shall be deposited in such treasury to the credit of the fund out of which payments on the principal of and interest on such bonds are to be made, whether such fund shall be a fund already established or a reserve fund established pursuant to Section 54252, and shall be applied only to the payment of such principal and interest.

54252. The legislative body may from time to time establish one or more reserve funds in the said treasury, for any of the purposes specified in this section. Any such fund may be so established as a sinking fund, or otherwise, to insure the payment, when due and payable, of the interest on any such bonds, the principal thereof, whether upon maturity or redemption prior to maturity, and premiums upon the redemption thereof prior to maturity, or for any of said purposes, or for any other purpose related to the expenditure of the proceeds of such bonds, the security of the bondholders or the payment of such bonds.

54253. If, under the law or charter applicable to the public agency, the power to establish funds in said treasury is not vested in the legislative body, then the officer or board having power to establish such funds, shall establish any fund provided for in this article, upon the request of the legislative body.

54254. The money in any fund provided for in this article, other than any previously established fund referred to in Section 54251, shall be kept separate and apart from all other funds in the treasury, and, subject to all provisions of this article, shall be paid out and disbursed on the order of the legislative body in the same manner that other funds of the public agency are paid out and disbursed. Bonds, and coupons pertaining thereto, duly issued pursuant to this chapter shall be deemed to be orders of the legislative body, within the meaning of this section, and shall be payable upon presentation, when due, without further order or approval, subject only to the terms of the registration of such bonds, if registered.

54255. In lieu of or in addition to the establishment of any fund by or at the request of the legislative body pursuant to this article, the legislative body may provide for the establishment of a trust account with a responsible bank or trust company for any of the purposes for which any such fund could be established.

54256. Money so deposited in any fund or special trust account established pursuant to this article shall remain therein until from time to time expended for the purposes for which said fund or trust account was created, and shall not be used for any other purpose whatsoever, but may be invested as hereinafter in this article provided; and provided

(a) that money may be paid or transferred from any such fund or account in furtherance of its establishment to any other such fund or account established for a like purpose in connection with the same bonds to such extent as may be required or permitted under the terms of the issuance thereof; and

(b) that any surplus money remaining in any such fund or trust account after the full accomplishment of the purposes for which such fund or trust account was established, or which is in excess of the full amount required to accomplish all such purposes, may be applied to the payment of principal, interest or premiums on redemption of such bonds, if any thereof remain unpaid, or to capital costs or expenses incident to any facilities or properties the revenues of which were charged with the payment of the bonds, or, if it cannot be so applied, then to any purpose to which the legislative body may direct that it be applied, subject, however, to any covenant which may have been made in connection with the issuance of such bonds.

54257. If, under the law or charter under which the public agency exists, provision is made for the establishment of funds or trust accounts to accomplish substantially the same purposes as provided for in this article, such funds or trust accounts may be established pursuant to such law or charter instead of pursuant to this article.

54258. Pending use for the purposes for which any reserve fund or special trust account established pursuant to this article was so established, money deposited therein may be invested when and to such extent and in such manner as may be directed by the legislative body and as may be consistent with any covenant made upon the issuance of the bonds in connection with which such fund or account was created. Such investment shall be in bonds and other obligations eligible for investment of surplus funds of the public agency, or eligible for investment of surplus county money. If, under the law or charter under which the public agency exists, the power to direct the investment of surplus money is not vested in the legislative body, then the direction provided for in this section shall be the direction of such board or officer as is vested with such power. Any income, interest or increment resulting from such investment shall be added to and become a part of the fund or trust account out of which such investment was made.

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EARL W. STANLEY
RALPH M. BROWN
LESTER A. McMILLAN
LAUGHLIN E. WATERS

REPORT OF COMMITTEE ON LEGISLATIVE REPRESENTATION

LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE
COMMITTEE ON LEGISLATIVE REPRESENTATION, June 14, 1951

Hon. Sam L. Collins
Speaker of the Assembly
Assembly Chambers, Sacramento, California

MR. SPEAKER: In conformity with the authority vested in it, your committee has reviewed the statments and reports of the persons hereinafter named who have filed as legislative advocates and has found that all of the persons named in this report have complied with the provisions of Chapter 8, Part 1 of Subdivision 2 of Title 2 of the Government Code.

After five days from the filing of this report a certificate of registration as legislative advocate will be issued to each person named in this report unless good cause to the contrary appears as provided by Government Code 9909, Section 3.

The names of persons who have filed as legislative advocates but do not appear on the list have been withheld by your committee because of technical defects in the application for further information or for further consideration by your committee.

All registrants whose names have been withheld will be notified and will be given an appropriate opportunity to conform with the requirements of the law.

Respectfully submitted.

WILLIAM H. ROSENTHAL
H. ALLEN SMITH
FRANK P. BELOTTI
BERNARD R. BRADY
RICHARD J. DOLWIG, Chairman

LIST NO. 5
APPLICATIONS APPROVED AS OF JUNE 13, 1951

Adams, Ray S., 541 S. Spring St., Los Angeles
California Tavern Association

Archer, Allen T., 621 S. Spring St., Los Angeles
Insurance Brokers Society of Southern California

Arnstein, Lawrence, 45—42d St., San Francisco
San Francisco Social Hygiene and Health Association

Barrett, Arthur J., Jr., 505 Balfour Bldg., San Francisco
California State Fraternal Congress

Bugental, James F. T., University of California. Department of Psychology, Los Angeles
Institute for Individual Psychology, Inc.
Alfred Adler Society of Los Angeles
University of California Department of Psychology
Analytical Psychology Club of Los Angeles
Clinical Psychologists in Private Practice
California State Psychological Association

Darwin, Jay A., 812 Foxcroft Bldg., San Francisco
CIO-California Industrial Union Council

Down, David M., San Jose State College, San Jose
Associated Students, San Jose State College

Fisher, Robert, 451 North Hill St., Los Angeles
Personnel Commission

Gjerke, Marguerite, P. O. Box 585, San Mateo
California Practical and Undergraduate Nurses Association, Inc.

Gretz, Louis A , 656 Atlantic Blvd.
California League of Unincorporated Communities

Hall, R. J., 500 Russ Bldg., San Francisco
Society of Insurance Brokers
Surplus Line Association of California

Hansen, Frank O., 430 Colino St., Los Angeles 13
California Waste and Wiper Co.

Hart, Percival G., 354 S. Spring St., Los Angeles 13
Community Redevelopment Agency of the City of Los Angeles

Humphreys, John R., 108 N. California St., Stockton
California Council of Business Schools

Kanagy, Albert S., 2270 Bullard Ave., Los Angeles 32
Order of Repeatermen and Toll Testboardmen

Katz, Robert, San Francisco State College
Associated Students, San Francisco State College

Keller, William D., P. O. Box 752, Lancaster
California League of Unincorporated Communities, Inc.

Kushida, Tatsuo, 258 E First St., Los Angeles
Japanese American Citizens League Anti-Discrimination Committee

Lala, Theodore A., 3511 W. Sixth St., Los Angeles
Administrative Classified Service Association

Lockwood, Henry, 417 S. Hill St., Los Angeles 13
Mount San Jacinto Winter Park Authority

Loheit, Robert, 3716 J St., Sacramento
Associated Master Barbers & Beauticians of California

Lynch, John Knox, 821 Market St., San Francisco
LaSalle Extension University

Margolis, Harry, 345 Franklin St., San Francisco
Northern California Beer Distributors Association
Southern California Beer Distributors Association

Minard, Claude, 155 Sansome St., San Francisco
California Railroad Association

Murphy, Kate Pursell, 503 Franklin St., San Francisco
Practical and Undergraduate Nurses' Association, Inc.

Nickel, George D., 1300 Ramona Road, Arcadia
BMC Corporation

Painter, John H., 220 Bush St , San Francisco 4
Associated Farmers of California, Inc.

Parmer, Dave, 328 Maple St., San Diego 3
Complete Service Bureau

Person, Harry R., 911 Hall of Justice, Los Angeles
Association of Official Court Reporters of Los Angeles County

Rosendahl, Edwin M., 756 S. Broadway, Los Angeles 14
Vita Pharmacals, Inc.

Ryan, Donna L., 217 W. Eigth St., National City
California Practical and Undergraduate Nurses' Association, Inc.

Slater, Mildred D., 230 Fairfield Road, North Sacramento
California Practical and Undergraduate Nurses' Association, Inc.

Spolyar, Ludwig J., San Jose State College, San Jose
Associated Students, San Jose State College

Swanson, Carl A., Route 2, Box 635, Turlock
Milk Producers Association of Central California

Tucker, George P., 1290 Sutter St., San Francisco
California Association of Private Schools

Waldo, Cornelius T., 7106 Foothill Blvd., Tujunga
Cities of Orange County

Wilkins, Philip C., 537 Forum Bldg., Sacramento
Bekins Van Lines, Inc.
Lyon Van Lines, Inc.
Calmay Van Lines, Inc.
James Van Lines, Inc.

Williamson, Pauline E., 4257 40th St., San Diego
California Practical and Undergraduate Nurses' Association, Inc.

Wright, Malvern A., 170 Valencia St., San Francisco
California State Fraternal Congress

REPORT OF SUBCOMMITTEE OF WAYS AND MEANS INTERIM COMMITTEE ON ADULT EDUCATION

Letter of Transmittal

ASSEMBLY, CALIFORNIA LEGISLATURE
COMMITTEE ON WAYS AND MEANS, June 18, 1951

Honorable Sam L. Collins
Speaker of the Assembly
State Capitol

DEAR MR. COLLINS: I am handing you herewith Report of the Subcommittee of the Ways and Means Interim Committee on Adult Education. I will ask that this report be printed in the Journal as a supplement to the report of the interim committee.

Very truly yours,

MARVIN SHERWIN
Chairman, Ways and Means

Report of Subcommittee on Adult Education

June 14, 1951

On February 5, 1951, Messrs. Kirkwood, Lowrey, and Hinckley were named as a subcommittee to check on the budget request of the Bureau of Adult Education (page 208 of the Budget), and also to report on the subvention which is granted to school districts on account of the attendance in adult education classes (page 1058 of the Budget). It was felt that the Ways and Means Committee should be informed concerning the reason for the rapid expansion of state support for adult education. (The Budget indicates an increase in classes for adults from 55,321 for the year 1949-1950 to a projected 71,350 for 1951-52, or an increase of close to 30 percent in two years.)

The subcommittee has been assisted in its inquiries by Alan Post, the Legislative Auditor, and his staff, particularly George Clucas and William Young. A questionnaire was worked out in cooperation with the Legislative Auditor's office and mailed to each district which conducts adult education programs. This questionnaire was designed to develop material concerning the nature of the program, the procedures used in the selection of courses, accounting practices followed, practices concerning the recording of attendance, and other related material. A copy of the questionnaire, together with a digest of the material obtained, is attached to this report. Two or three meetings were held by the subcommittee to discuss this material and other information collected by Mr. Young. Subsequently, two meetings were held with representatives of the Department of Education to discuss further their policies concerning the program of adult education. Both of these meetings were attended by Roy Simpson and George Mann, the Chief of the Bureau of Adult Education, and by various other members of the staff of the department.

RECOMMENDATIONS

The subcommittee recommends:

(1) That there should be a continuing study of the program of adult education by a legislative committee during the period between the adjournment of this session of the Legislature and the next session. This study should include a study of the nature of a proper program of adult education, the best method of financing the program, and methods of maintaining proper accounts and audits of expenditures.

(2) That the State Department of Education be requested to prepare and submit to the Ways and Means Committee prior to the adjournment of this session regulations incorporating the proposals made by Mr. Mann to the subcommittee in his letter dated May 2, 1951, which is attached, showing the extent to which such regulations have been put into effect.

(3) That the Ways and Means Committee request and authorize the members of this subcommittee to appear at the next meeting of the State Board of Education to urge upon that board the consideration and adoption of regulations which will more clearly define the scope of the adult education program, and which will guarantee to all districts providing adult classes basic equality in the receipt of state subventions.

(4) That the interim committee be requested in cooperation with the State Board of Education and the Department of Education to develop statutes for introduction at the next session of the Legislaure which will divorce state support of the adult education program from state support of the other parts of the educational program, and which will provide equitable allocation of state funds.

FINDINGS

The study of the subcommittee was of necessity cursory and its findings are inconclusive. It is readily apparent, however, that from a fiscal standpoint there are insufficient controls over the program. It should be noted that once attendance at an adult program is recognized, the Legislature is bound under the Constitution to set aside $120 for each unit of average daily attendance. Where this practice is followed, certainly the purposes of the program should be clearly defined and the supervision should be such that the equity of the allocation of state funds is clearly established. Even a cursory examination of this program discloses an appalling lack of adequate accounting procedures. For this and other reasons, a proper audit of the expenditure of state funds has so far been impossible.

Our contacts with the department indicate that the limits on the program have not been clearly established, but that they depend on the one hand upon pressures brought by local groups for expansion, and on the other by pressures brought by legislative suggestion for contraction. The subcommittee believes that the Department of Education should be able to define and defend the exact limits and fundamental philosophy of the program which it proposes to support. It would appear that this the department cannot do.

The subcommittee believes in the program of adult education and believes in a pattern of state support similar to that which exists for other parts of our educational program. It suggests that the Legislature should be afforded the opportunity of working with the Department to formulate a sound basis for the development of such a program.

ROBERT KIRKWOOD
STEWART HINCKLEY
LLOYD W. LOWREY

RESULTS OF A QUESTIONNAIRE SURVEY ON ADULT EDUCATION

June 14, 1951

The Subcommittee on Adult Education of the Assembly Ways and Means Committee desiring to secure an over-all view of the adult education program in California, constructed, with the assistance of the Staff of the Legislative Auditor, a questionnaire which was mailed to 138 evening high schools in the State. The questionnaire was designed to obtain information on the program being offered throughout the State, the cost of the program, how it is financed, the general administrative practices employed in carrying out the program and the types of special groups for which adult classes are organized.

The questionnaire was sent to the evening high schools rather than to all high schools having adult classes because most of the adult classes are conducted in organized evening high schools.

Returns were received for 132 out of the 138 questionnaires mailed out. However, in tabulating the answers only 126 returns, or 91 percent are useable because some districts did not report each school separately. In some cases a questionnaire was answered incompletely, thus the tabulation on some questions will show fewer than 126 schools reporting

There were 56,230 units of average daily attendance for all adult classes in California in the 1949-50 school year. The 126 evening high schools reporting represent 48,515 units of average daily attendance, or 86 percent of all adult A.D.A. in the State.

The Program of Adult Education

Adult education in California represents a significant part of public education in California, according to the answers received to the questionnaire. For the 126 evening high schools reporting, 16 percent of the total average daily attendance in the districts wherein these evening high schools are located is adult A.D A. In terms of the 91 school districts maintaining these 126 evening high schools, there were 25 districts in which the percent of adult A D.A. to the total A.D.A. in the district was 21 percent or more. The range was from 1 percent to 76 percent.

Another way of characterizing the adult education program is in terms of the percent taking courses for credit. For the school year of 1949-50 approximately 5 percent of the persons enrolled in 117 evening high schools were taking at least one course for credit.

The emphasis of the adult program in terms of courses offered at 110 evening high schools is shown in Table I. It will be noted that 28 percent of courses offered are in the areas of arts, crafts, and music, and 26 percent are vocational courses. Courses in general education comprise 14 percent of all classes offered and home-making courses represent 10 percent of the total.

Cost of Adult Education

The total cost of adult education in 1949-50 in 126 evening high schools reporting was approximately $9,500,000. The state aid to local districts at the rate of $120 per A.D.A. amounted to $5,800,000 in the school year 1949-50. Approximately 60 percent of the cost of adult education in these 126 evening high schools was financed from state aid.

A detailed analysis of the reported cost of adult education in terms of one unit of A.D.A. revealed that for the 126 schools reporting, the combined state and district cost per A.D.A. is $208.90. There were 43 evening high schools which reported a cost per A.D A. greater than $208.90, and 83 which reported a cost per A.D.A. of $208.90, or less.

Table I
Courses Offered in One Semester * for 110 Evening High Schools Classified by General Subject Matter 1950-51

Courses Offered, by Subject Matter	*Number of Classes Offered*	*Percent of Total*
Total	7,533	100
Arts, Crafts, Music	2,095	27.8
Civil Defense	2.095	0.5
General Education	1,081	14.4
Health	463	6.1
Homemaking	782	10.4
Literacy & Citizenship	399	5.3
Physical Education	559	7.4
Vocational	1,963	26.1
Miscellaneous	153	2.0

* Or Quarter.

Financing

In contrast to these figures on cost per A. D A. the study showed that 78 out of the 126 schools received $120 or more in *state* aid per A. D. A. with a range up to $205 per A. D. A.

Another way of expressing the state contribution to the total cost of adult education classes is in terms of the percentage of state aid received to total cost. The answers to the questionnaires revealed that 78 out of 126 evening schools received more than 60 percent of their reported cost of adult education from the State. Forty-four evening high schools received 80 percent or more of the total cost of adult classes from state money.

Administrative Practices

A brief analysis of the amounts allocated or spent for the various classifications of expenditure for accounting purposes revealed considerable variation among the schools for a given expenditure class. It was evident that some schools made more detailed expenditure allocations by classification than other schools. The over-all analysis of expenditures revealed the following percentage expenditure breakdown for the 1949-50 school year.

Cost by Classification of Expenditure	*Percentage of total Reported Cost*
Total	100
Administration	5.6
Instruction	
Salaries	64.6
Other	10.7
Operation of School Plant	7.4
Maintenance	2.5
Fixed Charges	5.9
Capital Outlay	1.4
Other	1.9

It was very difficult to ascertain the specific administrative practices employed by the evening high schools in administering their programs. There was no attempt to determine the effectiveness of the practices but only to establish the practices general to most evening schools.

The questionnaire inquired into four general administrative areas which revealed the following results:

1. Procedure Followed in Developing Curriculum. The survey showed that all the evening high schools sampled used one or more of the following methods in developing their adult education curriculum.

a. Follow the Education Code and the Administrative Code.
b. Analyze the previous year's program.
c. Hold conferences with advisory committees consisting of business, industrial, professional, labor and civic organizations.

To enlarge the examination of curriculum development the schools were asked what criteria govern the formation of curriculum; there were 10 general points mentioned although there was wide variation in replies. Four criteria were mentioned by 32 out of 126 or more schools and are listed below in order of most frequent mention.

a. To meet community needs.
b. To maintain a well balanced program.
c. To meet current demand.
d. Previous demand and attendance.

2. New Classes. When a new class is offered which has never been offered before, the basis for starting the new class is whether there is a need for it. Just as in the formation of the over-all curriculum, need is the major factor, as interpreted by school officials and advisory groups guided by the desire to improve the curriculum and by administrative limitations.

3. Recording Average Daily Attendance in the Classroom. The information obtained showed that there are two general ways of recording attendance in the classroom.

a. An attendance book or sheet may be used. In some cases the student initials or signs the sheet each period or the teacher marks the presence or absence of each individual.

b. Attendance is kept by a count of the number of students present without regard to specific pupils.

4. Checking Instructor Attendance Reports. The schools reported two ways of verifying the attendance reports turned in by the instructors.

a. In some cases the principal or another administrative officer visits the classrooms to check the actual attendance This is a form of spot check.

b. Schools using a sign-in sheet check the pupils initialed on the sign-in sheet against the attendance reported by the instructor. The sign-in sheet may also be used to check to see that those who sign-in are officially enrolled.

Special Groups

A trend in adult education that appears to be becoming significant is expansion of adult classes to serve groups that either cannot attend regular adult classes or because of the nature of the group can secure special classes exclusively for the group. The survey attempted to learn

the extent of these special classes and the types of groups for which these classes are organized.

The questionnaires revealed that 48 out of 126 evening high schools offered classes to one or more special groups in the school year of 1949-50. These 48 adult schools served a total of 61 special groups which consisted of five major types: Business and industry, hospitals, correctional institutions, military and governments sponsored groups.

In terms of units of average daily attendance, 9.8 percent of all A.D.A. reported by the 126 evening high schools was for special group adult classes. Adult classes in correctional institutions made up 64 percent of the 9.8 percent total A.D.A. of special groups. The next most important group was hospitals consisting of public and private hospitals, with 23 percent of the total A.D.A. of special groups. Classes held at military installations made up 11 percent of all such A.D.A.

Questionnaire for the Assembly Ways and Means Subcommittee on Adult Education

County_____ Date_____

School District_____ School_____

(Note: Use back of pages where additional space is needed.)

1. How many adults were enrolled in the following categories where applicable to your school for the periods specified? (Please report figures submitted to the Department of Education on Form No. R-30.)

Type of School	*Oct. 31, 1949*	*Oct. 31, 1950*
Evening High School		
Evening Junior College		

2. How many adults were enrolled for credit courses and how many for noncredit courses in your school for the 1949-50 school year? (If a pupil was enrolled for at least one credit course, list him under Credit.)

	1949-50	
Type of School	*Credit*	*Noncredit*
Evening High School		
Evening Junior College		

3. (a) List the special groups for which adult classes are conducted at other than regular school facilities (e.g. military bases, prisons, hospitals, industries, etc.) and
   (b) Give the enrollment and A.D.A. at each location for the 1949-50 school year:

		1949-50		*Major Objectives*
Special Group	*Place of Instruction*	*Enrollment*	*A.D.A.*	*of Classes*

4. Please attach your announcement of all classes offered to adults for the second semester of winter quarter of the 1949-50 and 1950-51 school years.
5. What criteria govern the formation of the curriculum to be offered at the outset of the new school year?

6. What is the basis on which a class will be organized which has never been offered before?

7. A. How many teachers taught in the adult education program for 1949-50 in the:
   Evening High School____ Evening Junior College____
   B. Of the total number of teachers in your school teaching in the Evening High School or Evening Junior College adult classes for 1949-50, how many are:
   (1) Full-time teachers in adult education:
   Evening High School____ Evening Junior College____
   (2) Teachers who teach both in adult education and in the regular secondary education programs:
   Evening High School____ Evening Junior College____
   (3) Part-time teachers in adult education only (e.g those whose principal occupation is other than public school teaching as an accountant or engineer):
   Evening High School____ Evening Junior College____

8. Please list the types of credentials held by your teachers in adult education:

9. What is the basis (e.g., hourly, daily, monthly, or annual) for compensating instructors of adult classes in the categories listed in Question 7, and what are the pay ranges:
   A. Full-time teachers in adult education _____
   B. Adult and regular school teachers _____
   C. Part-time in adult education _____

10. A. What is the total cost of your adult education program for the school year 1949-50?
   B. How much of the total cost is spent on the following: (Classifications of expenditures are taken from the California School Accounting Manual, Parts I-IV, Vol. XIII, No. 2, June 1944, pp. 5-7)
   (1) Administration _____ _____
   (2) Instruction _____ _____
   (2a) Teachers' Salaries _____ _____
   (2b) Other Expenses of Instruction _____ _____
   (3) Operation of School Plant _____ _____
   (4) Maintenance of School Plant _____ _____
   (5) Fixed Charges
   (5a) Interest on Current Liabilities _____ _____
   (5b) Other fixed charges _____ _____
   (6) Capital Outlay _____ _____
   (7) Other _____ _____

11. A. Explain the nature of state consultant services and the ways through which they are rendered to your school.

11. B. Are any consultant services made available from the office of the county or city superintendent of schools?

12. What courses were offered in your adult program in the school year of 1949-50 which by means of special speakers or other special features were aimed at attracting a wider public attendance than is usually attracted by regular classes?

13. What is the minimum attendance required for the continuance of a class?

14. What activities were supported or organized by the adult program which are in addition to the classes approved for A.D.A. in 1949-50?

15. Describe briefly the system of checking employed by the school district to authenticate the accuracy of the attendance for A.D.A. reported by teachers and schools having adult classes.

State of California
DEPARTMENT OF EDUCATION
Division of Instruction
Bureau of Adult Education
311 State Building, Civic Center
Los Angeles 12, California

May 2, 1951

The Honorable Robert C. Kirkwood
Member of Assembly
Sacramento, California

DEAR MR. KIRKWOOD: I had hoped to talk briefly with you when I was in Sacramento last week but I found that you were unavailable that

day. I had realized that we did not get down to the heart of the problem when we had the brief meeting with your committee on April 10. I had not known that I was to be at the meeting and had not had time to study the items on the agenda.

For some time I have been working on the development of some new regulations and policies which should tend to eliminate the abuses which have been found to exist in the adult education program and which should otherwise strengthen the program by increasing the emphasis on that part of the curricula which most objective people appear to consider essential.

The regulations and policies that have been worked out and which will be presented to the State Board of Education as soon as they have been put into the proper form for inclusion in the Administrative Code, Title 5, relate to the following: The elimination of classes held at regular meetings of organizations such as toastmaster and toastmistress clubs; the elimination of programs which continue beyond the point of learning and the consequent elimination of "repeaters;" the definition of activities which must meet limitations on attendance; the reduction of maximum attendance in lecture series; the elimination of unrelated film presentation; the elimination of all but strictly nonmilitary courses in military establishments; the elimination of all physical education classes in correctional institutions for adults; the elimination of the counting of attendance of all persons not "regularly enrolled" in a well defined procedure; the definition and enforcement of rules on summer programs so that the great majority of such programs will be eliminated; and the elimination of all programs which have become leisure time or recreational practices.

With these additional proposed policies and regulations and others which are being formulated, and with a staff that would permit reasonable coverage of the State, the entire adult education program would be improved in quality and enrollment would be reduced by 10 percent.

I have made a careful estimate of the effect these new policies and regulations would have on present enrollment. With some additional assistance in the Bureau of Adult Education to insure proper interpretation of these and existing laws, rules and regulations, I feel that we could guarantee a reduction of at least 10 percent in enrollment and cost.

I hope that soon I may have an opportunity to discuss this whole matter in such detail as you would like to have.

Very truly yours,

(Signed) GEORGE MANN
Chief of Bureau

269:113

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Dickey, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Randal F. Dickey of Alameda, and Mrs. William H. Holloman and daughter, Cheryl, of Walnut Creek.

On request of Mr. Gubser, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Jerry Simunovich of Hollister.

On request of Messrs. Dunn and Maloney, the usual courtesies of the Assembly for this day were unanimously extended to Miss Thorne of Washington, D. C.

On request of Mr. Cooke, the usual courtesies of the Assembly for this day were unanimously extended to Commander Hamilton B. Joslin, U S. Navy, Clinton Hutchins of Camarillo, and John Neuman of Ventura.

On request of Messrs. Munnell, Rosenthal, and Condon, the usual courtesies of the Assembly for this day were unanimously extended to Stephen Kulchin of Los Angeles.

On request of Mr. Luckel and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Bernard R. Carman, Clayton B. Elm, and James Simms of San Diego.

On request of Mr Brown, the usual courtesies of the Assembly for this day were unanimously extended to Louis Wertz, Member, House of Representatives, of Center, Colorado.

On request of Mrs. Niehouse and the Los Angeles Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Bayard Rhone, C. F. Battison, and F. D. Wolfrom, leaders; and the following members of the Wilshire Y.M.C.A. of Los Angeles: Larry Winters, Kent Myers, Jackie Wilson, Dick Savage, John Chevarolloti, Dick Bernd, Bob Harmon, Richard Christy, Keith Northrup, Dennis Warn, Dick Rhone, Vincent Papia, Wayne Fawcett, Richard Park.

On request of Mr. Caldecott and the Alameda Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mayor Risshell, Jack Hassler, and T. Caldecott of Oakland.

On request of Mr. Dolwig, the usual courtesies of the Assembly for this day were unanimously extended to Joe Ferrando of Redwood City, Ed Turturci of San Mateo, and Gust Molakidis of Burlingame.

ADJOURNMENT

At 11.34 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a m., Tuesday, June 19, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

EIGHTY-FOURTH LEGISLATIVE DAY

ONE HUNDRED SIXTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, June 19, 1951

The Assembly met at 10 a m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Colbert, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—78.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

O God, Who Art the Source of All Our Being, And the Goal of our best endeavor, who art above and beyond us, yet who dost manifest Thyself within us, grant us Thy wisdom for the choices that lie before us. Thou art kind to Thy children in the lifting of the curtains of life day by day, so that we may walk with Thee in faith and not by sight. Hasten the day when faith shall blaze a pathway of brotherhood among the nations of the world Thou art indeed the same yesterday, today and forever.

"God moves in a mysterious way
His wonders to perform;
He plants His footsteps in the sea,
And rides upon the storm.
Deep in unfathomable mines
Of never failing skill
He treasures up His bright designs,
And works His sovereign will."

We pray in Jesus' name.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Elliott, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Lincoln, on motion of Mr. Rumford.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 15
Assembly Bill No. 193
Assembly Bill No. 1226
Assembly Bill No. 1501
Assembly Bill No. 1631
Assembly Bill No. 1993
Assembly Bill No. 1995
Assembly Bill No. 2569
Assembly Bill No. 2619
Assembly Bill No. 3290

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Constitutional Amendment No. 55

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 974
Assembly Bill No. 979
Assembly Bill No. 1229
Assembly Bill No. 1249
Assembly Bill No. 1534
Assembly Bill No. 1708
Assembly Bill No. 2113
Assembly Bill No. 2224
Assembly Bill No. 2570
Assembly Bill No. 3321
Assembly Bill No. 3438

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Constitutional Amendment No. 9

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Constitutional Amendment No. 9—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 7 to Article XXIV thereof, relating to state printing.

Referred to Committee on Constitutional Amendments.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 18, 1951

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed.

Senate Bill No. 736

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

Senate Bill No. 736—An act to amend Section 810.5 of the Agricultural Code, relating to asparagus standards.

Referred to Committee on Agriculture.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 18, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No 96
Senate Concurrent Resolution No. 97

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolutions were read:

Senate Concurrent Resolution No. 96—Relative to congratulating the City and County of San Bernardino on the occasion of the Centennial Festival.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 97—Relative to Grandmothers Day.

Referred to Committee on Rules.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 3457—An act to add Chapter 18 to Division 3 of the Education Code, relating to the audit of school districts.

Bill read second time, ordered engrossed, and to the inactive file

Assembly Bill No. 3207—An act making a reappropriation of funds for the construction of a National Guard Armory in or near Alhambra or in east Los Angeles County.

Bill read second time, ordered engrossed, and to the inactive file.

SECOND READING OF SENATE BILLS

Senate Bill No. 216—An act to amend Sections 502, 502.1, 502.2, 511.5, 512, 513, and 515 and to repeal Sections 502 1, 512.1, 513, 515, and 518.1 of the Military and Veterans Code, relating to the appointment, expenses, pay, control, jurisdiction and active duty of officers in the California Cadet Corps, service of members of California Defense and

Security Corps with California Cadet Corps, uniforms for California Cadet Corps and target practice and training of California Cadet Corps.

Bill read second time, and ordered to third reading.

Senate Bill No. 65—An act to amend Sections 19601, 19601.5, 19613.1, 19613.5 of, to add Section 19601.1 to, and to repeal Sections 19613.7, 19613.5, and 19614.5 of, the Education Code, relating to the support of child care centers, making an appropriation therefor and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

PRINTER'S NOTE: There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being inclosed within brackets.

Amendment No. 1

Strike out lines 1 to 5, inclusive, of the title of the printed bill, as amended in the Senate on May 31, 1951, and insert

"An act to amend Sections 19601, 19601.5, 19601.6, 19607, 19608, 19613, 19613.1, 19613.5, and 19613.7 of, to add Sections 19601.1, 19601.7, 19602.3, 19602.5, 19607.1, 19607.2, 19607.3, 19607.4, and 19613.8 to, and to repeal Sections 19602.5 and 19614.5 of, the Education Code, relating to the support of".

Amendment No. 2

On page 1 of said bill, strike out lines 16 to 18, inclusive; and on page 2, strike out lines 1 to 22, inclusive, and insert

"SEC. 3. Section 19601.5 of said code is amended to read:

19601.5. The need of a parent and child for child care center service shall be determined upon the following conditions:

(a) That there is but one parent in the home who both supports and cares for the child, or

(b) That there are two parents in the home, both of whom are working, or one of whom is physically or mentally unable to either support the family or care for the child, or

(c) That either parent is a veteran of World War II attending school or receiving instruction under the Servicemen's Readjustment Act of 1944 [during the years 1947 to 1951,] or under Article 2, Chapter 6, Division 4 of the Military and Veterans Code, and the other parent, if any, is gainfully employed, or

(d) That the services of the parent having care of the child are necessary as a *qualified and acceptable* teacher in a public school [or as a registered nurse or to meet an emergency arising from the necessity of harvesting or processing crops.], *as shall be evidenced by a statement from the employing authority of the public school to the governing body of the child care center, or*

(e) *That the services of the parent having care of the child are necessary as a registered nurse, as shall be evidenced by a statement from the responsible employer to the governing body of the child care center, or*

(f) *That the services of the parent having care of the child are necessary as a worker in industry essential to the mobilization effort, as shall be evidenced by a statement from the employer in such industry as shall have been designated as essential to the mobilization effort by the Director of Employment, or*

(g) That the services of the parent having care of the child are necessary to meet an emergency arising from the necessity of harvesting or processing crops, or as an agricultural worker where the employer shall have established facilities for use by the child care center.

The need for child care of a parent and child who come within (a) and (b) of this section shall take precedence over the need for child care of a parent, or parents, and child who come within (c) to (g), inclusive, of this section

SEC. 4. Section 19601.6 of said code is amended to read:

19601.6. Except [under the conditions specified in paragraphs (c) and (d) of Section 19601.5] *as provided in Section 19601.7*, no child shall be admitted to a child care center if the total monthly income from all sources of the child's immediate family:

(a) Where both parents are working, exceeds [two hundred seventy-five dollars ($275), or,] *three hundred dollars ($300) if there is one child in the family, three*

hundred fifty dollars ($350) if there are two children, four hundred dollars ($400) if there are three children, and an additional fifty dollars ($50) for each child in excess of three.

(b) Where but one parent, who has both custody and care of the child, is the sole wage earner of the child's immediate family, exceeds two hundred [twenty-five dollars ($225), provided, however, that if under (a) above the monthly income of the child as determined by dividing the total monthly income of the child's immediate family from all sources by the number of persons to be supported therefrom does not exceed sixty dollars ($60), then such child may still be admitted to a child care center even though such total monthly income of the child's immediate family exceeds two hundred seventy-five dollars ($275), and provided further however, that if, under (b) above, the monthly income of the child as determined by dividing the total monthly income of the child's immediate family all sources by the number of persons to be supported therefrom does not exceed sixty dollars ($60), then such child may still be admitted to a child care center even though such total monthly income of the child's immediate family exceeds two hundred twenty-five dollars ($225)] *fifty dollars ($250) if there is one child in the family, three hundred dollars ($300) if there are two children, three hundred fifty dollars ($350) if there are three children, four hundred dollars ($400) if there are four children, and an additional fifty dollars ($50) for each child in excess of four.*

[The] *Except as provided in Section 19601.7 the* maximum "total monthly income" figure in either case may be exceeded in any month or months of the year if in the opinion of the board the total income from all sources, of the child's immediate family for the calendar year divided by 12 will not exceed such maximum *In estimating earnings of any member of the child's immediate family the commutation of weekly wages shall be on the basis of wages based on a five-day week if the employer of such person certifies to said governing board that the work week of such person is five days or more.*

SEC. 5. Section 19601.7 is added to said code to read:

19601.7. If either parent is a veteran coming within (c) of Section 19601.5 and is attending school or receiving instruction for not less than half-time, or if either parent comes within (d), (e), (f), or (g) of Section 19601.5, and if the income from all sources of the child's immediate family exceeds that fixed by (b) of Section 19601.6, a child of such parents may be admitted to a child care center but the governing board of the school district maintaining the child care center shall, notwithstanding anything in Section 19607 to the contrary, charge and collect from the person having custody of the child a weekly fee which shall be in such amount as will reimburse the district for the cost of supervision, care, and the cost of all food furnished such child.

As applied to the families of men on active duty with the United States Armed Forces, only that portion of the pay and allowances of such men shall be included in the "total monthly income" which is the amount legally required to be made available for the support of the family by rule or regulation

SEC. 6. Section 19602.5 of said code is repealed

SEC. 7. Section 19602.5 is added to said code to read:

19602.5. Said governing board may accommodate in a child care center maintained by it children residing in another district, upon such terms and under such conditions as may be agreed upon by the governing boards of both districts

SEC. 8. Section 19608 of said code is amended to read:

19608. The said governing board shall establish in the county treasury a fund to be known as the "child care center fund" into which shall be paid all funds received *by the district* for, or from the operation of, child care centers, *including, but not limited to, all funds derived under Sections 19613.7 and 19613.8.* The costs incurred in the maintenance and operation of child care centers shall be paid from said fund

No funds of a district derived from the receipts of district taxes, *except a district tax levied under Sections 19613.6 and 19613.8,* or derived from moneys apportioned to the district for the support of the schools thereof, except state moneys expressly appropriated from the General Fund for the support of child care centers, may be expended for, or in connection with, a child care center."

Amendment No. 3

On page 2, line 23, of said bill, strike out "SEC. 4", and insert "SEC. 9".

Amendment No. 4

On page 2, lines 26 and 27, of said bill, strike out "Chapter 11, Division 9 of the Education Code", and insert "this chapter".

Amendment No. 5

On page 2, line 29, of said bill, strike out "the discretion"; and strike out lines 30 and 31, and insert "accordance with the provisions of this chapter.

SEC. 10. Section 19613 of said code is amended to read:

19613. [The governing board of each school district is hereby authorized to accept funds from the Government of the United States or any agency thereof, or from any other source other than funds derived from taxes levied by any taxing agency, for any of the purposes of this chapter and such funds may be accepted subject to such

conditions as will further the purpose of this chapter. As used in this section "taxing agency" has the meaning ascribed to the phrase in the Revenue and Taxation Code except that it does not include the State in respect to appropriations from the General Fund] *The State Department of Education is hereby authorized to accept funds from the Government of the United States and to apportion them to the governing board of such school districts as conduct child care centers which are hereby authorized to accept such funds or funds from any other source for any of the purposes of this chapter and all such funds may be accepted subject to such conditions as will further the purposes of this chapter. The State Department of Education shall report to the Legislature at the beginning of the 1952 Budget Session its estimate of the amount necessary for the continuance of this program to its terminal date June 30, 1953, and its recommendations for the expansion or modification of the child care program.*

SEC. 11. Section 19613.5 of said code is amended to read.

19613.5. No state funds shall be expended for the operation of child care centers after *June 30, 1953, and* [February 15, 1951] the unencumbered balance of any appropriation for child care centers shall revert to the General Fund *June 30, 1953* [February 16, 1951] ."

Amendment No. 6

On page 2, line 33, of said bill, strike out "SEC 6", and insert "SEC. 12".

Amendment No. 7

On page 3, line 1, of said bill, strike out "SEC. 6.5", and insert "SEC. 13".

Amendment No. 8

On page 3 of said bill, between lines 17 and 18, insert

"SEC 14. Section 19602.3 is added to said code to read:

19602.3 Children regularly enrolled in a child care center who are absent on account of illness or quarantine shall be considered to be in regular attendance for the number of hours per day for which they are enrolled for the purpose of reporting attendance for state apportionments, whenever the school district certifies that such absence was on account of illness or quarantine and is verified by the district in such manner as the Superintendent of Public Instruction shall require. All attendance shall be recorded and reported in accordance with the requirements of the Superintendent of Public Instruction."

Amendment No. 9

On page 3, line 18, of said bill, strike out "SEC 7", and insert "SEC. 15".

Amendment No. 10

On page 3 of said bill, strike out lines 19 to 22, inclusive, and insert

"SEC 16. Section 19607 of said code is amended to read:

19607. Said governing board shall charge and collect, in advance, from the person having custody of any child admitted to a child care center a weekly fee [which, together with all funds received under Section 19613, shall be in such amount as will reimburse the district for the cost of maintaining such child care center including supervision and care and the cost of all food furnished such child. The weekly fees charged need not be uniform] *equal to that specified in the fee schedule prescribed by the Superintendent of Public Instruction.*

It is hereby declared to be the policy of the Legislature that child care centers shall be made available first to those who have the greatest financial need [and to that **end no money appropriated therefor** shall be expended for the care or education of any child in a child care center unless a sliding scale of weekly fees shall have been adopted by the board of school district in which such child care center is maintained under which] , *and the sliding scale of fees prepared by the Superintendent of Public Instruction shall provide for* a nominal fee [shall be charged] for children of families having a monthly income of less than one hundred fifty dollars ($150) or of less than forty dollars ($40) per member of the child's immediate family, and increasingly larger fees shall be charged for children of families having larger incomes. It is further declared to be the policy of the Legislature that so far as possible [where an increase in fees is made necessary because of insufficient funds] *when it becomes necessary for the Superintendent of Public Instruction to adjust the fee schedule that any* [such] increase shall be made first in fees charged to those in the higher income brackets, and the rate of increase in fees charged for children of families of different income levels need not be uniform as between the different income levels. It is further declared to be the policy of the Legislature that the fee [scales] *schedule* shall, so far as reasonably possible, [be uniform for all child care centers, and that they shall] be established on such basis and in accordance with such principles as the [State Department of Education may recommend] *Superintendent of Public Instruction may determine* to insure proper administration of the child care center program and to establish uniform budgetary and accounting procedures.

SEC. 17. Section 19607.1 is added to said code to read:

19607.1. It is hereby declared to be the policy of the Legislature that, on a state-wide average, of the total amount of the cost for the maintenance and operation

of child care centers attributable to children less than five years and nine months of age and paid for by state funds apportioned to the districts and fees collected from parents on account of such children, two-thirds of such total cost shall be paid from such state funds and one-third from such fees. Funds derived from district taxes levied under this chapter may be expended in addition to parent fees and state funds, and shall not operate to affect the operation of either the fee schedule or the formula for apportioning state funds provided for in this chapter.

SEC. 18. Section 19607.2 is added to said code to read:

19607.2. The Superintendent of Public Instruction shall prepare a schedule of fees which shall be used by each school district for the charging of fees to parents. The schedule shall be on a sliding scale, ranging from a lesser amount for parents within low income levels to a higher amount for higher income levels for parents who come within the provisions of Section 19601.6. The schedule shall, together with the estimated income to be derived from fees collected from parents pursuant to Section 19601.7, provide as nearly as possible an amount equal to one-half of the state-wide average state support per hour for children less than five years nine months of age as provided in this code. The fee schedule shall be on an hourly basis, and shall be the same for all children.

SEC. 19. Section 19607.3 is added to said code to read:

19607.3. The Superintendent of Public Instruction may revise the fee schedule as necessary in order to conform with the provisions of this code. A change in the fee schedule shall become effective fifteen days after notice of such change has been given by the Superintendent of Public Instruction in writing to each district maintaining a child care center.

SEC. 20. Section 19607.4 is added to said code to read:

19607.4. The state-wide average state support per hour shall be twenty-five cents ($0.25) for children less than five years nine months of age and sixteen cents ($0.16) for other children. The Superintendent of Public Instruction shall apportion state funds to the districts using said state-wide average state support as a maximum, except that if the fees collected by any district shall for any month be more or less than one-half of the state-wide average state support per hour for children less than five years nine months of age, the average state-wide state support amount shall be increased or decreased in an amount equal to the amount the fees deviate from one-half of the average state-wide state support, provided in no event shall the state amount exceed thirty cents ($0.30) for children less than five years nine months of age or twenty cents ($0.20) for other children."

Amendment No. 11

On page 3 of said bill, strike out lines 23 and 24, and insert

"SEC. 21. The sum of five million four hundred fifty-six thousand eight hundred fifty-six dollars ($5,456,856) is hereby".

Amendment No. 12

On page 3 of said bill, strike out lines 29 and 30, and insert "not to exceed forty-four thousand dollars ($44,000) to pay its expenses in determining the need and".

Amendment No. 13

On page 3 of said bill, strike out lines 32 to 36, inclusive, and insert "tutions".

Amendment No. 14

On page 3, line 49, of said bill, strike out "twenty cents"; strike out line 50; and in line 51, strike out "department", and insert "the estimated amount of state aid per hour based on the computation provided for in Section 19607.3 of this code, and in accordance with the estimated fees to be collected in accordance with the fee schedule as provided in Section 19607.2, provided that the estimated apportionment shall not exceed thirty cents ($0.30) per hour for children less than five years nine months of age or twenty cents per hour ($0.20) for other children."

Amendment No. 15

On page 4, line 20, of said bill, strike out "SEC. 10", and insert "SEC. 22".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 748—An act to add Sections 2.5 and 13.3 to, and to amend Section 20 of, the Fish and Game Code, to amend Section 2

of Chapter 1276, Statutes of 1947, to amend Sections 2 and 3 of the Wildlife Conservation Act of 1947, and to amend Section 504 of the Public Resources Code, relating to fish and game, and the administration of the laws pertaining thereto.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 748?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 20 of the Fish and Game Code", and insert "add Sections 2.5 and 13 3 to, and to amend Section 20 of, the Fish and Game Code, to amend Section 2 of Chapter 1276, Statutes of 1947, to amend Sections 2 and 3 of the Wildlife Conservation Act of 1947, and to amend Section 504 of the Public Resources Code".

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 2.5 is added to the Fish and Game Code, to read:

2.5. As used in this code, "director" means the Director of the Department of Fish and Game.

SEC. 2. Section 13 3 is added to said code, to read:

13.3. Notwithstanding any provision of Sections 13 or 13 1 the commission shall continue to have the powers vested in the commission by Sections 39 1, 495, 804 5, 1068, 1074, 1156, 1294, 1346, and 1347.

SEC. 3. Section 20 of said code is".

Amendment No. 3

On page 1, line 3, of said bill, strike out "commission", and insert "director".

Amendment No. 4

On page 1, line 5, of said bill, strike out "they", and insert "the department".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 5

On page 1 of said bill, after line 6, insert

"SEC. 4. Section 504 of the Public Resources Code is amended to read:

504. The work of the department shall be divided into at least [four] *three* divisions, known as the Division of Forestry, the Division of Beaches and Parks, [the Division of Fish and Game,] and the Division of Mines.

SEC. 5. Section 2 of Chapter 1276, Statutes of 1947, is amended to read:

Sec. 2. There is hereby created in the Department of Natural Resources the Marine Research Committee, to consist of nine members Three of such members shall be the President of the Fish and Game Commission, the *Director of the Department of Fish and Game, and one employee of said department designated by the Fish and Game Commission*, [Executive Officer of the Fish and Game Commission, the Chief of the Bureau of Marine Fisheries] who shall be ex officio members and shall have the same rights and powers as other members. Of the other six members, at least five shall be men experienced in and actively engaged in, the canning or reduction of California sardines at the time of their appointment. The six appointed members shall be appointed by the Governor, and shall hold office for two (2) years or until their successors are appointed. The members of the committee shall serve without compensation. They shall be reimbursed from the Fish and Game Preservation Fund for their actual and necessary expenses

SEC. 6. Section 2 of the Wildlife Conservation Act of 1947 is amended to read:

Sec. 2. There is hereby created in the Department of *Fish and Game* [Natural Resources] the Wildlife Conservation Board, hereafter referred to as the board. The board shall consist of the President of the Fish and Game Commission, the executive officer or some other employee of the commission designated by it *who shall serve until the Director of the Department of Fish and Game is appointed and qualifies at which time said executive officer or other employee shall be supplemented by said director as a member of said board*, and the Director of Finance Three Members of the Senate, appointed by the Committee on Rules thereof, and three Members of the Assembly, appointed by the Speaker thereof, shall meet with the board and participate in its activities to the extent that such participations is not incompatible with their respective positions as Members of the Legislature. The chairman of said board shall be elected by the members of such board. For the purposes of this act, said Members of the

Legislature shall constitute an interim investigating committee on the subject of this act and as such shall have the powers and duties imposed upon such committees by the Joint Rules of the Senate and the Assembly. The members of the board shall receive their actual and necessary traveling expenses, which shall be paid from the Wildlife Restoration Fund.

SEC. 7. Section 3 of the Wildlife Conservation Act of 1947 is amended to read:

Sec. 3. The board shall investigate, study and determine what areas within the State are most essential and suitable for wild life production and preservation, and that will provide suitable recreation; and shall ascertain and determine what lands within the State are suitable for game propagation, game refuges, bird refuges, water fowl retuges, game farms, fish hatcheries, game management areas, and what streams and lakes are suitable for, or can be made suitable for, fishing, hunting and shooting. The board shall also ascertain what lands are suitable for providing cover for the propagation and rearing in a wild state of waterfowl, shore birds, and upland birds and the possibilities of acquiring easements on such lands to provide such cover. As a result of such studies the board shall determine what areas, lands or rights in lands or waters should be acquired by the State in order to effectuate a coordinated and balanced program resulting in the maximum revival of wild life in the State and in the maximum recreational advantages to the people of the State. The board shall authorize the acquisition of such lands, rights in land, water, or water rights as may be necessary to carry out the purposes of this act The board may authorize such acquisition by the *Department of* Fish and Game [Commission] but said [commission] *department* shall not acquire any of such property by eminent domain proceedings. The board may authorize such acquisition by the State Public Works Board which is hereby empowered to effect such acquisitions pursuant to the Property Acquisition Act. The *Department of* Fish and Game [Commission] shall, when authorized by the board construct thereon in accordance with law such facilities as are suitable for the purpose for which such lands or right in land or water, or water rights were acquired. Each completed unit of the program shall be managed and maintained by the *Department of* Fish and Game [Commission]. Each recreational area shall be so managed and controlled that the public shall have access thereto and use thereof for all recreational purposes. The money in the Wildlife Restoration Fund shall be available for expenditure under any provision of this section.

SEC. 8. Upon the effective date of this act there shall be transferred from the Department of Natural Resources to the Department of Fish and Game all property, records, equipment, and funds of the Wildlife Conservation Board.

SEC. 9. The unexpended and unencumbered balance, as of the effective date of this act, of the appropriation made by Item 182 of the Budget Act of 1951 to the Department of Natural Resources shall be available to the Department of Fish and Game. Nothing in this section shall be deemed to modify or affect any of the provisions of Section 26 of the Budget Act of 1951."

Amendment No. 6

On page 1 of the printed bill, as amended in the Senate on May 31, 1951, strike out lines 9 and 10, and insert "the commission by Sections 35, 39 1, 39 2, 251, 460, 480, 495, 501, 505, 669, 802, 804 5, 887, 1035, 1061, 1063, 1068, 1074, 1110, 1152 5, 1156, 1293, 1294, 1346, and 1347, and Chapter 5 of Division 1 Whenever under any of said provisions a permit or license is provided for the commission shall prescribe the terms and conditions under which such permit or license shall be issued and the persons or classes of persons to whom such permit or license shall be issued, and the department shall issue such permits or licenses in accordance therewith and with the applicable provisions of law

Notwithstanding any other provision of this code the department may continue to use until the supply thereof is exhausted all tags, plates, and other devices or papers bearing the words "Fish and Game Commission," "Division of Fish and Game" or any abbreviation or variant of such terms and all such tags, plates, devices, or papers heretofore or hereafter issued or otherwise used shall be deemed to refer to the department."

Amendment No. 7

On page 2, line 10, of said bill, as amended, strike out "Natural Resources", and insert "Fish and Game".

Amendment No. 8

On page 2, line 35, of said bill, as amended, strike out "supplemented", and insert "supplanted".

Amendment No. 9

On page 2, line 36, of said bill, as amended, strike out "boards", and insert "board".

Amendment No. 10

On page 3, line 43, of said bill, as amended, after "Board", insert "and of the Marine Research Committee".

Amendment No. 11

In line 1 of the title of the printed bill, as amended in the Senate on June 6, 1951, strike out "and 13 3 to, and to amend Section 20", and insert "13 3 and 25 1 to, and to amend Sections 20, 39 1, 39 2, 328, 522, 522 5, 526, 530, 583, 584, and 1159".

Amendment No. 12

On page 1 of said bill, as amended, strike out lines 9 to 11, inclusive, and insert "the commission by Sections 35, 251, 379, 460, 480, 488 5, 495, 499, 501, 505, 520 5, 587, 589, 590, 592, 593, 622, 669, 802, 804 5, 887, 951 1, 994, 995, 995 1, 1035, 1037, 1047, 1061, 1063, 1068, 1074, 1110, 1152.5, 1156, 1204, 1293, 1294, 1314, 1346, and 1347".

Amendment No. 13

On page 1, line 13, of said bill, as amended, after "shall", insert ", in accordance with the applicable provisions of law,".

Amendment No. 14

On page 2 of said bill, as amended, between lines 13 and 14, insert

"SEC 4 Section 25 1 is added to said code, to read:

25 1 The department shall maintain and operate the fish breederies and hatcheries referred to in Section 25.

SEC. 5 Section 39 1 of said code is amended to read:

39 1. Whenever after due investigation the commission shall find that big game animals and upland game birds have increased in numbers in any [fish and game] district or refuge to such an extent that a surplus exists, or to such an extent that such animals or birds are damaging public or private property, or are overgrazing their range, the [said] commission, [with the approval of the Director of the Department of Natural Resources and] with the consent of the Governor, is hereby authorized and directed to provide for a special hunting season for such animals and birds, additional to, or concurrent with any open season specified by law; or to provide for increased bag limits; or to remove sex restrictions specified by law. The [Fish and Game Commission] *commission* may fix a license fee for special hunting, designate the number of special licenses to be issued, the area in which such hunting will be permitted, the number and sex of animals or birds that may be killed by each holder of special license, and the conditions and regulations to govern such hunting The money received from the sale of such licenses shall be paid into the [State] Fish and Game Preservation Fund.

SEC 6 Section 39.2 of said code is amended to read:

39 2. Whenever after due investigation the commission shall find that game fish, birds, or mammals have decreased in numbers in any [fish and game] district to such an extent that a scarcity exists, the [said] commission, [with the approval of the Director of Natural Resources and] with the consent of the Governor, is hereby authorized to reduce the daily bag limit and the possession limit on such species of game fish, birds or mammals as are in danger of depletion, for such period of time as may be specified or until such time as new legislation thereon enacted by the Legislature may become effective

Any order issued under the provisions of this section shall be filed with the Secretary of State, and such filing shall be deemed a legal notice thereof, and such order shall be published twice in at least one newspaper of general circulation in any county affected by such order. Such publications shall be separated by a period of not less than one week and not more than two weeks. Such orders shall be posted in such public places in each county as the director may direct

SEC. 7. Section 328 of said code is amended to read.

328 Lands, or lands and water, acquired by the commission for public shooting grounds shall be operated on a nonprofit basis by the *department* [commission] The commission may determine and fix the amount of, and *the department shall* collect, permit fees for the shooting privilege on such public shooting grounds Only persons holding valid hunting licenses may apply for or obtain such shooting permits Funds derived from the sale of said shooting permits shall be deposited in the Fish and Game Preservation Fund

SEC. 8 Section 522 of said code is amended to read

522 If, in the opinion of the commission, there is not free passage for fish over or around any dam, the commission *shall cause* [must furnish] plans *to be furnished* for a suitable fishway, and order in writing the owner of the dam to provide the dam, within a specified time, with a durable and efficient fishway, of such form and capacity and in such location as shall be determined by the commission. Such fishway must be completed by the owners of the dam to the satisfaction of the commission within the time specified

SEC 9 Section 522 5 of said code is amended to read:

522 5. When all of the provisions of this article have been complied with, if in the opinion of the commission changed conditions make additional structures desirable for the free passage of fish, the [commission] *department* may make such additional structures and may expend such sums of money as it deems necessary for such additional construction, including the cost of insurance against any liability which the [commission] *department* may incur in connection with such structures

SEC. 10. Section 526 of said code is amended to read:

526. Whenever in the opinion of the commission it is impracticable, because of the height of any dam, or other conditions, to construct a fishway over or around the dam, the commission may order, in lieu of the fishway, the owner of the dam completely to equip, within a specified time, on a site to be selected by the commission, a hatchery, together with dwellings for help, traps for the taking of fish, and all other equipment necessary to operate a hatchery station, according to plans and specifications furnished by the commission. After such hatchery has been constructed, the [commission] *department* shall operate it without further expense to the owner of the dam.

SEC. 11. Section 530 of said code is amended to read:

530. The commission may, in lieu of a fishway, hatchery, dwelling, traps or other equipment necessary to operate a hatchery station, order the owner of the dam to plant, under the supervision of the *department* [commission], the young of such fish as naturally frequent the waters of the stream or river, at such times, in such places, and in such numbers as the commission may order.

SEC. 12. Section 583 of said code is amended to read:

583. If, at any time, the *commission finds that* harvesting of kelp will tend to destroy or impair any kelp bed or beds, or parts thereof, or shall tend to impair or destroy the supply of any food for fish, the *department* [commission] shall serve on every person licensed to harvest kelp a written notice that said kelp bed or beds, or parts thereof, shall be closed to the harvesting of kelp for a period not to exceed one year.

SEC. 13. Secton 584 of said code is amended to read:

584. Within 10 days after the service of such a notice, the person upon whom notice is served may demand a hearing upon the necessity for the closing of said kelp bed or beds, or parts thereof. Upon such demand for a hearing, the commission shall fix a time and place for the taking of evidence upon the necessity for such closing, which time shall be not less than 10 days nor more than 30 days from the date of such demand. The *department* [commission] shall serve written notice of the time and place of the hearing upon the person demanding said hearing, at least 10 days before the day set for the hearing. If no demand is made for a hearing within the time prescribed herein, said kelp bed or beds, or parts thereof, shall remain closed to the harvesting of kelp for the time mentioned in said order.

SEC. 14. Section 1159 of said code is amended to read:

1159. To provide added protection for landowners and lessees from depredations of trespassers and to provide greater access for the public to hunt on privately owned or controlled lands, the commission may contract with the owners or lessees of lands for the establishment of cooperative hunting areas upon such terms as the respective parties may agree subject to the following conditions:

Each cooperative hunting area shall be at least 5,000 acres in size and may consist of the adjoining lands of one or more owners. The boundaries of such areas shall be posted by the [Fish and Game Commission] *department* with a sign stating that legal hunting will be allowed in the area if written permission is obtained from the owner or lessee or his duly authorized agent. The *department* [Fish and Game Commission] shall enforce the trespass provisions of the Penal Code and the provisions of this code within such areas.

The commission may establish rules and regulations for the management and control of the hunting on such areas; provided, that such rules and regulations shall not conflict with or modify the provisions of this code or its orders of the commission made pursuant to Sections 14 to 19.6 thereof, and that the open season and bag limits for any cooperative hunting area shall not differ from the open season and bag limits as prescribed for the district wherein the cooperative hunting area lies. The owners or owner or lessees or lessee of a cooperative hunting area may collect a daily fee not to exceed two dollars ($2) per day per area from each permit hunter."

Amendment No. 15

On page 2, line 14, of said bill, as amended, strike out "SEC. 4", and insert "SEC. 15".

Amendment No. 16

On page 2, line 17, of said bill, as amended, strike out "three", and insert "four".

Amendment No. 17

On page 2, line 18, of said bill, as amended, strike out "and the Division of Mines", and insert "the Division of Mines, and the Division of Oil and Gas".

Amendment No. 18

On page 2, line 19, of said bill, as amended, strike out "SEC. 5", and insert "SEC. 16".

Amendment No. 19

On page 2, line 36, of said bill, as amended, strike out "SEC. 6", and insert "SEC. 17".

Amendment No. 20

On page 3, line 9, of said bill, as amended, strike out "SEC. 7", and insert "SEC. 18".

Amendment No. 21

On page 3, line 47, of said bill, as amended, strike out "SEC. 8", and insert "SEC. 19".

Amendment No. 22

On page 4, line 1, of said bill, as amended, strike out "SEC. 9", and insert "SEC. 20".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 748 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Cloved, Coats, Condon, Connolly, Conrad, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Kilpatrick, Kloeksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Morris, Munnell, Niehouse, Parker, Rumford, Sherwin, Stewart, Thomas, and Mr. Speaker—48.

NOES—None.

Assembly Bill No. 748 ordered enrolled.

Assembly Bill No. 1049—An act to add Section 1193.1 to the Code of Civil Procedure, relating to mechanics' liens.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1049?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 16, 1951, after "An act to", insert "repeal Section 1193.1 of, and to".

Amendment No. 2

On page 1 of said bill, as amended, between lines 1 and 2 insert "SECTION 1. Section 1193.1 of the Code of Civil Procedure is hereby repealed."

Amendment No. 3

On page 1, line 2, of said bill, as amended, strike out "SECTION 1", and insert "SEC. 2".

Amendment No. 4

On page 1, line 9, of said bill, as amended, strike out "within", and insert "before the expiration of".

Amendment No. 5

On page 3, line 4, of said bill, as amended, strike out "in".

Amendment No. 6

On page 3, line 5, of said bill, as amended, strike out "addition to a street address,".

Amendment No. 7

On page 3, line 7, of said bill, as amended, after "eous", insert "or that such street address is omitted".

Amendment No. 8

On page 3, line 43, of said bill, as amended, strike out "in addition to a street".

Amendment No. 9

On page 3, line 44, of said bill, as amended, strike out "address,".

Amendment No. 10

On page 3, line 45, of said bill, as amended, after "erroneous", insert "or that such street address is omitted".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1049 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Clarke, Cloved, Coats, Condon, Connolly, Conrad, Davis, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick,

Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Morris, Munnell, Niehouse, Parker, Rumford, Sherwin, Stewart, Thomas, and Mr. Speaker—50.
NOES—None.

Assembly Bill No. 1049 ordered enrolled.

Assembly Bill No. 1495—An act to add Section 1035 to the Code of Civil Procedure, relating to costs.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1495?

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "reasonably".

Amendment No. 2

On page 1, line 7, of said bill, after "proceeding", insert "unless the court determines that the bond was unnecessary".

Amendment No. 3

In line 2 of the title of the printed bill, as amended in the Senate on June 12, 1951, after "to", insert "court".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1495 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Clarke, Cloyed, Coats, Connolly, Conrad, Davis, Dills, Dolwig, Doyle, Elliott, Evans, Gaffney, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Kilpatrick, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Morris, Munnell, Niehouse, Parker, Rumford, Sherwin, Stanley, Stewart, Thomas, and Mr. Speaker—46.
NOES—None.

Assembly Bill No. 1495 ordered enrolled.

Assembly Bill No. 1864—An act to amend Section 37202 and 37203 of the Government Code, relating to the powers of cities.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1864?

Amendment No. 1

On page 1, line 19, of the printed bill, as amended in the Assembly on April 27, 1951, after "warrant", insert "or warrants".

Amendment No. 2

On page 1, line 20, of said bill, as amended, strike out "it is".

Amendment No. 3

On page 1, line 21, of said bill, as amended, strike out "it is to be paid", and insert "payment is to be made".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1864 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Clarke, Cloyed, Coats, Connolly, Conrad, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kilpatrick, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Morris, Munnell, Niehouse, Parker, Rumford, Sherwin, Stanley, Stewart, Thomas, and Mr. Speaker—50.
NOES—None.

Assembly Bill No. 1864 ordered enrolled.

Assembly Bill No. 2910—An act to add Section 27179 to the Streets and Highways Code, relating to police protection of bridge and highway district facilities.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2910?

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "district facilities", and insert "the bridge and its approaches".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2910 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Clarke, Cloyed, Coats, Connolly, Conrad, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, McCollister, McFall, McGee, Meyers, Morris, Munnell, Niehouse, Parker, Sherwin, Stanley, Stewart, Thomas, and Mr. Speaker—52.

NOES—None

Assembly Bill No. 2910 ordered enrolled.

ANNOUNCEMENT

Speaker Sam L. Collins announced that arrangements have been made with Senator Hulse, Chairman of the Senate Committee on Finance, that an Assistant Sergeant-at-Arms be stationed at the door of his committee room for the purpose of informing Assembly members when to appear on behalf of their bills He further announced that all members are needed on the floor of the Assembly, and requested them to stay in their seats until the Senate informs them it is convenient for them to appear.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2914—An act to amend Sections 27281, 27281a, and 27300a, and to repeal Sections 27302 and 27303 of, of the Streets and Highways Code, relating to bridge and highway districts.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Connolly, Conrad, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Rumford, Sherwin, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—56.

NOES—None.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2914?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on May 18, 1951, strike out "27303 of", and insert "27306".

Amendment No. 2

In line 4 of the title of said bill, as amended, after "districts", insert ", declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 2, line 12, of said bill, as amended, strike out "and depreciation".

Amendment No. 4

On page 2, line 15, of said bill, as amended, after the period, insert "The first indebtedness or lien against these revenues shall be the obligations created pursuant to Chapter 1505, Statutes of 1945, as amended."

Amendment No. 5

On page 2, line 21, of said bill, as amended, strike out "27303", and insert "27306".

Amendment No. 6

On page 2, line 31, of said bill, as amended, after "(a)", insert "First,".

Amendment No. 7

On page 2, line 31, of said bill, as amended, strike out the period, and insert a semicolon.

Amendment No. 8

On page 2, line 32, of said bill, as amended, after "(b)", insert "Second,".

Amendment No. 9

On page 2, line 32, of said bill, as amended, strike out "and depreciation".

Amendment No. 10

On page 2, line 33, of said bill, as amended, strike out the period, and insert ", and".

Amendment No. 11

On page 2, line 34, of said bill, as amended, after "(c)", insert "Third,".

Amendment No. 12

On page 2, line 35, of said bill, as amended, after the period, insert "The first indebtedness or lien against these revenues shall be the obligation created pursuant to Chapter 1505, Statutes of 1945, as amended

SEC. 6. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

There has been a tremendous increase in the volume of traffic using state highways connecting with the Golden Gate Bridge in the past few years In order to reduce traffic hazards it is essential that a safer highway be provided immediately to accommodate the many vehicles regularly using the bridge Money has been appropriated for such purposes by Chapter 1505 of the Statutes of 1945 and Chapter 1431 of the Statutes of 1949 So that progress can be made on the construction of such safer highways it is necessary to execute certain supplemental agreements to safeguard the interests of the State and the Golden Gate Bridge and Highway District This act will make possible the execution of such supplemental agreements and therefore it is necessary that this act take immediate effect."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2914 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Connolly, Conrad, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Rumford, Sherwin, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—56.

NOES—None.

Assembly Bill No. 2914 ordered enrolled.

Assembly Bill No. 3175—An act to amend Sections 3215, 3227, and 3605 of the Public Resources Code, relating to oil or gas.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3175?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 28, 1951, strike out ", 3227, and 3605", and insert "and 3227".

Amendment No. 2

On page 2 of said bill, as amended, strike out lines 18 to 20, inclusive.

Amendment No. 3

On page 2, line 14, of said bill, as amended, after "(e)", insert "As used in this section,".

Amendment No. 4

On page 2, line 21, of said bill, as amended, strike out "4", and insert "3".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3175 by the following vote:

AYES—Belotti, Berry, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Klocksiem, Lanterman, Levering, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Sherwin, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—53.
NOES—None.

Assembly Bill No. 3175 ordered enrolled.

Assembly Bill No. 2072—An act to repeal Section 929 of the Fish and Game Code, relating to the use of nets in Fish and Game District 118.5.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2072?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "repeal", and insert "amend".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out line 2 and insert "amended to read:
929. In District 118.5, [purse seines or round haul] nets may not be used *within one-half nautical mile radius of any pier or dock.*"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2072 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Sherwin, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—58.
NOES—None.

Assembly Bill No. 2072 ordered enrolled.

Assembly Bill No. 710—An act to amend Section 902 of the Probate Code, relating to executors and administrators.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 710?

Amendment No. 1

On page 1, lines 16 and 17, of the printed bill, as amended in the Assembly on May 17, 1951, strike out "when authorized by order of the court".

Amendment No. 2

On page 1 of said bill, as amended, strike out line 19, and insert "action which such persons, respectively, may lawfully perform in the computation, reporting, or making of tax returns, or in".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 710 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 710 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 101

Mr. Babbage asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 101, temporarily passed on file.

Assembly Bill No. 101—An act to amend Section 9 of the Riverside County Flood Control and Water Conservation District Act, relating to the powers of the Riverside County Flood Control and Water Conservation District.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 101?

Amendment No. 1

On page 5 of the printed bill, between lines 22 and 23, insert

"The total amount of taxes levied for the purpose of carrying on any program under this subdivision shall not be in excess of five cents ($0.05) for each one hundred dollars ($100) of assessed valuation of the taxable property within the district.

The authority of the district to carry on any program under this subdivision shall terminate on October 1, 1953."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 101 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 101 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2895

Mr. McFall asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2895, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2895—An act to add Section 926a of the Health and Safety Code, relating to local health districts.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2895?

Amendment No. 1

In the first line of the title of the printed bill, as amended in the Assembly on May 31, 1951, strike out "of", and insert "to".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2895 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 2895 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2806

Mr. Brown asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2806, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2806—An act to amend Sections 3, 4, 6, 9, 10, 10.2, 10.3, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 33, 34, 37, 38, 39, 40, 41, 43, 44, 46, 48, 49, 50, 51, 52, 54, 58, and 59 of and to repeal Sections 20, 35, 36, 42, 47, 53, 55, 56, and 57 of, and to add Section 4.1 to, the Parking Law of 1949, relating to off-street parking.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2806?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 4, 1951, strike out everything after "Sections"; strike out lines 2 to 5, inclusive; and in line 6, strike out "the Parking Law of 1949", and insert "32503, 32651, 32653, 32657, 32665, 32667, 32802, 32803, 32809, 32950, 32954, 33101, 33102, 33103, 33104, 33105, 33106, 33107, 33108, 33109, 33110, 33111, 33112, 33114, 33115, 33116, 33117, 33118, 33119, 33120, 33121, 33122, 33123, 33124, 33125, 33127, 33128, 33129, 33130, 33133, 33134, 33135, 33136, 33137, 33138, 33140, 33141, 33143, 33145, 33146, 33147, 33148, 33250, and 33400 of, add Sections 32665.5, 32657.5, 32812, 33101.5, 33105.5, and 33107.5, to, and repeal Sections 32514, 32659, 32660, 32800, 32957, 33251, 33252, 33253, 33254, 33255, 33401, 33402, 33550, 33551, 33113, 33131, 33132, 33139, and 33144 of, the Streets and Highways Code"

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1, of said bill, as amended, strike out line 1, and insert

"SECTION 1 Section 32503 of the Streets and Highways Code is amended to read:

32503. Parking facilities of an authority are subject to the planning, zoning, sanitary, and building laws, ordinances, and regulations applicable to the locality in which they are situated. In the planning and location of any parking facility, an

authority is subject to the relationship of the facility to any *officially adopted* master plan or sections of [a] *such* master plan for the development of the area in which the authority functions *to the same extent as if it were a private entity*.

[To avoid unnecessary duplication of effort and expense, the authority shall have access for its purposes to the services and facilities of the city planning department, the city engineer, the police department, the fire department, and other appropriate departments and offices of the city.]

SEC. 2. Section 32651 of said code is amended to read:

32651. The authority shall not transact any business or exercise any powers unless and until the legislative body of the city by resolution declares that there is need for *the* [a parking] authority to function in the city.

SEC. 3. Section 32653 of said code is amended to read:

32653. In any suit, action, or proceeding by or against or in any manner relating to an authority, the authority shall be conclusively deemed to have become established and authorized to transact business and exercise its powers upon proof of the adoption of [a] *the* resolution by the legislative body declaring the need for the authority to function.

SEC. 4. Section 32657 of said code is amended to read:

32657. Three of the members first appointed shall be designated *by the mayor, with the approval of the legislative body,* to serve for terms of one, two, and three years, respectively, from *a date specified by the mayor in their appointments* [the date of their appointments], and two shall be designated to serve for terms of four years from *that date* [the date of their appointments]. Thereafter members shall be appointed for a term of four years. All vacancies occurring during a term shall be filled for the unexpired term. A member shall hold office until his successor has been appointed and has qualified.

SEC. 5. Section 32657.5 is added to said code, to read:

32657.5. The authority shall hold meetings at such times as it shall determine. The concurring votes of three members of the authority shall be required for the taking of any action.

SEC. 6. Section 32665 of said code is amended to read:

32665. If within four years after the adoption of a resolution declaring the need for a parking authority to function in a city, the authority has not acquired or entered into possession of land for a parking facility, issued bonds, or entered into any contract for the acquisition, construction, or operation of a parking facility, the legislative body by resolution may declare that there is no need for the authority to *function in the city*. Upon the adoption of such resolution, the offices of the Members of the authority become vacant and the capacity of the authority to transact business or exercise any power is suspended until the legislative body again adopts a resolution declaring the need for the authority to function.

SEC. 7. Section 32665.5 is added to said code, to read:

32665.5. Upon the termination of any such suspension by the adoption of such resolution declaring the need for the authority to function, appointments of the members of such authority shall be made, and other proceedings for the organization and activation of the authority had and taken as if such resolution were the original resolution declaring need for a parking authority to function provided for by Section 32651. However, if such termination of any such suspension occurs within the term for which any member or members of the authority has or have been appointed, such member or members whose terms have not expired shall ipso facto by such termination be restored to office as such member or members, and shall serve for the remainder of his or their unexpired term or terms, as if such suspension had not occurred.

SEC. 8. Section 32667 of said code is amended to read:

32667. At any time after the activation of a parking authority, the legislative body by a two-thirds vote may adopt a resolution transferring the property of the authority to the city, and the city may, through such department, *board, officer, or agency,* as it determines, exercise its powers in regard to such property by virtue of the Constitution, its charter, this part or any general law. No such transfer shall be made in contravention of any covenant or agreement made with the holders of bonds of the authority issued and outstanding.

SEC. 9. Section 32802 of said code is amended to read.

32802. The authority may:

(a) Purchase, lease, obtain option upon, acquire by gift, grant, bequest, devise, or otherwise, any real or personal property within or outside the city, or any interest in, or improvements on, such property. *However, no property of a state public body may be acquired without its consent.*

(b) Acquire any property by the exercise of the power of eminent domain, except that property of a state public body shall not be acquired without its consent.

(c) Sell, lease, exchange, transfer, assign, or otherwise dispose of any real or personal property or any interest in such property.

(d) Lay out, open, extend, widen, straighten, establish, or change the grade, in whole or in part, of public parking facilities and public rights of way necessary or convenient for such facilities.

(e) Insure any of its real or personal property or operations against risks or hazards.

SEC. 10. Section 32803 is amended to read:

32803. [Either on its own behalf or as an agent of the city,] The authority may acquire, construct, rent, lease, maintain, repair, manage and operate all or any portion of any real and personal property, including the leasing of the operation of the property, and the leasing for commercial purposes of surplus space or space which it is not economic to use for parking purposes.

SEC. 11. Section 32809 of said code is amended to read:

32809. The authority may borrow money or accept financial or other assistance from the city, the State, [or] the Federal Government, *or any other source* for or in aid of any parking facility within its area of operation, and to such ends may comply with any conditions attached thereto.

SEC. 12. Section 32812 is added to said code, to read:

32812. In order that there may be no unnecessary duplication of effort or expense, the authority may provide for the furnishing of services by, and the use of facilities of, any department, office or agency of the city in lieu of, or in conjunction with, the direct provision by the authority of services and the use of facilities through employment or purchase or other means. The furnishing of such services and the use of such facilities of any such department, office or agency shall be upon such terms and conditions as may be approved by the authority and the legislative body of the city, and subject to reimbursement of the appropriate funds of the city for the reasonable value thereof. The legislative body may, from time to time, by resolution, provide for the making by the authority to the city, annually, of a payment, the amount of which shall be determined in a manner provided by such legislative body, but which shall not exceed the amount the authority would be required to pay to the city in ad valorem taxes if it were a private entity owning the same property.

SEC. 13. Section 32950 of said code is amended to read:

32950. An authority shall not acquire any existing parking facility by the exercise of the power of eminent domain except after public hearing. Notice of the date, time, place, and purpose of the hearing shall be published once not less than 10 nor more than 20 days prior to the hearing *in a newspaper of general circulation printed and published in the city, or, if there be no such newspaper printed and published therein, by posting copies of the notice in at least three public places in the city not less than 10 nor more than 20 days prior to the date of the hearing.*

SEC. 14. Section 32954 of said code is amended to read:

32954. If no bid *which the authority finds to be reasonable and valid* is received *upon the original advertising*, the authority need not readvertise and may operate the project itself.

SEC. 15. Section 33101 of said code is amended to read:

33101. Bonds shall not be issued in any city until the legislative body, either at a general or a special election, submits to the electors of the city the question whether the [legislative body] *city* or the authority, or both, shall be authorized to adopt the revenue bond method of financing projects provided for in this part. If a majority of the voters voting upon the proposition favor the proposition, the authority, or the city, or both, as specified in the proposition, may from time to time issue bonds in accordance with this part. In any city in which the voters have previously authorized the issuance of general obligation bonds or revenue bonds for parking facilities an authority *or the city, pursuant to Section 33552*, may issue bonds without submitting such proposition to the voters.

SEC. 16. Section 33101.5 is added to said code, to read:

33101.5. In lieu of the submission of such question the legislative body may from time to time so submit to such electors the proposition of the issuance, by the authority or the city, pursuant to this part, of revenue bonds in a specific amount, to finance a specific project or specific projects. If at any such election a majority of the voters voting upon the proposition vote in favor thereof, the power to issue revenue bonds as provided in this part shall be operative as to the bonds so specified, and the authority, or the city, as may have been so specified, may from time to time issue revenue bonds in accordance with the provisions of this part in an amount or amounts not exceeding the amount so specified for the project or projects so specified.

SEC. 17. Section 33102 of said code is amended to read:

33102. [The authority may issue bonds in its name. The bonds constitute obligations of the authority only, and the payment of the principal or interest of any such bond does not constitute a debt, liability, or obligation of the city or the State.] *The authority shall have power to borrow money to provide funds for any project and to issue in its name revenue bonds to evidence the indebtedness created by such borrowing. The bonds of each issue shall constitute special obligations, and evidence a special indebtedness, of the authority, which shall be a charge upon, and payable, both as principal and interest, and as to any premiums upon the redemption of any thereof, solely from, such revenues and funds as are specified therein and in the proceedings for their issuance, and shall not constitute obligations, nor evidence any indebtedness, of the city, or of the State.*

SEC. 18. Section 33103 of said code is amended to read:

33103. [Any bond issued by an authority shall contain a recital on its face that the payment of all or part of the principal or interest does not constitute a debt, liability, or obligation of the city or the State.] *All such bonds shall recite upon their*

face, in substance, that the bonds of each issue shall constitute special obligations, and evidence a special indebtedness, of the authority, which shall be a charge upon, and payable, both as principal and interest, and as to any premiums upon the redemption of any thereof, solely from, such revenues and funds as are specified therein and in the proceedings for their issuance, and shall not constitute obligations, nor evidence any indebtedness, of the city, or of the State, and shall also recite upon their face that they are issued under this part, which for that purpose may be designated by the short title provided for in Section 32500

SEC. 19. Section 33104 of said code is amended to read.

33104 An authority may issue such types of bonds as it determines, including bonds on which the principal and interest are payable:

(a) Exclusively from the income and revenue of the parking facilities financed with the proceeds of the bonds, or with such proceeds and financial assistance from the State or Federal Governments *or from any other source* in aid of such projects.

(b) Exclusively from the income and revenue of certain designated parking facilities, whether or not such facilities were financed in whole or in part with the proceeds of the bonds, *and including income or revenue from any future extension, betterment, or addition to any such parking facilities thereafter to be established*.

(c) From its revenues generally

(d) From any contributions or other financial assistance from the *city, the* State or Federal Governments, *or from any other source*.

(e) From parking meter revenue of the city which may be appropriated by the governing body of the city.

(f) From any combination of these sources

SEC. 20. Section 33105 of said code is amended to read:

33105. Bonds may be additionally secured by [a pledge of] *the pledging of, placing a charge upon, or otherwise making available* any parking meter revenue. Until all bonds so secured have been paid, the legislative body of a city may [pledge or] allocate, *pledge, place a charge upon, or otherwise make available* its parking meter revenue or special taxes for periods of years for the financing or operation of any project authorized by this part and the payment of principal and interest on all or any type of bond issued and outstanding pursuant to this part.

SEC. 21. Section 33105.5 is added to said code, to read.

33105.5. Nothing in this part nor in the specification, in the proceedings for the issuance of any bonds, of the sources of payment thereof, shall preclude any of the following:

(a) The payment of interest on or principal of any such bonds out of sums received as premiums or accrued interest on the sale thereof

(b) The payment of principal of or interest on, or premiums on the redemption of, any such bonds out of the proceeds of the sale of refunding bonds issued for that purpose

(c) The payment of any interest on any such bonds accruing during, and for not to exceed two years after, the period of the construction of a project on account of which they were issued, or for any other reasonably limited period, out of the proceeds of the sale of such bonds.

(d) The payment of any principal of, interest on, or premiums on the redemption of, any such bonds by the purchasers thereof, or by any entity other than the authority issuing the same in any case where such purchasers or entity may have guaranteed such payment.

(e) The application to the payment of any principal of, interest on, or premiums on the redemption of, any such bonds of any funds which the authority may lawfully so apply

SEC. 22. Section 33106 of said code is amended to read

33106. Except as limited by express provision of this part, each authority, by resolution, *or by contract, or other agreement with, or for the benefit of, the bondholders*, may determine all the terms and conditions of each issue, *series, or division* of bonds and of their sale and issuance, and all matters necessary or appropriate in connection with the bonds

SEC. 23. Section 33107 of said code is amended to read:

33107 An authority may *provide* [enter into indentures providing] for the aggregate principal amount, date or dates, maturities, interest rate *or rates, interest payment dates*, denominations [,] *and* form [, registration, transfer,] *of such bonds*, and [interchange of bonds and coupons, and the terms and conditions] *may provide for the issuance thereof as serial bonds or sinking fund bonds, as payable to bearer or to named payees, or as registered bonds, and for the issuance thereof with or without coupons, and for the subsequent registration of bonds, and for all other terms and conditions* upon which they shall be executed, issued, secured, sold, paid, redeemed, funded, and refunded

SEC. 24. Section 33107.5 is added to said code, to read:

33107.5 The authority may provide that any resolution or resolutions adopted in connection with the authorization of any bonds shall constitute a contract with the holders of such bonds, not subject to repeal, and not subject to any modification other than to the extent and in a manner provided in any such resolution.

SEC. 25. Section 33108 of said code is amended to read:

33108. Reference on the face of the bonds to [the indenture by its date of adoption, or the apparent date of adoption on the face of the indenture,] *any such resolution by the date of its adoption, or to any such contract or other agreement by the date of its execution, or the apparent date on the face thereof,* is sufficient to incorporate all of the provisions of the [indenture] *contract or agreement* into the body of the bonds and their appurtenant coupons. Each taker and subsequent holder of the bonds or coupons, whether the coupons are attached to or detached from the bonds, has recourse to all of the provisions of the indenture and is bound thereby.

SEC. 26. Section 33109 of said code is amended to read:

33109. [An indenture may include] *The authority may provide for* such covenants and agreements on the part of the authority as [the authority] *it* deems necessary or advisable for the better security of [the] *any* bonds [, including a pledge of the project] .

SEC. 27. Section 33110 of said code is amended to read.

33110. [An indenture may include a clause] *The authority may provide for the making of a covenant* requiring the authority to pay punctually the principal and interest on [the] *any* bonds on the date or dates, at the place or places, and in the manner mentioned in the bonds and coupons in accordance with [the indenture] *their terms* .

SEC. 28. Section 33111 of said code is amended to read:

33111. [An indenture may include a clause] *The authority may provide for the making of a covenant* requiring the authority to continuously operate in an efficient and economical manner [all projects acquired, constructed, or completed, in whole or in part, from the proceeds of the bonds or from other proceeds.] *any or all facilities and properties any revenues of which are charged with the payment of any bonds in connection with which such covenant is made* .

SEC. 29 Section 33112 of said code is amended to read:

33112. [An indenture may include a clause requiring the authority to make all repairs, renewals, and replacements necessary to the operation of the project and to keep it in good repair at all times.]

The authority may provide for the making of a covenant requiring the authority to make all repairs, renewals and replacements necessary to the operation of any or all facilities and properties any revenues of which are charged with the payment of any bonds in connection with which such covenant is made, and to keep any and all such facilities and property at all times in good repair.

SEC. 30. Section 33114 of said code is amended to read:

33114. [An indenture may include a clause] *The authority may provide for the making of a covenant* requiring the authority to pay and discharge from the funds available for that purpose all lawful claims for labor, materials and supplies, or other charges which if unpaid may become a lien or charge upon all or any part of the revenue , *any facilities or properties, revenues charged with the payment of any bonds in connection with which the covenant is made,* or physical properties of the project which may impair the security of the bonds .

SEC 31. Section 33115 of said code is amended to read:

33115. [An indenture may include a clause] *The authority may provide for the making of a covenant* which limits, restricts, or prohibits the power of the authority to mortgage or otherwise encumber, sell, lease, or dispose of *any or all facilities and properties, any revenues of which are charged with the payment of any bonds in connection with which the covenant is made,* [the project,] or to enter into any lease or agreement which *might impair or impede* [impairs or impedes] the operation of *such facilities or properties, or any part thereof,* [all or any part of the project necessary to secure adequate revenues] or [which] *might* otherwise impair [s] or impede [s] the rights of bondholders with respect to *such revenues.* [the revenue]

SEC 32. Section 33116 of said code is amended to read·

33116 [An indenture may include a clause requiring the authority to fix, prescribe, and collect fees, tolls, rentals, or other charges in connection with the services and facilities furnished from the project sufficient to pay all of the following:

(a) The principal of and interest on the bonds as they become due and payable

(b) All expenses of operation, maintenance, and repair of the project

(c) Such additional sums as may be required for any sinking fund, reserve fund, or other special fund provided for the further security of the bonds or as a depreciation charge or other charge in connection with the project.]

The authority may provide for the making of a covenant requiring the authority to fix, prescribe and collect, with respect to any or all properties, any revenues of which are charged with the payment of any bonds in connection with which such covenant is made, fees, tolls, rentals or other charges in connection with the services and facilities furnished from any such properties operated by it, and to fix and collect rentals or other charges for any such properties leased by it to others for operation, sufficient, with such parking meter revenues or other funds as may have been made available for and charged with such payment, to pay the principal of and interest on such bonds as they become due and payable, together with all expenses of operation, maintenance and repair of such facilities and properties, and with such additional

sums as may be required for any sinking fund, reserve fund or other special fund provided for the further security of such bonds or as a depreciation charge or other charge in connection with such facilities and properties, and all other charges payable out of any revenues charged with the payment of the bonds.

The authority may also provide for the making of a covenant requiring the fixing and prescribing by it and the collection by any lessee or operator of any or all facilities and properties, any revenues of which are charged with the payment of any bonds in connection with which such covenant is made, of all fees, tolls, rentals, or other charges in connection with the services and facilities furnished by such lessee or operator, sufficient to assure the payment by such lessee or operator to such authority of the rentals or other charges payable by such lessee or operator to such authority.

SEC. 33. Section 33117 of said code is amended to read.

33117. [An indenture may include a clause requiring the authority to hold in trust the revenue pledged to the payment of the principal and interest on the bonds, or to any reserve or other fund created for the further protection of the bonds, and to apply such revenue only as provided in the indenture.]

The authority may provide for the making of a covenant requiring the authority to provide for the establishment and maintenance of reserve funds, sinking funds, or other special funds in the city treasury or special trust accounts in a bank or trust company to insure payment, when due or payable, whether at maturity or upon redemption, of the principal of and interest on any bonds, including premiums, if any due, upon the redemption of any thereof, or to insure the application of the proceeds of such bonds to the purposes for which the same were issued, or for any other appropriate purpose Any money placed in any such reserve, sinking, or other special fund or trust account shall constitute a trust fund and shall be applied only to the purposes for which it was created.

SEC. 34 Section 33118 of said code is amended to read:

33118. [An indenture may include a clause limiting the power of the authority to use the proceeds of the sale of any issue of bonds for acquiring, constructing, or completing all or part of any project or more than one project.]

The authority may provide for the making of a covenant requiring it to apply the proceeds of the bonds in connection with which such covenant is made, or any part thereof, to the acquisition or construction of a specified facility, or other specified purpose.

SEC. 35. Section 33119 of said code is amended to read:

33119. [An indenture may include a clause limiting the power of the authority to issue additional bonds for the purpose of acquiring, constructing, or completing all or part of any improvement.]

The authority may provide for the making of a covenant restricting the incurring of additional indebtedness payable in whole or in part out of revenues or funds which are charged with the payment of any bonds in connection with which such covenant is made.

SEC 36. Section 33120 of said code is amended to read

33120. [An indenture may include a clause requiring, specifying, or limiting the kind, amount, and character of insurance to be maintained by the authority on all or any part of any project, and the use and disposition of the proceeds of such insurance.]

The authority may provide for the making of a covenant requiring it to carry insurance on any facilities or properties any revenues of which are charged with the payment of any bonds in connection with which such covenant is made, or any operations incident thereto, specifying or limiting the kind, amount and character of such insurance, and providing for the use and disposition of the proceeds of any such insurance thereafter collected.

SEC. 37. Section 33121 of said code is amended to read:

33121. [An indenture may include a clause prescribing the events of default and the terms and conditions upon which any or all of the bonds then or thereafter issued become or may be declared due and payable prior to maturity. Such clause may also specify the terms and conditions upon which such declaration and its consequences may be waived.]

The authority may provide for the terms and conditions upon which any bonds may become or be declared due and payable prior to maturity, upon the happening of any specified event of default, and the terms and conditions upon which such declaration and its consequences may be waived.

SEC. 38. Section 33122 of said code is amended to read:

33122 [An indenture may include a clause designating] *The authority may provide for* the rights, limitations, powers, and duties arising upon breach by the authority of any of the covenants, conditions, or obligations contained in [any indenture,] *any resolution, contract, or agreement*

SEC. 39. Section 33123 of said code is amended to read:

33123 [An indenture may include a clause prescribing] *The authority may provide for* a procedure by which certain specified terms and conditions of [the indenture] *any resolution, contract, or agreement* may be subsequently amended or modified, *or any provision thereof waived*, with the consent of the authority and the vote or written

assent of the holders of a specified principal amount of the bonds issued and outstanding. [Such clause may provide for meetings of bondholders and for the manner in which the consent of the bondholders may be given The clause shall specifically state the effect of such amendment or modification] *Such provision may authorize meetings of bondholders and specify the manner in which the consent of the bondholders may be given. Such provision shall specifically state the effect of such amendment, modification, or waiver* upon the rights of the holders of all of the bonds and interest coupons appertaining to the bonds, whether attached to or detached from the bonds.

SEC. 40. Section 33124 of said code is amended to read.

33124 [Any clause providing for the modification or amendment of an indenture may provide that bonds held by the authority, by any department, political subdivision, or agency of the State, any public corporation, municipality, district, or political subdivision shall not be counted as outstanding bonds or be entitled to vote or assent, but shall nevertheless be subject to any such modification or amendment.]

The provisions for such procedure may include an agreement that bonds held by the authority, the city, or by any other person or entity who or which the authority may determine to be so interested in the matter as to make it proper, shall not be counted as outstanding bonds, and that the holders thereof shall not be entitled to vote or assent with respect to such amendment, modification or waiver, but shall nevertheless be subject thereto.

SEC. 41. Section 33125 of said code is amended to read:

33125. The [indenture may include a clause providing] *authority may provide* for such other acts and matters as *it may deem to be* [are] necessary, convenient, or desirable to secure the bonds or to make them more marketable.

SEC. 42. Section 33127 of said code is amended to read:

33127. The authority may fix and determine the conditions upon which any trustee shall receive, hold, or disburse any or all [revenues collected for or on account of the bondholders] *funds coming into its hands pursuant to any resolution, contract, or agreement.*

SEC. 43. Section 33128 of said code is amended to read:

33128. The authority may prescribe the duties and powers of any trustee respecting the payment of principal and interest on [the] bonds, the redemption of [the] bonds, the registration and discharge from registration of [the] bonds, and the management of any sinking or other fund provided as security for [the] bonds, *and with respect to any other appropriate matter.*

SEC. 44. Section 33129 of said code is amended to read.

33129. The authority may *provide for the issuance of* [issue] bonds in series, *and for the division of any issue into two* [or may divide any issue into one] or more divisions, and *may* fix different maturities or dates of such bonds, different rates of interest, or prescribe different terms and conditions for the bonds of the several series or divisions. *After having authorized or issued bonds the authority may from time to time thereafter authorize and issue other bonds, subject to any covenants it may have made restricting the future issuance of bonds.* [The authority may provide for successive issues or for one maximum issue.]

SEC. 45. Section 33130 of said code is amended to read:

33130. All bonds of the same authorized issue need not be of the same kind or character, have the same security, or *bear* [be of] the same interest rate, but the terms of the bonds shall in each case be prescribed by the authority [, at or prior to their issuance].

SEC. 46 Section 33133 of said code is amended to read:

33133. Bonds may be callable upon such terms, conditions, and notice as the authority determines, and upon the payment of the premium, *if any*, fixed by the authority in the proceedings for their issuance. [A bond is not] *No bond shall be* subject to call or redemption prior to its fixed maturity date unless the right to exercise such call is expressly stated on its face

SEC. 47. Section 33134 of said code is amended to read.

33134 The authority may provide for the payment of the principal and interest of bonds at any place within [or without] the State, *or for the payment or collection of such principal without the State,* and in *any* specified coin or currency of the United States

SEC 48. Section 33135 of said code is amended to read:

33135 Signatures on the bonds and interest coupons may be printed, lithographed, or engraved facsimile, except *that on the bonds, but not on the interest coupons,* the countersignature of the clerk or other officer of the authority designated by it which shall be manually affixed.

SEC 49. Section 33136 of said code is amended to read.

33136. If any officer *or representative* whose signature or countersignature appears upon the bonds or coupons ceases to be an officer *or representative* before the delivery of the bonds or coupons, his signature or countersignature is nevertheless valid and of the same force and effect as if he had [remained in] *continued to hold his office or position* [office] until the delivery of the bonds and coupons.

SEC. 50. Section 33137 of said code is amended to read:

33137. Bonds *issued under this part* [shall bear dates prescribed by the authority. They] may be serial or sinking fund bonds [with such maturities as the authority determines]. A bond by its terms shall not mature more than forty (40) years from its own date. If any authorized issue is divided into two or more series or divisions, the maximum maturity date shall be calculated from the date on the face of each bond separately, irrespective of the fact that different dates may be prescribed for the bonds of each separate series or division of any authorized issue

SEC. 51. Section 33138 of said code is amended to read:

33138. [The authority may fix terms and conditions for the sale or other disposition of any authorized issue of bonds. It] *The authority* may sell bonds at less than their par or face value, but a bond shall not be sold at a price below its par or face value which would result in a sale price yielding to the purchaser an average of more than 6 percent a year, payable semiannually, according to standard tables of bond values.

SEC. 52. Section 33140 of said code is amended to read:

33140. [Interest] *The authority may provide that interest* on bonds issued for the acquisition, construction, or completion of any project may be paid out of the proceeds of the sale of the bonds during the actual construction of the project and for a period of not to exceed two years after completion of actual construction, *or for any other reasonably limited period* [as provided for in the indenture].

SEC. 53. Section 33141 of said code is amended to read:

33141. In the proceedings for the issuance of bonds, the authority may provide that the principal of and interest on the bonds constitute such *charge* [lien] upon the revenue*s* of any project acquired, constructed or completed from the proceeds of the bonds, *or upon other available and specified revenues or funds as may be* [as is] provided for in *such proceedings* [the indenture].

SEC. 54. Section 33143 of said code is amended to read:

33143. The principal, interest, and income of all bonds *issued under this part* [is] *are* exempt from all taxation in this State, other than gift, inheritance, and estate taxes.

SEC. 55. Section 33145 of said code is amended to read:

33145. The authority may provide for the issuance, sale, or exchange of refunding bonds to redeem or retire any revenue bonds issued by it. All provisions of this part applicable to the issuance of bonds are applicable to [funding or] refunding bonds and to their issuance, sale or exchange *However, even if the alternative method provided for in Section 32655 of submitting to the electors the question of issuing bonds in a specific amount has been followed, without the submission of the question of adopting the revenue bond method of financing, no submission to the electors of the proposition of issuing refunding bonds shall be required as a prerequisite to the issuance of such refunding bonds; and if the proposition of adopting the revenue bond method of financing has been submitted and carried, it shall be full authority for the issuance of refunding bonds*

SEC. 56. Section 33146 of said code is amended to read:

33146. [Funding or refunding] *Refunding* bonds may be issued in a principal amount sufficient to provide funds for the payment of the bonds to be [funded or] refunded and all expenses incident to the calling, retiring, or paying of the outstanding bonds and the issuance of the [funding or] refunding bonds. These expenses include:

(a) The difference in amount between the par value of the [funding or] refunding bonds and any amount less than par for which the refunding bonds are sold.

(b) The amount of interest upon the [funding or] refunding bonds from the date of their sale to the date of payment of the bonds to be [funded or] refunded or to the date upon which the bonds to be [funded or] refunded will be paid pursuant to their call or pursuant to any agreement with the holders of such bonds

(c) Any premium required to be paid to call or retire the outstanding bonds

(d) The interest accruing on the outstanding bonds to the date of their call or retirement

SEC. 57. Section 33147 of said code is amended to read:

33147. Bonds issued pursuant to this part are negotiable instruments [, except when registered in the name of a registered owner]

SEC. 58. Section 33148 of said code is amended to read:

33148. Prior to the issuance of any bonds, the authority may commence a special proceeding in the superior court of the county *in which the city is located* to determine the right to issue the bonds and their validity. The proceeding shall be instituted and prosecuted in the manner provided by Sections 22670 to [22684] *22674*, inclusive, *and 22676 to 22684, inclusive*, of the Water Code These sections apply to and govern all proceedings instituted pursuant to this part *However, in so applying such provisions, all references to a district shall be understood as references to the authority; all references to any assessment or the levying thereof shall be disregarded, and the provisions of Section 22681 relating to the exchanging of bonds for property shall be understood as relating to the exchanging of refunding bonds for bonds to be refunded thereby. Such proceeding is a proceeding in rem and the judgment rendered therein is conclusive against all persons whomsoever and against the city and the State of California.* The proceeding is in rem and the judgment rendered therein is conclusive against all persons, the city, and the State.

SEC. 59. Section 33250 of said code is amended to read:

33250. [The authority shall fix the rates, fees, and other charges for the use by any person or public or private agency of any of the projects, services, or facilities furnished, acquired, constructed, or completed pursuant to this part.] *The authority shall have power, and it shall be its duty, fully and faithfully to keep and perform any covenant it may make pursuant to Section 33116 with or for the benefit of the holders of any bonds with respect to the fixing and maintaining of fees, tolls, rentals or other charges, and each and every other covenant it may make, or obligation it may assume, pursuant to any provision of this part, and it shall be the duty of each and every officer, representative and employee of the authority to do and perform each and every act necessary or appropriate for such keeping and performance by such authority of every such covenant and obligation.*

SEC. 60. Section 33400 of said code is amended to read:

33400. In addition to all other rights conferred on an obligee and subject only to any contractual restrictions binding upon him, an obligee may:

(a) By mandamus, suit, action, or proceeding at law or in equity, compel the authority and its members, officers, agents or employees to perform every term, provision, and covenant contained in any contract of the authority with or for the benefit of the obligee, to carry out all covenants and agreements of the authority, and to fulfill all duties imposed upon the authority by this part.

(b) By suit, action, or proceeding in equity, enjoin any acts or things which are unlawful [or] *and* in violation of any of the rights of the obligee.

SEC. 61. Nothing in this act shall in anywise invalidate any step or proceeding whatsoever heretofore taken, or in process of being taken, under the Parking Law of 1949. Without limiting the generality of the foregoing provision nothing herein shall require any new election in the case of any city in which an election has been held pursuant to Section 4 of said Parking Law of 1949 on the question as to whether or not the legislative body, or the authority, or both, shall be authorized to adopt the revenue bond method of financing projects provided for in said law, and at such election a majority of the voters voting upon the proposition shall have voted in favor of such proposition.

SEC. 62. Sections 32514, 32659, 32660, 32800, 32957, 33251, 33252, 33253, 33254, 33255, 33401, 33402, 33550, 33551, 33113, 33131, 33132, 33139, and 33144 of said code are repealed."

Amendment No. 3

On page 1 of said bill, as amended, strike out lines 2 to 21, inclusive; and strike out all of pages 2 to 19, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2806 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloved, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 2806 ordered enrolled.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 964—An act to amend Sections 2824 and 5720 of the Streets and Highways Code, relating to special assessment proceedings.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 964?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 21, 1951, between lines 13 and 14, insert "The person required to prepare the report shall complete and file the same with the legislative body within one year from the date such person is directed to prepare the report."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 964 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 964 ordered enrolled.

Assembly Bill No. 1266—An act to amend Section 26881 of the Water Code, relating to irrigation districts.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1266?

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "publications", and insert "publication".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No 1266 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 1266 ordered enrolled.

Assembly Bill No. 1472—An act providing for the constitution of the municipal court in a district embracing the City of Santa Ana, and prescribing the number and compensation of the judges, officers and attaches thereof.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1472?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on May 1, 1951, strike out "City of", and insert "Cities of Orange, Tustin and".

Amendment No. 2

On page 1, line 2, of said bill, as amended, strike out "City of", and insert "Cities of Orange, Tustin and".

Amendment No. 3

On page 1 of said bill, as amended, after line 22, insert

"SEC. 2. The sessions of the court shall be held in the City of Santa Ana."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1472 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 1472 ordered enrolled.

Assembly Bill No. 1865—An act to amend Section 53601 of the Government Code, relating to the powers of cities.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1865?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on April 6, 1951, strike out "cities", and insert "local agencies".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1865 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 1865 ordered enrolled.

Assembly Bill No. 2363—An act to add Sections 715.1 and 715.2 to the Civil Code, and to amend Sections 716, 771 and 773 of said code, and to repeal Sections 715, 772 and 776 of said code, relating to the rules against remoteness in vesting and against suspension of the power of alienation.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 2363?

Amendment No. 1

On page 2, line 26, of the printed bill, as amended in Assembly May 30, 1951, strike out "Suspension by Trust."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2363 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 2363 ordered enrolled.

Assembly Bill No. 2597—An act to amend Section 261 of the Code of Civil Procedure, relating to court commissioners of the superior court in counties, or cities and counties, having a population of 2,000,000 inhabitants and over.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2597?

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Assembly on May 8, 1951, strike out "nine thousand dollars ($9,000)", and insert "nine thousand two hundred forty dollars ($9,240)".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2597 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 2597 ordered enrolled.

Assembly Bill No. 2776—An act to amend Section 21189 of the Water Code, relating to contracts of group insurance or a system of group annuities in irrigation districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2776?

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "its officers and employees who", and insert "the officers and employees of the district as".

Amendment No. 2

On page 1, line 8, of said bill, following the period, insert "Contracts of group insurance or systems of group annuities which include benefits to dependents of officers and employees are contracts of group insurance or systems of group annuities for the benefit of officers and employees for the purposes of this section."

Amendment No. 3

On page 1, line 5, of said bill, before "for", insert ", or both,".

Amendment No. 4

On page 1, line 14, of said bill, before "with", insert ", or both,".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2776 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 2776 ordered enrolled.

Assembly Bill No. 2800—An act to amend Section 19583.5 of the Government Code, relating to state civil service.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2800?

Amendment No. 1

On page 1, line 10, of the printed bill, as amended in the Assembly on May 7, 1951, after the period, insert "The employee against whom such charges are filed shall have a right to answer as provided in this article"

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2800 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay,

Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 2800 ordered enrolled.

Assembly Bill No. 3414—An act to add Sections 1005.1 and 1005.2 to the Water Code, relating to water rights, declaring the severability of the provisions of this act, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3414?

Amendment No. 1

On page 1, line 8, of the printed bill, as amended in the Assembly on May 7, 1951, strike out "such right", and insert "any right to extract the ground water".

Amendment No. 2

On page 1, line 12, of said bill, as amended, after the period, insert "Any user of water from a source referred to in Section 1005 of this code who seeks the benefit of this Section 1005.1, shall file with the Division of Water Resources of the Department of Public Works, on or before December 31st of each calendar year, a statement of the amount of water from said source so applied to reasonable beneficial use pursuant to the provisions of this section during the next preceding water year (November 1st to October 31st), and such user cannot claim the benefit of this section for any water year for which such statement is not so filed."

Amendment No. 3

On page 2, line 2, of said bill, as amended, strike out "such water from an interstate river", and insert "water from such source referred to in Section 1005".

Amendment No. 4

On page 2, line 5, of said bill, as amended, after the period, insert "Any user of water from a source referred to in Section 1005 of this code who seeks the benefit of this Section 1005.2 with respect to the use of such water occurring prior to the effective date of this section, shall file with the Division of Water Resources of the Department of Public Works, within ninety (90) days from said effective date, a statement of the amounts of reduction in his extraction of ground water as the result of water from said source having been so applied to reasonable beneficial use prior to said effective date to permit the replenishment of such ground water and said amounts shall be segregated and shown for each water year (November 1st to October 31st) during which such use occurred prior to the effective date of this section. Any user of water from a source referred to in Section 1005 of this code who seeks the benefit of this Section 1005.2 with respect to the use of such water occurring subsequent to the effective date of this section, shall file with the Division of Water Resources, on or before December 31st of each calendar year, a statement of the amount of reduction in his extraction of ground water as the result of water from said source having been so applied to reasonable beneficial use during the next preceding water year (November 1st to October 31st) to permit the replenishment of such ground water. Such user cannot claim the benefit of this section for any water year for which such statement is not so filed."

Amendment No. 5

On page 1, lines 5 and 6 of the printed bill, as amended in the Senate on May 25, 1951, strike out "source referred to in Section 1005 of this code", and insert "nontributary source".

Amendment No. 6

On page 1, lines 12 and 13, of said bill, as amended, strike out "user of water from a source referred to in Section 1005 of this code", and insert "such user of water from an alternate nontributary source"

Amendment No. 7

On page 2 of said bill, as amended, between lines 3 and 4, insert

"The provisions of this section apply only as to the cessation of, or reduction in, the extraction of ground water within that area in this State defined by the exterior boundaries of the Counties of Santa Barbara, Ventura, Los Angeles, Orange, San Diego, Imperial, Riverside, and San Bernardino."

Amendment No. 8

On page 2, lines 8 and 9, of said bill, as amended, strike out "a source referred to in Section 1005 of this code", and insert "an alternate nontributary source".

Amendment No. 9

On page 2, lines 11 and 12, of said bill, as amended, strike out "source referred to in Section 1005", and insert "alternate source".

Amendment No. 10

On page 2, lines 15 and 16, of said bill, as amended, strike out "user of water from a source referred to in Section 1005 of this code", and insert "such user of water from an alternate source".

Amendment No. 11

On page 2, line 21, of said bill, as amended, strike out "his", and insert "the".

Amendment No. 12

On page 2, line 22, of said bill, as amended, after "said", insert "alternate".

Amendment No. 13

On page 2, lines 27 and 28, of said bill, as amended, strike out "user of water from a source referred to in Section 1005 of this code", and insert "such user of water from an alternate source".

Amendment No. 14

On page 2, line 33, of said bill, as amended, strike out "his", and insert "the".

Amendment No. 15

On page 2, line 34, of said bill, as amended, after "said", insert "alternate".

Amendment No. 16

On page 2, of said bill, as amended, between lines 38 and 39, insert

"The provisions of this section apply only as to the cessation of, or reduction in, the extraction of ground water within that area in this State defined by the exterior boundaries of the Counties of Santa Barbara, Ventura, Los Angeles, Orange, San Diego, Imperial, Riverside, and San Bernardino."

Amendment No. 17

On page 2, line 39, of said bill, as amended, after "SEC. 3.", insert "The Legislature finds and declares that this act is necessary to the solution of a problem arising out of the following unique circumstances:

The water supplies in the underground basins in the arid southern part of this State are being rapidly depleted by excessive pumping during a period of prolonged drought conditions. Because of the geological conditions peculiar to this area, further excessive pumping is certain to destroy the usefulness of these basins.

This act is intended to save these water basins by protecting users of water from the basins who cease or reduce the extraction of water therefrom and use, in lieu thereof, water from an alternate nontributary source, thereby preventing further depletion of the water in the basins.

SEC. 4."

Amendment No. 18

On page 2, line 48, of said bill, as amended, strike out "4", and insert "5".

Amendment No. 19

On page 3, line 10, of said bill, as amended, strike out "sources referred to in Section 1005 of the Water Code", and insert "alternate nontributary sources".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3414 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Cloved, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 3414 ordered enrolled.

Assembly Bill No. 3432—An act to amend Section 5804 of the Labor Code, relating to workmen's compensation awards.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 3432?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 30, 1951, strike out lines 5 to 11, inclusive, and insert "Provided, however, that after an award has been made finding that there was employment and the time to petition for a rehearing or reconsideration or review has expired or such petition if made has been determined, the commission upon a petition to reopen shall not have the power to find that there was no employment."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 3432 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 3432 ordered enrolled.

Request for Unanimous Consent That Names Be Placed Upon Roll Call

Messrs. Cooke, Chapel, Hawkins, and Hinckley asked for, and were granted, unanimous consent that their names be placed upon the roll call, on concurrence in Senate amendments to Assembly Bill No. 3432, and that they be recorded as voting "Aye".

Assembly Bill No. 1236—An act to amend Section 9511 of the Business and Professions Code, relating to dry cleaning.

The question being: Shall the Assemly concur in the following Senate amendment to Assembly Bill No. 1236?

Amendment No. 1

On page 1, line 17, of the printed bill, strike out "of", and insert "or".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1236 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 1236 ordered enrolled.

THIRD READING OF SENATE BILLS

Senate Bill No. 961—An act to amend Section 204f of, and to add Section 204g to, the Code of Civil Procedure, relating to secretaries of the superior court and fixing salaries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—62.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1626—An act to add Section 7.4 to the Unemployment Insurance Act, relating to agricultural labor.

Bill read third time, and ordered passed on file.

Senate Bill No. 693—An act to add Section 2003 to the Government Code, relating to claims against the State, district, county, city, or city and county.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—63.
NOES—None

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr. Dunn asked for, and was granted, unanimous consent that his name be placed upon the roll call on Senate Bill No. 693, and that he be recorded as voting "Aye".

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 435

Mr. Davis asked for, and was granted unanimous consent to take up Senate Bill No. 435, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 435

Senate Bill No. 435—An act to amend Section 4127 of, and to add Section 4128 to, the Public Resources Code, relating to the closure to entry of lands during the existence of an extreme fire hazard emergency.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Names Be Placed Upon Roll Call

Messrs Porter, Rosenthal, and Shaw asked for, and were granted, unanimous consent that their names be placed upon the roll call on Senate Bill No. 435, and that they be recorded as voting "aye".

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 296—An act to amend Section 1277 of the Fish and Game Code, relating to deer.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 60—An act to add Section 3102.5 to the Government Code, relating to an oath or affirmation of allegiance for civil defense workers and public employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McMillan, Meyers, Morris, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stewart, Thomas, Waters, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1078—An act to add Section 1303.3 to the Education Code, relating to the Public School System of the State of California

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Clarke, Cloyed, Collier, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lindsay, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Munnell, Parker, Porter, Rumford, and Thomas—44.

NOES—Babbage, George D. Collins, Conrad, Doyle, Lowrey, Shaw, Smith, and Waters—8.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3207
Assembly Bill No. 3457

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to the inactive file.

Committee on Civil Service and State Personnel

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which was referred:

Senate Bill No. 858

Has has the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CALDECOTT, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which were referred:

Senate Bill No. 1535
Senate Bill No. 675

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

CALDECOTT, Chairman

Above reported bills ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which was referred:

Senate Bill No. 861

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CALDECOTT, Chairman

Above reported bill ordered to second reading.

RESOLUTIONS

The following resolution was offered:

By Mr. Davis:

House Resolution No. 222

Relative to directing the Assembly Interim Committee on Fish and Game to undertake an investigation

WHEREAS, There appears to be considerable difference of opinion between the sportsmen of the upper Sacramento River and the State Fish and Game Commission concerning the value of raising steelhead trout in hatcheries for stocking purposes; and

WHEREAS, The recreational fisheries in the upper Sacramento River represent an investment in excess of $12,000,000; and

WHEREAS, The U. S. Fish and Wildlife Service apparently is willing to use a portion of its facilities at the Coleman Hatchery to co-operate with the State Fish and Game Commission in finding ways to improve angling conditions in the Sacramento River; and

WHEREAS, The State Fish and Game Commission has refused to allow the taking of steelhead trout eggs from fish caught in the salmon spawn taking traps for the purpose of conducting experiments; said commission insisting that the required steelhead eggs be obtained from another state, and that the Fish and Wildlife Service also co-operate scientific studies of the results obtained; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Fish and Game is directed to investigate the problems involved in the foregoing differences of opinion and report its findings to the next regular session of the Legislature.

Resolution read, and ordered referred to the Committee on Rules.

ANNOUNCEMENT

Speaker Sam L. Collins announced that a picnic luncheon for the wives of the Members of the Legislature will be held this noon in Land Park under the sponsorship of the Pals Club, and that children will be welcome.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1514—An act to add Section 25371 to the Government Code, relating to the leasing of county real property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Parker, Porter, Rumford, Smith, Thomas, Waters, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 640

Mr. Gaffney asked for, and was granted unanimous consent to take up Senate Bill No. 640, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 640

Senate Bill No. 640—An act to amend Sections 5, 6, and 7 of, and to add Section 3¼ to, the Highway Carriers' Act, relating to highway carriers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hansen, Hawkins, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Munnell, Porter, Rumford, Smith, Waters, and Mr Speaker—51.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT NAMES OF MEMBERS ATTENDING MEETING OF COMMITTEE ON RULES BE PLACED UPON MORNING ROLL CALL

By order of the Speaker, and by unanimous consent, the names of members attending the meeting of the Committee on Rules, at this time, were ordered placed upon the morning roll call as follows:

Messrs. Kirkwood, Silliman, Moss, Rosenthal, McCarthy, and Tomlinson.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 620—An act to add Section 157.5 to the Vehicle Code, relating to vehicles and registration and license fees therefor.

Bill read third time.

Demand for Previous Question

Messrs. Lowrey, Hansen, Kelly, Henderson, and Cloyed demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 620.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Connolly, Conrad, Cooke, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Gubser, Hawkins, Henderson, Kelly, Kilpatrick, Lindsay, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Munnell, Parker, Porter, Stewart, and Mr. Speaker—41.

NOES—Babbage, Collier, Davis, Geddes, Hagen, Hansen, Klocksiem, Lipscomb, Lowrey, Lyon, Rumford, Shaw, and Smith—13.

Bill ordered transmitted to the Senate.

RECESS

At 11.50 a.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1474

Mr. Sam L. Collins asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 1474, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1474—An act providing for the constitution of the municipal court in a district embracing the City of Fullerton, and prescribing the number and compensation of the judges, officers and attaches thereof.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1474?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on May 1, 1951, strike out "City of", and insert "Cities of Anaheim, La Habra, Brea, Placentia and".

Amendment No. 2

On page 1, line 2, of said bill, as amended, strike out "City of", and insert "Cities of Anaheim, La Habra, Brea, Placentia and".

Amendment No. 3

On page 1 of said bill, as amended, after line 22, insert

"SEC. 2. The sessions of the court shall be held in the City of Fullerton."

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 1474 by the following vote:

AYES—Belotti, Conrad, Shaw, and Stewart—4.

NOES—Babbage, Berry, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Henderson, Hinckley, Kelly, Kilpatrick, Levering, Lindsay, Luckel, Maloney, McCollister, McMillan, Morris, Munnell, Parker, Rumford, Stanley, Waters, and Mr. Speaker—39.

Appointment of Committee on Conference Concerning Assembly Bill No. 1474

The Speaker announced the appointment of Messrs. Waters, Babbage, and Conrad as a Committee on Conference concerning Assembly Bill No. 1474.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY CONCURRENT RESOLUTION NO. 39

Mr. Collier asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Concurrent Resolution No. 39, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Concurrent Resolution No. 39—Relative to the support of the old age assistance program by the Legislature of the State of California.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Concurrent Resolution No. 39?

Amendment No. 1

On page 1, line 9, of the printed measure, as amended in the Assembly on May 10, 1951, after "excellent", strike out "and"

Amendment No. 2

On page 1, line 10, of said measure, strike out "liberal"; and in line 10, after "the", strike out "minimum".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Concurrent Resolution No. 39 by the following vote:

AYES—Babbage, Belotti, Berry, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Cooke, Crowley, Dills, Dolwig, Erwin, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kloeksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCollister, Morris, Munnell, Rumford, Smith, Stewart, and Waters—41.

NOES—None.

Assembly Concurrent Resolution No. 39 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 848

Mr. Cloyed asked for, and was granted unanimous consent to take up Senate Bill No. 848, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 848

Senate Bill No. 848—An act to amend Sections 30004, 30005, 30006, 30008, 30100, 30101, and 30155 of the Streets and Highways Code, relating to toll bridges, subways, tunnels, tubes, ferries and highways.

Bill read third time.

Motion to Amend

Mr. Cloyed moved the adoption of the following amendment:

Amendment No. 1

On page 3 of the printed bill, as amended in the Assembly on June 12, 1951, strike out lines 1 and 2, inclusive, and insert "such ferry."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2502

Mr. Dolwig asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2502, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2502—An act to add Section 52.6 to the Unemployment Insurance Act, relating to the computation and payment of benefits.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2502?

Amendment No. 1

In line 5 of the printed bill, strike out "Any", and insert "On and after January 1, 1952 any".

Amendment No. 2

In line 11 of said bill, as amended, following the end of the sentence, insert "The provisions of this section shall not be applicable to the computation of an award for unemployment compensation disability benefits; however, the establishment of a valid claim for unemployment compensation disability benefits shall not constitute a valid claim for unemployment compensation benefits unless the claimant has sufficient wages to entitle the claimant to an award under the provisions of this section."

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Dolwig moved a call of the Assembly.

Motion carried. Time, 2.14 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brady, Brown, Burkhalter, Coats, Sam L. Collins, Davis, Dickey, Dunn, Evans, Gaffney, Geddes, Grunsky, Kirkwood, Lowrey, Lyon, McCarthy, McFall, McGee, Meyers, Moss, Rosenthal, Shaw, Sillman, Thomas, and Tomlinson—25.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Waters asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2942

Mr. George D. Collins asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2942, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2942—An act to amend Sections 472 and 586 of the Vehicle Code, relating to stopping, standing, or parking of vehicles.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2942?

Amendment No. 1

On page 2, line 35, of the printed bill, as amended in the Assembly on May 16, 1951, after "ordinance", insert "or resolution".

Amendment No. 2

On page 2, line 34, of the printed bill, as amended in the Senate on May 23, 1951, strike out all of subsection (k) to the end of said page.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2942 by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Smith, Stanley, Stewart, and Thomas—52.
NOES—None.

Assembly Bill No. 2942 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2943

Mr. George D. Collins asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2943, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2943—An act to amend Section 459 of the Vehicle Code, relative to the powers of local authorities to make rules and regulations concerning the regulation of traffic.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2943?

Amendment No. 1

On page 2, line 2, of the printed bill, as amended in the Assembly on May 16, 1951, strike out "Railroad", and insert "Public Utilities".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2943 by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Chapel, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, and Mr. Speaker—53.
NOES—None.

Assembly Bill No. 2943 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER GOVERNOR'S VETO TO ASSEMBLY BILL NO. 997

Mr. Grant asked for, and was granted, unanimous consent to consider the Governor's veto to Assembly Bill No. 997, temporarily passed on file.

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 997—An act to provide for the number and succession of judges in municipal court judicial districts in Los Angeles County.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 997 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—Chapel—1.
NOES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis,

Dickey, Dills, Dolwig, Doyle, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Henderson, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Stanley, Stewart, Thomas, and Mr. Speaker—55

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2252

Mr. Rumford asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2252, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2252—An act to amend Sections 29001, 29007, 29012, 29014, 29020, and 29021 of, and to add Sections 29003.5, 29003.6, 29015 and 29015.1 to, the Health and Safety Code, relating to dangerous drugs.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2252?

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in the Assembly on May 31, 1951, after "(h)", insert "and"; and after "(i)", strike out ", and (*l*)".

Amendment No. 2

On page 3, line 22, of said bill, as amended, after "Section", strike out "29015", and insert "29015.1"

Amendment No. 3

On page 3 of said bill, as amended, strike out lines 29 to 35, inclusive.

Amendment No. 4

On page 3, line 36, of said bill, as amended, strike out "8", and insert "7".

Amendment No. 5

On page 4, line 8, of said bill, as amended, strike out "9", and insert "8".

Amendment No. 6

In line 2 of the title of the printed bill, as amended in the Senate on June 13, 1951, strike out ", 29015".

Amendment No. 7

On page 3, line 24, of said bill, as amended, strike out "29015", and insert "29015.1".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2252 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Hinckley, Kilpatrick, Klocksiem, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, and Thomas—56.

NOES—None.

Assembly Bill No. 2252 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER GOVERNOR'S VETO TO ASSEMBLY BILL NO. 282

Mr. Stewart asked for, and was granted, unanimous consent to consider the Governor's veto to Assembly Bill No. 282, temporarily passed on file.

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 282—An act to add Sections 9518.1 and 9522.18 to the Business and Professional Code, relating to dry cleaning.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 282 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—Chapel—1.

NOES—Babbage, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kilpatrick, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, and Thomas—57.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1155

Mr. Lindsay asked for, and was granted unanimous consent to take up Senate Bill No. 1155, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 1155

Senate Bill No. 1155—An act to amend Section 28131 of the Government Code, relating to compensation for public services in counties of the thirty-first class.

Bill read third time.

Motion to Amend

Mr. Lindsay moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on May 24, 1951, before the comma, insert "and Section 431 of the Education Code".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 2 of said bill, between lines 8 and 9, insert

"SEC. 2. Section 431 of the Education Code is amended to read:

431. The annual salary of the county superintendent of schools of a county of the thirty-first class is [five thousand six hundred dollars ($5,600)] *seven thousand four hundred dollars ($7,400)*, and he shall possess a valid elementary or secondary administrative credential issued by the State Board of Education."

Amendment No. 3

On page 2, line 9, of said bill, strike out "SEC. 2.", and insert "SEC. 3."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

MOTION TO RESCIND ACTION ON APPROVAL OF JOURNAL FOR THURSDAY, JUNE 14TH

Mr. Brown moved to rescind the action whereby the Assembly, on Monday, June 18th, approved the Journal for Thursday, June 14th, as corrected by the Minute Clerk.

Mr. Clarke seconded the motion.

Motion carried.

MOTION TO RESCIND ACTION ON ADOPTION OF REPORT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 1771

Mr. Brown moved to rescind the action whereby the Assembly, on Thursday, June 14, adopted the report of the Committee on Conference concerning Assembly Bill No. 1771.

Motion carried by unanimous consent.

Assembly Bill No. 1771 ordered to the unfinished business file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 386—An act to amend Section 6060 and to add Section 6060.1 to the Business and Professions Code, relating to qualifications of applicants to the practice of law, and the accreditation of law schools in California.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hinckley, Kelly, Kilpatrick, Kloksiem, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, and Waters—62.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 544—An act to amend Section 103a of the Code of Civil Procedure, relating to justice court clerks.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kilpatrick, Kloksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, and Waters—59.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 545—An act to amend Section 103¾ of the Code of Civil Procedure, relating to clerks.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kilpatrick, Kloksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, and Waters—59.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 3165

Mr. Coats asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 3165, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 3165—An act to add Section 12516 to the Business and Professions Code, relating to weighing of livestock.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 3165?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 10, 1951, strike out lines 5 to 9, inclusive, and insert

"12516. Any person auctioning livestock for sale by weight shall locate the weighing device upon which said livestock is weighed so that during the weighing process the scale indications will be readily and clearly visible."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 3165 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hinckley, Hollibaugh, Kilpatrick, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Parker, Porter, Shaw, Sherwin, Smith, Stewart, Thomas, and Waters—59.

NOES—None.

Assembly Bill No. 3165 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1002—An act to add Section 6005 to the Penal Code, relating to trials of persons committed to the Youth Authority.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Doyle, Dunn, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Kilpatrick, Klocksiem, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Smith, Stanley, Thomas, and Waters—53

NOES—None.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 30—Relative to the need for materials for construction of additional school and college buildings in California.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem,

Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Munnell, Niehouse, Porter, Sherwin, Smith, Stanley, Stewart, Thomas, and Waters—58.

NOES—None.

Resolution ordered transmitted to the Senate.

Senate Concurrent Resolution No. 72—Relative to State Park System.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Kelly, Kilpatrick, Kloeksiem, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Niehouse, Parker, Porter, Rumford, Sherwin, Smith, Stanley, and Thomas—51.

NOES—None.

Resolution ordered transmitted to the Senate.

Senate Bill No. 295—An act to amend Section 990 of the Fish and Game Code, relating to commercial fishing licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kloeksiem, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, and Waters—67.

NOES—None.

Bill ordered transmitted to the Senate

ANNOUNCEMENT

Speaker pro Tempore Maloney announced that an Assistant Sergeant-at-Arms has been stationed at the door of the Rules Committee Room and that members will be sent for when their House resolutions are to be heard so they will not have to remain away from the floor for a long period of time.

RESOLUTIONS

The following resolution was offered:

By Mr. Sam L. Collins:

House Resolution No. 223

Resolved, That the Controller be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same.

The Pacific Telephone and Telegraph Company (tolls)	$670.45
The Pacific Telephone and Telegraph Company (service, equipment and tolls)	100 25
The Pacific Telephone and Telegraph Company (tolls)	52.60
Department of Finance (supplies)	86 53
Department of Finance (typewriter service)	3 68
Department of Finance (toll charges)	1 40
Cascade Towel Supply (towel service)	68.20
Clarke Water & Ice Company (drinking water)	7.91

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Hagen:

House Resolution No. 224

Relative to the creation of the Assembly Interim Committee on Ground Water Rights

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Ground Water Rights is hereby created and authorized and directed to ascertain, study and analyze all facts relating to rights to ground waters and the need for statutory adjudication of water rights and other legislation relating to such rights, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation

2. The committee shall consist of five Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the final legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of fifty thousand dollars ($50,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 105: By Mr. Cloyed—Relative to advertising by Dairy Industries Advisory Board.

Referred to Committee on Rules.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1820—An act to amend Section 25 of the Fish and Game Code, relating to the leasing of property and the establishment of fish breederies or hatcheries and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, and Waters—65.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, and Waters—65.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 149—An act to amend Section 2791 of the Elections Code, relating to state conventions of political parties.

Bill read third time.

Motion to Amend

Mr. Conrad moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on May 14, 1951, strike out lines 17 to 24, inclusive, and insert

"There shall be one additional delegate from each of the congressional districts in the State, to be selected as follows:

(j) Where the congressional district consists of one entire county, the delegate shall be the chairman of the county central committee.

(k) Where the congressional district consists of several entire counties, or of one or more entire counties and a part of one or more other counties, the delegate shall be elected by all the members of the county central committees of the party residing in the district. Each such committeeman shall have one vote and the person receiving the greatest number of votes shall be the delegate.

(l) Where there is more than one congressional district in a county, the chairman of the county central committee shall be the delegate from the congressional district in which he resides, and there shall be one delegate from each of the other congressional districts within the county to be elected by all the members of the county central committee residing in the district. Each such committeeman shall have one vote and the person receiving the greatest number of votes shall be the delegate."

Amendment read.

Roll Call Demanded

Messrs. Conrad, Hawkins, and Burke demanded a roll call.

The roll was called, and the amendment offered by Mr. Conrad to Assembly Bill No. 149 adopted by the following vote:

AYES—Babbage, Beck, Brady, Burke, Burkhalter, Cloyed, Collier, Condon, Conrad, Dills, Doyle, Elliott, Erwin, Fleury, Geddes, Grant, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Klocksiem, Lanterman, Lipscomb, Luckel, Maloney, McGee, Meyers, Morris, Sherwin, Smith, Stanley, Stewart, Thomas, and Waters—36

NOES—Belotti, Berry, Brown, Chapel, Clarke, Coats, George D. Collins, Connolly, Cooke, Davis, Dolwig, Dunn, Hagen, Kilpatrick, Lyon, McCollister, McFall, Munnell, and Rumford—19.

Bill ordered reprinted, and re-engrossed.

Senate Bill No. 298—An act to amend Section 1201.9 of the Fish and Game Code, relating to pheasant license tags.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kilpatrick, Lanterman, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, and Thomas—64.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 825

Mr. Rumford asked for, and was granted, unanimous consent to take up Senate Bill No. 825, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 825

Senate Bill No. 825—An act to amend Section 29026 of the Health and Safety Code, relating to hypnotic drugs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Lanterman, Lipscomb, Luckel, Lyon, Maloney, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, and Waters—63.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolutions were offered:

By Mr. Coats:

House Resolution No. 225

Relative to requesting the Joint Fact-Finding Committee on Highways, Streets and Bridges to study problems involved in construction of a bridge across the Feather River near the City of Live Oak

Resolved by the Assembly of the State of California, That the Joint Fact-Finding Committee on Highways, Streets and Bridges, or any other interim committee of the Legislature having duties similar to those indicated by the title of the above named committee, is requested to make a study, and report thereon to this Legislature, on or before the commencement of the 1953 Regular Session, regarding the problems involved in the construction of a bridge across the Feather River near the City of Live Oak, together with approaches and roads connecting such bridge with State Highway Routes Nos. 3 and 87, including such specific problems as:

1. The need for, and desirability of, such bridge.
2. The size and type of bridge needed to serve the anticipated traffic.
3. The best location for such bridge, its approaches and connecting roads.
4. The estimated cost of the construction of such bridge, approaches and roads
5. Possible means of financing the construction of such works through funds derived from Federal, State or local Governments or from other sources.
6. Prospects for inclusion of the route of such works in the State Highway System.
7. Any other problems involved in the construction or maintenance of such works.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Davis:

House Resolution No. 226

Relative to a study concerning establishing the Mount Shasta area as a state park, by Assembly Interim Committee on Public Lands, Grazing and Forest Practices

WHEREAS, The availability of lands for the expansion of recreational facilities for the people of the State is advisable; and

WHEREAS, Mount Shasta in Siskiyou County is the second highest mountain in California, and famed for its majestic beauty and scenery; and

WHEREAS, It is generally agreed that the area has phenomenal adaptability for year-round recreational activity; and

WHEREAS, The present ownership of the sections of land is checkerboarded among old land grants, public domain, and individuals, too complicated for co-ordinated recreational development of the area, and

WHEREAS, This situation deprives the people of the optimum benefits of the area; recreational development of the area would benefit the local population and tourists, as well as transportation enterprises; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Public Lands, Grazing and Forest Practices is hereby authorized and directed to ascertain, study and analyze all facts relating to the feasibility of establishing the Mount Shasta Area as a State Park, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly at the commencement of the 1953 General Session, including in the reports its recommendations for appropriate legislation

Resolution read, and ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP NOTICE OF MOTION TO RECONSIDER SENATE BILL NO. 806

Mr. Condon asked for, and was granted, unanimous consent to take up his notice of motion to reconsider Senate Bill No. 806, temporarily passed on file.

MOTION TO RECONSIDER SENATE BILL NO. 806

In compliance with a notice given on a previous day, Mr. Condon moved that the vote whereby Senate Bill No. 806 was passed be reconsidered.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Condon moved a call of the Assembly.

Motion carried. Time, 3.14 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Sam L. Collins, Connolly, Crowley, Dickey, Dills, Gubser, Hahn, Kirkwood, Levering, Lindsay, McCarthy, Moss, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stewart, and Tomlinson—20.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Kelly asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1198—An act to amend Section 205 of, and to add Chapter 3 to Division 2 of Part 7 of, the Labor Code, relating to labor contractors.

Bill read third time.

Motion to Amend

Mr. Clarke moved the adoption of the following amendments:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on June 7, 1951, strike out "Division 2 of Part 6", and insert "Part 6 of Division 2".

Amendment No. 2

On page 1, line 18, of said bill, strike out "Division 2 of Part 6 of", and insert "Part 6 of Division 2 of".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1085—An act to amend Sections 65131 and 65270 of the Government Code, relating to conservation and planning.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem, Lanterman, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Munnell, Parker, Porter, Rumford, Stanley, Thomas, and Waters—53.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 465—An act to amend Chapter 8 of Division 10 of the Education Code, relating to establishing 24-hour schools to be known as California academies for dependent, neglected, and homeless children who require special care and supervision, and providing for the government and administration thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Gaffney, Geddes, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Parker, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, and Waters—51.

NOES—Babbage, Lowrey, Luckel, and McFall—4.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 92

Mr. Fleury asked for, and was granted unanimous consent to take up Senate Concurrent Resolution No. 92, out of order.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 92

Senate Concurrent Resolution No. 92—Relative to Santa Barbara Convention of Fraternal Order of Eagles.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, and Waters—61.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 639

Mr. Gaffney asked for, and was granted unanimous consent to take up Senate Bill No. 639, temporarily passed on file, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 639

Senate Bill No. 639—An act to amend Sections 4, 5, and 6 of the City Carriers' Act and Sections 3631, 3632, and 3634 of the Public Utilities Code, relating to city carriers.

Bill read third time.

Motion to Amend

Mr. Grunsky moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 9, of the printed bill, as amended in the Senate on April 30, 1951, strike out "twenty-five", and insert "ten".

Amendment No. 2

On page 1, line 10, of said bill, strike out "($25,000)", and insert "($10,000)".

Amendment No. 3

On page 1, line 14, of said bill, strike out "fifty thousand dollars ($50,000)", and insert "twenty thousand dollars ($20,000)".

Amendment No. 4

On page 1, line 15, of said bill, strike out "ten thousand dollars ($10,000)", and insert "five thousand dollars ($5,000)".

Amendment No. 5

On page 2, line 30, of said bill, strike out "twenty-five", and insert "ten".

Amendment No. 6

On page 2, line 31, of said bill, strike out "($25,000)", and insert "($10,000)"

Amendment No. 7

On page 2, line 35, of said bill, strike out "fifty", and insert "twenty"

Amendment No. 8

On page 2, line 36, of said bill, strike out "($50,000)", and insert "($20,000)"

Amendment No. 9

On page 2, line 37, of said bill, strike out "ten thousand dollars ($10,000)", and insert "five thousand dollars ($5,000)"

Amendments read.

Roll Call Demanded

Messrs. Gaffney, Davis, and Grunsky demanded a roll call.

The roll was called, and the amendments offered by Mr. Grunsky to Senate Bill No. 639 adopted by the following vote:

AYES—Babbage, Burke, Caldecott, Clarke, Cloyed, Collier, Connolly, Conrad, Dolwig, Doyle, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Luckel, Lyon, McCollister, McFall, McGee, Morris, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters—37.

NOES—Beck, Berry, Burkhalter, George D. Collins, Condon, Cooke, Davis, Dunn, Elliott, Gaffney, Lowrey, Meyers, Munnell, Niehouse, Parker, Porter, Shaw, and Thomas—18.

Request for Unanimous Consent That All Amendments at Desk Be Considered Before Senate Bill No. 639 Is Reprinted

Messrs. Grunsky and Gaffney asked for, and were granted, unanimous consent that all proposed amendments pending at the desk be considered prior to sending Senate Bill No. 639 to be reprinted.

Consideration of Further Amendments to Senate Bill No. 639
Motion to Amend

Mr. Grunsky moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on April 30, 1951, after "Act", insert ", Section 12 of the Household Goods Carriers Act,".

Amendment No. 2

In line 2 of the title of said bill, strike out "and 3634", and insert "3634, and 5161".

Amendment No. 3

In line 3 of the title of said bill, strike out "City".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 4

On page 2 of said bill, between lines 21 and 22, insert

"SEC. 3.5. Section 12 of the Household Goods Carriers Act is amended to read:

Sec. 12. The commission shall, in granting permits pursuant to this act, require the household goods carrier to procure, and continue in effect during the life of the permit, adequate protection, against liability imposed by law upon the carrier for the payment of damages for personal bodily injuries, including death resulting therefrom, in the amount of not less than [twenty-five] *ten* thousand dollars [($25,000)] *($10,000)* on account of bodily injuries to, or death of, one person; and protection against a total liability of the household goods carrier on account of bodily injuries to, or death of, more than one person, as a result of any one accident, in the amount of not less than [fifty] *twenty* thousand dollars [($50,000)] *($20,000)*; and protection in an amount of not less than [ten] *five* thousand dollars [($10,000)] *($5,000)* for one accident resulting in damage or destruction of property whether the property of one, or more than one claimant.

The commission may, upon its own motion or upon the application of any interested party, and after hearing, require any household goods carrier to procure and maintain cargo insurance in such amounts and upon such terms as the commission may determine.

The protection required under this section shall be evidenced by the deposit with the commission covering each vehicle used or to be used under the permit applied for,

(1) Of a policy or policies of insurance, issued by a company licensed to write such insurance in the State; or

(2) Of a bond of a surety company licensed to write surety bonds in the State.

With the consent of the commission a copy of an insurance policy, certified by the company issuing it to be a true copy of the original policy, or a photostatic copy thereof, or an abstract of the provisions of the policy, or a certificate of insurance issued by the company issuing the policy, may be filed with the commission in lieu of the original or a duplicate or counterpart of the policy.

The protection against liability shall be continued in effect during the active life of the permit. The policy of insurance or surety bond shall not be cancelable on less than thirty (30) days written notice to the commission.

The commission may establish such rules as are necessary to enforce this section."

Amendment No. 5

On page 3 of said bill, between lines 27 and 28, insert

"SEC. 6.5. Section 5161 of said code is amended to read:

5161. The commission shall, in granting permits pursuant to this chapter, require the household goods carrier to procure, and continue in effect during the life of the permit, adequate protection, against liability imposed by law upon the carrier for the payment of damages for personal bodily injuries, including death resulting therefrom, in the amount of not less than [twenty-five] *ten* thousand dollars [($25,000)] *($10,000)* on account of bodily injuries to, or death of, one person; and protection against a total liability of the household goods carrier on account of bodily injuries to, or death of, more than one person, as a result of any one accident, in the amount of not less than [fifty] *twenty* thousand dollars [($50,000)] *($20,000)*; and protection in an amount of not less than [ten] *five* thousand dollars [($10,000)] *($5,000)* for one accident resulting in damage or destruction of property whether the property of one, or more than one claimant.

The commission may, upon its own motion or upon the application of any interested party, and after hearing, require any household goods carrier to procure and maintain cargo insurance in such amounts and upon such terms as the commission may determine."

Amendment No. 6

On page 3, line 28, of said bill, strike out "and 6", and insert "6, and 6.5".

Amendment No. 7

On page 3, line 32, of said bill, after "Act", insert "and Section 12 of the Household Goods Carriers Act".

Amendments read, and adopted

Bill ordered reprinted, and to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 13—An act to amend Section 28151 of the Government Code, relating to compensation for public service in counties of the fifty-first class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Smith, Stanley, Thomas, Tomlinson, and Waters—64.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 3.50 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

RESOLUTIONS

The following resolutions were offered:

By Mr. Davis:

House Resolution No. 227

Relative to directing the Assembly Interim Committee on Governmental Efficiency and Economy to undertake an investigation

WHEREAS, It appears from complaints received by various Members of the Assembly from their constituents that the present system of licensing automobiles is expensive, cumbersome and inefficient; and

WHEREAS, A study and survey should be made to determine the feasibility of permanent license plates, of improved methods of bookkeeping and machine indexing, and of revising license plates to reduce the number of characters thereon in an effort to simplify the present numbering system; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Governmental Efficiency and Economy be and is directed to investigate the present auto license system so as to effect reforms therein leading to greater simplicity, greater efficiency, and less expense

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Lanterman:

House Resolution No. 228

Relative to noncertificated public school employees

WHEREAS, It is in the best interests of the Educational System of this State that a practicable maximum percentage of public school employees be fully certificated in the positions they fill; and

WHEREAS, A clear picture of the present situation in this State would be of aid to the Legislature; now, therefore be it

Resolved by the Assembly of the State of California, That the Director of Education and the Board of Education are hereby requested to make a survey to determine the ratio of certificated to noncertificated employees in the Public School System; and be it further

Resolved, That a report of this survey be made, together with any explanation deemed necessary to the Assembly at the beginning of the 1953 General Session; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the Director of Education and to the members of the Board of Education.

Resolution read, and ordered referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 290—An act to add Sections 9540.5, 9540.51, 9540.52, 9540.53, 9540.54, and 9540.55 to the Business and Professions Code, relating to the issuance of licenses by the State Board of Dry Cleaners;

Assembly Bill No. 676—An act to amend Section 67 of, and to repeal Section 39.1 of, and add a new Section 39.1 to, the Unemployment Insurance Act of the State of California, relating to unemployment insurance;

Assembly Bill No. 682—An act to amend Section 20831 of, and to add Sections 20831.1, 20834.1, and 20834.2 to, the Government Code, relating to the State Employees' Retirement System in respect to credit for prior service,

And reports that the same have been correctly enrolled, and presented to the Governor on the nineteenth day of June, 1951, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 971—An act to repeal Sections 241 and 242 of, and to add Sections 241 and 242 to, the Code of Civil Procedure, relating to grand jurors;

Assembly Bill No. 1097—An act to amend Sections 18523, 18801, and 19052 of the Government Code and to repeal Sections 18523.5, 18802.5, and 19052.5 to said code, relating to classes and grades in the state civil service;

Assembly Bill No. 1201—An act to amend Section 1506 of the Penal Code, relating to appeals in habeas corpus cases;

And reports that the same have been correctly enrolled, and presented to the Governor on the nineteenth day of June, 1951, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1228—An act to amend Sections 9541 and 9542 of the Business and Professions Code, relating to licensing by the State Board of Dry Cleaners;

Assembly Bill No. 1231—An act to amend Section 9580 of the Business and Professions Code, relating to fees collected by the State Board of Dry Cleaners;

Assembly Bill No. 1233—An act to amend Section 9594 of the Business and Professions Code, relating to licenses and registration certificates of the State Board of Dry Cleaners;

And reports that the same have been correctly enrolled, and presented to the Governor on the nineteenth day of June, 1951, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 1237—An act to amend Section 9512 of the Business and Professions Code, relating to regulation by the State Board of Dry Cleaners,

Assembly Bill No. 1238—An act to amend Section 9533 of the Business and Professions Code, relating to the State Board of Dry Cleaners;

Assembly Bill No. 1239—An act to amend Section 9540 of the Business and Professions Code, relating to regulation by the State Board of Dry Cleaners;

And reports that the same have been correctly enrolled, and presented to the Governor on the nineteenth day of June, 1951, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1265—An act to amend the heading of Article 5 of Chapter 1, Part 3, Division 11, and Section 21188, of the Water Code, relating to deputies and employees of irrigation districts;

Assembly Bill No. 1267—An act to add Section 21190 to the Water Code, relating to deputies and employees of irrigation districts;

Assembly Bill No. 1579—An act to amend Section 4032 of the Business and Professions Code, relating to the sale of drugs, chemicals and medicines;

And reports that the same have been correctly enrolled, and presented to the Governor on the nineteenth day of June, 1951, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1633—An act to amend Sections 51440 and 51441, and to repeal Sections 50915, 51442, 51443, 51444, and 51445, of the Water Code, relating to reclamation districts;

Assembly Bill No. 1634—An act to amend Section 51686 of, and to add Section 51685.5 to, the Water Code, relating to reclamation districts;

Assembly Bill No. 1731—An act to amend Sections 18 and 20 of the State Water Resources Act of 1945, relating to state assistance on flood control projects;

And reports that the same have been correctly enrolled, and presented to the Governor on the nineteenth day of June, 1951, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1783—An act to amend Section 6 of the Judges' Retirement Act, relating to assignment of retired judges;

Assembly Bill No. 1996—An act to amend Section 54900 of the Government Code, relating to the filing of a statement of a change in boundaries or the creation of a city or district;

Assembly Bill No. 2286—An act to amend Section 28155 of the Government Code, relating to compensation for public services in counties of the fifty-fifth class;

And reports that the same have been correctly enrolled, and presented to the Governor on the nineteenth day of June, 1951, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2449—An act to authorize the exchange by the State Park Commission, with the approval of the Director of Finance, of certain real property in the County of San Mateo;

Assembly Bill No. 2577—An act to amend Section 20045 of the Water Code, relating to certification of bond issues;

Assembly Bill No. 2621—An act to repeal an act entitled "An act providing for the incorporation of public utility districts by municipalities and unincorporated territory, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts, and imposing certain duties and functions in connection with such districts upon certain county officers," approved May 27, 1915;

And reports that the same have been correctly enrolled, and presented to the Governor on the nineteenth day of June, 1951, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2622—An act to repeal an act entitled "An act to provide for the incorporation and organization of public utility districts, authorizing such districts to incur bonded indebtedness for the purpose of the construction of works and the acquisition of property, and to levy and collect taxes to pay the principal and interest on bonds and for carrying on their operations, and providing for the powers, management and government of such districts," approved June 5, 1913;

Assembly Bill No. 2719—An act to regulate the parking of vehicles by the operators of off-street parking facilities;

Assembly Bill No. 3239—An act to amend Section 31526 of the Government Code, relating to retirement of county employees;

And reports that the same have been correctly enrolled, and presented to the Governor on the nineteenth day of June, 1951, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3411—An act to add Section 25465 to the Government Code, relating to contracts for public works,

Assembly Bill No. 3418—An act to amend Section 28124 of the Government Code, relating to compensation for public service in counties of the twenty-fourth class;

Assembly Bill No. 3446—An act to amend Sections 2, 5 and 6 of the Alcoholic Beverage Control Act, relating to alcoholic beverages and licenses of wine brokers;

And reports that the same have been correctly enrolled, and presented to the Governor on the nineteenth day of June, 1951, at 3 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 88—Relative to directing the Public Utilities Commission to apportion the costs for the construction of a certain grade separation on Los Feliz Boulevard in Los Angeles County;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the nineteenth day of June, 1951, at 3 p.m.

BURKE, Chairman

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP NOTICE OF MOTION TO AMEND STANDING RULES

Mr. Kirkwood asked for, and was granted unanimous consent to take up his notice of motion to amend the Standing Rules, temporarily passed on file.

MOTION TO AMEND STANDING RULES OF THE ASSEMBLY

In compliance with a notice given on a previous day, Mr. Kirkwood moved that the Standing Rules of the Assembly be amended, and that Rule No. 11 of the Standing Rules be amended to read:

"Duties of the Speaker Pro Tempore

11 The Speaker pro Tempore shall have the powers and perform the duties of the Speaker during his absence. *He shall, ex officio, be a member of the Committee on Rules and shall act as chairman thereof in the absence of the Speaker, but shall have no right to vote on any matter before said committee except that he shall have the right to vote when the Speaker is absent.*"

The roll was called, and the motion carried by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, McCarthy, McCollister, McFall, Meyers, Morris, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—65.

NOES—None.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2502

At 3 52 p.m., on motion of Mr. Dolwig, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2502 by the following vote:

AYES—Babbage, Belotti, Brady, Burke, Caldecott, Clarke, Cloyed, Collier, Connolly, Conrad, Dolwig, Erwin, Evans, Fleury, Geddes, Grant, Gubser, Hahn, Hansen, Hinckley, Kelly, Kirkwood, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Lyon, McCarthy, McCollister, McGee, Meyers, Morris, Porter, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr Speaker—42.

NOES—Beck, Berry, Burkhalter, Chapel, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Doyle, Dunn, Elliott, Gaffney, Hagen, Hawkins, Henderson, Hollibaugh, Kilpatrick, Klocksiem, Luckel, Maloney, McMillan, Munnell, Niehouse, Parker, Rosenthal, Rumford, and Thomas—29.

Assembly Bill No. 2502 ordered enrolled.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO RECONSIDER SENATE BILL NO. 806

At 3.57 p m., on motion of Mr. Condon, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 806 refused reconsideration by the following vote:

AYES—Beck, Berry Brady, Brown, Coats, George D. Collins, Condon, Cooke, Davis, Dunn, Elliott, Evans, Gaffney, Geddes, Hawkins, Henderson, Hollibaugh, Kilpatrick, Lanterman, Lowrey, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Munnell, Parker, and Thomas—29

NOES—Babbage, Belotti, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Dolwig, Doyle, Erwin, Fleury, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Luckel, Lyon, Morris, Niehouse, Rumford, Shaw, Stanley, and Waters—36.

COMMUNICATIONS

By the Chief Clerk:

A communication from the Independent Practical Nurses, Los Angeles, urging defeat of Senate Bill No. 1625, was received, and ordered filed with the Secretary of State.

By Speaker Sam L. Collins:

The following resolution was received, read, and ordered printed in the Journal:

CALIFORNIA STATE BOARD OF AGRICULTURE
SACRAMENTO

Resolution

RE: Continuing Joint Legislative Committee on Agriculture and Livestock Problems

WHEREAS, The agriculture and livestock industries of California have, during the past six years, benefited immeasurably from the wise counsel and diligent assistance given by the Joint Legislative Committee on Agriculture and Livestock Problems on many important features requiring legislation directed toward solving the difficulties involved after careful and unbiased analysis on subjects such as: Revision of hide and brand laws; codification of dairy laws; reasonable regulation of custom application of injurious pest control materials; uniformity in procedures governing agricultural pest control operators both through use of aircraft and ground equipment; sound program for agricultural research; progressive measures establishing responsibility of farm labor contractors, etc.; and

WHEREAS, The aforesaid committee has been cognizant of the serious threat to the State's crop and animal production through the menace of Oriental fruit fly and other fruit flies from Hawaii and foot-and-mouth disease from Mexico, resulting in published reviews pertinent to each of these situations, including valuable recommendations for cooperative action by Federal, State, and local governmental agencies to prevent the introduction into and the spread within California; and

WHEREAS, The issuance of timely reports on plant parasitic nematodes; egg marketing; farm labor; beet leafhopper suppression; milk control law questions; etc., has been the means of advising producers of methods for coping with such problems with or without legislation or financial support from the State; and

WHEREAS, Recognizable savings of state funds through basic recommendations have resulted from the interest of committee members in studying the needs of agricultural educational plants supported by funds allocable by the Legislature and in reviewing the propriety of institutional farm structures and equipment; now, therefore, be it

Recommended by the California State Board of Agriculture, meeting at Sacramento, California, on June 18, 1951, That the Joint Legislative Committee on Agriculture and Livestock Problems be continued in order that government, the farming industry of California, and the management, business, and labor generally associated directly or indirectly with our agricultural economy may obtain such comparable aid in the future.

Respectfully submitted.

W. C. JACOBSON, Secretary

REQUEST FOR UNANIMOUS CONSENT THAT SENATE BILL NO. 783 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Fleury asked for, and was granted, unanimous consent that Senate Bill No. 783 be withdrawn from the Committee on Governmental Efficiency and Economy, and be re-referred to the Committee on Judiciary.

ANNOUNCEMENT

Mr. Grant announced a meeting of the Los Angeles Delegation at his desk upon adjournment.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

Mr. Geddes asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Finance and Insurance in Room 435, at 8 p.m., tonight.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 4.10 p.m.—

Rules, in Lounge.

At 7 p.m.—

Revenue and Taxation—Subject: Senate Bill No. 919, in Room 3186.

At 8 p.m.—

Fish and Game, in Room 3184.
Finance and Insurance, in Room 435.
Judiciary, in Room 2170.

Today Upon Adjournment—

Ways and Means, in Room 435.
Agriculture, in Room 2170.
Public Health, in Room 3184.
Legislative Representation, in Room 319.
Industrial Relations, at desk of Mr. Levering.
Social Welfare, in Room 430.
Boards and Commissions, in Room 426.
Transportation and Commerce, in Room 432.

It was announced that the following committee would hold no meeting today:

Elections and Reapportionment.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED IN JOURNAL

Mr. Morris asked for, and was granted, unanimous consent that a letter of transmittal and Report of the California State Assembly Committee on "State-Federal Cooperation In The Discovery, Production, Transportation, Refining, and Use of Petroleum" was ordered printed in the Journal, in 10 point type.

(Above mentioned letter of transmittal and report will appear at an early date.)

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED AS SEPARATE DOCUMENT

Mr. Morris asked for, and was granted, unanimous consent that the above mentioned letter of transmittal and report be printed, as a separate document, and that 200 copies be printed.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Messrs. Brady, Moss, Fleury, and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Georgeann Riordan, Mary Riordan, and Mary Louise Mitchell of San Francisco.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Mrs Leona Mullins, Mrs. Beryl Russell, and Mrs. Della Porter of Sacramento.

On request of Mr. Lyon, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Paula Butler of Beverly Hills, and Mrs. Leatha Mantzouranis and Mrs. Dorothy Bardue of Sacramento.

On request of Mr. Rumford, the usual courtesies of the Assembly for this day were unanimously extended to Mayor and Mrs. Clifford Risshell of Oakland.

On request of Mr. McGee, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. George Bennett of Los Angeles.

On request of Mr. Waters, the usual courtesies of the Assembly for this day were unanimously extended to Dr. Wilbert L. Hindman, chairman of the Department of Political Science, University of Southern California, and the following group of West German Government officials and trainees: Miss Wendi von Neurath, Dr. Gerhard Huber, Dr. Richard Sturm, Alexander von Lengerke, Hans Spitznagel, Peter Pfefferkorn, and Henry Meinken.

On request of Mr. Kelly, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Ida Fay Farrell, Velma Farrell, Lee Farrell, and Mrs. Fay Collins of Bakersfield.

ADJOURNMENT

At 4.05 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Wednesday, June 20, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

EIGHTY-FIFTH LEGISLATIVE DAY

ONE HUNDRED SEVENTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, June 20, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—79.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

We thank Thee for this new day and every blessing that comes with it Teach us love, understanding, self-control and all the virtues that are offered to enrich our lives and promote human happiness.

"I would be friend of all—the foe, the friendless,
I would be giving and forget the gift;
I would be humble, for I know my weakness;
I would look up, and laugh, and love, and lift"—

AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Hollibaugh, further reading of the Journal of the previous legislative day was dispensed with

REPORTS OF STANDING COMMITTEES

Committee on Boards and Commissions

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER. Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 3447

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McMILLAN, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 3447—An act to amend Section 18622 of the Business and Professions Code, relating to boxing and wrestling matches.

Bill read second time, and ordered engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Boards and Commissions

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred.

Senate Bill No. 1545

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McMILLAN, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 1545—An act to amend Section 17 of the Alcoholic Beverage Control Act, relating to alcoholic beverage licenses.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Boards and Commissions

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which were referred:

Senate Bill No. 1544
Senate Bill No 1637
Senate Bill No 1639

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

McMILLAN, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 1544—An act to add Section 7.1 to the Alcoholic Beverage Control Act, relating to transfer of licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Boards and Commissions:

Amendment No. 1

On page 1, line 11, of the printed bill, after "located" strike out the period, and insert "by the landlord within 10 days after issuance of the license to the tenant by the board."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1637—An act to provide for the interchangeable use of single-trip beer cartons and to add Section 53.5 to the Alcoholic Beverage Control Act, relating to use of cartons.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Boards and Commissions:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Senate on June 15, 1951, strike out "53 5", and insert "53.55".

Amendment No. 2

On page 1, line 1, of said bill, strike out "53.5", and insert "53.55".

Amendment No. 3

On page 1, line 3, of said bill, strike out "53.5", and insert "53.55".

Amendment No. 4

On page 1, line 18, of said bill, strike out "band", and insert "brand".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1639—An act to amend Section 7.2 of the Alcoholic Beverage Control Act, relating to license transfers and escrows.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Boards and Commissions:

Amendment No. 1

On page 1, Section 1, line 22, of the printed bill, as amended in the Senate on May 28, 1951, strike out "some authorized", and insert "a bank, trust company, building and loan or savings and loan association, insurance company, title company, escrow agent, attorney at law, or some other authorized".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which were referred:

Senate Bill No. 949
Senate Bill No. 1093

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

NIEHOUSE, Chairman

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 949—An act to repeal Sections 1510, 1511, and 1512 of the Welfare and Institutions Code, and to add Sections 1510, 1511, 1511.3, 1511.5, 1511.7, and 1512 thereto, relating to aid to needy children, in respect to the amount of aid.

Bill read second time, and ordered re-referred to the Committee on Ways and Means.

Senate Bill No. 1093—An act to amend Sections 1510, 1512, and 1554 of the Welfare and Institutions Code, relating to aid to needy children, and making an appropriation.

Bill read second time, and ordered re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Senate Bill No. 1048
Senate Bill No. 1493
Senate Bill No 1609

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 1048—An act to amend Section 4660 of the Labor Code, relating to the percentages of permanent disability, including a schedule for the determination of such percentages.

Bill read second time, and ordered to third reading.

Senate Bill No. 1493—An act to add Section 451.1 to the Unemployment Insurance Act, relating to disability payments.

Bill read second time, and ordered to third reading.

Senate Bill No. 1609—An act to amend Section 111 to the Labor Code, relating to workmen's compensation.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Senate Bill No. 77

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

GEDDES, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 77—An act to amend Section 11622 of the Insurance Code, relating to insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 2, line 2, of the printed bill, as amended in the Senate on June 7, 1951, strike out "or in"; and strike out all of line 3.

Amendment No. 2

On page 2, line 5, of said bill, as amended, after the comma and before "but", insert "*or in such minimum amounts as are necessary to provide exemption from the security requirements of Section 420 of the Vehicle Code or for which proof of ability to respond in damages or adequate protection against liability is otherwise required by law,*".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Senate Bill No. 1828

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CONNOLLY, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 1828—An act to amend Sections 11512.2 and 11512.3 of, and to add Section 11512.25 to the Insurance Code, relating to nonprofit hospital service plans.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Senate Bill No. 2

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and re-refer to Committee on Ways and Means.

LUCKEL, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 2—An act to amend Section 356 of the Streets and Highways Code, relating to state highways.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 11, of the printed bill, after "Valley", insert "; provided, however, that Section 600 of this code shall be applicable to those portions of said route added to the State Highway System by this section, the same as if said portions had been added by the Collier-Burns Highway Act of 1947, and the Department of Public Works shall not be required to maintain any such portion, or portions, of said route until the same has been laid out and constructed as a state highway."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Senate Bill No. 116
Senate Bill No. 847

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

LUCKEL, Chairman

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 116—An act to amend Sections 270 and 278 of the Vehicle Code, relating to operators' and chauffeurs' licenses.

Bill read second time, and ordered re-referred to the Committee on Ways and Means.

Senate Bill No. 847—An act to amend Section 496 of the Streets and Highways Code, relating to the State Highway System.

Bill read second time, and ordered re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Senate Bill No. 736

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CLARKE, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 736—An act to amend Section 810.5 of the Agricultural Code, relating to asparagus standards.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

On page 4, lines 3 and 4, of the printed bill, as amended in the Senate on June 16, 1951, strike out "eight-sixteenths", and insert "over nine-sixteenths".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Senate Bill No. 776
Senate Bill No. 1133
Senate Bill No. 1456
Senate Bill No. 1536

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 776—An act to amend Section 9132 of the Public Resources Code, relating to soil conservation.

Bill read second time, and ordered to third reading.

Senate Bill No. 1133—An act to amend Sections 50121, 50123, 50124, 50126, and 50128, and to repeal Sections 50122 and 50125, of the Water Code, relating to reclamation districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 1456—An act to amend Section 1300.12 of the Agricultural Code, relating to marketing of agricultural commodities.

Bill read second time, and ordered to third reading.

Senate Bill No. 1536—An act to amend Section 1300.1 of the Agricultural Code, relating to processors of agricultural products and their agents.

Bill read second time, and ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day adopted, as amended:

Assembly Joint Resolution No. 40

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 712

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 782
Assembly Bill No. 914

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 175
Assembly Bill No. 296
Assembly Bill No. 454
Assembly Bill No. 634
Assembly Bill No. 654
Assembly Bill No. 741
Assembly Bill No. 766
Assembly Bill No. 894
Assembly Bill No. 1118
Assembly Bill No. 1153
Assembly Bill No. 1365
Assembly Bill No. 1366
Assembly Bill No. 1368
Assembly Bill No. 1466
Assembly Bill No. 1561
Assembly Bill No. 1694
Assembly Bill No. 1746
Assembly Bill No. 1784
Assembly Bill No. 1937
Assembly Bill No. 1991
Assembly Bill No. 2134
Assembly Bill No. 2281
Assembly Bill No. 2283
Assembly Bill No. 2300
Assembly Bill No. 2384
Assembly Bill No. 2571
Assembly Bill No. 2947
Assembly Bill No. 3189
Assembly Bill No. 3245

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this passed, as amended.

Assembly Bill No. 249
Assembly Bill No. 592
Assembly Bill No. 594
Assembly Bill No. 751
Assembly Bill No. 981
Assembly Bill No. 1121
Assembly Bill No. 1232
Assembly Bill No. 1371
Assembly Bill No. 1389
Assembly Bill No. 1390
Assembly Bill No. 1490
Assembly Bill No. 1582
Assembly Bill No. 1744
Assembly Bill No. 2011
Assembly Bill No. 2140
Assembly Bill No. 2299
Assembly Bill No. 2484
Assembly Bill No. 3390
Assembly Bill No. 3422
Assembly Bill No 3450
Assembly Constitutional Amendment No. 40

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 96

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Watson, James E. Cunningham, and Williams as a Committee on Conference concerning:

Assembly Bill No. 1474—An act providing for the constitution of the municipal court in a district embracing the Cities of Anaheim, La Habra, Brea, Placentia and Fullerton, and prescribing the number and compensation of the judges, officers and attaches thereof.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

RESOLUTIONS

The following resolution was offered:

By Mr. Lyon:

House Resolution No. 229

Relative to the study of the administration and financing of highways, streets, and bridges by the Assembly Interim Committee on Revenue and Taxation

WHEREAS, The public highways, streets, and bridges of the State are useful, necessary, and indispensable arteries of travel and commerce and have been constructed and improved at great public expense; and

WHEREAS, The State, in providing highway, road, and street facilities, is in effect managing and financing a full-scale transportation system, costing the highway users and taxpayers of the State in excess of $200,000,000 annually; and

WHEREAS, Pavements and other highway improvements are not permanent but must be rebuilt, resurfaced, expanded, and modernized both to maintain and improve the existing facilities and to meet changing economic and industrial conditions, and

WHEREAS, The Legislature is responsible to the people as a whole for the imposition of taxes levied to support state highway, county road, and city street programs and in discharging this responsibility cannot be indifferent to the inefficient use of tax resources, but it appears possible that less diligence is presently exercised over expenditures of state-collected highway-user taxes by the State, the counties, and the cities than is exercised over the expenditure of other tax moneys because such expenditures do not directly affect the General Fund of the State or the tax rates of local government; and

WHEREAS, The Department of Public Works has reported to the Legislature that the cost of improving the state highways alone to standards adequate for 1950 traffic conditions is estimated in excess of three billion dollars, but only 1.4 billion dollars will be available for construction in the next 10 years; and

WHEREAS, The cost of acquiring rights of way and the limitation of access has risen to alarming proportions and appears to be continuing to rise, and the reasons for the increasing costs should be ascertained and the wisdom of limited access construction under certain conditions, should be reviewed by the Legislature; and

WHEREAS, Serious criticisms have arisen from time to time with respect to the advisability of constructing freeways in metropolitan areas where parking problems are not being solved and mass transit is not being improved; and

WHEREAS, The Legislature in its 1951 Regular Session considered alternative plans of financing an accelerated state highway construction and right-of-way acquisition program but it appeared that further study should be given to all aspects of California's highway problems, including an appraisal of the efficiency and effectiveness with which state-collected highway-user tax funds are now being expended by all agencies of government to which such funds are entrusted; and

WHEREAS, The Senate Interim Committee on Highways, Streets, and Bridges, created by Senate Resolution 129 in the 1949 Regular Session of the Legislature, during the course of its inquiries found that several counties were apparently failing to comply with the spirit, if not the letter, of the Highway Act of 1947 with respect to county road administration, and, it, therefore, appears that the Legislature should have additional information on this subject in view of the fact that almost $50,000,000 is apportioned annually by the State to counties for road purposes; and

WHEREAS, The State Controller is annually collecting data on county road and city street finance as required by the Highway Act of 1947 and such information should be carefully digested and evaluated for the use of the Legislature in considering legislation dealing with county road and city street affairs; and

WHEREAS, Expenditures by the Department of Motor Vehicles and the Department of the Highway Patrol are directly supported by taxes collected from highway users and such expenditures directly reduce the amount of funds available for highways and, therefore, should be investigated by the Legislature in view of the apparent need for additional revenue; and

WHEREAS, The Legislature is faced with difficult problems of cost allocation in devising just and reasonable taxes for highway support, which problems have not been fully solved particularly with respect to the equitable taxation of heavy commercial vehicles although alternative solutions have been considered, and, therefore, further study is necessary in this connection; and

WHEREAS, Additional and more comprehensive data regarding the operating characteristics of various classes of motor vehicles, including such factors as annual vehicle mileages, average fuel consumption, loaded and empty vehicle weights, and the like, are indispensable to the formation of a reasonable and equitable system of highway-user taxation and, therefore, should be collected, analyzed, and made available to the Legislature; and

WHEREAS, No one of the administrative agencies of the State Government is so constituted that it can consider and advise the Legislature on all aspects of highway, road, and street management and finance, and, therefore, the Legislature finds a lack of complete and coordinated information on over-all highway problems; and

WHEREAS, The entire problem of proper maintenance, development, and financing of the highways, streets, and bridges requires continued study, investigation, vigilance, and exercise of foresight on the part of the Legislature to insure that the money of the people of California is wisely expended, that modern and efficient methods are employed, that existing facilities are maintained, and that reasonable measures consistent with efficiency and economy are being taken to maintain, improve, and make safe the arteries of vehicular travel of the State; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Revenue and Taxation is hereby authorized and directed to ascertain, study, and analyze all facts relating to and in any way connected with the maintenance and development of safe, efficient, economical, and adequate highways, streets, and bridges and the administration and financing thereof, including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee is further specifically authorized and directed to collect by questionnaires, direct investigation, or otherwise, all such information from the owners and operators of motor vehicles on the highways, roads, and streets of this State as it deems necessary in order to formulate a reasonable and equitable system of highway-user taxation for all classes of motor vehicle operation and to carry out the other purposes for which it is created.

3. The committee is further and specifically directed, without any limitation on its other powers, to ascertain, study and analyze all facts relating to the following:

(a) California's highway, road, and street needs, including an appraisal of the 1951 deficiency report made by the Department of Public Works and the criteria adopted in the preparation of that report;

(b) The efficiency and effectiveness of state highway, county road, and city street expenditures, including a determination of whether unnecessary, wasteful, or extravagant expenditures have been or are being made by any agency of government;

(c) Budgetary practices relating to highways, roads, and streets of the State, counties, and cities, including expenditure programs of the Motor Vehicle Department and the Department of the Highway Patrol;

(d) The effectiveness and efficiency of present administrative arrangements pertaining to highways, roads, and streets;

(e) The effectiveness of present policies of the State Department of Public Works with respect to advance planning of highway construction and the advance acquisition of rights-of-way;

(f) The costs and economic effects of present state policies with respect to the construction of limited access highways and metropolitan freeways;

(g) Alternative methods of financing the highway modernization program of California;

(h) Alternative methods of taxing heavy commercial vehicles equitably in relation to taxes on other highway users;

(i) The need for continuing collection of data regarding highway use, vehicle operating characteristics, and the effects of heavy vehicles on highways and vehicle traffic from which can be devised more equitable tax policies;

(j) The advisability of establishing a permanent committee or other agency in order: (1) to provide a continuous check on expenditures of state-collected highway-user taxes by the State, counties, and cities; (2) to study and recommend legislation to guarantee and insure the most effective highway, road, and street management and the most efficient expenditure of highway, road, and street funds; (3) to accumulate and coordinate data which will provide a rational basis for the allocation of state-collected highway-user taxes among the various levels of government and among geographical areas of the state; (4) to accumulate and coordinate data which will provide a basis for the improvement of the highway-user tax structure and for such modifications of the structure as conditions may justify from time to time; (5) to study, analyze, and appraise on a continuing basis all aspects of highway, road, and street management, expenditure, and finance to the end that the Legislature will at all times be fully advised on the existing facts, new developments, and emerging issues in the transportation field; (6) to make studies of the economies of transportation in general, including taxation and regulatory policies, to the end that the State's role in providing the road plant will be properly integrated with the over-all development of an efficient Transportation System for California; (7) to cooperate with other agencies, public and private, to accomplish the objectives of the committee or agency.

4. The committee and its employees may meet and act any place within the State or within the United States to carry out the objects and purposes of this resolution.

Resolution read, and ordered referred to the Committee on Rules.

CONSIDERATION OF DAILY FILE
SECOND READING OF SENATE BILLS

Senate Bill No. 861—An act to add Section 20631 to the Government Code, relating to the State Employees' Retirement System in respect to withdrawal of additional voluntary contributions.

Bill read second time, and ordered to third reading.

Senate Bill No. 858—An act to amend Section 20131 of the Government Code, relating to State Employees' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on June 4, 1951, after "of", insert ", and to add Section 20751(d) to,"

Amendment No. 2

On page 1, line 9, of said bill, after "tions", insert "made through the month next preceding the date through which interest is credited,".

Amendment No. 3

On page 1, line 10, of said bill, strike out "to" ; and strike out line 11, and insert ", to said month, both inclusive."

Amendment No. 4

On page 1 of said bill, between lines 11 and 12, insert

"SEC. 2. Section 20751(d) is added to the Government Code, to read:

20751(d). All state miscellaneous members whose compensation is paid from monies in the Division of Architecture Revolving Fund or the Water Resources Revolving Fund, where such monies were derived from an appropriation from the General Fund."

Amendment No. 5

On page 1, line 12, of said bill, strike out "2", and insert "3".

Amendments read, and adopted

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 10.15 a.m., Mr. Crowley asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Constitutional Amendments during the noon recess.

Subject: Senate Constitutional Amendment No. 9

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS
REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 17, 1951

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 2211—(As amended in Senate, June 6, 1951)—An act to amend Sections 58501, 58577, and 58614 of, and to add Section 58615.5 to, and to repeal Section 58502 and Article 6, Chapter 2, Title 6, of the Government Code; and to repeal Sections 2206, 4704, 6407, 14003, 14405, and 14603, of the Health and Safety

Code; and to repeal Section 1184 of the Military and Veterans Code; and to repeal Section 3.5 of the California Airport District Act; all relating to districts.

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following.

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

In line 4 of the title of the printed bill, as amended in the Senate on June 5, 1951, strike out "2206, 4704, 6407.".

Amendment No. 2

On page 2, line 20, of said bill, strike out "2206, 4704, 6407,".

Amendment No. 3

On page 2 of said bill, after line 45, insert

"(e) Districts which are excepted from this chapter by Sections 2206, 4704, and 6407 of the Health and Safety Code while such exceptions remain in effect."

HATFIELD	TOMLINSON
BYRNE	BROWN
WARD	STANLEY
Senate Committee on Conference	Assembly Committee on Conference

Above report ordered passed on file.

Hon. Richard H. McCollister Presiding

At 10 23 a m., Hon. Richard H. McCollister, Member of the Assembly from the Seventh District, presiding.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1785—An act to amend Sections 1063, 1090, 1091, 1195, 1223, 1224, 1457, 1458, 1505, 1530, 1531, 1532, 1651, 1750, 1953 5, 3060, 6100, 6108, 6109, 23360, 23420, 23422, 23427, 24001, 24007, 24051, 24052, 24055, 24057, 24101, 24150, 24200, 24204, 24350, 24351, 24353, 25200, 25300, 25304, 26520, 26524, 26665, 26806, 26823, 26824, 27082, 27531, 27557, 27820, 27822, 27824, 28105, 28109, 28111, 28113, 28114, 28118, 28120, 28121, 28125, 28128, 28129, 28130, 28131, 28134, 28136, 28140, 28146, 28152, 28154, 29040, 29140, 29320, 29603, 29605, 29610, 31001, 31200, 31201, 31469, 31555, 31980, 31984, 32050 5, 34856, 36501, 36505, 36523, 36601, 36602, and 53679 of the Government Code; to amend the headings of Article 4 of Chapter 3 of Division 1 of Title 3 and of Part 4 of Division 2 of Title 3 of the Government Code; to repeal the headings of Chapters 1 and 2 of Part 4 of Division 2 of Title 3 of the Government Code; to repeal Chapter 5 of Part 3 of Division 3 of Title 4 of the Government Code; to repeal Sections 34709, 35739, and 35845 of the Government Code; all relating to courts of justice, judicial districts, and various officers and employees thereof.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1785?

Amendment No. 1

On page 12, line 18, of the printed bill, as amended in the Assembly on March 15, 1951, strike out "six thousand dollars ($6,000)", and insert "seven thousand two hundred dollars ($7,200)".

Amendment No. 2

On page 12, lines 32 and 33, of said bill, as amended, strike out "six thousand six hundred dollars ($6,600)", and insert "seven thousand two hundred dollars ($7,200)".

Amendment No. 3

On page 12, line 36, of said bill, as amended, strike out "five dollars ($5), and ten cents ($0 10)", and insert "six dollars ($6), and fifteen cents ($0.15)".

Amendment No. 4

On page 12, lines 39 and 40, of said bill, as amended, strike out "three dollars ($3), and ten cents ($0.10)", and insert "five dollars ($5), and fifteen cents ($0.15)".

Amendment No. 5

On page 12, line 42, of said bill, as amended, strike out "two dollars ($2)", and insert "three dollars ($3)".

Amendment No. 6

On page 29, line 4, of said bill, as amended, after "act", insert ", except Section 56,".

Amendment No. 7

On page 29, line 14, of said bill, as amended, after the period, insert "Section 56 of this act shall take effect on the ninety-first day after final adjournment of the 1951 General Session of the Legislature."

Amendment No. 8

On page 4, line 35, of the printed bill, as amended in the Senate on April 6, 1951, between "city" and "or", insert a comma.

Amendment No. 9

On page 20, line 39, of said bill, as amended, after "actually", insert "and necessarily".

Amendment No. 10

On page 21, line 31, of said bill, as amended, strike out second "session"

Amendment No. 11

On page 22, line 36, of said bill, as amended, strike out "day's", and insert "days' ".

Amendment No. 12

In the title of the printed bill, as amended in the Senate on April 13, 1951, strike out lines 7, 8 and 9, and insert "27822, 27824, 28111, 29040, 29140, 29320,".

Amendment No. 13

In line 12 of the title of said bill, as amended, after "of", insert ", and to add Section 28101.1 to,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 14

On page 11 of said bill, as amended, strike out lines 7 to 32, inclusive; and strike out all of pages 12 to 24, inclusive, and insert

"SEC. 55. Section 28101.1 is added to said code, to read:

28101.1. Wherever in this chapter the terms "justices' court" or "justice of the court" are used, they shall be construed to mean "justice court" or "judge of a justice court".

SEC. 56. Section 28111 of the Government Code is amended to read:

28111. In a county of the eleventh class the following shall receive as compensation for the services required of them by law or by virtue of their office the following sums:

(a) The auditor, *seven thousand two hundred dollars ($7,200)* [six thousand dollars ($6,000)] a year and his necessary expenses incurred while traveling in the performance of his official duties. He shall pay into the county treasury all fees and commissions or compensations received by him in his official capacity, other than his official salary.

(b) The district attorney, eight thousand seven hundred fifty dollars ($8,750) a year and the necessary expenses incurred in the discharge of his official duties. All fees and commissions or compensations, other than his official salary, received by him in his official capacity from any source shall be paid into the county treasury. He shall devote his entire time during office hours to the work of the county and the State and is prohibited from engaging in private work *during his term of office which prohibition shall also apply to his deputies, while so employed* [within office hours].

(c) Each supervisor, *seven thousand two hundred dollars ($7,200)* [six thousand six hundred dollars ($6,600)] a year and actual and necessary expenses incurred in the performance of the duties of his office.

(d) For attending as a grand juror, for each day's actual attendance, *six dollars ($6), and fifteen cents ($0.15)* [five dollars ($5), and ten cents ($0.10)] a mile for each mile actually traveled in going only.

For attending as a trial juror, in the superior court for each day's actual attendance, *five dollars ($5), and fifteen cents ($0.15)* [three dollars ($3), and ten cents ($0.10)] for each mile actually traveled in going only

For attending as a trial juror, in the municipal court for each day's actual attendance, five dollars ($5), and fifteen cents ($0.15) for each mile actually traveled in going only

For attending as a trial juror in criminal cases in justices' courts, *three dollars ($3)* [two dollars ($2)], for each day of actual service as a juror

The judge or justice of the court shall make an order directing the auditor to draw his warrant in favor of the juror for the per diem and mileage and the treasurer shall pay the warrant

The compensation provided by this section shall be payable to incumbent officers.

If it is not legally competent to pay the compensation provided by this section to incumbent officers on the effective date of this act, such increase in compensation shall nevertheless be payable to the officers designated in this act as soon as it is legally competent to do so."

Amendment No. 15

On page 25, line 1, of said bill, as amended, strike out "74", and insert "57".

Amendment No. 16

On page 25, line 14, of said bill, as amended, strike out "75", and insert "58"

Amendment No. 17

On page 25, line 25, of said bill, as amended, strike out "76", and insert "59".

Amendment No. 18

On page 25, line 32, of said bill, as amended, strike out "77", and insert "60".

Amendment No. 19

On page 25, line 38, of said bill, as amended, strike out "78", and insert "61".

Amendment No. 20

On page 25, line 44, of said bill, as amended, strike out "79", and insert "62"

Amendment No. 21

On page 26, line 6, of said bill, as amended, strike out "80", and insert "63".

Amendment No. 22

On page 26, line 14, of said bill, as amended, strike out "81", and insert "64".

Amendment No. 23

On page 26, line 21, of said bill, as amended, strike out "82", and insert "65".

Amendment No. 24

On page 26, line 31, of said bill, as amended, strike out "83", and insert "66".

Amendment No. 25

On page 26, line 46, of said bill, as amended, strike out "84", and insert "67".

Amendment No. 26

On page 27, line 6, of said bill, as amended, strike out "85", and insert "68".

Amendment No. 27

On page 27, line 12, of said bill, as amended, strike out "86", and insert "69".

Amendment No. 28

On page 27, line 23, of said bill, as amended, strike out "87", and insert "70".

Amendment No. 29

On page 27, line 30, of said bill, as amended, strike out "88", and insert "71".

Amendment No. 30

On page 27, line 32, of said bill, as amended, strike out "89", and insert "72".

Amendment No. 31

On page 27, line 37, of said bill, as amended, strike out "90", and insert "73".

Amendment No. 32

On page 27, line 39, of said bill, as amended, strike out "91", and insert "74".

Amendment No. 33

On page 28, line 1, of said bill, as amended, strike out "92", and insert "75".

Amendment No. 34

On page 28, line 7, of said bill, as amended, strike out "93", and insert "76".

Amendment No. 35

On page 28, line 15, of said bill, as amended, strike out "94", and insert "77".

Amendment No. 36

On page 28, line 24, of said bill, as amended, after "A", insert "city".

Amendment No. 37

On page 28, line 28, of said bill, as amended, strike out "95", and insert "78".

Amendment No. 38

On page 28, line 31, of said bill, as amended, strike out "96", and insert "79".

Amendment No. 39

On page 28, line 34, of said bill, as amended, strike out "97", and insert "80".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1785 by the following vote:

AYES—Beck, Berry, Brady, Brown, Burke, Clarke, Cloyed, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Morris, Moss, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, and Tomlinson—53.

NOES—None.

Assembly Bill No. 1785 ordered enrolled

Assembly Bill No. 2922—An act to amend Section 28121 of the Government Code and Section 421 of the Education Code, relating to compensation for public service in a county of the twenty-first class

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2922?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on May 18, 1951, strike out "Section", and insert "Sections 404 and".

Amendment No. 2

In lines 4 and 5 of the title of said bill, as amended, strike out "a county of the twenty-first class", and insert "counties".

Amendment No. 3

On page 1, line 1, of said bill, as amended, strike out "421", and insert "404".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, as amended, between lines 2 and 3, insert

"404. The annual salary of the county superintendent of schools of a county of the fourth class is [ten thousand dollars ($10,000)] *twelve thousand dollars ($12,000)*, and he shall possess a valid general administrative credential issued by the State Board of Education.

SEC. 1.5. Section 421 of said code is amended to read:".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2922 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Clarke, Cloyed, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—56.

NOES—None.

Assembly Bill No. 2922 ordered enrolled.

Assembly Bill No. 974—An act to add Section 4557 to the Labor Code, and to amend Section 11661 of the Insurance Code, relating to additional workmen's compensation for minors.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 974?

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on May 23, 1951, strike out "and to amend Section 11661 of the Insurance Code,".

Amendment No. 2

On page 1, lines 6 and 7, of said bill, as amended, strike out "increase in compensation", and insert "additional sum".

Amendment No. 3

On page 1, line 9, of said bill, as amended, following the period, strike out all of the rest of line 9, and all of line 10.

Amendment No. 4

On page 1, between lines 19 and 20, of said bill, as amended, insert

"This section shall not apply to the State or any of its political subdivisions or districts, nor shall the provisions of this section apply where the employer or minor is engaged in farm, dairy, agricultural, viticultural or horticultural work or in stock or poultry raising"

Amendment No. 5

On page 1 of said bill, as amended, strike out all of lines 20 to 26, inclusive

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 974 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Clarke, Cloyed, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—56.

NOES—None.

Assembly Bill No. 974 ordered enrolled.

Assembly Bill No. 979—An act to amend Section 3710 of, to add Sections 3710.1 and 3710.2 to, and to repeal Section 3714 of, the Labor Code, relating to workmen's compensation.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 979?

Amendment No. 1

On page 2, lines 6 and 7, of the printed bill, strike out "Proof of continued violation of this article for 30 days or of failure", and insert "Failure".

Amendment No. 2

On page 2, line 13, of said bill, after the period, insert "Proof of continued violation of this section for 30 days makes mandatory on the tribunal before whom the charge of violation of this section is tried the imposition of a fine of not less than *three hundred dollars* ($300)".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 979 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Clarke, Cloyed, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—56.

NOES—None.

Assembly Bill No. 979 ordered enrolled.

Assembly Bill No. 1229—An act to amend Section 9550 of the Business and Professions Code, relating to certificates of registration issued by the State Board of Dry Cleaners.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1229?

Amendment No. 1

On page 1, line 11, of the printed bill, after the period, insert "This section shall not be construed to prevent the temporary absence of a registered operator from the premises *for any reasonable cause.*"

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1229 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Chapel, Cloyed, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dills, Doyle Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, McMillan, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, and Thomas—56

NOES—None.

Assembly Bill No. 1229 ordered enrolled.

Assembly Bill No. 1249—An act to amend Sections 14376.3 and 14610 of the Education Code, relating to other employment by members of the State Teachers' Retirement System.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1249?

Amendment No. 1

On page 1, line 21, of the printed bill, as amended in the Assembly on April 27, 1951, strike out ")".

Amendment No. 2

On page 1, line 22, of said bill, as amended, after "election", insert ")".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1249 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Chapel, Cloyed, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln,

Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, McMillan, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, and Thomas—56.

NOES—None.

Assembly Bill No. 1249 ordered enrolled

Assembly Bill No. 1534—An act to amend Section 2137.1 of the Business and Professions Code, relating to persons authorized to practice medicine and surgery in state institutions.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1534?

Amendment No. 1

On page 1, lines 11 and 12, of the printed bill, as amended in the Assembly on May 30, 1951, strike out "or until October 1, 1953, whichever is later".

Amendment No. 2

On page 1, line 19, of the printed bill, as amended, strike out "The provisions of this section shall terminate"; and strike out all of line 20.

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 1534 by the following vote:

AYES—Brady, Brown, Connolly, Dickey, Dills, Geddes, Hollibaugh, Lipscomb, McMillan, Moss, and Rumford—11.

NOES—Beck, Belotti, Berry, Burke, Chapel, Cloyed, George D. Collins, Condon, Conrad, Crowley, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lindsay, Luckel, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Niehouse, Parker, Porter, Rosenthal, Shaw, Silliman, Smith, Stanley, and Thomas—46.

Appointment of Committee on Conference Concerning Assembly Bill No. 1534

The Speaker announced the appointment of Messrs. Kirkwood, Gubser, and Moss as a Committee on Conference concerning Assembly Bill No. 1534.

Assembly Bill No. 1708—An act to amend Section 3462 of the Education Code, relating to the organization of high school districts.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Cloyed, Coats, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Mr. Speaker—61.

NOES—None.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1708?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on June 8, 1951, strike out "amend Section 3521", and insert "repeal Article 5, Chapter 11, Division 2".

Amendment No. 2

In line 2 of the title of said bill, as amended, before the period, insert "declaring the urgency thereof to take effect immediately".

Amendment No. 3

On page 1 of said bill, as amended, strike out line 1, and insert

"SECTION 1 Article 5, comprising Sections 3521 to 3528, inclusive, of Chapter 11, Division 2 of the Education Code is hereby repealed

SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are:

Under the existing law, proceedings for the formation of a county high school district may be commenced, pursuant to Article 5, Chapter 11, Division 2 of the Education Code, upon a petition signed by only 50 qualified electors in the county. A county high school district formed under Article 5 would not ordinarily include other high school districts already in existence in the county. Therefore, the formation of a county high school district would, in most of the counties in the State, result in a school district composed of noncontiguous territory. Small areas of the district may be isolated by many miles from the larger portion or portions of the district A school district composed of noncontiguous territory presents many difficult problems of administration and is unduly expensive to maintain. The transportation of pupils becomes a major problem and expense and the holding of school elections is complicated in districts composed of noncontiguous territory.

Unless this act takes effect immediately, it will be possible to commence proceedings for the formation of such a district before the provisions therefor are replaced.

In order to preserve the orderly structure and administration of the school districts of the State, it is necessary that this act take effect immediately "

Amendment No. 4

On page 1, strike out lines 2 to 23, inclusive, and strike out all of page 2.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1708 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Cloyed, Coats, George D Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, and Mr. Speaker—61.

NOES—None

Assembly Bill No. 1708 ordered enrolled.

Assembly Bill No. 2224—An act to add Sections 1303.1, 1303.2, and 1303.3 to the Education Code, relating to employment of superintendents of school districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2224?

Amendment No. 1

On page 1 of the printed bill, strike out line 1 of the title, and insert "An act to add Sections 1303 1 and 1303.2 to the Educa-".

Amendment No. 2

On page 2 of said bill, strike out lines 1 to 16, inclusive

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2224 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Chapel, Clarke, Cloyed, George D Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, and Thomas—62

NOES—None.

Assembly Bill No. 2224 ordered enrolled.

Assembly Bill No. 2570—An act to amend Section 13653 of the Education Code, relating to the rights of terminated probationary employees.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2570?

Amendment No. 1

On page 1, line 7, of the printed bill, strike out the second "of", and insert "from".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2570 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Chapel, Clarke, Cloyed, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, and Thomas—62

NOES—None.

Assembly Bill No. 2570 ordered enrolled.

Assembly Bill No. 3438—An act to amend Section 1600 of the Education Code and to add Sections 1600.5 and 1600.6 thereto, relating to newly formed school districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3438?

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on June 8, 1951, strike out "and to add Sections 1600.5 and 1600.6 thereto".

Amendment No. 2

On page 1 of said bill, as amended, strike out lines 22 to 25, inclusive; and strike out all of page 2.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3438 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Thomas, and Tomlinson—63.

NOES—None.

Assembly Bill No 3438 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO STRIKE BILL FROM FILE

Mr. Burke asked for, and was granted, unanimous consent that Assembly Bill No. 3207 be stricken from the inactive file.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE BILL NO. 1054 BE RE-REFERRED TO COMMITTEE

Mr. Lindsay asked for unanimous consent that Senate Bill No 1054 be withdrawn from the Committee on Conservation, Planning, and Public Works, and be re-referred to the Committee on Governmental Efficiency and Economy, and that the bill be heard today in the Committee on Governmental Efficiency and Economy.

Mr. Beck withheld unanimous consent.

Motion That Senate Bill No. 1054 Be Withdrawn From Committee, and Be Re-referred

Mr. Lindsay moved that Senate Bill No. 1054 be withdrawn from the Committee on Conservation, Planning, and Public Works, and be re-referred to the Committee on Governmental Efficiency and Economy; and that the bill be heard today in the Committee on Governmental Efficiency and Economy.

Mr. Lincoln seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Belotti, Berry, Burke, Caldecott, Chapel, Clarke, Cloyed, Connolly, Conrad, Crowley, Dickey, Dolwig, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McMillan, Morris, Niehouse, Sherwin, Silliman, Smith, Stewart, Waters, and Mr. Speaker—41

NOES—Beck, Brady, Brown, Collier, George D. Collins, Condon, Cooke, Davis, Doyle, Elliott, Fleury, Hagen, Henderson, Kilpatrick, Lowrey, McFall, Moss, Munnell, Parker, Porter, Rosenthal, Shaw, Stanley, and Thomas—24.

Senate Bill No. 1054 ordered re-referred to the Committee on Governmental Efficiency and Economy.

REQUEST FOR UNANIMOUS CONSENT TO STRIKE BILL FROM FILE

Mr. Hansen asked for, and was granted, unanimous consent that Assembly Bill No. 2123 be stricken from the inactive file.

Speaker Presiding

At 10.55 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

NOTICE OF MOTION TO AMEND THE STANDING RULES OF THE ASSEMBLY

Mr. McCarthy gave notice that on the next legislative day he will move to amend the Standing Rules of the Assembly, as follows:

NOTICE OF MOTION TO AMEND STANDING RULES OF THE ASSEMBLY BY MESSRS. McCARTHY, KIRKWOOD, AND MOSS

Notice is hereby given, pursuant to Standing Rule No. 5 that on the next legislative day, to wit, on June 21, 1951, I, Robert McCarthy, will move to amend the Standing Rules of the Assembly as follows:

I hereby move that a new rule to be numbered 46.5 be added to the Standing Rules of the Assembly to read:

"46.5. Travel expenses of employees of Assembly committees shall be subject to Board of Control rules as applicable from time to time to state employees generally, except as follows:

a. Committee employees shall be entitled to allowances in lieu of actual expenses for mileage, hotel accommodations and meals at the rates fixed by the Board of Control from time to time in limitation of reimbursement of actual expenses of state employees generally, or at such lesser rates as may be prescribed by the employing committee.

b. Wherever a rule of the Board of Control requires approval of the Director of Finance or of the Governor with respect to any claim for expenses, such rule shall be applicable to committee employees but shall be deemed to require the approval of the Assembly Rules Committee rather than the approval of the Governor or Director of Finance.

In all other respects Board of Control rules shall govern as to the time, place and amount of expense allowable, and travel expense claims shall be submitted in form and supported by data and vouchers as required by Board of Control rules.

Mileage is an allowance in lieu of actual expenses of travel by private conveyance, and shall be allowed only to the operator of, and not to passengers in, a private vehicle. Mileage shall not be allowed in lieu of actual fare when travel is by train or other common carrier. Claims for mileage must be accompanied by the license number of the vehicle and the names of state officers and employees riding as passengers."

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS

Senate Bill No. 975—An act to amend Sections 25351 and 26150 of the Government Code, and Sections 22137, 22173, 22174, and 22176 of the Education Code, relating to county free libraries.

Bill read third time.

Motion to Amend

Mr. Hansen moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 16, of the printed bill, as amended in the Senate on May 24, 1951, after "district", insert "free public".

Amendment No. 2

On page 2, line 10, of said bill, after "trict", insert "free public".

Amendment No. 3

On page 2, line 17, of said bill, after the second "district", insert "free public".

Amendment No. 4

On page 2, line 23, of said bill, after "district", insert "free public".

Amendment No. 5

On page 2, line 27, of said bill, after "rebuilding," insert "furnishing, refurnishing,".

Amendment No. 6

On page 2, lines 29 and 30, of said bill, strike out "Section 4088 of the Political Code", and insert "Article 1, Chapter 6, Division 3, Title 3 of the Government Code".

Amendment No. 7

In line 2 of the title of said bill, strike out "22137".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1474—An act to add Section 29.5 to the Community Redevelopment Act and add Section 33279 to the Health and Safety Code, relating to community redevelopment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Morris, Moss, Munnell, Niebouse, Parker, Porter, Rosenthal, Rumford, Stanley, Stewart, Thomas, and Tomlinson—54.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1600—An act to add Section 25306 to the Government Code, relating to powers of boards of supervisors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Doyle, Elliott, Erwin, Evans, Fleury, Geddes, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1155

Mr. Lindsay asked for, and was granted unanimous consent to take up Senate Bill No. 1155, temporarily passed on file

CONSIDERATION OF SENATE BILL NO. 1155

Senate Bill No. 1155—An act to amend Section 28131 of the Government Code, relating to compensation for public services in counties of the thirty-first class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Cooke, Crowley, Dickey, Dills, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Lauterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 82

Mr. Cooke asked for, and was granted, unanimous consent to take up Senate Bill No. 82, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 82

Senate Bill No. 82—An act to amend Section 27367 of the Government Code, relating to recorder's fees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kilpatrick, Klocksiem, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 84

Mr. Cooke asked for, and was granted, unanimous consent to take up Senate Bill No. 84, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 84

Senate Bill No. 84—An act to repeal Section 27370 of the Government Code, relating to recorder's fees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 85

Mr. Cooke asked for, and was granted unanimous consent to take up Senate Bill No. 85, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 85

Senate Bill No. 85—An act to amend Section 27371 and to repeal Section 27374 of the Government Code, relating to the fee for recording.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Cloyed, Collier, George D Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr Speaker—56

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 121

Mr. Cooke asked for, and was granted unanimous consent to take up Senate Bill No 121, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 121

Senate Bill No. 121—An act to add Section 27361.5 to the Government Code, relating to recorder's fees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser,

Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT COPY OF TELEGRAM BE PRINTED IN JOURNAL

Mr. McCollister asked for, and was granted, unanimous consent that a copy of a telegram, relative to Assembly Bill No. 91, be ordered printed in the Journal as follows:

May 25, 1951

Hon. Ernest R. Geddes, Assemblyman
State Capitol
Sacramento, California

Re tel, I understood your proposal to be that Assembly Bill No. 91 will be dropped if I agreed to leave group rules in effect while interim committee makes study, and until committee reports to 1953 Session and reasonable time elapses thereafter in which Legislature has opportunity to act on committee's recommendations. I have so agreed.

JOHN R. MALONEY, Insurance Commissioner

(This is a true copy)

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 91, on request of Mr. McCollister.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 91 BE RE-REFERRED TO COMMITTEE

Mr. McCollister asked for, and was granted, unanimous consent that Assembly Bill No. 91 be withdrawn from the third reading file, and be re-referred to the Committee on Finance and Insurance.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 850—An act to provide for the organization, incorporation and government of municipal corporation tunnel authorities, authorizing and empowering such authorities to acquire, construct, operate and manage tunnels or tubes under, through or across waters, straits, bays, arms of bays, rivers, estuaries or streams of water which are within or bound or lie or border upon any municipal corporation in this State, to issue revenue bonds to pay for the acquisition and construction of such tunnels or tubes, and to charge and collect charges or tolls for the use of said tunnels or tubes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloved, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 848

Mr. Cloyed asked for, and was granted unanimous consent to take up Senate Bill No. 848, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 848

Senate Bill No. 848—An act to amend Sections 30004, 30005, 30006, 30008, 30100, 30101, and 30155 of the Streets and Highways Code, relating to toll bridges, subways, tunnels, tubes, ferries and highways.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 315—An act to add Section 12046 to the Education Code, relating to the issuance of credentials.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

ANNOUNCEMENT

Speaker Sam L Collins announced that Senate Bill No. 1626, taken up by Mr. Fleury yesterday, was about to be voted upon when the electrical voting machine failed to function properly. He further announced that for this reason, Senate Bill No 1626 again appears on the third reading file, today, as no final vote was taken upon it.

REQUEST FOR UNANIMOUS CONSENT TO STRIKE BILLS FROM FILE

Mr. McCollister asked for, and was granted, unanimous consent that Assembly Bills Nos. 31 and 90, and Assembly Concurrent Resolution No. 5 be stricken from the inactive file.

UNANIMOUS CONSENT GRANTED TO RECALL ASSEMBLY BILL NO. 1464 FROM THE GOVERNOR

Mr. Munnell asked for, and was granted, unanimous consent that the Chief Clerk be instructed to request the Governor to return Assembly Bill No. 1464 for further consideration.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1527—An act to amend Section 5065 of the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—66.

NOES—None.

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr. Burkhalter asked for, and was granted, unanimous consent that his name be placed upon the roll call on the urgency clause to Senate Bill No. 1527, and that he be recorded as voting "Aye".

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 537—An act to amend Section 11501 of the Government Code, relating to enumerated agencies referred to in Section 11500.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 538—An act to amend Section 110.6 of the Business and Professions Code, relating to reports to the Governor and the Legislature by the Department of Professional and Vocational Standards.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Morris, Munnell, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 536

Mr. Tomlinson asked for, and was granted, unanimous consent to take up Senate Bill No. 536, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 536

Senate Bill No. 536—An act to amend Sections 11382.5, 11409.5 and 26803 5 of the Government Code, relating to keeping and maintaining in each county copies of the California Administrative Code and Register.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Munnell, Parker, Porter, Rumford, Shaw, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 83—An act to amend Section 27366 of the Government Code, relating to recorder's fees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Munnell, Parker, Rumford, Shaw, Silliman, Smith, Stanley, Tomlinson, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 227—An act to amend Section 28119 of the Government Code, relating to compensation for public services in counties of the eighteenth class.

Bill read third time.

Request for Unanimous Consent to Expunge Record, and Rescind Action on Senate Bill No. 227

Mr. McCollister asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on this day, refused passage to Senate Bill No. 227.

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Munnell, Parker, Rumford, Shaw, Silliman, Smith, Stanley, Tomlinson, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 790

Mr. Fleury asked for, and was granted, unanimous consent to take up Senate Bill No. 790, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 790

Senate Bill No. 790—An act to add Sections 54468.1, 54348.1, and 54348.2 to the Government Code, relating to the securing of charges for services, facilities and water furnished by an enterprise by a lien on the lands served, and providing for the enforcement of such lien.

Bill read third time, and ordered passed on file.

RESOLUTIONS

The following resolutions were offered:

By Mr. Stanley:

House Resolution No. 230

Relative to the creation of the Assembly Interim Committee on Municipal and County Government

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Municipal and County Government is hereby created and authorized and directed to ascertain, study and analyze all facts relating to governmental relations between cities, counties and districts as these relationships have been affected and made more difficult and complex by reason of the great growth in population of California and particularly growth in population and development in the unincorporated areas of the counties The studies to be made by the committee shall include, but not be limited to, the advisability of the formation of multiple purpose urban districts, problems relating to annexation and incorporation, the most efficient, economical and equitable means of securing the provision of needed urban services in urban unincorporated areas, and the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or

relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the members of the Assembly standing Committee on Municipal and County Government for this legislative session. The chairman and vice chairman shall be the chairman and vice chairman of the said standing committee. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the twentieth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of _____ dollars ($_____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

By Messrs. Hawkins, Hollibaugh, Morris, Hahn, Geddes, Doyle, Dills, Hansen, Gubser, Sherwin, Cloyed, Rosenthal, Chapel, Thomas, Evans, and McCarthy:

House Resolution No. 231

Relative to directing the Assembly Interim Committee on State and Local Taxation to study the problem of the taxation of the trucking industry

WHEREAS, For many years the repeal or change in the incidence of the Motor Vehicle Transportation License Tax Law has posed a perplexing and still unsolved problem to this Legislature; and

WHEREAS, There is a sharp difference of opinion between various interests concerned which is detrimental to the trucking industry and the State generally; and

WHEREAS, At a recent meeting of the Assembly standing Committee on Revenue and Taxation a motion was adopted unanimously to refer the matter for study and report to the Assembly Interim Committee on State and Local Taxation; and

WHEREAS, All concerned are agreed to so doing; now, therefore, be it

Resolved by the Assembly of the State of California That the Assembly Interim Committee on State and Local Taxation, or such other Assembly interim committee with similar powers and duties as may succeed it, is hereby requested to investigate and study all matter related to the scope, impact and administration of the Motor Vehicle Transportation License Tax Law and the continued need therefor; and be it further

Resolved, That said committee is hereby requested to submit a report on such investigation and study to this Assembly at the 1953 Regular Session of the Legislature.

Resolution read, and ordered referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 229
House Resolution No. 98
House Resolution No. 209
House Resolution No. 217
House Resolution No. 218
House Resolution No. 223

Has had the same under consideration, and reports the same back with the recommendation: Be adopted

SAM L. COLLINS, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Assembly Concurrent Resolution No. 104
Assembly Concurrent Resolution No. 105

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

Above reported resolutions ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Senate Concurrent Resolution No. 91
Senate Concurrent Resolution No. 96

Has had the same under consideration, and reports the same back with the recommendation: Be adopted

SAM L. COLLINS, Chairman

Above reported resolutions ordered on file for adoption.

Committee on Industrial Relations

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Industrial Relations, to which was referred:

Senate Bill No. 700

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

LEVERING, Chairman

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 700—An act to add Section 5500.5 to the Labor Code, relating to workmen's compensation for industrial disease.

Bill read second time, and ordered re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Senate Bill No. 729
Senate Bill No. 1671

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

CONNOLLY, Chairman

Above reported bills ordered re-referred to the Committee on Ways and Means.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 729—An act to amend Section 2715 and 2713 of the Business and Professions Code, relating to nursing education and directories of nurses.

Bill read second time, and ordered re-referred to the Committee on Ways and Means.

Senate Bill No. 1671—An act to add Chapter 5 to Division 2 of the Health and Safety Code, relating to the regulation of the humane use of animals for diagnosis and treatment of human and animal diseases, for research in the advancement of veterinary, dental, medical and biologic sciences, animal and human nutrition, improvement and standardization of laboratory procedures, and to provide for the issuance, suspension and revocation of licenses by the State Department of Public Health, relating to the use of animals for medical research, and making an appropriation therefor.

Bill read second time, and ordered re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3447

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Concurrent Resolution No. 104
Assembly Concurrent Resolution No. 105

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolutions ordered on file for adoption.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER. Your Committee on Judiciary, to which were referred:

Senate Bill No. 40
Senate Bill No. 154
Senate Bill No 170
Senate Bill No. 328
Senate Bill No. 425
Senate Bill No. 574
Senate Bill No 594
Senate Bill No. 710
Senate Bill No. 783
Senate Bill No. 871
Senate Bill No. 1156
Senate Bill No 1288
Senate Bill No. 1302
Senate Bill No. 1345
Senate Bill No. 1360
Senate Bill No. 1361
Senate Bill No. 1480
Senate Bill No. 1537
Senate Bill No. 1630
Senate Bill No. 1732

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 40—An act to amend Sections 737e, 737v, 737ccc of the Political Code and Sections 79.5, 79.22, and 79.55 of the Code of Civil Procedure, relating to the salaries of judges of the superior court.

Bill read second time, and ordered to third reading.

Senate Bill No. 154—An act to amend Section 737o of the Political Code and Section 79.15 of the Code of Civil Procedure, relating to salaries of Judges of the Superior Court in Kern County.

Bill read second time, and ordered to third reading.

Senate Bill No. 170—An act to amend Section 737ddd of the Political Code and Section 79.56 of the Code of Civil Procedure, relating to judges of the superior court.

Bill read second time, and ordered to third reading.

Senate Bill No. 328—An act to amend Section 737hh of the Political Code, and Section 79.34 of the Code of Civil Procedure, relating to superior judges' salaries.

Bill read second time, and ordered to third reading.

Senate Bill No. 425—An act to amend Section 737vv of the Political Code and 79.48 of the Code of Civil Procedure, relating to salary of judges in Solano County.

Bill read second time, and ordered to third reading.

Senate Bill No. 574—An act providing for the designation of judicial districts and of the municipal or justice courts established therein.

Bill read second time, and ordered to third reading.

Senate Bill No. 594—An act to amend Section 737w of the Political Code and Section 79.23 of the Code of Civil Procedure, relating to superior judges' salaries.

Bill read second time, and ordered to third reading.

Senate Bill No. 710—An act to amend Sections 737oo of the Political Code and 79.41 of the Code of Civil Procedure, relating to superior judges' salaries.

Bill read second time, and ordered to third reading.

Senate Bill No. 783—An act defining and regulating the practice of shorthand reporting; creating a State Board of Examiners of Shorthand Reporters in the Department of Professional and Vocational Standards, and providing for its duties and powers; providing for the examination and certification of shorthand reporters, with the designation "certified shorthand reporter"; creating the Shorthand Reporters' Fund and making an appropriation; and prescribing penalties for violations of this act.

Bill read second time.

Motion to Amend

Mr. Fleury moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 7, of the printed bill, as amended in the Senate on June 14, 1951, strike out "passage", and insert "effective date".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 871—An act to amend Section 209 of the Penal Code, relating to kidnaping and the punishment therefor.

Bill read second time, and ordered to third reading.

Senate Bill No. 1156—An act to amend Sections 737ee of the Political Code and 79 31 of the Code of Civil Procedure, relating to superior court judges' salaries.

Bill read second time, and ordered to third reading.

Senate Bill No. 1288—An act providing for the constitution of the municipal court in the district known and designated as the Central Judicial District of Marin County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time, and ordered to third reading.

Senate Bill No. 1302—An act providing for the constitution of the municipal court in a district embracing the City of Bakersfield, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time, and ordered to third reading.

Senate Bill No. 1345—An act providing for the constitution of municipal courts in districts in San Mateo County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time, and ordered to third reading.

Senate Bill No. 1360—An act providing for the constitution of the municipal court in a district embracing the City of North Sacramento, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time, and ordered to third reading.

Senate Bill No. 1361—An act providing for the constitution of a municipal court in a district embracing the City of Sacramento, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time, and ordered to third reading.

Senate Bill No. 1480—An act to amend the Government Code and Section 737w of the Political Code, relating to salaries of superior judges.

Bill read second time, and ordered to third reading.

Senate Bill No. 1537—An act to amend Section 737u of the Political Code, and Section 79.21 of the Code of Civil Procedure, relating to superior court judges' salaries.

Bill read second time, and ordered to third reading.

Senate Bill No. 1630—An act to amend Section 11b of the Municipal Court Act of 1925, relating to municipal courts in cities of the second and three-eighths class.

Bill read second time, and ordered to third reading.

Senate Bill No. 1732—An act to add Section 1033.5 to the Penal Code, relating to change of venue in criminal proceedings.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Senate Bill No. 484

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and re-refer to Committee on Ways and Means.

CLARKE, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 484—An act making an appropriation for support of Grand National Junior Livestock Exposition, No. 1-A District Agricultural Association.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, lines 3 and 4, of the printed bill, as amended in the Senate on June 14, 1951, strike out "1951-52 Fiscal Year", and insert "two year period of 1951-53 Fiscal Years".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Senate Bill No. 679

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

BROWN, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 679—An act to add Section 35 to Chapter 1, Title 1, Part 1 of the Code of Civil Procedure, relating to courts, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, lines 14, 15, and 16, of the printed bill, as amended in the Senate on May 23, 1951, strike out ", or if a quorum thereof is not available, the Chief Justice or acting Chief Justice of the Supreme Court of this State,".

Amendment No. 2

On page 1, line 24, of said bill, strike out "Such orders shall remain"; and on page 2, strike out all of lines 1 to 5, inclusive, and insert "*The authority granted by this section shall be exercised only if the Judicial Council first finds that the facts and situations existing under and during such state of extreme emergency are such as to interrupt the usual and ordinary course of conducting the work of the courts of this State and the orderly administration of justice therein, either in the State as a whole or in any specified county or counties thereof. Any such finding, suspension, extension of time, or order for the conduct of the courts or the proceedings therein shall be effectuated by written order of the Judicial Council and the filing of a certified copy of said order with the Governor. Orders of suspension and for the conduct of the courts and the proceedings therein shall remain in effect for a period not longer than the state of extreme emergency and a reasonable time, not exceeding one year, thereafter, as specified by the Judicial Council If the finding of the Judicial Council is that the facts and situations interrupt the usual and ordinary course of conducting the work of the courts and the orderly administration of justice in a certain county or in certain counties only, or in certain courts only, the orders of suspension, extension of time, and for conduct of the courts and the proceedings therein shall be limited accordingly; otherwise such orders may be made effective throughout the State if the Judicial Council finds that such interruption extends throughout the whole of the State Time for commencing any action or proceeding or for performing any other act provided or required to be performed in any court may be extended only if the time would otherwise expire during such state of extreme emergency or within a period of one year thereafter and no extension of time shall be for a period longer than such state of extreme emergency and a period of one year thereafter*

SEC 2. This act shall remain in effect until the ninety-first day after final adjournment of the 1953 Regular Session of the Legislature"

Amendment No. 3

On page 2, line 6, of said bill, strike out "SEC. 2", and insert "SEC. 3".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

RECESS

At 11.50 a.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

RECESS

At 2.01 p.m., on motion of Mr. Dickey, the Assembly recessed until 2.20 p.m., for the purpose of permitting mechanics to repair the electric voting machine, which is not functioning properly.

REASSEMBLED

At 2.20 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following opinion was received, read, and ordered printed in the Journal.

OPINION OF THE ATTORNEY GENERAL

OFFICE OF THE ATTORNEY GENERAL
SAN FRANCISCO 2, CALIFORNIA
EDMUND G. BROWN
Attorney General

OPINION OF EDMUND G. BROWN, *Attorney General*
LEONARD M. FRIEDMAN, *Deputy Attorney General*
No. 51/122 June 18, 1951

The HONORABLE EARL WARREN, GOVERNOR OF CALIFORNIA, presents the following question:

Is it competent for the Legislature to deliver to the Governor, and for the Governor to receive, enrolled bills after the date fixed by Article IV, Section 2 of the Constitution for final adjournment of the legislative session?

Our opinion is summarized as follows:

There is no authoritative California precedent which furnishes assurance that legislative bills may be presented to the Governor after *sine die* adjournment of the Legislature. Nevertheless, in view of Article IV, Section 16, State Constitution, and the weight of judicial decisions in other states, it is our opinion that bills, having been adopted by both houses, may be prepared in an enrolled form and presented to the Governor as soon as possible after final adjournment of the legislative session.

Analysis

The question is whether a bill which has passed both houses of the Legislature may be presented to the Governor following the final adjournment of the legislative session. Article IV, Section 16 of the State Constitution provides in part:

> "Every bill which may have passed the Legislature shall, before it becomes a law, be presented to the Governor. If he approve it, he shall sign it; but if not, he shall return it, with his objections, to the house in which it originated, which shall enter such objections upon the Journal and proceed to reconsider it. If after such reconsideration, it again pass both houses, by yeas and nays, two-thirds of the members elected to each house voting therefor, it shall become a law, notwithstanding the Governor's objections. If any bill shall not be returned within 10 days after it shall have been presented to him (Sundays excepted), the same shall become a law in like manner as if he had signed it, unless the Legislature, by adjournment, prevents such return, in which case it shall not become a law, unless the Governor, within 30 days after such adjournment (Sundays excepted), shall sign and deposit the same in the Office of the Secretary of State, in which case it shall become a law in like manner as if it had been signed by him before adjournment * * *."

The above provision does not expressly require that a bill shall be presented to the Governor at any particular time after passage. If the Legislature is in session the Governor has 10 days after *presentation* within which to sign or veto it. If the Legislature has adjourned he has 30 days after *adjournment* within which to approve or pocket veto the bill. Obviously, any delay between adjournment of the Legislature and presentation of bills will consume a portion of the 30-day "bill signing" period allotted to the Governor.

The matter was not of great moment when legislative sessions had no mandatory adjournment date. A rush of legislation during the last few days of the session might create a backlog in the process of printing, comparing and certifying enrolled bills; in such case, the Legislature was at liberty to adopt a resolution delaying adjournment until all adopted bills could be printed, enrolled and delivered to the Governor. In 1949, however, Article IV, Section 2 of the Constitution was amended to limit general sessions to 120 days and budget sessions to 30 days. The 1951 Regular Session, now in existence, must therefore adjourn prior to midnight, June 23, 1951. If the Legislature requires the full allotted time for the consideration and passage of bills, and if the flow of last-minute legislation outstrips the mechanical work of enrolled bill preparation, the Legislature is no longer in a position to extend its adjournment date. If the law requires bills to be enrolled and presented to the Governor before adjournment, it might be necessary to call a halt to the process of bill consideration and adoption during the last day or two of the session.

California judicial precedents are lacking. In Attorney General's Opinion No. 25, March 21, 1899, the conclusion was expressed that the Governor has power to sign bills, properly enrolled, presented to him after the Legislature in fact adjourns, citing *Dow* vs. *Beidleman* (Ark.) 5 S. W. 297.

Harpending vs. *Haight,* 39 Cal. 189, held that a veto was ineffective where the Governor had sent a bill back to the Senate after it had recessed for the day on the last of the 10 days allotted for bill signing during the session. The court likened the "return" of the bill to its "presentation" to the Governor. From this, it could be implied that the existence of a session is necessary not only to the return of a vetoed bill, but also to the presentation of a bill to the Governor in the first instance. *Harpending* vs. *Haight,* however, turns upon the fact that the Governor's messenger, finding that the Senate was in recess, had retained the bill in his own custody. By way of dictum, the court observed that had the messenger actually delivered the bill and veto message to an officer of the Senate, the veto would have been sufficient even though the Senate itself was not in session (see Gov. Code, Sec. 9515).

It has been said that the California Legislature is not a continuing body, that its legislative powers cease upon adjournment *sine die* (*Special Assembly Interim Committee* vs. *Southard,* 13 Cal. 2d 497, 507; *Swing* vs. *Raley,* 13 Cal. 2d 513, 519). From a theoretical standpoint, the preparation and presentation of enrolled bills are acts of a legislative nature, a manifestation of the legislative process which may take place only while the Legislature is in session (see *Fowler* vs. *Pierce,* 2 Cal. 165). Quite

aside from such theoretical considerations, there are many kinds of legislative activity which occur after and between sessions. Such activities are only incidental to the primary function of considering and adopting legislation (see *Rich* vs. *Industrial Accident Commission,* 36 Cal. App. 2d 628). By statute, the Legislature has created a number of interim committees with power to act between sessions (see Gov. Code, Secs. 8000-8004, 9107, 9126, 9127). The Constitution (Art. IV, Sec. 37) authorizes the creation of interim fact-finding committees by resolution of one or both houses. The officers and attaches of the two houses have numerous post-session and inter-session duties of an administrative and clerical nature (see Gov. Code, Sec. 9220; Rules 10.7, 11, 13, Standing Rules of Senate; Rule 12, Assembly Standing Rules; and recurring house resolutions of each session, such as H.R. 339, 1949 Regular Session, directing post-session compilation of legislative records). If bill enrollment and presentation are necessarily characterized as legislative activities, it is a sufficient answer to say that not all legislative activities need take place during the session (*Edwards* vs. *United States*, 286 U. S. 482, 490, 76 L. Ed. 1239).

The actual fact is that, following passage of a bill, the work of printing, comparing, enrolling and presenting it is a nondiscretionary, ministerial, mechanical task (see Gov. Code, Secs. 9500-9509; Rule 24, Joint Rules of Senate and Assembly). There is no deep-seated consideration of public policy, nor any feature of our organic scheme of government, which requires both houses to remain in session while these administrative activities take place. Assuming that the Constitution permits it, ample arrangements exist for post-session enrollment and presentation. Section 9220, Government Code, authorizes the Speaker of the Assembly to sign enrolled bills and cause their delivery to the Governor after final adjournment. Rule 13 of the Senate Standing Rules places the Senate Committee on Rules in charge of bill enrollment and gives that committee continuing existence following final adjournment of the Legislature.

In most of the states where the question has arisen, the courts have decided that, in the absence of express constitutional requirements, a bill passed by the Legislature may be presented to the Governor after the Legislature has finally adjourned (*Dow* vs. *Beidleman*, supra; *Monroe* vs. *Green* (Ark.) 76 S.W. 199; *Barber* vs. *State* (Ark.) 174 S.W. 2d 545; *Preveslin* vs. *Derby & Ansonia Developing Co.* (Conn.) 151 Atl. 518, 70 A.L.R. 1426; *State ex rel. Thompson* vs. *Davis* (Fla.) 169 S. 199; *People* vs. *Hughes* (Ill.) 25 N.E. 2d 75; *Lankford* vs. *Somerset County* (Md.) 20 Atl. 1017, 22 Atl. 412, 11 L.R.A. 491; *Johnson* vs. *Luers* (Md.) 99 Atl. 710; *Robey* vs. *Boersma* (Md.) 29 Atl. 2d 827, 146, A.L.R. 687; *Hartness* vs. *Black* (Vt.) 114 Atl. 44).

The question has had a somewhat checkered career in Florida, whose constitution, like our own limits the length of legislative sessions. In *Amos* vs. *Gunn,* 94 So. 615, the Florida Supreme Court held that bill presentation must occur while the Legislature remains in session. The holding was reaffirmed in *State ex rel. Cunningham* vs. *Davis,* 166 So. 289, which indicated, however, that the legislature could "hold over" past the constitutional deadline for the purpose of performing such nondiscretionary duties as bill enrollment and presentation. No doubt dismayed by the spectacle of the entire legislative assembly sitting in solemn

session for the sole purpose of gazing at the mechanical process of bill preparation, the Florida Court ultimately conceded that bills passed during the last few days of the session could be certified and presented "reasonably beyond the end of the session" (*State ex rel. Thompson* vs. *Davis, supra*).

An advisory opinion of the New Hampshire Supreme Court held that under the existing statutes presentation had to occur before adjournment. The court, however, left open the question whether the Legislature could constitutionally authorize the opposite result (Opinion of the Justices, 81 Atl.170).

So far as our own Constitution is concerned, the preeminent fact is that Article IV, Section 16 does not expressly require the bills be presented to the Governor while the Legislature remains in session. Guided chiefly by this fact, and by the great weight of judicial authority in other states, we are of the opinion that it is competent for the Legislature to deliver to the Governor, and for the Governor to receive, enrolled bills after the final adjournment of the Legislature, regardless that the constitutional time limit on the legislative session has expired.

On its surface the legal problem is a matter of mere mechanics. There should be an awareness, nevertheless, of the high governmental considerations involved. The Constitution contains a meticulous plan, so designed that the Legislature and the Governor, as units in a single scheme of operation, may perform their respective roles in the lawmaking process, neither being able to invade the authority of the other. There may be eras of party struggle, or of antagonism between Legislature and the Executive. No interpretation of the Constitution or the laws should furnish either of these great agencies an opportunity to place the other at a disadvantage. In the last analysis, however, there is a limit to the effectiveness of verbal formulae. "We must trust to the good faith and integrity of all the departments Power must be placed somewhere, and confidence reposed in some one" (*Myers* vs. *English*, 9 Cal. 341, 349). We are free to recognize that the preparation and enrollment of bills following the Legislature's adjournment consumes a portion of the 30-day bill consideration period allotted to the Governor. Conceivably the activity could be so slow as to deprive him of a substantial portion of that time. Implicit in the constitutional scheme is the mandate that these tasks be performed as promptly as possible. In our opinion, it is the duty of the legislative officers and attaches charged with bill enrollment and presentation to perform their tasks forthwith upon the close of the session.

A *caveat* is in order. There is no authoritative California precedent on which to base an assurance that the courts of this State will arrive at a similar view. Nevertheless we have reached the conclusion that bills, having duly passed both houses, may be printed, enrolled and presented to the Governor as soon as possible following the final adjournment of the Legislature. So far as this office is concerned, the opinion is unqualified.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1815—An act creating the Solvang Municipal Improvement District and prescribing its boundaries, change of boundaries,

organization, operation, management, financing and powers, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—66.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1528

Mr. Davis asked for, and was granted unanimous consent to take up Senate Bill No. 1528, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 1528

Senate Bill No. 1528—An act to amend Sections 9351, 9355, 9359, and 9359.1 of the Government Code, relating to the retirement of legislators and other state elective officers.

Bill read third time.

Motion to Amend

Mr. Davis moved the adoption of the following amendments:

Amendment No. 1

On page 2 of the printed bill, as amended in the Senate on May 21, 1951, strike out line 17, and insert "of Administration, (a) any member of this system who was a member on the effective date of this amendment who has attained age 63, (b) any member who hereafter becomes a member of this system who has".

Amendment No. 2

On page 2, line 19, of said bill, strike out "(b)", and insert "(c)".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Senate Bill No. 597, on motion of Mr. Davis.

RESOLUTIONS

The following resolution was offered:

By Messrs. Lindsay, Berry, Parker, Chapel, Belotti, and Meyers:

House Resolution No. 232

Relative to the creation of the Assembly Interim Committee on Transportation and Commerce

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Transportation and Commerce is hereby created and authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon any matter which, under the Standing Rules of the Assembly and the legislative practices thereunder would be referred to the Assembly Standing Committee on Transportation and Commerce, and any and all other matters relating to or affecting rapid transit highways, streets and bridges, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation

2. The committee shall consist of the members of the Assembly Standing Committee on Transportation and Commerce for this legislative session. The chairman and vice chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the Speaker.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of five thousand dollars ($5,000) or so much thereof as may be necessary is hereby made available from the contingent fund of the Assembly for the expenses of the Committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the Committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 19, 1951

To the Honorable Members of the Assembly
State of California
Sacramento, California

GREETINGS: I am returning herewith, without my signature,

Assembly Bill No. 61, entitled: "An act to amend Section 8201 of the Government Code relating to notaries public."

My objections to the bill are as follows:

This bill would add a requirement that to be appointed a notary an applicant must answer a written questionnaire on a form prescribed by the Governor to determine his fitness to exercise the functions of office. I do not believe that this bill would be effective to improve the standards of notaries public. To be of any value, the

bill would require an extensive organization to check the answers to questions and to prepare examination papers. No provision is made in the budget for any state department for any such function. In the absence of an extensive investigation of applicants, together with a carefully thought out and frequently changed questionnaire, with adequate checking of answers, this bill would be of little benefit. For this reason, I am returning it without my approval

Respectfully submitted.

EARL WARREN, Governor

Acknowledgment of Receipt of Assembly Bill No 61

STATE OF CALIFORNIA, GOVERNOR'S OFFICE

SACRAMENTO 14, June 19, 1951

I acknowledge receipt this twentieth day of June, 1951, at 2.25 o'clock p m, of Assembly Bill No. 61, without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

ARTHUR A. OHNIMUS

Assembly Bill No 61 ordered to unfinished business file.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 20, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No 606

J A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time:

Senate Bill No. 606—An act providing for the constitution of municipal courts, and prescribing the number and compensation of the judges, officers and attaches thereof.

Referred to Committee on Judiciary.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 514—An act to amend Sections 3, 12, 14, 16, 17, 28, 30, and 35 of, and to add Sections 30.1, 30.2, 30.3, 30.4, 30 5, 30 6, 30.7, 30.8, 30.9, 30.10, 30.11, 30.12, 30.13, 30 14, 30.15, and 30 16 to, and to repeal Sections 13, 15, 18, and 29 of, the Sonoma County Flood Control and Water Conservation District Act, relating to the powers of said district, the incurring of indebtedness, the issuing and selling of special assessment bonds, the levy and collection of special assessments, and the levy and collection of taxes by said district.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Names Be Placed Upon Roll Call

Messrs. Dolwig, Evans, Hawkins, Levering, McGee, McMillan, Meyers, and Stewart asked for, and were granted, unanimous consent that their names be placed upon the roll call on Senate Bill No. 514, and that they be recorded as voting "Aye".

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 261

Mr. Brown asked for, and was granted unanimous consent to take up Senate Bill No. 261, temporarily passed on file, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 261

Senate Bill No. 261—An act to amend Section 22257 of the Water Code, relating to water distribution by irrigation districts.

Bill read third time.

Motion to Amend

Mr. Dickey moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on April 27, 1951, after "22257", insert ", and to repeal Section 22264,".

Amendment No. 2

On page 1 of said bill, after line 21, insert

"Whenever water is in fact delivered by a district for human consumption or domestic use, notwithstanding any written or implied agreement that it shall not be so used, the district shall comply with all provisions of Chapter 7, Part 1, Division 5 of the Health and Safety Code and shall be subject to the penalties provided therein.

SEC. 2. Section 22264 of the Water Code is hereby repealed."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 598—An act to amend Section 12465 of the Government Code, relating to the destruction of records in the custody of the Controller.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—74.

NOES—None

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy,

McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 95—An act to add Section 44.8 to the Vehicle Code, relating to authorizing emergency vehicles.

Bill read third time.

Motion to Strike Senate Bill No. 95 From File

Mr. Cooke moved that Senate Bill No. 95 be stricken from file.

Motion died for lack of a second.

The question being on the passage of Senate Bill No. 95.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—74

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Mr. Silliman:

House Resolution No. 233

Relating to creating the Assembly Interim Committee on Conservation, *Planning, and Public Works*

WHEREAS, The increase in the population of the State has caused a rapid expansion of the population of the counties, cities and local governmental subdivisions of the State; and

WHEREAS, There is a need for careful planning to prevent future conflict between the commercial, industrial and domestic interests in the State and its counties, cities and local governmental subdivisions; and

WHEREAS, It is necessary that the Assembly be fully informed in the premises, particularly as to whether existing laws relating to the subject of Conservation, Planning, and Public Works are adequate; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Conservation, Planning, and Public Works is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the operation, effect and administration of the Conservation and Planning Act and all facts relating to or in any way bearing upon the subject matter of the recitals of this resolution, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the membership of the Assembly Standing Committee on Conservation, Planning, and Public Works. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read, and ordered referred to the Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 20, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 296
Senate Bill No. 298
Senate Bill No 386
Senate Bill No 435
Senate Bill No. 465
Senate Bill No 961
Senate Bill No 1078
Senate Bill No. 1514
Senate Bill No 1085

J A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 553—An act to amend Section 5 of the Principal and Income Act, relating to the treatment of stock dividends as principal or income.

Bill read third time, and ordered passed on file.

Senate Bill No. 1706—An act to amend Sections 13642, 14103, 14191, 14201, 14211, and to repeal Section 14212 of the Revenue and Taxation Code, relating to inheritance taxes.

Bill read third time, and ordered passed on file.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 2.48 p m., Mr. Hollibaugh asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Revenue and Taxation in the Lounge Room, at this time.

Subject: Senate Bill No 919.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1712—An act to amend Section 9653 of the Revenue and Taxation Code, relating to the motor vehicle transportation license tax.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 860—An act to amend Sections 20492, 21024, 21251.1, 21253, and 21331 of, to repeal Sections 21360 of, and to add Sections 21201.5 and 21360 to, the Government Code, relating to the State Employees' Retirement System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr Speaker—74

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1818—An act to add Section 6359.2 to the Revenue and Taxation Code, relating to the exemption of drugs from the sales and use taxes.

Bill read third time, and ordered passed on file

Senate Bill No. 255—An act to add Sections 2103.1 and 8162 to the Education Code, relating to the Public School System.

Bill read third time.

Motion to Amend

Mr. Lanterman moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on June 11, 1951, after the second "to", insert ", and to amend Section 2205 of,"

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets

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Amendment No. 2

On page 2 of said bill, after line 21, insert:

"SEC. 2. Section 2205 of said code is amended to read

2205. The governing board of any elementary school district having an average daily attendance of 1,000 or more pupils and an assessed valuation of [twenty million dollars ($20,000,000)] *eighteen million dollars ($18,000,000)* or more may, and upon petition signed by 25 per cent of the heads of families resident in the district, shall call an election to determine whether or not, it shall have the rights, powers, and duties

of a city board of education and whether or not the district shall for all purposes be deemed to be a district governed by a city board of education.

Notice and proceedings of the election shall be in accordance with the provisions of this code relating to the election for school trustees, so far as applicable. There shall be elected at the election, to take office if the change in the rights, powers, and duties of the board is approved by majority vote of the qualified electors in the district, two additional members to the board, one to hold office until the first of July next succeeding the election and one to hold office until one year after the first of July next succeeding the election and until the election and qualification of their respective successors who shall hold office for three years. Thereafter, if the change in the rights, powers, and duties of the board is approved, the number of school trustees for the elementary school district shall be five, and they shall be elected in the same manner and for the same term as provided by law for trustees of elementary school districts, except that two trustees may be elected at the same time when the terms of their predecessors terminate in the same year. If the change is approved by a majority vote of the qualified electors of the district, the board shall have the rights, powers, and duties of a city board of education, and the district shall for all purposes be deemed to be a district governed by a city board of education.

If the office of any member of the board becomes vacant prior to the expiration of his term, the vacancy shall be filled by a person appointed by a majority of the remaining members of the board The person appointed shall serve for the remainder of the unexpired term."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading

Senate Bill No. 1109—An act to amend Section 28131 of the Government Code, relative to compensation for public services in counties.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr Speaker—74.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 1431—An act authorizing suits against the State of California to quiet title against it as to certain real property situated in the County of Modoc, State of California.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE JOINT RESOLUTION NO. 38

Mr. Lyon asked for, and was granted unanimous consent to take up Senate Joint Resolution No. 38, temporarily passed on file.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 38

Senate Joint Resolution No. 38—Relating to the settlement of certain claims of the Indians of California by the Indian Claims Commission of the United States and the federal courts.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—74

NOES—None

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1200—An act to amend Sections 1502.5, 1509.7, 1509.9, 1513, 1518.2, 1535.3, 1541, 1560, 1562, 1571, 1581, 1586, 1587, and to repeal Article 10.5, comprising Sections 1595 to 1598, inclusive, of, and to add Sections 1505.5, 1535.7, 1535.8, 1542, 1585, and 1587.5 to, the Military and Veterans Code, and to amend Section 8.5 of the Civil Defense Act of 1950, relating to civil defense, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Name Be Placed Upon Roll Calls

Mr. Waters asked for, and was granted, unanimous consent that his name be placed upon the roll call on the urgency clause to Senate Bill No. 1200 and on the passage of Senate Bill No. 1200, and that he be recorded as voting "Aye."

Senate Bill No. 1203—An act to add Section 1518.4 to the Military and Veterans Code, relating to civil defense.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1204—An act to amend Sections 3211.9, 3211.92, 3211.93, 3352.94, 4363, of, and to renumber the chapter heading of Chapter 10.5 of Division 4, Part 1 of, and to repeal Sections 3211.2, 3211.4, 3211.6, 3211.7, 3211.8, 3352.5, 4301, 4302, 4303, 4304, 4305, 4311, 4312, 4313, 4314, 4315, 4316, 4317, 4318, 4331, 4332, 4333, 4334, 4335, 4336, 4337, 4366, and 4367 of the Labor Code, relating to the furnishing of workmen's compensation benefits to volunteer disaster service workers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 677—An act to provide for the safety of public records, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering,

Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 3.10 p.m., Mr. Sherwin asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Ways and Means in the Post Office, at this time.

Subject: Senate Bill No. 65.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 38—An act to amend Section 28154 of the Government Code and Section 454 of the Education Code, relating to compensation for public services in counties of the fifty-fourth class.

Bill read third time, and ordered passed on file.

Senate Bill No. 516—An act to add Sections 99 to 106, inclusive, to the Drainage District Act of 1903, relating to the dissolution of drainage districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 885—An act to amend Section 27 of the Storm Water District Act of 1909, relating to storm water districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1700—An act to amend Section 28120 of the Government Code, relating to compensation for services performed for counties of the twentieth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 144—An act to add Section 66u to the Code of Civil Procedure, relating to the number of Judges of the Superior Court in the County of Shasta, and providing for the appointment of an additional judge and for compensation.

Bill read third time, and ordered passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 920

Mr. Hansen asked for, and was granted, unanimous consent to take up Senate Bill No. 920, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 920

Senate Bill No. 920—An act to add Section 988 to the Revenue and Taxation Code, relating to the assessment of mineral rights.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1524—An act to amend Sections 70 and 70.1 of the Streets and Highways Code, relating to the California Highway Commission.

Bill read third time, and ordered passed on file.

Senate Bill No. 1632—An act to add Section 19535 to the Business and Professions Code, relating to horse racing.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1469—An act to amend Sections 43619 and 43620 of, and to add Sections 43620.1 and 43620.2 to, the Government Code, relating to bonds for municipal improvements.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 671—An act to add an article heading and Article 2 to Chapter 4, Title 6 of the Government Code, relating to districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE BILL NO. 1225 BE RE-REFERRED TO COMMITTEE

Mr. Clarke asked for, and was granted, unanimous consent that Senate Bill No. 1225 be withdrawn from the third reading file, and be re-referred to the Committee on Municipal and County Government.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Concurrent Resolution No. 84—Relative to the organization of the Department of Fish and Game.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

Resolution ordered transmitted to the Senate.

Senate Joint Resolution No. 37—Relative to maintaining a minimum lake level behind the Isabella Dam.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None

Resolution ordered transmitted to the Senate.

Senate Concurrent Resolution No. 78—Relative to a study of glutinous rice by the University of California Experimental Station, Department of Food Technology.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None

Resolution ordered transmitted to the Senate.

Senate Concurrent Resolution No. 90—Relating to observance of Flag Day.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

Resolution ordered transmitted to the Senate.

RESOLUTIONS

The following resolutions were offered:

By Mr. Sam L. Collins:

House Resolution No. 234

Resolved, That Justin G. Child, Chief of the Bureau of Buildings and Grounds, be and he is hereby directed to leave the Assembly Chamber and all of the committee rooms and other rooms used by the Members and Officers of the Assembly in such condition that they will be available for use by the Assembly at any time. It is further directed that no person other than the Members and Officers of the Assembly be permitted to occupy or use the offices, committee rooms, or other rooms now occupied by the Assembly, or any of the Assembly equipment, and that the committee rooms, offices, desks, furniture and equipment of the Assembly be under the control of the Committee on Rules of the Assembly subsequent to the sine die adjournment of the session and until the Assembly shall reconvene for the next regular session,

Resolved, That any requests for the use of the Assembly Chamber must be made to the Speaker at least 10 days prior to the requested date for the use of the Assembly Chamber, and that subsequent to the sine die adjournment, and until the reconvening of the Assembly for the next regular session, the use of the Assembly Chamber shall not be permitted except on the written authorization of the Speaker; and be it further

Resolved, That any requests for the use of the committee rooms, offices, desks, furniture, or equipment of the Assembly shall be made to the Speaker of the Assembly, in writing, at least ten days prior to the requested date for the use of such committee rooms.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Davis:

House Resolution No. 235

Relative to study by Subcommittee of the Interim Committee on Fish and Game, of the ranging of mule deer herds

WHEREAS, Northeastern California is the part-time range of two herds of mule deer, one of which summers in the State of Oregon and winters in the Devils Garden area of Modoc County, California, while the other summers in California and winters in the State of Nevada; and

WHEREAS, There have been widespread differences of opinion and misunderstanding concerning the numbers, physical condition of, and the available food supply for the mule deer constituting these two interstate herds; and

WHEREAS, The Assembly Interim Committee on Fish and Game appointed pursuant to House Resolution No 251 of the Regular Session of 1949, submitted preliminary findings and recommendations concerning the problems above enumerated; and

WHEREAS, There is need for more comprehensive studies covering range conditions, the status of the deer browse, the steps that should be taken to rehabilitate such portions of the range as may have been destroyed either by overgrazing by domestic stock or overbrowsed by deer, or both; and

WHEREAS, In the interest of better public understanding of the complex problems involved, and to obtain further information relative thereto, it is essential that additional field surveys be made and that more public hearings be held in the areas in question; now, therefore, be it

Resolved by the Assembly of the State of California, That a Subcommittee of the Interim Committee on Fish and Game be hereby authorized and directed to conduct such field surveys, hold additional public hearings, and submit a report of its findings and conclusions to the next regular session of the Legislature.

Resolution read, and ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1752

Mr. Lowrey asked for, and was granted, unanimous consent to take up Senate Bill No. 1752, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1752

Senate Bill No. 1752—An act to amend Section 28133 of the Government Code, relating to compensation for public services in a county of the thirty-third class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 122

Mr. Rumford asked for, and was granted, unanimous consent to take up Senate Bill No. 122, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 122

Senate Bill No. 122—An act to add Section 424 to the Government Code, relating to the official colors of the State.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 49—An act to amend Section 19.6 of the Fish and Game Code, relating to powers of the Fish and Game Commission.

Bill read third time, and ordered passed on file.

Senate Bill No. 1061—An act to repeal Section 1367 of the Fish and Game Code, relating to commercial hunting clubs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering,

Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 728—An act to amend Section 2786 of, and to add Section 2708.1 to the Business and Professions Code, relating to nursing education.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 760—An act to amend Section 1550 of the Welfare and Institutions Code, relating to aid to needy children.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1004—An act to amend Section 3084 of the Welfare and Institutions Code, relating to aid to the needy blind.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1444—An act to amend Section 2020 of the Welfare and Institutions Code, relating to aid to the aged.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1246—An act to amend Section 2605 of the Elections Code, relating to sponsors for candidates.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1524

Mr. Fleury asked for, and was granted unanimous consent to take up Senate Bill No. 1524, temporarily passed on file, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 1524

Senate Bill No. 1524—An act to amend Sections 70 and 70.1 of the Streets and Highways Code, relating to the California Highway Commission.

Bill read third time.

Motion to Amend

Mr. Geddes moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 8, of the printed bill, after "commission", insert a comma, and "four of whom shall be residents of county Group 1 and four residents of county Group 2 as said groups are defined in Section 187 of this code".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1117

Mr. Brown asked for, and was granted, unanimous consent to take up Senate Bill No. 1117, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1117

Senate Bill No. 1117—An act to add Article 4 to Chapter 1, Part 1, Division 2, Title 5 of the Government Code, consisting of Sections 53070 and 53071, relating to the compensation of county, township and municipal officers, declaring the urgency hereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—75.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 3.46 p.m., Hon. Thomas A Maloney, Speaker pro Tempore of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 543

Mr. Brown asked for, and was granted, unanimous consent to take up Senate Bill No. 543, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 543

Senate Bill No. 543—An act to amend Sections 671, 689, 777, 778, 781, 782, 783, 784, 784a, 785, 786, 789, 791, 792, 794, 795, 802, 806, 813, 814, 815, 816, 826, 827, 828, 829, 949, 950, 953, 954, 955, 957, 958, 959, 960, 961, 963, 964, 966, 967, 968, 969, 969c, 970, 971, 976, 977, 979, 980, 983, 988, 989, 990, 1004, 1005, 1007, 1008, 1009, 1010, 1012, 1016, 1017, 1019, 1021, 1022, 1023, 1024, 1025, 1033, 1043, 1053, 1057, 1059, 1093, 1095, 1099, 1100, 1119, 1127, 1130, 1135, 1136, 1138, 1150, 1151, 1155, 1157, 1158, 1159, 1160, 1164, 1165, 1180, 1181, 1185, 1186, 1187, 1191, 1193, 1195, 1196, 1197, 1198, 1199, 1205, 1207, 1213, 1235, 1237, 1238, 1243, 1262, 1326, 1382, 1385, 1387, 1427, 1428, 1429, 1447, 1449, 1458, 1461, 1466, and 1468 and the headings of Title 3, Chapter 3 of Title 3, Title 4, Title 5, Chapter 2 of Title 5, Title 6, Chapter 2 of Title 6, Chapter 3 of Title 6, Chapter 4 of Title 7, Title

9, Chapter 8 of Title 10, Title 11, and of Chapter 1 of Title 11, of Part 2 of the Penal Code, to renumber the headings of Chapters 2 and 3 of Title 4 of Part 2 of said code and to repeal the heading of Title 2, Part 2 and Sections 809, 810, 811, 812, 818, Chapter 1, consisting of Sections 888 to 890, inclusive, of Title 4, Part 2, Sections 1011, 1144, 1247c, 1426, 1426.1, 1428.1, 1428.2, 1428.3, 1430, 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1446, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1459, 1460, 1461a, and 1467, of said code, and to add Sections 690 and 691, a new Title 2, consisting of Sections 737 to 740, inclusive, to Part 2 of said code, and Sections 777a, 973, 1167, and 1467 to said code, relating to proceedings in criminal cases.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr. Lindsay asked for, and was granted, unanimous consent that his name be placed upon the roll call on Senate Bill No. 543, and that he be recorded as voting "Aye".

Hon. Richard H. McCollister Presiding

At 3.49 p.m., Hon. Richard H. McCollister, Member of the Assembly from the Seventh District, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1127

Mr. Brown asked for, and was granted unanimous consent to take up Senate Bill No. 1127, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1127

Senate Bill No. 1127—An act to amend Section 38742 of the Government Code, relating to municipal water facilities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 634

Mr. Maloney asked for, and was granted unanimous consent to take up Senate Bill No. 634, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 634

Senate Bill No. 634—An act to amend Section 18734, Business and Professions Code, relating to contestants in boxing contests, or sparring or wrestling matches.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 3.52 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 424—An act to amend Section 28119 of the Government Code, relating to compensation for public service in counties of the nineteenth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 501—An act to amend Section 407 of the Education Code, relating to county school superintendents' salaries in counties of the seventh class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering,

Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 619—An act to amend Section 737qq of the Political Code, relating to superior judges' salaries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1016—An act to repeal the Political Code of the State of California, relating to the organization, operation, and maintenance of a System of State and Local Government.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1029—An act to amend Sections 58002 and 58501 of, to add Section 58308 to, and to repeal Section 58003 of, the Government Code, relating to a System of State and Local Government.

Bill read third time.

Motion to Amend

Mr. Babbage moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on June 4, 1951, strike out "and 58501".

Amendment No. 2

On page 2 of said bill, strike out lines 14 to 52, inclusive.

Amendment No. 3

Strike out all of page 3 of said bill.

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1151—An act to amend Section 737tt of the Political Code and 79.46 of the Code of Civil Procedure, relating to superior judges' salaries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1152—An act to amend Section 28105 of the Government Code, relating to compensation for public services in counties of the fifth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1569—An act to amend Section 5821 of the Streets and Highways Code, relating to county maintenance districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1692—An act to amend Section 28110 of the Government Code, relating to compensation for public services for counties.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson,

Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1831—An act to amend Sections 2.2 and 14 of the Orange County Flood Control Act, relating to the purchase and resale of water and authorizing the levy and collection of additional taxes for such purposes.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Senate Bill No. 29 Hold Place on File

Mr. Babbage asked for, and was granted, unanimous consent that Senate Bill No. 29 be passed on file, and hold its place on file on the next legislative day.

Senate Bill No. 487—An act to amend Sections 2007, 2009, and 2151 of the Streets and Highways Code, relating to a System of Public Streets and Highways in this State and the financial support thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 714—An act to add Sections 55.1, 55.2, and 55.3 to the State Water Resources Act of 1945, relating to the project on the Russian River for flood control and water conservation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 761—An act to amend Section 5082.2 of the Business and Professions Code, relating to public accountants.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1570—An act to amend Section 34326 of, and to add Section 34333 to, the Government Code, relating to the incorporation of cities and the withdrawal of territory therefrom.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1812—An act to create a flood control district to be called Santa Clara County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, public highways, life and property from damage or destruction from such waters; to provide for the acquisition, retention, and reclaiming of drainage, storm, flood, and other waters and to save, conserve, and distribute such waters

for beneficial use in said district; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to define the powers of said district; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—76

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 320—An act to amend Section 44.12 of the Vehicle Code, relating to authorized emergency vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—76

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1597—An act to amend Section 405 of the Education Code, relating to school superintendents' salaries in counties of the fifth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans,

Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 399—An act to amend Section 2110 of the Streets and Highways Code, relating to apportionments to counties payable from the Highway Users Tax Fund.

Bill read third time, and ordered passed on file.

Senate Bill No. 1721—An act relating to a highway construction and improvement program, county and state, including cooperation with the Federal Government in furtherance of the purposes of the Federal-Aid Highway Act of 1950 and the expenditure of federal-aid moneys, declaring the urgency hereof, to take effect immediately.

Bill read third time, and ordered passed on file.

Senate Bill No. 216—An act to amend Sections 502, 502.1, 502.2, 511.5, 512, 513, and 515 and to repeal Sections 502.1, 512.1, 513, 515, and 518.1 of the Military and Veterans Code, relating to the appointment, expenses, pay, control, jurisdiction and active duty of officers in the California Cadet Corps, service of members of California Defense and Security Corps with California Cadet Corps, uniforms for California Cadet Corps and target practice and training of California Cadet Corps

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—77.

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr. Coats asked for, and was granted, unanimous consent that his name be placed upon the roll call on Senate Bill No. 216, and that he be recorded as voting "Aye".

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 596

Mr. Coats asked for, and was granted unanimous consent to take up Senate Bill No. 596, temporarily passed on file, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 596

Senate Bill No. 596—An act to amend Section 696 of the Fish and Game Code, relating to striped bass.

Bill read third time.

Motion to Amend

Mr. Coats moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in the Assembly on May 31, 1951, strike out ", fish market or in any establishment", and insert "or fish market".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1468

Mr. Connolly asked for, and was granted unanimous consent to take up Senate Bill No. 1468, temporarily passed on file, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 1468

Senate Bill No. 1468—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies as herein defined.

Bill read third time.

Motion to Amend

Mr. Connolly moved the adoption of the following amendment:

Amendment No. 1

On page 3, line 26, of the printed bill, following "ineffective", insert ", or to confirm, validate or legalize the organization of, or any proceedings for the organization of any municipal corporation, when any part of the area of such municipal corporation within the boundaries thereof described in the resolution or order of the board of supervisors defining and establishing the boundaries of the proposed municipal corporation has been held by any court to be a part of another municipal corporation or has, directly or indirectly, been held illegally included within such boundaries of the proposed municipal corporation as described in said resolution or order of the board of supervisors or in the notice of election on the incorporation of the proposed municipal corporation".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT

Mr. Cloyed asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No 105, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 105

Assembly Concurrent Resolution No. 105—Relative to advertising by Dairy Industries Advisory Board.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Bradv, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—77.

NOES—None.

Resolution ordered transmitted to the Senate.

Speaker Presiding

At 4.22 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bill was withdrawn from the file, and re-referred as follows:

Senate Bill No. 65 re-referred to the Committee on Ways and Means.

RESOLUTIONS

The following resolution was offered:

By Messrs. Rosenthal, Beck, and Shaw:

House Resolution No. 236

Relative to congratulating Loyola University of Los Angeles on recent accomplishments

WHEREAS, Loyola University of Los Angeles has its origin and traditions deep in the early history of California, and has maintained an outstanding scholastic, religious, and athletic program; and

WHEREAS, Scholastically, the university has high admission and performance requirements, and believes in a rigorous foundation of knowledge and a generous share of culture which will support any superstructure of science, arts or letters, and has effected marked successes thereby, and

WHEREAS, Religiously, the university promotes the philosophy that knowledge and intellectual development of themselves have no moral efficacy whatever, but that religion is necessary to provide the integrity to guide the use of learning in every endeavor; and

WHEREAS, Athletically, the university attaches relative importance to a sound body for a sound mind, maintaining intermural athletics on a year-round basis, and engages in intercollegiate football, basketball, baseball, tennis, and golf; their winning football teams of the past two seasons presage greater gridiron power; the university has permitted its football games to be televised for the coming year, thus permitting many sports fans to enjoy and be attracted to the games; and

WHEREAS, Such a broad yet integrated educational program uniquely develops the "Complete Man" under the century-tried methods of the Jesuit Fathers; now, therefore, be it

Resolved by the Assembly of the State of California, That Loyola University of Los Angeles be congratulated on their outstanding scholastic, religious, and athletic accomplishments; and be it further

Resolved, That the Chief Clerk of the Assembly transmit suitable copies of this resolution to Rev. Charles S. Casassa, S. J., President of the University.

Resolution read, and ordered referred to the Committee on Rules.

APPOINTMENT TO COMMITTEE

Speaker Sam L. Collins announced the appointment of Mr. Dickey to membership on, and to Chairmanship of, the Committee on Conservation, Planning, and Public Works, vice Mr. Silliman, resigned.

ANNOUNCEMENT

Mr. Munnell announced, on behalf of Senator Tenney, that the Senate Committee on Judiciary will meet today, upon adjournment of the Senate, for the purpose of hearing, for the last time, Assembly bills pending before this committee.

NOTICES OF MOTION TO AMEND STANDING RULES OF THE ASSEMBLY

Mr. Silliman gave notice that on the next legislative day he will move to amend the Standing Rules of the Assembly, as follows:

Notice of Motion to Amend Standing Rules of the Assembly by Mr. Silliman

Notice is hereby given, pursuant to Standing Rule No. 5, that on the next legislative day, to wit, on June 21, 1951, I will make a motion with respect to Rule 9.5 of the Standing Rules of the Assembly as follows:

I hereby move that Rule 9.5 be added to the Standing Rules of the Assembly to read:

"9.5. All claims for expenses incurred by interim investigating committees of the Assembly shall be approved by the Committee on Rules, or its authorized representative, before such claims are presented to the Controller.

All proposed expenditures, other than expenditures of the funds of an interim investigating committee, shall be approved by the Committee on Rules or its authorized representative before such expenses are incurred, unless such expenditure is specifically exempted from the provisions of this rule by the resolution authorizing it.

No warrant shall be drawn in payment of any claim for expenses until the approval of the Committee on Rules, or its authorized representative, has been obtained in accordance with the provisions of this rule.

The Committee on Rules may adopt rules and regulations governing the letting of any contract by an interim investigating committee and may also adopt rules and regulations limiting the amount, time, and place of expenses and allowances, exclusive of salaries under three hundred dollars ($300) per month, to be paid to employees of Assembly interim investigating committees. Copies of all rules and regulations adopted pursuant to this rule shall be distributed to the chairman of every such investigating committee."

Mr. Sherwin gave notice that on the next legislative day he will move to amend the Standing Rules of the Assembly, as follows:

Notice of Motion to Amend Standing Rules of the Assembly by Mr. Sherwin

Notice is hereby given pursuant to Standing Rule No. 5, that on the next legislative day, to wit, on June 21, 1951, I will make a motion to amend the Standing Rule to the Assembly by adding a new rule numbered 47.7 as follows:

I hereby move that a new Rule 47.7 be added to the Standing Rules of the Assembly to read:

"47.7. A vacancy shall be deemed to exist in the membership of any interim committee except the Committee on Rules whenever a member thereof fails to obtain the nomination of his party at the primary election or whenever such member is not re-elected at the general election. Vacancies so occurring in the membership of any committee shall be filled by the Speaker."

Mr. Kirkwood gave notice that on the next legislative day he will move to amend the Standing Rules of the Assembly, as follows:

Notice of Motion to Amend the Standing Rules by Mr. Kirkwood

Notice is hereby given, pursuant to Standing Rule No. 5, that on the next legislative day, towit, on June 21, 1951, I will make a motion to amend Rules No. 12, 14, and 15 of the Standing Rules of the Assembly, as follows:

"12. The duties of the Chief Clerk shall be as follows:

(a) To have charge of and supervise all clerical business and printing of the Assembly.

(b) To see that the Journals, other publications, and records of the Assembly are properly kept.

(c) To refuse to permit any records or papers to be taken from the desk or out of his custody, except upon duly signed receipts from persons authorized.

(d) To read or allow his assistants to read from the desk only such matters as the Speaker of the Assembly shall direct.

(e) To have general supervision over all clerks, attaches, and employees, and to be responsible for their official acts and their performance of and regular attendance upon their duties

(f) To suspend temporarily any clerk, attache, or employee for incompetency or dereliction of duty, pending action by the Committee on Rules.

(g) To perform all other duties pertaining to his office as prescribed by law or Assembly rule.

(h) Before the commencement of any regular session of the Legislature the Chief Clerk of the Assembly shall mail to each member a blank form on which the member may indicate his committee preferences. Accompanying such blank shall be mailed a stamped envelope addressed to the Chief Clerk of the Assembly for returning such form After their receipt, all such communications shall be delivered to the Chairman of the Interim Committee on Legislative Organization, if such a committee has been created, who shall deliver them to the Speaker immediately upon the organization of the Assembly.

(i) To certify to the Controller, pay rolls of members and attaches.

(j) To certify all requisitions upon the Controller for the payment of bills incurred by the Assembly.

(k) To order and sign for all documents and printing, subject to approval by the Speaker or ~~the Chairman of the Committee on Rules~~ *a person designated by the Speaker.*

14. The State Printer shall not charge any printing or other work to the Assembly other than provided by law or Assembly Rule, except upon a written order signed by the Chief Clerk of the Assembly and countersigned by the ~~Chairman of the Committee on Rules~~ *Speaker* or *a person designated* by the Speaker, and delivered to him prior to beginning such printing or work. All invoices for printing furnished the Assembly shall be itemized and rendered by the State Printer within thirty days after completion of said printing. When necessary, the Chief Clerk may order certain printed matter completed in advance of its regular order by the issuance of a rush order.

15. Unless otherwise restricted by law or by Assembly Rule, the style and form of all printing, the quality of paper to be used, the number of copies to be printed of each order, and the number of copies to be delivered to each member shall be decided by the Chief Clerk and approved by the Speaker or ~~the Chairman of the Committee on Rules~~ *a person designated by the Speaker*. All requests by members for additional copies of bills, documents, or other printed matter shall be referred to the Committee on Rules."

REPORTS OF STANDING COMMITTEES

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Senate Bill No. 460

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ERWIN, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 460—An act to add Sections 549, 550, 551, 552, 553, 554, and 555 to the Fish and Game Code, relating to fish screens.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Senate Bill No. 846
Senate Bill No. 1681

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 846—An act providing for surveys, plans, estimates of costs, and preliminary engineering, for a toll tube or other toll highway crossing across the Bay of San Diego from the City of San Diego to the City of Coronado, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

Senate Bill No. 1681—An act making an allocation from the emergency fund specified in Item 277 of the Budget Act of 1950, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Senate Bill No. 932

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 932—An act to amend Section 23626 of the Water Code, relating to improvement districts in irrigation districts, and declaring the urgency of this act, to take effect immediately.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Senate Bill No. 819

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 819—An act for the construction and development of water resources in the Cuyamaca State Park, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 17, of the printed bill as amended in the Senate on June 14, 1951, strike out "irom", and insert "to".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Senate Bill No. 512
Senate Bill No. 1564

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means

CLARKE, Chairman

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 512—An act making an appropriation to the Department of Agriculture for completing construction of the poultry and animal disease diagnostic and testing laboratory at Petaluma.

Bill read second time, and ordered re-referred to the Committee on Ways and Means.

Senate Bill No. 1564—An act providing for research in reducing sea water to water suitable for domestic and agricultural uses in mass quantities and at low cost, and making an appropriation therefor.

Bill read second time, and ordered re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which were referred:
Senate Bill No. 773
Senate Bill No. 950

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

NIEHOUSE, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 773—An act to amend Section 7010 of the Welfare and Institutions Code, relating to feeble-minded persons.

Bill read second time, and ordered to third reading.

Senate Bill No. 950—An act to amend and renumber Section 1523 5 of the Welfare and Institutions Code, as added thereto by Chapter 709 of the Statutes of 1951, to be Section 1552.4 thereof, relating to aid to needy children.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR SPEAKER Your Committee on Judiciary, to which was referred:
Senate Bill No. 119

Has had the same under consideration, and reports the same back with the recommendation. Do pass, and be re-referred to Committee on Ways and Means.

BROWN, Chairman

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 119—An act to add Article 5, comprising Sections 116c to 116g, inclusive, to Chapter 5, Title 1, Part 1 of the Code of Civil Procedure, relating to establishing a uniform accounting system for municipal courts and justice courts, and making an appropriation.

Bill read second time, and ordered re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Senate Bill No. 51

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, *Chairman*

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 51—An act to add Section 8.5 to the Municipal and Justice Court Act of 1949, relating to the election of Municipal Court Judges in the City and County of San Francisco, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR SPEAKER: Your Committee on Ways and Means, to which were referred:

Senate Bill No. 963
Senate Bill No. 1227
Senate Bill No. 1625

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 963—An act to add Section 11011 to the Government Code, relating to the payment of commissions to licensed real estate brokers upon the sale of state-owned land.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Assembly on May 11, 1951, strike out "A", and insert "When the highest bid received after advertising does not equal the appraised value of such property, a".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1227—An act to amend Section 19627 of the Business and Professions Code, relating to the state revenue derived from horse racing licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 10, of the printed bill, after "fees", insert "except as is otherwise provided by this article".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1625—An act to add Chapter 6.5 to Division 2, comprising Sections 2840 to 2895 to the Business and Professions Code, relating to the practice of vocational nursing.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 2, line 2, of the printed bill, as amended in the Assembly on June 15, 1951, strike out "Article", and insert "Chapter".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred: Senate Bill No. 919

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 919—An act to amend Sections 753, 2001, 2002, 2004, and 2005 of; to amend and renumber Sections 755, 756, 758, 759, 760, 1831, 1832, 1833, 1834, 1835, 1839, 1840, 1841, 1842, and 1843 of; to add Sections 1840.5 and 2006 to; and to repeal Sections 754, 757, 1836, 1837, 1904, 1905, 1906, 1907, and 1908 of the Revenue and Taxation Code, relating to property taxation and the allocation of state funds; declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on June 7, 1951, strike out "Sections 753, 2001, 2002, 2004, and 2005 of;" and strike out lines 2 to 6, inclusive, of said title, and insert "Section 28 of "An act to amend Section 753 of the Revenue and Taxation Code, to amend and renumber Sections 754 to 758, inclusive, 1831 to 1834, inclusive, and 1882.5 of said code, to add thereto new sections to be numbered 754, 757, 1831 to 1838, inclusive, 1904 to 1908, inclusive, and to add Article 4, comprised of Sections 2001 to 2005, inclusive, to Chapter 2, Part 3, Division 1 of said code, all relating to property taxation and providing for the assessment

of property, the equalization of assessments and the adjustment thereof for allocations of state funds, and the adjustment of tax rates to promote equity in tax burdens and providing when certain provisions of this act shall take effect," approved July 29, 1949,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 20, inclusive; and strike out all of pages 2 to 6, inclusive, and insert

"SECTION 1. Section 28 of the act cited in the title hereof is amended to read

Sec. 28. The *operation of the* provisions of Sections 1 to 27, inclusive, of this act shall [take effect on September 2, 1950] *be suspended until the ninety-first day after the final adjournment of the 1953 Regular Session of the Legislature*, to the end that they shall be operative for the first time with respect to assessments made as of the first Monday in March, [1951] *1954*, and taxes levied and funds allocated on the basis thereof. Meanwhile, when funds are available for that purpose, the State Board of Equalization shall proceed with surveys in the manner directed by Section 1831 of the Revenue and Taxation Code, as added by this act, to assure completion of a survey pursuant to that section with respect to each county by the second Monday in July, [1951] *1954*.

SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting this necessity are:

Numerous unsolved problems of such magnitude have arisen as to the scope and application of Chapter 1466 of the Statutes of 1949, that if such law is permitted to become operative on July 1, 1951, as currently contemplated, there is great danger of a serious dislocation in the local tax structure. In order to avoid this situation, and to permit the uninterrupted continuation of the performance of necessary public services supported by revenue raised and distributed locally, it is necessary for the immediate preservation of the public peace, health and safety that this measure be enacted to take effect at once."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Senate Bill No. 65

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

SHERWIN, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 65—An act to amend Sections 19601, 19601.5, 19613.1, 19613.5 of, to add Section 19601.1 to, and to repeal Sections 19613.7, 19613.5, and 19614.5 of, the Education Code, relating to the support of child care centers, making an appropriation therefor and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on June 19, 1951, following line 12, insert

"This act shall be known as the "Kraft-Geddes Child Care Center Act"."

Amendment No. 2

On page 4, line 7, of said bill, strike out "commutation", and insert "computation".

Amendment No. 3

On page 4, line 17, of said bill, strike out "(b) of".

Amendment No. 4

On page 9, line 16, of said bill, strike out "that the estimated" and insert 'the".

Amendments read, and adopted
Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Senate Bill No. 418
Senate Bill No. 527
Senate Bill No. 1115
Senate Bill No. 1116
Senate Bill No. 1189
Senate Bill No 1489
Senate Bill No 1825

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 418—An act to amend Section 737mm of the Political Code, and Section 79.39 of the Code of Civil Procedure, relating to superior court judges' salaries.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 737mm of the Political Code, and".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 6, inclusive; and in line 7, strike out "SEC 2", and insert
"SECTION 1".

Amendment No. 3

On page 1, lines 11 and 12, of said bill, strike out "twelve thousand five hundred dollars ($12,500)", and insert "thirteen thousand five hundred dollars ($13,500)".

Amendment No. 4

On page 1 of said bill, strike out lines 13 to 16, inclusive

Amendments read, and adopted.
Bill ordered reprinted, and to third reading.

Senate Bill No. 527—An act to add Section 6060.8 to the Business and Professions Code, relating to bar examinations of veterans.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in the Senate on May 22, 1951, strike out "served in", and insert "entered".

Amendment No. 2

On page 1, line 6, of said bill, strike out "for at least one year".

Amendment No. 3

On page 1, line 7, of said bill, after "1945", insert "and has served in such forces continuously for at least one year".

Amendment No. 4

On page 2, line 9, of said bill, strike out "While this section is in effect it shall supersede any existing", and insert

"This section shall remain in effect until September 30, 1953 While this section is in effect it shall supersede any existing".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1115—An act to amend Section 737ss of the Political Code and Section 79.45 of the Code of Civil Procedure, relating to superior judges' salaries.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on June 13, 1951, strike out "Section 737ss of the Political Code and".

Amendment No. 2

On page 1, of said bill, strike out lines 1 to 6, inclusive.

Amendment No. 3

On page 1, line 7, of said bill, strike out "SEC. 2", and insert "SECTION 1".

Amendment No. 4

On page 1, lines 11 and 12, of said bill, strike out "ten thousand seven hundred fifty dollars ($10,750)", and insert "twelve thousand dollars ($12,000)".

Amendment No. 5

On page 1, of said bill, strike out lines 13 to 16, inclusive.

Amendments read, and adopted

Bill ordered reprinted, and to third reading.

Senate Bill No. 1116—An act to amend Section 737aaa of the Political Code and Section 79.53 of the Code of Civil Procedure, relating to superior court judges' salaries

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on June 13, 1951, strike out "Section 737aaa of the Political Code and".

Amendment No. 2

On page 1, of said bill, strike out lines 1 to 6, inclusive.

Amendment No. 3

On page 1, line 7, of said bill, strike out "SEC. 2", and insert "SECTION 1".

Amendment No. 4

On page 1, lines 11 and 12, of said bill, strike out "ten thousand seven hundred fifty dollars ($10,750)", and insert "twelve thousand dollars ($12,000)".

Amendment No. 5

On page 1 of said bill, strike out lines 13 to 16, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1189—An act to amend Section 14 of an act entitled "An act prescribing the regulation, government, procedure and jurisdiction of the municipal and justice courts, and providing for the election and appointment of the judges, officers and attaches of such courts, their terms of office, qualifications and compensation," approved July 27, 1949, relating to judges and attaches in municipal courts of judicial districts of the first and one-half class.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 2 of the printed bill, as amended in the Senate on June 13, 1951, after line 31, insert

"The clerk or marshal of a municipal court shall have the power to lay off and suspend a deputy or employee or deputies and employees because of lack of work requiring the service of existing personnel of the office or department. The clerk or marshal may also require a deputy or employee or deputies or employees to work temporarily in the office of clerk or marshal of another municipal court situated in the same county if a request for assistance has been made by such other court. The temporary assignment of a deputy or employee or deputies or employees to the clerk's office or marshal's office of another municipal court shall not affect his compensation, except as provided in Section 32 of this act"

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1489—An act to repeal Section 3440 of, and to add Sections 3440 and 3440.1, to, and to amend Section 3440.5 of, the Civil Code, relating to transfers of particular personal property.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 19, of the printed bill, as amended in the Senate on May 1, 1951, after "Wines", insert "or brandies"; and in said line, after "wineries", insert ", distilleries,".

Amendment No. 2

On page 1, line 20, of said bill, as amended, after "wines", insert "or brandies".

Amendment No. 3

On page 1, line 21, of said bill, as amended, after "wines", insert "or brandies".

Amendment No. 4

On page 1, line 22, of said bill, as amended, after "wines", insert "or brandies".

Amendment No. 5

On page 1, line 26, of said bill, as amended, after "wines,", insert "brandies,".

Amendment No. 6

On page 3 of said bill, as amended, between lines 17 and 18, insert

"(d) Any sale, transfer, or assignment of wines or brandies in the wineries, distilleries, or wine cellars of the makers or owners of the wines or brandies, or other persons having possession, care, and control of the wines or brandies, and the pipes, casks, and tanks in which the wines or brandies are contained, if the sales, transfers, or assignments are made in writing and certified and verified in the same form as provided for chattel mortgages, and if the sales, transfers, or assignments are recorded in the book of official records in the office of the county recorder of the county in which the wines, brandies, pipes, casks, and tanks are situated."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1825—An act to amend Sections 737yy and 737fff of the Political Code and Sections 79.51 and 79.58 of the Code of Civil Procedure, relating to salaries of judges of the superior court.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "737yy and 737fff of the Political Code and Sections 79.51 and 79.58", and insert "79.4, 79.51 and 79.58".

PRINTER'S NOTE—There being no 7 point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 11, inclusive, and insert

"SECTION 1. Section 79.4 of the Code of Civil Procedure is amended to read

79.4. The annual salary of each judge of the Superior Court in and for the County of Butte is [ten thousand dollars ($10,000)] *thirteen thousand five hundred dollars ($13,500)*.

SEC. 2. Section 79.51 of said code is"

Amendment No. 3

On page 1, line 15, of said bill, after "hundred", insert "dollars".

Amendment No. 4

On page 1 of said bill, strike out line 16, and insert

"SEC. 3. Section 79.58 of said code is".

Amendment No. 5

On page 1, line 20, of said bill, after "hundred", insert "dollars".

Amendment No. 6

On page 1 of said bill, strike out lines 21 to 25, inclusive.

Amendments read, and adopted

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 19, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Senate Bill No. 1186

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 1186—An act to amend Section 7a of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks, and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to attaches in municipal courts in cities of the first and one-half class.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR SPEAKER: Your Committee on Ways and Means, to which were referred:

Senate Bill No. 675
Senate Bill No. 964
Senate Bill No. 1492
Senate Bill No. 1535

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 675—An act to provide for the payment to such insurance company as is designated by U. S. Atomic Energy Commission of a sum equal to the total of employer's contributions made from United States Government funds through the University of California, to the State Employees' Retirement System on account of employees at the Sandia Laboratory of the United States Atomic Energy Commission.

Bill read second time, and ordered to third reading.

Senate Bill No. 964—An act to add Section 8215 to the Government Code, relating to notaries public.

Bill read second time, and ordered to third reading.

Senate Bill No. 1492—An act to amend Section 20383 of the Education Code, and to add Section 20383.5 to said code, relating to leaves of absence of state college faculty members

Bill read second time, and ordered to third reading.

Senate Bill No. 1535—An act to amend Section 20804 of, to add Sections 20804.5 and 21254 to, and to repeal Section 20833 of, the Government Code, relating to the State Employees' Retirement System in respect to credit for time spent in the employment of the State or of a contracting agency prior to commencement of membership therein.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 63

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

SAM L. COLLINS, Chairman

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 63 (BY UNANIMOUS CONSENT)

Assembly Concurrent Resolution No. 63—Relative to maps of assembly, senatorial, and congressional districts.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In line 2 of the title of the printed measure, strike out ", senatorial,".

Amendment No. 2

On page 1 of said measure, strike out lines 4 to 24, inclusive; and on page 2, strike out lines 1 to 4, inclusive, and insert

"1. Three thousand five hundred (3,500) copies of a map of the State showing the boundaries of the assembly districts of the State as described in Chapter 395 of the Statutes of 1951 on a state-wide basis, twenty-five (25) copies of which shall be delivered free of charge to each Member of the Legislature and five hundred (500) copies of which shall be held for sale by the Division of Printing.

2. Three thousand five hundred (3,500) copies of a map of the State showing the boundaries of the congressional districts of the State as described in Chapter 396 of the Statutes of 1951 on a state-wide basis, twenty-five (25) copies of which shall be delivered free of charge to each Member of the Legislature and five hundred (500) copies of which shall be held for sale by the Division of Printing.

3. Four hundred twenty-five (425) copies of one map of the City and County of San Francisco showing the boundaries of the assembly districts contained therein as described in Chapter 395 of the Statutes of 1951 and also the boundaries of the congressional districts contained therein as described in Chapter 396 of the Statutes of 1951, twenty-five (25) copies of which shall be delivered free of charge to each Member of the Legislature from the City and County of San Francisco, and two hundred (200) copies of which shall be held for sale by the Division of Printing.

4. Two hundred seventy-five (275) copies of a map of the County of Sacramento showing the boundaries of the assembly districts contained therein as described in Chapter 395 of the Statutes of 1951, twenty-five (25) copies of which shall be delivered free of charge to each Member of the Legislature from Sacramento County and two hundred (200) copies of which shall be held for sale by the Division of Printing.

5. Two hundred fifty (250) copies of a map of the County of Contra Costa showing the boundaries of the assembly districts contained therein as described in Chapter 395 of the Statutes of 1951, twenty-five (25) copies of which shall be delivered free of charge to each Member of the Legislature from Contra Costa County and two hundred (200) copies of which shall be held for sale by the Division of Printing.

6. Two hundred fifty (250) copies of a map of the County of Kern showing the boundaries of the Assembly districts contained therein as described in Chapter 395 of the Statutes of 1951, twenty-five (25) copies of which shall be delivered free of charge to each Member of the Legislature from Kern County and two hundred (200) copies of which shall be held for sale by the Division of Printing.

7. Two hundred seventy-five (275) copies of a map of the County of Orange showing the boundaries of the assembly districts contained therein as described in Chapter 395 of the Statutes of 1951, twenty-five (25) copies of which shall be delivered free of charge to each Member of the Legislature from Orange County and two hundred (200) copies of which shall be held for sale by the Division of Printing.

8. Two hundred seventy-five (275) copies of a map of the County of San Bernardino showing the boundaries of the assembly districts contained therein as described in Chapter 395 of the Statutes of 1951, twenty-five (25) copies of which shall be delivered free of charge to each Member of the Legislature from San Bernardino County and two hundred (200) copies of which shall be held for sale by the Division of Printing.

9. Three hundred (300) copies of one map of the County of San Diego showing the boundaries of the assembly districts contained therein as described in Chapter 395 of the Statutes of 1951, and also the boundaries of the congressional districts contained therein as described in Chapter 396 of the Statutes of 1951, twenty-five (25) copies of which shall be delivered free of charge to each Member of the Legislature from the County of San Diego, and two hundred (200) copies of which shall be held for sale by the Division of Printing.

10. One thousand twenty-five (1,025) copies of five separate maps of portions of the County of Los Angeles showing the boundaries of the assembly districts contained therein as described in Chapter 395 of the Statutes of 1951 and of the congressional districts contained therein as described in Chapter 396 of the Statutes of 1951,

twenty-five (25) copies of which shall be delivered free of charge to each Member of the Legislature from the County of Los Angeles, and two hundred (200) copies of which shall be held for sale by the Division of Printing."

Amendments read, and adopted.

Resolution ordered reprinted, and engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 15—An act to amend Sections 441, 445, and 451 of the Education Code, relating to compensation for public service,

Assembly Bill No. 101—An act to amend Section 9 of the Riverside County Flood Control and Water Conservation District Act, relating to the powers of the Riverside County Flood Control and Water Conservation District;

Assembly Bill No. 193—An act to add Sections 3819.5 and 3929.5 to the Elections Code, relating to the division of the State into districts for the election of Legislative Representatives and determination of incumbency in such districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the twentieth day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 710—An act to amend Section 902 of the Probate Code, relating to executors and administrators,

Assembly Bill No. 748—An act to add Sections 2.5, 13.3, and 25.1 to, and to amend Sections 20, 39.1, 39.2, 328, 522, 522.5, 526, 530, 583, 584, and 1159 of, the Fish and Game Code, to amend Section 2 of Chapter 1276, Statutes of 1947, to amend Sections 2 and 3 of the Wildlife Conservation Act of 1947, and to amend Section 504 of the Public Resources Code, relating to fish and game, and the administration of the laws pertaining thereto;

Assembly Bill No. 964—An act to amend Sections 2824 and 5720 of the Streets and Highways Code, relating to special assessment proceedings;

And reports that the same have been correctly enrolled, and presented to the Governor on the twentieth day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1049—An act to repeal Section 1193.1 of, and to add Section 1193.1 to, the Code of Civil Procedure, relating to mechanics' liens;

Assembly Bill No. 1226—An act to amend Sections 9501, 9508, 9509, 9510, and 9513 of, and to add Sections 9522.1, 9522.2, 9522.3, 9522.4, 9522.5, 9522.6, 9522.7, 9522.8, 9522.9, 9522.10, 9522.11, 9522.12, 9522.13, 9522.14, 9522.15, 9522.16, and 9522.17 to, the Business and Professions Code, relating to dry cleaning;

Assembly Bill No. 1236—An act to amend Section 9511 of the Business and Professions Code, relating to dry cleaning;

And reports that the same have been correctly enrolled, and presented to the Governor on the twentieth day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 1266—An act to amend Section 26881 of the Water Code, relating to irrigation districts;

Assembly Bill No. 1472—An act providing for the constitution of the municipal court in a district embracing the Cities of Orange, Tustin and Santa Ana, and prescribing the number and compensation of the judges, officers and attaches thereof;

Assembly Bill No. 1495—An act to add Section 1035 to the Code of Civil Procedure, relating to court costs;

And reports that the same have been correctly enrolled, and presented to the Governor on the twentieth day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1501—An act to amend Section 14084 of the Health and Safety Code, relating to fire protection districts;

Assembly Bill No. 1631—An act to amend Section 20130 of the Government Code, relating to the State Employees' Retirement System;

Assembly Bill No. 1864—An act to amend Sections 37202 and 37203 of the Government Code, relating to the powers of cities;

And reports that the same have been correctly enrolled, and presented to the Governor on the twentieth day of June, 1951, at 4 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1865—An act to amend Section 53601 of the Government Code, relating to the powers of local agencies;

Assembly Bill No. 1993—An act to repeal Sections 7354, 7653, and 7654 of the Revenue and Taxation Code and to amend Section 7403 of that code, relating to the motor vehicle fuel storage tax and to motor vehicle fuel export certificates;

Assembly Bill No. 1995—An act to add Article 1.5 to Chapter 4, Part 9, Division 1 of the Revenue and Taxation Code, relating to the cancellation of assessments on state-assessed property;

And reports that the same have been correctly enrolled, and presented to the Governor on the twentieth day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2072—An act to amend Section 929 of the Fish and Game Code, relating to the use of nets in Fish and Game District 118 5,

Assembly Bill No. 2252—An act to amend Sections 29001, 29007, 29012, 29014, 29020, and 29021 of, and to add Sections 29003.5, 29003 6, and 29015.1 to, the Health and Safety Code, relating to dangerous drugs;

Assembly Bill No. 2363—An act to add Sections 715 1, 715 2, and 715 3 to the Civil Code, and to amend Sections 716, 771, and 773 of said code, and to repeal Sections 715, 772, and 776 of said code, relating to the rules against remoteness in vesting and against suspension of the power of alienation;

And reports that the same have been correctly enrolled, and presented to the Governor on the twentieth day of June, 1951, at 4 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2370—An act to amend an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by the electors November 7, 1922, by amending Section 10 thereof, and adding Section 10 5 thereto, relating to the practice of chiropractic, said amendment to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution;

Assembly Bill No. 2502—An act to add Section 52 6 to the Unemployment Insurance Act, relating to the computation and payment of benefits;

Assembly Bill No. 2569—An act to add Section 13657 to the Education Code, relating to the rights of certificated employees;

And reports that the same have been correctly enrolled, and presented to the Governor on the twentieth day of June, 1951, at 4 p m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2597—An act to amend Section 261 of the Code of Civil Procedure, relating to court commissioners of the superior court in counties, or cities and counties, having a population of 2,000,000 inhabitants and over;

Assembly Bill No. 2619—An act to amend Section 26020 of the Government Code, relating to the financing of airports by counties;

Assembly Bill No. 2776—An act to amend Section 21189 of the Water Code, relating to contracts of group insurance or a system of group annuities in irrigation districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the twentieth day of June, 1951, at 4 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2800—An act to amend Section 19583 5 of the Government Code, relating to state civil service;

Assembly Bill No. 2806—An act to amend Sections 32503, 32651, 32653, 32657, 32665, 32667, 32802, 32803, 32809, 32950, 32954, 33101, 33102, 33103, 33104, 33105, 33106, 33107, 33108, 33109, 33110, 33111, 33112, 33114, 33115, 33116, 33117, 33118, 33119, 33120, 33121, 33122, 33123, 33124, 33125, 33127, 33128, 33129, 33130, 33133, 33134, 33135, 33136, 33137, 33138, 33140, 33141, 33143, 33145, 33146, 33147, 33148, 33250, and 33400 of, add Sections 32665 5, 32657 5, 32812, 33101 5, 33105 5, and 33107 5 to, and repeal Section 32514, 32650, 32660, 32800, 32957, 33251, 33252, 33253, 33254, 33255, 33401, 33402, 33550, 33551, 33113, 33131, 33132, 33139, and 33144 of, the Streets and Highways Code, relating to off-street parking;

Assembly Bill No. 2895—An act to add Section 926a to the Health and Safety Code, relating to local health districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the twentieth day of June, 1951, at 4 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2910—An act to add Section 27179 to the Streets and Highways Code, relating to police protection of bridge and highway district facilities;

Assembly Bill No. 2914—An act to amend Sections 27281, 27281a, and 27300a, and to repeal Sections 27302 and 27306, of the Streets and Highways Code, relating to bridge and highways districts, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 2942—An act to amend Sections 472 and 586 of the Vehicle Code, relating to stopping, standing, or parking of vehicles;

And reports that the same have been correctly enrolled, and presented to the Governor on the twentieth day of June, 1951, at 4 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2943—An act to amend Section 459 of the Vehicle Code, relative to the powers of local authorities to make rules and regulations concerning the regulation of traffic;

Assembly Bill No. 3165—An act to add Section 12516 to the Business and Professions Code, relating to weighing of livestock;

Assembly Bill No. 3175—An act to amend Sections 3215 and 3227 of the Public Resources Code, relating to oil or gas;

And reports that the same have been correctly enrolled, and presented to the Governor on the twentieth day of June, 1951, at 4 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3290—An act to amend Section 30815 of the Water Code, relating to county water districts, in respect to nominations for election to office;

Assembly Bill No. 3414—An act to add Sections 1005.1 and 1005.2 to the Water Code, relating to water rights, declaring the severability of the provisions of this act, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 3432—An act to amend Section 5804 of the Labor Code, relating to workmen's compensation awards;

And reports that the same have been correctly enrolled, and presented to the Governor on the twentieth day of June, 1951, at 4 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 39—Relative to the support of the old age assistance program by the Legislature of the State of California;

And reports the same has been correctly enrolled, and presented to the Secretary of State on the twentieth day of June, 1951, at 4 p.m.

BURKE, Chairman

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—At 8 p.m.—

Education, in Room 3184.
Rules, in Lounge Room.
Municipal and County Government, in Room 2170. Subject: 15 Senate bills.

Today Upon Adjournment—

Governmental Efficiency and Economy, in Room 3184.
Conservation, Planning, and Public Works, in Room 2170.

Tomorrow, Thursday, June 21st—At 3 p.m.—

Transportation and Commerce, in Room 3184. Subject: Senate Bill No. 457.

REQUEST FOR UNANIMOUS CONSENT THAT FINAL REPORT OF ASSEMBLY INTERIM COMMITTEE ON JUDICIAL SYSTEM AND JUDICIAL PROCESS BE PRINTED IN JOURNAL

Mr. Brown asked for, and was granted, unanimous consent that the Final Report of the Assembly Interim Committee on Judicial System and Judicial Process be ordered printed in the Journal, in 10 point type, as follows:

FINAL REPORT OF THE ASSEMBLY INTERIM COMMITTEE ON JUDICIAL SYSTEM AND JUDICIAL PROCESS
(H. R. 232—1949)

June 20, 1951

Honorable Sam L. Collins
Speaker of the Assembly

MR. SPEAKER: The Assembly Interim Committee on Judicial System and Judicial Process hereby presents its final report.

The Progress Report of the Committee, which appears in the Assembly Journal for April 11, 1951, outlined the work done during the Interim and described the proposed legislation prepared. Among the subjects included were criminal procedure, mechanics' liens, the tort liability of the State, adoption procedure, legal publication rules, judicial salaries, legal education and admisssion to the bar, technical changes in conveyancing and property statutes, sex crime laws, and certain Uniform Acts. Legislation in line with the committee's recommendations on most of these points has passed the Assembly, and many such bills have already been signed into law.

The committee devoted a great deal of time and effort to the problems of mechanics' lien legislation. With the cooperation of all parties concerned, one bill, Assembly Bill No. 1051, was worked out, codifying the present law without substantive change. An opinion of the Legislative Counsel analyzing Assembly Bill No. 1051 in detail and concluding that it makes no changes in the present law was printed in the Assembly Journal of June 7, 1951, pp. 5255-5260. It must be emphasized that this opinion applies only to the one bill. Several other measures relating to various phases of the Mechanics' Lien Law have passed the Assembly;

these do make changes in the present law and, of course, the analysis and opinion of the Legislative Counsel does not apply to these bills, which amend the statute as codified by Assembly Bill No. 1051.

Of the technical and procedural bills, more than a dozen, relating to publication of notices, have already been enacted as have most of the series of measures described in Part VII of the Progress Report relating to interests in and conveyances of property. Also relating to property was a bill which writes into the Civil Code the "rule against perpetuities", in line with the suggestions set forth in Part XI of the Progress Report. Several of the measures intended to strengthen adoption procedure (see Part IV of the Progress Report) have already been chaptered, as has a bill aimed at clarification of the definition of a prior felony conviction (Part I).

The standing Judiciary Committee and the Assembly itself have processed a remarkable volume of inferior court legislation. This extraordinary burden, imposed by the new constitutional provisions, has not been easy to cope with. Nevertheless, with the advice and assistance of the Chief Justice and the Judicial Council, and the cooperation of the individual Members of the Assembly, and the boards of supervisors and other local authorities, California cities and counties will shortly be equipped with a new and more efficient inferior court system. Much credit is due to Mr. Ernest Shellander of the Judicial Council staff for his hard and diligent work in this regard.

Part IX A of the Progress Report, the Report of the Subcommittee on Judicial Salaries, discussed in some detail the problems of standardizing the salaries of the judges of the State. Assembly Bill No. 2464 represents an attempt to enact such standardization into law.

Assembly Bill No. 2367 relates to the punishments for sex crimes. Briefly, it provides for an indeterminate sentence, with a life imprisonment maximum for a first conviction of the more serious crimes and for second convictions of certain offenses of this type, of which the first conviction is punishable as a misdemeanor. One step the committee deems constructive is the proviso added to Penal Code Section 288a, recognizing (in line with Part XVII of the Progress Report—Final Report of the Subcommittee on Sex Crimes) the principle that the heaviest penalties in these cases should be applied where force or violence is used or where there is substantial disparity of age between the parties and one is a minor.

Assembly Bill No. 1164, which has now passed both houses, provides for the compensation of attorneys appointed to defend indigent defendants in criminal cases (in counties which have no public defender). Such legislation was recommended in the Progress Report, Part IX E. In line with Part VI of the Progress Report, which recommends enactment of the Uniform Nonsupport Act or some similar measure, Assembly Bill No. 1191 has now been signed into law as Chapter 694 of the 1951 Statutes.

The tort liability of the State Government (Part III proved to be too technical and controversial a subject to admit of the passage of the suggested legislation at this session, and it was therefore referred by the standing committee to the interim committee for further study. The Uniform Commercial Code was likewise referred to the interim committee, an additional reason in this case being that the Commissioners on Uniform State Laws had not yet produced their final version of the proposed

code. The Uniform Trustees Accounting Act and the Uniform Probate of Foreign Wills Act were likewise put over for interim study, while the Uniform Acts relating to the use of photographic copies of business records as evidence and to the reciprocal interstate transportation and support of indigent persons have already been signed into law.

Other topics or subjects referred to the Interim Committee include legal education, narcotics enforcement, traffic law problems, several matters relating to criminal procedure, including wire-tapping and the use of illegally-obtained evidence, appellate rules and procedure, legal rights in underground water, and the substitution of the rule of comparative negligence for the present one of contributory negligence. It should also be pointed out that several matters dealt with by this and previous committees and by this and previous Legislatures still require further study; a good example of this is the problem of sex deviates and sex crimes. (The Assembly has already passed one resolution directing such further study by the interim committee.) Likewise, there will undoubtedly be further questions and problems arising as the new system of lower courts is put into operation, more legislation will be required, and further study is therefore indicated.

Respectfully submitted.

T. W. CALDECOTT	RALPH M. BROWN, Chairman
JULIAN BECK	WM. H. ROSENTHAL, Vice Chairman
GORDON A. FLEURY	BERNARD R. BRADY
ARTHUR H. CONNOLLY, JR.	LAUGHLIN E. WATERS
DONALD L. GRUNSKY	RICHARD J. DOLWIG
H. ALLEN SMITH	GEORGE D. COLLINS, JR.
ERNEST C. CROWLEY	ROBERT I. McCARTHY
STANLEY T. TOMLINSON	J. D. BABBAGE

REQUEST FOR UNANIMOUS CONSENT THAT FINAL REPORT OF ASSEMBLY INTERIM COMMITTEE ON SOCIAL WELFARE BE PRINTED IN JOURNAL

Mrs. Niehouse asked for, and was granted, unanimous consent that the Final Report of the Assembly Interim Committee on Social Welfare, on Welfare Services in Civil Defense, be ordered printed in the Journal, in 10 point type, as follows:

"WELFARE SERVICES IN CIVIL DEFENSE"

FINAL REPORT OF ASSEMBLY INTERIM COMMITTEE ON SOCIAL WELFARE

(House Resolution No. 71, Second Extraordinary Session, 1950)

WELFARE SERVICES IN CIVIL DEFENSE

Introduction

Because of the increasing emphasis being given to civil defense planning, it is timely to review for Members of the Assembly the civil defense welfare services program. Should it be necessary, because of enemy attack, to implement these plans they will have far-reaching effects for the people of this State, require the expenditure of great sums of

money, and alter considerably the operations of the county and State Social Welfare Departments as well as those of most voluntary social agencies.

In the war of the future the civilians in our cities and productive centers will be front-line participants. To a considerable extent maintenance of civilian moral and fortitude will depend upon how adequately provision is made to meet people's basic needs. Preservation of our productive power and our ability to fight back will depend upon the efficiency of our civil defense.

Without a complete and effective plan for operation of welfare services, efforts of other civil defense services will not achieve their basic objective to enable us to surmount the disruption of community life and industrial production by atomic bombing or other forms of enemy attack.

The objective of civil defense welfare services planning is to provide the necessities of life and help to people who are homeless, separated from their families, or otherwise disrupted in their lives as the result of enemy attack. Through these services much can be done to minimize or prevent the panic and disorder that would interfere with rebuilding our cities and maintaining our industrial life. They will enable workers to remain on the jobs which are essential to the defeat of an enemy.

> "The most important goal of the government and the community is the prompt orderly restoration of normal community life, thereby preserving maximum civilian morale and support of the war effort." [1]
>
> "Whether atomic attacks of our cities result in rout and utter disaster or in a brave and orderly dealing with the facts will depend first and last upon the morale of the people in the cities—all the cities For, as things stand and as they probably will stand in the long years to come, if we become involved in war it will be atomic war; and to win an atomic war we shall depend upon the manning and maintenance of our cities along with the industries and plants which they contain." [2]

The Problem Posed

The civil defense program is based on the assumption that this Country is subject to attack, with or without warning, and that the enemy is capable of attacking by atomic weapon by air or sea and of creating sabotage. It is assumed that atomic weapons would be used against major strategic installations and densely populated areas with intent of creating maximum damage to our productive capacity and disorganization and panic within the civil population.

A number of areas in this State have been designated by military authorities as primary targets and thus subject to enemy attack. These are our major centers of population and industry. It has been stated that there can be no absolute military defense against attack and thus it must be presumed that such an attack would be partially successful.

It would be impossible to determine where or when attack might come, or the violence of attack. It seems certain that if there were atomic attack on one or several of our cities the destruction and dislocation

[1] "United States Civil Defense," U S Government Printing Office, NSRB Doc. 128.
[2] Philip Wylie, "A Better Way to Beat the Bomb," "The Atlantic," February, 1951.

resulting would tax all of the resources of the State to keep our cities and our production going.

No precise estimate has been made of the possibilities in numbers of homeless persons who might have to be fed, housed, clothed, and provided with the great array of help and services necessary to meet human needs. Certainly it would have to be assumed that hundreds of thousands of persons might have to be cared for.

The Federal Civil Defense Administration has estimated that "A surprise daylight attack with a nominal bomb exploded at 2,000 feet over an 'average' metropolitan area would produce a total of about 120,000 casualties—killed and injured." [1]

The number of persons not killed or injured but rendered homeless, children orphaned, persons losing all of their worldly possessions, separated from their families, etc., would undoubtedly be as great or greater than the medical casualties. These social casualties would be the primary concern of the welfare services charged with responsibility for providing emergency disaster relief and for rehabilitating people who must be helped to find new homes and new jobs and make an adjustment to life under new conditions.

The State Civil Defense Evacuation and Welfare Services Plan

In January, 1951, the State Office of Civil Defense issued its basic plan for evacuation and welfare services.[2] This plan establishes the framework for the organization and direction of the facilities and resources of the State, beginning at the level of local subdivisions and coordinated into regional and state-wide plans, for evacuation and welfare services for civilians in emergencies created by natural or war-caused disasters.

Enunciated in this plan are the following basic policies:

(1) *Evacuation:* Evacuation of civilians is contemplated only under conditions of utmost seriousness and will be considered only after all other means of insuring mass safety have been evaluated. The plan emphasizes that "In a major disaster every effort should be made to maintain normal productive capacity." It specifies priority groups, limiting evacuation planning generally to persons not essential to maintenance of production and community facilities.

(2) *Welfare Services:* First line reliance for welfare services is on utilization of facilities of the local community with these resources to be supplemented by other communities. These services, designed to minimize distress and restore morale and self-maintenance, are to "be available without regard to race, creed, residence, nationality, economic class, or other extraneous factors." The services "will be designed for temporary help until individuals or families can be reestablished or other agencies are able to assume responsibility for care of such persons."

The plan establishes the responsibility for care of civilians affected by major disasters as shared by all levels of government assisted by voluntary organizations and individual citizens. Responsibilities at the various levels of government are defined as follows:

(1) *Local—(city and county):* Responsible for development of programs to meet the needs of their respective jurisdictions, including negotiation of mutual aid agreements with other political subdivisions.

[1] "United States Civil Defense, Health Services and Special Weapons Defense," AG-11-1, U. S. Government Printing Office, December, 1950

[2] "California State Civil Defense and Disaster Relief Plan, Annex 3e, Evacuation and Welfare Services."

(2) *State:* To provide leadership in development of operational programs and to continuously evaluate local programs; to provide funds to supplement local resources for care of victims of disaster caused by enemy action; and to be in readiness to assume operating responsibilities as may be required.

(3) *Federal:* Responsibility for administering a national program and for providing guidance and help to States and coordinating interstate operations and agreements.

The American Red Cross is traditionally responsible for disaster relief activities in peace-time. Under the State plan it continues to carry those responsibilities, including the financing of these programs, in situations of natural disaster. However, its role and responsibilities in war-caused disasters are limited and do not include financial responsibilities. Red Cross personnel and facilities are available to civil defense organizations as arranged at the local levels, but in event of enemy attack the Red Cross would lose its identity as an organization and function as a component of the civil defense organization.

The state plan requires that operational plans be developed at local levels to include the following services:

(1) Designation of assembly centers for temporary care of persons pending their movement, and planning transportation services and routes to reception points;

(2) Establishing suitable facilities for temporary mass shelter and care of the homeless, both within and without the jurisdiction affected by disaster;

(3) Disseminating public information concerning evacuation policies and priorities for evacuation;

(4) Making provision to prevent mass flight of persons not within the areas of destruction;

(5) Arranging for a variety of services on a mass care basis, such as medical examination, first-aid and health services in assembly and reception centers; development of supply and facilities for mass feeding and emergency clothing in centers; providing emergency welfare services for persons enroute to reception centers; appropriate group activities and recreational services in centers.

(6) Establishing procedures for registering and classifying affected persons and registering and identifying persons at assembly points and centers and handling inquiries concerning affected persons;

(7) Providing individualized emergency welfare services, including granting of financial assistance, temporary rehabilitation, rehousing and resettlement, counseling services, and referral of individuals and families to regularly established public and private agencies for continuing care and long-term rehabilitation.

Organization of Evacuation and Welfare Services

The basic state plan provides for a Division of Evacuation and Welfare Services in the State Office of Civil Defense with responsibilities to develop specific plans for state-wide application; integration of plans with other civil defense services; providing advice and assistance to local communities; and to otherwise represent the director in the execution of the responsibilities of the state office for evacuation and welfare services.

At regional levels, the plan provides that the Civil Defense Regional Coordinator will coordinate local plans into regional plans and represent the state office in providing for evacuation and welfare services.

The plan urges designation of an officer responsible for evacuation and welfare services at the city, county, or city-county level with a local operating organization. It provides for an evacuation board comprised of the chiefs of various civil defense services to assist in planning and developing evacuation programs.

This suggested organizational plan at the local level was spelled out in a bulletin from the Director of Civil Defense to local jurisdictions on February 7, 1951.[1] This bulletin urged uniformity in organization and planning to facilitate regional and state-wide action in emergencies and emphasized the need for individual communities to define problems against which they could plan to meet specific assumed conditions. It suggested a basic plan for local organization, developed on a functional basis and providing for the maximum utilization of existing public and private agencies into the planning and operating organizations.

The Developing Program

Only a beginning has been made in development of the welfare services program. Most communities have not yet fully organized these civil defense services.

The approach of the State Office of Civil Defense is that this is essentially a job of organizing and mobilizing existing agencies into a simple and workable operating plan, supplementing their personnel and material resources on a cooperative basis within the community. It recognizes that most of the services to be provided under conditions of extreme emergency are services that are regularly provided by an array of governmental and voluntary welfare agencies. These services need to be organized into a civil defense welfare services operating program and expanded through recruitment of volunteers to cope with disaster conditions.

Thus there is not visualized the establishment of new organizations, but a cooperative alignment of public and voluntary agencies into the civil defense structure. This requires the all-out mobilization of a great many agencies, assigning to them planning and operating functions most nearly fitting their normal scope of activities.

It has also been recognized that the approach of communities will vary in relation to the problems they present. While only a few areas are considered primary targets for enemy atomic attack, no area of the State can consider itself without responsibility for organizing to render maximum assistance and aid to the stricken areas. As a basis for planning, the State Office of Civil Defense classifies areas into three general groups, with primary and secondary welfare services missions as follows:

Target Area: Primary responsibility for caring for own population within limits of resources. Secondary mission of providing assistance to other areas through (1) receiving and caring for refugees, and (2) providing trained personnel and supplies.

Areas surrounding Target Areas: Primary responsibility for receiving and caring for homeless persons from the target areas. Secondary mission of providing trained personnel and supplies to target area communities.

[1] Bulletin No. 16, "Evacuation and Welfare Services—Office of Civil Defense," Sacramento, February 7, 1951.

Areas remote from Target Areas: Primary responsibility for providing trained personnel and supplies to devastated areas. Secondary mission of receiving and caring for homeless persons from other areas.

These definitions reflect the thinking that large-scale evacuation of persons out of the critical areas is neither practicable nor advisable. They assume that the movement of persons out of areas suffering attack will be limited to the resources available for caring for them. As a general rule, only as there was insufficient emergency shelter and supplies would persons be moved out of the immediate vicinity of the devastated areas and then only so far as necessary to provide for them.

In its contact with local jurisdictions, staff of the state office has been emphasizing the need for organization of the welfare services program on a county-wide basis, using the county departments of public welfare as the nucleus around which the emergency organization is developed. The reasons for this are several: (1) it is assumed that disaster needs will be met from state and federal funds to be allocated for use through the county welfare departments; (2) the county welfare departments are the largest welfare organizations in terms of full-time staff; (3) county welfare departments have established fiscal control and accounting units not duplicated in other agencies; and (4) any welfare service program to effectively meet large-scale disaster conditions would need to be organized on a basis larger than any individual city organization, and as such the county is the smallest practical subdivision of government for this purpose.

It can be expected that the county welfare departments will be assigned in most instances the function of developing the local welfare services program, coordinating the planning of city organizations into a county-wide operational porgram. The State Department of Social Welfare would be expected to assist the Office of Civil Defense in development of procedure and policy for application in emergencies, to provide supplementary personnel support in disaster operations, and aid in planning post-disaster operations.

In the event of atomic attack on the larger population centers, the problem would undoubtedly exceed the ability of the county organization to handle it. Thus for operational purposes the Civil Defense Regional Coordinator or the state office itself would be expected to step in to direct welfare services in a state of extreme emergency.

The degree of readiness of the State to cope with a major war-caused disaster will improve week by week Many local Red Cross chapters, experienced in disaster relief, are organized for meeting natural disaster situations. As they are brought into the civil defense organization and expand their planning to meet the larger problems of war-caused disaster, they provide a nucleus for first-phase operations of feeding, shelter, and clothing distribution At present in the larger areas, there is thus a partial state of readiness now to meet initial problems

The primary need now is for intensive and detailed organization at the local level and development of uniform procedure for operations through the state and federal organizations. To be effective, this organization must enlist the active support and cooperation of every public and private agency which has functions and responsibilities for meeting the needs of people.

There is a tremendous amount of detailed planning and surveying that must be done in preparation for operations. Buildings suitable for temporary care of large numbers of persons must be identified and equipment and supply needs determined. Surveys of wholesale and retail stocks of food, clothing, blankets, cooking utensils, and a great variety of other items must be made so that such items may be requisitioned quickly when needed. Plans must be made for meeting the wide variety of needs of thousands of persons quickly and effectively. Consideration must be given to the problem of children, orphaned or separated from their parents, who will need special care facilities and placement. A staggering job of registration and identification of affected persons must be planned for in detail. Procedures must be developed for providing financial aid, not only for food and shelter, but for minor home repair, transportation for relocation of persons, and occupational rehabilitation. Arrangements for billeting individuals in private homes, with all of the attendant difficulties and problems, must be worked out in advance. These and a host of other problems face those engaged in planning and developing civil defense welfare services.

The need for careful and complete organization was emphasized from experiences of England after several years of World War II bombings. In 1944 the Ministry of Health, in its guide on "The Care of the Homeless" made this statement:

> "Experience in all parts of the Country has underlined the necessity for careful organization in advance; nowhere yet has a bombed area suffered from over-organization or from a too ample provision of buildings, equipment or personnel. Experience has shown also the high value of securing in advance the right personnel in the localities, both for organization and operations, and of continuous cooperation both before and after raids between the Ministry's regional office, the local authorities and the voluntary organizations, and between the local authorities and the voluntary organizations of the target areas and those around them. In general, preparations can never be regarded as perfect and complete."

The Impact on Our Public Agencies

Government has the primary responsibility for civil defense. While the facilities and personnel of private agencies must be used to the maximum extent, the basic responsibility and thus the primary burden of organizing for civil defense and of directing and carrying out operations must fall upon our public agencies

In the event of a major disaster resulting from enemy attack, the State and County Welfare Departments must be prepared to radically alter their normal operating processes Particularly at the county level, their first concern must be to quickly meet the needs of all people requiring help. Usual routines will have to be temporarily abandoned.

The impact of such disaster will be of particular concern following the initial emergency or disaster relief phases of disaster operations. The rehabilitation of persons, through re-housing, repair of homes, foster home care of children, re-employment for those whose jobs were bombed out, re-uniting families, and otherwise helping people to assume their normal functions in the community will present tremendous problems. How these functions can be performed effectively while carrying on the

normal operating responsibilities of providing public assistance and child welfare services as provided in the Welfare Code will present major problems for our public agencies.

These post-disaster problems will need to be carefully considered and planned for. Once a major emergency develops and is immediately met, emphasis must be given to the quickest possible transition from an emergency welfare services program to normal operating methods. Because of the potential magnitude of this emergency problem, this transition will present especially difficult problems requiring considered and cooperative planning by our state and county agencies and by the Legislature.

KATHRYN T. NIEHOUSE, Chairman
ERNEST C. CROWLEY, Vice Chairman
JOHN B. COOKE
HAROLD K. LEVERING
GLENARD P. LIPSCOMB

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Speaker Sam L. Collins, the usual courtesies of the Assembly for this day were unanimously extended to Shirley Baker and Kathryn Koontz of Fullerton.

On request of Mr. Evans, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. William Tupen and Mrs. Virginia Finnie of Sacramento.

On request of Mr. Cloyed and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mayor Hunt of El Cajon.

On request of Mr. Chapel, the usual courtesies of the Assembly for this day were unanimously extended to Master Sergeant Kees, U.S.M.C., and Master Sergeant Shinn, U.S.M.C.

On request of Messrs. Beck and Porter, the usual courtesies of the Assembly for this day were unanimously extended to Virginia and David Walther of Downey.

On request of Messrs. Gubser and Kirkwood, the usual courtesies of the Assembly for this day were unanimously extended to Peter Thompson of San Jose and Mr. and Mrs. H. Y. Thompson of Morgan Hill.

On request of Mr. Porter, the usual courtesies of the Assembly for this day were unanimously extended to Phil Ogilvie of Bellflower.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Mamie L. Denton and Mrs. Myrtle Jesseph of Sacramento.

ADJOURNMENT

At 4.25 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Thursday, June 21, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

EIGHTY-SIXTH LEGISLATIVE DAY

ONE HUNDRED EIGHTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, June 21, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—76.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

Our Father, Which Art in Heaven, Hallowed be Thy name.

Guide and guard our President, our Governor, our Speaker and Members of this Assembly, and all lawgivers and counsellors We pray for our defenders on land and sea and in the air, our officials and citizens.

"O God of Love, whose spirit wakes
In every human breast,
Whom love, and love alone, can know.
In whom all hearts find rest,
Help us to spread Thy gracious reign
Til greed and hate shall cease.
And kindness dwell in human hearts
And all the earth find peace."

In Jesus' name.—AMEN

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Hawkins, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Smith, on motion of Mr. Lipscomb.

Mr. Rosenthal, on motion of Mr. Lipscomb.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 63

And reports the same correctly engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

Speaker Pro Tempore Presiding

At 10.15 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 1054

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and re-refer to Committee on Ways and Means.

STEWART, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 1054—An act to amend Section 11200 of, and to add a new Article 9.5 to Chapter 2, Part 3, Division 6, and to amend Sections 11700, 11701, and 11702, of the Water Code, relating to the Central Valley Project; authorizing certain investigations, studies, and preparation of plans and specifications for purposes thereof, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Senate on June 14, 1951, strike out "amend", and insert "add".

Amendment No. 2

In line 3 of the title of said bill, strike out "11700, 11701, and 11702, of", and insert "11703, 11704, and 11704.1, to".

Amendment No. 3

On page 1 of said bill, strike out lines 11 to 16, inclusive, and insert

"11260 The unit designated as the Feather River Project consists of the Oroville Dam and Reservoir, the Oroville Power Plant, the Oroville Afterbay and Power Plant, and the Delta Cross Channel substantially as described in the publication of the State Water Resources Board entitled "Report on Feasibility of Feather River Project and

Sacramento-San Joaquin Delta Diversion Projects Proposed as Features of the California Water Plan" dated May 1951.

11261. The Feather River Project unit, or any portion thereof,".

Amendment No. 4

On page 1, line 19, of said bill, strike out "units", and insert "a unit".

Amendment No. 5

On page 2 of said bill, strike out lines 1 to 6, inclusive, and insert

"SEC. 3. Sections 11703, 11704 and 11704.1 are added to the Water Code, to read:

11703. The bonds authorized by Section 11700, or any portion thereof, may be issued and sold and the proceeds thereof expended for the construction of the Feather River Project unit and in such case the provisions of Sections 11701 and 11702 shall not be applicable."

Amendment No. 6

On page 2, line 7, of said bill, strike out "11701", and insert "11704".

Amendment No. 7

On page 2, line 15, of said bill, strike out "11702", and insert "11704.1".

Amendment No. 8

On page 2, line 26, of said bill, strike out "authorized by Section 2 of this act", and insert "described in the publication of the State Water Resources Board entitled "Report on Feasibility of Feather River Project and Sacramento-San Joaquin Delta Diversion Projects Proposed as Features of the California Water Plan," dated May 1951,".

Amendments read.

Demand for Previous Question

Messrs. Kirkwood, McCarthy, Silliman, Conrad, and McGee demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendments offered by the Committee on Governmental Efficiency and Economy.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Burke, Chapel, Coats, Dickey, Doyle, Elliott, Erwin, Geddes, Grant, Hawkins, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, McGee, Morris, Sherwin, Silliman, Stewart, Thomas, and Mr. Speaker—22

NOES—Babbage, Beck, Belotti, Berry, Brown, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dolwig, Evans, Gaffney, Grunsky, Gubser, Hagen, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Moss, Niehouse, Parker, Rumford, and Shaw—41.

Bill ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Senate Bill No. 66	Senate Bill No. 1819
Senate Bill No. 874	Senate Bill No. 1824
Senate Bill No. 1221	Senate Bill No. 1835
Senate Bill No. 1708	Senate Bill No. 1840

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 66—An act to amend Section 3 of an entitled "An act relating to the performance by the Department of Public Works of highway and other cooperative work for the Federal Government, making an appropriation for administrative expenses, declaring the urgency thereof, and providing that this act shall take effect immediately," approved October 13, 1950, relating to the time during which said act shall remain in effect.

Bill read second time, and ordered to third reading.

Senate Bill No. 874—An act to add Section 1556.1 to and to amend Section 1557 of, the Labor Code, relating to employment agencies.

Bill read second time, and ordered to third reading.

Senate Bill No. 1221—An act to amend Section 141 of the Streets and Highways Code, relating to the powers of the Department of Public Works.

Bill read second time, and ordered to third reading.

Senate Bill No. 1708—An act to amend Sections 1090, 1091, 1092, 36525, 36526, and 36527 of the Government Code, relating to the powers of the State of California or any county, city, district or other public agency, corporation or body to enter into contracts or make purchases.

Bill read second time, and ordered to third reading.

Senate Bill No. 1819—An act conveying certain tidelands and lands lying under inland navigable waters, situate in Bodega Harbor to the County of Sonoma, in furtherance of navigation and commerce and the fisheries and for public recreational purposes, and providing for the government, management and control thereof, reserving rights to the State.

Bill read second time, and ordered to third reading.

Senate Bill No. 1824—An act to change the name of the California Vocational Institution to the Deuel Vocational Institution by amending the title of Article 4, Chapter 1, Title 1, Part 3 of the Penal Code, and by amending Sections 2035 to 2041 of said code.

Bill read second time, and ordered to third reading.

Senate Bill No. 1835—An act to amend Section 117 of the Labor Code, relating to offices and rooms for the Industrial Accident Commission.

Bill read second time, and ordered to third reading.

Senate Bill No. 1840—An act to add Section 115 to the Business and Professions Code, relating to the reinstatement of licenses by persons serving in the Armed Forces.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Senate Bill No. 1472

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LINDSAY, Vice Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 1472—An act to amend Section 2 of an act entitled "An act to provide for the creation, organization and government of water conservation districts, defining their powers and prescribing the method of exercising the same, re-enacting and continuing in force the provisions of Chapter 166 of the Statutes of 1929, known as the 'Water Conservation Act of 1929,' and validating and confirming all proceedings had and taken under the provisions of said act resulting in the organization of water conservation districts and continuing such districts under the provisions of this act with the powers herein conferred," approved June 16, 1931, relating to eminent domain and declaring the urgency thereof.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Senate Bill No. 347
Senate Bill No. 451

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 347—An act to amend Sections 1075, 1331, and 2006 of the Streets and Highways Code, relating to county road commissioners.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on June 6, 1951, strike out "and 2006", and insert "2006, and 2009".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 2 of said bill, after line 36, insert

"SEC. 4 Section 2009 of said code is amended to read:

2009. The board *of supervisors* shall [determine the general policies of the county as] *act as the policy-making body with respect* to county highway matters and [the same shall be carried out and administered by the road commissioner] *shall by appropriate action establish the general policies to be followed by the road commissioner in the administration of his department.* The *road* commissioner shall [employ such assistants and employees as may be necessary, subject to the approval of the board of supervisors of the salary or other compensation to be paid, and] *administer his department and carry out the general policies of the board in conformity with the estimates of expenditures fixed in the budget as finally adopted by the board or as thereafter revised by appropriate action of the board. The commissioner shall employ such assistants and employees as may be necessary, in conformity with the budget and county policies and procedure with respect to personnel and subject to the approval of the board of the salary or other compensation to be paid. The commissioner shall have sole supervision and jurisdiction over personnel and over the assignments of personnel engaged in work on county roads. The commissioner* may purchase, lease, or hire such equipment as [is] *may be* necessary for county road purposes, *in conformity with the budget and policies of the county with respect to purchases and rentals and* subject to [the] approval of the board as to the price or rental. *The commissioner shall have sole jurisdiction over the assignment of equipment used for county road work.*"

Amendment No. 3

On page 2, line 26, of said bill, strike out "four-fifths".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 451—An act to add Section 27250 to the Streets and Highways Code, relating to bridge and highway districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on June 13, 1951, strike out "add Section 27250 to", and insert "amend Section 27186 of, to add Section 27250 to, and to repeal Section 27303 of,".

Amendment No. 2

On page 1 of said bill, after line 11, insert

"SEC. 2. Section 27186 of the Streets and Highways Code is amended to read:

27186. The general manager, secretary, auditor, engineer, and attorney, and any other officers or employees of the district who may be required to do so by the board, shall give such bonds to the district, conditioned upon the faithful performance of their duties, as the board may prescribe. *When deemed expedient by the board a master official bond may be used which shall provide coverage on more than one officer or employee who is required by the board to give bond. Such bond shall be in the form and for the term which is approved by the board and shall inure to the benefit of the district by whom such officer or employee is employed as well as the officer under whom the employee serves.*

SEC 3 Section 27303 of the Streets and Highways Code is repealed."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 1209

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 1209—An act to amend Section 10 of the Property Acquisition Act relative to repairs and improvements on state property, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Senate Bill No. 42
Senate Bill No. 43

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 42—An act to add Article 7 to Chapter 2, Part 6, Division 12 of the Water Code, relating to county water districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 18, of the printed bill, as amended in the Senate on June 8, 1951, after "State", strike out the comma; and strike out all of lines 19 and 20, and insert a period.

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 43—An act to add Section 31022.5 to the Water Code, relating to county water districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in the Senate on April 18, 1951, after "sell", insert "at wholesale".

Amendment No. 2

On page 1 of said bill, as amended, strike out lines 7 to 14, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Senate Bill No 256	Senate Bill No. 1833
Senate Bill No. 257	Senate Bill No. 317
Senate Bill No. 1439	Senate Bill No 900

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 256—An act to add Section 1841 to the Education Code, relating to the donations, bequests, and devises to the Department of Education and to schools, colleges, and institutions under its jurisdiction.

Bill read second time, and ordered to third reading.

Senate Bill No. 257—An act to amend Sections 4905 and 4941 of the Education Code, relating to the Public School System.

Bill read second time, and ordered to third reading.

Senate Bill No. 1439—An act to repeal Section 6851.1 of the Education Code, to amend Section 6851 of said code, and to add Section 6851.1 to said code, all relating to the computation of attendance of physically handicapped minors.

Bill read second time, and ordered to third reading.

Senate Bill No. 1833—An act to amend the heading of Article 5.1, and to add Article 5.2 to, Chapter 11, Division 2, of the Education Code; to add Section 3534 to said code; and to repeal Section 4919.2 of said code, relating to school districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 317—An act to add Sections 12105.1 and 12105.2 to the Education Code, relating to applicants for certification documents authorizing service in the public schools.

Bill read second time, and ordered to third reading.

Senate Bill No. 900—An act to amend Section 5107 of the Education Code, relating to state school building aid.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: Your Committee on Education, to which were referred

Senate Bill No. 300
Senate Bill No. 1687

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means

DUNN, Chairman

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 300—An act to amend Sections 5153.5, 7102.1, and 7104 of the Education Code, relating to the excess cost of educating mentally retarded pupils.

Bill read second time, and ordered re-referred to the Committee on Ways and Means.

Senate Bill No. 1687—An act providing for the study of a night law course in the City of Sacramento, and the experimental conduct of such a course, and making an appropriation therefor.

Bill read second time, and ordered re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 1684

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 1684—An act to amend Sections 38691, 38693, 38694, 38695, 38696, 38697, 38699, 38701, 38702, 38704, 38705, and 38707, and to repeal Section 38698, of the Government Code, relating to zoning.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 3, line 9, of the printed bill, as amended in the Senate on June 13, 1951, strike out "90", and insert "40".

Amendment No. 2

On page 3, line 13, of said bill, strike out "with", and insert "without"

Amendment No. 3

On page 3 of said bill, after line 47, insert

"SEC. 14. Any ordinance or amendment thereto passed pursuant to the Zoning Law of 1917 or the Conservation and Planning Act or its predecessor, is hereby confirmed, validated and declared legally effective.

This section shall not operate to confirm, validate or legalize any act or other matter the legality of which is being contested or inquired into in any legal proceeding

now pending and undetermined, and shall not operate to confirm, validate or legalize any act or other matter which has heretofore been determined in any legal proceeding to be illegal, void or ineffective."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 356

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means

STANLEY, Chairman

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 356—An act authorizing the Director of Finance to grant certain rights of way to the City of Berkeley and to pay the City of Berkeley the costs incurred by that city in the widening and paving of certain streets in exchange for certain property, and making an appropriation therefor.

Bill read second time, and ordered re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Senate Bill No. 600	Senate Bill No. 1839
Senate Bill No. 771	Senate Bill No. 1842
Senate Bill No. 979	Senate Bill No. 303
Senate Bill No 1421	

Has had the same under consideration, and reports the same back with the recommendation: Do pass

STANLEY, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 600—An act to add Sections 30701.5 and 30735.5 to, and to amend Section 30748 of, the Water Code, relating to the election of directors of county water districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 771—An act to amend Sections 443 and 448 of the Education Code, relating to the salaries of county superintendents of schools of counties of the forty-third and forty-eighth classes.

Bill read second time, and ordered to third reading.

Senate Bill No. 979—An act to amend Section 447 of the Education Code, relating to county school superintendents' salaries in counties of the forty-seventh class.

Bill read second time, and ordered to third reading.

Senate Bill No. 1421—An act to amend Section 28107 of the Government Code, relating to compensation for public services in counties of the seventh class.

Bill read second time, and ordered to third reading.

Senate Bill No. 1839—An act to amend Section 28148 of the Government Code, relating to compensation for public service in counties of the forty-eighth class.

Bill read second time, and ordered to third reading.

Senate Bill No. 1842—An act to amend Section 449 of the Education Code, relating to county school superintendent's salary in counties of the forty-ninth class.

Bill read second time, and ordered to third reading.

Senate Bill No. 303—An act to amend Section 432 of the Education Code, relating to county school superintendent's salary in counties of the thirty-second class.

Bill read second time.

Motion to Amend

Mr. Belotti moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on June 15, 1951, strike out "Section", and insert "Sections 410 and".

Amendment No. 2

In line 2 of the title of said bill, strike out "superintendent's"; and strike out lines 3 and 4 of the title, and insert "superintendents."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 410 of the Education Code is amended to read:

410 The annual salary of the county superintendent of school of a county of the tenth class is [eight thousand nine hundred dollars ($8,900)] *twelve thousand dollars ($12,000)*, and he shall possess a valid general administrative credential issued by the State Board of Education.

SEC. 2. Section 432 of said code is".

Amendments read, and adopted

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Senate Bill No. 1219
Senate Bill No. 1838

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

STEWART, Chairman

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 1219—An act to amend Section 25301 of the Corporations Code, relating to the salary of the Commissioner of Corporations.

Bill read second time, and ordered re-referred to the Committee on Ways and Means.

Senate Bill No. 1838—An act to add Sections 37 and 38 to the Construction and Employment Act, relating to the allocation of funds to cities, and making an appropriation therefor.

Bill read second time, and ordered re-referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Senate Bill No. 439
Senate Bill No 1836

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

DUNN, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 439—An act to amend add Section 4901.7 to the Education Code, relating to the selection of members of the County Committee on School District Organization.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on June 13, 1951, strike out "amend".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1836—An act to add Sections 20393.1 and 20393.2 to the Education Code, relating to dismissal of employees of state colleges.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on June 12, 1951, strike out lines 9 through 12, inclusive.

Amendment No. 2

On page 1, line 13, of said bill, strike out "(b)", and insert "(a)".

Amendment No. 3

On page 1, line 16, of said bill, strike out "(c)", and insert "(b)".

Amendment No. 4

On page 1, line 18, of said bill, strike out "(b)", and insert "(a)".

Amendment No. 5

On page 1, line 19, of said bill, strike out "(d)", and insert "(c)".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Senate Joint Resolution No 36

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DUNN, Chairman

Above reported resolution ordered on file for adoption.

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred.

Senate Bill No. 305

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend. do pass, as amended, and re-refer to Committee on Ways and Means.

LINDSAY, Vice Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 305—An act to amend Sections 353, 458, and 507 of the Streets and Highways Code, relating to state highway routes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "458, and 507", and insert "364, 375, 435, 454, 458, 459, 467, 471, 496, and 507 and to repeal Sections 481 and 483".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, between lines 4 and 5, insert

"SEC. 2. Section 364 of said code is amended to read:

364. Route 64 is from:

(a) Route 2 near San Juan Capistrano to Route [77 near Lake Elsinore] *78 near Perris*.

(b) Route 78 near Perris to Route 26 near Indio.

(c) Mecca via Blythe to the Arizona State line at the Colorado River, and includes that portion of the Colorado River highway bridge (near Ehrenburg, Arizona) which is within the State of California. The Department may contract with the State of Arizona, for and on behalf of the State of California, for the maintenance of such bridge.

(d) A point near Shaver's Summit on that portion of Route 64 specified in subdivision (c) to Route 26 near Indio.

SEC. 3. Section 375 of said code is amended to read:

375. Route 75 is from:

(a) Oakland to Route [5] *4* near Stockton via Walnut Creek and Antioch.

(b) Route (a) above, north of Walnut Creek to Martinez

(c) Route 4 near Stockton via Copperopolis to Route 65 near Altaville

SEC. 4. Section 435 of said code is amended to read:

435. Route 135 is from Route 10 [at] *near* Hanford [via], *thence southerly in the vicinity of* Corcoran and *via* Earlimart to Route 129 near Ducor.

SEC. 5 Section 454 of said code is amended to read.

454 Route 154 is from:

(a) *The junction of Route 60 and Saviers Road in Ventura County, along the route of said road to Route 2 at El Rio*

(b) Route 2 near El Rio to Route 9 near Saticoy.

[(b)] *(c)* Route 9 near Saticoy to Route 79"

Amendment No. 3

On page 1 of said bill, strike out lines 5 to 10, inclusive, and insert

"SEC 6. Section 458 of said code is amended to read

458. Route 158 is from Route 4 near San Fernando to Route 2 in the vicinity of El Toro; provided, however, that Section 600 of this code shall be applicable to that portion of said route southerly of Route 167 near Signal Hill the same as if said portion had been added by the Collier-Burns Highway Act of 1947, and the Department of Public Works shall not be required to maintain any portion of said route until the same has been laid out and constructed as a State highway.

SEC. 7. Section 459 of said code is amended to read:

459. Route 159 is [Lankershim Boulevard] from Route 2 near [Universal City] *Vineland Avenue* to Route 4 *near Tujunga Wash.*

SEC. 8. Section 467 of said code is amended to read:

467. Route 167 is from Long Beach to [Route 205 in South Pasadena] *Huntington Drive.*

SEC. 9. Section 471 of said code is amended to read:

471. Route 171 is from Route 60 near Huntington Beach to Route [2 near Whittier] *62 at or near Buena Park.*

SEC. 10 Section 496 of said code is amended to read:

496. Route 196 is from Route 2 near Oceanside to [Vista] *Route 77 near Escondido.*"

Amendment No. 4

On page 1, line 11, of said bill, strike out "3", and insert "11".

Amendment No. 5

On page 1 of said bill, after line 19, insert

"SEC. 12. Sections 481 and 483 of said code are repealed."

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Ways and Means.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 20, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended

Assembly Bill No 155	Assembly Bill No 2367
Assembly Bill No 302	Assembly Bill No. 2816
Assembly Bill No 589	Assembly Bill No 2941
Assembly Bill No. 743	Assembly Bill No 3198
Assembly Bill No 1356	Assembly Bill No. 3307
Assembly Bill No. 1715	Assembly Bill No. 3439
Assembly Bill No 1841	Assembly Bill No 40
Assembly Bill No 2196	Assembly Bill No. 2625
Assembly Bill No. 2362	

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above reported bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 20, 1951

MR SPEAKER. I am directed to inform your honorable body that the Senate appointed Senators Burns, McCarthy, and Miller as a Committee on Conference concerning:

Assembly Bill No. 1534—An act to amend Section 2137.1 of the Business and and Professions Code, relating to persons authorized to practice medicine and surgery in state institutions.

J A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 464—An act to amend Section 303 of the Probate Code, relating to disqualification of judges.

J A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Assembly Bill No. 464 ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 1772—An act to amend Sections 203, 204, 204a, 206, 226, 227, 230, 231, 233, 248, and 250 of the Code of Civil Procedure, relating to jurors.

J A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Assembly Bill No. 1772 ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 20, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 1786—An act to amend Sections 17, 73e, 77b, 82, 83, 84, 85, 117, 117a, 117b, 117c, 117d, 117e, 117g, 117h, 117ha, 117i, 117j, 117l, 117m, 117o, 117p, 117r, 131 3, 134, 139, 142, 147, 149a, 150, 151, 152, 153, 166, 170, 170a, 171, 172, 188, 189, 274c, 372, 406, 407, 408, 410, 412, 413, 422, 426, 437, 437b, 437c, 446, 465, 472, 472a, 477, 480, 481, 482, 483, 492, 493, 494, 495, 496, 498, 499, 500, 503, 515, 520, 538, 539, 540, 545, 548, 554, 555, 556, 573, 581, 581b, 581d, 585, 594, 596, 600, 607a, 628, 631, 632, 638, 639, 640, 641, 644, 664, 667a, 668, 674, 675, 681a, 682, 688.1, 683, 689, 692, 714, 715, 717, 717.1, 718, 719, 720, 721, 722, 973, 974, 975, 977, 978, 978a, 979, 981, 982, 990 997, 1000 1003, 1005, 1006, 1008, 1011, 1015, 1030, 1031, 1032, 1032 5, 1032 6, 1033, 1033 7, 1054, 1054 1, 1054a, 1068, 1085, 1103, 1134, 1135, 1144, 1146, 1148, 1149, 1151, 1166a, 1168, 1169, 1176, 1208.5, 1211, 1212, 1213, 1214, 1215, 1217, 1218, 1220, 1221, 1222, 1995, 2024, 2037, and 2038 of the Code of Civil Procedure; to amend the headings of Chapter 5 of Title 1 of Part 1, of Article 3 of Chapter 5 of Title 1 of Part 1, and of Chapter 3 of Title 13 of Part 2 of the Code of Civil Procedure; to repeal the heading of Article 4 of Chapter 5 of Title 1 of Part 1 of the Code of Civil Procedure; to repeal Chapter 6 of Title 1 of Part 1 of the Code of Civil Procedure; and to renumber Chapter 7 of Title 1 of Part 1 of the Code of Civil Procedure to be Chapter 6; all relating to courts of justice, various officers connected therewith, and judicial districts

J A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Assembly Bill No. 1786 ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 693

J A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 20, 1951

MR SPEAKER. I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No 954
Assembly Bill No. 2212

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 20, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to,

Senate Bill No. 640—An act to amend Sections 5, 6, and 7 of, and to add Section 3¼ to, the Highway Carriers' Act, relating to highway carriers

And appointed Senators Regan, James E Cunningham, and Harold T. Johnson as a Committee on Conference to meet a like committee from the Assembly.

J A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 640

The Speaker announced the appointment of Messrs. Grunsky, Gaffney, and Kirkwood as a Committee on Conference concerning Senate Bill No. 640.

RESOLUTIONS

The following resolutions were offered:

By Mr. Silliman:

House Resolution No. 237

Relative to allocations of the Contingent Fund of the Assembly

Resolved by the Assembly of the State of California, That the balance of all money appropriated (and now or hereafter available) for contingent expenses of the Assembly, except such sums as are available for expenses of interim committees or for other purposes, is hereby made available to the Assembly Legislative Process Committee (created by House Resolutions 13 and 180, 1949 Regular Session, and continued by House Resolution 16 of this session) from the Assembly Contingent Fund for any charges, expenses or claims it may incur, to be paid from said Contingent Fund and disbursed as provided in said resolutions The money made available by this resolution includes the unencumbered balances of all sums heretofore or hereafter made available to any Assembly or joint interim committee upon the expiration of such committee.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Geddes:

House Resolution No. 238

Pertaining to an investigation of the expenditures of county funds to influence legislation

WHEREAS, In a recent news article in a Sacramento paper the statement was made that Assembly Bill 1216, providing for aid to the needy and totally disabled was defeated by the joint efforts of the County Supervisor's Association and the California State Chamber of Commerce, and

WHEREAS, A study of such documents as are immediately available reveals that the State Controller reports a total of $2,147,167.51 as having been appropriated by the various counties from general county taxes levied for the Fiscal Year 1950-51, the purposes ostensibly for advertising and promotion, and

WHEREAS, A preliminary examination of the budgets of 54 out of the 58 counties indicates that payments have been made by the various counties to the State Chamber of Commerce amounting to $41,075, and payments made to other chambers of commerce which amount to $743,483, also, that payments to the Supervisor's Association, Inc. amounting to $44,145.25 were made and expenditures designated "legislative expense" amounted to $27,575. Payments made to other groups with legislative programs amounted to $23,350, and payments for items charged to expenses, membership dues, professional and expert services, travel, advertising, conferences and conventions came to $486,126, and

WHEREAS, A more extensive summary of related items in the budgets of the counties reveals other items which may or may not be related to the subject matter of this resolution, to wit:

Direct Appropriations by County Boards of Supervisors
As Shown in Final County Budgets for 1950-51

Counties	To California State Chamber of Commerce	To Other Chambers of Commerce	To Supervisors Associations	Legislative Expense	Other Groups with Legislative Programs	Expense Membership Dues Professional and Expert Services Travel Advertising Conferences & Conventions
Alameda	----	$164,700.00	----	----	----	$40,300.00
Alpine	----	----	$200.00	----	$50.00	300.00
Amador	----	----	----	----	----	----
Butte	----	----	----	----	----	----
Calaveras	----	----	525.00	----	----	4,850.00
Colusa	$250 00	----	----	$600 00	----	500.00
Contra Costa	----	----	----	----	----	24,150.00
Del Norte	----	----	----	----	----	3,450 00
El Dorado	200 00	5,960 00	600 00	----	----	3,500 00
Fresno	3,000 00	27,906 00	3,908 00	----	----	6,500 00
Glenn	300.00	2,700 00	1,100 00	----	----	2,300 00
Humboldt	----	----	----	----	----	----
Imperial	500.00	----	750 00	----	----	----
Inyo	300 00	----	550 00	300.00	----	----
Kern	----	93,455 00	----	----	----	25,000 00
Kings	400 00	3,420 00	1,425.00	----	----	350.00
Lake	500 00	----	475.00	----	1,800 00	----
Lassen	400.00	1,800 00	----	975 00	----	----
Los Angeles	10,000.00	250,000.00	10,000.00	8,000 00	----	----
Madera	300 00	----	1,000 00	----	----	2,500 00
Marin	500 00	----	875 00	----	----	3,450 00
Mariposa	----	----	----	500.00	----	600 00
Mendocino	----	----	----	600.00	----	1,000.00
Merced	----	2,000 00	886.00	----	300.00	----
Modoc	----	1,500 00	----	----	----	1,500 00
Mono	----	----	----	----	----	----
Monterey	1,125 00	6,900 00	881 25	----	----	----
Napa	500.00	3,200.00	600 00	----	----	3,600.00
Nevada	300 00	----	----	----	----	3,400 00
Orange	1,500 00	6,225 00	2,700 00	----	----	1,700 00
Placer	----	----	800.00	----	----	100 00
Plumas	300 00	7,825.00	250 00	----	----	2,000 00
Riverside	1,000 00	8,635 00	1,900 00	----	----	4,000 00
Sacramento	2,500 00	31,150 00	1,900 00	----	----	----
San Benito	200.00	300 00	550 00	----	----	3,750 00
San Bernardino	----	1,575 00	----	----	----	2,225.00
San Diego	----	16,200.00	----	4,700.00	----	----
San Francisco	----	----	----	10,000 00	8,200 00	267,500 00
San Joaquin	2,000.00	22,500 00	1,900 00	----	4,000.00	350 00
San Luis Obispo	1,000 00	----	----	----	----	500 00
San Mateo	1,000.00	3,750 00	1,900 00	----	----	9,000 00
Santa Barbara	1,500 00	10,100.00	----	----	----	5,000 00
Santa Clara	2,000.00	30,000 00	----	----	----	7,000 00
Santa Cruz	500 00	3,250 00	----	----	----	1,000.00
Shasta	500 00	5,950 00	1,525.00	----	----	----
Sierra	----	1,580 00	----	----	----	1,350 00
Siskiyou	500 00	2,000 00	600 00	----	500 00	500 00
Solano	1,000.00	13,000 00	50 00	----	1,000.00	400 00
Sonoma	3,000 00	900 00	1,075 00	----	7,500 00	27,375 00
Stanislaus	1,000 00	5,000 00	1,495 00	----	----	----
Sutter	----	2,250 00	650 00	----	----	600 00
Tehama	250 00	1,500.00	1,000 00	----	----	2,000 00
Trinity	----	----	----	----	----	----
Tulare	----	4,452 00	----	----	----	11,676 00
Tuolumne	500 00	500 00	675 00	----	----	500 00
Ventura	2,000.00	1,000 00	----	1,900 00	----	4,500 00
Yolo	----	300.00	800 00	----	----	5,500.00
Yuba	250.00	----	600 00	----	----	350 00
	$41,075 00	$743,483.00	$44,145 25	$27,575 00	$23,350 00	$486,126 00

and

WHEREAS, It is also indicated that the Los Angeles County Board of Supervisors entered into a contract, where for a consideration of $10,000 it was provided that the State Chamber of Commerce among other things was to appear before various committees of the State Legislature, and that the Board of Supervisors of San Diego County entered into a like contract with the same organization whereby for $1,500 the same services were to be performed; and

WHEREAS, It appears that there may be some reason, not at once apparent, why it should be necessary to arrange for a duplication through the State Chamber of Commerce or any other chamber of commerce to act as a legislative advocate for the county or counties in view of the amount of money expended for the support of their own organizations qualified to perform the same duties, and

WHEREAS, There may be question as to the propriety of the use of county taxpayers money in attempts to influence legislation which may be detrimental to, and in direct conflict with, the interest of the great mass of payers of county taxes; now, therefore, be it

Resolved, That the Assembly Interim Committee on Municipal and County Government, created at the 1951 Session of the California Legislature be, and hereby is, directed to include in its studies all matters pertaining to such expenditures made by the individual County Boards of Supervisors during the past several years and the present time, and that the expenditures of said monies by the various agencies to which payments were made, if any, be investigated for the purpose of ascertaining in what manner the taxpayers money was spent, and report its findings, either as a special report or included in its report to the Assembly not later than the fifteenth day of the 1953 Regular Session of the California Legislature.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Moss:

House Resolution No. 239

Directing the Interim Committee on Governmental Efficiency and Economy to study the substance of Assembly Bill No. 1060

WHEREAS, The construction of structures, buildings and facilities by the State is of general interest to the people of the State of California; and

WHEREAS, Assembly Bill No. 1060 provides for a Public Works Construction Act and a State Public Works Authority; now, therefore, be it

Resolved, That the Assembly Interim Committee on Governmental Efficiency and Economy be directed to study and consider the substance of Assembly Bill No. 1060 and include in its regular report a report on its findings as to the feasibility of a State Public Works Authority as provided for in Assembly Bill No. 1060

Resolution read, and ordered referred to the Committee on Rules.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR SPEAKER. The Committee on Conference concerning.

Assembly Bill No. 1771—An act to amend Sections 91, 150, 230, 325, 337, 384a, 597f, 599a, 682, 726, 808, 817, 859, 890, 1143, 1203.02, 1203.1, 1203.12, 1278, 1298, 1309, 1327, 1382, 1391, 1426, 1427, 1428, 1431, 1432, 1432.1, 1438, 1458, 1459, 1461a, 1466, 1488, 1529, 2623, 4022, 12694, and 1426a of the Penal Code; to amend the headings of Title 11 of Part 2 and of Chapter 1 of Title 11 of Part 2 of the Penal Code; and to repeal Section 1461 of the Penal Code; all relating to courts of justice, various officers thereof, and judicial districts;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Senate on April 13, 1951, strike out "817, 859, 890,".

Amendment No. 2

In line 3 of the title of said bill, strike out "1382, 1426, 1427,".

Amendment No. 3

In line 4 of the title of said bill, strike out "1428, 1438, 1458, 1459, 1461a, 1466,".

Amendment No. 4

In line 5 of the title of said bill, strike out "Code;" and insert "Code,".

Amendment No. 5

Strike out lines 6 to 7, inclusive, of the title of said bill.

Amendment No. 6

In line 8 of the title of said bill, strike out "Sec 1461 of the Penal Code;"

Amendment No. 7

On page 5 of said bill, strike out lines 18 to 35, inclusive.

Amendment No. 8

On page 5, line 36, of said bill, strike out "13", and insert "12".

Amendment No. 9

On page 6 of said bill, strike out lines 1 to 11, inclusive.

Amendment No. 10

On page 6, line 12, of said bill, strike out "16", and insert "13".

Amendment No. 11

On page 6, line 31, of said bill, strike out "17", and insert "14".

Amendment No. 12

On page 6, line 43, of said bill, strike out "18", and insert "15".

Amendment No. 13

On page 8, line 15, of said bill, strike out "19", and insert "16".

Amendment No. 14

On page 8, line 28, of said bill, strike out "20", and insert "17".

Amendment No. 15

On page 9, line 3, of said bill, strike out "21", and insert "18".

Amendment No. 16

On page 9, line 21, of said bill, strike out "22", and insert "19".

Amendment No. 17

On page 9, line 33, of said bill, strike out "23", and insert "20".

Amendment No. 18

On page 10 of said bill, strike out lines 1 to 17, inclusive.

Amendment No. 19

On page 10, line 18, of said bill, strike out "25", and insert "21".

Amendment No. 20

On page 10 of said bill, strike out lines 33 to 52, inclusive.

Amendment No. 21

On page 11 of said bill, strike out lines 1 to 42, inclusive.

Amendment No. 22

On page 11, line 43, of said bill, strike out "31", and insert "22".

Amendment No. 23

On page 12, line 13, of said bill, strike out "32", and insert "23".

Amendment No. 24

On page 12, line 22, of said bill, strike out "33", and insert "24".

Amendment No. 25

On page 12 of said bill, strike out lines 33 to 50, inclusive.

Amendment No. 26

On page 13 of said bill, strike out lines 1 to 34, inclusive.

Amendment No. 27

On page 13, line 35, of said bill, strike out "39", and insert "25".

Amendment No. 28

On page 13, line 42, of said bill, strike out "40", and insert "26".

Amendment No. 29

On page 14, line 14, of said bill, strike out "41", and insert "27".

Amendment No. 30

On page 14, line 32, of said bill, strike out "42", and insert "28".

Amendment No. 31

On page 14, line 45, of said bill, strike out "43", and insert "29".

Amendment No. 32

On page 15, line 12, of said bill, strike out "44", and insert "30".

Amendment No. 33

On page 15 of said bill, strike out line 16.

Amendment No. 34

On page 15, line 17, of said bill, strike out "46", and insert "31".

MILLER	BROWN
REGAN	FLEURY
JAMES E. CUNNINGHAM	MUNNELL
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Morris, Moss, Niehouse, Parker, Porter, Rumford, Sillman, Stewart, Thomas, Waters, and Mr. Speaker—58.

NOES—None.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 191—An act to amend Section 2828 of the Elections Code, relating to removal of members of state and county central committees.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 191?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on June 1, 1951, strike out "Section", and insert "Sections 2828 and".

Amendment No. 2

On page 1, line 9, of said bill, as amended, strike out "said", and insert "the Elections".

Amendment No. 3

On page 2, line 4, of said bill, as amended, strike out the first "and", and insert "except that in any year in which a national political party shall have set the national convention of the party to include such date, the existing executive committee of the county central committee of that party shall set the date of the meeting, not to exceed 30 days after the date above specified. At such meeting such county central committee".

Amendment No. 4

On page 2 of said bill, as amended, after line 6, insert

"SEC. 2. Section 2828 of said code is amended to read:

2828. Each state central committee may remove any *appointive* member thereof, *and each county central committee may remove any member, other than an ex officio member, thereof,* who during his term of membership affiliates with, or registers as a

member of another party or who gives support to or avows a preference for a candidate of another party or candidate who is opposed to a candidate nominated by the party which that member represents."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 191 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Morris, Moss, Munnell, Parker, Porter, Shaw, Sherwin, Silliman, Stanley, Stewart, Tomlinson, and Waters—63.

NOES—None.

Assembly Bill No. 191 ordered enrolled.

Assembly Bill No. 1967—An act to amend Section 428 of the Fish and Game Code, relating to fishing licenses.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1967?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 24, 1951, between lines 16 and 17, insert

"(d) To any citizen of the United States over the age of 16 years, upon payment of one dollar ($1) for a period of three days from the date of issue A license under this subdivision shall grant the privilege of taking fish from waters of the Pacific Ocean only. The provisions of this subdivision shall be effective until the ninety-first day after final adjournment of the 1953 Regular Session and thereafter shall have no force or effect"

Amendment No. 2

On page 1, line 20, of said bill, as amended, strike out "1951", and insert "1952".

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 1967 by the following vote:

AYES—Clarke, George D Collins, Crowley, Grunsky, and Hansen—5

NOES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Chapel, Cloyed, Collier, Condon, Connolly, Cooke, Davis, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Grant, Hahn, Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, and Waters—51.

Appointment of Committee on Conference Concerning Assembly Bill No. 1967

The Speaker announced the appointment of Messrs Hawkins, George D Collins, and Lindsay as a Committee on Conference concerning Assembly Bill No. 1967.

Assembly Bill No. 2553—An act to amend Sections 4618, 4621, 4622, 4988, 5581, and 5588 of, and to add Sections 4624, 4739 5, 4802, 4803, 4995, 4996, 5565, 5602, 5603, and 6655 to, the Health and Safety Code, relating to the powers and bonds of county sanitation and other sewer districts, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2553?

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on May 4, 1951, strike out "4739 5.".

Amendment No. 2

On page 2 of said bill, as amended, strike out lines 45 and 46

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2553 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Lockslem, Lovering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Munnell, Nichouse, Parker, Porter, Rumford, Shaw, Sillman, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—63

NOES—None.

Assembly Bill No. 2553 ordered enrolled.

Assembly Bill No. 3321—An act to amend Section 6b of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks, and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3321?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 29, 1951, strike out "an act entitled "An act authoriz-"; strike out lines 2 to 7, inclusive, of the title, and insert "the Municipal Court Act of 1925 and to amend Section 274 of the Code of Civil Procedure, relat-".

Amendment No. 2

On page 1, line 1, of said bill, strike out "act cited in the title hereof", and insert "Municipal Court Act of 1925".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 2 of said bill, after line 41, insert

"SEC. 2. Section 274 of the Code of Civil Procedure is amended to read:

274. For his services the official reporter shall receive the following fees, except in counties where a statute provides otherwise:

For reporting testimony and proceedings, in contested cases, [fifteen dollars ($15)] *twenty dollars ($20)* per day For reporting each default or uncontested action or proceedings the reporter's fee shall be five dollars ($5); provided, that if more than four defaults or uncontested matters are reported in any one day, or two or more defaults are reported in conjunction with any contested case the reporter's fee shall be at the rate of twenty-five dollars ($25) per day

For transcription for original ribbon copy, twenty-five cents ($0.25) per 100 words, and for each copy made at the same time ten cents ($0.10) each per 100 words

For transcription, in civil cases, the reporter may charge, for special daily copy service 50 percent additional.

In criminal cases in which the court specifically so directs the fee for reporting and for a transcript ordered by the court to be made must be paid out of the county treasury on the order of the court, except that when a daily transcript is ordered as provided in Section 269 of this code then said section shall be applicable; provided, however, that in any case, the court shall not order to be transcribed and paid for out of the county treasury any matter or material other than that reported by said reporter as prescribed in paragraph 1 of Section 269 of this code; and provided further, that when there is no official reporter in attendance, and a reporter pro tempore is appointed, his reasonable expenses for traveling and detention must be fixed and allowed by the court and paid in like manner.

In civil cases the fees for reporting and for all other transcriptions ordered by the court to be made must be paid by the parties in equal proportion, and either party may, at his option, pay the whole thereof; and, in either case, all amounts so paid by the party to whom costs are awarded must be taxed as costs in the case. The fees for transcripts and copies ordered by the parties must be paid by the party ordering the same. No reporter shall perform any service in a civil action other than transcriptions until his fee therefor has been deposited with the clerk of the court"

Amendment No. 4

On page 2 of the printed bill, as amended in the Senate on June 12, 1951, between lines 6 and 7, insert

"All per diem fees otherwise payable by law by the parties to proceedings in said court to official reporters or official reporters pro tempore shall be paid to the clerk of the court. All said fees shall be deposited in the treasury of the said city or city and county to the credit of the general fund."

Amendment No. 5

On page 3, line 23, of said bill, as amended, after "fees", insert "for".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3321 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Moss, Munnell, Niehouse, Parker, Rumford, Sherwin, Silliman, Stanley, Stewart, and Waters—56.

NOES—Beck—1.

Assembly Bill No. 3321 ordered enrolled.

Assembly Constitutional Amendment No. 55—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding to Article XIII thereof a new section to be numbered 19, relating to the proceeds of taxes levied on property in a redevelopment project under the Community Redevelopment Act.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Constitutional Amendment No. 55?

Amendment No. 1

On page 1, line 13, of the printed measure, as amended in the Assembly on June 1, 1951, strike out "(a)", and insert "1".

Amendment No. 2

On page 1, line 20, of said measure, strike out "many", and insert "may"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Constitutional Amendment No. 55 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Landsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Waters—58.

NOES—None.

Assembly Constitutional Amendment No. 55 ordered enrolled.

Assembly Joint Resolution No. 40—Relative to the application of the Sherman Anti-Trust Act and Miller Tydings Act as applied to State Fair Trade Laws.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Joint Resolution No. 40?

Amendment No. 1

On page 1, line 4, of the printed measure, after "unconstitutional", insert "with respect to the application of a provision thereof to sellers who are not parties to minimum resale price agreements entered into in connection with sales in interstate commerce".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Joint Resolution No. 40 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Sherwin, Stanley, Thomas, Tomlinson, and Waters—59

NOES—None.

Assembly Joint Resolution No. 40 ordered enrolled.

Assembly Bill No. 249—An act to amend Sections 64, 67, 70, 75, 79, and 97 of the Unemployment Insurance Act, relating to a System of Unemployment and Disability Insurance

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 249?

Amendment No. 1

On page 2, line 30, of the printed bill, after "submit", insert "within 10 days after the mailing of such notice".

Amendment No. 2

On page 2, line 37, of said bill, strike out "relating to such claim required under this act or", and insert "pursuant to subsection (c) and".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No 249 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Chapel, Clarke, Cloyed, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Sherwin, Stanley, Thomas, Tomlinson, and Waters—57.

NOES—None.

Assembly Bill No. 249 ordered enrolled.

Assembly Bill No. 592—An act to amend Section 28124 of the Government Code, relating to compensation for public services in counties of the twenty-fourth class.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 592?

Amendment No. 1

On page 2 of the printed bill, after line 6, insert

"SEC 2. If it is not legally competent to pay the compensation provided by this act to incumbent officers on the effective date of this act, such increase in compensation

shall nevertheless be payable to the officers designated in this act as soon as it is legally competent to do so."

Amendment No. 2

In line 1 of the title of the printed bill, as amended in the Senate on June 8, 1951, strike out "Section 28124 of the Government Code", and insert "Sections 28123 and 28134 of the Government Code, Sections 423 and 434 of the Education Code, and Section 79 24 of the Code of Civil Procedure".

Amendment No. 3

In lines 2 and 3 of the title of said bill, as amended, strike out "of the twenty-fourth class".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, as amended, strike out lines 1 and 2, and insert

"SECTION 1. Section 28123 of the Government Code is amended to read:

28123. In a county of the twenty-third class the following shall receive as compensation for their services required of them by law or by virtue of their offices the following sums:

(a) The auditor, [four] *five thousand dollars* [($4,000)] *($5,000)* a year. When required by the board of supervisors to compile an annual statistical report, he *shall receive one hundred fifty dollars ($150) from the general fund of the county* as compensation for compiling the report

(b) The district attorney, [five thousand five hundred] *six thousand six hundred* dollars [($5,500)] *($6,600)* a year. He shall not engage in private law practice and shall devote all his time and attention during business hours to the duties of his office.

(c) Each supervisor, three thousand *six hundred* dollars [($3,000)] *($3,600)* a year for all services performed by him as supervisor, as member of the board of *equalization and as road commissioner No mileage allowance is necessary as the county* furnishes automobiles for the use of supervisors and road commissioners.

(d) For each day's attendance as a grand juror or a trial juror in the superior court, three dollars ($3) a day; for each mile traveled in attending court as such juror, twelve cents ($0.12), in going only.

A grand juror, when attending as a member of a regularly constituted committee or subcommittee of the grand jury, shall receive the same per diem and mileage as is allowed for attending court.

The compensation provided by this section shall be paid to incumbent officers.

SEC. 2. Section 28134 of the Government Code is amended to read.

28134 In a county of the thirty-fourth class the following shall receive as compensation for the services required of them by law or by virtue of their offices the following sums:

(a) The auditor, [three thousand five hundred] *five thousand* dollars [($3,500)] *($5,000)* a year.

(b) The district attorney, [five thousand] *seven thousand five hundred* dollars [($5,000)] *($7,500)* a year.

(c) Each supervisor, for all services required of him as supervisor [two thousand four hundred] *three thousand* dollars [($2,400)] *($3,000)* a year. He shall also receive the following mileage and traveling expenses, when using a privately owned automobile, six cents ($0.06) for each mile actually traveled each way. (1) in going *to and from his residence to the courthouse in attending each day's session of the* regular and special meetings of the board of supervisors and in attending each day's session of the meetings of the board of supervisors when the board convenes as a board of equalization, and (2) in the county in the performance of his duties as supervisor and as a member of the county board of equalization. When traveling in a privately owned automobile each member of the board of supervisors shall also be allowed mileage at the rate of six cents ($0.06) a mile or railroad or bus fare, together with *other traveling expenses incurred in traveling to and from places outside of the county* when he is on county business authorized by the board of supervisors

(d) For attending as a juror in the superior court, the justices' courts, and in city courts in cities of the sixth class, each juror shall be paid three dollars ($3) for each day's attendance upon the court and six cents ($0.06) a mile for each mile actually traveled each way in attending each day's session of the court

For serving as a grand juror, each grand juror shall be paid [three] *six* dollars [*($3)*] *($6) for each day's attendance upon the duly called sessions of the grand jury* and the meetings of committees appointed by the foreman of the grand jury and for each day's service when authorized in writing by the foreman to make individual investigations. When using a privately owned automobile, each grand juror shall also be

allowed [six] *eight* cents [$(0 06)] *($0.08)* a mile for each mile actually traveled by him each way in attending each day's sessions of the grand jury and meetings of committees appointed by the foreman of the grand jury and when making individual investigations upon being authorized in writing to make such investigations by the foreman.

The fees and traveling expenses shall be paid out of the general fund of the county upon warrants drawn by the county auditor upon the written order of the judge of the superior court in the case of grand jurors and jurors attending the superior court, and upon written order of the judge of the court in which the juror was in attendance in the case of jurors attending the justices' courts.

The fees and mileage shall be paid to jurors attending city courts of cities of the sixth class by the treasurer of the city in which the jurors' services were rendered out of the general fund of the city upon warrants drawn by the city auditor upon the written order of the judge of the court in which the jurors were in attendance.

The compensation provided by this section shall be paid to incumbent officers.

SEC. 3. Section 423 of the Education Code is amended to read.

423. The annual salary of the county superintendent of schools of a county of the twenty-third class is [four thousand eight hundred] *six thousand three hundred* dollars [($4,800)] *($6,300)*, and he shall possess a valid elementary or secondary administrative credential issued by the State Board of Education.

SEC. 4. Section 434 of the Education Code is amended to read:

434. The annual salary of the county superintendent of schools of a county of the thirty-fourth class is [four thousand eight hundred] *six thousand* dollars [($4,800)] *($6,000)*, and he shall possess a valid elementary or secondary administrative credential issued by the State Board of Education.

SEC. 5. Section 79.24 of the Code of Civil Procedure is amended to read:

79.24. The annual salary of each judge of the Superior Court in and for the County of Merced is [ten thousand] *thirteen thousand five hundred* dollars [($10,000)] *($13,500)*.

SEC. 6. If it is not legally competent to pay the compensation provided by this act to incumbent officers on the effective date of this act, such increase in compensation shall nevertheless be payable to the officers designated in this act as soon as it is legally competent to do so."

Amendment No. 5

On page 1 of said bill, as amended, strike out lines 3 to 24, inclusive; and strike out all of page 2.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 592 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Waters—62.

NOES—None.

Assembly Bill No. 592 ordered enrolled.

Assembly Bill No. 594—An act to amend Section 424 of the Education Code, relating to compensation of the county superintendent of schools in counties of the twenty-fourth class.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 594?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "424", and insert "423".

Amendment No. 2

In line 3 of the title of said bill, strike out "twenty-fourth", and insert "twenty-third".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 423 of the Education Code is amended to read:

423. The annual salary of the county superintendent of schools of a county of the twenty-third class is [*four thousand eight hundred dollars ($4,800)*] *six thousand three hundred dollars ($6,300)*, and he shall possess a valid elementary or secondary administrative credential issued by the State Board of Education"

Amendment No. 4

On page 1 of said bill, strike out lines 3 to 8, inclusive.

Amendment No. 5

In line 1 of the title of the printed bill, as amended in the Senate on June 8, 1951, strike out "423 of the Education Code", and insert "79.20 of the Code of Civil Procedure".

Amendment No. 6

In line 2 of the title of said bill, as amended, strike out "of the county superintendent of schools", and insert "for public service".

Amendment No. 7

In line 3 of the title of said bill, as amended, strike out "of the twenty-third class".

Amendment No. 8

On page 1 of said bill, as amended, strike out line 3, and insert

"SECTION 1. Section 79.20 of the Code of Civil Procedure is amended to read.

79.20 The annual salary of the judge of the Superior Court in and for the County of Madera is [ten thousand] *thirteen thousand five hundred dollars* [($10,000)] *($13,500)*."

Amendment No. 9

On page 1 of said bill, as amended, strike out lines 4 to 10, inclusive

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 594 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Thomas, Tomlinson, Waters, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 594 ordered enrolled.

Speaker Presiding

At 11.05 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Assembly Bill No. 751—An act to amend Section 496 of the Fish and Game Code, relating to fish.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 751?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 24, 1951, strike out "496 of the Fish and Game Code", and insert "3 of Chapter 973 of the Statutes of 1949".

Amendment No. 2

On page 1 of said bill, as amended, strike out lines 1 to 6, inclusive, and insert "SECTION 1. Section 3 of Chapter 973 of the Statutes of 1949 is amended to read:

Sec. 3. The provisions of Sections 495 and 496 of the Fish and Game Code shall be".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 751 by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Metcee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Silliman, Stanley, Thomas, Waters, and Mr. Speaker—64

NOES—None.

Assembly Bill No. 751 ordered enrolled.

Assembly Bill No. 981—An act to amend Sections 4318 and 4368 of the Labor Code, relating to burial expenses for civilian defense and disaster workers.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 981?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "4318 and"; and following "4368", insert "and 4702".

Amendment No. 2

In lines 2 and 3 of the title of said bill, strike out "for civilian defense and disaster workers", and insert "for disaster service workers and workmen's compensation death benefits."

Amendment No. 3

On page 1, line 1, of said bill, strike out "4318", and insert "4368".

Amendment No. 4

On page 1, line 3, of said bill, strike out all of said line, and all of lines 4 to 7, inclusive.

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 5

On page 1 of said bill, following line 10, insert

"SEC. 2 Section 4702 of the Labor Code is amended to read.

4702 The death benefit shall be a sum sufficient to equal:

(a) In a case of total dependency, four times the average annual earnings of the deceased employee.

(b) In a case of partial dependency only, four times the amount annually devoted to support of the dependents by the employee.

The death benefit shall be paid in installments in the same manner and amounts as *temporary* disability indemnity, payments to be made at least twice each calendar month, unless the commission otherwise orders. Except as provided in the next paragraph, the death benefit, when added to all accrued disability indemnity, shall not exceed four times the average annual earnings of the employee, nor exceed the sum of [SIX] *seven* thousand dollars [($6,000)] *($7,000)* except in the case of a surviving widow and one or more dependent minor children, in which case the death benefit shall be increased 25 percent, but not to exceed [seven thousand five hundred dollars ($7,500)] *eight thousand seven hundred fifty dollars ($8,750)* and, except as otherwise provided in Sections 4553 and 4554 For a total dependency the minimum death benefit shall be three thousand dollars ($3,000).

Disability indemnity shall not be deducted from the death benefit and shall be paid in addition to the death benefit when the original injury resulting in death occurs

after the effective date of the amendment to this section adopted at the 1949 Regular Session of the Legislature.

Every computation made pursuant to this section shall be made only with reference to death resulting from an original injury sustained after this section as amended during the 1949 Regular Session of the Legislature becomes effective; provided, however, that all rights presently existing under this section shall be continued in force"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No 981 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69.

NOES—None

Assembly Bill No 981 ordered enrolled.

Assembly Bill No. 1232—An act to add Section 9598 to the Business and Professions Code, relating to the State Board of Dry Cleaners.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1232?

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in the Assembly on May 25, 1951, strike out "reasonabe", and insert "reasonable".

Amendment No. 2

On page 1, line 5, of the printed bill, as amended in the Senate on June 15, 1951, strike out "at reasonable", and insert "during business".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1232 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—66

NOES—None.

Assembly Bill No 1232 ordered enrolled.

Speaker Pro Tempore Presiding

At 11 10 a m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 1371—An act providing for the constitution of the municipal court in a district embracing the City of Mountain View, and prescribing the number and compensation of the judges, officers and attaches thereof.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1371?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on May 1, 1951, strike out "City of", and insert "Cities of Palo Alto and".

Amendment No. 2

On page 1, line 2, of said bill, as amended, strike out "City of Mountain View", and insert "Cities of Palo Alto and Mountain View known and designated as the Palo Alto-Mountain View District".

Amendment No. 3

On page 1 of said bill, as amended, strike out lines 12 to 15, inclusive, and insert "salary of two hundred sixty-five dollars ($265) monthly with annual increments of twenty-two dollars ($22), twenty-two dollars ($22), twenty-two dollars ($22), and twenty-two dollars ($22) to a maximum of three hundred fifty-three dollars ($353) monthly;".

Amendment No. 4

On page 1 of said bill, as amended, strike out lines 17 to 29, inclusive, and insert "imum salary of two hundred thirty-five dollars ($235) monthly with annual increments of twenty dollars ($20), twenty-one dollars ($21), twenty dollars ($20), and twenty-one dollars ($21) to a maximum of three hundred seventeen dollars ($317) monthly;".

Amendment No. 5

On page 1 of said bill, as amended, strike out lines 22 to 25, inclusive, and insert "hundred ninety-five dollars monthly, with annual increments of twenty-one dollars ($21), seventeen dollars ($17), seventeen dollars ($17), and seventeen dollars ($17) to a maximum of two hundred sixty-seven dollars ($267) monthly;".

Amendment No. 6

On page 2 of said bill, as amended, strike out lines 2 to 5, inclusive, and insert "imum salary of two hundred seventy-five dollars ($275) monthly with annual increments of twenty-two dollars ($22), twenty-three dollars ($23), twenty-two dollars ($22), and twenty-three dollars ($23) to a maximum of three hundred sixty-five dollars ($365) monthly;".

Amendment No. 7

On page 2 of said bill, as amended, strike out lines 7 to 11, inclusive, and insert "One deputy at a minimum salary of two hundred fifty dollars ($250) monthly with annual increments of twenty-one dollars ($21), twenty-one dollars ($21), twenty-one dollars ($21), and twenty-two dollars ($22) to a maximum of three hundred thirty-five dollars ($335) monthly;".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1371 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Waters—64.

NOES—None.

Assembly Bill No. 1371 ordered enrolled.

Assembly Bill No. 1389—An act providing for the constitution of the municipal court in a district embracing the City of Salinas, and prescribing the number and compensation of the judges, officers, and attaches thereof.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1389?

Amendment No. 1

On page 2 of the printed bill, as amend in the Assembly on May 16, 1951, strike out lines 12 to 27, inclusive, and insert

"(3) The sheriff and his deputies shall act ex officio as the marshal and deputy marshals of the court."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1389 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser,

Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Waters—64.

NOES—None

Assembly Bill No. 1389 ordered enrolled.

Assembly Bill No. 1390—An act providing for the constitution of the municipal court in a district embracing the Cities of Carmel and Monterey, and prescribing the number and compensation of the judges, officers and attaches thereof.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1390?

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on May 16, 1951, strike out lines 12 to 27, inclusive, and insert

"(3) The sheriff and his deputies shall act ex officio as the marshal and deputy marshals of the court."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1390 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Waters—64.

NOES—None.

Assembly Bill No. 1390 ordered enrolled.

Speaker Presiding

At 11.12 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Assembly Bill No. 1490—An act to amend Section 8 of the Dangerous Weapons Control Law, relating to the issuance of licenses to carry concealed pistols, revolvers and other firearms.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1490?

Amendment No. 1

In line 4 of the title of the printed bill, as amended in the Assembly on May 11, 1951, after "firearms", insert ", and providing for the imposition of a fee for the issuance of such licenses".

Amendment No. 2

On page 2 of said bill, as amended, after line 15, insert

"When any license is hereafter issued pursuant to this section, the officer issuing the license shall collect a fee of one dollar ($1) from the licensee, which shall be transmitted by him with the application to the State Bureau of Criminal Identification and Investigation for deposit in the General Fund in the State Treasury."

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 1490 by the following vote:

AYES—Berry, Crowley, and Maloney—3.

NOES—Babbage, Belotti, Brady, Brown, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem,

Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Parker, Porter, Rumford, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—58.

Appointment of Committee on Conference Concerning Assembly Bill No. 1490

The Speaker announced the appointment of Messrs. George D. Collins, Caldecott, and Berry as a Committee on Conference concerning Assembly Bill No. 1490.

Assembly Bill No. 1582—An act to add Section 7.1 to the Alcoholic Beverage Control Act, relating to issuance of licenses.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1582?

Amendment No. 1

On page 1, line 18, of the printed bill, as amended in the Assembly on May 25, 1951, after the period, insert "The acceptance of a license issued pursuant to this section shall constitute a release of any and all claims for damages, if any there be, which the person to whom the license is issued may have against the State by reason of the revocation, cancellation, or expiration of any license previously issued to or held by such person under this act."

Amendment No. 2

In line 20 of the printed bill, after "act", insert "and provided further, that no such license or interest therein shall be subject to transfer by such person to any other transferee for a period of one year and thereafter only if such individual to whom such license has been restored hereunder has during such year as sole owner conducted the business operated under such license and personally, unless prevented by causes beyond his control, worked in the actual operation of said business."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1582 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Mummell, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, and Waters—65

NOES—None.

Assembly Bill No. 1582 ordered enrolled.

Assembly Bill No. 2140—An act to add Chapter 12 of Part 1 of Division 6 of the Harbors and Navigation Code, creating the San Francisco Harbor Finance Board and prescribing its duties; providing for the issuance and sale of revenue bonds by the Board of State Harbor Commissioners, subject to the approval of the San Francisco Harbor Finance Board as obligations of the Board of State Harbor Commissioners for San Francisco Harbor, payable from the revenues of said Board of State Harbor Commissioners for San Francisco Harbor, and prescribing the duties of state officers in respect to such bonds; defining the duties of said Board of State Harbor Commissioners for San Francisco Harbor, in respect to said bonds and the performance of public works from the proceeds thereof; authorizing the creation of a fund for the improvement of San Francisco Harbor by the construction of wharves, piers, sea walls, State Railroad, spurs, betterments and appurtenances and necessary dredging and filling in connection therewith; providing for the purposes for which the proceeds of said bonds may be expended; providing for the incidents,

security, terms, conditions, maturity, interest, denominations, form, registration, and transfer and interchange of such bonds; providing for the payment of the interest and principal of such bonds, and for their call before maturity and the conditions upon which such calls may be made; providing for the replacement of lost, destroyed, or mutilated bonds or coupons; exempting such bonds from certain taxes, and authorizing the investment of banks, trusts, and public funds in said bonds; providing for the rights and remedies of the holders of such bonds; providing for the issuance of refunding bonds and providing for the creation of designated funds.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2140?

Amendment No. 1

In the beginning of line 14 of the title of the printed bill, strike out "performance", and insert "acquisition".

Amendment No. 2

On page 3, line 3, of said bill, after "bonds", insert "whether heretofore or hereafter issued".

Amendment No. 3

On page 3, line 5, of said bill, after "The", insert "term".

Amendment No. 4

On page 3, line 20, of said bill, after "of", insert "improvements to the San Francisco Harbor, including the".

Amendment No. 5

On page 4, line 3, of said bill, after "prepared", insert "by the State Treasurer".

Amendment No. 6

On page 4, line 38, of said bill, after "revenue", strike out "of the project".

Amendment No. 7

On page 5, line 31, of said bill, after "bonds", insert "whether heretofore or hereafter issued".

Amendment No. 8

On page 5, line 43, of said bill, after "the", insert "San Francisco Harbor and each and every".

Amendment No. 9

On page 5, line 49, of said bill, after "project", insert "and to the San Francisco Harbor".

Amendment No. 10

On page 5, line 49, of said bill, after "the", strike out "project", and insert "San Francisco Harbor".

Amendment No. 11

On page 6, lines 9, 10, and 11, of said bill, after "thereof", strike out "of any project acquired, constructed or completed from the proceeds of the sale of the bonds,".

Amendment No. 12

On page 6, line 11, of said bill, after "upon", strike out "any physical properties", and insert "the San Francisco Harbor".

Amendment No. 13

On page 6, lines 17 and 18, of said bill, after "improvements", strike out "constructed from the proceeds of the bonds".

Amendment No. 14

On page 6, line 19, of said bill, strike out "a", and insert "the San Francisco Harbor or of any".

Amendment No. 15

On page 6, line 26, of said bill, after "with", insert "the San Francisco Harbor".

Amendment No. 16

On page 6, lines 26, 27, and 28, of said bill, strike out "the services and facilities furnished from the plan or project acquired, constructed or purchased from part or all of the proceeds of the bonds,".

Amendment No. 17

On page 6, line 48, of said bill, after "clause", insert "authorizing or".

Amendment No. 18

On page 6, line 51, of said bill, after "thereof" strike out the period, and insert "and the terms and conditions upon which such additional bonds may be issued."

Amendment No. 19

On page 7, line 4, of said bill, after "on", insert "the San Francisco Harbor or on".

Amendment No. 20

On page 7, line 50, of said bill, after "may", insert "authorize any trustee appointed under Section 3323 hereof to collect, receive and hold revenues and may".

Amendment No. 21

On page 8, lines 9 and 10, of said bill, after "clause", strike out "providing".

Amendment No. 22

On page 8, lines 22 and 23, of said bill, after "clause", strike out "providing".

Amendment No. 23

On page 8, line 33, of said bill, after "coupons", insert "The seal of the Board of State Harbor Commissioners may be impressed or reproduced by facsimile on the bonds."

Amendment No. 24

On page 8, lines 34 and 35, of said bill, after "clause", strike out "providing".

Amendment No. 25

On page 8, lines 37 and 38, of said bill, after "revenues", strike out "of a project upon the basis of which revenue bonds are issued or authorized to be issued".

Amendment No. 26

On page 8, line 39, of said bill, after "revenues", strike out "of such project".

Amendment No. 27

On page 8, lines 48 and 49, of said bill, after "clause", strike out "providing".

Amendment No. 28

On page 9, line 4, of said bill, after "marketable", insert ", including provisions for the employment of independent engineers, accountants and other experts for the benefit of the holders of revenue bonds "

Amendment No. 29

On page 10, line 6, of said bill, after "bonds", insert "and may provide that the bonds shall be sold on the basis of the lowest net interest cost to the State, the coupon rates to be fixed by the successful bidder on the sale of the bonds, not exceeding the maximum rate herein provided."

Amendment No. 30

On page 10, line 7, of said bill, after "may", insert "authorized the State Treasurer to".

Amendment No. 31

On page 10, lines 18 and 19, of said bill, after "Treasurer", strike out "or the Department of Finance, or both,".

Amendment No. 32

On page 12, line 38, of said bill, after "used", strike out "solely".

Amendment No. 33

On page 12, line 39, of said bill, after "thereon", and before the period, insert "and as provided in the indenture".

Amendment No. 34

On page 13, line 4, after "warrant", and before the period, insert "subject to the terms of the indenture authorizing the issuance of revenue bonds".

Amendment No. 35

On page 13, line 5, of said bill, after "yield", insert "minimum".

Amendment No. 36

On page 13, line 9, of said bill, after "due", and before the period, insert "and also such other charges as may be provided for in the indenture".

Amendment No. 37

On page 13, lines 43 and 44, of said bill, after "the", strike out "fiscal agent", and insert "trustee".

Amendment No. 38

On page 13, line 51, of said bill, after "legal", insert ", financial".

Amendment No. 39

On page 14, line 6, of said bill, after "no", strike out "fiscal agent", and insert "trustee".

Amendment No. 40

On page 14, line 15, of said bill, after "revenues", strike out "received from the project".

Amendment No. 41

On page 14, line 23, of said bill, after "shall", strike out "prepare", and insert "provide for the preparation of".

Amendment No. 42

On page 14, line 34, of said bill, after "a", strike out "fiscal agent", and insert "trustee".

Amendment No. 43

On page 14, line 37, of said bill, after "Treasurer," strike out "on order of the State Controller,".

Amendment No. 44

On page 14, line 38, of said bill, after the second "the", insert "San Francisco".

Amendment No. 45

On page 14 of said bill, at the beginning of line 39, strike out "Revenue Bond".

Amendment No. 46

On page 14 of said bill, at the beginning of line 41, strike out "pursuant to claims filed".

Amendment No. 47

On page 14, line 42, of said bill, after "sioners", strike out "with the State Treasurer".

Amendment No. 48

On page 14, lines 46, 47, 48, 49, 50, and 51, of said bill, strike out "Moneys required to meet the cost of acquisition or construction and all expenses and costs incidental to the acquisition, construction, maintenance, furnishing and equipping of any project authorized by this chapter shall be paid from the said construction fund as herein provided upon claim filed by the Board of".

Amendment No. 49

On page 15, lines 1, 2, and 3, of said bill, strike out "State Harbor Commissioners and after audit by the State Controller in the manner provided by law and upon warrants drawn by the Controller."

Amendment No. 50

On page 15, line 5, of said bill, after "a", strike out "fiscal agent", and insert "trustee"

Amendment No. 51

On page 15, line 6, of said bill, after "then", strike out "so much of".

Amendment No. 52

On page 15, lines 6, 7, 8, and 9, of said bill, after "revenues", strike out "not otherwise prohibited by law received from the operation of any project acquired or constructed by the board under the provisions of this chapter".

Amendment No. 53

On page 15, line 12, of said bill, after "credit of the ", insert 'San Francisco"

Amendment No. 54

On page 15, line 16, of said bill, after "chapter", and before the semicolon, insert "and as may be provided in the indenture, and".

Amendment No. 55

On page 15, from line 22 to line 44, inclusive, of said bill, strike out the entire section commencing with "3365", and ending with the phrase "under the provisions of this chapter."

Amendment No. 56

On page 15, line 45, of said bill, strike out "3366", and insert "3365".

Amendment No. 57

On page 15, line 46, of said bill, after "a", strike out "fiscal agent", and insert "trustee".

Amendment No. 58

On page 15, line 49, of said bill, after "the", strike out "Harbor Bond Finance Board", and insert "Director of Finance".

Amendment No. 59

On page 16, line 7, of said bill, strike out "3367", and insert "3366".

Amendment No. 60

On page 16, line 15, of said bill, strike out "3368", and insert "3367".

Amendment No. 61

On page 16, line 19, of said bill, strike out "3369", and insert "3368".

Amendment No. 62

On page 16, line 29, of said bill, strike out "3370", and insert "3369".

Amendment No. 63

On page 16 of said bill, commencing on line 32, insert

"3370 The Board of State Harbor Commissioners may appropriate out of any fund available to it sums sufficient to pay the cost of initially preparing and selling the initial issue of revenue bonds hereunder, which sums shall be repaid to the fund from which the sums were advanced out of the first proceeds of the sale of such revenue bonds."

Amendment No. 64

On page 6, line 24, of the printed bill, after "of", strike out "a '.

Amendment No. 65

On page 15, line 24, of said bill, strike out the period, and insert a comma.

Amendment No. 66

On page 15, lines 25 to 36, inclusive, of said bill, strike out "on order of the State Controller, the State Treasurer shall deposit such revenues in the State Treasury to the credit of the San Francisco Harbor Revenue Bond Fund, which fund is hereby created. The moneys remaining in such revenue fund, after providing the amount required for interest and redemption of bonds as provided in this chapter and as may be provided in the indenture, and, shall be expended for the payment of the costs of operation of the projects authorized by this chapter, including any purposes, as may be provided in the indenture, and, subject to the restrictions provided by law or the indenture, for such purposes as may be authorized by resolution of the board approved by the Harbor Bond Finance Board." and insert "and all such revenues shall be accounted for and reported monthly by the board to the State Controller. On order of the State Controller, the State Treasurer shall deposit to the credit of San Francisco Harbor Revenue Bond Fund (which fund is hereby created) such revenues or that part of such revenues as shall have been pledged by an indenture, as provided in Section 3316, to the payment of the principal of and interest on bonds issued as in this chapter provided or to any reserve or any fund created for the further protection of any such bonds. All revenues deposited to the credit of the San Francisco Harbor Revenue Bond Fund shall be applied only as provided in such indenture. All such revenues not so deposited to the credit of the San Francisco Harbor Revenue Bond Fund and all revenues remaining in said fund after all bonds issued under any indentures shall have been fully paid and discharged or provision for their payment and discharge irrevocably made shall be deposited by the State Treasurer to the credit of the San Francisco Harbor Improvement Fund provided for in Section 1706 of this code or in such other fund or funds as may be authorized or permitted by law, including any fund or funds provided for in any indenture, and subject to such restrictions as may be provided by law or by any indenture, shall be expended for the payment of the costs of operation and maintenance of the project authorized by this chapter or for any of the purposes provided by any indenture, or for such purposes as may be authorized by resolution by the board approved by the Harbor Bond Finance Board."

Amendment No. 67

On page 16, lines 22 to 29, inclusive, of said bill, strike out

"3366. After all of the revenue bonds shall have been fully paid and discharged, or provision for their payment and discharge irrevocably made, any surplus moneys derived under this act shall, subject to the limitations and restrictions in any indenture providing for the issuance of the revenue bonds, become and be the property of the Board of State Harbor Commissioners, and be used by the board for any lawful purpose."

Amendment No. 68

On page 16, line 30, of said bill, strike out "3367", and insert "3366".

Amendment No. 69

On page 16, line 33, of said bill, strike out "3368", and insert "3367".

Amendment No. 70

On page 16, line 42, of said bill, strike out "3369", and insert "3368".

Amendment No. 71

On page 16, line 45, of said bill, strike out "3370", and insert "3369".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2140 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Nicholson, Parker, Porter, Rumford, Shaw, Silliman, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None.

Assembly Bill No. 2140 ordered enrolled.

Assembly Bill No. 2299—An act to amend Section 28117 of the Government Code, relating to compensation for public service in counties of the seventeenth class.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2299?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 28, 1951, after "Code", insert "and Section 79.50 of the Code of Civil Procedure".

Amendment No. 2

On page 1, lines 9 and 10, of said bill, as amended, strike out "three thousand dollars ($3,000)", and insert "four thousand eight hundred dollars ($4,800)".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 2 of said bill, as amended, after line 16, insert

"SEC. 3. Section 79.50 of the Code of Civil Procedure is amended to read:

79.50. The annual salary of each of the Judges of the Superior Court in and for the County of Stanislaus is [ten thousand dollars ($10,000)] *thirteen thousand five hundred dollars ($13,500)*."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2299 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Coats, Collier, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney,

McCarthy, McCollister, McFall, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Silliman, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—63.
NOES—None.

Assembly Bill No. 2299 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1121

Mr. Brown asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 1121, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1121—An act to amend Sections 1709, 1713, 3630, 3671, 3800, 4103, 4110, 4113, 4603, 4619, 5204, 6202, 6502, 9304, and 9305 of the Corporations Code; to add thereto Section 3802; to repeal Section 9700 thereof; and to re-entitle Article 5 of Chapter 1, Part 8, Division 1, Title 1 of said code, all relating to corporations.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1121?

Amendment No. 1

In line 4 of the title of the printed bill, as amended in the Assembly on April 11, 1951, strike out "Section", and insert "Sections 9003 and".

Amendment No. 2

On page 7, line 41, of said bill, as amended, strike out "Section 9700 of the Corporations Code is", and insert "Sections 9003 and 9700 of the Corporations Code are".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1121 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—63.
NOES—None

Assembly Bill No. 1121 ordered enrolled.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2484—An act to amend Section 80 of the Agricultural Code, relating to district and county agricultural fairs.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2484?

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on April 12, 1951, strike out all of line 48, and insert

"District 34 That portion of the County of Modoc not included in District 10a."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2484 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick,

Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Morris, Moss, Niehouse, Parker, Rumford, Shaw, Stanley, Stewart, Tomlinson, and Waters—60.

NOES—None.

Assembly Bill No. 2484 ordered enrolled.

Assembly Bill No. 3422—An act to amend Sections 14116, 14123, 14137, 14138, and 14142 of the Education Code, relating to the merit system for noncertificated school employees.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3422?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on May 25, 1951, after "14123," insert "14136,".

Amendment No. 2

On page 1, line 1, of the printed bill, as amended in the Senate on June 16, 1951, after "Section", insert "1 Section".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3422 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—66.

NOES—None

Assembly Bill No. 3422 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2625

Mr. Grunsky asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2625, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2625—An act to amend Sections 736 and 736a of the Political Code and Sections 41 and 61 of the Code of Civil Procedure, relating to the salaries of Justices of the Supreme Court and of the district courts of appeal.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2625?

Amendment No. 1

On page 1, lines 4 and 5, of the printed bill, as amended in the Assembly on April 12, 1951, strike out "twenty-one thousand five hundred dollars ($21,500)", and insert "nineteen thousand dollars ($19,000)".

Amendment No. 2

On page 1, lines 6 and 7, of said bill, as amended, strike out "twenty thousand dollars ($20,000)", and insert "eighteen thousand dollars ($18,000)".

Amendment No. 3

On page 1, line 9, of said bill, as amended, strike out "presiding".

Amendment No. 4

On page 1 of said bill, as amended, strike out lines 11 to 14, inclusive; and in line 15, strike out "($18,500)", and insert "seventeen thousand dollars ($17,000)".

Amendment No. 5

On page 1, line 19, of said bill, as amended, strike out "twenty-one thousand five hundred dollars ($21,500)", and insert "nineteen thousand dollars ($19,000)".

Amendment No. 6

On page 1, line 21, of said bill, as amended, strike out "twenty thousand dollars ($20,000)", and insert "eighteen thousand dollars ($18,000)".

Amendment No. 7

On page 2, line 3, of said bill, as amended, strike out "presiding".

Amendment No. 8

On page 2 of said bill, as amended, strike out lines 5 to 8, inclusive, and insert "seventeen thousand dollars ($17,000). Such sal-".

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 2625 by the following vote:

AYES—Beck, Belotti, Chapel, Coats, Dickey, Dills, Hahn, Hansen, Hollibaugh, Lowrey, Munnell, Rumford, Silliman, Stewart, Tomlinson, and Mr. Speaker—16.

NOES—Babbage, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Davis, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Niehouse, Parker, Shaw, Sherwin, Stanley, and Waters—51

Appointment of Committee on Conference Concerning Assembly Bill No. 2625

The Speaker announced the appointment of Messrs. Fleury, Tomlinson, and Grunsky as a Committee on Conference concerning Assembly Bill No. 2625.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 3450—An act to amend Section 261a.5 of, and to add Section 261k to the Code of Civil Procedure, relating to phonographic reporters and fees payable to county clerks in connection with court proceedings.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3450?

Amendment No. 1

In line 1 and 2 of the title of the printed bill, as amended in the Assembly on June 13, 1951, strike out "amend Section 261a 5 of, and to add Section 261k", and insert "add Section 261a 8".

Amendment No. 2

On page 1 of said bill, as amended, strike out lines 1 and 2, and insert

"SECTION 1. Section 261a.8 is added to the Code of Civil Procedure, to read:

261a.8. In each county or city and county, having a population of 300,000 inhabitants and less than 700,000 inhabitants, as determined by the 1950 federal census, the judges of the superior court in and for such county, or city and county, a majority concurring, to assist the court in the transaction of the judicial business of said court, by having performed the duties of phonographic reporters as elsewhere in this code defined, may appoint as many regular official phonographic reporters as may be necessary to report the proceedings in said court and to perform such duties, except that the number of reporters so appointed shall not exceed at any one time the number of offices of judge provided by law for said court, said reporters to hold office during the pleasure of the judges of said court, a majority concurring.

When needed in order that the judicial business of the superior court in such county, or city and county, may be diligently carried on and a particular matter or matter may proceed to trial or hearing without delay, a pro tempore official reporter may be appointed to perform the duties of a phonographic reporter in such matter or matters, or until a regular official reporter becomes available for such service. A pro tempore official reporter for such service may be appointed by the presiding judge of the court and the judge presiding in the department where such reporter will serve, but when such appointment is made for service in a contested matter, it shall be made only pursuant to a written stipulation of the parties appearing at the trial or hearing or other proceeding to be reported by such pro tempore reporter.

The salary of the regular official phonographic reporters shall the sum of seven thousand two hundred dollars ($7,200) per annum, and the compensation of official phonographic reporters pro tempore shall be at the rate of twenty-five dollars ($25) per day.

No further fee than that hereinabove provided shall be collected from, or assessed against, any party to any proceeding for the services of a phonographic reporter in taking down in shorthand the testimony and other proceedings in the trial or hearing of any matter as required by law or by order of the court; but a phonographic reporter shall be allowed, and shall receive, unless waived by him, the fees now, or that may hereafter be, allowed by law for transcribing his shorthand notes of the testimony and proceedings reported by him, and such fees for transcriptions shall be paid as provided by Section 274 of the Code of Civil Procedure and by any other law of this State pertinent to the case

The salaries in this section provided shall be paid in monthly installments out of the salary fund of the county, or city and county, and shall be allowed and audited in the same manner as other salary demands against the county, or city and county, are required by law to be allowed and audited

In addition to a fee or fees required by any other law or laws, a fee of four dollars ($4) shall be paid to the county clerk of such a county, or city and county, by each party, or jointly by parties appearing jointly, in each of the following instances.

(1) Where Section 26821 of the Government Code requires such party or parties to pay said clerk a fee for the filing of the first paper in a civil action or in a special proceeding, except in an appeal from an inferior court.

(2) Where Section 26822 to 26825, inclusive, of the Government Code requires such party or parties to pay said clerk a fee for filing papers transmitted from another court on the transfer of a civil action or special proceeding from another court, except in an appeal from an inferior court.

(3) Where Section 26826 of the Government Code requires such party or parties to pay said clerk a fee on the appearance in a civil action or special proceeding of a defendant, intervenor, respondent, correspondent or adverse party, except in an appeal from an inferior court, provided, however, if any of the parties named in this paragraph shall appear jointly they shall pay but one such additional fee of four dollars ($4) as in this section provided.

(4) Where Section 26827 of the Government Code requires such party or parties to pay said clerk a fee for the filing of a petition or other paper in a probate or guardianship matter

The fee so required shall be taxed as costs in favor of any party paying the same and to whom costs are awarded by the judgment of the court. Such fee shall not be subject to the provisions of Section 6103 of the Government Code.

The fee provided in this section shall not be required of any party who is exempted from the payment of costs by any statute other than Section 6103 of the Government Code

The county clerk shall, on or before the first day of each calendar month, transmit to the county treasurer, or city and county treasurer, all moneys paid to him under the provisions of this section during the preceding calendar month, or up to the day immediately preceding the day on which he transmits such moneys, and such moneys shall be deposited in the salary fund of said county, or city and county "

Amendment No. 3

On page 1 of said bill, as amended, strike out lines 3 to 22, inclusive; and strike out all of pages 2 and 3.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3450 by the following vote:

AYES—Belotti, Berry, Brady, Chapel, Clarke, Cloved, Coats, Collier, Condon, Connolly, Cooke, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Holhbaugh, Kelly, Kilpatrick, Lanterman, Levering, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, Morris, Moss, Niehouse, Parker, Rumford, Sherwin, Silliman, Stewart, Tomlinson, Waters, and Mr. Speaker—49.

NOES—Beck, Luckel, and Munnell—3.

Assembly Bill No. 3450 ordered enrolled.

Assembly Constitutional Amendment No. 40—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 16 to Article XVI thereof, relating to the issuance of bonds to provide farm and home aid for veterans.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Constitutional Amendment No. 40?

Amendment No. 1

On page 1, line 14, of the printed measure, as amended in the Assembly on April 18, 1951, strike out the blank and insert "1086".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Constitutional Amendment No. 40 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None.

Assembly Constitutional Amendment No. 40 ordered enrolled.

Assembly Bill No. 2011—An act to add Chapter 5.7, comprising Sections 2650 to 2694, inclusive, to Division 2 of the Business and Professions Code, relating to the practice of physical therapy, schools of physical therapy, and the licensing of physical therapists, and prescribing penalties for violations hereof.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2011?

Amendment No. 1

On page 3, line 19, of the printed bill, as amended in the Assembly on May 23, 1951, after "code", insert "or any initiative act".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2011 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None.

Assembly Bill No. 2011 ordered enrolled.

RESOLUTIONS

The following resolutions were offered:

By Mr. Doyle:

House Resolution No. 240

Relating to commending the Chaplain of the Assembly, The Reverend Clarence A. Kircher, and authorizing the printing of the prayers of the Assembly in book form.

WHEREAS, The Reverend Clarence A. Kircher, Chaplain of the Assembly, during the 1951 Regular Session of the Legislature, has, by his prayers each morning brought to this body valuable inspiration and guidance, and has reminded the members of their

obligation not only to their God but to their fellow men, to the State, and the Nation; and

WHEREAS, His intellectual attainments have compelled the admiration of all within his hearing and have won the personal regard of all the members; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly does hereby express to The Reverend Clarence A. Kircher its sincere appreciation for the spiritual guidance he has rendered this body during this session of the Legislature, and for the inspiration which the members have derived from his prayers; and be it further

Resolved, That the Chief Clerk is hereby authorized and instructed to have printed 350 copies of a booklet containing the prayers offered in the Assembly at this session; that he send one of said copies to each Member of the Assembly, and that he transmit the remaining copies to The Reverend Clarence A. Kircher together with an engrossed copy of this resolution.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Clarke:

House Resolution No. 241

Relative to the creation of the Assembly Interim Committee on Agriculture

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Agriculture is hereby created and authorized and directed to ascertain, study and analyze all facts relating to agriculture or in any way bearing upon any matter which, under the Standing Rules of the Assembly and the legislative practices thereunder would be referred to the Assembly standing Committee on Agriculture; all facts relating or in anywise appertaining to fairs and expositions, the allocation of state moneys thereto, the advisability of establishing additional agricultural fairs or other expositions; all facts relating to publicly owned lands in this State and the use, management, and control thereof and all activities connected therewith or related thereto, and the State, Federal and local Governmental relationships involved therein, including but not limited to the effect of such *public acquisition, ownership and jurisdiction, upon taxes levied or leviable by the* State and its local governmental agencies; and all facts relating to the recordation and registration of land titles; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the members of the Assembly standing Committee on Agriculture for this legislative session. The chairman and vice chairman shall be the chairman and vice chairman of the said standing committee. Vacancies occurring in the membership of the committee shall be filled by the Speaker.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of _ _ ___ dollars ($_____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the Committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 94

Has had the same under consideration, and reports the same back with the recommendation. Be adopted, and be re-referred to State Capitol Committee.

SAM L. COLLINS, Chairman

Above reported resolution ordered re-referred to the State Capitol Committee.

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 210	House Resolution No. 231
House Resolution No. 219	House Resolution No. 234
House Resolution No. 222	House Resolution No. 235
House Resolution No. 227	House Resolution No. 236

Has had the same under consideration, and reports the same back with the recommendation. Be adopted.

SAM L. COLLINS, Chairman

Above reported resolutions ordered on file for adoption.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1744

Mr. Sherwin asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 1744, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1744—An act to amend Section 667 of the Elections Code, relating to precinct boards.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1744?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "relating to"; and strike out line 2, and insert "and Section 6580 of the Health and Safety Code, relating to elections."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, after line 10, insert

"SEC. 2. Section 6580 of the Health and Safety Code is amended to read:

6580. All elections of officers, after the formation of the district shall be held on the first *Monday* [Tuesday] after the *second Tuesday in September* [first Monday of November in each even-numbered year]."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1744 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Munnell, Niehouse,

Parker, Porter, Rumford, Sherwin, Silliman, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—66.
NOES—None.

Assembly Bill No. 1744 ordered enrolled.

MOTION TO AMEND STANDING RULES OF THE ASSEMBLY

In compliance with a notice given on a previous day, Mr. McCarthy moved to amend the Standing Rules of the Assembly as follows:

I move that a new rule to be numbered 46.5 be added to the Standing Rules of the Assembly to read:

"46.5. Travel expenses of employees of Assembly committees shall be subject to Board of Control rules as applicable from time to time to state employees generally, except as follows:

a. Committee employees shall be entitled to allowances in lieu of actual expenses for mileage, hotel accommodations and meals at the rates fixed by the Board of Control from time to time in limitation of reimbursement of actual expenses of state employees generally, or at such lesser rates as may be prescribed by the employing committee.

b. Whenever a rule of the Board of Control requires approval of the Director of Finance or of the Governor with respect to any claim for expenses, such rule shall be applicable to committee employees but shall be deemed to require the approval of the Assembly Rules Committee rather than the approval of the Governor or Director of Finance.

In all other respects Board of Control rules shall govern as to the time, place and amount of expense allowable, and travel expense claims shall be submitted in form and supported by data and vouchers as required by Board of Control rules.

Mileage is an allowance in lieu of actual expenses of travel by private conveyance, and shall be allowed only to the operator of, and not to passengers in, a private vehicle. Mileage shall not be allowed in lieu of actual fare when travel is by train or other common carrier. Claims for mileage must be accompanied by the license number of the vehicle and the names of state officers and employees riding as passengers."

Mr. George D Collins seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Nicholse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stewart, Tomlinson, Waters, and Mr. Speaker—64.
NOES—None.

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 61—An act relating to notaries public.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 61 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—Grunsky—1.
NOES—Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills,

Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stewart, Tomlinson, Waters and Mr. Speaker—64.

MOTION TO AMEND STANDING RULES OF THE ASSEMBLY

In compliance with a notice given on a previous day, Mr. Silliman moved that the Standing Rules of the Assembly be amended, as follows:

I move that Rule 9 5 be added to the Standing Rules of the Assembly to read:

"9.5. All claims for expenses incurred by interim investigating committees of the Assembly shall be approved by the Committee on Rules, or its authorized representative, before such claims are presented to the Controller.

All proposed expenditures, other than expenditures of the funds of an interim investigating committee, shall be approved by the Committee on Rules or its authorized representative before such expenses are incurred, unless such expenditure is specifically exempted from the provisions of this rule by the resolution authorizing it.

No warrant shall be drawn in payment of any claim for expenses until the approval of the Committee on Rules, or its authorized representative, has been obtained in accordance with the provisions of this rule.

The Committee on Rules may adopt rules and regulations governing the letting of any contract by an interim investigating committee and may also adopt rules and regulations limiting the amount, time, and place of expenses and allowances, exclusive of salaries under three hundred dollars ($300) per month, to be paid to employees of Assembly interim investigating committees. Copies of all rules and regulations adopted pursuant to this rule shall be distributed to the chairman of every such investigating committee."

Mr. Kirkwood seconded the motion.

Motion to Amend

Mr. Geddes moved the adoption of the following amendments to the motion:

Amendments to Proposed Rule 9.5 to Be Added to the Standing Rules of the Assembly as Printed in the Assembly Journal for June 20, 1951, at Page 6012

Amendment No. 1

Strike out the first paragraph of the proposed Rule 9.5 as printed in the Assembly Journal for June 20, 1951 at page 6012 and at the beginning of the second paragraph insert

"9.5."

Amendment No. 2

In the third paragraph of the proposed rule as printed in the Assembly Journal for June 20, 1951, at page 6012, after "expenses", insert "except expenses incurred by interim investigating committees of the Assembly in accordance with special rules governing the same as provided herein".

Amendment No. 3

Strike out the fourth paragraph of the proposed Rule 9.5 as printed in the Assembly Journal for June 20, 1951, at page 6012, and insert "The Committee on Rules shall, after hearing and consultation with

chairmen of standing committees of the Assembly, propose to the Assembly for adoption rules and regulations governing the letting of any contract by an interim investigating committee or interim committee empowered to purchase or secure furnishings or supplies for the Assembly or render services thereto as well as rules and regulations providing for the time and place of expenses and allowances including per diems away from home, salaries and mileage to be paid to employees of Assembly Interim Investigating Committees and the Assembly Rules Committee.

Such rules and regulations, if approved by a vote of the majority of the elected Members of the Assembly, shall govern all interim investigating committees of the Assembly and any interim or standing committee of the Assembly to which money is made available from the Contingent Fund of the Assembly and copies of such rules and regulations shall be furnished to the chairman of each such committee.

All claims for expenses incurred by interim investigating committees of the Assembly or any other committee of the Assembly as provided herein shall be made in duplicate and after receipt by the Controller the Controller shall furnish the duplicate copy of such claim to the Committee on Rules, for filing and recording by the Rules Committee in order that the Rules Committee may keep an accurate account of the expenditures of each such committee and promptly advise the chairman thereof of any non conformity with any rule governing expenditures of the funds provided any committee of the Assembly and of the remaining balance available to the committee.

This rule shall not become effective unless the rules and regulations provided for herein shall be approved by the Assembly prior to adjournment sine die of the 1951 Regular Session of the California Legislature."

Amendments read.

Request for Unanimous Consent That Copies of Geddes Amendments to Motion by Mr. Silliman Be Multigraphed

Mr. Silliman asked for, and was granted, unanimous consent that copies of the amendments being proposed by Mr. Geddes to the motion, just offered, to amend the Standing Rules of the Assembly be multigraphed, upon recess, by the Sergeant-at-Arms, and distributed to the members prior to the afternoon session.

Request for Unanimous Consent That Proposed Amendments to Motion by Mr. Silliman Be Discussed With the Committee on Rules

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to discuss his proposed amendments with the members of the Committee on Rules, upon recess at noon.

Above motion ordered passed on file, by unanimous consent.

MOTION TO AMEND STANDING RULES OF THE ASSEMBLY

In compliance with a notice given on a previous day, Mr .Kirkwood moved to amend the Standing Rules of the Assembly, as follows:

I move to amend Rules No. 12, 14, and 15 of the Standing Rules of the Assembly, as follows:

"12. The duties of the Chief Clerk shall be as follows:

(a) To have charge of and supervise all clerical business and printing of the Assembly.

(b) To see that the Journals, other publications, and records of the Assembly are properly kept.

(c) To refuse to permit any records or papers to be taken from the desk or out of his custody, except upon duly signed receipts from persons authorized.

(d) To read or allow his assistants to read from the desk only such matters as the Speaker of the Assembly shall direct.

(e) To have general supervision over all clerks, attaches, and employees, and to be responsible for their official acts and their performance of and regular attendance upon their duties.

(f) To suspend temporarily any clerk, attache, or employee for incompetency or dereliction of duty, pending action by the Committee on Rules.

(g) To perform all other duties, pertaining to his office as prescribed by law or Assembly rule.

(h) Before the commencement of any regular session of the Legislature the Chief Clerk of the Assembly shall mail to each member a blank form on which the member may indicate his committee preferences. Accompanying such blank shall be mailed a stamped envelope addressed to the Chief Clerk of the Assembly for returning such form. After their receipt, all such communications shall be delivered to the Chairman of the Interim Committee on Legislative Organization, if such a committee has been created, who shall deliver them to the Speaker immediately upon the organization of the Assembly.

(i) To certify to the Controller, pay rolls of members and attaches

(j) To certify all requisitions upon the Controller for the payment of bills incurred by the Assembly.

(k) To order and sign for all documents and printing, subject to approval by the Speaker or ~~the Chairman of the Committee on Rules~~ *a person designated by the Speaker.*

14. The State Printer shall not charge any printing or other work to the Assembly other than provided by law or Assembly Rule, except upon a written order signed by the Chief Clerk of the Assembly and countersigned by the ~~Chairman of the Committee on Rules~~ *Speaker* or *a person designated* by the Speaker, and delivered to him prior to beginning such printing or work. All invoices for printing furnished the Assembly shall be itemized and rendered by the State Printer within 30 days after completion of said printing. When necessary, the Chief Clerk may order certain printed matter completed in advance of its regular order by the issuance of a rush order.

15. Unless otherwise restricted by law or by Assembly Rule, the style and form of all printing, the quality of paper to be used, the number of copies to be printed of each order, and the number of copies to be delivered to each member shall be decided by the Chief Clerk and approved by the Speaker or ~~the Chairman of the Committee on Rules~~ *a person designated by the Speaker* . All requests by members for additional copies of bills, documents, or other printed matter shall be referred to the Committee on Rules."

Mr. Moss seconded the motion.

By unanimous consent, motion ordered passed on file.

REPORTS OF STANDING COMMITTEES

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Senate Bill No. 41

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

LINDSAY, Vice Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 41—An act to add Part 1.5, comprising Sections 10100 to 10108, inclusive, to Division 6 of the Water Code, relating to implementation of the State Water Plan.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 2 of the printed bill, as amended in the Senate on June 8, 1951, strike out lines 13 to 16, inclusive, and insert "provide public agencies with such engineering plans and recommenda-"

Amendment No. 2

On page 2, lines 19 and 20, of said bill, strike out ", including the maximum development of hydroelectric power in connection therewith".

Amendment No. 3

On page 2, line 47, of said bill, strike out "Subject to the foregoing, any public".

Amendment No. 4

On page 2 of said bill, strike out lines 48 to 50, inclusive.

Amendments read, and adopted

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 907

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

STEWART, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 907—An act to add Section 13537.5 to the Government Code, relating to the purchase of printing equipment.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Senate on June 4, 1951, strike out "The purchase, lease or hire by", and insert
"Whenever".

Amendment No. 2

On page 1, line 5, of said bill, strike out "of", and insert "requests permission to purchase, lease, or hire".

Amendment No. 3

On page 1, line 8, of said bill, strike out "with-"; strike out line 9; and in line 10, strike out "Director of Finance that", and insert "the Department of Finance shall refer such request to the State Printer for his opinion as to whether or not".

Amendment No. 4

On page 1, line 11, of said bill, strike out ", is hereby prohibited;", strike out line 12; and in line 13, strike out "acquired without a certificate", and insert
"Any equipment acquired for instruction"

Amendment No. 5

In line 2 of the title of said bill, strike out "the purchase of printing equipment", and insert "state printing and duplicating"

Amendments read, and adopted.

Bill ordered reprinted, and to third reading

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Senate Bill No 1834

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 1834—An act to add Sections 21 and 1633 to the Welfare and Institutions Code, relating to notice to probation officers in respect to juveniles.

Bill read second time, and ordered to third reading.

RESOLUTIONS

The following resolution was offered:

By Mr Dickey:

House Resolution No. 242

Relating to creating the Assembly Interim Committee on Conservation, Planning, and Public Works

WHEREAS, The increase in the population of the State has caused a rapid expansion of the population of the counties, cities and local governmental subdivisions of the State; and

WHEREAS, There is a need for careful planning to prevent future conflict between the commercial, industrial and domestic interests in the State and its counties, cities and local governmental subdivisions; and

WHEREAS, It is necessary that the Assembly be fully informed in the premises, particularly as to whether existing laws relating to the subject of Conservation, Planning, and Public Works are adequate; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1 The Assembly Interim Committee on Conservation, Planning, and Public Works is hereby created and authorized and directed to ascertain, study and analyze

all facts relating to the operation, effect and administration of the Conservation and Planning Act and all facts relating to or in any way bearing upon the subject matter of the recitals of this resolution, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2 The committee shall consist of the membership of the Assembly standing Committee on Conservation, Planning, and Public Works. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3 The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

(f) The committee and any subcommittee thereof when so authorized by the committee, may meet and act without as well as within the State of California, and is hereby authorized to leave the State in the performance of its duties.

6 The sum of thirty thousand dollars ($30,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

RECESS

At 11.55 a.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Senate Bill No. 549	Senate Bill No. 1531
Senate Bill No. 617	Senate Bill No. 1728

Has had the same under consideration, and reports the same back with the recommendation Do pass, and be re-referred to Committee on Ways and Means.

LINDSAY, Vice Chairman

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 549—An act to add Section 39 to the San Francisco Bay Area Metropolitan Rapid Transit District Act, as enacted by Chapter 1239 of the Statutes of 1949, relating to the establishment of a San Francisco Bay Area Rapid Transit Commission, and making an appropriation therefor.

Bill read second time, and ordered re-referred to the Committee on Ways and Means.

Senate Bill No. 617—An act to provide for the regulation and licensing of interference or attempts to interfere by artificial means with natural condensation and precipitation of rain, snow, moisture or water in any form contained in the atmosphere; to provide for the enforcement of said act and penalties for the violation thereof.

Bill read second time, and ordered re-referred to the Committee on Ways and Means.

Senate Bill No. 1531—An act making an appropriation for the restoration and improvement of the Benicia State Capitol Historical Monument.

Bill read second time, and ordered re-referred to the Committee on Ways and Means.

Senate Bill No. 1728—An act to amend the title and Section 4 of, and to add Section 4.3 to Chapter 1422 of the Statutes of 1945, relating to beaches, parks, and public recreation facilities

Bill read second time, and ordered re-referred to the Committee on Ways and Means.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Senate Bills Nos. 2 and 484 re-referred to the Committee on Ways and Means.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal:

HOUSE OF REPRESENTATIVES
TOKIO, May 21, 1951

Mr. Sam L. Collins,
Speaker, House of Representatives,
California State Legislature, U. S. A.

DEAR SIR I am glad to inform you that we, members of the Japanese Congressional Agricultural Mission who had visited America with the primary object of studying agricultural legislation and administration in your Country, safely returned to Tokyo on Sunday, April 8th, after fulfilling our mission of three months

The visit was to most of us a new experience, and a most valuable one to all of us. We are very glad to have been enabled to mix with a large number of people while studying agricultural subjects and to acquire better knowledge of your Country and people in general by personally imbibing the bright spirit of democracy and its product, American social structure We are particularly impressed with the fact that individual initiative and interests are firmly consolidated with community initiative and interests through the philosophy of freedom The great success of our mission is entirely due to the kindness and assistance rendered to us both by your government and people in general We to a man respectfully express our deep feelings of indebtedness to you all.

We all join in thanking you, in particular, for your invaluable friendship and kindness manifested toward us during our visit in your Country. As you are well aware, a new Japan is now being born. Our duty is by no means easy as we have to help build

this new Japan through development of Japan's agriculture which will eventually help build a better world for us all Our personal experiences gained in this trip will be of inestimable value in discharging this duty. We sincerely solicit you for continuing to show the same friendship and kindness as shown us to the new Japan and to her people who will soon formally rejoin the world family of nations and will positively contribute to the world peace

Thanking you once again we remain,

Yours sincerely,

KOTARO MORI
Member of House of Representatives,
Chairman, Japanese Congressional Agricultural Mission.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 261—An act to amend Section 22257 of the Water Code, relating to water distribution by irrigation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lipscomb, Lyon, Maloney, McCollister, McMillan, Meyers, Morris, Niehouse, Parker, Porter, Rumford, Sherwin, Stanley, and Thomas—46.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 2.03 p m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 639

Mr. Gaffney asked for, and was granted unanimous consent to take up Senate Bill No 639, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 639

Senate Bill No. 639—An act to amend Sections 4, 5, and 6 of the City Carriers' Act and Sections 3631, 3632, and 3634 of the Public Utilities Code, relating to city carriers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Collier, Condon, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Luckel, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Niehouse, Parker, Porter, Rumford, Stanley, Stewart, and Thomas—44.

NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 596—An act to amend Section 696 of the Fish and Game Code, relating to striped bass.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Cloyed, Collier, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lincoln, Luckel, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Niehouse, Parker, Porter, Rumford, Stanley, Stewart, and Thomas—45

NOES—None.

Bill ordered transmitted to the Senate.

Bill Withdrawn From Active File, and Placed on the Inactive File

Senate Bill No. 1172, on motion of Mr. Henderson.

Senate Bill No. 1198—An act to amend Section 205 of, and to add Chapter 3 to Division 2 of Part 7 of, the Labor Code, relating to labor contractors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Condon, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, and Thomas—51

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 466—An act to add Sections 5438.5, 5461, 5462, 5463, 5464, 5465, 5466, and 5467, to the Public Resources Code, relating to county recreation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Niehouse, Parker, Porter, Shaw, Stanley, Stewart, and Thomas—50.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 975—An act to amend Sections 25351 and 26150 of the Government Code, and Sections 22137, 22173, 22174, and 22176 of the Education Code, relating to county free libraries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Stanley, Stewart, and Thomas—54

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 70

Mr. Thomas asked for, and was granted unanimous consent to take up Senate Concurrent Resolution No. 70, temporarily passed on file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 70

Senate Concurrent Resolution No. 70—Relative to congratulating Santa Clara University on its One Hundredth Anniversary.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, and Waters—60

NOES—None.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1034—An act to add Sections 23177 and 23178 to the Government Code, relating to counties.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Thomas, and Waters—56.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1818—An act to add Section 6359.2 to the Revenue and Taxation Code, relating to the exemption of drugs from the sales and use taxes

Bill read third time.

Demand for Previous Question

Messrs. Kelly, Hansen, Lanterman, Luckel, and Silliman demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 1818.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mrs. Niehouse moved a call of the Assembly.

Motion carried. Time, 2:40 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Caldecott, Coats, Sam L. Collins, Kirkwood, Lindsay, Lowrey, Luckel, McCarthy, Meyers, Silliman, and Tomlinson—11.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Doyle asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 20, 1951

Mr. Arthur A. Ohnimus
Chief Clerk of the Assembly
Sacramento, California

DEAR MR. OHNIMUS: You have today advised me that the Assembly has instructed you to request me to return Assembly Bill No. 1464 for further consideration.

Only on infrequent occasions have bills been returned after they have been delivered to this office. On these few occasions the bills have been returned to permit the correction of clerical errors which have prevented the bill from correctly expressing the legislative intent. That is not the situation insofar as this bill is concerned.

While this bill was an Assembly bill, it was twice amended in the Senate and further amended in free conference. The report of the free conference was adopted unanimously in both houses. The bill is, therefore, of interest not only to the Assembly, but also to the Senate. If bills are to be returned at all after being delivered to this office, under the circumstances here involved it should be done only on request of both houses. The Senator who handled this bill in the Senate objects to its return and there is no indication that the Senate desires the bill returned for further consideration. If this bill is to be returned it should only be done in response to joint action by the Senate and the Assembly.

It should also be noted that I have had no request for a return of this bill from its first author, or for that matter from any of its authors.

Sincerely,

EARL WARREN, Governor

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1625

Mr. Shaw asked for, and was granted unanimous consent to take up Senate Bill No. 1625, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 1625

Senate Bill No. 1625—An act to add Chapter 6.5 to Division 2, comprising Sections 2840 to 2895 to the Business and Professions Code, relating to the practice of vocational nursing.

Bill read third time.

Motion to Amend

Mr. Shaw moved the adoption of the following amendments:

Amendment No. 1

On page 2, lines 8 and 9, of the printed bill, as amended in the Assembly on June 20, 1951, strike out "registered professional nurses teaching in practical nursing schools", and insert "practical nurses who are qualified to meet the requirements for a license under this chapter".

Amendment No. 2

On page 2, lines 16 and 17, of said bill, strike out "registered professional nurses teaching in practical nursing schools", and insert "practical nurses who are qualified to meet the requirements for a license under this chapter".

Amendment No. 3

On page 7 of said bill, between lines 29 and 30, insert

"Within four months after appointment, the board shall establish and determine the required courses of instruction and the required number of hours of instruction for an accredited school of vocational nursing."

Amendments read, and adopted.

Request for Unanimous Consent That Further Amendments Be Considered Prior to Reprinting Bill

Mr. Shaw asked for, and was granted, unanimous consent that all amendments pending at the desk be considered prior to sending Senate Bill No. 1625 to be reprinted.

Consideration of Further Amendments to Senate Bill No. 1625 Motion to Amend

Messrs. Shaw and Dunn moved the adoption of the following amendment:

Amendment No. 1

On page 5 of the printed bill, as amended in the Assembly on June 20, 1951, between lines 40 and 41, insert

"2873.5. Any person who has served on active duty in the Medical Corps of any of the Armed Forces for a period of not less than 12 months, has completed the basic course of instruction required by his particular branch of the Armed Forces, and has been honorably discharged therefrom, shall be granted a license without examination or any test, upon proof that he possesses the necessary qualifications of this section, as set forth in his service and discharge records."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Request for Unanimous Consent That Rush Order Be Placed Upon Printing of Senate Bill No. 1625

Mr. Shaw asked for, and was granted, unanimous consent that a rush order be placed upon the printing of Senate Bill No. 1625.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1706

Mr. Connolly asked for, and was granted unanimous consent to take up Senate Bill No. 1706, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1706

Senate Bill No. 1706—An act to amend Sections 13642, 14103, 14191, 14201, 14211, and to repeal Section 14212 of the Revenue and Taxation Code, relating to inheritance taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hollibaugh, Kilpatrick, Kloeksiem, Lanterman, Levering, Luckel, Lyon, Maloney, McCollister, McGee, McMillan, Meyers, Morris, Moss, Porter, Rosenthal, Sillman, Stanley, Thomas, and Tomlinson—44.

NOES—George D. Collins, Condon, Davis, Dunn, Elliott, Hagen, Henderson, and Lowrey—8.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER REPORT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 1474

Mr. Waters asked for, and was granted, unanimous consent to consider the report of the Committee on Conference concerning Assembly Bill No. 1474, temporarily passed on file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: The Committee on Conference concerning

Assembly Bill No. 1474—An act providing for the constitution of the municipal court in a district embracing the Cities of Anaheim, La Habra, Brea, Placentia and Fullerton, and prescribing the number and compensation of the judges, officers and attaches thereof.

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Senate on June 7, 1951, after "of", insert "Fullerton,".

Amendment No. 2

In line 3 of the title of said bill, strike out "Placentia and Fullerton", and insert "and Placentia".

Amendment No. 3

On page 1, line 2, of said bill, after "of", insert "Fullerton,".

Amendment No. 4

On page 1, lines 2 and 3, of said bill, strike out "Placentia and Fullerton", and insert "and Placentia".

Amendment No. 5

On page 1 of said bill, strike out lines 20 and 21.

WATSON	WATERS
WILLIAMS	BABBAGE
JAMES E. CUNNINGHAM	CONRAD
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Sherwin, Stanley, Thomas, Tomlinson, and Waters—66.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 228

Mr. Kirkwood asked for, and was granted unanimous consent to take up Senate Bill No. 228, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 228

Senate Bill No. 228—An act to amend Section 3045 of the Welfare and Institutions Code, relating to aid to the needy blind.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Sherwin, Stanley, Thomas, and Waters—60.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 953

Mr. Kirkwood asked for, and was granted unanimous consent to take up Senate Bill No. 953, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 953

Senate Bill No. 953—An act to add Section 1552.2 to the Welfare and Institutions Code, relating to aid to needy children in respect to payments in kind.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Stanley, Thomas, Tomlinson, and Waters—61.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 957

Mr. Kirkwood asked for, and was granted unanimous consent to take up Senate Bill No. 957, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 957

Senate Bill No. 957—An act to amend Section 1525 of the Welfare and Institutions Code, relating to residence qualifications for aid to needy children.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Stanley, Thomas, Tomlinson, and Waters—61.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 954

Mr. Kirkwood asked for, and was granted unanimous consent to take up Senate Bill No. 954, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 954

Senate Bill No. 954—An act to add Section 1508 to the Welfare and Institutions Code, relating to aid to needy children, in respect to the obligations of step-fathers to support needy children.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Stanley, Thomas, Tomlinson, and Waters—61.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO CORRECT JOURNAL

Mr. Fleury asked for, and was granted, unanimous consent to correct the Journal for Wednesday, June 20, 1951, page 5971, to show that Senate Bill No. 790 was passed on file, instead of passed and to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 790

Mr. Fleury asked for, and was granted unanimous consent to take up Senate Bill No. 790, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 790

Senate Bill No. 790—An act to add Sections 54468.1, 54348.1, and 54348.2 to the Government Code, relating to the securing of charges for services, facilities and water furnished by an enterprise by a lien on the lands served, and providing for the enforcement of such lien.

Bill read third time.

Demand for Previous Question

Messrs. Hinckley, Lanterman, Luckel, Cloyed, and Burke demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 790.

The roll was called, and the bill refused passage by the following vote:

AYES—Babbage, Berry, Burkhalter, Coats, George D. Collins, Crowley, Dunn, Elliott, Fleury, Kilpatrick, Maloney, McFall, Moss, Niehouse, Parker, Porter, Rumford, Stanley, and Thomas—19.

NOES—Beck, Brady, Burke, Cloyed, Collier, Condon, Connolly, Conrad, Davis, Doyle, Erwin, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, McGee, Munnell, Rosenthal, Shaw, Sherwin, Silliman, Stewart, Tomlinson, and Waters—40.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 1818

At 3.18 p.m., on motion of Mrs. Niehouse, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 1818 passed by the following vote:

AYES—Beck, Berry, Brady, Brown, Burkhalter, Chapel, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall,

McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, and Thomas—48

NOES—Babbage, Belotti, Burke, Clarke, Cloyed, Conrad, Dunn, Erwin, Evans, Fleury, Grant, Hansen, Hinckley, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lyon, McGee, Shaw, Sherwin, Stanley, Stewart, and Waters—25

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Joint Resolution No. 47: By Messrs. Gaffney, Maloney, Levering, McGee, Belotti, Berry, Brady, Burke, Chapel, Clarke, Cloyed, Collier, Conrad, Cooke, Crowley, Dills, Dolwig, Erwin, Evans, Fleury, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Meyers, Morris, Munnell, Mrs. Niehouse, Messrs. Rumford, Shaw, Stanley, Stewart, Thomas, and Waters—Relative to requesting the Congress of the United States to outlaw the Communist Party.

Referred to Committee on Rules.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA
SACRAMENTO 14
INTER-DEPARTMENTAL COMMUNICATION

To: *Honorable Arthur A. Ohnimus*
Chief Clerk of the Assembly
State Capitol, Sacramento, California

Date: June 21, 1951

Subject: REPORT ON PROPERTY TAX ASSESSMENT UNDER SECTION 3693 OF THE POLITICAL CODE

From: *State Board of Equalization*
Dixwell L. Pierce, Secretary

Pursuant to Section 3693 of the Political Code, I am transmitting herewith for filing with the Assembly a copy of a survey which has been completed under that section with respect to property tax administration in Kern County.

Similar reports have been submitted to the Legislature heretofore with respect to the Counties of Riverside, Imperial, Marin, Siskiyou, Solano, Alameda, Alpine, Amador, Calaveras, Inyo, Mariposa, Mono, Placer, Santa Cruz, Santa Barbara, Lassen, Contra Costa, Plumas, Monterey, San Benito, Kings, Merced, and Sonoma.

DIXWELL L. PIERCE

Above transmitted copy of a survey pertaining to Kern County ordered referred to the Committee on Municipal and County Government.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 100

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 100—Relative to a mural depicting Mission San Diego de Alcala.

Referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 172

Mr. Connolly asked for, and was granted unanimous consent to take up House Resolution No. 172, temporarily passed on file.

Speaker Presiding

At 3.35 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

CONSIDERATION OF HOUSE RESOLUTION NO. 172

By Mr. Connolly:

House Resolution No. 172

Relative to the study of the Alcoholic Beverage Control Act

WHEREAS, There was pending before the Boards and Commissions Committee of the Assembly, Assembly Bill No. 3395 relating to the sale of beer and wine with specific reference to the wholesaler-retailer licensees, and

WHEREAS, Said committee voted that the subject matter should be studied by an interim committee and that the Assembly should, by resolution, request the State Board of Equalization to preserve the status quo with respect to any action in connection with the problem; now, therefore be it

Resolved by the Assembly of the State of California, That the Assembly interim committee which may be authorized and directed to study any aspects of the Alcoholic Beverage Control Act is also hereby authorized and directed to investigate, study, and report all facts relating to the subject matter of Assembly Bill No. 3395 of this session, relating to the problem of a beer and wine wholesale licensee delivering such products to himself as a retail licensee; and be it further

Resolved, That the State Board of Equalization is requested to preserve the status quo with respect to its deliberations on this problem pending such investigation, study, and report; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the State Board of Equalization.

Resolution read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Connolly moved a call of the Assembly.

Motion carried. Time, 3.45 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Grant and Silliman—2.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Silliman asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF MOTION TO AMEND STANDING RULES OF THE ASSEMBLY

Mr. Silliman asked for, and was granted unanimous consent to take up further consideration of his motion to amend the Standing Rules of the Assembly.

FURTHER CONSIDERATION OF MOTION BY MR. SILLIMAN TO AMEND STANDING RULES OF THE ASSEMBLY

The question being on the amendments previously offered by Mr. Geddes to the motion by Mr. Silliman.

Amendments Withdrawn

Mr. Geddes withdrew his amendments.

The question being on the motion by Mr. Silliman to amend the Standing Rules of the Assembly.

Substitute Motion

Messrs. Silliman and Geddes offered the following substitute motion to the motion by Mr. Silliman:

We move that Rule 9.5 be added to the Standing Rules of the Assembly to read:

"9.5. All claims for expenses incurred by interim investigating committees of the Assembly shall be approved by the Committee on Rules, or its authorized representative, before such claims are presented to the Controller.

All proposed expenditures, other than expenditures of the funds of an interim investigating committee, shall be approved by the Committee on Rules or its authorized representative before such expenses are incurred, unless such expenditure is specifically exempted from the provisions of this rule by the resolution authorizing it.

No warrant shall be drawn in payment of any claim for expenses until the approval of the Committee on Rules, or its authorized representative, has been obtained in accordance with the provisions of this rule.

The Committee on Rules ~~may~~ *shall within 30 days after final adjournment of the 1951 General Session,* adopt rules and regulations governing the letting of any contract by an interim investigating committee and ~~may~~ *shall* also adopt rules and regulations limiting the amount, time, and place of expenses and allowances, exclusive of salaries under three hundred dollars ($300) per month, to be paid to employees of Assembly Interim Investigating Committees. Copies of all rules and regulations adopted pursuant to this rule shall be distributed to the chairman of every such investigating committee, *within 30 days after such final adjournment and any amendments thereto shall be so distributed within 15 days after their adoption.*"

The roll was called, and the substitute motion carried by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D Collins, Condon, Conrad, Cooke, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse,

Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stewart, Thomas, Tomlinson, and Waters—64.
NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 29

Mr. Babbage asked for, and was granted unanimous consent to take up Senate Bill No. 29, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 29

Senate Bill No. 29—An act to amend Sections 4965 and 7431 of the Education Code, relating to bonded capacity of school districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Babbage moved the adoption of the following amendments:

Amendment No. 1

Strike out lines 4 and 5 of the title of the printed bill, as amended in the Senate on May 28, 1951, and insert "districts."

Amendment No. 2

On page 2 of said bill, strike out lines 9 to 21, inclusive, and insert
"SEC. 5. *This act shall become operative on January 1, 1952.*"

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 170

Mr. Cooke asked for, and was granted unanimous consent to take up Senate Bill No. 170, out of order.

CONSIDERATION OF SENATE BILL NO. 170

Senate Bill No. 170—An act to amend Section 737ddd of the Political Code and Section 79.56 of the Code of Civil Procedure, relating to judges of the superior court.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lindsay, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—61.
NOES—Luckel—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 4 p.m., Mr. Lindsay asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Conservation, Planning, and Public Works, in Room 1760, tomorrow, Friday, June 22, at 9 a.m.

Subject: Senate Bill No 2170.

Speaker Pro Tempore Presiding

At 4.10 p.m., Hon Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER REPORT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 1633

Mr. Grunsky asked for, and was granted, unanimous consent to consider the report of the Committee on Conference concerning Senate Bill No. 1633, temporarily passed on file.

UNFINISHED BUSINESS (RESUMED)

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER: The Committee on Conference concerning

Senate Bill No. 1633—An act to amend Sections 9403, 9405, 9406, 9407, 9408, 9411, and 9412 of the Government Code, relating to witnesses before legislative committees.

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows.

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 28, 1951, after "9408." insert "9410".

Amendment No. 2

On page 1 of said bill, strike out lines 12 to 18, inclusive, and insert "copy to the witness personally. The service must be made so as to allow the witness a reasonable time for preparation and travel to the place of attendance. Each house of the Legislature shall, by rule or resolution, prescribe the amount of the fee to which the witness shall be entitled. A witness may not demand prepayment of such witness fee at the time the subpena is served, but may demand such fee upon his appearance before the committee at the time and place specified in the subpena and prior to commencing his testimony."

Amendment No. 3

On page 2, line 45, of said bill, after the comma, insert "or upon the date to which the hearing on the order to show cause may be postponed or continued,".

Amendment No. 4

On page 3 of said bill, after line 3, insert

"SEC. 6. Section 9410 of the Government Code is amended to read

9410. A person sworn and examined before the Senate or Assembly, or any committee, cannot be held to answer criminally or be subject to any penalty or forfeiture for any fact or act touching which he is required after asserting his constitutional privilege against self-incrimination with respect thereto, to testify Any statement made or paper produced by such witness after asserting his constitutional privilege against self-incrimination with respect thereto, is not competent evidence in any criminal proceeding against the witness The witness cannot refuse to testify to any fact or to produce any paper touching which he is examined for the reason that his testimony or the production of the paper may tend to incriminate him, or to disgrace him or render him infamous Nothing in this section exempts any witness from prosecution and punishment for perjury committed by him on examination nor shall this section be construed to confer immunity upon any person with respect to testimony which is not protected under the constitutional provision against self-incrimination"

Amendment No. 5

On page 3, line 24, of said bill, strike out "SEC. 6", and insert "SEC 7".

Amendment No. 6

On page 3, line 44, of said bill, strike out "SEC. 7", and insert "SEC 8".

WEYBRET
BROWN
BURNS
Senate Committee on Conference

GRUNSKY
CONNOLLY
Assembly Committee on Conference

The roll was called, and the report refused adoption by the following vote:

AYES—Babbage, Berry, Collier, Connolly, Conrad, Erwin, Geddes, Grunsky, Hansen, Hinckley, Kelly, Lipscomb, Luckel, Maloney, Sherwin, Silliman, Stewart, and Waters—18.

NOES—Beck, Belotti, Brown, Burkhalter, Chapel, Clarke, Coats, George D. Collins, Condon, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Gubser, Hawkins, Henderson, Kilpatrick, Klocksiem, Lowrey, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, and Thomas—40

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr. Rosenthal asked for, and was granted, unanimous consent that his name be placed upon the roll call, on the conference committee report concerning Senate Bill No. 1633, and that he be recorded as voting "No".

Appointment of Second Committee on Conference Concerning Senate Bill No. 1633

The Speaker announced the appointment of Messrs. Condon, Dolwig, and Brown as a Second Committee on Conference concerning Senate Bill No. 1633.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were offered:

Assembly Joint Resolution No. 48: By Mrs. Niehouse, Messrs. Cloyed, Babbage, Luckel, and Stanley—Relative to memorializing to the Judiciary Committee of the House of Representatives to make a study as to the water rights to the Santa Margarita-Temecula River System.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 106: By Mrs. Niehouse, Messrs. Cloyed, Babbage, Luckel, and Stanley—Relative to directing the Joint Interim Committee on Water Problems to make a study of the water rights to the Santa Margarita-Temecula River System.

Referred to Committee on Rules.

FURTHER CONSIDERATION OF MOTION BY MR. KIRKWOOD TO AMEND STANDING RULES OF THE ASSEMBLY

Motion to Amend Standing Rules

Mr. Kirkwood moved to amend Rules No. 12, 14, and 15 of the Standing Rules of the Assembly, as follows:

"12. The duties of the Chief Clerk shall be as follows:

(a) To have charge of and supervise all clerical business and printing of the Assembly.

(b) To see that the Journals, other publications, and records of the Assembly are properly kept.

(c) To refuse to permit any records or papers to be taken from the desk or out of his custody, except upon duly signed receipts from persons authorized.

(d) To read or allow his assistants to read from the desk only such matters as the Speaker of the Assembly shall direct.

(e) To have general supervision over all clerks, attaches, and employees, and to be responsible for their official acts and their performance of and regular attendance upon their duties.

(f) To suspend temporarily any clerk, attache, or employee for incompetency or dereliction of duty, pending action by the Committee on Rules.

(g) To perform all other duties pertaining to his office as prescribed by law or Assembly rule.

(h) Before the commencement of any regular session of the Legislature the Chief Clerk of the Assembly shall mail to each member a blank form on which the member may indicate his committee preferences. Accompanying such blank shall be mailed a stamped envelope addressed to the Chief Clerk of the Assembly for returning such form. After their receipt, all such communications shall be delivered to the Chairman of the Interim Committee on Legislative Organization, if such a committee has been created, who shall deliver them to the Speaker immediately upon the organization of the Assembly.

(i) To certify to the Controller, pay rolls of members and attaches.

(j) To certify all requisitions upon the Controller for the payment of bills incurred by the Assembly.

(k) To order and sign for all documents and printing, subject to approval by the Speaker or ~~the Chairman of the Committee on Rules~~ *a person designated by the Speaker.*

14. The State Printer shall not charge any printing or other work to the Assembly other than provided by law or Assembly Rule, except upon a written order signed by the Chief Clerk of the Assembly and countersigned by the ~~Chairman of the Committee on Rules~~ *Speaker* or *a person designated* by the Speaker, and delivered to him prior to beginning such printing or work. All invoices for printing furnished the Assembly shall be itemized and rendered by the State Printer within 30 days after completion of said printing. When necessary, the Chief Clerk may order certain printed matter completed in advance of its regular order by the issuance of a rush order.

15. Unless otherwise restricted by law or by Assembly Rule, the style and form of all printing, the quality of paper to be used, the number of copies to be printed of each order, and the number of copies to be delivered to each member shall be decided by the Chief Clerk and approved by the Speaker or ~~the Chairman of the Committee on Rules~~ *a person designated by the Speaker* . All requests by members for additional copies of bills, documents, or other printed matter shall be referred to the Committee on Rules."

Mr. Moss seconded the motion.

The roll was called, and the motion to amend the Standing Rules carried by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Davis, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McFall, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, and Waters—60.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 65

Mr. Geddes asked for, and was granted unanimous consent to take up Senate Bill No. 65, out of order, for purpose of urgency.

CONSIDERATION OF SENATE BILL NO. 65

Senate Bill No. 65—An act to amend Sections 19601, 19601.5, 19613.1, 19613.5 of, to add Section 19601.1 to, and to repeal Sections 19613.7, 19613.5, and 19614.5 of, the Education Code, relating to the support of child care centers, making an appropriation therefor and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, and Waters—68.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, and Waters—73.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER BE PRINTED IN THE JOURNAL

Mr. Geddes asked for, and was granted, unanimous consent that a letter from the Legislative Auditor be printed in the Journal, as follows:

LEGISLATIVE BUDGET COMMITTEE
CALIFORNIA LEGISLATURE
STATE CAPITOL, SACRAMENTO, CALIFORNIA, June 21, 1951

Honorable Ernest R. Geddes
Assemblyman Forty-ninth District
State Capitol, Sacramento, California

DEAR ASSEMBLYMAN GEDDES: Senate Bill No. 65, as amended in the Assembly June 19, 1951, and Assembly Bill No. 3410 as amended in the Senate June 19, 1951, are identical bills providing $5,456,856 for the support of child care centers for the 1951-52 Fiscal Year.

In our opinion the amended bills in no way mitigate against centers that provide mainly for low income families.

The limitation of state aid of a state-wide average of 25 cents per hour of attendance in nursery centers and 16 cents per hour in extended day care centers for the 1951-52 Fiscal Year is based upon the figures provided by the Department of Education. There is further provision in the bill to permit the Department of Education to allow the poorer centers as high as 30 cents per hour for the nursery care centers and 20 cents for the extended day care centers. This will permit the department to exercise administrative discretion to give the poorer centers more money than the wealthier centers. In fact, a center composed solely of parents whose incomes exceed the amounts set forth in the means test and, therefore, able to pay the full costs of the centers by parent fees could be denied state aid if the department so chose to take such action.

Sincerely yours,

A. ALAN POST
Legislative Auditor

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Senate Concurrent Resolution No. 87

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

DUNN, Chairman

Above reported resolution ordered on file for adoption.

REQUEST FOR PERMISSION TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 63

Pursuant to Joint Rule No. 23, Mr. Waters requested that permission be granted him to take up Assembly Concurrent Resolution No. 63, at this time.

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Meyers, Morris, Moss, Munnell, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Waters—69

NOES—None.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 63

Assembly Concurrent Resolution No. 63—Relative to maps of assembly, senatorial, and congressional districts.

Resolution read.

Motion to Amend

Mr. Waters moved the adoption of the following amendment:

Amendment No. 1

On page 3, between lines 25 and 26 of the printed measure, as amended in the Assembly on June 20, 1951, insert

"11. Two hundred fifty (250) copies of a map of the County of San Mateo showing the boundaries of the assembly districts contained therein, as described in Chapter 395 of the Statutes of 1951, twenty-five (25) copies of which shall be delivered free of charge to each Member of the Legislature from San Mateo County and two hundred (200) copies of which shall be held for sale by the Division of Printing.

12. Three hundred seventy-five (375) copies of one map of the County of Alameda showing the boundaries of the assembly districts contained therein, as described in Chapter 395 of the Statutes of 1951, and also the boundaries of the congressional districts contained therein, as described in Chapter 396 of the Statutes of 1951, twenty-five (25) copies of which shall be delivered free of charge to each Member of the Legislature from Alameda County, and two hundred (200) copies of which shall be held for sale by the Division of Printing."

Amendment read, and adopted.

Resolution ordered reprinted, and re-engrossed.

REQUEST FOR PERMISSION TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 104

Pursuant to Joint Rule No. 23, Mr. Lincoln requested that permission be granted him to take up Assembly Concurrent Resolution No. 104, at this time.

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCollister,

McFall, McGee, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, and Waters—61.

NOES—None.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 104

Assembly Concurrent Resolution No. 104—Relative to the marriage of Charles W. Meyers.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Waters—70

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT STATEMENT BE PRINTED IN JOURNAL

Mr. Dunn asked for, and was granted, unanimous consent that a statement from the Local Allocation Division of the State Department of Finance be ordered printed in the Journal, in 10 point type, as follows:

LOCAL ALLOCATION DIVISION
STATE DEPARTMENT OF FINANCE

Status of State School Building Loan Fund
June 21, 1951

Total amount of state bond issue		$250,000,000.00
Less: Amount reserved for increase in costs		25,000,000.00
		$225,000,000.00
Maximum state aid approved for future apportionments (to date), charged to 225 million		$220,169,033.08
Balance available for approval in applications		$4,830,966.92
Amount reserved for increased costs		$25,000,000.00
Maximum state aid (to date)	$1,831,499.08	
Expense of bond sales, support etc.	239,760.43	2,071,259.51
Balance available for increased costs		$22,928,740.49
Total amount of bonds sold	$150,000,000.00	
Available for apportionment		$140,000,000.00
Total conditional apportionments		84,786,664.72
		$55,213,335.28
Less: Total expense		239,760.43
Unallotted balance		$54,973,574.85

Applications	*No*	*Projects*	*State aid requested*	*District funds available*	*Total cost of projects*
Total received (6-19-51)	354	982	$246,055,563 73	$35,647,234.96	$281,702,798.69
Total acted on by board	286	868	222,000,532 16	34,528,774.74	256,529,306.90
Total pending	68	114	$24,055,031.57	$1,118,460.22	$25,173,491.79

REQUESTS FOR UNANIMOUS CONSENT TO STRIKE RESOLUTIONS FROM FILE

Mr. Dunn asked for, and was granted, unanimous consent that Assembly Constitutional Amendment No. 49 be striken from the inactive file.

Mr. Beck asked for, and was granted, unanimous consent that Assembly Constitutional Amendment No. 24 be striken from the inactive file.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON HOUSE RESOLUTION NO. 172

At 4.43 p.m., on motion of Mr. Connolly, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and House Resolution No. 172 adopted by the following vote:

AYES—Berry, Brady, Burke, Burkhalter, Chapel, Cloyed, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Gaffney, Geddes, Grant, Hahn, Hawkins, Hollibaugh, Kilpatrick, Lanterman, Levering, Lipscomb, Lyon, McCollister, McGee, McMillan, Meyers, Morris, Niebouse, Porter, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—40.

NOES—Babbage, Beck, Belotti, Brown, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Cooke, Davis, Elliott, Fleury, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McFall, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, and Sherwin—37.

RESOLUTIONS

The following resolution was offered:

By Mr. Condon:

House Resolution No. 243

Relating to an investigation of the feasibility of construction of a bridge across Suisun Bay between Cities of Martinez and Benicia

WHEREAS, The Assembly Interim Fact-Finding Committee on Regional Problems of the San Francisco Bay Area, created by House Resolution No. 162 of the 1951 Regular Session of the Legislature, has been directed to ascertain, study, and analyze facts relating to providing adequate access by highways to the San Francisco Bay region, including the construction of additional bay crossings; and

WHEREAS, A considerable flow of traffic into the San Francisco Bay region comes from United States Route No. 40 over the Carquinez Bridge into Oakland and the bay cities; and

WHEREAS, The present Carquinez Bridge is an insufficient facility to properly handle the flow of traffic into the Bay region, while the construction of a second crossing over Suisun Bay between the Cities of Martinez and Benicia would divert a substantial portion of the through traffic between the northern counties and the southern part of Alameda County, thus relieving the congestion over the Carquinez Bridge and into the Bay cities; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee Fact-Finding Committee on Regional Problems of the San Francisco Bay Area is hereby requested to investigate the economic and engineering feasibility of the construction of a bridge over Suisun Bay between the Cities of Martinez and Benicia, and to report back its findings in its final report to this Assembly.

Resolution read, and ordered referred to the Committee on Rules.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today upon afternoon recess—

Ways and Means, in Room 435.

Transportation and Commerce in Room 3184

It was announced that the following committee would hold no meeting today:

Industrial Relations.

RECESS

At 4.46 p.m., on motion of Mr. Sam L. Collins, the Assembly recessed until 8 p.m.

REASSEMBLED

At 8 p m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Concurrent Resolution No. 96—Relative to water rights to the Santa Margarita-Temecula River System;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the Twenty-first day of June, 1951, at 5 p.m.

BURKE, Chairman

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2113

Mr. Rosenthal asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2113, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2113—An act to amend Section 869 of the Penal Code, relating to the preparation of daily transcripts and the costs thereof.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2113?

Amendment No. 1

On page 1, lines 10 and 11, of the printed bill, strike out "The magistrate", and insert "If there are two or more defendants and the magistrate finds that the interest of justice requires it, he".

Amendment No. 2

On page 1, lines 13 and 14, of said bill, strike out "together with such copies thereof as the interests of justice may require.".

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Rosenthal moved a call of the Assembly.

Motion carried. Time, 8.02 p m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Babbage, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Niehouse, Parker, Porter, Shaw, Sherwin, Silliman, Stewart, Thomas, and Waters—54.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Rosenthal asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 431

Mr. Rosenthal asked for, and was granted unanimous consent to take up Senate Bill No. 431, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 431

Senate Bill No. 431—An act to amend Sections 3211.92, 3361, and 4458 of the Labor Code, relating to volunteer fire departments and volunteer firemen.

Bill read third time.

The roll was called, and the bill passed by the following vote

AYES—Beck, Belotti, Berry, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Davis, Doyle, Erwin, Fleury, Geddes, Grant, Gubser, Hahn, Hansen, Henderson, Hinckley, Kirkwood, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, Morris, Moss, Munnell, Porter, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Tomlinson, Waters, and Mr Speaker—46

NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 432—An act to amend Section 4458 of the Labor Code, relating to volunteer firemen.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Davis, Doyle, Erwin, Fleury, Geddes, Grant, Gubser, Hahn, Hansen, Henderson, Hinckley, Kirkwood, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, Meyers, Morris, Moss, Porter, Rosenthal, Rumford, Sherwin, Silliman, Stewart, Waters, and Mr. Speaker—45

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 990—An act to amend Sections 12897, 12898, 12899 and 12900 of the Public Utilities Code, relating to municipal utility districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Davis, Doyle, Erwin, Fleury, Geddes, Grant, Gubser, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stewart, Tomlinson, Waters, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 144—An act to add Section 66u to the Code of Civil Procedure, relating to the number of Judges of the Superior Court in the County of Shasta, and providing for the appointment of an additional judge and for compensation.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Davis moved a call of the Assembly.

Motion carried. Time, 8.40 p m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Babbage, Beck, Brady, Burkhalter, Chapel, Cloyed, Crowley, Dills, Dolwig, Dunn, Elliott, Evans, Grunsky, Hagen, Hawkins, Henderson, Hinckley, Kirkwood, Levering, Lowrey, McCollister, McMillan, Moss, Munnell, Niehouse, Rosenthal, Silliman, and Thomas—28.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Fleury asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1524—An act to amend Sections 70 and 70.1 of the Streets and Highways Code, relating to the California Highway Commission.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hansen, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lipscomb, Lyon, Maloney, McCarthy, McFall, Meyers, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Tomlinson, and Mr Speaker—46

NOES—Hahn, Hollibaugh, Lowrey, Luckel, and Silliman—5.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1468

Mr. Connolly asked for, and was granted unanimous consent to take up Senate Bill No. 1468, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1468

Senate Bill No. 1468—An act to validate the organization, boundaries, acts, proceedings and bonds of public bodies as herein defined.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Collier, George D Collins, Connolly, Conrad, Cooke, Davis, Doyle, Erwin, Fleury, Gaffney, Grant, Gubser, Hansen, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman,

Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, Meyers, Morris, Moss, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—50

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 38

Mr. Lindsay asked for, and was granted unanimous consent to take up Senate Bill No. 38, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 38

Senate Bill No. 38—An act to amend Section 28154 of the Government Code and Section 454 of the Education Code, relating to compensation for public services in counties of the fifty-fourth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Caldecott, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Davis, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hahn, Hansen, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McFall, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stewart, Thomas, Waters, and Mr. Speaker—51.

NOES—None,

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 39

Mr. Lindsay asked for, and was granted unanimous consent to take up Senate Bill No. 39, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 39

Senate Bill No. 39—An act to amend Section 28150 of the Government Code, and Section 450 of the Education Code, relating to compensation for public services in counties of the fiftieth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown Caldecott, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Davis, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hahn, Hansen, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McFall, Meyers, Morris, Moss, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—51.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 49—An act to amend Section 19.6 of the Fish and Game Code, relating to powers of the Fish and Game Commission.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Collier, Connolly, Conrad, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser,

Hahn, Henderson, Hinckley, Kelly, Klocksiem, Lanterman, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McFall, Meyers, Morris, Moss, Parker, Porter, Rosenthal, Rumford, Sherwin, Stewart, Thomas, Waters, and Mr. Speaker—43.
NOES—Cooke, Davis, Hansen, Hollibaugh, Lincoln, Lowrey, and Silliman—7.

Bill ordered transmitted to the Senate.

Senate Bill No. 1108—An act to add Section 429.6 to the Fish and Game Code, relating to the taking of fish by members of the Yurok Indian Tribe.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—61.
NOES—Davis—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 1149—An act to amend Section 439 of the Education Code, relating to school superintendents' salaries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Davis, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McFall, Meyers, Morris, Moss, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, and Thomas—46.
NOES—Geddes and Waters—2.

Bill ordered transmitted to the Senate.

Senate Bill No. 1154—An act to amend Section 28139 of, and to add Section 28159 to, the Government Code, relating to compensation for public services in counties.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Parker, Porter, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—57.
NOES—Evans and Luckel—2.

Bill ordered transmitted to the Senate.

Senate Bill No. 1157—An act to amend Section 431 of the Education Code, relating to school superintendents' salaries in counties of the thirty-first class.

Bill read third time, and ordered passed on file.

Senate Bill No. 1826—An act to add Section 4.2 to an act entitled "An act to provide for the acquisition of temporary and emergency housing facilities for veterans and families of servicemen by joint action of the State and local agencies, providing for the operation of such facilities, making an appropriation, and declaring the urgency thereof,

to take effect immediately,'' approved February 15, 1946, relating to the disposition of rentals from such housing facilities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Davis, Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kloeksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Parker, Porter, Rumford, Stanley, Stewart, Thomas, and Mr. Speaker—52.

NOES—Lincoln—1.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 9.10 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1809

Mr. Lowrey asked for, and was granted unanimous consent to take up Senate Bill No. 1809, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1809

Senate Bill No. 1809—An act to create a flood control district to be called Napa County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, public highways, life and property from damage or destruction from such waters; to provide for the acquisition, retention, and reclaiming of drainage, storm, flood, and other waters and to save, conserve, and distribute such waters for beneficial use in said district; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to define the powers of said district; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district, declaring the urgency thereof, to take effect immediately.

Bill read third time, and ordered passed on file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 905—An act to amend Sections 1155, 1156, 1157, and 12420 of the Government Code, relating to pay roll deductions for public employees

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kloeksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, and Waters—56

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1785—An act to amend Sections 1063, 1090, 1091, 1195, 1223, 1224, 1457, 1458, 1505, 1530, 1531, 1532, 1651, 1750, 1958.5, 3060, 6100, 6108, 6109, 23360, 23420, 23422, 23427, 24001, 24007, 24051, 24052, 24055, 24057, 24101, 24150, 24200, 24204, 24350, 24351, 24353, 25200, 25300, 25304, 26520, 26524, 26665, 26806, 26823, 26824, 27082, 27531, 27557, 27820, 27822, 27824, 28111, 29040, 29140, 29320, 29603, 29605, 29610, 31001, 31200, 31201, 31469, 31555, 31980, 31984, 32050.5, 34856, 36501, 36505, 36523, 36601, 36602, and 53679 of, and to add Section 28101.1 to, the Government Code; to amend the headings of Article 4 of Chapter 3 of Division 1 of Title 3 and of Part 4 of Division 2 of Title 3 of the Government Code; to repeal the headings of Chapters 1 and 2 of Part 4 of Division 2 of Title 3 of the Government Code, to repeal Chapter 5 of Part 3 of Division 3 of Title 4 of the Government Code; to repeal Sections 34709, 35739, and 35845 of the Government Code; all relating to courts of justice, judicial districts, and various officers and employees thereof;

Assembly Bill No. 1937—An act to amend Section 5032 of the Education Code, relating to state school building aid;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of June, 1951, at 5 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 175—An act to amend Section 4300f of the Political Code, Section 196 of the Code of Civil Procedure, and Section 28112 of the Government Code, relating to jurors' fees;

Assembly Bill No. 250—An act to amend Sections 6, 24, 27, 37, 39, 45, 45.5, 45.6, 45.7, 45.8, 45.10, 45.11, and 46.1 of the Unemployment Insurance Act, relating to a System of Unemployment and Disability Insurance;

Assembly Bill No. 296—An act to amend Section 2248 of the Health and Safety Code, relating to compensation and expenses of board members;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of June, 1951, at 5 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1708—An act to repeal Article 5, Chapter 11, Division 2 of the Education Code, relating to the organization of high school districts, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1746—An act to amend Section 668 of the Elections Code, relating to precinct boards;

Assembly Bill No. 1784—An act to amend Section 755 of the Political Code and Section 586 of the Code of Civil Procedure, relating to the salary of the Clerk of the Supreme Court and ex officio Secretary of the Judicial Council;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of June, 1951, at 5 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1991—An act to amend Sections 30 and 31 of the Revenue and Taxation Code, relating to the enforcement in this State of tax liabilities of other states and political subdivisions thereof and the collection in other states of taxes due this State and political subdivisions thereof;

Assembly Bill No. 2134—An act to amend Section 5550 of the Business and Professions Code, relating to the qualifications of architects;

Assembly Bill No. 2224—An act to add Sections 1303.1 and 1303.2 to the Education Code, relating to employment of superintendents of school districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of June, 1951, at 5 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 2281—An act to amend Section 28135 of the Government Code, relating to compensation for public services in counties of the thirty-fifth class;

Assembly Bill No. 2283—An act to amend Section 28145 of the Government Code, relating to compensation for public services in counties of the forty-fifth class;

Assembly Bill No. 2300—An act to amend Section 767 of the Political Code and Sections 59 and 59 1 of the Code of Civil Procedure, relating to officers and employees of the Supreme Court and of the district courts of appeal;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of June, 1951, at 5 p m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2384—An act to amend Section 28102 of the Government Code, relating to jurors' fees in superior and municipal courts;

Assembly Bill No. 2570—An act to amend Section 13653 of the Education Code, relating to the rights of terminated probationary employees;

Assembly Bill No. 2571—An act to amend Sections 13204 1 and 14495.1 of the Education Code, relating to certificated employees in military service;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of June, 1951, at 5 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2922—An act to amend Section 28121 of the Government Code and Sections 404 and 421 of the Education Code, relating to compensation for public service in counties;

Assembly Bill No. 2947—An act to add Section 5083 2 to the Education Code, relating to state school building aid, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 3189—An act to add Sections 5046 3 and 18744 to the Education Code, relating to school districts, declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of June, 1951, at 5 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

MR SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3245—An act to amend Section 13116 of, and to add Section 13117 to, the Government Code, relating to the Department of Finance, in respect to the investment of funds in certain public office buildings, and making an appropriation for the liquidation of such investment;

Assembly Bill No. 3438—An act to amend Section 1600 of the Education Code, relating to newly formed school districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of June, 1951, at 5 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1466—An act providing for the constitution of the municipal court in a district embracing the City of San Bernardino, and prescribing the number and compensation of the judges, officers and attaches thereof;

Assembly Bill No. 1561—An act to amend Section 5049 of the Education Code, relating to state school building aid;

Assembly Bill No. 1694—An act to amend Section 202 of the Education Code, relating to the distribution of surplus property of the Federal Government by the State Educational Agency for Surplus Property;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of June, 1951, at 5 p m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1365—An act providing for the constitution of the municipal court in a district embracing the Cities of Burlingame and San Mateo, and prescribing the number and compensation of the judges, officers and attaches thereof;

Assembly Bill No. 1366—An act providing for the constitution of the municipal court in a district embracing the Cities of San Carlos and Redwood City, and prescribing the number and compensation of the judges, officers and attaches thereof;

Assembly Bill No. 1368—An act providing for the constitution of the municipal court in a district embracing the Cities of Daly City and South San Francisco, and prescribing the number and compensation of the judges, officers and attaches thereof;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of June, 1951, at 5 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 1153—An act to add Section 11128 to the Water Code, relating to use of water;

Assembly Bill No. 1229—An act to amend Section 9550 of the Business and Professions Code, relating to certificates of registration issued by the State Board of Dry Cleaners;

Assembly Bill No. 1249—An act to amend Sections 14376 3 and 14610 of the Education Code, relating to other employment by members of the State Teachers' Retirement System;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of June, 1951, at 5 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 974—An act to add Section 4557 to the Labor Code, relating to additional workmen's compensation for minors;

Assembly Bill No. 979—An act to amend Section 3710 of, to add Sections 3710.1 and 3710 2 to, and to repeal Section 3714 of, the Labor Code, relating to workmen's compensation;

Assembly Bill No. 1118—An act to amend Section 7370o of the Political Code and Section 79.41 of the Code of Civil Procedure, relating to superior judges' salaries;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of June, 1951, at 5 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 782—An act to amend Section 19a of the Penal Code, and Section 1 of an act entitled "An act to provide for the creation of a Board of Parole Commissioners for each county in this State, for the paroling of prisoners confined in county jails, and authorizing and empowering such boards to make rules and regulations in relation thereto," approved March 25, 1909, relating to paroles;

Assembly Bill No. 894—An act to amend Sections 737a and 737*l*l of the Political Code and Sections 79.1 and 79.38 of the Code of Civil Procedure, relating to superior judges' salaries;

Assembly Bill No. 914—An act to amend Section 717.1 of the Code of Civil Procedure, relating to supplementary proceedings;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of June, 1951, at 5 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 712—An act to amend Section 265 of the Probate Code, relating to administration of estates of missing persons;

Assembly Bill No. 741—An act to add Section 7190 to the Education Code, relating to the apportionment of the State School Fund;

Assembly Bill No. 766—An act to amend Section 737bb of the Political Code, and Section 79 28 of the Code of Civil Procedure, relating to the salary of Superior Court Judge in Napa County;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of June, 1951, at 5 p m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 454—An act to amend Section 737g of the Political Code and Section 79.7 of the Code of Civil Procedure, relating to the salaries of superior court judges;

Assembly Bill No. 634—An act to amend Sections 45 5 and 78 of, and to add Sections 29 1 and 29 2 to, the Community Redevelopment Act, and to amend Sections 33882, 33911, and 33912 of, and to add Section 33279 and Article 4 of Chapter 5 of Part 1 of Division 24 to, the Health and Safety Code, relating to community redevelopment and the financing thereof and the powers of public bodies in connection therewith;

Assembly Bill No. 654—An act to repeal Section 8352 of, and to add Section 8352 to, the Revenue and Taxation Code, and to amend Section 8 of an act entitled "An act to amend Section 8352 of, and to add Sections 8354 to 8358, inclusive, to, the Revenue and Taxation Code, relating to aviation and airports and the financing thereof, including revenue from taxes on motor vehicle fuel," approved July 29, 1949, relating to appropriation of the money in the Motor Vehicle Fuel Fund, and providing for the period of operation of the code provisions relative thereto;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of June, 1951, at 5 p m

BURKE, Chairman

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 906—An act to add Section 11011 to the Government Code, relating to contracts by state agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Porter, Rumford, Sherwin, Stanley, and Thomas—54.

NOES—Parker—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 1721—An act relating to a highway construction and improvement program, county and state, including cooperation with the Federal Government in furtherance of the purposes of the Federal-Aid Highway Act of 1950 and the expenditure of federal-aid moneys, declaring the urgency hereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Parker, Porter, Rumford, Sillman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—58.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Parker, Porter, Rumford, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 1155—An act to amend Section 28131 of the Government Code, relating to compensation for public services in counties of the thirty-first class.

And appointed Senators Harold T. Johnson, Regan, and Mayo, as a Committee on Conference to meet a like committee from the Assembly

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 1155

The Speaker announced the appointment of Messrs. Lindsay, Gubser, and Hansen as a Committee on Conference concerning Senate Bill No. 1155.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 461
Assembly Bill No. 1162
Assembly Bill No. 1530
Assembly Bill No 1903
Assembly Bill No. 2109
Assembly Bill No. 2870
Assembly Bill No 2931
Assembly Bill No 3188

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 83
Senate Bill No 227
Senate Bill No 514
Senate Bill No. 598
Senate Bill No 634
Senate Bill No. 671
Senate Bill No. 848
Senate Bill No. 850
Senate Bill No. 920
Senate Bill No. 1109
Senate Bill No. 1200
Senate Bill No. 1204
Senate Bill No. 1431
Senate Bill No. 1570
Senate Bill No. 1752
Senate Bill No 1812
Senate Bill No. 1815

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 955
Assembly Bill No. 1345
Assembly Bill No. 2605
Assembly Bill No. 2936
Assembly Bill No. 3323
Assembly Bill No. 3423
Assembly Bill No. 3410

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 21, 1951

To the Honorable Members of the Assembly
State of California
Sacramento, California

GREETINGS: I am returning herewith, without my signature,

Assembly Bill 2327, entitled: "An act to add Sections 214.3 and 214.4 to the Revenue and Taxation Code, relating to exemptions from property taxes"

My objections to this bill are as follows:

This bill, as one of its features, adds a new section to the Revenue and Taxation Code relative to the exemption from taxation of property used for school purposes which is owned and operated by religious, hospital, or charitable funds, foundations, or corporations. The new section is phrased in the identical wording of the amendment to Section 214 of the Revenue and Taxation Code made by Assembly Bill 3383 (Chap. 242, Stat. 1951), except that this bill purports to bring within the "welfare exemption" not only property used exclusively for school purposes of less than collegiate grade but also property which is used exclusively for purposes of both schools of collegiate grade and schools of less than collegiate grade.

I understand from the Attorney General that he has issued a title for a referendum as to Assembly Bill 3383. With regard to such pending referendum, that officer advises me:

> "Entirely apart from the merits of this bill, there are some serious and difficult legal questions which may arise if the referendum petition which is now being circulated with regard to Assembly Bill No. 3383 (Chapter 242) should qualify. It heretofore has been noted that this bill is phrased in the identical language of Assembly Bill No. 3383 except that it adds language with respect to property used exclusively for purposes of both schools of and less than collegiate grade. Some courts have held that an act of the Legislature which has been submitted to the people by referendum cannot, pending its approval or rejection, be amended or repealed by the Legislature, as this would tend to defeat the power of the referendum. *Re Opinion of Justices* (Maine) 174 Atl. 853; *State ex rel. Drain* vs. *Becker* (Mo.) 240 S. W. 229.
>
> "If the referendum should qualify and if the people should *disapprove* of Assembly Bill 3383 (Chapter 242), therefore, there is considerable doubt as to whether section 2 of this bill would be effective, for if it were to be otherwise, the referendum process would be nullified.
>
> "One further observation must be made with regard to this bill because of the possibility of the pending referendum on Assembly Bill No. 3383 (Chapter 242). If the people should *approve* Assembly Bill No. 3383, it still is not certain that section 2 of this bill would be effective * * * Thus here, if the referendum qualifies and the people ratify the action of the Legislature, it may be held that Assembly Bill No. 3383 (Chapter 242) is the later statute and repeals by implication the inconsistent provisions added by section 2 of this bill.
>
> "There would seem to be little question that if the referendum should qualify, litigation will necessarily result in order that the difficult questions presented may be resolved."

The right of the people to review acts of the Legislature by means of the referendum is guaranteed by the Constitution. As indicated by the Attorney General, the courts have carefully guarded that right and have disapproved anything which might tend to defeat it.

Based on these decisions of the courts, it is the opinion of the Attorney General that it is extremely doubtful that this amendment would be valid whether the people sustain or overrule the act of the Legislature in the pending referendum.

Under these circumstances, I am unable to approve this measure. Accordingly, I am returning the bill without my signature.

Respectfully submitted.

EARL WARREN, Governor

Acknowledgment of Receipt of Assembly Bill No. 2327

I acknowledge receipt this twenty-first day of June, 1951, at 8:35 o'clock p.m. of Assembly Bill No. 2327 without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

ARTHUR A. OHNIMUS
Chief Clerk of the Assembly

Assembly Bill No. 2327 ordered to unfinished business file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 861—An act to add Section 20631 to the Government Code, relating to the State Employees' Retirement System in respect to withdrawal of additional voluntary contributions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Stanley, Thomas, and Waters—59.

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent that Vote Be Changed Upon Roll Call

Mr. Parker asked for, and was granted, unanimous consent that his vote be changed upon the roll call, on Senate Bill No. 861, and that he be recorded as voting "Aye" instead of "No."

Senate Bill No. 858—An act to amend Section 20131 of the Government Code, relating to State Employees' Retirement System.

Bill read third time.

Motion to Amend

Mr. Fleury moved the adoption of the following amendments:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on June 20, 1951, strike out "Section 20131 of, and to add Section 20751(d) to," and insert "Sections 20131 and 20751 of".

Amendment No. 2

On page 1 of said bill, strike out lines 14 to 20, inclusive, and insert

"SEC. 2. Section 20751 of the Government Code is amended to read:

20751. From the General Fund in the State Treasury there is appropriated monthly to the Retirement Fund the State's contribution for:

(a) All state miscellaneous members and all other categories of members whose compensation is paid from the General Fund.

(b) All university members whose compensation is paid from funds of the university.

(c) All state miscellaneous members who are employed by the Department of Education and whose compensation is paid from the Vocational Education Fund, the Vocational Rehabilitation Fund, or any other fund received, in whole or in part, as a donation to the State under restrictions preventing its use for state contributions to the retirement system.

(d) All state miscellaneous members whose compensation is paid from moneys in the Division of Architecture Revolving Fund or the Water Resources Revolving Fund, where such moneys were derived from an appropriation from the General Fund"

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1545—An act to amend Section 17 of the Alcoholic Beverage Control Act, relating to alcoholic beverage licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Lanterman, Levering, Lindsay, Lowrey, Luckel,

Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Stanley, Stewart, Thomas, and Waters—54
NOES—Lincoln—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 399

Mr. Lindsay asked for, and was granted unanimous consent to take up Senate Bill No. 399, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 399

Senate Bill No. 399—An act to amend Section 2110 of the Streets and Highways Code, relating to apportionments to counties payable from the Highway Users Tax Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Munnell, Parker, Porter, Rosenthal, Rumford, Stanley, Thomas, and Waters—58.
NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1493—An act to add Section 451.1 to the Unemployment Insurance Act, relating to disability payments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Coats, Collier, Condon, Connolly, Cooke, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Stanley, Thomas, and Waters—51
NOES—Geddes—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 773—An act to amend Section 7010 of the Welfare and Institutions Code, relating to feeble-minded persons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Conrad, Cooke, Dickey, Dills, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McFall, Morris, Moss, Munnell, Parker, Porter, Rumford, Stanley, Stewart, Thomas, Tomlinson, and Waters—49
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1133—An act to amend Sections 50121, 50123, 50124, 50126, and 50128, and to repeal Sections 50122 and 50125, of the Water Code, relating to reclamation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Stanley, Stewart, Thomas, and Waters—59.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 1536—An act to amend Section 1300.1 of the Agricultural Code, relating to processors of agricultural products and their agents.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, and Waters—58.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 846—An act providing for surveys, plans, estimates of costs, and preliminary engineering, for a toll tube or other toll highway crossing across the Bay of San Diego from the City of San Diego to the City of Coronado, and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Stanley, Stewart, Thomas, and Waters—61.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 964—An act to add Section 8215 to the Government Code, relating to notaries public.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Thomas, and Waters—60.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1535—An act to amend Section 20804 of, to add Sections 20804.5 and 21254 to, and to repeal Section 20833 of, the Government Code, relating to the State Employees' Retirement System in respect to credit for time spent in the employment of the State or of a contracting agency prior to commencement of membership therein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Condon, Cooke, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Stewart, Thomas, and Waters—61.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 40—An act to amend Sections 737e, 737v, 737ccc of the Political Code and Sections 79.5, 79.22, and 79.55 of the Code of Civil Procedure, relating to the salaries of judges of the superior court.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Stewart, and Thomas—58.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 154—An act to amend Section 737o of the Political Code and Section 79.15 of the Code of Civil Procedure, relating to salaries of Judges of the Superior Court in Kern County.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sillman, Stewart, and Thomas—55.

NOES—Luckel—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 328—An act to amend Section 737hh of the Political Code, and Section 79.34 of the Code of Civil Procedure, relating to superior judges' salaries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Cooke, Davis, Dickey, Dills, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Henderson, Hinckley,

Hollibaugh, Kelly, Kilpatrick, Kloeksiem, Lanterman, Levering, Lincoln, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Moss, Munnell, Porter, Rumford, Shaw, Stewart, Thomas, and Waters—50.

NOES—Luckel—1

Bill ordered transmitted to the Senate.

Senate Bill No. 574—An act providing for the designation of judicial districts and of the municipal or justice courts established therein.

Bill read third time, and ordered passed on file.

Senate Bill No. 783—An act defining and regulating the practice of shorthand reporting; creating a State Board of Examiners of Shorthand Reporters in the Department of Professional and Vocational Standards, and providing for its duties and powers; providing for the examination and certification of shorthand reporters, with the designation "certified shorthand reporter"; creating the Shorthand Reporter's Fund and making an appropriation; and prescribing penalties for violations of this act.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloved, Collier, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kloeksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Munnell, Nicholas, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Waters—57

NOES—Beck, Condon, Lowrey, and McFall—4.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Senate Bill No. 633

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 633—An act relating to Napa State Hospital and the use of money appropriated for a laundry and commissary warehouse at said institution, declaring the urgency of this act, to take effect immediately.

Bill read second time, and ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1156—An act to amend Sections 737ee of the Political Code and 79.31 of the Code of Civil Procedure, relating to superior court judges' salaries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Silliman, Stanley, Stewart, Thomas, and Waters—61.

NOES—None.

Bill ordered transmitted to the Senate.

PERMISSION GRANTED FOR INTRODUCTION OF CONSTITUTIONAL AMENDMENT

Pursuant to the provisions of Rule No. 23, permission from the Speaker having been given, the roll was called, and permission granted Mr. Lincoln to introduce a constitutional amendment by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, and Waters—65.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Constitutional Amendment No. 66: By Mr. Lincoln—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Sections 2, 15 and 17 of Article V, relating to terms of office.

Referred to Committee on Constitutional Amendments.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1302—An act providing for the constitution of the municipal court in a district embracing the City of Bakersfield, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lyon, Maloney, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, and Waters—60.

NOES—None.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1288

Mr. McCollister asked for, and was granted unanimous consent to take up Senate Bill No. 1288, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1288

Senate Bill No. 1288—An act providing for the constitution of the municipal court in a district known and designated as the Central Judicial District of Marin County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, and Waters—60.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1345—An act providing for the constitution of municipal courts in districts in San Mateo County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Lanterman, Lincoln, Lipscomb, Lyon, Maloney, McCarthy, McFall, Meyers, Morris, Niehouse, Porter, Rumford, Sherwin, Silliman, Stanley, Stewart, and Thomas—52.

NOES—Luckel—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 1360—An act providing for the constitution of the municipal court in a district embracing the City of North Sacramento, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lyon, Maloney, McCarthy, McCollister, Meyers, Moss, Niehouse, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, and Waters—51

NOES—Luckel—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 1361—An act providing for the constitution of a municipal court in a district embracing the City of Sacramento, and

prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, and Waters—55.

NOES—Dills and Luckel—2.

Bill ordered transmitted to the Senate.

Senate Bill No. 1480—An act to amend the Government Code and Section 737w of the Political Code, relating to salaries of superior judges.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, and Waters—53.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1537—An act to amend Section 737u of the Political Code, and Section 79.21 of the Code of Civil Procedure, relating to superior court judges' salaries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Lincoln, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, and Waters—56.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 10 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding

Senate Bill No. 1630—An act to amend Section 11b of the Municipal Court Act of 1925, relating to municipal courts in cities of the second and three-eights class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Kelly, Lincoln, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Stanley, Waters, and Mr Speaker—52.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1732—An act to add Section 1033.5 to the Penal Code, relating to change of venue in criminal proceedings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kirkwood, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

BILLS WITHDRAWN FROM INACTIVE FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Senate Bill No. 572, on request of Mr. Brown.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 51—An act to add Section 8.5 to the Municipal and Justice Court Act of 1949, relating to the election of municipal court Judges in the City and County of San Francisco, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, *Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Stewart, Thomas,* Waters, and Mr. Speaker—66.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Stewart, Thomas, Waters, and Mr Speaker—66

NOES—None

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolutions were offered:

By Mr. Tomlinson:

House Resolution No. 244

Relative to directing the Assembly Interim Committee on Public Health to make a study

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Public Health is hereby authorized and directed to ascertain, study, and

analyze all facts relating to the subject matter expressed in House Resolution No. 199 of this session and to report thereon to the Legislature at its 1953 General Session.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Tomlinson:

House Resolution No. 245

Relative to directing the Assembly Interim Committee on Industrial Relations to make a study

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Industrial Relations is hereby authorized and directed to ascertain, study, and analyze all facts relating to the subject matter expressed in House Resolution No. 206 of this session and to report thereon to the Legislature at its 1953 General Session.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Tomlinson:

House Resolution No. 246

Relative to directing the Assembly Interim Committee on Public Utilities and Corporations to make a study

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Public Utilities and Corporations is hereby authorized and directed to ascertain, study, and analyze all facts relating to the subject matter expressed in House Resolution No. 176 of this session and to report thereon to the Legislature at its 1953 General Session.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Tomlinson:

House Resolution No. 247

Relative to directing the Assembly Interim Committee on Social Welfare to make a study

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Social Welfare is hereby authorized and directed to ascertain, study, and analyze all facts relating to the subject matter expressed in House Resolution No. 188 of this session and to report thereon to the Legislature at its 1953 General Session.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Tomlinson:

House Resolution No. 248

Relative to directing the Assembly Interim Committee on Revenue and Taxation to undertake an investigation

Resolved by the Assembly of the State of California, That in addition to the duties imposed upon it by the resolution creating it, the Assembly Interim Committee on Revenue and Taxation shall ascertain, study, and analyse all facts relating to the matters set forth in House Resolution No. 229, introduced at this session of the Legislature, and report to the Legislature at its 1953 General Session.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Tomlinson:

House Resolution No. 249

Relative to directing the Assembly Interim Committee on Finance and Insurance to undertake a special investigation

Resolved by the Assembly of the State of California, That in addition to any other duties imposed upon it by the resolution creating it, the Assembly Interim Committee on Finance and Insurance shall ascertain, study, and analyze all facts relating to the subjects expressed in House Resolution No. 52 of this session of the Legislature, and report to the Legislature at its 1953 General Session

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Tomlinson:

House Resolution No. 250

Relative to directing the Assembly Interim Committee on Governmental Efficiency and Economy to undertake an investigation

Resolved by the Assembly of the State of California, That in addition to the duties imposed on it by the resolution creating it, the Assembly Interim Committee on Governmental Efficiency and Economy is authorized and directed to ascertain,

study, and analyze all facts relating to the subject matter expressed in House Resolution No. 159 of this session of the Legislature and to report to the Legislature at its 1953 General Session.

Resolution read, and ordered referred to the Committee on Rules.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Concurrent Resolution No. 96—Relative to congratulating the City and County of San Bernardino on the occasion of the Centennial Festival.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sillman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—62.

NOES—None

Resolution ordered transmitted to the Senate.

Senate Bill No. 736—An act to amend Section 810.5 of the Agricultural Code, relating to asparagus standards.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—65.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 21, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Regan, Hatfield, and Watson as a Committee on Conference concerning:

Assembly Bill No. 2625—An act to amend Sections 736 and 736a of the Political Code and Sections 41 and 61 of the Code of Civil Procedure, relating to the salaries of justices of the Supreme Court and of the district courts of appeal.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 21, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 2307—An act to amend Sections 208 and 209 of the Unemployment Insurance Act, relating to disability benefits.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Assembly Bill No. 2307 ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Brown, Mayo, and Watson as a Committee on Conference concerning:

Assembly Bill No. 1967—An act to amend Section 428 of the Fish and Game Code, relating to fishing licenses.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 21, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators O'Gara, James E. Cunningham, and Mayo as a Committee on Conference concerning:

Assembly Bill No. 1490—An act to amend Section 8 of the Dangerous Weapons Control Law, relating to the issuance of licenses to carry concealed pistols, revolvers and other firearms.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 1771—An act to amend Sections 97, 150, 230, 325, 337, 384a, 597f, 599a, 682, 726, 808, 817, 859, 889, 890, 1143, 1203.02, 1203.1, 1203.12, 1278, 1298, 1309, 1327, 1382, 1391, 1426, 1427 1428, 1431, 1432, 1432.1, 1438, 1458, 1459, 1461a, 1466, 1488, 1529, 2623, 4022, 1269b, and 1426a of the Penal Code; to amend the headings of Title 11 of Part 2 and of Chapter 1 of Title 11 of Part 2 of the Penal Code; and to repeal Section 1461 of the Penal Code; all relating to courts of justice, various officers thereof, and judicial districts.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Assembly Bill No. 1771 ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 1474—An act providing for the constitution of the municipal court in a district embracing the Cities of Anaheim, La Habra, Brea, Placentia and Fullerton, and prescribing the number and compensation of the judges, officers and attaches thereof.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Assembly Bill No. 1474 ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 1633—An act to amend Sections 9403, 9405, 9406, 9407, 9408, 9411, and 9412 of the Government Code, relating to witnesses before legislative committees.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Watson, Hatfield, and Williams as a Second Committee on Conference concerning:

Senate Bill No. 1633—An act to amend Sections 9403, 9405, 9406, 9407, 9408, 9411, and 9412 of the Government Code, relating to witnesses before legislative committees.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

RESOLUTIONS

The following resolution was offered:

By Mr. Munnell:

House Resolution No. 251

Relative to directing the Assembly Interim Committee on Revenue and Taxation to study certain facts relating to liquor taxation

WHEREAS, The cost of State Government is necessarily increasing, and it is deemed advisable to allot the supporting taxes in the most equitable means practical; and

WHEREAS, California has the lowest liquor tax rates in the Nation; and

WHEREAS, There have been no major increases in the state liquor taxes for over 15 years; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Revenue and Taxation is hereby authorized and directed to ascertain, study and analyze all facts relating to (a) California's liquor tax structure in relation to those of other states of the United States,

(b) The retail price rates of liquor with respect to the amount of liquor tax in each state; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

Resolution read, and ordered referred to the Committee on Rules.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 963—An act to add Section 11011 to the Government Code, relating to the payment of commissions to licensed real estate brokers upon the sale of state-owned land.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Lanterman, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnel, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, Waters, and Mr. Speaker—59.

NOES—Burke, Condon, Elliott, Hahn, Kilpatrick, Kirkwood, Lincoln, Lowrey, and Thomas—9.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 244
House Resolution No. 245
House Resolution No. 246
House Resolution No. 247
House Resolution No. 248
House Resolution No. 249
House Resolution No. 250

Has had the same under consideration, and reports the same back with the recommendation: Be adopted

SAM L. COLLINS, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 232

Has had the same under consideration, and reports the same back with the recommendation: Be adopted

SAM L. COLLINS, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 181
House Resolution No. 203
House Resolution No. 204

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended

SAM L. COLLINS, Chairman

Above reported resolutions ordered on file.

EXPLANATION OF ABSENCE

I have been absent from the Assembly Chamber for several hours because of legislative duties in the Senate which necessitated my attention.

CHARLES EDWARD CHAPEL

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 91

Mr. Lowrey asked for, and was granted unanimous consent to take up Senate Concurrent Resolution No. 91, temporarily passed on file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 91

Senate Concurrent Resolution No. 91—Relative to the Joint Interim Committee on Agriculture and Livestock Problems.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1637

Mr. Doyle asked for, and was granted unanimous consent to take up Senate Bill No 1637, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1637

Senate Bill No. 1637—An act to provide for the interchangeable use of single-trip beer cartons and to add Section 53.5 to the Alcoholic Beverage Control Act, relating to use of cartons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—62

NOES—George D. Collins—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 77

Mr. Geddes asked for, and was granted unanimous consent to take up Senate Bill No. 77, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 77

Senate Bill No. 77—An act to amend Section 11622 of the Insurance Code, relating to insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 871

Mr. Hagen asked for, and was granted unanimous consent to take up Senate Bill No. 871, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 871

Senate Bill No. 871—An act to amend Section 209 of the Penal Code, relating to kidnaping and the punishment therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—71.

NOES—Lowrey—1

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1528

Mr. Davis asked for, and was granted, unanimous consent to take up Senate Bill No. 1528, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1528

Senate Bill No. 1528—An act to amend Sections 9351, 9355, 9359, and 9359.1 of the Government Code, relating to the retirement of Legislators and other state elective officers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—71.

NOES—Burkhalter, Lowrey, and Silliman—3.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT EXPLANATION OF SENATE BILL NO. 1528 BE PRINTED IN JOURNAL

Mr. Maloney asked for, and was granted, unanimous consent that the following explanation, just given by Mr. Davis, relative to Senate Bill No. 1528, be ordered printed in the Journal:

Explanation by Mr. Davis Relative to Senate Bill No. 1528

Senate Bill No. 1528 is a bill to clarify and straighten out some of the sections of the Legislators' Retirement Act. The bill makes one or two changes in policy, as follows:

It provides that present member excluded no Member of the Legislature may enjoy retirement privileges unless that member has served a minimum of six years. If the member has served less than six years, he will be reimbursed for any money paid into the fund. Under the present law a Member of the Legislature can retire with only two years of service. There was one case where a former Member of the Legislature paid only $96 into the fund, or 4 percent on two years' salary at $100 per month, and because he was more than 63 years of age he was able to retire on $30 per month for life. While this bill does not take away the right of that member to continue to draw the $30 per month for life, we believe that if the Legislators' Retirement System is to be preserved, in the future a minimum must be set on the time that a member serves in the Legislature and is able to retire.

Section 1 of the act spells out that a four-year term in the Senate shall mean four calendar years, and a full term in the Assembly shall be deemed to constitute two calendar years, and a full term served by an elective officer of the State whose office is provided for by the Constitution shall be deemed to constitute four calendar years. This is necessary because under the present law a Member of the Legislature may retire at the end of 20 years, regardless of age, and the question has arisen whether or not a member taking office on the first Monday in January, which may in some cases be the eighth day of January, and if at the end of 20 years the first Monday in January did fall on the second day of January, it might be held that he had served six days less than the full 20 years.

The bill also provides that a person shall have 30 days after he ceases to be a Legislator to apply for the retirement. Section 45 clarifies the act to provide that a person who once served in a constitutional office and later served as a Member of the Legislature could count both services toward retirement, and the reverse where a Member of the Legislature is appointed or elected to a constitutional office.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Senate Bill No. 2	Senate Bill No. 729
Senate Bill No. 116	Senate Bill No. 847
Senate Bill No. 300	Senate Bill No. 949
Senate Bill No. 356	Senate Bill No. 1054
Senate Bill No. 512	Senate Bill No. 1093
Senate Bill No. 549	Senate Bill No. 1219
Senate Bill No. 617	Senate Bill No. 1671
Senate Bill No. 700	Senate Bill No. 1687

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 2—An act to amend Section 356 of the Streets and Highways Code, relating to state highways.

Bill read second time, and ordered to third reading.

Senate Bill No. 116—An act to amend Sections 270 and 278 of the Vehicle Code, relating to operators' and chauffeurs' licenses.

Bill read second time, and ordered to third reading.

Senate Bill No. 300—An act to amend Sections 5153.5, 7102.1, and 7104 of the Education Code, relating to the excess cost of educating mentally retarded pupils.

Bill read second time, and ordered to third reading.

Senate Bill No. 356—An act authorizing the Director of Finance to grant certain rights of way to the City of Berkeley and to pay the City of Berkeley the costs incurred by that city in the widening and paving of certain streets in exchange for certain property, and making an appropriation therefor

Bill read second time, and ordered to third reading.

Senate Bill No. 512—An act making an appropriation to the Department of Agriculture for completing construction of the Poultry and Animal Disease Diagnostic and Testing Laboratory at Petaluma.

Bill read second time, and ordered to third reading.

Senate Bill No. 549—An act to add Section 39 to the San Francisco Bay Area Metropolitan Rapid Transit District Act, as enacted by Chapter 1239 of the Statutes of 1949, relating to the establishment of a San Francisco Bay Area Rapid Transit Commission, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

Senate Bill No. 617—An act to provide for the regulation and licensing of interference or attempts to interfere by artificial means with natural condensation and precipitation of rain, snow, moisture or water in any form contained in the atmosphere; to provide for the enforcement of said act and penalties for the violation thereof.

Bill read second time, and ordered to third reading

Senate Bill No. 700—An act to add Section 5500 5 to the Labor Code, relating to workmen's compensation for industrial disease.

Bill read second time, and ordered to third reading.

Senate Bill No. 729—An act to amend Section 2715 and 2713 of the Business and Professions Code, relating to nursing education and directories of nurses.

Bill read second time, and ordered to third reading.

Senate Bill No. 847—An act to amend Section 496 of the Streets and Highways Code, relating to the State Highway System

Bill read second time, and ordered to third reading.

Senate Bill No. 949—An act to repeal Sections 1510, 1511, and 1512 of the Welfare and Institutions Code, and to add Sections 1510, 1511, 1511 3, 1511 5, 1511.7, and 1512 thereto, relating to aid to needy children, in respect to the amount of aid

Bill read second time, and ordered to third reading.

Senate Bill No. 1054—An act to amend Section 11200 of, and to add a new Article 9.5 to Chapter 2, Part 3, Division 6, and to amend Sections 11700, 11701, and 11702, of the Water Code, relating to the Central Valley Project; authorizing certain investigations, studies, and

preparation of plans and specifications for purposes thereof, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

Senate Bill No. 1093—An act to amend Sections 1510, 1512, and 1554 of the Welfare and Institutions Code, relating to aid to needy children, and making an appropriation.

Bill read second time, and ordered to third reading.

Senate Bill No. 1219—An act to amend Section 25301 of the Corporations Code, relating to the salary of the Commissioner of Corporations.

Bill read second time, and ordered to third reading.

Senate Bill No. 1671—An act to add Chapter 5 to Division 2 of the Health and Safety Code, relating to the regulation of the humane use of animals for diagnosis and treatment of human and animal diseases, for research in the advancement of veterinary, dental, medical and biologic sciences, animal and human nutrition, improvement and standardization of laboratory procedures, and to provide for the issuance, suspension and revocation of licenses by the State Department of Public Health, relating to the use of animals for medical research, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

Senate Bill No. 1687—An act providing for the study of a night law course in the City of Sacramento, and the experimental conduct of such a course, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 144

At 10.32 p.m., on motion of Mr. Davis, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 144 passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—59.

NOES—Burke, George D. Collins, Cooke, Doyle, Geddes, Hahn, Luckel, and Morris—8.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1681

Mr. Davis asked for, and was granted unanimous consent to take up Senate Bill No. 1681, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1681

Senate Bill No. 1681—An act making an allocation from the Emergency Fund specified in Item 277 of the Budget Act of 1950, relating to the repair and restoration of property damaged or destroyed by

storms or floods and the expenditure of money appropriated therefor, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stewart, Thomas, Tomlinson, and Waters—62.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stewart, Thomas, Tomlinson, and Waters—62.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Mr. McCarthy:

House Resolution No. 252

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly be and is hereby authorized to act as the authorized representative of the Committee on Rules pursuant to Rule 95 of the Standing Rules of the Assembly for the purpose of approving all long distance telephone calls and telegrams, and be it further

Resolved, That wherever by any resolution of this Assembly amounts are allocated from the Contingent Fund to be expended by the Chief Clerk he is hereby designated to act as the authorized representative of the Committee on Rules for the purpose of making such expenditures as may be authorized by said resolution without the prior approval of the Committee on Rules

Resolution read, and ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 255

Mr. Dunn asked for, and was granted unanimous consent to take up Senate Bill No. 255, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 255

Senate Bill No. 255—An act to add Sections 2103.1 and 8162 to the Education Code, relating to the Public School System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—73

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 950

Mr. Kirkwood asked for, and was granted unanimous consent to take up Senate Bill No. 950, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 950

Senate Bill No. 950—An act to amend and renumber Section 1523.5 of the Welfare and Institutions Code, as added thereto by Chapter 709 of the Statutes of 1951, to be Section 1552.4 thereof, relating to aid to needy children.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Waters, and Mr Speaker—69

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1227

Mr. Erwin asked for, and was granted unanimous consent to take up Senate Bill No. 1227, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1227

Senate Bill No. 1227—An act to amend Section 19627 of the Business and Professions Code, relating to the state revenue derived from horse racing licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—57.

NOES—Beck, Brady, Burkhalter, George D. Collins, Condon, Cooke, Dunn, Kirkwood, Lincoln, Luckel, McCarthy, McGee, Rosenthal, Rumford, and Shaw—15.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 252

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

MR SPEAKER: Your Committee on Rules, to which were referred:

Senate Concurrent Resolution No. 69
Senate Concurrent Resolution No. 77
Senate Concurrent Resolution No. 80

Has had the same under consideration, and reports the same back with the recommendation: Be adopted

SAM L. COLLINS, Chairman

Above reported resolutions ordered on file for adoption.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

MR SPEAKER: Your Committee on Ways and Means, to which were referred:

Senate Bill No. 484
Senate Bill No. 1564
Senate Bill No. 1838

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

SHERWIN, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 484—An act making an appropriation for support of Grand National Junior Livestock Exposition, No. 1-A District Agricultural Association.

Bill read second time, and ordered to third reading.

Senate Bill No. 1564—An act providing for research in reducing sea water to water suitable for domestic and agricultural uses in mass quantities and at low cost, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

Senate Bill No. 1838—An act to add Sections 37 and 38 to the Construction and Employment Act, relating to the allocation of funds to cities, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2113

At 10.55 p.m., on motion of Mr. Rosenthal, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2113 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Henderson, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—66.

NOES—None

Assembly Bill No. 2113 ordered enrolled.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committee would hold a meeting:

Tomorrow, Friday, June 22d, at 9 a.m.—
Rules, in Lounge Room.

FINAL REPORT OF THE ASSEMBLY INTERIM COMMITTEE ON STATE-FEDERAL COOPERATION IN THE DISCOVERY, PRODUCTION, TRANSPORTATION, REFINING, AND USE OF PETROLEUM OIL AND ITS PRODUCTS

LETTER OF TRANSMITTAL

May 1, 1951

HON. SAM L. COLLINS, *Speaker*
California Assembly,
State Capitol Building,
Sacramento, California

DEAR SPEAKER COLLINS: Attached hereto is the Report of the California State Assembly Committee on State-Federal Cooperation in the Discovery, Production, Transportation, Refining, and Use of Petroleum, created by House Resolution No. 195—1949 Session.

Respectfully submitted,

G. DELBERT MORRIS, Chairman
FRANCIS DUNN, JR., Member
JONATHAN J. HOLLIBAUGH, Member
SAM L. COLLINS, Member
CARLEY V. PORTER, Vice Chairman

PRESENT PERSONNEL OF THE COMMITTEE

Pursuant to the resolution creating the committee the committee was established with the following membership:

Hon. G. Delbert Morris, Chairman, Los Angeles, California
Hon. Francis Dunn, Jr., Oakland, California
Hon. Jonathan J. Hollibaugh, Huntington Park, California
Hon. Sam. L. Collins, Fullerton, California
Hon. Carley V. Porter, Compton, California

INTRODUCTION

Due to various changes in the personnel of this committee, including the resignation of the two previous chairmen, the present chairman and vice chairman did not assume those positions until the convening of this present session of the Legislature.

Upon examining into the progress made thus far by the committee towards fulfilling the provisions and directives contained in the resolution passed by the Legislature at the 1949 Session, it was learned that due to the changes in the personnel and chairmanship of the committee, as stated above, certain investigations and other work begun by the committee were being held in abeyance or had been suspended by the last chairman, pending the appointment of a new chairman at this session. For this reason the committee deemed it best to finish these investigations, as well as the other work commenced, to the end that the directives of the Legislature might be successfully complied with and the Members of the Legislature informed as to the present condition and status of the grants of tide, submerged and reclaimed lands which the Legislature had from time to time made to the political subdivisions of the State.

While no formal hearings were held by the committee the members of the committee did meet with each other from time to time while they were engaged on other state business, and while attending other committee meetings, and on such occasions had informal discussions on the subject matter contained in this report and so were able to be in agreement as to the findings, conclusions and recommendations contained in this report. By using this method all of the material and matter contained in this report were obtained without any of the expense and costs that would have attended the holding of public hearings.

The committee wishes to acknowledge and is greatly appreciative of the splendid help and cooperation it was given at all times by the previous chairmen of this committee, the Hon. Ralph C. Dills, now Justice of the Peace in the City of Compton, and by the Hon. Carl Fletcher, now Councilman in the City of Long Beach; as well as the work done in completing the investigations and other work leading up to the compiling of the material and other facts contained in this report by Raymond R. Kahl, investigator for this committee since its creation by the Legislature.

TEXT OF RESOLUTION CREATING COMMITTEE

The text of the resolution creating the Assembly Committee of the California State Legislature on State-Federal Cooperation in the Discovery, Production, Transportation, Refining, and Use of Petroleum follows:

HOUSE RESOLUTION No. 219

Relative to the creation of the Assembly Committee on State-Federal Cooperation in the Discovery, Production, Transportation, Refining, and Use of Petroleum

WHEREAS, An Assembly interim committee on the subject of this resolution was first created in 1943, and committees thereon have subsequently been created; and

WHEREAS, There is a continuing need for legislative investigation, study, and fact-finding in this field, now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Committee on State-Federal Cooperation in the Discovery, Production, Transportation, Refining, and Use of Petroleum Oil and Its Products is hereby created and authorized and directed to ascertain, study, and analyze all facts relating to

(a) The subject (within the scope of legislative regulation and control) of attaining maximum efficiency and minimum waste at all the various phases of the discovery, production, transportation, refining, and use of oil, gas, and other hydrocarbon substances, including production thereof from lands owned by the State, public agencies, and political subdivisions, cooperating therein to the fullest extent in every way with federal agencies; and

(b) The title of the State of California and its grantees in and to the tide, submerged and reclaimed lands lying within its borders and adjacent to its seacoast, the use, administration, and management thereof by the State and its grantees, any attacks by federal officials relating thereto, litigation with reference thereto, and legislation pending in Congress affecting such title, and any and all matters relating thereto or connected therewith or which affect the interests of the State therein; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the report its recommendations for appropriate legislation.

2. The committee shall consist of the Speaker of the Assembly and six Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1949 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties.

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To meet at the State Capitol or at any other place in this State or within the United States.

(f) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of twelve thousand five hundred dollars ($12,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

(Resolution read, as amended. The Assembly Journal, June 20, 1947.)

TEXT OF RESOLUTION CONTINUING COMMITTEE

1951 Session

RESOLUTIONS

The following resolution was offered:

By Mr. Dickey:

House Resolution No. 28

Relative to the continuance of Assembly interim committees

Resolved by the Assembly of the State of California, As follows:

1. Each committee previously created by the Assembly of California and in existence on January 7, 1951, except the Assembly Legislative Process Committee which was continued as an interim committee by House Resolution No. 16, adopted January 8, 1951, is continued as an Assembly committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the commencement of this session Vacancies occurring or existing in the membership of each committee shall be filled by the appointing power

2 Each such committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment, with authority to file its final report not later than the date of adjournment

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly, as soon as such rules are adopted at this session or amended from time to time, become applicable to each committee and its members

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding general session are incorporated herein and made applicable to each such committee and the members thereof.

4 The unexpended balance of the money heretofore made available to each such committee continued by this resolution shall continue to be available for the expenses of the committee to which it was heretofore available and the members thereof and for any charges, expenses, or claims each such committee may incur under this resolution, to be disbursed in the manner heretofore provided

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No 28, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Cloyed, Collier, Geo D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Tomlinson—72.

NOES—None

NECESSITY OF FACTUAL SURVEY

The presence of valuable petroleum deposits beneath tide, submerged, and reclaimed lands and the current controversy between state and federal authorities as to the ownership of such lands has made it imperative that all the facts as to these lands be gathered and made available. The committee authorized the chairman to communicate with every political subdivision to which grants of land have been made since 1851 and to gather data of significance on the administration, use, development, or leasing of such lands.

It has been the practice of the State of California for almost 100 years to grant marsh, tide, submerged, and reclaimed lands to municipal corporations and other political subdivisions in trust in order to promote or advance navigation, harbor development, and other proper public purposes No adequate survey of the scope, desirability, or worthwhile results of this practice of granting state lands has ever been made. The committee has had neither the time nor the technical assistance to complete such a survey and therefore recommends that this matter deserves further, intensive study on the part of the Legislature. The need of such information in order to protect the State's resources in petroleum and to safeguard other paramount public interests in obvious.

STATUTES GRANTING TIDE, SUBMERGED, AND RECLAIMED LANDS—No. 9958

1851 37: 305 Martinez
1851 41· 307 San Francisco
1855. 187: 239 Benicia
1857: 82. 76 Eureka
1857: 132: 155 Sacramento
1867–S 210 202 Monterey
1867–8 299 335 Crescent City
1869–70 137 131 Crescent City
(Amends 1867 Act)
1871–2 263.362 San Bernardino
1871–2:490.722 San Francisco
1871–2 564 825 Marysville
1873–4 113.132 Oakland
1893: 24· 42 San Mateo County
1893. 195. 277 Sonoma County
1909: 390: 665 Oakland
1911: 654 1254 Oakland
1911 656 1256 Los Angeles
1911· 657·1258 Oakland
1911. 676:1304 Long Beach
1911 700 1357 San Diego
1913· 77 77 San Diego
(Amends 1911 Act)
1913: 310· 575 Vallejo
1913: 317: 605 Richmond
1913. 344: 699 Arcata
1913 345. 701 South San Francisco
1913: 347: 705 Berkeley
1913: 348: 707 Alameda
1915 57. 62 Redondo Beach
1915· 438: 724 Eureka
1915: 534: 901 Berkeley
(Amends 1913 Act)
1913: 535 904 Burlingame
1915: 536: 906 San Mateo
1915: 676 1323 San Diego
(Amends 1911 Act)
1917: 28. 18 National City
1917: 59: 63 Oakland
(Amends 1911 Act)
1917 77 89 Venice
1917· 78. 90 Santa Monica
1917: 115 159 Los Angeles
(Amends 1911 Act)
1917: 542: 708 Arcata
1917 594: 907 Alameda
(Amends § 1, Repeals § 2, 1913 Act)
1917 596. 915 Berkeley
(Repeals § 2, 1913 Act)
1917 598. 916 San Diego
(Amends 1911 Act)
1919: 89 133 Richmond
(Authorizing lease of prior grants)
1919. 211: 310 Albany
1919 479. 941 Hermosa Beach
1919 494 1011 Newport Beach
1919 515.1087 Emeryville
1919 516·1088 Oakland
(Amends 1911 and 1917 Acts)
1919 517 1089 Berkeley
(Amends 1913 Act)
1919 526 1138 Orange County
1919· 669 1359 Monterey
1921: 768 1327 Los Angeles City
1923· 46 81 National City
1923: 49. 85 Coronado
1923· 83: 158 San Rafael
1923 174 416 Oakland
1923. 359. 743 San Francisco
1925· 50 112 National City
(Amends 1923 Act)
1925: 56· 129 South San Francisco
1925 78: 181 Santa Barbara
1925 102· 235 Long Beach
1925: 120· 268 Chula Vista
1925: 417: 848 Vallejo

1927: 70: 125 Newport Beach
1927. 187: 343 Eureka
1929. 50: 117 Laguna Beach
1929. 137: 254 Carmel Sanitary District
1929: 442: 807 Martinez
1929: 574: 974 Newport Beach
1929: 575· 975 Orange County
(Amends 1919 Act)
1929: 651.1085 Los Angeles
1929: 681 1172 Coronado
(Amends 1923 Act)
1929: 778:1550 San Diego (City and County)
1929: 813:1704 Newport Beach
1929: 820 1742 San Diego
1931: 621 1346 Oakland
1931. 627·1352 San Francisco
1931: 690·1428 Pacific Grove
1931· 846·1742 Santa Barbara County
1931 937:1943 San Diego
1933. 245 774 San Mateo
1933· 688:1765 San Diego
1933: 849:2217 Coronado
(Amends 1923 Act)
1933· 912·2366 San Francisco
1935. 158 793 Long Beach
(Amends 1925 Act)
1935· 213: 869 San Buenaventura
1935· 231: 910 Pacific Grove
1935: 379·1330 Richmond
1935· 437·1484 San Francisco
1935 687 1876 Santa Cruz
1937. 13. 74 Santa Barbara
(Amends 1925 Act)
1937· 45 115 Oakland
1937: 96· 335 Oakland
(Adds Sec. to 1911 Act)
1937 214 510 City of Pittsburg
1937 343· 752 Oakland
1937: 365· 783 Santa Barbara
(Amends 1925 Act)
1937· 908·2500 Oakland
(Amends 1931 Act)
1939: 143:1258 Oakland
1940 (5th Ex. Sess.): 4: 379 San Francisco
(Amends and adds to 1933 Act)
1941. 9. 390 Santa Barbara
(Amends 1925 Acts)
1941 590:1974 Oakland
1941. 720 2236 Oakland
1942 (2d Ex Sess.): 3 101 San Francisco
(Amends 1933 912)
1943 70 309 San Diego
(Amends 1911 Act)
1943. 119. 820 San Diego
(Amends 1939 Act)
1943 218 1120 Sonoma County
(Amends 1939 Act)
1943· 303·1294 Avalon
1943. 607 2189 Oakland
1943. 987:2001 San Francisco
1945: 218. 686 Oakland
1945: 22 689 San Diego
(Amends 1911 Act)
1945. 225. 692 Eureka
1945· 693 1377 San Diego
(Amends 1929 Act which amended 1911 Act)
1945 1359 2549 Redwood City
1945 1513 2826 Los Angeles
(Amends 1917 Act granting land to Venice)
1947: 183 National City
1947: 184 Chula Vista
1947 197 San Diego
1947: 434 San Francisco
1947: 483 Vallejo
1947 872 San Francisco
1947:1076 San Luis Obispo
1947.1394 Redwood City

COMMUNICATION OF ASSEMBLY INTERIM COMMITTEE ON PETROLEUM PROBLEMS TO POLITICAL SUBDIVISIONS

On February 19, 1951, the chairman sent the following communication to the executive officer of every political subdivision in the State of California to which grants of tide and submerged lands had previously been made:

February 19, 1951

DEAR SIR: On or about the eleventh day of August, 1948, there was sent to the Mayor (or proper official) of your city (or political subdivision) a list of questions prepared by the Assembly Interim Committee on Petroleum Problems created by the Legislature in 1947. To date no reply has been received from your city (or political subdivision) in response to this questionnaire.

According to the resolution creating the committee and continuing it for the year 1951, the Assembly Interim Committee is authorized and directed to ascertain, study, and analyze all facts relating to:

> The title of the State of California and its grantees in and to the tide, submerged and reclaimed lands lying within its borders and adjacent to its seacoast, the use, administration, and management thereof by the State and its grantees, any attacks by federal officials relating thereto, litigation with reference thereto, and legislation pending in Congress affecting such title, and any and all matters relating thereto or connected therewith or which effect the interests of the State therein; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the report its recommendations for appropriate legislation.

In view of the legislative directive, I am enclosing again a copy of the questionnaire. Your files no doubt will contain a copy of the legislative act we sent you respecting the grant of state land to your city (or political subdivision). It is imperative that you or the appropriate official give immediate attention to this matter in order that a complete report and recommendation be made to the 1951 Session of the Legislature.

Yours very truly,

G. DELBERT MORRIS, Chairman
Interim Committee on
Petroleum Problems

QUESTIONNAIRE REGARDING TIDELANDS AND SUBMERGED LANDS GRANTED BY THE STATE

1. Which officer or agency is charged with the duty of administering tidelands and submerged lands that have been granted by the State?
2. What action has been or is being taken for the development and improvement of the granted lands?
3. Have public funds been expended for such purposes, and, if so, approximately in what amount?
4. What improvements have been made pursuant to franchises or leases and what is the approximate value thereof?
5. What franchises or leases of such lands are currently in effect?
6. What are the present annual revenues received by the local agency from such lands, the sources thereof, and the purposes for which such revenues are used?
7. To what extent, if at all, are any of the granted lands occupied or used by individuals or corporations?
8. Has the local agency been divested of title or right to possession of any of the granted lands by reason of conveyance thereof by the local agency, eminent domain proceedings, agreements to determine boundaries, or otherwise?
9. Have any judicial proceedings been commenced against the local agency affecting title or right to possession of any such granted lands? If so, list the names of the cases and state the effect of each judgment.

LIST OF POLITICAL SUBDIVISIONS THAT ANSWERED THE QUESTIONNAIRE

The following political subdivisions responded to the questionnaire on the administration, use, and development of tide and submerged lands granted to them by the State of California.

City of Albany
City of Burlingame
City of Carmel
City of Coronado
City of Eureka
City of Laguna Beach
City of Los Angeles
City of Redondo Beach
City of Richmond
City of San Buenaventura (Ventura)
City of San Diego
City of Santa Rosa (County of Sonoma)

LIST OF POLITICAL SUBDIVISIONS THAT DID NOT RESPOND TO THE QUESTIONNAIRE

The administrative or executive officials of the following political subdivisions did not respond to the questionnaire. The committee is endeavoring to obtain information from these officials, and if the data is secured, it will be incorporated in a supplemental report.

City of Arcata
City of Capitola (Santa Cruz County)
City of Chula Vista
City of Crescent City
City of Emeryville
City of Hermosa Beach
City of Martinez
City of Newport Beach
City of Redwood City
City of San Francisco

ANALYSIS OF GRANTS TO POLITICAL SUBDIVISIONS THAT DID NOT RESPOND TO THE QUESTIONNAIRE

No reply to its questionnaire was received by the committee from the following political subdivisions. In view of the importance of the problems and questions involved in the committee's investigations, it is considered advisable to report on the extent of legislative grants of tide and submerged lands.

Political subdivision	*Number of grants*	*Year of grant*
City of Arcata	2	1913, 1917
City of Chula Vista	2	1925, 1947
City of Crescent City	2	1867–68, 1869–70 *
City of Emeryville	1	1919
City of Hermosa Beach	1	1919
City of Martinez	2	1851, 1929
City of Newport Beach	4	1919, 1927, 1929 1929
City of Redwood City	2	1945, 1947
County of Santa Cruz	1	1935
City and County of San Francisco	11	1851, 1871–72, 1923 1931, 1933, 1935 1940,* 1942,* 1943 1947, 1947

The problem of use and administration of tide, submerged, and reclaimed lands granted to political subdivisions by the State of California, and the probable necessity of reacquisition of such lands by the State in order to protect its interest therein, where such lands have not been used or administered in conformity with the express conditions contained in the statutes of grant, urgently require that the committee take immediate action to gain the requested information from the foregoing subdivisions. Until the committee has received the information requested in its questionnaire from all political subdivisions awarded legislative grants of state tide, submerged, and reclaimed lands, and has investigated the accuracy of the information received and analyzed the same, the committee cannot submit its comprehensive and inclusive report and recommendations to the Assembly.

CITY OF ALBANY

ASSEMBLY BILL No. 731

CHAPTER 211

An act granting certain tidelands and submerged lands of the State of California to the City of Albany, and regulating the management, use and control thereof.

[Approved May 6, 1919]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of Albany, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California, held by said State

* Statute amending previous grant.

by virtue of its sovereignty in and to all tidelands and submerged lands, whether filled or unfilled, which are included within the present boundaries of the City of Albany, to be forever held by said city and by its successors in trust for the use and purposes, and upon the express conditions following, to wit:

(a) That said lands shall be used by said city and its successors, only for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays, and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation, and said city or its successors shall not, at any time, grant, convey, give or alien said lands or any part thereof to any individual, firm or corporation, for any purposes whatever; provided, that said city or its successors may grant franchises thereon, for limited periods, but in no event exceeding 50 years for wharves and other public uses and purposes, and may lease said lands or any part thereof for limited periods, but in no event exceeding 50 years, for the purposes consistent with the trusts upon which said lands are held by the State of California, and with the requirements of commerce or navigation at said harbor.

(b) That said harbor shall be improved by said city without expense to the State, and shall always remain a public harbor for all purposes of commerce and navigation, and the State of California shall have at all times the right to use, without charge, all wharves, docks, piers, slips, quays and other improvements constructed on said lands, or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California.

(c) That in the management, conduct or operation of said harbor, or of any of the utilities, structures or appliances mentioned in paragraph (a), no discrimination in rates, tolls, or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors.

(d) There is hereby reserved, however, in the people of the State of California the absolute right to fish in all the waters of said harbor, with the right of convenient access to said waters over said land for said purpose.

ANALYSIS OF REPLY FROM THE CITY OF ALBANY

The City of Albany has taken no substantial action to comply with the intents and purposes of the grant, and it has expended little public funds for its improvement as of the date of its reply.

In the questions asked the City of Albany, the second question asks: "What action has been or is being taken for the development and improvement of the granted lands?" The only answer to that question was "Buchanan Street is being extended to a width of 80 feet to connect submerged lands with the shore."

The third question is: "Have public funds been expended for such purposes, and, if so, approximately in what amount?" The answer to that was $2,500 a year with no explanation given as to how many years this sum has been spent or how it was being spent.

The fourth question is: "What improvements have been made pursuant to franchises or leases and what is the approximate value thereof?"

The answer to that was: "None."

The answers to all following questions were: "none."

5. What franchises or leases of such lands are currently in effect?

6. What are the present annual revenues received by the local agency from such lands, the sources thereof, and the purposes for which such revenues are used?

7. To what extent, if at all, are any of the granted lands occupied or used by individuals or corporations?

8. Has the local agency been divested of title or right to possession of any of the granted lands by reason of conveyance thereof by the local agency, eminent domain proceedings, agreements to determine boundaries, or otherwise?

9. Have any judicial proceedings been commenced against the local agency affecting title or right to possession of any such granted lands? If so, list the names of the cases and state the effect of each judgment.

The City of Albany received this grant from the State Legislature on May 6, 1919, some 32 years ago, and apparently during these 32 years nothing has been done with this granted land and no efforts have been expended towards improving or putting to any beneficial use the land which the Legislature granted to them in 1919, except for the widening of one street which apparently, from the answers to the questionnaire, has not been completed during these 32 years.

Though the answers to questions 8 and 9 were "none," yet investigation by the committee leads the committee to believe that there might be an overlapping of a federal railroad land grant or a federal railroad in lieu land grant, which might be in conflict with the state land grant made to the City of Albany by the Legislature in 1919. For this reason, the committee believes further examination into these grants, both federal and state, to be mandatory during the coming interim period.

The City of Albany is a good example of the purpose of the investigation by this committee into what has happened to the grants which the State Legislature has made to the various political subdivisions of the State. If further investigation and examination during the next interim period shows the City of Albany grant to be typical of what has happened to the other grants made by the Legislature it might be well for future Legislatures to initiate steps towards repossessing some of the granted lands where the terms of the grants have not been fully complied with.

CITY OF ALAMEDA

ASSEMBLY BILL No. 35

CHAPTER 348

An act granting to the City of Alameda the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the City of Alameda, and regulating the management, use and control thereof.

[Approved June 11, 1913]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of Alameda, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California, held by said

State by virtue of its sovereignty, in and to all the salt marsh, tide and submerged lands, whether filled or unfilled, within the present boundaries of said city, and situated below the line of mean high tide of the Pacific Ocean, or of any harbor, estuary, bay or inlet within said boundaries, to be forever held by said city, and by its successors, in trust for the uses and purposes, and upon the express conditions following, to wit:

That said lands shall be used by said city and its successors, solely for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays, and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation, and said city, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purpose whatsoever; provided, that said city, or its successors, may grant franchises thereon, for limited periods, for wharves and other public uses and purposes, and may lease said lands, or any part thereof, for limited periods, for purposes consistent with the trusts upon which said lands are held by the State of California and with the requirements of commerce or navigation at said harbor, for a term not exceeding 25 years, and on such other terms and conditions as said city may determine, including a right to renew such lease or leases for a further term not exceeding 25 years or to terminate the same on such terms, reservations and conditions as may be stipulated in such lease or leases, and said lease or leases may be for any and all purposes which shall not interfere with navigation or commerce, with reversion to said city on the termination of such lease or leases of any and all improvements thereon, and on such other terms and conditions as the said city may determine, but for no purpose which will interfere with navigation or commerce; subject also to a reservation in all such leases or such wharfing out privileges of a street, or of such other reservation as the said city may determine for sewer outlets, and for gas and oil mains, and for hydrants, and for electric cables and wires, and for such other conduits for municipal purposes, and for such public and municipal purposes and uses as may be deemed necessary by the said city; provided, however, that each person, firm or corporation of their heirs, successors or assigns now in possession of land or lands abutting on said lands, within the boundaries of the City of Alameda, shall have a right to obtain a lease for a term of 25 years from said city of said land and wharfing out privileges therefrom with a right of renewal for a further term of 25 years pursuant to the provisions of this act and on such terms and conditions as said city may determine and specify, subject to the right of said city to terminate said lease at the end of the first 25 years or refuse to renew the same, or to terminate the lease so renewed during the term of such renewed lease on such just and reasonable terms for compensation for improvements at the then value of said improvements as said city may determine and specify.

Upon obtaining such lease and wharfing out privileges such person, firm or corporation, their heirs or assigns, shall quit-claim to said city any right they or any of them may claim or have to the said lands hereby granted.

This grant shall carry the right to such city of the rents, issues and profits in any manner hereafter arising from the lands or wharfing out privileges hereby granted.

The State of California shall have, at all times, the right to use, without charge, all wharves, docks, piers, slips, quays and other improvements constructed on said lands or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California.

No discrimination in rates, tolls or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors in the management, conduct or operation of any of the utilities, structures or appliances mentioned in this section.

There is hereby reserved in the people of the State of California the right to fish in the waters on which said lands may front with the right of convenient access to said waters over said lands for said purpose.

SEC. 2. The foregoing conveyance is made upon the condition that the City of Alameda shall, within five years from the approval of this act, exclusive of such time as said city may be restrained from so doing by injunction issued out of any court of this State or of the United States, and exclusive of such further delay as may be caused by unavoidable misfortune or great public or municipal calamity, issue its bonds for harbor improvement purposes in an amount of money of not less than $200,000, and shall, within five years after the approval of this act, exclusive of the time in this section hereinbefore mentioned, commence the work of such harbor improvement, and the said work and improvement shall be prosecuted with such diligence that not less than $200,000 shall be expended thereon within five years from the approval of this act exclusive of the time in this section hereinbefore mentioned. If said bonds be not issued or said work be not prosecuted and completed as and in the manner herein provided, then the lands by this act conveyed to the City of Alameda shall revert to the State of California.

ASSEMBLY BILL No. 206

CHAPTER 594

An act to amend Section 1 and to repeal Section 2 of an act entitled "An act granting to the City of Alameda the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the City of Alameda, and regulating the management, use and control thereof," approved June 11, 1913.

[Approved May 24, 1917]

The people of the State of California do enact as follows:

SECTION 1. Section 1 of an act entitled "An act granting to the City of Alameda the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the City of Alameda, and regulating the management, use and control thereof," approved June 11, 1913, is hereby amended to read as follows:

Section 1. There is hereby granted to the City of Alameda, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California, held by said

State by virtue of its sovereignty, in and to all the salt marsh, tide and submerged lands, whether filled or unfilled, within the present boundaries of said city, and situated below the line of mean high tide of the Pacific Ocean, or of any harbor, estuary, bay or inlet within said boundaries, to be forever held by said city, and by its successors, in trust for the uses and purposes, and upon the express conditions following, to wit:

That said lands shall be used by said city and its successors, solely for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays, and other utilities, warehouses, factories, storehouses, structures and appliances necessary or convenient for the promotion, benefit and accommodation of commerce and navigation, and said city, or its successors, shall not, except as herein authorized, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purpose whatever; provided, that said city, or its successors, may grant franchises thereon, for limited periods, for wharves and other public uses and purposes, and may lease said lands, or any part thereof, for limited periods, for purposes consistent with the trusts upon which said lands are held by the State of California and this grant, for a term not exceeding 25 years, and on such other terms and conditions as said city may determine, including a right to renew such lease or leases for a further term not exceeding 25 years or to terminate the same on such terms, reservations and conditions as may be stipulated in such lease or leases, and said lease or leases may be for any and all purposes which shall not interfere with navigation or commerce, with reversion to the said city on the termination of such lease or leases of any and all improvements thereon, and on such other terms and conditions as the said city may determine, but for no purpose which will interfere with navigation or commerce; subject also to a reservation in all such leases or such wharfing out privileges of a street, or of such other reservation as the said city may determine for sewer outlets, and for gas and oil mains, and for hydrants, and for electric cables and wires, and for such other conduits for municipal purposes, and for such public and municipal purposes and uses as may be deemed necessary by the said city, upon compensation being made for the injury and damage done to any improvement or structure thereon.

Provided further, that in the granting of any and all such leases the city council shall, whenever in its judgment it can reasonably do so, give preference to the owners of upland abutting on the salt marsh, tide or submerged land proposed to be leased; provided, however, that the said City of Alameda may grant, give, convey and alien such lands or any portion thereof, forever to the United States for public purposes of the United States; provided, however, that no such grant shall be made unless authorized and approved by a vote of the majority of the electors of such municipal corporation voting upon the proposition of making such grant at an election therein, at which such proposition shall have been submitted.

This grant shall carry the right to such city of the rents, issues and profits in any manner hereafter arising from the lands or wharfing out privileges hereby granted.

The State of California shall have, at all times, the right, together with the city if there be no lessee or licensee, or together with the lessee

or licensee, if there be a lessee or licensee, to use, without charge, all wharves, docks, piers, slips, quays constructed on said lands or any part thereof, except wharves, docks, piers, slips, quays or other improvements constructed on such lands by the United States for public purposes of the United States, for any vessel or other water craft, or railroad, owned or operated by the State of California.

No discrimination in rates, tolls or charges for use or in facilities for any use or service in connection with wharves, docks, piers, slips or quays or property operated by the city, or property leased, the use of which is dedicated by the lessee or licensee for a public use, shall ever be made, authorized or permitted.

There is hereby reserved in the people of the State of California the right to fish in the waters on which said lands may front with the right of convenient access to said waters over said lands for said purpose, such enjoyment of access and right to fish to be regulated by ordinance of the City of Alameda, so as not to interfere, obstruct, retard or limit the right of navigation or the rights of lessees or licensees under lease or license given.

All leases and licenses granted by ordinance of the City of Alameda prior to the first day of April, 1917, and the terms and conditions expressed therein are affirmed.

SEC. 2. Section 2 of said act, approved June 11, 1913, is hereby repealed.

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF ALAMEDA

CITY OF ALAMEDA

CALIFORNIA

OFFICE OF
CARL FROERER
CITY MANAGER

August 9, 1948

THE HONORABLE RALPH C. DILLS
Assemblyman, Sixty-ninth District
Chairman, Interim Committee on Petroleum Problems
State Capitol, Sacramento 14, California

DEAR SIR: In response to your inquiry of July 26, 1948, bearing on the subject of tide, submerged and reclaimed lands—we are returning to you the questionnaire submitted with your letter, together with the answers to all questions propounded therein.

We trust this information may be of service to you in your investigation.

Very truly yours,

CARL FROERER
City Manager

QUESTIONNAIRE REGARDING TIDELANDS AND SUBMERGED LANDS GRANTED BY THE STATE

1. Which officer or agency is charged with the duty of administering tidelands and submerged lands that have been granted by the State?

   City Council of the City of Alameda.

2. What action has been or is being taken for the development and improvement of the granted lands?

   Portions of these tidelands are included in the City's Master Plan of Shoreline Development currently before the State Park Commission.

3. Have public funds been expended for such purposes, and, if so, approximately in what amount?

   No public funds have been expended for improvements; expenditures made for planning use of these lands approximates $1,500.

4. What improvements have been made pursuant to franchises or leases and what is the approximate value thereof?

   None.

5. What franchises or leases of such lands are currently in effect?

   No franchises or leases of such lands are currently in effect, but the city has granted a license for the dredging of shells on such lands.

6. What are the present annual revenues received by the local agency from such lands, the sources thereof, and the purposes for which such revenues are used?

   One thousand two hundred dollars per annum from the Pacific Portland Cement Company for the shell dredging license aforementioned which revenues go into the general fund of the city.

7. To what extent, if at all, are any of the granted lands occupied or used by individuals or corporations?

   No such use is being made of the lands under the jurisdiction of the City of Alameda.

8. Has your local agency been divested of title or right to possession of any of the granted land by reason of conveyance thereof by the local agency, eminent domain proceedings, agreements to determine boundaries, or otherwise?

   The United States Navy has acquired possession of approximately one thousand acres in the expansion of its facilities.

9. Have any judicial proceedings been commenced against your local agency affecting title or right to possession of any such granted lands? If so, list the names of the cases and state the effect of each judgment.

   No.

ANALYSIS OF REPLY FROM THE CITY OF ALAMEDA

The City of Alameda has taken no substantial action to comply with the intents and purposes of the grants, and it has expended no public funds for improvements, as of the date of its reply. Whether the city's Master Plan of Shoreline Development conforms to the express conditions of the grant of 1917, Chapter 594, can be determined only upon further investigation. Although no franchises or leases are reported to be in effect, the city derives an income of $1,200 a year from its license to a private concern for dredging of shells from granted land, an activity within the comprehension of the statute of grant No actual use or occupancy of granted lands by corporations or individuals is reported. While the city's reply does not disclose in what manner the United States Navy acquired possession of a portion of the granted lands, the city is expressly authorized by the terms of the 1917 grant to "grant, give, convey, or alien all or a portion of such lands to the United States for public purposes of the United States; provided, however, that no such grant shall be made unless authorized and approved by a vote of the majority of the electors of such municipal corporation voting upon the proposition of making such grant * * *." Investigation by the committee disclosed that the City of Alameda has transferred 2,004 acres of the area granted by the State to the Federal Government. This was done by vote of the people at elections held on November 4, 1930, and January 28, 1936. This land is now occupied by the U. S. Naval Air Station, one of the largest military establishments in the United States. It is to be noted that this station made a significant contribution to the war effort during World War II and is one of the major bases for the Naval Air Force during the present Korean conflict.

In addition this beneficial use of former tidelands has provided employment for thousands of men and women.

Conclusion. However, the reply of the City of Alameda is inconclusive and further investigation is required, in the following particulars: There is some possibility of unauthorized use and administration of granted lands; failure properly to develop the granted lands is indicated, and there is some possibility that the alienation of a portion of the granted lands to the United States did not conform to the conditions of the statute. In addition, the matter of the revenue from the granted lands going into the city's general funds merits examination.

CITY OF AVALON

ASSEMBLY BILL No. 1930

CHAPTER 303

An act granting certain tide lands, submerged lands and filled tide lands of the State of California to the City of Avalon, upon certain trusts and conditions.

[Approved by Governor May 2, 1943 Filed with Secretary of State May 2, 1943]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of Avalon, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California held by said State by virtue of its sovereignty, in and to all of the tide lands, submerged

lands and filled tide lands lying within the corporate limits of the City of Avalon and bordering upon, in and under the Pacific Ocean, situated below the line of mean high tide of the Pacific Ocean, to be forever held by the City of Avalon and its successors in trust for the uses and purposes and upon the express conditions following, to wit:

(a) Said lands shall be used by said city and by its successors solely for the establishment, improvement and conduct of a harbor and for the establishment and construction of bulkheads, or breakwaters for the protection of lands within its boundaries, or for the protection of its harbor, and for the construction, maintenance and operation thereof of wharves, docks, piers, slips, quays, ways and streets and other utilities, structures and appliances necessary or convenient for the promotion or accommodation of commerce and navigation, and for the protection of the lands within said city. And said city or its successors shall not at any time grant, convey, give or alien said lands or any part thereof to any individual, firm or corporation, for any purpose whatever; provided, that said city or its successors may grant franchises thereon for a period not exceeding 50 years for wharves and other public uses and purposes, and may lease said lands or any part thereof for limited periods, in any event not to exceed 50 years for any and all purposes which shall not interfere with commerce or navigation and are not inconsistent with the trusts upon which said lands are held by the State of California or with the requirements of commerce or navigation at said harbor.

(b) Said harbor shall be improved by said city without expense to the State and shall always remain a public harbor for all purposes of commerce and navigation, and the State of California shall have at all times the right to use, without charge, all wharves, docks, piers, slips, quays and other improvement constructed on said lands or any part thereof for any vessel or other water craft or railroad owned or operated by the State of California.

(c) In the management, conduct or operation of said harbor or any of the utilities, structures or appliances mentioned in paragraph (a) no discrimination in rates, tolls, or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city, or by its successors. The absolute right to fish in the waters of said harbor with the right of convenient access to said water over said lands for said purposes is hereby reserved to the people of the State of California.

There is hereby excepted and reserved to the State of California all deposits of minerals, including oil and gas in said land, and to the State of California, or persons authorized by the State of California, the right to prospect for, mine, and remove such deposits from such land.

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF AVALON

August 6, 1948.

ASSEMBLYMAN RALPH C. DILLS
123 N. Tamarind Street
Compton, California

MY DEAR ASSEMBLYMAN: This will acknowledge your letter of July 26th, addressed to Roy E. Taylor in his former capacity as mayor, with which was enclosed a questionnaire regarding tidelands. The city council requested me to reply to your letter, and the answers have been prepared with the assistance of the city attorney.

1. City council.

2. The lands are used for piers, bathing beaches, boats, yachts, vessels, transportation facilities, clubs, bath house and commercial fishing.

3. Yes, whenever necessary. The exact amount annually over a period of years is not readily ascertainable, but probably amounts to $12,000 or $15,000 a year.

4. Improvements were made prior to the legislative act granting these lands to the City of Avalon, other than the city pier.

5. Currently existing leases on bath house, steamer pier and two clubs.

6. Approximately $41,000 annually from leases, dockage and wharfage fees (head tax), booth rentals, business licenses and mooring fees. Revenue used generally for harbor and city pier.

7. Small portion (perhaps 5 percent) under lease as in paragraph 5 above.

8 and 9. No.

I trust that this information satisfies your requirements, but if additional data is needed, I'll be happy to get it for you.

Very truly yours,

GEORGE SHAW
City Business Manager

ANALYSIS OF REPLY FROM THE CITY OF AVALON

The statute of grant to the City of Avalon is broader in its terms and more lenient in its conditions regarding use and administration of granted lands than the interests of the State of California and the general public require. While the statute of grant permits the city to lease granted lands "for any and all purposes which shall not interfere with commerce and navigation," it would appear that leasing of such lands to private clubs

might well be an unauthorized use and administration of those lands, having in view the intent and purpose of such legislation to promote commerce and navigation in the interest of the general public. The presence of commercial fishing privileges, as well as of the private clubs, may constitute unlawful discrimination in violation of Section 1 (c) of the statute of grant of 1943, Chapter 303. Expenditure of public funds for development and improvement of leased lands is not prohibited by the statute, but the fact that such expenditures apparently inure to the benefit of private lease-holders rather than to the general public, to some extent, at least, warrants a searching examination. It should be noted that the city's reply states that improvements pursuant to franchises or leases all were made prior to the legislative grant, no value thereof being given. The sources of revenue from granted lands, as itemized in the reply, appear to be authorized by the broad language of the statute of grant, but should be examined closely because of that broad language of the statute.

Conclusion. The reply of the City of Avalon is unsatisfactory, and further investigation is required, in the following particulars: There is a strong possibility of unauthorized use and administration of granted lands, with particular regard to the nature of certain of the lessees thereof, beneficiaries of public funds expended in the improvement and development of such lands, and source of revenue therefrom. In addition, it should be emphasized that the lenient conditions of the grant do not adequately protect the interests of the State and the general public, in view of the legislative intent and purpose of promotion of commerce and navigation and of the trust for which purposes the granted lands are held by the political subdivisions.

CITY OF BERKELEY

ASSEMBLY BILL No. 1090

CHAPTER 347

An act granting to the City of Berkeley the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the City of Berkeley, and regulating the management, use and control thereof.

[Approved June 11, 1913]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of Berkeley, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California, held by said state by virtue of its sovereignty, in and to all the salt marsh, tide and submerged lands, whether filled or unfilled, within the present boundaries of said city, and situated below the line of mean high tide of the Pacific ocean, or of any harbor, estuary, bay or inlet within said boundaries, to be forever held by said city, and by its successors, in trust for the uses and purposes, and upon the express conditions following, to wit: That said lands shall be used by said city and its successors, solely for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays, and other utilities, structures and appliances necessary or

convenient for the promotion and accommodation of commerce and navigation, and said city, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual firm or corporation for any purpose whatever; provided, that said city, or its successors, may grant franchises thereon, for limited periods, for wharves and other public uses and purposes, and may lease said lands, or any part thereof, for limited periods, for purposes consistent with the trusts upon which said lands are held by the State of California and with the requirements of commerce or navigation at said harbor, for a term not exceeding 25 years, and on such other terms and conditions as said city may determine, including a right to renew such lease or leases for a further term not exceeding 25 years or to terminate the same on such terms, reservations and conditions as may be stipulated in such lease or leases, and said lease or leases may be for any and all purposes which shall not interfere with navigation or commerce, with the reversion to the said city on the termination of such lease or leases of any and all improvements thereon, and on such other terms and conditions as the said city may determine, but for no purpose which will interfere with navigation or commerce; subject also to a reservation in all such leases or such wharfing out privileges of a street, or of such other reservation as the said city may determine for sewer outlets, and for gas and oil mains, and for hydrants, and for electric cables and wires, and for such other conduits for municipal purposes, and for such public and municipal purposes and uses as may be deemed necessary by the said city; provided, however, that each person, firm or corporation or their heirs, successors or assigns now in possession of land or lands abutting on said lands, within the boundaries of the City of Berkeley, shall have a right to obtain a lease for a term of 25 years from said city of said land and wharfing out privileges therefrom with a right of renewal for a further term of 25 years pursuant to the provisions of this act and on such terms and conditions as said city may determine and specify, subject to the right of said city to terminate said lease at the end of the first 25 years or refuse to renew the same, or to terminate the lease so renewed during the term of such renewed lease on such just and reasonable terms for compensation for improvements at the then value of said improvements as said city may determine and specify. Upon obtaining such lease and wharfing out privileges such person, firm or corporation, their heirs or assigns, shall quit-claim to said city any right they or any of them may claim or have to the said lands hereby granted. This grant shall carry the right to such city of the rents, issues and profits in any manner hereafter arising from the lands or wharfing out privileges hereby granted The State of California shall have, at all times, the right to use, without charge, all wharves, docks, piers, slips, quays and other improvements constructed on said lands or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California No discrimination in rates, tolls or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors in the management, conduct or operation of any of the utilities, structures or appliances mentioned in this section There is hereby reserved in the people of the State of California the right to fish in the waters on which said lands may front with the right of convenient access to said waters over said lands for said purpose.

SEC. 2. The foregoing conveyance is made upon the condition that the City of Berkeley shall, within five years from the approval of this act, exclusive of such time as said city may be restrained from so doing by injunction issued out of any court of this State or of the United States, and exclusive of such further delay as may be caused by unavoidable misfortune or great public or municipal calamity, issue its bonds for harbor improvement purposes in an amount of money of not less than $500.000 and shall, within five years after the approval of this act, exclusive of the time in this section hereinbefore mentioned, commence the work of such harbor improvement, and the said work and improvement shall be prosecuted with such diligence that not less than $500.000 shall be expended thereon within five years from the approval of this act exclusive of the time in this section hereinbefore mentioned. If said bonds be not issued or said work be not prosecuted and completed as and in the manner herein provided, then the lands by this act conveyed to the City of Berkeley shall revert to the State of California

ASSEMBLY BILL No. 262

CHAPTER 596

An act to repeal Section 2 of an act entitled "An act granting to the City of Berkeley the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the City of Berkeley, and regulating the management, use and control thereof," approved June 11, 1913, also approved May 27, 1915.

[Approved May 24, 1917]

The people of the State of California do enact as follows :

SECTION 1. Section 2 of an act entitled "An act granting to the City of Berkeley the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the City of Berkeley, and regulating the management, use and control thereof," approved June 11, 1913, also approved May 27, 1915, is hereby repealed.

ASSEMBLY BILL No. 57

CHAPTER 534

An act to amend an act entitled "An act granting to the City of Berkeley the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the City of Berkeley, and regulating the management, use and control thereof," approved June 11, 1913.

[Approved May 27, 1915]

The people of the State of California do enact as follows:

SECTION 1. Section 1 of an act entitled "An act granting to the City of Berkeley the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the City of Berkeley, and regulating the management, use and control thereof," approved June 11, 1913, is hereby amended to read as follows:

Section 1. There is hereby granted to the City of Berkeley, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California, held by said State by virtue of its sovereignty, in and to all the salt marsh, tide and submerged

lands, whether filled or unfilled, within the present boundaries of said city, and situated below the line of mean high tide of the Pacific Ocean, or of any harbor, estuary, bay or inlet within said boundaries, to be forever held by said city, and by its successors, in trust for the uses and purposes, and upon the express conditions following, to wit: That said lands shall be used by said city and its successors, solely for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays, and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation, and said city, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purpose whatever; provided, that said city, or its successors, may grant franchises thereon, for limited periods, for wharves and other public uses and purposes, and may lease said lands, or any part thereof, for limited periods, for purposes consistent with the trusts upon which said lands are held by the State of California and with the requirements of commerce or navigation at said harbor, for a term not exceeding 25 years, and on such other terms and conditions as said city may determine, including a right to renew such lease or leases for a further term not exceeding 25 years or to terminate the same on such terms, reservations and conditions as may be stipulated in such lease or leases, and said lease or leases may be for any and all purposes which shall not interfere with navigation or commerce, with the reversion to the said city on the termination of such lease or leases of any and all improvements thereon, and on such other terms and conditions as the said city may determine, but for no purpose which will interfere with navigation or commerce; subject also to a reservation in all such leases or such wharfing out privileges of a street, or of such other reservation as the said city may determine for sewer outlets, and for gas and oil mains, and for hydrants, and for electric cables and wires, and for such other conduits for municipal purposes, and for such public and municipal purposes and uses as may be deemed necessary by the said city; provided, however, that each person, firm or corporation or their heirs, successors or assigns now in possession of land or lands abutting on said lands, within the boundaries of the City of Berkeley, shall have a right to obtain a lease for a term of 25 years from said city of said land and wharfing out privileges therefrom with a right of renewal for a further term of 25 years pursuant to the provisions of this act and on such terms and conditions as said city may determine and specify, subject to the right of said city to terminate said lease at the end of the first 25 years or refuse to renew the same, or to terminate the lease so renewed during the term of such renewed lease on such just and reasonable terms for compensation for improvements at the then value of said improvements as said city may determine and specify. Upon obtaining such lease and wharfing out privileges such person, firm or corporation, their heirs or assigns, shall quit-claim to said city any right they or any of them may claim or have to the said lands hereby granted. This grant shall carry the right to such city of the rents, issues and profits in any manner hereafter arising from the lands or wharfing out privileges hereby granted. The State of California shall have, at all times, the right to use, without charge, all wharves, docks, piers, slips, quays and other improvements

constructed on said lands or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California. No discrimination in rates, tolls or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors in the management, conduct or operation of any of the utilities, structures or appliances mentioned in this section. There is hereby reserved in the people of the State of California the right to fish in the waters on which said lands may front with the right of convenient access to said waters over said lands for said purpose.

SEC. 2. Section 2 of an act entitled "An act granting to the City of Berkeley the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the City of Berkeley, and regulating the management, use and control thereof," approved June 11, 1913, is hereby amended to read as follows:

Sec. 2 The foregoing conveyance is made upon the condition that the City of Berkeley shall, on or before the first day of July in the year 1920, issue its bonds for harbor improvements in an amount of money of not less than five hundred thousand dollars ($500,000), and shall within said time commence the work of such harbor improvement, and the said work and improvement shall be prosecuted with such diligence that not less than five hundred thousand dollars ($500,000) shall be expended thereon within such time; provided, however, that should the said City of Berkeley be restrained from so prosecuting the work of such harbor improvements by injunction, issued out of any court of this State or of the United States, or the further delay as a result of any unavoidable misfortune of great public or municipal calamity then, and in such event, such time shall not be included within the time herein set forth, but whatever length of time of said city shall be prevented from commencing or completing such harbor improvement as the result of such injunction or unavoidable misfortune of great public or municipal calamity, such time caused by such delay shall be added to the time herein set forth. If said bonds be not issued or said work be not prosecuted and completed as, and in the manner herein provided, then the lands by this act conveyed to the City of Berkeley shall revert to the State of California.

ASSEMBLY BILL No. 732

CHAPTER 517

An act to amend Section 1 of an act entitled "An act to amend an act entitled 'An act granting to the City of Berkeley the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the City of Berkeley, and regulating the management, use and control thereof,' approved June 11, 1913," approved May 27, 1915.

[Approved May 27, 1919]

The people of the State of California do enact as follows:

SECTION 1. Section 1 of the act entitled "An act to amend an act entitled 'An act granting to the City of Berkeley the salt marsh, tide and submerged lands of the State of California, including the right to

wharf out therefrom to the City of Berkeley, and regulating the management, use and control thereof,' approved June 11, 1913,'' approved May 27, 1915, is hereby amended to read as follows:

Section 1. There is hereby granted to the City of Berkeley, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California, held by said State by virtue of its sovereignty in and to all tidelands and submerged lands, whether filled or unfilled, which are included within the present boundaries of the City of Berkeley, to be forever held by said city and by its successors in trust for the use and purposes, and upon the express conditions following, to wit:

(a) That said lands shall be used by said city and its successors, only for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays, and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation, and said city or its successors shall not, at any time, grant, convey, give or alien said lands or any part thereof, to any individual, firm or corporation, for any purposes whatever; provided, that said city or its successors may grant franchises thereon, for limited periods, but in no event exceeding 50 years for wharves and other public uses and purposes, and may lease said lands or any part thereof for limited periods, but in no event exceeding 50 years, for the purposes consistent with the trusts upon which said lands are held by the State of California, and with the requirements of commerce or navigation at said harbor.

(b) That said harbor shall be improved by said city without expense to the State, and shall always remain a public harbor for all purposes of commerce and navigation, and the State of California shall have at all times the right to use, without charge, all wharves, docks, piers, slips, quays and other improvements constructed on said lands, or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California.

(c) That in the management, conduct or operation of said harbor, or any of the utilities, structures or appliances mentioned in paragraph (a), no discrimination in rates, tolls, or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors.

(d) There is hereby reserved, however, in the people of the State of California the absolute right to fish in all the waters of said harbor, with the right of convenient access to said waters over said land for said purpose.

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF BERKELEY

CITY OF BERKELEY
CALIFORNIA

ROSS MILLER, CITY MANAGER

September 1, 1948

HON. RALPH C. DILLS, *Chairman*
Interim Committee on Petroleum Problems
State Capitol, Zone 14, Sacramento, California

DEAR SIR: I am setting forth below the answers to the questions regarding tidelands and submerged lands granted by the State, which you recently forwarded to the mayor.

1. Administration of tidelands and submerged lands in this city is by the council through the city manager.

2. In 1935-37 a yacht harbor was developed in Berkeley on the city-owned tidelands. Prior to that time there existed a municipally-owned dock and warehouse and the pier of the Golden Gate Ferry Co. The municipal dock and warehouse still are being operated under lease from the city. The ferries have not run for some years and the pier is used as a fishing pier to provide recreation for persons in this area.

3. Public funds have expended for the yacht harbor improvements and equipment amounting to approximately $227,500. During the war, the U. S. Navy used portions of the yacht harbor and installed an additional pier therein. This pier has recently been acquired by the city and while we do not have any cost figures on it, our best estimate would be an additional $50,000.

4. The only improvement made on the tidelands pursuant to a lease was the construction of the Golden Gate Ferry Pier. This pier is approximately three miles long and it is estimated that the cost was approximately $34 per lineal foot. Due to long years of service the present value is questionable.

5. There are no franchises currently in effect on such lands. There are two leases. The first grants certain concessions at the yacht harbor for the repair of boats, pier, or chandlery, the operation of a marine gas and oil service station, and the warehouse and dock. There is a second lease also covering the lifting and repair of boats.

6. The annual revenue from the yacht harbor and the leases for the Fiscal Year ending June 30, 1948, total $31,151.78. These are derived from charges for anchorage, berths, storage, special services, and the leases.

7. The Berkeley tidelands are used and occupied by industries and corporations only to the extent of two leases as mentioned above.

8. The City of Berkeley has not been divested of title, right, possession or of any of the granted tidelands, in any manner whatsoever. No judicial proceedings have been commenced against the City of Berkeley affecting tidelands or right to possession of any such lands.

If there is any additional information which you desire, I shall be glad to send it.

Sincerely,

ROSS MILLER, City Manager

ANALYSIS OF THE REPLY OF THE CITY OF BERKELEY

The reply of the City of Berkeley is unsatisfactory in only one particular: The purpose to which revenues from the granted lands are applied. The report, at face value, indicates substantial compliance with the conditions of the statutes of grant and the trust under which such lands are held.

Conclusion. The committee should investigate the purposes to which revenues from state-granted lands are applied by the City of Berkeley, to determine if there has been a violation of any of the express conditions of the statutes of grant.

CITY OF BURLINGAME

ASSEMBLY BILL No. 485

CHAPTER 535

An act granting to the City of Burlingame the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom, and regulating the management, use and control thereof.

[Approved May 27, 1915]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of Burlingame, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California, held by said State by virtue of its sovereignty, in and to all the salt marsh, tide and submerged lands, whether filled or unfilled, within the present boundaries of said city, and situated below the line of mean high tide of the Pacific Ocean, or of any harbor, estuary, bay or inlet within said boundaries, to be forever held by said city, and by its successors, in trust for the uses and purposes, and upon the express conditions following, to wit: that said lands shall be used by said city and its successors, solely for the establishment, improvement and conduct of a harbor, and for the contruction, maintenance and operation thereon of wharves, docks, piers, slips, quays, and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation, and said city, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purpose whatever; provided, that said city, or its successors, may grant franchises thereon, for limited periods, for wharves and other public uses and purposes, and may lease said lands, or any part thereof, for limited periods, for purposes consistent with the trusts upon which said lands are held by the State of California and with the requirements of commerce or navigation at said harbor, for a term not exceeding 25 years, and on such other terms and conditions as said city may determine, including a right to renew such lease or leases for a further term not exceeding 25 years or to terminate the same on such terms, reservations and conditions as may be stipulated in such lease or leases, and said lease or leases may be for any and all purposes which shall not interfere with navigation or commerce, with reversion to the said city on the termination of such lease or leases of any and all improvements thereon, and on such other terms and conditions as the said city may determine, but for no

purpose which will interfere with navigation or commerce; subject also to a reservation in all such leases or such wharfing out privileges of a street, or of such other reservation as the said city may determine for sewer outlets, and for gas and oil mains, and for hydrants, and for electric cables and wires, and for such other conduits for municipal purposes, and for such public and municipal purposes and uses as may be deemed necessary by the said city; provided, however, that each person, firm or corporation or their heirs, successors or assigns now in possession of land or lands abutting on said lands, within the boundaries of the City of Burlingame, shall have a right to obtain a lease for a term of 25 years from said city of said land and wharfing out privileges therefrom with a right of renewal for a further term of 25 years pursuant to the provisions of this act and on such terms and conditions as said city may determine and specify, subject to the right of said city to terminate said lease at the end of the first 25 years or refuse to renew the same, or to terminate the lease so renewed during the term of such renewed lease on such just and reasonable terms for compensation for improvements at the then value of said improvements as said city may determine and specify. Upon obtaining such lease and wharfing out privileges such person, firm or corporation, their heirs or assigns, shall quitclaim to said city any right they or any of them may claim or have to the said lands hereby granted. This grant shall carry the right to such city of the rents, issues and profits in any manner hereafter arising from the lands or wharfing out privileges hereby granted. The State of California shall have, at all times, the right to use, without charge, all wharves, docks, piers, slips, quays and other improvements constructed on said lands or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California. No discrimination in rates, tolls or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors in the management, conduct or operation of any of the utilities, structures or appliances mentioned in this section. There is hereby reserved in the people of the State of California the right to fish in the waters on which said lands may front with the right of convenient access to said waters over said lands for said purpose.

SEC. 2. The foregoing conveyance is made upon the condition that the City of Burlingame shall, within five years from the time this act shall go into effect, exclusive of such time, as said city may be restrained from so doing by injunction, issued out of any court of this State or of the United States, and exclusive of such further delay as may be caused by unavoidable misfortune or great public or municipal calamity, issue its bonds for harbor improvement purposes in an amount of money of not less than $100,000, and shall, within five years after this act shall go into effect, exclusive of the time in this section hereinbefore mentioned, commence the work of such harbor improvement, and the said work and improvement shall be prosecuted with such diligence that not less than $100,000 shall be expended thereon within five years from the time this act shall go into effect, exclusive of the time in this section hereinbefore mentioned. If said bonds be not issued or said work be not prosecuted and completed as and in the manner herein provided, then the lands by this act conveyed, to the City of Burlingame, shall revert to the State of California.

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF BURLINGAME

The City of Burlingame
SAN MATEO COUNTY
CALIFORNIA

March 14, 1951

MR G. DELBERT MORRIS, *Chairman*
Interim Committee on Petroleum Problems
State Capitol, Sacramento, California

DEAR MR. MORRIS: Your letter of February 15th, with questionnaire regarding tidelands, submerged and reclaimed lands granted by the State, which was addressed to Mayor Love, has been referred to this office for reply.

The City of Burlingame does not have any state-granted property of that nature, but we do have approximately 90 acres of tideland on the bayshore near Broadway which was purchased from private owners for the construction of a disposal plant and for use as a municipal waste fill.

Very truly yours,

HERBERT K. WHITE
City Clerk

ANALYSIS OF THE REPLY OF THE CITY OF BURLINGAME

The reply of the City of Burlingame is completely unsatisfactory in view of the attached statute of grant of 1915, Chapter 535. Immediate on-the-spot investigation, survey, and research is necessary to protect the interest of the State of California in the granted lands. It is apparent that there has been no compliance whatsoever with the statute of grant, with particular regard to the development and improvement of the granted lands.

Conclusion. It is probable that investigation by the committee will indicate the advisability of reacquisition by the State of California of the salt marsh, tide, and submerged lands granted to the City of Burlingame.

CITY OF CARMEL-BY-THE-SEA

ASSEMBLY BILL No. 652

CHAPTER 137

An act granting certain overflowed lands, marsh lands, tidelands, and submerged lands of the State of California to the Carmel Sanitary District.

[Approved by the Governor April 17, 1929]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the Carmel Sanitary District, a sanitary district of the State of California, and to its successors, all the right, title, and interest of the State of California, held by said state by virtue of its sovereignty, in and to all the overflowed lands, marsh lands, tidelands, and submerged lands, whether filled or unfilled, at and about the mouth and estuary of the Carmel River, between the United States meander line and the northern boundaries of certain Spanish land grant lands, said sovereign lands of the State of California being more particularly described as follows, to wit: beginning at a post, said post being a witness corner between sections eleven (11) and fourteen (14), township sixteen south, range one west, Mount Diablo meridian, said post further being the intersection between said section line and said United States meander line; thence along said United States meander line in a westerly and southerly direction to the north bank of the Carmel River at or near the mouth of said river; thence in an easterly direction along the north bank of the Carmel River along said United States meander line to the intersection of said meander line and the north boundary line of the Spanish land grant lands of the Rancho el Portrero, and Rancho San Jose y sur Chiquito; thence westerly following said north boundary of said Spanish land grant lands along the south bank of the Carmel River to the mouth of the Carmel River; then westerly and southerly for a distance of 3,000 feet; thence due west into Pacific Ocean to the intersection of said line and the 20-fathom line; thence northerly along said 20-fathom line to the point of the intersection of said 20-fathom line and the westerly prolongation of the said section line between sections eleven (11) and fourteen (14) as hereinabove described; thence along said line in an easterly direction to the point of beginning; all said lands being sovereign lands of the State of California.

SEC. 2. None of said lands shall be used or devoted to any purpose other than for necessary and convenient sanitary facilities, said uses to conform in principle and in practice to the rules and regulations of the Board of Health of the State of California; and for other public uses not inconsistent with the terms of this grant as may from time to time arise; and said Carmel Sanitary District and its successors, shall not at any time grant, convey or alien said lands, or any portion thereof, to any person, firm or corporation for any purpose whatsoever; provided, however, that nothing contained herein shall be so construed as to prevent the granting or use of franchises, or leases, of limited duration for rights of way in, under, over, or across said lands for power, telephone, telegraph, or cable lines, or for other public purposes consistent with the trust under which these lands are granted and held.

SEC. 3. Any improvement to, or upon said lands shall be made by the Carmel Sanitary District without expense to the State of California, and such improvements shall always remain for public purposes, and for none other; and the State of California shall have at all times the right to use, without charge, all wharves, docks, piers, slips, quays, or other improvement constructed on said lands, or any part thereof, for any vessel or other water craft, or raiload owned and opeated by the State of California.

SEC. 4. In the management, conduct, and use of said lands, or of the improvements thereto or thereupon, or of any of the utilities, appliances or structures placed thereon, no discrimination in the rates, tolls, or charges or in the use, or service in connection therewith, shall ever be made, authorized, or permitted by the said Carmel Sanitary District, or by its successors.

SEC. 5. The absolute right to fish in the waters of the Pacific Ocean over said lands, with the right of convenient access to said waters over said lands, for said purpose, is hereby expressly reserved to the people of the State of California.

SEC. 6. The provisions of this act shall be liberally construed both as to the provisions specifically set forth herein, and those which are necessary and incident thereto, and which it would be competent for the act to set forth specifically and in detail, to effect and promote the objects hereof. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act and each section, subsection, sentence, clause and phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

SEC. 7. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution of the State of California, and shall take effect immediately.

The facts constituting such an urgency are as follows:

The lands mentioned in Section 1 hereof are needed by the Carmel Sanitary District for additions to and development of its disposal plant, to take care of sewage within the thickly populated territory of the district, and if such sewage is not taken care of promptly, the lives and health of the citizens residing therein will be menaced and endangered.

QUESTIONNAIRE REGARDING TIDELANDS AND SUBMERGED LANDS GRANTED BY THE STATE

1. Which officer or agency is charged with the duty of administering tidelands and submerged lands that have been granted by the State? None have been granted to this city.
2. What action has been or is being taken for the development and improvement of the granted lands? None.
3. Have public funds been expended for such purposes, and, if so, approximately in what amount? No.
4. What improvements have been made pursuant to franchises or leases and what is the approximate value thereof? None.

5. What franchises or leases of such lands are currently in effect? None.
6. What are the present annual revenues received by the local agency from such lands, the sources thereof, and the purposes for which such revenues are used? None.
7. To what extent, if at all, are any of the granted lands occupied or used by individuals or corporations? None.
8. Has the local agency been divested of title or right to possession of any of the granted lands by reason of conveyance thereof by the local agency, eminent domain proceedings, agreements to determine boundaries, or otherwise? No.
9. Have any judicial proceedings been commenced against the local agency affecting title or right to possession of any such granted lands? If so, list the names of the cases and state the effect of each judgment. No.

CITY OF CARMEL BY THE SEA
By PETER MAWDSLEY, City Clerk

Note: The Carmel Sanitary District (mentioned in your letter) is not coterminous with the city but includes all of the city.

ANALYSIS OF THE REPLY OF THE CARMEL SANITARY DISTRICT

The reply of the Carmel Sanitary District, through the City of Carmel by the Sea, by the city clerk thereof, is completely unsatisfactory. The reply is evasive in its answer to Question One of the committee's questionnaire, that "none (tidelands and submerged lands) have been granted to this city." The reply further states that "the Carmel Sanitary District * * * is not coterminous with the city but includes all of the city." The fact remains that the city government is charged with the administration of the Carmel Sanitary District.

Conclusion. Probable noncompliance with the statute of grant or unauthorized use and administration of the granted lands are indicated by the reply of the Carmel Sanitary District. To protect the interest of the State of California and of the general public in the granted lands, the committee immediately should procure a survey of the granted lands and conduct an investigation into the use and administration thereof. Such survey and investigation probably will indicate the necessity of reacquisition of the granted lands by the State of California.

CITY OF CORONADO

ASSEMBLY BILL No. 637

CHAPTER 49

An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of Coronado in furtherance of navigation, commerce and fisheries and providing for the government, management and control thereof.

[Approved April 27, 1923]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted and conveyed to the City of Coronado, a municipal corporation in the County of San Diego, State of California, all the right, title and interests of the State of California, held by said State by virtue of its sovereignty, in and to all the tide lands

and submerged lands (whether filled or unfilled), within the present boundaries of said city and situated upon the Coronado side of the Bay of San Diego, in the County of San Diego, State of California, lying between the line of mean high tide and the pier head line in said bay, as the same has been or may hereafter be established by the Federal Government, and between the prolongation of the easterly boundary line of the City of Coronado into Glorietta Bay, a portion of the said San Diego Bay, and the prolongation of the westerly boundary line of the City of Coronado into Spanish Bight, a portion of said San Diego Bay; to be forever held by said City of Coronado in trust for the uses and purposes and upon the express conditions following, to wit:

(a) That said lands shall be used by said city for the establishment, improvement and conduct of the harbor and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays, and other utilities, structures and appliances necessary or convenient for the promotion of commerce and navigation and fisheries and for the establishment and maintenance of bath houses and bathing facilities necessary or convenient for the inhabitants of said city, and said city shall not at any time grant, convey, give or alien said lands or any part thereof to any individual, firm or corporation for any purpose whatsoever; provided, that said city may grant franchises thereon for wharves and other public uses and purposes, and may lease said lands or any party thereof for a period not exceeding 25 years for purposes consistent with the trust upon which said lands are held by the State of California and with the requirements of commerce or navigation of said harbor;

(b) That said harbor shall be improved by said city without expense to the State of California, and it shall always remain a public harbor for all purposes of commerce, navigation, and the State of California shall have at all times the right to use without charge all wharves, docks, piers, slips, quays and other improvements constructed on said land or any part thereof for any vessel or other water craft or railroad, owned and operated by the State of California;

(c) That in the management, conduct or operation of said harbor or of any of the utilities, structures or appliances mentioned in paragraph (a) no discrimination in rates, tolls or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city.

Reserving, however, for the people of the State of California the absolute right to fish in the waters of said harbor with the right of convenient access to said waters over said lands for said purpose.

SENATE BILL No. 160

CHAPTER 681

An act to amend Section 1 of an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of Coronado in furtherance of navigation, commerce and fisheries and providing for the government, management and control thereof," approved April 27, 1923.

[Approved by the Governor June 4, 1951]

The people of the State of California do enact as follows:

SECTION 1. Section 1 of an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of Coronado in furtherance of navigation, commerce and fisheries and providing for the government, management and control thereof," approved April 27, 1923, is hereby amended to read as follows:

Section 1. There is hereby granted and conveyed to the City of Coronado, a municipal corporation in the County of San Diego, State of California, all the right, title and interest of the State of California, held by said State by virtue of its sovereignty, in and to all the tidelands and submerged lands (whether filled or unfilled), within the present boundaries of said city and situated upon the Coronado side of the Bay of San Diego, in the County of San Diego, State of California, lying between the line of mean high tide and the pierhead line in said bay, as the same has been or may hereafter be established by the Federal Government, and between the prolongation of the easterly boundary line of the City of Coronado into Glorietta Bay, a portion of the said San Diego Bay, and the prolongation of the westerly boundary line of the City of Coronado into Spanish Bight, a portion of said San Diego Bay; to be forever held by said City of Coronado in trust for the uses and purposes and upon the express conditions following, to wit:

(a) That said lands shall be used by said city for the establishment, improvement and conduct of the harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays and other utilities, structures and appliances necessary or convenient for the promotion of commerce, navigation and fisheries, and for the establishment and maintenance of bath houses and bathing facilities and boat houses necessary or convenient for the inhabitants of said city and said city shall not at any time grant, convey, give or alien said lands or any part thereof to any individual, firm or corporation for any purpose whatsoever; provided, however, that said City of Coronado may grant franchises thereon for wharves, docks, piers, slips, quays, bath houses and bathing facilities, boat houses and any other public uses and purposes, and may lease said lands or any part thereof for any of said uses or purposes hereinabove enumerated, for any purposes consistent with the trust upon which said lands are held by the State of California, and with the requirements of commerce or navigation of said harbor, to person, firms or corporations for a period not exceeding 50 years; provided, however, that said city may have the right to renew such lease or leases for the further term not exceeding 25 years, or to terminate the same upon such

terms, reservations and conditions as may be stipulated in such lease or leases.

Every such lease shall provide for the payment of rentals to the City of Coronado, which said rentals shall either be at an agreed figure, or shall be arrived at in such manner as may be mutually agreed upon, and provided for in said lease or leases.

Said leases shall also provide that at no time during their term, shall the said City of Coronado be required to make any improvements on or for the benefit of the leased lands. Every lease so executed shall reserve to the board of trustees and to the people of the City of Coronado, the right and privilege by ordinance duly adopted, to terminate, change or modify such lease or leases on such terms, reservations and conditions as may be stipulated in such lease or leases

(b) That said harbor shall be improved by said city without expense to the State of California, and it shall always remain a public harbor for all purposes of commerce, navigation, and the State of California shall have at all times the right to use without charge all wharves, docks, piers, slips, quays and other improvements constructed on said land or any part thereof for any vessel or other water craft or railroad, owned and operated by the State of California.

(c) That in the management, conduct or operation of said harbor or of any of the utilities, structures or appliances mentioned in paragraph (a) no discrimination in rates, tolls or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city.

Reserving, however, for the people of the State of California the absolute right to fish in the waters of said harbor with the right of convenient access to said water over said lands for said purpose.

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF CORONADO

CITY OF CORONADO
CALIFORNIA

OFFICE OF
CITY MANAGER

March 17, 1951.

MR. G. DELBERT MORRIS, *Chairman*
Interim Committee on Petroleum Products
Sacramento State Capitol Building
Sacramento 14, California

DEAR MR. MORRIS: Your letter of February 15, 1951, addressed to G. F. Neal, has been referred to me for reply A search of our files fails to disclose the questionnaire mentioned therein. I am answering your

questions regarding tidelands and submerged lands, in the order presented:

1. Coronado City Council.
2. Lands are leased to private concerns for purposes of navigation, commerce and fisheries, etc.
3. No.
4. Approximately $300,000 in improvements due to leases.
5. One lease and franchise to San Diego & Coronado Ferry Company; the rest in 20-year leases to private concerns for various uses.
6. Annual income of $9,800 applied as provided herein, and replacement, improvement, etc.
7. Approximately 55 percent.
8. No.
9. No.

NOTE: Answer to Question 7 does not include 40 acres of tidelands leased to F. P. H. A.—Housing Project—and 130 acres leased to U. S. Navy for amphibious training base.

Very truly yours,

GLENN WADE
Acting City Manager

ANALYSIS OF THE REPLY OF THE CITY OF CORONADO

The reply of the City of Coronado is indefinite with respect to the development and improvement of granted lands, and no reasonable inference as to compliance with the statute of grant may be drawn from the vague answer to Question 2 of the questionnaire. The answer to Question 5, relating to leases and franchises of granted lands currently in effect, is indefinite and requires investigation into both the aggregate number of existing leases and franchises and the uses to which the granted lands are put by lease and franchise holders. The purposes for which revenues from granted lands are used is not clear. If such revenues are expended in improving or for the benefit of the leased land, such purposes constitute a violation of the express conditions of the statute of grant of 1929, Chapter 681. Particular examination should be made of the lease and franchise to the San Diego and Coronado Ferry Company, with emphasis on the terms and provisions thereof. Investigation of the two leases to the Federal Government, mentioned in the note at the conclusion of the reply, also should be made.

Conclusion. The reply of the City of Coronado is unsatisfactory, and further investigation is required, in the following particulars: Additional and more explicit information is needed regarding the development and improvement of the granted lands and regarding leases thereof and franchises thereon, so that the data relating thereto available to the committee will be more definite and certain. Further investigation and examination may well indicate unauthorized use and administration of the granted lands, and the committee can thereupon determine the advisability of reacquisition of the granted lands by the State of California.

CITY OF EUREKA

SENATE BILL No. 1219

An act granting to the City of Eureka tide and submerged lands of the State of California, including the right to wharf out therefrom to the City of Eureka, and regulating the management, use and control thereof.

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of Eureka, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California, held by said State by virtue of its sovereignty, in and to all tide and submerged lands, whether filled or unfilled, situate in the County of Humboldt, State of California, and described as follows, to wit:

Beginning at the corner common to Sections 14, 15, 22 and 23, T. 5 N., R. 1 W., H. M.; thence north between Sections 14 and 15, T. 5 N., R. 1 W., H. M., 1,167.24 feet to the United States bulkhead line (established by the United States Government for the harbor lines of Humboldt Bay) said bulkhead line being the south line of Arcata Channel; thence along said United States bulkhead line N. 68° 37′ 20″ E. 251.37 feet; N. 62° 49′ 05″ E. 563.05 feet; N. 54° 30′ 36″ E. 1,559.20 feet to the end of said bulkhead line as established at present; thence continuing along the low water line of Humboldt Bay or the south margin of the Arcata Channel N. 57° 54′ 36″ E. 2,146.31 feet; thence leaving said south margin of Arcata Channel and run S. 27° 49′ 46″ E. 2,090 27 feet; thence S. 67° 16′ W. 2,580.85 feet to the end of the present bulkhead line as established along the north margin of Eureka Channel by the United States Government; thence along said United States Government bulkhead line above mentioned S. 65° 02′ 57″ W. 2,669.85 feet to the section line running between Sections 22 and 23, T. 5 N., R. 1 W., H. M.; thence north along said Section line 411.35 feet to the point of beginning, containing 189.10 acres; provided, that all that portion of land within the above described property conforming to the following description, to wit: All that portion of Woodley Island lying east of the section line between Sections 14 and 15 and 22 and 23, T. 5 N., R. 1 W., H. M., and claimed by Carson, Ohman and Elsemore, consisting of 14 8 acres, and all that portion of Daby Island within the above-mentioned description claimed by Thomas Bair, consisting of 18.1 acres, shall be excluded from this conveyance, leaving thereby subject to this grant a net acreage of 156.2 acres.

Said lands shall be forever held by said city, and by its successors, in trust for the uses and purposes, and upon the express conditions following, to wit:

That said lands shall be used by said city and its successors, solely for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays, and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation, and said city, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purpose whatever; provided, that said city,

or its successors, may grant franchises thereon, for limited periods, for wharves and other public uses and purposes, and may lease said lands, or any part thereof, for limited periods, for purposes consistent with the trusts upon which said lands are held by the State of California and with the requirements of commerce or navigation at said harbor, for a term not exceeding 25 years, and on such other terms and conditions as said city may determine, including a right to renew such lease or leases for a further term not exceeding 25 years or to terminate the same on such terms, reservations and conditions as may be stipulated in such lease or leases, and said lease or leases may be for any and all purposes which shall not interfere with navigation or commerce, with reversion to the said city on the termination of such lease or leases of any and all improvements thereon, and on such other terms and conditions as the said city may determine, but for no purpose which will interfere with navigation or commerce; subject also to a reservation in all such leases or such wharfing out privileges of a street, or of such other reservation as the said city may determine for sewer outlets, and for gas and oil mains, and for hydrants, and for electric cables and wires, and for such other conduits for municipal purposes, and for such public and municipal purposes and uses as may be deemed necessary by the said city, provided, however, that each person, firm or corporation or their heirs, successors or assigns now in possession of land or lands abutting on said lands within the boundaries of the City of Eureka, shall have a right to obtain a lease for a term of 25 years from said city of said land and wharfing out privileges therefrom with a right of renewal for a further term of 25 years pursuant to the provisions of this act and on such terms and conditions as said city may determine and specify, subject to the right of said city to terminate said lease at the end of the first 25 years or refuse to renew the same, or to terminate the lease so renewed during the term of such renewed lease on such just and reasonable terms for compensation for improvements at the then value of said improvements as said city may determine and specify.

Upon obtaining such lease and wharfing out privileges such person, firm or corporation, their heirs or assigns, shall quit-claim to said city any right they or any of them may claim or have to the said lands hereby granted.

This grant shall carry the right to such city of the rents, issues and profits in any manner hereafter arising from the lands or wharfing out privileges hereby granted.

The State of California shall have, at all times, the right to use, without charge, all wharves, docks, piers, slips, quays and other improvements constructed on said lands or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California.

No discrimination in rates, tolls or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors in the management, conduct or operation of any of the utilities, structures or appliances mentioned in this section.

There is hereby reserved in the people of the State of California the right to fish in the waters on which said lands may front with the right of convenient access to said waters over said lands for said purpose

SENATE BILL No. 102

CHAPTER 187

An act granting to the City of Eureka tide and submerged lands of the State of California including the right to wharf out therefrom to the City of Eureka and regulating the management, use and control thereof.

[Approved by the Governor April 20, 1927]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of Eureka, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California, held by said State by virtue of its sovereignty, in and to all tide and submerged lands whether filled or unfilled, situate in the County of Humboldt of the State of California and described as follows, to wit:

Beginning at a point 1783 feet west and 474 feet north of the section corner, common to sections 13, 14, 23 and 24, township 5 north, range 1 west, Humboldt meridian, and running thence N. 60° 55′ E., 195 36 feet; thence N 60° 55′ E 195.36 feet; thence S. 80° 30′ E., 532.62 feet; thence S. 46° 33′ E , 325.38 feet; thence S 61° 40′ E., 474.54 feet; thence S. 52° 41′ E , 752.4 feet; thence S. 66° 03′ E., 367 62 feet; thence S. 51° 43′ E., 281 16 feet; thence S. 77° 00′ E , 509.52 feet; thence S. 66° 00′ E., 306.90 feet; thence S 38° 47′ E., 446 62 feet; thence S. 62° 52′ E., 323.24 feet; thence N. 85° 07′ E., 347.16 feet; thence S. 77° 10′ E , 182.82 feet; thence N. 61° 40′ E., 540.54 feet; thence N. 70° 21′ E., 543.84 feet; thence S. 49° 38′ E., 514 24 feet; thence N. 84° 36′ E., 338.58 feet; thence N. 73° 15′ E., 287.76 feet; thence N. 36° 22′ E., 345.18 feet; thence N. 18° 43′ E., 133 98 feet; thence N. 23° 12′ W., 295.68 feet; thence N. 11° 28′ E., 331 98 feet; thence N. 79° 40′ E , 960 feet; thence N. 33½° E., 680 feet, thence N. 45½° E., 660 feet; thence N. 22° E., 396 feet; thence N. 62° E , 475 feet; thence N. 86° E., 500 feet; thence S. 77° E., 540 feet; thence S 85° E., 370 feet; thence N. 62° E., 230 feet; thence N. 36° E., 380 feet; thence N 70½° E., 980 feet to the most southerly corner of tideland survey No. 121; thence N 29½° W., 1505 feet; thence N. 38° W., 2350 feet; thence N. 48½° W , 2838 feet; thence S. 61° 30′ W. 8030 feet; thence S. 27° 50′ E., 2090 27 feet; thence S. 67° 16′ W , 2580 feet; thence S. 81° E , 1100 feet to point of beginning, containing approximately 1299 acres.

Said lands shall be forever held by said city and by its successors, in trust for the uses and purposes, and upon the express conditions following, to wit:

That said lands shall be used by said city and its successors solely for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation, and said city, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purpose whatever; provided, that said city, or its successors, may grant franchises thereon, for limited periods, for wharves and other public uses and purposes, and may lease said lands

or any part thereof, for limited periods, for purposes consistent with the trusts upon which said lands are held by the State of California, and with the requirements of commerce or navigation at said harbor, for a term not exceeding 25 years, and on such other terms and conditions as said city may determine, including a right to renew such lease or leases for a further term not exceeding 25 years or to terminate the same on such terms, reservations and conditions as may be stipulated in such lease or leases, and said lease or leases may be for any and all purposes which shall not interfere with navigation or commerce, with reversion to the said city on the termination of such lease or leases of any and all improvements thereon, and on such other terms and conditions as the said city may determine, but for no purpose which will interfere with navigation or commerce; subject also to a reservation in all such leases or such wharfing out privileges of a street or of such other reservation as the said city may determine for sewer outlets, and for gas and oil mains, and for hydrants, and for electric cables and wires, and for such other conduits for municipal purposes and for such public and municipal purposes and uses as may be deemed necessary by the said city; provided, however, that each person, firm or corporation or their heirs, successors or assigns now in possession of land or lands abutting on said lands within the boundary of the City of Eureka shall have a right to obtain a lease for a term of 25 years from said city of said lands and wharfing out privileges therefrom with a right of renewal for a further term of 25 years pursuant to the provisions of this act and on such terms and conditions as said city may determine and specify, subject to the right of said city to terminate said lease at the end of the first 25 years or refuse to renew the same or to terminate the lease so renewed during the term of such renewed lease on such just and reasonable terms for compensation for improvements at the then value of said improvements as said city may determine and specify.

Upon obtaining such lease and wharfing out privileges such person, firm or corporation, their heirs or assigns, shall quit claim to said city any right they or any of them may claim or have to the said lands thereby granted.

This grant shall carry the right to such city of the rents, issues and profits in any manner hereafter arising from the lands or wharfing out privileges hereby granted.

The State of California shall have, at all times, the right to use, without charge, all wharves, docks, piers, slips, quays and other improvements constructed on said lands or any part thereof, for any vessel or other watercraft, or railroad, owned or operated by the State of California.

No discrimination in rates, tolls or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors in the management, conduct or operation of any of the utilities, structures or appliances mentioned in this section.

There is hereby reserved in the people of the State of California the right to fish in the waters on which said lands may front with the right of convenient access to said waters over said lands for said purpose.

SENATE BILL No. 406

CHAPTER 225

An act granting certain salt marsh, tide and submerged lands of the State of California to the City of Eureka, including the management, use, and control thereof.

[Approved by Governor May 3, 1945. Filed with Secretary of State May 3, 1945]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of Eureka, a municipal corporation of the State of California, and to its successors, all the right, title and interest now held by the State of California by virtue of its sovereignty, in and to all lands, salt marsh, tidelands, submerged lands, and swamps and overflowed lands lying on the southerly, easterly and southeasterly side of the thread of the Main Channel and the Arcata Channel as the same now exists in Humboldt Bay, and situated within the following described sections, to wit: All of Secs. 14, 15, 22, 23, 24 and 33; the SW. ¼ of the SW. ¼ of Sec 13; the SE. ¼ of Sec. 16; the E. ½ and the SE. ¼ of the SW. ¼ of Sec. 21; the NW. ¼ of Sec. 27; the E. ½ of the NW. ¼, the E. ½ of the SW. ¼ and the SW. ¼ of the SW. ¼ of Sec 28; the E. ½ of the NE. ¼ and the SE. ¼ of Sec. 32; all in T. 5 N., R. 1 W., H. B. & M.; the N. ½ of Sec. 4; the NE. ¼ of Sec. 5; all in T. 4 N., R. 1 W., H. B & M.

To be forever held by said city, and its successors, in trust for the uses and purposes and upon the express conditions following, to wit:

(a) That said lands shall be used by said city, and its successors, only for the establishment, improvement, and conduct of a harbor, and for the construction, maintenance, and operation thereon of wharves, docks, piers, slips, quays, and other utilities, structures, facilities, and appliances necessary or convenient for the promotion and accommodation of commerce and navigation; and said city, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purposes whatever; provided, that said city, or its successors, may grant franchises thereon for limited periods (but in no event exceeding 50 years), for wharves and other public uses and purposes and may lease said lands, or any part thereof, for limited periods (but in no event exceeding 50 years), for purposes consistent with the trust upon which said lands are held by the State of California, and with the requirements of commerce and navigation at said harbor.

(b) That said lands shall be improved by said city without expense to the State, and shall always remain available for public use for all purposes of commerce and navigation, and the State of California shall have at all times, the right to use, without charge, all wharves, docks, piers, slips, quays, and other improvements and facilities constructed on said lands, or any part thereof, for any vessel or railroad, owned or operated by the State of California.

(c) That in the management, conduct or operation of said harbor, or of any of the utilities, structures, appliances or facilities mentioned in paragraph (a), no discrimination in rates, tolls, or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors.

(d) There is hereby reserved, however, in the people of the State of California the absolute right to fish in the waters of said harbor with the right of convenient access to said waters over said lands for said purposes.

(e) There is hereby excepted and reserved to the State of California all deposits of minerals, including oil and gas, in said land, and to the State of California, or persons authorized by the State of California, the right to prospect for, mine, and remove such deposits from said land.

(f) The lands herein described are granted subject to the express reservation and condition that the State may at any time in the future use said lands or any portion thereof for highway purposes without compensation to the city, its successors or assigns, or any person, firm or public or private corporation claiming under it, except that in the event improvements have been placed upon the property taken by the State for said purposes, compensation shall be made to the person entitled thereto for the value of his interest in the improvements taken or the damages to such interest.

SEC. 2. If any provision of this act or the application thereof to any person or circumstance is held invalid, the remainder of this act, or the application of such provision to other persons or circumstances, shall not be affected thereby.

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF EUREKA

OFFICE OF THE
MAYOR
CITY OF EUREKA, CALIFORNIA
JOHN F. LANGER, JR., MAYOR

March 13, 1951

MR. G. DELBERT MORRIS, *Member of Assembly*
California Legislature, Sacramento 14, California

HONORABLE SIR: I am submitting answers to the questions enclosed in your communication of February 19, 1951.

Trusting this information will be of help to you for the facts that are necessary for the desired legislative action.

Yours truly,

J. F. LANGER, JR.
Mayor

ANSWERS TO QUESTIONNAIRE

1. The mayor and superintendent of public works.
2. Whenever a prospective renter appears desiring to lease or rent tideland property, according to our charter, we have to advertise said piece of property for lease or rent and prospective tenant bids on the property.
3. We have floated a bond issue for the sum of $200,000 for the development of a small boat harbor for recreation and fishing boats.
4. Part of the property under lease have buildings on it and the tenants, according to lease agreement, maintain them and make any alteration at their expense with the city council approval. One company has a 50-year lease and their plans call for approximately a $250,000 expenditure. Another company expects to spend $75,000 for needed improvements.
5. We have five leases in effect at the present time.
6. Our approximate yearly revenues are around $6,000. This is used to retire the $200,000 bonded indebtedness.
7. The leased lands are used by a shipping corporation, two oil corporations and three fish companies.
8. No.
9. No.

ANALYSIS OF THE REPLY OF THE CITY OF EUREKA

The reply of the City of Eureka is indefinite with respect to the development and improvement of the granted lands, in that the answer by the city to Question 2 of the questionnaire appears to have no relationship to the question. The answer to Question 3 discloses that action has been taken leading to certain developments and improvements which will in the future constitute substantial compliance with the statutes of grant, but the present use and administration of the granted lands is not shown. The uses to which such lands are put by the five lessees thereof should be examined by the committee. Admitted use of the granted lands by a shipping corporation, two oil corporations, and three fishing companies may or may not constitute violation of the conditions of the statutes of grant or of the public trust under which such lands are held by the city.

Conclusion. The reply of the City of Eureka is unsatisfactory, and further investigation is required, in the following particulars: Additional and more explicit information is necessary regarding the development and improvement of the granted lands and regarding leases thereof and franchises thereon, so that the data relating thereto available to the committee will be more definite and certain. Further investigation and examination will enable the committee to determine any unauthorized use and administration of the granted lands and the advisability of reacquisition of the granted lands by the State of California.

CITY OF LAGUNA BEACH

ASSEMBLY BILL No. 31

CHAPTER 50

An act granting certain tidelands and submerged lands of the State of California to the City of Laguna Beach upon certain trusts and conditions.

[Approved by the Governor April 6, 1929]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of Laguna Beach, a municipal corporation of the State of California, and to its successors, all of the right, title and interest of the State of California, held by the State of California by virtue of its sovereignty, in and to all of the tidelands and submerged lands, whether filled or unfilled, bordering upon, under, and situated below the ordinary high-tide line of the Pacific ocean, or of any harbor, estuary, bay or inlet, which are within the corporate limits of said city, to be forever held by the City of Laguna Beach and by its successors, in trust for the uses and purposes and upon the express conditions following, to wit:

(a) That none of said lands shall be used or devoted to any purposes other than public park, parkway, highway, playground, or public recreation or enjoyment, the establishment, improvement and conduct of a harbor and the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays, and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation; and the City of Laguna Beach, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purpose whatsoever; provided, however, that nothing herein contained shall be so construed as to prevent the use or granting of easements, franchises or leases for limited periods, or rights of way in, under, over or across said tidelands or submerged lands for power, telephone, telegraph or cable lines or landings, sewage disposal conduits and other sewage works, wharves and other public uses and purposes consistent with the trusts upon which said lands are held.

(b) That such lands devoted to the conduct of a harbor shall be improved by the City of Laguna Beach without expense to the State and such harbor shall always remain a public harbor for all purposes of commerce and navigation, and the State of California shall have, at all times, the right to use, without charge, all wharves, docks, piers, slips, quays and other improvements constructed on said lands, or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California.

(c) That in the management, conduct or operation of said harbor, or any of the utilities, structures or appliances mentioned in paragraph (a) no discrimination in rates, tolls or charges, or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by the City of Laguna Beach or by its successors.

(d) The absolute right to fish in the waters of the Pacific Ocean over said tidelands and submerged lands, with the right of convenient access to said waters over said lands for such purpose is hereby expressly reserved to the people of the State of California.

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF LAGUNA BEACH

City of Laguna Beach

LAGUNA BEACH, CALIFORNIA

OFFICE OF
ED H. BEAVER
CITY CLERK

306 THIRD STREET
TELEPHONE 4-1041

March 17, 1951

THE HONORABLE G. DELBERT MORRIS
Chairman, Interim Committee on Petroleum Problems
State Capitol, Sacramento 14, California

DEAR SIR: Your letter of February 19, 1951, directed to former Mayor Emerson B. Milnor, enclosing questionnaire relative to tidelands and submerged lands granted this city by the State, has been referred to the undersigned for answer.

I have answered the questions and am enclosing the questionnaire herewith.

Very truly yours,

ED H. BEAVER
City Clerk

QUESTIONNAIRE REGARDING TIDELANDS AND SUBMERGED LANDS GRANTED BY THE STATE

1. What officer or agency is charged with the duty of administering tidelands and submerged lands that have been granted by the State? None appointed.
2. What action has been or is being taken for the development and improvement of the granted lands? None.
3. Have public funds been expended for such purposes, and, if so, approximately in what amount? No.
4. What improvements have been made pursuant to franchises or leases and what is the approximate value thereof? None.
5. What franchises or leases of such lands are currently in effect? None.
6. What are the present annual revenues received by the local agency from such lands, the sources thereof, and the purposes for which such revenues are used? None.
7. To what extent, if at all, are any of the granted lands occupied or used by individuals or corporations? No occupancy.
8. Has the local agency been divested of title or right to possession of any of the granted lands by reason of conveyance thereof by the local agency, eminent domain proceedings, agreements to determine boundaries, or otherwise? No.
9. Have any judicial proceedings been commenced against the local agency affecting title or right to possession of any such granted lands? If so, list the names of the cases and state the effect of each judgment. No.

ANALYSIS OF THE REPLY OF THE CITY OF LAGUNA BEACH

The reply of the City of Laguna Beach to the questionnaire is self-explanatory. It is evident that there has been a complete lack of compliance by the city with the intents, purposes, and conditions of the statute of grant, in that there has been no action taken toward development and improvement of the granted lands.

Conclusion. The recommendation of the committee with respect to the lands granted to the City of Laguna Beach is set forth in the recommendations by the committee set forth at the conclusion of this report.

CITY OF LONG BEACH

CHAPTER 676

An act granting to the City of Long Beach the tidelands and submerged lands of the State of California within the boundaries of the said city.

[Approved May 1, 1911]

The people of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. There is hereby granted to the City of Long Beach, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California, held by said State by virtue of its sovereignty, in and to all the tidelands and submerged lands, whether filled or unfilled, within the present boundaries of said city, and situated below the line of mean high tide of the Pacific Ocean, or of any harbor, estuary, bay or inlet within said boundaries, to be forever held by said city, and by its successors, in trust for the uses and purposes, and upon the express conditions following, to wit:

(a) That said lands shall be used by said city and by its successors, solely for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays, and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation, and said city, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purpose whatsoever; provided, that said city, or its successors, may grant franchises thereon, for limited periods, for wharves and other public uses and purposes, and may lease said lands, or any part thereof, for limited periods, for purposes consistent with the trusts upon which said lands are held by the State of California and with the requirements of commerce or navigation at said harbor;

(b) That said harbor shall be improved by said city without expense to the State, and shall always remain a public harbor for all purposes of commerce and navigation, and the State of California shall have, at all times, the right to use, without charge, all wharves, docks, piers, slips, quays and other improvements constructed on said lands, or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California;

(c) That in the management, conduct or operation of said harbor, or of any of the utilities, structures or appliances mentioned in paragraph (a), no discrimination in rates, tolls, or charges, or in facilities, for any

use or service in connection therewith shall ever be made, authorized or permitted by said city or by its successors;

Reserving, however, in the people of the State of California the absolute right to fish in the waters of said harbor, with the right of convenient access to said waters over said lands for said purpose.

ASSEMBLY BILL No. 1236

CHAPTER 102

An act granting certain tidelands and submerged lands of the State of California to the City of Long Beach upon certain trusts and conditions.

[Approved by the Governor April 28, 1925]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of Long Beach, a municipal corporation of the State of California, and to its successors, all of the right, title and interest of the State of California, held by said State by virtue of its sovereignty, in and to all of the tidelands and submerged lands, whether filled or unfilled, bordering upon, under, and situated below the mean high-tide line of the Pacific Ocean, or of any harbor, estuary, bay or inlet, which are within the corporate limits of said city, to be forever held by said city, and by its successors, in trust for the uses and purposes and upon the express conditions following, to wit:

(a) That none of said lands shall be used or devoted to any purposes other than public park, parkway, highway, playground, the establishment, improvement and conduct of a harbor and the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation; and said city, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purpose whatsoever; provided, however, that nothing herein contained shall be so construed as to prevent the granting or use of easements, franchises or leases for limited periods, or rights of way in, under, over or across said tidelands or submerged lands for power, telephone, telegraph or cable lines or landings, sewage disposal conduits, wharves and other public uses and purposes consistent with the trusts upon which said lands are held.

(b) That said lands devoted to the conduct of a harbor shall be improved by said city without expense to the State and such harbor shall always remain a public harbor for all purposes of commerce and navigation, and the State of California shall have, at all times, the right to use, without charge, all wharves, docks, piers, slips, quays and other improvements constructed on said lands, or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California.

(c) That in the management, conduct or operation of said harbor, or of any of the utilities, structures or appliances mentioned in paragraph (a), no discrimination in rates, tolls or charges, or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or by its successors.

(d) The absolute right to fish in the waters of the Pacific Ocean over said tidelands and submerged lands, with the right of convenient access to said waters over said lands for said purpose is hereby expressly reserved to the people of the State of California.

ASSEMBLY BILL No. 2387

CHAPTER 158

An act to amend Section 1 of an act entitled "An act granting certain tidelands and submerged lands of the State of California to the City of Long Beach upon certain trusts and conditions," approved April 28, 1925, relating to the use of such tidelands and submerged lands.

[Approved by the Governor May 7, A D. 1935]

The people of the State of California do enact as follows:

SECTION 1. Section 1 of the act cited in the title hereof, is hereby amended to read as follows:

Section 1. There is hereby granted to the City of Long Beach, a municipal corporation of the State of California, and to its successors, all of the right, title and interest of the State of California, held by said State by virtue of its sovereignty, in and to all of the tidelands and submerged lands, whether filled or unfilled, bordering upon, under and situated below the mean high-tide line of the Pacific Ocean, or of any harbor, estuary, bay or inlet, which are within the corporate limits of said city, to be forever held by said city, and by its successors, in trust for the uses and purposes and upon the express conditions following, to wit:

(a) That none of said lands shall be used or devoted to any purposes other than public park, parkway, highway, playground, the establishment, improvement and conduct of a harbor and the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation; and said city, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purpose whatsoever; provided, however, that nothing herein contained shall be so construed as to prevent the granting or use of easements, franchises or leases for limited periods, or rights of way in, under, over or across said tidelands or submerged lands for power, telephone, telegraph or cable lines or landings, sewage disposal conduits, wharves and other public uses and purposes consistent with the trusts upon which said lands are held, or the leasing or use of such tidelands or submerged lands for limited periods for the construction, maintenance, and operation of nonprofit benevolent and charitable institutions organized and conducted for the promotion of the moral and social welfare of seamen, naval officers and enlisted men, and other persons engaged in and about the harbor and commerce, fishery, and navigation.

(b) That said lands devoted to the conduct of a harbor shall be improved by said city without expense to the State and such harbor shall always remain a public harbor for all purposes of commerce and navigation, and the State of California shall have, at all times, the

right to use, without charge, all wharves, docks, piers, slips, quays and other improvements constructed on said lands, or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California.

(c) That in the management, conduct, or operation of said harbor, or any of the utilities, structures or appliances mentioned in paragraph (a), no discrimination in rates, tolls or charges, or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or by its successors.

(d) The absolute right to fish in the waters of the Pacific Ocean over said tidelands and submerged lands, with the right of convenient access to said waters over said lands for said purpose is hereby expressly reserved to the people of the State of California.

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF LONG BEACH

CITY OF LONG BEACH

Long Beach 2, California

CARL B WIRSCHING
City Manager

October 11, 1948

October 11, 1948

HONORABLE RALPH C. DILLS, Assemblyman
69th District, *California Legislature*
State Capitol, Sacramento 14, California

DEAR SIR: On August 11, you forwarded to Mayor Chace, City of Long Beach, a questionnaire requesting information regarding tidelands and submerged lands granted by the State. This questionnaire has been answered in full and is attached herewith.

You will note that a portion of the questionnaire has been answered by including certain material identified as Exhibits A, B, C, and D, these being a statement, under oath, made by Irving M. Smith, City Attorney, and certain letters received in this office in regard to revenues since January 1, 1948.

We have made every effort to give complete answers to your questions, and hope that this information will meet with your satisfaction.

Yours very truly,

CARL B. WIRSCHING
City Manager

QUESTIONNAIRE REGARDING TIDELANDS AND SUBMERGED LANDS GRANTED BY THE STATE

Question: Which office or agency is charged with the duty of administering tidelands and submerged lands that have been granted by the State?

Answer: The tidelands and submerged lands within the harbor district are administered by the Board of Harbor Commissioners and the port manager of the city. The tidelands and submerged lands within the city limits outside the harbor district are administered by the city manager subject to policy determined by the city council.

Question: What action has been or is being taken for the development and improvement of the granted lands?

Question: Have public funds been expended for such purposes, and, if so, approximately in what amount?

Answer: Attached herewith marked "Exhibit A" is a statement entitled, "Statement of Irving M. Smith, City Attorney, on Behalf of the City of Long Beach, California, to the Committee on the Judiciary of the United States Senate in Support of S. 1988," which fully answers Questions 2 and 3, for the period prior to January 1, 1948. Also attached herewith marked "Exhibits B, C, and D," are copies of letters addressed to the city manager submitting statements for the period January 1, 1948, to the present time.

Question: What improvements have been made pursuant to franchises or leases and what is the approximate value thereof?

Answer: The only lease is that held by Neptune Pier Company which was granted May 29, 1914, expiring December 1, 1948, pursuant to which said pier company constructed the Neptune Pier and improvements thereon.

Question: What franchises or leases of such lands are currently in effect?

Answer: Under an agreement entered into with said company April 2, 1942, the city receives $1,000 a year.

Question: What are the present annual revenues received by the local agency from such lands, the sources thereof, and the purposes for which said revenues are used?

Answer: See Exhibits A, B, C, and D.

Question: To what extent, if at all, are any of the granted lands occupied or used by individuals or corporations?

Answer: The City of Long Beach occupies, maintains, and controls all the subject lands. Under contractual agreements, portions of said lands are used by Long Beach Oil Development Company, a corporation; and Richfield Oil Company, a corporation, for oil development. Except for the franchise-lease to Neptune Pier Company, above referred to, and two minor leases on short term bases to catering companies, there are no other leaseholds. As to port facilities, a number of steamship companies maintain offices under revocable permits.

Question: Has your local agency been divested of title or right to possession of any of the granted lands by reason of conveyance thereof by the local agency, eminent domain proceedings, agreements to determine boundaries, or otherwise?

Answer: The answer is "no."

Question: Have any judicial proceedings been commenced against your local agency affecting title or right to possession of any such granted lands? If so, list the names of the cases and state the effect of each judgment.

Answer: Although the city is not a party to the case of *United States of America* v *California*, No. 12 Original, that litigation affects all the tidelands and submerged lands within the city limits and three miles from shore, granted to the city by the State of California by the grant of May 1, 1911 (1911 Statutes, p. 1304), as amended by the 1925 and 1935 grants (1925 Statutes, p. 235, and 1935 Statutes, p. 794). There are 13,027 acres of tidelands and submerged lands, including reclaimed

tide and submerged lands within the corporate limits of the city, which have been conveyed to the city by said state grants. The city's interest in said litigation is set forth in the accompanying statement above referred to at pages 14 and 15.

A suit is pending, i.e., *Long Beach Bath House and Amusement Company, a corporation, and Continental Southern Corporation, Plaintiffs,* v. *City of Long Beach,* No. 530211, in the Superior Court of the State of California, in and for the County of Los Angeles. In this suit the plaintiffs claim title to the accretions between Rainbow Pier and Silver Spray Pier. The city has filed an answer therein claiming ownership of said accretions. This case has not yet been set for trial.

Another suit is pending, i.e., *Albert V. Abrams, Leona E. Abrams, Vaughn M. Abrams and Gwenvyne Abrams, Plaintiffs,* v. *City of Long Beach et al.,* No. 546583, in the Superior Court of the State of California, in and for the County of Los Angeles. In this suit plaintiffs claim some rights in the tidelands and submerged lands within the Harbor District and those outside of and east of the Harbor District up to a line running north and south approximating the line of Pine Avenue projected seaward. Plaintiffs claim that said tide and submerged lands are owned by the Federal Government and their rights therein are based upon certain applications filed with the Federal Government for oil and gas leases covering said lands Plaintiffs seek to enjoin the city and its oil drilling contractors from drilling oil wells and operating the same and for an accounting of all moneys received by the city from its tideland oil development. The city has filed its answer denying that said tidelands and submerged lands are owned by the Federal Government and asserting that title thereto is vested in the City of Long Beach. This case has not yet been set for trial.

There are no other suits or judicial proceedings now pending affecting the city's title or right to possession of the tidelands and submerged lands conveyed to it by state grants.

Exhibit A

Statement of Irving M. Smith, City Attorney, on Behalf of the City of Long Beach, California, to the Committee on the Judiciary of the United States Senate in Support of S. 1988

Mr. Chairman and Members of the Committee:

My name is Irving M. Smith, City Attorney of the City of Long Beach, California. I appear on behalf of the City of Long Beach to urge favorable action on and adoption by the Congress of Bill No. S. 1988, now being considered by your committee, whereby the Federal Government shall recognize, confirm, establish and vest in the respective states and their respective grantees and all persons lawfully entitled thereto title to and ownership of all lands beneath navigable waters within the boundaries of the respective states, and the natural resources within such lands and waters, and the right and power to control, develop and use said natural resources in accordance with applicable state law, to the end that by said legislation the City of Long Beach shall not be disturbed in its rights, title and possession in and to lands beneath navigable waters within its corporate limits conveyed to it by the State of California, and the right and power to control, develop and use the natural resources within such lands.

INTEREST OF CITY OF LONG BEACH IN PENDING LEGISLATION

The City of Long Beach is a municipal corporation, organized and existing under and by virtue of Sections 6 and 8 of Article XI of the Constitution of the State of California, and operating under a freeholders' charter (California Statutes 1921, page 2054). The southerly boundary of the City of Long Beach since prior to 1911, as established by its city charter, is fixed as extending three miles from the line of ordinary high tide into San Pedro Bay, bordering upon the Pacific Ocean, between the easterly and westerly boundaries of the city. The waterfront of the city consists of 8 11 miles and thereon is located one of the major municipally owned harbors and ports of the Pacific Coast.

On May 1, 1911, the State of California granted to the City of Long Beach "all of the right, title and interest of the State of California, held by said State by virtue of its sovereignty, in and to all of the tidelands and submerged lands, whether filled or unfilled, bordering upon, under and situated below the mean high tide line of the Pacific Ocean, or of any harbor, estuary, bay or inlet, which are within the corporate limits of said city," (1911 Statutes, page 1304) in trust, to be used by the city solely for the establishment, improvement and conduct of a harbor and for the construction of wharves, docks, piers and structures necessary or convenient for the promotion and accommodation of commerce and navigation This legislative grant was amended by the 1925 and 1935 Legislatures (1925 Statutes, page 235, and 1935 Statutes, page 794). These amendments authorized the use of said tide and submerged lands, in addition to the purposes previously noted, for public parks, parkways, highways and playgrounds. Since May 1, 1911, the City of Long Beach has exercised proprietary control and jurisdiction over said tide and submerged lands by appropriate procedure for the uses authorized and in the public interest.

There are 13,027 acres of tide and submerged lands, including reclaimed tide and submerged lands, within the corporate limits of the city which have been conveyed to the city by state grants. The city has filled and reclaimed 580 acres of said submerged lands, at considerable public expense to the taxpayers of the city, and plans for future harbor development by the city call for the filling and reclaiming of an additional 570 acres. The city has made vast and costly improvements upon these lands underlying navigable waters I will summarize briefly the nature and extent of these improvements.

HARBOR FACILITIES

Harbor facilities of the City of Long Beach have been constructed entirely upon reclaimed submerged lands granted to the city by the State of California, at a cost to the city in an amount in excess of $15,500,000, with additional new port facilities in process of construction under existing contracts at an additional cost of $7,575,641. Projected harbor improvements planned by the city call for an additional expenditure of $97,498,000, a great portion of which will be expended for development of harbor facilities upon reclaimed tide and submerged lands.

In excess of 12,000 lineal feet of wharves and docks, accommodating approximately 25 berths, have been constructed or are under construction by the city upon reclaimed tide and submerged lands. Over 17 miles

of railroad trackage has been installed by the city on reclaimed tide and submerged lands. Three hundred thirty-two acres have been filled and reclaimed on said lands, 127 acres of which have been improved for open storage of cargo, and in excess of seven acres improved with transit sheds on piers and docks. An additional area consisting of 40 acres is in the course of being reclaimed and filled, together with in excess of five acres of additional covered storage area in the form of transit sheds on piers and docks.

Projected harbor development plans call for the filling of 570 acres of submerged lands upon which will be constructed approximately 50,000 lineal feet of wharves, which will accommodate 75 additional berths; 445 acres thereof will be improved for open storage of cargo and 120 acres thereof improved with transit sheds on piers and docks. In excess of 58 miles of railroad trackage will be installed thereon.

One million one hundred forty-four thousand thirty-five tons of cargo, including both imports and exports, were handled over city's municipal docks during the 12-month period ending December 31, 1947. For said period the city received $697,500.45 as revenue for dockage, wharfage, fees and rentals, exclusive of oil income, incidental to the use of port facilities heretofore mentioned constructed by the municipality on reclaimed tide and submerged lands.

In addition to these harbor installations made by the city, the Federal Government expended in excess of $5,000,000 for the construction of pier facilities upon approximately 30 acres of submerged lands granted to the city by the State of California, under the terms of a lease entered into by the United States with the city on October 8, 1943. Said pier extends out into San Pedro Bay, bordering the Pacific Ocean, a distance of approximately 4,690 feet Under the terms of paragraph 15 of said lease the city agreed, upon termination thereof, to purchase from the government all permanent improvements constructed by the government, at a price and upon terms to be negotiated. A supplemental agreement was entered into between the city and the Federal Government on April 18, 1947, whereby said lease was terminated and the Federal Government transferred to the city title to said improvements in consideration of the payment of $1,000,000 by the city to the Federal Government. Concurrently with the execution of said supplemental agreement the city paid to the Federal Government the sum of $1,000,000 for said improvements.

RAINBOW PIER—PARK—MUNICIPAL AUDITORIUM

During the years 1928, 1929, and 1930 the city, out of revenues provided by bonds voted by the electorate and at a cost of $1,067,343.37, constructed a pier known as Rainbow Pier, semicircular in design, 3,802 feet in length and extending into the submerged lands granted to the city by the State of California approximately 1,400 feet from mean high tide line, thereby enclosing approximately 47 acres, within which an eight-acre fill was made and developed into a park and upon which was constructed a municipal auditorium, at a total cost to the city of an additional sum of $1,664,371.49.

BEACHES—RECREATION AREAS

In addition to the installations heretofore mentioned, more than five miles of public beaches, parks and recreational areas have been constructed and improved upon approximately 200 acres of reclaimed submerged lands, at cost to the city in the sum of $1,115,946. In furtherance of this program of municipal beach recreation development, the city has acquired in excess of 70 percent of all the upland parcels of land bordering the ocean along the entire beach frontage within the city, in order to guarantee the use of said reclaimed submerged areas for recreational use of the public and at additional cost to the city in the sum of $666,493.

OIL DEVELOPMENT

Oil was discovered in privately owned uplands adjacent to the tide and submerged lands conveyed to the city by the State in the Harbor District of the city in 1936, and, in order to protect the municipality's property rights in said tide and submerged lands from drainage by petroleum development on adjacent upland areas by private interests, on March 15, 1939, the city entered into four drilling and operating contracts with the Long Beach Oil Development Company, covering parcels containing approximately 1,143 acres of submerged and reclaimed tide and submerged lands in the Long Beach Harbor. Except as to description of parcels, these contracts are identical as to terms and provisions For convenience, these parcels were described as "W," "X," "Y" and "Z." A certified copy of said contract covering Parcel "W" will be filed with your honorable committee. A similar contract was entered into between the city and said company on January 2, 1942, covering an additional parcel containing approximately 95 acres of submerged and reclaimed tide and submerged lands, described as "Z-1," and a sixth contract was entered into between the same parties on August 3, 1944, covering an additional parcel containing approximately 231 acres of submerged and reclaimed tide and submerged lands, described as Parcel "J."

All of the area covered by said contracts consists entirely of submerged and reclaimed tide and submerged lands and extends southerly into San Pedro Bay, bordering the Pacific Ocean, approximately one-half mile from the line of ordinary high tide prior to reclamation. Under the terms of each of said drilling and operating contracts the development company becomes an independent contractor and agrees to supervise and manage development work for and on behalf of the city, and as compensation therefor receives 14.45 percent of the proceeds derived from the sale of oil and gas produced under said contracts. The city receives 85.55 percent of the proceeds from the sale of oil and gas produced, out of which all drilling and maintenance and operation costs are paid, subject to certain limitations constituting ceilings upon maximum drilling and operating costs under the terms of said contracts. The city receives a net minimum of 30 percent revenue from the sale of oil and gas, whether or not 55 55 percent of the revenue derived from the sale of oil and gas is sufficient to pay the costs of development and operations. Furthermore, the city receives all the dry gas (excepting the amount necessary for development operations), delivered to its gas department for distribution by the city to consumers in and adjacent to

the city. Under these contracts, from March 15, 1939, to November 30, 1947, 348 wells have been drilled and placed on production and have produced 53,056,037 barrels of oil. 85.55 percent of the gross revenue received from the sale of oil was paid to the city in the sum of $59,142,-390.36. The net revenue received by the city after payment of all costs for drilling, maintenance and operation of said wells was in the sum of $31,509,589.87, plus tangible oil field equipment of the estimated value of $11,500,000. In addition to said revenue received by the city from the sale of oil, dry gas has been delivered to the city's gas department in the total amount of 29,715,684 MCF, which in turn has been delivered to consumers within and adjacent to the city, at considerable profit to the city. A summary of these operations and returns by years to November 30, 1947, will be filed with this honorable committee.

On March 12, 1947, the city entered into a drilling and operating contract, pursuant to public bidding procedure, with Richfield Oil Corporation, covering approximately 234 acres of submerged and reclaimed tide and submerged lands within the City of Long Beach and adjacent to Parcel "J" heretofore referred to. The terms and provisions of said drilling and operating contract are similar to those entered into with Long Beach Oil Development Company previously referred to, except under the drilling and operating contract with Richfield, said contractor receives 5 9 percent of the proceeds derived from the sale of oil and gas produced thereunder and the city receives 94.1 percent of the proceeds of the sale of said oil and gas produced, out of which drilling and maintenance and operations costs are paid. Under this latter contract the city receives a net minimum of 60.1 percent of the revenue derived from the sale of all oil and gas, whether or not 34 percent of the revenue from the sale of oil and gas is sufficient to pay the costs of development and operations. Under this latter contract, from March 12, 1947, to November 30, 1947, 13 wells have been drilled and placed on production, which have produced 116,927 barrels of oil. Ninety-four and one-tenth percent of the gross revenue received from the sale of oil was paid to the city in the sum of $201,312 86 The net revenue paid to the city over and above all costs of drilling, maintenance and operation was in the sum of $128,-575.58, plus tangible oil field equipment of a very substantial value. In addition to said revenue received by the city from the sale of oil, dry gas has been delivered to the gas department of the city in the total amount of 52,175 MCF. A summary of these operations will be filed with this honorable committee.

Under the provisions of Section 229x of the city charter, as amended, all revenues derived by the city from the proceeds of oil produced from the tide and submerged lands are required to be deposited in the Harbor Revenue Fund and the Harbor Bond Redemption and Interest Fund and used exclusively for harbor development and maintenance and other harbor purposes consistent with the uses specified in the grants made by the State of California to the city and for the payment of principal and interest on the 1924 and 1926 harbor bonds issued by the city for harbor improvements. All of the funds thus derived have been devoted exclusively for such uses and purposes

Under the provisions of the first six drilling and operating contracts entered into by the city for the development of petroleum deposits contained in tide and submerged lands, the city receives a minimum net cash

return of 30 percent of all revenues derived from the sale of oil produced from said lands. To November 30, 1947, the actual net cash received by the city under one of said contracts exceeded 54 percent, and the smallest amount under any of said contracts exceeded 41 percent of all revenue derived from the sale of oil produced thereunder, plus millions of dollars worth of oil field equipment, in addition to 100 percent of the resulting dry gas (excepting the amount required in the development operations), sold at additional profit to the city. The average net cash received by the city to November 30, 1947, under said six contracts was 46 percent of all revenue derived from the sale of oil produced thereunder. Under the drilling and operating contract entered into with Richfield Oil Corporation the actual net cash received by the city amounted to 61.1 percent of all revenue derived from the sale of oil and gas produced thereunder.

It has been reported and it is believed that in no other instance anywhere in these United States have oil development contracts or leases been made returning to the landowner such a large percentage of the revenue received from the oil produced. It is customary for such contracts and leases to provide for the return to the landowner ranging from 12½ percent to 16⅔ percent, whereas the City of Long Beach receives 85.55 percent to 94.1 percent, less the cost of drilling and maintenance, and guaranteed minimum net cash of 30 percent to 60.1 percent, with actual net cash received as of November 30, 1947, averaging 46 percent under six contracts and 60.1 percent under another, plus millions of dollars worth of dry gas and capital inventory of oil field equipment. All revenues received by the city under the provisions of law are expended for the development of a great public harbor, in addition to other valuable benefits and services to the general public.

CITY'S TITLE SETTLED BY SUPREME COURT

The expenditure of many millions of dollars of public funds by the City of Long Beach in the development of the tide and submerged lands heretofore mentioned has been made in good faith and in reliance on the rule of property that the title to such lands is vested in the states and their grantees, as confirmed throughout the past 100 years by more than 50 decisions of the Supreme Court of the United States, 244 decisions of federal and state courts, 31 rulings by Secretaries of the Interior, and 49 opinions of Attorneys General of the United States. Our own State Supreme Court in 1937, in the case of *City of Long Beach* v. *Marshall*, 11 Cal. (2d), page 609, held that the City of Long Beach received the fee title to all the tide and submerged lands within its city boundaries from the State of California under the grant from the State Legislature of May 1, 1911. The California Supreme Court in that decision cited and relied upon decisions of the Supreme Court of the United States upon the subject matter, and at page 614 therein stated:

> "It is established law that the State became the owner of tidelands in fee simple upon its admission to the Union, holding them subject to the public trusts for navigation, commerce and fishing (*Shively* v. *Bowlby*, 152 U. S. 1 * * *; *Borax Consolidated* v. *Los Angeles*, 296 U. S. 10 * * *); that it likewise became owner of the minerals therein (*Boone* v. *Kingsbury*, 206 Cal. 148, 170 * * *); and it should reasonably follow that it has the power to grant these lands to municipalities, subject to those same trusts."

In this case the Supreme Court had before it all the tide and submerged lands lying seaward from the mean high tide line three miles within the city limits—that is, all that had been granted to the city by the State. When the court said it was established law that the tidelands belonged in the first instance to the State, the meaning of the word "tidelands" was not limited to the narrow strip between high and low tide which is subject to the daily ebb and flow of the tide. On the contrary, the word "tidelands" was deliberately used to describe all the lands conveyed to the city which, as heretofore stated, extend three miles seaward from the mean high tide line.

FEDERAL RECOGNITION OF CITY'S TITLE

Although oil has been produced from tide and submerged lands of the Pacific Ocean off the coast of California for more than 50 years (Summerland—1896; Bulletin No. 118, California Department Natural Resources), the title of the State of California (and the City of Long Beach, as grantee of the State) to the tide and submerged lands within three miles from shore of the Pacific Ocean was not questioned by any federal official or private citizen until oil was discovered in the Harbor District of the City of Long Beach in the year 1936. In fact, public records are replete with instances wherein the Federal Government and its officials recognized that the City of Long Beach held the title to its tide and submerged lands. As an example of one such instance of recognition of title, the Secretary of the Interior, Harold L. Ickes, under date of December 22, 1933, wrote a letter to a Long Beach citizen by the name of Olin S. Proctor rejecting an application for an oil and gas lease or permit covering a parcel of submerged land lying within the city limits of the City of Long Beach, and a part of the tide and submerged lands conveyed to the city by the State of California in 1911. Said letter reads as follows:

"THE SECRETARY OF THE INTERIOR
WASHINGTON

December 22, 1933

"MR. OLIN S. PROCTOR,
521 East Ocean Boulevard,
Long Beach, California.

"MY DEAR MR. PROCTOR: I have received, by reference from the Department of State, copies of your letters of October 15 and November 22.

"As to the jurisdiction of the Federal Government over lands bordering on tide water, the Supreme Court of the United States has held in the case of *Hardin* v. *Jordan* (140 U. S. 371), as follows:

" 'With regard to grants of the government for lands bordering on tide water, it has been distinctly settled that they only extend to high-water mark, and that the title to the shore and lands under water in front of lands so granted enures to the state within which they are situated, if a state has been organized and established there. Such title to the shore and lands under water is regarded as incidental to the sovereignty of the state—a portion of the royalties

belonging thereto and held in trust for the public purposes of navigation and fishery—and cannot be retained or granted out to individuals by the United States.'

"The foregoing is a statement of the settled law, and therefore no rights can be granted to you either under the leasing act of February 25, 1920 (41 Stat. 437), or under any other public land law to the bed of the Pacific Ocean either within or without the three-mile limit. Title to the soil under the ocean within the three-mile limit is in the State of California, and the land may not be appropriated except by authority of the State. A permit would be necessary to be obtained from the War Department as a prerequisite to the maintenance of structures in the navigable waters of the United States, but such a permit would not confer any rights to the ocean bed.

"I find no authority of law under which any right can be granted to you to establish your proposed structures in the ocean outside the three-mile limit of the jurisdiction of the State of California, nor am I advised that any other branch of the Federal Government has such authority.

"Sincerely yours,

HAROLD L. ICKES, Secretary of the Interior."

A photostatic copy of the letter referred to will be filed with this honorable committee.

SPECULATORS AND PROMOTERS FILE ON TIDE AND SUBMERGED LANDS WITH DEPARTMENT OF INTERIOR

Following the discovery of oil in the submerged lands granted to the city by the State of California in the Harbor District of the city in 1936, as of July 7, 1947, 90 oil and gas lease applications under the Federal Mining Leasing Act of 1920, as amended, have been filed by speculators and promoters in the General Land Office of the Department of Interior, covering the greater portion of the 13,027 acres of said tide and submerged lands conveyed to the city, and 25 certificates of location under an Act of Congress of April 5, 1872, commonly known as the Valentine Scrip Act, and two certificates of location under an Act of Congress of February 10, 1855, commonly known as the Gerard Scrip Act, have likewise been filed with the General Land Office and Department of Interior covering portions of said lands. Said filings are made upon the theory that said tide and submerged lands are public lands of the Federal Government These applications are made by private citizens and corporations and cover parcels of tide and submerged lands and reclaimed tide and submerged lands title to which the city contends was conveyed to it by the State of California. These filings are located upon the entire 8.11 miles of waterfront of the City of Long Beach and extend seaward several miles, and likewise cover all of the municipality's harbor facilities, recreation and park improvements heretofore referred to, constructed by the city at a cost exceeding $25,000,000. Many of these applications have been held pending in the Department of the Interior for years. However, it is believed that approximately 58 of said 90 oil and gas lease applications were denied by a decision of the Department of the Interior dated September 8, 1947. A list of these applications will be filed with this honorable committee.

An outstanding example of the locations selected by one of the speculator-promoters making application for oil and gas leases as aforesaid are two such filings made by Robert E. Lee Jordan, Applications No. 052975 and No. 052976, both filed April 6, 1937. The first mentioned covers a large submerged area including within its boundaries portions of the federal breakwater, and the latter covers a large area including therein extensive harbor improvements constructed by the city at the cost of millions of dollars. To the best of our knowledge these two applications have not been denied by action of the Department of the Interior and the applicant has been and is now vigorously prosecuting said applications in an effort to obtain rights through the Federal Government to the lands covered therein, and thereby evict the City of Long Beach from the port improvements constructed by it and from possession of all the lands covered by said applications conveyed to the city by grant from the State. A U. S. Coast and Geodetic Survey map of Los Angeles and Long Beach Harbors upon which has been portrayed the areas covered by said two filings will be filed with this honorable committee.

UNITED STATES OF AMERICA V. STATE OF CALIFORNIA

The United States Supreme Court, in the case of *United States of America* v. *California*, No 12 Original, on June 23, 1947, rendered a decision holding that the Federal Government has certain paramount powers with respect to the "three-mile marginal belt" lying seaward of the ordinary line of the low-water mark on the coast of California and outside inland waters of the State of California and that the State of California has no title thereto or any property interest therein. The entire 13,027 acres of tide and submerged lands within the city limits of the City of Long Beach conveyed to it by grants from the State of California lie within San Pedro Bay, an inland water of the State of California. In the case of *United States* v. *Carrillo*, 13 Fed. Supp. 121, the Federal District Court held that San Pedro Bay was demarked from the open sea by a line drawn from Point Fermin to Point Lasuen; all of said tide and submerged lands conveyed to the city are located landward of said line. However, in said pending suit against the State of California the Department of Justice does not concede such to be the case, and said matter has not been determined by the Supreme Court in said litigation. The Attorney General for the Federal Government has filed with the Supreme Court a Petition for Entry of a Supplemental Decree, together with a form of proposed Supplemental Decree, in which it is sought to have the court establish a line demarking San Pedro Bay from the "three-mile marginal belt." Said proposed Supplemental Decree, if adopted by the court, will place all but a very small portion of San Pedro Bay in the "three-mile marginal belt" and thereby the City of Long Beach will lose its title, ownership, possession and control of all but a small portion of the 13,027 acres of tide and submerged lands within its city limits, conveyed to it by grants from the State of California.

The executive departments of the Federal Government are unwilling to recognize San Pedro Bay as inland waters of the State of California as determined by judicial precedent, and as established by geographical, physical and historical evidence. The city cannot be secure in its title and ownership of such of said lands which may be finally determined to be within inland waters. In the Government's brief in said case the theory

of ownership of inland navigable waters and tidewaters is attacked as "erroneous," "unsound," "wrong," "fallacy," and a "legal fiction." The theory announced by the majority opinion of the Supreme Court as the basis for its decision can be equally applied to the title and ownership of all lands underlying inland navigable waters. A map of San Pedro Bay, published by the Long Beach Harbor Department, entitled, "California Coast Line—Point Fermin to Newport Beach," on which has been portrayed the Justice Department's proposed line demarking San Pedro Bay from the "three-mile marginal belt," the headland to headland line of San Pedro Bay as fixed by the Federal District Court in *United States* v. *Carrillo*, and the line demarking San Pedro Bay from the open sea as referred to by the Board of Rivers and Harbors, Deep Water Harbor Report, Senate Doc. 18-551, will be filed with this honorable committee.

CONCLUSION

In conclusion, may I repeat that the City of Long Beach has expended many millions of dollars of public funds in the improvement and development of the tide and submerged lands conveyed to it by grant from the State of California in good faith and in reliance upon what has long been recognized to be the settled rule of property law that title to such lands is vested in the states and their grantees. A great public harbor has been created by the city consisting of most modern port facilities for accommodation of the waterborne commerce of the Nation, and large submerged areas have been converted into park and recreational facilities for the pleasure and enjoyment of millions of people throughout each year. The city's harbor facilities were entirely devoted during World War II to uses by the Federal Government in its activities in successfully prosecuting the war. These port facilities are most efficiently and economically managed by the municipality in peace times and will be of inestimable value to the Federal Government in the event of any future emergency challenging the security of our Nation.

The city now stands to lose its title, ownership, possession and control of these tide and submerged lands, save and except possibly a very small portion thereof, unless the Congress of the United States adopts appropriate legislation that will safeguard to the city its just and equitable rights in said lands.

The Supreme Court, in its decision rendered June 23, 1947, recognizes that the question of ownership and control of said lands and natural resources in the "three-mile marginal belt" is within the "congressional area of national power" and that the Congress will not execute its powers "in such way as to bring about injustices to states, their subdivisions, or persons acting pursuant to their permission."

It is submitted that facts contained in this statement pertaining to the City of Long Beach are but an example of that pertaining in all states and municipalities throughout the Nation wherein navigable waters are included within their borders, and each is now faced with a disaster of tremendous proportions unless the Congress of the United States adopts appropriate legislation to prevent confiscation by the Federal Government of these long established property rights in the states and their grantees and quiet the title, possession and control of all lands beneath navigable waters.

On behalf of the City of Long Beach, California, I urge favorable action on and adoption by the Congress of Bill S. 1988, or similar legislation, whereby the Federal Government shall recognize, confirm, establish and vest in the respective states and their respective grantees and all persons lawfully entitled thereto title to and ownership of all lands beneath navigable waters within the boundaries of the respective states and their natural resources within such lands and waters, and the right and power to control, develop and use such natural resources in accordance with applicable state law. A certified copy of Resolution No C-11117, adopted by the City Council of the City of Long Beach at its meeting held on February 10, 1948, together with a certified copy of Resolution No. HD-333, adopted by the Board of Harbor Commissioners of the City of Long Beach at its meeting held on February 9, 1948, petitioning the Congress of the United States to act favorably upon and adopt S. 1988 pending before this committee, will be filed with the committee.

Exhibit B

CITY OF LONG BEACH, CALIFORNIA
INTER-DEPARTMENTAL COMMUNICATION

Date October 6, 1948
From B. W. Tarwater
Dep't Harbor

To J. R. McHenry
Dep't City Manager
Subject Communication and Questionnaire from Ralph C Dills—Assembly, California Legislature—re tidelands and submerged lands granted by the State.

DEAR SIR: The following is in answer to your communication of October 1, 1948, regarding questions numbers 2, 3, and 6.

No. 2. Capital Expenditures since January 1, 1948, for development and improvement of the granted lands have been made from revenues to the Harbor Revenue Fund prior to January 1, 1948, and have been made in the approximate of $4,525,000 from January 1, 1948, to September 30, 1948.

No. 3. All Capital Expenditures in the Harbor Department have been from revenues in the Harbor Revenue Fund prior to January 1, 1948.

No. 6. Revenues to the Harbor Department for the fiscal year from July 1, 1947, to June 30, 1948, were as follows:

Harbor Revenue Fund	
Interest, refunds, etc.	$313,279.89
Tideland Oil Income—	
Long Beach Oil Development Contract	19,466,848.53
Richfield Oil Corporation Contract	1,245,650.42 *
Reserve accounts as per agreements	(12,478,977.19)
Active Funds	(8,546,801.65)
Total	$21,025,778.84

* Revenues in the Harbor Revenue Fund are expended for development and improvement of Harbor Department lands, facilities and maintenance Revenues from the Richfield Oil Corporation contract are deposited in the Harbor Revenue Fund but are not a part of the Harbor Department Revenues

Harbor Operating Fund

Receipts from the operation of port facilities_____ $779,097.87

Revenues in the Harbor Operating Fund are expended for the operation of port facilities.

Yours very truly,

B. W. TARWATER
Acting Port Manager

Exhibit C

CITY OF LONG BEACH, CALIFORNIA
INTER-DEPARTMENTAL COMMUNICATION

Date October 4, 1948
From Helen F. Luckey
Dep't City Accountant

To Mr. J. R. McHenry
Dep't City Manager
Subject Communication and Questionnaire from Ralph C. Dills—re tidelands and submerged lands granted by the State

DEAR SIR: In accordance with your request of October 1, 1948, I am submitting the following:

2. Unknown to me.
3. No expenditures since January 1, 1948 (groins constructed on East Beach at a cost of $36,315 in 1945-46 according to Planning Dept. Marina Survey Report)
6. Revenues Auditorium, 1947-48_____ $53,158.01
   Expenses Auditorium, 1947-48_____ 82,065.11
   Estimated Revenue, 1948-49_____ 60,000.00
   Budget, 1948-49 _____ 91,598.00
   Harbor Tideland Oil Revenues to Harbor Department could be best furnished by Mr. Tarwater
   (Oil Revenues from Palm Beach Park and ocean adjoining park)
   Neptune Pier Franchise
   Belmont Pier Fishing Boat Franchises
   (Included in our Miscellaneous Franchises and detail could be furnished by Bureau of Franchises)
   Recreation (Belmont Recreation Center) and others.

Yours very truly,

OFFICE OF CITY ACCOUNTANT
By HELEN F. LUCKEY, Accountant

Exhibit D

CITY OF LONG BEACH, CALIFORNIA
INTER-DEPARTMENTAL COMMUNICATIONS

Date October 8, 1948
From J. H. Mixner
Dep't Bureau of Franchises and Public Utilities

To Mr. Carl W. Wirsching
Dep't City Manager
Subject Revenues received from revocable boat permits.

DEAR SIR: In accordance with your request we are furnishing information with regards to the revenues received from the use and operation of boat permits issued by the City of Long Beach from August 1946 to date, the total amount of revenues received amounting to $13,602.20.

Yours truly,

J. H. MIXNER, Engineer

ANALYSIS OF THE REPLY OF THE CITY OF LONG BEACH

The reply of the City of Long Beach indicates in large part substantial compliance with the conditions of the statutes of grant and the trust under which the granted lands are held. The record of leases to oil companies and leases or conveyances to manufacturing, industrial, and commercial corporations and other organizations, however, indicates a probable unauthorized use and administration of granted lands of major proportions. No value is given for the pier reported to be the only development on the granted lands pursuant to franchises or leases Revenues from the granted lands were stated to exceed $22,500.000 per year. The purposes to which these revenues are applied, including a reserve fund and development of parks and recreational facilities, quite probably constitute in themselves an unauthorized use and administration of the granted lands. Occupation or use of the granted lands by corporations or individuals includes that by two oil companies operating under contracts with the City of Long Beach and two leases to catering companies—both quite probably unauthorized uses and administration of such granted lands There has been a declaration by city officials that the title in fee to the granted lands have been settled in the City of Long Beach by numerous state and federal Supreme Court decisions. It must be understood that these decisions in no wise can affect the paramount interests of the State of California in the granted lands, as against the local political subdivision, the title and interest of which in such granted lands is subject to the paramount sovereignty, the State of California, as its wishes may be expressed through the Legislature.

Conclusion. The reply of the City of Long Beach is unsatisfactory, and further investigation by the committee is required, in the following particulars: There is evidence of substantial unauthorized use and administration of at least a large portion of the granted lands. Immediate surveys, research, examinations, and comprehensive and extensive investigations will determine the extent of such unauthorized use and administration and enable the committee to report to the Assembly on the advisability of reacquisition of all or a portion of the granted lands.

CITIES OF LOS ANGELES AND VENICE

CHAPTER 656

An act granting to the City of Los Angeles the tidelands and submerged lands of the State within the boundaries of the said city.

[Approved May 1, 1911]

The people of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. There is hereby granted to the City of Los Angeles, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California, held by said State by virtue of its sovereignty, in and to all tidelands and submerged lands, whether filled or unfilled, within the present boundaries of said city, and situated below the line of mean high tide of the Pacific Ocean, or of any harbor, estuary, bay or inlet within said boundaries, to be forever held by said city, and by its successors, in trust for the uses and purposes, and upon the express conditions, following, to wit:

(a) That said lands shall be used by said city, and by its successors, solely for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation, and said city, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purpose whatsoever; provided, that said city, or its successors, may grant franchises thereon, for limited periods, for wharves and other public uses and purposes, and may lease said lands, or any part thereof, for limited periods, for purposes consistent with the trusts upon which said lands are held by the State of California, and with the requirements of commerce or navigation at said harbor;

(b) That said harbor shall be improved by said city without expense to the State, and shall always remain a public harbor for all purposes of commerce and navigation, and the State of California shall have, at all times, the right to use, without charge, all wharves, docks, piers, slips, quays and other improvements constructed on said lands, or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California;

(c) That in the management, conduct or operation of said harbor, or any of the utilities, structures or appliances mentioned in paragraph (a), no discrimination in rates, tolls, or charges, or in facilities, for any use or service in connection therewith shall ever be made, authorized or permitted by said city, or by its successors;

Reserving, however, in the people of the State of California, the absolute right to fish in the waters of said harbor, with the right of convenient access to said waters over said lands for said purposes.

SEC. 2. This act shall take effect immediately.

ASSEMBLY BILL No. 1417

CHAPTER 115

An act to amend Section 1 of an act entitled "An act granting to the City of Los Angeles the tidelands and submerged lands of the State within the boundaries of the said city," approved May 1, 1911.

[Approved April 20, 1917]

The people of the State of California do enact as follows:

SECTION 1. Section 1 of the act entitled "An act granting to the City of Los Angeles the tidelands and submerged lands of the State within the boundaries of the said city," approved May 1, 1911, is hereby amended to read as follows:

Section 1. There is hereby granted to the City of Los Angeles, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California, held by said State by virtue of its sovereignty, in and to all tidelands and submerged lands, whether filled or unfilled, within the present boundaries of said city, and situated below the line of mean high tide of the Pacific Ocean, or of any harbor, estuary, bay or inlet within said boundaries, to be forever held by said city, and by its successors, in trust for the uses and purposes, and upon the express conditions, following, to wit:

(a) That said lands shall be used by said city, and by its successors, solely for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation, and said city, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purpose whatsoever; provided, that said city, or its successors, may grant franchises thereon for limited periods, in any event not to exceed 30 years for wharves and other public uses and purposes, and may lease said lands, or any part thereof, for limited periods, in any event not to exceed 30 years for any and all purposes which shall not interfere with commerce or navigation, and are not inconsistent with the trusts upon which said lands are held by the State of California;

(b) That said harbor shall be improved by said city without expense to the State, and shall always remain a public harbor for all purposes of commerce and navigation, and the State of California shall have, at all times, the right to use, without charge, all wharves, docks, piers, slips, quays and other improvements constructed on said lands, or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California;

(c) That in the management, conduct or operation of said harbor, or of any of the utilities, structures or appliances mentioned in paragraph (a), no discrimination in rates, tolls, or charges, or in facilities, for any use or service in connection therewith shall ever be made, authorized or permitted by said city, or by its successors;

Reserving, however, in the people of the State of California, the absolute right to fish in the waters of said harbor, with the right of convenient access to said waters over said lands for said purposes.

ASSEMBLY BILL No. 183

CHAPTER 77

An act granting to the City of Venice the tidelands and submerged lands of the State of California within the boundaries of the said city.

[Approved April 10, 1917]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of Venice, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California, held by said State by virtue of its sovereignty, in and to all the tidelands and submerged lands, whether filled or unfilled; provided, that nothing contained herein shall in any way affect any property held or claimed under, through or from a Mexican grant or patent therefor within the present boundaries and jurisdiction of said city, and situated below the line of mean high tide of the Pacific Ocean, or of any harbor, estuary, bay or inlet within said boundaries, to be forever held by said city, and by its successors, in trust for the uses and purposes, and upon the express condition following, to wit:

(a) That said lands shall be used by said city and by its successors, solely for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays, and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation, and said city, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purpose whatsoever; provided, that said city, or its successors, may grant franchises thereon, for a period not exceeding 25 years, for wharves and other public uses and purposes, and may lease said lands, or any part thereof, for a period not exceeding 25 years, for purposes consistent with the trusts upon which said lands are held by the State of California and with the requirements of commerce or navigation at said harbor;

(b) That said harbor shall be improved by said city without expense to the State, and shall always remain a public harbor for all purposes of commerce and navigation, and the State of California shall have, at all times, the right to use, without charge, all wharves, docks, piers, slips, quays and other improvements constructed on said lands, or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California;

(c) That in the management, conduct or operation of said harbor, or of any of the utilities, structures or appliances mentioned in paragraph (a), no discrimination in rates, tolls, or charges, or in facilities, for any use or service in connection therewith shall ever be made, authorized or permitted by said city or by its successors;

Reserving, however, in the people of the State of California the absolute right to fish in the waters of said harbor, with the right of convenient access to said waters over said lands for said purpose.

SENATE BILL No. 506

CHAPTER 768

An act granting to the City of Los Angeles the swamp, overflowed and salt marsh lands of the State within the boundaries of the said city.

[Approved June 3, 1921]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of Los Angeles, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California in and to all swamp, overflowed and salt marsh lands, whether filled or unfilled, owned by the State of California within the present boundaries of said city, to be forever held by said city, and by its successors, upon the same trusts and conditions, and for the same uses and purposes as the tidelands and submerged lands within its boundaries are held by said City of Los Angeles under grant from the State of California by act approved April 20, 1917, entitled "An act to amend Section 1 of an act entitled 'An act granting to the City of Los Angeles the tidelands and submerged lands of the State within the boundaries of said city,' approved May 1, 1911."

ASSEMBLY BILL No. 373

CHAPTER 651

An act granting to the City of Los Angeles the tidelands and submerged lands of the State within the boundaries of said city.

[Approved by the Governor, June 3, 1929]

WHEREAS, By act of the Legislature of the State of California, entitled "An act granting to the City of Los Angeles the tidelands and submerged lands of the State within the boundaries of the said city," approved May 1, 1911, and as amended by an act, entitled "An act to amend Section 1 of an act entitled 'An act granting to the City of Los Angeles the tidelands and submerged lands of the State within the boundaries of the said city,'" approved April 20, 1917, there were granted by the State of California to the City of Los Angeles the tidelands and submerged lands of said State within the then boundaries of said city; and

WHEREAS, Since said tidelands and submerged lands were so granted to said city the boundaries of said city have become enlarged by reason of annexations of other territory, and it is desired to grant to said city the tidelands and submerged lands of said State within the boundaries of such annexed territory; therefore,

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of Los Angeles, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California, held by said State by virtue of its sovereignty, in and to all tidelands and submerged lands, whether filled or unfilled, situated below the line of mean high tide of the Pacific Ocean, within the present boundaries of said city, or of any harbor, estuary, bay or inlet within said boundaries, except as hereinafter provided, to be forever held by said city, and by its successors, in trust for the uses and purposes, and upon the express conditions, following, to wit:

(a) That said lands shall be used by said city, and by its successors, for purposes in connection with, or for the promotion and accommodation of commerce, navigation and fishery, and said city, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purpose whatsoever; provided, that said city, or its successors, may grant franchises and permits thereon for limited periods, in any event not to exceed 30 years, for purposes in connection with, or for the promotion and accommodation of commerce, navigation and fishery, and may lease said lands, or any part thereof, for limited periods, in any event not to exceed 30 years, for any and all purposes which shall not interfere with the trusts upon which said lands are held by the State of California;

(b) That said tide and submerged lands shall be improved by said city without expense to the State, and any harbor constructed thereon shall always remain a public harbor for all purposes of commerce and navigation, and the State of California shall have, at all times, the right to use, without charge, all wharves, docks, piers, slips, quays and other improvements constructed by said city on said lands, or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California;

(c) That in the management, conduct or operation of any such harbor, or of any of the utilities, structures or appliances constructed in connection therewith no discrimination in rates, tolls, or charges, or in facilities, for any use or service in connection therewith shall ever be made, authorized or permitted by said city, or by its successors;

Reserving, however, in the people of the State of California, the absolute right to fish in said waters, with the right of convenient access to said waters over said lands for said purposes. The grant herein made shall not include those tidelands or submerged lands within those certain areas known as the Westgate addition acquired by the City of Los Angeles by annexation on June 14, 1916, or the Santa Monica Canyon addition acquired by the City of Los Angeles by annexation on April 28, 1925, or the Venice Addition acquired by the City of Los Angeles by consolidation on November 25, 1925.

ASSEMBLY BILL No. 2219

CHAPTER 1513

An act to amend Section 1 of an act entitled "An act granting to the City of Venice the tidelands and submerged lands of the State of California within the boundaries of the said city," approved April 10, 1917, relative to grant of tide and submerged lands to the City of Venice.

[Approved by Governor July 18, 1945. Filed with Secretary of State July 18, 1945]

The people of the State of California do enact as follows:

SECTION 1. Section 1 of the act cited in the title hereof is amended to read:

Section 1. There is hereby granted to the City of Los Angeles, the successor to the City of Venice, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California, held by said State by virtue of its sovereignty, in

and to all the tidelands and submerged lands, whether filled or unfilled, and situated below the line of mean high tide of the Pacific Ocean, or of any harbor, estuary, bay or inlet within said boundaries, to be forever held by said city, and by its successors, the tide and submerged lands herein granted, being those situated in the former City of Venice, a municipal corporation, prior to its annexation to and consolidation with the City of Los Angeles, excepting any property held under, through or from a Mexican grant or patent therefor within the boundaries and jurisdiction of said former City of Venice, in trust for the uses and purposes and upon the express conditions following, to wit:

(a) That said lands shall be used by said city and by its successors, solely for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays, and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation; for the improvement, construction and use of, and for parks, playgrounds, streets, boulevards, bathing, bathhouses, and beaches, and for any purpose herein permitted, to reclaim and fill the same; and said City of Los Angeles, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purpose whatsoever; provided, that said city, or its successors, may grant franchises thereon, for limited periods, in any event not to exceed thirty (30) years, for wharves and other public uses and purposes, and may lease said lands, or any part thereof, for limited periods, in any event not to exceed thirty (30) years, for any and all purposes which shall not interfere with commerce or navigation, and are not inconsistent with the trusts upon which said lands are held by the State of California;

(b) That said harbor shall be improved by said city without expense to the State, and shall always remain a public harbor for all purposes of commerce and navigation, and the State of California shall have, at all times the right to use, without charge, all wharves, docks, piers, slips, quays and other improvements constructed on said lands, or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California;

(c) That in the management, conduct or operation of said harbor, or of any of the utilities, structures or appliances mentioned in paragraph (a), no discrimination in rates, tolls, or charges, or in facilities, for any use or service in connection therewith shall ever be made, authorized or permitted by said city or by its successors;

Reserving, however, in the people of the State of California the absolute right to fish in the waters of said harbor, with the right of convenient access to said waters over said lands for said purpose

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF LOS ANGELES

FLETCHER BOWRON
MAYOR

OFFICE OF THE MAYOR
CITY HALL
LOS ANGELES 12, CALIFORNIA

June 6, 1949

MRS. RALPH C. DILLS
123 North Tamarand Street
Compton, California

DEAR MRS. DILLS: Relative to our telephone conversation of this afternoon, I am attaching original copies of letters answering the questionnaire regarding tidelands and submerged lands granted by the State, which is in response to your husband's letter as Chairman of the Interim Committee on Petroleum Problems.

1. Letter of May 9, 1949, from Mr. Arthur Eldridge, General Manager of the Harbor Department.

2. Letter of May 19, 1949, from Mr. George Hjelte, General Manager of the Department of Recreation and Parks.

3. Letter of May 18, 1949, from the Secretary of the Board of Public Works with attached reports of the City Engineer.

I regret that the original communication from your husband was misplaced and I trust that these communications will be in sufficient time to be included in your over-all final report.

Very truly yours,

ORVILLE R. CALDWELL
Executive Deputy

CITY OF LOS ANGELES
CALIFORNIA

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J. J. HASSETT
SECRETARY

FLETCHER BOWRON
MAYOR

DEPARTMENT OF
RECREATION AND PARKS
309 CITY HALL
LOS ANGELES 12
MICHIGAN 5211
GEO. HJELTE
GENERAL MANAGER
GILBERT L. SKUTT
SUPERINTENDENT OF PARKS

May 19, 1949

MR. ORVILLE CALDWELL
Executive Deputy, Mayor's Office
Room 105, City Hall

DEAR MR. CALDWELL: I have received copy of the information furnished you based upon the questionnaire from Assemblyman Ralph C. Dills, of which you wrote the Board of Commissioners under date of May 4th, and which was submitted by the Bureau of Engineering. This memorandum answers all of the questions which are applicable to tidelands and submerged lands under jurisdiction of the Department of Recreation and Parks.

Confirming our telephone conversation, I assume that you require nothing further from the Board of Recreation and Park Commissioners in order to satisfy Assemblyman Dills.

Sincerely yours,

GEORGE HJELTE
General Manager

CITY OF LOS ANGELES
CALIFORNIA

ARTHUR ELDRIDGE
GENERAL MANAGER

TERMINAL 2 7241
NEVADA 6 1722

FLETCHER BOWRON
MAYOR

HARBOR DEPARTMENT

408 BRANCH CITY HALL
P O BOX 151
SAN PEDRO CALIFORNIA

May 9, 1949

MR ORVILLE R. CALDWELL
Executive Deputy, Office of the Mayor
Room 105, City Hall
Los Angeles 12, California

DEAR ORVILLE: In response to your communication of May 4, 1949, transmitting copy of communication addressed by Assemblyman Ralph C. Dills to his honor, the mayor, accompanied by a questionnaire regarding tidelands and submerged lands granted by the State, I submit the following with regard to the tidelands under the jurisdiction of this department:

In May of 1911, the State of California granted to the City of Los Angeles all of its right, title and interest held by virtue of its sovereignty in and to all tidelands and submerged lands, whether filled or unfilled, within the present boundaries of said city and situated below the line of mean high tide of the Pacific Ocean, or any harbor, estuary, bay or inlet within said boundaries, to be forever held by said city, and by its successors in trust, for purposes of commerce, navigation and fishery.

Article XI of the charter of the City of Los Angeles provides that the Board of Harbor Commissioners shall have possession and control, under the provisions of the charter, of the entire waterfront of the City of Los Angeles, of all navigable waters and all tidelands and submerged lands, whether filled or unfilled, situated below the line of mean high tide, within the limits of the City of Los Angeles, northerly and easterly of the government breakwater at Los Angeles Harbor, and the provisions of the article shall be deemed to, and shall, apply and appertain to such navigable waters and such tide and submerged lands.

The first bond issue voted by the citizens of Los Angeles for the development of the harbor was for the sum of $3,000,000, issued in June, 1911. During the next 12 years additional issues were approved, so that in all the total of $29,900,000 has been invested from general obligation bond funds in creating the present Los Angeles Harbor. These sums have been expended in the development of terminals to serve commerce in this area, including 23 transit sheds, with a combined length of 16,151 feet and a total square foot area of 1,702,812, providing adequate space and equipment for working 35 ocean liners simultaneously. Of the water

frontage, 23,771 lineal feet are devoted to freight and passenger terminals, 10,166 lineal feet to the lumber industry, 12,874 lineal feet to the petroleum industry, 10,028 lineal feet to the fishing industry, and 17,054 lineal feet to shipyards.

Land has been leased to numerous industries which have, at their own cost and expense to the extent of many millions of dollars, developed the property adjacent to assigned wharves of the city to meet the requirements of their particular enterprises. In round figures, the areas assigned to the fish canning industry for cannery sites and purposes incidental thereto aggregate 1,600,000 square feet; 3,263,000 square feet have been leased for lumber receiving stations and storage; 4,000,000 square feet for the development of storage tanks and facilities incidental to the operation of marine oil terminals through which millions of barrels of oil are handled each year; 4,700,000 square feet to major shipyards; 556,000 square feet for small boat building yards; and some 7,000,000 square feet for miscellaneous businesses, practically all of which are devoted directly or indirectly to the promotion of commerce and fishery.

The department's estimated receipts for the fiscal year beginning July 1, 1948, and ending June 30, 1949, are $3,600,000, of which $1,099,000 will be from land rentals to private individuals and corporations, $1,568,000 from dockage, wharfage, pilotage, storage, assignment charges, and warehouse rentals made under tariff provisions for the use of the publicly owned commerce facilities; in addition thereto, the department will receive some $50,000 from the operation of its municipal railway belt line facilities, $170,000 from the operation of the municipal ferries, and $700,000 from oil royalties on oil produced on harbor lands. These revenues can only be expended for the purpose of the development of the harbor, including its operation, the payment of interest on outstanding bonded obligations, and the payment of maturing bonds voted for the construction of the harbor. Because of the need of many new improvements, the Harbor Department has required all of its surplus receipts over and above operation expenses, maintenance and interest charges for new construction, and a tax has annually been levied to retire maturing bonds.

By an overwhelming favorable vote, the City of Los Angeles years ago granted to the United States of America title to an area of land at our main entrance approach, 2,800 feet in length by 1,000 feet in width, which land had been created by the Federal Government from depositing the dredging material developed from the widening of our main entrance channel from 500 feet to 1,000 feet. This was a voluntary grant on the part of the city in order to afford the government areas for the construction of facilities, most of which would be required at a port of this magnitude, such as the U. S. Public Health Service, Immigration Station, Lighthouse Service, etc.

During the war years many actions in condemnation proceedings were instituted, involving condemnation in some instances of fee simple title and in others short term leasehold interests. The City of Los Angeles, through friendly negotiations with the governmental agency concerned, was successful in each instance in having the condemnation for fee title set aside and the substitution therefor of a leasehold interest under terms and conditions which were satisfactory to the city. The Federal Government during the war years, either directly or through its facility contractors using Harbor Department water frontage, paid without question

to the City of Los Angeles several million dollars for the use of our lands and terminal facilities, and our title to ownership or right to make reasonable charges therefor was not questioned, except in one instance, which was finally compromised to the satisfaction of both parties

Cordially yours,

ARTHUR ELDRIDGE
General Manager

Questionnaire Regarding Tidelands and Submerged Lands Granted by the State, as Submitted by the State Assembly Committee on State-Federal Cooperation in the Discovery, Production, Transportation, Refining, and Use of Petroleum

CITY OF LOS ANGELES
BUREAU OF ENGINEERING
DEPARTMENT OF PUBLIC WORKS

May 16, 1949

The answers given below apply only to the tide and submerged lands within that portion of the City of Los Angeles lying northwesterly of the United States Government breakwater at San Pedro.

The tidelands and submerged lands in the portion of the city lying northeast of said breakwater are under the jurisdiction of the Harbor Department and answers to the questionnaire covering those lands will be furnished by that department.

1. What officer or agency is charged with the duty of administering tidelands and submerged lands that have been granted by the State? The Board of Recreation and Park Commissioners.
2. What action has been or is being taken for the development and improvement of the granted lands? For the answer to this question reference is made to the attached statement entitled "Data on Santa Monica Bay, California" dated April, 1949. This covers tidelands and submerged lands on Santa Monica Bay, including those granted to Los Angeles.

On the tidelands and submerged lands in the portion of Los Angeles adjacent to and northwesterly of the breakwater the following developments have been made, all at Cabrillo Beach, which is located between the breakwater and Point Fermin.

1927—Sand fill of 500,000 cubic yards	$75,000
1932—Improvements consisting of a groin, picnic shelters, sewers, access road, and a bathhouse building also containing a marine museum and lunch room	74,000
1944—Stone sea wall	20,000
1948—Beach fill extension of 2,886,000 cubic yards	160,000
Total	$309,000

In the master plan of shoreline development it is proposed to spend approximately $1,000,000 in the improvement and protection of Cabrillo Beach.

3. Have public funds been expended for such purposes, and approximately in what amount?

On Santa Monica Bay	
Beach extension and protection	$3,893 000
Improvement	132,000
Total	$4,025,000
At Cabrillo Beach	
Beach extension and protection	$235,000
Beach improvement	74,000
Total	$309,000

4. What improvements have been made pursuant to franchises or leases and what is the approximate value thereof? A private amusement pier adjoining the southeasterly boundary line of the City of Santa Monica. Estimated value, $415,000.

There have been two other leases of tidelands and submerged lands at Venice, both of which have expired and the improvements thereon removed. One of these was opposite Washington Street and covered an area 700 feet by 1,200 feet The other extended from Horizon Avenue to Eighteenth Avenue and covered an area 950 feet by 2,000 feet The latter lease was improved by a large private amusement pier and breakwater, the value of which probably totaled close to $1,000,000. All the improvements have been removed except the breakwater, which is now public property.

5. What franchises or leases of such lands are currently in effect? A lease to Charles J. Lick covering the private amusement pier adjacent to the Santa Monica boundary line. The lease, which was made originally in 1924, has been extended to 1963 However, it contains a revocable clause permitting the lessor to cancel the lease in case the lands are needed for public development.

6. What are the present annual revenues received by the local agency from such lands, the sources thereof, and the purposes for which such revenues are used? Eight thousand dollars, of which $2,400 is from the lease described under Question 5, and $5,600 is from a lunchroom concession in the bathhouse at Cabrillo Beach.

These revenues are used for operation and maintenance of the city's public beaches.

7. To what extent, if at all, are any of the granted lands occupied or used by individuals or corporations? Privately only to the extent described in the answers to Questions 5 and 6.

Publicly for recreation purposes by the general public, including large numbers of people from outside the City of Los Angeles, from other counties and cities of California and from other states. A survey showed that 13 5 percent of the people visiting the public beaches came from outside Los Angeles County.

8. Has the local agency been divested of title or right to possession of any of the granted lands by reason of conveyance thereof by the local agency, eminent domain proceedings, agreements to determine boundaries, or otherwise?

Under the beach acquisition program instituted by the State from the 1945 appropriation of $10,000,000 made by the Legislature the State Park Commission required the City of Los Angeles to quitclaim

to the State the tidelands and submerged lands adjoining private frontage acquired by said commission and the tidelands and submerged lands adjoining public beach frontage owned by the city and used to match the private frontage acquired by the commission.

This involved the tidelands and submerged lands between Forty-ninth Avenue in Venice and the north boundary line of the City of El Segundo, a distance of approximately 21,600 feet.

9. Have any judicial proceedings been commenced against the local agency affecting title or right to possession of any such granted lands? If so, list the names of the cases and state the effect of each judgment.

Although the City of Los Angeles is not a party to the case of *United States of America* v. *California*, No. 12 Original, that litigation affects all the submerged lands along the coast of California and therefore the submerged lands within the city limits of Los Angeles may be affected.

CITY OF LOS ANGELES
CALIFORNIA

MEMBERS
LOUIS M. DREVES
PRESIDENT
JOSEPH O. DONOVAN
VICE PRESIDENT
CLARENCE J. DERRICK
FRANK GILLELEN
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MILTON OFFNER
SECRETARY

FLETCHER BOWRON
MAYOR

OFFICE OF THE
BOARD OF PUBLIC WORKS
153 CITY HALL
LOS ANGELES 12
MICHIGAN 5211
STATION 781

May 18, 1949

MR. ORVILLE R. CALDWELL,
Executive Deputy of the Office of the Mayor.
Honorable Board of Recreation and Park Commissioners.

GENTLEMEN: Transmitted herewith to the executive deputy of the office of the major is a reply to the questionnaire from Assemblyman Ralph C. Dills, relating to tidelands and submerged lands of the City of Los Angeles.

Also submitted herewith to the executive deputy and to the Board of Recreation and Park Commissioners is a copy of the data mentioned in the accompanying report of the city engineer, relating to the said subject.

Respectfully yours,

MILTON OFFNER
Secretary

DATA ON SANTA MONICA BAY, CALIFORNIA

CITY OF LOS ANGELES
LLOYD ALDRICH, City Engineer
Compiled by A. G. JOHNSON, Division Engineer
Beach Design Division
April, 1949

Geological and Geographical

In Recent geologic time the upper part of the San Pedro Hills, which form a headland between the south end of Santa Monica Bay and the east end of San Pedro Bay, was an island, as shown by a succession of wave-cut terraces on its slopes. The area between the hills and the mainland was raised to its present elevation by deposition of the products of erosion from the adjoining land mass, or by uplifts, or by a combination of both.

The Palisades at Santa Monica formerly were several miles seaward of their present location and were cut back by wave and current erosion.

Santa Monica Bay is located between 33° 46′ and 34° north latitude. The distance between Point Dume, its northwesterly headland, and Rocky Point, the southeasterly headland, is 26.7 miles The landward penetration of the bay is 11.3 miles, or 43 percent of its length The direction of the long axis is northwest-southeast.

The bay is fully exposed to the ocean on the southwest, from S. 27° W. to S. 85° W. It is protected by the Santa Monica Mountains to the north and northeast and by high bluffs and sand dunes and the San Pedro Hills to the east and south, except between Playa del Rey and Santa Monica, where the adjoining land is low (U. S. Coast Chart 5202)

Historical

Santa Monica Bay has been recognized as a bay since the earliest recorded voyage of discovery along the California coast

On the voyage of Cabrillo in 1542 Santa Monica Bay is described as follows:

"The following Sunday, on the eighth of said month, (October) they came near the mainland in a great bay which they named Bahia de los Fumos, on account of the numerous smokes which they saw around it * * * This bay is in 35°, and is a good harbor, and the country is good, with many valleys and plains and trees."

Reference to the smokes ties in to two known facts. Within comparatively recent times, underground fires have been known to exist there which could cause smoke. Also fires in the mountains, which occur now from time to time, could have been in progress during the visit of Cabrillo. The shoreline of Santa Monica Bay was well populated with Indians before the white men came.

Vizcaino (December, 1602) did not mention this bay, but it is plainly indicated on his chart, as well as the cape formed by San Pedro Hill, 1 475 feet elevation (Davidson, 1886).

Captain George Vancouver, a British naval captain, visited this coast in November, 1793, with two naval vessels. In the account of Vancouver's voyages, printed in 1798, Santa Monica Bay is described as follows: "here the coast took a direction S. 67° E. 16 miles to the north point of a deep bay, off which lie two or three small rocks; this point, which I called Point Dume, bore N 59° W.; the south point of the same bay, being the eastern-most point of the mainland in sight; this, being a very conspicuous promontory, I named after Father Vicente; * * * The northwest side of this bay was observed to be composed chiefly of steep barren cliffs; the north and eastern shores terminated in low sandy beaches, rising with a gradual ascent until they reached the base of a mountainous country, which had the appearance of being rugged and barren, not only at some distance behind the center of the bay, but extending towards the seacoast, and forming its extreme points, viz., Point Vicente, and Point Dume, which lie from each other S. 51° E and N. 51° W, 26 miles asunder"

The U. S. Coast Survey Topographic Sheet of 1871 (Register No. 1231), covering the south end of Santa Monica Bay, refers to it as part of the Bahia Ona. The name "Ona" apparently is an obsolete Spanish word meaning salty and is mentioned as having that meaning in the diary

of the Bosque-Larios expedition of 1675 (See Bolton's "Spanish Exploration in the Southwest 1542-1706, page 299, published in 1925"). Naming the bay Bahia Ona must have been due to the salt pond and salt works which existed at Redondo Beach in the early days.

The first pier on Santa Monica Bay was constructed in 1872 in what is now Santa Monica, close to the location of the present municipal pier It was used to load tar, from the tar pits in Rancho La Brea, on boats which took it to San Francisco (Ranchos Become Cities, by W. W. Robinson 1939).

The next pier was constructed at approximately the same location in 1875 by the Southern Pacific Railroad Co. This was a railroad pier 1700 feet long It is shown on U S. Coast Survey Topographic Sheet (Register No. 1427), dated 1876.

In 1887 private interests dredged a channel entrance at Playa del Rey and attempted to dredge a harbor in the Ballona Lagoon. The project was known as Port Ballona. This is shown on the U. S. Coast Survey Topographic Sheet of 1887 (Register No. 1791).

A report was made in 1887 to the Redondo Beach Land Co. by Col. G H. Mendell, U S. Corps of Engineers and William H Hall, State Engineer of California, on the possibilities of a commercial port at Redondo Beach. The report was favorable and recommended the project.

The U. S. Topographic Sheet of 1893 (Register No. 2127) shows a railroad wharf 900 feet long at Redondo Beach, with six mooring buoys near its outer end. The U. S. Coast Chart of 1910 (Register No 3086) shows four piers at Redondo Beach, three of them being railroad piers. This place had considerable commerce for many years, particularly in lumber.

In 1890 the Southern Pacific Railroad Co. extended its railroad along the beach from Colorado Avenue in Santa Monica to a point about one-half mile west of Santa Monica Canyon. At that point a railroad pier was constructed a mile into the ocean. This pier was in use until San Pedro Harbor was improved by construction of the breakwater.

In 1892 a report was made by a board of five engineer officers of the U. S. Army on location of a deep-water harbor for Southern California at San Pedro Bay or at Santa Monica Bay. This report discussed the area just west of Santa Monica as well as Redondo Beach as a deep-water port. The report was authorized by Congress and was printed as Ex. Document No. 41, House of Representatives—52d Congress—2d Session, 1892.

In 1896 Congress authorized another board to report on the same matter. The report by this board is known as the Walker Report, after Rear-Admiral Walker, chairman. The report was printed as Document No. 18—Senate—55th Congress—1st Session, 1897.

Both boards recommended San Pedro as the location for the deep-water harbor.

In these two reports and the 1887 report on the Redondo Beach location, Santa Monica Bay was described as being very favorable in regard to weather and ocean conditions and freedom from severe storms. It was usually referred to as a roadstead, which is defined in the 1948 edition of Webster's unabridged dictionary as "a protected place where ships may ride at anchor."

The following quotation is taken from the Walker Report of 1896.

"The region where these two roadsteads (San Pedro Bay and Santa Monica Bay) are located is remarkable for general equability of weather and absence of storms. During a stay of 50 days in this vicinity, in what is known as the stormy season of the year, the board having these roadsteads under constant observation, there was not a day nor a night when an able vessel, well-found in ground tackle, could not lie in entire security at either place. All evidence shows the general absence of storm winds and that dangerous gales are rare.

"The heaviest seas come from the south or southwest. Notable storms are rare; they come, if at all, during the rainy season from November to March. The wind from April to October is generally from the northwest; it is sometimes boisterous, but not a storm wind. The greatest danger comes from a combination of distant ocean and local storms, producing the cumulative effects of local wind waves superimposed upon the long undulations of a great ocean swell."

A chart in the Manual of Procedure of the Federal Beach Erosion Board shows wind roses for various areas of the ocean off the Pacific Coast of the United States. The data from which the wind roses were prepared are from the long-term records of the Hydrographic Office of the Navy Department, as reported from ships at sea. For the area off the Southern California Coast the wind rose shows the prevailing wind direction at sea to be northwest. The percentage of time the wind blows from each direction is given below.

Northwest	46%	Northeast	2%
North	22%	South	1%
West	11%	Southeast	1%
Southwest	4%	Calm, light, variable	13%

Since October, 1938, this office has maintained an automatic wind recorder at Sunset Pier, Venice, which is near the center of the bay. The machine gives a continuous record of wind velocity and direction. Monthly tabulations of these records have been made for the period from November, 1938, to May, 1943, inclusive. During this 55-month period there were only 38 days on which the wind velocity reached 25 miles per hour or higher, only seven days when it reached 32 miles or higher, with a maximum velocity of 38 miles, which occurred on only one day. On the Beaufort wind scale, No. 6, with velocities from 25 to 31 miles, is listed as a strong breeze. No 7, with velocities from 32 to 38 miles, is listed as a moderate gale. On 29 of the 38 days when the wind velocity reached 25 miles per hour or higher the wind direction was from the west or southwest, on five days from the south, on three days from the southeast, and on one day from the northeast.

NOTE. The quotation from the Walker Report and the data on wind records, except the last paragraph, were included in "A Report on Erosion of the Beaches in the Venice District," prepared by this office in 1940.

The foregoing data indicates that Santa Monica Bay is a favorable location for shipping and has been used for that purpose for a period of at least 75 years.

In the latter part of the decade from 1890 to 1900 and in the first half of the following decade, intensive subdivisions of the shore of Santa Monica Bay took place, from Santa Monica Canyon to Redondo Beach. The value of the shoreline for recreation and residential purposes for the rapidly growing population was recognized. Amusement piers were constructed at Redondo Beach, Venice, and Ocean Park. Municipal pleasure piers were constructed in Santa Monica, Manhattan Beach, and Hermosa Beach.

In 1910 the Pacific Light and Power Co. constructed a steam generating plant at Redondo Beach, with a large saltwater intake conduit extending 800 feet offshore.

The Standard Oil Co. of California in 1911 developed a refinery at El Segundo and secured a 20-year franchise to construct a pier. This franchise was renewed in 1931 for an additional 20 years. The pier is 2,100 feet long and has a 36-inch and a 48-inch saltwater intake pipe for the refinery. The smaller tankers tie up at the end of the pier. The company also maintains a submarine oil loading station about one half mile seaward at the end of the pier, which serves the larger tankers. On the beach just north of the pier a pump house for a butadiene plant was constructed during the war. Its 42-inch saltwater intake pipe extends 1,200 feet offshore.

At Hyperion, a short distance north of the Standard Oil pier, the City of Los Angeles has maintained an outfall sewer of some sort for about 50 years. In 1924 a screening plant was constructed, and a submarine outfall seven feet in diameter was laid on the ocean bottom to a mile offshore. Due to the rapid increase in population and pollution of the waters of the bay adjoining the most heavily used bathing beaches of the metropolitan area, a large sewage treatment plant became necessary. This is now under construction and will be completed late in 1950 at a total cost of $41,000,000. A new submarine outfall sewer has been completed at a cost of $3,518,000. The tube is 12 feet in internal diameter and extends a mile offshore. The normal sewage flow through the new plant will be 350,000,000 gallons per day.

To clear the site of the treatment plant, excavation of 14,000,000 cubic yards of sand was required The sand was disposed of by spreading it along the shoreline for six miles upcoast, which created a beach with an average width of 600 feet. Extension of the twin jetties at the outlet of the Ballona Creek flood control channel 600 feet seaward was necessary because of this fill.

In 1933 the City of Santa Monica constructed an offshore breakwater to create a small craft anchorage. The breakwater is 2,000 feet long and 2,000 feet offshore, extending northerly from the municipal pier.

In 1939 the City of Redondo Beach constructed a breakwater near its north city limits to create a small craft anchorage.

The Southern California Edison Company recently completed a large saltwater intake conduit and pumping plant in connection with its new steam generating plant at Redondo Beach. This is located just north of the breakwater.

In 1945 the City of Los Angeles and the County of Los Angeles adopted a master plan of shoreline development. This plan provides for an extensive beach development along 13 miles of the shoreline, extending from Topanga Canyon to El Segundo, and a yacht harbor, or marina,

at Playa del Rey, with a capacity of 8,000 pleasure craft of all sizes. The beach development will be constructed upon a huge ocean fill of 56,000,000 cubic yards, extending along the 13 miles of shoreline with an average width of 900 feet. The 14,000,000 cubic yards already placed is part of the total fill. The seaward 250 to 300 feet of the fill will be used as bathing beach. The remainder will be improved with a boardwalk, park, picnic and recreation areas, bath houses, swimming pools, parking fields, and scenic drives, much like the famous Jones Beach near New York City.

The 1945 State Legislature appropriate $10,000,000 for beach acquisition. About $4,000,000 of this was allocated for Los Angeles County. All of this is being used for beach acquisition along Santa Monica Bay. Much of the beach front in Los Angeles, Santa Monica, Manhattan Beach, Hermosa Beach, Redondo Beach and Palos Verdes Estates was already publicly-owned. The beach frontage purchased from the $4,000,000 allocation will nearly complete the public ownership of the shoreline within those cities. El Segundo and Torrance are the only cities along the bay with no publicly-owned shore frontage.

In June, 1948, the City Council of Los Angeles appropriated $35,000 to retain Madigan-Hyland, consulting engineers of New York City, to make an engineering and economic survey and report on the adopted master plan of shoreline development. The survey and report have been completed and $4,500 has been appropriated to print 1,000 copies.

Existing Improvements on Tide and Submerged Lands and Estimated Value

City of Palos Verdes Estates ..... None
City of Torrance ..... None
City of Redondo Beach
  Public
    Groins $28,000
    Recreational pier 68,000
    Breakwater 539,000
    Seawall 167,000
    ..... $802,000
  Private
    Fishing pier $50,000
    Salt-water intake and pump house for steam generating plant 1,340,000
The plant, owned by the Southern California Edison Co., is now under construction. Its cost, when completed will be $38,500,000 The power output will be ..... and it will serve a population of ..... If the intake should be prevented from functioning, the plant could not operate, as no other adequate water supply for cooling purposes is available.
City of Hermosa Beach
  Public
    Recreation pier $175,000
City of Manhattan Beach
  Public
    Recreation pier $135,000
El Porto Beach (unincorporated territory) ..... None
City of El Segundo
  Public
    Salt-water intake and lines $45,000
      (This is owned by Reconstruction Finance Corporation—Office of Rubber Reserve)
  Private (Standard Oil Co. of California)
    Wharf, oil piping, submarine lines, salt-water intake pier and miscellaneous equipment $654,000
The Standard Oil Co refinery and storage tanks and other facilities cover an area of almost two square miles. Its total value is approximately ..... and the annual value of its products ..... The capacity of the refinery is about ..... barrels a day.

If its ocean-loading facilities should be eliminated, greatly increased facilities must be provided, either by truck haul, rail haul, or additional pipe lines to Los Angeles Harbor to ship the refined products. This would increase the cost of operation.

Elimination of the salt-water intakes would cripple the plant, as in the case of the steam generating plant at Redondo Beach, since the domestic water supply is inadequate for this demand on it.

City of Los Angeles (Southeast of Santa Monica)

Public

Hyperion Sewage Treatment Plant including a 12-foot outfall extending a mile into the bay	$41,000,000

The plant is now under construction and is designed for a population of 3,000,000 on the basis of an average dry weather flow of 245,000,000 gallons of sewage per day, with the peak dry weather flow of 350,000,000 gallons and the storm weather flow of 420,000,000 gallons. At the present rate of population growth, capacity of the plant now being constructed will be reached in 1953 The present population served by the plant is 2,488,000. Of this total about 1,925,000 is within the City of Los Angeles, 160,000 in unincorporated areas, and 317,000 in adjoining municipalities of Beverly Hills, Burbank, Culver City, El Segundo, Glendale, Santa Monica, and Vernon. It is estimated that the plant will have to be expanded to serve an eventual population of over 4,000,000 These data indicate how serious any interference with the submarine outfall would be.

Submarine outfall sewer	3,518,000
Hyperion groin	90,000
Extension of Ballona Creek jetties	510,000
32nd Ave. groin (Venice)	52,000
Breakwater at Winward Ave. (Venice)	200,000
Beach fill, 375 acres, El Segundo to Santa Monica	15,000,000
Two storm drains	75,000

Private

Lick Pier	$415,000

City of Santa Monica

Public

Santa Monica Municipal Pier	$300,000
Breakwater—Santa Monica Harbor	690,000
Groins	40,000
Artificial accretion to beaches	3,200,000
Beach playground development	5,000

Private

Santa Monica Pier	$500,000
Ocean Park Pier	1,700,000

City of Los Angeles (West of Santa Monica)

Public

Groins	$50,000

Private

Groins (Bel Air Bay Club)	30,000

Unincorporated territory (West of Los Angeles City)

Private

Malibu Pier	$132,000

Planned Improvements on Tide and Submerged Lands and Estimated Value

City of Los Angeles—Frontage = 9 miles ±
City of Santa Monica—Frontage = 3 miles ±
Unincorporated territory—Frontage = 1 mile ±

Beach fill 42,000,000 cu. yds.	$14,793,000
Groins—57	3,386,000
Sewers and pumping plants	2,052,000
Storm drains and pumping plants	5,588,000
Utilities	5,675,000
Streets and roadway structures	15,896,000
Parking areas and approaches	1,986,000
Play areas	38,000
Picnic areas	145,000
Buildings	5,161,000
Miscellaneous recreation facilities	754,000
Landscaping	2,896,000
*Yacht harbor entrance jetties	2,167,000
Total	$60,537,000

* The yacht harbor entrance jetties will serve a proposed pleasure craft harbor, called Marina del Rey, the total cost of which is estimated at $29,672,000, and the capacity of which is 8,000 craft

It is also planned to develop the beaches between El Segundo and Palos Verdes at an estimated cost of about $22,000,000.

Waterfront ownership

The amount of frontage in public and private ownership, and estimated value, are given for each political subdivision.

City of Palos Verdes Estates		
Public	25,000 ft.	$150,000
Private	None	
NOTE: The above frontage is a narrow strip between the foot of high bluffs and the mean high tide line.		
City of Torrance		
Public	757 ft.	30,000
Private	3,312 ft.	242,000
City of Redondo Beach		
Public	12,708 ft.	970,000
Private	1,450 ft.	935,000
City of Hermosa Beach		
Public	9,275 ft.	1,110,000
Private	420 ft.	87,000
City of Manhattan Beach		
Public	9,700 ft.	1,363,000
Private	None	
El Portal (Unincorporated territory)		
Public	1,328 ft.	160,000
Private	None	
City of El Segundo		
Public	None	
Private	4,400 ft.	880,000
City of Los Angeles (S. E. of Santa Monica)		
Public	31,312 ft.	3,048,000
Private	2,111 ft.	859,000
NOTE 1,431 feet of the private frontage are being acquired at an estimated cost of $459,000.		
City of Santa Monica		
Public	6,944 ft.	1,958,000
Private	8,031 ft.	6,224,000
City of Los Angeles (West of Santa Monica)		
Public	14,905 ft.	3,336,000
Private	2,044 ft.	964,000
NOTE: 543 feet of the private frontage are being acquired at an estimated cost of $218,000		
Unincorporated territory (West of Los Angeles City)		
Public	None	
Private	74,280 ft.	12,805,000

The above listings of waterfront ownership comprise the actual beach frontage and the improvements thereon which would be directly affected by industrial developments on the adjoining lands below the mean low tide line.

Two natural offshore oil seepages on Santa Monica Bay plus illegal dumping of bilges from passing ships now cause a nuisance by the tar drifting onto the beaches. Operations of the Standard Oil Co. at El Segundo may also be a contributing cause.

Extensive leasing of the submerged lands for oil development would probably result in far greater pollution of the beaches by tar and oil, rendering them unfit for any recreational use; especially so, if control of the oil development is not in the hands of local agencies which are familiar with the problem from long experience and have the greatest interest in preserving the great recreational value of the shoreline.

In addition to the waterfront land and improvements listed above, there is a strip immediately adjacent, approximately a block in width, which would be indirectly affected because its value depends largely on the recreational use of the beaches.

The location, length, and value of this strip of land and improvements thereon are given below. These are all privately-owned.

Santa Monica	2.0 miles	$13,260,000
Los Angeles City (S. E. of Santa Monica)	3.5 miles	7,620,000
Hermosa Beach-Redondo Beach	3.0 miles	7,460,000

Local Population

The figures given under this heading are considered to be the population of the political subdivisions with frontage on Santa Monica Bay.

Incorporated Cities

Palos Verdes Estates	1,954
Torrance	18,572
Redondo Beach	23,650
Hermosa Beach	12,096
Manhattan Beach	14,892
*Los Angeles	2,021,236
Santa Monica	76,857
Subtotal	2,169,257
Unincorporated territory	16,000
Total	2,185,257

The above population figures are based on the regular quarterly estimate of the Los Angeles County Regional Commission for January, 1949.

*Los Angeles City extends landward from the shoreline of Santa Monica Bay a maximum distance of 20 miles and therefore its population comprises a large part of the population of the tributary area, for which figures are given in the next section

The other municipalities listed extend only from two to five miles from the shoreline.

Population of Tributary Area

A survey and report made by Madigan-Hyland, consulting engineers of New York City, mentioned above under the Historical Section, shows that 13.4 percent of the people visiting the beaches of Santa Monica Bay were from outside of Los Angeles County and 7.3 percent were from outside the State.

The estimated 1948 attendance at Santa Monica Bay beaches was 11,400,000 Using the above percentages gives 9,872,000 beach visitors from Los Angeles County, which has a population of approximately 4,000,000; another 696,000 visitors from other California counties, which have a population of about 6,000,000; and 832,000 from other states and foreign countries.

Estimated increase in beach attendance at Santa Monica Bay beaches is expected to reach 29,600,000 by 1970 due to the greatly increased facilities proposed in the planned development and the increase in population, which is expected to reach 6,000,000 in Los Angeles County by 1970.

Applying the same percentages to 29,600,000 gives 25,634,000, 1,805,000, and 2,161,000, respectively, as the annual number of beach visitors to Santa Monica Bay from the County of Los Angeles, the other counties of California, and other states and foreign countries.

Annual Value of Business From Beach Recreation

1. *Under Present Conditions*
2. *After Planned Development Is Completed*

1. In 1947 the New Jersey Council, Department of Economic Development made a survey of tourists visiting New Jersey Among other facts developed, it was shown that 70 percent stayed at seashore resorts, that 77.6 percent came by automobile and that the average expenditure per person was $77.

Statistics of the All-Year Club of Southern California show that in 1948 a total of 3,373,000 tourists visited the 10 counties of Southern California and that 89 percent of them were routed through Los Angeles Their total expenditure in Southern California was $457,838,000, an average of $136 per person

Taking the average of the New Jersey figure of $77 and the Southern California figure of $136 gives $107. Applying this figure to 1,528,000, the number of beach visitors from outside Los Angeles County gives $163,496,000 as the value of annual business from tourists to Southern California who also visited the beaches of Santa Monica Bay The New Jersey survey showed that 70 percent of their tourists preferred the seashore Applying the figure to the $163,496,000 gives $114,447,000 as the value of the tourist business attracted by the beaches and scenic beauty of the Santa Monica Bay shoreline

Taking the 1948 attendance figure of 11,400,000 and applying to it the percentage of those who drive to the beaches, 86 percent, gives 9,800,000. The survey shows that 3.3 is the average number of occupants per car. From this it can be computed that $2,050,000 is spent for gas annually in driving to the Santa Monica Bay beaches

The average beach visitor will spend at least $1.00 on each visit to the beach This adds another $11,400,000 to the annual value of business.

There are other less direct ways by which business values are created by the recreational use of the shoreline of Santa Monica Bay, but the above figures show that those beaches contribute very substantially to the economy of the Los Angeles region.

2 Using the same factors and applying them to the estimated annual attendance of 29,600,000 after the planned development is completed shows that the annual tourist business attracted by the shoreline of Santa Monica Bay will be $297,000,000 the annual gas cost in driving to those beaches $5,830,000, and beach visitors will spend $30,000,000.

It has previously been mentioned that the planned development of Santa Monica Bay includes a yacht harbor with a capacity of 8,000 craft.

The cost of gas and oil, maintenance and overhaul, equipment and supplies is estimated at $2,946,000 annually. This is only one item of new business value which will be added by this proposed harbor.

The above figure represents the value of only one source of new business which would result from construction of the yacht harbor. There are others, such as the increase in manufacture of boats and marine engines.

If oil development is permitted on the submerged lands of the bay, it will be unattractive to pleasure craft as well as hazardous.

Summary of Type, Number, and Value of Existing Improvements on Tide and Submerged Lands

PUBLIC

Type	*Number*	*Value*
Groins	12	$260,000
Piers	4	678,000
Breakwaters	3	1,429,000
Seawalls	1	167,000
Jetties	2	510,000
Salt-water intakes	1	45,000
Beach fills	2	18,200,000
Storm drains	2	75,000
Recreational facilities		5,000
Submarine outfall sewer		3,518,000
		$24,887,000

PRIVATE

Groins	3	$30,000
Piers	5	3,451,000
Salt-water intakes	1	1,340,000
		$4,821,000

Summary of Length of Frontage and Value of Waterfront Ownership

PUBLIC

Length	111,929 lin. ft. (21.2 miles)
Value	$12,125,000

PRIVATE

Length	96,048 lin. ft. (18.2 miles)
Value	$22,996,000

ANALYSIS OF THE REPLY OF THE CITY OF LOS ANGELES

The City of Los Angeles submitted a comprehensive and extremely detailed report to the committee, which reply, however, indicates probable unauthorized use and administration of granted lands of major proportions. It is important in this regard that the statute of grant of 1945, Chapter 1513, granting to the City of Los Angeles all those tidelands and submerged lands previously granted to the City of Venice in 1917, Chapter 77, after acquisition of the latter into the former, is much more broad in its scope and delineation of permitted uses than the previous statutes of grant to the City of Los Angeles proper. Therefore, granted lands within the boundaries of the former City of Venice are subject to considerably more authorized uses, particularly relating to recreational facilities, than are the balance of tide and submerged lands within the city limits of the City of Los Angeles. Approximately $5,000,000 is stated by the reply to have been expended from public funds for

improvement and development of granted lands. This figure, however, appears to represent beach extensions and improvements only. The value of existing improvements on granted lands is stated to approximately $30,000,000, of which $5,000,000 represents improvements on what is called "private" lands, i e., tide and submerged lands owned by individuals and corporations. Particular reference is made to the Hyperion Sewage Treatment Plant of the City of Los Angeles, the value of which is estimated at $41,000,000. Planned improvements on tide and submerged lands, of the value of $60,537,000, may, upon investigation, be found in many instances to constitute unauthorized use and administration of the granted lands in question. Only $415,000 was stated to represent the value of improvements on granted lands pursuant to franchises or leases. It is noteworthy that this sum represents the estimated value of a privately owned amusement pier. The report that only that one lease, of the amusement pier, is existent on the granted lands, will merit further study. The statement that $5,600 is derived from a lunchroom concession in a beach bathhouse strongly infers unauthorized use and administration of the granted lands, at least in this particular instance. Use of revenue from the granted lands for operation and maintenance of the city's public beaches does not appear authorized under the statute of grant of 1929, Chapter 651, or any preceding statute of grant. The extent to which the granted lands are occupied or used by corporations or individuals, as reported in the reply to the committee's questionnaire, requires further examination. The fact that a large number of people using the city's public beaches reside outside the County of Los Angeles is not relevant. It is of urgent importance to raise the question at this point, respecting the reply to Question 8 of the questionnaire, whether granted lands acquired by duly authorized agencies of the State of California pursuant to legislative directive and authorization, are not subject to the same conditions and restrictions as to use and administration as are set forth in the statutes of grant of such lands to the local political subdivisions. Since every such statute by its terms applies to the grantee political subdivision's "successors," it would appear that granted lands alienated to agencies of the State of California should be examined regarding the use and administration thereof.

Conclusion. The reply of the City of Los Angeles was unsatisfactory, and further investigation is required, in the following particulars: In view of the present estimated value of the granted lands and developments thereof and improvements thereon, it is of the utmost necessity that the committee conduct extensive and comprehensive research, surveys, examinations, and investigations, so as carefully and accurately to determine whether the City of Los Angeles has substantially complied with the intents, purposes, conditions, and trusts of the statutes of grant; further, more complete, and more accurate information is essential before the committee adequately can report to the Assembly on the advisability of reacquisition of any or all of the granted lands and on whatever other procedures and actions may appear warranted by the use and administration thereof.

CITY OF MONTEREY

ASSEMBLY BILL No. 44

CHAPTER 669

An act granting to the City of Monterey the title to the water front of said city in the Bay of Monterey.

[Approved May 27, 1919]

The people of the State of California do enact as follows:

SECTION 1. The State of California does hereby cede, grant and relinquish forever, unto the City of Monterey, a municipal corporation organized and existing under and by virtue of the laws of the State of California, all the right, title, interest and estate whatsoever of the said State of California, of, in and to, all the real estate, lands and property situate within the corporate limits of said City of Monterey, and bounded and described as follows, to wit: Commencing at a point where the line of the corporation limits of said city strikes the bay of Monterey on the north, and running along the entire water front thereof in a southerly and westerly direction to the point where the southern or western boundary of said city strikes the said bay, comprising the entire water front of said city, out to a depth of 60 feet at low tide water; provided, that the rights of all persons, if any exist, under any title derived from said State of California, in and to any part of said property and premises hereby ceded and granted, be and the same are hereby reserved from the operation of this act.

SEC. 2. The entire water front hereby granted shall be held by the City of Monterey and its lawful successors forever, for the use and benefit of said city, and shall not be subject to execution upon any judgment against said city, but from time to time, may be let or leased for a term not exceeding 50 years, as the said city or its successors may deem to be most advantageous to said city; provided, that not more than 300 feet frontage of said water front shall be leased to one lessee; and provided, further, that at and upon any wharf erected or built upon property so leased any and all vessels shall have a right to dock, land and discharge passengers or merchandise upon payment to such lessee or lessees of reasonable dockage and wharfage. The dockage and wharfage shall be regulated and prescribed in such lease, and as thereafter, from time to time, may be determined by ordinance or resolution of said City of Monterey or by statute of the State of California.

SEC. 3. All acts or parts of acts in conflict herewith are hereby repealed.

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF MONTEREY

CITY OF MONTEREY
MONTEREY, CALIFORNIA

OFFICE OF
CITY MANAGER

QUESTIONNAIRE REGARDING TIDELANDS AND SUBMERGED LANDS GRANTED BY THE STATE

September 11, 1948

1. The city manager has, under the charter, "general supervision over all city property, including public buildings, parks and playgrounds."
2. In 1868 the State of California granted to the City of Monterey the tidelands and submerged lands to a depth of 20 feet. Subsequently the City of Monterey was granted the submerged lands to a depth of 60 feet. For many years the city has owned and operated Fisherman's Wharf at the foot of Alvarado Street. The original cost of this wharf to the city was about $18,000. It was built by a steamship company, and sold to the city. Since its acquisition, the area has been extended. This has been done a little at a time, and there are no records of the cost of construction. It would cost approximately $150,000 to replace this structure.

   Municipal Wharf No. 2 was built in 1926-27 at a total cost of $298,000. The money was raised by a bond issue. This issue will be fully paid in 1964.

   The breakwater was built by the Federal Government at no cost to the city except the cost of the approaches to said breakwater. The city did participate in the capping of said breakwater to the extent of $10,000. This was done as a joint project by the Federal Government and the City of Monterey.

   Extensive improvements in the bay and on shore are contemplated if and when the proposed breakwater project (now being studied by Army Engineers) is completed. The improvements in mind are recreational and commercial.
3. Public funds have been expended for development and improvement of granted lands as indicated above. In addition to the amounts shown, many thousands of dollars have been spent in the maintenance of the structures described.
4. Almost the entire perimeter of Fisherman's Wharf is occupied by buildings of lessees. These buildings front on the wharf and extend into the water at right angles thereto for a distance of from 30 to

135 feet. In addition, two of the oil companies, Standard and Shell, have built finger wharves for the servicing of boats. The total value of the improvements of said lessees is estimated to be in excess of $250,000.

The warehouse on Wharf No 2 has been converted to the use of wholesale fish concessionnaires. The total value of the improvements and equipment of said concessionnaires is estimated to be in excess of $100,000.

There are currently 32 fish canneries and reduction plants in Monterey. In almost every instance the main plant is so constructed that a portion of the building extends into the submerged land area on piling. In many instances from 50 to 90 percent of the building is over tidelands or submerged lands. The total value of said improvements is estimated to be in excess of $1,600,000.

5. Franchises and leases covered in No. 4.
6. Local agency receives approximately $40.000 annually from the canneries and concessionnaires. This money and more is used to maintain the facilities for the lessees.
7. Less than 1 percent of the granted lands are occupied or used by private individuals or corporations.
8. Local agency has not been divested of title or right to possession of granted lands.
9. The only judicial proceedings affecting title of local agency is the recent decision of the United States Supreme Court.

ANALYSIS OF THE REPLY OF THE CITY OF MONTEREY

The reply of the City of Monterey, while it indicates substantial compliance with the conditions of the statutes of grant and the trust under which the granted lands are held, nevertheless raises a strong possibility of unauthorized use and administration of such lands in specific particulars. An important condition contained in the statute of grant of 1919, Chapter 669, stipulates that not more than 300 feet of frontage shall be leased to any one person, individual, association, or corporation. Compliance with this express condition in the statute of grant should be investigated, as should the planned commercial use of the granted lands. It is noteworthy that the purpose to which revenues from the granted lands are expended is stated to be to maintain facilities for the lessees. Application of such funds in this manner should be examined by the committee, with a view toward amendatory legislation to protect the revenues from the granted lands.

Conclusion. The committee should investigate the leasing of the granted lands, as mentioned above, and also examine the purposes for which revenues from the granted lands are expended.

CITY OF NATIONAL CITY

SENATE BILL No. 451

CHAPTER 28

An act conveying certain tidelands and lands lying under inland navigable waters, situate in the Bay of San Diego to the City of National City, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof.

[Approved March 21, 1917]

The people of the State of California do enact as follows:

WHEREAS, Since the admission of California into the Union, all tidelands along the navigable waters of this State and all lands lying beneath the navigable waters of the State have been and now are held in trust by the State for the benefit of all the inhabitants thereof for the purpose of navigation, commerce and fishing; and

WHEREAS, It is the duty of the State to govern, administer and control such lands and to improve and develop navigation, commerce and fishing thereon and thereover; and

WHEREAS, The State has not the general power of alienation of such lands, but may, when the interests of commerce, navigation and fishing require it, convey to municipalities limited and defined areas of such lands with the power to govern, control, improve and develop the same in the interests of all the inhabitants of the State; and

WHEREAS, The conveyance to the City of National City of the lands hereinafter described, together with the right to govern, control, improve and develop the same will result in great advantage and benefit to all the inhabitants of the State, it is provided:

SECTION 1. There is hereby granted and conveyed to the City of National City, in the County of San Diego, State of California, all of the lands situate on the City of National City side of said bay, lying and being between the line of mean high tide and the pier head line in said bay, as the same has been or may hereafter be established by the Federal Government, and between the prolongation into the Bay of San Diego to the pier head line of the boundary line between the City of National City and the City of San Diego, and the prolongation into the Bay of San Diego to the pier head line of the boundary line between the City of National City and the City of Chula Vista.

SEC. 2. The City of National City shall have and there is hereby granted to it the right to make upon said premises all improvements, betterments and structures of every kind and character, proper, needful and useful for the development of commerce, navigation and fishing, including the construction of all wharves, docks, piers, slips, and the construction and operation of a municipal belt line railroad in connection with said dock system.

SEC. 3. No grant, conveyance or transfer of any character shall ever be made by the City of National City of the lands described in Section 1, or of any part thereof, but the said city shall continue to hold said lands and the whole thereof unless the same revert or be receded to the State of California. The Harbor of National City shall remain always a public harbor and the said city shall never charge or permit to be charged on

any of the premises by this act conveyed any unreasonable rate or toll, nor make nor suffer to be made any unreasonable charge, burden or discrimination. In the event of a violation of any of the provisions of this act, the said lands and the whole thereof shall revert to the State of California.

SEC. 4. The City of National City may lease for a term not exceeding 25 years any wharves, docks or piers constructed by it, and all such leases so executed shall reserve to the board of trustees of the City of National City, the right and privilege, by ordinance, to annul, change or modify such leases as in its judgment may seem proper. The aggregate amount of all wharves, docks and piers so leased by said city shall never exceed 75 percent of all the wharves, docks and piers actually constructed.

SEC. 5. The City of National City, may lease not to exceed an aggregate of 75 percent of the lands conveyed to it by this act, for a term not to exceed 25 years and upon which wharves, docks or piers have not been actually constructed, and, except by consent of the board of trustees of the City of National City under an ordinance of such board duly adopted, such leases shall not be assignable or transferable, nor shall any lessee have the right to sublet the leased premises or any part thereof, and all such leases so executed shall reserve to the board of trustees of the City of National City, the right and privilege, by ordinance to annul, change or modify such leases as in its judgment may seem proper; provided, however, that nothing in this act contained shall operate as a limitation upon the right and authority of the Harbor Commission of the State of California, at any time prior to the City of National City issuing its bonds as required in Section 6 hereof, of leasing any of the lands herein granted and conveyed to said National City, and the right and authority to enter into such leases at any time prior to issuing of such bonds, is hereby expressly conferred upon said harbor commission.

SEC. 6. The foregoing conveyance is made upon the condition that the City of National City shall, within five years from the approval of this act, exclusive of such time as said city may be restrained from so doing by injunction issued out of any court of this State or of the United States, and exclusive of such further delay as may be caused by unavoidable misfortune or great public or municipal calamity, issue its bonds for harbor improvement purposes in an amount of not less than $100,000. and shall, within five years after the approval of this act, exclusive of the time in this section hereinbefore mentioned, commence the work of such harbor improvement, and the said work and improvement shall be prosecuted with such diligence, that not less than $100,000 shall be expended thereon within five years from the approval of this act. If said bonds be not issued or said work be not prosecuted and completed as and in the manner herein provided, then the lands by this act conveyed to the City of National City shall revert to the State of California.

SEC. 7. The State hereby reserves unto itself at all times, the reasonable use of and access to all wharves, docks, piers, slips and quays hereafter constructed under the provisions of this act, for any vessel or water craft owned, leased, or operated by the State.

ASSEMBLY BILL No. 93

CHAPTER 46

An act conveying certain tidelands and lands lying under inland navigable waters, situate in the Bay of San Diego to the City of National City, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof.

[Approved April 27, 1923]

The people of the State of California do enact as follows:

WHEREAS, Since the admission of California into the union, all tidelands along the navigable waters of this State and all lands lying beneath the navigable waters of the State have been and now are held in trust by the State for the benefit of all the inhabitants thereof for the purpose of navigation, commerce and fishing; and

WHEREAS, It is the duty of the State to govern, administer and control such lands and to improve and develop navigation, commerce and fishing thereon and thereover; and

WHEREAS, The State has not the general power of alienation of such lands, but may, when the interests of commerce, navigation and fishing require it, convey to municipalities limited and defined areas of such lands with the power to govern, control, improve and develop the same in the interests of all the inhabitants of the State; and

WHEREAS, The conveyance to the City of National City of the lands hereinafter described, together with the right to govern, control, improve and develop the same will result in great advantage and benefit to all the inhabitants of the State; it is provided:

SECTION 1. There is hereby granted and conveyed to the City of National City, in the County of San Diego, State of California, all of the lands situate on the City of National City side of said bay, lying and being between the line of mean high tide and the pier head line in said bay, as the same has been or may hereafter be established by the Federal Government, and between the prolongation into the Bay of San Diego to the pier head line of the boundary line between the City of National City and the City of San Diego, and the prolongation into the Bay of San Diego to the pier head line of the northerly line of the street commonly known as Thirtieth Street, same being the southerly boundary of the City of National City, California.

SEC. 2. The City of National City shall have and there is hereby granted to it the right to make upon said premises all improvements, betterments and structures of every kind and character, proper, needful and useful for the development of commerce, navigation and fishing, including the construction of all wharves, docks, piers, slips, and the construction and operation of a municipal belt line railroad in connection with said dock system.

SEC. 3. No grant, conveyance or transfer of any character shall ever be made by the City of National City of the lands described in Section 1, or of any part thereof, but the said city shall continue to hold said lands and the whole thereof unless the same revert or be receded to the State of California. The Harbor of National City shall remain always a public harbor and the said city shall never charge or permit to be charged on any of the premises by this act conveyed any unreasonable rate or toll, nor make nor suffer to be made any unreasonable charge, burden or discrimination. In the event of a violation of any of the provisions of this act, the said lands and the whole thereof shall revert to the State of California.

SEC. 4. The City of National City may lease for a term not exceeding 25 years any wharves, docks or piers constructed by it, and all such leases so executed shall reserve to the board of trustees of the City of National City, the right and privilege, by ordinance, to annul, change or modify such leases upon the violation of any of the provisions thereof by the lessee as in its judgment may seem proper. The aggregate amount of all wharves, docks and piers so leased by said city shall never exceed 75 percent of all the wharves, docks and piers actually constructed.

SEC. 5. The City of National City, may lease not to exceed an aggregate of 75 percent of the lands conveyed to it by this act, for a term not to exceed 25 years and upon which wharves, docks or piers have not been actually constructed, and, except by consent of the board of trustees of the City of National City under an ordinance of such board duly adopted, such leases shall not be assignable or transferable, nor shall any lessee have the right to sublet the leased premises or any part thereof without such consent.

SEC. 6. The State hereby reserves unto itself at all times the reasonable use of and access to all wharves, docks, piers, slips and quays hereafter constructed under the provisions of this act, for any vessel or water craft owned, leased or operated by the State.

CHAPTER 183

An act conveying certain tidelands and lands lying under inland navigable waters, situate in the Bay of San Diego to the City of National City, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof, reserving rights to the State.

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted and conveyed to the City of National City in the County of San Diego, State of California, all of those certain tide and submerged lands of San Diego Bay, whether filled or unfilled, lying and being in the County of San Diego, State of California, and more particularly described as follows:

Beginning at a point on the southerly boundary of the City of National City, at the intersection of the said boundary with the ordinary high water mark of San Diego Bay as said point of intersection is delineated on Miscellaneous Map No. 185, Records of San Diego County, and running thence along the said ordinary high water mark, as delineated on said Miscellaneous Map No. 185, S. 31 degrees 10 minutes E., 26 84 feet, N. 77 degrees 20 minutes E., 251.04 feet, S. 41 degrees 01 minutes 29 seconds E., 493.67 feet, S. 40 degrees 52 minutes E., 261.31 feet, S 26 degrees 56 minutes E., 695.43 feet and S. 9 degrees 46 minutes W., 266.97 feet; thence out into San Diego Bay S. 71 degrees 43 minutes 29 seconds W., 2,636.31 feet to an intersection with a straight line joining United States Harbor Line Stations for San Diego Bay Nos. 303 and 495; thence along the said line joining Stations 303 and 495 N. 8 degrees 02 minutes 19 seconds W., 1,697.97 feet to the extension westerly of the southerly boundary of the City of National City; thence along the extension of said southerly boundary N. 71 degrees 44 minutes 34 seconds E., 1,808.18 feet to the place of beginning.

SEC. 2. The City of National City shall have and there is hereby granted to it the right to make upon said premises all improvements, betterments and structures of every kind and character, proper, needful and useful for the development of commerce, navigation and fishing, including the construction of all wharves, docks, piers, slips, and the construction and operation of a municipal belt line railroad in connection with said dock system.

SEC. 3. No grant, conveyance or transfer of any character shall ever be made by the City of National City of the lands described in Section 1, or of any part thereof, but the said city shall continue to hold said lands and the whole thereof unless the same revert or be receded to the State of California. The harbor of National City shall remain always a public harbor and the said city shall never charge or permit to be charged on any of the premises by this act conveyed any unreasonable rate or toll, nor make nor suffer to be made any unreasonable charge, burden or discrimination. In the event of a violation of any of the provisions of this act, the said lands and the whole thereof shall revert to the State of California.

SEC. 4. The City of National City may lease for a term not exceeding 25 years any wharves, docks or piers constructed by it, and all such leases so executed shall reserve to the board of trustees of the City of National City, the right and privilege, by ordinance, to annul, change or modify such leases upon the violation of any of the provisions thereof by the lessee as in its judgment may seem proper. The aggregate amount of all wharves, docks and piers so leased by said city shall never exceed 75 percent of all the wharves, docks and piers actually constructed

SEC. 5. The City of National City, may lease not to exceed an aggregate of 75 percent of the lands conveyed to it by this act, for a term not to exceed 25 years and upon which wharves, docks or piers have not been actually constructed, and, except by consent of the board of trustees of the City of National City under an ordinance of such board duly adopted, such leases shall not be assignable or transferable, nor shall any lessee have the right to sublet the leased premises or any part thereof without such consent.

SEC. 6 There is hereby reserved, however, in the people of the State of California the absolute right to fish in the waters of said harbor with the right of convenient access to said waters over said lands for said purposes.

SEC. 7 There is hereby excepted and reserved to the State of California all deposits of minerals, including oil and gas, in said land, and to the State of California, or persons authorized by the State of California, the right to prospect for, mine, and remove such deposits from said land.

SEC. 8. The lands herein described are granted subject to the express reservation and condition that the State may at any time in the future use said lands or any portion thereof for highway purposes without compensation to the city, its successors or assigns, or any person, firm or public or private corporation claiming under it, except that in the event improvements have been placed upon the property taken by the State for said purposes, compensation shall be made to the person entitled thereto for the value of his interest in the improvements taken or the damages to such interest.

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF NATIONAL CITY

THE CITY OF NATIONAL CITY

NATIONAL CITY, CALIFORNIA

OFFICE OF THE ADMINISTRATIVE OFFICER

August 6, 1948

ASSEMBLYMAN RALPH C. DILLS
Chairman, Interim Committee on Petroleum Problems
California State Legislature
Sacramento 14, California

DEAR ASSEMBLYMAN DILLS: Your letter to Mayor Gilbert E. Fritz, of this city, has been referred to my office for reply. In answering the questionnaire which you enclosed in your letter, I shall not repeat the questions but shall answer them in the same numerical order as you have them listed.

1. The city council, City of National City, is charged with the duty of administering tidelands, and submerged lands that have been granted by the State.
2. The city council has made application to the Federal Government for assistance in a flood control and small boat harbor development, which has received preliminary approval. A complete study has been authorized by the Federal Government. The city council has, also, made tentative plans for a progressive development of the tidelands which would include dredging, quay wall construction, road development, and possibly some pier construction.
3. To date the amount of public funds that have been spent in making these plans would probably not exceed a thousand dollars.
4. The only lease now in effect is with the Santa Fe Railroad for a wye track. The value of which is approximately $25,000.
5. I believe Question No. 5 is answered in Question No. 4.
6. The annual revenue received is somewhat variable due to several beach right leases for salvaging purposes this year. The amount of the revenue was approximately $1,500. It came from leases, and is deposited in a Harbor Improvement Fund to be used for harbor development.
7. About 1 percent of the grant lands are being used at this time.
8. In answering Question No. 8, it might be well to explain, the Federal Government through Eminent Domain Proceedings, took 135 acres of our tidelands during the war period. Prior to that time in 1938, the City of National City, voted 96 acres to the Federal Government for the enlargment of the United States Naval Station, formerly known as the Destroyer Base. The agreement made between the government and National City at the time this land

was obtained, was that the Federal Government would fill the remainder of our tidelands. Approximately 135 acres were filled, and several substantial leases were made by the city on this property. During the war the Navy found it necessary to expand and condemn the 135 acres. However, in the development of this land, they filled the balance of National City tidelands. The final settlement in this case was affected last year, so the tidelands which National City had developed, was taken by the government, and we now have undeveloped tidelands in our possession.

9. I believe Question No. 9 is answered in the foregoing Question No. 8.

If you desire further information concerning these tidelands, I will be glad to cooperate in any way that I can. I trust the foregoing answers will adequately serve your purpose.

Sincerely yours,

DELAVAN J. DICKSON
Administrative Officer

ANALYSIS OF THE REPLY OF THE CITY OF NATIONAL CITY

The reply of the City of National City discloses that tentative plans for compliance with the statutes of grant have been undertaken, in the application for federal flood control funds. Expenditures of public funds to date total less than $1,000, and contemplated expenditures are affirmed but unspecified. The lease to the Santa Fe Railroad and the so-called "beach right lease for salvaging purposes" both may, upon examination, be determined to constitute an unauthorized use and administration of the granted lands, in violation of the express conditions of the statutes of grant. The divestment of title and right to possession of 231 acres of the granted lands by the Federal Government should be subjected to close scrutiny.

Conclusion. The committee should conduct immediate and comprehensive surveys, research, examinations, and investigations to obtain sufficiently complete and detailed information relating to possible failure to develop and improve the granted lands, the leasing thereof, and the agreement of conveyance with the Federal Government, to which the State of California was not a party, in order to enable the committee adequately to report to the Assembly on the advisability of reacquisition of the granted lands.

CITY OF OAKLAND

CHAPTER 657

An act granting certain tidelands and submerged lands of the State of California to the City of Oakland and regulating the management, use and control thereof.

[Approved May 1, 1911]

The people of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. There is hereby granted to the City of Oakland, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California held by said

State by virtue of its sovereignty in and to all tidelands and submerged lands whether filled or unfilled, which are included within that portion of the City of Oakland that lies westerly of the western line of Pine Street, as Pine Street exists between Atlantic Street and Goss Street and as shown upon that certain map entitled "Map of land on Oakland point (railroad ferry landing) City of Oakland, tract 406" filed May 24, 1864, in book of maps 5, page 33, records of Alameda County, and said western line of Pine Street produced northerly and southerly, excepting, however, from said tidelands and submerged lands such of said lands as lie northerly of the northern boundary line of the City of Oakland, and the western extension thereof, as said northern boundary line was established by an act of the Legislature of the State of California, entitled, "An act to amend an act entitled 'An act to incorporate the City of Oakland,' passed March 25, 1854, and repealing certain other acts in relation to said city," approved April 24, 1862, to be forever held by said city and by its successors in trust for the use and purposes and upon the expressed conditions following, to wit:

(a) That said lands shall be used by said city and its successors, only for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation, and said city, or its successors shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purposes whatever; provided, that said city, or its successors, may grant franchises thereon, for limited periods, for wharves and other public uses and purposes, and may lease said lands, or any part thereof, for limited periods, for purposes consistent with the trusts upon which said lands are held by the State of California, and with the requirements of commerce or navigation at said harbor.

(b) That said harbor shall be improved by said city without expense to the State, and shall always remain a public harbor for all purposes of commerce and navigation and the State of California shall have, at all times, the right to use, without charge, all wharves, docks, piers, slips, quays and other improvements constructed on said lands, or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California.

(c) That in the management, conduct or operation of said harbor, or of any of the utilities, structures or appliances mentioned in paragraph (a), no discrimination in rates, tolls, or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors.

(d) There is hereby reserved, however, in the people of the State of California the absolute right to fish in the waters of said harbor with the right of convenient access to said waters over said land for said purpose.

SEC. 2. This act shall take effect immediately.

CHAPTER 654

An act granting certain lands and salt marsh and tidelands of the State of California, including the right to wharf out therefrom to the City of Oakland, and regulating the management, use and control thereof.

[Approved May 1, 1911]

The people of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. There is hereby granted to the City of Oakland, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California held by said State by virtue of its sovereignty in and to all the salt marsh and tidelands in the present City of Oakland lying and being southerly from the southern line of East 14th Street in said City of Oakland, and easterly from the eastern limits of the former Town of Oakland (as said easterly limits of said town are described in the act of the Legislature of the State of California, entitled "An act to incorporate the Town of Oakland and to provide for the construction of wharves thereat," approved May 4, 1852, and as said eastern limits of said town are determined and defined by the Supreme Court of the State of California, in the action entitled "*City of Oakland* v. *Oakland Water Front Company*," decided by said court September 13, 1897), and the right to wharf out therefrom, to be forever held by said city and by its successors in trust for the uses and purposes and upon the expressed conditions following, to wit:

That said laids shall be used by said city and its successors, only for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation, and said city, or its successors shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purposes whatever; provided, that said city, or its successors, may grant franchises thereon, for limited periods, for wharves and other public uses and purposes, and may lease said lands, or any part thereof, for limited periods, for purposes consistent with the trusts upon which said lands are held by the State of California, and with the requirements of commerce or navigation at said harbor, for a term not exceeding 25 years, and on such other terms and conditions as said city may determine, including a right to renew such lease or leases for a further term not exceeding 25 years or to terminate the same on such terms, reservations and conditions as may be stipulated in such lease or leases, and said lease or leases may be for any and all purposes which shall not interfere with navigation or commerce, with reversion to the said city on the termination of such lease or leases of any and all improvements thereon, and on such other terms and conditions as the said city may determine, but for no purpose which will interfere with navigation or commerce; subject also to a reservation in all such leases or such wharfing out privileges of a street, or of such other reservation as the said city may determine for a belt line railroad where the same may be deemed necessary by the said city; and such other reservations as the city may require, and for sewer outlets, and for gas and oil mains, and for hydrants, and for electric cables and wires, and for such other conduits for municipal purposes, and for

such public and municipal purposes and uses as may be deemed necessary by the said city; provided, however, that each person, firm or corporation or their heirs, successors or assigns now in possession of land or lands abutting on said lands, within the boundaries of the City of Oakland lying and being southerly from the southern line of East 14th Street in said City of Oakland and easterly from the eastern limits of the former Town of Oakland as hereinbefore firstly described, and lying and being westerly from the easterly boundary line of the City of Oakland as it existed in A.D. 1908, shall have a right to obtain a lease for a term of 25 years from said city of said land and wharfing out privileges therefrom with a right of renewal for a further term of 25 years pursuant to the provisions of this act and on such terms and conditions as said city may determine and specify, subject to the right of said city to terminate said lease at the end of the first 25 years or refuse to renew the same, or to terminate the lease so renewed during the term of such renewed lease on such just and reasonable terms for compensation for improvements at the then value of said improvements as said city may determine and specify.

Upon obtaining such lease and wharfing out privileges such person, firm or corporation, their heirs or assigns, shall quitclaim to said city any right they or any of them may claim or have to the said lands hereby granted.

This grant shall carry the right to such city of the rents, issues and profits in any manner hereafter arising from the lands or wharfing out privileges hereby granted.

The State of California shall have, at all times, the right to use, without charge, all wharves, docks, piers, slips, quays and other improvements constructed on said lands or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California.

No discrimination in rates, tolls or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors in the management, conduct or operation of any of the utilities, structures or appliances mentioned in this section.

There is hereby reserved in the people of the State of California the right to fish in the waters on which said lands may front with the right of convenient access to said waters over said lands for said purpose.

SEC. 2. This act shall take effect immediately.

SENATE BILL No. 887

CHAPTER 59

An act to amend Section 1 of an act entitled "An act granting certain tidelands and submerged lands of the State of California to the City of Oakland, and regulating the management, use and control thereof," approved May 1, 1911.

[Approved April 5, 1917]

The people of the State of California do enact as follows:

SECTION 1. Section 1 of the act entitled "An act granting certain tidelands and submerged lands of the State of California to the City of

Oakland, and regulating the management, use and control thereof," approved May 1, 1911, is hereby amended to read as follows:

Section 1. There is hereby granted to the City of Oakland, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California held by said State by virtue of its sovereignty in and to all tidelands and submerged lands whether filled or unfilled which are included within that portion of the City of Oakland that lies westerly of the western line of Pine Street, as Pine Street exists between Atlantic Street and Goss Street and as shown upon that certain map entitled "map of land on Oakland point (railroad ferry landing) City of Oakland, Tract 406," filed May 24, 1864, in Book of Maps 5, page 33, records of Alameda County, and said western line of Pine Street produced northerly and southerly, excepting, however, from said tidelands and submerged lands such of said lands as lie northerly of the northern boundary line of the City of Oakland, and the western extension thereof, as said northern boundary line was established by an act of the Legislature of the State of California entitled "An act to amend an act entitled 'An act to incorporate the City of Oakland,' passed March 25, 1854, and repealing cerain other acts in relation to said city," approved April 24, 1862, to be forever held by said city and by its successors in trust for the use and purposes and upon the expressed conditions following, to wit:

(a) That said lands shall be used by said city and its successors, only for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation, and said city, or its successors shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purposes whatever; provided, that said city, or its successors, may grant franchises thereon for limited periods, but in no event exceeding 50 years for wharves and other public uses and purposes, and may lease said lands or any part thereof for limited periods, but in no event exceeding 50 years, for the purposes consistent with the trusts upon which said lands are held by the State of California, and with the requirements of commerce or navigation at said harbor.

(b) That said harbor shall be improved by said city without expense to the State, and shall always remain a public harbor for all purposes of commerce and navigation, and the State of California shall have, at all times, the right to use, without charge, all wharves, docks, piers, slips, quays and other improvements constructed on said lands, or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California.

(c) That in the management, conduct or operation of said harbor, or of any of the utilities, structures, or appliances mentioned in paragraph (a), no discrimination in rates, tolls, or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors.

(d) There is hereby reserved, however, in the people of the State of California the absolute right to fish in all the waters of said harbor, with the right of convenient access to said waters over said land for said purpose.

ASSEMBLY BILL No. 730

CHAPTER 516

An act to amend Section 1 of an act entitled "An act granting certain tidelands and submerged lands of the State of California to the City of Oakland, and regulating the management, use and control thereof," approved May 1, 1911, and an act amendatory thereof, approved April 5, 1917.

[Approved May 27, 1919]

The people of the State of California do enact as follows:

SECTION 1. Section 1 of the act entitled "An act to amend Section 1 of an act entitled 'An act granting certain tidelands and submerged lands of the State of California to the City of Oakland, and regulating the management, use and control thereof,' approved May 1, 1911," approved April 5, 1917, is hereby amended to read as follows:

Section 1. There is hereby granted to the City of Oakland, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California held by said State by virtue of its sovereignty in and to tidelands and submerged lands, whether filled or unfilled, which are included within that portion of the City of Oakland that lies westerly of the western line of Pine Street, as Pine Street exists between Atlantic Street and Goss Street, and as shown upon that certain map entitled "map of land on Oakland point (railroad ferry landing) City of Oakland, tract 406," filed May 24, 1864 in book of maps 5, page 33, records of Alameda County, and said western line of Pine Street produced northerly and southerly, to be forever held by said city and by its successors in trust for the use and purposes and upon the expressed conditions following, to wit:

(a) That said lands shall be used by said city and its successors, only for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation, and said city, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purposes whatever; provided, that said city, or its successors, may grant franchises thereon for limited periods, but in no event exceeding 50 years for wharves and other public uses and purposes, and may lease said lands or any part thereof for limited periods, but in no event exceeding 50 years, for the purposes consistent with the trusts upon which said lands are held by the State of California, and with the requirements of commerce or navigation at said harbor.

(b) That said harbor shall be improved by said city without expense to the State, and shall always remain a public harbor for all purposes of commerce and navigation, and the State of California shall have, at all times, the right to use, without charge, all wharves, docks, piers, slips, quays and other improvements constructed on said lands, or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California.

(c) That in the management, conduct or operation of said harbor, or of any of the utilities, structures or appliances mentioned in paragraph (a), no discrimination in rates, tolls, or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors.

(d) There is hereby reserved, however, in the people of the State of California the absolute right to fish in all the waters of said harbor, with the right of convenient access to said waters over said land for said purpose.

ASSEMBLY BILL No. 196

CHAPTER 174

An act granting certain lands, tidelands and submerged lands of the State of California to the City of Oakland and regulating the management, use and control thereof.

[Approved May 18, 1923]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of Oakland, a municipal corporation of the State of California, and to its successors, all of the right, title and interest of the State of California held by said State by virtue of its sovereignty in and to all lands tidelands and submerged lands, whether filled or unfilled, in the present City of Oakland, consisting of three parcels hereinafter described, to wit:

Parcel 1. A piece of land bounded on the north by the line of ordinary low tide of May 4, 1852; on the south by the southern boundary of said City of Oakland; on the west by the projection southerly of the center line of Adeline Street as the same now exists; and on the east by the projection southerly of the eastern line of Washington Street as the same now exists.

Parcel 2. A piece of land bounded on the north by the southern line of property now owned by said City of Oakland; on the south by the southern boundary of said City of Oakland; on the west by the projection southerly of the center line of Franklin Street as the same now exists; and on the east by the projection southerly of the easterly line of Webster Street as the same now exists.

Parcel 3. A piece of land bounded on the north by the present termination of Broadway Street, on the south by the southern boundary line of said City of Oakland, on the west by the projection southerly of the western line of Broadway, as the same now exists, and on the east by the projection southerly of the easterly line of said Broadway Street, as the same now exists.

to be forever held by said city, and its successors, in trust for the uses and purposes and upon the express conditions following, to wit:

(a) That said lands shall be used by said city, and its successors, only for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation, and said city, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any

individual, firm or corporation for any purposes whatever; provided, that said city, or its successors, may grant franchises thereon for limited periods (but in no event exceeding 50 years), for wharves and other public uses and purposes and may lease said lands, or any part thereof, for limited periods (but in no event exceeding 50 years), for purposes consistent with the trusts upon which said lands are held by the State of California, and with the requirements of commerce or navigation at said harbor.

(b) That said harbor shall be improved by said city without expense to the State, and shall always remain a public harbor for all purposes of commerce and navigation, and the State of California shall have at all times, the right to use, without charge, all wharves, docks, piers, slips, quays, and other improvements constructed on said lands, or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California.

(c) That in the management, conduct or operation of said harbor, or of any of the utilities, structures or appliances mentioned in paragraph (a), no discrimination in rates, tolls, or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors.

(d) There is hereby reserved, however, in the people of the State of California the absolute right to fish in the waters of said harbor with the right of convenient access to said waters over said land for said purpose.

SENATE BILL No. 565

CHAPTER 621

An act granting certain lands and salt marsh and tidelands of the State of California to the City of Oakland, including the management, use and control thereof.

[Approved by the Governor, June 5, 1931]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of Oakland, a municipal corporation of the State of California, and to its successors, all of the right, title and interest of the State of California held by said State by virtue of its sovereignty in and to all lands, tidelands and submerged lands, whether filled or unfilled, included within that portion of the City of Oakland described as follows:

Bounded on the north by the line of ordinary low tide as the location thereof may be hereafter fixed by agreement of the City of Oakland and the adjacent shore line owners, on the south by the southerly boundary line of said city; on the west by the southerly production of the western line of Pine Street, as Pine Street exists between Atlantic Street and Goss Street, and as shown upon that certain map entitled "Map of land on Oakland point (railroad ferry landing), City of Oakland tract 406," filed May 24, 1864, in book of maps 5, page 33, records of Alameda County; on the east by the westerly boundary line and the southerly production of same, of that certain piece or parcel of land heretofore conveyed to Moore Shipbuilding Company by the Western Pacific Railroad Company by deed dated September 15, 1919, and recorded in deed book 2833, page 119, records of Alameda County.

To be forever held by said city, and its successors, in trust for the uses and purposes and upon the express conditions following, to wit:

(a) That said lands shall be used by said city, and its successors, only for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation, and said city, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purposes whatever; provided, that said city, or its successors, may grant franchises thereon for limited periods (but in no event exceeding 50 years), for wharves and other public uses and purposes and may lease said lands, or any part thereof, for limited periods (but in no event exceeding 50 years), for purposes consistent with the trusts upon which said lands are held by the State of California, and with the requirements of commerce and navigation at said harbor.

(b) That said harbor shall be improved by said city without expense to the State, and shall always remain a public harbor for all purposes of commerce and navigation, and the State of California shall have at all times, the right to use, without charge, all wharves, docks, piers, slips, quays, and other improvements constructed on said lands, or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California.

(c) That in the management, conduct or operation of said harbor, or of any of the utilities, structures or appliances mentioned in paragraph (a), no discrimination in rates, tolls, or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors.

(d) There is hereby reserved, however, in the people of the State of California the absolute right to fish in the waters of said harbor with the right of convenient access to said waters over said lands for said purpose

(e) There is hereby excepted and reserved to the State of California all deposits of minerals, including oil and gas, in said land, and to the State of California, or persons authorized by the State of California, the right to prospect for, mine, and remove such deposits from said land.

SENATE BILL No. 636

CHAPTER 96

An act to add Section 1.5 to an act entitled "An act granting certain tidelands and submerged lands of the State of California to the City of Oakland and regulating the management, use and control thereof," approved May 1, 1911, relating to the use and transfer of such lands; declaring the urgency thereof; and providing this act shall take effect immediately.

[Approved by the Governor April 24, A. D. 1937]

The people of the State of California do enact as follows:

SECTION 1. Section 1.5 is hereby added to the act cited in the title hereof, to read as follows:

Sec. 1.5. The city may give or grant to the State of California, the California Toll Bridge Authority or the California Highway Commission such part of the tidelands and submerged lands described herein, whether

filled or unfilled, as shall be required to construct, operate and maintain bridges, bridge approaches, highways, and transportation facilities thereof or thereto upon, and structures and facilities, in connection therewith, over and across such portions of said tidelands and submerged lands and upon such terms and conditions as may be agreed upon by the city and the authority or commission; provided, that upon the cessation of the use of such lands by the authority or commission, or their successors, such lands shall revert to the city subject to the uses, purposes and conditions herein set forth.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution, and shall accordingly take effect immediately. The facts constituting such urgency are the following:

The California Toll Bridge Authority now has pending before the Reconstruction Finance Corporation an application for the allotment of additional funds with which to construct an overpass on and a connection with the San Francisco-Oakland Bay Bridge; that the overpass and connection are necessary to facilitate and more safely distribute traffic using such bridge and to prevent the crossing of bridge approaches at grade; with its consequent danger to life, limb and property; that unless such allotment is procured, such overpass and connection can not be built; and that such allotment will not be made unless the legal authority of the officers concerned to make the agreements herein authorized is certain.

ASSEMBLY BILL No. 1078

CHAPTER 343

An act granting certain salt marsh, tide and submerged lands of the State of California to the City of Oakland, including the management, use and control thereof.

[Approved by the Governor May 24, A. D. 1937]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of Oakland, a municipal corporation of the State of California, and to its successors, all of the right, title and interest of the State of California held by said State by virtue of its sovereignty in and to all lands, salt marsh, tidelands and submerged lands, whether filled or unfilled, included within that portion of the City of Oakland described as follows:

Bounded on the north by the line of ordinary low tide, as said line may have come to rest under natural conditions; on the south by the southern boundary line of said City of Oakland; on the west by the projection southerly of the western line of Alice Street, a public street of said city, as the same now exists; on the east by the north arm of the estuary of San Antonio.

To be forever held by said city, and its successors, in trust for the uses and purposes and upon the express conditions following, to wit:

(a) That said lands shall be used by said city, and its successors, only for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce

and navigation, and said city, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purposes whatever; provided, that said city, or its successors, may grant franchises thereon for limited periods (but in no event exceeding 50 years), for wharves and other public uses and purposes and may lease said lands, or any part thereof, for limited periods (but in no event exceeding 50 years), for purposes consistent with the trust upon which said lands are held by the State of California, and with the requirements of commerce and navigation at said harbor.

(b) That said harbor shall be improved by said city without expense to the State, and shall always remain a public harbor for all purposes of commerce and navigation, and the State of California shall have at all times, the right to use, without charge, all wharves, docks, piers, slips, quays, and other improvements constructed on said lands, or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California.

(c) That in the management, conduct or operation of said harbor, or of any of the utilities, structures or appliances mentioned in paragraph (a), no discrimination in rates, tolls, or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors.

(d) There is hereby reserved, however, in the people of the State of California the absolute right to fish in the waters of said harbor with the right of convenient access to said waters over said lands for said purposes.

(e) There is hereby excepted and reserved to the State of California all deposits of minerals, including oil and gas, in said land, and to the State of California, or persons authorized by the State of California, the right to prospect for, mine, and remove such deposits from said land.

(f) The lands herein described are granted subject to the express reservation and condition that the State may at any time in the future use said lands or any portion thereof for highway purposes without compensation to the city, its successors or assigns, or any person, firm or public or private corporation claiming under it, except that in the event improvements have been placed upon the property taken by the State for said purposes, compensation shall be made to the person entitled thereto for the value of his interest in the improvements taken or the damages to such interest

ASSEMBLY BILL No. 526

CHAPTER 908

An act to add a new section to be numbered Section 2 to Chapter 621 of the Statutes of 1931 entitled "An act granting certain lands and salt marsh and tidelands of the State of California to the City of Oakland, including the management, use and control thereof," approved June 5, 1931, relating to the grant of lands to said city.

[Approved by the Governor July 1, A. D. 1937]

The people of the State of California do enact as follows:

SECTION 1. A new section to be numbered Section 2 is hereby added to Chapter 621 of the Statutes of 1931, entitled "An act granting certain lands and salt marsh and tidelands of the State of California to the

City of Oakland, including the management, use and control thereof," approved June 5, 1931, to read as follows:

SEC. 2. In addition to the lands, tidelands and submerged lands granted by Section 1 of this act to the City of Oakland, there is hereby granted to said city, and to its successors forever, all of the right, title and interest of the State of California held by said State by virtue of its sovereignty in and to all lands, tidelands and submerged lands, whether filled or unfilled, included within that portion of the City of Oakland, described as follows:

Bounded on the west by the lands heretofore granted to the City of Oakland by this act, on the north by the line of ordinary low tide, on the east by the center line of Adeline Street produced southwardly, and on the south by the southerly boundary line of said city.

Said grant is hereby made to the City of Oakland, and to its successors, in trust, for the uses and purposes, and subject to the powers, duties and conditions set forth in this act as to the land previously granted, and to the express reservation and condition that the State may at any time in the future use said lands or any portion thereof for highway purposes without compensation to the city, its successors or assigns, or any person, firm or public or private corporation claiming under it, except that in the event improvements have been placed upon the property taken by the State for said purposes, compensation shall be made to the person entitled thereto for the value of his interest in the improvements taken or the damages to such interest.

ASSEMBLY BILL No. 1885

CHAPTER 143

An act to add Section 1.25 to an act entitled "An act granting certain lands and salt marsh and tidelands of the State of California, to the City of Oakland," approved March 22, 1909, relating to the use and transfer of parts of such lands to the State of California for State Militia purposes.

[Approved by Governor May 15, 1939. Filed with Secretary of State May 15, 1939]

The people of the State of California do enact as follows:

SECTION 1. Section 1.25 is hereby added to the act cited in the title hereof, to read as follows:

Sec. 1.25. The city, acting by and through its city council and board of port commissioners, may give or grant to the State of California, or its appropriate agency or authority, such part of the tidelands, salt marsh and submerged lands described herein, located in the City of Oakland between Third Avenue and the channel leading to Lake Merritt from the San Antonio Estuary and between East Eighth Street and the existing tracks of the Seventh Street line of the Southern Pacific Company, whether filled or unfilled, as shall be required to construct, operate and maintain structures, facilities and yard space for the use of the National Guard, and other State Militia purposes, upon such terms and conditions as may be agreed upon by the city and the State, or its agency or officers having authority therein; provided, that upon the cessation of the use of such lands by the State, or its agency or proper authority, or their successors, for the purposes herein set forth, such lands shall revert to the city subject to the uses, purposes and condition in this act originally provided.

ASSEMBLY BILL No. 1358

CHAPTER 590

An act quitclaiming to the City of Oakland the interest of the State of California arising by virtue of tax deeds in and to certain salt marsh, tide and submerged lands.

[Approved by Governor June 4, 1941. Filed with Secretary of State June 4, 1941]

The people of the State of California do enact as follows:

SECTION 1. There is hereby quitclaimed to the City of Oakland, a municipal corporation of the State of California, and to its successors all the right, title and interest of the State of California, if any, arising by virtue of any tax deeds, remaining after redemption therefrom, in and to any and all salt marsh, tide and submerged lands, whether filled or unfilled, described as follows:

All those certain lots, pieces or parcels of land, situate lying and being in the County of Alameda, State of California, and bounded and particularly described as follows, to wit:

Parcel One: Real property in the City of Oakland, County of Alameda, State of California, described as follows:

Lots 25, 26, 27 and 28 in Sec. 29, T. 2 S., R. 3 W., Mount Diablo Base and Meridian, as said lots are shown on the map of "Sale Map No. 10, Salt Marsh and Tidelands, situate in the County of Alameda, State of California"—filed June 9, 1888, in the office of the county recorder of Alameda County.

Parcel Two: Real property partly in the City of Oakland and partly in the Township of Eden, County of Alameda, State of California, described as follows:

Beginning at the northwest corner of the southwest quarter of the southeast quarter of Sec. 29, T. 2 S., R. 3 W., Mount Diablo Base and Meridian; running thence east 20 chains; thence south 20 chains; thence east 20 chains; thence south 20 chains to the apparent line of low tide; thence along said line north 63½ degrees west 44.70 chains; thence north 20 chains to the point of beginning.

Being a portion of Survey 59 of Salt Marsh and Tidelands in the County of Alameda.

Parcel Three: Real property in the Township of Eden, County of Alameda, State of California, described as follows:

Lots 1, 4 and 5 in Sec. 32, T. 2 S., R. 3 W., Mount Diablo Base and Meridian, as said lots are shown on the map of "Sale Map No. 10, Salt Marsh and Tidelands, situate in the County of Alameda, State of California"—filed June 9, 1888, in the office of the county recorder of Alameda County.

Excepting therefrom that portion thereof lying within the lines of parcel numbered 2 hereinabove described.

Parcel Four: Lots 3, 4, 5, 6, 7 and 8 in Sec. 33, T. 2 S., R. 3 W., Mount Diablo Base and Meridian, as said lots are shown on the map of "Sale Map No. 10, Salt Marsh and Tidelands, situate in the County of Alameda, State of California"—filed June 9, 1888, in the office of the county recorder of Alameda County.

SENATE BILL No. 558

CHAPTER 720

An act to transfer to the City of Oakland a surface easement over certain tide and submerged lands and to define the powers and duties of the city in relation thereto.

[Approved by Governor June 13, 1941. Filed with Secretary of State June 13, 1941]

The people of the State of California do enact as follows:

SECTION 1. There is hereby transferred to the City of Oakland, a municipal corporation, and to its successors forever, a surface easement over all lands, salt marsh, tidelands and submerged lands, whether filled or unfilled, included within that portion of the City of Oakland described as follows:

Bounded on the north by the line of ordinary low tide, as said line may have come to rest under natural conditions; on the south by the southern boundary line of said City of Oakland lying in the estuary of San Antonio, on the west by the projection southerly of the westerly line of Harrison Street, a public street of said city; and on the east by the projection southerly of the western line of Alice Street, a public street of said city

Bounded on the north by the line of ordinary low tide, as said line may have come to rest under natural conditions; on the south by the southern boundary line of said City of Oakland lying in the estuary of San Antonio, on the west by the projection southerly of the easterly line of Washington Street, a public street of said city; and on the east by the projection southerly of the westerly line of Broadway, a public street of said city.

Bounded on the north by the line of ordinary low tide, as said line may have come to rest under natural conditions; on the south by the southern boundary line of said City of Oakland lying in the estuary of San Antonio; on the west by the projection southerly of the easterly line of Broadway, a public street of said city; and on the east by the projection southerly of the center line of Franklin Street, a public street of said city.

Said transfer is made for the following uses and purposes and subject to the following conditions:

(a) That said lands shall be used by said city, and its successors, only for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays, ships ways or other industrial uses and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation, and said city, or its successors, shall not, at any time, grant, convey, give or alienate said lands, or any part thereof, to any individual, firm or corporation for any purposes whatever; provided, that said city, or its successors, may grant franchises thereon for terms not in excess of 25 years for uses specified in this paragraph; and may lease said lands for the purposes aforesaid, or any of them, for such period or periods not to exceed 50 years, and under such terms and conditions as may be prescribed by the governing body of the City of Oakland.

(b) That said harbor shall be improved by said city without expense to the State, and shall always remain a public harbor for all purposes of

commerce and navigation, and the State of California shall have at all times, the right to use, without charge, all wharves, docks, piers, slips, quays, and other improvements constructed on said lands, or any part thereof, for any vessel or other water craft, or railroad, or airplane or seaplane owned or operated by the State of California.

(c) That in the management, conduct or operation of said harbor, or of any of the utilities, structures or appliances herein mentioned, no discrimination in rates, tolls, or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors.

(d) There is hereby reserved, however, in the people of the State of California the absolute right to fish in the waters of said harbor with the right of convenient access to said waters over said lands for said purposes.

(e) That there is hereby reserved to the State of California the right and power to prospect for, mine, extract, and remove from said lands any minerals, oil, gas, and other hydrocarbons, and all other things of value which may be contained in the subsurface of said lands; but any such prospecting, mining, extraction, and removal shall not be conducted by the State, or those who hold under the State, in such manner as to unreasonably interfere with the administration herein transferred to the city.

(f) The lands herein described are granted subject to the express reservation and condition that the State may at any time in the future use said lands or any portion thereof for highway purposes without compensation to the city, its successors or assigns, or any person, firm or public or private corporation claiming under it, except that in the event improvements have been placed upon the property taken by the State for said purposes, compensation shall be made to the person entitled thereto for the value of his interest in the improvements taken or the damages to such interest.

SEC. 2. Portions of the low tide line above mentioned never having been located on the ground, the city hereby is empowered to fix the same by agreement with abutting owners or by other appropriate means.

SENATE BILL No. 252

CHAPTER 218

An act to transfer to the City of Oakland a surface easement over certain tide and submerged lands and to define the powers and duties of the city in relation thereto.

[Approved by Governor May 3, 1945. Filed with Secretary of State May 3, 1945.]

The people of the State of California do enact as follows:

SECTION 1. There is hereby transferred to the City of Oakland, a municipal corporation, and to its successors forever, a surface easement over all lands, salt marsh, tidelands and submerged lands, whether filled or unfilled, included within that portion of the City of Oakland described as follows:

Bounded on the north by the line of ordinary low tide as said line may have come to rest under natural conditions; on the south by the southerly boundary line of said City of Oakland lying in the Estuary of San Antonio; on the west by a line drawn parallel with and distant

250 feet eastwardly from the southerly production of the easterly line of Webster Street, a public street in said city; on the east by the southerly production of the westerly line of Harrison Street, a public street of said city.

Said transfer is made for the following uses and purposes and subject to the following conditions:

(a) That said lands shall be used by said city, and its successors, only for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation, and said city, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purposes whatever; provided, that said city, or its successors, may grant franchises thereon for terms not in excess of 25 years for uses specified in this paragraph.

(b) That said harbor shall be improved by said city without expense to the State, and shall always remain a public harbor for all purposes of commerce and navigation, and the State of California shall have at all time, the right to use, without charge, all wharves, docks, piers, slips, quays, and other improvements constructed on said lands, or any part thereof, for any vessel or other water craft, or railroad, or airplane or seaplane owned or operated by the State of California.

(c) That in the management, conduct or operation of said harbor, or of any of the utilities, structures or appliances herein mentioned, no discrimination in rates, tolls, or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors.

(d) There is hereby reserved, however, in the people of the State of California the absolute right to fish in the waters of said harbor with the right of convenient access to said waters over said lands for said purposes.

(e) That there is hereby reserved to the State of California the right and power to prospect for, mine, extract, and remove from said lands any minerals, oil, gas, and other hydrocarbons, and all other things of value which may be contained in the subsurface of said lands; but any such prospecting, mining, extraction, and removal shall not be conducted by the State, or those who hold under the State, in such manner as to unreasonably interfere with the administration herein transferred to the city.

(f) The lands herein described are granted subject to the express reservation and condition that the State may at any time in the future use said lands or any portion thereof for highway purposes without compensation to the city, its successors or assigns, or any person, firm or public or private corporation claiming under it, except that in the event improvements have been placed upon the property taken by the State for said purposes, compensation shall be made to the person entitled thereto for the value of his interest in the improvements taken or the damages to such interest.

ASSEMBLY BILL No. 544

CHAPTER 607

An act granting certain salt marsh, tide and submerged lands of the State of California to the City of Oakland, including the management, use and control thereof.

[Approved by Governor May 19, 1943 Filed with Secretary of State May 19, 1943]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of Oakland, a municipal corporation of the State of California, and to its successors, all of the right, title and interest of the State of California held by said State by virtue of its sovereignty in and to all lands, salt marsh, tidelands and submerged lands, whether filled or unfilled, included within that portion of the unincorporated territory of the County of Alameda, State of California, described as follows:

Bounded on the northeast and east by the southwesterly boundary line of the Rancho San Leandro as finally confirmed to Jose Joaquin Estudillo, and the patent of which was recorded November 30, 1863, in Book "A" of patents, at page 105, Alameda County records; on the southwest by the boundary line of the City of Oakland as extended by the board of supervisors of the County of Alameda by its Resolution No. 32731 filed on August 10, 1938, with the Secretary of State of the State of California, and the northeast boundary of tide lots numbered 4, 3, 14 and 15, section 33, T. 2 S., R. 3 W., as shown on Sale Map No. 10 of salt marsh and tidelands, etc., prepared under the direction of the Board of Tideland Commissioners of the State of California; and on the northwest by the boundary line of the City of Oakland; saving and excepting therefrom the right of way or strip of land occupied by the railroad line of Southern Pacific Company.

To be forever held by said city, and its successors, in trust for the uses and purposes and upon the express conditions following, to wit:

(a) That said lands shall be used by said city, and its successors, only for the establishment, improvement and conduct of a harbor, including an airport or aviation facilities, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays and other utilities, structures, facilities and appliances necessary or convenient for the promotion and accommodation of commerce and navigation by air as well as by water, and said city, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purposes whatever; provided, that said city, or its successors, may grant franchises thereon for limited periods (but in no event exceeding 50 years), for wharves and other public uses and purposes and may lease said lands, or any part thereof, for limited periods (but in no event exceeding 50 years), for purposes consistent with the trust upon which said lands are held by the State of California, and with the requirements of commerce and navigation at said harbor.

(b) That said lands shall be improved by said city without expense to the State, and shall always remain available for public use for all purposes of commerce and navigation, and the State of California shall have at all times, the right to use, without charge, all wharves, docks, piers, slips, quays, and other improvements and facilities constructed on said

lands, or any part thereof, for any vessel or other water or air craft, or railroad, owned or operated by the State of California.

(c) That in the management, conduct or operation of said harbor, or of any of the utilities, structures, appliances or facilities mentioned in paragraph (a), no discrimination in rates, tolls, or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors.

(d) There is hereby reserved, however, in the people of the State of California the absolute right to fish in the waters of said harbor with the right of convenient access to said waters over said lands for said purposes.

(e) There is hereby excepted and reserved to the State of California all deposits of minerals, including oil and gas, in said land, and to the State of California, or persons authorized by the State of California, the right to prospect for, mine, and remove such deposits from said land.

(f) The lands herein described are granted subject to the express reservation and condition that the State may at any time in the future use said lands or any portion thereof for highway purposes without compensation to the city, its successors or assigns, or any person, firm or public or private corporation claiming under it, except that in the event improvements have been placed upon the property taken by the State for said purposes, compensation shall be made to the person entitled thereto for the value of his interest in the improvements taken or the damages to such interest.

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF OAKLAND

PORT OF OAKLAND BOARD OF PORT COMMISSIONERS

GENERAL OFFICES: GROVE STREET PIER
OAKLAND 7, CALIFORNIA

CLAIRE V GOODWIN, PRESIDENT
CLIFFORD D ALLEN, VICE PRESIDENT STANLEY A BURGHARDT, VICE PRESIDENT
DUDLEY W FROST JAMES F GALLIANO
A E ABEL, PORT MANAGER, CHIEF ENGINEER AND SECRETARY
W REGINALD JONES, PORT ATTORNEY

August 18, 1948

RALPH C. DILLS, *Chairman,*
Assembly Interim Committee on Petroleum Problems
123 N. Tamarind Street, Compton, California

DEAR MR. DILLS: This is in reply to the questionnaire you sent the Mayor of the City of Oakland.

The waterfront of the City of Oakland has had a peculiar history and, consequently, would not be typical of the lands fronting on the harbors of the State. In 1852, when the Town of Oakland was organized, the legislative charter granted to the town all the lands within its borders between high tide and ship channel. Immediately upon its organization the town granted all of these lands to one Horace W. Carpentier. The phrase "ship channel" was defined to mean the line of low tide. Consequently, all tidelands proper, that is, lands lying between high and low tide within the original limits of Oakland, have been in private ownership, and no estimate of the improvements thereon or their value can be made; regardless to say, it runs into many millions of dollars.

It is therefore to be understood that the following replies to your questions relate only to lands that have been reclaimed below the original line of low tide.

(1) The Board of Port Commissioners of the City of Oakland is the agency having jurisdiction and control over the reclaimed and submerged lands along Oakland's waterfront

(2) Commencing in 1910 a desultory development took place with the erection of minor structures on these lands, but the real development did not begin until the formation of the Board of Port Commissioners in 1927. Since that time approximately 19,900 linear feet of berthing space has been provided along modern wharves and piers.

(3) A bond issue of $9,960,000 has been used in the development of these facilities together with, perhaps, a like sum derived from earnings which have been plowed back in the provision of new facilities

(4) Approximately 7,400 linear feet of bething space has been provided by private capital operating under franchises. The Southern Pacific Mole, together with part of its extensive freight yard, is located on such a franchise It is impossible to obtain information as to the value of these improvements.

(5) Approximately 118 leases and franchises are currently in effect on lands of this character.

(6) From these leases and franchises the Board of Port Commissioners derives an annual revenue of approximately $750,000 These revenues are used for the maintenance of existing harbor facilities and the construction of additional ones.

(7) See Nos. (4) and (5) and explanatory introductory paragraph.

(8) Approximately 400 acres of these lands situate in the Middle Harbor were granted by the city to the Federal Government for the development of the Oakland Naval Supply Depot. Approximately 322 acres of these lands were granted to the Federal Government for the development of Oakland Army Base. The lands were conveyed under compulsion because of the filing of eminent domain proceedings as to part of such lands and to part of the facilities already established by the city and which were deemed necessary for the maintenance of the commercial harbor. The conveyance was made reluctantly and by way of compromise to secure the return of part of such facilities.

(9) In *United States of America* v. *Certain Parcels of Land in the County of Alameda*, etc et al., No 21930-L, in the District Court of the United States, in and for the Northern District of California, Southern Division, and in *United States of America* v. *Certain Land in the County of Alameda*, etc. et al , No 22084-S, in the same court, the Federal Government asserted the right to take such lands granted by the State to the City of Oakland without compensation, including improvements thereon, for the use of the Army on the theory that such taking was within the right of the government to provide aids to navigation under the commerce power. It was argued that the Army and Navy existed to protect and foster commerce and that, consequently, any facility provided for the use of either was an aid to navigation within the meaning of the admitted right of the government to provide aids to navigation such as lighthouses, jetties, etc. The District Court rejected this contention in 53 Fed. Supp. 150. See also *United States* v *112.715 Acres of Land, Contra Costa County, Cal* , 53 Fed. Supp. 143, which was a companion case and consolidated with the Oakland case for the determination of this point.

As a general observation under this point, it is the belief of the writer that the case of *United States* v. *California*, purportedly involving only those lands outside of harbors and lying below the line of low tide out to the three-mile limit, definitely presents a threat to the lands under the control of the Board of Port Commissioners of the City of Oakland. The writer can validate no line of reasoning based on any precedent which differentiates between the ownership of the lands along the coast and lands within bays or harbors. The theory of sovereign ownership commenced with lands under the seas and it has advanced into harbors and up navigable waters to the point where the tides cease to ebb and flow. This was the result of the conclusion that the latter waters partook of the nature of the sea because of the presence of the tides. The writer is fearful that the doctrine of the *United States* v. *California* may in some future case be extended to cover all lands under navigable waters.

In conclusion, may I compliment the committee for making this study. In preparation for hearings before committees of Congress, those of us who have been directing it have had difficulty in compiling data such as you are now doing. It will be invaluable when the tideland legislation comes up in the next Congress.

Very truly yours,

W. REGINALD JONES
Port Attorney

ANALYSIS OF THE REPLY OF THE CITY OF OAKLAND

The reply of the City of Oakland, through the Board of Port Commissioners of the Port of Oakland, shows a substantial compliance with the conditions of the 17 statutes of grant of tide, submerged, and reclaimed lands and with the trust under which the granted lands are held. No value is given for improvements pursuant to franchises and leases. Apparently the use and administration of the granted lands has been in conformance with the intents and purposes of the statutes of grant. However, the reported 118 leases on the granted lands, and the alienation of a portion of the granted lands to the Federal Government should be scrutinized.

Conclusion. The committee should investigate the leases of the tide, submerged, and reclaimed land granted to the City of Oakland and the conveyance of a portion thereof to the Federal Government.

COUNTY OF ORANGE

ASSEMBLY BILL No. 1105

CHAPTER 526

An act granting certain tidelands and submerged lands of the State of California to the County of Orange in said State upon certain trusts and conditions.

[Approved May 27, 1919]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the County of Orange and to its successors all of the right, title and interest of the State of California held by said State by virtue of its sovereignty in and to all that portion of the tidelands and submerged lands bordering upon and under Newport Bay in the said County of Orange, which are outside of the corporate limits of the City of Newport Beach, a municipal corporation, the same to be forever held by said county and by its successors in trust for the uses and purposes and upon the express conditions following, to wit:

(a) Said lands shall be used by said county and by its successors solely for the establishment, improvement and conduct of a harbor and for the establishment and construction of bulkheads or breakwaters for the protection of lands within its boundaries, or for the protection of its harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays, ways and streets, and other utilities, structures and appliances necessary or convenient for the promotion or accommodation of commerce and navigation, and the protection of the lands within said county. And said county or its successors shall not at any time grant, convey, give or alien said lands or any part thereof to any individual, firm, or corporation for any purposes whatever; provided, that said county or its successors may grant franchises thereon for a period not exceeding 25 years for wharves and other public uses and purposes, and may lease said lands or any part thereof for a period not exceeding 25 years for purposes consistent with the trust upon which said lands are held by the State of California, and with the requirements of commerce or navigation at said harbor.

(b) Said harbor shall be improved by said county without expense to the State and shall always remain a public harbor for all purposes of commerce and navigation, and the State of California shall have at all times the right to use, without charge, all wharves, docks, piers, slips, quays, and other improvements constructed on said lands or any part thereof for any vessel or other water craft or railroad owned or operated by the State of California.

(c) In the management, conduct or operation of said harbor, or of any of the utilities, structures or appliances mentioned in paragraph (a) no discrimination in rates, tolls or charges, or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said county, or by its successors. The absolute right to fish in the waters of said harbor with the right of convenient access to said water over said lands for said purpose is hereby reserved to the people of the State of California.

ASSEMBLY BILL No. 1191

CHAPTER 575

An act to amend Section 1 of an act entitled "An act granting certain tidelands and submerged lands of the State of California to the County of Orange in said State upon certain trusts and conditions," approved May 25, 1919, relating to the granting of franchises upon, and leases of, the tidelands therein granted to the County of Orange.

[Approved by the Governor, May 29, 1929]

The people of the State of California do enact as follows:

SECTION 1. Section 1 of an act entitled "An act granting certain tidelands and submerged lands of the State of California to the County of Orange in said State upon certain trusts and conditions," approved May 25, 1919, is hereby amended to read as follows:

Section 1 There is hereby granted to the County of Orange and to its successors all of the right, title and interest of the State of California held by said State by virtue of its sovereignty in and to all that portion of the tidelands and submerged lands bordering upon and under Newport Bay in the said County of Orange, which are outside of the corporate limits of the City of Newport Beach, a municipal corporation, the same to be forever held by said county and by its successors in trust for the uses and purposes and upon the express conditions following, to wit:

(a) Said lands shall be used by said county and by its successors solely for the establishment, improvement and conduct of a harbor and for the establishment and construction of bulkheads or breakwaters for the protection of lands within its boundaries, or for the protection of its harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays, ways and streets, and other utilities, structures and appliances necessary or convenient for the promotion or accommodation of commerce and navigation, and the protection of the lands within said county. And said county or its successors shall not at any time grant, convey, give or alien said lands or any part thereof to any individual, firm, or corporation for any purposes whatever; provided, that said county or its successors may grant franchises thereon for a period not exceeding 50 years for wharves and other public uses and purposes, and may lease said lands or any part thereof for a period not exceeding 50 years for purposes consistent with the trust upon which said lands are held by the State of California, and with the requirements of commerce or navigation at said harbor.

(b) Said harbor shall be improved by said county without expense to the State and shall always remain a public harbor for all purposes of commerce and navigation, and the State of California shall have at all times the right to use, without charge, all wharves, docks, piers, slips, quays, and other improvements constructed on said lands or any part thereof for any vessel or other water craft or railroad owned or operated by the State of California.

(c) In the management, conduct or operation of said harbor, or of any of the utilities, structures or appliances mentioned in paragraph (a) no discrimination in rates, tolls or charges, or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said county, or by its successors. The absolute right to fish in

the waters of said harbor with the right of convenient access to said water over said lands for said purpose is hereby reserved to the people of the State of California.

DATA FURNISHED TO THE COMMITTEE BY THE COUNTY OF ORANGE

BOARD OF SUPERVISORS

FRED C ROWLAND
Santa Ana
First District
WILLIS H WARNER
Huntington Beach
Second District
JAMES A BAKER
Anaheim
Third District

WILLARD SMITH, Chairman
Orange
Fourth District
IRVIN GEO GORDON
Newport Beach
Fifth District
B. I SMITH, Clerk
Santa Ana

Orange County, California

SANTA ANA, CALIFORNIA
September 13, 1948

MR. RALPH C. DILLS, *Chairman,*
Interim Committee on Petroleum Problems,
California Assembly, Sacramento 14, California

DEAR SIR: In reply to your questionnaire regarding tidelands and submerged lands granted by the State to Orange County, our investigation developed the following answers to your questions, by number:

1. County Board of Supervisors, through the Orange County Harbor Commission.
2. Development of Newport Harbor by dredging, filling, etc., and construction of county docks.
3. Yes Orange County voted $640,000 bond issue in 1934 Has supplied annual harbor budget since. Expenditures for fiscal year 1947-8 were $43,065. Budget for 1948-9 is $201,860, including $70,000 reserve.
4. None.
5. None.
6. Approximately $2,500 per year from mooring and docking rentals.
7. None.
8. No.
9. No.

We trust this will provide satisfactory information.

Yours sincerely,

GEORGE E. HART
Administrative Assistant

ANALYSIS OF THE REPLY OF THE COUNTY OF ORANGE

The reply of the County of Orange discloses a substantial compliance with the conditions of the statutes of grant and the trust under which the granted lands are held. The reply is not clear, however, with regard to leases and franchises relating to the granted lands, in that no leases or

franchises are said to be currently in effect, and no improvements resulting from leases or franchises are reported, but the county reports a revenue of $2,500 a year from the granted lands in the form of rentals, although it is stated that none of the granted lands is used or occupied by individuals or corporations.

Conclusion. The committee should investigate the matter of leases and franchises of or relating to the granted lands, and the questions of improvements thereon, revenues therefrom, and the use and occupancy thereof.

CITY OF PACIFIC GROVE

SENATE BILL No. 306

CHAPTER 690

An act granting to the City of Pacific Grove the title to the water front of said city, together with certain submerged lands in the Bay of Monterey contiguous thereto.

[Approved by the Governor, June 9, 1931]

The people of the State of California do enact as follows:

SECTION 1. The State of California does hereby cede, grant and relinquish, forever unto the City of Pacific Grove, a municipal corporation organized and existing under the laws of said State, all the right, title, interest, and estate, of said State of California, of, in, or to, all of the real estate, lands and property, contiguous to said City of Pacific Grove and bordering on or in the Bay of Monterey, and bounded and described, as follows to wit:

Parcel 1: Beginning at the intersection of the southeasterly corporate limit line (produced) of said City of Pacific Grove with the mean high tide line of the Bay of Monterey and running thence northwesterly along said mean high tide line to an intersection with the westerly line of Grand Avenue (produced) of said city, thence S. 80° E. 2,000 feet, thence N. 69° E., to a point in the Bay of Monterey where the depth of water in said bay is sixty (60) feet measured from mean low tide level, thence southeasterly along a line in said bay, which line shall be at a constant depth of sixty (60) feet of water measured from the mean low tide level of said bay to the intersection with said corporate limit line (produced); thence southwesterly along said produced line of said city limits to the place of beginning.

Parcel 2: Beginning at the point of intersection of the northerly property line of the lands of Mattie L. McDougall with the mean high tide line of the Bay of Monterey, which said point bears N. 19° 23′ 45″ E. 665 feet and S. 70° 36′ 15″ E. 200 feet, more or less, from the southeast corner of Ocean View Avenue and 17th Street of the City of Pacific Grove; running thence from said point N. 69° E. to a point in the Bay of Monterey where the depth of water in said bay is sixty (60) feet measured from mean low tide level; thence northwesterly along a line in said bay, which line shall be at a constant depth of sixty (60) feet measured from the mean low tide level of said bay to the intersection with the westerly city limit line (produced) of said City of Pacific Grove; thence S. 19° 22′ W. on and

along said city limits line (produced) to the point of intersection of said city limits line (produced) with the mean high tide line of the Bay of Monterey; thence southeasterly along said mean high tide line to the point of beginning.

Provided, however, that the rights of any and all persons, if any exist, under any title derived from said State of California, in and to any part of said property and premises hereby ceded and granted, be and the same are, hereby reserved from the operation of this act. Provided, however, that, except as hereinafter set forth, no part of said real property shall be used, employed, leased or disposed of in any manner whatsoever, for commercial, industrial or revenue producing uses or purposes.

Provided, however, that all or any part of said real property may be used, employed, leased or disposed of except as hereinafter provided, solely for public amusement and pleasure purposes including the use thereof for boat and yacht harbors, boating and yachting, swimming tanks and like or kindred purposes.

SEC. 2. The entire water front and lands hereby granted shall be held by the City of Pacific Grove and its lawful successors forever, for the use and benefit of said city, and shall not be subject to execution upon any judgment against said city; provided, however, that the following described portion of the real property hereby granted to said city and hereinabove described, may from time to time be let or leased for a term not exceeding 25 years, or for such less period as said city or its successors may deem to be most advantageous to said municipality, to wit: That portion of the above described lands lying within the following limits: Beginning at the intersection of the southeasterly corporate limit line of the said City of Pacific Grove with the mean high tide line of the Bay of Monterey and running thence northwesterly along said tide line 500 feet, thence leaving said tide line, north 60 degrees east to an intersection with a line projected north from the point of beginning, thence south to the point of beginning. Any lease made at any time for a term in excess of said maximum term hereinbefore prescribed shall be wholly void; provided, however, that not more than 300 of said 500 feet frontage of said water front last above described may be leased to any one lessee; and provided, further, that any and all vessels shall have the right to dock, land and discharge passengers or merchandise in, at and upon any wharf or pier erected or built upon property so leased as last above described upon the payment to any such lessee or lessees of reasonable dockage and wharfage fees and charges. Such fees and charges shall be regulated and prescribed in each such lease as from time to time may be determined by ordinance of said City of Pacific Grove or by statute of the State of California.

SEC. 3. Except as in this act otherwise prescribed, all valid rights of any and all persons, if such exist, in or to any part of said real property hereby ceded and granted to said City of Pacific Grove shall be and the same are hereby excepted and omitted from the provisions hereof.

SEC. 4. All acts and portions of acts in conflict herewith are hereby repealed.

SENATE BILL No. 762

CHAPTER 231

An act granting to the City of Pacific Grove the title to certain portions of the water front of said city together with certain submerged lands in the Bay of Monterey contiguous thereto.

[Approved by the Governor May 28, A D 1951]

The people of the State of California do enact as follows:

SECTION 1. The State of California does hereby cede, grant and relinquish, forever unto the City of Pacific Grove, a municipal corporation organized and existing under the laws of said State, all the right, title interest, and estate, of said State of California, of, in or to, all of the real estate, lands and property, contiguous to said City of Pacific Grove and bordering on or in the Bay of Monterey, and bounded and described, as follows, to wit:

Beginning at the point of intersection of the southeasterly corporate limit line of the City of Pacific Grove produced, and the line of mean high tide of the Bay of Monterey; thence northwesterly along said line of mean high tide to the intersection with the westerly corporate limit line of said city produced; thence N. 19° 22′ E. along said westerly corporate limit line produced, to the point in the Bay of Monterey where the depth of water in said bay is sixty (60) feet measured from the level of mean low tide; thence southeasterly along the line in said bay which line is at a constant depth of sixty (60) feet measured from the level of mean low tide, to the intersection with the southeasterly corporate limit line of said city produced; thence S. 58° 58′ W. along said southeasterly corporate limit line produced, to the point of beginning.

Provided, however, that the rights of any and all persons, if any exist, under any title derived from said State of California, in and to any part of said property and premises hereby ceded and granted, be and the same are, hereby reserved from the operation of this act. Provided, however, that, except as hereinafter set forth, no part of said real property shall be used, employed, leased or disposed of in any manner whatsoever for commercial, industrial or revenue producing uses or purposes.

Provided, however, that all or any part of said real property may be used, employed, leased or disposed of except as hereinafter provided, solely for public amusement and pleasure purposes including the use thereof for boat and yacht harbors, boating and yachting, swimming tanks and other like or kindred purposes.

SEC. 2. The entire water front and lands hereby granted shall be held by the City of Pacific Grove and its lawful successors forever, for the use and benefit of said city, and shall not be subject to execution upon any judgment against said city; provided, however, that the following described portion of the real property hereby granted to said city and hereinabove described, may from time to time be let or leased for a term not exceeding 25 years, or for such less period as said city or its successors may deem to be most advantageous to said municipality, to wit: That portion of the above described lands lying within the following limits: Beginning at the intersection of the southeasterly corporate limit line of the said City of Pacific Grove with the mean high tide line of the Bay

of Monterey and running thence northwesterly along said tide line 500 feet, thence leaving said tide line, north 60° east to an intersection with a line projected north from the point of beginning, thence south to the point of beginning. Any lease made at any time for a term in excess of said maximum term hereinbefore prescribed shall be wholly void; provided, however, that not more than 300 of said 500 feet frontage of said water front last above described may be leased to any one lessee; and provided, further, that any and all vessels shall have the right to dock, land and discharge passengers or merchandise in, at and upon any wharf or pier erected or built upon property so leased as last above described upon the payment to any such lessee or lessees of reasonable dockage and wharfage fees and charges. Such fees and charges shall be regulated and prescribed in each such lease as from time to time may be determined by ordinance of said City of Pacific Grove or by statute of the State of California.

SEC. 3. Except as in this act otherwise prescribed, all valid rights of any and all persons, if such exist, in or to any part of said real property hereby ceded and granted to said City of Pacific Grove shall be and the same are hereby excepted and omitted from the provisions hereof.

SEC. 4. The purpose of this act is to correct an omission in the description of the lands described in that certain act of the Legislature of the State of California entitled "An act granting to the City of Pacific Grove the title to the water front of said city, together with cerain submerged lands in the Bay of Monterey contiguous thereto." Approved by the Governor, June 9, 1931.

SEC. 5. All acts and portions of acts in conflict herewith are hereby repealed.

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF PACIFIC GROVE

CITY OF PACIFIC GROVE

CITY COUNCIL
W R LAPORTE, MAYOR
J HAROLD HARPER
FRED W WORKMAN
E J BOLLINGER
C I COOK
ROGER MATTHEWS
HAROLD W WILDMAN

MONTEREY COUNTY

PACIFIC GROVE, CALIFORNIA

ALFRED D COONS, CITY MANAGER
JOHN D IRWIN, CLERK AND TREASURER
REGINALD E FOSTER, CITY ATTORNEY

August 9, 1948

THE HONORABLE RALPH C. DILLS
Interim Committee on Petroleum Problems
California State Legislature
State Capitol, Sacramento 14, Calif.

DEAR MR. DILLS: In response to your questionnaire of July 26th and in the same order are the answers to your questions.

1. The city manager is charged with the duty of administering tidelands and submerged lands that have been granted by the State.
2. We are contemplating the development of a yacht harbor.
3. About $300.
4. A pier has been constructed at about a cost of $20,000.

5. A concessionaire has a lease for renting boats and taking glass bottom boat trips.
6. Seven hundred fifty-nine dollars were paid the city during last fiscal year. The source was from the above-mentioned boat concession. The revenues were expended for maintenance of the beach and waterfront.
7. None of the lands are occupied or used by individuals or corporations.
8. No.
9. No.

Sincerely yours,

A. D. COONS
City Manager

ANALYSIS OF THE REPLY OF THE CITY OF PACIFIC GROVE

The reply of the City of Pacific Grove indicates formulation of plans for compliance with the conditions of the statutes of grant and with the trust under which the granted lands are held, although a satisfactory degree of compliance has not yet been achieved The single lease reported a boat concession, and the matter of the revenues derived therefrom and the purposes for which those revenues are expended should be examined by the committee. Despite the lease to a commercial boat concession, the report states that none of the granted lands is used or occupied by individuals or corporations.

Conclusion. The committee should investigate the leasing of the granted lands, the amount of revenues derived from such leasing and the purposes for which such revenues are expended, and the matter of the use and occupancy of the granted lands.

CITY OF PITTSBURG

SENATE BILL No. 214

CHAPTER 214

An act granting to the City of Pittsburg and its successors certain salt, marsh, tide and submerged land of the State of California, including the right to wharf out therefrom and grant franchises and leases thereon, and regulating the management, use and control thereof, also including the right of said city to collect the rents, issues and profits in any manner hereafter arising from the lands for wharf out privileges hereby granted.

[Approved by the Governor May 8, A D 1937]

The people of the State of California do enact as follows:

SECTION 1. The State of California does hereby cede, grant and relinquish unto the City of Pittsburg, a municipal corporation organized and existing under the laws of this State, all the right, title, interest and estate, of said State of California, of, in or to, all of the real estate, lands or property, contiguous to said City of Pittsburg, County of Contra Costa, State of California, and particularly described as follows to wit:

Commencing at a point bearing north 16¾ degrees east and distant five hundred (500) feet from the northeast corner of Block 18 of Hooper's

Addition to said town of Black Diamond as said town appears from the map or plat thereof filed in the office of the county recorder on the tenth day of February A.D , 1903, said point being the center line of the channel of New York Slough; thence from said point south 16¾ degrees west five hundred (500) feet to said northeast corner of Block 18; thence south 16¾ degrees west eleven hundred and forty (1140) feet; thence at right angles west 16¾ degrees north thirteen hundred and fifty (1350) feet; thence at right angles south 16¾ degrees west one hundred and eighty (180) feet; thence at right angles west 16¾ degrees north eleven hundred and seventy-five (1175) feet; thence at right angles north 16¾ degrees east fifteen hundred and fifty (1550) feet; thence at right angles east 16¾ degrees south three hundred and seventy-five (375) feet; thence at right angles north 16¾ degrees east two hundred and fifty (250) feet; thence at right angles east 16¾ degrees south fifty (50) feet; thence at right angles north 16¾ degrees east fifty (50) feet; thence north 68 degrees 45 minutes east one hundred and sixty (160) feet more or less to ordinary high water mark on New York Slough; thence north 16¾ degrees east five hundred (500) feet more or less to a point in New York Slough on the center line of the channel of said slough; thence southerly and easterly following the center line of said channel of said slough four thousand (4000) feet more or less to the point of commencement.

SEC. 2. The City of Pittsburg shall have and there is hereby granted to it the right to make upon said premises all improvements, betterments and structures of every kind and character, proper, needful and useful for the development of commerce, navigation and fishing, including the construction of all wharves, docks, piers and slips.

SEC. 3. No grant, conveyance or transfer of any character shall ever be made by the City of Pittsburg of the lands described herein, but the said city shall continue to hold said lands and the whole thereof unless the same revert or be receded to the State of California.

SEC. 4. The City of Pittsburg may lease upon such terms as it shall deem advisable, for a term not exceeding 25 years, any of such land or any wharves, docks or piers constructed thereon, and all such leases so executed shall reserve to the council of the City of Pittsburg the right and privilege, by ordinance, to annul, change or modify such leases as in its judgment may seem proper subject to the terms and conditions therefor contained in such leases, respectively.

SEC. 5. The State hereby reserves unto itself at all times, the reasonable use of and access to all wharves, docks, piers, slips and quays hereafter constructed under the provisions of this act, for any vessel owned, leased or operated by the State. There is hereby reserved in the people of the State of California the absolute right to fish in the waters of said harbor, with the right of convenient access to said waters over said lands for said purposes.

There is excepted and reserved to the State of California all deposits of minerals, including oil and gas, in said lands.

This grant is made subject to the rights of any and all persons under any title derived from the State of California in or to any part of said lands.

SEC. 6. The lands herein described are granted subject to the express reservation and condition that the State may at any time in the future use said lands or any portion thereof for any authorized public

use without compensation to the city, its successors or assigns, or any person, firm or public or private corporation claiming under it, except that in the event improvements have been placed upon the property taken by the State for public use, compensation shall be made to the person entitled thereto for the value of his interest in the improvements taken or the damages to such interest.

SEC. 7. The City of Pittsburg shall in the name of the State of California have and is hereby granted the power and authority to maintain and prosecute to final judgment in any court of the State or United States in which jurisdiction may be vested any and all actions necessary to recover possession, from any private persons, partnerships or corporations all or any part of the lands granted herein.

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF PITTSBURG

CITY OF PITTSBURG
PITTSBURG, CALIFORNIA

QUESTIONNAIRE REGARDING TIDELANDS AND SUBMERGED LANDS GRANTED BY THE STATE

1. Which officer or agency is charged with the duty of administering tidelands and submerged lands that have been granted by the State? City Council.

2. What action has been or is being taken for the development and improvement of the granted lands? No action (no money).

3. Have public funds been expended for such purposes, and, if so, approximately in what amount? Fifty thousand dollars.

4. What improvements have been made pursuant to franchises or leases and what is the approximate value thereof? Buildings and wharfs, $75,000.

5. What franchises or leases of such lands are currently in effect? Twenty-two leases.

6. What are the present annual revenues received by the local agency from such lands, the sources thereof, and the purposes for which such revenues are used? Approximately $3.138.

7. To what extent, if at all, are any of the granted lands occupied or used by individuals or corporations? Ninety percent.

8. Has your local agency been divested of title or right to possession of any of the granted lands by reason of conveyance thereof by the local agency, eminent domain proceedings, agreements to determine boundaries, or otherwise? No.

9. Have any judicial proceedings been commenced against your local agency affecting title or right to possession of any such granted lands? If so, list the names of the cases and state the effect of each judgment. No.

ANALYSIS OF THE REPLY OF THE CITY OF PITTSBURG

The reply of the City of Pittsburg is interesting, in that it states that while no action has been taken for the development and improvement of the granted land, $50,000 in public funds have nevertheless been expended for that purpose. Improvements made pursuant to 22 leases are reported to be of the approximate value of $75,000, from which the

city derives an annual income slightly in excess of $3,100. No statement is made of the purposes for which those revenues are expended. The astounding total of 90 percent of the granted land was reported to be used or occupied by individuals or corporations.

Conclusion. The committee should conduct an immediate and extensive investigation into the matter of the development and improvement of the granted land, both by public expenditures and by lessees, and the purposes for which revenues from the granted lands are applied. By obtaining complete and detailed information and data in these particulars, the committee will be able adequately to report to the Assembly on the advisability of reacquisition of the granted lands by the State of California.

CITY OF REDONDO BEACH

ASSEMBLY BILL No. 1505

CHAPTER 57

An act granting certain tidelands and submerged lands of the State of California to the City of Redondo Beach upon certain trusts and conditions.

[Approved April 12, 1915]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of Redondo Beach, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California, held by said State by virtue of its sovereignty, in and to all the tidelands and submerged lands, within the present boundaries of said city, and situated below the line of mean high tide of the Pacific Ocean, to be forever held by said city, and by its successors, in trust for the uses and purposes, and upon the express conditions following, to wit:

(a) Said lands shall be used by said city and by its successors, solely for the establishment, improvement and conduct of a harbor and for the establishment and construction of bulkheads or breakwaters for the protection of lands within its boundaries, or for the protection of its harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays and other utilities, structures and appliances necessary or convenient for the promotion or accommodation of commerce and navigation, and the protection of the lands within said city, and said city, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purpose whatsoever; provided, that said city, or its successors, may grant franchises thereon, for limited periods, for wharves and other public uses and purposes, and may lease said lands, or any part thereof for limited periods, for purposes consistent with the trusts upon which said lands are held by the State of California and with the requirements of commerce or navigation at said harbor;

(b) Said harbor shall be improved by said city without expense to the State, and shall always remain a public harbor for all purposes of commerce and navigation, and the State of California shall have, at all times, the right to use, without charge, all wharves, docks, piers, slips,

quays and other improvements constructed on said lands, or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California;

(c) In the management, conduct or operation of said harbor, or of any of the utilities, structures or appliances mentioned in paragraph (a), no discrimination in rates, tolls, or charges, or in facilities, for any use or service in connection therewith shall ever be made, authorized or permitted by said city or by its successors. The absolute right to fish in the waters of said harbor, with the right of convenient access to said waters over said lands for said purpose, is hereby reserved to the people of the State of California.

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF REDONDO BEACH

OFFICE OF
CITY MANAGER

TELEPHONE
FRONTIER 2 9703

CITY OF REDONDO BEACH
CALIFORNIA

March 27, 1951

HONORABLE G. DELBERT MORRIS, *Chairman*,
Interim Committee on Petroleum Problems,
State Capitol, Sacramento, California

DEAR SIR: Your communication of February 19, 1951, has been forwarded to me for reply. May I express my regrets in that your original communication has not been answered. However, it is not surprising considering several changes that have been made in the administration during the last year in the City of Redondo Beach.

I am assuming that the questions are directed towards the utilization of tideland and submerged lands for the purpose of petroleum development and the answers thereto are in that light.

In reply to question No. 1, the city manager is charged with the duties of administering all city business and such other affairs as may be related thereto. The answers to the succeeding eight questions are all in the negative To the best of my knowledge, no attempt has been made to develop the tidelands off Redondo Beach nor is there existing any options or court actions relative to the probable development of such submerged areas.

Trusting this reply will meet with the requirements of your communication, I remain,

Very truly yours,

G. W. COFFEY
City Manager

ANALYSIS OF THE REPLY OF THE CITY OF REDONDO BEACH

The reply of the City of Redondo Beach to the questionnaire of the committee is self-explanatory. In view of the admission that no action has been taken or is contemplated to develop or improve the granted lands, there is a complete lack of compliance with the intents, purposes, and conditions of the statute of grant of 1915, Chapter 57.

Conclusion The recommendation of the committee with respect to the tidelands and submerged lands granted to the City of Redondo Beach is contained in the recommendations of the committee set forth at the conclusion of this report.

CITY OF SAN BUENAVENTURA

ASSEMBLY BILL No. 65

CHAPTER 213

An act granting certain tide and submerged lands of the State of California to the City of San Buenaventura, upon certain trusts and conditions.

[Approved by the Governor May 27, A. D. 1935]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of San Buenaventura, a municipal corporation in the County of Ventura, State of California, all the right, title and interest of the State of California, held by said State by virtue of its sovereignty, in and to all the tidelands and submerged lands (whether filled or unfilled) situated below the line of mean high tide of the Pacific Ocean and lying between the prolongation of the west boundary line of the City of San Buenaventura into the said Pacific Ocean and the prolongation of the east boundary line of the said City of San Buenaventura into the Pacific Ocean, to be forever held by said city, and by its successors, in trust for the uses and purposes and upon the express conditions following, to wit:

(a) That said lands may be used by said city for the establishment, improvement and conduct of its harbor and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays, and other utilities, structures and appliances necessary or convenient for the promotion of commerce and navigation and fisheries and for the establishment and maintenance of bath houses and bathing facilities, and for such other recreational facilities necessary or convenient for the inhabitants of said city; but said uses shall not be deemed to deprive the City of San Buenaventura of the rights granted to it by Article XVIII of its charter, to appoint harbor commissioners, to create or be a part of a harbor district, and to take any and all other steps that it may from time to time deem advisable for the improvement and maintenance of its waterfront and harbor and for the development and conduct of port facilities and commerce; and said city may, in pursuance of the provisions of said Article XVIII of the said charter, lease any portion of the waterfront for public recreational purposes for a term of not exceeding 10 years, and a lease may be made for such other purposes or for a longer period if such lease be submitted to the electors and approved by a vote of two-thirds of those voting thereon, if the purposes of the lease are consistent with the trust upon which said lands are held by the State of

California and with the requirements of commerce and navigation of said harbor;

(b) That said harbor shall be improved by said city without expense to the State of California, and it shall always remain a public harbor for all purposes of commerce and navigation, and the State of California shall have at all times the right to use without charge all wharves, docks, piers, slips, quays and other improvements constructed on said land or any part thereof for any vessel or other water craft, or any railroad, owned and operated by the State of California;

(c) That in the management, conduct or operation of said harbor or any of the utilities, structures or appliances mentioned in paragraph (a) no discrimination in rates, tolls or charges in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city;

(d) That there is reserved for the people of the State of California the absolute right to fish in the waters of said harbor, with the right of convenient access to said waters over said lands for said purpose;

(e) That the said city shall not, upon said land, prospect for, nor remove therefrom, any oil, gas or other hydrocarbon substances, nor shall it suffer or permit the removal of same.

(f) That in the event drilling for oil, gas, or other hydrocarbon substances, shall take place upon land other than that herein granted, and so located that like drilling shall be reasonably requisite for the proper protection of the land hereby granted from drainage by such wells, then the State of California, for itself and for all persons authorized by it, expressly reserves the right to enter upon the said land for the purpose of drilling thereon such well or wells as shall be reasonably requisite for the proper protection of said land from drainage, and may produce and save oil, gas, or other hydrocarbon substances, from such well or wells, free from any claim of the said city.

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF SAN BUENAVENTURA

CITY of SAN BUENAVENTURA
VENTURA COUNTY--CALIFORNIA
P O BOX 99
VENTURA, CALIFORNIA

COUNCILMEN
EDWIN LEE GARDNER II MAYOR
HAL V HAMMOND JR
KARL L HELLING
IDAH W ILIFF
L H LARSON
ERNEST J PATE
CHARLES W PETIT

LAWRENCE E OLSON
CITY MANAGER
DONALD D ROFF
CITY ATTORNEY
GRACE WOODRUFF
CONTROLLER CLERK

March 2, 1951

ASSEMBLYMAN G. DELBERT MORRIS
Chairman, Interim Committee on Petroleum Problems
State Capitol, Sacramento 14, California

DEAR ASSEMBLYMAN MORRIS: At the request of Mayor Gardner I am enclosing herewith answer to the questionnaire which was forwarded to him on February 19, 1951, in connection with the Assembly Interim Committee on Petroleum Problems.

Very truly yours,

LAWRENCE E. OLSON
City Manager

QUESTIONNAIRE REGARDING TIDELANDS AND SUBMERGED LANDS GRANTED BY THE STATE

1 What officer or agency is charged with the duty of administering tidelands and submerged lands that have been granted by the State?
Answer: No improvements belonging to city, and no one charged with any duty.

2 What action has been or is being taken for the development and improvement of the granted lands?
Answer: Have granted waterfront to State under control of Park Commission, State Division of Beaches and Parks, Department of Natural Resources

3 Have public funds been expended for such purposes, and if so, approximately in what amount?
Answer: Wharf valued at $75,000 granted to State by city.

4 What improvements have been made pursuant to franchises or leases and what is the approximate value thereof?
Answer: None.

5. What franchises or leases of such lands are currently in effect?
Answer: None

6 What are the present annual revenues received by the local agency from such lands, the sources thereof, and the purposes for which such revenues are used?
Answer: None.

7. To what extent, if at all, are any of the granted lands occupied or used by individuals or corporations?
Answer: Wharf operated by State Park Commission, two submerged pipe lines used by oil companies

8. Has the local agency been divested of title or right to possession of any of the granted lands by reason of conveyance thereof by the local agency, eminent domain proceedings, agreements to determine boundaries, or otherwise?
Answer: Yes—granted to State.

9 Have any judicial proceedings been commenced against the local agency affecting title or right to possession of any such granted lands? If so, list the names of the cases and state the effect of each judgment.
Answer: None.

ANALYSIS OF THE REPLY OF THE CITY OF SAN BUENAVENTURA

The reply of the City of San Buenaventura is largely self-explanatory. The answers, however, are insufficient in describing the nature of the conveyance to the State of California and the operation of certain facilities on granted lands by the State Park Commission. In this regard the observation in the analysis to the reply of the City of Los Angeles, relating to continuing effect of conditions contained in grants to political subdivisions where such subdivisions subsequently convey such granted lands to an authorized agency of the State of California, is pertinent here.

Conclusion. The reply of the City of San Buenaventura is unsatisfactory, and further investigation by the committee is required, in the following particulars: Nature of the conveyance of granted lands to the State of California, and operation on such lands of certain facilities by the State Park Commission.

CITY OF SAN DIEGO

CHAPTER 700

An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof.

[Approved May 1, 1911]

The people of the State of California, represented in Senate and Assembly, do enact as follows:

WHEREAS, Since the admission of California into the Union, all tidelands along the navigable waters of this State and all lands lying beneath the navigable waters of the State have been and now are held in trust by the State for the benefit of all the inhabitants thereof for the purposes of navigation, commerce and fishing, and

WHEREAS, It is the duty of the State to govern, administer and control such lands and to improve and develop navigation, commerce and fishing thereon and thereover, and

WHEREAS, The State has not the general power of alienation of such lands but may, when the interests of commerce, navigation and fishing require it, convey to municipalities limited and defined areas of such lands with the power to govern, control, improve and develop the same in the interests of all the inhabitants of the State, and

WHEREAS, The conveyance to the City of San Diego of the lands hereinafter described, together with the right to govern, control, improve and develop the same will result in great advantage and benefit to all the inhabitants of the State, it is provided:

SECTION 1. There is hereby granted and conveyed to the City of San Diego, in the County of San Diego, State of California, all of the lands situate on the City of San Diego, side of said bay, lying and being between the line of mean high tide and the pier head line in said bay, as the same has been or may hereafter be established by the Federal Government, and between the prolongation into the Bay of San Diego to the pier head line of the boundary line between the City of San Diego and National City, and the prolongation into the Bay of San Diego to the pier head line of the northerly line of the United States Military Reservation on Point Loma.

SEC. 2. The City of San Diego shall have and there is hereby granted to it the right to make upon said premises all improvements, betterments and structures of every kind and character, proper, needful and useful for the development of commerce, navigation and fishing, including the construction of all wharves, docks, piers, slips, and the construction and operation of a municipal belt line railroad in connection with said dock system.

SEC. 3. No grant, conveyance or transfer of any character shall ever be made by the City of San Diego of the lands described in paragraph one, or of any part thereof, but the said city shall continue to hold said lands and the whole thereof unless the same revert or be receded to the State of California. The Harbor of San Diego shall remain always a public harbor and the said city shall never charge or permit to be

charged on any of the premises by this act conveyed any unreasonable rate or toll, nor make nor suffer to be made any unreasonable charge, burden or discrimination. In the event of a violation of any of the provisions of this act the said lands and the whole thereof shall revert to the State of California.

SEC. 4 The City of San Diego may lease for a term not exceeding 15 years any wharves, docks or piers constructed by it, and all such leases so executed shall reserve to the common council of the City of San Diego the right and privilege, by ordinance to annul, change or modify such leases as in its judgment may seem proper The aggregate amount of all wharves, docks and piers so leased by said city shall never exceed 75 percent of all of the wharves, docks and piers actually constructed.

SEC. 5. The City of San Diego may lease not to exceed an aggregate of 75 percent of the lands conveyed to it by this act, for a term not to exceed 25 years and upon which wharves, docks or piers have not been actually constructed and no such lease shall be for a larger area than 40 acres, and such leases shall not be assignable or transferable, nor shall any lessee have the right to sublet the leased premises or any part thereof and all such leases so executed shall reserve to the common council of the City of San Diego the right and privilege, by ordinance to annul, change or modify such leases as in its judgment may seem proper.

SEC. 6 The foregoing conveyance is made upon the condition that the City of San Diego shall, within 12 months from the approval of this act, exclusive of such time as said city may be restrained from so doing by injunction issued out of any court of this State or of the United States, and exclusive of such further delay as may be caused by unavoidable misfortune or great public or municipal calamity, issue its bonds for harbor improvement purposes in an amount of not less than $1,000,000, and shall, within 18 months after the approval of this act, exclusive of the time in this section hereinbefore mentioned, commence the work of such harbor improvement, and the said work and improvement shall be prosecuted with such diligence that not less than $1,000,000 shall be expended thereon within three years from the approval of this act exclusive of the time in this section hereinbefore mentioned The said harbor improvement work shall be so done and performed that accommodation will be furnished and maintained for ocean-going vessels of the largest class, and a depth of water shall be obtained and maintained at the piers of not less than 35 feet.

If said bonds be not issued or said work be not prosecuted and completed as and in the manner herein provided, then the lands by this act conveyed to the City of San Diego shall revert to the State of California.

SEC. 7. The State hereby reserves unto itself at all times, the reasonable use of and access to all wharves, docks, piers, slips and quays hereafter constructed under the provisions of this act, for any vessel or water craft owned, leased or operated by the State.

SEC. 8. This act shall take effect immediately.

CHAPTER 77

An act to amend Section 6 of an act of the Legislature of the State of California, conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof, approved May 1, 1911.

[Approved April 23, 1913]

The people of the State of California do enact as follows:

SECTION 1. Section 6 of an act of the Legislature of the State of California, entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911, is hereby amended to read as follows:

Sec 6. The foregoing conveyance is made upon the condition that the City of San Diego shall, within 12 months from the approval of this act, exclusive of such time as said city may be restrained from so doing by injunction issued out of any court of this State or of the United States, and exclusive of such further delay as may be caused by unavoidable misfortune or great public or municipal calamity, issue its bonds for harbor improvement purposes in an amount of not less than $1,000,000, and shall, within 18 months after the approval of this act, exclusive of the time in this section hereinbefore mentioned, commence the work of such harbor improvement, and the said work and improvement shall be prosecuted with such diligence that not less than $1,000,000 shall be expended thereon within four years from the approval of this act exclusive of the time in this section hereinbefore mentioned. The said harbor improvement work shall be so done and performed that accommodation will be furnished and maintained for ocean going vessels of the largest class, and a depth of water shall be obtained and maintained at the piers of not less than 35 feet. If said bonds be not issued or said work be not prosecuted and completed as and in the manner herein provided, then the lands by this act conveyed to the City of San Diego shall revert to the State of California.

SENATE BILL No. 1230

CHAPTER 676

An act to amend Sections 4, 5 and 6 of an act, entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911.

[Approved June 10, 1915]

The people of the State of California do enact as follows:

SECTION 1. Section 4 of an act of the Legislature of the State of California, entitled, "An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of San Diego in furtherance of navigation and commerce and the fisheries.

and providing for the government, management and control thereof" approved May 1, 1911, is hereby amended to read as follows:

Sec. 4. The City of San Diego may lease for a term not exceeding 15 years any wharves, docks, piers, or bulkhead piers constructed by it, and may grant franchises or privileges for wharves, docks, piers or bulkhead piers to be erected by others than said city for a term not exceeding 15 years, except as otherwise hereinafter provided in Section 5, and all such leases, franchises or privileges shall be authorized by ordinance of said city and shall reserve to the common council and the people of the City of San Diego the right and privilege by ordinance of said city to annul, change or modify such leases, franchises and privileges as in their judgment may seem proper upon paying said lessee or holder of said franchise or privilege reasonable compensation for damages occasioned by such modifications, amendments, or repeal. The aggregate amount of all wharves, docks, piers, or bulkhead piers, leased by said city after construction by it shall never exceed 75 percent of all the wharves, docks, piers or bulkhead piers actually constructed by it.

SEC. 2 Section 5 of said above entitled act is hereby amended to read as follows:

Sec. 5 The City of San Diego may lease lands granted and conveyed to it by this act under the following restrictions and conditions:

(a) All that portion of the said lands lying on the shores of the Bay of San Diego, between a prolongation into the Bay of San Diego of the south line of Laurel Street and the prolongation into the Bay of San Diego of the northerly line of the United States military reservation on Point Loma, and also that portion of said lands lying between a prolongation into the Bay of San Diego of the easterly line of Twenty-eighth Street, and a prolongation into the Bay of San Diego, of the boundary line between the City of San Diego and the City of National City, which shall not have been developed or improved by the City of San Diego at the date of such leasing may be leased by the said city in such areas as, in the judgment of the common council of said City of San Diego, may seem proper, and for a term not to exceed 50 years; provided, however, that said city may have the right to renew such lease or leases for a further term not exceeding 25 years or to terminate the same on such terms, reservations and conditions as may be stipulated in such lease or leases. Every such lease shall provide for the payment of rentals to the City of San Diego, which said rentals shall be either an agreed percent of the gross earnings derived from the leased lands, or shall be fixed upon a basis of the valuation of such lands In the event that the rental is an agreed percent of the gross earnings, the lease shall provide a method for ascertaining and determining from time to time during the term, such gross earnings. In the event that the rentals shall, by any such lease, be provided to be fixed upon the basis of the valuation of the leased lands, then in such event the lease sl all provide a method for ascertaining at stated periods during the term the reasonable value of the leased lands, and in all cases in which the rental is provided to be fixed upon the basis of the valuation of the leased lands, then in such event the lease shall provide a method for ascertaining at stated periods during the term, the reasonable value of the leased lands, and in all cases in which the rental is provided to be fixed upon the

basis of the value of the leased lands, the lease shall provide for the payment of a certain percent of such value ascertained in the manner provided by the lease, and such percent shall be the rental to be paid until a different valuation is fixed; provided, however, that there shall be no revaluation of any leased lands for the purpose of fixing the rentals oftener than once every 10 years. Said leases shall also provide that at no time during their terms shall the said City of San Diego be required to make any improvements on or for the benefit of the leased lands. The lessees named in such leases shall have the right to sublet the said lands, or any part thereof, which sub-leases shall be subject to the same conditions and restrictions as the original and each lease executed by the city shall contain provisions to this effect. The said City of San Diego may grant wharf franchises for wharves adjoining and extending into the bay from the above mentioned territory for terms, not to exceed in duration the terms of the leases on the adjacent lands, and the right to regulate and control the waters of the harbor adjacent to said leased land and to fix reasonable rates and tolls for the use of such wharves and docks abutting or adjoining such leased lands, shall be reserved to the City of San Diego and the State of California. Said lease or leases shall provide that a sum of money be expended upon the improvement of said lands by the said lessee or lessees within a reasonable time and said lease or leases shall contain provisions fixing the amount of money to be so expended and the time within which it shall be spent. The city may place such further restrictions or conditions in such leases and franchises when granted as do not conflict with the terms of this act and all grants of leases or franchises shall be authorized by ordinance.

(b) All the remaining portions of the said lands may be leased for a term not to exceed 25 years with a right reserved to the city to terminate the same on such terms, reservations and conditions as may be stipulated in such lease or leases at the expiration of said term or to renew such lease for a further term not to exceed 25 years, and no such lease shall be for a larger area than 40 acres, and such leases shall not be assignable or transferable nor shall any lessee have the right to sublet the leased premises or any part thereof, without the consent of the common council by ordinance duly adopted, and all such leases so executed shall reserve to the common council and the people of the City of San Diego the right and privilege by ordinance to annul, change, or modify such leases as in their judgment may seem proper upon paying to said lessee reasonable compensation for damages occasioned by such annulment, change or modification.

(c) The City of San Diego shall reserve over the lands mentioned in Sections (a) and (b) a continuous right of way for a municipal belt line of railway tracks which right of way shall be not less than 100 feet in width and shall be so located as to practically parallel the United States bulkhead line, and no lease, franchise or privilige shall be granted upon any of the lands mentioned in said Sections (a) and (b) that will in any way interfere with said right of way unless there be reserved in said lease, franchise or privilege to the city a right of way for said railroad of not less than 100 feet in width.

SEC. 3. Section 6 of said above entitled act is hereby amended to read as follows:

Sec. 6. The foregoing conveyance is made upon the condition that the City of San Diego, shall, within 12 months from the approval of this act, exclusive of such time as said city may be restrained from so doing by injunction issued out of any court of this State or of the United States, and exclusive of such further delay as may be caused by unavoidable misfortune or great public or municipal calamity, issue its bonds for harbor improvement purposes in an amount of not less than $1,000,000, and shall within 18 months after the approval of this act, exclusive of the time in this section hereinbefore mentioned, commence the work of such harbor improvement, and the said work and improvement shall be prosecuted with such diligence that not less than $1,000,000 shall be expended thereon within five years from the original approval of this act exclusive of the time in this section hereinbefore mentioned. The said harbor improvement work shall be so done and performed that accommodation will be furnished and maintained for ocean going vessels of the largest class, and a depth of water shall be obtained and maintained at the piers of not less than 35 feet If said bonds be not issued or said work be not prosecuted and completed as and in the manner herein provided, then the lands by this act conveyed to the City of San Diego shall revert to the State of California.

ASSEMBLY BILL No. 1460

CHAPTER 598

An act to amend Section 5 of an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911, as amended.

[Approved May 24, 1917]

The people of the State of California do enact as follows:

SECTION 1. Section 5 of an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911, as amended, is hereby amended to read as follows:

Sec. 5. The City of San Diego may lease lands granted and conveyed to it by this act under the following restrictions and conditions:

(a) All that portion of the said lands lying on the shores of the Bay of San Diego, between a prolongation into the Bay of San Diego of the south line of Laurel Street and the prolongation into the Bay of San Diego of the northerly line of the United States military reservation on Point Loma, and also that portion of said lands lying between a prolongation into the Bay of San Diego of the easterly line of 28th Street, and a prolongation into the Bay of San Diego, of the boundary line between the City of San Diego and the City of National City, which shall not have been developed or improved by the City of San Diego at the date of such leasing may be leased by the said city in such areas as, in

the judgment of the common council of said City of San Diego, may seem proper, and for a term not to exceed 50 years; provided, however, that said city may have the right to renew such lease or leases for a further term not exceeding 25 years or to terminate the same on such terms, reservations and conditions as may be stipulated in such lease or leases. Every such lease shall provide for the payment of rentals to the City of San Diego, which said rentals shall be either an agreed percent of the gross earnings derived from the leased lands, or shall be fixed upon a basis of the valuation of such lands. In the event that the rental is an agreed percent of the gross earnings, the lease shall provide a method for ascertaining and determining from time to time during the term, such gross earnings. In the event that the rentals shall, by any such lease, be provided to be fixed upon the basis of the valuation of the leased lands, then in such event the lease shall provide a method for ascertaining at stated periods during the term, the reasonable value of the leased lands, and in all cases in which the rental is provided to be fixed upon the basis of the valuation of the leased lands, then in such event the lease shall provide a method for ascertaining at stated periods during the term, the reasonable value of the leased lands, and in all cases in which the rental is provided to be fixed upon the basis of the value of the leased lands, the lease shall provide for the payment of a certain percent of such value ascertained in the manner provided by the lease, and such percent shall be the rental to be paid until a different valuation is fixed; provided, however, that there shall be no revaluation of any leased lands for the purpose of fixing the rentals oftener than once every 10 years. Said leases shall also provide that at no time during their terms shall the said City of San Diego be required to make any improvements on or for the benefit of the leased lands. The lessees named in such leases shall have the right to sublet the said lands, or any part thereof, which subleases shall be subject to the same conditions and restrictions as the original and each lease executed by the city shall contain provisions to this effect. The said City of San Diego may grant wharf franchises for wharves adjoining and extending into the bay from the above mentioned territory for terms, not to exceed in duration the terms of the leases on the adjacent lands, and the right to regulate and control the waters of the harbor adjacent to said leased land and to fix reasonable rates and tolls for the use of such wharves and docks abutting or adjoining such leased lands, shall be reserved to the City of San Diego and the State of California. Said lease or leases shall provide that a sum of money be expended upon the improvement of said lands by the said lessee or lessees within a reasonable time and said lease or leases shall contain provisions fixing the amount of money to be so expended and the time within which it shall be spent. The city may place such further restrictions or conditions in such leases and franchises when granted as do not conflict with the terms of this act and all grants of leases or franchises shall be authorized by ordinance.

(b) All the remaining portions of said lands may be leased for a term not to exceed 50 years, and no such lease shall be for a larger area than for 40 acres, and such lease shall not be assignable or transferable nor shall any lessee have the right to sublet the leased premises or any part thereof without the consent of the common council by ordinance

duly adopted; provided, however, that every lease so executed shall reserve to the common council and to the people of San Diego the right and privilege by ordinance duly adopted to terminate, change or modify such lease or leases on such terms, reservations and conditions as may be stipulated in such lease or leases.

(c) The City of San Diego shall reserve over the lands mentioned in subsections (a) and (b) a continuous right of way for a municipal belt line of railway tracks, which right of way shall be not less than 100 feet in width and shall be so located as to practically parallel the United States bulkhead line, and no lease, franchise or privilege, shall be granted upon any of the lands mentioned in said subsections (a) and (b) that will in any way interfere with said right of way unless there be reserved in said lease, franchise or privilege to the city a right of way for said railroad of not less than 100 feet in width.

CHAPTER 50

An act to amend Sections 4 and 5 of an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters, situate in the Bay of San Diego to the City of National City, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved April 27, 1923.

[Approved by the Governor April 7, 1925]

The people of the State of California do enact as follows:

SECTION 1. Section 4 of the act entitled "An act conveying certain tidelands and lands lying under inland navigable waters, situate in the Bay of San Diego to the City of National City, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved April 27, 1923, is hereby amended to read as follows:

SEC. 4. The City of National City may lease for a term not exceeding 50 years any wharves, docks or piers constructed by it, and all such leases so executed shall reserve to the board of trustees of the City of National City, the right and privilege, by ordinance, to annul, change or modify such leases upon the violation of any of the provisions thereof by the lessees as in its judgment may seem proper. The aggregate amount of all wharves, docks and piers so leased by said city shall never exceed 75 percent of all the wharves, docks and piers actually constructed

SEC. 2. Section 5 of said act approved April 27, 1923, is hereby amended to read as follows:

SEC. 5. The City of National City may lease not to exceed an aggregate of 75 percent of the lands conveyed to it by this act, for a term not to exceed 50 years and upon which wharves, docks or piers have not been actually constructed, and, except by consent of the board of trustees of the City of National City under an ordinance of such board duly adopted, such leases shall not be assignable or transferable, nor shall any lessee have the right to sublet the leased premises or any part thereof without such consent

When wharves, docks or piers have not actually been constructed, provided that where any of said lands are now leased for a period of less than 50 years, the City of National City may extend or renew the same

or make new leases thereon, except that the term of such extension, renewal or new lease shall be not to exceed 50 years from the date of such extension or new lease.

SENATE BILL No. 160

CHAPTER 681

An act to amend Section 1 of an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of Coronado in furtherance of navigation, commerce and fisheries and providing for the government, management and control thereof," approved April 27, 1923.

[Approved by the Governor June 4, 1929]

The people of the State of California do enact as follows:

SECTION 1 Section 1 of an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of Coronado in furtherance of navigation, commerce and fisheries and providing for the government, management and control thereof," approved April 27, 1923, is hereby amended to read as follows:

Section 1 There is hereby granted and conveyed to the City of Coronado, a municipal corporation in the County of San Diego, State of California, all the right, title and interest of the State of California, held by said State by virtue of its sovereignty, in and to all the tidelands and submerged lands (whether filled or unfilled), within the present boundaries of said city and situated upon the Coronado side of the Bay of San Diego, in the County of San Diego, State of California, lying between the line of mean high tide and the pierhead line in said bay, as the same has been or may hereafter be established by the Federal Government, and between the prolongation of the easterly boundary line of the City of Coronado into Glorietta Bay, a portion of the said San Diego Bay, and the prolongation of the westerly boundary line of the City of Coronado into Spanish bight, a portion of said San Diego Bay; to be forever held by said City of Coronado in trust for the uses and purposes and upon the express conditions following, to wit:

(a) That said lands shall be used by said city for the establishment, improvement and conduct of the harbor, and for the construction, maintenance and operation thereon of wharves, docks, pier, slips, quays and other utilities, structures and appliances necessary or convenient for the promotion of commerce, navigation and fisheries, and for the establishment and maintenance of bath houses and bathing facilities and boat houses necessary or convenient for the inhabitants of said city and said city shall not at any time grant, convey, give or alien said lands or any part thereof to any individual, firm or corporation for any purpose whatsoever; provided, however, that said City of Coronado may grant franchises thereon for wharves, docks, piers, slips, quays, bath houses and bathing facilities, boat houses and any other public uses and purposes, and may lease said lands or any part thereof for any of said uses or purposes hereinabove enumerated, for any purposes consistent with the trust upon which said lands are held by the State of California, and with the requirements of commerce or navigation of said harbor, to person, firms or corporations for a period not exceeding 50 years; provided,

however, that said city may have the right to renew such lease or leases for the further term not exceeding 25 years, or to terminate the same upon such terms, reservations and conditions as may be stipulated in such lease or leases.

Every such lease shall provide for the payment of rentals to the City of Coronado, which said rentals shall either be at an agreed figure, or shall be arrived at in such manner as may be mutually agreed upon, and provided for in said lease or leases.

Said leases shall also provide that at no time during their term, shall the said City of Coronado be required to make any improvements on or for the benefit of the leased lands Every lease so executed shall reserve to the board of trustees and to the people of the City of Coronado, the right and privilege by ordinance duly adopted, to terminate, change or modify such lease or leases on such terms, reservations and conditions as may be stipulated in such lease or leases.

(b) That said harbor shall be improved by said city without expense to the State of California, and it shall always remain a public harbor for all purposes of commerce, navigation, and the State of California shall have at all times the right to use without charge all wharves, docks, piers, slips, quays and other improvements constructed on said land or any part thereof for any vessel or other water craft or railroad, owned and operated by the State of California.

(c) That in the management, conduct or operation of said harbor or of any of the utilities, structures or appliances mentioned in paragraph (a) no discrimination in rates, tolls or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city.

Reserving, however, for the people of the State of California the absolute right to fish in the waters of said harbor with the right of convenient access to said waters over said lands for said purpose.

ASSEMBLY BILL No. 1059

CHAPTER 778

An act declaring portions of the lands conveyed to the City of San Diego by an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911, as amended, unavailable for navigation, commerce and fisheries and excluding such portions from use for navigation, commerce and fisheries, and granting such portions of said tidelands to the City of San Diego and County of San Diego.

[Approved by the Governor, June 11, 1929]

The people of the State of California do enact as follows:

SECTION 1. That a portion of the land heretofore granted to the City of San Diego by an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of San Diego, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911, as amended, has heretofore

been improved by adapting the same to use for navigation, and that in so adapting such portion of said land to said use, the said City of San Diego filled in such portion of said land as lies between the line of mean high tide and the seawall erected along the bulkhead line established by the United States Government, and the following area shown on the map of the municipal tidelands subdivision tract number one, filed in the office of the City Clerk of the City of San Diego, the eighteenth day of May, 1916, and particularly bounded and described as follows:

Beginning at the point of intersection of the westerly prolongation of the northerly line of Ash Street with the westerly line of Atlantic Street; thence westerly along the westerly prolongation of the northerly line of Ash Street to an intersection with the easterly line of Harbor Street; thence northerly along the easterly line of Harbor Street to an intersection with the southwesterly prolongation of the southeasterly line of Grape Street; thence northeasterly along the southwesterly prolongation of the southeasterly line of Grape Street and the southeasterly line of Grape Street to an intersection with the southwesterly line of Atlantic Street; thence southerly along the westerly line of Atlantic Street to the point of beginning, is a portion of said filled land, and said portion was by said improvement and adaptation cut off from access to navigable waters, and is not longer required for navigation, commerce or the fisheries.

SEC. 2. That the said lands comprising the said above described area are hereby declared to be free from the public use for navigation, commerce and the fisheries.

SEC. 3 Said lands comprising said above described area are hereby granted and conveyed to the County of San Diego and the City of San Diego, as joint owners, to be used only for county and municipal purposes, including the erection and maintenance thereon of county and municipal buildings. This conveyance is made by the State to said county and city in consideration of the public use to be made of said lands by said city and county and the payment to the State of California of the sum of $1,000 Should said sum not be paid within five years from the taking effect of this act or if said land shall be used by said city and county for any other use than that herein authorized, this conveyance shall be ineffectual and the provisions of this act shall be inoperative.

ASSEMBLY BILL No. 840

CHAPTER 820

An act conveying certain tidelands, situate in the Bay of San Diego, to the City of San Diego, upon certain trusts therein specified.

[Approved by the Governor, June 15, 1929]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted and conveyed to the City of San Diego all that land situated in the State of California, County of San Diego, City of San Diego, bounded and described as follows:

Beginning at a point where the west line of Twenty-eighth Street extended southerly intersects the mean high-tide line of the Bay of San Diego, California, which point is south no degrees thirty-one minutes east one hundred thirty (130.0) feet from the southwest corner of

Twenty-eighth and Colton Streets; thence south sixteen degrees no minutes west five hundred twenty-four (524) feet; thence north seventy-four degrees no minutes west one hundred forty (140) feet; thence south sixteen degrees no minutes west two hundred sixty (260) feet; thence south seventy-four degrees no minutes east one hundred forty (140) feet; thence south sixteen degrees no minutes west four hundred eighty-eight and four-tenths (488.4) feet to a point on the United States bulkhead line of the bay of San Diego, California; thence south fifty-six degrees fifty-one minutes east two hundred nine and twenty-six one-hundredths (209.26) feet along said bulkhead line to a point north fifty-six degrees fifty-one minutes west eighty-four and nine-tenths (84.9) feet from station one hundred eleven (111) on the said bulkhead line, thence north sixteen degrees no minutes east one thousand three hundred eight and seven-tenths (1308.7) feet to an intersection with the mean high-tide line of the Bay of San Diego, California; thence along said mean high tide north sixty-six degrees forty-four minutes west two hundred one and six-tenths (201.6) feet to the point of beginning.

SEC. 2. The tidelands in this act described and conveyed, shall be held by the City of San Diego, subject to all the provisions of the act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situated in the Bay of San Diego to the City of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911, as amended, which act conveyed the tidelands, herein described and conveyed, to the City of San Diego, along with other tidelands of San Diego Bay; said herein described and conveyed lands having been reconveyed by the City of San Diego to the State of California subsequently to May 1, 1911.

SENATE BILL No. 422

CHAPTER 937

An act granting certain tide and submerged lands of the State of California to the City of San Diego, San Diego County, in said State, upon certain trusts and conditions.

[Approved by the Governor June 15, 1931]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of San Diego, County of San Diego, all the right, title and interest of the State of California, held by said State by virtue of its sovereignty, in and to all that portion of the tide and submerged lands bordering upon and situated below the ordinary high water mark of the Pacific Ocean described as follows:

Beginning at the intersection of the ordinary high water mark of the Pacific Ocean with a line bearing S. 87° 40′ W. from the monument marking the intersection of Coast Boulevard south with Jenner Street as said monument, said Coast Boulevard south and said Jenner Street are designated and shown on that certain map entitled "Seaside subdivision number 1712" and filed June 23, 1920, in the office of the county recorder of San Diego County, State of California; thence N. 350′, thence E. 300′, thence S. 185′ more or less to the ordinary high water mark of the Pacific Ocean, thence in a general southwesterly direction along the ordinary

high water mark of the Pacific Ocean to the point of beginning, all in the Pacific Ocean, State of California, to be forever held by said City of San Diego and its successors in trust for the uses and purposes and upon the express conditions following, to wit:

(a) That said lands shall be devoted exclusively to public park, bathing pool for children, parkway, highway, playground and recreational purposes, and to such other uses as may be incident to, or convenient for the full enjoyment of, such purposes;

(b) The absolute right to fish in the waters of the Pacific Ocean over said tidelands or submerged lands, with the right of convenient access to said waters over said lands for said purpose is hereby reserved to the people of the State of California.

(c) That there is excepted and reserved to the State of California all deposits of minerals, including oil and gas, in said land, and to the State of California, or persons authorized by the State of California, the right to prospect for, mine and remove such deposits from said land.

ASSEMBLY BILL No. 2367

CHAPTER 688

An act granting certain tidelands and submerged lands of the State of California to the City of San Diego upon certain trusts and conditions.

[Approved by the Governor June 5, A D 1933]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of San Diego, a municipal corporation of the State of California, and to its successors, all of the right, title and interest of the State of California, held by said State by virtue of its sovereignty, in and to all tidelands and submerged lands, whether filled or unfilled, within the present boundaries of said city, not already granted to said city or to the United States Government, or to the County of San Diego, in said State, and situated below the line of mean high tide of the Pacific Ocean, which border upon and are in front of the upland now within the boundaries of said city, to be forever held by said city, and by its successors. Nothing in this act shall be deemed or construed to grant any of the tidelands of Mission Bay or of its entrance, or to in any way affect the act of June 15, 1929, providing for a state park on Mission Bay.

(a) Said lands shall be used by said city and by its successors solely for the establishment, improvement and conduct of harbors and for the establishment and construction of bulkheads or breakwaters for the protection of lands within its boundaries, or for the protection of its harbors, and for the construction, maintenance and operation thereon of wharves, structures and appliances necessary or convenient for the protection or accommodation of commerce, navigation and fisheries, and for the establishment and maintenance of playgrounds, bathhouses, recreation piers and facilities necessary or convenient for the inhabitants of said city; and said city or its successors shall not at any time grant, convey, give or alien said lands or any part thereof to any individual, firm or corporation for any purpose whatsoever; provided, that said city or its successors may grant franchises thereon for limited periods, but in no

event exceeding 50 years, for wharves and other public uses and purposes, and may lease said lands or any part thereof for limited periods, but in no event exceeding 50 years, for purposes consistent with the trust upon which said lands are held by the State of California and with the requirements of commerce, navigation or fisheries.

(b) That said harbors and tidelands shall be improved by said city without expense to the State and shall always remain public harbors and public tidelands for all purposes of commerce, navigation and fisheries; and the State of California shall have at all times the right to use without charge all wharves, docks, piers and other improvements constructed on said lands or any part thereof for any vessel or other water craft or railroad owned or operated by the State of California.

(c) That in the management, conduct or operation of said harbors and tidelands or of any of the utilities, structures or appliances mentioned in paragraph (a), no discrimination in rates, tolls or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors.

(d) There is hereby reserved, however, in the people of the State of California the absolute right to the public use of said tidelands and to fish in the waters thereof, with the right of access to said waters over said tidelands for said purpose.

SENATE BILL No. 762

CHAPTER 849

An act to amend Section 1 of an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of Coronado, in furtherance of navigation, commerce and fisheries, and providing for the government, management and control thereof," approved April 27, 1923, relating to tidelands in San Diego Bay.

[Approved by the Governor June 12, A. D. 1933]

The people of the State of California do enact as follows:

SECTION 1. Section 1 of an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of Coronado in furtherance of navigation, commerce and fisheries, and providing for the government, management and control thereof," approved April 27, 1923, is hereby amended to read as follows:

Section 1. There is hereby granted and conveyed to the City of Coronado, a municipal corporation in the County of San Diego, State of California, all the right, title and interest of the State of California, held by said State by virtue of its sovereignty in and to all the tidelands and submerged lands (whether filled or unfilled), and situated upon the Coronado side of the Bay of San Diego, in the County of San Diego, State of California, lying between the line of mean high tide and the pierhead line in said bay, as said pierhead line has been or may hereafter be established by the Federal Government, and between the prolongation of the easterly boundary line of the City of Coronado into Glorietta Bay, a portion of said San Diego Bay, and the prolongation of the westerly boundary line of said city of Coronado into Spanish Bight, a portion of

said San Diego Bay; to be forever held by said City of Coronado in trust for the uses and purposes and upon the express conditions following, to wit:

(a) That said lands shall be used by said city for the establishment, improvement and conduct of the harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays and other utilities, structures and appliances necessary or convenient for the promotion of commerce, navigation and fisheries, and for the establishment and maintenance of bathhouses and bathing facilities, and boathouses necessary or convenient for the inhabitants of said city and said city shall not at any time grant, convey, give or alien said lands or any part thereof to any individual, firm or corporation for any purpose whatsoever; provided, however, that said city of Coronado may grant franchises thereon for wharves, docks, piers, slips, quays, bathhouses and bathing facilities, boathouses and any other public uses and purposes, and may lease said lands or any part thereof for any of said uses or purposes hereinabove enumerated, or for any purposes consistent with the trust upon which said lands are held by the State of California, and with the requirements of commerce or navigation of said harbor, to person, firms or corporations for a period not exceeding 50 years; provided, however, that said city may have the right to renew such lease or leases for the further term not exceeding 25 years, or to terminate the same upon such terms, reservations and conditions as may be stipulated in such lease or leases

Every such lease shall provide for the payment of rentals to the City of Coronado, which said rentals shall either be at an agreed figure, or shall be arrived at in such manner as may be mutually agreed upon, and provided for in said lease or leases

Said leases shall also provide that at no time during their term, shall the said City of Coronado be required to make any improvements on or for the benefit of the leased land Every lease so executed shall reserve to the city council and to the people of the City of Coronado, the right and privilege by ordinance duly adopted, to terminate, change or modify such lease or leases on such terms, reservations and conditions as may be stipulated in such lease or leases

(b) That said harbor shall be improved by said city without expense to the State of California, and it shall always remain a public harbor for all purposes of commerce, navigation, and the State of California shall have at all times the right to use without charge all wharves, docks, piers, slips, quays and other improvements constructed on said land or any part thereof for any vessel or other water craft or railroad, owned and operated by the State of California.

(c) That in the management, conduct or operation of said harbor or of any of the utilities, structures or appliances mentioned in paragraph (a) no discrimination in rates, tolls or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city.

Reserving, however, for the people of the State of California the absolute right to fish in the waters of said harbor with the right of convenient access to said waters over said lands for said purpose.

ASSEMBLY BILL No. 647

CHAPTER 70

An act to add Section 4.5 to an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911, as amended, relating to the trusts and restrictions heretofore imposed upon said tidelands, and to the use and leasing of the tidelands by the city.

[Approved by Governor April 7, 1943. Filed with Secretary of State April 7, 1943.]

The people of the State of California do enact as follows:

SECTION 1. Section 4.5 is added to the act cited in the title hereof, to read:

Sec. 4.5. The City of San Diego or its successor may use the lands mentioned in Section 4 and may lease, rent, or otherwise let said lands in parcels in excess of 40 acres to one or more persons, firms, or corporations in accordance with all the powers otherwise granted by Section 4 and subject to all of the limitations otherwise imposed by Section 4.

ASSEMBLY BILL No. 47

CHAPTER 119

An act amending Section 1 of "An act granting to the City of San Diego certain parcels of the state-owned lands in Mission Bay State Park upon certain trusts and conditions," approved July 24, 1939, relating to tidelands in Mission Bay State Park.

[Approved by Governor April 13, 1943. Filed with Secretary of State April 13, 1943.]

The people of the State of California do enact as follows:

SECTION 1. Section 1 of the act cited in the title hereof is amended to read:

Section 1. There is hereby granted to the City of San Diego all of the right, title and interest of the State of California in and to those certain parcels of land described in Section 2 of this act owned by it in Mission Bay State Park.

All of said real property hereby granted shall be held by the City of San Diego as a part of its city park system, and administered by said city in accordance with the provisions of its charter.

There is hereby reserved to the people of the State of California the absolute right to fish in the waters of Mission Bay, with the right of convenient access to such waters over the real property hereby granted, for the purpose of fishing. There is also reserved to the State of California all the deposits of minerals, including oil and gas, in the real property hereby granted, and there is reserved to the State of California, or persons authorized by the State of California, the right to prospect for, mine, and remove such deposits from the real property granted and to occupy and use so much of the surface as may be required therefor.

SENATE BILL No. 310

CHAPTER 222

An act declaring portions of the lands conveyed to the City of San Diego by an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911, as amended, unavailable for navigation, commerce and fisheries and excluding such portions from use for navigation, commerce and fisheries, and authorizing the use of said portions of said lands by the State of California for the erection thereon of a state building.

[Approved by Governor May 3, 1945. Filed with Secretary of State May 3, 1945]

The people of the State of California do enact as follows:

SECTION 1. That a portion of the land heretofore granted to the City of San Diego by an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of San Diego, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved May 1, 1911, as amended, has heretofore been improved by adapting the same to use for navigation, and that in so adapting such portion of said land to said use, the said City of San Diego filled in such portion of said land as lies between the line of mean high tide and the seawall erected along the bulkhead line established by the United States Government, and the following area shown on the map of the Municipal Tidelands, Subdivision Tract No. 1, filed in the office of the city clerk of the City of San Diego, the eighteenth day of May, 1916, and particularly bounded and described as follows:

All that portion of Block 11, Municipal Tidelands, Subdivision Tract No. 1, bounded on the north by the prolongation of the south line of Ash Street; on the east by Pacific Highway; on the south by A Street; and on the west by Belt Street.

SEC. 2. That the said lands comprising the said above described area are hereby declared to be free from the public use for navigation, commerce and the fisheries This declaration shall not be construed or interpreted as a modification or repeal of the act of June 3, 1929, Chapter 642 at Page 1058 of the Statutes of California for the year 1929, except that nothing contained in said act or in the act of May 1, 1911, as amended, shall be held to prevent the conveyance by the City of San Diego of said portion of Block 11, Municipal Tidelands, Subdivision Tract No. 1 to the State of California for the purpose of erecting thereon a state building or held to prohibit the City of San Diego from entering into a contract with the State of California for the use of said parcel of land by the State of California by the erection and maintenance thereon of a state building.

SENATE BILL No. 1267

CHAPTER 693

An act to amend Section 3 of an act entitled "An act declaring portions of the lands conveyed to the City of San Diego by an act entitled 'An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of San Diego in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof,' approved May 1, 1911, as amended, unavailable for navigation, commerce and fisheries and excluding such portions from use for navigation, commerce and fisheries and granting such portions of said tidelands to the City of San Diego and County of San Diego," approved June 11, 1929, relating to grant of tidelands to City of San Diego and County of San Diego for county and municipal purposes.

[Approved by Governor June 5, 1945. Filed with Secretary of State June 5, 1945]

The people of the State of California do enact as follows:

SECTION 1. Section 3 of the act cited in the title hereof is amended to read:

SEC. 3. Said lands comprising said above described area are hereby granted and conveyed to the County of San Diego and the City of San Diego, as co-owners, to be used only for county and municipal purposes, including the erection and maintenance thereon of county and municipal buildings. This conveyance is made by the State to said county and city in consideration of the public use to be made of said lands by said city and county and payment to the State of California of the sum of one thousand dollars ($1,000). Should said sum not be paid within five years from the taking effect of this act or if said land shall be used by said city and county for any other use than that herein authorized, this conveyance shall be ineffectual and the provisions of this act shall be inoperative; provided, however, that either said county or said city may in its discretion grant and convey to the other party its interest in any portion of said lands for the purpose of permitting the grantee thereof to construct and maintain public buildings thereon as sole owner.

ASSEMBLY BILL No. 2649

CHAPTER 197

An act granting certain lands of the State of California to the City of San Diego upon certain trusts and conditions.

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of San Diego, a municipal corporation of the State of California, and to its successors, all of the right, title and interest of the State of California in the real property previously granted to the State of California by, and described in, the grant of J. D. Wier and Esther L. Wier, husband and wife, on the second day of June, 1941, and recorded in Book 1257, page 136, on file in the office of the County Recorder of San Diego County, California.

To be forever held by said city, and by its successors, in trust for the uses and purposes and upon the express conditions following, to wit:

(a) That said lands shall be used by said city and by its successors solely for the purpose of establishing, improving and conducting a harbor for small boats and for the construction, maintenance and operation thereon of wharves, structures and appliances necessary or convenient for the protection or accommodation of commerce, navigation and fisheries and for the establishment and maintenance of parks, playgrounds, bathhouses, recreation piers and facilities necessary or convenient for the inhabitants of said city; for educational, commercial, and recreational purposes, including the necessary streets, highways and other facilities convenient thereto; and said city or its successors shall not at any time grant, convey, give or alien said lands or any part thereof to any individual, firm or corporation for any purpose whatsoever; provided, that said city or its successors may grant franchises thereon for limited periods, but in no event exceeding 50 years, for wharves and other public uses and purposes and may lease said lands or any part thereof for limited periods, but in no event exceeding 50 years, for purposes consistent with the trust upon which said lands are held and with the requirements of commerce, navigation or fisheries.

(b) That said harbors shall be improved by said city without expense to the State and shall always remain public harbors for all purposes of commerce, navigation and fisheries; and the State of California shall have at all times the right to use without charge all wharves, docks, piers and other improvements constructed on said lands or any part thereof for any vessel or other water craft or railroad owned or operated by the State of California.

(c) That in the management, conduct or operation of said harbors or of any of the utilities, structures or appliances mentioned in paragraphs preceding, no discrimination in rates, tolls or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors.

(d) There is also reserved to the people of the State of California the absolute right to fish in the waters of Mission Bay with the right of convenient access to such waters under the real property hereby granted for the purpose of fishing. There is also reserved to the State of California all the deposits of minerals, including oil and gas in the real property hereby granted, and there is reserved to the State of California or persons authorized by the State of California the right to prospect, mine and remove such deposits from the real property granted and to occupy and use so much of the surface as may be required therefor.

(e) The lands herein described are granted subject to the express reservation that the State may at any time in the future use said lands or any portion thereof for highway right-of-way purposes without compensation to the city, its successors or assigns, or any person, firm or public or private corporation claiming under it, except that in the event improvements have been placed upon the property taken by the State for said purposes, compensation shall be made to the person entitled thereto for the value of his interest in the improvements taken or the damages to such interest.

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF SAN DIEGO

HARBOR DEPARTMENT
CITY OF SAN DIEGO
1040 WEST BROADWAY
SAN DIEGO 1, CALIFORNIA

COMMISSIONERS
A. BORTHWICK, PRESIDENT
HOLLAND M. SMITH
FRANK A. FAYE JR.

JOHN BATE
PORT DIRECTOR
CARL F. REUPSCH
ASST. TO PORT DIRECTOR
J. E. LIEBMANN
HARBOR ENGINEER
N. C. RYAN
ASST. TRAFFIC MANAGER
W. A. FORSHEE
AIRPORT MANAGER
W. F. REMINGTON
SUPT. MAINT. & CONST.

March 13, 1951

HON. G. DELBERT MORRIS, *Assemblyman*
3861 Welland Avenue
Los Angeles 43, California

DEAR MR. MORRIS: Your letter enclosing the questionnaire on tidelands and submerged lands granted by the State was referred to our office by Mayor Knox on March 1, 1951.

We are enclosing our answers to these questions with the hope that they will serve your purpose satisfactorily.

Very truly yours,

JOHN BATE
Port Director

QUESTIONNAIRE REGARDING TIDELANDS AND SUBMERGED LANDS GRANTED BY THE STATE

1 Q What officer or agency is charged with the duty of administering tidelands and submerged lands that have been granted by the State?
a. San Diego Bay-Harbor Commission, City of San Diego.
b. Mission Bay-Planning Commission, City of San Diego.

2. Q What action has been or is being taken for the development and improvement of the granted lands? All lands have been and are being improved and developed in accordance with a 20-year plan prepared by the harbor engineer and consulting engineer. Approximately 1,200 acres have been reclaimed by dredging fill of which 700 acres are presently included in the Municipal Airport (Lindbergh Field) and the remaining 500 acres leased to various tenants or used for streets.

3. Q Have public funds been expended for such purposes, and, if so, approximately in what amount? Harbor Development Bonds have been issued in the amount of $3,270,500, and grants from the General Fund of the City of San Diego have totaled $1,200,000, a combined total of $4,470,500.

4. Q What improvements have been made pursuant to franchises or leases and what is the approximate value thereof? The San Diego County Assessor's appraisal of tidelands and tideland improvements for 1951 is $9,204,503. These improvements include dredging, filling, pier construction, buildings and railways.

5. Q What franchises or leases of such lands are currently in effect? Approximately 250 leases are in effect covering operations of aircraft plants, shipyards, canneries, restaurants, garages, parking lots, lumber yards and other business and recreational activities.

6. Q What are the present annual revenues received by the local agency from such lands, the sources thereof, and the purposes for which such revenues are used? Present annual revenues are approximately $700,000, received from land and building rentals, concession returns on retail business, wharfage, dockage and parking meters. (See enclosed annual report.) All revenues are used for the operation and development of the port.

7. Q To what extent, if at all, are any of the granted lands occupied or used by individuals or corporations? Approximately 80 percent of the tidelands are presently occupied by private individuals, corporations and governmental agencies—all covered by leases or permits.

8. Q Has the local agency been divested of title or right to possession of any of the granted lands by reason of conveyance thereof by the local agency, eminent domain proceedings, agreements to determine boundaries, or otherwise? About 630 acres of undeveloped tideland and submerged land were deeded to the Federal Government by the citizens of the city, starting in 1916. The purposes for which these lands have been used include the 11th Naval District Headquarters, Naval Training Center, Naval Station, Navy Pier, Naval Supply Depot, Marine Corps Recruit Depot and the Coast Guard Air Station.

Approximately 16½ acres have been deeded to the City and County of San Diego for the location of the Civic Center Administration Building.

9. Q Have any judicial proceedings been commenced against the local agency affecting title or right to possession of any such granted lands? If so, list the names of the cases and state the cases and state the effect of each judgment. No.

HARBOR DEPARTMENT
CITY OF SAN DIEGO
1040 WEST BROADWAY
SAN DIEGO 1, CALIFORNIA

COMMISSIONERS
A BORTHWICK PRESIDENT
HOLLAND M SMITH
FRANK A FRYE JR

JOHN BATE
PORT DIRECTOR
CARL F REUPSCH
ASST TO PORT DIRECTOR
J E LIEBMANN
HARBOR ENGINEER
N C RYAN
ASST TRAFFIC MANAGER
W A FORSNES
AIRPORT MANAGER
W F REMINGTON
SUPT MAINT & CONST

November 27, 1950

HARBOR COMMISSION
City of San Diego
California

GENTLEMEN: Following is a report of the Harbor Department activities covering the Fiscal Year 1949-50.

Harbor Department Funds

SUMMARY STATEMENT OF CASH ACCOUNTABILITY
YEAR ENDED JUNE 30, 1950

EXHIBIT A

	Operating fund 510	*Development fund 511*	*Total*
Cash on Hand, July 1, 1949	$299,981.57	$1,842,841.69	$2,072,823.26
Add: Fiscal year revenues (Schedule R-1)	665,144.96	27.226 54	692,371 50
	$895,126.53	$1,870,068.23	$2,765 194 76
Deduct: Fiscal Year Expenditures (Schedule E-1 & E-2)	$244,685.77	$894,231.46	$1,138,917.23
Outlay Expenditures (Schedule O-1)	30,093.07	---	30,093.07
	$274,778.84	$894,231 45	$1,169,010 30
	$620,347.69	$975,836.77	$1,596,184.46
Interfund transfers	$355.000.00	$350,000.00	Cr. —$5,000.00 *
Cash on hand June 30, 1950	$265,347.69	$1,325,836 77	$1,591,184 46
Less: Reserve for encumbrances	5,338.14	592,954.16	598,292 30
Net available cash June 30, 1950	$260,009.55	$732,882.61	$992,892.16

* Deduct for 512 Fund

Harbor Operation and Maintenance Fund

STATEMENT OF REVENUES
Year Ended June 30, 1950

SCHEDULE R-1

Account		*Amount*
Dockage		$3,482 20
Wharfage		16,521 89
Land rentals		302,461.76
Concessions and agreements, Lindbergh Field		42,440 95
Improved land rentals		117,193 30
Land rentals, Lindbergh Field		225 00
Rental of equipment		3,937.44
Sale of water		3,066 19
Sale of gas and electricity		1,121.20
Parking meters		11,475 44
Storage:		
Municipal warehouse	$11,083.72	
Broadway pier	3,393 13	
B Street pier, shed No. 1	5,828 78	
B Street pier, shed No. 2	12,441 60	
B Street pier, shed No. 3	11,421.65	
		$44,168.88

SCHEDULE R-1

Account		*Amount*
Building rental:		
Broadway pier headhouse	$8,133.37	
B Street pier headhouse	8,252.98	
Administration building	9,309 32	
Fish market building—905-65 Harbor Drive	17,013 67	
Fish office building—408-424 Harbor Lane	2,545 00	
Navy Landing, 1050 Harbor Drive	3,004 28	
Ryand Buildings and facilities	35,244 30	
Lindbergh Field	19,247 21	
		$102,750 13
Sale of discarded material and equipment		$8,463.23
Sundry revenue		7,837.35
Total revenue		$665,144 96

STATEMENT OF EXPENDITURES
Year ended June 30, 1950

SCHEDULE E-1

Activity	*Amount*	
Port director	$15,866.73	
Business management	27,289 89	
Traffic operations	28,307.57	
Lindbergh Field	23,826 56	
Engineering service, not otherwise chargeable	10,703 70	
Projects pending	1,190.36	
Piers, wharves and floats	24,071.05	
Buildings	27,593.64	
Streets and highways	13,915.48	
Seawalls and bulkheads	2,069.72	
Sewer systems	345 37	
Water mains	652 11	
Drainage systems	298 73	
Railroad track maintenance	1,354.16	
Tideland cleanup	32,833.07	
Yard and shop maintenance	20,299.22	
Stock control expense	3,851.71	
Parking meter expense	1,483 50	
Other expense	17,862.87	
Workmen's compensation	3,517.08	
Work for other (reimbursable expense)	3,152.10	
General insurance	9,158.74	
Revenue refund	265.22	
Auditor's adjustment	77.48	
		$269,986 06
Excess issues over purchases (stock control credits)	$5,285.80	
Equipment maintenance plus rental credits	19,816 46	
Reimbursement credit	198.03	
		$25,300 29
Net operating expenditures		$244 685.77

Harbor Development Fund

STATEMENT OF EXPENDITURES
Year Ended June 30, 1950

SCHEDULE E-2

Activity		*Amount*
Piers, wharves and floats		
Extension of 28th Street Pier	$53,338.91	
Construction of 10th Street Pier	433,320.02	
Commercial fishing piers, Sonar School area	1,045.60	
G Street Pier	10,925.28	
Commercial fishing piers, commercial basin	13,605.51	
Floats	1,063 24	
Miscellaneous	576.03	
Total piers, wharves and floats		$513,874 59
Buildings		
Paint harbor buildings	$5,536.85	
Sport fishing building	661.22	
Customs building	154.25	
Miscellaneous	31.50	
Total buildings		$6,383.82
Streets and highways		
Fish Market Road	$643.28	
Van Camp Alley paving	169.26	
Emerson Street, grade, pave and curbs	760.51	
Wake Blvd., paving	4,277.00	
Harbor Drive curbs, Ash to Market Streets	13,121 85	
Scott Street area, paving	3,480.01	
Total streets and highways		$22,451.91
Seawalls and bulkheads		
Slope protection, commercial basin	$1,342 36	
Slope protection, Dickens and Emerson	2,358 83	
Rip-rap protection, 10th Street area	1,493 34	
Improve seawall, G Street area	738.50	
Total seawalls and bulkheads		$5,933 03
Sewer systems		
Beardsley Street sewer	$2,143 97	
Lindbergh Field sewer	7,774 49	
Fish market sewer	343.64	
G Street sewer	1,674.34	
Lowell Street sewer laterals	232 50	
Emerson Street sewer	761.77	
Canon to Talbot Street sewer	9,274 84	
Total sewer system		$22,205 55
Water mains		
Emerson Street, line and fire hydrant	$905 06	
Lowell Street line	165.00	
Harbor House line and meter	116 04	
Miscellaneous	59.82	
Total water mains		$1,245 92
Drainage systems		
Institute of Aeronautic Sciences area	$207.65	
Canon and Addison Streets	95 39	
Fish Market Building	286.07	
Benson Lumber area culvert	390.10	
Total drainage systems		$979 21

SCHEDULE E-2

Activity		*Amount*
Tideland development		
Harbor House driveway and parking lot	$806.98	
Henderson Avenue fence	802 65	
Rolling gates at harbor Drive and Wake Boulevard	6,947.51	
Paving and storm drain at Wake Boulevard for Convair	114.58	
Pave sport fishing parking area	5,356.60	
Promenade walk, commercial basin	308.30	
Transplant palm trees	2,627.47	
Fence at Sonar School line	966 71	
Grade and oil salvage yard	538.70	
Miscellaneous	8 72	
Total tideland development		$18,478 22
General harbor development		
Dredge Embarcadero basin	$86,333.53	
Dredge yacht harbor, commercial basin and complete Shelter Island	198,711.72	
Plan Port of San Diego	4,136 87	
Install channel markers	1,140.26	
Landscape harbor	1,133.04	
Total general harbor development		$291,455.72
Lindbergh Field		
Construct CAA control cab	$6,189.50	
Develop nonschedule flight area	2,820 99	
Remodel Nelson-Kelly Hangar	152 82	
Pave Terminal Building aircraft apron	375.44	
Remodel Terminal Building	2,538.06	
Construct CAA power shed	306 33	
Pave and widen taxi strip	1,095.84	
Total Lindbergh Field		$13,478 98
		$896,486.65
510 job order adjustment		$142 12
511 job order adjustment		—2,319 83
Auditor's adjustment		—77 48
Total harbor development expenditures		$894,231.46

Harbor Department—Outlay

Fiscal Year July 1, 1949-June 30, 1950

SCHEDULE O-1

Administrative Division		
1 Dictaphone and transcribing machine	$664.09	
Dictaphone belts	13.39	
1 Dazor fluorescent lamp	17.61	
1 10-Bank semi-automatic Monroe calculating machine, Model CST-10	463.50	
2 Steel stenographer's desks and tables	450 59	
2 Stenographer's chairs	60 67	$1,669 85
Engineering Division		
1 Complete 10-drawer file for tracings	$955.84	
1 Surveyor's transit with 20-second plate code Buzka	719.70	
1 Shaw-Walker steel filing cabinet (legal)	74.95	
5 Harter drafting stools	174.95	
4 Fluorescent lamps (Dazor floating fixture)	70 22	
1 Erasing machine	20 04	$2,015.70

SCHEDULE O-1

Activity		*Amount*
Yard and Shop		
1 Pole derrick, Model D-35	$295 20	
1 Toledo weighing scale (used)	36 05	
2 200-gallon gasoline tanks	82 00	
1 Welding torch and regulator	86.61	
1 Fire gun with burner	30 28	
2 Hand crank hose reels, complete	236 98	
1 1½" Gorman Rupp portable pump, complete	172.72	
1 1¼" Jabsco pump	52 23	
2 Blackmer hand gasoline	74.20	
1 Cast iron cement breaker	196 94	
1 Compressed air storage tank—2' diameter x 66" long—200# working pressure	103.47	
1 Sioux valve seat grinder set #1725	152 02	
1 Comet power saw, complete	613.26	
2 10' x 12" Lyon roller conveyors	104 77	
6 Jackson wheel barrows with pneumatic tires	132.03	
1 Gardner-Denver backfill tamper and pneumatic vibrator	428.99	
4 Safety load binders and 2 convertible hoists	228.11	
2 Alternator kits for mobile equipment—installed in #7002-Chevrolet sedan and #7223 Ford pickup	299 97	
Installation of police radio in Chevrolet sedan	81.73	
Recondition Jaegar pump #16123	191.22	
Forward	$3,598 78	
Overhaul Lima crane (J. O. 16106)	6,915 59	
Overhaul Lima crane truck (J O. 16107)	1,398.64	
Overhaul diesel cat bulldozer (J. O. 16133)	483 47	
Recondition personnel boat 5-7704 (W. O. 2930)	41 82	
Tax on gunite machine	55.62	$12,493 92
Miscellaneous Outlay Items		
1 Inboard motor boat "Bottomscratcher"	$250 00	
12 Temco gas heaters	181.69	
24 24" cork life ring buoys	148 99	
205 Dual parking meters	10,619 94	
1 Used wooden barge	1 00	
5 212-AM-3 Webster Teletalk Master stations and 6 5" speakers and push buttons	524.01	
Purchase of Lot E, Block 23, New San Diego (Van-Keuren)	500 00	
Title insurance on Lot E, Block 23, New San Diego	15.00	
Certificate of title—Navy Over-all Exchange	250.00	
1 Victor movie projector	406 85	
1 4 x 5 speed graphic camera, complete	269.20	
1 Duplicate copy of original 16MM Kodachrome film "Harbor of the Sun"	223.41	
1 16MM silent Kodachrome print "Harbor of the Sun"	77 49	
1 Black and white copy and 1 Kodachrome print of "Harbor of the Sun"	200 13	
2 Black and white prints and 902' 16MM Kodachrome of "Harbor of the Sun"	245.89	13,913.60
Grand Total		$30,093 07

ANNUAL REPORT OF THE HARBOR DEPARTMENT
July 1, 1949-June 30, 1950

The Fiscal Year 1949-50 was marked by an increasing tempo in the activities of the various divisions of the Harbor Department. Traffic through the port continued to show an increase. A number of continuing negotiations resulted in the acceptance and execution of long term leases. Plans relating to the future development of Lindbergh Field and the establishment of policies relating to its operation were further crystallized. The reclamation of additional tidelands, the dredging of large areas in the bay, and the construction of port facilities were carried out under private contract and by Harbor Department forces.

Following the trend established within the past few years, revenue traffic through the Port of San Diego continued to increase. Commercial ship arrivals and departures were up 25 percent from the previous year, and in several categories of

trade routes, inter-coastal cargoes were up 70 percent, coast-wise cargoes 300 percent, and imports were up 12 percent. A total of 1,282,385 tons, valued at $77,090,980 entered and departed the port during the Fiscal Year 1949-50. This total is actually less than that shown on reports for the last year due to the fact that Navy petroleum products delivered in naval vessels to naval facilities are no longer included in the tonnage total. Petroleum products delivered in privately owned vessels to private storage facilities showed considerable decrease from the previous year.

Efforts leading towards the development of additional cargo are being constantly exerted; and in addition, closer liaison is being maintained with consuls, commercial attaches and foreign trade missions of various foreign countries in an effort to promote and develop export and import trade through the port. During the past year a foreign trade mission sponsored by the Government of Sweden representing the glass and woodworking industries of that country paid San Diego a visit of several days duration. Facilities were made available through the Harbor Department for the display of their products and interviews with importers were arranged to determine the acceptability of their products for use in the United States.

The Institute of Aeronautical Sciences on the night of May 9, 1950, was the scene of the premiere of the 16 mm. sound-color motion picture, "The Harbor of the Sun." Government officials, representatives of the armed forces and the Coast Guard, civic leaders and their guests were in attendance to see the motion picture which had been conceived and produced by the Harbor Department working in conjunction with a Hollywood producer. Since that date nearly 1,000,000 people have seen the motion picture in color and through the aid of television. Color prints have been scheduled for showings in such cities as San Francisco, Los Angeles, Kent, Ohio, St. Paul, Buffalo and New York City. Schedules have also been arranged for the televising of prints over stations in such key cities as San Francisco, Phoenix, Salt Lake City, Omaha, San Antonio and Fort Worth. Further arrangements are being made to show the picture in practically every major city in the United States, and it is estimated that before the film is retired from service an estimated audience of over 10,000,000 will have seen the beauties of the Bay of San Diego, its port traffic, commercial and sport fishing activities, the varied operations on Lindbergh Field and the recreational aspects of the bay. The cost of bringing this story to the public has averaged approximately one-half cent per individual, and it is estimated that this will be reduced to almost one-tenth of a cent before the film is retired.

Departmental revenues for the Fiscal Year 1949-50 totaled $665,145, an increase of 17 percent over the revenues of 1948-49. This increase was especially gratifying in view of the fact that it marked an increase of over 38 percent over the Fiscal Year 1947-48, and permitted the Harbor Commission to begin appropriating large sums of money for the development for the Bay of San Diego, the construction of the 10th Street Pier, the extension of the 28th Street Pier to deep water, the dredging of the embarcadero basin and the dredging of the yacht and commercial basins with the resulting extension of the Byron Street Mole to connect with Shelter Island were the major projects approved by the commission. These projects required a total appropriation of $1,396,000. The work required to be done by the Engineering, and Maintenance and Construction Divisions in connection with outside contracts resulted in a reduction of the departmental operating cost to $258,300, a reduction of nearly 25 percent under the budget of the previous year. It can be anticipated that upon the completion of these projects which will occur shortly after the start of the 1950-51 Fiscal Year, sufficient Harbor Department personnel will be released to begin a major program of maintenance on the facilities of the Bay of San Diego. This will result in an increase in the operating budget of the department.

The past year has also seen the advent of daily air cargo flights on Lindbergh Field by a nationally known air cargo carrier and the establishment of intra-state operations. The statistics for operations on the field are broken down as follows:

Air Traffic:	*In*	*Out*
Passengers	75,753	82,728
Air freight	713,654 lbs.	1,024,655 lbs.
Air express	337,462 lbs.	116,777 lbs.
Air mail	603,816 lbs.	589,846 lbs.
Aircraft Activity (landings and take-offs):		
Air carrier	16,377	
Military	7,397	
Civilian	56,444	
Total	80,178	

One of the major improvements completed on Lindbergh Field during the fiscal year was the construction of new quarters for the Departments of Customs, Immigration and Public Health. By establishing these departments in a separate building immediately adjacent to the field, the handling of aircraft to and from foreign countries was tremendously facilitated. A contract was also entered into during the year with an outstanding architect to prepare plans for the remodeling and modernization of the Airport Terminal Building, which has been a long awaited development on the Municipal Airport.

Major engineering and construction projects undertaken during the Fiscal Year 1949-50 are summarized below

Dredging. Approximately 537,000 cubic yards of material was removed by dredging in the 10th Street area which provided the necessary channels and slips to a depth of 31 feet to serve the new 10th Street Pier structure approximately 226,500 cubic yards were removed to deepen the Embarcadero Boat Basin to a depth of 18 feet which, with future pier and bulkhead construction in this locality, will give the tuna fishing fleet an adequate anchorage basin and fulfill a long-felt need in harbor development

The dredging of some 20,000 cubic yards of material in the 28th Street Pier project has been completed, and a part of the material has been stockpiled, awaiting the construction of the exterior masonry pier walls which will contain the fill

Waterfront recreation facilities have received their share of improvements during the year in the dredging of approximately 1,000,000 cubic yards of material in the Municipal Yacht Harbor at Roseville. This dredging has provided a new 400-foot entrance channel south of the recreation basin with a 20-foot depth, an anchorage area 20 feet in depth, and created a connecting channel 15 feet deep from the basin's entrance to the foot of Canon Street. Several additional acres have been dredged to a 15-foot depth, and all other shallow depths in the recreation basin have been deepened to a minimum of 10 feet

A total of $285,045 in harbor funds has been expended in the dredging and reclamation of municipal tidelands during the year

Reclaimed Lands Bay dredging not only provides deeper waters, but the dredged material serves to reclaim many acres of valuable property. Dredging in the 10th Street area has made possible the reclamation of approximately 30 acres of tidelands, and makes 18 additional acres available for industrial development The dredging at 28th Street produced some 20,000 cubic yards of material needed to make the fill for the Mole Pier in extending the 28th Street Pier to deep water at the U S Pierhead Line Material from the Embarcadero Boat Basin was used to fill to grade some 70 acres of undeveloped ground lying westerly and adjacent to the airport, and the dredged material from the yacht harbor has created a new causeway 6,000 feet in length and 300 feet wide, along the main bay channel with its connection to the mainland at the foot of Byron Street Mole This connection, which adds approximately 1,000 feet to the extension of Byron Street across tidelands, now forms two separate boat basins, a north basin used exclusively for commercial purposes, and a south basin for recreational use A conservative estimate of the value of all land reclaimed during the year will exceed $1,000,000.

Pier Construction Work on 28th Street Pier, a mole structure 210 feet in width, has been in continual progress throughout the year. Dredging to a depth of 30 feet at mean lower low water has been completed along the off-shore end of the structure which will permit the economical unloading of vessels used in the lumber trade and bulk commodities The 28th Street Pier extension, along with 672 lineal feet of the 10th Street Industrial Pier structure, is scheduled for completion in the early part of December. The design of both piers is new for this coastal vicinity; consisting of a solid tremie rip-rap gravity section to an elevation of plus 3 and solid mass concrete above this elevation. The low bid for the combined work on both piers, based on engineer's estimated quantities, was $617,000. Actual expenditures for the two unified projects during the year amounted to $486,659.

Increased interest and patronage for the sport and commercial fishing industry necessitated further investment of harbor funds in the area bounded by Harbor Drive, Dickens Street, Scott Street, and the waterfront. Anchorage Piers Nos 1, 2, and 3 have been completed, and all available anchorage space is in use Piers 1 and 2 are assigned to commercial fishing craft, and Pier No 3 is used exclusively by sport fishing vessels Pier No 1, 434 feet long and 10 feet in width, constructed of rail piles with wood deck, was built by harbor department personnel and equipment during the fiscal year at a cost of $10,433 92 It provides 45 17-foot slips for commercial fishing boats and along with Piers No. 2 and No 3 produces a revenue of approximately $11,804 each year Final improvements for the shore line from Pier No 2 to Dickens Street were completed This project included the laying of approximately 3,500 square feet of hand-laid cemented rip-rap slope protection, 5,000 square feet of asphalt paved promenade walkway, 1,000 lineal feet of concrete curb separating the walkway from the newly improved parking area. Numerous full-grown, transplanted, date palms now line the walkway, giving an air of scenic beauty which is enjoyed by thousands of visitors throughout the year

Harbor forces and equipment, in addition to completing the above mentioned work, worked in conjunction with a private contractor to complete the improvement of Scott Street, from Dickens Street to Harbor Drive, a distance of four blocks Work involved in this project included the finish grading and paving of Scott Street by a private contractor with four inches of asphalt pavement The construction of approximately 866 lineal feet of standard concrete curb, approximately 2 500 square feet of concrete sidewalk, along with three concrete catch basins and connection to

existing drainage structures and the necessary sewer and water extensions were completed with harbor forces and equipment.

A long awaited improvement was completed at the foot of Addison Street The two unloading piers, serving the cannery prior to the commencement of the project, and located in the recreational area, were removed. One of these, the old Hovden Pier, a landmark in this vicinity for over 35 years, was demolished and the material discarded. The other pier, built some five years ago, was taken down and reconstructed in the commercial basin adjacent to a newly constructed pier 225 feet in length and 18 feet wide The cost of removing flumes, conveyors, tanks, and other structures above the decks on the old piers, and their installation on the new piers, was borne by the cannery; all other costs of demolition and new pier construction was accomplished by contract with harbor funds in the amount of $22,790. The inlet in which the piers were formerly operated has been filled with dredging material creating some 60,000 square feet of additional tidelands.

Airport. Two projects of major importance were completed during the year on Lindbergh Field. The removal of the old cab on the control tower and its replacement with a larger, modern, no-glare-glass cab at a contract price of $5,418 has filled a long-time need. New equipment installed by the C. A. A. now insures maximum service and protection to incoming and outgoing air traffic. Continued progress in development of the commercial area for Lindbergh Field has been maintained, and extensive grading and filling operations with harbor forces and equipment are being carried on periodically. Contract work during the year in this area consisted of the installation of 1,718 lineal feet of eight-inch vitrified clay sewer pipe with manholes and appurtenances, and the installation of two three-inch sewage pumps at a total contract price of $7,407 80. Completed minor projects at the airport include painting and roof renewal for the C. A. A. quarters in the control tower, alterations to Biloxi School building to provide facilities for foreign plane inspection, and the repainting of runway and taxi strip markings on the field.

Wake Boulevard, an airport roadway used by Convair planes to reach the waterfront, was widened 25 feet by the Consolidated Vultee Aircraft Corporation. The intersection of Wake Boulevard with Harbor Drive was widened and paved, and extensive chain link wire gates and fence installations were made under two separate contracts by the Harbor Department, one for $6,395 for the gate and fence construction, and $4,277 for paving the intersection.

Tideland Street Improvement Work For the protection and guidance of heavy traffic and the efficient and safe parking of autos and trucks along Harbor Street between Market and Ash Streets, a contract was let to install 4,870 lineal feet of reinforced concrete curb, which now divides the street into traffic and parking lanes. The contract price and extra work amounted to $10,458.16

Minor improvements to Emerson Street extension across tideland include the construction of 150 lineal feet of concrete curb, the installation of 240 lineal feet of six-inch vitrified clay pipe for sanitary sewer extension and the installation of 233 lineal feet of six-inch transite water main with fire hydrant This work was accomplished with Public Works Department labor and equipment cooperating with Harbor Department forces, and paid for with harbor funds.

Municipal Tideland Buildings. For the first time in the history of the Harbor Department, a serious fire damaging municipally owned property on the tidelands was experienced Fire of unknown origin broke out on November 3, 1949, in the northwest corner of the Fish Market Building, located at the foot of Pacific Highway, and caused damage which required a contract for $45,168.41 to restore the building to its former condition. Insurance fully covered the cost of repair Painting of the exterior surfaces of the Fish Market Building after restoration, along with the waterfront offices located at 410 to 422 Harbor Lane, the Fire Station Building located at the foot of Harbor Lane, the Shore Boats Building located at 1050 to 1060 Harbor Street, and the Municipal Warehouse Building located at 1265 Harbor Drive, was completed during the year under one contract amounting to $4,829.94 Periodic painting of municipally owned buildings along the waterfront, not only provides protection against rapid deterioration by sea air, but also adds considerably to the beautification of the waterfront

"G" Street Pier. Periodic work continued on "G" Street Pier with two contracts being completed during the year, one being the construction of a landing pier, 75 feet long and 24 feet in width, for the Pan American Fisheries Company, which was completed at a cost of $6,752 22. The other contract called for the installation of a sanitary sewer consisting of 376 lineal feet of eight-inch vitrified clay pipe, two manholes and appurtenant work which was completed at a cost of $1,495. Relocation of the six-inch transite water line on the pier necessitated the removal and installation of approximately 500 lineal feet of six-inch transite pipe with appurtenant valves and fittings The work was accomplished with labor force and equipment from the City Water Department.

Many other minor improvements requiring skilled labor and knowledge in practically every type of construction work was undertaken and completed with harbor personnel and equipment.

Maintenance and repair work was carried on throughout the year efficiently and economically. The diversified work of maintenance included the repair and maintenance of railway tracks, piers, floats, boats, pontoons, bulkheads of all types, street repairs, parking areas, sewer, water and drainage lines, buildings and other diversified types of work

Engineering and Drafting Engineering and drafting work, under the direction of the harbor engineer working with George F. Nicholson, Consulting Engineer, has kept pace throughout the year with the accelerated speed maintained in the accomplishment of port development and tideland improvements With the exception of contractural architect's services required for the Airport Administration Building and Sport Fishing Building, all plans and specifications for the various projects have been completed by the Harbor Department. Continual studies to relieve the ever-increasing traffic problem along the 10 miles of waterfront has resulted in new plans for parking and roadways soon to be submitted for approval Promotional maps, profiles and sketches to aid in securing government funds for surveys in connection with the 34-mile Laguna Tunnel were completed The value of the finished tunnel project to the City of San Diego, and particularly to the Port of San Diego, cannot be overestimated.

Contemplated New Work

Airport. Continued progress will be made for the development of the area set apart for nonscheduled flight and aviation school activities. Plans for paved roadways, drainage, domestic water and fire protection have already been made.

Plans and specifications are ready, and bids will soon be received to pave a concrete apron covering 218,000 square feet in an area west of the present administration building.

Architectural plans for the modernization of the airport administration building are being prepared by contract.

Plans have been made and approved for the installation of air conditioning equipment to be installed in the airport traffic control tower.

New Buildings The old Coast Guard Building, 27 feet by 72 feet located at the foot of Canon Street and acquired by the city at the end of World War II is scheduled for removal to the Byron Street Mole and will be remodeled to suit a new tenant engaged in the building of small boats. Moving and remodeling costs are estimated at $2,500

Plans and specifications for a new Customs Building, located on the waterfront near the foot of Date Street, are ready for bids and completion of the building is scheduled early in the coming year.

Piers. Overcrowding anchorage for sport and commercial fishing vessels, necessitated the appropriation of additional funds for the construction of Piers 4, 5, 6, 7 and 8 in the commercial basin at Roseville. The influx of vessels from points north along the coast has been phenomenal Contracts for the construction of these piers will be executed in the immediate future. Work on Pier No 4 is already under way with harbor personnel and equipment and is approximately 50 percent complete.

Studies are under way preparatory to the drawing of plans for a Tuna Boat Anchorage Pier, 560 feet in length and 20 feet in width, to be located in the Embarcadero Boat Basin Early estimates indicate a cost of approximately $70,000.

Studies and plans are being prepared for the demolition and replacement of 6,300 lineal feet of fender system for the protection of "B" Street Pier, Broadway Pier, and the Embarcadero apron wharf. Continued work on 10th Street Pier, and the development of the adjacent 48 acres of tidelands along with paving, water and sewer lines, and lighting facilities for 28th Street Pier has produced a backlog of engineering studies and plan preparation.

Bulkheads. Many thousands of tons of rip-rap to protect the new dredged fills, now being completed, will be required during the coming year.

Sewers. Over-all studies of the waterfront tending to eliminate the flow of sewage and cannery wastes has long been under way. Plans and specifications for one major project, which will adequately solve the sewage problem in the area northwest of Crosby Street, are ready for bids and require the installation of approximately 2,000 lineal feet of pipe of 15-inch to 27-inch diameters and a pumping plant equipped with three 4-inch sewage pumps and powered by three 15 h.p. electric motors.

Continued progress will be maintained in the development along Byron Street Mole to its connection with Shelter Island. This work will consist of preparation of areas for new leases and construction of needed street improvements, sewer and water line extension, and drainage facilities to accommodate new lessees.

Streets and Paving. Plans are being prepared for streets to service the reclaimed land in the 10th Street Pier area and to improve streets in the vicinity of the 28th Street Pier. It is anticipated that contracts for this work will be let during the coming year. Negotiations with the Santa Fe Railroad have been initiated to acquire property which will permit a straightening of Belt Street in the vicinity of the San Diego Marine Construction Company. The existing roadway paralleling the bulkhead at the foot of Crosby Street is also scheduled for realignment and servicing.

Very truly yours,

JOHN BATE,
Port Director

ANALYSIS OF THE REPLY OF THE CITY OF SAN DIEGO

The reply of the City of San Diego is indefinite with respect to whether the development and improvement of the granted lands constitute substantial compliance with the terms and conditions of the statutes of grant, of which there are twelve, or constitute unauthorized use and administration of such lands. The general inference of the reply, however, leaves little doubt that there has been in numerous instances such unauthorized use and administration Particular reference in this regard is made to the answers to Questions Nos. 5, 7, and 8

Conclusion. The reply of the City of San Diego is unsatisfactory, and further investigation by the committee is required, in the following particulars: there is evidently unauthorized use and administration of granted lands of major proportions, with respect to which immediate surveys should be made and extensive and comprehensive research, examinations, and investigations conducted, to enable the committee to gain sufficiently complete and detailed information and data regarding the same, so that the committee can adequately report to the Assembly on the advisability of re-acquisition of such granted lands by the State of California.

COUNTY OF SAN LUIS OBISPO

SENATE BILL No. 1558

CHAPTER 1076

An act conveying certain tidelands and submerged lands to the County of San Luis Obispo, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof, reserving rights to the State.

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted and conveyed to the County of San Luis Obispo and to its successors, all of the right, title, and interest of the State of California, held by it by virtue of its sovereignty, in and to the tidelands and submerged lands, whether filled or unfilled, in or adjacent to Morro Bay, and more particularly bounded and described as follows:

Beginning at the northwesterly corner of Section 6, T. 30 S., R 11 E., M.D.M., and running S. 0 degrees 3 minutes E., a distance of 1,348 80 feet to a point; thence west on a true line to the ordinary high water mark of Morro Bay, the true point of beginning; thence, from the true point of beginning, in a northwesterly direction to the northeasterly corner of Lot 1, Section 1, T. 30 S., R 10 E., M D. M.; thence along the ordinary high water mark of Morro Bay and the Pacific Ocean to the northwesterly corner of Lot 1, Section 2, T. 30 S., R. 10 E., M D M.; thence west to a point three miles seaward of the ordinary high water mark of the Pacific Ocean; thence in a northerly direction to the point of intersection with the westerly prolongation of the center line of 66th Street, Atascadero Beach, 3 miles seaward of the ordinary high water mark of the Pacific Ocean as it existed prior to the construction of the seawall extending from Atascadero Beach to Morro Rock; thence along the said ordinary high water mark of the Pacific Ocean and Morro Bay as shown on a plat entitled "Map Showing Survey of San Luis Obispo County Property in

Lot 1, Block 31, Atascadero Beach and Line of Mean High Water along the Pacific Ocean Adjacent to and North and South of said Property and near the Proposed Breakwater at Morro Rock. Surveyed by Kenneth Beck, County Surveyor, March 1934" and recorded in Book 2 at page 39 of Licensed Surveyors' Maps, San Luis Obispo County Records, and continuing along the ordinary high water mark of Morro Bay to the true point of beginning, excepting therefrom tidelands patented by the State under Tidelands Surveys Nos. 10 and 14, and any land owned by the State under the jurisdiction of the Division of Beaches and Parks, State of California, consisting of 3,300 acres, more or less.

To be forever held by said county and its successors, in trust for the uses and purposes and upon the express conditions following, to wit:

(a) That said lands shall be used by said county, and its successors, only for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays and other utilities, structures, facilities and appliances necessary or convenient for the promotion and accommodation of commerce and navigation, and said county, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purposes whatever; provided, that said county, or its successors, may grant franchises thereon for limited periods (but in no event exceeding 50 years), for wharves and other public uses and purposes and may lease said lands, or any part thereof, for limited periods (but in no event exceeding 50 years), for purposes consistent with the trust upon which said lands are held by the State of California, and with the requirements of commerce and navigation at said harbor, and collect and retain rents from such leases.

(b) That said lands shall be improved by said county without expense to the State, and shall always remain available for public use for all purposes of commerce and navigation, and the State of California shall have at all times, the right to use, without charge, all wharves, docks, piers, slips, quays, and other improvements and facilities constructed on said lands, or any part thereof, for any vessel or other water or aircraft, or railroad, owned or operated by the State of California.

(c) That in the management, conduct or operation of said harbor, or of any of the utilities, structures, appliances or facilities mentioned in paragraph (a), no discrimination in rates, tolls, or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said county or its successors.

(d) There is hereby reserved, however, in the people of the State of California the absolute right to fish in the waters of said harbor with the right of convenient access to said waters over said lands for said purposes.

(e) There is hereby excepted and reserved to the State of California all deposits of minerals, including oil and gas, in said land, and to the State of California, or persons authorized by the State of California, the right to prospect for, mine, and remove such deposits from said land.

(f) The lands herein described are granted subject to the express reservation and condition that the State may at any time in the future use said lands or any portion thereof for highway purposes without compensation to the county, its successors or assigns, or any person, firm or public or private corporation claiming under it, except that in the

event improvements have been placed upon the property taken by the State for said purposes, compensation shall be made to the person entitled thereto for the value of his interest in the improvements taken or the damages to such interest.

(g) There is hereby excepted and reserved to the State of California and the people thereof the absolute right, as the case may be, to regulate, control, establish, provide for, and dispose of oyster beds pursuant to the provisions of Sections 814 to 822, inclusive, of the Fish and Game Code of this State.

DATA FURNISHED TO THE COMMITTEE BY THE COUNTY OF SAN LUIS OBISPO

REGULAR MEETINGS
Fourth Wednesday
of Each Month

Ben D Conrad,
ENGINEER-SECRETARY

COUNTY OF SAN LUIS OBISPO
Office of
PLANNING COMMISSION
SAN LUIS OBISPO, CALIFORNIA

August 31, 1948

ASSEMBLYMAN RALPH C. DILLS
State Capitol
Sacramento 14, California

DEAR SIR: The following is the information requested in your letter to the San Luis Obispo County Board of Supervisors dated July 26, 1948:

1. Which officer or agency is charged with the duty of administering tidelands and submerged lands that have been granted by the State?

A. County Board of Supervisors, San Luis Obispo County.

2. What action has been or is being taken for the development and improvement of the granted lands?

A. An access road is being developed along waterfront. Development of property by leasees.

3. Have public funds been expended for such purposes, and, if so, approximately in what amount?

A. For access road—approximately $1,000.00.

4 What improvements have been made pursuant to franchises or leases and what is the approximate value thereof?

A. None.

5. What franchises or leases of such lands are currently in effect?

A. Ten leases in effect—approximately 1,600 feet of frontage plus upland area between embarcadero and access road.

6. What are the present annual revenues received by the local agency from such lands, the sources thereof, and the purposes for which such revenues are used.

A. Annual revenues received on above leases amount to $2,086.40. Revenues are received from the rental of the land only, at present.

7. To what extent, if at all, are any of the granted lands occupied or used by individuals or corporations?

A. All of the above land leased is occupied by individuals.

8. Has your local agency been divested of title or right to possession of any of the granted land by reason of conveyance thereof by the local agency, eminent domain proceedings, agreements to determine boundaries, or otherwise?

A. No.

9. Have any judicial proceedings been commenced against your local agency affecting title or right to possession of any such granted lands? If so, list the names of the cases and state the effect of each judgment.

A. No.

Trusting that this information will be of assistance to you, we remain

Yours very truly,

BEN D. CONRAD
Engineer-Secretary

ANALYSIS OF THE REPLY OF THE COUNTY OF SAN LUIS OBISPO

The reply of the County of San Luis Obispo discloses a substantial compliance with the conditions of the statute of grant and with the trust under which the granted lands are held. However, the statement that 1,600 feet of frontage, plus upland areas, are controlled by ten leases now in effect, read with the report that all of the leased land is occupied by individuals, marks the possibility of an unauthorized use and administration of the granted lands.

Conclusion. The committee should investigate the leases of the granted lands, the use and administration of such lands, and the purposes to which the revenues therefrom are applied. By obtaining sufficiently complete and detailed data and information, the committee will be able adequately to report to the Assembly on the advisability of reacquisition of the granted lands.

CITY OF SAN MATEO

ASSEMBLY BILL No. 486

CHAPTER 536

An act granting to the City of San Mateo the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom, and regulating the management, use and control thereof.

[Approved May 27, 1915]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of San Mateo, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California, held by said State by virtue of its sovereignty, in and to all the salt marsh, tide and submerged lands, whether filled or unfilled, within the present boundaries of said city, and situated below the line of mean high tide of the Pacific

Ocean, or of any harbor, estuary, bay or inlet within said boundaries, to be forever held by said city, and by its successors, in trust for the uses and purposes, and upon the express conditions following, to wit. That said lands shall be used by said city and its successors, solely for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays, and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation, and said city, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purpose whatever; provided, that said city, or its successors, may grant franchises thereon, for limited periods, for wharves and other public uses and purposes, and may lease said lands, or any part thereof, for limited periods, for purposes consistent with the trusts upon which said lands are held by the State of California and with the requirements of commerce or navigation at said harbor, for a term not exceeding 25 years, and on such other terms and conditions as said city may determine, including a right to renew such lease or leases for a further term not exceeding 25 years or to terminate the same on such terms, reservations and conditions as may be stipulated in such lease or leases, and said lease or leases may be for any and all purposes which shall not interfere with navigation or commerce, with reversion to the said city on the termination of such lease or leases of any and all improvements thereon, and on such other terms and conditions as the said city may determine, but for no purpose which will interfere with navigation or commerce; subject also to a reservation in all such leases or such wharfing out privileges of a street, or of such other reservation as the said city may determine for sewer outlets, and for gas and oil mains, and for hydrants, and for electric cables and wires, and for such other conduits for municipal purposes, and for such public and municipal purposes and uses as may be deemed necessary by the said city; provided, however, that each person, firm or corporation or their heirs, successors or assigns now in possession of land or lands abutting on said lands, within the boundaries of the City of San Mateo, shall have a right to obtain a lease for a term of 25 years from said city of said land and wharfing out privileges therefrom with a right of renewal for a further term of 25 years pursuant to the provisions of this act and on such terms and conditions as said city may determine and specify, subject to the right of said city to terminate said lease at the end of the first 25 years or refuse to renew the same, or to terminate the lease so renewed during the term of such renewed lease on such just and reasonable terms for compensation for improvements at the then value of said improvements as said city may determine and specify. Upon obtaining such lease and wharfing out privileges such person, firm or corporation, their heirs or assigns, shall quitclaim to said city any right they or any of them may claim or have to the said lands hereby granted. This grant shall carry the right to such city of the rents, issues and profits in any manner hereafter arising from the lands or wharfing out privileges hereby granted. The State of California shall have, at all times, the right to use, without charge, all wharves, docks, piers, slips, quays and other improvements constructed on said lands or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California. No discrimination in rates, tolls

or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors in the management, conduct or operation of any of the utilities, structures or appliances mentioned in this section There is hereby reserved in the people of the State of California the right to fish in the waters on which said lands may front with the right of convenient access to said waters over said lands for said purpose.

SEC 2. The foregoing conveyance is made upon the condition that the City of San Mateo shall, within five years from the time this act shall go into effect, exclusive of such time as said city may be restrained from so doing by injunction issued out of any court of this State or of the United States, and exclusive of such further delay as may be caused by unavoidable misfortune or great public or municipal calamity, issue its bonds for harbor improvement purposes, in an amount of money of not less than $100,000, and shall within five years after this act shall go into effect, exclusive of the time in this section hereinbefore mentioned, commence the work of such harbor improvement, and the said work and improvement shall be prosecuted with such diligence, that not less than $100,000 shall be expended thereon, within five years from the time this act shall go into effect, exclusive of the time in this section hereinbefore mentioned. If said bonds be not issued, or said work be not prosecuted and completed as, and in the manner herein provided, then the lands by this act conveyed to the City of San Mateo, shall revert to the State of California

ASSEMBLY BILL No. 913

CHAPTER 245

An act granting to the City of San Mateo the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom, and grant franchises and leases thereon, and regulating the management, use and control thereof, and authorizing suits against said city and the State to quiet title to any such lands, and regulating the procedure therein and conditions under which said suits may be brought.

[Approved by the Governor May 8, A D. 1933]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of San Mateo, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California, held by said State by virtue of its sovereignty, in and to all the salt marsh, tide and submerged lands whether filled or unfilled, within the present boundaries of said city, and situated below the line of mean high tide of the Pacific Ocean, or of any harbor, estuary, bay or inlet within said boundaries, to be forever held by said city, and by its successors, in trust for the uses and purposes, and upon the express conditions following, to wit: That said lands shall be used by said city and its successors, solely for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays, and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation, and said city, or its successors, shall not, at any time, grant, convey,

give or alien said lands, or any part thereof, to any individual, firm or corporation for any purpose whatever; provided, that said city, or its successors, may grant franchises thereon for limited periods, for wharves and other public uses and purposes, and may lease said lands, or any part thereof, for limited periods for purposes consistent with the trusts upon which said lands are held by the State of California and with the requirements of commerce or navigation at said harbor, for a term not exceeding 25 years, and on such other terms and conditions as said city may determine, including a right to renew such lease or leases for a further term not exceeding 25 years or to terminate the same on such terms, reservations and conditions as may be stipulated in such lease or leases, and said lease or leases may be for any and all purposes which shall not interfere with navigation or commerce, with reversion to the said city, on the termination of such lease or leases of any and all improvements thereon, and on such other terms and conditions as the said city may determine, but for no purpose which will interfere with navigation or commerce; subject also to a reservation in all such leases or such wharfing out privileges of a street, or of such other reservation as the said city may determine for sewer outlets, and for gas and oil mains, and for hydrants, and for electric cables and wires, and for such other conduits for municipal purposes, and for such public and municipal purposes and uses as may be deemed necessary by the said city; provided, however, that each person, firm or corporation or their heirs, successors or assigns now in possession of land or lands abutting on said lands, within the boundaries of the City of San Mateo, shall have the right to obtain a lease for a term of 25 years from said city of said land and wharfing out privileges therefrom with a right of renewal for a further term of 25 years pursuant to the provisions of this act and on such terms and conditions as said city may determine and specify, subject to the right of said city to terminate said lease at the end of the first 25 years or refuse to renew the same, or to terminate the lease so renewed during the term of such renewed lease on such just and reasonable terms for compensation for improvements at the then value of said improvements as said city may determine and specify. Upon obtaining such lease and wharfing out privileges such person, firm or corporation, their heirs or assigns, shall quitclaim to said city any right they or any of them may claim or have to the said lands hereby granted. This grant shall carry the right to such city of the rents, issues and profits in any manner hereafter arising from the lands or wharfing out privileges hereby granted. The State of California shall have at all times the right to use, without charge, all wharves, docks, piers, slips, quays and other improvements constructed on said lands or any part thereof, for any vessel or other water craft or railroad owned or operated by the State of California. No discrimination in rates, tolls or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors in the management, conduct or operation of any of the utilities, structures or appliances mentioned in this section. There is hereby reserved in the people of the State of California the right to fish in the waters on which said lands may front with the right of convenient access to said waters over said lands for said purpose. This grant is without prejudice to the rights of any person, firm or corporation who may claim title to any such land or lands by virtue of any sale thereof under the provisions

of the following act, to wit: An act entitled "An act to provide for the management and sale of lands belonging to the State," approved March 28, 1868, or under the provisions of the act entitled "An act to provide for the sale of certain lands belonging to the State," approved April 27, 1863, where full payment has been made therefor and no patent has been made or delivered by or on behalf of the State of California, or where the patent from the State of California therefor has been lost or destroyed, and was never recorded in the office of the county recorder of San Mateo County, or where relief has been granted to a purchaser or purchasers under the provisions of an act entitled "An act for the relief of purchasers of state lands," approved March 27, 1872; and any such person, firm or corporation is hereby authorized to bring suit against the said City of San Mateo and the State of California in any court of competent jurisdiction in said State, to quiet title to said land, or any portion thereof, and to prosecute the same to final judgment. In any case where such full payment has been made, or in any case where relief has been granted under the provisions of said act approved March 27, 1872, the title of the plaintiff may be quieted against the said City of San Mateo and the State of California in and by such judgment, whether or not any such patent has been made or delivered; provided, however, that it shall first appear that all taxes levied against such property during the 30 years next preceding the commencement of the action, have been fully paid.

SEC 2. All the provisions and rules of law relating to suits to quiet title and appeals therein shall apply to such suits as may be brought under this act. If judgment be given against the State in any such suit, no costs shall be allowed against the State.

SEC. 3. Any such suits to quiet title shall be commenced within one year after this act takes effect.

SEC. 4. Service of summons on the State in such suits shall be made on the Surveyor General and the Attorney General.

SEC 5. There is hereby excepted and reserved to the State of California all deposits of minerals, including oil and gas, in the land granted by this act and there is also reserved to the State of California or persons authorized by the State, the right to prospect for, mine and remove such deposits from said land.

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF SAN MATEO

OFFICE OF THE
CITY MANAGER
CITY ENGINEER

CITY OF SAN MATEO
CALIFORNIA

August 30, 1948

RALPH C. DILLS, *Chairman*
Interim Committee on Petroleum Problems
Sacramento, California

DEAR MR DILLS: Mayor Creed Haberlin has asked this office to reply to your questionnaire, dated July 26, 1948, relative to tidelands and submerged and reclaimed lands, lying within the city, which have been deeded to the city by the State of California. We will answer the questions in numerical order as they are listed on the questionnaire:

1. The City Manager, City of San Mateo, is the officer charged with the duty of administering tidelands and submerged lands that have been granted by the State. The city has deed to approximately 1,300 acres which were deeded to the city in 1930. Over 1,200 acres are located in the San Francisco Bay, and are under water at the present time.
2. A portion of this acreage is being utilized at the present time as a municipal dump and approximately 4½ acres have been reclaimed to this date by "dump refuse" fill.
3. Approximately $1,000 has been expended for the improvement of this area, the major portion of the expenditure being for fencing.
4. No additional improvements have been made pursuant to franchises or leases.
5. No leases or franchises are in effect at the present time.
6. The total annual revenue received is $600 from the City of Hillsborough, which has been authorized to use the dumping facilities.
7. No individual or corporation occupies these lands at the present time.
8. The City of San Mateo has not been divested of title or right of possession for any reason.
9. No judicial proceedings have been commenced affecting title, nor have any judgments been rendered.

We trust this information will be of help to your committee.

Very truly yours,

ARTHUR B. SULLIVAN
City Manager
By: F. W. SHARP
Assistant Manager

ANALYSIS OF THE REPLY OF THE CITY OF SAN MATEO

The reply of the City of San Mateo indicates a substantial compliance with the conditions of the statutes of grant and with the trust under which the granted lands are held. While no extensive use has been made of the granted lands, the reply is satisfactory in all particulars except that concerning the revenues from such lands. The purposes for which the revenues from the granted lands are expended are not stated

Conclusion The committee should examine the purposes for which revenues from the granted lands are expended, in order to determine whether such purposes constitute an unauthorized use and administration of such lands.

CITY OF SAN RAFAEL

SENATE BILL No. 237

CHAPTER 83

An act granting to the City of San Rafael the salt marsh, tide and submerged lands of the State of California, within the present boundaries of said city, including the right to wharf out therefrom, and regulating the management, use and control thereof.

[Approved May 2, 1923]

The people of the State of California do enact as follows:

SECTION 1 There is hereby granted to the City of San Rafael, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California, held by said State by virtue of its sovereignty, in and to all the salt marsh, tide and submerged lands, whether filled or unfilled, within the present boundaries of said city, and situated below the line of mean high tide of the Pacific Ocean, or of any harbor, estuary, bay or inlet within said boundaries, to be forever held by said city, and by its successors in trust for the uses and purposes, and upon the express conditions following, to wit:

That said lands shall be used by said city and its successors, solely for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, ships, quays, and other utilities, warehouses, factories, storehouses, structures and appliances necessary or convenient for the promotion, benefit and accommodation of commerce and navigation, and said city, or its successors, shall not, except as herein authorized, at any time, grant, convey, give, or alien said lands, or any part thereof, to any individual, firm or corporation for any purpose whatever; provided, that said city, or its successors, may grant franchises thereon, for limited periods, for wharves and other public uses and purposes, and may lease said lands, or any part thereof, for limited periods, for purposes consistent with the trusts upon which said lands are held by the State of California and this grant, for a term not exceeding 50 years, and on such other terms and conditions as said city may determine, including a right to renew such lease or leases for a further term not exceeding 25 years, or to terminate the same on such terms, reservations and conditions as may be stipulated in such lease or leases, and said lease or leases may be for any and all purposes which shall not interfere with navigation or commerce.

The State of California shall have, at all times, the right to use, without charge, all wharves, docks, piers, slips, quays and other improvements constructed on said lands, or any part thereof, for any vessel or other water craft or railroad, owned or operated by the State of California

That in the operation, management or conduct of said harbor, or of any wharves, docks, piers, slips, quays or property or any improvements constructed or operated on said lands, no discrimination in rates, tolls, or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors.

There is hereby reserved in the people of the State of California the right to fish in the waters on which said lands may front with the right of convenient access to said waters over said lands for said purposes, such enjoyment of access and right to fish to be regulated by ordinance of the City of San Rafael, so as not to interfere, obstruct, retard, or limit the right of navigation or the right of lessees or licensees under lease or license given.

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF SAN RAFAEL

ROBERT F. AUSTIN
MAYOR

COUNCILMEN
HARRY ALBERT
PHILIP F. BROWN
EDWARD CULVER
HOMER H. WOOD

R. A. BOEGE
CITY MANAGER AND ENGINEER

CITY OF SAN RAFAEL
CALIFORNIA
TELEPHONE 800

E. W. SMITH
CITY CLERK AND ASSESSOR

C. C. WEBB
CITY TREASURER AND TAX COLLECTOR

JORDAN L. MARTINELLI
CITY ATTORNEY

FRED J. SCHEUER
FIRE CHIEF

August 28, 1948

RALPH C. DILLS
State Capitol
Sacramento 14, California

DEAR SIR: Your letter of July 26, 1948, addressed to the ex-Mayor William S. Nook has been referred to this office for reply.

The following are the answers to your questionnaire regarding tidelands and submerged lands granted by the State:

1. The City Council is charged with the duty of administering tidelands and submerged lands that have been granted by the State.
2. No action has been or is being taken for the development and improvement of the granted lands.
3. No public funds have been expended for such purposes.
4. No improvements have been made pursuant to franchises or leases.
5. The "goose neck" canal lease is the only lease of such lands currently in effect.
6. No annual revenues are received from this lease.
7. The "goose neck" lease includes a very small portion of the total area of granted lands.
8. The City of San Rafael has not been divested of title or right to possession of any of the granted lands by reason of conveyance thereof by the local agency, eminent domain proceedings, agreements to determine boundaries, or otherwise.

9. No judicial proceedings have been commenced against our local agency affecting title or right to possession of any such granted lands.

Respectfully submitted,

R. A. BOEGE
City Manager

ANALYSIS OF THE REPLY OF THE CITY OF SAN RAFAEL

The reply of the City of San Rafael is largely self-explanatory. There has been no compliance with the intents, purposes, and conditions of the statute of grant. The report is not clear regarding the so-called "goose neck" canal lease. No reason is given for the statement that no revenues are derived from that lease.

Conclusion. The committee should investigate the matter of the so-called "goose neck" canal lease and the reasonable rental value of the granted land subject thereto. The committee's recommendation in situations of this type, involving lack of compilance with the intents, purposes, and conditions of the statute of grant, is contained in the recommendations of the committee set forth at the conclusion of this report.

CITY OF RICHMOND

Senate Bill No. 1765

CHAPTER 317

An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Francisco and the Bay of San Pablo to the City of Richmond in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof.

[Approved June 11, 1913]

WHEREAS, Since the admission of California into the Union, all tidelands along the navigable waters of this State and all lands lying beneath the navigable waters of the State have been and now are held in trust by the State for the benefit of all the inhabitants thereof for the purpose of navigation, commerce, and fishing; and

WHEREAS, It is the duty of the State to govern, administer and control such lands and to improve and develop navigation, commerce, and fishing thereon and thereover; and

WHEREAS, The State has not the general power of alienation of such lands, but may, when the interests of commerce, navigation, and fishing require it, convey to municipalities limited and defined areas of such lands with the power to govern, control, improve and develop the same in the interests of all of the inhabitants of the State; and

WHEREAS, The conveyance to the City of Richmond of the lands hereinafter described, together with the right to govern, control, improve and develop the same will result in great advantage and benefit to all the inhabitants of the State, it is provided; therefore

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted and conveyed to the City of Richmond in the County of Contra Costa, in the State of California, all the lands situate on the City of Richmond side of the Bay of San Francisco and the Bay of San Pablo, lying and being between the line of mean high tide and the line of mean low tide as the same has been or may be hereafter established between the prolongation into the Bay of San Pablo of the north boundary line of the said City of Richmond and the prolongation into the Bay of San Francisco of the southerly boundary line of the City of Richmond.

SEC. 2. The City of Richmond shall have and there is hereby granted to it the right to make upon said premises all improvements, betterments and structures of every kind and character, proper, needful and useful for the development of commerce, navigation, and fishing, including the construction of all wharves, docks, piers, slips, and the construction and operation of a municipal belt line railroad in connection with said dock system.

SEC. 3. (No grant, conveyance or transfer of any character shall ever be made by the City of Richmond of the lands described in paragraph 1, or of any part thereof, but the said city shall continue to hold said lands and the whole thereof unless the same revert or be receded to the State of California. The Harbor of Richmond shall remain always a public harbor and the said city shall never charge or permit to be charged on any of the premises by this act conveyed any unreasonable rate or toll, nor make nor suffer to be made any unreasonable charge, burden or discrimination. In the event of a violation of any of the provisions of this act the said lands and the whole thereof shall revert to the State of California.)

SEC. 4. The City of Richmond may lease for a term not exceeding 25 years any wharves, docks or piers constructed by it, and all such leases so executed shall reserve to the council of the City of Richmond the right and privilege, by ordinance to annul, change or modify such leases as in its judgment may seem proper. The aggregate amount of all wharves, docks and piers so leased by said city shall never exceed 50 percent of all of the wharves, docks and piers actually constructed.

SEC. 5. The City of Richmond may lease not to exceed an aggregate of 50 percent of the lands conveyed to it by this act, for a term not to exceed 25 years and upon which wharves, docks or piers have not been actually constructed and no such lease shall be for a larger area than 40 acres, and such leases shall not be assignable or transferable, nor shall any lessee have the right to sublet the leased premises or any part thereof except by the consent of the city council of said City of Richmond set forth in an order of said city council and all such leases so executed shall reserve to the council of the City of Richmond the right and privilege, by ordinance to annul, change or modify such leases as in its judgment may seem proper.

SEC. 6. The foregoing conveyance is made upon the condition that the City of Richmond shall, within 12 months from the approval of this act, exclusive of such times as said city may be restrained from so doing by an injunction issued out of any court of this State or of the United

States, and exclusive of such further delay as may be caused by unavoidable misfortune or great public or municipal calamity, issue its bonds for harbor improvement purposes in an amount of not less than $250,000, and shall, within 18 months after the approval of this act, exclusive of the time in this section hereinbefore mentioned, commence the work of such harbor improvement, and the said work and improvement shall be prosecuted with such diligence that not less than $250,000 shall be expended thereon within three years from the approval of this act exclusive of the time in this section hereinbefore mentioned. The said harbor improvement work shall be so done and performed that accommodation will be furnished and maintained for ocean-going vessels and a depth of water shall be obtained and maintained at the piers of not less than 20 feet.

If said bonds be not issued or said work be not prosecuted and completed as and in the manner herein provided, then the lands by this act conveyed to the City of Richmond shall revert to the State of California.

SEC. 7. The State hereby reserves unto itself at all times, the reasonable use of and access to all wharves, docks, piers, slips and quays hereafter constructed under the provisions of this act, for any vessel or water craft owned, leased or operated by the State.

SEC. 8. The City of Richmond shall in the name of the State of California have and is hereby granted the power and authority to maintain and prosecute to final judgment in any court of the State or United States in which jurisdiction may be vested any and all actions necessary to recover possession, from any private persons, partnerships or corporations all or any part of the lands granted in Section 1 hereof.

ASSEMBLY BILL No. 498

CHAPTER 89

An act authorizing the City of Richmond to lease certain tide and submerged lands heretofore granted by the State of California to said city in trust.

[Approved April 22, 1919]

The people of the State of California do enact as follows:

SECTION 1. The City of Richmond, a municipal corporation of the State of California, is hereby authorized and empowered to lease and let unto the Atchison, Topeka and Santa Fe Railway Company, its successors and assigns, for the term of 99 years from and after the first day of January, 1919, the following described premises:

Beginning at the intersection of the official bulkhead line with the southwestern line of tideland lot number thirty-one in section twenty-two, township one north, range five west, Mount Diablo meridian, in the County of Contra Costa, State of California, said intersection being near the southwest corner of said tideland lot number thirty-one; thence south sixty-one degrees forty-five minutes east, eight hundred ninety-four and fifty-two hundredths feet, more or less, along the southwestern line of said tideland lot number thirty-one and tideland lot number thirty-two in said section to an angle point in the boundary line of said tideland lot number thirty-two; thence south fourteen degrees west, along the western boundary of said tideland lot number thirty-two a distance of three hundred fifty-six and four-tenths feet to station three hundred thirty-six of

the exterior boundary of Rancho San Pablo; thence southerly and easterly, along said exterior boundary line, to station three hundred forty-four of said rancho boundary line, said last station being at the most western corner of tideland lot number twenty-five and one-half in section twenty-three, said township and range; thence southeasterly one hundred sixty-six and fifty-three hundredths feet, more or less, along the southwestern line of said tideland lot number twenty-five and one-half and of tideland lot number eight in section twenty-six, said township and range, to a point one hundred thirty feet westerly measured at right angles, from the western line of the sixty foot municipal highway known as Garrard Boulevard; thence southerly, parallel with said western line of Garrard Boulevard and its prolongation, three hundred nineteen and sixteen hundredths feet, more or less, to said official bulkhead line; thence westerly and northerly, along said bulkhead line, to the place of beginning, in accordance with and upon the considerations, terms, and conditions of that certain contract made and entered into between the said city and the said railway company dated May 1, 1918, and on file in the office of the clerk of said city, and the covenants, conditions and terms of such lease shall bind the parties thereto, their successors and assigns, and the State of California.

SENATE BILL No. 424

CHAPTER 379

An act granting to the City of Richmond and its successors certain salt marsh, tide and submerged land of the State of California, including the right to wharf out therefrom and grant franchises and leases thereon and regulating the management, use and control thereof, also including the right of said city to collect the rents, issues and profits in any manner hereafter arising from the lands or wharf-out privileges hereby granted.

[Approved by the Governor July 5, A D. 1935]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of Richmond, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California held by said State by virtue of its sovereignty in and to all the salt marsh, tide and submerged lands, whether filled or unfilled, and situated below the line of mean high tide of the Pacific Ocean or of any harbor, estuary, bay or inlet within the areas described as follows:

Parcel 1. All of the said salt marsh, tide and submerged lands lying west of the prolongation northerly of the westerly line of section three, township one north, range five west, Mount Diablo base and meridian, to the city limits of said City of Richmond, and northerly of a line drawn from a point on the line of mean high tide westerly to the city limits of said City of Richmond, six hundred sixty feet southerly from, and parallel to, the prolongation westerly of the center line of section five of said township and range, to the city limits of said City of Richmond.

Parcel 2. All of the salt marsh, tide and submerged lands lying between the prolongations westerly to the city limits of said City of

Richmond on the northerly and southerly lines of section nine, township one north, range five west, Mount Diablo base and meridian;

To be forever held by said city and its successors, in trust for the uses and purposes and upon the conditions and subject to the reservations following, to wit:

(a) That said lands shall be used by said city, and its successors, only for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays, and other utilities or plants, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation; and said city, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purposes whatever; provided, nevertheless, that said city, or its successors, may grant franchises thereon for limited periods (in no event exceeding 50 years) for wharves or other public uses and purposes, and may lease said lands, or any part thereof, for limited periods (in no event exceeding 50 years) for purposes consistent with the trust upon which said lands are held by the State of California and with the requirements of commerce and navigation at said harbor, and may renew any such lease or leases for a further term not exceeding 25 years or may terminate the same upon such conditions and provisions as may be stipulated in such lease or leases This grant shall carry the right to such city of the rents, issues and profits in any manner hereafter arising from the lands, wharves, or privileges hereby granted.

(b) That the improvement of said harbor by said city shall be without expense to the State; that said harbor shall always remain a public harbor for all purposes of commerce and navigation, and said city shall never charge or permit to be charged on any of said lands any unreasonable rate or toll, nor make nor suffer to be made any unreasonable charges, burden or discrimination.

(c) The State of California hereby reserves unto itself, at all times, the reasonable use of and access to all wharves, docks, piers, slips and quays hereafter constructed under the provisions of this act, for any vessel or water craft owned, leased or operated by the State.

(d) There is hereby reserved in the people of the State of California the absolute right to fish in the waters of said harbor, with the right of convenient access to said waters over said lands for said purpose.

(e) There is excepted and reserved to the State of California all deposits of mineral, including oil and gas, in said lands

(f) This grant is made subject to the rights of any and all persons under any title derived from the State of California in or to any part of said lands.

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF RICHMOND

City of Richmond

CALIFORNIA

OFFICE OF
EDWARD A HOFFMAN
DIRECTOR OF PUBLIC WORKS
CITY ENGINEER AND
SUPERINTENDENT OF STREETS

March 23, 1951

MR. G. DELBERT MORRIS, *Assemblyman*
Chairman, Interim Committee on Petroleum Problems
State Capitol, Sacramento 14, California

DEAR SIR: Your letter dated February 19th, 1951, addressed to Mayor Bradley of the City of Richmond requesting response to a questionnaire prepared by the Assembly Interim Committee on Petroleum Problems has been referred to this office for reply.

Since incorporation of the City of Richmond (1905), the city has received only two grants of tidelands or submerged land from the State of California. The first of these grants approved by the Legislature under date of June 11, 1913, is of no significance to the city: first, because it conveys only those lands which lie between the line of mean high tide and the line of mean low tide; and second, practically 100 percent of the tideland involved had previously been conveyed by the State to private owners. Reference is made to Tideland Commissioner's Map No. 1 of the Salt Marsh and Tidelands in Contra Costa County, on file with the Division of State Lands at Sacramento.

The second grant, obtained in 1947 (Senate Bill No. 424), covers navigable submerged land adjacent to Point San Pablo at the northwest extremity of the city. The latter is of value to the city only in that it provides undisputed access to dock facilities known as Pier 4 and to certain fish reduction plants, etc.

With particular reference to the questionnaire prepared by your Interim Committee, please be advised as follows:

1. The city manager is charged with responsibility to administer tideland negotiations.
2. The above-mentioned grant of June 11, 1913, actually gave the city title to little or nothing because the State had already sold tidelands to provate individuals Submerged land at Pier 4, covered by grant of 1947, has not ben improved other than the repair, maintenance and altertaion of dock facilities adjacent to the submerged lands which are navigable and accommodate deep water berthing alongside docks.
3 Public funds expended for improvement of deep water submerged lands has been negligible. Maintenance dredging has from time to time been carried on alongside docks.
4. Existing docks adjacent to Pier 4 have been repaired from time to time.
5. Pier 4 has been leased to Parr-Richmond Terminal Corporation since 1926 for terminal transfer operations.

6. Annual revenue from Pier 4 averages less than $6,000, a portion of which may be ascribed to revenue from submerged lands by virtue of the fact that a portion of dock facilities encroaches beyond U. S. Bulkhead Line. A nominal revenue is also received from Pier 1, a portion of which extends beyond original "Tidelots Line."
7. At Pier 1 of the Inner Harbor of the City of Richmond, the Parr-Richmond Corporation occupies and utilizes transit shed and dock families , a small portion of which occupies tideland. The city is presently negotiating with the State for a grant to cover the latter occupancy.
8. The City of Richmond has not been divested of any right of possession or title to granted lands.
9. No judicial proceedings have been initiated against the City of Richmond affecting title or right of possession of granted lands. There have never been any oil drilling operations carried on in the City of Richmond.

Very truly yours,

EDWARD A HOFFMAN
Director of Public Works
City of Richmond

ANALYSIS OF THE REPLY OF THE CITY OF RICHMOND

The reply of the City of Richmond indicates substantial compliance with the terms of the statutes of grant, although the answers to Questions 3, 4, and 5 infer that such compliance is not to the full extent that the best interests of the city should require The purposes to which revenue from the granted lands are applied are not disclosed.

Conclusion. The reply of the City of Richmond is unsatisfactory, and further investigation by the committee is required, only in the following particulars: There is a possibility of failure substantially to comply with the intents and purposes of the statutes of grant, and more adequate and complete information is needful regarding leasing of the granted lands and the purposes to which revenues therefrom are applied. Such further investigation will enable the committee to report to the Assembly on the advisability of reacquisition of the granted lands to protect the paramount interests of the State of California and the general public in such granted lands and the trusts under which they are held.

CITY OF SANTA BARBARA

CHAPTER 78

An act granting certain tidelands and submerged lands of the State of California to the City of Santa Barbara, subject to certain trusts.

[Approved by the Governor April 16, 1925]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted and conveyed to the City of Santa Barbara, a municipal corporation in the County of Santa Barbara, State of California, all the right, title and interests of the State of California, held by said State by virtue of its sovereignty, in and to all the tidelands and submerged lands (whether filled or unfilled), situated in and upon that portion of the Pacific Ocean known as Santa Barbara Channel in said county and lying between the line of mean high tide and the pier head line in said bay, as the same has been or may hereafter be established by the Federal Government, and between the prolongation of the west boundary line of the City of Santa Barbara into the Pacific Ocean and the prolongation of the east boundary line of the said City of Santa Barbara into the said Pacific Ocean; to be forever held by said City of Santa Barbara in trust for the uses and purposes and upon the express conditions following, to wit:

(a) That said lands shall be used by said city for the establishment, improvement and conduct of the harbor and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays, and other utilities, structures and appliances necessary or convenient for the promotion of commerce and navigation and fisheries and for the establishment and maintenance of bath houses and bathing facilities necessary or convenient for the inhabitants of said city, and said city shall not at any time grant, convey, give or alien said lands or any part thereof to any individual, firm or corporation for any purpose whatsoever; provided, that said city may grant franchises thereon for wharves and other public uses and purposes, and may lease said lands or any part thereof for a period not exceeding 25 years for purposes consistent with the trust upon which said lands are held by the State of California, and with the requirements of commerce or navigation of said harbor;

(b) That said harbor shall be improved by said city without expense to the State of California, and it shall always remain a public harbor for all purposes of commerce, navigation, and the State of California shall have at all times the right to use without charge all wharves, docks, piers, slips, quays and other improvements constructed on said land or any part thereof for any vessel or other water craft or railroad, owned and operated by the State of California;

(c) That in the management, conduct or operation of said harbor or of any of the utilities, structures or appliances mentioned in paragraph (a) no discrimination in rates, tolls or charges in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city.

Reserving, however, for the people of the State of California the absolute right to fish in the waters of said harbor with the right of convenient access to said waters over said lands for said purpose.

ASSEMBLY BILL No. 1539

CHAPTER 846

An act granting certain tidelands and submerged lands of the State of California to the County of Santa Barbara in said State upon certain trusts and conditions.

[Approved by the Governor June 12, 1931]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the County of Santa Barbara, and to its successors all of the right, title and interest of the State of California held by said State by virtue of its sovereignty in and to all that portion of the tidelands and submerged lands extending from Sandy Land Point to Rincon Creek in the County of Santa Barbara, to be forever held by Santa Barbara County and by its successors in trust for the uses and purposes and upon the express conditions following, to wit:

(a) Said lands shall be used by said county and by its successors solely for the establishment, improvement and conduct of a harbor and for the establishment and construction of bulkheads or breakwaters for the protection of lands within its boundaries, or for the protection of its harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays, ways and streets, and other utilities, structures and appliances necessary or convenient for the promotion or accommodation of commerce and navigation, and the protection of the lands within said county. And said county or its successors shall not at any time grant, convey, give or alien said lands or any part thereof to any individual, firm, or corporation for any purposes whatever But the county or its successors may grant franchises thereon for a period not exceeding 50 years for wharves and other public uses and purposes, and may lease said lands or any part thereof for a period not exceeding 50 years for purposes consistent with the trust upon which said lands are held by the State of California, and with the requirements of commerce or navigation at said harbor.

(b) Said harbor shall be improved by said county without expense to the State and shall always remain a public harbor for all purposes of commerce and navigation, and the State of California shall have at all times the right to use, without charge, all wharves, docks, piers, slips, quays, and other improvements constructed on said lands or any part thereof for any vessel or other water craft or railroad owned or operated by the State of California.

(c) In the management, conduct or operation of said harbor, or of any of the utilities, structures or appliances mentioned in paragraph (a) no discrimination in rates, tolls or charges, or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said county, or by it ssuccessors. The absolute right to fish in the waters of said harbor with the right of convenient access to said water over said lands for said purpose is hereby reserved to the people of the State of California.

(d) That there is excepted and reserved to the State of California all deposits of minerals, including oil and gas, in said land, and to the State of California, or persons authorized by the State of California, the right to prospect for, mine, and remove such deposits from said land.

ASSEMBLY BILL No. 1169

CHAPTER 13

An act to add Sections 2 and 3 to an act entitled "An act granting certain tidelands and submerged lands of the State of California to the City of Santa Barbara, subject to certain trusts," approved April 16, 1925, relating to tidelands and submerged lands, granting additional lands to the City of Santa Barbara, expressing the trusts and restrictions imposed thereon, releasing certain lands from trusts and restrictions heretofore imposed, and authorizing the conveyance of certain lands to the State, and declaring the urgency thereof, to take effect immediately.

[Approved by the Governor January 29, A D 1937]

The people of the State of California do enact as follows:

SECTION 1. A new section is hereby added to the act cited in the title hereof, to be numbered Section 2 and to read as follows:

SEC. 2 All of the following described property, to wit: All reclaimed or filled lands or lands formed by accretions due to artificial obstructions lying within the City of Santa Barbara and seaward of the mean high tide line of the Pacific Ocean, as the same existed on April 16, 1925, and bounded on the seaward side by the mean high tide line of the Pacific Ocean now existing and extending easterly from Santa Barbara Point to a point on the easterly city limits line where said line intersects the mean high tide line of the Pacific Ocean; which was formerly tidelands and submerged lands, is hereby declared to have ceased to be tidelands, and submerged lands, and to be free from all trusts and restrictions imposed on said lands under and by any of the provisions of this act except that said city or its successors, shall not at any time grant, convey, give or alien said lands or any part thereof, to any individual, firm, or corporation for any purpose whatsoever; provided, however, that the City of Santa Barbara, or its successors, may use, lease, rent, or otherwise let said lands, in parcels not to exceed 10 acres to any one person, firm or corporation and for limited periods not to exceed 25 years, with the right of the city to renew the same for any and all purposes which shall not interfere with the use of the tidelands of the Santa Barbara Channel lying seaward of said lands. If, during such lease, rental or other holding, such holding shall interfere with the use of any of the tidelands of Santa Barbara Channel lying seaward of said property for navigation, commerce and fisheries, or in any manner become inconsistent with the trusts under which said tidelands are held by said city, the city shall have the right to terminate such holding and compensate such holder for the loss incurred, not exceeding an amount to be agreed upon by the terms of the lease or other holding. There is hereby granted and conveyed to the City of Santa Barbara, a municipal corporation, and to its successors, all right, title and interest of the State of California in and to the reclaimed or filled lands or lands formed by accretions due to artificial obstructions hereinbefore in this section described, subject only to the restrictions and conditions contained in this section; except that, notwithstanding anything contained in this act, the City of Santa Barbara is hereby authorized to convey to the State of California that part of said reclaimed or filled lands or lands formed by accretions, to wit: Commencing at the most southerly end of the 14th course, as given in a description of that certain

real property described in a deed to Thos. B. Dibblee dated December 16, 1876, and recorded in Book "R" at page 98 of Deeds of Santa Barbara County records; thence S. 57° 19′ 20″ E. 406 18 feet to point of intersection of a curve to the left having a radius of 170 feet, a delta of 56° 25′, the long chord of which bears S. 85° 31′ 50″ E. 160.71′ said curve being the first course as described in Parcel 5 in a deed from the State of California to the City of Santa Barbara dated August 15, 1934, and recorded in Book 314 of Official Records at page 460 of Santa Barbara County records; thence N. 66° 15′ 40″ E. along the semitangent of said curve 91.18 feet to the end thereof; thence N. 63° 16′ 40″ E. 122.25 feet to the true point of beginning; thence N. 69° 20′ 40″ W. 735.00 feet; thence N. 20° 39′ 20″ W. 355.00′ to point of beginning; upon the condition that the said property shall be improved by the erection and construction thereon of an athletic field and stadium for Santa Barbara State College, costing not less than fifty thousand dollars, within three years after the date of such conveyance, and such conveyance may provide for the forfeiture of title to said lands to said city in the event said condition is not complied with and also in the event that the use of said property as an athletic field for such state college shall ever be discontinued by the State, for a period as long as one year.

SEC. 2. A new section is hereby added to said act, to be numbered Section 3, to read as follows:

SEC. 3. There is hereby granted and conveyed to the City of Santa Barbara, a municipal corporation, of the State of California, and to its successors, all of the right, title and interest of the State of California held by said State by virtue of its sovereignty in and to all the tidelands and submerged lands bordering upon and lying below the Pacific Ocean which are within the corporate limits of said city and seaward of the mean high tide line of the Pacific Ocean as the same now exists, to be forever held by said city and by its successors, in trust for the uses and purposes set forth in subdivision a of Section 1 of this act, and provided that said trusts are hereby extended to permit the use of said lands for public park, parkway, highway or playground.

There is hereby reserved however for the people of the State of California an absolute right to fish in the waters of said harbor with the right of convenient access to said waters over said lands. There is hereby further excepted and reserved to the State of California all deposits of minerals, including oil and gas, in the lands granted by this act.

SEC. 3. This act is hereby declared to be an urgency measure within the meaning of Section 1 of Article IV of the Constitution, necessary for the immediate preservation of the public peace, health and safety, and shall therefore take effect immediately.

The following is the statement of facts constituting such necessity:

It is intended that there shall be erected and constructed on certain of the lands referred to in this act to be conveyed by the City of Santa Barbara to the State, an athletic field and stadium for Santa Barbara State College, and it is necessary that the lands be conveyed as soon as possible in order that work may be commenced promptly so that this athletic field and stadium will be available for use during the fall semester of the present year. The prompt completion of an adequate athletic plant at Santa Barbara State College will be of substantial benefit both to the students at the college and to the residents of the City of Santa Barbara.

ASSEMBLY BILL No. 2845

CHAPTER 365

An act to amend Section 2 of an act entitled "An act granting certain tidelands and submerged lands of the State of California to the City of Santa Barbara, subject to certain trusts," approved April 16, 1925, as amended, relating to tidelands and submerged lands, granting additional lands to the City of Santa Barbara, expressing the trusts and restrictions imposed thereon, releasing certain lands from trusts and restrictions heretofore imposed, and authorizing the conveyance of certain lands to the State, and declaring the urgency thereof, to take effect immediately.

[Approved by the Governor May 24, A.D. 1937]

The people of the State of California do enact as follows:

SECTION 1. Section 2 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 2. All of the following described property, to wit: All reclaimed or filled lands or lands formed by accretions due to artificial obstructions lying within the City of Santa Barbara and seaward of the mean high tide line of the Pacific Ocean, as the same existed on April 16, 1925, and bounded on the seaward side by the mean high tide line of the Pacific Ocean now existing and extending easterly from Santa Barbara Point to a point on the easterly city limits line where said line intersects the mean tide line of the Pacific Ocean; which was formerly tidelands and submerged lands, is hereby declared to have ceased to be tidelands, and submerged lands, and to be free from all trusts and restrictions imposed on said lands under and by any of the provisions of this act except that said city or its successors, shall not at any time grant, convey, give or alien said lands or any part thereof, to any individual, firm, or corporation for any purpose whatsoever; provided, however, that the City of Santa Barbara, or its successors, may use, lease, rent, or otherwise let said lands, in parcels not to exceed 10 acres to any one person, firm or corporation and for limited periods not to exceed 25 years, with the right of the city to renew the same for any and all purposes which shall not interfere with the use of the tidelands of the Santa Barbara Channel lying seaward of said lands. If, during such lease, rental or other holding, such holding shall interfere with the use of any of the tidelands of Santa Barbara Channel lying seaward of said property for navigation, commerce and fisheries, or in any manner become inconsistent with the trusts under which said tidelands are held by said city, the city shall have the right to terminate such holding and compensate such holder for the loss incurred, not exceeding an amount to be agreed upon by the terms of the lease or other holding.

There is hereby granted and conveyed to the City of Santa Barbara, a municipal corporation, and to its successors, all right, title and interest of the State of California in and to the reclaimed or filled lands or lands formed by accretions dut to artificial obstructions hereinbefore in this section described, subject only to the restrictions and conditions contained in this section; except that, notwithstanding anything contained in this act, the City of Santa Barbara is hereby authorized, notwithstanding any law to the contrary, to lease to the State of California for a period

of not to exceed 99 years, or to convey to the State of California, that part of said reclaimed or filled lands or lands formed by accretions, to wit: Commencing at the most southerly end of the 14th course, as given in a description of that certain real property described in a deed to Thos. B. Dibblee dated December 16, 1876, and recorded in Book "R" at page 98 of Deeds of Santa Barbara County records; thence S. 57° 19′ 20″ E. 406.18 feet to the point of intersection of a curve to the left having a radius of 170 00 feet, a delta of 56° 25′, the long chord of which bears S. 85° 31′ 50″ E. 160.71 feet, and curve being the first course as described in Parcel 5 in a deed from the State of California to the City of Santa Barbara, dated August 15, 1934, and recorded in Book 314 of the official records at page 460 of Santa Barbara County records; thence N. 66° 15′ 40″ E. along the semitangent of said curve 91.18 feet to the end thereof; thence N. 58° 21′ 34″ E. 67.80 feet to the true point of beginning; said point of beginning being a point on the line of ordinary high water mark of the Pacific Ocean as given in a deed to Thos. B. Dibblee dated December 16, 1876, herein first above mentioned; thence S. 20° 39′ 20″ E. 355 00 feet to a point; thence N. 69° 20′ 40″ E. 735.00 feet to a point; thence N. 20° 39′ 20″ W. 355.00 feet more or less to a point on the line of ordinary high water mark of the Pacific Ocean as described in the deed of Dibblee herein first above mentioned; thence southerly and westerly along said line of high water mark of the Pacific Ocean to the true point of beginning containing 5 99 acres more or less; upon the condition that the said property shall be improved by the erection and construction thereon of an athletic field and stadium for Santa Barbara State College, costing not less than $30,000, withing three years after the date of such lease or conveyance. In the event the lands described in this paragraph are leased to the State of California as herein provided, the lease shall provide that the lands may be conveyed to the State during the term of said lease and upon such conveyance the lease shall terminate and be of not further force and effect. Whenever said lands shall be conveyed to the State of California, the conveyance may provide for the forfeiture of title to said lands to said city in the event said condition is not complied with and also in the event that the use of said property as an athletic field for such state college shall ever be discontinued by the State, for a period as long as one year.

SEC. 2. This act is hereby declared to be an urgency measure within the meaning of Section 1 of Article IV of the Constitution, necessary for the immediate preservation of the public peace, health and safety, and shall therefore take effect immediately.

The following is the statement of facts constituting such necessity:

It is intended that there shall be erected and constructed on certain of the lands referred to in this act to be conveyed by the City of Santa Barbara to the State, an athletic field and stadium for Santa Barbara State College, and it is necessary that the lands be conveyed as soon as possible in order that work may be commenced promptly so that this athletic field and stadium will be available for use during the fall semester of the present year. The prompt completion of an adequate athletic plant at Santa Barbara State College will be of substantial benefit both to the students at the college and to the residents of the City of Santa Barbara.

ASSEMBLY BILL No. 6

CHAPTER 9

An act to add Section 4 to "An act granting certain tidelands and submerged lands of the State of California to the City of Santa Barbara, subject to certain trusts," approved April 16, 1925, authorizing the conveyance of certain lands to the United States Government, or to any agency thereof, to take effect immediately.

The people of the State of California do enact as follows:

SECTION 1. Section 4 is hereby added to the act cited in the title hereof, to read as follows:

Sec. 4. The City of Santa Barbara is hereby authorized to grant and convey to the United States Government, or any agency thereof, for use as a site for a naval reserve armory, that certain parcel of land heretofore granted to it by the State pursuant to this act and described as follows:

Beginning at the most easterly corner of that certain tract of land leased to the State of California by the City of Santa Barbara for a stadium site by lease dated March 24, 1938, and recorded in Book 438 at page 498 official records of Santa Barbara County, said point of beginning being the easterly end of that certain course described in said lease above referred to, as bearing north 69° 20′ 40″ east - 735.00′ to a point; thence south 55° 39′ 10″ east 156.78′ to the true point of beginning of the tract hereinafter described; thence first north 41° 31′ 30″ east - 250.00′ to a point, said point being on the most westerly edge of the parapet wall of the Santa Barbara breakwater; thence second, south 48° 28′ 30″ east along the westerly edge of said parapet wall 160.00′ to a point; thence third, south 41° 31′ 30″ west - 250.00′ to a point; thence fourth north 48° 28′ 30″ west - 160.00′ to the true point of beginning and containing 0.918 acres.

SEC. 2 This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution of the State of California, and shall therefore go into effect immediately. The following is a statement of the facts constituting such necessity:

The unsettled condition of world affairs has resulted in a situation in this Country that can only be met by a prompt and widespread military and naval armament program and by taking all possible measures to secure the peace and safety of this Nation. A portion of the land heretofore granted by the State to the City of Santa Barbara is needed by the United States Government for purposes in connection with this program. In order that the program of armament and protection will not be delayed and that adequate provision for the preservation of the peace of this Country can be made as promptly as possible it is essential that this act take effect immediately.

DATA FURNISHED TO THE COMMITTEE BY THE COUNTY OF SANTA BARBARA

COUNTY OF SANTA BARBARA

CALIFORNIA

BOARD OF SUPERVISORS

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COUNTY CLERK
AND EX OFFICIO
CLERK OF THE
BOARD OF SUPERVISORS

COURT HOUSE
SANTA BARBARA
CALIFORNIA

August 19, 1948

MR. RALPH C. DILLS, *Chairman*
INTERIM COMMITTEE ON PETROLEUM
STATE CAPITOL, SACRAMENTO, CALIFORNIA

DEAR SIR: In answer to the questionnaire in your letter of July 26th in regard to tideland and submerged land extending from Sandy Land Point to Rincon Point granted by the State to the County of Santa Barbara, are as follows:

1. Board of Supervisors of Santa Barbara County is the administrating agency.

2. A pier or wharf has been built in the area and is being used for fishing and recreational purposes.

3. Public funds have been expended by the State Beach and Park Commission for repair and maintenance on the above improvement.

4. Certain portions of the above area above the high-tide line have been acquired by the State Beach and Park Commission through a cooperative agreement with the County of Santa Barbara. The value of the improvements made to the above mentioned pier is approximately $8,000; the original cost was somewhat in excess of $20,000. The State Beach and Park Commission contemplate the expenditure of approximately $176,000 in improvements of the area for recreational purposes. A large portion of the area is included in the master beach development plans of Santa Barbara County.

5. None

6. None

7. None

8. No, only that area above the high-tide mark as mentioned above to the State Beach and Park Commission.

9. No

I trust the above information will meet with your requirements.

Sincerely yours,

C. W. BRADBURY
Chairman

ANALYSIS OF THE REPLY OF THE COUNTY OF SANTA BARBARA

The reply of the County of Santa Barbara indicates in large part a substantial compliance with the conditions of the statutes of grant. Expenditures of public funds for improvement and development of the granted lands were, however, not specified

Conclusion. The committee should investigate the expenditure of public funds by the County of Santa Barbara for the development and improvement of the granted lands

CITY OF SANTA MONICA

ASSEMBLY BILL No. 86

CHAPTER 78

An act granting certain tidelands and submerged lands of the State of California to the City of Santa Monica upon certain trusts and conditions.

[Approved April 10, 1917]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of Santa Monica, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California, held by said State by virtue of its sovereignty, in and to all the tidelands and submerged lands, within the present boundaries of said city, and situated below the line of mean high tide of the Pacific Ocean, to be forever held by said city, and by its successors, in trust for the uses and purposes, and upon the express conditions following, to wit:

(a) Said lands shall be used by said city and by its successors, solely for the establishment, improvement and conduct of a harbor and for the establishment and construction of bulkheads or breakwaters for the protection of lands within its boundaries, or for the protection of its harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays, and other utilities, structures and appliances necessary or convenient for the promotion or accommodation of commerce and navigation, and the protection of the lands within said city, and said city, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purpose whatsoever; provided, that said city, or its successors, may grant franchises thereon, for a period not exceeding twenty-five years, for wharves and other public uses and purposes, and may lease said lands, or any part thereof for a period not exceeding 25 years, for purposes consistent with the trusts upon which said lands are held by the State of California and with the requirements of commerce or navigation at said harbor;

(b) Said harbor shall be improved by said city without expense to the State, and shall always remain a public harbor for all purposes of commerce and navigation, and the State of California, shall have, at all times, the right to use, without charge, all wharves, docks, piers, slips, quays and other improvements constructed on said lands, or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California;

(c) In the management, conduct or operation of said harbor, or of any of the utilities, structures or appliances mentioned in paragraph (a), no discrimination in rates, tolls, or charges, or in facilities, for any use or service in connection therewith shall ever be made, authorized or permitted by said city or by its successors. The absolute right to fish in the waters of said harbor, with the right of convenient access to said waters over said lands for said purpose, is hereby reserved to the people of the State of California.

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF SANTA MONICA

OFFICE OF THE CITY MANAGER

CITY OF SANTA MONICA CALIFORNIA

August 10, 1948

HON. RALPH C. DILLS, *Chairman*
Interim Committee on Petroleum Problems
123 N. Tamarind Street, Compton, California

DEAR MR. DILLS: Your letter of July 26, 1948, addressed to former Mayor R. E. Schafer has been referred to me for reply.

I shall attempt to answer your questionnaire regarding tideland and submerged lands granted by the State of California to the City of Santa Monica in the order in which your questions were put.

1. Which officer or agency is charged with the duty of administering tidelands and submerged lands that have been granted by the State?

   Answer: Recreation Department.

2. What action has been or is being taken for the development and improvement of the granted lands?

   Answer: There have been built two pleasure piers, an auditorium, breakwater, and other improvements made by the Recreation Department for the benefit of the people using the beaches.

3. Have public funds been expended for such purposes, and, if so, approximately in what amount?

   Answer:

Municipal Wharf	1919 Bond Issue	$75,000	$1,155,000
Breakwater	1931 Bond Issue	690,000	
Auditorium	1920 Bond Issue	325,000	
Dredging		65,000	

4. What improvements have been made pursuant to franchises or leases and what is the approximate value thereof?

   Answer:

S. M. Pleasure Pier (I. D. Loof)	$75,000	$2,275,000 Approx.
Ocean Park Pier	1,500,000	
Lick Pier	25,000	

5. What franchises or leases of such lands are currently in effect?
Answer:
1. S. M. Pier—Walter D. Newcomb ..... Expires 6/7/57
2. O. P. Amusement Pier ..... Expires 6/30/66
3. Charles Lick ..... Expires 6/28/66

6. What are the present annual revenues received by the local agency from such lands, the sources thereof, and the purposes for which such revenues are used?

Answer:
1. 2% of Gross—Approx. $1,500 per year
2. $5,300 per year
3. $600 per year

In addition thereto, the Municipal Pier, Harbor and Auditorium produce gross revenues of approximately $45,000 per year. Revenues from the three franchises listed in (6) are taken into the General Fund, as is also the revenue from the Municipal Pier and Harbor, less operating costs. Revenue derived from rental of the Auditorium is taken into the Park Fund. Total gross revenues received by the city from its own and leased or franchised operations are approximately $52,400 annually.

7. To what extent, if at all, are any of the granted lands occupied or used by individuals or corporations?

Answer: Only to the extent indicated by the answers to (5) above.

8. Has your local agency been divested of title or right to possession of any of the granted lands by reason of conveyance thereof by the local agency, eminent domain proceedings, agreements to determine boundaries, or otherwise?
Answer: No.

9. Have any judicial proceedings been commenced against your local agency affecting title or right to possession of any such granted lands? If so, list the names of the cases and state the effect of each judgment.

Answer:

Carpenter v. *City of Santa Monica* (1944), 63 Cal Ap. 2d, 772, wherein it was determined that the State or its successor in interest, which in this instance would be the city, is the owner of artificial accretions formed below the mean high tide line. Such accreted land does not belong to the upland owner. This is true whether such artificial accretions were added rapidly and perceptible or gradually and imperceptibly. The artificial accretions in this instance were caused by the erection of the breakwater.

Los Angeles Athletic Club v. *City of Santa Monica (1944), 63 Cal Ap 2d 795,*

wherein it was determined also that artificial accretions caused by the breakwater as in the *Carpenter* case, belong to the State or its successor in interest. It further pointed out that the littoral

rights of an upland owner who owns no title to tidelands adjoining his property are subject to termination by whatever disposition of the tidelands the State or its grantees, in the exercise of their trust, choose to make.

Muchenberger v. *City of Santa Monica (1929), 206 Cal 635*, wherein it was determined that a municipality may, by agreement, determine the boundary line of its property even when such boundary line is to determine the line of ownership between uplands and tidelands held by the city in trust.

It should be noted that in the first two cases hearings were denied by the State Supreme Court.

In addition to the foregoing cases, of course, the Santa Monica tidelands are involved in the case of *United States* v. *State of California*, better known as the Tideland Case.

We trust the above information is complete and satisfactory, and if there are any further questions, please feel free to submit them to this office.

Yours very truly,

R. M. DORTON
City Manager

ANALYSIS OF THE REPLY OF THE CITY OF SANTA MONICA

The reply of the City of Santa Monica indicates probable unauthorized use and administration of state-granted tide, submerged, and reclaimed lands, particularly with regard to the privately owned and privately operated amusement centers maintained on such lands It is important in this respect that the revenues from these three amusement center leases or franchises are diverted to the city's general fund, rather than being earmarked for harbor development and improvement or the other purposes authorized by the statute of grant.

Conclusion. The committee should conduct examinations, research, and investigations into the leasing of the granted lands, in order to ascertain if the use and administration thereof is unauthorized by the statute of grant, and also into the purposes for which the revenues from the granted lands are applied. Information and data thus obtained will enable the committee to report to the Assembly on the advisability of reacquiring the granted lands by the State of California.

COUNTY OF SONOMA

SENATE BILL No. 649

CHAPTER 218

An act granting to the County of Sonoma certain lands of the State of California located in the County of Sonoma, upon certain trusts and conditions.

[Approved by Governor April 24, 1943. Filed with Secretary of State April 24, 1943]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the County of Sonoma all of the right, title and interest of the State of California held by said State by virtue of its sovereignty in and to the following described real property situate in the County of Sonoma, in said State, and described as follows, to wit:

Parcel No. 1. Commencing at a 6″ x 6″ concrete monument from which Engineers Station 476+39.23 P.C. bears N. 32° 05′ 20″ E. a distance of 4657.88 feet, said station being shown on a map of Road District Improvement No 3 as recorded in Book 44 of Maps, pages 145 to 186 Sonoma County Records; thence from said point of commencement S. 59° 16′ 30″ E. a distance of 61.46 feet to the ordinary high-water mark of Bodega Bay and the point of beginning of the herein described parcel of land; thence from said point of beginning and following said ordinary high-water mark N. 18° 11′ E. a distance of 1201 26 feet; thence leaving said ordinary high-water mark and crossing the waters of Bodega Bay S. 0° 25′ 20″ W. a distance of 2649.37 feet to a point in the ordinary high-water mark of Bodega Bay; thence along said ordinary high-water mark the following coures and distances, N. 18° 32′ W. 150.00 feet to a point from which a brass tablet marking U. S. Engineer's Triangulation Station "Gaffney" bears S. 55° 41′ W., a distance of 122 80 feet; thence continuing along said ordinary high-water mark N. 49° 20′ W. 512 40 feet; N. 17° 49′ W. 320 00 feet; N. 0° 49′ W. 500 00 feet and N 39° 17′ 30″ E. 293.70 feet to the point of beginning, containing 18.83 acres.

Parcel No. 2. All of that real property adjacent to the Bodega Rancho and lying adjacent to the Pacific Ocean at Bodega Bay more fully described as follows:

Commencing at a 4″ x 4″ concrete monument marking the most westerly corner of that certain tract of land acquired by the County of Sonoma under an order of condemnation as recorded in Book 557, Official Records, page 353, which said tract is designated as Parcel 9 in said order and from which point of commencement Engineers Station 407+16.24 P.C. bears N. 56° 04′ 30″ E., a distance of 3940.90 feet; said station 407+16.24 being shown on a Map of Road District Improvement Number 3 as recorded in Book 44, of Maps, pages 145 to 186, Sonoma County Records; and from said point of commencement another 4″ x 4″ concrete monument bears N. 67° 21′ 30″ E., a distance of 576 36 feet; thence from said point of commencement S. 20° 01′ E., a distance of 124 85 feet; thence S. 19° 47′ E., a distance of 50.00 feet to the ordinary high tide line of the waters of the Pacific Ocean; thence along the said ordinary high tide line S. 74° 59′ W., a distance of 99.85 feet; thence still following said tide line S. 72° 55′ W., a distance of 404.32 feet to the point of beginning of the parcel to be described; thence from said point of beginning and along the ordinary high tide line of the waters of the

Pacific Ocean as said high tide line existed prior to dredging operations of the years 1942 and 1943 the following courses and distances; S. 59° 00′ W. 194.25 feet; S. 64° 34′ W., 570.00 feet; S. 60° 19′ W., 447.70 feet; S. 61° 42′ W. 322.00 feet; S. 54° 34′ W. 330 67 feet; S. 48° 10′ W. 99.17 feet; S. 56° 42′ W. 100.00 feet; S. 53° 50′ W. 100.13 feet; S. 56° 30′ W. 38.00 feet to a point in the now existing ordinary high tide line of the waters of the Pacific Ocean; thence along said existing ordinary high tide line the following courses and distances; S. 54° 00′ W. 187.00 feet; S. 52° 30′ W., 220.00 feet; S. 64° 30′ W. 145 00 feet; S. 30° 00′ W. 125.00 feet; S 34° 14′ E. 178.00 feet; S. 25° 36′ W., 125.56 feet; S. 19° 17′ W. 105 33 feet; S. 5° 57′ W. 100.82 feet; S. 3° 52′ E. 139.38 feet; S. 18° 19′ E., 161.29 feet; S. 30° 06′ E. 107 40 feet; S 41° 55′ E. 190.77 feet; S. 43° 53′ E 160.82 feet; S 64° 40′ E. 105.68 feet; S. 75° 43′ E. 85.11 feet; N. 21° 55′ E. 455.00 feet; N. 1° 27′ W. 544.00 feet; N. 16° 29′ E. 355.47 feet; N. 39° 59′ E 470.00 feet; N. 49° 39′ E. 395 00 feet; N. 52° 51′ 30″ E. 1280 65 feet to the point of beginning. Containing 28.52 acres.

SEC. 2. All of said real property above described and hereby granted shall be forever held by the said County of Sonoma, and by its successors, in trust for the uses and purposes, and upon the express conditions following, to wit:

Said real property shall be used solely for the purposes of a public park, to which the public at all times shall have free access, and said County of Sonoma shall not at any time grant, convey, lease, give, or alien, said real property or any part thereof to any individual, firm, or corporation whatever.

SEC. 3. There is hereby reserved, however, in the people of the State of California, the right to fish in the waters of the tidelands, with the right of convenient access to said waters over said lands when improved, as aforesaid.

SEC. 4. There is hereby excepted and reserved to the State of California, all deposits of minerals, including oil and gas, in the land granted by this act, including the right to extract and remove the deposits.

DATA FURNISHED TO THE COMMITTEE BY THE COUNTY OF SONOMA

WILLIAM E. CLAUS
CLERK

DOROTHY LARSON
SECRETARY ABST CLERK

County of Sonoma
Board of Supervisors
Santa Rosa, California

MEMBERS OF THE BOARD
JAMES F LYTTLE
CHAIRMAN
VICTOR H ANDERSON
JOSEPH D COX
RICHARD C MILLER
WILLIAM A KENNEDY

March 19, 1950

ASSEMBLY, CALIFORNIA LEGISLATURE
State Capitol
Sacramento 14, California

Attention: G Delbert Morris, Chairman, Interim Committee on Petroleum Products

DEAR SIR: Replying to your letter of February 19, 1951, enclosing a questionnaire regarding tidelands and submerged lands granted by the State, wish to advise that this letter is the first we have seen regarding said questionnaire.

Herewith we take each item and answer them:

No. 1. What officer or agency is charged with the duty of administering tidelands and submerged lands that have been granted by the State? Answer: Board of Supervisors.

No. 2. What action has been or is being taken for the development and improvement of the granted lands? Answer: Doran Park—Air Strip.

No. 3. Have public funds been expended for such purposes, and if so, approximately in what amount? Answer: $14,753.

No. 4. What improvements have been made pursuant to franchises or leases and what is the approximate value thereof? Answer: None.

No. 5. What franchises or leases of such lands are currently in effect? Answer: None.

No. 6. What are the present annual revenues received by the local agency from such lands, the sources thereof, and the purposes for which such revenues are used Answer: None.

No. 7. To what extent, if at all, are any of the granted lands occupied or used by individuals or corporations? Answer: Individuals have small boat landings, and corporations engaged in the fishing industry.

No. 8. Has the local agency been divested of title or right to possession of any of the granted lands by reason of conveyance thereof by the local agency, eminent domain proceedings, agreements to determine boundaries, or otherwise? Answer: No.

No. 9. Have any judicial proceedings been commenced against the local agency affecting title or right to possession of any such granted lands? If so, list the names of the cases and state the effect of each judgment. Answer: No.

Trusting this is the desired information, we remain

Yours very truly,

BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA
By: JAMES F. LYTTLE
Chairman of the Board of Supervisors and
Member From the First District

ANALYSIS OF THE REPLY OF THE COUNTY OF SONOMA

The reply of the County of Sonoma reports an unauthorized use and administration of lands granted by the State of California to that political subdivision in 1943, Chapter 218. The granted lands were authorized by the Legislature to be used only for the purpose of a public park, whereas an aircraft landing field has been constructed thereon and individuals and corporations apparently have proprietary interests therein

Conclusion. The committee should investigate the unauthorized use and administration of the lands of the State of California granted to the County of Sonoma, in order to report to the Legislature on the advisability of reacquisition of such lands by the State.

CITY OF SOUTH SAN FRANCISCO

ASSEMBLY BILL No. 1074

CHAPTER 345

An act granting to the City of South San Francisco the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the City of South San Francisco and regulating the management, use and control thereof.

[Approved June 11, 1913]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of South San Francisco, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California, held by said State by virtue of its sovereignty, in and to all the salt marsh, tide and submerged lands, whether filled or unfilled, within the present boundaries of said city, and situated below the line of mean high tide of the Pacific Ocean, or of any harbor, estuary, bay or inlet within said boundaries, to be forever held by said city, and by its successors, in trust for the uses and purposes, and upon the express conditions following, to wit: That said lands shall be used by said city and its successors, solely for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays, and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation and said city, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purpose whatever; provided, that said city, or its successors, may grant franchises thereon, for limited periods, for wharves and other public uses and purposes, and may lease said lands, or any part thereof, for limited periods for purposes consistent with the trusts upon which said lands are held by the State of California and with the requirements of commerce or navigation at said harbor, for a term not exceeding 25 years, and on such other terms and conditions as said city may determine, including a right to renew such lease or leases for a further term not exceeding 25 years or to terminate the same on such terms, reservations and conditions as may be stipulated in such lease or leases, and said lease or leases may be for any and all purposes which shall not interfere with navigation or commerce, with reversion to the said city, on the termination of such lease or leases of any and all improvements thereon, and on such other terms and conditions as the said city may determine but for no purpose which will interfere with navigation or commerce, subject also to a reservation in all such leases or such wharfing out privileges of a street, or of such other reservation as the said city may determine for sewer outlets, and for gas and oil mains, and for hydrants, and for electric cables and wires, and for such other conduits for municipal purposes and for such public and municipal purposes and uses as may be deemed necessary by the said city; provided, however, that each person, firm or corporation or their heirs, successors or assigns now in possession of land or lands abutting on said lands, within the boundaries of the City of South San Francisco, shall have the right to obtain a lease for a term of 25 years from said city of said land and wharfing out privileges therefrom

with a right of renewal for a further term of 25 years pursuant to the provisions of this act and on such terms and conditions as said city may determine and specify, subject to the right of said city to terminate said lease at the end of the first 25 years or refuse to renew the same, or to terminate the lease so renewed during the term of such renewed lease on such just and reasonable terms for compensation for improvements at the then value of said improvements as said city may determine and specify. Upon obtaining such lease and wharfing out privileges such person, firm or corporation, their heirs or assigns, shall quitclaim to said city any right they or any of them may claim or have to the said lands hereby granted This grant shall carry the right to such city of the rents, issues and profits in any manner hereafter arising from the lands or wharfing out privileges hereby granted. The State of California shall have, at all times, the right to use, without charge, all wharves, docks, piers, slips, quays and other improvements constructed on said lands or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California. No discrimination in rates, tolls or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors in the management, conduct or operation of any of the utilities, structures or appliances mentioned in this section. There is hereby reserved in the people of the State of California the right to fish in the waters on which said lands may front with the right of convenient access to said waters over said lands for said purpose.

SEC. 2 The foregoing conveyance is made upon the condition that the City of South San Francisco shall, within five years from the approval of this act, exclusive of such time as said city may be restrained from so doing by injunction issued out of any court of this State or of the United States, and exclusive of such further delays as may be caused by unavoidable misfortune or great public or municipal calamity, issue its bonds for harbor improvement purposes in an amount of money of not less than $250,000, and shall, within five years after the approval of this act, exclusive of the time in this section hereinbefore mentioned, commence the work of such harbor improvement, and the said work and improvement shall be prosecuted with such diligence that not less than $250,000 shall be expended thereon within five years from the approval of this act exclusive of the time in this section hereinbefore mentioned. If said bonds be not issued or said work be not prosecuted and completed as and in the manner herein provided, then the lands by this act conveyed to the City of South San Francisco shall revert to the State of California.

CHAPTER 56

An act granting to the City of South San Francisco the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the City of South San Francisco and regulating the management, use and control thereof.

[Approved by the Governor April 10, 1925]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of South San Francisco, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California, held

by said State by virtue of its sovereignty, in and to all the salt marsh, tide and submerged lands whether filled or unfilled, within the present boundaries of said city, and situated below the line of mean high tide of the Pacific Ocean, or of any harbor, estuary, bay or inlet within said boundaries, to be forever held by said city, and by its successors, in trust for the uses and purposes, and upon the express conditions following, to wit: That said lands shall be used by said city and its successors, solely for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays, and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation and said city or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purpose whatever; provided, that said city, or its successors, may grant franchises thereon, for limited periods, for wharves and other public uses and purposes, and may lease said lands, or any part thereof, for limited periods for purposes consistent with the trusts upon which said lands are held by the State of California and with the requirements of commerce or navigation at said harbor, for a term not exceeding 25 years, and on such other terms and conditions as said city may determine, including a right to renew such lease or leases for a further term not exceeding 25 years or to terminate the same on such terms, reservations and conditions as may be stipulated in such lease or leases, and said lease or leases may be for any and all purposes which shall not interfere with navigation or commerce, with reversion to the said city, on the termination of such lease or leases of any and all improvements thereon, and on such other terms and conditions as the said city may determine, but for no purpose which will interfere with navigation or commerce; subject also to a reservation in all such leases or such wharfing out privileges of a street, or of such other reservation as the said city may determine for sewer outlets, and for gas and oil mains, and for hydrants, and for electric cables and wires, and for such other conduits for municipal purposes, and for such public and municipal purposes and uses as may be deemed necessary by the said city; provided, however, that each person, firm or corporation or their heirs, successors or assigns now in possession of land or lands abutting on said lands, within the boundaries of the City of South San Francisco, shall have the right to obtain a lease for a term of 25 years from said city of said land and wharfing out privileges therefrom with a right of renewal for a further term of 25 years pursuant to the provisions of this act and on such terms and conditions as said city may determine and specify, subject to the right of said city to terminate said lease at the end of the first 25 years or refuse to renew the same, or to terminate the lease so renewed during the term of such renewed lease on such just and reasonable terms for compensation for improvements at the then value of said improvements as said city may determine and specify. Upon obtaining such lease and wharfing out privileges such person, firm or corporation, their heirs or assigns, shall quitclaim to said city any right they or any of them may claim or have to the said lands hereby granted. This grant shall carry the right to such city of the rents, issues and profits in any manner hereafter arising from the lands or wharfing out privileges hereby granted. The State of California shall have, at all times, the right to use, without charge, all wharves,

docks, piers, slips, quays and other improvements constructed on said lands or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California. No discrimination in rates, tolls or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors in the management, conduct or operation of any of the utilities, structures or appliances mentioned in this section. There is hereby reserved in the people of the State of California the right to fish in the waters on which said lands may front with the right of convenient access to said waters over said lands for said purpose.

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF SOUTH SAN FRANCISCO

CITY OF SOUTH SAN FRANCISCO
SAN MATEO COUNTY, CALIFORNIA

QUESTIONNAIRE REGARDING TIDELANDS AND SUBMERGED LANDS GRANTED BY THE STATE

1. Which officer or agency is charged with the duty of administering tidelands and submerged lands that have been granted by the State?

No officer or agency in South San Francisco.

2. What action has been or is being taken for the development and improvement of the granted lands?

None.

3. Have public funds been expended for such purposes, and, if so, approximately in what amount?

None.

4. What improvements have been made pursuant to franchises or leases and what is the approximate value thereof?

None.

5. What franchises or leases of such lands are currently in effect?

None.

6. What are the present annual revenues received by the local agency from such lands, the sources thereof, and the purposes for which such revenues are used?

None

7. To what extent, if at all, are any of the granted lands occupied or used by individuals or corporations?

None.

8. Has your local agency been divested of title or right to possession of any of the granted land by reason of conveyance thereof by the local agency, eminent domain proceedings, agreements to determine boundaries, or otherwise?

Not to our knowledge.

9. Have any judicial proceedings been commenced against your local agency affecting title or right to possession of any such granted lands? If so, list the names of the cases and state the effect of each judgment.

None.

ANALYSIS OF THE REPLY OF THE CITY OF SOUTH SAN FRANCISCO

The reply of the City of South San Francisco is self-explanatory. There is evidently a complete failure to comply with the intents, purposes, and conditions of the granting statutes.

Conclusion. The recommendation of the committee in situations involving failure to develop or improve the granted lands is contained in the recommendations of the committee set forth at the conclusion of this report.

CITY OF VALLEJO

SENATE BILL No. 1535

CHAPTER 310

An act conveying to the City of Vallejo certain tidelands and lands of the State of California lying under inland navigable waters within the boundaries of the said city, situate in the Napa Creek, the Mare Island Straits and the Straits of Carquinez, including the right to wharf out therefrom to the City of Vallejo, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof.

[Approved June 11, 1913]

WHEREAS, Since the admission of California into the Union, all tidelands along navigable waters of this State and all lands lying beneath the navigable waters of the State have been and now are held in trust by the State for the benefit of all the inhabitants thereof for the purposes of navigation, commerce and fishing; and

WHEREAS, It is the duty of the State to govern, administer and control such lands and to improve and develop navigation, commerce and fishing thereon and thereover; and

WHEREAS, The State has not the general power of alienation of such lands but may, when the interests of commerce, navigation and fishing require it, convey to municipalities limited and defined areas of such lands with the power to govern, control, improve and develop the same in the interests of all the inhabitants of the State; and

WHEREAS, The conveyance to the City of Vallejo of the lands hereinafter described, together with the right to govern, control, improve and develop the same will result in great advantage and benefit to all the inhabitants of the State, it is provided:

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted and conveyed to the City of Vallejo, a municipal corporation, in the County of Solano, State of California, and to its successors, all the right, title and interest of the State of California held by said State by virtue of its sovereignty in and to all the tidelands and lands lying under inland navigable waters within the boundaries of the present City of Vallejo, situate in the Napa Creek, the Mare Island Straits and the Straits of Carquinez, lying and being between the line of mean high tide and the pier head line in said straits, as the same has been or may hereafter be established by the Federal Government, and the right to wharf out therefrom to the City of Vallejo,

to be forever held by said city and by its successors in trust for the uses and purposes and upon the expressed conditions following to wit: That said lands shall be used by said city and its successors, only for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation, and said city, or its successors shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purposes whatever; provided, that said city, or its successors, may grant franchises thereon, for limited periods, for wharves and other public uses and purposes, and may lease said lands, or any part thereof, for limited periods, for purposes consistent with the trusts upon which said lands are held by the State of California, and with the requirements of commerce and navigation at said harbor, for a term not exceeding 25 years, and on such other terms and conditions as said city may determine, including a right to renew such lease or leases for a further term not exceeding 25 years or to terminate the same on such terms, reservations and conditions as may be stipulated in such lease or leases, and said lease or leases may be for any and all purposes which shall not interfere with navigation or commerce, with reversion to the said city on the termination of said lease or leases of any and all improvements thereon, and on such other terms and conditions as the said city may determine, but for no purpose which will interfere with navigation or commerce; subject also to a reservation in all such leases or such wharfing out privileges of a street, or of such other reservation as the said city may determine for a belt line railroad or other railroad where the same may be deemed necessary by the said city; and such other reservations as the city may require, and for sewer outlets, and for gas and oil mains and water mains, and for hydrants, and for electric cables and wires, and for such other conduits for municipal purposes, and for such public and municipal purposes and uses as may be deemed necessary by the said city; provided, however, that each person, firm or corporation or their heirs, successors or assigns now in possession of land or lands within the boundaries of the said City of Vallejo as hereinbefore firstly described, situate in the Napa Creek, the Mare Island Straits and the Straits of Carquinez, and lying and being between the line of mean high tide and the pier head line in said straits, as the same has been or may hereafter be established by the Federal Government, shall have a right to obtain a lease for a term of 25 years from said city of said land and wharfing out privileges therefrom with a right of renewal for a further term of 25 years pursuant to the provisions of this act and on such terms and conditions as said city may determine and specify, and said renewed lease may be terminated at any time by mutual agreement of the city and the lessee, on such just and reasonable terms for compensation for improvements as may be mutually agreed upon. Upon obtaining such lease and wharfing out privileges such person, firm or corporation, their heirs or assigns, shall quitclaim to said city any right they or any of them may claim or have to the said lands hereby granted. This grant shall carry the right to such city of the rents, issues and profits in any manner hereafter arising from the lands or wharfing out privileges hereby granted. The State of California shall have at all times, the right to use, without charge, all wharves,

docks, piers, slips, quays and other improvements constructed on said lands of any part thereof, for any vessel or other watercraft, or railroad, owned or operated by the State of California No discrimination in rates, tolls or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors in the management, conduct or operation of any of the utilities, structures or appliances mentioned in this section There is hereby reserved in the people of the State of California the right to fish in the waters on which said lands may front with the right of convenient access to said waters over said lands for said purpose.

SEC. 2. The foregoing conveyance is made upon the condition that the City of Vallejo shall, within five years from the approval of this act, exclusive of such time as said city may be restrained from so doing by injunction issued out of any court of this State or of the United States, and exclusive of such further delay as may be caused by unavoidable misfortune or great public or municipal calamity, cause to be expended for harbor improvement purposes an amount not less than twenty-five thousand ($25,000) dollars. If said harbor improvement work be not done and if said amount be not expended for harbor improvement as herein provided, then the lands by this act conveyed to the City of Vallejo shall revert to the State of California.

ASSEMBLY BILL No. 655

An act to declare certain reclaimed land in the City of Vallejo to be free from certain trusts and restrictions imposed on such land when granted to such city.

[Approved by the Governor May 23, 1925]

The people of the State of California do enact as follows:

SECTION 1. All of that land granted by the State of California to the City of Vallejo by the provisions of an act entitled "An act conveying to the City of Vallejo certain tidelands and lands of the State of California lying under inland navigable waters within the boundaries of the said city, situate in the Napa Creek, the Mare Island Straits and the Straits of Carquinez, including the right to wharf out therefrom to the City of Vallejo, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved June 11, 1913, which is behind the permanent bulkhead constructed by the Government of the United States and which has been filled and can no longer be used for navigation or fisheries, is hereby declared to have ceased to be tidelands or submerged lands, and to be free from all trusts and restrictions imposed on such land under and by the provisions of the act entitled "An act conveying to the City of Vallejo certain tidelands and lands of the State of California lying under inland navigable waters within the boundaries of the said city, situate in the Napa Creek, the Mare Island Straits and the Straits of Carquinez, including the right to wharf out therefrom to the City of Vallejo, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof," approved June 11, 1913.

ASSEMBLY BILL No. 1797

CHAPTER 483

An act conveying certain tidelands and lands lying under inland navigable waters, situate in the Bay of San Pablo to the City of Vallejo, in furtherance of navigation and commerce and the fisheries, and providing for the government, management and control thereof, reserving rights to the State.

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted and conveyed to the City of Vallejo, in the County of Solano, State of California, all of the tide and submerged lands situate on the northeasterly shore of San Pablo Bay, immediately north of Mare Island Naval Yard, more particularly bounded and described as follows:

Commencing at the intersection of the ordinary high-water mark along the northeastern shore of San Pablo Bay and the west line of Sec. 6, T. 3 N., R. 4 W., M. D. B & M.; running thence southeasterly along said ordinary high-water mark of San Pablo Bay to the intersection thereof with a line common to the SE. $\frac{1}{4}$ and the SW. $\frac{1}{4}$ of said Sec. 6, said intersection being the true point of beginning of the parcel of tide and submerged lands herein described; continuing thence along the ordinary high-water mark of San Pablo Bay southeasterly to the point of intersection thereof with the northwestern boundary line of the lands owned by the United States Government and commonly known as Mare Island Naval Shipyard; thence south 71 degrees west, to the western boundary line of Solano County; thence along said county boundary line approximately north $62\frac{1}{2}$ degrees west 14,000 feet; thence leaving said county boundary line and running northeasterly in a straight line to the point of beginning

To be forever held by said city, and its successors, in trust for the uses and purposes and upon the express conditions following, to wit:

(a) That said lands shall be used by said city, and its successors, only for the establishment, improvement and conduct of a harbor, including an airport or aviation facilities, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays and other utilities, structures, facilities and appliances necessary or convenient for the promotion and accommodation of commerce and navigation by air as well as by water, and said city, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purposes whatever; provided, that said city, or its successors, may grant franchises thereon for limited periods (but in no event exceeding 50 years), for wharves and other public uses and purposes and may lease said lands, or any part thereof, for limited periods (but in no event exceeding 50 years), for purposes consistent with the trust upon which said lands are held by the State of California, and with the requirements of commerce and navigation at said harbor, and collect and retain rents from such leases.

(b) That said lands shall be improved by said city without expense to the State, and shall always remain available for public use for all purposes of commerce and navigation, and the State of California shall have at all times, the right to use, without charge, all wharves, docks, piers, slips, quays, and other improvements and facilities constructed on said

lands, or any part thereof, for any vessel or other water or aircraft, or railroad, owned or operated by the State of California.

(c) That in the management, conduct or operation of said harbor, or of any of the utilities, structures, appliances or facilities mentioned in paragraph (a), no discrimination in rates, tolls, or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors.

(d) There is hereby reserved, however, in the people of the State of California the absolute right to fish in the waters of said harbor with the right of convenient access to said waters over said lands for said purposes.

(e) There is hereby excepted and reserved to the State of California all deposits of minerals, including oil and gas, in said land, and to the State of California, or persons authorized by the State of California, the right to prospect for, mine, and remove such deposits from said land.

(f) The lands herein described are granted subject to the express reservation and condition that the State may at any time in the future use said lands or any portion thereof for highway purposes without compensation to the city, its successors or assigns, or any person, firm or public or private corporation claiming under it, except that in the event improvements have been placed upon the property taken by the State for said purposes, compensation shall be made to the person entitled thereto for the value of his interest in the improvements taken or the damages to such interest.

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF VALLEJO

NAVAL CAPITOL OF THE WEST

HOME OF MARE ISLAND NAVY YARD"

OFFICE OF THE MAYOR

City of Vallejo

VALLEJO, CALIFORNIA

GEORGE C. DEMMON
MAYOR

August 13, 1948

HONORABLE RALPH C. DILLS, *Chairman*
Interim Committee on Petroleum Problems
Assembly, California Legislature
State Capitol, Sacramento 14, California

DEAR SIR: I am in receipt of your communication of July 26, 1948, enclosing a list of questions which have been prepared by your committee on petroleum problems.

The attachment is submitted in reply to your questionnaire.

I am indeed pleased to see your committee study this important subject matter, and if we can be of further assistance in submitting additional data to you kindly notify us.

Yours very truly,

GEORGE C. DEMMON
Mayor

QUESTIONNAIRE REGARDING TIDELANDS AND SUBMERGED LANDS GRANTED BY THE STATE, AND ANSWERS THERETO BY THE CITY OF VALLEJO

1. Which officer or agency is charged with the duty of administering tidelands and submerged lands that have been granted by the State?

   The administering of tideland matters is a function of the Vallejo City Council and City Manager's Office. The city manager is the chief administrator of the city. All leases or contracts require the approval of the legislative body.

2. What action has been or is being taken for the development and improvement of the granted lands?

   In 1914, the city began the reclamation of the major part of such lands by the construction of timber and rock bulkheads and earthen retaining levees located along or closely paralleling the bulkhead lines established in the harbor by the War Department, followed by the filling of the areas between such retaining structures and the shore line with earth dredged from the harbor and hauled from the upland.

   The improvement of such reclaimed areas has proceeded intermittently by construction of the following:

   (1) Streets and highways.
   (2) Railroad.
   (3) Sanitary sewers.
   (4) Storm sewers.
   (5) Water distribution pipes.
   (6) Fuel gas mains.
   (7) Electric power pole lines.
   (8) Telephone pole lines.
   (9) Wharves.
   (10) Piers
   (11) Concrete seawall.
   (12) Pier sheds.
   (13) Commercial and industrial buildings.
   (14) Automobile parking lots.
   (15) Parks.
   (16) Veterans' memorial park.
   (17) Recreation fields, buildings and piers.
   (18) Federal housing.
   (19) Municipal bus terminal
   (20) Ferry terminals.
   (21) War balloon anchorages.
   (22) Lumber yard.
   (23) Petroleum products tankage and storage.
   (24) Concrete aggregate bunkers.
   (25) Heavy construction storage yard.
   (26) Automobile service stations.
   (27) Ice house.
   (28) U. S. Naval Barracks.
   (29) U. S. Naval Shipyard office building.
   (30) Dwellings.

(31) U. S. rail and highway causeway to Mare Island.
(32) Pacific Gas & Electric gas house and yard.

3. Have public funds been expended for such purposes, and, if so, approximately in what amount?

Public funds of the Federal Government, the State Government, and the municipal government have been expended for the improvement of such lands in the following approximate amounts:

Federal Government	$4,000,000
State Government	150,000
Municipal Government	850,000

4. What improvements have been made pursuant to franchises or leases and what is the approximate value thereof?

Railroad.	Bus terminals.
Electric power pole lines.	Wharves
Telephone pole lines.	Piers.
Fuel gas mains.	Recreation fields.
U. S. Naval Barracks.	

The approximate value of all the improvements under this heading is $1,250,000.

5. What franchises or leases of such lands are currently in effect?

(1) Electric railroad franchise and lease.
(2) Electric power pole lines.
(3) Telephone pole lines.
(4) U. S. Naval Reserve barracks.

6. What are the present annual revenues received by the local agency from such lands, the sources thereof, and the purposes for which such revenues are used?

The city has purchased from the Federal Government approximately 10 wartime barracks and associated structures situated on the tidelands. This area is used for the location of small industries which do not have plants of their own. Presently, nine industries have been located in this area, the monthly rental from same totaling $721. The California National Guard has leased one building from the city, for which rental is paid in the amount of $150 per month.

7. To what extent, if at all, are any of the granted lands occupied or used by individuals or corporations?

The public service corporations, as listed above, all have lines on the granted lands. Three large corporate petroleum product distributors have holdings of relatively small areas. About one-half dozen individuals and commercial corporations have small holdings on the lands.

8. Has your local agency been divested of title or right to possession of any of the granted land by reason of conveyance thereof by the local agency, eminent domain proceedings, agreements to determine boundaries, or otherwise?

Yes. Approximately one-half of such lands have been, or are about to be partitioned by agreement. Private individuals and corporations obtained part of the tideland areas by patents or state grants, prior to the city's obtaining from the State its remaining interest in the tidelands.

9. Have any judicial proceedings been commenced against your local agency affecting title or right to possession of any such granted lands? If so, list the names of the cases and state the effect of each judgment.

U. S. Federal Government has taken certain portions of the tidelands for purposes of constructing facilities needed during wartime. Proceedings are as follows:

(1) *United States* v. *Certain parcels of land in the City of Vallejo, County of Solano, State of California*, T. M. Ormont, et al., Civil No. 4608. Amendment to Complaint later filed.

(2) *United States* v. *Certain parcels of land in the City of Vallejo, County of Solano, State of California,* Lange and Daniels, et al., Civil No. 22277-G.

For further data, consult city attorney.

ANALYSIS OF THE REPLY OF THE CITY OF VALLEJO

The reply of the City of Vallejo discloses unauthorized use and administration of state-granted lands to a considerable degree. The report by this municipality serves to illustrate the problems confronting the committee in its research and the importance of the considerations involved. Franchises and leases currently in effect are admitted to benefit corporations and individuals, industrial and manufacturing concerns, and commercial enterprises, none of which uses or administrations of such granted lands is within the comprehension of the statutes of grant. In addition, apparently a large portion of the granted lands are devoted to residence purposes, again an unauthorized use and administration. Of urgent importance is the information that approximately one-half of the granted lands have been or are about to be partitioned by agreement, to which the State of California should be, but is not, a party, with individuals and corporations.

Conclusion. The committee should undertake immediate surveys, research, examinations, and investigations relating to all phases of the use, development, improvement, and administration of the granted lands by the City of Vallejo and the municipality's intentions regarding the same. By obtaining more complete and detailed information, the committee will be enabled authoritatively to recommend to the Assembly the reacquisition of the granted lands by the State of California

CONCLUSIONS

Since the committee undertook the conduct of this investigation there have been three chairmen and considerable change in the personnel of the committee. It therefore follows that a continuous and searching inquiry has not resulted.

Even a casual examination of the extent of the state lands granted to local political subdivisions by the 123 acts passed by previous Legislatures will disclose the immense area of valuable real property over which the State has lost effective control. In good faith these lands were granted to be used and developed for certain specific purposes. It is incumbent upon this Legislature to re-examine these grants in order that the paramount rights of the State of California may be protected or reasserted.

This committee should be given adequate funds to employ trained and experienced personnel to thoroughly investigate the problems presented by the past grants of lands which today may be valued in terms of hundreds of millions of dollars.

An opportunity in public hearings should be given the officer or agency administering tide, submerged and reclaimed lands to demonstrate the manner and extent of conformance to the terms of the grants.

The committee in disputed areas would be obliged to employ a licensed surveyor to assist in determining the boundaries of the lands granted. This is particularly necessary where there is proof that the political subdivision has transferred or otherwise lost title to some person, corporation or public agency in violation of the grant.

In order to make certain that the local agency has not been divested of title or right to possession of the tide, submerged or reclaimed lands other than by Federal Supreme Court action it may be necessary to employ one skilled in the search of titles in each of the counties wherein the lands are located.

The personnel of this committee changes from year to year and in order that a full and complete record of proceedings in the future be acquired and maintained it is advisable that all public hearings be reported and the transcripts made the property of the Legislature. These records would be available for the Attorney General or other legal authorities in connection with quiet title or other legal proceedings in behalf of the State of California

Furthermore, in view of the recommendations above made calling for legislation returning title or control to the State over granted lands, the records of the public proceedings would be invaluable to future legislatures.

It is apparent from the foregoing account that the duties imposed upon the committee are of great importance affecting as they do the title to property valued in millions of dollars. These duties should be undertaken as soon as possible after the 1951 Legislature adjourns.

It will require months of time to properly investigate the 44 political subdivisions from Crescent City in the north to San Diego in the south. Needless to say, an inadequate grant of funds to the committee would prevent the full, complete, and thorough study which this important subject requires.

RECOMMENDATIONS

1. The Legislature by resolution or act should instruct the Legislative Counsel Bureau to include in every bill granting state lands to political subdivisions a provision that:

(a) Unless certain specified acts are performed by the grantee therein within a stated period the grant shall be canceled, with title reverting to the State of California, such specified acts to be set forth in detail and to be related to the beneficial use and development of the lands granted.

(b) Revenues derived from the granted lands or structures placed thereon shall be devoted to the purposes for which the lands were granted with periodic audits by the State Controller of moneys accruing from such development and use.

(c) The State of California be made a party defendant in any action involving title to the granted lands.

2. The Legislature should direct that appropriate legal proceedings be instituted in the nature of quiet title actions in those instances where the committee has found that grantees have transferred granted lands in apparent violation of the statutes.

3. The Legislature should direct that appropriate legal proceedings be instituted to oblige grantees to comply with the provisions of the grants in trust respecting the development, use and administration of granted lands where the committee finds apparent violations in these respects.

4 The Legislature should consider the passage of appropriate legislation to effect a reversion to the State of those lands where there has been absolutely no development, improvement or use of the lands.

5. This committee be continued with sufficient funds and personnel to complete an intensive, thorough investigation of land grants to the end that the paramount rights of the State of California in these lands be protected and preserved.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Speaker Sam L. Collins, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Leland C. Launer of Fullerton.

On request of Mr. Clarke, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Lowell Clarke, son, Billie, and daughter, Linda, of Sacramento.

On request of Mr. Belotti, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Walter Heston of San Francisco.

On request of Mr. Elliott, the usual courtesies of the Assembly for this day were unanimously extended to Carol Milman of Los Angeles and Mary Templeton of Oakland.

On request of Mr. Silliman, the usual courtesies of the Assembly for this day were unanimously extended to the following group of 4 H members from Monterey County: Joan Hook, Betty Redfern, Norma Juhler, Lorrame Corda, Marlene Ambrosini, Robin Pyburn, Mary Duncan, Burnette Wimer, Don Boysen, Charles Sanini, Bob Herlich, Mrs. Charles Sanini, and Art Greartual.

On request of Mr. Grunsky, the usual courtesies of the Assembly for this day were unanimously extended to Alice Sams, Sue Crawford, and Mrs. Crawford of Santa Cruz County.

On request of Mr. Waters, the usual courtesies of the Assembly for this day were unanimously extended to Dr. Gerhard H. Gmaser of Vienna, Austria.

On request of Mr. McMillan, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Ben Nelson of Culver City.

On request of Mr. Cooke, the usual courtesies of the Assembly for this day were unanimously extended to Frieda Klussmann or San Francisco.

On request of Mr. Lanterman, the usual courtesies of the Assembly for this day were unanimously extended to Lloyd Lanterman of La Canada.

On request of Messrs. Lyon and Conrad, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. F. M. Jenifer and Mrs. Martha Janney of Sherman Oaks.

On request of Mr. Kelly, the usual courtesies of the Assembly for this day were unanimously extended to A. W. Noon of Taft.

On request of Mr. Belotti, the usual courtesies of the Assembly for this day were unanimously extended to Joseph C. Cummings of Eureka.

On request of Mr. Luckel and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Cecil D. Hardesty, Francis C Darby, and E M. Walker of San Diego.

On request of Mr. Tomlinson, the usual courtesies of the Assembly for this day were unanimously extended to Ella Baxter of Van Nuys.

On request of Mr. Conrad, the usual courtesies of the Assembly for this day were unanimously extended to Harry Salkin, Abe Salkin, and Sam Salkin of Hollywood.

ADJOURNMENT

At 11 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Friday, June 22, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

EIGHTY-SEVENTH LEGISLATIVE DAY

ONE HUNDRED NINETEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, June 22, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—78.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

We Look Unto Thee Our Father with the words of the Psalmist;

"The Lord is my Shepherd; I shall not want.

He maketh me to lie down in green pastures: He leadeth me beside the still water

He restoreth my soul: He leadeth me in the paths of righteousness for His name's sake

Yea, though I walk through the valley of the shadow of death, I will fear no evil; for Thou art with me; Thy rod and Thy staff they comfort me

Thou preparest a table before me in the presence of mine enemies: Thou anointest my head with oil; my cup runneth over.

Surely goodness and mercy shall follow me all the days of my life: and I will dwell in the house of the Lord forever."

We ask it in the name of Him whom we worship in Spirit and in Truth.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Gubser, further reading of the Journal of the previous legislative day was dispensed with.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No 104

J A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 21, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 850	Assembly Bill No 2456
Assembly Bill No. 1017	Assembly Bill No. 2626
Assembly Bill No 1669	Assembly Bill No. 3254
Assembly Bill No. 2261	Assembly Bill No 3443

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 611	Assembly Bill No 2591
Assembly Bill No. 614	Assembly Bill No. 2611
Assembly Bill No. 671	Assembly Bill No. 3066
Assembly Bill No 1400	Assembly Bill No. 3056
Assembly Bill No. 1853	Assembly Bill No. 2216
Assembly Bill No. 1955	

J A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

CONSIDERATION OF DAILY FILE

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1841—An act to amend Section 4850 of the Labor Code, relating to leave of absence with pay in lieu of disability payments.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1841?

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on May 1, 1951, strike out lines 18 to 20, inclusive.

Amendment No. 2

On page 1, line 11, of said bill, as amended, insert "temporary" after "in lieu of" and before "disability payments".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 3

On page 2 of said bill, as amended, add Section 2, to read

"SEC. 2 Section 4853 of the Labor Code is amended to read:

4853. Whenever such disability of [such city policeman or city fireman] *any such officer or employee* continues for a period beyond one year, such member shall thereafter be subject as to disability indemnity to the provisions of this division other

than Section 4850 during the remainder of the period of said disability or until the effective date of his retirement under the State Employees' Retirement Act, and the leave of absence shall continue."

Amendment No. 4

On page 2 of said bill, as amended, add Section 3, to read

"SEC. 3. Section 4854 of the Labor Code is amended to read:

4854 No disability indemnity shall be paid to [such city policeman or city fireman] *any such officer or employee* concurrently with wages or salary payments."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1841 by the following vote:

AYES—Babbage, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Condon, Conrad, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Lanterman, Levering, Lincoln, Maloney, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—49

NOES—None.

Assembly Bill No. 1841 ordered enrolled.

Assembly Bill No. 2196—An act to amend Sections 2160.7 and 3044.1 of the Welfare and Institutions Code, relating to state reimbursement to counties for the cost of institutional care of certain aged and certain blind persons.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2196?

Amendment No. 1

On page 1, lines 17 and 18, of the printed bill, strike out "before it is administratively possible to restore aid", and insert "within 10 days and before aid is restored".

Amendment No. 2

On page 1, line 22, of said bill, strike out "where", and insert "which".

Amendment No. 3

On page 2, lines 16 and 17, of said bill, strike out "before it is administratively possible to restore aid", and insert "within 10 days and before aid is restored".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2196 by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Condon, Conrad, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Maloney, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—50.

NOES—None.

Assembly Bill No. 2196 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 252

Mr. McCarthy asked for, and was granted unanimous consent to take up House Resolution No. 252, out of order.

CONSIDERATION OF HOUSE RESOLUTION NO. 252

By Mr. McCarthy:

House Resolution No. 252

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly be and is hereby authorized to act as the authorized representative of the

Committee on Rules pursuant to Rule 9.5 of the Standing Rules of the Assembly for the purpose of approving all long distance telephone calls and telegrams, and be it further

Resolved, That wherever by any resolution of this Assembly amounts are allocated from the Contingent Fund to be expended by the Chief Clerk he is hereby designated to act as the authorized representative of the Committee on Rules for the purpose of making such expenditures as may be authorized by said resolution without the prior approval of the Committee on Rules.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Berry, Brown, Burke, Burkhalter, Chapel, Cloved, Coats, Condon, Conrad, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lincoln, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—49.

NOES—None.

Hon. Laughlin E. Waters Presiding

At 10.12 a.m., Hon. Laughlin E. Waters, Member of the Assembly from the Fifty-eighth District, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 211

Mr. McCollister asked for, and was granted unanimous consent to take up House Resolution No. 211, out of order.

CONSIDERATION OF HOUSE RESOLUTION NO. 211

By Mr. Dickey:

House Resolution No. 211

Resolved, That Arthur A. Ohnimus, Chief Clerk of the Assembly, is hereby directed to take charge of arranging and preparing the bills, books, and all other records of the Assembly, and filing the same with the Secretary of State, as provided by law, subsequent to adjournment of the 1951 Regular Session of the Legislature; and shall have charge of indexing, correcting, comparing and proofreading, and otherwise preparing the Journal and the Final History of the Assembly of the 1951 Regular Session of the Legislature; such indexing, correcting, comparing and proofreading of the Assembly Journals and Final History shall be performed by the State Printer under the direction of the Chief Clerk of the Assembly, making the information therein contained readily available for the use of the Members of the Legislature, state officers, and the general public, as a permanent record of the business transacted during the 1951 Regular Session. He shall also have charge of compiling, preparing, and having printed after adjournment, a final calendar of the legislative business of the 1951 Regular Session, said calendar to comprise a History of all bills introduced and their authors, the numbers that shall have become law; those that have been refused passage; an index to all measures introduced; and any and all such information as will provide a complete history of the session's business and a guide for the information of subsequent sessions of the Legislature.

When the final calendar is prepared, said Arthur A Ohnimus, Chief Clerk, is directed to forward one copy of the Final History to each public library in the State which may apply for same, and one copy to each Member of the Assembly, and one copy of the complete unbound chapters to each Member of the Assembly; and be it further

Resolved, That the Chief Clerk shall prepare and have printed subsequent to adjournment and during the 30-day period allowed the Governor to sign bills, a Bulletin showing the bills that the Governor has signed during said 30-day period and at the conclusion of the 30-day period he shall have compiled and printed a Bulletin showing the complete action on all bills signed and those pocket vetoed, and such other information as he may deem useful to advise the members of the status of each individual bill introduced during the session.

He shall mail a copy of said Bulletin to each Member of the Assembly and to each person making a request for a copy of the same; and be it further

Resolved, That the Chief Clerk is hereby authorized to employ such help as may be necessary to complete the aforesaid work of the Assembly and the same shall be compensated at a rate per diem not greater than that allowed them during the

time the Legislature is in session; provided, however, that no compensation shall be allowed except for services actually performed in Sacramento, and the Chief Clerk is hereby directed to keep an accurate attendance record of all attaches so employed and certified by him to the State Controller as being entitled to compensation; and be it further

Resolved, That the State Controller is hereby authorized and directed to pay weekly compensation in such amounts and to such persons as may be certified to him by the Chief Clerk as being entitled to the same until the said work has been completed, and such sums shall be payable from the unexpended balance of the fund provided for the payment of officers and attaches of the Assembly.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Conrad, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—55.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 212

Mr McCollister asked for, and was granted unanimous consent to take up House Resolution No. 212, out of order

CONSIDERATION OF HOUSE RESOLUTION NO. 212

By Mr. Dickey:

House Resolution No. 212

Resolved, That the sum of fifteen thousand dollars ($15,000), or so much thereof as may be necessary, is hereby made available from the Assembly Contingent Fund for telephone service, telegraph service, postage, supplies, bills from state departments, and other incidental expenses in completing the work of the 1951 Regular Session of the Assembly and maintaining the Assembly Chamber and offices until the convening of the next Regular Session of the Assembly, to be disbursed, after certification by the Chief Clerk of the Assembly supported by vouchers, upon warrants drawn by the Controller.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Condon, Conrad, Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lyon, Maloney, McCarthy, McCollister, McFall, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—53.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 213

Mr. McCollister asked for, and was granted unanimous consent to take up House Resolution No. 213, out of order.

CONSIDERATION OF HOUSE RESOLUTION NO. 213

By Mr. Dickey:

House Resolution No. 213

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrants on the Contingent Fund of the Assembly in the sum of eighteen hundred dollars ($1,800), in favor of Arthur A Ohnimus, Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, for postage, telephone service, telegraph service, supplies, traveling expenses, bills from state departments, and performing any duties imposed by the Rules or resolutions of the Assembly, also to pay any bills for incidental expenses of the Assembly heretofore incurred but for which payment

has not been provided by other resolutions, and other incidental expenses in connection with completing the work of the 1951 Regular Session of the Assembly of the State of California

The Chief Clerk of the Assembly is instructed to file with the Controller receipts covering all expenditures made hereunder.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Condon, Conrad, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—58.

NOES—None

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 22, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred.

Assembly Concurrent Resolution No 106

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

Above reported resolution ordered engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2362—An act to amend Section 261a 5 of the Code of Civil Procedure, relating to reporters for superior courts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2362?

Amendment No. 1

In the title of the printed bill, as amended in the Assembly on June 13, 1951, strike out lines 1 and 2, and insert "An act to add Section 261a.7 to the Code of Civil Procedure,".

Amendment No. 2

On page 1 of said bill, as amended, strike out lines 3 to 7, inclusive, and insert "SECTION 1. Section 261a.7 is added to the Code of Civil Procedure, to read: 261a.7. In each county or city and county,".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2362 by the following vote:

AYES—Belotti, Berry, Brown, Burke, Chapel, Coats, Conrad, Dickey, Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—53.

NOES—None.

Assembly Bill No. 2362 ordered enrolled.

Assembly Bill No. 2816—An act to provide for the interchangeable use of single-trip beer cartons and to add Section 53.55 to the Alcoholic Beverage Control Act, relating to use of cartons.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2816?

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 1

On page 1 of the printed bill, strike out all of the three lines of the title and insert "An act to [add Section 55.8 to] amend Sections 7, 19, 23b, 24.2, 24.26, 24.27, 27b, 27c, 38.2, 39, 55.7, 59 and 59.5 of, and to add Sections 53.4, 53.55 and 55.8 to, the Alcoholic Beverage Control Act, relating to sales of alcoholic beverages at wholesale and at retail."

Amendment No. 2

On page 1 of said bill, strike out all of lines 1 and 2, and insert

"SECTION 1. Section 7 of the Alcoholic Beverage Control Act is amended to read:

Sec. 7. Each license issued under this act shall be issued to a specific person, and, except in the case of licenses authorizing the sale of alcoholic beverages on trains or boats, shall be issued for a specific location, the principal address of which shall be indicated on the license. Separate licenses shall be issued for each of the premises of any business establishment having more than one location except as provided for in Section 6, subdivisions (o) and (p), and except that the holder of a public warehouse license maintaining or operating more than one public warehouse in this State shall be required to obtain but one license for all of his public warehouse establishments. A copy of the original public warehouse license issued to a public warehouseman maintaining or operating more than one public warehouse in this State shall be posted in each of his public warehouse establishments. A charge of one dollar ($1) shall be made by the board for each copy of a public warehouse license issued to such public warehouseman.

Wine stored in a winery, wine storeroom, or field warehouse bonded under the internal revenue laws of the United States, and brandy in bulk stored in an internal revenue bonded warehouse may be stored by or for any licensee under this act without the necessity of any license by the party furnishing or providing the storage space; beer and wine upon which excise taxes have been paid to the State at the rate fixed under this act, may be stored by or for any licensee under this act in any private or public warehouse or elsewhere in this State without the necessity of any license by the party furnishing or providing the storage space, or any special additional license being required by such licensee; provided, however, that any other alcoholic beverage may without the necessity of any additional license be stored by or for a licensee in private warehouses approved by the board if within the limits of the county in which such licensees licensed premises are located, or in a public warehouse within such county, or may be stored in bond in a public warehouse outside such county where such warehouse is also a United States customs bonded warehouse, or a United States internal revenue bonded warehouse or United States bonded storeroom.

Any licensee under an on-sale general license or an on-sale distilled spirits license for seasonal business who maintains upon or within the premises for which such license is issued more than one room in which there is regularly maintained a fixed counter or service bar at which distilled spirits are served for consumption within the licensed premises shall obtain from the board, and the board shall upon request issue a duplicate of his original license for each room, in excess of one, containing such fixed counter or service bar and shall post a duplicate of his original license in each such room. He shall pay to the board at the time of application for each such duplicate license an amount equal to the license fee payable for a like period for the distilled spirits privileges of the original on-sale general license or on-sale distilled spirits license for seasonal business. Failure to obtain such duplicate license or licenses and to pay such fees and renewal fees therefor shall subject such licensee to the penalties imposed by this act for failure to obtain an original license or to pay the renewal fees therefor.

Licenses for trains and boats shall be based on the average number in actual operation, during the license year, of each class of operating units, viz., trains and boats upon which the license privileges are exercised, such average number to be determined as the board may prescribe.

Each license issued under this act is separate and distinct and shall be transferable from the person to whom issued or by whom renewed to another person upon the approval of the board as provided in this act and upon the payment of a transfer fee

equal to the fee payable upon an original application as provided under Section 5 of this act; provided, that the license or licenses of one spouse may be transferred to the other spouse when the application for transfer is made prior to the entry of a final decree of divorce, and the license or licenses of a decedent, minor ward, incompetent person, bankrupt person, *person for whose* estate a receiver is appointed, or assignor for the benefit of creditors may be transferred by or to the surviving partner or partners of a deceased licensee, the executor, administrator, or guardian of an estate of a licensee, the surviving spouse of a deceased licensee in the event that the deceased licensee leaves no estate to be administered, the trustee of a bankrupt estate of a licensee, a receiver of the estate of a licensee, or an assignee for the benefit of creditors of a licensee with the consent of the assignor, or a transfer between partners where no new partner is being licensed, and the fee for transfer for each license in such case shall be twenty-five dollars ($25).

Each license issued under this act shall be transferable from the premises for which issued upon the approval of the board and upon the payment of a transfer fee of twenty-five dollars ($25) and upon compliance with the provisions of this act relating to the issuance of an original license.

In no case shall a fee be charged for the transfer of an importer's license. If the annual fee for a license is less than twenty-five dollars ($25), the fee to be charged for the transfer thereof in any case shall be in the amount of the fee payable upon an original application as provided under Section 5 of this act.

Whenever a license certificate issued under the act is in effect and is lost or destroyed, the board shall issue a duplicate license upon the payment of a fee of five dollars ($5).

SEC. 2. Section 19 of said act is amended to read:

Sec. 19 A wine grower's license shall only be issued to, or held by, a person qualified to operate or operating a winery, wine storeroom or field warehouse bonded under the internal revenue laws of the United States. Every person operating, *or authorized under the internal revenue laws of the United States to operate,* a winery or wine storeroom bonded under the internal revenue laws of the United States shall apply for, and hold, a wine grower's license.

SEC. 3. Section 23b of said act is amended to read.

Sec. 23b It shall be presumed, for the purposes of this act, that all beer [manufactured in this state by a manufacturer, or delivered to a manufacturer here], *removed from the internal revenue bonded premises of a beer manufacturer* has been sold in this State by such manufacturer unless proven to the satisfaction of the board, in reports on forms prescribed by the board, that such [alcoholic beverage (1) is still in the possession of such licensee or (2) has been sold and delivered to another manufacturer of such alcoholic beverage or (3) has been exported without this State or sold for export by the licensee making the report, or (4) prior to the termination of possession has been lost through unintentional destruction, or (5) was spoiled beer which was destroyed in the presence of a representative of the board or of the United States Bureau of Internal Revenue, or (6) prior to the termination of possession has been unaccountably lost, but such unaccounted for loss shall not exceed a tolerance to be fixed by the board; or (7) is beer] beer *(1) has been exported from this State or sold for export by the beer manufacturer making the report and actually exported from this State, or (2) has been sold and delivered in internal revenue bond to another licensed beer manufacturer in this State, or (3) is otherwise exempted from taxation under this act.*

[No excise tax mentioned in Section 23 hereof shall be or is imposed by this act upon any beer exported by a licensed manufacturer from within this State to any place without the State or sold by a licensed manufacturer for export from within this State to any place without the State and actually exported from this State or upon any beer specifically mentioned in any subdivision (1) to (7) of this section, and no excise tax mentioned in Section 23 hereof shall be or is imposed by this act upon any transaction whereby any beer is sold by the licensed manufacturer to another licensed manufacturer

[Any claim for exemption from excise tax under this section must be made to the board, in such manner as the board shall prescribe]

In the event excise taxes under this act have been paid on beer subsequently exported from the State of sold for export and actually thereafter exported from this State *or subsequently destroyed under the supervision of a board representative*, a taxpayer may claim and shall be allowed credit with respect to such tax in any report filed or assessment made under this act

SEC. 4. Section 24.2 of said act is amended to read·

Sec. 24 2. It shall be presumed that all distilled spirits acquired by any taxpayer have been sold in this State by him unless proven to the satisfaction of the board, in reports on forms prescribed by the board, that such distilled spirits are (1) still in the possession of such licensee, or (2) such distilled spirits have been sold or delivered to another licensed distilled spirits manufacturer, rectifier, importer or wholesaler, or (3) that such distilled spirits have been exported without this State or sold for export by the licensee making the report and actually exported from this State within

[30] *90* days from the date of such sale, or (4) that prior to the termination of possession such distilled spirits have been lost through unintentional destruction, or (5) that prior to the termination of possession there has been an unaccounted for loss, but such unaccounted for loss shall not exceed a tolerance to be fixed by the board, or (6) that such distilled spirits are otherwise exempt from taxation under this act.

SEC. 5. Section 24.26 of said act is amended to read:

Sec. 24.26. In addition to the other privileges exercised under a wholesaler's or rectifier's license, a wholesaler or rectifier may sell the alcoholic beverage mentioned in his license to persons who take delivery of such alcoholic beverages within this State for delivery or use without the State within [30] *90* days from the date of such sale in accordance with rules and regulations prescribed by the board.

SEC. 6. Section 24.27 of said act is amended to read:

Sec. 24.27. Any person may, in accordance with rules and regulations to be prescribed by the board, purchase and take delivery of alcoholic beverages within this State for delivery or use without the State and may, without obtaining any license in this State export the same from this State within [30] *90* days from the date of such purchase.

Licensees of other states may purchase bulk brandy produced in this State and stored in an internal revenue bonded warehouse in this State or warehouse receipts covering such brandy for storage in this State. Such licensees of other states may subsequently, without obtaining any license therefor in this State, export such brandy in accordance with the rules and regulations prescribed by the board. The sale of brandy or warehouse receipts pursuant to this paragraph by a taxpayer to the purchasing licensee of another state shall be exempt from the excise tax levied by Section 24 of this act.

SEC. 7. Section 27b of said act is amended to read:

Sec. 27b. [If the excise tax is not paid to the board within the time prescribed for the payment of the tax, a penalty of 5 percent of the amount of the excise tax shall be added thereto on account of each such delinquency.

Except as provided in Section 27c, a penalty of five dollars ($5) shall be imposed on any taxpayer who shall fail to file a tax return within the time prescribed for the filing of the return, provided, however, that the penalty imposed for the failure to file a tax return on or before the time prescribed for the filing of the return, shall not be in addition to the 5 percent penalty provided under this section for the late payment of tax if such 5 percent penalty exceeds five dollars ($5).]

Except as provided in Section 27c, if any taxpayer shall fail to file a tax return within the time prescribed for the filing of the return or shall fail to pay the excise tax to the board within the time prescribed for the payment of the tax, a penalty of five dollars ($5) or 5 percent of the amount of the excise tax, whichever is greater, shall be imposed on such taxpayer.

SEC. 8. Section 27c of said act is amended to read:

Sec. 27c. The board for good cause may extend for not to exceed [15] *30* days the time for making any report or paying any tax required under the provisions of [Section] *Sections 23 and* 24 hereof.

Any person to whom such extension is granted and who pays the excise tax within the period for which the extension is granted shall pay, in addition to the excise tax, interest at the rate of 6 percent per annum from the date the excise tax would have been due without such extension to the date of payment.

SEC. 9. Section 38.2 of said act is amended to read:

Sec. 38.2. The board shall adopt such rules and regulations as may be necessary to coordinate the system of *beer and* wine taxation imposed by this act with the system of *beer and* wine taxation imposed by the internal revenue laws of the United States.

SEC. 10. Section 39 of said act is amended to read:

Sec. 39. A written report of a member of the board or of an employee of the board engaged in the enforcement of this act disclosing that an applicant for a license or the premises for which a license is applied are not qualified for a license under this act shall constitute grounds for the denial of an application for a license.

Immediately upon the denial of any application for a license the board shall notify the applicant thereof in writing. Within 10 days after mailing the notice the applicant may present his written petition for a license to the board.

Upon receipt by the board of a petition for a license in proper form it shall be referred to a representative of the board for hearing.

Protests may be made to the board at any time prior to the issuance of a license against [either] the original issuance of a license [or the renewal of a license].

A protest made by any person other than an employee of the board or a public officer shall be verified. Verification may be on information and belief.

If a license has been issued to the applicant before receipt of the protest by the board, the protest shall be considered as a complaint against the licensee and a hearing had thereon as if a complaint had been filed.

The proceedings under this section shall be conducted in accordance with Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code, and the board shall have all the powers granted therein.

SEC. 11. Section 53.4 is added to said act, to read:

Sec. 53.4. No beer manufacturer or beer and wine wholesaler shall sell to any retail licensee any beer bottled under a private label exclusively for a particular retail licensee or for a particular group or association of retail licensees.

SEC. 12. Section 53.55 is added to the Alcoholic Beverage Control Act, to read.".

Amendment No. 3

On page 1 of said bill, after line 26, insert

"SEC. 13. Section 55.7 of said act is amended to read:

Sec. 55.7. No licensee, *or agent or employee of such licensee,* shall, directly or indirectly, give any premium, gift, or free goods in connection with the sale of any alcoholic beverage. Any person violating the provisions of this section shall be guilty of a misdemeanor.

SEC. 14. Section 59 of said act is amended to read.

Sec. 59. Every on- or off-sale licensee, *or agent or employee of such licensee,* who sells, gives away or furnishes any alcoholic beverage in any election district or precinct in any county in the State where an election is in progress, during the hours when by law the polls are required to be kept open for voting shall be guilty of a misdemeanor.

SEC. 15. Section 55.8 is added to said act, to read:

Sec. 55.8. No brand of distilled spirits shall be sold to retailers at a price wherein the vendor's tax-paid cost, or vendor's tax-paid regularly established replacement cost, exceeds 90 percent of his selling price, and no retailer shall sell any brand of distilled spirits at a price wherein his tax-paid cost, or his tax-paid regularly established replacement cost, exceeds 80 percent of his selling price. Provided, however, that the provisions of this section shall not apply to the sale of any brand of distilled spirits, the sale of which has been approved by the board as a close-out sale.

The words "close-out sale" as used in this section shall mean the sale of any brand of distilled spirits which the vendor had in his possession for a period of six months or more and said vendor desires to discontinue the sale of said brand and shall also mean the sale of any brand of distilled spirits when the exterior of the package of said brand has been damaged by causes other than the wilful act of the vendor.

The words "tax-paid cost" or "tax-paid replacement cost" shall be deemed to include all state and federal distilled spirits excise taxes and federal import duty and shall further be deemed to mean the delivered cost at the licensed premises of the vendor or the licensed premises of the retailer or the delivered cost at a warehouse located in the same county wherein the licensed premises of the vendor are located, and, as to purchases by retailers, the delivered cost at a warehouse located in the same county wherein the licensed premises of said retailer are located."

Amendment No. 4

On page 1, line 3, of said bill, strike out "53.55", and insert "53.5".

Amendment No. 5

On page 1, line 13, of said bill, strike out "53.55", and insert "53.5".

Amendment No. 6

On page 1, line 16, of said bill, strike out "an", and insert "and".

Amendment No. 7

On page 1, line 17, of said bill, between "in" and "its", insert "its records".

Amendment No. 8

On page 4, line 24, of the printed bill, as amended in the Senate on June 6, 1951, strike out "of", and insert "or".

Amendment No. 9

On page 6, line 39, of said bill, as amended, strike out "53.5", and insert "53.55".

Amendment No. 10

On page 6, line 39, of said bill, as amended, strike out "53.55", and insert "53.5".

Amendment No. 11

On page 7, line 32, of said bill, as amended, after "apply", insert "to any sale of brandy or".

Amendment No. 12

On page 3 of the printed bill, as amended, between lines 45 and 46, insert

"No excise tax mentioned in Section 23 hereof shall be or is imposed by this act upon any beer exported by a licensed manufacturer from within this State to any place without the State or sold by a licensed manufacturer for export from within this State

to any place without the State and actually exported from this Sate or upon any beer sold by the licensed manufacturer to another licensed manufacturer or upon any beer specifically mentioned in any subdivision (1) to (3) of this section."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2816 by the following vote:

AYES—Babbage, Berry, Brown, Burke, Caldecott, Clarke, Cloved, Coats, Conrad, Dickey, Dills, Dolwig, Doyle, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—54.
NOES—None

Assembly Bill No. 2816 ordered enrolled.

Assembly Bill No. 302—An act to amend Section 261a.5 of, and to add Section 261h to, the Code of Civil Procedure, relating to shorthand reporters.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 302?

Amendment No. 1

On page 2, line 42, of the printed bill, as amended in the Assembly on June 11, 1951, strike out "four dollars ($4)", and insert "five dollars ($5)".

Amendment No. 2

On page 3, lines 8 and 9, of said bill, as amended, strike out "four dollars ($4)", and insert "five dollars ($5)".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No 302 by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Chapel, Clarke, Cloved, Coats, Condon, Conrad, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—59.
NOES—Luckel—1.

Assembly Bill No. 302 ordered enrolled.

Assembly Bill No. 589—An act to amend Section 9.3 of the Municipal Court Act of 1925, and to add Section 30.1 to the Municipal and Justice Court Act of 1949, relating to courts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 589?

Amendment No. 1

Strike out lines 2 to 5, inclusive, of the title of the printed bill, as amended in the Assembly on April 12, 1951, and insert "and providing for the constitution of the municipal court in a district embracing the City of San Diego, relating to municipal courts."

Amendment No. 2

On page 1 of said bill, as amended, strike out lines 13 to 18, inclusive, and insert "and each of whom shall receive thirteen thousand five hundred dollars ($13,500) per annum, payable in equal monthly installments."

Amendment No. 3

On page 2 of said bill, as amended, strike out lines 20 to 28, inclusive, and insert "SEC. 2. The municipal court established in a district embracing the City of San Diego shall be constituted, and the judges thereof shall receive compensation as follows:

There shall be six judges each of whom shall receive thirteen thousand five hundred dollars ($13,500) per annum payable in equal monthly installments."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 589 by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Condon, Conrad, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—59.

NOES—Luckel—1.

Assembly Bill No. 589 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2367

Mr Smith asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2367, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2367—An act to amend Sections 264, 286, 288, 288a, 311, and 647a of the Penal Code, relating to sex crimes.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2367?

Amendment No. 1

On page 3, lines 29 and 30, of the printed bill, as amended in the Assembly on June 11, 1951, strike out ", or at the option of the person so convicted, by castration", and insert

". Any person sentenced to life imprisonment under the provisions of this section may as an alternative to such punishment submit himself to castration and to psychological, physiological and medical examination and study thereafter for a period not to exceed three years, in which case the sentence of life imprisonment shall be suspended."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No 2367 by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Chapel, Clarke, Cloyed, Coats, Conrad, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—61.

NOES—None

Assembly Bill No. 2367 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 743—An act to amend Section 737jj of the Political Code, and Section 79.36 of the Code of Civil Procedure, relating to superior judges' salaries.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 743?

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on May 31, 1951, strike out "Section 737jj of the Political Code, and Section 79.36", and insert "Sections 79.36 and 79.42".

Amendment No. 2

On page 1 of said bill, as amended, strike out lines 1 to 6, inclusive; and in line 7, strike out "SEC. 2.", and insert

"SECTION 1."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, as amended, strike out lines 13 to 16, inclusive, and insert

"SEC. 2. Section 79.42 of said code is amended to read:

79.42. The annual salary of each judge of the Superior Court in and for the County of Santa Barbara is [twelve thousand dollars ($12,000)] *thirteen thousand seven hundred fifty dollars ($13,750)*."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 743 by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Chapel, Clarke, Cloyed, Coats, Condon, Conrad, Cooke, Dickey, Dills, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and MR. SPEAKER—55.

NOES—None.

Assembly Bill No. 743 ordered enrolled.

Assembly Bill No. 1356—An act providing for the constitution of a municipal court in a district embracing the City of Oakland, and prescribing the number and compensation of the judges, officers, and attaches thereof.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1356?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 30, 1951, strike out all of lines 11, 12, and 13, and insert

"(1) There shall be seven (7) judges, each of whom shall receive such compensation per annum, payable in equal monthly installments, as now or hereafter prescribed for municipal judges in a city or city and county of the first class."

Amendment No. 2

On page 1, line 14, of said bill, as amended, after "one", insert "chief".

Amendment No. 3

On page 2, line 3, of said bill, as amended, strike out "chief", and insert "senior"

Amendment No. 4

On page 2, line 19, of said bill, as amended, strike out "chief deputy clerk", and insert "senior deputy clerk, (cashier-bookkeeper)".

Amendment No. 5

On page 2, line 35, of said bill, as amended, strike out "chief", and insert "senior".

Amendment No. 6

On page 2, line 37, of said bill, as amended, strike out "chief", and insert "senior".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1356 by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Chapel, Clarke, Cloyed, Coats, Condon, Conrad, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes,

Grant, Grunsky, Hansen, Hawkins, Henderson, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—52.

NOES—None.

Assembly Bill No. 1356 ordered enrolled.

Speaker Presiding

At 10 25 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Assembly Bill No. 3439—An act to add Section 6516 to the Revenue and Taxation Code, relating to assessments for sales and use taxes.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3439?

Amendment No. 1

In line 5 of the printed bill, strike out "its agents or employees", and insert "or opinion signed by an authorized employee of the board".

Amendment No. 2

Between lines 14 and 15 of said bill, insert "For purposes of this section the persons occupying the following positions are authorized employees of the board, secretary; sales tax administrator; assistant sales tax administrator; tax counsel."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3439 by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Clarke, Cloyed, Coats, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—59.

NOES—None.

Assembly Bill No. 3439 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 155

Mr Waters asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 155, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 155—An act to amend Section 373 of the Elections Code, relating to indexes of registration.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 155?

Amendment No. 1

On page 1, line 1, of the printed bill, as amended in the Assembly on June 6, 1951, strike out "said code", and insert "the Elections Code".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 155 by the following vote:

AYES—Babbage, Berry, Brown, Burke, Chapel, Clarke, Cloyed, Coats, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Luckel,

Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 155 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 40—An act to amend Section 13926 of the Government Code, relating to awards made by the State Board of Control.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 40?

Amendment No. 1

On page 1 of the printed bill, following line 23, insert

"When requested by the State Board of Control the Department of Finance may furnish such assistance as may be necessary to carry out the provisions of this section."

Amendment No. 2

On page 1, line 24, of the printed bill, as amended in the Senate on April 19, 1951, after the period, insert "Any expenditures made or costs incurred heretofore or hereafter by the Department of Finance for the purposes of this section may be paid from funds available for the support of the Department of Finance"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 40 by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Chapel, Clarke, Cloyed, Coats, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 40 ordered enrolled.

Assembly Bill No. 955—An act to amend Sections 137, 137.5, 138, 139, 140, 141, and 146 of, and to add Sections 137.1, 137.2, and 137.3 to, and to repeal Section 147 of, the Civil Code, relating to personal relations.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 955?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on June 6, 1951, strike out "and 137.3", and insert "137.3 and 169.1".

Amendment No. 2

On page 4 of said bill, as amended, after line 24, insert

"SEC. 12. Section 169.1 is added to said code, to read:

169.1. After the rendition of a judgment or decree for separate maintenance the earnings or accumulations of each party are the separate property of the party acquiring such earnings or accumulations."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 955 by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott,

Erwin, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 955 ordered enrolled.

Assembly Bill No. 1345—An act providing for the constitution of the municipal court in a district embracing the City of Richmond, and prescribing the number and compensation of the judges, officers and attaches thereof.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1345?

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on May 23, 1951, strike out lines 19 to 23, inclusive.

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1345 by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 1345 ordered enrolled.

Assembly Bill No. 3323—An act to amend Section 261b of and to add Section 261h to the Code of Civil Procedure, relating to phonographic reporters: salary: fees: taxation of fees as costs: transmission of fees to treasurer.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3323?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 10, 1951, strike out "261b of", and insert "261a.5 of,".

Amendment No. 2

In line 2 of the title of said bill, as amended, after the first "to", insert a comma.

Amendment No. 3

On page 1, line 1, of said bill, as amended, strike out "261b", and insert "261a 5".

Amendment No. 4

On page 2, line 1, of said bill, as amended, strike out "261b", and insert "261a.5".

Amendment No. 5

On page 3, line 6, of said bill, as amended, strike out "4300a of the Political", and insert "26821 of the Government"

Amendment No. 6

On page 3, line 10, of said bill, as amended, strike out "Section 4300a of the Political", and insert "Sections 26822 to 26825, inclusive, of the Government".

Amendment No. 7

On page 3, line 15, of said bill, as amended, strike out "4300a of the Political", and insert "26826 of the Government".

Amendment No. 8

On page 3, line 18, of said bill, as amended, strike out "vener" and insert "venor"

Amendment No. 9

On page 3, line 23, of said bill, as amended, strike out "4300a of the Political", and insert "26827 of the Government".

Amendment No. 10

On page 3 of said bill, as amended, between lines 29 and 30, insert

"The fee provided in this section shall not be required of any party who is exempted from the payment of costs by any statute other than Section 6103 of the Goverment Code."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3323 by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—78.

NOES—None.

Assembly Bill No. 3323 ordered enrolled.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 21, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 1843

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time:

Senate Bill No. 1843—An act making an appropriation for the contingent expenses of the Senate, including expenses of committees, to take effect immediately.

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Hollibaugh:

Resolved, That Senate Bill No. 1843 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—62

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 1843

Senate Bill No. 1843—An act making an appropriation for the contingent expenses of the Senate, including expenses of committees, to take effect immediately.

Bill read second time.

Senate Bill No. 1843—An act making an appropriation for the contingent expenses of the Senate, including expenses of committees, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Shaw, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—62

NOES—None

Bill ordered transmitted to the Senate

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined Assembly Concurrent Resolution No. 63

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined Assembly Concurrent Resolution No. 106

And reports the same correctly engrossed

BURKE, Chairman

Above reported resolution ordered on file for adoption.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 3307

Mr. Morris asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 3307, temporarily passed on file

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 3307—An act to add Section 4708 to the Labor Code, relating to workmen's compensation

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 3307?

Amendment No. 1

Strike out lines 7 through 10 of the printed bill, and insert "shall determine whether the death resulted from injury or illness arising out of and in the course of his employment, for the purpose of enabling the Industrial Accident Commission to apply the provision of this division and the board of administration to apply the provisions of the State Employees' Retirement Law"

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 3307 by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Clarke, Coats, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Huckley, Hollibaugh, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—60.

NOES—None

Assembly Bill No. 3307 ordered enrolled

Speaker Pro Tempore Presiding

At 10:38 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 234

Mr. Silliman asked for, and was granted unanimous consent to take up House Resolution No. 234, out of order

CONSIDERATION OF HOUSE RESOLUTION NO. 234

By Mr. Sam L. Collins:

House Resolution No. 234

Resolved, That Justin G. Child, Chief of the Bureau of Buildings and Grounds, be and he is hereby directed to leave the Assembly Chamber and all of the committee rooms and other rooms used by the Members and Officers of the Assembly in such condition that they will be available for use by the Assembly at any time. It is further directed that no person other than the Members and Officers of the Assembly be permitted to occupy or use the offices, committee rooms, or other rooms now occupied by the Assembly, or any of the Assembly equipment, and that the committee rooms, offices, desks, furniture and equipment of the Assembly be under the control of the Committee on Rules of the Assembly subsequent to the sine die adjournment of the session and until the Assembly shall reconvene for the next regular session;

Resolved, That any requests for the use of the Assembly Chamber must be made to the Speaker at least 10 days prior to the requested date for the use of the Assembly Chamber, and that subsequent to the sine die adjournment, and until the reconvening of the Assembly for the next regular session, the use of the Assembly Chamber shall not be permitted except on the written authorization of the Speaker; and be it further

Resolved, That any requests for the use of the committee rooms, offices, desks, furniture, or equipment of the Assembly shall be made to the Speaker of the Assembly, in writing, at least 10 days prior to the requested date for the use of such committee rooms.

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 223

Mr. Silliman asked for, and was granted, unanimous consent to take up House Resolution No. 223, out of order.

CONSIDERATION OF HOUSE RESOLUTION NO. 223

By Mr. Sam L. Collins:

House Resolution No. 223

Resolved, That the Controller be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the persons or firms listed

below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

The Pacific Telephone and Telegraph Company (tolls)	$670.45
The Pacific Telephone and Telegraph Company (service, equipment and tolls)	100 25
The Pacific Telephone and Telegraph Company (tolls)	52 60
Department of Finance (supplies)	86 53
Department of Finance (typewriter service)	3 68
Department of Finance (toll charges)	1.40
Cascade Towel Supply (towel service)	68 20
Clark Water & Ice Company (drinking water)	7 91

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—59.

NOES—None.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Bill Withdrawn From Active File, and Placed on the Inactive File

Senate Bill No. 1626, on motion of Mr. Fleury.

Senate Bill No. 149—An act to amend Section 2791 of the Elections Code, relating to state conventions of political parties.

Bill read third time.

Hon. James W. Silliman Presiding

At 10.45 a.m., Hon. James W. Silliman, Member of the Assembly from the Thirty-third District, presiding.

Demand for Previous Question

Messrs. Hinckley, Luckel, Burke, Burkhalter, and Hansen demanded the previous question

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 149.

The roll was called, and the bill refused passage by the following vote:

AYES—Connolly, Crowley, Dolwig, Hansen, Hawkins, Lowrey, McCollister, McMillan, Rumford, Shaw, and Thomas—11

NOES—Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Collier, George D. Collins, Condon, Conrad, Cooke, Davis, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Henderson, Hinckley, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Sherwin, Smith, Stewart, and Tomlinson—47

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 3198

Mr. Condon asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 3198, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 3198—An act to amend Sections 14479, 14632, and 14635 of the Education Code, relating to the State Teachers' Retirement System.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 3198?

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on April 27, 1951, between lines 34 and 35, insert

"Such retirement allowance, prior to modification under options in Section 14637, shall be at least an amount, by increase in the annuity under the Retirement Annuity Fund, based on service rendered prior to July 1, 1944, which, when added to the retirement allowance, prior to optional modification, the person is entitled to receive from a local retirement system, shall equal the retirement allowance, prior to optional modification, to which the person would be entitled under this system if he were not entitled to any allowance from a local retirement system, minus one-half the retirement annuity on account of salary earned after June 30, 1944, to which the person would be so entitled, but for which he did not make annuity contributions."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 3198 by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kilpatrick, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, McCollister, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—58.

NOES—None.

Assembly Bill No. 3198 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1586—An act to add Section 103.3 to, and to repeal Sections 1507, 2003, 3001, and 3401 of, the Welfare and Institutions Code, relating to public assistance in respect to the construction and administration of the laws relating thereto.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCollister, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—59.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 907

Mr. Maloney asked for, and was granted unanimous consent to take up Senate Bill No. 907, out of order, for purpose of amendment

CONSIDERATION OF SENATE BILL NO. 907

Senate Bill No. 907—An act to add Section 13537 5 to the Government Code, relating to the purchase of printing equipment.

Bill read third time.

Motion to Amend

Mr. Maloney moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on June 21, 1951, after "act", insert "to amend Section 13552, and"

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 13552 of the Government Code is amended to read

13552. The department shall [install a cost system for prepricing all orders for printing executed in the State Printing Office and compile a schedule showing the value of each of the different types of work or operations which can be performed. The schedule shall be subject to revision and modification by the department whenever necessity arises] *cause to be installed and the Printing Division shall use a standard recognized printing industry cost finding system for determining the cost of all work performed in the State Printing Office.*

SEC. 2. Section 13537 5 is added to said code, to read:".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Speaker Pro Tempore Presiding

At 11.01 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

PERMISSION GRANTED FOR CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION

Pursuant to the provisions of Joint Rule No. 23, permission from the Speaker having been given, the roll was called, and permission granted Mr Waters to consider an Assembly concurrent resolution by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel Clarke, Cloved, Coats, Collier, Connolly, Conrad, Cooke, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—60

NOES—None

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 63

Assembly Concurrent Resolution No. 63—Relative to maps of assembly and congressional districts.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Davis, Dills, Dolwig, Doyle, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister,

McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—63

NOES—None.

Resolution ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 11:02 a.m., Mr. Sam L. Collins asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Rules in the Lounge Room, at this time.

Subject. Subject matter to be referred for study to Assembly interim committees

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER REPORT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 1490

Mr. George D. Collins asked for, and was granted, unanimous consent to consider the report of the Committee on Conference concerning Assembly Bill No. 1490, temporarily passed on file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 1490—An act to amend Section 8 of the Dangerous Weapons Control Law, relating to the issuance of licenses to carry concealed pistols, revolvers and other firearms, and providing for the imposition of a fee for the issuance of such licenses

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

In line 4 of the title of the printed bill, as amended in the Senate on June 18, 1951, after "fee", insert "upon application"

Amendment No. 2

On page 2 of said bill, strike out lines 20 to 25, inclusive, and insert

"Each applicant for a license shall pay a fee of one dollar ($1) at the time of filing his application. The officer receiving the application and the fee shall transmit the fee with the finger print cards to the State Bureau of Criminal Identification and Investigation. All money so received by the bureau shall promptly be deposited in the State Treasury and credited to the General Fund."

O'GARA	GEORGE D. COLLINS
MAYO	CALDECOTT
JAMES E. CUNNINGHAM	BERRY
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Elliott, Evans, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, and Waters—57

NOES—None

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2941

Mr. George D Collins asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2941, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2941—An act to add Section 585.4 to the Vehicle Code, relating to the removal of vehicles parked upon streets or highways by local authorities.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2941?

Amendment No. 1

In line 5 of the printed bill, as amended in the Assembly on May 17, 1951, after "have", insert "by ordinance or resolution".

Amendment No. 2

In line 8 of said bill, as amended, after "provided", strike out the period, and insert "such removal is authorized by ordinance. No vehicle may be removed unless signs are posted giving notice of such removal"

Amendment No. 3

On page 1, line 8, of the printed bill, as amended in the Senate on May 23, 1951, strike out "therein", and insert "set forth therein,".

Amendment No. 4

On page 1, line 9, of said bill, as amended, after "ordinance", insert "or resolution"

Amendment No. 5

On page 1, line 9, of the printed bill, as amended in the Senate on June 13, 1951, strike out "or resolution".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2941 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Evans, Fleury, Gaffney, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Nicholson, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, and Waters—64

NOES—None

Assembly Bill No. 2941 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2605

Mr George D Collins asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No 2605, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2605—An act to amend Section 758 of the Political Code and Section 61.6 of the Code of Civil Procedure, relating to the salary of the clerk of each district court of appeal.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2605?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 1, 1951, strike out "Section 758 of the Political Code and".

Amendment No. 2

On page 1 of said bill, as amended, strike out lines 1 to 14, inclusive, and insert "SECTION 1. Section 61.6 of the Code of Civil Procedure is".

Amendment No. 3

On page 2 of said bill, as amended, strike out lines 1 and 2, and insert "61.6. Each district court of appeal may appoint and employ a clerk at a salary per month, within the following range: five hun-".

Amendment No. 4

On page 2, line 4, of said bill, as amended, after the second comma, insert "and"

Amendment No. 5

On page 2 of said bill, as amended, strike out lines 6 to 9, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No 2605 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloved, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Evans, Gaffney, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kloeksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, and Waters—59.

NOES—None

Assembly Bill No. 2605 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 3410

Mr Geddes asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No 3410, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 3410—An act to amend Sections 19601, 19601.5, 19601.6, 19608, 19611, 19613, and 19613.7 of, to add Sections 19601.7 and 19607.1 to, and to repeal Section 19617 of, the Education Code, relating to child care centers, making an appropriation, and declaring the urgency thereof, to take effect immediately

The question being, Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3410?

Amendment No. 1

Strike out lines 1 to 3, inclusive, of the title of the printed bill, as amended in the Assembly on May 22, 1951, and insert "An act to amend Sections 19601, 19601.5, 19601.6, 19607, 19608, 19613, 19613.1, 19613.5, and 19613.7 of, to add Sections 19601.1, 19601.7, 19602.3, 19602.5, 19607.1, 19607.2, 19607.3, 19607.4, and 19613.8 to, and to repeal Sections 19602.5 and 19614.5 of, the Education Code, re-".

Amendment No. 2

On page 1 of said bill, as amended, strike out lines 3 to 15, inclusive; and on page 2, strike out line 1, and insert

"19601. The policy of the Legislature in enacting this chapter is to continue to provide until June 30, 1953, a means for meeting an emergency, existing in certain communities in the State, created by the employment of women with children, due to the increased drafting of men in the armed forces, and the extended operations increase in industries, as a result of the troubled and unsettled world conditions, without imposing additional taxes on property which the owners of such property cannot, because of the burden now imposed, be reasonably expected to bear.

SEC. 2. Section 19601.1 is added to said code, to read:

19601.1."

Amendment No. 3

On page 2, line 4, of said bill, as amended, strike out "SEC. 2", and insert SEC. 3"

Amendment No. 4

On page 2, line 37, of said bill, as amended, after "(a)", insert "and (b)"

Amendment No. 5

On page 2, line 39, of said bill, as amended, strike out "(b)", and insert "(c)"

Amendment No. 6

On page 2 of said bill, as amended, strike out lines 40 to 46, inclusive

Amendment No. 7

On page 2, line 47, of said bill, as amended, strike out "SEC. 3", and insert "SEC. 4"

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets

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Amendment No. 8

On page 3, of said bill, as amended, between lines 21 and 22, insert

"SEC. 5. Section 19601.7 is added to said code, to read:

19601.7. If either parent is a veteran coming within (c) of Section 19601.5 and is attending school or receiving instruction for not less than half-time, or if either parent comes within (d), (e), (f), or (g) of Section 19601.5, and if the income from all sources of the child's immediate family exceeds that fixed by (b) of Section 19601.6, a child of such parent may be admitted to a child care center but the governing board of the school district maintaining the child care center shall, notwithstanding anything in Section 19607 to the contrary, charge and collect from the person having custody of the child a weekly fee which shall be in such amount as will reimburse the district for the cost of supervision, care, and the cost of all food furnished such child

As applied to the families of men on active duty with the United States armed forces, only that portion of the pay and allowances of such men shall be included in the "*total monthly income*" which is *the amount legally required to be made available* for the support of the family by rule or regulation

SEC. 6. Section 19602.5 of said code is repealed

SEC. 7. Section 19602.5 is added to said code, to read:

19602.5. Said governing board may accommodate in a child care center maintained by it children residing in another district, upon such terms and under such conditions as may be agreed upon by the governing boards of both districts

SEC. 8. Section 19608 of said code is amended to read:

19608. The said governing board shall establish in the county treasury a fund to be known as the "child care center fund" into which shall be paid all funds received *by the district* for, or the operation of, child care centers, *including, but not limited to, all funds derived under Sections 19613.7 and 19613.8*. The costs incurred in the maintenance and operation of child care centers shall be paid from said fund

No funds of a district derived from the receipts of district taxes, *except a district tax levied under Sections 19613.6 and 19613.8* or derived from moneys apportioned to the district for the support of the schools thereof, except State moneys expressly appropriated from the General Fund for the support of child care centers, may be expended for, or in connection with, a child care center

SEC. 9. Section 19613.1 of said code is amended to read:

19613.1. [Notwithstanding anything to the contrary in Item 79.5 of the Budget Act of 1950, the] *Any* money appropriated [by said item] to be apportioned by the Department of Education to school districts maintaining child care centers pursuant to [Chapter 11, Division 9 of the Education Code] *this chapter*, and to the governing authorities of state institutions maintaining child care centers, shall be apportioned to such school districts and governing authorities solely in [the discretion of the department upon the basis of demonstrated needs] *accordance with the provisions of this chapter*."

Amendment No. 9

On page 3 of said bill, as amended, strike out lines 22 to 51, inclusive, and on page 4, strike out lines 1 to 18, inclusive

Amendment No. 10

On page 4, line 19, of said bill, as amended, strike out "SEC. 8", and insert "SEC. 10."

Amendment No. 11

On page 4 of said bill, as amended, between lines 32 and 33, insert

"SEC. 11. Section 19613.5 of said code is amended to read:

19613.5. No state funds shall be expended for the operation of child care centers after *June 30, 1953, and* [February 15, 1951] the unencumbered balance of any appropriation for child care centers shall revert to the General Fund *June 30 1953* [February 16, 1951]."

Amendment No. 12

On page 4 of said bill, as amended, strike out lines 33 to 36, inclusive, and insert

"SEC. 12. Section 19613.7 of said code is amended to read

19613.7. After June 30, 1952, if no state funds are made available for the support of child care centers"

Amendment No. 13

On page 4, line 38, of said bill, as amended, strike out "such additional services or facilities", and insert "the continuance"

Amendment No. 14

On page 4, line 43, of said bill, as amended, after the period, insert "If a county undertakes the whole support of such child care centers, it may provide for their administration by the county department of social welfare or by contract entered into with the school district in which such child care center is located, or by both."

Amendment No. 15

On page 4, line 44, of said bill, as amended, after "may", insert "either"

Amendment No. 16

On page 4 of said bill as amended, strike out lines 46 to 48, inclusive, and insert "such county maintaining child care centers, or may use such proceeds by contributing the services of the county department of social welfare to the child care centers for purposes agreeable to the school districts maintaining such centers."

Amendment No. 17

On page 4 of said bill, as amended, strike out line 49, and insert

"SEC. 13. Section 19613.8 is added to said code, to read

19613.8. In any county or school district in which local conditions demand or make desirable the furnishing of additional services or facilities, a school district or a county may provide, either jointly or severally for such additional services or facilities of the child care centers established and maintained in such school districts or county. Any additional services or facilities furnished pursuant to this section shall meet all of the requirements of this chapter. Any county desiring to provide such additional services or facilities may levy a tax to provide funds for such purpose. Pursuant to Chapter 10 of Division 3, the governing board of any school district desiring to provide such additional services or facilities may include in its budget the amount necessary therefor and the board of supervisors shall levy a school district tax necessary to raise such amount. The school district tax shall be in addition to any other school district tax authorized by law to be levied.

SEC. 14. Section 19602.3 is added to said code, to read:

19602.3. Children regularly enrolled in a child care center who are absent on account of illness or quarantine shall be considered to be in regular attendance for the number of hours per day for which they are enrolled for the purpose of reporting attendance for state apportionments, whenever the school district certifies that such absence was on account of illness or quarantine and is verified by the district in such manner as the Superintendent of Public Instruction shall require. All attendance shall be recorded and reported in accordance with the requirements of the Superintendent of Public Instruction.

SEC. 15. Section 19614.5 of said code is repealed.

SEC. 16. Section 19607 of said code is amended to read:

19607. Said governing board shall charge and collect, in advance from the person having custody of any child admitted to a child care center a weekly fee [which, together with all funds received under Section 19613, shall be in such amount as will reimburse the district for the cost of maintaining such child care centers including supervision and care and the cost of all food furnished such child. The weekly fees charged need not be uniform] *equal to that specified in the fee schedule prescribed by the Superintendent of Public Instruction*

It is hereby declared to be the policy of the Legislature that child care centers shall be made available first to those who have the greatest financial need [and to that end no money appropriated therefor shall be expended for the care or education of any child in a child care center unless a sliding scale of weekly fees shall have been adopted by the board of school district in which such child care center is maintained under which], *and the sliding scale of fees prepared by the Superintendent of Public Instruction shall provide for* a nominal fee [shall be charged] for children of families having a monthly income of less than one hundred fifty dollars ($150) or of less than

forty dollars ($40) per member of the child's immediate family, and increasingly larger fees shall be charged for children of families having larger incomes. It is further declared to be the policy of the Legislature that so far as possible [where an increase in fees is made necessary because of insufficient funds] *when it becomes necessary for the Superintendent of Public Instruction to adjust the fee schedule that any* [such] increase shall be made first in fees charged to those in the higher income brackets, and the rate of increase in fees charged for children of families of different income levels need not be uniform as between the different income levels. It is further declared to be the policy of the Legislature that the fee [scales] *schedule* shall, so far as reasonably possible, [be uniform for all child care centers, and that they shall] be established on such basis and in accordance with such principles as the [State Department of Education may recommend] *Superintendent of Public Instruction may determine* to insure proper administration of the child care center program and to establish uniform budgetary and accounting procedures

SEC. 17 Section 19607.1 is added to said code, to read:

19607.1. It is hereby declared to be the policy of the Legislature that, on a state-wide average, of the total amount of the cost for the maintenance and operation of child care centers attributable to children less than five years and nine months of age and paid for by state funds apportioned to the districts and fees collected from parents on account of such children, two-thirds of such total cost shall be paid from such state funds and one-third from such fees. Funds derived from district taxes levied under this chapter may be expended in addition to parent fees and state funds, and shall not operate to affect the operation of either the fee schedule or the formula for apportioning state funds provided for in this chapter.

SEC 18 Section 19607.2 is added to said code, to read.

19607.2. The Superintendent of Public Instruction shall prepare a schedule of fees which shall be used by each school district for the charging of fees to parents. The schedule shall be on a sliding scale, ranging from a lesser amount for parents within low income levels to a higher amount for higher income levels for parents who come within the provisions of Section 19601.6. The schedule shall, together with the estimated income to be derived from fees collected from parents pursuant to Section 19601.7, provide as nearly as possible an amount equal to one-half of the State-wide average state support per hour for children less than five years nine months of age as provided in this code. The fee schedule shall be on an hourly basis, and shall be the same for all children.

SEC. 19 Section 19607.3 is added to said code, to read

19607.3 The Superintendent of Public Instruction may revise the fee schedule as necessary in order to conform with the provisions of this code. A change in the fee schedule shall become effective 15 days after notice of such change has been given by the Superintendent of Public Instruction in writing to each district maintaining a child care center.

SEC. 20. Section 19607.4 is added to said code, to read:

19607.4 The state-wide average state support per hour shall be twenty-five cents ($0.25) for children less than five years nine months of age and sixteen cents ($0.16) for other children. The Superintendent of Public Instruction shall apportion state funds to the districts using said state-wide average state support as a maximum, except that if the fees collected by any district shall for any month be more or less than one-half of the state-wide average state support per hour for children less than five years nine months of age, the average state-wide state support amount shall be increased or decreased in an amount equal to the amount the fees deviate from one-half of the average state-wide state support, provided in no event shall the state amount exceed thirty cents ($0.30) for children less than five years nine months of age or twenty cents ($0.20) for other children."

Amendment No. 18

On page 4 of said bill, as amended, strike out line 50, and insert

"SEC. 21 The sum of five million four hundred fifty-six thousand eight hundred fifty-six dollars ($5,456,856) is hereby appropriated out of the General Fund in the State Treasury to the Department of Education to be used for support of child care centers until June 30, 1952, and for the cost of the department in administering this act. The department may expend not to exceed forty-four thousand dollars ($44,000) to pay its expenses in determining the need and in apportioning the sums to the school districts and state institutions.

The department shall make apportionments to such school districts and state institutions from the money hereby appropriated on or before July 1, 1951, and on September 1, 1951, December 1, 1951, and March 1, 1952. The amount of any apportionment shall be based on estimates made by the department of the total number of children in attendance at the child care centers maintained by the school district or state institution, and the total number of hours of such attendance, for the period commencing on the date such apportionment is made until the date for the next apportionment, or, in the case of the apportionment for March 1, 1952, until June 30, 1952. The amount of each apportionment for each school district or state institution maintaining child care centers shall be not more than the estimated amount of state aid per

hour based on the computation provided for in Section 19607.3 of the Education Code, and in accordance with the estimated fees to be collected in accordance with the fee schedule as provided in Section 19607.2, provided that the estimated apportionment shall not exceed thirty cents ($0.30) per hour for children less than five years nine months of age or twenty cents ($0.20) per hour for other children. The apportionment, except the first apportionment, for any school district or state institution shall be reduced or increased by the amount which the preceding apportionment would have been reduced or increased had such preceding apportionment been based on actual rather than estimated attendance. If the amount of the apportionment made to a school district or state institution for March 1, 1952, exceeds the amount which would have been apportioned had such apportionment been based on actual rather than estimated attendance, the school district or state institution shall repay to the department the amount of such excess from any available funds of the district or institution and such amount is a charge against such funds. Such repayment shall be made on or before July 10, 1952, and the department may use such repayments to make payments to a school district and state institution in an amount not to exceed the amount by which the apportionment to such district or institution for March 1, 1952, was less than the amount which would have been apportioned to such district or institution had such apportionment been based on actual rather than estimated attendance. Such payments shall be made on or before July 20, 1952.

SEC. 22. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

To prevent the closing of established child care centers and the consequent disruption of the economic life of the State by the withdrawal from industry, essential during this troubled and unsettled time, of parents and others responsible for the care of minor children, it is necessary that public funds be made available for financial assistance to child care centers where a demonstrated need for such centers can be shown and for proper supervision of child care centers so that parents who are engaged or hereafter engage in work may have assurance of proper care for their minor children during the hours of their employment or for the proper care of children whose parents may be incapacitated by illness or other disability. It is, therefore, necessary that this act take effect immediately."

Amendment No. 19

On page 4 of said bill, as amended, strike out lines 51 and 52; and on page 5, strike out lines 1 to 27, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3410 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, and Waters—66

NOES—None.

Assembly Bill No. 3410 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONSTITUTIONAL AMENDMENT NO. 5

Mr. Dolwig asked for, and was granted unanimous consent to take up Senate Constitutional Amendment No. 5, temporarily passed on file.

CONSIDERATION OF SENATE CONSTITUTIONAL AMENDMENT NO. 5

Senate Constitutional Amendment No. 5—Proposed amendment to Article XIII of the Constitution, relative to the taxation of insurance companies and banks.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, and Waters—68.

NOES—None

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 41

Mr Lindsay asked for, and was granted unanimous consent to take up Senate Bill No. 41, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 41

Senate Bill No. 41—An act to add Part 1.5, comprising Sections 10100 to 10108, inclusive, to Division 6 of the Water Code, relating to implementation of the State Water Plan.

Bill read third time.

Motion to Amend

Mr. Lindsay moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Assembly on June 21, 1951, strike out "6", and insert

"1.5"

Amendment read, and adopted.

Bill ordered reprinted, and to third reading

CONSIDERATION OF HOUSE RESOLUTION NO. 98

By Mr. Gaffney:

House Resolution No. 98—Relative to congratulating Assemblyman Conrad on his recent marriage.

Resolution read.

Request for Unanimous Consent That Names of All Members of Assembly Be Placed Upon House Resolution No. 98 as Co-authors

Mr. Gaffney asked for, and was granted unanimous consent that the names of all Members of the Assembly be placed upon House Resolution No 98 as co-authors.

The roll was called, and the following members indicated their desire to become co-authors:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—78.

Further Consideration of House Resolution No. 98

By Messrs Gaffney, Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Sam L. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Mrs Niehouse, Messrs Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters:

House Resolution No. 98

Relative to congratulating Assemblyman Conrad on his recent marriage

WHEREAS, Charles James Conrad has married Grace Irene Odell on February 10, 1951, at the First Congregational Church of Los Angeles, and

WHEREAS The bride was born in Dayton, Ohio, the daughter of the late Arthur W and Lillian (Kirchner) Odell In 1930 she came to Hollywood where she became active in the Hollywood Young Republicans for which she was Vice Chairman in Charge of Social Activities, and there met the future benedict; and

WHEREAS, The groom was born in Philadelphia, Pennsylvania, the son of the late Charles J and Anna (Beath) Conrad He came to Hollywood in 1935 and there met his future bride during his first campaign for the State Legislature in 1946; and

WHEREAS, Charley Conrad has been a good Legislator, and by his punctual attendance and diligent application to the duties imposed upon him in service of the people of the State and his constituents of the Fifty-seventh Assembly District he has earned the friendship of his colleagues and merited the reward of a life long happiness with his charming bride; and

WHEREAS, The Speaker, Speaker pro Tempore, attaches and Members of the Assembly wish Charles J and Mrs Conrad every happiness, now, therefore, be it

Resolved by the Assembly of the State of California, That best wishes are hereby extended to Mrs Conrad, and that congratulations are hereby extended to Assemblyman Conrad, and, be it further

Resolved, That the Chief Clerk of the Assembly transmit forthwith a suitably engrossed copy of this resolution to Assemblyman and Mrs Conrad

Resolution read, and adopted unanimously

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 27

Mr. Crowley asked for, and was granted unanimous consent to take up Senate Bill No 27, temporarily passed on file

CONSIDERATION OF SENATE BILL NO. 27

Senate Bill No. 27—An act to add Section 1919 to the Health and Safety Code, relating to the control of rabid animals.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Cooke, Crowley, Davis Dickey, Dills, Dolwig, Doyle, Dunn Fleury, Gaffney, Geddes, Grant Grunsky Hagen, Hahn, Henderson, Hinckley, Hollibaugh, Klocksiem Lanterman, Levering Lincoln Lipscomb, Lowrey, Luckel, Maloney, McCollister McFall McGee McMillan, Meyers, Morris Parker, Porter, Rumford, Shaw, Smith, Stanley, Thomas and Waters—52

NOES—None

Bill ordered transmitted to the Senate

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 22, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended

Assembly Bill No. 1463

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 3423

Mr. Lincoln asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 3423, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 3423—An act to amend Sections 2160 and 2350 of the Welfare and Institutions Code, relating to Old Age Security to inmates of private institutions.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 3423?

Amendment No. 1

On page 2, line 29, of the printed bill, before "all", insert "that during such times as the federal statutes or rules and regulations of the Federal Security Agency provide for federal sharing,".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 3423 by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Crowley, Davis, Dills, Doyle, Dunn, Fleury, Gaffney, Grant, Grunsky, Hansen, Henderson, Klocksiem, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McFall, McGee, Meyers, Parker, Porter, Rumford, Shaw, Smith, Stanley, Thomas, and Waters—42.

NOES—None.

Assembly Bill No. 3423 ordered enrolled.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 21, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 99
Senate Concurrent Resolution No 100
Senate Concurrent Resolution No. 101

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolutions were read:

Senate Concurrent Resolution No. 99—Relative to leaves of absence of the Governor, Lieutenant Governor, Secretary of State, Attorney General, Controller, Treasurer, Superintendent of Public Instruction, members of the Board of Equalization, and the Members of the Senate and Assembly.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 100—Relative to a mural depicting Mission San Diego de Alcala.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 101—Approving amendments to the charter of the City of Petaluma, a municipal corporation in the County of Sonoma, State of California, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the twelfth day of June, 1951.

Request for Unanimous Consent

Mr. McCollister asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 101, at this time, without reference to committee.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO 101

Senate Concurrent Resolution No. 101—Approving amendments to the charter of the City of Petaluma, a municipal corporation in the County of Sonoma, State of California, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the twelfth day of June, 1951.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Henderson, Hollibaugh, Klocksiem Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Parker, Porter, Rumford, Shaw, Smith, Stanley, Thomas, and Waters—48

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 210

Mr. Lincoln asked for, and was granted unanimous consent to take up House Resolution No. 210, out of order.

CONSIDERATION OF HOUSE RESOLUTION NO. 210

By Mr. Lincoln:

House Resolution No. 210

Relative to requesting the Assembly Interim Committee on Governmental Efficiency and Economy to study bidding procedures on public works projects

WHEREAS, There exists considerable confusion and cross purposes as to needed changes in the law relating to contracting and subcontracting of public work projects, and

WHEREAS, To properly ascertain what changes in existing law, if any, are necessary the matter should be referred to an interim committee of the Assembly for a study of the problems involved; and

WHEREAS, Such study should especially consider bidding procedures on public work projects as used in Division 5 of Title 1 of the Government Code with particular reference to the regulation and standardization of subcontractor's bids and the coordination of bidding procedures for a general contractor and his subcontractors; now therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Governmental Efficiency and Economy to be created at this session of the Legislature is hereby authorized and requested to ascertain, study, and analyze all facts relating to or in any way bearing upon the subjects expressed in the recitals

of this resolution, including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws in any way bearing thereon or relating thereto, and to report thereon to the Assembly, including in its reports its recommendations for appropriate legislation

Resolution read, and adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1746—An act to amend Section 2070 of the Insurance Code, relating to standard form fire insurance policies

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Babbage, Beck, Belotti, Berry, Burke, Caldecott, Chapel, Clarke, Coats, Collier, Condon, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Klocksiem, Lanterman, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Morris, Parker, Porter, Shaw, Smith, Stanley, Thomas, and Waters—49.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 520—An act to amend Sections 28385, 28386, 28400, 28412, 28413, 28414, 28415, 28416 and 28434, of the Health and Safety Code, relating to canneries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Condon, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen Hawkins, Henderson Hinckley, Hollibaugh, Kilpatrick, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Morris, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, and Thomas—55.

NOES—None

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER REPORT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 1967

Mr. Hawkins asked for, and was granted, unanimous consent to consider the report of the Committee on Conference, concerning Assembly Bill No. 1967, temporarily passed on file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1951

MR. SPEAKER. The Committee on Conference concerning:

Assembly Bill No. 1967—An act to amend Section 428 of the Fish and Game Code, relating to fishing licenses.

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following.

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on June 13, 1951, after "of", insert ", and to add Section 428.1 to,"

Amendment No. 2

On page 1 of said bill, strike out lines 14 to 20, inclusive

Amendment No. 3

On page 1 of said bill, after line 20, insert

"SEC 2 Section 428 1 is added to said code to read

428 1. In addition to the sporting fishing licenses provided for in Section 428, a sporting fishing license may be issued, commencing with the issuance of fishing licenses for the 1952 fishing season, to any citizen of the United States over the age of 16 years upon payment of a fee of one dollar ($1) for a period of three days from date of issue. Such license shall grant the privilege of taking fish from waters of the Pacific Ocean only. The provisions of this section shall become operative only if Assembly Bill No 50 of the 1951 Regular Session is finally enacted. If the provisions of this section become operative they shall remain in effect until the 91st day after final adjournment of the 1953 Regular Session and thereafter shall have no force or effect"

BROWN	HAWKINS
MAYO	LINDSAY
WATSON	GEORGE D. COLLINS
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, Condon, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel Lyon, Maloney, McCollister McFall, McGee, McMillan, Meyers, Morris, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, and Waters—57.

NOES—None.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1029—An act to amend Sections 58002 and 58501 of, to add Section 58308 to, and to repeal Section 58003 of, the Government Code, relating to a System of State and Local Government.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Bellotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Condon, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, *Henderson, Hinckley, Hollibaugh, Kilpatrick, Lanterman, Lincoln,* Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Morris, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, and Thomas—53

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1079—An act creating the "Lake County Flood Control and Water Conservation District" for the controlling, conservation diversion, storage and disposition of storm, flood, and other surface waters, prescribing the boundaries, organization, operation, management, financing and powers and duties of the district.

Bill read third time, and ordered passed on file.

Senate Bill No. 1456—An act to amend Section 1300.12 of the Agricultural Code, relating to marketing of agricultural commodities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Burke, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hansen, Henderson, Kilpatrick, Klocksiem, Lincoln, Lowrey, Lyon, Maloney, McCollister, McFall, Meyers, Morris, Moss, Munnell, Parker, Rumford, Shaw, Sherwin, Stanley, and Stewart—42.

NOES—Cloyed, Luckel, Porter and Thomas—4.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Messrs. McFall, Henderson, Parker, Condon, Brown, and Hagen:

House Resolution No. 253

Relative to the Tracy Pumping Plant, Central Valley Project, Celebration

WHEREAS, The dedication of the Tracy Pumping Plant in August will put into initial full scale operation the world's largest irrigation project, the Central Valley Project; and

WHEREAS, The Tracy Pumping Plant will raise water from the Shasta-Cascades and the Sacramento River 200 feet into the Delta-Mendota Canal, using power developed from the fall of water at other points in the project, and pump over 2 million gallons a minute into the canal to flow into the lower South San Joaquin Valley and balance the availability of water between the two great valleys of California; and

WHEREAS, The Tracy Pumping Plant is the Heartbeat of the Project and its operation promises an era of accelerated agricultural progress in California; and

WHEREAS, The Dedication Celebration is to be held on August 3d, 4th and 5th in Tracy, and will attract more than 100,000 people to herald this history-making event and a new fertility for the San Joaquin Valley; now, therefore, be it

Resolved by the Assembly of the State of California, That the event be declared and that the City of Tracy be congratulated on its program, in keeping with the vastness of the Central Valley Project; and be it further

Resolved, That the Chief Clerk transmit suitable copies of this resolution to Robert Monagan, Executive Secretary, Tracy Pumping Plant Celebration, P. O. Box 891, Tracy.

Resolution read, and ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 858

Mr. Fleury asked for, and was granted unanimous consent to take up Senate Bill No. 858, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 858

Senate Bill No. 858—An act to amend Section 20131 of the Government Code, relating to State Employees' Retirement System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kilpatrick, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, and Thomas—60

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 425—An act to amend Section 737vv of the Political Code and 79.48 of the Code of Civil Procedure, relating to salary of Judges in Solano County.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kilpatrick, Klocksiem, Levering, Lincoln, Lyon, Maloney, McColloster, McFall, McGee, McMillan, Meyers, Morris, Munnell, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, and Thomas—52

NOES—Luckel—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 209

Mr. Collier asked for, and was granted unanimous consent to take up House Resolution No. 209, out of order.

CONSIDERATION OF HOUSE RESOLUTION NO. 209

By Mr. Collier:

House Resolution No. 209

Relating to the installation of a telephone communication system on the Arroyo Seco Parkway

WHEREAS, The Arroyo Seco Parkway is now inclosed by a wire fence, with entrances and exits which are far apart, and

WHEREAS, The need has been recognized by this Assembly, and after careful consideration, by the Department of Public Works, for an emergency telephone system by which motorists using the Arroyo Seco Parkway can summon aid and receive proper service when needed, and

WHEREAS, After full discussion of the problem, and investigation of the history and records of this parkway since its opening and the presently existing conditions, by responsible officials from those cities to be affected, and the Division of Highways, the installation of such an emergency communication system has been encouraged by them; now, therefore, be it

Resolved by the Assembly of the State of California, That a telephone system connecting with the Police Departments of the Cities of Los Angeles, Pasadena and South Pasadena be installed on the Arroyo Seco Parkway for use in traffic emergencies, that the type, extent, location, and method of operation of this system be one mutually agreed upon by the interested departments of such cities which will be responsible for its effective operation, and that the Division of Highways be directed to execute the necessary legal permits for this installation, and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the California Highway Commission, to the Division of Highways and to the governing bodies of the Cities of Los Angeles, Pasadena, and South Pasadena.

Resolution read, and adopted

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 594—An act to amend Section 737w of the Political Code and Section 79 23 of the Code of Civil Procedure, relating to superior judges' salaries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, and Thomas—56.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, June 22, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Senate Bill No. 415

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 415—An act to amend Section 2189 of, and to add Section 2923 to, the Revenue and Taxation Code, relating to the lien on real property of taxes on personal property.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, June 22, 1951

MR SPEAKER Your Committee on Revenue and Taxation, to which was referred:

Senate Bill No 1759

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 1759—An act to add Section 214.4 to the Revenue and Taxation Code, relating to the exemption of property for purposes of property taxation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Senate on June 15, 1951, strike out "Section", and insert "Sections 214.3 and".

Amendment No. 2

On page 2 of said bill, after line 12, insert

"SEC. 2. Section 214.3 is added to said code to read:

214.3. In the event that any property described in subdivision (6) of Section 214 shall have been used solely for religious, charitable, scientific or hospital purposes for a minimum period of 20 years, the "welfare exemption" granted by Section

214 shall extend to such property irrespective of any reversionary provisions in the title of the property respecting liquidation, dissolution or abandonment, if the ownership, operation, use and dedication of the property are otherwise within the purview of Section 214.

SEC. 3. Section 1 of this act shall become effective only if Chapter 242 of the Statutes of 1951 becomes effective, and at the same time that such Chapter 242 becomes effective."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 675

Mr. Caldecott asked for, and was granted unanimous consent to take up Senate Bill No. 1828, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 675

Senate Bill No. 675—An act to provide for the payment to such insurance company as is designated by U. S. Atomic Energy Commission of a sum equal to the total of employer's contributions made from United State Government funds through the University of California, to the State Employees' Retirement System on account of employees at the Sandia Laboratory of the United States Atomic Energy Commission.

Bill read first time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, and Waters—63.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1828

Mr. Caldecott asked for, and was granted unanimous consent to take up Senate Bill No. 1828, temporarily psssed on file.

CONSIDERATION OF SENATE BILL NO. 1828

Senate Bill No. 1828—An act to amend Sections 11512.2 and 11512.3 of, and to add Section 11512.25 to the Insurance Code, relating to nonprofit hospital service plans

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, and Waters—62.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Richard H. McCollister Presiding

At 11.54 a m , Hon. Richard H. McCollister, Member of the Assembly from the Seventh District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1544—An act to add Section 7 1 to the Alcoholic Beverage Control Act, relating to transfer of licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Davis, Dickey, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kloeksiem, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Stanley, Stewart, Thomas, and Waters—55.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 212

Mr. Lowrey asked for, and was granted unanimous consent to take up Senate Bill No. 212, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 212

Senate Bill No. 212—An act to amend Section 6504 of the Public Resources Code, relating to execution of leases on public lands.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lincoln, Lowrey, Luckel, Lyon, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Stanley, Stewart, Thomas, and Waters—58.

NOES—None

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 11.58 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 857

Mr. Geddes asked for, and was granted unanimous consent to take up Senate Bill No 857, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 857

Senate Bill No. 857—An act to amend Section 161b of the Civil Code, relating to payments or refunds made pursuant to employee benefit plans.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Stanley, Stewart, Thomas, and Waters—59

NOES—None.

Bill ordered transmitted to the Senate.

ANNOUNCEMENT

Mr. Hollibaugh announced that a luncheon will be held today upon recess for the members of the Los Angeles County Delegation, in the Empire Room of the Hotel Senator.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committee would hold a meeting:

Today—At 1.45 p.m.

Ways and Means, in Room 435.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 22, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred

Senate Bill No. 119
Senate Bill No. 416
Senate Bill No. 1531

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

SHERWIN, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 119—An act to add Article 5, comprising Sections 116c to 116g, inclusive, to Chapter 5, Title 1, Part 1 of the Code of Civil Procedure, relating to establishing a uniform accounting system for municipal courts and justice courts, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 2 of the printed bill, as amended in the Senate on June 14, 1951, between lines 21 and 22, insert

"116h. In counties having a population in excess of 2,000,000, the system established pursuant to this article may provide for the deposit of all monies collected by municipal and justice courts in the county treasury and for disbursement therefrom and for the audit of such accounts by the county auditor"

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 416—An act making an appropriation for the surveys, plans, estimates of cost, specifications and other engineering expenses for the construction of a toll bridge or other toll highway crossing of the Bay of San Francisco from the County of Marin to the County of Contra Costa, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In lines 5 and 6 of the title of the printed bill, as amended in the Senate on April 17, 1951, strike out ", declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 2, line 16, of said bill, after the period, insert "No money appropriated by this act shall be used until such time as approval of the application by the State of California for Department of Army permit for the construction of such bridge has been granted."

Amendment No. 3

On page 2 of said bill, strike out lines 17 to 37, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1531—An act making an appropriation for the restoration and improvement of the Benicia State Capitol Historical Monument.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 2, of the printed bill, as amended in the Senate on June 14, 1951, strike out "one hundred thousand dollars ($100,000)", and insert "fifty thousand dollars ($50,000)".

Amendment No. 2

On page 1, line 5, of said bill, strike out "restoration, rehabilitation and improvement of", and insert "such repairs and improvements to".

Amendment No. 3

On page 1, line 6, of said bill, after "Monument", insert "as the Director of Finance approves as necessary for its preservation".

Amendment No. 4

On page 1, line 9, of said bill, strike out "from", and insert "to".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

RECESS

At 12.01 p.m., on motion of Mr. McCollister, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 418—An act to amend Section 737mm of the Political Code, and Section 79.39 of the Code of Civil Procedure, relating to superior court judges' salaries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Cooke, Davis, Dickey, Dills, Dolwig, Elliott, Fleury, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Moss, Munnell, Parker, Porter, Rosenthal, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr Speaker—52

NOES—George D. Collins—1.

Bill ordered transmitted to the Senate.

Speaker pro Tempore Presiding

At 2.03 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Senate Bill No. 1115—An act to amend Section 737ss of the Political Code and Section 79.45 of the Code of Civil Procedure, relating to superior judges' salaries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Elliott, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—60.

NOES—Luckel—1

Bill ordered transmitted to the Senate.

Senate Bill No. 1116—An act to amend Section 737aaa of the Political Code and Section 79.53 of the Code of Civil Procedure, relating to superior court judges' salaries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dills, Dolwig, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn Hansen, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Moss, Munnell, Parker, Porter, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr Speaker—58

NOES—George D. Collins—1

Bill ordered transmitted to the Senate.

Senate Bill No. 1825—An act to amend Sections 737yy and 737fff of the Political Code and Sections 79.51 and 79.58 of the Code of Civil Procedure, relating to salaries of judges of the superior court.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen,

Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Moss, Munnell, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—54.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 771—An act to amend Sections 443 and 448 of the Education Code, relating to the salaries of county superintendents of schools of counties of the forty-third and forty-eighth classes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Conrad, Cooke, Crowley, Davis, Dills, Erwin, Fleury, Grant, Grunsky, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Waters, and Mr. Speaker—53.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1421—An act to amend Section 28107 of the Government Code, relating to compensation for public services in counties of the seventh class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Erwin, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—59.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1839—An act to amend Section 28148 of the Government Code, relating to compensation for public service in counties of the forty-eighth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Cooke, Crowley, Davis, Dickey, Dolwig, Elliott, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—62.
NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 303—An act to amend Section 432 of the Education Code, relating to county school superintendent's salary in counties of the thirty-second class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Elliott, Erwin, Fleury, Gaffney, Geddes, Hagen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—60.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1209—An act to amend Section 10 of the Property Acquisition Act relative to repairs and improvements on state property, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dolwig, Erwin, Fleury, Gaffney, Geddes, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, and Waters—57.
NOES—None

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dolwig, Erwin, Fleury, Gaffney, Geddes, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, and Waters—57.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1842

Mr. Crowley asked for, and was granted, unanimous consent to take up Senate Bill No. 1842, temporarily passed on file

CONSIDERATION OF SENATE BILL NO. 1842

Senate Bill No. 1842—An act to amend Section 449 of the Education Code, relating to county school superintendent's salary in counties of the forty-ninth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dolwig, Elliott, Erwin, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—57.
NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1221—An act to amend Section 141 of the Streets and Highways Code, relating to the powers of the Department of Public Works.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brown, Burke, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Conrad, Crowley, Dills, Dolwig, Elliott, Erwin, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Klocksiem, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Parker, Porter, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—49.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1708—An act to amend Sections 1090, 1091, 1092, 36525, 36526, and 36527 of the Government Code, relating to the powers of the State of California or any county, city, district or other public agency, corporation or body to enter into contracts or make purchases.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Crowley, Davis, Dolwig, Elliott, Erwin, Fleury, Gaffney, Grant, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Waters, and Mr. Speaker—52.

NOES—George D. Collins, Hagen, Kilpatrick, and Munnell—4

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED IN THE JOURNAL

Mr. Waters asked for, and was granted, unanimous consent that a letter of transmittal and a Report of the Assembly Interim Committee on Elections and Reapportionment be ordered printed in the Journal, in 10 point type.

(Above mentioned letter of transmittal and report will appear in tomorrow's Journal.)

REQUEST FOR UNANIMOUS CONSENT THAT REPORT BE PRINTED AS A SEPARATE DOCUMENT AND THAT 500 COPIES BE PRINTED

Mr. Waters asked for, and was granted, unanimous consent that the letter of transmittal and the Report of the Assembly Interim Committee on Elections and Reapportionment be ordered printed, as a separate document, and that 500 copies be printed.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 256—An act to add Section 184.1 to the Education Code, relating to the donations, bequests, and devises to the Department of Education and to schools, colleges, and institutions under its jurisdiction.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Burke, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stewart, Thomas, Waters, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 900—An act to amend Section 5107 of the Education Code, relating to state school building aid.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Parker, Porter, Rumford, Sherwin, Smith, Stanley, Thomas, and Waters—56.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 2—An act to amend Section 356 of the Streets and Highways Code, relating to state highways.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Cloyed, Coats, George D. Collins, Condon, Connolly, Cooke, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr Speaker—61

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr. Dunn asked for, and was granted, unanimous consent that his name be placed upon the roll, on Senate Bill No. 2, and that he be recorded as voting "Aye".

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 87

Mr. Sherwin asked for, and was granted unanimous consent to take up Senate Concurrent Resolution No. 87, temporarily passed on file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 87

Senate Concurrent Resolution No. 87—Relative to financing of schools.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes,

Grant, Gubser, Hagen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—64

NOES—None.

Resolution ordered transmitted to the Senate.

Speaker Presiding

At 3.34 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 549—An act to add Section 39 to the San Francisco Bay Area Metropolitan Rapid Transit District Act, as enacted by Chapter 1239 of the Statutes of 1949, relating to the establishment of a San Francisco Bay Area Rapid Transit Commission, and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Chapel, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McFall, McGee, McMillan, Meyers, Morris, Moss, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 700—An act to add Section 5500.5 to the Labor Code, relating to workmen's compensation for industrial disease.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—64.

NOES—Babbage—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 729—An act to amend Section 2715 and 2713 of the Business and Professions Code, relating to nursing education and directories of nurses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, and Waters—69.

NOES—Hansen—1.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 22, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No 2882

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO June 22, 1951

MR SPEAKER Your Committee on Ways and Means, to which were referred

Senate Bill No. 305
Senate Bill No 1728

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 305—An act to amend Sections 353, 458, and 507 of the Streets and Highways Code, relating to state highway routes.

Bill read second time, and ordered to third reading.

Senate Bill No. 1728—An act to amend the title and Section 4 of, and to add Section 4 3 to Chapter 1422 of the Statutes of 1945, relating to beaches, parks, and public recreation facilities.

Bill read second time, and ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1054—An act to amend Section 11200 of, and to add a new Article 9 5 to Chapter 2, Part 3, Division 6, and to amend Sections 11700, 11701, and 11702, of the Water Code, relating to the Central Valley Project; authorizing certain investigations, studies, and preparation of plans and specifications for purposes thereof, and making an appropriation therefor.

Bill read third time.

Motion to Amend

Mr. Gubser moved the adoption of the following amendments:

Amendment No. 1

In line 6 of the title of the printed bill, as amended in the Senate on June 14, 1951, strike out ", and making an appropriation therefor"

Amendment No. 2

On page 2 of said bill, strike out lines 28 to 36, inclusive.

Amendments read.

Demand for Previous Question

Messrs. Lowrey, Geddes, Burke, Beck, and Rumford demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendments offered by Mr Gubser to Senate Bill No. 1054.

The roll was called, and the amendments adopted by the following vote:

AYES—Babbage, Beck, Belotti, Brown, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dunn, Elliott, Fleury, Gubser, Hagen, Hahn, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lincoln, Lindsay, Lowrey, Maloney, McFall, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Thomas, and Waters—45.

NOES—Berry, Brady, Burke, Dolwig, Erwin, Evans, Geddes, Grant, Lanterman, Lipscomb, Lyon, McGee, McMillan, Morris, Silliman, Stewart, Tomlinson, and Mr. Speaker—18.

Bill ordered reprinted, and to third reading.

Request for Unanimous Consent That Rush Order Be Placed Upon Printing of Senate Bill No. 1054

Mr. Gubser asked for, and was granted, unanimous consent that a rush order be placed upon the printing of Senate Bill No. 1054.

Senate Bill No. 1093—An act to amend Sections 1510, 1512, and 1554 of the Welfare and Institutions Code, relating to aid to needy children, and making an appropriation.

Bill read third time.

Motion to Amend

Mr. Kilpatrick moved the adoption of the following amendment:

Amendment No. 1

On page 3 of the printed bill, as amended in the Senate on May 29, 1951, between lines 45 and 46, insert

"(d) Every county shall pay from its own funds for the care and maintenance of all needy persons living in the same home with needy children if such persons are *not* eligible for and recipients of aid under another program for which state grants-in-aid are made available to the counties. Payments for the care of such persons shall be made in accordance with Section 1511.5 of this code."

Amendment read, and refused adoption.

The question being on the passage of Senate Bill No. 1093.

Demand for Previous Question

Messrs. Klocksiem, Luckel, Grant, Burke, and Cloyed demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 1093.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Condon, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Erwin, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McFall, McGee, McMillan, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Stanley, Thomas, Tomlinson, and Waters—54.

NOES—Chapel, Cloyed, George D. Collins, Conrad, Dunn, Elliott, Fleury, Kilpatrick, Kirkwood, McCarthy, Moss, Rosenthal, Sherwin, Silliman, and Mr. Speaker—15.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED IN JOURNAL

Mr. Geddes asked for, and was granted, unanimous consent that a letter of transmittal and the Final Report of the Assembly Interim Committee on Finance and Insurance be ordered printed in the Journal, in 10 point type.

(Above mentioned letter of transmittal and report will appear prior to the motion to adjourn.)

REQUEST FOR UNANIMOUS CONSENT THAT REPORT BE PRINTED AS SEPARATE DOCUMENT AND THAT 500 COPIES BE PRINTED

Mr. Geddes asked for, and was granted, unanimous consent that the letter of transmittal, and the Final Report of the Assembly Interim Committee on Finance and Insurance be ordered printed, as a separate document, and that 500 copies be printed.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 3.40 p.m., Mr. Dickey asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Conservation, Planning, and Public Works, in Room 2170, at this time.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1687—An act providing for the study of a night law course in the City of Sacramento, and the experimental conduct of such a course, and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McFall, McGee, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Thomas, Tomlinson, and Waters—61.

NOES—Evans, Hagen, and Luckel—3.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1219

Mr. Sherwin asked for, and was granted unanimous consent to take up Senate Bill No. 1219, temporarily pased on file.

CONSIDERATION OF SENATE BILL NO. 1219

Senate Bill No. 1219—An act to amend Section 25301 of the Corporations Code, relating to the salary of the Commissioner of Corporations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burkhalter, Chapel, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lindsay, Maloney,

McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1671

Mr. Connolly asked for, and was granted unanimous consent to take up Senate Bill No. 1671, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1671

Senate Bill No. 1671—An act to add Chapter 5 to Division 2 of the Health and Safety Code, relating to the regulation of the humane use of animals for diagnosis and treatment of human and animal diseases, for research in the advancement of veterinary, dental, medical and biologic sciences, animal and human nutrition, improvement and standardization of laboratory procedures, and to provide for the issuance, suspension and revocation of licenses by the State Department of Public Health, relating to the use of animals for medical research, and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dolwig, Dunn, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Waters, and Mr. Speaker—55

NOES—Burkhalter, George D. Collins, Doyle, Elliott, Geddes, Hawkins, Kilpatrick, Stanley, Thomas, and Tomlinson—10

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Concurrent Resolution No. 69—Relative to the creation of a Fact-Finding Committee on Agriculture and Livestock Problems.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, and Waters—65

NOES—None.

Resolution ordered transmitted to the Senate.

Senate Bill No. 347—An act to amend Sections 1075, 1331, and 2006 of the Streets and Highways Code, relating to county road commissioners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Thomas, and Mr. Speaker—62.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 451—An act to add Section 27250 to the Streets and Highways Code, relating to bridge and highway districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—60.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1684—An act to amend Sections 38691, 38693, 38694, 38695, 38696, 38697, 38699, 38701, 38702, 38704, 38705, and 38707, and to repeal Section 38698, of the Government Code, relating to zoning.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1836—An act to add Sections 20393.1 and 20393.2 to the Education Code, relating to dismissal of employees of state colleges.

Bill read third time.

Demand for Previous Question

Messrs. Grant, Collier, Shaw, Burke, and Porter demanded the previous question.

Demand for previous question sustained

The question being on the passage of Senate Bill No. 1836.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Cooke, Crowley, Dickey, Doyle, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney,

McCarthy, McGee, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—53.

NOES—Berry, George D Collins, Condon, Dills, Dunn, Elliott, Evans, Hawkins, Lowrey, McFall, McMillan, Parker, and Rosenthal—13

Bill ordered transmitted to the Senate.

Senate Bill No. 572—An act to amend Sections 70, 504, 1181, and 1865 of the Civil Code, relating to courts of justice, various officers thereof, and judicial districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lindsay, Lapscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT STATEMENT BE PRINTED IN JOURNAL

Mr. Smith asked for, and was granted, unanimous consent that a statement relative to Assembly Bill No. 1541, pertaining to licensed clinical laboratories, be ordered printed in the Journal, in 10 point type, as follows:

STATEMENT

Subject: Assembly Bill No. 1541—Licensed Clinical Laboratories

Assembly Bill No. 1541 was heard by the Committee on Public Health on March 29, 1951. At that time witnesses appeared before the committee both in opposition to, and in support of, Section 1242 on page 3 of the bill. This section, as then written, provided that a duly licensed clinical laboratory technician may perform skin punctures for test purposes when authorized by "any person licensed under any provisions of law relating to the healing arts".

The particular question argued before the committee was whether or not this language permitted or prohibited referral of patients for tests requiring skin puncture by chiropractors. It became apparent to the committee that the answer to this question turned on whether or not Section 7 of the initiative known as the Chiropractic Act permits or prohibits chiropractors themselves to puncture the skin of patients. To the committee it seemed clear it is not the function of the Legislature to interpret an initiative measure, but such is properly the function of the courts.

In order to avoid decision by the Legislature on a question of law, and for the purpose of leaving the interpretation of Section 7 of the Chiropractic Act to the Judicial Branch of Government, the committee proposed and adopted an amendment to Section 1242 substituting the following language in lieu of the clause above quoted: "from any person in accordance with the authority granted under any provision of law relating to the healing arts or granted under the Chiropractic Act". It was the intent of the Committee on Public Health that Section 1242, as amended by it, would leave the present law with respect to the practice

of chiropractic unchanged, and that if the Chiropractic Act does permit chiropractors to make skin punctures for test purposes, then they may refer such work to licensed laboratories, but if the Chiropractic Act does not permit chiropractors to puncture the skin, then that legislation, by enacting Assembly Bill No. 1541, would not change or alter such limitation of the Chiropractic Act. Specifically, it is the legislative intent not to modify an initiative measure or to interfere with judicial interpretation of the Chiropractic Act.

The foregoing statement is submitted by us in order that it may be clearly understood that in enacting Assembly Bill No. 1541 the Legislature expressly intends neither to enlarge nor diminish the scope of the practice of chiropractic as such is defined in Section 7 of the Chiropractic Act.

H. ALLEN SMITH
WM. BYRON RUMFORD
ARTHUR H. CONNOLLY, JR
GLENARD P. LIPSCOMB
W. S. GRANT

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 22, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:
Senate Bill No. 695

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 695—An act to add Section 15032.5 to the Corporations Code, relating to partnerships.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 9, of the printed bill, as amended in the Senate on June 12, 1951, strike out "assuming", and insert "payment of, or the assumption, with the consent of the creditors, of".

Amendment No. 2

On page 1, lines 12 and 13, of said bill, strike out "assume", and insert "pay, or assume, as provided herein,".

Amendment No. 3

On page 2, line 13, of said bill, after the first "and", insert "the payment or assumption, as herein provided, of"

Amendment No. 4

On page 2, line 14, of said bill, strike out "are assumed".

Amendment No. 5

On page 2, line 21, of said bill, strike out "assume", and insert "pay or assume, as herein provided,".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bill was withdrawn from the file, and re-referred as follows:

Senate Bill No 305 re-referred to the Committee on Ways and Means

RESOLUTIONS

The following resolution was offered:

By Mr. Maloney:

House Resolution No. 254

Relative to congratulating the San Francisco Naval Shipyard on its outstanding record

WHEREAS, The San Francisco Naval Shipyard employs some 10,000 civilians and 2,000 naval personnel in important defense work; and

WHEREAS, The officers and personnel of that shipyard have demonstrated on many occasions patriotism which should be an example to the citizenry of the entire State; and

WHEREAS, As of June, 1950, the civilian and naval personnel of the San Francisco Naval Shipyard has generously donated 4,800 pints of their blood to the Armed Forces of the United States in Korea; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly of the State of California hereby express their admiration and gratitude to the civilian and naval personnel of the San Francisco Naval Shipyard for their outstanding contributions to the defense effort and particularly for their generous donation of their blood to those who are fighting for this Nation and the United Nations in Korea; and be it further

Resolved, That the Assembly hereby calls upon its members and upon the citizenry of the State to emulate the example set by the personnel of the San Francisco Naval Shipyard and to donate their blood to the Armed Forces in Korea as generously as the personnel of the San Francisco Naval Shipyard.

Resolution read, and ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW REPORT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 2211 FROM FILE

Mr. Tomlinson asked for, and was granted, unanimous consent to withdraw the report of the Committee on Conference concerning Assembly Bill No. 2211 from the unfinished business file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1609

Mr. Geddes asked for, and was granted, unanimous consent to take up Senate Bill No. 1609, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1609

Senate Bill No. 1609—An act to amend Section 111 to the Labor Code, relating to workmen's compensation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Caldecott, Chapel, Clarke, Cloyed, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following letter of transmittal was ordered printed in the Journal by the Speaker:

Letter of Transmittal

CALIFORNIA LEGISLATURE, STATE CAPITOL
SACRAMENTO, CALIFORNIA, June 21, 1951

Hon. Sam L. Collins
Speaker of the Assembly

Pursuant to instructions to investigate and study problems and conditions of industrial safety by terms of House Resolution No. 269, as amended 1949 Session, we respectfully submit the following report.

(Signed)

EDWARD M. GAFFNEY, Chairman
CHARLES J. CONRAD
WILLIAM CLIFTON BERRY

ANNOUNCEMENT

Speaker Sam L. Collins announced that the above mentioned letter of transmittal, and the above mentioned Report of the Assembly Interim Committee on Industrial Safety have been printed as a separate document.

Copy of report accompanying letter of transmittal ordered filed with the Secretary of State.

REPORTS OF STANDING COMMITTEES

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, June 22, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Senate Bill No. 1760

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended

DICKEY, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 1760—An act creating the "Solano County Flood Control and Water Conservation District" for the purpose of controlling and conserving storm, flood and other surface waters for any beneficial use, and for the protection of life and property in said district, for the purpose of cooperating and contracting with the United States, the State of California, municipalities, reclamation, irrigation and other certain districts and political subdivisions for the storage and diversion, the transportation and delivery, and the selling or other disposition of such water, and the obtaining of water or water supply and the sale or other distribution of water; to provide for the powers of such district necessary to carry out its purposes including among other powers the right to contract, the right to acquire property and to acquire water or a water supply, the right to purchase and sell water, the right to acquire or construct or have constructed dams, conduits and other works for the control, conservation, diversion, transportation and distribution of such water,

the right to make contributions in aid of construction and acquisition of such works and aid in obtaining water and a water supply, the right to assume indebtedness either as principal, guarantor or underwriter, certain rights to appropriate water, to acquire water rights and to sell water and to collect charges for water used; to provide for the organization, government and management of said district and establish the boundaries thereof, and to provide for certain powers, rights and liability of member units located within or partially within said district, and to provide for the appointment, powers, duties, liabilities and compensation of the officers and employees of said district; to provide certain officers and employees of the County of Solano shall be ex officio officers and employees of said district, to authorize the incurring of indebtedness, the voting and/or issuing and selling of bonds, the voting and/or levying of special assessments; the levying and collection of taxes; to provide that the existence, property and powers of municipalities or public districts and subdivisions located within or partially within said district shall not be affected by this act; and to empower municipalities, water conservation districts, reclamation districts, irrigation districts, flood control districts and any other political subdivision of the State empowered by law to appropriate water and to deliver it to users to enter into contracts with the district and to carry out the terms of said contracts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works.

Amendment No. 1

On page 12, line 3, of the printed bill, as amended in the Senate on June 8, 1951, strike out "a majority", and insert "Four-fifths".

Amendment No. 2

On page 12, line 6, of said bill, strike out "a majority" and insert "four-fifths"

Amendment No. 3

On page 11 of said bill, between lines 39 and 40, insert

"SEC. 6.4. The district shall not use any funds which may accrue to it from any source whatsoever to construct, or to bring about, in any way, the construction of any work or works on the Putah Creek prior to November 1, 1953."

Amendment No. 4

On page 2, line 5, of said bill, following "Solano", insert "excepting therefrom the territory lying within the exterior boundaries of the Solano County Irrigation District".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Speaker Pro Tempore Presiding

At 4.20 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1463

Mr. Grant asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 1463, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1463—An act to add Section 12.5 to the Municipal Court Act of 1925, relating to compensation of municipal court judges in Los Angeles County and to provide for the compensation of judges of municipal courts established in judicial districts in Los Angeles County.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1463?

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on June 11, 1951, after "the", insert "number and".

Amendment No. 2

On page 1 of said bill, as amended, after line 20, insert

"SEC. 3. Each of the Los Angeles County municipal courts established in judicial districts shall have the number of judges set out below opposite the name of the judicial district over which such court has jurisdiction.

Whittier Municipal Court District	1
San Antonio Municipal Court District	3
East Los Angeles Municipal Court District	2
Inglewood Municipal Court District	2
South Bay Municipal Court District	2
Compton Municipal Court District	3
Downey Municipal Court District	1
Los Angeles Municipal Court District	42
Santa Anita Municipal Court District	1
Alhambra Municipal Court District	2
Los Cerritos Municipal Court District	1
Long Beach Municipal Court District	5
Beverly Hills Municipal Court District	2
Santa Monica Municipal Court District	2
Burbank Municipal Court District	2
Glendale Municipal Court District	2
Pasadena Municipal Court District	3
El Monte Municipal Court District	1
San Jose Municipal Court District	1
South Gate Municipal Court District	1

In any municipal court judicial district which includes a city and township which contains a population of 40,000 or less inhabitants, which city might be constituted a separate municipal court judicial district pursuant to Article VI, Section 11 of the Constitution, there shall be a regular session of the court in such city and the incumbent inferior court judges in such city and township shall, if qualified, become judges of the municipal court in the district including such city; provided, the number of positions to be filled exceeds the number of municipal judges entitled to succeed to judgeships in such district."

Demand for Previous Question

Messrs. Luckel, Evans, Lanterman, Silliman, and Hansen demanded the previous question.

Roll Call Demanded

Messrs. Geddes, Munnell, and Hansen demanded a roll call.

The roll was called, and the demand for the previous question not sustained by the following vote:

AYES—Babbage, Berry, Brown, Caldecott, Clarke, Connolly, Conrad, Crowley, Dills, Dolwig, Evans, Fleury, Gaffney, Grant, Grunsky, Hahn, Hansen, Kelly, Kirkwood, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, McCollister, McMillan, Porter, Rumford, Shaw, Silliman, and Tomlinson—32.

NOES—Beck, Belotti, Brady, Burke, Burkhalter, Chapel, Cloyed, Collier, George D. Collins, Condon, Cooke, Davis, Doyle, Elliott, Erwin, Geddes, Gubser, Henderson, Hollibaugh, Kilpatrick, Klocksiem, Lindsay, Maloney, McCarthy, McFall, Meyers, Morris, Munnell, Parker, Rosenthal, Smith, Stanley, Thomas, and Waters—34.

The question being on the concurrence in Senate amendments to Assembly Bill No. 1463.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1463 by the following vote:

AYES—Babbage, Brady, Brown, Burkhalter, Caldecott, Clarke, Cloyed, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Fleury, Grant, Grunsky, Hagen, Hahn, Hansen, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, McCarthy, McCollister, Morris, Niehouse, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Tomlinson, and Waters—43

NOES—Beck, Belotti, Berry, Burke, Chapel, Collier, George D. Collins, Condon, Elliott, Erwin, Gaffney, Geddes, Gubser, Henderson, Hollibaugh, Kilpatrick, Lindsay, McFall, Meyers, Moss, Munnell, Porter, Rosenthal, Stewart, and Thomas—25

Assembly Bill No. 1463 ordered enrolled.

RESOLUTIONS

The following resolution was offered:

By Messrs. Klocksiem and Grant:

House Resolution No. 255

Relative to the death of Arthur F. Bonzer

WHEREAS, The Members of the House were saddened to hear of the death of Arthur F. Bonzer; and

WHEREAS, Mr. Bonzer was 58 years of age, Eighteenth Congressional District Chairman Republic Central Committee of Los Angeles County and an aggressive leader in Republican Party affairs in the Long Beach area since moving there in 1936 from his native State of North Dakota. He was Mayor of Ledgerwood, N. D. for 14 years, elected a State Senator in North Dakota in 1928 and became Majority Floor Leader from 1933 to 1935; and

WHEREAS, Mr. Bonzer, 32nd Degree Mason, a Shriner, an Elk, a member of the Lions Club, owned the Shady Acres Trailer Park and other property in Long Beach and was Treasurer of the California Motor Court and Trailer Association; and

WHEREAS, Mr. Bonzer, the son of Arthur F. Bonzer, Sr., who moved to Long Beach in 1919 later becoming a city councilman, is survived by his widow, Mrs. Ferne W. Bonzer, two sons, four daughters, a brother and two sisters, now, therefore, be it

Resolved by the Assembly of the State of California, That sincere condolences be hereby extended to the family of Arthur F. Bonzer on their loss; and be it further

Resolved, That the Chief Clerk of the Assembly transmit suitable copies of this resolution to Mrs. Ferne W. Bonzer, 104 Park Avenue, Long Beach, California.

Resolution read, and ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1625

Mr. Shaw asked for, and was granted, unanimous consent to take up Senate Bill No. 1625, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1625

Senate Bill No. 1625—An act to add Chapter 6.5 to Division 2, comprising Sections 2840 to 2895 to the Business and Professions Code, relating to the practice of vocational nursing

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Cooke, Crowley, Dunn, Erwin, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, and Thomas—52.

NOES—Stanley—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2882

Mr. Caldecott asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2882, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2882—An act to add Chapter 6 to Part 1 of Division 3 of Title 2 of the Government Code, to amend Sections 12001, 12100, 12150, 12300, 12302, 12400, 13002, 14002, 15003, 15603, and 18650 of said code, to amend Section 21 of the Agricultural Code, to amend Sections 213 and 230 of the Banking Code, to amend Sections 151, 6512, 7011, 10055, 18626.5, and 19433 of the Business and Professions Code, to amend Section 25301 of the Corporations Code, to amend Sections 141, 144.2, 20924, and 22003 of the Education Code, to amend Sections 213, 230, and 5201 of the Financial Code, to amend Section 1732.6 of the Harbors and Navigation Code, to amend Sections 107 5 and 13101 of the Health and Safety Code, to amend Section 12902 of the Insurance Code, to amend Sections 51, 70.5, 77.5, 80, and 112 of the Labor Code, to amend Section 76 of the Military and Veterans Code, to amend Sections 5051 and 5076 of the Penal Code, to amend Section 3700 of the Political Code, to amend Section 501 of the Public Resources Code, to amend Section 304 of the Public Utilities Code, to amend Section 52 of the Streets and Highways Code, to amend Sections 105, 109, and 139.08 of the Vehicle Code, to amend Sections 130, 152, 1722, and 1723 of the Welfare and Institutions Code, to amend Section 10 of the Public Utilities Act, to amend Section 3 of the State Aeronautics Commission Act, to amend Sections 76 and 77 of the Unemployment Insurance Act, to amend Section 2 of an act entitled "An act to create the Franchise Tax Board, prescribing its powers, duties, jurisdictions, purposes, and functions and abolishing the office of Franchise Tax Commissioner," approved July 25, 1949; to amend Section 2 of an act entitled "An act to provide for the salaries and expenses of the Building and Loan Commissioner, his attorney, deputies, examiners, accountants, appraisers and other assistants; to provide for the disposition of moneys in the 'Building and Loan Inspection Fund' created by Chapter 354 of the Statutes of 1911, as amended; and of moneys collected under the Building and Loan Association Act; and otherwise relating to the Building and Loan Commissioner, his assistants and employees, and to the regulation of building and loan associations," approved June 12, 1931, relating to the salaries of state officers.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2882?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 13, 1951, after "add", insert "Section 14011 and".

Amendment No. 2

In line 11 of the title of said bill, as amended, after "Code," insert "to amend Section 10 of the Fish and Game Code,".

Amendment No. 3

On page 2, lines 8 and 9, of said bill, as amended, strike out "seventeen thousand five hundred dollars ($17,500)", and insert "fifteen thousand dollars ($15,000)".

Amendment No. 4

On page 2 of said bill, as amended, strike out line 15, and insert

"(e) State Controller.

(f) Superintendent of Banks."

Amendment No. 5

On page 2 of said bill, as amended, strike out lines 16 to 18, inclusive.

Amendment No. 6

On page 2 of said bill, as amended, strike out lines 19 and 20, and insert

"11551 A maximum annual salary of fourteen thousand dollars ($14,000) shall be paid to each of the following:

(a) Each member of the Public Utilities Commission.

(b) Secretary of State.

(c) Each member of the State Board of Equalization.

(d) State Treasurer.

(e) Insurance Commissioner.

(f) Lieutenant Governor.

(g) Director of the Department of Fish and Game."

Amendment No. 7

On page 2 of said bill, as amended, strike out lines 21 to 35, inclusive, and insert

"11552. A maximum annual salary of thirteen thousand dollars ($13,000) shall be paid to each of the following:

(a) Director of Corrections.

(b) Director of Public Health.

(c) Director of Agriculture.

(d) Director of Natural Resources."

Amendment No. 8

On page 3 of said bill, as amended, strike out lines 1 to 22, inclusive, and insert

"11553 A *maximum annual salary of twelve thousand dollars ($12,000)* shall be paid to each of the following:

(a) Director of Social Welfare.

(b) Commissioner of the California Highway Patrol.

(c) Director of Youth Authority.

(d) Director of Motor Vehicles.

(e) Chief of the Division of Public Employment Offices and Benefit Payments.

(f) Each member of the California Unemployment Insurance Appeals Board.

(g) Executive Officer of the Franchise Tax Board.

(h) Chief of the Division of Accounts and Tax Collections.

(i) Director of Professional and Vocational Standards.

(j) Director of Industrial Relations.

(k) Port Manager of the Board of State Harbor Commissioners for San Francisco Harbor.

(*l*) Commissioner of Corporations.

(m) Real Estate Commissioner."

Amendment No. 9

On page 3 of said bill, as amended, strike out lines 23 to 32, inclusive, and insert

"11554 A maximum annual salary of eleven thousand dollars ($11,000) shall be paid to each of the following:

(a) *Special Representative, Department of Public Works.*

(b) Secretary of the California Horse Racing Board."

Amendment No. 10

On page 3 of said bill, as amended, strike out lines 33 to 40, inclusive, and insert

"11555 A maximum annual salary of ten thousand dollars ($10,000) shall be paid to each of the following:

(a) *Associate Superintendent of Public Instruction (Colleges).*

(b) Director of Veterans Affairs.

(c) Each member of the Youth Authority.

(d) Each member of the Adult Authority.

(e) Each member of the Industrial Accident Commission.

(f) Chief Deputy Superintendent of Banks.

(g) Building and Loan Commissioner.

(h) Labor Commissioner.

(i) Chief of the Division of Industrial Safety.

(j) State Fire Marshal.

(k) State Librarian.

(*l*) Chief of the Division of Industrial Welfare.

(m) Director of Aeronautics.

(n) Chief of the Division of Housing.

(o) *Secretary of the State Athletic Commission.*"

Amendment No. 11

On page 3 of said bill, as amended, strike out lines 41 to 50, inclusive, and insert "11556. A maximum annual salary of nine thousand dollars ($9,000) shall be paid to each of the following.

(a) Associate Superintendent of Public Instruction (Instruction).

(b) Deputy Superintendent of Public Instruction (Special Schools)

(c) Associate Superintendent of Public Instruction (School Administration).

(d) Deputy Superintendent of Public Instruction (Departmental Administration).

(e) Registrar of Contractors.

(f) Deputy State Treasurer."

Amendment No. 12

On page 4, line 1, of said bill, as amended, strike out "11558", and insert "11557".

Amendment No. 13

On page 4, line 5, of said bill, as amended, strike out "11559", and insert "11558".

Amendment No. 14

On page 4 of said bill, as amended, strike out lines 38 to 52, inclusive.

Amendment No. 15

On page 5 of said bill, as amended, strike out lines 1 to 29, inclusive.

Amendment No. 16

On page 5 of said bill, as amended, strike out lines 34 to 37, inclusive, and insert "his office. No salary fixed under this section shall exceed twelve thousand dollars ($12,000) annually."

Amendment No. 17

On page 6 of said bill, as amended, between lines 30 and 31, insert

"SEC. 9.5. Section 14011 is added to the Government Code, to read:

14011. The position, heretofore classified by the State Personnel Board under the title Special Representative, Department of Public Works, is hereby continued and shall be deemed to be a statutory office."

Amendment No. 18

On page 6 of said bill, as amended, strike out lines 35 to 38, inclusive, and insert "and his compensation shall be fixed by the Attorney General at not to exceed twelve thousand dollars ($12,000) per year. The deputy director shall be a"

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 19

On page 9 of said bill, as amended, between lines 47 and 48, insert

"SEC. 29.5. Section 10 of the Fish and Game Code is amended to read:

10. There is in the State Government a Department of Fish and Game, which department shall be administered through a director. The director shall be guided by policies adopted by the Fish and Game Commission provided for by Section 25½ of Article IV of the Constitution of this State. The director shall be appointed by the Governor. [The salary of the director shall be twelve thousand dollars ($12,000) per year.] *The annual salary of the director is provided for by Chapter 6 of Part 1 of Division 3 of Title 2 of the Government Code.*"

Amendment No. 20

On page 2 of the printed bill, as amended, between lines 7 and 8, insert

"11550. A maximum salary of seventeen thousand five hundred dollars ($17,500) shall be paid to each of the following:

(a) Director of Finance."

Amendment No. 21

On page 2, line 8, of said bill, as amended, strike out "11550", and insert "11550 3".

Amendment No. 22

On page 2 of said bill, as amended, strike out line 12.

Amendment No. 23

On page 2, line 13, of said bill, as amended, strike out "(c)", and insert "(b)".

Amendment No. 24

On page 2, line 14, of said bill, as amended, strike out "(d)", and insert "(c)".

Amendment No. 25

On page 2, line 16, of said bill, as amended, strike out "(e)", and insert "(d)".

Amendment No. 26

On page 2, line 17, of said bill, as amended, strike out "(f)", and insert "(e)".

Amendment No. 27

On page 4 of said bill, between lines 6 and 7, insert
"(n) Director of Veterans Affairs
(o) Building and Loan Commissioner."

Amendment No. 28

On page 4 of said bill, as amended, strike out line 32.

Amendment No. 29

On page 4, line 33, of said bill, as amended, strike out "(c)", and insert "(b)".

Amendment No. 30

On page 4, line 34, of said bill, as amended, strike out "(d)", and insert "(c)".

Amendment No. 31

On page 4, line 35, of said bill, as amended, strike out "(e)", and insert "(d)".

Amendment No. 32

On page 4, line 36, of said bill, as amended, strike out "(f)", and insert "(e)".

Amendment No. 33

On page 4 of said bill, as amended, strike out line 37

Amendment No. 34

On page 4, line 38, of said bill, as amended, strike out "(h)", and insert "(f)".

Amendment No. 35

On page 4, line 39, of said bill, as amended, strike out "(i)", and insert "(g)".

Amendment No. 36

On page 4, line 40, of said bill, as amended, strike out "(j)", and insert "(h)".

Amendment No. 37

On page 4, line 41, of said bill, as amended, strike out "(k)", and insert "(i)".

Amendment No. 38

On page 4, line 42, of said bill, as amended, strike out "(l)", and insert "(j)"

Amendment No. 39

On page 4, line 43, of said bill, as amended, strike out "(m)", and insert "(k)".

Amendment No. 40

On page 4, line 44, of said bill, as amended, strike out "(n)", and insert "(l)".

Amendment No. 41

On page 4 of said bill, as amended, strike out line 45.

Amendment No. 42

On page 9 of said bill, as amended, strike out lines 38 and 39, and insert "shall receive such salary as is fixed in accordance with the civil service law"

Amendment No. 43

On page 9 of said bill, as amended, in lines 43 and 44, strike out "the annual salary provided for by Chapter 6 of Part 1 of Division 3 of Title 2 of the Government Code", and insert "such salary as is fixed in accordance with civil service law,"

Amendment No. 44

On page 4 of the printed bill, as amended in the Senate on June 14, 1951, between lines 45 and 46, insert
"(p) Registrar of Contractors"

Amendment No. 45

On page 5 of said bill, as amended, strike out line 13.

Amendment No. 46

On page 5, line 14, of said bill, as amended, strike out "(f)", and insert "(e)".

Amendment No. 47

On page 2 of the printed bill, as amended in the Senate on June 14, 1951, between lines 17 and 18, insert

"(g) Director of Public Health".

Amendment No. 48

On page 3 of said bill, as amended, strike out line 16; and in line 17, strike out "(c)", and insert "(b)".

Amendment No. 49

On page 3, line 18, of said bill, as amended, strike out "(d)", and insert "(c)".

Amendment No. 50

On page 4 of the printed bill, as amended in the Senate on June 14, 1951, between lines 17 and 18, insert

"(a) State Fire Marshal."

Amendment No. 51

On page 4, line 18, of said bill, as amended, strike out "(a)", and insert "(b)".

Amendment No. 52

On page 4, line 19, of said bill, as amended, strike out "(b)", and insert "(c)".

Amendment No. 53

On page 4 of said bill, as amended, strike out line 40.

Amendment No. 54

On page 4 of the printed bill, as amended in the Senate on June 14, 1951, between lines 19 and 20, insert

"(c) The member of the Industrial Accident Commission, designated as chairman"

Amendment No. 55

On page 4, line 35, of said bill, as amended, after "Commission", insert "except the member designated as chairman".

Amendment No. 56

On page 2 of the printed bill, as amended in the Senate on June 14, 1951, between lines 31 and 32, insert

"(h) Executive Officer of the Franchise Tax Board."

Amendment No. 57

On page 3 of said bill, as amended, strike out line 51.

Amendment No. 58

On page 3, line 52, of said bill, as amended, strike out "(h)", and insert "(g)".

Amendment No. 59

On page 4, line 1, of said bill, as amended, strike out "(i)", and insert "(h)".

Amendment No. 60

On page 4, line 2, of said bill, as amended, strike out "(j)", and insert "(i)".

Amendment No. 61

On page 4, line 3, of said bill, as amended, strike out "(k)", and insert "(j)".

Amendment No. 62

On page 4, line 5, of said bill, as amended, strike out "(*l*)", and insert "(k)".

Amendment No. 63

On page 4, line 6, of said bill, as amended, strike out "(m)", and insert "(*l*)".

Amendment No. 64

On page 2 of the printed bill, as amended in the Senate on June 14, 1951, between lines 17 and 18, insert

"(g) Each member of the Public Utilities Commission".

Amendment No. 65

On page 2, line 25, of said bill, as amended, strike out "Public Utilities Commission", and insert "California Unemployment Insurance Appeals Board".

Amendment No. 66

On page 3 of said bill, as amended, strike out lines 49 and 50.

Amendment No. 67

On page 3, line 51, of said bill, as amended, strike out "(g)", and insert "(f)".

Amendment No. 68

On page 3, line 52, of said bill, as amended, strike out "(h)", and insert "(g)".

Amendment No. 69

On page 4, line 1, of said bill, as amended, strike out "(i)", and insert "(h)".

Amendment No. 70

On page 4, line 2, of said bill, as amended, strike out "(j)", and insert "(i)".

Amendment No. 71

On page 4, line 3, of said bill, as amended, strike out "(k)", and insert "(j)".

Amendment No. 72

On page 4, line 5, of said bill, as amended, strike out "(*l*)", and insert "(k)".

Amendment No. 73

On page 4, line 6, of said bill, as amended, strike out "(m)", and insert "(*l*)".

Amendment No. 74

In line 16 of the title of the printed bill, as amended in the Senate on June 14, 1951, after "80," insert "123".

Amendment No. 75

On page 19 of said bill, as amended, after line 40, insert

"SEC. 63. Section 123 of the Labor Code is amended to read

123 The commission may employ necessary assistants, officers, experts, statisticians, actuaries, accountants, inspectors, referees and other employees to perform the duties and exercise the powers which are under the jurisdiction of the commission. *The salaries of the referees shall be fixed by the State Personnel Board, but not at less than a range of six hundred seventy-six dollars ($676), seven hundred ten dollars ($710), seven hundred forty-five dollars ($745), seven hundred eighty-two dollars ($782), eight hundred twenty-one dollars ($821).*"

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 2882 by the following vote:

AYES—Babbage, Belotti, Caldecott, Hansen, Moss, and Waters—6

NOES—Berry, Brady, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hahn, Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Levering Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Munnell, Nicholse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, and Tomlinson—53

Appointment of Committee on Conference Concerning Assembly Bill No. 2882

The Speaker announced the appointment of Messrs. Caldecott, Tomlinson, and Thomas as a Committee on Conference concerning Assembly Bill No. 2882.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 356

Mr. Sherwin asked for, and was granted, unanimous consent to take up Senate Bill No. 356, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 356

Senate Bill No. 356—An act authorizing the Director of Finance to grant certain rights of way to the City of Berkeley and to pay the City of Berkeley the costs incurred by that city in the widening and paving of certain streets in exchange for certain property, and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Klocksiem, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Rosenthal, Rumford, Sherwin, Smith, Stanley, and Stewart—59.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1462

Mr. Dunn asked for, and was granted unanimous consent to take up Senate Bill No. 1462, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1462

Senate Bill No. 1462—An act to repeal Sections 3223, 4711, 4712, 4713, 4726, 4727, 4729, 5008, 8821.1, and 13043 of the Education Code; to amend Sections 1012, 1597.2, 1941, 2861, 4667, 4728, 5942, 8103, and 16813 of said code; to amend Section 672 of the Welfare and Institutions Code; and to repeal an act entitled "An act providing for the acceptance, receipt and disposition of property by the State Board of Education, and making an appropriation, declaring the urgency thereof, to take effect immediately," approved June 25, 1945 (Chapter 1046, Statutes of 1945), all relating to the Public School System.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—61

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 317

Mr. Dunn asked for, and was granted unanimous consent to take up Senate Bill No. 317, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 317

Senate Bill No. 317—An act to add Sections 12105.1 and 12105.2 to the Education Code, relating to applicants for certification documents authorizing service in the public schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, Morris, Munnell, Niehouse, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—57.

NOES—George D. Collins, Condon, and Elliott—3.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 874

Mr. Condon asked for, and was granted unanimous consent to take up Senate Bill No. 874, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 874

Senate Bill No. 874—An act to add Section 1556.1 to and to amend Section 1557 of, the Labor Code, relating to employment agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—66.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 819

Mr. Cloyed asked for, and was granted unanimous consent to take up Senate Bill No. 819, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 819

Senate Bill No. 819—An act for the construction and development of water resources in the Cuyamaca State Park, and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stewart, Thomas, Tomlinson, and Waters—71.

NOES—None.

Bill ordered transmitted to the Senate.

Ma 6408

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 5.15 p.m., Mr. Brown asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Judiciary in the Post Office, at this time.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 617

Mr. Hinckley asked for, and was granted unanimous consent to take up Senate Bill No. 617, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 617

Senate Bill No. 617—An act to provide for the regulation and licensing of interference or attempts to interfere by artificial means with natural condensation and precipitation of rain, snow, moisture or water in any form contained in the atmosphere; to provide for the enforcement of said act and penalties for the violation thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Lyon, Maloney, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sillman, Stanley, Stewart, Thomas, and Waters—60

NOES—Luckel—1.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 5.25 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 22, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 241
House Resolution No. 242

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and be adopted, as amended

SAM L. COLLINS, Chairman

Above reported resolutions ordered on file.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 22, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 892
Assembly Bill No. 1412
Assembly Bill No. 1418
Assembly Bill No. 2795
Assembly Bill No. 2885

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 22, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted

Senate Concurrent Resolution No. 94
Senate Concurrent Resolution No. 95

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolutions were read:

Senate Concurrent Resolution No. 94—Relative to effecting adequate information to California suppliers and declaring public policy thereon.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 95—Relative to the creation of the Joint Interim Committee on Narcotics and Hypnotics.

Referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 29

Mr. Babbage asked for, and was granted unanimous consent to take up Senate Bill No. 29, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 29

Senate Bill No. 29—An act to amend Sections 4965 and 7431 of the Education Code, relating to bonded capacity of school districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Request for Unanimous Consent to Expunge Record, and Rescind Action on Adoption of Amendments by Mr. Kirkwood to Senate Bill No. 29

Mr. Kirkwood asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on this day, adopted the amendments offered by him to Senate Bill No. 29.

The question being on the passage of Senate Bill No. 29.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Condon, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sillman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—61

NOES—Cloyed—1.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1835

Mr. McCarthy asked for, and was granted unanimous consent to take up Senate Bill No. 1835, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1835

Senate Bill No. 1835—An act to amend Section 117 of the Labor Code, relating to offices and rooms for the Industrial Accident Commission.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Holhbaugh, Kelly, Kilpatrick, Klocksiem, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Thomas, Tomlinson, and Waters—62.

NOES—Lanterman, Levering, and Luckel—3.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 22, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No 248	Assembly Bill No 1071
Assembly Bill No 361	Assembly Bill No. 1188
Assembly Bill No. 382	Assembly Bill No. 1235
Assembly Bill No. 621	

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1840

Mr. McCarthy asked for, and was granted unanimous consent to take up Senate Bill No. 1840, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1840

Senate Bill No. 1840—An act to add Section 115 to the Business and Professions Code, relating to the reinstatement of licenses by persons serving in the Armed Forces.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Holhbaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, and Waters—72.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 919

Mr. Kirkwood asked for, and was granted, unanimous consent to take up Senate Bill No. 919, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 919

Senate Bill No. 919—An act to amend Sections 753, 2001, 2002, 2004, and 2005 of; to amend and renumber Sections 755, 756, 758, 759, 760, 1831, 1832, 1833, 1834, 1835, 1839, 1840, 1841, 1842, and 1843 of; to add Sections 1840.5 and 2006 to; and to repeal Sections 754, 757, 1836, 1837, 1904, 1905, 1906, 1907, and 1908 of the Revenue and Taxation Code, relating to property taxation and the allocation of state funds; declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69.

NOES—Silliman—1.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69.

NOES—Silliman—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 949

Mr. Kirkwood asked for, and was granted unanimous consent to take up Senate Bill No. 949, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 949

Senate Bill No. 949—An act to repeal Sections 1510, 1511, and 1512 of the Welfare and Institutions Code, and to add Sections 1510, 1511, 1511.3, 1511.5, 1511.7, and 1512 thereto, relating to aid to needy children, in respect to the amount of aid.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—68

NOES—George D. Collins and Elliott—2.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 439

Mr. Lowrey asked for, and was granted, unanimous consent to take up Senate Bill No. 439, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 439

Senate Bill No. 439—An act to amend add Section 4901.7 to the Education Code, relating to the selection of members of the County Committee on School District Organization.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69

NOES—George D. Collins—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1672

Mr. Grunsky asked for, and was granted unanimous consent to take up Senate Bill No. 1672, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1672

Senate Bill No. 1672—An act to amend Sections 2, 5, and 6 of the Alcoholic Beverage Control Act, relating to alcoholic beverages and licenses of wine brokers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Conrad, Cooke, Crowley, Davis, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 116

Mr. Grunsky asked for, and was granted unanimous consent to take up Senate Bill No. 116, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 116

Senate Bill No. 116—An act to amend Sections 270 and 278 of the Vehicle Code, relating to operators' and chauffeurs' licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

NOES—Cloyed, Dunn, and Evans—3.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 107: By Mr. Maloney—Relative to the declaration of November 16, 1951, as Loyal Order of Moose Day in California.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 22, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 65	Senate Bill No. 1818
Senate Bill No. 543	Senate Bill No. 953
Senate Bill No. 596	Senate Bill No. 954
Senate Bill No. 783	Senate Bill No. 957
Senate Bill No. 975	Senate Bill No. 1198
Senate Bill No. 1469	Senate Bill No. 1227

J A. BEEK, Secretary of the Senate
By C V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 22, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 1490—An act to amend Section 8 of the Dangerous Weapons Control Law, relating to the issuance of licenses to carry concealed pistols, revolvers and other firearms.

J A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Assembly Bill No. 1490 ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 22, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 1967—An act to amend Section 428 of the Fish and Game Code, relating to fishing licenses.

J A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Assembly Bill No. 1967 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1821

Mr. Henderson asked for, and was granted unanimous consent to take up Senate Bill No. 1821, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1821

Senate Bill No. 1821—An act to repeal Section 1628a of the Business and Professions Code, relating to examinations for admission to the practice of dentistry.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 600

Mr. Lindsay asked for, and was granted unanimous consent to take up Senate Bill No. 600, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 600

Senate Bill No. 600—An act to add Sections 30701.5 and 30735.5 to, and to amend Section 30748 of, the Water Code, relating to the election of directors of county water districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Davis, Dickey, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McGee, Meyers, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—54.

NOES—George D. Collins, Condon, Dunn, Elliott, Evans, Hagen, Hawkins, and Lowrey—8.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 979

Mr. Lindsay asked for, and was granted, unanimous consent to take up Senate Bill No. 979, temporarily passed on file

CONSIDERATION OF SENATE BILL NO. 979

Senate Bill No. 979—An act to amend Section 447 of the Education Code, relating to county school superintendents' salaries in counties of the forty-seventh class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Davis, Dickey, Dunn, Erwin, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Henderson, Hinckley, Hollibaugh,

Kelly, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—55

NOES—Evans and Geddes—2.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 42

Mr. Lindsay asked for, and was granted unanimous consent to take up Senate Bill No. 42, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 42

Senate Bill No. 42—An act to add Article 7 to Chapter 2, Part 6, Division 12 of the Water Code, relating to county water districts.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Babbage, Beck, Belotti, Berry, Burke, Chapel, Clarke, Collier, George D. Collins, Condon, Cooke, Davis, Dickey, Doyle, Erwin, Fleury, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—51.

NOES—Brady, Evans, and Gaffney—3.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 22, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to.

Senate Bill No. 261—An act to amend Section 22257 of the Water Code, relating to water distribution by irrigation districts.

And appointed Senators Donnelly, Williams, and Hulse as a Committee on Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 261

The Speaker announced the appointment of Messrs Brown, Grunsky, and Hansen as a Committee on Conference concerning Senate Bill No. 261.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 22, 1951

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to.

Senate Bill No. 639—An act to amend Sections 4, 5, and 6 of the City Carriers' Act and Sections 3631, 3632, and 3634 of the Public Utilities Code, relating to city carriers.

And appointed Senators Regan, Thompson, and Harold T Johnson as a Committee on Conference to meet a like committee from the Assembly

J. A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 639

The Speaker announced the appointment of Messrs. Grunsky, Kirkwood, and Gaffney as a Committee on Conference concerning Senate Bill No. 639.

RECESS

At 6.04 p.m., on motion of Mr. Waters, the Assembly recessed until 8 p.m.

REASSEMBLED

At 8 p.m., the Assembly reconvened.

Hon. John E. Moss, Jr, Member of the Assembly from the Ninth District, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 22, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1436
Assembly Bill No. 1440

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass, as amended

BROWN, Chairman

Above reported bills ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 1436—An act providing for the constitution of the municipal court in a district embracing the City of Whittier, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 3, 1951, strike out line 1, and insert

"SECTION 1 The municipal court established in a district embracing the City of Whittier shall be constituted, and the judges shall receive compensation as follows:

There shall be two judges each of whom shall receive the salary provided by law but not less than twelve thousand five hundred dollars ($12,500) per annum."

Amendment No. 2

On page 1 of said bill, strike out lines 2 to 26, inclusive; and strike out the remainder of the bill

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1440—An act providing for the constitution of the municipal court in a district embracing the Towns of East Los Angeles and Belvedere, Los Angeles County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

Strike out lines 2 and 3 of the title of the printed bill, as amended in the Assembly on May 3, 1951, and insert "a district known and designated as East Los Angeles Municipal Court District, and pre-".

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. The municipal court established in a district known and designated as East Los Angeles Municipal Court District, shall be constituted and the judges thereof shall receive compensation as follows.

There shall be three judges each of whom shall receive the salary provided by law but not less than twelve thousand five hundred dollars ($12,500) per annum."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 22, inclusive; and strike out the remainder of the bill.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT RUSH ORDER BE PLACED UPON PRINTING OF ASSEMBLY BILLS NOS. 1436 AND 1440

Mr. Brown asked for, and was granted, unanimous consent that a rush order be placed upon the printing of Assembly Bills Nos. 1436 and 1440.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 22, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1419
Assembly Bill No 1458

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass, as amended

BROWN, Chairman

Above reported bills ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 1419—An act providing for the constitution of the municipal court in a district embracing the City of Inglewood, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 4 to 11, inclusive, and insert "as follows:

(1) There shall be three judges, each of whom shall receive the salary provided by law but not less than twelve thousand five hundred dollars ($12,500) per annum."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1458—An act providing for the constitution of the municipal court in a district embracing the City of South Gate, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1 The municipal court established in in a district embracing the City of South Gate shall be constituted and the judges thereof shall receive compensation as follows:

There shall be two judges each of whom shall receive the compensation provided by law but not less than twelve thousand five hundred dollars ($12,500) per annum."

Amendment No. 2

On page 1 of said bill, strike out lines 2 to 7, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT RUSH ORDER BE PLACED UPON PRINTING OF ASSEMBLY BILLS NOS. 1419 AND 1458

Mr. Brown asked for, and was granted, unanimous consent that a rush order be placed upon the printing of Assembly Bills Nos. 1419 and 1458.

RESOLUTIONS

The following resolution was offered:

By Mr. Hagen:

House Resolution No. 256

Relative to directing the Assembly Interim Committee on Conservation, Planning and Public Works to undertake a special investigation

Resolved by the Assembly of the State of California, That in addition to the duties imposed on it by the resolution creating it, the Assembly Interim Committee on Conservation, Planning and Public Works is authorized and directed to ascertain, study and analyze all facts relating to the subject matter expressed in House Resolution No. 224 of this session of the Legislature and to report to the Legislature at its 1953 Regular Session.

Resolution read, and ordered referred to the Committee on Rules.

Speaker Presiding

At 8.25 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 43

Mr. Lindsay asked for, and was granted unanimous consent to take up Senate Bill No. 43, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 43

Senate Bill No. 43—An act to add Section 31022.5 to the Water Code, relating to county water districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Burke, Caldecott, Clarke, Cloyed, Condon, Connolly, Conrad, Cooke, Crowley, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Levering, Lindsay, Lowrey, Luckel, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Porter, Rosenthal, Shaw, Silliman, Stanley, Thomas, and Mr. Speaker—43

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1838

Mr. Hansen asked for, and was granted unanimous consent to take up Senate Bill No. 1838, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1838

Senate Bill No. 1838—An act to add Sections 37 and 38 to the Construction and Employment Act, relating to the allocation of funds to cities, and making an appropriation therefor.

Bill read third time, and ordered passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 527

Mr. McCollister asked for, and was granted unanimous consent to take up Senate Bill No. 527, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 527

Senate Bill No. 527—An act to add Section 6060.8 to the Business and Professions Code, relating to bar examinations of veterans.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Burke, Caldecott, Chapel, Clarke, Cloyed, George D Collins, Condon, Conrad, Cooke, Crowley, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Stanley, Stewart, and Waters—49.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 679

Mr. Rosenthal asked for, and was granted unanimous consent to take up Senate Bill No. 679, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 679

Senate Bill No. 679—An act to add Section 35 to Chapter 1, Title 1, Part 1 of the Code of Civil Procedure, relating to courts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Condon, Connolly, Conrad, Cooke, Crowley, Dolwig, Doyle, Elliott, Erwin,

Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Rosenthal, Rumford, Stanley, Stewart, Tomlinson, Waters, and Mr Speaker—55.

NOES—George D. Collins—1.

The roll was called, and the bill passed by the following vote.

AYES—Babbage, Beck, Belotti, Berry, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Condon, Connolly, Conrad, Cooke, Crowley, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Rosenthal, Rumford, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—55.

NOES—George D. Collins—1.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1819

Mr. McCollister asked for, and was granted unanimous consent to take up Senate bill No. 1819, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1819

Senate Bill No. 1819—An act conveying certain tidelands and lands lying under inland navigable waters, situate in Bodega Harbor to the County of Sonoma, in furtherance of navigation and commerce and the fisheries and for public recreational purposes, and providing for the government, management and control thereof, reserving rights to the State.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Stanley, Stewart, Tomlinson, and Waters—55.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 512

Mr. McCollister asked for, and was granted unanimous consent to take up Senate Bill No. 512, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 512

Senate Bill No. 512—An act making an appropriation to the Department of Agriculture for completing construction of the Poultry and Animal Disease Diagnostic and Testing Laboratory at Petaluma.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen,

Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, and Waters—60.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER REPORT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 1155

Mr. Lindsay asked for, and was granted, unanimous consent to consider the report of the Committee on Conference concerning Senate Bill No. 1155, temporarily passed on file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 22, 1951

MR SPEAKER. The Committee on Conference concerning

Senate Bill No. 1155 (As amended in Assembly June 19, 1951)—An act to amend Section 28131 of the Government Code and Section 431 of the Education Code, relating to compensation for public services in counties of the thirty-first class

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following.

That the amendments of the Assembly be concurred in and that the bill be further amended as follows

Amendment No. 1

On page 1, line 12, of the printed bill, as amended in the Assembly on June 19, 1951, after "business", insert ", not to exceed one thousand two hundred dollars ($1,200) in any one year".

Amendment No. 2

On page 2, line 14, of said bill, strike out "elementary or secondary", and insert "general".

HAROLD T. JOHNSON	LINDSAY
REGAN	GUBSER
MAYO	HANSEN
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—61.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 3390

Mr. Lowrey asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 3390, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 3390—An act creating the "Yolo County Flood Control and Water Conservation District" for the acquisition, controlling, conservation, diversion, storage and disposition of storm, flood, and

other surface waters, prescribing the boundaries, organization, operation, management, financing and powers and duties of the district.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 3390?

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Assembly on May 25, 1951, after "thereof", insert ", exclusive of the area within reclamation districts Nos 108, 150, 307, 537, 730, 752, 765, 785, 787, 811, 819, 820, 821, 827, 900, 999, 1009, 1600, 2035, 2068, and 2076, the Knights Landing Ridge Drainage District, the Sacramento River West Side Levee District, and the Washington Levee District on the effective date of this act".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 3390 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Waters, and Mr Speaker—61.

NOES—Hagen and Henderson—2.

Assembly Bill No. 3390 ordered enrolled

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2936

Mr. Lowrey asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2936, temporarily passed on file

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2936—An act to add Section 7.7 to the Unemployment Insurance Act, relating to agricultural labor.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2936?

Amendment No. 1

On page 1, line 7, of the printed bill, as amended in the Assembly on May 24, 1951, after "leveling", insert "for agricultural purposes".

Amendment No. 2

On page 1, line 17, of said bill, as amended, after "cutting," insert "threshing,".

Amendment No. 3

On page 2, line 27, of said bill, as amended, after "farm", insert "in connection with ordinary farming operations".

Amendment No. 4

On page 2, line 33, of said bill as amended, after "sumption", insert ", or to manufacturing or commercial operations as distinguished from ordinary farming operations".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2936 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, Conrad, Cooke, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon,

Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—60.

NOES—Henderson—1.

Assembly Bill No. 2936 ordered enrolled.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 22, 1951

To the Honorable Members of the Assembly
State of California
Sacramento, California

GREETINGS: I am returning herewith, without my signature,

Assembly Bill No. 908, entitled: "An act to amend Section 3 of, and to add Sections 3 5 and 30.02 to, the Public Utility District Act, relating to public utility districts."

My objections to the bill are as follows:

This bill amends the Public Utility District Act to provide that existing public utility districts may not engage in any activity authorized by law other than those in which they are engaged on the effective date of the bill, unless authorized by a vote of the electors or by an ordinance of the board of directors. Such an ordinance could not go into effect for 30 days, during which period it would be subject to a referendum if 15 percent of the electors of the district petition for a referendum vote on the measure. As to utility districts hereafter formed, this act provides that the petition for formation shall recite the services which it is sought to render to the public by such districts and it is provided that the scope of such services may not thereafter be enlarged except by vote of the people.

This bill was introduced as one of a series of bills sponsored by the public utilities districts. After the February recess it was amended to accomplish the purposes above stated which are entirely different from and unrelated to the purposes for which it was originally introduced.

I have not been requested to sign the bill by any public utility district, nor by any resident of a public utility district. On the contrary, I have been asked to disapprove the bill by the Public Utilities Districts Association, by the California Municipal Utilities Association and by several public utility districts. It has been pointed out to me that several of the districts are now engaged in the process of planning or constructing works to provide services to their residents that they are not now providing. One district has partially completed a sewage disposal plant, which is not in operation and will not be in operation on the effective date of this law. Should this law be approved, all construction towards this plant would have to be suspended until the adoption of an ordinance and a wait of 30 days to ascertain whether or not a referendum petition is to be filed against it. Several districts are in a similar situation. No useful purpose would be served by thrusting such restrictions on utility districts, or the residents of utility districts, when not requested by them. Public utility districts have been authorized since 1913 and more than sixty have been established. They have served a useful purpose in the State. They have had an orderly development and have presented no problems that should call for such an abridgement of their well settled powers.

For these reasons, I am returning the bill without my approval.

Respectfully submitted.

EARL WARREN, Governor

Acknowledgement of Receipt of Assembly Bill No. 908

June 22, 1951

I acknowledge receipt this twenty-second day of June, 1951, at 8 35 o'clock p.m., of Assembly Bill No. 908 without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

ARTHUR A. OHNIMUS

Assembly Bill No. 908 ordered to unfinished business file.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 21, 1951

To the Honorable Members of the Assembly
State of California
Sacramento, California

GREETINGS: I am returning herewith, without my signature,

Assembly Bill No. 2453, entitled: "An act to amend Section 1295 of the Penal Code, relating to bail and deposits instead of bail"

My objections to the bill are as follows:

This bill would add to the present authorization for a jailer to accept cash in lieu of bail when the amount is $250 or less This bill would authorize such jailer to accept surety bonds. This would include authority to approve the bond in accordance with the instructions of the presiding magistrate of the court having jurisdiction in the area in which the jail is situated. The approval of bail is essentially a judicial act involving discretion and it is not desirable to delegate it to jailers. The legislative committees of the District Attorneys' and the Peace Officers' Associations have called my attention to the inadvisability of this bill. They recommend that the question of the sufficiency of a surety bond, its validity, and form should be personally passed upon by a judge after examination and due consideration I agree with this view in the ordinary case and, for this reason, I am returning the bill without my signature

Respectfully submitted.

EARL WARREN, Governor

Acknowledgment of Receipt of Assembly Bill No. 2453

June 21, 1951

I acknowledge receipt this twenty-second day of June, 1951, at 8.35 o'clock p.m., of Assembly Bill No. 2453 without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

ARTHUR A. OHNIMUS

Assembly Bill No. 2453 ordered to unfinished business file

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 22, 1951

To the Honorable Members of the Assembly
State of California
Sacramento, California

GREETINGS: I am returning herewith, without my signature,

Assembly Bill No. 2665, entitled: "An act to amend Section 5699 of the Elections Code, relating to casting of ballots."

My objections to the bill are as follows:

This bill amends Section 5699 of the Elections Code which provides that employees may on certain election days have two hours off from work during the time when the polls are open. This bill would greatly restrict this provision by making it inapplicable if the employee has two consecutive hours, either before or after his scheduled hours of employment, during the period when the polls are open Provision is made for an extra one-half hour in the event transportation time makes such provision necessary.

I believe that it is in the interest of sound government for our working people to be encouraged to vote and that it is not too much to ask of an employer to encourage widespread voting by releasing his employees for a period of time on election day. The exercise of the right of franchise should be encouraged rather than discouraged Since this provision has been on our statute books for 60 years, I do not believe that it should now be seriously impaired. I believe that employers and employees should cooperate in the exercise of this right. If the bill merely required notice on the part of the employee of the time he required for voting, and within reasonable limits provided for the time to be taken so that it would least interfere with the employee's work, I would be willing to sign it. However, this bill goes much further.

It provides that the employer may not only specify the time of absence but also provides that he shall grant such additional time as is necessary not to exceed one-half hour in those cases where two hours is inadequate for travel between the voter's polling place and his place of employment This provision would itself be provocative of disputes. It appears to me that it is not desirable to tinker in this manner with a law that has been in existence for 60 years and which, with the exception of two minor cases presented to me, has worked satisfactorily and in furtherance of sound public policy for such a period of time. The two instances used as an argument for this bill involved not more than one hundred employees altogether.

This bill was a highly controversial one in the Legislature and passed in the Assembly by a vote of 41 to 36. The Assembly concurred in Senate amendments by a

vote of 43 to 22. The Senate adopted the bill by a vote of 22 to 11. In view of the long existence of this right and the few instances of abuse that have been claimed, I am returning the bill, which restricts this right, without my approval.

Respectfully submitted.

EARL WARREN, Governor

Acknowledgment of Receipt of Assembly Bill No. 2665

June 22, 1951

I acknowledge receipt this twenty-second day of June, 1951, at 8.30 o'clock p.m., of Assembly Bill No. 2665 without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

ARTHUR A OHNIMUS

Assembly Bill No. 2665 ordered to unfinished business file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1439

Mr. Babbage asked for, and was granted unanimous consent to take up Senate Bill No. 1439, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1439

Senate Bill No. 1439—An act to repeal Section 6851.1 of the Education Code, to amend Section 6851 of said code, and to add Section 6851.1 to said code, all relating to the computation of attendance of physically handicapped minors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Lanterman, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, and Waters—61

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Shaw:

Resolved, That Senate Bill No. 1759 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—68

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 1759

Senate Bill No. 1759—An act to add Section 214.4 to the Revenue and Taxation Code, relating to the exemption of property for purposes of property taxation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, and Mr Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 66

Mr. Cooke asked for, and was granted, unanimous consent to take up Senate Bill No. 66, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 66

Senate Bill No. 66—An act to amend Section 3 of an act entitled "An act relating to the performance by the Department of Public Works of highway and other cooperative work for the Federal Government, making an appropriation for administrative expenses, declaring the urgency thereof, and providing that this act shall take effect immediately," approved October 13, 1950, relating to the time during which said act shall remain in effect.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters and Mr. Speaker—64.

NOES—None

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1833

Mr. Cooke asked for, and was granted, unanimous consent to take up Senate Bill No. 1833, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1833

Senate Bill No. 1833—An act to amend the heading of Article 5.1, and to add Article 5.2 to, Chapter 11, Division 2, of the Education Code; to add Section 3534 to said code; and to repeal Section 4919.2 of said code, relating to school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Thomas, and Mr. Speaker—64.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF SENATE BILL NO. 41

Mr. Lindsay asked for, and was granted, unanimous consent to take up further consideration of Senate Bill No. 41.

FURTHER CONSIDERATION OF SENATE BILL NO. 41

Senate Bill No. 41—An act to add Part 1.5, comprising Sections 10100 to 10108, inclusive, to Division 6 of the Water Code, relating to implementation of the State Water Plan.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Thomas, Waters, and Mr. Speaker—59.
NOES—Hagen and Henderson—2

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1492

Mr. Connolly asked for, and was granted, unanimous consent to take up Senate Bill No. 1492, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1492

Senate Bill No. 1492—An act to amend Section 20383 of the Education Code, and to add Section 20383.5 to said code, relating to leaves of absence of state college faculty members.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—65.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 300

Mr. Moss asked for, and was granted, unanimous consent to take up Senate Bill No. 300, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 300

Senate Bill No. 300—An act to amend Sections 5153 5, 7102.1, and 7104 of the Education Code, relating to the excess cost of educating mentally retarded pupils.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Caldecott, Chapel, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, and Waters—63.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF SENATE BILL NO. 1838

Mr. Hansen asked for, and was granted unanimous consent to take up further consideration of Senate Bill No. 1838, temporarily passed on file.

FURTHER CONSIDERATION OF SENATE BILL NO. 1838

Senate Bill No. 1838—An act to add Sections 37 and 38 to the Construction and Employment Act, relating to the allocation of funds to cities, and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, and Waters—62.

NOES—George D. Collins and Kilpatrick—2

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1054

Mr. Hinckley asked for, and was granted unanimous consent to take up Senate Bill No. 1054, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1054

Senate Bill No. 1054—An act to amend Section 11200 of, and to add a new Article 9.5 to Chapter 2, Part 3, Division 6, and to amend Sections 11700, 11701, and 11702, of the Water Code, relating to the Central Valley Project; authorizing certain investigations, studies, and preparation of plans and specifications for purposes thereof, and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Shaw, Sherwin, Stanley, and Waters—52

NOES—Dills, Geddes, Grant, Lanterman, Levering, Lyon, McGee, McMillan, and Rumford—9.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONSTITUTIONAL AMENDMENT NO. 30

Mr. Waters asked for, and was granted unanimous consent to take up Senate Constitutional Amendment No. 30, temporarily passed on file.

CONSIDERATION OF SENATE CONSTITUTIONAL AMENDMENT NO. 30

Senate Constitutional Amendment No. 30—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding to Article IV thereof a new section to be numbered 1e, relating to the submission of initiative measures to the electors.

Resolution read.

The roll was called, and the resolution refused adoption by the following vote:

AYES—Cloyed, Collier, Fleury, Geddes, Hansen, Hinckley, Kelly, Kirkwood, Lindsay, Maloney, McGee, Sherwin, Silliman, and Waters—14.

NOES—Beck, Belotti, Berry, Brady, Brown, Chapel, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Evans, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Hollibaugh, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Lyon, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Stanley, and Stewart—51.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER REPORT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 2625

Mr. Grunsky asked for, and was granted, unanimous consent to consider the report of the Committee on Conference concerning Assembly Bill No. 2625, temporarily passed on file.

UNFINISHED BUSINESS (RESUMED)

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committe on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 22, 1951

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 2625—An act to amend Sections 736 and 736a of the Political Code and Sections 41 and 61 of the Code of Civil Procedure, relating to the salaries of Justices of the Supreme Court and of the district courts of appeal.

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows.

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Senate on June 18, 1951, strike out "Sections 736 and 736a of the Political Code and".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 17, inclusive; and in line 18, strike out "SEC. 3", and insert
"SECTION 1".

Amendment No. 3

On page 2, line 1, of said bill, strike out "nineteen thousand dollars ($19,000)", and insert "twenty thousand five hundred dollars ($20,500)".

Amendment No. 4

On page 2, line 3, of said bill, strike out "eighteen thousand dollars ($18,000)", and insert "nineteen thousand dollars ($19,000)".

Amendment No. 5

On page 2, line 5, of said bill, strike out "SEC. 4", and insert
"SEC. 2".

Amendment No. 6

On page 2, lines 11 and 12, of said bill, strike out "seventeen thousand dollars ($17,000)", and insert "eighteen thousand dollars ($18,000)".

Amendment No. 7

On page 2 of said bill, strike out lines 13, to 16, inclusive.

HATFIELD	FLEURY
WATSON	GRUNSKY
REGAN	TOMLINSON
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, and Waters—63.

NOES—Lowrey—1.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Grunsky:

Resolved, That Senate Bill No. 119 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Holbrough, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—65

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 119

Senate Bill No. 119—An act to add Article 5, comprising Sections 116c to 116g, inclusive, to Chapter 5, Title 1, Part 1 of the Code of Civil

Procedure, relating to establishing a uniform accounting system for municipal courts and justice courts, and making an appropriation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lanterman, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, and Waters—65.

NOES—Silliman—1.

Bill ordered transmitted to the Senate.

PERMISSION GRANTED TO CONSIDER ASSEMBLY BILL NO. 1422

Pursuant to the provisions of Joint Rule No. 23, the Speaker having given consent, Mr. Chapel requested that he be granted permission to consider Assembly Bill No. 1422, at this time.

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Luckel, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—64.

NOES—None.

CONSIDERATION OF ASSEMBLY BILL NO. 1422

Assembly Bill No. 1422—An act providing for the constitution of the municipal court in a district embracing the City of Redondo Beach, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burkhalter, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Rosenthal, Rumford, Shaw, Silliman, Stanley, and Mr. Speaker—54.

NOES—Luckel and Lyon—2.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1809

Mr. Crowley asked for, and was granted, unanimous consent to take up Senate Bill No. 1809, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1809

Senate Bill No. 1809—An act to create a flood control district to be called Napa County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, public highways, life

and property from damage or destruction from such waters; to provide for the acquisition, retention, and reclaiming of drainage, storm, flood, and other waters and to save, conserve, and distribute such waters for beneficial use in said district; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to define the powers of said district; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Waters, and Mr. Speaker—65

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Waters, and Mr Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF SENATE BILL NO. 1079

Mr. Crowley asked for, and was granted, unanimous consent to take up further consideration of Senate Bill No. 1079, temporarily passed on file.

FURTHER CONSIDERATION OF SENATE BILL NO. 1079

Senate Bill No. 1079—An act creating the "Lake County Flood Control and Water Conservation District" for the controlling, conservation, diversion, storage and disposition of storm, flood, and other surface waters, prescribing the boundaries, organization, operation, management, financing and powers and duties of the district.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon,

Maloney, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Waters, and Mr. Speaker—64

NOES—Hagen and Henderson—2.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1489

Mr. McCarthy asked for, and was granted unanimous consent to take up Senate Bill No. 1489, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1489

Senate Bill No. 1489—An act to repeal Section 3440 of, and to add Sections 3440 and 3440.1, to, and to amend Section 3440.5 of, the Civil Code, relating to transfers of particular personal property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Waters, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF SENATE BILL NO. 907

Mr. McCarthy asked for, and was granted, unanimous consent to take up further consideration of Senate Bill No. 907.

CONSIDERATION OF SENATE BILL NO. 907

Senate Bill No. 907—An act to add Section 13537.5 to the Government Code, relating to the purchase of printing equipment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Luckel, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Waters, and Mr Speaker—64

NOES—Doyle and Maloney—2.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER REPORT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 640

Mr. Grunsky asked for, and was granted, unanimous consent to consider the report of the Committee on Conference concerning Senate Bill No. 640, temporarily passed on file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 22, 1951

MR. SPEAKER. The Committee on Conference concerning:

Senate Bill No. 640—An act to amend Sections 5, 6, and 7 of, and to add Section 3¼ to, the Highway Carriers' Act, and to amend Sections 3631, 3632, 3634, 5109, 5112, 5113, 5133, and 5133.5 of, and to add Section 3574 to, the Public Utilities Code, relating to highway carriers.

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in and that the bill be further amended as follows:

Amendment No. 1

On page 1, line 18, of the printed bill, as amended in the Assembly on June 18, 1951, strike out "ten thousand dollars ($10,000)", and insert "fifteen thousand dollars ($15,000)".

Amendment No. 2

On page 2, lines 2 and 3, of said bill, strike out "twenty thousand dollars ($20,000)", and insert "thirty thousand dollars ($30,000)".

Amendment No. 3

On page 2, lines 3 and 4, of said bill, strike out "five thousand dollars ($5,000)", and insert "ten thousand dollars ($10,000)".

Amendment No. 4

On page 2, line 51, of said bill, strike out "ten thousand dollars ($10,000)", and insert "fifteen thousand dollars ($15,000)".

Amendment No. 5

On page 3, line 4, of said bill, strike out "twenty thousand dollars ($20,000)", and insert "thirty thousand dollars ($30,000)".

Amendment No. 6

On page 3, line 5, of said bill, strike out "five thousand dollars ($5,000)", and insert "ten thousand dollars ($10,000)".

REGAN	GRUNSKY
HAROLD T. JOHNSON	KIRKWOOD
THOMPSON	GAFFNEY
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—65

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP REPORT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 639

Mr. Gaffney asked for, and was granted unanimous consent to take up the report of the Committee on Conference concerning Senate Bill No. 639, without reference to file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 22, 1951

MR. SPEAKER: The Committee on Conference concerning:

Senate Bill No. 639—An act to amend Sections 4, 5, and 6 of the City Carriers' Act, Section 12 of the Household Goods Carriers Act, and Section 3631, 3632, 3634, and 5161 of the Public Utilities Code, relating to carriers

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following.

That the amendments of the Assembly be concurred in and that the bill be further amended as follows.

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on June 19, 1951, strike out "3631, 3632, 3634", and insert "3981, 3982, 3983".

Amendment No. 2

On page 1, lines 9 and 10, of said bill, strike out "ten thousand dollars ($10,000)", and insert "fifteen thousand dollars ($15,000)".

Amendment No. 3

On page 1, lines 14 and 15, of said bill, strike out "twenty thousand dollars ($20,000)", and insert "thirty thousand dollars ($30,000)".

Amendment No. 4

On page 1, lines 16 and 17, of said bill, strike out "five thousand dollars ($5,000)", and insert "ten thousand dollars ($10,000)".

Amendment No. 5

On page 2, line 34, of said bill, strike out "ten thousand dollars ($10,000)", and insert "fifteen thousand dollars ($15,000)".

Amendment No. 6

On page 2, line 39, of said bill, strike out "twenty thousand dollars ($20,000)", and insert "thirty thousand dollars ($30,000)".

Amendment No. 7

On page 2, lines 40 and 41, of said bill, strike out "five thousand dollars ($5,000)", and insert "ten thousand dollars ($10,000)".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 8

On page 3 of said bill, strike out lines 18 to 51, inclusive; and on page 4, strike out lines 1 to 10, inclusive, and insert

"SEC. 4. Section 3981 of the Public Utilities Code is amended to read:

3981. The commission shall, in granting permits pursuant to this chapter, require the carrier to procure, and continue in effect during the life of the permit, adequate protection, as provided in Section 3982, against liability imposed by law upon the carrier for the payment of damages for personal bodily injuries, including death resulting therefrom, in the amount of not less than [five thousand dollars ($5,000)] *fifteen thousand dollars ($15,000)* on account of bodily injuries to, or death of, one person; and protection against a total liability of the carrier on account of bodily injuries to, or death of, more than one person, as a result of any one accident, in the amount of not less than [ten thousand dollars ($10,000)] *thirty thousand dollars ($30,000)*; and protection in an amount of not less than [five thousand dollars ($5,000)] *ten thousand dollars ($10,000)* for one accident resulting in damage or destruction of property whether the property of one, or more than one claimant.

The commission may, upon its own motion or upon the application of any interested party, and after hearing, require any city carrier to procure and maintain cargo insurance in such amounts and upon such terms as the commission may determine.

SEC. 5. Section 3982 of said code is amended to read:

3982. The protection required under Section 3981 shall be evidenced [either:]

[(a)] by the deposit with the commission, covering each vehicle used or to be used under the permit applied for,

(1) Of a policy *or policies* of [public liability and property damage] insurance, issued by a company licensed to write such insurance in the State; or

(2) Of a bond of a surety company licensed to write surety bonds in the State [; or] .

[(3) Of a personal bond, with such sureties as the commission finds adequate to guarantee the required protection.]

[(b) By a trust fund in the amount of fifteen thousand dollars ($15,000), to be held in trust by some institution or person acceptable to the commission]

[(c) By a combination of any of the foregoing methods in such manner that the aggregate of the protection or funds available equals the principal sum of not less than fifteen thousand dollars ($15,000).]

[The carrier shall select the method to be used in obtaining the protection, and may change from one method to another, from time to time, with the consent of the commission.]

With the consent of the commission a copy of an insurance policy, duly certified by the company issuing it to be a true copy of the original policy, or a photostatic copy thereof, or an abstract of the provisions of said policy, or a certificate of insurance issued by the company issuing such policy, may be filed with the commission in lieu of the original or a duplicate or counterpart of said policy.

SEC. 6. Section 3983 of said code is amended to read

3983. The protection against liability shall be continued in effect during the life of the permit. The policy of insurance [,] *or* surety bond [, or personal bond] shall not be cancelable on less than [ten (10)] *thirty (30)* days' written notice to the commission."

Amendment No. 9

On page 4, line 18, of said bill, strike out "ten thousand dollars ($10,000)", and insert "fifteen thousand dollars ($15,000)".

Amendment No. 10

On page 4, line 23, of said bill, strike out "twenty thousand dollars ($20,000)", and insert "thirty thousand dollars ($30,000)".

Amendment No. 11

On page 4, lines 24 and 25, of said bill, strike out "five thousand dollars ($5,000)", and insert "ten thousand dollars ($10,000)".

REGAN
HAROLD T. JOHNSON
JAMES E. CUNNINGHAM
Senate Committee on Conference

GRUNSKY
KIRKWOOD
GAFFNEY
Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Caldecott, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr Speaker—65

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 484

Mr. Maloney asked for, and was granted, unanimous consent to take up Senate Bill No. 484, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 484

Senate Bill No. 484—An act making an appropriation for support of Grand National Junior Livestock Exposition, No. 1-A District Agricultural Association.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant,

Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Rosenthal, Shaw, Sherwin, Silliman, Stanley, Stewart, and Waters—62.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

Explanation of Vote

I voted against Senate Bill No. 484 in protest of extending the life of the Grand National Junior Livestock Exposition one year only.

LLOYD W. LOWREY

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1048

Mr. Condon asked for, and was granted unanimous consent to take up Senate Bill No. 1048, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1048

Senate Bill No. 1048—An act to amend Section 4660 of the Labor Code, relating to the percentages of permanent disability, including a schedule for the determination of such percentages.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Rosenthal, Sherwin, Silliman, Stanley, Stewart, Waters, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

PERMISSION GRANTED TO CONSIDER ASSEMBLY BILL NO. 1436

Pursuant to Joint Rule No. 23, the Speaker having given consent, Mr. Erwin requested permission to consider Assembly Bill No. 1436.

The roll was called, and permission granted Mr. Erwin to consider Assembly Bill No. 1436 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Rosenthal, Shaw, Sherwin, Silliman, Stanley, Waters, and Mr Speaker—60.

NOES—None.

CONSIDERATION OF ASSEMBLY BILL NO. 1436

Assembly Bill No. 1436—An act providing for the constitution of the municipal court in a district embracing the City of Whittier, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hahn, Hansen, Hawkins,

Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Rosenthal, Rumford, Shaw, Stanley, Stewart, and Mr. Speaker—55.

NOES—George D. Collins—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 157

Mrs. Niehouse asked for, and was granted unanimous consent to take up House Resolution No. 157, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 157

By Mrs. Niehouse:

House Resolution No. 157

Relative to the Assembly Interim Committee on Social Welfare

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Social Welfare is hereby created and is authorized and directed to ascertain, study and analyze all aspects of administration by the State and the counties of the social welfare program, including the division of basic responsibilities and authority, methods of achieving greater uniformity in administrative practice, efficiency and effectiveness of administration including personnel policies and use of staff, methods of carrying on operating and program research, administrative policies and procedures in effect, reorganization and simplification of the Welfare and Institutions Code, methods of financing the social welfare programs, and any and all other matters relating to the administration of these programs, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the members of the Assembly Standing Committee on Social Welfare for this legislative session. The chairman and vice chairman shall be the chairman and vice chairman of the said standing committee Vacancies occurring in the membership of the committee shall be filled by the Speaker.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of twenty-five thousand dollars ($25,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In line 1 of the 6th *Resolved* clause of the resolution, as printed on page 4767 of the Assembly Journal for May 25, 1951, strike out "twenty-five thousand dollars ($25,000)", and insert "fifteen thousand dollars ($15,000)".

Amendment read, and adopted.

Consideration of Further Amendments

Motion to Amend

Mr. Sherwin moved the adoption of the following amendment:

Amendment No. 1

In line 4 of the paragraph numbered 2, of the measure as printed on page 4767 of the Assembly Journal for May 25, 1951, after the period, insert "A vacancy shall be deemed to exist whenever any member of the committee fails to secure the nomination of his party at the primary election or fails to be elected at the general election."

Amendment read, and adopted.

Consideration of House Resolution No. 157, as Amended

By Mrs. Niehouse:

House Resolution No. 157

Relative to the Assembly Interim Committee on Social Welfare

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Social Welfare is hereby created and is authorized and directed to ascertain, study and analyze all aspects of administration by the State and the counties of the social welfare program, including the division of basic responsibilities and authority, methods of achieving greater uniformity in administrative practice, efficiency and effectiveness of administration including personnel policies and use of staff, methods of carrying on operating and program research, administrative policies and procedures in effect, reorganization and simplification of the Welfare and Institutions Code, methods of financing the social welfare programs, and any and all other matters relating to the administration of these programs, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation

2. The committee shall consist of the members of the Assembly standing Committee on Social Welfare for this legislative session. The chairman and vice chairman shall be the chairman and vice chairman of the said standing committee. Vacancies occurring in the membership of the committee shall be filled by the Speaker. A vacancy shall be deemed to exist whenever any member of the committee fails to secure the nomination of his party at the primary election or fails to be elected at the general election.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members

5. The committee has the following additional powers and duties:

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(d) To do any and all other things necessary or convenient to enable it to fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of fifteen thousand dollars ($15,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kloeksiem, Lanterman, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Moss, Munnell, Niehouse, Rosenthal, Shaw, Silliman, Stanley, Stewart, Waters, and Mr. Speaker—59.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT THAT 2,500 ADDITIONAL COPIES OF HOUSE RESOLUTION NO. 158 BE PRINTED

Mr. Kilpatrick asked for, and was granted, unanimous consent that 2,500 additional copies of House Resolution No. 158 be ordered printed

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 161

Mr. McCollister asked for, and was granted unanimous consent to take up House Resolution No. 161, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 161

By Mr. McCollister:

House Resolution No. 161

Relative to the creation of the Assembly Interim Committee on Military Affairs

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Military Affairs is hereby created and authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon any matter which, under the Standing Rules of the Assembly and the legislative practices thereunder would be referred to the Assembly Standing Committee on Military Affairs, and any and all other matters relating to or affecting military and veterans affairs, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of such Members of the Assembly Standing Committee on Military Affairs as the Speaker shall appoint The chairman shall be appointed by the Speaker Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

Strike out the 2nd numbered paragraph of the resolution, as printed on pages 4809 and 4810 of the Assembly Journal for May 28, 1951, and insert

"2. The committee shall consist of the same members who comprise the Assembly Standing Committee on Military Affairs and the chairman and vice chairman of said standing committee shall be the chairman and vice chairman of this committee Vacancies occurring in the membership of the committee shall be filled by the appointing power."

Amendment No. 2

In the 5th numbered paragraph, strike out all of subdivision (a) and renumber subdivisions (b), (c), (d) and (e) to become (a), (b), (c) and (d), respectively

Amendment No. 3

In line 1 of the 6th numbered paragraph, strike out "ten thousand dollars ($10,000)", and insert "five thousand dollars ($5,000)".

Amendments read, and adopted.

Consideration of House Resolution No. 161, as Amended

By Mr. McCollister:

House Resolution No. 161

Relative to the creation of the Assembly Interim Committee on Military Affairs

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Military Affairs is hereby created and authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon any matter which, under the Standing Rules of the Assembly and the legislative practices thereunder would be referred to the Assembly standing Committee on Military Affairs, and any and all other matters relating to or affecting military and veterans affairs, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the same members who comprise the Assembly standing Committee on Military Affairs and the chairman and vice chairman of said standing committee shall be the chairman and vice chairman of this committee. Vacancies occuring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5 The committee has the following additional powers and duties:

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution

(6) The sum of five thousand dollars ($5,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lockslem, Levering, Lincoln, Lindsay, Lyon, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Waters, and Mr Speaker—62.

NOES—None

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 167

Mr. Evans asked for, and was granted, unanimous consent to take up House Resolution No. 167, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 167

By Mr. Evans:

House Resolution No. 167

Relative to the creation of the Assembly Interim Committee on Public Utilities and Corporations

WHEREAS, At each session of the Legislature numerous bills relating to or affecting public utilities and corporations and related matters are introduced; and

WHEREAS, In order to properly consider such measures it is necessary that the Assembly be fully informed as to all facts directly or indirectly bearing thereon; and

WHEREAS, The Assembly standing Committee on Public Utilities and Corporations, and the members thereof, have acquired experience and knowledge of the problems peculiar to this subject; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly standing Committee on Public Utilities and Corporations is hereby constituted the Assembly Interim Committee on Public Utilities and Corporations and is authorized and directed to ascertain, study and analyze all facts relating to, bearing upon or in any way affecting the public utilities and corporations and other subjects which, under the Standing Rules and the legislative practices of the Assembly, would be referred to the standing Committee on Public Utilities and Corporations, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation

2. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

3 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this

session, which provisions are incorporated herein and made applicable to this committee and its members. Vacancies shall be filed by the Speaker.

4. The committee has the following additional powers and duties.

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

5. The sum of _____ dollars ($_____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In the 4th numbered paragraph of the resolution, as printed on pages 4967 and 4968 of the Assembly Journal for May 31, 1951, strike out all of subdivision (a) of said paragraph and renumber subdivisions (b), (c), (d) and (e) to become (a), (b), (c) and (d) respectively.

Amendment No. 2

In line 1 of the 5th numbered paragraph, strike out "_____ dollars ($_____)", and insert "seven thousand five hundred dollars ($7,500)".

Amendments read, and adopted.

Consideration of House Resolution No. 167, as Amended

By Mr. Evans:

House Resolution No. 167

Relative to the creation of the Assembly Interim Committee on Public Utilities and Corporations

WHEREAS, At each session of the Legislature numerous bills relating to or affecting public utilities and corporations and related matters are introduced; and

WHEREAS, In order to properly consider such measures it is necessary that the Assembly be fully informed as to all facts directly or indirectly bearing thereon; and

WHEREAS, The Assembly standing Committee on Public Utilities and Corporations, and the members thereof, have acquired experience and knowledge of the problems peculiar to this subject; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1 The Assembly standing Committee on Public Utilities and Corporations is hereby constituted the Assembly Interim Committee on Public Utilities and Corporations and is authorized and directed to ascertain, study and analyze all facts relating to, bearing upon or in any way affecting the public utilities and corporations and other subjects which, under the Standing Rules and the legislative practices of the Assembly, would be referred to the standing Committee on Public Utilities and Corporations, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation

2 The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session

3 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the

Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members. Vacancies shall be filled by the Speaker.

4. The committee has the following additional powers and duties

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution

5. The sum of seven thousand five hundred dollars ($7,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Lyon, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—66.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 177

Mr. McMillan asked for, and was granted unanimous consent to take up House Resolution No. 177, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 177

By Mr. McMillan:

House Resolution No. 177

Relative to the Assembly Committee on Boards and Commissions

WHEREAS, Each session of the Legislature is confronted with numerous bills and demands for bills to regulate various matters involving public morals including alcoholic beverages, gambling, vice of all kinds, wrestling and boxing matches, horse racing, dog racing and matters of a similar matter; and

WHEREAS, At the 1951 Session of the Legislature bills, and requests for bills, designed to curb, prevent or regulate these matters failed of enactment because the Legislature had insufficient data thereon to enable it to legislate intelligently; and

WHEREAS, To meet this need for information it has been determined by the Assembly to constitute the standing committees of the Assembly interim committees in order that at the next session of the Legislature the Assembly may be fully apprised of such facts; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly standing Committee on Boards and Commissions is hereby constituted an interim committee of the Assembly and authorized and directed to

(a) Conduct a comprehensive study of all facts and conditions necessary to enable the Assembly to determine whether further legislation to prevent or punish sex perversion in relation to crimes of violence is needed, and, if so, the type of legislation which will be most effective.

(b) Ascertain, study, and analyze, all facts relative to the conduct of racing meets, athletic contests, liquor licenses of all sorts, multiple ownership of alcoholic beverage licenses, and all other matters relating to or bearing upon the public morals and welfare.

(c) Study the operation, effect, administration, enforcement and needed legislation of any and all laws in any way bearing upon or relating to the above matters.

(d) Report on the above to the Assembly, including in its reports its recommendations for appropriate legislation

2. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session

3. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

4. The committee has the following additional powers and duties:

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform it duties, and accomplish the objects and purposes of this resolution.

(e) To meet at the State Capitol or at any other place in this State or within the United States.

5. The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In line 1 of the 5th *Resolved* clause, of the resolution, as printed on page 5285 of the Assembly Journal for June 7, 1951, strike out "ten thousand dollars ($10,000)", and insert "five thousand dollars ($5,000)".

Amendment No. 2

In the paragraph numbered 1 of the measure as printed in the Assembly Journal for June 7, 1951, at page 5285, strike out all of subdivision (a) of said paragraph and renumber subdivisions (b), (c), and (d) of said paragraph as subdivisions (a), (b), and (c), respectively.

Amendments read, and adopted.

Consideration of House Resolution No. 177, as Amended

By Mr. McMillan:

House Resolution No. 177

Relative to the Assembly Committee on Boards and Commissions

WHEREAS, Each session of the Legislature is confronted with numerous bills and demands for bills to regulate various matters involving public morals including alcoholic beverages, gambling, vice of all kinds, wrestling and boxing matches, horse racing, dog racing and matters of a similar matter, and

WHEREAS, At the 1951 Session of the Legislature bills, and requests for bills, designed to curb, prevent or regulate these matters failed of enactment because the Legislature had insufficient data thereon to enable it to legislate intelligently; and

WHEREAS, To meet this need for information it has been determined by the Assembly to constitute the standing committees of the Assembly interim committees in order that at the next session of the Legislature the Assembly may be fully apprised of such facts; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly standing Committee on Boards and Commissions is hereby constituted an interim committee of the Assembly and authorized and directed to:

(a) Ascertain, study, and analyze, all facts relative to the conduct of racing meets, athletic contests, liquor licenses of all sorts, multiple ownership of alcoholic beverage licenses, and all other matters relating to or bearing upon the public morals and welfare.

(b) Study the operation, effect, administration, enforcement and needed legislation of any and all laws in any way bearing upon or relating to the above matters.

(c) Report on the above to the Assembly, including in its reports its recommendations for appropriate legislation.

2. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

3. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

4. The committee has the following additional powers and duties:

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

(e) To meet at the State Capitol or at any other place in this State or within the United States.

5. The sum of five thousand dollars ($5,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lindsay, Lowrey, Lyon, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Sillman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—64.

NOES—None

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 194

Mr. Geddes asked for, and was granted unanimous consent to take up House Resolution No. 194, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 194

By Mr. Geddes:

House Resolution No. 194

Relative to the creation of the Assembly Interim Committee on Finance and Insurance

WHEREAS, It has been demonstrated during the 1951 Session of the California Legislature that much time may be conserved by the Assembly through the early introduction of bills in the regular session which have been heard as to their subject matter by a properly constituted interim committee which has afforded the interested parties ample opportunity to present matter pertaining to the subject legislation; and

WHEREAS, By such interim committee an opportunity is also afforded to its members to become acquainted with the subjects investigated and researched to determine whether by their authorship the members will support legislation pertaining to the same; and

WHEREAS, The several departments and agencies of the State Government are also given an ample opportunity to conduct industry hearings and to present a report of the same to such committee by which means agreed bills may be brought in early in the session; and

WHEREAS, By preparing for the 1953 Session of the Legislature by an Assembly Interim Committee on Finance and Insurance time may be saved and the work of the Legislature expedited; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Finance and Insurance is hereby created, authorized and directed to ascertain, study and analyze all facts relating to:

(a) Unemployment insurance, as to matters affecting the solvency of the fund and actuarial and other related problems, and

(b) Unemployment disability insurance

(c) Workmen's compensation insurance.

(d) Commercial insurance in all its branches, including but not limited to group insurance and the matter of dividends and dividend procedure.

(e) Self insurers authorized by and operating subject to California laws, the operation and stability of the same and need for further clarification or revision of such laws

(f) Voluntary plans of hospital and/or health insurance or plans operating under provisions of the law to protect persons from the high costs of sickness and accident in this State, and other unregulated plans purporting to operate under existing provisions of law, and the need for regulation under existing laws or the enactment of regulatory legislation

(g) Insurers operating under the lodge system and other means or kinds of insurance differing from insurance generally available to the public.

(h) Banks, saving and loan and other investment and loaning institutions and institutions operating under the Corporations Code which are related to the field of finance or investment, including credit unions.

(i) The administration of the laws relating to each subject set forth above and the conduct of the office of each state agency, bureau or commission responsible for the enforcement and supervision of the laws pertaining to the above.

(j) Matters pertaining to the subjects of legislation referred to the Assembly standing Committee on Finance and Insurance during the 1951 Regular Session.

2 The committee shall consist of the members of the Assembly standing Committee on Finance and Insurance of the 1951 Session. The chairman shall be appointed by the Speaker Vacancies occurring in the membership of the committee shall be filled by the Speaker as provided by the Standing Rules of the Assembly.

3 The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5 The committee has the following additional powers and duties:

(a) To elect a vice chairman from among its membership, and to appoint a secretary and engage other and necessary employees to serve the committee.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To meet in Sacramento at the State Capitol or any other place in this State either in full committee or subcommittees thereof as appointed by the chairman

(d) To meet outside of this State within the United States either in full committee or subcommittees thereof as appointed by the chairman to confer with the agencies of the Federal Government and/or national organizations or conferences sponsoring or proposing legislation pertaining to any of the subjects enumerated herein

(e) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas orders and other process issued by the committee

(f) To reports its findings and recommendations to the Legislature and to the people from time to time and at any time not later than herein provided

(g) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of thirty thousand dollars ($30,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In the 2nd numbered paragraph of said resolution, as printed in the Assembly Journal for June 12, 1951, at pages 5529 and 5530 strike out the second sentence of said paragraph, and insert "The chairman and vice chairman shall be the chairman and vice chairman of the standing committee"

Amendment No. 2

In the 5th numbered paragraph of said resolution, strike out all of subdivision (a) of said paragraph, and insert

"(a) To appoint a secretary and engage other and necessary employees to serve the committee."

Amendment No. 3

In the first line of the 6th numbered paragraph of said resolution, strike out "thirty thousand dollars ($30,000)", and insert "twenty thousand dollars ($20,000)"

Amendments read, and adopted.

Consideration of House Resolution No. 194, as Amended

By Mr. Geddes:

House Resolution No. 194

Relative to the creation of the Assembly Interim Committee on Finance and Insurance

WHEREAS, It has been demonstrated during the 1951 Session of the California Legislature that much time may be conserved by the Assembly through the early introduction of bills in the regular session which have been heard as to their subject matter by a properly constituted interim committee which has afforded the interested parties ample opportunity to present matter pertaining to the subject legislation; and

WHEREAS, By such interim committee an opportunity is also afforded to its members to become acquainted with the subjects investigated and researched to determine whether by their authorship the members will support legislation pertaining to the same; and

WHEREAS, The several departments and agencies of the State Government are also given an ample opportunity to conduct industry hearings and to present a report of the same to such committee by which means agreed bills may be brought in early in the session; and

WHEREAS, By preparing for the 1953 Session of the Legislature by an Assembly Interim Committee on Finance and Insurance time may be saved and the work of the Legislature expedited; now, therefore, be it

Resolved by the Assembly of the State of California, As follows

1 The Assembly Interim Committee on Finance and Insurance is hereby created, authorized and directed to ascertain, study and analyze all facts relating to:

(a) Unemployment insurance, as to matters affecting the solvency of the fund *and actuarial and other related problems, and*

(b) Unemployment disability insurance.

(c) Workmen's compensation insurance

(d) Commercial insurance in all its branches, including but not limited to group insurance and the matter of dividends and dividend procedure

(e) Self insurers authorized by and operating subject to California laws, the operation and stability of the same and need for further clarification or revision of such laws

(f) Voluntary plans of hospital and/or health insurance or plans operating under provisions of the law to protect person from the high costs of sickness and accident in this State, and other unregulated plans purporting to operate under existing provisions of law, and the need for regulation under existing laws or the enactment of regulatory legislation.

(g) Insurers operating under the lodge system and other means or kinds of insurance differing from insurance generally available to the public

(h) Banks, saving and loan and other investment and loaning institutions and institutions operating under the Corporations Code which are related to the field of finance or investment, including credit unions.

(i) The administration of the laws relating to each subject set forth above and the conduct of the office of each state agency, bureau or commission responsible for the enforcement and supervision of the laws pertaining to the above.

(j) Matters pertaining to the subjects of legislation referred to the Assembly standing Committee on Finance and Insurance during the 1951 Regular Session.

2. The committee shall consist of the Members of the Assembly standing Committee on Finance and Insurance of the 1951 Session The chairman and vice chairman shall be the chairman and vice chairman of the standing committee. Vacancies occurring in the membership of the committee shall be filled by the Speaker as provided by the Standing Rules of the Assembly.

3 The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members

5. The committee has the following additional powers and duties:

(a) To appoint a secretary and engage other and necessary employees to serve the committee.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(c) To meet in Sacramento at the State Capitol or any other place in this State either in full committee or subcommittees thereof as appointed by the chairman.

(d) To meet outside of this State within the United States either in full committee or subcommittees thereof as appointed by the chairman to confer with the agencies of the Federal Government and/or national organizations or conferences sponsoring or proposing legislation pertaining to any of the subjects enumerated herein.

(e) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(f) To report its findings and recommendations to the Legislature and to the people from time to time and at any time not later than herein provided.

(g) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution

6 The sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Cloved, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lindsay, Lowrey, Lyon, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—66.

NOES—None

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 156

Mr. Morris asked for, and was granted unanimous consent to take up House Resolution No 156, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 156

By Mr. Morris:

House Resolution No. 156

Relative to the powers of the Assembly standing Committee on Manufacturing, Oil, and Mining Industry

Resolved by the Assembly of the State of California, As follows.

1. The Assembly standing Committee on Manufacturing, Oil, and Mining Industry is hereby authorized and directed to ascertain, study, and analyze all facts relating to

(a) The subject (within the scope of legislative regulation and control) of attaining maximum efficiency and minimum waste at all the various phases of the discovery, production, transportation, refining, and use of oil, gas and other hydro-carbon substances, including production thereof from lands owned by the State, public agencies, and political subdivisions, cooperating therein to the fullest extent in every way with federal agencies; and

(b) The title of the State of California and its grantees in and to the tide, submerged and reclaimed lands lying within its borders and adjacent to its seacoast, the use, administration, and management thereof by the State and its grantees, any attacks by federal officials relating thereto, litigation with reference thereto, and legislation pending in Congress affecting such title, and any and all matters relating thereto or connected therewith or which affect the interests of the State therein; and

(c) The subject (within the scope of legislative regulation and control) of attaining maximum efficiency and minimum waste at all the various phases of the discovery, production, transportation, refining and use of minerals, including production thereof from lands owned by the State, public agencies, and political subdivisions, cooperating therein to the fullest extent in every way with federal agencies, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the report its recommendations for appropriate legislation.

2. Vacancies occurring or existing in the membership of the committee shall be filled by the Speaker.

3 The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session

4. The committee and its members shall have and exercise all the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

(d) To meet at the State Capitol or at any other place in this State or within the United States.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6 The sum of _____ dollars ($_____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In the paragraph numbered 1 of the measure as printed in the Assembly Journal for May 25, 1951, at page 4766, strike out subdivision (b) of said paragraph, and renumber subdivision (c) to become subdivision (b).

Amendment No. 2

In line 1 of the 6th *Resolved* clause, strike out "_____ dollars ($_____)", and insert "five thousand dollars ($5,000)."

Amendments read, and adopted.

Consideration of House Resolution No. 156, as Amended

By Mr. Morris:

House Resolution No. 156

Relative to the powers of the Assembly standing Committee on Manufacturing, Oil, and Mining Industry

Resolved by the Assembly of the State of California, As follows:

1. The Assembly standing Committee on Manufacturing, Oil, and Mining Industry is hereby authorized and directed to ascertain, study, and analyze all facts relating to

(a) The subject (within the scope of legislative regulation and control) of attaining maximum efficiency and minimum waste at all the various phases of the discovery, production, transportation, refining, and use of oil, gas and other hydro-carbon substances, including production thereof from lands owned by the State, public agencies, and political subdivisions, cooperating therein to the fullest extent in every way with federal agencies; and

(b) The subject (within the scope of legislative regulation and control) of attaining maximum efficiency and minimum waste at all the various phases of the discovery, production, transportation, refining and use of minerals, including production thereof from lands owned by the State, public agencies, and political subdivisions, cooperating therein to the fullest extent in every way with federal agencies; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the report its recommendations for appropriate legislation.

2 Vacancies occurring or existing in the membership of the committee shall be filled by the Speaker.

3 The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4 The committee and its members shall have and exercise all the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members.

5 The committee has the following additional powers and duties:

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(d) To meet at the State Capitol or at any other place in this State or within the United States.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6 The sum of five thousand dollars ($5,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Collier, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans.

Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Landsay, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Silliman, Stanley, Stewart, Thomas, Waters, and Mr Speaker—55.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 197

Mr. Dunn asked for, and was granted, unanimous consent to take up House Resolution No 197, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 197

By Mr Dunn:

House Resolution No. 197

Relative to the creation of the Assembly Interim Committee on Education

WHEREAS, In order to carry out its legislative function properly it is essential that the Assembly be fully informed as to the manner in which the Public School System is being conducted, the effectiveness with which its obligations are being discharged, and all facts relating to the subject of public education, including, but not limited to, the organization and administration of the Public School System, the financing thereof and possible economies therein, the effectiveness of the curricula and methods of teaching, the adequacy of textbooks in use, the manner of their selection and purchase, and the advisability of providing vocational guidance to students prior to their entering secondary schools; and

WHEREAS, It is further essential that the Assembly be fully informed as to all matters relating to privately operated educational institutions within the scope of legislative regulation and control or insofar as such information may be pertinent to matters relating to the Public School System; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Education is hereby created and authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon the subjects mentioned in the recitals of this resolution including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation

2 The committee shall consist of the members of the Assembly standing Committee on Education for this legislative session The chairman and vice chairman shall be the chairman and vice chairman of the said standing committee. Vacancies occurring in the membership of the committee shall be filled by the Speaker

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session which provisions are incorporated herein and made applicable to this committee and its members

5 The committee has the following additional powers and duties:

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution

(e) To meet at the State Capitol or at any place within the State or within the United States

6 The sum of fifty thousand dollars ($50,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or

claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In line 1 of the 6th numbered paragraph of the resolution, as printed in the Assembly Journal for June 13, 1951, at pages 5586 and 5587, strike out "fifty thousand dollars ($50,000)", and insert "twenty thousand dollars ($20,000)"

Amendment read, and adopted.

Consideration of House Resolution No. 197, as Amended

By Mr. Dunn:

House Resolution No. 197

Relative to the creation of the Assembly Interim Committee on Education

WHEREAS, In order to carry out its legislative function properly it is essential that the Assembly be fully informed as to the manner in which the Public School System is being conducted, the effectiveness with which its obligations are being discharged, and all facts relating to the subject of public education, including, but not limited to, the organization and administration of the Public School System, the financing thereof and possible economies therein, the effectiveness of the curricula and methods of teaching, the adequacy of textbooks in use, the manner of their selection and purchase, and the advisability of providing vocational guidance to students prior to their entering secondary schools; and

WHEREAS, It is further essential that the Assembly be fully informed as to all matters relating to privately operated educational institutions within the scope of legislative regulation and control or insofar as such information may be pertinent to matters relating to the Public School System; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Education is hereby created and authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon the subjects mentioned in the recitals of this resolution including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the members of the Assembly standing Committee on Education for this legislative session. The chairman and vice chairman shall be the chairman and vice chairman of the said standing committee. Vacancies occurring in the membership of the committee shall be filled by the Speaker.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties.

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

(e) To meet at the State Capitol or at any place with the State or within the United States.

6. The sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Huckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lockslem, Levering, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—63

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 101

Mr. Hollibaugh asked for, and was granted unanimous consent to take up House Resolution No. 101, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 101

By Mr. Hollibaugh:

House Resolution No. 101

Relative to the creation of the Assembly Interim Committee on State and Local Taxation

WHEREAS, The impact of federal, state, and local taxes are of immediate and vital concern to each and every person in this State; and

WHEREAS, It is a prerequisite to sound government that the tax burden be equal as between all taxpayers; and

WHEREAS, Taxes cannot be fairly imposed unless the administration thereof by government officers and agencies is uniform and efficient as to each and every taxpayer; and

WHEREAS, There is need to ascertain the extent to which it is sound financial policy for revenues raised by one governmental unit to be granted or subvented to, or shared with, another governmental unit; and

WHEREAS, The need for taxes for each governmental unit cannot be ascertained unless the need for revenue for each such unit is also ascertained with exactitude; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on State and Local Taxation is hereby created and authorized and directed to ascertain, study and analyze all facts relating to state and local taxation, including the relationship thereof to federal taxes, subventions or grants of financial assistance by the State to cities, cities and counties, counties, and districts and by the Federal Government to the State and local Governments, the sharing of revenues by the State, the administration and expenditure of all state and local taxes, with special reference to the adequacy of the tax base for each and the simplification of their fiscal interrelation, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject and recitals of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation

2. The committee shall consist of the membership of the Standing Committee on Revenue and Taxation. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the adjournment of the 1953 Regular Session, with authority to file its final report not later than the last legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The committee, and any subcommittee thereof when so authorized by the committee, may meet and act without as well as within the State of California, and is hereby authorized to leave the State in the performance of its duties.

7. The sum of _____ or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

On page 1956 of the Assembly Journal for March 23, 1951, strike out the title of the printed measure, and insert

"Relative to constituting the standing Committee on Revenue and Taxation as the Assembly Interim Committee on Revenue and Taxation"

Amendment No. 2

In line 1 of the paragraph numbered 1, strike out "State and Local", and insert "Revenue and".

Amendment No. 3

In line 2 of the paragraph numbered 2, of the measure as printed on pages 1956 and 1957 of the Assembly Journal for March 23, 1951, strike out "The chairman shall be appointed by the Speaker.", and insert "The chairman and vice chairman shall be the chairman and vice chairman of the said standing committee"

Amendment No. 4

In the paragraph numbered 5, strike out all of subdivision "(a)" and renumber "(b), (c), (d) and (e)" as subdivisions "(a), (b), (c), and (d)"

Amendment No. 5

In line 1 of the paragraph numbered 7, strike out "_____", and insert "twenty thousand dollars ($20,000)".

Amendments read, and adopted.

Consideration of House Resolution No. 101, as Amended

By Mr. Hollibaugh:

House Resolution No. 101

Relative to constituting the standing Committee on Revenue and Taxation as the Assembly Interim Committee on Revenue and Taxation

WHEREAS, The impact of federal, state, and local taxes are of immediate and vital concern to each and every person in this State; and

WHEREAS, It is a prerequisite to sound government that the tax burden be equal as between all taxpayers; and

WHEREAS, Taxes cannot be fairly imposed unless the administration thereof by government officers and agencies is uniform and efficient as to each and every taxpayer; and

WHEREAS, There is need to ascertain the extent to which it is sound financial policy for revenues raised by one governmental unit to be granted or subvented to, or shared with, another governmental unit; and

WHEREAS, The need for taxes for each governmental unit cannot be ascertained unless the need for revenue for each such unit is also ascertained with exactitude; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Revenue and Taxation is hereby created and authorized and directed to ascertain, study and analyze all facts relating to state and local taxation, including the relationship thereof to federal taxes, subventions or grants of financial assistance by the State to cities, cities and counties, counties, and districts and by the Federal Government to the State and local Governments, the sharing of revenues by the State, the administration and expenditure of all state and local taxes, with special reference to the adequacy of the tax base for each and the simplification of their fiscal interrelation, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject and recitals of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the membership of the standing Committee on Revenue and Taxation. The chairman and vice chairman shall be the chairman and vice chairman of the said standing committee. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the adjournment of the 1953 Regular Session, with authority to file its final report not later than the last legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The committee, and any subcommittee thereof when so authorized by the committee, may meet and act without as well as within the State of California, and is hereby authorized to leave the State in the performance of its duties.

7. The sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—65

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 168

Mr. Brown asked for, and was granted unanimous consent to take up House Resolution No. 168, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 168

By Mr. Brown:

House Resolution No. 168

Relative to the creation of the Assembly Interim Committee on Judicial System and Judicial Process

WHEREAS, The Assembly Interim Committee on Judicial System and Judicial Process created during the 1949 Regular Session has submitted its final report and legislation proposed by that committee has been acted upon during this session with a substantial saving to the people of the State of California in time and money; and

WHEREAS, At this session of the Legislature it has been found that further study is needed on many of these subjects; and

WHEREAS, Many additional problems have been proposed which are far reaching and affect the rights of the people of the State of California and will require much diligent study; and

WHEREAS, There is great need of a thorough investigation and research into all matters relating to or affecting the system of laws and judicial administration of this State in order that facts may be obtained and correlated as a basis for future legislation; and

WHEREAS, The facts relating to said subjects can best be secured by a fact-finding committee of the Legislature; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Judicial System and Judicial Process is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the subject of this resolution, and all facts included and in any way related to the subjects mentioned in the recitals hereof, including but not limited to:

(a) All provisions of law relating to or affecting estates and interests in real and personal property;

(b) All provisions of law relating to sex crimes, including research into the causes and cures thereof and punishments or treatments therefor;

(c) All provisions of law relating to motor vehicle and traffic offenses, including judicial and administrative procedures involved therein and the setting up of a commission on automobile accident litigation;

(d) All provisions of law relating to the control of subversive activities and the prevention of sabotage;

(e) All provisions of law relating to admission to the bar and duties and discipline of attorneys;

(f) All provisions of law relating to civil rights, administration of justice, and use of illegally obtained evidence in court proceedings;

(g) All provisions of law relating to civil actions and remedies and all laws relating to crimes and criminal procedure, including the principles of contributory and comparative negligence and the rules of evidence, and all provisions of law relating to the tort liability of the State and its agencies and subdivisions, and uniform acts,

(h) All provisions of law relating to the status, commitment and rights of persons who are mentally ill or mentally deficient;

(i) The composition, structure, jurisdiction and administration of the several courts, division of fines and forfeitures between cities and counties;

(j) The method of selection, compensation and retirement of judicial officers and attaches;

(k) The procedure, process, and rules of the courts, statutory and otherwise;

(l) Present enforcement of narcotic laws with reference to use thereof by minors;

(m) All laws relating to family relations including marriage, divorce, conciliation, and adoptions and the administration of such laws, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation

2. The committee shall consist of the same Members of the Assembly who comprise the membership of the Assembly Standing Judiciary Committee and the chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act within and without the State of California during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution

6. The sum of fifty thousand dollars ($50,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In line 2 of the title of the printed measure, as printed in the Assembly Journal at pages 4975 and 4976, strike out "Judicial System and Judicial Process", and insert "Judiciary".

Amendment No. 2

In line 1 of the first numbered paragraph, strike out "Judicial System and Judicial Process", and insert "Judiciary".

Amendment No. 3

Strike out all of the second numbered paragraph and insert

"2. The committee shall consist of the members of the Assembly standing Committee on Judiciary for this legislative session. The chairman and vice chairman shall be the chairman and vice chairman of said standing committee Vacancies occurring in the membership of the committee shall be filled by the Speaker"

Amendment No. 4

In the fifth numbered paragraph strike out all of subdivision (a) of said paragraph and renumber subdivisions (b), (c), (d), and (e) to become (a), (b), (c), and (d) respectively.

Amendment No. 5

In the first line of the sixth numbered paragraph, strike out "fifty thousand dollars ($50,000)," and insert "twenty thousand dollars ($20,000)".

Amendments read, and adopted.

Consideration of House Resolution No. 168, as Amended

By Mr. Brown:

House Resolution No. 168

Relative to the creation of the Assembly Interim Committee on Judiciary

WHEREAS, The Assembly Interim Committee on Judicial System and Judicial Process created during the 1949 Regular Session has submitted its final report and legislation proposed by that committee has been acted upon during this session with a substantial saving to the people of the State of California in time and money; and

WHEREAS, At this session of the Legislature it has been found that further study is needed on many of these subjects; and

WHEREAS, Many additional problems have been proposed which are far reaching and affect the rights of the people of the State of California and will require much diligent study; and

WHEREAS, There is great need of a thorough investigation and research into all matters relating to or affecting the system of laws and judicial administration of this State in order that facts may be obtained and correlated as a basis for future legislation; and

WHEREAS, The facts relating to said subjects can best be secured by a fact-finding committee of the Legislature; now, therefore, be it

Resolved by the Assembly of the State of California, As follows

1 The Assembly Interim Committee on Judiciary is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the subject of this resolution, and all facts included and in any way related to the subjects mentioned in the recitals hereof, including but not limited to:

(a) All provisions of law relating to or affecting estates and interests in real and personal property,

(b) All provisions of law relating to sex crimes, including research into the causes and cures thereof and punishments or treatments therefor;

(c) All provisions of law relating to motor vehicles and traffic offenses, including judicial and administrative procedures involved therein and the setting up of a commission on automobile accident litigation,

(d) All provisions of law relating to the control of subversive activities and the prevention of sabotage;

(e) All provisions of law relating to admission to the bar and duties and discipline of attorneys;

(f) All provisions of law relating to civil rights, administration of justice, and use of illegally obtained evidence in court proceedings;

(g) All provisions of law relating to civil actions and remedies and all laws relating to crimes and criminal procedure, including the principles of contributory and comparative negligence and the rules of evidence, and all provisions of law relating to the tort liability of the State and its agencies and subdivisions, and uniform acts;

(h) All provisions of law relating to the status, commitment and rights of persons who are mentally ill or mentally deficient;

(i) The composition, structure, jurisdiction and administration of the several courts, division of fines and forfeitures between cities and counties;

(j) The method of selection, compensation and retirement of judicial officers and attaches;

(k) The procedure, process, and rules of the courts, statutory and otherwise;

(l) Present enforcement of narcotic laws with reference to use thereof by minors,

(m) All laws relating to family relations including marriage, divorce, conciliation, and adoptions and the administration of such laws, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation

2 The committee shall consist of the members of the Assembly standing Committee on Judiciary for this legislative session The chairman and vice chairman shall be the chairman and vice chairman of said standing committee Vacancies occurring in the membership of the committee shall be filled by the Speaker.

3 The committee is authorized to act within and without the State of California during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session

4 The committee and its members shall have and exercise all of the rights, duties and power conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members

5 The committee has the following additional powers and duties:

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution

6 The sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote.

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Thomas, Waters, and Mr. Speaker—63.

NOES—None.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal:

DEAR MR. SPEAKER: Persons desiring notice of hearings on various matters referred to the Committee on Judiciary may do so by contacting the chairman at P. O. Box 1292, Modesto, California.

RALPH M. BROWN, Chairman
Assembly Judiciary Committee

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 151

Mr. Erwin asked for, and was granted unanimous consent to take up House Resolution No. 151, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 151

By Messrs. Erwin and Burkhalter:

House Resolution No. 151

Relative to the creation of the Assembly Interim Committee on Fish and Game.

WHEREAS, The Constitution of this State guarantees to the people the right to fish upon and from the public lands of the State and authorizes the Legislature to enact such laws for the protection of fish and game as it may deem appropriate; and

WHEREAS, It is necessary that a careful and continuous study be made of all factors directly or indirectly affecting fish and game (including but not limited to the propagation and protection thereof and the taking thereof by sportsmen and commercial interests), in order that proper legislation may be enacted to protect and make fruitful the constitutionally guaranteed rights mentioned above; and

WHEREAS, All matters generally referred to the Assembly Standing Committee on Fish and Game are comprehended within the matters hereinabove referred to, and the members of said committee have acquired some knowledge and experience relating thereto; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Standing Committee on Fish and Game is hereby designated and constituted the Assembly Interim Committee on Fish and Game and is authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon the matters expressed in the recitals of this resolution including, but not limited to Game farms; game and management areas, game refuges, fish hatcheries; the opening and closing of waters around Catalina Island; netting in the inland waters of the State, the utilization of the public domain for the propagation of fish and wild life; the taking of fish and wild life by sportsmen and commercial interests and the effect of both upon the rights of present and future generations of citizens, and all other matters directly or indirectly dealing with, related to or affecting fish and game or the enjoyment by the people of their constitutionally guaranteed interest therein; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until March 15, 1953, with authority to file its final report not later than the last legislative day of the 1953 Regular Session. Vacancies shall be filled by the Speaker.

3. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

4. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

5. The sum of fifteen thousand dollars ($15,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In the first numbered paragraph of said resolution, as printed on pages 4584 and 4585 of the Assembly Journal for May 22, 1951, strike out the next to last sentence of said paragraph.

Amendment No. 2

In the 4th numbered paragraph of said resolution, strike out all of subdivision (a) and renumber subdivisions (b), (c), (d) and (e) to become (a), (b), (c) and (d), respectively.

Amendment No. 3

In line 1 of the 5th numbered paragraph, strike out "fifteen thousand dollars ($15,000)", and insert "seven thousand five hundred dollars ($7,500)".

Amendments read, and adopted.

Consideration of House Resolution No. 151, as Amended

By Messrs. Erwin and Burkhalter:

House Resolution No. 151

Relative to the creation of the Assembly Interim Committee on Fish and Game.

WHEREAS, The Constitution of this State guarantees to the people the right to fish upon and from the public lands of the State and authorizes the Legislature to enact such laws for the protection of fish and game as it may deem appropriate; and

WHEREAS, It is necessary that a careful and continuous study be made of all factors directly or indirectly affecting fish and game (including but not limited to the propagation and protection thereof and the taking thereof by sportsmen and commercial interests), in order that proper legislation may be enacted to protect and make fruitful the constitutionally guaranteed rights mentioned above; and

WHEREAS, All matters generally referred to the Assembly standing Committee on Fish and Game are comprehended within the matters hereinabove referred to, and the members of said committee have acquired some knowledge and experience relating thereto; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly standing Committee on Fish and Game is hereby designated and constituted the Assembly Interim Committee on Fish and Game and is authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon the matters expressed in the recitals of this resolution including, but not limited to: Game farms; game and management areas; game refuges; fish hatcheries; the opening and closing of waters around Catalina Island; netting in the inland waters of the State; the utilization of the public domain for the propagation of fish and wild

life; the taking of fish and wild life by sportsmen and commercial interests and the effect of both upon the rights of present and future generations of citizens; and all other matters directly or indirectly dealing with, related to or affecting fish and game or the enjoyment by the people of their constitutionally guaranteed interest therein; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until March 15, 1953, with authority to file its final report not later than the last legislative day of the 1953 Regular Session. Vacancies shall be filled by the Speaker.

3. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

4. The committee has the following additional powers and duties:

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

5. The sum of seven thousand five hundred dollars ($7,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lockslem, Levering, Lincoln, Lindsay, Lowrey, Lyon, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Thomas, Waters, and Mr. Speaker—61.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 186

Mr. Stewart asked for, and was granted unanimous consent to take up House Resolution No. 186, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 186

By Mr. Stewart:

House Resolution No. 186

Relative to the creation of the Assembly Interim Committee on Governmental Efficiency and Economy

WHEREAS, The complicated machinery of State and local Government in this State, erected to serve the citizens of this State can function only under law; and

WHEREAS, Numerous changes in the organization and administration of State and local Government are proposed at each session of the Legislature by reason of new circumstances constantly arising which previous statutes did not contemplate; and

WHEREAS, It is necessary for the Legislature to study these circumstances carefully, with a view to revising and amending the laws relating thereto, in order that the most efficient, economical and equitable administration of the laws may be fostered; and

WHEREAS, During the interim between sessions it is desirable to ascertain and collate the facts upon which legislation may be based, which fact-finding work can best and most expeditiously be performed through a legislative committee charged with the duty of considering every phase of the subject; now, therefore, be it

Resolved by the Assembly of the State of California, As follows.

1. The Assembly Interim Committee on Governmental Efficiency and Economy is hereby created and authorized and directed to ascertain, study, and analyze accurately and in detail all facts relating to the State Government and the government of counties, cities, and districts in this State and of any department, agency, or subdivision thereof, particularly with respect to their organization, functions, and administration, for the purpose of recommending changes and proposing legislation in order to promote efficiency, to reduce and eliminate costs, to provide for the consolidation of functions and removal of duplication, and to do all other things necessary and proper to increase the efficiency and effectiveness of the state and local governments and the agencies and subdivisions thereof, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of 11 members of the standing Committee on Governmental Efficiency and Economy of the Assembly, the membership to be appointed by the Speaker. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

3 The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the final legislative day of the 1953 Regular Session

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members

5 The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution

(f) To meet at the State Capitol or at any other place in this State or within the United States

6 The sum of thirty thousand dollars ($30,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In the first line of the 2nd numbered paragraph of said resolution, as printed in the Assembly Journal for January 12, 1951, on pages 5483 and 5484, strike out "11", and insert "the".

Amendment No. 2

In lines 2 and 3 of the said 2nd numbered paragraph, strike out "the membership to be appointed by the Speaker", and insert "and the chairman and vice chairman of said standing committee shall be the chairman and vice chairman of this interim committee"

Amendment No. 3

In the 5th numbered paragraph of said resolution, strike out all of subdivision (a) of said paragraph and renumber subdivisions (b), (c), (d), (e) and (f) to become (a), (b), (c), (d) and (e) respectively.

Amendment No. 4

In the first line of the 6th numbered paragraph, strike out "thirty thousand dollars ($30,000)", and insert "twenty thousand dollars ($20,000)".

Amendments read, and adopted

Consideration of House Resolution No. 186, as Amended

By Mr. Stewart.

House Resolution No. 186

Relative to the creation of the Assembly Interim Committee on Governmental Efficiency and Economy

WHEREAS, The complicated machinery of State and local Government in this State, erected to serve the citizens of this State can function only under law; and

WHEREAS, Numerous changes in the organization and administration of State and local Government are proposed at each session of the Legislature by reason of new circumstances constantly arising which previous statutes did not contemplate, and

WHEREAS, It is necessary for the Legislature to study these circumstances carefully, with a view to revising and amending the laws relating thereto, in order that the most efficient, economical and equitable administration of the laws may be fostered; and

WHEREAS, During the interim between sessions it is desirable to ascertain and collate the facts upon which legislation may be based, which fact-finding work can best and most expeditiously be performed through a legislative committee charged with the duty of considering every phase of the subject, now, therefore, be it

Resolved by the Assembly of the State of California, As follows

1. The Assembly Interim Committee on Governmental Efficiency and Economy is hereby created and authorized and directed to ascertain, study, and analyze accurately and in detail all facts relating to the State Government and the government of counties, cities, and districts in this State and of any department, agency, or subdivision thereof, particularly with respect to their organization, functions, and administration, for the purpose of recommending changes and proposing legislation in order to promote efficiency, to reduce and eliminate costs, to provide for the consolidation of functions and removal of duplication, and to do all other things necessary and proper to increase the efficiency and effectiveness of the state and local governments and the agencies and subdivisions thereof, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the members of the standing Committee on Governmental Efficiency and Economy of the Assembly, and the chairman and vice chairman of said standing committee shall be the chairman and vice chairman of this interim committee. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power

3 The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the final legislative day of the 1953 Regular Session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members

5 The committee has the following additional powers and duties:

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution

(e) To meet at the State Capitol or at any other place in this State or within the United States

6 The sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Collier, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCollister, McFall, Meyers, Moss, Munnell, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stewart, Thomas, Waters, and Mr Speaker—58.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 196

Mr. Waters asked for, and was granted unanimous consent to take up House Resolution No. 196, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 196

By Mr. Waters:

House Resolution No. 196

Relative to the creation of the Assembly Interim Committee on Elections

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Elections is hereby created and authorized and directed to ascertain, study and analyze all facts relating to elections, the election process, the initiative and referendum, and all facts relating to the operation and effect thereof, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation

2 The committee shall consist of the same members as the standing Committee on Elections and Reapportionment The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power

3 The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To work with all political parties on questions involving the advisability of changes in the Elections Code relating to political parties

(f) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution

6. The sum of twenty thousand dollars ($20,000 00) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In the 2nd numbered paragraph of said resolution, as printed on pages 5572 and 5573 of the Assembly Journal for June 13, 1951, strike out the second sentence of said paragraph, and insert "The chairman and vice chairman shall be the chairman and vice chairman of said standing committee."

Amendment No. 2

In the 5th numbered paragraph, strike out all of subdivision (a) and renumber subdivisions (b), (c), (d), (e) and (f) to become (a), (b), (c), (d) and (e), respectively

Amendment No. 3

In line 1 of the 6th numbered paragraph, strike out "twenty thousand dollars ($20,000)", and insert "seven thousand five hundred dollars ($7,500)"

Amendments read, and adopted

Consideration of House Resolution No. 196, as Amended

By Mr. Waters:

House Resolution No. 196

Relative to the creation of the Assembly Interim Committee on Elections

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Elections is hereby created and authorized and directed to ascertain, study and analyze all facts relating to elections, the election process, the initiative and referendum, and all facts relating to the operation and effect thereof, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the same members as the standing Committee on Elections and Reapportionment. The chairman and vice chairman shall be the chairman and vice chairman of said standing committee. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

(d) To work with all political parties on questions involving the advisability of changes in the Elections Code relating to political parties

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution

6. The sum of seven thousand five hundred dollars ($7,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote.

AYES—Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Lyon, McCollister, McFall, Meyers, Moss, Munnell, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr Speaker—56

NOES—None

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 195

Mr. Geddes asked for, and was granted unanimous consent to take up House Resolution No. 195, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 195

By Mr. Geddes:

House Resolution No. 195

Relative to directing the Assembly Interim Committee on Finance and Insurance to undertake an investigation

WHEREAS, It appears from information submitted to committees of the Assembly by the Department of Insurance, and from complaints received by various Members of the Assembly from their constituents, that there is a considerable and growing number of unlicensed, unregulated and nonprofessional persons and organizations who, to the detriment of great numbers of the citizens of this State, are for a consideration promising or purporting to promise such citizens that they will furnish or procure medical, surgical, hospital and other related services or treatments upon the illness or accidental injury of such citizens but who, when the time for performance arrives, almost invariably furnish or procure no service or treatment or wholly inadequate service or treatment, or service or treatment grossly below the quantity or quality represented; and,

WHEREAS, There are also operating in this same field a number of reputable persons and organizations who offer such services and who, when the time for performance arrives fulfill all commitments, but who would discontinue operations if required to comply with onerous regulatory provisions of law which might be enacted by the Legislature; and

WHEREAS, Efforts by the Legislature to enact appropriate legislation to protect citizens from the persons and organizations first mentioned above have been unsuccessful because of the probability that such regulations might drive from the field persons and organizations of the type last mentioned above, and

WHEREAS, In order to enact such legislation, which is vitally needed, it is necessary that the Legislature be fully informed as to all facts concerning or relating to the detailed methods of operation of all persons and organizations mentioned above, in order that it may determine (a) whether regulations might be drafted which would be sufficient to protect the public from the first named class of persons and organizations without causing the second named class of persons and organizations to discontinue their services or (b) whether facts exist sufficient to establish a natural, intrinsic and constitutional distinction between said first and second classes of persons and organizations so as to justify legislation regulating the former and exempting the latter from its operation; and

WHEREAS, It appears that such study is within the scope of the functions of the Assembly Interim Committee on Finance and Insurance; now, therefore, be it

Resolved, That the Assembly Interim Committee on Finance and Insurance be and it hereby is authorized and directed to ascertain, study and analyze all facts relating to the subjects expressed in the recitals of this resolution including but not limited to the methods of operation and need for regulation of the persons and organizations mentioned in said recitals and to the adequacy or inadequacy of the existing laws which might be used to regulate such persons and organizations, and to report thereon to the Legislature not later than the fifteenth legislative day of the 1953 General Session, including in its reports its recommendation for appropriate legislation

Resolution read, and adopted

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 155

Mr. Connolly asked for, and was granted unanimous consent to take up House Resolution No. 155, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 155

By Mr. Connolly:

House Resolution No. 155

Relative to the creation of the Assembly Interim Committee on Public Health

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Public Health is hereby created and authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon any matter which, under the Standing Rules of the Assembly and the legislative practices thereunder would be referred to the Assembly standing Committee on Public Health, and any and all other matters relating to or affecting public health, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the members of the Assembly standing Committee on Public Health for this legislative session The chairman and vice chairman shall be the chairman and vice chairman of the said standing committee Vacancies occurring in the membership of the committee shall be filled by the Speaker.

The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6 The sum of twenty-seven thousand dollars ($27,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In line 1 of the 6th *Resolved* clause, of the resolution, as printed on pages 4765 and 4766 of the Assembly Journal for May 25, 1951, strike out "twenty-seven thousand dollars ($27,000)", and insert "fifteen thousand dollars ($15,000)"

Amendment read, and adopted.

Consideration of House Resolution No. 155, as Amended

By Mr. Connolly

House Resolution No. 155

Relative to the creation of the Assembly Interim Committee on Public Health

Resolved by the Assembly of the State of California, As follows:

1 The Assembly Interim Committee on Public Health is hereby created and authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon any matter which, under the Standing Rules of the Assembly and the legislative practices thereunder would be referred to the Assembly standing Committee on Public Health, and any and all other matters relating to or affecting public

health, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation

2 The committee shall consist of the members of the Assembly standing Committee on Public Health for this legislative session The chairman and vice chairman shall be the chairman and vice chairman of the said standing committee. Vacancies occurring in the membership of the committee shall be filled by the Speaker

3 The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members

5 The committee has the following additional powers and duties:

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution

6 The sum of fifteen thousand dollars ($15,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick Kirkwood, Klocksiem, Levering, Lowrey, Lyon, Maloney, McCollister, McFall, Meyers, Morris, Moss, Munnell, Porter, Rosenthal, Shaw, Silliman, Stanley, Stewart, Thomas, Waters, and Mr Speaker—57.

NOES—None

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 219

Mr. Brown asked for, and was granted unanimous consent to take up House Resolution No. 219, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 219

By Mr. Brown:

House Resolution No. 219

Relative to directing the Assembly Interim Committee on Governmental Efficiency and Economy to study matters pertaining to aviation

WHEREAS, Aviation is daily becoming a more important factor in our economy; and

WHEREAS, The State of California should do everything reasonably possible to encourage and facilitate the growth of aviation; and

WHEREAS, Before anything can be done in this regard a study of the situation must first be made; now, therefore, be it

Resolved by the Assembly of the State of California, That the existing Assembly Interim Committee on Governmental Efficiency and Economy, or any committee

created at this session with similar powers and duties, is hereby requested to study and investigate the following matters

(a) The subject of unclaimed refunds as between counties and cities of taxes paid on motor vehicle fuel used for the propulsion of aircraft;

(b) The operational functions of the California Aeronautics Commission;

(c) The problems of private aviation;

Resolved, That the committe submit a report and its recommendations thereon to the Assembly at the 1953 Regular Session of the Legislature.

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 229

Mr. Lyon asked for, and was granted, unanimous consent to take up House Resolution No. 229, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 229

By Mr. Lyon:

House Resolution No. 229

Relative to the study of the administration and financing of highways, streets, and bridges by the Assembly Interim Committee on Revenue and Taxation

WHEREAS, The public highways, streets, and bridges of the State are useful, necessary, and indispensable arteries of travel and commerce and have been constructed and improved at great public expense; and

WHEREAS, The State, in providing highway, road, and street facilities, is in effect managing and financing a full-scale transportation system, costing the highway users and taxpayers of the State in excess of $200,000,000 annually; and

WHEREAS, Pavements and other highway improvements are not permanent but must be rebuilt, resurfaced, expanded, and modernized both to maintain and improve the existing facilities and to meet changing economic and industrial conditions; and

WHEREAS, The Legislature is responsible to the people as a whole for the imposition of taxes levied to support state highway, county road, and city street programs and in discharging this responsibility cannot be indifferent to the inefficient use of tax resources, but it appears possible that less diligence is presently exercised over expenditures of state-collected highway-user taxes by the State, the counties, and the cities than is exercised over the expenditure of other tax moneys because such expenditures do not directly affect the General Fund of the State or the tax rates of local governments; and

WHEREAS, The Department of Public Works has reported to the Legislature that the cost of improving the state highways alone to standards adequate for 1950 traffic conditons is estimated in excess of three billion dollars, but only 1 4 billion dollars will be available for construction in the next 10 years; and

WHEREAS, The cost of acquiring rights of way and the limitation of access has risen to alarming proportions and appears to be continuing to rise, and the reasons for the increasing costs should be ascertained and the wisdom of limited access construction under certain conditions, should be reviewed by the Legislature, and

WHEREAS, Serious criticisms have arisen from time to time with respect to the advisability of constructing freeways in metropolitan areas where parking problems are not being solved and mass transit is not being improved; and

WHEREAS, The Legislature in its 1951 Regular Session considered alternative plans of financing an accelerated state highway construction and right-of-way acquisition program but it appeared that further study should be given to all aspects of California's highway problems, including an appraisal of the efficiency and effectiveness with which state-collected highway-users tax funds are now being expended by all agencies of government to which such funds are entrusted; and

WHEREAS, The Senate Interim Committee on Highways, Streets, and Bridges, created by Senate Resolution 129 in the 1949 Regular Session of the Legislature, during the course of its inquiries found that several counties were apparently failing to comply with the spirit, if not the letter, of the Highway Act of 1947 with respect to county road administration, and, it, therefore, appears that the Legislature should have additional information on this subject in view of the fact that almost $50,000,000 is apportioned annually by the State to counties for road purposes, and

WHEREAS, The State Controller is annually collecting data on county road and city street finance as required by the Highway Act of 1947 and such information should be carefully digested and evaluated for the use of the Legislature in considering legislation dealing with county road and city street affairs; and

WHEREAS, Expenditures by the Department of Motor Vehicles and the Department of the Highway Patrol are directly supported by taxes collected from highway users and such expenditures directly reduce the amount of funds available for highways

and, therefore, should be investigated by the Legislature in view of the apparent need for additional revenue; and

WHEREAS, The Legislature is faced with difficult problems of cost allocation in devising just and reasonable taxes for highway support, which problems have not been fully solved particularly with respect to the equitable taxation of heavy commercial vehicles although alternative solutions have been considered, and, therefore, further study is necessary in this connection; and

WHEREAS, Additional and more comprehensive data regarding the operating characteristics of various classes of motor vehicles, including such factors as annual vehicle mileages, average fuel consumption, loaded and empty vehicle weights, and the like, are indispensable to the formation of a reasonable and equitable system of highway-user taxation and, therefore, should be collected, analyzed, and made available to the Legislature; and

WHEREAS, No one of the administrative agencies of the State Government is so constituted that it can consider and advise the Legislature on all aspects of highway, road, and street management and finance, and, therefore, the Legislature finds a lack of complete and coordinated information on over-all highway problems; and

WHEREAS, The entire problem of proper maintenance, development, and financing of the highways, streets, and bridges requires continued study, investigation, vigilance, and exercise of foresight on the part of the Legislature to insure that the money of the people of California is wisely expended, that modern and efficient methods are employed, that existing facilities are maintained, and that reasonable measures consistent with efficiency and economy are being taken to maintain, improve, and make safe the arteries of vehicular travel of the State; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1 The Assembly Interim Committee on Revenue and Taxation is hereby authorized and directed to ascertain, study, and analyze all facts relating to and in any way connected with the maintenance and development of safe, efficient, economical, and adequate highways, streets, and bridges and the administration and financing thereof, including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee is further specifically authorized and directed to collect by questionnaires, direct investigation, or otherwise, all such information from the owners and operators of motor vehicles on the highways, roads, and streets of this State as it deems necessary in order to formulate a reasonable and equitable system of highway-user taxation for all classes of motor vehicle operation and to carry out the other purposes for which it is created.

3. The committee is further and specifically directed, without any limitation on its other powers, to ascertain, study and analyze all facts relating to the following:

(a) California's highway, road, and street needs, including an appraisal of the 1951 deficiency report made by the Department of Public Works and the criteria adopted in the preparation of that report;

(b) The efficiency and effectiveness of state highway, county road, and city street expenditures, including a determination of whether unnecessary, wasteful, or extravagant expenditures have been or are being made by any agency of government;

(c) Budgetary practices relating to highways, roads, and streets of the State, counties, and cities, including expenditure programs of the Motor Vehicle Department and the Department of the Highway Patrol;

(d) The effectiveness and efficiency of present administrative arrangements pertaining to highways, roads, and streets;

(e) The effectiveness of present policies of the State Department of Public Works with respect to advance planning of highway construction and the advance acquisition of rights-of-way;

(f) The costs and economic effects of present state policies with respect to the construction of limited access highways and metropolitan freeways;

(g) Alternative methods of financing the highway modernization program of California;

(h) Alternative methods of taxing heavy commercial vehicles equitably in relation to taxes on other highway users;

(i) The need for continuing collection of data regarding highway use, vehicle operating characteristics, and the effects of heavy vehicles on highways and vehicle traffic from which can be devised more equitable tax policies;

(j) The advisability of establishing a permanent committee or other agency in order: (1) to provide a continuous check on expenditures of state-collected highway-user taxes by the State, counties, and cities; (2) to study and recommend legislation to guarantee and insure the most effective highway, road, and street management and the most efficient expenditure of highway, road, and street funds; (3) to accumulate and coordinate data which will provide a rational basis for the allocation of state-collected highway-user taxes among the various levels of government and among geographical areas of the State; (4) to accumulate and coordinate data which will provide

a basis for the improvement of the highway-user tax structure and for such modifications of the structure as conditions may justify from time to time; (5) to study, analyze, and appraise on a continuing basis all aspects of highway, road, and street management, expenditure, and finance to the end that the Legislature will at all times be fully advised on the existing facts, new developments, and emerging issues in the transportation field; (6) to make studies of the economics of transportation in general, including taxation and regulatory policies, to the end that the State's role in providing the road plant will be properly integrated with the over-all development of an efficient transportation system for California; (7) to cooperate with other agencies, public and private, to accomplish the objectives of the committee or agency.

4 The committee and its employees may meet and act any place within the State or within the United States to carry out the objects and purposes of this resolution.

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 222

Mr. Davis asked for, and was granted, unanimous consent to take up House Resolution No. 222, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 222

By Mr. Davis:

House Resolution No. 222

Relative to directing the Assembly Interim Committee on Fish and Game to undertake an investigation

WHEREAS, There appears to be considerable difference of opinion between the sportsmen of the upper Sacramento River and the State Fish and Game Commission concerning the value of raising steelhead trout in hatcheries for stocking purposes; and

WHEREAS, The recreational fisheries in the upper Sacramento River represent an investment in excess of $12,000,000; and

WHEREAS, The United States Fish and Wildlife Service apparently is willing to use a portion of its facilities at the Coleman Hatchery to cooperate with the State Fish and Game Commission in finding ways to improve angling conditions in the Sacramento River; and

WHEREAS, The State Fish and Game Commission has refused to allow the taking of steelhead trout eggs from fish caught in the salmon spawn taking traps for the purpose of conducting experiments; said commission insisting that the required steelhead eggs be obtained from another state, and that the Fish and Wildlife Service also cooperate scientific studies of the results obtained; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Fish and Game is directed to investigate the problems involved in the foregoing differences of opinion and report its findings to the next regular session of the Legislature.

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 227

Mr. Davis asked for, and was granted, unanimous consent to take up House Resolution No. 227, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 227

By Mr. Davis:

House Resolution No. 227

Relative to directing the Assembly Interim Committee on Governmental Efficiency and Economy to undertake an investigation

WHEREAS, It appears from complaints received by various Members of the Assembly from their constituents that the present system of licensing automobiles is expensive, cumbersome and inefficient; and

WHEREAS, A study and survey should be made to determine the feasibility of permanent license plates, of improved methods of bookkeeping and machine indexing, and of revising license plates to reduce the number of characters thereon in an effort to simplify the present numbering system; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Governmental Efficiency and Economy be and is directed to investigate the present auto license system so as to effect reforms therein leading to greater simplicity, greater efficiency, and less expense.

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 231

Mr. Hawkins asked for, and was granted unanimous consent to take up House Resolution No. 231, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 231

By Messrs. Hawkins, Hollibaugh, Morris, Hahn, Geddes, Doyle, Dills, Hansen, Gubser, Sherwin, Cloyed, Rosenthal, Chapel, Thomas, Evans and McCarthy:

House Resolution No. 231

Relative to directing the Assembly Interim Committee on State and Local Taxation to study the problem of the taxation of the trucking industry

WHEREAS, For many years the repeal or change in the incidence of the Motor Vehicle Transportation License Tax Law has posed a perplexing and still unsolved problem to this Legislature; and

WHEREAS, There is a sharp difference of opinion between various interests concerned which is detrimental to the trucking industry and the State generally; and

WHEREAS, At a recent meeting of the Assembly standing Committee on Revenue and Taxation a motion was adopted unanimously to refer the matter for study and report to the Assembly Interim Committee on State and Local Taxation; and

WHEREAS, All concerned are agreed to so doing; now, therefore, be it

Resolved by the Assembly of the State of California That the Assembly Interim Committee on State and Local Taxation, or such other Assembly interim committee with similar powers and duties as may succeed it, is hereby requested to investigate and study all matter related to the scope, impact and administration of the Motor Vehicle Transportation License Tax Law and the continued need therefor; and be it further

Resolved, That said committee is hereby requested to submit a report on such investigation and study to this Assembly at the 1953 Regular Session of the Legislature

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In the title of the printed resolution, as printed in the Assembly Journal of June 20, 1951, at page 5972, strike out "State and Local", and insert "Revenue and"

Amendment No. 2

In the third paragraph of the printed resolution, strike out "State and Local", and insert "Revenue and".

Amendment No. 3

In the fifth paragraph of the printed resolution, strike out "State and Local", and insert "Revenue and".

Amendments read, and adopted

Consideration of House Resolution No. 231, as Amended

By Messrs Hawkins, Hollibaugh, Morris, Hahn, Geddes, Doyle, Dills, Hansen, Gubser, Sherwin, Cloyed, Rosenthal, Chapel, Thomas, Evans, and McCarthy:

House Resolution No. 231

Relative to directing the Assembly Interim Committee on Revenue and Taxation to study the problem of the taxation of the trucking industry

WHEREAS, For many years the repeal or change in the incidence of the Motor Vehicle Transportation License Tax Law has posed a perplexing and still unsolved problem to this Legislature; and

WHEREAS, There is a sharp difference of opinion between various interests concerned which is detrimental to the trucking industry and the State generally; and

WHEREAS, At a recent meeting of the Assembly Standing Committee on Revenue and Taxation a motion was adopted unanimously to refer the matter for study and report to the Assembly Interim Committee on Revenue and Taxation; and

WHEREAS, All concerned are agreed to so doing; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Revenue and Taxation, or such other Assembly interim committee with similar powers and duties as may succeed it, is hereby requested to investigate and study all matter related to the scope, impact and administration of the Motor Vehicle Transportation License Tax Law and the continued need therefor; and be it further

Resolved, That said committee is hereby requested to submit a report on such investigation and study to this Assembly at the 1953 Regular Session of the Legislature

Resolution read, as amended, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 235

Mr. Davis asked for, and was granted unanimous consent to take up House Resolution No. 235, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 235

By Mr. Davis:

House Resolution No. 235

Relative to study by subcommittee of the Interim Committee on Fish and Game, of the ranging of mule deer herds

WHEREAS, Northeastern California is the part-time range of two herds of mule deer, one of which summers in the State of Oregon and winters in the Devils Garden area of Modoc County, California, while the other summers in California and winters in the State of Nevada; and

WHEREAS, There have been widespread differences of opinion and misunderstanding concerning the numbers, physical condition of, and the available food supply for the mule deer constituting these two interstate herds; and

WHEREAS, The Assembly Interim Committee on Fish and Game appointed pursuant to House Resolution No. 251 of the Regular Session of 1949, submitted preliminary findings and recommendations concerning the problems above enumerated; and

WHEREAS, There is need for more comprehensive studies covering range conditions, the status of the deer browse, the steps that should be taken to rehabilitate such portions of the range as may have been destroyed either by overgrazing by domestic stock or overbrowsed by deer, or both; and

WHEREAS, In the interest of better public understanding of the complex problems involved, and to obtain further information relative thereto, it is essential that additional field surveys be made and that more public hearings be held in the areas in question; now, therefore, be it

Resolved by the Assembly of the State of California, That a subcommittee of the Interim Committee on Fish and Game be hereby authorized and directed to conduct such field surveys, hold additional public hearings, and submit a report of its findings and conclusions to the next regular session of the Legislature

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 236

Mr. Munnell asked for, and was granted unanimous consent to take up House Resolution No. 236, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 236

By Messrs. Rosenthal, Beck, and Shaw:

House Resolution No. 236

Relative to congratulating Loyola University of Los Angeles on recent accomplishments

WHEREAS, Loyola University of Los Angeles has its origin and traditions deep in the early history of California, and has maintained an outstanding scholastic, religious, and athletic program; and

WHEREAS, Scholastically, the university has high admission and performance requirements, and believes in a rigorous foundation of knowledge and a generous share of culture which will support any superstructure of science, arts or letters; and has effected marked successes thereby; and

WHEREAS, Religiously, the university promotes the philosophy that knowledge and intellectual development of themselves have no moral efficacy whatever, but that religion is necessary to provide the integrity to guide the use of learning in every endeavor; and

WHEREAS, Athletically, the university attaches relative importance to a sound body for a sound mind, maintaining intramural athletics on a year-round basis, and engages in intercollegiate football, basketball, baseball, tennis, and golf; their winning football teams of the past two seasons presage greater gridiron power; the university has permitted its football games to be televised for the coming year, thus permitting many sports fans to enjoy and be attracted to the games; and

WHEREAS, Such a broad yet integrated educational program uniquely develops the "Complete Man" under the century-tried methods of the Jesuit Fathers; now, therefore, be it

Resolved by the Assembly of the State of California, That Loyola University of Los Angeles be congratulated on their outstanding scholastic, religious, and athletic accomplishments, and be it further

Resolved, That the Chief Clerk of the Assembly transmit suitable copies of this resolution to Rev. Charles S Casassa, S. J, President of the University.

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 181

Mr. Levering asked for, and was granted unanimous consent to take up House Resolution No. 181, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 181

By Mr. Levering:

House Resolution No. 181

Relative to the creation of the Assembly Interim Committee on Industrial Relations

Resolved by the Assembly of the State of California, As follows:

1 The Assembly Interim Committee on Industrial Relations is hereby created and authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon any matter which, under the Standing Rules of the Assembly and the legislative practices thereunder, would be referred to the Assembly Standing Committee on Industrial Relations, and any and all other matters relating to or affecting industrial relations, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2 The committee shall consist of the members of the Assembly standing Committee on Industrial Relations for this legislative session. The chairman and vice chairman shall be the chairman and vice chairman of the said standing committee. Vacancies occurring in the membership of the committee shall be filled by the Speaker.

3 The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members

5. The committee has the following additional powers and duties:

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of one thousand dollars ($1,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In line 1 of the 6th *Resolved* clause, of the resolution as printed on Page 5449 of the Assembly Journal for June 11, 1951, strike out "one thousand dollars ($1,000)", and insert "one thousand five hundred dollars ($1,500)".

Amendment read, and adopted.

Consideration of House Resolution No. 181, as Amended

By Mr. Levering:

House Resolution No. 181

Relative to the creation of the Assembly Interim Committee on Industrial Relations

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Industrial Relations is hereby created and authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon any matter which, under the Standing Rules of the Assembly and the legislative practices thereunder, would be referred to the Assembly standing Committee on Industrial Relations, and any and all other matters relating to or affecting industrial relations, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the members of the Assembly standing Committee on Industrial Relations for this legislative session. The chairman and vice chairman shall be the chairman and vice chairman of the said standing committee. Vacancies occurring in the membership of the committee shall be filled by the Speaker.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later that the fifteenth legislative day of that session.

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members

5. The committee has the following additional powers and duties:

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6 The sum of one thousand five hundred dollars ($1,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Cloyed, Coats, Conrad, Cooke, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—58.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 203

Mr. Silliman asked for, and was granted unanimous consent to take up House Resolution No. 203, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 203

By Messrs. Silliman, Thomas, Hinckley, Grunsky, Kirkwood, Smith, Lindsay, Collier, Coats, Cooke, Grant, Levering, Lowrey, McMillan, Lyon, Rumford, Brady, Dunn, McCollister, Stewart, Conrad, Mrs. Niehouse, Messrs. Elliott, Moss, Caldecott, Dills, Dolwig, Lincoln, Morris, Connolly, Parker, Gubser, Meyers, Lanterman, Chapel, George D. Collins, McGee, Gaffney, Burkhalter, Tomlinson, Davis, Clarke, Babbage, Sherwin, Brown, Doyle, Belotti, Hansen, Kelly, Shaw, Klocksiem, Henderson, Munnell, Stanley, Hawkins, Porter, Berry, Lipscomb, and Hahn:

House Resolution No. 203

Relative to the creation of the Assembly Committee on Governmental Reorganization

WHEREAS, The structure of the State Government of this State has increased in size and complexity, the functions assumed by the State have increased in number and in the extent of services performed by governmental agencies and units, and the cost of State Government has increased correspondingly with the increase in the size and activities thereof; and

WHEREAS, The Assembly has need to be fully advised in all facts relating to the organization of the State Government and the duties, functions, and responsibilities of the various departments, commissions, boards, authorities, divisions, bureaus, offices, and other units of government and the relationships between and within them, their methods of operation, procedures, and techniques, their costs of operation, and the value of the services rendered by them; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Committee on Governmental Reorganization is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the organization, functions, procedures, and operations of the State Government and its departments, commissions, boards, authorities, divisions, bureaus, offices, and other units thereof, the relationship of such units to one another, the internal organization thereof, their methods of operation, their cost to the State, the necessity or desirability of their continuance, the existence of duplicating, overlapping, or needless functions, the desirability of centralizing and coordinating related activities, modernizing techniques and proceedings, and all facts and matters relating to the nature and extent of governmental activities and operations, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports, its recommendtaions for appropriate legislation

2. The committee shall consist of 11 Members of the Assembly appointed by Speaker thereof The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which

provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties.

(a) To select a vice chairman from its membership

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

(e) The committee, and any subcommittee when so authorized by the committee, may meet and act without as well as within the State of California, and is authorized to leave the State in the performance of its duties.

(f) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution

6. The sum of fifty thousand dollars ($50,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In the 6th numbered paragraph of said resolution, as printed in the Assembly Journal for June 15, 1951, at pages 5693 and 5694, strike out "fifty thousand dollars ($50,000)", and insert "twenty thousand dollars ($20,000)".

Amendment read, and adopted

Consideration of House Resolution No. 203, as Amended

By Messrs. Silliman, Thomas, Hinckley, Grunsky, Kirkwood, Smith, Lindsay, Collier, Coats, Cooke, Grant, Levering, Lowrey, McMillan, Lyon, Rumford, Brady, Dunn, McCollister, Stewart, Conrad, Mrs Niehouse, Messrs. Elliott, Moss, Caldecott, Dills, Dolwig, Lincoln, Morris, Connolly, Parker, Gubser, Meyers, Lanterman, Chapel, George D Collins, McGee, Gaffney, Burkhalter, Tomlinson, Davis, Clarke, Babbage, Sherwin, Brown, Doyle, Belotti, Hansen, Kelly, Shaw, Klocksiem, Henderson, Munnell, Stanley, Hawkins, Porter, Berry, Lipscomb, and Hahn

House Resolution No. 203

Relative to the creation of the Assembly Committee on Governmental Reorganization

WHEREAS, The structure of the State Government of this State has increased in size and complexity, the functions assumed by the State have increased in number and in the extent by services performed by governmental agencies and units, and the cost of State Government has increased correspondingly with the increase in the size and activities thereof; and

WHEREAS, The Assembly has need to be fully advised in all facts relating to the organization of the State Government and the duties, functions, and responsibilities of the various departments, commissions, boards, authorities, divisions, bureaus, offices, and other units of government and the relationships between and within them, their methods of operation, procedures, and techniques, their costs of operation, and the value of the services rendered by them; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Committee on Governmental Reorganization is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the organization, functions, procedures, and operations of the State Government and its departments, commissions, boards, authorities, divisions, bureaus, offices, and other units thereof, the relationship of such units to one another, the internal organization thereof, their methods of operation, their cost to the State, the necessity or desirability of their continuance, the existence of duplicating, overlapping, or needless

functions, the desirability of centralizing and coordinating related activities, modernizing techniques and proceedings, and all facts and matters relating to the nature and extent of governmental activities and operations, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports, its recommendations for appropriate legislation.

2. The committee shall consist of 11 Members of the Assembly appointed by Speaker thereof The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To reports its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

(e) The committee, and any subcommittee when so authorized by the committee, may meet and act without as well as within the State of California, and is authorized to leave the State in the performance of its duties

(f) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution

6. The sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Cloyed, Coats, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Doyle, Erwin, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lyon, Maloney, McFall, McGee, Meyers, Morris, Moss, Munnell, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—55.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 204

Mr. Sherwin asked for, and was granted unanimous consent to take up House Resolution No. 204, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 204

By Mr. Sherwin:

House Resolution No. 204

Relative to the creation of the Assembly Interim Committee on Ways and Means

WHEREAS, It is necessary that a continuing study be made as to the needs for appropriations for state purposes and particularly of the items to be contained in the Budget Bill enacted at each regular session of the Legislature; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. That the Assembly standing Committee on Ways and Means of the 1951 Regular Session is hereby constituted the Assembly Interim Committee on Ways and

Means and is authorized and directed to ascertain, study, and analyze all facts relating to the needs for state expenditures, including expenditures for support of state agencies, for construction, improvements, and all other purposes, and the adequacy of the revenues of the State during the 1951-1952 and 1952-1953 Fiscal Years, and particularly with respect to the items of appropriation to be included in the Budget Act to be enacted at the 1951 and 1952 Regular Sessions. Whenever a Member of the Assembly is appointed to, or relieved of, membership in the existing Assembly standing Committee on Ways and Means, he shall automatically be or cease to be, as the case may be, a member of the Assembly Interim Committee on Ways and Means, so that the membership of the standing and the interim committees shall, at all times be identical. The chairman and vice chairman shall be the chairman and vice chairman of the said standing committee. Vacancies occurring in the membership of the committee shall be filled by the appointing power A vacancy shall be deemed to exist whenever any member of the committee fails to secure the nomination of his party at the primary election or fails to be elected at the general election.

2. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the last legislative day of the 1953 Regular Session, with authority to file its final report not later than that date.

3. The committee and its members shall have and exercise all of the rights, duties, and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

4. The committee has the following additional powers and duties:

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution

(e) To appoint subcommittees from the membership of the committee, which subcommittees shall have the same rights, powers, and duties as are conferred and imposed upon the committee itself under this resolution.

5. The sum of forty thousand dollars ($40,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In the first line of the 5th numbered paragraph of said resolution, as printed in the Assembly Journal for June 15, 1951, on pages 5713 and 5714, strike out "forty thousand dollars ($40,000)", and insert "twenty thousand dollars ($20,000)".

Amendment read, and adopted.

Consideration of House Resolution No. 204, as Amended

By Mr. Sherwin:

House Resolution No. 204

Relative to the creation of the Assembly Interim Committee on Ways and Means

WHEREAS, It is necessary that a continuing study be made as to the needs for appropriations for state purposes and particularly of the items to be contained in the Budget Bill enacted at each regular session of the Legislature; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. That the Assembly standing Committee on Ways and Means of the 1951 Regular Session is hereby constituted the Assembly Interim Committee on Ways and Means and is authorized and directed to ascertain, study, and analyze all facts relating

to the needs for state expenditures, including expenditures for support of state agencies, for construction, improvements, and all other purposes, and the adequacy of the revenues of the State during the 1951-1952 and 1952-1953 Fiscal Years, and particularly with respect to the items of appropriation to be included in the Budget Act to be enacted at the 1951 and 1952 Regular Sessions. Whenever a Member of the Assembly is appointed to, or relieved of, membership in the existing Assembly standing Committee on Ways and Means, he shall automatically be or cease to be, as the case may be, a member of the Assembly Interim Committee on Ways and Means, so that the membership of the standing and the interim committees shall, at all times be identical. The chairman and vice chairman shall be the chairman and vice chairman of the said standing committee. Vacancies occurring in the membership of the committee shall be filled by the appointing power. A vacancy shall be deemed to exist whenever any member of the committee fails to secure the nomination of his party at the primary election or fails to be elected at the general election.

2. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the last legislative day of the 1953 Regular Session, with authority to file its final report not later than that date.

3. The committee and its members shall have and exercise all of the rights, duties, and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

4. The committee has the following additional powers and duties:

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution

(e) To appoint subcommittees from the membership of the committee, which subcommittees shall have the same rights, powers, and duties as are conferred and imposed upon the committee itself under this resolution.

5. The sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, as amended

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—60

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 232

Mr. Lindsay asked for, and was granted, unanimous consent to take up House Resolution No. 232, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 232

By Mr. Lindsay:

House Resolution No. 232

Relative to the creation of the Assembly Interim Committee on Transportation and Commerce

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Transportation and Commerce is hereby created and authorized and directed to ascertain, study and analyze all facts relating

to or in any way bearing upon any matter which, under the Standing Rules of the Assembly and the legislative practices thereunder would be referred to the Assembly standing Committee on Transportation and Commerce, and any and all other matters relating to or affecting rapid transit highways, streets and bridges, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation

2. The committee shall consist of the members of the Assembly standing Committee on Transportation and Commerce for this legislative session. The chairman and vice chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the Speaker.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the *Joint Rules of the Senate and Assembly and of the Standing Rules of the* Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution

6. The sum of five thousand dollars ($5,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—60.

NOES—None.

RESOLUTIONS

The following resolution was offered:

By Mr. Tomlinson:

House Resolution No. 257

Relative to directing the Assembly Interim Committee on Municipal and County Government to make a study

Resolved by the Assembly of the State of California. That the Assembly Interim Committee on Municipal and County Government is hereby authorized and directed to ascertain, study, and analyze all facts relating to the subject matter expressed in House Resolution No. 29 and Assembly Bill No. 3217 of this session and to report thereon to the Legislature at its 1953 General Session.

Resolution read, and ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 244

Mr. Tomlinson asked for, and was granted unanimous consent to take up House Resolution No. 244, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 244

By Mr. Tomlinson:

House Resolution No. 244

Relative to directing the Assembly Interim Committee on Public Health to make a study

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Public Health is hereby authorized and directed to ascertain, study, and analyze all facts relating to the subject matter expressed in House Resolution No 199 of this session and to report thereon to the Legislature at its 1953 General Session.

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 245

Mr. Tomlinson asked for, and was granted unanimous consent to take up House Resolution No. 245, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 245

By Mr. Tomlinson:

House Resolution No. 245

Relative to directing the Assembly Interim Committee on Industrial Relations to make a study

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Industrial Relations is hereby authorized and directed to ascertain, study, and analyze all facts relating to the subject matter expressed in House Resolution No. 206 of this session and to report thereon to the Legislature at its 1953 General Session.

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 246

Mr. Tomlinson asked for, and was granted unanimous consent to take up House Resolution No. 246, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 246

By Mr. Tomlinson:

House Resolution No. 246

Relative to directing the Assembly Interim Committee on Public Utilities and Corporations to make a study

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Public Utilities and Corporations is hereby authorized and directed to ascertain, study, and analyze all facts relating to the subject matter expressed in House Resolution No. 176 of this session and to report thereon to the Legislature at its 1953 General Session.

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 247

Mr Tomlinson asked for, and was granted unanimous consent to take up House Resolution No. 247, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 247

By Mr. Tomlinson:

House Resolution No. 247

Relative to directing the Assembly Interim Committee on Social Welfare to make a study

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Social Welfare is hereby authorized and directed to ascertain, study, and analyze all facts relating to the subject matter expressed in House Resolution No. 188 of this session and to report thereon to the Legislature at its 1953 General Session.

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 248

Mr. Tomlinson asked for, and was granted unanimous consent to take up House Resolution No. 248, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 248

By Mr. Tomlinson:

House Resolution No. 248

Relative to directing the Assembly Interim Committee on Revenue and Taxation to undertake an investigation

Resolved by the Assembly of the State of California, That in addition to the duties imposed upon it by the resolution creating it, the Assembly Interim Committee on Revenue and Taxation shall ascertain, study, and analyze all facts relating to the matters set forth in House Resolution No. 229, introduced at this session of the Legislature, and report to the Legislature at its 1953 General Session.

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 249

Mr. Tomlinson asked for, and was granted, unanimous consent to take up House Resolution No. 249, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 249

By Mr. Tomlinson:

House Resolution No. 249

Relative to directing the Assembly Interim Committee on Finance and Insurance to undertake a special investigation

Resolved by the Assembly of the State of California, That in addition to any other duties imposed upon it by the resolution creating it, the Assembly Interim Committee on Finance and Insurance shall ascertain, study, and analyze all facts relating to the subjects expressed in House Resolution No. 52 of this session of the Legislature, and report to the Legislature at its 1953 General Session.

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 250

Mr. Tomlinson asked for, and was granted, unanimous consent to take up House Resolution No. 250, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 250

By Mr. Tomlinson:

House Resolution No. 250

Relative to directing the Assembly Interim Committee on Governmental Efficiency and Economy to undertake an investigation

Resolved by the Assembly of the State of California, That in addition to the duties imposed on it by the resolution creating it, the Assembly Interim Committee on Governmental Efficiency and Economy is authorized and directed to ascertain, study, and analyze all facts relating to the subject matter expressed in House Resolution No. 159 of this session of the Legislature and to report to the Legislature at its 1953 General Session.

Resolution read, and adopted.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No 230

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

SAM L. COLLINS, Chairman

Request for Unanimous Consent

Mr. Stanley asked for, and was granted, unanimous consent to take up House Resolution No. 230, at this time, without reference to file.

CONSIDERATION OF HOUSE RESOLUTION NO. 230

By Mr. Stanley:

House Resolution No. 230

Relative to the Creation of the Assembly Interim Committee on Municipal and County Government

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Municipal and County Government is hereby created and authorized and directed to ascertain, study and analyze all facts relating to governmental relations between cities, counties and districts as these relationships have been affected and made more difficult and complex by reason of the great growth in population of California and particularly growth in population and development in the unincorporated areas of the counties The studies to be made by the committee shall include, but not be limited to, the advisability of the formation of multiple purpose urban districts, problems relating to annexation and incorporation, the most efficient, economical and equitable means of securing the provision of needed urban services in urban unincorporated areas, and the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the members of the Assembly standing Committee on Municipal and County Government for this legislative session. The chairman and vice chairman shall be the chairman and vice chairman of the said standing committee Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3 The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the twentieth legislative day of that session.

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5 The committee has the following additional powers and duties:

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within

the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of _____ dollars ($_____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In line 1 of the 6th *Resolved* clause of the resolution, as printed on pages 5971 and 5972 of the Assembly Journal for June 20, 1951, strike out "_____ dollars ($_____)", and insert "twenty thousand dollars ($20,000)".

Amendment read, and adopted.

Consideration of House Resolution No. 230, as Amended

By Mr. Stanley:

House Resolution No. 230

Relative to the creation of the Assembly Interim Committee on Municipal and County Government

Resolved by the Assembly of the State of California, As follows.

1. The Assembly Interim Committee on Municipal and County Government is hereby created and authorized and directed to ascertain, study and analyze all facts relating to governmental relations between cities, counties and districts as these relationships have been affected and made more difficult and complex by reason of the great growth in population of California and particularly growth in population and development in the unincorporated areas of the counties. The studies to be made by the committee shall include, but not be limited to, the advisability of the formation of multiple purpose urban districts, problems relating to annexation and incorporation, the most efficient, economical and equitable means of securing the provision of needed urban services in urban unincorporated areas, and the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the members of the Assembly standing Committee on Municipal and County Government for this legislative session. The chairman and vice chairman shall be the chairman and vice chairman of the said standing committee. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the twentieth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties.

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6 The sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lyon, Maloney, McCollister, McGee, Meyers, Morris, Moss, Munnell, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr Speaker—60.

NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 22, 1951

MR SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 257

Has had the same under consideration, and reports the same back with the recommendation: Be adopted

SAM L COLLINS, Chairman

Request for Unanimous Consent

Mr. Tomlinson asked for, and was granted, unanimous consent to take up House Resolution No. 257, at this time, without reference to file.

CONSIDERATION OF HOUSE RESOLUTION NO. 257

By Mr. Tomlinson:

House Resolution No. 257

Relative to directing the Assembly Interim Committee on Municipal and County Government to make a study

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Municipal and County Government is hereby authorized and directed to ascertain, study, and analyze all facts relating to the subject matter expressed in House Resolution No. 29 and Assembly Bill No. 3217 of this session and to report thereon to the Legislature at its 1953 General Session

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 3088 BE RE-REFERRED TO COMMITTEE

Mr. Dolwig asked for, and was granted, unanimous consent that Assembly Bill No. 3088 be withdrawn from the third reading file, and be re-referred to the Committee on Legislative Representation.

REQUEST FOR UNANIMOUS CONSENT

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 242, at this time, without reference to file.

CONSIDERATION OF HOUSE RESOLUTION NO. 242

By Mr. Dickey:

House Resolution No. 242

Relating to creating the Assembly Interim Committee on Conservation, Planning, and Public Works

WHEREAS, The increase in the population of the State has caused a rapid expansion of the population of the counties, cities and local governmental subdivisions of the State; and

WHEREAS, There is a need for careful planning to prevent future conflict between the commercial, industrial and domestic interests in the State and its counties, cities and local governmental subdivisions; and

WHEREAS, It is necessary that the Assembly be fully informed in the premises, particularly as to whether existing laws relating to the subject of Conservation, Planning, and Public Works are adequate; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Conservation, Planning, and Public Works is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the operation, effect and administration of the Conservation and Planning Act and all facts relating to or in any way bearing upon the subject matter of the recitals of this resolution, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2 The committee shall consist of the membership of the Assembly standing Committee on Conservation, Planning, and Public Works. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties.

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

(f) The committee and any subcommittee thereof when so authorized by the committee, may meet and act without as well as within the State of California, and is hereby authorized to leave the State in the performance of its duties

6 The sum of thirty thousand dollars ($30,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In the second numbered paragraph of said resolution, as printed in the Assembly Journal for June 21, 1951, at pages 6088 and 6089, strike out the second sentence of said paragraph, and insert "The chairman and vice chairman shall be the chairman and vice chairman of said standing committee."

Amendment No. 2

In the fifth numbered paragraph, strike out all of subdivision (a) of said paragraph and renumber subdivisions (b), (c), (d), (e), and (f) to become (a), (b), (c), (d), and (e) respectively.

Amendment No. 3

In the first line of the sixth numbered paragraph, strike out "thirty thousand dollars ($30,000)", and insert "twenty thousand dollars ($20,000)".

Amendments read, and adopted.

Consideration of House Resolution No. 242, as Amended

By Mr. Dickey:

House Resolution No. 242

Relating to creating the Assembly Interim Committee on Conservation, Planning, and Public Works

WHEREAS, The increase in the population of the State has caused a rapid expansion of the population of the counties, cities and local governmental subdivisions of the State; and

WHEREAS, There is a need for careful planning to prevent future conflict between the commercial, industrial and domestic interests in the State and its counties, cities and local governmental subdivisions; and

WHEREAS, It is necessary that the Assembly be fully informed in the premises, particularly as to whether existing laws relating to the subject of Conservation, Planning, and Public Works are adequate; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1 The Assembly Interim Committee on Conservation, Planning, and Public Works is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the operation, effect and administration of the Conservation and Planning Act and all facts relating to or in any way bearing upon the subject matter of the recitals of this resolution, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation

2. The committee shall consist of the membership of the Assembly standing Committee on Conservation, Planning, and Public Works The chairman and vice chairman shall be the chairman and vice chairman of said standing committee Vacancies occurring in the membership of the committee shall be filled by the appointing power

3 The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5 The committee has the following additional powers and duties:

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas orders and other process issued by the committee.

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

(e) The committee and any subcommittee thereof when so authorized by the committee, may meet and act without as well as within the State of California, and is hereby authorized to leave the State in the performance of its duties.

6 The sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote.

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Elliott, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lyon, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, and Mr. Speaker—58.

NOES—None

RESOLUTIONS

The following resolution was offered:

By Mr. Tomlinson:

House Resolution No. 258

Relative to directing the Assembly Interim Committee on Agriculture to undertake an investigation

Resolved by the Assembly of the State of California, That in addition to the duties imposed upon it by the resolution creating it, the Assembly Interim Committee on Agriculture shall ascertain, study and analyze all facts relating to the subjects expressed in House Resolutions Nos 192 and 193 of this session of the Legislature and report thereon to the Legislature at its Fifty-third General Session.

Resolution read, and ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT

Mr. Clarke asked for, and was granted, unanimous consent to take up House Resolution No 241, at this time, without reference to file.

CONSIDERATION OF HOUSE RESOLUTION NO. 241

By Mr. Clarke:

House Resolution No. 241

Relative to the creation of the Assembly Interim Committee on Agriculture

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Agriculture is hereby created and authorized and directed to ascertain, study and analyze all facts relating to agriculture or in any way bearing upon any matter which, under the Standing Rules of the Assembly and the legislative practices thereunder would be referred to the Assembly standing Committee on Agriculture; all facts relating or in anywise appertaining to fairs and expositions, the allocation of state moneys thereto, the advisability of establishing additional agricultural fairs or other expositions; all facts relating to publicly owned lands in this State and the use, management, and control thereof and all activities connected therewith or related thereto, and the State, Federal and local Governmental relationships involved therein, including but not limited to the effect of such public acquisition, ownership and jurisdiction, upon taxes levied or leviable by the State and its local governmental agencies; and all facts relating to the recordation and registration of land titles; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the members of the Assembly standing Committee on Agriculture for this legislative session. The chairman and vice chairman shall be the chairman and vice chairman of the said standing committee. Vacancies occurring in the membership of the committee shall be filled by the Speaker.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5 The committee has the following additional powers and duties:

(a) To contact with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of __ _____ dollars ($_____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the Committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In the sixth numbered paragraph of said resolution, as printed in the Assembly Journal for June 21, 1951, at page 6081, strike out "_____dollars ($_____)", and insert "seven thousand five hundred dollars ($7,500)".

Amendment read, and adopted.

Consideration of House Resolution No. 241, as Amended

By Mr. Clarke:

House Resolution No. 241

Relative to the creation of the Assembly Interim Committee on Agriculture

Resolved by the Assembly of the State of California, As follows:

1 The Assembly Interim Committee on Agriculture is hereby created and authorized and directed to ascertain, study and analyze all facts relating to agriculture or in any way bearing upon any matter which, under the Standing Rules of the Assembly and the legislative practices thereunder would be referred to the Assembly Standing Committee on Agriculture; all facts relating or in anywise appertaining to fairs and expositions, the allocation of state moneys thereto, the advisability of establishing additional agricultural fairs or other expositions; all facts relating to publicly owned lands in this State and the use, management, and control thereof and all activities connected therewith or related thereto, and the State, Federal and local Governmental relationships involved therein, including but not limited to the effect of such public acquisition, ownership and jurisdiction, upon taxes levied or leviable by the State and its local governmental agencies; and all facts relating to the recordation and registration of land titles; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the members of the Assembly standing Committee on Agriculture for this legislative session The chairman and vice chairman shall be the chairman and vice chairman of the said standing committee Vacancies occurring in the membership of the committee shall be filled by the Speaker.

3 The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1953 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution

6. The sum of seven thousand five hundred dollars ($7,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Lyon, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Porter, Rosenthal, Rumford, Shaw, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—60.

NOES—None

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 22, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 258

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

Request for Unanimous Consent

Mr. Tomlinson asked for, and was granted, unanimous consent to take up House Resolution No. 258, at this time, without reference to file.

CONSIDERATION OF HOUSE RESOLUTION NO. 258

By Mr. Tomlinson:

House Resolution No. 258

Relative to directing the Assembly Interim Committee on Agriculture to undertake an investigation

Resolved by the Assembly of the State of California, That in addition to the duties imposed upon it by the resolution creating it, the Assembly Interim Committee on Agriculture shall ascertain, study and analyze all facts relating to the subjects expressed in House Resolutions Nos. 192 and 193 of this session of the Legislature and report thereon to the Legislature at its 1953 General Session.

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER REPORT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 1534

Mr. Gubser asked for, and was granted, unanimous consent to consider the report of the Committee on Conference concerning Assembly Bill No. 1534, temporarily passed on file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1951

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 1534—An act to amend Section 2137.1 of the Business and Professions Code, relating to persons authorized to practice medicine and surgery in state institutions.

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following.

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 1, line 11, of the printed bill, as amended in the Senate on June 15, 1951, after "year", insert "or until October 1, 1953, whichever is later".

Amendment No. 2

On page 1, line 19, of said bill, after the period, insert "No person appointed pursuant to this section shall be employed in any state institution or institutions for a period in excess of two years from the date such person was first so employed. The provisions of this section shall terminate on October 1, 1953."

McCARTHY	KIRKWOOD
MILLER	GUBSER
Senate Committee on Conference	MOSS
	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Clarke, Cloyed, Coats, Collier, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Tomlinson, and Waters—64.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER REPORT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 2211

Mr. Tomlinson asked for, and was granted, unanimous consent to consider the report of the Committee on Conference concerning Assembly Bill No. 2211, temporarily passed on file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 17, 1951

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 2211 (As amended in Senate June 5, 1951)—An act to amend Sections 58501, 58577, and 58614 of, and to add Section 58615.5 to, and to repeal Section 58502 and Article 6, Chapter 2, Title 6, of the Government Code; and to repeal Sections 2206, 4704, 6407, 14003, 14405, and 14603, of the Health and Safety Code; and to repeal Section 1184 of the Military and Veterans Code; and to repeal Section 3.5 of the California Airport District Act; all relating to districts.

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows

Amendment No. 1

In line 4 of the title of the printed bill, as amended in the Senate on June 5, 1951, strike out "2206, 4704, 6407,".

Amendment No. 2

In lines 5 and 6 of the title of said bill, strike out "and to repeal Section 1184 of the Military and Veterans Code;".

Amendment No. 3

On page 2, line 20, of said bill, strike out "2206, 4704, 6407,".

Amendment No. 4

On page 2 of said bill, strike out lines 22 and 23.

Amendment No. 5

On page 2, line 24, of said bill, strike out "6", and insert "5".

Amendment No. 6

On page 2, line 26, of said bill, strike out "7", and insert "6".

Amendment No. 7

On page 2, line 28, of said bill, strike out "8", and insert "7".

Amendment No. 8

On page 2 of said bill, after line 45, insert

"(e) Districts which are excepted from this chapter by Sections 2206, 4704, and 6407 of the Health and Safety Code and Section 1184 of the Military and Veterans Code while such exceptions remain in effect."

HATFIELD	TOMLINSON
BYRNE	BROWN
WARD	STANLEY
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Nicholse, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Tomlinson, Waters, and Mr Speaker—63.

NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1419
Assembly Bill No. 1458

And reports the same correctly engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 22, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1436
Assembly Bill No. 1440

And reports the same correctly re-engrossed.

BURKE, Chairman

Above reported bills ordered to third reading.

PERMISSION GRANTED TO CONSIDER ASSEMBLY BILL NO. 1440

Pursuant to Joint Rule No. 23, the consent of the Speaker having been given, Mr. Munnell requested that he be granted permission to consider Assembly Bill No 1440.

The roll was called, and permission granted Mr. Munnell to consider Assembly Bill No. 1440 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69

NOES—None.

CONSIDERATION OF ASSEMBLY BILL NO. 1440

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Munnell:

Resolved, That Assembly Bill No. 1440 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—69

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Assembly Bill No. 1440—An act providing for the constitution of the municipal court in a district embracing the Towns of East Los Angeles and Belvedere, Los Angeles County, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—59

NOES—George D. Collins and Luckel—2.

Bill ordered transmitted to the Senate.

PERMISSION GRANTED TO CONSIDER ASSEMBLY BILL NO. 1458

Pursuant to Joint Rule No. 23, with the consent of the Speaker, Mr. Munnell requested that he be granted permission to consider Assembly Bill No. 1458.

The roll was called, and Mr. Munnell granted permission to consider Assembly Bill No. 1458 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dickey,

Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Porter, Rosenthal, Rumford, Shaw, Stanley, Stewart, Thomas, and Mr. Speaker—62.

NOES—None.

CONSIDERATION OF ASSEMBLY BILL NO. 1458

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Porter:

Resolved, That Assembly Bill No. 1458 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Silliman, Stanley, Stewart, Thomas, and Mr Speaker—64.

NOES—George D. Collins—1.

Article IV, Section 15, of the Constitution was declared suspended.

Assembly Bill No. 1458—An act providing for the constitution of the municipal court in a district embracing the City of South Gate, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Stanley, Stewart, Thomas, and Mr. Speaker—57

NOES—George D. Collins and Luckel—2.

Bill ordered transmitted to the Senate.

PERMISSION GRANTED TO CONSIDER ASSEMBLY BILL NO. 1419

Pursuant to Joint Rule No. 23, with the consent of the Speaker, Mr. Chapel requested that he be granted permission to consider Assembly Bill No. 1419.

The roll was called, and permission granted Mr. Chapel to consider Assembly Bill No. 1419 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal Rumford, Shaw, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—64.

NOES—None.

CONSIDERATION OF ASSEMBLY BILL NO. 1419

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Chapel:

Resolved, That Assembly Bill No. 1419 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal Rumford, Shaw, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—64.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

Assembly Bill No. 1419—An act providing for the constitution of the municipal court in a district embracing the City of Inglewood, and prescribing the number and compensation of the judges, officers and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lowrey, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Shaw, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1171

Mr. Munnell asked for, and was granted unanimous consent to take up Senate Bill No. 1171, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1171

Senate Bill No. 1171—An act to amend Section 117m of the Code of Civil Procedure, relating to the issuance of abstracts of judgment in small claims courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Coats, Collier, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1168

Mr. Munnell asked for, and was granted, unanimous consent to take up Senate Bill No. 1168, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1168

Senate Bill No. 1168—An act to add Section 31a to an act entitled "An act prescribing the regulation, government, procedure and jurisdiction of the municipal and justice courts, and providing for the election and appointment of the judges, officers and attaches of such courts, their terms of office, qualifications and compensation," approved July 27, 1949, relating to traveling expenses of assigned judges.

Bill read third time and ordered passed on file.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committee would hold a meeting:

Tomorrow, Saturday, June 23d—At 9 a.m.—

Rules, in Lounge Room.

FINAL REPORT OF THE ASSEMBLY INTERIM COMMITTEE ON FINANCE AND INSURANCE (H. R. 239)

MEMBERS OF THE COMMITTEE

ERNEST R. GEDDES, Chairman

JULIAN BECK	HAROLD K. LEVERING
BERNARD R. BRADY *	GLENARD P. LIPSCOMB
THOMAS J. DOYLE *	THOMAS A. MALONEY
FRANCIS DUNN, JR.	CHARLES W. MEYERS
DONALD L. GRUNSKY	G. DELBERT MORRIS
H. W. KELLY **	ROBERT L. CONDON *
FRANK LANTERMAN **	CHARLES W. LYON **
WILLIAM H. ROSENTHAL **	H. ALLEN SMITH **

RICHARD J. DOLWIG, Vice Chairman

LETTER OF TRANSMITTAL

June 21, 1951

Honorable Sam L. Collins
Speaker of the Assembly

DEAR MR. SPEAKER: On behalf of your Interim Committee on Finance and Insurance, created by House Resolution No. 239 of the 1949 Regular Session, we herewith tender the committee's final report.

Rather than recite matters now history, as evidenced by the long list of bills sponsored by the members of the committee, we point with justifiable pride to the fact that literally hundreds of man hours of debate and controversy have been avoided by bringing in legislation the

* 1949-1950 Session
** 1951 Session

subject matter of which was heard during the interim. Also the legislation originating with various state agencies has been enacted earlier than in previous sessions because of the services afforded by your committee.

There is, however, one matter of unfinished business to which we call attention. We refer to legislation designed to put a stop to the shameful exploitation of the public by some unprincipled "racketeers" in the field of voluntary health and medical plans. There are a number of such plans which operate under definitely stated provisions of the law and which are serving an ever increasing number of the people of this state. These are in addition to the commercial plans which operate under supervision of the Insurance Commissioner of California.

There are two other plans, the Permanente Foundation and the Complete Service Bureau of San Diego, which operate by their own testimony under no stated provisions of the law. No criticism or complaint has been brought to our attention respecting the above named. When your committee conducted a hearing at which the Insurance Commissioner and representatives of the Better Business Bureaus of Long Beach, Los Angeles and San Diego testified it was stated that these organizations together with the Blue Cross, Blue Shield and California Physicians Service operate in a manner beneficial to the public.

During the current session of the Legislature it has been found impossible to spell out in legislation any description of the plans operating under specific and particular provisions of the law which is acceptable to the other organizations purporting to operate under Section 9200 of the Corporations Code.

Unfortunately the amendments to Assembly Bill No. 2693 which were put into the bill in the Senate Committee on Judiciary by the advocates for the Permanente Foundation, and acceptable to the Complete Service Bureau, nullified the purpose of the proposed legislation. This purpose was to provide penalties for operation by any person of plans not expressly provided for by law. Still insisting that it would be better for the interested parties to have sponsored their own legislation as the other legitimate voluntary plans have done, the amendments to Assembly Bill No. 2693 referred to above might have been satisfactory to the authors of the legislation except for the fact that a number of the plans and operators complained of, and sought to be put out of business, would escape by the same language inserted in the bill by the sponsors of the amendments.

Accordingly the bill was recalled from the Senate and the action of the Assembly rescinded and the bill referred to the Assembly Standing Committee on Finance and Insurance.

By House Resolution No. 194 of this session, an interim committee to succeed the present one will, we trust, be created and empowered to continue investigation of these matters, and House Resolution No. 195 is introduced to specifically grant the necessary powers to the successor committee.

We recommend that the resolutions be adopted.

In order to provide the Legislature with some background material we submit herewith a recital of the legal history and present status of so-called "Prepaid Medical Plans and Health Services in California."

Respectfully submitted,

ERNEST R. GEDDES, Chairman

JULIAN BECK
BERNARD R. BRADY
ROBERT L. CONDON
THOMAS J. DOYLE
FRANCIS DUNN, JR.
DONALD L. GRUNSKY
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WILLIAM H. ROSENTHAL
H. ALLEN SMITH
RICHARD J. DOLWIG, Vice Chairman

LEGAL HISTORY AND PRESENT STATUS OF SO-CALLED "PREPAID MEDICAL PLANS AND HEALTH SERVICES" IN CALIFORNIA

In the early 1930's individual promoters understood to sell to the public prepaid "medical, surgical and hospital" contracts; in substance, taking money in advance for services to be rendered in the future by third parties, that is physicians and hospitals.

Several such promoters were tried and convicted on charges of conspiring to commit a misdemeanor, to wit: obtaining money under false pretenses.

Since then, particularly in the past few years so-called "prepaid medical plans" that are personal promotion plans of individual laymen and not indemnity insurance by a licensed insurer or service plans legally underwritten by physicians, have caused complaints to be brought before the Insurance Commissioner and Better Business Bureaus. In Southern California particularly in the Los Angeles, San Diego and Long Beach areas have the operations been most extensive and consequently the complaints more numerous.

While many interested persons have demanded that some fly-by-night promotions be prosecuted and driven out of business there has been little evidence on the part of local law enforcement agencies to engage in any attack on the promoters. Whether this is the result of indifference on the part of the local law enforcement agencies or because of a feeling that it is a hopeless task to try to obtain convictions on a state-wide basis we are not prepared to state here. However, at a hearing on these matters held in Los Angeles on October 19, 1950, the District Attorneys of Los Angeles, San Bernardino and San Diego Counties were not represented although the District Attorney of San Diego County did telephone the chairman that his impending action against a San Diego operation precluded his taking part in the proceedings he did promise his cooperation.

In his testimony before the committee the Insurance Commissioner stated that he needed additional legislation in order to take action. The Board of Medical Examiners apparently lacks the necessary investigating staff and funds to accomplish much.

To evaluate the need for new legislation it is necessary to state briefly the present laws apparently violated by these unlicensed, unregulated

plans. In doing this we touch upon the legal history of prepaid health plans in this State.

Briefly stated the basic laws governing prepayment of medical and surgical services or hospital care in California are as follows:

A. A physician or group of physicians may accept prepayment for their services from individual patients, on the same basis that a lawyer accepts a retainer.

B. An individual, corporation or other artificial entity that is not licensed to practice medicine may not sell, on a prepayment basis or otherwise, the services of licensed physicians. Such constitutes the corporate or lay practice of medicine, which is forbidden whether done directly or indirectly, both by case law (*Pacific Employers Ins. Co. v. Carpenter,* 10 Cal. App. (2d) 592) and *Business & Professions Code,* Section 2008.

C. A promise to indemnify or reimburse for medical, surgical or hospital services rendered in the future is an insurance contract, and may not be undertaken except by insurance carriers licensed under the Insurance Code. The Insurance Commissioner can enjoin the carrying on of an unlicensed insurance business (*Insurance Code Sec. 12928.6*).

D. An individual hospital may charge in advance for its services, but if a group of hospitals form a prepayment plan for hospital care, such plan must be licensed by the Insurance Commissioner, under Sections 11491-11517 of the *Insurance Code*. There are two such plans in California, known as Blue Cross plans.

E. Under *Section 9201* of the *Corporations Code* and by virtue of Supreme Court decision (*California Physicians' Service v. Garrison,* 28 Cal. (2d) 790), a group of licensed physicians numbering at least one-fourth of all the licensed physicians in the State may form a nonprofit corporation for the purpose of selling prepaid medical care to the public, and, as an incident thereto, such auxiliary services as drugs and hospitalization. *Corporations Code Section 9201* is the only statutory permission for prepaid medical *service,* as distinguished from medical *indemnity,* which is a phase of disability insurance. So far California Physicians' Service (hereafter designated as C.P.S.) is the only corporation formed under *Section 9201 of the Corporations Code.*

F. Obtaining money under false pretenses, and fraud and deceit, are of course crimes under the *Penal Code,* Sections 484 and 182.

LEGAL HISTORY OF "PREPAID MEDICAL PLANS" IN RELATION TO CORPORATE PRACTICE OF MEDICINE AND INSURANCE LAWS

(a) *Corporate practice of medicine:* In 1935 Pacific Employers Insurance Company submitted to the Insurance Commissioner for approval (as required by the Insurance Code) a form of contract under which medical and surgical services would be available to the policyholders, provided that the policyholders obtain such services from physicians selected or designated by the insurance company; in other words, a policy covering future medical costs limiting the policyholder to a "closed panel" of physicians. The Insurance Commissioner refused to approve the policy form on the ground that it called for an illegal act, to wit: the

corporate practice of medicine. The insurance company sued the commissioner, and the district court of appeal held in favor of the commissioner, stating that

> "* * * it is clearly declared unlawful for a corporation to indirectly practice any of the learned professions for profit by engaging professional men to perform professional services for those with whom the corporation contracts to furnish such services. * * * The professions are not open to commercial exploitation * * *."

The court also said:

> "* * * the policy is more than a mere contract of indemnity. We believe petitioner's (insurance company) own designation of the policy as a 'medical service policy' more nearly describes the true nature of the agreement. It is essentially an agreement by the petitioner to furnish medical services and other professional services through its own appointed staff of professional men, rather than an agreement to indemnify against indebtedness by the insured for such services with professional men of his own choosing."
> (*Pacific Employers Ins. Co.* v. *Carpenter,* 10 Cal. App.)

Another insurance company at about the same time also endeavored to secure Insurance Commissioner approval of a contract form under which the insurance company agreed to pay for medical services, but only if rendered by physicians designated by the company's "Policyholders' Committee". This, likewise, was held to be corporate practice of medicine, and the insurance company was forbidden to issue the policy form in question. (*Benjamin Frankin Life Assurance Co.* v. *Mitchell,* 14 Cal. App. (2d) 654.)

In 1937 the Medical Practice Act was codified into the Business and Professions Code, at which time a new section was added (*Business and Professions Code, 2008*) to the Medical Practice Act reading as follows:

> "Corporations and other artificial legal entities have no professional rights, powers or privileges."

At about the same time a corporation known as Pacific Health Corporation undertook to sell contracts to the public on a monthly premium basis, under which the corporation agreed to furnish the services of physicians and hospitals in the event of illness or injury to the contract-holder. The contracts provided that the medical services would be furnished through a panel of physicians selected by the corporation; except in the case of an extreme emergency, if the contract-holder secured care from a physician not on the panel the corporation was under no duty to pay. Essentially the contract was the same as the insurance policies involved in the *Pacific Employers* and *Benjamin Franklin* cases, the only difference being that the Pacific Health Corporation by-passed the insurance laws and went into business without bothering to qualify as an insurance company.

The Attorney General at the request of the Board of Medical Examiners commenced a *quo warranto* action against Pacific Health Corporation, to revoke its corporate charter on the ground that it was illegally practicing medicine. In September, 1938, the California Supreme Court held that the Pacific Health Corporation was illegally practicing medicine

through its selected medical panel, and affirmed the judgment of the trial court terminating the corporation's charter. (*People* v. *Pacific Health Corporation,* 12 Cal. (2d) 156.)

One of the defenses raised by Pacific Health Corporation was that if the Supreme Court held it to be illegal, then the court was necessarily questioning the legality of such old established plans as the Southern Pacific and Santa Fe hospital associations, the French Benevolent Society, etc. With respect to this argument, the Supreme Court properly held that the only corporation before the court was Pacific Health Corporation, and that it could not decide and was not deciding the legality of any third party. The court said:

> "It should be pointed out that the fear of applying the holding of this case to such philanthropic associations as those mentioned does not exist in the minds of the directors thereof, nor has it been suggested that the public authorities contemplate any attack on them. This illusory apprehension is expressed by defendant alone, in an attempt to bolster up its case * * *".

Unfortunately, the court then proceeded to discuss the very organizations that it had said were not before it, and observed that fraternal or other nonprofit associations do not commercially exploit the medical profession. The court said:

> "The public is not solicited to purchase the medical services of a panel of doctors; and the doctors are not employed or used to make profits for stockholders."

If one reads the Supreme Court's opinion in full, it is obvious that the court intended to draw a distinction between nonprofit group medical care plans, operating on a charitable or semicharitable basis and not soliciting the public, and other plans that are commercial, directly or indirectly, and do solicit the public. As to the latter, the court condemned their activities as corporate practice of medicine and illegal. However, isolated sentences from the opinion are frequently quoted to support the contention that any corporation organized on a nonprofit basis may sell medical services to the public. This simply is not so, and is a distortion of the court's ruling.

(b) Transacting insurance without a license:

In 1939, when C.P.S. was formed, the then Insurance Commissioner threatened to commence injunction proceedings, but before the Commissioner acted C.P.S. itself commenced suit for declaratory relief. In 1941, the Legislature enacted *Civil Code Section 593(a),* now *Corporation Code Section 9201,* described above. The case between C.P.S. and the Insurance Commissioner was finally decided by the Supreme Court in 1946, and the court held:

(1) That the Legislature intended, by enacting *Civil Code Section 593(a),* to provide for regulation of C.P.S. through the Board of Medical Examiners and the Attorney General, rather than through the Insurance Commissioner, and

(2) That in any event, C.P.S. constituted a *medical* corporation, selling *services* of its member physicians, and that such sale of services was not the conduct of an insurance business (*C.P.S.* v. *Garrison,* 28 Cal.

(2d) 790). In this case, the Supreme Court distinguished between a contract of indemnity or reimbursement, which is an insurance contract, and a contract for the performance of personal services.

It is to be noted that the court was considering a corporation that was operating under a specific statute and that had complied with all of the requirements of that statute. It is also to be noted that the court was considering a corporation that could fulfill the service promises made by it, because thousands of physicians had contracted with the corporation to do so. Finally, it is to be emphasized that the statutory basis for C.P.S. (*Civil Code Sec. 593(a)*, now *Corporations Code Sec. 9201*) specifies that a nonprofit health service corporation must have contracts for performing services with at least one-fourth of all the licensed physicians in the State, and that membership in the corporation and an opportunity to render professional services must be available to all licensed physicians; in other words, the panel must be an open panel, with complete free choice, and not a closed panel. A person who buys a C.P.S. contract must by law be free to choose his own physician; C.P.S. cannot do the choosing or selecting, directly or indirectly.

PRESENT STATUS

The present status of so-called prepaid medical plans and health services and the present situation which caused this committee to begin investigations in this field arise from attempts by laymen to operate unregulated plans.

It appears that the articles of incorporation of the C.P.S. have in instances been copied and nonprofit corporations formed to exploit the public by means of the sale of contracts or membership rights calling for prepayment of medical services. It should be pointed out that while the operation of some of these plans may bear a superficial resemblance to the legally authorized plan the provisions of the law as to the number of physicians required to form the nonprofit corporation (at least one-fourth of all licensed physicians in the State) is ignored.

When questioned the operators of such plans claim (1) that they are just doing the same thing that C.P.S. is doing, and (2) that the Supreme Court in the *Pacific Health* case said that nonprofit corporations could practice medicine.

Overlooked, apparently, is the fact that in the *Pacific Health* case the Supreme Court limited its observations to charitable corporations that do not solicit the public.

The solicitation of the public, the expense of doing so and the advertising and other means employed are among the most important testimony and materials collected in its investigations by this committee.

In all of the plans which have come to light the great majority have been characterized as practically worthless by the Insurance Commissioner and other witnesses before this committee. But the Insurance Commissioner has characterized as performing a satisfactory service insofar as lack of complaints and apparent financial stability such plans as Complete Service Bureau of San Diego and Permanente Health Plan operating in several California cities. The legal operation of California Physicians Service and the Blue Cross services is unquestioned under the statute cited.

Not so however with the American Independent Medical and Health Association, also of San Diego. The greater number of complaints recited by the Insurance Commissioner and the Better Business Bureaus were against this operator which was finally seized by the Insurance Commissioner for illegally conducting an insurance business without a license. It is unfortunate that the Complete Service Bureau and the American Independent Medical and Health Association must be compared. But a law applying to one would, in our opinion, apply to the other and likewise the violation of present statutes is indicated in both cases.

It appears that the points overlooked or ignored by these organizations are these:

(1) In the *Pacific Health* case the Supreme Court limited its observations to *charitable* corporations that do not solicit the public.

(2) They do not and cannot operate under the statute provision under which C.P.S. operates (at least one-fourth of licenciates of the profession to be members).

(3) If such organizations have a panel of physicians whose services they sell then they are engaging in the corporate practice of medicine.

(4) If they do not have a panel of physicians and indemnify or reimburse the member, i.e. contract holder. for medical expense, regardless of where the contract holder receives the service they are then engaged in the insurance business.

It appears that on this basis the Insurance Commissioner finally moved in the matter of the American Independent Medical and Health Association.

A study of some of the documents in the case serves a threefold purpose; (1) to show the brazen manner in which the operators flaunted their operations in the face of the committee. (2) to show the conditions found by the examiner for the Insurance Commissioner and the grounds on which the commissioner acted and, (3) to give pause before suggesting legislation which by licensing under special provisions would allow such operators to continue under "regulation".

A recital in detail of all of the other organizations complained of would take a great deal of space but provide no better illustration than the one case presented here.

As stated previously, during hearings held by this committee in Los Angeles on October 19, 1950, one of the organizations most often mentioned in testimony or exhibits reciting complaints was the American Independent Medical and Health Association. Within a few weeks after the hearing which had been reported in the press officers of the above association went into action.

Addressed to each member of this committee was an individually typed letter on an elegantly printed letterhead. These were enclosed in separate envelopes which had been mailed "registered mail" to the member at the State Capitol in anticipation of the scheduled hearing held in Sacramento, November 16 and 17, 1950.

The letter addressed to the chairman and the two enclosures mailed with it are quoted below.

First the letter:

AMERICAN INDEPENDENT MEDICAL AND HEALTH ASSOCIATION
Suite 1123 Bank of America Bldg.
San Diego 1, California

The Honorable Ernest R. Geddes, Chairman
Assembly Interim Committee on Finance and Insurance
California State Legislature
Sacramento 14, California

MY DEAR MR. GEDDES: We take this occasion to bring to your attention some of the basic facts pertaining to this organization and its operation; facts we feel you should know and will agree should be given fair appraisal in connection with any approach to appropriate legislation affecting or regulating those operating in the field of voluntary prepaid medicine.

This is indeed today a field in which, as never before, every man, woman and child has a stake. It is one which has been made a paramount issue of the day and by like token should be accorded a full review of *all* the facts because, directly or indirectly, *all* the people are ultimately affected.

In our own case, for example, we have in excess of 15,000 active members . . . individuals and members of families for whom membership has represented and continues to represent protection, i.e. ways and means of meeting the expense of hospital and medical care and treatment. This expense is usually unexpected and even though gainfully employed most families are unable to meet it, at least without borrowing, seriously depleting family savings, or even resorting to public assistance. These are people who in good faith value their membership in our organization. These are people for whom claims have been paid in good faith by this organization, as the records will reveal. Further, these are people whose interest and welfare are, we feel assured, of prime concern to you who represent them in the State legislative body and thus must necessarily enter into your consideration of this entire question and the setting up of any manner of legislation remedial thereto.

In presenting the following facts we respectfully call attention to an important point of which we realize you are well aware but which has been seriously clouded by the various factors which have been responsible for the bringing about of this "picture", to wit:

California is a wide open field for all types of health and medical rackets; especially since people come here from all over the United States, are new to the locality in which they settle, and can thus more readily be made victims of many and varied types of rackets and schemes. Those in the field of health protection are even more unscrupulous because they attack at a vulnerable point . . . one at which human need is commonly existent and where the "take" becomes even more vicious. Here too, people are more "health conscious" than probably in any other state and thus constitute a more fertile field than elsewhere. However, and what we would urge not

be lost sight of or overlooked in any review or analysis of this situation is that there *are* a number of organizations doing a worth-while job in this field and in aiding residents of our State to achieve and maintain better health. We make no apology nor do we hold any reservation in including this organization in this group.

All are not rackets and all are by no means out to swindle our citizens, "humble" or otherwise. These organizations are concerned, and rightly so, not only in operating legitimately and for the combined interest of all members but also in protecting the benefits of these members when confronted with any situation which could jeopardize or threaten these benefits and the manner in which it becomes possible to offer them. These are not "fly-by-nights" but rather live here and live "with" those whom they number as members. They are more vitally concerned in eliminating the evils found existent in this field and in controlling the operations of those who would prostitute it than anyone because to keep this field clean is to maintain the life-line of their business and the job they are endeavoring to do.

Our organization, for one, is in its fourth year in the medical and health field and has reason to feel a good job has been done despite many obstacles and the fact that to start with we had no yardstick to go by in making decisions, etc., despite the fact that not only have we been included in "blanket indictments" of the industry itself but have on more than one occasion borne the brunt of being singled out for particular scrutiny, possibly by virtue of the fact that we *have* survived and that we *have* continued slowly but surely to grow and increase our membership as well as the benefits available thereunder.

Therefore, you should have the facts, we want you to have the facts . . . all the facts about us. We stand on them and shall welcome the opportunity to furnish any additional data which may be pertinent or desired. The following are significant:

1. We commenced business in July of 1947. Originally, the organization was run by one person, until such time as the corporation papers could be prepared and accepted by the State. The corporation was accepted by the State in June of 1948. We are now operating as a nonprofit corporation with Home Office in San Diego. We also operate in Los Angeles, San Francisco and San Bernardino.
2. We are a membership organization in which the interests of all members are interwoven. We make available to the members bonafide benefits, covering hospital, surgical and medical care and treatment.
3. The Association represents, in effect, a pool or reservoir of funds (these are the dues which members pay) available to members who have health emergencies. Naturally, in order to protect the members' interests it is necessary that there be established regulations to govern the eligibility of members for benefits. These are all paid in specific accordance with the membership certificate (contract). Membership is now sold on a money-back guarantee,

under which misrepresentation in any way, shape or form is rendered virtually impossible.

4. As of January 1, 1950, we converted from the original plan, whereby members were offered certain specified savings on hospitalization and health care to a complete plan of voluntary prepaid medical care including maternity care, effecting savings as set forth in the membership contract.
5. During the period January through September, 1950, we have paid approximately $20,000 in claims for hospital and medical care and treatment . . . this too is confirmed by the record.
6. Our membership now totals in excess of 15,000, as herein beforestated.
7. The Board of Trustees consists of five seats, of which the following comprise the present officers: A. G. Barnes, President; Genevieve Howard, Executive Secretary, and J. C. Fortune, Executive Vice President. The Board of Governors, which is actually the governing body of the organization, consists of 11 seats.

During March and April 1948, this organization underwent an investigation by the City Attorney's office in Los Angeles, the claim being that we were operating illegally. In attendance at these hearings were representatives of the Better Business Bureau and of the Insurance Department of the State of California. The Better Business Bureau had eight complainants and further stated that that was all they had, although at that time we maintained a membership of well over 2,000. The complainants withdrew their charges during the hearings, as they were all disproved. During the course of the investigation, we invited the Insurance Department and the Better Business Bureau to come down to our offices and examine our records. The Insurance Department sent two representatives who checked our records against our statements and representations, confirming that we had paid all eligible claims. The charges were dropped, as it was proved to all concerned that we were operating within the law, both legally and legitimately. At the last day of the hearing, during which the charges referred to were formally dropped, we requested all interested parties at the hearing to arrange a meeting with medical and health representatives, in order that a code of ethics might be established by which all such organizations could be judged. There has never been any action taken on this request.

We are not objecting to the setting up by law of some code of operations by which organizations such as ours might be governed; in fact, would welcome the supplying of data which might be utilized in its codification. However, we do feel there should be a proper and equitable way to do it, predicated upon facts and figures derived from and consistent with the actual field of voluntary pre-paid health protection, incorporating and reconciling the idiosyncrasies found peculiar to this field rather than some other, presenting still different problems, limitations and possibilities to do the job.

We are more than just "aware" that there are numerous health and medical rackets operating in California but certainly any honest

approach to the correction of such practice must differentiate between what is good and what is bad, between the sheep and the goats. We feel that you will agree the only logical method of doing this is actually looking into just how each one actually does operate rather than grouping, and either blessing or condemning all, or what is even less logical, blessing one or two on the basis of presumed righteousness, validity of purpose, or stability of operation.

It has been and continues to be our conviction that much of the pressure brought to bear on this particular organization has been and likewise continues to be sponsored in major degree by those interests who would parade rumor, distorted fact and inaccurate statistic across the stage, all under the guise of seeking protection for the uninformed, where in reality it has been resentment toward if not actual fear of what we as a small organization have been able to offer and continue to offer and, what is more, have proved can be "worked" in the way of a pre-paid medical plan. It just does not stand to reason that the motivating factor here has been an urge to "enlighten" for the simple reason that enlightenment requires facts on both sides of any question and in this case the facts have either not been secured or, where secured, apparently discarded as not serving the point to be gained.

For example . . . it has come to our attention on more than one occasion lately that we are being "knocked down" in no uncertain terms from certain quarters. To cite one case, a statement was made to one of our members to the effect that checks we had tendered in payment of claims had, to use the slang vernacular, "bounced". To refute this particular accusation, we would merely have to refer anyone to the main office of the Bank of America here in San Diego where our Home Office account for the payment of claims is carried. Mr. Graydon Hoffman, Vice-President of the Bank of America, is familiar with our operations and the handling of this account and has indicated his willingness to readily testify as to the falsity of any such statement. However, we do not have the opportunity of refuting such statements but rather they merely find their way to the public and those we serve and redound to our undeserved detriment and loss in terms of public relations. This sort of thing is typical of what has been occurring and still prevails.

We have in the past made a policy, perhaps at the cost of a greater public knowledge and thus recognition of our product, of not employing expensive and extensive advertising programs. This has been done in order that all possible strength could be maintained behind each membership, to the end of stabilizing the plan itself. Figures submitted to top management at the San Bernardino Air Base at the time (August 1949—Ref: Roy C. Mesker, Chief, Civilian Personnel Section) when this plan was accepted at the base over all others then being considered showed the extent to which the amount we can show behind each member does create a stable "picture", even as compared both to other types of plan and other plans of this type.

Another feature which has characterized our particular modus operandi has been the maintaining of a low operating cost. Numerous and varied functions have been assigned to and assumed by a few key personnel to the end of keeping down the administrative overhead.

In other words, every cent received in the form of membership dues, other than that required for nominal administrative cost, is set aside and made available for the avowed purpose of the organization, i.e. the providing of specified hospital, surgical and medical benefits to its members. Plans are at this time under way to set up and establish, in the form of United States Government Bonds a contingency or reserve fund, aside from and in addition to that from which payment of members' claims for benefits are now paid. From a purely practical point of view, it is really immaterial into how many parts our general funds are segregated. However, we feel that the setting up of the contingency in this manner will more clearly manifest our intentions and policy.

In essence, we merely constitute a group operating on a cooperative basis to effect savings on hospital and medical care and treatment by means of a common fund set up to meet the exigencies of illness or injury to its members on the basis and at the time of actual need rather than on any fixed or predetermined figure presumed to meet such need. The insurance industry, for example, has endeavored to meet this need on a purely indemnifying basis and this has not been the answer, for the reason just stated.

On the other hand, any approach to this field which by its nature tends to burden or dictate to the medical profession itself is certainly not the answer, for this is impeding the very arm through which the plan must be activated and administered We have reason to believe that the medical profession realizes the disadvantages that such a plan can impose.

It was for the purpose of simplicity of operation and to voluntarily place ourselves under the jurisdiction of a state agency that this organization was incorporated In this manner we became subject to the scrutiny and jurisdiction of the State Attorney General's Office. We have in the past submitted our complete records for inspection and are very willing to continue to do so. They have likewise been open to the Los Angeles City Attorney, the Better Business Bureau, and the Insurance Division. In spite of the fact that we are not obligated to expose our records to the Better Business Bureau and the Insurance Division we have been pleased to do so. In fact, on numerous occasions we have taken the initiative and requested that these and/or any other authorized agencies inspect our records. We still welcome such inspection Furthermore, we have repeatedly requested that any city, county or state agency, as well as the Better Business Bureau, take up with us any complaint which might be registered with them in order that we might submit our files on the case for examination and if it were found we were in the wrong that appropriate remedial action might be taken to effect correction or adjustment.

Naturally, as long as there exists a human element in business there will exist some who are dissatisfied with what they have received or with the company from which they have received it. This is exemplified by the thousands of unjustified complaints received by Better Business Bureaus throughout the country each month. By this we do not mean that we feel no complaint received against this organization could be warranted, for no business actually "doing business" could make such claim. What we do mean, however, is that no complaint filed with any agency anywhere can rightfully be considered to constitute derogatory information regarding the firm, person or business policies involved until or unless both sides are heard and the full facts secured. Furthermore, even if the object of the complaint be found to be in the wrong but voluntarily and readily makes proper adjustment, then there is surely no just cause for subsequent castigation or derogatory report.

This is the course we have long since endeavored to pursue and, in fact, guarantee such procedure contractually to members in each membership certificate.

Again and finally, the same interests to which reference has been previously made herein have done much to "sell" to the agencies mentioned the idea that any organization such as ours, i.e. not coming within their self designated or exclusive domain cannot be bonafide, cannot be other than out to cheat the public. Of course, it might be said that such a travesty requires no rebuttal. However, to brush it off in this fashion could still readily leave a doubt, so again we say let's see if we have been doing what we have undertaken to do, but let's above all make this determination on the record of what we *have been able to do* rather than what someone else *has not chosen to do.*

Please understand . . . our reference to interests which have chosen to bring pressure to bear is not vindictive but only factual. However, we feel the situation here is too important . . . too vital to too many people to be dealt with other than in the light of the full and undisguised facts. There is more than caveat emptor involved here . . . there is and should also be, "let the seller take care."

In closing let us once more reiterate that we are not proposing that *all* so-called hospital and medical plans are cloaked with integrity but we do feel it is long past the time when some differentiation should and must be made. It has been for this very reason that we have long urged formulation of a code of ethics or some stipulated control be set up to govern the industry, possibly designated by the Attorney General's Office. Such a code would necessarily reconcile and accommodate itself to the particular needs and requirements peculiar to this industry. Furthermore, any member not strictly and faithfully adhering thereto in good faith would certainly have no excuse for its continued existence. To be sure, this particular approach may not be the answer . . . there may be a still better way . . . but whatever it may be, we urge that it be equitable to those legitimately operating in this field . . . not only in differentiating between the manner in which they operate and serve the public but also that the industry itself not be subjegated to or

placed at the whim or prejudiced discretion of those who would render ineffectual any effort to fulfill a need which they have chosen to ignore because of a more lucrative, if less realistic appraisal thereof . . . or on the monopolistic creed of "one for all and that is all."

We have nothing to conceal. We feel there is a great deal which could stand revealing. Also, we feel assured that any consideration of this matter on your part, as well as any decisions you may reach will include a concern for and recognition of the welfare of those members we represent and whom you likewise represent, as well as regard for the American prerogative of free enterprise and the healthy competition it engenders.

Respectfully,

(Signed) GENEVIEVE HOWARD, Executive Secretary
American Independent Medical
and Health Association

November 10, 1950

Mr L. D. Hotchkiss, Editor
Los Angeles Times
First and Spring Streets
Los Angeles, California

DEAR MR. HOTCHKISS: An article appeared in the Los Angeles Times under date of October 20, 1950, Volume LXIX-C, Page 7, Part II, Column 6, quoting Mr. Wallace K. Downey, California Insurance Commissioner, and Mr. Robert J. Bauer, Manager of the Los Angeles Better Business Bureau, regarding the need to control medical benefit societies operating in California by enactment of State legislation.

We are in full accord with this position and recognize the existence of such "racketeering" practices within the field of voluntary pre-paid medicine, as well as the need for some method of control. In fact, we have on more than one occasion urged that some code of ethics be established to do just this . . . i.e., at once, restrain the unscrupulous and protect the legitimate.

However, we do not feel that all organizations, other than the one or two to which actual recommendation is given and blessing extended, in the article in question should be penalized through such "blanket indictment" which castigates through inference "all" other organizations operating in this field.

Fortunately, as is the case in most spheres of business, "the exception proves the rule", rather than the reverse, and "all" are not devoid of scruple.

Therefore, we are enclosing for your information and use an "open letter" pertaining to this matter and would request, in line with what we feel is your paper's policy of giving fair coverage to both sides of any question, that same be published as a public service in a forthcoming edition.

Copies of this letter together with additional facts and figures pertaining to our particular business are being sent to the California Division of Insurance, the Better Business Bureau, and members of the Assembly Interim Committee, in order that the entire

"picture" and just where we stand may be brought into clearer focus. As stated in the enclosed letter, our records are always available and we'll stand on the facts.

Your cooperation in this matter is respectfully sought. May we hear from you regarding it?

Sincerely,

A. G. BARNES, President
American Independent Medical
and Health Association

November 10, 1950

Open Letter to the Los Angeles Evening Herald & Express

It was indeed a great source of satisfaction to read the recent article in the Los Angeles Evening Herald & Express, wherein Mr. Wallace K. Downey, California Insurance Commissioner, and Mr. Robert J. Bauer, Manager of the Los Angeles Better Business Bureau, took occasion to point out the need for state laws regulating the so-called fly-by-night medical societies operating in California.

Both Mr. Downey and Mr. Bauer stated, and with justification, that these irresponsible groups cast a shadow in many people's minds on legitimate organizations in this field.

However, the regrettable feature of this entire article was that it failed to go far enough. In other words, only a partial picture was given and, pursuant to the old and proven axiom, "A little knowledge is a dangerous thing."

In this case it is particularly dangerous because it not only works to the detriment of other than the one or two reputable organizations singled out for particular recommendation but also jeopardizes the security and peace of mind of thousands of people who happen to be members of certain other group health plans which *do* happen to be operated legitimately and in accord with the approved concept of voluntary pre-paid medical protection, the very freedom of choice principle of which is now so strongly urged in our daily newspapers and on the radio by the medical profession The "Voluntary Way is the American Way", we are told, and it is on this principle that this organization, for one, is operated.

We are not the largest, to be sure, but we do have some 15,000 active members and are rapidly growing, now being in our fourth year of operation. In our case, membership does not consist of "putting members in touch with a doctor or hospital", as referred to in the article in question, but offers a complete and definite schedule of hospital, surgical and medical benefits, on which comparison with any plan available is welcomed.

Payment of membership benefits is based on facts, findings, laboratory pathology and history submitted by the member's own doctor and hospital. These people have paid membership dues in good faith and their claims for membership benefits have been paid in good faith, as our records will reveal. These records *have been* and *are* open to the Insurance Division, the Better Business Bureau or any authorized agency to examine.

"What we are getting at is just this: We do not feel that organizations operating as we are should be included in any implied

"blanket indictment" of the unscrupulous in the field of voluntary health protection, nor for that matter, can we believe it to be actual intention of either the Insurance Division or the Better Business Bureau to brand the innocent with the guilty. This is definitely not the "American Way."

We, as an organization, are well aware of the so-called medical rackets doing business in California; in fact, we have on more than one occasion urged that some practical code of ethics be set up to regulate this industry, for the protection of those legitimate organizations operating in the State and for the thousands of members represented thereby and for whom adequate medical care and treatment is thus made possible. Such a code would not only safeguard our "humble citizens" who fall gullible prey to "gyp" deals but would also serve as a means of identifying rather than concealing in the mass those who are trying to do an honest job.

This Association is in no way, shape or form either directly or indirectly connected with any other similar or dissimilar organization, group or individual; nor does any other group or individual in any manner designate or control its policies nor its operation which is at all times in the interest of its total and complete membership. This is just good common sense of survival and can be checked for the record. It stands on its own feet and asks no favor from anyone. We feel that our product is good . . . that it needs no apology. Our members feel the same way about it. We want to do our part in making California free from the swindler and the racketeer who would prostitute this or any other field in which he could find a footing. In fact, the keeping of this field clean is more vitally important to us than anyone for this *is* our business and we want to retain the trust and confidence of those who have made it possible . . . of those who have and shall continue to benefit through their membership, to this they have and will attest.

On our own score, whenever we may be wrong, we want to know about it . . . but now. However, we want to be judged on those facts which apply *to us* and not on those pertaining to any "condition" which may exist in the field in which we happen to operate.

What is more, we do not feel that ours or any legitimate organization should be penalized because of the wrong doing of "others" in the same activity, nor yet that certain "others" should actually benefit from the same situation.

Let each stand on and face the facts on its own merits. This surely must be the "American Way."

AMERICAN INDEPENDENT MEDICAL AND HEALTH ASSOCIATION

Surely one who reads the above must feel that here is a maligned and persecuted institution trying to do good, lost in the maze of red tape and patiently and with exemplarly forebearance putting up with misunderstanding and suspicion.

For emphasis we quote the following underligned phrases and then shall compare them with the facts revealed by the Examiner for the Insurance Commissioner of the State of California when the American Independent Medical and Health Association was seized by him.

(Mrs.) Genevieve Howard who signed the letter to the chairman, quoted above, is also the A. G. Barnes, president of the respondent association.

In her communication we read these phrases underlined and immediately thereafter quote the facts disclosed by the examiner.

From the letter:

> For example * * * it has come to our attention on more than one occasion lately that we are being "knocked down" in no uncertain terms from certain quarters.
>
> To cite one case, a statement was made to one of our members to the effect that checks we had tendered in payment of claims had, to use the slange vernacular, "bounced." To refute this particular accusation, we would merely have to refer anyone to the main office of the Bank of America here in San Diego where our Home Office account for the payment of claims is carried."

Comment

From the Report of Examination:

Bank Balance at Various Dates, (O.D., indicating a debit balance or Overdrawn)

July 1, 1949	$46.60
August 31, 1949, O.D.	109.89
September 30, 1949, O.D.	285.89
October 31, 1949, O.D.	6.03
November 30, 1949, O.D.	38.23
December 31, 1949, O.D.	22.75
January 31, 1950	782.84
February 28, 1950	1,843.74
March 31, 1950	1,743.07
April 30, 1950	1,426.69
May 31, 1950	1,347.21
June 30, 1950	636.50
July 31, 1950	1,081.72
August 31, 1950	4.15
September 30, 1950, O.D.	135 75
October 31, 1950, O.D.	1,157.97
November 1-November 21, 1950, O.D.	170.21

Note that in seven of the sixteen months there was a bank overdraft and probably at the very time Genevieve Howard wrote the letter sent to the committee chairman. Had this been made in sworn testimony before the committee said Genevieve Howard would be in danger of being cited for contempt or perjury.

Again a paragraph of the letter states:

> "We have in the past made a policy, perhaps at the cost of a greater public knowledge and through recognition of our product, of not employing expensive and extensive advertising programs. This has been done in order that all possible strength could be maintained behind each membership."

Comment

The Report of Examination does not bear out the above statement.

In the period June 6, 1947 to June 30, 1949 out of $78,850.37, gross receipts from members there was expended for Advertising, Printing and Postage the sum of $14,405.13. For the period from July 1, 1949 to June 30, 1950 received as gross receipts from members, less refunds $42,786.72 and expended for the same items as above $6,354.57. From July 1, 1950 until November 21, 1950, when so "rudely" interrupted by the Insurance Commissioner, net receipts were $41,145.87 and the amounts charged to the same items totaled $4,654.64 or a modest 11.2 percent of net receipts. We have included postage with the advertising and printing charges because of the extensive use of the mails in the promotional plan of American Independent Medical and Health Association.

There are other comparisons which the reader of this report can make for himself but we cannot pass on to other matters without drawing particular attention to this statement in the Genevieve Howard letter. It reads as follows:

> "Another feature which has characterized our particular modus operandi has been the maintenence of a low operating cost. Numerous and varied functions have been assigned to and assumed by a few key personnel to the end of keeping down the administrative overhead. In other words, every cent received in the form of membership dues, other than that required for nominal administrative cost, is set aside and made available for the avowed purpose of the organization i.e., the providing of specified hospital, surgical and medical benefits to its members."

Comment

If the writer of the letter consciously or unconsciously toyed with the truth in the other statements made, in this one she shoots so wide of the mark that we have no other conclusion to draw than that here she is deliberately seeking to mislead the recipient of the letter. We are forced to this conclusion when we realize the import of the Report of the Examination by the Insurance Commissioner's office where it is stated:

> "Only twelve cents of each dollar of dues collected has been expended for hospital, medical services and indemnities to members."
>
> "The remaining eighty-eight cents of each dollar collected has been utilized for administrative expenses."

We are forced to disagree with Genevieve Howard as to her statement—"every cent received in the form of membership dues, other than that required for *nominal* administrative cost is set aside and made available for the avowed purpose of the organization * * *" when we examine the salary arrangement she, and Jesse C. Fortune, President of the Association, have made by and with themselves.

In the "accounts payable, officers" section of the Report of Examination we find these illuminating disclosures.

AMERICAN INDEPENDENT MEDICAL AND HEALTH ASSOCIATION
STATEMENT OF CASH RECEIPTS AND DISBURSEMENTS
JUNE 12, 1947, TO NOVEMBER 21, 1950

	6-12-47 to 6-30-49	*7-1-49 to 6-30-50*	*7-1-50 to 11-21-50*	*6-12-47 to 11-21-50*
Bank balance brought forward	----	----	$636.50	$636.50
Gr receipts from members	$76,850.37	$44,045.41	40,470.07	161,365.75
Less membership refunds	----	1,258.59	79.90	1,338.49
	$76,850.37	$42,786.72	$41,026.67	$160,663.76
Reimbursement by members for medical fees advanced	----	----	119.20	119.20
Net receipts	$76,850 37	$42,786.72	$41,145.87	$160,782.96
Cost of Operations				
Medical and hospital				
Commissions	$24,380.58	$12,048.58	$11,140.94	$47,570.10
Salaries and wages	11,109.03	2,210 50	5,373.57	18,693.10
Officers' salaries	6,889.56	5,954.67	3,655 00	16,499.23
Advertising	6,608 02	1,912.46	1,132.44	9,652.22
Printing	5,499.09	3,821.17	2,891.78	12,212 04
Tel and Tel	4,200.04	1,390 74	643.31	6,234.09
Travel and entertainment	2,661 73	1,655 58	1,723.96	6,041.27
Business consultant	2,544.00	314 29	1,925.00	4,783.29
Postage	2,297 02	620.99	630.42	3,548.43
Rent	2,109 00	989.20	1,226.38	4,324.58
Bad debts	1,503.10	2,139.97	5.50	3,648.57
Bank charges	----	----	107.47	107.47
Office supplies	1,502.05	406.60	396.83	2,304.48
Legal	856 65	----	930.75	1,787.40
Office repairs	481 30	----	----	481.30
Equipment rental	326.22	----	----	326.22
Taxes	411.03	142.78	90.04	643.85
Gas and oil	133 43	----	----	133.43
Furniture and fixtures	----	1.453.07	984 39	2,437.46
Sales consultant	----	375.00	----	375.00
Industrial consultant	----	175.00	----	175.00
Utilities	119.95	----	5.00	124.95
Contributions	87.00	----	60 00	147.00
Office expense	52.70	762 52	404.06	1,219.28
Medical consultant	----	100.00	490.00	590 00
Compensation insurance	30.00	----	----	30.00
Accounting	25.00	----	----	25.00
Total Cost of Operations	$78,334 77	$43,587.24	$42,283.70	$163,295 71
Net Loss	$(1,484.40)	$(800.42)	$(137.83)	$(2,422 75)

BALANCE SHEET (COMMERCIAL BASIS)
AMERICAN INDEPENDENT MEDICAL AND HEALTH ASSOCIATION
NOVEMBER 21, 1950

Cash in bank			$1,209.11	
Cash in office:		$28.88		
San Diego		24.20		
			53.08	
Cash in office and in bank			$1,262.19	
Furniture and fixtures (estimated)			2,437.46	
Total Assets				$3,699.65
Accounts payable, trade creditors		$5,881.62		
Accounts payable, officers:				
Jesse C. Fortune, manager	$39,108.86			
Genevieve Howard, secretary-treasurer	11,796.67			
		$50,905.53		
Total Accounts Payable			$56,787.15	
Salaries payable to employees (estimated)			1,000.00	
Outstanding checks (estimated)			1,379.32	
Uncleared membership collection: Alfonso T. Rivas			20.70	
Social Security taxes (estimated)			200.67	
Federal income tax withheld (estimated)			431.25	
Trust deposit: Lawrence Heath			500.00	
Total Liabilities				$60,319.09
Deficit (excess of liabilities over assets)				($56,619.44)

We note that this may be a very good example of the way "non-profit" associations may operate to escape not only scrutiny and regulation of their affairs but also certain local, county, state and federal taxes and contributions.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. McCollister, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Walter Nagle of Santa Rosa.

On request of the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Guibert, daughter Adele, and former Assemblyman Raymond Blosser of San Francisco.

On request of the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. R. S. Leffler of San Diego.

On request of Mr. Rumford, the usual courtesies of the Assembly for this day were unanimously extended to W. Byron Rumford, Jr., and Miss Carolyn Carrington of Berkeley.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs August Hemenez and the following Cubs of Pack 29, Den 4 of Rodeo: John Granalo, Billy Bennett, Frank Mendes, Jimmy Blazilk, Frank Cardoza, Richard Hemenez, Billy Silva, Frank Gregorich, and Gerald Hemenez.

On request of Mr. Meyers and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs Eugene Dawydiak of San Francisco.

On request of Mr. Luckel and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Paul Mitchell of San Diego.

On request of Mr. Geddes, the usual courtesies of the Assembly for this day were unanimously extended to Robert A. Keagy of Pomona.

On request of Mr. Conrad, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Edith Rahn of Hollywood.

On request of Mr. Luckel and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Will E. Dennis and Alexander Zauri of San Diego.

On request of Mr. McMillan, the usual courtesies of the Assembly for this day were unanimously extended to Clarence Smith and Jimmie Smith of Los Angeles.

On request of Messrs. McFall and Parker, the usual courtesies of the Assembly for this day were unanimously extended to F. A. Klinger, Stephano Fedi, Don Garibaldi, and Joseph C. Fedi of Stockton.

ADJOURNMENT

At 10.57 p.m., on motion of Mr. Hollibaugh, the Speaker declared the Assembly adjourned until 10 a.m., Saturday, June 23, 1951.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1951 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

EIGHTY-EIGHTH LEGISLATIVE DAY

ONE HUNDRED TWENTIETH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Saturday, June 23, 1951

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—79.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Clarence A. Kircher:

O God, Who Hast Set the Solitary in Families, Who dost join man to man in friendship, and who dost kindle hearts of nations to draw near to one another, we seek Thine approval upon the accomplishments of this Assembly.

For the opportunities of serving Thee and our Country in the sessions of this Legislature, we give sincere thanks. May the words of our mouths and the meditations of our hearts this very day be acceptable in Thy sight, our Lord and our Redeemer. And e'er we be separated one from the other, even for a time, may the worthy friendships we have made draw us closer one to another and unto Thee.

"Blest be the tie that binds
Our hearts in Christian love;
The fellowship of kindred minds
Is like to that above.
We share our mutual woes,
Our mutual burdens bear,
And often for each other flows
The sympathizing tear.
When we asunder part,
It gives us inward pain;
But we shall still be joined in heart
And hope to meet again."

In Jesus' name.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Klocksiem, further reading of the Journal of the previous legislative day was dispensed with.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 22, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Hatfield, Brown, and Mayo as a Committee on Conference concerning:

Assembly Bill No. 2882—An act to add Article 5c (Veterans Bond Act of 1951) to Chapter 6 of Division 4 of the Military and Veterans Code, authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of state bonds, to create a fund to provide farm and home aid for veterans in accordance with the provisions of the Veterans Farm and Home Purchase Act of 1943 and acts amendatory and supplemental thereto; defining the powers and duties of said committee and of the Department of Veterans Affairs and other state officers in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debts or debts, liability or liabilities, as such principal matures; and providing that this act shall take effect upon the adoption by the people of the State of California of an amendment to the Constitution of the State of California approving, adopting, legalizing, ratifying, validating and making fully and completely effective said Veterans Bond Act of 1951.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 22, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended:

Assembly Bill No. 19
Assembly Bill No. 110
Assembly Bill No. 233
Assembly Bill No. 251
Assembly Bill No. 295
Assembly Bill No. 527
Assembly Bill No. 781
Assembly Bill No. 827
Assembly Bill No. 940
Assembly Bill No. 1056
Assembly Bill No. 1070
Assembly Bill No. 1111
Assembly Bill No. 1258
Assembly Bill No. 1477
Assembly Bill No. 1695
Assembly Bill No. 1806
Assembly Bill No. 1954
Assembly Bill No. 2464
Assembly Bill No. 2727
Assembly Bill No. 2825
Assembly Bill No. 3011
Assembly Constitutional Amendment No. 58

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 1722
Assembly Bill No. 3193
Assembly Bill No. 3221
Assembly Bill No. 3222

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 22, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 68
Assembly Concurrent Resolution No. 91
Assembly Concurrent Resolution No. 93
Assembly Concurrent Resolution No. 100
Assembly Joint Resolution No. 39
Assembly Joint Resolution No. 42
Assembly Joint Resolution No. 43

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 22, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 118
Assembly Bill No. 132
Assembly Bill No 178
Assembly Bill No. 254
Assembly Bill No 359
Assembly Bill No. 426
Assembly Bill No. 723
Assembly Bill No. 842
Assembly Bill No. 1020
Assembly Bill No. 1152
Assembly Bill No. 1193
Assembly Bill No. 1405
Assembly Bill No. 1483
Assembly Bill No. 1486
Assembly Bill No. 1487
Assembly Bill No. 1496
Assembly Bill No. 1541
Assembly Bill No. 1643
Assembly Bill No. 1818
Assembly Bill No. 1879
Assembly Bill No. 1947
Assembly Bill No 2086
Assembly Bill No. 2301
Assembly Bill No. 2545
Assembly Bill No. 3183
Assembly Bill No. 3291
Assembly Bill No. 3300
Assembly Bill No. 3348
Assembly Bill No. 3442
Assembly Bill No. 3452
Assembly Bill No. 3456

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 22, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 97
Assembly Joint Resolution No 37

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 22, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 797
Assembly Bill No 853
Assembly Bill No. 951
Assembly Bill No. 1665
Assembly Bill No. 2005

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1639

Mr. Lyon asked for, and was granted unanimous consent to take up Senate Bill No. 1639, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 1639

Senate Bill No. 1639—An act to amend Section 7.2 of the Alcoholic Beverage Control Act, relating to license transfers and escrows.

Bill read third time.

Motion to Amend

Mr. Lyon moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on June 20, 1951, strike out lines 22 to 24, inclusive.

Amendment No. 2

On page 2 of said bill, strike out line 1, and insert

"Establish an escrow holder authorized by the board and also licensed under the Financial Code to so act if such license is required under such code, who is not a party to the".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Request for Unanimous Consent That Rush Order Be Placed Upon Printing of Senate Bill No. 1639

Mr. Lyon asked for, and was granted, unanimous consent that a rush order be placed upon the printing of Senate Bill No. 1639.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL BE PRINTED IN JOURNAL

Mr. Dunn asked for, and was granted, unanimous consent that the letter of transmittal for the Final Report of the Assembly Interim Committee on Public Education be ordered printed in the Journal, in 10 point type, as follows:

LETTER OF TRANSMITTAL

CALIFORNIA LEGISLATURE, STATE CAPITOL
SACRAMENTO, CALIFORNIA, June 22, 1951

Hon. Sam L. Collins
Speaker of the Assembly
State Capitol, Sacramento, California

DEAR MR. SPEAKER: The Assembly Interim Committee on Public Education, created by House Resolution No. 242, 1949 Regular Session, herewith submits its final report.

The committee has in its files much information in addition to that previously reported which would be of assistance to a future interim committee if such is created.

This report is merely a resume of the activities of the committee. Most of these activities have resulted in legislation presented at the First Extraordinary Session in 1949 and the First and Third Extraordinary Sessions in 1950 and at the 1951 Regular Session. No recommendations are included in this report.

The committee was allocated the sum of $16,000 to finance its activities of which $6,443.19 was unused and will revert to the Assembly Contingent Fund.

Respectfully submitted.

FRANCIS DUNN, JR., Chairman
KATHRYN T. NIEHOUSE, Vice Chairman
ROBERT KIRKWOOD
J. D. BABBAGE
ERNEST R. GEDDES
WM. B. RUMFORD
H. K. LEVERING

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED AS SEPARATE DOCUMENT AND THAT 200 COPIES BE PRINTED

Mr. Dunn asked for, and was granted, unanimous consent that the letter of transmittal and the Report of the Assembly Interim Committee on Public Education be ordered printed as a separate document, and that 200 copies be printed.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 191—An act to amend Sections 2842 and 2828 of the Elections Code, relating to state and county central committees;

Assembly Bill No. 249—An act to amend Sections 64, 67, 70, 75, 79, and 97 of the Unemployment Insurance Act, relating to a System of Unemployment and Disability Insurance;

Assembly Bill No. 461—An act to amend Section 737rr of the Political Code, and 79.44 of the the Code of Civil Procedure, relating to superior court judges' salaries;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of June, 1951, at 9 a.m.

GRUNSKY, Vice Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 592—An act to amend Sections 28123 and 28134 of the Government Code, Sections 423 and 434 of the Education Code, and Section 79.24 of the Code of Civil Procedure, relating to compensation for public services in counties;

Assembly Bill No. 594—An act to amend Section 79.20 of the Code of Civil Procedure, relating to compensation for public service in counties;

Assembly Bill No 751—An act to amend Section 3 of Chapter 973 of the Statutes of 1949, relating to fish;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of June, 1951, at 9 a.m.

GRUNSKY, Vice Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 954—An act to add Section 1987.5 to the Code of Civil Procedure, relating to subpenas;

Assembly Bill No. 981—An act to amend Sections 4368 and 4702 of the Labor Code, relating to burial expenses for disaster service workers and workmen's compensation death benefits;

Assembly Bill No. 1121—An act to amend Sections 1709, 1713, 3630, 3671, 3800, 4103, 4110, 4113, 4603, 4619, 5204, 6202, 6502, 9304, and 9305 of the Corporations Code; to add thereto Section 3802; to repeal Sections 9003 and 9700 thereof; and to re-entitle Article 5 of Chapter 1, Part 8, Division 1, Title 1 of said code, all relating to corporations;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of June, 1951, at 9 a.m.

GRUNSKY, Vice Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1162—An act to amend Section 1203 of the Penal Code, relating to probation;

Assembly Bill No. 1232—An act to add Section 9598 to the Business and Professions Code, relating to the State Board of Dry Cleaners;

Assembly Bill No. 1371—An act providing for the constitution of the municipal court in a district embracing the Cities of Palo Alto and Mountain View, and prescribing the number and compensation of the judges, officers and attaches thereof;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of June, 1951, at 9 a.m.

GRUNSKY, Vice Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1389—An act providing for the constitution of the municipal court in a district embracing the City of Salinas, and prescribing the number and compensation of the judges, officers and attaches thereof;

Assembly Bill No. 1390—An act providing for the constitution of the municipal court in a district embracing the Cities of Carmel and Monterey, and prescribing the number and compensation of the judges, officers and attaches thereof;

Assembly Bill No 1530—An act to amend Section 5050 5 of the Welfare and Institutions Code, relating to procedure for examination of the mental health of a person alleged to be mentally ill and to court orders concerning such procedures;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of June, 1951, at 9 a m.

GRUNSKY, Vice Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1582—An act to add Section 7.1 to the Alcoholic Beverage Control Act, relating to issuance of licenses;

Assembly Bill No. 1744—An act to amend Section 667 of the Elections Code, and Section 6580 of the Health and Safety Code, relating to elections;

Assembly Bill No. 1903—An act to amend Sections 2 and 8 of, and to add Section 4.1 to, an act entitled "An act to provide for the acquisition of temporary and emergency housing facilities for veterans and families of servicemen by joint action of the state and local agencies, providing for the operation of such facilities, making an appropriation, and declaring the urgency thereof, to take effect immediately," approved February 15, 1946, as amended, relating to eligible tenants and extending the period of availability of moneys appropriated therefor;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of June, 1951, at 9 a.m.

GRUNSKY, Vice Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER. Your Committee on Legislative Procedure has examined.

Assembly Bill No. 2140—An act to add Chapter 12 of Part 1 of Division 6 of the Harbors and Navigation Code, creating the San Francisco Harbor Finance Board and prescribing its duties; providing for the issuance and sale of revenue bonds by the Board of State Harbor Commissioners, subject to the approval of the San Francisco Harbor Finance Board as obligations of the Board of State Harbor Commissioners for San Francisco Harbor, payable from the revenues of said Board of State Harbor Commissioners for San Francisco Harbor, and prescribing the duties of state officers in respect to such bonds; defining the duties of said Board of State Harbor Commissioners for San Francisco Harbor, in respect to said bonds and the acquisition of public works from the proceeds thereof; authorizing the creation of a fund for the improvement of San Francisco Harbor by the construction of wharves, piers, sea walls, state railroad, spurs, betterments and appurtenances and necessary dredging and filling in connection therewith; providing for the purposes for which the proceeds of said bonds may be expended; providing for the incidents, security, terms, conditions, maturity, interest, denominations, form, registration, and transfer and interchange of such bonds; providing for the payment of the interest and principal of such bonds, and for their call before maturity and the conditions upon which such calls may be made; providing for the replacement of lost, destroyed, or mutilated bonds or coupons; exempting such bonds from certain taxes, and authorizing the investment of banks, trusts, and public funds in said bonds; providing for the rights and remedies of the holders of such bonds; providing for the issuance of refunding bonds and providing for the creation of designated funds;

And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-third day of June, 1951, at 9 a.m.

GRUNSKY, Vice Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2011—An act to add Chapter 5 7, comprising Sections 2650 to 2694, inclusive, to Division 2 of the Business and Professions Code, relating to the practice of physical therapy, schools of physical therapy, and the licensing of physical therapists, and prescribing penalties for violations hereof;

Assembly Bill No. 2212—An act to add Section 1429.5 to the Penal Code, relating to criminal proceedings;

Assembly Bill No. 2299—An act to amend Section 28117 of the Government Code and Section 79.50 of the Code of Civil Procedure, relating to compensation for public service in counties of the seventeenth class;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of June, 1951, at 9 a.m.

GRUNSKY, Vice Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2484—An act to amend Section 80 of the Agricultural Code, relating to district and county agricultural fairs;

Assembly Bill No 2553—An act to amend Sections 4618, 4621, 4622, 4988, 5581, and 5588 of, and to add Sections 4624, 4802, 4803, 4995, 4996, 5565, 5602, 5603, and 6655 to, the Health and Safety Code, relating to the powers and bonds of county sanitation and other sewer districts, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 2870—An act to add Sections 258.1 and 259.1 to the Vehicle Code, relating to operators of school busses and temporary issuance of chauffeurs' licenses therefor, and declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of June, 1951, at 9 a.m.

GRUNSKY, Vice Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2931—An act to add Section 1157.1 to the Government Code, relating to public agencies;

Assembly Bill No. 3188—An act to amend Section 4714 and to repeal Section 4965 of the Education Code, relating to unified school districts;

Assembly Bill No. 3321—An act to amend Section 6b of the Municipal Court Act of 1925 and to amend Section 274 of the Code of Civil Procedure, relating to municipal courts;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of June, 1951, at 9 a.m.

GRUNSKY, Vice Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3422—An act to amend Sections 14116, 14123, 14136, 14137, 14138, and 14142 of the Education Code, relating to the merit system for noncertificated school employees;

Assembly Bill No. 3450—An act to add Section 261a.8 to the Code of Civil Procedure, relating to phonographic reporters and fees payable to county clerks in connection with court proceedings;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of June, 1951, at 9 a.m.

GRUNSKY, Vice Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 40—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 16 to Article XVI thereof, relating to the issuance of bonds to provide farm and home aid for veterans;

Assembly Constitutional Amendment No. 55—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding to Article XIII thereof a new section to be numbered 19, relating to the proceeds of taxes levied on property in a redevelopment project under the Community Redevelopment Act;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the twenty-third day of June, 1951, at 9 a.m.

GRUNSKY, Vice Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 40—Relative to the application of the Sherman Anti-Trust Act and the Miller-Tydings Act as applied to State Fair Trade Laws;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twenty-third day of June, 1951, at 9 a m

GRUNSKY, Vice Chairman

CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1715—An act to add Section 58.1 to the Unemployment Insurance Act, relating to disqualification for benefits.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1715?

Amendment No. 1

On page 1, line 14, of the printed bill, as amended in the Assembly on May 23, 1951, after "family" insert "; and provided further, that notwithstanding any other provision of this act this section shall apply only to claims for unemployment compensation benefits and shall not apply to claims for unemployment compensation disability benefits."

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Levering moved a call of the Assembly.

Motion carried. Time, 10.18 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Babbage, Brady, Brown, Cloyed, George D Collins, Dickey, Dills, Evans, Hagen, Hawkins, Hollibaugh, Kilpatrick, and Lanterman—13.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

Speaker Pro Tempore Presiding

At 10 20 a.m. Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Smith asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 850—An act to amend Section 10375 of the Health and Safety Code, relating to registration of births, deaths, and marriages.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 850?

Amendment No. 1

On page 2, line 5, of the printed bill, as amended in the Assembly on June 7, 1951, after "embalmer", insert "if body embalmed".

Amendment No. 2

On page 2, line 8, of said bill, as amended, strike out the semicolon and insert a period and
"(b)".

Amendment No. 3

On page 2, line 10, of said bill, as amended, strike out "(b)", and insert "(c)"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 850 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Henderson, Hinckley, Holibaugh, Kelly, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, and Waters—61.
NOES—None.

Assembly Bill No. 850 ordered enrolled.

Assembly Bill No. 1017—An act to repeal Articles 4 and 6 of Chapter 3, Part 2, Division 3, Title 2 of the Government Code, and to add a new Article 6 to said chapter, relating to the State Archives and the State Record Depository.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1017?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 26, 1951, after "to", strike out the balance of line 1, and all of lines 2, 3, and 4, and insert "amend Section 13607 of the Government Code, relating to distribution and sale of the State Blue Book."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, as amended, after "Section 1.", strike out the balance of the page, and all of pages 2, 3, 4, and 5, and insert
"13607. Same: Distribution and Sale. The volumes shall be distributed as follows. To the Secretary and each Member of the Senate and to the Chief Clerk and each Member of the Assembly, 10 copies; to the Governor, 25 copies; to the *Lieutenant Governor, 15 copies;* to the Secretary of State, the Controller, the Attorney General and the Treasurer, each [5] *10* copies; to the director of each state department, 2 copies; to the State Library, 50 copies.
All other volumes shall be sold for such price as may be fixed by the department."

Amendment No. 3

On page 1 of the printed bill, as amended in the Senate on May 28, 1951, strike out line 1, and insert
"SECTION 1. Section 13607 of the Government Code is amended to read:".

Amendment No. 4

On page 5, line 8, of said bill, as amended, strike out "Same. Distribution and Sale."

Amendment No. 5

On page 5, line 14, of said bill, as amended, after the semicolon, insert "to the two United States Senators from California and the members of the California Congressional Delegation, each 1 copy; to the Chief Justice and Associate Justices, each 1 copy; to the Presiding Justices and Justices of the District Court of Appeals, each 1 copy;"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1017 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Henderson, Hinckley, Holibaugh, Kelly, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, and Waters—61.

NOES—None.

Assembly Bill No. 1017 ordered enrolled.

Assembly Bill No. 1669—An act to add Chapter 12 (comprising Sections 28700 to 28724, inclusive) to Division 21 of the Health and Safety Code, relating to the regulation of the premises and operations of plants for the preparation and storage of frozen foods, and the licensing of the personnel thereof.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1669?

Amendment No. 1

On page 1, line 16, of the printed bill, as amended in the Assembly on April 19, 1951, after "space in", insert "such".

Amendment No. 2

On page 2, line 19, of said bill, as amended, after "maintaining a", insert "frozen food".

Amendment No. 3

On page 2 of said bill, as amended, strike out lines 30 to 37, inclusive, and insert "plant shall be fifteen dollars ($15) for plants with 399 lockers or less; twenty dollars ($20) for plants with 400 to 799 lockers; twenty-five dollars ($25) for plants with 800 to 1199 lockers, and thirty dollars ($30) for plants with 1200 or more lockers, and such fees shall be paid into the General Fund."

Amendment No. 4

On page 4, line 29, of said bill, as amended, after "Existing", insert "frozen food".

Amendment No. 5

On page 5 of said bill, as amended, strike out lines 45 to 47, inclusive.

Amendment No. 6

On page 6 of said bill, as amended, after line 5, insert

"SEC. 4. The sum of eighteen thousand two hundred sixty dollars ($18,260) is hereby appropriated out of the General Fund in the State Treasury in augmentation of Item 231 of the Budget Act of 1951 to be expended by the Department of Public Health during the 1951-52 Fiscal Year in carrying out the provisions of this act."

Amendment No. 7

In line 1 of the title of the printed bill, as amended, in the Senate on May 31, 1951, strike out "28724", and insert "28725"

Amendment No. 8

In line 5 of the title of said bill, as amended, after "thereof", insert ", and making an appropriation therefor".

Amendment No. 9

On page 1, line 2, of said bill, as amended, strike out "28724", and insert "28725".

Amendment No. 10

On page 2, line 35, of said bill, as amended, after "be", insert "Five Dollars ($5) for plants with 100 lockers or less; ten dollars ($10) for plants with 101 to 200 lockers;".

Amendment No. 11

On page 2, line 36, of said bill, as amended, after "with", strike out "399 lockers or less", and insert "201 lockers to 399 lockers".

Amendment No. 12

On page 5 of said bill, as amended, between lines 40 and 41, insert

"28725. This act shall be known as the "Frozen Food Locker Plant Act of 1951." "

Amendment No. 13

On page 6 of said bill, as amended, strike out lines 1 and 2.

Amendment No. 14

On page 6, line 3, of said bill, as amended, strike out "4", and insert "3".

Amendment No. 15

On page 2 of the printed bill, as amended in the Senate on June 13, 1951, strike out lines 34 to 40, inclusive, and insert "plant shall be ten dollars ($10) for plants with 200 lockers or less; twenty-five dollars ($25) for plants with 201 to 500 lockers; thirty-five dollars ($35) for plants with 501 to 750 lockers; forty dollars ($40) for plants with 751 to 1,000 lockers; and fifty dollars ($50) for plants with 1,001 or more lockers Such fees shall be paid into the General Fund"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1669 by the following vote:

AYES—Babbage, Beck, Berry, Burke, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Porter, Rosenthal, Shaw, Sherwin, Smith, Stewart, Thomas, Tomlinson, and Waters—58

NOES—None

Assembly Bill No. 1669 ordered enrolled.

Assembly Bill No. 2261—An act to amend Sections 44 and 45.5 of, to the Unemployment Insurance Act, relating to unemployment insurance.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2261?

Amendment No. 1

On page 4 of the printed bill, as amended in the Assembly on May 15, 1951, in line 3, after "that", insert ", except in case of fraud.".

Amendment No. 2

On page 4, line 7, of said bill, as amended, strike out "or"; and strike out all of lines 8 and 9, and insert a period.

Amendment No. 3

On page 5 of said bill, as amended, after line 12, insert

"SEC. 4 The amendment to Section 44 of the Unemployment Insurance Act made by this act shall not be construed as changing or affecting the services included within or excluded from the definition of employment as contained in the Unemployment Insurance Act nor as affecting the benefit rights of any individual under that act."

Amendment No. 4

In line 1 of the title of the printed bill, as amended in the Senate on June 15, 1951, after "of", insert ", and to add Section 45 13".

Amendment No. 5

On page 5 of said bill, as amended, before line 1, insert

"SEC 4. Section 45.13 is added to said code, to read:

45 13. Whenever it is established to the satisfaction of the appeals board that individuals performing services in unloading farm products in a "market" as defined in Chapter 150, Statutes of 1947, and required to register as "registered unloaders" under said act, have attempted to evade said act by refusing to so register or by giving false names or social security numbers or by preventing the persons for whom the services are performed from making the deductions from their wages authorized by this act, the appeals board shall direct the department to cancel any assessment levied against such person for whom the services were performed which is based upon wages paid for such services. Upon such direction by the appeals board such assessment, including both employer and wage earner contributions, shall be canceled."

Amendment No. 6

On page 5, line 1, of said bill, as amended, strike out "SEC. 4.", and insert "SEC. 5."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2261 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Waters—66.

NOES—Davis and Henderson—2.

Assembly Bill No. 2261 ordered enrolled.

Assembly Bill No. 2456—An act to repeal Section 1142, to amend Section 1143(a) and to add Sections 1142, 1142.1, 1142.2, 1142.3, and 1142.4 to the Agricultural Code, relating to processing of eggs and egg products, eggs shipped into California both from within the United States and from outside the United States; also relating to the inspection and certificates of egg products shipped into California.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2456?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 3, 1951, strike out "1143(a)", and insert "1143a".

Amendment No. 2

On page 3, line 22, of said bill, as amended, strike out "(3)", and insert "(2)".

Amendment No. 3

On page 3, line 35, of said bill, as amended, strike out "(a)".

Amendment No. 4

On page 3, line 42, of said bill, as amended, strike out "1143(a)", and insert "1143a".

Amendment No. 5

On page 3, line 43, of said bill, as amended, strike out "1143(a)", and insert "1143a."

Amendment No. 6

On page 2, line 5, of said bill, as amended, after "rooms", insert "or areas".

Amendment No. 7

On page 2, line 37, of said bill, as amended, strike out "room", and insert "area".

Amendment No. 8

On page 3, line 1, of said bill, as amended, after "Sterilizing", insert "Area".

Amendment No. 9

In line 7 of the title of the printed bill, as amended in the Senate on May 17, 1951, after "California", insert "and making an appropriation".

Amendment No. 10

On page 1 of said bill, as amended, strike out lines 9 and 10, and insert "The provisions of this section shall not apply to salvage operations that are incidental to any candling process, or to any bakery or restaurant, or employee thereof, in which eggs are broken for immediate use upon the premises."

Amendment No. 11

On page 1, line 13, of said bill, as amended, strike out "to each plant so engaged an annual license".

Amendment No. 12

On page 1, line 14, of said bill, as amended, strike out "on the receipt of one hundred dollars ($100)", and insert "a separate annual license for each plant so engaged on the receipt of one hundred dollars ($100) for each such license".

Amendment No. 13

On page 1 of said bill, as amended, after line 16, insert

"Annual license fees payable under this section shall become due and payable by each person approved by the Department of Public Health on or before January 1st in each year. Such fees shall be paid by the department into the General Fund in the State Treasury. It is the intention of the Legislature that the costs of administering this act shall be substantially covered by the revenues collected hereunder."

Amendment No. 14

On page 2, line 45, of said bill, as amended, strike out "(3)", and insert "(c)".

Amendment No. 15

On page 3, line 24, of said bill, as amended, strike out "Board", and insert "Department".

Amendment No. 16

On page 3, line 36, of said bill, as amended, strike out "old", and insert "cold".

Amendment No. 17

On page 3 of said bill, as amended, after line 44, insert

"SEC. 8. The sum of five thousand eight hundred forty-two dollars ($5,842) is hereby appropriated from the General Fund in the State Treasury in augmentation of Item 231 of the Budget Act of 1951, to be expended by the Department of Public Health in administration and enforcement of this act."

Amendment No. 18

On page 1, lines 11 and 12, of the printed bill, as amended in the Senate on June 1, 1951, strike out "to salvage operations that are incidental to any candling process, or".

Amendment No. 19

On page 3, line 50, of said bill, as amended, strike out "not stored in bond", and insert "for sale or distribution in California".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2456 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—63.

NOES—None.

Assembly Bill No. 2456 ordered enrolled.

Assembly Bill No. 2626—An act to amend Section 736b of the Political Code and Section 79 of the Code of Civil Procedure, relating to judges of the superior court.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2626?

Amendment No. 1

On page 1, line 13, of the printed bill, as amended in the Assembly on April 12, 1951, after "($1,750)", insert ", which annual salary shall be not less than ten thousand five hundred dollars ($10,500). If the total of the sums payable by the State and by the county or city and county under this section exceeds the minimum annual salary payable to a judge, his salary shall be increased in the amount of the excess".

Amendment No. 2

On page 1, lines 17 and 18, of said bill, as amended, strike out "shall be the amount fixed by this chapter", and insert "of California shall be such as has been or may be fixed by the Legislature".

Amendment No. 3

On page 1, line 18, of said bill, as amended, after "pay", insert "the sum of".

Amendment No. 4

On page 1, line 20, of said bill, as amended, after "remainder", insert "thereof".

Amendment No. 5

On page 1, line 22, of said bill, as amended, after the period, insert "The minimum annual salary of each judge of the superior court is the amount prescribed therefor as of January 1, 1951, plus the sum of one thousand seven hundred fifty dollars ($1,750), which annual salary shall be not less than ten thousand five hundred dollars ($10,500). If the total of the sums payable by the State and by the county or city and county under this section exceeds the minimum annual salary payable to a judge, the salary shall be increased in the amount of the excess."

Amendment No. 6

On page 2 of said bill, as amended, strike out lines 1 to 5, inclusive.

Amendment No. 7

On page 1, line 13, of the printed bill, as amended in the Senate on May 21, 1951, strike out "five hundred dollars ($10,500)", and insert "dollars ($10,000)".

Amendment No. 8

On page 2, lines 8 and 9, of said bill, as amended, strike out "five hundred dollars ($10,500)", and insert "dollars ($10,000)".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2626 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Smith, Stewart, Thomas, Tomlinson, and Waters—57.

NOES—None.

Assembly Bill No. 2626 ordered enrolled.

Assembly Bill No. 3254—An act to add Section 48.5 to the Fish and Game Code, relating to access to public hunting and fishing grounds.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3254?

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Assembly on May 17, 1951, strike out "commission", and insert "department".

Amendment No. 2

On page 1, line 10, of said bill, as amended, strike out "commission", and insert "department".

Amendment No. 3

On page 1, line 14, of said bill, as amended, strike out "commission", and insert "department".

Amendment No. 4

On page 1 of the printed bill, as amended in the Senate on May 31, 1951, after line 14, insert

"Nothing in this section shall limit the powers of the Wildlife Conservation Board or the State Public Works Board under the Wildlife Conservation Act of 1947."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3254 by the following vote

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen,

Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, and Waters—60.

NOES—None.

Assembly Bill No. 3254 ordered enrolled

Assembly Bill No. 382—An act to amend Section 1038 and to repeal Section 1039 of the Fish and Game Code, relating to fish.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 382?

Amendment No. 1

On page 1, line 15, of the printed bill, as amended in the Assembly on May 31, 1951, strike out "commission", and insert "department".

Amendment No. 2

On page 1, line 16, of said bill, as amended, strike out "commission", and insert "department".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 382 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McFall, McGee, McMillan, Meyers, Morris, Moss, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—60

NOES—None.

Assembly Bill No. 382 ordered enrolled.

Assembly Bill No. 248—An act to amend Section 1 of an act entitled "An act making an appropriation to the Emergency Fund specified in Item 277 of the Budget Act of 1950, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, declaring the urgency thereof, to take effect immediately," approved February 2, 1951, relating to repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, and declaring the urgency hereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 248?

Amendment No. 1

On page 2, line 46, of the printed bill, as amended in the Assembly on May 4, 1951, after "purposes", insert "for the repair or restoration of roads and bridges".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No 248 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Sherwin, Smith, Stanley, Stewart, Thomas, and Waters—61.

NOES—None.

Assembly Bill No. 248 ordered enrolled.

ANNOUNCEMENT

Speaker pro Tempore Maloney announced that the Committee on Rules is desirous of knowing how many Members of the Assembly will be remaining in Sacramento for a few days after the adjournment of the session for the purpose of determining the number of post session secretaries that will be needed.

REQUEST FOR UNANIMOUS CONSENT TO EXPUNGE RECORD, AND RESCIND ACTION ON MOTION

Mr. Waters asked for, and was granted, unanimous consent to expunge the record, and rescind the motion in the Journal relative to the motion that copies of bills are to be distributed to members prior to the consideration of any measure.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Senate Concurrent Resolution No 94
Senate Concurrent Resolution No. 99

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 239
House Resolution No. 251
House Resolution No. 256

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

SAM L. COLLINS, Chairman

Above reported resolutions ordered on file for adoption.

RESOLUTIONS

The following resolutions were offered:

By Mr. Kirkwood:

House Resolution No. 259

Resolved by the Assembly of the State of California, That the Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly in favor of the Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, in the sum of nineteen hundred seventy-five dollars ($1,975), said amount being for the purchase of postage stamps to be used by Members of the Assembly for official mail; and be it further

Resolved, That the Chief Clerk be and he is hereby directed to purchase postage stamps in such amounts and denominations, not exceeding nineteen hundred seventy-five dollars ($1,975) in the aggregate, as shall be necessary for the use of the Members of the Assembly for official mail; and be it further

Resolved, That the amount of stamps requisitioned by any one Member of the Assembly for official mail shall not exceed the sum of twenty-five dollars ($25).

Request for Unanimous Consent

Mr. Kirkwood asked for, and was granted, unanimous consent to take up House Resolution No. 259, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dunn, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Waters—61.

NOES—None.

By Mr. Silliman:

House Resolution No. 260

Resolved by the Assembly of the State of California, That each and every person heretofore employed by the Assembly is hereby stricken from the list of Assembly attaches, and the names stricken from the pay roll of the Assembly, to take effect upon the completion of work on Saturday, June 23, 1951, save and except Arthur A. Ohnimus, Chief Clerk, and those who are certified to the Controller by the Chief Clerk.

Request for Unanimous Consent

Mr. Silliman asked for, and was granted, unanimous consent to take up House Resolution No. 260, at this time, without reference to committee or file.

Resolution read, and adopted.

By Mr. Dickey:

House Resolution No. 261

Resolved, That Arthur A. Ohnimus, Chief Clerk, be and he is hereby authorized and empowered to receipt for any warrants that may be due members, officers, or other attaches of the Assembly, after the close of the session, or that may be drawn upon the Contingent Fund of the Assembly.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No 261, at this time, without reference to committee or file.

Resolution read, and adopted.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following telegram was received, read, and ordered printed in the Journal:

SANTA BARBARA, CALIFORNIA, June 22, 1951

Honorable Members of the California State Assembly in Session
State Capitol Bldg., Sacramento, California

The California State Aerie, Fraternal Order of Eagles, now in session in Santa Barbara with 1,000 delegates, representing 194 lodges with a membership of over 125,000 extend best wishes to you. The interest and cooperation of each Member of the California State Assembly in the activities of the Fraternal Order of Eagles is fully appreciated by the California State Aerie.

EDDIE E. JOHNSTON, State President
Fraternal Order of Eagles

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1235—An act to amend Sections 8514 and 8522 of the Business and Professions Code, relating to structural pest control.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1235?

Amendment No. 1

In the title of the printed bill, as amended in the Assembly on May 11, 1951, in line 1, strike out "Sections 8514 and 8522", and insert "Section 8514".

Amendment No. 2

On page 2 of said bill, as amended, strike out lines 11 to 26, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1235 by the following vote:

AYES—Babbage, Beck, Belotti, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dunn, Elliott, Fleury, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Waters—60.
NOES—None.

Assembly Bill No. 1235 ordered enrolled.

Assembly Bill No. 1071—An act to amend Section 50¾ of, and to add Section 52.1 to, the Public Utilities Act, and to amend Section 1066 of, and to add Section 816 5 to, the Public Utilities Code, relating to public utilities.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1071?

Amendment No. 1

In line 4 of the title of the printed bill, as amended in the Assembly on May 23, 1951, strike out "Section", and insert "Sections 706, 707, 708, and".

Amendment No. 2

On page 3 of said bill, as amended, between lines 13 and 14, insert

"SEC. 6. Section 706 is added to the Public Utilities Code, to read

706 Any corporation organized under the laws of this State or any corporation duly qualified to do business within this State, for the purpose of furnishing electric service on a nonprofit, cooperative basis, primarily to its members or stockholders, shall be exempt in all respects from the jurisdiction and control of the Public Utilities Commission and shall not be subject to this part, except as and only to the extent provided in Sections 707 and 708.

SEC. 7 Section 707 is added to said code, to read:

707. No public utility, or nonprofit cooperative corporation operating electric facilities shall furnish or offer to furnish electric service to any premises which are already receiving such service from another supplier, or which had previously received such service from another supplier willing to resume the furnishing of such service, without first obtaining the consent in writing of such other supplier The commission, upon proper complaint, shall by appropriate order prohibit the furnishing of or offer to furnish such service.

SEC 8 Section 708 is added to said code, to read:

708 Whenever a nonprofit, cooperative corporation, organized for the purpose of furnishing electric service, or a group of persons which has formed a temporary organization with the intention of forming such a corporation, or any corporation duly qualified to transact such business in this State on a nonprofit, cooperative basis (each herein called the "filing corporation"), shall file with the commission a map or maps indicating the area or areas in which the operation of the filing corporation are intended to be conducted, together with a statement verified by oath or affirmation to the effect that a majority of the potential users of electric service, not then receiving

adequate electric service in said area or areas, have signified in writing their willingness to take service from the proposed system of the filing corporation, it shall be unlawful for an electrical corporation, after receipt of any notice as hereafter provided of the filing of said map or maps and statement, to begin the construction of any electric lines or facilities, as the case may be, within said area or areas or to solicit customers for electric service therein, as the case may be, or in any manner to conflict, interfere or compete with the proposed system of the filing corporation, until after the expiration of one year from the date of said filing of said map or maps and statement The words "area" or "areas" as used herein in connection with the maps to be filed by the filing corporation shall be deemed to mean the areas which may be served in normal practice by the electric lines or facilities indicated in said maps, which in any event shall not be less than a distance of 1,500 feet from either side of said electric lines."

Demand for Previous Question

Messrs. Luckel, Collier, Hansen, Henderson, and Burke demanded the previous question.

Demand for previous question sustained.

The question being on the concurrence in Senate amendments to Assembly Bill No. 1071.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Davis moved a call of the Assembly.

Motion carried. Time, 11.30 a m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brown, Clarke, Sam L. Collins, Erwin, Grunsky, Hinckley, Kilpatrick, Lincoln, Porter, Stanley, and Waters—11.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Dunn asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 108: By Messrs. George D. Collins, Henderson, Burkhalter, Condon, Cooke, Elliott, Hawkins, Kilpatrick, McFall, Meyers, Parker, Rosenthal, and Thomas—Relative to needy disabled persons, and requesting the Governor to call an extraordinary session thereon.

Referred to Committee on Rules

MOTION THAT LEGISLATIVE COUNSEL BE AUTHORIZED AND INSTRUCTED TO CORRECT REPORT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 1967

Mr. Hawkins moved that the Legislative Counsel be authorized and instructed to correct the report of the Committee on Conference concerning Assembly Bill No. 1967, now pending, contingent upon the Senate taking similar action.

Mr. Elliott seconded the motion.

Motion carried unanimously.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF GOVERNOR'S VETOES

Assembly Bill No. 2665—An act to amend Section 5699 of the Elections Code, relating to casting of ballots.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 2665 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—Chapel—1.

NOES—Babbage, Beck, Belotti, Berry, Brady, Burke, Caldecott, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, and Tomlinson—62.

Assembly Bill No. 2453—An act to amend Section 1295 of the Penal Code, relating to bail and deposits instead of bail.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 2453 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—Lincoln, McCollister, Morris, Porter, and Thomas—5.

NOES—Babbage, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Klocksiem, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters—60.

Assembly Bill No. 908—An act to amend Section 3 of, and to add Sections 3.5 and 30.02 to the Public Utility District Act, relating to public utility districts.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 908 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—Dolwig, Levering, Lyon, and Thomas—4.

NOES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Klocksiem, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Waters—57.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 3443

Mr. Kilpatrick asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 3443, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 3443—An act to amend Section 5501 of the Welfare and Institutions Code, relating to the commitment of sexual psychopaths, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3443?

Amendment No. 1

In lines 3 and 4 of the title of the printed bill, as amended in the Assembly on June 8, 1951, strike out ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 1 of said bill, as amended, strike out lines 6 and 7, and insert "offense,".

Amendment No. 3

On page 1, line 8, of said bill, as amended, strike out "thereby,".

Amendment No. 4

On page 1 of said bill, as amended, between lines 16 and 17, insert

"Conviction upon a charge of violation of Section 290 of the Penal Code by failure to register as required thereby is conviction of a criminal offense within the meaning of this subdivision."

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 3443 by the following vote:

AYES—Crowley and Smith—2

NOES—Babbage, Beck, Belotti, Berry, Brady, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, and Waters—57.

Appointment of Committee on Conference Concerning Assembly Bill No. 3443

The Speaker announced the appointment of Messrs. Smith, Kilpatrick, and Burke as a Committee on Conference concerning Assembly Bill No. 3443.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 621

Mr. Kilpatrick asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 621, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 621—An act to repeal Section 144 and to amend Section 1558 of the Penal Code, relating to the return of fugitives from justice.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 621?

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "the last section", and insert "Section 1557".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 621 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Moss, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, and Thomas—61.

NOES—None.

Assembly Bill No. 621 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 797

Mr. Babbage asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 797, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 797—An act making an appropriation for the construction of a vocational training building at the proposed State School for the Deaf, Southern California.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 797?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on June 15, 1951, after line 10, insert

"The amount herein appropriated shall be transferred to the Capital Outlay and Savings Fund and the permanent improvements shall be deferred and no expenditures made thereon until or unless authorized by subsequent enactment."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 797 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloved, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, and Thomas—63.

NOES—Doyle—1.

Assembly Bill No. 797 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1188

Mr. Brown asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 1188, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1188—An act to provide for notification of release from custody of persons convicted of arson.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1188?

Amendment No. 1

On page 1, line 16, of the printed bill, as amended in the Assembly on April 5, 1951, strike out "and prior to the release date specified in the notice".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1188 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Conrad, Cooke, Crowley, Dills, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, and Thomas—61.

NOES—None.

Assembly Bill No. 1188 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1665

Mrs. Niehouse asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 1665, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1665—An act to provide for the acquisition of Buena Vista Lagoon Wild Fowl Refuge by the State and making an appropriation therefor.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1665?

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Assembly on May 21, 1951, strike out "Department of Fish and Game", and insert "Division of Beaches and Parks".

Amendment No. 2

On page 2 of said bill, as amended, strike out lines 13 and 14, and insert "appropriated, out of the money heretofore appropriated and made available for the acquisition of ocean beaches, tidewater bays and inlets by Chapter 1522 of the Statutes of 1945, to the Division of Beaches and Parks in the Department of Natural Resources to be expended without".

Amendment No. 3

On page 2 of said bill, as amended, after line 15, insert

"Notwithstanding any other provision of law, the entire cost of acquiring Buena Vista Lagoon may be paid from this appropriation without requiring the contribution of matching amounts in money, property or lands from private or other sources."

Amendment No. 4

On page 2, line 12, of the printed bill, as amended in the Senate on June 20, 1951, strike out "1522", and insert "1422".

Amendment No. 5

On page 2, line 15, of said bill, as amended, strike out "Notwithstanding any", and strike out all of lines 16 to 19, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1665 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stanley, and Thomas—59.

NOES—None.

Assembly Bill No. 1665 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 19

Mr. Erwin asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 19, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 19—An act to amend Section 19627 of the Business and Professions Code, relating to the state revenue derived from horse racing licenses.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 19?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on June 15, 1951, strike out "amend Section 19627 of", and insert "add Section 19627.3 to".

Amendment No. 2

On page 1 of said bill, as amended, strike out lines 1 and 2, and insert

"SECTION 1. Section 19627.3 is added to the Business and Professions Code, to read:".

Amendment No. 3

On page 1, line 3, of said bill, as amended, strike out "19627", and insert "19627.3".

Amendment No. 4

On page 1, line 4, of said bill, as amended, after "Fund", insert "the Wildlife Restoration Fund or the State College Fund".

Amendment No. 5

On page 1, line 5, of said bill, as amended, strike out "each fiscal year", and insert "the 1951-52 Fiscal Year and in each of the two fiscal years immediately thereafter".

Amendment No. 6

On page 1, line 11, of said bill, as amended, after "Treasury.", insert "The amounts herein appropriated shall be transferred to the Capital Outlay and Savings Fund and the permanent improvements shall be deferred and no expenditures made thereon until or unless authorized by subsequent enactment."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 19 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Cloyed, Coats, George D. Collins, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, and Stewart—62.

NOES—None

Assembly Bill No. 19 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 781

Mr. Babbage asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 781, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 781—An act to amend Section 737gg of the Political Code, and to amend Section 79.33 of the Code of Civil Procedure, relating to superior judges' salaries.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 781?

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on May 30, 1951, strike out "737gg of the Political Code, and to amend Section".

Amendment No. 2

On page 1 of said bill, as amended, strike out lines 1 to 7, inclusive, and insert "SECTION 1. Section 79.33 of the Code of Civil Procedure is".

Amendment No. 3

On page 1, line 11, of said bill, as amended, strike out "twelve thousand five hundred dollars ($12,500)", and insert "thirteen thousand five hundred dollars ($13,500)".

Amendment No. 4

On page 1 of said bill, as amended, strike out lines 12 to 15, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 781 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, and Thomas—59.

NOES—None.

Assembly Bill No. 781 ordered enrolled.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 1142
Assembly Bill No. 1969
Assembly Bill No. 2043
Assembly Concurrent Resolution No. 98
Assembly Joint Resolution No. 45
Assembly Bill No. 2075
Assembly Bill No. 2355
Assembly Bill No. 3433

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1477

Mr. Babbage asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 1477, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1477—An act providing for the constitution of municipal courts in districts in Riverside County, and prescribing the number and compensation of the judges, officers and attaches thereof.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1477?

Amendment No. 1

On page 1, lines 8 and 9, of the printed bill, as amended in the Assembly on May 1, 1951, strike out "two hundred forty dollars ($240)", and insert "three hundred dollars ($300)".

Amendment No. 2

On page 2, line 16, of the printed bill, as amended in the Senate on May 23, 1951, after "1949", insert "and persons previously employed in public service within the county who are appointed to such positions upon the organization of the court,".

Amendment No. 3

On page 2, line 17, of said bill, as amended, after "courts", insert ", in such previous public service within the county,".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1477 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloved, Coats, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sillman, Smith, Stanley, Stewart, and Thomas—65.

NOES—None.

Assembly Bill No. 1477 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1142

Mr. Connolly asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 1142, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1142—An act to add Section 674.5 to the Agricultural Code, relating to standards and labeling for milk and milk products containing other foods.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1142?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on June 12, 1951, following line 15, insert

"The provisions of this section shall be in effect until the ninety-first day after adjournment of the 1953 Legislature"

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1142 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloved, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Lyon,

Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stewart, Thomas, and Mr Speaker—65.
NOES—None.

Assembly Bill No. 1142 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2355

Mr. Shaw asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2355, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2355—An act to add Section 635.1 and to amend Sections 735.3 and 736.11 of the Agricultural Code, relating to milk and dairy products.

The question being: Shall the Assembly concur in Senate amendments to Assembly Bill No. 2355?

Amendment No. 1

On page 1, line 12, of the printed bill, as amended in the Assembly on May 31, 1951, after "milk", insert "derived from market milk".

Amendment No. 2

On page 4, line 10, of said bill, as amended, strike out the period, and insert "; provided, however, the director shall not be required to establish such minimum wholesale prices in those marketing areas wherein he finds, after public hearing held pursuant to this article, that conditions of transportation, production, and distribution are such that the establishment thereof will cause disparity in prices to exist between two or more marketing areas."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2355 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Landsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stewart, Thomas, and Mr Speaker—62.
NOES—None.

Assembly Bill No. 2355 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1056

Mr. Moss asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 1056, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1056—An act to amend Sections 11020 and 11021 of the Government Code, relating to operation of state offices.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 1056?

Amendment No. 1

On page 1, lines 11 and 12, of the printed bill, as amended in the Assembly on May 21, 1951, strike out ", except the State Compensation Insurance Fund,".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1056 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stewart, Thomas, and Mr. Speaker—62.
NOES—None.

Assembly Bill No. 1056 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1954

Mr. Moss asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 1954, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1954—An act to amend Sections 9801, 9802, 9807, 9807.1, 9807.2, 9808, 5153.5, 7102.1, and 7104 of, and to add Sections 9801.1, 9801.2, 7102.2, and 7104.1 to, the Education Code, relating to mentally retarded minors.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1954?

Amendment No. 1

On page 3, line 35, of the printed bill, as amended in the Assembly on May 24, 1951, strike out "(a)".

Amendment No. 2

On page 3, line 38, of said bill, as amended, strike out "and 7104", and insert ", 7102.2, 7104, and 7104.1".

Amendment No. 3

On page 3, lines 45 and 46, of said bill, as amended, strike out "one hundred dollars ($100)", and insert "one hundred fifty dollars ($150)".

Amendment No. 4

On page 4, line 10, of said bill, as amended, strike out "one hundred dollars ($100)", and insert "one hundred fifty dollars ($150)".

Amendment No. 5

On page 4 of said bill, as amended, after line 19, insert
"SEC. 14. Sections 9, 10, 11, 12, and 13 of this act shall not take effect until July 1, 1952"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1954 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Smith, Stewart, Thomas, and Mr. Speaker—62.
NOES—None.

Assembly Bill No. 1954 ordered enrolled.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1715

At 12 m., on motion of Mr. Levering, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1715 by the following vote:

AYES—Babbage, Belotti, Brady, Burke, Caldecott, Clarke, Cloyed, Collier, Connolly, Conrad, Cooke, Dolwig, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, McCarthy, McCollister, McGee, Morris, Porter, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—43.

NOES—Beck, Berry, Burkhalter, Chapel, Coats, George D. Collins, Condon, Crowley, Davis, Doyle, Dunn, Elliott, Gaffney, Hagen, Hawkins, Henderson, Hollibaugh, Kilpatrick, Lincoln, Lowrey, Maloney, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, and Thomas—32.

Assembly Bill No. 1715 ordered enrolled.

Speaker Presiding

At 12.07 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

ANNOUNCEMENT

Mr. Beck announced that a picture of the Democratic members will be taken in the Lounge Room, upon recess, and urged prompt attendance at this gathering.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 58

Mr. Hawkins asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Constitutional Amendment No. 58, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Constitutional Amendment No. 58—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 22 of Article IV thereof, relating to public money.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Constitutional Amendment No. 58?

Amendment No. 1

On page 1, line 18, of the printed measure, as amended in the Assembly on June 1, 1951, strike out "or operation".

Amendment No. 2

On page 1, line 25, of said measure, as amended, strike out "and operation".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Constitutional Amendment No. 58 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers,

Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—68.

NOES—None.

Assembly Constitutional Amendment No. 58 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 110

Mr. Lindsay asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 110, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 110—An act to amend Section 448 of the Education Code, relating to the salary and credential of the county superintendent of schools of a county of the forty-eighth class.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 110?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "448", and insert "452".

Amendment No. 2

In line 3 of the title of said bill, strike out "forty-eighth", and insert "fifty-second".

Amendment No. 3

On page 1, line 1, of said bill, strike out "448", and insert "452".

Amendment No. 4

On page 1, line 3, of said bill, strike out "448", and insert "452".

Amendment No. 5

On page 1, lines 4 and 5, of said bill, strike out "forty-eighth class is four thousand eight hundred dollars ($4,800)", and insert "fifty-second class is six thousand dollars ($6,000)".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 110 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None.

Assembly Bill No. 110 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1070

Mr. Lindsay asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 1070, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1070—An act to add Section 1383 to the Water Code, relating to appropriation of water.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1070?

Amendment No. 1

On page 1, line 9, of the printed bill, after "until", insert "either".

Amendment No. 2

On page 1, line 12, of said bill, after "hearing", insert "or the dam for impounding water in the reservoir has been approved by the department pursuant to Chapter 5 of Part 1 of Division 3 of this code".

Amendment No. 3

On page 1, line 9, of the printed bill, as amended in the Senate on June 8, 1951, strike out "either".

Amendment No. 4

On page 1, line 12, of said bill, as amended, strike out "or the dam for"; and strike out all of lines 13 to 15, inclusive, and insert a period.

Amendment No. 5

In line 1 of the title of the printed bill, as amended in the Senate on June 19, 1951, strike out "Section 1383", and insert "Sections 1383 and 10505.1".

Amendment No. 6

On page 1, line 9, of said bill, as amended, after "until", insert "either".

Amendment No. 7

On page 1, line 12, of said bill, as amended, after "hearing", insert "or the dam for impounding water in the reservoir has been approved by the department pursuant to Chapter 5 of Part 1 of Division 3 of this code

SEC. 2. Section 10505.1 is added to the Water Code, to read:

10505.1. Before releasing any priority or assigning any appropriation under this part the Department of Finance shall hold a public hearing thereon and shall give notice of such hearing at least 60 days before the date thereof as follows:

(1) By mail to the county clerk of each county in which the appropriated water originates;

(2) By publication at least twice with an interval of at least six days between the first and last publication in a newspaper or newspapers of general circulation in each county in which the appropriated water originates".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1070 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—74.

NOES—None.

Assembly Bill No. 1070 ordered enrolled.

PERMISSION TO INTRODUCE ASSEMBLY CONCURRENT RESOLUTION GRANTED

Pursuant to the provisions of Rule No. 23, permission from the Speaker having been given, the roll was called, and permission granted Mr. Kirkwood to introduce an Assembly concurrent resolution by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—74.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 109: By Mr. Kirkwood—Relative to investigation of tax equalization by interim investigating committees and State Board of Equalization.

Request for Unanimous Consent

Mr. Kirkwood asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 109, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 109

Assembly Concurrent Resolution No. 109: By Mr. Kirkwood—Relative to investigation of tax equalization by interim investigating committees and State Board of Equalization.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—72.

NOES—None.

Resolution ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1071

At 12.18 p.m., on motion of Mr. Davis, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 1071 by the following vote:

AYES—Beck, Belotti, Burkhalter, Caldecott, Clarke, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Elliott, Fleury, Gubser, Hagen, Henderson, Hollibaugh, Kelly, Levering, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McFall, Moss, Parker, Rumford, Shaw, Stanley, and Thomas—31.

NOES—Babbage, Berry, Brady, Burke, Chapel, Cloyed, Collier, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Gaffney, Geddes, Grant, Hahn, Hansen, Hawkins, Kirkwood, Klocksiem, Lanterman, Lipscomb, Luckel, McCollister, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Porter, Rosenthal, Sherwin, Silliman, Smith, Stewart, and Tomlinson—41.

Appointment of Committee on Conference Concerning Assembly Bill No. 1071

The Speaker announced the appointment of Messrs. Davis, Evans, and Lyon as a Committee on Conference concerning Assembly Bill No. 1071.

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 12.20 p.m., Mr. Dunn asked for, and was granted, unanimous consent that he be excused, for the balance of the legislative day, for the purpose of attending the wedding of his daughter.

RECESS

At 12.21 p.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.
Hon. Sam L. Collins, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

COMMUNICATIONS

By Speaker Sam L. Collins:

A communication from Judge Thomas J. Cunningham, Judge of the Master Calendar Criminal Departments, Superior Court of Los Angeles, commending the Legislature for passing the Sexual Psychopathy Act and submitting for consideration certain proposed amendments, was received, and the bill, with the proposed amendments by Judge Cunningham, was ordered referred to the Committee on Judiciary.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1472

Mr. Lindsay asked for, and was granted unanimous consent to take up Senate Bill No. 1472, out of order, for purpose of amendment.

CONSIDERATION OF SENATE BILL NO. 1472

Senate Bill No. 1472—An act to amend Section 2 of an act entitled "An act to provide for the creation, organization and government of water conservation districts, defining their powers and prescribing the method of exercising the same, re-enacting and continuing in force the provisions of Chapter 166 of the Statutes of 1929, known as the 'Water Conservation Act of 1929,' and validating and confirming all proceedings had and taken under the provisions of said act resulting in the organization of water conservation districts and continuing such districts under the provisions of this act with the powers herein conferred," approved June 16, 1931, relating to eminent domain and declaring the urgency thereof.

Bill read third time.

Motion to Amend

Mr. Lindsay moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 39, of the printed bill, as amended in the Senate on May 29, 1951, strike out the semicolon, and insert ", but the right of eminent domain shall not extend to any property used for, or dedicated to cemetery purposes."

Amendment read, and adopted.
Bill ordered reprinted, and to third reading.

Request for Unanimous Consent That Rush Order Be Placed Upon Printing of Senate Bill No. 1472

Mr. Lindsay asked for, and was granted, unanimous consent that a rush order be placed upon the printing of Senate Bill No. 1472.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Tenney, James E. Cunningham, and Coombs as a Committee on Conference concerning:

Assembly Bill No. 3443—An act to amend Section 5501 of the Welfare and Institutions Code, relating to the commitment of sexual psychopaths.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 1985
Assembly Bill No. 2061
Assembly Bill No. 2924

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 52	Assembly Bill No. 1958
Assembly Bill No. 861	Assembly Bill No. 2034
Assembly Bill No. 991	Assembly Bill No. 2290
Assembly Bill No. 1264	Assembly Bill No. 2836
Assembly Bill No. 1376	Assembly Bill No. 3434
Assembly Bill No. 1570	Assembly Bill No. 3453

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 2858

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 2946

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Brown, Regan, and Collier as a Committee on Conference concerning:

Assembly Bill No. 1071—An act to amend Section 50¾ of, and to add Section 52 1 to, the Public Utilities Act, and to amend Section 1066 of, and to add Section 816.5 to, the Public Utilities Code, relating to public utilities.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No 631
Assembly Bill No 1072
Assembly Bill No. 1093
Assembly Bill No 1166
Assembly Bill No 1257
Assembly Bill No 1260
Assembly Bill No. 1261
Assembly Bill No. 1262
Assembly Bill No. 1426
Assembly Bill No. 1724
Assembly Bill No 1939
Assembly Bill No. 2079
Assembly Bill No. 2129
Assembly Bill No. 2695

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 101

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 1528
Senate Bill No 1544
Senate Bill No. 1586
Senate Bill No. 1625
Senate Bill No. 1637
Senate Bill No 1684
Senate Bill No 1721
Senate Bill No 1746
Senate Bill No. 1759
Senate Bill No. 1809
Senate Bill No. 1825
Senate Bill No 1836

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 2
Senate Bill No 41
Senate Bill No. 42
Senate Bill No. 43
Senate Bill No. 77
Senate Bill No. 119
Senate Bill No 255
Senate Bill No 303
Senate Bill No. 347
Senate Bill No. 418
Senate Bill No 431
Senate Bill No. 432
Senate Bill No. 439
Senate Bill No. 451
Senate Bill No 484
Senate Bill No 520
Senate Bill No. 527
Senate Bill No 572
Senate Bill No 679
Senate Bill No. 736
Senate Bill No. 819
Senate Bill No. 857
Senate Bill No 858
Senate Bill No. 905
Senate Bill No. 906
Senate Bill No. 907
Senate Bill No 963
Senate Bill No 1029
Senate Bill No 1054
Senate Bill No 1108
Senate Bill No 1115
Senate Bill No. 1116
Senate Bill No 1462
Senate Bill No. 1468
Senate Bill No 1474
Senate Bill No 1524

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No 98

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 98—Relative to Admission Day.

Referred to Committee on Rules.

RESOLUTIONS

The following resolutions were offered:

By Mr. McGee:

House Resolution No. 262

WHEREAS, State highway user and in lieu taxes are distributed to cities on a population basis as determined by either the last Decennial or Special Federal Census certified by the United States Bureau of Census; and

WHEREAS, Two hundred seventy-four special censuses, during the 1944-1950 period, were made and certified by the United States Bureau of Census at the request of cities; three cities having three separate censuses, 42 cities two, and 181 cities one; and

WHEREAS, Local funds in an amount variously estimated from $500,000 to $750,000 were spent in the taking of said censuses; and

WHEREAS, It appears feasible and more justified to use the annually state determined motor vehicle registration within cities as a distribution basis of said funds with a possible great saving of cost; now therefore be it

Resolved, That this subject be referred to the Assembly Interim Committee on Municipal and County Government for study and report to the California State Assembly during the 1952 Budget Session.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Sam L. Collins:

House Resolution No. 263

Resolved, That the Controller be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Western Union (telegrams) $219.25

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 263, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Burke, Caldecott, Clarke, Coats, George D. Collins, Conrad, Cooke, Crowley, Davis, Doyle, Elliott, Erwin, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kilpatrick, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Stanley, Stewart, Thomas, and Mr. Speaker—48.

NOES—None.

By Mr. Silliman:

House Resolution No. 264

Relative to the number of members on standing committees.

Resolved by the Assembly of the State of California, That the Speaker is authorized, within 30 days after final adjournment, to increase or decrease the number of members of each standing committee of the Assembly.

Request for Unanimous Consent

Mr. Silliman asked for, and was granted, unanimous consent to take up House Resolution No. 264, at this time, without reference to committee or file.

Resolution read, and ordered passed on file.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 1155—An act to amend Section 28131 of the Government Code, relating to compensation for public services in counties of the thirty-first class.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Second Committee on Conference concerning:

Senate Bill No. 1633—An act to amend Sections 9403, 9405, 9406, 9407, 9408, 9410, 9411, and 9412 of the Government Code, relating to witnesses before legislative committees.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 853

Mr. Rosenthal asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 853, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 853—An act to amend Section 1500 of the Welfare and Institutions Code, relating to aid to needy children in respect to children in the custody of licensed adoption, home-finding or child-placing agencies.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 853?

Amendment No. 1

On page 1, line 15, of the printed bill, as amended in the Assembly on March 29, 1951, after the period, insert "No child deprived of parental support because of separation or desertion shall be considered a "needy child" if the period of absence is less than three months."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 853 by the following vote:

AYES—Belotti, Berry, Burke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dolwig, Doyle, Elliott, Fleury, Geddes, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Porter, Rumford, Shaw, Stanley, Stewart, Thomas, Tomlinson, and Waters—51.
NOES—None.

Assembly Bill No. 853 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 951

Mr. Rumford asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 951, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 951—An act to amend Sections 4013 and 4162 of, and add Sections 4034, 4034.2, 4038, 4038.1, 4038.2, 4038.3, and 4039

to, and repeal Sections 4038 and 4039 of, the Business and Professions Code, relating to pharmacy.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 951?

Amendment No. 1

On page 2 of the printed bill, as amended, strike out all of lines 19 to 23, inclusive.

Amendment No. 2

On page 2, in line 24, of said bill, as amended, strike out "SEC. 5.", and insert "SEC. 4."

Amendment No. 3

On page 2, in line 25, of said bill, as amended, strike out "SEC. 6.", and insert "SEC. 5."

Amendment No. 4

On page 2, in line 32, of said bill, as amended, strike out "SEC. 7.", and insert "SEC 6."

Amendment No. 5

On page 2, in line 41, of said bill, as amended, strike out "SEC 8.", and insert "SEC. 7."

Amendment No. 6

On page 2, in line 46, of said bill, as amended, strike out "SEC. 9.", and insert "SEC. 8."

Amendment No. 7

On page 3, in line 5, of said bill, as amended, strike out "SEC. 10.", and insert "SEC. 9."

Amendment No. 8

In line 2 of the title of the printed bill, as amended in the Senate on June 18, 1951, strike out "4034.2,".

Amendment No. 9

On page 2, line 19, of said bill, as amended, after "404", insert "or preparations designed for the purpose of feeding or treating animals (other than man) or poultry, and so labeled".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 951 by the following vote:

AYES—Belotti, Berry, Burke, Caldecott, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dolwig, Doyle, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, and Waters—55.

NOES—None.

Assembly Bill No. 951 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 251

Mr. Geddes asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 251, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 251—An act to amend Sections 151.1, 201, 207, 302, 303, 307, and 311 of the Unemployment Insurance Act, relating to a System of Unemployment and Disability Insurance.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 251?

Amendment No. 1

On page 1, line 9, of the printed bill, after "not", insert "less than six nor".

Amendment No. 2

In line 1 of the title of the printed bill, as amended in the Senate on May 25, 1951, after "207," insert "210,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 2 of said bill, as amended, between lines 21 and 22, insert

"SEC. 3.5. Section 210 of the Unemployment Insurance Act is amended to read:

Sec. 210. As used in Section 209 "day" means any 24-hour period *of time during which the claimant is in a hospital*, or *any 24-hour period or any* part thereof [, of time] for which a hospital charges a patient a full day's rate."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 251 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Erwin, Fleury, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Porter, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, and Waters—57.

NOES—None

Assembly Bill No. 251 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2005

Mr. Sherwin asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2005, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2005—An act to add Chapter 4 to Part 4 of Division 3 of Title 2 of the Government Code, relating to state-owned motor vehicles, and prescribing the powers and duties of the Department of Finance, the State Personnel Board and the State Board of Control with respect thereto.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 2005?

Amendment No. 1

In line 5 of the title of the printed bill, as amended in the Assembly on May 8, 1951, after "thereto", insert ", declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 2 of said bill, as amended, strike all of lines 37 to 44, inclusive, and insert

"13955. The State Board of Control, upon its own initiative or upon request of any person, may suspend from state service without pay for a period not exceeding 30 days, any officer or employee of this State exempt from civil service for violating this chapter or the rules and regulations adopted pursuant thereto.

Such suspension is valid only if a written notice is served on the officer or employee prior to the effective date of the suspension and a copy of such notice filed with the State Personnel Board not later than 15 days after the effective date of such suspension The notice shall be served upon the employee either personally or by mail and shall include. (a) a statement of the nature of the punitive action; (b) the effective date of the action; (c) a statement of the causes therefor; and (d) a statement advising the employee of his right to answer the notice and the time within which that must be done if the answer is to constitute an appeal

The officer or employee against whom such punitive action is taken shall have the right to file an answer with the State Personnel Board as provided in Section

19575, Government Code, and request a hearing If the answer requests a hearing the State Personnel Board shall conduct a hearing. The board shall consider carefully the evidence admitted in the hearing and render a decision sustaining, modifying or revoking such suspension."

Amendment No. 3

On page 2 of said bill, as amended, after line 44, insert

"SEC. 2 This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such urgency is as follows:

Section 17 5 of the Budget Act of 1950 which provides for control of state-owned vehicles, expires at the close of business on June 30, 1951. It is necessary for the protection of the people of this State that regulations relating to the care and use of state-owned vehicles be in force, without interruption. Any interference with the continuity of such law precludes the necessary uninterrupted controls and removes the required safeguards now applicable to state-owned vehicles. It is therefore necessary that this act go into immediate effect."

Amendment No. 4

On page 2 of the printed bill, as amended in the Senate on June 11, 1951, strike out lines 6 to 21, inclusive, and insert "of record keeping

(d) Governing the storage of state-owned motor vehicles in those locations where storage space for state-owned motor vehicles, under the jurisdiction of the Department of Finance, is available."

Amendment No. 5

On page 2 of said bill, as amended, strike out lines 29 to 31, inclusive, and insert "state agency."

Amendment No. 6

On page 2, line 45, of said bill, as amended, strike out "or upon request of any person".

Amendment No. 7

On page 2, line 24, of the printed bill, as amended in the Senate on June 20, 1951, strike out "for state-owned motor ve-", and insert ", under the jurisdiction of the Department of Finance, is available for storage of state-owned motor vehicles."; and strike out all of lines 25 and 26

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2005 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Crowley, Dolwig, Elliott, Erwin, Geddes, Grant, Hagen, Hahn, Hawkins, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Munnell, Niehouse, Porter, Sherwin, Smith, Stanley, Stewart, and Thomas—47.

NOES—Dickey, Doyle, Fleury, Henderson, Hollibaugh, Luckel, and McGee—7.

Assembly Bill No. 2005 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 2327—An act to add Sections 214.3 and 214.4 to the Revenue and Taxation Code, relating to exemption from property taxes.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 2327 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—Davis, Lindsay, and Lowrey—3.

NOES—Babbage, Belotti, Berry, Brady, Burke, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln,

Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Porter, Rumford, Sherwin, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—57.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 295

Mr. McFall asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 295, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 295—An act to amend Section 685 of the Agricultural Code, relating to milk.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 295?

Amendment No. 1

In line 24, page 2, of the printed bill, as amended in the Assembly on June 7, 1951, following "of", insert "the".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 295 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Rumford, Sherwin, Smith, Stewart, Tomlinson, and Waters—61.

NOES—None.

Assembly Bill No. 295 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 233

Mr. Geddes asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 233, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 233—An act making an appropriation for support of Grand National Junior Livestock Exposition, No. 1-A District Agricultural Association.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 233?

Amendment No. 1

On page 1, line 3, of the printed bill, as amended, strike out "annually", and insert "during the 1951-52 Fiscal Year".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 233 by the following vote:

AYES—Babbage, Beck, Berry, Brady, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Porter, Rumford, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—59.

NOES—Lowrey—1.

Assembly Bill No. 233 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 527

Mr. Fleury asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 527, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 527—An act to amend Section 20205, relating to the State Employees' Retirement System.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 527?

Amendment No. 1

In line 1 of the title of the printed bill, after "20205", insert "of the Government Code".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 527 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D Collins, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Erwin, Fleury, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Porter, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, and Waters—57.

NOES—None

Assembly Bill No. 527 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 827

Mr. Geddes asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 827, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 827—An act to add Sections 20345.5, 20345.6, 20345.7 and 20345.8 to the Education Code, relating to student body organizations established in state colleges.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 827?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 31, 1951, strike out ", 20345 7 and 20345 8", and insert "and 20345.7".

Amendment No. 2

On page 2, line 13, of said bill, as amended, after "fee", insert ", or at his option shall agree to work off the amount of the fee at the prevailing student rate of the college,".

Amendment No. 3

On page 2 of said bill, as amended, strike out lines 44 to 50, inclusive.

Amendment No. 4

On page 1, line 1, of the printed bill, as amended in the Assembly on May 31, 1951, strike out "said code", and insert "the Education Code".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 827 by the following vote:

AYES—Babbage, Belotti, Berry, Burke, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley,

Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Niehouse, Porter, Sherwin, Smith, Stanley, Stewart, and Waters—53.

NOES—Beck, Hahn, Lowrey, Munnell, and Rumford—5.

Assembly Bill No. 827 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 940

Mr. Sherwin asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 940, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 940—An act to add Section 592.2 to, the Vehicle Code, relating to stopping, standing, or parking of vehicles.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 940?

Amendment No. 1

On page 1, line 13, of the printed bill, as amended in the Assembly on June 11, 1951, strike out "or owner".

Amendment No. 2

On page 1, line 14, of said bill, as amended, strike out "or for, or under contract with,".

Amendment No. 3

On page 1, line 16, of said bill, as amended, after "mail", insert "while engaged in such activity".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 940 by the following vote:

AYES—Beck, Belotti, Berry, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Crowley, Davis, Dickey, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Sherwin, Smith, Stewart, Thomas, and Waters—56.

NOES—None.

Assembly Bill No. 940 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1111

Mr. Munnell asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 1111, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1111—An act adding Sections 35002.5, 35003, 35158, and 35326 to, and amending Sections 35101 and 35313 of, the Government Code, relating to the annexation of territory to municipal corporations.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1111?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 22, 1951, strike out "35158", and insert "35105.5, 35158, 35304.5".

Amendment No. 2

In line 2 of the title of said bill, as amended, after "amending", insert "the article heading of Article 1, Chapter 1, Part 2, Division 2, Title 4 of, and amending".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1, line 1, of said bill, as amended, strike out "Section 35002.5 is added to the Government", and insert "The article heading of Article 1, Chapter 1, Part 2, Division 2, Title 4 of the Government Code is amended to read:

Article 1. [Petition] General

SEC. 2. Section 35002.5 is added to the Government".

Amendment No. 4

On page 1 of said bill, as amended, strike out lines 6 to 15, inclusive, and insert "feet wide exclusive of highways.

SEC. 2.5. Section 35003 is added to the Government Code, to read:

35003. Notwithstanding the provisions of Section 35002.5, territory which is wholly owned by a public agency may, with the consent of that public agency be annexed to a city together with any street, highway or road which connects such territory to the city."

Amendment No. 5

On page 2 of said bill, as amended, between lines 5 and 6, insert

"SEC. 3.5. Section 35105.5 is added to the Government Code, to read:

35105.5. *Notwithstanding the provisions of Section 35002.5, territory consisting* of property abutting on a street, highway, or road, and such street, highway or road to the extent that it abuts such property together with any street, highway, or road which *connects such territory to the city may be annexed to a city pursuant to this article*; provided, that if any portion of such territory or street, highway, or road is situated within three miles of the boundaries of any other city the consent of the legislative body of such other city shall first be obtained."

Amendment No. 6

On page 2 of said bill, as amended, between lines 10 and 11, insert

"SEC. 4.5. Section 35304.5 is added to the Government Code, to read:

35304.5. Notwithstanding the provisions of Section 35002.5, territory consisting of property abutting on a street, highway, or road and such street, highway, or road to the extent that it abuts such property together with any street, highway, or road which connects such territory to the city may be annexed to a city pursuant to this article if the owner or owners of all such abutting property either petition for such annexation or file their consent to such annexation in writing with the governing body of the city, provided that if any portion of such territory or street, highway or road is situated within three miles of the boundaries of any other city the consent of the legislative body of such other city shall first be obtained."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1111 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Munnell, Niehouse, Porter, Rumford, Sherwin, Smith, Stanley, Stewart, and Waters—57.

NOES—None.

Assembly Bill No. 1111 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1258

Mr. Fleury asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 1258, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1258—An act to add Article 4.5, comprising Sections 20215 to 20226, inclusive, to Chapter 2 of Part 3, Division 5, Title 2 of the Government Code, relating to the State Employees' Retirement System, authorizing the investment of the funds of such system in real property, and prescribing the limitations upon such investments.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1258?

Amendment No. 1

On page 1, line 2, of the printed bill, as amended in the Assembly on June 11, 1951, strike out "20225", and insert "20227".

Amendment No. 2

In line 1 of the title of the printed bill, as amended in the Senate on June 16, 1951, strike out "20227", and insert "20228".

Amendment No. 3

On page 1, line 2, of said bill, as amended, strike out "20227", and insert "20228".

Amendment No. 4

On page 3 of said bill, as amended, after line 43, insert

"20228. Nothing in this article shall be construed to authorize the Director of Finance to enter into any contracts for the construction of public works or invest in or acquire real property without a specific authorization by the Legislature."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1258 by the following vote:

AYES—Babbage, Beck, Belotti, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Porter Rosenthal, Rumford, Smith, Stanley, Stewart, and Waters—60.

NOES—None.

Assembly Bill No. 1258 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2464

Mr. Morris asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2464 without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2464—An act to amend Section 672 of the Vehicle Code, relating to escort of vehicles by police and traffic officers.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2464?

Amendment No. 1

On page 1, line 7, of the printed bill, as amended in the Assembly on May 23, 1951, after "escort", insert "or conveyance".

Amendment No. 2

On page 1, line 9, of said bill, as amended, after "of", insert "supplies and personnel for the".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2464 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Niehouse, Porter, Rosenthal, Rumford, Smith, Stanley, Stewart, and Waters—61

NOES—None.

Assembly Bill No. 2464 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2727

Mr. Stewart asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2727, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2727—An act to amend Sections 2, 2.1, 5, 33, 45.7 and 68 of the Community Redevelopment Act, and to amend Sections 33003, 33047, 33048, 33480, 33481, 33482, 33738, and 33885 of, and to repeal Sections 33739 and 33740 of, the Health and Safety Code, relating to redevelopment.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 2727?

Amendment No. 1

On page 9 of the printed bill, as amended in the Assembly on May 29, 1951, strike out lines 44 to 50, inclusive, and insert

"If the plan provides for the displacement, whether temporary or permanent, of any occupants of housing facilities in the project area, the legislative body shall not approve the plan, except upon the finding that adequate permanent housing facilities are or will be made available in the community for such displaced occupants at rents comparable to those obtaining in the community at the time of their displacement.

The legislative body shall further be satified that such permanent housing facilities shall, in any event, be made available within three years from the time such occupants will be displaced; and that pending the development of such permanent housing facilities, there will be available to such displaced occupants adequate temporary housing facilities at rents comparable to those obtaining in the community at the time of their displacement"

Amendment No. 2

On page 12, line 31, of said bill, as amended, after the first "body", and before "or", insert a comma.

Amendment No. 3

On page 12, line 33, of said bill, as amended, strike out the comma.

Amendment No. 4

On page 13 of said bill, as amended, strike out lines 12 to 20, inclusive, and insert

"33738. If the plan provides for the temporary or permanent displacement of any occupants of housing facilities in the project area, the legislative body shall not approve the plan except upon the finding that adequate permanent housing facilities are or will be made available in the community for such displaced occupants at rents comparable to those in the community at the time of their displacement"

Amendment No. 5

On page 13 of said bill, as amended, strike out line 21, and insert

"SEC. 14 Section 33739 of said code is amended to read:

33739. The legislative body shall also be satisfied that such permanent housing facilities will be made available within three years from the time such occupants are displaced and that pending the development of such facilities there will be available to such displaced occupants adequate temporary housing facilities at rents comparable to those in the community at the time of their displacement."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2727 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Dolwig, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Klocksiem, Levering, Lincoln, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Niehouse, Porter, Rosenthal, Rumford, Stewart, and Waters—49

NOES—Condon, Hagen, and Henderson—3.

Assembly Bill No. 2727 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2825

Mr. Lowrey asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2825, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2825—An act to add Section 160.96 to the Agricultural Code, relating to agricultural pest control business and establishing limitation upon bringing of action for loss suffered in connection therewith.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2825?

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on June 6, 1951, strike out line 8, and insert "from the time that the occurrence of such loss or damage became known to him, or in the event a".

Amendment No. 2

On page 2, lines 11 and 12, of said bill, as amended, strike out "or should reasonably have been"

Amendment No. 3

On page 2 of said bill, as amended, after line 31, insert

"The provisions of this section shall remain in effect until the ninety-first day after final adjournment of the 1953 Regular Session of the Legislature and thereafter shall have no further force or effect."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2825 by the following vote:

AYES—Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Smith, Stewart, Thomas, and Waters—57.

NOES—None

Assembly Bill No. 2825 ordered enrolled.

Hon. Richard H. McCollister Presiding

At 2:50 p.m., Hon. Richard H. McCollister, Member of the Assembly from the Seventh District, presiding.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1969

Mr. Meyers asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 1969, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1969—An act to authorize the improvement of certain streets abutting the campus of the San Francisco State College.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1969?

Amendment No. 1

On page 1 of the printed bill, strike out lines 2 and 3, and insert "ized to construct and improve, or cause to be constructed and improved, by grading, paving, and installation of curbs, gutters, sidewalks, storm drains, catch basins, and appurtenant lighting facilities, the area".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1969 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stewart, and Waters—55.

NOES—Geddes—1.

Assembly Bill No. 1969 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2043

Mr. Davis asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2043 without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2043—An act to amend Sections 39.1 and 340 of the Fish and Game Code, relating to fish and game.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2043?

Amendment No. 1

On page 2, lines 41 and 42, of the printed bill, as amended in the Assembly on June 7, 1951, strike out "At least one member of the commission, and such", and insert "The hearing shall be conducted by either (a) the commission, (ab) a member of the commission designated by it, or (c) the director if requested so to do by the commission. Such".

Amendment No. 2

On page 2, line 43, of said bill, as amended, strike out "person", and insert "group of persons".

Amendment No. 3

On page 3, lines 23 and 24, of said bill, as amended, strike out "At least one member of the commission, and such", and insert "The hearing shall be conducted by either (a) the commission, (b) a member of the commission designated by it, or (c) the director if requested so to do by the commission. Such".

Amendment No. 4

On page 3, line 25, of said bill, as amended, after "interested", insert "group of".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2043 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Doyle, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn,

Hansen, Henderson, Hollibaugh, Kilpatrick, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McFall, McGee, McMillan, Meyers, Munnell, Niehouse, Porter, Rosenthal, Sherwin, Smith, Stewart, and Waters—52

NOES—None.

Assembly Bill No. 2043 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 3433

Mr. Sherwin asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 3433, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 3433—An act to add Chapter 1.7 to Division 1 of the Welfare and Institutions Code, relating to solicitation of funds for charitable purposes.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3433?

Amendment No. 1

On page 1, line 26, of the printed bill, as amended in the Assembly on June 4, 1951, strike out "certified public accountant", and insert "public accountant holding a permit to practice public accountancy issued by the State Board of Accountancy to certified public accountants and to registered public accountants or by a certified public accountant of any other state".

Amendment No. 2

On page 1, line 29, of said bill, as amended, strike out "certified public accountant", and insert "public accountant holding a permit to practice public accountancy issued by the State Board of Accountancy to certified public accountants and to registered public accountants or by a certified public accountant of any other state".

Amendment No. 3

On page 2 of said bill, as amended, between lines 1 and 2, insert "(7) The Salvation Army."

Amendment No. 4

On page 2, line 6, of said bill, as amended, strike out "certified public accountant", and insert "public accountant holding a permit to practice public accountancy issued by the State Board of Accountancy to certified public accountants and to registered public accountants or by a certified public accountant of any other state".

Amendment No. 5

On page 2, lines 12 and 13, of said bill, as amended, strike out "certified public accountant", and insert "public accountant holding a permit to practice public accountancy issued by the State Board of Accountancy to certified public accountants and to registered public accountants or by a certified public accountant of any other state".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3433 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Doyle, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Porter, Rosenthal, Sherwin, Smith, Stanley, Stewart, and Waters—54.

NOES—None.

Assembly Bill No. 3433 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1806

Mr. Burkhalter asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 1806, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1806—An act to amend Sections 1101, 1102.2, 1102.3, and 1107 of the Agricultural Code, relating to eggs.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1806?

Amendment No. 1

On page 3 of the printed bill, as amended in the Assembly on June 7, 1951, strike out lines 3 to 7, inclusive, and insert "this article is guilty of a misdemeanor punishable:

(a) In cases of wilful or intentional violation by imprisonment in the county jail not exceeding six months or by fine not exceeding five hundred dollars ($500) or by both, or

(b) In cases not involving wilful or intentional violation by fine not exceeding five hundred dollars ($500)."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1806 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Doyle, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, McCarthy, McFall, McGee, Meyers, Moss, Munnell, Parker, Rosenthal, Sherwin, Smith, Stewart, and Waters—51.

NOES—None.

Assembly Bill No. 1806 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY CONCURRENT RESOLUTION NO. 98

Mr. Gubser asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Concurrent Resolution No. 98, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Concurrent Resolution No. 98—Relative to determination of water rights.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Concurrent Resolution No. 98?

Amendment No. 1

In lines 1 and 2 of the title of the printed measure, strike out "determination of water rights", and insert "protection and preservation of underground water supplies".

Amendment No. 2

On page 1 of said measure, strike out lines 2 to 9, inclusive, and insert "of the State are insufficient to supply current demands; and

WHEREAS, The causes for this overdraft on underground water supplies vary in different portions of the State, both with respect to replenishment of the supplies and the use thereof; and

WHEREAS, Legislation to ameliorate presently unsatisfactory conditions with respect to ground-water supplies should be investigated with a view toward examining the feasibility of statutory regulation of use of underground water; now, therefore,"

Amendment No. 3

On page 1 of said measure, strike out lines 15 and 16, and insert "underground water supplies in the several parts of the State to be replenished to the greatest possible extent and to preserve and to protect such supplies and to assure their use in accordance with laws found necessary to assure the maximum productive use thereof, and be"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Concurrent Resolution No. 98 by the following vote:

AYES—Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Doyle, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hawkins, Henderson, Kelly, Kilpatrick, Kloeksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, McCarthy, McFall, McGee, McMillan, Meyers, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Smith, Stewart, Thomas, Tomlinson, and Waters—55

NOES—None.

Assembly Concurrent Resolution No. 98 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY JOINT RESOLUTION NO. 45

Mr. Lanterman asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Joint Resolution No. 45, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Joint Resolution No. 45—Relative to federal aid for child care centers.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Joint Resolution No. 45?

Amendment No. 1

In line 11 of the printed measure, strike out "and".

Amendment No. 2

Strike out lines 12, 13, and 14 of said measure.

Amendment No. 3

In line 15, of said measure, strike out "of the national emergency".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Joint Resolution No. 45 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Doyle, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Kloeksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, McCarthy, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Smith, Stewart, Thomas, Waters, and Mr. Speaker—57.

NOES—Chapel—1.

Assembly Joint Resolution No. 45 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 52

Mr. Conrad asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 52, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 52—An act to amend Section 7420 of, and to add Section 7421 to the Business and Professions Code, relating to the granting of cosmetology licenses.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 52?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 7420 of, and to".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 25, inclusive.

Amendment No. 3

On page 2 of said bill, strike out lines 1 to 3, inclusive.

Amendment No. 4

On page 2, line 4, of said bill, strike out "SEC. 2. Section 7421 is added to said code, to read:", and insert

"SECTION 1. Section 7421 is added to the Business and Professions Code, to read:".

Amendment No. 5

On page 2, line 8, of said bill, strike out "Such per-"; and strike out lines 9 to 14, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No 52 by the following vote:

AYES—Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dolwig, Doyle, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Klocksiem, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Smith, Stewart, Thomas, and Waters—56

NOES—None.

Assembly Bill No. 52 ordered enrolled.

Speaker Pro Tempore Presiding

At 3 p m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding:

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2075

Mr. McCollister asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2075 without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2075—An act to amend Sections 20890 and 20894.5 of the Government Code, and Sections 14449 and 14495.2 of the Education Code, relating to public retirement systems in respect to absence of members in military service and contributions therefor.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2075?

Amendment No. 1

On page 1, line 9, of the printed bill, as amended in the Assembly on April 18, 1951, after "Government," insert "and during any period of rehabilitation afforded by the United States Government other than a period of rehabilitation for purely educational purposes,".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2075 by the following vote:

AYES—Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Cooke, Crowley, Davis, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Sherwin, Smith, Stewart, Thomas, and Waters—53.

NOES—None.

Assembly Bill No. 2075 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 991

Mr. Levering asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 991, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 991—An act to add Section 10494.6 of the Insurance Code, relating to disability insurance.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 991?

Amendment No. 1

On page 2, line 8, of the printed bill, as amended in the Assembly on May 30, 1951, after the period, insert

"The Insurance Commissioner may, at his discretion, examine the financial condition of the plan. If on examination, the Insurance Commissioner finds that the reserves on hand plus the bond required elsewhere herein, may not, in his judgment, be adequate to guarantee the payment of all outstanding and incurred liabilities of the plan, the Insurance Commissioner may withdraw the employer's certificate of exemption, if the employer refuses to post security in addition to that required elsewhere herein in an amount which, in the judgment of the Insurance Commissioner, will be adequate to guarantee the payment of all outstanding and incurred liabilities of the plan."

Amendment No. 2

In the first line of the title of the printed bill, as amended in the Senate on June 15, 1951, strike out "Section 10494.6 of", and insert "Sections 10494.6 and 10494.7 to".

Amendment No. 3

On page 2 of said bill, as amended, strike out lines 11 to 32, inclusive, and insert

"SEC. 2. Section 10494.7 is added to said code, to read:

10494.7 With respect to the supplemental plan described in Section 10494.6, the commissioner may, in addition to the regulations permitted by Section 10498.6, promulgate other reasonable regulations covering all matters set forth in Section 10494.6 and this section. The commissioner shall require each employer making available such supplemental plan to post with him security in the form of a bond of an admitted surety insurer conditioned on the payment by the employer of his obligations under the entire plan or of deposits with the commissioner of securities approved by him to secure the payment of such obligations. Such security shall be equal to the greater of (a) twenty-five thousand dollars ($25,000), (b) the estimated contributions of the employees under the entire plan for the ensuing year, (c) the contributions paid by the employees under the entire plan during the preceding year, or (d) one-half of all of the amounts of benefit either paid or incurred by the employer under the entire plan during the preceding year.

If on examination or investigation of any plan which includes benefits for dependents, the commissioner finds that the aggregate of the trust funds separately held for the supplemental plan and the security in the form hereinabove described may not, in his judgment, be adequate to guarantee the payment of outstanding and incurred liabilities of the entire plan, he may require the employer to post such additional security as will, in his judgment, be adequate to guarantee the payment of all outstanding and incurred liabilities of the entire plan, and, if the employer fails to post such additional security, he may revoke the employer's certificate of exemption."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 991 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Sherwin, Smith, and Waters—51.

NOES—None.

Assembly Bill No. 991 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1570

Mr. Grant asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No 1570, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1570—An act to provide for the formation of districts within municipalities for the acquisition and improvement of public parking places for the parking of motor vehicles; the issuance and sale of bonds to pay the costs of such acquisition and improvement and payable either from revenues from such parking places and also from revenues from parking meters on some or all of the public ways in such districts or from ad valorem assessments upon real property in such districts, or both; the acquisition, construction, improvement, maintenance and operation of such parking places; the appointment and powers of parking place commissions for such districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1570?

Amendment No. 1

In line 5 of the title of the printed bill, as amended in the Assembly on June 8, 1951, strike out "either".

Amendment No. 2

On page 11, lines 5 and 6, of said bill, as amended, strike out "or for the acquisition and improvement of other parking facilities".

Amendment No. 3

On page 11, line 8, of said bill, as amended, after the period, insert "Any excess revenues shall be paid into the general fund of the city or the fees and charges reduced so that there will be no excessive revenue."

Amendment No. 4

On page 12 of said bill, as amended, between lines 41 and 42, insert

"The commission shall fix the rentals, fees, or charges so that they will not produce revenues, when added to the expected revenues from parking meters pledged to the payment of bonds of the district, in excess of the amount required to pay the costs of operation and the principal and interest of the bonds as they fall due."

Amendment No. 5

On page 15 of said bill, as amended, after line 7, insert

"SEC 27 After the bonds and all other indebtedness of the district have been fully retired, the legislative body may provide for the dissolution of the district and the operation of the parking places by the municipality as municipal parking places"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1570 by the following vote:

AYES—Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis,

Dolwig, Doyle, Elliott, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Henderson, Kilpatrick, Klocksiem, Lapscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Sherwin, Smith, Stewart, and Waters—47.

NOES—None.

Assembly Bill No. 1570 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1958

Mr. Fleury asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 1958, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1958—An act to amend Section 3 of an act entitled "An act relating to institutions under the jurisdiction of the Department of Corrections, making an appropriation to be expended pursuant to the Property Acquisition Act for the acquisition of a new site for the California Institution for Women, authorizing the Director of Corrections to transfer the California Institution for Women from its present location near Tehachapi to the new site, and authorizing the disposition of the Tehachapi property," approved July 2, 1947, relating to institutions under the jurisdiction of the Department of Corrections.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1958?

Amendment No. 1

On page 1, line 12, of the printed bill, after "Corrections", insert "; or the property may be transferred by the Director of Corrections, upon authorization by the Board of Corrections, to the Director of Finance, who is authorized to lease it, under such conditions and terms as he deems are in the best interests of the State, to any nonprofit corporation for use as a home for minor children and youths who are dependent, neglected, or in danger of becoming delinquent; or if the Legislature appropriates funds for capital outlay for, or for the support of, a California academy, as provided in Chapter 8 of Division 10 of the Education Code, and the property has not been transferred to the Director of Finance, the property may be transferred by the Director of Corrections to the Department of Education for use as such academy".

Amendment No. 2

In the heading of the printed bill, as amended in the Senate on June 11, 1951, under "Introduced by Mr. Fleury", insert "(By request of Mr Kelly)".

Amendment No. 3

In line 11 of the title of said bill, as amended, after "Corrections", insert ", and the disposition of property used in connection therewith".

Amendment No. 4

On page 1, line 3, of said bill, as amended, strike out "After", and insert "Within a reasonable time, and not more than 90 days, after".

Amendment No. 5

On page 1, line 4, of said bill, as amended, after "state owned", insert "real".

Amendment No. 6

On page 1, line 6, of said bill, as amended, strike out "used", and strike out lines 7 to 15, inclusive, and lines 1 to 6, inclusive, on page 2, and insert "transferred to the State Department of Education and used by that department as one of the California academies created by the Legislature by Chapter 1565 of the Statutes of 1947 adding Chapter 8 to Division 10 of the Education Code, provided, however, that if at the time the property is ready for occupancy by the Department of Education, funds deemed necessary by that department for outlay for, or for support of, a California academy as provided in Chapter 8 of Division 10 of the Education Code, shall not be appropriated by the Legislature through the budget or otherwise, or acquired by the department through gifts or donations, then the Department of Education shall, upon

the request of the Department of Finance, transfer the property to the Director of Finance who is authorized to lease it, under such conditions and terms as he deems reasonable and are in the best interests of the State, to any nonprofit corporation for use as a home for minor children and youths who are dependent, neglected, or in danger of becoming delinquent, or, in lieu thereof, provide for the use of the property by such agency of the State as he deems necessary and for the best interests of the State."

Amendment No. 7

On page 1, lines 3 and 4 of the printed bill, as amended in the Senate on June 15, 1951, strike out ", and not more than 90 days".

Amendment No. 8

On page 2 of said bill, as amended, strike out lines 10 to 30, inclusive, and insert "used for one of the following purposes in the order of preference listed:

(a) As a California academy as provided in Chapter 8 of Division 10 of the Education Code; provided, however, that if at the time the property is no longer used for its present purposes funds deemed necessary by the Department of Education for capital outlay for, or for support of, such California academy shall not have been appropriated by the Legislature through the budget or otherwise or acquired by the department through gifts or donations, then

(b) The property shall be made available for any other purpose in the public interest to be determined by the Legislature, or

(c) If the Legislature fails to act by the time the property is no longer required by the Department of Corrections for the use of the California Institution for Women it shall then be transferred to the Director of Finance who is authorized to lease it under such conditions and terms as he deems reasonable and are in the best interests of the State, to any nonprofit corporation for use as a home for minor children and youths who are dependent, neglected, or in danger of becoming delinquent, or, in lieu thereof, provide for the use of the property by such agency of the State as he deems necessary and for the best interests of the State."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1958 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Smith, Stanley, Stewart, Thomas, and Waters—59

NOES—Lowrey, Luckel, and Sherwin—3

Assembly Bill No. 1958 ordered enrolled.

FURTHER CONSIDERATION OF HOUSE RESOLUTION NO. 264

By Mr. Silliman:

House Resolution No. 264

Relative to the number of members on standing committees

Resolved by the Assembly of the State of California, That the Speaker is authorized, within 30 days after final adjournment, to increase or decrease the number of members of each standing committee of the Assembly.

Resolution read.

Motion to Amend

Mr. Silliman moved the adoption of the following amendment:

Amendment No. 1

In line 3 of the resolution, after "increase", insert a comma, and after "or", insert "with the consent of the member involved".

Amendment read, and adopted.

Consideration of House Resolution No. 264, as Amended

By Mr. Silliman:

House Resolution No. 264

Relative to the number of members on standing committees

Resolved by the Assembly of the State of California, That the Speaker is authorized, within 30 days after final adjournment, to increase, or with the consent of the member involved, decrease the number of members of each standing committee of the Assembly.

Resolution read, as amended, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1695

Mr. Kirkwood asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 1695, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1695—An act to add Section 20254 to the Education Code, relating to the performance of services for the Federal Government by schools and colleges under the jurisdiction of the Department of Education.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1695?

Amendment No. 1

On page 1, line 8, of the printed bill, as amended in the Assembly on May 25, 1951, after "agreement", insert ", except recovery of contributions to the State Employees' Retirement Fund,".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1695 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—62.

NOES—None.

Assembly Bill No. 1695 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 861

Mr. Thomas asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 861, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 861—An act to amend Sections 353, 458, and 507 of the Streets and Highways Code, relating to state highway routes.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 861?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "458, and 507", and insert "364, 375, 435, 454, 458, 459, 467, 471, 496, and 507 and to repeal Sections 481 and 483".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, between lines 4 and 5, insert

"SEC. 2. Section 364 of said code is amended to read:

364. Route 64 is from:

(a) Route 2 near San Juan Capistrano to Route [77 near Lake Elsinore] 78 *near Perris*.

(b) Route 78 near Perris to Route 26 near Indio.

(c) Mecca via Blythe to the Arizona State line at the Colorado River, and includes that portion of the Colorado River highway bridge (near Ehrenburg, Arizona) which is within the State of California. The department may contract with the State of Arizona, for and on behalf of the State of California, for the maintenance of such bridge.

(d) A point near Shaver's Summit on that portion of Route 64 specified in subdivision (c) to Route 26 near Indio.

SEC. 3. Section 375 of said code is amended to read:

375. Route 75 is from:

(a) Oakland to Route [5] 4 near Stockton via Walnut Creek and Antioch.

(b) Route (a) above, north of Walnut Creek to Martinez

(c) Route 4 near Stockton via Copperopolis to Route 65 near Altaville.

SEC. 4. Section 435 of said code is amended to read:

435. Route 135 is from Route 10 [at] *near* Hanford [via], *thence southerly in the vicinity of* Corcoran and *via* Earlimart to Route 129 near Ducor.

SEC. 5. Section 454 of said code is amended to read:

454 Route 154 is from:

(a) *The junction of Route 60 and Saviers Road in Ventura County, along the route of said road to Route 2 at El Rio.*

(b) Route 2 near El Rio to Route 9 near Saticoy.

[(b)] *(c)* Route 9 near Saticoy to Route 79."

Amendment No. 3

On page 1 of said bill, strike out lines 5 to 10, inclusive, and insert

"SEC. 6 Section 458 of said code is amended to read:

458. Route 158 is from Route 4 near San Fernando to Route 2 in the vicinity of El Toro; provided, however, that Section 600 of this code shall be applicable to that portion of said route southerly of Route 167 near Signal Hill the same as if said portion had been added by the Collier-Burns Highway Act of 1947, and the Department of Public Works shall not be required to maintain any portion of said route until the same has been laid out and constructed as a state highway.

SEC. 7 Section 459 of said code is amended to read:

459. Route 159 is [Lankershim Boulevard] from Route 2 near [Universal City] *Vineland Avenue* to Route 4 *near Tujunga Wash*.

SEC. 8 Section 467 of said code is amended to read:

467 Route 167 is from Long Beach to [Route 205 in South Pasadena] *Huntington Drive*.

SEC. 9 Section 471 of said code is amended to read:

471 Route 171 is from Route 60 near Huntington Beach to Route [2 near Whittier] *62 at or near Buena Park*.

SEC. 10 Section 496 of said code is amended to read

496 Route 196 is from Route 2 near Oceanside to [Vista] *Route 77 near Escondido*."

Amendment No. 4

On page 1, line 11, of said bill, strike out "3", and insert "11".

Amendment No. 5

On page 1 of said bill, after line 19, insert

"SEC. 12 Sections 481 and 483 of said code are repealed."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 861 by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burke, Burkhalter, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lipscomb,

Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Nicholson, Parker, Porter, Rosenthal, Sherwin, Silliman, Smith, Thomas, Waters, and Mr. Speaker—56.

NOES—None.

Assembly Bill No. 861 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1264

Mr. Lindsay asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 1264, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1264—An act to amend Section 2893 of the Education Code, relating to the annexation of school districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1264?

Amendment No. 1

On page 1, line 5, of the printed bill, before "shall", insert "and who have children of school age, regardless of whether they are attending school in such district or in another district,".

Amendment No. 2

On page 1, line 3, of the printed bill, as amended in the Senate on May 25, 1951, after the first "the", insert "registered".

Amendment No. 3

On page 1, lines 4 and 5, of said bill, strike out "of school age, regardless of whether they are attending school in such district or in another district", and insert "enrolled in any elementary school, whether in the district of residence or another district, as shown by the teachers' register for the current or next preceding term".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1264 by the following vote:

AYES—Belotti, Berry, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Dolwig, Doyle, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Nicholson, Parker, Porter, Rumford, Stanley, Stewart, Thomas, and Waters—47

NOES—Brady and Lowrey—2.

Assembly Bill No. 1264 ordered enrolled.

MOTION THAT COPIES OF BILLS WITH ALL AMENDMENTS BE PLACED UPON DESKS OF MEMBERS PRIOR TO THEIR CONSIDERATION

Mr. Condon moved that copies of bills with all adopted amendments be placed upon the desk of every member prior to discussion of said measures, and that no roll calls be taken until copies of bills are available for scrutiny.

Mr. Coats seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Babbage, Beck, Brady, Burkhalter, Caldecott, Coats, Condon, Conrad, Dickey, Dills, Dolwig, Elliott, Evans, Fleury, Gubser, Hagen, Hansen, Hawkins, Hen-

derson, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Lanterman, Lipscomb, McCarthy, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Silliman, Smith, Thomas, and Waters—40.

NOES—Belotti, Burke, Clarke, Cloyed, Cooke, Geddes, Grant, Levering, Lindsay, Luckel, Sherwin, and Stewart—12.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 1489—An act to repeal Section 3440 of, and to add Sections 3440 and 3440.1 to, and to amend Section 3440.5 of, the Civil Code, relating to transfers of particular personal property.

And appointed Senators O'Gara, Miller, and James E. Cunningham as a Committee on Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 1489

The Speaker announced the appointment of Messrs. McCarthy, Connolly, and Fleury as a Committee on Conference concerning Senate Bill No. 1489.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 399—An act to amend Section 2110 of the Streets and Highways Code, relating to apportionments to counties payable from the Highway Users Tax Fund.

And appointed Senators Collier, Mayo, and Dilworth as a Committee on Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 399

The Speaker announced the appointment of Messrs. Luckel, Davis, and Lindsay as a Committee on Conference concerning Senate Bill No. 399.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 29—An act to amend Sections 4965 and 7431 of the Education Code, relating to bonded capacity of school districts, declaring the urgency thereof, to take effect immediately.

And appointed Senators Dilworth, Judah, and Watson, as a Committee on Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 29

The Speaker announced the appointment of Messrs. Kirkwood, Babbage, and Cloyed as a Committee on Conference concerning Senate Bill No. 29.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 919—An act to amend Sections 753, 2001, 2002, 2004, and 2005 of; to amend and renumber Sections 755, 756, 758, 759, 760, 1831, 1832, 1833, 1834, 1835, 1839, 1840, 1841, 1842, and 1843 of; to add Sections 1840.5 and 2006 to; and to repeal Sections 754, 757, 1836, 1837, 1904, 1905, 1906, 1907, and 1908 of the Revenue and Taxation Code, relating to property taxation and the allocation of state funds; declaring the urgency thereof, to take effect immediately.

And appointed Senators Hulse, Parkman, and Burns, as a Committee on Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 919

The Speaker announced the appointment of Messrs. Kirkwood, Hollibaugh, and Silliman as a Committee on Conference concerning Senate Bill No. 919.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2061

Mr. Kirkwood asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2061, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2061—An act to continue in effect Sections 1, 2, 3, 4, 6, 7, 8, 8.5, 8.6, 9 and 11.5 of an act entitled "An act to repeal Section 10 of an act entitled, 'An act to repeal Chapters 2, 3, 4, 12, 13, 13.5, 13.6, 14, 15, 15.5, 16, and 16.5 of the Education Code; to add Chapters 2, 12, 13, 14, 15, and 16 to said code; to amend Section 8761 of said code; and to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately,' approved May 28, 1947 (Chapter 401, Statutes of 1947), to provide for the continuance in effect of an act entitled 'An act to amend Section 10 of an act entitled "An act to repeal Chapters 2, 3, 4, 12, 13, 13.5, 13.6, 14, 15, 15.5, 16, and 16.5 of the Education Code; to add Chapters 2, 12, 13, 14, 15, and 16, to said code; to amend Section 8761 of said code; and to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately," approved May 28, 1947 (Chapter 401, Statutes of 1947); to repeal Sections 6713, 7039, 7052, 7064, 7068, 7117, 7126, 7128, and 7147 of the Education Code; to repeal Article 4 of Chapter 13, and Article 6 of Chapter 14, of Division 3 of said code; to add Article 4 to Chapter 13, Article 6 to Chapter 14, and Articles 1 and 13.5 to Chapter 15, of Division 3 of said code; to add Sections 5157, 6408, 7126, 7132, and 7151 to said code; to amend the headings of Articles 1 and 13 of Chapter 15 of Division 3 of

said code; and to amend Sections 5152, 5153, 5156, 6703, 6714, 6812, 7002, 7012, 7023, 7032, 7033, 7034, 7035, 7036, 7037, 7038, 7041, 7061, 7062, 7063, 7067, 7081, 7091, 7092, 7094, 7095, 7101, 7103, 7111, 7112, 7113, 7114, 7115, 7116, 7121, 7122, 7124, 7130, 7146, 7146.1, 7148, 7149, 7150, 7208, 7231, and 9645, of said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately,' approved July 20, 1949 (Chapter 1017, Statutes of 1949), except Section 1 thereof; to repeal Sections 6714 and 7094 of the Education Code; to add Sections 5153.3 and 6904 to said code; and to amend Sections 7091, 7092, 7095, 7113, 7116, and 6951 of said code, to repeal Articles 2 and 3 of Chapter 15, Division 3 of said code and to add Articles 2 and 11.6 to Chapter 15, Division 3 of said code all relating to the Public School System,'' approved May 5, 1950 (Chapter 74, Statutes 1950 First Extraordinary Session); to repeal Sections 2.5, 5, 10, 12, and 13 of said act; to repeal Sections 5153.3, 6812 and 7091 of the Education Code; to repeal Articles 2, 3 and 11.6 of Chapter 15 of Division 3 of said code; to add Sections 5153.3, 6812 and 7091 to said code; and to add Articles 2 and 11.6 to Chapter 15 of Division 3 of said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2061?

Amendment No. 1

Strike out the title of the printed bill, as amended in the Assembly on May 14, 1951, and insert

"An act to continue in effect an act entitled "An act to repeal Section 10 of an act entitled 'An act to repeal Chapters 2, 3, 4, 12, 13, 13.5, 13 6, 14, 15, 15.5, 16, and 16 5 of the Education Code; to add Chapters 2, 12, 13, 14, 15, and 16 to said code; to amend Section 8761 of said code; and to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately,' approved May 28, 1947 (Chapter 401, Statutes of 1947), to provide for the continuance in effect of an act entitled 'An act to amend Section 10 of an act entitled "An act to repeal Chapters 2, 3, 4, 12, 13, 13 5, 13 6, 14, 15, 15.5, 16, and 16 5 of the Education Code, to add Chapters 2, 12, 13, 14, 15, and 16 to said code; to amend Section 8761 of said code; and to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately," approved May 28, 1947 (Chapter 401, Statutes of 1947); to repeal Sections 6713, 7039, 7052, 7064, 7068, 7117, 7126, 7128, and 7147 of the Education Code; to repeal Article 4 of Chapter 13, and Article 6 of Chapter 14, of Division 3 of said code; to add Article 4 to Chapter 13, Article 6 to Chapter 14, and Articles 1 and 13 5 to Chapter 15, of Division 3 of said code; to add Sections 5157, 7126, 7132, and 7151 to said code; to amend the hearings of Articles 1 and 13 of Chapter 15 of Division 3 of said code; and to amend Sections 5152, 5153, 5156, 6703, 6714, 6812, 7002, 7012, 7023, 7032, 7033, 7034, 7035, 7036, 7037, 7038, 7041, 7061, 7062, 7063, 7067, 7081, 7091, 7092, 7094, 7095, 7101, 7103, 7111, 7112, 7113, 7114, 7115, 7116, 7121, 7122, 7124, 7130, 7146, 7146 1, 7148, 7149, 7150, 7208, 7231, and 9645 of said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately,' approved July 20, 1949 (Chapter 1017, Statutes of 1949), except Section 1 thereof; to repeal Sections 6714 and 7094 of the Education Code; to add Sections 5153 3 and 6904 to said code; and to amend Sections 7091, 7092, 7095, 7113, 7116, and 6951 of said code, to repeal Articles 2 and 3 of Chapter 15, Division 3 of said code and to add Articles 2 and 11.6 to Chapter 15, Division 3 of said code all relating to the Public School System," approved May 5, 1950 (Chapter 74, Statutes 1950

First Extraordinary Session), and the several chapters, articles, and sections of the Education Code continued in effect by said act, except as otherwise provided in this act or in any other act enacted by the 1951 Regular Session of the Legislature; to repeal Sections 2.5, 10, 12, and 13 of said act; to repeal Sections 5153.3, 6906, 7037, and 7062 of the Education Code; to repeal Articles 2, 3, and 11.6 of Chapter 15 of Division 3 of said code; to repeal Article 1 of Chapter 16 of Division 3 of said code; to amend Sections 7001, 7038, 7041, 7067, 7075, 7081, 7092, 7112, 7115, and 7125 of said code; to amend the heading of Article 12 of Chapter 15 of Division 3 of said code; to add Sections 5009, 5153.3, 5158, 6907, 7031.1, 7037, 7037.1, 7037.2, 7037.3, 7094, 7096, and 7117 of said code, to add Articles 2, 5.5, and 11.6 to Chapter 15 of Division 3 of said code; and to add Article 1 to Chapter 16 of Division 3 of said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, as amended, strike out line 1, and insert

"SECTION 1. An act entitled "An act to repeal Section 10 of an act entitled 'An act to repeal Chapters 2, 3, 4, 12, 13, 13.5, 13.6, 14, 15, 15.5, 16, and 16.5 of the Education Code; to add Chapters 2, 12, 13, 14, 15, and 16 to said code; to amend Section 8761 of said code, and to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately,' approved May 28, 1947 (Chapter 401, Statutes of 1947), to provide for the continuance in effect of an act entitled 'An act to amend Section 10 of an act entitled "An act to repeal Chapters 2, 3, 4, 12, 13, 13.5, 13.6, 14, 15, 15.5, 16, and 16.5 of the Education Code; to add Chapters 2, 12, 13, 14, 15, and 16 to said code; to amend Section 8761 of said code; and to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately," approved May 28, 1947 (Chapter 401, Statutes of 1947); to repeal Sections 6713, 7039, 7052, 7064, 7068, 7117, 7120, 7128, and 7147 of the Education Code, to repeal Article 4 of Chapter 13, and Article 6 of Chapter 14, of Division 3 of said code; to add Article 4 to Chapter 13, Article 6 to Chapter 14, and Articles 1 and 13.5 to Chapter 15, of Division 3 of said code; to add Sections 5157, 7126, 7132, and 7151 to said code; to amend the headings of Articles 1 and 13 of Chapter 15 of Division 3 of said code; and to amend Sections 5152, 5153, 5156, 6703, 6714, 6812, 7002, 7012, 7023, 7032, 7033, 7034, 7035, 7036, 7037, 7038, 7041, 7061, 7062, 7063, 7067, 7681, 7091, 7092, 7094, 7095, 7101, 7103, 7111, 7112, 7113, 7114, 7115, 7116, 7121, 7122, 7124, 7130, 7146, 7146.1, 7148, 7149, 7150, 7208, 7231, and 9645 of said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately,' approved July 20, 1949 (Chapter 1017, Statutes of 1949), except Section 1 thereof; to repeal Sections 6714 and 7094 of the Education Code; to add Sections 5153.3 and 6904 to said code; and to amend Sections 7091, 7092, 7095, 7113, 7116, and 6951 of said code, to repeal Articles 2 and 3 of Chapter 15, Division 3 of said code and to add Articles 2 and 11.6 to Chapter 15, Division 3 of said code, all relating to the Public School System," approved May 5, 1950 (Chapter 74, Statutes 1950, First Extraordinary Session) and the several chapters, articles, and sections of the Education Code continued in effect by said act shall remain in effect as otherwise provided in this act or by any other act enacted by the 1951 Regular Session of the Legislature.

SEC. 1.5. This act may be cited as "The State School Fund Apportionment Act of 1951."

SEC. 2. Sections 2.5, 10, 12, and 13 of the act cited in Section 1 of this act are repealed.

SEC. 3. Sections 5153.3 and 7062 of the Education Code are repealed.

SEC. 4. Articles 2, 3 and 11.6 of Chapter 15, and Article 1 of Chapter 16, of Division 3 of said code are repealed.

SEC. 5. Section 5153.3 is added to said code, to read

5153.3. In addition there shall be provided:

(a) The amount apportioned by the Superintendent of Public Instruction under Article 11.6 of Chapter 15 of this division.

(b) Such of the amount allowed by the Superintendent of Public Instruction under Article 2 of Chapter 15 of this division as is in excess of the amount computed by multiplying the total average daily attendance in all schools and classes maintained by county superintendents of schools and by the elementary school districts, high school districts, and junior college districts of the State during the preceding fiscal year by two dollars ($2).

(c) The total of the amount allowed school districts by the Superintendent of Public Instruction under subdivision (a) of Section 7117.

(d) Seven hundred thousand dollars ($700,000) for apportionment to high school districts.

(e) One million eight hundred thousand dollars ($1,800,000) for apportionment to school districts pursuant to subdivision (b) of Section 7117.

SEC. 5.1. Section 5009 is added to said code, to read:

5009. The Department of Finance shall audit the books and accounts of school districts. In lieu of auditing the books and accounts of each school district, the Department of Finance may conduct such audits as it deems sufficient to determine the validity of the allocation of state funds for school purposes and to establish proper accountability and at such times as, in the judgment of the Department of Finance, will serve the best interests of the State, or the Department of Finance may accept a grand jury audit if the report covering such audit contains such statements and information as may be prescribed by the Department of Finance.

The Department of Finance shall render to the State Controller a report of all such audits, showing therein the findings, and the Controller shall make the necessary adjustments in future apportionments to the several school districts wherein such audits show that the same are necessary to correct any deficiencies or overages in the apportionment of state funds.

Nothing in this section shall be construed as authorizing the Department of Finance to examine into or report on the curriculum used or provided for in any school district.

SEC. 5.2. Section 5158 is added to said code, to read:

5158. The Department of Finance shall audit the books and accounts of school districts. In lieu of auditing the books and accounts of each school district, the Department of Finance may conduct such audits as it deems sufficient to determine the validity of the allocation of state funds for school purposes and to establish proper accountability and at such times as, in the judgment of the Department of Finance, will serve the best interests of the State, or the Department of Finance may accept a grand jury audit if the report covering such audit contains such statements and information as may be prescribed by the Department of Finance.

The Department of Finance shall render to the State Controller a report of all such audits, showing therein the findings, and the Controller shall make the necessary adjustments in future apportionments to the several school districts wherein such audits show that the same are necessary to correct any deficiencies or overages in the apportionment of state funds.

Nothing in this section shall be construed as authorizing the Department of Finance to examine into or report on the curriculum used or provided for in any school district.

SEC. 6. Section 6906 is repealed effective July 1, 1952.

SEC. 7. Section 6907 is added to said code, to read.

6907. If the average daily attendance of pupils residing in territory of a district, hereinafter referred to as the "original district", in the regular day schools of such original district during the fiscal year immediately preceding the effective date of the inclusion of such territory for all purposes in another district of the same type, hereinafter referred to as the "acquiring district", under or pursuant to any provision of law, exceeds 25 units, such average daily attendance shall, for all the purposes of this division, be deemed to have been average daily attendance in the regular day schools of the acquiring district and not average daily attendance in the regular day schools of the original district, except that if the acquiring district was not in existence for all purposes during said preceding fiscal year, such average daily attendance shall be deemed to have been average daily attendance in the regular day schools of the acquiring district during said preceding fiscal year.

The average daily attendance of pupils in the regular day junior colleges of a high school district during the fiscal year immediately preceding the effective date of the inclusion of such high school district in a junior college district shall, for all the purposes of this division, be deemed to be average daily attendance in regular day junior colleges of the junior college district during said preceding fiscal year and not average daily attendance in the regular day junior colleges of the high school district during said preceding fiscal year.

For the purposes of this section all elementary school districts are districts of the same type, all high school districts are districts of the same type, and all junior college districts are districts of the same type.

The inclusion of the whole or a portion of an elementary school district, high school district, or junior college district in a unified school district shall be deemed to be the inclusion of such elementary school district, high school district, or junior college

district or portion thereof in the elementary school district, high school district, or junior college district, as the case may be, within the unified school district.

The Superintendent of Public Instruction shall, and is authorized so to do, adopt such rules and regulations as in his judgment are necessary to give effect to this section.

SEC. 8. Section 7001 of said code is amended to read:

7001. The Superintendent of Public Instruction shall during each fiscal year allow to the county school service fund of each county from the State School Fund such amount as the budget submitted by the county superintendent of schools and approved by the Superintendent of Public Instruction, under Section 7002, shows is necessary, but the total amount allowed by the Superintendent of Public Instruction under this section to all county school service funds *for supervision of instruction in all grades and classes of elementary school districts shall not exceed a sum determined by multiplying the total average daily attendance credited to all elementary school districts in the State during the preceding school year by one dollar and thirty cents ($1.30) and for all other purposes* shall not exceed a sum determined by multiplying the total average daily attendance in all kindergarten, elementary, high school and junior college schools during the preceding fiscal year by three dollars ($3).

SEC. 9. Article 2 is added to Chapter 15 of Division 3 of said code to read.

Article 2. Computation of Additional Allowances to School Districts and County School Service Funds for Transportation

7011. The Superintendent of Public Instruction shall not allow under this article during any fiscal year a total amount in excess of an amount computed by multiplying the total average daily attendance in the schools and classes maintained by county superintendents of schools and in the elementary school districts, high school districts, and junior college districts of the State during the preceding school year by three dollars ($3).

7011.1. The Superintendent of Public Instruction shall allow to each school district and county school service fund such amount as is required by this article.

7012. (a) "Transportation" as used in this article means, unless the context otherwise requires:

(1) The transportation of pupils between their homes and the schools attended by them as provided by a school district.

(2) The payment of moneys by a school district to parents or guardians of pupils in lieu of providing for the transportation of such pupils between their homes and the schools attended by them.

(3) The providing of board and lodging to pupils by a school district in lieu of providing for the transportation of such pupils between their homes and the schools attended by them.

(b) "Pupils" as used in this article does not include pupils for whom the Superintendent of Public Instruction is computing the excess cost of educating physically handicapped pupils under Chapter 9 of Division 4 includes in such excess costs the cost of transportation of such pupils.

7013. The Superintendent of Public Instruction shall make all allowances under this article during a fiscal year in accordance with regulations, not in conflict with this article, adopted by him, and he is hereby authorized and directed to adopt such regulations. None of such regulations shall be binding upon any school district, but no allowance shall be made under this article to a school district for any item of current expense or capital outlay with respect to which the school district has failed to comply with the regulations of the Superintendent of Public Instruction applicable to such item.

The regulations adopted by the Superintendent of Public Instruction hereunder shall, among other matters:

(a) Prescribe the records to be kept by, and reports to be made by, school districts.

(b) Fix the minimum distances for the sole purpose of determining the total current expenses of a district for transportation.

(c) Determine what expenditures constitute "current expenses."

(d) Establish and prescribe formulae for the sole purpose of computing financial allowances under which school busses may be acquired in accordance with the provisions of Section 7017.

(e) Provide for the review and approval of all expenditures upon which allowances are computed.

(f) Establish and prescribe formulae for the sole purpose of computing financial allowances for reimbursement of replacement expenses incurred by a school district in replacing school busses.

7014. (a) He shall allow to each elementary school district, high school district, and junior college district, except as to any to which Section 7016 is applicable, which during the preceding fiscal year provided for the transportation of pupils, an amount which shall be computed as follows:

He shall determine the total current expenses of the district for such transportation during the preceding fiscal year. He shall then determine what rate of tax levied on each one hundred dollars ($100) of 90 percent of the assessed valuation of the

district as shown by the equalized assessment roll of the district for the preceding fiscal year, hereinafter referred to in this section as computed tax rate, would, if levied, produce such amount. If the computed rate of tax is more than two cents ($0.02) he shall allow to the district (a) 50 percent of the amount which would be produced by not more than eight cents ($0.08) of the computed tax rate less two cents ($0.02) and (b) 100 percent of the amount which would be produced by the computed tax rate in excess of eight cents ($0.08).

(b) He shall allow to each high school district maintaining a junior college, except as to any to which Section 7016 is applicable, which during the preceding fiscal year provided for the transportation of pupils, an amount which shall be computed as follows:

He shall determine the total current expenses of the districts for such transportation during the preceding fiscal year. He shall then determine what rate of tax levied on each one hundred dollars ($100) of 90 percent of the assessed valuation of the district as shown by the equalized assessment roll of the district for the preceding fiscal year, hereinafter referred to in this section as computed tax rate, would, if levied, produce such amount. If the computed rate of tax is more than three cents ($0.03) he shall allow to the district (a) 50 percent of the amount which would be produced by not more than twelve cents ($0.12) of the computed tax rate less three cents ($0.03) and (b) 100 percent of the amount which would be produced by the computed tax rate in excess of twelve cents ($0.12).

7015. (a) He shall allow to each unified school district formed under the provisions of Chapter 16 of Division 2 of this code, the formation of which became effective on July 1, 1948, or thereafter, an amount equal to the total current expenses of the district during the preceding fiscal year for the transportation of pupils, determined by the Superintendent of Public Instruction to have been required because of a change of the location of schoolhouses or the reorganization of attendance centers within the district during such preceding fiscal year. No allowance shall be made under this paragraph subsequent to the close of the fifth fiscal year following that in which the district was formed and thereafter the provisions of the next paragraph shall control as to such district.

He shall allow to each unified school district not maintaining a junior college which during the preceding fiscal year provided for the transportation of pupils, an amount which shall be computed as follows:

(b) He shall determine the total current expenses of the district for such transportation during the preceding fiscal year. He shall then determine what rate of tax levied on each one hundred dollars ($100) of 90 percent of the assessed valuation of the district as shown by the equalized assessment roll of the district for the preceding fiscal year, hereinafter referred to in this section as computed tax rate, would, if levied, produce such amount. If the computed rate of tax is more than three cents ($0.03) he shall allow to the district (a) 50 percent of the amount which would be produced by not more than twelve cents ($0.12) of the computed tax rate less three cents ($0.03) and (b) 100 percent of the amount which would be produced by the computed tax rate in excess of twelve cents ($0.12).

(c) He shall allow to each unified school district maintaining a junior college which during the preceding fiscal year provided for the transportation of pupils, an amount which shall be computed as follows:

He shall determine the total current expenses of the district for such transportation during the preceding fiscal year. He shall then determine what rate of tax levied on each one hundred dollars ($100) of 90 percent of the assessed valuation of the district as shown by the equalized assessment roll of the district for the preceding fiscal year, hereinafter referred to in this section as computed tax rate, would, if levied, produce such amount. If the computed rate of tax is more than four cents ($0.04) he shall allow to the district (a) 50 percent of the amount which would be produced by not more than sixteen cents ($0.16) of the computed tax rate less four cents ($0.04) and (b) 100 percent of the amount which would be produced by the computed tax rate in excess of sixteen cents ($0.16).

7016. He shall compute for each group of two or more school districts which have been continuously from a time prior to July 1, 1949, governed by boards of identical personnel during the preceding fiscal year and have maintained a single transportation system for all of such districts which provided for the transportation of pupils, an amount which shall be computed as follows:

He shall determine the total current expenses of the districts for such transportation during the preceding fiscal year.

(a) He shall, if such group comprises an elementary school district and a high school district not maintaining a junior college and each district provided for the transportation of pupils, or comprises an elementary school district, a high school district, and a junior college district and each district except the junior college district provided for the transportation of pupils, or comprises a high school district and a junior college district and each district provided for the transportation of pupils, then determine what rate of tax levied on each one hundred dollars ($100) of 90 percent of the assessed valuation of that one of such districts providing for the transportation of pupils which has the largest assessed valuation as shown by the equalized assessment roll of the district for the preceding fiscal year, hereinafter referred to in this section as computed

tax rate, would, if levied, produce such amount. If the computed rate of tax is more than three cents ($0.03) he shall allow to the district (a) 50 percent of the amount which would be produced by not more than twelve cents ($0.12) of the computed tax rate less three cents ($0.03) and (b) 100 percent of the amount which would be produced by the computed tax rate in excess of twelve cents ($0.12).

(b) He shall, if such group comprises an elementary school district, and a high school district maintaining a junior college, each of which provided for the transportation of pupils, including those attending the junior college, or comprises an elementary school district, a high school district, and a junior college district, each of which provided for the transportation of pupils, then determine what rate of tax levied on each one hundred dollars ($100) of 90 percent of the assessed valuation of that one of such districts providing for the transportation of pupils which had the largest assessed valuation as shown by the equalized assessment roll of the district for the preceding fiscal year, hereinafter referred to in this section as computed tax rate, would, if levied, produce such amount. If the computed rate of tax is more than four cents ($0.04) he shall allow to the district (a) 50 percent of the amount which would be produced by not more than sixteen cents ($0.16) of the computed tax rate less four cents ($0.04) and (b) 100 percent of the amount which would be produced by the computed tax rate in excess of sixteen cents ($0.16)

He shall then allow to each district in the group the same ratio of the total amount computed for the group as the governing boards of the districts in the groups certify to him is the ratio the amount expended for such transportation in such district during the preceding fiscal year was of the total expenditures of all districts in the group for such transportation during the preceding fiscal year.

7017. In the case of a unified school district formed under Chapter 16 of Division 2 of this code, the formation of which became effective for all purposes on July 1, 1948, or thereafter, there shall be included in addition to the current costs of the district the cost of school busses for the first five fiscal years in which it purchases school busses determined by the Superintendent of Public Instruction to have been required because of changes in the location of schools or the reorganization of attendance centers within the district, the entire cost of such busses. This paragraph shall not be effective as to any unified school district after the end of the fifth fiscal year succeeding the formation of the district.

7018. The Superintendent of Public Instruction in approving, under this article, current expenditures of school districts for the transportation of pupils shall apply the same standards and bases for such approval to expenditures for such transportation provided by a school district in school busses owned and operated by the school district and expenditures for such transportation provided by contract with a private party except that with respect to expenditures for transportation by contract with a private party, he shall make due allowance for all expenditures by the private party required of it by law and not required of a school district in connection with the operation of busses owned by the district.

7019. In the event the total amount which may be allowed under Section 7011 for allowance under this article during any fiscal year is less than the total allowances computed under this article for such fiscal year without regard to Section 7011, the amounts allowed shall be reduced in the ratio that the amount of such deficit bears to the amounts allowed.

SEC. 10. Section 7031.1 is added to said code, to read:

7031.1. With respect to any unified school district which became effective for all purposes after July 1, 1950, the foundation program for such district as computed under this article shall be increased five dollars ($5) for each unit of average daily attendance in each of the first five fiscal years of its existence for all purposes.

SEC. 11. Section 7037 of said code is repealed

SEC. 12. Section 7037 is added to said code, to read:

7037. For each high school district which had an average daily attendance during the preceding fiscal year of less than 301, he shall compute, except as otherwise provided, ten thousand eighty dollars ($10,080) for the first five units; five hundred four dollars ($504) for each of the sixth to sixty-second units, inclusive; three hundred thirty dollars ($330) for the sixty-third unit; one hundred sixty-six dollars ($166) for each of the sixty-fourth to one hundred thirtieth units, inclusive; and seventy-five dollars ($75) for each of the one hundred thirty-first to the three hundredth units, inclusive.

SEC. 13. Section 7037.1 is added to said code, to read:

7037.1. For each high school district which maintained two or more high schools, he shall compute for the district an amount which shall be determined by allowing for each day high school having an average daily attendance of less than 301 the amount of which would otherwise be computed for the district under Section 7037 except that with respect to any such high school maintaining less than four years the amount computed for such high school shall be an amount determined by multiplying the number of units of average daily attendance of such high school by two hundred ten dollars

($210) or the following percentage of the amount computed under Section 7037.2, whichever amount is the larger:

(a) Fifty-five percent if the high school maintains but one year,

(b) Sixty-five percent if the high school maintains but two years, or

(c) Eighty percent if the high school maintains but three years.

No computation shall be made under this section for any high school established after July 1, 1952, without the approval of the Superintendent of Public Instruction.

SEC. 14. Section 7037.2 is added to said code, to read:

7037.2. For each high school district he shall multiply the number of units of average daily attendance, exclusive of the average daily attendance of a day high school having an average daily attendance of 301 or more by two hundred ten dollars ($210).

SEC. 15. Section 7037.3 is added to said code, to read:

7037.3. The amount by which the foundation program computed under Section 7037 or Section 7037.1 for a high school district exceeds the foundation program which would have been computed for such district by multiplying the number of units of average daily attendance of such district by two hundred ten dollars ($210) shall, beginning with the Fiscal Year 1954-1955, be reduced by an amount equal to 20 percent of the amount of such excess and for each of the four succeeding fiscal years by *an additional 20 percent except as to any high school district in which any one or more* of the following conditions obtain:

(a) If as many as five pupils residing in the district and attending grades 9 to 12, inclusive, would be required to travel more than 30 miles one way from a point on a well-traveled road nearest their home to the nearest other public high school, or

(b) If as many as 10 pupils residing in the district and attending grades 9 to 12, inclusive, would be required to travel more than 20 miles one way from a point *on a well-traveled road nearest their home to the nearest other public high school*, or

(c) If as many as 40 pupils residing in the district and attending grades 9 to 12, inclusive, would be required to travel more than 15 miles one way from a point on a well-traveled road nearest their home to the nearest other public high school.

If topographical or other conditions exist in a district which would impose unusual hardships if the number of miles specified was required to be traveled or if during the fiscal year the roads which would be traveled have been impassable for more than an average of two weeks per year for the preceding five years, the governing board of the district may, on or before April 1st, request the Superintendent of Public Instruction, in writing, for an exemption from such requirements or for a reduction in the miles required. The request shall be accompanied by a statement of the conditions upon which such request is based, giving such information in such form as the Superintendent of Public Instruction may require. The Superintendent of Public Instruction shall cause an investigation to be made, and he shall either grant such request to the extent deemed necessary by him or deny the request.

SEC. 16. Section 7038 of said code is amended to read:

7038. For each junior college district he shall multiply the number of units of average daily attendance in grades 13 and 14 computed for the district under Sections [6951, 6953, and 6961] *6961, 6963, and 6971*, subject to the provisions of Section 7149, by two hundred ten dollars ($210).

SEC. 17. Section 7041 of said code is amended to read:

7041. For the purposes of this article, the Superintendent of Public Instruction shall allow, in addition to all other allowances, to the county school service fund:

[(a) Two thousand four hundred dollars ($2,400), for supervision of instruction, to the county school service fund of each county for the first three hundred or major fraction of three hundred units of average daily attendance in the aggregate in all the elementary districts of the county, including union and joint union elementary school districts, having less than three hundred units of average daily attendance during the preceding fiscal year and in the emergency schools maintained within the elementary school districts of the county by the county superintendent of schools during the preceding fiscal year. Two thousand four hundred dollars ($2,400) for supervision of instruction shall be allowed to the fund for the next three hundred or any fraction of three hundred units of average daily attendance, and two thousand four hundred dollars ($2,400) shall be allowed to the fund for each succeeding three hundred or major fraction of three hundred units of average daily attendance.

(b) Two thousand four hundred dollars ($2,400), for supervision of instruction, to the county school service fund of the county for each five hundred or major fraction of five hundred units of average daily attendance in the aggregate in all the elementary school districts of the county, including union and joint union elementary school districts having an average daily attendance of three hundred or more but less than nine hundreds units of average daily attendance during the preceding fiscal year.

(c)] *(a)* For all emergency schools maintained in each elementary school district of the county by the county superintendent of schools during the preceding fiscal year, the same amount as he would compute as the foundation program of an elementary school district under Article 4 of this chapter.

[(d)] *(b) Two hundred ten dollars ($210)* [one hundred eighty-five dollars ($185)] for each unit of average daily attendance of physically handicapped pupils of

secondary grade educated by the county superintendent of schools during the preceding fiscal year.

SEC. 18. Article 5.5 is added to Chapter 15 of Division 3 of said code to read:

Article 5.5. Computation of Aid to County School Tuition Funds

7046 The Superintendent of Public Instruction shall allow to each county school tuition fund ninety dollars ($90) for each unit of average daily attendance of pupils residing in the county and attending school in an adjoining state during the preceding fiscal year.

SEC. 19. Section 7067 of said code is amended to read.

7067 He shall allow to each high school district ninety dollars ($90) for each unit of average daily attendance in the district during the preceding fiscal year as computed under Sections 6943, [6952, and 6961] *6962, and 6971*, subject to the provisions of Section 7148.

SEC. 20. Section 7075 of said code is amended to read

7075 He shall allow to each junior college district ninety dollars ($90) for each unit of average daily attendance in grades 13 and 14 subject to the provisions of Section 7149 during the preceding fiscal year, to the district as computed for the district under Sections [6954 and 6961] *6963 and 6971*

SEC. 20.1. Section 7081 of said code is amended to read:

7081 The Superintendent of Public Instruction shall then compute for each district described herein the amount which a tax levied on each one hundred dollars ($100) of 90 percent of the assessed valuation in such district as shown by the equalized assessment roll of the district for the preceding year would produce if levied, if such tax was:

(a) Forty-five cents ($0.45) in an elementary school district.

(b) [Thirty-two cents ($0.32)] *Forty cents ($0.40)* in a high school district.

(c) Twenty-two cents ($0.22) in a junior college district.

SEC. 21. Section 7112 of said code is amended to read

7112. If the total amount allowed from the State School Fund to all high school districts and to all county school service funds under Articles 5, 7 and 10 of this chapter on account of the average daily attendance of pupils in high school districts and in schools or classes of high school grade maintained by county superintendents of schools is less than the total amount provided in the State School Fund on account of such average daily attendance *plus seven hundred thousand dollars ($700,000)*, minus an amount equal to the amounts allowed under Sections 7001 and 7011 on account of such average daily attendance plus one-fourth of the amount allowed under Section 7003, the balance shall be allowed by the Superintendent of Public Instruction to high school districts receiving State Equalization Aid during the then current fiscal year. The amount allowed each such district shall be in the ratio that the amount of the balance bears to the total amount computed as equalization aid for all high school districts, multiplied by the amount of equalization aid computed for the district

SEC. 21.1. Section 7115 of said code is amended to read

7115 If the total amount allowed from the State School Fund to all high school districts and to all county school service funds under Articles 5, 7 and 10 of this chapter on account of the average daily attendance of pupils in high school districts and in schools or classes of high school grade maintained by county superintendents of schools is larger than the total amount provided in the State School Fund on account of such average daily attendance *plus seven hundred thousand dollars ($700,000)*, minus an amount equal to the amounts allowed under Sections 7001 and 7011, on account of such average daily attendance plus one-fourth of the amount allowed under Section 7003, the amount allowed each such district as State Equalization Aid from the State School Fund shall be reduced in the ratio that the amount of the deficit bears to the total amount of equalization aid computed for all high school districts multiplied by the amount of equalization aid computed for the district.

SEC. 22. Section 7092 of said code is amended to read

7092 The Superintendent of Public Instruction shall then compare the total of the amounts allowed to, and computed for, each high school district pursuant to Articles 7 and 9 of this chapter with the amount of the foundation program of school support computed for each such district pursuant to Article 4 of this chapter

If the total amount allowed to, and computed for, any high school district pursuant to Articles 7 and 9 of this chapter is less than the amount of the foundation program of school support computed for such district pursuant to Article 4 of this chapter, he shall add to the amount allowed to, and computed for, such district pursuant to Articles 7 and 9 of this chapter such additional amount, to be known as state equalization aid, as may be necessary to equal that computed for such district pursuant to Article 4 of this chapter.

Notwithstanding anything in this article to the contrary, the amount computed for any high school district under this article shall be not less than it would have been had the foundation program of school support for such district under Article 4 of this chapter been computed by multiplying the number of units of average daily attendance in the district during the preceding fiscal year as computed under Sections 6943, [6952, and 6961] *6962, and 6971* by two hundred [ten dollars ($210)] *sixty dollars ($.260)* and had the tax used in making the computation for the district under Article 9 of this chapter been [fifty cents ($0.50)] *seventy-five cents ($0.75)*.

SEC. 23. Section 7094 is added to said code, to read.

7094. No state equalization aid shall be allowed to any high school district under this article during the Fiscal Year 1951-1952 unless, during the preceding fiscal year, there shall have been levied a tax for such district in an amount equal to thirty-two cents ($0.32) or more on 90 percent of each one hundred dollars ($100) of the assessed valuation in such district as shown by the equalized assessment roll of the district for the next preceding year and no high school district which has met the requirements of this section and is otherwise entitled to state equalization aid shall be denied such aid.

SEC. 24. Section 7096 is added to said code, to read:

7096. Notwithstanding anything in this chapter to the contrary, if under Section 6907 average daily attendance of an original district is credited to an acquiring district, the amounts allowed by the Superintendent of Public Instruction as state equalization aid to the original school district and to the acquiring school district during the first fiscal year in which an apportionment is made to the acquiring school district on account of such average daily attendance, shall be the amounts computed under this section. The Superintendent of Public Instruction shall divide the total amount of state equalization aid which would have been apportioned to the original school district during said fiscal year had this section not been in effect by the units of average daily attendance of the original school district for the preceding fiscal year prior to the crediting of any of such average daily attendance to the acquiring school district. He shall allow to the original school district as state equalization aid the amount computed by multiplying the resulting quotient by the units of average daily attendance of the district for the preceding fiscal year less the units credited to the acquiring school district. He shall allow the acquiring school district as state equalization aid the amount computed by multiplying the same quotient by the units of average daily attendance credited to the district under this section.

SEC. 25. Article 11.6 is added to Chapter 15 of Division 3 of said code, to read:

Article 11.6. Apportionment for Growth

7109. The Superintendent of Public Instruction shall apportion to each school district, in addition to all other apportionments made under this division, the sums allowed as herein provided.

7109.1. The governing board of each school district shall report to the Superintendent of Public Instruction during each fiscal year, as herein provided, the average daily attendance in the regular day schools of the district for all full school months in the fiscal year during (1) the period between July 1st and December 31st, inclusive, hereinafter referred to as the "first period," (2) the period between the end of the last full school month of the first period and May 31st, inclusive, hereinafter referred to as the "second period," and (3) for each of the same periods during the preceding fiscal year. Such report with respect to the first period shall be filed with the Superintendent of Public Instruction on or before the next succeeding January 15th and with respect to the second period shall be filed with the Superintendent of Public Instruction not later than the next succeeding June 10th. Each report shall be made in such form as shall be prescribed and furnished by the Superintendent of Public Instruction.

7109.2. The Superintendent of Public Instruction shall allow for each period referred to above, to each school district which was in existence for all purposes during the preceding fiscal year an amount which shall be computed as follows:

The average daily attendance in the regular day schools of the district during the period in the then current fiscal year and for the same period in the preceding fiscal year shall be computed in the manner prescribed in Chapter 14 of this division, except that in each case the divisor used shall bear the same ratio to the divisor required to be used under said Chapter 14 to determine the average daily attendance of the regular day schools of the district for the whole of the preceding fiscal year as the number of days the regular day schools of the district were maintained during the period bears to 175 and except that the computation of a day of attendance shall be determined according to the law in effect during said preceding fiscal year.

The Superintendent of Public Instruction shall apportion to each school district for each unit by which the average daily attendance for a period of the then current fiscal year exceeds that of the average daily attendance for the same period during the preceding fiscal year, an amount determined by dividing the total of the amounts allowed the district during the preceding fiscal year as basic state aid and state equalization aid, exclusive of amounts allowed under Section 7117, by the total average daily attendance of the district during the preceding fiscal year multiplied by the ratio of days the regular day schools of the district were maintained during said period of the then current fiscal year to 175.

7109.3. The Superintendent of Public Instruction shall allow, for each period referred to above, to each school district which was not in existence for all purposes during the preceding fiscal year an amount which shall be computed as follows:

The average daily attendance in the regular day schools of the district during the period in the then current fiscal year shall be computed in the manner prescribed in Chapter 14 of this division, except that the divisor used shall bear the same ratio which would have been required to be used under said Chapter 14 to determine the average daily attendance of the regular day schools of the district for the whole of the preceding fiscal year had such district been in existence for all purposes during the preceding fiscal year, as the number of days the regular day schools of the district were maintained during the period bears to 175 and except that the computation of a day of attendance shall be determined according to the law in effect during the preceding fiscal year.

The Superintendent of Public Instruction shall allow to each such district for each unit of average daily attendance so computed an amount determined by dividing the total of the amounts of basic state aid and state equalization aid which would have been apportioned to such district during the current fiscal year on account of such average daily attendance had such district been in existence for all purposes during the preceding fiscal year, multiplied by the ratio of days the regular day schools of the district were maintained to said period of the then current fiscal year to 175

In making any computation under Section 7081 for the purposes of this section, the assessed valuation of the district for the current year shall be used. Section 7095 is not applicable to districts coming within this section.

7109.4. For the purposes of this article all of the elementary school districts included in any union elementary school district, joint union elementary school district, or unified school district shall constitute a single elementary school district regardless of Section 7184, all of the high school districts included in any unified school district shall constitute a single high school district, and all of the junior college districts included in any unified school district shall constitute a single junior college district.

7109.5. The apportionment made on account of the first period shall be made not later than the next succeeding February 15th; the apportionment made on account of the second period shall be made not later than the next succeeding June 30th.

7109.6. The Superintendent of Public Instruction shall furnish an abstract of the apportionments made under this article to the State Controller, the Department of Finance, and to the county and city and county auditors, county and city and county treasurers, and county superintendents of schools of the several counties of the State having jurisdiction over the districts to which such apportionments are made.

7109.7. The Superintendent of Public Instruction shall certify each apportionment made by him under this article to the State Controller who shall draw his warrant during the fiscal year on the State School Fund in favor of the treasurer of the county having jurisdiction over the district for the amount of such apportionment.

7109.8. All money received by the treasurer of any county from an apportionment made under this article shall be immediately credited by the treasurer to the general fund of the district exactly as apportioned by the Superintendent of Public Instruction

SEC. 26. The heading of Article 12 of Chapter 15 of Division 3 of said code is amended to read:

Article 12. [Computation and Apportionment of State Equalization Balance]
Re-computation of Allowances

SEC. 27. Section 7117 is added to said code, to read:

7117. In addition to any and all other amounts allowed under this chapter, the Superintendent of Public Instruction shall allow to

(a) Each elementary and high school district an amount equal to 10 percent of the state equalization aid computed for the district

(b) For each unit of average daily attendance in the district during the preceding fiscal year an amount equal to the quotient derived by dividing one million eight hundred thousand dollars ($1,800,000) by the total average daily attendance in all school districts during the preceding fiscal year, or one dollar ($1), whichever is the lesser.

SEC. 27. Section 7125 of said code is amended to read:

7125. The Superintendent of Public Instruction shall apportion to the county high school tuition fund of each county the amount required to be allowed thereto by Section [7011] *7046*.

SEC. 28. Article 1 is added to Chapter 16 of Division 3 of said code, to read:

Article 1. County School Service Fund

7201. There is hereby established in the treasury of each county the "county school service fund."

7202. Whenever any of the terms "unapportioned county elementary school fund," "county elementary school supervision fund," or "unapportioned county high school funds" are used in this code or in any other law, said term shall be deemed to refer to and mean the "county school service fund" established by this chapter.

7203. During July or August of each year the county superintendent of schools shall transfer to the county school service fund 80 percent of any excessive balance or unnecessary surplus in any school fund of any elementary school district. Funds raised by school district taxes shall not be transferred

7204. The county auditor of any county, receiving money from the Government of the United States pursuant to any act of Congress providing for the distribution and payment to states and territories of a fixed and definite percentage of the money received by the Government of the United States from the forest reserves established therein, shall apportion 50 percent of the money received to the credit of the county school service fund of the county.

The money thus added to the county school service fund shall be apportioned by the county superintendent of schools in the same manner as other county school service fund money, except that all or any portion of the money thus apportioned to the credit of the county school service fund shall upon the request of the county superintendent of schools be transferred to the forest reserve school fund, which shall be used by the county superintendent of schools for the benefit of school districts of the county lying within or adjacent to the United States Forest Reserve. The fund is available for any purpose for which county funds may be spent.

7205 The county school service fund shall be employed by the county superintendent of schools to pay such charges against the fund as are provided in this code; and to provide with the approval of the county board of education (a) additional apportionments to any school district under his jurisdiction for current expenses which (1) has levied the maximum district tax specified in Section 6357 and in which the annual average current cost per pupil does not exceed the annual average current cost per pupil for all districts of the same type within the county or under the jurisdiction of the county superintendent of schools, or (2) which needs additional apportionments for current expenses because of temporary emergency conditions, and (b) additional apportionments to any school district under his jurisdiction for the transportation of pupils to and from school to meet temporary emergency conditions.

7206. The county superintendent of schools may:

(a) With the approval of the county board of education provide advisory services in school business administration, in maintenance of school buildings and grounds, and in the processing of special problems concerning credentials as designated by the State Department of Education.

(b) Pay actual and necessary travel expenses incurred, in connection with curricular and special services, by the county superintendent of schools, or by his designated staff members in accordance with regulations established by the Superintendent of Public Instruction.

The costs incurred under this section shall be paid out of the county school service fund.

7207. The county superintendent of schools shall, except as otherwise provided by this code, expend from the county school service fund all amounts apportioned to said fund for supervision of instruction, exclusively for the payment of the salaries and necessary expenses of supervisors to supervise instruction in the elementary school districts of the county having less than 900 units of average daily attendance during the next preceding fiscal year, and in any other elementary school districts of the county the governing board of which requests him to supervise instruction in the schools of such district, and for the furnishing of such clerical help, supplies, and equipment to the supervisors as the county superintendent of schools deems necessary. In the event of the inability of the county superintendent of schools to use such amounts advantageously during any fiscal year, the unexpended portion of such amounts may be used for other purposes of the county school service fund

7208 No moneys shall be expended from the county school service fund for any purpose in excess of the total proposed expenditures for such purpose as approved by the Superintendent of Public Instruction under Section 7001, without the approval of the Superintendent of Public Instruction.

SEC 30 It is the intent of the Legislature in enacting this act to continue in effect Chapters 2, 12, 13, 14, 15, and 16 of Division 3, and Sections 8761, 8704, and 9645, of the Education Code as the same are now in effect except as said chapters or any article or articles, section or sections included therein, or the sections named herein, may be amended, added, repealed, added to, or otherwise affected by this act or any other act enacted by the 1951 Regular Session of the Legislature

SEC 31. This act shall remain in effect until July 1, 1953.

SEC. 32. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect, to become operative July 1, 1951 A statement of the facts constituting such necessity is as follows:

The existing law providing for the apportionment of the State School Fund for the support of the public kindergarten schools, elementary schools, and secondary schools will, because of Section 10 of Chapter 74, Statutes 1950 First Extraordinary Session, remain in effect only until July 1, 1951 It is essential that provision be made for the support of such schools beginning July 1, 1951, and it is therefore necessary that this act take effect immediately".

Amendment No. 3

On page 2 of said bill, as amended, strike out lines 2 to 24, inclusive; and strike out all of pages 3 to 12, inclusive.

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 2061 by the following vote:

AYES—Babbage, Beck, Hagen, Hinckley, Klocksiem, Lindsay, and Lyon—7.

NOES—Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kirkwood, Lanterman, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stewart, Thomas, and Waters—56.

Appointment of Committee on Conference Concerning Assembly Bill No. 2061

The Speaker announced the appointment of Messrs. Kirkwood, Beck, and Geddes as a Committee on Conference concerning Assembly Bill No. 2061.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 927
Assembly Bill No. 2372
Assembly Bill No. 2581
Assembly Bill No. 2706
Assembly Bill No 3121
Assembly Bill No 3122

J A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 453
Assembly Bill No. 2022
Assembly Bill No. 2712
Assembly Bill No. 3112
Assembly Bill No. 3205

And respectfully requests your honorable body to concur in said amendments.

J. A BEEK, Secretary of the Senate
By C V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning

Assembly Bill No. 1534—An act to amend Section 2137.1 of the Business and Professions Code, relating to persons authorized to practice medicine and surgery in state institutions.

J A. BEEK, Secretary of the Senate
By C V. TAYLOR, Assistant Secretary

Assembly Bill No. 1534 ordered enrolled

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning .

Senate Bill No. 399—An act to amend Section 2110 of the Streets and Highways Code, relating to apportionments to counties payable from the Highway Users Tax Fund.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 639—An act to amend Sections 4, 5, and 6 of the City Carriers' Act and Sections 3631, 3632, and 3634 of the Public Utilities Code, relating to city carriers.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 640—An act to amend Sections 5, 6, and 7 of, and to add Section 3¼ to, the Highway Carriers' Act, relating to highway carriers.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 3443—An act to amend Section 5501 of the Welfare and Institutions Code, relating to the commitment of sexual psychopaths, and declaring the urgency thereof, to take effect immediately.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 2882—An act to add Section 14011 and Chapter 6 to Part 1 of Division 3 of Title 2 of the Government Code, to amend Sections 12001, 12100, 12150, 12300, 12302, 12400, 13002, 14002, 15003, 15603, and 18650 of said code, to amend Section 21 of the Agricultural Code, to amend Sections 213 and 230 of the Banking Code, to amend Sections 151, 6512, 7011, 10055, 18626.5 and 19433 of the Business and Professions Code, to amend Section 25301 of the Corporations Code, to amend Sections 141, 144.2, 20924, and 22003 of the Education Code, to amend Sections 213, 230, and 5201 of the Financial Code, to amend Section 10 of the Fish and Game Code, to amend Section 1732.6 of the Harbors and Navigation Code, to amend Sections 107.5 and 13101 of the Health and Safety Code, to amend Section 12902 of the Insurance Code, to amend Sections 51, 70.5, 77.5, 80, and 112 of the Labor Code, to amend Section 76 of the Military and Veterans Code, to amend Sections 5051 and 5076 of the Penal Code, to amend Section 3700 of the Political Code, to amend Section 501 of the Public Resources Code, to amend Section 304 of the Public Utilities Code, to amend Section 52 of the Streets and Highways Code, to amend Sections 105, 109 and 139.08 of the Vehicle Code, to amend Sections 130, 152, 1722 and 1723 of the Welfare and Institutions Code, to amend Section 10 of the Public Utilities Act, to amend Section 3 of the State Aeronautics Commission Act, to amend Sections 76 and 77 of the Unemployment Insurance Act, to amend Section 2 of an act entitled "An act to create the Franchise Tax Board, prescribing its powers, duties, jurisdictions, purposes, and functions and abolishing the Office of Franchise Tax Commissioner," approved July 25, 1949; to amend Section 2 of an act entitled "An act to provide for the salaries and expenses of the Building and Loan Commissioner, his attorney, deputies, examiners, accountants, appraisers and other assistants; to provide for the disposition of moneys in the 'Building and Loan Inspection Fund' created by Chapter 354 of the Statutes of 1911, as amended, and of moneys collected under the Building and Loan Association Act; and otherwise relating to the Building and Loan Commissioner, his assistants and employees, and to the regulation of building and loan associations," approved June 12, 1931, relating to the salaries of state officers.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 2625—An act to amend Sections 736 and 736a of the Political Code and Sections 41 and 61 of the Code of Civil Procedure, relating to the salaries of justices of the Supreme Court and of the district courts of appeal.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Assembly Bill No. 2625 ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 2211—An act to amend Sections 58501, 58577, and 58614 of, and to add Section 58615.5 to, and to repeal Section 58502 and Article 6, Chapter 2, Title 6, of the Government Code, and to repeal Sections 2206, 4704, 6407, 14003, 14405, and 14603, of the Health and Safety Code; and to repeal Section 1184 of the Military and Veterans Code; and to repeal Section 3.5 of the California Airport District Act; all relating to districts.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Assembly Bill No. 2211 ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 584	Assembly Bill No. 1883
Assembly Bill No. 841	Assembly Bill No. 3451

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

Hon. Arthur H. Connolly, Jr., Presiding

At 3.55 p.m., Hon. Arthur H. Connolly, Jr., Member of the Assembly from the Twenty-first District, presiding.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 3434

Mr. Waters asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 3434, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 3434—An act to add Article 1.5, comprising Sections 215 through 218, inclusive, to Chapter 2, Division 1 of the Streets and Highways Code, relating to the creation of a fund for the acquisition of property for highway purposes, and making an appropriation therefor.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3434?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on June 13, 1951, after "to", insert "amend Section 188.4 of, and to".

Amendment No. 2

In lines 3 and 4 of the title of said bill, as amended, strike out "creation of a fund for the acquisition of property for highway purposes", and insert "State Highway System".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 3 of said bill, as amended, after line 5, insert

"SEC. 2. Section 188.4 of the Streets and Highway Code is amended to read:

188.4. Out of the money expended pursuant to Section 188, the commission shall allocate and the department shall expend or cause to be expended in each county of County Group No. 1 and in each county of County Group No. 2 during each of the five-year periods commencing and ending, respectively, July 1, 1947, to June 30, 1952, July 1, 1952, to June 30, 1957, [and] July 1, 1957, to June 30, 1962, *and July 1, 1962, to June 30, 1967*, not less than an amount computed as follows:

(a) The commission shall compute for each five-year period an amount equal to the respective percentage hereinafter specified of the moneys to be expended in County Groups No. 1 and 2, respectively, as provided in Section 188:

Period	Percentage
July 1, 1947-June 30, 1952	50
July 1, 1952-June 30, 1957	55
July 1, 1957-June 30, 1962	65
July 1, 1962- June 30, 1967	*65*

(b) From the amount computed for County Group No. 1 in subdivision (a) the commission shall determine the minimum expenditure for each county specified in this subdivision by applying the following percentages of said amount:

Alameda	20.721	Nevada	.839
Alpine	.410	Placer	1.595
Amador	.741	Plumas	.473
Butte	1 108	Sacramento	2.988
Calaveras	.632	San Benito	.474
Colusa	.577	San Francisco	18.688
Contra Costa	4 100	San Joaquin	2 850
Del Norte	.521	San Mateo	3.147
El Dorado	.649	Santa Clara	3 055
Fresno	2 646	Santa Cruz	1.443
Glenn	.518	Shasta	1.769
Humboldt	2 804	Sierra	.227
Kings	.529	Siskiyou	1.582
Lake	.631	Solano	1.732
Lassen	.391	Sonoma	2.735
Madera	.950	Stanislaus	2.162
Marin	1.707	Sutter	.508
Mariposa	874	Tehama	1.042
Mendocino	2 423	Trinity	.351
Merced	1.881	Tuolumne	.717
Modoc	.549	Yolo	2.242
Monterey	2 604	Yuba	.696
Napa	719		

(c) From the amount computed for county group two in subdivision (a) the commission shall determine the minimum expenditure for each county specified in this subdivision by applying the following percentages of said amount:

Imperial	1 454	San Bernardino	6 396
Inyo	.319	San Diego	6 092
Kern	4.759	San Luis Obispo	3 998
Los Angeles	52.100	Santa Barbara	5.524
Mono	.262	Tulare	2.584
Orange	8.114	Ventura	3.725
Riverside	4.673		

(d) In the event the department expends for construction and acquisition of rights of way in any county during any of said five-year periods a larger sum than that required under subdivisions (b) or (c), the excess may be credited against the required expenditure for a subsequent five-year period.

(e) Any sum expended under a construction contract awarded during any of said five-year periods shall be deemed for purposes of this section to be an expenditure made within said five-year period in which the contract was awarded."

Amendment No. 4

On page 2, line 21, of the printed bill, as amended in the Senate on June 20, 1951, after "Treasury", insert ", but not to exceed five million dollars ($5,000,000) in any one year,".

Speaker Pro Tempore Presiding

At 4 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Demand for Previous Question

Messrs. Hinckley, Luckel, Klocksiem, Munnell, and Lincoln demanded the previous question.

Demand for previous question sustained.

The question being on the concurrence in Senate amendments to Assembly Bill No. 3434.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Waters moved a call of the Assembly.

Motion carried. Time, 4.10 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brady, Brown, Sam L. Collins, Dunn, Gubser, Hawkins, Kirkwood, Lipscomb, McMillan, Parker, Porter, and Rosenthal—12.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Geddes asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 22, 1951

To the Honorable Members of the Assembly
State of California
Sacramento, California

GENTLEMEN: The First Annual Report of the State School Building Finance Committee has today been received by me.

In accordance with Section 5112 of the Education Code this report is herewith transmitted to you.

Respectfully,

EARL WARREN, Governor

State of California

STATE SCHOOL BUILDING FINANCE COMMITTEE
FIRST ANNUAL REPORT

May 31, 1951

STATE SCHOOL BUILDING FINANCE COMMITTEE
Chairman: EARL WARREN, Governor

Vice-Chairman: JAMES S. DEAN, Director of Finance
Secretary: ROY E. SIMPSON, Director of Education
Member: CHARLES G JOHNSON, State Treasurer
Member. THOMAS H. KUCHEL, State Controller

Interim Investigating Committee

JESSE M. MAYO
Senator, 26th District
HAROLD T. JOHNSON
Senator, 7th District
W. P. RICH
(Senator, 10th District, Retired)
FRANCES DUNN, JR
Assemblyman, 13th District
ROBERT C. KIRKWOOD
Assembyman, 28th District

FIRST ANNUAL REPORT OF THE STATE SCHOOL BUILDING FINANCE COMMITTEE

(Activities Through May 31, 1951)

Membership and Duties of Committee

The State School Building Finance Committee determines the amount and terms of State bonds to be issued for financing state aided school construction under the State School Building Aid Act (Chapter 1.6 of Division 3 of the Education Code). The committee is empowered by Chapter 1.7 of Division 3, Education Code, to issue up to 250 million dollars in bonds authorized by Section 15 of Article XVI of the Constitution. Bond proceeds are apportioned to eligible school districts by the State Allocation Board.

The committee, created by the Legislature in 1949, consists of the Governor, Director of Finance, Director of Education, State Treasurer, and State Controller. Meeting with the committee in an advisory capacity are two Members of the Senate and two Members of the Assembly who constitute an Interim Investigating Committee on State School Building Bonds.

Need for State School Building Bonds

By May 31, 1951, the State Allocation Board had received applications for State School Building aid from 349 school districts for assistance totaling 246 million dollars The board has approved applications for 214 million dollars in state aid and has so far apportioned 81 million dollars towards the amount requested in approved applications The balance of the 214 million dollars is expected to be apportioned as needed by school districts to complete projects approved by the board Additional amounts will be needed for applications on hand and awaiting board approval.

Bonds Issued

The State Allocation Board has so far requested the State School Building Finance Committee to approve the issuance of bonds totaling 150 million dollars to provide funds for apportionments to school districts, stating that additional requests would be submitted as needs arose.

The issuance and sale of three blocks of bonds, totaling 50 million dollars each, have so far been approved by the committee and the proceeds made available to the State Allocation Board.

All bonds sold so far have commanded favorable interest rates. The first issue, Series A, was sold on May 3, 1950, at an effective interest rate of 1 74 percent Series B bonds were sold September 7, 1950, at an effective interest rate of 1 76 percent, and Series C bonds, sold May 4, 1951, have an effective rate of 1.84 percent.

Bonds in the three series are to be redeemed over a period of 26 years from date of issuance with approximately equal amounts maturing each year The first bonds

(Series A) mature on May 1, 1952 All bonds so far issued will mature on or before May 1, 1977.

A Summary of the Public School Building Loan Fund and a Statement of Bonds Issued and Sold, both as of May 31, 1951, are attached.

Submitted for

ROY E SIMPSON, Secretary
By H. H. JAQUETH, Executive Officer
State Allocation Board

Summary
Public School Building Loan Fund
As of May 31, 1951
Current Status of Fund

Receipts		
Principal Amount from Sale of Bonds	$150,000,000.00	
Premiums Paid by Purchasers of Bonds and Interest Earned on Investment of Bond Proceeds	1,508,169 27	
Gross Receipts		$151,508,169.27
Less: Cost of Bond Sales	$20,855 59	
Less, Other Administrative Expenses	204,680 06	
Less: Premiums and Interest Reserved for Bond Redemption (Trf. to Gen Fund)	1,508,169 27	
Net Receipts		$149,774,464 35
Disbursements and Encumbrances		
Progress Payments on Projects of School Districts	$16,752,694.57	
Balance of Apportionments (to be Paid as Needed)	64,520,445.56	
Total, Disbursed or Encumbered by Apportionments **		$81,273 140 13
Balance Available for Apportionment **		$68,501,324 22
Bond Funds that can be Made Available for Future Apportionments		
Balance Available for Apportionment **	$68,501,324 22	
Additional Bonds Permitted by Law to be Issued	100,000,000 00	
Total		$168,501,324 22
Apportionments Pending		
Unapportioned Balance on Applications Approved by State Allocation Board	$132,920,646 94	
Applications on File and Awaiting Approval	31,929,058.60	
Total		$164,849,705.54

** Law limits rate at which apportionments may be made to an initial $100 million by October 5, 1950, and $5 million per month thereafter Maximum amount that may be apportioned by May 31, 1951, is $135 million

NOTE All figures are as shown on records of Department of Finance

Statement of Bonds Issued and Sold
State School Building Finance Committee
May 31, 1951

Item	*Series A*	*Series B*	*Series C*
Date of Request by State Allocations Board	Dec. 12, 1949	June 15, 1950	Jan. 9, 1951
Date of Resolution by State School Building Finance Committee Authorizing Issue	Feb. 9, 1950	June 19, 1950	Feb. 15, 1951
Principal Amount of Bonds in Each Issue	$50,000,000	$50,000,000	$50,000,000
Date of Issuance	May 1, 1950	Sept. 1, 1950	May 1, 1951
Date of Bond Sale	May 3, 1950	Sept. 7, 1950	April 4, 1951
Names of Bidders	First Nat'l Bank of Chicago Bank of America Bankers Trust Co Syndicate	Bank of America Syndicate Bankers Trust Co. Syndicate	Bank of America Syndicate Bankers Trust Co. Syndicate
Name of Successful Bidder	Bankers Trust Co Syndicate	Bankers Trust Co. Syndicate	Bank of America Syndicate
Average Rate of Interest Bid by Successful Bidder	1.74%	1.76%	1 84%
Date on which Bonds were Delivered	June 5, 1950	Oct 3, 1950	May 1, 1951
Date of Maturity of Earliest Bonds Maturing in Each Issue	May 1, 1952	Nov. 1, 1952	May 1, 1953
Date of Maturity of Last Bonds Maturing in Each Issue	May 1, 1976	Nov. 1, 1976	May 1, 1977

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 207
House Resolution No. 240
House Resolution No. 243

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

SAM L. COLLINS, Chairman

Above reported resolutions ordered on file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 1071—An act to amend Section 50¾ of, and to add Section 52 1 to, the Public Utilities Act, and to amend Section 1066 of, and to add Sections 706, 707, 708, and 816.5 to, the Public Utilities Code, relating to public utilities.

consisting of the undersigned members, has met, and could not reach an agreement

REGAN	DAVIS
COLLIER	LYON
BROWN	EVANS
Senate Committee on Conference	Assembly Committee on Conference

Appointment of Second Committee on Conference Concerning Assembly Bill No. 1071

The Speaker announced the appointment of Messrs. Moss, Hagen, and Levering as a Second Committee on Conference concerning Assembly Bill No. 1071.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1985

Mr Geddes asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 1985, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1985—An act to repeal Chapters 2 and 15 of Division 3 of the Education Code, to repeal Article 1 of Chapter 16 of Division 3 of said code, to repeal Section 6851.1 of said code, to amend Section 6841 of said code, to add Chapters 2 and 15 to Division 3 of said code, to add Article 1 to Chapter 16 of Division 3 of said code, and to add Section 6905 to said code, all relating to the Public School System.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1985?

Amendment No. 1

Strike out the title of the printed bill, as amended in the Assembly on May 14, 1951, and insert

"An act to continue in effect an act entitled "An act to repeal Section 10 of an act entitled 'An act to repeal Chapters 2, 3, 4, 12, 13, 13.5, 13.6, 14, 15, 15.5, 16, and 16.5 of the Education Code; to add Chapters 2, 12, 13, 14, 15, and 16 to said code; to amend Section 8761 of said code; and to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately,' approved May 28, 1947 (Chapter 401, Statutes of 1947), to provide for the continuance in effect of an act entitled 'An act to amend Section 10 of an act entitled "An act to repeal Chapters 2, 3, 4, 12, 13, 13.5, 13.6, 14, 15, 15.5, 16, and 16.5 of the Education Code, to add Chapters 2, 12, 13, 14, 15, and 16 to said code; to amend Section 8761 of said code; and to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately," approved May 28, 1947 (Chapter 401, Statutes of 1947)'; to repeal Sections 6713, 7039, 7052, 7064, 7068, 7117, 7126, 7128, and 7147 of the Education Code; to repeal Article 4 of Chapter 13, and Article 6 of Chapter 14, of Division 3 of said code; to add Article 4 to Chapter 13, Article 6 to Chapter 14, and Articles 1 and 13.5 to Chapter 15, of Division 3 of said code; to add Sections 5157, 7126, 7132, and 7151 to said code; to amend the headings of Articles 1 and 13 of Chapter 15 of Division 3 of said code, and to amend Sections 5152, 5153, 5156, 6703, 6714, 6812, 7002, 7012, 7023, 7032, 7033, 7034, 7035, 7036, 7037, 7038, 7041, 7061, 7062, 7063, 7067, 7081, 7091, 7092, 7094, 7095, 7101, 7103, 7111, 7112, 7113, 7114, 7115, 7116, 7121, 7122, 7124, 7130, 7146, 7146.1, 7148, 7149, 7150, 7208, 7231, and 9645 of said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately,' approved July 20, 1949 (Chapter 1017, Statutes of 1949), except Section 1 thereof; to repeal Sections 6714 and 7094 of the Education Code; to add Sections 5153.3 and 6904 to said code; and to amend Sections 7091, 7092, 7095, 7113, 7116, and 6951 of said code, to repeal Articles 2 and 3 of Chapter 15, Division 3 of said code and to add Articles 2 and 11.6 to Chapter 15, Division 3 of said code all relating to the Public School System," approved May 5, 1950 (Chapter 74, Statutes 1950 First Extraordinary Session), and the several chapters, articles, and sections of the Education Code continued in effect by said act, except as otherwise provided in this act or in any other act enacted by the 1951 Regular Session of the Legislature; to repeal Sections 2.5, 10, 12, and 13 of said act; to repeal Sections 5153.3, 6906, 7037, and 7062 of the Education Code; to repeal Articles 2, 3, and 11.6 of Chapter 15 of Division 3 of said code; to repeal Article 1 of Chapter 16 of Division 3 of said code; to amend Sections 7001, 7038, 7041, 7067, 7075, 7081, 7092, 7112, 7115, and 7125 of said code; to amend the heading of Article 12 of Chapter 15 of Division 3 of said code, to add Sections 5009, 5153.3, 5158, 6907, 7031.1, 7037, 7037.1, 7037.2, 7037.3, 7094, 7096, and 7117 of said code; to add Articles 2, 5.5, and 11.6 to Chapter 15 of Division 3 of said code; and to add Article 1 to Chapter 16 of Division 3 of said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately"

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, as amended, strike out line 1, and insert

"SECTION 1. An act entitled "An act to repeal Section 10 of an act entitled 'An act to repeal Chapters 2, 3, 4, 12, 13, 13.5, 13.6, 14, 15, 15.5, 16, and 16.5 of the Education Code, to add Chapters 2, 12, 13, 14, 15, and 16 to said code; to amend Section 8761 of said code; and to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately,' approved May 28, 1947 (Chapter 401, Statutes of 1947), to provide for the continuance in effect of an act entitled 'An act to amend Section 10 of an act entitled 'An act to repeal Chapters 2, 3, 4, 12, 13, 13.5, 13.6, 14, 15, 15.5, 16, and 16.5 of the Education Code, to add Chapters 2, 12, 13, 14, 15, and 16 to said code; to amend Section 8761 of said code; and to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately," approved May 28, 1947 (Chapter 401, Statutes of 1947)'; to repeal Sections 6713, 7039, 7052, 7064, 7068, 7117, 7126, 7128, and 7147 of the Education Code; to repeal Article 4 of Chapter 14, and Article 6 of Chapter 14, of Division 3 of said code; to add Article 4 to Chapter 13, Article 6 to Chapter 14, and Articles 1 and 13.5 to Chapter 15, of Division 3 of said code; to add Sections 5157, 7126, 7132, and 7151 to said code; to amend the headings of Articles 1 and 13 of Chapter 15 of Division 3 of said code; and to amend Sections 5152, 5153, 5156, 6703, 6714, 6812, 7002, 7012, 7023, 7032, 7033, 7034, 7035, 7036, 7037, 7038, 7041, 7061, 7062, 7063, 7067, 7081, 7091, 7092, 7094, 7095, 7101, 7103, 7111, 7112, 7113, 7114, 7115, 7116, 7121, 7122, 7124, 7130, 7146, 7146.1, 7148, 7149, 7150, 7208, 7231, and 9645 of said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately,' approved July 20, 1949 (Chapter 1017, Statutes of 1949), except Section 1 thereof; to repeal Sections 6714 and 7094 of the Education Code; to add Sections 5153.3 and 6904 to said code; and to amend Sections 7091, 7092, 7095, 7113, 7116, and 6951 of said code, to repeal Articles 2 and 3 of Chapter 15, Division 3 of said code and to add Articles 2 and 11.6 to Chapter 15, Division 3 of said code all relating to the Public School System approved May 5, 1950 (Chapter 74, Statutes 1950, First Extraordinary Session) and the several chapters, articles, and sections of the Education Code continued in effect by said act shall remain in effect as otherwise provided in this act or by any other act enacted by the 1951 Regular Session of the Legislature.

SEC. 1.5. This act may be cited as "The State School Fund Apportionment Act of 1951."

SEC. 2. Sections 2.5, 10, 12, and 13 of the act cited in Section 1 of this act are repealed.

SEC. 3. Sections 5153.3 and 7062 of the Education Code are repealed.

SEC. 4. Articles 2, 3, and 11.6 of Chapter 15, and Article 1 of Chapter 16, of Division 3 of said code are repealed.

SEC. 5. Section 5153.3 is added to said code, to read:

5153.3. In addition there shall be provided:

(a) The amount apportioned by the Superintendent of Public Instruction under Article 11.6 of Chapter 15 of this division.

(b) Such of the amount allowed by the Superintendent of Public Instruction under Article 2 of Chapter 15 of this division as is in excess of the amount computed by multiplying the total average daily attendance in all schools and classes maintained by county superintendents of schools and by the elementary school districts, high school districts, and junior college districts of the State during the preceding fiscal year by two dollars ($2).

(c) The total of the amount allowed school districts by the Superintendent of Public Instruction under subdivision (a) of Section 7117.

(d) Seven hundred thousand dollars ($700,000) for apportionment to high school districts.

(e) One million eight hundred thousand dollars ($1,800,000) for apportionment to school districts pursuant to subdivision (b) of Section 7117.

SEC. 5.1. Section 5009 is added to said code, to read:

5009. The Department of Finance shall audit the books and accounts of school districts. In lieu of auditing the books and accounts of each school district, the Department of Finance may conduct such audits as it deems sufficient to determine the validity of the allocation of state funds for school purposes and to establish proper accountability and at such times as, in the judgment of the Department of Finance, will serve the best interests of the State, or the Department of Finance may accept a grand jury audit if the report covering such audit contains such statements and information as may be prescribed by the Department of Finance.

The Department of Finance shall render to the State Controller a report of all such audits, showing therein the findings, and the Controller shall make the necessary

adjustments in future apportionments to the several school districts wherein such audits show that the same are necessary to correct any deficiencies or overages in the apportionment of state funds

Nothing in this section shall be construed as authorizing the Department of Finance to examine into or report on the curriculum used or provided for in any school district.

SEC. 5 2. Section 5158 is added to said code, to read:

5158. The Department of Finance shall audit the books and accounts of school districts. In lieu of auditing the books and accounts of each school district, the Department of Finance may conduct such audits as it deems sufficient to determine the validity of the allocation of state funds for school purposes and to establish proper accountability and at such times as, in the judgment of the Department of Finance, will serve the best interests of the State, or the Department of Finance may accept a grand jury audit if the report covering such audit contains such statements and information as may be prescribed by the Department of Finance

The Department of Finance shall render to the State Controller a report of all such audits, showing therein the findings, and the Controller shall make the necessary adjustments in future apportionments to the several school districts wherein such audits show that the same are necessary to correct any deficiencies or overages in the apportionment of state funds.

Nothing in this section shall be construed as authorizing the Department of Finance to examine into or report on the curriculum used or provided for in any school district

SEC. 6. Section 6906 is repealed effective July 1, 1952.

SEC. 7. Section 6907 is added to said code, to read:

6907 If the average daily attendance of pupils residing in territory of a district, hereinafter referred to as the "original district", in the regular day schools of such original district during the fiscal year immediately preceding the effective date of the inclusion of such territory for all purposes in another district of the same type, hereinafter referred to as the "acquiring district", under or pursuant to any provision of law, exceeds 25 units, such average daily attendance shall, for all the purposes of this division, be deemed to have been average daily attendance in the regular day schools of the acquiring district and not average daily attendance in the regular day schools of the original district, except that if the acquiring district was not in existence for all purposes during said preceding fiscal year, such average daily attendance shall be deemed to have been average daily attendance in the regular day schools of the acquiring district during said preceding fiscal year

The average daily attendance of pupils in the regular day junior colleges of a high school district during the fiscal year immediately preceding the effective date of the inclusion of such high school district in a junior college district shall, for all the purposes of this division, be deemed to be average daily attendance in regular day junior colleges of the junior college district during said preceding fiscal year and not average daily attendance in the regular day junior colleges of the high school district during said preceding fiscal year.

For the purposes of this section all elementary school districts are districts of the same type, all high school districts are districts of the same type, and all junior college districts are districts of the same type

The inclusion of the whole or a portion of an elementary school district, high school district, or junior college district in a unified school district shall be deemed to be the inclusion of such elementary school district, high school district, or junior college district or portion thereof in the elementary school district, high school district, or junior college district, as the case may be, within the unified school district.

The Superintendent of Public Instruction shall, and is authorized so to do, adopt such rules and regulations as in his judgment are necessary to give effect to this section.

SEC. 8. Section 7001 of said code is amended to read

7001 The Superintendent of Public Instruction shall during each fiscal year allow to the county school service fund of each county from the State School Fund such amount as the budget submitted by the county superintendent of schools and approved by the Superintendent of Public Instruction, under Section 7002, shows is necessary, but the total amount allowed by the Superintendent of Public Instruction under this section to all county school service funds *for supervision of instruction in all grades and classes of elementary school districts shall not exceed a sum determined by multiplying the total average daily attendance credited to all elementary school districts in the State during the preceding school year by one dollar and thirty cents ($1 30) and for all other purposes* shall not exceed a sum determined by multiplying the total average daily attendance in all kindergarten, elementary, high school and junior college schools during the preceding fiscal year by three dollars ($3).

SEC. 9. Article 2 is added to Chapter 15 of Division 3 of said code, to read:

Article 2. Computation of Additional Allowances to School Districts and County School Service Funds for Transportation

7011. The Superintendent of Public Instruction shall not allow under this article during any fiscal year a total amount in excess of an amount computed by multiplying the total average daily attendance in the schools and classes maintained by county superintendents of schools and in the elementary school districts, high school districts, and junior college districts of the State during the preceding school year by three dollars ($3).

7011.1. The Superintendent of Public Instruction shall allow to each school district and county school service fund such amount as is required by this article.

7012. (a) "Transportation" as used in this article means, unless the context otherwise requires:

(1) The transportation of pupils between their homes and the schools attended by them as provided by a school district.

(2) The payment of moneys by a school district to parents or guardians of pupils in lieu of providing for the transportation of such pupils between their homes and the schools attended by them.

(3) The providing of board and lodging to pupils by a school district in lieu of providing for the transportation of such pupils between their homes and the schools attended by them.

(b) "Pupils" as used in this article does not include pupils for whom the Superintendent of Public Instruction in computing the excess cost of educating physically handicapped pupils under Chapter 9 of Division 4 includes in such excess costs the cost of transportation of such pupils.

7013. The Superintendent of Public Instruction shall make all allowances under this article during a fiscal year in accordance with regulations, not in conflict with this article, adopted by him, and he is hereby authorized and directed to adopt such regulations. None of such regulations shall be binding upon any school district, but no allowance shall be made under this article to a school district for any item of current expense or capital outlay with respect to which the school district has failed to comply with the regulations of the Superintendent of Public Instruction applicable to such item.

The regulations adopted by the Superintendent of Public Instruction hereunder shall, among other matters:

(a) Prescribe the records to be kept by, and reports to be made by, school districts.

(b) Fix the minimum distances for the sole purpose of determining the total current expenses of a district for transportation.

(c) Determine what expenditures constitute "current expenses."

(d) Establish and prescribe formulae for the sole purpose of computing financial allowances under which school busses may be acquired in accordance with the provisions of Section 7017.

(e) Provide for the review and approval of all expenditures upon which allowances are computed.

(f) Establish and prescribe formulae for the sole purpose of computing financial allowances for reimbursement of replacement expenses incurred by a school district in replacing school busses.

7014. (a) He shall allow to each elementary school district, high school district, and junior college district, except as to any to which Section 7016 is applicable, which during the preceding fiscal year provided for the transportation of pupils, an amount which shall be computed as follows:

He shall determine the total current expenses of the district for such transportation during the preceding fiscal year. He shall then determine what rate of tax levied on each one hundred dollars ($100) of 90 percent of the assessed valuation of the district as shown by the equalized assessment roll of the district for the preceding fiscal year, hereinafter referred to in this section as computed tax rate, would, if levied, produce such amount. If the computed rate of tax is more than two cents ($0.02) he shall allow to the district (a) 50 percent of the amount which would be produced by not more than eight cents ($0.08) of the computed tax rate less two cents ($0.02) and (b) 100 percent of the amount which would be produced by the computed tax rate in excess of eight cents ($0.08).

(b) He shall allow to each high school district maintaining a junior college, except as to any to which Section 7016 is applicable, which during the preceding fiscal year provided for the transportation of pupils, an amount which shall be computed as follows:

He shall determine the total current expenses of the districts for such transportation during the preceding fiscal year. He shall then determine what rate of tax levied on each one hundred dollars ($100) of 90 percent of the assessed valuation of the district as shown by the equalized assessment roll of the district for the preceding fiscal year, hereinafter referred to in this section as computed tax rate, would, if levied, produce such amount. If the computed rate of tax is more than three cents ($0.03) he shall allow to the district (a) 50 percent of the amount which would be produced

by not more than twelve cents ($0.12) of the computed tax rate less three cents ($0.03) and (b) 100 percent of the amount which would be produced by the computed tax rate in excess of twelve cents ($0.12).

7015. (a) He shall allow to each unified school district formed under the provisions of Chapter 16 of Division 2 of this code, the formation of which became effective on July 1, 1948, or thereafter, an amount equal to the total current expenses of the district during the preceding fiscal year for the transportation of pupils, determined by the Superintendent of Public Instruction to have been required because of a change of the location of schoolhouses or the reorganization of attendance centers within the district during such preceding fiscal year. No allowance shall be made under this paragraph subsequent to the close of the fifth fiscal year following that in which the district was formed and thereafter the provisions of the next paragraph shall control as to such district.

He shall allow to each unified school district not maintaining a junior college which during the preceding fiscal year provided for the transportation of pupils, an amount which shall be computed as follows:

(b) He shall determine the total current expenses of the district for such transportation during the preceding fiscal year. He shall then determine what rate of tax levied on each one hundred dollars ($100) of 90 percent of the assessed valuation of the district as shown by the equalized assessment roll of the district for the preceding fiscal year, hereinafter referred to in this section as computed tax rate, would, if levied, produce such amount. If the computed rate of tax is more than three cents ($0.03) he shall allow to the district (a) 50 percent of the amount which would be produced by not more than twelve cents ($0.12) of the computed tax rate less three cents ($0.03) and (b) 100 percent of the amount which would be produced by the computed tax rate in excess of twelve cents ($0.12).

(c) He shall allow to each unified school district maintaining a junior college which during the preceding fiscal year provided for the transportation of pupils, an amount which shall be computed as follows

He shall determine the total current expenses of the district for such transportation during the preceding fiscal year. He shall then determine what rate of tax levied on each one hundred dollars ($100) of 90 percent of the assessed valuation of the district as shown by the equalized assessment roll of the district for the preceding fiscal year, hereinafter referred to in this section as computed tax rate, would, if levied, produce such amount. If the computed rate of tax is more than four cents ($0.04) he shall allow to the district (a) 50 percent of the amount which would be produced by not more than sixteen cents ($0.16) of the computed tax rate less four cents ($0.04) and (b) 100 percent of the amount which would be produced by the computed tax rate in excess of sixteen cents ($0.16)

7016 He shall compute for each group of two or more school districts which have been continuously from a time prior to July 1, 1949, governed by boards of identical personnel during the preceding fiscal year and have maintained a single transportation system for all of such districts which provided for the transportation of pupils, an amount which shall be computed as follows:

He shall determine the total current expenses of the district for such transportation during the preceding fiscal year.

(a) He shall, if such group comprises an elementary school district and a high school district not maintaining a junior college and each district provided for the transportation of pupils, or comprises an elementary school district, a high school district, and a junior college district and each district except the junior college district provided for the transportation of pupils, or comprises a high school district and a junior college district and each district provided for the transportation of pupils, then determine what rate of tax levied on each one hundred dollars ($100) of 90 percent of the assessed valuation of that one of such districts providing for the transportation of pupils which has the largest assessed valuation as shown by the equalized assessment roll of the district for the preceding fiscal year, hereinafter referred to in this section as computed tax rate, would, if levied, produce such amount. If the computed rate of tax is more than three cents ($0.03) he shall allow to the district (a) 50 percent of the amount which would be produced by not more than twelve cents ($0.12) of the computed tax rate less three cents ($0.03) and (b) 100 percent of the amount which would be produced by the computed tax rate in excess of twelve cents ($0.12).

(b) He shall, if such group comprises an elementary school district, and a high school district maintaining a junior college, each of which provided for the transportation of pupils, including those attending the junior college, or comprises an elementary school district, a high school district, and a junior college district, each of which provided for the transportation of pupils, then determine what rate of tax levied on each one hundred dollars ($100) of 90 percent of the assessed valuatoin of that one of such districts providing for the transportation of pupils which had the largest assessed valuation as shown by the equalized assessment roll of the district for the preceding fiscal year, hereinafter referred to in this section as computed tax rate, would, if levied, produce such amount. If the computed rate of tax is more than four cents ($0.04) he shall allow to the district (a) 50 percent of the amount which would be produced by not more than sixteen cents ($0.16) of the computed tax rate less four cents ($0.04) and (b) 100 percent of the amount which would be produced by the computed tax rate in excess of sixteen cents ($0.16).

He shall then allow to each district in the group the same ratio of the total amount computed for the group as the governing boards of the districts in the groups certify to him is the ratio the amount expended for such transportation in such district during the preceding fiscal year was of the total expenditures of all districts in the group for such transportation during the preceding fiscal year.

7017. In the case of a unified school district formed under Chapter 16 of Division 2 of this code, the formation of which became effective for all purposes on July 1, 1948, or thereafter, there shall be included in addition to the current costs of the district the cost of school busses for the first five fiscal years in which it purchases school busses determined by the Superintendent of Public Instruction to have been required because of changes in the location of schools or the reorganization of attendance centers within the district, the entire cost of such busses This paragraph shall not be effective as to any unified school district after the end of the fifth fiscal year succeeding the formation of the district.

7018. The Superintendent of Public Instruction in approving, under this article, current expenditures of school districts for the transportation of pupils shall apply the same standards and bases for such approval to expenditures for such transportation provided by a school district in school busses owned and operated by the school district and expenditures for such transportation provided by contract with a private party except that with respect to expenditures for transportation by contract with a private party, he shall make due allowance for all expenditures by the private party required of it by law and not required of a school district in connection with the operation of busses owned by the district.

7019 In the event the total amount which may be allowed under Section 7011 for allowance under this article during any fiscal year is less than the total allowances computed under this article for such fiscal year without regard to Section 7011, the amounts allowed shall be reduced in the ratio that the amount of such deficit bears to the amounts allowed.

SEC. 10 Section 7031 1 is added to said code, to read:

7031 1. With respect to any unified school district which became effective for all purposes after July 1, 1950, the foundation program for such district as computed under this article shall be increased five dollars ($5) for each unit of average daily attendance in each of the first five fiscal years of its existence for all purposes.

SEC. 11. Section 7037 of said code is repealed.

SEC. 12 Section 7037 is added to said code to read

7037 For each high school district which had an average daily attendance during the preceding fiscal year of less than 301, he shall compute, except as otherwise provided, ten thousand eighty dollars ($10,080) for the first five units; five hundred four dollars ($504) for each of the sixth to sixty-second units, inclusive; three hundred thirty dollars ($330) for the sixty-third unit; one hundred sixty-six dollars ($166) for each of the sixty-fourth to one hundred thirtieth units, inclusive; and seventy-five dollars ($75) for each of the one hundred thirty-first to the three hundredth units, inclusive.

SEC. 13 Section 7037 1 is added to said code, to read:

7037.1 For each high school district which maintained two or more high schools, he shall compute for the district an amount which shall be determined by allowing for each day high school having an average daily attendance of less than 301 the amount of which would otherwise be computed for the district under Section 7037 except that with respect to any such high school maintaining less than four years the amount computed for such high school shall be an amount determined by multiplying the number of units of average daily attendance of such high school by two hundred ten dollars ($210) or the following percentage of the amount computed under Section 7037 2, whichever amount is the larger:

(a) Fifty-five percent if the high school maintains but one year,

(b) Sixty-five percent if the high school maintains but two years, or

(c) Eighty percent if the high school maintains but three years

No computation shall be made under this section for any high school established after July 1, 1952, without the approval of the Superintendent of Public Instruction.

SEC. 14. Section 7037 2 is added to said code, to read:

7037 2. For each high school district he shall multiply the number of units of average daily attendance, exclusive of the average daily attendance of a day high school having an average daily attendance of 301 or more by two hundred ten dollars ($210)

SEC. 15 Section 7037 3 is added to said code, to read:

7037 3 The amount by which the foundation program computed under Section 7037 or Section 7037 1 for a high school district exceeds the foundation program which would have been computed for such district by multiplying the number of units of average daily attendance of such district by two hundred ten dollars ($210) shall, beginning with the Fiscal Year 1954-1955, be reduced by an amount equal to 20 percent of the amount of such excess and for each of the four succeeding fiscal years by an additional 20 percent except as to any high school district in which any one or more of the following conditions obtain:

(a) If as many as five pupils residing in the district and attending grades 9 to 12, inclusive, would be required to travel more than 30 miles one way from a point on a well-traveled road nearest their home to the nearest other public high school, or

(b) If as many as 10 pupils residing in the district and attending grades 9 to 12, inclusive, would be required to travel more than 20 miles one way from a point on a well-traveled road nearest their home to the nearest other public high school, or

(c) If as many as 40 pupils residing in the district and attending grades 9 to 12, inclusive, would be required to travel more than 15 miles one way from a point on a well-traveled road nearest their home to the nearest other public high school.

If topographical or other conditions exist in a district which would impose unusual hardships if the number of miles specified was required to be traveled or if during the fiscal year the roads which would be traveled have been impassable for more than an average of two weeks per year for the preceding five years, the governing board of the district may, on or before April 1st, request the Superintendent of Public Instruction, in writing, for an exemption from such requirements or for a reduction in the miles required. The request shall be accompanied by a statement of the conditions upon which such request is based, giving such information in such form as the Superintendent of Public Instruction may require. The Superintendent of Public Instruction shall cause an investigation to be made, and he shall either grant such request to the extent deemed necessary by him or deny the request.

SEC. 16. Section 7038 of said code is amended to read:

7038. For each junior college district he shall multiply the number of units of average daily attendance in grades 13 and 14 computed for the district under Sections [6951, 6953, and 6961] *6961, 6963, and 6971*, subject to the provisions of Section 7149, by two hundred ten dollars ($210).

SEC. 17. Section 7041 of said code is amended to read:

7041. For the purposes of this article, the Superintendent of Public Instruction shall allow, in addition to all other allowances, to the county school service fund:

[(a) Two thousand four hundred dollars ($2,400), for supervision of instruction, to the county school service fund of each county for the first three hundred or major fraction of three hundred units of average daily attendance in the aggregate in all the elementary districts of the county, including union and joint union elementary school districts, having less than three hundred units of average daily attendance during the preceding fiscal year and in the emergency schools maintained within the elementary school districts of the county by the county superintendent of schools during the preceding fiscal year. Two thousand four hundred dollars ($2,400) for supervision of instruction shall be allowed to the fund for the next three hundred or any fraction of three hundred units of average daily attendance, and two thousand four hundred dollars ($2,400) shall be allowed to the fund for each succeeding three hundred or major fraction of three hundred units of average daily attendance.

(b) Two thousand four hundred dollars ($2,400), for supervision of instruction, to the county school service fund of the county for each five hundred or major fraction of five hundred units of average daily attendance in the aggregate in all the elementary school districts of the county, including union and joint union elementary school districts having an average daily attendance of three hundred or more but less than nine hundred units of average daily attendance during the preceding fiscal year.

(c)] *(a)* For all emergency schools maintained in each elementary school district of the county by the county superintendent of schools during the preceding fiscal year, the same amount as he would compute as the foundation program of an elementary school district under Article 4 of this chapter.

[(d)] *(b) Two hundred ten dollars ($210)* [One hundred eighty-five dollars ($185)] for each unit of average daily attendance of physically handicapped pupils of secondary grade educated by the county superintendent of schools during the preceding fiscal year.

SEC. 18. Article 5.5 is added to Chapter 15 of Division 3 of said code, to read:

Article 5.5. Computation of Aid to County School Tuition Funds

7046. The Superintendent of Public Instruction shall allow to each county school tuition fund ninety dollars ($90) for each unit of average daily attendance of pupils residing in the county and attending school in an adjoining state during the preceding fiscal year.

SEC. 19. Section 7067 of said code is amended to read:

7067. He shall allow to each high school district ninety dollars ($90) for each unit of average daily attendance in the district during the preceding fiscal year as computed under Sections 6943, [6952, and 6961] *6962, and 6971*, subject to the provisions of Section 7148.

SEC. 20. Section 7075 of said code is amended to read.

7075. He shall allow to each junior college district ninety dollars ($90) for each unit of average daily attendance in grades 13 and 14 subject to the provisions of Section 7149 during the preceding fiscal year, to the district as computed for the district under Sections [6954 and 6961] *6963 and 6971*.

SEC. 20.1. Section 7081 of said code is amended to read:

7081. The Superintendent of Public Instruction shall then compute for each district described herein the amount which a tax levied on each one hundred dollars

($100) of 90 percent of the assessed valuation in such district as shown by the equalized assessment roll of the district for the preceding year would produce if levied, if such tax was:

(a) Forty-five cents ($0.45) in an elementary school district.

(b) [Thirty-two cents ($0.32)] *Forty cents ($0.40)* in a high school district.

(c) Twenty-two cents ($0.22) in a junior college district.

SEC. 21. Section 7112 of said code is amended to read:

7112. If the total amount allowed from the State School Fund to all high school districts and to all county school service funds under Articles 5, 7 and 10 of this chapter on account of the average daily attendance of pupils in high school districts and in schools or classes of high school grade maintained by county superintendents of schools is less than the total amount provided in the State School Fund on account of such average daily attendance *plus seven hundred thousand dollars ($700,000)*, minus an amount equal to the amounts allowed under Sections 7001 and 7011 on account of such average daily attendance plus one-fourth of the amount allowed under Section 7003, the balance shall be allowed by the Superintendent of Public Instruction to high school districts receiving State Equalization Aid during the then current fiscal year. The amount allowed each such district shall be in the ratio that the amount of the balance bears to the total amount computed as equalization aid for all high school districts, multiplied by the amount of equalization aid computed for the district.

SEC. 21.1 Section 7115 of said code is amended to read:

7115. If the total amount allowed from the State School Fund to all high school districts and to all county school service funds under Articles 5, 7 and 10 of this chapter on account of the average daily attendance of pupils in high school districts and in schools or classes of high school grade maintained by county superintendents of schools is larger than the total amount provided in the State School Fund on account of such average daily attendance *plus seven hundred thousand dollars ($700,000)*, minus an amount equal to the amounts allowed under Sections 7001 and 7011, on account of such average daily attendance plus one-fourth of the amount allowed under Section 7003, the amount allowed each such district as State Equalization Aid from the State School Fund shall be reduced in the ratio that the amount of the deficit bears to the total amount of equalization aid computed for all high school districts multiplied by the amount of equalization aid computed for the district.

SEC. 22. Section 7092 of said code is amended to read:

7092. The Superintendent of Public Instruction shall then compare the total of the amounts allowed to, and computed for, each high school district pursuant to Articles 7 and 9 of this chapter with the amount of the foundation program of school support computed for each such district pursuant to Article 4 of this chapter.

If the total amount allowed to, and computed for, any high school district pursuant to Articles 7 and 9 of this chapter is less than the amount of the foundation program of school support computed for such district pursuant to Article 4 of this chapter, he shall add to the amount allowed to, and computed for, such district pursuant to Articles 7 and 9 of this chapter such additional amount, to be known as state equalization aid, as may be necessary to equal that computed for such district pursuant to Article 4 of this chapter.

Notwithstanding anything in this article to the contrary, the amount computed for *any high school district under this article shall be not less than it would have* been had the foundation program of school support for such district under Article 4 of this chapter been computed by multiplying the number of units of average daily attendance in the district during the preceding fiscal year as computed under Sections 6943, [6952, and 6961] *6962, and 6971* by two hundred [ten dollars ($210)] *sixty dollars ($260)* and had the tax used in making the computation for the district under Article 9 of this chapter been [fifty cents ($0.50)] *seventy-five cents ($0.75)*.

SEC. 23. Section 7094 is added to said code, to read:

7094. No state equalization aid shall be allowed to any high school district under this article during the Fiscal Year 1951-1952 unless, during the preceding fiscal year, there shall have been levied a tax for such district in an amount equal to thirty-two cents ($0.32) or more on 90 percent of each one hundred dollars ($100) of the assessed valuation in such district as shown by the equalized assessment roll of the district for the next preceding year and no high school district which has met the requirements of this section and is otherwise entitled to state equalization aid shall be denied such aid.

SEC. 24. Section 7096 is added to said code, to read:

7096. Notwithstanding anything in this chapter to the contrary, if under Section 6907 average daily attendance of an original district is credited to an acquiring district, the amounts allowed by the Superintendent of Public Instruction as state equalization aid to the original school district and to the acquiring school district during the first fiscal year in which an apportionment is made to the acquiring school district on account of such average daily attendance, shall be the amounts computed under this section. The Superintendent of Public Instruction shall divide the total amount of state equalization aid which would have been apportioned to the original school district during said fiscal year had this section not been in effect by the units of average daily attendance of the original school district for the preceding fiscal year prior to the

crediting of any of such average daily attendance to the acquiring school district He shall allow to the original school district as state equalization aid the amount computed by multiplying the resulting quotient by the units of average daily attendance of the district for the preceding fiscal year less the units credited to the acquiring school district. He shall allow the acquiring school district as state equalization aid the amount computed by multiplying the same quotient by the units of average daily attendance credited to the district under this section.

SEC. 25. Article 11.6 is added to Chapter 15 of Division 3 of said code, to read:

Article 11.6. Apportionment for Growth

7109. The Superintendent of Public Instruction shall apportion to each school district, in addition to all other apportionments made under this division, the sums allowed as herein provided.

7109.1 The governing board of each school district shall report to the Superintendent of Public Instruction during each fiscal year, as herein provided, the average daily attendance in the regular day schools of the district for all full school months in the fiscal year during (1) the period between July 1st and December 31st, inclusive, hereinafter referred to as the "first period," (2) the period between the end of the last full school month of the first period and May 31st, inclusive, hereinafter referred to as the "second period," and (3) for each of the same periods during the preceding fiscal year. Such report with respect to the first period shall be filed with the Superintendent of Public Instruction on or before the next succeeding January 15th and with respect to the second period shall be filed with the Superintendent of Public Instruction not later than the next succeeding June 10th. Each report shall be made in such form as shall be prescribed and furnished by the Superintendent of Public Instruction.

7109.2 The Superintendent of Public Instruction shall allow, for each period referred to above, to each school district which was in existence for all purposes during the preceding fiscal year an amount which shall be computed as follows:

The average daily attendance in the regular day schools of the district during the period in the then current fiscal year and for the same period in the preceding fiscal year shall be computed in the manner prescribed in Chapter 14 of this division, except that in each case the divisor used shall bear the same ratio to the divisor required to be used under said Chapter 14 to determine the average daily attendance of the regular day schools of the district for the whole of the preceding fiscal year as the number of days the regular day schools of the district were maintained during the period bears to 175 and except that the computation of a day of attendance shall be determined according to the law in effect during said preceding fiscal year.

The Superintendent of Public Instruction shall apportion to each school district for each unit by which the average daily attendance for a period of the then current fiscal year exceeds that of the average daily attendance for the same period during the preceding fiscal year, an amount determined by dividing the total of the amounts allowed the district during the preceding fiscal year as basic state aid and state equalization aid, exclusive of amounts allowed under Section 7117, by the total average daily attendance of the district during the preceding fiscal year multiplied by the ratio of days the regular day schools of the district were maintained during said period of the then current fiscal year to 175.

7109.3. The Superintendent of Public Instruction shall allow, for each period referred to above, to each school district which was not in existence for all purposes during the preceding fiscal year an amount which shall be computed as follows:

The average daily attendance in the regular day schools of the district during the period in the then current fiscal year shall be computed in the manner prescribed in Chapter 14 of this division, except that the divisor used shall bear the same ratio which would have been required to be used under said Chapter 14 to determine the average daily attendance of the regular day schools of the district for the whole of the preceding fiscal year had such district been in existence for all purposes during the preceding fiscal year, as the number of days the regular day schools of the district were maintained during the period bears to 175 and except that the computation of a day of attendance shall be determined according to the law in effect during the preceding fiscal year.

The Superintendent of Public Instruction shall allow to each such district for each unit of average daily attendance so computed an amount determined by dividing the total of the amounts of basic state aid and state equalization aid which would have been apportioned to such district during the current fiscal year on account of such average daily attendance had such district been in existence for all purposes during the preceding fiscal year, multiplied by the ratio of days the regular day schools of the district were maintained to said period of the then current fiscal year to 175.

In making any computation under Section 7081 for the purposes of this section, the assessed valuation of the district for the current year shall be used Section 7095 is not applicable to districts coming within this section.

7109.4. For the purposes of this article all of the elementary school districts included in any union elementary school district, joint union elementary school district, or unified school district shall constitute a single elementary school district regardless of Section 7184, all of the high school districts included in any unified school district

shall constitute a single high school district, and all of the junior college districts included in any unified school district shall constitute a single junior college district.

7109.5. The apportionment made on account of the first period shall be made not later than the next succeeding February 15th; the apportionment made on account of the second period shall be made not later than the next succeeding June 30th.

7109.6. The Superintendent of Public Instruction shall furnish an abstract of the apportionments made under this article to the State Controller, the Department of Finance, and to the county and city and county auditors, county and city and county treasurers, and county superintendents of schools of the several counties of the State having jurisdiction over the districts to which such apportionments are made.

7109.7. The Superintendent of Public Instruction shall certify each apportionment made by him under this article to the State Controller who shall draw his warrants during the fiscal year on the State School Fund in favor of the treasurer of the county having jurisdiction over the district for the amount of such apportionment.

7109.8. All money received by the treasurer of any county from an apportionment made under this article shall be immediately credited by the treasurer to the general fund of the district exactly as apportioned by the Superintendent of Public Instruction.

SEC. 26. The heading of Article 12 of Chapter 15 of Division 3 of said code is amended to read:

Article 12. [Computation and Apportionment of State Equalization Balance]
Re-computation of Allowances

SEC. 27. Section 7117 is added to said code, to read:

7117. In addition to any and all other amounts allowed under this chapter, the Superintendent of Public Instruction shall allow to:

(a) Each elementary and high school district an amount equal to ten percent of the state equalization aid computed for the district.

(b) For each unit of average daily attendance in the district during the preceding fiscal year an amount equal to the quotient derived by dividing one million eight hundred thousand dollars ($1,800,000) by the total average daily attendance in all school districts during the preceding fiscal year, or one dollar ($1), whichever is the lesser.

SEC. 27. Section 7125 of said code is amended to read:

7125. The Superintendent of Public Instruction shall apportion to the county high school tuition fund of each county the amount required to be allowed thereto by Section [7011] *7046*.

SEC. 28. Article 1 is added to Chapter 16 of Division 3 of said code, to read:

Article 1. County School Service Fund

7201. There is hereby established in the treasury of each county the "county school service fund."

7202. Wherever any of the terms "unapportioned county elementary school fund," "county elementary school supervision fund," or "unapportioned county high school fund" are used in this code or in any other law, said term shall be deemed to refer to and mean the "county school service fund" established by this chapter.

7203. *During July or August of each year the county superintendent of schools* shall transfer to the county school service fund 80 percent of any excessive balance or unnecessary surplus in any school fund of any elementary school district. Funds raised by school district taxes shall not be transferred.

7204. The county auditor of any county, receiving money from the Government of the United States pursuant to any act of Congress providing for the distribution and payment to states and territories of a fixed and definite percentage of the money received by the Government of the United States from the forest reserves established therein, shall apportion 50 percent of the money received to the credit of the county school service fund of the county.

The money thus added to the county school service fund shall be apportioned by the county superintendent of schools in the same manner as other county school service fund money, except that all or any portion of the money thus apportioned to the credit of the county school service fund shall upon the request of the county superintendent of schools be transferred to the forest reserve school fund, which shall be used by the county superintendent of schools for the benefit of school districts of the county lying within or adjacent to the United States Forest Reserve. The fund is available for any purpose for which county funds may be spent.

7205. The county school service fund shall be employed by the county superintendent of schools to pay such charges against the fund as are provided in this code; and to provide with the approval of the county board of education (a) additional apportionments to any school district under his jurisdiction for current expenses which (1) has levied the maximum district tax specified in Section 6357 and in which the annual average current cost per pupil does not exceed the annual average current cost per pupil for all districts of the same type within the county or under the jurisdiction of the county superintendent of schools, or (2) which needs additional apportionments for current expenses because of temporary emergency conditions, and (b) additional

apportionments to any school district under his jurisdiction for the transportation of pupils to and from school to meet temporary emergency conditions.

7206 The county superintendent of schools may :

(a) With the approval of the county board of education provide advisory services in school business administration, in maintenance of school buildings and grounds, and in the processing of special problems concerning credentials as designated by the State Department of Education.

(b) Pay actual and necessary travel expenses incurred, in connection with curricular and special services, by the county superintendent of schools, or by his designated staff members in accordance with regulations established by the Superintendent of Public Instruction

The costs incurred under this section shall be paid out of the county school service fund.

7207. The county superintendent of schools shall, except as otherwise provided by this code, expend from the county school service fund all amounts apportioned to said fund for supervision of instruction, exclusively for the payment of the salaries and necessary expenses of supervisors to supervise instruction in the elementary school districts of the county having less than 900 units of average daily attendance during the next preceding fiscal year, and in any other elementary school districts of the county the governing board of which requests him to supervise instruction in the schools of such district, and for the furnishing of such clerical help, supplies, and equipment to the supervisors as the county superintendent of schools deems necessary. In the event of the inability of the county superintendent of schools to use such amounts advantageously during any fiscal year, the unexpended portion of such amounts may be used for other purposes of the county school service fund

7208 No moneys shall be expended from the county school service fund for any purpose in excess of the total proposed expenditures for such purpose as approved by the Superintendent of Public Instruction under Section 7001, without the approval of the Superintendent of Public Instruction

SEC 30. It is the intent of the Legislature in enacting this act to continue in effect Chapters 2, 12, 13, 14, 15, and 16 of Division 3, and Sections 8761, 8704, and 9645, of the Education Code as the same are now in effect except as said chapters or any article or articles, section or sections included therein, or the sections named herein, may be amended, added, repealed, added to, or otherwise affected by this act or any other act enacted by the 1951 Regular Session of the Legislature

SEC. 31. This act shall remain in effect until July 1, 1953.

SEC. 32 This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect, to become operative July 1, 1951. A statement of the facts constituting such necessity is as follows:

The existing law providing for the apportionment of the State School Fund for the support of the public kindergarten schools, elementary schools, and secondary schools, will, because of Section 10 of Chapter 74, Statutes 1950 First Extraordinary Session, remain in effect only until July 1, 1951 It is essential that provision be made for the support of such schools beginning July 1, 1951, and it is therefore necessary that this act take effect immediately "

Amendment No. 3

On page 1 of said bill, as amended, strike out lines 2 to 14, inclusive; and strik out pages 2 to 27, inclusive.

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 1985 by the following vote:

AYES—Babbage, Beck, Geddes, Hagen, Stanley, and Tomlinson—6

NOES—Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D Collins, Connolly, Conrad, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rumford, Sherwin, Silliman, and Smith—54.

Appointment of Committee on Conference Concerning Assembly Bill No. 1985

The Speaker announced the appointment of Messrs. Geddes, Kirkwood, and Beck as a Committee on Conference concerning Assembly Bill No. 1985.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Dilworth, Weybret, and Hulse as a Committee on Conference concerning:

Assembly Bill No. 2061—An act to continue in effect Sections 1, 2, 3, 4, 6, 7, 8, 8.5, 8.6, 9 and 11.5 of an act entitled "An act to repeal Section 10 of an act entitled, 'An act to repeal Chapters 2, 3, 4, 12, 13, 13.5, 13.6, 14, 15, 15.5, 16, and 16.5 of the Education Code; to add Chapters 2, 12, 13, 14, 15, and 16 to said code; to amend Section 8761 of said code; and to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately,' approved May 28, 1947 (Chapter 401, Statutes of 1947), to provide for the continuance in effect of an act entitled 'An act to amend Section 10 of an act entitled "An act to repeal Chapters 2, 3, 4, 12, 13, 13.5, 13.6, 14, 15, 15.5, 16, and 16.5 of the Education Code; to add Chapters 2, 12, 13, 14, 15, and 16 to said code; to amend Section 8761 of said code; and to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately," approved May 28, 1947 (Chapter 401, Statutes of 1947); to repeal Sections 6713, 7039, 7052, 7064, 7068, 7117, 7126, 7128, and 7147 of the Education Code; to repeal Article 4 of Chapter 13, and Article 6 of Chapter 14, of Division 3 of said code; to add Article 4 to Chapter 13, Article 6 to Chapter 14, and Articles 1 and 13.5 to Chapter 15, of Division 3 of said code; to add Sections 5157, 6408, 7126, 7132, and 7151 to said code; to amend the headings of Articles 1 and 13 of Chapter 15 of Division 3 of said code; and to amend Sections 5152, 5153, 5156, 6703, 6714, 6812, 7002, 7012, 7023, 7032, 7033, 7034, 7035, 7036, 7037, 7038, 7041, 7061, 7062, 7063, 7067, 7081, 7091, 7092, 7094, 7095, 7101, 7103, 7111, 7112, 7113, 7114, 7115, 7116, 7121, 7122, 7124, 7130, 7146, 7146.1, 7148, 7149, 7150, 7208, 7231, and 9645 of said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately,' approved July 20, 1949 (Chapted 1017, Statutes of 1949) except Section 1 thereof; to repeal Sections 6714 and 7094 of the Education Code; to add Sections 5153.3 and 6904 to said code; and to amend Sections 7091, 7092, 7095, 7113, 7116, and 6951 of said code, to repeal Articles 2 and 3 of Chapter 15, Division 3 of said code and to add Articles 2 and 11.6 to Chapter 15, Division 3 of said code all relating to the Public School System," approved May 5, 1950 (Chapter 74, Statutes 1950 First Extraordinary Session); to repeal Sections 2.5, 5, 10, 12, and 13 of said act; to repeal Sections 5153.3, 6812 and 7091 of the Education Code; to repeal Articles 2, 3 and 11.6 of Chapter 15 of Division 3 of said code; to add Sections 5153.3, 6812 and 7091 to said code; and to add Articles 2 and 11.6 to Chapter 15 of Division 3 of said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

MOTION TO PASS SENATE THIRD READING FILE TEMPORARILY UNTIL CONSIDERATION OF SENATE AMENDMENTS COMPLETED

Mr. Silliman moved that no Senate bills be considered until the consideration of Senate amendments to Assembly bills is as fully completed as possible.

Mr. Lowrey seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Belotti, Berry, Brown, Burke, Burkhalter, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Davis, Dills, Dolwig, Doyle, Evans, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lindsay, Lipscomb, Lowrey, Lyon, McFall, McGee, McMillan, Meyers, Morris, Munnell, Parker, Rumford, Shaw, Sherwin, Silliman, Stanley, Tomlinson, and Waters—47.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2034

Mr. Caldecott asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2034, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2034—An act to add Division 3 to Title 5 of the Government Code constituting the Community Services District Law, providing for the formation of community services districts in unincorporated territory, for the purposes, powers, management and government of such districts; authorizing such districts to incur bonded indebtedness for the purpose of constructing and acquiring works and property and to levy and collect taxes to pay the principal and interest on bonds and for other purposes of such districts; imposing certain duties and functions in connection with such districts upon certain county officers; and providing methods of annexation to and dissolution of such districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2034?

Amendment No. 1

On page 9, line 7, of the printed bill, as amended in the Assembly on June 15, 1951, after "has", insert "not".

Amendment No. 2

On page 9, line 47, of said bill, as amended, strike out "4", and insert "3".

Amendment No. 3

On page 11, line 36, of said bill, as amended, strike out "may impose".

Amendment No. 4

On page 20, line 35, of said bill, as amended, strike out "in", and insert "not".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2034 by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Gaffney, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Thomas, Tomlinson, and Waters—57.

NOES—None.

Assembly Bill No. 2034 ordered enrolled.

Explanation of Vote

I was absent from the Assembly Chambers on legislative business during the vote taken on concurrence in Senate amendments to Assembly Bill 2034 (Caldecott). Were I present at the time, I would have cast an "Aye" vote.

FRANK LANTERMAN

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2290

Mr. Davis asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2290, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2290—An act to amend Section 737y of the Political Code, relating to the compensation of superior judges in and for the County of Modoc.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 2290?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 18, 1951, strike out "Section 737y of the Political Code", and insert "Sections 79.18 and 79.25 of the Code of Civil Procedure".

Amendment No. 2

In lines 2 and 3 of the title of said bill, as amended, strike out "in and for the County of Modoc".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets

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Amendment No. 3

On page 1 of said bill, as amended, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. Section 79 18 of the Code of Civil Procedure is amended to read

79 18. The annual salary of the judge of the Superior Court in and for the County of Lassen is [nine thousand two hundred fifty dollars ($9,250)] *ten thousand dollars ($10,000)*.

SEC. 2. Section 79 25 of said code is amended to read:

79 25. The annual salary of the judge of the Superior Court in and for the County of Modoc is [eight thousand five hundred dollars ($8,500)] *nine thousand five hundred dollars ($9,500)*."

Amendment No. 4

In line 3 of the title of the printed bill as amended in the Senate on June 21, 1951, strike out ", relating to the compensation of superior judges", and insert "and to amend Section 28122 of the Government Code, relating to compensation for public services in counties".

Amendment No. 5

On page 1 of said bill, as amended, after line 15, insert

"SEC. 3. Section 28122 of the Government Code is amended to read:

28122. In a county of the twenty-second class the following shall receive as compensation for the services required of them by law or by virtue of their offices the following sums:

(a) The auditor, six thousand nine hundred dollars ($6,900) a year.

(b) The district attorney, [eight thousand dollars ($8,000)] *ten thousand dollars ($10,000)* a year. He shall devote his entire time to the duties of his office and shall not engage in private law practice during his term of office.

(c) Each supervisor, two hundred dollars ($200) a month and eight cents ($0 08) for each mile necessarily and actually traveled in attending meetings of the board or in the discharge of county business within the county.

Each supervisor shall be allowed his actual and necessary expenses incurred while traveling to and from the annual convention of the supervisor's association, not to exceed fifty dollars ($50) for each in any one year.

(d) Grand and trial jurors, five dollars ($5) per day

The compensation provided for by this section shall be payable to incumbent officers

SEC. ½. If it is not legally competent to pay the compensation provided by this act to incumbent officers on the effective date of this act, such increase in compensation shall, nevertheless, be payable to the officers designated in this act as soon as it is legally competent to do so."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2290 by the following vote:

AYES—Babbage, Belotti, Brady, Brown, Burke, Burkhalter, Chapel, Coats, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Elliott, Fleury, Gaffney, Grant, Hagen, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, Meyers, Morris, Nicholse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Thomas, and Tomlinson—48

NOES—None

Assembly Bill No. 2290 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2836

Mr. Lowrey asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2836, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2836—An act to amend Section 6219 of, and to add Section 6219.1 to, the Public Resources Code, relating to the index to land owned by the State.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2836?

Amendment No. 1

On page 1, line 24, of the printed bill, as amended in the Assembly on June 15, 1951, strike out "annually", and insert ", beginning January 1, 1952 and each five years thereafter,".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2836 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Thomas, and Tomlinson—60.

NOES—None.

Assembly Bill No. 2836 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1376

Mr. Brown asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 1376, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1376—An act providing for the constitution of municipal courts in districts in Stanislaus County other than the district embracing the City of Modesto, and prescribing the number and compensation of the judges, officers and attaches thereof.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1376?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on June 13, 1951, strike out line 8, and insert

"(2) There shall be one clerk, who shall receive a minimum salary of two hundred ninety dollars ($290) monthly with annual increments of fourteen dollars ($14), fourteen dollars ($14), fifteen dollars ($15) and sixteen dollars ($16) to a maximum of three hundred forty-nine dollars ($349) monthly and who may appoint the following:

One deputy clerk, who shall be a court clerk and who shall receive a minimum salary of two hundred forty-two dollars ($242) monthly, with annual increments of eleven dollars ($11), twelve dollars ($12), twelve dollars ($12) and thirteen dollars ($13) to a maximum of two hundred ninety dollars ($290) monthly;

Two deputy clerks, who shall receive a minimum salary of two hundred two dollars ($202) monthly, with annual increments of nine dollars ($9), ten dollars ($10), ten dollars ($10) and eleven dollars ($11) to a maximum of two hundred forty-two dollars ($242) monthly;

(3) There shall be one marshal, who shall receive a minimum salary of two hundred ninety dollars ($290) monthly, with annual increments of fourteen dollars ($14), fourteen dollars ($14), fifteen dollars ($15) and sixteen dollars ($16) to a maximum of three hundred forty-nine dollars ($349) monthly and who may appoint the following.

One deputy marshal, who shall receive a minimum salary of two hundred forty-two dollars ($242) monthly, with annual increments of eleven dollars ($11), twelve

dollars ($12), twelve dollars ($12) and thirteen dollars ($13) to a maximum of two hundred ninety dollars ($290) monthly;

Two deputy marshals (custodians), at the fee allowable by law for keeping property."

Amendment No. 2

On page 1 of said bill, as amended, strike out lines 9 to 20, inclusive; and strike out lines 1 to 10, inclusive, on page 2.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1376 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCollister, McFall, McGee, Meyers, Moss, Munnell, Niehouse, Rumford, Shaw, Sherwin, Silliman, Stanley, Thomas, and Tomlinson—55.

NOES—None.

Assembly Bill No. 1376 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 3453

Mr. Morris asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 3453, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 3453—An act to provide for the sale of a parcel of land under the control of the State Park Commission.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3453?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on June 8, 1951, strike out "a parcel of land under the con-"; and strike out line 2, and insert "certain state property, and providing for the disposition of the proceeds thereof."

Amendment No. 2

On page 1, line 9, of said bill, as amended, strike out "SEC. 2."

Amendment No. 3

On page 1 of said bill, as amended, between lines 10 and 11, insert

"SEC. 2 The Director of Finance, with the approval of the Director of the Youth Authority, is authorized to sell that certain real property in Ventura County known as the Ventura School for Girls.

The proceeds of the sale shall be deposited in the Capital Outlay and Savings Fund."

Amendment No. 4

On page 1, line 12, of said bill, as amended, strike out "by the Director of Finance".

Amendment No. 5

On page 1, line 1, of the printed bill, as amended in Senate June 16, 1951, strike out "is authorized to", and insert "may".

Amendment No. 6

On page 1, line 10, of said bill, as amended, strike out "State Beach Fund", and insert "California State Park Fund of 1927".

Amendment No. 7

On page 1, line 12, of said bill, as amended, after "sell", insert "any part or all of".

Amendment No. 8

On page 1, line 7, of the printed bill, as amended in the Senate on June 20, 1951, after "California", insert quotation marks.

Amendment No. 9

On page 1 of said bill, as amended, strike out all of lines 11 to 16, inclusive.

Amendment No. 10

On page 1, line 17, of said bill, as amended, strike out "3", and insert "2".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3453 by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Burkhalter, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, and Tomlinson—58.

NOES—None.

Assembly Bill No. 3453 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2946

Mrs. Niehouse asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2946, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2946—An act making an appropriation for the purchase of property adjacent to the campus of San Diego State College.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2946?

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Assembly on May 8, 1951, strike out ", without regard to fiscal years".

Amendment No. 2

On page 1, line 4, of said bill, as amended, after "purchase", insert "during the 1951-52 Fiscal Year, subject to the Property Acquisition Act,".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2946 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—64.

NOES—None.

Assembly Bill No. 2946 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2924

Mr. Grunsky asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2924, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2924—An act to amend an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by electors November 7, 1922, by amending Sections 1, 3, 10, 12, and 15, adding Section 10.5, and repealing Section 8 thereof, relating to the State Board of Chiropractic Examiners and the practice of chiropractic, said amendment to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2924?

Amendment No. 1

On page 5 of the printed bill, as amended in the Assembly on June 7, 1951, strike out all of lines 3 to 11, inclusive.

Amendment No. 2

In line 7 of the title of the printed bill, as amended in the Assembly on June 7, 1951, after the first comma, insert "2,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 2 of said bill, between lines 13 and 14, insert

"SEC. 1.5. Section 2 of said act is amended to read:

Sec. 2. Within 60 days of the date upon which [this act] *the latest amendment to this section* takes effect, the Governor shall appoint [the] *two additional* members of the board. Of the members [first appointed, one shall be appointed for a term of one year, two for two years, and two for three years.] *so appointed, one shall be appointed for a term expiring February 10, 1954, and the other for a term expiring February 10, 1955. The terms with respect to members of the board, which terms are in existence on the date the latest amendment to this section takes effect, shall expire as if this section had not been amended, that is, two on February 10, 1953, one on February 10, 1954, and two on February 10, 1955.* Thereafter, each appointment shall be for the term of three years, except that an appointment to fill a vacancy shall be for the unexpired term only. Each member shall serve until his successor has been appointed and qualified. The Governor may remove a member from the board after receiving sufficient proof of the inability or misconduct of said member."

Amendment No. 4

On page 3 of said bill, between lines 36 and 37, insert

"(c) All licenses granted under this act shall be renewed annually. The issuance of such renewal licenses shall be contingent upon submission of evidence satisfactory to the board, of the applicant having completed at least sixteen hours of postgraduate studies within the previous year."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2924 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Waters—60.

NOES—None.

Assembly Bill No. 2924 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 453

Mr. Crowley asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No 453, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 453—An act to amend Section 20975 of the Education Code, relating to visiting teachers for blind children, and making an appropriation therefor.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 453?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on March 29, 1951, strike out lines 1, 2, and 3 of the title, and insert "An act making an appropriation for support of the California School for the Blind."

Amendment No. 2

On page 1 of said bill, as amended, strike out all of lines 1 to 14, inclusive.

Amendment No. 3

On page 1, line 15, of said bill, as amended, strike out "SEC 2", and insert "SECTION 1."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 453 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloved, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Niehouse, Parker, Porter, Rumford, Sherwin, Smith, Stanley, Thomas, Tomlinson, and Waters—60.

NOES—None.

Assembly Bill No. 453 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2712

Mr. Dickey asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2712, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2712—An act relating to protection of quality of underground waters, and making an appropriation.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2712?

Amendment No. 1

On page 1, line 1, of the printed bill, as amended in the Assembly on June 12, 1951, strike out "one million one", and insert "seven".

Amendment No. 2

On page 1, line 2, of said bill, as amended, strike out "($1,150,000)", and insert "($750,000)".

Amendment No. 3

On page 1, line 7, of said bill, as amended, strike out "for allocation"; and strike out lines 8 to 23, inclusive.

Amendment No. 4

On page 2 of said bill, as amended, strike out lines 1 to 13, inclusive; and in line 14, strike out "the State Engineer,".

Amendment No. 5

On page 2 of said bill, as amended, strike out lines 27 to 35, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2712 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Silliman, Smith, Stanley, Thomas, and Tomlinson—64.

NOES—None.

Assembly Bill No. 2712 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 3205

Mr. Hagen asked for, and was granted, unanimous consent to consider Senate amendment to Assembly Bill No. 3205, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 3205—An act relating to conservation, particularly of the species Sequoia gigantea.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 3205?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on June 8, 1951, between lines 10 and 11, insert

"Nothing in this act shall be construed as establishing a policy to acquire any such Sequoia gigantea groves for preservation and conservation out of any money in the State Park Fund available for acquisition of land for park purposes under the provisions of Chapter 1422, Statutes of 1945."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 3205 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Tomlinson, and Waters—61.

NOES—None.

Assembly Bill No. 3205 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2022

Mr. Lindsay asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2022, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2022—An act to repeal Division 9 of, and to add Division 9 to, the Public Resources Code, relating to soil conservation, prescribing the duties and functions of the State Soil Conservation Commission, and regulating the organization, operations, finances, and

functions of soil conservation districts and providing for the discontinuance or change in boundaries of such districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2022?

Amendment No. 1

On page 25, line 12, of the printed bill, as amended in the Assembly on May 28, 1951, after "improvements", insert "and mineral rights".

Amendment No. 2

On page 6 of the printed bill, as amended in the Senate on June 20, 1951, strike out all of lines 10 to 15, inclusive, and insert "January 1, 1954"

Amendment No. 3

On page 6 of said bill, as amended, between lines 20 and 21, insert

"Any equipment not purchased or held by the commission shall be sold prior to November 1, 1953, by the Department of Finance for the best price obtainable in cooperation with the State Soil Conservation Commission. Funds received from the sale of such property and equipment shall be used first to pay any amounts due the State Soil Conservation Commission on account of that property and equipment by reason of either a cash loan or rental agreement, second to pay any amounts due the State for loans made available by the Department of Finance, and any balance shall be available for expenditure for district purposes."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2022 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Doyle, Elliott, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Thomas, and Tomlinson—56.

NOES—None.

Assembly Bill No. 2022 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 3011

Mr. Silliman asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 3011, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 3011—An act to amend Sections 19360 and 19361 of the Government Code, relating to state employment, in respect to transfers.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3011?

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on June 8, 1951, strike out "Sections 19360 and 19361", and insert "Section 19360".

Amendment No. 2

On page 2 of said bill, as amended, strike out lines 1 to 17, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3011 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Davis, Dickey, Dills,

Doyle, Elliott, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Waters—61.

NOES—None.

Assembly Bill No. 3011 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER REPORT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 399

Mr. Lindsay asked for, and was granted, unanimous consent to consider the report of the Committee on Conference concerning Senate Bill No. 399, without reference to file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR SPEAKER The Committee on Conference concerning:

Senate Bill No. 399—An act to amend Section 2110 of the Streets and Highways Code, relating to apportionments to counties payable from the Highway Users Tax Fund;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows

Amendment No. 1

On page 1, line 8, of the printed bill, as amended in the Assembly on June 15, 1951, strike out "47", and insert "44".

Amendment No. 2

On page 1, line 9, of said bill, strike out "52", and insert "49".

Amendment No. 3

On page 1 of said bill, between lines 9 and 10, insert

"Calaveras. ---------- 1 65 percent,"

Amendment No. 4

On page 1, line 10, of said bill, strike out "1 99", and insert "1 88".

Amendment No. 5

On page 1, line 11, of said bill, strike out "1 61", and insert "1.52".

Amendment No. 6

On page 1, line 12, of said bill, strike out "6.72", and insert "6.36".

Amendment No. 7

On page 1, line 13, of said bill, strike out "4 14", and insert "3 92".

Amendment No. 8

On page 1, line 14, of said bill, strike out "1.00", and insert ".95".

Amendment No. 9

On page 1, line 15, of said bill, strike out "6 03", and insert "5 70".

Amendment No. 10

On page 1, line 16, of said bill, strike out "3 26", and insert "3.08".

Amendment No. 11

On page 1, line 17, of said bill, strike out "8 26", and insert "7.82".

Amendment No. 12

On page 1, line 18, of said bill, strike out "8.33", and insert "7.89".

Amendment No. 13

On page 1, line 19, of said bill, strike out "12.70", and insert "12.01".

Amendment No. 14

On page 1, line 20, of said bill, strike out "3 29", and insert "3 11".

Amendment No. 15

On page 1 of said bill, between lines 20 and 21, insert
"San Diego, ---------- 3.76 percent;".

Amendment No. 16

On page 1, line 21, of said bill, strike out "10.85", and insert "10 26".

Amendment No. 17

On page 1, line 22, of said bill, strike out "6.72", and insert "6 35".

Amendment No. 18

On page 1, line 23, of said bill, strike out "17 17", and insert "16 24".

Amendment No. 19

On page 1, line 24, of said bill, strike out "2 10", and insert "1 99".

Amendment No. 20

On page 1, line 25, of said bill, strike out "4.84", and insert "4 58".

COLLIER	LUCKEL
MAYO	DAVIS
DILWORTH	LINDSAY
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Elliott, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Thomas, and Tomlinson—62.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER REPORT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 2882

Mr. Caldecott asked for, and was granted, unanimous consent to consider the report of the Committee on Conference concerning Assembly Bill No. 2882, without reference to file

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 2882—An act to add Section 14011 and Chapter 6 to Part 1 of Division 3 of Title 2 of the Government Code, to amend Sections 12001, 12100, 12150, 12300, 12302, 12400, 13002, 14002, 15003, 15603, and 18650 of said code, to amend Section 21 of the Agricultural Code, to amend Sections 213 and 230 of the Banking Code, to amend Sections 151, 6512, 7011, 10055, 18626.5 and 19433 of the Business and Professions Code, to amend Section 25301 of the Corporations Code, to amend Sections 141, 144.2, 20924, and 22003 of the Education Code, to amend Sections 213, 230, and 5201 of the Financial Code, to amend Section 10 of the Fish and Game Code, to amend Section 1732.6 of the Harbors and Navigation Code, to amend Sections 107.5 and 13101 of the Health and Safety Code, to amend Section 12902 of the Insurance Code, to amend Sections 51, 70.5, 77.5, 80, 123, and 112 of the Labor Code, to amend Section 76 of the Military and Veterans Code, to amend Sections 5051 and 5076 of the Penal Code, to amend Section 3700 of the Political Code, to amend Section 501 of the Public Resources Code, to amend Section 304 of the Public Utilities Code, to amend Section 52 of the Streets and Highways Code, to amend Sections 105, 109 and 139.08 of the Vehicle Code, to amend Sections 130, 152, 1722 and 1723 of the Welfare and Institutions Code, to amend Section 10 of the Public Utilities Act, to amend Section 3 of the State Aeronautics Commission Act, to amend Sections 76 and 77 of the Unemployment Insurance Act, to amend Section

2 of an act entitled "An act to create the Franchise Tax Board, prescribing its powers, duties, jurisdictions, purposes, and functions and abolishing the Office of Franchise Tax Commissioner," approved July 25, 1949; to amend Section 2 of an act entitled "An act to provide for the salaries and expenses of the Building and Loan Commissioner, his attorney, deputies, examiners, accountants, appraisers and other assistants; to provide for the disposition of moneys in the 'Building and Loan Inspection Fund' created by Chapter 354 of the Statutes of 1911, as amended; and of moneys collected under the Building and Loan Association Act; and otherwise relating to the Building and Loan Commissioner, his assistants and employees, and to the regulation of building and loan associations," approved June 12, 1931, relating to the salaries of state officers;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on June 20, 1951, strike out "Section 14011 and".

Amendment No. 2

In lines 5 and 6 of the title of said bill, strike out "to amend Sections 213 and 230 of the Banking Code,".

Amendment No. 3

In line 18 of the title of said bill, strike out "to amend Section 3700 of the Political Code,".

Amendment No. 4

In line 24 of the title of said bill, strike out "to amend Section 10 of the Public Utilities"; strike out all of line 25 of the title; and in line 26 of the title, strike out "mission Act,".

Amendment No. 5

In line 31 of the title of said bill, strike out "to amend Section 2"; and strike out all of lines 32 to 41, inclusive, of the title.

Amendment No. 6

On page 2, line 6, of said bill, strike out "Maximum".

Amendment No. 7

On page 2, line 8, of said bill, strike out "A maximum", and insert "An annual".

Amendment No. 8

On page 2 of said bill, between lines 10 and 11, insert

"11551. An annual salary of sixteen thousand dollars ($16,000) shall be paid to each of the following:

(a) Director of Public Works.

(b) Director of Mental Hygiene.

(c) State Controller."

Amendment No. 9

On page 2, line 11, of said bill, strike out "11550.5. A maximum", and insert "11552. An".

Amendment No. 10

On page 2 of said bill, strike out lines 16 to 18, inclusive.

Amendment No. 11

On page 2, line 19, of said bill, strike out "(e)" and insert "(b)".

Amendment No. 12

On page 2, line 20, of said bill, strike out "(g)", and insert "(c)".

Amendment No. 13

On page 2 of said bill, strike out line 21, and insert

"11553 An annual salary of fourteen thousand five hundred dollars ($14,500) shall be paid to each of the following:

(a) Chief of the Division of Public Employment Offices and Benefit Payments"

Amendment No. 14

On page 2, line 22, of said bill, strike out "11551. A maximum", and insert "11554. An".

Amendment No. 15

On page 3 of said bill, strike out line 1, and insert
"(g) Each member of the Public Utilities Commission."

Amendment No. 16

On page 3 of said bill, between lines 2 and 3, insert
"(i) Director of Corrections.
(j) Director of Agriculture."

Amendment No. 17

On page 3, line 3, of said bill, strike out "11552. A maximum", and insert "11555. An".

Amendment No. 18

On page 3 of said bill, strike out lines 5 to 7, inclusive, and insert
"(a) Director of Social Welfare.
(b) Director of Motor Vehicles."

Amendment No. 19

On page 3 of said bill, between lines 8 and 9, insert
"(d) Director of Youth Authority.
(e) Chief of the Division of Accounts and Tax Collections.
(f) Director of the Department of Fish and Game."

Amendment No. 20

On page 3, line 9, of said bill, strike out "11553. A maximum", and insert "11556. An".

Amendment No. 21

On page 3 of said bill, strike out line 11.

Amendment No. 22

On page 3, line 12, of said bill, strike out "(b)", and insert "(a)".

Amendment No. 23

On page 3 of said bill, strike out lines 13 to 21, inclusive, and insert
"(b) Each member of the Adult Authority.
(c) Each member of the Youth Authority."

Amendment No. 24

On page 3, line 22, of said bill, strike out "(h)", and insert "(d)".

Amendment No. 25

On page 3, line 24, of said bill, strike out "(i)", and insert "(e)".

Amendment No. 26

On page 3, line 25, of said bill, strike out "(j)", and insert "(f)".

Amendment No. 27

On page 3, line 27, of said bill, strike out "(k)", and insert "(g)".

Amendment No. 28

On page 3, line 28, of said bill, strike out "(*l*)", and insert "(h)".

Amendment No. 29

On page 3, line 29, of said bill, strike out "(n)", and insert "(i)".

Amendment No. 30

On page 3, line 30, of said bill, strike out "(o)", and insert "(j)".

Amendment No. 31

On page 3, line 31, of said bill, strike out "11554 A maximum", and insert "11557. An".

Amendment No. 32

On page 3 of said bill, strike out lines 34 to 38, inclusive, and insert
"(b) Each member of the Industrial Accident Commission
(c) Labor Commissioner."

Amendment No. 33

On page 3, line 39, of said bill, strike out "11555. A maximum", and insert "11558. An".

Amendment No. 34

On page 3 of said bill, strike out lines 41 to 52, inclusive, and insert "(a) Chief of the Division of Industrial Safety."

Amendment No. 35

On page 4, line 1, of said bill, strike out "(1)", and insert "(b)".

Amendment No. 36

On page 4, line 2, of said bill, strike out "(j)", and insert "(c)".

Amendment No. 37

On page 4 of said bill, strike out line 3, and insert
"(d) Secretary of the State Athletic Commission
(e) Secretary of the *California Horse Racing Board.*
(f) Deputy State Treasurer."

Amendment No. 38

On page 4, line 4, of said bill, strike out "(1)", and insert (g)".

Amendment No. 39

On page 4, line 6, of said bill, strike out "(p)", and insert "(h)".

Amendment No. 40

On page 4 of said bill, strike out lines 7 to 20, inclusive, and insert "11559. An annual salary of five thousand four hundred dollars ($5,400) shall be paid to each of the following:".

Amendment No. 41

On page 4 of said bill, strike out lines 23 and 24, and insert "11560. An annual salary of four thousand eight hundred dollars ($4,800) shall be paid to each of the following:".

Amendment No. 42

On page 4, line 27, of said bill, strike out "Maximum".

Amendment No. 43

On page 4, line 29, of said bill, strike out "maximum".

Amendment No. 44

On page 4, line 35, of said bill, strike out "maximum".

Amendment No. 45

On page 5 of said bill, strike out lines 23 to 30, inclusive, and insert "appoint and fix the salaries, subject to the provisions of the State Civil Service Act, of such officers and employees as may be necessary to carry out the duties of his office. The Treasurer may appoint as civil executive officers, one cashier, one bond officer, one deposit officer, one vault officer, one principal accountant, one bookkeeper, and one secretary-stenographer."

Amendment No. 46

On page 6 of said bill, strike out lines 1 to 6, inclusive.

Amendment No. 47

On page 6 of said bill, strike out lines 41 to 52, inclusive.

Amendment No. 48

On page 7, line 1, of said bill, strike out "SEC. 16", and insert "SEC. 14."

Amendment No. 49

On page 7, line 11, of said bill, strike out "SEC. 17.", and insert "SEC. 15."

Amendment No. 50

On page 7, line 20, of said bill, strike out "SEC. 18.", and insert "SEC. 16."

Amendment No. 51

On page 7, line 35, of said bill, strike out "SEC 19.", and insert "SEC. 17."

Amendment No. 52

On page 7, line 45, of said bill, strike out "SEC. 20.", and insert "SEC. 18."

Amendment No. 53

On page 7 of said bill, strike out lines 49 to 51, inclusive, and insert "shall receive the annual salary provided for by Chapter 6 of Part 1 of Division 3 of Title 2 of the Government Code."

Amendment No. 54

On page 8, line 1, of said bill, strike out "SEC. 21.", and insert "SEC. 19."

Amendment No. 55

On page 8 of said bill, strike out lines 5 to 8, inclusive, and insert "the annual salary provided for by Chapter 6 of Part 1 of Division 3 of Title 2 of the Government Code."

Amendment No. 56

On page 8, line 9, of said bill, strike out "SEC. 22.", and insert "SEC. 20."

Amendment No. 57

On page 8, line 16, of said bill, strike out "SEC 23.", and insert "SEC. 21."

Amendment No. 58

On page 8, line 22, of said bill, strike out "SEC. 24.", and insert "SEC. 22."

Amendment No. 59

On page 8 of said bill, strike out lines 28 and 29, and insert "shall be fixed by the Superintendent of Public Instruction with the approval of the Director of Finance."

Amendment No. 60

On page 8, line 30, of said bill, strike out "SEC. 25.", and insert "SEC. 23."

Amendment No. 61

On page 8, line 48, of said bill, strike out "SEC. 26.", and insert "SEC. 24."

Amendment No. 62

On page 9, line 4, of said bill, strike out "SEC. 27.", and insert "SEC. 25."

Amendment No. 63

On page 9, line 9, of said bill, strike out "SEC. 28.", and insert "SEC. 26."

Amendment No. 64

On page 9 of said bill, strike out lines 13 and 14, and insert "nual salary of the chief deputy shall be fixed by the superintendent with the approval of the Director of Finance. He shall".

Amendment No. 65

On page 9, line 16, of said bill, strike out "SEC. 29.", and insert "SEC 27."

Amendment No. 66

On page 9, line 25, of said bill, strike out "SEC. 29 5.", and insert "SEC 28."

Amendment No. 67

On page 9, line 35, of said bill strike out "SEC. 30.", and insert "SEC. 29."

Amendment No. 68

On page 10, line 1, of said bill, strike out "SEC. 31.", and insert "SEC. 30."

Amendment No. 69

On page 10, line 14, of said bill, strike out "SEC. 32.", and insert "SEC 31."

Amendment No. 70

On page 10, line 23, of said bill, strike out "SEC. 33.", and insert "SEC. 32."

Amendment No. 71

On page 10, line 28, of said bill, strike out "SEC. 34.", and insert "SEC. 33."

Amendment No. 72

On page 10, line 36, of said bill, strike out "SEC 35.", and insert "SEC. 34."

Amendment No. 73

On page 10, line 40, of said bill, strike out "SEC. 36.", and insert "SEC. 35."

Amendment No. 74

On page 10, line 44, of said bill, strike out "SEC. 37.", and insert "SEC. 36."

Amendment No. 75

On page 10, line 48, of said bill, strike out "SEC. 38.", and insert "SEC. 37."

Amendment No. 76

On page 11, line 12, of said bill, strike out "SEC. 39.", and insert "SEC. 38."

Amendment No. 77

On page 11, line 17, of said bill, strike out "SEC. 40.", and insert "SEC 39."

Amendment No. 78

On page 11, line 32, of said bill, strike out "SEC. 41.", and insert "SEC. 40."

Amendment No. 79

On page 11 of said bill, strike out lines 37 to 45, inclusive.

Amendment No. 80

On page 11, line 46, of said bill, strike out "SEC. 43.", and insert "SEC. 41."

Amendment No. 81

On page 12, line 3, of said bill, strike out "SEC. 44.", and insert "SEC. 42."

Amendment No. 82

On page 12, line 10, of said bill, strike out "SEC. 45.", and insert "SEC. 43."

Amendment No. 83

On page 12, line 20, of said bill, strike out "SEC. 46.", and insert "SEC. 44."

Amendment No. 84

On page 12, line 32, of said bill, strike out "SEC. 47.", and insert "SEC 45."

Amendment No. 85

On page 12, line 41, of said bill, strike out "SEC 48.", and insert "SEC. 46."

Amendment No. 86

On page 12, line 45, of said bill, strike out "SEC 49.", and insert "SEC. 47."

Amendment No. 87

On page 13, line 1, of said bill, strike out "SEC. 50 ", and insert "SEC. 48."

Amendment No. 88

On page 13, line 11, of said bill, strike out "SEC. 51.", and insert "SEC. 49."

Amendment No. 89

On page 13, line 17, of said bill, strike out "SEC. 52.", and insert "SEC. 50."

Amendment No. 90

On page 13 of said bill, strike out lines 30 to 52, inclusive; and strike out all of pages 14 and 15.

Amendment No. 91

On page 16, line 1, of said bill, strike out "SEC. 55.", and insert "SEC. 51."

Amendment No. 92

On page 16, line 18, of said bill, strike out "SEC. 56.", and insert "SEC. 52 "

Amendment No. 93

On page 16, line 28, of said bill, strike out "SEC. 57.", and insert "SEC. 53."

Amendment No. 94

On page 16 of said bill, strike out lines 49 to 52, inclusive; and strike out all of page 17.

Amendment No. 95

On page 18 of said bill, strike out lines 1 to 5, inclusive.

Amendment No. 96

On page 18, line 6, of said bill, strike out "SEC. 63.", and insert "SEC. 54."

Amendment No. 97

On page 18 of said bill, strike out lines 13 to 16, inclusive, and insert "Board for a class of positions which perform judicial functions."

HATFIELD	CALDECOTT
MAYO	THOMAS
BROWN	
Senate Committee on Conference	Assembly Committee on Conference

The roll was called and the report adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—61.

NOES—Lowrey and Luckel—2.

Assembly Bill No. 2882 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 3112

Mr. Burkhalter asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 3112, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 3112—An act to provide for the creation of the Los Angeles Metropolitan Transit Authority and prescribing the powers and duties thereof; authorizing the authority to construct and operate an interurban rapid transit system; providing for the issuance and sale of revenue bonds and providing for the use of the proceeds thereof for the purposes of this act; and providing for the expenditure of such proceeds and all revenues received from the operation of the system to the uses and purposes set forth herein.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3112?

Amendment No. 1

On page 4, line 18, of the printed bill, as amended in the Assembly on June 18, 1951, strike out "public agency and".

Amendment No. 2

On page 22 of said bill, as amended, after line 24, insert

"SEC. 13.4. The Legislature, in placing the authority under the jurisdiction of the Public Utilities Commission and requiring it to make payments in lieu of taxes, has made exceptions to a long established policy because of the unique character of the authority and the particular circumstances and conditions requiring its creation. It is not the intent of the Legislature that these exceptions be deemed, in any way, a precedent with respect to any other public corporation."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3112 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Coats, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Dills, Dolwig, Elliott, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay,

Lipscomb, Lowrey, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—57.

NOES—Cloyed, Collier, and Luckel—3

Assembly Bill No. 3112 ordered enrolled

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 3434

At 4 45 p.m., on motion of Mr. Waters, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3434 by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stanley, Stewart, Thomas, Tomlinson, and Waters—55.

NOES—Beck, Brady, Cloyed, Coats, Condon, Davis, Dickey, Dills, Dolwig, Evans, Hahn, Hansen, Hawkins, Lowrey, Lyon, Morris, Munnell, Silliman, and Smith—19.

Assembly Bill No. 3434 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Senate Bill No. 460—An act to add Sections 549, 550, 551, 552, 553, 554, and 555 to the Fish and Game Code, relating to fish screens

Bill read third time, and ordered passed on file.

Senate Bill No. 710—An act to amend Sections 73700 of the Political Code and 79.41 of the Code of Civil Procedure, relating to superior judges' salaries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Chapel, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rumford, Smith, Stewart, and Waters—52

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1824—An act to change the name of the California Vocational Institution to the Deuel Vocational Institution by amending the title of Article 4, Chapter 1, Title 1, Part 3 of the Penal Code, and by amending Sections 2035 to 2041 of said code.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Levering,

Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rumford, Sillman, Smith, Stewart, Thomas, Waters, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 218

Mr. Levering asked for, and was granted unanimous consent to take up House Resolution No. 218, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 218

By Mr. Levering:

House Resolution No. 218

Relative to the powers and duties of the Assembly Interim Committee on the Judicial System and Judicial Process

Resolved by the Assembly of the State of California, That in addition to the powers and duties heretofore given and imposed upon the Assembly Interim Committee on the Judicial System and Judicial Process (as created by House Resolution No. 168 of the 1951 Regular Session) the said committee is hereby authorized and directed to ascertain, study, and analyze all facts relating to, bearing upon or affecting the subject of unlawful transportation, keeping, depositing, concealment, and possession of narcotics in vehicles, with special attention to the subject matter of Assembly Bill No. 3437 of the 1951 Regular Session of the Legislature and particularly with respect to the protection of the property rights of the innocent legal owners of confiscated automobiles, including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws in any way bearing upon or related thereto, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 106

Mrs. Niehouse asked for, and was granted unanimous consent to take up Assembly Concurrent Resolution No. 106, temporarily passed on file

PERMISSION GRANTED TO CONSIDER ASSEMBLY CONCURRENT RESOLUTION NO. 106

Pursuant to Joint Rule No. 23, with the consent of the Speaker, Mrs. Niehouse requested she be granted permission to consider Assembly Concurrent Resolution No. 106.

The roll was called, and Mrs. Niehouse was granted permission to consider Assembly Concurrent Resolution No 106 by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rumford, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—62.

NOES—None.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 106

Assembly Concurrent Resolution No. 106—Relative to directing the Joint Interim Committee on Water Problems to make a study of the water rights to the Santa Margarita-Temecula River System.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Conrad, Crowley, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hansen, Hawkins, Hinckley, Kelly, Lanterman, Levering, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Rumford, Shaw, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—56.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 217

Mr. Lincoln asked for, and was granted, unanimous consent to take up House Resolution No. 217, temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 217

By Messrs. Sherwin and Dunn:

House Resolution No. 217

Relative to the passing of Judge J. A. Kennedy

WHEREAS, This House was saddened to hear of the death of Judge J. A. Kennedy, of Oakland; and

WHEREAS, Judge Kennedy, born in San Francisco 74 years ago, was graduated from St. Mary's College, and admitted to the bar in 1905 to begin 30 years of outstanding practice of the law; appointed to the bench in 1936 as police judge, he was elected in April of this year to the municipal court; and

WHEREAS, Judge Kennedy was well known for his "pep talks" to his collegiate alma mater's football teams before their games with the University of California; he was a first member on the Oakland Planning Commission, a past Grand Knight of the Knights of Columbus, and had membership in the Elks, Moose, and Eagles, among others; and

WHEREAS, The steadfastness of his character, and abundancy of his contributions to the proper manner of juristic service, well noted and long admired by the bar and public, make his passing a serious loss; now, therefore, be it

Resolved by the Assembly of the State of California, That condolences be extended to the family of Judge Kennedy; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to Mr. J. A. Kennedy, Jr., 531 Valle Vista Street, Oakland, California.

Resolution read, and adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)
FURTHER CONSIDERATION OF SENATE BILL NO. 460

Senate Bill No. 460—An act to add Sections 549, 550, 551, 552, 553, 554, and 555 to the Fish and Game Code, relating to fish screens.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Lincoln, Lipscomb, Luckel,

Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Rumford, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—54.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate

Senate Bill No. 574—An act providing for the designation of judicial districts and of the municipal or justice courts established therein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kilpatrick, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Rumford, Smith, Stanley, Tomlinson, and Waters—50

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1168

Mr. Munnell asked for, and was granted unanimous consent to take up Senate Bill No. 1168, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1168

Senate Bill No. 1168—An act to add Section 31a to an act entitled "An act prescribing the regulation, government, procedure and jurisdiction of the municipal and justice courts, and providing for the election and appointment of the judges, officers and attaches of such courts, their terms of office, qualifications and compensation," approved July 27, 1949, relating to traveling expenses of assigned judges.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Lanterman, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCollister, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Rumford, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—53.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1173

Mr. Munnell asked for, and was granted unanimous consent to take up Senate Bill No. 1173, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1173

Senate Bill No. 1173—An act to amend Section 117g of the Code of Civil Procedure, relating to judgments against one or more defendants, the action to proceed against other defendants, in small claims courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Crowley, Dills, Dolwig, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—57

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1189

Mr. Munnell asked for, and was granted unanimous consent to take up Senate Bill No. 1189, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1189

Senate Bill No. 1189—An act to amend Section 14 to an act entitled "An act prescribing the regulation, government, procedure and jurisdiction of the municipal and justice courts, and providing for the election and appointment of the judges, officers and attaches of such courts, their terms of office, qualifications and compensation," approved July 27, 1949, relating to judges and attaches in municipal courts of judicial districts of the first and one-half class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brown, Burke, Burkhalter, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—57.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Joint Resolution No. 36—Relative to the need for materials for construction of additional school and college buildings in California.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Burkhalter, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman,

Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Rumford, Shaw, Smith, Stanley, Stewart, Thomas, and Waters—60.
NOES—None.

Resolution ordered transmitted to the Senate.

Senate Bill No. 257—An act to amend Sections 4905 and 4941 of the Education Code, relating to the Public School System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Erwin, Fleury, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Rumford, Shaw, Sherwin, Smith, Stewart, and Waters—53.
NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 1834—An act to add Sections 21 and 1633 to the Welfare and Institutions Code, relating to notice to probation officers in respect to juveniles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Erwin, Fleury, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Parker, Porter, Rumford, Shaw, Sherwin, Smith, Stewart, and Waters—59.
NOES—None.

Bill ordered transmitted to the Senate.

APPOINTMENT TO INTERIM COMMITTEE

Speaker Sam L. Collins announced the appointment of Mr. Beck to membership on the Joint Interim Committee on Agriculture and Livestock Problems, vice Mr. Butters, deceased.

RECESS

At 5 15 p m., on motion of Mr. Sam L. Collins, the Assembly recessed until 8 p.m.

REASSEMBLED

At 8 p.m., the Assembly reconvened.

Hon Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR SPEAKER. I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No 407
Assembly Bill No. 1360
Assembly Bill No. 1914
Assembly Bill No 2218
Assembly Bill No 3431

J A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER. I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 2690
Assembly Bill No. 2808
Assembly Bill No. 2835

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 416—An act making an appropriation for the surveys, plans, estimates of cost, specifications and other engineering expenses for the construction of a toll bridge or other toll highway crossing of the Bay of San Francisco from the County of Marin to the County of Contra Costa, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Speaker Pro Tempore Presiding

At 9.05 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Demand for Previous Question

Messrs. Klocksiem, Lanterman, Luckel, Caldecott, and Cloyed demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 416.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Condon moved a call of the Assembly.

Motion carried. Time, 9.06 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Beck, Brady, Brown, Burkhalter, Collier, Sam L. Collins, Conrad, Dills, Erwin, Evans, Hahn, Hinckley, Kirkwood, Levering, Lincoln, McCarthy, McFall, Munnell, Parker, Rumford, Stanley, and Waters—22

PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Sherwin asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 633—An act relating to Napa State Hospital and the use of money appropriated for a laundry and commissary warehouse

at said institution, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—63.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—63.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 847—An act to amend Section 496 of the Streets and Highways Code, relating to the State Highway System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Shaw, Smith, Stanley, Thomas, and Waters—58.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Concurrent Resolution No. 77—Relative to the creation of a Joint Legislative Committee on Soil Conservation and defining its powers and duties.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Doyle, Elliott, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, and Waters—57.

NOES—None.

Resolution ordered transmitted to the Senate.

Senate Concurrent Resolution No. 80—Relative to the creation of the Joint Committee on Water Problems.

Resolution read.

Request for Unanimous Consent to Expunge Record, and Rescind Action on Senate Concurrent Resolution No. 80

Mr. Hagen asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on this day, adopted Senate Concurrent Resolution No. 80.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Sillman, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—67

NOES—None

Resolution ordered transmitted to the Senate

Senate Bill No. 1564—An act providing for research in reducing sea water to water suitable for domestic and agricultural uses in mass quantities and at low cost, and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Levering, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Thomas, Tomlinson, and Waters—57.

NOES—Luckel and Stewart—2.

Bill ordered transmitted to the Senate.

Senate Bill No. 415—An act to amend Section 2189 of, and to add Section 2923 to, the Revenue and Taxation Code, relating to the lien on real property of taxes on personal property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Smith, Stanley, Thomas, Tomlinson, and Waters—52.

NOES—Lowrey—1.

Motion to Amend Title

Mr. Brown moved the adoption of the following amendment to the title:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on May 21, 1951, after "of", strike out ", and to add Section 2923 to,"

Amendment read, and adopted.

Bill ordered reprinted, and transmitted to the Senate.

Speaker Presiding

At 9.20 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Senate Bill No. 305—An act to amend Sections 353, 458, and 507 of the Streets and Highways Code, relating to state highway routes.

Bill read third time, and ordered passed on file.

Senate Bill No. 695—An act to add Section 15032.5 to the Corporations Code, relating to partnerships.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Grunsky, Hansen, Hollibaugh, Kelly, Kirkwood, Levering, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCollister, McGee, Meyers, Moss, Munnell, Niehouse, Porter, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—43

NOES—Beck, Brady, Collier, George D. Collins, Cooke, Davis, Elliott, Hagen, Hahn, Henderson, Hinckley, Kilpatrick, Klocksiem, Lanterman, McCarthy, McFall, McMillan, Rumford, Shaw, Sherwin, and Tomlinson—21.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 416

At 9.35 p.m., on motion of Mr. Condon, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 416 passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Caldecott, Chapel, Coats, Collier, Condon, Connolly, Conrad, Crowley, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Hagen, Hawkins, Henderson, Hollibaugh, Levering, Lincoln, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—53

NOES—Brown, Clarke, Cloyed, George D. Collins, Cooke, Davis, Dolwig, Geddes, Grunsky, Gubser, Hansen, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Lowrey, Luckel, Shaw, and Silliman—20.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT OPINION OF LEGISLATIVE COUNSEL BE PRINTED IN THE JOURNAL

Mr. McCollister asked for, and was granted, unanimous consent that an opinion of the Legislative Counsel, relative to votes required to pass bill (pertaining to Senate Bill No 416), be ordered printed in the Journal, in 10 point type, as follows:

Opinion of Legislative Counsel

COPY

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, June 14, 1951

Honorable John F. McCarthy
Senate Chamber

VOTES REQUIRED TO PASS BILL—No. 9813

DEAR SENATOR MCCARTHY: You have asked us if a majority vote will be required to pass Senate Bill No. 416 in the Assembly, if the urgency clause therein is removed.

In our opinion a majority vote will be sufficient to pass the bill, if the urgency clause is stricken out.

It is required that bills in general be passed by majority vote (California Constitution, Art. IV, Sec. 15). The provisions of the California Constitution (Art. IV, Sec. 34a) requiring a two-thirds vote on bills appropriating from the General Fund do not apply to Senate Bill No. 416 because the bill appropriates from a special fund, the State Highway Fund, rather than from the General Fund.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By GLOYD T. CLOWDUS, Deputy

Two copies to Honorable George Miller, Jr., pursuant to Joint Rule 34.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 3096
Assembly Bill No. 3385

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Harold T. Johnson, Burns, and Mayo as a Second Committee on Conference concerning:

Assembly Bill No. 1071—An act to amend Section 50¾ of, and to add Section 52.1 to, the Public Utilities Act, and to amend Section 1066 of, and to add Sections 706, 707, 708, and 816.5 to, the Public Utilities Code, relating to public utilities.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 3448

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 102

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 102—Relative to the creation of the Joint Interim Committee on San Francisco-Oakland Bay Bridge Revenues.

Referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1760

Mr. Crowley asked for, and was granted unanimous consent to take up Senate Bill No. 1760, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1760

Senate Bill No. 1760—An act creating the "Solano County Flood Control and Water Conservation District" for the purpose of controlling and conserving storm, flood and other surface waters for any beneficial use, and for the protection of life and property in said district, for the purpose of cooperating and contracting with the United States, the State of California, municipalities, reclamation, irrigation and other certain districts and political subdivisions for the storage and diversion, the transportation and delivery, and the selling or other disposition of such water, and the obtaining of water or water supply and the sale or other distribution of water; to provide for the powers of such district necessary to carry out its purposes including among other powers the right to contract, the right to acquire property and to acquire water or a water supply, the right to purchase and sell water, the right to acquire or construct or have constructed dams, conduits and other works for the control, conservation, diversion, transportation and distribution of such water, the right to make contributions in aid of construction and acquisition of such works and aid in obtaining water and a water supply, the right to assume indebtedness either as principal, guarantor or underwriter, certain rights to appropriate water, to acquire water rights and to sell water and to collect charges for water used; to provide for the organization, government and management of said district and establish the boundaries thereof, and to provide for certain powers, rights and liability of member units located within or partially within said district, and to provide for the appointment, powers, duties, liabilities and compensation of the officers and employees of said district; to provide certain officers and employees of the County of Solano shall be ex officio officers and employees of said district, to authorize the incurring of indebtedness, the voting and/or issuing and selling of bonds, the voting and/or levying of special assessments; the levying and collection of taxes; to provide that the existence, property and powers of municipalities or public districts and subdivisions located within or partially within said district shall not be affected by this act; and to empower municipalities, water conservation districts, reclamation districts, irrigation districts, flood control districts and any other political subdivision of the State empowered by law to appropriate water and to deliver it to users to enter into contracts with the district and to carry out the terms of said contracts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Chapel, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Shaw, Sherwin, Smith, Stanley, Stewart, and Thomas—59.

NOES—Geddes and Kirkwood—2.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1728

Mr. Dickey asked for, and was granted, unanimous consent to take up Senate Bill No. 1728, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1728

Senate Bill No. 1728—An act to amend the title and Section 4 of, and to add Section 4 3 to Chapter 1422 of the Statutes of 1945, relating to beaches, parks, and public recreation facilities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Lanterman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Sherwin, Smith, Stanley, Stewart, Thomas, and Waters—63.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER REPORT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 1985

Mr. Geddes asked for, and was granted, unanimous consent to consider the report of the Committee on Conference concerning Assembly Bill No. 1985, without reference to file.

UNFINISHED BUSINESS (RESUMED)
REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER The Committee on Conference concerning

Assembly Bill No. 1985 (As amended in Senate June 22, 1951)—An act to continue in effect an act entitled "An act to repeal Section 10 of an act entitled 'An act to repeal Chapters 2, 3, 4, 12, 13, 13 5, 13 6, 14, 15, 15 5, 16, and 16.5 of the Education Code; to add Chapters 2, 12, 13, 14, 15, and 16 to said code; to amend Section 8761 of said code; and to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately,' approved May 28, 1947 (Chapter 401, Statutes of 1947), to provide for the continuance in effect of an act entitled 'An act to amend Section 10 of an act entitled "An act to repeal Chapters 2, 3, 4, 12, 13, 13 5, 13 6, 14, 15, 15.5, 16, and 16.5 of the Education Code, to add Chapters 2, 12, 13, 14, 15, and 16 to said code; to amend Section 8761 of said code, and to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately,' approved May 28, 1947 (Chapter 401, Statutes of 1947); to repeal Sections 6713, 7039, 7052, 7064, 7068, 7117, 7126, 7128, and 7147 of the Education Code; to repeal Article 4 of Chapter 13, and Article 6 of Chapter 14, of Division 3 of said code, to add Article 4 to Chapter 13, Article 6 to Chapter 14, and Articles 1 and 13 5 to Chapter 15, of Division 3 of said code; to add Sections 5157, 7126, 7132, and 7151 to said code; to amend the headings of Articles 1 and 13 of Chapter 15 of Division 3 of said code, and to amend Sections 5152, 5153, 5156, 6703, 6714, 6812, 7002, 7012, 7023, 7032, 7033, 7034, 7035, 7036, 7037, 7038, 7041, 7061, 7062, 7063, 7067, 7081, 7091, 7092, 7094, 7095, 7101, 7103, 7111, 7112, 7113, 7114, 7115, 7116, 7121, 7122, 7124, 7130, 7146, 7146 1, 7148, 7149, 7150, 7208, 7231, and 9645 of said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately,' approved July 20, 1949 (Chapter 1017, Statutes of 1949) except Section 1 thereof; to repeal Sections 6714 and 7094 of the Education Code; to add Sections 5153 3 and 6904 to said code; and to amend Sections 7091, 7092, 7095, 7113, 7116, and 6951 of said code, to repeal Articles 2 and 3 of Chapter 15, Division 3 of said code and to add Articles 2 and 11 6 to Chapter 15, Division 3 of said code all relating to the Public School System," approved May 5, 1950 (Chapter 74, Statutes 1950

First Extraordinary Session), and the several chapters, articles, and sections of the Education Code continued in effect by said act, except as otherwise provided in this act or in any other act enacted by the 1951 Regular Session of the Legislature; to repeal Sections 2.5, 10, 12, and 13 of said act; to repeal Sections 5153.3, 6906, 7037, and 7062 of the Education Code; to repeal Articles 2, 3 and 11.6 of Chapter 15 of Division 3 of said code; to repeal Article 1 of Chapter 16 of Division 3 of said code; to amend Sections 7001, 7038, 7041, 7067, 7075, 7081, 7092, 7112, 7115, and 7125 of said code; to amend the heading of Article 12 of Chapter 15 of Division 3 of said code; to add Sections 5009, 5153.3, 5158, 6907, 7031.1, 7037, 7037.1, 7037.2, 7037.3, 7094, 7096, and 7117 of said code; to add Articles 2, 5.5 and 11.6 to Chapter 15 of Division 3 of said code; and to add Article 1 to Chapter 16 of Division 3 of said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately,

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following

That the amendments of the Senate be concurred in, and that the bill be further amended as follows.

Amendment No. 1

In line 78 of the title of the printed bill, as amended in the Senate on June 22, 1951, strike out "5158".

Amendment No. 1.5

In the title of said bill, strike out line 79, and insert "7037.2, 7037.3, 7094, 7096, 7117, 9618, and 9646 to said code;".

Amendment No. 1.6

On page 4 of said bill, strike out lines 27 to 29, inclusive

Amendment No. 2

On page 4, line 39, of said bill, after "jury audit", insert "or an audit by a certified public accountant or a public accountant employed by the district"

Amendment No. 3

On page 5 of said bill, strike out lines 1 to 21, inclusive.

Amendment No. 4

On page 6 of said bill, between lines 14 and 15, insert "This section shall become operative on July 1, 1952."

Amendment No. 4.5

On page 6, line 45, of said bill, before the period, insert "and adding the amounts allowed under Sections 7018.1 and 7018.2".

Amendment No. 5

On page 7, line 14, of said bill, strike out "in comput-"; and strike out all of lines 15 to 17, inclusive, and insert "determines excess costs under Section 9617."

Amendment No. 5.5

On page 7 of said bill, between lines 17 and 18, insert

"(c) "Total currency expenses of transportation" as used in Sections 7014, 7015, and 7016 does not include current expenses for the transportation of pupils for whose transportation the Superintendent of Public Instruction makes an allowance to the district under Section 7018.1."

Amendment No. 5.6

On page 11 of said bill, between lines 5 and 6, insert

"7018.1. In addition to all other amounts allowed to a school district under this article, the Superintendent of Public Instruction shall allow to each school district an amount equal to the cost of the district during the preceding fiscal year of transporting blind, deaf, cerebral palsied, and orthopedically handicapped minor pupils to and from special day classes but not in excess of three hundred fifty dollars ($350) for each unit of average daily attendance of such pupils during the next preceding fiscal year resulting from the attendance of such pupils on the special day classes to and from which they were transported by the district.

7018.2. The Superintendent of Public Instruction shall allow to the county school service fund of each county an amount equal to the cost to the county superintendent of schools during the preceding fiscal year of transporting blind, deaf, cerebral palsied, and orthopedically handicapped minor pupils to and from special day classes but not

in excess of three hundred fifty dollars ($350) for each unit of average daily attendance during the next preceding year resulting from the attendance of such pupils on the special day classes to and from which they were transported by the county superintendent of schools."

Amendment No. 6

On page 12, line 50, of said bill, strike out "ten dollars ($210)", and insert "twenty-five dollars ($225)".

Amendment No. 7

On page 18, line 7, of said bill, strike out "7184", and insert "7144".

Amendment No. 7.5

On page 18, line 45, of said bill, strike out "and high".

Amendment No. 7.6

On page 18, line 46, of said bill, strike out "10", and insert "15".

Amendment No. 8

On page 18 of said bill, strike out lines 48 to 51, inclusive; and on page 19, strike out lines 1 and 2.

Amendment No. 8.5

On page 20 of said bill, between lines 42 and 43, insert

"SEC. 29.5 Section 9618 is added to said code to read.

9618. In determining the excess cost incurred by a school district for the education of physically handicapped minor pupils under Section 9617, the Superintendent of Public Instruction shall exclude all current expenses of the district for the transportation of blind, deaf, cerebral palsied, and orthopedically handicapped minor pupils, referred to in Section 7018.1, to and from special day classes.

29.6. Section 9646 is added to said code to read:

9646. In determining the excess cost incurred by a county superintendent of schools for the education of physically handicapped minor pupils under Section 9645, the Superintendent of Public Instruction shall exclude all current expenses of the county superintendent of schools for the transportation of blind, deaf, cerebral palsied, and orthopedically handicapped pupils, referred to in Section 7018.2, to and from special day classes."

DILWORTH
WEYBRET
HULSE
Senate Committee on Conference

GEDDES
KIRKWOOD
Assembly Committee on Conference

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Caldecott, Chaptel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McMillan, Meyers, Morris, Munnell, Niehouse, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—61.

NOES—Doyle and Kilpatrick—2.

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McMillan, Meyers, Morris, Munnell, Niehouse, Porter, Rumford, Shaw, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, and Mr Speaker—61.

NOES—Doyle and Kilpatrick—2.

Explanation of Failure to Be Recorded on Assembly Bill No. 1985

I wish to state that my failure to be recorded as voting on Assembly Bill No. 1985 was because of my absence in a Conference Committee on Assembly Bill No. 1071—the REA bill.

Had I been present I would have voted "Aye."

JOHN E. MOSS, JR.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 584

Mr. Lyon asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 584, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 584—An act to amend Section 737s of the Political Code, relating to the salary of judges of the superior court.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 584?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on June 14, 1951, strike out "737s of the Political Code", and insert "79.19 of the Code of Civil Procedure".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, as amended, strike out lines 1 to 6, inclusive, and insert

"SECTION 1. Section 79.19 of the Code of Civil Procedure is amended to read:

79.19. The annual salary of each of the judges of the Superior Court in and for the County of Los Angeles is [fifteen thousand dollars ($15,000)] *sixteen thousand seven hundred fifty dollars ($16,750).*"

Amendment No. 3

In line 1 of the title of the printed bill, as amended in the Senate on June 19, 1951, strike out "Section 79.19", and insert "Sections 79.19 and 79.37".

Amendment No. 4

On page 1 of said bill, as amended, after line 11, insert

"SEC. 2. Section 79.37 of said code is amended to read:

79.37. The annual salary of each judge of the Superior Court in and for the County of San Diego is [fifteen thousand dollars ($15,000)] *sixteen thousand seven hundred fifty dollars ($16,750).*"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 584 by the following vote:

AYES—Beck, Belotti, Berry, Burke, Caldecott, Chapel, Clarke, Collier, Condon, Conrad, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lindsay, Lipscomb, Lyon, Maloney, McCarthy, McMillan, Meyers, Munnell, Niehouse, Porter, Rosenthal, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—49.

NOES—None.

Assembly Bill No. 584 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1883

Mr. Shaw asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 1883, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1883—An act to amend Sections 8354, 8355, 8356, and 8357 of the Revenue and Taxation Code and to amend Section 8 of an act entitled "An act to amend Section 8352 of, and to add Sections 8354 to 8358, inclusive, to, the Revenue and Taxation Code, relating to aviation and airports and the financing thereof, including revenue from

taxes on motor vehicle fuel," approved July 29, 1949, relating to the tax on motor vehicle fuel.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1883?

Amendment No. 1

In the title of the printed bill, as amended in the Assembly on May 30, 1951, strike out lines 4 to 6, inclusive, and insert "to amend Sections 8354, 8355, 8356, and 8357 of the Revenue and Taxation Code".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, as amended, strike out lines 2 to 11, inclusive; strike out all of pages 2, 3, and 4, and insert

"SECTION 1. Section 8354 of the Revenue and Taxation Code is amended to read:

8354. The board shall immediately after the close of each calendar [quarter] *year* transmit to the Controller a statement showing the total amount of taxes, interest, and penalties paid during such calendar [quarter] *year* in connection with motor vehicle fuel which is used or usable in propelling aircraft of a type heavier than air. The board shall require distributors and producers to keep such records and furnish such information, in their returns or otherwise, as will enable the board to comply with this section.

SEC. 2. Section 8355 of said code is amended to read:

8355. The Controller shall [quarterly] *annually* apportion pursuant to Section 8357 the difference between the total amount of taxes, interest, and penalties reported to him for each preceding [quarter] *year* pursuant to Section 8354 and the total of:

(a) Refunds paid pursuant to subdivision (a) of Section 8352 in connection with such taxes, interest, and penalties.

(b) Amounts paid pursuant to subdivisions (b), (c), and (e) of Section 8352 in connection with such taxes, interest, and penalties.

SEC. 3. Section 8356 of said code is amended to read:

8356. If the total amounts paid and to be paid described in subdivisions (a) and (b) of Section 8355 have not been determined before the Controller makes the apportionment pursuant to Sections 8355 and 8357, the Controller may estimate the amount to be paid pursuant to such sections during any [quarter of a] year and may pay to any county a sum not to exceed ninety percent (90%) of the amount estimated to be due to the county during the [quarterly period] *year*.

After the Controller has made a payment to a county based on his estimate and the amounts paid and to be paid described in subdivision (a) and (b) of Section 8355 have been determined, he shall compute the balance due and pay such balance to each of the counties to which payments have been made

SEC. 4. Section 8357 of said code is amended to read:

8357. The amount available to be apportioned pursuant to Section 8355 shall be apportioned among the several counties. There shall first be paid to each county the sum of two thousand five hundred dollars ($2,500) annually [or six hundred twenty-five dollars ($625) per quarter] and the balance shall be apportioned one-half in the proportion which the population of each county bears to the total population of the State, and one-half in the proportion which the area of each county bears to the total area of the State. Such population shall be that determined in the most recent federal decennial census.

In any county wherein there is located an airport owned by a city, 50 percent of the amount apportioned to such county shall be paid to such city. In the event that there is more than one such city within the county, the cities' share shall be divided among such cities in the proportion which the population of each city bears to the total population of airport-owning cities within the county.

SEC. 5. Section 8 of the act cited in the title hereof is repealed.

SEC. 6. Section 5 of this act shall become operative at the same time this act takes effect. Sections 1 to 4, inclusive, of this act shall become operative only with respect to motor vehicle fuel license taxes, interest, and penalties paid to the Controller on or after January 1, 1952, and Sections 8354 to 8358, inclusive, of the Revenue and Taxation Code as they read prior to the effective date of this act shall continue to

be applicable to such taxes, interest, and penalties paid to the Controller prior to January 1, 1952."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No 1883 by the following vote:

AYES—Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, George D Collins, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Fleury, Gaffney, Grant, Gubser, Hahn, Hansen, Henderson, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Stewart, Thomas, and Waters—46.

NOES—Beck, Cooke, Hinckley, Kilpatrick, Lowrey, McMillan, Smith, and Stanley—8.

Assembly Bill No. 1883 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 3451

Mr. Coats asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 3451, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 3451—An act to add Section 402b to the Penal Code, relating to refrigerators, ice-boxes and chests of similar construction.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3451?

Amendment No. 1

On page 1, lines 4 and 5, of the printed bill, strike out ", ice box or chest of similar construction," and insert "or ice box, having a capacity of one and one-half cubic feet or more,".

Amendment No. 2

On page 1, line 6, of said bill, after "shut", insert "by means of an attached latch".

Amendment No. 3

On page 1, line 9, of said bill, after "misdemeanor", insert "and shall be punished by a fine of not more than fifty dollars ($50) or by imprisonment in the county jail for not more than five days, or by both; provided, that guilt of a violation of this section shall not, in itself, render one guilty of manslaughter, battery or other crime against a person who may suffer death or injury from entrapment in such ice box or refrigerator".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3451 by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, George D Collins, Connolly, Cooke, Crowley, Davis, Dickey, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, McCarthy, McFall, McMillan, Meyers, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Stanley, Thomas, Waters, and Mr. Speaker—51.

NOES—None.

Assembly Bill No. 3451 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2690

Mr Connolly asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2690, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2690—An act to repeal and add Section 63 to the California Water District Act, relating to revenue bonds of districts organized under said act, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2690?

Amendment No. 1

In line 2 of the title of the printed bill, after the comma, insert "and to amend Section 35975 of, and to add Sections 36152, 36303, 36304, and 36305 to, the Water Code, to repeal Article 4 of Chapter 2, Part 6, Division 13 of said code, and to repeal and add Article 3 of Chapter 3 and Article 3 of Chapter 4 of Part 6, Division 13 of said code,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 2 of said bill, between lines 45 and 46, insert

"SEC. 2. Section 35975 of the Water Code is amended to read.

35975. After bonds have been delivered to the treasurer:

(a) General obligation bonds and the interest thereon are, until paid, a lien on the land.

(b) Revenue bonds and the interest thereon, are until paid, a lien, as specified in the bonds *and the proceedings authorizing their issuance*, on the revenues obtained from the sale of water for irrigation of the land at charges *fully* sufficient to [meet the payment of bond redemption and interest maturities] *pay the principal of and the interest on the bonds as the same mature*.

SEC. 3. Article 4 of Chapter 2, Part 6, Division 13 of said code is repealed.

SEC. 4. Section 36152 is added to said code, to read:

36152. General obligation bonds shall be investigated and certified in the same manner, by the same officers, and with the same force and effect as prescribed for the investigation and certification of bonds of irrigation districts by the provisions of Division 10 of this code.

SEC. 5. Article 3 of Chapter 3, Part 6, Division 13 of said code is repealed and added, to read:

Article 3. Miscellaneous Provisions

36190. General obligation bonds shall be substantially in the following form:

Issue _____ No. _____ For value received, _____ Water District, which has its office situated in the County of _____, State of California, promises to pay the holder hereof at the office of the treasurer of the district, on the _____ day of _____, 19___, the sum of _____ dollars in lawful money of the United States with interest at the rate of _____ percent per annum, payable at the office of the treasurer semiannually, on the _____ day of _____ and the _____ day of _____ in each year, on presentation and surrender of the interest coupons hereto attached. This bond is issued pursuant to an election held by the district on the _____day of _____, 19___, authorizing its issuance, and by authority of the California Water District Law.

In witness whereof, the district, by its board of directors, has caused this bond to be signed by the president of the board and attested by the secretary of the district, with the seal of the district attached, this _____ day of _____, 19___.

_____
President

Attest:

_____
Secretary

36191. General obligation bonds shall be payable in lawful money of the United States

36192. Each issue of general obligation bonds shall be numbered consecutively, and the bonds of each issue shall be numbered consecutively and bear the date of their issue.

36193. General obligation bonds shall be signed by the president and attested by the secretary.

36194. General obligation bonds shall be of the denomination of not less than one hundred dollars ($100) nor more than one thousand dollars ($1,000).

36195. General obligation bonds shall be payable on the first day of January or the first day of July of the years designated by the board, but in no case shall the maturity of any bonds be more than 40 years from its date

36196. Each general obligation bond shall be made payable at a given time for its full face value and not for a percentage thereof.

36197 A general obligation bond shall be payable when due upon presentation and surrender thereof to the treasurer by the holder.

36198. General obligation bonds shall bear interest at a rate not in excess of 7 percent per annum.

36199. The interest on general obligation bonds shall be payable semiannually on the dates stated in the bonds at the office of the treasurer upon the presentation and surrender of the proper coupons.

36200. The interest coupons shall be substantially in the following form:

No._____

The treasurer of _____ Water District, State of California, will pay the holder hereof, on the _____ day of _____, 19___, at his office in _____, _____ dollars, in lawful money of the United States, out of the funds of _____ Water District for interest on bond numbered _____ of the district.

Attest:

_____

Secretary of _____ Water District

36201. Coupons for each installment of interest shall be attached to the bonds, numbered the same as the bonds, and attested by the facsimile signature of the secretary.

SEC. 6. Sections 36303, 36304, and 36305 are added to said code, to read:

36303. The board may, in the resolution authorizing the issuance of revenue bonds, provide that the bonds or any part thereof shall be subject to call and redemption before maturity, at the option of the district, at such price or prices as may be fixed in the resolution, not exceeding a premium of 6 percent of the par value of the revenue bonds so subject to redemption.

36304. Revenue bonds issued subject to call and redemption prior to maturity shall contain a recital to that effect on the face of the revenue bonds, and no revenue bond shall be subject to call or redemption prior to its fixed maturity date unless it contains such recital.

36305 The board in its resolution authorizing the issuance of revenue bonds shall fix the method of giving notice of redemption to the holders of revenue bonds to be redeemed and the price or prices at which the revenue bonds shall be subject to redemption.

SEC. 7. Article 3 of Chapter 4, Part 6, Division 13 of said code is repealed and added, to read:

Article 3 Miscellaneous Provisions

36340. Revenue bonds and interest coupons attached thereto shall be in such form as may be prescribed by the board.

36341. The face of each revenue bond shall state:

(a) That the payment of redemption of the bond and the payment of the interest thereon is secured solely by a first and direct charge and lien upon all or the portion, as prescribed by the district by order or by contract, of the revenues received from the sale of water for the irrigation of the land

(b) That neither the payment of all or any part of the principal or interest thereon is a general debt, liability, or obligation of the district.

(c) That the bond is subject to call and redemption prior to maturity, if the board has so provided

36342 Revenue bonds shall be payable in lawful money of the United States.

36343 Each issue of revenue bonds shall be numbered consecutively and the bonds of each issue shall be numbered consecutively from lower to higher as they mature and shall bear such date as may be prescribed by the board

36344 The date appearing upon the face of a revenue bond shall be deemed to be the date of issuance irrespective of the subsequent delivery of the bond

36345. Revenue bonds shall be signed by the president and attested by the secretary, and interest coupons appertaining thereto shall be signed by the secretary.

36346. All the signatures on the bond or coupons may be printed, lithographed, engraved, or otherwise mechanically reproduced, except that one of the signatures shall be manually affixed.

36347. The seal of the district may be affixed to the revenue bonds by mechanical reproduction thereof

36348. If any officer whose signature appears on any revenue bond or coupon ceases to be such officer of the district before the delivery of the bonds to the purchaser, his signature on the bond or coupon is valid and sufficient for all purposes with like

force and effect as though he had remained in office until the actual delivery of the bonds and payment of the purchase price thereof.

36349. Revenue bonds shall be of the denomination of not less than one hundred dollars ($100) nor more than one thousand dollars ($1,000).

36350 Revenue bonds shall be payable at such time and place as may be designated by the board, but in no case shall the maturity of any bond be more than 40 years from its date.

36351. Every revenue bond shall be payable at a given time for its entire amount and not for a percentage thereof.

36352. Revenue bonds shall bear interest at a rate not in excess of 6 percent per annum, payable annually or semiannually as may be prescribed by the board.

SEC. 8. Revenue bonds of any district now outstanding are hereby validated in the form in which the same have been issued and delivered and shall constitute valid and legally binding obligations of the district payable in accordance with the terms appearing on the face of such bonds.

SEC. 9 Sections 2 to 8, inclusive, of this act become operative only if Division 13 of the Water Code is enacted by the Legislature at its 1951 Regular Session, and in such case at the same time as said Division 13 takes effect, at which time Section 63 of the California Water District Act, as repealed and added by this act, is repealed."

Amendment No. 3

On page 2, line 46, of said bill, strike out "2", and insert "10".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2690 by the following vote:

AYES—Beck, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Connolly, Cooke, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 2690 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2808

Mr. Lowrey asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2808, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2808—An act authorizing and directing the Department of Public Works, acting through the State Engineer, to make an investigation of and report on the water supplies of the Putah Creek Cone and adjacent areas in the Counties of Solano and Yolo, and making appropriation therefor.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2808?

Amendment No. 1

In line 5 of the title of the printed bill, as amended in the Assembly on May 16, 1951, after "Yolo", insert ", and on the water supplies of the Kaweah Delta area in Kings and Tulare Counties,".

Amendment No. 2

On page 1, line 12, of said bill, as amended, after "SEC. 2.", insert "The Department of Public Works, acting through the State Engineer, is authorized and directed, to the extent that funds therefor are made available pursuant to the provisions of this act, to make an investigation of, and report upon, the surface and underground water supplies of the Kaweah Delta area in Kings and Tulare Counties and areas adjacent

thereto, including but not limited to, the present utilization of water, future water requirements and possible sources of supplemental water supplies which may be necessary to meet present and ultimate requirements therefor, and the department may incorporate findings in such report as to feasible methods of solving the problems involved.

SEC. 3."

Amendment No. 3

On page 1, line 13, of said bill, as amended, after "of", insert "one hundred thousand dollars ($100,000),".

Amendment No. 4

On page 1, line 14, of said bill, as amended, after "($50,000)", insert "of which shall be available".

Amendment No. 5

On page 1, line 15, of said bill, as amended, strike out "to be available".

Amendment No. 6

On page 1, line 17, of said bill, as amended, after "act", insert ", and fifty thousand dollars ($50,000) of which shall be available to the Department of Public Works, acting through the State Engineer, for expenditure for the purpose of carrying out the objectives of Section 2 of this act, when moneys equal to or in excess of that amount have been made available for expenditure by the department for that purpose from sources other than the State Treasury or funds of any agency which is a part of the executive department of the State Government."

Amendment No. 7

In line 5 of the title of the printed bill, as amended in the Senate on June 21, 1951, after "of", insert "Lower and Western".

Amendment No. 8

On page 1, line 16, of said bill, as amended, after the second "the", insert "Lower and Western".

Amendment No. 9

On page 2, line 18, of said bill, as amended, strike out "equal to or in excess of that amount".

Amendment No. 10

On page 2, line 22, of said bill, as amended, after tthe period, insert "If less than fifty thousand dollars ($50,000) is made available from sources other than the State Treasury, the department may expend said amount and an amount equal thereto from the money herein appropriated in carrying out the objectives of Section 2 of this act."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2808 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Geddes, Grunsky, Hahn, Hansen, Hawkins, Hinckley, Holbbaugh, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lowrey, Lyon, Maloney, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Thomas, Waters, and Mr. Speaker—55.

NOES—None.

Assembly Bill No. 2808 ordered enrolled.

Hon. William H. Rosenthal Presiding

At 10.15 p.m., Hon. William H. Rosenthal, Member of the Assembly from the Fortieth District, presiding.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2835

Mr. Lowrey asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 2835, temporarily passed on file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2835—An act to add Section 11011 to the Government Code, relating to lands under the jurisdiction of state agencies.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2835?

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Assembly on June 15, 1951, strike out "survey", and insert "review".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2835 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, McCarthy, McFall, McGee, McMillan, Meyers, Munnell, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—63.

NOES—None.

Assembly Bill No. 2835 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 3385

Mr. Fleury asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 3385, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 3385—An act authorizing the expenditure of certain sums for construction, improvements, and equipment of a building in the County of Sacramento for the State Department of the California Highway Patrol, and to add Sections 13115.5 and 13115.6 to the Government Code, relating to the approval by the Department of Finance of investment of funds by certain state agencies, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3385?

Amendment No. 1

In lines 7 and 8 of the title of the printed bill, as amended in the Assembly on June 15, 1951, strike out ", declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 2 of said bill, as amended, strike out all of lines 24 to 41, inclusive.

Amendment No. 3

On page 2, line 42, of said bill, as amended, strike out "2", and insert "3".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3385 by the following vote:

AYES—Babbage, Belotti, Brown, Burke, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Erwin, Fleury, Gaffney, Grunsky, Gubser, Hahn, Hansen, Henderson, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Parker, Porter, Rosenthal,

Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—55.

NOES—Cloyed, Condon, and Hinckley—3.

Assembly Bill No. 3385 ordered enrolled.

Speaker Presiding

At 10.18 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 3096

Mr. Hollibaugh asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 3096, without refering to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 3096—An act to provide for the acquisition of land and improvements in that part of the City of Los Angeles, County of Los Angeles, known as Olvera Street, the Los Angeles Plaza, and the Pico-Garnier block as part of the State Park System and making an appropriation therefor.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3096?

Amendment No. 1

On page 1, lines 18 and 19, of the printed bill, as amended in the Assembly on June 12, 1951, strike out "public recreational facilities other than parks", and insert "ocean beaches".

Amendment No. 2

On page 1, line 12, of the printed bill as amended in the Senate on June 20, 1951, strike out ' prefect", and insert "perfect".

Amendment No. 3

On page 2, line 1, of said bill, as amended, strike out "Park", and insert "Beach".

Amendment No. 4

On page 2 of said bill, as amended, strike out lines 34 to 36, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3096 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Gubser, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—59.

NOES—None.

Assembly Bill No. 3096 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER REPORT OF THE COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 1489

Mr. McCarthy asked for, and was granted, unanimous consent to consider the report of the Committee on Conference concerning Senate Bill No. 1489, without reference to file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: The Committee on Conference concerning:

Senate Bill No. 1489—An act to repeal Section 3440 of, and to add Sections 3440 and 3440.1 to, and to amend Section 3440.5 of, the Civil Code, relating to transfers of particular personal property.

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in and that the bill, as amended on June 20, 1951, be further amended as follows:

Amendment No. 1

On page 2, line 34, of the printed bill, as amended in the Assembly on June 20, 1951, strike out "township", and insert "judicial district".

Amendment No. 2

On page 2, line 36, of said bill, strike out "township", and insert "judicial district".

Amendment No. 3

On page 2, line 37, of said bill, strike out "township", and insert "judicial district".

O'GARA	McCARTHY
JAMES E. CUNNINGHAM	CONNOLLY
MILLER	FLEURY
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kilpatrick, Lanterman, Lincoln, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—56.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER REPORT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 261

Mr. Brown asked for, and was granted, unanimous consent to consider the report of the Committee on Conference concerning Senate Bill No. 261, without reference to file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: The Committee on Conference concerning:

Senate Bill No. 261—An act to amend Section 22257, and to repeal Section 22264, of the Water Code, relating to water distribution by irrigation districts.

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on June 20, 1951, strike out ", and to repeal Section 22264,".

Amendment No. 2

On page 1 of said bill, strike out lines 17 to 24, inclusive.

DONNELLY	BROWN
HULSE	HANSEN
WILLIAMS	GRUNSKY
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, McMillan, Meyers, Munnell, Niehouse, Parker, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—53

NOES—Brady, Crowley, Dickey, and Geddes—4.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER REPORT OF COMMITTEE ON CONFERENCE CONCERNING SENATE AMENDMENTS TO SENATE BILL NO. 919

Mr. Kirkwood asked for, and was granted, unanimous consent to consider the report of the Committee on Conference concerning Senate Bill No 919, without reference to file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: The Committee on Conference concerning:

Senate Bill No. 919—An act to amend Section 28 of "An act to amend Section 753 of the Revenue and Taxation Code, to amend and renumber Sections 754 to 758, inclusive, 1831 to 1834, inclusive, and 1882.5 of said code, to add thereto new sections to be numbered 754, 757, 1831 to 1838, inclusive, 1904 to 1908, inclusive, and to add Article 4, comprised of Sections 2001 to 2005, inclusive, to Chapter 2, Part 3, Division 1 of said code, all relating to property taxation and providing for the assessment of property, the equalization of assessments and the adjustment thereof for allocations of State funds, and the adjustment of tax rates to promote equity in tax burdens and providing when certain provisions of this act shall take effect," approved July 29, 1949, relating to property taxation and the allocation of state funds, declaring the urgency thereof, to take effect immediately;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in and that the bill be further amended as follows:

Amendment No. 1

On page 7 of the printed bill, as amended in the Assembly on June 20, 1951, strike out lines 15 to 18, inclusive, and insert

"SEC. 28. The provisions of Sections 1 to 27, inclusive, of this act shall take effect on September 2, 1950, to the end".

Amendment No. 2

On page 7, line 20, of said bill, strike out "1954", and insert "1953".

Amendment No. 3

On page 7, line 27, of said bill, strike out "1954", and insert "1953".

BURNS	KIRKWOOD
HULSE	HOLLIBAUGH
PARKMAN	SILLIMAN
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall,

McMillan, Meyers, Morris, Moss, Niehouse, Parker, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, and Waters—59.
NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER REPORT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 3443

Mr. Kilpatrick asked for, and was granted, unanimous consent to consider the report of the Committee on Conference concerning Assembly Bill No. 3443, without reference to file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 3443—An act to amend Section 5501 of the Welfare and Institutions Code, relating to the commitment of sexual psychopaths

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on June 18, 1951, lines 3 to 6, inclusive, strike out "a criminal offense", and insert "any criminal offense, whether or not a sex offense,".

TENNEY	KILPATRICK
COOMBS	SMITH
JAMES E. CUNNINGHAM	BURKE
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Beck, Belotti, Brady, Burke, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Doyle, Elliott, Erwin, Fleury, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—61.
NOES—Caldecott—1.

Assembly Bill No. 3443 ordered enrolled.

Request for Unanimous Consent That Vote Be Changed Upon Roll Call

Mr. Caldecott asked for, and was granted, unanimous consent that his vote be changed upon the roll call on Assembly Bill No. 3443, and that he be recorded as voting "No," instead of "Aye."

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 553

Mr. Geddes asked for, and was granted unanimous consent to take up Senate Bill No. 553, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 553

Senate Bill No. 553—An act to amend Section 5 of the Principal and Income Act, relating to the treatment of stock dividends as principal or income.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Conrad, Cooke, Crowley, Davis, Dickey, Doyle, Erwin, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Hollibaugh, Kilpatrick, Kloeksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—52.

NOES—George D. Collins—1

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 3448

Mr. Tomlinson asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 3448, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 3448—An act to amend Section 172 of the Penal Code, relating to selling, giving away, or exposing for sale intoxicating liquors.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 3448?

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on June 13, 1951, strike out lines 8 to 22, inclusive; and strike out "3" in line 23, and insert "2."

Amendment No. 2

On page 2, line 31, of said bill, as amended, strike out "4.", and insert "3."

Amendment No. 3

On page 2, line 34, of said bill, as amended, strike out "5.", and insert "4."

Amendment No. 4

On page 2, line 5, of the printed bill, after "effective date of", insert "the amendments in 1951 to".

Amendment No. 5

On page 2, line 7, of said bill, after "area", insert "and the operation and transaction of business by the licensee under such license pursuant to any such license".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3448 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Burke, Caldecott, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Crowley, Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kilpatrick, Kloeksiem, Lincoln, Landsay, Lipscomb, Luckel, Lyon, Maloney, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—53.

NOES—Beck—1.

Assembly Bill No. 3448 ordered enrolled.

ANNOUNCEMENT

Speaker Sam L. Collins announced that shipping instructions and addresses are to be left in the desks of members for the Sergeant-at-Arms who will ship the belongings of each member at the close of the session.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER REPORT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 1633

Mr. Brown asked for, and was granted, unanimous consent to consider the report of the Committee on Conference concerning Senate Bill No. 1633, without reference to file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 22, 1951

MR. SPEAKER The Committee on Conference concerning:

Senate Bill No. 1633 (As amended in Assembly May 28, 1951)—An act to amend Sections 9403, 9405, 9406, 9407, 9408, [9410.] 9411, and 9412 of the Government Code, relating to witnesses before legislative committees.

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows:

Amendment No. 1

In line 8 of the printed bill, as amended in the Assembly on May 28, 1951, after "9408," insert "9410,".

Amendment No. 2

On page 1 of said bill, strike out lines 12 to 18, inclusive, and insert "copy to the witness personally The service must be made so as to allow the witness a reasonable time for preparation and travel to the place of attendance. Each house of the Legislature shall, by rule or resolution, prescribe the amount of the fee to which a witness shall be entitled A witness may not demand pre-payment of such witness fee at the time the subpena is served unless the distance he is required to travel be more than 100 miles from his place of residence to the place of the committee hearing or meeting specified in the subpena, but may demand such fee upon his appearance before the committee at the time and place specified in the subpena."

Amendment No. 3

On page 2, line 45, of said bill, after the comma, insert "or upon the date to which the hearing on the order to show cause be postponed or continued,".

Amendment No. 4

On page 3 of said bill, after line 3, insert

"SEC. 6. Section 9410 of the Government Code is amended to read:

9410. A person sworn and examined before the Senate or Assembly, or any committee, cannot be held to answer criminally or be subject to any penalty or forfeiture for any fact or act touching which he is required after asserting his constitutional privilege against self-incrimination with respect thereto, to testify. Any statement made or paper produced by such witness after asserting his constitutional privilege against self-incrimination with respect thereto, is not competent evidence in any criminal proceeding against the witness. The witness cannot refuse to testify to any fact or to produce any paper touching which he is examined for the reason that his testimony or the production of the paper may tend to incriminate him, or to disgrace him or render him infamous. Nothing in this section exempts any witness from prosecution and punishment for perjury committed by him on examination nor shall this section be construed to confer immunity upon any person with respect to testimony which is not protected under the constitutional provision against self-incrimination.

Unless this section is read to the witness immediately after such witness is sworn, the witness shall be deemed to have asserted his constitutional right against self-incrimination with respect to each question asked and each book, paper or document produced by him."

Amendment No. 5

On page 3, line 24, of said bill, strike out "6", and insert "7".

Amendment No. 6

On page 3, line 44, of said bill, strike out "7", and insert "8".

WATSON
HATFIELD
WILLIAMS
Senate Committee on Conference

DOLWIG
BROWN
Assembly Committee on Conference

Speaker Pro Tempore Presiding

At 10.37 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Dolwig moved a call of the Assembly.

Motion carried. Time, 10.50 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Burkhalter, Crowley, Evans, Hinckley, Kelly, Morris, Niehouse, and Tomlinson—8.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Kirkwood asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1472

Mr. Kirkwood asked for, and was granted unanimous consent to take up Senate Bill No. 1472, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1472

Senate Bill No. 1472—An act to amend Section 2 of an act entitled "An act to provide for the creation, organization and government of water conservation districts, defining their powers and prescribing the method of exercising the same, re-enacting and continuing in force the provisions of Chapter 166 of the Statutes of 1929, known as the 'Water Conservation Act of 1929,' and validating and confirming all proceedings had and taken under the provisions of said act resulting in the organization of water conservation districts and continuing such districts under the provisions of this act with the powers herein conferred," approved June 16, 1931, relating to eminent domain and declaring the urgency thereof.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Moss, Munnell, Parker, Porter, Rumford, Sherwin, Silliman, Stanley, Tomlinson, Waters, and Mr. Speaker—56.

NOES—Lowrey—1.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills,

Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Moss, Munnell, Parker, Porter, Rumford, Sherwin, Silliman, Stanley, Tomlinson, Waters, and Mr. Speaker—56.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 63

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 416
Senate Bill No. 695
Senate Bill No. 1760

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 1985—An act to repeal Chapters 2 and 15 of Division 3 of the Education Code, to repeal Article 1 of Chapter 16 of Division 3 of said code, to repeal Section 6851.1 of said code, to amend Section 6841 of said code, to add Chapters 2 and 15 to Division 3 of said code, to add Article 1 to Chapter 16 of Division 3 of said code, and to add Section 6905 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Assembly Bill No. 1985 ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 40—An act to amend Section 13926 of the Government Code, relating to awards made by the State Board of Control;

Assembly Bill No. 155—An act to amend Section 373 of the Elections Code, relating to indexes of registration;

Assembly Bill No. 302—An act to amend Section 261a.5 of, and to add Section 261h to, the Code of Civil Procedure, relating to shorthand reporters;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of June, 1951, at 10 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 464—An act to amend Section 303 of the Probate Code, relating to disqualification of judges;

Assembly Bill No. 589—An act to amend Section 9.3 of the Municipal Court Act of 1925, and providing for the constitution of the municipal court in a district embracing the City of San Diego, relating to municipal courts;

Assembly Bill No. 611—An act to provide for the transfer to the School Land Fund of the unexpended balance remaining on deposit in the School Land Deposit Fund, and making an appropriation;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of June, 1951, at 10 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 614—An act to abolish the War Bond Fund, to transfer to the Special Deposit Fund the unexpended balance remaining therein, and to appropriate such amount from the Special Deposit Fund for expenditure for the same purposes for which such amount is available for expenditure from the War Bond Fund immediately preceding such transfer;

Assembly Bill No. 671—An act to amend Section 395 of, and add Sections 389, 395.01, 395.02, 395.03, 395.04, 395.05 and 395.06 to, the Military and Veterans Code, relating to absence of public officers and employees on military or naval duty and compensation and salary during absence on military or naval leave, declaring the urgency thereof, to take effect immediately,

Assembly Bill No. 743—An act to amend Sections 79.36 and 79.42 of the Code of Civil Procedure, relating to superior judges' salaries;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of June, 1951, at 10 p.m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 892—An act to add Sections 6381.1 and 6404 to the Revenue and Taxation Code, relating to the exemption of school districts from sales and use taxes;

Assembly Bill No. 955—An act to amend Sections 137, 137.5, 138, 139, 140, 141, and 146 of, and to add Sections 137.1, 137.2, 137.3, and 169.1 to, and to repeal Section 147 of, the Civil Code, relating to personal relations;

Assembly Bill No. 1345—An act providing for the constitution of the municipal court in a district embracing the City of Richmond, and prescribing the number and compensation of the judges, officers and attaches thereof;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of June, 1951, at 10 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1356—An act providing for the constitution of a municipal court in a district embracing the City of Oakland, and prescribing the number and compensation of the judges, officers and attaches thereof;

Assembly Bill No. 1400—An act providing for the constitution of the municipal court in a district embracing the City of Santa Barbara, and prescribing the number and compensation of the judges, officers and attaches thereof;

Assembly Bill No. 1412—An act providing for the constitution of the municipal court in a district embracing the City of Los Angeles, and prescribing the number and compensation of the judges, officers and attaches thereof;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of June, 1951, at 10 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1418—An act providing for the constitution of the municipal court in a district embracing the City of Glendale, and prescribing the number and compensation of the judges, officers and attaches thereof;

Assembly Bill No. 1463—An act to add Section 12.5 to the Municipal Court Act of 1925, relating to compensation of municipal court judges in Los Angeles County and to provide for the number and compensation of judges of municipal courts established in judicial districts in Los Angeles County;

Assembly Bill No. 1474—An act providing for the constitution of the municipal court in a district embracing the Cities of Fullerton, Anaheim, La Habra, Brea, and

Placentia, and prescribing the number and compensation of the judges, officers and attaches thereof;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of June, 1951, at 10 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1772—An act to amend Sections 203, 204, 204a, 206, 226, 227, 230, 231, 233, 248, and 250 of the Code of Civil Procedure, relating to jurors;

Assembly Bill No. 1841—An act to amend Sections 4850, 4853, and 4854 of the Labor Code, relating to disability payments;

Assembly Bill No. 1853—An act to amend Section 680 of the Vehicle Code, relating to inspection of vehicles and equipment;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of June, 1951, at 10 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1786—An act to amend Sections 17, 73e, 77b, 82, 83, 84, 85, 117, 117a, 117b, 117c, 117d, 117e, 117h, 117ha, 117i, 117j, 117l, 117o, 117p, 131.3, 134, 139, 142, 147, 149a, 150, 151, 152, 153, 166, 170, 170a, 171, 172, 188, 274c, 372, 406, 407, 408, 410, 412, 422, 426, 437, 437b, 437c, 446, 465, 472, 472a, 477, 480, 481, 482, 483, 492, 493, 494, 495, 496, 498, 499, 500, 503, 515, 520, 539, 540, 545, 548, 554, 555, 556, 573, 581, 581b, 581d, 585, 594, 596, 600, 607a, 628, 631, 632, 638, 639, 640, 641, 644, 664, 667a, 668, 674, 675, 681a, 682, 688.1 683, 689, 692, 714, 715, 717, 717.1, 718, 719, 720, 721, 722, 973, 974, 975, 977, 978, 978a, 979, 981, 982, 990, 997, 1000, 1003, 1005, 1006, 1008, 1011, 1015, 1030, 1031, 1032, 1032.5, 1032.6, 1033, 1033.7, 1054, 1054.1, 1054a, 1068, 1087, 1103, 1134, 1137, 1144, 1146, 1148, 1149, 1151, 1166a, 1168, 1169, 1176, 1208.5, 1211, 1212, 1213, 1214, 1215, 1217, 1218, 1220, 1221, 1222, 1995, 2024, 2037, and 2038 of the Code of Civil Procedure; to amend the headings of Chapter 5 of Title 1 of Part 1, of Article 3 of Chapter 5 of Title 1 of Part 1, and of Chapter 3 of Title 13 of Part 2 of the Code of Civil Procedure; to repeal the heading of Article 4 of Chapter 5 of Title 1 of Part 1 of the Code of Civil Procedure; to repeal Chapter 6 of Title 1 of Part 1 of the Code of Civil Procedure; and to renumber Chapter 7 of Title 1 of Part 1 of the Code of Civil Procedure to be Chapter 6; all relating to courts of justice, various officers connected therewith, and judicial districts;

Assembly Bill No. 1955—An act to amend Section 694 of the Vehicle Code, relating to the size, weight, and loading of vehicles;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of June, 1951, at 10 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 2109—An act to amend Section 7d of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to attaches in municipal courts in cities of the first and one-half class and attaches in the municipal court established in a judicial district embracing the City of Los Angeles;

Assembly Bill No. 2113—An act to amend Section 869 of the Penal Code, relating to the preparation of daily transcripts and the costs thereof;

Assembly Bill No. 2196—An act to amend Sections 2160.7 and 3044.1 of the Welfare and Institutions Code, relating to state reimbursement to counties for the cost of institutional care of certain aged and certain blind persons;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of June, 1951, at 10 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your committee on Legislative Procedure has examined:

Assembly Bill No. 2216—An act to amend Sections 7371h of the Political Code and 79.34 of the Code of Civil Procedure, relating to superior judges' salaries;

Assembly Bill No. 2307—An act to amend Sections 208 and 209 of the Unemployment Insurance Act, relating to disability benefits;

Assembly Bill No. 2362—An act to add Section 261a 7 to the Code of Civil Procedure, relating to reporters for superior courts,

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of June, 1951, at 10 p m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR SPEAKER: Your committee on Legislative Procedure has examined:

Assembly Bill No. 2367—An act to amend Sections 264, 286, 288, 288a, 311 and 647a of the Penal Code, relating to sex crimes;

Assembly Bill No. 2591—An act to amend Section 7372 of, and to add Section 7326 to, the Business and Professions Code, relating to regulation of the practice of cosmetology;

Assembly Bill No. 2605—An act to amend Section 61.6 of the Code of Civil Procedure, relating to the salary of the clerk of each district court of appeal;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of June, 1951, at 10 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR SPEAKER: Your committee on Legislative Procedure has examined:

Assembly Bill No. 2611—An act to add Section 9.5 to an act entitled "An act relating to the rights, powers, and disabilities of aliens and of certain companies, associations, and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holdings to facilitate the enforcement of this act, prescribing penalties for violation of the provisions hereof, and repealing all acts and parts of acts inconsistent or in conflict herewith," approved as an initiative measure by the electors on November 2, 1920, relating to the ownership, use, and enjoyment of real property or of rights or interests therein; and making an appropriation;

Assembly Bill No. 2795—An act to amend Section 16091 of the Education Code, relating to readers for blind students, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 2816—An act to amend Sections 7, 19, 23b, 24 2, 24 26, 24 27, 27b, 27c, 38 2, 39, 55 7, 59 and 59 5 of, and to add Sections 53 4, 53 55 and 55.8 to, the Alcoholic Beverage Control Act, relating to sales of alcoholic beverages at wholesale and at retail;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of June, 1951, at 10 p m

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2885—An act to add Article 6, comprising Sections 20930 to 20934, inclusive, to Chapter 7 of Part 3 of Division 5 of Title 2 of the Government Code, relating to the State Employees' Retirement System in respect to credit for service to local public agencies;

Assembly Bill No. 2941—An act to add Section 585 4 to the Vehicle Code, relating to the removal of vehicles parked upon streets or highways by local authorities;

Assembly Bill No. 3056—An act to amend Section 402 of the Vehicle Code, relating to the liability of owners of motor vehicles,

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of June, 1951, at 10 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3066—An act making an additional appropriation for support of the Division of Forestry, Department of Natural Resources, to enable it to provide brush-burning fire protection service and to assist in range improvement programs, to take effect immediately;

Assembly Bill No. 3198—An act to amend Sections 14479, 14632, and 14635 of the Education Code, relating to the State Teachers' Retirement System;

Assembly Bill No. 3307—An act to add Section 4708 to the Labor Code, relating to workmen's compensation;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of June, 1951, at 10 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3323—An act to amend Section 261a.5 of, and to add Section 261h to, the Code of Civil Procedure, relating to phonographic reporters: salary: fees: taxation of fees as costs: transmission of fees to treasurer;

Assembly Bill No. 3410—An act to amend Sections 19601, 19601.5, 19601 6, 19607, 19608, 19613, 19613.1, 19613.5, and 19613.7 of, to add Sections 19601 1, 19601 7, 19602 3, 19602 5, 19607.1, 19607 2, 19607 3, 19607.4, and 19613 8 to, and to repeal Sections 19602 5 and 19614 5 of, the Education Code, relating to child care centers, making an appropriation, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 3423—An act to amend Sections 2160 and 2350 of the Welfare and Institutions Code, relating to old age security to inmates of private institutions;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of June, 1951, at 10 p.m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3439—An act to add Section 6516 to the Revenue and Taxation Code relating to assessments for sales and use taxes;

And reports that the same has been correctly enrolled and presented to the Governor on the twenty-third day of June, 1951, at 10 p m.

BURKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 104—Relative to the marriage of Charles W. Meyers;

And reports that the same has been correctly enrolled and presented to the Secretary of State on the twenty-third day of June, 1951, at 10 p.m.

BURKE, Chairman

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 841

Mr. George D. Collins asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 841, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 841—An act to add Section 2000 of the Government Code, dealing with the filing of claims against the State, district, county, city, or city and county.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 841?

Amendment No. 1

On page 2, line 1, of the printed bill, as amended in the Assembly on May 21, 1951, after "any", insert "local".

Amendment No. 2

On page 2, line 2, of said bill, as amended, strike out "public", and insert "publicly owned".

Amendment No. 3

On page 2, line 4, of said bill, as amended, after "against", strike out "the", and insert "such".

Amendment No. 4

In line 1 of the title of the printed bill, as amended in the Senate on June 6, 1951, strike out "2000", and insert "2003".

Amendment No. 5

On page 1, line 1, of said bill, as amended, strike out "2000", and insert "2003".

Amendment No. 6

On page 1, line 3, of said bill, as amended, strike out "2000", and insert "2003".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 841 by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hansen, Hawkins, Henderson, Kelly, Kilpatrick, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, Meyers, Moss, Munnell, Niehouse, Parker, Rosenthal, Rumford, Shaw, Sherwin, Stanley, Stewart, Tomlinson, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 841 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1531—An act making an appropriation for the restoration and improvement of the Benicia State Capitol Historical Monument.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dills, Dolwig, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF SENATE BILL NO. 1186

Mr. Munnell asked for, and was granted unanimous consent to take up further consideration of Senate Bill No. 1186, temporarily passed on file.

CONSIDERATION OF SENATE BILL NO. 1186

Senate Bill No. 1186—An act to amend Section 7a of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks, and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to attaches in municipal courts in cities of the first and one-half class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brady, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Doyle, Elliott, Erwin, Fleury, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lyon, Maloney, McCarthy, McFall, McGee, Meyers, Munnell, Niehouse, Parker, Porter, Rosenthal, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—53.

NOES—Luckel and Morris—2.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. McCarthy asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 94, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 94

Senate Concurrent Resolution No. 94—Relative to effecting adequate information to California suppliers and declaring public policy thereon.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Dills, Elliott, Erwin, Fleury, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Waters, and Mr Speaker—58.

NOES—Lowrey—1.

Resolution ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Second Committee on Conference concerning:

Assembly Bill No. 1071—An act to amend Section 50¾ of, and to add Section 52.1 to, the Public Utilities Act, and to amend Section 1066 of, and to add Section 816.5 to, the Public Utilities Code, relating to public utilities.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning.

Senate Bill No. 399—An act to amend Section 2110 of the Streets and Highways Code, relating to apportionments to counties payable from the Highway Users Tax Fund.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 919—An act to amend Sections 753, 2001, 2002, 2004, and 2005 of; to amend and renumber Sections 755, 756, 758, 759, 760, 1831, 1832, 1833, 1834, 1835, 1839, 1840, 1841, 1842, and 1843 of; to add Sections 1840.5 and 2006 to; and to repeal Sections 754, 757, 1836, 1837, 1904, 1905, 1906, 1907, and 1908 of the Revenue and Taxation Code, relating to property taxation and the allocation of state funds; declaring the urgency thereof, to take effect immediately.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 820
Assembly Bill No. 1797

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning.

Senate Bill No. 261—An act to amend Section 22257 of the Water Code, relating to water distribution by irrigation districts.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER REPORT OF SECOND COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 1071

Mr. Hagen asked for, and was granted, unanimous consent to consider the report of the Second Committee on Conference concerning Assembly Bill No. 1071, without reference to file.

REPORT OF SECOND COMMITTEE ON CONFERENCE

The following report of Second Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: The Second Committee on Conference concerning:

Assembly Bill No. 1071 (As amended in Senate June 21, 1951)—An act to amend Section 503 of, and to add Section 52.1 to, the Public Utilities Act, and to amend Section 1066 of, and to add Sections 706, 707, 708, and 816.5 to, the Public Utilities Code, relating to public utilities

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in.

HAROLD T. JOHNSON	HAGEN
MAYO	MOSS
BURNS	
Senate Committee on Conference	Assembly Committee on Conference

Demand for Previous Question

Messrs. Waters, Rosenthal, Beck, Hahn, and Burke demanded the previous question.

Roll Call Demanded

Messrs. Moss, Rosenthal, and Sherwin demanded a roll call.

The roll was called, and the demand for the previous question not sustained by the following vote:

AYES—Beck, Belotti, Brown, Caldecott, Clarke, Coats, Condon, Connolly, Cooke, Davis, Dickey, Elliott, Fleury, Hagen, Henderson, Kilpatrick, Kleksiem, Lincoln, Lindsay, Lowrey, McFall, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Smith, and Thomas—29

NOES—Babbage, Berry, Burke, Burkhalter, Chapel, Cloyed, Collier, Conrad, Dolwig, Doyle, Erwin, Gaffney, Geddes, Grant, Hahn, Hansen, Hollibaugh, Kirkwood, Lanterman, Levering, Lipscomb, Lucke, Maloney, McCollister, McGee, McMillan, Meyers, Morris, Niehouse, Porter, Sherwin, Silliman, Stanley, Stewart, Tomlinson, and Waters—36.

The question being on the adoption of the report of the Second Committee on Conference concerning Assembly Bill No. 1072.

Point of Order

Mr. Chapel arose to the following point of order: That pursuant to Rule No. 80 the amendments in the report of the Second Committee on Conference are not germane.

Ruling

At the request of the Speaker, who preferred that the House rule upon this point of order, the roll was called, and the House ruled the amendments were not germane by the following vote:

AYES—Beck, Caldecott, Coats, George D. Collins, Condon, Cooke, Davis, Elliott, Gaffney, Geddes, Gubser, Hagen, Henderson, Lincoln, Lowrey, Maloney, McFall, Moss, Parker, Rumford, Shaw, and Thomas—22.

NOES—Belotti, Berry, Burke, Burkhalter, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Dickey, Dills, Dolwig, Doyle, Erwin, Grant, Hahn, Hansen, Hawkins, Hollibaugh, Klocksiem, Lanterman, Levering, Lipscomb, Luckel, Lyon, McCarthy, McCollister, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Porter, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—43.

Report of the Second Committee on Conference concerning Assembly Bill No. 1071, by virtue of the above action, was automatically refused adoption.

Appointment of Third Committee on Conference Concerning Assembly Bill No. 1071

The Speaker announced the appointment of Messrs. Lindsay, McFall, and Caldecott as a Third Committee on Conference concerning Assembly Bill No. 1071.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 251

Mr. Munnell asked for, and was granted, unanimous consent to take up House Resolution No. 251, without reference to file.

CONSIDERATION OF HOUSE RESOLUTION NO. 251

By Mr. Munnell:

House Resolution No. 251

Relative to directing the Assembly Interim Committee on Revenue and Taxation to study certain facts relating to liquor taxation

WHEREAS, The cost of State Government is necessarily increasing, and it is deemed advisable to allot the supporting taxes in the most equitable means practical; and

WHEREAS, California has the lowest liquor tax rates in the Nation; and

WHEREAS, There have been no major increases in the state liquor taxes for over 15 years; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Revenue and Taxation is hereby authorized and directed to ascertain, study and analyze all facts relating to (a) California's liquor tax structure in relation to those of other states of the United States;

(b) The retail price rates of liquor with respect to the amount of liquor tax in each state; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 207

Mr. Dolwig asked for, and was granted unanimous consent to take up House Resolution No. 207, without reference to file.

CONSIDERATION OF HOUSE RESOLUTION NO. 207

By Mr. Dolwig:

House Resolution No. 207

Relative to augmenting the funds of the Special Assembly Committee on Legislative Representation

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available the sum of _____ dollars ($_____), or so much thereof as may be necessary, is hereby made available from the Contingent Fund of the Assembly for the expenses of the Special Assembly Committee on Legislative Representation (created by Rule 21 of the Permanent Standing Rules of the Assembly for the 1951 Regular Session, adopted by House Resolution No. 23 of the 1951 Regular Session) and its members and for any charges, expenses, or claims it may incur under said rule and resolution, to be paid from said Contingent Fund and disbursed after certification by the chairman of the committee upon warrants drawn by the State Controller on the State Treasurer.

Resolution read.

Motion to Amend

Mr. Dolwig moved the adoption of the following amendment:

Amendment No. 1

In the second line of the first *Resolved* clause of the resolution, as printed in the Assembly Journal for June 15, 1951, at pages 5715 and 5716, strike out "_____ dollars ($_____)", and insert "five thousand dollars ($5,000)".

Amendment read, and adopted.

Consideration of House Resolution No. 207, as Amended

By Mr. Dolwig:

House Resolution No. 207

Relative to augmenting the funds of the Special Assembly Committee on Legislative Representation

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available the sum of five thousand dollars ($5,000), or so much thereof as may be necessary, is hereby made available from the Contingent Fund of the Assembly for the expenses of the Special Assembly Committee on Legislative Representation (created by Rule 21 of the Permanent Standing Rules of the Assembly for the 1951 Regular Session, adopted by House Resolution No. 23 of the 1951 Regular Session) and its members and for any charges, expenses, or claims it may incur under said rule and resolution, to be paid from said Contingent Fund and disbursed after certification by the chairman of the committee upon warrants drawn by the State Controller on the State Treasurer.

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Connolly, Conrad, Cooke, Crowley, Davis, Dills, Dolwig, Erwin, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Lyon, Maloney, McCollister, McFall, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—59.

NOES—None.

Speaker Pro Tempore Presiding

At 11.40 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Byrne, Ed. C. Johnson, and Thompson as a Third Committee on Conference concerning:

Assembly Bill No. 1071—An act to amend Section 50¾ of, and to add Section 52.1 to, the Public Utilities Act, and to amend Section 1066 of, and to add Section 816.5 to, the Public Utilities Code, relating to public utilities.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1018

Mr. Sam L. Collins asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 1018, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1018—An act to add Sections 53 and 3928.1 to, and to amend Section 3946 of, the Elections Code, relating to ballots.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1018?

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on April 18, 1951, strike out "ballots", and insert "designation of party affiliation of candidates on ballots; and providing for the submission thereof to the electors for approval or rejection pursuant to Paragraph 3 of Section 1 of Article IV of the California Constitution".

Amendment No. 2

After the ballot form numbered 2, attached to the printed bill, insert

"SEC. 3. This act shall be presented to the electors for approval or rejection on the ballot at the same election at which is presented an initiative measure titled "An act to prohibit cross filing and to prevent any person from becoming a candidate or nominee of any political party unless he has been continuously registered as a member of that party for at least three months immediately prior to filing of nomination papers for the office he seeks and to invalidate any law in conflict with this act," as an alternative to such measure, pursuant to Paragraph 3 of Section 1 of Article IV of the California Constitution."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1018 by the following vote:

AYES—Babbage, Belotti, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Crowley, Dolwig, Doyle, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Morris, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—48.

NOES—Beck, Berry, Coats, George D. Collins, Condon, Elliott, Gaffney, Hagen, Hawkins, Henderson, Kilpatrick, Lowrey, McFall, Moss, Munnell, Parker, and Shaw—17.

Assembly Bill No. 1018 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1684

Mr. Grunsky asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 1684, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1684—An act to amend Section 7056 of the Business and Professions Code, relating to general engineering contractors.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1684?

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on June 11, 1951, strike out lines 1 to 7, inclusive.

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1684 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Caldecott, Clarke, Cloyed, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Tomlinson, and Waters—63.

NOES—Lowrey—1.

Assembly Bill No. 1684 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER REPORT OF THIRD COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 1071

Mr. Lindsay asked for, and was granted, unanimous consent to consider the report of the Third Committee on Conference concerning Assembly Bill No. 1071, without reference to file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Third Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR SPEAKER: The Third Committee on Conference concerning:

Assembly Bill No. 1071—(As amended in Senate June 21, 1951)—An act to amend Section 503 of, and to add Section 52 1 to, the Public Utilities Act, and to amend Section 1066 of, and to add Sections 706, 707, 708, and 816 5 to, the Public Utilities Code, relating to public utilities.

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Senate on June 21, 1951, strike out "Sections 706, 707, 708 and", and insert "Section".

Amendment No. 2

On page 5 of said bill, strike out lines 14 to 51, inclusive; and on page 6, strike out lines 1 to 10, inclusive.

ED C JOHNSON	CALDECOTT
BYRNE	McFALL
THOMPSON	LINDSAY
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Erwin, Gaffney, Geddes, Grant, Gubser, Hagen, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Parker, Porter, Rumford, Silliman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—55.

NOES—Beck, Hahn, Kilpatrick, Lowrey, and Munnell—5.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 1109

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1109

Mr. Rumford asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Bill No. 1109, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1109—An act to amend Sections 26209, 26233, 26235, 26252, 26253, 26271(a), 16272, 26273, 26274, and 26288 of, and to add Sections 26211.5 and 26286.5 to and to repeal Sections 26251, 26271, of the Health and Safety Code, relating to adulterating, misbranding, and advertising of drugs and devices.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1109?

Amendment No. 1

On page 2, line 23, of the printed bill, as amended in the Senate on June 20, 1951, strike out "of", and insert "or".

Amendment No. 2

On page 3, line 11, of said bill, as amended, after "deemed", insert "mislabeled or".

Amendment No. 3

On page 2, line 36, of said bill, as amended, after "therefor", strike out the comma and insert a period; and strike out the balance of the line and lines 37 and 38.

Amendment No. 4

On page 3 of said bill, as amended, strike out lines 7, 8, and 9.

Amendment No. 5

On page 3 of said bill, as amended, strike out lines 17, 18, 19, and 20

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1109 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Erwin, Fleury, Gaffney, Gaddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—67.

NOES—None.

Assembly Bill No. 1109 ordered enrolled.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day adopted, as amended:

Assembly Concurrent Resolution No. 105

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered to unfinished business file.

REQUEST FOR UNANIMOUS CONSENT TO CONSIDER SENATE AMENDMENTS TO ASSEMBLY CONCURRENT RESOLUTION NO. 105

Mr. Cloyed asked for, and was granted, unanimous consent to consider Senate amendments to Assembly Concurrent Resolution No. 105, without reference to file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Concurrent Resolution No. 105—Relative to advertising by Dairy Industries Advisory Board.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Concurrent Resolution No. 105?

Amendment No. 1

On page 1, lines 11 and 12, of the printed resolution, strike out "endeavor to place a greater proportion", and insert "to investigate the placing of".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Concurrent Resolution No. 105 by the following vote:

AYES—Babbage, Belotti, Berry, Burke, Clarke, Cloyed, Condon, Conrad, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hansen, Henderson, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Nicholson, Parker, Porter, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters—45.

NOES—Cooke, Geddes, and Shaw—3.

Assembly Concurrent Resolution No. 105 ordered enrolled.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 1018
Assembly Bill No. 1684

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 109

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 1186
Senate Bill No. 1472
Senate Bill No. 1531

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Third Committee on Conference concerning:

Assembly Bill No. 1071—An act to amend Section 50¾ of, and to add Section 52.1 to, the Public Utilities Act, and to amend Section 1066 of, and to add Sections 706, 707, 708, and 816.5 to, the Public Utilities Code, relating to public utilities.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Assembly Bill No. 1071 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 256

Mr. Hagen asked for, and was granted unanimous consent to take up House Resolution No. 256, without reference to file.

CONSIDERATION OF HOUSE RESOLUTION NO. 256

By Mr. Hagen:

House Resolution No. 256

Relative to directing the Assembly Interim Committee on Conservation, Planning and Public Works to undertake a special investigation

Resolved by the Assembly of the State of California, That in addition to the duties imposed on it by the resolution creating it, the Assembly Interim Committee on Conservation, Planning and Public Works is authorized and directed to ascertain, study and analyze all facts relating to the subject matter expressed in House Resolution No. 224 of this session of the Legislature and to report to the Legislature at its 1953 Regular Session.

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 240

Mr. Doyle asked for, and was granted, unanimous consent to take up House Resolution No. 240 without reference to file.

CONSIDERATION OF HOUSE RESOLUTION NO. 240

By Mr. Doyle:

House Resolution No. 240

Relating to commending the Chaplain of the Assembly, The Reverend Clarence A. Kircher, and authorizing the printing of the prayers of the Assembly in book form

WHEREAS, The Reverend Clarence A. Kircher, Chaplain of the Assembly, during the 1951 Regular Session of the Legislature, has, by his prayers each morning brought to this body valuable inspiration and guidance, and has reminded the members of their obligation not only to their God but to their fellow men, to the State, and the Nation; and

WHEREAS, His intellectual attainments have compelled the admiration of all within his hearing and have won the personal regard of all the members; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly does hereby express to The Reverend Clarence A. Kircher its sincere appreciation for the spiritual guidance he has rendered this body during this session of the Legislature, and for the inspiration which the members have derived from his prayers; and be it further

Resolved, That the Chief Clerk is hereby authorized and instructed to have printed 350 copies of a booklet containing the prayers offered in the Assembly at this session; that he send one of said copies to each Member of the Assembly; and that he transmit the remaining copies to The Reverend Clarence A. Kircher together with an engrossed copy of this resolution.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In lines 1 and 2 of the title of the printed measure, as printed in the Assembly Journal for June 21, 1951, at pages 6080 and 6081, strike out "commending the Chaplain of the Assembly, the Reverend Clarence A. Kircher and".

Amendment No. 2

Strike out the first and second "WHEREAS" clauses, and the first "*Resolved*" clause, of said measure.

Amendment No. 3

In the first line of the last "*Resolved*" clause, strike out the comma, and insert "by the Assembly of the State of California,".

Amendments read, and adopted.

Consideration of House Resolution No. 240, as Amended

By Mr. Doyle:

House Resolution No. 240

Relating to authorizing the printing of the prayers of the Assembly in book form

Resolved by the Assembly of the State of California, That the Chief Clerk is hereby authorized and instructed to have printed 350 copies of a booklet containing the prayers offered in the Assembly at this session; that he send one of said copies to each Member of the Assembly; and that he transmit the remaining copies to The Reverend Clarence A. Kircher together with an engrossed copy of this resolution

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloved, Coats, Collier, Condon, Connolly, Conrad, Cooke, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Nichouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—67.

NOES—None.

Speaker Presiding

At 11 55 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

RESOLUTIONS

The following resolutions were offered:

By Mr. Lyon:

House Resolution No. 265

Resolved, That the Speaker appoint a Committee of Five to notify the Senate that the Assembly is ready to adjourn sine die and ask if the Senate has any further communications to transmit to this House

Request for Unanimous Consent

Mr. Lyon asked for, and was granted, unanimous consent to take up House Resolution No. 265, at this time, without reference to committee or file.

Resolution read, and adopted.

Appointment of Select Committee

Pursuant to the provisions of House Resolution No. 265, the Speaker announced the appointment of Messrs. Lyon, Beck, Coats, Dolwig, Erwin, and Hinckley as such Select Committee to wait upon the Senate.

By Mr. Hollibaugh:

House Resolution No. 266

Resolved, That the Speaker appoint a Committee of Five to wait upon His Excellency, the Governor of the State of California, and inform him that the Assembly has concluded its labors and awaits his further pleasure.

Request for Unanimous Consent

Mr. Hollibaugh asked for, and was granted, unanimous consent to take up House Resolution No. 266, at this time, without reference to committee or file.

Resolution read, and adopted.

Appointment of Select Committee

Pursuant to the provisions of House Resolution No. 266, the Speaker announced the appointment of Messrs. Fleury, Hollibaugh, Moss, Meyers, and Maloney as such Select Committee to wait upon the Governor.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON CONFERENCE REPORT CONCERNING SENATE BILL NO. 1633

At 11.58 p.m., on motion of Mr. Dolwig, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the report of the Committee on Conference concerning Senate Bill No. 1633 refused adoption by the following vote:

AYES—Babbage, Belotti, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Dickey, Dolwig, Erwin, Geddes, Grant, Grunsky, Gubser, Hansen, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McGee, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters—40.

NOES—Beck, Berry, Brady, Coats, George D. Collins, Condon, Cooke, Davis, Dills, Doyle, Elliott, Fleury, Gaffney, Hagen, Hahn, Hawkins, Henderson, Hollibaugh, Kilpatrick, Lincoln, Lowrey, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Thomas, and Mr. Speaker—36.

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER. Your Committee on Agriculture, to which were referred:

Assembly Bill No. 7	Assembly Bill No. 2210
Assembly Bill No. 56	Assembly Bill No. 2228
Assembly Bill No. 598	Assembly Bill No. 2278
Assembly Bill No. 793	Assembly Bill No. 2346
Assembly Bill No. 807	Assembly Bill No. 2351
Assembly Bill No. 873	Assembly Bill No. 2354
Assembly Bill No. 941	Assembly Bill No. 2356
Assembly Bill No. 942	Assembly Bill No. 2358
Assembly Bill No. 1084	Assembly Bill No. 2359
Assembly Bill No. 1095	Assembly Bill No. 2483
Assembly Bill No. 1096	Assembly Bill No. 2546
Assembly Bill No. 1143	Assembly Bill No. 2618
Assembly Bill No. 1184	Assembly Bill No. 2660
Assembly Bill No. 1497	Assembly Bill No. 2680
Assembly Bill No. 1548	Assembly Bill No. 2681
Assembly Bill No. 1737	Assembly Bill No. 2740
Assembly Bill No. 2014	Assembly Bill No. 2765

Respectfully reports the same back without further action.

CLARKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 2950	Assembly Bill No. 3228
Assembly Bill No. 3219	Assembly Bill No. 3292

Respectfully reports the same back without further action.

CLARKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 88	Assembly Bill No. 540
Assembly Bill No. 502	Assembly Bill No. 2482

Respectfully reports the same back without further action.

CLARKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Senate Bill No. 762
Senate Bill No. 931
Senate Bill No. 1250
Senate Bill No. 1255

Respectfully reports the same back without further action.

CLARKE, Chairman

Above reported bills ordered transmitted to the Senate.

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred.

Assembly Bill No. 1549

Respectfully reports the same back without further action; and recommends that the subject matter of the bill be referred to the Interim Committee on Fairs and Expositions.

CLARKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 2357

Respectfully reports the same back without further action; and recommends that the subject matter of the bill be referred to the Interim Committee on Fairs and Expositions.

CLARKE, Chairman

Committee on Boards and Commissions

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which were referred:

Assembly Bill No. 260
Assembly Bill No. 846
Assembly Bill No. 1747
Assembly Bill No. 2221
Assembly Bill No. 2222
Assembly Bill No. 2223
Assembly Bill No. 2257
Assembly Bill No. 2329
Assembly Bill No. 2338
Assembly Bill No. 2339
Assembly Bill No. 2381
Assembly Bill No. 2407
Assembly Bill No. 2414
Assembly Bill No. 2420
Assembly Bill No. 2421
Assembly Bill No. 2422
Assembly Bill No. 2536

Respectfully reports the same back without further action.

McMILLAN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which were referred:

Assembly Bill No. 2682
Assembly Bill No. 2683
Assembly Bill No. 2684
Assembly Bill No. 2685
Assembly Bill No. 2686
Assembly Bill No. 2687
Assembly Bill No. 2697
Assembly Bill No. 2716
Assembly Bill No. 2813
Assembly Bill No. 2814
Assembly Bill No. 2815
Assembly Bill No. 2847
Assembly Bill No. 2862
Assembly Bill No. 2876
Assembly Bill No. 2879
Assembly Bill No. 3033
Assembly Bill No. 3071

Respectfully reports the same back without further action.

McMILLAN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which were referred:

Assembly Bill No. 3081
Assembly Bill No. 3094
Assembly Bill No. 3095
Assembly Bill No. 3187
Assembly Bill No. 3225
Assembly Bill No. 3301
Assembly Bill No. 3304
Assembly Bill No. 3328
Assembly Bill No. 3329
Assembly Bill No. 3366
Assembly Bill No. 3426
Assembly Bill No. 3441

Respectfully reports the same back without further action.

McMILLAN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Boards and Commissions, to which was referred:

Assembly Bill No. 3395

Has had the same under consideration, and reports the same back with the recommendation: Refer to Interim Committee on Boards and Commissions.

McMILLAN, Chairman

Committee on Civil Service and State Personnel

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which were referred:

Assembly Bill No. 280
Assembly Bill No. 483
Assembly Bill No. 491
Assembly Bill No. 633
Assembly Bill No. 651
Assembly Bill No. 760
Assembly Bill No. 761
Assembly Bill No. 1025
Assembly Bill No. 1055
Assembly Bill No. 1156
Assembly Bill No. 1244
Assembly Bill No. 1304
Assembly Bill No 1624
Assembly Bill No 1625
Assembly Bill No 1626
Assembly Bill No. 1627
Assembly Bill No. 1629
Assembly Bill No. 1630
Assembly Bill No 1912
Assembly Bill No. 1959
Assembly Bill No. 1965
Assembly Bill No. 1966
Assembly Bill No. 2198
Assembly Bill No. 2373
Assembly Bill No. 2405
Assembly Bill No 2731
Assembly Bill No 2773
Assembly Bill No. 2869
Assembly Bill No. 2932
Assembly Bill No. 3344

Respectfully reports the same back without further action.

CALDECOTT, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which were referred:

Senate Bill No 178
Senate Bill No. 1110
Senate Bill No. 1550

Respectfully reports the same back without further action.

CALDECOTT, Chairman

Above reported bills ordered transmitted to the Senate.

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Assembly Bill No. 8
Assembly Bill No. 420
Assembly Bill No. 526
Assembly Bill No. 655
Assembly Bill No. 1507
Assembly Bill No. 1518
Assembly Bill No. 1610
Assembly Bill No. 1635
Assembly Bill No. 1636
Assembly Bill No 1809
Assembly Bill No. 1845
Assembly Bill No. 1899
Assembly Bill No. 2063
Assembly Bill No. 2074
Assembly Bill No 2247
Assembly Bill No. 2215
Assembly Bill No. 2246
Assembly Bill No. 2360
Assembly Bill No. 2481
Assembly Bill No. 2532
Assembly Bill No. 2720
Assembly Bill No. 2721
Assembly Bill No. 2767
Assembly Bill No. 2799
Assembly Bill No. 2906
Assembly Bill No. 2911
Assembly Bill No. 2912
Assembly Bill No. 2913
Assembly Bill No 2915
Assembly Bill No 2916
Assembly Bill No. 2917
Assembly Bill No. 2918
Assembly Bill No. 2919
Assembly Bill No. 3052

Respectfully reports the same back without further action.

DICKEY, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Assembly Bill No. 3104
Assembly Bill No. 3115
Assembly Bill No. 3124
Assembly Bill No. 3125
Assembly Bill No. 3126
Assembly Bill No. 3127
Assembly Bill No. 3129
Assembly Bill No. 3130
Assembly Bill No. 3131
Assembly Bill No. 3133
Assembly Bill No. 3134
Assembly Bill No. 3135
Assembly Bill No. 3136
Assembly Bill No. 3137
Assembly Bill No. 3138
Assembly Bill No. 3139
Assembly Bill No. 3459

Respectfully reports the same back without further action.

DICKEY, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Assembly Bill No. 1250
Assembly Bill No. 3132

Has had the same under consideration, and reports the same back with the recommendation: Refer subject matter to proper interim committee.

DICKEY, Chairman

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Constitutional Amendments, to which were referred.

Assembly Constitutional Amendment No. 3
Assembly Constitutional Amendment No. 4
Assembly Constitutional Amendment No. 6
Assembly Constitutional Amendment No. 7
Assembly Constitutional Amendment No. 10
Assembly Constitutional Amendment No. 11
Assembly Constitutional Amendment No. 12
Assembly Constitutional Amendment No. 14
Assembly Constitutional Amendment No. 15
Assembly Constitutional Amendment No. 17
Assembly Constitutional Amendment No. 18
Assembly Constitutional Amendment No. 21
Assembly Constitutional Amendment No. 22
Assembly Constitutional Amendment No. 23
Assembly Constitutional Amendment No. 25
Assembly Constitutional Amendment No. 26
Assembly Constitutional Amendment No. 27
Assembly Constitutional Amendment No. 28
Assembly Constitutional Amendment No. 30
Assembly Constitutional Amendment No. 31
Assembly Constitutional Amendment No. 32
Assembly Constitutional Amendment No. 33
Assembly Constitutional Amendment No. 37
Assembly Constitutional Amendment No. 38
Assembly Constitutional Amendment No. 39
Assembly Constitutional Amendment No. 42
Assembly Constitutional Amendment No. 43
Assembly Constitutional Amendment No. 44
Assembly Constitutional Amendment No. 45
Assembly Constitutional Amendment No. 46
Assembly Constitutional Amendment No. 47
Assembly Constitutional Amendment No. 48
Assembly Constitutional Amendment No. 50
Assembly Constitutional Amendment No. 53
Assembly Constitutional Amendment No. 56
Assembly Constitutional Amendment No. 65
Assembly Constitutional Amendment No. 66

Respectfully reports the same back without further action.

CROWLEY, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No. 64

Respectfully reports the same back without further action.

CROWLEY, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Constitutional Amendments, to which were referred:

Senate Constitutional Amendment No. 6
Senate Constitutional Amendment No. 9
Senate Constitutional Amendment No. 11
Senate Constitutional Amendment No. 21
Senate Constitutional Amendment No. 25

Respectfully reports the same back without further action.

CROWLEY, Chairman

Above reported resolutions ordered transmitted to the Senate.

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Bill No. 2305

Respectfully reports the same back without further action.

CROWLEY, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Bill No. 3091

Respectfully reports the same back without further action.

CROWLEY, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No. 60

Has had the same under consideration, and respectfully reports the same back without further action, and be referred to Revenue and Taxation Interim Committee.

CROWLEY, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No. 61

Has had the same under consideration, and respectfully reports the same back without further action, and be referred to Judiciary Interim Committee.

CROWLEY, Chairman

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 4
Assembly Bill No. 5
Assembly Bill No. 29
Assembly Bill No. 96
Assembly Bill No. 220
Assembly Bill No. 221
Assembly Bill No. 364
Assembly Bill No. 427
Assembly Bill No 551
Assembly Bill No. 656
Assembly Bill No. 662
Assembly Bill No. 738
Assembly Bill No. 739
Assembly Bill No. 819
Assembly Bill No. 867
Assembly Bill No. 870
Assembly Bill No. 871
Assembly Bill No. 872
Assembly Bill No. 874
Assembly Bill No. 875
Assembly Bill No. 876
Assembly Bill No. 946
Assembly Bill No. 1026
Assembly Bill No. 1062
Assembly Bill No. 1077
Assembly Bill No. 1085
Assembly Bill No. 1115
Assembly Bill No. 1279
Assembly Bill No. 1560
Assembly Bill No. 1576
Assembly Bill No. 1588
Assembly Bill No. 1589
Assembly Bill No. 1590
Assembly Bill No. 1591
Assembly Bill No. 1592
Assembly Bill No. 1594
Assembly Bill No. 1595
Assembly Bill No. 1692
Assembly Bill No 1700
Assembly Bill No. 1706

Respectfully reports the same back without further action.

DUNN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 1707
Assembly Bill No. 1718
Assembly Bill No. 1843
Assembly Bill No. 1857
Assembly Bill No. 1929
Assembly Bill No. 1953
Assembly Bill No. 1986
Assembly Bill No. 1987
Assembly Bill No. 2080
Assembly Bill No. 2088
Assembly Bill No. 2119
Assembly Bill No. 2130
Assembly Bill No. 2188
Assembly Bill No. 2231
Assembly Bill No. 2232
Assembly Bill No. 2316
Assembly Bill No. 2425
Assembly Bill No 2494
Assembly Bill No. 2495
Assembly Bill No. 2698
Assembly Bill No. 2699
Assembly Bill No. 2700
Assembly Bill No. 2701
Assembly Bill No. 2768
Assembly Bill No. 2778
Assembly Bill No. 2811
Assembly Bill No. 2824
Assembly Bill No. 2829
Assembly Bill No. 2831
Assembly Bill No. 2832
Assembly Bill No. 2833
Assembly Bill No. 2928
Assembly Bill No. 2951
Assembly Bill No. 2952
Assembly Bill No. 2953
Assembly Bill No. 2954
Assembly Bill No. 3080
Assembly Bill No. 3097
Assembly Bill No 3168

Respectfully reports the same back without further action.

DUNN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 3185
Assembly Bill No. 3190
Assembly Bill No. 3191
Assembly Bill No. 3192
Assembly Bill No. 3194
Assembly Bill No. 3195
Assembly Bill No. 3196
Assembly Bill No. 3242
Assembly Bill No. 3243
Assembly Bill No. 3249
Assembly Bill No. 3355
Assembly Bill No. 3371

Respectfully reports the same back without further action.

DUNN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Education, to which were referred:

Senate Bill No 359
Senate Bill No. 378
Senate Bill No. 668

Respectfully reports the same back without further action.

DUNN, Chairman

Above reported bills ordered transmitted to the Senate.

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Concurrent Resolution No. 92

Respectfully reports the same back without further action.

DUNN, Chairman

Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which were referred:

Assembly Bill No. 3
Assembly Bill No. 9
Assembly Bill No. 95
Assembly Bill No. 97
Assembly Bill No. 98
Assembly Bill No. 136
Assembly Bill No 158
Assembly Bill No 159
Assembly Bill No. 160
Assembly Bill No 161
Assembly Bill No 162
Assembly Bill No 163
Assembly Bill No 180
Assembly Bill No. 181
Assembly Bill No. 185
Assembly Bill No 192
Assembly Bill No 194
Assembly Bill No. 201
Assembly Bill No. 219
Assembly Bill No. 226
Assembly Bill No. 227
Assembly Bill No. 228
Assembly Bill No. 230
Assembly Bill No 307
Assembly Bill No 310
Assembly Bill No. 371
Assembly Bill No. 372
Assembly Bill No 660
Assembly Bill No. 677
Assembly Bill No 678
Assembly Bill No 679
Assembly Bill No. 680
Assembly Bill No 764
Assembly Bill No. 788

Respectfully reports the same back without further action.

WATERS, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which were referred:

Assembly Bill No. 790
Assembly Bill No 794
Assembly Bill No. 893
Assembly Bill No. 1067
Assembly Bill No. 1281
Assembly Bill No. 1305
Assembly Bill No. 1547
Assembly Bill No 1574
Assembly Bill No. 1575
Assembly Bill No 1603
Assembly Bill No. 1607
Assembly Bill No 1614
Assembly Bill No 1615
Assembly Bill No. 1685
Assembly Bill No 1733
Assembly Bill No. 1740
Assembly Bill No. 1745
Assembly Bill No. 1794
Assembly Bill No. 1795
Assembly Bill No. 1796
Assembly Bill No. 1798
Assembly Bill No 1923
Assembly Bill No 1926
Assembly Bill No. 1927
Assembly Bill No. 1935
Assembly Bill No. 1936
Assembly Bill No. 2032
Assembly Bill No. 2297
Assembly Bill No. 2408
Assembly Bill No. 2415
Assembly Bill No. 2431
Assembly Bill No 2432
Assembly Bill No. 2434
Assembly Bill No. 2438

Respectfully reports the same back without further action.

WATERS, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which were referred:

Assembly Bill No. 2439
Assembly Bill No 2442
Assembly Bill No. 2443
Assembly Bill No. 2444
Assembly Bill No. 2445
Assembly Bill No 2446
Assembly Bill No. 2460
Assembly Bill No. 2461
Assembly Bill No 2462
Assembly Bill No. 2473
Assembly Bill No. 2594
Assembly Bill No. 2604
Assembly Bill No 2606
Assembly Bill No 2607
Assembly Bill No. 2632
Assembly Bill No 2633
Assembly Bill No. 2634
Assembly Bill No. 2635
Assembly Bill No. 2636
Assembly Bill No. 2745
Assembly Bill No 2746
Assembly Bill No. 2771
Assembly Bill No. 3054
Assembly Bill No 3117
Assembly Bill No. 3118
Assembly Bill No 3197
Assembly Bill No. 3264
Assembly Bill No. 3265
Assembly Bill No. 3340
Assembly Bill No 3343
Assembly Bill No 3359
Assembly Bill No. 3360
Assembly Bill No 3361
Assembly Bill No. 3365

Respectfully reports the same back without further action.

WATERS, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which was referred:

Senate Bill No. 1216

Respectfully reports the same back without further action.

WATERS, Chairman

Above reported bill ordered transmitted to the Senate.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 13
Assembly Bill No. 25
Assembly Bill No. 53
Assembly Bill No. 91
Assembly Bill No. 92
Assembly Bill No. 173
Assembly Bill No. 211
Assembly Bill No 261
Assembly Bill No. 262
Assembly Bill No. 264
Assembly Bill No. 265
Assembly Bill No. 266
Assembly Bill No. 267
Assembly Bill No. 268
Assembly Bill No. 274
Assembly Bill No. 275
Assembly Bill No. 276
Assembly Bill No. 277
Assembly Bill No. 278
Assembly Bill No. 279
Assembly Bill No. 281
Assembly Bill No. 311
Assembly Bill No. 350
Assembly Bill No. 351
Assembly Bill No. 373
Assembly Bill No. 374
Assembly Bill No. 375
Assembly Bill No. 376
Assembly Bill No. 377
Assembly Bill No. 378
Assembly Bill No. 379
Assembly Bill No. 391
Assembly Bill No. 392
Assembly Bill No. 393

Respectfully reports the same back without further action.

GEDDES, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 394
Assembly Bill No. 395
Assembly Bill No. 396
Assembly Bill No. 397
Assembly Bill No. 398
Assembly Bill No. 399
Assembly Bill No. 400
Assembly Bill No. 414
Assembly Bill No. 415
Assembly Bill No. 416
Assembly Bill No. 468
Assembly Bill No. 480
Assembly Bill No. 481
Assembly Bill No. 501
Assembly Bill No. 505
Assembly Bill No. 506
Assembly Bill No. 507
Assembly Bill No. 508
Assembly Bill No. 509
Assembly Bill No. 510
Assembly Bill No. 512
Assembly Bill No. 513
Assembly Bill No. 514
Assembly Bill No. 515
Assembly Bill No. 517
Assembly Bill No. 518
Assembly Bill No. 523
Assembly Bill No. 538
Assembly Bill No. 648
Assembly Bill No. 649
Assembly Bill No. 675
Assembly Bill No. 688
Assembly Bill No. 689
Assembly Bill No. 690

Respectfully reports the same back without further action.

GEDDES, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 691
Assembly Bill No. 692
Assembly Bill No. 703
Assembly Bill No. 704
Assembly Bill No. 705
Assembly Bill No. 706
Assembly Bill No. 729
Assembly Bill No. 744
Assembly Bill No. 745
Assembly Bill No. 746
Assembly Bill No. 752
Assembly Bill No. 758
Assembly Bill No. 799
Assembly Bill No. 882
Assembly Bill No. 890
Assembly Bill No. 916
Assembly Bill No. 917
Assembly Bill No. 918
Assembly Bill No. 919
Assembly Bill No. 920
Assembly Bill No. 921
Assembly Bill No. 922
Assembly Bill No. 923
Assembly Bill No. 932
Assembly Bill No. 933
Assembly Bill No. 934
Assembly Bill No. 935
Assembly Bill No. 948
Assembly Bill No. 973
Assembly Bill No. 975
Assembly Bill No. 990
Assembly Bill No. 992
Assembly Bill No. 993
Assembly Bill No. 1073

Respectfully reports the same back without further action.

GEDDES, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 1099
Assembly Bill No. 1100
Assembly Bill No. 1101
Assembly Bill No. 1102
Assembly Bill No. 1103
Assembly Bill No 1104
Assembly Bill No. 1127
Assembly Bill No. 1128
Assembly Bill No. 1129
Assembly Bill No. 1130
Assembly Bill No. 1131
Assembly Bill No. 1132
Assembly Bill No. 1133
Assembly Bill No. 1134
Assembly Bill No. 1135
Assembly Bill No. 1136
Assembly Bill No. 1137
Assembly Bill No. 1138
Assembly Bill No. 1139
Assembly Bill No. 1140
Assembly Bill No. 1141
Assembly Bill No. 1205
Assembly Bill No. 1207
Assembly Bill No. 1208
Assembly Bill No. 1209
Assembly Bill No. 1252
Assembly Bill No. 1253
Assembly Bill No. 1287
Assembly Bill No. 1498
Assembly Bill No. 1522
Assembly Bill No. 1564
Assembly Bill No. 1585
Assembly Bill No. 1713

Respectfully reports the same back without further action.

GEDDES, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 1714
Assembly Bill No. 1749
Assembly Bill No. 1755
Assembly Bill No. 1807
Assembly Bill No. 1917
Assembly Bill No. 1919
Assembly Bill No. 1946
Assembly Bill No. 1949
Assembly Bill No. 1956
Assembly Bill No. 2006
Assembly Bill No. 2007
Assembly Bill No. 2008
Assembly Bill No. 2013
Assembly Bill No. 2023
Assembly Bill No. 2089
Assembly Bill No. 2192
Assembly Bill No. 2200
Assembly Bill No. 2227
Assembly Bill No. 2268
Assembly Bill No. 2269
Assembly Bill No. 2306
Assembly Bill No. 2392
Assembly Bill No. 2393
Assembly Bill No. 2394
Assembly Bill No. 2395
Assembly Bill No. 2396
Assembly Bill No. 2397
Assembly Bill No 2398
Assembly Bill No. 2399
Assembly Bill No. 2400
Assembly Bill No. 2401
Assembly Bill No. 2402
Assembly Bill No. 2403

Respectfully reports the same back without further action.

GEDDES, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 2419
Assembly Bill No. 2469
Assembly Bill No. 2470
Assembly Bill No. 2503
Assembly Bill No. 2504
Assembly Bill No 2517
Assembly Bill No. 2519
Assembly Bill No. 2520
Assembly Bill No. 2521
Assembly Bill No. 2523
Assembly Bill No. 2524
Assembly Bill No. 2560
Assembly Bill No. 2561
Assembly Bill No. 2563
Assembly Bill No. 2564
Assembly Bill No. 2565
Assembly Bill No. 2576
Assembly Bill No. 2578
Assembly Bill No 2612
Assembly Bill No. 2649
Assembly Bill No. 2650
Assembly Bill No. 2651
Assembly Bill No. 2652
Assembly Bill No. 2653
Assembly Bill No. 2654
Assembly Bill No. 2655
Assembly Bill No. 2656
Assembly Bill No. 2667
Assembly Bill No. 2693
Assembly Bill No. 2728
Assembly Bill No. 2738
Assembly Bill No. 2739
Assembly Bill No. 2761
Assembly Bill No. 2762
Assembly Bill No. 2774

Respectfully reports the same back without further action.

GEDDES, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 2781
Assembly Bill No. 2797
Assembly Bill No. 2821
Assembly Bill No. 2822
Assembly Bill No. 2854
Assembly Bill No. 2925
Assembly Bill No. 2926
Assembly Bill No. 2927
Assembly Bill No. 2933
Assembly Bill No. 3007
Assembly Bill No. 3025
Assembly Bill No. 3030
Assembly Bill No 3110
Assembly Bill No. 3179
Assembly Bill No. 3201
Assembly Bill No. 3244
Assembly Bill No. 3271
Assembly Bill No. 3302
Assembly Bill No. 3303
Assembly Bill No. 3305
Assembly Bill No. 3334
Assembly Bill No. 3346

Respectfully reports the same back without further action.

GEDDES, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Senate Bill No. 1552

Respectfully reports the same back without further action.

GEDDES, Chairman

Above reported bill ordered transmitted to the Senate.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 48
Assembly Bill No. 86
Assembly Bill No. 87
Assembly Bill No. 108
Assembly Bill No. 109
Assembly Bill No. 189
Assembly Bill No. 316
Assembly Bill No. 318
Assembly Bill No. 321
Assembly Bill No. 495
Assembly Bill No. 498
Assembly Bill No. 499
Assembly Bill No. 553
Assembly Bill No. 650
Assembly Bill No. 685
Assembly Bill No. 750
Assembly Bill No. 887
Assembly Bill No. 936
Assembly Bill No. 1039
Assembly Bill No. 1040
Assembly Bill No. 1042
Assembly Bill No. 1306
Assembly Bill No. 1307
Assembly Bill No. 1543
Assembly Bill No. 1550
Assembly Bill No. 1551
Assembly Bill No. 1552
Assembly Bill No. 1553
Assembly Bill No. 1554
Assembly Bill No. 1555
Assembly Bill No. 1884
Assembly Bill No. 2004
Assembly Bill No. 2038
Assembly Bill No. 2049

Respectfully reports the same back without further action.

ERWIN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 2071
Assembly Bill No. 2073
Assembly Bill No. 2084
Assembly Bill No. 2185
Assembly Bill No. 2186
Assembly Bill No. 2208
Assembly Bill No. 2277
Assembly Bill No. 2380
Assembly Bill No. 2441
Assembly Bill No. 2476
Assembly Bill No. 2477
Assembly Bill No. 2602
Assembly Bill No. 2732
Assembly Bill No. 2735
Assembly Bill No. 2736
Assembly Bill No. 2792
Assembly Bill No. 2819
Assembly Bill No. 2902
Assembly Bill No. 3062
Assembly Bill No. 3073
Assembly Bill No. 3092
Assembly Bill No. 3093
Assembly Bill No. 3123
Assembly Bill No. 3259
Assembly Bill No. 3260
Assembly Bill No. 3263
Assembly Bill No. 3285
Assembly Bill No. 3367
Assembly Bill No. 3398

Respectfully reports the same back without further action.

ERWIN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Senate Bill No. 31
Senate Bill No. 252
Senate Bill No. 1159
Senate Bill No. 1160

Respectfully reports the same back without further action.

ERWIN, Chairman

Above reported bills ordered transmitted to the Senate.

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 848
Assembly Bill No. 886
Assembly Bill No. 1894
Assembly Bill No. 2423
Assembly Bill No. 2579

Respectfully reports the same back without further action, and refer subject matter to Assembly Interim Committee on Fish and Game.

ERWIN, Chairman

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 22
Assembly Bill No. 27
Assembly Bill No. 36
Assembly Bill No. 140
Assembly Bill No. 224
Assembly Bill No. 231
Assembly Bill No. 301
Assembly Bill No. 315
Assembly Bill No. 319
Assembly Bill No. 320
Assembly Bill No. 369
Assembly Bill No. 408
Assembly Bill No. 409
Assembly Bill No. 411
Assembly Bill No 412
Assembly Bill No. 428
Assembly Bill No. 429
Assembly Bill No 430
Assembly Bill No. 431
Assembly Bill No. 432
Assembly Bill No. 433
Assembly Bill No. 487
Assembly Bill No. 493
Assembly Bill No. 536
Assembly Bill No. 610
Assembly Bill No. 783
Assembly Bill No. 834
Assembly Bill No. 845
Assembly Bill No. 860
Assembly Bill No 878
Assembly Bill No. 895
Assembly Bill No. 896
Assembly Bill No. 937
Assembly Bill No. 938

Respectfully reports the same back without further action.

STEWART, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No 967
Assembly Bill No. 1034
Assembly Bill No. 1059
Assembly Bill No 1060
Assembly Bill No. 1061
Assembly Bill No. 1063
Assembly Bill No. 1064
Assembly Bill No. 1106
Assembly Bill No. 1150
Assembly Bill No. 1223
Assembly Bill No 1224
Assembly Bill No. 1225
Assembly Bill No 1251
Assembly Bill No 1296
Assembly Bill No. 1311
Assembly Bill No. 1491
Assembly Bill No. 1499
Assembly Bill No. 1524
Assembly Bill No. 1527
Assembly Bill No. 1536
Assembly Bill No. 1538
Assembly Bill No. 1544
Assembly Bill No. 1571
Assembly Bill No. 1596
Assembly Bill No. 1608
Assembly Bill No. 1644
Assembly Bill No. 1699
Assembly Bill No. 1704
Assembly Bill No. 1725
Assembly Bill No. 1766
Assembly Bill No. 1787
Assembly Bill No. 1801
Assembly Bill No. 1808
Assembly Bill No. 1816

Respectfully reports the same back without further action.

STEWART, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred.

Assembly Bill No. 1817
Assembly Bill No. 1849
Assembly Bill No. 1866
Assembly Bill No 1867
Assembly Bill No 1874
Assembly Bill No. 1875
Assembly Bill No. 1882
Assembly Bill No 1885
Assembly Bill No. 1889
Assembly Bill No. 1902
Assembly Bill No. 1913
Assembly Bill No. 1915
Assembly Bill No. 1932
Assembly Bill No 1933
Assembly Bill No 1934
Assembly Bill No. 2021
Assembly Bill No 2030
Assembly Bill No. 2059
Assembly Bill No. 2060
Assembly Bill No. 2069
Assembly Bill No 2076
Assembly Bill No. 2126
Assembly Bill No. 2135
Assembly Bill No. 2138
Assembly Bill No. 2183
Assembly Bill No 2184
Assembly Bill No. 2205
Assembly Bill No. 2219
Assembly Bill No. 2225
Assembly Bill No. 2226
Assembly Bill No 2244
Assembly Bill No. 2245
Assembly Bill No. 2251
Assembly Bill No. 2259

Respectfully reports the same back without further action.

STEWART, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 2262
Assembly Bill No. 2264
Assembly Bill No. 2265
Assembly Bill No. 2266
Assembly Bill No. 2273
Assembly Bill No. 2296
Assembly Bill No. 2325
Assembly Bill No 2340
Assembly Bill No. 2366
Assembly Bill No. 2369
Assembly Bill No. 2371
Assembly Bill No. 2377
Assembly Bill No. 2385
Assembly Bill No. 2406
Assembly Bill No. 2448
Assembly Bill No. 2451
Assembly Bill No. 2455
Assembly Bill No. 2457
Assembly Bill No. 2472
Assembly Bill No. 2485
Assembly Bill No. 2489
Assembly Bill No. 2490
Assembly Bill No. 2500
Assembly Bill No. 2514
Assembly Bill No. 2525
Assembly Bill No. 2547
Assembly Bill No. 2548
Assembly Bill No. 2566
Assembly Bill No. 2567
Assembly Bill No. 2590
Assembly Bill No. 2608
Assembly Bill No 2609
Assembly Bill No. 2610
Assembly Bill No. 2616

Respectfully reports the same back without further action.

STEWART, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 2630
Assembly Bill No. 2638
Assembly Bill No. 2643
Assembly Bill No. 2644
Assembly Bill No. 2659
Assembly Bill No. 2670
Assembly Bill No 2714
Assembly Bill No. 2741
Assembly Bill No. 2775
Assembly Bill No. 2782
Assembly Bill No. 2812
Assembly Bill No. 2817
Assembly Bill No. 2837
Assembly Bill No. 2839
Assembly Bill No. 2845
Assembly Bill No. 2868
Assembly Bill No. 2884
Assembly Bill No. 2935
Assembly Bill No. 2945
Assembly Bill No. 3008
Assembly Bill No. 3009
Assembly Bill No. 3010
Assembly Bill No. 3012
Assembly Bill No 3013
Assembly Bill No. 3014
Assembly Bill No. 3015
Assembly Bill No. 3016
Assembly Bill No. 3018
Assembly Bill No. 3019
Assembly Bill No. 3036
Assembly Bill No. 3064
Assembly Bill No. 3086
Assembly Bill No. 3089
Assembly Bill No. 3102

Respectfully reports the same back without further action.

STEWART, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 3103
Assembly Bill No. 3114
Assembly Bill No. 3140
Assembly Bill No. 3141
Assembly Bill No. 3142
Assembly Bill No. 3143
Assembly Bill No. 3144
Assembly Bill No. 3146
Assembly Bill No. 3147
Assembly Bill No. 3148
Assembly Bill No. 3149
Assembly Bill No. 3150
Assembly Bill No. 3151
Assembly Bill No. 3167
Assembly Bill No. 3182
Assembly Bill No. 3186
Assembly Bill No. 3206
Assembly Bill No. 3210
Assembly Bill No. 3211
Assembly Bill No. 3212
Assembly Bill No. 3214
Assembly Bill No. 3224
Assembly Bill No. 3230
Assembly Bill No. 3261
Assembly Bill No. 3262
Assembly Bill No. 3266
Assembly Bill No. 3267
Assembly Bill No. 3268
Assembly Bill No. 3270
Assembly Bill No. 3273
Assembly Bill No. 3277
Assembly Bill No. 3330
Assembly Bill No. 3353

Respectfully reports the same back without further action.

STEWART, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 3354
Assembly Bill No. 3356
Assembly Bill No. 3380
Assembly Bill No. 3436
Assembly Bill No. 3455

Respectfully reports the same back without further action.

STEWART, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Senate Bill No. 234
Senate Bill No. 496
Senate Bill No. 508
Senate Bill No. 609
Senate Bill No. 745
Senate Bill No. 1010
Senate Bill No. 1577
Senate Bill No. 1803

Respectfully reports the same back without further action.

STEWART, Chairman

Above reported bills ordered transmitted to the Senate.

Committee on Industrial Relations

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Industrial Relations, to which were referred:

Assembly Bill No. 269
Assembly Bill No. 401
Assembly Bill No. 402
Assembly Bill No. 403
Assembly Bill No. 405
Assembly Bill No. 413
Assembly Bill No. 486
Assembly Bill No. 511
Assembly Bill No. 541
Assembly Bill No. 779
Assembly Bill No. 798
Assembly Bill No 947
Assembly Bill No. 989
Assembly Bill No 1027
Assembly Bill No. 1113
Assembly Bill No. 1117
Assembly Bill No. 1318
Assembly Bill No. 1572
Assembly Bill No. 1712
Assembly Bill No. 1716
Assembly Bill No. 1717
Assembly Bill No. 1729
Assembly Bill No. 2515
Assembly Bill No. 2537
Assembly Bill No. 2639
Assembly Bill No. 2798
Assembly Bill No. 2921
Assembly Bill No. 3047
Assembly Bill No. 3178
Assembly Bill No 3223
Assembly Bill No. 3289
Assembly Bill No. 3306
Assembly Bill No. 3308
Assembly Bill No. 3309

Respectfully reports the same back without further action.

LEVERING, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Industrial Relations, to which were referred:

Assembly Bill No. 3313
Assembly Bill No. 3315
Assembly Bill No. 3401
Assembly Bill No 3417
Assembly Bill No. 3435

Respectfully reports the same back without further action.

LEVERING, Chairman

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 2
Assembly Bill No. 37
Assembly Bill No. 57
Assembly Bill No. 73
Assembly Bill No. 89
Assembly Bill No. 107
Assembly Bill No. 145
Assembly Bill No. 174
Assembly Bill No. 210
Assembly Bill No. 216
Assembly Bill No. 217
Assembly Bill No. 218
Assembly Bill No. 232
Assembly Bill No. 256
Assembly Bill No. 388
Assembly Bill No. 458
Assembly Bill No. 466
Assembly Bill No. 476
Assembly Bill No. 477
Assembly Bill No. 488
Assembly Bill No. 533
Assembly Bill No. 539
Assembly Bill No. 581
Assembly Bill No. 588
Assembly Bill No. 604
Assembly Bill No. 623
Assembly Bill No. 624
Assembly Bill No. 632
Assembly Bill No. 644
Assembly Bill No. 646
Assembly Bill No. 673
Assembly Bill No. 681
Assembly Bill No. 709
Assembly Bill No. 716
Assembly Bill No. 721
Assembly Bill No. 724
Assembly Bill No. 725
Assembly Bill No. 731
Assembly Bill No. 749
Assembly Bill No. 756

Respectfully reports the same back without further action.

BROWN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 757
Assembly Bill No. 769
Assembly Bill No. 770
Assembly Bill No. 772
Assembly Bill No. 774
Assembly Bill No. 776
Assembly Bill No. 777
Assembly Bill No. 778
Assembly Bill No. 796
Assembly Bill No. 808
Assembly Bill No. 810
Assembly Bill No. 826
Assembly Bill No. 851
Assembly Bill No. 852
Assembly Bill No. 854
Assembly Bill No. 857
Assembly Bill No. 858
Assembly Bill No. 859
Assembly Bill No. 864
Assembly Bill No. 865
Assembly Bill No. 928
Assembly Bill No. 929
Assembly Bill No. 930
Assembly Bill No. 931
Assembly Bill No. 949
Assembly Bill No. 961
Assembly Bill No. 969
Assembly Bill No. 994
Assembly Bill No. 995
Assembly Bill No. 998
Assembly Bill No. 999
Assembly Bill No. 1000
Assembly Bill No. 1002
Assembly Bill No. 1003
Assembly Bill No. 1019
Assembly Bill No. 1043
Assembly Bill No. 1044
Assembly Bill No. 1046
Assembly Bill No. 1047

Respectfully reports the same back without further action.

BROWN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1048
Assembly Bill No. 1050
Assembly Bill No. 1066
Assembly Bill No. 1081
Assembly Bill No. 1083
Assembly Bill No. 1086
Assembly Bill No. 1087
Assembly Bill No. 1092
Assembly Bill No. 1110
Assembly Bill No. 1119
Assembly Bill No. 1120
Assembly Bill No. 1154
Assembly Bill No. 1157
Assembly Bill No. 1159
Assembly Bill No. 1161
Assembly Bill No. 1163
Assembly Bill No. 1165
Assembly Bill No. 1167
Assembly Bill No. 1168
Assembly Bill No. 1169
Assembly Bill No. 1170
Assembly Bill No. 1171
Assembly Bill No. 1172
Assembly Bill No. 1173
Assembly Bill No 1174
Assembly Bill No. 1175
Assembly Bill No. 1179
Assembly Bill No. 1181
Assembly Bill No. 1182
Assembly Bill No. 1185
Assembly Bill No. 1186
Assembly Bill No. 1187
Assembly Bill No. 1189
Assembly Bill No. 1190
Assembly Bill No. 1191
Assembly Bill No. 1195
Assembly Bill No. 1196
Assembly Bill No. 1197
Assembly Bill No. 1213

Respectfully reports the same back without further action.

BROWN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1255
Assembly Bill No. 1275
Assembly Bill No. 1283
Assembly Bill No. 1297
Assembly Bill No. 1300
Assembly Bill No. 1303
Assembly Bill No. 1310
Assembly Bill No. 1319
Assembly Bill No. 1320
Assembly Bill No. 1321
Assembly Bill No. 1322
Assembly Bill No. 1323
Assembly Bill No. 1324
Assembly Bill No. 1325
Assembly Bill No. 1327
Assembly Bill No. 1328
Assembly Bill No. 1329
Assembly Bill No. 1330
Assembly Bill No. 1331
Assembly Bill No. 1332
Assembly Bill No. 1333
Assembly Bill No. 1334
Assembly Bill No. 1335
Assembly Bill No. 1336
Assembly Bill No. 1337
Assembly Bill No. 1338
Assembly Bill No. 1339
Assembly Bill No. 1340
Assembly Bill No. 1341
Assembly Bill No. 1342
Assembly Bill No. 1343
Assembly Bill No. 1344
Assembly Bill No. 1346
Assembly Bill No. 1347
Assembly Bill No. 1348
Assembly Bill No. 1349
Assembly Bill No. 1350
Assembly Bill No. 1351
Assembly Bill No. 1352
Assembly Bill No. 1353

Respectfully reports the same back without further action.

BROWN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1357
Assembly Bill No. 1362
Assembly Bill No. 1363
Assembly Bill No. 1364
Assembly Bill No. 1367
Assembly Bill No. 1370
Assembly Bill No. 1372
Assembly Bill No. 1374
Assembly Bill No. 1375
Assembly Bill No. 1378
Assembly Bill No. 1380
Assembly Bill No. 1381
Assembly Bill No. 1383
Assembly Bill No. 1384
Assembly Bill No. 1385
Assembly Bill No. 1386
Assembly Bill No. 1387
Assembly Bill No. 1388
Assembly Bill No. 1391
Assembly Bill No. 1393
Assembly Bill No. 1394
Assembly Bill No. 1395
Assembly Bill No. 1396
Assembly Bill No. 1397
Assembly Bill No. 1398
Assembly Bill No. 1399
Assembly Bill No. 1401
Assembly Bill No. 1402
Assembly Bill No. 1403
Assembly Bill No. 1404
Assembly Bill No. 1406
Assembly Bill No. 1407
Assembly Bill No. 1408
Assembly Bill No. 1409
Assembly Bill No. 1410
Assembly Bill No. 1411
Assembly Bill No. 1413
Assembly Bill No. 1414
Assembly Bill No. 1415
Assembly Bill No. 1416

Respectfully reports the same back without further action.

BROWN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1417
Assembly Bill No. 1420
Assembly Bill No. 1421
Assembly Bill No. 1423
Assembly Bill No 1424
Assembly Bill No. 1425
Assembly Bill No. 1427
Assembly Bill No. 1428
Assembly Bill No. 1429
Assembly Bill No. 1430
Assembly Bill No. 1431
Assembly Bill No. 1432
Assembly Bill No. 1433
Assembly Bill No. 1434
Assembly Bill No. 1435
Assembly Bill No. 1438
Assembly Bill No. 1439
Assembly Bill No. 1441
Assembly Bill No. 1442
Assembly Bill No 1443
Assembly Bill No. 1444
Assembly Bill No 1445
Assembly Bill No. 1446
Assembly Bill No. 1447
Assembly Bill No. 1448
Assembly Bill No. 1449
Assembly Bill No 1450
Assembly Bill No. 1451
Assembly Bill No. 1452
Assembly Bill No. 1453
Assembly Bill No. 1454
Assembly Bill No. 1455
Assembly Bill No. 1456
Assembly Bill No. 1457
Assembly Bill No. 1459

Respectfully reports the same back without further action.

BROWN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1460
Assembly Bill No. 1461
Assembly Bill No. 1462
Assembly Bill No. 1465
Assembly Bill No. 1469
Assembly Bill No. 1470
Assembly Bill No. 1471
Assembly Bill No. 1473
Assembly Bill No. 1475
Assembly Bill No. 1476
Assembly Bill No. 1478
Assembly Bill No. 1479
Assembly Bill No. 1480
Assembly Bill No. 1481
Assembly Bill No. 1482
Assembly Bill No. 1484
Assembly Bill No. 1485
Assembly Bill No. 1488
Assembly Bill No. 1489
Assembly Bill No. 1493
Assembly Bill No. 1494
Assembly Bill No. 1502
Assembly Bill No. 1503
Assembly Bill No. 1506
Assembly Bill No. 1525
Assembly Bill No. 1537
Assembly Bill No. 1546
Assembly Bill No. 1573
Assembly Bill No. 1597
Assembly Bill No. 1598
Assembly Bill No. 1599
Assembly Bill No 1600
Assembly Bill No. 1601
Assembly Bill No. 1602
Assembly Bill No. 1612
Assembly Bill No. 1652
Assembly Bill No. 1654
Assembly Bill No. 1655
Assembly Bill No. 1656
Assembly Bill No. 1657

Respectfully reports the same back without further action.

BROWN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1659
Assembly Bill No. 1660
Assembly Bill No. 1661
Assembly Bill No. 1662
Assembly Bill No. 1663
Assembly Bill No. 1664
Assembly Bill No. 1671
Assembly Bill No. 1681
Assembly Bill No. 1686
Assembly Bill No. 1728
Assembly Bill No. 1759
Assembly Bill No. 1760
Assembly Bill No 1761
Assembly Bill No 1762
Assembly Bill No 1763
Assembly Bill No. 1764
Assembly Bill No 1765
Assembly Bill No. 1768
Assembly Bill No. 1769
Assembly Bill No. 1770
Assembly Bill No. 1774
Assembly Bill No 1776
Assembly Bill No. 1777
Assembly Bill No. 1778
Assembly Bill No. 1779
Assembly Bill No. 1780
Assembly Bill No. 1781
Assembly Bill No 1782
Assembly Bill No. 1820
Assembly Bill No. 1821
Assembly Bill No. 1826
Assembly Bill No. 1830
Assembly Bill No. 1850
Assembly Bill No. 1854
Assembly Bill No. 1858
Assembly Bill No. 1895
Assembly Bill No. 1896
Assembly Bill No. 1897
Assembly Bill No. 1911
Assembly Bill No. 1941

Respectfully reports the same back without further action.

BROWN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1942
Assembly Bill No. 1943
Assembly Bill No. 1944
Assembly Bill No. 1945
Assembly Bill No 1948
Assembly Bill No. 1950
Assembly Bill No. 1983
Assembly Bill No 2016
Assembly Bill No. 2017
Assembly Bill No. 2024
Assembly Bill No. 2027
Assembly Bill No 2028
Assembly Bill No. 2037
Assembly Bill No. 2051
Assembly Bill No. 2083
Assembly Bill No. 2090
Assembly Bill No. 2091
Assembly Bill No 2092
Assembly Bill No. 2093
Assembly Bill No. 2094
Assembly Bill No. 2098
Assembly Bill No. 2099
Assembly Bill No. 2100
Assembly Bill No. 2101
Assembly Bill No. 2102
Assembly Bill No 2103
Assembly Bill No. 2104
Assembly Bill No. 2105
Assembly Bill No. 2106
Assembly Bill No. 2108
Assembly Bill No. 2110
Assembly Bill No. 2111
Assembly Bill No. 2112
Assembly Bill No. 2115
Assembly Bill No. 2116
Assembly Bill No. 2117
Assembly Bill No. 2118
Assembly Bill No. 2132
Assembly Bill No 2169
Assembly Bill No. 2181

Respectfully reports the same back without further action.

BROWN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 2209
Assembly Bill No. 2263
Assembly Bill No. 2267
Assembly Bill No. 2271
Assembly Bill No. 2272
Assembly Bill No. 2288
Assembly Bill No. 2289
Assembly Bill No. 2291
Assembly Bill No 2292
Assembly Bill No. 2293
Assembly Bill No. 2294
Assembly Bill No. 2298
Assembly Bill No. 2303
Assembly Bill No. 2304
Assembly Bill No. 2323
Assembly Bill No. 2324
Assembly Bill No. 2333
Assembly Bill No. 2334
Assembly Bill No. 2337
Assembly Bill No. 2352
Assembly Bill No. 2364
Assembly Bill No. 2365
Assembly Bill No. 2413
Assembly Bill No. 2426
Assembly Bill No. 2427
Assembly Bill No. 2428
Assembly Bill No. 2429
Assembly Bill No. 2454
Assembly Bill No. 2458
Assembly Bill No. 2463
Assembly Bill No. 2468
Assembly Bill No. 2471
Assembly Bill No. 2491
Assembly Bill No. 2492
Assembly Bill No. 2498
Assembly Bill No. 2505
Assembly Bill No. 2527
Assembly Bill No 2572
Assembly Bill No. 2580
Assembly Bill No. 2582

Respectfully reports the same back without further action.

BROWN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 2583
Assembly Bill No. 2584
Assembly Bill No. 2585
Assembly Bill No. 2586
Assembly Bill No. 2587
Assembly Bill No. 2588
Assembly Bill No. 2627
Assembly Bill No. 2642
Assembly Bill No. 2646
Assembly Bill No. 2657
Assembly Bill No 2661
Assembly Bill No. 2666
Assembly Bill No. 2722
Assembly Bill No. 2723
Assembly Bill No. 2748
Assembly Bill No. 2749
Assembly Bill No 2753
Assembly Bill No. 2754
Assembly Bill No. 2756
Assembly Bill No. 2757
Assembly Bill No. 2758
Assembly Bill No. 2759
Assembly Bill No. 2784
Assembly Bill No. 2846
Assembly Bill No. 2875
Assembly Bill No. 2878
Assembly Bill No. 2891
Assembly Bill No. 2893
Assembly Bill No. 2995
Assembly Bill No. 2996
Assembly Bill No. 2997
Assembly Bill No. 2998
Assembly Bill No. 2999
Assembly Bill No. 3000
Assembly Bill No. 3001
Assembly Bill No. 3002
Assembly Bill No. 3003
Assembly Bill No. 3004
Assembly Bill No. 3005
Assembly Bill No. 3034

Respectfully reports the same back without further action.

BROWN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred.

Assembly Bill No. 3035
Assembly Bill No. 3038
Assembly Bill No 3039
Assembly Bill No. 3040
Assembly Bill No. 3041
Assembly Bill No. 3042
Assembly Bill No. 3043
Assembly Bill No 3044
Assembly Bill No. 3050
Assembly Bill No. 3065
Assembly Bill No 3067
Assembly Bill No. 3077
Assembly Bill No. 3078
Assembly Bill No. 3079
Assembly Bill No 3084
Assembly Bill No. 3085
Assembly Bill No 3087
Assembly Bill No 3111
Assembly Bill No 3119
Assembly Bill No 3120
Assembly Bill No. 3153
Assembly Bill No. 3154
Assembly Bill No 3160
Assembly Bill No. 3161
Assembly Bill No. 3200
Assembly Bill No. 3202
Assembly Bill No. 3203
Assembly Bill No. 3208
Assembly Bill No. 3209
Assembly Bill No. 3250
Assembly Bill No. 3251
Assembly Bill No 3252
Assembly Bill No. 3272
Assembly Bill No. 3283
Assembly Bill No. 3284
Assembly Bill No. 3286
Assembly Bill No 3287
Assembly Bill No. 3297
Assembly Bill No 3322
Assembly Bill No 3324

Respectfully reports the same back without further action

BROWN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 3325
Assembly Bill No. 3338
Assembly Bill No 3339
Assembly Bill No. 3358
Assembly Bill No. 3382
Assembly Bill No. 3397
Assembly Bill No. 3402
Assembly Bill No. 3424
Assembly Bill No. 3444

Respectfully reports the same back without further action.

BROWN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 1437

Respectfully reports the same back without further action.

BROWN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Senate Bill No. 97
Senate Bill No. 222
Senate Bill No. 277
Senate Bill No. 394
Senate Bill No. 474
Senate Bill No. 606
Senate Bill No. 641
Senate Bill No. 646
Senate Bill No. 712
Senate Bill No 1174
Senate Bill No. 1412
Senate Bill No. 1432
Senate Bill No. 1560
Senate Bill No 1666

Respectfully reports the same back without further action.

BROWN, Chairman

Above reported bills ordered transmitted to the Senate.

Committee on Legislative Representation

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Legislative Representation, to which were referred:

Assembly Bill No. 3088
Senate Bill No 1423

Respectfully reports the same back without further action.

DOLWIG, Chairman

Above reported Senate Bill No. 1423 ordered transmitted to the Senate.

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER. Your Committee on Legislative Representation, to which was referred

House Resolution No 63

Respectfully reports the same back without further action

DOLWIG, Chairman

Committee on Manufacturing, Oil, and Mining Industry

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Manufacturing, Oil, and Mining Industry, to which were referred:

Assembly Bill No. 647
Assembly Bill No. 1288
Assembly Bill No. 1863
Assembly Bill No. 1870
Assembly Bill No. 2404
Assembly Bill No. 2376
Assembly Bill No. 3113
Assembly Bill No 3174
Assembly Joint Resolution No. 44

Respectfully reports the same back without further action.

MORRIS, Chairman

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Military Affairs, to which were referred:

Assembly Bill No. 65
Assembly Bill No. 102
Assembly Bill No. 103
Assembly Bill No. 252
Assembly Bill No. 645
Assembly Bill No. 780
Assembly Bill No. 821
Assembly Bill No. 823
Assembly Bill No. 824
Assembly Bill No. 889
Assembly Bill No. 1122
Assembly Bill No. 1282
Assembly Bill No. 1556
Assembly Bill No. 1805
Assembly Bill No. 1930
Assembly Bill No. 2424
Assembly Bill No. 2465

Respectfully reports the same back without further action.

McCOLLISTER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Military Affairs, to which were referred:

Assembly Bill No. 2466
Assembly Bill No. 2467
Assembly Bill No 2497
Assembly Bill No. 2568
Assembly Bill No. 2603
Assembly Bill No. 2729
Assembly Bill No. 2805
Assembly Bill No 3152
Assembly Bill No. 3156
Assembly Bill No. 3173
Assembly Bill No. 3293

Respectfully reports the same back without further action.

McCOLLISTER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Military Affairs, to which were referred:

Senate Bill No. 888
Senate Bill No. 2887

Respectfully reports the same back without further action.

McCOLLISTER, Chairman

Above reported bills ordered transmitted to the Senate.

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Military Affairs, to which were referred:

Senate Bill No. 650
Senate Bill No. 1543

Respectfully reports the same back without further action.

McCOLLISTER, Chairman

Above reported bills ordered transmitted to the Senate.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 58
Assembly Bill No 62
Assembly Bill No 111
Assembly Bill No. 112
Assembly Bill No. 113
Assembly Bill No. 114
Assembly Bill No. 115
Assembly Bill No. 116
Assembly Bill No. 117
Assembly Bill No. 119
Assembly Bill No. 120
Assembly Bill No. 124
Assembly Bill No. 179
Assembly Bill No. 312
Assembly Bill No. 314
Assembly Bill No. 459
Assembly Bill No. 460
Assembly Bill No. 463
Assembly Bill No 490
Assembly Bill No. 547
Assembly Bill No. 548
Assembly Bill No. 555
Assembly Bill No. 683
Assembly Bill No. 684
Assembly Bill No. 697
Assembly Bill No. 734
Assembly Bill No. 735
Assembly Bill No. 765
Assembly Bill No. 787
Assembly Bill No. 801
Assembly Bill No. 804
Assembly Bill No. 809
Assembly Bill No 814
Assembly Bill No. 843
Assembly Bill No 844
Assembly Bill No. 862
Assembly Bill No. 863
Assembly Bill No 897
Assembly Bill No 924
Assembly Bill No. 958

Respectfully reports the same back without further action.

STANLEY, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 959
Assembly Bill No. 960
Assembly Bill No. 963
Assembly Bill No. 972
Assembly Bill No. 983
Assembly Bill No. 1021
Assembly Bill No. 1125
Assembly Bill No. 1246
Assembly Bill No. 1292
Assembly Bill No. 1294
Assembly Bill No. 1295
Assembly Bill No. 1298
Assembly Bill No. 1563
Assembly Bill No. 1593
Assembly Bill No. 1637
Assembly Bill No. 1723
Assembly Bill No. 1750
Assembly Bill No. 1751
Assembly Bill No. 1753
Assembly Bill No. 1758
Assembly Bill No. 1838
Assembly Bill No. 1840
Assembly Bill No. 1846
Assembly Bill No. 1847
Assembly Bill No 1925
Assembly Bill No. 1960
Assembly Bill No. 1972
Assembly Bill No. 1973
Assembly Bill No. 1974
Assembly Bill No. 1975
Assembly Bill No. 1976
Assembly Bill No 1978
Assembly Bill No. 2000
Assembly Bill No. 2020
Assembly Bill No. 2033
Assembly Bill No 2036
Assembly Bill No 2190
Assembly Bill No 2191
Assembly Bill No. 2260

Respectfully reports the same back without further action.

STANLEY, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No 2270
Assembly Bill No. 2274
Assembly Bill No. 2275
Assembly Bill No. 2276
Assembly Bill No. 2285
Assembly Bill No. 2287
Assembly Bill No. 2343
Assembly Bill No. 2345
Assembly Bill No. 2353
Assembly Bill No. 2554
Assembly Bill No. 2555
Assembly Bill No. 2589
Assembly Bill No. 2600
Assembly Bill No. 2613
Assembly Bill No. 2614
Assembly Bill No. 2617
Assembly Bill No. 2628
Assembly Bill No. 2662
Assembly Bill No. 2702
Assembly Bill No. 2703
Assembly Bill No. 2747
Assembly Bill No. 2766
Assembly Bill No 2785
Assembly Bill No. 2861
Assembly Bill No. 2866
Assembly Bill No. 2867
Assembly Bill No. 2908
Assembly Bill No. 2940
Assembly Bill No. 2949
Assembly Bill No. 3006
Assembly Bill No. 3023
Assembly Bill No. 3063
Assembly Bill No. 3106
Assembly Bill No. 3162
Assembly Bill No. 3163
Assembly Bill No. 3164
Assembly Bill No. 3180
Assembly Bill No. 3215
Assembly Bill No. 3216
Assembly Bill No. 3231

Respectfully reports the same back without further action.

STANLEY, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 3232
Assembly Bill No. 3233
Assembly Bill No 3234
Assembly Bill No. 3235
Assembly Bill No. 3236
Assembly Bill No 3237
Assembly Bill No. 3238
Assembly Bill No. 3317
Assembly Bill No. 3331
Assembly Bill No. 3332
Assembly Bill No. 3333
Assembly Bill No. 3349
Assembly Bill No. 3363
Assembly Bill No. 3381
Assembly Bill No 3404
Assembly Bill No. 3427
Assembly Bill No. 3430
Assembly Bill No. 3449

Respectfully reports the same back without further action.

STANLEY, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Senate Bill No. 307
Senate Bill No. 450
Senate Bill No. 983
Senate Bill No 1225
Senate Bill No. 1466

Respectfully reports the same back without further action.

STANLEY, Chairman

Above reported bills ordered transmitted to the Senate.

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 283
Assembly Bill No. 285
Assembly Bill No. 286
Assembly Bill No. 299
Assembly Bill No. 344
Assembly Bill No. 345
Assembly Bill No. 385
Assembly Bill No. 552
Assembly Bill No. 590
Assembly Bill No. 686
Assembly Bill No. 832
Assembly Bill No. 833
Assembly Bill No. 952
Assembly Bill No. 953
Assembly Bill No. 987
Assembly Bill No. 1065
Assembly Bill No. 1108
Assembly Bill No. 1212
Assembly Bill No. 1505
Assembly Bill No. 1578
Assembly Bill No. 1580
Assembly Bill No. 1581
Assembly Bill No. 1791
Assembly Bill No. 1837
Assembly Bill No. 1876
Assembly Bill No. 1961
Assembly Bill No. 1964
Assembly Bill No. 2029
Assembly Bill No. 2031
Assembly Bill No. 2066
Assembly Bill No. 2141
Assembly Bill No. 2187
Assembly Bill No 2189
Assembly Bill No. 2230

Respectfully reports the same back without further action

CONNOLLY, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 2308
Assembly Bill No. 2348
Assembly Bill No. 2349
Assembly Bill No 2350
Assembly Bill No. 2478
Assembly Bill No. 2549
Assembly Bill No. 2550
Assembly Bill No. 2551
Assembly Bill No. 2552
Assembly Bill No. 2557
Assembly Bill No. 2658
Assembly Bill No. 2668
Assembly Bill No. 2707
Assembly Bill No. 2708
Assembly Bill No. 2709
Assembly Bill No. 2710
Assembly Bill No. 2711
Assembly Bill No. 2713
Assembly Bill No. 2742
Assembly Bill No. 2901
Assembly Bill No. 3061
Assembly Bill No. 3069
Assembly Bill No. 3170
Assembly Bill No. 3274
Assembly Bill No. 3288
Assembly Bill No 3327
Assembly Bill No. 3454

Respectfully reports the same back without further action.

CONNOLLY, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 1148
Assembly Bill No. 3082
Assembly Bill No. 3318

Respectfully reports the same back without further action.

CONNOLLY, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Senate Bill No. 481
Senate Bill No. 802
Senate Bill No. 960

Respectfully reports the same back without further action.

CONNOLLY, Chairman

Above reported bills ordered transmitted to the Senate.

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 1221
Assembly Bill No. 2326
Assembly Bill No 2331
Assembly Bill No. 3437

Respectfully reports the same back without further action, with recommendation: Re-refer the subject matter to Interim Committee on Public Health.

CONNOLLY, Chairman

Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which were referred:

Assembly Bill No. 24
Assembly Bill No. 46
Assembly Bill No. 54
Assembly Bill No. 105
Assembly Bill No. 106
Assembly Bill No. 406
Assembly Bill No. 762
Assembly Bill No. 906
Assembly Bill No. 1022
Assembly Bill No. 1569
Assembly Bill No. 1604
Assembly Bill No. 1720
Assembly Bill No. 1962
Assembly Bill No. 1963
Assembly Bill No 2087
Assembly Bill No 2480
Assembly Bill No. 2509
Assembly Bill No. 2526
Assembly Bill No. 2533
Assembly Bill No. 2534
Assembly Bill No 2535
Assembly Bill No. 2538
Assembly Bill No 2539
Assembly Bill No. 2540
Assembly Bill No. 2541
Assembly Bill No. 2542
Assembly Bill No 2543
Assembly Bill No 2592
Assembly Bill No 2593
Assembly Bill No. 2841
Assembly Bill No. 2888
Assembly Bill No. 2957
Assembly Bill No. 2958
Assembly Bill No. 2975
Assembly Bill No 2976
Assembly Bill No 2977
Assembly Bill No. 2978
Assembly Bill No. 2979
Assembly Bill No. 2980
Assembly Bill No. 2981
Assembly Bill No. 2982
Assembly Bill No. 2983
Assembly Bill No. 2984
Assembly Bill No. 2985
Assembly Bill No. 2986
Assembly Bill No. 2987
Assembly Bill No. 2988
Assembly Bill No. 2989
Assembly Bill No. 2990
Assembly Bill No. 2991
Assembly Bill No. 2992
Assembly Bill No. 2993
Assembly Bill No. 2994
Assembly Bill No 3028
Assembly Bill No. 3158
Assembly Bill No. 3294
Assembly Bill No 3319
Assembly Bill No. 3320
Assembly Bill No 3399
Assembly Bill No 3420

Respectfully reports the same back without further action

EVANS, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which were referred:

Assembly Bill No. 674
Assembly Bill No. 3253

Has had the same under consideration, and reports the same back without further action, and with the recommendation: Be re-referred to Interim Committee on Public Utilities and Corporations.

EVANS, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which was referred:

Senate Bill No. 327

Respectfully reports the same back without further action.

EVANS, Chairman

Above reported bill ordered transmitted to the Senate.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 44
Assembly Bill No. 172
Assembly Bill No. 247
Assembly Bill No. 358
Assembly Bill No. 387
Assembly Bill No. 439
Assembly Bill No. 484
Assembly Bill No. 530
Assembly Bill No. 579
Assembly Bill No. 595
Assembly Bill No. 619
Assembly Bill No. 891
Assembly Bill No. 899
Assembly Bill No. 915
Assembly Bill No. 1218
Assembly Bill No. 1219
Assembly Bill No. 1280
Assembly Bill No. 1316
Assembly Bill No. 1648
Assembly Bill No. 1757
Assembly Bill No. 1799
Assembly Bill No. 1800
Assembly Bill No. 1814
Assembly Bill No. 1815
Assembly Bill No. 1921
Assembly Bill No. 1922
Assembly Bill No. 1968
Assembly Bill No. 1984
Assembly Bill No. 1992
Assembly Bill No 1994
Assembly Bill No. 2010
Assembly Bill No. 2035
Assembly Bill No. 2062
Assembly Bill No. 2233
Assembly Bill No. 2234
Assembly Bill No. 2235
Assembly Bill No. 2236
Assembly Bill No. 2237
Assembly Bill No. 2238
Assembly Bill No 2239

Respectfully reports the same back without further action.

HOLLIBAUGH, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 2240
Assembly Bill No. 2241
Assembly Bill No 2242
Assembly Bill No. 2243
Assembly Bill No. 2253
Assembly Bill No 2302
Assembly Bill No. 2328
Assembly Bill No. 2335
Assembly Bill No. 2409
Assembly Bill No. 2410
Assembly Bill No. 2411
Assembly Bill No. 2440
Assembly Bill No. 2452
Assembly Bill No. 2486
Assembly Bill No. 2645
Assembly Bill No. 2671
Assembly Bill No. 2744
Assembly Bill No. 2750
Assembly Bill No. 2751
Assembly Bill No. 2769
Assembly Bill No. 2783
Assembly Bill No. 2786
Assembly Bill No. 2787
Assembly Bill No 2789
Assembly Bill No. 2834
Assembly Bill No. 2843
Assembly Bill No. 2848
Assembly Bill No. 2849
Assembly Bill No. 2850
Assembly Bill No 2851
Assembly Bill No. 2852
Assembly Bill No. 2865
Assembly Bill No. 2896
Assembly Bill No. 2934
Assembly Bill No. 3026
Assembly Bill No. 3027
Assembly Bill No 3105
Assembly Bill No 3128
Assembly Bill No. 3218
Assembly Bill No. 3220

Respectfully reports the same back without further action.

HOLLIBAUGH, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 3258
Assembly Bill No. 3269
Assembly Bill No. 3276
Assembly Bill No. 3278
Assembly Bill No. 3281
Assembly Bill No. 3282
Assembly Bill No 3335
Assembly Bill No. 3350
Assembly Bill No. 3351
Assembly Bill No 3393
Assembly Bill No. 3415

Respectfully reports the same back without further action.

HOLLIBAUGH, Chairman

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Miscellaneous communications

Respectfully reports the same back without further action.

SAM L. COLLINS, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Assembly Bill No. 1105
Assembly Bill No. 3362

Respectfully reports the same back without further action.

SAM L. COLLINS, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Senate Bill No. 1213
Senate Bill No. 1680

Respectfully reports the same back without further action.

SAM L. COLLINS, Chairman

Above reported bills ordered transmitted to the Senate.

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR SPEAKER: Your Committee on Rules, to which were referred:

Senate Concurrent Resolution No. 19
Senate Concurrent Resolution No. 23
Senate Concurrent Resolution No. 24
Senate Concurrent Resolution No. 25
Senate Concurrent Resolution No. 26
Senate Concurrent Resolution No. 40
Senate Concurrent Resolution No. 52
Senate Concurrent Resolution No. 76
Senate Concurrent Resolution No. 86
Senate Concurrent Resolution No. 93
Senate Concurrent Resolution No. 95
Senate Concurrent Resolution No. 97
Senate Concurrent Resolution No. 98
Senate Concurrent Resolution No. 100
Senate Concurrent Resolution No. 102

Respectfully reports the same back without further action.

SAM L. COLLINS, Chairman

Above reported resolutions ordered transmitted to the Senate.

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Assembly Joint Resolution No. 5
Assembly Joint Resolution No. 6
Assembly Joint Resolution No 9
Assembly Joint Resolution No. 12
Assembly Joint Resolution No. 15
Assembly Joint Resolution No. 18
Assembly Joint Resolution No. 26
Assembly Joint Resolution No 31
Assembly Joint Resolution No. 34
Assembly Joint Resolution No. 41
Assembly Joint Resolution No. 47
Assembly Joint Resolution No. 46
Assembly Joint Resolution No. 48

Respectfully reports the same back without further action.

SAM L. COLLINS, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

Assembly Concurrent Resolution No. 1
Assembly Concurrent Resolution No. 8
Assembly Concurrent Resolution No. 9
Assembly Concurrent Resolution No. 12
Assembly Concurrent Resolution No. 18
Assembly Concurrent Resolution No. 20
Assembly Concurrent Resolution No. 24
Assembly Concurrent Resolution No. 26
Assembly Concurrent Resolution No. 27
Assembly Concurrent Resolution No. 38
Assembly Concurrent Resolution No. 40
Assembly Concurrent Resolution No. 41
Assembly Concurrent Resolution No. 43
Assembly Concurrent Resolution No. 60
Assembly Concurrent Resolution No. 64
Assembly Concurrent Resolution No. 67
Assembly Concurrent Resolution No. 69
Assembly Concurrent Resolution No. 95
Assembly Concurrent Resolution No. 99
Assembly Concurrent Resolution No. 102
Assembly Concurrent Resolution No. 103
Assembly Concurrent Resolution No. 107
Assembly Concurrent Resolution No. 108

Respectfully reports the same back without further action.

SAM L. COLLINS, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 198
House Resolution No. 199
House Resolution No. 202
House Resolution No. 205
House Resolution No. 206
House Resolution No. 214
House Resolution No. 215
House Resolution No. 216
House Resolution No. 220
House Resolution No. 221
House Resolution No. 224
House Resolution No. 226
House Resolution No. 228
House Resolution No. 233
House Resolution No. 238
House Resolution No. 253
House Resolution No. 254
House Resolution No. 255
House Resolution No. 262

Respectfully reports the same back without further action

SAM L. COLLINS, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 19
House Resolution No. 20
House Resolution No. 21
House Resolution No. 26
House Resolution No. 27
House Resolution No. 33
House Resolution No. 35
House Resolution No. 36
House Resolution No. 38
House Resolution No. 45
House Resolution No. 50
House Resolution No. 52
House Resolution No. 61
House Resolution No. 68
House Resolution No. 93
House Resolution No. 97
House Resolution No. 104
House Resolution No. 107
House Resolution No. 111
House Resolution No. 114
House Resolution No. 116
House Resolution No. 117
House Resolution No. 119
House Resolution No. 123
House Resolution No. 125
House Resolution No. 126
House Resolution No. 128
House Resolution No. 129
House Resolution No. 143
House Resolution No. 145
House Resolution No. 152
House Resolution No. 158
House Resolution No. 159
House Resolution No. 160
House Resolution No. 169
House Resolution No. 174
House Resolution No. 184
House Resolution No. 188
House Resolution No. 192
House Resolution No. 193

Respectfully reports the same back without further action

SAM L. COLLINS, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 225

Has had the same under consideration, and reports the same back without further action and with the recommendation that the subject matter of said resolution be referred to the Interim Committee on Conservation, Planning, and Public Works created at this session.

SAM L. COLLINS, Chairman

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your committee on Social Welfare, to which were referred:

Assembly Bill No. 177
Assembly Bill No. 236
Assembly Bill No. 237
Assembly Bill No. 238
Assembly Bill No. 239
Assembly Bill No. 240
Assembly Bill No. 241
Assembly Bill No. 253
Assembly Bill No. 356
Assembly Bill No. 360
Assembly Bill No. 362
Assembly Bill No. 363
Assembly Bill No. 444
Assembly Bill No. 446
Assembly Bill No. 450
Assembly Bill No. 451
Assembly Bill No. 452
Assembly Bill No. 815
Assembly Bill No 1312
Assembly Bill No. 1533
Assembly Bill No. 1880
Assembly Bill No. 1881
Assembly Bill No. 1909
Assembly Bill No. 1910
Assembly Bill No. 2025
Assembly Bill No. 2055
Assembly Bill No. 2197
Assembly Bill No. 2201
Assembly Bill No. 2202
Assembly Bill No. 2204
Assembly Bill No. 2255
Assembly Bill No. 2256
Assembly Bill No. 2344
Assembly Bill No. 2556
Assembly Bill No 2558
Assembly Bill No. 2559
Assembly Bill No. 2637
Assembly Bill No. 2726
Assembly Bill No. 2779
Assembly Bill No. 2780

Respectfully reports the same back without further action.

NIEHOUSE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your committee on Social Welfare, to which were referred:

Assembly Bill No. 2853
Assembly Bill No. 2883
Assembly Bill No. 3051
Assembly Bill No. 3055
Assembly Bill No. 3058
Assembly Bill No. 3059
Assembly Bill No. 3166
Assembly Bill No. 3181

Respectfully reports the same back without further action.

NIEHOUSE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your committee on Social Welfare, to which were referred:

Senate Bill No 585
Senate Bill No. 1092
Senate Bill No. 1592
Senate Bill No. 1634
Senate Bill No 1696

Respectfully reports the same back without further action.

NIEHOUSE, Chairman

Above reported bills ordered transmitted to the Senate.

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Senate Bill No 1591

Has had the same under consideration, and reports the same back without further action, and re-refer subject matter to Assembly Interim Committee on Social Welfare.

NIEHOUSE, Chairman

Above reported bill ordered transmitted to the Senate.

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 47
Assembly Bill No. 76
Assembly Bill No. 77
Assembly Bill No. 78
Assembly Bill No. 79
Assembly Bill No. 80
Assembly Bill No. 81
Assembly Bill No. 82
Assembly Bill No. 83
Assembly Bill No. 84
Assembly Bill No. 85
Assembly Bill No. 122
Assembly Bill No. 190
Assembly Bill No. 294
Assembly Bill No. 317
Assembly Bill No. 473
Assembly Bill No. 474
Assembly Bill No. 534
Assembly Bill No. 535
Assembly Bill No. 596
Assembly Bill No. 597
Assembly Bill No. 620
Assembly Bill No. 693
Assembly Bill No. 730
Assembly Bill No. 785
Assembly Bill No. 786
Assembly Bill No. 792
Assembly Bill No. 939
Assembly Bill No. 966
Assembly Bill No. 1006
Assembly Bill No. 1016
Assembly Bill No. 1301
Assembly Bill No. 1557
Assembly Bill No. 1558

Respectfully reports the same back without further action.

LUCKEL, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 1559
Assembly Bill No. 1621
Assembly Bill No. 1804
Assembly Bill No. 1951
Assembly Bill No 2053
Assembly Bill No. 2317
Assembly Bill No. 2322
Assembly Bill No 2368
Assembly Bill No. 2375
Assembly Bill No. 2475
Assembly Bill No. 2691
Assembly Bill No. 2803
Assembly Bill No. 2804
Assembly Bill No. 2826
Assembly Bill No. 2830
Assembly Bill No. 2871
Assembly Bill No. 2872
Assembly Bill No. 2873
Assembly Bill No. 2877
Assembly Bill No. 2897
Assembly Bill No. 2937
Assembly Bill No. 2944
Assembly Bill No. 2948
Assembly Bill No. 3099
Assembly Bill No. 3100
Assembly Bill No. 3169
Assembly Bill No. 3171
Assembly Bill No. 3255
Assembly Bill No. 3256
Assembly Bill No. 3257
Assembly Bill No. 3275
Assembly Bill No. 3295
Assembly Bill No. 3296
Assembly Bill No. 3298

Respectfully reports the same back without further action.

LUCKEL, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 3299
Assembly Bill No. 3336
Assembly Bill No. 3337

Respectfully reports the same back without further action.

LUCKEL, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Senate Bill No. 667
Senate Bill No. 1051
Senate Bill No. 1513

Respectfully reports the same back without further action.

LUCKEL, Chairman

Above reported bills ordered transmitted to the Senate.

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Senate Bill No. 457

Respectfully reports the same back without further action and with the recommendation: Refer the subject matter to Interim Committee on Highways, Streets, and Bridges.

LUCKEL, Chairman

Above reported bill ordered transmitted to the Senate.

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Assembly Joint Resolution No. 13

Respectfully reports the same back without further action.

LUCKEL, Chairman

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 740
Assembly Bill No. 784
Assembly Bill No. 791
Assembly Bill No. 828
Assembly Bill No. 829
Assembly Bill No. 968
Assembly Bill No. 988
Assembly Bill No. 1247
Assembly Bill No. 1308
Assembly Bill No. 1313
Assembly Bill No. 1567
Assembly Bill No. 1741
Assembly Bill No. 1829
Assembly Bill No. 1898
Assembly Bill No. 1900
Assembly Bill No. 1931
Assembly Bill No. 2054

Respectfully reports the same back without further action

SHERWIN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 2056
Assembly Bill No. 2057
Assembly Bill No. 2058
Assembly Bill No. 2193
Assembly Bill No. 2194
Assembly Bill No. 2199
Assembly Bill No. 2203
Assembly Bill No. 2383
Assembly Bill No. 2511
Assembly Bill No. 2530
Assembly Bill No. 2531
Assembly Bill No. 2743
Assembly Bill No. 2772
Assembly Bill No. 2864
Assembly Bill No. 2881
Assembly Bill No. 2898
Assembly Bill No. 3024
Assembly Bill No. 3076
Assembly Bill No. 3155
Assembly Bill No. 3172
Assembly Bill No. 3176
Assembly Bill No. 3246
Assembly Bill No. 3314
Assembly Bill No. 3373
Assembly Bill No. 3394

Respectfully reports the same back without further action.

SHERWIN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 2447

Has had the same under consideration, and respectfully reports the same back without further action, and with the recommendation: Refer subject matter to Assembly Interim Agriculture Committee

SHERWIN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 64
Assembly Bill No. 67
Assembly Bill No. 133
Assembly Bill No. 171
Assembly Bill No. 182
Assembly Bill No. 183
Assembly Bill No 257
Assembly Bill No 258
Assembly Bill No. 293
Assembly Bill No. 443
Assembly Bill No. 448
Assembly Bill No. 667
Assembly Bill No. 668
Assembly Bill No. 669
Assembly Bill No. 670
Assembly Bill No. 736
Assembly Bill No 737
Assembly Constitutional Amendment No 5
Assembly Constitutional Amendment No 36
Assembly Constitutional Amendment No. 41
Assembly Concurrent Resolution No. 15

Respectfully reports the same back without further action.

SHERWIN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 2248

Has had the same under consideration, and respectfully reports the same back without further action, and with the recommendation: Re-refer subject matter to Assembly Interim Civil Service and State Personnel Committee.

SHERWIN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1951

MR SPEAKER: Your Committee on Ways and Means, to which was referred:

Senate Bill No. 1515

Respectfully reports the same back without further action.

SHERWIN, Chairman

Above reported bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on May 15th returned the following bill with further action postponed indefinitely:

Assembly Bill No. 2182

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day returns the following from Senate Committee without further action:

Assembly Constitutional Amendment No. 35
Assembly Constitutional Amendment No. 51
Assembly Concurrent Resolution No. 4
Assembly Joint Resolution No. 25

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on June 14th returns the following from file, refer subject matter to Standing Committee on Legislative Representation:

Assembly Bill No. 3352

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on June 22d returns the following from file, subject matter re-refer to Rules Committee for interim study:

Assembly Bill No. 3217

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day returns the following, from Senate Committee, refer subject matter to Joint Interim Committee on Water Problems:

Assembly Concurrent Resolution No. 106

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate returns the following: Died on file in the Senate:

Assembly Bill No. 812
Assembly Bill No. 976
Assembly Bill No. 1306
Assembly Bill No. 1802
Assembly Bill No. 2595
Assembly Bill No. 2596

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate struck from the file:

Assembly Constitutional Amendment No. 16
Assembly Constitutional Amendment No. 62

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day refused adoption to:

Assembly Constitutional Amendment No. 34

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on June 22d refused passage to:

Assembly Bill No. 2689

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on June 19th refused passage to:

Assembly Bill No. 357

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on June 7th refused passage to:

Assembly Bill No. 984
Assembly Bill No. 1151

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on May 28th refused passage to:

Assembly Bill No. 1284

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on June 15th refused passage to:

Assembly Bill No. 1513

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on May 31st, refused passage to:

Assembly Bill No. 2793

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day returns the following, died on inactive file in Senate:

Assembly Bill No. 368
Assembly Bill No. 593
Assembly Bill No. 805
Assembly Bill No. 985
Assembly Bill No. 1622
Assembly Bill No. 1756
Assembly Bill No. 2147
Assembly Bill No. 2175
Assembly Bill No. 1276
Assembly Bill No. 2124
Assembly Bill No. 2840
Assembly Bill No 1379
Assembly Bill No. 1998
Assembly Bill No. 3326
Assembly Bill No. 2076
Assembly Constitutional Amendment No. 54

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day returns the following from Senate committee without further action:

Assembly Bill No. 6
Assembly Bill No. 12
Assembly Bill No. 14
Assembly Bill No. 16
Assembly Bill No. 18
Assembly Bill No. 32
Assembly Bill No. 59
Assembly Bill No. 135
Assembly Bill No. 138
Assembly Bill No. 143
Assembly Bill No. 187
Assembly Bill No. 223
Assembly Bill No. 225
Assembly Bill No 323
Assembly Bill No. 324
Assembly Bill No. 325
Assembly Bill No. 326
Assembly Bill No. 327
Assembly Bill No. 328
Assembly Bill No. 329
Assembly Bill No. 330
Assembly Bill No. 331
Assembly Bill No. 332
Assembly Bill No. 333
Assembly Bill No. 334
Assembly Bill No. 335
Assembly Bill No. 336
Assembly Bill No. 337
Assembly Bill No. 338
Assembly Bill No. 339
Assembly Bill No. 343
Assembly Bill No. 380
Assembly Bill No. 404
Assembly Bill No. 457
Assembly Bill No. 469
Assembly Bill No. 470
Assembly Bill No. 471
Assembly Bill No. 485
Assembly Bill No. 494
Assembly Bill No. 497

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day returns the following, from Senate committee without further action:

Assembly Bill No. 1613
Assembly Bill No. 1623
Assembly Bill No. 1628
Assembly Bill No. 1632
Assembly Bill No. 1688
Assembly Bill No. 1689
Assembly Bill No. 1702
Assembly Bill No. 1732
Assembly Bill No. 1754
Assembly Bill No. 1842
Assembly Bill No. 1848
Assembly Bill No. 1920
Assembly Bill No. 1957
Assembly Bill No 1980
Assembly Bill No. 1981
Assembly Bill No. 2019
Assembly Bill No. 2040
Assembly Bill No. 2045
Assembly Bill No. 2050
Assembly Bill No. 2064
Assembly Bill No. 2077
Assembly Bill No. 2082
Assembly Bill No. 2107
Assembly Bill No. 2114
Assembly Bill No. 2120
Assembly Bill No. 2121
Assembly Bill No. 2195
Assembly Bill No. 2213
Assembly Bill No. 2214
Assembly Bill No. 2217
Assembly Bill No. 2250
Assembly Bill No. 2295
Assembly Bill No. 2330
Assembly Bill No. 2336
Assembly Bill No. 2374
Assembly Bill No. 2379
Assembly Bill No. 2382
Assembly Bill No. 2430
Assembly Bill No. 2433
Assembly Bill No. 2474

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day returns the following, from Senate committee without further action:

Assembly Bill No. 482
Assembly Bill No. 537
Assembly Bill No. 622
Assembly Bill No. 695
Assembly Bill No. 802
Assembly Bill No. 818
Assembly Bill No. 835
Assembly Bill No. 866
Assembly Bill No. 868
Assembly Bill No. 869
Assembly Bill No 903
Assembly Bill No. 956
Assembly Bill No. 970
Assembly Bill No. 996
Assembly Bill No. 1028
Assembly Bill No. 1116
Assembly Bill No. 1204
Assembly Bill No. 1215
Assembly Bill No. 1217
Assembly Bill No. 1230
Assembly Bill No. 1254
Assembly Bill No. 1285
Assembly Bill No. 1290
Assembly Bill No. 1302
Assembly Bill No. 1369
Assembly Bill No. 1467
Assembly Bill No. 1468
Assembly Bill No. 1509
Assembly Bill No. 1508
Assembly Bill No. 1510
Assembly Bill No. 1511
Assembly Bill No. 1514
Assembly Bill No. 1515
Assembly Bill No 1516
Assembly Bill No. 1520
Assembly Bill No. 1539
Assembly Bill No. 1540
Assembly Bill No. 1583
Assembly Bill No. 1584

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day returns the following from Senate committee without further action:

Assembly Bill No. 3409
Assembly Bill No. 3458
Assembly Bill No. 3460
Assembly Bill No. 1419
Assembly Bill No. 1422
Assembly Bill No. 1436
Assembly Bill No. 1440
Assembly Bill No 1458

J. A. BEEK, Secretary of the Senate
By C. V TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day returns the following from Senate committee without further action:

Assembly Bill No 2479
Assembly Bill No. 2487
Assembly Bill No. 2488
Assembly Bill No. 2510
Assembly Bill No. 2513
Assembly Bill No 2544
Assembly Bill No. 2562
Assembly Bill No. 2573
Assembly Bill No. 2624
Assembly Bill No. 2631
Assembly Bill No. 2640
Assembly Bill No. 2641
Assembly Bill No. 2663
Assembly Bill No 2696
Assembly Bill No. 2737
Assembly Bill No. 2770
Assembly Bill No. 2788
Assembly Bill No. 2801
Assembly Bill No. 2802
Assembly Bill No 2889
Assembly Bill No. 3022
Assembly Bill No. 3045
Assembly Bill No 3046
Assembly Bill No. 3048
Assembly Bill No. 3049
Assembly Bill No. 3074
Assembly Bill No. 3075
Assembly Bill No. 3090
Assembly Bill No 3145
Assembly Bill No. 3157
Assembly Bill No. 3184
Assembly Bill No. 3204
Assembly Bill No. 3247
Assembly Bill No. 3248
Assembly Bill No. 3310
Assembly Bill No. 3342
Assembly Bill No. 3345
Assembly Bill No 3374
Assembly Bill No. 3377
Assembly Bill No. 3408

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1951

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 1186
Senate Bill No. 1472
Senate Bill No. 1531

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

TEXT OF PROPOSED CONSTITUTIONAL AMENDMENTS WHICH HAVE BEEN APPROVED BY BOTH HOUSES OF THE LEGISLATURE, TOGETHER WITH THE YEAS AND NAYS TAKEN THEREON

Pursuant to the provisions of Article XVIII, Section 1, of the Constitution of the State of California, the following proposed constitutional amendments, two-thirds of all the members elected to each of the two houses of the Legislature having voted in favor thereof, are hereby entered on the Journal, together with the yeas and nays taken thereon:

Assembly Constitutional Amendment No. 1

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 8 of Article XI thereof, relating to the charters of cities and cities and counties

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its 1951 Regular Session commencing on the eighth day of January, 1951, two-thirds of the members elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended by amending Section 8 of Article XI of the Constitution to read as follows:

SEC. 8. (a) Any city or city and county containing a population of more than 3,500 inhabitants, as ascertained by the last preceding Census taken under the authority of the Congress of the United States or of the Legislature of California, may frame a charter for its own government, consistent with and subject to this Constitution; and any city or city and county having adopted a charter may adopt a new one. Any such charter may be framed by a board of 15 freeholders chosen by the electors of such city or city and county, at any general or special election, but no person shall be eligible as a candidate for such board unless he shall have been, for the five years next preceding, an elector of said city or city and county. An election for choosing freeholders may be called by a two-thirds vote of the legislative body of such city or city and county, and on presentation of a petition signed by not less than 15 percent of the registered electors of such city or city and county, the legislative body shall call such election at any time not less than 30 nor more than 60 days from date of the filing of the petition. Any such petition shall be verified by the authority having charge of the registration records of such city or city and county and the expenses of such verification shall be provided by the legislative body thereof.

(b) Candidates for the office of freeholders shall be nominated either in such manner as may be provided for the nomination of officers of the municipal or city and county government or by petition, substantially in the same manner as may be provided by general laws for the nomination by petition of electors of candidates for public offices to be voted for at general elections.

(c) At such election the electors shall vote first on the question "Shall a board of freeholders be elected to frame a proposed new charter?" and secondly for the candidates of the office of freeholder. If the first question receives a majority of votes of the qualified voters voting thereon at such election, the 15 candidates for the office of freeholder receiving the highest number of votes shall forthwith organize as a board of freeholders, but if the first question receives less than a majority of the votes of the qualified voters voting thereon at such election no board of freeholders shall be deemed to have been elected.

(d) The board of freeholders shall, within one year after the result of the election is declared, prepare and propose a charter for the government of such city or city and county. The charter so prepared shall be signed by a majority of the board of freeholders and filed in the office of the clerk of the legislative body of said city or city and county The legislative body of said city or city and county shall, within 15 days after such filing, cause such charter to be published once in the official newspaper of said city or city and county and each edition thereof, during the day of publication (or in case there be no such official newspaper, in a newspaper of general circulation within such city or city and county and all the editions thereof issued during the day of publication) and in any city or city and county with over 50,000 population shall cause copies of such charter to be printed in convenient pamphlet form and in type of not less than 10-point and shall cause copies thereof to be mailed to each of the qualified electors of such city or city and county, and shall, until the day fixed for the election upon such charter, advertise in one or more newspapers of general circulation in said city or city and county a notice that copies thereof may be had upon application therefor.

(e) Such charter shall be submitted to the electors of such city or city and county at a date to be fixed by the board of freeholders, before such filing and designated on such charter, either at a special election held not less than 60 days from the completion of the publication of such charter as above provided, or at the general election next following the expiration of said 60 days.

(f) As an alternative, the legislative body of any such city or city and county, on its own motion may frame or cause to be framed, a proposed charter and submit

the proposal for the adoption thereof to the electors at either a special election called for that purpose or at any general or special election. Any charter so submitted shall be advertised in the same manner as herein provided for the advertisement of a charter proposed by a board of freeholders, and the election thereon held at a date to be fixed by the legislative body of such city or city and county, not less than 40 nor more than 60 days after the completion of the advertising in the official paper.

(g) If a majority of the qualified voters voting thereon at such general or special election shall vote in favor of such proposed charter, it shall be deemed to be ratified, and shall be submitted to the Legislature, if then in session, or at the next regular or special session of the Legislature. The Legislature shall by concurrent resolution approve or reject such charter as a whole, without power of alteration or amendment; and if approved by a majority of the members elected to each house it shall become the organic law of such city or city and county and supersede any existing charter and all laws inconsistent therewith. One copy of the charter so ratified and approved shall be filed with the Secretary of State, one with the recorder in the county in which such city is located, and one in the archives of the city, and in the case of a city and county one copy shall be filed with the recorder thereof, and one in the archives of such city and county; and thereafter the courts shall take judicial notice of the provisions of such charter.

(h) The charter of any city or city and county may be amended by proposals therefor submitted by the legislative body thereof on its own motion or on petition signed by 15 percent of the registered electors, or both. Such proposals shall be submitted to the electors at either a special election called for that purpose or at any general or special election. Petitions for the submission of any amendment shall be filed with the legislative body of the city or city and county not less than 60 days prior to the general election next preceding a regular session of the Legislature. The signatures on such petitions shall be verified by the authority having charge of the registration records of such city or city and county, and the expenses of such verification shall be provided by the legislative body thereof. If such petitions have a sufficient number of signatures the legislative body of the city or city and county shall so submit the amendment or amendments so proposed to the electors. Amendments proposed by the legislative body and amendments proposed by petition of the electors may be submitted at the same election. The amendments so submitted shall be advertised in the same manner as herein provided for the advertisement of a proposed charter, and the election thereon, held at a date to be fixed by the legislative body of such city or city and county, not less than 40, and not more than 60, days after the completion of the advertising in the official paper.

(i) If a majority of the qualified voters voting on any such amendment vote in favor thereof, it shall be deemed ratified, and shall be submitted to the Legislature if then in session, or at the regular or special session next following such election; and approved or rejected without power of alteration in the same manner as herein provided for the approval or rejection of a charter.

(j) In submitting any such charter or amendment separate propositions, whether alternative or conflicting, or one included within the other, may be submitted at the same time to be voted on by the electors separately, and, as between those so related, if more than one receive a majority of the votes, the proposition receiving the largest number of votes shall control as to all matters in conflict. It shall be competent in any charter framed under the authority of this section to provide that the municipality governed thereunder may make and enforce all laws and regulations in respect to municipal affairs, subject only to the restrictions and limitations provided in their several charters and in respect to other matters they shall be subject to general laws. It shall be competent in any charter to provide for the establishment of a borough system of government for the whole or any part of the territory of the city or city and county governed thereby, by which one or more boroughs or districts may be created therein and to provide that each borough or district may exercise such general or special municipal powers, and to be administered in such manner, as may be provided for such boroughs and districts in the charter of the city or city and county.

(k) The percentages of the registered electors herein required for the election of freeholders or the submission of amendments to charters shall be calculated upon the total vote cast in the city or city and county at the last preceding general state election; and the qualified electors shall be those whose names appear upon the registration records of the same or preceding year. The election laws of such city, or city and county shall, so far as applicable, govern all elections held under the authority of this section.

Yeas and Nays on Assembly Constitutional Amendment No. 1

Excerpt from Assembly Journal for March 29, 1951, page 2186

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh,

Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—67.

NOES—None.

Excerpt from Senate Journal for April, 17, 1951, page 1447

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Collier, Coombs, James E. Cunningham, Roy Cunningham, Desmond, Dillinger, Donnelly, Hatfield, Hulse, Ed. C. Johnson, Kraft, McBride, McCarthy, Miller, Powers, Regan, Sutton, Tenney, Thompson, Ward, Watson, Way, and Weybret—28.

NOES—None.

Assembly Constitutional Amendment No. 2

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 8 of Article I thereof, relating to grand juries.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its 1951 General Session commencing on the eighth day of January, 1951, two-thirds of the members elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California that Section 8 of Article I of the Constitution of the State of California be amended to read as follows:

SEC. 8. Offenses heretofore required to be prosecuted by indictment shall be prosecuted by information, after examination and commitment by a magistrate, or by indictment, with or without such examination and commitment, as may be prescribed by law. When a defendant is charged with the commission of a felony, by a written complaint subscribed under oath and on file in a court within the county in which the felony is triable, he shall, without unnecessary delay, be taken before a magistrate of such court The magistrate shall immediately deliver to him a copy of the complaint, inform him of his right to the aid of counsel, ask him if he desires the aid of counsel, and allow him a reasonable time to send for counsel; and the magistrate must, upon the request of the defendent, require a peace officer to take a message to any counsel whom the defendant may name, in the city or township in which the court is situated. If the felony charged is not punishable with death, the magistrate shall immediately upon the appearance of counsel for the defendant read the complaint to the defendant and ask him whether he pleads guilty or not guilty to the offense charged therein; thereupon, or at any time thereafter while the charge remains pending before the magistrate and when his counsel is present, the defendant may, with the consent of the magistrate and the district attorney or other counsel for the people, plead guilty to the offense charged or to any other offense the commission of which is necessarily included in that with which he is charged, or to an attempt to commit the offense charged; and upon such plea of guilty, the magistrate shall immediately commit the defendant to the sheriff and certify the case, including a copy of all proceedings therein and such testimony as in his discretion he may require to be taken, to the superior court, and thereupon such proceedings shall be had as if such defendant had pleaded guilty in such court.

The foregoing provisions of this section shall be self-executing. The Legislature may prescribe such procedure in cases herein provided for as is not inconsistent herewith. In cases not hereinabove provided for, such proceedings shall be had as are now or may be hereafter prescribed by law, not inconsistent herewith

A grand jury consisting of 19 jurors shall be drawn and summoned in each county for the year following the adoption of this amendment and for each year thereafter which shall consist of not less than three nor more than nine members of the immediately preceding grand jury who shall serve for that year only and such additional members as are required to provide the total membership No grand juror shall serve for more than two consecutive years, nor serve as foreman of a grand jury for more than one year. The provisions of this paragraph are self-executing but legislation not in conflict herewith may be enacted to facilitate its operation.

Yeas and Nays on Assembly Constitutional Amendment No. 2

Excerpt from Assembly Journal for May 15, 1951, page 4293

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Coats, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Dunn,

Elliott, Erwin, Gaffney, Geddes, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Levering, Lindsay, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr Speaker—62

NOES—None.

Excerpt from Senate Journal for May 31, 1951, page 2781

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Brown, Busch, Byrne, Collier, Coombs, James E. Cunningham, Roy Cunningham, Desmond, Dillinger, Dilworth, Gibson, Hatfield, Hoffman, Ed. C. Johnson, Judah, Kraft, Mayo, McBride, McCarthy, Miller, O'Gara, Parkman, Tenney, Ward, Watson, Way, and Williams—27.

NOES—None.

Assembly Constitutional Amendment No. 9

A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 3 of Article XX, relating to oaths of office

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its 1951 Regular Session commencing on the eighth day of January, 1951, two-thirds of all the members elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended by amending Section 3 of Article XX, to read as follows:

SEC. 3. Members of the Legislature, and all public officers and employees, executive, legislative, and judicial, except such inferior officers and employees as may be by law exempted, shall, before they enter upon the duties of their respective offices, take and subscribe the following oath or affirmation:

"I, _____, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter

"And I do further swear (or affirm) that I do not advocate, nor am I a member of any party or organization, political or otherwise, that now advocates the overthrow of the Government of the United States or of the State of California by force or violence or other unlawful means; that within the five years immediately preceding the taking of this oath (or affirmation) I have not been a member of any party or organization, political or otherwise, that advocated the overthrow of the Government of the United States or of the State of California by force or violence or other unlawful means except as follows:

(If no affiliations, write in the words "No Exceptions")

and that during such time as I hold the office of _____ I will not advocate nor
(name of office)

become a member of any party or organization, political or otherwise, that advocates the overthrow of the Government of the United States or of the State of California by force or violence or other unlawful means."

And no other oath, declaration, or test, shall be required as a qualification for any public office or employment.

"Public officer and employee" includes every officer and employee of the State, including the University of California, every county, city, city and county, district, and authority, including any department, division, bureau, board, commission, agency, or instrumentality of any of the foregoing.

Yeas and Nays on Assembly Constitutional Amendment No. 9

Excerpt from Assembly Journal for March 26, 1951, page 2036

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—67.

NOES—George D. Collins, Condon, Elliott, McFall, McMillan, and Parker—6.

Excerpt from Senate Journal for April 3, 1951, page 1015

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Burns, Busch, Byrne, Collier, Coombs, James E. Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Hatfield, Hoffman, Hulse, Ed. C. Johnson, Judah, McCarthy, O'Gara, Powers, Regan, Sutton, Tenney, Thompson, Ward, Watson, Way, and Williams—27.

NOES—Senator Miller—1.

Excerpt from Assembly Journal for April 5, 1951, page 2437

The roll was called, and the Assembly concurred in Senate amendments to Assembly Constitutional Amendment No. 9 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Coats, Collier, Connolly, Cooke, Dills, Doyle, Dunn, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—61.

NOES—George D. Collins and Elliott—2.

Assembly Constitutional Amendment No. 19

A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Section 8 of Article XIII of said Constitution, relating to property tax returns

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its 1951 Regular Session, commencing on the eighth day of January, 1951, two-thirds of all members elected to each of the two houses voting in favor thereof, hereby proposes to the people of the State of California that the Constitution of the State be amended by amending Section 8 of Article XIII thereof, to read:

SEC. 8. The Legislature shall by law require each taxpayer in this State to make and deliver to the county assessor, annually, a statement, either by oath or be verified by a written declaration that it is made under the penalties of perjury, setting forth specifically all the real and personal property owned by such taxpayer, or in his possession, or under his control, at 12 o'clock meridian, on the first Monday of March.

Yeas and Nays on Assembly Constitutional Amendment No. 19

Excerpt from Assembly Journal for April 23, 1951, page 3341

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Cloyed, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Porter, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—63

NOES—None.

Excerpt from Senate Journal for May 7, 1951, pages 2058 and 2059

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Breed, Burns, Byrne, Collier, Coombs, James E. Cunningham, Roy Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Gibson, Hoffman, Hulse, Harold T. Johnson, Judah, Kraft, McBride, McCarthy, Miller, O'Gara, Powers, Regan, Sutton, Tenney, Thompson, Watson, Way, and Weybret—30.

NOES—None.

Assembly Constitutional Amendment No. 20

A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Section 3 of Article XIII of said Constitution, relating to description of property for assessment

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its 1951 Regular Session, commencing on the eighth day of January, 1951, two-thirds of all members elected to each of the two houses voting in

favor thereof, hereby proposes to the people of the State of California that the Constitution of the State be amended by amending Section 3 of Article XIII thereof, to read:

SEC. 3. The Legislature shall provide by law for the assessment of all lands.

Yeas and Nays on Assembly Constitutional Amendment No. 20

Excerpt from Assembly Journal for April 20, 1951, page 3289

The roll was called, and the resolution adopted by the following vote:

AYES—Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Davis, Dickey, Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McGee, McMillan, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Sillman, Smith, Stanley, Thomas, and Tomlinson—57.

NOES—None.

Excerpt from Senate Journal for May 1, 1951, page 1884

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Byrne, Collier, Coombs, James E Cunningham, Roy Cunningham, Dillinger, Dilworth, Donnelly, Dorsey, Gibson, Hatfield, Hoffman, Hulse, Ed C. Johnson, Judah, Mayo, McBride, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Watson, Way, and Williams—31.

NOES—None.

Assembly Constitutional Amendment No. 29

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1½ of Article XIII thereof, relating to taxation

Resolved by the Assembly, the Senate concurring. That the Legislature of the State of California at its 1951 Regular Session commencing on the eight day of January, 1951, two-thirds of the members elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended by amending Section 1½ of Article XIII thereof, to read:

SEC. 1½. All buildings, and so much of the real property on which they are situated as may be required for the convenient use and occupation of said buildings, when the same are used solely and exclusively for religious worship, or, in the case of a building in the course of erection, the same is intended to be used solely and exclusively for religious worship, shall be free from taxation; provided, that no building so used or, if in the course of erection, intended to be so used which may be rented for religious purposes and rent received by the owner therefor, shall be exempt from taxation.

Yeas and Nays on Assembly Constitutional Amendment No. 29

Excerpt from Assembly Journal for March 26, 1951, page 2027

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Shaw, Sherwin, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—68

NOES—None.

Excerpt from Senate Journal for April 18, 1951, pages 1494 and 1495

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Burns, Byrne, Collier, Coombs, James E. Cunningham, Roy Cunningham, Desmond, Dillinger, Donnelly, Dorsey, Gibson, Hatfield, Hoffman, Hulse, Ed C. Johnson, Harold T. Johnson, Judah, Kraft, Mayo, McBride, McCarthy, Miller, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Ward, Watson, Way, and Weybret—33.

NOES—None.

Assembly Constitutional Amendment No. 40

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 16 to Article XVI thereof, relating to the issuance of bonds to provide farm and home aid for veterans

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its Regular 1951 Session commencing on the eighth day of January, 1951, two-thirds of the members elected to each of the houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended by adding Section 16 to Article XVI thereof, to read

SEC. 16. The issuance and sale of bonds of the State of California, not exceeding in the aggregate the sum of one hundred fifty million dollars ($150,000,000), and the use and disposition of the proceeds of the sale of said bonds, all as provided in the Veterans Bond Act of 1951 (Article 5C added to Chapter 6 of Division 4 of the Military and Veterans Code by Chapter 1086 of the Statutes of 1951) authorizing the issuance and sale of state bonds in the sum of one hundred fifty million dollars ($150,000,000) for the purpose of providing a fund to be used and disbursed to provide farm and home aid for veterans in accordance with the provisions of the Veterans Farm and Home Purchase Act of 1943, and of all acts amendatory thereof and supplemental thereto are hereby authorized and directed and said Veterans Bond Act of 1951 is hereby approved, adopted, legalized, ratified, validated, and made fully and completely effective upon the effective date of this amendment to the Constitution. All provisions of this section shall be self-executing and shall not require any legislative action in furtherance thereof, but this shall not prevent such legislative action. Nothing in this Constitution contained shall be a limitation upon the provisions of this section.

Yeas and Nays on Assembly Constitutional Amendment No. 40

Excerpt from Assembly Journal for April 20, 1951, page 3288

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hollibaugh, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Moss, Munnell, Parker, Porter, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—62

NOES—None.

Excerpt from Senate Journal for June 19, 1951, page 3536

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Breed, Brown, Busch, Collier, Coombs, James E. Cunningham, Roy Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Judah, Kraft, Mayo, McBride, McCarthy, Miller, Parkman, Regan, Sutton, Thompson, Ward, Watson, and Weybret—32.

NOES—None.

Excerpt from Assembly Journal for June 21, 1951, page 6080

The roll was called, and the Assembly concurred in Senate amendment to Assembly Constitutional Amendment No. 40 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Davis, Dickey, Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Lanterman, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—66.

NOES—None.

Assembly Constitutional Amendment No. 55

A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding to Article XIII thereof a new section to be numbered 19, relating to the proceeds of taxes levied on property in a redevelopment project under the Community Redevelopment Act

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its Regular Session commencing at 12 o'clock noon on the eighth day of January, 1951, two-thirds of all the members elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended by adding to Article XIII thereof a new section to be numbered 19 and to read as follows:

SEC. 19. All property in a redevelopment project established under the Community Redevelopment Law Act as now existing or hereafter amended, except publicly owned property not subject to taxation by reason of such ownership, shall be taxed in proportion to its value as provided in Section 1 of this article, and such taxes (the word "taxes" as used herein shall include, but shall not be limited to, all levies on an ad valorem basis upon land or real property) shall be levied and collected as other taxes are levied and collected by the respective taxing agencies.

The Legislature may provide that any redevelopment plan may contain a provision that the taxes, if any, so levied upon such taxable property in a redevelopment project each year by or for the benefit of the State of California, any city, county, city and county, district, or other public corporation (hereinafter sometimes called "taxing agencies") after the effective date of the ordinance approving the redevelopment plan, shall be divided as follows:

(a) That portion of the taxes which would be produced by the rate upon which the tax is levied each year by or for each of said taxing agencies upon the total sum of the assessed value of the taxable property in the redevelopment project as shown upon the assessment roll used in connection with the taxation of such property by such taxing agency, last equalized prior to the effective date of such ordinance, shall be allocated to, and when collected shall be paid into, the funds of the respective taxing agencies as taxes by or for said taxing agencies on all other property are paid (for the purpose of allocating taxes levied by or for any taxing agency or agencies which did not include the territory in a redevelopment project on the effective date of such ordinance but to which such territory has been annexed or otherwise included after such effective date, the assessment roll of the county last equalized on the effective date of said ordinance shall be used in determining the assessed valuation of the taxable property in the project on said effective date); and

(b) That portion of said levied taxes each year in excess of such amount shall be allocated to and when collected shall be paid into a special fund of the redevelopment agency to pay the principal of and interest on loans, moneys advanced to, or indebtedness (whether funded, refunded, assumed or otherwise) incurred by such redevelopment agency to finance or refinance, in whole or in part, such redevelopment project Unless and until the total assessed valuation of the taxable property in a redevelopment project exceeds the total assessed value of the taxable property in such project as shown by the last equalized assessment roll referred to in paragraph designated (a) hereof, all of the taxes levied and collected upon the taxable property in such redevelopment project shall be paid into the funds of the respective taxing agencies. When said loans, advances, and indebtedness, if any, and interest thereon, have been paid, then all moneys thereafter received from taxes upon the taxable property in such redevelopment project shall be paid into the funds of the respective taxing agencies as taxes on all other property are paid

The Legislature may also provide that in any redevelopment plan or in the proceedings for the advance of moneys, or making of loans, or the incurring of any indebtedness (whether funded, refunded, assumed or otherwise) by the redevelopment agency to finance or refinance, in whole or in part the redevelopment project, the portion of taxes mentioned in paragraph designated (b) hereof may be irrevocably pledged for the payment of the principal of and interest on said loans, advances, or indebtedness.

It is intended by this section to empower any redevelopment agency, city, county, or city and county under any law authorized by this section to exercise the provisions hereof separately or in combination with powers granted by the same or any other law relative to redevelopment agencies. This section shall not affect any other law or laws relating to the same or a similar subject but is intended to authorize an alternative method of procedure governing the subject to which it refers

All of the provisions of the Community Redevelopment Law, as amended in 1951, which relate to the use or pledge of taxes or portions thereof as herein provided, or which, if effective, would carry out the provisions of this section or any part thereof, are hereby approved, legalized, ratified and validated and made fully and completely effective and operative upon the effective date of this amendment.

The Legislature shall enact such laws as may be necessary to enforce the provisions of this section.

Yeas and Nays on Assembly Constitutional Amendment No. 55

Excerpt from Assembly Journal for June 5, 1951, page 5136

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burkhalter, Caldecott, Chapel, Clarke, Collier, George D Collins, Condon, Connolly, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Munnell, Parker, Rosenthal, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters—55.

NOES—None.

Excerpt from Senate Journal for June 18, 1951, page 3492

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Burns, Busch, Byrne, Collier, Coombs, James E Cunningham, Roy Cunningham, Desmond, Dilliger, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hatfield, Hulse, Ed C. Johnson, Judah, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Ward, Watson, Weybret, and Williams—34.

NOES—None.

Excerpt from Assembly Journal for June 21, 1951, page 6061

The roll was called, and the Assembly concurred in Senate amendments to Assembly Constitutional Amendment No. 55 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Crowley, Davis, Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Gaffney, Grunsky, Gubser, Hagen, Hahn, Hansen, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Klocksiem, Levering, Lincoln, Lindsay, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Morris, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Waters—58.

NOES—None.

Assembly Constitutional Amendment No. 58

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 22 of Article IV thereof, relating to public money

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its 1951 General Session commencing on the eighth day of January, 1951, two-thirds of the members elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended by amending Section 22 of Article IV of the Constitution, to read as follows:

SEC. 22. No money shall be drawn from the Treasury but in consequence of appropriation made by law, and upon warrants duly drawn thereon by the Controller; and no money shall ever be appropriated or drawn from the State Treasury for the purpose or benefit of any corporation, association, asylum, hospital, or any other institution not under the exclusive management and control of the State as a state institution, nor shall any grant or donation of property ever be made thereto by the State; provided, that whenever federal funds are made available for the construction of hospital facilities by public agencies and nonprofit corporations organized to construct and maintain such facilities, nothing in this Constitution shall prevent the Legislature from making state money available for that purpose, or from authorizing the use of such money for the construction of hospital facilities by nonprofit corporations organized to construct and maintain such facilities; provided, further, that notwithstanding anything contained in this or any other section of the Constitution, the Legislature shall have the power to grant aid to the institutions conducted for the support and maintenance of minor orphans, or half-orphans, or abandoned children or children of a father who is incapacitated for gainful work by permanent physical disability or is suffering from tuberculosis in such a stage that he cannot pursue a gainful occupation, or aged persons in indigent circumstances—such aid to be granted by a uniform rule, and proportioned to the number of inmates of such respective institutions; provided, further, that the Legislature shall have the power to grant aid to needy blind persons not inmates of any institution supported in whole or in part by the State or by any of its political subdivisions; provided, further, that the Legislature shall have power to grant aid to needy physically handicapped persons not inmates

of any institution under the supervision of the Department of Mental Hygiene and supported in whole or in part by the State or by any institution supported in whole or in part by any political subdivision of the State; provided, further, that the State shall have at any time the right to inquire into the management of such institutions; provided, further, that whenever any county, or city and county, or city, or town, shall provide for the support of minor orphans, or half-orphans, or abandoned children, or children of a father who is incapacitated for gainful work by permanent physical disability or is suffering from tuberculosis in such a stage that he cannot pursue a gainful occupation, or aged persons in indigent circumstances, or needy blind persons not inmates of any institution supported in whole or in part by the State or by any of its political subdivisions, or needy physically handicapped persons not inmates of any institution under the supervision of the Department of Mental Hygiene and supported in whole or in part by the State or by any institution supported in whole or part by any political subdivision of the State; such county, city and county, city, or town shall be entitled to receive the same pro-rata appropriations as may be granted to such institutions under church, or other control. An accurate statement of the receipts and expenditures of public moneys shall be attached to and published with the laws at every regular session of the Legislature.

Yeas and Nays on Assembly Constitutional Amendment No. 58

Excerpt from Assembly Journal for June 13, 1951, page 5567

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dills, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kirkwood, Kloeksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, Meyers, Morris, Moss, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Tomlinson, and Mr. Speaker—55.

NOES—None.

Excerpt from Senate Journal for June 22, 1951, page 3775

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Burns, Byrne, Coombs, James E. Cunningham, Roy Cunningham, Desmond, Dilliger, Dilworth, Donnelly, Erhart, Gibson, Hoffman, Ed. C. Johnson, Harold T. Johnson, Judah, Kraft, McCarthy, Miller, O'Gara, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Way and Weybret—28.

NOES—Senators Breed, Collier, Dorsey, and Hulse—4.

Excerpt from Assembly Journal for June 23, 1951, page 6559

The roll was called, and the Assembly concurred in Senate amendments to Assembly Constitutional Amendment No. 58 by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Kloeksiem, Lanterman, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McMillan, Meyers, Morris, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Waters—68.

NOES—None.

Assembly Constitutional Amendment No. 59

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by repealing Article XIX thereof, relating to Chinese

Resolved by the Assembly, the Senate concurring. That the Legislature of the State of California at its 1951 Regular Session commencing on the eighth day of January, 1951, two-thirds of the members elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended by repealing Article XIX thereof.

Yeas and Nays on Assembly Constitutional Amendment No. 59

Excerpt from Assembly Journal for May 25, 1951, page 4755

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Berry, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Gaffney, Geddes, Grant, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCollister, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Shaw, Sherwin, Smith, Stewart, Tomlinson, and Waters—64.

NOES—None.

Excerpt from Senate Journal for June 5, 1951, page 2901

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Breed, Burns, Busch, Byrne, Coombs, James E Cunningham, Desmond, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hoffman, Ed. C. Johnson, Harold T. Johnson, Judah, Mayo, McBride, McCarthy, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Ward, Watson, Way, Weybret, and Williams—31.

NOES—None.

Senate Constitutional Amendment No. 5

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Sections 14¼ and 16 of Article XIII thereof, relating to the taxation of insurance companies and banks

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California at its 1951 Regular Session commencing on the eighth day of January, 1951, two-thirds of the members elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended by amending Article XIII thereof:

First, by amending Section 14¼ to read:

SEC 14¼ (a) "Insurer," as used in this section, includes insurance companies or associations and reciprocal or interinsurance exchanges and the State Compensation Insurance Fund. As used in this paragraph, "companies" includes persons, partnerships, joint stock associations, companies and corporations.

(b) An annual tax is hereby imposed on each insurer doing business in this State on the base, at the rates, and subject to the deductions from the tax hereinafter specified

(c) In the case of an insurer not transacting title insurance in this State, the "basis of the annual tax" is, in respect to each year, the amount of gross premiums, less return premiums, received in such year by such insurer upon its business done in this State, other than premiums received for reinsurance and for ocean marine insurance

In the case of an insurer transacting title insurance in this State, the "basis of the annual tax" is, in respect to each year, all income upon business done in this State, except

(1) Interest and dividends.

(2) Rents from real property

(3) Profits from the sale or other disposition of investments.

(4) Income from investments.

"Investments" as used in this subdivision (d) includes property acquired by such insurer in the settlement or adjustment of claims against it but excludes investments in title plants and title records Income derived directly or indirectly from the use of title plants and title records is included in the basis of the annual tax

In the case of an insurer transacting title insurance in this State which has a trust department and does a trust business under the banking laws of this State, there shall be excluded from the basis of the annual tax imposed by this section, the income of, and from the assets of, such trust department and such trust business, if such income is taxed by this State or included in the measure of any tax imposed by this State.

(d) The rate of the tax to be applied to the basis of the annual tax in respect to each year is 2 35 percent.

(e) Each insurer shall have the right to deduct from the annual tax imposed by this section upon such insurer in respect to a particular year the amount of real estate taxes paid by it, in that year, before, or within 30 days after, becoming delinquent, on real property owned by it at the time of payment, and in which was located, in that year, its home office or principal office in this State Such real property may consist of one building or of two or more adjacent buildings in which such an

office is located, the land on which they stand, and so much of the adjacent land as may be required for the convenient use and occupation thereof.

Where as a result of merger, consolidation, or other method of acquisition of substantially all of the assets of one or more insurers by another insurer, effected prior to January 1, 1939, an insurer owns more than one parcel of real property in this State in which was located a home office or principal office of an insurer immediately prior to such acquisition, the owner shall designate one of such properties as its home or principal office. Real estate taxes paid by it in any of the years 1943 to 1952, inclusive, before, or within 30 days after, becoming delinquent, on such property owned by it at the time of payment and not so designated may also be deducted from the annual tax imposed by this section in respect to such year and are included within the deduction provided for in this subdivision.

(f) The tax imposed on insurers by this section is in lieu of all other taxes and licenses, state, county, and municipal, upon such insurers and their property, except:

(1) Taxes upon their real estate.

(2) That an insurer transacting title insurance in this State which has a trust department or does a trust business under the banking laws of this State is subject to taxation with respect to such trust department or trust business to the same extent and in the same manner as trust companies and the trust departments of banks doing business in this State.

(3) When by the laws of any other state or country any taxes, fines, penalties, licenses, fees, deposits of money or securities or other obligations or prohibitions are imposed on insurers of this State doing business in such other state or country, or upon their agents therein, in excess of those imposed upon insurers of such other state or country or upon their agents therein, so long as such laws continue in force, the same obligations and prohibitions of whatsoever kind may be imposed by the Legislature upon insurers of such other state or country doing business in this State, or upon their agents herein.

(4) The tax on ocean marine insurance.

(5) Motor vehicle and other vehicle registration license fees and any other tax or license fee imposed by the State upon vehicles, motor vehicles or the operation thereof.

(g) Every insurer transacting the business of ocean marine insurance in this State shall annually pay to the State a tax measured by that proportion of the underwriting profit of such insurer from such insurance written in the United States, which the gross premiums of the insurer from such insurance written in this State bear to the gross premiums of the insurer from such insurance written within the United States, at the rate of 5 percentum, which tax shall be in lieu of all other taxes and licenses, state, county and municipal, upon such insurer, except taxes upon real estate, and such other taxes as may be assessed or levied against such insurer on account of any other class of insurance written by it. Deductions from the annual tax pursuant to subdivision (e) cannot be made from the ocean marine tax. The Legislature shall define the terms "ocean marine insurance" and "underwriting profit," and shall provide for the assessment, levy, collection and enforcement of the ocean marine tax.

(h) The taxes provided for by this section shall be assessed by the State Board of Equalization.

(i) The Legislature, two-thirds of all the members elected to each of the two houses voting in favor thereof, may by law change the rate or rates of taxes herein imposed upon insurers.

(j) This section is not intended to and does not change the law as it has previously existed with respect to the meaning of the words "gross premiums, less return premiums, received" as used in this section or as used in Section 14 or 14¾ of this article.

Second, by amending Section 16 to read:

SEC. 16. 1. (a) Banks, including national banking associations, located within the limits of this State, shall annually pay to the State a tax, at the rate to be provided by law according to or measured by their net income, which shall be in lieu of all other taxes and licenses, state, county and municipal, upon such banks, or the shares thereof, except taxes upon their real property and, when permitted by the Congress of the United States with respect to national banking associations, motor vehicle and other vehicle registration license fees and any other tax or license fee imposed by the State upon vehicles, motor vehicles or the operation thereof.

(b) The Legislature may provide by law for any other form of taxation now or hereafter permitted by the Congress of the United States respecting national banking associations; provided, that such form of taxation shall apply to all banks located within the limits of this State.

2. The Legislature may provide by law for the taxation of corporations, their franchises, or any other franchises, by any method not prohibited by this Constitution or the Constitution or laws of the United States.

3. Any tax imposed pursuant to this section must be under an act passed by not less than two-thirds vote of all the members elected to each of the two houses of the Legislature.

Yeas and Nays on Senate Constitutional Amendment No. 5

Excerpt from Senate Journal for April 24, 1951, page 1648

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Burns, Byrne, Collier, James E. Cunningham, Roy Cunningham, Dillinger, Donnelly, Dorsey, Gibson, Hoffman, Hulse, Ed C. Johnson, Harold T. Johnson, Mayo, McBride, McCarthy, Miller, O'Gara, Parkman, Powers, Sutton, Tenney, Ward, Watson, Way, Weybret, and Williams—28

NOES—None.

Excerpt from Assembly Journal for June 22, 1951, page 6380

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Belotti, Berry, Brown, Burke, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Henderson, Hinckley, Holhbaugh, Kelly, Kilpatrick, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, and Waters—68.

NOES—None.

Senate Constitutional Amendment No. 16

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 8 of Article VI thereof, relating to the filling of vacancies in the office of judge of the superior court

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California at its Regular Session commencing on the eighth day of January, 1951, two-thirds of all members elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended by amending Section 8 of Article VI thereof, to read as follows:

SEC. 8 The term of office of judges of the superior courts shall be six years from and after the first Monday of January after the first day of January next succeeding their election. A vacancy in such office shall be filled by the election of a judge for a full term at the next general state election after the first day of January next succeeding the accrual of the vacancy, except that if the term of an incumbent, elective or appointive, is expiring at the close of the year of a general state election and a vacancy accrues after the commencement of that year and prior to the commencement of the ensuing term, the election to fill the office for the ensuing full term shall be held in the closing year of the expiring term in the same manner and with the same effect as though such vacancy had not accrued. In the event of any vacancy, the Governor shall appoint a person to hold the vacant office until the commencement of the term of the judge elected to the office as herein provided.

Yeas and Nays on Senate Constitutional Amendment No. 16

Excerpt from Senate Journal for March 30, 1951, page 950

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, James E. Cunningham, Roy Cunningham, Desmond, Dilworth, Donnelly, Gibson, Hatfield, Hulse, Ed C. Johnson, Judah, Kraft, Mayo, McCarthy, Miller, O'Gara, Parkman, Powers, Regan, Tenney, Watson, Way, and Williams—30.

NOES—None.

Excerpt from Assembly Journal for April 26, 1951, page 3516

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McFall, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rumford, Shaw, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—65.

NOES—None.

Excerpt from Senate Journal for May 3, 1951, page 1961

The roll was called, and the Senate refused to concur in Assembly amendments to Senate Constitutional Amendment No. 16 by the following vote:

AYES—None.
NOES—Senators Breed, Brown, Busch, Byrne, Collier, Coombs, James E. Cunningham, Roy Cunningham, Dilliger, Donnelly, Gibson, Hatfield, Hoffman, Hulse, Ed C. Johnson, Kraft, Mayo, McCarthy, Miller, O'Gara, Parkman, Powers, Sutton, Tenney, Thompson, Watson, Way, and Williams—28

Excerpt from Assembly Journal for May 15, 1951, page 4291

The roll was called, and the (Conference Committee) report adopted by the following vote:

AYES—Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Clarke, Cloyed, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Henderson, Hinckley, Holibaugh, Kelly, Kilpatrick, Lanterman, Levering, Lindsay, Lyon, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Munnell, Porter, Rumford, Shaw, Sillman, Smith, Stanley, Thomas, Tomlinson, and Mr. Speaker—54.
NOES—None.

Excerpt from Senate Journal for May 16, 1951, page 2303

The roll was called, and the (Conference Committee) report adopted by the following vote:

AYES—Senators Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, James E. Cunningham, Roy Cunningham, Dilworth, Donnelly, Dorsey, Gibson, Hatfield, Hoffman, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, Miller, Parkman, Regan, Sutton, Thompson, Watson, Way, Weybret, and Williams—30.
NOES—None.

Senate Constitutional Amendment No. 26

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1a of Article XIII thereof, relating to the taxation of property of educational institutions of collegiate grade.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California at its 1951 Regular Session commencing on the eighth day of January, 1951, two-thirds of the members elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended by amending Section 1a of Article XIII thereof, to read:

SEC. 1a. Any educational institution of collegiate grade, within the State of California, not conducted for profit, shall hold exempt from taxation its buildings and equipment, its grounds within which its buildings are located, not exceeding 100 acres in area, its securities and income used exclusively for the purposes of education.

The exemption granted by this section applies to and includes a building in the course of construction on or after the first Monday of March, 1950, if the same is intended when completed to be used exclusively for the purposes of education

Yeas and Nays on Senate Constitutional Amendment No. 26

Excerpt from Senate Journal for May 15, 1951, page 2254

The names of the absentees were called, and Senate Constitutional Amendment No 26 adopted by the following vote:

AYES—Senators Breed, Burns, Byrne, Collier, Coombs, James E. Cunningham, Roy Cunningham, Dilworth, Dorsey, Gibson, Hatfield, Hoffman, Hulse, Ed C Johnson, Harold T. Johnson, McCarthy, Miller, Parkman, Powers, Regan, Sutton, Tenney, Thompson, Watson, Way, Weybret, and Williams—27.
NOES—None.

Excerpt from Assembly Journal for May 18, 1951, pages 4514-4515

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Caldecott, Chapel, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis,

Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Holhbaugh, Kelly, Kirkwood, Klocksiem, Lanterman, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Waters—69.

NOES—None.

Senate Constitutional Amendment No. 28

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 22 of Article IV thereof, relating to appropriations of public funds.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California at its 1951 Regular Session commencing on the eighth day of January, 1951, two-thirds of the members elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended by amending Section 22 of Article IV of the Constitution to read as follows:

SEC. 22. No money shall be drawn from the Treasury but in consequence of appropriation made by law, and upon warrants duly drawn thereon by the Controller; and no money shall ever be appropriated or drawn from the State Treasury for the purpose or benefit of any corporation, association, asylum, hospital, or any other institution not under the exclusive management and control of the State as a state institution, nor shall any grant or donation of property ever be made thereto by the State; provided, that notwithstanding anything contained in this or any other section of the Constitution, the Legislature shall have the power to grant aid to the institutions conducted for the support and maintenance of minor orphans, or half-orphans, or abandoned children, or children of a father who is incapacitated for gainful work by permanent physical disability or is suffering from tuberculosis in such a stage that he cannot pursue a gainful occupation, or aged persons in indigent circumstances—such aid to be granted by a uniform rule, and proportioned to the number of inmates of such respective institutions, provided, further, that the Legislature shall have the power to grant aid to needy blind persons not inmates of any institution supported in whole or in part by the State or by any of its political subdivisions, and no person concerned with the administration of aid to needy blind persons shall dictate how any applicant or recipient shall expend such aid granted him, and all money paid to a recipient of such aid shall be intended to help him meet his individual needs and is not for the benefit of any other person, and such aid when granted shall not be construed as income to any person other than the blind recipient of such aid, and the State Department of Social Welfare shall take all necessary action to enforce the provisions relating to aid to needy blind persons as heretofore stated; provided further, that the Legislature shall have power to grant aid to needy physically handicapped persons not inmates of any institution under the supervision of the Department of Mental Hygiene and supported in whole or in part by the State or by any institution supported in whole or part by any political subdivision of the State; provided further, that the State shall have at any time the right to inquire into the management of such institutions; provided further, that whenever any county, or city and county, or city, or town, shall provide for the support of minor orphans, or half-orphans, or abandoned children, or children of a father who is incapacitated for gainful work by permanent physical disability or is suffering from tuberculosis in such a stage that he cannot pursue a gainful occupation, or aged persons in indigent circumstances, or needy blind persons not inmates of any institution supported in whole or in part by the State or by any of its political subdivisions, or needy physically handicapped persons not inmates of any institution under the supervision of the Department of Mental Hygiene and supported in whole or in part by the State or by any institution supported in whole or part by any political subdivision of the State, such county, city and county, city, or town shall be entitled to receive the same pro rata appropriations as may be granted to such institutions under church, or other control. An accurate statement of the receipts and expenditures of public moneys shall be attached to and published with the laws at every regular session of the Legislature.

Yeas and Nays on Senate Constitutional Amendment No. 28

Excerpt from Senate Journal for June 4, 1951, page 2864

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Byrne, Collier, Coombs, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Erbart, Gibson, Hoffman, Hulse, Ed C. Johnson, Judah, Mayo, McCarthy, Miller, O'Gara, Parkman, Powers, Regan, Tenney, Thompson, Ward, Watson, Weybret, and Williams—32.

NOES—None.

Excerpt from Assembly Journal for June 14, 1951, page 5653

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Connolly, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hawkins, Henderson, Hinckley, Kelly, Kilpatrick, Kloeksiem, Lanterman, Lipscomb, Lowrey, Luckel, Lyon, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Morris, Moss, Munnell, Niehouse, Parker, Porter, Rosenthal, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, and Mr. Speaker—54.

NOES—None.

TEXT OF ASSEMBLY BILLS WHICH WILL BE SUBMITTED TO A VOTE OF THE ELECTORS TOGETHER WITH THE YEAS AND NAYS THEREON

The text of the following Assembly bills, which have passed both houses of the Legislature, have been approved by the Governor, and will be submitted to a vote of the electors, are entered on the Journal, together with the yeas and nays thereon:

Assembly Bill No. 1018
Chapter 1584

An act to add Sections 53 and 3928.1 to, and to amend Section 3946 of, the Elections Code, relating to designation of party affiliation of candidates on ballots; and providing for the submission thereof to the electors for approval or rejection pursuant to paragraph 3 of Section 1 of Article IV of the California Constitution.

The people of the State of California do enact as follows:

SECTION 1. Section 53 is added to the Elections Code, to read:

53. On the ballots for any special election at which a partisan office is to be filled there shall be printed in the manner prescribed by Section 3928.1 after the name of each partisan candidate the designation of the party with which such candidate is affiliated.

SEC. 2. Section 3928.1 is added to said code, to read:

3928.1. On the direct primary ballots of each political party, in the same line in which the name of a candidate for any partisan office is printed and at the right of the name, or immediately below the name if there is not sufficient space to the right thereof, shall be printed the name of the political party with which the candidate is affiliated as shown in the affidavit of registration of the candidate. The name of such political party may be abbreviated by printing not less than the first three letters of the name of such political party. If the names of two or more political parties qualified to participate in the primary commence with the same first three letters sufficient additional letters of each such names shall be printed so that each party will be clearly identified.

SEC. 2. Section 3946 of said code is amended to read:

3946. Except as to the order of the names of candidates the ballot shall be printed in substantially the following form.

(NOTE: *Ballots are not shown herein.*)

SEC. 3. This act shall be presented to the electors for approval or rejection on the ballot at the same election at which is presented an initiative measure titled "An act to prohibit cross filing and to prevent any person from becoming a candidate or nominee of any political party unless he has been continuously registered as a member of that party for at least three months immediately prior to filing of nomination papers for the office he seeks and to invalidate any law in conflict with this act," as an alternative to such measure, pursuant to paragraph 3 of Section 1 of Article IV of the California Constitution.

Excerpt from Assembly Journal for April 19, 1951, page 3219

The question being on the passage of Assembly Bill No. 1018.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hawkins, Hinckley, Hollibaugh, Kelly, Kirkwood, Kloeksiem, Lanterman, Levering, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, McMillan, Morris, Moss, Niehouse, Porter, Rumford, Shaw, Sillman, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—62.

NOES—Beck, Davis, Hagen, Henderson, Lowrey, McFall, Munnell, Parker, and Rosenthal—9.

Excerpt from Senate Journal for June 23, 1951, page 3921

The roll was called, and the bill passed by the following vote:

AYES—Senators Abshire, Breed, Collier, Coombs, James E Cunningham, Roy Cunningham, Dillinger, Dorsey, Erhart, Hoffman, Ed C Johnson, Harold T Johnson, Judah, Mayo, McBride, O'Gara, Parkman Regan, Sutton, Tenney, Thompson, Ward, Watson, Way, Weybret, and Williams—26.

NOES—Senators Donnelly and Kraft—2.

Excerpt from Assembly Journal for June 23, 1951, page 6680

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1018 by the following vote:

AYES—Babbage, Belotti, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Collier, Connolly, Conrad, Crowley, Dolwig, Doyle, Erwin, Fleury, Geddes, Grant, Grunsky, Gubser, Hahn, Hansen, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Lyon, Maloney, McCarthy, McCollister, McGee, Morris, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—48

NOES—Beck, Berry, Coats, George D Collins, Condon, Elliott, Gaffney, Hagen, Hawkins, Henderson, Kilpatrick, Lowrey, McFall, Moss, Munnell, Parker, and Shaw—17.

Assembly Bill No. 2924
Chapter 1650

An act to amend an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by electors November 7, 1922, by amending Sections 1, 2, 3, 10, 12, and 15, adding 10 5, and repealing Section 8 thereof, relating to the State Board of Chiropractic Examiners and the practice of chiropractic, said amendment to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution.

The people of the State of California do enact as follows:

SECTION 1 Section 1 of the act cited in the title hereof is amended to read:

Section 1. A board is hereby created to be known as the "State Board of Chiropractic Examiners," hereinafter referred to as the board, which shall consist of seven members, citizens of the State of California, appointed by the Governor. Each member must have pursued a resident course in a regularly incorporated chiropractic school or college, and must be a graduate thereof and hold a diploma therefrom

Each member of the board first appointed hereunder shall have practiced chiropractic in the State of California for a period of three years next preceding the date upon which this act takes effect, thereafter appointees shall be licentiates hereunder. No more than two persons shall serve simultaneously as members of said board who are residents of any one county of the State And no person connected with any chiropractic school or college shall be eligible to appointment as a member of the board. Each member of the board, except the secretary, shall receive a per diem of thirty dollars ($30) for each day during which he is actually engaged in the discharge of his duties, together with his actual and necessary traveling expenses incurred in connection with the performance of the duties of his office, such per diem, traveling expenses and other incidental expenses of the board or of its members to be paid out of the funds of the board hereinafter defined and not from the State's taxes.

SEC 1.5 Section 2 of said act is amended to read:

SEC 2. Within 60 days of the date upon which the latest amendment to this section takes effect, the Governor shall appoint two additional members of the board Of the members so appointed, one shall be appointed for a term expiring February 10, 1954, and the other for a term expiring February 10, 1955. The terms with respect to members of the board which terms are in existence on the date the latest amendment to this section takes effect, shall expire as if this section had not been amended, that is, two on February 10, 1953, one on February 10 1954, and two on February 10, 1955 Thereafter, each appointment shall be for the term of three years, except that an appointment to fill a vacancy shall be for the unexpired term only Each member shall serve until his successor has been appointed and qualified The Governor may remove a member from the board after receiving sufficient proof of the inability or misconduct of said member.

SEC. 2. Section 3 of said act is amended to read:

SEC 3. The board shall organize by the election of a president, and a vice president to be chosen from the members of the board, and a secretary, who may, but need not be a member of the board. The board shall fix the salary of the secretary, with the

approval of the Director of Finance Thereafter elections of officers shall occur annually at the January meeting of the board. A majority of the board shall constitute a quorum.

It shall require the affirmative vote of four members of said board to carry any motion or resolution, to adopt any rule, or to authorize the issuance of any license provided for in this act The secretary shall receive a salary to be fixed by the board, together with his actual and necessary traveling expenses incurred in connection with the performance of the duties of his office, and shall give bond to the State in such sum with such sureties as the board may deem proper. He shall keep a record of the proceedings of the board, which shall at times during business hours be open to the public for inspection. He shall keep a true and accurate account of all funds received and of all expenditures incurred or authorized by the board, and on the first day of December of each year he shall file with the Governor a report of all receipts and disbursements and of the proceedings of the board for the preceding fiscal year.

SEC. 3. Section 8 of said act is hereby repealed.

SEC 4 Section 10 of said act is amended to read

SEC. 10 (a) The board shall refuse to grant, or may suspend or revoke, a license to practice chiropractic in this State upon any of the following grounds, to wit: the employment of fraud or deception in applying for a license or in passing an examination as provided in this act; the practice of chiropractic under a false or assumed name; or the personation of another practitioner of like or different name; the conviction of a crime involving moral turpitude; habitual intemperance in the use of ardent spirits, narcotics or stimulants to such an extent as to incapacitate him for the performance of his professional duties; the advertising of any means whereby the monthly periods of women can be regulated or the menses re-established if suppressed; or the advertising, directly, indirectly or in substance, upon any card, sign, newspaper advertisement, or other written or printed sign or advertisement, that the holder of such license or any other person, company or association by which he or she is employed, or in whose services he or she is, will treat, cure, or attempt to treat or cure, any venereal disease, or will treat or cure, or attempt to treat or cure, any person afflicted with any sexual disease, for lost manhood, sexual weakness or sexual disorder or any disease of the sexual organs; or being employed by, or being in the service of any person, company or association so advertising; or any other act which constitutes unprofessional conduct. The proceedings for the refusal to grant, suspend or revoke a license upon any of the foregoing grounds shall be conducted in accordance with Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code as it now reads or as it may be hereafter amended by the Legislature, and the board shall have all the powers granted therein. The secretary on all cases of revocation shall enter on his register the fact of such revocation, and shall certify the fact of such revocation under the seal of the board to the county clerk of the counties in which the certificates of the person whose certificate has been revoked is recorded; and said clerk must thereupon write upon the margin or across the face of his register of the certificate of such person the following: "This certificate was revoked on the _____ day of _____," giving the day, month and year of such revocation in accordance with said certification to him by said secretary. The record of such revocation so made by said county clerk shall be prima facie evidence of the fact thereof, and of the regularity of all proceedings of said board in the matter of said revocation.

(b) At any time after two years following the revocation or cancellation of a license or registration under this section, the board may, by a majority vote, reissue said license to the person affected, restoring him to, or conferring on him all the rights and privileges granted by his original license or certificate. Any person to whom such rights have been restored shall pay to the secretary the sum of twenty-five dollars ($25) upon the issuance of a new license.

(c) All licenses granted under this act shall be renewed annually. The issuance of such renewal licenses shall be contingent upon submission of evidence satisfactory to the board, of the applicant having completed at least 16 hours of post-graduate studies within the previous year.

SEC. 5. Section 10 5 is added to said act, to read:

SEC. 10 5. The employing directly or indirectly of any suspended or unlicensed practitioner in the practice of any system or mode of treating the sick or afflicted, or the aiding or abetting of any unlicensed person to practice any system or mode of treating the sick or afflicted, constitutes unprofessional conduct within the meaning of this chapter.

Unprofessional conduct as used in this act is defined as follows:

(a) The procuring, aiding or abetting in the procuring of criminal abortion; the paying for steering patients into one's office; obtaining a fee on the assurance that a manifestly incurable disease can be made entirely well; the wilful betrayal of professional secrets of a patient to the detriment of such patient; chiropractic advertising which is untrue or misleading; conviction of any offense involving moral turpitude; wilful neglect of a patient in a critical condition.

SEC. 6 Section 12 of said act is amended to read:

SEC. 12 Each person practicing chiropractic within this State shall, on or before the first day of January of each year, after a license is issued to him as herein

provided, pay to said Board of Chiropractic Examiners a renewal fee of not less than two dollars ($2) nor more than ten dollars ($10) as may be set by the board. The secretary shall, on or before November 1st of each year, mail to all licensed chiropractors in this State a notice that the renewal fee will be due on or before the first day of January next following. Nothing in this act shall be construed to require the receipts to be recorded in like manner as original licenses. The failure, neglect or refusal of any person holding a license or certificate to practice under this act in the State of California to pay said annual fee during the time his or her license remains in force shall, after a period of 60 days from the first day of January of each year, ipso facto, work a forfeiture of his or her license or certificate, and it shall not be restored except upon the written application therefor and the payment to the said board of a fee of twenty-five dollars ($25), except that such licentiate who fails, refuses or neglects to pay such annual tax within a period of 60 days after the first day of January of each year shall not be required to submit to an examination for the reissuance of such certificate.

Any licentiate serving in the armed forces of the United States shall be exempt from payment of the renewal fee during such period of service and for one year thereafter.

SEC. 7. Section 15 of said act is amended to read:

SEC. 15. Any person who shall practice or attempt to practice chiropractic, or any person who shall buy, sell or fraudulently obtain a license to practice chiropractic, whether recorded or not, or who shall use the title "chiropractor" or "D.C." or any word or title to induce, or tending to induce belief that he is engaged in the practice of chiropractic, without first complying with the provisions of this act; or any licensee under this act who uses the word "doctor" or the prefix "Dr." without the word "chiropractor," or "D.C." immediately following his name, or the use of the letters "M.D." or the words "doctor of medicine," or the term "surgeon," or the term "physician," or the word "osteopath," or the letters "D.O." or any other letters, prefixes or suffixes, the use of which would indicate that he or she was practicing a profession for which he held no license from the State of California, or any person who shall violate any of the provisions of this act, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than two hundred dollars ($200) and not more than six hundred dollars ($600), or by imprisonment in the county jail for not less than 30 days nor more than 90 days, or both.

SEC. 8. Sections 1 to 7, inclusive, of this act shall become effective only when submitted to and approved by the electors, pursuant to Section 1b of Article IV of the Constitution of the State.

SEC. 9. Sections 1 to 7, inclusive, of this act shall be submitted to the electors for their approval or rejection at the next succeeding general election occurring at any time subsequent to 130 days after this section takes effect, or at any state-wide special election which may be called by the Governor, in his discretion, prior to such general election, in the same manner that a constitutional amendment proposed by the Legislature would be submitted, and all of the provisions of law relative to submission of such constitutional amendments to the electors and to matters incidental thereto shall apply to the submission of Sections 1 to 7, inclusive, of this act, except as otherwise provided in this section or as such provisions may be clearly inapplicable for the submission of an amendment to an initiative measure pursuant to Section 1b of Article IV of the State Constitution.

Excerpt from Assembly Journal for June 13, 1951, page 5568

The roll was called, and the bill passed by the following vote:

AYES—Beck, Belotti, Berry, Brown, Burke, Burkhalter, Caldecott, Chapel, Clarke, Cloyed, Coats, Collier, George D. Collins, Cooke, Davis, Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hansen, Hawkins, Henderson, Hinckley, Kelly, Kirkwood, Klocksiem, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, Meyers, Morris, Moss, Niehouse, Parker, Rumford, Shaw, Sherwin, Sillman, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—57.

NOES—None.

Excerpt from Senate Journal for June 23, 1951, page 3871

The roll was called, and the bill passed by the following vote:

AYES—Senators Breed, Brown, Burns, Collier, James E. Cunningham, Roy Cunningham, Dillinger, Dilworth, Donnelly, Dorsey, Erhart, Gibson, Hoffman, Hulse, Ed. C. Johnson, Harold T. Johnson, Kraft, Mayo, McBride, McCarthy, O'Gara, Parkman, Sutton, Thompson, Watson, Way, Weybret, and Williams—28.

NOES—None.

Excerpt from Assembly Journal for June 23, 1951, page 6628

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2924 by the following vote:

AYES—Babbage, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Chapel, Cloyed, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Crowley, Dickey, Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Klocksiem, Lanterman, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McFall, McGee, McMillan, Meyers, Parker, Porter, Rumford, Shaw, Sherwin, Sullman, Smith, Stanley, Thomas, Tomlinson, and Waters—60.

NOES—None.

COMMITTEE FROM THE SENATE

Senators Thompson, McCarthy, Byrne, Regan, and Watson appeared before the bar of the Assembly, and announced that the Senate had concluded its labors and was now ready to adjourn *sine die*.

REPORTS OF SELECT COMMITTEES

The Select Committee appointed to wait upon the Senate appeared before the bar of the Assembly, and reported that the instructions of the Assembly had been carried out, and that the Senate had concluded its labors and was ready to adjourn *sine die*.

The Select Committee appointed to wait upon His Excellency, the Governor, appeared before the bar of the Assembly, and reported that it had communicated with the Governor, and that he had no further communication to make to the Assembly.

MOTION TO APPROVE JOURNALS

Upon motion of Mr. McCollister, the Journals for Thursday, June 14, 1951; Friday, June 15, 1951; Monday, June 18, 1951; Tuesday, June 19, 1951; Wednesday, June 20, 1951; Thursday, June 21, 1951; Friday, June 22, 1951, and Saturday, June 23, 1951, were approved as corrected by the Minute Clerk.

REPORT OF THE ASSEMBLY INTERIM COMMITTEE ON ELECTIONS AND REAPPORTIONMENT

LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE, June 21, 1951

HONORABLE SAM L. COLLINS
Speaker of the Assembly
State Capitol, Sacramento 14, California

DEAR SPEAKER COLLINS: During the past year and one-half the Assembly Interim Committee on Elections and Reapportionment undertook a study of the problem of reapportionment of the assembly, state senate and congressional districts. The committee was ably assisted by many interested citizens who devoted much time and effort to produce a satisfactory solution. To them we are deeply indebted.

The committee would also like to mention the efforts of those who participated as members of the staff of the committee, and for whose services we are deeply appreciative. Dr. Ivan Hinderaker, Associate Professor of Political Science at the University of California at Los Angeles, was most generous, and in a large degree this report is the result of his good work. Working with Dr. Hinderaker and under his direction were Mr. Leroy Hardy, Miss Jeniellen Ferguson, Miss Eva Zimbler, Mrs Evelyn Hinderaker, Mrs. Betty Lien and Mrs. Janet Minott. Their efforts in the fields of statistical and historical research were of great value to the committee.

Mr. Robert G. Hinshaw of the office of the Legislative Counsel acted as counsel for the committee. His timely legal advice enabled us to avoid many problems thereby greatly facilitating the work of the committee.

Mr. Joseph Donovan served as executive secretary to the committee. His services were of marked and positive value, and we are indebted to him.

We also wish to express our appreciation to Mrs. Irene Anderson, secretary to the committee, for her loyal, efficient, and courteous assistance to us in our work.

The Honorable George D. Collins of San Francisco is preparing a supplementary report which will be filed at a later date.

Respectfully submitted

LAUGHLIN E. WATERS	EARL W. STANLEY
L. STEWART HINCKLEY	ROBERT I. MCCARTHY
CHARLES J. CONRAD	WILLIAM CLIFTON BERRY
STANLEY T. TOMLINSON	AUGUSTUS F. HAWKINS
MONTIVEL A. BURKE	GEORGE D. COLLINS, JR.
GORDON R. HAHN	LESTER T. DAVIS
MARVIN SHERWIN	(Concurring in part)

INTRODUCTION

The Assembly Interim Committee on Elections and Reapportionment was created pursuant to the provisions of House Resolution 197 of the 1949 Regular Session, adopted June 29, 1949, Assembly Journal, pp. 5215-5216. The committee was authorized to study and analyze all facts relating to elections and reapportionment, the salient language being:

"1. The Assembly Interim Committee on Elections and Reapportionment is hereby created and authorized and directed to ascertain, study and analyze all facts relating to elections and reapportionment, including but not limited to the operations, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation." (See H.R. 197, 1949 Regular Session, in appendix.)

The Interim Committee was continued by House Resolution 28, adopted January 10, 1951, Assembly Journal, pp. 174-175, and authorized to act until adjournment sine die of the 1951 Regular Session. (See H.R. 28, 1951 Regular Session, in appendix.)

The following Members of the Assembly were appointed to and served as members of the committee:

Laughlin E. Waters, Chairman, 58th District; L. Stewart Hinckley, Vice Chairman, 73d District; Glenn M. Anderson, 46th District; Wm. Clifton Berry, 23d District; Montivel A. Burke, 53d District; Arthur W. Coats, Jr., 4th District; George D. Collins, Jr., 22d District; Charles J. Conrad, 57th District; Lester T. Davis, 2d District; Gordon R. Hahn, 66th District; Marvin Sherwin, 16th District; Earl W. Stanley, 74th District; Stanley T. Tomlinson, 37th District.

During the interim period the Honorable William Clifton Berry, 23d District, resigned because of illness and was replaced by the Honorable Robert I. McCarthy, 25th District, and the Honorable Augustus F. Hawkins, 62d District, served in the place of Honorable Glenn M. Anderson, 46th District, who resigned.

At the organizational meeting of the committee, held in Los Angeles on September 16, 1949, the committee determined that its work should be divided into two major categories:

A. Needed revision of election laws; and

B. Reapportionment of Assembly, State Senate and Congressional Districts.

A. REVISION OF ELECTION LAWS

While discussion established that the Elections Code was in need of extensive revision, it was determined by the committee that such work should not be undertaken at this time but that its efforts in this field should be limited to the processing of the necessary changes as recommended by the County Clerk's Association and that any major program should be postponed to a later session. It was further determined that, insofar as possible, all proposed revisions of the election laws be considered by the committee during the interim period so that more time during the 1951 Regular Session would be available for work on reapportionment problems. To that end the County Clerk's Association was requested

to submit to the interim committee all suggested changes in the election laws, and a meeting was held on December 8, 1950, in Los Angeles to consider the recommendations. Mr. Benjamin Hite, Registrar of Voters of Los Angeles County, representing the Elections Committee of the County Clerk's Association, was the principal witness.

Following is a summary of action taken on proposed legislation submitted to the interim committee at its December 8th meeting. The summary was prepared by Benjamin Hite.

Elections Code Number	*Subject matter of recommendation*	*Interim committee action*
46.5	Circulators of petitions	Recommended for adoption
48.5	Authority to call meetings of County Clerk's Association	No motion. Basic objection—Expenses
226.5	Affidavits of registration	Recommended for adoption
293, 295, 296	Cancellations of nonvoters	No motion
370	Printing of indices of registration	Recommended for adoption
658	Eligibility of election officers	No motion
678.5	Relating to precinct boards and polling places	Recommended for adoption
688	Relating to oaths	Recommended for adoption
1513	Ballot pamphlets	Recommended for adoption
2111, 2152, 2155, 2301, 2350, 2353, 2402, 2574, 2576	Eliminating reference to May and August primary	Recommended for adoption
2454, 2455, 2456, 2457, 2458, 2459	County central committee ballot	Recommended for adoption
2540	Relating to qualified political parties	Recommended for adoption
2571, 2573	Statement of registration and notification of Secretary of State as to offices to be nominated	Recommended for adoption
2598	Name of candidate	Recommended for adoption
2801	State central committee proxies	Moved re-referred to Secretary of State. Form
2836, 2837	County central committees	To be resubmitted—2836 and clarify 2837
2897, 2898	Death or disqualification of a candidate	Recommended for adoption
3041	Independent nominations; filling vacancies	Resubmitted. Amend to delete 75 to 100 and reduce to 1 percent of vote cast at last general election for special elections

Elections Code Number	*Subject matter of recommendation*	*Interim committee action*
3041.5	Independent nominations; filling vacancies	Withdraw
3043, 3084, 3150	Time for filing independent nominations	Recommended for adoption
3824, 3945	Numbering of ballots	Recommended for adoption
3829	Ballot instructions for presidential election	Recommended for adoption Print President and Vice President where party occurs
3830	Form of ballot	Recommended for adoption
3924	Form of primary ballot	Recommended for adoption
4530, 4536	Campaign expenses	Rewrite and resubmit. Expenditures
5503	Instruction to voters card	Recommended as amended in 5805. *Two members to be on duty at all times*
5553	Mark copy of index	
5805	Number of members absent from polls	
5809	Marking on affidavit of registration	
5565	Roster of voters and form	Recommended for adoption
5736, 7101, 7102	Return of ballots	Recommended for adoption
6342	Voting machine precinct boards	Recommended for adoption
7207	Public inspection of tally lists	Recommended for adoption
7964, 7971	Official canvass at primary election	Resubmit to legislative counsel
7964.5	Re-tally of ballots at primary election	Recommended for adoption
8001, 8002, 8003, 8004, 8005, 8008	Recount of ballots	Recommended as amended in 8002. * * * *notify the candidates affected by registered mail* * * *
8137, 8138, 8139, 8140, 10552	Proceedings after announcement of election returns	Referred to legislative counsel
9050	Numbering of consolidated precincts	Recommended for adoption
Education Code		
1801, 1802, 1834	Annual election of trustees—time and place	Approved but referred to Committee on Education
Health and Safety Code		
32002 2	Hospital districts	Favorable recommendation. Re-referred to committee

Street and Highways Code Number	*Subject matter of recommendation*	*Interim committee action*
5026	Relating to notification of street name change	Refer to county and city governments
19090 19091 19092 19094 19250	Relating to calling and conducting elections	Redraft 19094. Resubmit as amended

Those measures above-listed which were recommended by the Interim Committee were subsequently introduced at the commencement of the 1951 Regular Session by various members of the committee and were presented to the Legislature as the work of the interim committee. Additionally, other measures were introduced which had been discussed during committee sessions held throughout the interim period.

This method of proceeding, i.e., consideration of proposed legislation during the interim period proved most advantageous in that it facilitated the presentation of testimony of witnesses through the holding of meetings in localities convenient to the witnesses and it measurably reduced the amount of time required for consideration of the legislation in committee during the Regular Session of 1951. Much of the legislation so considered was enacted into law during the present session. It is the recommendation of the committee that a similar method of proceeding be adopted by any continuing interim committee and that a thorough revision of the entire Elections Code be undertaken.

B. REAPPORTIONMENT OF ASSEMBLY, STATE SENATE AND CONGRESSIONAL DISTRICTS

With the completion of the Federal Decennial Census of 1950, California was again confronted with the problem of redesigning the boundaries of the state assembly districts and of the districts of the Members of the House of Representatives of the United States Congress. This task, while mandatory in the above instances, also included minor revisions of the districts of the State Senate although it is neither contemplated nor provided for in the law that this will be a recurring problem each decade.

California, during the preceding 10-year period, has been the scene of the greatest mass shift of population known to recorded history, and while this transition has brought new honor and glory to California, it has also been productive of great problems. Not only has this population shift come from without the confines of the State, but within the State there have been significant readjustments of population concentrations from county to county. These problems were directly reflected in the study of reapportionment. Since it is required by law that the "* * * assembly districts shall be as nearly equal in population as may be," (Article IV, Section 6, State Constitution) it was necessary to follow these population shifts within the State by eliminating districts in those areas which had not kept pace with the over-all state growth and reconstituting them in areas where the growth had been greatest.

In somewhat similar manner congressional districts are redesigned. While the congressional entitlement of a state is determined by its total population, there is no requirement in either federal or state law that the districts be equal in population. Traditionally, however, it has been felt to be desirable to constitute the congressional districts on an equal population basis consistent with the provisions of the state law applicable. California, with its 53.3 percent increase in population since the census of 1940 was entitled by the census of 1950 to seven new seats raising its congressional entitlement from 23 to 30, thereby complicating the problem.

The plan of representation of the California Senate is based primarily on counties and not on population. The Senatorial districts shall be composed of not less than one nor more than three counties. (Article IV, Section 6, State Constitution. While minor changes were made in several senatorial districts, such were not required under existing law, and the changes as finally reflected in the legislation presented to the Legislature were the result of recommendations of citizens in the counties affected.

Upon the failure of the Legislature to effect the necessary redistricting of the assembly districts, the task falls to a Reapportionment Commission composed of the Lieutenant Governor, Attorney General, Controller, Secretary of State, and Superintendent of Public Instruction. (Article IV, Section 6, State Constitution). This commission, however, has no jurisdiction over the congressional districts, but Federal law wisely provides for those instances wherein the various states have failed to act, such provisions thus insuring that each state will continue to have its proper representation in the House of Representatives.

The job of redrawing legislative district lines has been a recurring one in California and the other 47 states. Yet, there are almost no written accounts giving a step by step description of the process to be followed. The interim committee could find little to use as a basis for its researches. The section of this report dealing with *reapportionment,* therefore, is designed to partially correct that situation by supplying a record of the manner in which the committee attempted to work. Because this report may be read not only by legislators, but also by students of government, some materials and examples are included in an attempt to produce a better understanding of the nature of the reapportionment process.

LEGAL BACKGROUND

CONGRESSIONAL DISTRICTS

FEDERAL CONSTITUTIONAL AND STATUTORY BACKGROUND

When the framers of the U. S. Constitution established the plan of representation of the U. S. House of Representatives on a population basis, they recognized the need for periodic readjustments in order that the allocation of Congressional seats to the states might be kept abreast of population shifts. Article I, Section 2, paragraph 3, as amended by the Fourteenth Amendment, provides in part:

> "Representatives shall be apportioned among the several states according to their respective numbers, counting the whole number of persons in each state, excluding Indians not taxed. The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of 10 years, in such manner as they shall by law direct."

The Federal Government has conducted a census of population in the United States every 10 years since 1890. Seats in the United States House of Representatives were reapportioned after each census until 1920 During this period, with only one exception, reapportionment was achieved by increasing the size of the House. The states gaining in relative population would get increased representation, but the states losing would retain the representation they already had.

After the 1920 census, the Congress balked. The size of the House had jumped from 65 in the first Congress to the 435 members set after the census of 1910. Many were of the opinion the House would become too unwieldy as a parliamentary body, and it should not be allowed to grow beyond the 435 figure.

The alternative to a flexible membership was fixed membership. If the size was to stay at 435, the process of reallocating House seats would become more politically painful because some states which had not gained enough in relative population would be forced to give up representation to states which had. Both factors—the desire to hold membership at 435, and the painfulness of the process of taking representation from the smaller rural states—tended to produce a standoff and the result was no action at all.

Congress waited another eight years before it passed the Automatic Reapportionment Act of 1929. Membership of the House was fixed at 435. The political difficulty of depriving states of representation was recognized in the so-called "automatic" provision which, though Congress retained a final check, placed primary responsibility for reapportionment of representatives to the states in the hands of the President of the United States.

Under the act, as amended in 1941 (55 Stat. 761; U. S. C. 2:2a), the President is directed to submit on the first day, or within a week thereafter, of the first regular session of Congress after each decennial census, a statement showing the population of each state and the number of representatives to which each state is entitled on the basis of its population. The actual preparation of this plan is the responsibility of the Director of the Bureau of the Census. He is bound by law to use the "equal proportions" mathematical formula for arriving at his allocations.

If the Congress takes no action on the proposal within a period of 15 days, the Clerk of the House of Representatives is directed to notify the governor of each state of the number of representatives assigned to his state.

This was the procedure followed in 1931, 1941, and is the one being followed in 1951. Congress may, however, rescind its action if it so desires.

President Truman's reapportionment message was submitted to the Congress on January 9, 1951 The message read as follows:

"MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

"Transmitting

"A message relating to the decennial censuses and the apportionment of Representatives in Congress, pursuant to the provisions of Section 22 of the Act of June 18, 1929, as amended (2 U. S. C. 2A)

"January 9, 1951.—Referred to the Committee on the Judiciary and ordered to be printed

"To the Congress of the United States:

"In compliance with the provisions of section 22 of the act of June 18, 1929, as amended (2 U. S. C. 2a), relating to the decennial censuses and the apportionment of Representatives in Congress, I transmit herewith a statement prepared by the Director of the Census, Department of Commerce, giving the whole number of persons in each State as ascertained under the Seventeenth Decennial Census of Population, and the number of Representatives to which each State is entitled under an apportionment of the existing number of Representatives. All Indians are included in the tabulation of total population, since all Indians are now subject to Federal taxation.

"Under the law, each State will be entitled, commencing in the Eighty-third Congress to the number of Representatives shown in the statement. In a House of 435 Members, the number fixed by law, the population changes reflected by the census will require a change in the number of Representatives for 16 States. Seven States will gain, and nine States will lose seats.

"In accordance with the statute, it will be the duty of the Clerk of the House of Representatives, within 15 calendar days after the receipt of the statement I am now transmitting, to certify to the executive of each State the number of Representatives to which such State is entitled. The statute then prescribes the ways in which any changes in the number of Representatives shall be handled until the States shall have redistricted in accordance with the changes in population.

"These procedures of existing law are of great value to the operation of our Government. They provide an established method of carrying out, almost automatically, the constitutional plan for apportioning Representatives among the States on the basis of population.

"However, certain problems have arisen with respect to the creation of appropriate districts within the States, which merit the consideration of the Congress.

"Over the years, widespread discrepancies have grown up between the populations of the various congressional districts. While

some variation is inevitable, the extreme differences that now exist can and should be corrected. For example, there is one State in which, according to the 1950 census, the smallest district has a population of under 175,000 and the largest district has a population exceeding 900,000. In many States there are differences of two or three hundred thousand people between the smallest and largest existing districts in the State. While about half of the congressional districts throughout the country are between 300,000 and 400.000 in population, there are some 50 districts with a population of 250,000 or less, and, at the other extreme, some 50 districts with a population of 450,000 or over. Furthermore, as population has increased, several States have added Congressmen-at-large instead of redistricting as they should.

"Such defects in our system of congressional districts obstruct the effective operation of the democratic principles on which our whole Government rests. It is fundamental to the whole structure of the Constitution that all citizens have equal representation, so far as practicable, in the House of Representatives. This basic principle is not carried out unless congressional districts are drawn up to reflect population changes.

"The present statute clearly contemplates that the states will redistrict after an apportionment. Redistricting is the task of the state legislatures and must, of course, continue to be so. However, it is also a matter of national concern and the Congress has a constitutional obligation in this field which cannot be overlooked. Article I, Section 4, of the Constitution provides that the times, places, and manner of holding elections for Representatives shall be prescribed in each state by the legislature thereof, but Congress may by law make or alter such regulation.

"For many years the Congress exercised this power. From 1842 through 1911 the apportionment statutes enacted by the Congress as the result of each succeeding census required each state having more than one Representative to divide itself into single-member districts, thus holding down the number of Congressmen-at-Large. This requirement is not included in the legislation which now governs the subject. Furthermore, prior to 1929, many of the apportionment statutes enacted by the Congress called upon the states to follow certain standards in establishing congressional districts. They usually provided, as for example in the 1911 act (37 Stat. 13), that in each state entitled under the apportionment to more than one Representative, the Representatives should be elected by—

> districts composed of contiguous and compact territory, and containing as nearly as practicable an equal number of inhabitants.

These standards provided a guide for the states which was, in most cases, followed.

"It seems to me desirable that the Congress at this time should give its attention to this important problem and enact legislation, supplemental to the permanent legislation on this subject, which would provide the states with standards for establishing congressional districts and indicate the congressional interest in compliance with such standards.

"Such legislation might reaffirm the basic policy of our government to have single-member districts It might also repeat the old and accepted standard that congressional districts be composed of contiguous and compact territory and contain as nearly as practicable the same number of individuals. To give more definitiveness to such standards, it might be advisable for the Congress to consider establishing limits for the permitted deviations in population between districts. It would be possible, for example, for the statute to specify that no district in any state should deviate upward or downward from the average population of all congressional districts within that state by more than a specified percentage. In terms of the present census, assuming an average district of about 350,000 persons, a percentage permitting a range of about 50,000 above and below that figure would probably allow for the practical difficulties which state legislatures face in drawing up district boundaries.

"The Congress should not be satisfied merely with enacting such standards. It should assume responsibility for seeing that the standards are in fact complied with. This might be done by providing for adequate reports from the states on the action they have taken in redistricting and by providing for continued congressional attention to the results. I believe that the enactment of the standards by itself will have a tremendous influence and that most states will seek earnestly to comply. If there are occasions in which flagrant refusal to comply is made manifest, the Congress has the power under the Constitution to take the matter in its own hands.

"In any case, it is important that the proper redistricting be done promptly. Redistricting should be completed not later than the spring of 1952 so that the congressional elections of that year may give fair representation to all citizens of our country.

HARRY S. TRUMAN

THE WHITEHOUSE, January 9, 1951.

DEPARTMENT OF COMMERCE
BUREAU OF THE CENSUS
Washington 25, D. C.

POPULATION OF THE UNITED STATES BY STATES, 1950, AND APPORTIONMENT OF REPRESENTATIVES IN CONGRESS, 1950 AND 1940

State	Population 1950	Present number of representatives	Apportionment of 435 representatives according to 1950 population		
			Number	Change from present number of representatives	
				Increase	Decrease
(1)	(2)	(3)	(4)	(5)	(6)
United States	150,697,361	435	435	14	14
Alabama	3,061,743	9	9		
Arizona	749,587	2	2		
Arkansas	1,909,511	7	6		1
California	10,586,223	23	30	7	
Colorado	1,325,089	4	4		
Connecticut	2,007,280	6	6		
Delaware	318,085	1	1		
District of Columbia	802,178				

POPULATION OF THE UNITED STATES BY STATES, 1950, AND APPORTIONMENT OF REPRESENTATIVES IN CONGRESS, 1950 AND 1940—Continued

State	Population 1950	Present number of representatives	Apportionment of 435 representatives according to 1950 population		
			Number	Change from present number of representatives	
				Increase	Decrease
(1)	(2)	(3)	(4)	(5)	(6)
Florida	2,771,305	6	8	2	
Georgia	3,444,578	10	10		
Idaho	588,637	2	2		
Illinois	8,712,176	26	25		1
Indiana	3,934,224	11	11		
Iowa	2,621,073	8	8		
Kansas	1,905,299	6	6		
Kentucky	2,944,806	9	8		1
Louisiana	2,683,516	8	8		
Maine	913,774	3	3		
Maryland	2,343,001	6	7	1	
Massachusetts	4,690,514	14	14		
Michigan	6,371,766	17	18	1	
Minnesota	2,982,483	9	9		
Mississippi	2,178,914	7	6		1
Missouri	3,954,653	13	11		2
Montana	591,024	2	2		
Nebraska	1,325,510	4	4		
Nevada	160,083	1	1		
New Hampshire	533,242	2	2		
New Jersey	4,835,329	14	14		
New Mexico	681,187	2	2		
New York	14,830,192	45	43		2
North Carolina	4,061,929	12	12		
North Dakota	619,636	2	2		
Ohio	7,946,627	23	23		
Oklahoma	2,233,351	8	6		2
Oregon	1,521,341	4	4		
Pennsylvania	10,498,012	33	30		3
Rhode Island	791,896	2	2		
South Carolina	2,117,027	6	6		
South Dakota	652,740	2	2		
Tennessee	3,291,718	10	9		1
Texas	7,711,194	21	22	1	
Utah	688,862	2	2		
Vermont	377,747	1	1		
Virginia	3,318,680	9	10	1	
Washington	2,378,963	6	7	1	
West Virginia	2,005,552	6	6		
Wisconsin	3,434,575	10	10		
Wyoming	290,529	1	1		

Legislative Counsel's Opinion, June 11, 1951.

Congress took no action on the President's message. At the expiration of the 15-day period, the Clerk of the U. S. House of Representatives notified Earl Warren, Governor of the State of California, that California would be entitled to elect seven new representatives in addition to the

23 which the State already has. The clerk's communication to the Governor was as follows:

"HOUSE OF REPRESENTATIVES
"OFFICE OF THE CLERK
"WASHINGTON, D. C.

"I, Ralph R. Roberts, Clerk of the House of Representatives of the United States, hereby certify, pursuant to Section 22, Subdivision (B), of the Act of the Congress of the United States of America entitled 'An Act to Provide for the Fifteenth and Subsequent Decennial Censuses and to Provide for Apportionment of Representatives in Congress,' approved June 18, 1929, as amended, that the State of

"CALIFORNIA

shall be entitled, in the Eighty-third Congress and in each Congress thereafter until the taking effect of a reapportionment under said Act, as amended, or subsequent statute, to

"THIRTY REPRESENTATIVES

in the House of Representatives of the Congress of the United States.

"IN WITNESS WHEREOF I hereto affix my name and the seal of the House of Representatives of the United States of America this seventeenth day of January, Anno Domini 1951, in the City of Washington, District of Columbia.

RALPH R. ROBERTS
(Signed) Clerk of the House of Representatives of the United States"

FEDERAL RESTRICTIONS ON CONGRESSIONAL DISTRICTING WITHIN THE STATES

The only federal restrictions on state legislatures in the congressional redistricting process apply when a state does not establish new congressional districts after a federal reapportionment. In the 1941 amendment to the Automatic Reapportionment Act of 1929 (Public Law No. 291, 77th Cong., 1st sess., approved November 15, 1941), Congress provided, if there is no change in a state's representation, then the districts may remain unchanged. If a state's representation has been increased, then the added representatives will be elected at large. If a state's representation has been decreased, one of the following three provisions would apply:

"* * * (3) If there is a decrease in the number of Representatives but the number of districts in such State is equal to such decreased number of Representatives, they shall be elected from the districts then prescribed by the law of such State; (4) If there is a decrease in the number of Representatives but the number of districts in such State is less than such number of Representatives, the number of Representatives by which such number of districts is exceeded shall be elected from the State at large and the other Representatives from the districts then prescribed by the law of such State; or (5) if there is a decrease in the number of Representatives and the number of districts in such State exceeds such decreased number of Representatives, they shall be elected from the State at large."

There is little question concerning the right of Congress to regulate the drawing of congressional district lines in the several states. Such authority has been determined to stem from Article I, Section 4, paragraph 1, of the Constitution of the United States which therein provides:

> "The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators."

In the past, Congress has seen fit to impose restrictions, other than those adopted in 1941. From 1842 to 1911 states having more than one congressman were required to elect their congressmen from districts. Such other provisions as "districts composed of contiguous and compact territory, and containing as nearly as practicable an equal number of inhabitants" were also on federal statute books from 1842 to 1929. The Automatic Reapportionment Act of 1929, however, neglected to mention any of the requirements previously used. No limitations on the states existed from 1929 to 1941.

Even when the restrictions against the states were a part of the law, Congress did nothing to enforce them. On a few occasions when efforts were made to prevent the seating of members from districts which in some manner violated federal requirements, the House refused to take note of the violation and seated the member in question. Those who have looked to the courts have fared little better. Courts have repeatedly washed their hands of such "political questions" as many aspects of the reapportionment process pose.

Thus, Congress has, as a matter of tradition, permitted the states to act insofar as redistricting of congressional boundaries is concerned and has, as a practical matter, restricted itself to the passage of standby legislation which was to take effect only in the event that the states failed to act.

Wide disparities may be seen in the manner in which the states have reapportioned congressional districts. The following table (prepared by Margaret Greenfield, *Legislative Reapportionment*, p. 10) summarizes some of the differences:

Congressional District Reapportionment Data

State	Year of last redistricting	Maximum percent departure from average	1941 Population in district *		
			Average	Largest	Smallest
Ohio	1913	122 5	313,982	698,650	163,561
Maryland	1903	76.1	303,540	534,568	195,427
Texas	1932	73.2	305,468	528.961	230,010
Missouri	1933	73.0	291,128	503,738	214,759
Georgia	1931	56.1	312,372	487,552	235,420
Arkansas	1901	51.9	278,483	423,152	177,476
South Dakota	1931	51.1	321,480	485,829	157,132
Mississippi	1932	50.9	311,970	470,781	201,316
Indiana	1941	47.9	311,618	460,926	241,323
Pennsylvania	1943	47.2	300,005	441,518	212,979

For reference see page 6754.

Congressional District Reapportionment Data—Continued

State	Year of last redistricting	Maximum percent departure from average	1941 Population in district * Average	Largest	Smallest
Alabama	1931	46.1	314,783	459,930	251.757
Oklahoma	1913	42.7	292,054	416,863	189,547
Washington	1931	42.6	289,365	412,689	244,908
Florida	1943	40.9	316,236	439,895	186,831
Colorado	1921	38.5	280,824	322,412	172,847
California	1941	36.3	300,321	409,404	194,199
Michigan	1931	35.5	309,183	419,007	200,265
Tennessee	1941	33.4	291,584	388,938	225,918
Connecticut	1911	31.6	341,848	450,189	247,601
Kentucky	1934	30.8	316,180	413,690	225,426
Oregon	1941	30.3	272,421	355,099	210,991
Kansas	1941	27.4	300,171	382,546	249,574
Arizona	1948	25.4	249,630	313,068	186,193
Illinois	1948	25.3	303,740	380,545	262,441
Wisconsin	1932	24.8	313,759	391,467	263,088
New Jersey	1931	24.6	297,155	370,220	226,169
Iowa	1941	23.6	317,283	392,052	268,900
New York	1942	22.2	299,536	365,918	235,913
Virginia	1934	21.3	297,526	360,679	243,165
S. Carolina	1932	20.7	316,634	361,933	251,137
N. Carolina	1941	20.5	297,635	358,573	239,040
W. Virginia	1934	19.4	316,996	378,630	281,333
Louisiana	1912	18.7	295,485	333,295	240,166
Montana	1917	15.7	279,728	323,597	235,859

* The 1941 population data was taken from U S Bureau of Census, Sixteenth Census of the United States 1940, "Population of the United States by Congressional Districts" 1940 and 1930 (Series P-3, No 9, final figures, February 5, 1941)

Note that Ohio and Oklahoma have not redistricted since 1913, though the number of congressmen was changed for both in 1931 and 1941.[1] Connecticut's congressional districts date back to 1911; Maryland's, to 1902. Note also that all of the states listed above have a maximum variation in any district from the state average of over 15 percent. Four states, having more than one congressman, elect one or two congressmen at large.

Many have felt Congress should attempt to force the states to meet certain standards of uniformity in their congressional districts. In order to consider the question, and in response to requests for information on congressional reapportionment, James K. Pollock, President of the American Political Science Association, appointed a special committee to prepare recommendations on this subject. The committee met in Washington on December 2, 1950, to discuss the problem, and prepared a report which incorporated the following suggestions:

1. The size of the House of Representatives should not be changed;
2. There is no reason to change from the equal proportions mathematical formula presently in use to compute allocations of representative to the states;
3. All congressmen should be elected from districts, and not at large;

[1] Ohio is presently in the process of considering a congressional reapportionment.

4. Federal law should again include the "compact and contiguous" requirements for congressional districts, and also include population restrictions "to keep the deviation of any district from the average of all districts for the state within a limit of 10 percent; but in any event such deviation should not be permitted to exceed 15 percent;" and
5. The Congress should attempt to enforce such standards.

The committee felt that the incorporation of standards in federal law would generally result in their observance by state legislatures. To cope with the exceptions, the committee considered several alternative enforcement provisions. Following is the section of the report dealing with this matter:

[1] "* * * We rejected as undesirable several kinds of sanctions which have been proposed: (a) Any citizen might be given the right to question the districting inside his State, by a suit in a United States court. But the courts have shown great unwillingness to undertake the task of supervising Congressional districts, and might deny any constitutional power to do so. Even if they consented to do the job, we do not think that judges are well suited to weigh the political factors which inevitably affect districting. Finally, litigation might easily drag out for some years, whereas the new districts ought to be settled before the spring primaries in 1952. (b) A State which violated the standards of approximate equality laid down by Congress might be penalized by a refusal to seat its Representatives until this State made its districting conform to those standards and help new Congressional elections on that basis. This would probably make that State totally unrepresented in the House during one or more sessions of the Eighty-third Congress. Such a drastic punishment might be unconstitutional, and it was disapproved by the Committee. (c) The State might be required to elect all its Congressmen at large until it redistricted itself in accordance with the statutory standards. But the very same people who were responsible for the unequal districting might rejoice in having their Congressman elected at large, because their party would thus choose the entire representation from this State in the House. And in any event, the Committee considered this sanction to be wholly inconsistent with our condemnation of Congressmen at large (in the Third Conclusion).

"The only proper remedy for bad single-member districts is good single-member districts. The determination of approximately equal single-member districts is a political task, which ought to be performed by a legislative body. If the legislature of the State refuses to do the job, the only suitable alternative is for Congress to do it. Therefore, the Committee agreed that the task of supervising and correcting districting inside the State should be in the hands of Congress.

"This led to the formation of a detailed plan for the imposition of sanctions. Its main features are: First, the States should be required to do their own redistricting soon after Congress passes the Apportionment Act; this will give Congress ample time to consider

[1] Reprinted by permission *American Political Science Review.*

whether this action by the States complies with the statutory standards of approximate equality. Second, the President should transmit the results of State redistricting to Congress and to all the States, with information showing how any particular State has violated the statutory standards of approximate equality. Since the President's statement will appear in the press, unequal districting will be subjected to the powerful sanction of publicity. Third, Congress may then take such action as it deems proper. Congress may order the State to do the job over again. Or Congress may redistrict the State itself.

"In order to accomplish this plan, the Committee recommends a schedule of steps to be included in federal law as follows:

"(1) January 3, 1951 to January 10 (one week)—The President reports to Congress factual data furnished by the Bureau of the Census indicating the apportionment of Representatives among the several states under the 1950 census and according to the formula of "equal proportions."

"(2) January 10 to late January (15 calendar days)—Congress considers the President's report, and unless it enacts a different apportionment within fifteen calendar days, each state shall automatically be entitled to the number of Representatives indicated in the President's report to Congress. The Clerk of the House shall so apprise the executive of each State; and the President will transmit to the States the data concerning poulations supplied by the Bureau of the Census. The members of the Committee hope that, during the same period or very soon thereafter, Congress will enact legislation regulating districting inside the several States, substantially in accordance with the recommendations of this report.

"(3) Late January to late April (90 days)—A period of ninety days will then be allowed for the necessary redistricting in State legislatures In most states the legislatures will be regularly in session, and experience indicates that ninety days are a sufficient time for the enactment of the necessary redistricting laws.

"(4) Late April to late May (30 days)—The President, on the basis of objective data furnished by the Bureau of the Census about the populations of the Congressional districts newly established by the state legislatures, will report to Congress and to the States as to conformity to or violation of the standards regulating the size of a district.

"(5) After late May—Congress will take such action as it deems proper to correct unequal districting wherever it is shown by the President's report to exist.

The committee anticipates that it will seldom be necessary for Congress to redistrict a State. The possibility of such redistricting by Congress and the publicity given to grossly unequal State action will, we hope, be powerful incentives to make the States comply with the statutory standards.

"(6) The Committee discussed the problem of gerrymandering. It recognized that some gerrymandering is a serious evil, but decided against the recommendation of further sanctions at this time.

The members of the Committee share the hope that the re-establishment of the statutory standards of compactness and contiguity, and the publicity of the report to Congress on the action taken by state legislatures, will restrain those legislatures from seriously abusing the power to redistrict for purely partisan purposes.—*Committee on Reapportionment of Congress of the American Political Science Association, "The Reapportionment of Congress," "American Political Science Review," March 1951, pp. 153-7."*

President Truman's January 9, 1951, reapportionment message to Congress contained the principal recommendations of the American Political Science Association Committee. The President asked for single-member districts, composed of contiguous and compact territory and having as nearly as practicable the same population. He suggested that no congressional districts "should deviate upward or downward from the average population of all congressional districts within that state by more than a specified percentage." He further suggested that Congress should not merely be satisfied with enacting standards, but should also enforce them.

The President's recommendations were introduced in the House of Representatives by Congressman Emanuel Celler (D—N.Y.), Chairman of the Judiciary Committee. The Celler Bill [1] would set 15 percent as the "specified percentage" within which congressional districts could deviate from the average population of all congressional districts within a state. The Celler Bill was referred to the House Judiciary Committee. It is presently being studied by that committee.

As the interim committee has conducted its research projects and prepared and introduced its reapportionment bills, persons have suggested that research and action should wait until Congress had made up its mind about the Celler Bill. The interim committee could not agree, however. There was no assurance the Celler Bill would be passed or even seriously considered, and certainly no sure indication of when. The only federal restriction in force at the time the interim committee did its work, and the only restriction in force at the present time, is the provision cited in the first paragraph of this section.

[1] See appendix

CALIFORNIA RESTRICTIONS ON CONGRESSIONAL DISTRICTING WITHIN CALIFORNIA

The Constitution of California at Article IV, Section 27, places the following limitations on the Legislature when its redraws congressional district lines:

> "When a congressional district shall be composed of two or more counties, it shall not be separated by any county belonging to another district. No county, or city and county, shall be divided in forming a congressional district so as to attach one portion of a county, or city and county, to another county, or city and county, except in cases where one county, or city and county, has more population than the ratio required for one or more Congressmen; but the Legislature may divide any county, or city and county, into as many congressional districts as it may be entitled to by law. Any county, or city and county containing a population greater than the number required for one congressional district, shall be formed into one or more congressional districts, according to the population thereof, and any residue, after forming such district or districts, shall be attached, by compact adjoining assembly districts, to a contiguous county or counties, and form a congressional district. In dividing a county, or city and county, into congressional districts no assembly district shall be divided so as to form a part of more than one congressional district, and every such congressional district shall be composed of compact contiguous assembly districts."

The principal points of the above section may be summarized as follows:

1. Counties in a congressional district must be contiguous;
2. No county may be divided to make a congressional district unless it has more than the ratio of population required for one or more congressional districts; if it does have, then a residue assembly district may be attached to compact adjoining assembly districts in another county; and
3. Within a county, no assembly district may be divided to form a congressional district, and each congressional district must be composed of compact contiguous whole assembly districts.

Point number one needs no elaboration. The problem created by the first clause of the second point of the summary is well-illustrated in a statement on the Kings County Congressional District made by State Senator R. R. Cunningham, 27th Senatorial District of Kings County, at the Fresno hearing before the interim committee's subcommittee on February 23, 1951:

> "* * * there are four situations in which we could be involved. There is quite a spread. Some of them would be 206,000, one of them 246,000, one 422,000, and one 357,000. There is quite a spread. In the only logical place that we can be—that would be Kings, Tulare and Inyo [206,000], which we certainly don't like; there would be Kings, Tulare and San Luis Obispo [246,000] which we don't like very well; Tulare, Kings and Kern [422,000], which we

do like pretty well; and Fresno, Madera or Kern [357,000] which would be satisfactory from a congressional standpoint. Now just what that would be to us from an assembly district [standpoint], I don't know. But we are very hopeful that we can remain just as we are [Kings, Tulare and Kern]."

The third point of the summary tends to make it impossible to secure approximately equal in population congressional districts in counties with several congressmen. The Constitution of California requires the 80 assembly districts to be "as nearly equal in population as may be." (Article IV, Section 6.) Within counties, point three says assembly districts may not be divided in forming congressional districts. There are 80 assembly districts. There will be 30 congressional districts. When 80 is divided by 30 it becomes obvious that some congressional districts will have to be made up of two assembly districts and others of three. If each assembly district contained approximately 130,000 (population of California divided by 80), then the two-assembly-district congressional districts would contain 260,000, and the three-assembly-district congressional districts 390,000. The ideal congressional district (population of California divided by 30) should average about 350,000.

If no changes are made in the Constitution of California, point three will continue to create reapportionment difficulties. California received nine new congressional seats in 1931, three more in 1941, and seven in 1951. If California continues to grow at this pace, it is conceivable that sometime in the not too distant future, California may have 40 congressmen. Then each congressional district could be made up of two assembly districts. However, any number other than 40 presents some degree of the problem experienced in 1951 when 30 congressional seats had to be divided into 80 assembly districts. If California is allocated over 40 congressmen, the problem under point three would be to set up some one-assembly-district congressional districts and other two-assembly-district congressional districts. Whenever a one-assembly-district congressional district was set alongside a two-assembly-district congressional district, assuming the population of assembly districts to be about equal, there would be a surety of 100 percent difference in population between the two types of districts.

LEGAL BACKGROUND—STATE SENATORIAL AND ASSEMBLY DISTRICTS

Article IV, Section 6 of the Constitution of California relating to the formation of state senate and assembly districts reads as follows:

"For the purpose of choosing Members of the Legislature, the State shall be divided into 40 senatorial and 80 assembly districts to be called senatorial and assembly districts. Such districts shall be composed of contiguous territory, and assembly districts shall be as nearly equal in population as may be. Each senatorial district shall choose one Senator and each assembly district shall choose one Member of Assembly. The senatorial districts shall be numbered from 1 to 40, inclusive, in numerical order, and the assembly districts shall be numbered from 1 to 80 in the same order, commencing at the northern boundary of the State and ending at the southern boundary thereof. In the formation of assembly districts no county, or city and county, shall be divided, unless it contains sufficient population within itself to form two or more districts, and in the formation of senatorial districts no county, or city and county, shall be divided, nor shall a part of any county, or of any city and county, be united with any other county, or city and county, in forming any assembly or senatorial district The census taken under the direction of the Congress of the United States in the year 1920, and every 10 years thereafter, shall be the basis of fixing and adjusting the legislative districts, and the Legislature shall, at its first regular session following the adoption of this section and thereafter at the first regular session following each decennial federal census, adjust such districts, and reapportion the representation so as to preserve the assembly districts as nearly equal in population as may be; but in the formation of senatorial districts no county or city and county shall contain more than one senatorial district, and the counties of small population shall be grouped in districts of not to exceed three counties in any one senatorial district; provided, however, that should the Legislature at the first regular session following the adoption of this section or at the first regular session following any decennial federal census fail to reapportion the assembly and senatorial districts, a Reapportionment Commission, which is hereby created, consisting of the Lieutenant Governor, who shall be chairman, and the Attorney General, State Controller, Secretary of State and State Superintendent of Public Instruction, shall forthwith apportion such districts in accordance with the provisions of this section and such apportionment of said districts shall be immediately effective the same as if the act of said Reapportionment Commission were an act of the Legislature, subject, however, to the same provisions of referendum as apply to the acts of the Legislature.

"Each subsequent reapportionment shall carry out these provisions and shall be based upon the last preceding federal census. But in making such adjustments no persons who are not eligible to become citizens of the United States, under the naturalization laws, shall be counted as forming a part of the population of any district.

Until such districting as herein provided for shall be made, Senators and Assemblymen shall be elected by the districts according to the apportionment now provided for by law." (Amendment adopted November 3, 1942)

This section of the Constitution of California, from 1879 when it was adopted until 1926, stipulated that both Assembly and Senate be set up on the basis of population. Use of the county as the principal basis of representation in the Senate did not come until 1926 and the passage of the so-called "federal plan" amendment of that year.

The principal points of Article IV, Section 6 may be summarized as follows:

1. Both senate and assembly districts must be composed of contiguous territory;
2. No part of a county may be united with another county to form either senate or assembly districts;
3. No county may be divided to form assembly districts unless it contains enough population to form two or more districts within itself;
4. Assembly districts must be "as nearly equal in population as may be";
5. No county may be divided to form senate districts;
6. No county may contain more than one senate district;
7. Not more than three counties may be grouped in any one senate district; and
8. If the Legislature at the first regular session following a federal decennial census fails to reapportion assembly and senate districts, a Reapportionment Commission shall forthwith apportion such districts.

Point four instructs the Legislature to create assembly districts as nearly equal in population as possible. Points two and three provide no county may be divided unless it has enough population to warrant two or more assembly districts, and no part of a county may be joined with any other to form an assembly district. To a degree, points two and three tend to contradict point four.

The problem of what to do with Imperial County in the assembly district pattern is an example of the operation of points two and three. Imperial County, according to the final figures of the 1950 census, has a population of 62,975. That population entitles it to only 0.48 of an Assemblyman. San Diego County, to the west, is entitled to 4.21 Assemblymen, yet the 0.21 residue cannot be joined with Imperial. Riverside County, to the north, is entitled to 1.29 Assemblymen, yet neither can the 0.29 residue be applied to Imperial County's 0.48 plus San Diego's 0.21 residue. Arizona bounds Imperial on the east, and Mexico on the south. The only alternatives for an assembly district for Imperial County would be either to join it to Riverside County to create a single assembly district of both counties, or to give it its own Assemblyman. Riverside County can point to its 1.29 entitlement and suggest how grossly unfair it would be to combine it with Imperial's 0.48. Imperial County has had

and will continue to have, at least for the next 10 years, one whole Assemblyman to itself.

In no county does the assembly district entitlement, based on population, coincide exactly with the number of assemblymen assigned to the county. Monterey County with its 0.99 entitlement is the closest. Imperial County with its 0.48 entitlement (0.52 under) and San Joaquin County with its 1.52 entitlement (0.52 over) are two counties, both with one assemblyman, farthest away from the ideal. Pending a revision of the Constitution of California, such inequalities must of necessity exist.

While the county is a secondary consideration in assembly district reapportionment, it is the primary factor in state senate districts reapportionment. No senatorial district changes in 1951 were required by the constitution, however, minor adjustments affecting four districts were made.

HISTORICAL BACKGROUND OF REAPPORTIONMENT IN CALIFORNIA

A better appreciation of the reapportionment problem may be gained from viewing the historical development of the process in California. This phase of California political history may be divided into two distinct periods: first, Pre-1910; and second, Post-1910. The event of 1910 which officially signified a turning point was the publication of the results of the 1910 census by the U. S. Bureau of the Census.

PRE-1910

Reapportionment of congressional and state legislative seats during this period was not a particularly controversial matter. The balance of power between sections of the State was not significantly different from one set of district patterns to another each successive ten years because the increase in population was relatively uniform throughout the State. Neither was conflict between Democratic and Republican parties very sharp.

Northern California had been the first section of the State to be developed. It had the population and the economic balance of power. It exercised political control. Population and economic developments in Southern California were not significant enough to threaten the control of the North—prior to 1910.

The challenge of Southern California may be spelled out in such terms as railroads, irrigation, water, Chambers of Commerce, and the desire of more and more people to live in this section. Population growth was accompanied by economic growth. Los Angeles gradually grew up from "Queen of the Cow Counties" to become "Queen of the Urban Counties"—the biggest of them all.

The San Francisco area in the 1880's had 27 percent of the State's population; Los Angeles, only 4 percent. By 1910 the picture had changed. Los Angeles had 21 percent of the population; San Francisco, 17 percent. Los Angeles went to the 1911 session of the Legislature asking for assemblymen and state senators commensurate with its population.

The San Francisco-Los Angeles population balance was not the only new reapportionment factor in the 1911 Session. By this time, the flow of population to urban areas had become evident. By 1910 the counties of San Francisco, Los Angeles and Alameda accounted for 49 percent of the State's population. The trend would go further. The rural counties found themselves faced with the question of whether they should or should not release their balance of political power in the Legislature to the cities.

The issue involved even more. Inland cities were contesting with coastal cities for first rank as commercial and wholesale distribution centers. Also active in the dispute were the rural lumbering, farming and mining interests. There was the controversy of "county versus city" over moral and social issues. To these attitudes could be added personal and political party interests. These were some of the factors that tended to make the post-1910 period considerably more controversial than had been its predecessor.

POST-1910

The Reapportionment of 1911

Hiram Johnson and his Progressive Republicans were elected to office in 1910. The 1911 Regular Session of the Legislature was so busy passing reform legislation it did not get to the job of reapportionment. That was one of the reasons why a special session was called for later in the year. That did not mean, however, that reapportionment was not an issue in the 1911 Regular Session. It was. As long as new congressional, assembly and senate district boundary lines were unsettled, the location of these boundaries could be and was used as a trading device on other legislation.

It appears that the Los Angeles delegation, in order to secure passage of the Tideland Bill, made a trade with San Francisco. The conditions of the agreement had San Francisco supporting Los Angeles on the Tideland Bill. Los Angeles, in turn, was to support San Francisco's claim that the latter should not lose legislative seats in the reapportionment. The Tideland Bill was passed, and with the help of San Francisco.

Rural legislators resented the "big-city agreement." Positions on such issues as race track gambling and local liquor control tended to further widen the country-city split. Determined to stop the big city agreement on reapportionment, rural legislators met in Fresno before the special session and drafted a reapportionment plan of their own. The country plan would deprive the metropolitan areas of two senators and four assemblymen to which they were entitled on the basis of population. Assemblyman Randall, Los Angeles, introduced the rural plan in the Assembly.

The Randall Bill passed the Assembly despite the fact that the delegations from metropolitan areas, with the exception of Randall, held firm in their opposition. In the Senate, the big city plan was successful. Deadlock resulted, and might have continued indefinitely if parts of the Los Angeles delegation hadn't deflected from the metropolitan bloc. Los Angeles stood to gain some representation regardless of which plan became law, and it appeared that San Francisco would be the only section to gain by prolonged stalemate. The Randall Bill finally passed the Assembly 47 to 27, and the Senate 22 to 17.

Although the major controversy centered on the question of small county versus big county representation, some medium sized counties found themselves either on the long or short end of population entitlements. Sacramento and San Diego found themselves underrepresented in the arrangements of the Randall Bill; such counties as Santa Clara and Fresno, overrepresented.

Congressional reapportionment was not as important an issue in 1911. The principal dispute on congressional representation revolved around the question of whether population alone or a combination of population and regional factors would be used as the yardstick in outlining the districts. The latter was followed. The 11 districts created conformed to the following regions: first, North Coast and Sacramento Valley; second, Mountain; third, Bay and Deep Water Tributaries; fourth, and fifth, San Francisco; sixth, Alameda; seventh, San Joaquin Valley; eighth, South Coast; ninth and tenth, Los Angeles County; and eleventh, Southern California.

Failure to Reapportion in 1921, 1923 and 1925

The pressures that made the 1911 reapportionment highly controversial—the shift of people and wealth from North to South, and from county to city—continued with greater force from 1911 to 1921. Not only did the influence of Los Angeles and San Francisco reach out through such facilities as transport, marketing systems, etc., to place the big city at the center in influence of an area, but the trend appeared in counties not previously thought of as urban—counties like San Diego, Sacramento, San Joaquin, Fresno and Santa Clara. Rural legislators found themselves concerned, not only with the biggest cities, but also with the in-between cities. The job of keeping political control out of the hands of the "city bosses" was becoming increasingly difficult.

The Legislature failed to take reapportionment action in the 1921, 1923 and 1925 Sessions. Proposals that both houses should be apportioned on a population basis, as called for in the Constitution, failed of passage. So also did numerous proposals to limit the number of senators to be allocated to each of the urban counties. The cities favored the former; the country, the latter.

Rural proposals may be summarized as follows: first, bills to limit Los Angeles, San Francisco, and Alameda counties to such limits as 10 assemblymen each; second, bills to divide representation in the Senate on a "$\frac{3}{8}$-$\frac{5}{8}$ plan" which would give the metropolitan counties 15 senators and the remaining counties 25 senators; third, bills to divide senate representation on other formulas such as 11 urban-29 rural or 13 urban-27 rural; fourth, a "federal plan" with the representation of the Assembly based on population and the respresentation of the Senate on counties; fifth, classification of counties into several categories and establishment of a quota of senators per county from each of the classifications (this would have restricted not only the large metropolitan counties, but also some of the medium sized counties); and sixth, bills which, in addition to limiting the number of senators from the large metropolitan counties, also provided that of the number of senators assigned to such a county a certain portion had to come from districts in the rural sections of those counties.

The sectional conflict seemed to reach a peak in the 1925 Session when the Legislature failed to approve two measures regarded as vital to further development of Southern California: first, a bill dealing with the organization of a metropolitan water district; and second, a favorable allocation of moneys for highway purposes to the South. At this point, feeling became so bitter many seriously speculated on the desirability of a division of the State into a Northern California and a Southern California.

The Federal Plan of 1926

Only two alternatives seemed to be available after the 1925 Session: first, to wait for unlikely legislative action in the face of further hardening of battle lines between rural and urban groups; and second, to attempt to force action by direct popular participation through the use of the initiative provisions of the Constitution of California.

After the 1925 Session, an All-Parties Reapportionment Committee was organized in Los Angeles. Its proposal, which secured enough signatures to be placed on the ballot for the November, 1926, election, set

population as the sole basis for redistricting both houses of the California Legislature. In opposition, a California Farm Bureau Federation group was organized. Its "federal plan" based representation in the Assembly on population, and in the Senate, limited each county to no more than one senator. It also secured the necessary signatures, and was placed on the November, 1926, ballot.

The principal arguments against the "federal plan" were based on the idea that representation had to be based on population or it would not be democratic representation. Those in favor of the "federal plan" argued it would achieve a proper balance between agrarian, mining and forestry interests in the Senate, and industrial, urban and related interests in the Assembly. They also argued that metropolitan control of the Legislature would mean control of the State by city political bosses.

The voters indorsed the "federal plan" by a substantial margin, and decisively defeated the "population" measure. Los Angeles County was the only county in which the Farm Bureau measure did not receive a majority.

The Reapportionment of 1927

Although many were dissatisfied with the "federal plan," the Legislature reapportioned assembly and senate districts during the 1927 Session—the first reapportionment since 1911. Population was the rule in the Assembly; counties, in the Senate.

The 1927 Session passed items of legislation specially desired by Southern California, namely bills on state highway finance and allocation of expenditures, a bill for the organization of the metropolitan water district and for construction of additional water facilities, and a bill for the submission of a million dollar bond issue to support the Olympic Games to be held in Los Angeles in 1932.

Alameda and San Francisco groups sought to prevent the reapportionment of 1927 from going into effect. They organized a movement for referendum, obtained enough signatures, and began a campaign. The arguments of the 1926 campaign were repeated. Yet, in the general election of November, 1928, the proponents of the "federal plan" received an even wider margin than they got in 1926.

A determined group from the All-Parties Reapportionment Committee began a new fight to nullify the "federal plan" with a system of representation under which all cities of 250,000 or more would be limited to a combined representation in both houses of the Legislature of not to exceed two-fifths of the total membership. The plans of this group did not meet with a generally favorable response, and it got no further. The Legislature of 1931 was the first elected under the "federal plan."

The Reapportionment of 1931

With the Senate largely removed as a reapportionment issue and only minor adjustments required in assembly representation, the congressional problem was the most important in 1931. Congress had failed to reapportion congressional seats in 1921. By 1931 when Congress did reapportion, California was entitled to, and received nine new seats.

The issue of the speakership of the Assembly became involved in the 1931 reapportionment fight. The two contenders for the Speakership, Assemblyman Walter J. Little of Los Angeles and Assemblyman Levey

of San Francisco, were both thought to be pledged to support an apportionment based on population. Levey won on a 41 to 39 vote, and it soon appeared he favored a plan which modified a strict population test to somewhat favor San Francisco at the expense of Los Angeles and the San Joaquin Valley.

The program of the Levey forces was presented in the Assembly in the Craig Bill. It gave Los Angeles County seven congressional districts instead of the eight to which population entitled it, and 31 assembly districts instead of the 30 to which it was entitled. San Joaquin Valley, under the Craig Bill, would receive 1½ of a congressional district, including San Joaquin County. Senator J. W. McKinley of Los Angeles was the author of a proposal representing a more strictly population standard. His bill gave Southern California eight congressmen, and the San Joaquin Valley 1½, excluding San Joaquin County. Northern California got one. Nine assembly seats held by the North were transferred to the South, Los Angeles gained eight; San Francisco lost three.

The McKinley Bill passed the Senate; the Craig Bill, the Assembly. When the Senate got the Craig Bill, it amended it by substituting the provisions of the McKinley Bill. When the Assembly got the McKinley Bill, it amended it by substituting the provisions of the Craig Bill. In an attempt to break the ensuing stalemate, the Levey group introduced a substitute (the Israel Bill) through which they hoped to obtain San Joaquin Valley support for the northern groups. Southern Legislators, however, working closely with the San Joaquin Valley delegation held their lines. After many parliamentary battles, endless negotiations, intrigue and counter-intrigue, the Southern forces demonstrated their strength in the Assembly by passing the McKinley congressional and assembly bills by a vote of 46 to 31 With 42 assembly votes south of the Tehachapi, Southern California for the first time held the assembly balance of power.

Northern groups, especially San Francisco, indicated they would launch a referendum campaign. This movement, however, did not gain the necessary support and it never found its way to the ballot.

The Reapportionment of 1941

Reapportionment in 1941 was much less controversial. The issue of whether to allow an assembly balance of power to shift to counties south of the Tehachapis had largely been settled in 1931. For the first time the Assembly Elections and Reapportionment Committee was controlled by Democrats. Both San Francisco versus Southern California and partisan differences played a part in the process.

The reapportionment bill as originally reported out by the Elections and Reapportionment Committee took two assembly seats from San Francisco and one from Alameda County, and gave two to Los Angeles County and one to Kern County. In the Senate, the bill was changed to cut San Francisco only one seat, and to deprive Kern County of what would have been its second seat. The three new congressional seats were distributed as follows: one to the Central Valley area, and two to Southern California. Of the latter, one went to make up the present 21st Congressional District consisting of the Forty-first Assembly District in Los Angeles County and the two San Bernardino assembly districts, and the other went wholly to Los Angeles County.

FACTORS IN REAPPORTIONMENT IN CALIFORNIA IN 1951, AND METHODS IN ANALYZING THOSE FACTORS

As constituted, the Interim Committee on Elections and Reapportionment did not have any members who had participated in former reapportionment hearings. The advice and assistance of former members of the Legislature who had taken part in earlier reapportionments was solicited and the conversations with these individuals were of positive value. No documentary materials or records from previous sessions, however, were to be found.

Several books and articles on the general subject of reapportionment in California were available. *Population and Politics—a study of the effect of the 1951 reapportionment on the United States and California,* prepared by San Jule & Stofle and Hal Dunleavy & Associates (San Francisco: February, 1950) was of help with its broad information on the federal and state legal backgrounds, its stating of the problems involved, and its excellent statistical tables based on estimates of 1950 population. Margaret Greenfield's *Legislative Reapportionment* (Berkeley, Bureau of Public Administration of the University of California, March, 1951) was similarly useful with its background and statistical data, and its comparative studies of the question of reapportionment in other states.

George W. Bemis, *Sectionalism and Representation in the California State Legislature, 1911-1931* (unpublished Ph.D. thesis, University of California, Berkeley, 1934) is the most comprehensive study of sectional influences on the reapportionment process. Franklin Hichborn's *Story of the California Legislature of 1911* (San Francisco, James H. Barry Company, 1911), and his *Story of the California Legislature of 1921* (same publisher, 1921) are useful for history of reapportionment in those years.

Winston W. Crouch and Dean E. McHenry, *California Government* (Los Angeles, University of California Press, 1949) and articles by Thomas Barclay of Stanford University and McHenry of UCLA were also of use in showing political implications of the reapportionments and the major issues involved. This report acknowledges its indebtedness to all of these sources.

Nowhere in the California literature was the interim committee able to find statements or documentary material which dealt with the actual techniques or the step by step process of research which should be followed in order that members of the interim committee and Legislature should have at their disposal information on which to base reapportionment decisions. Studies were made of the reapportionment literature of other states. The situation was mostly the same. General information was available; specific technique statements of how to go about the job were not. It was necessary, therefore, to follow a qualified empirical approach—experimenting as the project went along.

To the end that the full value of this work from the point of view of the political scientist might be exploited and preserved and to assist the committee in doing the best possible work, Dr. Ivan Hinderaker, Associate Professor of Political Science at the University of California at Los Angeles, kindly consented to work as consultant for the committee

without remuneration. The committee is greatly indebted to him for his advice and efforts.

The office of the Legislative Counsel furnished the services of Mr. Robert Hinshaw, who worked with the committee throughout the interim period and during the 1951 Regular Session. Extensive use was made of his most valuable services, and the various Legislative Counsel Opinions wherein he advised the committee as to the law involved are incorporated in the appendix of this report in their entirety. They constitute an essential and most valuable source of information on the subject.

POPULATION FACTORS

The basic purpose of reapportionment of legislative districts is to redraw districts so they conform to the population trends of the period since the last reapportionment. Congressional seats are reapportioned to the states on the basis of population. There is no population requirement, however, in federal law relating to congressional districts in the states. Article IV, Section 6 of the California Constitution provides that assembly districts (except for the limitations of county lines) be "as nearly equal in population as may be;" and Article IV, Section 27 provides that congressional districts (except for county line and assembly district limitations) have population as their base consideration.[1] The first concern of the committee, therefore, was to secure as quickly and accurately as possible the population for California, its counties, and the smallest units possible within counties having or being entitled to more than one assemblyman.

Although the federal census is taken every 10 years and is theoretically supposed to be available to legislatures for reapportioning by January of the following year, it takes about one full year after the enumeration (April in 1950) before final detailed figures are released The Constitution of California asks the Legislature to use the federal census data, and at the same time to complete reapportionment of assembly and senatorial districts during the first regular session after the federal census has been taken.[2] Regular sessions are now limited to 120 days.

It had been felt that census figures for 1940 arrived so late in 1941 that the Legislature did not have enough time to plan for the reapportionment job. To prevent, if possible, a repetition of that situation, the chairman of the interim committee first wrote the U. S. Bureau of the Census on September 28, 1949, requesting information as to when and in what form preliminary and final census figures for the 1950 census would be available. In its reply of October 7, 1949, the Bureau of the Census stated it could make no definite prediction, but hoped the results would be available soon after January 1, 1951. In a letter of November 27, 1950, the Bureau of the Census found it necessary to revise the earlier estimate to late in the spring of 1951, but suggested that the anticipated change between preliminary and final figures would be very slight.[3] Preliminary counts of the population of California counties were made available in a Census Bureau press release of September 28, 1950 (Series PC-2, No 48). In a letter to Congressman Cecil R. King on February 12, 1951, Roy V.

[1] Legislative Counsel Opinion, January 4, 1950.
[2] Legislative Counsel Opinion, March 7, 1951
[3] Legislative Counsel Opinion, March 12, 1951.

Peel, Director of the Bureau of the Census, made the following certification of validity of these preliminary figures:

> "I HEREBY CERTIFY, That the final count of the returns of the Seventeenth Census of the United States, taken as of April 1, 1950, will show the population of each of the counties in the State of California, with the exception of the Counties of Alpine, Inyo, Mariposa, Mono, Nevada, San Diego, San Francisco, Sierra, and Solano, to be within two percent of the preliminary population figures shown in the attached press release, Series PC-2, No. 48 entitled '1950 Census of Population, Preliminary Counts, Population of California, by Counties. April 1, 1950.' The final population of the nine counties named above will be within two percent of the following revised preliminary figures: Alpine, 241; Inyo, 11,658; Mariposa, 5,145; Mono, 2,115; Nevada, 19,888; San Diego, 556,808; San Francisco, 775,357; Sierra, 2,410; Solano, 104,833."

Because of the 120-day limit on the time which the Legislature had for assembly reapportionment action, and because of Bureau of the Census assurances that final figures would be very close to the preliminary figures, the 1950 preliminary figures for counties were used as the basis for computing assembly and congressional district entitlements of each of the counties of California [4] These county entitlement computations, classified by such categories as metropolitan-rural, north-central-south, north coast-central mountain-Sacramento Valley-etc, went through several editions. The final one, using final population figures by counties as published in a Bureau of the Census press release dated March 30, 1951 (Series PC-8, No 4A), is reprinted in appendix.

Preliminary population figures were also available for some political subdivisions other than counties. The September 28, 1950, press release of the Bureau of the Census, in addition to county totals, contained the population of each incorporated place of 1,000 or more persons. Another release, dated November 5, 1950 (Series PC-3, No. 2) gave Population of Congressional Districts; April 1, 1950. Still another, dated November 21, 1950, (Series PC-3, No. 5) gave population of cities of 100,000 or more by wards, April 1, 1950. The only data of use in the latter was the population, by Assembly District, for San Francisco.

It was necessary to obtain population data on much smaller units to redraw assembly district lines in the large metropolitan areas. This was especially true of Los Angeles County where there had been a marked shift of population from the center of Los Angeles City out into suburban areas.

In an attempt to develop population estimates by precinct for Los Angeles County to be used in preliminary planning, conferences were held with C. E. Arnold, County Engineer, and members of his staff; John R. Commons, Regional Planning Commissioner; and Benjamin Hite, Registrar of Voters. Using total voter registration data published by the Registrar of Voters and population estimates published by the Los Angeles Regional Planning Commission, the county engineer's office prepared a map showing statistical areas for Los Angeles County and the

[4] Legislative Counsel Opinion, March 12, 1951.

ratio factor by which voter registration should be multiplied to arrive at an estimated population for each precinct in that statistical area Factors might vary for each statistical area of the county. The factors were determined by totaling the registered voters, as of November 1, 1950, in each statistical area, and dividing each of the totals into the corresponding population estimate for the area, as of October, 1950. Staff members were then assigned to multiply the voter registration for each precinct by the ratio for the area in which the precinct was located to arrive at a population estimate for each precinct.

Attempts were being made to obtain similar estimates from the other metropolitan areas of the State when the Bureau of the Census announced on December 20, 1950, that "Unpublished Preliminary Counts of the Population by Census Tracts: 1950" would be available at the cost of having them prepared. Local planning commissions, reapportionment committees, etc., obtained population data by census tract for their area, and used the information as the basis of planning their recommendations. The Interim Committee proceeded to obtain the preliminary figures by census tract for Los Angeles (city and environs), Oakland (city and environs), San Diego (city and environs), and San Francisco (city only); and the figures for townships and incorporated places of less than 1,000 were also obtained.

With census tract data available, population calculation procedure is relatively simple. Copies of census tract maps were obtained. The population figures for each tract can be written inside the boundaries of each census tract. The tentative new representative district lines can be placed on the population map with masking tape. To obtain the population of each district, then, it is only necessary to add up the total population for all complete census tracts in the proposed district and make estimates of the percentage of population included for those tracts on the edge that are split into one or more districts. As the tentative boundaries are changed, masking tape lines may be moved, and the new estimated population total calculated.

GENERAL STATEMENT OF CONSIDERATIONS OTHER THAN POPULATION THAT OPERATE IN THE REAPPORTIONMENT PROCESS

Although population is the most important factor in reapportionment, it is not the only one. The Chairman of the Interim Committee received the following piece of advice in a letter from a citizen of the City of Los Angeles:

> "Put the political Science Professor which you have appointed, into an office, put a 'Do Not Disturb' sign on the door and disconnect the phone. Equip him with the 1950 Census results, a map and a pencil. Have him start by dividing the State's population by 30. Then let him figure out Congressional Districts which are as nearly equal in population as it is humanly possible. Then fight for this fair plan and to Hell with local politicians!"

The reapportionment process is not quite that simple.

Population cannot be the *only* consideration. Assume, for example, that one started at the top of the State with the intention of setting up

a pattern of districts based solely on the population factor. Would he count all the population down the whole width of the State until he had enough for one district? To do so would disregard the *geographic* facts of coastal, valley and mountain counties. To do so would disregard such *socio-economic* factors as the difference between the interests of coastal versus inland valley communities, farm versus metropolitan communities, north versus south, desert versus non-desert agriculture, etc. To do so would disregard the *desires of the people* living in the different communities as to what kind of a district they would prefer to be a part of. To do so would disregard the *desires of the elected Congressmen* from those areas, and the *elected State Senators and Assemblymen* who have to agree on and pass out a reapportionment bill before it can become law. To do so would disregard *political party desires,* a factor that is always present in some degree in drawing of representative district lines. To do so would disregard the *legal restrictions* of the Constitution of California as they apply to counties in making up assembly districts, and to counties and assembly districts in making up congressional districts.

The geographic—the socio-economic—the desires of the people—the desires of the elected officeholders—the desires of political parties—all these can and do legitimately operate not only within the framework of the "relatively equal in population districts" factor, but also within the factors of contiguity and compactness. The county and Assembly line legal restrictions operate outside the framework of theoretically "equal in population districts." All the factors might conceivably have the same weight in one situation; in another, some factors might be considerably more important than others in making the final determination.

The interim committee made an attempt to consider all these factors, to analyze them within the limits of budget and staff, and to hear from as many persons and organizations as possible in the process of evaluating them.

GEOGRAPHIC FACTORS

In speaking of the First Congressional District as it existed from 1941 to the present, Leonard A Thomas, Chairman of the Marin County Democratic Central Committee made the following observation in a letter to the interim committee: "The present First District would appear to be a group of counties, with heterogeneous interests, combined only for the purpose of the necessary population for a congressional district" The district of which Mr Thomas spoke included the five North Coast counties of Del Norte, Humboldt, Mendocino, Sonoma, Marin and Lake, and the five "floor of the valley" counties of Glenn, Colusa, Butte, Yuba and Sutter.

How could geographically homogeneous districts be created? Part of the answer and an appreciation of the problem may be obtained from the following study of the geography of the State of California by Ruth E Baugh. Although geographic factors can no more stand alone than population factors, the geographic view of the State is an essential supplement to the population and other data which go into reapportionment

decisions. The article which follows is reprinted with the permission of Miss Baugh and *Education* magazine:

CALIFORNIA: A TYPE STUDY OF A STATE

By RUTH E. BAUGH
University of California, Los Angeles, California

In a popular sense, California represents different things to different people: Some visualize mountains like the High Sierra, others plains, as typified by the Sacramento Valley; some a vast forested area such as the Redwood Coast, others the California desert exemplified by Death Valley or the Colorado Desert. Such divergencies of concept are not unexpected, for there are, in truth, many Californias, and each has a marked individuality imparted by its distinctive geographical conditions.

The State of California lends itself admirably to the regional approach. Its landscape forms are prominent and greatly varied, and its culture runs the gamut from primitive to complex urban development. It is a large state (158,000 square miles), second only to Texas in area. The latitude (32 to 42 degrees north) encompasses a wide range, and in combination with great altitude differences, produces many climatic types.

Certain major land forms create six distinctive regions of California. The *Great Valley* occupies one-half the length of the State. To the east rises the *Sierra Nevada*, and to the west lie the *California Coast Ranges*. The southern extension of the coast ranges together with coastal zones are known as *Southern California*. *Northern California* consists of the Klamath Mountains on the west and the Volcanic Plateau in the east. Eastern and southeastern California is the *Desert Region*.[1]

The Coast Ranges

When permanent settlements were established, beginning in 1769, favorable sites along the shore and in coastal valleys became centers of the earliest European-derived culture. The architecture of mission, home, and public building, constructed before the American occupation, reflects Spanish origins. Even in twentieth century California the Spanish flavor, particularly in the coastal region, is apparent. Two other features distinguish this province: the localization in its ports of far-reaching commercial activities, and the development in close proximity to the coast of the State's largest centers of population.

The coast ranges are characterized by long parallel ranges and intervening valleys, aligned in a north west-southeast direction. The mountains are not high, averaging only 2,000 to 4,000 feet, although at the northern end a few peaks rise to 8,000 feet. The valleys are long and narrow and terminate at the coast in bays or alluvial plains.

The Santa Clara Valley is located south of San Francisco Bay and is a veritable garden spot, famous for apricots, prunes, wine grapes, and vegetables which are sold fresh, dried, bottled, and canned in the markets of the United States. The Salinas Valley also produces a variety of products in the long valley stretching from Santa Margarita in the dry southern half where stock raising takes the lead, to dairy products and summer lettuce localized in the cool foggy plain near Monterey Bay.

North of San Francisco Bay, the Russian River valley opens southward, while the Eel River widens northwestward. Together they form a long groove utilized by highway and railroad from San Francisco Bay to Humboldt Bay. The Redwood Highway cuts through magnificent stands of redwood trees along the Eel River, and the northward stretch between Eureka and Crescent City. Heavy winter rains and summer fogs favor forests. This resource supports the lumber industry which here attains more than local importance.

Moreover, the great natural beauty of forest and coast and the mild pleasant climate are contributing to a substantial tourist industry. The fish caught in and near Humboldt Bay, dairy products, flowers, and bulbs find a ready market in San Francisco and Oakland. Other than the processing of forest products, manufacturing is small.

The population of the coast ranges is sparse and is noticeably concentrated in the valleys near highways. The bordering ranges are steep-sloped and often rugged. Inaccessibility produces isolation, and they are shunned except where mineral wealth occurs, which consists chiefly of quicksilver and petroleum.

[1] The reader will add to his understanding of this geographical description if he will provide himself with a map of California or western United States, preferably one showing land forms (relief).

The coast proper where mountains meet the sea, is generally steep and inhospitable. There are few plains immediately adjacent to the sea large enough to support more than fishing villages or lumber ports Three bays—Humboldt, San Francisco, and Monterey—and their narrow plains are the only considerable centers of population in the northern and central coast ranges Monterey was the most important city in California from 1770 until 1849. Today it lies off the beaten track of the major transit lines. It is, however, a charming city. The attractiveness of nearby Carmel and Santa Cruz mountains give the whole area a large tourist trade Otherwise the economy is based on a considerable fishing industry, and on farming and dairying.

The metropolitan area on San Francisco Bay is second in population of Pacific Coast cities Geographic and historical factors have played a part in its growth. One of the earliest settlements established on the California Coast, San Francisco experienceed a great impetus during Gold Rush days. Its geographical location at the outlet of the Great Valley and on one of the world's finest natural harbors have given it a dominant position, particularly in Pacific Basin trade. Its picturesque situation and the many points of interest in the vicinity of the bay make it one of America's most colorful cities.

The Sierra Nevada

The Sierra Nevada is essentially a primitive region It contains scarcely 3 percent of the State's population and no real cities The great elevation of its crest creates a barrier which limits travel across the range. And yet this region was the magnet that drew people from the four courners of the world in the rush to California in 1849, a movement which ushered in the Americanization of the State.

The Sierra Nevada is a great mountain 400 miles long, extending from the Volcanic Plateau in the vicinity of Feather River southward to Tehachapi Pass The uplift and tilting to the west of a huge block of the earth's crust produced a long gradual slope to westward and an almost vertical drop facing the Desert Region on the east. From Lake Tahoe (6,242 feet) southward the altitude steadily increases to Mount Whitney (14,495 feet), then lowers as it approaches the south end of the range.

Although a single mountain block, the Sierra is intricately dissected by powerful rivers Awe-inspiring canyons have been carved into the granite block by the American, Tuolumne, Merced, Kings, and Kern Rivers, to name only a few Mountain glaciation has produced bold, impressive landscapes: deep U-shaped canyons and leaping waterfalls, ampitheater-like cirques near the mountain crest, the work of ice also contributed to the formation of lakes and meadows.

An extensive forest about halfway up the west slope is an added feature to the attractiveness of the Sierra The massiveness of the range and great difference in elevation from the dry foothill zone to exposed alpine heights creates a belted arrangement of vegetation types ranging from scattered shrubs near the Great Valley floor, through forests to a zone of stunted windblown trees near the upper tree line, beyond which plant life cannot survive.

The main timber belt of sugar and ponderosa pine, fir and incense cedar has a well-developed lumber industry, increasing in output from Yosemite to the latitude of Lassen Peak and Mount Shasta in Northern California In isolated groves at altitudes of 4,000 to 7,000 feet grows the *Sequoia gigantea*, the big tree, monarch of the earth's flora. In the sublime natural setting of the western Sierra, three national parks, Yosemite, Sequoia, and Kings Canyon, are centers of recreation And beyond the confines of federally operated parks both slopes of the Sierra Nevada have hundreds of summer camps along good fishing streams, around the countless lakes and meadows. Recently the popularity of winter skiing has brought into prominence such accessible mountain areas as Donner Summit and Badger Pass. Recreation, unquestionably, is the most widespread of the Sierra's organized activities.

Water is its greatest resource. Copious precipitation as rain and heavy snow in the central and northern Sierra feed countless streams. West-slope rivers supply the thirsty farmlands of the Great Valley. The largest cities of the state draw Sierran water through long aqueducts to metropolitan centers. Water from the Tuolumne River supplies San Francisco; the Mokelumne serves the East Bay area, while Owens River, an east-slope stream, fills the Los Angeles aqueduct. The generation of hydroelectric power for use on farms and by municipalities in California is of the greatest significance economically.

Although gold mining was the industry which first brought the Sierra Nevada into prominence and attracted a large population, it is today a minor industry. The placer mining of "the days of '49" has been superseded by large scale deep or shaft mining centered in towns like Jackson and Grass Valley. Gold production has declined, but the glamour of the old days lingers in the foothill belt of the Mother Lode country

where picturesque hamlets, some thriving, others decadent or in ruins, recall the lively days of California's Gold Rush.

The Great Valley

No greater regional contrasts can be found in California than those existing between Sierra Nevada and Great Valley. Striking as are contrasts in elevation, slope and surface expression, climate and natural vegetation, the cultural differences are even more pronounced. The economic development of the Great Valley is the story of agriculture, crops, farm labor, and water problems, of the rise and growth of market towns and cities.

The Great Valley is a level plain 400 miles long occupying the depression between uplifted Sierra Nevada and coast ranges. It is one of the world's notable plains and contains 12,000,000 acres. A pair of rivers, the Sacramento and San Joaquin, drain the lowland from north and south, respectively. They join in the common delta and flow to San Francisco Bay through the only sea-level break in the coast ranges, Carquinez Strait A third division, Tulare Basin, lies in the extreme south end of this vast lowland.

Geographical conditions favor agriculture. Soils are deep and highly varied, ranging from coarse sandy types near the mountains to dark rich peat in the delta. Winters are cool with occasional subfreezing temperatures; summers are very hot with frequent temperatures above 100 to 110 degrees. Rainfall is too light in many areas for crop production, and as it occurs only in winter, the long, hot, rainless summer demands that diversions of water from the Sacramento-San Joaquin system be utilized for irrigation. Practically all irrigation water comes from the Sierra Nevada, for only a few weak streams reach the valley from the coast ranges The sources of the Sacramento tap high mountain areas of the Northern California region, and strong tributaries enter from the northern Sierra. Tulare Basin in the south receives the Kings, Kaweah, and Kern Rivers.

The fortuitous combination of level land, good soils, high summer temperatures and normally adequate irrigation water, to say nothing of human initiative and energy, have helped to create in the Great Valley the largest continuous block of farmland in the State, in area one-half the cultivated land in California. Crops, in the main, are produced on a commercial scale. They tend to be localized in areas favoring profitable production.

Oranges are planted in the eastern foothills for air drainage on cold winter nights; rice culture is centered along the Sacramento River near Colusa; apricots, figs, and raisin grapes find late summer drying conditions excellent around Fresno; truck crops, as potatoes and asparagus, flourish in the black soils of the delta Alfalfa, wheat, barley, cotton, olives, nuts, melons, wine grapes, to name only a few of the major crops, find their way to local markets to be sacked, baled, boxed, and packaged for nation-wide distribution.

Market towns serve to collect, process, and ship the produce of the tributary area and supply growers with their needs. Redding, Red Bluff, Chico, Woodland, and the great center, Sacramento, are major market centers in the north; Stockton, Modesto, Merced, and Fresno in the San Joaquin area; Visalia, Tulare, Delano, and Bakersfield in the south. Sacramento, state capital, has superior advantages as a major market center because of excellent position on the navigable Sacramento River. Stockton's situation on Stockton Channel of the deepened San Joaquin gives it direct connection with foreign ports. Inland Fresno is well connected by rail and highway with the great markets around San Francisco Bay and Southern California. Bakersfield, southernmost of valley cities, is a center for the extensive petroleum fields of Tulare Basin and for vast farming enterprises. Its situation commands four passes through the enclosing mountains.

A continuing agricultural production in the Great Valley hinges on a guaranteed water supply. The building of dams and extension of canals, shifting of Sacramento River water to the lower San Joaquin Valley, and of San Joaquin River water to water-poor Tulare Basin are now carried out in the Central Valley Water Project

Northern California

North of Great Valley and Sierra Nevada lies high country with rugged, lofty ranges in the west and lava flows in the east The Southern Cascades, a volcanic ridge, trends northwest through the center, continuing the direction, if not the features, of the northern Sierra. Many volcanoes crown its summit; most spectacular is Mount Shasta (14,350 feet), whose snow-capped cone is a prominent landmark throughout northeastern California. Lassen Peak, with Lassen Volcanic National Park, still exhibits phenomena of receding activity, for this volcano was active as recently as 1915.

West of the Cascades is the rugged Klamath region where range beyond range extends to the coast. High wooded mountains and deep canyons isolate this area; it seems a world apart, truly another California when set beside the well-tilled Great Valley. Heavy rains drench the forested ridges of Salmon, Scott, and Klamath Mountains and maintain the volume of Trinity and Klamath Rivers. East of the Cascades the lava plateau is interrupted by basaltic ridges, segregating flatish areas. The forests of ponderosa pine are replaced in the extreme northeastern corner of the State by sparser tree growth and a cover of sage.

Culturally, Northern California is similar to the Sierra Nevada. The population is small in numbers and scattered with few large communities. Unquestionably the forest is the greatest resource and lumbering the greatest industry. Gold mining continues to contribute an appreciable income, but stock raising and general farming employ far more people. Like the Sierra this area is another of the unspoiled, primitive regions of California. The recreation business is increasing yearly and has possibilities of development.

Desert California

The desert region of Eastern California encompasses a vast area extending from the Oregon line to the Mexican border. It experiences the highest temperatures, lowest humidity, and smallest annual rainfall found in the United States. A high mountain barrier on the west and southwest shuts out the moisture that might make this interior region more even-tempered, better-watered land. Five to 10 inches of rain fall annually in favored areas, while scarcely more than two to five inches are recorded over much of the southern desert.

Dry air, meager and undependable rainfall, sizzling summer temperatures, and cold, desiccating winter winds are not conducive to plant growth. One misses here the broad-leaved trees of humid lands. Instead, a sparse and stunted growth, thick-leaved and thorny, gives a monotonous tone to the landscape. Sagebrush in the north, creosote bush in the south are dominant, but mesquite and smoke tree, yucca, and cacti add interesting forms in the southern desert.

Lacking a verdant arboreal cover, the barren land forms are bold and sharply outlined against the horizon. General elevation is high, and the surface is broken by prominent ranges, often parallel, and isolated craggy buttes. Mountain blocks enclose trough-like basins onto whose sandy floors temporary streams drain from the surrounding highlands. Sharp, near-vertical slopes enclose the basins, such as the 11,000 foot scarp from Mount Whitney to Owens Valley, or the even more precipitious drop from Telescope Peak (11,045 feet) in the Panamints to the sink at Bad Water (minus 280 feet) on the floor of Death Valley.

The California desert is only the western part of the large region known to early pathfinders and fortune hunters as the "Great American Desert." Few were the travelers who chose to remain in this forbidding land. Not until the considerable mineral wealth was discovered did mining draw a small and transitory population. Gold and silver are still mined while copper, lead, zinc, tungsten, and vanadium total an appreciable percentage of the State's metal production. The recovery and refining of salines—borax, potash, soda, and salt—is an industry which supports several communities: Trona on Searles Lake flat, and Boron in the western Mojave Desert.

One might least expect to find intensive agriculture in such a natural environment as has been pictured. Yet crop production is the great industry of the southern valleys. Where water can be procured, the desert blossoms, for the unleached soils are generally fertile. Pumped water, from underground accumulations, is utilized in the alfalfa fields of Antelope Valley and the date groves and vegetable gardens in the Coachella Valley.

In areas where it is feasible to secure water from streams whose sources tap high mountains, agriculture is favored. Such an areas is Imperial Valley, southernmost of desert California's crop producing districts. Its winter lettuce and early summer melons are marketed in Atlantic seaboard cities, while hay, grain, dairy produce, flax, grapes, and vegetables find ready market in nearby Los Angeles. The recently completed All-American Canal functions, as did the predecessor ditch, as the life line of Imperial Valley in carrying water from the Colorado River. Future extensions will increase the irrigable area in the Imperial Valley, America's largest irrigation district, and will also carry water to Coachella Valley, northwest of the Imperial. The Coachella and Imperial Valleys, centering on the Salton sea, contain the largest concentration of population found in the California desert area, and support large market towns such as Indio, Brawley, El Centro, and Calexico.

Capitalizing on the natural features that impart individuality, the desert is rapidly becoming a winter recreation area. The grandeur of its stark landscape under

changing lights and colors, warm sunny winter days, absence of severe storms are features that attract pleasure seekers to Death Valley, Twentynine Palms, and Palm Springs. Desert tourism is related also to the close proximity of the southern resert to metropolitan Los Angeles and to the fine system of highways connecting the two regions.

Southern California

Southern California exhibits features of all the other regions of the State. It is probably best known, least understood, and certainly the most complex geographically. Its area is smallest, its population largest, and it contains the West's biggest city. Essentially the region is a coastal plain backed by high mountains. Its coast line is long. Climate is Mediterranean in type—mild sunny winters with occasional rainy periods of short duration, and warm, rainless summers

Differentiated from the northern and central Coast Ranges by direction of mountain trend and arrangement of valleys, the mountains are so arranged as to create a semicircular rampart on the north and east, separating Southern California from the desert in the rear. The mountain barrier lies north of the region in the vicinity of Santa Barbara eastward to Los Angeles, and east of the Riverside-San Diego Area. Mountains thus enclose the lowland and fend off, somewhat, the low winter temperatures of the interior More important is the heavier precipitation their elevation produces (5,000 to 11,000 feet). They are significant sources of water which accumulates in underground basins, and also of small streams that cross the plain

The lowland stretching from mountain base to the sea is discontinuous, divided and subdivided into many valleys by low mountains and unfolded hills. These were the valleys—San Fernando, San Gabriel, San Bernardino and many more—that became early centers of agriculture, and are now becoming suburban appendages of growing metropolitan centers such as Los Angeles and San Diego.

Agriculture in California dates from the plant introduction and crop production begun in 1769 by the mission fathers, in fertile coastal valleys After the disestablishment of the missions, agriculture languished Cattle and sheep raising became the almost exclusive activity on the vast ranchos, supplying hides and wool to traders who carried on a desultory commerce during the thirities and forties. But severe and long-continued drought eventually wiped out the industry. The American conquest, the break up of large land holdings, expanding population and, particularly, the building of railroads brought about an economic revolution in Southern California

Increased local demand for farm produce, extension of irrigation, introduction of new crops such as citrus fruits and their export to eastern markets transformed agriculture By the turn of the century, farm production was the leading source of income, and it still maintains a high place in spite of the expansion of industry. Looking down upon the coastal plain from vantage points in the mountains, a vast irregular checker board of irrigated green—orchards, vineyards, gardens—covers the lowland. Tawny gashes reveal the channels of dry washes and sandy stream beds winding toward the sea. We must bear in mind that the vast agricultural production of Southern California is supported, except for a few dry-farmed crops, by artificial applications of water, irrigation.

The decade 1910-20 saw great changes Industry and trade expanded enormously in tempo and output The opening of the Panama Canal in 1915 stimulated West Coast commerce Improvements in the harbors of San Diego and Los Angeles increased their ability to handle the expanding trade. Petroleum production in the Los Angeles and Ventura Fields was accelerated, contributing eventually to the major tonnage export from Los Angeles. Continuing population increase enlarged local demands for manufacturers and furnished a labor supply for industries. Today the production of airplanes, motion pictures, automobiles, tires, furniture, and clothing ranks high in a long list of manufactured items. From stock raising to intensive agriculture, to industry and trade, economic development spans barely a century

Tourism is a long-established business in Southern California Following the completion of the two transcontinental railroads in 1885, winter visitors began to arrive. Large hotels were built and recreation was organized Climate and the natural beauty of the area are still potent attractions, and in recent years Hollywood has provided additional lure.

Conclusion

The writer has taken advantage of the geographical diversity of California to demonstrate a method of approach in considering the geography of a state Obviously the regions do not function independently any more than California functions apart from the states comprising the larger Pacific Coast region or the western United States. Synthesis must follow the analysis. Each region must be considered in its relation to

all the others, as well as to the whole area involved. When the whole is viewed in relation to its parts, unity emerges from diversity, the resultant of mutual interactions.

In addition to the above geographical breakdown of the State, the committee endeavored to ascertain where the nebulous north-south dividing line should be placed, if indeed such a line could be validly drawn. For that purpose the committee resorted to a study of the administrative breakdowns of the various departments of the State of California. Reference was made to the administrative arrangements of business organizations, and assistance was received from the U. S. Government as to the manner in which they allocated the counties north and south. With the single exception of the gas tax law, there was no provision in the state statutes indicating which counties should be considered north as against south.

The following table incorporates the population data as released to us by the Bureau of Census, and this population data has been apportioned pursuant to the above cited studies as indicated therein.

1950 POPULATION DATA—COUNTY ASSEMBLY AND CONGRESSIONAL ENTITLEMENT

Proposed New Assembly and Congressional Districts

Population of California (Final 1950) 10,586,223
Average for Assembly Districts (80) 132,328
Average for Congressional Districts (30) 352,874

				New A.D.[3]		*New C.D.*[5]
A.D.	*County*	*1950 population*	*Assem.*[2] *entitle.*	*No. or share*	*Cong*[4] *entitle.*	*No. or share*
	Metropolitan					
40–71	Los Angeles (S) [1]	4,151,687	31.37	31	11.77	12
74–75	Orange (S)	216,224	1.63	2	0.61	⅔
	Subtotal	4,367,911	33 01	33	12.38	12⅔
78–80	San Diego (S)	556,808	4.21	4	1.58	1⅓
19–26	San Francisco (C)	775,357	5.86	6	2.20	2
13–18	Alameda (C)	740,315	5 59	6	2.10	2
10	Contra Costa (C)	298,984	2.26	2	0.85	⅔
7	Marin (C)	85,619	0.65	½	0.24	¼
27	San Mateo (C)	235,659	1.78	2	0.67	1
5	Solano (C)	104,833	0.79	½	0.30	⅓
	Subtotal	2,240,767	16.93	17	6.35	6¼
	Total metropolitan	7,165,486	54.15	54	20.31	20 (20.47)
	Rural					
	(North Coast)					
1	Del Norte (N)	8,078	0.06	⅓	0.02	¼
1	Humboldt (N)	69,241	0.52	⅓	0.20	¼
5	Lake (N)	11,481	0 09	¼	0.03	¼
1	Mendocino (N)	40,854	0.31	⅓	0.12	¼
5	Napa (C)	46,603	0 35	½	0 13	¼
7	Sonoma (C)	103,405	0.78	½	0.29	¼
	Subtotal	279,662	2.11	2¼	0.79	6¼ (.86)

See references on page 6780.

1950 POPULATION DATA—COUNTY ASSEMBLY AND CONGRESSIONAL ENTITLEMENT—Continued

Proposed New Assembly and Congressional Districts

A.D.	County	1950 population	Assem.[2] entitle.	New A.D.[3] No. or share	Cong.[4] entitle.	New C.D.[5] No. or share
	(North Mountain)					
6	Amador (N)	9,151	0.07	1/10	0 03	1/19
6	El Dorado (N)	16,207	0.12	1/10	0.05	1/19
2	Lassen (N)	18,474	0.14	1/7	0.05	1/19
2	Modoc (N)	9,678	0.07	1/7	0 03	1/19
6	Nevada (N)	19,888	0.15	1/10	0.06	1/19
6	Placer (N)	41,649	0.31	1/10	0.12	1/19
2	Plumas (N)	13,519	0 10	1/7	0.04	1/19
2	Shasta (N)	36,413	0 28	1/7	0.10	1/19
2	Sierra (N)	2,410	0.02	1/7	0.01	1/19
2	Siskiyou (N)	30,733	0.23	1/7	0.09	1/19
2	Trinity (N)	5,087	0.04	1/7	0.01	1/19
	Subtotal	203,209	1.54	14/10 (1.40)	0.58	11/19 (.58)
	(Central Mountain)					
6	Alpine (C)	241	0.00	1/10	0.00	1/19
6	Calaveras (C)	9,902	0 07	1/10	0.03	1/19
6	Inyo (C)	11,658	0.09	1/10	0.03	1/19
6	Mariposa (C)	5,145	0.04	1/10	0 01	1/19
6	Mono (C)	2,115	0 02	1/10	0.01	1/19
6	Tuolumne (C)	12,584	0.10	1/10	0.04	1/19
	Subtotal	41,645	0.31	6/10 (.60)	0.12	6/19 (.32)
	(Sacramento Valley)					
4	Butte (N)	64,930	0.49	1/3	0.18	1/19
3	Colusa (N)	11,651	0.09	1/5	0.03	1/6
3	Glenn (N)	15,448	0.12	1/5	0 04	1/6
8–9	Sacramento (N)	277,140	2.09	2	0 79	1/6
4	Sutter (N)	26,239	0.20	1/3	0.07	1/6
3	Tehama (N)	19,276	0.15	1/5	0.05	1/19
3	Yolo (N)	40,640	0.31	1/5	0.12	1/6
4	Yuba (N)	24,420	0.18	1/3	0.07	1/6
	Subtotal	479,744	3.63	3.80	1.36	1.105
	(Central Coast)					
33	Monterey (C)	130,498	0.99	1	0.37	1/4
32	San Benito (C)	14,370	0.11	1/2	0.04	1/3
33	San Luis Obispo (S)	51,417	0.39	1/2	0.15	1/4
28–29	Santa Clara (C)	290,547	2.20	2	0.82	1/3
32	Santa Cruz (C)	66,534	0.50	1/2	0.19	1/3
	Subtotal	553,366	4.18	4 1/2	1.57	1 1/2
	(San Joaquin Valley)					
34–35	Fresno (C)	276,515	2.09	2	0.78	1/3
39	Kern (C)	228,309	1.73	2	0.65	1/3
36	Kings (C)	46,768	0.35	1/2	0.13	1/3
31	Madera (C)	36,964	0.28	1/2	0.10	1/3
31	Merced (C)	69,780	0.53	1/2	0.20	1/3
11–12	San Joaquin (C)	200,750	1.52	1	0.57	1/2
30	Stanislaus (C)	127,231	0.96	1	0.36	1/2
36	Tulare (C)	149,264	1.13	1/2	0.42	1/3
	Subtotal	1,135,581	8.58	8	3.22	3

See references on page 6780.

1950 POPULATION DATA—COUNTY ASSEMBLY AND CONGRESSIONAL ENTITLEMENT—Continued

Proposed New Assembly and Congresional Districts

A.D.	County	1950 population	New A.D.[3] Assem.[2] entitle.	New A.D.[3] No. or share	New C.D.[5] Cong.[4] entitle.	New C.D.[5] No. or share
	(Desert)					
77	Imperial (S)	62,975	0 48	1	0.18	⅓
76	Riverside (S)	170,046	1 29	1	0 48	⅓
72–73	San Bernardino (S)	281,642	2.13	2	0 80	1
	Subtotal	514,663	3.89	4	1.46	1 67
	(South Central Coast)					
37	Santa Barbara (S)	98,220	0.74	½	0.28	¼
38	Ventura (S)	114,647	0.87	1	0.32	¼
	Subtotal	212,867	1.61	1½	0.60	½
	Rural total	3,420,737	25 85	26 05	9.69	9 52
	Metropolitan total	7,165,486	54 15	54	20.31	20.47
		10,586,223				

[1] NOTE N—North, S—South, C—Central
[2] "Assem Entitle" means Assembly entitlement
[3] "New A. D. No or share" means number of Assemblymen granted in A B 41.
[4] "Cong Entitle" means congressional entitlement
[5] "New C D No or share" means number of congressmen granted in A B 42

POPULATION ENTITLEMENTS OF SECTIONS OF CALIFORNIA AND SHARE OF EACH IN PROPOSED ASSEMBLY AND CONGRESSIONAL DISTRICTS

	Population entitlement	Share in proposed districts
A. Assembly		
North	6.13	6.45
South	43.08	43.00
Central	30.81	30.60
B. Congressional		
North	2.30	2 25
South	16.01	16 50
Central	11.69	11 24

SOCIO-ECONOMIC FACTORS

In addition to geographical differences between areas of the State, such other factors as cultural and economic differences are significant to the reapportionment process In one section the influence of Spanish origins might be high; in another, negligible. In one section the population might be sparse and located in scattered and relatively small communities; in another, dense and concentrated in huge cities. In one section agriculture might be the principal economic activity; in another, manufacturing, recreation, lumbering, fishing, mining, etc. These socio-economic factors are a part of the pattern of population and geography. They need to be viewed as a part of that pattern. They are just examples of the many tangible and intangible things that hold a community together and make it identifiable.

Perhaps one of the best illustrations given to the interim committee of the place of a socio-economic approach was the prepared keynote statement of the Redwood Empire Association delegation arguing in behalf of a First Congressional District composed of Marin, Sonoma, Napa,

Lake, Mendocino, Humboldt and Del Norte Counties. The statement was made at the subcommittee hearing in San Francisco on February 26, 1951. It reads in part as follows:

"The following 7 Northbay Counties, by resolution of respective Boards of Supervisors, and supporting organizations and groups therein, respectfully request that said counties be established as a new Congressional District: Marin—Sonoma—Napa—Lake—Mendocino—Humboldt—Del Norte.

"Population total for these 7 Counties qualifies the area for a Congressional District, namely: Marin—84,739; Sonoma—102,685; Napa—46,373; Lake—11,380; Mendocino—39,996; Humboldt—67,848; Del Norte—8,027. *Grand Total—361,048.*

"These 7 Counties comprise a natural geographic area—agriculturally, industrially, touristwise; in terms of water and timber and other natural resources; in terms of integrated highway and transportation systems in every other way.

"People of these counties are united; their interests are mutual; their internal solidarity is complete—as testified by resolutions and other documents to be submitted by witnesses representing these counties (and organizations therein), today.

"People in these counties have been working together, for mutual benefit, in the public interest, for over 30 years— as participants in their non-profit Redwood Empire Association. They will continue to do so for many years to come."

It was in support of these arguments for a First Congressional District—population, geographic and socio-economic—that State Senator Nathan F. Coombs wrote the interim committee: "This district is a natural, if there ever was one."

Socio-economic factors are important in drawing district lines for whole regions or counties. They also may apply within counties. Application of some of these factors in an argument on a county problem is illustrated by a resolution filed with the interim committee by the San Joaquin County Citizens Reapportionment Committee:

"WHEREAS, The people of San Joaquin County are vitally interested in being fairly and adequately represented in the Assembly of the State of California, and whereas the population of the County of San Joaquin is about equally divided between rural and agricultural and urban and industrial groups, each with conflicting legislative interests; and

"WHEREAS, The diversified population with its attendant conflict of interest has been fairly represented by two Assemblymen comprising the 11th and 12th districts; and since it is not possible for one Assemblyman properly to represent all of the people of San Joaquin County; now therefore

"*Be it resolved by the San Joaquin County Citizens Reapportionment Committee* * * * that it is necessary to have two Assemblymen for San Joaquin County, one representing the metropolitan Stockton area, and the other the balance of San Joaquin County."

The socio-economic patterns of heavily populated urban counties are the most difficult to measure. Los Angeles is the most heavily populated

county. It is the most complicated. Some 185 named places go to make up what is called Los Angeles. Many of these are cohesive enough to be designated as communities and to be described as having some peculiar community interests and needs.

One of the best works on socio-economic patterns in Los Angeles County is Eshref Shevky and Marilyn Williams, *The Social Areas of Los Angeles* (Berkeley: University of California Press, 1949). A condensed and nontechnical version of this book was published by the Haynes Foundation of Los Angeles in the same year.

As a part of his work Shevky prepared a map showing population distribution in Los Angeles in the following categories: first, industrial; second, residential occupied; and third, unoccupied areas. The study was based on 1940 census figures. Committee staff attempted to make estimates to up-to-date the developments of the 10-year period from 1940 to 1950. Also available in the study was a map of the 185 named places in Los Angeles County. Keyed into it was data which analyzed the population of the named places in terms of its level of social rank, level of urbanization, and degree of segregation. In view of the fact that this data was also based on 1940 population, committee staff attempted to roughly estimate major changes since 1940.

To say that such information as provided by the sociologist and economist should be the only factor in reapportionment would be ridiculous. However, to say that socio-economic factors should have no influence would be equally ridiculous. They need be made a part of the population-geography pattern.

In the early days of the development of the representative system, before the industrial revolution's impact shattered the very close unity of the community, it was relatively easy for one man to represent and be a part of the same set of interests as almost all of the people in his community. It is still desirable to strive for homogeneous representative districts—the kind of district of which a representative can be a part, and of which he can have a real understanding. Presumably, however, there is a point beyond which this theory should not be carried. If a representative doesn't have to worry about satisfying some degree of differences within his district, he may tend to become so dogmatic and uncompromising that he would clog up the legislative process of give-and-take. An entire legislative body composed of such members would hardly be desirable. At the other extreme is a district that literally rips—by violent and opposite pulls—its representative apart, then defeats him after one term, repeats the process on the next incumbent, and the next, etc. Both extremes are equally undesirable. Some point in middle ground is desirable.

DESIRES OF THE PEOPLE

Geographic features might appear to have one effect as they are observed on a map. The important thing, however, is to check with the persons who live on, in or around a geographic feature to determine what its actual effect is on the people concerned. Socio-economic factors might appear to exist and appear to have certain effects on communities. Here

again, only by checking with the persons who are a part of a socio-economic complex can one determine whether factors actually exist and what might be their effects. The persons who know a community, county or region best are the persons who live there. The interim committee, therefore, attempted to stimulate interest in reapportionment, and to learn the desires of people and their organizations.

The initial step on the part of the committee in the performance of its work was to request that the state chairman of each political party appoint a representative group to work with the committee. At each subsequent meeting of the committee dealing with reapportionment the chairman was again notified and invited to sit with the committee and participate in the discussions.

During the early fall of 1950, the chairman of the interim committee sent letters to the mayor of every city in California, all the county boards of supervisors, the county chairmen of the political parties, all the elected representatives in the Legislature and the California delegation to the Congress, labor organizations, chambers of commerce—a total mailing list of about 800 persons and organizations. The letters advised them that the decennial reapportionment problem would be considered in the 1951 Regular Session of the Legislature, and suggested that if they were interested in the subject and in making recommendations thereon, they might well begin studying the problem.

In response to these notices, numerous communities, counties and regional associations set up committees and put them to work. One of the best examples of a city-wide reapportionment committee was the subcommittee on reapportionment of the San Diego City Chamber of Commerce. Five of the 24 members were attorneys, six had some connection with newspapers, one was the chairman of the San Diego County Democratic Central Committee, one was a member of the State Democratic Central Committee, one was the chairman of the San Diego County Republican Central Committee, three were incumbent Assemblymen, one was an incumbent State Senator, three were ex-Assemblymen, one was an ex-Senator, one was the city assessor, and other occupations listed were bank manager, rancher, and resort manager. This committee met and studied over a period of several months, and after completing its work made a recommendation for the San Diego assembly and congressional district patterns.

Some counties set up county-wide reapportionment committees such as Imperial County's Reapportionment Committee, composed of representatives of the Associated Chamber of Commerce, Board of Supervisors, Imperial Irrigation District, Farm Bureau, and other interested groups or individuals.

The next example may be drawn from the opposite section of the State—the coastal counties of the Northbay area. The drive to make the new First Congressional District up of Del Norte, Humboldt, Mendocino, Sonoma, Marin, Napa and Lake Counties was spearheaded by a regional organization, the Redwood Empire Association, working in cooperation with county, city and civic organizations in the area.

The letters sent to the above listed officials and interested parties were similar in content to the copies included hereafter on page 6784.

In addition, there was included in each letter Sections 6 and 27 of Article IV of the California State Constitution, which sections relate to reapportionment.

Prior to the series of five subcommittee meetings running from February 19th through February 27th in San Diego, Los Angeles, Fresno, San Francisco and Sacramento, the chairman of the interim committee again wrote to all mayors, boards of supervisors, city clerks, Members of the Assembly, State Senate and congressional delegation from California announcing the meetings. A press release stating the background of the reapportionment problem and the purpose of the hearings was attached to each letter.

December 2, 1950

DEAR SIR: During the next regular session of the California Legislature we will be required by law to reapportion all of the assembly and congressional districts in the State of California. The problem, this time, has added significance in that California stands to gain seven additional congressional seats.

It is the earnest desire of the Committee on Elections and Reapportionment that the final redistricting reflect the studied opinion of as many interested parties as possible so that the best possible results may be achieved for the State of California. In view of your position, it is felt that you may care to express an opinion on this subject.

May I, therefore, suggest that you discuss the various aspects of this problem with your congressman, state senator and assemblyman, who are already familiar with the fundamental law involved and the basic population figures with which we are concerned, and forward your conclusions to:

Interim Committee on Elections and Reapportionment
Suite 621, Roosevelt Building
727 West Seventh Street
Los Angeles 17, California.

It will be of material assistance to the committee if you will submit your recommendations on a map of the area having attached thereto your reasons in support We ask that you return your recommendations at the earliest possible moment so that the committee may consider them prior to the commencement of the regular session of the Legislature.

Should you have any questions please call upon us.

Very truly yours,
(Signed)

LAUGHLIN E. WATERS

February 9, 1951

GENTLEMEN You will note from the enclosed release that a series of meetings will be held throughout the State on the subject of reapportionment

Of greatest value to the committee will be the following information: 1 A large map of your area showing assembly and congressional districts (the map to be large enough to be used for demonstration purposes at the hearing); 2 A map, accompanied by supporting data, which will show population distribution within the county down to the smallest units for which such data is available; 3. A brief supporting explanation of the population map by the county planning commissioner or such other person as may be designated.

Should you desire to participate in the hearings in your area, advance notice to the office of the committee, attention Mr Joseph R. Donovan, Executive Secretary, Room 430, Roosevelt Building, 727 West Seventh Street, Los Angeles 17, California, would be of material assistance in the preparation of an agenda.

Sincerely yours,
(Signed)

LAUGHLIN E. WATERS

(Release)

February 7, 1951

Chairman Laughlin E Waters of the Assembly Interim Committee on Elections and Reapportionment today announced a series of five meetings to be held throughout the State concerning the redistricting of assembly and congressional districts as required by the California Constitution following each federal decennial census. The purpose of these meetings is to provide an opportunity for interested citizens and groups to present their recommendations for subsequent study by the committee and consideration by the Legislature. It was pointed out that final determination of the new district lines cannot be settled until the Legislature reconvenes March 12, 1951. The committee is particularly desirous of receiving accurate data on population distribution within counties. Studied and informed opinion concerning recommendations for the redistricting and the arguments in support thereof, preferably in documentary form, for inclusion in the committee files will be welcomed by the committee. Of particular value to the committee will be the preparation of maps which graphically illustrate these recommendations.

The meetings will be held on the following dates in the following places:

February 19 ---------- San Diego
February 21 ---------- Los Angeles
February 23 ---------- Fresno
February 26 ---------- San Francisco
February 27 ---------- Sacramento

Please consult your local newspaper for exact hour and place at which the meeting is to be held.

In addition to these mass mailings, there were numerous individual letters to organizations and persons who might desire to participate.

The five hearings were held—San Diego, February 19, 1950; Los Angeles, February 21st; Fresno, February 23d; San Francisco, February 26th; and Sacramento, February 27th. Many assemblymen and senators from the areas in which the hearings were held attended each session. The hearings were public. Anyone who desired to testify, either for an organization or for himself as a citizen, was given an opportunity to be heard. A digest of the proceedings at each hearing is in a following section of this report.

Newspapers can be of particular value in reapportionment Not only do they report news of local reapportionment committee meetings and developments, but through their editorial columns they may often express significant community attitudes on the reapportionment problems of the papers' circulation area. In order to tap this source of information about the desires of the people, the interim committee engaged Allen's Press Clipping Bureau for coverage of reapportionment news and editorials throughout the press of the State.

DESIRES OF THE ELECTED REPRESENTATIVES

One school of thought would hold that the incumbent officeholders have no right to take an interest in what happens to their assembly, state senate, or congressional district. This is the "to hell with local politicians school." It may assume the reapportionment process operates in a vacuum with no pulling and hauling pressures affecting it, or that it stands still long enough for the artist drawing the districts to first whisk his paint brush over one part of a map, then another, and finally settle on a third spot to which some fancy leads him. Neither situation occurs in real life.

The pulling and hauling is constant, and to expect to set up a static situation is to invite an explosion.

The "anti-politician" school of thought may assume that the collective opinion of the Legislature is basely motivated because of the personal interests of members, and, therefore, should not be allowed to contaminate a reapportionment bill. Yet, the United States has a representative plan of government. Political representatives are elected by the people. Incumbent representatives have been interested enough to run for office in the first place to overcome the inertia forces that continue to hold down the rest of the citizenry. Is it not, therefore, reasonable to assume that a legislator should be concerned about his district—its location, its composition, and his possibilities of being returned to office from it?

The strictly "idealistic" interpretation of American government and of the framing of the Constitution of the United States—the idea that the framers of the Constitution at Philadelphia in 1787 were motivated *only* by an intangible idealism—fell before the competent researches of the late Charles Beard (*The Economic Interpretation of the Constitution*, 1913) and many others. Generally accepted is the idea that the framers were men motivated by a *combination* of idealism and interest in their state, community, group or self. That is a premise upon which representative government has to operate.

The interim committee took the position that it was concerned about the desires of Assemblymen, State Senators and Congressmen. It took steps to attempt to learn those desires. These elected representatives were included on the mailing list for the notification letters, and also on the mailing list for the announcements for the hearings. A high percentage of Assemblymen and State Senators either participated in or sat as observers at the hearings. A high percentage of Assemblymen, State Senators and Congressmen indicated their desires about district boundary lines in letters or telegrams to the interim committee. A high percentage of these and other representatives communicated directly with the chairman of the interim committee in conversations with him. The chairman traveled to Washington, D. C., to discuss reapportionment problems with members of the California congressional delegation representative of both major political parties.

For working on the most complicated part of the reapportionment bill, the assembly districts for Los Angeles County, both Democrats and Republicans alike had an opportunity, in session with the other Assemblymen bordering on their districts, to attempt to work out agreements, within the general principles or standards guiding reapportionment, satisfactory to all concerned. Similar procedures were followed in some of the other sections of the State; they varied in others.

Reapportionment bills would be passed only if approved by a minimum of 41 yes votes in the 80 member Assembly, 21 yes votes in the 40 member State Senate, and the Governor.[5] No reapportionment bill could or should be drafted without reference to this fact.

[5] Legislative Counsel Opinion, December 11, 1950

POLITICAL FACTORS

Political data will be used in any reapportionment process. It may be the rule-of-the-thumb type of data known or guessed by individuals, or a more "scientifically" developed set of data attempting to show the significant political patterns of a state. Committee staff attempted to develop techniques for accomplishing the latter objective.

Generally, the campaign and election of Thomas Jefferson in 1800 is the historic point set as marking the rise of the influence of political parties in United States politics. By 1812, the United States already had a word for the influence of its political parties in the reapportionment process—"gerrymandering." Governor Elbridge Gerry's Jeffersonian Republican majority in the Massachusetts Legislature districted the state in a manner that worked to the advantage of the majority political party and to the disadvantage of the Federalists. The South Essex District looked like a lizard in shape. An artist is credited with adding a head, claws and a tail. It now looked like a salamander. A Federalist editor referred to the result as a "Gerrymander rather." The "gerrymander" has stuck, and has become an accepted part of American vocabulary.

The idea of the gerrymander is to spread the majority of the dominant party as broadly as possible, and to create districts that secure an advantage to one political party. In common usage, the term gerrymander has almost come to mean any political influence that comes to bear on the results of the reapportionment process.

It is standard procedure for the party out of office to apply the term gerrymander to a reapportionment performed by the party which has a majority when the reapportionment is accomplished. That is not strange, because the reapportionment process is, by its very nature, political. Political factors enter into every reapportionment, whether in California or any of the 47 other states. They entered the process before Gerry's time, and they are a part of it today. Politics is there when a legislature redistricts its own districts or the congressional districts of a state. It would be there if the California Reapportionment Commission acted instead of the Legislature. It would be there if the job were done by the Governor, or by the people voting on the subject in a popular election. There will be politics in reapportionment as long as a representative form of government exists and regardless of which political party is in power; the only question is the question of degree—how much politics? A corollary question must follow—to what extent have the political influences operated within the standards set down in the United States Constitution, Federal Statutes, and the California Constitution?

It is impossible to draw a district boundary line without that line's having some political significance. In order that members of the Legislature could have political data available at the time reapportionment decisions were being made, committee staff prepared voter registration and 1950 election data. Total registered voters, Democratic registrations and Republican registrations were obtained for each metropolitan precinct in the State. Also, by precinct, committee staff analyzed the results

of the 1950 general election races for the offices of Governor, U. S. Senator and Attorney General. Summaries of the data were colored in on precinct maps of the metropolitan areas of the State.

LEGAL RESTRICTIONS

The legal restrictions [6] applying to reapportionment in California in 1951 may be summarized from the "Legal Background" sections of this report as follows:

1. There are no provisions in the United States Constitution to tell the Legislature of California how it must reapportion congressional or legislative districts;
2. There are no standards in federal law to tell the Legislature of California how it must reapportion congressional or legislative districts; and
3. The limitations imposed on the Legislature in the Constitution of California have already been summarized on pp. 29 (congressional districts) and 31 (assembly and state senate districts) of this report. Congressional districts are most affected by the requirement that within counties, no assembly district may be divided in forming a congressional district; assembly and senate districts, by the emphasis placed on observing county lines.

[6] Legislative Counsel Opinion, December 11, 1950.

DIGEST OF FIVE PUBLIC HEARINGS HELD BY SUBCOMMITTEE OF THE ASSEMBLY INTERIM COMMITTEE ON ELECTIONS AND REAPPORTIONMENT

Five public hearings were held in five of the key cities of different geographical areas of California All of the members of the sub-committee—Waters, Chairman, Coats, Conrad, Hawkins and Stanley were present at all of the hearings. State Senator Fred Weybret represented the Senate. The chairman of the subcommittee opened each meeting with a preliminary statement outlining the reapportionment problem and requesting the views of everyone interested in or concerned about the reapportionment process.

THE SAN DIEGO HEARING

February 19, 1951—Chamber of Commerce Building

For San Diego County

James Archer, Chairman of the Special Committee to Study Reapportionment of the San Diego Chamber of Commerce, outlined the position of his committee. On the basis of population, San Diego County is entitled to a fourth assembly seat. The method of allocation of an additional assembly seat, however, had not yet been finally determined. There was general agreement that the two San Diego City Assembly Districts—the 78th and 79th—should remain substantially as presently constituted. Two major proposals were being considered for dividing the Eightieth Assembly District—the remainder of San Diego County—into two assembly districts. One would divide the Eightieth District in such a manner as to have one assembly district adjacent to Orange County on the northwest, and another adjacent to Riverside County on the northeast and Imperial County on the east. If the Seventy-eighth and Seventy-ninth Assembly Districts were made into a congressional district, this plan might enable San Diego County to also share in two other congressional districts—one San Diego assembly district with Orange County, and another San Diego assembly district with Riverside and Imperial Counties. The second proposal would create one assembly district in a sort of half-moon suburban shape around the City of San Diego on the south, east and north; the other district, then, to cover the remainder of the county. Under the second proposal, known as the Cloyed plan, only one assembly district in San Diego County would be adjacent to Orange, Riverside or Imperial Counties and therefore joinable to them to form a congressional district.

Archer stated that his committee, though opinion had not been unanimous, hoped to achieve the following congressional seat distribution: first, one congressional district for the two assembly districts within the City of San Diego; second, the joining of a northern San Diego County assembly district with the two assembly districts in Orange County to form a second congressional district; and third, the joining of a south and east San Diego County assembly district with Riverside and Imperial Counties to form a third. He knew there was some opposition in north San Diego County to this proposal by those who feared Orange

County would dominate such a congressional district; and, very little opposition in east San Diego County to a Riverside-Imperial link.

Freeman J. Durgin, President of the Northern San Diego County Associated Chambers of Commerce, suggested the Eightieth Assembly District be divided by a line drawn from east to west across the county. He also stated a preference for being joined in a congressional district with Riverside and Imperial Counties rather than Orange County. *Assemblyman Ralph Cloyed* argued against an east to west line on the ground that it would split too many cities and communities, especially if the line were run down the middle of U. S. Highway 80. The Cattlemen's Association of California had passed a resolution urging the Legislature to set up agricultural districts which would not run into metropolitan areas, in order that agricultural areas might better have agricultural representation. Cloyed suggested his suburban plan would accomplish this objective. It would, he also thought, result in a better balance between the two major political parties. *Max McComas,* member of the Oceanside City Council, testified his organization had voted to support the Cloyed plan.

Assemblyman Frank Luckel endorsed the Archer committee report as far as his Seventy-eighth Assembly District was concerned, as did *Assemblywoman Kathryn Nichouse* for the 79th. Others who made brief statements or answered questions, but not directly on the subject of assembly or congressional districts, were: *O. P. Heald,* Fallbrook Chamber of Commerce; *Estelle Henderson,* Chairman of the San Diego Rural Property League; *Robert Garland,* Carlsbad Chamber of Commerce; *James Sutton,* Vista Chamber of Commerce; and *Vincent Whelan,* Chairman of the San Diego County Democratic Central Committee and also a member of the Archer committee.

For Orange County

State Senator Clyde Watson, Orange County, Thirty-fifth Senatorial District, backed the proposal to attach a north San Diego County assembly district to the two assembly districts in Orange County to form a congressional district. He denied the charge that Orange County would seek to dominate such a district. Orange County certainly had not dominated the Orange-Riverside-Imperial District as it presently exists. He felt the north San Diego County coastal area and coastal Orange County had much in common in their agricultural and tourist industries. *Glenn McCloud,* Chairman of the Republican Central Committee of Orange County, took the same position as Senator Watson. *Fred Earl,* Associated Chambers of Commerce of Orange County, approved the plan, and stated he knew the Orange County Farm Bureau also approved.

For Imperial County

Harry C. James, Chairman of the Reapportionment Committee of the Imperial County Farm Bureau and a member of the County Reapportionment Committee composed of representatives of the Associated Chambers of Commerce, Board of Supervisors, Imperial Irrigation District, and the Farm Bureau, was the spokesman for a group from Imperial County. He favored a congressional district pattern of Riverside and Imperial Counties in one district, Orange County and one San Diego County County assembly districts in the third congressional district. Although a assembly district in another congressional district, and three San Diego

Riverside-Imperial congressional district might be low in population, he was of the opinion it was a more difficult type of area to represent. He saw great similarities between San Diego and Orange Counties and contrasted them with Riverside and Imperial Counties with the latter's special "interior" water and agriculture problems. Imperial County wanted to stay away from affiliation with any assembly district that included coastal areas such as the San Diego plan contemplated. A letter from *Congressman John Phillips,* Orange-Riverside-Imperial, Twenty-second District, was referred to, and the congressman's position was stated to be in favor of a Riverside-Imperial District, chiefly on the ground that it was too difficult for him to cover a larger area.

General Statements

Herbert Kline, LaJolla, and speaking as a citizen, said he had talked to many in Riverside and Imperial Counties, and that many had no objection to tying in with San Diego on a congressional district. He reiterated the idea that San Diego was not trying to dominate other counties, but was only interested in equitable representation. He stated further, San Diego was more interested in being tied to Riverside and Imperial Counties than Orange County because of mutual interests in water sources, many instances of persons in the two counties owning property in the other, road interests, and San Diego harbor use by the inland counties. He felt a Riverside-Imperial-San Diego combination would result in the fairest population balance.

Carlyle Reed, editor of the El Cajon Valley *News* and a member of the Archer committee, had noticed two of the maps submitted at the hearing had cut El Cajon into two different districts. He didn't mind El Cajon's being placed in either a northern or southern assembly district, but he did say the community would object violently to being split. *Franklin Barnes,* member of the Archer committee, made a general statement.

THE LOS ANGELES HEARING
February 21, 1951—State Building

For San Bernardino County

Joseph J. Kelly, Chairman of the Republican Central Committee of San Bernardino County, stated that after study of the problem by a special reapportionment committee, his organization endorsed the following recommendations: first, no change in the present Seventy-second Assembly District; and second, drop the Los Angeles County Forty-first Assembly District from the Twenty-first Congressional District so as to give San Bernardino County its own congressional district. He argued such action on congressional districts was warranted because San Bernardino County had adequate population, and it was primarily interested in citrus and mining industries while the Forty-first Assembly District is mostly agricultural.

Hobart Alter, citizen of San Bernardino County, supported Kelly's position.

For Los Angeles County

Fred L. Boone, citizen of the Forty-fifth Assembly District, asked to have the 45th moved to the west rather than the south in the event it had to

be enlarged. He wanted the 45th to remain in the Thirteenth Congressional District. *Mrs. Lee Beaude,* a citizen of Westchester area, argued for a new congressional district with Inglewood at the hub and including Westchester and Culver City. *Franklin Lowney,* Manager of the Burbank Chamber of Commerce, asked that any revision of congressional districts keep in mind the geographical limitations of the San Fernando Valley with such communities as Glendale, North Hollywood, etc., having almost identical interests. *Mrs. Rhea Stockwell,* member of the Los Angeles County Republican Central Committee from the Forty-second Assembly District, asked removal of La Crescenta from the Forty-second Assembly District to the 48th. Her principal reason was that unincorporated areas such as La Crescenta would have a better chance for representation in the Forty-eighth District because it is composed largely of unincorporated territories.

Horace B. Alexander, representing the Independent Progressive Party, presented a plan for redrawing the Fourteenth Congressional District to make it more possible for the representative from that district to be representative of the lower economic bracket and large numbers of minority groups. *A. S. Takei,* also of the I.P.P., elaborated on Alexander's statements suggesting that their plan met all the requirements for a new congressional district. *Mrs. Ethel Bryant,* member of the Los Angeles County Democratic Central Committee from the Sixty-second District, stated Negroes were not interested in the racial angle, but rather in good laws and good men, whatever their color.

William R. Walker, representing the City Council of Long Beach, requested a Long Beach congressional district composed of Long Beach, Signal Hill, and Lakewood. *Robert Wilkinson,* President of the San Fernando Young Republicans, suggested the San Fernando Valley was really three communities—Burbank, North Hollywood and Van Nuys—and he wanted Van Nuys to be included in any district set up in the west end of the San Fernando Valley.

The following Los Angeles County Assemblymen were called upon for statements: *Montivel A. Burke,* 53d Assembly District; *Ernest R. Geddes,* 49th; *William S. Grant,* 70th; *Patrick D. McGee,* 64th; *Carley V. Porter,* 69th; and *Albert I. Stewart,* 47th. Except for a few brief comments, none of them made statements or recommendations. *Assemblyman Everett G. Burkhalter,* Los Angeles, Forty-second Assembly District, pointed to his large 450,000-person Forty-second District and discussed possible allocations of his territory to other districts. He noted the Glendale-Burbank problem, the alternative that Burbank might have to be split, and the feeling in Burbank against any such split. He suggested that factions in the valley had not yet been able to agree. Speaking of the Forty-first Assembly District, Burkhalter suggested many in the district had expressed a desire to be separated from the San Bernardino County Twenty-first Congressional District.

Assemblyman Frank Lanterman, Los Angeles, Forty-eighth District, introduced *Russell Stapleton,* a citizen of the Forty-eighth Assembly District. Stapleton read a telegram from *Congressman Carl Hinshaw,* Los Angeles, Twentieth Congressional District, which read as follows: "Would like to retain in my congressional district, territory bounded by the present Forty-third, Forty-seventh and Forty-eighth Assembly Districts at least. Carl Hinshaw." Stapleton asked the Forty-eighth District

to be continued as a part of the Twentieth Congressional District. Assemblyman Lanterman concurred in Congressman Hinshaw's request, and asked that the Forty-eighth stay in the Twentieth. If that was not possible, he suggested the Forty-eighth's relationships with the San Gabriel Valley would make it best to have it included in the Twelfth Congressional District.

For Ventura County

Lester A. Price, chairman of the Board of Supervisors of Ventura County, recommended for inclusion in the Eleventh Congressional District the Counties of Ventura, Santa Barbara, San Luis Obispo and Monterey—just as they are at the present time. Ventura County did not want, he said, to be taken out of the Eleventh Congressional District and thrown in with a San Fernando Valley Assembly District in Los Angeles County. If that happened, he felt Ventura County would lose its identity.

For Santa Barbara County

Mr. Steward, speaking for the Santa Barbara County Board of Supervisors, agreed with Mr. Price's statement on keeping the Eleventh Congressional District as it is, especially keeping Ventura, Santa Barbara and San Luis Obispo Counties together. He pointed to similarities of interests of the three counties and resultant simplicity of the problem of representing them. *Assemblyman Stanley T. Tomlinson,* Santa Barbara County, Thirty-seventh District, strongly supported Mr Price. He felt it would be most disastrous to trample any part of the district in response to pressure from any direction.

THE FRESNO HEARING

February 23, 1951—Courtroom, District Court of Appeals

For Fresno County

Mr. Lohse, of the Fresno County Chamber of Commerce, presented a population map of Fresno County prepared by his organization, working in cooperation with the Fresno County Planning Commission.

Both Fresno County Assemblymen, *William Hansen* (Thirty-fifth District) and *Wallace Henderson* (Thirty-fourth District) favored the retention of the present assembly district lines of the two Fresno County Assembly Districts. Henderson said both Democrats and Republicans agreed, also, it would be necessary to lose Stanislaus County from the Ninth Congressional District. Hansen suggested a new Congressional District containing Fresno, Madera and Merced Counties.

Roy Harnish, representing the Fresno County Republican Central Committee, also felt the congressional district should include Fresno, Madera and Merced Counties. If Stanislaus County wanted to remain in the 9th District, however, in spite of its similarity of interests with San Joaquin County, he would be glad to have it continue to be a part of the district. *Lucius Powers,* Secretary of the Fresno County Republican Central Committee and a former member of the Legislature, preferred to see the congressional district remain as it is. If that were not possible, then it should be replaced with Fresno, Madera and Merced Counties. He recalled how in the 1931 Session there had been deadlock over four months on reapportionment bills, and he hoped that wouldn't happen again.

Although *State Senator Hugh Burns,* Fresno, Thirtieth District, preferred a Fresno, Madera and Merced Congressional District, he suggested it would not be impossible to include Kings County instead of Merced if the people of those counties favored such an arrangement. *Mrs. Iva Blank*, vice-chairman of the Fresno County Democratic Central Committee, said he organization felt a Fresno, Madera and Kings County District would be more satisfactory. That combination would better meet the population requirements. It would be based around the large City of Fresno at the geographic center with smaller population centers scattered around it rather than the arrangement of the old Ninth or proposed Fresno-Madera-Merced District, which would string the population centers out in a line up the center of the valley. She saw Kings County as better meeting the similarity of interest qualifications with its cotton and grape production in common with Fresno and Madera Counties, its oil fields in common with Fresno, and Fresno and Madera's joint interests in large areas of the Sierra-Nevada Mountains. In the event a district with Kings County was impossible, Mrs Blank's second choice was to include Merced. *Merrill J. Kikkel,* citizen of Fresno, discussed the general socio-economic problems involved in representation for a Fresno Congressional District. His statement was in agreement with Mrs. Blank in the way counties should be included in such district.

Ross Thomson, citizen of Fresno, made a statement against any attempt to join Fresno with any of the mountain counties to the east on the ground that geographically and economically such an arrangement would not be logical.

For Kern County

Philip Wagy, representing the Kern County Chamber of Commerce and a member of the Kern County Republican Central Committee special committee for study of reapportionment, suggested Kern County should be entitled to two assembly seats because it has the necessary population, because it is the second largest county in area in the State, and because it is divided into two parts by the Sierra Nevada Mountains. East of the Sierra Nevadas the interests are stock raising, mining, and military installations; west, agriculture and oil. He felt it was becoming increasingly difficult for one assemblyman to represent the entire county. Although he felt Kern County should have two assemblymen, he did not suggest how or where the line between the two assembly districts should be drawn.

Wagy also suggested Kern County should be entitled to a congressional district of its own. If that is not possible, he suggested continuing the present Tenth Congressional District or some combination of Kern, Kings and Tulare Counties as a reasonably homogeneous unit in which geographic and industrial features did not vary too greatly from one county to another. As a third choice, Kern County might be joined to Ventura County because the two would have much in common with agriculture and oil industries in spite of the mountain range separating them. Wagy definitely opposed joining Kern County to northern Los Angeles County to form a congressional district.

Norbert Baumgarten, also representing the Kern County Chamber of Commerce, agreed with Wagy's statement. He added, however, one more reason why Kern County should gain an assemblyman—Kern

County had gone underrepresented for 10 years since the 1941 reapportionment. At that time, Kern County ranked ninth in population, San Joaquin County 10th and Orange County 11th. Both San Joaquin and Orange Counties got two assemblymen; Kern County, only one.

State Senator Jess Dorsey, Kern County, Thirty-fourth District, was introduced but made no statement. *Assemblyman H. W. Kelly,* Kern County, Thirty-ninth District, asked for an extra assembly district, suggested Kern County would like to have its own congressional district, and if that were not possible, Kern County should continue to be joined with Kings and Tulare Counties in a congressional district. He too preferred not to be joined to any assembly districts south of Kern County in a congressional district.

For Merced County

Dean S. Lesher, publisher of the *Sun-Star* of Merced County and the *News-Tribune* of Madera County and representing only himself, made an argument for looking at the great central valley as a unit. With its population of over 1,500,000, it should be entitled to four congressional districts arranged as follows: Kern and Tulare Counties; Fresno, Kings and Madera; Merced, Stanislaus and half of San Joaquin; northern half of San Joaquin and Sacramento. Discussion followed over such a division of San Joaquin County. Chairman Waters stated that an assembly district in a county may be joined to another county to form a congressional district only when the first county has enough population for one full congressional district and then still has another assembly district left over. *Mr. Hutchins,* Chairman of the Merced County Democratic Central Committee, also said there had not been enough time to study reapportionment. He endorsed Lesher's remarks.

For Kings County

Vernon Timmons, representing the Hanford Chamber of Commerce, Kings County Board of Supervisors, City Council of Hanford, and several other civic organizations, said Kings County did not want to be joined with any coast counties in any district. It would be too hard, he felt, because of distance, geographic and other differences for one man to adequately represent such a district. Kings County would prefer the existing arrangements. If that is not possible, it would want to be in districts with other valley counties where interests are common and problems are similar.

State Senator R. R. Cunningham, Kings County, Twenty-seventh District, also preferred the present arrangement for Kings County. If changes were contemplated, Kings County would want to be with counties in the central valley, particularly Fresno, Kern or Tulare. *Assemblyman Harlan Hagen,* Kings and Tulare Counties, Thirty-sixth District, announced both Democratic and Republican Central Committees of Kings County had gone on record as favoring the retention of the present Thirty-sixth Assembly District and Tenth Congressional District. The Republican Committee had listed its second choice as a Fresno-Madera-Kings Congressional District combination. In behalf of the Tulare-Kings Assembly District, he said:

> " * * * there is a great deal of continuity of interest between the two counties of Tulare and Kings Tulare County encompasses on an easternmost border an ideal vacation land, there are several,

or at least two national parks, and hunting and fishing areas—down the valley there is some lumbering and timbering—down the valley they begin with citrus and olives, and as they progress west, they get into a dairy and cotton and vineyard economy, much the same as exists in the eastern portion of Kings County, where we have a very high cotton production—also raise a great number of fruit and grapes. The only remarkably different factor is the fact that in the western portion of Kings County we have a sizable oil field."

If Kings County doesn't go with Tulare, Assemblyman Hagen suggested the only other possibilities would be to join with San Luis Obispo, or "the very happy solution" of giving it an assembly district of its own.

For Tulare County

State Senator J. Howard Williams, Tulare County, Thirty-second District, told of opinion in his county which thought it should get an assembly district of its own because it had enough population. Several had suggested that Monterey get one assemblyman, San Luis Obispo and Kings Counties be placed in another assembly district even though population would be short, and Tulare then be placed in a district alone. The senator expressed satisfaction with the present Tenth Congressional District.

General Statements

The meeting was concluded with a brief general discussion between some subcommittee members and some witnesses about possible assembly and congressional district combinations in order that the valley might get four congressmen.

Assemblyman Tomlinson sat with the subcommittee for this meeting.

SAN FRANCISCO HEARING

February 26, 1951—State Building

For the Counties of the Redwood Empire

Lee McLeod, representing the Supervisor's Unit of the Redwood Empire Association, gave a general introduction in behalf of a Marin, Sonoma, Napa, Lake, Mendocino, Humboldt, and Del Norte congressional district. The 361,000 population would be adequate. The counties comprise a natural geographic area. Interests are similar. The people have worked together 30 years in the Redwood Empire Association. (See page 6788 of this report for complete statement.)

For Sonoma County

James Lyttle, Chairman of the Sonoma County Board of Supervisors, presented a resolution from his organization in behalf of the Redwood Empire Congressional District. He also introduced other supporters of the plan: *Hiram Hopkins,* Chairman of the Republican Central Committee of Sonoma County; *Robert Bishop* and *Ward von Tillow,* mayor and councilman, respectively, of Santa Rosa; and *State Senator F. Presley Abshire,* Sonoma County, Twelfth District. Senator Abshire reiterated the reasons for such a congressional district, and stated he knew of no objections to the plan. Both Mr. Bishop and von Tillow also spoke in behalf of the advantages of the district they proposed.

For Mendocino County

A. E. Safford, member of the Mendocino County Board of Supervisors, presented his organization's resolution in behalf of the congressional district.

For Del Norte County

Vic Meedham, member of the Del Norte County Board of Supervisors, presented his organization's resolution in behalf of the congressional district.

For Humboldt County

Assemblyman Frank Belotti, Del Norte-Humboldt-Mendocino, First District, testified in behalf of Humboldt County and presented a resolution passed by the Humboldt County Board of Supervisors in behalf of the congressional district.

For Napa County

Howard Dickenson, member of the Napa County Board of Supervisors, presented his organization's resolution and a letter from *State Senator Nathan F. Coombs,* Napa-Yolo, Eleventh District, in behalf of the congressional district.

For Lake County

Lee McLeod presented a resolution from the Lake County Board of Supervisors in behalf of the congressional district.

For Marin County

Lee McLeod presented a resolution from the Marin County Board of Supervisors in behalf of the congressional district.

General Statements in Behalf of a Redwood Empire Congressional District

Lee McLeod announced a letter endorsing the congressional district from John M. Harland for the Redwood Empire Newspaper Publishers' Unit. *Dewey Mead,* member of the Board of Supervisors of the City and County of San Francisco, but speaking as an individual, thought the requested congressional district to be in the best interest of the counties represented. *Al M. Lewis,* Manager of the Santa Rosa Chamber of Commerce, presented endorsing resolutions from the following organizations: Chambers of Commerce of Sebastopol, San Rafael, Sonoma Valley, Sonoma, Arcadia, Willows, Lolita, Ukiah, Santa Rosa, Del Norte, Petaluma, Eureka, Humboldt County and Glennville, and the Taxpayers Association of Sonoma County.

In the concluding remarks, James Lyttle asked that Marin County be considered one assembly district, and that Sonoma County be joined to Lake County to form another.

For San Francisco City and County

Thomas Toomey, Registrar of Voters, described the precinct maps, maps of assembly districts and population data his office had provided for the interim committee. *Ernest J. Torrogano,* of the City Planning Commission, was introduced and then yielded to that organization's director, *Paul Oppermann.* Mr. Oppermann said it was difficult to arrive at an over-all or sectionated set of population figures that would be final

until Bureau of the Census figures were in. He described San Francisco as a sea port, a salesman's city and a military reservation with many persons out of town during the month of April, 1950, when the Bureau of the Census made its count. He argued it was not reasonable to use a 1950 preliminary population figure for San Francisco that did not take these groups into account. Where the preliminary census showed 760,000, he estimated the final total might go to 800,000.

Cameron King, member of a Citizens Committee on Reapportionment and secretary of the Union Labor Party of San Francisco composed of American Federation of Labor unions, said he would not accept the Bureau of the Census preliminary population figures. They were 66,000 less than a 1945 census of San Francisco. If estimated on the basis of ratio of telephones, he estimated 934,000; if on water users, 862,000. King suggested that the figure might be 923,000, and that the Bureau of the Census was not right. He asked the Legislature to leave San Francisco alone with its eight Assemblymen and two Congressmen. If that gave San Francisco more than its fair share in the Assembly, he felt that would be more than counterbalanced by its under-representation in the State Senate and the fact that it had only two Congressmen. At a population of 800,000, San Francisco would be entitled to seven Assemblymen. King asked eight with no increase in congressional representation. In reference to rumors about rearrangement of congressional districts, King said he had heard that the Twentieth Assembly District might be shifted to the Fifth Congressional District and the 25th to the 4th. This would cripple Congressman Franck Havenner of the Fourth Congressional District. King suggested he wouldn't want to hurt Republican Assemblymen Thomas Maloney (Twentieth District) or Arthur Connolly (21st) and that Congressman Havenner's relationship with his district shouldn't be disturbed either. The Fourth Congressional District is a logical compact of the waterfront, the finance, the military and naval institutions. Havenner has done well, has seniority and should be allowed to continue to function.

William M. Malone, chairman of the San Francisco County Democratic Central Committee, also thought the Bureau of the Census in error, and estimated population over 900,000, although admitting he had no facts to support this figure. In regard to the rumors about changes in the Fourth Congressional District, Malone suggested if they were true and successful it would leave a permanent scar. He suggested the Democrats hadn't tried to remove the late Republican Congressman Richard Welch by gerrymandering. The Twentieth Assembly District, he said, wanted to stay in Havenner's Fourth Congressional District. He praised Havenner's many qualifications for office and services performed for the City of San Francisco. In concluding his testimony, Malone read a letter from *Congressman Havenner* to Assemblyman Waters pointing to the Celler Bill, the possibility of all state congressional reapportionments being invalid if the billl passed and the state laws did not conform, the Bureau of the Census statement that final figures would not be available until summer of 1951, the possibility that the courts would declare acts based on preliminary census figures "arbitrary and capricious," and the undesirability of taking premature action.

Jack Werchick, representing the United Democrats Organization in San Francisco, concurred in the previous testimony on the subject of

San Francisco's population, in the tribute to Congressman Franck Havenner, and in Havenner's request to delay reapportionment until final action on the Cellar Bill had been taken. He argued against reducing San Francisco's Assembly delegation purely on the grounds of population when the city was a focal point in the national emergency. Werchick showed the sub-committee two different assembly district plans—one based on seven and the other six. He favored the seven district plan in the event representation would be reduced from eight members. He felt that under it, it would be possible to more adequately represent the different segments of the San Francisco community, and in that connection discussed some socio-economic problems that might be considerations in redistricting.

S. A. Buckley, state legislative representative for the Brotherhood of Railway Clerks and speaking for four other railway brotherhoods, said his opinions were in line with those stated by Cameron King. *Mrs. Charles B. Porter,* of the San Francisco Citizen's Committee on Reapportionment, concurred in the criticisms of the population statistics, was disturbed by the rumors of possible change in the Fourth Congressional District, and suggested that the different ethnic groups of the city were more and more becoming assimilated into the whole body of the citizenry. As a former member of the San Francisco Planning Commission, she suggested Golden Gate Park had always been a dividing line between north and south, that the line of the Fourth Congressional District was based on it, and that it should not be changed.

Charles T. Augustus, representing the California State Barber and Beauty Culture League, Incorporated, said the negro population of San Francisco wanted to be in Congressman Havenner's district. *Gus C. Ringole,* a member of the San Francisco Citizens Committee on Reapportionment and a Republican, concurred in the previous observations on population and Congressman Havenner. He didn't believe, he said, the Republicans would attempt to gerrymander the Fourth Congressional District. *Alvin F. Derre,* chairman of the San Francisco County Republican Central Committee, was also of the opinion 760,000 population was too low. He asked that San Francisco be fairly and equitably divided so all of San Francisco is represented in the Legislature. *Albert K. Chow,* representing the Chinese Six Companies and Chinese Chamber of Commerce, wanted Havenner's district as it is. *Irvin S. Rosenblatt, Jr.,* appearing as a Democratic member of the Citizens Committee on Reapportionment, argued for keeping Havenner's district as it is. He pointed to the number of military installations in the 4th district and Havenner's high seniority on the Armed Services Committee of the U. S. House. He objected to what he termed "ghettoization."

Assemblyman Thomas Maloney, Twentieth District, concurred in William Malone's observations about the Bureau of the Census San Francisco 40 years ago had 18 Assemblymen, and its decline in assemblymen had been so rapid Maloney suggested the Constitution should perhaps be changed. He pointed to San Francisco as paying the second largest per capita tax load in the State. *Assemblyman Edward Gaffney,* Twenty-sixth District, concurred with Maloney's observations on the Bureau of the Census. He felt San Francisco had 100,000 more persons than she was being given credit for. *State Senator Gerald J. O'Gara,* Fourteenth District, thought 900,000 population would not be out of line when

absentees, maritime workers and military personnel were counted. He asked that the assembly districts be kept at the figure of eight, even though San Francisco had to sacrifice some congressional entitlement, and suggested San Francisco deserved as much consideration as Imperial County. All the San Francisco Assemblymen, he felt, represented groups that needed a voice in the Legislature. O'Gara asked for the status quo on congressional districts, and complimented both Congressmen Havenner and John F. Shelley, the latter of the Fifth District. He thought the present pattern of districts in San Francisco was evenly enough balanced between the two major parties so either party stood a chance to win; he warned against attempting to create safe districts for either party through the reapportionment process

Assemblyman Arthur H. Connolly, Jr., Twenty-first District, and *Charles Meyers*, Twenty-fourth District, were also in attendance. *Assemblyman George D. Collins, Jr.*, Twenty-second District, sat as a regular member of the subcommittee. They made no statements.

For Alameda County

Leonard Seeley, a member of the San Leandro City Council and chairman of the Southern Alameda County Committee for Reapportionment, served as the spokesman for the following organizations in the reapportionment committee: The City Councils of Hayward, San Leandro, Livermore and Pleasanton, and the Chambers of Commerce of Washington Township, Livermore, Pleasanton, Chester Valley, Eden Township, Hayward and San Leandro Resolutions from all the cities and Chambers of Commerce were filed with the committee Seeley said post office officials had estimated that there were some 175,000 persons in southern Alameda County, south of the northern line of the City of San Leandro. Presently the Fourteenth Assembly District includes Alameda City and part of San Leandro, and the Thirteenth District includes East Oakland and the remainder of southern Alameda County The Southern Alameda County Committee for Reapportionment asked for an assembly district wholly within their area and not including either the City of Alameda or East Oakland. Seeley pointed to special problems of the area: industrial development, drainage, flood control, planning, transportation, highways, schools, civil defense, water, etc. The socio-economic facts of the area argued for such a southern district, he said.

Assemblyman Randal F. Dickey, Fourteenth District, and *Assemblyman Marvin Sherwin*, Sixteenth District, were both in attendance at the hearing. Neither made statements.

For San Mateo County

Louis DeMatteis, District Attorney of San Mateo County, served as the spokesman for the County Board of Supervisors, the Citizens Committee of San Mateo consisting of 13 municipalities and other groups, and a committee of Chambers of Commerce The committee was presented with a map showing population density and areas of estimated future growth, and another showing incorporated and unincorporated places with the 1950 preliminary returns for the area and a higher estimated population for February 1, 1951. DeMatteis felt preliminary

census counts too low, and based his estimates on upswings in election registration, average school attendance, residential building permits, and new residence water and electric connections.

DeMatteis recommended two assembly districts for San Mateo, though he did not suggest how the two should divide the county. He analyzed several possible congressional district combinations: to join with an assembly district in Alameda County, not a serious suggestion because few ties exist that far across the bay; second, to join with Santa Clara County, not a serious suggestion because Santa Clara already is entitled to 85/100 of a Congressman; third, to join with Santa Cruz, a serious suggestion because the two counties are quite similar and their population about right; fourth, to join with an assembly district in San Francisco, though there is basic difference between the metropolitan and the rural; and fifth, to have one congressional district for San Mateo County.

Marion H. Kent, Chairman of the San Mateo County Democratic Central Committee, said his organization would prefer a congressional district with Santa Cruz or Santa Clara rather than San Francisco. *Enoch L. Richardson,* Chairman of the San Mateo County Republican Central Committee, supported the DeMatteis presentation, as did *Alvin Hatch*, chairman of the county board of supervisors, and *Ed MacDonald*, a member of the board of supervisors.

For Contra Costa County

Iona M. Booth, General Manager of the Contra Costa County Development Association and representing also the County Board of Supervisors, argued for one congressional district for the county. With the rapid growth of the county, she felt that was deserved. If not, Contra Costa County would want to be attached to an assembly district in the east end of Alameda County. It did not want to attach to Solano County with which it had nothing in common. She quoted *State Senator Luther E. Gibson,* Solano County, Fifteenth District, as also opposing such a union. For division of assembly districts, Miss Booth suggested the boundary line of the first supervisorial district.

Louis L. Bernheim, representing the Contra Costa Republican Central Committee and also a member of the legislative committee of the Richmond Chamber of Commerce, repeated the request for two assemblymen and suggested the first supervisorial district as a boundary line between the two. He opposed making one district out of the first supervisorial district minus Rodeo and Pinole, and placing the rest of the county in another. He also thought Contra Costa County should get its own congressional district.

Assemblyman Robert Condon, Contra Costa County, Tenth District, stated Contra Costa County was united in its request for two assembly districts and one congressional district. It is the fifth largest county in California. Except for San Mateo, which is tenth, all of the first 12 ranking counties except Contra Costa have two assemblymen. As for the division line between the two assembly districts, Condon suggested that population balance would be better served if the first supervisorial district minus the eleventh judicial township (Rodeo, Pinole, Hercules, Selby) be

one assembly district, and the remainder of the county the other. In support of a single congressional district for the county, he cited the 198 percentage growth since 1940—the highest rate in the Nation, and a rate which gives no appearance of slowing down. If Contra Costa were joined to an assembly district of a neighboring county, the district's population would be as much over as Contra Costa alone would be under a 350,000 ideal. If joined with Solano, the total would be 400,000. Solano is second in rate of growth only to Contra Costa County. Condon predicted if such a union were made that it would be the biggest congressional district in California and perhaps the United States before the next 10-year period is up. He cited support for a separate congressional district for Contra Costa County from every organization within the county and also from *Congressman George P. Miller,* Sixth District incumbent.

State Senator George Miller, Jr., Contra Costa County, Seventeenth District, thought the location of the line between the two assembly districts didn't make a great deal of difference because good Democratic candidates would win. He read a letter from the Richmond Chamber of Commerce proposing a western assembly district of Kensington Park, El Cerrito, Richmond, San Pablo, El Sobrante and perhaps Pinole, and an eastern district of the remainder of the county. He concurred in Assemblyman Condon's suggestion that the western district be made up of the first supervisorial district minus the 11th judicial township, and that the eastern district be made up of the rest of the county.

General Statement

State Senator Ed. C. Johnson, Sutter and Yuba Counties—Seventh District, sat with the subcommittee, as did *Assemblyman Richard J. Dolwig,* San Mateo, Twenty-seventh District.

THE SACRAMENTO HEARING

February 27, 1951—State Capitol

For Butte County

Raymond A. Leonard, District Attorney of Butte County, represented the following organizations: Butte County Board of Supervisors, Associated Chambers of Commerce of Butte County, the Chico and Oroville Chambers of Commerce, and the Democratic and Republican Central Committees of Butte County. Leonard proposed a "valley county" congressional district consisting of Glenn, Butte, Colusa, Sutter, Yuba, Yolo and Solano Counties. The population of this district would come to 82 percent of the ideal of 350,000. If Lake and Napa Counties were included, its population would be 97 percent of desired. Geographically, the boundary to the west would be the line of coastal counties, and the boundary to the north and east, the line of mountain counties. All the counties in the valley are primarily agricultural and have no community of interest with coastal or mountain counties. If Yolo County were joined to Sacramento County in a congressional district, and Lake and Napa Counties were included, Leonard felt it would still make a good congressional district. *Jack Madigan*, of the Chico Chamber of Commerce, endorsed Leonard's statement of position.

For San Joaquin County

State Senator Verne W. Hoffman, Twentieth District, introduced a delegation of 10 persons from San Joaquin County: *Ben Goodwin, Raymond Mottler* and *Charles Cooper,* officers of the County Farm Bureau; *E. R. Williams,* commander of the third largest American Legion Post in California; *George Ohm,* chairman of the County Board of Supervisors; *Robert Monagan,* secretary of the Tracy Chamber of Commerce; *Herb Milford,* chairman of the County Democratic Central Committee; *Henry Meyers,* chairman of the County Republican Central Committee; *Jim Estes,* political editor of the Stockton Record; and *Assemblyman Howard Parker,* Eleventh District.

Robert Monagan told of the organization of a county-wide Citizen's Reapportionment Committee with the chairmen of the Democratic and Republican County Central Committees as cochairmen. Monagan suggested that although San Joaquin was a great agricultural area, it also had experienced a great industrial growth tending to make it the most diversified county in California. One person, therefore, can't fairly and adequately represent the county. He felt San Joaquin County had the qualifications to keep pace with the State in its rich farm lands, Port of Stockton, the industrial area that goes with three transcontinental railroads, highways bisecting the state both east-west and north-south, and a group of intelligent citizens willing to vote If Congressional Districts 3 and 9 were to be changed, he favored the combination of San Joaquin and Stanislaus Counties to make a new congressional district. *George Ohm* affirmed and elaborated on Monogan's statement. *Assemblyman Parker* took the same position.

For Sacramento County

Alf R. Stavig, spokesman for the reapportionment subcommittee of the Governmental Affairs Committee of the Sacramento Chamber of Commerce, said his committee had been studying reapportionment since September, 1950. If Sacramento County was too small for a single congressional district, his committee recommended the addition of Yolo County. That would make a district of about 315,000, consisting of contiguous counties, and with very close economic ties.

Assemblyman Gordon A. Fleury, Eighth District, speaking for himself and *Assemblyman John E. Moss,* Ninth District, stated they would present the committee with a revision of assembly lines for the Eighth and Ninth Assembly Districts in Sacramento County. Fleury also stated it was the unanimous thought of all civic groups in Sacramento County and almost all in Yolo County that the two counties be formed into a congressional district.

For Napa County

George A. Solomon, representing the Napa County Central Labor Council and appearing also as Chairman of the Third Congressional District Democratic Committee, supported Raymond Leonard's recommendation for a "valley county" congressional district with Lake and Napa Counties included. He felt Napa County's interests were more closely in line with the valley counties than with the coastal counties of

the Redwood Empire. Many in Napa and Lake Counties, he said, feel they are a sort of appendix on the Redwood Highway, and are not too well satisfied with their status. He referred to a recent meeting in Sacramento of representatives from the First, Second, and Third Congressional Districts, and said the representative from Lake County did not want to be a part of the Redwood Empire District. Solomon knew of no meeting on the subject of reapportionment held in Napa County.

Samuel R. Geddes, representing the Napa County Democratic Central Committee, said Napa County in relation to the Redwood Empire counties had been a tail-of-the-kite with its 46,000 population politically not meaning very much. Napa had never gotten much out of the Redwood Association. He thought Napa County, while not related to the lumber interests of the coast counties, was directly interested in Solano County—people living in one, work in the other; the water problem is a mutual one; agricultural interests are in common. If Napa County joined with smaller counties in a congressional district, her 46,000 population would swing more weight. He suggested those in Napa County who had passed resolutions favoring the Redwood Empire congressional district had been hurried and were not fully informed of what they were doing. In general, he felt there had not been enough public discussion. In regard to other counties, there were many in Lake County, he said, who wanted to get away from the Redwood Empire Association and many in Yolo County who did not want to be joined to Sacramento in a congressional district.

State Senator Nathan F. Coombs, Eleventh District, said reapportionment meetings had been held in Napa County; Geddes had been invited, but Geddes had not come. For a congressional district, he thought Solano County might be considered as a sort of orphan county that might be placed with Contra Costa County. He would oppose Napa County's being placed in a congressional district with Solano County. The only thing they have in common is that Solano County wants Napa County's water, and Napa County needs it for herself. Napa is a coast county. It has nothing in common with Solano County and doesn't want to be a part of it politically. Napa County, he felt, wanted to go along with the Redwood Empire. Senator Coombs also argued for a Sacramento-Yolo congressional district. Both are agricultural, and climatically their interests are common. Both share some 60 miles of common river front. On the other hand, he felt Yolo County had nothing in common with Solano County, except that Solano County wanted to get water from Yolo County. Returning to Napa County, only as a last resort, he felt, would Napa County consent to becoming a part of a Marin, Sonoma, Napa, Lake, and Solano County district.

On the matter of assembly districts, Senator Coombs thought it immaterial whether Lake County was either left in or taken out of the Fifth Assembly District (Lake, Napa, Solano) which is some 30,000 over in population. He felt quite sure Napa County would be willing to go along with Solano County in an assembly district. He had no suggestions for the Third Assembly District (Glenn, Colusa, Tehama, Yolo) which is low in population.

For Solano County

Robert L. Kindig, chairman of the Solano County Democratic Central Committee, endorsed Raymond Leonard's plan for a valley congressional district. Even if Lake County should go with the Redwood Empire, he wanted Napa County to join the valley counties. Sacramento and Solano Counties have much in common and might make a good congressional district. Solano and Yolo Counties might make a good district in the event the latter was not joined with Sacramento. Kindig thought the northern part of the State should have 15 congressional districts as well as the southern part with the north entitled to 14.6 congressmen and the south to 15.4. *Paul O. Beeman,* representing the Solano Central Labor Council, submitted a resolution from his organization asking a Glenn, Butte, Sutter, Yuba, Colusa, Lake, Napa and Solano congressional district. Solano County had had difficulty getting water for military and shipyard installations, and one of the reasons, he said, is misrepresentation in Congress. He thought Solano County would be in a much stronger political position in a new district.

For Stanislaus County

Assemblyman Ralph M. Brown, Thirtieth District, noted that Stanislaus County is the northernmost county in the Ninth Congressional District; that Fresno, Madera and Merced Counties might be withdrawn from the Ninth and made into a new district; and that San Joaquin County appeared to be the same kind of an orphan at the bottom of the Third Congressional District. Assemblyman Brown said many in Stanislaus County favored a congressional union with San Joaquin County, and that there could be no logical objection to such an arrangement.

For Yolo County

H. G. Copkie, representing the Yolo County Farm Bureau, favored Raymond Leonard's plan for a congressional district with Yolo County attached to the "floor of the valley" counties other than Sacramento County. Sacramento County in a Sacramento-Yolo congressional district would, he thought, throw all the weight in an election. He felt the Yolo County Chamber of Commerce and the board of supervisors had been stampeded into resolving in favor of a Sacramento-Yolo district. Copkie argued for four congressional districts for the north.

For Alpine, Amador, Calaveras, El Dorado, Inyo, Mariposa, Mono, Placer, Nevada, and Tuolumne Counties

Assemblyman Francis C. Lindsay, Sixth District, announced he had met with the boards of supervisors and civic groups in the 10 counties of the Sixth Assembly District, and that opinion is for keeping both the Sixth Assembly District and the Second Congressional District as they are. In regard to the Congressional District, although it is 75 percent of the desired population, it covers 47 percent of the land area of the State.

For Tehama County

T. B. Keyes, Chairman of the Board of Supervisors, favored keeping the Second Congressional District as it is. He also supported the "floor of the valley" counties in their request for a congressional district as Raymond Leonard of Butte County proposed.

For Colusa County

George E. Lodi, Chairman of the Reapportionment Committee of the Colusa County Farm Bureau, announced himself in favor of the Leonard plan. Such a congressional district would be composed of agricultural counties with the same type of water and flood control problems. He would also support Sacramento County in its efforts to get a congressional district of its own, and the Second District's desire to stay as it is. If Southern California is to get six new congressmen, he thought Northern California should get one because of its large area. He recommended no assembly district changes, and thought it all right for Napa and Lake Counties to go either way in a congressional district.

For Sutter County

D. W. Davidson, representing the Sutter County Chamber of Commerce and Farm Bureau, endorsed the Leonard plan. He asked for at least one more congressman for the north.

For Yuba County

State Senator Ed. C. Johnson, Tenth District, spoke in behalf of the County Board of Supervisors, Yuba City Council and civic bodies. He concurred in the Leonard congressional district recommendation.

For Glenn County

John Fieck, Chairman of the County Board of Supervisors, approved the Leonard congressional district recommendation and leaving the Third Assembly District without changes.

THE THREE REAPPORTIONMENT BILLS OF 1951

STATE SENATE—ASSEMBLY—CONGRESSIONAL

Assembly Bill No. 141,[7] introduced by Messrs. Waters and Conrad. An act to amend Section 480 of the Government Code, relating to the division of the State into *Senatorial districts.*

Assembly Bill No. 141 made two simple changes in State Senate districts. Alpine County was removed from the Ninth District and placed in the 28th; San Benito County was removed from the Twenty-fifth District and placed in the 23d. The other counties involved in the change are shown in the following table:

Ninth District	old —El Dorado, Amador and Alpine Counties new—El Dorado and Amador Counties
Twenty-eighth District	old —Mono and Inyo Counties new—Alpine, Mono and Inyo Counties
Twenty-fifth District	old —Monterey and San Benito Counties new—Monterey County
Twenty-third District	old —Santa Cruz County new—Santa Cruz and San Benito Counties

Assembly Bill No. 41,[8] introduced by Messrs. Waters and Conrad. An act to repeal existing Section 491 of, and to add new Section 491 to, the Government Code, relating to the division of the State into *Assembly districts.*

Assembly Bill No. 41 made the following changes between counties:

1. Los Angeles County, with a population entitlement of 31.37) lost one of its 32 assembly seats to San Diego County (population entitlement 4.21) to increase the total of the San Diego County delegation from three to four;
2. San Joaquin County (with a population entitlement of 1.52) lost one of its two assembly seats to Kern County (population entitlement, 1.73) to increase the total of the Kern County delegation from one to two; and
3. San Francisco City and County (with a population entitlement of 5.86) lost two of its eight assembly seats, one going to Contra Costa County (population entitlement, 2 26) and the other to San Mateo County (population entitlement, 1.78) to increase the total of each of the Contra Costa and San Mateo delegations from one to two.

In addition to these major losses or gains, two shifts of counties from one district to another took place:

1. Lake County was taken out of the 5th District (Lake-Napa-Solano) and placed in the 3d (Tehama-Glenn-Lake-Colusa-Yolo), and Napa and Solano Counties stay in the 5th; and
2. San Luis Obispo County was taken out of the old 33d District (Monterey-San Luis Obispo) and placed in the new 36th (San

[7] Legislative Counsel's Analysis
[8] Legislative Counsel's Analysis

Luis Obispo-Santa Barbara), and Monterey County gets an assembly district of its own, the new 34th.

Allocation of assembly seats to counties receiving one or more assemblymen was strictly on the basis of population entitlement, with the exception of Imperial County. The allocation and shift in representation is shown in the following table:

No. seats 1940-51	*Entitlement priorities 1950 Census*	*Counties*	*No. seats A. B. 141*
32	31.37	Los Angeles	31 (—1)
8	5.86	San Francisco	6 (—2)
6	5.59	Alameda	6
3	4.21	San Diego	4 (+1)
1	2.26	Contra Costa	2 (+1)
2	2.20	Santa Clara	2
2	2.13	San Bernardino	2
2	2.09	Sacramento	2
2	2.09	Fresno	2
1	1.78	San Mateo	2 (+1)
1	1.73	Kern	2 (+1)
2	1.63	Orange	2
2	1.52	San Joaquin	1 (—1)
1	1.29	Riverside	1
½	1.13	Tulare	½ with Kings (1.48 total entitlement)
½	0.99	Monterey	1 (+½)
1	0.96	Stanislaus	1
1	0.87	Ventura	1
⅕	0.80	Solano	⅕ with Napa (1.15 total entitlement)
½	0.78	Sonoma	½ with Marin (1.43 total entitlement)
1	0.74	Santa Barbara	½ with San Luis Obispo (1.13 total entitlement)
½	0.65	Marin	½ see Sonoma above
½	0.53	Merced	½ with Madera (0.81 total entitlement)
½	0.52	Humboldt	⅕ with Del Norte and Mendocino (0.89 total entitlement)
½	0.50	Santa Cruz	½ with San Benito (0.61 total entitlement)
⅓	0.49	Butte	⅓ with Yuba and Sutter (0.87 total entitlement)
1	0.48	Imperial	1

NOTE: The total entitlement entries are the total assembly entitlements for all the counties in that district

The following table shows the actual or estimated population for each of the 80 assembly districts set up in Assembly Bill No. 41. It also shows percentage deviation of the district's population from the ideal assembly district population of 132,328 (population of California, 10,586,223, divided by 80).

ASSEMBLY DISTRICT (A.B. No. 41) POPULATION AND PERCENTAGE DEVIATION FROM IDEAL OF 132,328

District number	Population	Deviation	District number	Population	Deviation
1	117,171	—11.4	41	115,671	—12.6
2	115,478	—12.7	42	156,489	+18.2
3	97,190	—26.6	43	114,904	—13.2
4	114,760	—13.3	44	127,746	— 3.5
5	151,206	+14.3	45	149,265	+12.8
6	127,885	— 3.4	46	130,081	— 1.7
7	188,011	+42.0	47	116,337	—12.1
8	137,829	+ 4.2	48	124,719	— 5.8
9	137,830	+ 4.2	49	129,781	— 1.9
10	160,000	+20.9	50	122,397	— 7.5
11	137,430	+ 3.9	51	159,119	+20 2
12	200,535	+51.5	52	135,957	+ 2.7
13	131,400	— .7	53	126,344	— 4 5
14	115,200	—12.9	54	122,846	— 7.2
15	118,800	—10.2	55	131,391	— .7
16	106,200	—19.7	56	151,965	+14.8
17	117,000	—11.6	57	119,273	— 9.9
18	135,000	+ 2.	58	133,106	+ .6
19	121,000	— 8.6	59	114,073	—13.8
20	127,000	— 4.0	60	114,639	—13.4
21	123,000	— 7.0	61	158,013	+19.4
22	127,000	— 4.0	62	153,792	+16.2
23	133,000	+ .5	63	142,986	+ 8.1
24	129,000	— 2.5	64	110,116	—16.8
25	117,973	—10.8	65	134,214	+ 1.4
26	116,057	—12.3	66	122,490	— 7.4
27	80,250	—39.4	67	137,177	+ 3.7
28	144,469	+ 9.2	68	142,076	+ 7.4
29	138,400	+ 4.6	69	168,902	+27.6
30	126,765	— 4.2	70	142,439	+ 7.6
31	106,159	—19.8	71	169.392	+28.0
32	137,113	+ 3.6	72	137,655	+ 4.0
33	137,114	+ 3.6	73	142,587	+ 7.8
34	129,911	— 1.8	74	107,031	—19.1
35	194,976	+47.3	75	107.032	—19.1
36	148,856	+12.5	76	62,512	—52.8
37	113,415	—14.3	77	125,564	— 5.1
38	113,581	—14.1	78	153,119	+15.7
39	113,582	—14.1	79	153,110	+15.7
40	142,938	+ 8.0	80	104,174	—21.3

1. 362,935 ---------- + 2.9
2. 326,906 ---------- — 7.4
3. 393,406 ---------- +11.5
4. 371,000 (19, 21, and 22) assembly districts---------- + 5.1
5. 389,000 (20, 23, and 24) assembly districts---------- +10.2

6. 402,263 ---------- +14.0
7. 365,400 Alameda (16, 17, 18) assembly districts---- + 3.5
8. 358.200 Alameda (13, 14, 15) assembly districts---- + 1.5
9. 234,080 ---------- —33.7
10. 369,188 ---------- + 4.7

11. 327,300 ---------- — 7.2
12. 380,385 ---------- + 7.8
13. 392,182 ---------- +11.1
14. 422,139 ---------- +19.7
15. 410,306 L. A. (58, 63, 65) assembly districts------ +16.3

16. 228,712 L A. (59, 60) assembly districts ---------- —35.2
17. 409,334 L. A. (46, 67, 68) assembly districts------ +16.0
18. 270,185 L A. (44, 70) assembly districts ---------- —23.4
19. 451,322 L. A. (40, 45, 51) assembly districts------ +27.9
20. 231,241 L. A. (43, 47) assembly districts ---------- —34,5

21.	396,879 L. A. (41, 42, 48) assembly districts	+12.5
22.	229,389 L. A. (57, 64) assembly districts	—35.0
23.	436,250 L A. (52, 55, 69) assembly districts	+23.6
24.	274,811 L. A. (54, 56) assembly districts	—22.1
25.	378,522 L. A. (49, 50, 53) assembly districts	+ 7.3
26.	434,295 L. A. (61, 62, 66) assembly districts	+23.1
27.	280,252	—20.6
28.	339,625 Orange and San Diego Seventy-seventh Assembly District	— 3.7
29.	231,972	—34.3
30	410,403 San Diego (78, 79, 80) Assembly District	+16.3

Assembly Bill No. 42,[9] introduced by Messrs. Waters and Conrad. An act to repeal existing Section 470 of, and to add new Section 470 to, the Government Code, relating to the division of the State into *congressional districts.*

Assembly Bill No. 42 made the following changes in congressional districts:

1. The First Congressional District, composed of 11 counties (Del Norte-Humboldt-Mendocino-Sonoma-Marin-Lake-Glenn-Colusa, Butte-Sutter-Yuba) was changed by excluding Glenn, Colusa, Butte, Sutter and Yuba Counties, and by adding Napa County to the six remaining counties. Napa County was taken out of the old Third Congressional District. The four "floor of the valley" counties of Glenn, Colusa, Sutter and Yuba Counties were placed in the new Third Congressional District; Butte, in the new Second Congressional District.
2. The Second Congressional District, composed of 18 counties (Siskiyou-Modoc-Trinity-Shasta-Lassen-Tehama-Plumas-Sierra-Nevada-Placer-El Dorado-Amador-Calaveras-Alpine-Tuolumne-Mariposa-Mono-Inyo), was changed only by taking Butte County out of the old First Congressional District and including it in the Second Congressional District.
3. The Third Congressional District, composed of five counties (Napa-Yolo-Solano-Sacramento-San Joaquin) was changed by excluding Napa County and placing it in the new First Congressional District, excluding Solano and placing it in the new Sixth Congressional District, and excluding San Joaquin County and placing it in the new Eleventh Congressional District. To Yolo and Sacramento Counties were added Glenn, Colusa, Sutter and Yuba Counties from the old First District to make the new six-county Third Congressional District.
4. The Fourth Congressional District, composed of four assembly districts in the City and County of San Francisco (19th, 20th, 21st and 22d), was changed to consist of the following three assembly districts: 19, 21 and 22.
5. The Fifth Congressional District, composed of four assembly districts in the City and County of San Francisco (23d, 24th, 25th and 26th), was changed to consist of the following three assembly districts: 20, 23 and 24.
6. The Sixth Congressional District, composed of Contra Costa County and the Thirteenth, Fourteenth and Fifteenth Assembly

[9] Legislative Counsel's Analysis.

Districts in Alameda County was changed to include only Contra Costa and Solano Counties in making up the new Sixth Congressional District. Solano County was taken out of the old Third Congressional District, and Assembly Districts 13, 14 and 15 in Alameda County went into the new Eighth Congressional District.

7. The Seventh Congressional District, composed of 16, 17 and 18 Alameda County Assembly Districts, was not changed in the reapportionment.
8. The Eighth Congressional District, composed of four counties San Mateo-Santa Cruz-Santa Clara-San Benito), was changed by moving the number to a new congressional district in Alameda County and placing San Mateo in the new Ninth Congressional District, and Santa Cruz, Santa Clara and San Benito in the new Tenth Congressional District.
9. The Ninth Congressional District, composed of four counties (Stanislaus-Merced-Madera-Fresno), was changed by giving the number to the new San Mateo Congressional District, and Stanislaus County in the new Eleventh Congressional District, and Merced, Madera and Fresno Counties in the new Twelfth Congressional District.
10. The Tenth Congressional District, composed of three counties (Kern-Tulare-Kings), was left intact, but given the new number of Fourteenth Congressional District. The new Tenth Congressional District is composed of Santa Clara, Santa Cruz and San Benito, all three of which were formerly in the old Eighth Congressional District.
11. The Eleventh Congressional District, composed of four counties (Monterey-San Luis Obispo-Santa Barbara-Ventura), was left intact, but given the new number of Thirteenth Congressional District. The new Eleventh Congressional District is composed of San Joaquin County, formerly a part of the old Third Congressional District, and Stanislaus County, formerly a part of the old Ninth Congressional District.
12. The Twelfth Congressional District, composed of three Los Angeles County assembly districts (49th, 50th and 53d), was moved away from Los Angeles County and set up to include Merced, Madera and Fresno Counties. All three counties were in the old Ninth Congressional District along with Stanislaus County.
13. The Thirteenth Congressional District, composed of three Los Angeles County assembly districts (45th, 54th and 56th), was moved away from Los Angeles County and set up to include the four counties of the old Eleventh Congressional District (Monterey-San Luis Obispo-Santa Barbara-Ventura).
14. The Fourteenth Congressional District, composed of four Los Angeles County assembly districts (44th, 55th, 62d and 64th) was moved away from Los Angeles County and set up to include the three counties of the old Tenth Congressional District (Kings-Tulare-Kern).
15. The Fifteenth Congressional District, composed of four Los Angeles County assembly districts (57th, 58th, 63d and 65th), is

now made up of the new Fifty-eighth, Sixty-third and Sixty-fifth Assembly Districts. The Fifty-seventh Assembly District is now a part of the new Twenty-second Congressional District.

16. The Sixteenth Congressional District, composed of three Los Angeles County assembly districts (59th, 60th and 61st), is now made up of the Fifty-ninth and Sixtieth Assembly Districts. The Sixty-first Assembly District is now a part of the new Twenty-sixth Congressional District.
17. The Seventeenth Congressional District, composed of four Los Angeles County assembly districts (46th, 66th, 67th and 68th) is now made up of the new Forty-sixth, Sixty-seventh, and Sixty-eighth Assembly Districts. The Sixty-sixth Assembly District is now a part of the new Twenty-sixth Congressional District.
18. The Eighteenth Congressional District, composed of three Los Angeles County assembly districts (69th, 70th and 71st), is now made up of the new Forty-fourth and Seventieth Assembly Districts. The old Forty-fourth Assembly District was in the Fourteenth Congressional District. It was abolished, and its number was moved to what was the old Seventy-first Assembly District. The old Seventy-first Assembly District number was transferred to the Riverside County Assembly District. The new Sixty-ninth Assembly District is now a part of the new Twenty-third Congressional District.
19. The Nineteenth Congressional District, composed of three Los Angeles County assembly districts (40th, 51st and 52d), is now made up of the new Fortieth, Forty-fifth and Fifty-first assembly Districts. The new Fifty-second Assembly District is now a part of the new Twenty-third Congressional District. The Forty-fifth Assembly District used to be a part of the Thirteenth Congressional District.
20. The Twentieth Congressional District, composed of four Los Angeles County assembly districts (42d, 43d, 47th and 48th), is now made up of the new Forty-third and Forty-seventh Assembly Districts. The Forty-second and Forty-eighth Assembly Districts are now a part of the new Twenty-first Congressional District.
21. The Twenty-first Congressional District, composed of the Los Angeles Forty-first Assembly District and the Seventy-second and Seventy-third Assembly Districts of San Bernardino County, is now made up of the Forty-first, Forty-second and Forty-eighth Los Angeles County Assembly Districts. The 42d and 48th districts were taken from the old Twentieth Congressional District. The two San Bernardino Assembly Districts were set up in the new Twenty-seventh Congressional District.
22. The Twenty-second Congressional District, composed of three counties (Orange-Riverside-Imperial), is now made up of the new Fifty-seventh and Sixty-fourth Los Angeles County Assembly Districts. Orange County has been placed in the new Twenty-eighth Congressional District; and Riverside and Imperial Counties, in the new 29th. The Fifty-seventh Assembly

District was taken from the old Fifteenth Congressional District, and the 64th was abolished from its old downtown Fourteenth Congressional District location and reconstituted in the west end of the San Fernando Valley.

23. The Twenty-third Congressional District, composed of three San Diego Assembly Districts (78th, 79th and 80th), is now made up of the Fifty-second, Fifty-fifth and Sixty-ninth Los Angeles County Assembly Districts. Three San Diego County assembly districts are now in the new Thirtieth Congressional District, and one in the new Twenty-eighth Congressional District. The Fifty-second Assembly District was taken from the old Nineteenth Congressional District, the 55th was abolished from its old downtown Fourteenth Congressional District location and reconstituted south of downtown Los Angeles, and the Sixty-ninth Assembly District was taken from the old Eighteenth Congressional District.

24. There were no old congressional districts beyond the number 23. The new Twenty-fourth Congressional District is composed of the Los Angeles County Fifty-fourth and Fifty-sixth Assembly Districts. Both were formerly in the old Thirteenth Congressional District, along with the Forty-fifth Assembly District.

25. The new Twenty-fifth Congressional District is composed of the Los Angeles County Forty-ninth, Fiftieth and Fifty-third Assembly Districts. All three were formerly the Twelfth Congressional District.

26. The new Twenty-sixth Congressional District is composed of the Los Angeles County Sixty-first, Sixty-second and Sixty-sixth Assembly Districts. The 61st was formerly a part of the Sixteenth Congressional District; the 62nd a part of the Fourteenth Congressional District; and the 66th, a part of the Seventeenth Congressional District.

27. The new Twenty-seventh Congressional District is composed of the two San Bernardino County Assembly Districts, the 72nd and 73d. They were formerly a part of the old Twenty-first Congressional District along with the Forty-first Assembly District of Los Angeles County.

28. The new Twenty-eighth Congressional District is composed of the two Orange County Assembly Districts, the Seventy-fourth and Seventy-fifth and the Seventy-seventh Assembly District from San Diego County. Orange County was taken from the old Twenty-second Congressional District, and the San Diego County District is a new one.

29. The new Twenty-ninth Congressional District is composed of the Counties of Riverside and Imperial. They were formerly a part of the old Twenty-second Congressional District, along with Orange County.

30. The new Thirtieth Congressional District is composed of the Seventy-eighth, Seventy-ninth and Eightieth Assembly Districts of San Diego County. San Diego County formerly was the Twenty-third Congressional District.[10]

[10] Legislative Counsel Opinion, March 26, 1951.

CONCLUSION

The history of reapportionment and the reapportionment bills as finally passed and signed into law dramatically illustrate the tides of our shifting population within the State. To more fully appreciate the gradual shift from north to south since 1891 to the present we have included a series of maps of the assembly, congressional and state senatorial districts outlining the districts as they appeared from time to time.

These shifts have given rise to some problems which have not been met at this time, the question as to whether we should amend the Constitution of the State of California in order to give greater flexibility in reaching the equalized population factors within assembly and congressional districts should be seriously considered. Balanced against such an amendment is the feasibility of leaving the county intact as basic units of government which have a community of interests that most closely affect the citizens of the area.

Further consideration must be given to the impact of reapportionment upon the existing legal party structures. Extensive revision of current provisions of the law may be necessary to conform these organizations to the pattern of the new districts.

The file of opinions from the Office of the Legislative Counsel contained in the appendix of this report points up this problem in addition to some others that are still with us.

With wider publicity of the material available, fuller use could be made of the facilities of the Bureau of the Census. A continuing study of the releases of the bureau during the interim period could be used as background preliminarily anticipating the problems of the next succeeding reapportionment.

In many counties precinct maps were not available to the committee. Consideration should be given legislation that would require county clerks to prepare up-to-date precinct maps and particularly should those be available during the year when the reapportionment problem must be approached. Jointly, with this proposal should be the requirement that county planning commissions make available to the committee undertaking the task of reapportionment a study of population distribution showing significant trends during the preceding decade.

Insofar as the committee is informed this is the first attempt to spell out the processes that were employed in an effort to meet the many questions that were raised by the study of the reapportionment problem. This does not purport to be a complete and exhaustive consideration of all of the factors involved, but it is, we trust, a constructive initial step in what should be a continuing study in this field.

APPENDIX

By Mr. Conrad:

HOUSE RESOLUTION No. 197

Relative to the creation of the Assembly Interim Committee on Elections and Reapportionment

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Elections and Reapportionment is hereby created and authorized and directed to ascertain, study and analyze all facts relating to elections and reapportionment, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the same members as the Standing Committee on Elections and Reapportionment. Vacancies occurring in the membership of the committee shall be filled by the Speaker.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

(f) To work with all political parties on questions involving the advisability of changes in the Elections Code relating to political parties.

(g) To conduct a preliminary survey of the 1950 Census and to ascertain any and all facts and make any needed studies concerning the best means of reapportioning the State in the light of that census.

6. The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION No. 7

Assembly Concurrent Resolution No. 7—Relative to the continuance of joint committees.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Belotti, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Cloyed, Collier, Geo. D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury,

Gaffney, Geddes, Grunsky, Gubser, Hagen, Hahn, Hansen, Hawkins, Henderson, Hinckley, Hollibaugh, Kelly, Kilpatrick, Kirkwood, Klocksiem, Lanterman, Levering,

OPINION No. 569

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, January 4, 1950

Honorable Laughlin E. Waters
634 Roosevelt Building
727 West Seventh Street
Los Angeles 14, California

Reapportionment—No. 569

DEAR MR. WATERS: You have asked us for a summary of Federal and State laws relating to reapportionment.

Congressional Districts

Representatives in Congress are apportioned among the several states according to their respective numbers (U. S. Constitution, Article 1, Section 2. Clause 3, and 14th Amendment, Section 2).

The House of Representatives consists of 435 members (Sections 2 and 2a of Title 2 of the United States Code).

Section 2a of Title 2 of the United States Code provides for the time and manner of reapportionment of Representatives

Under that section, the President will deliver to the Eighty-second Congress a statement of the number of Representatives to which each state will be entitled under an apportionment based on the 1950 Census. This statement will be delivered to Congress within a week after it convenes in 1951. This date will probably be within one week after January 3, 1951, as Congress customarily convenes on January 3d in accordance with the provisions of the Twentieth Amendment to the Federal Constitution. The governor of each state will then be notified within 15 days of the number of Representatives to which that state will be entitled in the Eighty-third Congress which will convene in 1953.

We have been unable to find any express direction in either the Constitution or laws of this State as to when the re-formation of congressional districts shall be made. Section 27 of Article IV of our Constitution prescribes how congressional districts shall be formed but it does not specify when. Presumably, however, the re-formation of congressional districts will be made by the Legislature during the 1951 General Session at the same time that the re-formation of senatorial and assembly districts takes place, since Section 10500 of the Elections Code provides that one Representative shall be elected for each congressional district at each general election and makes no provision for the election of Representatives at large.

Section 27 of Article IV of our Constitution which governs the formation of congressional districts provides:

1. When a congressional district is composed of two or more counties, it shall not be separated by a county belonging to another district.

2. No county, or city and county, shall be divided in forming a congressional district so as to attach one portion of a county, or city and county, to another county, or city and county, except in cases where one county, or city and county, has more population than the ratio required for one or more Congressmen.

3. The Legislature may divide any county, or city and county, into as many congressional districts as it may be entitled to by law.

4. Any county, or city and county, with a population greater than the number required for one congressional district shall be formed into one or more districts according to its population. Any residue left after the formation of such congressional district or districts, shall be attached by compact adjoining assembly districts, to a contiguous county or counties, to form another congressional district.

5. In dividing a county, or city and county, into congressional districts, no assembly district shall be divided so as to form a part of more than one congressional district.

6. Every congressional district shall be composed of compact contiguous assembly districts.

Until the congressional districts are re-formed after the reapportionment, the election of Representatives will be governed by subsection (c) of Section 2a, of Title 2 of the United States Code, which provides in part:

"(1) If there is no change in the number of Representatives, they shall be elected from the districts then prescribed by the law of such state, and if any of them are elected from the state at large they shall continue to be so elected;

(2) if there is an increase in the number of Representatives, such additional Representative or Representatives shall be elected from the state at large and the other Representatives from the districts then prescribed by the law of such state;

(3) if there is a decrease in the number of Representatives but the number of districts in such state is equal to such decreased number of Representatives, they shall be elected from the districts then prescribed by the law of such state;

(4) if there is a decrease in the number of Representatives but the number of districts in such state is less than such number of Representatives, the number of Representatives by which such number of districts is exceeded shall be elected from the state at large and the other Representatives from the districts then prescribed by the law of such state; or

(5) if there is a decrease in the number of Representatives and the number of districts in such state exceeds such decreased number of Representatives, they shall be elected from the state at large."

The present division of the State into congressional districts is made by Section 470 of the Government Code.

Senatorial and Assembly Districts

Section 6 of Article IV of our State Constitution governs the formation of senatorial and assembly districts.

Under that section, the Legislature will adjust the districts and reapportion the representation at the 1951 Regular Session of the Legislature. The 1950 Federal Census will serve as the basis for such adjustment. In making such adjustments no persons who are not eligible to become citizens of the United States under the Naturalization Laws, shall be counted as forming a part of the population of any district.

In the event that the Legislature fails to adjust the districts at the 1951 Regular Session, a Reapportionment Commission, consisting of the Lieutenant Governor (Chairman), the Attorney General, the State Controller, the Secretary of State, and the State Superintendent of Public Instruction, will forthwith make the adjustment, subject, however, to the same provisions of referendum as apply to acts of the Legislature.

A. *Senatorial Districts.* With particular reference to senatorial districts, Section 6 of Article IV provides:

1. The State shall be divided into 40 senatorial districts.
2. The senatorial districts shall be composed of contiguous territory.
3. Each senatorial district shall choose one senator.
4. The senatorial districts shall be numbered from 1 to 40, inclusive, in numerical order, commencing at the northern and ending at the southern boundary of the State.
5. In the formation of senatorial districts no county, or city and county, shall be divided, nor shall a part of any county, or city and county, be united with any other county, or city and county.
6. No county, or city and county, shall contain more than one senatorial district.
7. The counties of small population shall be grouped in senatorial districts of not to exceed three counties in any one district.

The present division of the State into senatorial districts is made by Section 480 of the Government Code.

B. *Assembly Districts.* With particular reference to assembly districts, Section 6 of Article IV provides:

1. The State shall be divided into 80 assembly districts.
2. The assembly districts shall be composed of contiguous territory.
3. Each assembly district shall choose one Member of Assembly.

4. The assembly districts shall be numbered from 1 to 80, inclusive, in numerical order, commencing at the northern and ending at the southern boundary of the State.

5. Assembly districts shall be as nearly equal in population as may be.

6. In the formation of assembly districts no county, or city and county, shall be divided unless it contains sufficient population within itself to form two or more districts.

7. No part of any county, or city and county, shall be united with any other county, or city and county, in forming any assembly district.

The present division of the State into assembly districts is made by Section 491 of the Government Code.

We enclose copies of Sections 6 and 27 of Article IV of our Constitution and Section 2a of Title 2 of the United States Code.

Very truly yours,

FRED B. WOOD
Legislative Counsel
By JOHN R. BERRETT, Deputy

Article IV, Section 6, State Constitution

Senatorial and Assembly Districts

SEC. 6. For the purpose of choosing Members of the Legislature, the State shall be divided into 40 senatorial and 80 assembly districts to be called senatorial and assembly districts. Such districts shall be composed of contiguous territory, and assembly districts shall be as nearly equal in population as may be. Each senatorial district shall choose one Senator and each assembly district shall choose one Member of Assembly. The senatorial districts shall be numbered from 1 to 40, inclusive, in numerical order, and the assembly districts shall be numbered from 1 to 80 in the same order, commencing at the northern boundary of the State and ending at the southern boundary thereof. In the formation of assembly districts no county, or city and county, shall be divided, unless it contains sufficient population within itself to form two or more districts, and in the formation of senatorial districts no county, or city and county, shall be divided, nor shall a part of any county, or of any city and county, be united with any other county, or city and county, in forming any assembly or senatorial district. The census taken under the direction of the Congress of the United States in the year 1920, and every 10 years thereafter, shall be the basis of fixing and adjusting the legislative districts; and the Legislature shall, at its first regular session following the adoption of this section and thereafter at the first regular session following each Decennial Federal Census, adjust such districts, and reapportion the representation so as to preserve the assembly districts as nearly equal in population as may be; but in the formation of senatorial districts no county or city and county shall contain more than one senatorial district, and the counties of small population shall be grouped in districts of not to exceed three counties in any one senatorial district; provided, however, that should the Legislature at the first regular session following the adoption of this section or at the first regular session following any Decennial Federal Census fail to reapportion the assembly and senatorial districts, a Reapportionment Commission, which is hereby created, consisting of the Lieutenant Governor, who shall be chairman, and the Attorney General, State Controller, Secretary of State and State Superintendent of Public Instruction, shall forthwith apportion such districts in accordance with the provisions of this section and such apportionment of said districts shall be immediately effective the same as if the act of said Reapportionment Commission were an act of the Legislature, subject, however, to the same provisions of referendum as apply to the acts of the Legislature.

Each subsequent reapportionment shall carry out these provisions and shall be based upon the last preceding Federal Census. But in making such adjustments no persons who are not eligible to become citizens of the United States, under the naturalization laws, shall be counted as forming a part of the population of any district. Until such districting as herein provided for shall be made, Senators and Assemblymen shall be elected by the districts according to the apportionment now provided for by law.

Article IV, Section 27, State Constitution

Formation of Congressional Districts

SEC. 27. When a congressional district shall be composed of two or more counties, it shall not be separated by any county belonging to another district. No county, or city and county, shall be divided in forming a congressional district so as

to attach one portion of a county, or city and county, to another county, or city and county, except in cases where one county, or city and county, has more population than the ratio required for one or more congressmen; but the Legislature may divide any county, or city and county, into as many congressional districts as it may be entitled to by law. Any county, or city and county, containing a population greater than the number required for one congressional district shall be formed into one or more congressional districts, according to the population thereof, and any residue, after forming such district or districts, shall be attached by compact adjoining assembly districts, to a contiguous county or counties, and form a congressional district In dividing a county, or city and county, into congressional districts no assembly district shall be divided so as to form a part of more than one congressional district, and every such congressional district shall be composed of compact contiguous assembly districts.

Section 2a of Title 2 of the United States Code

(a) On the first day, or within one week thereafter, of the first regular session of the Eighty-second Congress and of each fifth Congress thereafter, the President shall transmit to the Congress a statement showing the whole number of persons in each state, excluding Indians not taxed, as ascertained under the Seventeenth and each subsequent Decennial Census of the population, and the number of Representatives to which each state would be entitled under an apportionment of the then existing number of Representatives by the method known as the method of equal proportions, no state to receive less than one member.

(b) Each state shall be entitled, in the Eighty-third Congress and in each Congress thereafter until the taking effect of a reapportionment under this section or subsequent statute, to the number of Representatives shown in the statement required by subsection (a) of this section, no state to receive less than one member. It shall be the duty of the Clerk of the House of Representatives, within 15 calendar days after the receipt of such statement, to send to the executive of each state a certificate of the number of Representatives to which such state in entitled under this section. In case of a vacancy in the office of clerk, or of his absence or inability to discharge this duty, then such duty shall devolve upon the Sergeant-at-Arms of the House of Representatives; and in case of vacancies in the offices of both the clerk and the sergeant-at-arms, or the absence or inability of both to act, such duty shall devolve upon the Doorkeeper of the House of Representatives.

(c) Until a state is redistricted in the manner provided by the law thereof after any apportionment, the representatives to which such state is entitled under such apportionment shall be elected in the following manner: (1) If there is no change in the number of representatives, they shall be elected from the districts then prescribed by the law of such state, and if any of them are elected from the state at large they shall continue to be so elected; (2) if there is an increase in the number of representatives, such additional representative or representatives shall be elected from the state at large and the other representatives from the districts then prescribed by the law of such state; (3) if there is a decrease in the number of representatives but the number of districts in such state is equal to such decreased number of representatives, they shall be elected from the districts then prescribed by the law of such state; (4) if there is a decrease in the number of representatives but the number of districts in such state is less than such number of representatives, the number of representatives by which such number of districts is exceeded shall be elected from the state at large and the other representatives from the districts then prescribed by the law of such state; or (5) if there is a decrease in the number of representatives and the number of districts in such state exceeds such decreased number of representatives, they shall be elected from the state at large.

OPINION No. 1703

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, April 3, 1950

Honorable Laughlin E. Waters
Assembly Chamber

Reapportionment—No. 1703

DEAR MR. WATERS: You have asked us several questions relating to the reapportionment of congressional, senatorial, and assembly districts.

Question No. 1

When does reapportionment take effect: *i.e.* can it operate to deprive any officer of his office prior to the expiration of the term for which he was elected?

Opinion

It is our opinion that reapportionment will not operate to deprive any officer of his office prior to the expiration of the term for which he was elected and that reapportionment will begin to operate with the election in 1952 of officers who will take office in 1953.

Analysis

Representatives in Congress. Representatives in Congress are elected for a term of two years (U. S Const., Art. I, Sec. 2, Cl. 1). They are chosen in even-numbered years (Title 2, U. S. C., Sec. 7) and take office on January 3d in odd-numbered years (U. S. Const., Amend. XX).

The reapportionment of representatives is governed by Section 2a of Title 2 of the United States Code which provides in part that:

> "§ 2a. Reapportionment of representatives; time and manner; existing decennial census figures as basis; statement by President; duty of clerk
>
> "(a) On the first day, or within one week thereafter, of the first regular session of the Eighty-second Congress and of each fifth Congress thereafter, the President shall transmit to the Congress a statement showing the whole number of persons in each state, excluding Indians not taxed, as ascertained under the Seventeenth and each subsequent Decennial Census of the population, and the number of representatives to which each state would be entitled under an apportionment of the then existing number of representatives by the method known as the method of equal proportions, no state to receive less than one member.
>
> "(b) Each state shall be entitled, in the Eighty-third Congress and in each Congress thereafter until the taking effect of a reapportionment under this section or subsequent statute, to the number of representatives shown in the statement required by subsection (a) of this section, no state to receive less than one member. It shall be the duty of the Clerk of the House of Representatives, within 15 calendar days after the receipt of such statement, to send to the executive of each state a certificate of the number of representatives to which such state is entitled under this section. In case of a vacancy in the office of clerk, or of his absence or inability to discharge this duty, then such duty shall devolve upon the Sergeant-at-arms of the House of Representatives; and in case of vacancies in the offices of both Clerk and Sergeant-at-arms, or the absence or inability of both to act, such duty shall devolve upon the Doorkeeper of the House of Representatives."

Under this section, the President's statement of the number of representatives to which each state would be entitled under an apportionment based on the Seventeenth Decennial Census will be delivered to the Eighty-second Congress within a week after it convenes in 1951. This date will probably be within one week after January 3, 1951, as Congress customarily convenes on that date in accordance with the provisions of the Twentieth Amendment to the Constitution. Each state will then be notified within 15 days of the number of Representatives to which it will be entitled in the Eighty-third Congress which will convene in 1953.

We have been unable to find any express direction in either the Constitution or laws of this State as to when the re-formation of congressional districts shall be made. Section 27 of Article IV of our State Constitution prescribes how congressional districts shall be formed but it does not specify when. Presumably, however, the re-formation of congressional districts will be made by the Legislature during the 1951 General Session at the same time that the re-formation of senatorial and assembly districts is made.

In the event that congressional districts are not reformed in 1951, the election of Representatives will be governed by subsection (c) of Section 2a, United States Code, which provides

> "(c) Until a state is redistricted in the manner provided by the law thereof after any apportionment, the Representatives to which such state is entitled under such apportionment shall be elected in the following manner: (1) If there is no change in the number of Representatives, they shall be elected from the districts then prescribed by the law of such state, and if any of them are elected from the state at large they shall continue to be so elected; (2) if there is an increase in the number of Representatives, such additional Representative or Representatives shall be elected from the state at large and the other Representatives from the districts then prescribed by the law of such state; (3) if there is a decrease in the number of Representatives but the number of districts in such state is equal to such decreased number of Representatives, they shall be elected

from the districts then prescribed by the law of such state; (4) if there is a decrease in the number of Representatives but the number of districts in such state is less than such number of Representatives, the number of Representatives by which such number of districts is exceeded shall be elected from the state at large and the other Representatives from the districts then prescribed by the law of such state; or (5) if there is a decrease in the number of Representatives and the number of districts in such state exceeds such decreased number of Representatives, they shall be elected from the state at large."

We therefore conclude that reapportionment will not operate to deprive any Representative of his office prior to the expiration of his term and that it will become effective in 1952 with the election of Representatives who will take office in 1953.

Members of the Legislature. Terms of office of Members of the Legislature are prescribed in Article IV of our State Constitution which provides that the term of office is four years for Senators (Sec. 4) and two years for Assemblymen (Sec. 3). These terms are not shortened by a re-formation of the districts (*People* v. *Markham* (1892), 96 Cal. 262 and *People* v. *Pendegast* (1892), 96 Cal 289).

As far as the re-formation of senatorial and assembly districts is concerned, Section 6 of Article IV of our State Constitution provides in part:

"* * * The Census taken under the direction of the Congress of the United States in the year 1920, and every 10 years thereafter, shall be the basis of fixing and adjusting the legislative districts; and the Legislature shall, at its first regular session following the adoption of this section and thereafter at the first regular session following each Decennial Federal Census, adjust such districts, and reapportion the representation * * *."

Since the Decennial Census will be completed in 1950 the legislative districts will be re-formed by the Legislature during the 1951 General Session The re-formed districts will thus serve as the basis for the election of Senators and Assemblymen at the 1952 Primary and General Elections. Since the terms of only half of the Senators expire in 1952, the remaining half will be elected on the basis of the re-formed districts in 1954 and will take office in 1955.

Question No. 2

What happens when a district bearing a certain number is re-formed in an entirely new area? Does the legislator or representative from that district continue to represent the people in the old area or does he now represent the people in the district as re-formed?

Opinion and Analysis

We have already concluded that reapportionment will become effective with the election in 1952 of officers who will take office in 1953 Since all of the Congressmen and Assemblymen and one-half of the Senators will be elected in 1952 the problem will only exist with respect to those Senators who are elected in 1950, for a four-year term which expires in 1954. We believe that such Senators will continue to represent the people from the district in which they were elected. In *People* v. *Pendegast*, 96 Cal. 289, which involved the reapportionment following the 1890 Census, the court referred to this problem on page 294 where it stated:

"* * * In counties formerly in even but now in odd numbered districts, the voters will participate in the choice of Senators at this election, notwithstanding the Senators for whom they voted two years ago in their old districts hold over for two years longer. In other words, they will have double their fair and equal representatation in the Senate; while the voters in counties, like Yolo, which have been transferred from odd to even numbered districts will have no opportunity of participating in the choice of Senators at this election, notwithstanding the terms of the Senators chosen by them four years ago will have expired In other words, such counties will be deprived of their fair and equal share of representation in the Senate.

"Undoubtedly these are inconvenient and deplorable results, but it must be assumed that they were foreseen and deliberately accepted by the framers of the Constitution * * *"

Question No. 3

Will Congressmen and Members of the Legislature be eligible to run as incumbents at the first election following the re-formation of the districts?

Opinion

It is our opinion that an incumbent Congressman or Member of the Legislature cannot run as an incumbent unless the district in which he is running bears the same number as the district from which he was last elected.

Analysis

Section 6 of Article IV of our State Constitution provides in part that "each senatorial district shall choose one Senator and each assembly district shall choose one Member of Assembly." Therefore the office which each Senator and Assemblyman holds is that of Senator or Assemblyman from the district which elected him. The same principle applies to Congressmen (Cal. Const., Art. IV, Sec. 27 and Elec. C., Sec. 10500).

Section 3819 of the Elections Code, which governs the designation which appears under a candidate's name on the ballot provides that the word "incumbent" may be used only if the candidate is a candidate for the same office which he then holds. We therefore conclude that an incumbent Congressman or Member of the Legislature may use the word "incumbent" on the ballot only if he is running for re-election in a district which bears the same number as the district from which he was last elected.

This does not mean that a Congressman or Member of the Legislature who is running in a district, which because of the re-formation of districts now bears a different number, cannot have printed on the ballot the name of the office which he then holds since Section 3819 gives such a candidate the option of having one of the following designations printed on the ballot following his name:

* * * * * * *

"(a) Words designating the city, county, district or state office which the candidate then holds.

"In addition to the foregoing, Members of the Senate of the State of California may use either of the following designations: 'State Senator, _____ District, California Legislature' or 'Member of California Senate, _____ District,' or any other appropriate designation, the blanks to be filled with the appropriate district number.

"Members of the Assembly may use either of the following designations: 'Assemblyman, _____ District, California Legislature' or 'Member of the Assembly, _____ District, California Legislature,' or any other appropriate designation, the blanks to be filled with the appropriate district number.

* * * * * * *

"(c) Words designating the profession, vocation or occupation of the candidate which shall not exceed three in number. The profession, vocation or occupation so designated shall be the same as appears in the affidavit of registration of the candidate. No candidate shall assume a designation which would mislead the voters."

Very truly yours,

FRED B. WOOD
Legislative Counsel
By JOHN R. BERRETT, Deputy

OPINION No. 2681

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, October 20, 1950

Honorable Laughlin E. Waters
624 Roosevelt Building
727 West 7th Street
Los Angeles 14, California

Assembly District No. 2681

Question

DEAR MR. WATERS: You have asked whether Section 6 of Article IV of the California Constitution, relating to reapportionment of legislative districts, requires that each assembly district after the first must be geographically located southward of the district preceding it in numerical order. That is to say, for example, if a bill was introduced which would locate Assembly District No. 10 20 miles south of Assembly District No. 20, would such a bill be invalid?

Opinion

We answer your question in the negative.

With respect to the numbering of assembly districts, it is our opinion that Section 6 of Article IV requires only that such districts be numbered from 1 to 80 in numerical order, *commencing* at the northern boundary of the State and *ending* at the southern boundary. We do not believe the Constitution requires that the north to south numbering pattern must be arranged between the first and eightieth district so that *every* district must be southward of its numerical predecessor.

Analysis

Section 6 of Article IV of the California Constitution provides that the State shall be divided into 40 senatorial and 80 assembly districts each 10 years on the basis of population for the purpose of choosing Members of the Legislature. Various requirements are imposed upon the Legislature in making the decennial reapportionment. The portion of Section 6 with which we are here concerned reads as follows:

> "The senatorial districts shall be numbered from 1 to 40, inclusive, in numerical order, and the assembly districts shall be numbered from 1 to 80 in the same order, *commencing at the northern boundary of the State and ending at the southern boundary thereof.*" (Emphasis added)

To our knowledge, the above quoted part of Section 6 has never been construed by the courts.

The provisions of the Constitution are mandatory and prohibitory, unless by express words they are declared to be otherwise (Art. I, Sec 22). It is therefore clear that Assembly District No. 1 must be in the north and No. 80 in the south It does not follow, however, that a rigid geographical numbering pattern must be followed southerly from 1 to 80.

In redistricting the State in the past, the Legislature has established the policy of numbering assembly and senatorial districts in a *general* southerly direction Both Senatorial and Assembly Districts No. 1 have always been along the northern boundary of the State and Senatorial District No 40 and Assembly District No 80 have been located along the southern boundary. However, the Legislature has not in the past interpreted Section 6 of Article IV as requiring that *every* legislative district must be geographically south of its numerical predecessor. There have been many instances wherein a district located wholly or partly to the north of other districts has been given a higher number than one or more of its southerly neighbors. The present senatorial and assembly districts furnish convenient examples. Senatorial District No. 19 is wholly to the north of Senatorial Districts Nos. 16, 17, and 18, and is partly to the north of Senatorial District No. 15. The distance between No. 19 and No. 18 is well in excess of 20 miles. While no such separation occurs in the assembly districts, District 39 (Kern County) is northerly of District 38 (Ventura County). The same general situation existed under the 1931 Reapportionment.

This legislative construction is entirely reasonable, since the Constitution specifies only that the numbering must *commence* in the north and *end* in the south. No geographical numbering pattern is prescribed for achieving this result, but it naturally follows that the numbering will proceed generally southward.

We have referred to these precedents since in construing provisions of the Constitution legislative enactments have great significance. Although the Legislature cannot fix the meaning of the Constitution, and its interpretation is not controlling upon the court, where the meaning of a provision is doubtful, the contemporaneous and long standing construction thereof by the Legislature will be given great weight by the courts (*Pacific Indemnity Co.* vs. *Industrial Accident Commission*, 215 Cal. 461, 464; *Delaney* vs. *Lowery*, 25 Cal. 2d 561, 569).

Moreover, it is established that the presumption of constitutionality attaches to reapportionment acts in the same manner that it does to any other act of the Legislature, and any doubt as to the power of the Legislature to pass the particular act must result in a finding that the act is within the legislative power (*People ex rel Heffernan* vs *Carlock* (Ill.), 65 N.E. 109; *Fletcher* vs. *Ruhe* (Nev.), 52 Pac. 274; *Warson* vs. *Howell* (Wash.), 159 Pac. 777).

From all the foregoing, we conclude that the portion of Section 6 of Article IV of the California Constitution relating to the numbering of assembly districts would not be violated by a reapportionment act which located Assembly District No. 10 20 miles south of Assembly District No. 20. We believe that legal compliance with the

Constitution can be achieved if the assembly districts are numbered in a pattern which in general proceeds southerly from No. 1 in the north to No. 80 in the south.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By ROBERT G. HINSHAW, Deputy

OPINION No. 3229

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, December 11, 1950

Honorable Laughlin E. Waters
624 Roosevelt Building
727 West Seventh Street
Los Angeles 14, California

Reapportionment—No. 3229

DEAR MR. WATERS: In response to your request on the above subject, we enclose the following:

1. Our opinion considering the several specific questions propounded by you relating to assembly and congressional districts.

2. A copy of our detailed analysis of the provisions of federal and state law relating to the powers and functions of the Legislature in reapportioning the representation of the State in the Congress and Legislature.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By ROBERT G. HINSHAW, Deputy

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, December 22, 1950

Honorable Laughlin E. Waters
624 Roosevelt Building
727 West 7th Street
Los Angeles 14, California

Reapportionment—No. 3229

DEAR MR WATERS: In reference to reapportionment of the representation of the State in Congress and the Legislature, you have asked certain questions which are set forth and considered separately below.

Question 1

Are Reapportionment Bills to be handled regularly as other bills, needing only a majority vote for passage, or are there special requirements concerning the procedure to be followed in the Legislature in processing such bills–

Opinion and Analysis

We are aware of no law or rule requiring a Reapportionment Bill to be processed in a manner different from other bills and are, therefore, of the opinion that it should be handled in each house of the Legislature in all respects just as any other bill and may be passed by a majority vote in each house.

Question 2

In forming assembly districts, may a city or town be divided?

Opinion

In our opinion this question should be answered in the affirmative, with the single exception of a city which is also a county and does not contain sufficient population within itself to form two or more assembly districts.

Analysis

With respect to assembly districts, Section 6 of Article IV of the California Constitution provides in part that no county, or city and county, shall be divided unless it contains sufficient population within itself to form two or more districts. There is no such prohibition relating to cities or towns. The only area comprising

a city and county in California at the present time is San Francisco, and since it contains sufficient population within itself to form two or more assembly districts, it may be divided.

Question 3

Are there any circumstances under which an assembly district may include portions of two counties?

Opinion

We are of the opinion that this question should be answered in the negative.

Analysis

Section 6 of Article IV of the California Constitution provides in part that no portion of any county, or city and county, shall be united with any other county, or city and county, in forming any assembly district. The result of this prohibition is that while an assembly district may include several contiguous whole counties, it may not include parts of different counties under any circumstances.

Question 4

Can a congressional district be formed consisting of two and one-half counties?

Opinion

In our opinion such a district may validly be formed.

Analysis

Section 27 of Article IV of the California Constitution provides that any county, or city and county, with a population greater than the number required for one congressional district shall be formed into one or more districts, according to its population. The section further provides that any residue left after the formation of such congressional district or districts shall be attached by compact adjoining assembly districts to a contiguous county or counties to form another congressional district.

From the foregoing constitutional requirement, it is clear that a congressional district may consist of two and one-half counties. The situation would occur when it is found that a county has too many people for one congressional district, but not enough for two or more. The area remaining after forming one or more districts contained wholly within the county could then be attached to a contiguous county or counties to form another district. The area so attached might be half, or more or less than half, of the divided county, depending upon the circumstances.

An example of the operation of the above constitutional provision is found at present in the Twenty-first Congressional District. Approximately one-half of Los Angeles County is united with San Bernardino County to form the district. The lower approximate one-half of Los Angeles County comprises the Twelfth through the Twentieth Congressional Districts. If the upper half of Los Angeles County were united with Kern County as well as San Bernardino, an exact example of the situation in question would be afforded. Kern County is now, however, a part of the Tenth Congressional District.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By ROBERT G. HINSHAW, Deputy

ANALYSIS OF LAWS RELATING TO REAPPORTIONMENT—No. 2241

(COPY)

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, August 22, 1950

Analysis of Laws Relating to Reapportionment—No. 2241

Congressional Districts

The provisions of law relating to reapportionment of congressional districts are Sections 2 and 4 of Article I of the United States Constitution, Section 2 of the Fourteenth Amendment to the United States Constitution, the Federal Apportionment Act (2 U.S.C. Sec. 2a), and Section 27 of Article IV of the California Constitution.

Sections 2 and 4 of Article I of the United States Constitution and Section 2 of the Fourteenth Amendment provide that Representatives shall be apportioned among the several states according to their respective numbers, excluding Indians not taxed

The enumeration of population must be made once each 10 years. The number of Representatives can not exceed one for every 30,000 people, but each state is entitled to at least one Representative. The times, places, and manner of holding elections for Representatives is to be prescribed by each state legislature, but Congress may also make regulations relating thereto.

The House of Representatives consists of 435 members (Sections 2 and 2a of Title 2 of the United States Code). This number may be increased or decreased by act of Congress.

Section 2a of Title 2 of the United States Code provides for the time and manner of reapportionment of Representatives.

Under that section, the President will deliver to the Eighty-second Congress a statement of the number of Representatives to which each state will be entitled under an apportionment bsaed on the 1950 Census. This statement will be delivered to Congress within a week after it convenes in 1951. This date will probably be within one week after January 3, 1951, as Congress customarily convenes on January 3rd in accordance with the provisions of the Twentieth Amendment to the Federal Constitution. The governor of each state will then be notified within 15 days of the number of Representatives to which that state will be entitled in the 83rd Congress which will convene in 1953.

We have been unable to find any express direction in either the Constitution or laws of this State as to when the re-formation of congressional districts shall be made. Section 27 of Article IV of our Constitution prescribes how congressional districts shall be formed but it does not specify when. Presumably, however, the re-formation of congressional districts will be made by the Legislature during the 1951 General Session at the same time that the re-formation of senatorial and assembly districts takes place, since Section 10500 of the Elections Code provides that one Representative shall be elected for each congressional district at each general election and makes no provision for the election of Representatives at large.

Section 27 of Article IV of our Constitution which governs the formation of congressional districts provides:

1. When a congressional district is composed of two or more counties, it shall not be separated by a county belonging to another district.

2. No county, or city and county, shall be devided in forming a congressional district so as to attach one portion of a county, or city and county, to another county, or city and county, except in cases where one county, or city and county, has more population than the ratio required for one or more Congressmen.

3. The Legislature may divide any county, or city and county, into as many congressional districts as it may be entitled to by law.

4. Any county, or city and county, with a population greater than the number required for one congressional district shall be formed into one or more districts according to its population. Any residue left after the formation of such congressional district or districts, shall be attached by compact adjoining assembly districts, to a contiguous county or counties, to form another congressional district.

5. In dividing a county, or city and county, into congressional districts, no assembly district shall be divided so as to form a part of more than one congressional district.

6. Every congressional district shall be composed of compact contiguous assembly districts.

Until the congressional districts are re-formed after the reapportionment, the election of Representatives will be governed by subsection (c) of Section 2a, of Title 2 of the United States Code, which provides in part:

"(1) If there is no change in the number of Representatives, they shall be elected from the districts then prescribed by the law of such state, and if any of them are elected from the state at large they shall continue to be so elected;

(2) if there is an increase in the number of Representatives, such additional Representative or Representatives shall be elected from the state at large and the other Representatives from the districts then prescribed by the law of such state;

(3) if there is a decrease in the number of Representatives but the number of districts in such state is equal to such decreased number of Representatives, they shall be elected from the districts then prescribed by the law of such state;

(4) if there is a decrease in the number of Representatives but the number of districts in such state is less than such number of Representatives, the number of Representatives by which such number of districts is exceeded shall be elected

from the state at large and the other Representatives from the districts then prescribed by the law of such state; or

(5) if there is a decrease in the number of Representatives and the number of districts in such state exceeds such decreased number of Representatives, they shall be elected from the state at large."

The present division of the state into congressional districts is made by Section 470 of the Government Code.

Senatorial and Assembly Districts

Section 6 of Article IV of our State Constitution governs the formation of senatorial and assembly districts.

Under that section, the Legislature will adjust the districts and reapportion the representation at the 1951 Regular Session of the Legislature. The 1950 Federal Census will serve as the basis for such adjustment. In making such adjustments no persons who are not eligible to become citizens of the United States under the naturalization laws, shall be counted as forming a part of the population of any district.

In the event that the Legislature fails to adjust the districts at the 1951 Regular Session, a Reapportionment Commission, consisting of the Lieutenant Governor (Chairman), the Attorney General, the State Controller, the Secretary of State, and the State Superintendent of Public Instruction, will forthwith make the adjustment, subject, however, to the same provisions of referendum as apply to acts of the Legislature.

A. *Senatorial Districts.* With particular reference to senatorial districts, Section 6 of Article IV provides:

1. The State shall be divided into 40 senatorial districts.
2. The senatorial districts shall be composed of contiguous territory.
3. Each senatorial district shall choose one senator.
4. The senatorial districts shall be numbered from 1 to 40, inclusive, in numerical order, commencing at the northern and ending at the southern boundary of the State.
5. In the formation of senatorial districts no county, or city and county, shall be divided, nor shall a part of any county, or city and county, be united with any other county, or city and county.
6. No county, or city and county, shall contain more than one senatorial district.
7. The counties of small population shall be grouped in senatorial districts of not to exceed three counties in any one district.

The present division of the State into senatorial districts is made by Section 480 of the Government Code.

B. *Assembly Districts.* With particular reference to assembly districts, Section 6 of Article IV provides:

1. The State shall be divided into 80 assembly districts.
2. The assembly districts shall be composed of contiguous territory.
3. Each assembly district shall choose one member of assembly.
4. The assembly districts shall be numbered from 1 to 80, inclusive, in numerical order, commencing at the northern and ending at the southern boundary of the State.
5. Assembly districts shall be as nearly equal in population as may be.
6. In the formation of assembly districts no county, or city and county, shall be divided unless it contains sufficient population within itself to form two or more districts.
7. No part of any county, or city and county, shall be united with any other county, or city and county, in forming any assembly district.

The present division of the State into assembly districts is made by Section 491 of the Government Code.

RALPH N. KLEPS
Legislative Counsel
By ROBERT G. HINSHAW, Deputy

OPINION No. 3412

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, December 27, 1950

Honorable Laughlin E. Waters
624 Roosevelt Building
727 West Seventh Street
Los Angeles 14, California

Reapportionment—No. 3412

DEAR MR. WATERS: You ask whether a reapportionment bill would be subject to the referendum

In our opinion it would.

Section 1 of Article IV of the California Constitution provides, with certain exceptions not here applicable, that no act passed by the Legislature shall go into effect until 90 days after the final adjournment of the session of the Legislature which passed it. The section also sets out the method by which the people may act on such a measure in an election if a petition is filed within the 90-day period We see no reason why these provisions are not applicable to a reapportionment act as well as to other acts.

The constitution preserves the referendum right of the people even in the event that the Legislature should fail to reapportion and the reapportionment is made by the Reapportionment Commission provided for in Section 6 of Article IV. The section specifically provides that in such an event the reapportionment shall be effective the same as if made by act of the Legislature and subject to the same provisions of referendum as apply to acts of the Legislature.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By ROBERT G. HINSHAW, Deputy

OPINION No. 3370

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, December 27, 1950

Honorable Laughlin E. Waters
624 Roosevelt Building
727 West Seventh Street
Los Angeles 14, California

Reapportionment—No. 3370

DEAR MR. WATERS:

Question

You have asked the following question concerning the formation of congressional districts by the Legislature:

"In the formation of congressional districts, under what circumstances may the Legislature divide counties and assembly districts in order to secure the proper congressional district?

"For example, the Twenty-first Congressional District presently consists of one county and one assembly district in another county. Could the Legislature take only a portion of the county and a portion of the assembly district in an effort to carve out a proper congressional district? In another example, the Second Congressional District consists of a number of counties in one assembly district and then includes the County of Tehama from another assembly district. Could the Legislature in the formation of a congressional district take only half of Tehama County, for example, and include it with the other counties, Tehama not being a complete assembly district?"

Opinion

In our opinion, the Legislature may divide any county which has a population greater than that necessary for one or more Congressmen. Any residue of population left after the formation of one or more congressional districts within a county must be attached by compact adjoining assembly districts to a contiguous county or counties to form another congressional district.

In dividing a county into two or more congressional districts, the Legislature may not also divide an assembly district so that it will form a part of more than one congressional district. We are of the opinion, however, that an assembly district may be divided so as to form a part of more than one congressional district if the division is made at county boundary lines, so that there will not also be a dividing of any county in the formation of that particular district.

With respect to the two specific questions posed by way of illustration, we answer each in the negative.

Analysis

Section 27 of Article IV of the California Constitution governs the formation of congressional districts. It reads as follows:

> "When a congressional district shall be composed of two or more counties, it shall not be separated by any county belonging to another district. No county, or city and county, shall be divided in forming a congressional district so as to attach one portion of a county, or city and county, to another county, or city and county, except in cases where one county, or city and county, has more population than the ratio required for one or more Congressmen; but the Legislature may divide any county, or city and county, into as many congressional districts as it may be entitled to by law. Any county, or city and county, containing a population greater than the number required for one congressional district shall be formed into one or more congressional districts, according to the population thereof, and any residue, after forming such district or districts, shall be attached by compact adjoining assembly districts, to a contiguous county or counties, and form a congressional district. In dividing a county, or city and county, into congressional districts no assembly district shall be divided so as to form a part of more than one congressional district, and every such congressional district shall be composed of compact contiguous assembly districts."

From the above-quoted provision of the Constitution it is clear that any county may be divided which contains enough people to form more than one congressional district, and that any residue of population left over after forming one or more districts within the county must be formed into another district with population from one or more contiguous counties. It is equally clear (from the last sentence of the above-quoted section) that *in the process of dividing* a county into congressional districts, no assembly district may be divided so as to form a part of more than one congressional district.

It does not follow, however, that the Legislature is prohibited from dividing assembly districts in the formation of a congressional district composed of one or more entire counties. The Constitution contains no express prohibition against such a procedure and we can see no reason for implying a prohibition in such a case. The present Second Congressional District furnishes an example of the situation in question. In the formation of this district, the Legislature grouped together 17 entire counties comprising the Second and Sixth Assembly Districts and one county (Tehama) from the Third Assembly District. The remaining three counties comprising the Third Assembly District serve as further examples, since two of them (Glen and Colusa) were placed in the First Congressional District and the other (Yolo) was placed in the Third Congressional District.

We turn now to your specific question with respect to the present Twenty-first Congressional District. This district consists of all of San Bernardino County and one entire assembly district in Los Angeles County. You ask whether a new congressional district could be formed by combining only a portion of San Bernardino County with a portion of the assembly district. We do not believe so. To do this would require dividing an assembly district and a county, and the Constitution, as pointed out above, prohibits the formation of a congressional district which divides both a county and an assembly district.

This problem would not arise, however, if the Legislature should first redistrict the portion of the present assembly district in Los Angeles County with which you are concerned into a separate assembly district which could then be attached in its entirety to a portion of San Bernardino County to form a valid congressional district.

Your second specific question concerns the present Second Congressional District. In this district as it is now constituted, Tehama County is combined with 17 other counties which comprise all of the Second and Sixth Assembly Districts. Tehama County is a part of the Third Assembly District. You ask whether this congressional district could be reformed by putting half of Tehama County in another congressional

district. We do not believe so. This would require dividing Tehama County so as to attach one portion of it to one county or counties and another portion of it to another county or counties. Such a division is specifically prohibited by the second sentence of Section 27 of Article IV of the Constitution, quoted above, unless a county has more population than required for one or more Congressmen. Neither Tehama County nor any county contiguous to it apparently has sufficient population to cause it to fall within the exception.

Here, also, the objection would arise that in dividing Tehama County into two congressional districts, an assembly district would be divided.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By ROBERT G. HINSHAW, Deputy

OPINION No. 5610

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 14, CALIFORNIA, February 21, 1951

Honorable Laughlin E. Waters
624 Roosevelt Building
772 West 7th Street
Los Angeles 14, California

Reapportionment—No. 5610

DEAR MR. WATERS:

Facts

The eastern boundary of County A is the western boundary of County B. Assembly District A-1 in County A is contiguous to Assembly District B-1 in County B. Assembly District A-2 in County A is contiguous to Assembly District B-2 in County B.

The diagram following illustrates the situation in question as described above.

COUNTY A COUNTY B

A-1	B-1
A-2	B-2

Question

Can two valid congressional districts be formed, one to consist of Assembly Districts A-1 and B-1, and the other of A-2 and B-2?

Opinion

In our opinion, the answer is negative.

Analysis

With respect to the formation of congressional districts, Section 27 of Article IV of the California Constitution provides in part as follows:

> "No county, or city and county, shall be divided in forming a congressional district so as to attach one portion of a county, or city and county, to another county, or city and county, except in cases where one county, or city and county, has more population than the ratio required for one or more congressmen; * * *."

The section also provides that if after formation of one or more congressional districts within a county, a residue of population remains, such residue may be attached by compact adjoining assembly districts to a contiguous county or counties to form another congressional district.

From the foregoing it appears clear that the formation of two congressional districts as contemplated by the fact situation presented would be unconstitutional as violative of the above-quoted portion of Section 27 of Article IV of the California Constitution, since no portion of either County A or County B is formed into an entire

congressional district within either county, but rather each county is divided in the formation of both such congressional districts.

It should be noted, however, that if, for example, Assembly District A-1 contained sufficient population to form a congressional district, then the residue of population in A-2 could be attached to B-2 to form another congressional district.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By ROBERT G. HINSHAW, Deputy

OPINION No. 5774

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, March 7, 1951

Honorable Laughlin E. Waters
Assembly Chamber

Reapportionment—No. 5774

DEAR MR. WATERS: You have asked the following four questions relating to reapportionment of congressional districts.

Questions

1. What is the authority for the Legislature to reapportion congressional districts?

2 Is there any provision in the California or United States Constitutions which would *require* the California Legislature to reapportion congressional districts at this session?

3. How would the new Congressmen to which California will be entitled under the 1950 Census figures be elected if the Legislature does not reapportion the congressional districts at this session or before the next congressional elections?

4. In the event the Legislature fails to reapportion the congressional districts at this session, would the Reapportionment Commission be authorized to do so?

Opinion

In our opinion:

1. The California Legislature is authorized to reapportion congressional districts at this session by the provisions of Sections 2 and 4 of Article I of the United States Constitution, Section 2 of the Fourteenth Amendment to the United States Constitution, the Federal Apportionment Act (2 U. S. C., Sec. 2a), and Section 27 of Article IV of the California Constitution.

2. Although authorized, the Legislature is not required to reapportion congressional districts at this session Reapportionment of congressional districts may be made at any subsequent session of the Legislature prior to the next Decennial Federal Census, or not at all, as the Legislature chooses

3. The new Congressmen would be elected by the State at large.

4. The Reapportionment Commission would have no authority with respect to congressional districts.

Analysis

Sections 2 and 4 of Article I of the United States Constitution and Section 2 of the Fourteenth amendment thereto provide that Representatives shall be apportioned among the several states according to their respective numbers excluding Indians not taxed. The number of Representatives cannot exceed one for every 30,000 people but each state is entitled to at least one representative The times, places, and manner of holding elections for Representatives is to be prescribed by each State Legislature, but Congress may also make regulations relating thereto.

Section 2a of Title 2 of the United States Code provides for the time and manner for the reapportionment of Representatives in Congress This section provides the means by which Congress determines the number of Representatives to which each state is entitled based upon the population as established by the 1950 Federal Census It has been estimated that California will be entitled to approximately seven additional seats in Congress. There is nothing in this section, or in any other provision of federal law of which we are aware, which prescribes the times, places, or manner of holding elections of Congressmen within the several states Consequently, the task of providing places within this State from which additional Congressmen will be elected is left to the Legislature.

We have been unable to find any express prescription in either the Constitution or laws of this State as to when the re-formation of congressional districts shall be made. Section 27 of Article IV of the California Constitution prescribes how congressional districts shall be formed but it does not specify when. Presumably, however, the re-formation of congressional districts will be made by the Legislature during this session at the same time as the re-formation of senatorial and assembly districts takes place.

Should the Legislature not reapportion the congressional districts and provide new districts from which the new Congressmen may be elected, the provisions of subsection (c) of Section 2a, of Title 2 of the United States code, will come into operation to provide a method of electing the new Congressmen until such time as the California Legislature acts to establish new districts Subdivision (2) of subsection (c) of Section 2a, of Title 2 of the United States Code, provides as follows:

"(2) If there is an increase in the number of Representatives, such additional Representative or Representatives shall be elected from the State at large and the other Representatives from the districts then prescribed by the law of such state;"

If the reapportionment of congressional districts is made by the Legislature at this session this provision of federal law will not become operative in so far as California is concerned. Should the Legislature not reapportion such districts at this session, the new Congressmen will be elected at large at each election until such time as redistricting by the Legislature take splace. No provision is made for any other agency to reapportion the congressional districts of California should the Legislature fail to do so. The Reapportionment Commission which is provided for in Section 6 of Article IV of the California Constitution will reapportion the senatorial and assembly districts should the Legislature fail so to do at this session. This commission has no authority over congressional districts.

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By ROBERT G. HINSHAW, Deputy

OPINION No. 5177

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, March 9, 1951

Honorable Laughlin E. Waters
Assembly Chamber

Reapportionment—No. 5177

DEAR MR. WATERS. You have asked three questions relating to reapportionment of assembly and congressional districts which are set forth and considered separately below.

Question

Is the Legislature prohibited from reapportioning assembly and congressional districts more than once following each Decennial Federal Census?

Opinion

It is established case law in California that the Legislature may reapportion assembly districts but once following each Decennial Federal Census.

Whether or not this rule applies to congressional districts has never been established by the California courts. We are of the opinion, however, that the rule would probably also be applied to congressional districts, resulting in a holding that the legislative power to reform congressional districts can be exercised but once after each Census.

Analysis

In fixing and readjusting the boundaries of assembly districts, the Legislature acts pursuant to the provisions of Section 6 of Article IV of the California Constitution. The section provides in part as follows:

"The Census taken under the direction of the Congress of the United States in the year 1920 and every 10 years thereafter, shall be the basis of fixing and adjusting the legislative districts; and the Legislature shall, at its first regular session following the adoption of this section and thereafter at the first regular session following each Decennial Federal Census, adjust such districts, and reapportion the representation * * *."

In the cases of *Wheeler* vs. *Herbert* (152 Cal. 224) and *Dowell* vs. *McLees* (199 Cal 144) the California Supreme Court held that the provisions of Section 6 of Article IV, being mandatory and prohibitory, prohibit the Legislature from forming assembly districts more than once during the period between one United States Census and the succeeding one.

We have found only one case which has considered the same problem with respect to congressional districts. This was a case in the State of New York in 1918, which is discussed below, holding that more than one reapportionment of congressional districts each 10 years is valid

The provisions of law relating to reapportionment of congressional districts are Sections 2 and 4 of Article I of the United States Constitution, Section 2 of the Fourteenth Amendment to the United States Constitution, the Federal Apportionment Act (2 U. S. C. Sec 2a), and Section 27 of Article IV of the California Constitution

The federal laws referred to above require the President to inform Congress after each Census of the number of Representatives in Congress to which each state is entitled based upon the populations of each as determined by the Census. The Clerk of the House of Representatives then notifies the governor of each state of the number of Representatives to which it is entitled. This procedure has occurred.

The places within each state from which the various Representatives to which it may be entitled are elected are determined by the state legislatures (Art. I, Sec. 4, U. S. Constitution).

Section 27 of Article IV of the California Constitution is the only California law which relates to the reapportionment of congressional districts. That section specifies the geographical limitations on the formation of congressional districts, but it contains nothing specifying when or how often a re-formation of such districts shall take place.

Therefore, we are aware of nothing in the federal or California law which specifies when the reapportionment of congressional districts must be made. Presumably, it will be made by the Legislature during the present session, although there appears to be no requirement that it be made at this session.

The specific language of Section 6 of Article IV of the California Constitution (quoted above) which specifies when the reapportionment of assembly and senatorial districts shall be made, plus the provisions in the section establishing a Reapportionment Commission to act in the event the Legislature fails to do so in the first session following the Census, are absent from, and have no application to, the provisions of Section 27 of Article IV, which specifies the manner in which congressional districts shall be formed.

It was the restrictive language of Section 6 of Article IV upon which the Supreme Court based its holdings in the *Wheeler* and *Dowell* cases. Although this express language is absent from the provisions relating to congressional districts, it is our opinion that the federal laws relating to reapportionment impliedly prohibit the state legislatures form re-defining the boundaries of the congressional districts therein more often than once each 10 years.

The fundamental basis of the readjustment of the representation in the United States House of Representatives is the population of the states as determined each 10 years in the Census. All reapportionment is based upon these population figures, and these figures remain the basis for legislative and congressional representation for the next 10 years.

Pursuant to its powers under Section 4 of Article I of the United States Constitution, by which it is given the power to make laws relating to the time, places, and manner of election of Representatives, the Congress has enacted from time to time various statutes relating to reapportionment of congressional districts within the states. Section 2a of Title 2 of the United States Code (known as the Permanent Reapportionment Act) presently provides the method of election of Congressmen in each state after a Federal Decennial Census and *until* the state has redefined the boundaries of the congressional districts therein. The fact that the Census is the basis of all reapportionment, that it occurs only once in each 10 years, and that the Peramnent Reapportionment Act provides for the manner of electing Congressmen after each Census and *until* the states are redistricted after each Census, raises a strong implication in our opinion that redistricting is to occur only once, if at all, in each state following each Census. It is difficult to perceive upon what valid premise a state legislature could base a second redistricting, since the official population figures upon which the first would be based would remain the same until the next Decennial Federal Census.

Consequently, we believe it to be probable that the California Supreme Court would reach the same result with respect to congressional districts as it did with regard to assembly and senatorial districts in the *Wheeler* and *Dowell* cases, but upon the

grounds of the implied restriction in the federal law rather than upon any specific provision of the California Constitution.

An opposite holding is of course possible, since no specific prohibition exists.

The Court of Appeals of New York, in the case of *People vs Voorhis* (119 N E. 106), decided in 1918, found nothing express or implied in the law to prohibit the New York Legislature from partially redistricting the congressional districts of the state by statute in 1917 when an entire reapportionment of congressional districts had been made by statute in 1911, based upon the 1910 Census. The court held that the power of the New York Legislature under federal law was not exhausted when it reapportioned in 1911 and that it had a continuing duty to maintain the congressional districts in such a from that they contain as nearly as practicable an equal population. This was at that time a requirement of federal law. There is no longer such a federal requirement.

Concerning the federal law at that time, the New York court stated (at p. 108):

> "The language used in the congressional act indicates as clearly as anything can that Congress in its enactment took into consideration the fact that after a state had once been divided into congressional districts, by reason of shifting population, it might, from time to time, become necessary to redistrict it in order fully to comply with the intent and purpose of the act"

There were two dissenting opinions in the case which pointed out that the theory of reapportionment with every shift in population from year to year did not appear to be contained in either the Federal Constitution or Laws, but that to the contrary the Constitution and federal law appeared to contemplate but one reapportionment based upon the population as ascertained by the Census each 10 years, and that there was no machinery provided for determining population for the purpose of reapportionment more than each 10 years.

We are inclined to believe that the California Supreme Court would reason along the lines of the dissenting opinions of the New York case. Furthermore, there is no longer a requirement in the federal law that congressional districts be as nearly equal in population as possible. We, therefore, conclude that the court would probably hold that congressional districts, like assembly districts, may be reformed but once each 10 years.

We do not believe, however, that such a ruling would prevent the Legislature from amending a reapportionment law at a later date to correct technical defects to errors which might appear in the legal description of boundaries.

Question 2

If a congressional or assembly district is abolished and reconstituted in another area, the new district being given the same number as the abolished district, can the incumbent of the old district (assuming he meets all the residential qualifications of the new district) run on the ballot as the "incumbent" of the new district?

Opinion and Analysis

In our opinion this question should be answered in the affirmative.

Section 6 of Article IV of our State Constitution provides in part that "each assembly district shall choose one Member of Assembly." Therefore, the office which each Assemblyman holds is that of Assemblyman from the district which elected him. The same principle applies to Congressmen (Calif. Const., Art. IV, Sec. 27 and Elec. C. Sec. 10500).

Section 3819 of the Elections Code, which governs the designation which appears under a candidate's name on any ballot provides that the word "incumbent" may be used only if the candidate is a candidate for the same office which he then holds. We, therefore, conclude that an incumbent Congressman or Member of the Legislature may use the word "incumbent" on the ballot only if he is running for re-election in a district which bears the same number as the district from which he was last elected.

Question 3

Where two assembly or congressional districts are consolidated into one, may both of the incumbents of the old districts run in the new district on the ballot as "incumbents"?

Opinion and Analysis

We believe this question should be answered in the negative.

As pointed out above in the analysis of Question No. 2, we believe that an incumbent Congressman or Member of the Legislature may use the word "incumbent" on the ballot only if he is running for re-election in a district which bears the same number as the district from which he was last elected. Under the facts presented by

this question, it would be impossible for one or the other of the incumbents to comply with this requirement, since the new district could not have the same number as both the old districts which it replaced.

This does not mean, however, that a Congressman or Assemblyman who is running in a district, which because of the reformation bears a different number, cannot have printed on the ballot the name of the office which he then holds, since Section 3819 of the Elections Code gives candidates the option of having one of the following designations printed on the ballot following his name:

"* * *

"Members of the Assembly may use either of the following designations: 'Assemblyman, _____ District, California Legislature' or 'Member of the Assembly, _____ District, California Legislature,' or any other appropriate designation, the blanks to be filled with the appropriate district number.

"* * *

"Words designating the profession, vocation or occupation of the candidate which shall not exceed three in number * * *"

Pursuant to the above-quoted provisions, an incumbent Assemblyman who is running in a district with a different number than the district of which he is an incumbent may have the fact that he is an Assemblyman from a given numbered district printed on the ballot. An incumbent Congressman could state his occupation as "Member of Congress," "Representative in Congress," or with other appropriate language, not exceeding three words.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By ROBERT G. HINSHAW, Deputy

OPINION No. 5553

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, March 12, 1951

Honorable Laughlin E. Waters
Assembly Chamber

Reapportionment—No. 5553

DEAR MR. WATERS: You have asked three questions relating to the effects of reapportionment which are set forth and discussed separately below:

Question No. 1

In the elections of 1952 which districts will be used? That is, will the elections be held in the new districts adopted at this session or not?

Opinion

In our opinion the elections held in 1952 will be held in the new districts adopted at this session of the Legislature.

Analysis

Reapportionment statutes enacted at this session will become effective 90 days after final adjournment of the Legislature. The new districts will come into existence at that time.

Representatives in Congress are elected for a term of two years (U. S. Const., Art. I, Sec. 2, Cl. 1). They are chosen in even-numbered years (Title 2, U.S.C., Sec. 7) and take office on January 3 in odd-numbered years (U. S. Const., Amend XX).

Accordingly, the new congressional districts will begin to operate with the election in 1952 of representatives who will take office in 1953.

Terms of office of members of the Legislature are prescribed in Article IV of the California Constitution which provides that the term of office is four years for Senators (Sec. 4) and two years for Assemblymen (Sec. 3). The re-formed districts will thus serve as the basis for the election of Senators and Assemblymen at the 1952 primary and general elections. Since the terms of only half of the Senators expire in 1952, the remaining half will be elected on the basis of the re-formed districts in 1954 and will take office in 1955.

Question No. 2

What districts should be used for the purpose of special elections to fill vacancies occurring prior to the 1952 elections for Congressmen, Assemblymen, and State Senators?

Opinion and Analysis

In our opinion a special election to fill a vacant congressional or State legislative seat should be held in the district as it existed at the time of election of the person who has vacated the office. It was so decided by the California Supreme Court with respect to a congressional vacancy in the case of *Sloan* v. *Donoghue*, 20 Cal. 2d 607.

We see no reason why this same rule should not be applied in the case of Assembly and senatorial seats.

Question No. 3

How are the number of delegates to the party national conventions determined?

Opinion

The number of delegates to the party national conventions are determined by the national rules of each political party.

Analysis

Section 2050 of the Elections Code provides that the chairman of the state central committee of each political party qualified to participate in the presidential primary shall notify the Secretary of State on or before the first day in March immediately preceding the presidential primary as to the number of delegates to represent the State in the next national convention of the party.

Section 2052 provides that if a chairman of a state central committee fails to file a notice of the number of delegates, the Secretary of State shall ascertain the number from the call for the national convention issued by the national committee of the party. Section 2053 requires the Secretary of State in turn to notify the county clerks of the number of delegates to be elected by each political party.

The method by which the national committee of each party determines the number of delegates to its national convention to which each state is entitled is a matter of rule of the particular party, rather than a matter of law.

The national rules of the Democratic Party provide that in the Democratic convention each state is entitled to twice as many delegates as it has presidential electors, plus two delegates at large if it went democratic at the last presidential election

The rules of the Republican Party provide that each state is entitled to four delegates at large; two for each Congressman at large; one for each congressional district having cast at least 1,000 Republican votes, and an additional one if it cast 10,000 Republican votes; and a bonus of three delegates at large if it went Republican at the last presidential election or if it later elected a Republican United States Senator

California is entitled to seven new Congressmen under the reapportionment based upon the 1950 federal census. Accordingly, the State is also entitled to seven additional presidential electors (U. S Const., Art. II, Sec 1).

It would appear, therefore, that the State is entitled to seven new delegates at the next Democratic national convention, pursuant to the present rules of that party

Under the rules of the Republican Party, however, it would appear that California will have no additional delegates to the national convention based upon the number of additional Congressmen to which the State is entitled, since it will be impossible to determine how many new delegates should be authorized until the number of votes in the new congressional districts (which we assume will be formed at this session for the purpose of the 1952 elections) is established. This cannot be ascertained until after the 1952 elections, which will occur subsequent to the national convention. Accordingly, as we interpret the rules of the Republican Party, the number of delegates to the national convention from California will be determined on the basis of the congressional districts of California as they existed before the reapportionment, unless such rules are amended to provide otherwise.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By ROBERT G. HINSHAW, Deputy

OPINION No. 5810

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, March 12, 1951

Hon. George J. Hatfield
Senate Chamber

Reapportionment—No. 5810

DEAR SENATOR HATFIELD: You have asked whether Congress has the authority to place restrictions on the manner in which a state is divided into congressional districts

In our opinion it has.

Section 4 of Article I of the United States Constitution provides in part as follows:

> "The times, places, and manner of holding elections for Senators and Representatives, shall be prescribed in each state by the Legislature thereof; but the Congress *may at any time by law make or alter such regulations, except as* to the places of choosing Senators."

It is well established by decisions of the United States Supreme Court that the above-quoted constitutional provision gives Congress general supervisory power over the subject of elections of Representatives in Congress, including the manner in which a state is divided into congressional districts (*Smiley* v. *Holm*, 285 U. S. 355; *Ex parte Siebold*, 100 U. S 371; *Ex parte Yarbrough*, 110 U. S. 651).

From time to time there have existed requirements in the federal law that congressional districts be as nearly equal as possible in population. There is no such federal law at the present time (*Wood* v. *Broom*, 287 U. S. 1; *Colegrove* v. *Green*, 328 U. S. 549).

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By ROBERT G. HINSHAW, Deputy

OPINION No. 5772

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, March 12, 1951

Honorable Laughlin E Waters
Assembly Chamber

Reapportionment—No. 5772

DEAR MR WATERS.

Question

• You have asked whether reapportionment of Congressional and Assembly districts in California must be based upon the federal census figures, and if so, may the Legislature use the preliminary enumeration figures issued by the Federal Census Bureau, or must reapportionment await the final revised totals?

Opinion

In our opinion the population figures used by the Legislature in redefining the Congressional and Assembly districts must be the official census figures issued by the United States Bureau of the Census. We believe the reapportionment may be based upon the official preliminary census figures now available to the Legislature

Analysis

With respect to Assembly districts, the California Constitution provides in Section 6 of Article IV that the census taken under the direction of Congress each 10 years shall be the basis of fixing and adjusting such districts, and that the Legislature shall adjust such districts "at the first regular session following each decennial federal census."

It is clear, therefore, that the federal census figures must be the basis for adjusting Assembly districts.

It is equally clear from the provisions of the Federal Constitution relating to reapportionment (Art. I, Secs. 2 and 4; 14th Amend., Sec. 2), the federal permanent

reapportionment act (U. S. C., Tit 2. Sec. 2a), and Section 27 of Article IV of the California Constitution, that the decennial federal census is the basis for establishment of Congressional districts.

The decennial federal census is, of course, a count and enumeration of the number of people residing in the United States, and within the states and counties thereof. This count was last made in 1950, and the official enumeration by the census bureau has been made, showing the population of the various states, Congressional districts, counties and other political subdivisions The final official population count has been published by the census bureau with respect to the total United States population and the totals for the various states. Preliminary official totals for counties and various other political subdivisions have been published These figures represent the actual number of persons enumerated in each such area, but the census bureau reports that the final population totals may differ from the actual enumeration made therein by a small number because of the allocation to the place of usual residence of persons who were enumerated elsewhere, the inclusion of crews of vessels docked within an area but not included in the preliminary count, and because of other minor revisions These revisions are not expected to cause the actual enumeration totals heretofore published to vary by more than 2 percent in any area These final revised figures may not be available, it is reported, until after July 1 of this year.

We are of the opinion, therefore, that for the purposes of redefining the boundaries of Assembly and Congressional districts pursuant to federal and state law, the official figures of the census bureau heretofore published giving population totals for California counties as actually enumerated by the census bureau may be used by the Legislature, and that reapportionment bills based upon such figures would be constitutional.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By ROBERT G. HINSHAW
Deputy

OPINION No. 5852

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, March 21, 1951

Honorable Laughlin E. Waters
Assembly Chamber

Reapportionment—No. 5852

DEAR MR WATERS:

Question

You have requested our opinion as to the legally permissible variation in population among Congressional Districts and among Assembly Districts.

Opinion

It is our opinion that, there being no express federal or state limitations on the size of Congressional Districts, such districts may vary by many tens of thousands, and possibly by several hundreds of thousands in population.

With regard to Assembly Districts, we are of the opinion that considerable variation in population is permissible and that only a disparity so great in a given instance as to be patently in violation of the requirement of the California Constitution that Assembly Districts be "as nearly equal as may be," within the geographical limitations imposed by the Constitution in the formation of such districts, would be held violative of the California Constitution and invalid

Analysis

Congressional Districts

There are at present no federal constitutional or statutory restrictions on the Legislature in the formation of Congressional Districts. Furthermore, the United States Supreme Court held in 1946 that apportionment disputes are political questions and not within the jurisdiction of federal courts (*Colegrove v. Green*, 328 U. S 549). This decision will, of course, not deprive the California courts of jurisdiction to construe provisions of the California Constitution.

The limitations imposed upon the Legislature by the California Constitution in the formation of Congressional Districts are contained in Section 27 of Article IV. Although such districts are based upon population, the Constitution prescribes no minimum or maximum limitations upon the size However, the fact that the districts must be based upon population would tend to indicate that some average optimum figure is to be adopted as the ideal to be reached where possible within the geographical limitations imposed by the Constitution in the drawing of district boundaries.

Although we have no California decisions as guides, the courts of other states have considered the validity of Congressional reapportionment acts on several occasions.

The case of *Richardson* v. *McChesney* ([Ky.] 108 S. W. 322) held that the validity of an act apportioning Congressional seats was a political question. However, the Kentucky Constitution contained no restrictions of any sort upon the legislative power.

In *Brown* v. *Saunders* ([Va.] 166 S E. 105) the court construed provisions in the Virginia Constitution requiring Congressional Districts to be contiguous, compact, and as nearly as possible equal in population .The districts established by the Legislature ranged in population from 336,654 to 183,934. The court held that whether such express Constitutional limitations had been exceeded is a question for judicial determination. The act was held void on the grounds that there had been no bona fide attempt to make districts even approximately equal in population.

The above two cases are representative of the approach to apportionment litigation which is taken by the courts where there is either no restriction of any sort upon the Legislature or where there is an express restriction in the Constitution.

California has neither a complete absence of Constitutional restrictions of the Legislature in apportioning Congressional situations (as was the situation in the *Richardson* case) nor an express requirement that Congressional districts be as nearly equal in population as practicable (as was the situation in the *Brown* case).

There being no express restriction on the California Legislature with respect to population variations among congressional districts, there remains the question whether the California courts would find any restriction of this type implied in the Constitution.

Section 27 of Article IV of our Constitution provides in part:

> "No county, or city and county, shall be divided in forming a congressional district so as to attach one portion of a county, or city and county, to another county, or city and county, except in cases where one county, or city and county, has more population than the ratio required for one or more congressmen; * * *"

The words "ratio required for one or more congressmen" would seem to indicate that the Constitution contemplates some ideal average figure which will be used by the Legislature as the norm in realigning congressional districts.

In the case of *Moran* v. *Bowley* ([Ill.] 179 N.E. 526) the Illinois court said in a dictum that the 1911 congressional apportionment would be invalid because of a state constitutional requirement that elections be "free and equal" The court stated that no election could be "equal" when the districts varied in population from 541,000 to 158,000.

However, later decisions in Illinois indicate that the dictum of the *Moran* case is not followed in that state. The court noted in *Daly* v. *County of Madison* ([Ill.] 38 N. E. 2d, 160), when construing the 1940 reapportionment, that it found no limitations in the Illinois Constitution. It did not refer to the "free and equal election" provisions. The reapportionment act of 1940 was upheld on the grounds that absolute equality in population cannot be attained. The districts varied from 112,116 to 914,053 in population.

From the foregoing it will be seen that it cannot be stated with any degree of certainty that the California courts would or would not imply from the language of Section 27 of Article IV of our Constitution a requirement that congressional districts must be as nearly equal as practicable in population within the other restrictions placed upon the Legislature in drawing the lines.

It can be stated with little room for doubt, however, that even should such a restriction be implied, the permissible variation in population would run well into the tens, if not the hundreds, of thousands.

Assembly Districts

Section 6 of Article IV of the California Constitution expressly requires Assembly Districts to be "as nearly equal in population as may be"

Similar restrictions are imposed upon the legislatures of many of the other states by their constitutions.

Although we have no judicial consideration of the above provision in our own Constitution, there have been many decisions in other states construing such limitations.

The majority view is that the validity of an apportionment act so controlled by the Constitution does not involve a political question, and is therefore subject to the jurisdiction of the courts A reapportionment act carries with it a presumption of constitutionality, as does any other act of the Legislature, and it therefore will be stricken down by the courts only when it clearly appears that in the formation of any district the requirement of compactness of territory and equality of population has been wholly ignored or has not been considered or applied at all to any extent. (*People ex rel Woodyatt v. Thompson*, 40 N.E. 307; *Meighen v. Weathcrill*, 147 N.W. 105; 2 A.L.R. 1337, 1340).

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By ROBERT G. HINSHAW, Deputy

OPINION No. 5959

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, March 21, 1951

Honorable Laughlin E. Waters
Assembly Chamber

Reapportionment—No. 5959

DEAR MR WATERS:

Question

You have asked the following two questions relating to the order in which the names of candidates for Assemblyman and Congressman will be printed upon the ballot in elections held in the new assembly and congressional districts which will be established by the Legislature at this session.

1. In a new assembly district with different boundaries than the old district of the name number, in what order will the names of the candidates be printed on the ballot?

2. In a new congressional district which does not have the same number as any previous district, in what order will the names be printed?

Opinion

1. With respect to a new assembly district, the name of the incumbent will be printed first on the ballot. The incumbent will be that Member of the Assembly who is running for re-election in a district which bears the same number as the district from which he was last elected. Following the incumbent will appear the names of all other candidates in alphabetical order.

2. In a new congressional district which has a number different from that of any previous district, the names of candidates will be arranged in alphabetical order for that assembly district which is lowest in numerical order of any assembly district in which the candidates are to be voted on. Thereafter, for each succeeding assembly district in which the candidates are to be voted on, the name appearing first for that office in the last preceding district will be placed last, the order of the other names remaining unchanged.

Analysis

Section 3802 of the Elections Code provides that the name of the incumbent shall appear first upon the ballot in a list of all candidates for any office.

Section 6 of Article IV of the California Constitution provides in part that "each assembly district shall choose one Member of Assembly." Therefore, for the purpose of election, the office which each assemblyman holds is that of assemblyman from the district which elected him. The same principle applies to congressmen (Calif. Const. Art. IV, Sec. 27 and Elec. C. Sec. 10500).

Section 3819 of the Elections Code which governs the designation which appears under a candidates' name on the ballot provides that the word "incumbent" may be used only if the candidate is a candidate for the same office which he then holds. We, therefore, conclude that an incumbent congressman or Member of the Legislature may use the word "incumbent" on the ballot only if he is running for re-election in a district which bears the same number as the district from which he was last elected.

Section 3809 of the Elections Code provides that for the offices of State Senator and Assemblyman the names of all candidates other than the incumbents shall be placed on the ballot in alphabetical order.

Of course, in the seven new congressional districts to which California is entitled, there can be no incumbent. Therefore, Section 3806 of the Elections Code will control the position of the names on the ballot of all candidates in each of the new congressional districts. This section provides as follows:

"If the office is that of Representative in Congress, or is an office the candidates for nomination to which are to be voted on in more than one county, but not throughout the entire State, except the office of State Senator or Assemblyman, the Secretary of State shall arrange the names of all candidates other than incumbents for that office in alphabetical order for that assembly district which is lowest in numerical order of any Assembly district in which the candidates are to be voted on. Thereafter for each succeeding assembly district in which the candidates are to be voted on, the name appearing first for that office in the last preceding district shall be placed last, the order of the other names remaining unchanged."

Very truly yours,

RALPH N. KLEPS, Legislative Counsel
By ROBERT G. HINSHAW, Deputy

OPINION No. 5773

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, March 22, 1951

Honorable Laughlin E. Waters
Assembly Chamber

Reapportionment—No. 5773

DEAR MR. WATERS: You have asked us to define the legal nature of a State Assemblyman; that is, whether he is a state officer, constitutional officer, or otherwise, and does he represent the entire State while in the Legislature, or only a given area.

In the case of *Rich* v *Industrial Accident Commission* (Jan. 1940), 36 Cal. App. 2d 628, the question was whether a State Senator could receive an award from the Industrial Accident Commission for injuries received in an automobile accident while en route from the funeral of a deceased fellow Senator. The injured Senator had been appointed by the Lieutenant Governor to be a member of a special committee to attend the funeral on behalf of the Senate.

In setting aside the award which granted nothing to the injured Senator, the court stated:

"That members of the Legislature are considered officers of the State during their entire term of office is evidenced by certain constitutional limitations such as accepting other office, (Article IV, Section 19) and their manner of payment of salary (Article IV, Section 23)."

The California District Court of Appeal case of *Wilson* v. *Waters* (June 1941), 112 Pac. 2d 965, established that a judge of the municipal court of the City of Los Angeles was a constitutional officer of the State of California and therefore could not have his salary subject to garnishment. In that case it is stated:

"* * * Constitutional officers are persons who duly occupy by appointment or election constitutional offices * * * In addition to the foregoing authorities it is interesting to note that as early as 1897 our Supreme Court stated in *Church* v. *Colgan*, 117 Cal. 685, 687, 50 p. 12, 'There is no such office as a constitutional judge as contradistinguished from a legislative judge. Both are provided for by the constitution, and in that sense are constitutional officers.'"

American Jurisprudence, in defining constitutional offices, states as follows:

"A constitutional office is one created by the United States Constitution or by a state Constitution, as distinguished from an office created by statute, or from an office which, like that of notary public, has existed in nearly all countries for centuries. *In a certain sense, an office may be considered a constitutional office when the appointment or election thereto is provided for in the Constitution*." (Emphasis added.)

It states the following in defining State offices:

"We are concerned here with the question as to what constitutes a particular office a state office and its incumbent a state officer. *A state officer has*

been defined as one whose field for the exercise of his jurisdiction, duties, and powers is coextensive with the limits of the State, and extends to every part of it. But in a more enlarged legal sense, he is one who receives his authority under the laws of the State, and whose duties concern the State at large or the general public, even though they may be exercised in a territory not coextensive with the State. The powers reposed in a state officer have, of necessity, some connection with the legislative, judicial, or executive departments of the State Government. *The following officers, among others, have been adjudged to be state officers: a representative in the State Legislature;* a county commissioner; a member of a state board of legal examiners; a state veterinarian; a tax commissioner; a notary public; and other officers." (42 Am. Jur., Secs. 18, 20, pp. 894, 895, 896.) (Emphasis added.)

It appears, therefore, that an Assemblyman qualifies as a constitutional officer inasmuch as his office is created and limited by the Constitution; however, he also acts as a state officer since his jurisdiction, duties, and powers are coextensive with the limits of the State and extend to every part of it.

In our search to determine whether a State Assemblyman represents his district or the entire State, we can find no California cases that have adjudicated this point. However, in the Delaware case of *State* v. *Corley*, 172 A. 415, when the court was deciding whether a citizen and taxpayer was qualified to institute proceedings to compel the Lieutenant Governor to issue writs of election for the purpose of filling three vacancies alleged to exist in the State Senate, the court stated:

"While a senaor must be elected from a particular district, yet, upon his election and qualification he becomes a senator of the State of Delaware, and his acts, as such, affect the entire state."

That a State Assemblyman represents the entire State, is based on the fact that a State Constitution is an all-inclusive state document; though an Assemblyman represents his district, that is based on the practical logic of having to represent an area from which he is elected As has been established in our federal cases *McPherson* v. *Blacker*, 13 Sup. Ct. 3, 36 L. Ed. 869), the district rather than the state-at-large method of electing a congressman is merely a method of convenience for the electorate.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By HOWARD P. WELCH
Deputy

OPINION No. 6272

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, March 24, 1951

Honorable Ralph R. Cloyed
Assembly Chamber

Reapportionment—No. 6272

Question

DEAR MR. CLOYED: You have directed our attention to the composition of the Thirtieth Congressional District as proposed in Assembly Bill No 42 as amended in Assembly March 22, 1951. The Thirtieth Congressional District as proposed in the bill would consist of all that portion of the County of San Diego comprising the Seventy-eighth, Seventy-ninth and Eightieth Assembly Districts as said assembly districts are proposed in Assembly Bill No. 41 as amended in Assembly March 22, 1951. You state that it does not appear to you from the descriptions of the proposed Seventy-eighth, Seventy-ninth and Eightieth Assembly Districts contained in Assembly Bill No 41 that either the Seventy-eighth or Seventy-ninth Assembly Districts would be in geographical contact at any point with the Eightieth Assembly District.

You ask whether, if this be true, the Thirtieth Congressional District as proposed in Assembly Bill No. 42 would be invalid as violative of the California Constitution.

Opinion

If neither the Seventy-eighth nor the Seventy-ninth Assembly Districts as proposed in Assembly Bill No. 41 are in geographical contact with the Eightieth Assembly District as proposed in that bill, we are of the opinion that the Thirtieth Congressional

District as proposed in Assembly Bill No. 42, as amended in Assembly March 22, 1951, would be unconstitutional.

Analysis

Section 27 of Article IV of the California Constitution provides in part as follows: "In dividing a county, or city and county, into congressional districts no assembly district shall be divided so as to form a part of more than one congressional district, and every such congressional district shall be composed of compact contiguous assembly districts."

The word "contiguous" has been construed by the courts in many instances and in many contexts. With respect to its use in constitutional provisions relating to the apportionment of legislative districts, the weight of judicial authority is to the effect that the word means an actual contact or touching. (See cases collected in 9 Words and Phrases at page 90.)

Assembly Bill No. 42 as amended in Assembly March 22, 1951, would divide the County of San Diego into two congressional districts. One such district would be created by attaching the Seventy-seventh Assembly District as proposed in Assembly Bill No. 41 as amended, to the County of Orange, to which the Seventy-seventh Assembly District would be contiguous. The other congressional district would be formed of the Seventy-eighth, Seventy-ninth and Eightieth Assembly Districts. This would be the Thirtieth Congressional District.

From our study of the wording of Assembly Bill No. 41, it appears clear that the Seventy-eighth and Seventy-ninth Assembly Districts as proposed therein are contiguous. The Seventy-eighth Assembly District is clearly not contiguous with the Eightieth Assembly District. Therefore, unless the Seventy-ninth Assembly District is contiguous with the Eightieth Assembly District, the Thirtieth Congressional District as proposed in Assembly Bill No. 42 as amended in Assembly March 22, 1951, would appear to violate the above quoted constitutional restriction.

We are unable to ascertain from a reading of the descriptions of the Seventy-seventh, Seventy-ninth and Eightieth Assembly Districts contained in Assembly Bill No. 41 and from a perusal of the maps available to us of the San Diego-National City area whether or not the Seventy-ninth Assembly District is contiguous to the Eightieth Assembly District. More specifically, in the absence of a detailed knowledge of the area concerned, we are unable to ascertain whether or not the southernmost portion of the Seventy-ninth Assembly District as described in Assembly Bill No. 41 is in physical contact with the northernmost boundary of the Eightieth Assembly District as that district is described in the bill. The area of doubt is that territory lying south of National City in the Sweetwater Precincts.

However, if, as you state, neither the Seventy-eighth nor the Seventy-ninth Assembly Districts are at any point in physical contact with the Eightieth Assembly District as said districts are defined in Assembly Bill No. 41, the conclusion follows that the Thirtieth Congressional District as proposed in Assembly Bill No. 42, would be in violation of Section 27 of Article IV of the California Constitution and consequently invalid.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By ROBERT G. HINSHAW
Deputy

SACRAMENTO 2, CALIFORNIA, March 26, 1951

Honorable Ralph R. Cloyed
Assembly Chamber

Reapportionment—No. 6272

DEAR MR. CLOYED: In our opinion to you of March 25, 1950 (Reapportionment No. 6272), we stated that if the 78th, 79th, and 80th Assembly Districts as proposed in Assembly Bill No. 41 were not contiguous (i.e., did not actually touch each other), the 30th Congressional District as proposed in Assembly Bill No. 42 would be unconstitutional, since it is composed of the aforementioned assembly districts, and since the Constitution requires such a congressional district to be composed of contiguous Assembly districts.

We stated in our opinion that we were unable to ascertain from the legal description of the districts and the maps available to us whether or not the three assembly districts were contiguous.

Further investigation into the problem has disclosed that the three assembly districts in question are in geographic contact and are therefore contiguous. This is

due to the fact that San Diego Bay is included within the 80th Assembly District as that district is defined in Assembly Bill No. 41. The bill describes the 80th Assembly District as "all that portion of the County of San Diego not included within the Seventy seventh, Seventy-eighth, and Seventy-ninth Assembly Districts."

Since writing the opinion referred to above, it has come to our attention that San Diego Bay is a part of the County of San Diego (Gov. C. 23137). Therefore, San Diego Bay is a part of the 80th Assembly District as proposed and described in Assembly Bill No. 41. This, in turn, would cause both the 78th and 79th Assembly Districts to be contiguous to the 80th Assembly District, since actual physical joinder is present.

Accordingly, it now appears that the 30th Congressional District as proposed in Assembly Bill No. 42 would be composed of contiguous assembly districts as required by Section 27 of Article IV of the California Constitution and would therefore be valid.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By ROBERT C. HINSHAW
Deputy

OPINION No. 6989

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA
April 11, 1951

Honorable Laughlin E. Waters
Assembly Chamber

Reapportionment—No. 6989

DEAR MR. WATERS:

Question

You have asked two questions relating to reapportionment of congressional districts

1. If a proper referendum petition is filed with the Secretary of State within 90 days after final adjournment of the Legislature asking that an act of the Legislature reapportioning the congressional districts of the State be submitted to the electors for their approval or rejection, would the referendum appear on the ballot at the November, 1952, general election, or would it be on the ballot at an intervening special election?

2. If at the referendum election the electors reject the act of the Legislature reapportioning the congressional districts of the State, how will congressmen be elected?

Opinion

1. The referendum would be submitted to the electors at the November, 1952, general election unless the Governor should call a special election for this purpose prior thereto.

2. It is our opinion that if an act of the Legislature reapportioning the congressional districts of the State should be presented to the people for approval or rejection at the November, 1952, general election, congressmen from this State would be elected at that election from the presently existing congressional districts, with seven additional congressmen elected from the State at large. If the question should be presented to the people at a prior special election called for that purpose by the Governor, and the act is rejected by the people, congressmen would be elected from the presently existing districts, with seven additional congressmen elected from the State at large, unless prior to the November, 1952, general election a reapportionment act establishing new congressional districts, either initiated by the people or enacted by the Legislature at a special session, should become effective prior to that general election.

Analysis

In Section 1 of Article IV of the California Constitution it is provided that upon presentation to the Secretary of State within 90 days after final adjournment of the Legislature of a petition certified to have been signed by qualified electors equal in number to 5 percent of all the votes cast for all candidates for Governor at the last preceding general election at which a Governor was elected, asking that any act or section or part of any act of the Legislature be submitted to the electors for approval or rejection, the Secretary of State shall submit such act or part of such act to the electors for approval or rejection at the next succeeding general election occurring at

any time subsequent to 30 days after the filing of the petition or at any special election which may be called by the Governor, in his discretion, prior to such regular election, and that no such act or part thereof shall go into effect until and unless approved by a majority of the qualified electors voting thereon. It is further provided that if a referendum petition is filed against any section or any part of any act, the remainder of that act shall not be delayed from going into effect.

From the above constitutional provisions, it is clear that if a proper petition is filed requesting presentation to the people for approval or rejection of an act of the present session of the Legislature reapportioning the congressional districts of the State, the question must be presented to the people on the ballot at the November, 1952, general election, unless the Governor should call a special election prior thereto for the submission of the question to the electors.

It is also clear from the above constitutional provisions that the filing of a proper referendum petition prevents the act from taking effect until it is approved by the electors at the election. Section 1 of Article IV also provides that if an act so submitted to the people is approved by a majority of the votes cast thereon, it shall take effect five days after the date of the official declaration of the vote by the Secretary of State. Therefore, if it be assumed that the question is presented to the people on the November, 1952, general election ballot, it follows that the congressmen who would be elected on the same ballot would of necessity be elected from the presently existing congressional districts, since the reapportionment act of the Legislature relating to congressional districts would have no force or effect at that time. From this it would follow that Section 2a of Title 2 of the United States Code would become operative. This section provides that until a state is redistricted in the manner provided by the law thereof after the federal census, and if there is an increase in the number of representatives in Congress to which the state is entitled, the additional representatives shall be elected from the state at large and the other representatives from the districts then prescribed by the law of such state. Pursuant to this provisions of federal law, the congressmen to be elected on the November, 1952, ballot would be elected from the presently existing districts, with the seven new congressmen to which the State is entitled being elected from the State at large.

If it be assumed that a special referendum election should be called by the Governor prior to the November, 1952, general election, and that the act is rejected by the people, then, of course, it would never take effect and Section 2a of Title 2 of the United States Code would apply at the November, 1952, general election in the same manner as described above. It is conceivable, however, that a new act reapportioning the congressional representation of the State would be initiated by the people or enacted by the Legislature to become effective within a sufficient time prior to the 1952 general election so that at that election representatives to Congress would be elected from the new districts established by such an act.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By ROBERT G. HINSHAW
Deputy

OPINION No. 7348

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, May 31, 1951

Honorable Laughlin E. Waters
Assembly Chamber

Reapportionment Referendum—No. 7348

Question

DEAR MR. WATERS: You have asked the following two questions relating to reapportionment:

1. If acts of this Legislature creating assembly and congressional districts based upon the 1950 Federal Census are rejected by the electors at a referendum election, could the Legislature at its next session enact new statutes creating such districts?

2. If the act of this session of the Legislature establishing new congressional districts is rejected by the electors in a referendum, will the seven new Congressmen to which the State is entitled under the 1950 census be elected at large at each congressional election for the next 10 years?

Opinion

1. In our opinion it could.

2. In our opinion the seven new Congressmen would be elected at large at each congressional election until such time as districts are formed from which to elect such Congressmen.

Analysis

The Constitution of California and the United States Constitution clearly contemplate that the Legislature shall redistrict the State for the purpose of election of legislative representatives following each decennial Federal Census (Art. IV, Secs. 6 and 27, Cal. Const.; Art. I, Secs. 2 and 4, and 14th Amendment Sec. 2, U S. Const).

The courts of this State have said that the Legislature may create assembly districts but once following each Federal Census, and that once the districts are created they may not be altered until after the next Federal Census. (*Dowell* v. *McLees*, 199 Cal. 144; and *Wheeler* v. *Herbert*, 152 Cal. 224.) The theory of the cited cases is that the legislative power to form legislative districts can be exercised but once during the period between one United States Census and the succeeding one. We believe the same reasoning would apply to the creation of congressional districts.

An attempt by the Legislature to modify the boundaries of legislative districts which have become effective through acts of the Legislature following a Federal Census is, in our opinion, an entirely different matter from an attempt by the Legislature to create legislative districts following the failure of the previous attempt to create such districts due to the rejection of the acts by the electors at a referendum election. In this latter situation no legislative districts have been formed by the Legislature based upon the latest Federal Census, since the acts adopted by the Legislature would be a complete nullity due to the operation of the referendum procedure.

Therefore, we do not believe that the *Dowell* or *Wheeler* cases would prohibit the Legislature from creating new assembly or congressional districts based upon the 1950 Federal Census at a session occurring subsequent to a referendum election at which was rejected the previous attempt of the Legislature to create such districts

Section 6 of Article IV of the California Constitution provides that "should the Legislature at the first regular session * * * following any decennial Federal Census fail to reapportion the assembly and senatorial districts, a Reapportionment Commission * * * shall forthwith apportion such districts * * *."

It is clear that the above-quoted portion of the Constitution has no bearing upon the creation of congressional districts. However, some question might arise as to whether this provision was intended to apply to a situation in which the Legislature has enacted a statute reapportioning the assembly districts of the State and which would have become law but for its rejection by the electors at a referendum election.

We do not believe the quoted provision applies in such a situation. The apparent purpose of the provision is to prevent the Legislature from failing to act to redistrict the State as soon as possible after each Federal Census. It is clear that if the Legislature had failed to enact a statute establishing new assembly districts at this session, the Reapportionment Commission would be required to act. The Legislature having acted, however, it is our opinion that the Reapportionment Commission is neither required nor authorized to take any action in the event that the act of the Legislature of this session creating new assembly districts is rejected by the electors at a referendum election.

With respect to your second question, Section 2a of Title 2 of the United States Code provides that until a state is redistricted in the manner provided by the law thereof after a Federal Census, and if there is an increase in the number of representatives in Congress to which the state is entitled under the census, the additional representatives "shall be elected from the state at large and the other representatives from the districts then prescribed by the law of such state."

The effect of the filing of a referendum petition with the Secretary of the State directed against the act of the Legislature creating congressional districts would be to prevent that act from having any effect until and unless it should be approved by the electors. From this it would follow that Section 2a of Title 2 of the United States Code would become operative and apply at the next congressional elections, and at all succeeding congressional elections until such time as seven new congressional districts would be created by the Legislature or by the people through the initiative process. Therefore, until such time, 23 Congressmen would be elected at each congressional election from the congressional districts presently defined in Section 470 of the

Government Code and the seven additional Congressmen would be elected from the State at large.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By ROBERT G. HINSHAW, Deputy

OPINION No. 6685

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, June 6, 1951

Honorable Laughlin E. Waters
Assembly Chamber

Reapportionment—State and County Central Committeemen—No. 6685

DEAR MR. WATERS: You have asked us what effect the reapportionment acts of this session of the Legislature will have upon state and county central committeemen of the various political parties.

Section 2802 of the Elections Code provides that the state central committee of each party shall consist of:

(a) All delegates to the state convention.
(b) The chairman of each county central committee of the party.
(c) Three members appointed by each delegate to the state convention.

Section 2791 of the Elections Code provides that the state convention of each political party shall consist of one delegate for each of the following elective officials: Governor, Lieutenant Governor, Treasurer, Controller, Attorney General, Secretary of State, all members of the State Board of Equalization, all Senators and Representatives in Congress from California, and all members of the State Legislature.

In Section 2792 of the Elections Code it is provided that each of the above listed officers who was nominated and elected as a candidate of the party and whose term of office extends beyond the eighth day of January next following the primary election, or the appointee or successor to fill a vacancy in such office, is known as a "hold-over delegate." It is also provided that each candidate of the party in whose behalf nomination papers were filed and who was nominated at the primary election by that party is known as a "nominee delegate." The remaining delegates consist of one delegate appointed for each of the above listed officers not represented by a "hold-over delegate" or a "nominee delegate." These latter delegates are chosen in the manner provided for filling vacancies in the state convention and are known as "appointive delegates."

Referring back to Section 2802 of the Elections Code, it will be noted that all delegates to the state convention are members of the state central committee. Referring again to Section 2792 of the Elections Code, it is apparent that the only delegates to the state convention who will be affected by the reapportionment acts of this session of the Legislature will be those delegates known as "nominee delegates," since these are delegates who have been nominated in the primary election immediately preceding the holding of the state convention (which is held on the first Saturday in August, between the primary and general elections). This is due to the fact that the next primary elections are the first elections at which the reapportionment acts will be operative. Officers elected from legislative districts whose terms of office extend beyond the eighth day of January next following the primary election will continue to represent the districts from which they were last elected.

Again referring to Section 2802 of the Elections Code, it will be noted that the chairman of each county central committee of the party is a member of the state central committee. In counties in which county central committee members are elected from assembly districts, and are elected at the primary elections, the reapportionment acts of this session of the Legislature will determine the districts from which such county central committee members are elected. The chairmen of some county central committees may thus be county committee members elected from the new districts established by the reapportionment acts of this session of the Legislature. Therefore, the reapportionment acts would have an indirect effect upon the membership of the state central committees insofar as such membership is composed of chairmen of the various county central committees.

Section 2802 of the Elections Code also provides, as noted above, that three persons appointed by each delegate to the state convention are members of the state

central committee. Since delegates to the state convention who are elected from legislative districts will presumably appoint persons from their districts as members of the state central committee, it would appear that the reapportionment acts of this session of the Legislature will also have an indirect effect upon the appointment of such persons, at least insofar as the appointment of such persons by "nominee delegates" is concerned.

The reapportionment acts of this session of the Legislature will also have an effect on the election of members of county central committees in those counties in which such members are elected from assembly districts. At the next primary elections at which members of such county central committees are elected, candidates for such offices will, of course, be required to run in the new assembly districts created by this session of the Legislature.

Thus, county central committeemen who are running for reelection will, in our opinion, be entitled to use the word "incumbent" after their names on the ballot only if the candidate is a candidate for the same office which he then holds (Elec C, Sec. 3819). A candidate who is running for "the same office which he then holds," as required by Section 3819 of the Elections Code, would, we believe, only be a candidate who is running for reelection in a district which bears the same number as the district from which he was last elected.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By ROBERT G. HINSHAW, Deputy

OPINION No. 8541

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, June 10, 1951

Honorable Laughlin E. Waters
Assembly Chamber

Reapportionment—No. 8541

DEAR MR. WATERS: You have asked us whether a Congressman represents his entire State in Congress, and not merely his district, the district being only a device for purposes of election

In the case of *McPherson* v. *Blacker*, 146 U. S. 1, the issue was whether a Michigan statute providing for the election of presidential electors by districts was valid.

In sustaining the validity of the Michigan statute, the court supported its argument by describing the method by which the various states elected Members of Congress under Article I, Section 4, of the Federal Constitution whereunder "the times, places and manner of holding elections for Senators and Representatives shall be prescribed in each state by the Legislature thereof; * * * " The court stated as follows:

> " * * * the state legislatures, prior to 1842, in prescribing the times, places and manner of holding elections for Representatives, had usually apportioned the state into districts and assigned to each a Representative; and by Act of Congress of June 25, 1842 (carried forward as Sec 23 of the Revised Statutes), it was provided that where a state was entitled to more than one Representative the election should be by districts. *It has never been doubted that Representatives in Congress thus chosen represented the entire people of the state acting their sovereign capacity*" (Emphasis added)

Moreover, the case points out that a Congressman, though elected from a district of the state, represents his entire state, in the choosing of the President by the House of Representatives in case of a failure in the election of a President by the people. The following language was used:

> "By original clause three of section one of article II and by the 12th Amendment which superseded that clause, in case of a failure in the election of President by the people, the House of Representatives is to choose the President; and 'the vote shall be taken by states, the representation from each state having one vote.' *The state acts as a unit, and its vote is given as a unit, but that vote is arrived at*

through the votes of its representatives in Congress elected by districts" (Emphasis added.)

Our search failed to disclose any cases at variance with the holding in the instant case.

Very truly yours,

RALPH N KLEPS
Legislative Counsel
By HOWARD P. WELCH
Deputy

OPINION No. 9588

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, JUNE 11, 1951

Honorable Laughlin E. Waters
Assembly Chamber

Reapportionment—H.R. 2648—(Celler)—No. 9588

DEAR MR. WATERS: You have asked us to analyze H.R. 2648, as introduced in the United States House of Representatives by Representative Celler, relating to congressional districts, to determine what effect that bill, if enacted, would have upon the act of this session of the California Legislature dividing the State into congressional districts.

H.R. 2648 would amend Section 2a of Title 2 of the United States Code (46 Stat. 26, as amended), relating to reapportionment of congressional representatives. The bill would delete from the section those present provisions which permit the election of representatives at large, and would substitute a provision which would read as follows:

"(c) Each state entitled in the Eighty-third Congress and each Congress thereafter to more than one Representative under the apportionment provided in subsection (a) of this section shall establish for each Representative a district composed of contiguous and compact territory, and no district so established shall vary more than 15 per centum of the number obtained by dividing the total population of such state, as established in the last decennial census, by the number of Representatives apportioned under subsection (a) of this section.

"(d) Any Representative elected from a district which does not conform to the requirements set forth in subsection (c) of this section shall be denied his seat in the House of Representatives and the Clerk of the House shall refuse his credentials."

The present Congress is the eighty-second, therefore the provisions of the bill, if enacted, would be effective commencing with the next, or eighty-third, session of the Congress, which will convene in 1953.

The bill would require that congressional districts be composed of "contiguous and compact territory". There is no such requirement presently in the federal law. The bill would further require that no congressional district shall vary more than 15 percent of the number obtained by dividing the total population of the state, as established in the last federal census, by the number of representatives to which the state is entitled. California is now entitled to 30 representatives in Congress. The total population of California as established by the 1950 federal census is 10,586,223. The number obtained by dividing this figure by 30 gives a base figure of 352,887. Allowing a 15 percent variation from this base figure, the result is that the minimum for each congressional district would be 299,954 and the maximum would be 405,820. Approximately one-half of the congressional districts established by statute at this session of the Legislature would be either below the minimum or above the maximum permissible population variations.

It will be noted that the bill further provides that any representative elected from a district which does not conform to the requirements set forth above would be denied his seat in the House of Representatives and refused his credentials. However, Section 5 of Article I of the United States Constitution provides that each house shall be the judge of the elections, returns and qualifications of its own members. Under this constitutional provision, the House of Representatives may determine in each individual case whether a given individual who has been certified by the proper authorities of his state as having been elected to represent that state in the Congress has been validly elected and is qualified as a member of Congress. It follows from this, in our

opinion, that should the House of Representatives of the eighty-third Congress determine in a given instance that an individual elected from a congressional district in any state which did not comply with the population requirements set forth by the bill in question was duly elected and qualified as a member of Congress, that person could be seated as a member irrespective of the provisions of the bill.

Therefore, we believe that the actual effect of the enactment of the bill in question would be to declare the policy of the House of Representatives in so far as the question of the proper election and qualifications of a candidate for the office of Representative in Congress is concerned. In so far as the provisions of such a statute would be followed by the House in determining the qualifications of its members, the result would be that approximately one-half of the candidates elected from the congressional districts established at this session of the Legislature would not be seated as Members of the House of Representatives and would be refused credentials of office.

The bill in question is based upon the provisions of Section 4 of Article I of the United States Constitution which authorizes Congress to make laws relating to the times, places, and manner of holding elections for Representatives. If enacted, it would therefore be constitutional, in our opinion. Moreover, it would supersede any conflicting provisions of the Constitution or laws of California, pursuant to Section 2 of Article VI of the United States Constitution, which provides that the Constitution of the United States and the federal laws made in pursuance thereof are the supreme law of the land, anything in the state laws or constitutions to the contrary notwithstanding.

Very truly yours,

RALPH N. KLEPS
Legislative Counsel
By ROBERT G. HINSHAW
Deputy

82d Congress—1st Session

H. R. 2648

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 14, 1951

MR. CELLER introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To require the establishment of congressional districts composed of contiguous and compact territories in the election of Representatives, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled. That section 22 of the Act of June 18, 1929, entitled, "An Act to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives", as amended, is hereby amended to read as follows:

"SEC. 22. (a) On the first day, or within one week thereafter, of the first regular session of the Eighty-second Congress and of each fifth Congress thereafter the President shall transmit to the Congress a statement showing the whole number of persons in each State, excluding Indians not taxed, as ascertained under the seventeenth and each subsequent decennial census of the population, and the number of Representatives to which each State would be entitled under an apportionment of the then existing number of Representatives by the method known as the method of equal proportions, no State to receive less than one Member.

"(b) Each State shall be entitled, in the Eighty-third Congress and in each Congress thereafter until the taking effect of a reapportionment under this section or subsequent statute, to the number of Representatives shown in the statement required by subsection (a) of this section, no State to receive less than one Member. It shall be the duty of the Clerk of the House of Representatives, within fifteen calendar days after the receipt of such statement, to send to the executive of each State a certificate of the number of Representatives to which such State is entitled under this section. In case of a vacancy in the office of Clerk, or of his absence or inability to discharge this duty, then such duty shall devolve upon the Sergeant at Arms of the House of Representatives; and in case of vacancies in the offices of both the Clerk and the Sergeant at Arms, or the absence or inability of both to act, such duty shall devolve upon the Doorkeeper of the House of Representatives.

"(c) Each State entitled in the Eighty-third Congress and each Congress thereafter to more than one Representative under the apportionment provided in subsection (a) *of this section shall establish for each Representative a district composed of contiguous and compact territory, and no district so established shall vary more than 15 per centum of the number obtained by dividing the total population of such State, as established in the last decennial census, by the number of Representatives apportioned under subsection (a) of this section.*

"(d) Any Representative elected from a district which does not conform to the requirements set forth in subsection (c) of this section shall be denied his seat in the House of Representatives and the Clerk of the House shall refuse his credentials."

REPORT ON ASSEMBLY BILL No. 41—WATERS AND CONRAD

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
May 5, 1951

Summary: Repeals and adds Sec. 491, Gov. C., re division of the State into assembly districts.

Form: Approved. *Title:* Approved.
Constitutionality: Approved.

Analysis

This bill repeals the existing section (491) of the Government Code which defines the 80 assembly districts of the State.

The bill adds a new section (491) to the Government Code which, pursuant to Section 6 of Article IV of the California Constitution, divides the State into 80 assembly districts, based upon the population of the State as declared by the 1950 federal census.

Comment

The Eleventh Assembly District is defined on page 4 of the bill as follows:

"11. All that portion of the County of Contra Costa included in and comprising the first supervisorial district as the same existed on January 1, 1951, with the exception of South Berkeley Park Precinct and Kensington Precincts 1 to 8, inclusive, shall constitute the Eleventh Assembly District."

We are informed by the County Clerk of Contra Costa County that the area designated on his official master precinct map for the County of Contra Costa as "South Berkeley Park Precinct" is in actuality the area designated by ordinance of the county board of supervisors as "Berkeley Park Precinct No. 1" and "Berkeley Park Precinct No. 2."

This error in the precinct map is reflected in the bill. However, since the area designated on the County Clerk's official map as South Berkeley Park Precinct is, and always has been, the same area as defined by metes and bounds by county ordinance as Berkeley Park Precincts Nos. 1 and 2, we are of the opinion that the area intended by the words "South Berkeley Park Precinct" contained in the bill can be readily ascertained.

We therefore believe that the description of the Eleventh Assembly District is legally valid.

RALPH N KLEPS
Legislative Counsel
By ROBERT G. HINSHAW
Deputy

REPORT ON ASSEMBLY BILL No. 42—WATERS AND CONRAD

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
May 2, 1951

Summary: Repeals and adds Sec. 470, Gov. C., re division of the State into thirty congressional districts.

Form: Approved. *Title:* Approved.
Constitutionality: Approved.

Analysis

This bill repeals the present Section 470 of the Government Code which defines the 27 congressional districts of the State on the basis of the 1940 federal census.

The bill adds a new Section 470 to the Government Code which, pursuant to Section 27 of Article IV of the California Constitution, divides the State into 30 congressional districts on the basis of the 1950 federal census for the election of the 30 Representatives in Congress which the State will be entitled to elect at the congressional elections of 1952.

Comment

Several of the congressional districts created by this bill are defined to consist of various assembly districts. The assembly districts referred to in the bill are those districts created and defined by Assembly Bill No. 41, now in enrollment.

RALPH N. KLEPS
Legislative Counsel
By ROBERT G. HINSHAW
Deputy

REPORT ON ASSEMBLY BILL No. 141—WATERS AND CONRAD

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
May 3, 1951

Summary: Amends Section 480, Government Code, re division of the State into senatorial districts.

Removes Alpine County from Ninth Senatorial District and places it in Twenty-eighth Senatorial District.

Removes San Benito County from Twenty-fifth Senatorial District and places it in Twenty-third Senatorial District.

Form: Approved. *Title:* Approved.

Constitutionality: Approved.

RALPH N. KLEPS
Legislative Counsel
By ROBERT G. HINSHAW
Deputy

U. S. Department of Commerce—Bureau of the Census
1950 CENSUS OF POPULATION
Advance Reports

March 30, 1951 Washington 25, D. C. Series PC-8, No. 4A

POPULATION OF CALIFORNIA, BY COUNTIES
APRIL 1, 1950

Final population figures from the 1950 Census of Population for counties in California were released today by Roy V. Peel, Director, Bureau of the Census, Department of Commerce. The figures shown in the table below supersede those which appear in Series PC-2, No. 48, and Series PC-3, No. 4. Final population figures for minor civil divisions, all incorporated places, and unincorporated places of 1,000 inhabitants or more in the State will appear in a forthcoming report, Series PC-8, No. 4.

County	*Population*	*County*	*Population*
The State	10,586,223	Kings	46,768
		Lake	11,481
Alameda	740,315	Lassen	18,474
Alpine	241	Los Angeles	4,151,687
Amador	9,151	Madera	36,964
Butte	64,930	Marin	85,619
Calaveras	9,902	Mariposa	5,145
Colusa	11,651	Mendocino	40,854
Contra Costa	298,984	Merced	69,780
Del Norte	8,078	Modoc	9,678
El Dorado	16,207	Mono	2,115
Fresno	276,515	Monterey	130,498
Glenn	15,448	Napa	46,603
Humboldt	69,241	Nevada	19,888
Imperial	62,975	Orange	216,224
Inyo	11,658	Placer	41,649
Kern	228,309	Plumas	13,519

County	Population	County	Population
Riverside	170,046	Sierra	2,410
Sacramento	277,140	Siskiyou	30,733
San Benito	14,370	Solano	104,833
San Bernardino	281,642	Sonoma	103,405
San Diego	556,808	Stanislaus	127,231
San Francisco	775,357	Sutter	26,239
San Joaquin	200,750	Tehama	19,276
San Luis Obispo	51,417	Trinity	5,087
San Mateo	235,659	Tulare	149,264
Santa Barbara	98,220	Tuolumne	12,584
Santa Clara	290,547	Ventura	114,647
Santa Cruz	66,534	Yolo	40,640
Shasta	36,413	Yuba	24,420

U. S. Department of Commerce—Bureau of the Census

1950 CENSUS OF POPULATION

Preliminary Counts

For release November 5, 1950 Washington 25, D. C. Series PC-3, No. 2

Population of Congressional Districts—April 1, 1950

(The figures in this report are preliminary counts of population compiled in field offices. Final population totals for the United States and each state will be given in a forthcoming report; final figures for all congressional districts will be available by July 1, 1951.)

Preliminary population figures from the 1950 Census for the 425 congressional districts in the United States were reported today by Roy V. Peel, Director, Bureau of the Census, Department of Commerce. Although the House of Representatives has 435 members, 10 are presently elected at large and do not represent specific congressional districts.

Four out of every five congressional districts increased in population between 1940 and 1950, with the greatest gain occurring in the Sixth District of California which increased by 352,255, or 98.8 percent. There were 19 states in which not a single congressional district lost population, and there were no states which did not have at least one congressional district which gained population.

Congressional districts in 1950 range in size from the Twenty-second District of Ohio with a population of 908,403, to the Second District of South Dakota which had a population of 158,147. However, more than three-quarters of all congressional districts fell within the much narrower range from 200,000 to 400,000. Only 2.8 percent of all districts had fewer than 200,000 population, and 6.4 percent more than a half-million inhabitants.

The preliminary population counts given in this report represent the number of persons enumerated in each congressional district, but not the final verified population totals. The final population totals may differ from the preliminary counts because of the allocation to the place of usual residence of persons who were enumerated elsewhere, the inclusion of crews of vessels docked within an area but not included in the preliminary count, and because of other revisions.

Population of Congressional Districts—1950 and 1940

(A minus sign (—) denotes decrease. Percent not shown where less than 0.1.)

State and congressional district	Preliminary count, April 1, 1950	April 1, 1940	Change, 1940 to 1950	
			Number	Percent
ALABAMA	3,052,754	2,832,961	219,793	7.8
First	368,766	297,473	71,293	24.0
Second	369,108	356,553	12,555	3.5
Third	303,664	303,837	—173	—0.1
Fourth	301,783	283,622	18,161	6.4
Fifth	310,245	294,539	15,706	5.3
Sixth	250,664	251,757	—1,093	—0.4
Seventh	273,201	285,138	—11,937	—4.2
Eighth	321,137	300,112	21,025	7.0
Ninth	554,186	459,930	94,256	20.5

Population of Congressional Districts—1950 and 1940—Continued

(A minus sign (—) denotes decrease. Percent not shown where less than 0.1.)

State and congressional district	Preliminary count, April 1, 1950	April 1, 1940	Change, 1940 to 1950	
			Number	Percent
ARIZONA	745,259	499,261	245,998	49.3
First	329,266	186,193	143,073	76.8
Second	415,993	313,068	102,925	32 9
ARKANSAS	1,901,631	1,949,387	—47,756	—2.4
First	425,861	423,152	2,709	0.6
Second	205,696	222,974	—17,278	—7.7
Third	178,000	177,476	524	0.3
Fourth	216,485	242,165	—25,680	—10.6
Fifth	307,689	293,023	14,666	5.0
Sixth	309,755	303,301	6,454	2.1
Seventh	258,145	287,296	—29,151	—10.1
CALIFORNIA	10,490,070	6,907,387	3,582,683	51.9
First	458,230	308,986	149,244	48.3
Second	261,734	218,002	43,732	20.1
Third	665,770	409,404	256,366	62.6
Fourth	361,778	316,914	44,864	14.2
Fifth	398,975	317,622	81,353	25.6
Sixth	708,760	356,505	352,255	98.8
Seventh	322,669	256,956	65,713	25.6
Eighth	603,268	343,180	260,088	75.8
Ninth	507,149	323,733	183,416	56.7
Tenth	422,139	277,444	144,695	52.2
Eleventh	392,182	246,518	145,664	59.1
Twelfth	475,908	260,330	215,578	82.8
Thirteenth	253,026	229,998	23,028	10.0
Fourteenth	327,533	326,032	1,501	0.5
Fifteenth	332,459	319,120	13,339	4 2
Sixteenth	478,349	330,350	147,999	44.8
Seventeenth	650,471	392,616	257,855	65.7
Eighteenth	568,413	292,311	276,102	94.5
Nineteenth	319,171	249,469	69,702	27.9
Twentieth	654,111	352,326	301,785	85.7
Twenty-first	345,975	194,199	151,776	78.2
Twenty-second	446,033	296,024	150,009	50.7
Twenty-third	535,967	289,348	246,619	85.2
COLORADO	1,318,048	1,123,296	194,752	17.3
First	412,856	322,412	90,444	28.1
Second	399,213	319,067	80,146	25.1
Third	333,419	308,970	24,449	7.9
Fourth	172,560	172,847	—287	—0.2
CONNECTICUT [1]	1,995,263	1,709,242	286,021	16.7
First	536,232	450,189	86,043	19.1
Second	315,806	269,312	46,494	17.3
Third	366,809	323,756	43,053	13.3
Fourth	502,832	418,384	84,448	20.2
Fifth	273,584	247,601	25,983	10.5
DELAWARE (At large)	316,609	266,505	50,104	18.8

[1] One representative elected at large

Population of Congressional Districts—1950 and 1940—Continued

(A minus sign (—) denotes decrease. Percent not shown where less than 0.1.)

State and congressional district	*Preliminary count, April 1, 1950*	*April 1, 1940*	*Change, 1940 to 1950*	
			Number	*Percent*
FLORIDA	2,743,736	1,897,414	846,322	44.6
First	642,638	439,895	202,743	46.1
Second	502,835	388,053	114,782	29.6
Third	402,248	306,264	95,984	31.3
Fourth	520,300	286,919	233,381	81.3
Fifth	390,365	289,452	100,913	34.9
Sixth	285,350	186,831	98,519	52.7
GEORGIA	3,433,190	3,123,723	309,467	9.9
First	349,350	335,654	13,696	4.1
Second	285,624	273,436	12,188	4.5
Third	382,499	357,295	25,204	7.1
Fourth	296,356	280,472	15,884	5.7
Fifth	610,771	487,552	123,219	25.3
Sixth	307,558	289,404	18,154	6 3
Seventh	367,279	308,761	58,518	19.0
Eighth	267,429	255,139	12,290	4.8
Ninth	246,061	235,420	10,641	4.5
Tenth	320,263	300,590	19,673	6.5
IDAHO	585,092	524,873	60,219	11.5
First	242,650	224,516	18,134	8.1
Second	342,442	300,357	42,085	14.0
ILLINOIS	8,684,513	7,897,241	787,272	10.0
First	319,874	262,441	57,433	21.9
Second	352,172	335,799	16,373	4.9
Third	347,519	299,106	48,413	16.2
Fourth	439,439	321,013	118,426	36.9
Fifth	330,607	316,826	13,781	4.4
Sixth	333,637	339,637	—6,000	—1.8
Seventh	397,077	380,545	16,532	4.3
Eighth	304,229	318,310	—14,081	—4.4
Ninth	335,002	322,633	12,369	3.8
Tenth	370,410	342,584	27,826	8.1
Eleventh	323,932	286,974	36,958	12.9
Twelfth	354,803	338,531	16,272	4 8
Thirteenth	462,419	320,037	142,382	44.5
Fourteenth	354,219	270,997	83,222	30.7
Fifteenth	323,666	291,104	32,562	11.2
Sixteenth	352,437	307,611	44,826	14.6
Seventeenth	287,440	269,710	17,730	6.6
Eighteenth	313,957	276,685	37,272	13.5
Nineteenth	324,915	301,934	22,981	7.6
Twentieth	255,828	266,407	—10,579	—4.0
Twenty-first	284,449	277,840	6,609	2 4
Twenty-second	331,625	284,001	47,624	16.8
Twenty-third	269,169	279,615	—10,446	—3.7
Twenty-fourth	273,737	295,473	—21,736	—7.4
Twenty-fifth	386,712	316,248	70,464	22.3
Twenty-sixth	255,239	275,180	—19,941	—7.2

Population of Congressional Districts—1950 and 1940—Continued

(A minus sign (—) denotes decrease. Percent not shown where less than 0.1.)

State and congressional district	Preliminary count, April 1, 1950	April 1, 1940	Change, 1940 to 1950	
			Number	Percent
INDIANA	3,921,213	3,427,796	493,417	14.4
First	366,113	293,195	72,918	24.9
Second	302,269	253,952	48,317	19.0
Third	395,282	324,052	71,230	22.0
Fourth	327,207	288,062	39,145	13.6
Fifth	390,974	356,528	34,446	9.7
Sixth	295,289	281,124	14,165	5.0
Seventh	297,994	285,772	12,222	4.3
Eighth	391,207	336,364	54,843	16.3
Ninth	258,560	241,323	17,237	7.1
Tenth	347,271	306,498	40,773	13.3
Eleventh	549,047	460,926	88,121	19.1
IOWA	2,612,598	2,538,268	74,330	2.9
First	372,612	338,261	34,351	10.2
Second	413,206	392,052	21,154	5.4
Third	365,383	344,467	20,916	6.1
Fourth	251,579	268,900	—17,321	—6.4
Fifth	349,048	313,157	35,891	11.5
Sixth	299,113	304,059	—4,946	—1.6
Seventh	265,580	280,031	—14,451	—5.2
Eighth	296,077	297,341	—1,264	—0.4
KANSAS	1,894,390	1,801,028	93,362	5.2
First	317,646	312,593	5,053	1.6
Second	357,196	308,392	48,804	15.8
Third	227,024	249,574	—22,550	—9.0
Fourth	442,807	382,546	60,261	15.8
Fifth	310,981	296,118	14,863	5.0
Sixth	238,736	251,805	—13,069	—5.2
KENTUCKY	2,921,708	2,845,627	76,081	2.7
First	239,604	251,346	—11,742	—4.7
Second	342,912	354,347	—11,435	—3.2
Third	482,285	385,392	96,893	25.1
Fourth	285,055	280,609	4,446	1.6
Fifth	240,260	225,426	14,834	6.6
Sixth	357,524	340,438	17,086	5.0
Seventh	290,264	286,766	3,498	1.2
Eighth	284,410	307,613	—23,203	—7.5
Ninth	399,394	413,690	—14,296	—3.5
LOUISIANA	2,667,022	2,363,880	303,142	12.8
First	347,418	280,600	66,818	23.8
Second	391,332	327,645	63,687	19.4
Third	298,299	269,762	28,537	10.6
Fourth	328,070	318,513	9,557	3.0
Fifth	322,563	325,374	—2,811	—0.9
Sixth	414,975	333,295	81,680	24.5
Seventh	315,807	268,525	47,282	17.6
Eighth	248,558	240,166	8,392	3.5
MAINE	910,456	847,226	63,230	7.5
First	325,927	290,335	35,592	12.3
Second	294,759	276,695	18,064	6.5
Third	289,770	280,196	9,574	3.4

Population of Congressional Districts—1950 and 1940—Continued

(A minus sign (—) denotes decrease. Percent not shown where less than 0.1.)

State and congressional district	*Preliminary count, April 1, 1950*	*April 1, 1940*	*Change, 1940 to 1950*	
			Number	*Percent*
MARYLAND	2,324,243	1,821,244	502,999	27.6
First	210,197	195,427	14,770	7 6
Second	745,493	534,568	210,925	39.5
Third	195,213	206,526	—11,313	—5 5
Fourth	283,445	276,856	6,589	2.4
Fifth	474,572	288,851	185,721	64 3
Sixth	415,323	319,016	96,307	30 2
MASSACHUSETTS	4,664,284	4,316,721	347,563	8 1
First	295,879	278,459	17,420	6.3
Second	342,912	299,109	43,803	14 6
Third	317,540	296,281	21,259	7 2
Fourth	349,899	313,605	36,294	11.6
Fifth	363,220	336,642	26,578	7.9
Sixth	301,691	281,875	19,816	7 0
Seventh	281,265	278,636	2,629	0.9
Eighth	328,309	307,374	20,935	6.8
Ninth	343,971	311,840	32,131	10.3
Tenth	387,455	346,623	40,832	11.8
Eleventh	328,025	328,051	—26	---
Twelfth	330,642	329,294	1,348	0 4
Thirteenth	353,757	306,750	47,007	15 3
Fourteenth	339,719	302,182	37,537	12.4
MICHIGAN	6,308,794	5,256,106	1,052,688	20.0
First	379,093	352,977	26,116	7 4
Second	380,064	285,648	94,416	33.1
Third	348,001	283,352	64,649	22 8
Fourth	289,801	242,339	47,462	19 6
Fifth	360,377	305,998	54,379	17.8
Sixth	469,128	379,423	89,705	23 6
Seventh	412,984	314,368	98,616	31 4
Eighth	331,810	294,842	36,968	12.5
Ninth	272,501	236,861	35,640	15 0
Tenth	252,277	218,768	33,509	15 3
Eleventh	225,723	224,551	1,172	0 5
Twelfth	177,360	200,265	—22,905	—11.4
Thirteenth	340,614	357,775	—17,161	—4.8
Fourteenth	464,830	386,437	78,393	20.3
Fifteenth	382,332	382,399	—67	---
Sixteenth	497,182	371,096	126,086	34 0
Seventeenth	724,717	419,007	305,710	73.0
MINNESOTA	2,968,135	2,792,300	175,835	6 3
First	337,005	318,154	18,851	5 9
Second	321,144	305,559	15,585	5.1
Third	429,613	321,987	107,626	33.4
Fourth	353,190	309,935	43,255	14 0
Fifth	334,568	321,859	12,709	3.9
Sixth	325,050	334,781	—9,731	—2.9
Seventh	304,957	305,139	—182	—0.1
Eighth	290,376	291,041	—665	—0.2
Ninth	272,232	283,845	—11,613	—4.1

Population of Congressional Districts—1950 and 1940—Continued

(A minus sign (—) denotes decrease. Percent not shown where less than 0.1.)

State and congressional district	Preliminary count, April 1, 1950	April 1, 1940	Change, 1940 to 1950	
			Number	Percent
MISSISSIPPI	2,173,373	2,183,796	—10,423	—0.5
First	254,230	263,367	—9,137	—3.5
Second	213,681	231,701	—18,020	—7.8
Third	411,581	435,530	—23,949	—5.5
Fourth	177,337	201,316	—23,979	—11.9
Fifth	248,138	261,466	—13,328	—5.1
Sixth	380,973	319,635	61,338	19 2
Seventh	487,433	470,781	16,652	3.5
MISSOURI	3,933,636	3,784,664	148,972	3.9
First	204,527	232,484	—27,957	—12.0
Second	273,498	282,964	—9,466	—3.3
Third	285,274	291,744	—6,470	—2.2
Fourth	279,569	243.543	36,026	14.8
Fifth	257,981	234,285	23,696	10.1
Sixth	285.351	288,849	—3,498	—1.2
Seventh	292,337	313,435	—21,098	—6.7
Eighth	268,118	276,634	—8,516	—3.1
Ninth	212,606	214,757	—2,151	—1.0
Tenth	317,397	315.691	1,706	0.5
Eleventh	347,666	327,287	20,379	6.2
Twelfth	645,868	503,738	142,130	28.2
Thirteenth	263,444	259,253	4,191	1.6
MONTANA	587,337	559,456	27,881	5 0
First	249,763	235,859	13,904	5 9
Second	337,574	323,597	13.977	4.3
NEBRASKA	1,318,079	1,315,834	2,245	0 2
First	367,647	369,190	—1,543	—0 4
Second	337,726	305,961	31,765	10.4
Third	297,562	315,260	—17,698	—5.6
Fourth	315,144	325,423	—10,279	—3.2
NEVADA (At large)	158,283	110,247	48,036	43 6
NEW HAMPSHIRE	529,880	491,524	38,356	7.8
First	275,223	244,491	30,732	12.6
Second	254,657	247,033	7,624	3.1
NEW JERSEY	4,822,528	4,160,165	662,363	15 9
First	441,621	370,220	71,401	19.3
Second	258,530	226.169	32,361	14.3
Third	387,794	286,838	100,956	35.2
Fourth	365,338	294,331	71,007	24.1
Fifth	419,641	329,305	90,336	27.4
Sixth	397,559	328,344	69,215	21.1
Seventh	369,998	283,041	86,957	30.7
Eighth	332,018	305,875	26,143	8.5
Ninth	348,980	292,576	56,404	19.3
Tenth	311,926	292,947	18,979	6.5
Eleventh	309,603	290,822	18,781	6.5
Twelfth	334,893	309,482	25,411	8.2
Thirteenth	268,421	271,807	—3,386	—1.2
Fourteenth	276,206	278,408	—2,202	—0.8

Population of Congressional Districts—1950 and 1940—Continued

(A minus sign (—) denotes decrease. Percent not shown where less than 0.1.)

State and congressional district	Preliminary count, April 1, 1950	April 1, 1940	Change, 1940 to 1950	
			Number	Percent
NEW MEXICO (At large)	677,152	531,818	145,334	27.3
NEW YORK	14,741,445	13,479,142	1,262,303	9.4
First	440,738	270,972	169,766	62.7
Second	497,873	333,131	164,742	49.5
Third	464,092	317,627	146,465	46.1
Fourth	339,806	318,171	21,635	6.8
Fifth	402,326	330,039	72,287	21.9
Sixth	340,080	331,797	8,283	2.5
Seventh	312,155	300,424	11,731	3.9
Eighth	279,637	304,212	—24,575	—8.1
Ninth	287,185	301,308	—14,123	—4.7
Tenth	305,811	289,816	15,995	5.5
Eleventh	306,615	289,720	16,895	5.8
Twelfth	292,617	308,991	—16,374	—5.3
Thirteenth	298,084	299,278	—1,194	—0.4
Fourteenth	318,854	300,998	17,856	5.9
Fifteenth	315,389	303,538	11,851	3.9
Sixteenth	274,678	257,879	16,799	6.5
Seventeenth	309,670	298,995	10,675	3.6
Eighteenth	307,699	297,743	9,956	3.3
Nineteenth	314,228	315,639	—1,411	—0.4
Twentieth	315,792	302,984	12,808	4.2
Twenty-first	308,084	302,531	5,553	1.8
Twenty-second	297,404	288,594	8,810	3.1
Twenty-third	340,683	354,006	—13,323	—3.8
Twenty-fourth	340,173	346,904	—6,731	—1.9
Twenty-fifth	370,216	365,918	4,298	1.2
Twenty-sixth	393,831	327,883	65,948	20.1
Twenty-seventh	327,872	297,808	30,064	10.1
Twenty-eighth	314,402	292,305	22,097	7.6
Twenty-ninth	324,377	293,264	31,113	10.6
Thirtieth	324,167	297,761	26,406	8.9
Thirty-first	307,834	280,503	27,331	9.7
Thirty-second	272,331	257,392	14,939	5.8
Thirty-third	347,163	322,308	24,855	7.7
Thirty-fourth	311,545	301,729	9,816	3.3
Thirty-fifth	299,308	274,911	24,397	8.9
Thirty-sixth	340,875	295,108	45,767	5.5
Thirty-seventh	270,176	241,801	28,375	11.7
Thirty-eighth	270,707	249,343	21,364	8.6
Thirty-ninth	281,648	241,036	40,612	16.8
Fortieth	377,814	339,667	38,147	11.2
Forty-first	257,443	240,708	16,735	7.0
Forty-second	376,796	319,294	57,502	18.0
Forty-third	322,452	320,093	2,359	0 7
Forty-fourth	386,358	319,100	67,258	21 1
Forty-fifth	254,457	235,913	18,544	7.9

Population of Congressional Districts—1950 and 1940—Continued

(A minus sign (—) denotes decrease. Percent not shown where less than 0.1.)

State and congressional district	Preliminary count, April 1, 1950	April 1, 1940	Change, 1940 to 1950	
			Number	Percent
NORTH CAROLINA	4,038,814	3,571,623	467,191	13.1
First	247,385	239,040	8,345	3.5
Second	306,302	293,297	13,005	4.4
Third	307,925	251,370	56,555	22.5
Fourth	401,109	358,573	42,536	11.9
Fifth	354,154	323,217	30,937	9 6
Sixth	396,243	314,659	81,584	25.9
Seventh	381,097	318,298	62,799	19.7
Eighth	368,775	340,457	28,318	8 3
Ninth	338,565	310,225	28,340	9.1
Tenth	358,802	295,822	62,980	21.3
Eleventh	295,525	265,757	29,768	11.2
Twelfth	282,932	260,908	22,024	8 4
NORTH DAKOTA (At large)	617,965	641,935	—23,970	—3.7
OHIO [1]	7,899,095	6,907,612	991,483	14.4
First	346,046	308,578	37,468	12.1
Second	372,739	313,409	59,330	18.9
Third	570,342	439,058	131,284	29.9
Fourth	277,600	245,130	32,470	13.2
Fifth	166,932	163,561	3,371	2 1
Sixth	209,907	207,229	2,678	1 3
Seventh	354,763	302,068	52,695	17.4
Eighth	198,182	183,187	14,995	8.2
Ninth	421,937	368,693	53,244	14.4
Tenth	181,065	180,482	583	0 3
Eleventh	184,066	181,117	2,949	1.6
Twelfth	501,882	388,712	113,170	29.1
Thirteenth	246,900	219,310	27,590	12.6
Fourteenth	658,423	531,489	126,934	23.9
Fifteenth	195,886	199,609	—3,723	—1.9
Sixteenth	429,417	372,099	57,318	15.4
Seventeenth	290,333	254,315	36,018	14.2
Eighteenth	319,789	321,626	—1,837	—0.6
Nineteenth	492,802	441,240	51,562	11.7
Twentieth	276,278	282,616	—6,338	—2.2
Twenty-first	295,403	305,434	—10,031	—3.3
Twenty-second	908,403	698,650	209,753	30.0
OKLAHOMA	2,223,650	2,336,434	—112,784	—4.8
First	444,988	416,863	28,125	6.7
Second	210,942	239,001	—28,059	—11.7
Third	244,981	320,322	—75,341	—23.5
Fourth	236,490	324,641	—88,151	—27.2
Fifth	487,034	397,385	89,649	22.6
Sixth	233,180	242,241	—9,061	—3.7
Seventh	159,838	189,547	—29,709	—15.7
Eighth	206,197	206,434	—237	—0.1
OREGON	1,512,100	1,089,684	422,416	38.8
First	432,448	309,004	123,444	39.9
Second	245,976	210,991	34,985	16.6
Third	468,571	355,099	113,472	32.0
Fourth	365,105	214,590	150,515	70.1

[1] One representative elected at large.

Population of Congressional Districts—1950 and 1940—Continued

(A minus sign (—) denotes decrease. Percent not shown where less than 0.1.)

State and congressional district	Preliminary count, April 1, 1950	April 1, 1940	Change, 1940 to 1950	
			Number	Percent
PENNSYLVANIA	10,462,628	9,900,180	562,448	5 7
First	308,799	324,424	—15,625	—4.8
Second	374,784	358,568	16,216	4.5
Third	339,213	339,006	207	0.1
Fourth	339,659	309,721	29,938	9.7
Fifth	371,645	295,060	76,585	26.0
Sixth	330,694	304,555	26,139	8 6
Seventh	413,065	310,756	102,309	32.9
Eighth	340,961	285,248	55,713	19.5
Ninth	392,824	348,130	44,694	12.8
Tenth	256,208	301,243	—45,035	—14.9
Eleventh	391,226	441,518	—50,292	—11.4
Twelfth	317,180	355,218	—38,038	—10.7
Thirteenth	254,942	241,884	13,058	5.4
Fourteenth	212,705	212,979	—274	—0.1
Fifteenth	252,692	244,920	7,772	3.2
Sixteenth	351,964	289,247	62,717	21 7
Seventeenth	221,271	215,352	5,919	2.7
Eighteenth	372,571	324,857	47,714	14.7
Nineteenth	233,942	239,481	—5,539	—2.3
Twentieth	274,739	260,496	14,243	5.5
Twenty-first	322,549	286,835	35,714	12.5
Twenty-second	290,198	285,060	5,138	1.8
Twenty-third	271,067	285,956	—14,889	—5.2
Twenty-fourth	254,252	255,523	—1,271	—0.5
Twenty-fifth	376,918	341,221	35,697	10.5
Twenty-sixth	366,429	374,400	—7,971	—2.1
Twenty-seventh	313,335	303,411	9,924	3.3
Twenty-eighth	408,541	353,572	54,969	15.5
Twenty-ninth	295,036	272,288	22,748	8.4
Thirtieth	293,317	271,544	21,773	8.0
Thirty-first	340,676	295,063	45,613	15.5
Thirty-second	295,537	301,241	—5,704	—1.9
Thirty-third	283,689	271,403	12,286	4.5
RHODE ISLAND	779,931	713,346	66,585	9.3
First	366,268	338,883	27,385	8.1
Second	413,663	374,463	39,200	10.5
SOUTH CAROLINA	2,107,432	1,899,804	207,628	10.9
First	341,940	289,482	52,458	18.1
Second	415,222	361,933	53,289	14.7
Third	307,557	304,379	3,178	1.0
Fourth	393,231	339,858	53,373	15.7
Fifth	266,321	251,137	15,184	6.0
Sixth	383,161	353,015	30,146	8.5
SOUTH DAKOTA	650,029	642,961	7,068	1.1
First	491,882	485,829	6,053	1.2
Second	158,147	157,132	1,015	0.6
TENNESSEE	3,282,271	2,915,841	366,430	12.6
First	433,145	385,747	47,398	12.3
Second	466,430	388,938	77,492	19.9
Third	421,617	331,120	90,497	27.3
Fourth	200,899	237,324	—36,425	—15.3

Population of Congressional Districts—1950 and 1940—Continued

(A minus sign (—) denotes decrease. Percent not shown where less than 0.1.)

State and congressional district	Preliminary count, April 1, 1950	April 1, 1940	Change, 1940 to 1950	
			Number	Percent
TENNESSEE—Continued				
Fifth	233,930	225,918	8,012	3.5
Sixth	320,388	257,267	63,121	24.5
Seventh	230,743	231,592	—849	—0.4
Eighth	247,508	250,693	—3,185	—1.3
Ninth	247,450	248,992	—1,542	—0.6
Tenth	480,161	358,250	121,911	34.0
TEXAS	7,677,832	6,414,824	1,263,008	19 7
First	276,371	306,803	—30,432	—9.9
Second	399,096	331,069	68,027	20 5
Third	270,091	292,631	—22,540	—7.7
Fourth	226,865	259,239	—32,374	—12.5
Fifth	610,852	398,564	212,288	53.3
Sixth	227,196	262,735	—35,539	—13.5
Seventh	247,546	299,721	—52,175	—17.4
Eighth	802,102	528,961	273,141	51.6
Ninth	403,949	355,317	48,632	13.7
Tenth	313,362	286,110	27,252	9 5
Eleventh	280,769	251,852	28,917	11.5
Twelfth	419,638	286,132	133,506	46.7
Thirteenth	291,019	279,924	11,095	4.0
Fourteenth	455,394	368,764	86,630	23.5
Fifteenth	453,996	334,616	119,380	35.7
Sixteenth	353,937	230,700	123,237	53.4
Seventeenth	225,742	230,010	—4,268	—1.9
Eighteenth	288,136	239,736	48,400	20.2
Nineteenth	367,973	275,339	92,634	33.6
Twentieth	496,090	338,176	157,914	46.7
Twenty-first	267,708	258,425	9,283	3.6
UTAH	686,797	550,310	136,487	24.8
First	286,274	256,388	29,886	11.7
Second	400,523	293,922	106,601	36.3
VERMONT (At large)	375,833	359,231	16,602	4.6
VIRGINIA	3,270,322	2,677,773	592,549	22.1
First	312,028	250,621	61,407	24 5
Second	488,432	332,864	155,568	46.7
Third	384,135	309,756	74,379	24 0
Fourth	259,202	243,165	16,037	6.6
Fifth	315,310	301,157	14,153	4.7
Sixth	337,695	301,988	35,707	11.8
Seventh	279,618	259,048	20,570	7.9
Eighth	505,979	318,495	187,484	58 9
Ninth	387,923	360,679	27,244	7.6
WASHINGTON	2,363,289	1,736,191	627,098	36.1
First	520,296	412,689	107,607	26.1
Second	372,398	269,757	102,641	38.0
Third	319,411	258,301	61,110	23.7
Fourth	355,766	244,908	110,858	45.3
Fifth	339,950	274,754	65,196	23.7
Sixth	455,468	275,782	179,686	65.2

Population of Congressional Districts—1950 and 1940—Continued

(A minus sign (—) denotes decrease. Percent not shown where less than 0.1.)

State and congressional district	Preliminary count, April 1, 1950	April 1, 1940	Change, 1940 to 1950 Number	Change, 1940 to 1950 Percent
WEST VIRGINIA	1,999,097	1,901,974	97,123	5.1
First	279,444	281,333	—1,889	—0.7
Second	301,841	297,167	4,674	1.6
Third	309,596	315,917	—6,321	—2.0
Fourth	335,285	323,202	12,083	3.7
Fifth	329,584	305,725	23,859	7.8
Sixth	443,347	378,630	64,717	17.1
WISCONSIN	3,421,316	3,137,587	283,729	9.0
First	342,444	293,974	48,470	16.5
Second	388,880	319,069	69,811	21.9
Third	299,961	290,719	9,242	3.2
Fourth	442,870	375,418	67,452	18.0
Fifth	421,067	391,467	29,600	7.6
Sixth	314,902	284,114	30,788	10.8
Seventh	303,152	295,305	7,847	2.7
Eighth	359,203	329,815	29,388	8.9
Ninth	300,122	294,618	5,504	1.9
Tenth	248,715	263,088	—14,373	—5.5
WYOMING (At large)	288,800	250,742	38,058	15.2

U. S. Department of Commerce—Bureau of the Census

1950 CENSUS OF POPULATION

Preliminary Counts

September 28, 1950 Washington 25, D. C. Series PC-2, No. 48

Population of California, By Counties—April 1, 1950

(The figures in this report are preliminary counts of population as compiled in field offices and supersede those for the same areas which have been published in Series PC-1. Figures for some areas are not published in Series PC-1 are also included in this report.)

The population of California as of April 1, 1950. was 10,490.070, according to a preliminary count of the returns of the 1950 Decennial Census of Population, reported today by Roy V. Peel, Director, Bureau of the Census, Department of Commerce. This figure represents a gain of 3,582,683, or 51.9 percent, over the 6,907,387 inhabitants of the State enumerated in the 1940 Census.

The preliminary population counts shown below represent the number of persons enumerated in the State, each county, and each incorporated place of 1,000 or more, but not the final verified population totals. The final population totals may differ from the preliminary counts because of the allocation to the place of usual residence of persons who were enumerated elsewhere, the inclusion of crews of vessels docked within an area but not included in the preliminary count, and because of other revisions.

Area	Preliminary count, April 1, 1950	April 1, 1940	Percentage of change, 1940 to 1950
State total	10,490,070	6,907,387	51.9
Alameda County	733,999	513,011	43 1
Alameda city	63,425	36,256	74.9
Albany city	17,545	11,493	52.7
Berkeley city	113,217	85,547	32.3
Emeryville town	2,870	2,521	13.8
Hayward city	14,273	6,736	111.9
Livermore city	4,262	2,885	47.7

Population of California, By Counties—April 1, 1950—Continued

Area	*Preliminary count, April 1, 1950*	*April 1, 1940*	*Percentage of change, 1940 to 1950*
Alameda County—Continued			
Oakland city	380,576	302,163	26.0
Piedmont city	10,121	9,866	2.6
Pleasanton town	2,245	1,278	75.7
San Leandro city	27,498	14,601	88.3
Alpine county	236	323	—26.9
Amador County	9,101	8,973	1.4
Jackson city	1,867	2,024	—7.8
Sutter Creek city	1,137	1,134	0.3
Butte County	64,374	42,840	50.3
Chico city	12,210	9,287	31.5
Gridley city	3,021	2,338	29.2
Oroville city	5,345	4,421	20.9
Calaveras County	9,850	8,221	19.8
Angels city	1,146	1,163	—1.5
Colusa County	11,567	9,788	18.2
Colusa city	3,014	2,285	31.9
Williams town	1,128	814	38.6
Contra Costa County	297,430	100,450	196.1
Antioch city	10,983	5,106	115.1
Brentwood city	1,642	[1]	----
Concord city	6,980	1,373	408.4
El Cerrito city	18,015	6,137	193.5
Martinez city	8,216	7,381	11.3
Pinole town	1,141	934	22.2
Pittsburg city	12,662	9,520	33.0
Richmond city	99,218	23,642	319.7
San Pablo city	14,511	[1]	----
Walnut Creek city	2,428	1,578	53.9
Del Norte County	8,027	4,745	69.2
Crescent City	1,689	1,363	23.9
El Dorado County	16,046	13,228	21.3
Placerville city	3,726	3,064	21.6
Fresno County	274,225	178,565	53.6
Clovis city	2,757	1,626	69.6
Coalinga city	5,520	5,026	9.8
Fowler town	1,862	1,531	21.6
Fresno city	90,618	60,685	49.3
Kerman city	1,549	[1]	----
Kingsburg city	2,303	1,504	53.1
Mendota city	1,537	[1]	----
Orange Cove city	2,390	[1]	----
Parlier city	1,409	776	81.6
Sanger city	6,376	4,017	58.7
Selma city	5,938	3,667	61.9
Reedley city	4,133	3,170	30.4
Glenn County	15,341	12,195	25.8
Orland town	2,057	1,366	50.6
Willows city	2,988	2,215	34.9

NOTE: A minus sign (—) denotes decrease.
[1] Not shown separately in 1940.

Population of California, By Counties—April 1, 1950—Continued

Area	*Preliminary count, April 1, 1950*	*April 1, 1940*	*Percentage of change, 1940 to 1950*
Humboldt County	68,548	45,812	49.6
Arcata city	3,720	1,855	100.5
Eureka city	22,913	17,055	34.3
Ferndale town	1,024	901	13.7
Fortuna city	1,763	1,413	24.8
Imperial County	62,580	59,740	4.8
Brawley city	11,885	11,718	1.4
Calexico city	6,402	5,415	18.2
Calipatria city	1,429	1,799	—20.6
El Centro city	12,484	10,017	24.6
Holtville city	2,438	1,772	37.6
Imperial city	1,736	1,493	16.3
Westmoreland city	1,215	1,010	20.3
Inyo County	11,486	7,625	50.6
Bishop city	2,879	1,490	93.2
Kern County	227,163	135,124	68.1
Bakersfield city	34,540	29,252	18.1
Delano city	8,672	4,573	89 6
Shafter city	2,198	1,258	74.7
Taft city	3,678	3,205	14 8
Tehachapi city	1,597	1,264	26.3
Wesco city	5,580	[1]	----
Kings County	46,265	35,168	31.6
Corcoran city	3,103	2,092	48 3
Hanford city	9,829	8,234	19.4
Lemoore city	2,122	1,711	24.0
Lake County	11,380	8,069	41 0
Lakeport town	1,974	1,490	32.5
Lassen County	18,403	14,479	27.1
Susanville city	5,320	1,575	237.8
Los Angeles County	4,125,164	2,785,643	48.1
Alhambra city	51,284	38,935	31.7
Arcadia city	23,041	9,122	152.6
Avalon city	1,498	1,637	—8.5
Azusa city	11,072	5,209	112.6
Bell city	15,206	11,264	35.0
Beverly Hills city	28,915	26,823	7.8
Burbank city	78,318	34,337	128 1
Claremont city	6,229	3,057	103 8
Compton city	47,893	16.198	195.7
Covina city	3,968	3,049	30.1
Culver City	19,646	8,976	118.9
El Monte city	8,103	4,746	70.7
El Segundo city	8,009	3,738	114 3
Gardena city	14,418	5,909	144.0
Glendale city	95,398	82,582	15.5
Glendora city	3,992	2,822	41.5
Hawthorne city	16,278	8,263	97.0
Hermosa Beach city	11,766	7,197	63.5
Huntington Park city	29,376	28,648	2.5

NOTE: A minus sign (—) denotes decrease.
[1] Not shown separately in 1940.

Population of California, By Counties—April 1, 1950—Continued

Area	*Preliminary count, April 1, 1950*	*April 1, 1940*	*Percentage of change, 1940 to 1950*
Los Angeles County—Continued			
Inglewood city	46,046	30,114	52.9
La Verne city	4,210	3,092	36.2
Long Beach city	244,072	164,271	48.6
Los Angeles city	1,957,692	1,504,277	30.1
Lynwood city	25,534	10,982	132.5
Manhattan Beach city	17,278	6,398	170.1
Maywood city	13,193	10,731	22 9
Monrovia city	20,274	12,807	58.3
Montebello city	21.754	8,016	171.4
Monterey Park city	20,113	8,531	135.8
Palos Verdes Estates city	1,965	987	99.1
Pasadena city	104,087	81,864	27.1
Pomona city	35,157	23,539	49.4
Redondo Beach city	25,208	13,092	92.5
San Fernando city	12,858	9,094	41.4
San Gabriel city	20,204	11,867	70.3
San Marino city	11,199	8,175	37.0
Santa Monica city	71,299	53,500	33.3
Sierra Madre city	7,288	4,581	59.1
Signal Hill city	4,059	3,184	27.5
South Gate city	50,684	26,945	88.1
South Pasadena city	16,950	14,356	18.1
Torrance city	22,206	9.950	123.2
West Covina city	4,524	1,072	322.0
Whittier city	23,866	16,115	48.1
Madera County	36,763	23,314	57.7
Chowchilla city	3,883	1,957	98.4
Madera city	10,428	6,457	61.5
Marin County	85,237	52,907	61.1
Corte Madera town	1,935	1,098	76.2
Fairfax town	4,065	2,198	84.9
Larkspur city	2,905	1,558	86.5
Mill Valley city	7,241	4,847	49.4
Ross town	2,169	1,751	23.9
San Anselmo town	9,177	5,790	58.5
San Rafael city	13,830	8,573	61.3
Sausalito city	4,812	3,540	35.9
Mariposa County	5,083	5,605	—9.3
Mendocino County	40,596	27,864	45.7
Fort Bragg city	3,808	3.235	17.7
Ukiah city	6,135	3,731	64.4
Willits city	2,680	1,625	64.9
Merced County	69,396	46,988	47.7
Atwater city	2,872	1,235	132.6
Dos Palos city	1,385	978	41.6
Gustine city	1,978	1,355	46.0
Livingston city	1,505	895	68.2
Los Banos city	3,882	2,214	75.3
Merced city	15,144	10,135	49.4

NOTE: A minus sign (—) denotes decrease.
[1] Not shown separately in 1940.

Population of California, By Counties—April 1, 1950—Continued

Area	*Preliminary count, April 1, 1950*	*April 1, 1940*	*Percentage of change, 1940 to 1950*
Modoc County	9,643	8,713	10.7
Alturas city	2,812	2,090	34.5
Mono County	2,082	2,299	—9.4
Monterey County	129,911	73,032	77 9
Carmel-by-the-Sea city	4,321	2,837	52.3
Gonzales city	1,818	[1]	—
Greenfield city	1,308	[1]	—
King City	2,338	1,768	32.2
Monterey city	16,120	10,084	59.9
Pacific Grove city	9,573	6,249	53.2
Salinas city	13,895	11,586	19.9
Soledad city	2,396	861	178.3
Napa County	46,373	28,503	62 7
Calistoga city	1,408	1,124	25.3
Napa city	13,542	7,740	75.0
St. Helena city	2,295	1,758	30.5
Nevada County	19,409	19,283	0.7
Grass Valley city	5,257	5,701	—7.8
Nevada City	2,487	2,445	1.7
Orange County	214,061	130,760	63.7
Anaheim city	14.522	11,031	31.6
Brea city	3,215	2,567	25.2
Fullerton city	13,939	10,442	33.5
Huntington Beach city	5,258	3,738	40.7
Laguna Beach city	6,188	4,460	38.7
La Habra city	4.974	2,499	99.0
Newport Beach city	12,220	4,438	175.3
Orange city	10,503	7,901	27.2
Placentia city	1,681	1,472	14.2
San Clemente city	2,008	479	319.2
Santa Ana city	45,534	31,921	42.6
Seal Beach city	3,558	1,553	129.1
Tustin city	1,140	953	19.6
Placer County	41,324	28,108	47.0
Auburn city	4,647	4,013	15.8
Lincoln city	2,406	2,044	17.7
Rocklin city	1,149	795	44.5
Roseville city	8,715	6,653	31.0
Plumas County	13,398	11,548	16.0
Portola city	2,237	[1]	—
Riverside County	169,392	105,524	60.5
Banning city	7,022	3,874	81.3
Beaumont city	3,143	2,208	42.3
Blythe city	4,086	2,355	73.5
Coachella city	2,743	[1]	—
Corona city	10,219	8,764	16.6
Elsinore city	2,054	1,552	32.3
Hemet city	3,371	2,595	29.9
Indio city	5,281	2,296	130.0
Palm Springs city	7,428	3,434	116.3

NOTE: A minus sign (—) denotes decrease.
[1] Not shown separately in 1940.

Population of California, By Counties—April 1, 1950—Continued

Area	*Preliminary count, April 1, 1950*	*April 1, 1940*	*Percentage of change, 1940 to 1950*
Riverside County—Continued			
Perris city	1,796	1,011	77 6
Riverside city	46,399	34,696	33.7
San Jacinto city	1,760	1,356	29.8
Sacramento County	275,659	170,333	61.8
Folsom city	1,706	[1]	—
Galt city	1,319	[1]	—
Isleton city	1,591	1,837	—13.4
North Sacramento city	6,016	3,053	97.1
Sacramento city	135,761	105,958	28.1
San Benito County	14,330	11,392	25.8
Hollister city	4,890	3,881	26.0
San Juan Bautista city	1,024	678	51.0
San Bernardino County	280,252	161,108	74.0
Barstow city	6,130	[1]	—
Chino city	5,788	4,204	37.7
Colton city	14,420	9,686	48.9
Needles city	4,040	3,624	11.5
Ontario city	22,823	14,197	60 8
Redlands city	18,411	14,324	28.5
Rialto city	3,148	1,770	77.9
San Bernardino city	62,792	43,646	43.9
Upland city	9,166	6,316	45.1
San Diego County	535,967	289,348	85.2
Chula Vista city	15,844	5,138	208.4
Coronado city	12,423	6,932	79.2
El Cajon city	5,418	1,471	268.3
Escondido city	6,608	4,560	44.9
La Mesa city	10,908	3,925	177.9
National City	21,132	10,344	104.3
Oceanside city	12,880	4,651	176.9
San Diego city	321,485	203,341	58.1
San Francisco County	760,753	634,536	19.9
San Francisco city	760,753	634,536	19.9
San Joaquin County	200,535	134,207	49.4
Lodi city	13,727	11,079	23.9
Manteca city	3,807	1,981	92.2
Ripon city	1,562	[1]	—
Stockton city	71,660	54,714	31.0
Tracy city	8,455	4,056	108.5
San Luis Obispo County	51,115	33,246	53 7
Arroyo Grande city	1,716	1,090	57.4
El Paso de Robles city [2]	4,821	3,045	58.3
Pismo Beach city	1,425	[1]	—
San Luis Obispo city	14,162	8,881	59.5
San Mateo County	234,080	111,782	109.4
Atherton town	3,591	1,908	88.2
Belmont city	5,548	1,229	351.4
Burlingame city	19,817	15.940	24.3
Daly City	15,111	9,625	57.0

NOTE: A minus sign (—) denotes decrease

[1] Not shown separately in 1940

[2] Returned as Paso Robles city in 1940.

Population of California, By Counties—April 1, 1950—Continued

Area	Preliminary count, April 1, 1950	April 1, 1940	Percentage of change, 1940 to 1950
San Mateo County—Continued			
Hillsborough town	3,519	2,747	28.1
Menlo Park city	13,537	3,258	315.5
Millbrae city	8,958	(1)	—
Redwood City	25,342	12,453	103.5
San Bruno city	12,409	6,519	90.4
San Carlos city	14,339	3,520	307.4
San Mateo city	41,536	19,403	114.1
South San Francisco city	19,250	6,629	190.4
Santa Barbara County	97,741	70,555	38.5
Guadalupe city	2,429	(1)	—
Lompoc city	5,514	3,379	63.2
Santa Barbara city	44,764	34,958	28.1
Santa Maria city	10,403	8,522	22.1
Santa Clara County	288,938	174,949	65.2
Gilroy city	4,953	3,615	37.0
Los Gatos town	4,880	3,597	35.7
Morgan Hill town	1,615	1,014	59.3
Mountain View city	6,548	3,946	65.9
Palo Alto city	25,290	16,774	50.8
San Jose city	95,044	68,457	38.8
Santa Clara city	11,668	6,650	75.5
Sunnyvale city	9,849	4,373	125.2
Santa Cruz County	65,920	45,057	46.3
Capitola city	1,828	(1)	—
Santa Cruz city	21,848	16,896	29.3
Watsonville city	11,516	8,937	28.9
Shasta County	36,062	28,800	25.2
Redding city	10,137	8,109	25.0
Sierra County	2,363	3,025	—21.9
Siskiyou County	30,517	28,598	6.7
Dunsmuir city	2,232	2,359	—5.4
Mount Shasta town	1,898	1,618	17.3
Tulelake city	1,018	785	29.7
Yreka City town	3,139	2,485	26.3
Solano County	102,750	49,118	109.2
Benicia city	7,275	2,419	200.7
Dixon town	1,710	1,108	54 3
Fairfield city	3,603	1,312	174.6
Rio Vista town	1,819	1,666	9.2
Vacaville town	3,159	1,614	95.7
Vallejo city	23,164	20,072	15.4
Sonoma County	102,774	69,052	48.8
Cloverdale city	1,278	809	58.0
Healdsburg city	3,184	2,507	27.0
Petaluma city	10,390	8,034	29.3
Santa Rosa city	17,905	12,605	42.0
Sebastopol city	2,611	1,856	40.7
Sonoma city	2,001	1,158	72.8
Stanislaus County	126,765	74,866	69.3
Ceres city	2,353	1,332	76.7
Modesto city	17,347	16,379	5.9

NOTE: A minus sign (—) denotes decrease.
[1] Not shown separately in 1940

Population of California, By Counties—April 1, 1950—Continued

Area	*Preliminary count, April 1, 1950*	*April 1, 1940*	*Percentage of change, 1940 to 1950*
Stanislaus County—Continued			
Newman city	1,879	1,214	54.8
Oakdale city	4,060	2,592	56.6
Patterson city	1,348	1,109	21.6
Riverbank city	2,660	1,130	135.4
Turlock city	6,221	4,839	28.6
Sutter County	26,135	18,680	39.9
Live Oak city	1,759	[1]	—
Yuba City town	7,856	4,968	58.1
Tehama County	19,169	14,316	33.9
Corning city	2,525	1,472	71.5
Red Bluff city	4,885	3,824	27.7
Trinity County	5,045	3,970	27.1
Tulare County	148,711	107,152	38.8
Dinuba city	4,935	3,790	30.2
Exeter city	4,074	3,883	4.9
Lindsay city	5,033	4,397	14.5
Porterville city	6,857	6,270	9.4
Tulare city	12,367	8,259	49.7
Visalia city	11,690	8,904	31.3
Woodlake city	2,512	1,146	119.2
Tuolumne County	12,517	10,887	15.0
Sonora city	2,437	2,257	8.0
Ventura County	113,415	69,685	62.8
Fillmore city	3,879	3,252	19.3
Ojai city	2,512	1,622	54.9
Oxnard city	21,519	8,519	152.6
Port Hueneme city	3,025	[1]	—
San Buenaventura city	16,535	13,264	24.7
Santa Paula city	11,039	8,986	22.8
Yolo County	40,453	27,243	48.5
Davis city	3,557	1,672	112.7
Winters town	1,264	1,133	11.6
Woodland city	9,318	6,637	40.4
Yuba County	24,251	17,034	42.4
Marysville city	7,777	6,646	17.0

NOTE: A minus sign (—) denotes decrease.
[1] Not shown separately in 1940

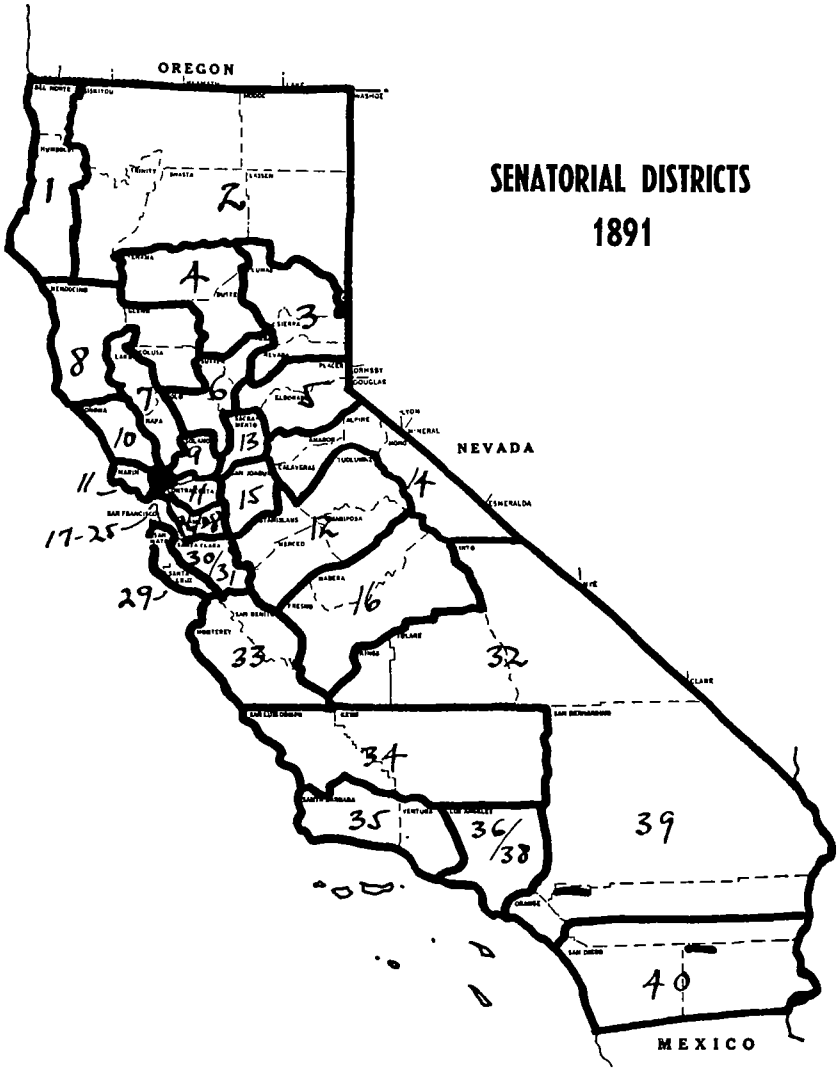
SENATORIAL DISTRICTS
1891
OREGON
NEVADA
MEXICO
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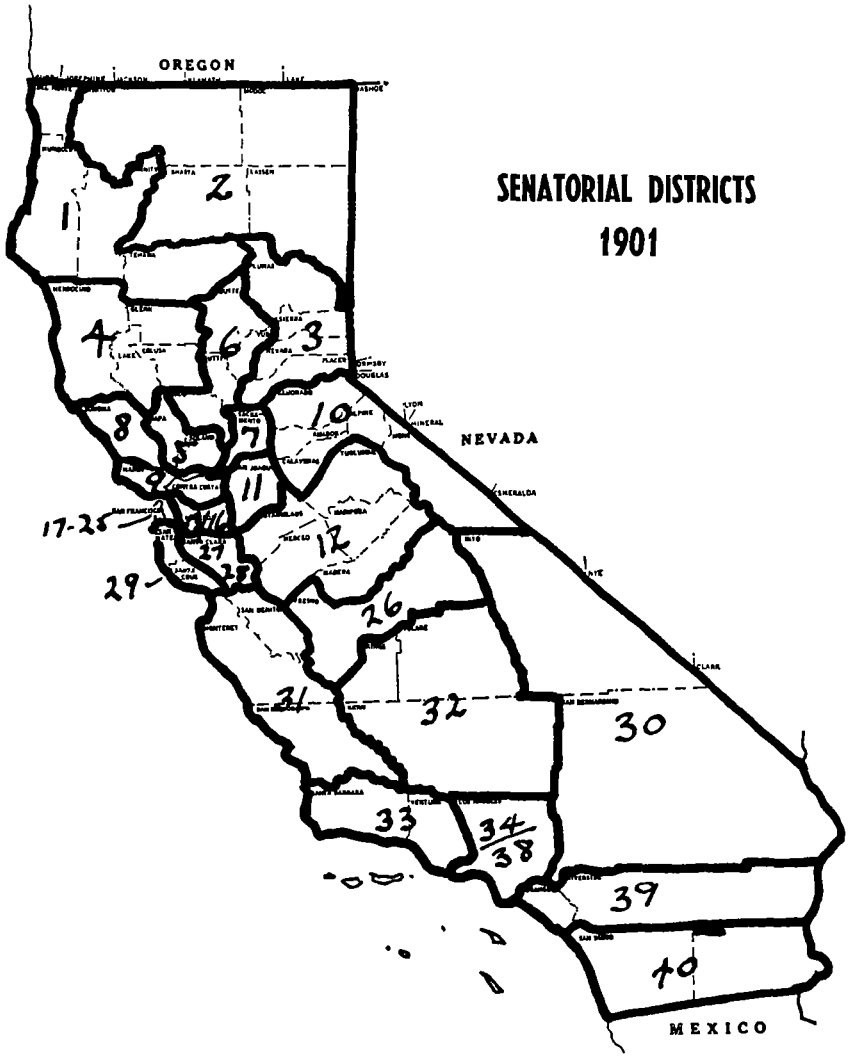
OREGON
SENATORIAL DISTRICTS
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NEVADA
MEXICO
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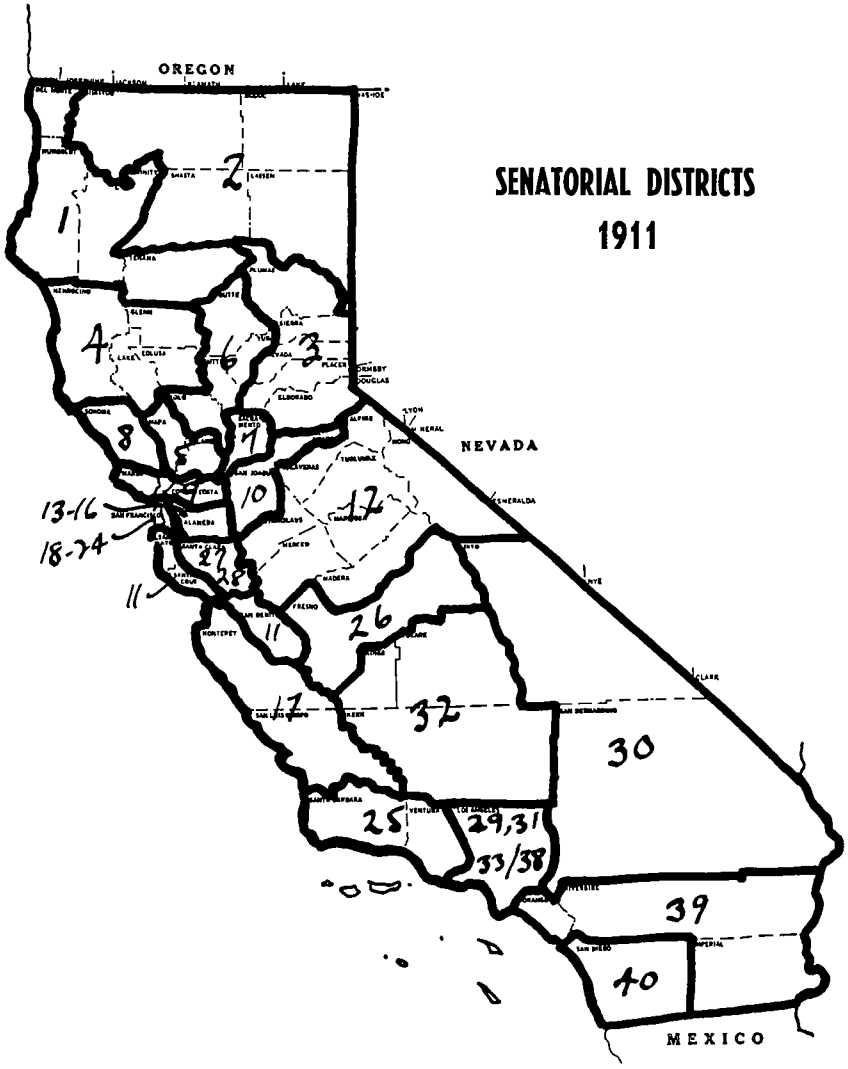
SENATORIAL DISTRICTS
1911
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MEXICO
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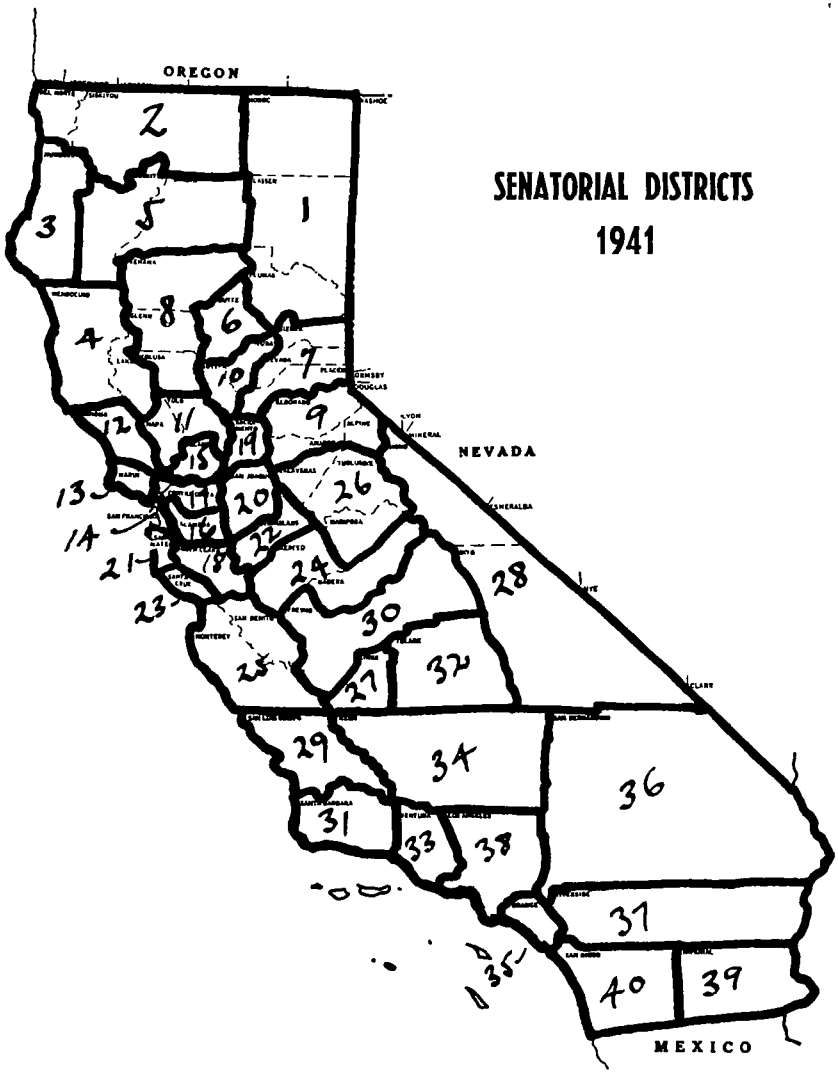
SENATORIAL DISTRICTS
1941
OREGON
NEVADA
MEXICO
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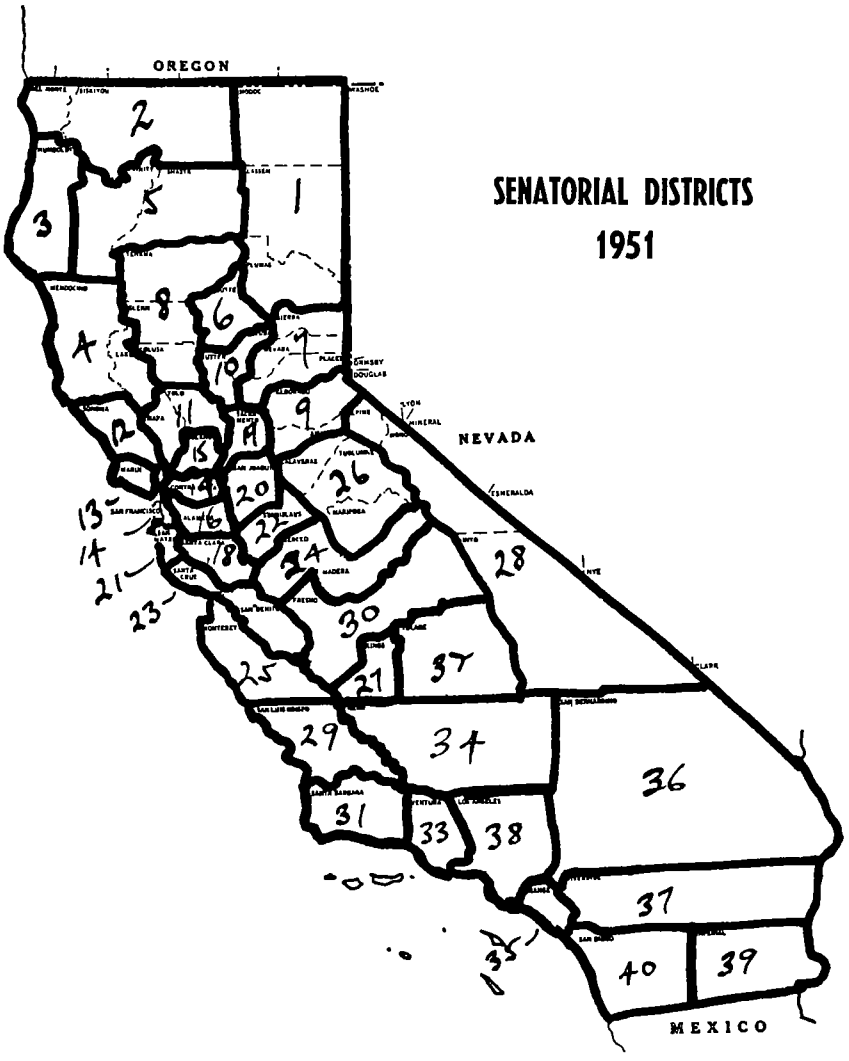
SENATORIAL DISTRICTS
1951
OREGON
NEVADA
MEXICO

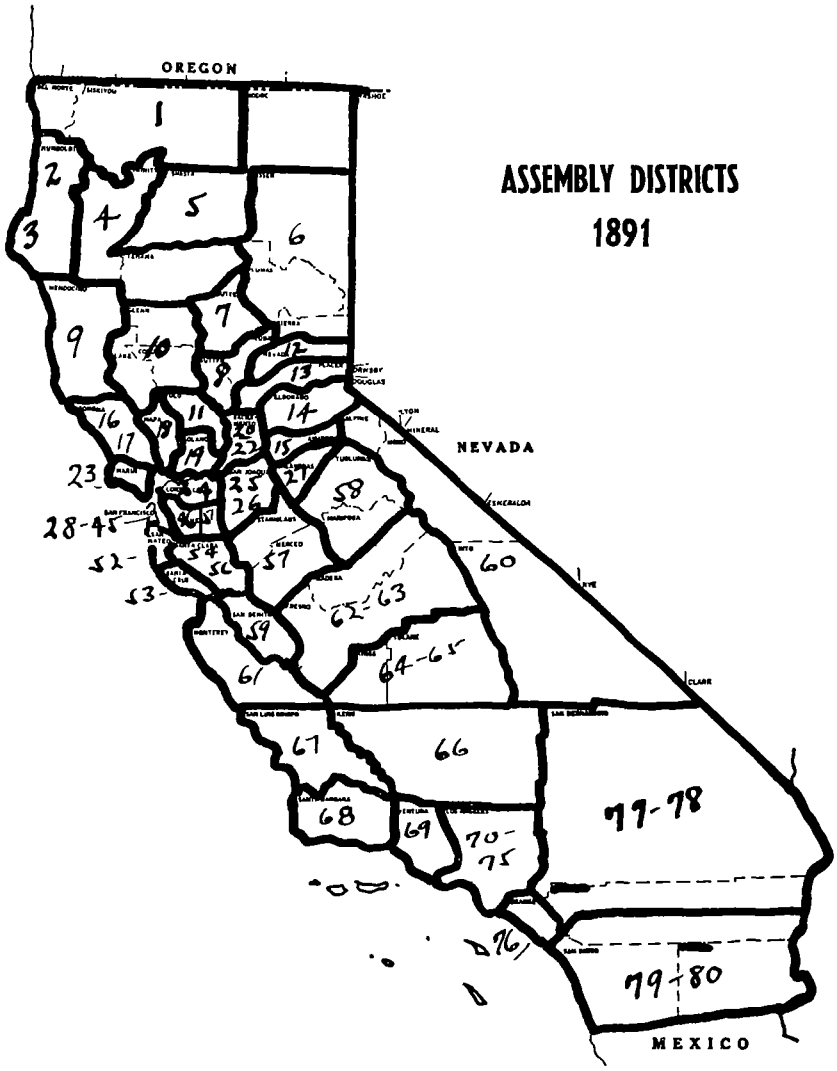
ASSEMBLY DISTRICTS
1891
OREGON
NEVADA
MEXICO

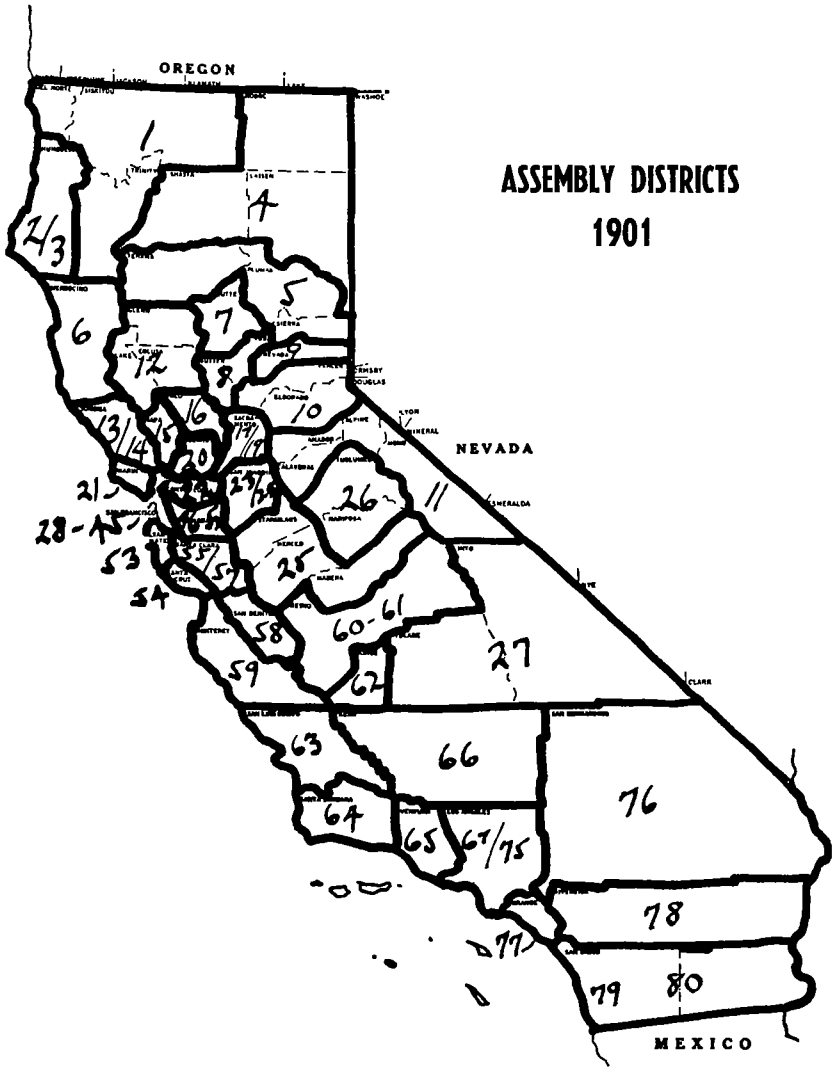
ASSEMBLY DISTRICTS
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OREGON
NEVADA
MEXICO
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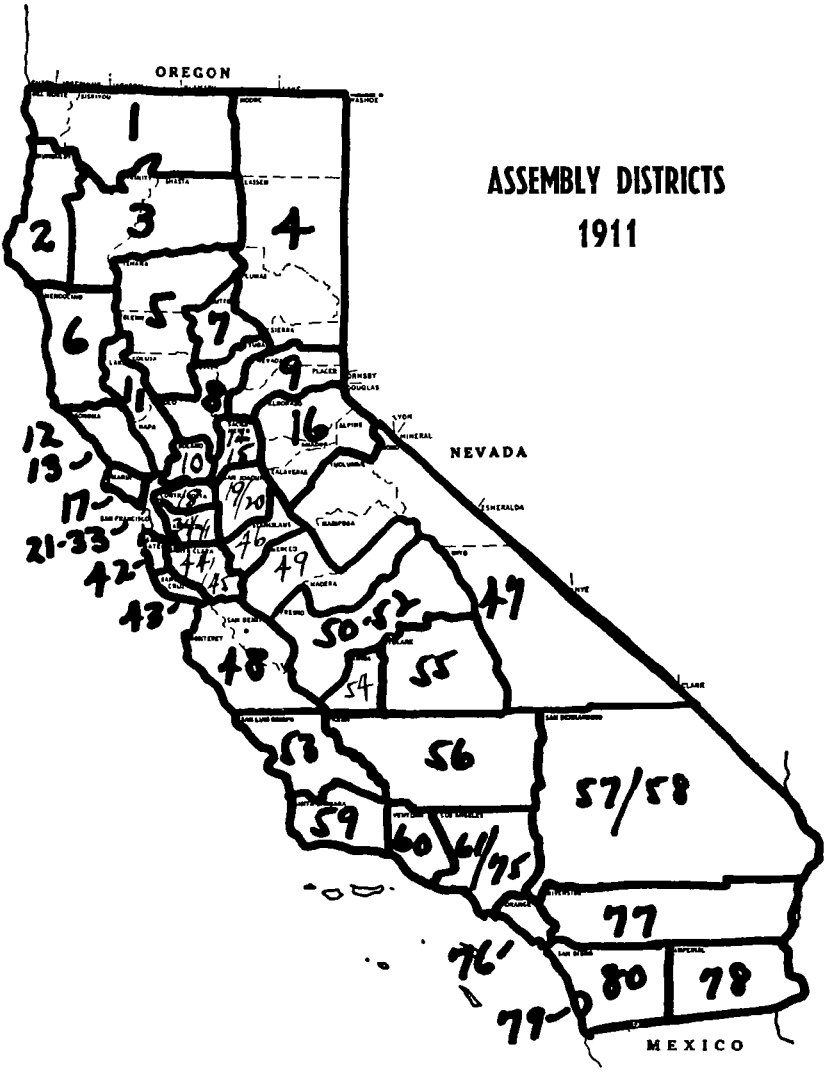
ASSEMBLY DISTRICTS
1911
OREGON
NEVADA
MEXICO
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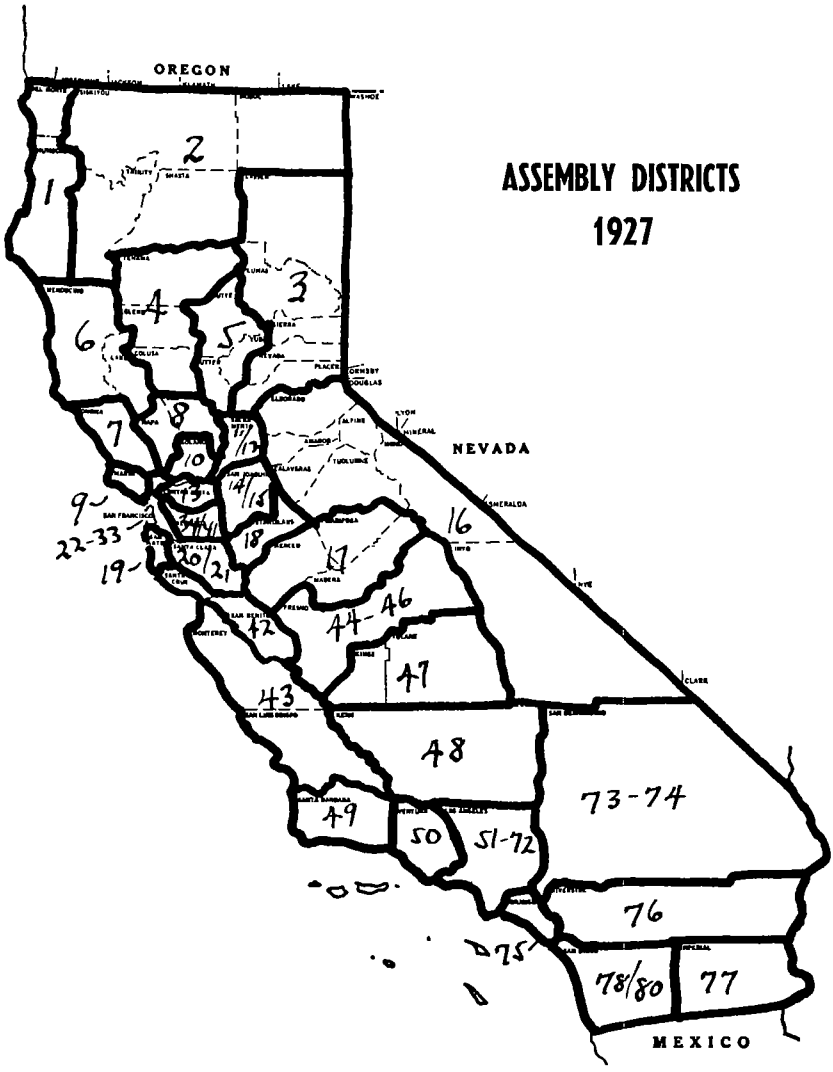
ASSEMBLY DISTRICTS
1927
OREGON
NEVADA
MEXICO
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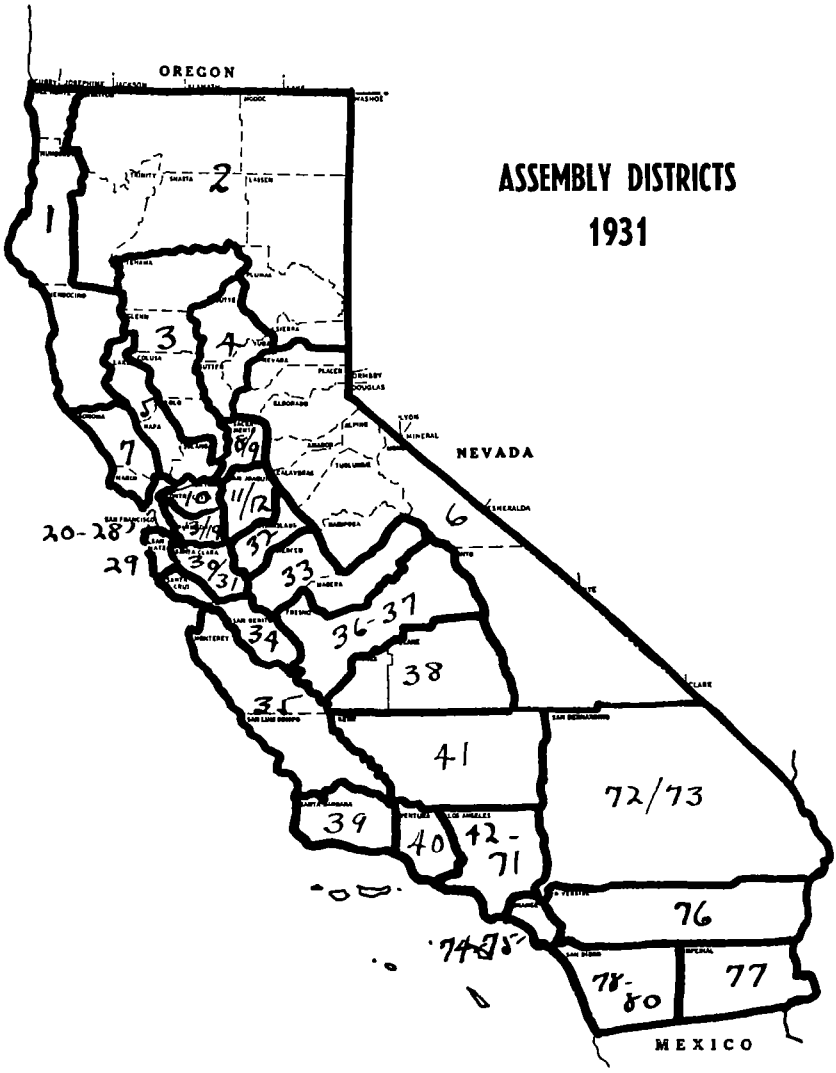
ASSEMBLY DISTRICTS
1931
OREGON
NEVADA
MEXICO
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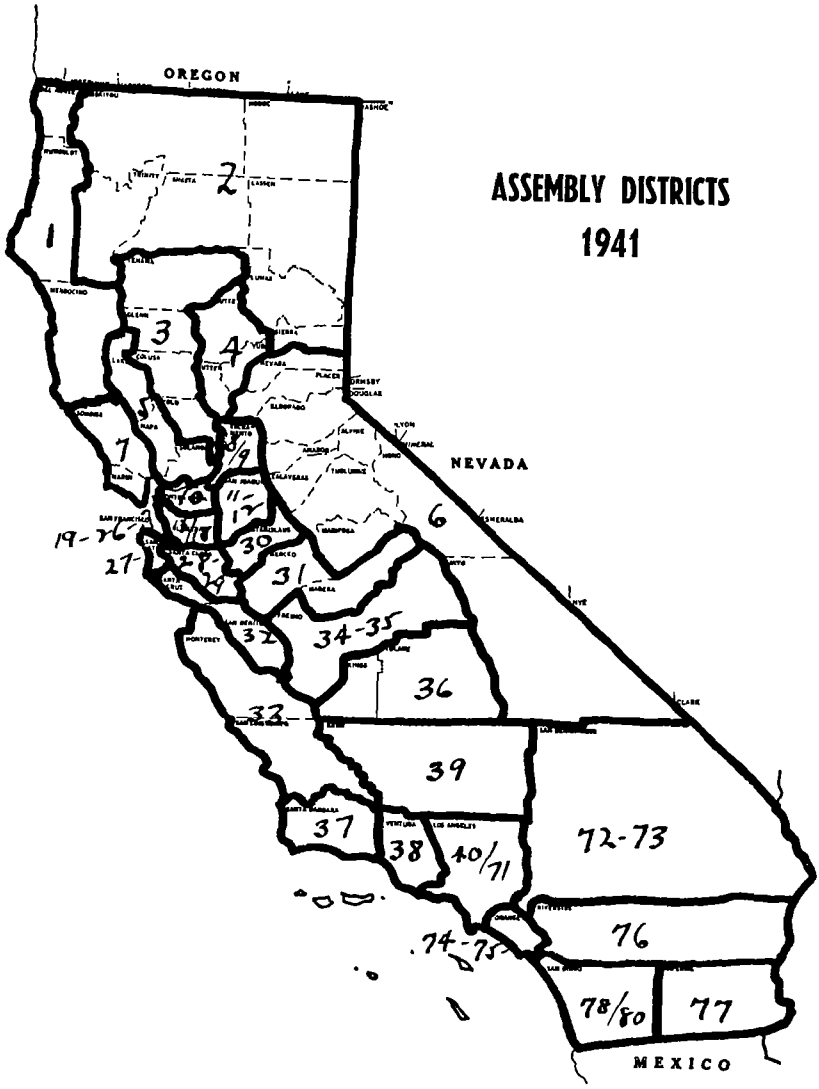
OREGON
ASSEMBLY DISTRICTS
1941
NEVADA
MEXICO
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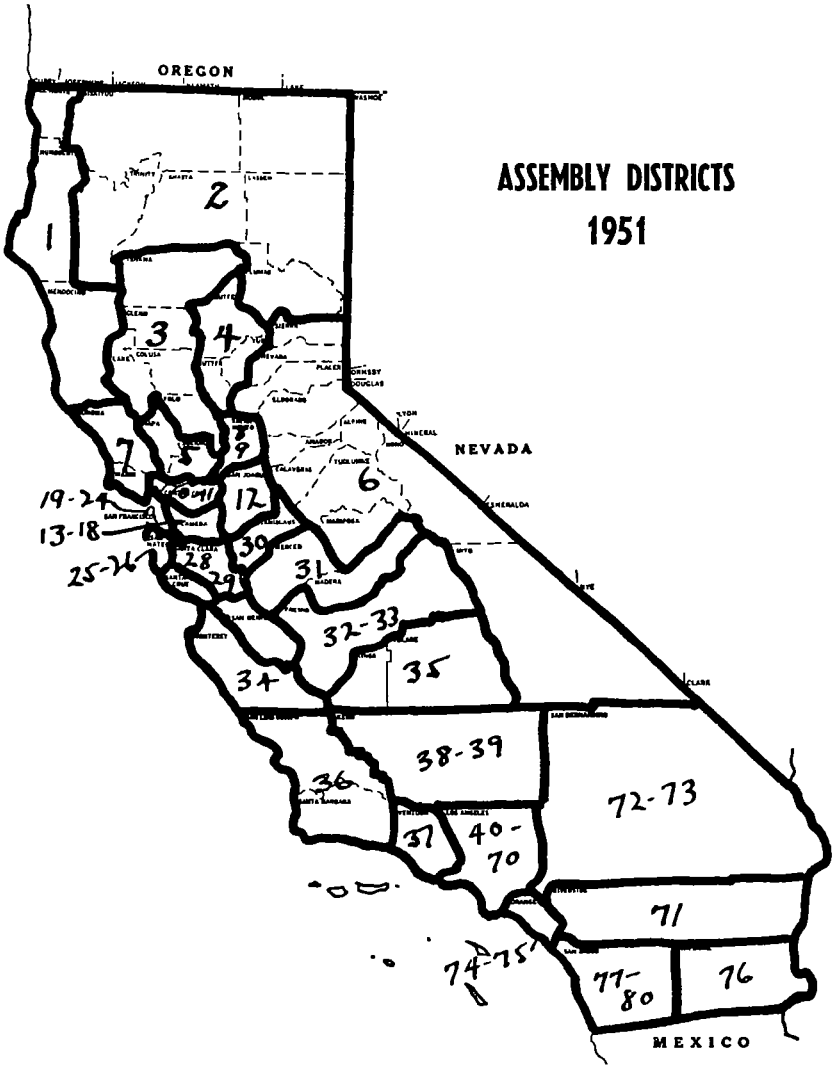
OREGON
ASSEMBLY DISTRICTS
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NEVADA
MEXICO
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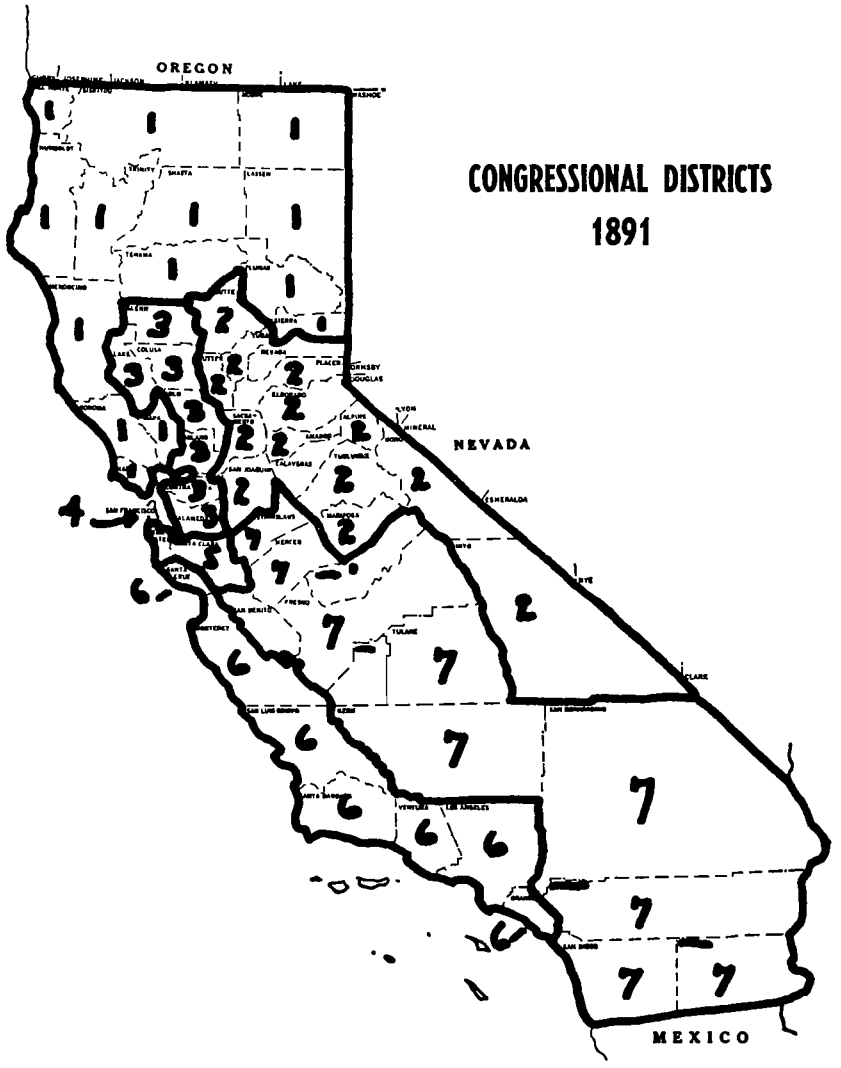
OREGON
CONGRESSIONAL DISTRICTS
1891
NEVADA
MEXICO

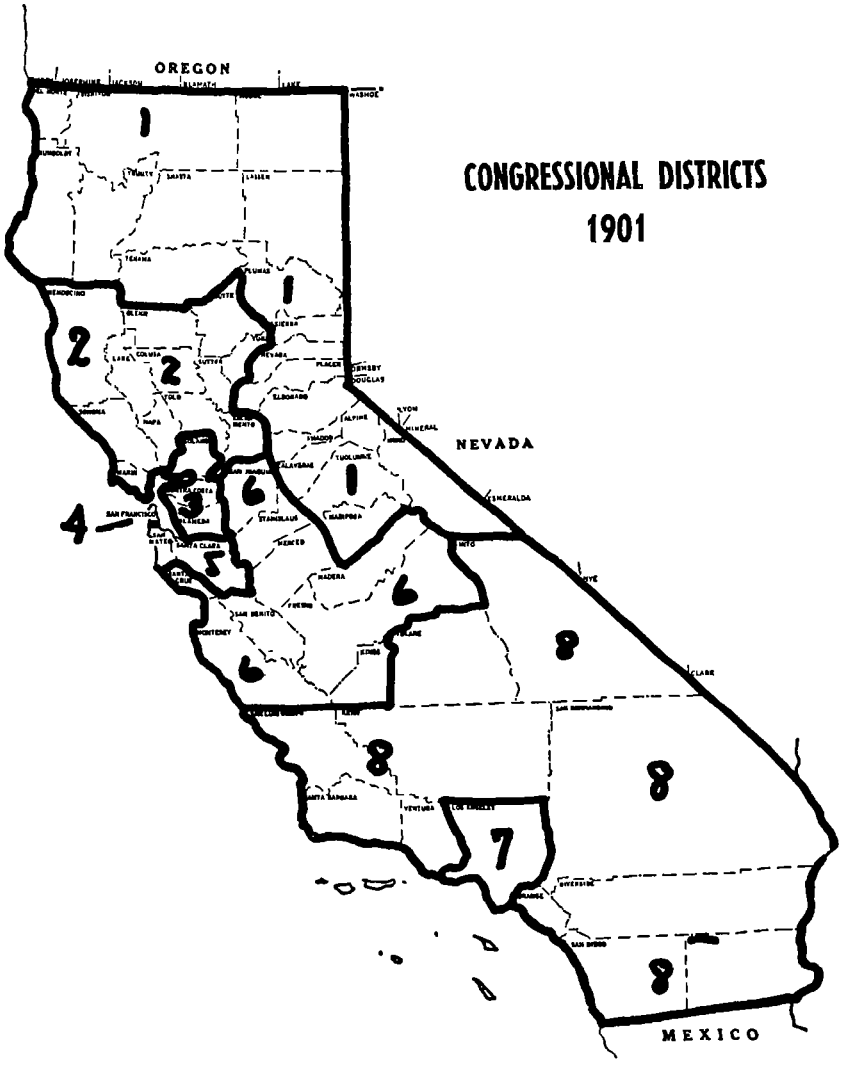
OREGON
CONGRESSIONAL DISTRICTS
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NEVADA
MEXICO
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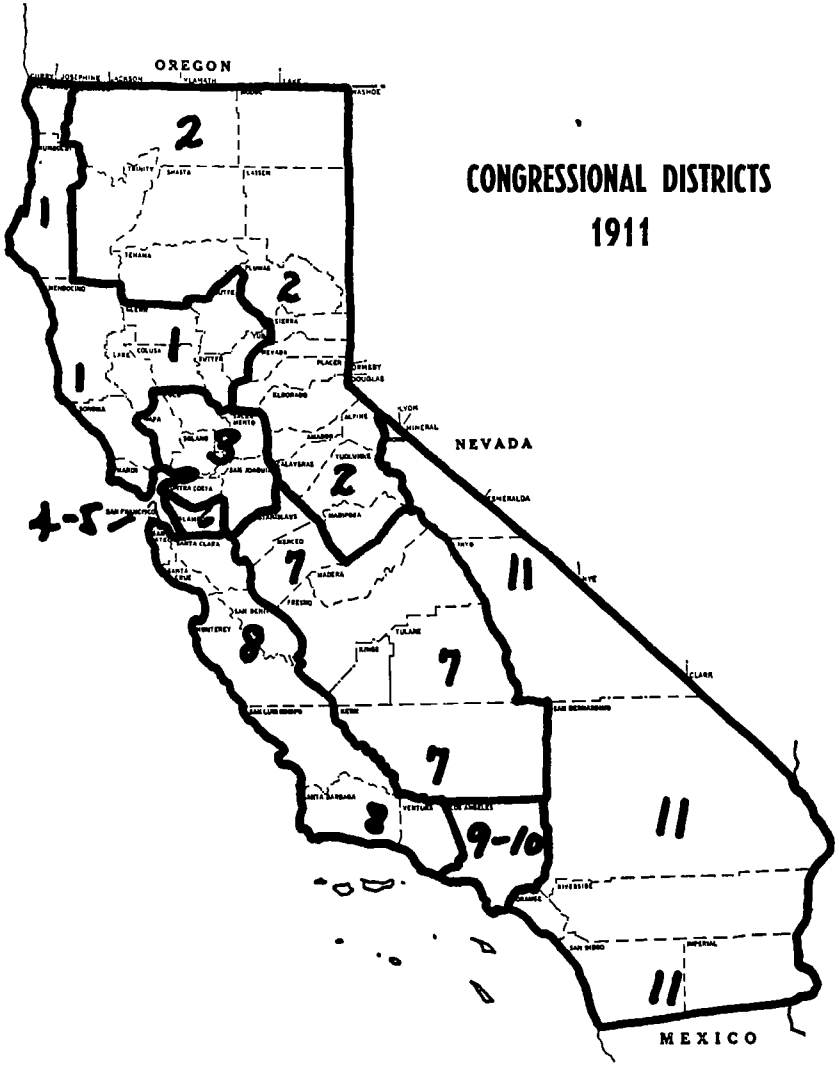
OREGON
CONGRESSIONAL DISTRICTS
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NEVADA
MEXICO
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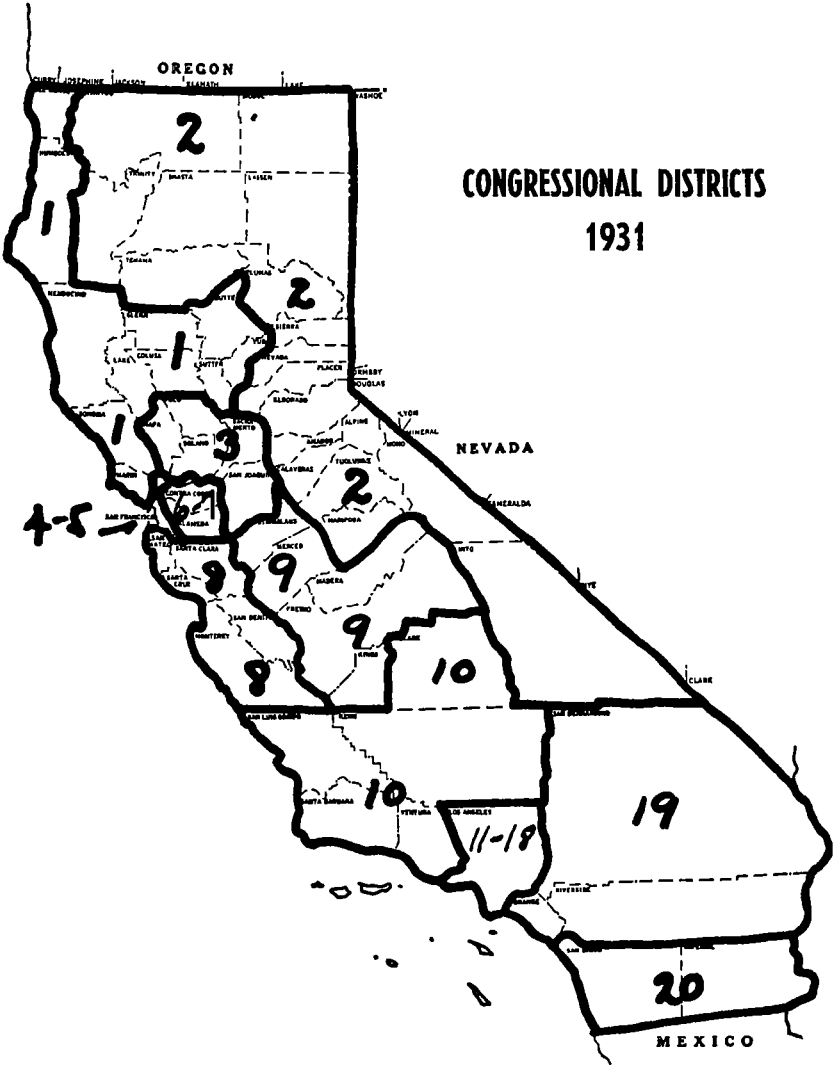
OREGON
CONGRESSIONAL DISTRICTS
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NEVADA
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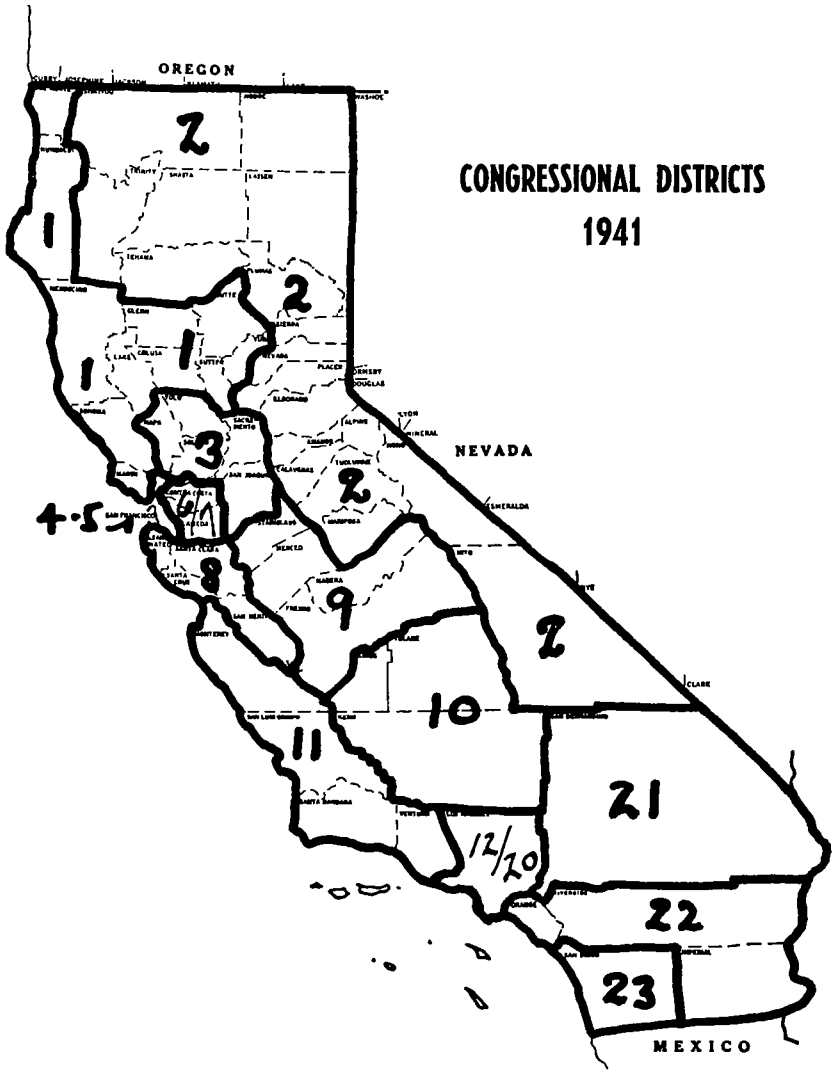
OREGON
CONGRESSIONAL DISTRICTS
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NEVADA
MEXICO
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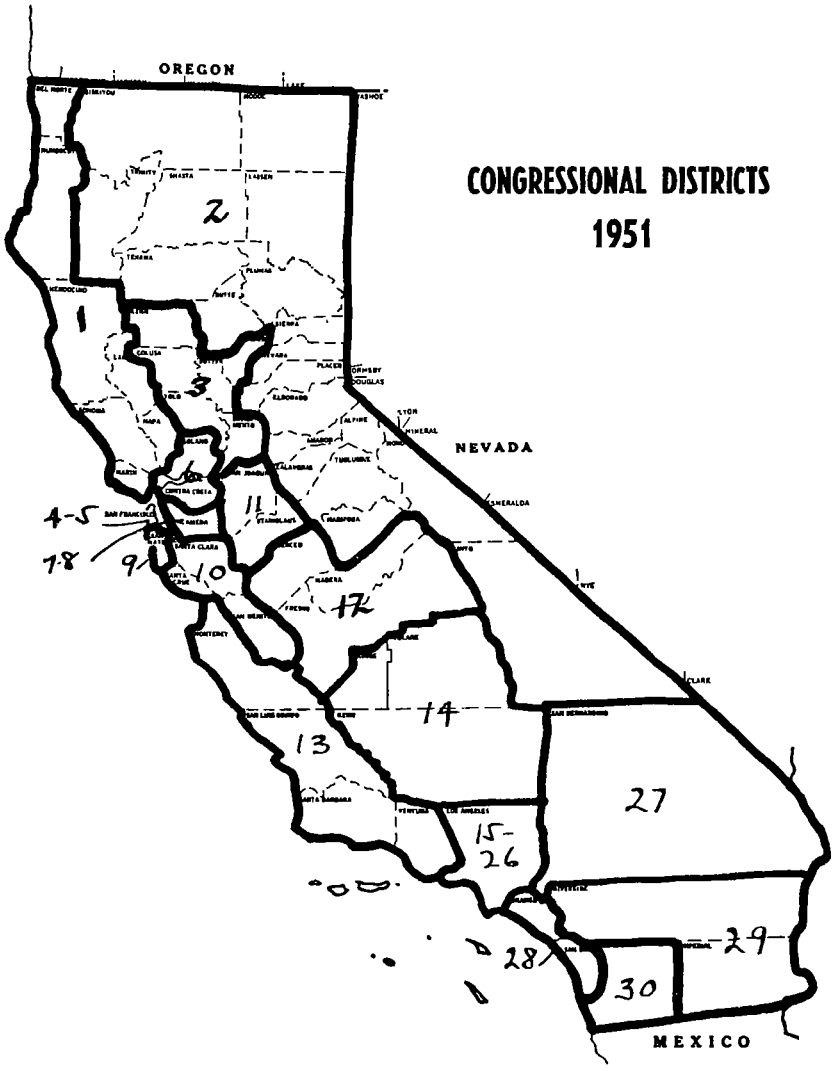
OREGON
CONGRESSIONAL DISTRICTS
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GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Messrs. Hollibaugh and Porter, the usual courtesies of the Assembly for this day were unanimously extended to Judge Wallace Toelle and Mayor Leland R. Weaver of South Gate.

On request of Mr. Dickey, the usual courtesies of the Assembly for this day were unanimously extended to Miss Helen Willson of San Francisco.

On request of Mr. Meyers, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Charles W. Meyers, and Mr. and Mrs. Charles F. Meyers of San Francisco.

On request of Mr. Meyers, the usual courtesies of the Assembly for this day were unanimously extended to Miss Barbara Bressani of San Jose and Miss Edna M. Hansen of San Francisco.

On request of Messrs. Kirkwood and Gubser, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Dennis Tedford, Mrs. W. R. Williams, Mrs. Ray Jergens, Miss Marcia Kasmire, and Mrs. Robert Helm, adults, and the following Girl Scouts of Santa Clara Valley: Betty Jean Bailey, Elizabeth Burke, Gayle Burris, Carolejean Caldwell, Betty Catalano, Janet Colon, Kay Crampton, Marjorie Foster, Donna Gire, Gayle Grisham, Mildred Haden, Karen Hansen, Diane Jergens, Carol Johannsen, Helen Kitchen, Joanne Lyle, Marie Mandoza, Mary Ann Malatesta, Ruth Martin, Lorna McIntyre, Barbara Noble, Sally Peterson, Janice Priest, Margaret Risley, Betty Sasaki, Marilyn Schlueter, Susan Smith, Kathryn Sparry, Lenore Stumpe, Mabel Vasconsellos, Jeanette Williams, and Jane Wyant.

On request of Mr. Lyon, the usual courtesies of the Assembly for this day were unanimously extended to Victor Sen Young of Los Angeles.

On request of Mr. Lincoln, the usual courtesies of the Assembly for this day were unanimously extended to Horace Fong of Oakland.

ADJOURNMENT SINE DIE

At 12 midnight, on Saturday, June 23, 1951, in accordance with the provisions of the Constitution of the State of California, the Honorable Sam L. Collins, Speaker of the Assembly, announced that the time for final adjournment of the 1951 Regular Session of the Legislature of the State of California had arrived, and therefore declared the Assembly adjourned *sine die*.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk